

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, MAY 18, 2015
AGENDA

BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	11:00 A.M.
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	1:00 P.M.

Donna Moorman, Chief Planner
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the April 20, 2015 Board of Adjustment Panel C Public Hearing Minutes	M1
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UNCONTESTED CASE

BDA 145-051	3620 Edgewater Street REQUEST: Application of Robert Baldwin for variances to the side and rear yard setback regulations	1
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HOLDOVER CASES

BDA 145-026	1018 Gallagher Street REQUEST: Application of Robert Baldwin of Baldwin and Associates for a variance to the off-street parking regulations	2
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BDA 145-042	4331 Belmont Avenue REQUEST: Application of Robert Baldwin of Baldwin and Associates for a special exception to the off-street parking regulations	3
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REGULAR CASES

BDA 145-050	3620 Inwood Road REQUEST Application of Robert Baldwin of Baldwin and Associates for a variance to the off-street parking regulations	4
BDA 145-055	5902 Bent Trail REQUEST: Application of Wilson Hernandez for a variance to the side yard setback regulations	5

EXECUTIVE SESSION NOTICE

The Commission/Board may hold a closed executive session regarding any item on this agenda when:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices.. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]

(Rev. 6-24-02)

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel C April 20, 2015 public hearing minutes.

FILE NUMBER: BDA 145-051

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin for variances to the side and rear yard setback regulations at 3620 Edgewater Street. This property is more fully described as the eastern half of Lot 4, Block 5/2022, and is zoned PD193 (D), which requires a side yard setback of 5 feet and a rear yard setback of 10 feet. The applicant proposes to construct and maintain a structure and provide a 0 foot side yard setback, which will require a 5 foot variance to the side yard setback regulations, and a 0 foot rear yard setback, which will require a 10 foot variance to the rear yard setback regulations.

LOCATION: 3620 Edgewater Street

APPLICANT: Robert Baldwin

REQUESTS:

The following appeals have been made to construct and maintain structures on property developed with one half of a duplex structure on the subject site (the attached single family home structure located on the east side of the subject site at 3622 Edgewater Street):

1. a variance to the side yard setback regulations of 5' is requested to construct and maintain portions of stairway, deck and plant container structures to be located on the site's eastern side property line or 5' into this required 5' side yard setback;
2. A request for a variance to the rear yard setback regulations is made to construct and maintain a portion of stairway, deck and plant container structures to be located as close as on the site's rear property line or as much as 10' into the required 10' rear yard setback.

STANDARD FOR A VARIANCE:

The Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) not granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Approval of the side and rear yard variances, subject to the following condition:

- Compliance with the submitted revised site plan is required.

Rationale:

- The lot's slightly irregular shape, slope, and restrictive area of approximately 6,000 square preclude it from being developed in a manner commensurate with other developments found on similarly-zoned PD 193 (D) lots. In this case, according to the applicant, other lots in this PD 193 (D) zoning district are approximately 2,500 square feet larger in area and at least 20 feet longer/deeper than the subject site.

BACKGROUND INFORMATION:

Zoning:

Site: PD 193 (D) (Planned Development District, Duplex)
North: CD 17 (Conservation District)
South: PD 193 (D) (Planned Development District, Duplex)
East: PD 193 (D) (Planned Development District, Duplex)
West: PD 193 (D) (Planned Development District, Duplex)

Land Use:

The subject site is developed with a duplex – a single family home on the east side of the site at 3620 Edgewater Street, and a single family home on the west side of the site at 3622 Edgewater Street. The areas to the north, south, east and west are developed with residential uses.

Zoning/BDA History:

1. BDA 123-080, Property at 3622 Edgewater Drive (the west side of the subject site) On August 19, 2013, the Board of Adjustment Panel C granted requests for variances to the front, side, and rear yard setback regulations (imposing the submitted revised site plan as a condition), and special exceptions to the side and rear yard fence height regulations of 3' 6" (imposing the submitted revised site plan and elevation as a condition). The case report stated the appeals were made in conjunction with maintaining development for portions of one half of a duplex structure and fence on the

subject site (the attached single family home structure and fence located on the west side of the subject site at 3622 Edgewater Street): 1) a variance to the front yard setback regulations of 10' was requested to maintain a storage structure/stucco fountain structure located 15' from the front property line or 10' into the required 25' front yard setback; 2) a variance to the side yard setback regulations of 5' was requested to maintain portions of deck, Jacuzzi/hot tub, and fountain structures located on the site's western side property line or 5' into the required 5' side yard setback; 3) a variance to the rear yard setback regulations of 10' was requested to maintain a portion of deck and planter container structures located on the site's rear property line or 10' into the required 10' rear yard setback; and 4) special exceptions to fence height regulations of 3' 6" were requested in conjunction with maintaining 12' 6" high solid board fences in the side and rear yard setbacks.

2. BDA 090-057, Property at 3620 Edgewater Drive (the subject site)

On August 16, 2010, the Board of Adjustment Panel C denied requests for variances to the side yard setback regulations with prejudice. The case report stated that the variances to the side yard setback regulations were requested in conjunction with obtaining a final building permit on a recently constructed three-story duplex, portions of which (existing staircases) were located and to be redesigned in the site's eastern and western 5' side yard setbacks. According to documents submitted with the application, the "structures" located in the setbacks were "flatwork, stairs and landings" structures and/or concrete stair structures in the site's eastern and western 5' side yard setbacks, however, according to a document submitted by the applicant's representative on June 4, 2010, the existing concrete stair structures that completely fill the 5' setbacks were to be redesigned to be 3' 8" wide, and to be made of steel and wood.

GENERAL FACTS/STAFF ANALYSIS (side yard variance):

- This request focuses on constructing and maintaining a portion of stairway, deck and plant container structures located as close as on the site's eastern side property line or as much as 5' into this required 5' side yard setback.
- Single family structures on lots zoned PD 193 (D) are required to provide a minimum side yard setback of 5'.
- A revised site plan and an elevation have been submitted in conjunction with this application. The revised site plan denotes a "wood deck – elevated 4' ", stairs, and plant container structures located as close as on the site's eastern rear property line or as much as 5' into this 5' side yard setback.
- Note that while the submitted elevation shows what appears to be a 10' high fence in the rear yard setback and while the application notes that the owner is in a wheelchair, the applicant conveyed to the Board Administrator in a March 26th email that he is not asking for a fence height variance (with an understanding that the existing fences are in compliance with city codes and not asking permission to modify the existing fences) nor is he requesting a special exception for the handicapped.
- According to calculations taken from the submitted revised site plan by the Board Administrator, the total area of structures to be located in the side yard setback is approximately 50 square feet
- According to DCAD records, the "main improvement" at 3620 Edgewater Drive (subject site) is a structure with 2,979 square feet of living/total area built in 2008 with "additional improvements" of a 440 square foot attached garage and deck.
- According to DCAD records, the "main improvement" at 3622 Edgewater Drive (adjacent site) is a structure with 2,800 square feet of living/total area built in 2008 with "additional improvements" of a 399 square foot attached garage and a 1,006 square foot deck.
- The subject site is somewhat sloped, slightly irregular in shape, and, according to the application, 0.069 acres (approximately 3,000 square feet) in area. The site is zoned PD 193 (D). (Note that the 0.06 acre area noted on the application appears to reflect the area of one half of the building site – or the property at 3620 Edgewater Drive).
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (D) zoning classification.
 - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing

this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (D) zoning classification.

- If the Board were to grant the variance request and impose the submitted revised site plan as a condition, the structures in the side yard setback would be limited to that what is shown on this document– which are structures located as close as on the site’s eastern side property line (or as much as 5’ into the 5’ side yard setback).

GENERAL FACTS/STAFF ANALYSIS (rear yard variance):

- This request focuses on constructing and maintaining a portion of stairway, deck and plant container structures located as close as on the site’s rear property line or as much as 10’ into the required 10’ rear yard setback.
- Single family structures on lots zoned PD 193 (D) are required to provide a minimum rear yard setback of 10’.
- A revised site plan and an elevation have been submitted in conjunction with this application. The revised site plan denotes a “wood deck – elevated 4’ ”, stairs, and plant container structures located as close as on the site’s rear property line or as much as 10’ into the 10’ rear yard setback.
- Note that while the submitted elevation shows what appears to be a 10’ high fence in the rear yard setback and while the application notes that the owner is in a wheelchair, the applicant conveyed to the Board Administrator in a March 26th email that he is not asking for a fence height variance (with an understanding that the existing fences are in compliance with city codes and not asking permission to modify the existing fences) nor is he requesting a special exception for the handicapped.
- According to calculations taken from the submitted revised site plan by the Board Administrator, the total area of structures to be located in the rear yard setback is approximately 200 square feet
- According to DCAD records, the “main improvement” at 3620 Edgewater Drive (subject site) is a structure with 2,979 square feet of living/total area built in 2008 with “additional improvements” of a 440 square foot attached garage and deck.
- According to DCAD records, the “main improvement” at 3622 Edgewater Drive (adjacent site) is a structure with 2,800 square feet of living/total area built in 2008 with “additional improvements” of a 399 square foot attached garage and a 1,006 square foot deck.
- The subject site is somewhat sloped, slightly irregular in shape, and, according to the application, 0.069 acres (approximately 3,000 square feet) in area. The site is zoned PD 193 (D). (Note that the 0.06 acre area noted on the application appears to reflect the area of one half of the building site – or the property at 3620 Edgewater Drive).
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the rear yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (D) zoning classification.
- The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (D) zoning classification.
- If the Board were to grant the variance request and impose the submitted revised site plan as a condition, the structures in the rear yard setback would be limited to that what is shown on this document– which are structures located as close as on the site’s rear property line (or as much as 10’ into the 10’ rear yard setback).

Timeline:

February 3, 2015: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

March 11, 2015: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case.”

March 11, 2015: The Board Administrator emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the April 1st deadline to submit additional evidence for staff to factor into their analysis; and the April 10th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

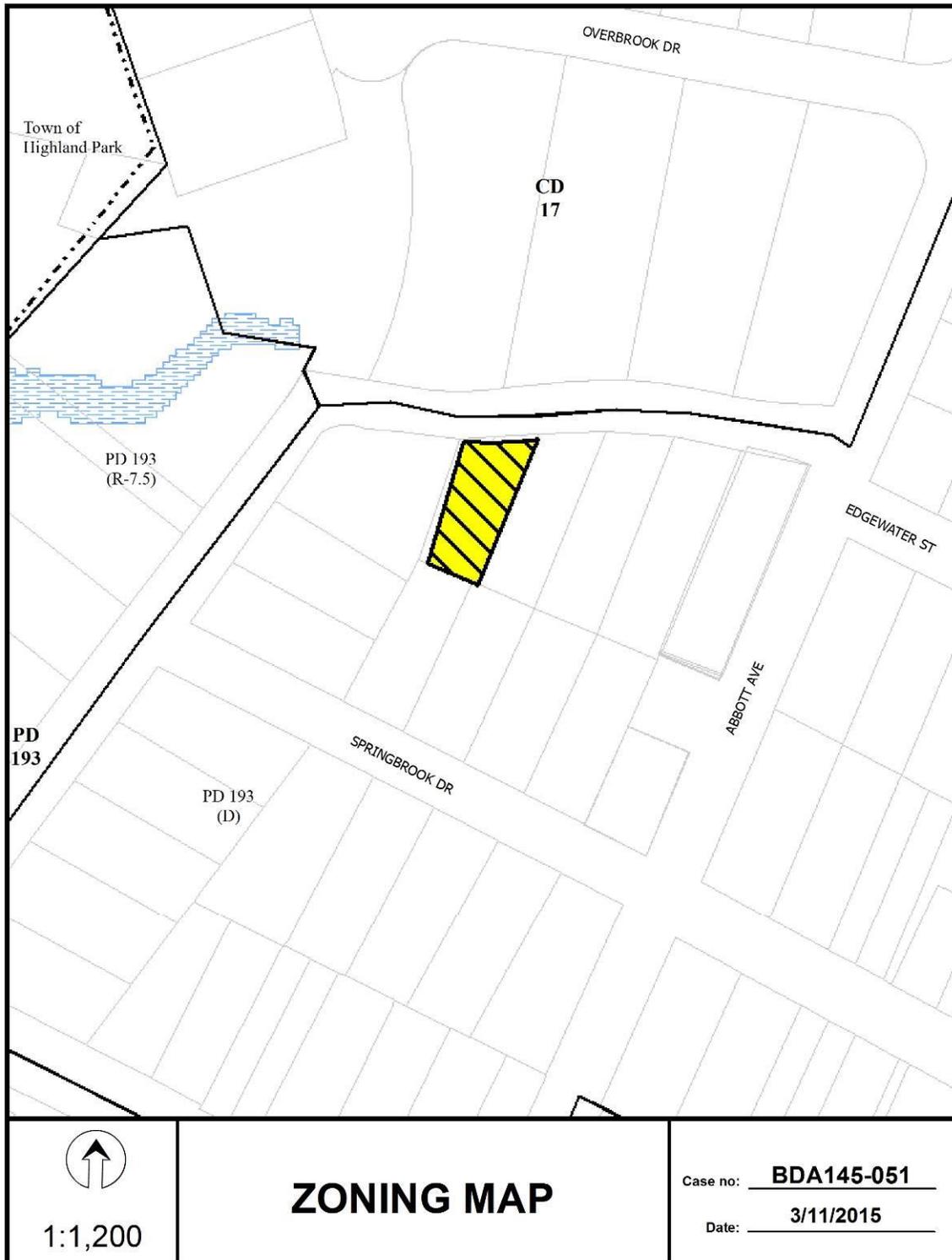
April 3, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

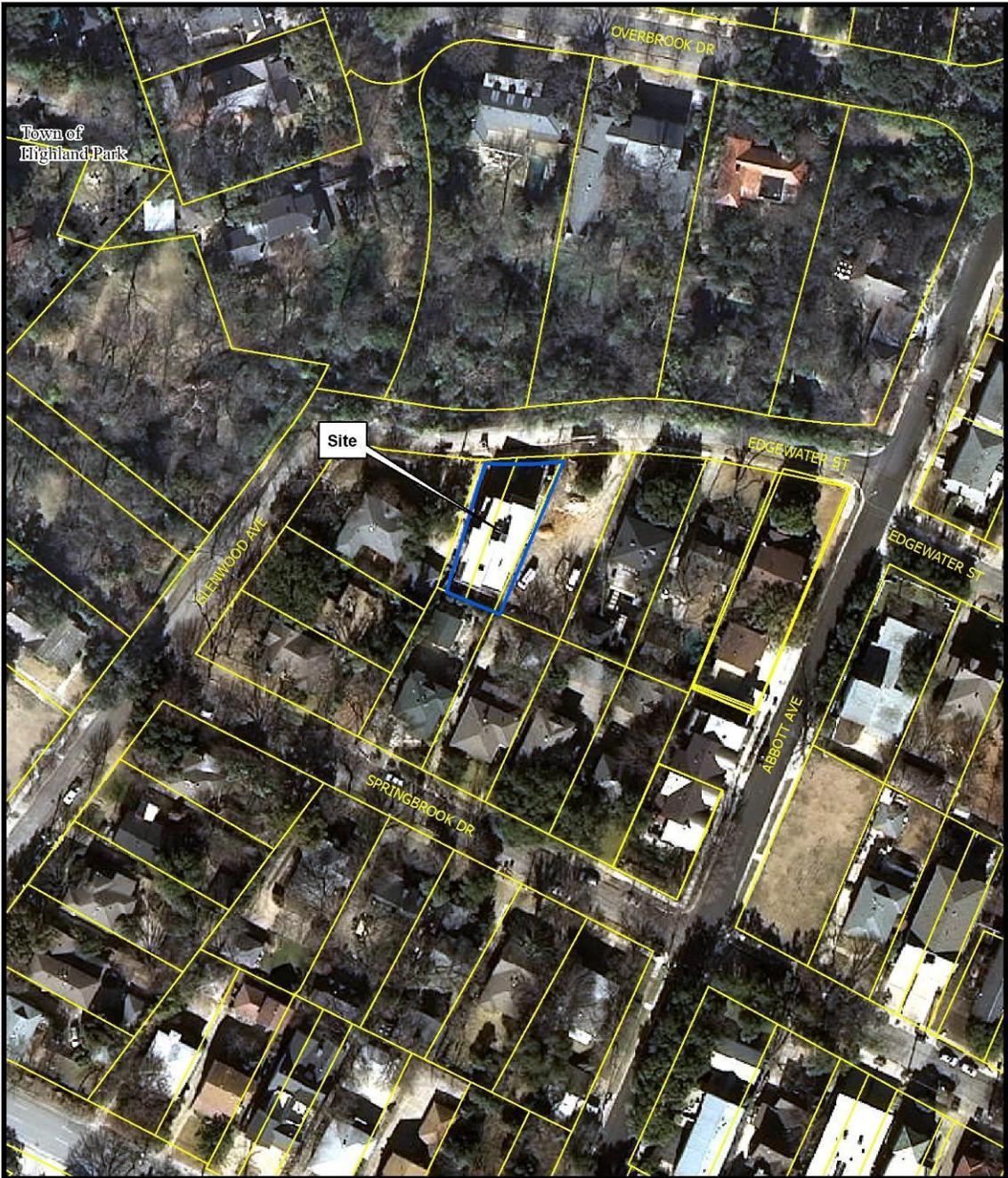
May 5, 2105: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment B).

May 5, 2015:

The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.






 1:1,200

AERIAL MAP

Case no: BDA145-051
 Date: 3/11/2015

Long, Steve

From: Robert Baldwin <rob@baldwinplanning.com>
Sent: Friday, April 03, 2015 12:04 PM
To: Long, Steve
Cc: Jennifer Hiromoto; Duerksen, Todd
Subject: Re: BDA 145-051, Property at 3620 Edgewater Drive

PS 1

Steve,

We are adding the variance and will bring the documents to Todd and bring him the extra fee as well. We will also deliver copies to you.

Thanks for following up.

Rob

Rob Baldwin

Baldwin Associates LLC
214.729-7949 (cell)
Rob@baldwinplanning.com

From: Steve Long <steve.long@dallascityhall.com>
Date: Friday, April 3, 2015 at 10:33 AM
To: Robert Baldwin <rob@baldwinplanning.com>
Cc: Jennifer Hiromoto <jennifer@baldwinplanning.com>, Todd Durekson <todd.duerksen@dallascityhall.com>
Subject: FW: BDA 145-051, Property at 3620 Edgewater Drive

Dear Rob,

Please let me know by noon, Monday if you want to: 1) to add a side yard variance in which this amended application will be scheduled for May; or 2) to proceed with just a rear yard variance in which the application as originally submitted will remain scheduled for April.

Thank you,

Steve

From: Duerksen, Todd
Sent: Thursday, April 02, 2015 10:16 AM
To: 'Robert Baldwin'; 'Jennifer Hiromoto'
Cc: Long, Steve; Moorman, Donna
Subject: RE: BDA 145-051, Property at 3620 Edgewater Drive

Confirming that you are not requesting a variance to the 5' side yard setback requirement at this time. If you do want to add a side yard setback variance to this appeal, the amendment will need to be added by 12 noon on Monday, April 6th to be scheduled on the May hearing docket. Otherwise, the current rear yard setback appeal will proceed without any relief provided for any structure encroaching into any other setback.

Todd Duerksen
Sr. Plans Examiner - Zoning Code Consultant
City of Dallas

From: Long, Steve
Sent: Wednesday, March 11, 2015 9:17 AM
To: 'Robert Baldwin'
Cc: Duerksen, Todd; 'Hiromoto, Jennifer'
Subject: BDA 145-051, Property at 3620 Edgewater Drive

Dear Rob,

Here is information regarding your application to the board of adjustment referenced above, some of which I believe you are aware of given your experience with the board:

1. Your application materials - all of which will be emailed to you, city staff, and the board of adjustment members in a docket about a week ahead of your tentatively scheduled April 20th Board of Adjustment Panel C public hearing.
2. The provision from the Dallas Development Code allowing the board to grant a variance to the rear yard setback regulations (51A-3.102(d)(10)).
3. A document that provides deadlines for submittal of additional information to staff/the board.
4. The board's rule pertaining to documentary evidence.

Please carefully review the attached application materials to make sure they are complete, and the Building Official's Report/second page of your application (page 2 of 6 in the application materials attached). Please contact Todd Duerksen at 214/948-4475 no later than noon, Wednesday, April 1st with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his report stating that the applicant proposes to construct a structure and provide a 0 foot rear yard setback which will require a 10 foot variance to the rear yard setback regulations is incorrect. (Note that the discovery of any additional appeal needed other than the rear yard variance request will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

Given that this property is located in PD 193: The Oak Lawn Special Purpose District, you may want to contact The Oak Lawn Committee prior to your board of adjustment public hearing.

Please write or call me at 214/670-4666 if I can be of any additional assistance to you on this application.

