

ORDINANCE NO. 39

AN ORDINANCE OF THE CITY OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1957, AS HERETOFORE AMENDED, BY PROVIDING FOR AN APARTMENT ZONING CLASSIFICATION, AND PROVIDING RULES AND REGULATIONS FOR AN APARTMENT DISTRICT, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT TO EXCEED ONE HUNDRED DOLLARS (\$100.00) FOR EACH VIOLATION; AND DECLARING AN EMERGENCY.

WHEREAS, the Governing Body, after considering the recommendations of the City Zoning Commission made after holding public hearings and after issuing notices and holding a public hearing and affording every person whose property was affected or who had any interest in the matter a free and fair opportunity to be heard, and in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance of the City of Addison should be amended; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADDISON, TEXAS:

SECTION 1. That Section 1 of Article II of the Comprehensive Zoning Ordinance be amended by adding a zoning classification district to be known as:

"A-1" APARTMENT DISTRICT

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Addison of 1957 be, and the same is, hereby amended by adding a section to be known as Article V-A, which said Article shall be as follows, to-wit:

ARTICLE V-A - A-1, APARTMENT DISTRICT

SECTION 1. USE REGULATIONS. In an A-1 Apartment District, no land shall be used and no buildings shall be erected for or converted to any use other than:

Any use permitted in a "B" Residential District.
Apartment buildings in which rooms and apartments are rented to resident guests, but excluding all retail businesses.

Accessory buildings, including a private garage and bona fide servant quarters. When accessory building is directly attached to a main building, it shall be considered an integral part of the main building. When accessory building is attached to the main building by a breezeway, the breezeway may be considered part of the accessory building. When the breezeway extends into the required rear yard, it together with the accessory building or buildings may occupy not more than 30% of the required rear yard, however, where a public alley provides the only access to the garage or accessory building and such alley provides open space between lots, more than 30% of the required rear yard may be covered by accessory buildings, provided that the minimum distance between the rear of the main building and the accessory building equals at least 20% of the depth of the lot.

SECTION 2. HEIGHT REGULATIONS. No building shall exceed $2\frac{1}{2}$ standard stories in height.

SECTION 3. AREA REGULATIONS.

(1) FRONT YARD.

(a) There shall be a front yard having a minimum depth of not less than 25 feet.

(b) Where lots have double frontage running through from one street to another, the required front yard shall be provided on both streets.

(2) SIDE YARDS. There shall be a side yard on each side of the lot with minimum dimensions as follows:

(a) For single family residences, the side yard shall not be less than 10 feet or 10% of the average width of the lot, whichever is smaller, but a side yard shall not be less than 5 feet.

(b) For a multiple family dwelling where ends of the building are adjacent to and parallel to the side lot line or within 30° thereof, the side yard shall be 10 feet or 10% of the average width of the lot, whichever is smaller, but in no case shall such a side yard be less than 5 feet.

(c) For a multiple family dwelling where sides of the building other than the ends are adjacent or parallel to the side yard lines or within 30° thereof, the side yard shall be not less than 25% of the overall length of the building side

adjacent to the side yard line.

(d) In all cases where the side yard is adjacent to a side street, the side yard shall be not less than 15 feet.

(3) REAR YARDS. There shall be a rear yard having a depth of not less than 20% of the depth of the lot.

(4) AREA OF THE LOT. Except as hereafter provided, all dwellings hereinafter erected, enlarged, relocated, reconstructed or converted shall be located upon lots containing the following areas:

(a) A lot on which there is erected a single family dwelling shall contain not less than 9,000 square feet.

(b) A lot on which there is erected or converted a multiple family dwelling shall contain an area of not less than 1,740 square feet per family, however, any lot on which a multiple family dwelling is erected shall contain a minimum of 9,000 square feet.

(c) Where a lot has less area than herein required and was of record prior to January 1, 1957, that lot may be used for single family dwelling purposes.

(5) WIDTH OF LOT. Minimum width of the lot shall be 60 feet.

(6) PARKING REGULATIONS.

(a) The parking regulations for a single family dwelling are the same as those in the "B" Residential District.

(b) Whenever a structure is erected or converted for multiple family dwelling purposes, apartment use, one parking space shall be provided on the lot but not in the required front yard for each dwelling unit in the structure. No open parking space shall be located nearer than 2 feet to the side lot line.

SECTION 3. That provision shall be made for indicating on the Zoning Map of the City of Addison areas which have been zoned "A-1" Apartment District Zoning under the provisions of this amendment, and the Zoning Map shall be kept current to show the zoning of such property within the limits of the City.

SECTION 4. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to fine not to exceed the sum of \$100.00 for each offense, and each day that said violation shall continue shall constitute a separate offense.

SECTION 5. If any article, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not effect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

SECTION 6. The fact that the present Comprehensive Zoning Ordinance of the City of Addison contains no provision for apartment zoning regulations creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the Governing Body of the City of Addison, Texas, on the 1st day of November, 1960.

APPROVED:

M. W. Morris
MAYOR

ATTEST:

James H. Rodley
CITY SECRETARY

APPROVED AS TO FORM:

H. Louis Nichol
ATTORNEY