

ORDINANCE NO. O-2014-38

**AN ORDINANCE AMENDING THE CITY OF TYLER ZONING
ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF
TYLER, TEXAS; BY APPROVING A SITE PLAN AMENDMENT ON
LOTS 1A, 8A, 15-30, 31A-34A, AND 35-38 OF NCB 1546G AND A TRACT
OF LAND, 26 LOTS AND A TRACT OF LAND TOTALING
APPROXIMATELY 6.58 ACRES LOCATED NORTH OF THE
NORTHEAST INTERSECTION OF WEST CUMBERLAND ROAD AND
SOUTH BROADWAY AVENUE (7925 SOUTH BROADWAY AVENUE);
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 Z05-14-036

That the existing site development plan is hereby amended by approving the site plan attached hereto as Exhibit "A" on the following described property zoned "PCD", Planned Commercial Development District to wit:

Lots 1A, 8A, 15-30, 31A-34A, and 35-38 of NCB 1546G and a tract of land, 26 lots and a tract of land totaling approximately 6.58 acres located north of the northeast intersection of West Cumberland Road and South Broadway Avenue (7925 South Broadway Avenue) and in accordance with the site plan attached hereto as 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 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 30th, 2014.

PASSED AND APPROVED this the 28th day of May, A.D., 2014.

Martin Heines
MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

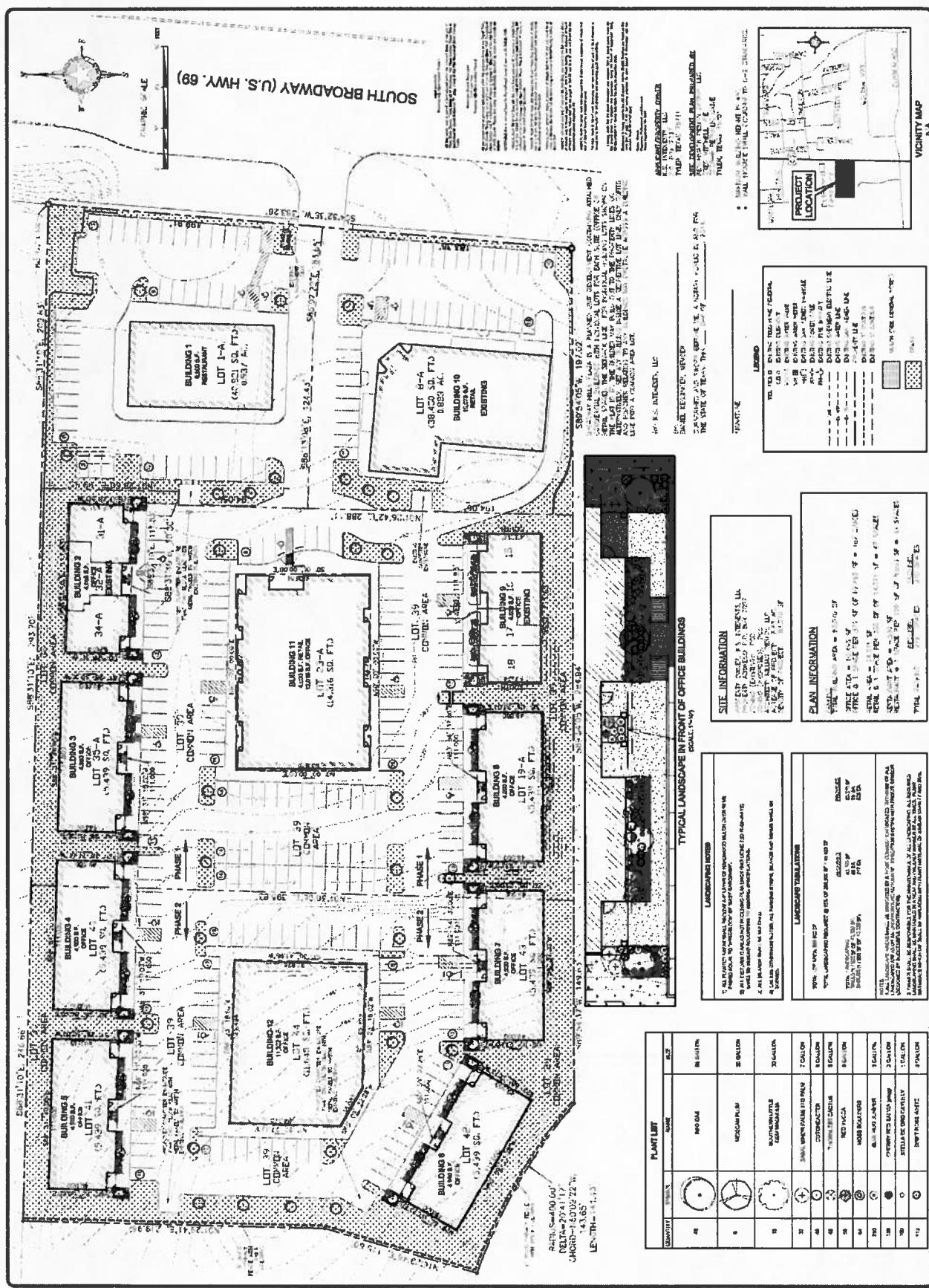
Cassandra Brager
Cassandra Brager, CITY CLERK

APPROVED:

Deborah G. Pullum
DEBORAH G. PULLUM,
CITY ATTORNEY



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