



ORDINANCE NO. 3146

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR AN ACCESSORY BUILDING COVERING A LOT AREA GREATER THAN 120 SQUARE FEET LOCATED AT 13001 TEMPLETON TRAIL WITHIN THE SINGLE FAMILY RESIDENTIAL 1 (R-1) ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; 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 of the City of Farmers Branch, 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 accessory building covering a lot area greater than 120 square feet within a Single Family Residential 1 ("R-1") zoning district, on property described as: Lot 22B, Brook Hollow Estates Addition, an Addition to the City of Farmers Branch, Dallas County, Texas, according to the Plat thereof recorded in Volume 84151 Page 2054, Map Records, Dallas County, Texas, and more commonly known as 13001 Templeton Trail, Farmers Branch, Texas ("the Property").

SECTION 2. The accessory building to be located on the Property pursuant to the authority of this Ordinance shall conform in operation, location and construction to the development standards specified within the R-1 zoning district and in accordance with the Site Plan attached as Exhibit "A," attached hereto are incorporated herein by reference.

SECTION 3. In addition to the requirements of Section 2, above, the accessory building to be located on the Property pursuant to the authority of this Ordinance shall also conform in operation, location and construction to the following special conditions:

- A. The floor area of the accessory building shall not cover an area of the Property in excess of 660 square feet.
- B. Prior to use of the accessory structure for any purpose, the Property owner shall install clay brick or natural stone on the east, south, and west exterior sides of the existing accessory building that is architecturally compatible with the primary residence.
- C. The owner of the Property shall paint the north exterior wall of the accessory building to match the primary residence located on the Property, said painting to be completed prior to final building inspection.
- D. The owner of the Property shall repair the existing fence located on the property line surrounding the backyard of the residence located on the Property.
- E. Storage in the accessory building of equipment, materials, inventory, or other personal property related to a business, or the use of the accessory building as habitable space, is prohibited.

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. 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 6. 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 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 the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

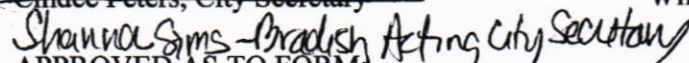
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS, THE 16TH DAY OF AUGUST, 2011.

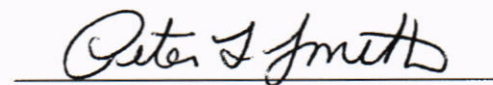
ATTEST:

APPROVED:


Cindee Peters, City Secretary


William P. Glancy, Mayor


APPROVED AS TO FORM:


Peter G. Smith, City Attorney