



**CITY OF TYLER  
CITY COUNCIL COMMUNICATION**

**Agenda Number:** Z-7

**Date:** January 9, 2008

**Subject:** APPLICATION Z11-07-009B and Z12-07-016A CITY OF TYLER ON BEHALF OF NUMEROUS CITIZENS – PHASES FOUR – D, FOUR – E AND FIVE – C.

**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 five lots:**

**Lot 140 of NCB 669I of the Crescent Heights Gardens Subdivision (1313 West Cochran Street);**

**Lots 154, 156 and 157 of NCB 669J of the Crescent Heights Subdivision (1409, 1413 and 1419 North Confederate) and**

**Lot 118 of NCB 762 of the College Park Subdivision (3024 Carter Boulevard).**

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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. These lots are part of Phases Four and Five of the city wide “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 and Single Family Attached and the request for “R-1B” Single Family Residential District is consistent with that land use designation.

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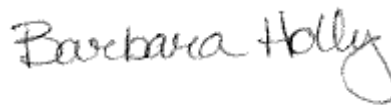
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Of the 78 notices mailed; two notices were returned in favor of and no notices were returned in opposition to the request. At the November 20, 2007, and the December 4, 2007, Planning and Zoning Commission meetings, no one spoke in favor of or opposition to the application.

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 voted to recommend approval of the request to change the zoning from "R-2" Two-Family Residential District to "R-1B" Single-Family Residential District for Lots 140 of NCB 669I, Lots 154, 156 and 157 of NCB 669J and Lot 118 of NCB 762.

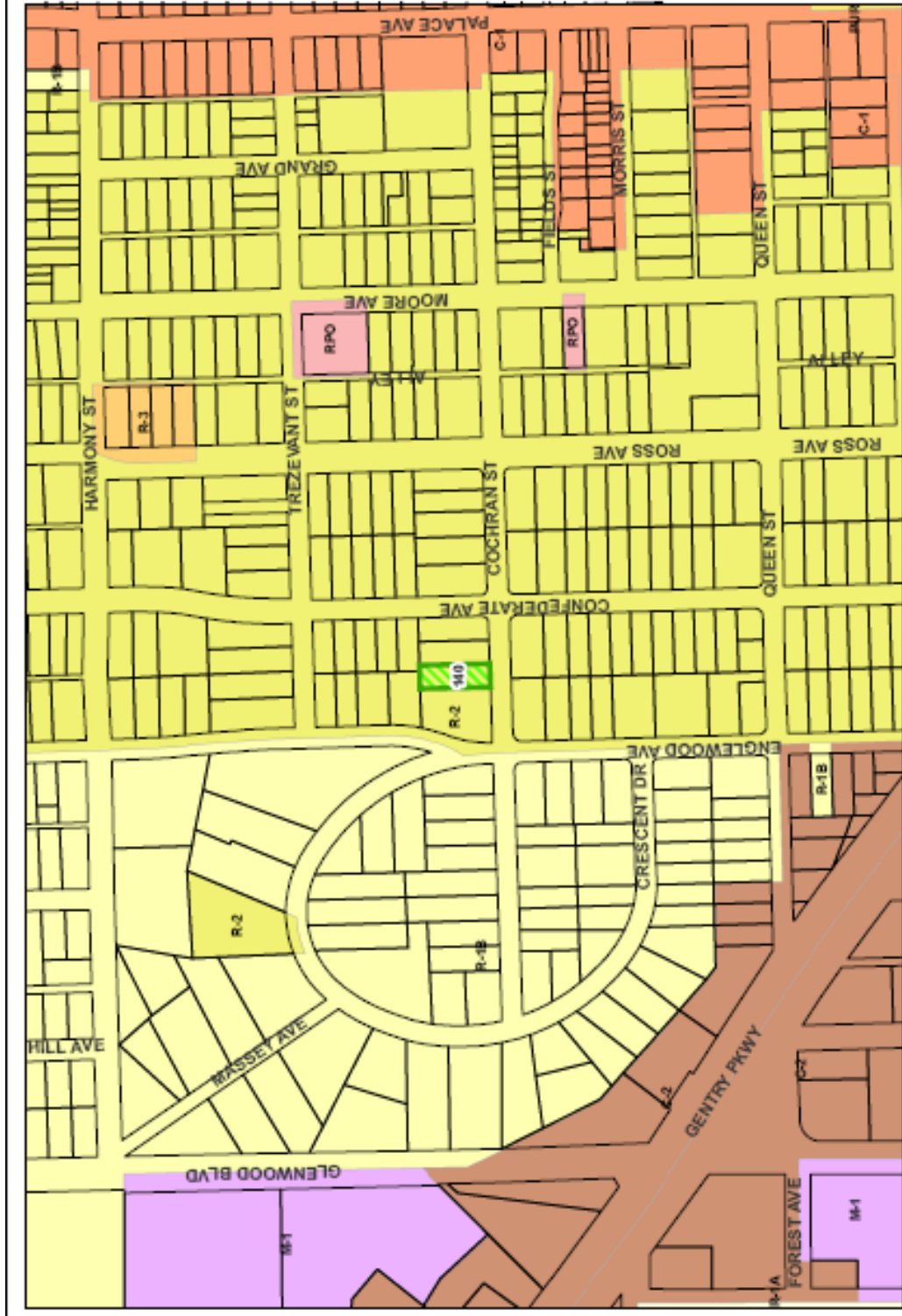
A handwritten signature in black ink that reads "Barbara Holly". The signature is written in a cursive, flowing style.

