

ORDINANCE NO. O-2015-84

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 "C-1", LIGHT COMMERCIAL DISTRICT TO "R-MF", MULTI-FAMILY RESIDENTIAL DISTRICT ON A PORTION OF LOT 5 OF NCB 836 AND LOTS 21B AND 21C OF NCB 835, THREE LOTS CONTAINING APPROXIMATELY 7.00 ACRES OF LAND LOCATED NORTH OF THE NORTHEAST INTERSECTION OF MOSLEY STREET AND FRANKSTON HIGHWAY (2323 FRANKSTON HIGHWAY); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; 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 Z08-15-071

That the following described property, which has heretofore been zoned "C-1", Light Commercial District shall hereafter bear the zoning classification of "R-MF", Multi-Family Residential District, to wit:

A portion of Lot 5 of NCB 836 and Lots 21B and 21C of NCB 835, three lots containing approximately 7.00 acres of land located north of the northeast intersection of Mosley Street and Frankston Highway (2323 Frankston Highway), as described by metes and bounds hereto attached 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 Multi-Family.

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 this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 26th day of August A.D., 2015.

~~MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS~~

A T T E S T:

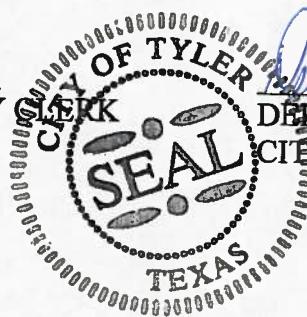
Cassandra Brager

CASSANDRA BRAGER, CITY CLERK

APPROVED:

Deborah G. Pullum

DEBORAH G. PULLUM,
CITY ATTORNEY



ORDINANCE NO. O-2015-84
EXHIBIT "A"
METES AND BOUNDS DESCRIPTION

LEGAL DESCRIPTION

A tract of land out Lots 21B and 21C, Block 835 and Lot 5, Block 836, Stewart Subdivision, City of Tyler, Smith County, Texas beginning at a point being the southwest corner of said Lot 21B on the east right of way of Old Noonday Road;

THENCE N 5° 30' 11" W along the east right of way of Old Noonday Road a distance of 28.0 feet to a point for corner on the east right of way of Old Noonday Road;

THENCE S 86° 11' 22" E, 160.0 feet to a point for corner;

THENCE North, 38.0 feet to a point for corner;

THENCE East, 198.0 feet to a point for corner;

THENCE N 45° 0' 0" E, 232.0 feet to a point for corner;

THENCE S 45° 0' 0" E, 182.0 feet to a point for corner on the west right of way of Frankston Highway;

THENCE S 43° 15' 37" W along the west right of way of Frankston Highway a distance of 248.6 feet to a point for corner;

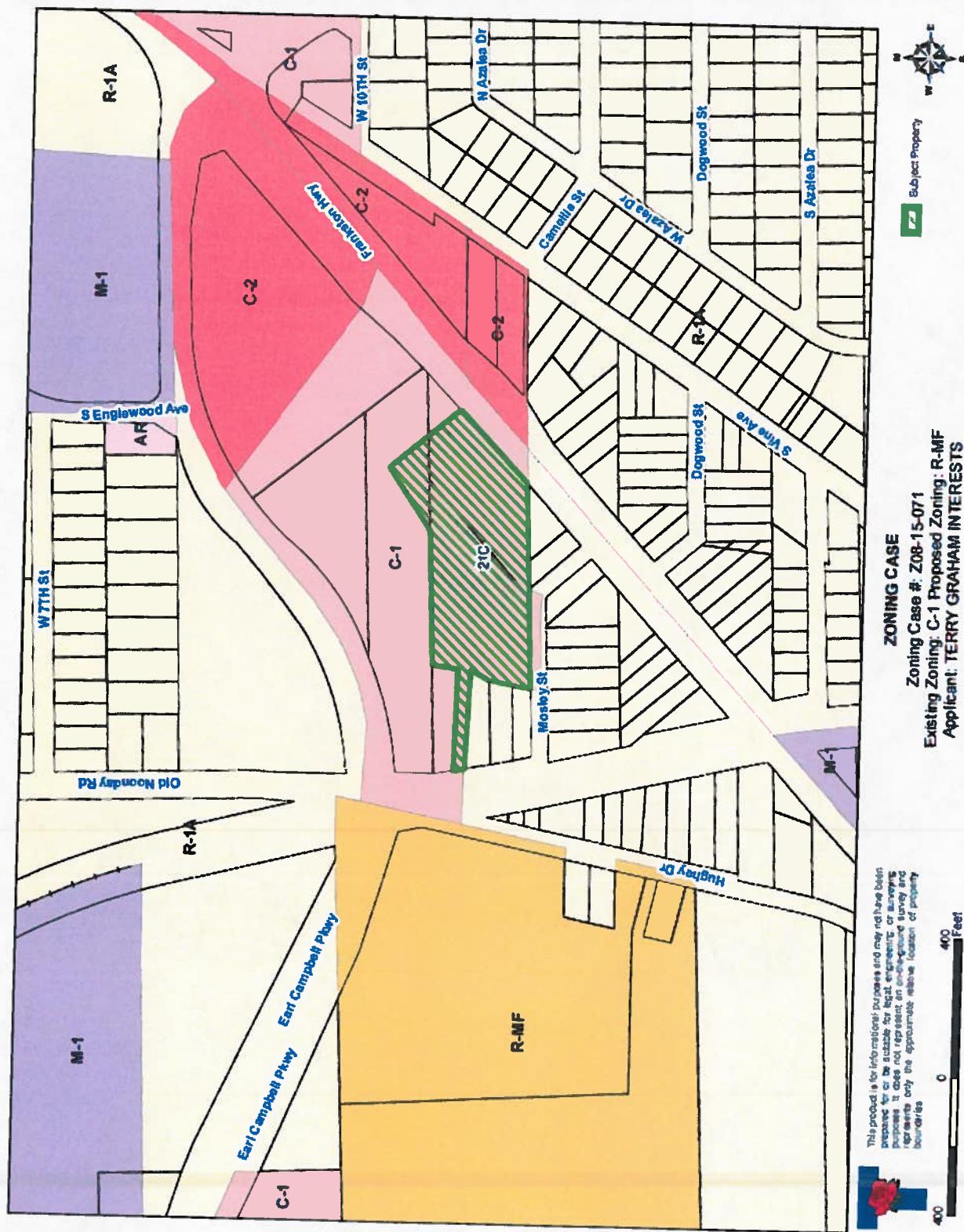
THENCE West, 326.4 feet to a point for corner on the north right of way of Mosley Street;

THENCE N 11° 17' 33" E, 60.3 feet to a point for corner;

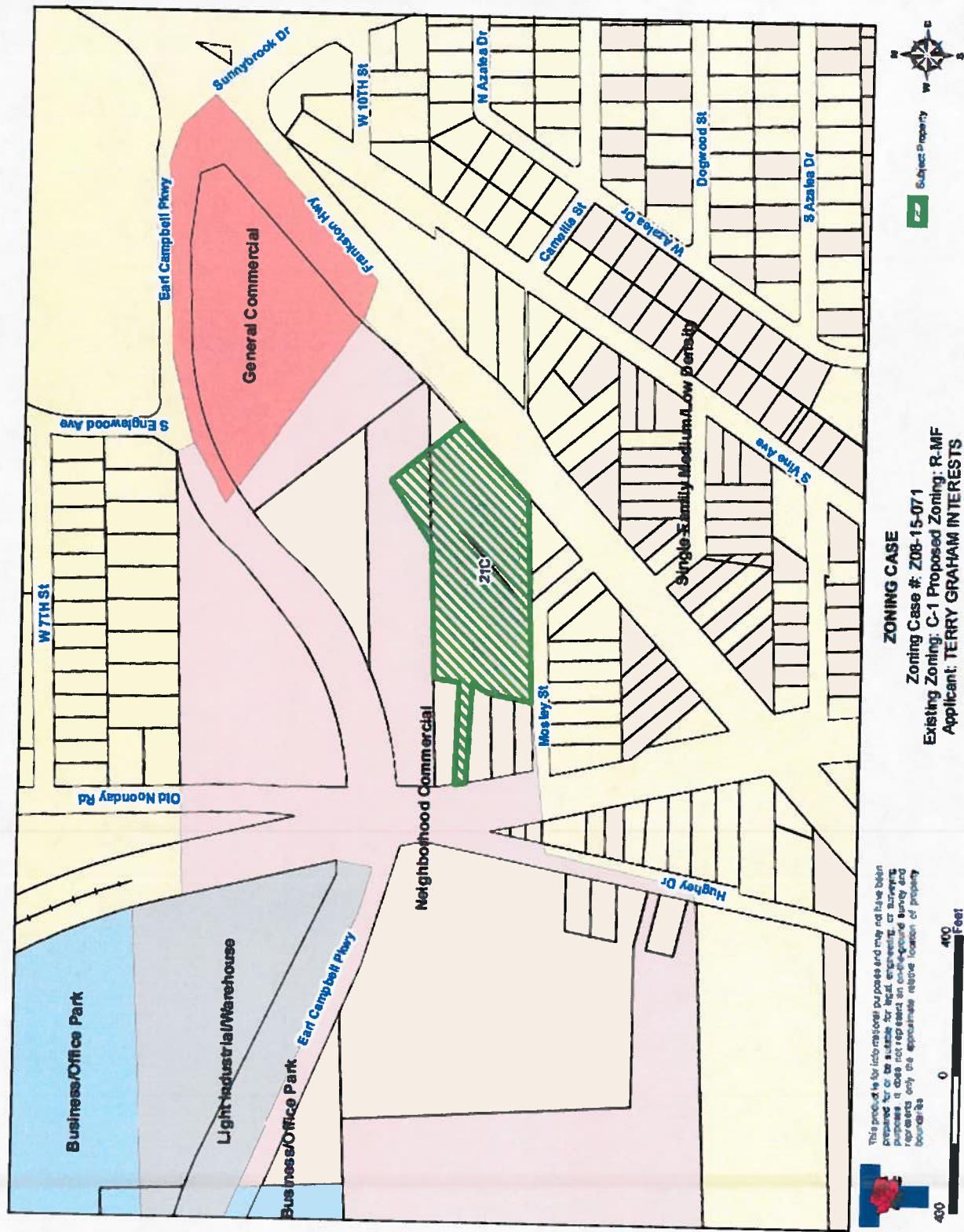
THENCE N 22° 5' 13" E, 39.7 feet to a point for corner;

THENCE N 86° 11' 32" W, a distance of 157.8 feet to the point of beginning containing 7.0 acres more or less.

