



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number: Z-1**

**Date: March 26, 2008**

**Subject: APPLICATION Z03-08-036A CITY OF TYLER ON BEHALF OF  
NUMEROUS CITIZENS –PHASES 1H, 4-H AND 6B**

**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 the following 11 lots:**

**Lot 107 of NCB 665B of the Jno. Broughton Subdivision (612 S. Ross  
Avenue);**

**Lots 3 and 5 of NCB 543 of the Bellwood Heights Subdivision (1822 and  
1902 North Ross Avenue);**

**Lot 7 of NCB 665A of the Jno. Broughton Subdivision (1316 Connally  
Street);**

**Lot 14B of NCB 857 of the Herndon 1<sup>st</sup> Addition (2514 West Jackson  
Street);**

**Lots 16 and 11 of NCB 137 of the Wimberley Douglas Subdivision (1417  
and 1425 East Line Street);**

**Lot 11 of NCB 138 of the Wimberley Douglas Subdivision (1414 E. Line  
Street);**

**Lot 11 of NCB 146 of the Wimberley Douglas Subdivision (401 North  
John Avenue); and**

**Lots 6 & 7 of NCB 632 of the J. Swinney Subdivision (1719 and 1723  
East Elm Street).**

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**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. Theses lots are located in Phases One, Four and Six of the citywide “R-2” rezoning project. In keeping with the City Council’s directive, no fees were charged.

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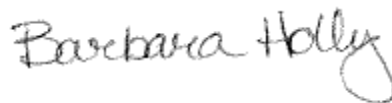
Once the lots have the appropriate zoning, this rezoning will have a positive impact on the neighborhood by allowing the property owners to rebuild, refinance or remodel their single family homes. This process is in keeping with the desired outcome of Tyler 21 – to increase the number of single family 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 the area as Single Family and Single Family Attached and the request for “R-1B” Single Family Residential District is consistent with that land use designation.

At the March 4, 2008, Planning and Zoning Commission meeting, no one spoke in favor of or in opposition to the application. Of the 60 notices mailed, one notice was returned in favor and none in opposition to the request. All other departments have reviewed the application and anticipate no significant impact on services or facilities by the proposed change.

**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.

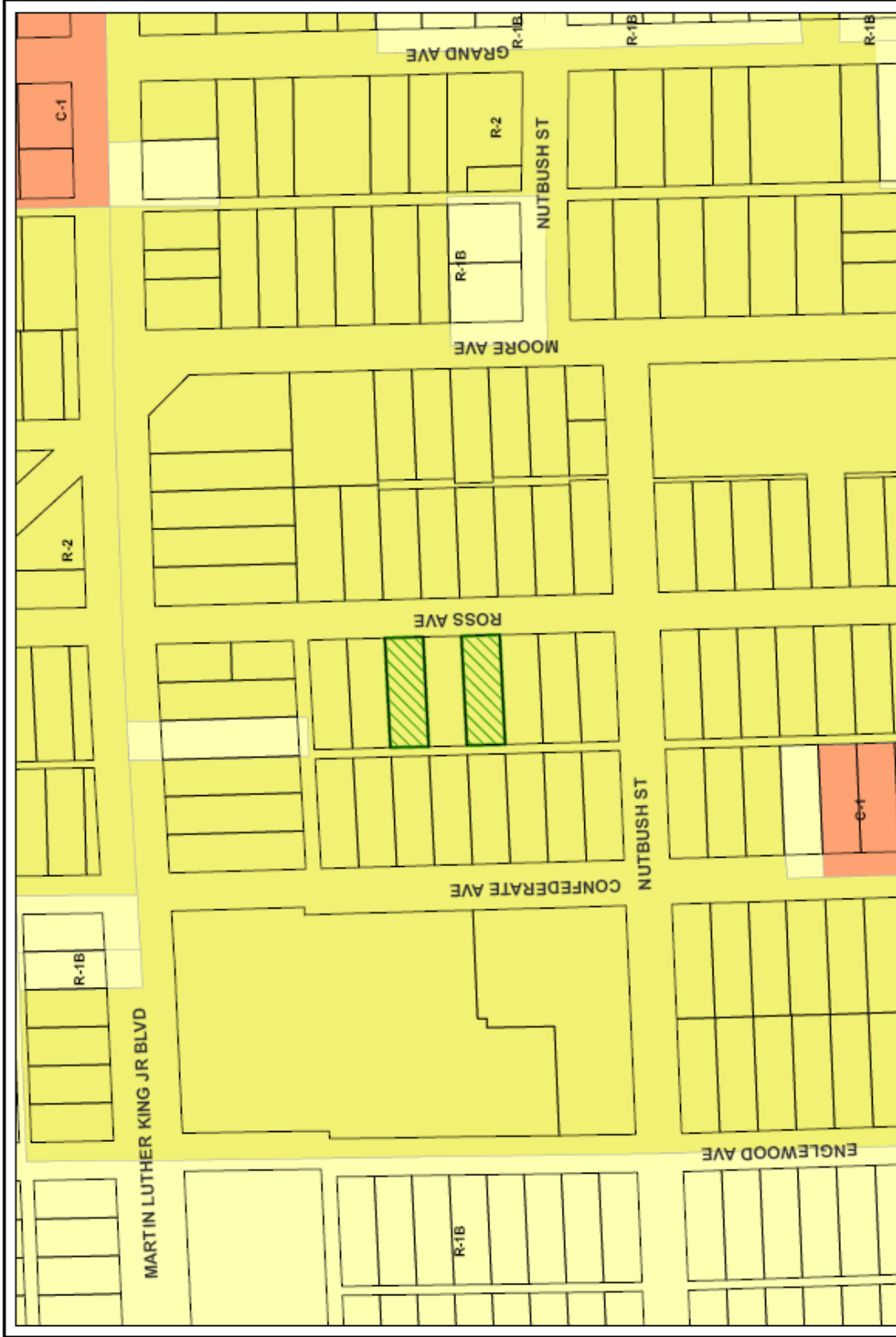
A handwritten signature in cursive script that reads "Barbara Holly".