Thanks,

Steve

PS: If there is anything you want to submit to the board on this application beyond what has been included in the attached application materials, please feel free to email it to steve.long@dallascityhall.com or forward it to me at the following address:

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development and Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

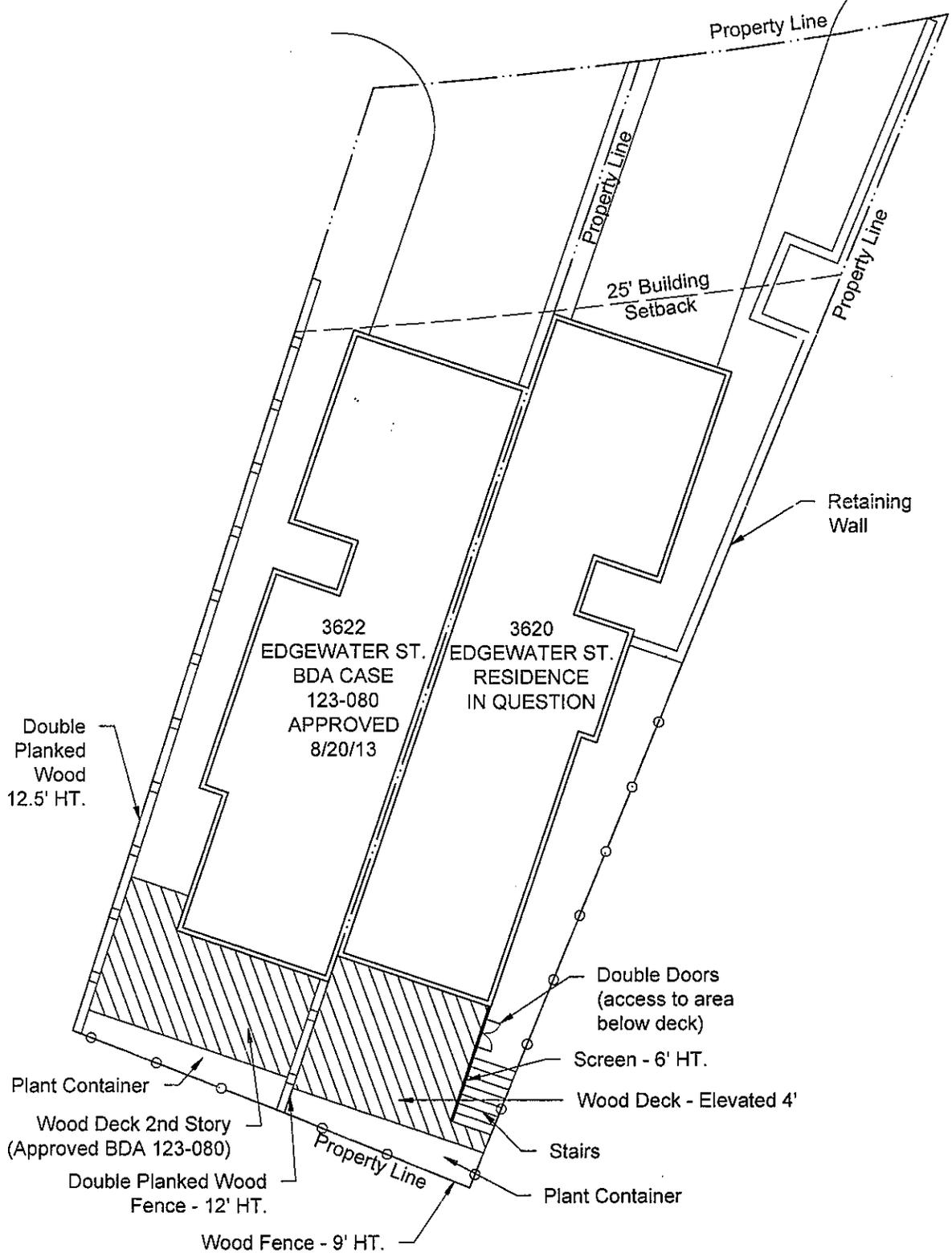
Transmittal Memo

To: ✓ Todd Duerksen/Steve Long
Date: 4/6/15
From: Jennifer Hiromoto
BDA Case Number: BDA145-051
Project Address/Location: 3620 Edgewater Street

Transmittal Notes: Revised site plans to clarify existing fence

✓ \$600 fee for side yard variance

EDGEWATER ST.



BDA SITE PLAN
3620 Edgewater St.
 SCALE: 1" = 10'-0"
 DATE: 04-03-15
 DRAWN BY: AS



BDA 145-051

Baldwin
 Associates

BALDWIN ASSOCIATES
 3904 Elm Street, Suite B
 Dallas, Texas 75226
 MOBILE: 214.729.7949
 OFFICE: 214.824.7949
 rob@baldwinplanning.com

Baldwin
Associates

May 5, 2015

Mr. Steve Long
Board of Adjustment Administrator
City of Dallas
1500 Marilla - 5BN
Dallas, Texas 75201

Re: BDA 145-051
3620 Edgewater Drive

Dear Steve,

This firm represents the Herzog Family in their request for a side and rear yard setback variance to allow them to extend their elevated deck towards the rear of their property. The Herzog's property is the other half of a duplex that was subject to Board Case 123-080 that was approved by the Board of Adjustment in 2013.

This request is to allow for an elevated wooden deck and planter box to encroach 10-feet into the required rear yard setback and a request to allow for the deck, planter box and stairs to encroach into the required five-foot side yard setback. These two requests mirror the variances granted to the adjoining property in 2013.

We believe that the proposed variances are warranted due to the size, configuration and slope of the lot. The subject property is an irregularly shaped lot that is approximately 3,000 square feet in area and contains a three-story home of approximately 2,979 square feet. The other lots in the immediate vicinity are approximately 2,500 square feet larger than the subject parcel and the subject parcel is at least 20 feet shallower than any other lot on Edgewater Drive. In addition, the property slopes in such a manner that the main level of the Herzog's home is actually about 10 feet above the ground.

The proposed requests are reasonable and will allow the house to be used commensurate with other structures in the area. The request shares the same physical characteristics of the other half of the duplex that was approved by the Board of Adjustment in 2013. We believe that the same set of facts is associated with this property as well.

Thank you for your assistance. Please do not hesitate to contact me if I can be of any assistance.

With kind regards,



Robert Baldwin



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-051

Data Relative to Subject Property:

Date: February 3, 2015

Location address: 3620 Edgewater Zoning District PD 193 (D)

Lot No.: E part of lot 4 Block No.: 5/2022 Acreage: 069 acres Census Tract: 6.06

Street Frontage (in Feet): 1) 27 ft 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): James P Herzog and Phyllis Herzog

Applicant: Robert Baldwin Telephone: 214-824-7949

Mailing Address: 3904 Main # B Zip Code: 75226

E-mail Address: Rob @baldwinplanning.com

Represented by: Rob Baldwin Telephone: 214-824-7949

Mailing Address: 3904 Elm St. #B Zip Code: 75227

E-mail Address: Rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance , or Special Exception , of 10 feet A To the rear yard setback requirements to allow an elevated deck in the back yard.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: To allow the owner of the property to have access to his rear yard as he is in a wheelchair and cannot access the backyard at ground level

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

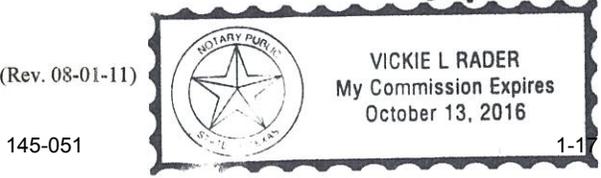
Before me the undersigned on this day personally appeared Robert Baldwin
(Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 24th day of February, 2015

[Signature]
Notary Public in and for Dallas County, Texas



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

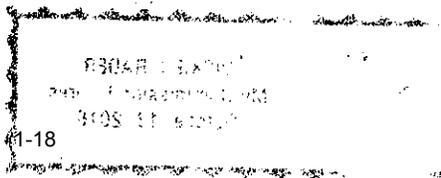
I hereby certify that Robert Baldwin

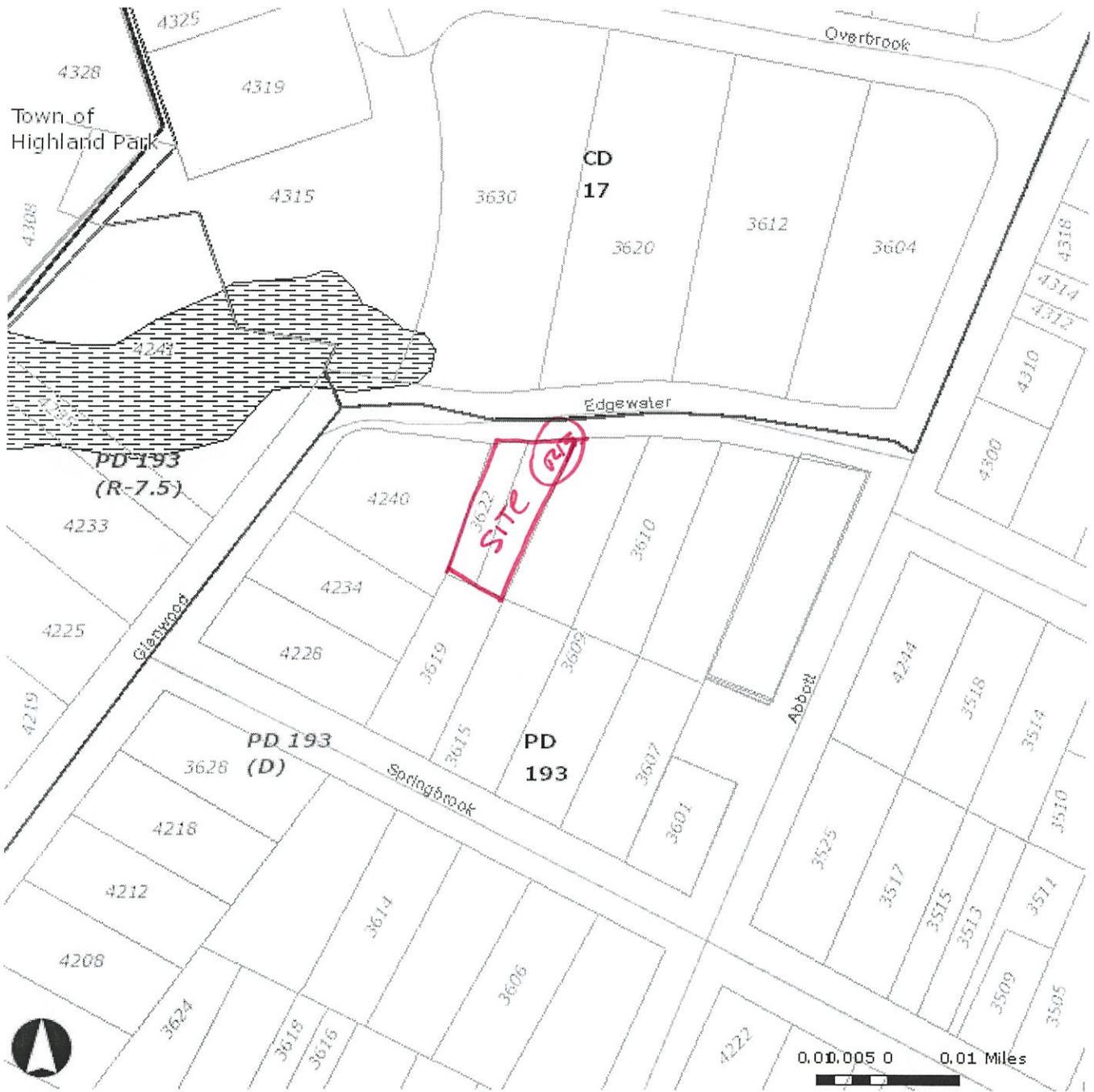
did submit a request for a variance to the rear yard setback regulations
at 3620 Edgewater Drive

BDA145-051. Application of Robert Baldwin for a variance to the rear yard setback regulations at 3620 Edgewater Street. This property is more fully described as the eastern half of Lot 4, Block 5/2022, and is zoned PD193 (D), which requires a rear yard setback of 10 feet. The applicant proposes to construct and maintain a duplex residential structure or provide a 0 foot rear yard setback, which will require a 10 foot variance to the rear yard setback regulation.

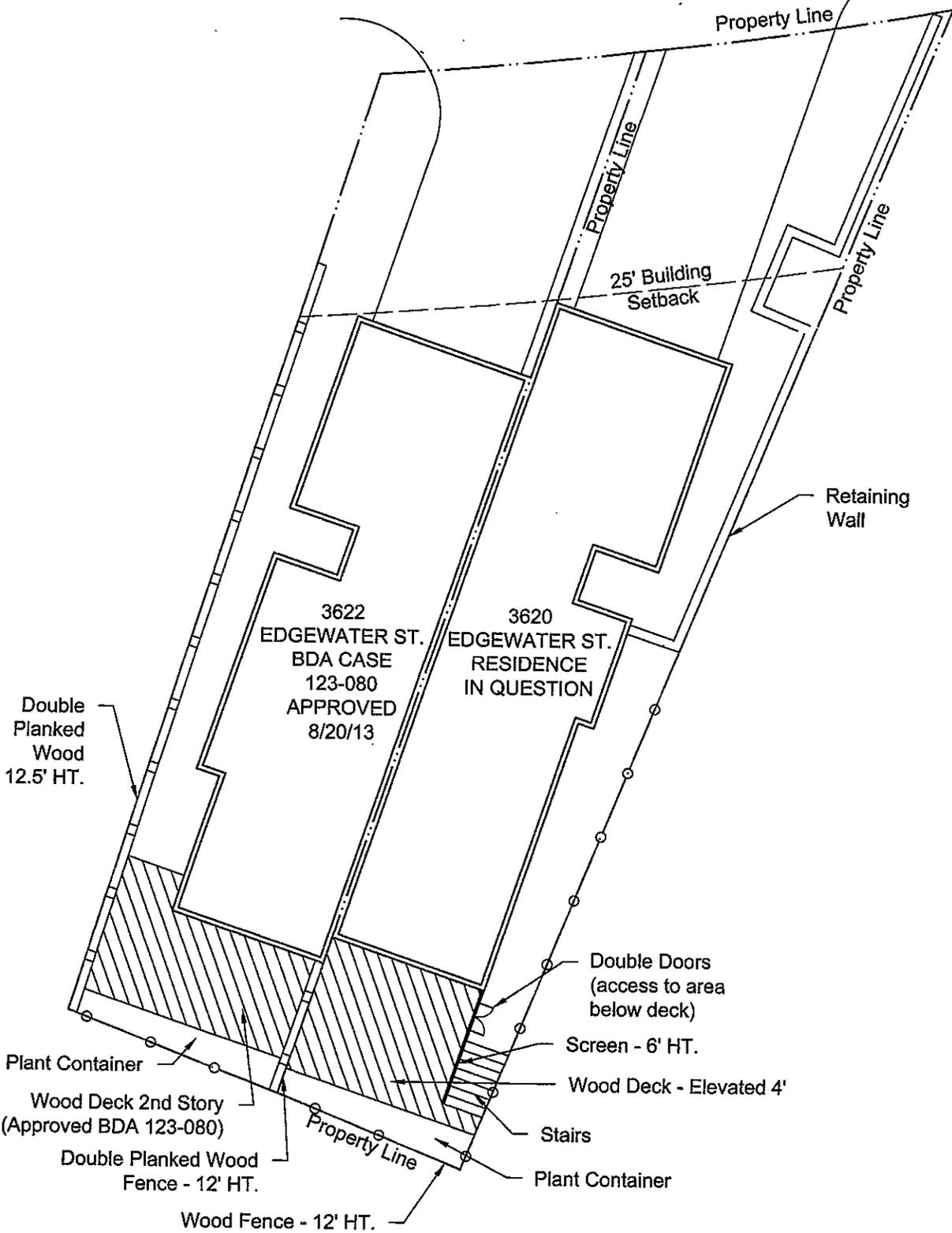
Sincerely,

Larry V. Holmes
Larry Holmes, Building Official





EDGEWATER ST.



BDA SITE PLAN 3620 Edgewater St.



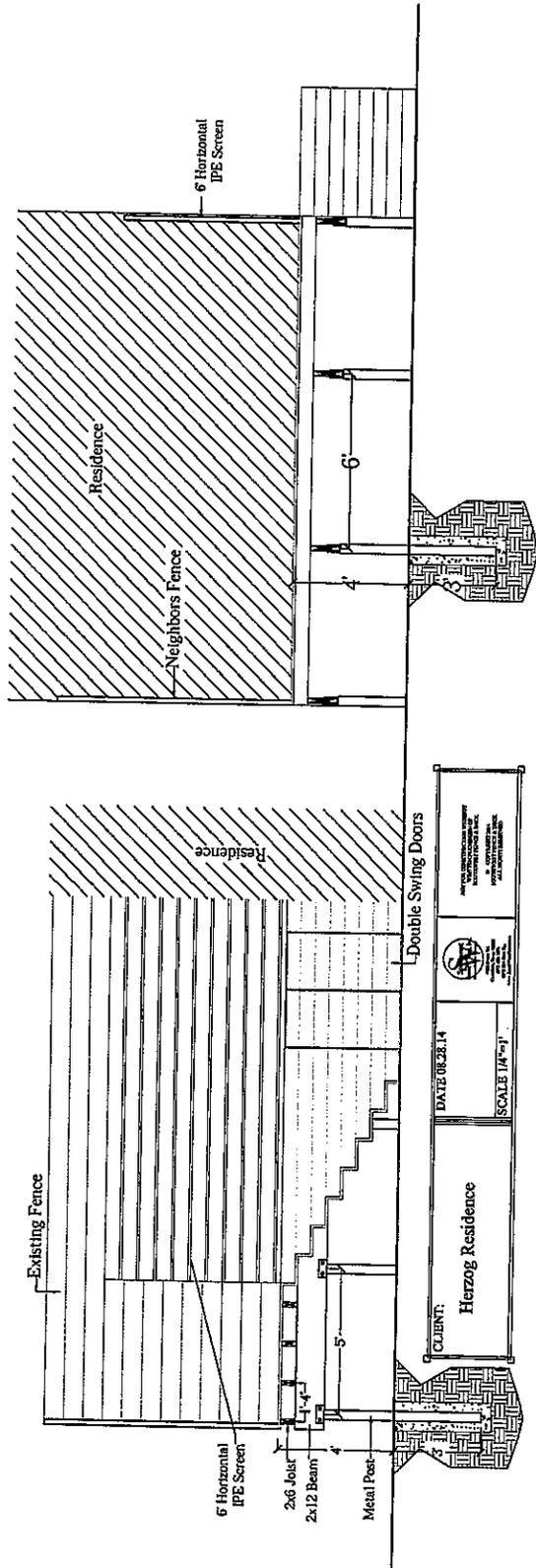
SCALE: 1" = 10'-0"

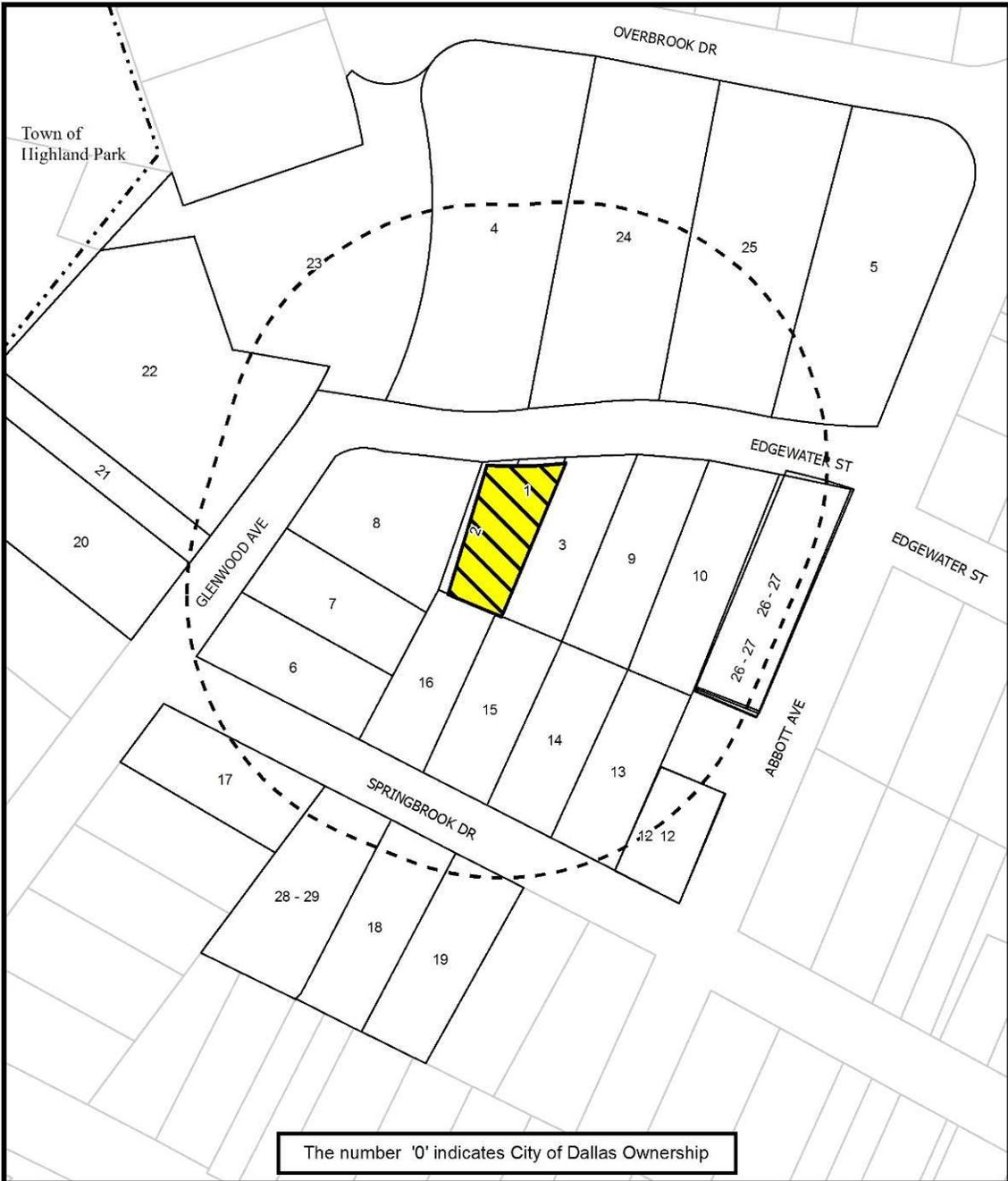
DATE: 02-24-15
DRAWN BY: AS

Baldwin Associates

**BALDWIN
ASSOCIATES**

3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com





 1:1,200	NOTIFICATION		Case no: BDA145-051
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">29</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 3/11/2015	

Notification List of Property Owners

BDA145-051

29 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3620 EDGEWATER DR	HERZOG JAMES P & PHYLLIS M
2	3622 EDGEWATER DR	HARVEL SCOTT
3	3614 EDGEWATER DR	3614 16 EDGEWATER SERIES
4	3630 OVERBROOK DR	SOLOMON GLENN J
5	3604 OVERBROOK DR	SANDLIN WILLIAM C &
6	4228 GLENWOOD AVE	THOMAS MARTIN S &
7	4234 GLENWOOD AVE	GLENWOOD AVENUE PARTNERS LLC
8	4240 GLENWOOD AVE	PLATTNER FAMILY TRUST B
9	3610 EDGEWATER DR	HOLLAND JOHN & JANET
10	3604 EDGEWATER DR	RUTLEDGE BRANDON
11	3603 SPRINGBROOK ST	MASTERS MICHAEL E &
12	3601 SPRINGBROOK ST	PHILIPOVITCH KERRY & DIMITRY
13	3607 SPRINGBROOK ST	LUTER KAREN L
14	3609 SPRINGBROOK ST	LUTER EDWARD LIFE ESTATE
15	3615 SPRINGBROOK ST	DONUT PROPERTIES LLC
16	3619 SPRINGBROOK ST	DESANDERS JUDY
17	3628 SPRINGBROOK ST	LIDJI BRIAN M & FAY H
18	3614 SPRINGBROOK ST	RETHKE MARY ANN &
19	3610 SPRINGBROOK ST	ROTIM LLC
20	4233 GLENWOOD AVE	PENN ROBERT R &
21	4235 GLENWOOD AVE	PENN ROBERT & KATHRINE
22	4241 GLENWOOD AVE	KIDD JANE DUPONT
23	4315 GLENWOOD AVE	KIDD BARRON U & JANE D
24	3620 OVERBROOK DR	MCADAMS MICHAEL W
25	3612 OVERBROOK DR	3612 OVERBROOK LLC
26	3602 EDGEWATER DR	CAMMACK NED D & SUSAN J

03/11/2015

Label #	Address	Owner
27	3600 EDGEWATER DR	CAMMACK NED D & SUSAN J
28	3620 SPRINGBROOK ST	FRICK MICHAEL CHARLES & STEPHANY ANN MARRE
29	3622 SPRINGBROOK ST	SMITH ANDREW C &

FILE NUMBER: BDA 145-026

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin for a variance to the parking regulations at 1018 Gallagher Street. This property is more fully described as Lot 1A, Block B/7099, and is zoned R-5(A), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a community service center use and provide 19 of the required 25 parking spaces, which will require a 6 space variance to the parking regulation.

