

ORDINANCE NO. O-2011-26

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY AMENDING THE SPECIAL USE SITE PLAN FOR A SPECIAL EVENT CENTER ON PROPERTY ZONED "R-1A", SINGLE-FAMILY RESIDENTIAL DISTRICT AND "AG", AGRICULTURAL DISTRICT, ON ONE LOT CONTAINING APPROXIMATELY 6.99 ACRES OF LAND LOCATED EAST OF THE SOUTHEAST INTERSECTION OF MANDY LANE AND ROY ROAD (2215 ROY ROAD); DIRECTING THE AMENDMENT OF THE ZONING MAP; AMENDING THE FUTURE LAND USE GUIDE; 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 and special use permit are hereby approved as follows:

I. APPLICATION S04-11-006

That the existing Special Use site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A" on the following described property zoned "R-1A", Single-Family Residential District and "AG", Agricultural District, to wit:

Lot 2 of NCB 1482, one lot containing approximately 6.99 acres of land located east of the southeast intersection of Mandy Lane and Roy Road (2215 Roy Road),

and in accordance with the site plan attached hereto as Exhibit "A".

PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the described Special Use Permit and amended Site Plan attached hereto as Exhibit "A".

PART 3: The Special Use Permit and Special Use Site Plan are subject to the following requirements:


- a) Retain an undisturbed buffer area of 70 feet along the eastern property line on Lot 2 or NCB 1482.
- b) Special Event Center must close at midnight.

- c) Must obtain Special Use Permit approval prior to expanding the Special Event Center.

PART 4: 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 5: 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 29th, 2011.

PASSED AND APPROVED this the 27TH day of April, A.D., 2011.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY



