

ORDINANCE NO. O-2019-25

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 A CHILD HOME DAY CARE FOR A TWO YEAR PERIOD OF TIME ON LOTS 13B, 14A AND 15A OF NCB 312, THREE LOTS TOTALING APPROXIMATELY 0.53 ACRES OF LAND LOCATED EAST OF THE NORTHEAST INTERSECTION OF MOCKINGBIRD LANE AND VINE AVENUE (711 MOCKINGBIRD LANE); 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 S19-001

That the following described property, which is currently zoned "R-2", Two-Family Residential District, shall hereafter be used under a special use permit to allow for a child home day care, to-wit:


Lots 13B, 14A and 15A of NCB 312, three lots totaling approximately 0.53 acres of land located east of the northeast intersection of Mockingbird Lane and Vine Avenue (711 Mockingbird Lane), for a two-year period of time, in accordance with Exhibit "A".

PART 2: The Special Use Permit is restricted to a child home day care for two years.

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 April 26th, 2019.

PASSED AND APPROVED this the 24th day of April, A.D., 2019.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



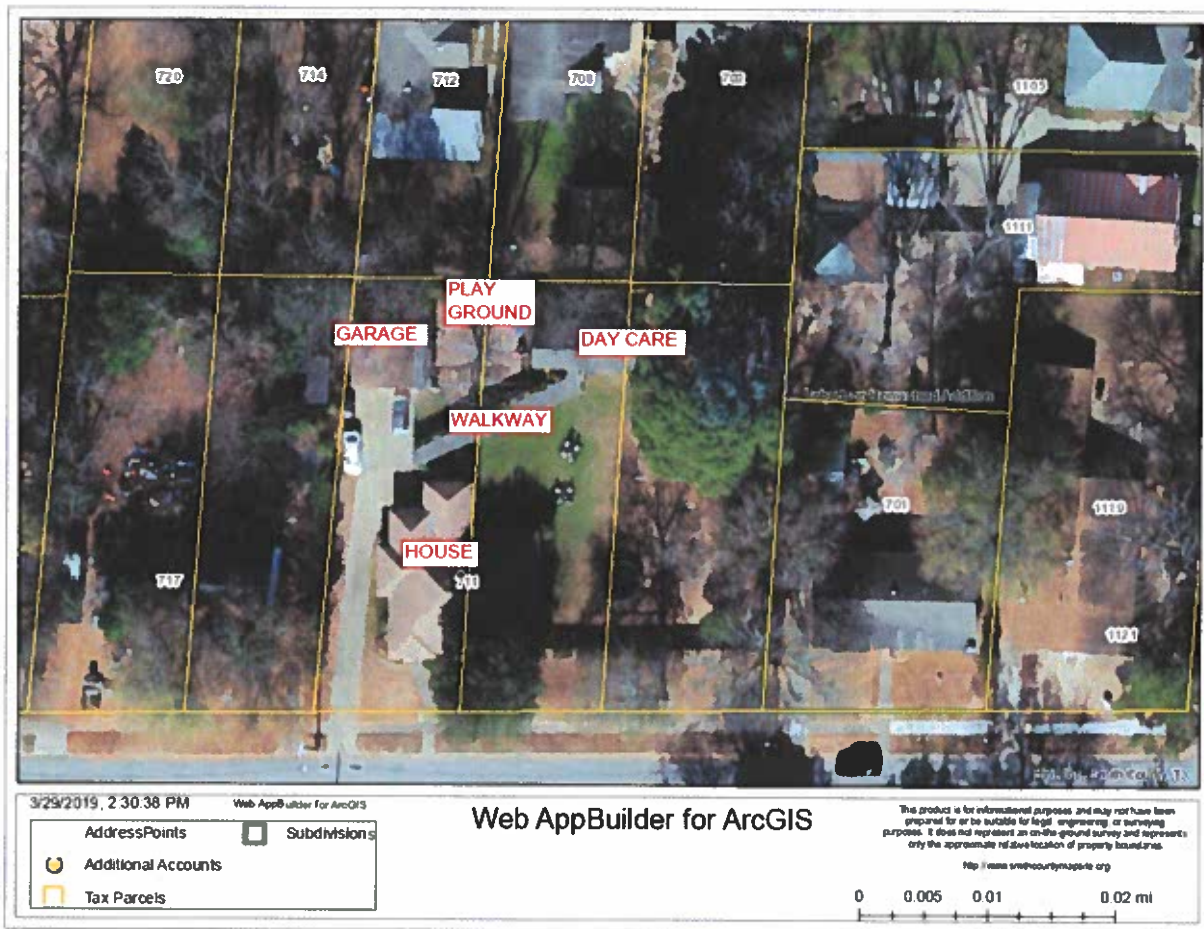
CASSANDRA BRAGER, CITY CLERK



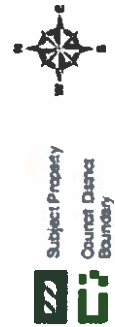
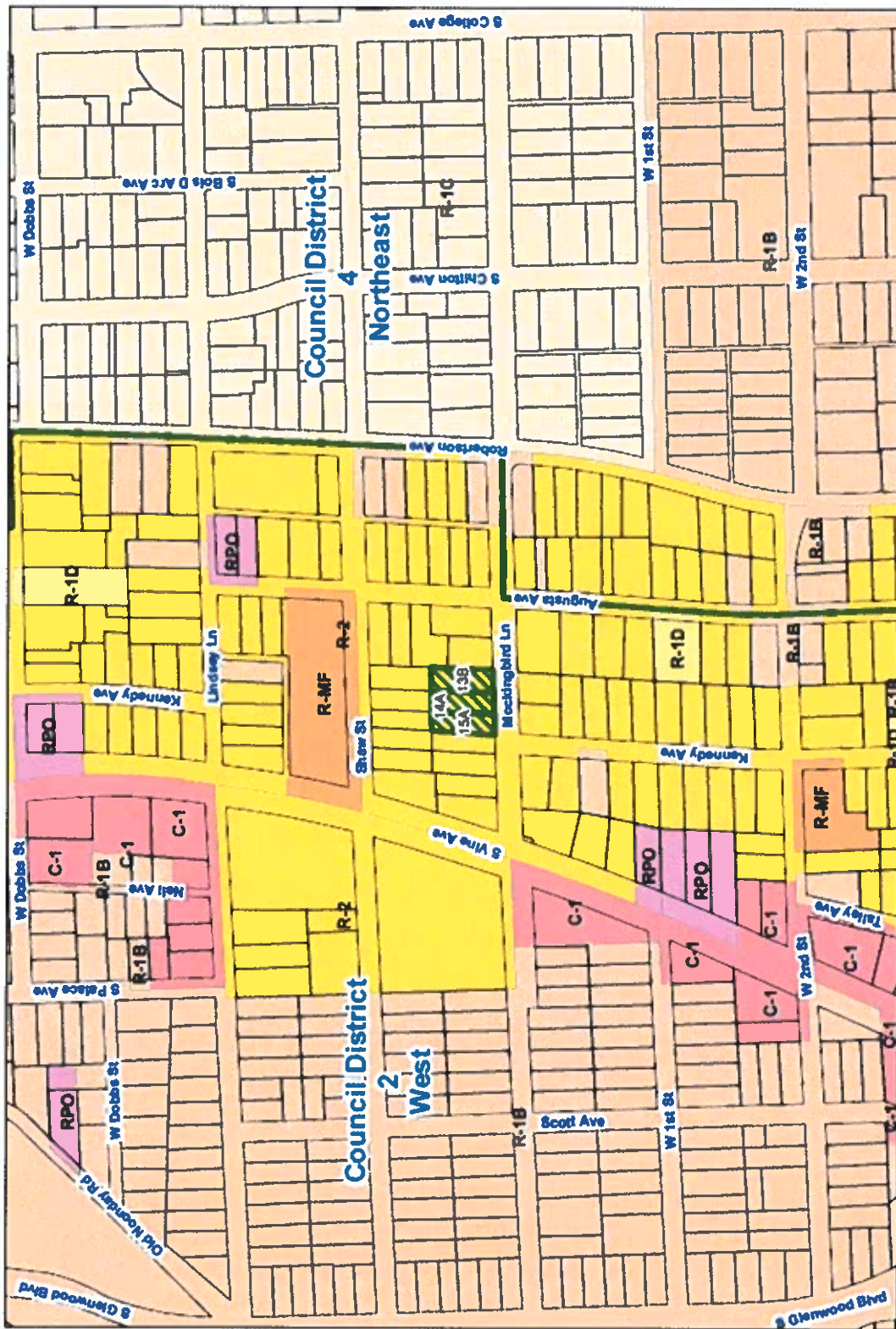


DEBORAH G. PULLUM,
CITY ATTORNEY

ORDINANCE NO. O-2019-25
EXHIBIT "A"
SITE PLAN



**ORDINANCE NO. O-2019-25
EXHIBIT "B"
LOCATION MAP**



ZONING CASE
Zoning Case #: S19-001
Special Use Permit
Applicant: Renfro Victoria Y

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

300 0 300 Feet

Suspect Property
200' Notification Buffer
Project Lots



ZONING CASE
Zoning Case #: S19-001
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11A	MARTIN W F & JOYCE A
11B	REINOLD VICTORIA Y
11A	REINOLD VICTORIA Y
11A	REINOLD VICTORIA Y
11A	BAKER JAMES LEAPHON
11A	BAKER JAMES LEAPHON
11B	BOHANNON GABRIEL & MA RUTH
11B	BOHANNON GABRIEL & MA RUTH
1A	HERRELL ANDREW J & HEIDI KRA
2A	AUGUSTA PROPERTIES LLC
2A	HERRELL ANDREW J & HEIDI KRA
3A	MARCOO WERBA TO & EVA
4A	MARCOO WERBA TO & EVA
5A	MARTINEZ SANDRO J
6A	SALES MILLER ESTATE & BETHA
7A	GONZALEZ OSCAR & ATURDO GONZALEZ
8A	CLAYTON JAMES E
9A	CARTER ROY ELDEN
7	SMITH WAYNE
8	SMITH WAYNE
9	FAIRLEY WAY BAPTIST CHURCH
11B	AUGUSTA PROPERTIES LLC
11A	GWIST PROPERTIES LLC
11A	PACHANT MADALYN MAN CHANDRA KUMAR
11B	PACHANT MADALYN MAN CHANDRA KUMAR
2	COTTON ALTON
1A	MARTIN SAMUEL EARLE B
3A	JONES ALBERT JR & JANE M
11B	HIGBATH STEVEN ELEN