ORDINANCE NO. 26776

An ordinance changing the zoning classification on the following property:

BEING both sides of Rawlins Street between Wycliff Avenue and Prescott Avenue, and the north side of Rawlins Street between Prescott Avenue and Hawthorne Avenue,

from an R-7.5 Single-family Subdistrict within Planned Development District No. 193 (the Oak Lawn Special Purpose District) to Conservation District No. 16 (the Rawlins Conservation District); approving the conceptual plan for this conservation district; providing a purpose statement; providing regulations and procedures for this conservation 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 of the City of Dallas find that the property described in Section 1 of this ordinance is an area of cultural and architectural importance and significance to the citizens of the city; and

WHEREAS, the city plan commission and the city council, in accordance with the provisions of the Charter of the City of Dallas, the state law, and the ordinances of the city, 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 conservation district; Now, Therefore,

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

SECTION 1. <u>Creation of the conservation district</u>. That the zoning classification is changed from an R-7.5 Single-family Subdistrict within Planned Development District No. 193 to Conservation District No. 16 (the Rawlins Conservation District) on the property described in Exhibit A, attached to and made a part of this ordinance.

SECTION 2. <u>Approval of the conceptual plan</u>. That the conceptual plan for the Rawlins Conservation District, attached to and made a part of this ordinance as Exhibit C, is approved.

SECTION 3. Purpose. That this conservation district is established to conserve part of the Perry Heights neighborhood on the west end of Rawlins Street and to protect and enhance its significant architectural and cultural attributes. The conservation district regulations ensure that new construction, renovation, and remodeling are done in a manner that is compatible with the architectural and cultural attributes of the conservation district. The conservation district regulations also address the landscaping within the district. This conservation district is established on property previously zoned as Planned Development District No. 193 (the Oak Lawn Special Purpose District). This conservation district retains important aspects of the Oak Lawn Plan, such as recognition that single family neighborhoods are an asset to the Oak Lawn area to be protected. The conservation district regulations are attached to and made a part of this ordinance as Exhibit B.

SECTION 4. Zoning district maps. That the director of the department of development services shall correct Zoning District Map No. I-7 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 5. <u>Penalty clause</u>. That a person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2,000.

SECTION 6. Saving clause. 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 7. <u>Severability clause</u>. 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 8. <u>Effective date</u>. 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

Assistant City Attorney

Passed JUN 1 3 2007

Exhibit A Property description for Rawlins Conservation District

BEGINNING on Hawthorne Avenue at the point of intersection of the centerline of the alley between Rawlins Street and Lemmon Avenue,

THENCE, in a Southeasterly direction, along the centerline of the alley between Rawlins Street Avenue and Lemmon Avenue to the point of intersection with the centerline of Wycliff Avenue, to a point for corner;

THENCE, in a Southwesterly direction along the centerline of Wycliff Avenue to the point of intersection with the centerline of the alley between Rawlins Street and Hall Street,

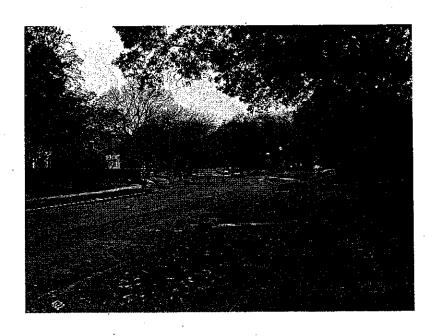
THENCE, in a Northwesterly direction, along the centerline of the alley between Rawlins Street and Hall Street, to the point of intersection with the centerline of Prescott Avenue, to a point for corner;

THENCE, in a Northeasterly direction along the centerline of Prescott Avenue to the point of intersection with the centerline of Rawlins Street,

THENCE, in a Northwesterly direction, along the centerline Rawlins Street, to the point of intersection with the centerline of Hawthorne Avenue,

THENCE, in a Northeasterly direction along the centerline of Hawthorne Avenue to the point of intersection with the centerline of the alley between Rawlins Street and Lemmon Avenue, the PLACE OF BEGINNING.

Exhibit B Regulations



Conservation District No. 16

Rawlins Street







RAWLINS CONSERVATION DISTRICT REGULATIONS

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(1) <u>Interpretations and definitions</u>.

- (a) Unless otherwise stated, all references to articles, divisions, or sections in this ordinance are to articles, divisions, or sections in Chapter 51A, as amended.
- (b) Unless otherwise stated, the definitions and interpretations in Chapter 51A, as amended, apply to this ordinance. In this ordinance:
 - (1) ARCHITECTURAL DESIGN FEATURES include chimneys; roof style, slope, and overhang; materials; window style; vent style; balconies; towers; wing walls; eave overhangs; window sashes; front porches; crowns; pilasters; and other exterior architectural features.
 - (2) ATTIC STORY means the space within a roof structure that is used as livable space and in which partial height walls are not used to raise the ceiling height.

(3) CALIPER means:

- (A) For a single-stem tree, the diameter of the trunk measured 12 inches above the ground for a tree having a diameter up to and including eight inches, and measured at four-and-one-half feet above the ground for a tree having a diameter of more than eight inches.
- (B) For multi-stem trees, the diameter of the trunk measured at the narrowest point below branching when branching occurs higher than 12 inches above the ground. When branching occurs at or lower than 12 inches above the ground, caliper means the diameter of the largest stem plus the average diameter of the remaining stems, measured at four-and-one-half feet above the ground.

- (4) CIRCULAR DRIVEWAY means a driveway located in a front yard or cornerside yard, used to access off-street parking or for off-street parking, and that has two curb cuts onto the same street or perpendicular streets.
- (5) COMPATIBLE means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, colors, and materials.
- (6) CORNER LOT means a lot that has frontage on two intersecting streets.
- (7) CORNERSIDE YARD means a side yard that abuts a street.
- (8) COVERAGE means the percentage of lot area covered by floor area on the ground floor.
- (9) DEMOLITION means the razing of the entire building or structure.
- (10) DIRECTOR means the director of the department of development services or the director's representative.
- (11) EXISTING means existing on June 13, 2007 (the date of creation of this conservation district).
- (12) FENCE means a structure or hedgerow that provides a physical barrier.
- (13) FLOOR AREA means the total square footage of floor space in a main structure, garage, carport, porte cochere, covered areas used for off-street parking, accessory buildings, covered structures (including the floor space of gazebos, cabanas, pool houses, tool sheds, servants' quarters, storage buildings, porches, and breezeways), and patios and decks (whether covered or uncovered), measured to the outside faces of the exterior walls or to the omitted wall lines, whichever produces the larger area, but excluding the following:
 - (A) Uncovered portions of driveways, sidewalks, pools and pool decks, tennis courts, and game courts.

- (B) Area of a private balcony that is not accessible to the public and does not provide a means of ingress or egress, window boxes that are less than 12 inches deep, bay windows that are less than 12 inches deep, and the portion of building eaves that extend less than 36 inches from the facade of the main structure.
- (C) Area of an unenclosed stairway.
- (14) FLOOR AREA RATIO means the ratio of total floor area (as defined in Subsection (1)(b)(13) of this Exhibit B but excluding breezeways, uncovered patios, and uncovered decks) to lot area.
- (15) FRONT FACADE means the main structure elevation facing, Rawlins Street.
- (16) FRONT STREET means Rawlins Street.
- (17) FRONT YARD means the portion of a lot that abuts Rawlins Street and extends across the width of the lot to the lines parallel to and extending outward from the front facade of a main structure, as shown on Figure 3 of the conceptual plan (Exhibit C).
- (18) HARDSCAPE means any non-living landscape materials such as boulders, cobbles, decorative concrete, gravel, pavers, or stones.
- (19) HEIGHT means the vertical distance measured from grade to the highest point of the structure, unless a different measurement is provided in this Exhibit B.
- (20) IN-KIND means the repair or replication of an existing feature using the same design and the same materials.
- (21) INTERIOR LOT means a lot that is not a corner lot.
- (22) LARGE CANOPY TREE means one of the following trees:

Scientific name	Common name
Fraxinus texensis	Texas Ash
Fraxinus americana	White Ash
Bumelia lanuginosa	Gum Bumelia (Chittamwood)
Ulmus crassifolia	Cedar Elm
Ulmus parvifolia	Lacebark Elm
Juniperus ashei	Ashe Juniper
Gymnocladus dioicus	Kentucky Coffeetree
Acer barbatum var. "Caddo"	Caddo Maple

Acer grandidentatum
Acer buergerianum
Quercus virginiana
Quercus durandii
Quercus fusiformis
Quercus macrocarpa
Quercus muhlenbergii
Quercus shumardii
Carya illinoensis
Diospyros virginiana [male only]
Pistacia chinensis
Sapindus drummondii
Liquidambar styraciflua
Juglans microcarpa

Bigtooth Maple
Trident Maple
Live Oak
Durrand Oak
Escarpment Live Oak
Bur Oak
Chinkapin Oak
Shumard Oak
Pecan
Common Persimmon
Chinese Pistachio
Western Soapberry
Sweetgum
Texas Black Walnut

- (23) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.
- (24) NEW MAIN STRUCTURE means a main structure that does not incorporate the front facade and at least 30 percent of the side facades of an existing main structure.
- (25) PARKWAY means that area between the sidewalk and the curb or that area between the sidewalk and the street pavement if there is no curb.
- (26) PROTECTED TREE means any tree in a front or side yard.
- (27) REAR YARD means the portion of a lot that abuts the alley and extends across the width of the lot to lines parallel to and extending outward from the rear facade of a main structure, as shown on Figure 3 of the conceptual plan (Exhibit C).
- (28) REMODEL means alterations, improvements, or repairs that change the appearance of the structure or replace materials of the structure with another material. In the case of a main structure, remodel means alterations, improvements, or repairs that change the appearance of the main structure or replace materials of the main structure with another material to an extent less than what would constitute a new main structure.

- REMOVE OR SERIOUSLY INJURE means an intentional or negligent action that will more likely than not cause a tree to decline and die within five years of the act. Actions that constitute removing or seriously injuring a tree include, but are not limited to: cutting down a tree; excessively pruning or topping a tree; compacting the soil above the root system of a tree; changing the natural grade above the root system of a tree; damaging the root system or the trunk of a tree (such as by operating machinery near, or by clearing or grading the area around, the trunk of a tree); failing to repair an injury to a tree from fire or other causes, which results in or permits tree infections or pest infestations into or on the tree; applying herbicidal or other lethal chemicals; and placing nonpermeable pavement over the root system of a tree.
- (30) REPLACEMENT TREE means one of the following trees:

SCIENTIFIC NAME

Acer barbatum var. Caddo Acer grandidentatum Acer buergerianum Bumelia lanuginosa

Carya illinoensis
Cercis canadensis
Chilopsis linearis
Cupressus sempervirens
Diospyros texana
Diospyros virginiana [male only]

Fraxinus americana Fraxinus texensis Gymnocladus dioicus Ilex decidua

Ilex vomitoria
Juglans microcarpa
Juniperus ashei
Juniperus virginiana
Lagerstroemia indica
Liquidambar styraciflua
Magnolia grandiflora

Pinus nigra

Pinus eldarica

COMMON NAME

Caddo Maple
Bigtooth Maple
Trident Maple
Chittamwood or Gum

Bumelia

Pecan
Redbud
Desert Willow
Italian Cypress
Texas Persimmon
Common or American

Persimmon

White Ash Texas Ash Kentucky Coffeetree Possumhaw or

Deciduous Holly

Yaupon Holly Texas Black Walnut Ashe Juniper Eastern Red Cedar Crepe Myrtle Sweetgum Southern Magnolia

Eldarica, Mondell, or

Afghan Pine

Austrian or Black

Pine

Pinus thunbergii Pistacia chinensis Prosopis glandulosa Prunus mexicana Quercus durandii Quercus fusiformis Quercus macrocarpa Quercus muhlenbergii Quercus shumardii Quercus virginiana Sapindus drummondii Sophora affinis Taxodium ascendens Taxodium distichum Ulmus crassifolia Ulmus parvifolia Viburnum rufidulum

Japanese Black Pine Chinese Pistachio Mesquite Mexican Plum Durrand Oak Escarpment Live Oak Bur Oak Chinkapin Oak Shumard Oak Live Oak Western Soapberry Eve's Necklace Pond Cypress **Bald Cypress** Cedar Elm Lacebark Elm Rusty Blackhaw

- (31) RETAINING WALL means a wall used to prevent the erosion of land.
- (32) REQUIRED YARD SETBACK means that portion of the front, side, or rear yard that has minimum setback requirements.
- (33) SIDE FACADE means the main structure elevation facing a side yard.
- (34) SIDE STREET means Wycliff Avenue, Herschel Avenue, Prescott Avenue, and Hawthorne Avenue.
- (35) SIDE YARD means any portion of a lot that is not a front yard or rear yard. Side yard includes a cornerside yard.
- (36) YARD, LOT, AND SPACE REGULATIONS means regulations related to front, side, and rear yard setbacks, floor area ratio, lot coverage, lot size, lot width, height, and number of stories.
- (c) This district is considered to be a residential zoning district.
- (2) <u>Conceptual plan</u>. The Rawlins Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit C. If there is a conflict between Exhibit B (the district regulations) and Exhibit C (the conceptual plan), Exhibit B controls.

