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DALLAS, TX

**BOARD OF ADJUSTMENT (PANEL A)**

**AUGUST 20<sup>TH</sup>, 2024, BRIEFING AT 10:00 A.M. AND  
THE PUBLIC HEARING AT 1:00 P.M.**

**Dallas City Hall, Room 6ES Council Briefing and Videoconference**

**Video Conference Link: <https://bit.ly/boa0820-A>  
Telephone: (408) 418-9388, Access Code: 325527**

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board of Adjustment by calling (214) 670-4127 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting <https://dallastx.new.swagit.com/views/113>.

Individuals and interested parties wishing to speak must register with the Board of Adjustment at <https://bit.ly/BDA-A-Register> by the close of business Monday, August 19<sup>th</sup>, 2024. In Person speakers can register at the hearing.

La Ciudad de Dallas llevará a cabo Adecuaciones/Modificaciones Razonables a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio y/o interpretación para poder participar de forma íntegra en la reunión debe notificar a Junta de Ajustes llamando al (214) 670-4127 tres (3) días hábiles antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en <https://dallastx.new.swagit.com/views/113>.

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en at <https://bit.ly/BDA-A-Register> antes de cierre de oficina el Lunes, 19 de Agosto, 2024. Las personas que deseen hablar en persona se pueden registrar en la Audiencia.

**AGENDA**

- I. **Call to Order** David A. Neumann, Chairman
- II. **Staff Presentation/Briefing**
- III. **Public Hearing** Board of Adjustment
- IV. **Public Testimony**
- V. **Miscellaneous Items –**
  - Approval of Panel A Minutes, July 16<sup>th</sup>, 2024
- VI. **Case Docket** Board of Adjustment
  - Uncontested Items
  - Holdover Items
  - Individual Items
- VII. **Adjournment**

**Handgun Prohibition Notice for Meetings of Governmental Entities**

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."

**EXECUTIVE SESSION NOTICE**

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

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 City Council 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 §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

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**UNCONTESTED CASE(S)**

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<b>BDA234-093(CJ)</b>	325 N. Moore Street <b>REQUEST:</b> Application of Ali Ebrahimi for <b>(1)</b> a variance to the front-yard setback regulations.	1
<b>BDA234-095(CJ)</b>	6130 Royalton Drive <b>REQUEST:</b> Application of Rob Baldwin for <b>(1)</b> a variance to the front-yard setback regulations; for <b>(2)</b> a variance to the off-street parking regulations.	2

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**HOLDOVER**

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<b>BDA234-071(BT)</b>	607 W. Davis Street <b>REQUEST:</b> Application of Houshang Jahvani for <b>(1)</b> a special exception to the landscaping regulations.	3
<b>BDA234-077(CJ)</b>	3216 Peoria Avenue <b>REQUEST:</b> Application of Joel Perales for <b>(1)</b> a special exception to the fence height regulations.	4

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**INDIVIDUAL CASES**

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<b>BDA234-101(CJ)</b>	6801 Tyree Street <b>REQUEST:</b> Application of Akber Meghani to appeal the decision of the administrative official.	5
<b>BDA234-101_FR1</b>	6801 Tyree Street <b>REQUEST:</b> Application of Akber Meghani requesting a fee reimbursement for fees paid to appeal the decision of the administrative official.	6



BOARD OF ADJUSTMENT

Panel A Minutes

July 16<sup>th</sup>, 2024

**DRAFT**

6ES Council Briefing  
[24923176153@dallascityhall.webex.com](mailto:24923176153@dallascityhall.webex.com)

David A. Neumann, Chairman

**PRESENT: [5]**

David A. Neumann, Chairman	
Michael Hopkovitz	
Jay Narey	
Andrew Finney	
Nicholas Brooks	

**ABSENT: [0]**

Rachel Hayden	
Kathleen Davis	

Chairman David A. Neumann called the briefing to order at **10:09 A.M.** with a quorum of the Board of Adjustment present.

Chairman David A. Neumann called the hearing to order at **1:00 P.M.** with a quorum of the Board of Adjustment present.

The Chairperson stated that no action of the Board of Adjustment shall set a precedent. Each case must be decided upon its own merits and circumstances, unless otherwise indicated, each use is presumed to be a legal use. Each appeal must necessarily stand upon the facts and testimony presented before the Board of Adjustment at this public hearing, as well as the Board's inspection of the property.

**PUBLIC SPEAKERS**

The Board of Adjustment provided "public speaker" opportunities for individuals to comment on matters that were scheduled on the agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda.

- We had no speakers for public testimony during this hearing.

**MISCELLANEOUS ITEMS**

Approval of the Board of Adjustment Panel A, June 18<sup>th</sup>, 2024, Meeting Minutes.

**Motion was made to approve Panel A, June 18<sup>th</sup>, 2024, Public Hearing Minutes.**

Maker:	Nicholas Brooks				
Second:	Andrew Finney				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**CONSENT ITEMS**

**1. 5711 Deloache Avenue**  
 BDA234-081(BT)

**BUILDING OFFICIAL’S REPORT:** Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations, **(2)** a special exception to the fence standards regulations, and for **(3)** a special exception to the fence height regulations at **5711 DELOACHE AVE**. This property is more fully described as Block 8/5598, 1.716 acre tract, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line, and limits the height of a fence in the side-yard to 9-feet. The applicant proposes to construct and/or maintain a 10-foot 4-inch-high fence in a required front-yard, which will require **(1)** a 6-foot 4-inch special exception to the fence height regulations, and to construct and/or maintain a fence structure in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence standards regulations, and to construct and/or maintain a 10-foot 4-inch-high fence in a required side-yard, which will require **(3)** a 1-foot 4-inch special exception to the fence regulations.

**LOCATION:** 5711 Deloache Ave.

**APPLICANT:** Jennifer Hiromoto

**REQUEST:**

- (1) A request for a special exception to the fence height regulations;
- (2) A request for a special exception to the fence standard regulations; and
- (3) A request for a special exception to the fence height regulations

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT AND FENCE OPACITY STANDARD REGULATIONS:**

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

**STAFF RECOMMENDATION:**

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-1ac(A)
- North: R-1ac(A)
- East: R-1ac(A)
- South: R-1ac(A)
- West: R-1ac(A)

**Land Use:**

The subject site and all surrounding properties are developed with single-family uses.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Jennifer Hiromoto for the property located at 5711 Deloache Ave. focuses on 3 requests relating to the fence height and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 10-foot 4-inch high gate and fence in a required front-yard, along Deloache Ave., which will require a 6-foot 4inch special exception to the fence height regulations.
- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- Lastly, the applicant is proposing to construct and maintain a 10-foot 4-inch high gate and fence in a required side-yard, along Dallas North Tollway, which will require a 1-foot 4inch special exception to the fence height regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of stone, metal and masonry wall along Deloache Ave. located on the front property line.

- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of stone veneer columns and cement stucco finish over CMU along Dallas North Tollway located on the side property line.
- Based upon staff’s analysis of the surrounding properties, some properties provided a fence and gate in the required front yard and/or some provided a form of vegetation serving as a screening mechanism along Dallas North Tollway.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-081 5711 Deloache Ave](#)

**Timeline:**

- May 16, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.
- July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

**Speakers:**

For: No Speakers

Against: No Speakers

**Motion**

I move that the Board of Adjustment **GRANT** the following applications listed on the uncontested docket because it appears, from our evaluation of the property and all relevant evidence that the applications satisfy all the requirements of the Dallas Development Code and are consistent with the general purpose and intent of the Code, as applicable to wit:

**BDA 234-081** – Application of Jennifer Hiromoto for a special exception to the fence height regulations in the front-yard of the Dallas Development Code is granted subject to the following condition:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

**BDA 234-081** – Application of Jennifer Hiromoto for a special exception to the fence opacity regulations in the Dallas Development Code is granted subject to the following condition:

Compliance with opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

**BDA 234-081** – Application of Jennifer Hiromoto for a special exception to the fence height regulations in the side-yard of the Dallas Development Code is granted subject to the following condition:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Andrew Finney				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**2. 7117 Churchill Way**

**\*This item was moved to Individual Cases\***

BDA234-082(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Monica Hernandez for **(1)** a special exception to the fence height regulations at 7117 Churchill Way. This property is more fully described as Block A/7463, Lot 2, and is zoned R-1/2ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations.

**LOCATION:** 7117 Churchill Way

**APPLICANT:** Monica Hernandez

**REQUEST:**

(4) A request for a special exception to the fence height regulations.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:**

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence opacity regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATION:**

Special Exception (1):

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 7117 Churchill Way in the last 5 years.

**Square Footage:**

- This lot contains 54,400.002 of square feet.
- This lot is zoned R-1/2 ac (A) which has a minimum lot size of 21,780 square feet or 0.50 ac.

**Zoning:**

- Site: R-1/2ac (A) (Single Family District)
- North: R-1/2ac (A) (Single Family District)
- East: Planned Development 381 Zoning District
- South: Planned Development 381 Zoning District
- West: Planned Development 381 Zoning District

**Land Use:**

The subject site and surrounding properties to the north, east and south are developed with single-family uses. Properties to the east are developed with uses permissible in Planned Development 381.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application, for the Monica Hernandez property located at 7117 Churchill Way focuses on one request relating to fence height regulations.
- The applicant proposes to construct and 7-foot-6-inch high fence in a required front yard, which will require a 3-foot 6-inch special exception to the fence height regulations.
- The required front yard setback in R-1/2ac (A) Zoning District is 40 feet.

- The subject site along with properties to the north, south, east and west are all developed with single-family homes and a park.
- The submitted site plan and elevations shows the applicant is proposing to construct a 7-foot 6-inch high fence in the required front yard of the property at 7117 Churchill Way.
- The proposed fence is material is wrought iron connected by stone columns.
- The subject site is a mid-block lot, and it has single street frontage on Churchill Way.
- Per staff’s review of the subject site, it has been confirmed that the fence is proposed and not existing.
- The subject site sits directly across the street from The Estates of Lake Forest gated community which is surrounded by a brick HOA/community fence.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-082 at 7117 Churchill Way](#)

**Timeline:**

- May 16, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.
- July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief

Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Monica Hernandez, 7821 Pennington Ct, Plano TX 75025

Against: No Speakers

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 234-082, on application of Monica Hernandez, **DENY** the special exception requested by this applicant to construct and/or maintain a 7-foot 6-inch high fence **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Nicholas Brooks				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to deny
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**3. 938 N. Clinton Avenue**

**\*This item was moved to Individual Cases\***

BDA234-089(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Christopher Crowder for (1) a special exception to the visibility obstruction regulations at 938 N. Clinton Ave. This property is more fully described as Block 4/3455, Lot 11, and is zoned CD-1, which requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (1) a special exception to the visibility obstruction regulation.

**LOCATION:** 938 North Clinton Avenue

**APPLICANT:** Christopher Crowder

**REQUEST:**

(5) A special exception to the 20-foot visibility obstruction regulations at the drive approach.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:**

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

**STAFF RECOMMENDATION:**

Special Exceptions (1):

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not constitute a traffic hazard.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 938 N. Clinton Ave. in the last 5 years.

**Square Footage:**

- This lot contains 6,098.4 of square feet.
- This lot is zoned Conservation District #1 / R-7.5(A) which has a minimum lot size of 7,500 square feet.

**Zoning:**

- Site: Conservation District #1 / R-7.5(A)
- North: Conservation District #1 / R-7.5(A)
- East: Conservation District #1 / R-7.5(A)
- South: Conservation District #1 / R-7.5(A)
- West: Conservation District #1 / R-7.5(A)

**Land Use:**

The subject site and all surrounding properties are developed with single-family residential uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application, for the Christopher Crowder property located at 938 North Clinton Avenue focuses on one request relating to the visual obstruction regulations.
- The applicant is proposing to maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visual obstruction regulations at the drive approach.
- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- The submitted site plan and elevations shows the applicant is proposing to maintain a 6-foot high fence along the Stewart Drive side of the home; this existing fence has a 10-foot wide gate opening that crosses the driveway and obstructs the required 20-foot visibility triangle at the drive approach.
- The fence is material is board on board wood.
- It is imperative to note that the subject site is a corner lot, and it has double street frontage on Clinton Avenue and Stewart Drive.

- The front yard of the subject site is along Clinton Avenue and the side yard of the subject site is along Stewart Drive.
- The applicant has stated that the request for special exception has been made due to fixed city features (telephone/electrical poles) along with a fixed housing structure preventing the relocation of the driveway and gate.
- Based upon staff’s analysis of the surrounding properties, there are a few homes along Stewart Drive with fences and gates in the required side yard and/or some form of vegetation serving as a screening mechanism.
- Based upon review comments from our Transportation Engineer, the transportation department is not in favor of the proposed encroachment.
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations will not constitute a traffic hazard.
- Granting the special exceptions to the visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-089 at 938 N. Clinton Ave.](#)

**Timeline:**

- May 20, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**
- June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.
- July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.
- July 2, 2024: The Traffic Engineering team provided staff with a review comment

document.

Speakers:

For: Christopher Crowder, 938 N. Clinton Ave., Dallas TX 75208

Against: None

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 234-089, on application of Christopher Crowder, **GRANT** the request to maintain items in the 20-foot visibility triangle at the driveway on Stewart Drive as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code, as amended:

Compliance with the most recent version of all submitted plans are required.

Maker:	Andrew Finney				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**4. 10660 Strait Lane**

**\*This item was moved to Individual Cases\***

BDA234-090(BT)

**BUILDING OFFICIAL’S REPORT:** Application of Andy Onan for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the fence opacity regulations; and for **(3)** a special exception to the fence material regulations at **10660 STRAIT LN**. This property is more fully described as Block 5518 Lot 4A, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet; and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line; and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain a 13-foot-high fence in a required front-yard, which will require **(1)** a 9-foot special exception to the fence height regulations; construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations;, and to construct and/or maintain a fence using a prohibited material, which will require **(3)** a special exception to the fence material regulations.

**LOCATION:** 10660 Strait Ln.

**APPLICANT:** Andy Onan

**REQUEST:**

- (6) A request for a special exception to the fence height regulations;
- (7) A request for a special exception to the fence standard regulations regarding opacity; and
- (8) A request for a special exception to the fence standard regulations regarding prohibited material

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT, FENCE OPACITY AND FENCE MATERIAL STANDARD REGULATIONS:**

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

**STAFF RECOMMENDATION:**

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-1ac(A)
- North: R-1ac(A)
- East: R-1ac(A)/SUP-1622
- South: R-1ac(A)
- West: R-1ac(A)

**Land Use:**

The subject site and all surrounding properties are developed with single-family uses.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Andy Onan for the property located at 10660 Strait Ln. focuses on 3 requests relating to the fence height, fence opacity regulations, and prohibited material.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 13-foot high gate and fence in a required front-yard, which will require a 9-foot special exception to the fence height regulations.
- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.

- Lastly, the applicant is requesting a special exception to the fence standards regulations regarding prohibited material.
- The subject site along with surroundings properties to the north, south and west are all developed with single-family homes.
- Directly to east (behind the subject property) is SUP 1622, The Creeks, a gated residential community.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of wrought iron gate with a chopped limestone veneer wall, located on the front property line.
- Based upon staff’s analysis of the surrounding properties, some properties provided a fence and gate exceeding 4-feet above grade in the required front yard and/or some provided a form of vegetation serving as a screening mechanism along Strait Ln.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-090 10660 Strait Ln](#)

**Timeline:**

- May 21, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.

July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Tommy Mann, 500 Winstead Building, Dallas TX 75201  
 Morgan Brown, 10660 Strait Lane, Dallas TX 75229

Against: No Speakers

**Motion # 1**

I move that the Board of Adjustment, in Appeal No. BDA 234-090, on application of Andy Onan, **GRANT** the request of this applicant to construct and/or maintain a 13-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Andrew Finney				
Second:	Jay Narey				
Results:	5-0				Motion to hold under advisement
		Ayes:	-	4	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	1	Kathleen Davis

**Motion # 2**

I move that the Board of Adjustment, in Appeal No. BDA 234-090, on application of Andy Onan, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Andrew Finney				
Second:	Nicholas Brooks				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**Motion # 3**

I move that the Board of Adjustment, in Appeal No. BDA 234-090, on application of Andy Onan, **GRANT** the request of this applicant for a special exception to the fence materials standards contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with the materials and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Andrew Finney				
Second:	Nicholas Brooks				
Results:	4-1				Motion to grant
		Ayes:	-	4	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and
		Against:	-	1	Michael Hopkovitz

**INDIVIDUAL CASES**

**5. 5503 Monticello Avenue**

**This Case was moved first at the 1:00 PM Hearing.**

BDA234-076\_FR1(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Michele Stephens for a special exception to the 20-foot visibility obstruction regulations at the drive approach, and for a special exception to the visibility obstruction regulation at the intersection of a street and alley at 5503 MONTICELLO AVE. This property is more fully described as Block H/2176, Lot 1 and is zoned CD-9 (R-7.5(A)) which requires a 20-foot visibility triangle at the driveway approach and requires a 20-foot visibility triangle at the intersection of a street and alley.

