



**CITY OF TYLER
CITY COUNCIL COMMUNICATION**

Agenda Number: Z-6

Date: January 23, 2008

Subject: APPLICATION Z12-07-17B CITY OF TYLER ON BEHALF OF NUMEROUS CITIZENS –PHASES 3–B, 4-F, AND 1-G
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 10 lots:
Lots 116A, 116B and 116C of NCB 665B of the Crescent Heights Subdivision (1117, 1125 and 1201 Connally Street);
Lot 44 of NCB 665B of the Jno Broughton Subdivision (632 South Englewood Avenue); Lot 22 of NCB 275B of the Eltife Subdivision (1020 South Fannin) and Lot 144 of NCB 669 of the Crescent Heights Garden Subdivision (1411 North Englewood Avenue).

Page: 1 of 2

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. The lots are part of Phases One, Three and Four of the citywide “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 their 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.

Agenda Number: Z-6

Page: 2 of 2

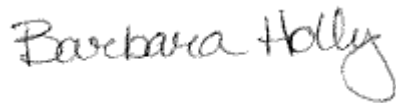
Of the 97 notices mailed, three notices were returned in favor of and one notice of opposition to the request were received. At the December 18, 2007, Planning and Zoning Commission meeting, Mrs. Pettigrew at 1411 North Englewood asked for clarification on the zoning designation, no one else spoke in favor or against the application.

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

To recap, as of January 8, 2008, 473 applications have been received and 435 lots have been rezoned as part of the entire R-2 city-wide rezoning project.

RECOMMENDATION:

The Planning and Zoning Commission, by a vote of 7-0, recommends approval of the request to change the zoning from "R-2" Two-Family Residential District to "R-1B" Single-Family Residential District.

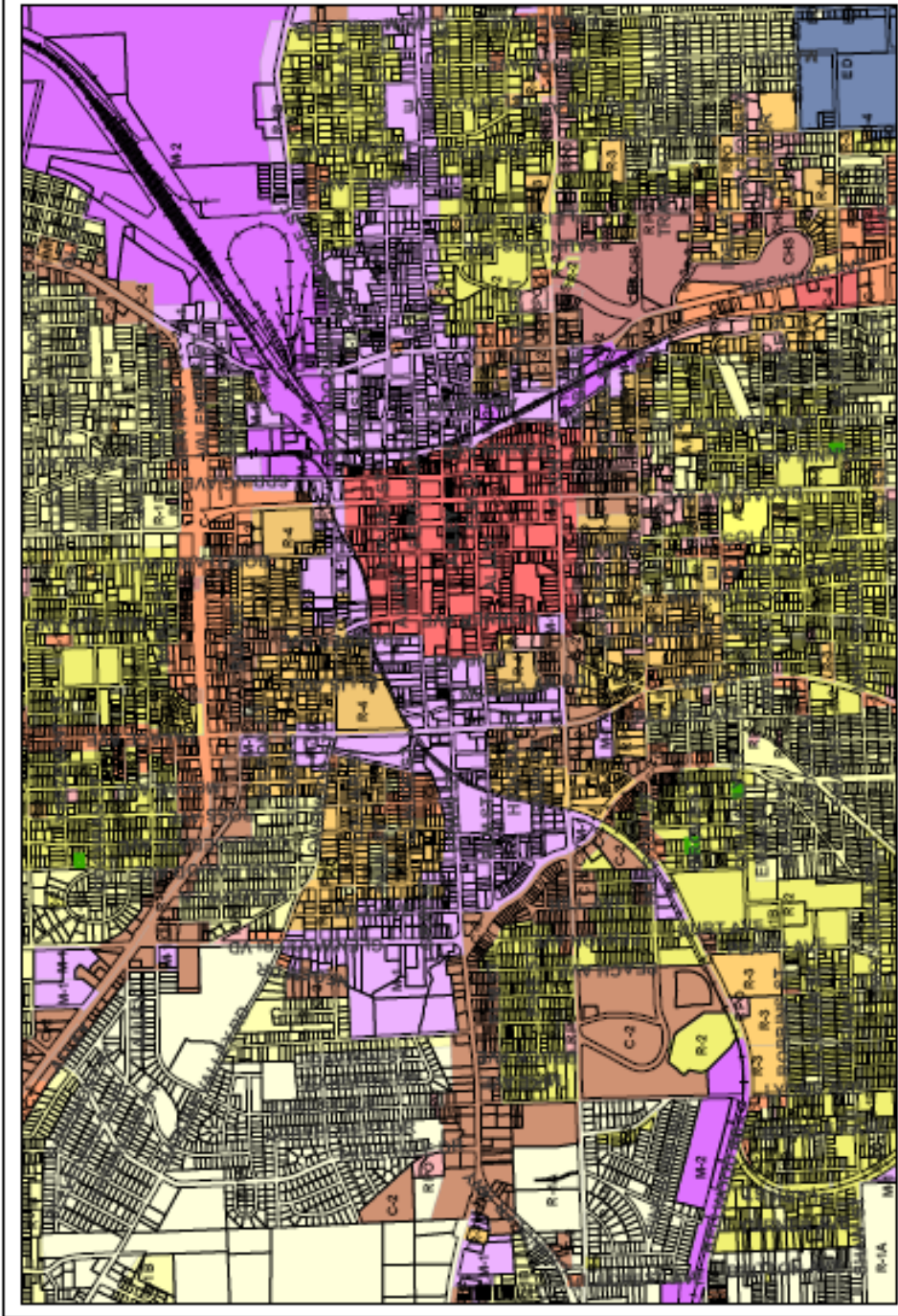
A handwritten signature in cursive script that reads "Barbara Holly".