(3) Nonconforming structures.

(a) <u>In general</u>. Except as provided in Section (3) of this Exhibit B, Section 51A-4.704(c), as amended, relating to nonconforming structures, applies to all structures.

(b) Rebuilding nonconforming structures.

- (1) Except as provided in Subsection (3)(b) of this Exhibit B, a person may renovate, remodel, repair, rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to the yard, lot, and space regulations.
- (2) Except as provided in Subsection (3)(b) of this Exhibit B, the right to rebuild a nonconforming structure ceases if the structure is destroyed by the intentional act of the owner or the owner's agent.
- (3) Existing attached garages that are not located in the rear yard and nonconforming architectural design features on existing main structures may only be repaired or replaced in-kind, regardless of the reason for the repair or replacement, and they may not be enlarged.
- (4) A nonconforming driveway, nonconforming fence in the rear yard, or nonconforming accessory structure may only be repaired or replaced in-kind regardless of the reason for the repair or replacement.
- (5) No person may repair a nonconforming fence in the front yard, side yard, or cornerside yard if the cumulative cost of repairs within a one-year period is more than 60 percent of the cost of erecting a new fence of the same type at the same location, unless the fence is repaired so that it complies with the fence regulations.

(4) <u>Development standards</u>.

(a) In general.

- (1) Except as provided in this Exhibit B, the regulations for the R-7.5(A) Single Family District, as amended, apply.
- (2) The yard, lot, and space regulations in this Exhibit B must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this Exhibit B and Division 51A-4.400, this Exhibit B controls.

- Demolition. The following main structures may be demolished only if the (b) cost of bringing the main structure into compliance with all applicable building code requirements using materials similar to the existing materials is greater than 100 percent of the structure's value (excluding the land value) according to Dallas Central Appraisal District as determined by the building official. The burden of proof is on the applicant.
 - 4303 Rawlins (1)
 - (2)4306 Rawlins
 - (3) 4310 Rawlins
 - 4311 Rawlins (4)
 - (5)4316 Rawlins
 - 4317 Rawlins (6)

 - 4321 Rawlins
 - 4322 Rawlins (8)4327 Rawlins
 - (9)
 - 4334 Rawlins (10)
 - (11)4335 Rawlins
 - (12)4338 Rawlins
 - (13)4339 Rawlins
 - (14)4402 Rawlins
 - (15)4403 Rawlins
 - 4406 Rawlins (16)
 - (17)4409 Rawlins
 - (18)4411 Rawlins
 - (19)4412 Rawlins
 - (20)4419 Rawlins
 - (21)4420 Rawlins
 - (22)4425 Rawlins
 - (23)4433 Rawlins
 - (24)4434 Rawlins
 - (25)4439 Rawlins
 - 4502 Rawlins (26)
 - (27)4524 Rawlins

Driveways. (c)

- (1) Circular driveways are prohibited. Existing circular driveways are subject to the rules for nonconforming structures.
- All driveways must be constructed of concrete, stone, brick, or \cdot (2) similar materials.

- (3) Maximum width of a driveway in a front yard is ten feet, except that a flare at the curb may be required by the building official in accordance with the city's paving and driveway manual.
- (4) On corner lots, a driveway intersecting with the side street may be up to 24 feet wide if it provides direct access to a garage from the side street, and it may be up to 36 feet wide if it is located entirely behind the rearmost corner of the main structure. There is no limit to pavement width for portions of a driveway located behind the main structure and not visible when standing in front of the main structure on Rawlins Street.
- (5) Interior lots may have driveway entries from the front street, or the alley, or both.
- (6) Corner lots may have one driveway entry from the side street or the front street. Corner lots may have an additional driveway entry from the side street, provided it does not create a circular driveway. Corner lots may have the sole driveway entry from the alley.

(d) Fences.

- (1) Fences, and hedgerows that provide a physical barrier, are allowed in the front yard only if they provide privacy to a stoop or porch area, and are parallel to and completely located within 10 feet of the front facade of the main structure, and are no more than four feet high, except that returns (portions that are perpendicular to the front facade of the main structure) from a permissible wall or hedge are permitted on corner lots.
- (2) Fences must be constructed of brick, stone, wood, wrought iron, or similar materials, or a combination of these materials.
- (3) Fences in the side yard may be up to nine feet high.
- (4) Fences in the rear and cornerside yards may be up to ten feet high.
- (e) Floor area ratio. Note that floor area ratio is calculated as defined in Subsection (1)(b)(14) of this Exhibit B
 - (1) Except as provided in Subsections (4)(e)(2) and (3) of this Exhibit B, maximum floor area ratio for a lot with a new main structure is .35.

- (2) For lots located at 4326 Rawlins and 4330 Rawlins, and for any replatted lot no part of which included a main structure on June 13, 2007, maximum floor area ratio for a lot with a new main structure is .55.
- (3) If an existing main structure must be repaired or rebuilt as a result of damage or destruction caused other than by the intentional act of the owner or owner's agent to the extent that the work is considered to be a new main structure, maximum floor area ratio for a lot with a new main structure is .55.
- (4) Maximum floor area ratio for any other lot is .55.

(f) Garages and carports.

- (1) Garages and carports may be attached or detached, but they must be located in the rear yard.
- (2) The color, style, design, and materials of garages and carports that are visible from the street must be compatible with the main structure.
- (3) If a garage or carport is visible from the street, the slope of the roof must match the roof slope of the main structure or have a roof slope that is compatible with the roof slope of the architectural style of the main structure.
- (4) Except as provided in this Subsection (4)(f)(4) of this Exhibit B, a parking space in an enclosed structure must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space faces upon or can be entered directly from the street or alley. This provision controls over any building line platted to a lesser setback and any other provision regulating setbacks. This provision does not authorize the erection of a garage within a required side or rear yard setback. A parking space in an enclosed structure may be within 20 feet of the right-of-way line adjacent to a street or alley if:
 - (A) the parking space can be entered directly only from a street or alley that is not designated as a thoroughfare in the city's thoroughfare plan;
 - (B) the parking space is in a side yard or rear yard;
 - (C) the garage door has a remote automatic control installed that is maintained in working condition; and

(D) no portion of the garage door encroaches into the public right-of-way when it opens or closes.

(g) Height.

- (1) Maximum height for existing structures is 42 feet measured to the peak of the structure. The roof ridge of an existing main structure may be raised subject to the height limitations of Subsection (4)(g) of this Exhibit B.
- (2) Maximum height of new main structures is the lower of:
 - (A) 42 feet measured to the peak of the structure; or
 - (B) the highest single family structure on the blockface.
- (3) Maximum height for the lowest eaves of the structure is 30 feet, measured to the bottom of the eaves as shown in Figure 8 of the conceptual plan (Exhibit C).
- (4) The maximum height of the following structures is 42 feet:
 - (A) Skylights.
 - (B) Visual screens which surround roof mounted mechanical equipment.
 - (C) Chimney and vent stacks.
 - (D) Parapet walls, limited to a height of four feet above the roof.
- (5) Additions to existing main structures may not exceed the height of the existing main structure (or the raised roof height of an existing structure if the roof has been raised). This provision is intended to prohibit additions from towering over the structure.
- (6) The finished or average grade may not be altered to be more than one foot above the street level. This provision is intended to prevent the circumvention of the height restrictions by placing a new structure on a man-made hill. Existing grade may be maintained.

- (7) Accessory structures may not exceed the height of the main structure. This provision is intended to prevent accessory structures from towering over the main structure.
- (h) <u>Landscaping</u>. These provisions apply in addition to the landscaping requirements' in Article X for the R-7.5(A) Single Family District, as amended. Note that front yard is defined in Subsection (1)(b)(17) of this Exhibit B
 - (1) Front yards must be covered with living plant material generally accepted as lawn material, such as grass or ground cover (rock gardens and sculpture gardens do not qualify as lawn material), except:
 - (A) A maximum of 25 percent of the front yard may be paved or covered with hardscape, mulch, or dirt.
 - (B) A maximum of 50 percent of the front yard may be covered with flower beds.
 - (2) All trees planted in front or side yards that are not required to be planted under Subsection (4)(r) of this Exhibit B (tree preservation, removal, and replacement), must be selected from the replacement trees listed in Subsection (1)(b)(30) of this Exhibit B.
- (i) <u>Lot coverage</u>. The maximum lot coverage is 35 percent. Note that coverage and floor area are defined in Subsections (1)(b)(8) and (1)(b)(13) of this Exhibit B.
- (j) Lot size.
 - (1) Minimum lot size is 8,000 square feet.
 - (2) Maximum lot size is 15,000 square feet.
- (k) Lot width. The minimum lot width at Rawlins Street is 60 feet.
- (1) Paint color.
 - (1) Fluorescent and metallic paint colors are not permitted on the exterior of any structure.
 - (2) Exterior paint colors for main structures and accessory buildings must be typical for the architectural style of the main structure.
- (m) <u>Retaining walls</u>.

- (1) Existing retaining walls as shown in the conceptual plan (Exhibit C) may be repaired and maintained.
- (2) New retaining walls must be made of stone, brick, or similar materials, and may not exceed six inches above the soil it is retaining.
- (3) New retaining walls may not exceed 12 inches in height.

(n) Setbacks.

(1) Front yard.

(A) Minimum front yard setback is listed below and in Figure 2 of the conceptual plan (Exhibit C).

```
4303 Rawlins - 42' 10"
4306 Rawlins - 39' 6"
4310 Rawlins - 48' 6"
4311 Rawlins - 40' 6"
4316 Rawlins - 43' 6"
4317 Rawlins -- 39'
4321 Rawlins - 47' 6"
4322 Rawlins - 41'
4326 Rawlins - 39' 6"
4327 Rawlins - 47' 6"
4330 Rawlins - 40'
4334 Rawlins - 42'
4335 Rawlins - 46' 6"
4338 Rawlins - 38'
4339 Rawlins - 45'
4402 Rawlins - 36' 6"
4403 Rawlins - 28'
4406 Rawlins - 42'
4409 Rawlins - 41'
4411 Rawlins - 41' 4"
4412 Rawlins - 40' 6"
4419 Rawlins - 37' 6"
4420 Rawlins - 35' 6"
4425 Rawlins - 37' 6"
4433 Rawlins - 37'
4434 Rawlins - 39' 3"
4439 Rawlins - 37' 8"
4502 Rawlins - 55'
4524 Rawlins - 53'
```

- (B) Except as provided in Subsections (4)(d)(1) and (4)(n)(1) (D) and (E) of this Exhibit B, required front yard setback must be open and unobstructed by any structure. Ordinary projections of window sills, belt courses, cornices, or other architectural features may project up to 12 inches into the required front yard setback. Cantilevered roof eaves and balconies may project up to five feet into the required front yard setback.
- (C) Mailboxes, pylons, and satellite dishes are not permitted in the front yard setback.
- (D) Landscaping ornamentation, such as benches, fountains, or sculptures, that are no more than four feet high are permitted in the front yard setback.
- (E) The only lighting permitted in the front yard setback is:
 - (i) lighting installed by the city in the right-of-way,
 - (ii) accent lighting on the ground that is no more than one-foot high,
 - (iii) one pole lamp up to seven-feet high if it is located within two feet of the walkway approach to the main structure, and
 - (iv) tree lighting if it is directed so the light does not spill over the property line at grade if the light is directed down or does not illuminate the highest point of any adjacent structure if the light is directed up.

(2) Side yard.

- (A) Except as provided in Subsections (4)(n)(2)(B) and (C) of this Exhibit B, the minimum side yard setback is five feet on one side and 10 feet on the other side.
- (B) Except as provided in Subsection (4)(n)(2)(C) of this Exhibit B, the minimum side yard setback for accessory structures is five feet.

(C) Side yard setback areas must be open and unobstructed by structures except for fences. Ordinary projections of window sills, belt courses, cornices, and other architectural features may project up to 12 inches into the required side yard setback. Roof eaves may project up to three feet into the required side yard. Balconies may not project into the required side yard setback.

(3) Rear yard.

- (A) Except as provided in Subsections (4)(n)(3)(C) of this Exhibit B, minimum rear yard setback for main structures is five feet.
- (B) Except as provided in Subsection (4)(n)(3)(C) of this Exhibit B, the minimum rear yard setback for accessory structures is three feet.
- (C) Required rear yard setback areas must be open and unobstructed by structures except for fences. Ordinary projections of window sills, belt courses, cornices, and other architectural features may project up to 12 inches into the required rear yard setback. Roof eaves may project up to three feet into the required rear yard. Balconies may not project into the required rear yard setback.
- (o) <u>Signs</u>. Signs must comply with the provisions for non-business zoning districts in Article VII.
- (p) <u>Special exceptions</u>. Special exceptions are not permitted.
- (q) Stories. The maximum number of stories above grade is two plus an attic story.
- (r) Tree preservation, removal, and replacement.
 - (1) <u>In general</u>. Except as modified in Subsection (4)(r) of this Exhibit B, the tree preservation, removal and replacement regulations in Division 51A-10.130 apply.
 - (2) <u>Protected trees</u>. All trees in front and side yards are protected. No other trees are protected. Note that front and side yards are defined in Subsections (1)(b)(17) and (1)(b)(35) of this Exhibit B.