**LOCATION:** 5503 Monticello Avenue

**APPLICANT:** Michele Stephens

**REQUESTS:**

The applicant is requesting a fee reimbursement for fees paid for the application of the special exceptions to the visibility triangle regulations at the driveway and for the visibility triangle regulations at the intersection of a street and an alley at 5503 Monticello Avenue which appeared before Panel A on June 18, 2024.

**STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:**

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board’s miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

**STAFF RECOMMENDATION:**

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

Speakers:

For: Michele Stephens, 5503 Monticello Ave, Dallas TX 75206  
 Against: None

**Motion # 1**

I move that the Board of Adjustment, in Appeal No. BDA 234-076\_FR1, on application of Michele Stephens, **GRANT** the request to reimbursement of the filing fees to be paid in association with a request for a special exception to the 20’ visibility obstruction at the driveway approach because our evaluation of the property and testimony shows that the payment of the fee would result in substantial financial hardship to this applicant.

Maker:	Nicholas Brooks				
Second:	Andrew Finney				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**Motion # 2**

I move that the Board of Adjustment, in Appeal No. BDA 234-076\_FR1, on application of Michele Stephens, **DENY** the request reimbursement to the filing fees to be paid in association with a request for a special exception to the 20’ visibility obstruction at the alley as requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that payment of the fee would NOT result in substantial financial hardship to this applicant.

Maker:	Michael Hopkovitz				
Second:	Nicholas Brooks				
Results:	5-0 Unanimously				Motion to deny
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**6. 9040 Mercer Drive**  
 BDA234-086(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Andy Onan for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the fence opacity regulations; and for **(3)** a special exception to the fence material regulations at **10660 STRAIT LN**. This property is more fully described as Block 5518 Lot 4A, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet; and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line; and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain a 13-foot-high fence in a required front-yard, which will require **(1)** a 9-foot special exception to the fence height regulations; construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations;, and to construct and/or maintain a fence using a prohibited material, which will require **(3)** a special exception to the fence material regulations.

**LOCATION:** 10660 Strait Ln.

**APPLICANT:** Andy Onan

**REQUEST:**

- (9) A request for a special exception to the fence height regulations;
- (10) A request for a special exception to the fence standard regulations regarding opacity; and
- (11) A request for a special exception to the fence standard regulations regarding prohibited material

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT, FENCE OPACITY AND FENCE MATERIAL STANDARD REGULATIONS:**

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

**STAFF RECOMMENDATION:**

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-1ac(A)
- North: R-1ac(A)
- East: R-1ac(A)/SUP-1622
- South: R-1ac(A)
- West: R-1ac(A)

**Land Use:**

The subject site and all surrounding properties are developed with single-family uses.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Andy Onan for the property located at 10660 Strait Ln. focuses on 3 requests relating to the fence height, fence opacity regulations, and prohibited material.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 13-foot high gate and fence in a required front-yard, which will require a 9-foot special exception to the fence height regulations.
- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- Lastly, the applicant is requesting a special exception to the fence standards regulations regarding prohibited material.
- The subject site along with surroundings properties to the north, south and west are all developed with single-family homes.
- Directly to east (behind the subject property) is SUP 1622, The Creeks, a gated residential community.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of wrought iron gate with a chopped limestone veneer wall, located on the front property line.
- Based upon staff’s analysis of the surrounding properties, some properties provided a fence and gate exceeding 4-feet above grade in the required front yard and/or some provided a form of vegetation serving as a screening mechanism along Strait Ln.

- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-090 10660 Strait Ln](#)

**Timeline:**

May 21, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.

July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Mustafa Swayedi, 9040 Mercer Drive, Dallas TX 75228

Against: None

**Motion # 1**

I move that the Board of Adjustment, in Appeal No. BDA 234-086, on application of Mustafa Swayedi, **GRANT** the request of this applicant to construct and/or maintain a 6-foot high fence as a

special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Jay Narey				
Second:	Michael Hopkoviz				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**Motion # 2**

I move that the Board of Adjustment, in Appeal No. BDA 234-086, on application of Mustafa Swayedi, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Jay Narey				
Second:	Andrew Finney				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**7. 8306 Midway Road**  
 BDA234-092(CJ)

**BUILDING OFFICIAL’S REPORT** Application of Matthew Hickey represented by Jennifer Hickey for (1) a special exception to the fence height regulations; and for (2) a special exception to the fence opacity regulations at 8306 Midway Rd. This property is more fully described as Block A/4971, Lot C, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet; and requires

a fence panel with a surface area that is less than 50 percent open not be located less than five feet from the front lot line. The applicant proposes construct and/or maintain a 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations; and the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

**LOCATION:** 8306 Midway Road

**APPLICANT:** Matthew Hickey

**REPRESENTED BY:** Jennifer Hickey

**REQUEST:**

(12)  
A request for a special exception to the fence height regulations; and

(13)  
A special exception to the fence standards regulations regarding opacity.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT & OPACITY STANDARD REGULATIONS:**

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence opacity regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

**STAFF RECOMMENDATION:**

Special Exceptions (2):

No staff recommendation is made on this or any request for a special exception to the fence regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 8306 Midway Rd. in the last 5 years.

**Square Footage:**

- This lot contains 23,958 of square feet.
- This lot is zoned R-10 (A) which has a minimum lot size of 10,000 square feet.

**Zoning:**

- Site: R-10 (A) (Single Family District)
- North: R-10 (A) (Single Family District)
- East: R-10 (A) (Single Family District)
- South: R-10 (A) (Single Family District)
- West: R-7.5 (A) (Single Family District)

**Land Use:**

The subject site and all surrounding properties are developed with single-family uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Matthew Hickey for property located at 8306 Midway Road focuses on 2 requests relating to the fence height and fence standards regarding opacity.
- The applicant proposes to maintain and 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- Secondly, the applicant is planning to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line which will require a special exception to the fence standards regulations regarding opacity.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- The submitted site plan and elevations show the applicant is proposing to maintain a 6-foot high fence in the required front yard along Midway Road.
- The fence is material is brick connected by metal framed wood gates at various points along the fence.
- The subject site is a mid-block lot with single street frontage along Midway Road.
- Based upon staff's analysis of the surrounding properties, there are a very few homes along Midway Road with fences and gates in the required front yard.
- Per staff's review of the subject site, it has been confirmed that the fence is existing and not proposed.
- Plans for the existing fence were approved by the Development Services (now Planning & Development Department after June 2024 department merge) permitting center on March 15, 2024 and issued under permit #2403151099.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standard regulations relating to height and opacity with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-092 at 8306 Midway](#)

**Timeline:**

- June 3, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- June 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A
- June 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the June 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 5, 2024, 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.
- July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

- For: Matt Hickey, 8306 Midway Rd., Dallas TX 75209  
 Jennifer Hickey, 8306 Midway Rd., Dallas TX 75209
- Against: None

**Motion # 1**

I move that the Board of Adjustment, in Appeal No. BDA 234-092, on application of Matthew Hickey, **GRANT** the request of this applicant to construct and/or maintain a 6-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with height and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Jay Narey			
Second:	Andrew Finney			

Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**Motion # 2**

I move that the Board of Adjustment, in Appeal No. BDA 234-092, on application of Matthew Hickey, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Jay Narey				
Second:	Andrew Finney				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Andrew Finney, Nicholas Brooks, Jay Narey and Michael Hopkovitz
		Against:	-	0	

**ADJOURNMENT**

After all business of the Board of Adjustment had been considered, Chairman moved to adjourn the meeting at 3:27 p.m.

Maker:	Jay Narey				
Second:	Andrew Finney				
Results:	5-0 unanimously				Motion to adjourn

\_\_\_\_\_  
 Required Signature:  
 Mary Williams, Board Secretary  
 Planning & Development Department

\_\_\_\_\_  
 Date

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Required Signature:

Bryant Thompson, Acting Board Administrator  
Planning & Development Department

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Date

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Required Signature:

David A. Neumann, Chairman  
Board of Adjustment

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Date

**FILE NUMBER:** BDA234-093 (CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Ali Ebrahimi for **(1)** a variance to the front-yard setback regulations at 325 N. Moore St. This property is more fully described as Block 2/7675, Lot 31 and is zoned PD-1052 (R-5(A)), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require **(1)** a 15-foot variance to the front-yard setback regulations.

**LOCATION:** 325 N Moore St.

**APPLICANT:** Ali Ebrahimi

**REQUEST:**

(1) A request for a variance to the front-yard setback regulations.

**STANDARDS OF REVIEW FOR A VARIANCE:**

Section 51A-3.102(d)(10) of 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.

**ELEMENT II SUBSTITUTE:**

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

**STAFF RECOMMENDATION:**

Variance to the front-yard setback regulations: **Approval**

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted
- B. Is restrictive in area, shape, and slope.
  - The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sq ft., the subject site is approximately 4,356 sq ft.
  - The subject site has a triangular shape with two front yards along N. Moore St. and Hutchins St. having 20-foot setbacks which restricts the developable shape and area.
  - The area is sloped
- C. Is not a self-created or personal hardship.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 325 N. Moore St. within the last 5 years.

**Square Footage:**

This lot contains 4,356 of square feet.

This lot is zoned R-5(A) which has a minimum lot size of 5,000 square feet.

**Zoning:**

Site: R-5 (A) (Single-Family Zoning District)

North: R-5 (A) (Single-Family Zoning District)

South: R-5 (A) (Single-Family Zoning District)

East: R-5 (A) (Single-Family Zoning District)

West: R-5 (A) (Single-Family Zoning District)

**Land Use:**

The subject site is developed with a single-family structure. The areas to the north, south, east, and west are developed and being developed with single-family uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application for the Ali Ebrahimi property located at 325 N. Moore Street focuses on one request relating to the front yard setback regulations.
- A request for a variance to the front yard setback regulations of 15-feet is made to construct and/or maintain a single-family residential structure at 325 N. Moore Street.
- Zoning District PD-1052; R-5(A) requires a minimum front yard setback of 20-feet.
- It is imperative to note that the subject site is a corner lot and has double street frontage on North Moore Street and Hutchins Avenue.
- As gleaned from the submitted site plan, the proposed home is set to encroach 15-feet into the 20-foot required front yard setback at 325 N. Moore Street, specifically the front yard setback on Hutchins Avenue.
- Based upon staff's analysis of the surrounding properties, the subject site is restrictive in size being only 4,356 sqft in the R-5(A) zoning district which has a minimum lot size of 5,000 sqft. Staff has also concluded that the triangular shape of the subject site is irregular.
- The subject site is sloped in a way that may restrict the developable area.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the front 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 a specific parcel of land that differs from other parcels of land by being of such 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
- 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
  - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
  - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
  - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
  - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed 15-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
  - 200' Radius Video:

**Timeline:**

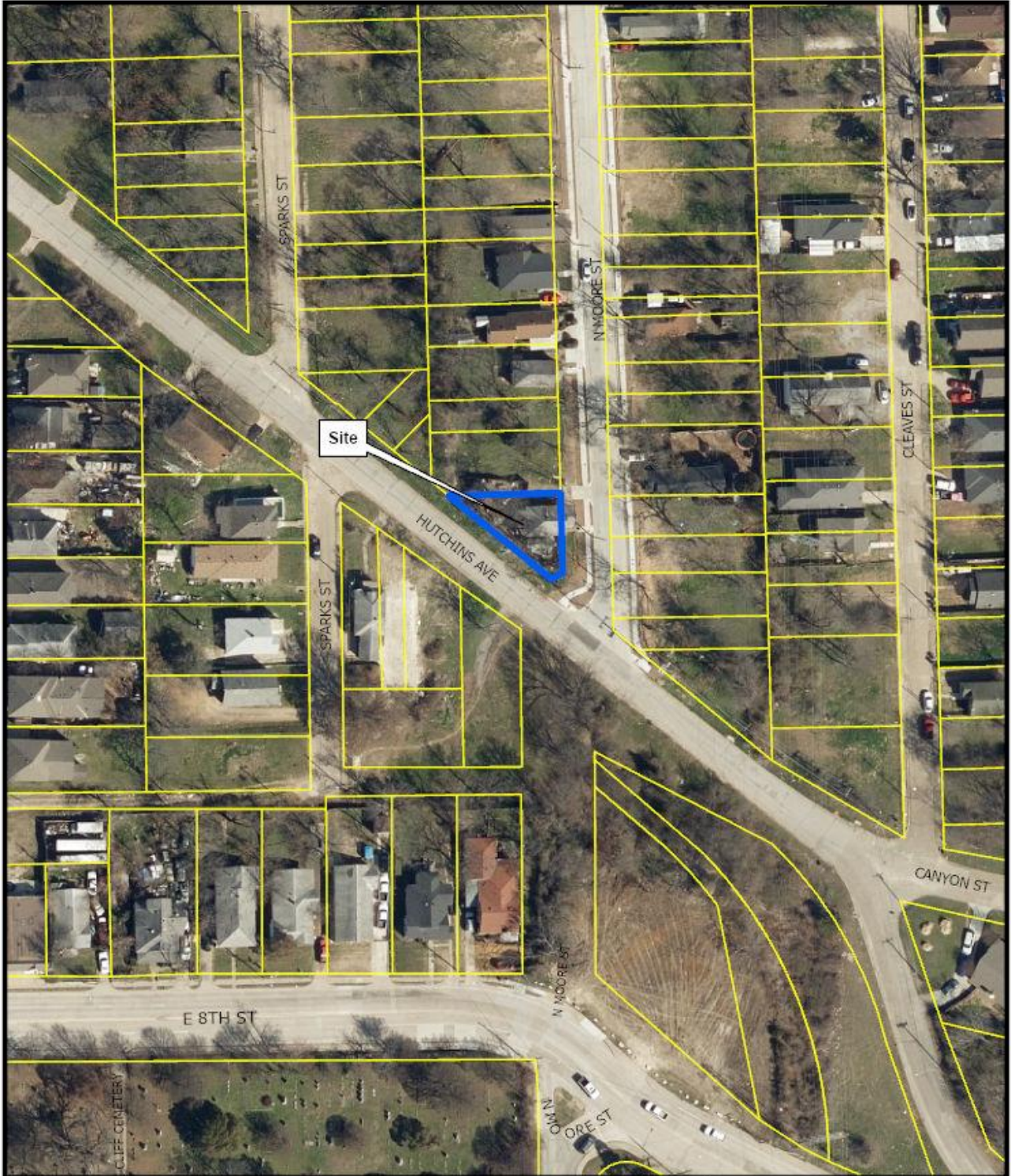
- June 21, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
  - an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to

submit additional evidence for staff to factor into their analysis; and July 26, 2024, 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.

