



CITY OF TYLER COUNCIL COMMUNICATION

Agenda Number: Z-1

Date: November 28, 2007

Subject: **APPLICATION Z10-07-104A DENNIS WALKER**
Request that the City Council consider a request to change the zoning from "M-1" Light Industrial District to "R-1B" Single Family Residential District on Lot 12 of NCB 40 of the George Adams Subdivision, one lot totaling approximately 4,000 square feet located at the southeast intersection of Adams Avenue and Elm Street (200 Adams Avenue).

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Item Reference:

The applicant is requesting a zoning change to allow for the construction of a single family home.

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.

Adjacent properties to the north, west, and south are currently zoned "M-1" Light Industrial District and properties to the east are zoned "R-4" Multi-Family Residential District. The adjoining lands to the north, east, and west are primarily developed with single-family homes and property to the west is currently developed as industrial.

On October 15, 2007, the Board of Adjustment unanimously approved variances for a minimum front yard setback of 18 feet, a minimum rear yard setback of 8.7 feet, and a minimum lot area of 4,290 square feet.

The recently adopted Tyler 21 Future Land Use Guide designates this area as mixed use, and upon inspection of the property, it appears that the neighborhood is developed mostly as single-family housing. The continuing development of single-family structures will enhance the beautification and reinvestment of this area, and will have a positive impact on the area.

On November 6, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 27 notices mailed, two notices were returned in favor and no notices were returned in opposition to the request. No one appeared on behalf of the application. No one spoke in opposition to the request.

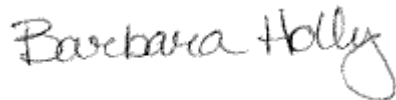
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All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

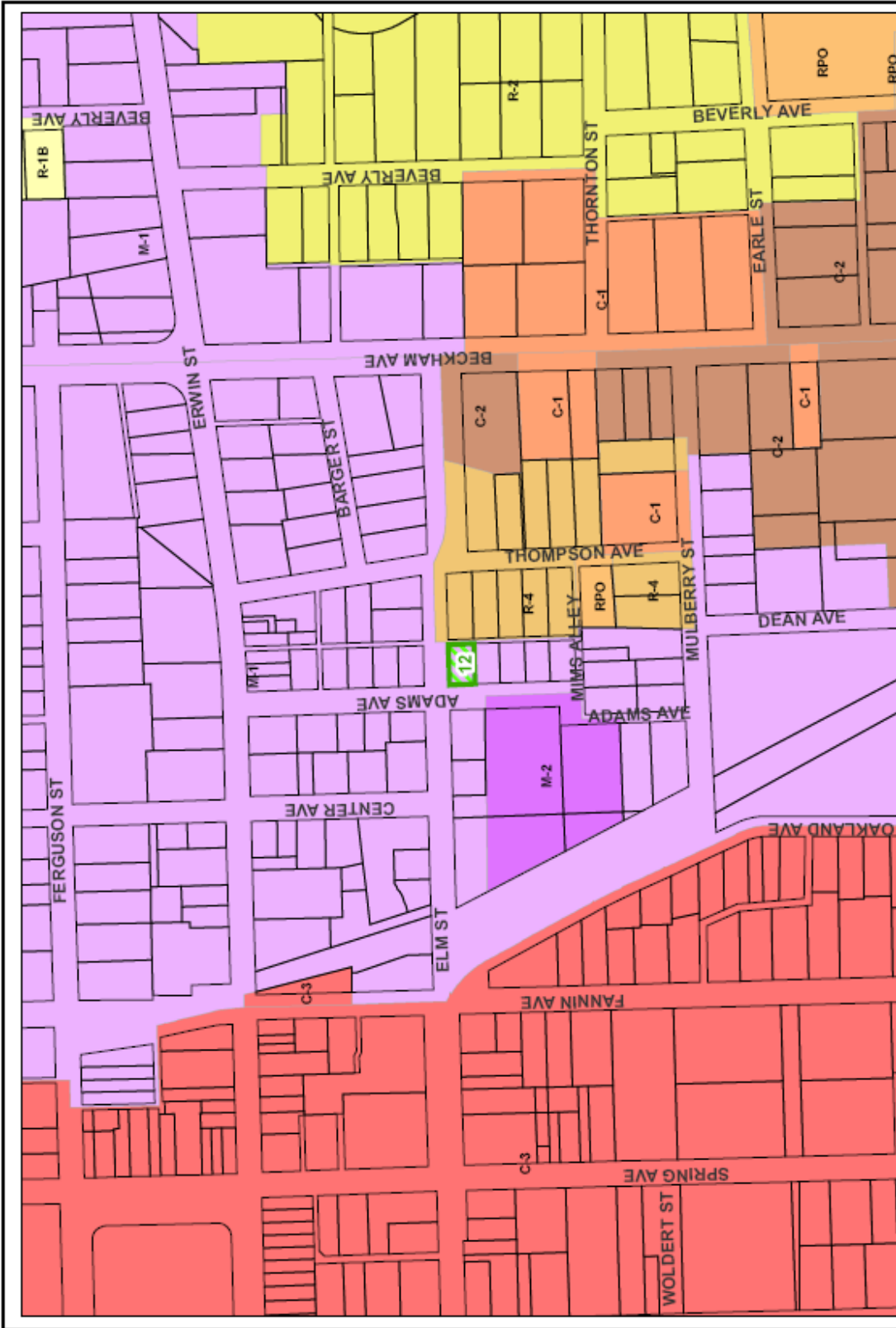
RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “M-1” Light Industrial 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 #: Z10-07-104A
 Existing Zoning: M-1 Proposed Zoning: R-1B
 Applicant: DENNIS WALKER



Subject Property





ZONING CASE
 Zoning Cases #: Z10-07-104A
 Existing Zoning: M-1 Proposed Zoning: R-1B
 Applicant: DENNIS WALKER



ORDINANCE NO. O-2007-132

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 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 Z10-07-104A

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

Lot 12 of NCB 40 of the George Adams Subdivision, one lot totaling approximately 4,000 square feet located at the southeast intersection of Adams Avenue and Elm Street (200 Adams 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 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 28th day of November, 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