LOCATION: 1018 Gallagher Street

APPLICANT: Robert Baldwin

REQUEST:

A request for a variance to the off-street parking regulations of 6 spaces is made where the applicant proposes to provide 19 of the required 25 off-street parking spaces on a site that is developed with a community service use [Vickery Meadow Learning Center] in order to maintain a playground area.

STANDARD FOR A VARIANCE:

The Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Denial

Rationale:

- While the Sustainable Development and Construction Project Engineer has no objections to the request based on supply and demand, staff recommends denial because the standard for a variance has not been met. The site is flat, rectangular in shape, and, according to the application, 0.512 acres in area where none of these features/conditions preclude the applicant from developing the subject site in a manner commensurate with the development of other parcels of land in the same R-5(A) zoning.
- The applicant has also not substantiated how this variance for this specific use (community service center) at its proposed size is not needed to relieve a self-created hardship. The features/conditions of this flat, rectangular-shaped site do not appear to restrict the applicant from developing it with a smaller sized development that could provide the number of off-street parking spaces required by code.

BACKGROUND INFORMATION:

- Site: R-5(A) (Single family residential district, 5,000 square feet)
- North: R-5(A) (Single family residential district, 5,000 square feet)
- South: R-5(A) (Single family residential district, 5,000 square feet)
- East: R-5(A) (Single family residential district, 5,000 square feet)
- West: R-5(A) (Single family residential district, 5,000 square feet)

Land Use:

The subject site is developed with a community service center. The areas to the north, east, south, and west are developed with single family residential uses.

Zoning/BDA History:

1. Z134-245, Property at 1018 Gallagher Street (Subject Site)

On August 27, 2014, December 10, 2014, and March 25, 2015, the City Council voted to hold under advisement an application for the amendment and renewal of SUP No. 1763 so the applicant could submit an application to the Board of Adjustment for a parking reduction.
2. BDA 089-063(K), Property at 1018 Gallagher Street (Subject Site)

On May 18, 2009, the Board of Adjustment Panel C granted a variance to the front yard setback and imposed the following condition: Compliance with the submitted site plan is required. The case report stated the request for a variance of 11 feet to the front yard setback regulations was made to provide for off-street parking.

GENERAL FACTS/ STAFF ANALYSIS:

- The request focuses on being able to maintain a tree and a playground area that was constructed over six of the required off-street parking spaces for the community service center [Vickery Meadow Learning Center]. The applicant proposes to provide 19 of the required 25 required off-street parking spaces.
- The subject site is zoned R-5(A) but is developed with a community service use that requires the following off-street parking requirement:
 - Community Service Center Use: One space per 200 square feet of floor area.
- Normally, a request for a parking reduction that equals 25 percent or less of the required off-street parking would qualify for a special exception to the off-street parking regulations.
- Dallas Development Code Section 51A-4.311(a)(1) states that the Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required *under this article* if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets; and that the maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights.
- However, Dallas Development Code Section 51A-311(a)(5) states that the Board of Adjustment *shall not* grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- On June 24, 2009, City Council approved Ordinance No. 27576, which granted, for a five-year time period, a community service use at 1018 Gallagher Street under Specific Use Permit No. 1763. Condition No. 8 of SUP No. 1763 states: “Off-street parking spaces must be located as shown on the attached site plan.”
- Therefore, the applicant may only apply for a *variance* and only the variance standard applies on this request to reduce the off-street parking regulations for a community service center use even though the reduction request is 24 percent of the required off-street parking.
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”
- The site is flat, rectangular in shape, and according to the application, 0.512 acres in area. The site is zoned R-5(A).
- DCAD records indicate that the “improvements” at 1018 Gallagher Street is a “church building” with 4,096 square feet built in 1985.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to off-street parking regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope,

that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-5(A) zoning classification.

- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-5(A) zoning classification.
- If the Board were to grant this request for a variance, the applicant would be allowed to provide 19 of the 25 off-street parking spaces required for a community service center use at approximately 4,977 square feet in order to maintain a playground area.

Timeline:

December 18, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

February 9, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

February 18, 2015: The Current Planner shared the following information with the applicant via e-mail:

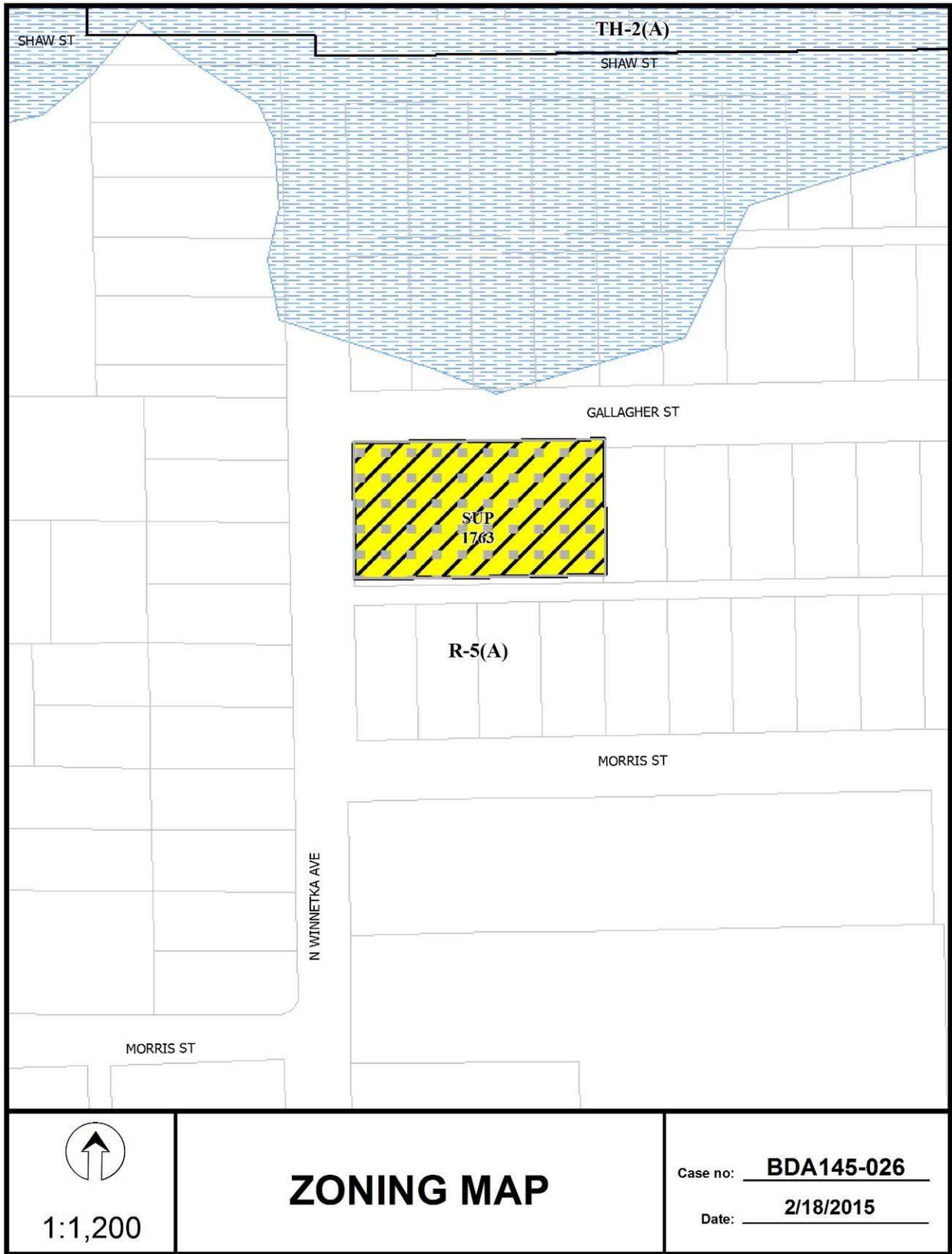
- a copy of the application materials, including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the February 25th deadline to submit additional evidence for staff to factor into their analysis; and the March 6th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

February 27, 2015: The Current Planner e-mailed the applicant to inform him that the Board could not consider a special exception to the off-street parking regulations. There is a Specific Use Permit (SUP No. 1763) at the site, and condition number eight states that off-street parking spaces must be located as shown on the site plan attached to the ordinance. Therefore, because there is an ordinance granting a specific use permit that requires parking at the site, the Board can only consider an application to reduce the number of off-street parking spaces under the standard for a variance and not as a special exception to parking demand.

March 3, 2015: The applicant contacted the Building Inspection Senior Plans Examiners/Development Code Specialist and updated the

application to request a variance to the off-street parking regulations.

- March 16, 2015: The Current Planner updated the applicant with the following information via e-mail:
- a copy of the application materials, including the Building Official's report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the April 1st deadline to submit additional evidence for staff to factor into their analysis; and the April 10th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 26, 2015: The applicant submitted revised site plans on this application to the Building Inspection Senior Plans Examiner/Development Code Specialist.
- April 7, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- April 9, 2015: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."
- April 20, 2015: The Board of Adjustment Panel C voted to hold this item under advisement until May 18, 2015.
- May 7, 2015: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."

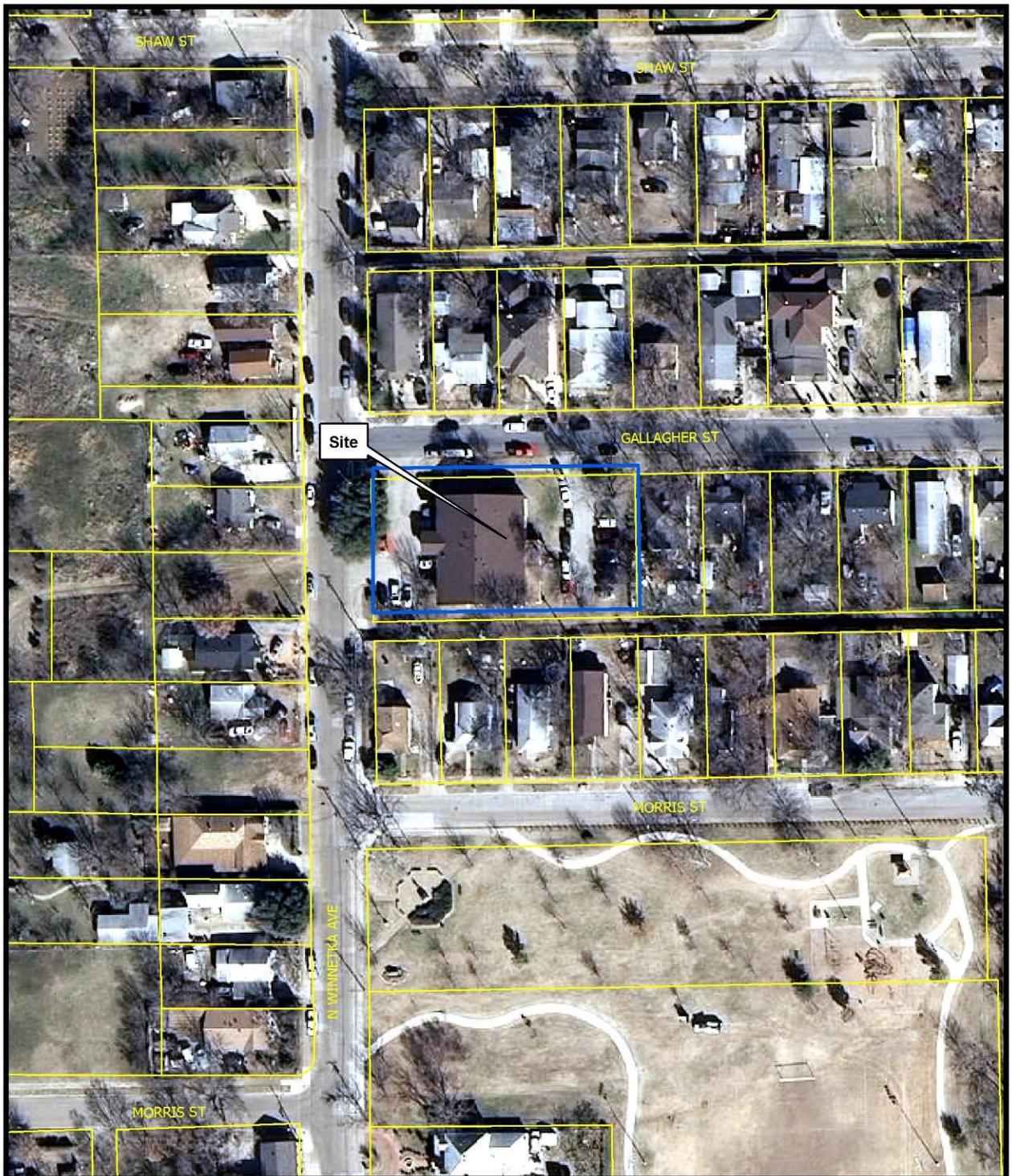



 1:1,200

ZONING MAP

Case no: BDA145-026

Date: 2/18/2015



1:1,200

AERIAL MAP

Case no: BDA145-026

Date: 2/18/2015



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-026

Data Relative to Subject Property:

Date: December 18, 2014

Location address: 1018 Gallagher Zoning District: R-5(A)

Lot No.: 1A Block No.: B/7099 Acreage: 0.512 acres Census Tract: 101.02

Street Frontage (in Feet): 1) 203 ft 2) 110 ft 3) 4) 5) 5019

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Vickery Meadow Learning Center

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance, or Special Exception X, of 6 off-street parking spaces from 25 for a Community Svc Ctr. use.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: Requesting to provide 19 off-street parking spaces out of the 25 spaces required for a community service center. Please note the property received variance approval in 2009 to retain 2 parking spaces within a required front yard. The community service center primarily offers English literacy classes to nearby residents.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

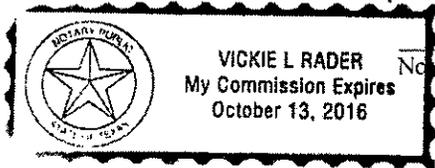
Before me the undersigned on this day personally appeared [Signature] Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: Robert Baldwin (Affiant/Applicant's signature)

Subscribed and sworn to before me this 18th day of December, 2014

(Rev. 08-01-11)



[Signature] Notary Public in and for Dallas County, Texas

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

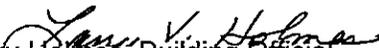
Building Official's Report

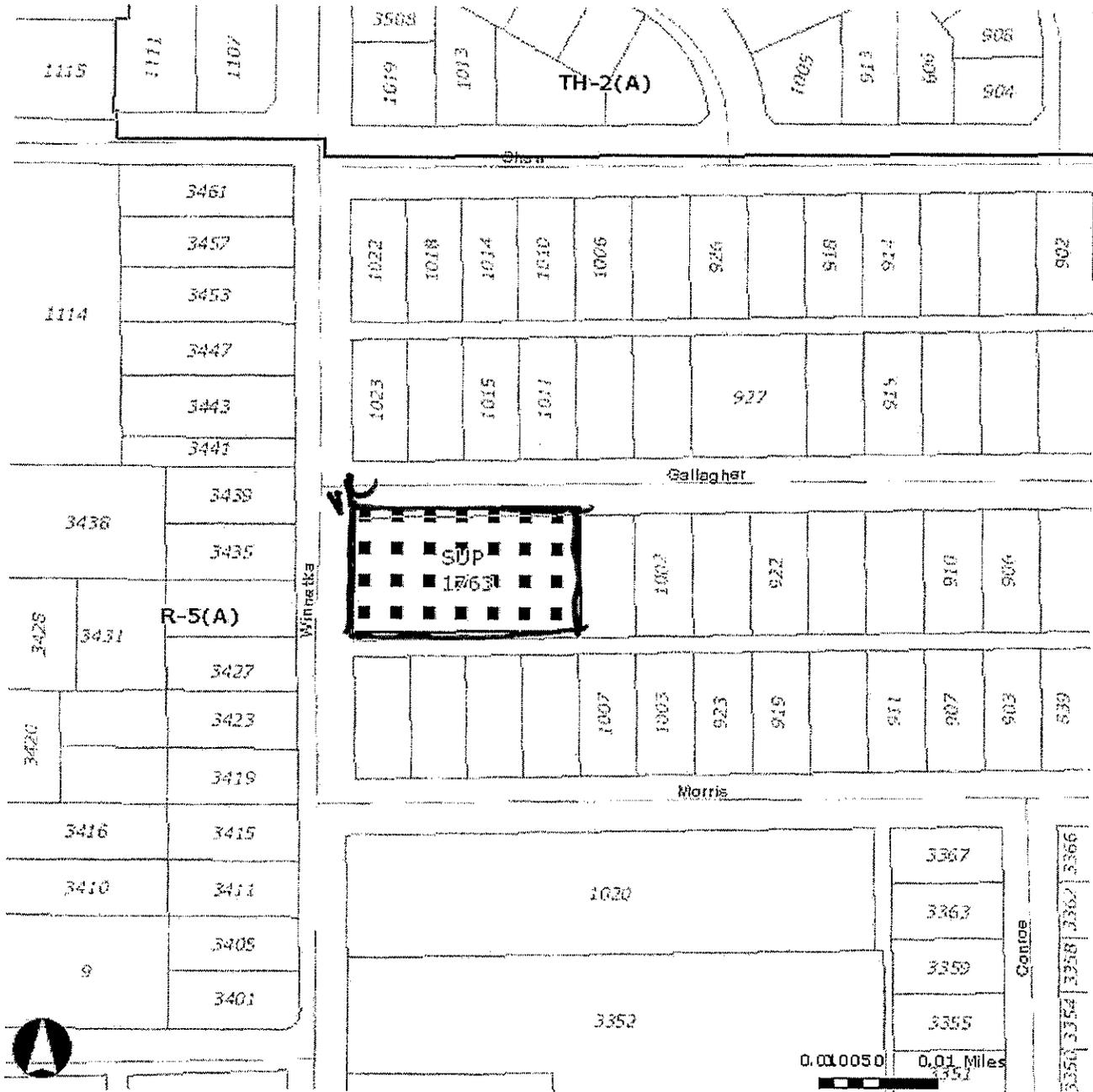
I hereby certify that Robert Baldwin

did submit a request for a variance to the parking regulations
at 1018 Gallagher Street

BDA145-026. Application of Robert Baldwin for a variance to the parking regulations at 1018 Gallagher Street. This property is more fully described as Lot 1A, Block B/7099, and is zoned R-5(A), which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a community service center use and provide 19 of the required 25 parking spaces, which will require a 6 space variance to the parking regulation.

Sincerely,


Larry Holmes, Building Official



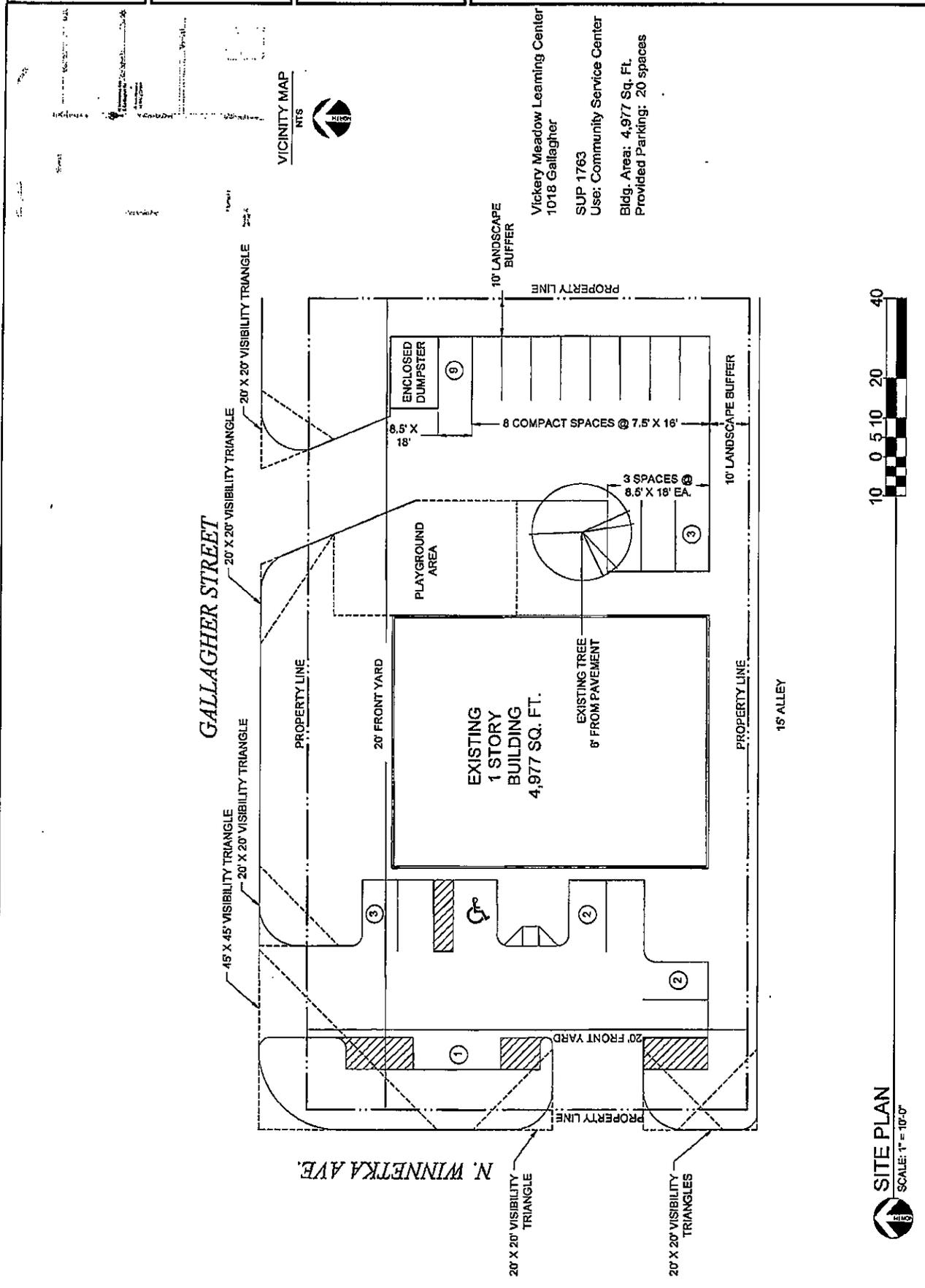
PROJECT NUMBER
12/18/14

CSS NUMBER

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
OFFICE: 214.824.7949
MOBILE: 214.729.7949
rob@baldwinplanning.com

Baldwin
Associates

VICKERY MEADOW LEARNING CENTER
CITY OF DALLAS, TEXAS



SITE PLAN
SCALE: 1" = 10'-0"



- [Home \(/\)](#)
- [Mission \(/pages/mission\)](#)
- [About \(/pages/about\)](#)
- [Literacy \(/pages/literacy\)](#)
- [News \(/pages/news\)](#)
- [Contact \(/pages/contact\)](#)



- [Programs » \(/pages/programs\)](#)
- [Programs \(/pages/programs\)](#)
- [Workforce Literacy \(/pages/workforce-literacy\)](#)
- [Family Literacy \(/pages/family-literacy\)](#)
- [Early Childhood \(/pages/early-childhood\)](#)
- [Empowerment \(/pages/empowerment-parenting\)](#)
- [Learn English \(/pages/learn-english\)](#)
- [Our Students \(/pages/our-students\)](#)
- [Volunteer » \(/pages/volunteer\)](#)
- [Donate » \(/pages/donate\)](#)

About VMLC

HISTORY

VMLC was founded in 1997 by Preston Hollow Presbyterian Church as an independent 501(c)(3) nonprofit organization to address the critical community need for English literacy classes in Vickery Meadow, an extremely high-density, low-income neighborhood in Northeast Dallas. The program began with volunteers providing classes in neighborhood apartment clubhouses in the evenings. By 1999, a permanent facility was acquired in Vickery Meadow, and over the next 10 years the program was expanded to include both day and evening classes, as well as a preschool education program. In 2009, VMLC opened its first satellite campus in West Dallas at the former home of Trinity River Mission in the Los Altos neighborhood, and in its first year, the classes were filled to capacity.

Today, VMLC classes for both adults and young children are at full capacity at both the Vickery Meadow and West Dallas sites, with a total of more than 1000 adult students and 200 children. To meet the ever increasing demand for our English literacy services, in January of 2012 VMLC expanded services at our West Dallas site by offering afternoon classes for both adults and children.

Volunteers are vital to VMLC – more than 200 regular weekly volunteers teach all adult classes. Additional volunteers work in the computer lab, assist in the office and support the children's program – allowing VMLC to deliver services efficiently and effectively.

BOARD OF DIRECTORS

President: Camille Owens - Community Volunteer

Vice President: Cory Sulker - Attorney, Cooper & Scully, P.C.

Treasurer: Kevin Jackson - Federal Tax Partner, KPMG

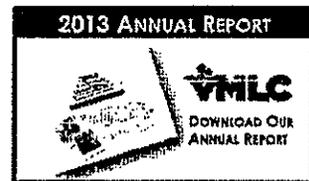
Secretary: Marian Spitzberg - Belo Corporation (Retired, Sr. VP Human Resources)

Immediate Past President: Gayle G. Johansen - Sr. VP, Briggs Freeman Sotheby's Int'l Realty

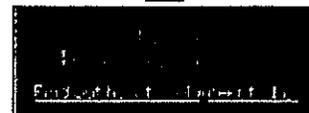
Clinton Coleman - Managing Director, Newcastle Capital Management, L.P.

"Learning English has helped me because when my child's teacher called and told me he was hurt I could come to school to pick him up."

[More About Our Students \(/our-students\)](#)



http://issuu.com/vmlcdallas/docs/vmlc_2013_annual_report



[\(/volunteer\)](#)

Anjie Coplin - Regional Director of Communications, Aetna, Inc.

Bill Dix - Bear Stearns (Retired)

Ricki Ebner - Community Volunteer

Kevin Hall - Vice President, Group Account Director, Integer Dallas

Margaret Hirsch - Community Volunteer

David Hundley - Attorney, Counsel Rees-Jones Family Office

Kelly A. Katzman - Attorney

Julie Lowenberg - Community Volunteer

Patricia Massey - Sr. VP, Dave Perry-Miller & Associates

Ted M. Moore, D.D.S. - Woodhill Dental Associates

Rev. Trucy R. Morphew - Retired, Presbyterian minister

Kimberly Rogers - Teacher at Episcopal School of Dallas

Alan Rosenberg - Partner, The Willis Law Group

Marnie Wildenthal - Community Volunteer

Patti Flowers - Ex Officio, Crystal Charity Ball Liasion

Lindsay Valle - Ex Officio, Junior League Dallas Liasion

Sarah Papert - Ex Officio, Executive Director of VMLC

ADVISORY BOARD

Ruben E. Esquivel

Sharon & Luis Martin

Morton Meyerson

The Rev. Dr. Blair R. Monie

Sammye Myers

Lori S. White, Ph.D.

Bob Wright

You can reach VMLC at:
(214) 265-5057

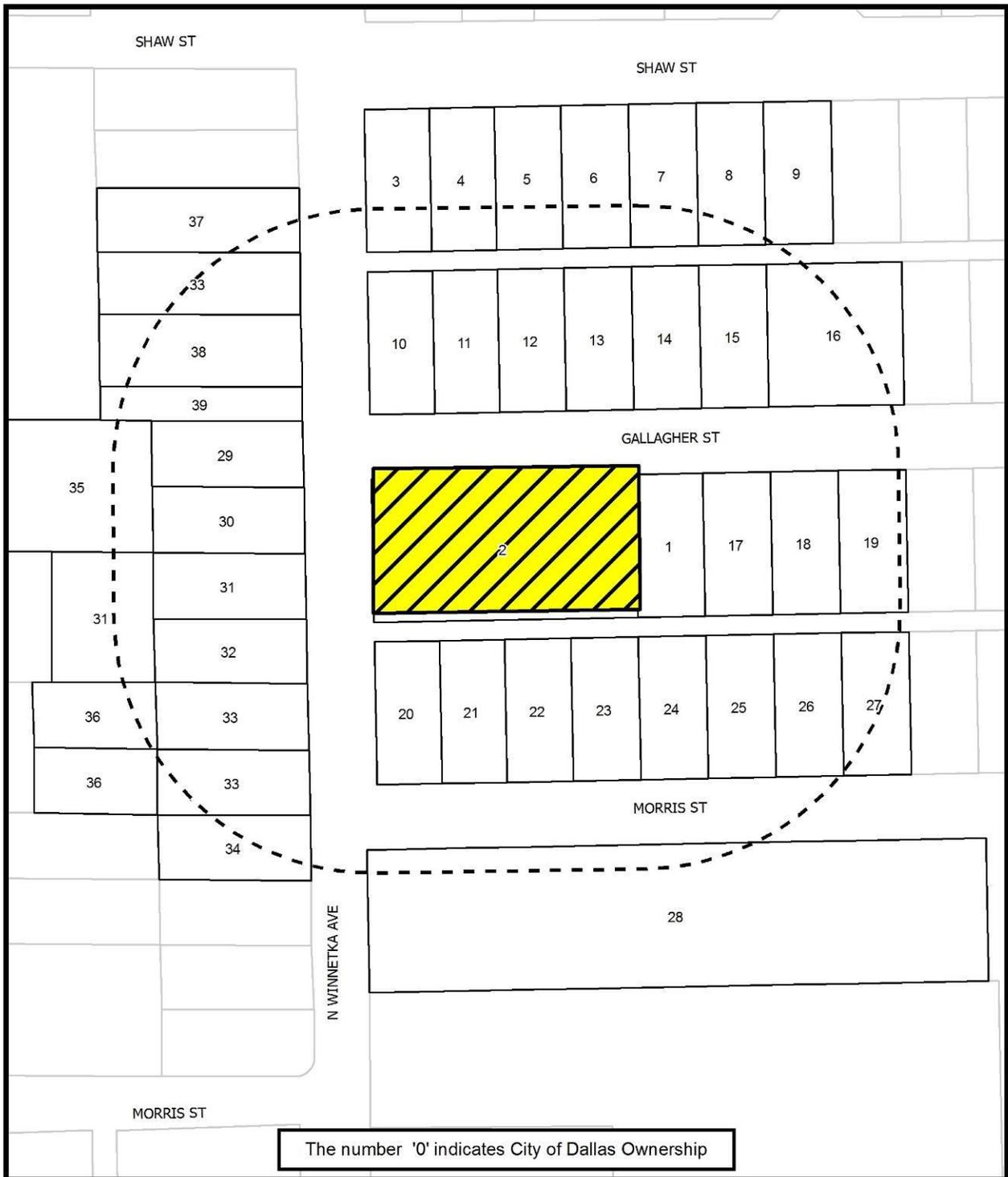
[Staff Listing \(our-staff\)](#) | [Contact Form](#)
[/frontpage](#)

Vickery Meadow Campus
6329 Ridgecrest Dallas, TX 75231
Map & Directions
<http://mlc.www.madquest.com/>
version: 1.0&nu=7-01.0z1

Email Newsletter Registration

Email:*
First Name:*
Last Name*

To prevent spam, please tell us:



 1:1,200	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px;">39</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: BDA145-026 Date: 2/18/2015
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Notification List of Property Owners

BDA145-026

39 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1006 GALLAGHER ST	RUSSELL W A EST
2	1018 GALLAGHER ST	VICKERY MEADOW LEARNING CENTER
3	1022 SHAW ST	TORRES ODILON &
4	1018 SHAW ST	SALAZAR MAXIMINO &
5	1014 SHAW ST	LEIJA ANGELITA
6	1010 SHAW ST	ARREDONDO MARIA O &
7	1006 SHAW ST	LEOS ALVENIO & ELENA
8	1002 SHAW ST	CASTILLO PETE &
9	926 SHAW ST	MARTINEZ MARINO CERDA
10	1023 GALLAGHER ST	MARTINEZ DIONICIO
11	1019 GALLAGHER ST	LUGO RACHEL FLORES ET AL
12	1015 GALLAGHER ST	TORRES MARIA CONSUELO
13	1011 GALLAGHER ST	SHERIN FREIDA M &
14	1007 GALLAGHER ST	ELIZONDO AMY
15	1003 GALLAGHER ST	CASANOVA PAMELA
16	927 GALLAGHER ST	SALAZAR JUAN &
17	1002 GALLAGHER ST	REYES TERESA
18	926 GALLAGHER ST	SIMMONS DOYLE L
19	922 GALLAGHER ST	CRUZ ABAD &
20	1023 MORRIS ST	MARTINEZ JUANA
21	1019 MORRIS ST	TIPTON TOM L JR
22	1015 MORRIS ST	DANIEL FRANCISCO C &
23	1011 MORRIS ST	FLORES HECTOR D & EDITH F
24	1007 MORRIS ST	FLORES HECTOR
25	1003 MORRIS ST	LOVATO BERTHA
26	923 MORRIS ST	HEREDIO ISIDRO CRUZ &

02/18/2015

Label #	Address	Owner
27	919 MORRIS ST	MARISCAL FRANCISCO
28	1020 MORRIS ST	Dallas ISD
29	3439 WINNETKA AVE	MATA JOSE ANTONIO &
30	3435 WINNETKA AVE	IPINA AGUSTIN
31	3431 WINNETKA AVE	SLATE LARRY GENE ET AL
32	3427 WINNETKA AVE	GLORIA LUIS ETAL
33	3423 WINNETKA AVE	HMK LTD
34	3415 WINNETKA AVE	VEGA ALBERTO C
35	3438 CROSSMAN AVE	CABALLERO FELIX
36	3411 WINNETKA AVE	TOSCANO JUAN
37	3453 WINNETKA AVE	SANCHEZ UBALDO &
38	3443 WINNETKA AVE	VILLATORO SANTOS E
39	3441 WINNETKA AVE	MATA JOSE A & MA M

FILE NUMBER: BDA 145-042

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin of Baldwin and Associates for a special exception to the off-street parking regulations at 4331 Belmont Avenue. This property is more fully described as Lot 16 and Lot 17, a 0.166 acre building site, Block 21/2005, and is zoned CS, which requires off-street parking to be provided. The applicant proposes to construct and/or maintain a personal service use, and provide 10 of the required 13 parking spaces, which will require a 3 space special exception to the off-street parking regulations.

LOCATION: 4331 Belmont Avenue

APPLICANT: Robert Baldwin of Baldwin and Associates

REQUEST:

A request for a special exception to the off-street parking regulations of 3 spaces is made to transition the use within an existing approximately 2,600 square foot one-story structure on the subject site from office use to personal service use, and provide 10 (or 77 percent) of the 13 required off-street parking spaces.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets. The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.
- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:
 - (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
 - (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- The special exception of 3 spaces shall automatically and immediately terminate if and when the personal service use that would normally need no more than 13 required parking spaces is changed or discontinued.

Rationale:

- The Sustainable Development and Construction Department Project Engineer has indicated that he has no objections to the applicant's request.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	CS (Commercial service)
<u>North:</u>	PD 889 (Planned Development)
<u>South:</u>	PD 698 (Planned Development)
<u>East:</u>	CS (Commercial service)
<u>West:</u>	CS (Commercial service)

Land Use:

The subject site is developed with an existing one-story structure that has approximately 2,600 square feet of floor area that the applicant intends to retain on the site and lease with personal service use which requires a greater number of off-street parking spaces than the previous use on the subject site (office) and what the applicant proposes to provide. The area to the north is undeveloped; the areas to the east and west are developed with commercial uses; and the area to the south is developed as a school (Spence Middle School).

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

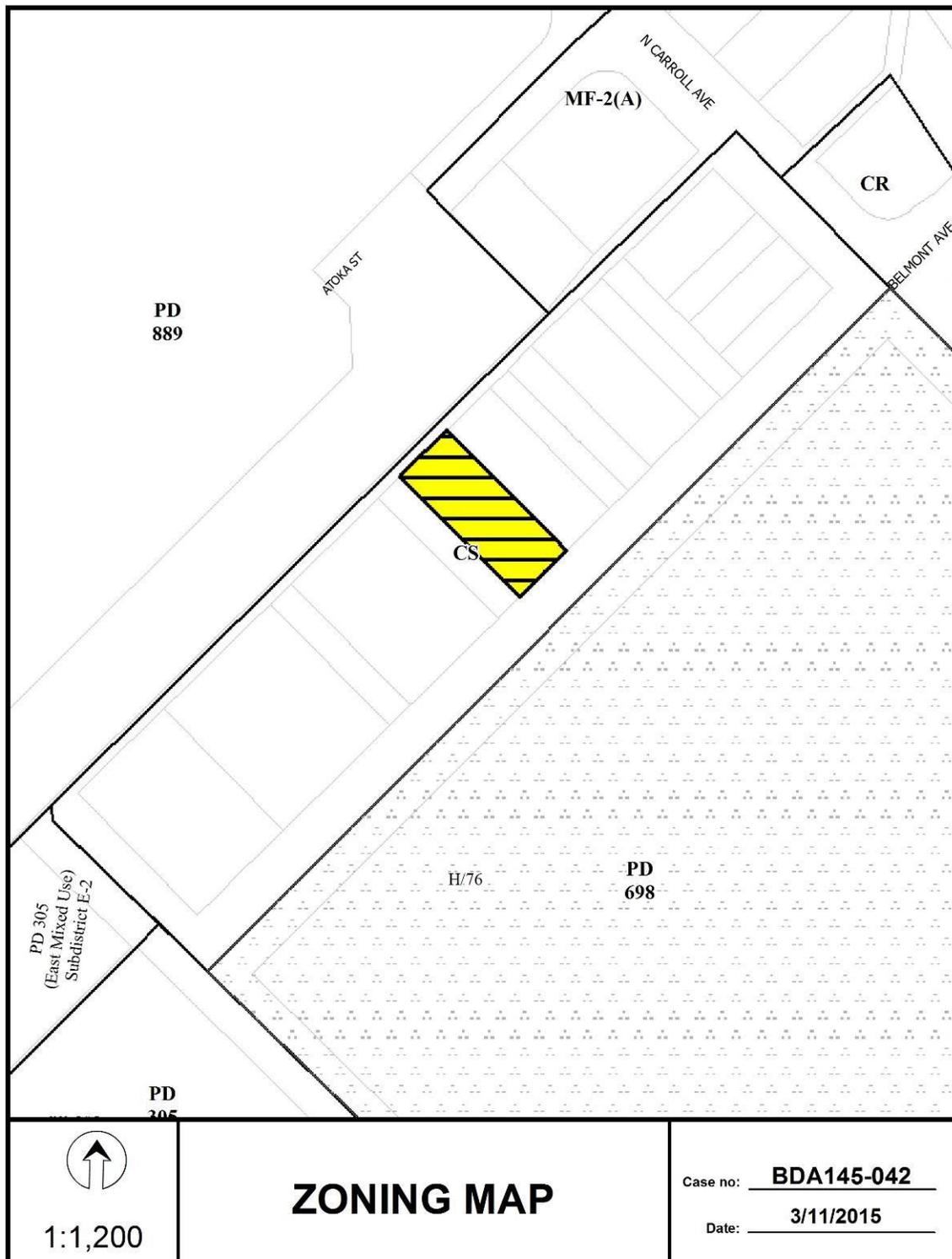
- This request focuses on transitioning the use within an existing approximately 2,600 square foot one-story structure on the subject site from office use to personal service use, and providing 10 (or 77 percent) of the 13 required off-street parking spaces.
- The Dallas Development Code requires the following off-street parking requirement:
 - Personal service use: 1 space per 200 square feet of floor area.
- The applicant proposes to provide 10 (or 77 percent) of the required 13 off-street parking spaces in conjunction with the existing structure on the site being leased with and/or maintained with a combination of the uses mentioned above.
- The Sustainable Development Department Project Engineer has indicated that he has no objections to the request.
- The applicant has the burden of proof in establishing the following:
 - The parking demand generated by the personal service use on the site does not warrant the number of off-street parking spaces required, and
 - The special exception of 3 spaces (or a 23 percent reduction of the required off-street parking) would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

- If the Board were to grant this request, and impose the condition that the special exception of 3 spaces shall automatically and immediately terminate if and when the personal service use is changed or discontinued, the applicant would be allowed to lease and maintain the structure on the site with this specific use with the specified square footage, and provide 10 of the 13 code required off-street parking spaces.

