

ORDINANCE NO. O-2015-58

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 VETERANS TRANSITIONAL HOME FOR A THREE YEAR PERIOD OF TIME ON LOT 57 OF NCB 668, ONE LOT CONTAINING APPROXIMATELY 0.38 ACRES OF LAND LOCATED WEST OF THE INTERSECTION OF GRAY STREET AND NORTH GLENWOOD BOULEVARD (134 NORTH GLENWOOD BOULEVARD); 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 S06-15-010

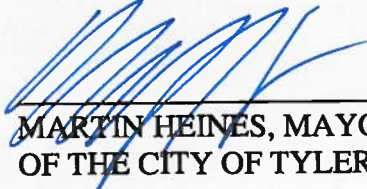
That the following described property, which is currently zoned "C-1", Light Commercial District, shall hereafter be used under a Special Use Permit to allow for a veterans transitional home for a three year period of time, to-wit:

Lot 57 of NCB 668, one lot containing approximately 0.38 acres of land located west of the intersection of Gray Street and North Glenwood Boulevard (134 North Glenwood Boulevard), and subject to the Terms and Conditions (Exhibit "A"), which is attached hereto and which is incorporated herein.

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.

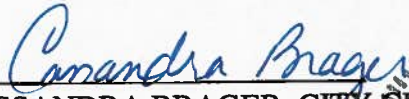
PART 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, 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, 2015.

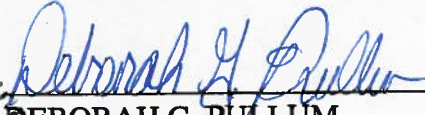
PASSED AND APPROVED this the 24th day of June A.D., 2015.

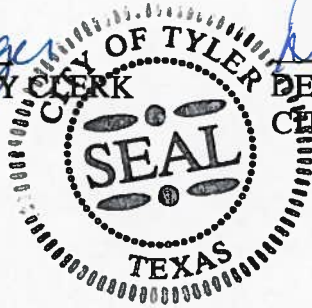

MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:


