

## ORDINANCE NO. 2031

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON OAKWOOD TERRACE ADDITION, BLOCK 1, LOTS A41R AND A42R, 407 WEST EULESS BOULEVARD FOR AUTOMOTIVE REPAIR AND TIRE SHOP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR A PUBLICATION IN THE OFFICIAL NEWSPAPER; AND AN PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the City of Euless has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential and other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan;

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on May 6, 2014, in conjunction with Specific Use Permit Case No. 14-06-SUP, and has rendered a recommendation to the City Council with respect to this case;

**WHEREAS**, City Council has conducted a public hearing on May 27, 2014, 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;

**WHEREAS**, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Texas Local Government Code.

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

### **SECTION 1. ALLOWED USES**

**THAT** Automotive Repair and Tire Shop uses as specifically described on the Specific Use Permit Form (attached hereto and made a part hereof), and on **Exhibit "A"** (attached hereto and made a part hereof) shall be permitted on Oakwood Terrace Addition, Block 1, Lot A41R and A42R, 407 West Euless Boulevard.

### **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, penalty clause, and effective date 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 and publication, 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 May 27, 2014, by a vote of \_\_\_\_ayes, \_\_\_\_nays, and \_\_\_\_abstentions.

APPROVED:

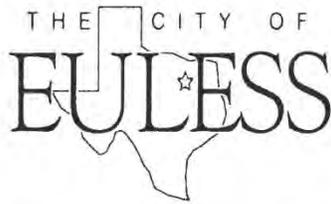
ATTEST:

\_\_\_\_\_  
Linda Martin, Mayor

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

APPROVED AS TO FORM:

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



ORDINANCE NO. 2031  
SPECIFIC USE PERMIT CASE #14-06-SUP

**LAND USE:** Automotive Repair and Tire Shop

**LOCATION:**

*(legal description):* Oakwood Terrace Addition, Block 1, Lots A41R and A42R

*(property address):* 407 W. Euless Boulevard

*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: May 6, 2014

approval

denial

X *Rodney Louis McQueen*  
Signature of P & Z Chairman

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Considered by City Council:

DATE OF ACTION: May 27, 2014

approval

denial

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

**EXHIBIT "A"**

**DESCRIPTION OF PROPERTY**

**ADDRESS:** 407 W. EULESS BLVD.  
EULESS, TX 76040

**COUNTY:** TARRANT

**PARCEL(S):** 05790719  
05790689

**LEGAL DESCRIPTION:** OAKWOOD TERRACE ADDN-EULESS  
BLK 1 LOT A41R & BLK 1 LOT A42R

**BUILDING SIZE:** 2,233 SQUARE FEET

**LAND SIZE:** 18,557 SQUARE FEET OR 0.4260 ACRES



Automotive Uses: tire service, exhaust system service, light auto repair and maintenance to include oil and other fluid change, and state inspections.