Timeline:

- January 22, 2015: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- March 11, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 11, 2015: The Board Administrator emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the April 1st deadline to submit additional evidence for staff to factor into their analysis; and the April 10th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- April 7, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for April public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- April 9, 2015: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”

- April 20, 2015: The Board of Adjustment Panel C conducted a public hearing on this application and delayed action on this application until their next public hearing to be held on May 18, 2015.
- April 21, 2015: The Board Administrator sent a letter to the applicant that noted the decision of the panel, the April 29th deadline to submit any additional information to staff for their review, and the May 8th deadline to submit additional evidence to be incorporated into the Board's docket materials.
- May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- May 7, 2015: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-042

Data Relative to Subject Property:

Date: January 22, 2015

Location address: 4331 Belmont Ave Zoning District: CS

Lot No.: 16 & 17 Block No.: 21/2005 Acreage: 7,238 sf Census Tract: 8.00

Street Frontage (in Feet): 1) 52 ft 2) _____ 3) _____ 4) _____ 5) _____ 3023

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Jonas Park

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

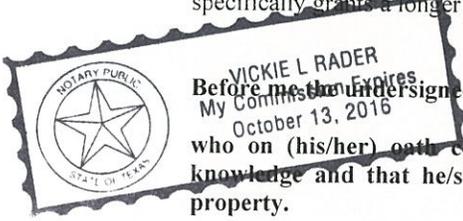
E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of the parking regulations of 3 spaces from the 13 spaces that are required

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The existing building was last used as an office and the proposed use is a personal service use for a yoga studio.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit



Before me, the undersigned on this day personally appeared Robert Baldwin
My Commission Expires October 13, 2016
(Affiant/Applicant's name printed)
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: _____
(Affiant/Applicant's signature)

Subscribed and sworn to before me on this 22nd day of January, 2015
VICKIE L RADER
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Robert Baldwin

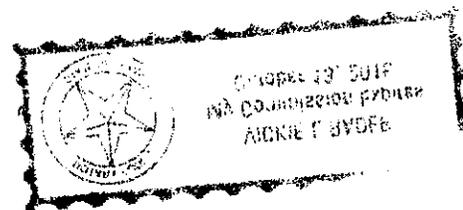
did submit a request for a special exception to the parking regulations
at 4331 Belmont Avenue

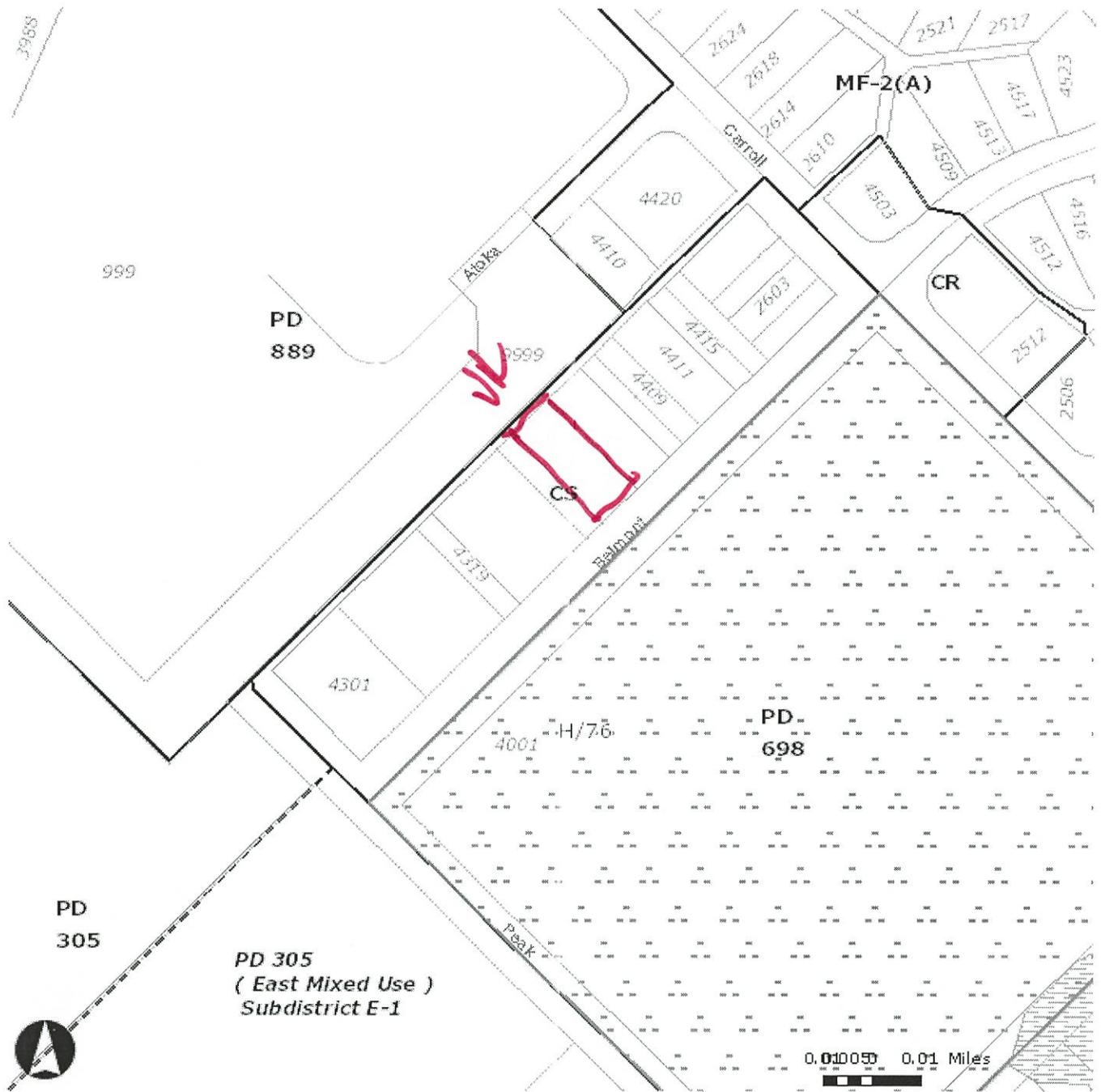
BDA145-042. Application of Robert Baldwin for a special exception to the parking regulations at 4331 Belmont Avenue. This property is more fully described as Lot 16 and Lot 17, a .166 acre building site, Block 21/2005, and is zoned CS, which requires parking to be provided. The applicant proposes to construct and maintain nonresidential structure for a personal service use, and provide 10 of the required 13 parking spaces, which will require a 3 space special exception (23% reduction) to the parking regulation.

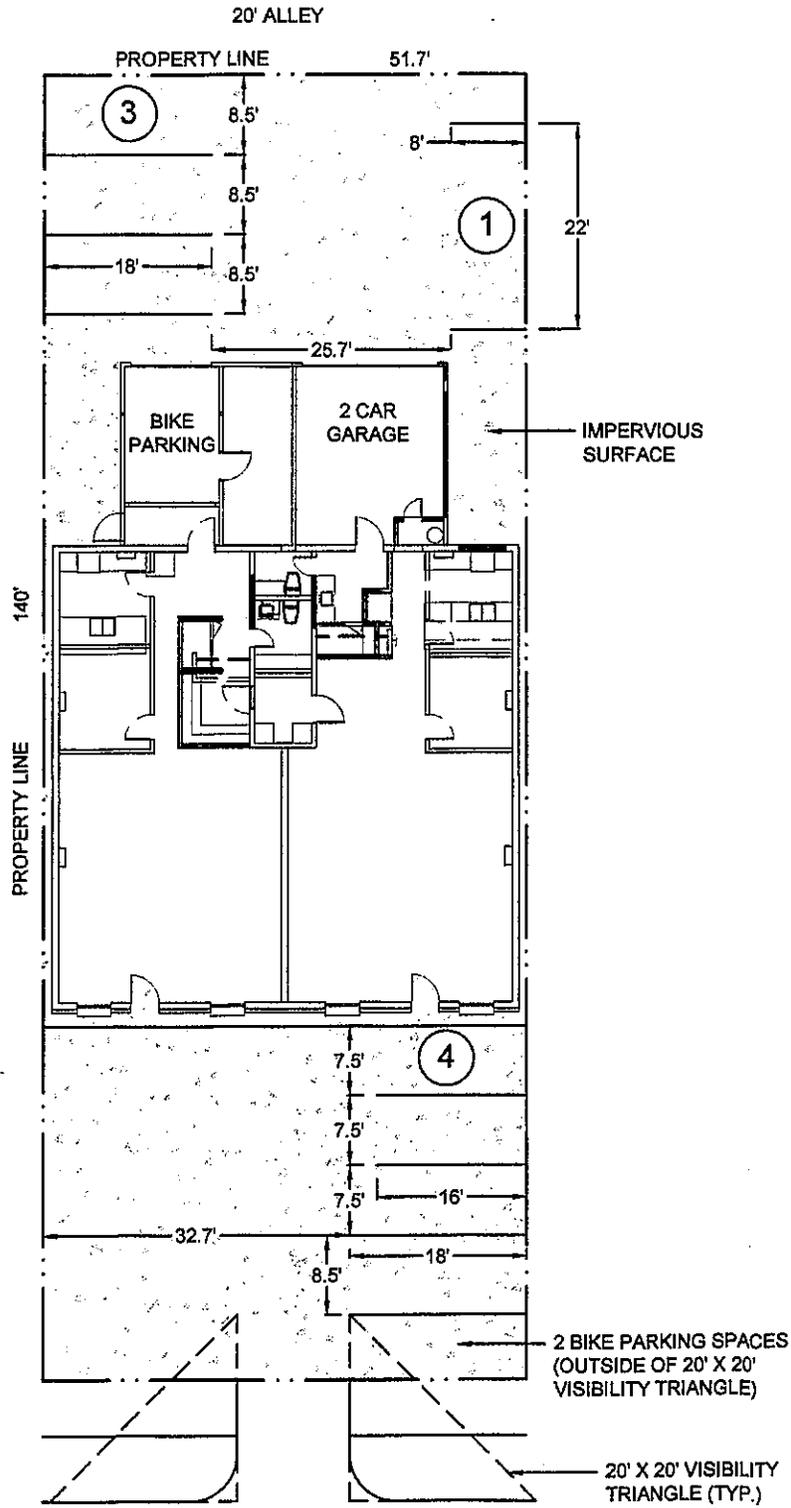


Sincerely,

Larry V. Holmes
Larry Holmes, Building Official



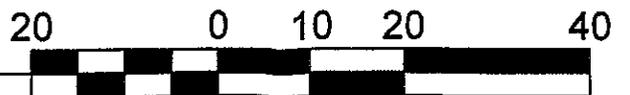




BELMONT AVE.

331 BELMONT AVE. BDA SITE PLAN

ALE: 1" = 20'-0"



4331 BELMONT AVE.
CITY OF DALLAS, TEXAS

Baldwin
Associates

BALDWIN
ASSOCIATES
3804 Elm St., Suite B
Dallas, Texas 75226
MOBILE: 214.824.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

CASE NUMBER

PROJECT NUMBER
01/27/15

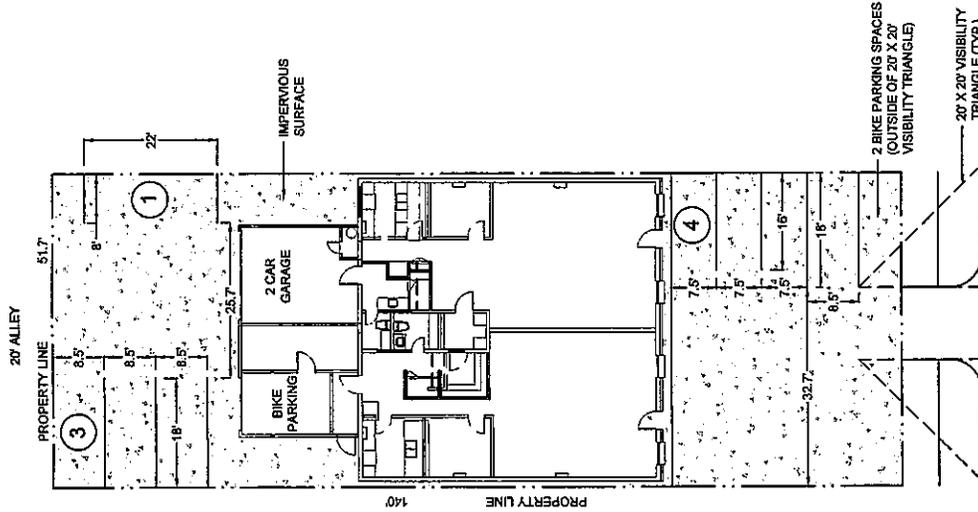


VICINITY MAP
NTS



4331 BELMONT AVE.
BDA SITE PLAN

Site Area: 7,238 sq. ft.
Bldg. Area: 2,600 sq. ft.
Zoning: CS
Use: Personal Service
Required Parking (1/200): 13 spaces
Provided Parking: 10 spaces (including two garage spaces, three compact spaces, one parallel space, and four 8.5' x 11' spaces)



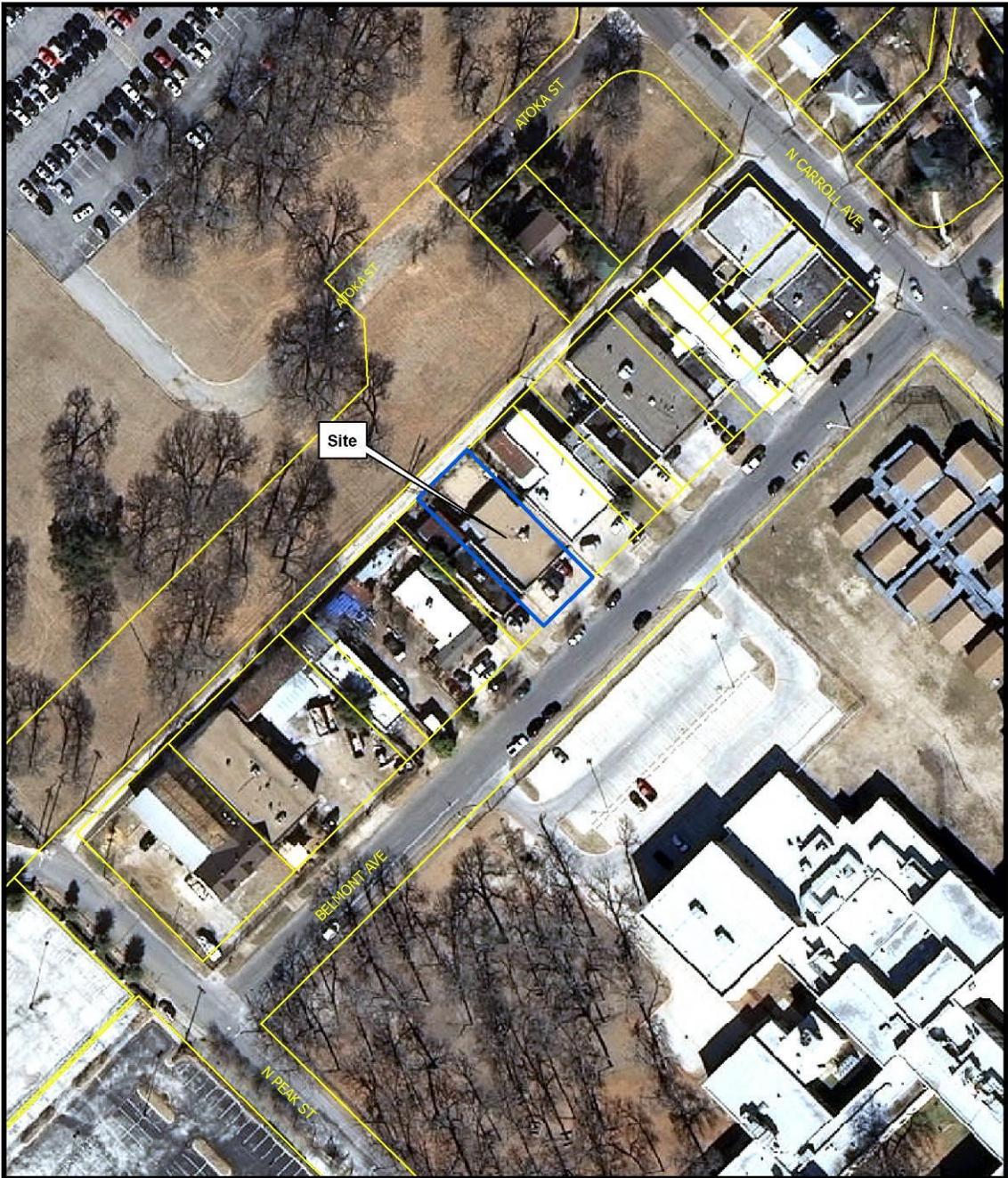
BELMONT AVE.



4331 BELMONT AVE. BDA SITE PLAN

SCALE: 1" = 20'-0"



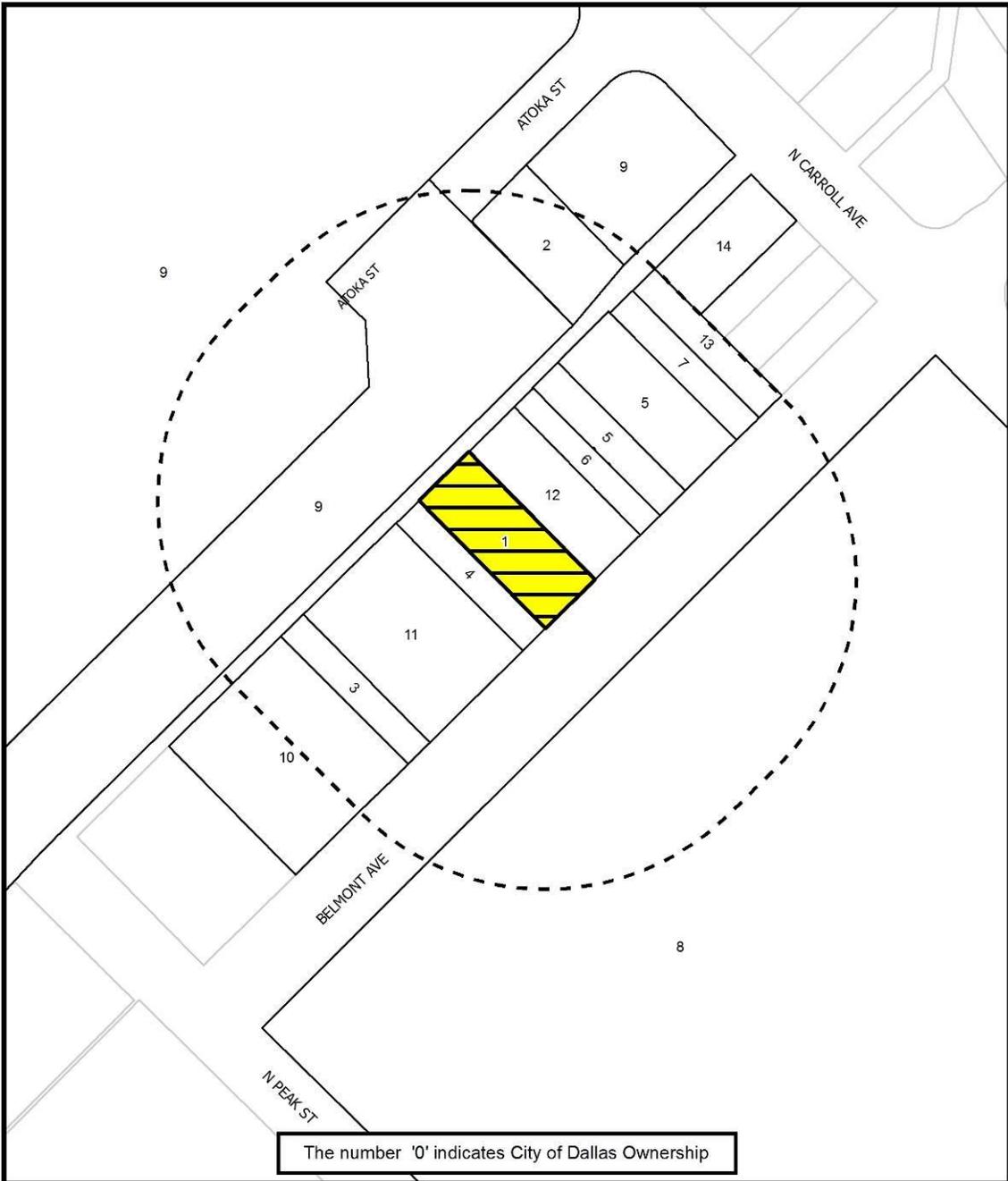


1:1,200

AERIAL MAP

Case no: BDA145-042

Date: 3/11/2015



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">14</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	14	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA145-042</u> Date: <u>3/11/2015</u>
200'	AREA OF NOTIFICATION					
14	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA145-042

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4331 BELMONT AVE	PARK JONAS J
2	4410 ATOKA ST	HERRERA HORTENCIA
3	4319 BELMONT AVE	BELMONT STUDIOS LLC
4	4329 BELMONT AVE	MOTT W E JR SPOUSAL TRUST
5	4409 BELMONT AVE	CORE COMMERCIAL INV PPTIES LLC
6	4407 BELMONT AVE	MM WHITETAIL PPTIES LP
7	4415 BELMONT AVE	REEVES GEORGE
8	4001 CAPITAL AVE	Dallas ISD
9	4420 ATOKA ST	TC CENTRAL ASSOCIATES LLC
10	4311 BELMONT AVE	DUDE CHARLES M &
11	4325 BELMONT AVE	MJRP CORPORATOIN ET AL
12	4405 BELMONT AVE	MM WHITETAIL PPTIES LP
13	4417 BELMONT AVE	BOYD KYLE SCOTT & BETSEY JILL TRUSTEES
14	2609 CARROLL AVE	CORE COMMERCIAL INVESTMENT PROPERTIES LLC

FILE NUMBER: BDA 145-050

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin of Baldwin and Associates for a variance to the off-street parking regulations at 3620 Inwood Road. This property is more fully described as an unplatted 0.31 acre tract, Block 2477, and is zoned PD193 (LC), which requires off-street parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for retail and office uses and provide 19 of the required 27 off-street parking spaces, which will require an 8 space variance to the off-street parking regulations.

LOCATION: 3620 Inwood Road

APPLICANT: Robert Baldwin of Baldwin and Associates

REQUEST:

A request for a variance to the off-street parking regulations of 8 spaces is made to lease vacant space and re-lease motor vehicle repair use space within an approximately 5,900 square foot structure with a mix of retail and/or office uses, where the applicant proposes to provide 19 (or 70 percent) of the required 27 required off-street parking spaces.

