



ORDINANCE NO. 3519

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR OUTDOOR STORAGE ON A 0.833 ACRE PORTION OF LOT 1, REPLAT OF WIMBERLEY SUBDIVISION NO. 3, (COMMONLY KNOWN AS 13860 N. STEMMONS FREEWAY) LOCATED IN PLANNED DEVELOPMENT DISTRICT NO. 70 (PD-70)(FREEWAY SUB-DISTRICT); APPROVING DEVELOPMENT REGULATIONS AND A SITE PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR TERMINATION UNDER CERTAIN CIRCUMSTANCES; 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, the governing body, in the exercise of its 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 and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, to grant a change in zoning by granting a Specific Use Permit for Outdoor Storage on a 0.833 acre portion of Lot 1, Replat of Wimberley Subdivision No. 3, an Addition to the City of Farmers Branch, Dallas County, Texas, according to the Plat thereof recorded in Volume 86157, Page 4942, Map Records, Dallas County, Texas, (commonly known as 13860 N Stemmons Freeway)("the Property") which is located in Planned Development District No. 70 (PD-70)(Freeway Sub-district) zoning district and is more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. If developed and used for Outdoor Storage as authorized pursuant to Section 1, above, the Property shall conform in operation, location and construction to the development standards specified within Planned Development District No. 70 (PD-70)(Freeway Sub-district) zoning district as well as the following special conditions:

A. Outdoor storage on the Property shall be limited to the approximately 3,150 square foot

area of the Property identified on the Site Plan attached hereto as Exhibit “B” and incorporated herein by reference (“the Site Plan”).

- B. No outdoor storage shall be permitted until completion of installation of an eight foot (8.0') tall wood fence on the Property at the location shown on the Site Plan.
- C. All landscaping shown on the Site Plan shall be installed not later than thirty (30) days after the effective date of this Ordinance.
- D. At no time shall any materials, equipment, tools, or other items kept in the outdoor storage area be stacked or stored in a manner that exceeds the height of the eight foot (8.0') screening fence.

SECTION 3. 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 4. 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 5. 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 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, 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 7. This ordinance and the right to use the Property in accordance with the Specific Use Permit granted pursuant to Section 1 of this Ordinance is subject to termination in accordance with Section 6.5.C. of the Comprehensive Zoning Ordinance, as amended.

SECTION 8. This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof 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 11TH DAY OF SEPTEMBER 2018.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

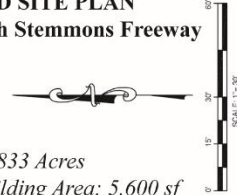
Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:8/26/18:102158)

Ordinance No. 3519
Exhibit "B" – Site Plan

PROPOSED SITE PLAN
13860 North Stemmons Freeway



Lot area: 0.833 Acres
Existing Building Area: 5,600 sf

Proposed Outdoor Storage
and Display Area
approx. 3,150 sf (50' by 63')

