

## **ARTICLE 33.**

### **PD 33.**

#### **SEC. 51P-33.101. LEGISLATIVE HISTORY.**

PD 33 was established by Ordinance No. 11715, passed by the Dallas City Council on February 13, 1967. Ordinance No. 11715 amended Ordinance No. 10962, Chapter 51 of the 1960 Revised Code of Civil and Criminal Ordinances of the City of Dallas, as amended. Ordinance No. 11715 was amended by Resolution No. 71-2963, passed by the Dallas City Council on August 16, 1971; Resolution No. 71-3642A, passed by the Dallas City Council on October 11, 1971; and Ordinance No. 13411, passed by the Dallas City Council on October 18, 1971. (Ord. Nos. 10962; 11715; 13411; 25423; Res. Nos. 71-2963; 71-3642A)

#### **SEC. 51P-33.102. PROPERTY LOCATION AND SIZE.**

PD 33 is established on property generally located between Farquhar Drive on the west and the North Dallas Tollway on the east. The size of PD 33 is approximately 7.09 acres. (Ord. Nos. 11715; 25423)

#### **SEC. 51P-33.103. 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-33.104. DEVELOPMENT PLAN.**

A development plan (Exhibit 33A) indicates the approved development of this site for single-family attached dwellings with community recreational facilities. Development must conform with the development plan except that any three continuous lots shown on the plan may be divided into two lots of larger sizes before the city plan commission approval of a subdivision plat or upon city plan commission approval of a revised subdivision plat indicating the lot division. (Ord. Nos. 11715; 25423)

#### **SEC. 51P-33.105. SUBDIVISION.**

Before the issuance of any building permit in this PD, a subdivision plat of the entire area must be approved by the city plan commission and filed for record in the office of the County Clerk, Dallas County, Texas. (Ord. Nos. 11715; 25423)

#### **SEC. 51P-33.106. PERMITTED USES.**

In this PD, no main use other than single-family attached dwellings is permitted, except that community recreational facilities (including a recreational building and a swimming pool) are permitted in the areas shown on the development plan. (Ord. Nos. 11715; 25423)

**SEC. 51P-33.107.****HOMEOWNERS' ASSOCIATION.**

In this PD of attached single-family dwellings, common open spaces, community recreational facilities and other joint facilities are indicated which are to be used by the entire community. To insure the continuance of adequate maintenance of these common facilities, proper evidence showing the execution and filing of covenants creating a homeowners' association composed of the individual owners of property in the PD, must be submitted to the city plan commission before the sale of any lot or tract within the PD or before the city plan commission's approval of the final subdivision plat for the PD. The structure of the homeowners' association must, before or in conjunction with the approval of the final subdivision plat and before the sale of any lot or tract within the development, be approved by both the city plan commission and the city attorney, and must be filed for record with the County Clerk's Office, Dallas County, Texas. The provisions of association constitute covenants, binding on each property owner in the PD, their heirs or successors in title, and the covenants shall run with this land. The required covenants must provide, but are not limited to, the following:

(1) Proper evidence of the creation of the homeowners' association, with each owner of property in the development having membership in the association upon the purchase of property and with each property owner having rights to the use of all common facilities in the development.

(2) All common facilities of the development, as indicated on the development plan, must be placed in the ownership of the association, which shall be responsible for the operation and continuing maintenance of these facilities.

(3) The association is responsible for the maintenance and continuance of all required easements in the PD, as indicated on the final subdivision plat.

(4) Continuous maintenance of the common facilities of the PD must be financed by assessments levied against each property owner. The assessments must be of sufficient amounts to insure adequate maintenance. The developers shall contribute the missing shares for the maintenance of the common facilities, until all indicated lot units are sold, to guarantee their continuous maintenance. (Ord. Nos. 11715; 25423)

**SEC. 51P-33.108.****GENERAL REGULATIONS.**

The requirements of this PD with regard to density, building height, front yards, side yards, rear yards, lot coverage, and parking are as follows:

(1) Density. A maximum of 28 dwelling units are permitted in this PD. The building lots for each permitted dwelling is indicated on the development plan.

(2) Building height. No building or structure in this PD may exceed two stories in height, except that the attic space (above the two permitted stories) may also be used and may have dormer windows.

(3) Front yard. A minimum building setback of three feet must be provided from any front lot line shown on the development plan, except that, where a garage faces a street, the garage must have a minimum setback of 18 feet from the front lot line.

(4) Side yard. No side yard building setback is required, provided that there are no windows in a dwelling wall facing the west side of Lot 4 and that a masonry screening wall is provided along the west line of Lot 4.

(5) Rear yards.

(A) No rear yard building setback is required, except in the following circumstances:

(i) If the rear lot line is at an alley or garage access drive, a three-foot minimum building setback must be provided.

(ii) If a garage faces the rear lot line, an 18-foot minimum setback to the garage must be provided.

(B) Improvements on Lots 1, 8, 9, and 11 are permitted to extend over their respective lot lines above the floodway a distance not to exceed 10 feet. The improvements must be supported either by cantilevering, or by piers, posts, or foundation, subject to the approval of the department of public works and transportation.

(6) Lot coverage. No more than 80 percent of the area of any lot may be covered by structures of any kind.

(7) Parking. A minimum of two off-street parking spaces must be provided for each dwelling unit, plus a minimum of four additional parking spaces must be provided for the recreational building. (Ord. Nos. 11715; 13411; 25423)

#### **SEC. 51P-33.109. FIRE LANES.**

Fire lanes must be provided and maintained in accordance with the requirements of the Dallas Fire Department. (Ord. Nos. 11715; 25423)

#### **SEC. 51P-33.110. SCREENING.**

A solid screening wall (the surface of which does not contain openings more than 40 square inches in each one square foot of surface), with a minimum height of six feet, must be constructed as indicated on the development plan, except that a grillwork screen, with a minimum height of six feet, is permitted over the floodway along the south property line in lieu of solid screening. (Ord. Nos. 11715; 25423)

#### **SEC. 51P-33.111. PAVING.**

All streets, either dedicated roadways or private drives, must be paved and drainage structures laid to the standards of the department of public works and transportation, except paving bricks placed on an adequate base are permitted as a paving surface in the two areas designated as "entries" on the development plan. All garage access drives, parking areas, and the dedicated alley must have a minimum surfacing of six inches of compacted gravel and two coats of penetration asphalt. The developers shall bear the total cost of all these improvements, including roadways, drives, curbs, and drainage structures. (Ord. Nos. 11715; 25423)

**SEC. 51P-33.112.**

**GENERAL REQUIREMENTS.**

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications adopted for such purpose to the satisfaction of the director of public works and transportation.

(b) No certificate of occupancy shall be issued by the building official until there has been full compliance with this article in accordance with the requirements of the building for which the certificate is issued, and any applicable provisions of the zoning ordinance and the building codes. (Ord. Nos. 11715; 25423; 26102)

**SEC. 51P-33.113.**

**ZONING MAP.**

PD 33 is located on Zoning Map No. G-7. (Ord. 25423)