

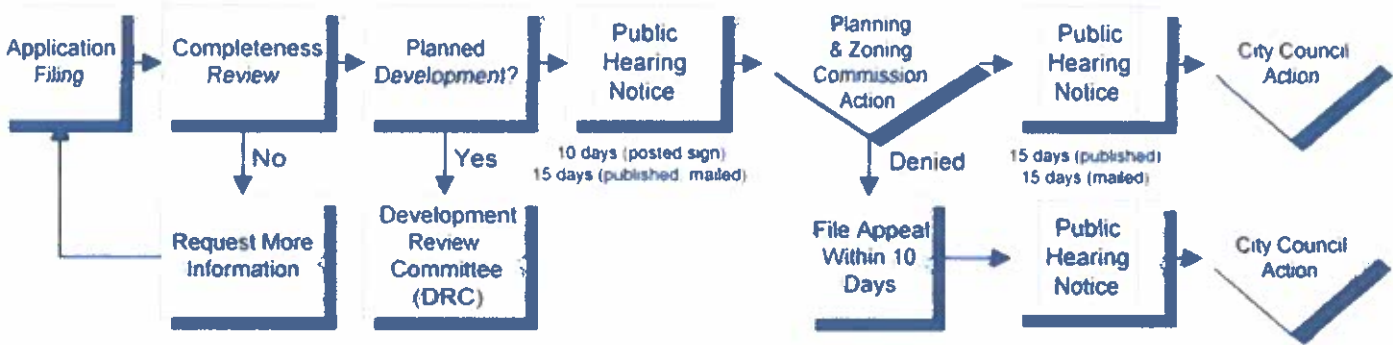


ZONING APPLICATION

PROCESS

Reference Section 10-610
 Unified Development Code

- A. All zoning is by ordinance and only the City Council has the authority to adopt or to change an ordinance. The Council has assigned the study of zoning to the City Planning and Zoning Commission, which will make recommendations to the Council. If the Commission recommends a request for rezoning, it will not be effective until it is passed by the City Council. The rezoning process normally requires a period of sixty (60) days.
- B. All requests must be filed in the Planning Department located at 423 West Ferguson, Tyler, TX. A filing fee must be received with the completed application form. (See Fee Schedule and Deadline Dates.) **The applicant must also post a zoning notification sign provided by the Planning Department along with a \$20 refundable deposit upon return of the sign.** The sign must be placed in the front yard of the subject property no later than seven days after the application has been submitted. **If the sign is not posted in the required time frame, the application process will cease and the applicant will be required to reapply.**
- C. Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed zoning change. This generally requires a showing that conditions affecting the property have substantially changed since the last zoning classification decision of the City.



OFFICE USE ONLY

Filing Fee for Zoning Application

Receipt No.: _____ Amount: _____

Sign Deposit Fee

Receipt No.: _____ Amount: _____

Signed By: _____

APPLICATION

A. Requesting: (One Check per Application)

- General Zoning Change
- Special Use Permit (SUP) * Include fully dimensioned site plan
- SUP Renewal
- On-Site Zoning Inspection

B. Description & Location of Property:

1. Lot, Block and Addition (required): BLOCK 937 LOT 15B
2. Property Address of Location (required): 2316 EAST FIFTH STREET

| PRESENT ZONING | PROPOSED ZONING |
|-------------------------------|--|
| CLASSIFICATION <u>C1</u> | CLASSIFICATION <u>C2</u> |
| OVERLAY (IF APPLICABLE) _____ | OVERLAY (IF APPLICABLE) _____ |
| AREA (ACREAGE) <u>.493</u> | AREA (ACREAGE) <u>.493</u> |
| | DWELLING UNITS/ ACRE (if applicable) <u>0</u> |

C. Reason(s) for Request (please be specific):

This property has not supported a commercial business for 10 years. We feel like the change to C2 will allow other opportunities to take place. We have had businesses that would like outdoor display of products express interest. We have also had businesses that require C2 look at the location.

D. Statement Regarding Restrictive Covenants/Deed Restrictions

I have searched all applicable records and, to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in Part I(B) which would be in conflict with this rezoning request.

- None
- Copy Attached

AUTHORIZATION OF AGENT

A. I (we), the undersigned, being owner(s) of the real property described above, do hereby authorize (please print name) Zachary Nichols to act as our agent in the matter of this request. The term agent shall be construed to mean any lessee, developer, option holder, or authorized individual who is legally authorized to act in behalf of the owner(s) of said property. (Application must be signed by all owners of the subject property).

(Please print all but signature)

Owner(s) Name: TRESA & Lloyd Nichols
Address: 1930 Stonehill Drive
City, State, Zip: Tyler, Tx. 75703
Phone: 903.312.6598
Signature: [Signature]
Email: L-Nichols60@ATT.NET

Owner(s) Name: Tresa & Lloyd Nichols
Address: ~~251~~ 1930 STONEHILL DRIVE
City, State, Zip: Tyler, Tx. 75703
Phone: 903.312.6598
Signature: [Signature]
Email: L-NICHOLS60@ATT.NET

