

ORDINANCE NO. 27393

An ordinance amending the zoning ordinances of the City of Dallas by expanding Historic Overlay District No. 128 (Junius Heights) to include the following property:

BEING the northeast 56.6 feet of Lot 16 and the southwest 5.6 feet of Lot 17 in Block 4/1866 located approximately 120 feet northeast of the east corner of Huntley Street and Gaston Avenue, fronting approximately 62 feet on the south line of Gaston Avenue, having a depth of approximately 175.8 feet, and containing approximately 11,126 square feet of land,

which is presently zoned as Area 1 within Planned Development District No. 99; providing a new boundary description and district map for Historic Overlay District No. 128; 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 ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property hereinafter described; 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 expand Historic Overlay District No. 128; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by expanding Historic Overlay District No. 128 (Junius Heights) to include the following property (“the Property”):

BEING the northeast 56.6 feet of Lot 16 and the southwest 5.6 feet of Lot 17 in Block 4/1866 located approximately 120 feet northeast of the east corner of Huntley Street and Gaston Avenue, fronting approximately 62 feet on the south line of Gaston Avenue, having a depth of approximately 175.8 feet, and containing approximately 11,126 square feet of land.

SECTION 2. That the boundary description, Exhibit A attached to Ordinance No. 26331, and the district map, Exhibit C attached to Ordinance No. 26331, are replaced by the Exhibit A and Exhibit C attached to this ordinance.

SECTION 3. That the expansion 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. If there is a conflict, the regulations of Historic Overlay District No. 128 control over the regulations of the underlying zoning district.

SECTION 4. 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, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria of Historic Overlay District No. 128.

SECTION 5. 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 ordinances, rules, and regulations of the City of Dallas.

SECTION 6. That the director of development services shall correct Zoning District Map No. I-8 in the offices of the city secretary, the building official, and the department of development services to reflect the changes in zoning made by this ordinance.

SECTION 7. 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, maintenance, demolition, or removal of a building, structure, or land on the Property.


SECTION 8. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. 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 10. 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:

THOMAS P. PERKINS, JR., City Attorney

By   
Assistant City Attorney

Passed NOV 10 2008

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**EXHIBIT A  
JUNIUS HEIGHTS BOUNDARY DESCRIPTION**

The Junius Heights legal description consists of the following city Blocks and Lots and being further divided into nine subdistricts:

City Block 1490 Tract/Lots 1-23, and City Block 2/1864 Lots 1-7 and 8-14, and City Block 3/1865 Lots 1-14, and City Block 4/1866 Lots 1-14, and City Block 5/1868 Lots 1-14, and City Block 6/1869 Lots 1-14, and City Block 7/1883 Lots 1-16, and City Block 8/1883 Lots 1-15, and City Block 9/1884 Lots 1-14, and City Block 21/1884 Lots 8-16, and City Block 4/1884 Lots 1-9, City Block 5/1884 Lots 9-16, City Block 1493 Lots 14 and 15 and, City Block B/609 Lots 6 and 6A and, City Block C/455 Lots 1-9 and part of 11 that fronts on Reiger Avenue and Augusta Street, and that part of City Block D/432 located north and west of Columbia Avenue/Abrams Road, and City Block 18/1658 Lots 1 through 5 and Lot 18, and City Block B/1664 Lots 1-4, and City Block B/1670 Lots 1-4 and 15-18 and City Block C/1670 Lots 1A, 2A, 3A, 1B, 2B, and 3B, and City Block A/697 Lots 1– 15 and all of following City Blocks: V/1496, 1/1496, V/1495, 1/1495, 1494, 1/1589, 2/1590, 3/1647, 5/1649, A/1659, B/1660, A/1663, 1489, 10/1592, 9/1591, 8/1652, 7/1651, 6/1650, D/1662, C/1661, A/1488, 11/1593, 12/1594, 13/1653, 14/1654, 15/1655, A/1670, B/1488, 20/1596, 19/1595, 17/1657, 16/1656, 21/1617, and 4/1866 the NE 56.6 feet of Lot 16 and the SW 5.6 feet of Lot 17.

**Tract A:**

City Block V/1495 Lots 5-16 and City Block 1/1495 Lots 1-7 and 12-17, and City Block 2/1864 Lots 1-7 and 8-14, and City Block 3/1865 Lots 1-14, and City Block 4/1866 Lots 1-14, and City Block 5/1868 Lots 8-14.

**Tract B:**

City Block 5/1868 Lots 1-7, and City Block 6/1869 Lots 1-14, and City Block 7/1883 Lots 1-16, and City Block 8/1883 Lots 1-15, and City Block 9/1884 Lots 1-14, and City Block 21/1884 Lots 8-14, and City Block 4/1884 Lots 1-7, and City Block 5/1884 Lots 9-16.

**Tract C:**

City Block V/1496 Lots 1-4 and City Block 1/1496 Lots 8-11 and City Block 21/1884 Lots 15 and 16 and City Blocks 4/1884 Lots 8 and 9 and City Block 4/1866 the NE 56.6 feet of Lot 16 and the SW 5.6 feet of Lot 17.

**Tract D:**

City Block A/697 Lots 14 and 15, and City Block 1490 Tracts/Lots 1-8 and Tracts/Lots 10, 12, 14, 16, 19, 20, 23, and City Block 1493 Lots 14 and 15, and City Block B/609 Lots 6 and 6A, and City Block C/455 Lots 1-9 and part of 11 that fronts on Reiger Avenue and Augusta Street, and City Block D/432 north and west of Columbia Avenue/Abrams Road, and City Block 18/1658 Lots 1 through 5 and Lot 18, and City Block B/1664 Lots 1-4, and City Block B/1670 Lots 1-4 and 15-18 and City Block C/1670 Lots 1A, 2A, 3A, 1B, 2B, and 3B, and all of City Blocks: 1494, 1/1589, 2/1590, 3/1647, 4/1648, 5/1649, A/1659, B/1660, A/1663, 1489, 10/1592, 9/1591, 8/1652, 7/1651, 6/1650, D/1662, C/1661, A/1488, 11/1593, 12/1594, 13/1653, 14/1654, 15/1655, A/1670, B/1488, 20/1596, 19/1595, 17/1657, 16/1656, and 21/1617.

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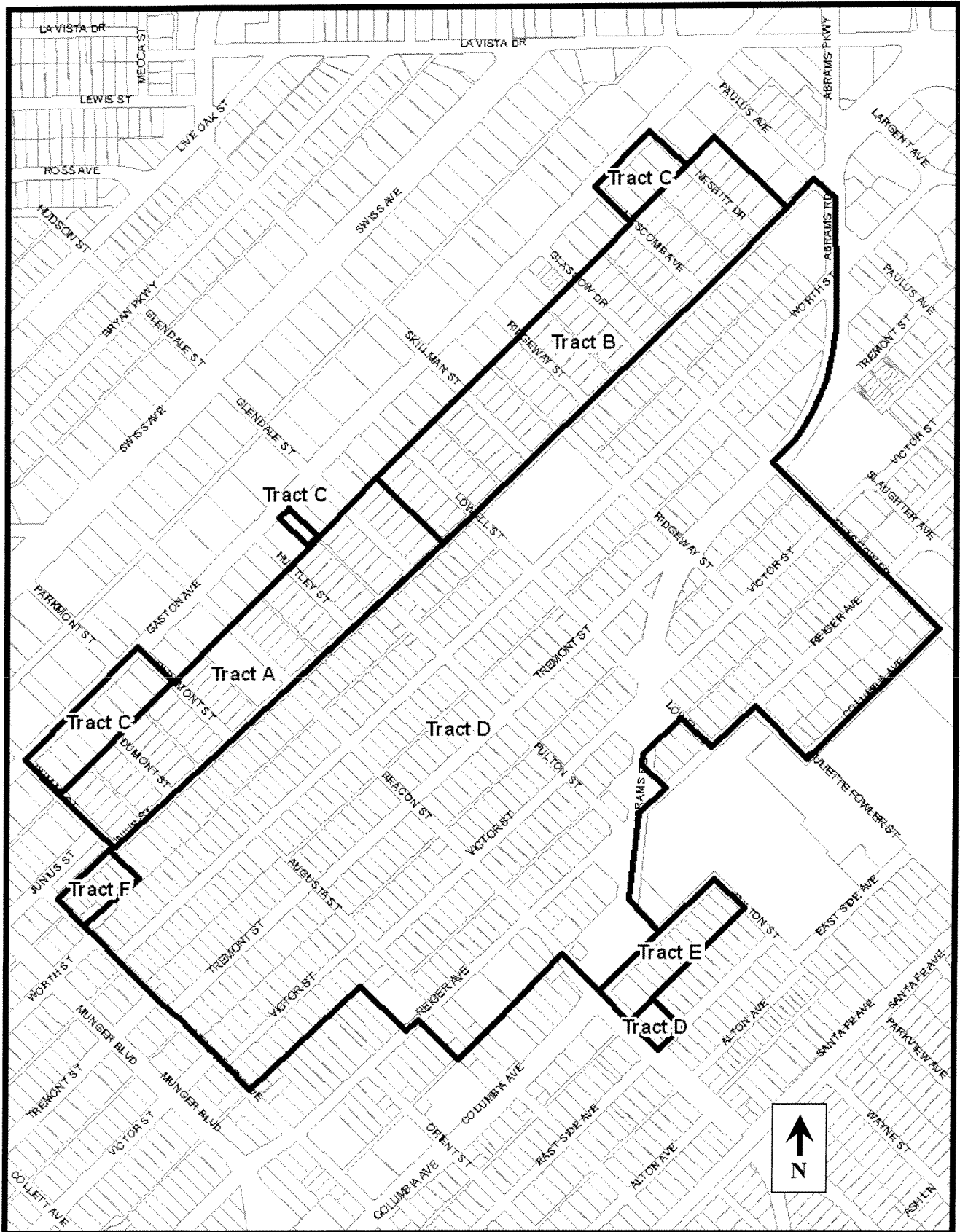
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**Tract E:**

City Block A/697 Lots 1-13.

