

ORDINANCE NO. O-2011-84

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-1B", SINGLE-FAMILY RESIDENTIAL DISTRICT TO "C-1", LIGHT COMMERCIAL DISTRICT ON A 0.087 ACRE PORTION OF LOT 30A OF NCB 319, LOCATED SOUTH OF THE SOUTHWEST INTERSECTION OF SOUTH VINE AVENUE AND WEST DOBBS STREET (917 SOUTH VINE AVENUE); 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 Z09-11-054

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

A 0.087 acre portion of Lot 30A of NCB 319, located south of the southwest intersection of South Vine Avenue and West Dobbs Street (917 South Vine Avenue) and in accordance with the metes and bounds description 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 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 26th day of October, A.D., 2011.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


GARY C. LANDERS, CITY ATTORNEY

Exhibit "A" to Ordinance 0-2011-84

Legal Description – 0.087 Acres

Proposed Rezoning

Jose M. Saucedo & Anahi E. Hernandez

Tax Lot 33-D, Block 319

City of Tyler, Texas

ALL THAT CERTAIN lot, tract, or parcel of land situated within the A. H. Kipp Survey Abstract 546 and being a part of Tax Lot 33-D, Block 319, City of Tyler, Smith County, Texas, same being a part of a called 0.572 acre tract described in a deed to Jose M. Saucedo and Anahi E. Hernandez, recorded in Document No. 2009-R00060797 in the Deed Records of Smith County, Texas, and being more completely described as follows:

BEGINNING at a 3/8 inch iron rod found for the northeast corner of said Tax Lot 33-D and being in the east line of said 0.572 acre tract, same being the northwest corner of a called 0.228 acre tract (Tax Lot 32) described in a deed to Jose M Saucedo and Anahi E. Hernandez recorded in Document No. 2009-R00060797 in said Deed Records and being the southwest corner of a called 0.342 acre tract (Tax Lot 34) described in a deed to Andrew Herrell recorded in Document No. 2010-R00017532 in said Deed Records;

THENCE South 04 deg. 13 min. 20 sec. West along the east line of said Tax Lot 33-D and the east line of said 0.572 acre tract and the west line of said 0.228 acre tract, a distance of 97.14 feet to a point for corner for the southeast corner of said Tax Lot 33-D and said 0.572 acre tract, same being the southwest corner of said 0.228 acre tract and being in the north line of a called 7,000 square feet tract (Tax Lot 4-A) described in aforementioned Document No. 2009-R00060797;

THENCE North 89 deg. 51 min. 45 sec. West along the south line of said Tax Lot 33-D and said 0.572 acre tract, a distance of 39.96 feet to a 1/2 inch iron rod set for the northwest corner of said 7,000 square feet tract same being the northwest corner of a tract (Tax Lot 29-B) described in a deed to Juan Antonio Carrillo recorded in Volume 6161, Page 110 in said Deed Records;

THENCE North 05 deg. 22 min. 30 sec. East across said Tax Lot 33-D and said 0.572 acre tract, a distance of 97.69 feet to a point for corner in the north line of said Tax Lot 33-D;

THENCE South 89 deg. 16 min. 38 sec. East along said north line, a distance of 37.97 feet to the **PLACE OF BEGINNING** containing 0.087 acres (3,784 square feet) of land.



8/23/11

Monty Nixon

Registered Professional Land Surveyor No. 5542

