



ORDINANCE NO. 1808

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 GRANTING A SPECIFIC USE PERMIT FOR A NON DRIVE-IN RESTAURANT WITH OUTSIDE SALES WINDOWS ON A 0.072 ACRE PARCEL OF LAND BEING A PORTION OF TRACT 2-A OF THE REVISED PLAT OF TRACT 2, OF THE J. C. WHITTEN SUBDIVISION NO. 2 AND WITHIN A LOCAL RETAIL DISTRICT-2 ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; AND PROVIDING 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 Charter of the City of Farmers Branch and State Law with reference to the granting of Specific Use Permits under the zoning ordinance regulations and zoning map, have given the requisite notice by publication and otherwise, and holding due hearings and affording a full and fair hearing to all property owners generally and to 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 of zoning use should be made, 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 granting a Specific Use Permit for a Non Drive-In Restaurant With Outside Sales Windows in a Local Retail-2 Zoning District. Said restaurant shall be located within a 0.072 acre parcel of land out of Tract 2-A of the revised Tract 2, of the J. C. Whitten Subdivision No. 2 as more fully described in the attached Exhibit "A".

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch is hereby amended by amending the zoning map of the City of Farmers Branch so as to indicate a Specific Use Permit for a Non Drive-In Restaurant With Outside Sales Windows in a Local Retail-2 Zoning District.

SECTION 3. That the above described restaurant shall be constructed in the manner setforth on the approved site plan attached as Exhibit "B".

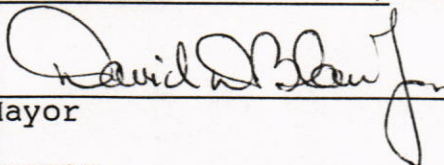
SECTION 4. That all ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same is hereby repealed and all other provisions of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Farmers Branch.

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 provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punishable by a fine not to exceed the sum of Two-Thousand Dollars (\$2000.00) for each offense.

SECTION 7. Whereas, it appears the above described property requires that it be given the Specific Use Permit 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 creates an urgency and an emergency for the preservation of the public health, safety and welfare 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.

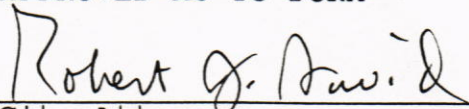
DULY PASSED BY the City Council of the City of Farmers Branch, Texas, on the 12th day of December, 1988.



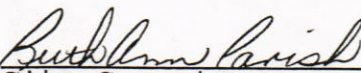
Mayor

APPROVED AS TO FORM

ATTEST:



City Attorney



City Secretary