Drafted/Recommended By: Barbara Holly

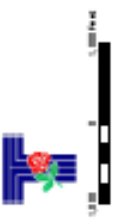
Department Leader

Edited/Submitted By:

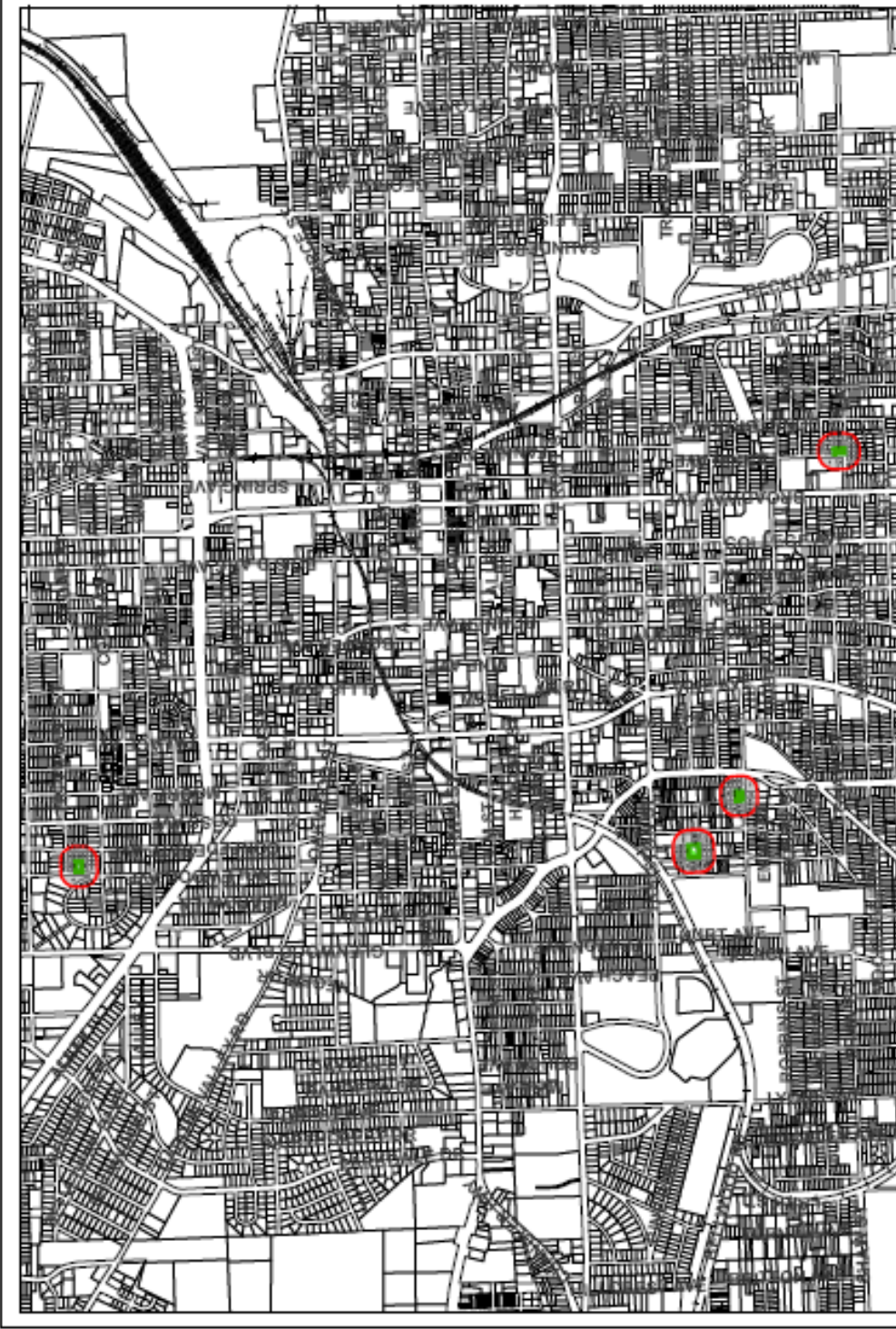
City Manager



ZONING CASE
 Zoning Case #: Z12-07-0175
 Existing Zoning: R-2 Proposed Zoning: R-1B
 Applicant: CITY OF TYLER ON BEHALF OF NUMEROUS APPLICANTS



Subject Property



1" = 100' Feet



ZONING CASE
Zoning Case #: Z12-07-017B
Existing Zoning: R-2 Proposed Zoning: R-1B
Applicant: CITY OF TYLER ON BEHALF OF NUMEROUS APPLICANTS

ORDINANCE NO. O-2008-16

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 changes are hereby approved as follows:

I. APPLICATION Z12-07-017B

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:

Lots 116A, 116B and 116C of NCB 665B of the Crescent Heights Subdivision (1117, 1125 and 1201 Connally Street); Lot 44 of NCB 665B of the Jno Broughton Subdivision (632 South Englewood Avenue); Lot 22 of NCB 275B of the Eltife Subdivision (1020 South Fannin) and Lot 144 of NCB 669 of the Crescent Heights Garden Subdivision (1411 North Englewood 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 23rd day of January, A.D., 2008.

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

A T T E S T:

CASSANDRA BRAGER, CITY CLERK

APPROVED:

CITY ATTORNEY