- (3) Mitigation for the removal of certain diseased, distressed, or dying protected trees. If a protected tree is removed after evidence is provided by the owner and the city arborist agrees that the tree is seriously diseased, distressed, or dying, due to a cause other than the intentional act or negligence of the owner or the owner's agent, one replacement tree with at minimum four inch caliper must be planted in the front or side yard for each protected tree removed.
- (4) Mitigation for the removal of all other protected trees. Except as provided in Subsection (4)(r)(3) of this Exhibit B, if a protected tree is removed or seriously injured, trees that are at least four inch caliper in size, in a total caliper equal or exceeding the total caliper of the protected trees removed or seriously injured, must be planted on the lot. The trees planted must be either trees of the same species that were removed or from the list of large canopy trees in Subsection (1)(b)(22) of this Exhibit B.
- (5) Alternate methods of mitigation. If a property owner cannot plant a required tree on the lot from which the protected tree was removed, the property owner shall comply with one of the following two requirements:
 - (A) Plant the tree on other property within the Oak Lawn SPD, including public parks, with the written permission of the building official and the property owner of the lot where the tree is to be located.
 - (B) Make a payment into the Oak Lawn Open Space Fund.
- (6) Additional payment for removal of majestic trees. For purposes of this provision, a "majestic tree" is defined as a protected tree with a caliper of 15 inches or more. If a majestic tree is removed pursuant to Subsection (4)(r)(4) of this Exhibit B, in addition to mitigation, a payment must be made into the Oak Lawn Open Space Fund.

- Oak Lawn Open Space Fund. The Department of Development Services shall administer a city account to be known as the Oak Lawn Open Space Fund. Funds from the Oak Lawn Open Space Fund must be used only for acquiring park and open-space property within the Oak Lawn SPD. The amount of the payment required is calculated by using the formula for appraising the value of a tree, as derived from the most recent edition of the Guide for Establishing Values of Trees and Other Plants published by the Council of Tree & Landscape Appraisers, unless another publication is designated by the building official. Payments made into the Oak Lawn Open Space Fund must be spent within 10 years of the date of payment.
- (s) <u>Uses</u>. The following uses are the only main uses permitted:
 - Single-family.
 - -- Handicapped group dwelling unit. [SUP required if located within 1,000 feet from group residential facilities or any other licensed handicapped group dwelling unit.]
 - -- Local utilities. [Subject to the same regulations in Section 51A-4.212(4) for the R-7.5(A) Single Family district.]

(t) Walkways and steps.

- (1) Existing rolling or waterfall steps leading from the sidewalk to the house must be retained. If the existing rolling or waterfall steps are damaged and must be replaced, the replacement steps must match the existing or be similar in design to other rolling steps in the district. See the conceptual plan (Exhibit C) for photographs of the existing rolling or waterfall steps.
- (2) Walkways may be straight or curved.
- (3) Walkways must be made of brick, concrete, stone, or similar material.

(5) Architectural standards

- (a) <u>Standards for new main structures not incorporating any part of an existing main structure.</u>
 - (1) All of the architectural elements of the style selected for a new main structure must be incorporated into the construction.
 - (2) All new main structures must be compatible with the existing houses in the district.

- (3) The front and side facades of new main structure must be built either:
 - (A) in compliance with the architectural standards for the Colonial Revival, Mission, Prairie, Spanish Eclectic, or Tudor styles in Subsection (5)(h) of this Exhibit B and illustrated in the conceptual plan (Exhibit C), or
 - (B) in the same architectural style as the existing house that was demolished pursuant to standards for that style set forth in the most recent edition of "A Field Guide to American Houses" by Virginia and Lee McAlester (a copy of which is available in the Department of Development Services).
- (b) Standards for all other new main structures. If a new main structure incorporates any portion of the existing main structure, the front and side facades of the new construction must be compatible in color, design, materials, and architectural style of the existing main structure that is incorporated.
- (c) <u>Standards for remodeling</u>. If a main structure is remodeled, the remodeling of the front and side facades must be compatible in color, design, materials and architectural style to the main structure.
- (d) Building materials.
 - (1) Except as provided in Subsection (5)(d)(2) of this Exhibit B, main structures must be clad in brick, stone, stucco, or wood.
 - (2) Hardiplank may only be used on the rear 50 percent of the main structure and anywhere on accessory structures.
 - (3) Aluminum siding, plywood, and vinyl siding are prohibited.

(e) Roofs.

- (1) Except as provided in Subsection (5)(e)(2) of this Exhibit B, only the following roof materials are allowed: clay tiles, composition shingles, concrete tiles, slate tiles, synthetic clay tiles, synthetic slate, and terra cotta tiles.
- (2) Tar and gravel roofing is allowed only on the existing Mid-Century Modern house located at 4335 Rawlins.

(3) Flat roofs, with no visible roof slope, are prohibited as primary roofs on main and accessory structures.

(f) Windows.

- (1) Window styles must be appropriate to the architectural style of the house.
- (2) Except as provided in Subsection (5)(f)(3) of this Exhibit B, only transparent, stained, or leaded glass may be used.
- (3) Glass block may be used in kitchens and bathroom windows located on the rear 50 percent of the structure. Glass block may be used in any window that is on the rear 50 percent of the structure and that is also on a facade facing the rear yard.
- (4) Muntins and mullions must be expressed and have a profile on the exterior of the window.
- (5) Window frames must have the appearance of wood.

(g) Front facade.

- (1) The primary entrance to the main structure must face Rawlins Street so that the main structure has a Rawlins Street address.
- (2) Exterior burglar bars, sun screens, or TV dishes are not permitted to be located on the front facade of the main structure.
- (3) Placement of main structures must maintain the same parallel relationship to Rawlins Street as the other houses on the street. Houses may not be angled along the curvature of the street as shown in Figure 7 of the conceptual plan (Exhibit C).

(h) Minimum architectural styles.

(1) Colonial Revival.

- (A) The roof must be side-gabled and low-pitched with a roof slope between 25 and 45 degrees.
- (B) The predominant wall cladding material must be brick or stone.
- (C) Windows on the front facade must be symmetrically balanced, located on both sides of a centered door.

- (D) Windows must have double-hung sashes.
- (E) The house must have either:
 - (i) a front door accentuated with an entry porch or a decorative crown and pilasters, or
 - (ii) a full-width porch.

(2) <u>Mission</u>.

- (A) The roof should be hipped and must be low-pitched with a roof slope between 20 and 40 degrees.
- (B) The house must have shaped mission gable ends or dormers.
- (C) Porch roofs must be supported by large square piers, which should be arched above.
- (D) The roof must be tile.
- (E) The roof must have wide overhanging eaves greater than 24 inches, with decorative brackets or beams.
- (F) The house must have a smooth-finish stucco or brick wall surface.

(3) Prairie.

- (A) The roof should be hipped and must be low-pitched with a roof slope between 20 and 40 degrees.
- (B) The roof must have wide overhanging eaves greater than 24 inches.
- (C) The house should be two stories, but may have one-story wings or porches.
- (D) The eaves, cornices, and facade detailing must emphasize horizontal lines on the front facade.
- (E) The house must have massive square base porch supports.
- (F) The house must have a simple square or rectangular plan.

(G) The entrance must be the focal point of the facade.

(4) Spanish Eclectic.

- (A) The roof must be cross-gabled and low-pitched with a roof slope equal to or less than 45 degrees.
- (B) The roof must be tile.
- (C) There must be a tapered chimney.
- (D) Wall surfaces must be clad in stucco, brick, or stone.
- (E) There must be arches above the doors and principle windows.

(5) <u>Tudor</u>.

- (A) Roofs must be cross-gabled and be steeply pitched with a roof slope of at least 45 degrees but no more than 70 degrees.
- (B) Gable ends must be clad in stucco with half-timbering, brick, or stone.
- (C) The maximum roof overhang is 18 inches.
- (D) There must be a front porch entry feature.
- (E) There must be a massive Tudor-style chimney.
- (F) The front facade must be clad with at least 80 percent brick, stone, or stucco with half-timbering.

(6) <u>Procedures</u>.

(a) Review form applications. A review form application must be submitted to the Director for any work covered by the standards contained in this ordinance.

(b) Work requiring a building permit.

- (1) Upon receipt of a review form application for work requiring a building permit, the building official shall refer it to the Director to determine whether the work meets the standards of this ordinance. The Director shall make this determination within 30 days after submission of a complete application.
- (2) If the Director determines that the work complies with the standards of this ordinance, the Director shall approve the application and send it back to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.
- (3) If the Director determines that the work does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit and send it back to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for the denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address given on the application.

(c) Work not requiring a building permit.

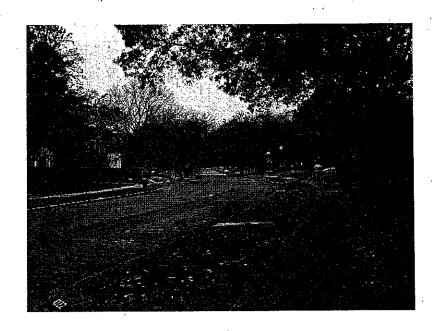
- (1) Upon receipt of a review form application for work not requiring a building permit, the building official shall refer it to the Director to determine whether the work meets the standards of this ordinance. The Director shall make this determination within 10 days after submission of a complete application.
- (2) If the Director determines that the work complies with the standards of this ordinance, the Director shall approve the application and give written notice to the applicant.
- (3) If the Director determines that the work does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address given on the application.

(d) Appeals.

- (1) An applicant may appeal any decision made by the Director to the board of adjustment by filing a written appeal with the Director within 10 days after notice is given to the applicant of the Director's decision.
- (2) The Director shall send written notice of the appeal to the applicant, the neighborhood association, and all owners of real property located within 200 feet, including streets and alleys, of the boundary of the area for which the application was made. The notice must be given not less than 10 days before the day set for the hearing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.
- (3) The board of adjustment shall hold a public hearing on all appeals.
- (4) In considering the appeal, the sole issue before the board of adjustment shall be whether the Director erred in the decision, and the board shall consider the same standards that were required to be considered by the Director.
- (5) Appeals to the board of adjustment are the final administrative remedy.

Exhibit C

Conceptual Plan



Conservation District No. 16

Rawlins Street





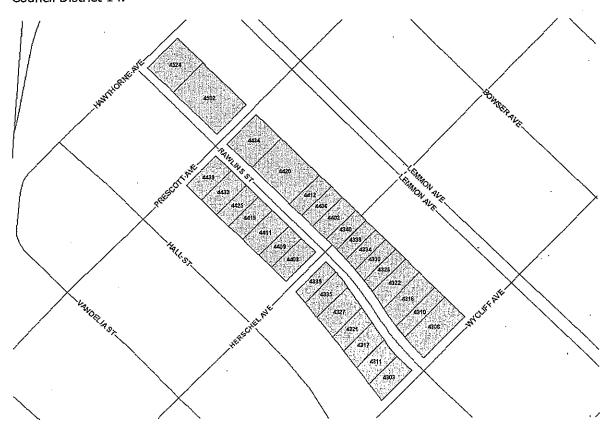


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INTRODUCTION

Rawlins Street is part of the Perry Heights Neighborhood in Old Oak Lawn. The proposed district includes both blockfaces of the 4300 and 4400 blocks of Rawlins and the northeast block face of the 4500 block. There are 29 single-family homes. The district is a part of the Perry Heights neighborhood, one of the last remaining single-family neighborhoods in Oak Lawn; however, the Perry Heights neighborhood association is not a representative for this proposed conservation district. This proposed district is in City Council District 14.

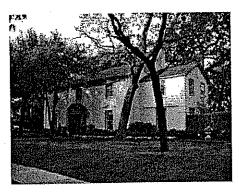


BACKGROUND AND FEASIBILITY

A zoning change application was submitted by property owners to the city in August of 2006 for a conservation district feasibility study to be conducted by the Department of Development Services. The application contained petition signatures from 90 percent of the property owners in support of conducting a conservation district study. In the application, Rawlins expressed concerns regarding setbacks, maintaining the existing green space, single-family land use, height, roof styles, and compatible construction materials.

HISTORICAL, ARCHITECTURAL, AND CULTURAL ATTRIBUTES

Perry Heights opened to the public in 1922; it was developed alongside Craddock Park by E. Gordon Perry, an eccentric and



wealthy oilman. When Perry Heights was developed, the homes on Rawlins Street were intended to be substantial. Homes on Rawlins were required to be of a "permanent construction in brick, hollow tile, or stucco", and of all the streets in Perry Heights, only Rawlins was required to have two story homes. Also, no boarding houses or stores were allowed in Perry Heights. A 1924 newspaper article boasts of the paved streets, 15-foot alleys, spacious sidewalks, eight-inch gas and water mains, sewerage, light, telephones and shade trees. All of these features made the Perry Heights neighborhood special at their time of construction and continues to make Rawlins Street significant today.

