



## CITY OF TYLER COUNCIL COMMUNICATION

**Agenda Number:** Z-7

**Date:** August 22, 2007

**Subject:** APPLICATION Z08-07-085A W. SHERRILL LITTLE  
Request that the City Council consider changing the zoning from “R-1A” Single Family Residential District to “RPO” Restricted Professional Office District on Lot 13 of NCB 1013-N of the Robert E. Lee Subdivision, one lot totaling approximately 0.43 acres located two lots east of the northeast intersection of South Broadway Avenue and Robert E. Lee Drive (202 Robert E. Lee).

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**Item Reference:**

The applicant is requesting a zoning change to allow for the development of an office building.

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 property to the north is zoned “R-1A” Single Family Residential District; adjacent property to the west is zoned “RPO” Restricted Professional and Office District, and properties to the south and east are zoned “R-1A” Single Family Residential District. The adjoining lands to the south and west are primarily developed as business uses, with an office immediately adjoining to the west. To the east and southeast, the area transitions to homes.

This request is consistent with the development pattern in the area and the rezoning of the property will be a continuation of the existing office zoning to the west. If approved, this would establish an office land use.

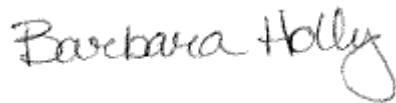
Of the 17 notices mailed, one notice was returned in favor of the application and one returned in opposition to the request totaling 1.5 percent written protest citing concerns of commercial encroachment into an established neighborhood. The applicant’s representative stated that the existing home will remain and will be marketed as an office.

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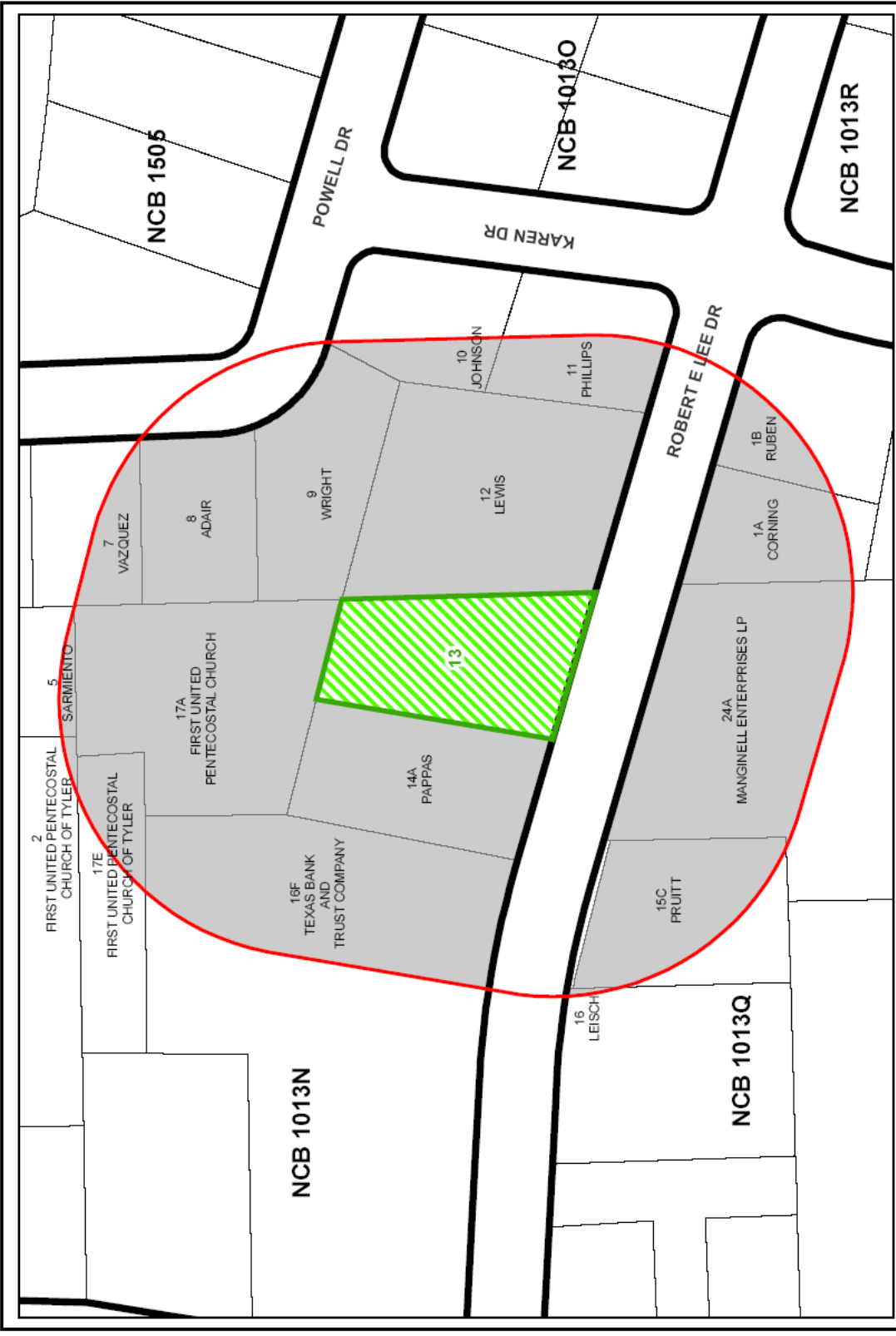
**RECOMMENDATION:**

The Planning Commission, by a 7-0 vote, 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 cursive script that reads "Barbara Holly".