STANDARD FOR A VARIANCE:

The Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Denial

Rationale:

- While the flat, subject site is irregular in shape, and, according to the applicant, was reduced in size to its current approximately 13,500 square feet when Inwood Road was widened to a six lane divided road, the applicant had not substantiated how these features preclude it from being developed in a manner commensurate with the development upon other parcels of land with the same PD 193 (LC) zoning. The features of the site do not appear to restrict the applicant from developing/leasing the existing structure or a replacement structure with uses permitted in this zoning where the number of off-street parking spaces could be provided without a variance.
- In addition, granting the variance appears to be contrary to public interest since the Sustainable Development and Construction Department Project Engineer has recommended that this request be denied based on his conclusion that the City of Dallas PD 193 parking requirements are within comparable range of ITE (Institute of Transportation Engineers), and that Inwood Road and Fairfax Avenue cannot accommodate any supplemental parking that may be needed.

BACKGROUND INFORMATION:

<u>Site:</u>	PD 193 (LC) (Planned Development, Light commercial)
<u>North:</u>	PD 193 (MF-2) (Planned Development, Multifamily)
<u>South:</u>	PD 193 (PDS 5) (Planned Development, Planned Development)
<u>East:</u>	PD 193 (MF-2) (Planned Development, Multifamily)
<u>West:</u>	CS (Commercial service)

Land Use:

The subject site is developed with a structure part of which is vacant and part of which is developed with a motor vehicle repair use (Aamco). The areas to the north and east are developed with multifamily uses; and the areas to the south and west are developed with retail uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

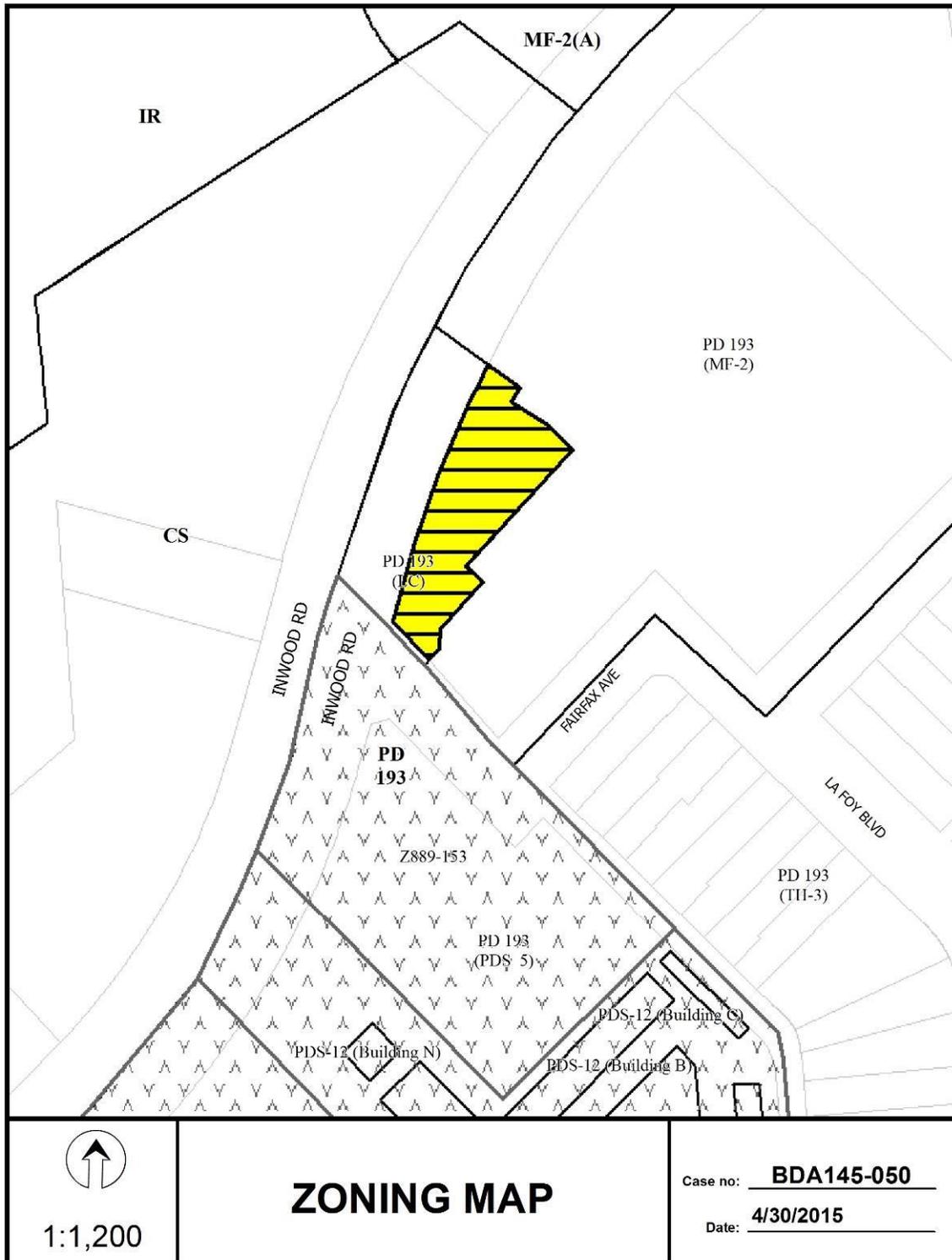
GENERAL FACTS/ STAFF ANALYSIS:

- The request focuses on leasing vacant space and re-leasing motor vehicle repair use space within an approximately 5,900 square foot structure with a mix of retail and/or office uses, where the applicant proposes to provide 19 (or 70 percent) of the required 27 required off-street parking spaces.

- The subject site is zoned PD 193 (LC) that requires the following off-street parking requirement:
 - Retail uses: 1 space for each 220 square feet of floor area; other than “feed store” which has a parking requirement of 1 space for each 500 square feet of floor area.
 - Office: 1 space for each 366 square feet of floor area
- Dallas Development Code Section 51A-4.311(a)(1) states that the Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required *under this article* if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets; and that the maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to already existing nonconforming rights.
- Therefore, because the applicant seeks a parking reduction request of 30 percent, the applicant must request a variance to the off-street parking regulations.
- The Sustainable Development and Construction Department Project Engineer has submitted a review comment sheet marked “Recommends that this be denied” commenting “City of Dallas PD 193 parking requirements are within comparable range of ITE. Inwood Road and Fairfax Avenue cannot accommodate any supplemental parking that may be needed.”
- The site is flat, irregular in shape, and according to the application, 0.31 acres in area. The site is zoned PD 193 (LC).
- DCAD records indicate that the “improvements” at 3620 Inwood Road is a “retail strip” with 5,595 square feet built in 1952.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to off-street parking regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD193 (LC) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (LC) zoning classification.
- If the Board were to grant this request, the applicant would be required to provide 19 (or 70 percent) of the 27 off-street parking spaces required to lease and maintain the existing approximately 5,900 square foot structure on the site with a mix of retail and office uses.

Timeline:

- March 16, 2015: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- April 14, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- April 16, 2015: The Board Administrator emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the April 29th deadline to submit additional evidence for staff to factor into their analysis; and the May 8th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- April 30, 2015: The Building Inspection Senior Plans Examiners/Development Code Specialist forwarded a revised Building Official’s report to the Board Administrator, and the applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).
- May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- May 7, 2015: The Sustainable Development and Construction Department Project Engineer has submitted a review comment sheet marked “Recommends that this be denied” commenting “City of Dallas PD 193 parking requirements are within comparable range of ITE. Inwood Road and Fairfax Avenue cannot accommodate any supplemental parking that may be needed.”

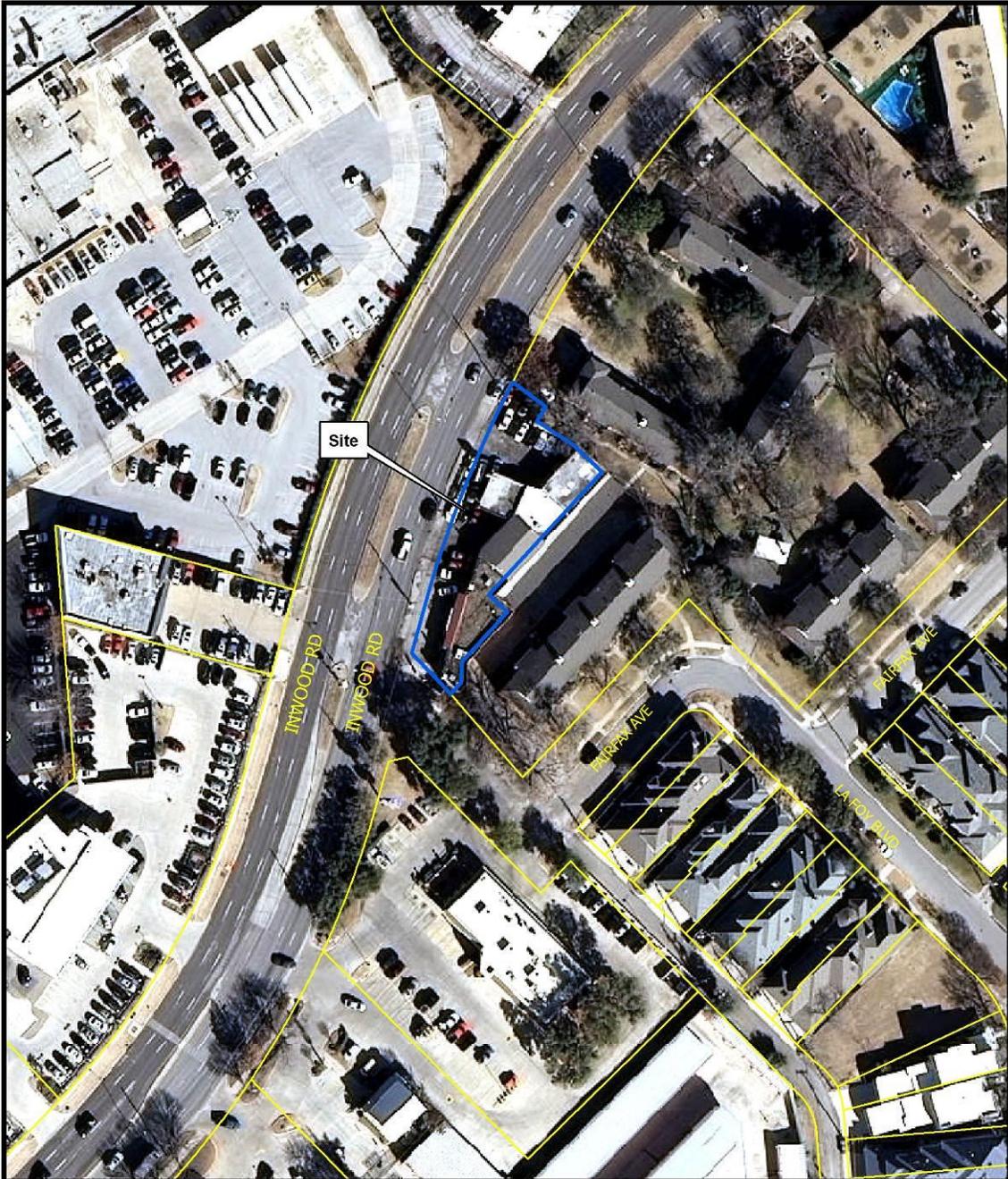


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ZONING MAP

Case no: **BDA145-050**

Date: **4/30/2015**



1:1,200

AERIAL MAP

Case no: BDA145-050

Date: 4/30/2015

Long, Steve

From: Jennifer Hiromoto <jennifer@baldwinplanning.com>
Sent: Wednesday, April 29, 2015 3:15 PM
To: Long, Steve; Duerksen, Todd
Cc: Baldwin Robert
Subject: RE: BDA 145-050, Property at 3620 Inwood Road

Dear Mr. Long and Mr. Duerksen:

Per our conversations with Mr. Long, we would like to clarify our parking variance application and respectfully request the Building Official's report be updated for BDA145-050 at 3620 Inwood Road.

The submitted site plan for our property shows that 19 off-street parking spaces can be provided with the removal of the front canopy on the portion of the building containing the auto repair use. Our application to the Board of Adjustment requests the ability to occupy the entire building with retail uses. The worst case scenario for the parking requirement would be all retail uses, however, the property could support retail, office uses, or a combination of these uses. The following is a parking analysis with potential combinations of the property as office or retail uses to illustrate the parking requirements.

	Retail	Office	Total Required	Provided - Required
5869 SF; 19 spaces on plan	1:220	1:366		
All retail	26.68	--	27	-8
All office	--	16.04	16	3
2935 sf retail/2935 sf office	13.34	8.02	21	-2
1800 sf retail/4069 sf office	8.18	11.12	19	0
4069 sf retail/1800 sf office	18.50	4.92	23	-4

The parking analysis provides for a few scenarios for the general uses within the building. A portion of the building was previously occupied with a cellular phone store with a square footage of 1,800.

In reviewing PD 193, the ordinance has many specific uses in the Professional, Personal Service, and Custom Crafts and Retail Uses categories. PD 193 contains definitions for "Office-related use" and "Retail-related use" which are those uses from the Professional, Personal Service, and Custom Crafts and Retail Uses categories with a parking ratio of one space per 366 square feet of floor area and one space per 220, respectively. **We request that our parking variance application be revised to allow the property to be used for any combination of office-related use or retail-related use as defined in Sec.51P-193.104(a)(25) and (35) and provide 19 parking spaces to serve 5,869 square feet of floor area.**

We believe the property meets the variance criteria. The property is zoned an LC Light Commercial Subdistrict within PD 193 and is an irregularly shaped corner lot and only 0.31 acres in size. The property was reduced in size when Inwood Road was widened to a six lane divided road in this road segment. The change of the

property from an auto repair business to neighborhood and local area-serving office and retail uses will allow the property to be parked in a more orderly manner.

Thank you for your assistance. Please do not hesitate to contact our office if you have any questions or concerns.

Jennifer

Jennifer Hiromoto
Baldwin Associates
3904 Elm St. Suite B
Dallas, TX 75226
214-824-7949 office
469-275-2414 cell

From: Long, Steve [mailto:steve.long@dallascityhall.com]
Sent: Monday, April 20, 2015 9:27 AM
To: Jennifer Hiromoto
Subject: FW: BDA 145-050, Property at 3620 Inwood Road

FYI

From: Long, Steve
Sent: Thursday, April 16, 2015 9:09 AM
To: 'Robert Baldwin'
Cc: Duerksen, Todd; Way, Jamilah; Jimenez, Danielle; Lam, David
Subject: BDA 145-050, Property at 3620 Inwood Road

Dear Rob,

Here is information regarding your application to the board of adjustment referenced above, some of which I believe you are aware of given your experience with the board:

1. Your application materials - all of which will be emailed to you, city staff, and the board of adjustment members in a docket about a week ahead of your tentatively scheduled May 18th Board of Adjustment Panel C public hearing.
2. The provision from the Dallas Development Code allowing the board to grant a variance to the off-street parking regulations (51A-3.102(d)(10)).
3. A document that provides deadlines for submittal of additional information to staff/the board.
4. The board's rule pertaining to documentary evidence.

Please carefully review the attached application materials to make sure they are complete, and the Building Official's Report/second page of your application (page 2 of 5 in the application materials attached). Please contact Todd Duerksen at 214/948-4475 no later than noon, Wednesday, April 29th with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his report stating that the applicant proposes to construct and/or maintain a structure for a general merchandise or food store use and provide 19 of the required 27 parking spaces which will require an 8 space variance is incorrect. (Note that the discovery of any additional appeal needed other than the off-street parking variance request will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

As it relates to the Building Official's report, do you feel that the "general merchandise or food store" use described in the BO report is correct? Or should the use in the BO report/notice/advertisement reflect a use from one of those listed in PD 193 (see attachment)? A "general merchandise or food store" is not a use listed in PD 193. What use or uses from the PD 193 list attached would you want with regard to this application?

Please be advised that you may want to contact:

1. David Lam, City of Dallas Sustainable Development Department Project Engineer at 214/948-5384 or david.lam@dallascityhall.com to determine if there is any additional information that may be needed from you in making a favorable recommendation to the board on this request, and
2. The Oak Lawn Committee given that this property is located in PD 193: The Oak Lawn Special Purpose District.

Please write or call me at 214/670-4666 if I can be of any additional assistance to you on this application.

Thanks,

Steve

PS: If there is anything you want to submit to the board on this application beyond what has been included in the attached application materials, please feel free to email it to steve.long@dallascityhall.com or forward it to me at the following address:

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development and Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Robert Baldwin

did submit a request for a variance to the parking regulations
at 3620 Inwood Road

BDA145-050. Application of Robert Baldwin for a variance to the parking regulations at 3620 Inwood Road. This property is more fully described as an unplatted .31 acre tract, Block 2477, and is zoned PD193 (LC), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for retail and office uses and provide 19 of the required 27 parking spaces, which will require an 8 space variance to the parking regulation.

Sincerely,


Larry Holmes, Building Official



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-050

Data Relative to Subject Property:

Date: March 16, 2015

Location address: 3620 Inwood Road Zoning District: PD 193 LC

Lot No.: -- Block No.: 2477 Acreage: 0.31 acres Census Tract: 6.01

Street Frontage (in Feet): 1) 225 ft 2) 43 ft 3) 4) 5) 50' 22"

To the Honorable Board of Adjustment: sharifi

Owner of Property (per Warranty Deed): Shariff Holdings, LLC

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance X, or Special Exception, of 8 spaces from the required 27 spaces for retail uses

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: The property is an unusual shape, due in part to the widening of Inwood Road. The property is also smaller than most properties zoned an LC Light Commercial District.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

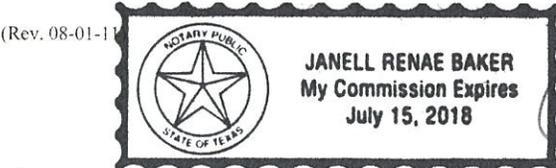
Before me the undersigned on this day personally appeared Robert Baldwin (Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 16 day of March 2015

[Signature] Notary Public in and for Dallas County, Texas



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

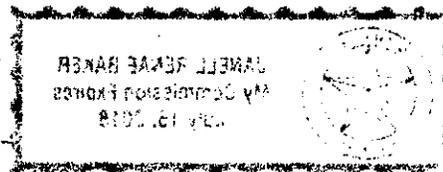
I hereby certify that Robert Baldwin

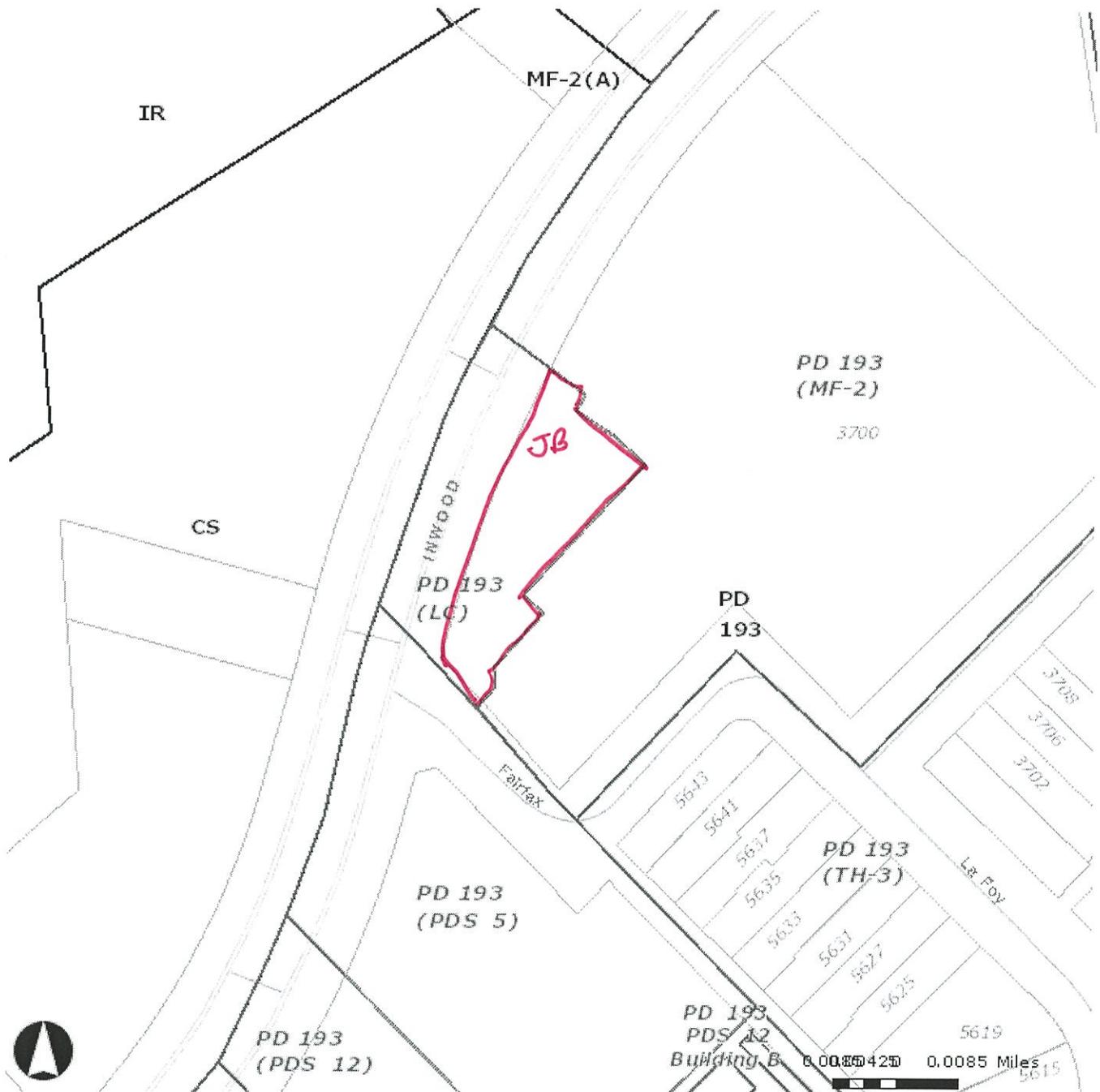
did submit a request for a variance to the parking regulations
at 3620 Inwood Road

BDA145-050. Application of Robert Baldwin for a variance to the parking regulations at 3620 Inwood Road. This property is more fully described as an unplatted .31 acre tract, Block 2477, and is zoned PD193 (LC), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for general merchandise or food store uses and provide 19 of the required 27 parking spaces, which will require an 8 space variance to the parking regulation.

