

ORDINANCE NO. O-2014-6

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 DEVELOPMENT OF A 150 FEET TALL TELECOMMUNICATIONS TOWER FOR AN INDEFINITE PERIOD OF TIME ON LOT 10J OF NCB 933, ONE LOT TOTALING APPROXIMATELY 0.68 ACRES LOCATED AT THE NORTHWEST INTERSECTION OF SMITH STREET AND SOUTH SOUTHEAST LOOP 323 (2626 SMITH STREET); 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 S12-13-003

That the following described property, which is currently zoned "M-1", Light Industrial District, shall hereafter be used under a special use permit to allow for the development of a 150 feet tall telecommunications tower, to-wit:

Lot 10J of NCB 933, one lot totaling approximately 0.68 acres located at the northwest intersection of Smith Street and South Southeast Loop 323 (2626 Smith Street), for an indefinite period of time.

PART 2: The Special Use Permit is subject to the site plan shown in Exhibit "A".

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.

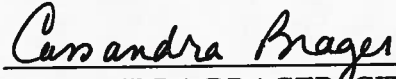
PART 4: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, 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 January 24, 2014.

PASSED AND APPROVED this the 22nd day of January, A.D., 2014.

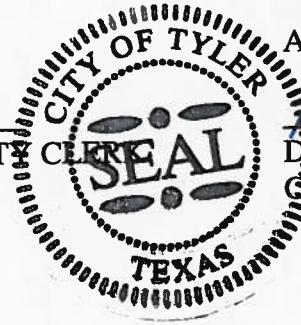


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

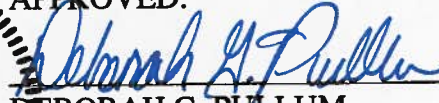
ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

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[illegible]

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Activity	Cost
1. Read the book (1 hr)	\$0.00
2. Write the summary (1 hr)	\$0.00
3. Write the report (1 hr)	\$0.00
4. Write the conclusion (1 hr)	\$0.00
5. Write the final report (1 hr)	\$0.00
6. Write the final report (1 hr)	\$0.00
7. Write the final report (1 hr)	\$0.00
8. Write the final report (1 hr)	\$0.00
9. Write the final report (1 hr)	\$0.00
10. Write the final report (1 hr)	\$0.00



