

ORDINANCE NO. O-2016-33

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 FRONT YARD FENCE FOR AN INDEFINITE PERIOD OF TIME ON LOT 7 OF NCB 658C, ONE LOT CONTAINING APPROXIMATELY 0.25 ACRES OF LAND LOCATED NORTH OF THE NORTHWEST INTERSECTION OF SKYLINE STREET AND SOUTHPOINT DRIVE (1701 SOUTHPOINT DRIVE); 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 special use is hereby approved as follows:

I. APPLICATION S04-16-005

That the following described property, which is currently zoned "R-2", Two-Family Residential District, shall hereafter be used under a special use permit to allow for a front yard fence, to-wit:

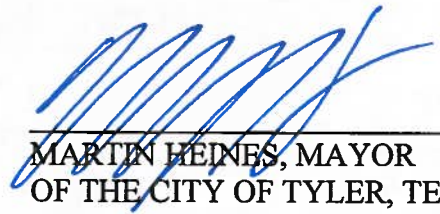
Lot 7 of NCB 658C, one lot containing approximately 0.25 acres of land located north of the northwest intersection of Skyline Street and Southpoint Drive (1701 Southpoint Drive), for an indefinite period of time.

PART 2: The Special Use Permit is restricted to the fence being constructed of wood materials.

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 April 29, 2016.

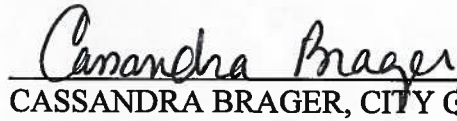
PASSED AND APPROVED this the 27th day of April A.D., 2016.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

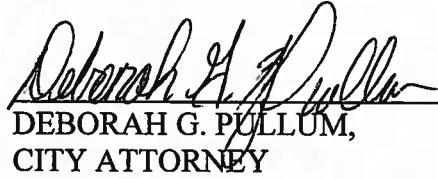
ATTEST:

APPROVED:



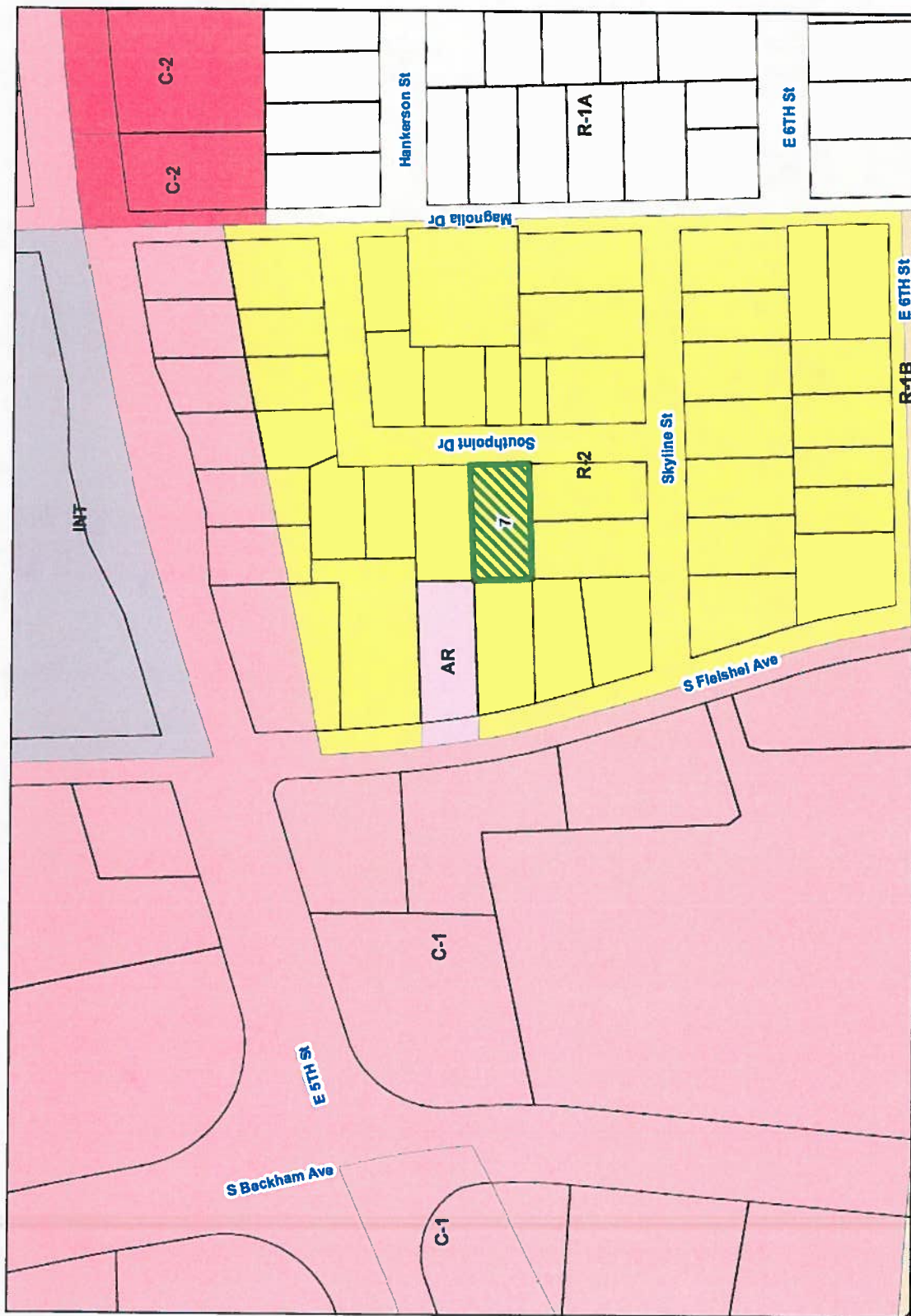
CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

