

ORDINANCE NO. O-2016-101

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A "POD", PLANNED OFFICE DISTRICT SITE PLAN AMENDMENT ON LOT 21 OF NCB 1474, ONE LOT CONTAINING APPROXIMATELY 5.76 ACRES OF LAND LOCATED SOUTH OF THE SOUTHWEST CORNER OF TIMBER CREEK DRIVE AND SHILOH ROAD (5113 TIMBER CREEK DRIVE); PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Tyler, Texas, and the City Council of the City of Tyler, Texas, in compliance with the Charter and the State law with reference to the zoning ordinance of the City of Tyler, Texas, and zoning map, have given requisite notices by publication and otherwise and after holding a due hearing and affording a full and fair hearing to all the property owners, generally and to the persons interested, situated in the affected area and in the vicinity thereof, the City Council is of the opinion that the zoning change should be made as set forth herein;

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

PART 1: That the following zone change is hereby approved as follows:

I. APPLICATION PD16-013

That the existing site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A" and incorporated herein, on the following described property zoned "POD", Planned Office District, to wit:

Lot 21 of NCB 1474, one lot containing approximately 5.76 acres of land located south of the southwest corner of Timber Creek Drive and Shiloh Road (5113 Timber Creek Drive) and in accordance with the site plan attached hereto as Exhibit "A" and which is incorporated herein.

PART 2: Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

PART 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until after its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, which date is expected to be November 11, 2016.

PASSED AND APPROVED this the 9th day of November A.D., 2016.

Martin Heines

MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

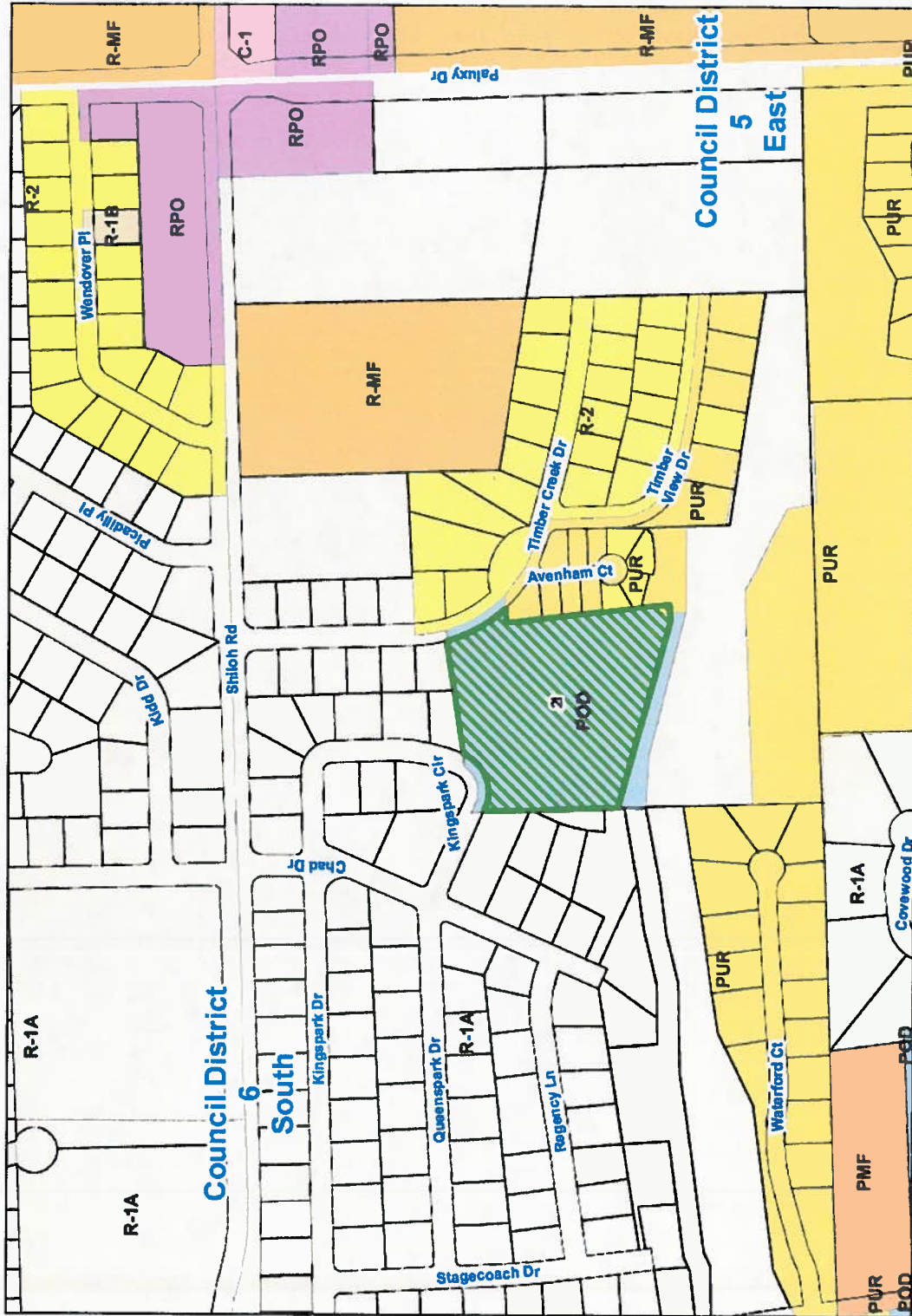
Cassandra Brager
CASSANDRA BRAGER, CITY CLERK



Deborah G. Pullum

DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2016-101
EXHIBIT "B"
LOCATION MAP**



Zoning Case
 Zoning Case #: PD16-013
 Site Plan Amendment
 Applicant: Sunset Enterprises, Inc.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**ORDINANCE NO. O-2016-101
EXHIBIT "C"
TYLER 1st FUTURE LAND USE MAP**