Arlington, VA 22201
Office 913-460-1780
Fax 813-460-0975
Telex 5692 P 2-1300Z



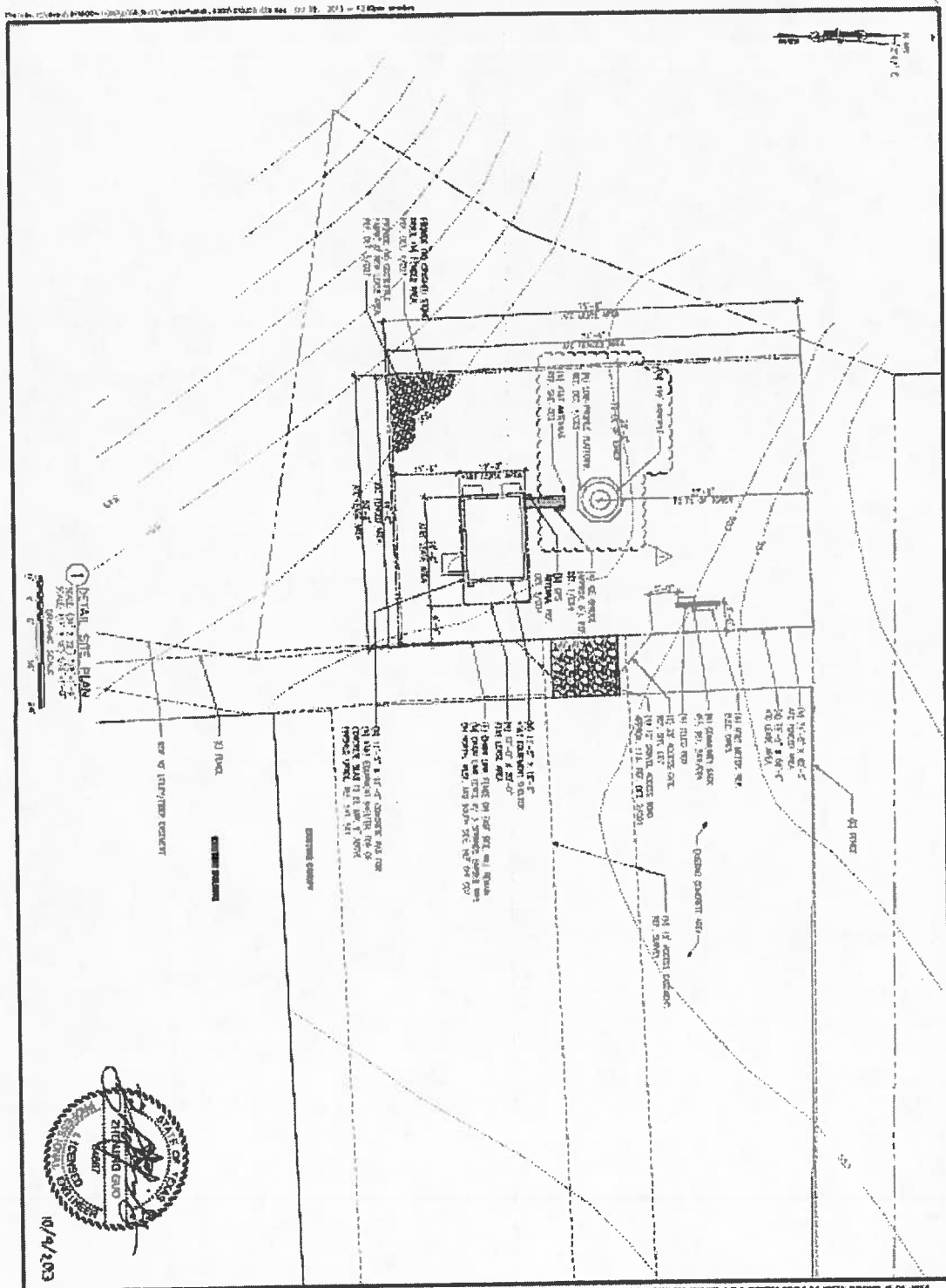
at&t

1901 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

10F 323
SPUR 124
217 61427
083355

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**CELEBRIS
GROUP**

1201 N. Dobson St., Suite 1
Kalamazoo, MI 49001
Office: 616.446.1173
Fax: 616.446.1744
E-Mail: info@kalamazoo.org



at&t

7607 VALLEY VIEW LANE
SPRING BRANCH, TX 75234

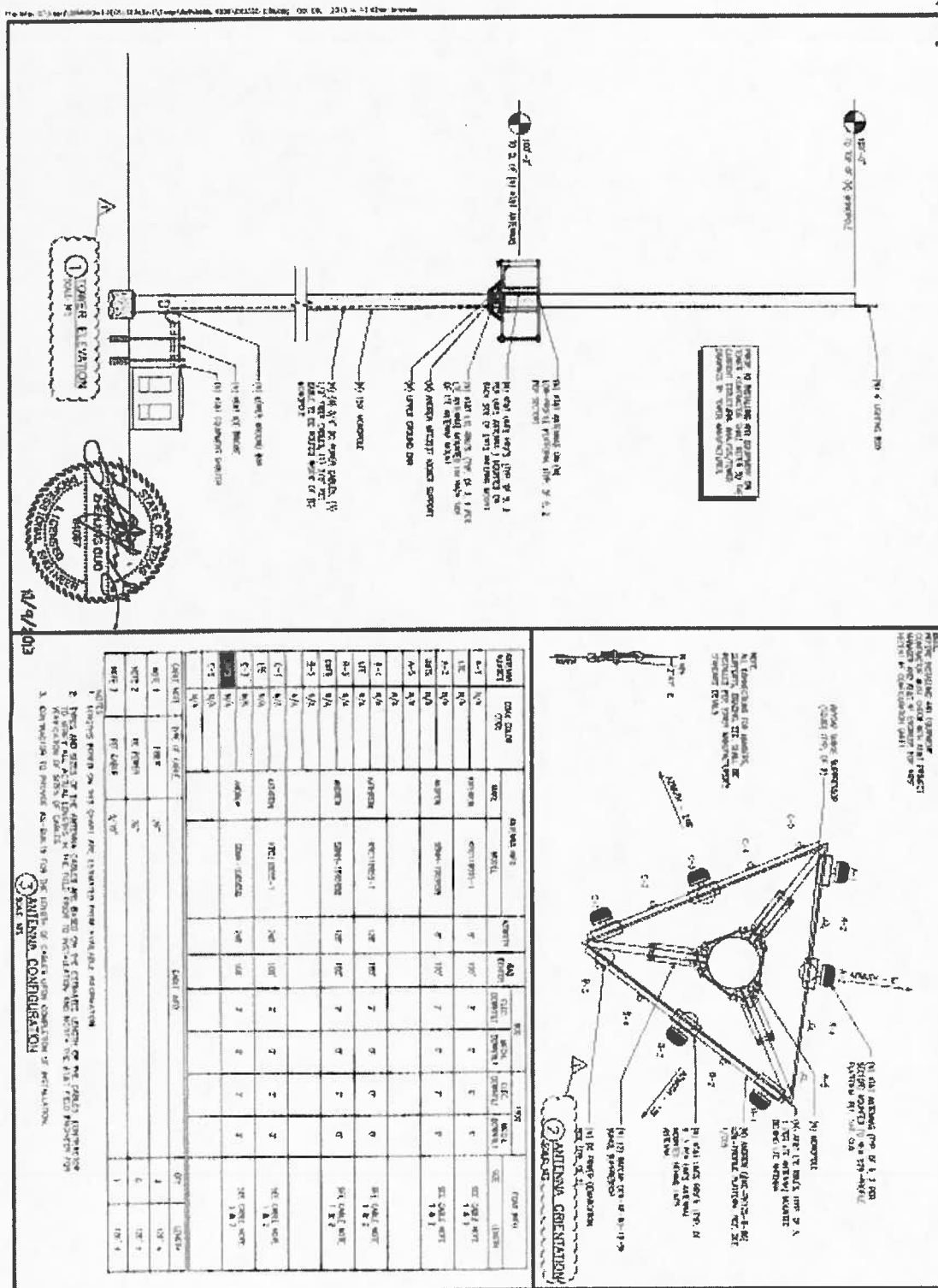
212 N. 10th St.
SPUR 124
DIXON, NE 68341

C032

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Exhibit A

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1001 VALLEY VIEW LANE
FOUNTAIN, COLORADO 80921

CLERIS GROUP

2001 N. GARDEN ST. SUITE 100
DENVER, CO 80202
TEL: 303.733.1000
WWW.CLERISGROUP.COM

CO3.0

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Exhibit A

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There are no existing structures within this half mile radius that are within 20 feet of our requested height as required by the Tyler UDC.