

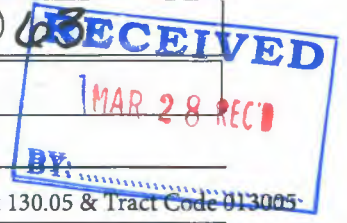


# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 245-0003



Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_

Location address: 9670 Lynbrook Drive, Dallas, Texas 75238 Zoning District: \_\_\_\_\_

Lot No.: 1 Block No.: J/7526 Acreage: 9,931 sq. ft. Census Tract: Census Tract 130.05 & Tract Code 013005

Street Frontage (in Feet): 1) 82' 2) 125' 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Rachel Iselin-Litt

Applicant: Rachel Iselin-Litt Telephone: 925-787-6191

Mailing Address: 9670 Lynbrook Drive, Dallas, Texas Zip Code: 75238

E-mail Address: rlitt06@gmail.com

Represented by: Nykolos McKissic (husband & attorney) Telephone: 214-969-2131

Mailing Address: 9670 Lynbrook Drive, Dallas, Texas Zip Code: 75238

E-mail Address: nykolos.mckissic@hklaw.com

Affirm that an appeal has been made for a Variance  or Special Exception  of Section 51A-4.602(a)(2) (four (4) feet fence height requirements) of the Dallas City Code to propose an updated fence height of eight (8) feet.

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: Please see Exhibit 1 attached hereto for an overview

of the Applicant's basis for this request for a special exception.

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 Rachel Iselin-Litt

(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: Rachel Iselin-Litt  
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 23 day of March, 2025

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



## SUPPLEMENTAL RESPONSES TO FORM 1023

### APPLICANT'S REQUEST FOR SPECIAL EXCEPTION

Rachel Iselin-Litt ("**Applicant**") and her husband, Nyk McKissic, respectfully request that the City of Dallas Board of Adjustment (the "**Board**") consider Applicant's request for a special exception (the "**Special Exception**") to Section 51A-4.602(a)(2)-(3) of the Dallas City Code (the "**Code**") for the real property located at 9670 Lynbrook Drive, Dallas, Texas, 75238 (the "**Property**"). More specifically, the Applicant respectfully requests the special exception to enable Applicant to replace her current six (6) foot fence with an eight (8) foot cedar, board-on-board fence with galvanized poles ("**Secured Fence**"). Applicant is requesting the Special Exception to enable the Applicant, who is expecting her first child in August 2025, to build the Secured Fence, as outlined the proposed engineering plans attached hereto as Exhibit 6, in the same place that Applicant's current fence is located to provide additional safety, security, and peace of mind for the Applicant while her family resides on the Property.

The Applicant requests the Special Exception because the Property has been subject to several attempted break-ins. The Property has also been repeatedly targeted by burglars and other opportunistic individuals who are aware that the Applicant works at the Property alone during the day. These attempted thefts have resulted in a loss of property, but they have also significantly contributed to the Applicant's increased sense of fear, insecurity, and anxiety, which has resulted in detrimental and negative consequents for the Applicant and her unborn child.

For example, **on Monday, January 27, 2025**, the Applicant and her husband returned home to find that someone had torn multiple planks from the current fence located on the Property, entered onto the Property, and broke into the detached garage located on the Property. In this scenario, the perpetrator stole items of minimal value, including handheld tools. Following this incident, the Applicant and her husband fixed the damaged fence posts and contacted the City of Dallas Police Department for increased surveillance in the neighborhood.

Nonetheless, the perpetrator returned just two days later **on Wednesday, January 29, 2025** to attempt to enter into the Property through the fence in the middle of the day. However, the perpetrator was dissuaded and ran away when perpetrator noticed that the Applicant was working from home at this time. The police were contacted at this time and additional surveillance was provided by the City of Dallas Police Department.

More recently, **on March 8, 2025**, the Applicant's husband recently returned home to find an individual walking along the back alleyway of the Property. This individual appeared to be checking the stability of the Property's current fence. The Applicant's husband informed the individual that he was calling the Dallas Police Department, and the individual left the Property. Further, the security cameras that were recently inserted on the Property have indicated that opportunistic people walking down Walnut Hill Road will often look through the current fence located on the Property to see if the Applicant and/or her family are present during the day. In addition, the security cameras on the Property have also captured individuals actively trying to open a gate that is located near the detached garage on the Property.

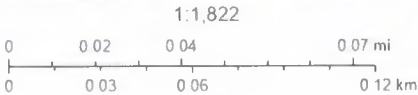
As outlined above, the Applicant has reported these incidents to the police, and they have graciously provided additional surveillance during the day. However, despite our best efforts to secure the Property, including adding additional lights and Ring cameras on and around the Property and getting additional assistance from the City of Dallas Police Department, the attempted theft and vandalism has persisted. In addition, the Applicant and her husband are expecting their first child this summer, and these consistent traumatic events have really caused them to feel unsafe and anxious on the Property, which is the home that they love. More importantly, these traumatic incidents have also had a negative effect on the mental, physical, and emotional health of the Applicant and her unborn child.

Consequently, Applicant requests the Board to approve the Special Exception to replace the current fence on the Property with the Secured Fence, which will provide additional security the Applicant and reduce her high-level of stress at this time. As indicated in the proposed plans, the Secured Fence will simply replace the current fence built in 1955. Furthermore, Applicant believes that incorporating the Secured Fence will enhance her and her expected child's safety. The Secured Fence will also help mitigate any further incidents to the Property, which will enable Applicant and her husband to concentrate on their current pregnancy journey.

# ArcGIS Web Map

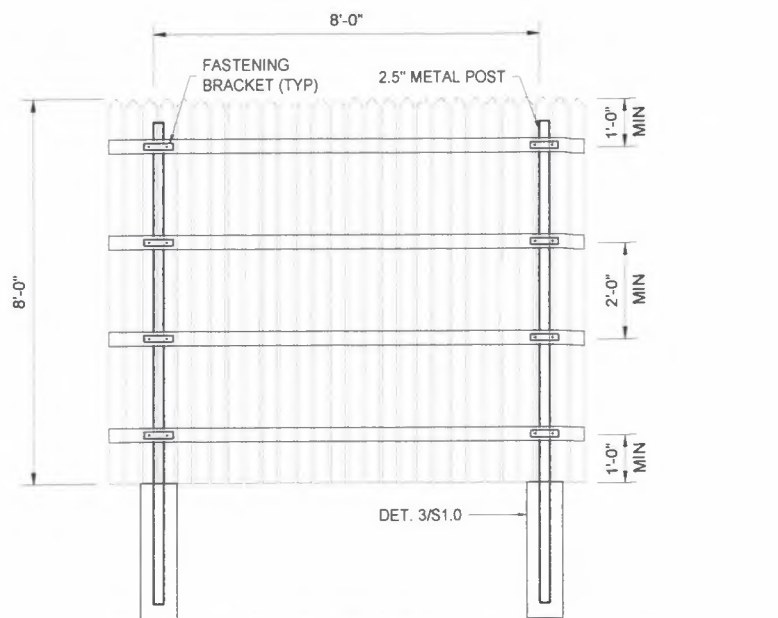


3/28/2025, 1:31:27 PM



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**EDA 245-063**



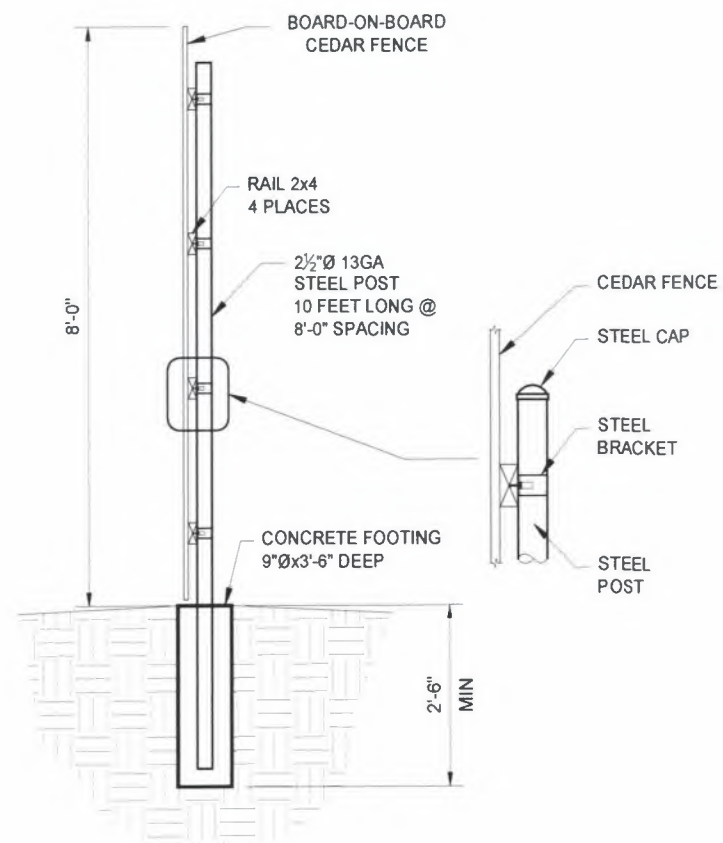
CEDAR FENCE ELEVATION VIEW

SCALE: 1/4"=1'-0"

2  
S1.0

GENERAL NOTES:

