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5-8-13

ORDINANCE NO. 28995

An ordinance repealing Ordinance No. 4761, which established setbacks from Central Expressway and Haskell Avenue; and providing an effective date.

WHEREAS, Ordinance No. 4761, passed by the Dallas City Council on April 18, 1950, and attached as Exhibit A, established setbacks from Central Expressway and Haskell Avenue; and

WHEREAS, Ordinance No. 4761 is no longer necessary because setbacks are established by either the thoroughfare plan or zoning; Now, Therefore,

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

SECTION 1. That Ordinance No. 4761, passed by the Dallas City Council on April 18, 1950, is repealed.

SECTION 2. 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 Caren B. Myers
Assistant City Attorney

Passed MAY 22 2013

ORDINANCE NO. 4761

AN ORDINANCE ESTABLISHING A TWENTY-FIVE (25') FOOT BUILDING LINE ON THE SOUTHEAST SIDE OF CENTRAL EXPRESSWAY, FROM HASKELL AVENUE TO FITZHUGH AVENUE; ESTABLISHING A TWENTY-FIVE (25') FOOT BUILDING LINE ON THE NORTHWEST SIDE OF CENTRAL EXPRESSWAY, FROM HASKELL AVENUE TO FITZHUGH AVENUE; AND ESTABLISHING A TEN (10') FOOT BUILDING LINE ON THE NORTHEAST SIDE OF HASKELL AVENUE, BETWEEN CENTRAL EXPRESSWAY AND CAPITOL AVENUE; PROHIBITING THE ERECTION, CONSTRUCTION, RECONSTRUCTION OR PLACING OF ANY BUILDING OR STRUCTURE BETWEEN THE SAID BUILDING LINES ON CENTRAL EXPRESSWAY AND HASKELL AVENUE BETWEEN THE LIMITS DESIGNATED; AND PROHIBITING THE ISSUANCE OF BUILDING PERMITS BY THE BUILDING INSPECTOR; PROVIDING FOR A PENALTY NOT TO EXCEED ONE HUNDRED AND NO/100 (\$100.00) DOLLARS FOR EACH DAY SUCH VIOLATION EXISTS; AND DECLARING AN EMERGENCY.

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WHEREAS, a twenty-five (25') foot building line on the southeast side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue; a twenty-five (25') foot building line on the northwest side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue, and a ten (10') foot building line on the northeast side of Haskell Avenue, between Central Expressway and Capitol Avenue, will promote orderly development; and,

WHEREAS, if such building lines were not set up, future improvements and development along said streets could extend to the actual property lines of the various abutting properties and would thus be injurious to those owners of properties abutting on said street; and,

WHEREAS, such a building line on Haskell Avenue, between the limits designated, would prevent the creation of any obstacles or impediments to the future widening of Haskell Avenue; and,

WHEREAS, the establishment of such twenty-five (25') foot building on both sides of Central Expressway, from Haskell Avenue to Fitzhugh Avenue, and the establishment of such ten (10') foot building line on the northeast side of Haskell Avenue, between Central Expressway and Capitol Avenue, will best subserve the public welfare and convenience

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and the mutual observance of such building lines on said streets will inure to the benefit of the property owners affected; NOW, THEREFORE,

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

SECTION 1. That a twenty-five (25') foot building line on the southeast side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue, and a twenty-five (25') foot building line on the northwest side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue, are hereby established and set insofar as those portions of Central Expressway are concerned, said portions being set up by individual field notes for each side of Central Expressway, between the limits designated, and it shall be unlawful for any person, firm, corporation or association of persons in the City of Dallas to build, construct, place, erect or reconstruct any building, buildings or structures of any kind, and it shall be unlawful for the Building Inspector or his representatives to issue building permits for any such buildings or structures within the said areas, described as follows:

25-foot building line on the southeast side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue:

BEGINNING at the intersection of the southeast right-of-way line of Central Expressway and the northeast line of Haskell Avenue;

THENCE in a northeasterly direction along said line of Central Expressway to a point in the south line of Fitzhugh Avenue;

THENCE in an easterly direction along said line of Fitzhugh Avenue to a point which is 25 feet measured at right angles from said line of Central Expressway;

THENCE in a southwesterly direction parallel with and 25 feet from the southeast right-of-way line of Central Expressway to a point in the northeast line of Haskell Avenue;

THENCE in a northwesterly direction along said line of Haskell Avenue to the place of beginning.

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25-foot building line on the northwest side of Central Expressway, from Haskell Avenue to Fitzhugh Avenue.

BEGINNING at the intersection of the northwest line of Central Expressway and the northeast line of Haskell Avenue;



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THENCE in a northeasterly direction along said line of Central Expressway passing Cambrick and Elizabeth Streets to a point in the south line of Fitzhugh Avenue;

THENCE in a westerly direction along said line of Fitzhugh Avenue to a point which is 25 feet measured at right angles from said line of Central Expressway;

THENCE in a southwesterly direction parallel with and 25 feet from the northwest line of Central Expressway passing Elizabeth and Cambrick Streets to a point in the northeast line of Haskell Avenue;

THENCE in a southeasterly direction along said line of Haskell Avenue to the place of beginning.

SECTION 2. That a ten (10') foot building line on the northeast side of Haskell Avenue, between Central Expressway and Capitol Avenue, is hereby established and set, and it shall be unlawful for any person, firm, corporation or association of persons in the City of Dallas to build, construct, place, erect or reconstruct any building, buildings or structures of any kind, and it shall be unlawful for the Building Inspector or his representatives to issue building permits for any such buildings or structures within the said area, described as follows;

10-foot building line on the northeast side of Haskell Avenue, between Central Expressway and Capitol Avenue.

BEGINNING at the intersection of the southeast right-of-way line of Central Expressway, and the northeast line of Haskell Avenue;

THENCE in a southeasterly direction along said line of Haskell Avenue passing Weldon Street to a point in the northwest line of Capitol Avenue;

THENCE in a northeasterly direction along said line of Capitol Avenue a distance of 10 feet more or less;

THENCE in a northwesterly direction parallel with and 10 feet from the northeast line of Haskell Avenue passing Weldon Street to a point in the southeast right-of-way line of Central Expressway;

THENCE in a southwesterly direction along said line of Central Expressway to the place of beginning.

SECTION 3. That any person, firm, corporation, or association of persons who shall violate any of the provisions of this ordinance shall be subject to a fine not to exceed ONE HUNDRED AND NO/100 (\$100.00) DOLLARS.

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SECTION 4. That each and every day such building, erection, or structure shall remain in violation of this ordinance shall be deemed and constitute a separate and distinct offense.

SECTION 5. The holding or adjudication of any section, portion, clause or part hereof to be invalid shall not affect the validity of any other section, portion, clause or part hereof, but all such sections, portions, clauses and parts hereof shall be and remain valid.

SECTION 6. The fact that the establishment of building lines along streets provides for an orderly improvement and inures to the mutual benefit of the abutting property owners and subserves the general welfare and comfort of the inhabitants, creates an urgency and an emergency for the immediate preservation of the public health, peace, comfort and safety and requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

APPROVED AS TO FORM:

/s/H. P. Kucera
/t/H. P. KUCERA, City Attorney.

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ORDINANCE NO. 4761

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PASSED: April 18, 1950
CORRECTLY ENROLLED: April 18, 1950

H. P. Kucera,
City Attorney.

ATTEST:
Earl Goforth,
City Secretary.

TO PUBLISHER...4-20-50.....

PUBLISH....(3).....TIMES

BEGINNING.....4-24-50.....

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No. 3