July 29, 2024:

The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

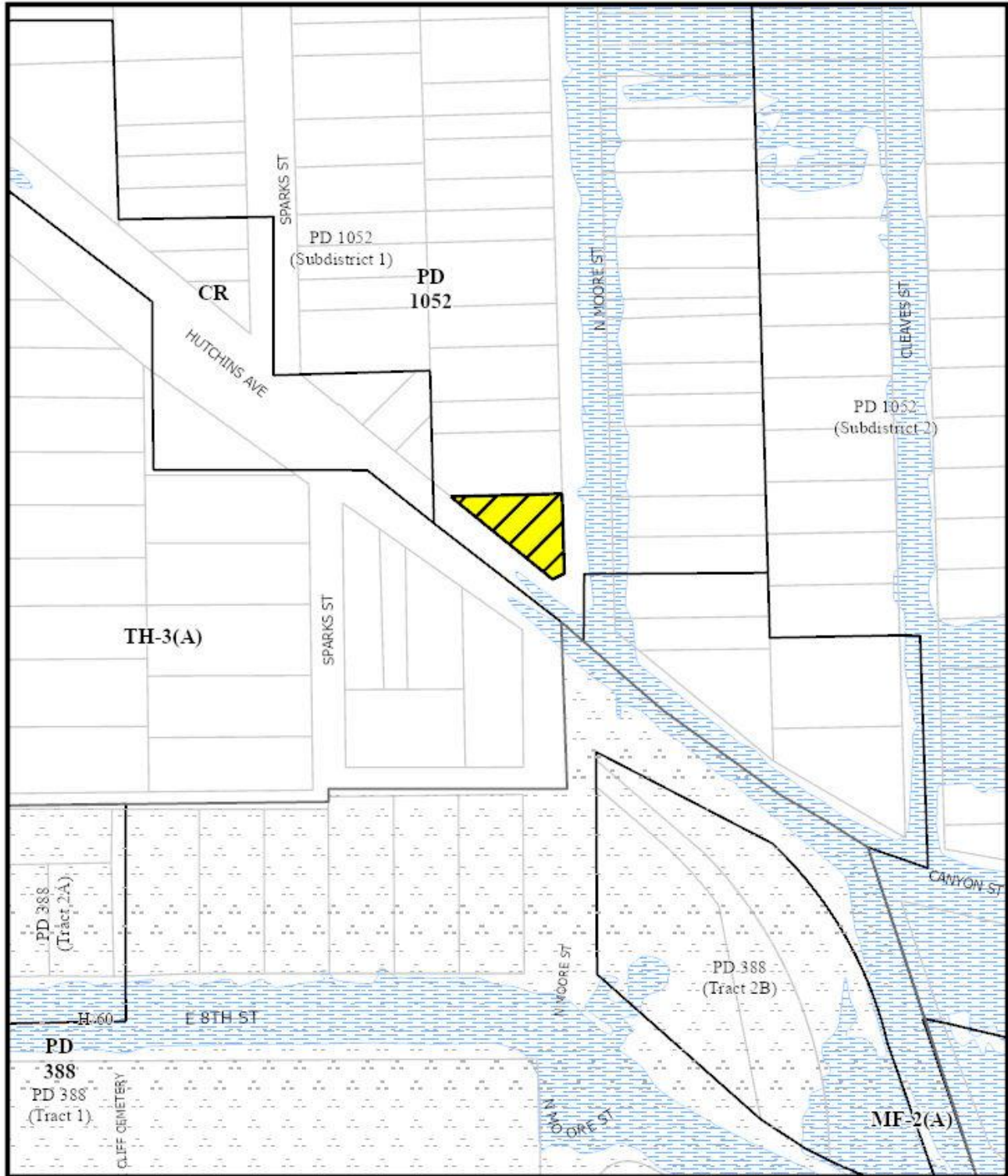


1:1,200

# AERIAL MAP

Case no: BDA234-093


Date: 07/17/2024




  
 1:1,200

# ZONING MAP

Case no: BDA234-093  
 Date: 07/17/2024

The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



The number '0' indicates City of Dallas Ownership

 1:1,200	<h2>NOTIFICATION</h2>	Case no: <b>BDA234-093</b>
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">45</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: <b>7/17/2024</b>

## *Notification List of Property Owners*

*BDA234-093*

*45 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	325 N MOORE ST	MAPLE RAE QOF LLC
2	1327 E 8TH ST	MEDRANO GLORIA
3	320 SPARKS ST	Taxpayer at
4	1402 HUTCHINS AVE	Taxpayer at
5	1404 HUTCHINS AVE	ZEBADIAH LLC
6	1400 HUTCHINS AVE	SAAKARR REALTY LLC
7	317 SPARKS ST	MERCER RAFAEL C & EMILY G
8	323 SPARKS ST	KELLEY BRENDA
9	327 SPARKS ST	MOORE CAROLYN JEAN
10	335 SPARKS ST	ARTEAGA ELIZABETH
11	1322 HUTCHINS AVE	STEVENS DAVID
12	1403 E 8TH ST	ONCOR ELECRTC DELIVERY COMPANY
13	1401 E 8TH ST	EIGHTH ST RENAISSANCE PLZ
14	1321 HUTCHINS AVE	DALLAS HOUSING ACQUISITION &
15	408 SPARKS ST	Taxpayer at
16	406 SPARKS ST	Taxpayer at
17	404 SPARKS ST	TEXAN HEAVENLY HOMES LTD
18	400 SPARKS ST	FINLEY RUBY L C
19	1403 HUTCHINS AVE	WATER SERVICE INC
20	1401 HUTCHINS AVE	KNIGHTS & ASSOCIATES
21	329 N MOORE ST	GOLDEN SEEDS FOUNDATION THE
22	333 N MOORE ST	TORRES JUAN
23	335 N MOORE ST	PAGE JARRETT
24	337 N MOORE ST	WILLIAMS DORIS NELL
25	401 N MOORE ST	TAYLOR CHARLES
26	401 N MOORE ST	EDWARDS NELLA D

07/16/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	404 N MOORE ST	HAWKINS IRENE
28	402 N MOORE ST	SPARKS CLIFFORD
29	342 N MOORE ST	EDWARDS NELLA DELOIS
30	340 N MOORE ST	GOLDEN GATE MISSIONARY BAPTIST
31	336 N MOORE ST	JB III INVESTMENTS INC
32	326 N MOORE ST	Taxpayer at
33	324 N MOORE ST	Taxpayer at
34	322 N MOORE ST	JOHNSON RICKEY NELOM
35	1503 HUTCHINS AVE	Taxpayer at
36	401 CLEAVES ST	REDLINE INC
37	407 CLEAVES ST	Taxpayer at
38	413 CLEAVES ST	AMHERST GROUP PROPERTIES LLC
39	415 CLEAVES ST	MIRANDA ALEXANDA
40	417 CLEAVES ST	ODEGBARO CHRISTINE &
41	419 CLEAVES ST	SOUTH DALLAS PROPERTIES
42	421 CLEAVES ST	FIRST THOMPSON MISSIONARY
43	423 CLEAVES ST	FIRST THOMPSON MBC
44	330 N MOORE ST	PEREZ JOSE JUAN GARCIA &
45	2300 AL LIPSCOMB WAY	BNSF RAILWAY



1:1,200

## NOTIFICATION

**200'** AREA OF NOTIFICATION  
**45** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-093**

Date: **7/17/2024**

NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

NOTICE IS HEREBY GIVEN that the BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A) will hold a hearing as follows:

DATE: TUESDAY, AUGUST 20<sup>TH</sup>, 2024

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment:

---

BDA234-093(CJ) Application of Ali Ebrahimi for (1) a variance to the front-yard setback regulations at 325 N MOORE ST. This property is more fully described as Block 2/7675, Lot 31 and is zoned PD-1052 (R-5(A)), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require (1) a 15-foot variance to the front-yard setback regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov). Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

**Note:** Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the close of business Monday, August 19<sup>th</sup>, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

**Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.**

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment  
Planning and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**  
[BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov)  
Letters will be received until 9:00  
am the day of the hearing.

**PLEASE REGISTER AT:**  
<https://bit.ly/BDA-A-Register>



# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-HC-097

**RECEIVED**  
FOR OFFICE USE ONLY  
JUN 20 REC'D  
BY: \_\_\_\_\_

Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_  
Location address: 325 N Moore Street Zoning District: PD-1052 Subdistrict 1  
Lot No.: 31 Block No.: 217675 Acreage: 0.1 Census Tract: 48113004100  
Street Frontage (in Feet): 1) 76' 2) 115.12' 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Maple Rae QOF, LLC

Applicant: Ali Ebrahimi Telephone: 608-957-1635

Mailing Address: 519 W 22 Street, Houston, Texas Zip Code: 77008

E-mail Address: Ali@RADevelopmentGroup.com

Represented by: Ali Ebrahimi Telephone: 608-957-1635

Mailing Address: 519 W 22 Street, Houston, Texas Zip Code: 77008

E-mail Address: Ali@RADevelopmentGroup.com

Affirm that an appeal has been made for a Variance  or Special Exception  of 15 feet, proposing AB  
5 ft setback on Hutchins Ave.

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:

This parcel of land is located at the corner of N Moore and Hutchins and it has a triangular shape. It has two front with 20 ft setback. Without this variance, it is impossible to construct a structure and develop this specific parcel of land in a manner commensurate with the development upon other parcels of land with the same zoning.

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 Ali Ebrahimi 

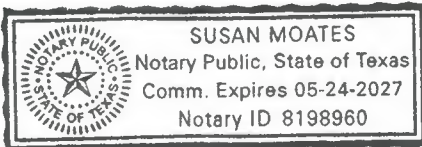
(Affiant/Applicant's name printed)

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 this 12 day of June, 2024

Susan Moates  
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**      Ali Ebrahimi

**did submit a request**      for (1) a variance to the front-yard setback regulations  
**at**                              325 N Moore St.

BDA234-093. Application of Ali Ebrahimi for (1) a variance to the front-yard setback regulations at 325 N MOORE ST. This property is more fully described as Block 2/7675, Lot 31 and is zoned PD-1052 (R-5(A)), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require (1) a 15-foot variance to the front-yard setback regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA

  
CITY OF DALLAS  
AFFIDAVIT

Appeal number: BDA 234 093

I, Ali Ebrahimi, manager of Maple RAE QOF, LLC, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 325 N Moore Street, Dallas, Texas  
(Address of property as stated on application)

Authorize: Ali Ebrahimi  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Applicant requests a variance of 15 ft setback on Hutchins Ave.  
15 ft correct AE

Maple Rae QOF - Ali Ebrahimi  
Print name of property owner or registered agent  
[Signature]  
Signature of property owner or registered agent  
agent Date 6/6/2024

Before me, the undersigned, on this day personally appeared  
ALI EBRAHIMI

Who on his/her oath certifies that the above statements are true and correct to his/her best  
knowledge. Subscribed and sworn to before me this 6th day of  
June, 2024



[Signature]  
Notary Public for Dallas County,  
Texas Harris

Commission expires on  
05/07/2028



**REFERRAL FORM FOR BOARD OF ADJUSTMENT**

APPLICANT: <u>EBRAHIMI, ALI</u>	OWNER: <u>BALL, ROBERT N</u>
ADDRESS: <u>325 N. MOORE ST</u>	STATE: <u>TX</u> ZIP: <u>75203</u>
LOT: <u>31</u>	BLOCK: <u>2/7675</u> ZONING: <u>PD 1052 / R-5(A)</u>

<input type="checkbox"/> <b>Variance</b> <input checked="" type="checkbox"/> Yard setback <input type="checkbox"/> Lot width <input type="checkbox"/> Lot Depth <input type="checkbox"/> Lot Coverage <input type="checkbox"/> Floor area for accessory structures for single family uses <input type="checkbox"/> Height <input type="checkbox"/> Minimum width of sidewalk <input type="checkbox"/> Off-street parking <input type="checkbox"/> Off-street loading <input type="checkbox"/> Landscape regulations <input type="checkbox"/> Other	<input type="checkbox"/> <b>Special Exception</b> <input type="checkbox"/> Fence height and standards <input type="checkbox"/> Visibility triangle obstructions <input type="checkbox"/> Parking demand <input type="checkbox"/> Landscaping <input type="checkbox"/> Additional dwelling unit for a single-family <input type="checkbox"/> Carport <input type="checkbox"/> Non-conforming use <input type="checkbox"/> Other
---	--

Please list the City of Dallas Development Code(s) this project is non-compliant with:  
SEC. 51P-1052.109 FRONT YARD SUBDISTRICT 1, MINIMUM FRONT YARD 20FT.

Description: CONTINUITY OF BLOCKFACE OFF HUTCHINS AVE. APPLICANT REQUEST FOR A VARIANCE FOR A 5FT SETBACK ON HUTCHINS AVE.

Alternative resolutions discussed/offered: NONE OFFERED, PROPERTY HAS TWO FRONTS, WITHOUT VARIANCE IMPOSSIBLE TO CONSTRUCT A STRUCTURE.

