

8-2-07

ORDINANCE NO. 26887

An ordinance changing the zoning classification on the following property:

Being Lots 1 through 14 in City Block 6/4910, Lots 1 through 15-R in City Block 2/4906, and all of City Blocks 1/4905 and 5/4909, bounded on the west by Abrams Road, on the north by the alley north of and parallel to Sondra Drive, on the east by Hillside Drive, and on the south by the alley south of and parallel to Vanderbilt Avenue;

by establishing Neighborhood Stabilization Overlay District No. 4 (Vanderbilt/Marquita); 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. 4 on the following property ("the Property"):

Being Lots 1 through 14 in City Block 6/4910, Lots 1 through 15-R in City Block 2/4906, and all of City Blocks 1/4905 and 5/4909, bounded on the west by Abrams Road, on the north by the alley north of and parallel to Sondra Drive, on the east by Hillside Drive, and on the south by the alley south of and parallel to Vanderbilt 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 is 30 feet.
2. CORNER SIDE YARD SETBACK: Minimum corner side yard is 10 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 22 feet at the front building line.
5. GARAGE ACCESS: Garage access must be front entry (from the front lot line), except there is no restriction on garage access for lots that abut Abrams Road or Hillside Drive.
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.

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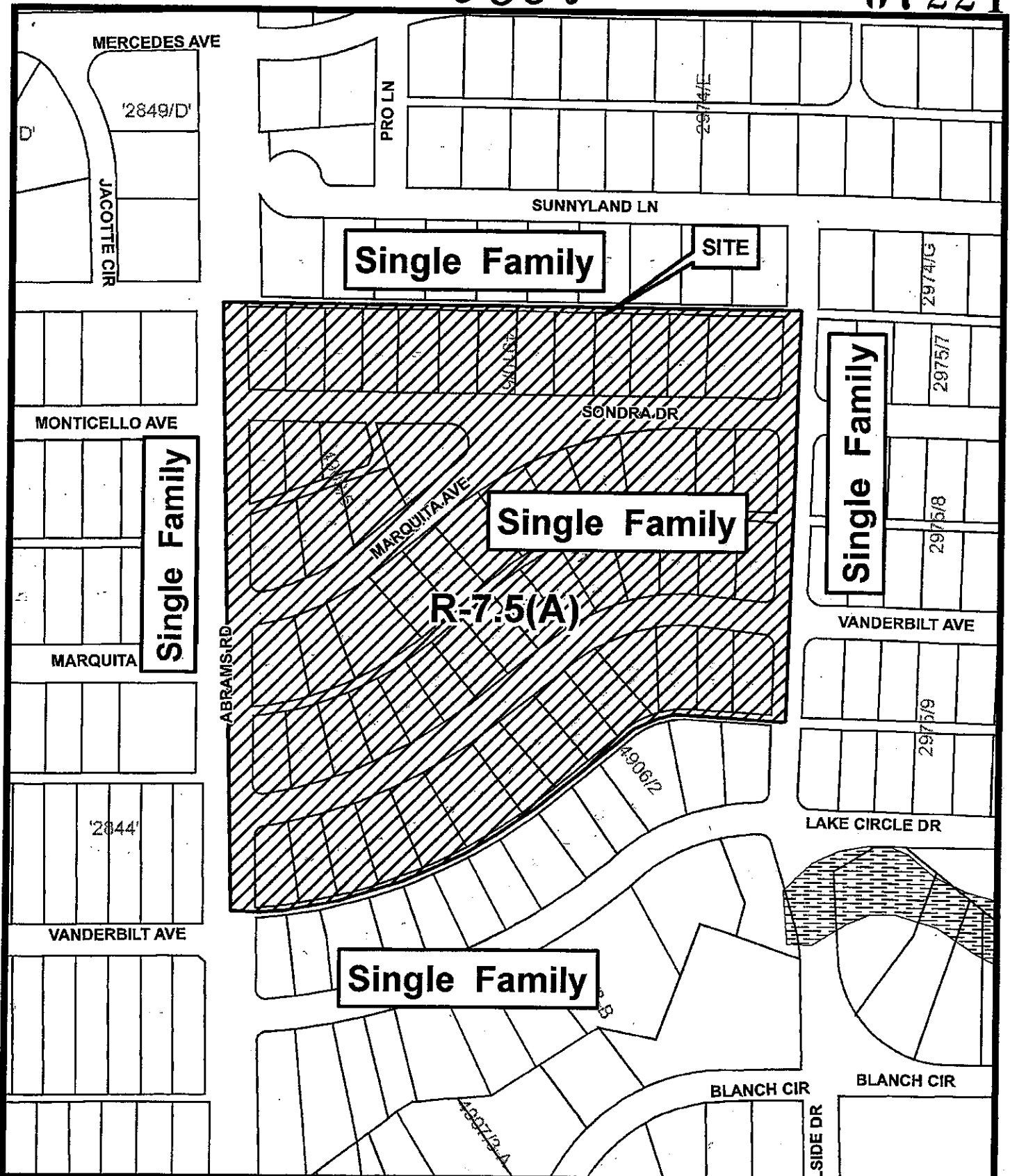
SECTION 10. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By Kathy Zibulech
Assistant City Attorney

Passed AUG 08 2007



1:2,400

ZONING AND LAND USE

Map no: H-8
 Case no: Z067-228(MF)