S-328
online

FARMERS BRANCH

ORDINANCE NUMBER 2755

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 TO ALLOW MOUNTING 3 CELLULAR ANTENNA PANELS TO BE CONCEALED BEHIND THE VENTS ON THE EXISTING STEEPLE OF THE FARMERS BRANCH CHURCH OF CHRIST AT 3035 VALLEY VIEW LANE AT THE NORTHWEST CORNER OF VALLEY VIEW LANE AND WEBB CHAPEL ROAD, WITHIN THE ONE FAMILY RESIDENCE-4 ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING 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 City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter and Code of Ordinances of the City of Farmers Branch, and State law with reference to the granting of changes to the zoning classifications 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 property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated herein above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. 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 grant a Specific Use Permit for mounting 3 cellular antenna panels to be concealed behind the vents on the existing steeple of the Farmers Branch Church of Christ located 3035 Valley View Lane at the northwest corner of Valley View Lane and Webb Chapel Road and within the One Family Residence-4 zoning district (See Exhibit "A").

SECTION 3. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended by the granting of a Specific Use Permit for mounting 3 cellular antenna panels to be concealed behind the vents on the existing steeple of the Farmers Branch Church of Christ, situated in accordance with the lease area and the approved site plan attached as Exhibit "A" and subject to the following condition:

1. The owner of the antenna system mounted inside the church steeple located at 3035 Valley View Lane shall remove the antenna system and all appurtenances including the antenna panels and any associated equipment within ninety (90) days subsequent to such time that the antennas become obsolete and/or the use is abandoned.

SECTION 4. 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 a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 5. That 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 ($2,000.00) dollars for each offense.

SECTION 6. 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 7. This ordinance shall take effect immediately from and after its passage, as the law in such case provides.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this the 5th day of January, 2004.

APPROVED:

Mayor

APPROVED AS TO FORM:

City Attorney
(approved by City Atty. M. Boyle 12/24/03)

ATTEST:

