

## ORDINANCE NO. 1876

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON KITTY HOUSE SURVEY, A-678 TRACT 1B03, 2215 W. PIPELINE FOR A CREMATION AND MORTUARY SERVICES USE; PROVIDING FOR A SEVERABILITY CLAUSE; PENALTY FOR VIOLATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on April 6, 2010, in conjunction with Specific Use Permit Case No. 09-09-SUP, and has rendered a recommendation of denial to the City Council with respect to this case;

**WHEREAS**, City Council has conducted a public hearing on May 11, 2010, has 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 and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions;

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

### **SECTION 1 ALLOWED USES**

**THAT** Cremation and Mortuary Services uses as specifically described on Exhibit "A" (attached hereto and made a part hereof) and on the Specific Use Permit Form (attached hereto and made a part hereof), shall be permitted on Kitty House Survey A-678 Tract 1B03, 2215 W. Pipeline.

### **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," Euless 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 Euless City Charter and the laws of the State of Texas.

**PRESENTED AND PASSED ON FIRST AND FINAL READING** at a regular meeting of the Euless City Council on the 11<sup>th</sup> day of May, 2010, 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



ORDINANCE NO. 1876  
SPECIFIC USE PERMIT CASE #09-09-SUP

**LAND USE:** CREMATORY AND MORTUARY

**LOCATION (property address):** 2215 W. Pipeline Road  
**(legal description):** Kitty House Survey, A-678, Tract 1B3

*This permit is valid only for the property and use listed above and then ONLY in accordance with the following documents and/or conditions:*

**CONDITIONS (INCLUDING DATES):**

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Considered by Planning and Zoning Commission:

DATE OF ACTION: April 6, 2010  
 approval  denial

X Richard L. McQueen  
Signature of P & Z Chairman

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Considered by City Council:

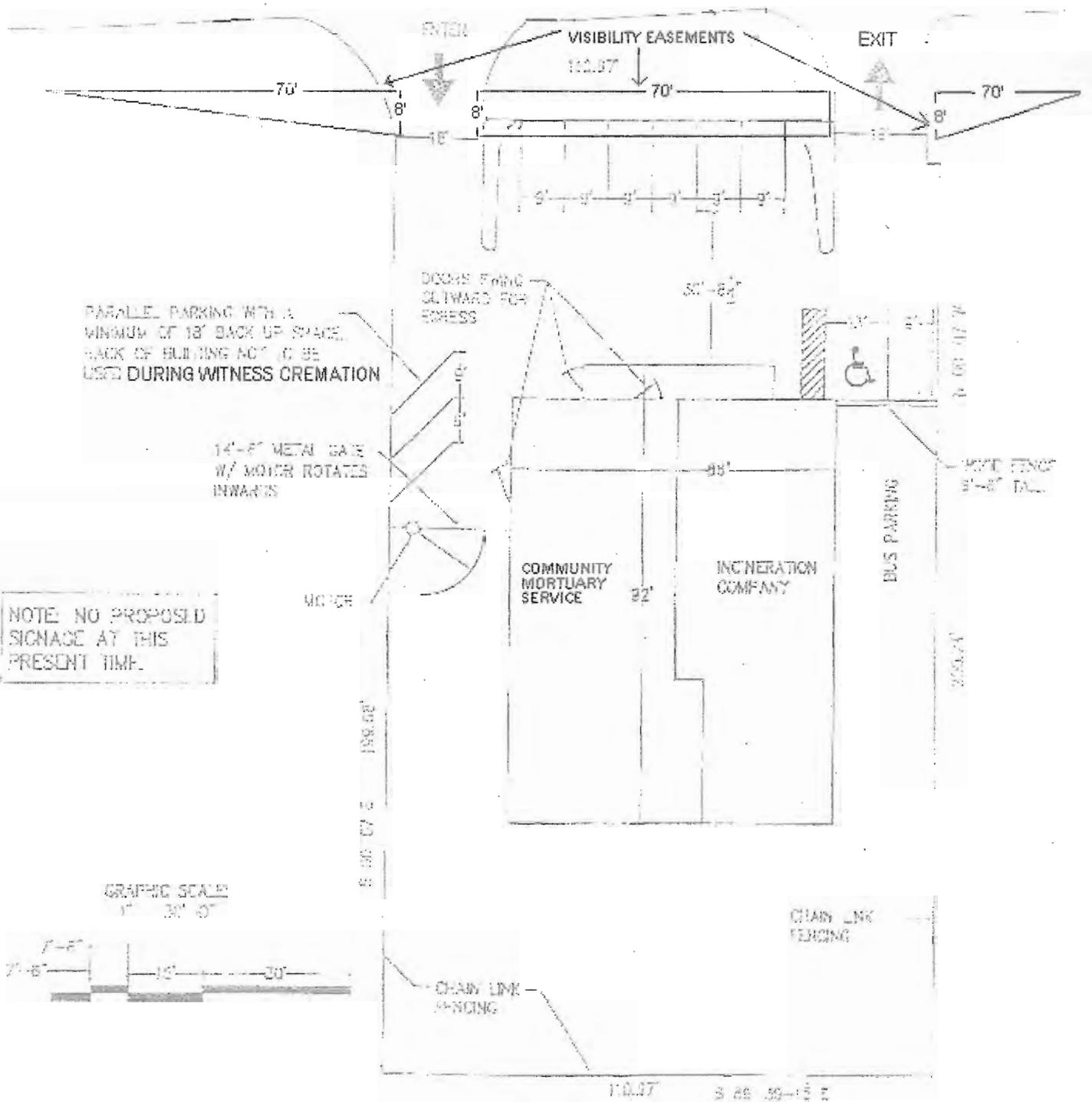
DATE OF ACTION: April 27, 2010  
 approval  denial

X \_\_\_\_\_  
Signature of Mayor

201 N. Ector Drive, Euless, Texas 76039-3595  
817/685-1630 • Metro 817/267-4403 • FAX 817/685-1628

PIPELINE RD.

