

ORDINANCE NO. O-2009-108

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 “RPO”, RESTRICTED PROFESSIONAL OFFICE DISTRICT, LOCATED ON LOTS 2, 3A, AND 4A OF NCB 1474A, FROM “R-1D” SINGLE-FAMILY DETACHED AND ATTACHED RESIDENTIAL DISTRICT TO “RPO”, RESTRICTED PROFESSIONAL OFFICE DISTRICT, LOCATED ON LOTS 1, 2, AND 3A OF NCB 1474C, AND FROM “C-1” LIGHT COMMERCIAL DISTRICT TO “RPO”, RESTRICTED PROFESSIONAL OFFICE DISTRICT, LOCATED ON LOT 4 OF NCB 1474B, SEVEN LOTS TOTALING APPROXIMATELY 29.29 ACRES LOCATED AT THE PLATTED INTERSECTION OF RIECK ROAD AND EAGLES NEST BOULEVARD (5836, 5866, 5950, 5961 EAGLES NEST BOULEVARD AND 1621, 1721, 1821 EAST RIECK ROAD); DIRECTING THE AMENDMENT OF THE ZONING MAP; AMENDING THE FUTURE LAND USE GUIDE; PROVIDING A SEVERABILITY CLAUSE; 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 Z10-09-059

That the following described property, which has heretofore been zoned “R-MF”, Multi-Family Residential District, “R-1D” Single-Family Detached and Attached Residential District, and “C-1”, Light Commercial District, shall hereafter bear the zoning classification of “RPO”, Restricted Professional Office District, to wit:

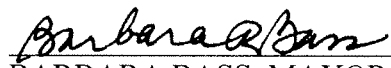
Lots 2, 3A, and 4A of NCB 1474A, Lot 4 of NCB 1474B, and Lots 1, 2, and 3A of NCB 1474C, seven lots totaling approximately seven lots totaling approximately 29.29 acres located at the platted intersection of Rieck Road and Eagles Nest Boulevard (5836, 5866, 5950, 5961 Eagles Nest Boulevard and 1621, 1721, 1821 E Rieck Road).

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 that the Future Land Use Guide be revised to reflect Office for Lots 2, 3A, and 4A of NCB 1474A and Lot 4 of NCB 1474B.

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 this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 28th day of October, A.D., 2009.

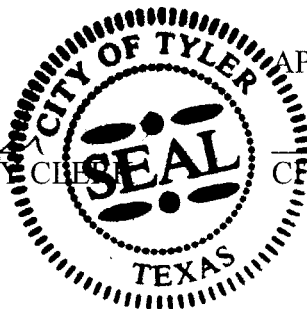


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



MARY C. SANDERS
CITY ATTORNEY