**ORDINANCE NO. O-2016-33
EXHIBIT "A"
LOCATION MAP**



Subject Property



City Limits



Special Use Permit

Special Use Permit #: S04-16-005

Special Use Permit: Front Yard Fence

Applicants: Maricela Garcia

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.



200 0 200 Feet

**ORDINANCE NO. O-2016-33
EXHIBIT "B"
TYLER 1ST FUTURE LAND USE GUIDE**

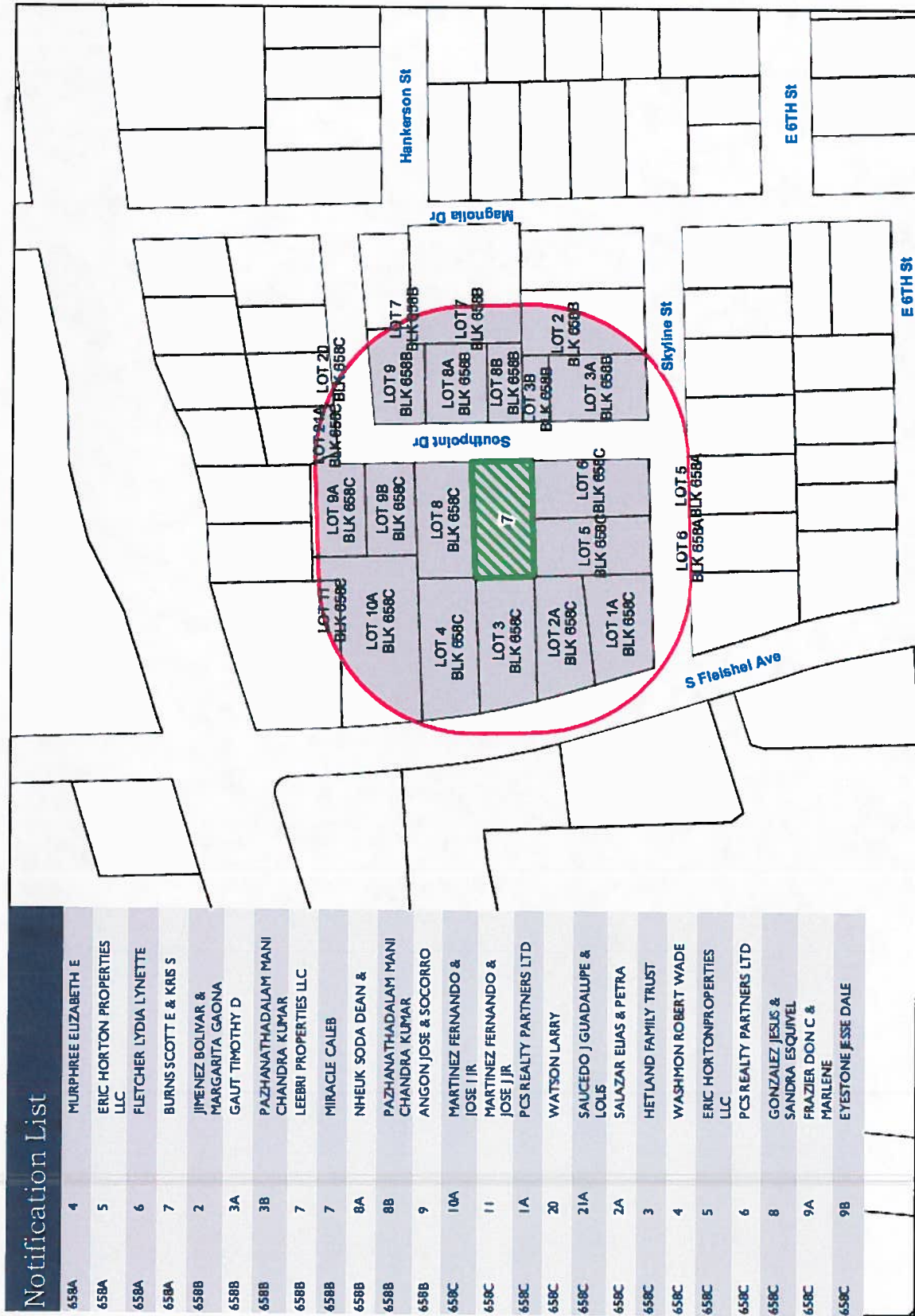


Special Use Permit
Special Use Permit #: S04-16-005
Special Use Permit: Front Yard Fence
Applicants: Maricela Garcia

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**ORDINANCE NO. O-2016-33
EXHIBIT "C"
NOTIFICATION MAP**



Notification List

658A	4	MURPHREE ELIZABETH E
658A	5	ERIC HORTON PROPERTIES LLC
658A	6	FLETCHER LYDIA LYNETTE
658A	7	BURNS SCOTT E & KRIS S
