



ORDINANCE NO. 3242

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 ON A 1.0295 ACRE TRACT OUT OF THE H.C. MARSH SURVEY, ABSTRACT NO. 915 IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS (COMMONLY KNOWN AS 3320 ROCK MARTIN DRIVE) WITHIN A SINGLE FAMILY RESIDENTIAL 1 (R-1) ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SPECIAL DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR 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 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, a 1.0295 acre tract out of the H.C. Marsh Survey, Abstract No. 915 in the City of Farmers Branch, Dallas County, Texas (commonly known as 3320 Rock Martin Drive, Farmers Branch, Texas) described more particularly in Exhibit “A,” attached hereto and incorporated herein by reference (“the Property”)

SECTION 2. Except to the extent modified by Section 3, below, the accessory building to be located on the Property pursuant to this Ordinance shall conform in height, operation, location and construction to the development standards specified within the R-1 zoning district, Article 15 of the Comprehensive Zoning Ordinance as amended, and in accordance with the Site Plan and Elevations attached as Exhibits “B” and “C,” respectively, and 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 512 square feet.
- B. The accessory building shall be located not less than four feet (4.0') from both the east property line and the side yard of the Property as shown on the Site Plan.
- C. The total height of the accessory building shall not exceed twenty-four feet (24.0 feet) from the ground to the peak of the roof; but shall consist of only one story.
- D. Because of the topography of the Property and its adjacency to a floodplain area, the support structure for the accessory building may consist of a pier and beam structure in lieu of a solid concrete foundation.
- E. The Specific Use Permit granted by this ordinance does not include a grant to use the accessory building for guest and/or servant quarters.

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. 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 6. 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 7. 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 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 3rd DAY OF SEPTEMBER, 2013.**

ATTEST:

Angela Kelly, City Secretary

APPROVED:

William P. Glancy, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:8/26/13:61993)

Ordinance No. 3242
Exhibit "A"- Legal Description of the Property

BEING a tract of land out of the H. C. MARSH SURVEY, ABSTRACT NO. 915, Dallas County, Texas, and being out of a certain 41.5 acre tract conveyed by Carrie Marsh to Fred Marsh, on 03/31/1945, filed 04/20/1945, Deed Records, Dallas County, Texas;

BEGINNING at a 5/8 inch iron rod found for corner in the South line of Rockmartin Drive, a 60 foot wide road, and said point being North 89 degrees 39 minutes 00 seconds West, a distance of 419.0 feet from the intersection of said South line of Rockmartin Drive with the West line of Templeton Trail, also a 60 foot wide road;

THENCE South 00 degrees 23 minutes 00 seconds East, and 37.0 feet Westerly of and parallel to the West line of a 200 x 200 foot tract conveyed to Fred C. Marsh and wife, dated 04/25/1951, and filed 06/07/1951, Deed Records, Dallas County, Texas, a distance of 150.01 feet (150.0 feet – deed) to a 1/2 inch iron rod found for corner;

THENCE North 89 degrees 39 minutes 00 seconds West, and parallel to the South line of Rockmartin Drive, a distance of 299.52 feet to a point for corner;

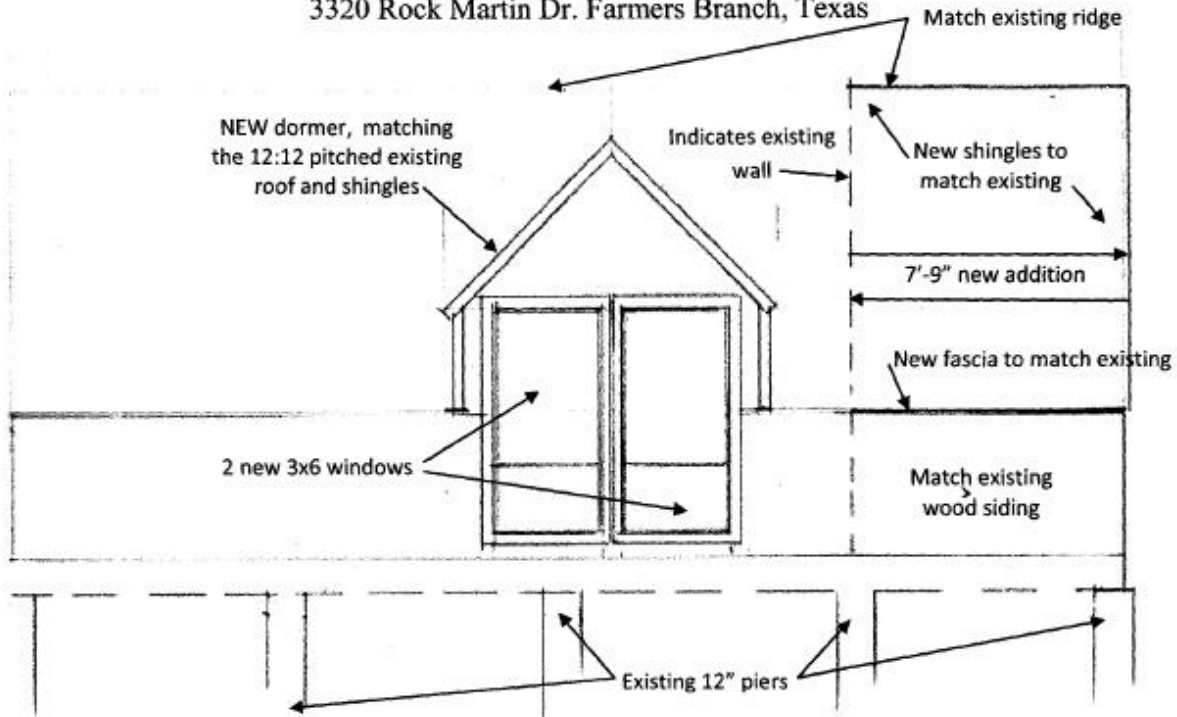
THENCE North 00 degrees 02 minutes 12 seconds East, (North 00 degrees 23 minutes East – deed), for a distance of 150.0 feet to a 3/8 inch iron rod found for corner in the South line of Rockmartin Drive;

THENCE South 89 degrees 39 minutes 00 seconds East and along the South line of Rockmartin Drive, a distance 299.42 feet to the PLACE OF BEGINNING, Containing 1.0295 acres of land.

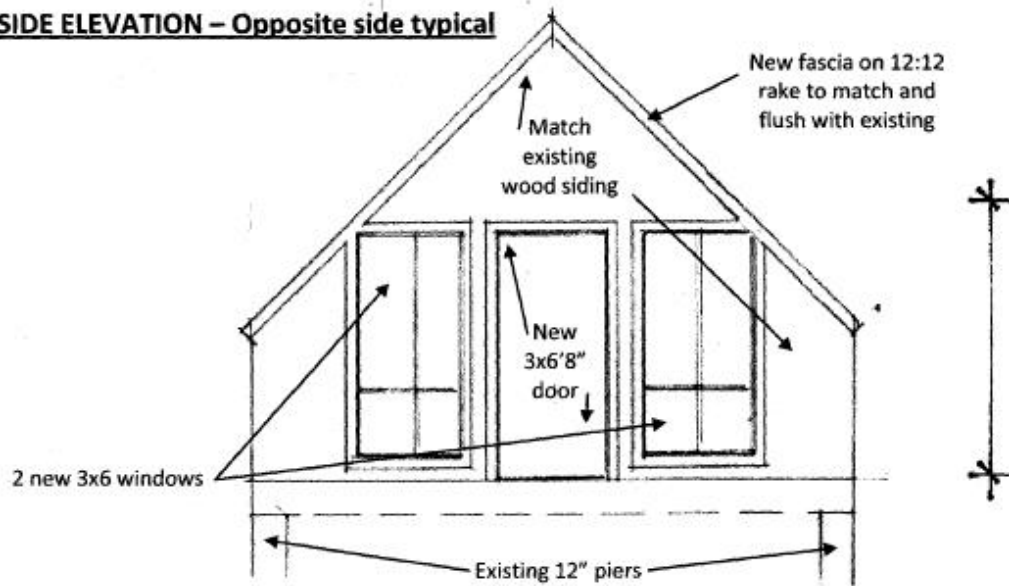
Ordinance No. 3242
Exhibit "C"- ELEVATIONS

Additions and Alterations to the ClubHouse of
ERIC & MARY MATTINGLY

3320 Rock Martin Dr. Farmers Branch, Texas



EXTERIOR SIDE ELEVATION – Opposite side typical



EXTERIOR FRONT ELEVATION – Opposite side typical