

**ORDINANCE NO. O-2015-56**

**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 THE OPERATION OF A 13 BED HOSPITAL FACILITY WITH OVERNIGHT STAY FOR AN INDEFINITE PERIOD OF TIME ON LOT 43 OF NCB 1546, ONE LOT CONTAINING APPROXIMATELY 4.37 ACRES OF LAND LOCATED NORTH OF THE NORTHWEST INTERSECTION OF WEST CUMBERLAND ROAD AND SOUTH BROADWAY AVENUE (8389 SOUTH BROADWAY 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 S06-15-011**

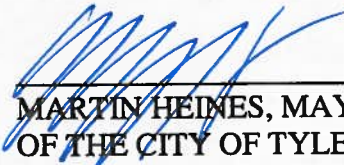
That the following described property, which is currently zoned "PMXD-1", Planned Mixed Use District, shall hereafter be used under a special use permit to allow for the operation of a 13 bed hospital facility with overnight stay, to-wit:

Lot 43 of NCB 1546, one lot containing 4.37 acres of land located north of the northwest intersection of West Cumberland Road and South Broadway Avenue (8389 South Broadway Avenue).

**PART 2:** 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 3:** 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 26<sup>th</sup>, 2015.


PASSED AND APPROVED this the 24<sup>th</sup> day of June, A.D., 2015.

  
MARTIN HEIMES, MAYOR  
OF THE CITY OF TYLER, TEXAS

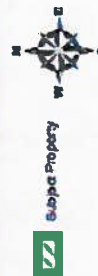
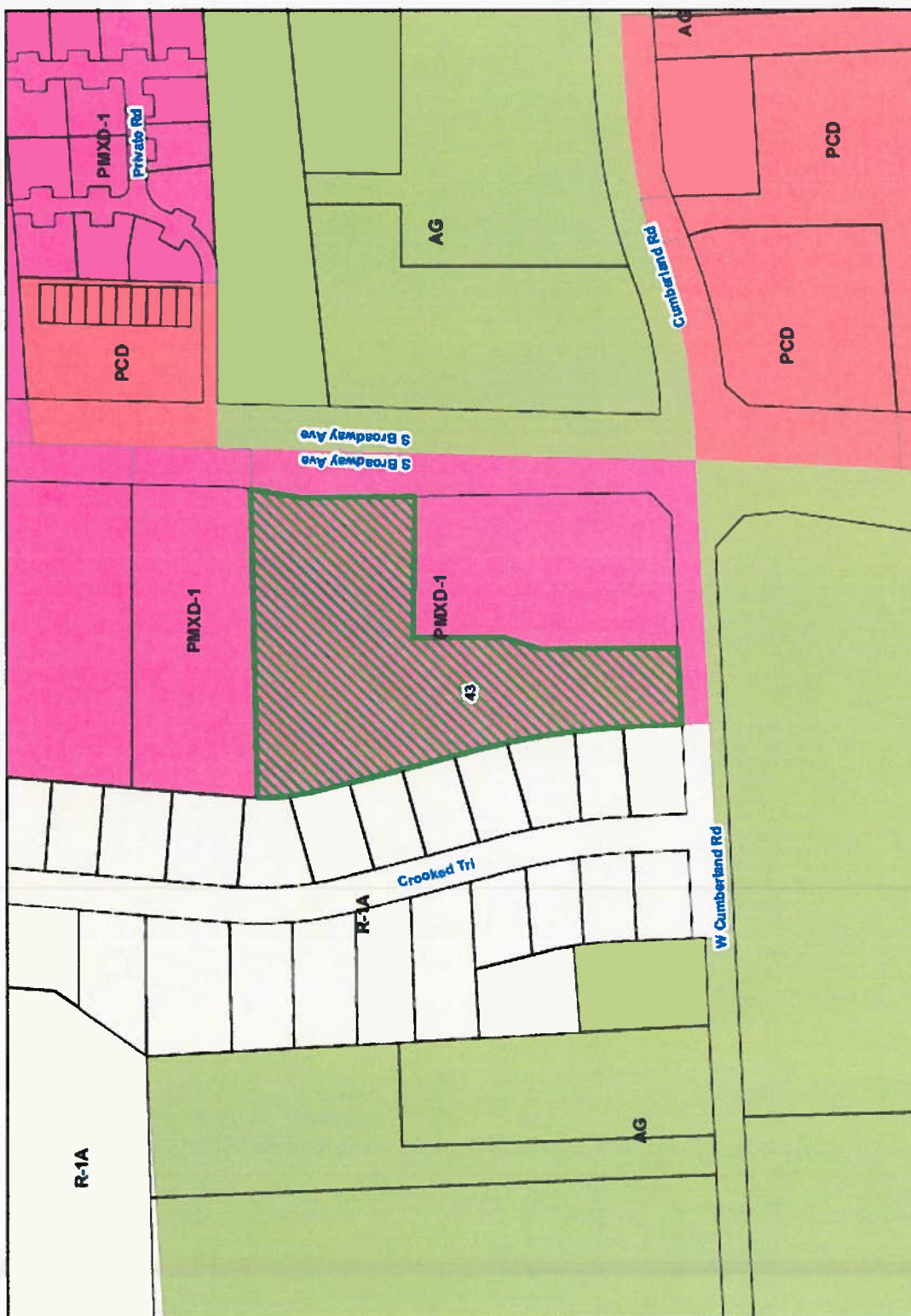
ATTEST:

