

ORDINANCE NO. O-2014-7

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 4 OF NCB 968, ONE LOT TOTALING APPROXIMATELY 0.29 ACRES LOCATED WEST OF THE NORTHWEST INTERSECTION OF MCDONALD ROAD AND SOUTH SOUTHEAST LOOP 323 (2612 AND 2616 MCDONALD ROAD); 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 S01-14-005

That the following described property, which is currently zoned "C-2", General Commercial District, shall hereafter be used under a special use permit to allow for the development of a 150 feet tall telecommunications tower, to-wit:

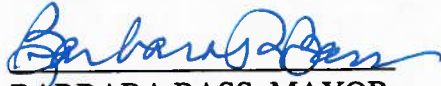
Lot 4 of NCB 968, one lot totaling approximately 0.29 acres located west of the northwest intersection of McDonald Road and South Southeast Loop 323 (2612 and 2616 McDonald Road), for an indefinite period of time.

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.

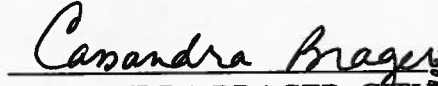
PART 4: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue,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



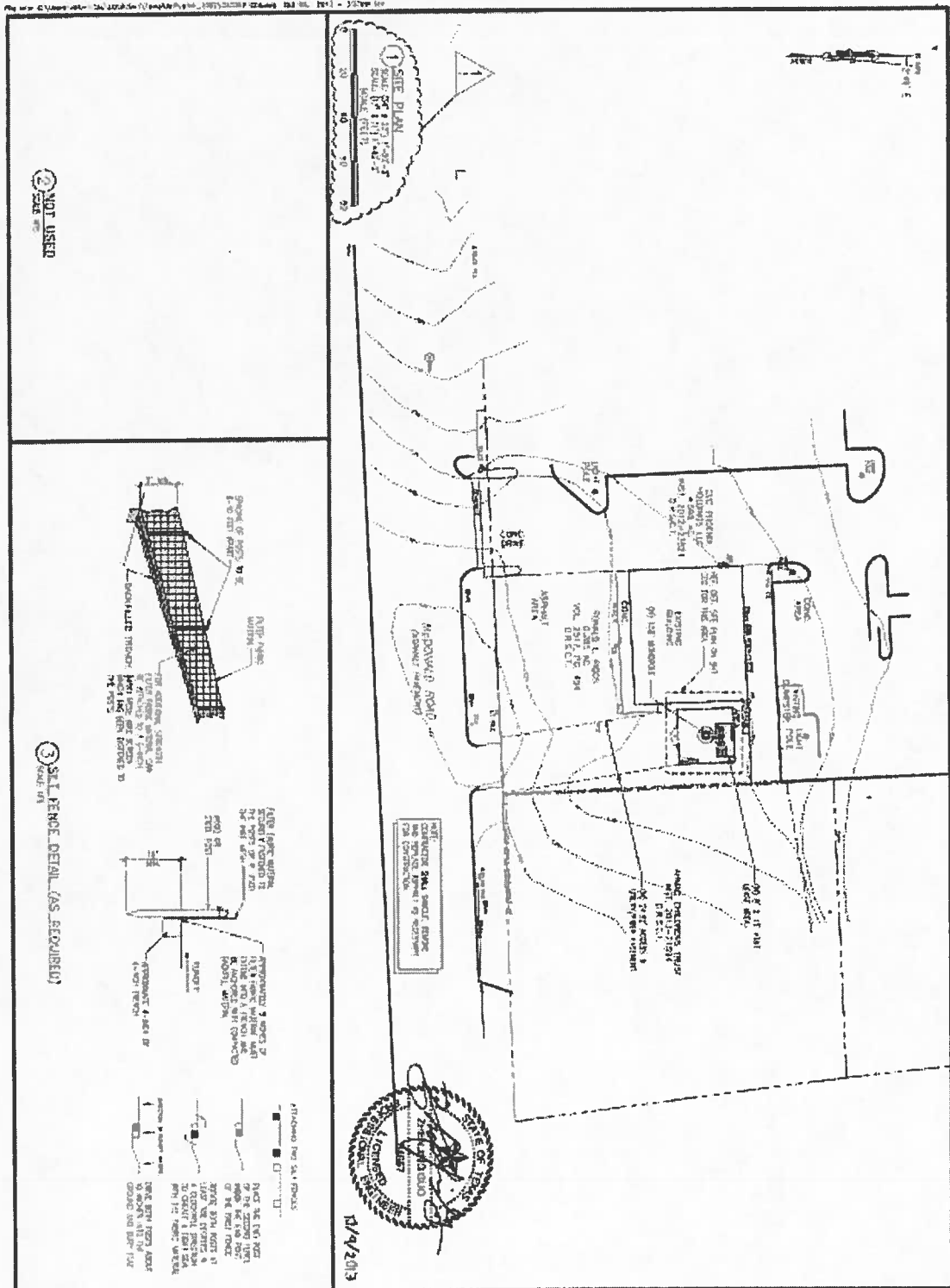
1 of 5

[illegible]

