



# FARMERS BRANCH

ORDINANCE NO. 2419

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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 AN EXISTING SPECIFIC USE PERMIT FOR A NON DRIVE-IN RESTAURANT WITH OUTSIDE SALES WINDOW LOCATED AT 2899 VALLEY VIEW AND WITHIN THE LOCAL RETAIL-ONE (LR-1) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); 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 granting 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 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 amend Ordinance No. 2109 granting a Specific Use Permit for a Non Drive-In Restaurant with Outside Sales Window on a 1.004 acre lot located at 2899 Valley View Lane and within the Local Retail-2 (LR-2) zoning district.

SECTION 2. That the above described non drive-in restaurant with outside sales window shall be constructed in the manner set forth on the approved site plan attached as Exhibit "A".

SECTION 3. That permanent cross-access shall be maintained at all locations where driveways traverse abutting property lines.

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SECTION 4. That should City sanitation service for this property ever be contracted, the dumpster enclosure shall be reoriented or modified as necessary, subject to staff approval, to ensure that safe and efficient sanitation service can be provided.

SECTION 5. That the two proposed internally illuminated fascia signs on the east side of the building addition shall not exceed 50 square feet for the "McDonald's" sign and 70 square feet for the "Playplace" sign.

SECTION 6. 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 punished by a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense.

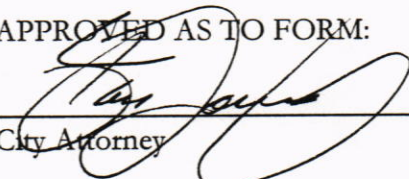
SECTION 7. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

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.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 17<sup>th</sup> day of August, 1997

ADOPTED:  
  
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Mayor

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
City Attorney

ATTEST:  
  
\_\_\_\_\_  
City Secretary