CASSANDRA BRAGER, CITY CLERK


DEBORAH G. PULLUM,
CITY ATTORNEY

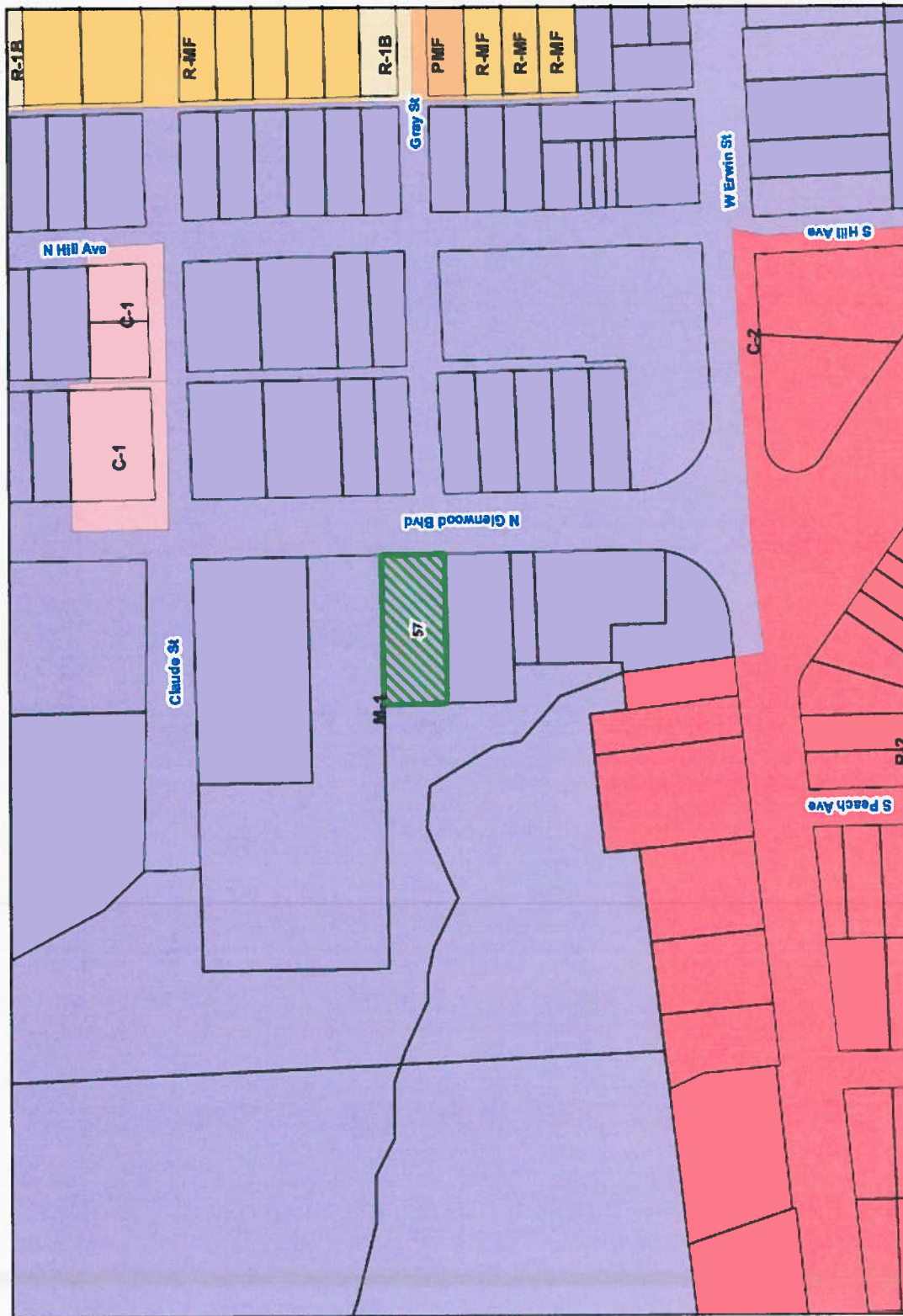


ORDINANCE NO. O-2015-58
EXHIBIT "A"
TERMS AND CONDITIONS

The special use permit hereby granted is to, Christian Restoration Community for a ten (10) bed veterans transitional home, and may not be transferred or assigned.

1. At any time if the permittee(s) ceases to use the permit for the purpose for which it has been granted, or if the permittee's license or permit from the appropriate state or federal licensing agency expires or is revoked for any reason, this permit shall become null and void, and the lawful use of the property listed as the location for the permit shall conform to the by-right uses designated as "X" for which it is zoned under the Tyler Unified Development Code.
2. This permit is for the specific location designated herein and shall not be transferred to another location.
3. This permit may be revoked for a violation of any ordinance of the City of Tyler, or for good and sufficient cause, upon notice to the permittee and after a public hearing.
4. Permittee shall comply with all building, plumbing, electrical and other related construction codes of the City of Tyler.
5. The structure and the grounds shall be maintained and shall be kept in good repair and condition.
6. The permit shall be amendable through the normal process of public hearings before the Planning and Zoning Commission and City Council.
7. A resident roster will be maintained.
8. Residents will be prohibited from loitering. The premises may maintain a designated smoking area in compliance with the City smoking ordinance.
9. Residents will be prohibited from trespassing on private property. The permittee shall instruct residents not to trespass on adjacent private property. The permittee shall also have a responsibility in ensuring that the immediate area around the property is kept free from nuisance related to past, present, and future residents.
10. Permittee shall be authorized to provide lodging to residents, all of whom shall be placed in the facility with the approval of the appropriate state or federal licensing agent.
11. The permit shall be authorized to provide transitional lodging to veterans of military service not to exceed 10 beds.
12. This permit shall be for a three (3) year period of time. At the expiration of said period, the permittee shall make an application for renewal of said special use permit. If the permit is not renewed, it will be considered abandoned and terminated and the lawful use of the said premises shall conform to the use for which it is zoned under the Tyler Unified Development Code.
13. Any changes to the above terms shall require a renewal of the special use permit to be considered by the Planning and Zoning Commission and City Council.