Also, being located just south of Craddock Park, Rawlins has a park-like atmosphere. The lush lawns, overarching trees, mature gardens, and significant architectural designs all are features that create a special atmosphere in this district. The vistas in the neighborhood are an important feature to this park-like area.

In 2006, Preservation Dallas listed the historic resources in Oak Lawn on its "11 Most Endangered" list. Preservation Dallas said that "Oak Lawn has lost more historic properties than any other area of the city and in 2005-2006, developers removed literally blocks of bungalows, tudor houses and apartments, and Craftsman houses for more intensive development". They also noted specifically the single-family neighborhoods of Perry Heights and Oak Lawn Heights as endangered neighborhoods in Oak Lawn. With popular destinations such as Cedar Springs, West Village, City Place and Lemmon Avenue surrounding them, the neighbors on Rawlins Street felt pressure to protect their street.



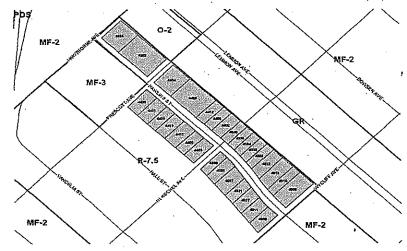
With new construction immediately surrounding this area, Rawlins Street has managed to remain untouched amongst substantial neighboring development. Immediately outside Perry Heights, the adjacent properties are zoned for multi-family and commercial developments. This street, adjacent to intense development pressures, has remained safe and sound for at least 20 years, and through a conservation district overlay, could ensure their permanent protection.

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The most recent home built in the district was in 1956. Over the last 20 years, the housing stock has remained relatively consistent, with only minor or aesthetic alterations occurring. Rawlins Street has a variety of significant architectural styles, including Colonial Revival, Prairie, Spanish Eclectic, Mission, Plantation, Georgian, and Tudor. These homes were primarily built in 1920's. No two homes on the street are alike. Many of the homes have influences from several architectural styles, designs that are a mix and influence the different styles of the 1920's and 1930's. There are a number of mixtures of architectural elements that make this district unique — a gem of Oak Lawn and to the city of Dallas.

EXISTING ZONING AND LAND USE

The Oak Lawn neighborhood was defined in Dallas City Ordinance 21859 as Planned Development District No. 193, the Oak Lawn Special Purpose District. This portion of PD 193 is zoned R-7.5 single family. The immediate surrounding area provide for multifamily and general retail districts.



APPLICATION AND STUDY PROCESS

Even prior to submitting their application to the City of Dallas, the residents of Rawlins were meeting to discuss the conservation district process. Below is a table of the preliminary meetings the neighborhood held prior to submitting their application:

March 7, 2006 Meeting	~ 7 people attended
April 4, 2006 Meeting	~ 14 people attended
April 25, 2006 Meeting	~ 10 people attended
April 30, 2006 Petition Signature Gathering Meeting	~ 23 people attended
September 9, 2006 Preliminary Meeting with City Staff	~ people attended
September 26, 2006 Core Meeting with City Staff	~ 10 people attended

In October 2006, the Department of Development Services began the process of conducting community meetings. The Department of Development Services held the first meeting in order to inform the residents of the pending request and then held subsequent meetings in order to determine the content of the CD ordinance. Community meetings are held in order to help the neighborhood define what is important to their neighborhood. Specifically, the discussion determines what items are needed to the preserved, protected and prohibited in order to maintain the existing character of their neighborhood. The ultimate outcome of the community meeting process is to produce a draft ordinance. Below is a list of the dates of the community meetings and briefing held as well as the number of people who attended each of the meetings:

October 14, 2006 Walking Tour	~ 15 people attended
October 26, 2006 Community Meeting #1	~ 17 people attended
December 10, 2006 Walking Tour	~ 8 people attended
December 20, 2006 Community Meeting #2	~ 9 people attended
February 20, 2007 Community Meeting #3	~ 18 people attended
February 27, 2007 Rawlins Group Briefing to the Perry	
Heights Neighborhood Association	
March 6, 2007 Rawlins Group Briefing to the Oak Lawn	~35 people attended
Committee	
March 22, 2007 Community Meeting #4	~25 people attended
April 3, 2007 Community Meeting #5	~20 people attended

At the community meetings, the neighborhood discussed the wide variety of regulations that could be implemented to protect their neighborhood. Through these discussions, staff offered suggestions from what other conservation district neighborhoods had done that might accomplish the goals of Rawlins. During the community meetings, the neighborhood provided good feedback, and understood what made their street unique.

GOALS OF THE NEIGHBORHOOD AND GUIDELINES

In Rawlin's application to the city, the neighborhood listed a number of goals they hoped to accomplish through implementing a conservation district:

Goal of the Neighborhood	How the goal is being acknowledged in the conservation district ordinance
Maintain the large front yard setbacks; preserve the existing feeling of green space; and protect the park-like open vistas	 Recorded the existing front yard setbacks Wrote additional regulations for the removal and replacement of trees Regulated the amount of paving and hardscape in the front yard, and required living plant material over a majority of the front yard Prohibited fences, hedgerows, and additional circular driveways in the front yards that obstruct the vista Implemented rules for the materials and heights of new retaining walls, to ensure that the vista is not disturbed by varying retaining walls
Preserve the single family status and encourage the retention of the original homes	 Regulated the allowed uses Increased the side yard setbacks to increase the green space between homes Included regulations for the demolition of existing homes Provided a higher floor area ratio for existing original homes in order to encourage additions to original homes rather than demolitions Provided a minimum lot size, maximum lot size and minimum lot width
Maintain the size and scale of the homes (height, roof slope, etc.)	 Lowered the allowed lot coverage Regulated the heights of additions to existing structures Ensured that additions are constructed on the rear of the structure and do not loom over the original home Created a minimum roof slope Wrote regulations that generally describe the characteristics of each architectural style
Continue the use of compatible construction materials	 Regulated what building and roofing materials are allowed and prohibited Stipulated the types of glass that can be used

The chart below is a <u>summary</u> of the development standards that property owners agreed to include in a proposal to guide development in the area. Ten of these standards were already regulated by the existing PD 193 zoning. Of these items that were already regulated by the existing zoning, property owners

wanted the regulations to be more appropriate to the neighborhood. The following chart is only a summary, please see Exhibit B for the full explanation of these regulations.

Standard	PD 193	Potential Standard — This chart is a <u>summary</u> only. Please see Exhibit B for the full wording and regulations.
Architectural Style	N/R ,	New construction may be constructed in Colonial Revival, Spanish Eclectic, Mission, Prairie or Tudor architectural styles.
Building Materials	Shiny materials are prohibited	 Main structures must be clad in brick, stone, stucco or wood. Hardi plank is permitted only on the rear 50% of the structure and on any portion of an accessory structures. Aluminum siding, plywood, and vinyl siding are prohibited.
Demolition	N/R	Listed the homes that may only be demolished if the expenditures exceed 100% the structure value of the home. Other homes may be demolished.
Driveways and Paving	N/R	 Circular driveways are prohibited. Driveways may be made of brick, stone, concrete or similar materials. Driveways in the front yard may not exceed 10 feet. Driveways on the side yard may not exceed 24 feet unless it is located entirely behind the rearmost corner of the main building in which it may be up to 36 feet. On interior lots, driveway access may be from the street or alley or both; corner lots may have access from the street, side street or alley.
Fences and Hedgerows	Front Yard — 4 ft Side Yard — 9 ft Rear Yard — 9 ft	 Fences must be constructed of brick, stone, wood, wrought iron, similar materials or a combination Front Yard – are only allowed within 10 feet of the front façade up to 4 feet high Side Yard – 9 ft (remained the same) Rear Yard – 10 ft
Floor Area Ratio	N/R	 On a lot with a new main structure35 New construction at 4326 and 4330 Rawlins, and subdivided lots where there was not a main structure at the time of the ordinance55 New construction where the existing structures was unintentionally damaged55 For any other lot55
Front Yard Setback	25 feet or the average of the two existing adjacent structures	 As indicated in Exhibit C Mailboxes, pylons, and satellite dishes are not prohibited in the front yard. Landscaping ornamentation may not exceed 4 feet in height. Lighting in the front yard may only be city lighting in the right of way, ground accent lighting less than a foot high, one lamp pole up to 7 feet high, and tree lighting.

Standard	PD 193	Potential Standard — This chart is a <u>summary</u> only. Please see Exhibit B for the full wording and regulations.
Garages and	See PD 193	5 foot side yard setback and 3 foot rear yard setback.
Carports		20 foot rear yard setback from public right-of way unless there is
•		an automatic garage door opener.
		May be attached or detached but must be located in the rear yard.
		May not exceed the height of the main structure.
		Color, style, design and materials must be compatible with the
		main structure.
		Roof slope must match the slope of the main structure or be
		compatible with the architectural style of the main structure.
Height	30 feet as	Existing Structures – 42 feet to the peak (the roof ridge of a main
	defined in PD	structure may be raised). Dormer eaves may not exceed 30 feet.
,	193	New Construction – the lower of either: 42 feet or the peak or the
		height of the tallest house on the blockface.
		Finished or average grade may not be altered more than a foot
		above street level.
Landscaping	See PD 193	Must have living plant material in the front yard.
		25 percent of the front yard may be paved or hardscaped.
		Maximum 50 percent of the front yard may be flowerbeds.
		Trees must be picked from the replacement tree list in the
		conceptual plan (Exhibit C).
Lot Coverage	45%	35 percent maximum
Lot Size	7,500 sq. ft.	• 8,000 sq. ft. minimum
		• 15,000 sq. ft. maximum
Lot Width	50 ft.	60 ft. minimum lot width
Painting	N/R	Prohibit fluorescent and metallic paint colors.
		Exterior paint must be typical to the architectural style.
Rear Yard Setback	5 feet	5 feet (remained the same)
Replacements /	See PD 193	Nonconforming structures may be repaired as long as they do not
Nonconforming		make the structure more nonconforming, unless it is intentionally
		destroyed
		Accessory structures may be replaced in-kind with similar heights,
,		materials and footprint
		Nonconforming driveway, rear yard fences, or accessory
		 structures may be replaced in-kind Nonconforming fences in the front yard, side yard and corner side
		yard may be repaired but not replaced.
	NI/FD	
Retaining Walls	N/R	as the second of the decision of the community and the second of the sec
1		· · · · · · · · · · · · · · · · · · ·
01 1/2 0 1/2 1/2	□ Foot	 May not exceed 12 inches in height. 5 feet on one side and 10 feet on the other.
Side Yard Setback	5 feet	Prohibited.
Special Exception	N/R	
Stories	N/R	Two plus an attic story.Trees in the front and side yard are protected.
Tree Mitigation	See PD 193	
	· ·	Mitigation for the removal of diseased trees.Mitigation for the removal of healthy trees.
11. 11	N/D	Alternative methods of compliance. Waterfall stops are protected.
Walkways and	N/R	Waterfall steps are protected. Wallaraya must be straight or curved.
Steps		 Walkways must be straight or curved. Walkways must be made of brick, concrete, stone or similar
		•
		materials.

CONCLUSIONS AND RECOMMENDATIONS

In their conservation district application, the Rawlins neighbors noted that their main goals were to protect their large front yard setbacks, maintain the existing green space and vistas, stipulated only single-family land uses, regulate height of structures, roof styles, and ensure compatible construction materials are used. All of these items could be regulated to maintain the appearance and atmosphere of the neighborhood.

The purpose of conservation districts is to create a zoning overlay that protects characteristics that are necessary to maintain the neighborhood that are not specifically regulated by the Dallas City Code. The district hopes that by pursuing a conservation district, they can maintain the ambiance and scale of their neighborhood. To qualify as a conservation district, an area must meet all four criteria as stated in the Dallas City Code, Section 51A-4.505(e)(2):

- 1. The area must contain at least one blockface.
- 2. The area must be either "stable" or "stabilizing" as those terms are defined in this section.
- 3. The area must contain significant architectural or cultural attributes as those terms are defined in this section.
- 4. The area must have a distinctive atmosphere or character which can be conserved by protecting or enhancing its architectural or cultural attributes.

Staff evaluated the Rawlins area and found that the existing zoning regulations do not adequately regulate alterations, additions and new construction in the district, nor do the existing zoning regulations match the built environment. After evaluation and study, staff has determined this district meets the requirements of the ordinance and recommends that Rawlins be designated as a conservation district in the City of Dallas.

PARK-LIKE ATMOSPHERE

When determining standards for the ordinance, protecting the front yard vistas was the most important characteristic to the neighborhood. Many of the discussions in the community meetings revolved around making sure that the park-like atmosphere was maintained. These discussions included items such as prohibiting front yard fences and hedgerows, maintaining the existing front yard setbacks, increasing the required side yard setbacks, regulating the amount of impervious surface in the front yard, and encouraging living plant material to be used in the front yards, were all things that help to maintain the green space in the front yard.

