



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-2

Date: March 28, 2007

Subject: **APPLICATION Z02-07-013B DYNAMIC PROPERTIES**
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 on Lots 56A, 56B, and 999 of NCB 665B of the J.P. Broughton Addition (Volume 350, Page 235 D.R.S.C.T.), three lots totaling approximately .215 acres located on the northwest corner of the intersection of Grove Street and Confederate Avenue, on the north side of the Grove Street (641 S. Confederate Avenue and 1311 Grove Street).

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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 (2 1/2) stories or forty-two (42) feet in height. Setback requirements are twenty-five (25) feet in the front and rear and six (6) feet on the side. Minimum lot size is 6,000 square feet.

Surrounding property is currently zoned “R-2” Two-Family Residential District (Duplex).

The “R-2” Two-Family Residential District in the area was approved when Tyler had a cumulative zoning policy. This policy allowed single-family residences in more intensive districts such as “R-2” Two-Family Residential District. The continuing development of single-family structures will only enhance the beautification and reinvestment of the area. This request is consistent with the development pattern in the area and will have a positive impact on the area.

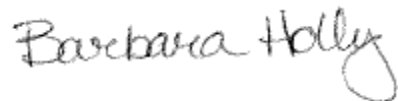
Of the 25 notices mailed, no notices were returned in favor and one notice was returned in opposition to the request. The total amount of protest is less than one percent.

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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-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



0 20 Feet

ZONING CASE

Zoning Cases #: Z02-07-013B

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

Applicant: DYNAMIC PROPERTIES, LTD. & JULIA BRYANT



Protest Lots



Subject Property



ORDINANCE NO. O-2007-27

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 Z02-07-013B

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

Lots 56A, 56B, and 999 of NCB 665B of the J.P. Broughton Addition (Volume 350, Page 235 D.R.S.C.T.), part of the A.G. Barrett Survey, A-146 Smith County, Texas, three lots totaling approximately .215 acres located on the northwest corner of the intersection of Grove Street and Confederate Avenue, on the north side of the Grove Street (641 S. Confederate Avenue and 1311 Grove 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 28th day of March, 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