

ORDINANCE NO. O-2018-2

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 "POD", PLANNED OFFICE DISTRICT TO "PMF", PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON LOTS 16-19, 20A, 24A, 25-27 OF NCB 251-A , NINE LOTS TOTALING APPROXIMATELY 1.39 ACRES OF LAND LOCATED AT THE SOUTHEAST INTERSECTION OF EAST FRONT STREET AND SOUTH FLEISHEL AVENUE (412, 414, 420 AND 428 SOUTH FLEISHEL AVENUE AND 413, 417, 421, AND 425 CRESTWAY DRIVE) DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 PD17-036

That the following described property, which has heretofore been zoned "POD", Planned Office District, shall hereafter bear the zoning classification of "PMF", Planned Multi-Family Residential District with final site plan, to wit:

Lots 16-19, 20A, 24A, 25-27 of NCB 251-A, nine lots totaling approximately 1.39 acres of land located at the southeast intersection of East Front Street and South Fleishel Avenue (412, 414, 420 and 428 South Fleishel Avenue and 413, 417, 421, and 425 Crestway Drive) and as described and shown and in accordance with the final site plan attached hereto as Exhibit "A" and incorporated herein.

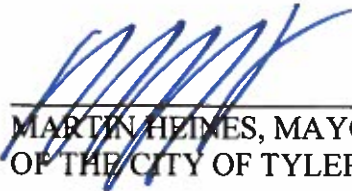
PART 2: That the City Manager is hereby ordered and directed to cause the zoning map to be amended to reflect the above described zoning.

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 January 12th, 2018.

PASSED AND APPROVED this the 10th day of January A.D., 2018.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:



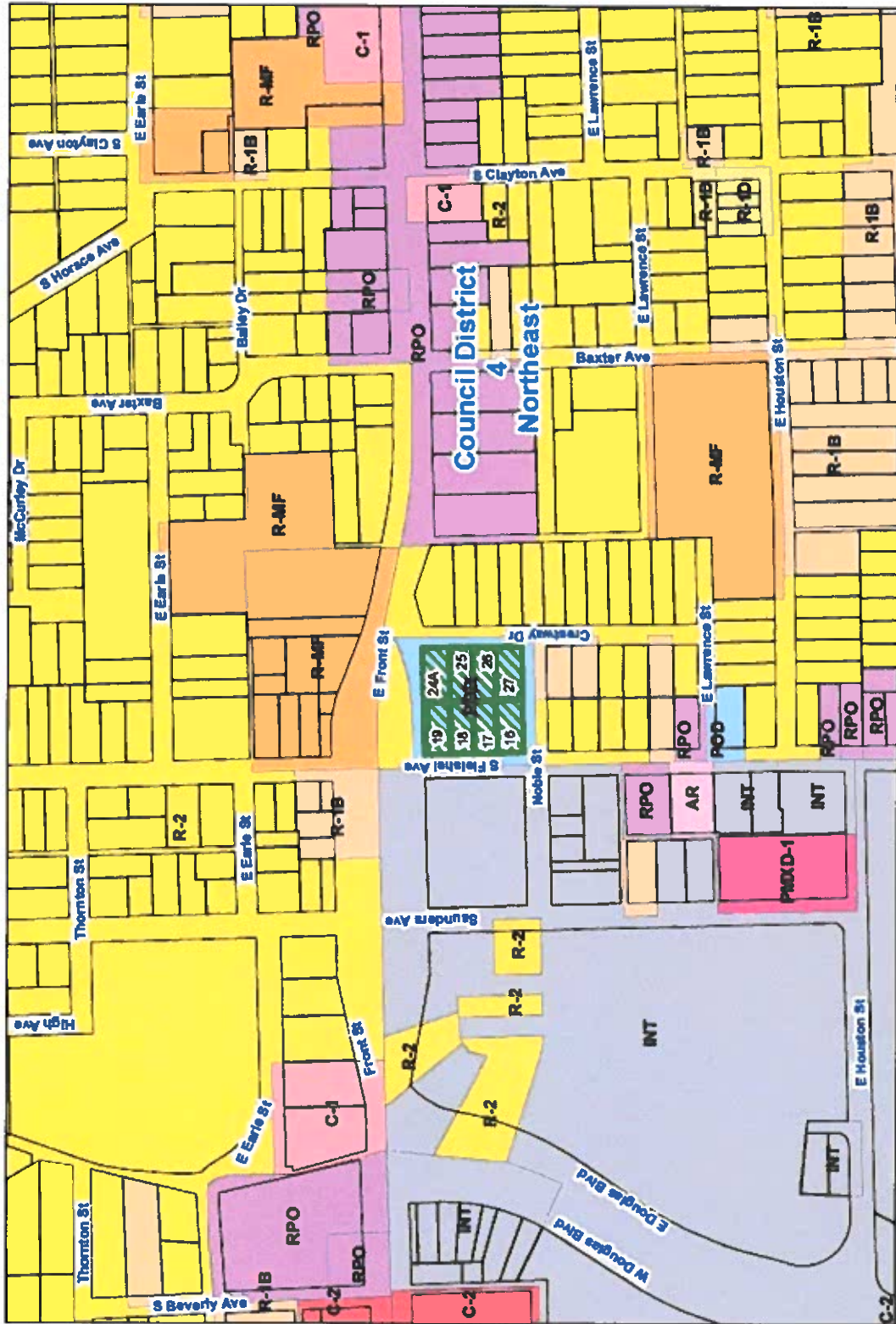
CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

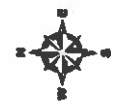
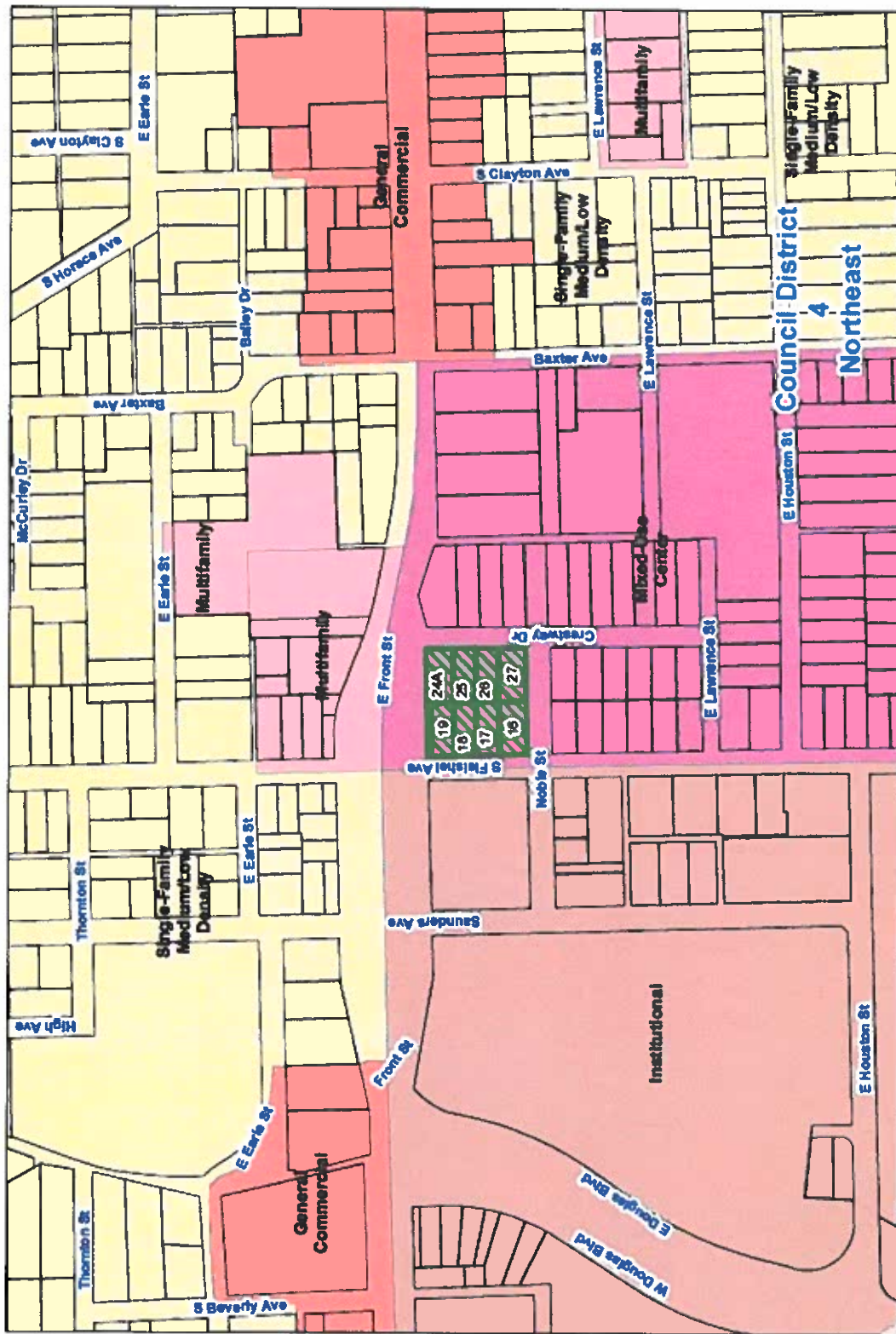
**ORDINANCE NO. O-2018-2
EXHIBIT "B"
LOCATION MAP**



ZONING CASE
 Zoning Case #: PD17-036
 Existing Zoning: POD Proposed Zoning: PMF
 Applicant: Sam Scarborough

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.
 300 0 300 Feet

**ORDINANCE NO. O-2018-2
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE**



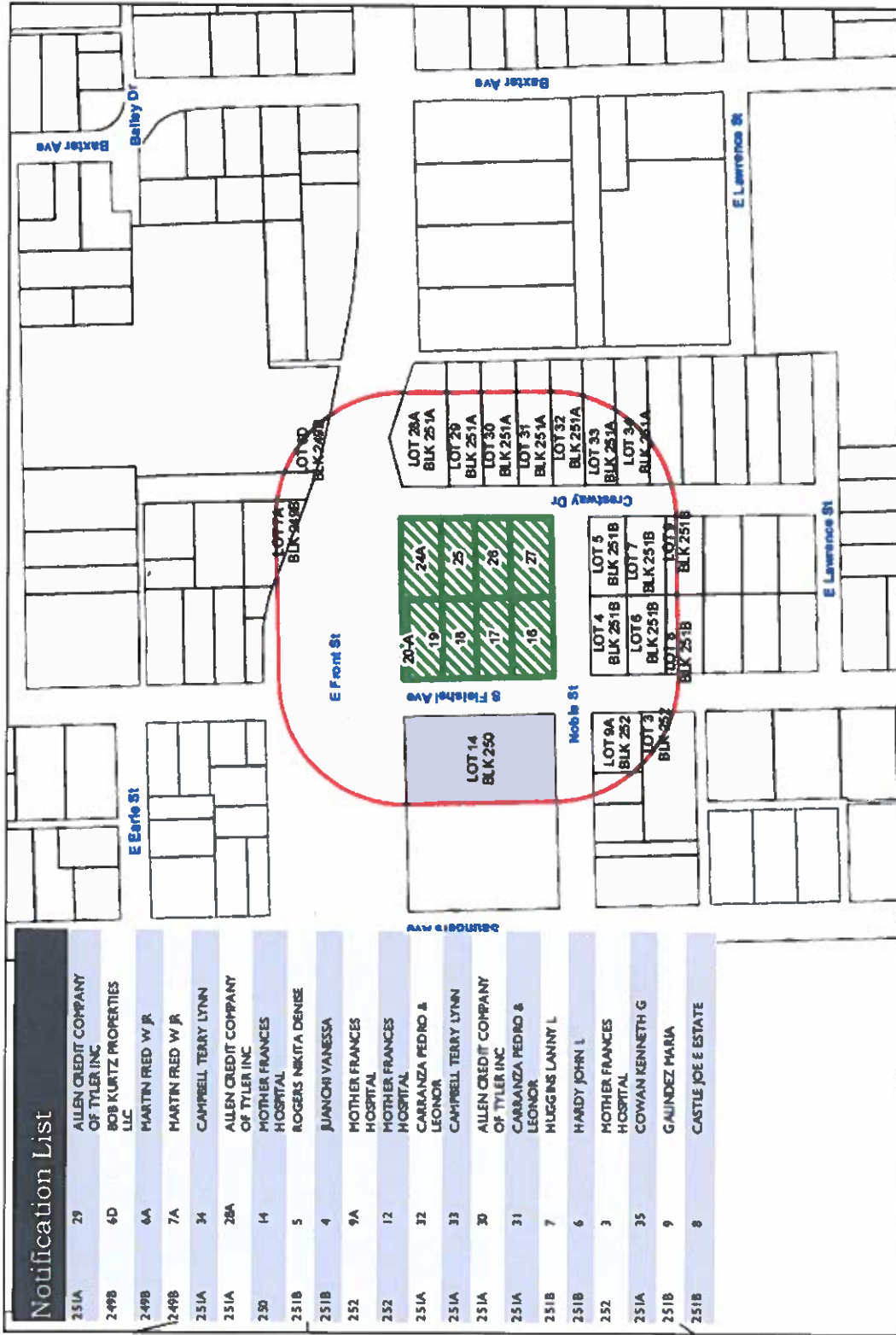
ZONING CASE
Zoning Case #: PD17-036
Existing Zoning: POD Proposed Zoning: PMF
Applicant: Sam Scarborough

Subject Property
 Subject Property

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300 0 300 Feet

**ORDINANCE NO. O-2018-2
EXHIBIT "D"
NOTIFICATION MAP**



Notification List

| | | |
|------|-----|-----------------------------------|
| 251A | 29 | ALLEN CREDIT COMPANY OF TYLER INC |
| 249B | 4D | BOB KURTZ PROPERTIES LLC |
| 249B | 6A | MARTIN RED W JR |
| 249B | 7A | MARTIN RED W JR |
| 251A | 34 | CAMPBELL TERRY LYNN |
| 251A | 28A | ALLEN CREDIT COMPANY OF TYLER INC |
| 250 | 14 | MOTHER FRANCES HOSPITAL |
| 251B | 5 | ROGERS NIKITA DENISE |
| 251B | 4 | JUANCHI VANESSA |
| 252 | 9A | MOTHER FRANCES HOSPITAL |
| 252 | 12 | MOTHER FRANCES HOSPITAL |
| 251A | 32 | CARRANZA PEDRO & LEONOR |
| 251A | 33 | CAMPBELL TERRY LYNN |
| 251A | 30 | ALLEN CREDIT COMPANY OF TYLER INC |
| 251A | 31 | CARRANZA PEDRO & LEONOR |
| 251B | 7 | HUGGINS LANIY L |
| 251B | 6 | HARDY JOHN L |
| 252 | 3 | MOTHER FRANCES HOSPITAL |
| 251A | 35 | COWAN KENNETH G |
| 251B | 9 | GAJNDEZ MARIA |
| 251B | 8 | CASTLE JOE E ESTATE |

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Subject Property

