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**ORDINANCE NUMBER 2505**

**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 TO CONSTRUCT A CONVENIENCE STORE AND GASOLINE SERVICE STATION AT THE NORTHEAST CORNER OF THE LBJ FREEWAY AND WEBB CHAPEL ROAD INTERSECTION AND WITHIN THE LOCAL RETAIL-2 (LR-2) 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 amending the Zoning Ordinance Regulations 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, 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 to construct a convenience store and gasoline service station at the northeast corner of the Webb Chapel Road and LBJ Freeway intersection and within the Local Retail-2 (LR-2) zoning district.

SECTION 2. 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 by the granting of a specific use permit and approval of an associated site plan to construct a convenience store and gasoline service station, situated and located in accordance with the approved site plan attached as Exhibit "A" and subject to all conditions stated herein.

SECTION 3. The brick cladding of the proposed free-standing pylon sign and the canopy columns shall match the brick cladding of the building.

SECTION 4. The exterior finish of the dumpster enclosure shall be constructed of brick matching the building.

SECTION 5. No illuminated fascia shall be allowed on the canopy with the exception of the "Exxon" sign.

SECTION 6. The existing pole sign support structure near the southeast corner of the site shall be removed prior to issuance of any building permits.

SECTION 7. A barrier free ramp for the existing sidewalk shall be provided when the existing entrance at the southwest corner of the property is closed.

SECTION 8. The proposed, free-standing pylon sign shall not exceed 28 feet in height and 60 square feet in area.

SECTION 9. 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.

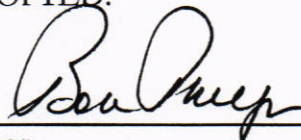
SECTION 10. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 11. In addition to, and cumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 12. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

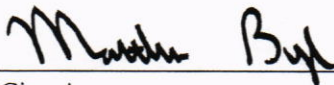
Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 20<sup>th</sup> day of September, 1999.

ADOPTED:



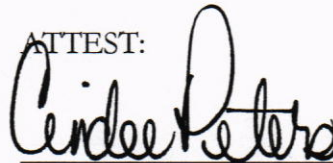
\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:



\_\_\_\_\_  
City Attorney

ATTEST:



\_\_\_\_\_  
City Secretary