



**FARMERS
BRANCH**

ORDINANCE NO. 3193

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 LIMITED OUTDOOR STORAGE ON AN 18.03± ACRE TRACT OF LAND OUT OF THE FRANCES MILLER SURVEY ABSTRACT NO. 926, CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS (COMMONLY KNOWN AS 1925 VALLEY VIEW) WHICH IS LOCATED IN PLANNED DEVELOPMENT NO. 88 (PD-88) AND DESCRIBED IN EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR A SITE PLAN; GRANTING SPECIAL EXCEPTIONS; 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 Limited Outdoor Display on an 18.03± acre tract of land out of the Frances Miller Survey, Abstract No. 926, City of Farmers Branch, Dallas County, Texas (commonly known as 925 Valley View), more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes ("the Property") and presently located in Planned Development No. 88 (PD-88).

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," attached hereto, which is hereby approved.
- B. Outdoor storage shall only be permitted on the Property within the area shown on the Site Plan.
- C. The Property shall be developed in accordance with the Landscape Plan set forth in Exhibit "C," attached hereto, which is hereby approved. The landscaping set forth in Landscape Plan shall be planted not later than ninety (90) days after the effective date of this Ordinance.

SECTION 3. The following special exceptions with respect to the development regulations for PD-88 are hereby granted:

- A. Screening consisting of (1) a six foot (6.0') tall cyclone fence and (2) Easter Red Cedars planted on not greater eight foot (8.0') centers and which are not less than eight foot (8.0') tall at time of planting and planted on the outside of the fence shall be permitted in lieu of a masonry screening walling at the locations shown on the Site Plan; and
- B. The greenhouse structures shown on the Site Plan shall not be required to comply with the minimum masonry requirements for exterior facades provided the greenhouses are constructed on the Property at the location shown on the Site Plan and are otherwise not visible from any public street.

SECTION 4. 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 5. 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;