N 26-50-00



NOTE: NO PROPOSED SIGNAGE AT THIS PRESENT TIME.

GRAPHIC SCALE  
1" = 30' 0"



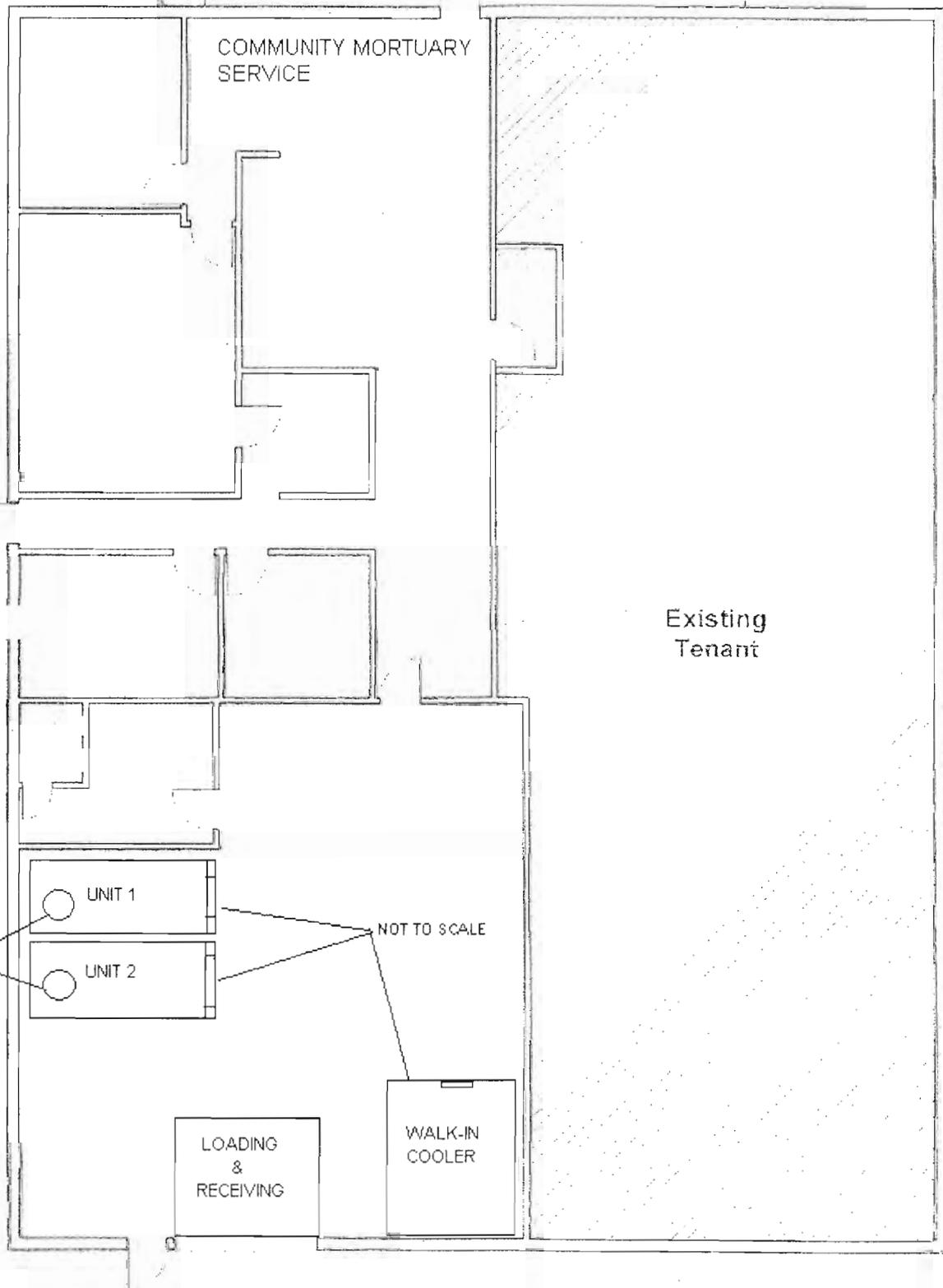
**SITE PLAN**  
SCALE 1" = 30'-0"

**COMMUNITY MORTUARY SERVICE**  
1216 W PIPELINE RD.  
SULFUR, LA 70684

OWNER: MIKE PIEZELANT  
DRAWN BY: SHANE ST. JOHN

Address: 1216 W. Pipeline Rd. Page 1 of 3  
TOTAL PLAN - 2.503 ACRES  
ZONING DISTRICT: EX-1  
3200 SQ. FT. FOR MORTUARY SIDE OF BUILDING

SP-1



COMMUNITY MORTUARY SERVICE  
 2215 PIPE LINE RD. SUITE B  
 EULESS, TX 76040

PAGE 2 OF 3 "EXHIBIT A"  
 CASE #09-09-SUP

Existing Floor Plan  
 Scale: 3/32" = 1'