

## **ORDINANCE NO. 2661**

**AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, GRANTING A SPECIFIC USE PERMIT IN THE RETAIL (R) DISTRICT TO ALLOW A CONTRACTOR OFFICE/SHOP, WITH NO OUTSIDE STORAGE INCLUDING VEHICLES, SUBJECT TO APPROVAL OF SITE PLAN, ON LOT 1A, BLOCK 61, ORIGINAL TOWN, TERRELL, TEXAS, AND BEING LOCATED AT 309 N. VIRGINIA STREET, TERRELL, TEXAS; AND BEING THE SOUTHWEST CORNER OF NORTH VIRGINIA STREET AND EAST COLLEGE STREET; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Terrell, Texas, following public hearing and recommendation of approval by the Planning and Zoning Commission, held a public hearing at 5:30 p.m. on Tuesday, March 29, 2016, in the City Council Chambers of the Terrell City Hall to consider a request for a Specific Use Permit in the Retail (R) District to allow a contractor office/shop, with no outside storage including vehicles, on Lot 1A, Block 61, Original Town, Terrell, Texas, and being located at 309 N. Virginia Street, Terrell, Texas, and being the southwest corner of North Virginia Street and East College Street; and

**WHEREAS**, the City Council has determined the real property is located in a Retail (R) 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:

### **SECTION I.**

A Specific Use Permit is granted to allow a contractor office/shop, with no outside storage including vehicles, on Lot 1A, Block 61, Original Town, Terrell, Texas, and being located at 309 N. Virginia Street, Terrell, Texas, and being the southwest corner of North Virginia Street and East College Street subject to the following special condition:

1. A site plan for the property must be approved in accordance with the requirements of Section 31B.4, Site Plan, within the Specific Use Permit requirements of the Zoning Ordinance.

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.

**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All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.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 17th DAY OF MAY, 2016.**

**PASSED AND ADOPTED ON THIS 7th DAY OF JUNE, 2016.**

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DJ Ory, Mayor

ATTEST:

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John Rounsavall, City Secretary

APPROVED AS TO FORM:

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Mary Gayle Ramsey, City Attorney