658B	2	JIMENEZ BOLIVAR & MARGARITA GAONA
658B	3A	GAUT TIMOTHY D
658B	3B	PAZHANATHADALAM MANI
658B	7	CHANDRA KUMAR
658B	7	LEEBRI PROPERTIES LLC
658B	7	MIRACLE CALEB
658B	8A	NHEUK SODA DEAN &
658B	8B	PAZHANATHADALAM MANI
658B	8B	CHANDRA KUMAR
658B	9	ANGON JOSE & SOCORRO
658C	10A	MARTINEZ FERNANDO & JOSE I JR
658C	11	MARTINEZ FERNANDO & JOSE I JR
658C	1A	PCS REALTY PARTNERS LTD
658C	20	WATSON LARRY
658C	21A	SAUCEDO J GUADALUPE & LOLS
658C	2A	SALAZAR ELIAS & PETRA
658C	3	HETLAND FAMILY TRUST
658C	4	WASHMON ROBERT WADE
658C	5	ERIC HORTONPROPERTIES LLC
658C	6	PCS REALTY PARTNERS LTD
658C	8	GONZALEZ JESUS & SANDRA ESQUIVEL
658C	9A	FRAZIER DON C & MARLENE
658C	9B	EYESTONE ESSE DALE



Subject Property
200' Notification Buffer



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