



ORDINANCE NO. 3261

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 9-401(a) “SCHEDULE: MAXIMUM BUILDING COVERAGE AND FLOOR AREA – ALL DISTRICTS” TO REDUCT THE INCREASE THE MAXIMUM PERCENT LOT COVERAGE IN THE R-6 DISTRICT; BY AMENDING SECTION 9-601(a) “SCHEDULE: MINIMUM SIDE YARDS – RESIDENTIAL DISTRICTS TO REDUCE THE MAXIMUM REQUIRED SIDE YARD WITHIN THE R-6 DISTRICT; BY AMENDING SECTION 9-701(b) REGARDING THE MINIMUM REAR YARD AND LOT COVERAGE REGULATIONS PERMITTED IN THE R-6 ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) DOLLARS; AND PROVIDING 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, Texas, is amended as follows:

- A. Section 9-401(a) “Schedule: Maximum Building Coverage and Floor Area – All Districts” shall be amended to read as follows:

(a) SCHEDULE: MAXIMUM BUILDING COVERAGE AND FLOOR AREA RATIOS - ALL DISTRICTS

DISTRICTS

TYPE USE	R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	MF-1	MF-2
Maximum Percent of lot area which may be covered by building in Residential Use	25	35	35	35	40	50	40*	40*	40*	40*
Maximum Floor Area-lot area ratio-Residential or Non-Residential uses	--	--	--	--	--	--	--	--	--	--

* See extra covering provisions for accessory buildings 15-103

B. Section 9-601(a) “Schedule: Minimum Side Yard-Residential Districts” shall be amended to read as follows:

(a) SCHEDULE: MINIMUM SIDE YARDS - RESIDENTIAL DISTRICTS

DISTRICTS

TYPE USE	R-1	R-2	R-3	R-4	R-5	R-6	D-1	D-2	MF-1	MF-2	MF-3	MF-4	PD
Side yard residential structures- Minimum required width in feet	10 PERCENT OF LOT WIDTH REQUIRED IN EACH SIDE YARD (FOR APARTMENTS - SEE 9-602 B,C,F)												See 9-602 (g)
Side yard residential Structures- Maximum required width in feet.	NO SIDE YARD NEED EXCEED THE FOLLOWING WIDTH IN FEET FOR THE DISTRICT SPECIFIED (FOR APARTMENT -- SEE 9-602 B,C,F)												See 9-602 (g)
	20	10	10	10	10	6	10	10	For Apartments (See 9-602 B,C,F)				

C. Section 9-701, Subsection (b), shall be amended to read as follows:

(b) In the R-6 District, no main residential building may be constructed nearer than ten (10) feet to the rear property line or easement line, if easement exists. The main residential building and all accessory buildings shall not cover more than fifty (50) percent of that portion of the lot lying to the rear of a line erected joining the mid-point on one side lot line with the mid-point of the opposite side lot line. For accessory building standards see Article 15.

SECTION 2. 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 3. 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 4. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. 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 6. 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 18th DAY OF FEBRUARY, 2014.

ATTEST:

APPROVED:

Angela Kelly, City Secretary

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:2/11/14:64729)