Landscaping:

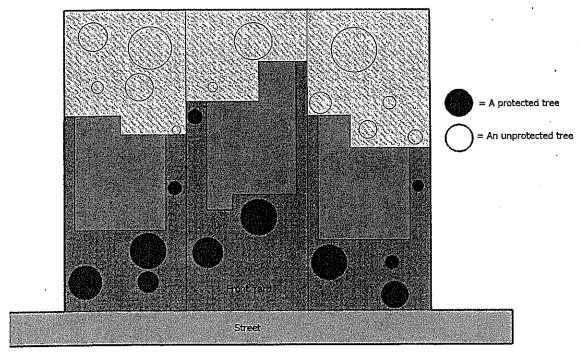
In the community meetings, landscaping regulations were always a hot topic. In this district of only 29 houses, there are 67 trees with circumferences greater than two feet. The neighbors of Rawlins were very dedicated in measuring their existing trees in order to ensure this important feature of their district was preserved and protected.

The neighbors were concerned with trees being removed, either intentionally or if the tree was diseased. Through the community meeting discussions, the neighbors decided that they wanted to



ensure that new replacement trees were being planted in either case. The neighborhood modified their landscaping regulations from the existing City of Dallas landscaping regulations and the landscaping regulations for PD 193. Their modified regulations allowed for residents to remove a seriously diseased or dying tree, and provided more stringent regulations for the intentional removal of trees. The neighborhood made several compromises amongst themselves to ensure that there was a balance between punishing those who were clear cutting trees and those who needed to remove a diseased tree from their yard.

Figure 1 - A diagram showing the trees that are protected by this ordinance



List of permitted replacement trees

SCIENTIFIC NAME	COMMON NAME
Acer barbatum var. "Caddo"	Caddo Maple **
Acer grandidentatum	
Acer buergerianum	Trident Maple **
Bumelia Lanuginosa	Chittamwood or Gum Bumelia **
Carya illinoensis	Pecan **
Cercis Canadensis	Redbud
Chilopsis linearis	
Cupressus sempervirens	Italian Cypress *
Diospyros texana	Texas Persimmon
Diospyros virginiana [male only]	Common or American Persimmon **
Fraxinus Americana	White Ash **
Fraxinus texana	Texas Ash **
Gymnocladus diocius	Kentucky Coffeetree **
Ilex deciduas	Possumhaw or Deciduous Holly
Ilex vomitoria	
Juglans microcarpa	Texas Black Walnut **
Juniperus ashei	Ashe Juniper **
Juniperus virginiana	Eastern Red Cedar
Lagerstroemia indica	Crepe Myrtle *
Liquidambar styraciflua	Sweetgum **
Magnolia grandiflora	Southern Magnolia
Pinus eldarica	Eldarica, Mondell or Afghan Pine
Pinus nigra	Austrian or Black Pine
Pinus thunbergii	Japanese Black Pine
Pistacia chinensis	Chinese Pistachio **
Prosopis glandulosa	Mesquite
Prunus mexicana	Mexican Plum
Ouercus durandii	Durrand Oak **
Ouercus fusiformis	Escarpment Live Oak **
Quercus macrocarpa	Bur Oak **
Ouercus muhlenbergii	Chinkapin Oak **
Ouercus shumardii	Shumard Oak **
Ouercus virginiana	Live Oak **
Sapindus drummondii	Western Soapberry **
Sophora affinis Taxodium ascendens	Eve's Necklace
Taxodium ascendens	Pond Cypress
Taxodium distichum	Bald Cypress
Ulmus crassifolia	Cedar Elm **
Ulmus parvifolia	Lacebark Elm **
Viburnum rufidulum	Rusty Blackhaw

^{*} indicates a modification from Section 51A-10.134

^{**} indicates the species qualifies as a large canopy tree

Front Yard Setbacks:

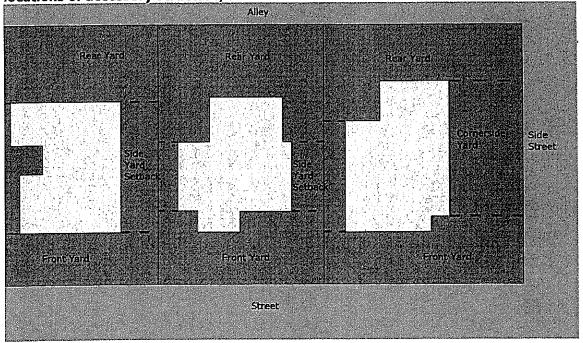
During one of the walking tours with the neighborhood, the residents noticed the interesting curvature pattern of how the houses are situated on the street. In the community meetings, the neighbors wanted to ensure that additions could not be made on the front façade that might disrupt the vista or that new construction might disrupt the continuity of the original configuration. Therefore, the residents of Rawlins recorded all the existing front yard setbacks and voted to maintain the existing setbacks. The front yard setback will show up as a line all the way across a property, and will continue to apply even if a lot is subdivided.

Figure 2 - Front Yard Setback for the entire lot

Figure 2 - Front Yard Setback for the ent			
		Character	Front
Street Number	Street Name	Street Type	Yard Setback
4303	RAWLINS	ST	42'10"
4306	RAWLINS	ST	39'6"
4310	RAWLINS	ST	48'6"
4311	RAWLINS	ST	40'6"
4316	RAWLINS	ST	43'6"
4317	RAWLINS	ST	39'
4321	RAWLINS	ST	47'6'
4322	RAWLINS	ST	41'
4326	RAWLINS	ST	39'6"
4327	RAWLINS	SŢ	47'6"
4330	RAWLINS	ST	40¹
4334	RAWLINS	ST	42'
4335	RAWLINS	ST	46'6"
4338	RAWLINS	ST	['] 38'
4339	RAWLINS	ST	45'

Street	Street	Street	Front Yard
Number	Name	Туре	Setback
4402	RAWLINS	ST	36'6"
4403	RAWLINS	ST	28'
4406	RAWLINS	ST	42'
4409	RAWLINS	ST	41'
4411	RAWLINS	ST	41'4"
4412	RAWLINS	ST	40'6"
4419	RAWLINS	ST	37'6"
4420	RAWLINS	ST	35'6"
4425	RAWLINS	ST	37'6"
4433	RAWLINS	ST	37'
4434	RAWLINS	ST	39'3"
4439	RAWLINS	ST .	37'8"
4502	RAWLINS	ST	55'
4524	RAWLINS	ST	53'

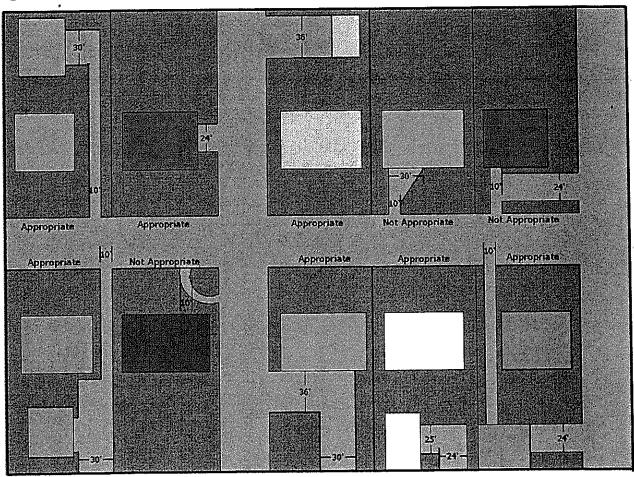
Figure 3- Diagram of Yards - This diagram should be used for the purpose of determining the locations of accessory structure, fences and other items



Impervious Surface:

The front yards are, of course, a focal point of this district. It was very important to the neighborhood to limit the amount of paving in the front yard, as well as maintain the green space in the front yards. The neighborhood limited the amount of impervious surface in the front yard to 25 percent and has required driveways coming off of Rawlins Street to not exceed 10 feet in width in the front yard and wrote specific regulations for driveways on corner lots. The goal of the district is to maintain the front yards, and limit the amount of paved surface.

Figure 4 - Sample driveways configurations



MAINTAIN THE SINGLE FAMILY ENVIRONMENT

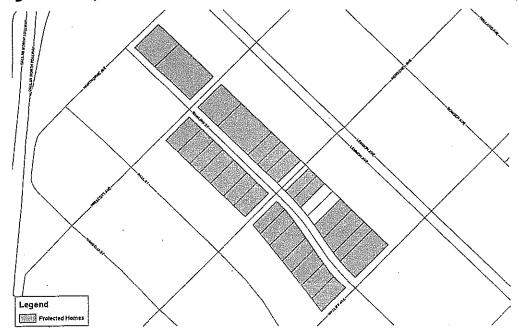
One of the most significant features of Rawlins is the existing housing stock. Rawlins is composed of significant homes, on big lots, that still allow for a large amount of green and open space in the district.

Demolition:

Retention of the single family nature of the district and the retention of the original homes was also a priority to the neighborhood. When the neighborhood preferences survey was mailed to the neighborhood, 93 percent of the neighbors who responded to the survey wanted to prohibit demolition within the district. In addition to a demolition standard, the neighborhood discussed ways to encourage the retention of the original homes. One of the ways that was determined necessary was allowing a greater floor area ratio for additions to the existing original homes, and required a lower floor area ratio for new construction projects.

Although the district was adamant on restricting demolition as much as possible, the neighborhood was willing to concede that there were homes within the district that were built as infill homes. In their discussions, the group wanted to protect the most significant homes on the street, with the subtle hope that in the future, new construction would be more compatible with the entire district, and contribute to the overall character of the area.

Figure 5 - Map of Protected Homes

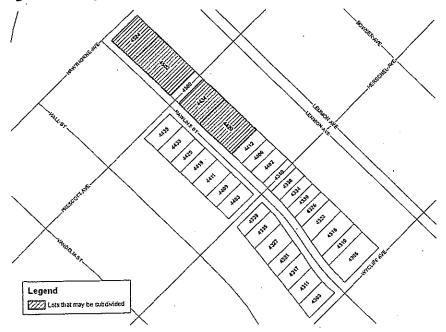


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Lot Size:

In their discussions, the neighborhood noted that there are several large lots within the district that are over 20,000 square feet. The neighbors wanted to make sure that in the future, if property owners did want to divide their lots, it would be possible. The neighborhood also wrote in a maximum lot size in order to limit the ability to combine smaller lots to construct one house that might disrupt the composition of the street.

Figure 6 - Map of larger lots that may be subdivided in the future



Curvature of the Street:

On one of the walking tours with the neighborhood, the neighbors noticed the interesting configuration of the homes that are along the part of Rawlins which curves. The neighbors noticed that the houses were all parallel with one another, even when the street itself curved. The neighbors saw this as a unique feature to their district, and wanted to make sure that any future development continued this condition. New construction must be oriented towards the street similar to the other houses, and may not be constructed parallel to the curvature of the street. All the homes in the 4300 block are parallel to one another, and do not angle to face the curve of the street.





COMPATIBILITY WITH THE EXISTING HOMES

In the community meetings, the neighborhood did not show overwhelming interest regulating the specific architectural elements for each architectural style (such as, the porch must be ... there must be a railing ... there must be arched entry ways etc.). This mostly was the preference of the neighborhood because of the wide variety of eclectic architectural styles present in the district. No two houses on the street are alike. Most of the homes incorporate elements of several different architectural styles, and for many of the homes, it would be difficult to classify them into a single architectural style.

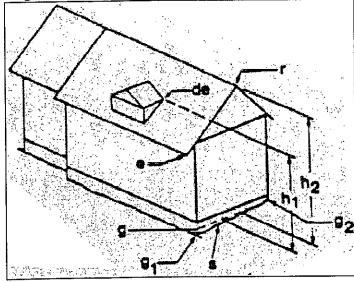
Although, architectural regulations were not the highest concern to this district, there were still regulations they wanted to implement so that future additions, new constructions and accessory structures would remain consistent. The neighborhood did want to ensure that particular materials were discouraged, that additions could not loom over their existing two story structures, and that if a house was demolished, it should be built back in a compatible style.

One of goals of Rawlins was to ensure that remodels, additions, and new construction were compatible with the existing homes in the district. There were three main items that the group felt could be controlled to maintain the ambiance of their neighborhood: height, floor area ratio (FAR), and the lot coverage.

Height:

When discussing height in the neighborhood, the neighbors realized that there were a number of very tall structures already existing. The neighborhood came to the consensus that because there were a number of tall homes already in the district, that the existing way to calculate height was working. The neighborhood decided to keep the underlying zoning, PD 193, in terms of height with a few minor modifications. Below is the height diagram from PD 193.

