

07/13/87

ORDINANCE NO. 19594

An ordinance amending CHAPTER 51, "PART I OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by changing the zoning and classification of the following described property to-wit:

Being a tract of land in City Block 4993, fronting 169 feet on the north line of Kelton Drive, beginning at a point of 160 feet west of the west line of Roper Street, and containing 20,089 square feet of land,

shall be changed from its present MF-2 Multiple Family District to an MF-2-H/34 Multiple Family Historic District; establishing new Historic Overlay District No. 34 (F.A. Brown Farmstead); providing for procedures, regulations and specific criteria for the historic preservation of the property and structures; providing a penalty; providing a savings clause; providing a severability clause; and providing an effective date.

WHEREAS, the City Plan Commission and the City Council in compliance with the Charter of the City of Dallas, the state law and the applicable ordinances of the City of Dallas have given the required notices and have held the required public hearings regarding the rezoning, the City Council finds that it is in the public interest to grant the rezoning and designate the property as a Historic Landmark, subject to the conditions set out herein; and

WHEREAS, the city council finds that the F.A. Brown Farmstead is of historic significance and importance to the

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City of Dallas; and

WHEREAS, the city council finds that it is in the public interest to grant this change in zoning; Now, Therefore,

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

SECTION 1. That CHAPTER 51, "PART I OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, be, and the same is, hereby amended insofar as it applies to the property hereinafter described, which is rezoned from its present MF-2 Multiple Family District to an MF-2-H/34 Multiple Family Historic District to-wit:

BEING a tract of land in the C. G. COLE SURVEY, Abstract No. 320, Dallas County, Texas, and being in City of Dallas Block No. 4993, and being more particularly described as follows:

BEGINNING at a point in the north line of Kelton Drive (50.0 feet wide) that is West, 160.0 feet from the point of intersection of the west line of Roper Street (55.0 feet wide) with the north line of said Kelton Drive;

THENCE West, along the north line of said Kelton Drive, 169.0 feet to a point for corner;

THENCE North 00°37'00" East, 122.5 feet to a point for corner;

THENCE East, 134.0 feet to a point for corner;

THENCE South 44°41'30" East, 49.23 feet to a point for corner;

THENCE South 00°37'00" West, 87.5 feet to the POINT OF BEGINNING, and containing 20,089 square feet or 0.4612 acres of land,

SECTION 2. That no development of the property shall adversely affect any historical or architectural feature of the building. All alterations, reconstructions and additions to the property or external portion of any structure shall conform to the following criteria:

Existing Buildings to be Retained on Site

1. Protected Facades and Building Setbacks

All existing building elevations of the main farmhouse building and the concrete greenhouse shall be considered protected facades and shall be preserved. The existing south yard setback of the protected structures along Kelton Street and the side yard setback to the east shall be preserved and maintained.

2. Surface Materials

Renovations of the opaque elements of each elevation of the main house shall employ only wood or shingle material of equal texture, color and size to the existing structure as practicable. Reconstruction, renovation or repair of wood or concrete elements of each protected elevation shall employ the same material, size and profile as existing or documented original construction.

3. Fenestrations and Openings

Existing door and window openings, except for the enclosed breezeway on the south elevation of the main house or to replace documented original construction, shall be preserved. Reflective, mirrored or tinted glass shall not be permitted. Existing wood windows shall be preserved and may be reconditioned when necessary. New window openings may be created only in order to comply with health and safety code provisions.

Existing door openings in the protected facades shall be preserved as openings unless they are not part of the original design. New door openings may be created only in order to comply with health and safety code provisions. Doors shall be compatible with the character of the building.

4. Existing Brick Chimneys

Existing brick chimneys shall be preserved and not painted. Repointing or repair of mortar and brick must match original or existing composition.

5. Roof

The character, configuration and slope of the existing roofs shall be maintained and preserved. No new vertical addition shall be allowed above the protected building; all existing gables and dormers shall be preserved.

6. Porches

Existing porches shall be maintained and preserved and shall not be enclosed. All columns and railings that are part of a porch configuration shall be preserved. The enclosed breezeway porch on the south elevation may be reconfigured to match its original design following certificate of appropriateness review and approval.

7. Embellishments and Detailing

The following embellishments and detailing shall be preserved and maintained. Any reconstruction, renovation or replacement of these items due to irreversible damage shall be as similar in composition, texture, color and size as practicable.

- | | |
|-----------------------------|-------------------------|
| a. Window mullions | d. Columns and railings |
| b. Window sills and lintels | e. Decorative detailing |
| c. Gables | f. Shutters |
| | g. Porch decking |

8. Color

Color used on any portion of the main building shall be determined to be original to the building.

New Construction

All new construction on the property shall be reviewed and approved in the certificate of appropriateness process.

1. Site

No new building construction will be allowed in the yards fronting Kelton Street or the east or west of the house, which shall be regarded as the protected public zone, except as follows:

New construction may replace the non-contributing garage structure at the rear of the property on the existing building footprint. Construction of any additional structures is limited only to possible replication of original farm outbuildings, and site improvement elements to the east or north of the resource structure may occur following review and approval in the certificate of appropriateness process.

2. Surface Materials

Facade materials for new construction shall be compatible in texture, color, and module size to the materials in the

existing building. The relationship of glass to opaque areas of new facades shall be compatible with the rhythm of solid-to-void extant on the protected main house, structure.

3. Massing

Building massing of new construction shall not overpower existing protected structures. New construction shall conform to existing building setbacks.

4. Fenestrations and Openings

Window articulation shall respond to the existing structure and should correspond in scale in any new construction. No continuous glass or spandrel and glass curtain walls should be allowed.

5. Landscape Plan

A landscape plan for the entire site that details plant materials and location, fences, screening for parking, walkways, drives and sprinkler systems must be submitted for approval prior to issuance of a building permit.

6. Cornice Lines

The cornice lines articulated on the building shall also be reflected in any new construction on the site.

7. Signs

All exterior signage and graphics will be reviewed for compatibility by the Landmark Committee.

8. Color

Primary and accent paint colors to be used on reconstruction on the site of the existing garage shall comply with the hue, value and chroma content of the Munsell Color System as outlined in the Munsell Book of Color, neighboring hues collection, 1973.

SECTION 3. That a person shall not make alterations to the Property without first obtaining a certificate of appropriateness in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria in Section 2.

SECTION 4. 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 applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of planning and development shall correct Zoning District Map No. G-6 in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$1000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land on the Property.

SECTION 7. That CHAPTER 51, PART I of the DALLAS CITY CODE, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. 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 9. 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:

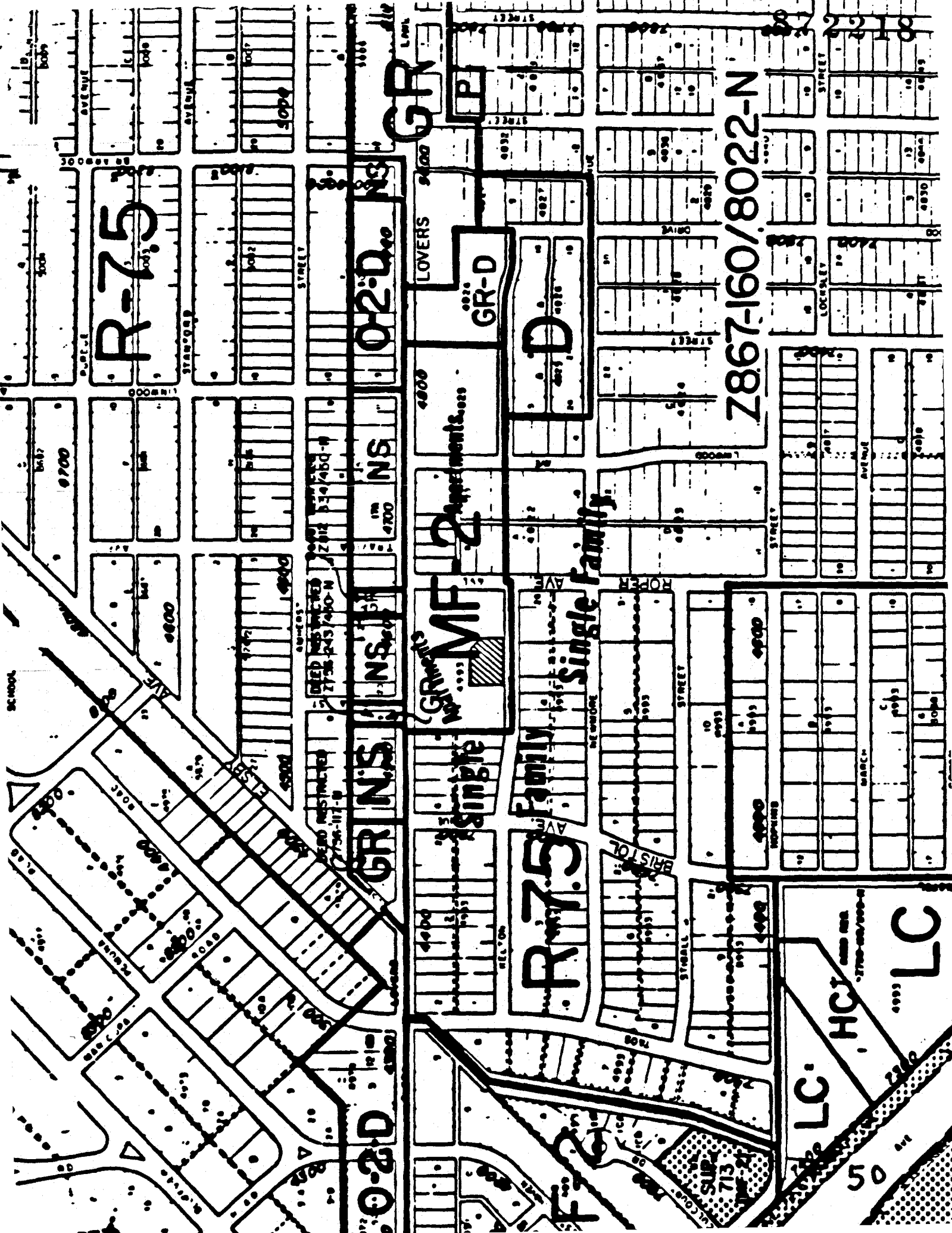
ANALESIE MUNCY, City Attorney

By Marsha Goodfriend
Assistant City Attorney

Passed and correctly enrolled JUL 15 1987

Zoning File No. Z867-160/8022-N

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