

ORDINANCE NO. 1855

AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF ORDINANCES, IDENTIFIED AS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EULESS, TEXAS; AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON WESTPARK NURSING CENTER ADDITION, BLOCK A, LOT 1 AND PORTION OF JAMES M MATSON SURVEY, A-1080, TRACT 3D, BY CHANGING THE ZONING FROM R-1 (SINGLE-FAMILY DETACHED DWELLING DISTRICT) ZONING INTO PD (PLANNED DEVELOPMENT) ZONING CONFORMING TO R-3 (MULTIPLE-FAMILY LOW DENSITY DWELLING DISTRICT) ZONING EXCEPT AS DESCRIBED HEREIN AND ON THE ATTACHED EXHIBIT "A"; PROVIDING FOR A SEVERABILITY CLAUSE, PENALTY FOR VIOLATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on July 21, 2009, in conjunction with Zoning Case No. #09-01-PD, and has rendered a recommendation to the City Council with respect to this case;

WHEREAS, the City Council has conducted a public hearing on August 11, 2009, considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS:

SECTION 1

THAT the official zoning district map of the City of Euless, Texas, being a part of Chapter 84 of the Code of Ordinances, be amended to read so that the zoning district classification of Westpark Nursing Center Addition, Block A, Lot 1 and portion of James M Matson Survey, A-1080, Tract 3D is changed from R-1 (Single-Family Detached Dwelling District) zoning into PD (Planned Development) zoning conforming to R-3 (Multiple-Family Low Density Dwelling District) zoning Except As Described Herein and on the Attached Exhibit "A"). Said property described above shall be subject to all the safeguards and conditions set forth on said Exhibit "A" or stipulated herein. Said Exhibit "A" shall be applicable only to the property described in herein.

SECTION 2

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council of the City of Euless 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, or 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.

SECTION 3

PENALTY FOR VIOLATION. Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

SECTION 4

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Eules City Charter and the laws of the State of Texas.

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on the 11th day of August, 2009, by a vote of ___ ayes, ___ nays, and ___ abstentions.

APPROVED:

Mary Lib Saleh
Mayor

ATTEST:

Susan Crim, TRMC
City Secretary

APPROVED AS TO FORM:

Bob McFarland
City Attorney