Referred by: E. LACHICA Contact: (214) 948-4195 Date: 5/24/24

\*\*\*FOR INTERNAL USE ONLY\*\*\*

**BDA234-093**

SHIPPED DATE: 8-1-96 RECEIVED DATE: 11-15-96  
ANNEXED DEC. 27, 1955 ORD. NO. 6803  
SURVEY W. S. BEATTY ABST. 57

# CITY OF DALLAS PLAT BOOKS

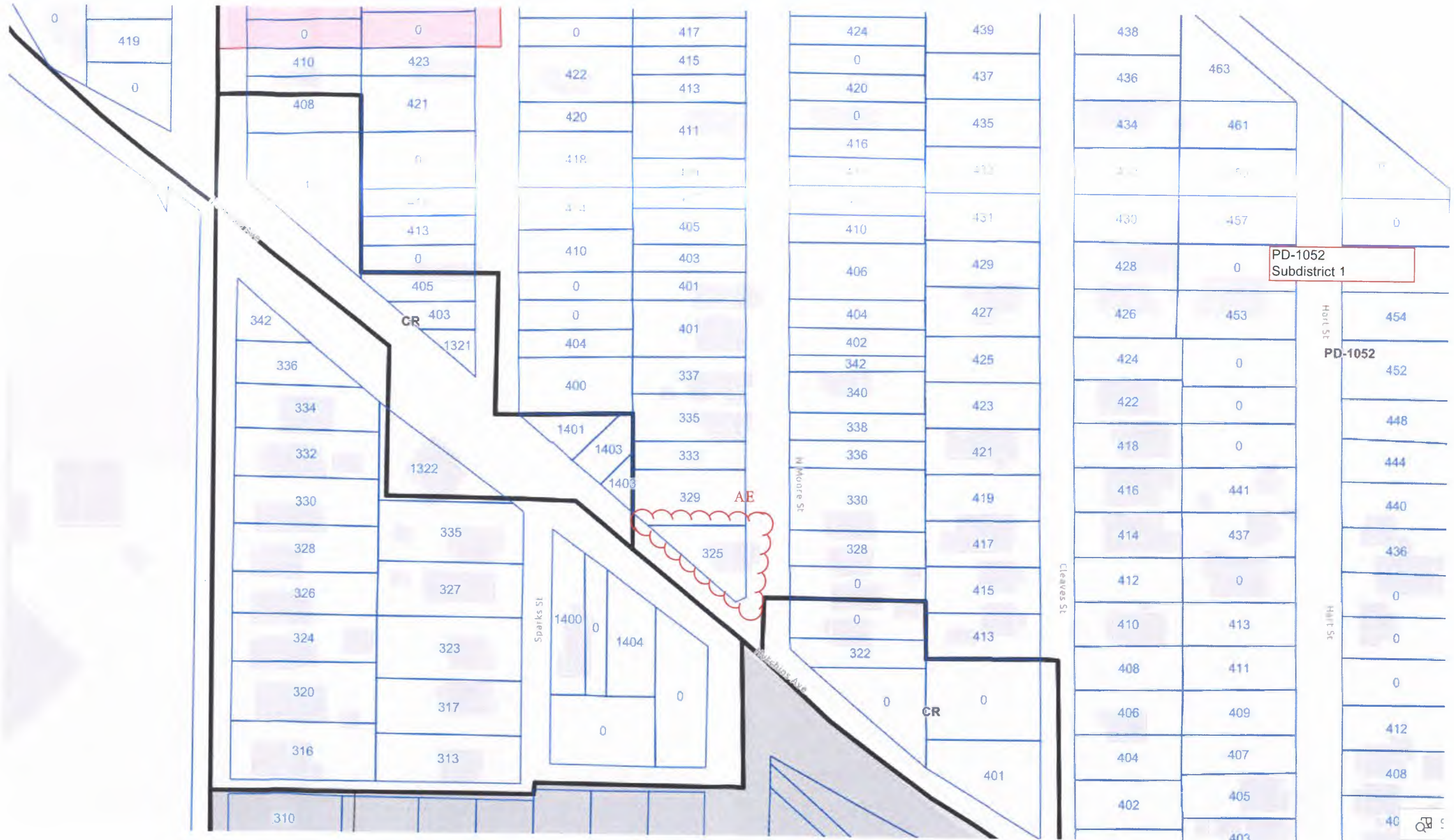
ADDITION J. A. DEWBERRY

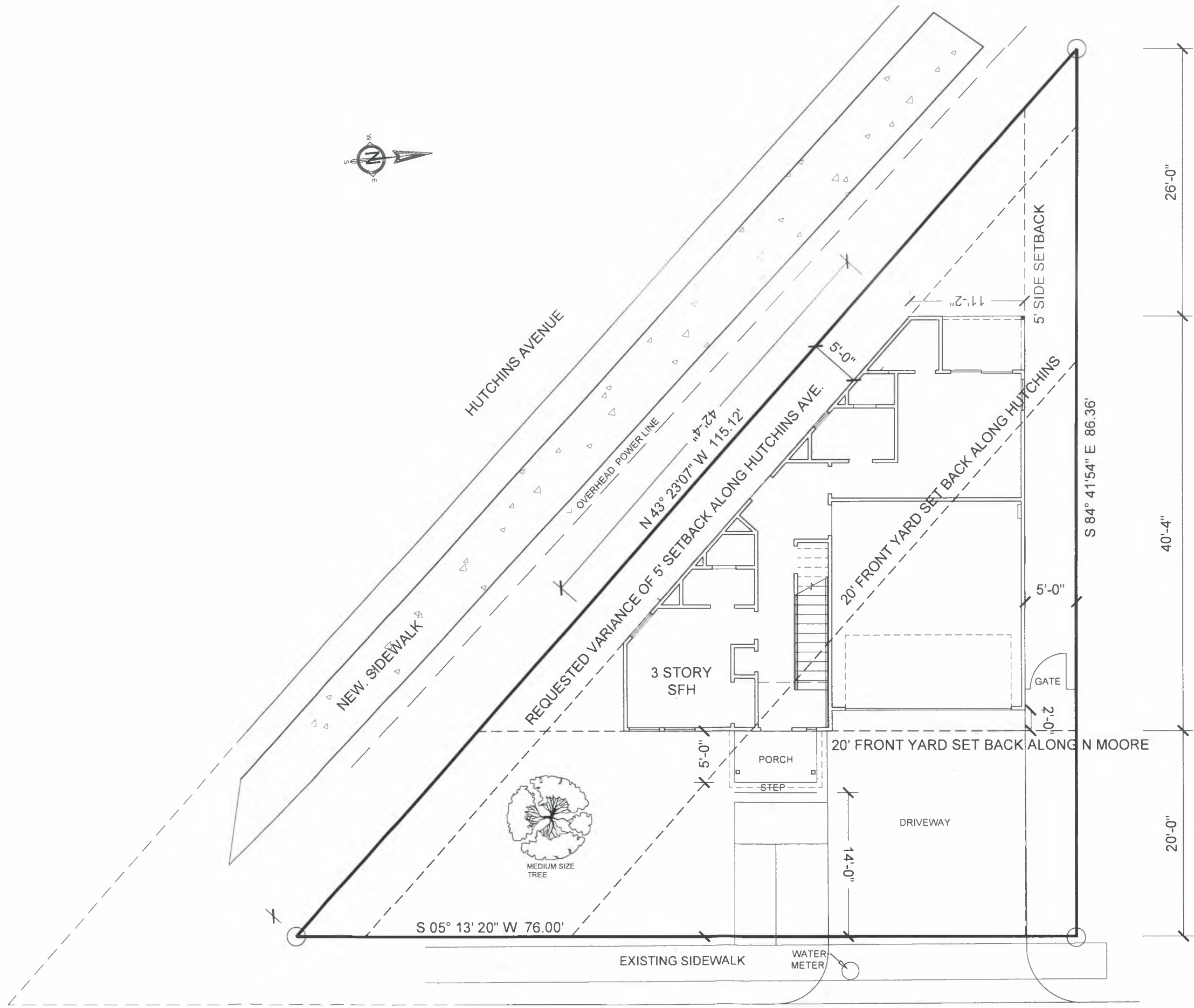
1-2-3  
BLOCKS 7675  
SCHOOL DISTRICT DALLAS

SCALE 50 FT. EQUALS 1 INCH PHA 7-15-87



BDA234-093



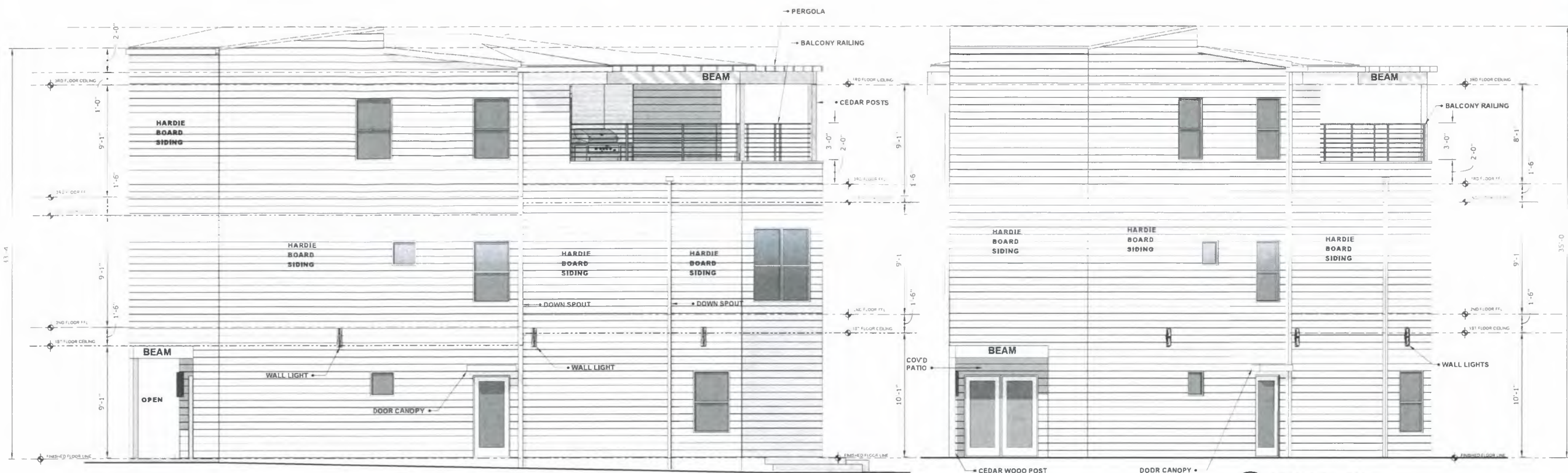


1 SITE PLAN  
SCALE: 1" = 10'-0"

Project Name and Address  
 325 N. Moore St  
 Lot 31, 2/87675  
 Dewberry Addition  
 Dallas, Texas  
 Dallas County

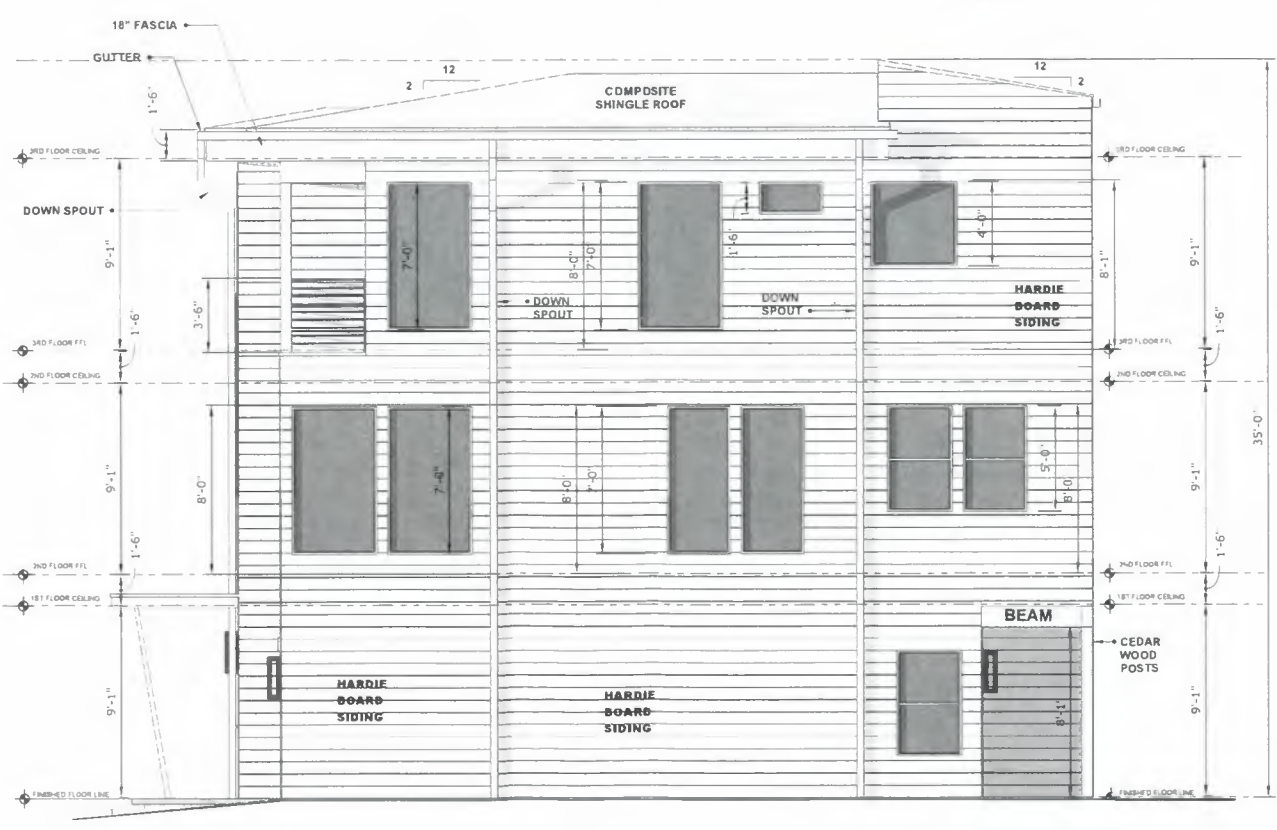
Project	Sheet
New Build	A1.0
Date	01/05/2024

BDA234-093

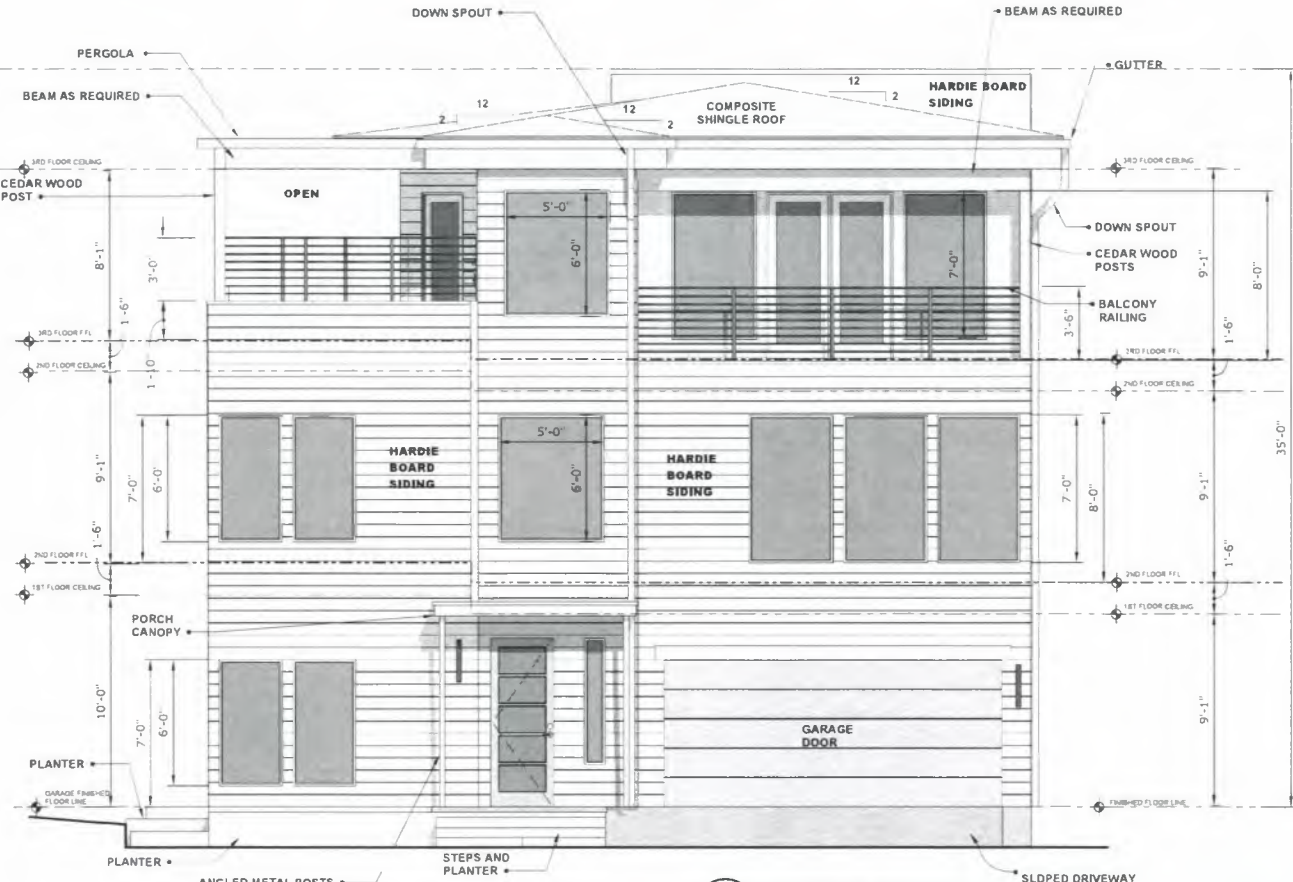


**4 LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

**3 REAR ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



**1 FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

Project Name and Address  
325 N Moore St  
Lot 31, 2/87675  
Dewberry Addition  
Dallas, Texas  
Dallas County

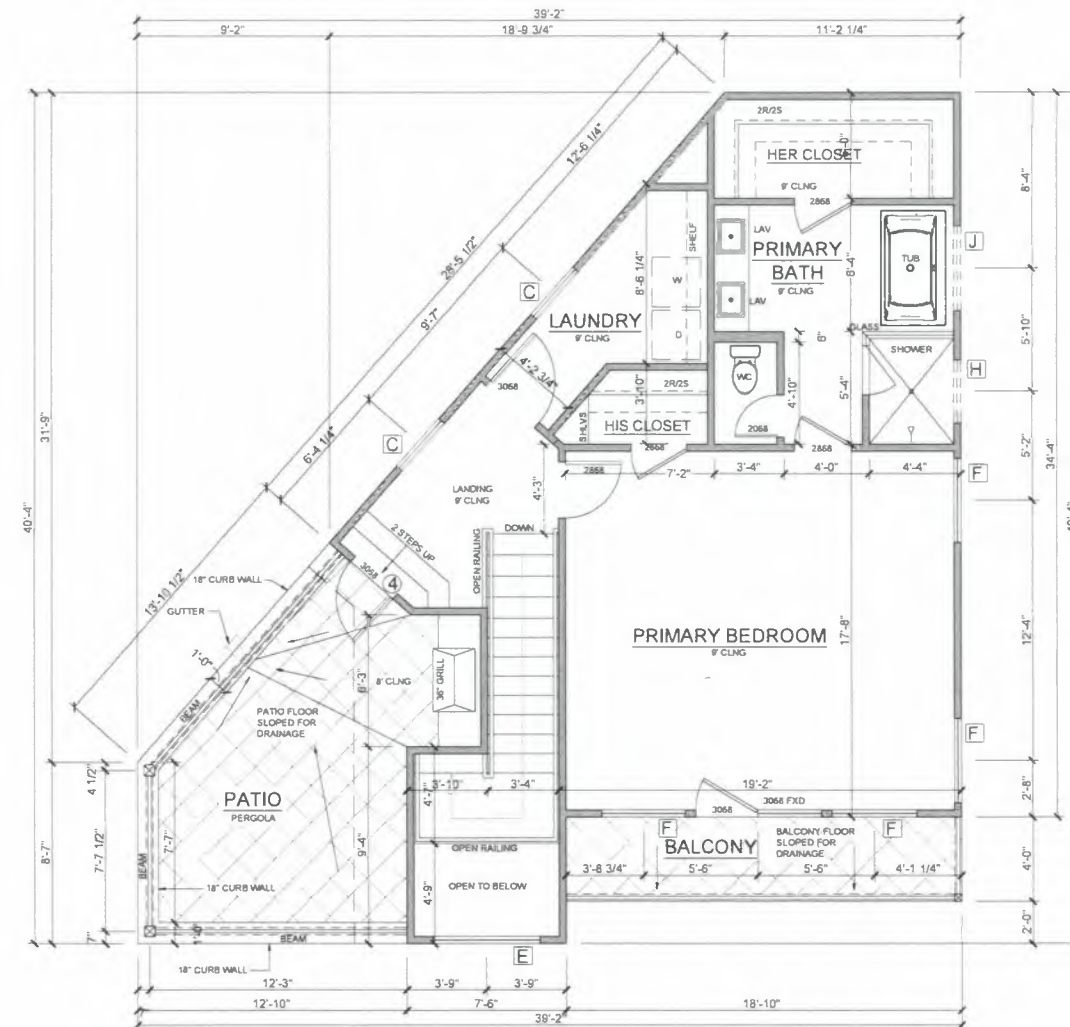
Project New Home Build	Sheet <b>A5.0</b>
Date 03-06-2024	

*BDA234-093*

DOOR SCHEDULE			
LABEL	SIZE	DESCRIPTION	QTY
①	3'-0" x 8'-0"	EXT. FRONT ENTRY - SC - STYLE PER OWNER SELECTION	1
②	16' x 7'	GARAGE OVER HEAD DOOR - STYLE PER OWNER SELECTION	1
③	6'-0" x 6'-8"	2 PANEL SLIDER DOOR - FULL LITE	1
④	3'-0" x 6'-8"	EXTERIOR PATIO DOOR - FULL LITE	2

- NOTES:**
- ALL GLASS IN DOORS SHALL BE TEMPERED.
  - FOR SLIDING BARN DOORS, "SIZE" INDICATES FINISHED OPENING WIDTH. ADD MIN 8" FOR ACTUAL DOOR WIDTH..

