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**FARMERS
BRANCH**

ORDINANCE NO. 2223

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 LANDSCAPE NURSERY OPERATION AT 3360 BELTLINE ROAD AND WITHIN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT; 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 DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR 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 with reference to the granting of Specific Use Permits 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 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 amending the zoning map of the City of Farmers Branch so as to grant a specific use permit for a landscape nursery operation at 3360 Beltline Road and within the Light Industrial (LI) zoning district.

SECTION 2. That the above described landscape nursery operation shall be constructed in the manner setforth on the approved site plan attached as Exhibit "A".

SECTION 3. That the landscape nursery operation shall be operated in conformance with the following conditions:

- a. No outdoor display of landscape material be permitted outside the screening fence.
- b. Additional parking be provided if, in the future, the parking spaces shown on the site plan do not satisfy the need for on-site parking.

SECTION 4. 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, Texas, as herein amended by the granting of a Specific Use Permit for a landscape nursery at 3360 Beltline Road.

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 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 thousand dollars (\$2,000.00) for each offense.

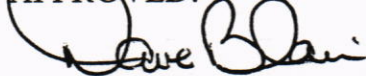
SECTION 6. If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof, other than that portion so decided to be invalid or unconstitutional.

SECTION 7. 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 8. 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 25th day of September, 1995.

APPROVED:



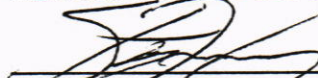
Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney