

**ORDINANCE NO. O-2016-53**

**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 72A OF NCB 383B, ONE LOT CONTAINING APPROXIMATELY 0.14 ACRES OF LAND LOCATED NORTH OF THE NORTHEAST INTERSECTION OF SELMAN STREET AND NORTH GRAND AVENUE (621 NORTH GRAND AVENUE); 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 S06-16-007**

That the following described property, which is currently zoned "R-1D", Single-Family Attached and Detached Residential District, shall hereafter be used under a special use permit to allow for a front yard fence, to-wit:

Lot 72A of NCB 383B, one lot containing approximately 0.14 acres of land located north of the northeast intersection of Selman Street and North Grand Avenue (621 North Grand Avenue).

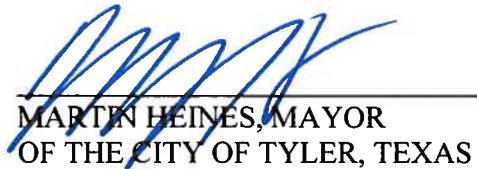
**PART 2:** The Special Use Permit is restricted to the fence being no taller than four feet and built of brick columns and wrought iron.

**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 June 27, 2016.

**PASSED AND APPROVED** this the 22<sup>nd</sup> day of June, A.D., 2016.



MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

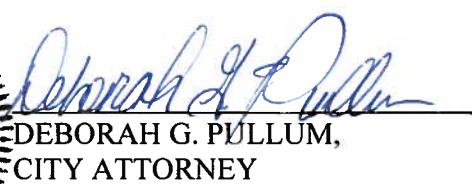
ATTEST:



Cassandra Brager  
CASSANDRA BRAGER, CITY CLERK

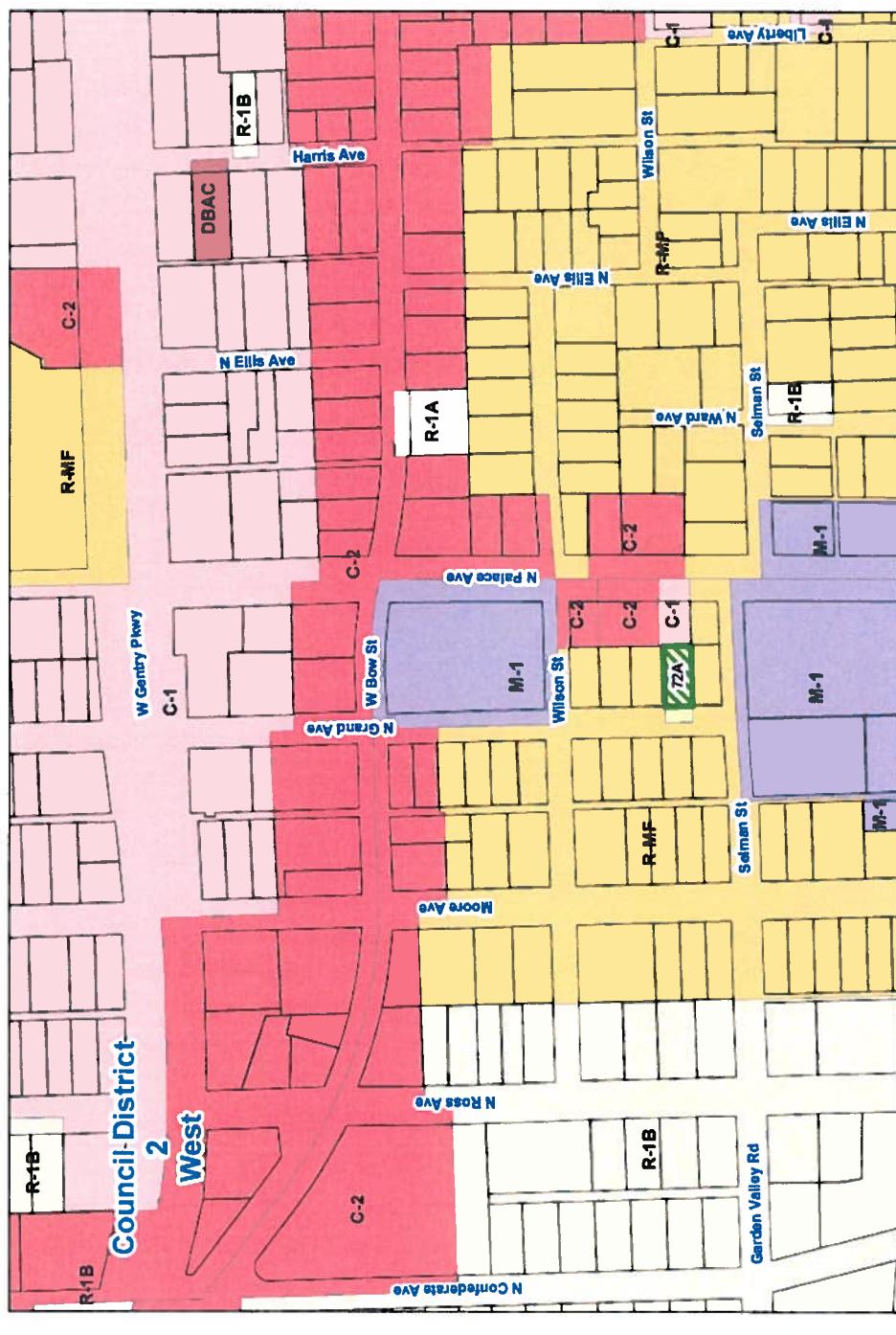


APPROVED:



