



**FARMERS
BRANCH**

ORDINANCE NO. 2003

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 WITH OUTSIDE SALES WINDOW WITHIN THE PLANNED DEVELOPMENT NUMBER 33 ZONING DISTRICT AND LOCATED AT 2425 VALWOOD PARKWAY, A .2089 ACRE LOT LOCATED ON THE NORTH SIDE OF VALWOOD PARKWAY AND EAST OF DENTON DRIVE; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning 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 the granting of Specific Use Permits 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 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 use should be made, subject to the conditions set out herein.

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 with outside sales window within Planned Development Number 33 zoning district and located at 2425 Valwood Parkway, a .2089 acre lot on the north side of Valwood Parkway and east of Denton Drive.

SECTION 2. That the above described non drive-in restaurant shall be constructed in the manner setforth on the approved site plan attached as Exhibit "A", and provided further that:

- a. Prior to the issuance of any building permits, a Hold Harmless Agreement must be executed to allow paving and use of the 10 foot utility easement along the property's west side.
- b. Prior to the issuance of a Certificate of Occupancy (C.O.), a mutual access agreement must be executed between the subject property and the adjacent property to the east.

SECTION 3. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same is hereby repealed and all other provisions of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction, shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 6. 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 7. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance and as the law in such case provides.

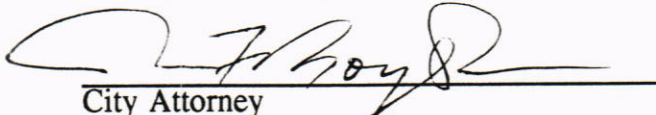
DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 14TH day of September, 1992.

APPROVED:



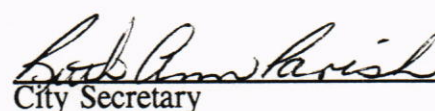
Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary