

4-5-00

ORDINANCE NO. 24253

An ordinance amending CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by establishing Historic Overlay District No. 97 (Juanita Craft Home) comprised of the following described property ("the Property"), to wit:

BEING Lot 5 in City Block A/1694, fronting approximately 50 feet on the southeast line of Warren Avenue, beginning at a point 201 feet northeast of the northeast line of Atlanta Street, and containing approximately 5,250 square feet of land;

providing procedures, regulations, and preservation criteria 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 applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the Property; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

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

CHECKED BY

SSS

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

SECTION 1. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended by establishing Historic Overlay District No. 97 comprised of the following described property ("the Property"), to wit:

BEING Lot 5 in City Block A/1694, fronting approximately 50 feet on the southeast line of Warren Avenue, beginning at a point 201 feet northeast of the northeast line of Atlanta Street, and containing approximately 5,250 square feet of land.

SECTION 2. That the establishment of this historic 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, except that the following additional uses are permitted by right: library, art gallery or museum; and community service center. If there is a conflict, the regulations contained in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, or remove any structure on 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 attached to and made a part of this ordinance as Exhibit A.

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. K-8 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 \$2,000. 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 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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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:

MADELEINE B. JOHNSON, City Attorney

By


Assistant City Attorney

Passed MAY 10 2000

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Exhibit A
PRESERVATION CRITERIA
Juanita Craft Home
2618 Warren Avenue

1. GENERAL

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended. In the event of a conflict, these preservation criteria control.
- 1.3 A person may not alter a historic district site, or any portion of the exterior of a structure on the site, or place, construct, maintain, expand, remove, or demolish any structure in the historic district without first obtaining a certificate of appropriateness or a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and the provisions of this ordinance. A person who violates this provision is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness or a certificate for demolition or removal is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 1.4 The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
- 1.5 Preservation and restoration materials and methods must comply with the Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 The Landmark Commission may approve a certificate of appropriateness for work that does not strictly comply with these preservation criteria upon a finding that:
 - a. the proposed work is historically accurate and is consistent with the spirit and intent of the preservation criteria; and
 - b. the proposed work will not adversely affect the historic character of the property or the integrity of the historic district.

2. DEFINITIONS

- 2.1 Unless defined below, the definitions contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of the historic district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 COLUMN means the entire column, including the base and capital.
- 2.5 DIRECTOR means the director of the Department of Planning and Development or the Director's representative.
- 2.6 DISTRICT means Historic Overlay District No. 97, the Juanita Craft Home Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown in Exhibit B.
- 2.7 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.8 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.9 INTERIOR SIDE FENCE means a fence not facing a street or alley
- 2.10 INTERIOR SIDE YARD means a side yard not abutting a street or alley.
- 2.11 MAIN BUILDING means the Juanita Craft Home, as shown in Exhibit B.
- 2.12 NO-BUILD ZONE means part of the district in which no new construction may take place.
- 2.13 PERIOD OF SIGNIFICANCE means the period from 1950 through 1965, which has been determined to be the period of special significance to the history of Juanita Craft and this house.
- 2.14 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.15 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

3. BUILDING SITE AND LANDSCAPING

- 3.1 New construction is prohibited in the no-build zone shown on Exhibit B.
- 3.2 The main building is protected.
- 3.3 New driveways, sidewalks, steps, and walkways must be constructed of brush finish concrete or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.4 Circular driveways and parking areas are not permitted in the front yard.
- 3.5 New garages are permitted only behind the main building.
- 3.6 Outdoor lighting must be appropriate and enhance the structure.
- 3.7 Landscaping in the front and side yards must be appropriate to the period of significance, and reflect the historic landscape design of the period of significance. Landscaping should not obscure significant views of protected facades.
- 3.8 It is encouraged that landscaping and landscaping elements in the back yard reflect or re-create landscaping of the period of significance. Landscaping and landscaping elements must be reviewed through the certificate of appropriateness review procedure.
- 3.9 Existing trees are protected, except that unhealthy or damaged trees may be removed.
- 3.10 Any new mechanical equipment must be erected in the rear yard and must be screened.
- 3.11 Fence location.
 - a. Fences are not permitted in the front yard.
 - b. Interior side fences must be located in the rear 50 percent of the interior side yard.
- 3.12 Fences must be constructed of chain link, metal or wood. Brick, cast stone, and stone may be used as pilasters, low fence supporting walls (up to 24 inches high), accent materials, or in other minor ways if appropriate.

4. FACADES

- 4.1 Protected facades.
- a. The facades shown on Exhibit B are protected.
 - b. Repair, reconstruction, renovation, or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
 - c. Historic solid-to-void ratios of protected facades must be maintained.
 - d. Brick added to protected facades must match in color, texture, module size, bond pattern, and mortar color.
 - e. Brick, cast stone and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted prior to the effective date of this ordinance may remain painted.
- 4.2 Repair, reconstruction, renovation, or maintenance of nonprotected facades must be compatible with protected features.
- 4.3 Wood siding, trim, and detailing must be restored wherever practical.
- 4.4 All exposed wood must be painted, stained, or otherwise preserved.
- 4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.
- 4.6 Paint must be removed in accordance with the Department of Interior standards prior to refinishing.
- 4.7 Aluminum siding, stucco, and vinyl cladding are not permitted.
- 4.8 Historic colors must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.
- 4.9 Exposing and restoring historic finish materials is recommended.
- 4.10 Cleaning of the exterior of a structure must be in accordance with Department of Interior standards. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

5. WINDOWS AND DOORS

- 5.1 Historic doors and windows must remain intact except to reinstall a door that existed during the period of significance, or when replacement is necessary due to damage or deterioration.
- 5.2 Replacement of doors and windows which have been altered and no longer match the appearance during the period of significance is recommended.
- 5.3 Replacement doors and windows must express muntin and mullion size, light configuration, profile, and material to match the appearance during the period of significance.
- 5.4 Storm doors and windows are permitted if they are appropriate and match the existing doors and windows in width, height, proportion, profile, glazing material, and color.
- 5.5 Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades. Interior mounted burglar bars are permitted if appropriate.
- 5.6 Glass and glazing must match historic materials as much as practical. Films and tinted or reflective glazings are not permitted on glass.
- 5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.
- 5.8 The Secretary of the Interior's Standards for Rehabilitation should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

6. ROOFS

- 6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.
- 6.2 The following roofing materials are allowed: asphalt composition roof tiles. Built-up, metal, synthetic wood shingle, synthetic clay tile, and single-ply membrane roofs are not permitted.
- 6.3 Historic eaves, coping, cornices, dormers, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module and color.
- 6.4 Skylights and solar panels on the roof must be set back or screened so that they are not visible on the front half of the roof.
- 6.5 Mechanical equipment may not be placed on the roof.

7. PORCHES AND BALCONIES

- 7.1 Historic porches and balconies, or those matching the appearance during the period of significance on protected facades, are protected.
- 7.2 Historic columns, detailing, railings, and trim on porches and balconies are protected.
- 7.3 Porch floors must be wood. Wood floors must be painted or stained. A clear sealant is acceptable on porch floors. Existing brick, concrete, or stone porch floors may not be covered with carpet or paint.
- 7.4 The existing low-clearance canopy at the front porch may be raised to allow for acceptable clearance.

8. EMBELLISHMENTS AND DETAILING

- 8.1 The following architectural elements are considered important features and are protected:
 - a. front porch and enclosure.
 - b. exterior wood windows.
 - c. front walk.
 - d. brick planters.
 - e. roof form and rafters tails.
 - f. building form.

9. NEW CONSTRUCTION AND ADDITIONS

- 9.1 Stand-alone new construction is permitted only in the areas shown on Exhibit B.
- 9.2 Vertical additions to the main building are not permitted.
- 9.3 Horizontal additions to the main building are not permitted.
- 9.4 The color, details, form, materials, and general appearance of new construction must be compatible with the main building.
- 9.5 New construction must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solid-to-void ratios.
- 9.6 The height of new construction must not exceed the height of the main building.

