

ORDINANCE NO. O-2024-35

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-1A”, SINGLE-FAMILY RESIDENTIAL DISTRICT TO “PUR”, PLANNED UNIT RESIDENTIAL DISTRICT WITH A FINAL SITE PLAN ON LOTS 2, 3, 4, 5, AND 6 OF NCB 709-H, FIVE LOTS CONTAINING APPROXIMATELY 1.30 ACRES OF LAND LOCATED AT THE SOUTHWEST INTERSECTION OF SUNNYBROOK DRIVE AND WEST 10TH STREET (2268 AND 2278 SUNNYBROOK DRIVE AND 1210, 1212, AND 1214 WEST 10TH STREET); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE 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 PD23-026

That the following described property, which has heretofore been zoned “R-1A”, Single-Family Residential District to “PUR”, Planned Unit Residential District with a final site plan, to wit:


On Lots 2, 3, 4, 5, and 6 of NCB 709-H, five lots containing approximately 1.30 acres of land located at the southwest intersection of Sunnybrook Drive and West 10th Street (2268 and 2278 Sunnybrook Drive and 1210, 1212, and 1214 West 10th Street) and in accordance with the Final Site Plan in Exhibit “A” attached hereto and incorporated herein.

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 and the Future Land Use Guide to reflect Single-Family and Single-Family Attached.

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 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 March 29th, 2024.

PASSED AND APPROVED this the 27th day of March A.D., 2024.


DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK




DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2024-35
EXHIBIT "A" (1/2)
FINAL SITE PLAN**



SITE PLAN LEGEND

DESCRIPTION
PROPERTY LINE
ROOF LINE
HOUSE PROJECTION
GRASS
CONCRETE ACCESS

SITE PLAN NOTES:

- CONTRACTOR WILL INSTALL AND MAINTAIN EROSION CONTROL MEASURES TO PROTECT ADJACENT PROPERTIES & STORM SEWER SYSTEMS
- PLAN TO BE MOVED BY HOME BUILDER TO MATCH SPECIFIC SITE CONDITIONS

NOTICE: THIS SET OF DRAWINGS WAS CREATED FOR A NEW CUSTOM HOME. THE DRAWINGS ARE NOT TO BE REPRODUCED OR MODIFIED BY ANYONE BY ANY METHOD INCLUDING BLUEPRINTING, REPRODUCING, TRACING, PHOTOCOPYING, REPRINTERING OR OTHER MEANS WITHOUT WRITTEN CONSENT OF DVM DESIGN. DO NOT KNOWINGLY FURNISH THESE PLANS TO OTHERS OR USE FOR A PROJECT.

$\Delta = 10^{\circ}57'41''$
 $R = 919.20'$
 $ARC = 178.7'$
 $CH = N21^{\circ}51'38''W$
 $L = 175.59'$

NOTES:

- IT IS THE RESPONSIBILITY OF THE BUILDER TO SEE THAT ALL ITEMS LISTED ON THE JOB SPECIFICATION SHEET MATCH ALL DETAILS ON CONSTRUCTION DRAWINGS

1 GENERAL SITE PLAN
SCALE 3/16" = 1'-0"

GENERAL NOTES:

- ALL MATERIALS & WORKMANSHIP INVOLVED IN THE CONSTRUCTION OF THIS PROJECT ARE TO CONFORM WITH ALL LOCAL, STATE, NATIONAL & INTERNATIONAL CODES AS DESCRIBED IN THE INTERNATIONAL ONE & TWO FAMILY DWELLING CODE
- IT IS THE RESPONSIBILITY OF THE BUILDER AND/OR THE INDIVIDUAL CONTRACTORS TO SEE THAT ALL ITEMS MEET OR EXCEED THESE CODES. ALL FINISHES AND HARDWARE SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS
- BUILDER AND/OR CONTRACTOR MUST VERIFY ALL DIMENSIONS, INTERIOR & EXTERIOR FINISHES, AND CONSTRUCTION METHODS PRIOR TO START OF CONSTRUCTION
- ANY DISCREPANCIES ON CONSTRUCTION DRAWINGS SHALL BE IMMEDIATELY COMMUNICATED TO DVM DESIGN PRIOR TO START OF CONSTRUCTION, SO THAT ANY REQUIRED REMEDIAL WORK CAN BE PERFORMED
- DVM DESIGN DOES NOT ASSUME ANY LIABILITY OF ERROR OR OMISSIONS ON THESE PLANS. ALL INFORMATION & DETAILS MUST BE COMPLETED PRIOR TO START OF CONSTRUCTION.

EXHIBIT "A" (2/2)
SITE DEVELOPMENT STANDARDS

Current Zoning: "R-1A"

Proposed Zoning: "PUR"

Proposed Density: Approximately 11.2 Units/Acre

Setbacks:

Front (West 10th): 18'

Side Corner (Sunnybrook): 15'

Side: 20'

Rear: 40'

Height: Restricted to one story, less than 20'

Fencing: A 6' privacy fence will be installed on the rear and sides of the property

Common Area: The green space located along the rear and side corner of the property will serve as a common area for the development

All other standards to be per the Tyler UDC for "R-1A"