



# FARMERS BRANCH

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## ORDINANCE NUMBER 2511

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW ADDITIONAL OUTDOOR STORAGE ASSOCIATED WITH AN EXISTING INDUSTRIAL FACILITY AND REMOVE THE LEGAL, NON-CONFORMING STATUS ASSOCIATED WITH THE EXISTING OUTDOOR STORAGE LOCATED AT 13850 DIPLOMAT DRIVE AND WITHIN THE PLANNED DEVELOPMENT NUMBER 22 (LI) (PD-22) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Planned Development No. 22 and the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City

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 the granting of changes to the zoning classifications 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 due to a change in condition and in order to protect the public health, welfare and safety, said change in 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 outdoor storage associated with an existing industrial facility located at 13850 Diplomat Drive and within the Planned Development No. 22 zoning district.

**SECTION 2.** That the use and associated improvements shall be constructed and located in accordance with the approved site plan attached as Exhibit "A", and subject to the following conditions:

1. The existing storage trailers that are 13 feet 6 inches tall shall be phased out by December 31, 1999. Effective January 1, 2000, the new trailer height will be a maximum of 8 feet 6 inches.
2. The height of all other storage items shall not exceed 10 feet.
3. The proposed additional outside storage (26,339 square feet) shall be allowed after a building permit has been obtained for the proposed 18,000 square foot shop addition, and the continued operation of the additional outside storage shall be contingent upon the completion and the continued use of the shop addition.
4. The existing breaks in the row of Red Tip Photinia shrubs along the southern property line shall be planted with new shrubs, prior to the issuance of a building permit. The species of shrubs shall be subject to administrative approval by staff.

**SECTION 3.** 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 4.** 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.

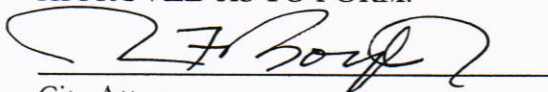
**SECTION 5.** This ordinance shall take effect immediately from and after its passage as the law in such case provides.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 1st day of November, 1999.**

APPROVED:

  
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Mayor

APPROVED AS TO FORM:

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

ATTEST:

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