



**FARMERS
BRANCH**

"BEST LIVING PLACE"

ORDINANCE NO. 1692

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A PRIVATE CLUB IN THE PD-25 ZONING DISTRICT AND LOCATED AT 13370 BRANCH VIEW LANE; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR 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 granting of a specific use permit 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 Private Club in the PD-25 zoning district.

SECTION 2. That the Private Club shall be located within the building designated as 13370 Branch View Lane and more specifically described in Exhibit "A".

SECTION 3. That the Private Club shall be operated in accordance with Ordinance No. 1652 as heretofore amended.

SECTION 4. That the construction and use of the property shall strictly comply with the site plan submitted to and approved by the City Council and attached herein as Exhibit "B".

SECTION 5. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a specific use permit for a Private Club in the PD-25 zoning district.

SECTION 6. That the delivery of alcoholic beverages by the licensee and holder of a Private Club License and consumption of the alcoholic beverages delivered by the said licensee shall be limited to members and guests of the Eleemosynary Corporation during events conducted and sponsored by said Eleemosynary Corporation, and, during events where a member of the Eleemosynary Corporation has rented or leased the premises as reflected in a written rental or lease form, and said member is legally responsible for delivery and consumption of the alcoholic beverages and all other aspects of the proposed rental or lease, which rental or lease form shall incorporate the provisions of this Ordinance.

SECTION 7. That only members of the Eleemosynary Corporation may serve, sell, or deliver alcoholic beverages to members and their guests at functions and activities held on the premises of the Eleemosynary Corporation.

SECTION 8. The owner of subject property has executed and proffered a deed restriction approved by the City Attorney, and attached as Exhibit "C", that restricts the use of the premises for a private club to the Knight of Columbus only, for a period of time not to exceed five (5) years from the date of the issuance of a certificate of occupancy.

SECTION 9. 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 10. If any section, paragraph, subsection, clause, phrase, provision or word 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.