

ARTICLE 98.

PD 98.

SEC. 51P-98.101. LEGISLATIVE HISTORY.

PD 98 was established by Ordinance No. 15821, passed by the Dallas City Council on April 26, 1978. Ordinance No. 15821 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 15821 was amended by Ordinance No. 17291, passed by the Dallas City Council on February 10, 1982; Ordinance No. 18162, passed by the Dallas City Council on February 8, 1984; and Ordinance No. 25310, passed by the Dallas City Council on June 25, 2003. (Ord. Nos. 10962; 15821; 17291; 18162; 25310; 25423)

SEC. 51P-98.102. PROPERTY LOCATION AND SIZE.

PD 98 is established on property generally located southeast of the alley between Junius Street and Gaston Avenue, southwest of Fitzhugh Avenue and Prairie Avenue, northwest of Elm Street and Worth Street, and northeast of Carroll Street and Haskell Avenue. The size of PD 98 is approximately 92.64 acres. (Ord. Nos. 17291; 25423)

SEC. 51P-98.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. 25423)

SEC. 51P-98.104. LAND USE MAP.

A map defining existing land uses within the boundaries of this PD is labelled Exhibit 98A. (Ord. Nos. 15821; 25423)

SEC. 51P-98.105. USES.

Uses within this PD are permitted as follows:

(1) Except as provided below, uses in this PD are limited to residential uses, including single-family dwellings, duplexes, and apartments, and other uses as permitted in the Residential-7,500 Square Feet District of Chapter 51.

(2) Development of lots that were vacant on April 26, 1978, is limited to those uses permitted in the Residential-7,500 Square Feet District of Chapter 51.

(3) Existing residential structures may not be remodeled or replaced so as to exceed the existing number of dwellings in each existing structure. Any multiple-family or duplex structure that is remodeled for a lesser number of units will thereafter be limited to the more restrictive number of units.

(4) Any use within this PD that was illegal under the zoning in effect prior to April 26, 1978, is considered as illegal under this article.

(5) Any structure originally built as a duplex or multiple-family use in existence on April 26, 1978, may be utilized for the same use regardless of length of time abandoned or vacated, unless such structure is converted to a lesser number of units as in Paragraph (3) above. In the event a structure originally built as a single-family dwelling but converted to a duplex or a multiple-family use is vacated or abandoned for a period of six months or more, the structure may only be reused as a single-family dwelling.

(6) Any lot utilized by a single-family, duplex, or multiple-family structure on April 26, 1978, that has been officially condemned by the city or has been intentionally removed, demolished, or destroyed, may only be redeveloped with a use permitted in a Residential-7,500 Square Feet District.

(7) Specific Use Permit No. 579 for a day nursery is retained and will be governed by the conditions of the specific use permit ordinance and the standards of the Residential-7,500 Square Feet District. (Ord. Nos. 15821; 25423; 26102)

SEC. 51P-98.106. DEVELOPMENT STANDARDS.

Development within this PD must be in accordance with the following standards:

(1) Except as otherwise provided below, standards for development of single-family and permitted nonresidential uses with regard to lot area, lot width, lot depth, height, setbacks, and coverage must be in accordance with the provisions of the Residential-7,500 Square Feet District of Chapter 51.

(2) A single-family structure may be built on any legally platted lot or lot that has been recognized as a buildable site for a single-family structure regardless of size, width, or depth.

(3) Except as provided below, standards for development or maintenance of duplex uses are in accordance with the provisions of the Duplex District of Chapter 51.

(4) Except as provided below, standards for development or maintenance of multiple-family uses are in accordance with the provisions of the Multiple-Family-2 District of Chapter 51.

(5) The setback of the front facade of any new residential structure must conform to the established setback of other residential structures on the block face on which it is to be located. (Ord. Nos. 15821; 25423)

SEC. 51P-98.107. GENERAL REQUIREMENTS.

(a) The filing fee for any amendment to this PD will be based on the amount of land area involved in the proposed amendment in accordance with the fee schedule established for zoning changes.

(b) The board of adjustment shall have the authority to grant variances from the terms of this article, in accordance with regulations and procedures specified in Article XXIX of Chapter 51 in the following matters:

(1) To hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the building inspection division in the enforcement of this article.

(2) Permit such variances of fence heights when, in the opinion of the board, such fence will not adversely affect neighboring property. Variances of fence heights providing screening around parking facilities are excluded.

