



ORDINANCE NUMBER 2292

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 AN ASSISTED LIVING FACILITY ON A 4 ACRE TRACT OF LAND LOCATED APPROXIMATELY 620 FEET SOUTH OF LONGMEADE DRIVE ON THE WEST SIDE OF WEBB CHAPEL ROAD AND WITHIN THE OFFICE (O) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); 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 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, the governing body of the City of Farmers Branch is of the opinion that a change in such zoning 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 an assisted living facility on a 4 acre tract located approximately 620 feet south of Longmeade Drive on the west side of Webb Chapel Road. within the Office (O) zoning district. Said tract being more specifically defined on Exhibit "A".

SECTION 2. 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 an assisted living facility.

SECTION 3. That the assisted living facility shall be constructed and specifically located in accordance with the approved site plan attached as Exhibit "B" and subject to all conditions stated herein.

SECTION 4. That the scope of the approved use be limited strictly to an "assisted living facility" in which no residents are bedfast and further, that conversion of the facility to a nursing home or similar use shall require formal amendment of the specific use permit in accordance with the requirements of the Comprehensive Zoning Ordinance.

SECTION 5. That should the Zoning Board of Adjustment not approve the proposed location of the freestanding sign and associated fence within the required front yard, these structures shall be relocated in full compliance with the requirements of the Comprehensive Zoning Ordinance and Code of Ordinances subject to City Staff approval.

SECTION 6. That should either of the abutting church properties to the north and south that is presently zoned for single family residential uses be redeveloped as such, a six-foot tall masonry wall shall then be installed on-site by the property owner as so required by the Comprehensive Zoning Ordinance.

SECTION 7. That no mechanical equipment of any type shall be installed on-site west of the main building and the location of freestanding mechanical equipment anywhere else on-site shall be located so as to minimize noise intrusion relative to neighboring residential properties and subject to staff approval.

SECTION 8. That prior to the issuance of a Certificate of Occupancy, eight trees of a variety subject to Staff approval and having a minimum caliper of 2 inches, shall be planted along the west face of the building and spaced approximately 30 feet on center.

SECTION 9. That prior to issuance of a Certificate of Occupancy the owner shall install an automatic irrigation system and plant a row of photinia shrubs; the size, number, and specific location to be approved by the City Staff; in the easement along the west side of the retaining/screening wall that is constructed along the west property line. The row of photinia shrubs shall be maintained in a healthy and vital state.

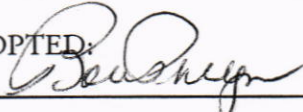
SECTION 10. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand (\$2,000.00) dollars for each offense.

SECTION 11. 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 whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

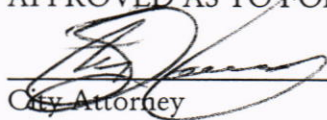
SECTION 12. In addition to, and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 13. This ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, and as the law in such case provides.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 6th day of January, 1997.

ADOPTED: 

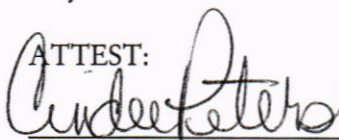
APPROVED AS TO FORM:



City Attorney

Mayor

ATTEST:



City Secretary