



FARMERS
BRANCH

ORDINANCE NO. 3068

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY REPEALING ORDINANCE NO. 3027 GRANTING A SPECIFIC USE PERMIT WITH SPECIAL CONDITIONS FOR AN INDOOR CRICKET OR BASEBALL PRACTICE FACILITY ON PROPERTY ZONED PLANNED DEVELOPMENT NO. 70 (PD-70) LOCATED AT SUITE 3, 2430 SQUIRE PLACE, AND BEING FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; 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 laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, by repealing Ordinance No. 3027 granting a Specific Use Permit with special conditions for an indoor cricket or baseball practice facility on property zoned Planned Development No. 70 (PD-70) located at Suite 3, 2430 Squire Place, and being further described in Exhibit "A" attached hereto and incorporated herein for all purposes ("the Property").

SECTION 2. The Property shall be used and developed only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, and Planned Development No. 70 (PD-70), as heretofore amended and as those Ordinances existed prior to the adoption of Ordinance No. 3027.

SECTION 3. All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

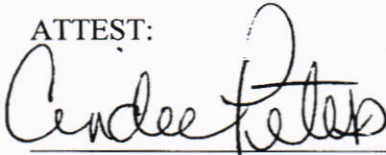
SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

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 as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 1st DAY OF DECEMBER, 2009.

ATTEST:



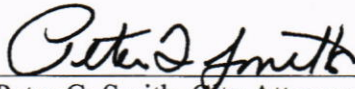
Cindee Peters, City Secretary

APPROVED:



Tim O'Hare, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney

(Reviewed by K.B. Laughlin 11/20/09)

Exhibit A to Ordinance No. 3068
Legal Description

BEING a tract of land, consisting of approximately 0.9625 acres and being a portion of Lot 15, Stewco Development Subdivision No. 10, and being recorded as such in Volume 83002, Page 3147, Official Public Records, Dallas County, Texas, and more commonly referred to as 2430 Squire Place, Farmers Branch, Texas.