



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-8

Date: November 28, 2007

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**Subject: APPLICATION Z11-07-010B CITY OF TYLER ON BEHALF OF
NUMEROUS CITIZENS – PHASE FIVE**

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 32 lots generally bounded by West 34th Street to the north, Bois d ‘Arc Avenue to the east, Martin Luther King Boulevard to the south and North Confederate to the west:

**Lot 212, NCB 759 of the College Park Subdivision (2810 Carter Avenue);
Lots 186, 192 and 194, NCB 761 of the College Park Subdivision (2812
and 2823 Carter Boulevard and 2819 Carter Avenue);**

**Lots 13 and 18, NCB 764 of the Texas College Subdivision (3216 Carter
Boulevard and West 33rd Street);**

**Lots 2A, 4A, 5 and 7, NCB 501Q of the Woldert Heights Subdivision
(2705, 2707 and 2715 North Glass Street and 603 West 28th Street);**

**Lot 3, NCB 500H of the Valley View Subdivision (510 West 29th Street);
Lot 1, NCB 501N of the Woldert Heights 4th Subdivision (812 West 28th
Street);**

**Lot 7, NCB 683 of the Woldert Heights 3rd Subdivision (818 West 28th
Street);**

**Lots 58, 61 and 71, NCB 767 of the College Park Subdivision (1103 West
32nd Street and 3100 and 3108 North Grand Avenue);**

**Lot 107, NCB 763 of the College Park Subdivision (1215 West 32nd
Street);**

**Lot 4, NCB 500G of the Valley View Subdivision (2915 North Border
Avenue);**

**Lots 9 and 10 NCB 501P of the Woldert Heights 3rd Subdivision (2610
and 2616 North Border Avenue);**

**Lot 7, NCB 501U of the Woldert Heights 3rd Subdivision (2816 North
Border Avenue);**

**Lot 6A, NCB 500F of the City of Tyler Subdivision (2919 North Border
Avenue);**

**Lots 24 and 28, NCB 501T of the Woldert Heights Subdivision (2912 and
3004 North Glass Street);**

**Lots 1 and 2, NCB 483 of the Rowlands Subdivision (2119 and 2123
North Glass Street);**

**Lot 2A, NCB 501B of the Woldert Heights Subdivision (2209 North
Grand Avenue);**

Lot 1, NCB 684 of the Woldert Heights 3rd Subdivision (2801 North

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**Grand Avenue);
Lot 1, NCB 771 of the Woldert Heights 3rd Subdivision (2805 North
Grand Avenue);
Lot 10, NCB 500J of the Valley View Subdivision (2801 North Whitten
Avenue) and
Lots 14B and 15B, NCB 501S of the Woldert Heights 4th Subdivision
(2710 and 2714 North Tenneha 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. This property is generally bounded by West 34th Street to the north, Bois d 'Arc Avenue to the east, Martin Luther King Boulevard to the south and North Confederate to the west.

These 32 lots are part of Phase Five 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 his 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 newly adopted Tyler 21 Future Land Use Guide designates this site as Single Family Medium/Low Density and the request for "R-1B" Single Family Residential District is consistent with that land use designation.

Of the 401 notices mailed, nine notices were returned in favor of request and three notices of opposition were received of opposition to this request. At the November 20, 2007, Planning and Zoning Meeting, no one was present to speak in favor of or against the application.

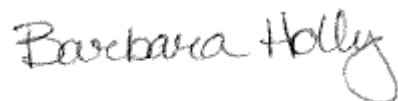
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 5-0, recommends approval of the request to change the zoning from “R-2” Two-Family Residential District to “R-1B” Single-Family Residential District.

