

**ORDINANCE NO. O-2008-102**

**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 "C-1" LIGHT COMMERCIAL DISTRICT ON LOT 2D OF NCB 1546E, ONE LOT TOTALING APPROXIMATELY 6.109 ACRES LOCATED ONE LOT WEST OF THE SOUTHWEST INTERSECTION OF BROADWAY AVENUE AND HERITAGE DRIVE; DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 Z08-08-085B**

That the following described property, which has heretofore been zoned "R-MF" Multi-Family Residential District, shall hereafter bear the zoning classification of to "C-1", Light Commercial District, to-wit:

Lot 2D of NCB 1546E, one lot totaling approximately 6.109 acres located one lot west of the southwest intersection of Broadway Avenue and Heritage Drive.

**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 change.

**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 27<sup>th</sup> day of August, A.D., 2008.

*Barbara Bass*

BARBARA BASS, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

*Cassandra Brager*  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

*Mary C Landers*  
MAYOR

