

ORDINANCE NO. O-2015-60

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY CHANGING THE ZONING FROM "R-MF", MULTI-FAMILY RESIDENTIAL DISTRICT AND "C-2", GENERAL COMMERCIAL DISTRICT TO "AR", ADAPTIVE REUSE DISTRICT ON A PORTION OF LOT 5 AND ALL OF LOTS 4, 4A, 6A, 7 AND 9 OF NCB 185A, SIX LOTS CONTAINING APPROXIMATELY 1.20 ACRES OF LAND LOCATED SOUTH OF THE INTERSECTION OF WEST FRONT STREET AND SUNNY LANE (409, 415, 416, 421, 422, AND 428 SUNNY LANE); DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; 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 Z06-15-053

That the following described properties, which have heretofore been zoned "R-MF", Multi-Family Residential District and "C-2", General Commercial District shall hereafter bear the zoning classification of "AR", Adaptive Reuse District, to wit:

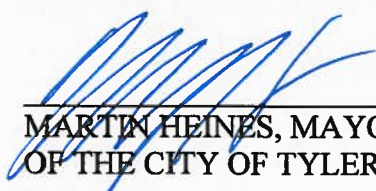
A portion of Lot 5 in accordance with the metes and bounds description attached hereto as Exhibit "A", which is incorporated herein and all of Lots 4, 4A, 6A, 7 and 9 of NCB 185A, six lots containing approximately 1.20 acres of land located south of the intersection of West Front Street and Sunny Lane (409, 415, 416, 421, 422, and 428 Sunny Lane).

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning.

PART 3: 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 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.


PASSED AND APPROVED this the 24th day of June, A.D., 2015.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK


DEBORAH G. PULLUM,
CITY ATTORNEY



ORDINANCE NO. O-2015-60
EXHIBIT "A"
METES AND BOUNDS DESCRIPTION

EXHIBIT 'A'

Metes and Bounds Description
0.120 Acre Tract
Part of Lot 5, N.C.B. 185-A

All that certain tract or parcel of land situated in the City of Tyler, Smith County, Texas, being out of and a part of Lot 5, New City Block 185-A, in POPE PLACE, an addition in the City of Tyler, according to the plat thereof recorded in Volume 326, Page 3 of the Deed Records of Smith County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found for the northwest corner of said Lot 5, N.C.B. 185-A, same being the northwest corner of the herein described tract, same being in the east right-of-way line of Sunny Lane;

THENCE, EAST (being the bearing basis of this survey as shown on said plat), a distance of 96.07 feet to a 1/2" iron rod set for the northeast corner of said Lot 5;

THENCE, South 01°04'40" East, with the east line of said Lot 5, a distance of 52.62 feet to a 1/2" iron rod set for the southeast corner of the herein described tract;

THENCE, South 89°59'06" West, a distance of 103.86 feet to a 1/2" iron rod set for the southwest corner of the herein described tract, same being in the west line of said Lot 5, same being in said east right-of-way line of Sunny Lane, and being in a curve to the left having a radius of 546.44 feet;

THENCE, along said curve to the left having a radius of 546.44 feet, a central angle of 05°34'03", and a chord bearing and distance of North 07°21'26" East, 53.08 feet, an arc length of 53.10 feet to the POINT OF BEGINNING and containing 0.120 acre of land.

