

**ORDINANCE NO. O-2013-59**

**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 "M-1", LIGHT INDUSTRIAL DISTRICT TO "C-2", GENERAL COMMERCIAL DISTRICT ON LOTS 38, 39B, AND 39D OF NCB 900B, THREE LOTS CONTAINING APPROXIMATELY 0.38 ACRES OF LAND LOCATED EAST OF THE NORTHEAST INTERSECTION OF TIMMS STREET AND DAVE STREET (2200, 2209, AND 2213 DAVE STREET); DIRECTING THE AMENDMENT OF THE ZONING MAP; 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 Z07-13-041**

That the following described property, which has heretofore been zoned "M-1", Light Industrial District, shall hereafter bear the zoning classification of "C-2", General Commercial District, to wit:

Lots 38, 39B, and 39D of NCB 900B, three lots totaling approximately 0.38 acres of land located east of the northeast intersection of Timms Street and Dave Street (2200, 2209, and 2213 Dave Street).

**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 24<sup>th</sup> day of July, A.D., 2013.

*Barbara Bass*  
BARBARA BASS, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

*Cassandra Brager*  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

*Deborah G. Pullum*  
DEBORAH G. PULLUM,  
CITY ATTORNEY

