

ORDINANCE NO. O-2015-35

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A VETERINARY CLINIC WITH NO OUTDOOR ANIMAL STORAGE PENS FOR AN INDEFINITE PERIOD OF TIME ON LOT 5D OF NCB 900H, ONE LOT TOTALING APPROXIMATELY 0.65 ACRES OF LAND LOCATED NORTH OF THE INTERSECTION OF KINSEY DRIVE AND WEST SOUTHWEST LOOP 323 (1401 WEST SOUTHWEST LOOP 323); 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 special use should be approved as set forth herein;

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

PART 1: That the following special use is hereby approved as follows:

I. APPLICATION S04-15-005

That the following described property, which is currently zoned "RPO", Restricted Professional Office District, shall hereafter be used under a special use permit to allow for a veterinary clinic with no outdoor animal storage pens for an indefinite period of time, to-wit:

Lot 5D of NCB 900H, one lot totaling approximately 0.65 acres of land located north of the intersection of Kinsey Drive and West Southwest Loop 323 (1401 West Southwest Loop 323).

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 April 10, 2015.


PASSED AND APPROVED this the 8th day of April, A.D., 2015.

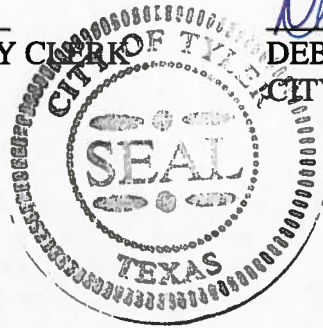

MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

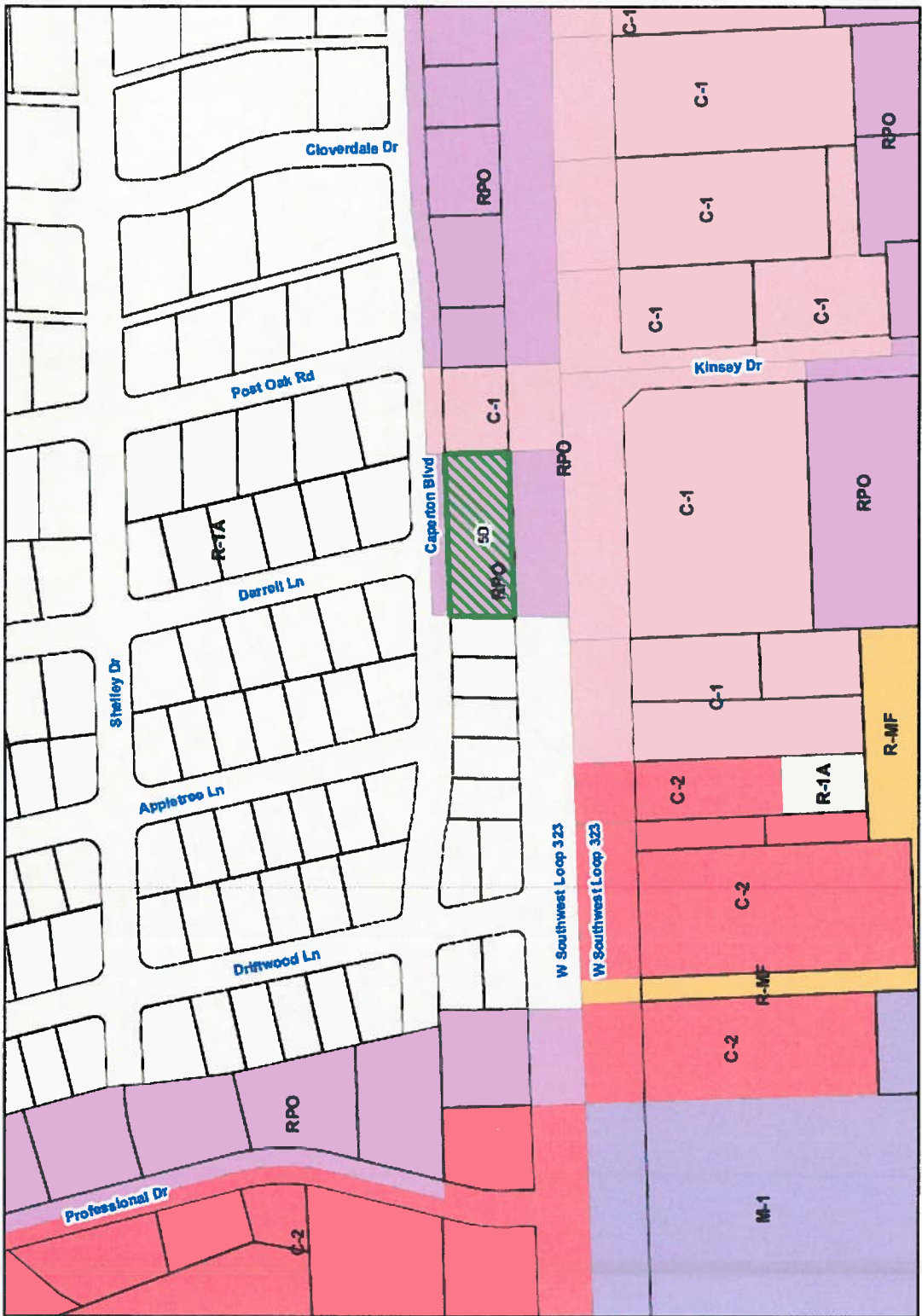

CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY



ORDINANCE NO. O-2015-35
EXHIBIT "A"
LOCATION MAP



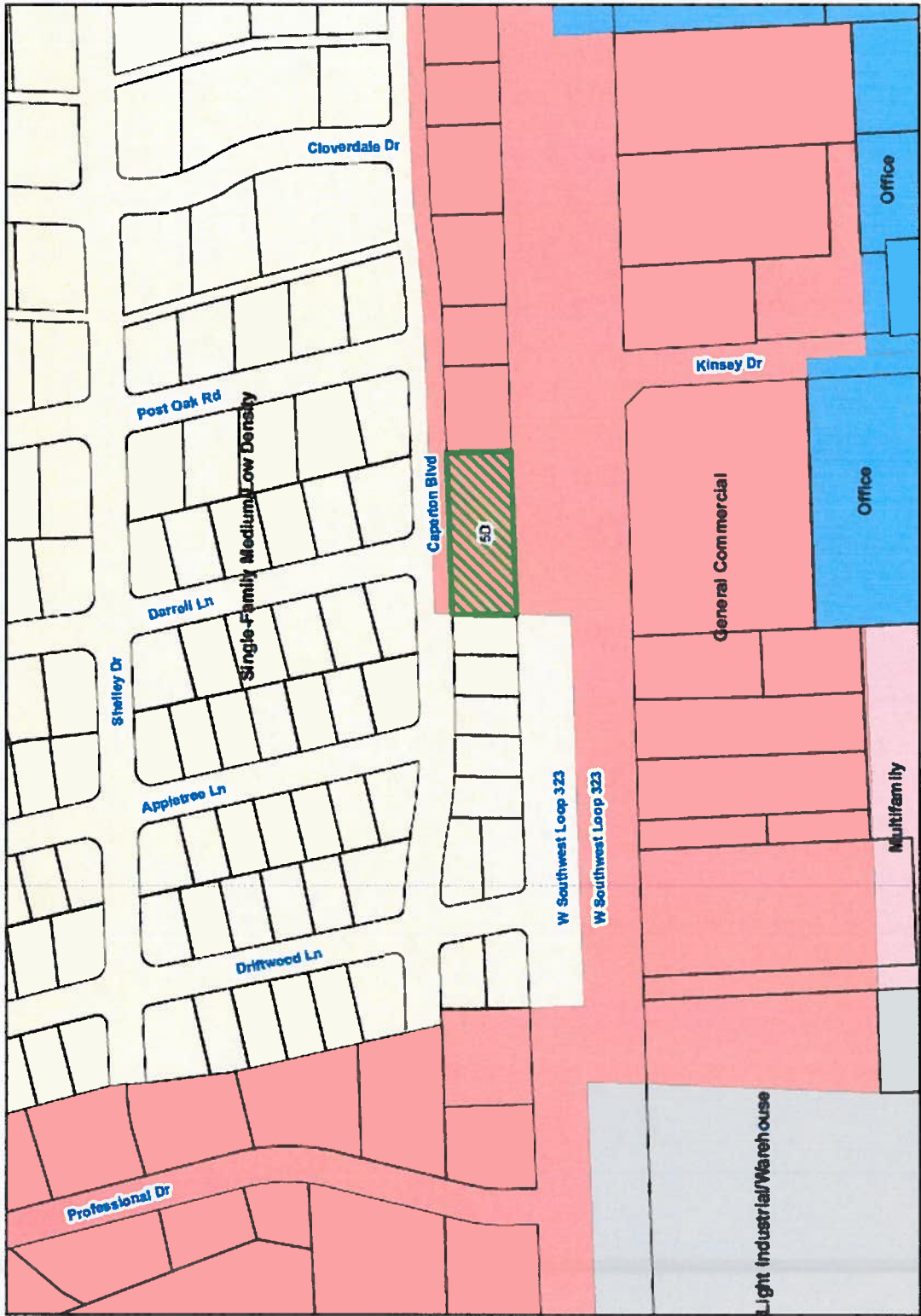
 Subject Property

Zoning Case
 Special Use Permit #: S04-15-005
 Applicant: Capeland Gate LLC (1401 WSW LOOP 323)

This product is for informational purposes and may not have been prepared for or be suitable for legal engineering or surveying purposes. It is not intended to be used as a legal document and represents only the approximate relative location of property boundaries.



