

Stevens Park Conservation District Ad Hoc Committee:

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Your signature on your petition is a vote to move forward with **discussion, to start the process**; not to approve any changes. Once 58% of the neighborhood has signed on, the City will initiate public meetings to discuss the items on the petition. No additional items can be added. During the discussions, some items can and may be deleted.

Stevens Park has three Subareas: A, B and C. Subarea B are the homes that run along Plymouth Avenue. Subarea A are all of the homes in Stevens Park other than those in Subarea B. Subarea C is the Annie Stevens Park.

### **Proposed List of development and architectural standards to be amended**

#### Interpretations and definitions

- I. **Height** – unless otherwise expressly provided therein, revise definition to default to the definition used in Ch. 51A of the Dallas City Code. (Height would be measured from “average grade”).
- II. **Accessory Structure** - revise definition to include “pool houses”
- III. **Remodel** - revise definition to only apply to alterations, improvements, or repairs that change the exterior appearance of (a) a main structure’s Front Façade and Wrap-Around or replace exterior materials of the Front Façade or Wrap Around of a main structure with other materials to an extent less than what would constitute a new main structure, and (b) any other structure or replace exterior materials of such a structure with other materials.
- IV. **New Main Structure** - revise definition to include reference to “Wrap-Around.” Meaning a new main structure would be a structure that does not incorporate the Front Façade and Wrap-Around of an existing main structure.
- V. **Wrap-Around** - reduce the depth of the wrap-around from 25 feet to 10 feet.

#### Nonconforming Accessory Structures

- I. Apply same standards currently for Subarea B to Subarea A.
- II. In addition, for Subarea A and Subarea B, nonconforming Accessory Structures or retaining walls may be replaced or rebuilt in a similar style, materials, and roof structure (if applicable), as the accessory structure or retaining wall being replaced OR in keeping with the architectural standards applicable to the main structure and

using similar materials, including roofing materials (if applicable), as the main structure. For purposes of this revision, the term “similar materials” does not mean identical and, for example, cementitious siding materials such as Hardi plank or Hardi board may be used instead of wood and manufactured stone may be used in place of natural stone.

- III. A new provision is proposed to be added to provide that a replacement or remodel of a non-conforming accessory structure does not have to be the same size or occupy the same area (in terms of square footage or footprint) as the non-conforming accessory structure being replaced or remodeled, but such replaced or remodeled accessory structure must otherwise comply with the applicable provisions of the development standards for accessory structures in Subarea A or the development standards for accessory structures in Subarea B, as applicable.

### Development Standards

- I. **Style and Materials.**

- a. Revise language to state that new accessory structures in both Subarea A and Subarea B must comply with the architectural standards applicable to the main structure using similar materials, including roofing materials, as the main structure. For purposes of this revision, the term “similar materials” does not mean identical materials and, for example, cementitious siding materials such as Hardi plank or Hardi board may be used instead of wood and manufactured stone may be used in place of natural stone.
- b. In addition, for Subarea A and Subarea B, a replacement or remodeled accessory structure may be replaced or rebuilt in a similar style, materials and roof structure being replaced OR in keeping with the architectural standards applicable to the main structure. For purposes of this revision, the word “similar” does not mean identical.

- II. **Exemption for Small Accessory Structures** – Revise language so that with respect to Subarea A, accessory structures under 150 sq.ft. are exempt from architectural standards. For purposes of clarification, the current language in Subarea B that exempts accessory structures under 200 sq.ft. from architectural standards remains unchanged.

- III. **Driveways.** With respect to (a) Subarea A, increase the maximum allowable width of driveways in front of main structures from the current 12 feet to the greater of (i) the width of such driveway that existed on [December 1, 2016] and (ii) 14 feet, and (b) Subarea B, increase the maximum allowable width of driveways in front of main structures from the current 14 feet to the greater of (i) the width of such driveway that

existed on [December 1, 2016] and (ii) 14 feet. In addition, revise to provide for Subarea A and Subarea B that, for purposes of clauses (ii) above, it shall be the burden of the property owner to provide evidence, by way of a survey or otherwise, to demonstrate that the width of the driveway was greater than 14feet on [December 1, 2016].

