

3-28-12

ORDINANCE NO. 28606

An ordinance amending the zoning ordinances of the City of Dallas by permitting the following property, which is presently zoned as Subdistrict K within Planned Development District No. 619:

BEING part of Lot 4 in City Block 76½; fronting approximately 25 feet on the south line of Elm Street approximately 170 feet west of the southwest corner of Ervay Street and Elm Street; and containing approximately 2,500 square feet of land,

to be used under Specific Use Permit No. 1947 for an alternative financial establishment; providing that this specific use permit shall be granted subject to certain conditions; 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 this specific use permit; and

WHEREAS, the city council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

28606

WHEREAS, the city council finds that it is in the public interest to grant this specific use permit, subject to certain conditions; Now, Therefore,

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

SECTION 1. That the zoning ordinances of the City of Dallas are amended to allow the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property"), which is presently zoned as Subdistrict K within Planned Development District No. 619, to be used under Specific Use Permit No. 1947 for an alternative financial establishment.

SECTION 2. That this specific use permit is granted on the following conditions:

1. USE: The only use authorized by this specific use permit is an alternative financial establishment.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit expires on May 1, 2015.
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

SECTION 3. That all paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with standard City of Dallas specifications, and completed to the satisfaction of the director of public works and transportation.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use authorized by this specific use permit 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 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 6. 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 7. 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 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with 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

MAR 28 2012

Passed _____

Exhibit A

GIS_Approved

Legal Description

BEING a 0.0574 acre tract of land situated in the John Grigsby Survey, Abstract No. 495, Dallas County, Texas, said tract being the west 25.00 feet of Lot 4 in the City Block 128/76-1/2, of the Smith, Murphy and Martin Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 143, Page 403, Deed Records of Dallas County, Texas, said 0.0574 acre tract being more particularly describes as follows:

BEGINNING at a point on an existing building, in the southeast right-of-way line of Elm Street (80' public R.O.W.), said point being North 76°00'00" East, a called distance of 148.20 feet from the intersection of the southeast right-of-way line of Elm Street with the northeast right-of-way line of Stone Place (40' public R.O.W.), said point being the northeast corner of a called 0.115 acre tract of land conveyed to 1610 ELM STREET, LLC by Instrument No. 201100056229, Official Public Records, Dallas County, Texas, same also being southeasterly and 0.60 feet from the exterior face of the common seam of the northeasterly building corner located on said 1610 ELM STREET, LLC tract, which has an address of 1610 Elm Street, and the northwesterly corner of the building located on the herein described tract, which has an address of 1612 Elm Street;

THENCE North 76°00'00" East, with the southeast line of said Elm Street, a distance of 25.00 feet to the northwest corner of the remainder of Lot 4, Block 128/76-1/2 of said Smith, Murphy and Martin Addition, same being the northwest corner of that certain tract of land conveyed to ELM AT STONEPLACE HOLDINGS, LLC by deed recorded in instrument No. 201000094232, Official Public Records, Dallas County, Texas, same also being southeasterly and 0.60 feet from the exterior face of the common seam of the northeasterly corner of the building located on the herein described tract, which has an address of 1612 Elm Street and the northwesterly corner of the building located on said ELM AT STONEPLACE HOLDINGS, LLC tract, which has an address of 1614 Elm Street;

THENCE South 14°00'00" East, departing said right-of-way line and along the common seam of said buildings, a distance of 100.00 feet to the north line of Lot 7, Block 128/76-1/2 of said Smith, Murphy and Martin Addition, same being the northerly line of a tract of land conveyed to ELM AT STONEPLACE HOLDINGS, LLC by Instrument No. 201000094232, Official Public Records, Dallas County, Texas;

THENCE South 76°00'00" West, a distance of 25.00 feet to the southeast corner of the aforementioned tract to 1610 ELM STREET, LLC by instrument No. 201100056229, Official Public Records, Dallas County, Texas, same being on the seam of the aforementioned buildings at 1610 Elm Street and 1612 Elm Street;

THENCE North 14°00'00" West, with the northeast line of said tract and along the said seam line, a distance of 100.00 feet to the POINT OF BEGINNING, and containing 2,500 square feet or 0.0574 acres of land.

Z112-177

Site Summary

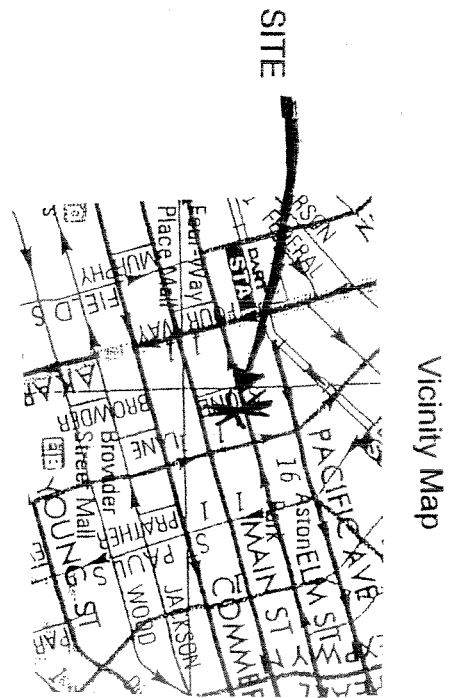
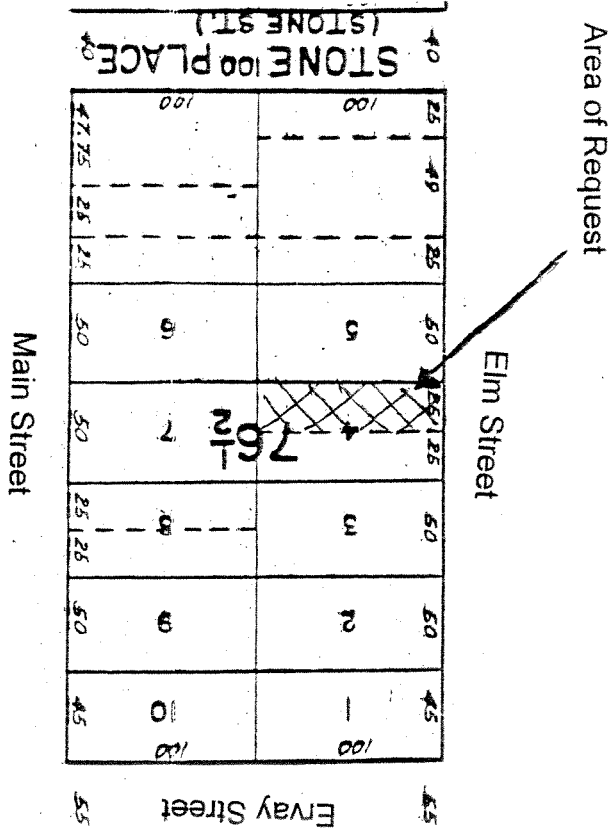
Existing Zoning: PDD 619