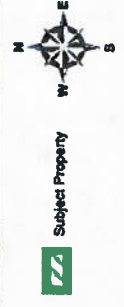
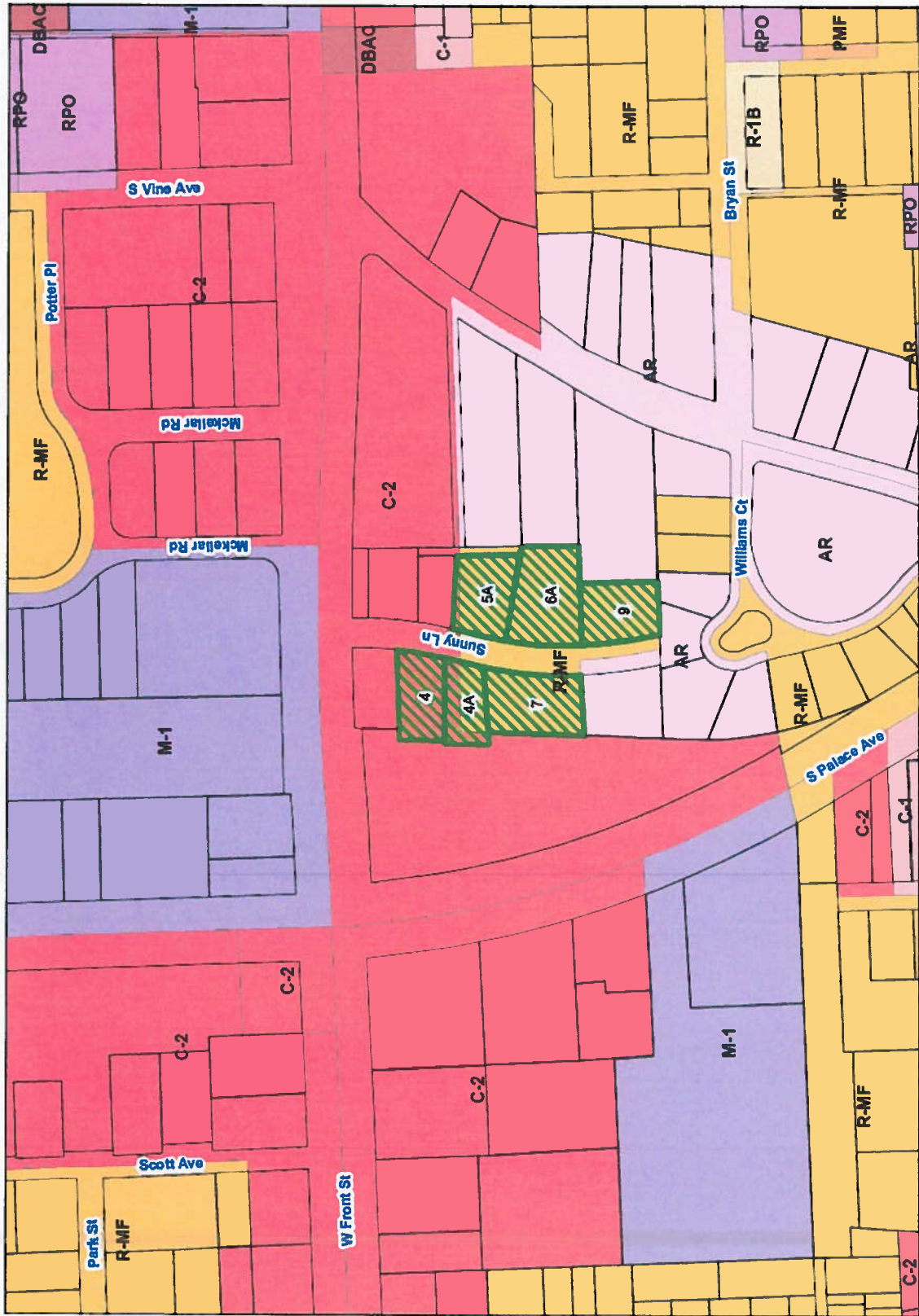
THIS DESCRIPTION HAS BEEN PREPARED FOR USE OF ZONING CHANGE ONLY, AND IS NOT TO BE USED FOR ANY CONVEYANCE.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of April 2015. GIVEN UNDER MY HAND AND SEAL this date, 29 April 2015.

Joseph K. Pollard
Registered Professional Land Surveyor
Texas Registration No. 6499



**ORDINANCE NO. O-2015-60
EXHIBIT "B"
LOCATION MAP**

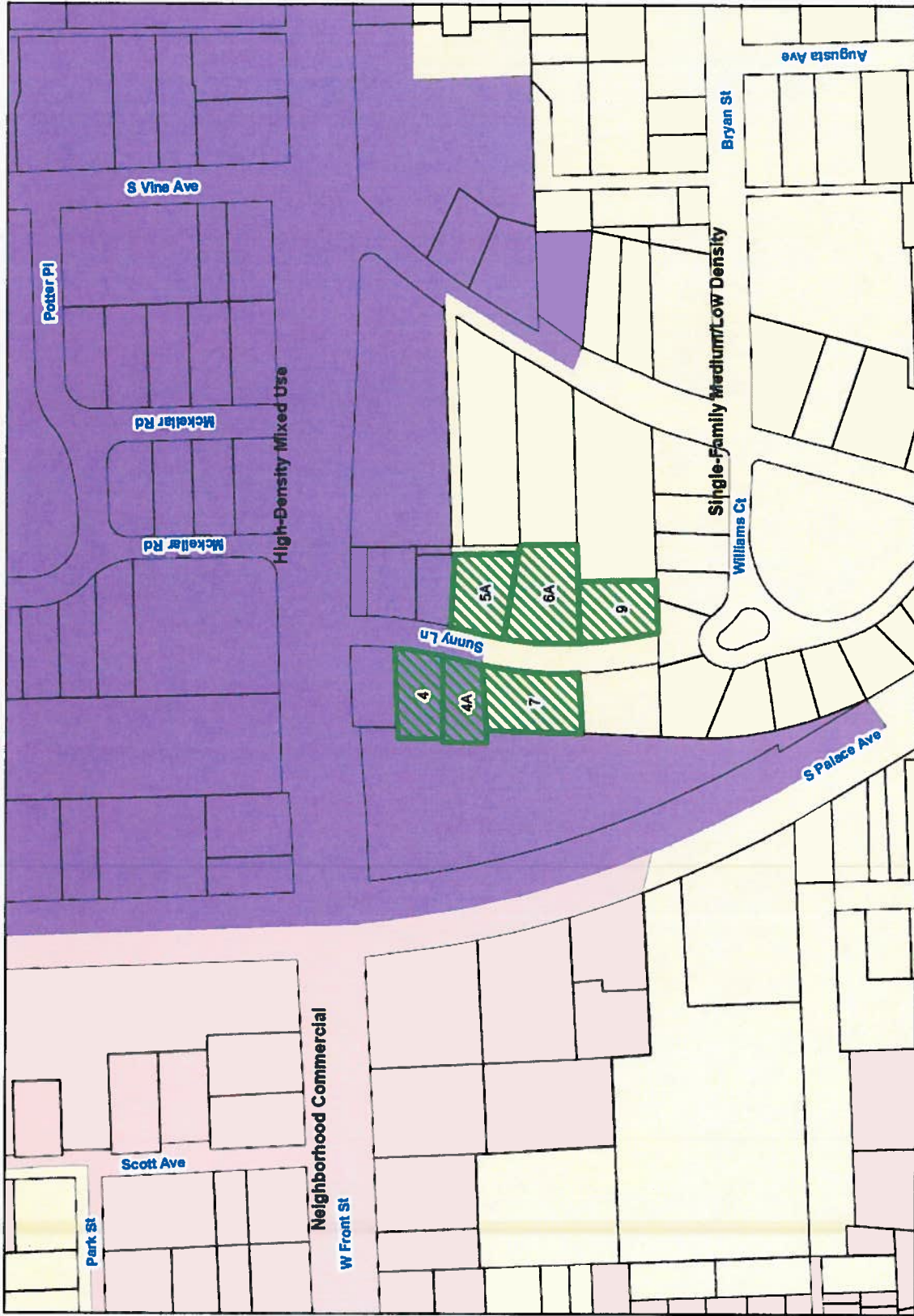


Zoning Case
 Zoning Case #: Z06-15-053
 Existing Zoning: RM-F and C-2 Proposed Zoning: AR
 Applicant: Bert Powell (409, 415, 416, 421, 422, and 428 Sunny Lane)

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.