Sincerely,


Larry Holmes, Building Official





ROAD

R=905.37

388.01

163

216.3

N.5°32'E.
199.2

PROJECT NO.1
(1.5445 ACS.)

PROJECT NO.2
(0.683 ACS.)

2477

N.54°02'E.
78

S.72°29'E.
139.8

S.17°31'W
60

S53°42'E
31.8

S56°35'E
33.39

S47°10'E
30.6

113.7

4.04

N.45°13'W.

N.66°41'E.
111.9

S32°58'W
13.2

N.75°49'E.
68.4

S.42°50'W.
128.14

5600

3.0352 ACS.
(0.633 ACS.)
PROJECT NO.3

JB

0.3169 AC

3600

N.15°12'24"E
30

S47°43'E
19.05

S.42°17'W
51.6

S2°43'E
16

S42°17'W
12

192.85

S.42°28'W.

60

50

FAIRFAX

S45°E 145.84

N42°41'E
33.03

20

596

50

N15°11'E
40.57

N75°05'30"E
112.73

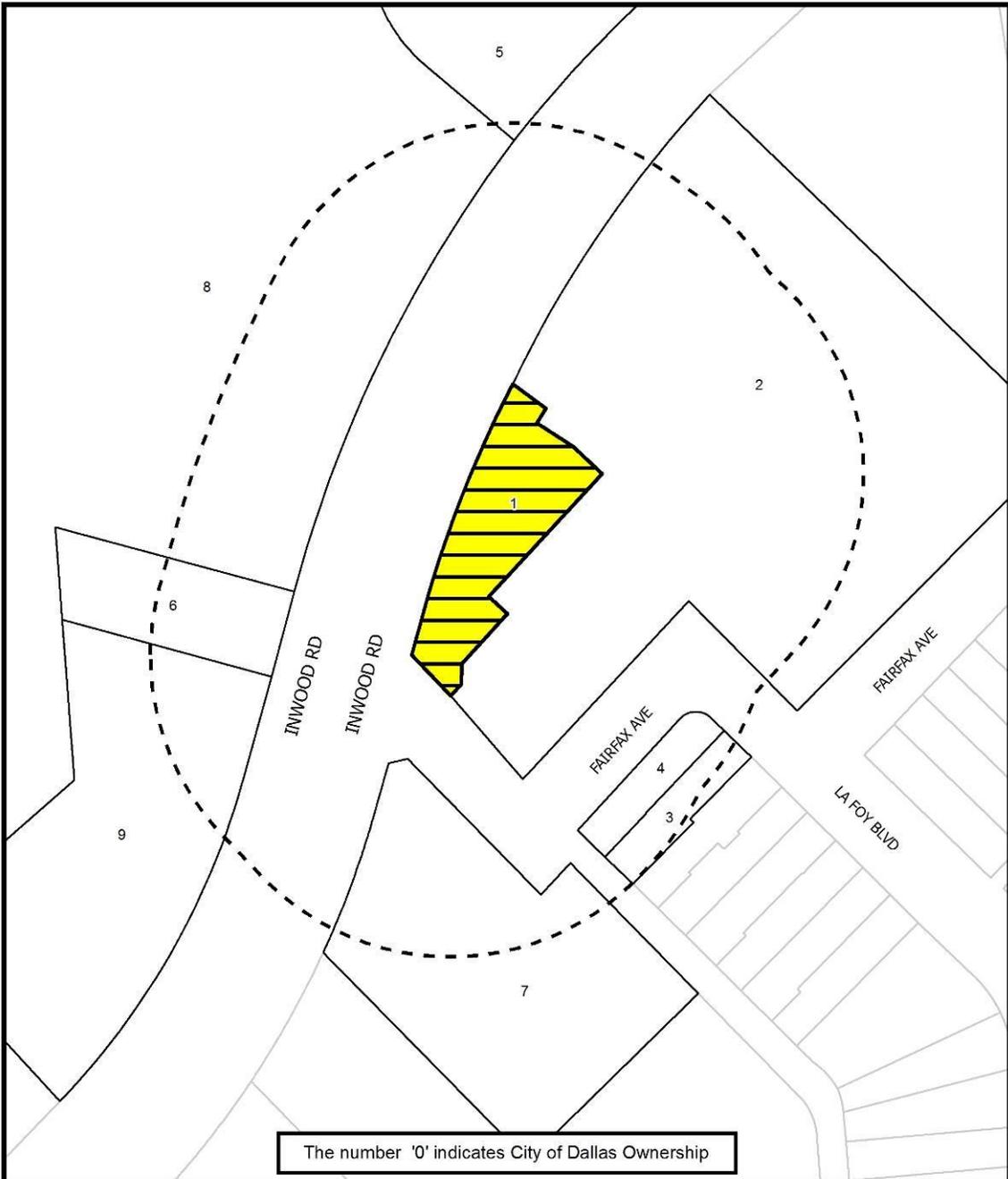
L=357.78

1-A

0.9947 AC.

10' ACCESS
-ESMT.

26' ST
DETN



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">9</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	9	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA145-050</u> Date: <u>4/30/2015</u>
200'	AREA OF NOTIFICATION					
9	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA145-050

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3620 INWOOD RD	SHARIFF HOLDINGS LLC
2	3700 INWOOD RD	FAIRWOOD APARTMENTS LTD
3	5641 LA FOY BLVD	EVANS CARL L JR
4	5643 LA FOY BLVD	ZEGELS KOERT
5	6201 BORDEAUX AVE	CHEVELLE APT GROUP LLC
6	3605 INWOOD RD	KAYCEETEE PARTNERS LLC
7	3602 INWOOD RD	RETAIL BUILDINGS INC
8	6000 LEMMON AVE	RAYTHEON COMPANY
9	3515 INWOOD RD	KINGS ROAD REALTY LTD

FILE NUMBER: BDA 145-055

BUILDING OFFICIAL'S REPORT: Application of Wilson Hernandez for a variance to the side yard setback regulations at 5902 Bent Trail. This property is more fully described as Lot 13, Block 1/8225, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a structure and provide a 0 foot side yard setback (provide 1 foot setback at foundation and 0 foot setback at roof eave), which will require a 5 foot variance to the side yard setback regulations.

LOCATION: 5902 Bent Trail

APPLICANT: Wilson Hernandez

REQUEST:

A request for a variance to the side yard setback regulations of 5' is made to construct and maintain an approximately 855 square foot "outdoor living/kitchen"/closet"/storage accessory structure on a lot developed with a single family home structure/use, which would be located as close as on the site's western side property line (roof eave) or as much as 5' into this 5' side yard setback.

STANDARD FOR A VARIANCE:

The Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Denial

Rationale:

- While the site is irregular in shape and includes over 6,000 square feet of “community pond” area, staff had concluded that these features do not preclude the applicant from developing it in a manner commensurate with the development of other parcels of land in the same R-7.5(A) zoning. The site has almost 33,000 square feet of area left for development once the approximately 6,300 square foot community pond area is accounted for in a zoning district where lots are typically 7,500 square feet.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single family district 7,500 square feet)(deed restricted)
North: R-7.5(A) (Single family district 7,500 square feet)(deed restricted)
South: R-1ac(A) (Single family district 1 acre)
East: R-1ac(A) (Single family district 1 acre)
West: R-7.5(A) (Single family district 7,500 square feet)(deed restricted)

Land Use:

The subject site is developed with a single family home structure/use. The areas to the north and west are developed with single family uses, and the areas to the east and west are developed with a private membership country club use (Bent Tree Country Club).

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining an approximately an approximately 855 square foot “outdoor living/kitchen”/closet”/storage accessory structure on a lot developed with an approximately 6,000 square foot single family home structure/use, which would be located as close as on the site’s western side property line (roof eave) or as much as 5’ into this 5’ side yard setback.
- Structures on lots zoned R-7.5(A) are required to provide a minimum side yard setback of 5’.

- A revised site plan submitted on May 8th denotes a portion of the proposed “outdoor living/kitchen”/closet”/storage accessory structure located as close as on the site’s western side property line (roof eave) or as much as 5’ into this 5’ side yard setback.
- According to DCAD records, the “main improvement” at 5902 Bent Trail is a structure built in 1979 with 7,033 square feet of living area/total area. According to DCAD records, the “additional improvements” at this address are a 1,406 square foot attached garage, a 695 square foot deck, and a pool.
- The subject site is sloped to a “community pond”, irregular in shape, and approximately 39,000 square feet in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area. The zoning map indicates that a portion of the site is located in flood plain. The submitted site plan notes that an “existing community pond” accounts for 6,268 square feet of the subject site.
- The applicant submitted a revised site plan on May 8th and noted that this plan reflected changes made to the originally submitted site plan and the revised site plan submitted on May 5th. The applicant noted that the revised site plan submitted on May 8th created a shorter storage closet to be compliant with building in the rear 30 percent of the property if the rear property line would be considered to be where one can actually build which is at the upper retention wall. (Note that the applicant submitted a revised elevation of the proposed structure on May 5th representing that the proposed structure does not/would not exceed 15’ in height).
- Note that Sec. 51A-4.402(b)(3) of the Dallas Development Code states that in a residential district, a person need not provide a side yard setback for a structure accessory to the a residential use if the structure does not exceed 15’ in height and is located in the rear 30 percent of the lot.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request and impose the revised site plan submitted on May 8th as a condition, the structure in the side yard setback would be limited to what is shown on this document – which is a structure located as close as 0’ from the western side property line (roof eave) or as much as 5’ into this 5’ side yard setback.

- Note that if the Board were to grant the applicant's request for a variance to the side yard setback regulations, and impose the revised site plan submitted on May 8th as a condition, no relief would be provided to any existing or future issue related to flood plain requirements/regulations.

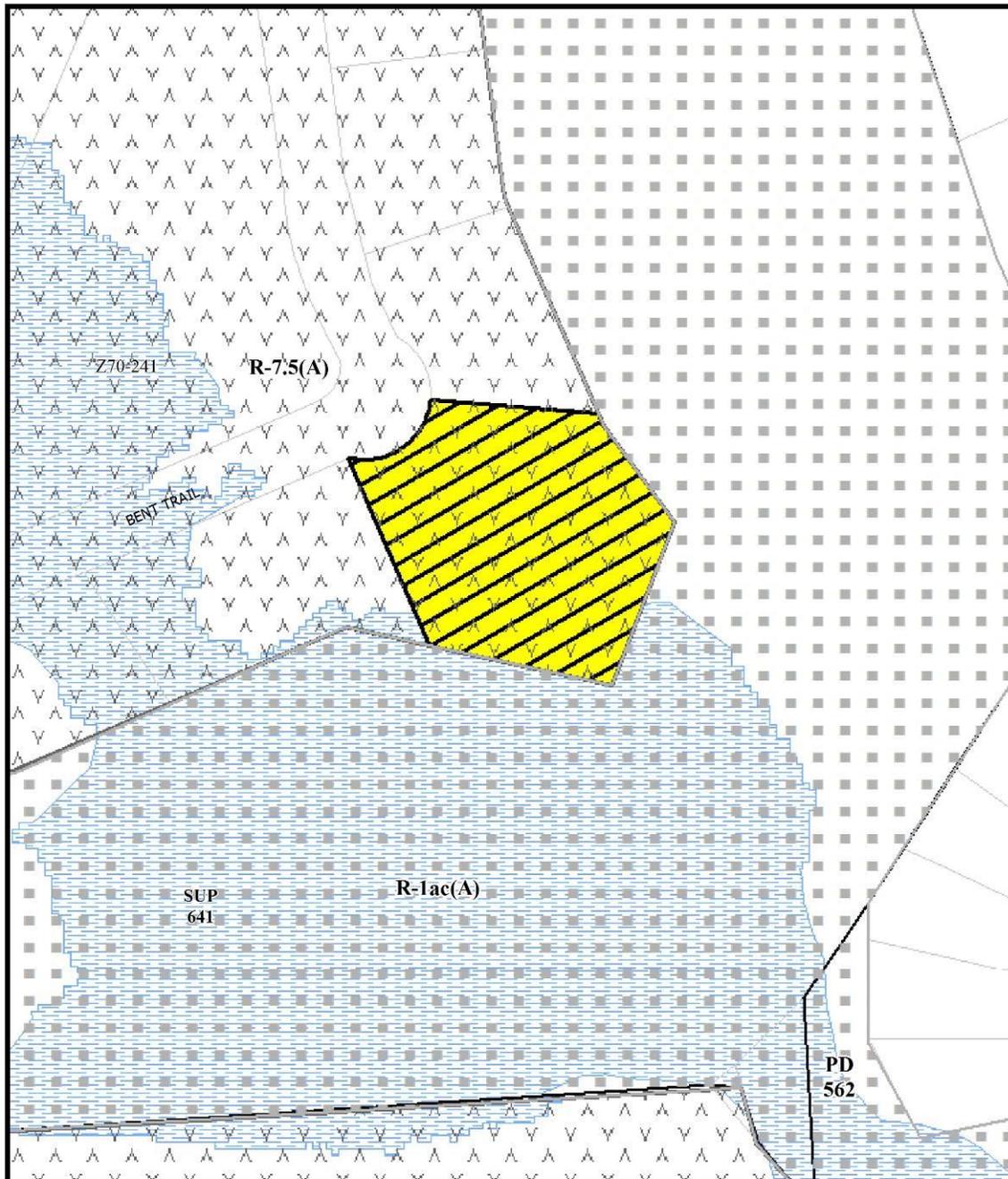
Timeline:

- March 20, 2015: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- April 14, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- April 16, 2015: The Board Administrator emailed the applicant the following information:
- a copy of the application materials including the Building Official's report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the April 29th deadline to submit additional evidence for staff to factor into their analysis; and the May 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence"; and
 - copies of deed restrictions on the site and surrounding area with a note to review them and represent to the board that they in no way affect the application to the board.
- May 5, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A). Among other things, the applicant stated in this attachment that she had reviewed the deed restrictions for the neighborhood and does not believe that her application for variance interferes in any way with them.

May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

May 8, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment B).

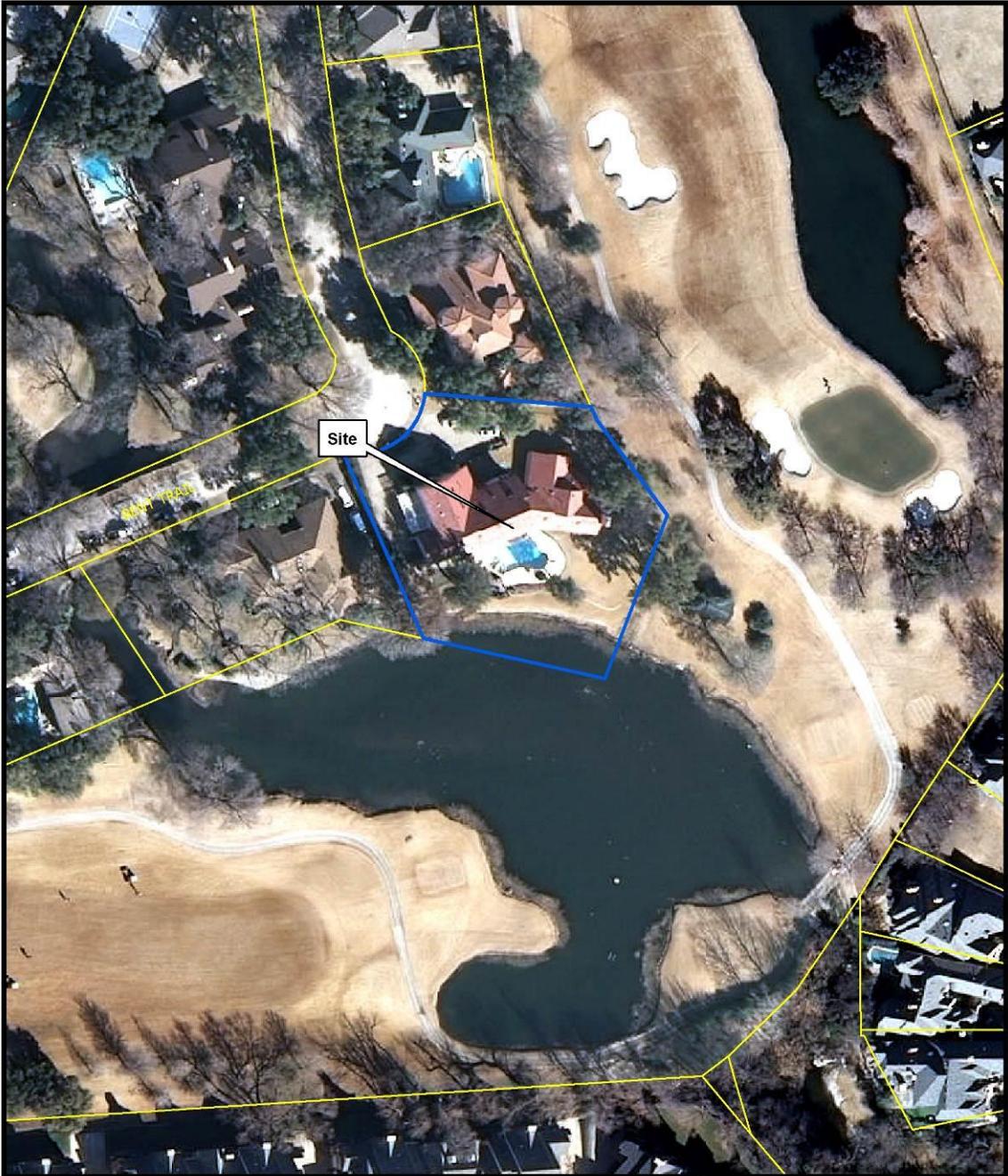


1:1,200

ZONING MAP

Case no: BDA145-055

Date: 4/30/2015



1:1,200

AERIAL MAP

Case no: BDA145-055

Date: 4/30/2015

Long, Steve

From: Long, Steve
Sent: Tuesday, May 05, 2015 12:28 PM
To: 'Nayla Saouaf'
Cc: Duerksen, Todd; Moorman, Donna; Way, Jamilah
Subject: RE: BDA 145-055, Property at 5902 Bent Trail
Attachments: Revised-Hernandez-LS1.01_Labeled Masterplan_24x36 (p).pdf; Revised-Hernandez-S1.04_Structure Elevations_24x36 (l).pdf

Dear Ms. Saouaf,

This is to document the conversation we just had with regard to the materials attached that you just emailed me: that the attached elevation has been revised from what you submitted with the original application, but that the attached site plan has not.

Thank you,

Steve

From: Nayla Saouaf [<mailto:naylas1@gmail.com>]
Sent: Tuesday, May 05, 2015 11:47 AM
To: Long, Steve
Cc: wilson
Subject: BDA 145-055, Property at 5902 Bent Trail

Dear Mr.Long,

I have reviewed the deed restrictions for our neighborhood and do not believe that our application for a variance interferes in any way with them.

I also would like to add a few items to support my request:

1. We have a mature tree that we would love to preserve. If we do not get the variance we will likely have to take it down to be able to build the same size structure.
2. The rear property line is located in the pond and also partly in a flood zone. If the "functional" property line was located as far back on the property that is actually buildable, then Sec.51A-4.402 (b) (3) would apply. It states that "In a residential district, a person need not provide a side yard set back for a structure accessory to a residential use if the structure:
 - (A) does not exceed 15 feet in height;
 - and
 - (B) is located in the rear 30% of lot

If you consider our functional property line versus the actual one, we meet these requirements by adjusting the pitch of the roof to a 8/12 pitch. I am attaching plan S1.01 to demonstrate the new roof pitch and plan LS1.01 to demonstrate the location of the structure being in the back 30% of the lot.

3. We also would like to explain that the location chosen for this structure makes sense only there even though we do have a large property since it is for an outdoor kitchen and is in close proximity to our indoor kitchen.

Building this structure anywhere else on our property would get in the way of the existing structures and would also take away from its functionality.

4. We had talked to our neighbor when we applied for the variance, he stated he was happy we are beautifying our property and had no objection. I will hopefully get an affidavit by the 18th of May. We believe he has been away since we haven't gotten any response when we ring their doorbell and haven't seen them for a couple of weeks.

I thank you for your time and consideration.

