



**FARMERS  
BRANCH**

**ORDINANCE NUMBER 2109**

**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 WITH OUTSIDE SALES WINDOW WITHIN THE LOCAL RETAIL-1 (LR-1) ZONING DISTRICT AND LOCATED AT THE NORTHWEST CORNER OF VALLEY VIEW LANE AND JOSEY LANE ON A 1.004 ACRE TRACT OF LAND, PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; 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 the State Law with reference to amending 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 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 use 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 with outside sales window within the Local Retail-1 (LR-1) zoning district and located at the northwest corner of Valley View Lane and Josey Lane on a 1.004 acre tract of land.

**SECTION 2.** That the above described non drive-in restaurant shall be constructed in the manner setforth on the approved site plan attached as Exhibit "A", and provide further that:

- a. Permanent cross-access shall be maintained at all locations where driveways traverse abutting property lines.
- b. Should City sanitation service for this property ever be contracted, the dumpster enclosure as shown on the approved site plan shall be reoriented or modified as necessary, subject to Staff approval, to ensure that safe and efficient sanitation service can be provided.

SECTION 3. 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 4. 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.

SECTION 5. 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 convictions shall be punishable by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense.

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.

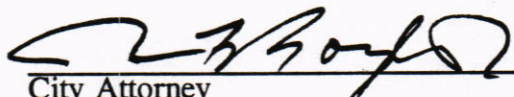
SECTION 7. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such case provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,  
TEXAS, on this the 22 day of February, ~~1993~~  
1994

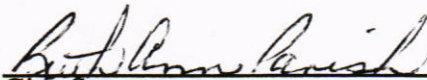
APPROVED:

  
\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

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

ATTEST:

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