

**ORDINANCE NO. O-2017-39**

**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-2", TWO-FAMILY RESIDENTIAL DISTRICT AND "R-1B", SINGLE-FAMILY RESIDENTIAL DISTRICT TO "PXR", PLANNED MIXED RESIDENTIAL DISTRICT WITH FINAL SITE PLAN ON LOTS 49 AND 50, TWO LOTS TOTALING APPROXIMATELY 0.48 ACRES OF LAND LOCATED NORTH OF THE NORTHEAST CORNER OF MOBLEY LANE AND MOBLEY CIRCLE (3921, 3923, 3980, AND 4013 MOBLEY CIRCLE); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF 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 is hereby approved as follows:

**I. APPLICATION PD17-012**

That the following described property, which has heretofore been zoned "R-2", Two-Family Residential District and "R-1B", Single-Family Residential District, shall hereafter bear the zoning classification of "PXR", Planned Mixed Residential District with final site plan, to wit:

Lots 49 and 50, two lots totaling approximately 0.48 acres of land located north of the northeast corner of Mobley Lane and Mobley Circle (3921, 3923, 3980, and 4013 Mobley Circle), 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 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 May 26<sup>th</sup>, 2017.

**PASSED AND APPROVED** this the 24<sup>th</sup> day of May A.D., 2017.


  
MARTIN HYNES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

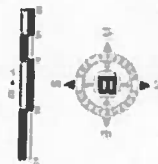
APPROVED:

  
CASSANDRA BRAGER, CITY CLERK



  
DEBORAH G. PULLUM,  
CITY ATTORNEY

**ORDINANCE NO. O-2017-39  
EXHIBIT "A"  
FINAL SITE PLAN**



**LEGEND**

Property Lines: 0.1" = 10'

Proposed Building Footprint: 0.1" = 10'

Proposed Parking: 0.1" = 10'

Proposed Driveway: 0.1" = 10'

Proposed Easement: 0.1" = 10'

Proposed Utility Lines: 0.1" = 10'

Proposed Fencing: 0.1" = 10'

Proposed Landscaping: 0.1" = 10'

Proposed Other: 0.1" = 10'

**APPENDIX**

**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TEXAS CONSTRUCTION SPECIFICATIONS.

2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. THE OWNER SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

5. THE OWNER SHALL BE RESPONSIBLE FOR REMEDIATING ANY DAMAGE TO ADJACENT PROPERTIES.

6. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.

7. THE OWNER SHALL BE RESPONSIBLE FOR REMOVING ALL CONSTRUCTION DEBRIS FROM THE SITE.

8. THE OWNER SHALL BE RESPONSIBLE FOR RESTORING THE SITE TO ITS ORIGINAL CONDITION.

9. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

10. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF CONSTRUCTION.

11. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS SITE PLAN.

12. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS ORDINANCE.

13. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS EXHIBIT.

14. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS FINAL SITE PLAN.

15. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS ORDINANCE.

16. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS EXHIBIT.

17. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS FINAL SITE PLAN.

18. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS ORDINANCE.

19. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS EXHIBIT.

20. THE OWNER SHALL BE RESPONSIBLE FOR PAYING ALL COSTS OF THIS FINAL SITE PLAN.

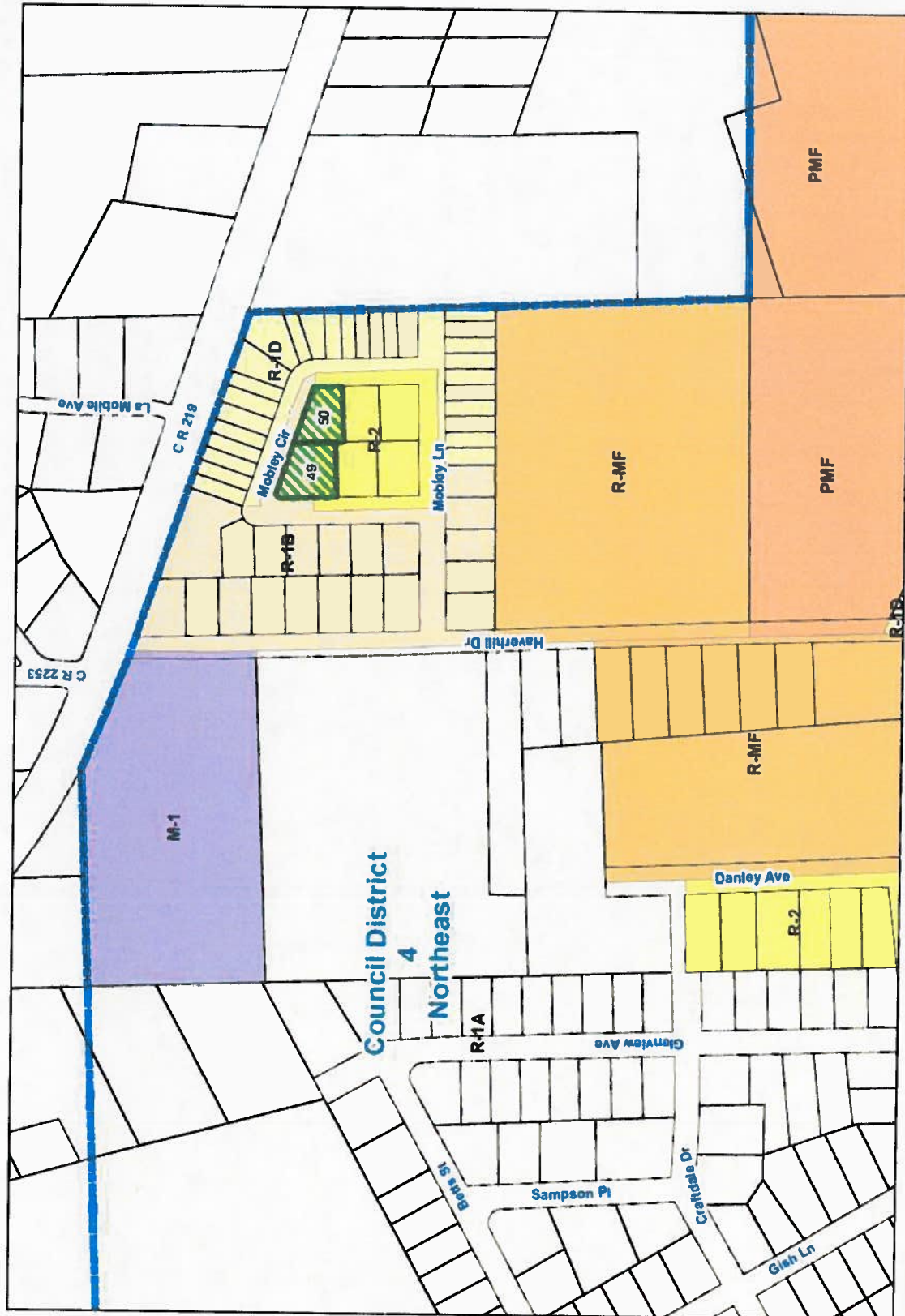
**PXZ ZONING SITE PLAN**  
APRIL 27, 2017

**1**

**PXZ ZONING SITE PLAN  
FOR  
LOTS 49 & 50, NCB 1540-H  
UNIVERSITY HEIGHTS  
TYLER, TEXAS**

**BRANNON CORP**  
CIVIL ENGINEERS

**ORDINANCE NO. O-2017-39  
EXHIBIT "B"  
LOCATION MAP**



**ZONING CASE**  
 Zoning Case # PD17-012  
 Existing Zoning: "R-2 & R-1B" Proposed Zoning: "PXR"  
 Applicant: MOBILE INVESTMENTS

