

**ORDINANCE NO. O-2019-39**

**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 "R-MF", MULTI-FAMILY RESIDENTIAL DISTRICT TO "PMF", PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT WITH A FINAL SITE PLAN ON LOTS 52 AND 53 OF NCB 679, TWO LOTS TOTALING APPROXIMATELY 0.47 ACRES OF LAND LOCATED WEST OF THE NORTHWEST INTERSECTION OF TURTLE CREEK DRIVE AND FRAZIER STREET (602 AND 604 FRAZIER STREET); DIRECTING THE AMENDMENT OF THE ZONING MAP; DIRECTING THE AMENDMENT OF THE FUTURE LAND USE GUIDE; 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 zone change is hereby approved as follows:

**I. APPLICATION PD19-008**

That the following described property, which has heretofore been zoned "R-MF", Multi-Family Residential District, shall hereafter bear the zoning classification of "PMF", Planned Multi-Family Residential District with a final site plan, to wit:

Lots 52 and 53 of NCB 679, two lots totaling approximately 0.47 acres of land located west of the northwest intersection of Turtle Creek Drive and Frazier Street (602 and 604 Frazier Street), and in accordance with Exhibit "A" attached hereto 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 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 24<sup>th</sup>, 2019.

**PASSED AND APPROVED** this the 22<sup>nd</sup> day of May A.D., 2019.


  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

  
CASSANDRA BRAGER, CITY CLERK



  
DEBORAH G. PULLUM,  
CITY ATTORNEY

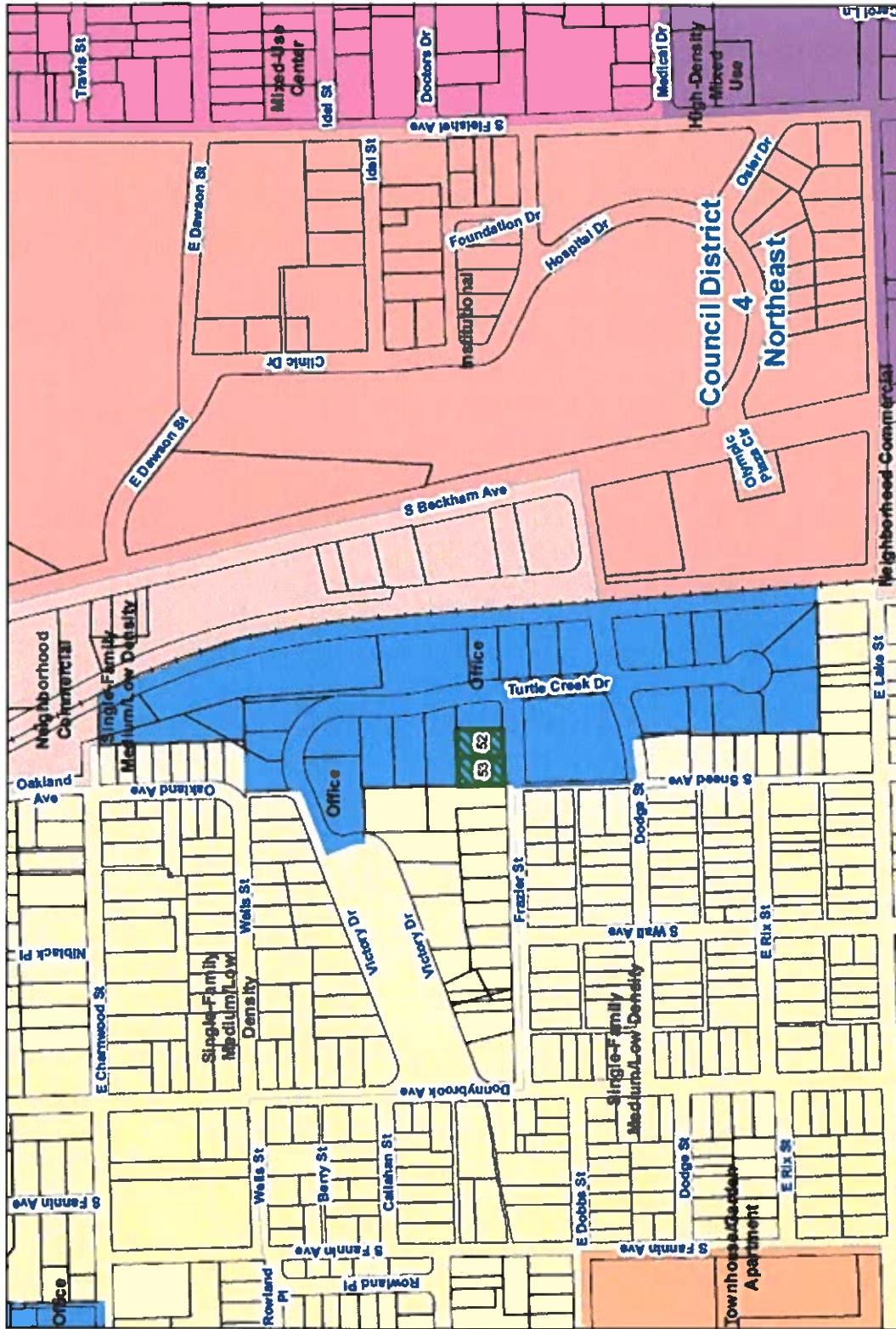
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Zoning Case #: PD19-008  
Current Zoning: R-MF Proposed Zoning: PMF  
Applicant: FAUST ERIC





**ORDINANCE NO. O-2019-39  
EXHIBIT "C"  
TYLER 1<sup>ST</sup> FUTURE LAND USE GUIDE**



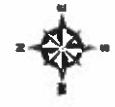
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

350 0 350 Feet

**ZONING CASE**  
Zoning Case #: PD19-008  
Current Zoning: R-MF Proposed Zoning: PMF  
Applicant: FAUST ERIC



Subject Property



**ORDINANCE NO. O-2019-39  
EXHIBIT "D"  
PROTEST MAP**

