

ORDINANCE NO. 148

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM A "R-16" RESIDENTIAL CLASSIFICATION TO A "R-16" RESIDENTIAL CLASSIFICATION WITH A SPECIAL PERMIT FOR "DENTAL AND MEDICAL OFFICES AND CLINIC", SAID TRACT BEING DESCRIBED AS FOLLOWS: BEING A PART OF THE R. J. WEST SURVEY, ABSTRACT 1576 AND OUT OF A 22½ ACRE TRACT DEEDED TO ALEXANDER D. McNABB BY R. M. RUSSELL AND WIFE BY DEED RECORDED IN VOLUME 2533, PAGE 365 OF DEED RECORDS OF DALLAS COUNTY, TEXAS, AND BEING THE SOUTH 200 FEET OFF THE TRACT CONVEYED TO THE TRUSTEES OF THE LEMMON AVENUE BAPTIST CHURCH ON THE 14TH DAY OF MARCH 1957 BY EARL F. RAY AND ELIZABETH RAY AND RECORDED IN VOLUME 4818, PAGE 212 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NEW WEST LINE OF WEBB CHAPEL ROAD, A DISTANCE OF 686.62' NORTH OF THE PROJECTED CENTER LINE OF WINTERHAVEN DRIVE AND BEING AT THE SOUTHEAST CORNER SAID LEMMON AVENUE BAPTIST CHURCH TRACT, A 1½" IRON PIPE FOR CORNER; THENCE N 89 DEGREES 40 MINUTES WEST ALONG THE SOUTH LINE OF SAID LEMMON AVENUE BAPTIST CHURCH TRACT A DISTANCE OF 471.0 FEET TO THE SOUTHWEST CORNER OF SAID LEMMON AVENUE BAPTIST CHURCH TRACT, A 3/4" BOLT FOR CORNER; THENCE NORTH WITH THE WEST LINE OF SAID LEMMON AVENUE BAPTIST CHURCH TRACT A DISTANCE OF 200.0 FEET, A 3/4" IRON BOLT FOR CORNER; THENCE SOUTH 89 DEGREES 40 MINUTES EAST A DISTANCE OF 471.0 FEET TO THE NEW WEST LINE OF WEBB CHAPEL ROAD, A 1/4" IRON ROD FOR CORNER; THENCE SOUTH ALONG THE NEW WEST LINE OF WEBB CHAPEL ROAD A DISTANCE OF 200.0 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.1624 ACRES MORE OR LESS; THAT SUCH PROPERTY IS TO BE USED FOR EITHER R-16" RESIDENTIAL PURPOSES OR UNDER A SPECIAL PERMIT FOR "DENTAL AND MEDICAL OFFICES AND CLINIC", SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPLAINED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO PLANS AND

SPECIFICATIONS SUBMITTED THEREFOR WHICH SHALL BE APPROVED BY THE CITY PLANNING COMMISSION, AND SUBJECT TO THE CONDITIONS CONTAINED HEREIN; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning 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 special permits under the zoning ordinance regulations and zoning map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners, generally, and to the persons interested and situated in the effected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said special permit should be granted, subject to the conditions set out herein; 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 change the following described property from a "R-16" Residential classification to a "R-16" Residential classification with a special permit for "Dental and Medical Offices and Clinic" under special permit as provided for under the provisions of Article XIV of the Comprehensive Zoning Ordinance, as heretofore amended, subject to the special conditions contained herein. That the property to be covered by such special permit is described as follows, to-wit:

Being a part of the R. J. West Survey, Abst. 1576 and out of a 22½ acre tract deeded to Alexander D. McNabb by R. M. Russell and wife by deed recorded in Volume 2533, Page 365 of Deed Records of Dallas County, Texas, and being the south 200 feet off the tract conveyed to the Trustees of the Lemmon Avenue Baptist Church on the 14th day of March, 1957 by Earl F. Ray and Elizabeth Ray and recorded in Volume 4818, Page 212 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a point in the new west line of Webb Chapel Road, a distance of 686.62' north of the projected center line of Winterhaven Drive and being at the southeast corner said Lemmon Avenue Baptist Church tract, a 1½" iron pipe for corner;

THENCE N 89° 40' W along the south line of said Lemmon Avenue Baptist Church tract a distance of 471.0 feet to the southwest corner of said Lemmon Avenue Baptist Church tract, a 3/4" bolt for corner;

THENCE north with the west line of said Lemmon Avenue Baptist Church tract a distance of 200.0 feet, a 3/4" iron bolt for corner;

THENCE S 89° 40' E a distance of 471.0 feet to the new west line of Webb Chapel Road, a 1/4" iron road for corner;

THENCE South along the new west line of Webb Chapel Road a distance of 200.0 feet to the place of beginning and containing 2.1624 acres, more or less.

Section 2. That the special permit for dental and medical offices and clinic with reference to the hereinabove described property is granted upon the following express conditions, and in accordance with Article XIV of the Zoning Ordinance, to-wit:

1. The development shall be generally in conformance with the site plan as approved by the City Planning Commission and attached to the ordinance and made a part of the ordinance.
2. That parking shall be provided at the minimum ratio of one space for each 250 sq. ft. of building area with a minimum five spaces and that no parking shall be permitted beyond the front building line.
3. That all means of ingress and egress to the property shall be approved by the City Planning Commission and that the provision of a circular drive within the required front yard shall be prohibited and that no loading or unloading of vehicles or parking be permitted in the front yard as required.
4. That the minimum set-back shall be 75' from the new right-of-way line of Webb Chapel Road and that no structure or portion of the main building shall extend into this required yard.
5. That in the event construction is not started on this clinic within a six-month time period from the date of