WINDOW SCHEDULE							
LABEL	SIZE	HDR HT	DESCRIPTION	QTY	S.H.G.C.	U-FACTOR	
A	3'-0" x 6'-0"	7'-0"	FIXED FULL LITE	6	30	55	
B	1'-0" x 6'-0"	8'-0"	FIXED - FULL LITE	1	30	55	
C	3'-0" x 5'-0"	7'-0"	SINGLE HUNG - 1/1	5	30	55	
D	2'-0" x 2'-0"	7'-0"	FIXED - 1 LITE	1	30	55	
E	5'-0" x 6'-0"	7'-0"	FIXED - 1 LITE	1	30	55	
F	4'-0" x 7'-0"	8'-0"	FIXED - 1 LITE	5	30	55	
G	(2W) 3'-0" x 6'-0"	8'-0"	SINGLE HUNG - MULLED - 1/1	1	30	55	
H	3'-0" x 1'-6"	8'-0"	FIXED - 1 LITE	1	30	55	
J	4'-0" x 4'-0"	8'-0"	OBSCURED GLSS - PICT WINDOW	1	30	55	



**3** THIRD FLOOR PLAN  
SCALE: 1/4" = 1'-0"

*BDA23A-093*

Project Name and Address  
325 N. Moore St  
Lot 31, 2/87675  
Dewberry Addition  
Dallas, Texas  
Dallas County

Project New Build	Sheet <b>A2.1</b>
Date 01/05/2024	



**DOOR SCHEDULE**

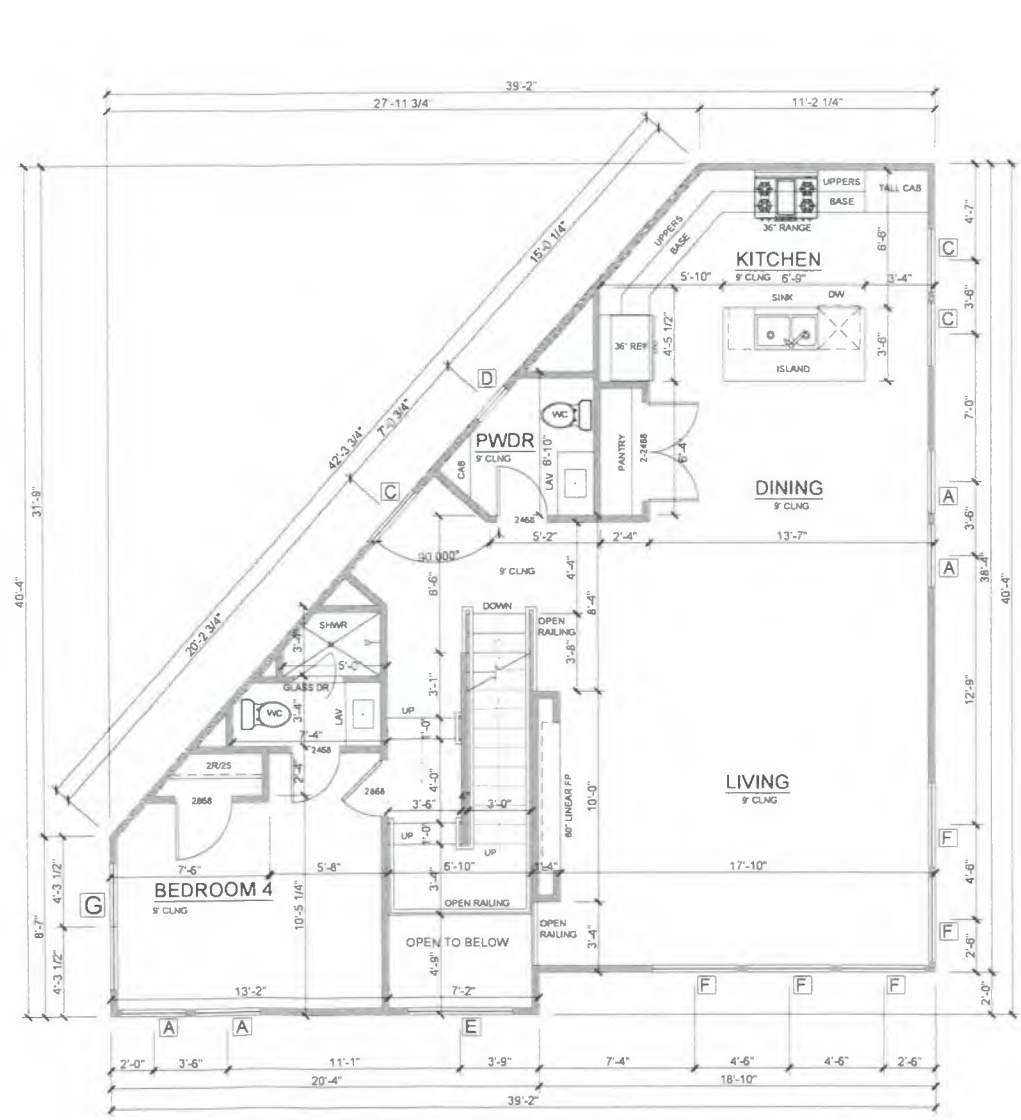
LABEL	SIZE	DESCRIPTION	QTY
①	3'-0" x 8'-0"	EXT FRONT ENTRY - SC - STYLE PER OWNER SELECTION	1
②	16' x 7'	GARAGE OVER HEAD DOOR - STYLE PER OWNER SELECTION	1
③	6'-0" x 6'-8"	2 PANEL SLIDER DOOR - FULL LITE	1
④	3'-0" x 6'-8"	EXTERIOR PATIO DOOR - FULL LITE	2

**NOTES:**

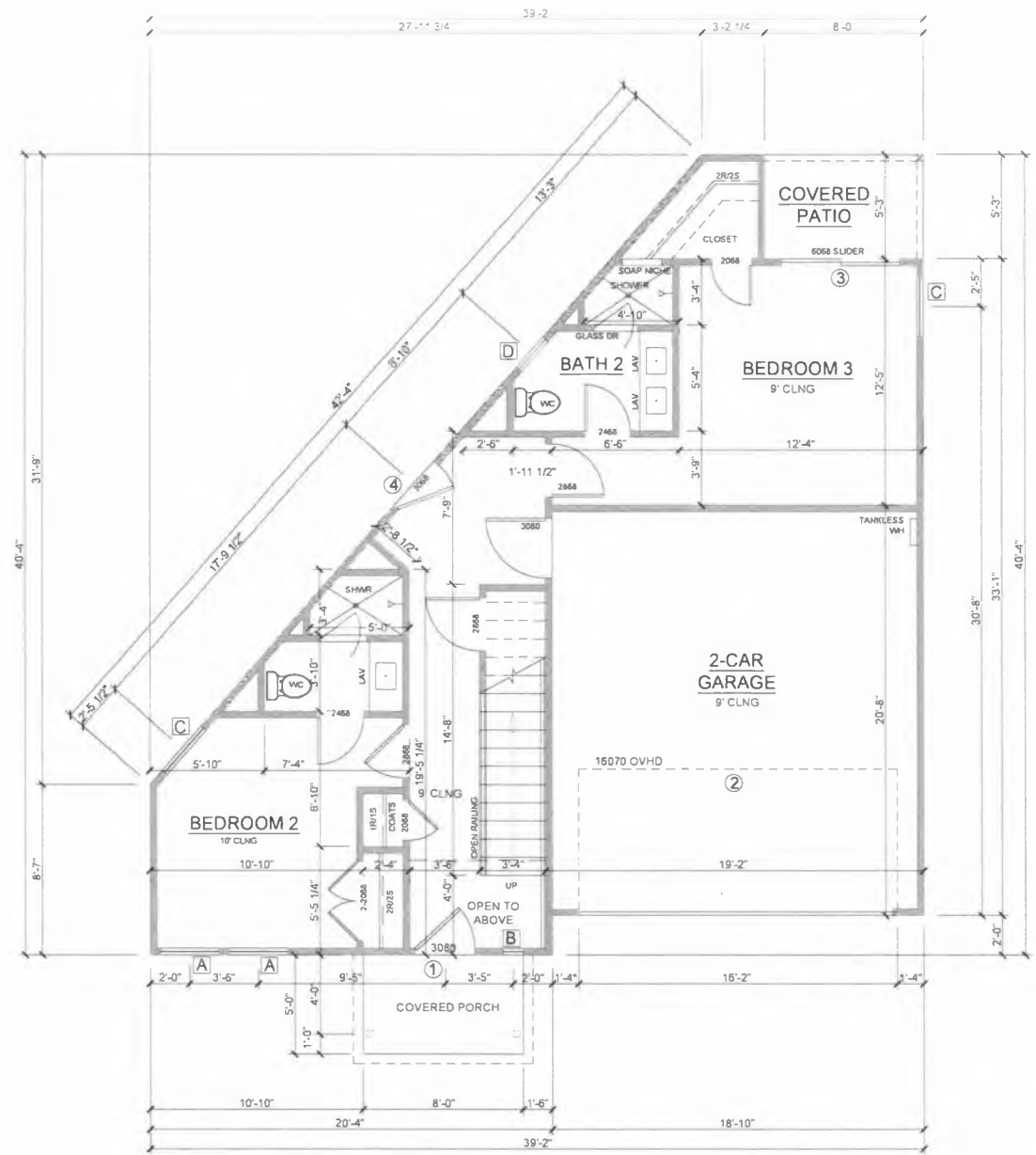
- ALL GLASS IN DOORS SHALL BE TEMPERED.
- FOR SLIDING BARN DOORS, "SIZE" INDICATES FINISHED OPENING WIDTH. ADD MIN 8" FOR ACTUAL DOOR WIDTH..

**WINDOW SCHEDULE**

LABEL	SIZE	HDR HT	DESCRIPTION	QTY	S.H.G.C.	U-FACTOR
A	3'-0" x 6'-0"	7'-0"	FIXED FULL LITE	6	30	55
B	1'-0" x 6'-0"	8'-0"	FIXED - FULL LITE	1	30	55
C	3'-0" x 5'-0"	7'-0"	SINGLE HUNG - 1/1	5	30	55
D	2'-0" x 2'-0"	7'-0"	FIXED - 1 LITE	1	30	55
E	5'-0" x 6'-0"	7'-0"	FIXED - 1 LITE	1	30	55
F	4'-0" x 7'-0"	8'-0"	FIXED - 1 LITE	5	30	55
G	(2W)3'-0" x 6'-0"	8'-0"	SINGLE HUNG - MULLED - 1/1	1	30	55
H	3'-0" x 1'-6"	8'-0"	FIXED - 1 LITE	1	30	55
J	4'-0" x 4'-0"	8'-0"	OBSCURED GLSS - PCT WINDOW	1	30	55



② SECOND FLOOR PLAN  
SCALE: 1/4" = 1"-0"



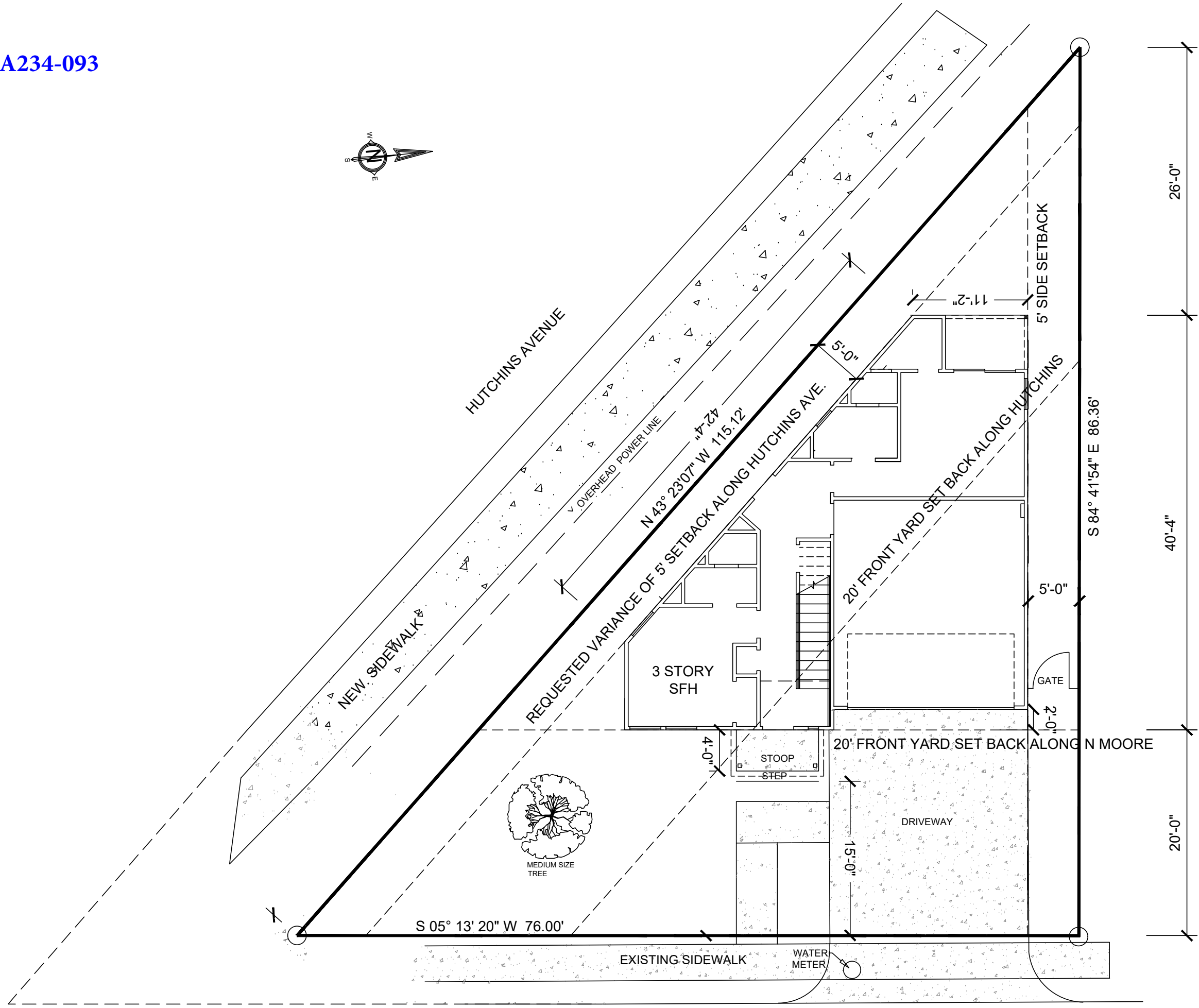
① FIRST FLOOR PLAN  
SCALE: 1/4" = 1"-0"

BDA234-093

Project Name and Address  
325 N. Moore St  
Lot 31, 2/87675  
Dewberry Addition  
Dallas, Texas  
Dallas County

Project	New Build	Sheet	A2.0
Date	01/05/2024		

# UPDATED SITE PLAN



N. MOORE STREET

Project Name and Address  
325 N. Moore St  
Lot 31, 2/87675  
Dewberry Addition  
Dallas, Texas  
Dallas County

Project: New Build  
Date: 01/05/2024  
Sheet: A1.0

**FILE NUMBER:** BDA234-095 (CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for **(1)** a variance to the front-yard setback regulations; and **(2)** a variance to the off-street parking regulations at 6130 Royalton Dr. This property is more fully described as Block 3/5500, Lot 4, and is zoned R-16(A), which requires a front-yard setback of 35-feet and requires a parking space must be at least 20-feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure, and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 15-foot front-yard setback at Azalea Ln., which will require **(1)** a 20-foot variance to the front-yard setback regulations. The applicant proposes to construct and/or maintain a single-family residential structure with a parking setback of 15-feet, which will require **(2)** a variance of 5-feet to the off-street parking regulations.

