

AN ORDINANCE AMENDING THE ZONING MAP SHOWING THE LOCATION, BOUNDARY AND USE OF CERTAIN PROPERTY SO AS TO REZONE LOT 6, BLOCK A, OF THE J. D. DUNCAN ADDITION, GENERALLY LOCATED AT 539 COLLEGE STREET, FROM TWO FAMILY TO PLANNED DEVELOPMENT FOR TWO-FAMILY DWELLING; SAID ZONING MAP AND ORDINANCE PASSED ON JANUARY 27, 1971, AND RECORDED IN BOOK 8, PAGES 405 TO 509 OF THE ORDINANCE RECORDS OF THE CITY OF GRAND PRAIRIE, TEXAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the hereinafter described property filed application with the City of Grand Prairie, Texas, petitioning an Amendment of the Zoning Ordinance and Map of said City so as to rezone and reclassify said property from its classification of Two Family to Planned Development for Two-Family Dwelling; and

WHEREAS, the Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on October 10, 1983, after written Notice of such public hearing before the Zoning Commission on the proposed change in Classification had been sent to owners of real property lying within 200 feet of the property on which the change in classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Zoning Commission of the City of Grand Prairie, Texas voted 6 to 0 to recommend approval to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned so as to change its classification from Two Family to Planned Development for Two-Family Dwelling; and

WHEREAS, subsequent to the public hearing of the Zoning Commission, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the Municipal Building at 7:00 o'clock p.m. on October 25, 1983, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given fifteen (15) days prior to such hearing by publication in the Grand Prairie Daily News, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on the matter of the proposed rezoning; and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the property sought to be rezoned, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the City Limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from the classification of Two Family by reason of changed conditions, does consider and find that this amendatory ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

I.

THAT the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 36 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 27TH DAY OF JANUARY, 1971, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN"

and passed and approved January 27, 1971, recorded in Ordinance Book 8, Pages 405 to 509 inclusive, as amended, so as to establish and rezone the following described area from Two Family to Planned Development for Two-Family Dwelling.

BEGINNING at a point in the South line of said Lot 6, said BEGINNING POINT being 22.0 feet West of the S.E. corner of said Lot 6 and the S.W. corner of Lot 5 of said Block A of J. D. Duncan's Addition, said BEGINNING POINT also being in the North line of a 20.0 foot wide alley;

THENCE North, along a line perpendicularly and constantly 22.0 feet West of the East line of said Lot 6 and West line of said Lot 5, at 178.0 feet the North line of said Lot 6 and the South original R.O.W. line of College Street, in all 215.2 feet to the South R.O.W. line of the new realigned College Street, being point for corner;

THENCE Westerly, along the new realigned South R.O.W. line of College Street, along a curve to the right having a radius of 275.0 feet, a distance of 42.4 feet to point of tangency and continuing N 61° 42' W, a distance of 11.1 feet to point for corner, being a point in said Lot 10, Block B of J. E. Payne Addition and being in the East R.O.W line of N.W. 6th Street, as of this date (6-25-82);

THENCE S 03° 18' W, along the East R.O.W. line of N.W. 6th Street, as of this date, at 11.4 feet the original North R.O.W. line of College Street, at 61.4 feet the original South R.O.W. line of College Street, in all 239.57 feet to the South line of said Lot 6, being point for corner;

THENCE East, along the South line of said Lot 6 and along the North line of a 20.0 foot wide alley, a distance of 58.5 feet to PLACE OF BEGINNING.

1. PERMITTED PRINCIPAL USES:

- A. All uses as provided under Two Family Dwelling District in Section B-100 of this ordinance.
- B. One two-family residential dwelling on an individual lot of record.
- C. Paved automobile parking areas which are necessary to the uses permitted in this district.
- D. Customary home occupations as defined in Section B-800 of this ordinance.
- E. Municipally owned or controlled facilities, utilities, and uses, except those uses that may require a Specific Use Permit.

2. PERMITTED ACCESSORY USES:

The following uses shall be permitted as accessory uses:

- A. Private nurseries, greenhouses, swimming pools, spas or saunas and gardens as an accessory to the principal residential use on the same lot.

3. PROHIBITED USES:

The following uses shall be prohibited in this District:

- A. Any building erected or land used for other than one or more of the preceding specified uses.
- B. The storage of equipment, material or vehicles, including

abandoned vehicles, which are not necessary to the uses permitted in this district.

- C. A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a Commercial or Industrial District.
- D. Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension, and/or lot width; or exceeds the maximum height, or building coverage as required.
- E. Portable storage buildings not larger than one hundred twenty (120) square feet and ten (10) feet in height accessory to a principal residential use on the same lot.

4. AREA REQUIREMENTS:

- A. Minimum Lot Area 5600 square feet per duplex
- B. Minimum Structure
Floor Area 1900 square feet
- C. Minimum Unit Floor Area . . . 950 square feet

(Minimum required floor area as herein specified shall be computed exclusive of breezeways, garages, open porches, carports, accessory buildings or accessory space and designed and used directly and specifically for dwelling purposes.)

