

ORDINANCE NO. O-2010-9

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 "AG", AGRICULTURAL DISTRICT TO "R-1A", SINGLE-FAMILY RESIDENTIAL DISTRICT ON A 0.5 ACRE PORTION OF LOT 3 OF NCB 1118, ONE LOT TOTALING APPROXIMATELY 4.99 ACRES LOCATED EAST OF THE SOUTHEAST INTERSECTION OF MANDY LANE AND ROY ROAD (2316 ROY ROAD); DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 Z01-10-011

That the following described property, which has heretofore been zoned "AG", Agricultural District, shall hereafter bear the zoning classification of "R-1A", Single-Family Residential District, to wit:

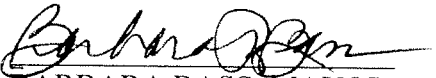
A 0.5 acre portion of Lot 3 of NCB 1118, one lot totaling approximately 4.99 acres located east of the southeast intersection of Mandy Lane and Roy Road (2316 Roy Road), as described in a metes and bounds description as shown in Exhibit "A".

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.

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.

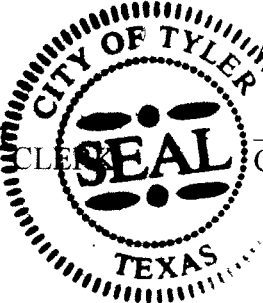
PART 4: That this ordinance shall be effective on and after its date of passage and approval by the City Council.

PASSED AND APPROVED this the 27th day of January, A.D., 2010.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. SANDERS
CITY ATTORNEY

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EXHIBIT "A"

Metes and Bounds Description
0.500 Acre Tract

All that certain tract or parcel of land situated in the Isaac Hill Survey, Abstract 474, Smith County, Texas, being out of and a part of Lot 3, New City Block 1118, of the Hutchins Addition, in the City of Tyler, according to the Final Plat thereof recorded in Cabinet 'D', Slide 107-B, of the Plat Records of Smith County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found for the northwest corner of said Lot 3, N.C.B. 1118;

THENCE, South 89°46'30" East, a distance of 258.79 feet to a ½" iron rod found for the northeast corner of said Lot 3;

THENCE, South 00°14'01" West, with the east line of said Lot 3, a distance of 84.17 feet to a ½" iron rod set for the southeast corner of the herein described tract:

THENCE, North 88°46'30" West, a distance of 258.79 feet to a ½" iron rod set for the southwest corner of the herein described tract same being in the west line of said Lot 3;

THENCE, North 00°13'52" East, with said west line of said Lot 3, a distance of 84.17 feet to the POINT OF BEGINNING and containing 0.500 acre of land.

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Month of May, 2009. GIVEN UNDER MY HAND AND SEAL this date, 1 December 2009

(Reference is hereby made to the plat of survey, Job No. 09-173. Bearings are based on the east line of Lot 3: South 00°14'01" West).

Robert Matush
Registered Professional Land Surveyor
Texas Registration No. 3683