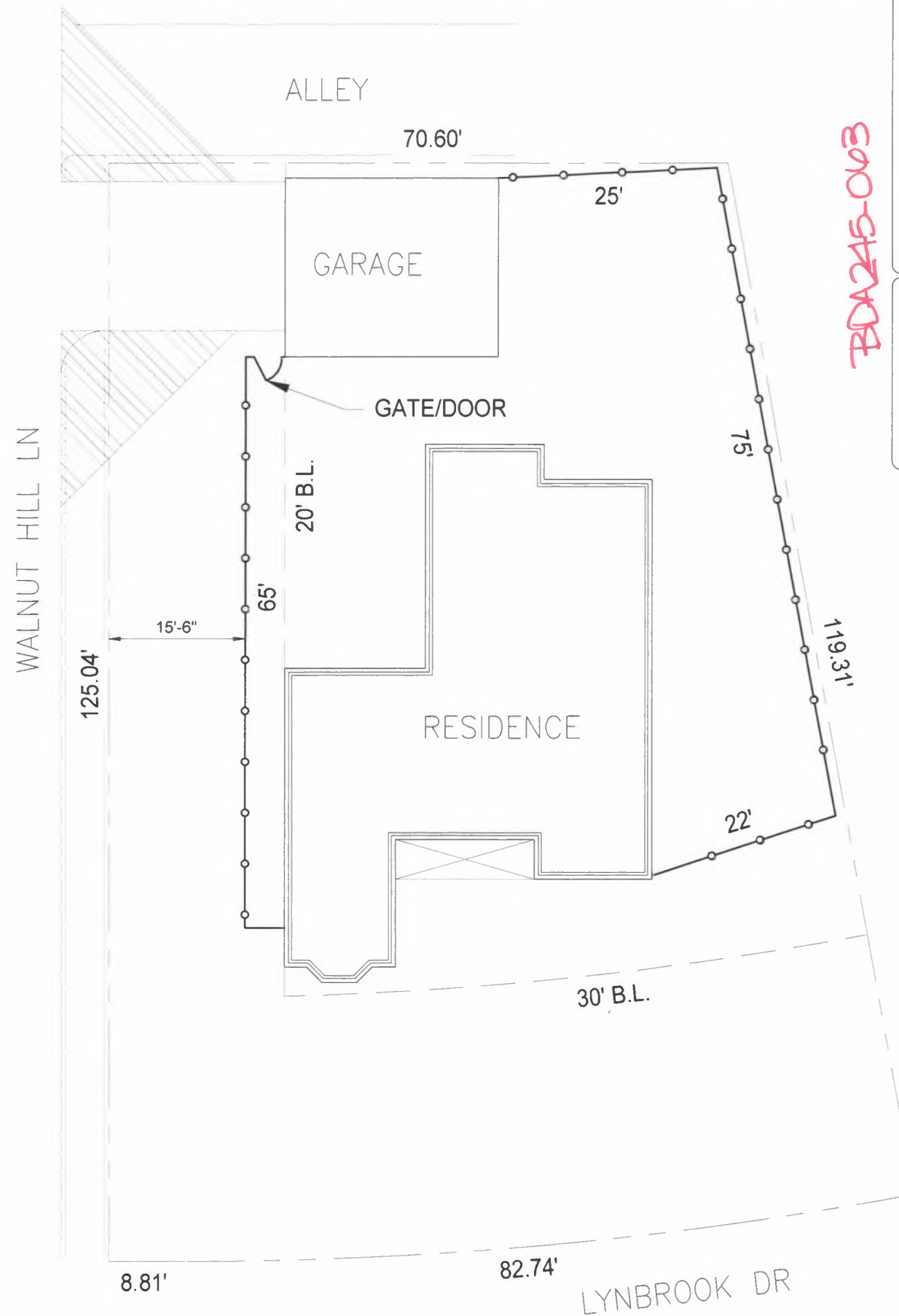
1. WIND SPEED: 90 MPH  
RISK CATEGORY: 1 WITH 100-YR MRI
2. FENCE POST AND FOOTING  
DESIGNED TO RESIST WIND PRESSURE  
IN ACCORDANCE WITH INTERNATIONAL  
RESIDENTIAL CODE 2021 EDITION



CEDAR FENCE POST DETAIL

SCALE: 3/8"=1'-0"

3  
S1.0



FENCE LINE PLAN

SCALE: 1/16"=1'-0"

1  
S1.0

CONTRACTOR:  
TOTAL CONSTRUCTION  
CONCRETE & FENCE  
(469) 569-0899

SEAL

SHEET NUMBER:

S1.0

SCALE: AS NOTED

DATE: 03-18-25

PROJECT NO: 113236.0

DRAWN BY: A. AKERS

APPROVED BY: B. WILSON

BOARD-TO-BOARD FENCE

LITT RESIDENCE  
9670 LYNBROOK DR.  
DALLAS, TX

Blake Wilson Engineering, P.L.L.C. • 1848 Norwood Plaza, Suite 114, Hurst, Texas 76054 • MAIN (817) 268-2345 • TEXAS FIRM REG. NO. F-3843

PRELIMINARY