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ORDINANCE NO. 2251

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 CELLULAR COMMUNICATIONS ANTENNA TWO (2) FEET IN LENGTH TO BE ATTACHED TO THE TOP OF AN EXISTING FORTY (40) FOOT TALL PYLON SIGN AND A MICROCELL CABINET TWO (2) FEET EIGHT (8) INCHES WIDE, FOUR (4) FEET LONG, AND SIX (6) FEET TALL ALONG THE SOUTH SIDE OF THE EXISTING BUILDING AT 2430 VALLEY VIEW LANE AND WITHIN THE PLANNED DEVELOPMENT NUMBER SEVENTY (70) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City 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 changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having 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 a change in such zoning 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 cellular communications antenna two (2) feet in length to be attached to the top of an existing forty (40) foot tall pylon sign and a microcell cabinet two (2) feet eight (8) inches wide, four (4) feet long, and six (6) feet tall along the south side of the existing building at 2430 Valley View Lane and within the Planned Development Number Seventy (70) zoning district.

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

SECTION 3. 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 cellular communications antenna.

SECTION 4. That 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 punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

SECTION 5. 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 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, as the law in such case provides.

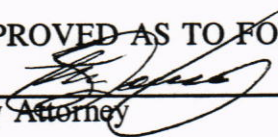
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 19th day of February, 1996.

APPROVED:



Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST



City Secretary