

## **ORDINANCE NO. 2068**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, GRANTING A SPECIFIC USE PERMIT ON PROPERTY DESCRIBED AS BLOCK 324, TERRELL REVISED OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS, PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

### **SECTION I.**

**WHEREAS**, the City Council of the City of Terrell, following public hearing and recommendation of approval by the Planning and Zoning Commission, held a public hearing at 5:30 p.m. on Tuesday, May 15, 2001, in the Council Chamber of the City Hall in Terrell, Texas to consider a request for a Specific Use Permit to establish a Bed and Breakfast facility in a Residential District on property described as , Block 324, Terrell Revised, City of Terrell, Kaufman County, Texas; and

**WHEREAS**, the City Council has determined the real property is located in a Single Family (1F2) zoning district; and

**WHEREAS**, the City Council has determined that it would be in the best interest of the citizens of the City of Terrell to grant the specific use permit.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Terrell, Texas that:

A Specific Use Permit is granted establish a Bed and Breakfast facility on property described as Block 324, Terrell Revised, City of Terrell, Kaufman County, Texas.

This Specific Use Permit shall take effect immediately from and after its passage and upon said facility complying with all terms and conditions set further herein:

1. The dwelling must be occupied as a permanent residence by an owner or renter.
2. Not more than five (5) rooms can be utilized by transient guests for lodging and meals.
3. The establishment must meet the rules and regulations applicable to a retail food service establishment.
4. The establishment must provide off-street parking as required by the Terrell Zoning Ordinance.
5. Establishment must comply with the rules and regulations required by the Standard Plumbing Code as a residential occupancy.

### **SECTION II.**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

### **SECTION III.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any 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 unconstitutionally shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION IV.**

This Ordinance will take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**PASSED AND APPROVED ON THIS 15<sup>TH</sup> DAY OF MAY, 2001.  
PASSED AND ADOPTED ON THIS 5<sup>TH</sup> DAY OF JUNE, 2001.**

**APPROVED:**

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**HENRY C. MADGWICK, SR., MAYOR**

**ATTEST:**

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**JOHN ROUNSAVALL, CITY SECRETARY**