City Secretary

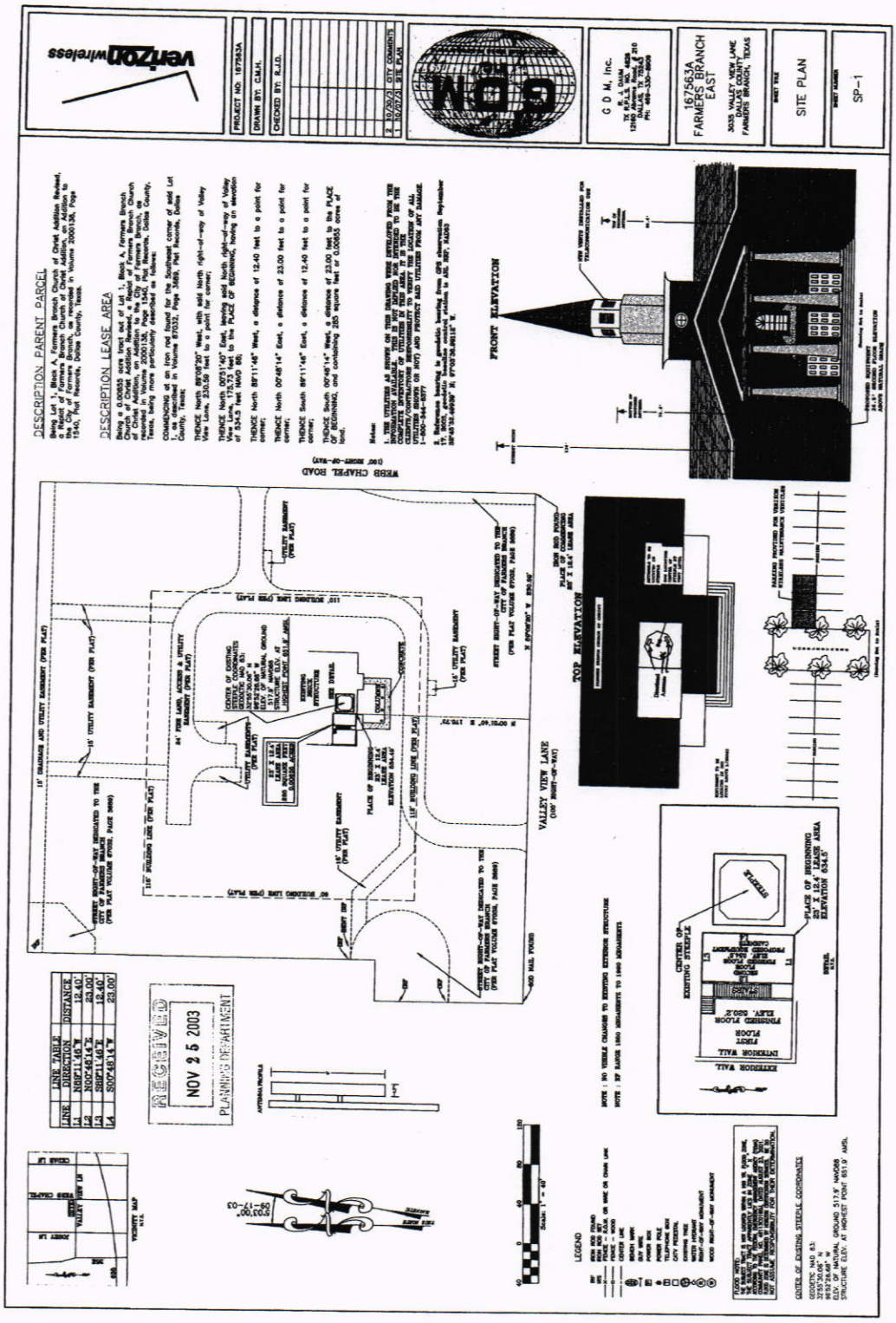
verizon wireless
PROJECT NO: 167563A
DRAWN BY: C.M.H.
CHECKED BY: R.J.D.
2 10/29/03 CITY COMMENTS
1 10/02/03 SITE PLAN
G D M, Inc.
167563A
FARMERS BRANCH EAST
3035 VALLEY VIEW LANE
DALLAS COUNTY
FARMERS BRANCH, TEXAS
SITE PLAN
SP-1
DESCRIPTION PARENT PARCEL
DESCRIPTION LEASE AREA
WEBB CHAPEL ROAD
VALLEY VIEW LANE
FRONT ELEVATION
TOP ELEVATION
LINE TABLE
LINE DIRECTION DISTANCE
L1 N90°11'40"E 12.40'
L2 N00°48'14"E 23.00'
L3 S90°11'40"E 12.40'
L4 S00°48'14"W 23.00'
RECEIVED
NOV 25 2003
PLANNING DEPARTMENT
VICINITY MAP
LEGEND
GRAPHIC SCALE 1" = 40'
NOTE: NO VISIBLE CHANGES TO EXISTING EXTERIOR STRUCTURE
NOTE: SF BARGE (IBC) MONUMENTS TO (IBC) MONUMENTS
CENTER OF EXISTING STEEPLE COORDINATES
PLACE OF BEGINNING 23' X 12.4' LEASE AREA ELEVATION 634.5'
STREET RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMERS BRANCH (PER PLAT VOLUME 97031, PAGE 3489)
15' DRAINAGE AND UTILITY EASEMENT (PER PLAT)
15' UTILITY EASEMENT (PER PLAT)
110' BUILDING LINE (PER PLAT)
90' BUILDING LINE (PER PLAT)
24' FIRE LANE, ACCESS & UTILITY EASEMENT (PER PLAT)
EXISTING STRUCTURE
CONCRETE
PLACE OF BEGINNING 23' X 12.4' LEASE AREA ELEVATION 634.5'
N 00°35'49" E 176.72'
S 00°35'49" W 295.00'
IRON ROD FOUND
PLACE OF COMMENCING 23' X 12.4' LEASE AREA
STREET RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMERS BRANCH (PER PLAT VOLUME 97031, PAGE 3489)
VALLEY VIEW LANE (100' RIGHT-OF-WAY)
NAILING POSITION FOR VERIZON WIRELESS RECEIVING EQUIPMENT
EXTERIOR WALL
INTERIOR WALL
FIRST FLOOR FURNISHED SHELTER 500.2'
SECOND FLOOR SHELTER CABINETS
STEEPLE
CENTER OF EXISTING STEEPLE
PLACE OF BEGINNING 23' X 12.4' LEASE AREA ELEVATION 634.5'
CENTER OF EXISTING STEEPLE COORDINATES
GEODETIC NAD 83:
32°56'26.5" N
96°52'26.68" W
ELV. OF NATURAL GROUND 517.8' NAVD88
STRUCTURE ELEV. AT HIGHEST POINT 651.8' AMSL

Exhibit "A"