Deborah G. Pullum  
DEBORAH G. PULLUM,  
CITY ATTORNEY

ORDINANCE NO. O-2016-53  
EXHIBIT "A"  
LOCATION MAP

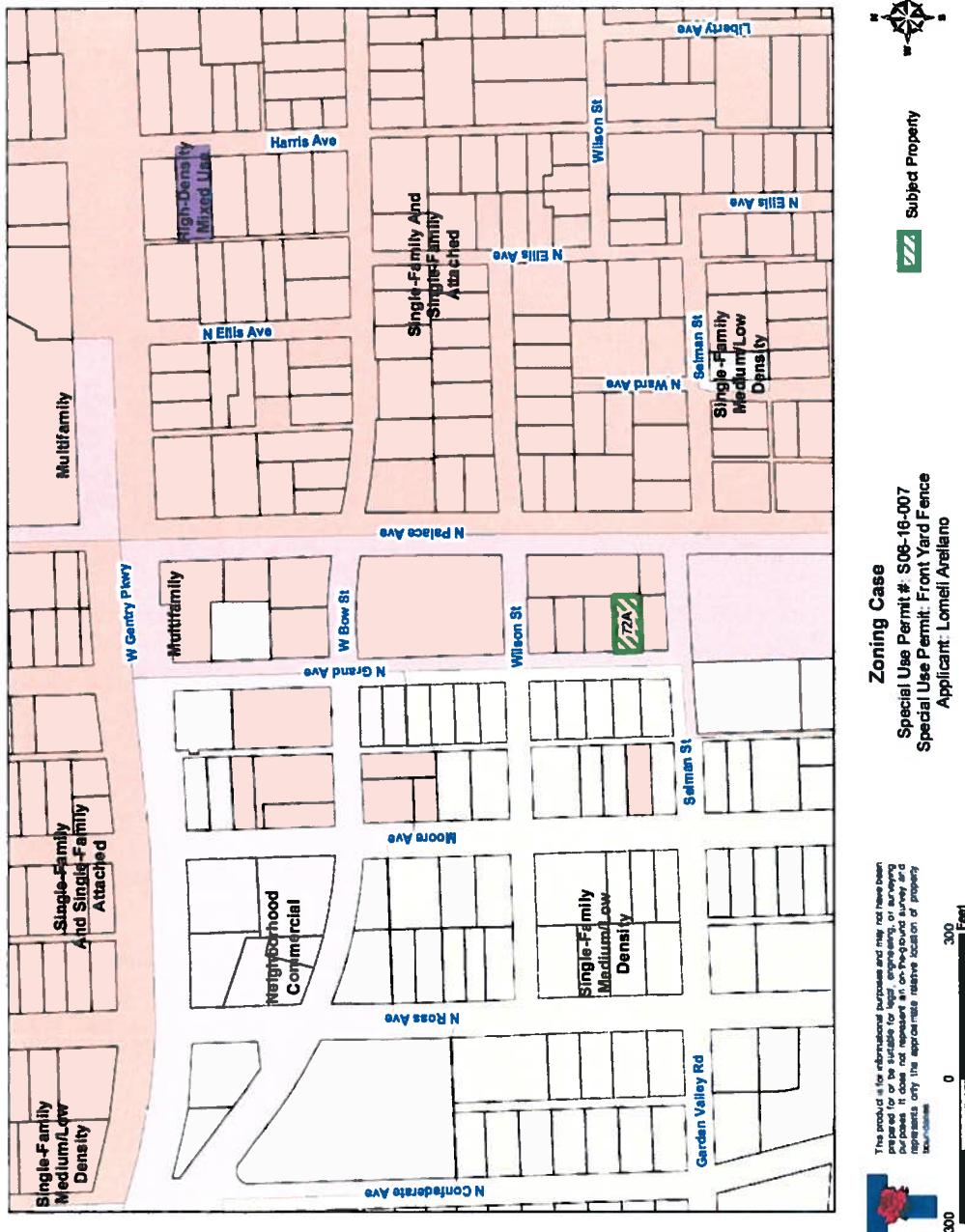


**Zoning Case**  
**Special Use Permit # S06-16-007**  
**Special Use Permit: Front Yard Fence**  
**Applicant: Lomeli Arellano**

This document 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 Feet

**ORDINANCE NO. O-2016-53**  
**EXHIBIT "B"**  
**TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



**ORDINANCE NO. O-2016-53**  
**EXHIBIT "C"**  
**NOTIFICATION MAP**

