



**FARMERS
BRANCH**

ORDINANCE NUMBER 2152

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 MOTEL WITHIN THE FREEWAY SUBDISTRICT OF PLANNED DEVELOPMENT NUMBER 70 (PD-70) ZONING DISTRICT AT 14040 STEMMONS FREEWAY, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING 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 amending 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;

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 motel within the Freeway Subdistrict of Planned Development Number 70 (PD-70) zoning district and located at 14040 Stemmons Freeway.

SECTION 2. That the motel shall be constructed and specifically located in accordance with the approved site plan attached as Exhibit "A".

SECTION 3. That the motel shall be operated in conformance with the following conditions:

1. That the irrigation plan be modified, subject to Staff approval, to provide full coverage, yet prohibit overspray onto adjacent properties and streets.

2. That, subject to Staff approval, domestic water service be tapped in a manner which ensures free flow through all water lines to prevent stagnation.

SECTION 4. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a specific use permit for a motel.

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 convictions shall be punishable by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 6. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. 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 8. 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 OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 21ST day of NOVEMBER, 1994.

APPROVED:




Mayor

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Secretary