**LOCATION:** 6130 Royalton Rd.

**APPLICANT:** Rob Baldwin

**REQUEST:**

- (1) A request for a variance to the front-yard setback regulations.
- (2) A request for a variance to the off-street parking regulations.

**STANDARDS OF REVIEW FOR A VARIANCE:**

Section 51A-3.102(d)(10) of 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.

**ELEMENT II SUBSTITUTE:**

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

**STAFF RECOMMENDATION:**

1. 1<sup>st</sup> Request - Variance to the front-yard setback regulations

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. Is not restrictive in shape or slope but is restrictive in area. The subject site is 16,988.4 sq ft. which is larger than the minimum lot are for residential use in the R-16(A) zoning district (16,000 sq ft.) but the developable area is less than the minimum lot size due to having two front yards that both require 35-foot setbacks; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

2. 2<sup>nd</sup> Request - Variance to the off-street parking regulations

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.

- B. Is not restrictive in shape or slope but is restrictive in area. The subject site is 16,988.4 sq ft. which is larger than the minimum lot are for residential use in the R-16(A) zoning district (16,000 sq ft.) but the developable area is less than the minimum lot size due to having two front yards that both require 35-foot setbacks; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 6130 Royalton Drive within the last 5 years.

**Square Footage:**

This lot contains 16,988.4 of square feet.

This lot is zoned R-16(A) which has a minimum lot size of 16,000 square feet.

**Zoning:**

- Site: R-16 (A) (Single-Family Zoning District)
- North: R-16 (A) (Single-Family Zoning District)
- South: R-16 (A) (Single-Family Zoning District)
- East: R-16 (A) (Single-Family Zoning District)
- West: R-16 (A) (Single-Family Zoning District)

**Land Use:**

The subject site is currently developed with a single-family structure. The areas to the north, south, east, and west are developed and being developed with single-family uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application for the Rob Baldwin property located at 6130 Royalton Drive focuses on 2 requests relating to the front yard setback regulations and the off-street parking regulations.
- A request for a variance to the front yard setback regulations of 20-feet is made to construct and/or maintain a single-family residential structure at 6130 Royalton Drive.
- Zoning District R-16 (A) requires a minimum front yard setback of 35-feet.
- It is imperative to note that the subject site has two street frontages as well as two front yards with 35-foot required front yard setbacks on Royalton Drive and Azalea Lane.

- The average lot in a single-family residential zoning district does not have two front yards.
- As gleaned from the submitted site plan, the proposed home is set to encroach 20-feet into the 35-foot required front yard setback at 6130 Royalton Drive.
- Secondly, a request for a variance to the off-street parking regulations of 5-feet is made to construct and/or maintain a single-family residential structure with an enclosed parking space facing Azalea Lane at 6130 Royalton Drive.
- A parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from the street or alley.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the front yard setback and/or the variance to the 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(s) are necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such 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
- The variance(s) 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

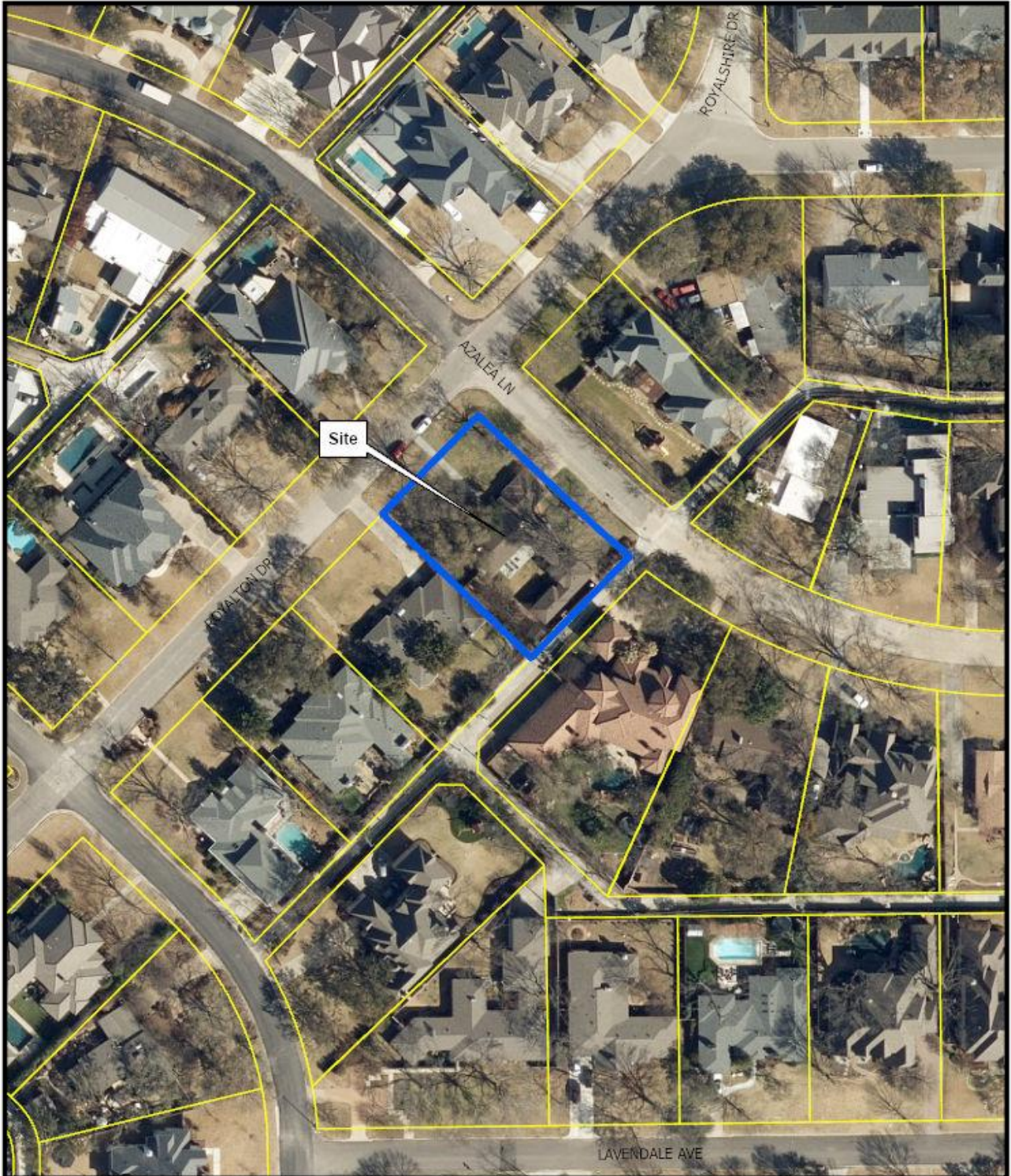
The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
- (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (e) the municipality considers the structure to be a nonconforming structure.

- Granting the proposed 15-foot variance to the front yard setback regulations and/or the proposed 5-foot variance to the off-street parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

**Timeline:**

- June 21, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 26, 2024, 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.
- July 29, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

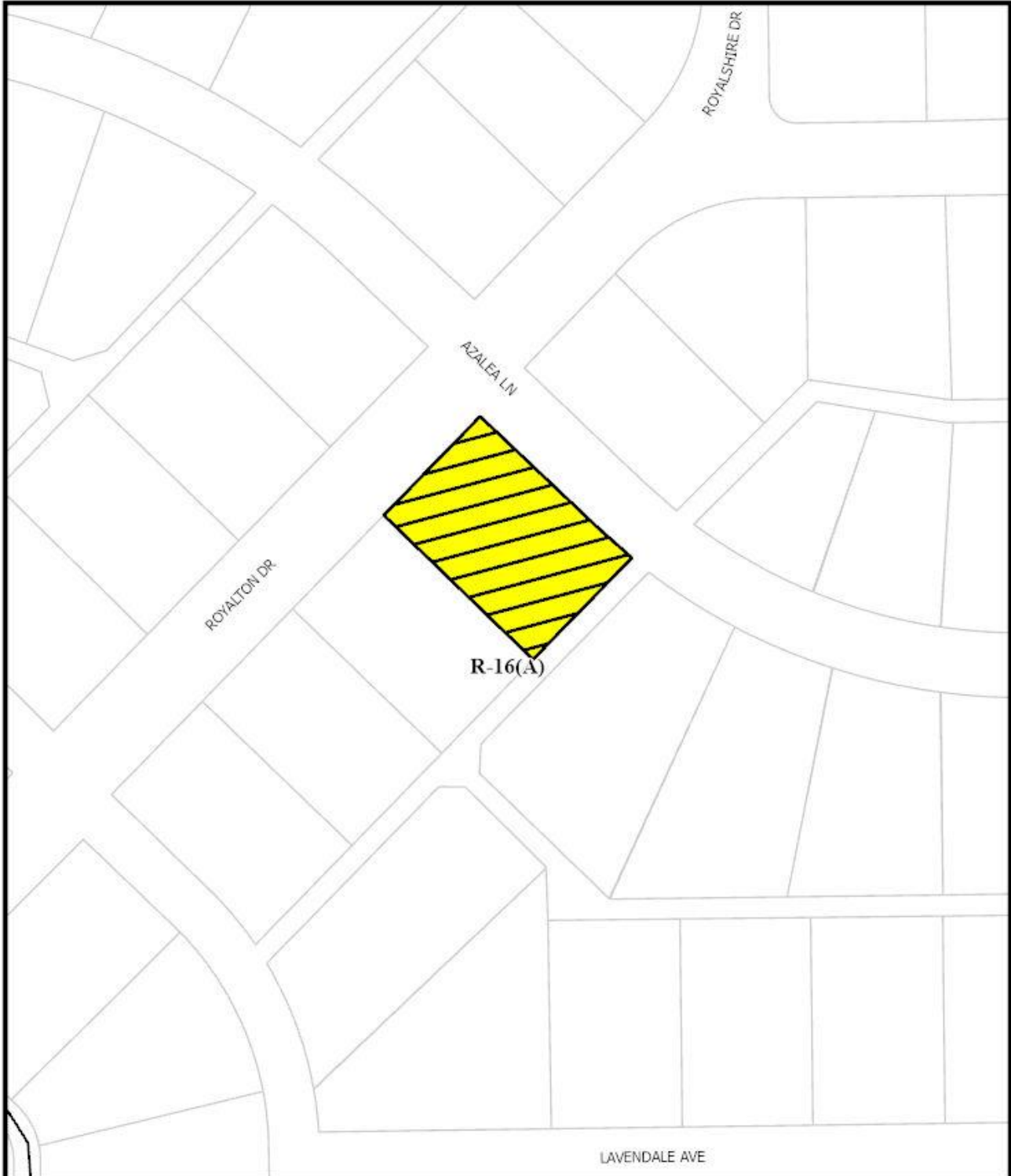


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# AERIAL MAP

Case no: BDA234-095

Date: 07/22/2024





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# ZONING MAP

Case no: BDA234-095

Date: 07/22/2024

The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

El área de solicitud está sombreada  . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



The number '0' indicates City of Dallas Ownership

  
1:1,200

## NOTIFICATION

**200'** AREA OF NOTIFICATION  
**19** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-095**  
Date: **7/22/2024**

1  
07/22/2024

## Notification List of Property Owners

**BDA234-095**

### 19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6130 ROYALTON DR	BAKER ROBERT H &
2	6106 ROYALTON DR	OWENS KYLE A REVOCABLE TRUST
3	6114 ROYALTON DR	GWIN TERRY W &
4	6122 ROYALTON DR	SIMMONS ROBERT H &
5	6118 AZALEA LN	MCDOWELL CHARLES LUCKEY &
6	6126 AZALEA LN	JENKINS EDDIE M
7	6204 AZALEA LN	DICKERMAN RICHARD M &
8	6111 LAVENDALE AVE	SHAW BRUCE R &
9	10842 CAMELLIA DR	FEHLMAN PETER W & AMANDA F
10	6142 ROYALTON DR	CASE MATTHEW OWEN &
11	6150 ROYALTON DR	VASEK ROBERT B JR
12	6210 ROYALTON DR	SCOTT JOHN THOMAS &
13	6205 AZALEA LN	SANGA RAGHURAM & JAINA
14	6121 AZALEA LN	BOWERS JAMES E &
15	6151 ROYALTON DR	BOWERS MIKE JOE & SHARON
16	6143 ROYALTON DR	DIPASQUALE ALLISON ADELE &
17	6131 ROYALTON DR	WAY PETER & JANET
18	6123 ROYALTON DR	HOBBS DAVID R & ROBYN N
19	6115 ROYALTON DR	LI PU & QIMIN HU



1:1,200

## NOTIFICATION

**200'** AREA OF NOTIFICATION  
**19** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-095**  
Date: **7/22/2024**

## NOTICE OF PUBLIC HEARING

### BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

NOTICE IS HEREBY GIVEN that the BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A) will hold a hearing as follows:

DATE: TUESDAY, AUGUST 20<sup>TH</sup>, 2024

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street  
<https://bit.ly/boa0820-A>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street  
<https://bit.ly/boa0820-A>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment:

---

BDA234-095(CJ) Application of Rob Baldwin for (1) a variance to the front-yard setback regulations; and (2) a variance to the off-street parking regulations at 6130 ROYALTON DR. This property is more fully described as Block 3/5500, Lot 4, and is zoned R-16(A), which requires a front-yard setback of 35-feet and requires a parking space must be at least 20-feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure, and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 15-foot front-yard setback at Azalea Lane, which will require (1) a 20-foot variance to the front-yard setback regulations. The applicant proposes to construct and/or maintain a single-family residential structure with a parking setback of 15-feet, which will require (2) a variance of 5-feet to the off-street parking regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAreply@dallas.gov](mailto:BDAreply@dallas.gov). Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

**Note:** Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the close of business Monday, August 19<sup>th</sup>, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

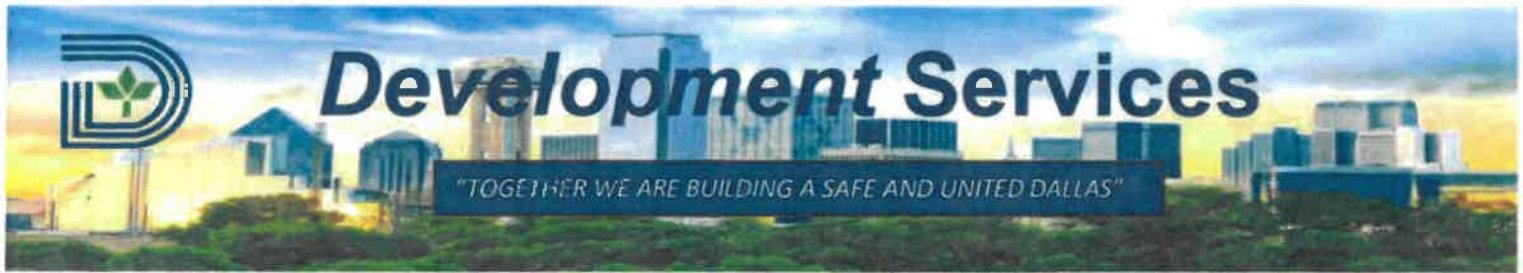
**Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.**

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment  
Planning and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**  
[BDAreply@dallas.gov](mailto:BDAreply@dallas.gov)  
Letters will be received until 9:00  
am the day of the hearing.