Figure 8 - Height diagram for PD 193



- de = dormer eaves
- e = the lowest eaves of the structure
- g = grade (the average of the finished ground surface elevations measured at the highest and lowest exterior corners of the structure).
- **g**₁ = the lowest finished ground surface elevation at an exterior
- g₂ = the highest finished ground surface elevation at an exterior
- h₁ = the vertical distance measure from grade to the midpoint of the vertical dimension between the lowest eaves and the highest ridge of the structure
- **r**= the highest ridge and the highest point of the structure
- s = a sloping ground surface

The maximum height of existing homes is 42 feet to the peak of the structure (because this district prohibits flat roofs, and all construction must have a hipped or gabled roof), and the eaves of the structure may not exceed 30 feet. For new construction, the maximum height is the lower of either 42 feet to the peak or the height of the tallest structure on the blockface. The maximum eave height specified plus 12 feet is the maximum permitted vertical distance measured from grade to the highest point of the structure.

Lot Coverage and Floor Area Ratio (FAR)

When the conservation district study was conducted, the existing lot coverages in the district ranged from 6 to 28 percent and the existing floor area ratios ranged from 14 to 39 percent (with one home that has a 56 percent floor area ratio). In the community meetings, the neighborhood expressed that they did not want to limit their neighbors from adding onto existing homes, but did want to ensure that if there were new constructions in the neighborhood, it would be in a comparable scale with the existing homes. The neighborhood voted to lower the floor area ratio for new construction, and by doing so, they



would be encouraging the new construction to be built more compatibly with the original homes, which had floor area ratios typically less then 40 percent. The neighborhood hoped that through a demolition standard, providing incentives to encourage the preservation of the original homes, and through leniency to alterations to the original homes, that their goal to encourage the retention of the original homes would be accomplished.

Figure 9 - Lot Coverage

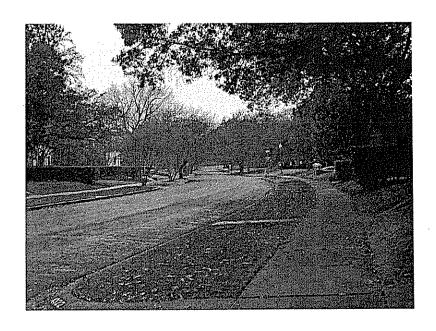
rigure 9 - Lot Coverage	
Counts as Lot Coverage	Does Not Count as Lot Coverage
Main Structure	Driveway
Garage	Sidewalk
Carport	Window box (less than 12" deep)
Porte Cochere	Bay window (less than 12" deep)
Covered Areas Used for Off Street Parking	Building eaves (less than 36" deep)
Gazebos / Cabanas	Pool
Pool Houses	Pool deck
Porches	Tennis court
Breezeway	Game or sport court
Patios and decks (covered and	Private balcony (not accessible to the public)
uncovered)	
Tool Shed	Unenclosed stairway
Accessory Building ("Out Buildings")	
Servants Quarters	
Storage Buildings	

Figure 10 - Floor Area Ratio

Counts as FAR	Does Not Count as FAR
Main Structure	Driveway
Garage *	Sidewalk
Carport *	Window box (less than 12" deep)
Porte Cochere	Bay window (less than 12" deep)
Covered Areas Used for Off Street Parking	Building eaves (less than 36" deep)
Gazebos	Pool
Pool Houses	Pool deck
Porches	Tennis court
Covered Patios and decks	Game or sport court
Tool Shed	Private balcony (not accessible to the public)
Accessory Building ("Out Buildings")	Unenclosed stairway
Servants Quarters	Uncovered patio and decks
Storage Buildings	Breezeway
* Differ from Dallas City Code	

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Photo Documentation of Existing Homes



Conservation District No. 16

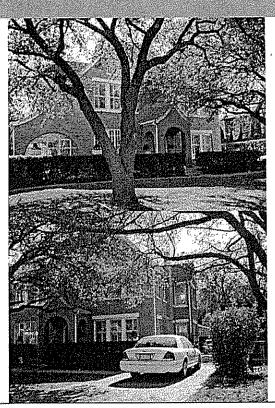
Rawlins Street

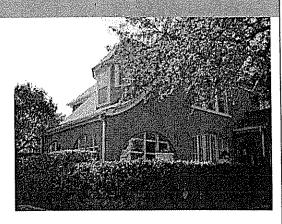






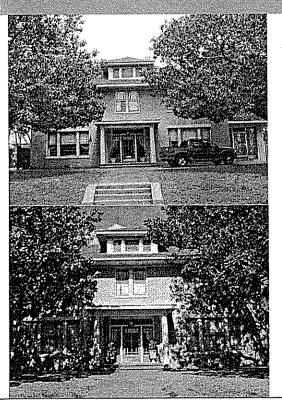
Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: no Other: corner lot

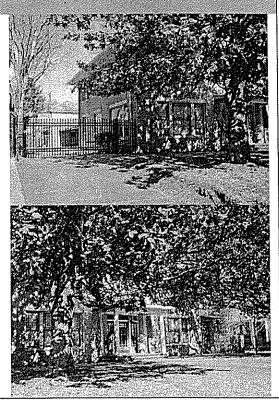




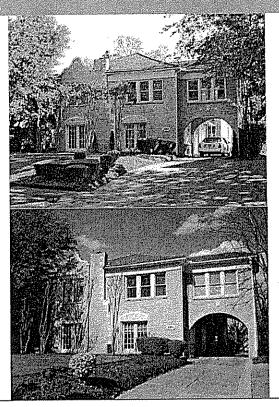
4306 Rawlins

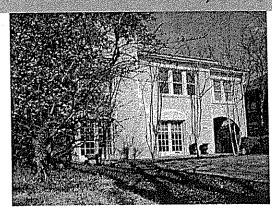
Style: Prairie
Front facing garage: no
Circular Driveway: yes
Hedgerows: no
Retaining walls: yes
along Wycliff Street
Rolling steps: yes
Other: corner





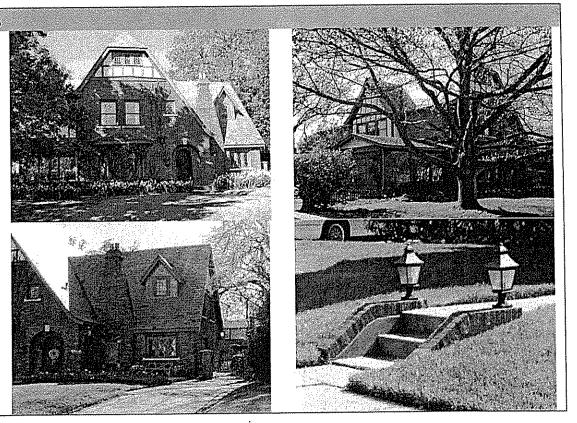
Style: Mission Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: no Other:



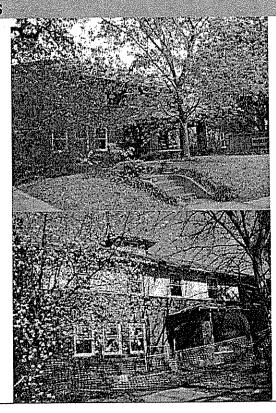


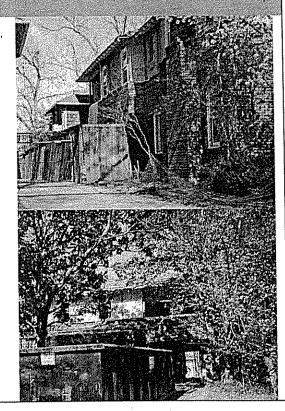
4311 Rawlins

Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:



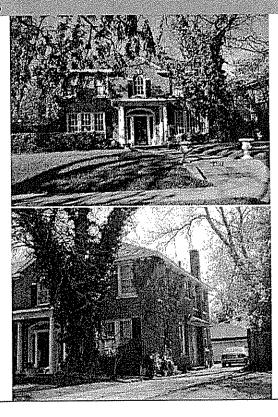
Style: Prairie
Front facing garage: no
Circular Driveway: no
Hedgerows: no
Retaining walls: no
Rolling steps: yes
Other: This property was
under substantial
renovation at the time of
the drafting of this
ordinance.

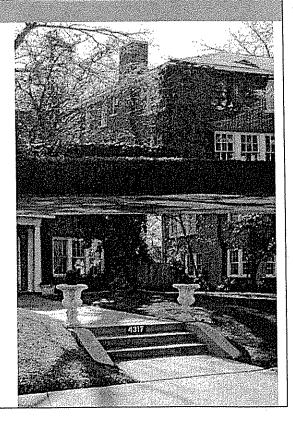




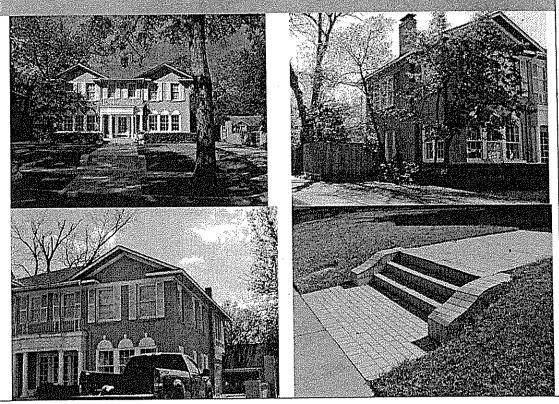
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Style: Colonial Revival Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:

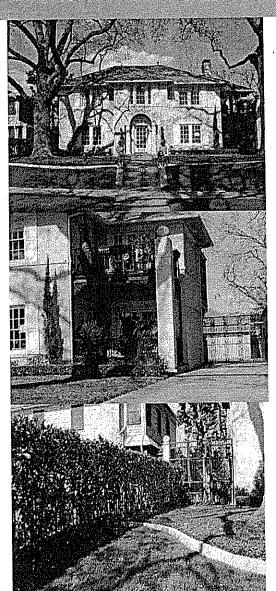


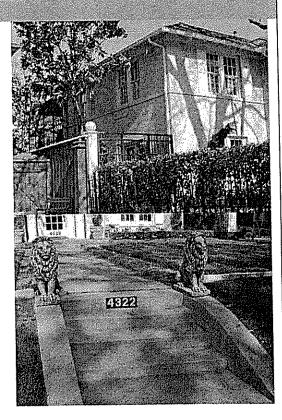


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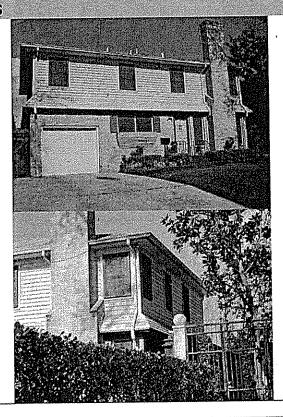


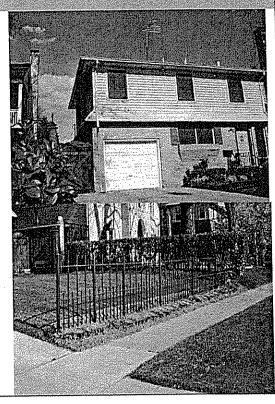
Style: Colonial Revival Front facing garage: no Circular Driveway: no Hedgerows: yes Retaining walls: no Rolling steps: yes Other:





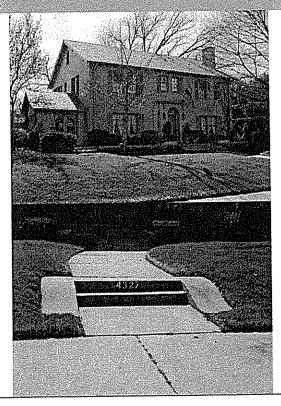
Style: Colonial Revival Front facing garage: yes Circular Driveway: no Hedgerows: yes Retaining walls: no Rolling steps: no Other: front yard fence

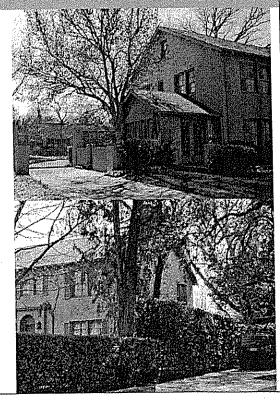




4327 Rawlins

Style: Colonial Revival Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: no Other:

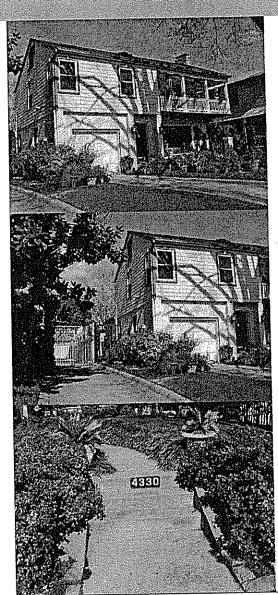


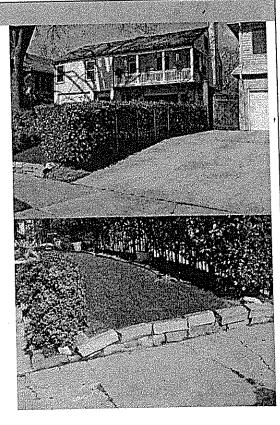


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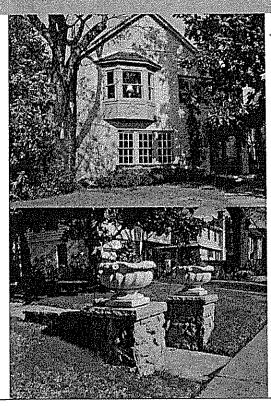
4330 Rawlins

Style: Colonial Revival Front facing garage: yes Circular Driveway: no Hedgerows: no Retaining walls: yes Rolling steps: yes Other:





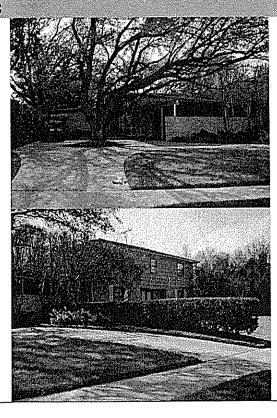
Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: no Other:

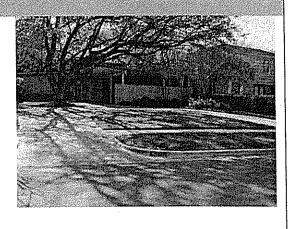




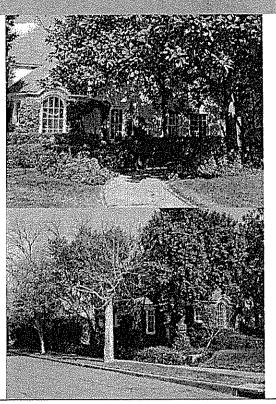
4335 Rawlins

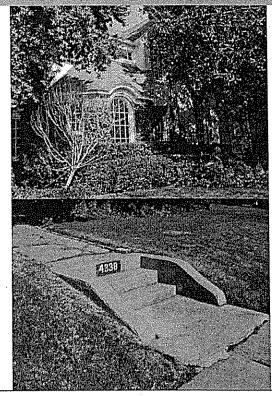
Style: Mid Century Modern Front facing garage: no Circular Driveway: yes Hedgerows: yes Retaining walls: no Rolling steps: no Other:





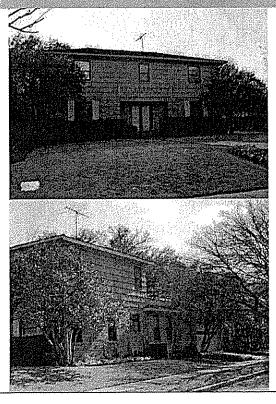
Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: Yes on the side street Rolling steps: yes Other: corner lot

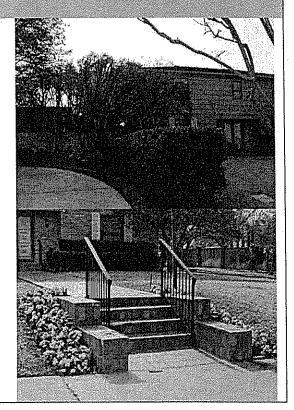




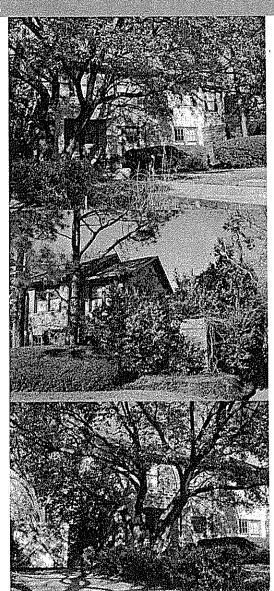
4339 Rawlins

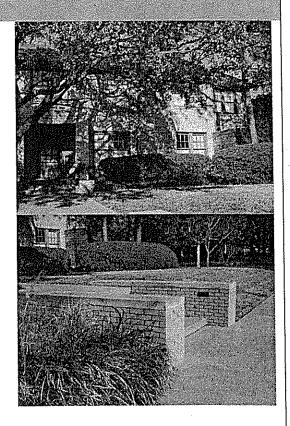
Style: Colonial Revival Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other: corner



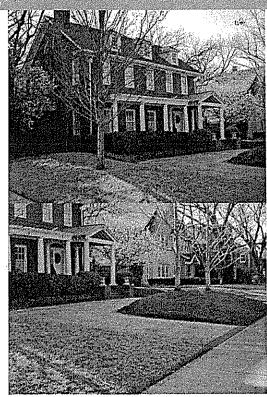


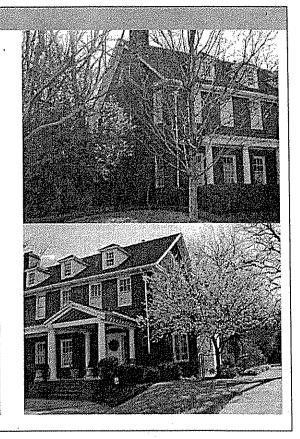
Style: Prairie Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other: corner lot



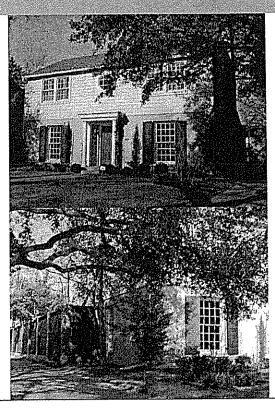


Style: Colonial Revival Front facing garage: no Circular Driveway: yes Hedgerows: no Retaining walls: no Rolling steps: no Other: corner lot





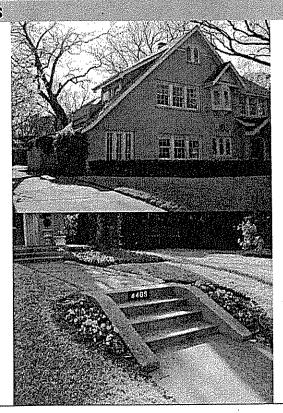
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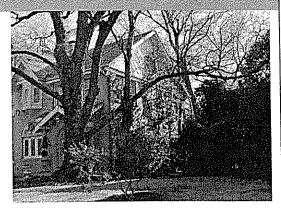




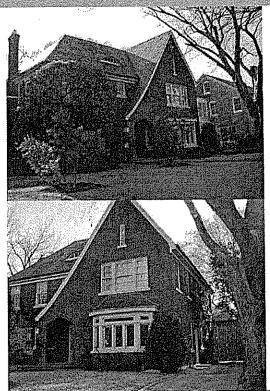
4409 Rawlins

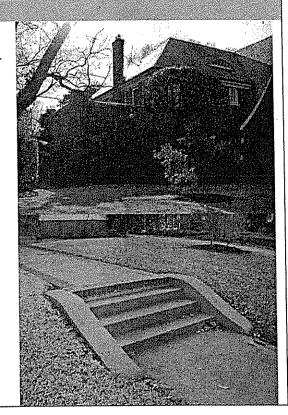
Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:





Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:

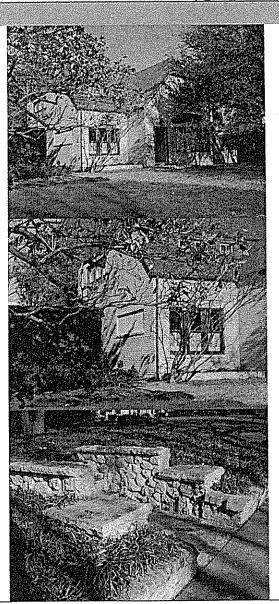


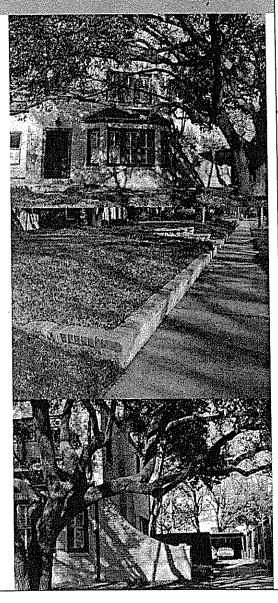


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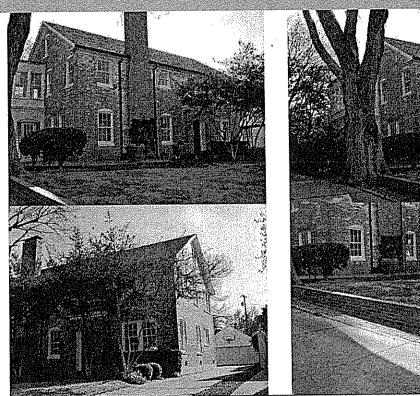
4412 Rawlins

Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: yes Rolling steps: yes Other:

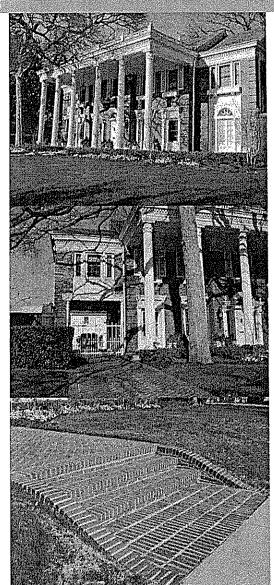


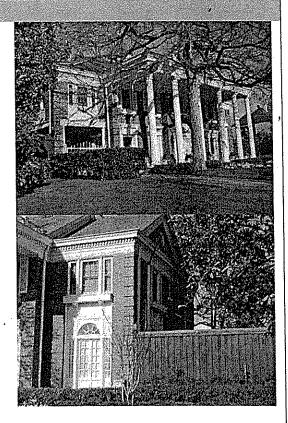


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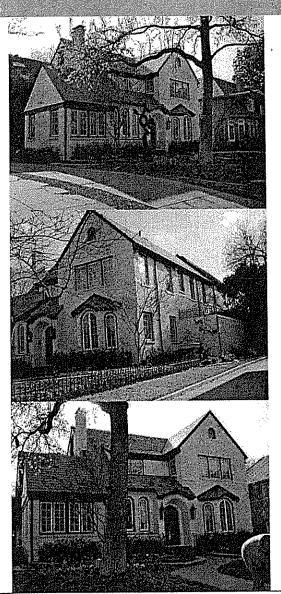


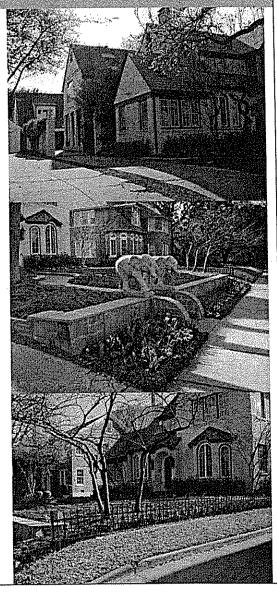
Style: Georgian Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:



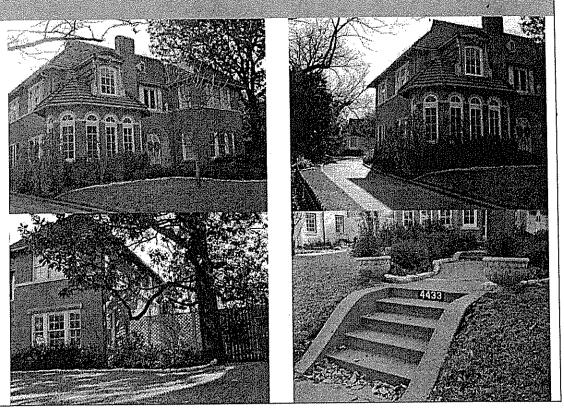


Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: yes Rolling steps: no Other: front yard fence

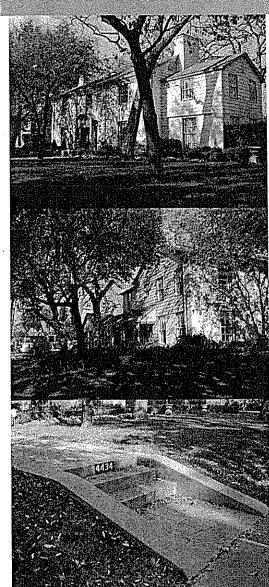


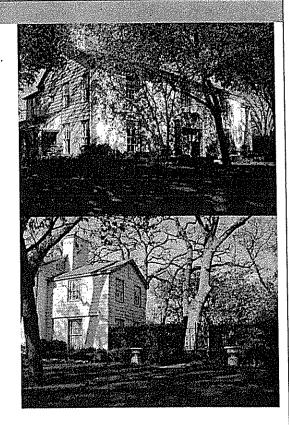


Style: French Eclectic Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other:

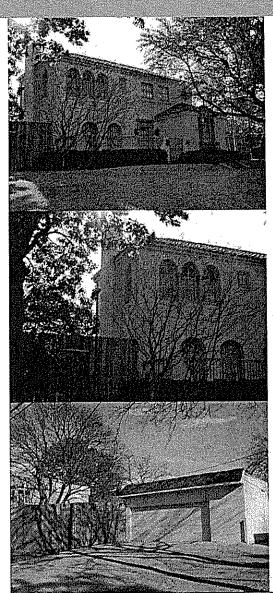


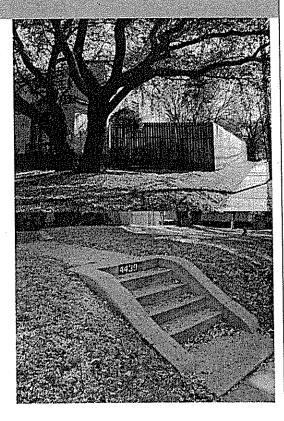
Style: Colonial Revival Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other: corner



