

12-27-07

ORDINANCE NO. 27055

An ordinance changing the zoning classification on the following property:

Being all of City Blocks C/1998, E/1998, F/1998, I/1997, and J/1997, and Lots 1 through 9 in City Block B/1998, Lots 6 through 13 in City Block D/1998, Lots 9 through 16 in City Block G/1998, Lots 1 through 12 in City Block B/1997, Lots 1 through 12 and 18 through 30 in City Block C/1997, Lots 1 through 12 and 17 through 30 in City Block D/1997, and Lots 1 through 12 in City Block H/1997, bounded by the northwesterly lines of the properties on the northwesterly side of Pershing Street, Willis Avenue, the midline of Pershing Street, the northeasterly and southeasterly lines of Lot 12 in City Block I/1997, the northeasterly line of Lot 12 in City Block H/1997, the midline of Milam Street, the northeasterly line of Lot 12 in City Block D/1997, the northwesterly and northeasterly lines of Lot 17 in City Block D/1997, the midline of Alcott Street, the northeasterly line of Lots 12 and 16 in City Block C/1997, the midline of Homer Street, the northeasterly line of Lot 12 in City Block B/1997, the southeasterly lines of the properties on the southeasterly side of Homer Street, the midline of Lee Street, the midline of Alcott Street, the southwesterly line of Lot 6 in City Block D/1998, the southeasterly and southwesterly lines of Lot 1 in City Block E/1998, Milam Street, the southwesterly lines of Lots 16 and 1 in City Block F/1998, Pershing Street, and Elbert Street, and containing approximately 25.36 acres,

by establishing Neighborhood Stabilization Overlay District No. 6 (Cochran Heights); providing procedures and regulations for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property hereinafter described; and

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WHEREAS, the city council finds that it is in the public interest to establish this neighborhood stabilization overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed by establishing Neighborhood Stabilization Overlay District No. 6 on the following property ("the Property"):

Being all of City Blocks C/1998, E/1998, F/1998, I/1997, and J/1997, and Lots 1 through 9 in City Block B/1998, Lots 6 through 13 in City Block D/1998, Lots 9 through 16 in City Block G/1998, Lots 1 through 12 in City Block B/1997, Lots 1 through 12 and 18 through 30 in City Block C/1997, Lots 1 through 12 and 17 through 30 in City Block D/1997, and Lots 1 through 12 in City Block H/1997, bounded by the northwesterly lines of the properties on the northwesterly side of Pershing Street, Willis Avenue, the midline of Pershing Street, the northeasterly and southeasterly lines of Lot 12 in City Block I/1997, the northeasterly line of Lot 12 in City Block H/1997, the midline of Milam Street, the northeasterly line of Lot 12 in City Block D/1997, the northwesterly and northeasterly lines of Lot 17 in City Block D/1997, the midline of Alcott Street, the northeasterly line of Lots 12 and 16 in City Block C/1997, the midline of Homer Street, the northeasterly line of Lot 12 in City Block B/1997, the southeasterly lines of the properties on the southeasterly side of Homer Street, the midline of Lee Street, the midline of Alcott Street, the southwesterly line of Lot 6 in City Block D/1998, the southeasterly and southwesterly lines of Lot 1 in City Block E/1998, Milam Street, the southwesterly lines of Lots 16 and 1 in City Block F/1998, Pershing Street, and Elbert Street, and containing approximately 25.36 acres.

A map depicting the boundaries of the Property is attached as Exhibit A, which is made a part of this ordinance. If there is a conflict between the text of this description and the map, the map controls.

SECTION 2. That, except as provided in Section 51A-4.507, the following regulations apply to single family structures within this neighborhood stabilization overlay district:

1. FRONT YARD SETBACK: Minimum front yard is 28 feet.
2. CORNER SIDE YARD SETBACK: Minimum corner side yard is eight feet.

3. INTERIOR SIDE YARD SETBACK: Minimum interior side yard setback is five feet.
4. HEIGHT: The height of the structure may not exceed the height plane, which is 24 feet at the front building line.

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the centerline of all adjacent streets and alleys.

SECTION 4. That the establishment of this neighborhood stabilization overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 5. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 6. That the director of development services shall correct Zoning District Map Nos. H-7, I-7, and I-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 7. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 8. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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SECTION 9. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By Casey Buzard
Assistant City Attorney

Passed JAN 09 2008

EXHIBIT 'A'

