



ORDINANCE NO. 2399

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 AMEND A SPECIFIC USE PERMIT FOR "GENERAL ENGINE REPAIRS" LOCATED AT 2409 VALWOOD PARKWAY AND WITHIN THE PLANNED DEVELOPMENT NO. 70 (PD-70) ZONING DISTRICT; ESTABLISHING CONDITIONS OF OPERATION; REPEALING ORDINANCE NO. 2092; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; 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 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 amend an existing Specific Use Permit for "General Engine Repairs" to allow expansion of said use and to include a retail convenience store, in the Planned Development No. 70 zoning district.

SECTION 2. That said "General Engine Repair" and retail convenience store facility shall be constructed and operated in the manner set forth on the approved site plan attached as Exhibit "A".

SECTION 3. That the "General Engine Repairs" and retail convenience store facility shall be specifically located at 2409 Valwood Parkway as shown on Exhibit "A" and shall be operated in conformance with the following conditions:

1. All repair activities shall take place exclusively within the building.

2. Paint and body repair work is prohibited.
3. Any vehicles kept on-site during hours in which the facility is not open to the public shall be stored indoors.
4. The sale of motor vehicles is prohibited.

SECTION 4. That the above described tract of land 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 "General Engine Repair Use" and retail convenience store.

SECTION 5. That Ordinance No. 2092 is hereby repealed.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in the sum not to exceed Two Thousand Dollars (\$2000) for each offense and a separate offense shall be deemed committed upon each day on which a violation occurs.

SECTION 7. If any section, article, paragraph, sentence, clause, phrase, provision, term, or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of this ordinance as a whole or any portion thereof other than the portion so decided to be invalid or unconstitutional.

SECTION 8. 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 9. 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 cases provides.

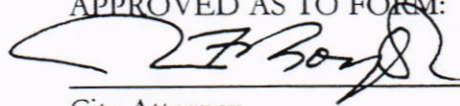
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the _ day of ___, 1998.

ADOPTED:



Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Secretary