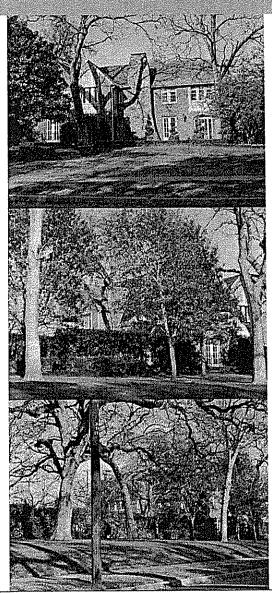


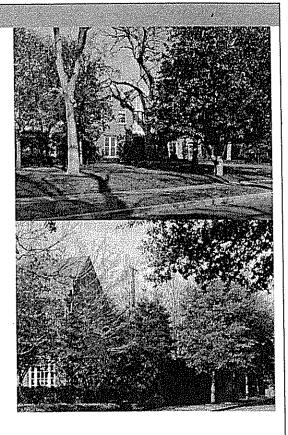
Style: Spanish Eclectic Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other: corner



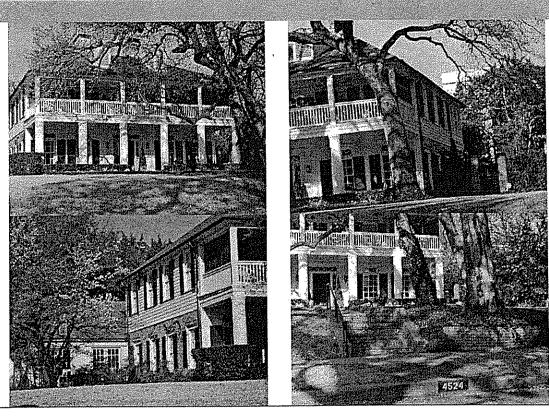


Style: Tudor Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: no Other: corner



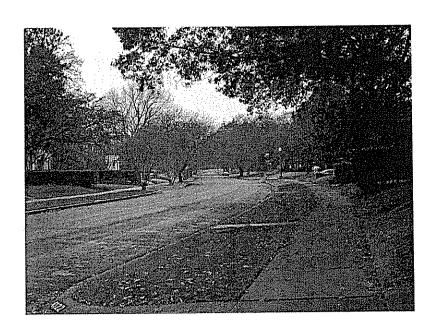


Style: Greek Revival Front facing garage: no Circular Driveway: no Hedgerows: no Retaining walls: no Rolling steps: yes Other: corner lot



26776

Architectural Style Requirements



Conservation District No. 16

Rawlins Street







ZO56-294(TC) (Conservation District No. 16, Rawlins) – Page 41 Exhibit C

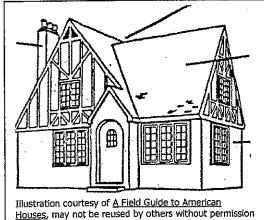
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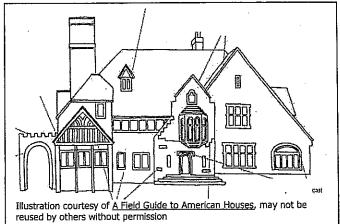
Tudor Requirements

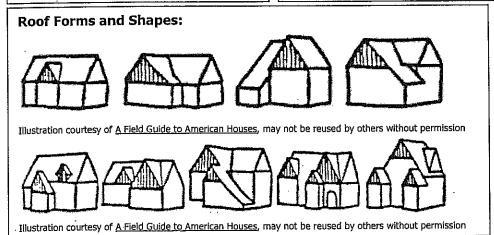
Required Elements

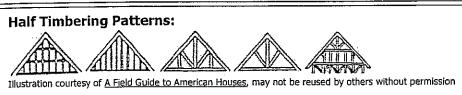
- Roofs must be cross gabled and be steeply pitched with a roof slope of at least 45 degrees but no more than 70 degrees.
- 2. Gable ends must be clad in stucco with half timbering, brick, or stone.
- 3. The maximum roof overhang is 18 inches.
- 4. There must be a front porch entry feature.
- 5. There must be a massive Tudor style chimney.
- The front facade must be clad with at least 80 percent brick, stone or stucco with wood half timbering.

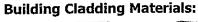
- 1. Steeply pitched gable dormers
- 2. Overlapping gables
- 3. Cast stone trim
- 4. Varied eave line heights
- 5. Multiple materials
- 6. End porches under the main roof of the house
- 7. Battlements















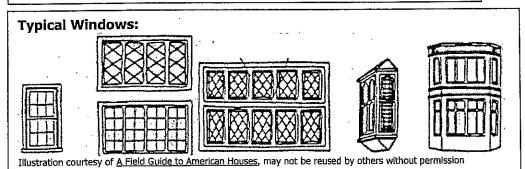


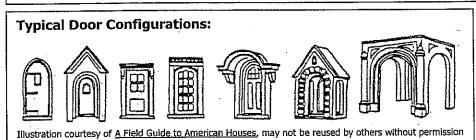
Stucco

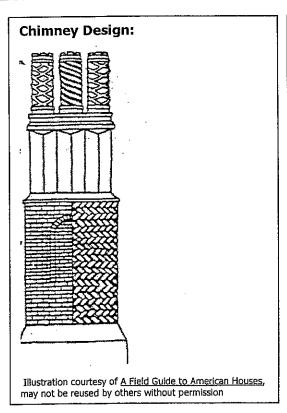
Brick

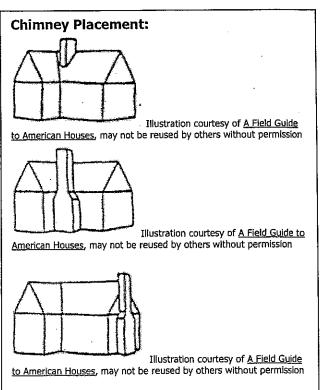
Stone

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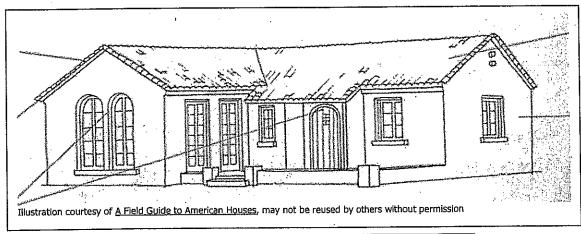
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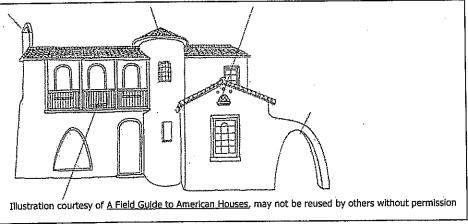
Spanish Eclectic

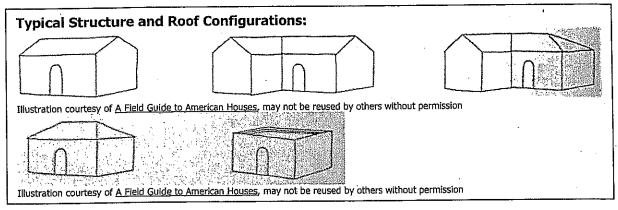
Required Elements

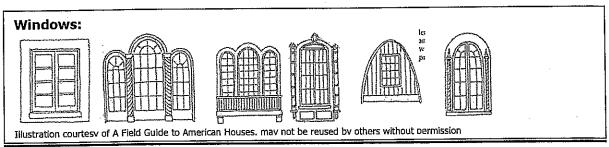
- The roof must be cross gabled or low pitched with a pitch equal to or less than 45 degrees.
- 2. The roof must be tile.
- 3. There must be a tapered chimney.
- 4. Wall surfaces must be clad in stucco, brick or stone.
- 5. There must be arches above the doors and principle windows.

- 1. Elaborated chimney tops
- 2. Stucco tile or decorative vents
- 3. Arcaded wing walls
- 4. Balconies, open or roofed, with wood or iron railings
- 5. Decorative iron sconces
- 6. Multi-leveled roofs
- 7. Partially enclosed patios or gardens
- 8. Decorative tiles
- 9. Exterior stairs







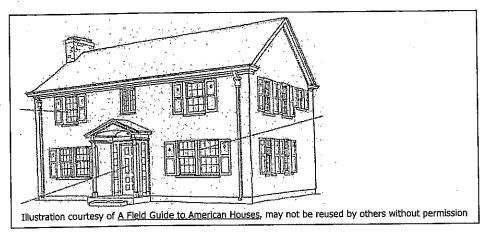


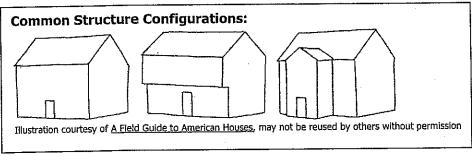
Colonial Revival

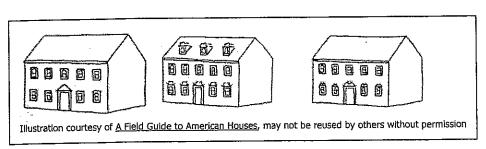
Required Elements:

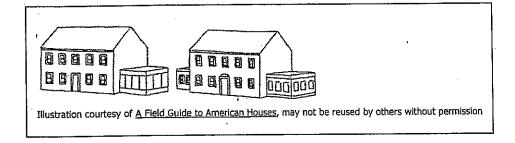
- 1. The roof must be side-gabled with a slope between 25 and 45 degrees.
- 2. The predominant wall cladding material must be brick or stone.
- 3. Windows must be symmetrically balanced, located on both sides of a centered door.
- 4. Windows must have double-hung sashes.
- The house must have either (a) an accentuated front door with an entry porch or a decorative crown and pilasters, or (b) a full-width porch.

- One story side wings, open or enclosed, usually with a flat roof
- Broken pediments above windows or doors
- 3. Georgian doorways
- 4. Rectangular windows with either six, eight, nine or twelve panes
- 5. Bay windows, paired windows, or windows in triples







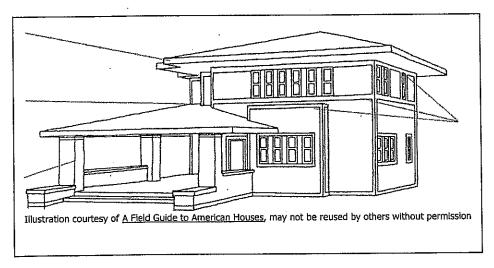


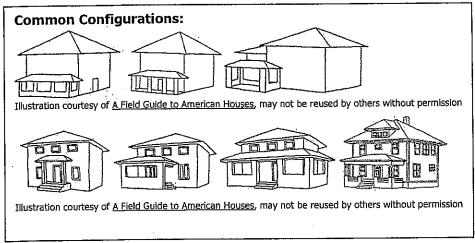
Prairie Requirements

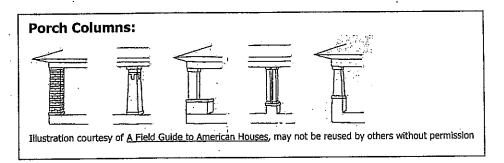
Required Features

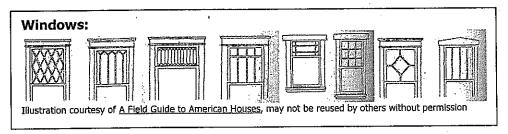
- 1. The roof must be a low pitch between 20 and 40 degrees, must have wide overhanging eaves greater than 24 inches, and should be hipped.
- 2. The house should be two stories, and may have one-story wings or porches.
- 3. The eaves, cornices, and facade detailing must emphasize horizontal lines on the front facade.
- 4. The house must have massive square base porch supports.
- 5. The house must have a simple square or rectangular plan.
- 6. The entrance must be the focal point of the facade.

- 1. Contrasting caps on porches, piers, balconies, and chimneys
- 2. Horizontal patterns in wall materials
- 3. Broad, flat chimney
- 4. Enclosed, boxed eaves.
- 5. Horizontal bands of windows, sometimes wrapping around corners
- 6. Contrasting wood trim
- 7. Tall casement windows
- 8. Window boxes
- 9. Flattened pedestal urns
- 10. Top half of upper story emphasized
- 11. Geometric patterns of small pane window glazing









Mission Requirements

Required Elements

- 1. The roof must be a low pitch between 20 and 40 degrees, and should be hipped.
- 2. The house must have shaped mission gable ends or dormers.
- 3. The porch roofs must be supported by large square piers, which should be arched above.
- 4. The house must have a tile roof.
- 5. The roof must have wide overhanging eaves greater than 24 inches, with decorative brackets or beams.
- 6. The house must have a smooth-finish stucco or brick wall surface.

- 1. Quatrefoil window
- 2. Bell tower
- 3. Islamic ornamentation
- 4. Arcaded entry porch pier, arch, and wall surface are all in one smooth plane

