

ORDINANCE NO. O-2011-39

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; BY APPROVING A SPECIAL USE PERMIT TO ALLOW FOR A VETERAN RESOURCE/ASSISTANCE CENTER ON LOT 23 OF NCB 173, ONE LOT CONTAINING APPROXIMATELY 0.43 ACRES OF LAND LOCATED WEST OF THE SOUTHWEST INTERSECTION OF SOUTH CHILTON AVENUE AND WEST CHARNWOOD STREET (512 WEST CHARNWOOD); 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 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 special use permit is hereby approved as follows:

I. APPLICATION Z05-11-029

That the following described property, which is currently zoned "R-MF", Multi-Family Residential District, shall hereafter be used under a special use permit to allow for a veteran resource/assistance center for a period of one year, to-wit:

Lot 23 of NCB 173, one lot containing approximately 0.43 acres of land located west of the southwest intersection of South Chilton Avenue and West Charnwood Street (512 W Charnwood), for one year.

PART 2: The Special Use Permit is subject to the following requirements:


1. Typical hours of operation:
 - Monday, Tuesday, Wednesday, Friday - 8:00 a.m. to 5:00 p.m.
 - Thursday - 8:00 a.m. to 8:00 p.m.
 - One Saturday meeting a month - 12:00 p.m. to 4:00 p.m.
2. No more than 10 people will be trained at one time
3. There will be five staff members present during the training sessions
4. No person will reside at the facility

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 May 27th, 2011.

PASSED AND APPROVED this the 25th day of May, A.D., 2011.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY