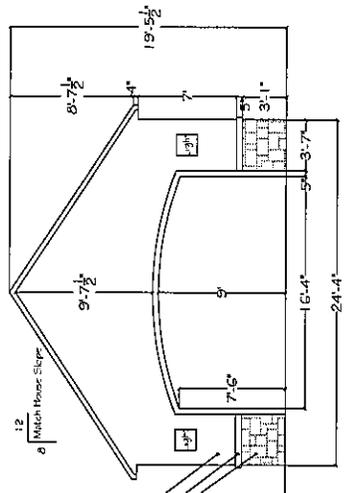
Sincerely,

Nayla Saouaf

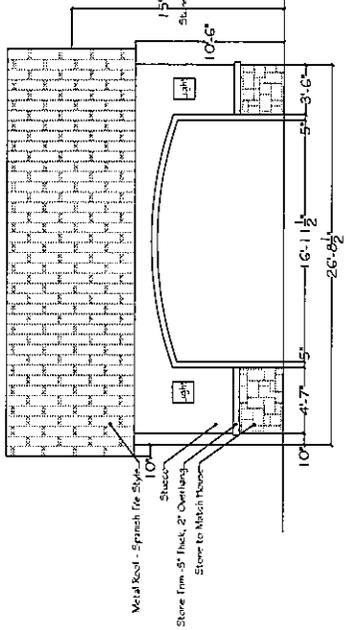
407-595-4930
5902 Bent Trail
Dallas, TX 75248

Hernandez Residence
 Wilson & Nayla
 5902 Bent Trail,
 Dallas, TX

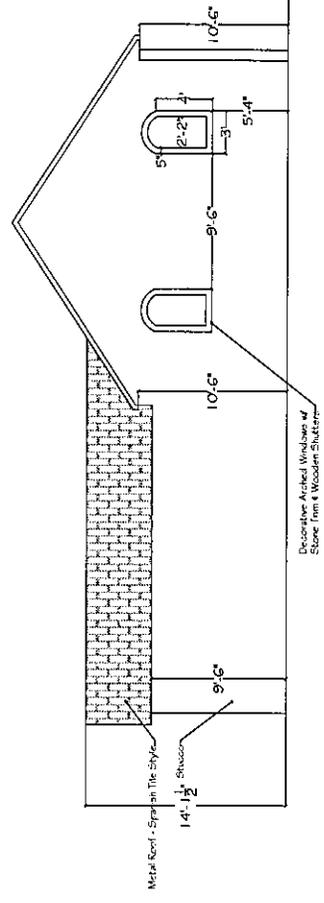
Notes:	Structure Elevations
Date:	March 20, 2015
Drawn By:	Tyler Bigman
Scale:	1/4" = 1'-0"
Dwg #:	S 101



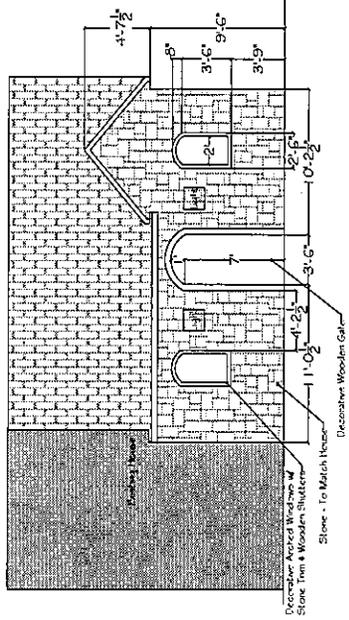
Poolside Elevation



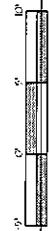
Lakeside Elevation

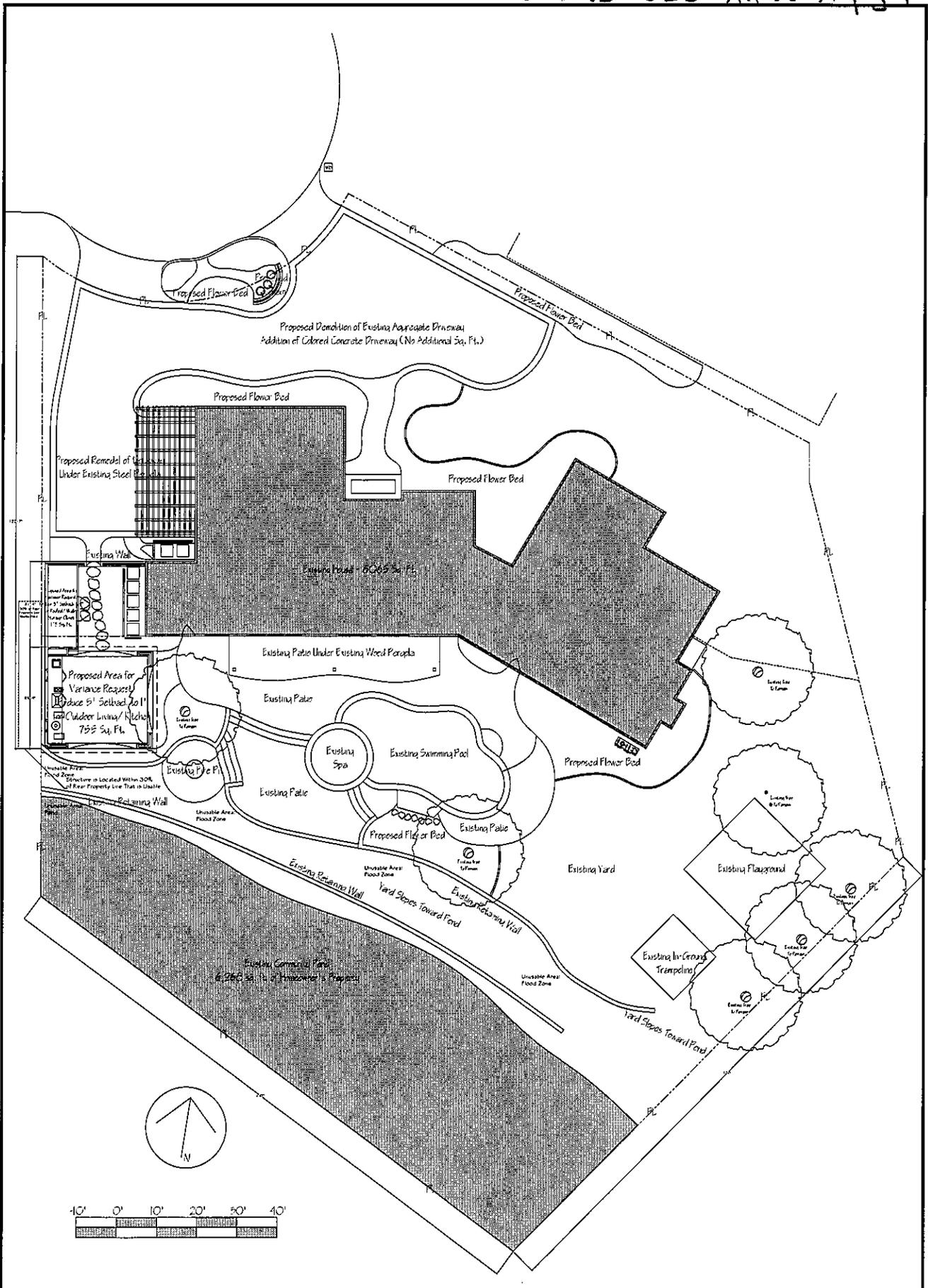


Rear Elevation



Driveway Elevation





<p>Notes: Labeled Masterplan</p>	<p>Hernandez Residence Wilson & Nayla 5902 Bent Trail Dallas, TX</p>	<p>Date: March 26, 2015</p> <p>Drawn By: Tyler Bligham</p> <p>Scale: 1" = 10'-0"</p> <p>Dwg #: LS 101</p> <p>BDA 145-055</p>	<p>5-11</p>
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Long, Steve

From: Nayla Saouaf <naylas1@gmail.com>
Sent: Friday, May 08, 2015 1:23 PM
To: Long, Steve
Subject: Revised2-Hernandez-LS1.01_Labeled Masterplan_24x36 (p).pdf
Attachments: Revised2-Hernandez-LS1.01_Labeled Masterplan_24x36 (p).pdf; ATT00001.txt

Dear Mr.Long,

I had bad reception and my phone did not cooperate. Thank you for the extension!

I'm attaching a JPEG of the document o turned in this morning.

The changes made to the master plan are simply a shorter storage closet to be compliant with building in the rear 30% of the property of we consider the rear property line to be where we can actually built which is at the upper retention wall.

I appreciate your patience.

Sincerely,

Nayla Saouaf



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-055

Date: 3-20-15

Data Relative to Subject Property:

Location address: 5902 Bent Trail, Dallas TX 75248 Zoning District: R-7.5(A)

Lot No.: 13 Block No.: 1/8225 Acreage: 0.903 Census Tract: 136.11

Street Frontage (in Feet): 1) 87' 2) 3) 4) 5) NEZR

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): WILSON HERNANDEZ + NAYLA SAOUAF

Applicant: WILSON HERNANDEZ Telephone: 407-595-4930

Mailing Address: 5902 Bent Trail Dallas TX 75248 Zip Code: 75248

E-mail Address: herna025@hotmail.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance [checked], or Special Exception, of REDUCING THE FIVE FOOT SETBACK ALONG THE WEST PROPERTY LINE TO ONE FEET FOR THE PURPOSE OF BUILDING AN OUTDOOR LIVING/KITCHEN STRUCTURE.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:

- 1) BUILDABLE AREA - OVER 6,000 SQ. FT. OF THE PROPERTY IS COVERED BY PONDS.
2) ODDLY SHAPED LOT - DUE TO THE SHAPE OF THE LOT, THE AREA OF SENSIBLE BUILDING SPACE IS LIMITED
3) SLOPED YARD - BECAUSE OF THE SLOPE OF THE YARD, THE HOMEOWNERS HAD TO BUILD RETAINING WALLS FURTHER LIMITING THE BUILDABLE SPACE

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

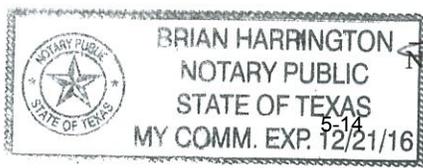
Affidavit

Before me the undersigned on this day personally appeared WILSON HERNANDEZ (Affiant/Applicant's name printed)

who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature] (Affiant/Applicant's signature)

Subscribed and sworn to before me this 5th day of MARCH, 2015



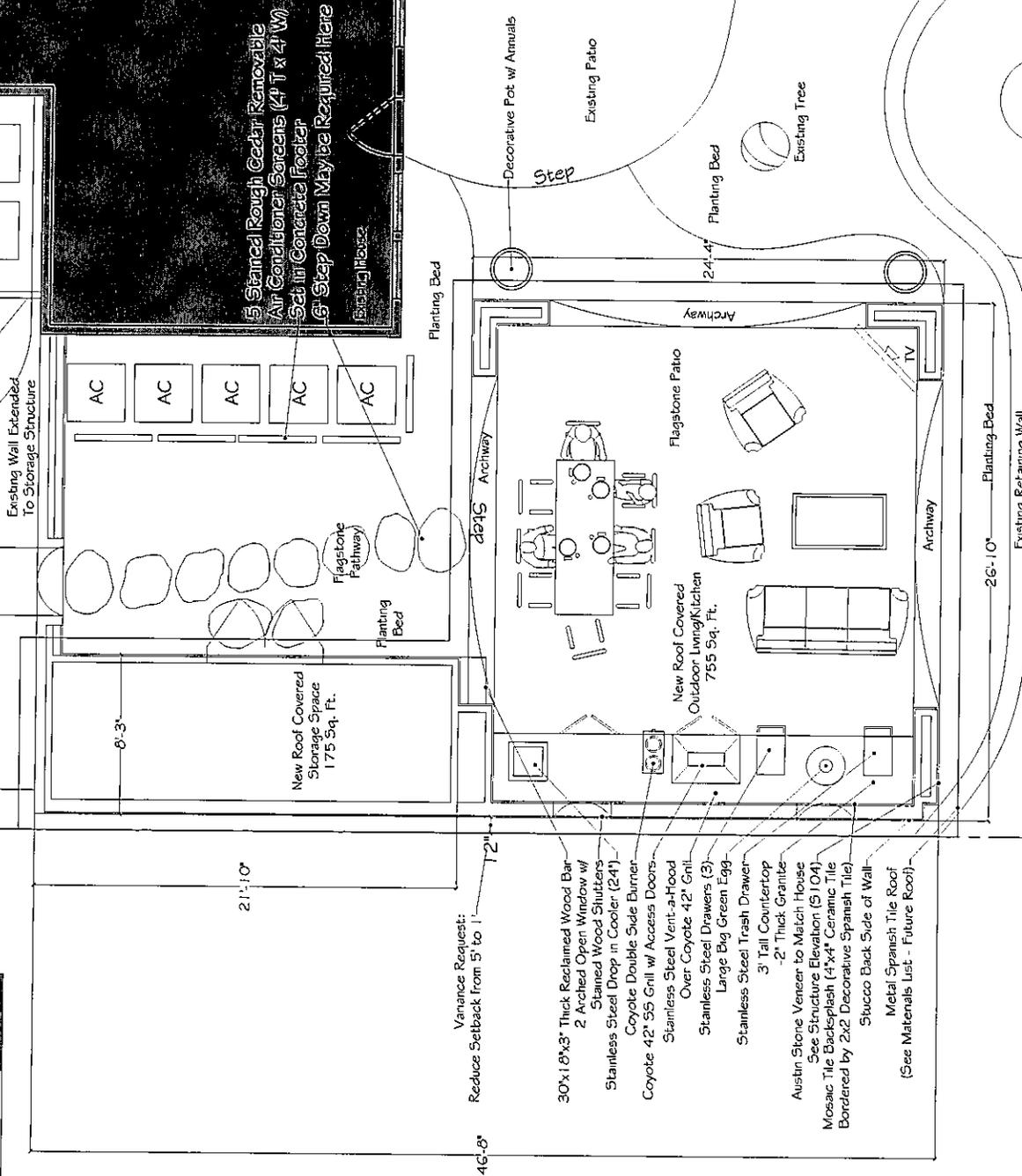
[Signature] Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)



BDA 145-055

5-19

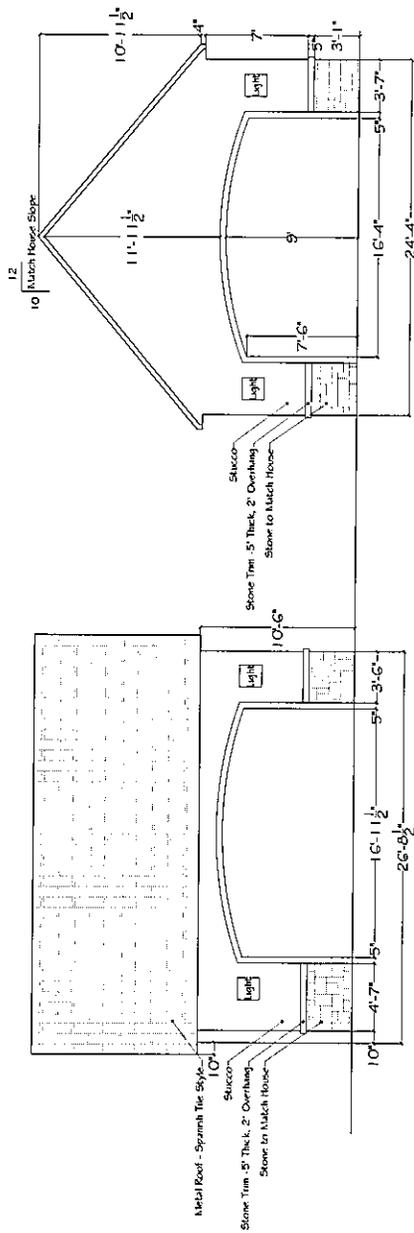


- Variance Request:
Reduce Setback from 5' to 1'-12"
- 30"x18"x3" Thick Reclaimed Wood Bar
 - 2 Arched Open Window w/ Stained Wood Shutters
 - Stainless Steel Drop in Cooler (24")
 - Coyote Double Side Burner
 - Coyote 42" 55 Grill w/ Access Doors
 - Stainless Steel Vent-in-Hood Over Coyote 42" Grill
 - Stainless Steel Drawers (3)
 - Large Bug Green Egg
 - Stainless Steel Trash Drawer
 - 3" Tall Countertop
 - 2" Thick Granite
 - Austin Stone Veneer to Match House
 - See Structure Elevation (S104)
 - Mosaic Tile Backsplash (4"x4" Ceramic Tile Bordered by 2x2 Decorative Spanish Tile)
 - Stucco Back Side of Wall
 - Metal Spanish Tile Roof
 - (See Materials List - Future Roof)

Hernandez Residence
Wilson & Nayla
5902 Bent Trail,
Dallas, TX

Notes:	Structure Floorplan
Date:	March 20, 2015
Drawn By:	Tyler Bigham
Scale:	3/8" = 1'-0"
Dwg #:	S 100

CONSTRUCTION



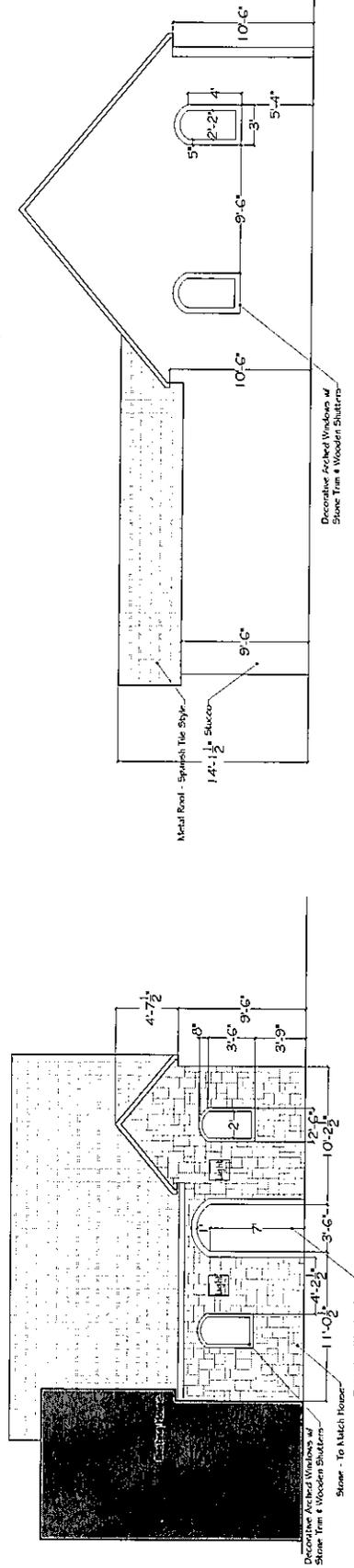
Poolside Elevation

Lakeside Elevation

Hernandez Residence
 Wilson & Nayla
 5902 Bent Trail,
 Dallas, TX

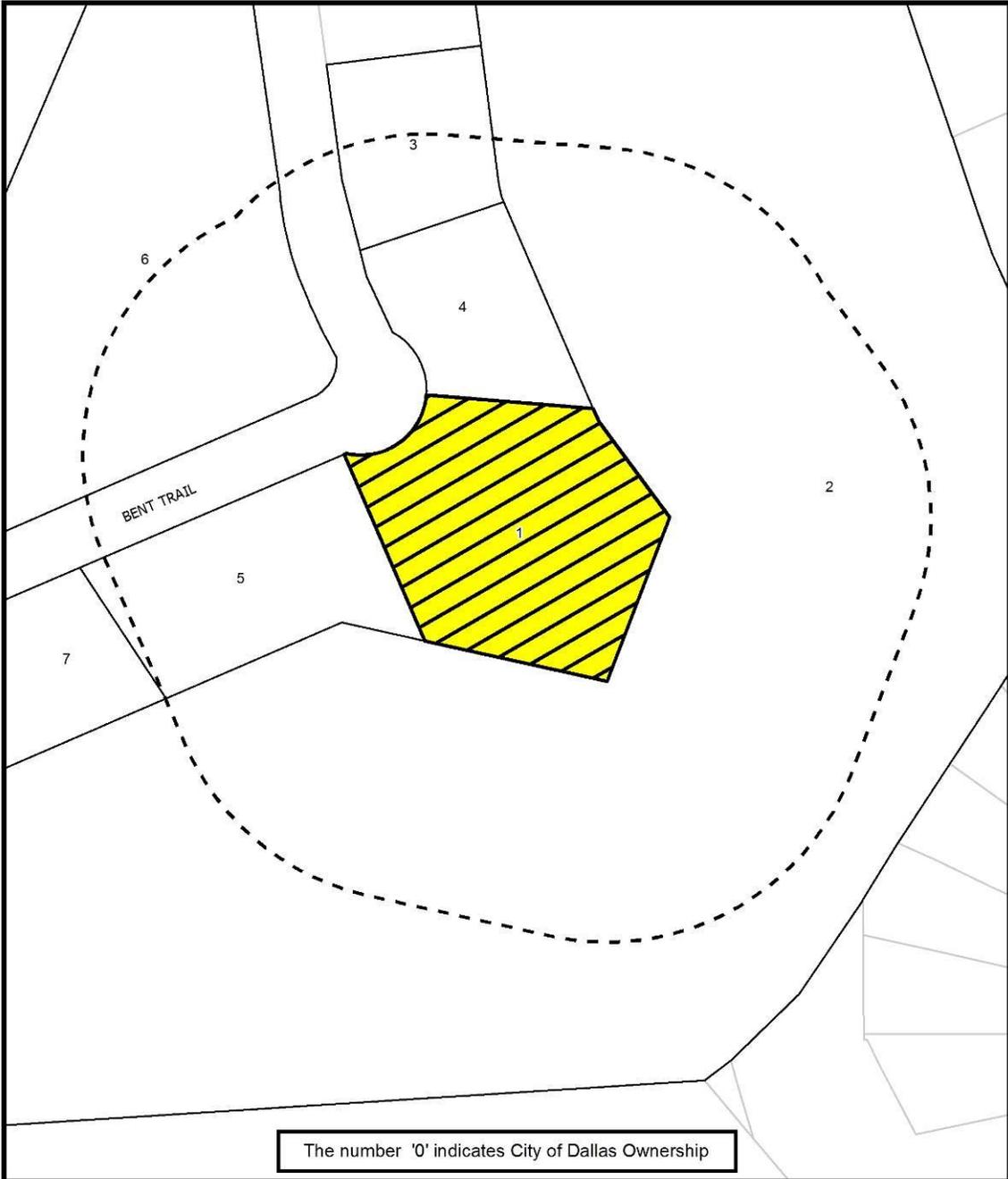
Notes:

Structure Elevations
Date: March 20, 2015
Drawn By: Tyler Bigham
Scale: 1/4" = 1' - 0"
Dwg #: S 101



Rear Elevation

Driveway Elevation



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;">7</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	7	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA145-055</u> Date: <u>4/30/2015</u>
200'	AREA OF NOTIFICATION					
7	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA145-055

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5902 BENT TRL	HERNANDEZ WILSON & NAYLA SAOUAF
2	5201 WESTGROVE DR	BENT TREE COUNTRY CLUB
3	5814 BENT TRL	BAKER CYNTHIA &
4	5818 BENT TRL	MEURER THOMAS E
5	5906 BENT TRL	CHASE HOWARD M &
6	5815 BENT TRL	PRICE CAROLE C
7	5914 BENT TRL	JONES ELWYN & JANE E