

## ORDINANCE NO. 1893

### **AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON J P HALFORD ADDITION, BLOCK D, LOT 7, 116 W. EULESS BOULEVARD FOR TIRE SHOP; PROVIDING FOR A SEVERABILITY CLAUSE; PENALTY FOR VIOLATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on November 2, 2010, in conjunction with Specific Use Permit Case No. 10-10-SUP, and has rendered a recommendation to the City Council with respect to this case; and

**WHEREAS**, City Council has conducted a public hearing on November 9, 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, THAT:**

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

Tire Shop 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 J P Halford Addition, Block D, Lot 7, 116 W. 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," 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 November 9, 2010, by a vote of \_\_\_\_ayes, \_\_\_\_nays, and \_\_\_\_abstentions.

APPROVED:

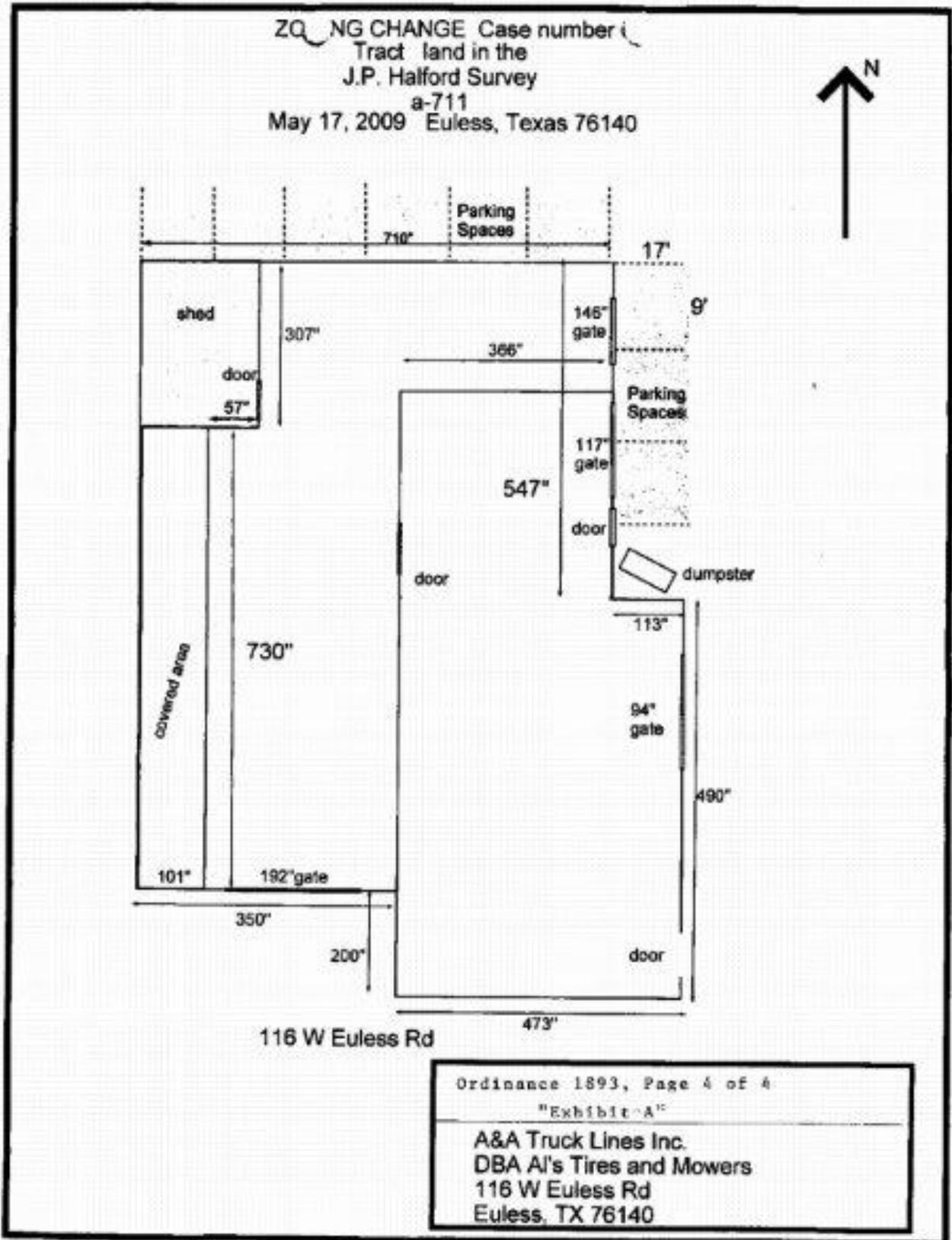
\_\_\_\_\_  
Mary Lib Saleh, Mayor

ATTEST:

\_\_\_\_\_  
Susan Crim, TRMC, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
William M. McKamie, Interim City Attorney





ORDINANCE NO. 1893  
SPECIFIC USE PERMIT CASE #10-10-SUP

LAND USE: TIRE SHOP

LOCATION (*property address*): 116 W. Euless Boulevard  
(*legal description*): J P Halford Addition, Block D, Lot 7

*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 to be inserted after action by the City Council.**

Considered by Planning and Zoning Commission:

DATE OF ACTION: November 2, 2010  
 approval  denial

X Richard L. Morgan  
Signature of P & Z Chairman

Considered by City Council:

DATE OF ACTION: November 9, 2010  
 approval  denial

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