**Drafted/Recommended By: Barbara Holly**

**Department Leader**

**Edited/Submitted By:**

**City Manager**

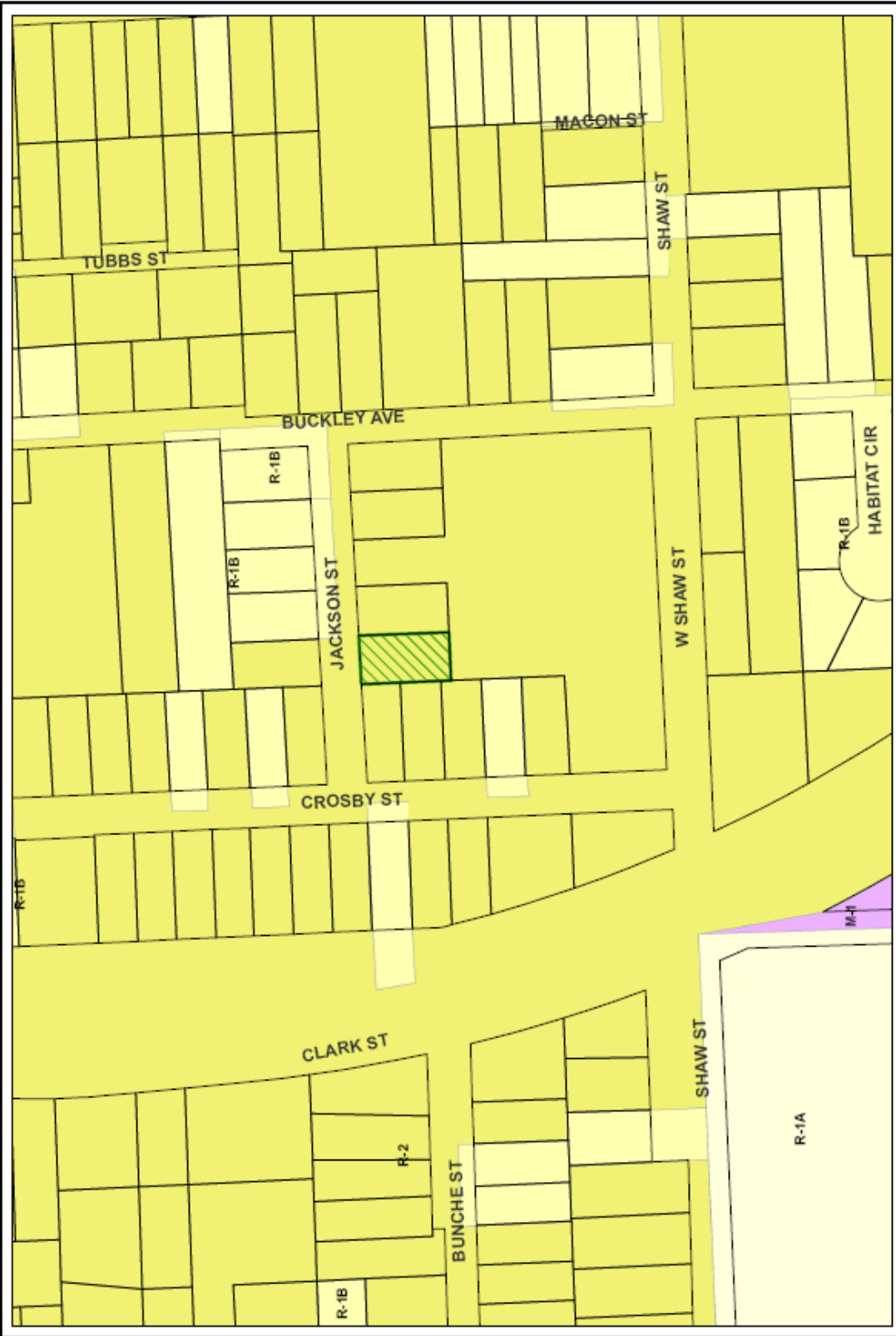


**ZONING CASE**

Zoning Case #: Z03-08-036A (map 1)  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER

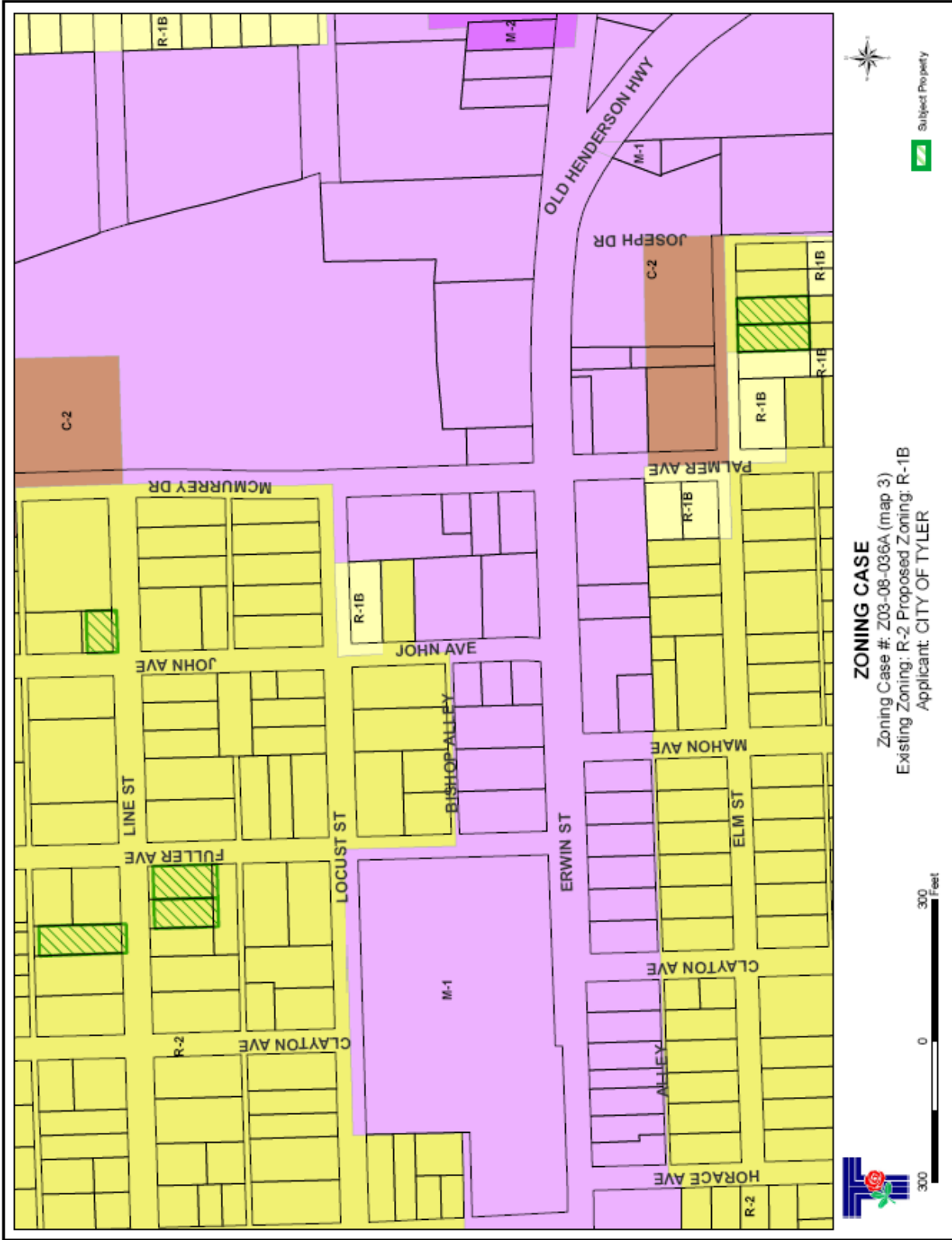


 Subject Property



**ZONING CASE**  
Zoning Case #: Z03-08-036A (map 2)  
Existing Zoning: R-2 Proposed Zoning: R-1B  
Applicant: CITY OF TYLER



