



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-7

Date: October 24, 2007

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Subject: APPLICATION Z10-07-103A CITY OF TYLER ON BEHALF OF NUMEROUS CITIZENS – PHASE ONE-F, FOUR- B, FIVE –B AND SIX -A

Request that the City Council consider a request to change the zoning from “R-2” Two-Family Residential District to “R-1B” Single-Family Residential District for the following 11 lots:

Lot 11 of NCB 581 of the Academy Heights Subdivision (1904 West Jackson Street);

Lot 13 of NCB 392 of the Edgefield Addition (717 West Morris Street);

Lots 5, 6, 7, 8, 9, 10, and 11 of NCB 412 of the Boren Subdivision (1441, 1443 and 1448 North Border Avenue);

Lot 13, NCB 538 of the Earle Subdivision (1515 Richards Street) and

Lot 4 of NCB 773C of the Woldert Heights Subdivision (3213 Grant Avenue).

Item Reference:

The City is offering a zoning change to bring the zoning into conformity with the current single family use.

Section 10-210, "R-1B" Single-Family Residential District, allows for the development of single family residential units, churches, public schools, and accessory buildings and uses which are incidental to the above uses, but not involved in the conduct of business. Maximum allowable building height is two and one-half stories or 42 feet in height. Setback requirements are 25 feet in the front and rear and six feet on the side. Minimum lot size is 6,000 square feet.

Generally, the adjacent properties to the north, east, south and west are zoned “R-2” Two-Family Residential District, yet most of the actual structures are single family homes. These 11 lots are part of Phase One, Phase Four, Phase Five and Phase Six of the city wide “R-2” rezoning project. In keeping with the City Council’s directive, no fees were charged.

Once the lots have the appropriate zoning, this rezoning will have a positive impact on the neighborhood by allowing the property owner to rebuild, refinance or remodel their single family home. This process is in keeping with the desired outcome of Tyler 21 – to increase the number of single family homes in North Tyler and to foster redevelopment and reinvestment in the North Tyler neighborhoods.

The Future Land Use Map designates this site as Low Density Residential and the request for “R-1B” Single Family Residential District is consistent with that land use designation.

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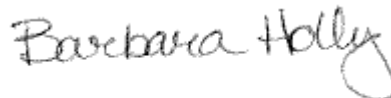
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Of the 86 notices mailed, one notice was returned in favor of and none in opposition to the request.

All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from “R-2” Two-Family Residential District to “R-1B” Single-Family Residential District.

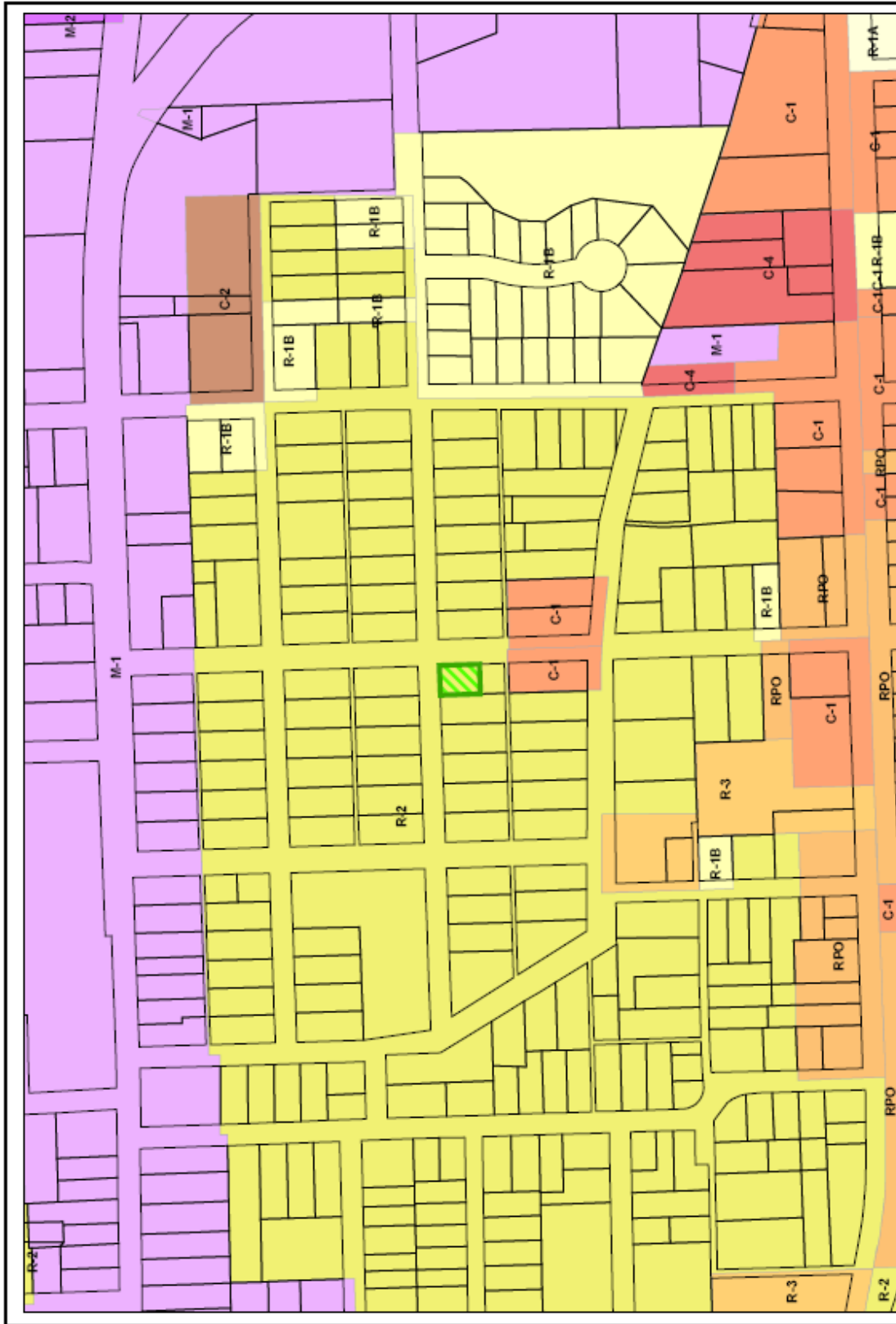
A handwritten signature in cursive script that reads "Barbara Holly".

Drafted/Recommended By: Barbara Holly

Department Leader

Edited/Submitted By:

