



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-2**

**Date: November 28, 2007**

**Page: 1 of 2**

**Subject: APPLICATION Z10-07-105A STEVE AND DIANNA GREEN  
Request that the City Council consider a request to change the zoning from “R-4” Multi-Family Residential District to “R-1B” Single-Family Residential District on Lot 22 of NCB 87 in the Tubbs Subdivision; one lot totaling approximately 3,175 square feet located one lot west of the northwest intersection of Bryan Street and South College Avenue (221 Bryan Street).**

The applicant is requesting 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.

The adjacent properties to the north, south and east are zoned “R-4” Multi-Family Residential, to the west is “RPO”; however, the actual uses in the area are either converted single family houses that are being used for multi-family purposes, duplexes or single family homes.

The property owner was in the process of selling his property when the potential buyer’s lender would not finance the sale because the zoning was not consistent with the current use. When Staff reviewed the application it was discovered that the lot did not meet the minimum lot area requirements for the single family residential zoning district, so the applicant requested and received a variance to allow for a lot size of 3,175 square feet.

The recently adopted Future Land Use Guide designates this site as single family medium/low density. This request is consistent with that designation. Of the 17 notices mailed, no notices were returned in favor of or in opposition to the request. At the November 6, 2007, Planning and Zoning meeting, the applicant was present to answer any questions. No other persons were present to speak.

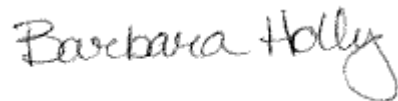
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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**RECOMMENDATION:**

The Planning and Zoning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “R-4” Multi-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**





**ZONING CASE**  
 Zoning Cases #: Z10-07-105A  
 Existing Zoning: R-4 Proposed Zoning: R-1B  
 Applicant: STEVE & DIANNA GREEN



**ORDINANCE NO. O-2007-133**

**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 Z09-07-099B**

That the following described property, which has heretofore been zoned “R-4” Multi-Family Residential District, shall hereafter bear the zoning classification of “R-1B” Single-Family Residential District, to-wit:

Lot 22 of NCB 87 in the Tubbs Subdivision; one lot totaling approximately 3,175 square feet located one lot west of the northwest intersection of Bryan Street and South College Avenue (221 Bryan 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 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 28<sup>th</sup> day of November, A.D., 2007.

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

A T T E S T:

APPROVED:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY