

ORDINANCE NO. 2223

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM AGRICULTURE (A) TO COMMERCIAL (C) AT PROPERTY DESCRIBED AS 22.29 ACRES, J. C. HALE SURVEY, A-292, OF THE CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Be it ordained by the City Council of the City of Terrell, Texas:

ARTICLE I.

WHEREAS, The Planning and Zoning Commission of the City of Terrell held a public hearing on March 29, 2004 on a request to change the zoning from Agriculture (A) to Commercial (C) at property described as 22.29 Acres, J. C. Hale Survey, A-202; and recommended approval of a zone change on this property; and.

WHEREAS, the City Council of the City of Terrell, Texas, following a public hearing and recommendation by the Planning & Zoning Commission, held a public hearing on Tuesday, April 20, 2004, on a request to change the zoning from Agriculture (A) to Commercial (C) at property described 22.29 Acres, J. C. Hale Survey, A-202; and

WHEREAS, the City Council has determined that all notice requirements have been given in compliance with State Law and the ordinances of the City of Terrell; and

WHEREAS, the City Council of the City of Terrell, Texas has determined that it would be in the best interest of the citizens of Terrell to change the zoning from Agriculture (A) to Commercial (C) at property described as 22.29 Acres, J. C. Hale Survey, A-202.

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

The zoning classification be and is hereby changed at 22.29 Acres, J. C. Hale Survey, A-202, as further described in Exhibit "A", from the current zoning of Agriculture (A) to Commercial (C).

This zone change shall take effect immediately from and after its passage and upon said facility complying with all terms and conditions set further herein.

ARTICLE II.

All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

ARTICLE 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 unconstitutionality 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.

ARTICLE IV.

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

PASSED AND APPROVED this the 20th day of April, 2004.

PASSED AND ADOPTED this the 4th day of May, 2004.

Approved:

Frances R. Anderson, Mayor

Attest:

John Rounsavall, City Secretary

Approved as to form:

Mary Gayle Ramsey, City Attorney