



ORDINANCE NO. 3171

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 A DRIVE IN BANKING FACILITY ON PROPERTY LOCATED WITHIN PLANNED DEVELOPMENT NO. 75 (PD-75) GENERALLY KNOWN AS 14185 NORTH DALLAS PARKWAY, FARMERS BRANCH, TEXAS, AND MORE PARTICULARLY DESCRIBED IN SECTION ONE; PROVIDING FOR AN AMENDED SITE PLAN; PROVIDING FOR A LANDSCAPE PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS RESOLUTION 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 a Drive-In Banking Facility within Planned Development District No 75 (PD-75), on property generally known as 14185 North Dallas Parkway, Farmers Branch, Texas, and more particularly described as Lot 1, Block A, Centura Addition, an addition to the City of Farmers Branch, Texas, according to the plat filed in Volume 20000134, Page 53, Official Public Records, Dallas County, Texas ("the Property").

SECTION 2. The development of Property with a Drive-In Banking Facility pursuant to the

authority of this Ordinance shall conform in operation, location and construction to the development standards specified within PD-75 zoning district and in accordance with the following special conditions:

- A. The Drive-In Banking Facility shall be located, constructed and operated in such a manner as to conform to the Amended Site Plan attached hereto as Exhibit "A," and incorporated herein by reference, which Amended Site Plan constitutes an amendment to the Site Plan for PD-75 attached as Exhibit "C" to Ordinance No. 2300 to the extent said Site Plan affects the Property.
- B. Additional landscaping shall be planted on the Property in accordance with the Landscape Plan attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION 3. 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 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

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 7th DAY OF FEBRUARY, 2012.**

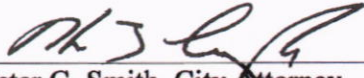
ATTEST:


Shanna Sims-Bradish, Interim City Secretary

APPROVED:


William P. Glancy, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney