

**ORDINANCE NO. O-2020-19**

**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 TRAILER TO HOUSE MEDICAL EQUIPMENT ON LOT 61B OF  
NCB 900B, ONE LOT TOTALING APPROXIMATELY 2.04 ACRES OF  
LAND LOCATED NORTH OF THE NORTHWEST INTERSECTION OF  
OLD JACKSONVILLE HIGHWAY AND LOOP 323 (3943 OLD  
JACKSONVILLE HIGHWAY); 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 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 special use is hereby approved as follows:

**I. APPLICATION S19-013**

That the following described property, which is currently zoned "C-2", General Commercial District, shall hereafter be used under a Special Use Permit to allow for a trailer to house medical equipment, to-wit:

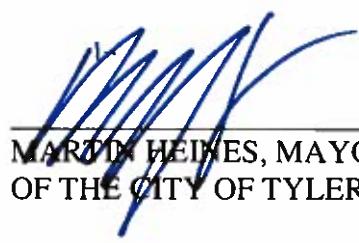
Lot 61B of NCB 900B, one lot totaling approximately 2.04 acres of land located north of the northwest intersection of Old Jacksonville Highway and Loop 323 (3943 Old Jacksonville Highway).

**PART 2:** The Special Use Permit is restricted to a trailer for a two-year period.

**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 13th, 2020.

PASSED AND APPROVED this the 26<sup>th</sup> day of February, A.D., 2020.

  
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MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

  
\_\_\_\_\_  
DEBORAH G. FULLUM,  
CITY ATTORNEY