



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-7

Date: July 25, 2007

Subject: **APPLICATION Z07-07-071A TYLER CHURCH OF GOD**
Request that the City Council consider a request to change the zoning from “R-1A” Single Family Residential District to “RPO” Restricted Professional Office District on Lot 1 of NCB 1549 of the City of Tyler Subdivision, as recorded in Book 4769, Page 277 of the Deed Records of Smith County, Texas, one lot totaling approximately 2.204 acres located one lot south of the intersection of New Copeland Rd. and Chadwick Place, on the east side of New Copeland Road (6094 New Copeland Road).

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Item Reference:

The applicant is requesting a zoning change to bring the zoning into conformity with the surrounding properties.

Section 10-222, "RPO" Restricted Professional and Office District, is intended to permit the use and grouping of small professional offices and related facilities with limited non-residential use in areas near or adjoining residential districts without introducing non-related commercial uses. Uses permitted within this district include clinics or offices, personal service facilities, such as, barber and beauty shops, small antique shops and other uses of similar character. The Height and Area regulations within the "RPO" District are consistent with the regulations of the "R-1B" Single-Family Residential District.

The adjacent properties to the north are zoned “PUR” Planned Unit Residential District and “RPO” Restricted Professional and Office District; adjacent property to the east is zoned “PUR” Planned Unit Residential District; property to the south is zoned “RPO” Restricted Professional and Office District, and property to the west is zoned “R-1A” Single Family Residential District. This request is consistent with the future land use map that designates this area as Office.

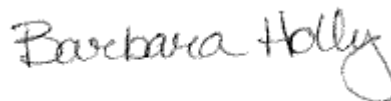
On July 3, 2007, the Planning and Zoning Commission held a public hearing on this request. Of the 11 notices mailed, one notice was returned in favor of the application and two were returned in opposition to the request comprising 14.38 percent protest.

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RECOMMENDATION:

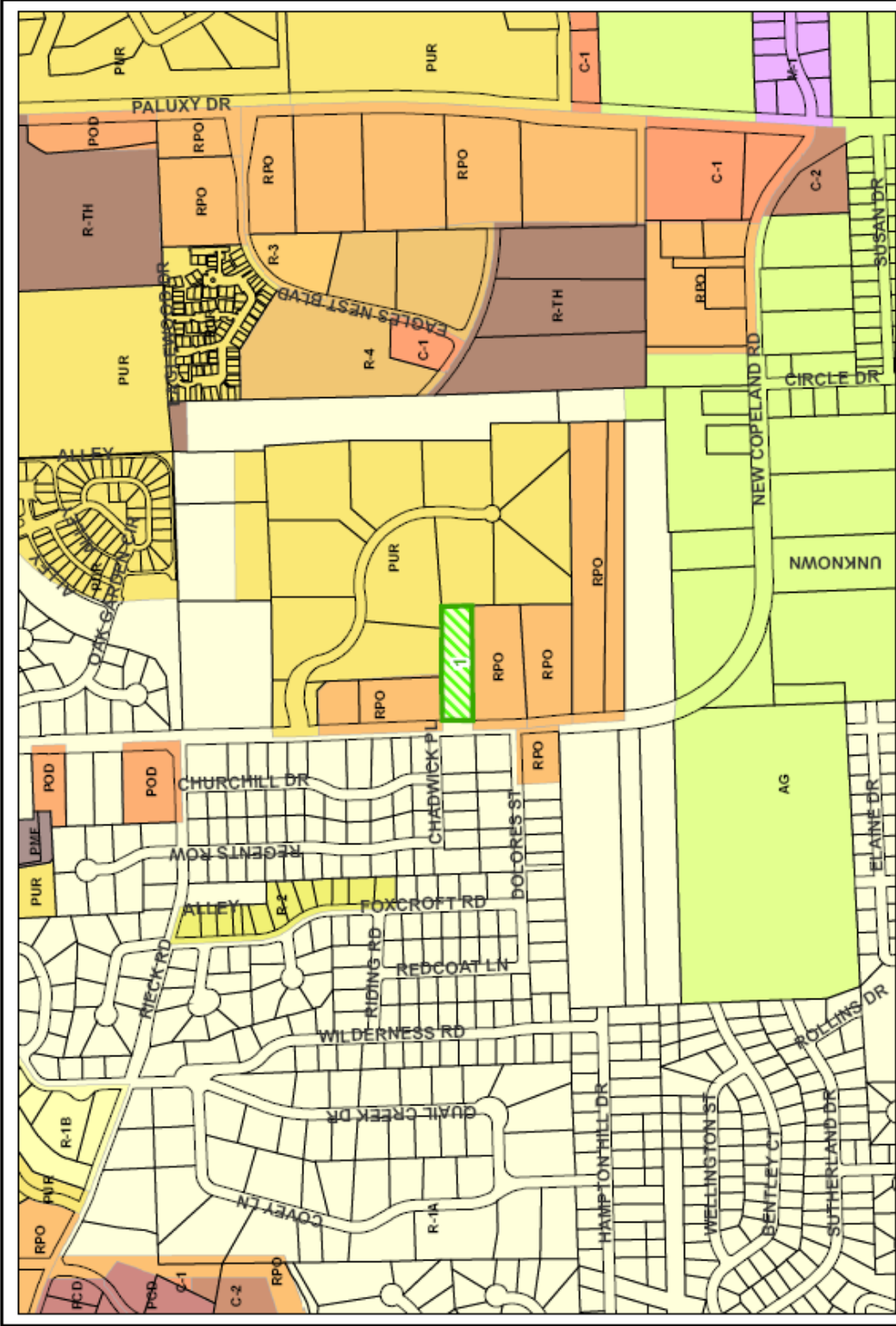
The Planning Commission, by a vote of 5-0-1, recommends approval of the request to change the zoning from “R-1A” Single-Family Residential District to “RPO” Restricted Professional Office District.