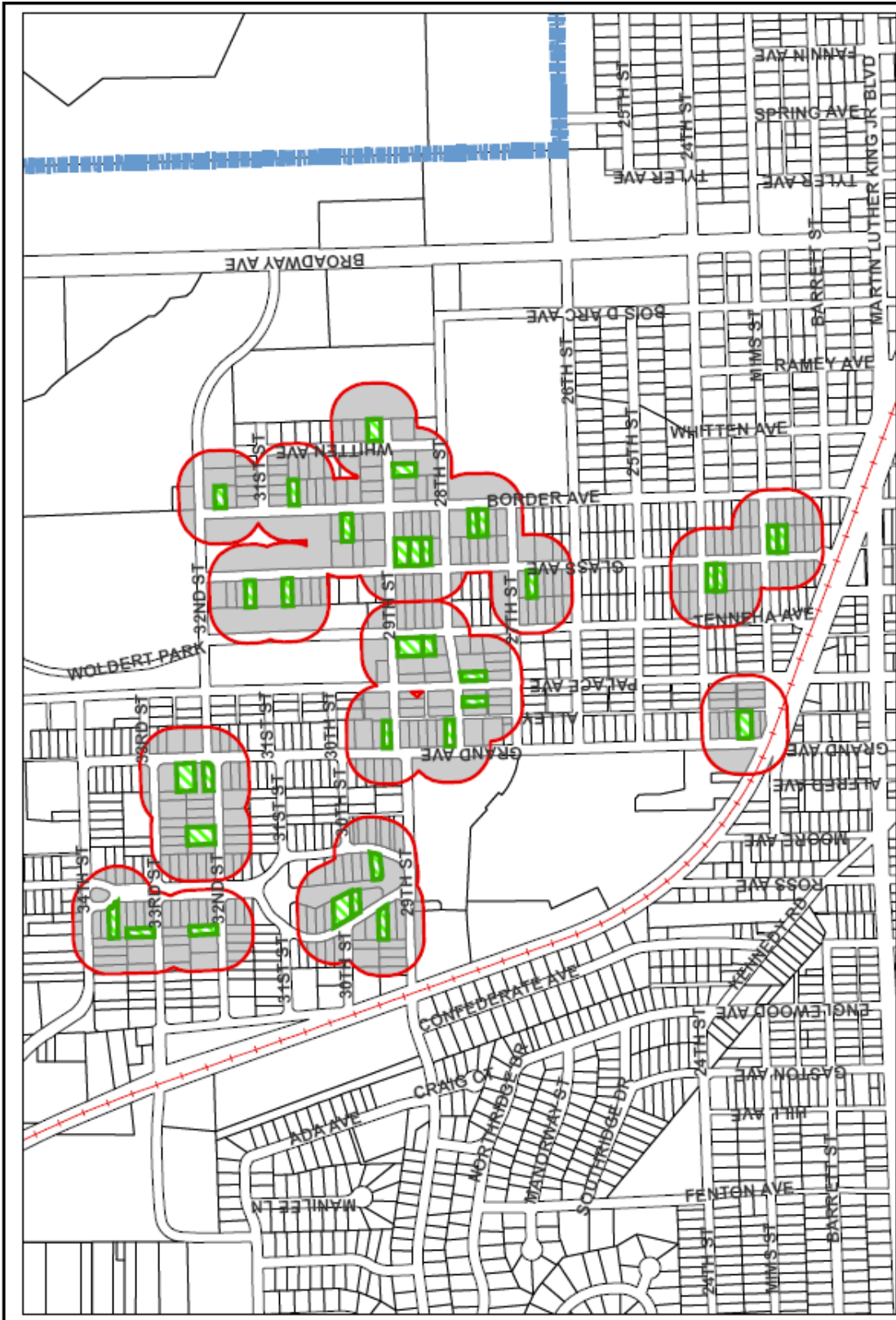
A handwritten signature in cursive script that reads "Barbara Holly". The signature is written in black ink and is positioned in the lower-middle section of the page.

Drafted/Recommended By: Barbara Holly

Department Leader

Edited/Submitted By:

City Manager



ZONING CASE
 Zoning Case #: Z11-07-010B
 Existing Zoning: R-2 Proposed Zoning: R-1B
 Applicant: CITY OF TYLER - PHASE 5



ORDINANCE NO. O-2007-139

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 changes are hereby approved as follows:

I. APPLICATION Z11-07-010B

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 212, NCB 759 of the College Park Subdivision (2810 Carter Avenue);
Lots 186, 192 and 194, NCB 761 of the College Park Subdivision (2812 and 2823 Carter Boulevard and 2819 Carter Avenue);
Lots 13 and 18, NCB 764 of the Texas College Subdivision (3216 Carter Boulevard and West 33rd Street);
Lots 2A, 4A, 5 and 7, NCB 501Q of the Woldert Heights Subdivision (2705, 2707 and 2715 North Glass Street and 603 West 28th Street);
Lot 3, NCB 500H of the Valley View Subdivision (510 West 29th Street);
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Lots 9 and 10 NCB 501P of the Woldert Heights 3rd Subdivision (2610 and 2616 North Border Avenue);
Lot 7, NCB 501U of the Woldert Heights 3rd Subdivision (2816 North Border Avenue);
Lot 6A, NCB 500F of the City of Tyler Subdivision (2919 North Border Avenue);
Lots 24 and 28, NCB 501T of the Woldert Heights Subdivision (2912 and 3004 North Glass Street);
Lots 1 and 2, NCB 483 of the Rowlands Subdivision (2119 and 2123 North Glass Street);
Lot 2A, NCB 501B of the Woldert Heights Subdivision (2209 North Grand Avenue);
Lot 1, NCB 684 of the Woldert Heights 3rd Subdivision (2801 North Grand Avenue);
Lot 1, NCB 771 of the Woldert Heights 3rd Subdivision (2805 North Grand Avenue);
Lot 10, NCB 500J of the Valley View Subdivision (2801 North Whitten Avenue) and

Lots 14B and 15B, NCB 501S of the Woldert Heights 4th Subdivision (2710 and 2714 North Tenneha 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 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