

**ORDINANCE NO. XXXX**

**AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EULESS, TEXAS; AMENDING THE CITY OF EULESS ZONING DISTRICT MAP ON PROPERTY RECORDED AS ALEXANDER & CULLUM ADDITION WEST ONE HALF OF LOT 25; 217 S. MAIN STREET FROM COMMUNITY BUSINESS DISTRICT (C-2) TO SINGLE FAMILY DETACHED DWELLING DISTRICT (R-1); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on October 18, 2016, in conjunction with Zoning Case No. 16-03-ZC, and has rendered a recommendation to the City Council with respect to this case;

**WHEREAS**, the City Council has conducted a public hearing on November 8, 2016, 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 Alexander & Cullum Subdivision, west one half of Lot 25; 217 S. Main Street as described on the attached **Exhibit "A"**, is changed from Community Business District (C-2) into Single Family Detached Dwelling District (R-1).

**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.**

**SAVINGS CLAUSE.** All rights and remedies of the City of Eules are expressly saved as to any and all violations of the provisions of the Eules Unified Development Code applicable to the Property that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 5.**

**PUBLICATION.** The caption, penalty clause, and effective date 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 Eules City Charter.

**SECTION 6.**

**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 November 8, 2016 by a vote of \_\_\_\_ ayes, \_\_\_\_ nays, and \_\_\_\_ abstentions.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# Exhibit A

## SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE THIS DATE MADE A SURVEY ON THE GROUND LOCATED AT 217 SOUTH MAIN STREET IN THE CITY OF EULESS, TEXAS, DESCRIBED AS FOLLOWS:

The West 1/2 of Lot 25, Alexander & Cullum Subdivision, an Addition to the City of Euless, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-C, Page 109, Plat Records, Tarrant County, Texas.

TO THE BEST OF MY KNOWLEDGE, EASEMENT RECORDED IN VOLUME 2139, PAGE 348 DOES NOT AFFECT THIS LOT

