

ORDINANCE No. 2601

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM RETAIL (R) TO MULTI-FAMILY 22 (MF-22) DISTRICT ON PROPERTY LOCATED AT 300 WEST JACKSON STREET, BEING LOTS 5R & 6R, BLOCK 313, TERRELL REVISED ADDITION, CITY OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ARTICLE I.

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, held a public hearing on March 25, 2014, on a request to change the zoning from Retail (R) District to Multi-family 22 (MF-22) District on property located at 300 West Jackson Street, being Lots 5R & 6R, Block 313, Terrell Revised Addition, City of Terrell, Kaufman County, Texas; and

WHEREAS, the City Council of the City of Terrell, Texas, held a public hearing on April 15, 2014, and has determined that it would be in the best interest of the citizens of Terrell to change the zoning from Retail (R) District to Multi-family 22 (MF-22) District, City of Terrell, Kaufman County, Texas; and

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

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

THAT the zoning classification be and is hereby changed from Retail (R) District to Multi-family 22 (MF-22) District on property located at 300 West Jackson Street, being Lots 5R & 6R, Block 313, Terrell Revised Addition, City of Terrell, Kaufman County, Texas.

ARTICLE II

That operation will be in conformance with requirements of the City of Terrell Zoning Ordinance. In addition, the official Zoning Map of the City of Terrell, Texas, shall be annotated to show the change in zoning status from Retail (R) District to Multi-family 22 (MF-22) District thereon.

ARTICLE III

All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE III

Any person, entity or corporation violating any provisions of this Ordinance shall be considered in violation of the adopted Comprehensive Zoning Ordinance of the City of Terrell and be subject, upon conviction, to the penalties and remedies therein.

ARTICLE IV

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 V

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

PASSED AND APPROVED this the 15<sup>th</sup> day of April, 2014.

PASSED AND ADOPTED this the 6<sup>th</sup> day of May, 2014.

APPROVED:

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Hal Richards, Mayor

ATTEST:

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John Rounsavall, City Secretary

APPROVED AS TO FORM:

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Mary Gayle Ramsey, City Attorney