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ORDINANCE NO. 3181

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT WITH SPECIAL CONDITIONS FOR OUTDOOR STORAGE ON A PORTION OF LOT C, BLOCK 2, METROPOLITAN INDUSTRIAL PARK, SECTION NO. 1, AN ADDITION TO THE CITY OF FARMERS BRANCH, WHICH IS PRESENTLY ZONED LIGHT INDUSTRIAL "LI" ZONING DISTRICT BEING FURTHER DESCRIBED IN EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR A SITE PLAN; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR 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 laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be amended by granting a Specific Use Permit for Outdoor Display on a portion of Lot C, Block 2, Metropolitan Industrial Park, Section No. 1, an Addition to the City of Farmers Branch, Texas, more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes ("the Property") and presently zoned Light Industrial "LI" Zoning District.

SECTION 2. The development of the Property with outdoor storage in accordance with the specific use permit granted pursuant to Section 1, above, shall be subject to the following special conditions:

- A. The Property shall be developed and used only in accordance with the Site Plan attached as Exhibit "B," which is hereby approved.
- B. No outdoor storage shall be permitted until completion of construction of the

eight foot (8') masonry screening wall shown on the Site Plan in accordance with the Masonry Wall Detail attached hereto as Exhibit "C," attached hereto and incorporated herein by reference.

- C. Outdoor storage shall only be permitted on the Property within the area shown on the Site Plan.
- D. The top of any personal property stored outside on the Property shall be no higher than five feet (5.0') above the lot elevation as it exists on the effective date of this ordinance.

SECTION 3. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. 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, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 20TH DAY OF MARCH, 2012.**

ATTEST:



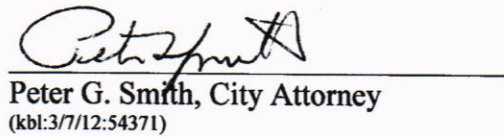
Angela Kelly, City Secretary

APPROVED:



William P. Glancy, Mayor

APPROVED AS TO FORM



Peter G. Smith, City Attorney
(kbl:3/7/12:54371)