- IV. **Tree mitigation (Subarea A).** Clarify that when the relevant provision provides that “the total caliper of replacement trees must meet or exceed half the caliper of the protected trees that were removed or seriously injured” that it means that the total caliper of **all of the** replacement trees must meet or exceed half the **total** caliper of **all** the protected trees that were removed or seriously injured. In addition, clarify that each replacement tree must have a minimum caliper of three inches.
- V. **Lot coverage.** Removal of front porch size requirements in order that the maximum lot coverage percentage that is currently available under the existing regulations is available to all homeowners. Thus, revise the lot coverage provisions for a new main structure in (a) Subarea A to 35% (from a conditional 35% if the front porch of the new main structure had a minimum depth of six feet and such porch had a width of at least 25% of the width of the Front Façade), and (b) Subarea B to 45% (from a conditional 45% if the front porch of the new main structure had a minimum depth of six feet and such porch had a width of at least 25% of the width of the Front Façade).
- VI. **Retaining Walls.** For purposes of Subarea A and Subarea B, revise the materials and construction of retaining walls to provide, except for pre-existing non-conforming retaining walls, retaining walls located in front of the main structure must be constructed of wood, natural stone, brick or reinforced concrete and clad with a living wall, stucco or with materials that resemble wood, natural stone, stucco or brick, or a combination of these materials.
- VII. **Front yard setback (Subarea A)** - Apply 25 foot setback to both new and existing main structures (no more averaging block face for new main structures).
- VIII. **Side yard setback (Subarea A)** - Existing is 5 feet on one side and 10 feet on the other. Revise language to allow additions to existing legally non-conforming main structures by allowing to maintain an existing setback of less than 5 feet if the entire 10 foot setback is provided on the other side of the main structure (may trigger additional IBC/IRC standards and City of Dallas Building Code amendments).
- IX. **Accessory Structure Setbacks (Subarea A)**
  - a. Establish that for accessory structures that are more than 16 feet in Height and which existed on [December 1, 2016], (i) the minimum side yard setback shall be the lesser of (A) five feet, and (B) the side yard distance between

such structure and the property line, and (ii) the minimum rear yard setback shall be the lesser of (i) 10 feet, and (ii) the rear yard distance between such structure and the property line (may trigger additional IBC/IRC standards and City of Dallas Building Code amendments). However, if such accessory structure is to be remodeled or replaced by an accessory structure that has a Height that is higher than the Height of the structure being replaced or remodeled, then the remodeled or replaced accessory structure must have a minimum side yard setback of five feet and a minimum rear yard setback of 10 feet. In addition, revise to provide that it shall be the burden of the property owner to provide evidence, by way of a survey or otherwise, to demonstrate the existence and Height in excess of 16 feet of such accessory structure on [December 1, 2016].

- b. Establish that for accessory structures that are more than 16 feet in Height and which did not exist on [December 1, 2016], then the minimum side yard setback shall be five feet and the minimum rear yard setback shall be 10 feet.
- c. Establish that accessory structures that are less than 16 feet in height require no minimum side and rear yard setback (may trigger additional IBC/IRC standards and City of Dallas Building Code amendments).

X. **Side yard setback (Subarea B)** - Existing is 5 feet. Revise language to allow additions to existing legally non-conforming main structures by allowing to maintain an existing setback of less than 5 feet (may trigger additional IBC/IRC standards and City of Dallas Building Code amendments).

XI. **Accessory Structure Height (Subarea B)**

- a. Establish that for accessory structures that are more than 26 feet in Height, no minimum side yard or rear yard setbacks are required so long as no portion of the accessory structure that is within 10 feet of the rear property line exceeds 26 feet in height (measured from the top of the foundation to the highest part of the structure that is located within such 10 feet of the rear property line) (may trigger additional IBC/IRC standards and City of Dallas Building Code amendments). If any portion of the accessory structure to be located within 10 feet of the rear property line would exceed 26 feet in height (measured from the top of the foundation to the highest part of the structure that is located within such 10 feet of the rear property line), a 10 foot rear setback is required.
- b. Unless specifically required by clause (a) above, no minimum side yard or rear yard setbacks are required for accessory structures (may trigger additional IBC/IRC standards and City of Dallas Building Code

amendments).