**ORDINANCE NO. O-2015-58
EXHIBIT "B"
LOCATION MAP**

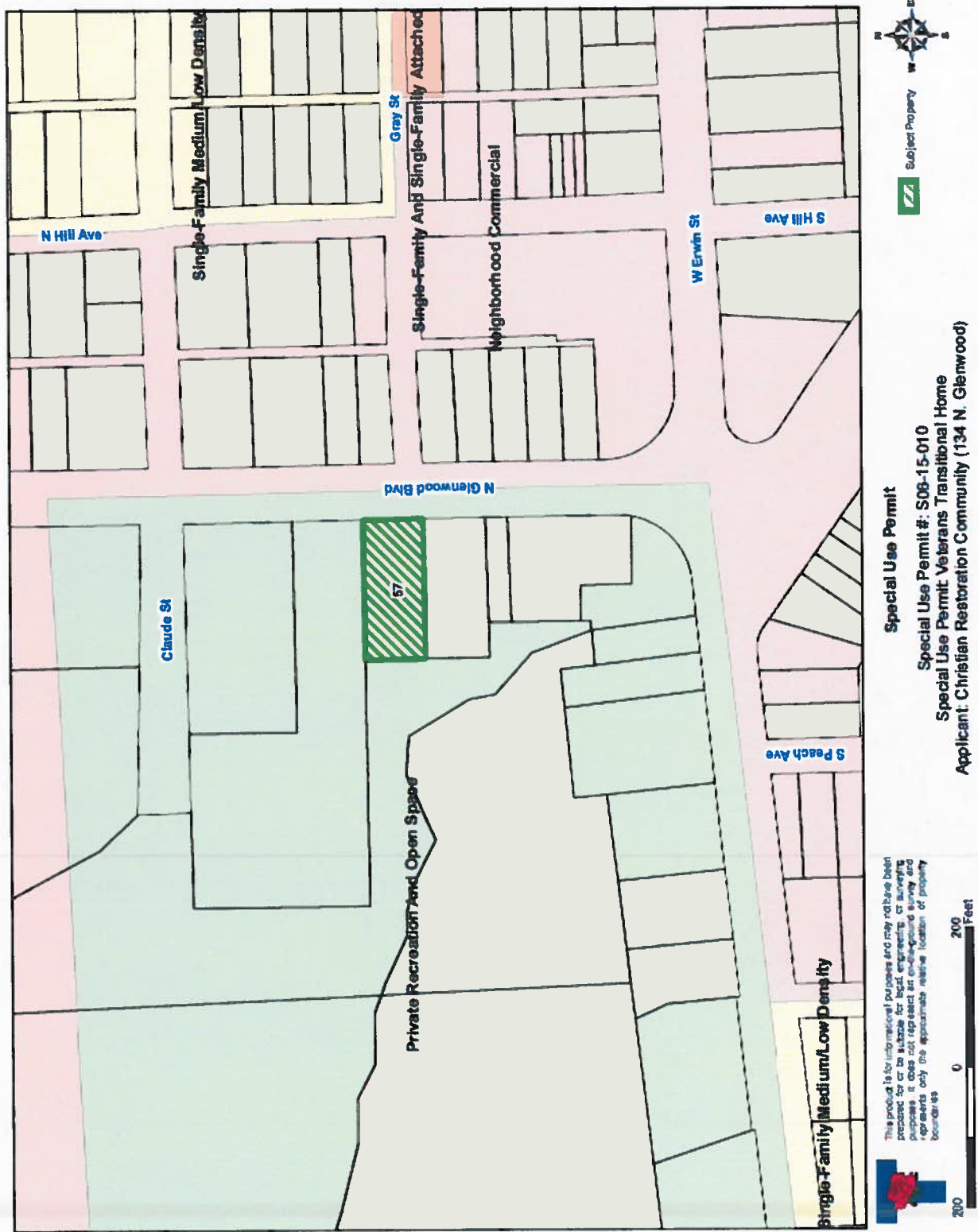


This product is for informational purposes and may not have been prepared for the purpose of engineering or surveying. It does not represent an engineering or surveying project and should not be used for such purposes. Only the appropriate relative location of property boundaries is shown.