  
CASSANDRA BRAGER, CITY CLERK  


APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

**ORDINANCE NO. O-2015-56  
EXHIBIT "A"  
LOCATION MAP**

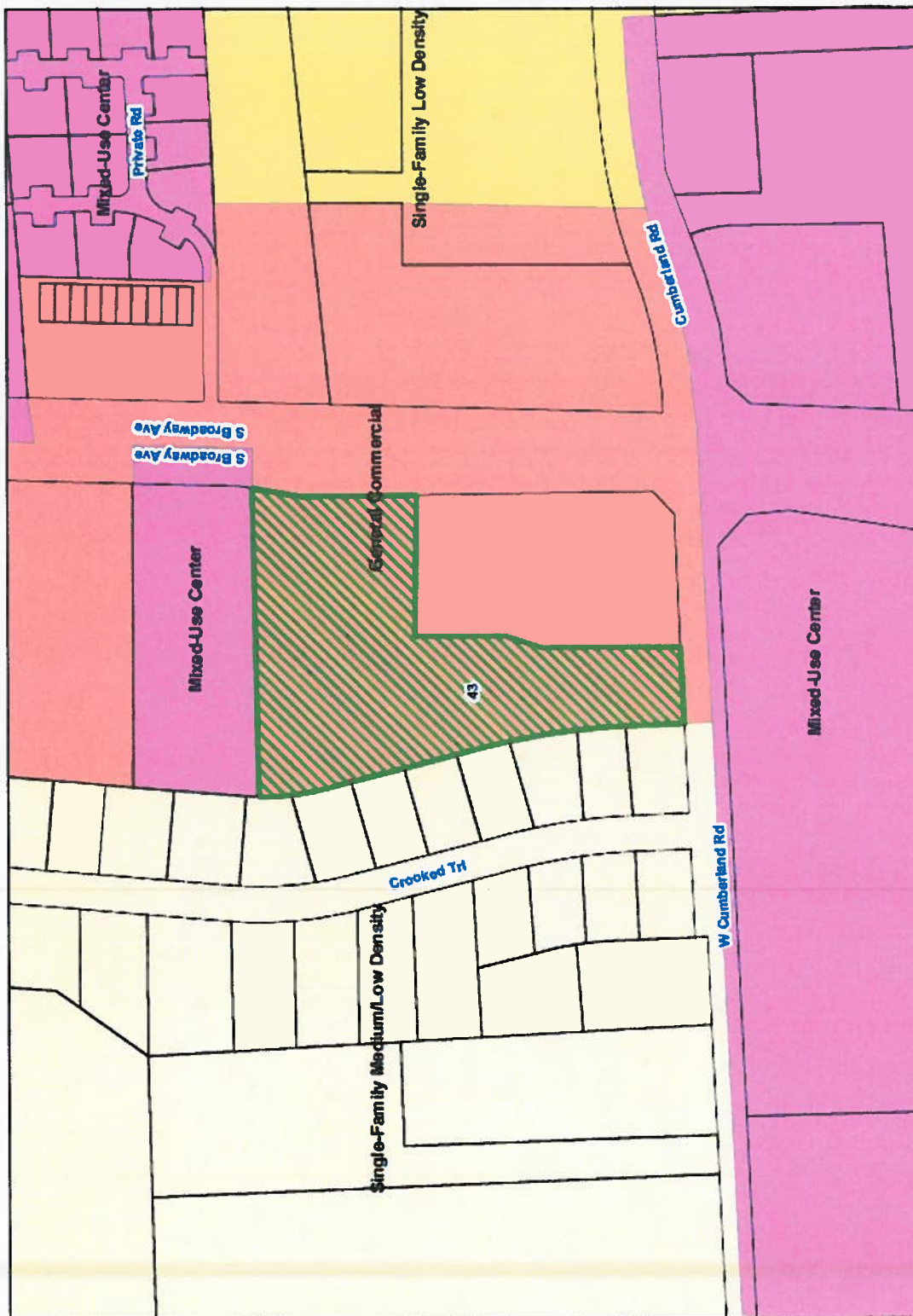


**Special Use Permit**  
**Special Use Permit: S05-15-011**  
**Special Use Permit: Overnight Hospital**  
**Applicant: Elam Swann Properties LTD (8389 S. Broadway)**

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.



