

**ORDINANCE 06-12-10**

**AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND OFFICIAL ZONING MAP, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A QUICK-SERVICE FOOD AND BEVERAGE SHOP WITHIN A B-2 BUSINESS DISTRICT ON PROPERTY LEGALLY DESCRIBED AS LOT 4, BLOCK 1, ELM STREET ADDITION, LOCATED AT 403 NORTH STEMMONS ST.; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, all Requests for Changes in Zoning Classifications were duly filed with the City of Sanger, Texas, concerning the hereinafter described properties;

WHEREAS, due notice of hearings were made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Sanger, Texas, duly covered and conducted public hearings for the purpose of assessing zoning classification changes on the hereinafter described properties located in the City of Sanger, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Sanger, Texas, at open meetings, with proper notice posted; Now Therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:**

**Section 1** That the legal description of the property zoned herein is generally described as Lot 4, Block 1, of the Elm Street Addition.

**Section 2** A Specific Use Permit for a quick-service food and beverage shop is hereby granted for the above described property within a B-2 Business District, subject to the following conditions:

1. the applicant construct a screening fence along the northern property line, adjacent to the existing residence,
2. the applicant assist with the construction of a screening fence along the western property line,
3. the applicant address the site's drainage issues, and,
4. the applicant provide adequate sewer service to the proposed structure.

**Section 3** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

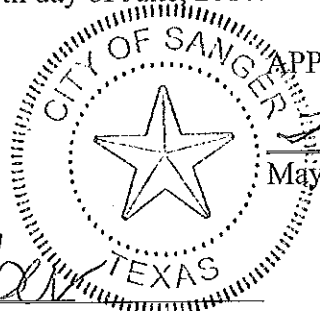
**Section 4** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent

jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

**Section 5** Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**Section 6** This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

**DULY PASSED, APPROVED AND ADOPTED** by the City Council of the City of Sanger, Texas, on this 7th day of June, 2010.



APPROVED:

*Thomas E. Muir*

Mayor Thomas Muir

ATTEST:

*Tami Taber*

Tami Taber, City Secretary