**PLEASE REGISTER AT:**  
<https://bit.ly/BDA-A-Register>



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-0915

RECEIVED  
FOR OFFICE USE ONLY  
JUN 2 9 REC'D  
BY: \_\_\_\_\_

Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_  
Location address: 6130 Royaton Drive Zoning District: R-16(A)  
Lot No.: 4 Block No.: 3/5500 Acreage: 0.39 Census Tract: 48113013300  
Street Frontage (in Feet): 1) 109' 2) 161' 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment:  
Owner of Property (per Warranty Deed): Ron Chapman Jr. and Beth Chapman  
Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949  
Mailing Address: 3904 Elm Street, Suite B - Dallas 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 Zip Code: 75226  
E-mail Address: rob@baldwinplanning.com michele@baldwinplanning.com

Affirm that an appeal has been made for a Variance  or Special Exception  of Variance to the projected front yard along Azalea Lane. and variance to allow garage to be located in the 20' parking setback.

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 has 2 front yards and is not like the surrounding properties. This request is reasonable and will not negatively affect surrounding properties.

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 Rob 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/principal/authorized representative of the subject property

Respectfully submitted: \_\_\_\_\_  
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 5 day of June, 2024

Mickelle Stov  
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 ROB BALDWIN

did submit a request for a variance to the front yard setback regulations  
at 6130 Royalton Dr

BDA234-095. Application of ROB BALDWIN for (1) a variance to the front-yard setback regulations at 6130 ROYALTON DR. This property is more fully described as Blcok 3/5500, Lot 4, and is zoned R-16(A), which requires a front-yard setback of 35-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 15-foot front-yard setback, which will require (1) a 20-foot variance to the front-yard setback regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



Appeal number: BDA 234 095

I, Ron Chapman, Jr, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 6130 Royalton Drive  
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Variance to the projected front yard

Ron Chapman  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 5-17-2024

Before me, the undersigned, on this day personally appeared Ron Chapman, Jr.

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 17 day of May, 2024



Michele Stoy  
Notary Public for Dallas County, Texas

Commission expires on 7-20-2028



Appeal number: BDA 234 095

I, Beth Chapman, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 6130 Royalton Drive  
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Variance to the projected front yard

Beth Chapman  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 5-17-2024

Before me, the undersigned, on this day personally appeared Beth Chapman

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 17 day of May, 2024

[Signature]  
Notary Public for Dallas County, Texas

Commission expires on 7-20-2028



SHIPPED DATE: 2-20-96 RECEIVED DATE: 5-16-96  
 MAY 23, 1945 3928 (200' STRIP)  
 ANNEXED OCT. 24, 1945 ORD. NO. 3712  
 SURVEY JAMES THOMAS ABST. 1485

CITY OF DALLAS PLAT BOOKS

ADDITION

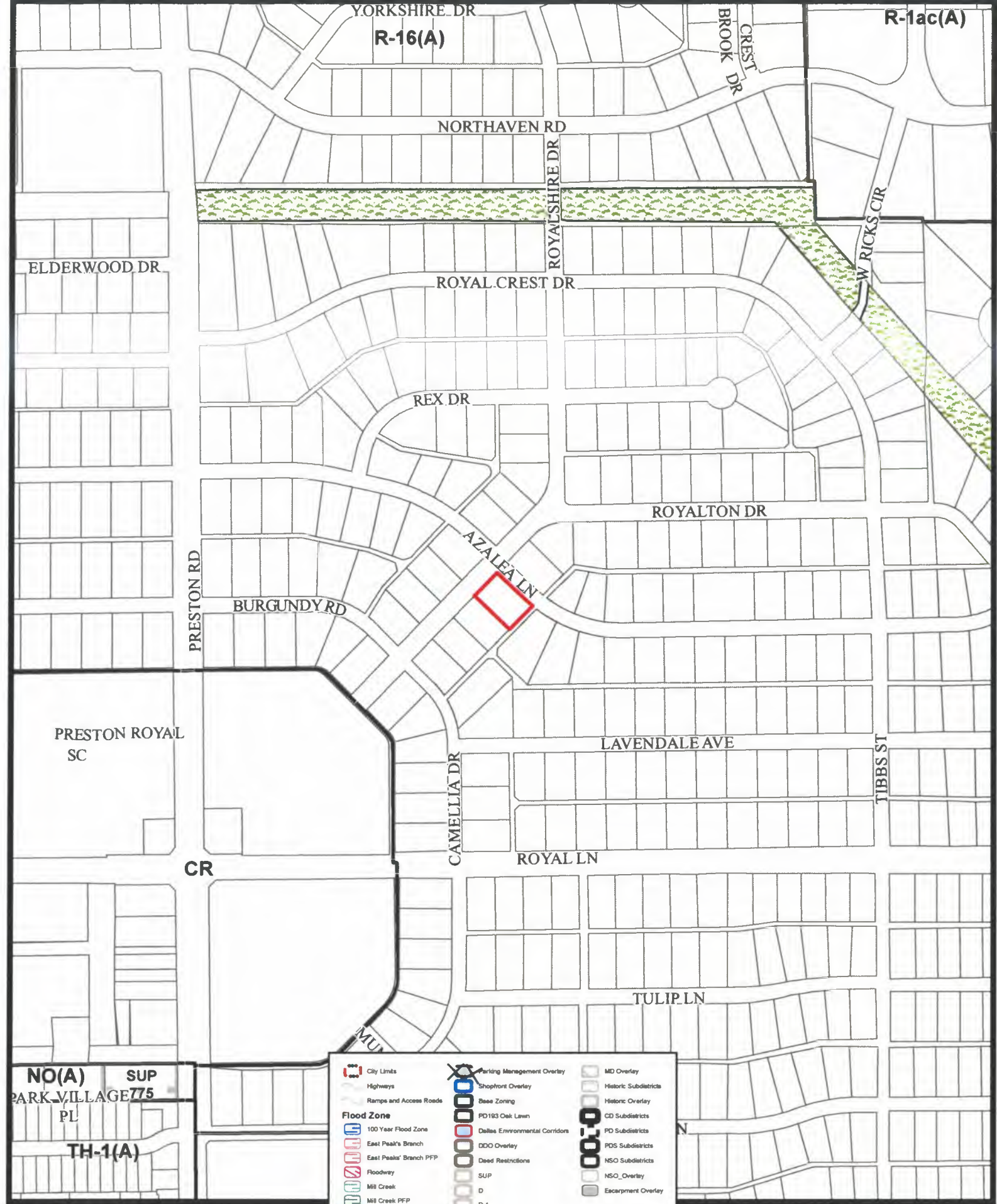
3 THRU 10  
BLOCKS 5500 (PART)

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DIST DALLAS



BDA234-095



City Limits	Parking Management Overlay	MD Overlay
Highways	Shopfront Overlay	Historic Subdistricts
Ramps and Access Roads	Base Zoning	Historic Overlay
<b>Flood Zone</b>	PD183 Oak Lawn	CD Subdistricts
100 Year Flood Zone	Dallas Environmental Corridor	PD Subdistricts
East Peak's Branch	DDO Overlay	PDS Subdistricts
East Peak's Branch PFP	Deed Restrictions	NSO Subdistricts
Floodway	SUP	NSO Overlay
Mill Creek	D	Easement Overlay
Mill Creek PFP	D-1	
Peak's Branch	CP	
Peak's Branch PFP	SP	
X Protected by Levee		
Parks		
Height Map Overlay		

1:4,800

# **Applicant's Documentary Evidence**

March 19, 2024

Photos and notes on corner lot houses in our neighborhood. Houses appear to be subject to the same side setback as 6130 Royalton (i.e., the side yard faces the same direction as the front yard of one adjacent house/lot). Some of these houses are older and may not have been subject to the same set back requirements. Also, some of these houses may not actually extend into the side setback (I didn't have a measuring tape). I included houses or detached structures that appeared to go into the setback.

1. 11507 Royalshire (photo from side/Del Roy)



2. 11423 Royalshire (older home, detached garage in setback)



3. 6207 Yorkshire



BVA234-095

4. 6143 Royalton (structure built in side yard; possibly after CO)



5. 6106 Royalton (older home, goes into side yard)



6. 6480 Royalton (good example, looks like front of house (only) goes into side yard)



7. 10824 Camelia (older home)



8. 6429 Azalea



9. 11006 Tibbs (older home)



10. 6711 Azalea (older home)



11. 6541 Azalea (good comparison, looks like front (only) extends into side yard)



12. 11166 Lawnhaven (older home)



13. 11110 Lawnhaven (structure in side yard behind fence, prob built after CO)



14. 6507 Azalea (older home)



15. 6499 Royalton (on an angle and Northaven Trail is bt the lot and the front yard)

BDA-234-0915



16. 6605 Belmead (detached pool house appears to be in side yard).



BDA234-005

Luckey & Julie Anne McDowell  
6118 Azalea Lane  
Dallas, TX 75230  
June 19, 2024

To whom it may concern:

We live at 6118 Azalea Lane, and are looking forward to welcoming our new neighbors at 6130 Royalton Drive. We personally met with the Chapmans shortly after they bought their new lot, and they recently shared with us the blueprints for their new construction, including the proposed lot layout. We understand that they will need a variance to move forward, and **we are very supportive of their request.**

Note that although our homes have different street addresses, that's only because their house is on a corner lot and could just as easily had an Azalea street address. We are one of their nearest neighbors, enjoy a common property line between our two lots, and share an alley (that we hope will continue to be used for trash pickup!). In other words, we have a vested interest in how their house fits into the neighborhood and we believe that the variance they are requesting raises no concerns and actually promotes the aesthetics of the neighborhood.

Sincerely,



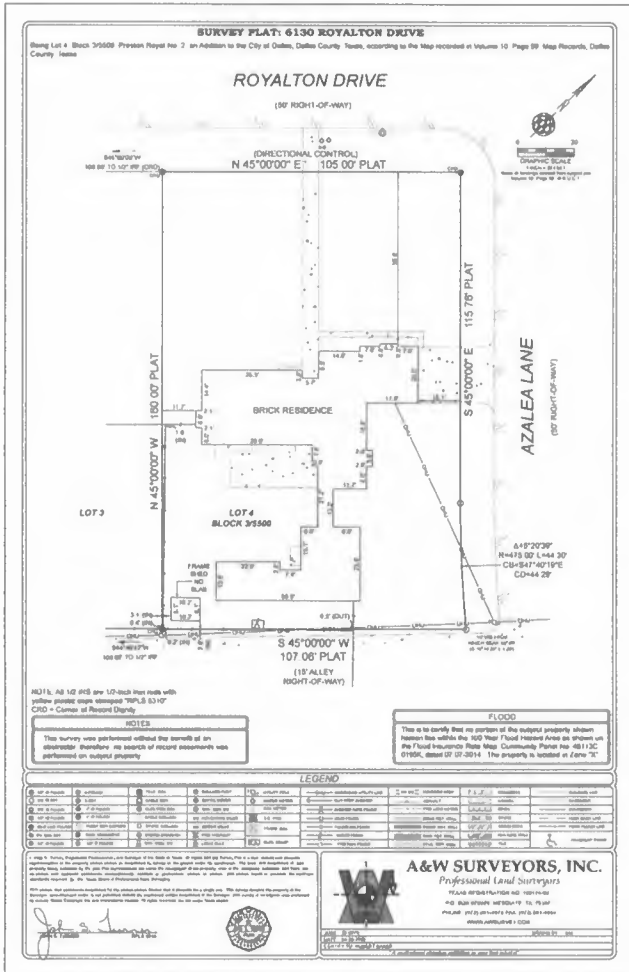
Luckey & Julie Anne McDowell

Date: 18 June 2024  
TO: Board of Adjustments  
City of Dallas  
FROM: Matt & Stephanie Case  
6142 Royalton Dr, Dallas  
RE: Proposed Chapman Residence Footprint  
6120 Royalton Dr, Dallas

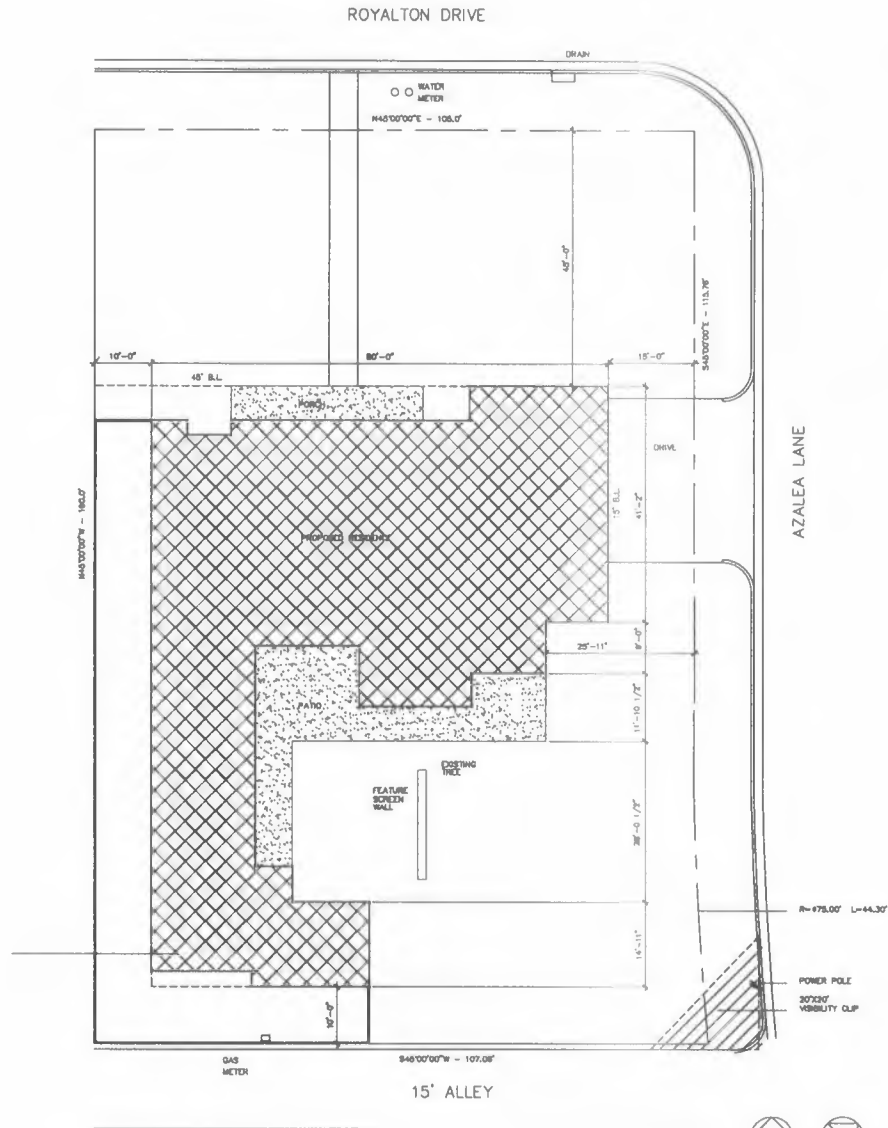
We have reviewed the proposed footprint of the Chapman's residence on Royalton Drive and support their application to build this dwelling.

Please let us know if you have any questions – (214) 762-5355

SITE PLAN NOTES:



02. EXISTING SITE SURVEY  
 SCALE: 1" = 20'-0"



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



**CHAPMAN RESIDENCE**  
 LOT: 4 BLOCK: 3/5500  
 6130 ROYALTON  
 DALLAS, TEXAS

REVISIONS:  
 △  
 △  
 △



DATE: 2/25/2024  
 SHEET NO.