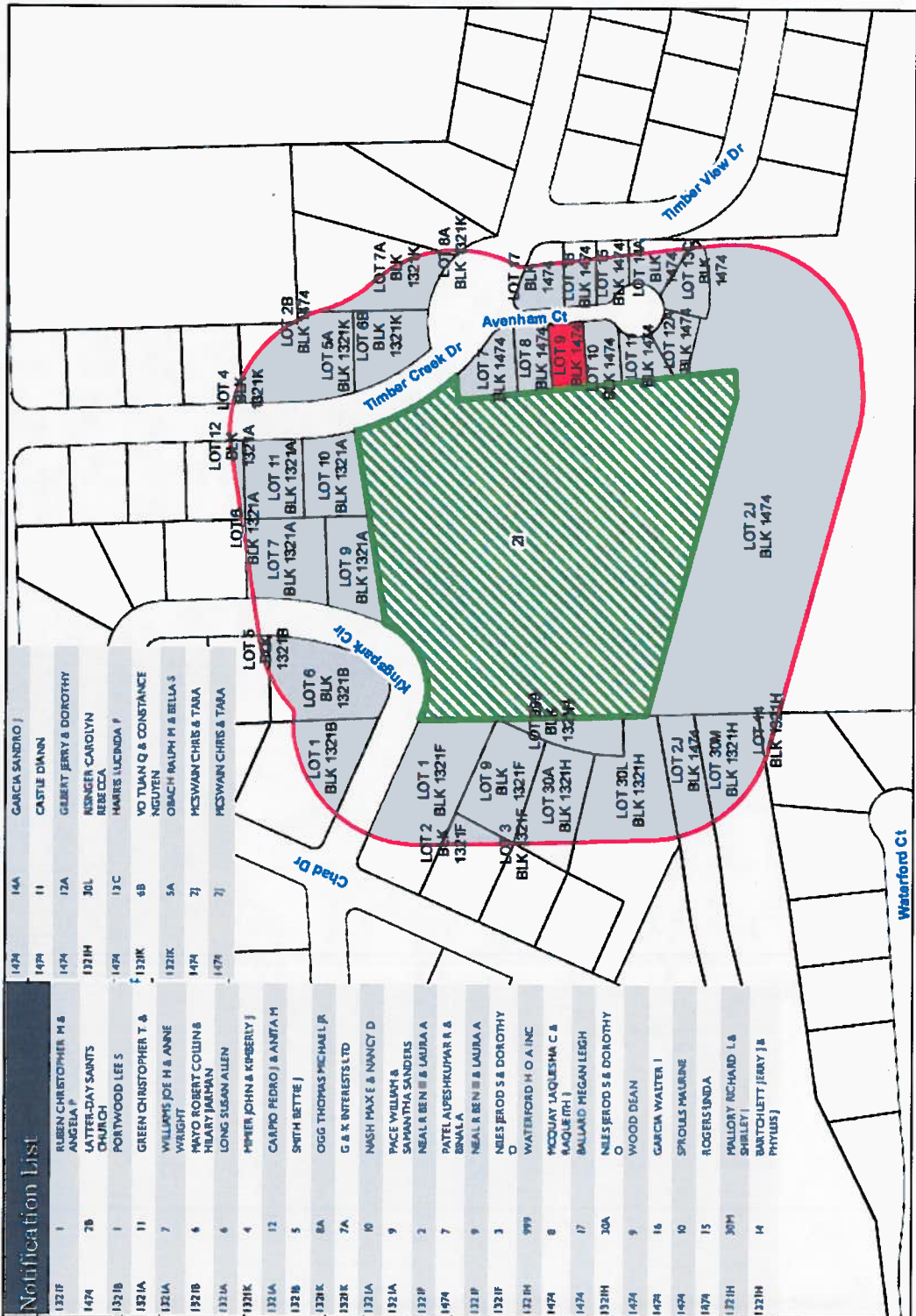
Zoning Case
Zoning Case #: PD16-013
Site Plan Amendment
Applicant: Sunset Enterprises, Inc.

This product is for informational purposes and may not have been prepared or be suitable for legal, engineering, or surveying purposes. It does not represent an independent survey and represents only the approximate relative location of property boundaries.

0 425 850 Feet



ORDINANCE NO. O-2016-101 EXHIBIT "D" NOTIFICATION MAP



Notification List

147A	14A	GARCIA SANDRO J
147B	11	CASTLE DIANN
147C	12A	GILBERT JERRY & DOROTHY ANGELA F
147D	30L	KINSER CAROLYN REBECCA
147E	13C	MARRIS LUCINDA F
147F	6B	VO TUAN Q & CONSTANCE NGUYEN
147G	5A	OBACH RALPH H & BELLA S
147H	2I	MCSWAN CHRIS & TARA
147I	2J	MCSWAN CHRIS & TARA
147J	LOT 5 BLK 1321B	
147K	LOT 6 BLK 1321B	
147L	LOT 1 BLK 1321F	
147M	LOT 2 BLK 1321F	
147N	LOT 3 BLK 1321F	
147O	LOT 30A BLK 1321H	
147P	LOT 30L BLK 1321H	
147Q	LOT 2J BLK 147A	
147R	LOT 30M BLK 1321H	
147S	LOT 4H BLK 1474H	
147T		
147U		
147V		
147W		
147X		
147Y		
147Z		



█ Subject Property
 200' Notification Buffer
 Protest Lots

Zoning Case
Zoning Case #: PD16-013
Site Plan Amendment
Applicant: Sunset Enterprises, Inc.

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying use. It does not represent an on-the-ground survey and depicts only the approximate relative location of property boundaries.

0 250 Feet