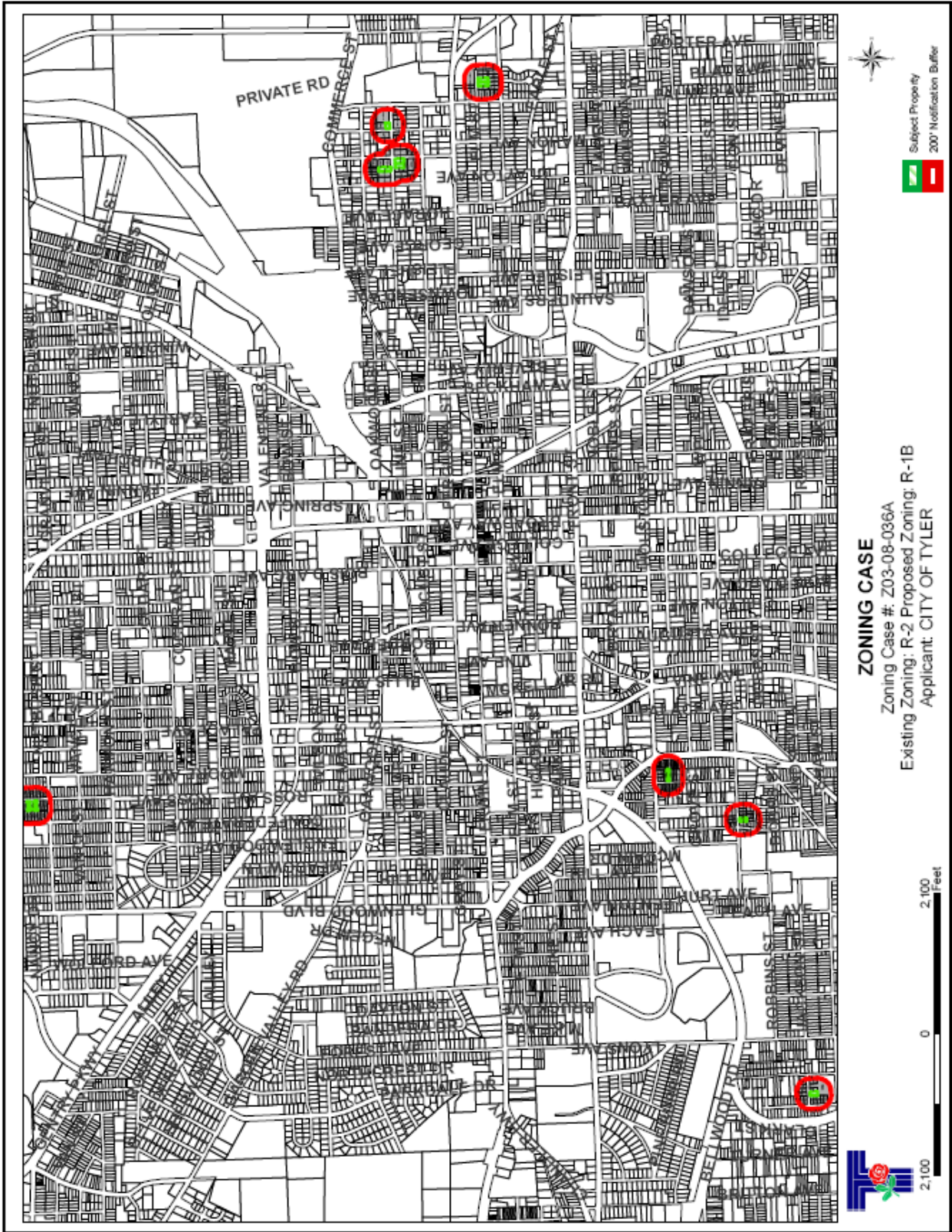


Subject Property

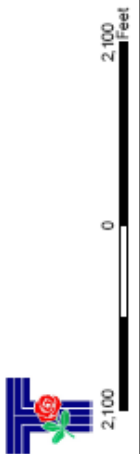
**ZONING CASE**

Zoning Case #: Z03-08-036A (map 3)  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER





**ZONING CASE**  
 Zoning Case #: Z03-08-036A  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER



**ORDINANCE NO. O-2008-39**

**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 Z03-08-036A**

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:

Lot 107 of NCB 665B of the Jno. Broughton Subdivision (612 S. Ross Avenue);  
Lots 3 and 5 of NCB 543 of the Bellwood Heights Subdivision (1822 and 1902 North Ross Avenue);  
Lot 7 of NCB 665A of the Jno. Broughton Subdivision (1316 Connally Street);  
Lot 14B of NCB 857 of the Herndon 1<sup>st</sup> Addition (2514 West Jackson Street);  
Lots 16 and 11 of NCB 137 of the Wimberley Douglas Subdivision (1417 and 1425 East Line Street);  
Lot 11 of NCB 138 of the Wimberley Douglas Subdivision (1414 E. Line Street);  
Lot 11 of NCB 146 of the Wimberley Douglas Subdivision (401 North John Avenue); and  
Lots 6 & 7 of NCB 632 of the J. Swinney Subdivision (1719 and 1723 East Elm 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 26<sup>th</sup> day of March, A.D., 2008.

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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

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CITY ATTORNEY