

12-5-07

ORDINANCE NO. 27036

An ordinance changing the zoning classification on the following property:

Being all of City Blocks F/5314, G/5315, J/5317, and K/5318, part of lots 22 through 25 and all of lots 2 through 15 and 26 through 31 in City Block D/5312, lot 21 in City Block B/ 5306, lots 4 through 18 in City Block E/5313, part of lot 6 and all of lots 7 through 19 in City Block H/5316 and lots 2 through 15 in City Block L/5319, generally bounded by the GC & SF Railroad, Old Gate Lane, along the northwesterly line of Lot 26 in City Block D/5312 to a point 224.8 feet southwest of San Saba Drive, 99.83 feet in a northwesterly direction through lot 25 in City Block D/5312, along the northwesterly line of Lot 25 in City Block D/5312 to a point 228 feet southwest of San Saba Drive, 99.47 feet in a northwesterly direction through Lot 24 in City Block D/5312, along the northwesterly line of Lot 24 in City Block D/5312 to a point 155 feet southwest of San Saba Drive, 100.2 feet in a northwesterly direction through lot 23 in City Block D/5312, 118.2 feet in a northwesterly direction through lot 22 in City Block D/5312, Diceman Drive, the southwest and northwest lines of lot 21 in City Block 11/5306, San Saba Drive, the southwesterly line of lot 15 in City Block D/5312, the northwesterly line of lots 2 through 15 in City Block D/5312, the northeasterly line of lot 2 in City Block D/5312, Redondo Drive, the southwesterly lines of lots 1, 2, 3A and 3B in City Block E/5313, Hermosa Drive, the southwesterly lot lines of lots 1 through 5 in City Block H/5316, the northernmost 100 feet of the west line of lot 6 in City Block H-5316, 342.26 feet in a northeasterly direction through Lot 6, Alta Mira Drive, and the common lot line between lots 1 and 2 in City Block L/5319, and containing approximately 104.85 acres;

by establishing Neighborhood Stabilization Overlay District No. 5 (Casa Linda Estates); providing procedures and regulations for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

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

SECTION 1. That the zoning classification is changed by establishing Neighborhood Stabilization Overlay District No. 5 on the following property ("the Property):

Being all of City Blocks F/5314, G/5315, J/5317, and K/5318, part of lots 22 through 25 and all of lots 2 through 15 and 26 through 31 in City Block D/5312, lot 21 in City Block B/ 5306, lots 4 through 18 in City Block E/5313, part of lot 6 and all of lots 7 through 19 in City Block H/5316 and lots 2 through 15 in City Block L/5319, generally bounded by the GC & SF Railroad, Old Gate Lane, along the northwesterly line of Lot 26 in City Block D/5312 to a point 224.8 feet southwest of San Saba Drive, 99.83 feet in a northwesterly direction through lot 25 in City Block D/5312, along the northwesterly line of Lot 25 in City Block D/5312 to a point 228 feet southwest of San Saba Drive, 99.47 feet in a northwesterly direction through Lot 24 in City Block D/5312, along the northwesterly line of Lot 24 in City Block D/5312 to a point 155 feet southwest of San Saba Drive, 100.2 feet in a northwesterly direction through lot 23 in City Block D/5312, 118.2 feet in a northwesterly direction through lot 22 in City Block D/5312, Diceman Drive, the southwest and northwest lines of lot 21 in City Block 11/5306, San Saba Drive, the southwesterly line of lot 15 in City Block D/5312, the northwesterly line of lots 2 through 15 in City Block D/5312, the northeasterly line of lot 2 in City Block D/5312, Redondo Drive, the southwesterly lines of lots 1, 2, 3A and 3B in City Block E/5313, Hermosa Drive, the southwesterly lot lines of lots 1 through 5 in City Block H/5316, the northernmost 100 feet of the west line of lot 6 in City Block H-5316, 342.26 feet in a northeasterly direction through Lot 6, Alta Mira Drive, and the common lot line between lots 1 and 2 in City Block L/5319, and containing approximately 104.85 acres.

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

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

1. FRONT YARD SETBACK: Minimum front yard is 50 feet.
2. CORNER SIDE YARD SETBACK: Minimum corner side yard is 15 feet.
3. INTERIOR SIDE YARD SETBACK: Minimum interior side yard is 12 feet.

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

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

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

SECTION 6. That the director of development services shall correct Zoning District Map No. H-10 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

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

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

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

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By

Walter Zebulda
Assistant City Attorney

Passed

DEC 12 2007

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EXHIBIT A

Z067-291(MF)

Casa Linda Estates NSO

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