



ORDINANCE NO. 1076

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING DESIGNATED FROM R-2 TO PLANNED DEVELOPMENT ZONE NO. 19, ON A 13.561 ACRE TRACT OF LAND LOCATED BETWEEN AND BOUNDED BY BROOKHAVEN CLUB DRIVE AND GOLFING GREEN DRIVE, SAID TRACT BEING IN THE DAVID SHAHAN SURVEY, ABSTRACT NO. 1335, DALLAS COUNTY, TEXAS, AND BEING PLATTED AS BROOKHAVEN ESTATES NO. 10; PROVIDING STANDARDS FOR DEVELOPMENT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

Whereas, the City Plan 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 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 said changes of zoning should be granted subject to the conditions 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 classification on the following described tract of land from R-2 to Planned Development District No. 19:

Said tract beginning at the northwest intersection of Brookhaven Club Drive and Golfing Green Drive;

THENCE S 89° 53' W along the north line of Brookhaven Club Drive 623.49 feet to the beginning point of curve;

THENCE along a curve to the right having a radius of 460 feet, a central angle of 47° 56' a distance of 384.83 feet to end of curve;

THENCE N 42°11' W 439.79 feet to corner;

THENCE N 42°02' W 2.67 feet to corner;

THENCE N 65°50' E along the southeast line of Golfing Green Drive 445.30 feet to beginning point of curve;

THENCE along a curve to the right having a radius of 320 feet, a central angle of 47°03' a distance of 262.78 feet to end of curve;

THENCE S 67°07' E 312.27 feet to beginning point of curve;

THENCE along a curve to the right having a radius of 320 feet, a central angle of 32°00' a distance of 178.72 feet to end of curve;

THENCE S 35°07' E 213.74 feet to beginning point of curve;

THENCE along a curve to the right having a radius of 290 feet, a central angle of 35°00' a distance of 177.15 feet to end of curve;

THENCE S 0°07' E 89.60 feet to place of beginning.

This tract of land contains 13.561 acres of land.

SECTION 2. That the above described tract of land shall be used only in the manner for the purposes provided by the Comprehensive

Zoning Ordinance of the City of Farmers Branch, Texas, and as shown on Exhibit "A" and that the area used for single family residences shall comply with the following conditions:

1. Single-Family Residences. Only single-family residences may be built on the lots set out on the plat and site plan attached hereto.
2. Number of residences. No more than ninety-three (93) residences may be built on the ninety-three (93) lots set out on the plat and site plan attached hereto; however, an area larger than one lot may be used for the purposes of building one larger single-family residence and two or more lots may become combined for the purpose of building one larger single-family residence.
3. Size of Residences. No residence shall contain less than 1,250 square feet of enclosed air conditioned area.
4. Height of Residence. No residence shall contain more than two (2) floors of living space.
5. Parking. Each residence shall have a minimum of two (2) enclosed parking spaces.
6. Exteriors. No more than forty percent (40%) of any exterior vertical wall shall be constructed of wood or other combustible material.
7. Architectural control. For the purpose of further insuring the development of the land as an area of high standards, the

developer retains architectural control rights and must approve all improvements placed on any lot in this planned development area.

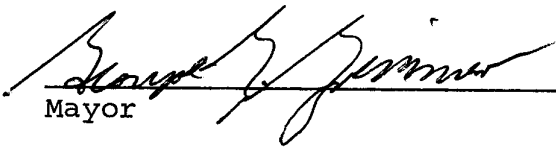
8. Setback Lines. No residence, or any part thereof, including garages and porches, shall be erected on any lot closer than ten (10) feet to the front property line. No setback shall be required from side or rear property lines.
9. Perimeter Wall. Each homeowner whose property abuts the outside perimeter of the residential section of the planned development, as same is indicated on the site plan attached hereto shall be responsible for the construction, landscaping and maintenance of that portion of the perimeter wall abutting his property, in accordance with the site plan and specifications of the Architectural Control Committee of the developer.
10. Improvement and Site Drainage. All residences shall be so constructed, and all landscaping so designed, that all drainage, and runoff shall be to the front of the lot and in no instance shall any homeowner allow drainage or runoff to encroach upon adjoining properties in such a manner as to damage same.
11. Changes. There shall be no significant changes in either this plat and site plan or these restrictions and covenants unless and until such changes have been through the same processes of notices and hearings required for the adoption of the ordinance approving this plat and site plan.

SECTION 3. 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 Two Hundred (\$200.00) Dollars for each offense.

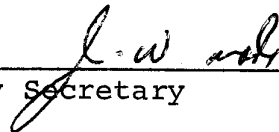
SECTION 4. Whereas, it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservation of the public health, safety and 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 15 day of September, 1975.

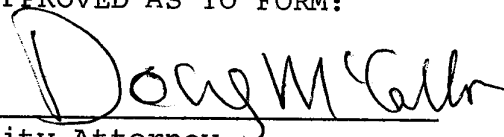
APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

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