City Manager



200 0 200 Feet

ZONING CASE

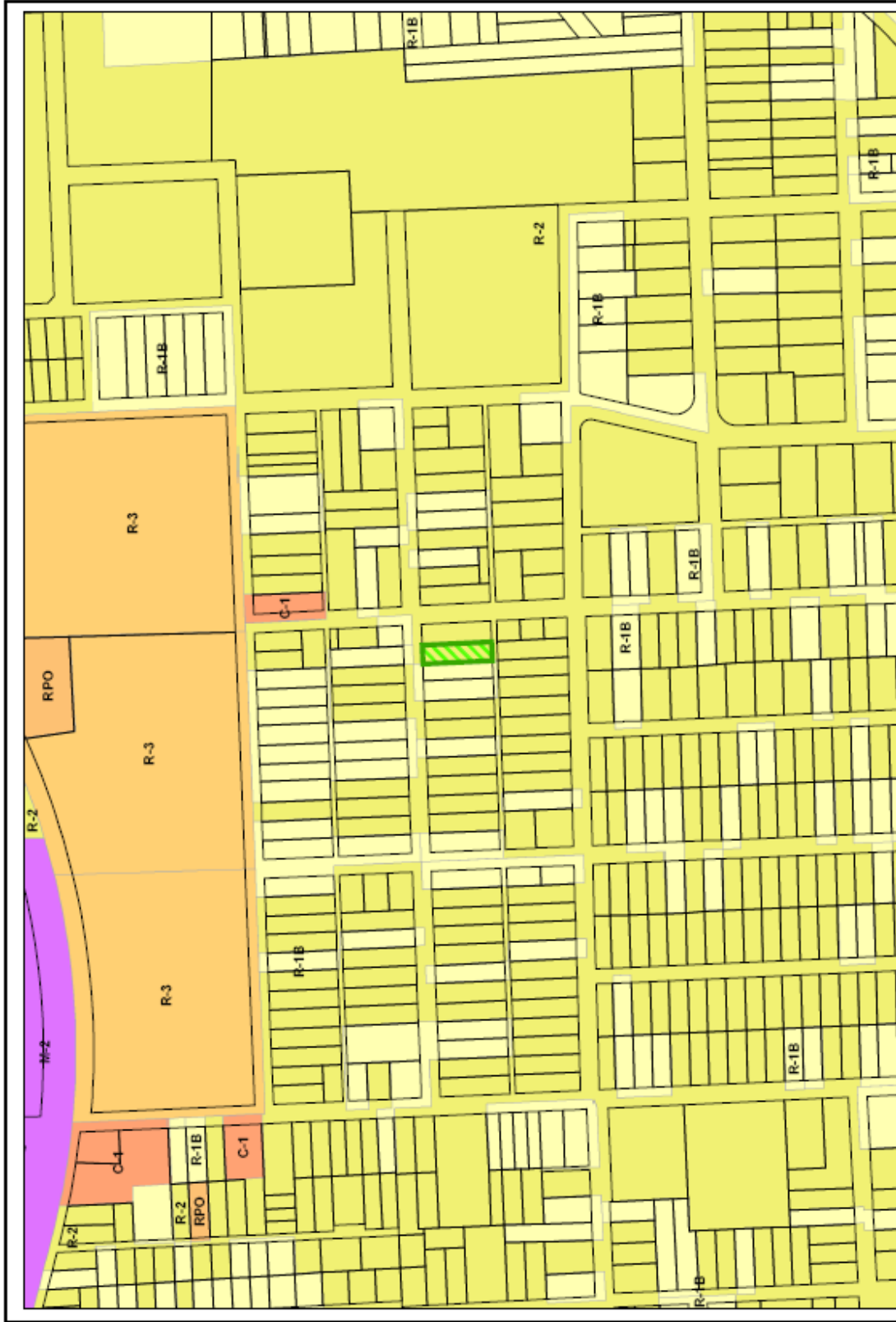
Zoning Cases #: Z10-07-103A

Existing Zoning: R-2 Proposed Zoning: R-1B

Applicant: CITY OF TYLER ON BEHALF OF NUMEROUS CITIZENS



Subject Property



0 200 Feet

ZONING CASE

Zoning Cases #: Z10-07-103A

Existing Zoning: R-2 Proposed Zoning: R-1B

Applicant: CITY OF TYLER ON BEHALF OF NUMEROUS CITIZENS



Subject Property

ORDINANCE NO. O-2007-118

AN ORDINANCE AMENDING THE CITY OF TYLER ZONING ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; DIRECTING THE AMENDMENT OF THE ZONING MAP; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING 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 changes 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 Z10-07-103A

That the following described properties, which have heretofore been zoned “R-2” Two-Family Residential District, shall hereafter bear the zoning classification of “R-1B” Single-Family Residential District, to-wit:

Lot 11 of NCB 581 of the Academy Heights Subdivision (1904 West Jackson Street);
Lot 13 of NCB 392 of the Edgefield Addition (717 West Morris Street);
Lots 5, 6, 7, 8, 9, 10, and 11 of NCB 412 of the Boren Subdivision (1441, 1443 and 1448 North Border Avenue);
Lot 13, NCB 538 of the Earle Subdivision (1515 Richards Street) and
Lot 4 of NCB 773C of the Woldert Heights Subdivision (3213 Grant Avenue).

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 changes.

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 24th day of October, A.D., 2007.

JOSEPH O. SEEBER, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:

CASSANDRA BRAGER, CITY CLERK

CITY ATTORNEY