



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-3**

**Date: June 19, 2007**

**Subject: APPLICATION Z06-07-049A APOLONIO MOLINA**  
**Request that the City Council consider a request to change the zoning from "M-1" Light Industrial District to "R-1B" Single-Family Residential District on Lots 18, 16A and 28 of NCB 65 of the Wimberley Douglas Subdivision as recorded in Book 7727, Page 770 of the D.R.S.C.T., three lots totaling approximately 0.5 acres located one lot north of the northwest intersection of N. Beverly Ave. and E. Erwin St. (114 & 120 N. Beverly Ave. and 720 E. Erwin St.).**

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**Item Reference:**

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, east, south and west are currently zoned "M-1" Light Industrial District. Presently, there are single family homes to the north and east of the subject property. To the south and west of the subject property is vacant land.

The Future Land Use Map designates this site as commercial. However, upon inspection of the property, it appears that the neighborhood is developed mostly as single family residential. The continuing development of single-family structures will enhance the beautification and reinvestment of the area. This request will have a positive impact on the area.

Of the 17 notices mailed, one notice was returned in favor and no notices were returned in opposition to the application.

On June 5, 2007, the Planning and Zoning Commission held a public hearing on this request. Sergio Molina appeared on behalf of the application.

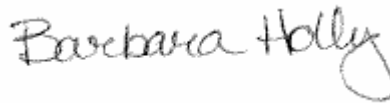
All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

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**RECOMMENDATION:**

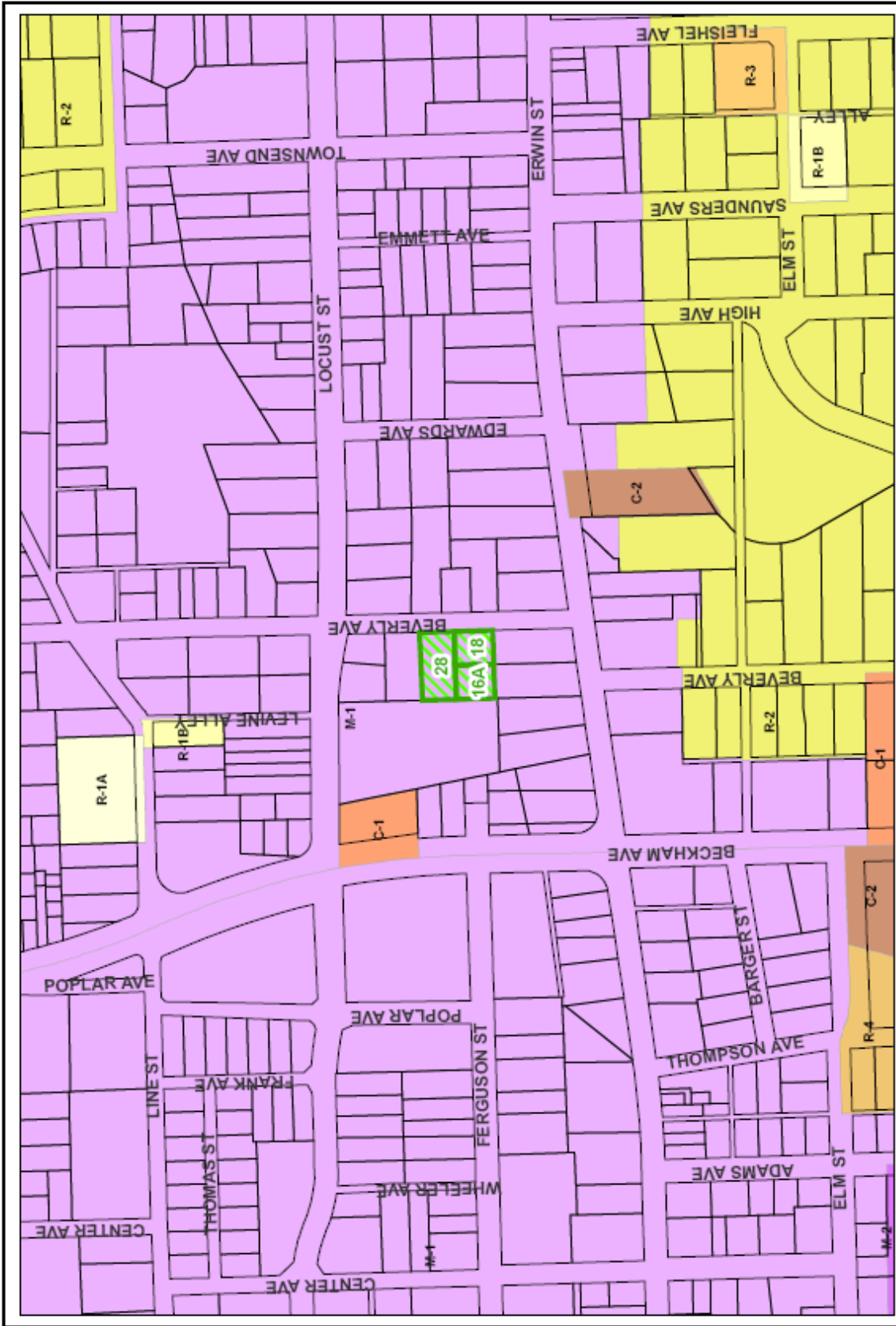
The Planning Commission, by a vote of 6-0, recommends approval of the request to change the zoning from “M-1” Light Industrial District to “R-1B” Single-Family Residential District

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**



**ZONING CASE**  
 Zoning Cases #: Z06-07-049A  
 Existing Zoning: M-1 Proposed Zoning: R-1B  
 Applicant: APOLONIO MOLINA





**ZONING CASE**  
 Zoning Cases #: Z06-07-049A  
 Existing Zoning: M-1 Proposed Zoning: R-1B  
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100 Feet

**ORDINANCE NO. O-2007-67**

**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 Z06-07-049A**

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

Lots 18, 16A and 28 of NCB 65 of the Wimberley Douglas Subdivision, three lots totaling approximately .509 acres located one lot north of the northwest intersection of North Beverly Avenue and East Erwin 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 19<sup>th</sup> day of June, A.D., 2007.

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

APPROVED:

A T T E S T:

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CASSANDRA BRAGER, CITY CLERK

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CITY ATTORNEY