



ORDINANCE NO. 1214

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED SO AS TO GRANT A SPECIFIC USE PERMIT FOR A NON-DRIVE IN RESTAURANT WITHOUT OUTSIDE SALES WINDOW IN A LOCAL RETAIL-2 ZONING DISTRICT; SAID RESTAURANT TO BE LOCATED AT 14440 JOSEY LANE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; 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 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 said change in zoning uses 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 a non-drive in restaurant without outside sales window. Said Specific Use Permit is granted for a Pizza and Submarine Sandwich Restaurant to be located at 14440 Josey Lane.

SECTION 2. That the above described property shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as amended herein and by the granting of a Specific Use Permit for a non-drive in restaurant without outside sales window.

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 the sum of Two Hundred (\$200.00) Dollars for each offense.

SECTION 4. 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 unconsitutional.

SECTION 5. In addition to and accumulative of all other penalties, the City shall have the right to seek

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 unconsitutional.

SECTION 6. 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 7. Whereas, it appears that the above described property requires that it be given the Specific Use Permit in order to permit its proper use and 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 this the 20th day of November, 1978.

APPROVED AS TO FORM:


City Attorney

APPROVED:


Mayor

ATTEST:


City Secretary