**Tract F:**

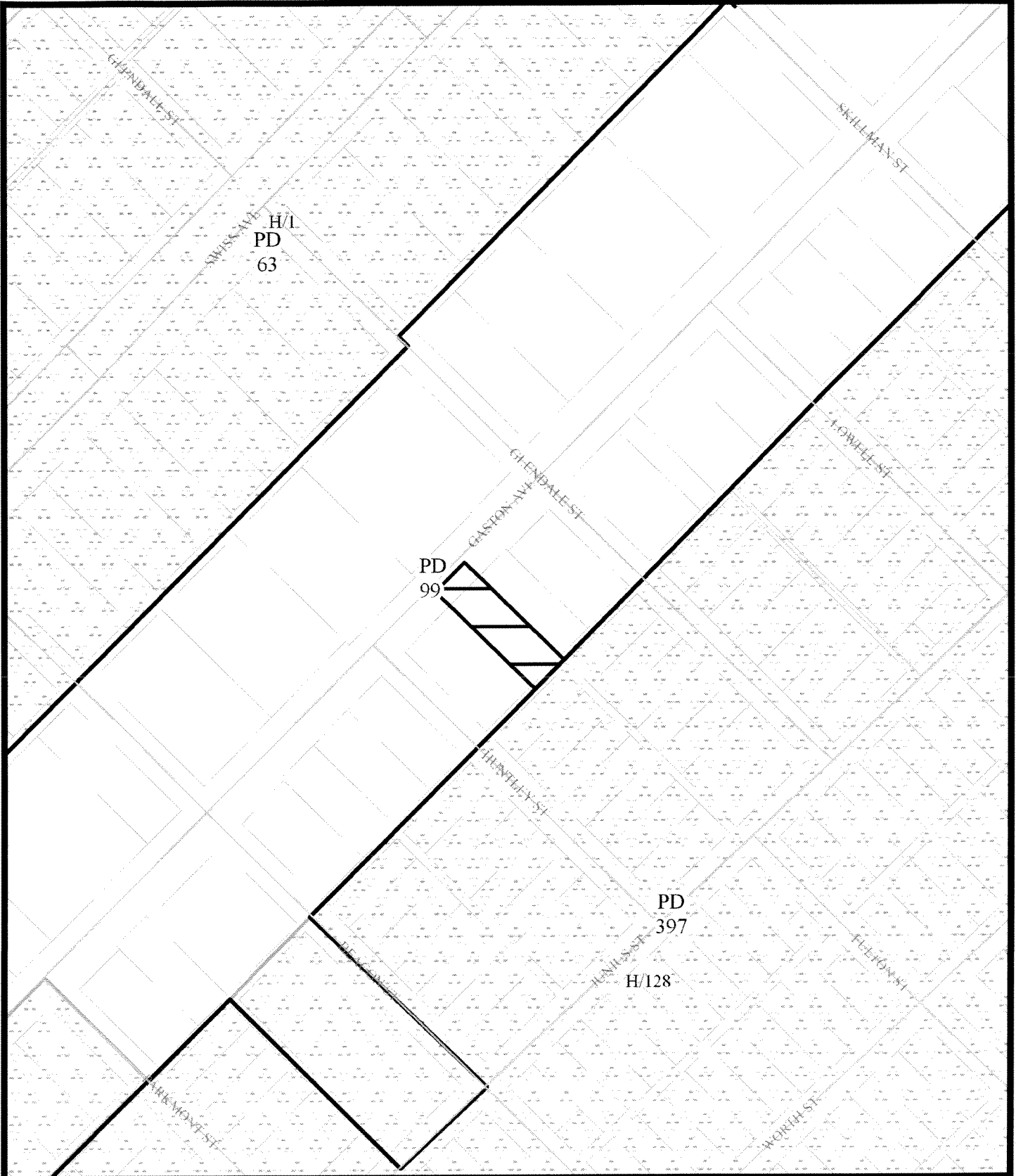
City Block 1490 Tracts/Lots 9, 11, 13, 15, 17, 18, 21, and 22.



H/128 (JUNIUS HEIGHTS)  
DISTRICT BOUNDARIES (WITH TRACTS)

27393

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1:2,400

# ZONING AND LAND USE

Map no: 1-8  
 Case no: Z078-283 MW