

## **ORDINANCE NO. 2084**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, GRANTING A SPECIFIC USE PERMIT TO CONSTRUCT AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS BLOCK 572, 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, August 21, 2001, in the Council Chamber of the City Hall in Terrell, Texas to consider a request for a Specific Use Permit to construct an Accessory Dwelling Unit on property described as , Block 572, 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, THERFORE, BE IT ORDAINED** by the City Council of the City of Terrell, Texas that:

A Specific Use Permit is granted to construct an Accessory Dwelling Unit on property described as Block 572, Terrell Revised, City of Terrell, Kaufman County, Texas.

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

The new use classification for Accessory Dwelling Unit shall be defined and explained as: A building or portion of a building which is arranged, occupied or intended to be occupied as living quarters and includes facilities for food preparation and sleeping subordinate to and incidental to the primary use of the main building or to the primary use of the premises. Stipulations include: cannot be used as rental property; cannot maintain an independent address; combination of unit and structure cannot exceed lot coverage and floor area ratio as described in Section 8-800 of the Terrell Zoning Ordinance; structure must be located in rear yard and maintain five foot (5') rear and side yard.

### **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All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.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 this the 21<sup>st</sup> day of August, 2001.  
Passed and adopted this the 4<sup>th</sup> day of September, 2001.

APPROVED:

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HENRY C. MADGWICK, SR., MAYOR

ATTEST:

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JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

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MARY GAYLE RAMSEY, CITY ATTORNEY