A handwritten signature in black ink that reads "Barbara Holly". The signature is written in a cursive style with a large, looping 'y' at the end.

Drafted/Recommended By:
Department Leader

Barbara Holly
Director of Planning

Edited/Submitted By:
City Manager



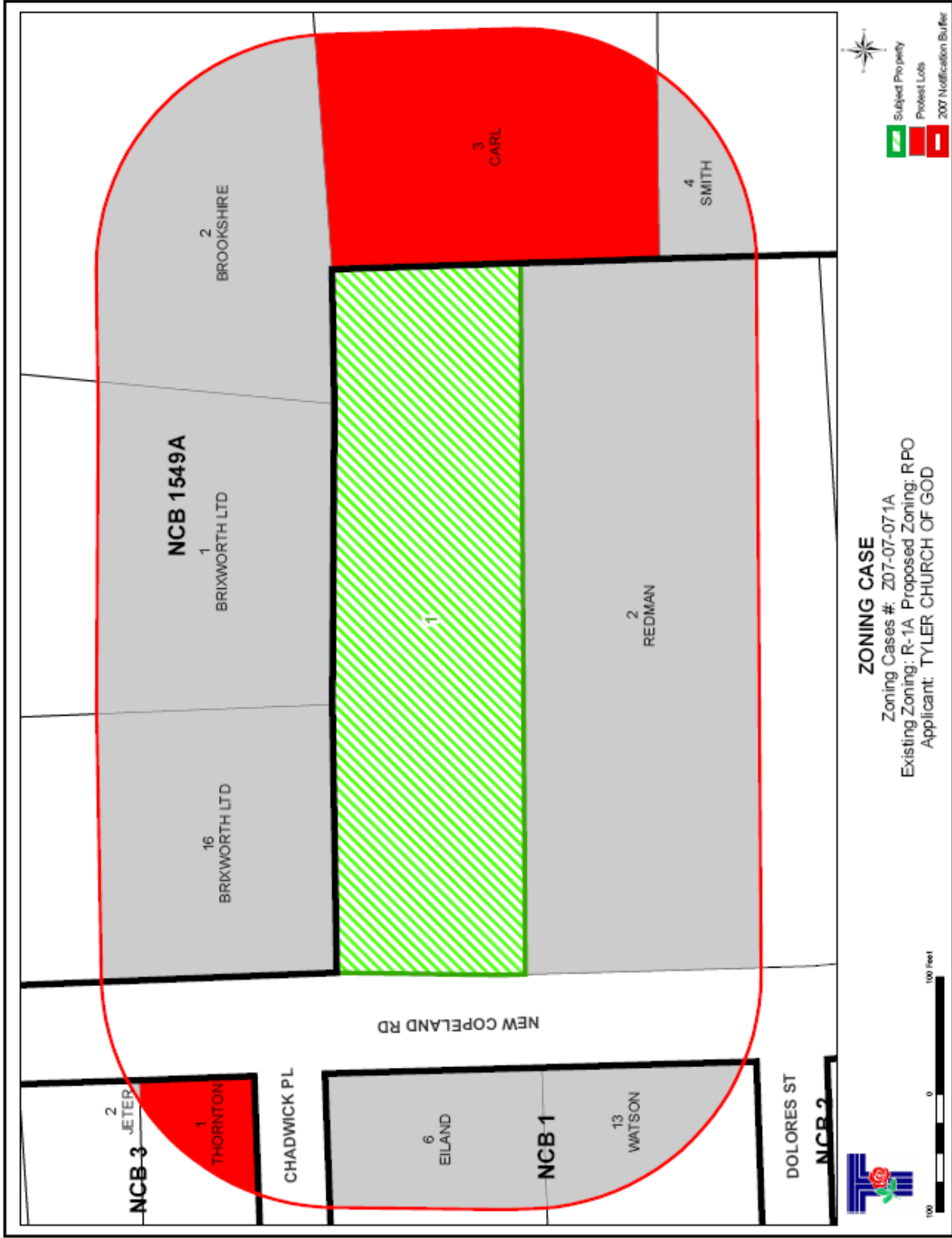
Subject Property



ZONING CASE

Zoning Cases #: Z07-07-071A
 Existing Zoning: R-1A Proposed Zoning: RPO
 Applicant: TYLER CHURCH OF GOD





 Subject Property
 Protest Lots
 200' Notification Buffer

ZONING CASE
 Zoning Cases #: Z07-07-071A
 Existing Zoning: R-1A Proposed Zoning: RPO
 Applicant: TYLER CHURCH OF GOD



2
 BROOKSHIRE

1
 BRIXWORTH LTD
NCB 1549A

16
 BRIXWORTH LTD

3
 CARL

4
 SMITH

1

2
 REDMAN

NEW COPELAND RD

2
 JETER
NCB 3

1
 THORNTON

CHADWICK PL

6
 EILAND

NCB 1

13
 WATSON

DOLORES ST

NCB 2

ORDINANCE NO. O-2007-83

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 Z07-07-071A

That the following described property, which has heretofore been zoned "R-1A" Single-Family Residential District, shall hereafter bear the zoning classification of "RPO" Restricted Professional Office District to-wit:

Lot 1 of NCB 1549 of the City of Tyler Subdivision, as recorded in Book 4769, Page 277 of the Deed Records of Smith County, Texas, one lot totaling approximately 2.204 acres located one lot south of the intersection of New Copeland Rd. and Chadwick Place, on the east side of New Copeland Road (6094 New Copeland Road).

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 25th day of July, 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