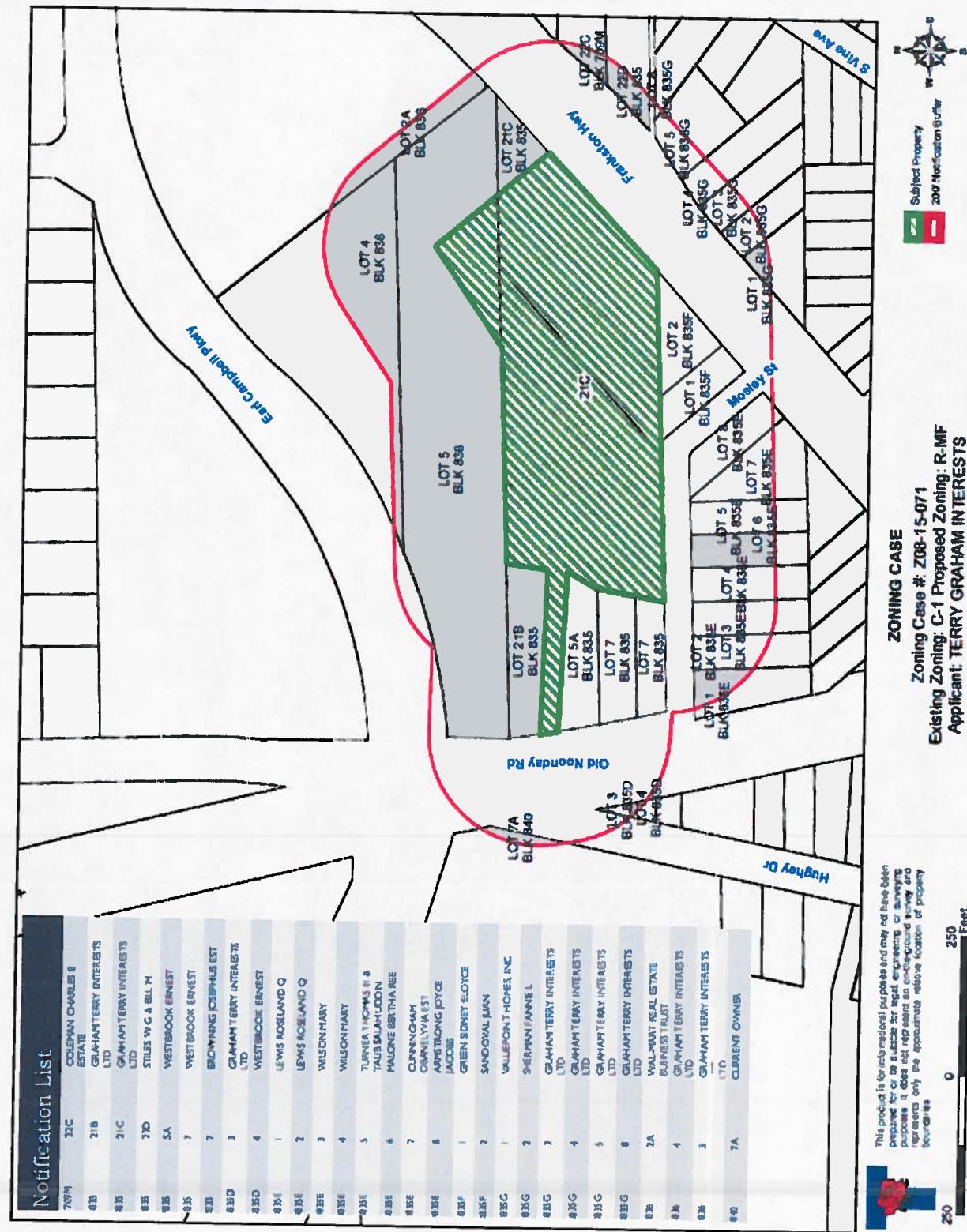
ORDINANCE NO. O-2015-84
EXHIBIT "B"
LOCATION MAP



**ORDINANCE NO. O-2015-84
EXHIBIT "C"
TYLER 1ST FUTURE LAND USE GUIDE**



**ORDINANCE NO. O-2015-84
EXHIBIT "D"
NOTIFICATION MAP**



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

250 0 250

Zoning Case #: ZOB-15
Existing Zoning: C-1 Proposed
Applicant: TERRY GRAHAM I