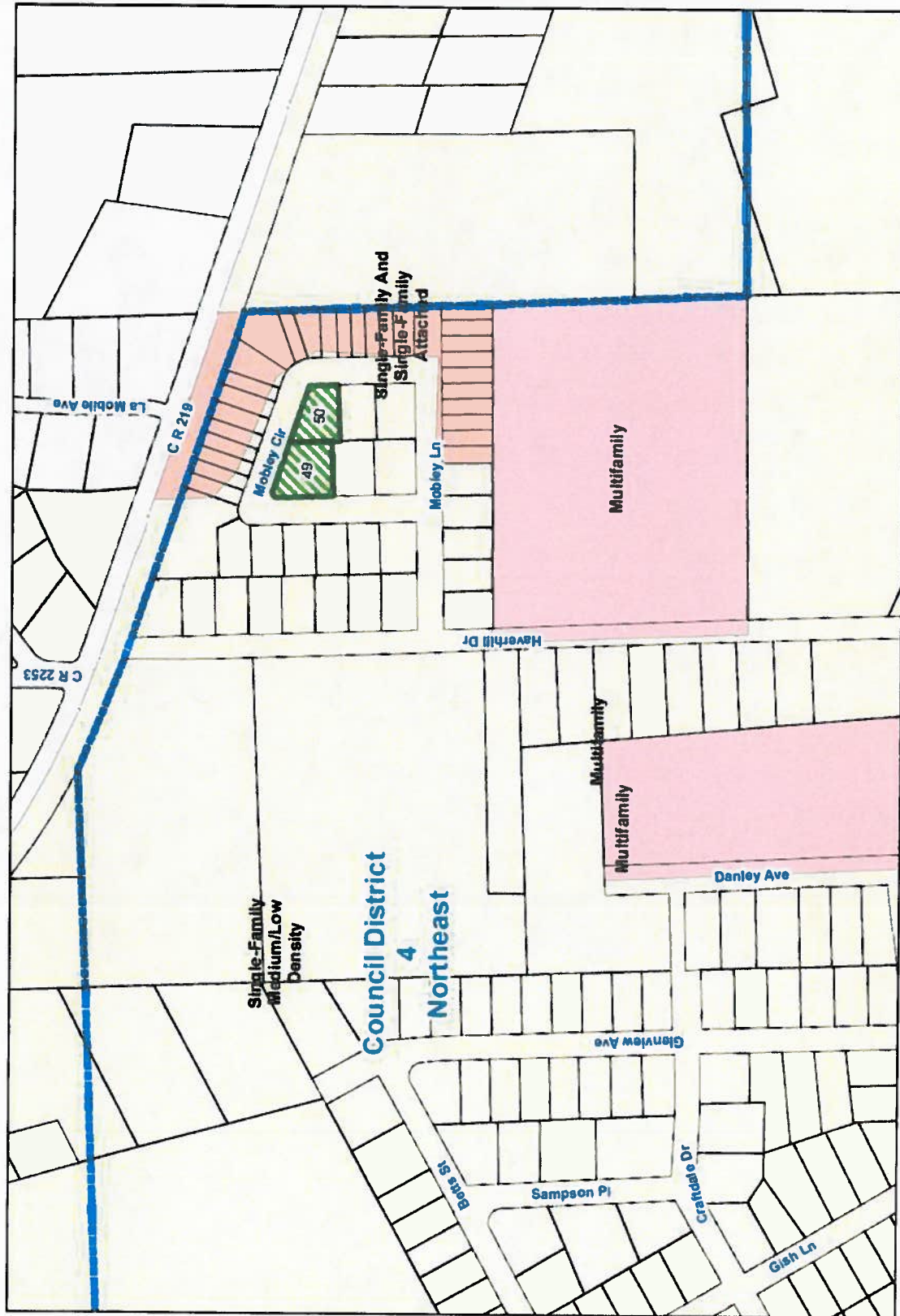
This product is for informational purposes and may not have been prepared or for use for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

250 0 250 Feet





**ORDINANCE NO. O-2017-39  
EXHIBIT "C"  
TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



**ZONING CASE**  
Zoning Case # PD17-012  
Existing Zoning: "R-2 & R-1B" Proposed Zoning: "PXR"  
Applicant: MOBILE INVESTMENTS

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**EXHIBIT "D"**  
**NOTIFICATION MAP**

