

ORDINANCE NO. 2228

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING FROM MULTI-FAMILY (MF) TO SINGLE FAMILY (1 F-2) AT PROPERTY DESCRIBED AS TERRELL REVISED; BLOCK 330, LOTS 1A, 1B, 2, 3, 4, PT5, AND 6; BLOCK 331, LOTS 1, 2, 3A, 3B, 4A, 4B, 5, PT6, 6B, 7, 8, 9, 10A, 10B, AND 11; BLOCK 348A, LOTS 2A, 2B, 2C, 3A, 3B, 3C, 4A, 5, 6, AND 13; AND TERRELL ORIGINAL: BLOCK 46, LOTS 1A, 1B, 2, 3A, 3B, AND 4; BLOCK 47, LOTS 1A, 1B, 2A, 2B, 2C, 3A, 3B, AND 4; BLOCK 48, LOTS 1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E, PT 3A, 3B, AND 4; BLOCK 49, LOTS 1A, 1B, 2A, 2B, 3B, 3C, 3D, AND 4; BLOCK 50, LOTS 1A, 1B, 2, 3A, 3B, 4A, AND 4B; BLOCK 51, LOTS 1, 2, 3A, 3B, AND 4A 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 May 27, 2004 on a request to change the zoning from Multi-Family (MF) to Single Family (1 F-2) at property described as Terrell Revised: Block 330, Lots 1A, 1B, 2, 3, 4, pt 5, and 6; Block 331, Lots 1, 2, 3A, 3B, 4A, 4B, 5, pt 6, 6B, 7, 8, 9, 10A, 10B, and 11; Block 348A, Lots 2A, 2B, 2C, 3A, 3B, 3C, 4A, 5, 6, and 13; and Terrell Original: Block 46, Lots 1A, 1B, 2, 3A, 3B, and 4; Block 47, Lots 1A, 1B, 2A, 2B, 2C, 3A, 3B, and 4; Block 48, Lots 1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E, pt 3A, 3B, and 4; Block 49, Lots 1A, 1B, 2A, 2B, 3B, 3C, 3D, and 4; Block 50, Lots 1A, 1B, 2, 3A, 3B, 4A, and 4B; Block 51, Lots 1, 2, 3A, 3B, and 4A; 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 July 6, 2004, on a request to change the zoning from Multi-Family (MF) to Single Family (1 F-2) at property described as Terrell Revised: Block 330, Lots 1A, 1B, 2, 3, 4, pt 5, and 6; Block 331, Lots 1, 2, 3A, 3B, 4A, 4B, 5, pt 6, 6B, 7, 8, 9, 10A, 10B, and 11; Block 348A, Lots 2A, 2B, 2C, 3A, 3B, 3C, 4A, 5, 6, and 13; and Terrell Original:; Block 46, Lots 1A, 1B, 2, 3A, 3B, and 4; Block 47, Lots 1A, 1B, 2A, 2B, 2C, 3A, 3B, and 4; Block 48, Lots 1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E, pt 3A, 3B, and 4; Block 49, Lots 1A, 1B, 2A, 2B, 3B, 3C, 3D, and 4; Block 50, Lots 1A, 1B, 2, 3A, 3B, 4A, and 4B; Block 51, Lots 1, 2, 3A, 3B, and 4A; 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 Multi-Family (MF) to Single Family (1 F-2) at property described as Terrell Revised: Block 330, Lots 1A, 1B, 2, 3, 4, pt 5, and 6; Block 331, Lots 1, 2, 3A, 3B, 4A, 4B, 5, pt 6, 6B, 7, 8, 9, 10A, 10B, and 11; Block 348A, Lots 2A, 2B, 2C, 3A, 3B, 3C, 4A, 5, 6, and 13; and Terrell Original: Block 46, Lots 1A, 1B, 2, 3A, 3B, and 4; Block 47, Lots 1A, 1B, 2A, 2B, 2C, 3A, 3B, and 4; Block 48, Lots 1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E, pt 3A, 3B, and 4; Block 49, Lots 1A, 1B, 2A, 2B, 3B, 3C, 3D, and 4; Block 50, Lots 1A, 1B, 2, 3A, 3B, 4A, and 4B; Block 51, Lots 1, 2, 3A, 3B, and 4A.

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 Terrell Revised: Block 330, Lots 1A, 1B, 2, 3, 4, pt 5, and 6; Block 331, Lots 1, 2, 3A, 3B, 4A, 4B, 5, pt 6, 6B, 7, 8, 9, 10A, 10B, and 11; Block 348A, Lots 2A, 2B, 2C, 3A, 3B, 3C, 4A, 5, 6, and 13; and Terrell Original: Block 46, Lots 1A, 1B, 2, 3A, 3B, and 4; Block 47, Lots 1A, 1B, 2A, 2B, 2C, 3A, 3B, and 4; Block 48, Lots 1A, 1B, 1C, 2A, 2B, 2C, 2D, 2E, pt 3A, 3B, and 4; Block 49, Lots 1A, 1B, 2A, 2B, 3B, 3C, 3D, and 4; Block 50, Lots 1A, 1B, 2, 3A, 3B, 4A, and 4B; Block 51, Lots 1, 2, 3A, 3B, and 4A from the current zoning of Multi-Family (MF) to Single Family (1 F-2).

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 6th day of July, 2004.

PASSED AND ADOPTED this the 3rd day of August, 2004.

Approved:

Frances R. Anderson, Mayor

Attest:

John Rounsavall, City Secretary

Approved as to form:

Mary Gayle Ramsey, City Attorney