**Drafted/Recommended By: Barbara Holly**

**Department Leader**

**Edited/Submitted By:**

**City Manager**



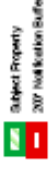
**ZONING CASE**

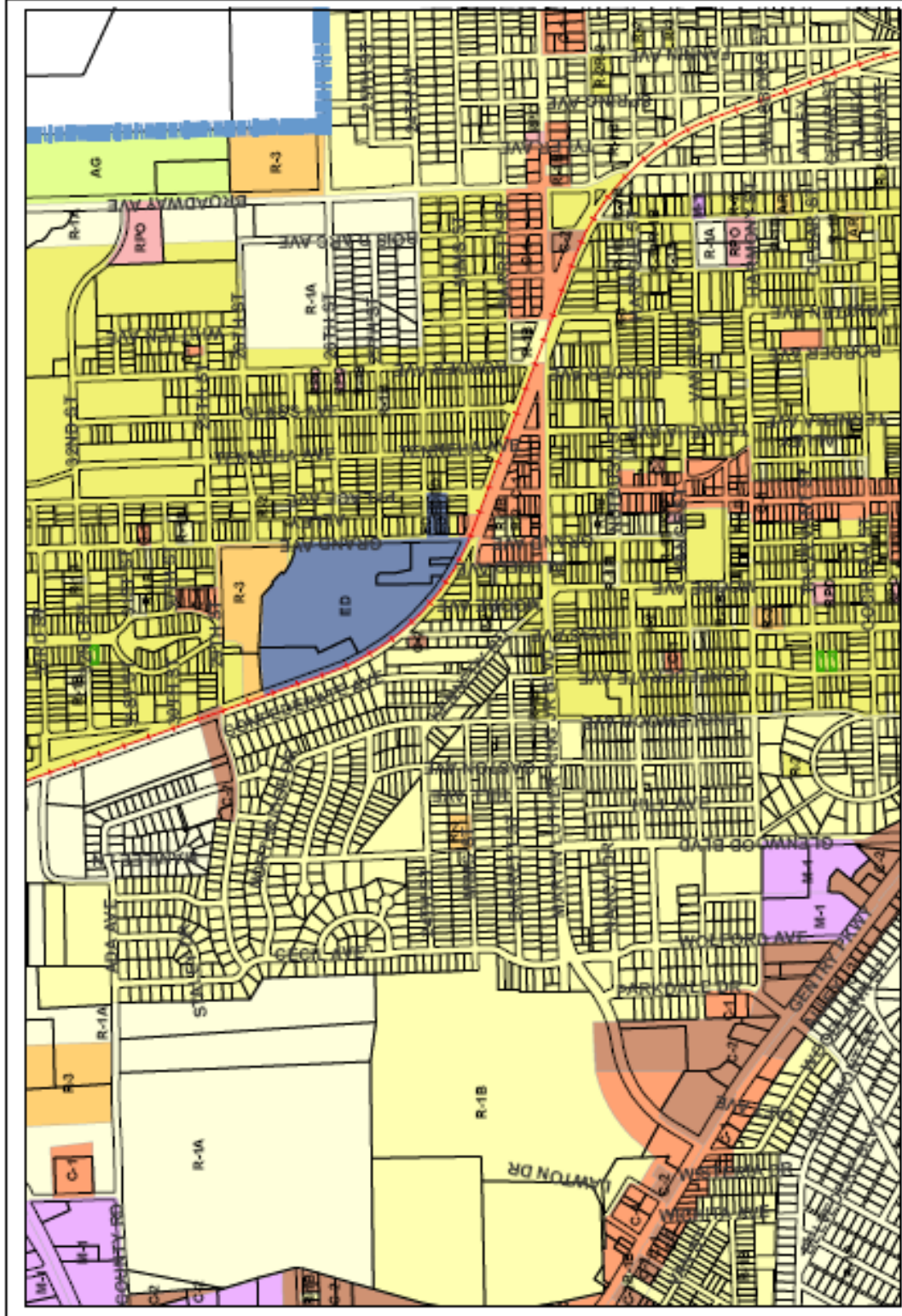
Zoning Case #: Z11-07-009B  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER - PHASE 4D





**ZONING CASE**  
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 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER - PHASE 4D



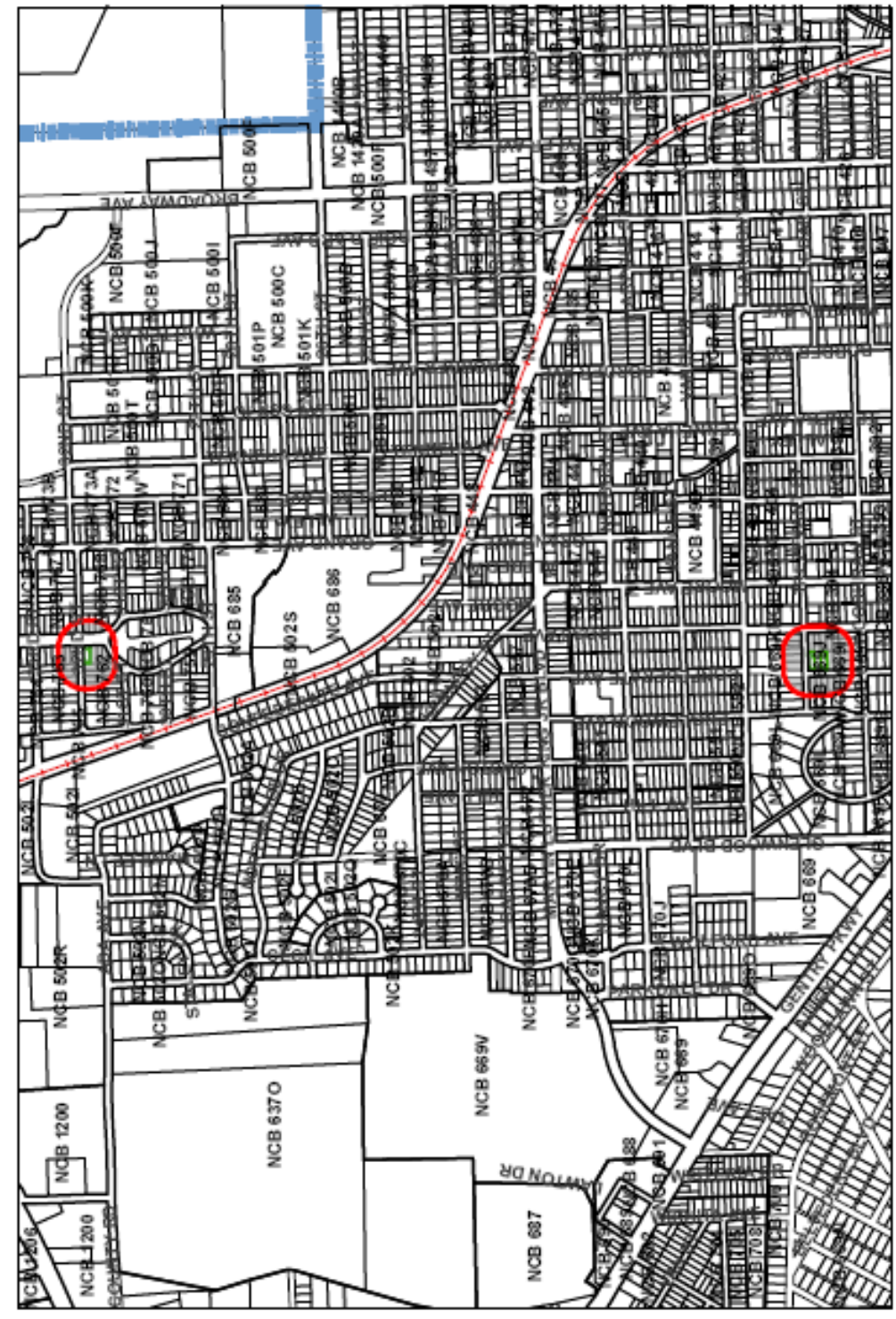


subject property

**ZONING CASE**

Zoning Case #: Z12-07-016A  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER

1,000 Feet



**ZONING CASE**

Zoning Case #: Z1207-016A  
 Existing Zoning: R-2 Proposed Zoning: R-1B  
 Applicant: CITY OF TYLER



**ORDINANCE NO. O-2008-7**

**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. APPLICATIONS Z11-07-009B and Z12-07-016A**

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 140 of NCB 691-I of the Crescent Heights Gardens Subdivision (1313 West Cochran Street); Lots 154, 156 and 157 of NCB 669J of the Crescent Heights Subdivision (1409, 1413 and 1419 North Confederate) and Lot 118 of NCB 762 of the College Park Subdivision (3024 Carter Boulevard).

**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 9<sup>th</sup> day of January, 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