

## ORDINANCE NO. 1961

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON KITTY HOUSE SURVEY, ABSTRACT NO. 678, TRACT 1B3, 2215 W. PIPELINE ROAD FOR PET CREMATORY; PROVIDING FOR A SEVERABILITY CLAUSE; PENALTY FOR VIOLATION; PUBLICATION IN THE OFFICIAL NEWSPAPER; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on July 17, 2012, in conjunction with Specific Use Permit Case No. 12-08-SUP, and has rendered a recommendation to the City Council with respect to this case;

**WHEREAS**, City Council has conducted a public hearing on August 14, 2012, 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** Pet Crematory 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, Abstract No. 678, Tract 1B3, 2215 W. Pipeline Road.

### **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**

**PUBLICATION.** The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Eules, in compliance with the provisions of Article II, Section 12, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

**SECTION 5**

**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 August 14, 2012, by a vote of \_\_\_\_ayes, \_\_\_\_nays, and \_\_\_\_abstentions.

APPROVED:

\_\_\_\_\_  
Mary Lib Saleh, Mayor

ATTEST:

\_\_\_\_\_  
Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Wayne Olson, City Attorney

THE CITY OF  
**EULESS**

ORDINANCE NO. 1961  
SPECIFIC USE PERMIT CASE #12-08-SUP

**LAND USE:** PET CREMATORY

**LOCATION:**  
(property address): 2215 W PIPELINE ROAD

(legal description): KITTY HOUSE SURVEY, ABSTRACT NO. 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):**

Conditions will be inserted after City Council approval.

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**Considered by Planning and Zoning Commission:**

DATE OF ACTION: July 17, 2012

approval

denial

X *Richard L. ...*  
Signature of P & Z Chairman

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**Considered by City Council:**

DATE OF ACTION: August 14, 2012

approval

denial

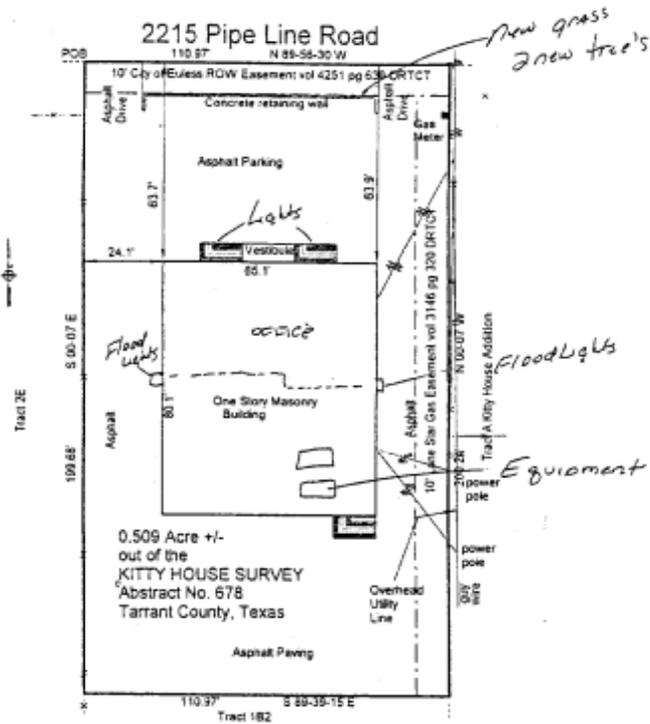
X

Signature of Mayor

201 N. Ector Drive, Euless, Texas 76039-3595  
817/685-1630 \* Metro 817/267-4403 \* Fax 817/685-1628  
www.ci.euless.tx.us

# EXHIBIT "A"

ADDRESS: 2215 Pipe Line Road  
 DESCRIPTION: A tract of land situated in the KITTY HOUSE SURVEY, Abstract No. 678, Tarrant County, Texas, and being a portion of the J. B. Holder tract as recorded on Page 417 of Volume 2799, Deed Records of Tarrant County, Texas, and being more particularly described as follows:  
 BEGINNING at an old iron rod in the South line of Pipe Line Road and being the Northwest corner of the said J. B. Holder tract and also being about West a distance of 1492.3 feet from the Northeast corner of the said Kitty House Survey;  
 THENCE South 00 degrees 07 minutes East, a distance of 199.88 feet to an old iron rod;  
 THENCE South 89 degrees 39 minutes 15 seconds East a distance of 110.97 feet to an old iron rod in the West line of Tract A, KITTY HOUSE ADDITION, to the City of Euless, Tarrant County, Texas, according to plat recorded in Volume 388-50, Page 85, Deed Records of Tarrant County, Texas,  
 THENCE North 00 degrees 07 minutes West along the West line of said Tract A, a distance of 200.24 feet to an old iron rod in the South line of said Pipe Line Road;  
 THENCE North 89 degrees 56 minutes 30 seconds West along the South line of said Pipe Line Road a distance of 110.97 feet to the POINT OF BEGINNING, containing 0.509 acre or 22,190 square feet of land, more or less.  
 NOTE: Easement recorded in V. 5529, P. 413, was a temporary Right-Of-Way and followed the same course as Lone Star Gas Easement recorded in V. 3146, P. 320.  
 NOTE: According to the FIRM Flood Insurance Rate Map #48439C0300 H, dated August 2, 1995 for Tarrant County, this property is NOT in the 100 year flood area and IS in Zone X. Zone X is defined by the Map Legend as: Areas determined to be outside 500-year flood plain.



I, Randy L. Gregory, Registered Professional Land Surveyor, hereby certify to (1) the HoneyPlace, LLC, its successors and/or assigns as their interest may appear and (2) that I, Randy L. Gregory, Surveyor, No. 44301, (2) Russell L. Davis, 2215 W. Pipeline Road Euless TX 76039 (3) First American Title, (4) John P. Berlowe & Associates, 325 Buffalo Avenue, Mesquite Falls, TX 75002 that this survey was made on the ground under my supervision and (5) correctly shows the boundary lines and dimensions and area of land indicated hereon and (6) correctly shows the location of all buildings, structures and other improvements and visible lines on the subject property, and (7) correctly shows the location of all utility, streets, roads, rights-of-way, easements and other matters of record which affect the subject property according to the legal description in such assessments and other records with instrument volume and page number indicated. The undersigned further certifies that except as shown hereon, there are no visible di... conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, assessments or rights-of-way, and the plat is correct to and from a designated...  
 Randy L. Gregory R.P.L.S. #4921

Date 12, 2001  
 Scale 1" = 30'  
 Survey # 100

Purchaser: R. L. Davis & Associates, L. C. (not transferable)

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**Randy Gregory Surveying**  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
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—	Wood Fence
—X—	Metal Fence
○	Steel Rod Found
●	Steel Rod Set