ORDINANCE NO. O-2015-35
EXHIBIT "B"
TYLER 1ST FUTURE LAND USE GUIDE



Subject Property

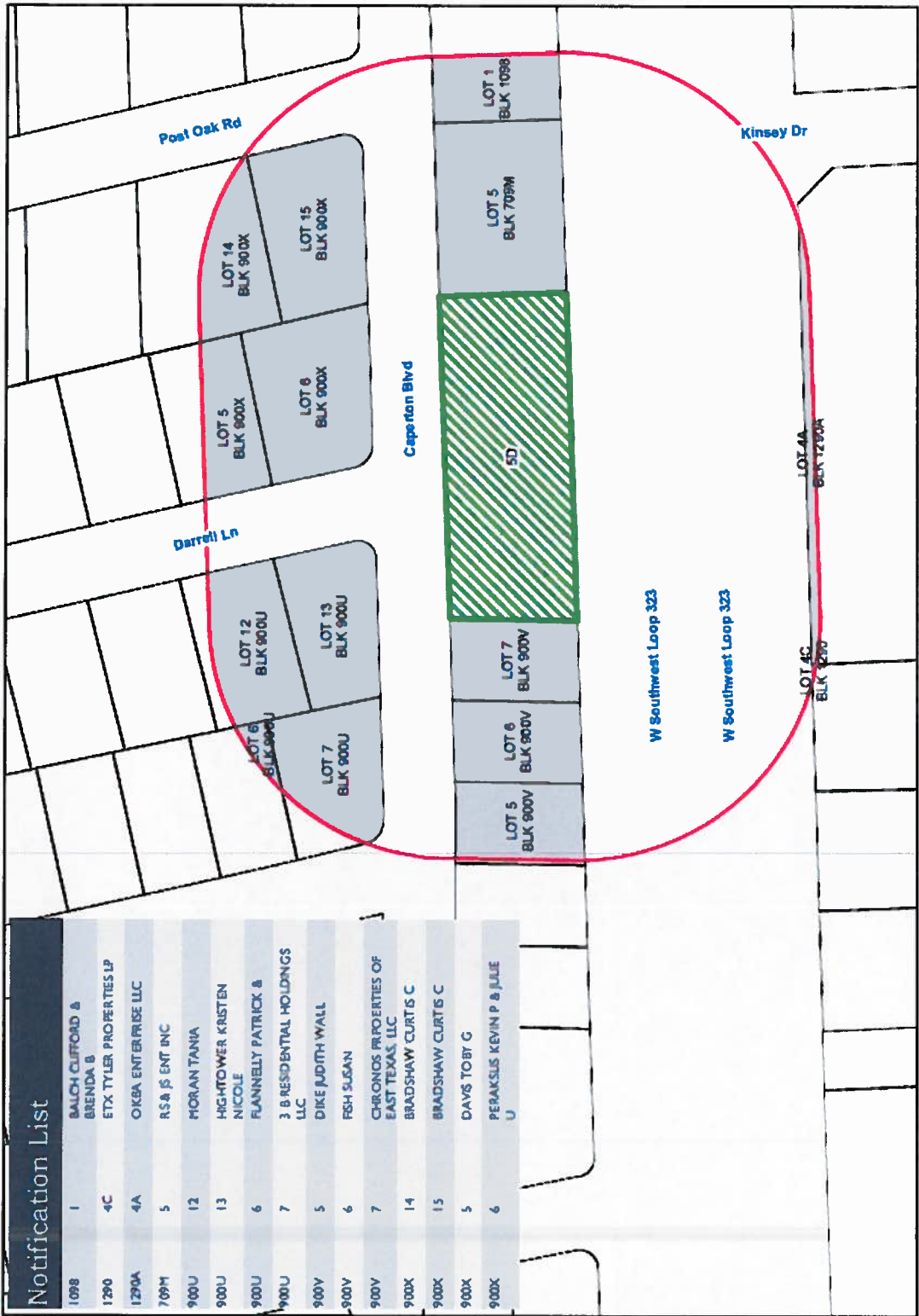


Zoning Case
 Special Use Permit #: S04-15-005
 Applicant: Copeland Gate LLC (1401 WSW LOOP 323)

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EXHIBIT "C"
NOTIFICATION MAP



Notification List	
1098	SALCH CLIFFORD & BRENDA B
1290	ETX TYLER PROPERTIES LP
1290A	OKBA ENTERPRISE LLC
709M	RS & JS ENT INC
900U	MORAN TANIA
900U	HIGHTOWER KRISTEN NICOLE
900U	FLANNELLY PATRICK & 3 B RESIDENTIAL HOLDINGS LLC
900V	DIKE JUDITH WALL
900V	FSH SUSAN
900V	CHRONOS PROPERTIES OF EAST TEXAS LLC
900X	BRADSHAW CURTIS C
900X	BRADSHAW CURTIS C
900X	DAVIS TOBY G
900X	PERAKSLIS KEVIN P & JULIE U



Subject Property
 2017 Notification Buffer



Zoning Case
 Special Use Permit #: S04-15-005
 Applicant: Copeland Gate LLC (1401 WSW LOOP 323)

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