(3) Permit such variances of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, off-street parking or off-street loading, or visibility obstruction regulations where the literal enforcement of the provision of this article would result in an unnecessary hardship and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of standards established by this article may not be granted to relieve a self-created or personal hardship, not for financial reason only, nor may such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this article to other parcels of land in this district. (Ord. Nos. 15821; 25423)

SEC. 51P-98.108.

ESTABLISHMENT OF TRACTS A AND B.

(a) That the following described property within this PD constitutes "Tract A," to-wit:

BEING a tract of land in the J. Grisby Survey, Abstract No. 495, and being in City Block 3/791 and further described as follows:

BEGINNING at a point on the southeast line of Junius Street, said point being 250 feet northeast of the northeast line of Haskell Avenue;

THENCE in a northeasterly direction along the southeast line of Junius Street, a distance of 80.5 feet to a point for corner in a common property line, said line being 330.5 feet northeast of and parallel to the northeast line of Haskell Avenue;

THENCE in a southeasterly direction along said line, a distance of 200 feet to a point for corner on a common property line, said line being 200 feet southeast of and parallel to the southeast line of Junius Street;

THENCE in a southwesterly direction along said line, a distance of 80.5 feet to a point for corner in a common property line, said line being 250 feet northeast of and parallel to the northeast line of Haskell Avenue;

THENCE in a northwesterly direction along said line, a distance of 200 feet to a point on the southeast line of Junius Street, the PLACE OF BEGINNING, and containing approximately 16,100 square feet of land.

(b) Tract B of this PD is described in Exhibit A attached to Ordinance No. 25310. (Ord. Nos. 18162; 25310; 25423)

SEC. 51P-98.109.

USE REGULATIONS AND DEVELOPMENT STANDARDS FOR TRACT A.

The following use regulations and development standards apply to Tract A:

- (1) Site plan. Development of the property must comply with the city plan commission approved site plan (Exhibit 98B).
- (2) Appearance. The appearance of the structure to be used for multiple-family uses must conform to the elevation and perspective drawing (Exhibit 98C).
- (3) Parking. A minimum of 15 parking spaces must be provided and located as shown on the approved site plan.
- (4) Paving. All parking spaces, aisles, maneuvering areas, and driveway connections to streets or alleys, whether enclosed or unenclosed, must be surfaced with non-combustible materials such as asphaltic material or concrete. Minimum requirements for the surface must be a compacted subgrade covered by (a) concrete paving; (b) hot mix asphaltic paving consisting of a binder course and a surface course; or (c) an approved equivalent. The surface must be maintained to provide a continuously hard, dustless surface suitable for use under all weather conditions.
- (5) Height. The height of all buildings or structures, as defined in Chapter 51, must not exceed 36 feet.
- (6) General requirements. Development and utilization of the property must comply with all applicable rules and regulations of the city. (Ord. Nos. 18162; 25423)

SEC. 51P-98.110. USE REGULATIONS FOR TRACT B.

In Tract B, a bed and breakfast use may be allowed by a specific use permit. For the purposes of this section, “bed and breakfast” means a lodging use that has no more than five guest rooms; provides accommodations for periods not to exceed five nights; serves no meals other than breakfast; and is a member of, or certified by, a recognized bed and breakfast association such as the National Bed and Breakfast Association (NBBA) or Historic and Hospitality Accommodation of Texas (HAT). (Ord. Nos. 25310; 25423)

SEC. 51P-98.111. CONFLICTS.

(a) In the event of a conflict between Sections 51P-98.104, 51P-98.105, 51P-98.106, or 51P-98.107 and Section 51P-98.109 relating to the property described in this article as “Tract A,” the provisions of Section 51P-98.109 control.

(b) In the event of a conflict between Sections 51P-98.104, 51P-98.105, 51P-98.106, or 51P-98.107 and Section 51P-98.110 relating to the property described in Ordinance No. 25310 as “Tract B,” the provisions of Section 51P-98.110 control. (Ord. Nos. 18162; 25310; 25423)

SEC. 51P-98.112. STREETS AND PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications to the satisfaction of the director of public works and transportation. (Ord. Nos. 18162; 25423; 26102)

SEC. 51P-98.113.

COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use in this PD until there has been full compliance with this article and with the construction codes and all other applicable ordinances of the city. (Ord. Nos. 18162; 25423)

SEC. 51P-98.114.

ZONING MAP.

PD 98 is located on Zoning Map Nos. I-8 and J-8. (Ord. 25423)