- D. Minimum Lot Width See attached site plan
- E. Minimum Lot Depth See attached site plan
- F. Minimum depth of
front setback See attached site plan
- G. Minimum depth of
rear setback See attached site plan
 - 1. Without alley See attached site plan
 - 2. With alley See attached site plan
- H. Minimum sideyard
 - 1. Internal lot See attached site plan
 - 2. Side yard setback abutting a street "

I. Minimum distance from the public right-of-way to the entrance to a garage or unenclosed carport for rear or side setbacks See attached site plan

J. Minimum required masonry content: 80%

All two-family residential structures shall have a first floor containing at least eighty percent (80%) of the total exterior walls excluding garage doors, doors, windows and trim, to be constructed of standard size full-width brick or stone, unless otherwise approved by the City Council.

K. Height and Area Regulations:

1. Maximum allowable lot coverage See attached site plan

2. Maximum height of structures . . . 2 stories

L. Minimum Required Parking 2 spaces

II.
SPECIAL PROVISIONS

1. SPECIAL FRONT, SIDE AND REAR YARD REGULATIONS:

Every part of a required front, side or rear yard shall be open and unobstructed to the sky from a point thirty (30) inches above the general ground level of the graded lot, except for accessory buildings as permitted in Section E-200, and the ordinary projections of window sills, belt courses cornices, roof overhangs, and other architectural features projecting, not to exceed twenty-four (24) inches into the required yard. This excludes landscape planting and lighting.

2. SPECIAL FRONT YARD REGULATIONS:

Where lots have double frontage, running through from one street to another, a required front yard shall be provided on both streets, unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed.

3. SPECIAL OFF-STREET PARKING REGULATIONS:

A. Recreational vehicles, which shall mean, for the purposes of this section, a vehicular portable structure, designed for a temporary or

short-term occupancy for travel, recreational or vacation uses, are prohibited from parking on a public thoroughfare. Any vehicle, including recreational vehicles, over eight (8) feet wide and over thirty-six (36) feet long shall not be stored or packed in this district.

An enclosed or unenclosed all-weather surface area of not less than 180 sq. ft. (approximately 9' X 20') not on a public street or alley but, permissible within a setback together with an all-weather surface driveway connecting the area with a street or alley permitting free ingress-egress without encroachment on the street or alley shall constitute "off street parking".

B. Any commercial vehicle over eight (8) feet wide and twenty (20) feet long, may not be parked or stored in this residential area, unless such vehicle is delivering goods or services in the conduct of business to a specific residence.

C. This section shall not apply to parking, standing and/or storage of vehicles on public property in residential areas, which has specific restrictions defined in Chapter No. 25 of the Traffic Code of Ordinance.

D. Floor area of structure devoted to off-street parking of vehicles shall be excluded in computing the off-street parking requirements of any use.

E. Churches shall provide one (1) space for each three (3) seats in the main sanctuary.

F. Schools shall provide one (1) space for each classroom, laboratory or instruction area, plus one (1) space for each three (3) students accommodated in the institution.

4. SPECIAL HEIGHT REGULATIONS:

Cooling towers, roof gables, chimneys, and vent stacks, may extend for an additional height not to exceed forty (40) feet above the average grade line of the building. Water stand pipes and tanks, church steeples, domes and spires and school buildings and institutional buildings, may be erected to exceed three (3) stories in height, provided that one (1) additional foot shall be added to the width and depth of front, side and rear yards for each foot that such structures exceed three (3) stories.

5. UTILITIES:

All utilities servicing this development (other than perimeter utilities) shall be installed underground, except for any major transmission lines, either existing or proposed located within the boundaries of this development.

III.

GENERAL REQUIREMENTS AND STIPULATIONS

A. All proposed uses are subject to the approval of a site plan or preliminary plat by the City Council after recommendation by the Planning and Zoning Commission and prior to the issuance of a building permit or occupancy certificate on the premises. Site plans and preliminary plats are to be prepared in accordance with existing City policy. When a variety of land uses are proposed on a single tract of land, the site plan shall delineate the area proposed for each use.

B. Site plans may be approved in whole or in part for one or several owners provided the overall layout of streets, land uses, utilities and parking requirements applying to the entire tract are coordinated with and understood by the various owners. If partial approval is requested, factors influencing the development of the entire tract such as accesses, off-street parking and circulation must be provided for and considered by the partial plan.

C. No use shall be located or operated in any district which involves the emission of odorous material, smoke or particulate matter or noise.

IV.

CITY PARTICIPATION

All street, bridge and utility participation by the City will be in accordance with existing City policy.

The City of Grand Prairie will participate in the cost of any oversized water and sewer mains in accordance with existing City policy.

V.

Nothing contained herein shall require the City to construct or contract to construct any project referred to herein if money is not available in the form of bond funds.

VI.

The site plan as finally approved with all stipulations contained therein shall be marked Exhibit "A" attached hereto and made a part hereof as if fully set out herein. See Case No. 2831NW6.

VII.

Nothing contained herein shall be construed to require the City to appropriate money or submit to the vote of the electorate any bonds or to diminish or alter the discretion of the City Council in the issuance of bonds.

VIII.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

IX.

That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, this the 25th day of October, A.D., 1983.

James Buchanan
MAYOR, CITY OF GRAND PRAIRIE, TEXAS

ATTEST:

Ann Anderson
City Secretary

Case No. 2831NW64