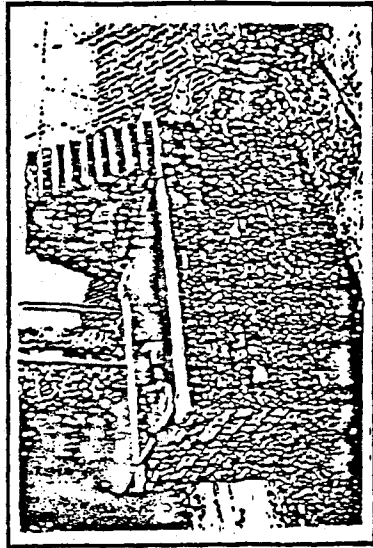
- 9.7. Aluminum siding, stucco, and vinyl cladding are not permitted.
- 9.8 Accessory buildings.
- a. Accessory buildings must be compatible with the scale, shape, roof form, materials, detailing and color of the main building. Imitation siding is allowed on accessory buildings if consistent with the main building. Metal storage buildings are allowed if not seen from the street.
 - b. Accessory buildings must be at least eight feet from the main building.
 - c. Accessory buildings must not exceed 800 square feet in area, unless documentation shows that an original building exceeding this size was previously on the building site.
 - d. Accessory buildings may have garage doors located at the rear yard setback from the alley only if electric garage door openers are installed.
 - e. Minimum rear yard setback for an accessory structure is 2.5 feet, with a 1.5 foot roof overhang encroachment permitted.
 - f. The minimum side yard setback for accessory structures is three feet, with a 1.5 foot roof overhang encroachment permitted.
 - g. Accessory structures may be rebuilt in the location of a former structure if the location of the former structure is properly documented.

10. SIGNS

- 10.1 An identification sign may be located in the front yard. The identification sign may be up to two feet high, be a maximum of eight square feet in size, and be constructed of wood or other compatible materials if appropriate.
- 10.2 Signs may be erected if appropriate.
- 10.3 All signs must comply with the provisions of the Dallas City Code, as amended.

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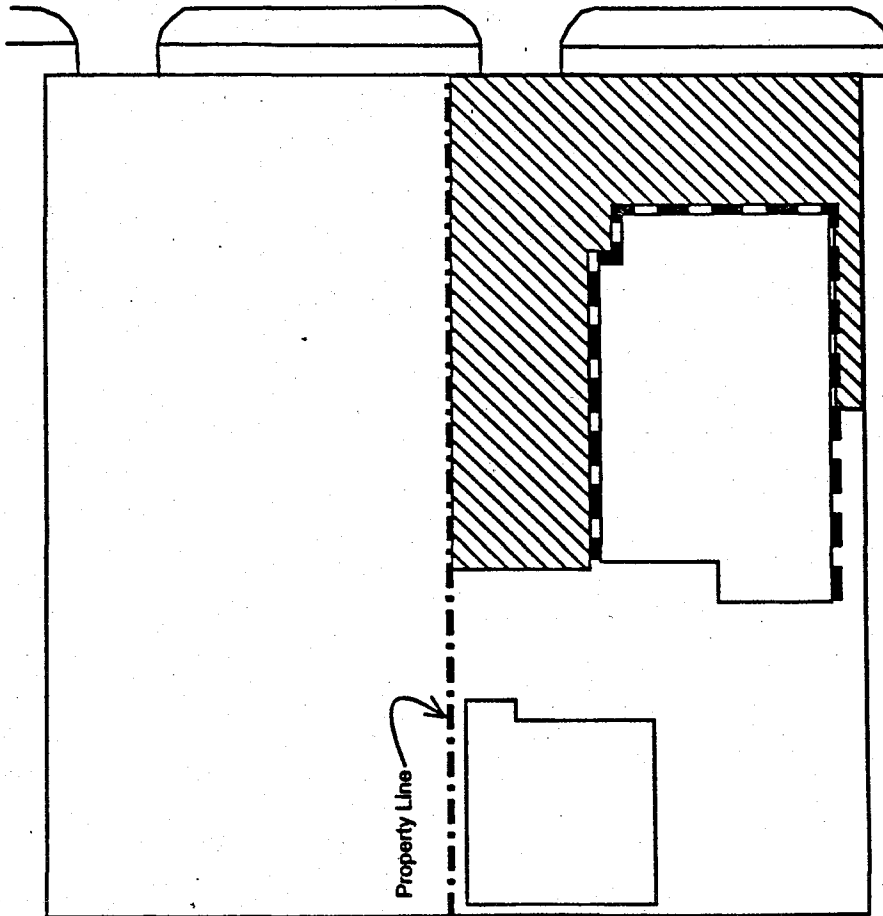
Exhibit B



Barbecue Pit



Guest House



Property Line

No Build Zone

Protected Façades