**Drafted/Recommended By: Barbara Holly**  
**Department Leader**

**Edited/Submitted By:**  
**City Manager**



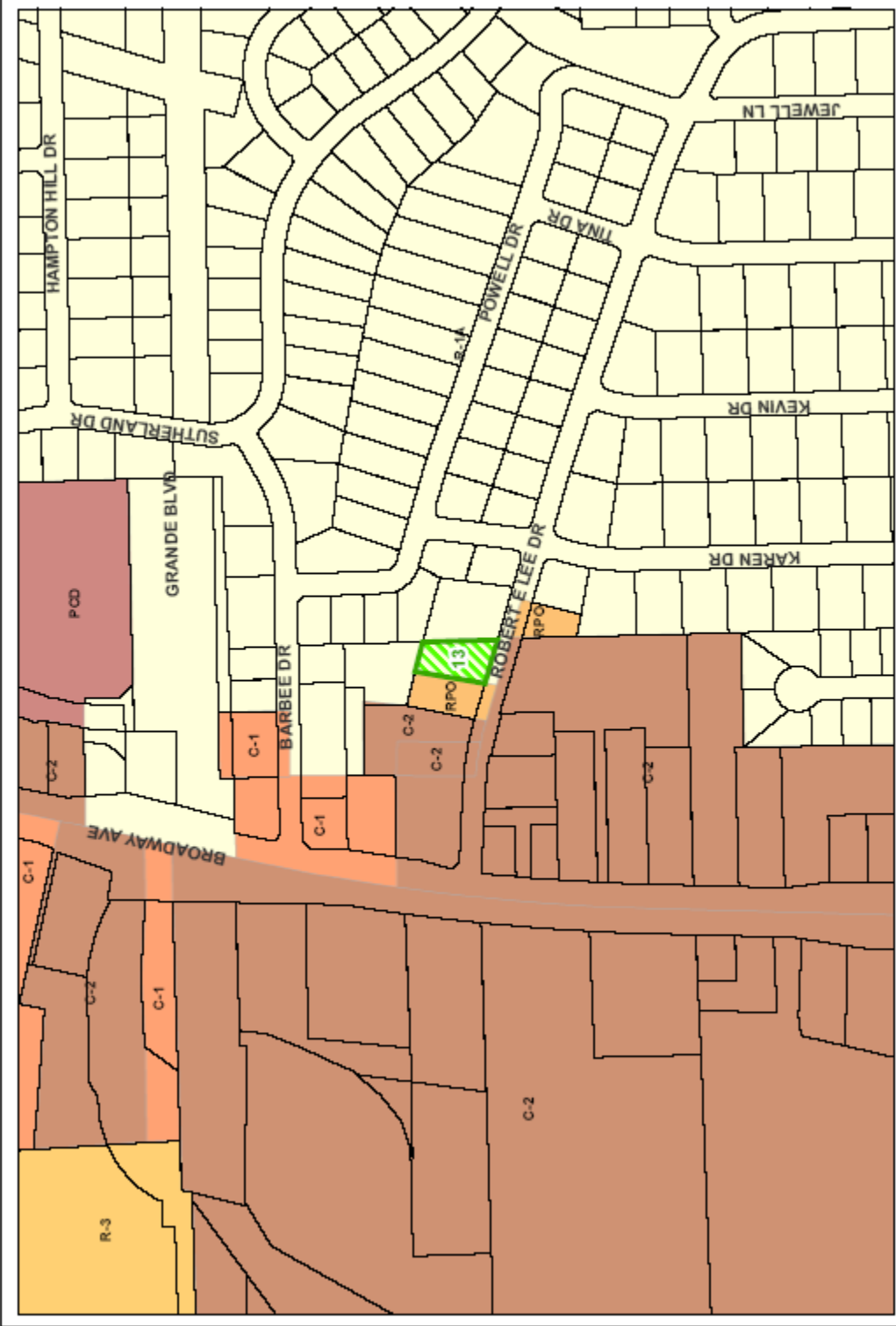
100 Feet

**ZONING CASE**

Zoning Cases #: Z08-07-085A  
 Existing Zoning: R-1A Proposed Zoning: RPO  
 Applicant: W. SHIRRELLITTLE



Subject Property  
 200' Notification Buffer



200 Feet

**ZONING CASE**

Zoning Cases #: Z08-07-085A  
 Existing Zoning: R-1A Proposed Zoning: RPO  
 Applicant: W. SHIRREL LITTLE



Subject Property

**ORDINANCE NO. O-2007-99**

**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 Z08-07-085A**

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 13 of NCB 1013-N of the Robert E. Lee Subdivision, one lot totaling approximately 0.43 acres, located two lots east of the northeast intersection of South Broadway Avenue and Robert E. Lee Drive (202 Robert E. Lee),

subject to the construction of a screening fence at least 6 feet tall on the perimeter of the property.

**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 22<sup>nd</sup> day of August, 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

\_\_\_\_\_  
CITY ATTORNEY