- XII. **Permitted Uses (Subarea A).** Specify that the permitted use in Subarea A designated as “Church” only relates to the church located in the northeastern corner of Colorado and Plymouth Avenues.
- XIII. **Permitted Uses (Subarea B).** Revise that the permitted use in Subarea B by deleting the reference to “Church”.
- XIV. **Height (Subarea B).** Establish that the maximum height for structures in Subarea B shall be the greater of (a) the Height of such structure on [December 1, 2016], and (b) 32 feet. In addition, revise to provide that, for purposes of clause (a) above, it shall be the burden of the property owner to provide evidence, by way of a survey or otherwise, to demonstrate the Height of such structure was greater than 32 feet on [December 1, 2016].
- XV. **Architectural standards for Subareas A and B – Remodels and additions.**
  - a. Specify that side and rear additions and remodels to an existing main structure that do not increase the structure’s Height may maintain the structure’s existing side yard setback.
  - b. A replacement or remodel of an accessory structure does not have to be the same size or occupy the same area (in terms of square footage or footprint) as the accessory structure being replaced or remodeled, but such replaced or remodeled accessory structure must comply with the applicable provisions of the development standards for accessory structures in Subarea A or the development standards for accessory structures in Subarea B, as applicable.
- XVI. **Architectural Style of New Main Structures** - clarify that for Subarea A and Subarea B, a new main structure does not need to be built in the same architectural style as the main structure being replaced, but must be built in one of the styles listed in the ordinance.
- XVII. **Materials for Architectural Styles –**
  - a. Revise all architectural styles so that, in addition to the specific materials permitted to be used by a particular architectural style, similar materials can also be used. For purposes of this revision, the term “similar materials” does not mean similar in terms of makeup or composition, but merely that such materials are similar in terms of function and aesthetic or visual appearance to the materials specifically described in the particular architectural style.

- b. With respect to the Mid-Century Modern architectural style, add to the list of materials permitted to be used the following: steel and glass.
- c. With respect to the Spanish Eclectic architectural style, add to the list of materials permitted to be used the following: adobe.
- d. With respect to the Tudor architectural style, clarify or revise so that (i) the materials permitted to be used are brick, stone or stucco (as opposed to the current provision which requires all structures to be clad “in brick, stone, and stucco with wood half-timbering”), and (ii) half timbering is permitted and gables may be wood.

#### XVIII. **Replacement Windows –**

- a. Clarify in all architectural styles that any replacement windows of a structure may be constructed of materials that are similar to the materials used in the windows of such structure that are to be replaced. For purposes of this clarification, “similar” does not mean similar in terms of makeup or composition of the materials used in the windows of such structure that are to be replaced, but merely that such materials are similar in terms of function and aesthetic or visual appearance to the materials used in the windows that are to be replaced.
- b. In addition, with respect to architectural styles that require that its windows be (i) double-hung sashes (and, if applicable, with divided panes), (ii) casement windows, and (iii) multi-pane glazing or art glass, clarify that it shall be sufficient for such window to give the physical impression of being so (without actually being so). For purposes of this clarification, it is sufficient that such windows provide the aesthetic or visual appearance of being (i) double-hung sashes (and, if applicable, with divided-pane windows), (ii) casement windows, or (iii) multi-pane glazing or art glass, as applicable, without the actual requirement that such windows be, in fact, (i) double-hung sashes (and, if applicable, with true divided-panes), (ii) casement windows, or (iii) multi-pane or art glass, as applicable.

#### XIX. **Roofs –**

- a. With respect to Georgian architectural style, clarify or revise that structures may have front-facing gabled roofs in addition to the existing side-facing gabled roofs.
- b. With respect to Mid-Century Modern architectural style, clarify or revise that structures (i) may have a flat, pitched or slanted roof, (ii) may have broad overhangs, and (iii) may be gabled or hipped.

- c. With respect to Monterey Colonial architectural style, revise to remove any requirement that a structure's roof use composition shingle, wood, or tile materials. In addition, clarify or revise that structures may have a low-pitched roof, and the roof may be front-facing or side-facing gabled or hipped.
  - d. With respect to Spanish Eclectic architectural style, revise to remove any requirement that a structure's roof use wood shingle or standing seam. In addition, clarify or revise that structures may have a flat or low-pitched roof, and the roof may be gabled or hipped.
  - e. With respect to Texas Regional architectural style, revise to remove any requirement that a structure's roof use wood shingle or standing seam. In addition, clarify or revise that structures may have a low-pitched roof, and the roof may be gabled or hipped or shed.
- XX. **Porches** - With respect to (i) Mid-Century Modern and (ii) Minimal Traditional architectural styles, clarify or revise that a structure's front entry which currently requires narrow porch supports in either steel posts or decorative wrought iron may use narrow porch supports that are actually made of other materials besides steel or wrought iron so long as such other materials provide the aesthetic or visual appearance of being steel posts or decorative wrought iron.
- XXI. **Architectural Features** –
- a. With respect to Mid-Century Modern architectural style, clarify or revise that new main structures may be two level, in addition to the current specification that it can be one story or split level.
  - b. With respect to Spanish Eclectic and Texas Regional architectural styles, revise to remove the requirement that a new main structure have a floor plan layout "according to solar orientation and predominant breezes."
  - c. With respect to Tudor architectural style, revise to remove the requirement that a new main structure have "a massive Tudor style chimney with optional stone accents".