**ORDINANCE NO. O-2015-56**  
**EXHIBIT "B"**  
**TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



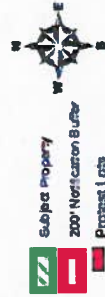
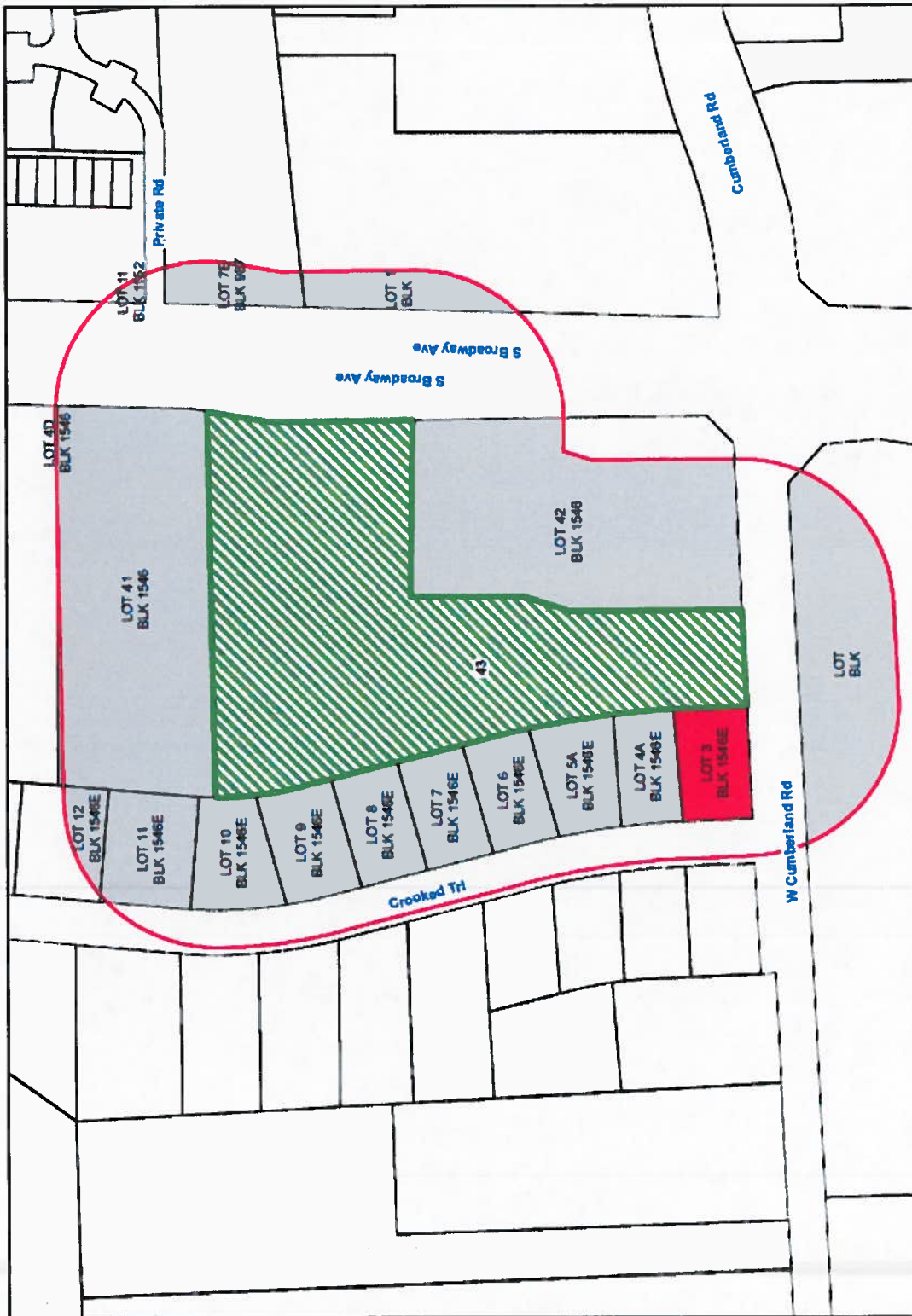
**Special Use Permit**  
 Special Use Permit#: S08-15-011  
 Special Use Permit: Overnight Hospital  
 Applicant: Elam Swann Properties LTD (8389 S. Broadway)

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250 0 250 Feet



**ORDINANCE NO. O-2015-56  
EXHIBIT "C"  
NOTIFICATION MAP**



**Zoning Case**  
**SUP Case #: S08-15-011**  
**Special Use Permit**  
**Applicant: Elam Swann Properties LTD (8388 S. Broadway)**

This plat is for informational purposes and may not have been prepared for or be a basis for legal, engineering, or surveying purposes. It does not represent an official record and should not be used for the establishment of property boundaries.