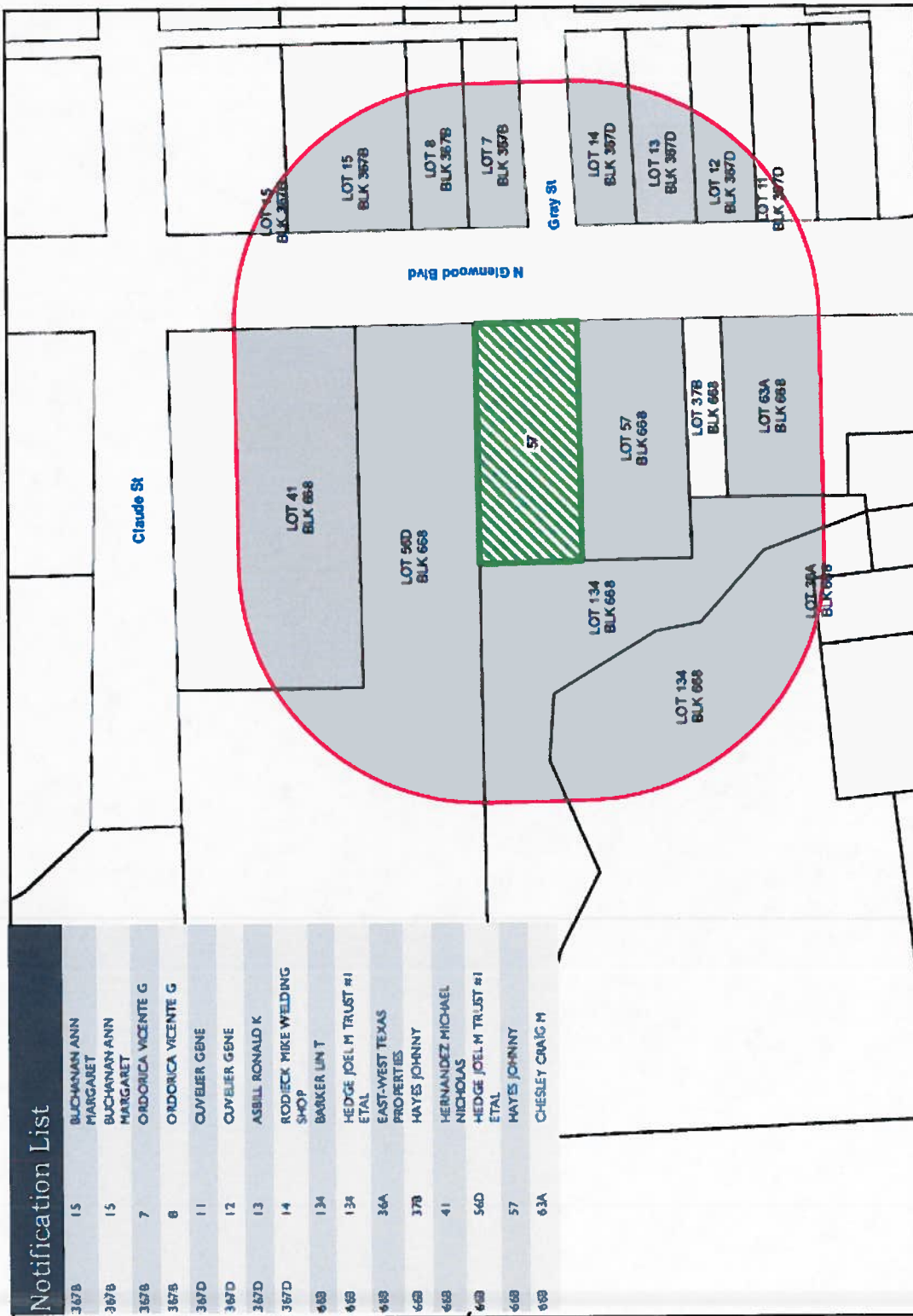


Special Use Permit
Special Use Permit #: S06-15-010
Special Use Permit: Veterans Transitional Home
Applicant: Christian Restoration Community (134 N. Glenwood)

ORDINANCE NO. O-2015-58
EXHIBIT "C"
TYLER 1st FUTURE LAND USE GUIDE



ORDINANCE NO. O-2015-58
EXHIBIT "D"
NOTIFICATION MAP



Special Use Permit
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125 0 125 Feet