



ORDINANCE NO. 1610

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED BY AMENDING THE ZONING DISTRICT CLASSIFICATION OF A 0.8476 ACRE TRACT OF LAND BEING ALL OF THE VINCENT'S SEAFOOD RESTAURANT ADDITION AS RECORDED IN VOLUME 75212, PAGE 1539 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, FROM THE CURRENT ZONING DISTRICT CLASSIFICATION OF PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 1, (PD-1, O, LI) WITH SPECIFIC DEVELOPMENT STANDARDS FOR LIGHT INDUSTRIAL ACTIVITIES, TO PLANNED DEVELOPMENT ZONING DISTRICT NO. 51 (PD-51), ALLOWING OFFICE, HOTEL, RETAIL AND RELATED USES, WITH EXISTING PD-51 PERFORMANCE AND DEVELOPMENT STANDARDS; PROVIDING A SAVING CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission 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 of zoning 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 the 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 changes of zoning should be granted as set out herein.

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, Texas, so as to change the zoning on the following described tract of land from

Planned Development Zoning District Number 1 (PD-1, O, LI) to Planned Development Zoning District Number 51 (PD-51), allowing office, hotel, retail and other related uses with the existing PD-51 performance and development standards as established in Ordinance 1513. Said tract of land being shown on Exhibit "A" and more specifically described as follows:

BEING all of the VINCENT'S SEAFOOD RESTAURANT ADDITION, an addition to the City of Farmers Branch, Dallas County, Texas, recorded in Volume 75212, Page 1539 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod in the West line of Midway Road (a 100' R.O.W.) and the Northeast corner of said VINCENT'S SEAFOOD RESTAURANT ADDITION;

THENCE due South, a distance of 334.83 feet with the West R.O.W. line of Midway Road (a 100' R.O.W.) to an iron rod for corner;

THENCE South 89 deg. 58 min. 39 sec. West a distance of 91.40 feet to an iron rod for corner at the beginning of a curve to the right having a central angle of 90 deg. 03 min. 15 sec. and a radius of 19.50 feet;

THENCE around said curve with the South line of VINCENT'S SEAFOOD RESTAURANT ADDITION, a distance of 30.65 feet to a cross for corner;

THENCE North 00 deg. 01 min. 54 sec. East a distance of 295.55 feet with the West line of the aforementioned addition to a cross for corner at the beginning of a curve to the right having a central angle of 89 deg. 45 min. 56 sec., and a radius of 19.50 feet;

THENCE around said curve and with the West line of aforementioned addition, a distance of 30.55 feet to an iron rod for corner;

THENCE North 89 deg. 47 min. 50 sec. West a distance of 91.32 feet with the North line of aforementioned addition to an iron rod also being the POINT OF BEGINNING and containing 36921.12 square feet or 0.8476 acres of land.

SECTION 2. That all uses in Planned Development Zoning District Number 51 (PD-51) shall conform in operation, location and construction to the performance standards set out in Exhibit "B" of Ordinance 1513 and, except as modified by Exhibit "B" of Ordinance 1513, to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and as amended herein.

SECTION 4. That the expansion of the PD-51 zoning district boundary limits to include the above referenced 0.8476 acre tract shall not increase the allowable building area or otherwise change the development standards established by Ordinance 1513.

SECTION 5. That at the time of redevelopment or at such time that Vincent's Seafood Restaurant ceases operation the Specific Use Permit granted for the Vincent's Seafood Restaurant Addition, S-27, be surrendered and deleted.

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 Hundred Dollars (\$200.00) 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 a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 8. Injunctive Relief. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violation of this Ordinance.

SECTION 9. Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare and requires that this Ordinance shall take effect immediately from and after its passage, and publication of the caption of said Ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on the 4th day of November, 1985.

