

ORDINANCE NO. **26692**

An ordinance changing the zoning classification on the following property:

Subdistrict 1: Being Lots 1 through 12 in City Block 5/2892, bounded by Greenville Avenue, Winton Street, Matilda Street, and the alley between Winton Street and Anita Street; and

Subdistrict 2: Being Lots 13 through 22 in City Block 5/2892, City Block 4/2891, City Block 3/2890, and and Lots 1 through 11 in City Block 2/2889, bounded by Greenville Avenue, the alley between Winton Street and Anita Street, Matilda Street, and the alley between Kenwood Avenue and Penrose Avenue;

by establishing Neighborhood Stabilization Overlay District No. 2 (Greenland Hills Annex) with retention of Modified Delta Overlay No. 1; 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

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. 2 with retention of Modified Delta Overlay No. 1 on the following property ("the Property"):

Subdistrict 1: Being Lots 1 through 12 in City Block 5/2892, bounded by Greenville Avenue, Winton Street, Matilda Street, and the alley between Winton Street and Anita Street; and

Subdistrict 2: Being Lots 13 through 22 in City Block 5/2892, City Block 4/2891, City Block 3/2890, and Lots 1 through 11 in City Block 2/2889, bounded by Greenville Avenue, the alley between Winton Street and Anita Street, Matilda Street, and the alley between Kenwood Avenue and Penrose Avenue.

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 in Subdistrict 1 is 42 feet.
Minimum front yard in Subdistrict 2 is 33 feet.
2. CORNER SIDE YARD SETBACK: Minimum corner side yard is five 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 20 feet at the front building line.
5. GARAGE ACCESS: Garage access must be front entry (from the front lot line) or side entry (from the side lot line).
6. GARAGE LOCATION: Garage must be to the rear of the single family structure.

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 No. H-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.

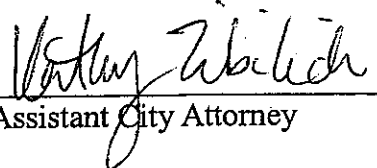
SECTION 8. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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 
Assistant City Attorney

Passed **MAR 28** 2007

