



ORDINANCE NUMBER 2369

**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 "TIRES, BATTERIES, AND ACCESSORIES" PROVIDING FOR THE SALE, SERVICE, AND INSTALLATION OF BRAKES AT 13303 JOSEY LANE, AND WITHIN THE LOCAL RETAIL-2 (LR-2) ZONING DISTRICT; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING 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 the granting of a Specific Use Permit 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 Specific Use Permit should be granted.

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 "Tires, batteries, and accessories" providing for the sale, services and installation of brakes exclusively, on a 0.76 acre lot located at 13303 Josey Lane and within the Local Retail-2 (LR-2) zoning district.

SECTION 2. That said sale, service, and installation of brakes shall be conducted in a manner fully consistent with the approved site plan attached as Exhibit "A".

SECTION 3. That said sale, service, and installation of brakes shall be operated in conformance with the following conditions:

1. That the Specific use permit for "Tires, Batteries, and Accessories" be limited to brake installations, sales and service only.
2. That all sales, service and installation of brakes be conducted exclusively within the building.

3. That all vehicles shall be kept within the building during hours in which the facility providing the tune-up service and the sale, service and installation of brakes is not open to the public.
4. That there be no outdoor storage of brake parts,
5. That there be no automotive repair conducted on the property.

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, Texas, as herein amended and by the granting of a Specific Use Permit for "Tires, batteries, and accessories" at 13303 Josey Lane.

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.

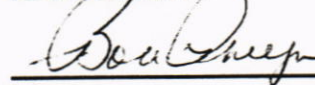
SECTION 6. If any section, paragraph, subdivision, clause, phrase, provision, or word of this ordinance shall be judged invalid or unconstitutional, such judgment shall not affect the remainder of this ordinance.

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 15 day of December, 1997.

APPROVED:



\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:



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

ATTEST:



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City Secretary