



KROGER RESTAURANT

ORDINANCE NO. 1452

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A NON-DRIVE-IN RESTAURANT WITHOUT OUTSIDE SALES WINDOW IN AN LR-2 ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

Whereas, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of a specific use permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit for a non-drive-in restaurant without outside sales window in an LR-2 zoning district.

SECTION 2. That the non-drive-in restaurant without outside sales window shall be located within the property designated as and more specifically located as follows:

One restaurant to be located at 2770 Valwood Parkway in the LR-2 zoning district.

SECTION 3. That the restaurant shall be operated in accordance with the information shown on Exhibit "A".

SECTION 4. That if any section, subsection, clause, phrase or word of this ordinance shall be judged invalid or unconstitutional, such judgement shall not effect the remainder of this Ordinance.

SECTION 5. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this Ordinance.

SECTION 6. That if any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 6. The fact that certain amendments should be made in the Comprehensive Zoning Ordinance creates an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED by the City Council on the 17 day of October, 1983.

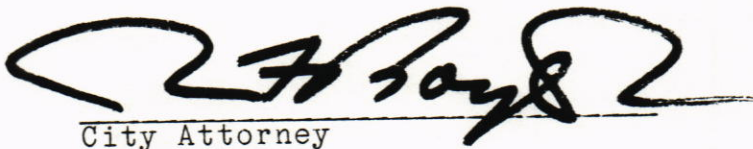
APPROVED:



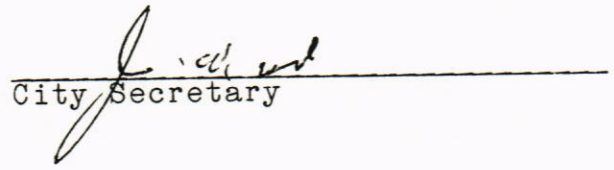
Mayor

APPROVED AS TO FORM:

ATTEST:



City Attorney



City Secretary