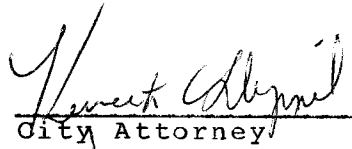
APPROVED:




Mayor

APPROVED AS TO FORM:

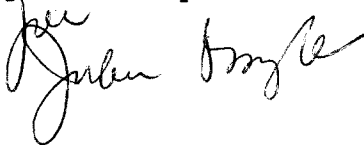
ATTEST:



City Attorney

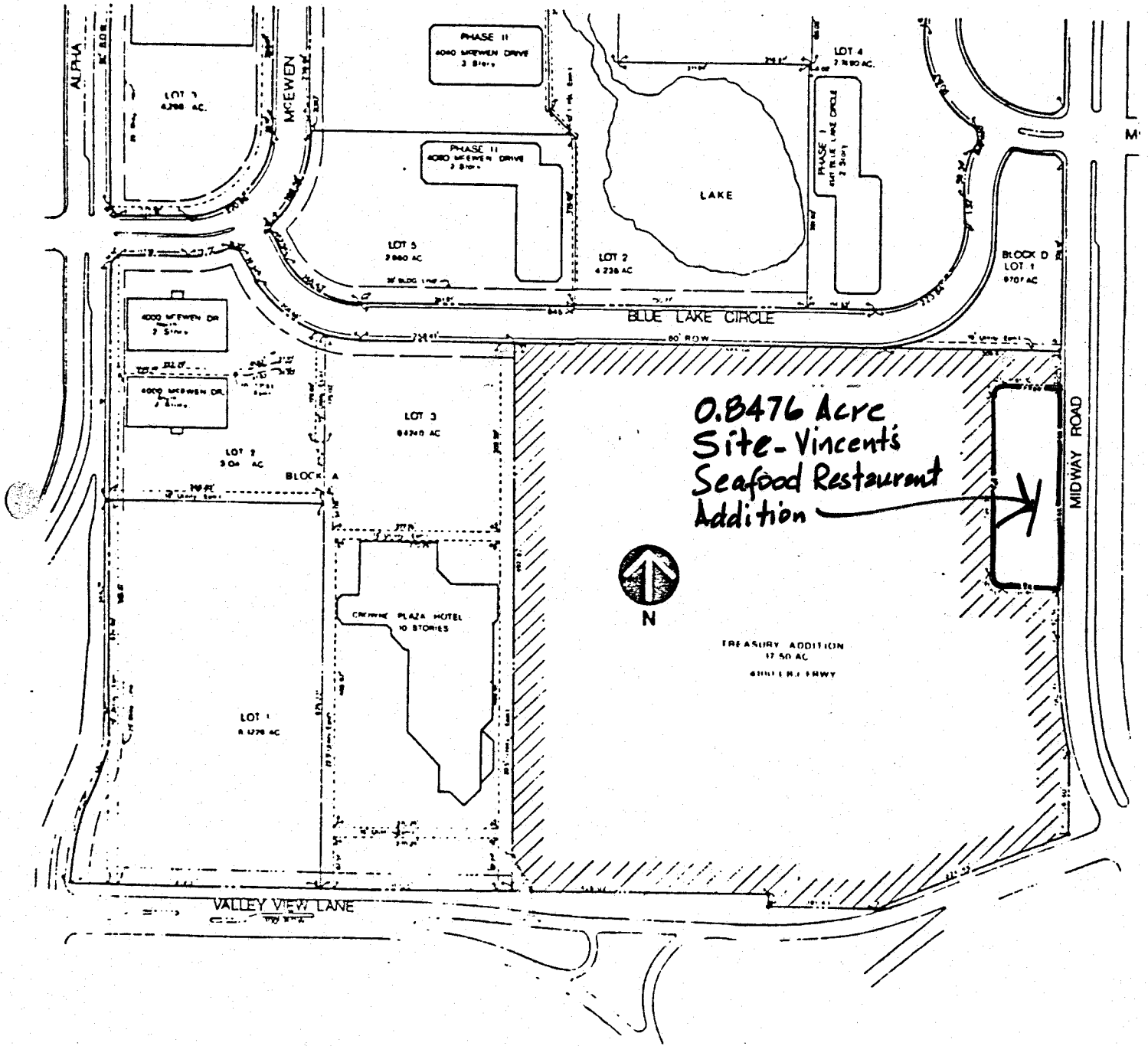


City Secretary



J. B. Boyle

EXHIBIT "A"



THE TREASURY ADDITION