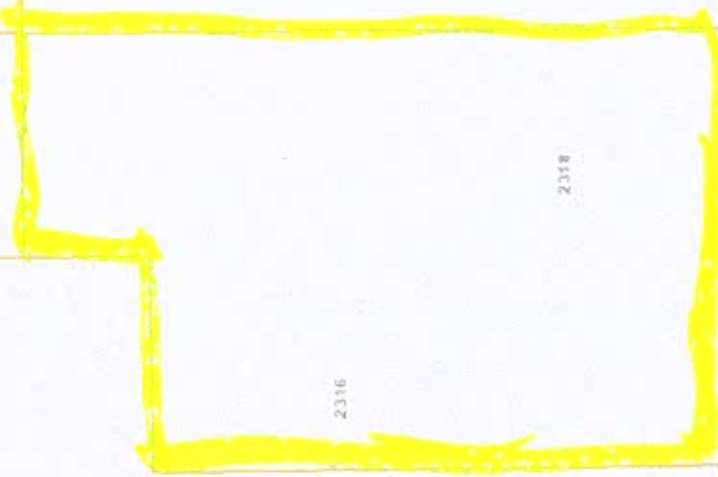
Authorized Agent's Name: Zachary Nichols
Address: 5085 Shiloh Ridge Lane
Phone: 903.312.3679

Signature: X [Signature]
City, State, Zip: X 1930 STONEHILL DR
TYLER, TX 75703
Email: X treshanichols@att.net

SUPPORTING INFORMATION

A. PLEASE PROVIDE A MAP OF THE LOCATION TO BE REZONED

| | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|------|
| 2303 | 2305 | 2307 | 2309 | 2311 | 2317 | 2321 | 2325 | 2329 | 2333 | 2401 |
| 1426 | 1428 | 2300 | 2316 | 2318 | 2324 | 2330 | 2334 | 2336 | | |



created in a PCD district must be designed and developed as a unit according to an approved site development plan. The district is not intended as a convenience to circumvent districts or as a tool for mass variance. (Ord. No 0-2010-119, 11/10/10)

Sec. 10-26. Allowed Uses

Uses are allowed in commercial and planned districts in accordance with Table 10-49.

Sec. 10-27. Dimensional Standards

All development in commercial and office districts must comply with the standards in Table 10-27.

Table 10-27 Dimensional Standards for Commercial and Industrial Districts

| Commercial and Industrial Districts | C-1 | C-2 | DBAC | PMXD-1 | PMXD-2 | | M-1 | M-2 |
|-------------------------------------|-------|--------|-------|------------|------------|-----|--------------------------|--------------------------|
| Minimum lot area (square feet) | 7,000 | 14,000 | 2,500 | 5 acres cd | 5 acres cd | a | 15,000 | 15,000 |
| Minimum frontage (feet) | 70 | 80 | 25 | a | a | a | 80 | 80 |
| Minimum building sep. (same lot) | 15 | 15 | 0 | a | a | a | 15 | 15 |
| Maximum height (feet) | 42 | 45 | -- | 55 | 165 | g | 45' + 1' addl 1' setback | 45' + 1' addl 1' setback |
| Minimum height or story | 1 | 1 | 25 ft | 25 ft | 25 ft | a | na | na |
| Maximum height (stories) | 2.5 | | 20 | 5 | 15 | a | na | na |
| Minimum setbacks | | | | | | | | |
| Front yard setback | 10' | 10' | 0' | a | a | a | 10' | 10' |
| Rear yard setback | 10 b | 10 b | 0 b | a b | a b | a b | 25 b | 25 b |
| Adjacent to R district (rear) | 25 b | 25 b | 0 b | a b | a b | a b | 25 b | 25 b |
| Adjacent to R district (side) | 10 b | 10 b | b | b | b | b | 25 b | 25 b |
| Side yard setback, interior | 0 b | 0 b | 0 b | a b | a b | a b | 0 b | 0 b |
| Side yard setback, corner | 15 | 15 | 0 | a | a | a | 15 | 15 |
| Maximum lot coverage (%) | 60 | 60 | f | a | a | a | 50 | 60 |

- a. Determined by the developer and subject to approval by the planning and zoning commission and city council as part of the site development plan.
- b. See Article VI, Division B for bufferyard requirements which are part of the setback.
- c. Recommended; total development area for a PMXD-1 or PMXD-2 may be fewer than 5 acres subject to approval by the planning and zoning commission and city council as part of the site development plan.
- d. Exceptions to the 5-acre minimum: 1) projects smaller than five acres that are considered to be a phase or extension of an existing mixed use development and 2) single buildings or a building complex in which a stores). (Ord. No. 0-2009-19; 3/11/09) (Ord. No. 0-2011-45; 6/8/11)
- e. Maximum height is 45 feet plus 1 foot additional for each additional foot beyond a 10 feet setback when abutting a non-residential district and a 25 feet setback when abutting a residential district.
- f. 100% building coverage is allowed, however, all parking lots must reserve 15% of the total parking area for landscaping. See Section 10-295 for landscape area requirements. (Ord. No. 0-2012-38; 4/25/12) (Ord. No.

**DIVISION C.
Industrial Districts**

Sec. 10-28. Establishment of Industrial Districts

The following industrial districts are established in the City of Tyler:

| Abbreviation | District Name |
|--------------|--------------------|
| M-1 | Light Industrial |
| M-2 | General Industrial |

Sec. 10-29. District Purpose Statements

a. M-1 Light Industrial District

The M-1 district is primarily intended to provide for the location and development of low impact industries and supporting commercial and public uses, which generate light. These industrial and manufacturing uses may require good accessibility to air, rail, or street transportation routes.

b. M-2 General Industrial District

The M-2 district is primarily intended to provide for location and development of medium and heavy impact industries and supporting commercial and public uses, which generate light. These industrial and manufacturing uses must provide access to air, rail, or street transportation routes. Provision may also be made for outdoor operations and storage.

Sec. 10-30. Allowed Uses

Uses are allowed in industrial districts in accordance with the nonresidential district use table in Sec. 10-49.

Sec. 10-31. Dimensional Standards