ORDINANCE NO. O-2014-7

Exhibit A

2 of 5



NO.	DATE	DESCRIPTION
1	12/4/2013	PRELIMINARY PLAN
2	12/4/2013	FINAL PLAN
3	12/4/2013	FINAL PLAN
4	12/4/2013	FINAL PLAN
5	12/4/2013	FINAL PLAN
6	12/4/2013	FINAL PLAN
7	12/4/2013	FINAL PLAN
8	12/4/2013	FINAL PLAN
9	12/4/2013	FINAL PLAN
10	12/4/2013	FINAL PLAN
11	12/4/2013	FINAL PLAN
12	12/4/2013	FINAL PLAN
13	12/4/2013	FINAL PLAN
14	12/4/2013	FINAL PLAN
15	12/4/2013	FINAL PLAN
16	12/4/2013	FINAL PLAN
17	12/4/2013	FINAL PLAN
18	12/4/2013	FINAL PLAN
19	12/4/2013	FINAL PLAN
20	12/4/2013	FINAL PLAN

at&t
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234

CELEBRIS GROUP
1801 VALLEY VIEW LANE
FARMERS BRANCH, TX 75234
TEL: 469-469-1234
FAX: 469-469-1234
WWW.CELEBRISGROUP.COM

W-000000 RD /
GOLDER RD
SIT. 1801
01/25/2013

NO.	DATE	DESCRIPTION
1	12/4/2013	PRELIMINARY PLAN
2	12/4/2013	FINAL PLAN
3	12/4/2013	FINAL PLAN
4	12/4/2013	FINAL PLAN
5	12/4/2013	FINAL PLAN
6	12/4/2013	FINAL PLAN
7	12/4/2013	FINAL PLAN
8	12/4/2013	FINAL PLAN
9	12/4/2013	FINAL PLAN
10	12/4/2013	FINAL PLAN
11	12/4/2013	FINAL PLAN
12	12/4/2013	FINAL PLAN
13	12/4/2013	FINAL PLAN
14	12/4/2013	FINAL PLAN
15	12/4/2013	FINAL PLAN
16	12/4/2013	FINAL PLAN
17	12/4/2013	FINAL PLAN
18	12/4/2013	FINAL PLAN
19	12/4/2013	FINAL PLAN
20	12/4/2013	FINAL PLAN

3 of 5



NAME	DATE
1. NAME OF THE ORGANIZATION	DATE
2. ADDRESS	DATE
3. CITY	DATE
4. STATE	DATE
5. ZIP CODE	DATE
6. PHONE NUMBER	DATE
7. FAX NUMBER	DATE
8. E-MAIL ADDRESS	DATE
9. WEBSITE ADDRESS	DATE
10. OTHER INFORMATION	DATE

CELERIS GROUP
CONTACT: 1-800-950-0011

2025 St. Catherine St., Suite 120
Alpharetta, GA 30201
Office: 404-461-1313
Fax: 404-461-0906
E-mail: sales@celeris.com

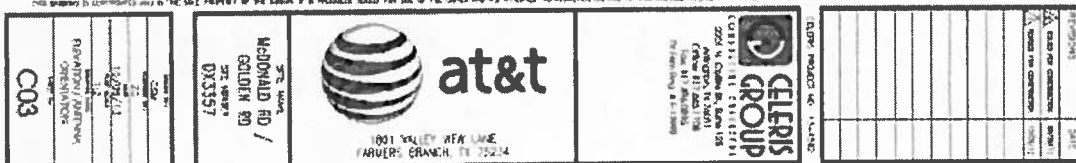


1801 WILEY NEW LANE
FARMERS BRANCH, TX 75234

THE NAME
McDONALD P.D.
GOLDEN RO
THE CHAIR
0X3357

CO2

4 of 5



ORDINANCE NO. O-2014-7

Exhibit A

5 of 5



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.