

ORDINANCE 09-15-14

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, GRANTING A SPECIFIC USE PERMIT FOR A QUICK SERVICE FOOD AND BEVERAGE SHOP LOCATED AT 203 EAST CHAPMAN DRIVE; 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, The applicant has requested a Specific Use Permit (SUP) for a Quick Service Food and Beverage Shop;

WHEREAS, The City Council has found that finds the proposed SUP is harmonious with the surrounding land uses and condition; Now Therefore,

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

Section 1 A specific use permit is hereby granted permitting quick service food and beverage shop on property zoned I-1 Industrial located at 203 East Chapman Drive, with the following conditions:

1. The SUP will expire one (1) year after going into effect.
2. The SUP will expire upon abandonment of the quick service food and beverage shop for a period of forty-five (45) days.
3. No vehicles parking will be permitted within thirty (30) feet of the right-of-way of Chapman Drive.
4. No nighttime operation of the business is permitted without adequate lighting.
5. The site must fully mitigate the effects of traffic and parking on the site, maintaining the site in day one conditions throughout the one (1) year life of the SUP.
6. Maximum building site of 128 square feet.
7. Minimum setback between building and parking area of fifteen (15) feet.
8. A wooden walkway or other approval surface must be provided between building and parking area.

Section 2 All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3 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 4 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 5 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 15th day of September, 2014.

APPROVED:

Thomas E. Muir

Mayor Thomas Muir

ATTEST:

Tami Taber

City Secretary Tami Taber