0 200 400 Feet

**ORDINANCE NO. O-2015-60
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE**

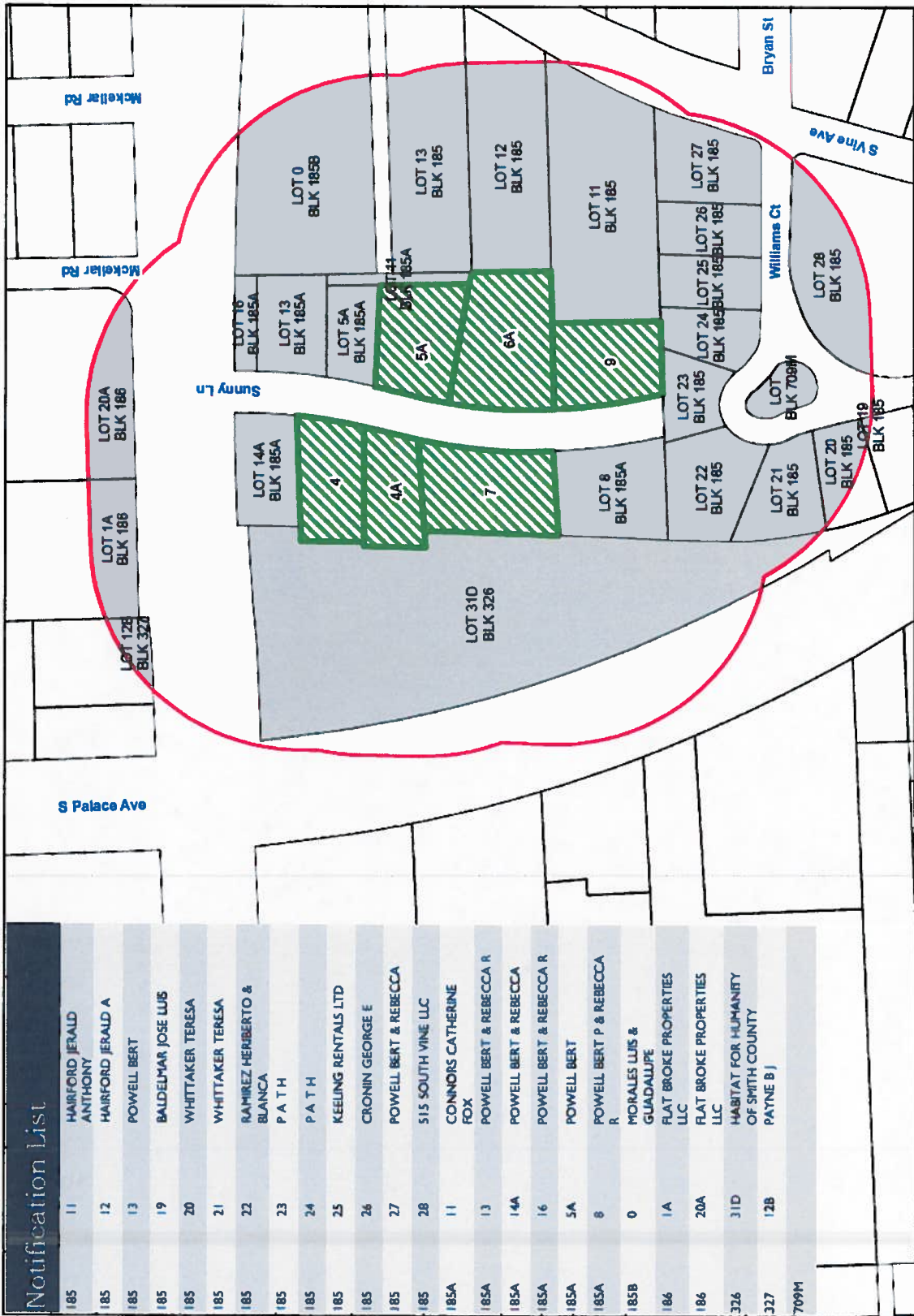


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**ORDINANCE NO. O-2015-60
EXHIBIT "D"
NOTIFICATION MAP**



Notification List	
185	11 HAIRFORD JERALD ANTHONY
185	12 HAIRFORD JERALD A
185	13 POWELL BERT
185	19 BALDELMAR JOSE LUIS
185	20 WHITTAKER TERESA
185	21 WHITTAKER TERESA
185	22 RAMIREZ HEMBERTO & BLANCA
185	23 P A T H
185	24 P A T H
185	25 KEELING RENTALS LTD
185	26 CRONIN GEORGE E
185	27 POWELL BERT & REBECCA
185	28 515 SOUTH VINE LLC
185A	11 CONNORS CATHERINE FOX
185A	13 POWELL BERT & REBECCA R
185A	14A POWELL BERT & REBECCA
185A	16 POWELL BERT & REBECCA R
185A	5A POWELL BERT
185A	8 POWELL BERT P & REBECCA R
185B	0 MORALES LUIS & GUADALUPE
186	1A FLAT BROKE PROPERTIES LLC
186	20A FLAT BROKE PROPERTIES LLC
326	31D HABITAT FOR HUMANITY OF SMITH COUNTY
327	12B PAYNE B J
709M	

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