

ORDINANCE NO. _____
Case No. 03-15SUP2 Texas Carz

PLANNING
City of Carrollton
Date: 04/07/15

SPECIAL USE PERMIT NO. 424

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON
AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY
ESTABLISHING SPECIAL USE PERMIT NUMBER 424 FOR A USED
CAR DEALER UPON PROPERTY LOCATED AT 2399 MIDWAY
ROAD; AMENDING ACCORDINGLY THE OFFICIAL ZONING MAP;
PROVIDING PENALTY, SEVERABILITY, REPEALER AND
SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE
ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Fifth day of March, 2015, the Planning & Zoning Commission considered and made recommendation on a request regarding a Special Use Permit (Case No. 03-15SUP2), and:

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Special Use Permit Number 424 is hereby established for a certain approximately 1.3 acre of land located at 2399 Midway Road as more specifically described on Exhibit A and generally depicted on Exhibit B, which exhibits are attached hereto and incorporated herein by reference for all purposes allowed by law, providing for a change in zoning from "Used Car Dealers (indoors only or accessory to new car sales)" to the following use:

"Used Car Dealer with Outdoor Display"

Section 3.

Development shall be in accordance with the following special conditions, restrictions, and regulations:

1. A row of evergreen shrubs that are a minimum of 24" in height at the time of planting shall be planted adjacent to the curb line of the parking lots.
2. Landscape additions shall be in accordance with Article XXV of the Comprehensive Zoning Ordinance and shall be completed by April 30, 2015.
3. The existing driveway along Midway Road shall be removed. (See aerial photo attached as Exhibit B)

Section 4.

The Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 5.

Any person, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 6.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 7.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 8.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

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Section 9.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Seventh day of April, 2015.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Krystle Nelinson
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Christopher Barton
Chief Planner

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EXHIBIT A
Legal Descriptions

Lot 1, Block C
Beltwood North, Phase 4 Addition

EXHIBIT A
Location Map

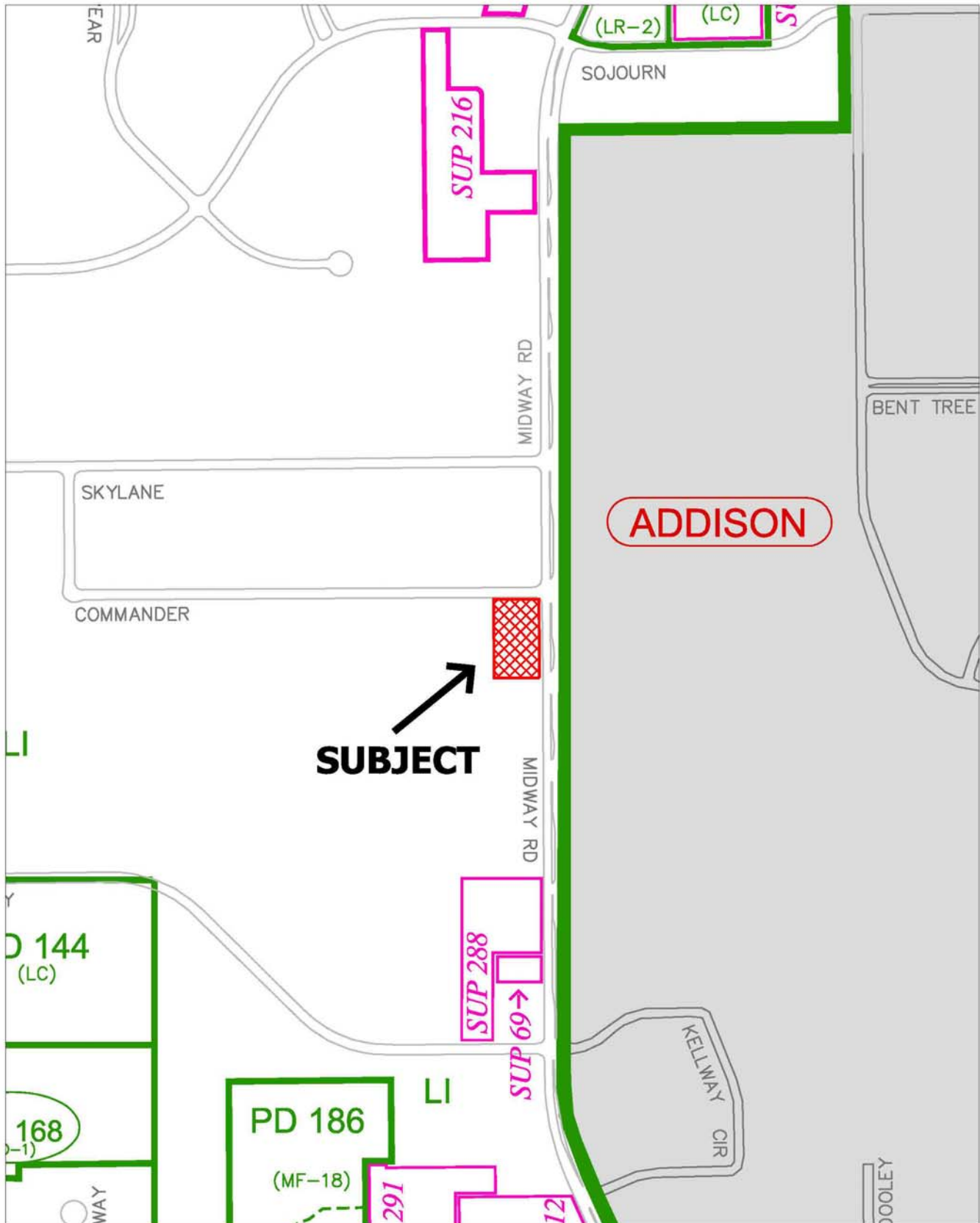


EXHIBIT B
Aerial Photo
(Midway Road on right)