Proposed Zoning: PDD 619 Subdistrict with SUP for alternate financial institution

Lot Area: 2500 s.f.

Existing Lot Coverage: 100 %

Scale: 1" = 100'

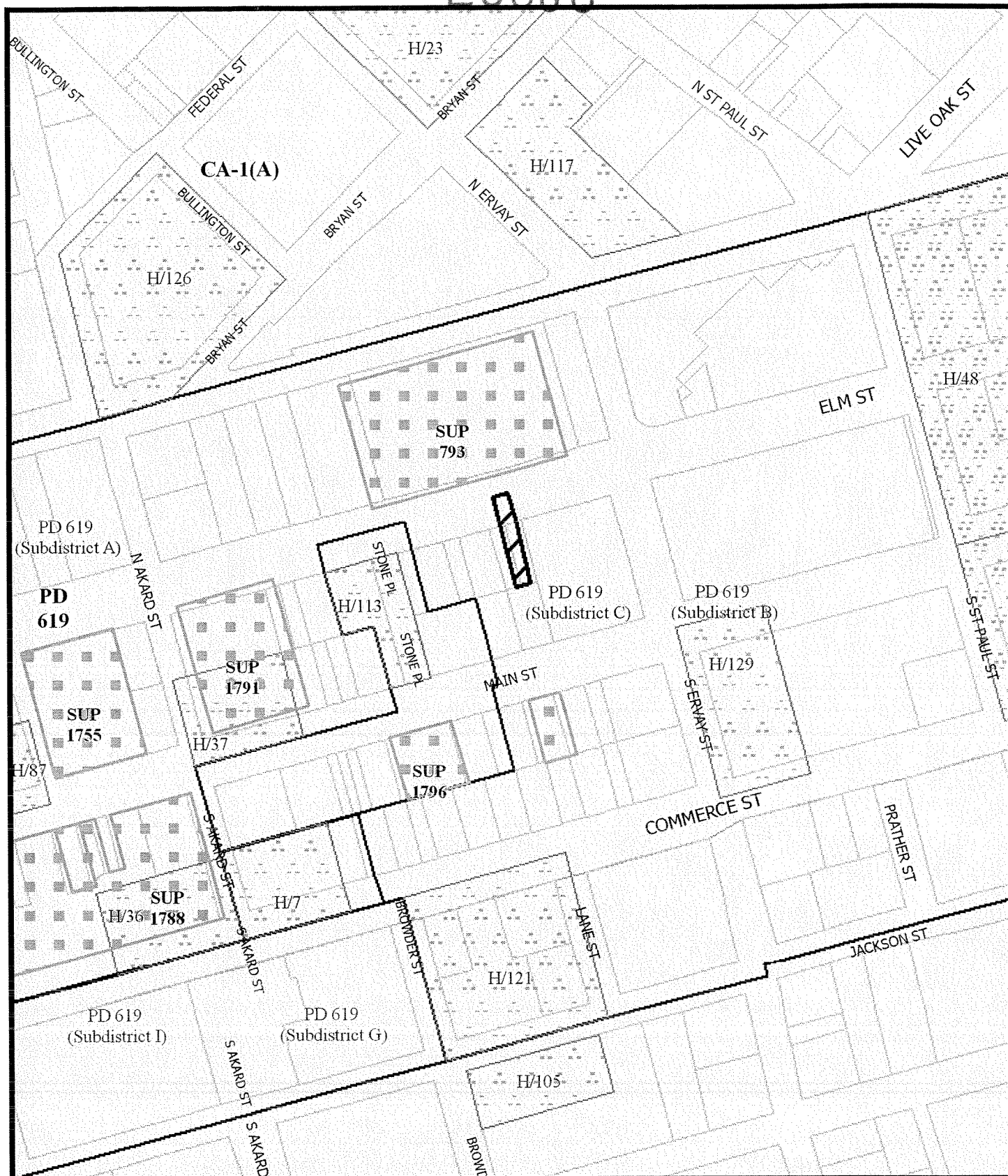


Specific Use Permit
No. 1947

Approved
City Plan Commission
March 22, 2012

SITE PLAN
2-112-177

120996



1:2,400

ZONING AND LAND USE

Case no: **Z112-177**

Date: 2/16/2012