**A-2**  
 PLAN

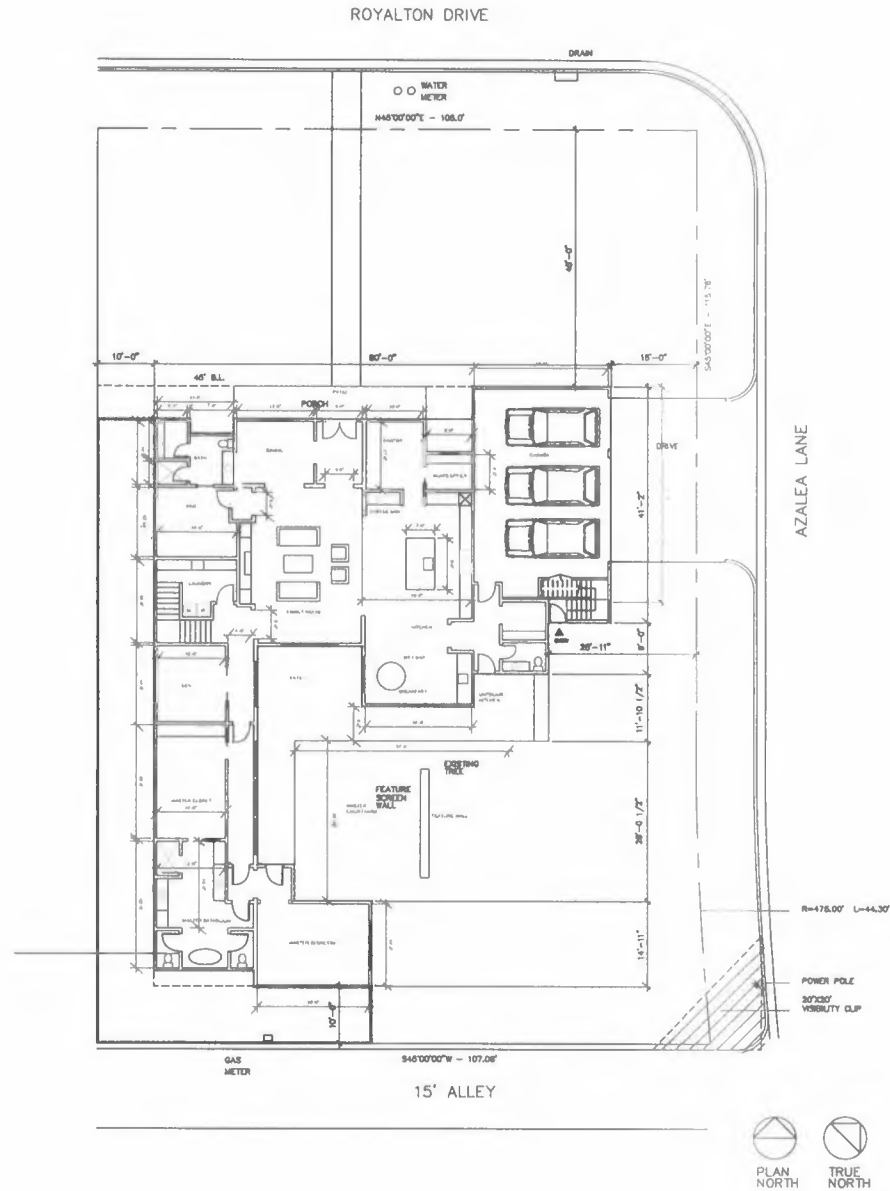
BDA234-095

**DALLAS GREEN ORDINANCE  
# 27131 REQUIREMENTS**

THIS PROJECT MUST MEET AT LEAST 2 OF THE 3 FOLLOWING WATER REDUCTION REQUIREMENTS:

- 1). THE AVERAGE FLOW RATE FOR ALL LAVATORY FAUCETS MUST BE 2.0 GPM
- 2). THE AVERAGE FLOW RATE FOR ALL SHOWERHEADS MUST BE 2.0 GPM
- 3). THE AVERAGE FLOW RATE FOR ALL TOILETS MUST:
  - BE 1.3 GALLONS PER FLUSH
  - BE DUAL FLUSH AND MEET THE REQUIREMENTS OF ASME A112.18.14
  - MEET THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WATERWISE SPECIFICATION AND BE CERTIFIED AND LABELED ACCORDINGLY
- 4). ENERGY STAR LABELED DISHWASHER THAT USES 6.0 GALLONS OR LESS PER CYCLE.
- 5). ENERGY STAR LABELED CLOTHES WASHER WITH MODIFIED ENERGY FACTOR (MEF) > AND WATER FACTOR < 5.0
- 9). UTILITY DRIP IRRIGATION EMITTERS FOR ALL BEDDING AREAS OF LANDSCAPE PLAN.
- 7). ANY ROOF WITH A PITCH GREATER THAN 2:12 MUST HAVE AN ENERGY STAR QUALIFIED ROOF. PROPERLY INSTALLED RADIANT BARRIER "COOL ROOF" QUALIFIES.
- 8). PENETRATIONS AND CRACKS MUST BE SEALED.
- 9). DOORS WEATHER STRIPPING TO BE INSTALLED.
- 10). MAXIMUM WATTAGE FOR INCANDESCENT BULBS IS 100 WATTS, COMP. FLUORESCENT IS 32 WATTS
- 11). ALL AIR FILTERS MUST BE INSTALLED THAT HAVE A MINIMUM REPORTING VALUE (MERV) EQUAL TO OR GREATER THAN 6.
- 12). AIR HANDLERS MUST BE SIZED TO MAINTAIN AIR PRESSURE AND AIR FLOW.
- 13). AIR FILTERS MUST BE AIR TIGHT.

THIS PROJECT SHALL BE 10% HIGHER ENERGY EFFICIENCY THAN THE 2012 INTERNATIONAL CONSERVATION CODE (ICC), THE I.C.C. IS TO FILL OUT THE FORM THAT MEETS WITH THE ICC OR EQUAL.



CHAPMAN RESIDENCE  
LOT: 4 BLOCK: 3/5500  
6130 ROYALTON  
DALLAS, TEXAS

REVISIONS:

△

△

△



GREG L. SMITH, REGISTERED PROFESSIONAL ENGINEER, NO. 10414  
THIS DRAWING IS THE PROPERTY OF GREG L. SMITH, REGISTERED PROFESSIONAL ENGINEER, NO. 10414  
IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED ON THIS DRAWING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

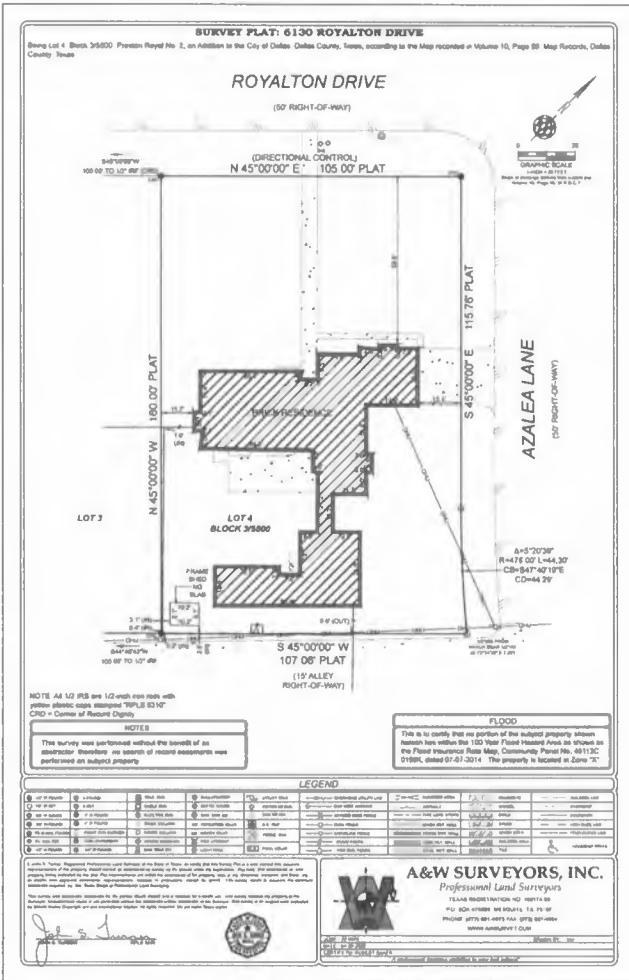
DATE: 8/25/2024  
SHEET NO.

**A-2**  
PLANS

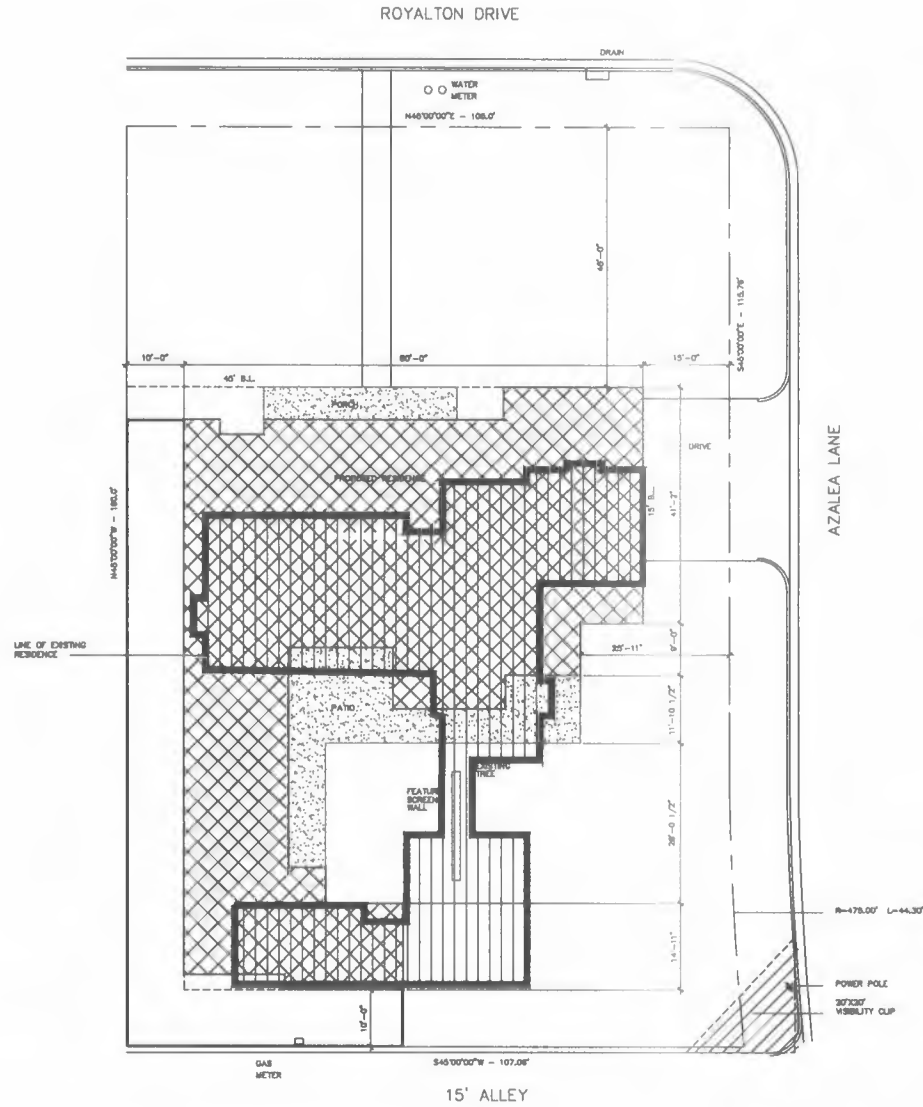
BDA234-095

Floor Plan

SITE PLAN NOTES:



02 - EXISTING SITE SURVEY  
SCALE: 1" = 30' 0"



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



ARCHITECTURA  
7909 GASTYIN  
DALLAS, TEXAS  
(214) 421-2444

CHAPMAN RESIDENCE

LOT: 4 BLOCK: 3/5500  
6130 ROYALTON  
DALLAS, TEXAS

REVISIONS:

- △
- △
- △



CREATED BY ARCHITECT  
SUBMITTED ON 04/10/24  
THIS DRAWING IS AN UNLICENSURED  
CONTRACTING AND SHALL NOT BE  
USED IN ANY MANNER THAT IMPLIES  
THE PREPARATION OF A LEGAL INSTRUMENT  
OR A SURVEY.

DATE: 2/25/2024  
SHEET NO.

**A-2**

PI 1245





July 26, 2024

City of Dallas Board of Adjustment  
City of Dallas  
1500 Marilla St., 5BN  
Dallas, TX 75201

Re: BDA234-095

Dear Board of Adjustment,

I am writing on behalf of Ron and Beth Chapman, owners of the property located at 6130 Royalton Road. This property is classified under R-16(A) zoning. The Chapmans are seeking: 1) a variance for a projected front yard along Azalea Lane, and 2) a special exception to allow a garage to be located 15 feet away from the right-of-way line along Azalea Lane.

**Variance Request:**

The existing property, improved with a single-family home built in 1949, is slated for redevelopment to better suit the Chapmans' needs. Upon purchasing the property, they were unaware that the unique development pattern in the vicinity would result in a 35-foot wide projected front yard along Azalea Lane instead of the normal 10-foot wide side yard setback required in the R-16(A) zoning district. They had anticipated that the Azalea frontage would be considered a side yard, consistent with the existing structure's 15-foot setback from the property line. We are requesting a variance to address this projected front yard.

The Dallas Development Regulations typically designate the narrowest street frontage as the front yard, with applicable setback requirements. However, the adjacent lot to the south fronts Azalea Lane, creating an unusual situation where the Dallas Development Code requires the subject property to share the same front yard setback, despite being separated by an alley. This results in the subject property having two front yard setbacks, reducing the buildable area significantly compared to other properties in the area, which share similar zoning and dimensions.

3904 Elm Street Suite B · Dallas, TX 75226 · 214-824-7949

Interestingly, the existing home does not conform to the requirement for a second front yard setback, treating Azalea Lane as a side yard since its construction in 1949. Our request aims to maintain this established development pattern, which has been in place for over seven decades.

The Board has the authority to approve variances under the following conditions:

1. The request aligns with the public interest, adheres to the spirit of the ordinance, and ensures substantial justice.
2. The variance is necessary due to unique property characteristics, not self-created or for personal/financial gain.
3. The variance does not confer a privilege inconsistent with zoning regulations.

We believe our request meets these criteria, as the existing home has been situated within the projected front yard along Azalea Lane since 1949. The double front yard setback is a unique and uncommon burden, reducing the buildable area by over 32%, limiting the property's development potential compared to other R-16(A) lots. This request is not self-created and does not provide an undue privilege but seeks to allow the property to be developed commensurate with its zoning.

**Special Exception Request:**

We also seek a special exception to permit an enclosed garage within 20 feet of the Azalea Lane right-of-way. The proposed garage will be set back 15 feet from the property line, with an additional 12-foot parkway, totaling a 27-foot distance from the garage door to the street. This setup ensures vehicles do not encroach on the street while waiting to enter the garage. The absence of sidewalks along Azalea Lane further supports that parked vehicles will not impede pedestrian traffic, making this request reasonable and in alignment with safety standards.

In conclusion, both requests are justified by the property's unique hardship due to dual front yard designations and the non-intrusive placement of the garage. Additionally, we have obtained written support from the two immediate neighbors most affected by these requests.

July 26, 2024  
Page 3

Please feel free to contact me with any questions or comments. Your assistance in this matter is greatly appreciated.

With kind regards,

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a long horizontal stroke that tapers to the right.

Robert Baldwin

3904 Elm Street Suite B · Dallas, TX 75226 · 214-824-7949

**FILE NUMBER:** BDA234-071 (BT)

**BUILDING OFFICIAL'S REPORT:** Application of Houshang Jahvani for (1) a special exception to the landscaping regulations at 607 W. Davis St. This property is more fully described as Block A/3438 Lot 2A, and is zoned PD-830 Subdistrict 6, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

**LOCATION:** 607 W. Davis St.

**APPLICANT:** Houshang Jahvani

**REQUEST:** A special exception to the landscape regulations.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE LANDSCAPING AND TREE MITIGATION:**

Section 51A-10.110 of the Dallas Development Code states the board may grant a special exception to the requirements of this article upon making a special finding from the evidence presented that **strict compliance** with the requirements of this article **will unreasonably burden the use of the property**; the **special exception will not adversely affect neighboring property**; and **the requirements are not imposed by a site-specific landscape plan** approved by the city plan commission or city council. In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The extent to which other existing or proposed amenities will compensate for the reduction of landscaping. (Ord. Nos. 22053; 25155)

**STAFF RECOMMENDATION:**

**Special Exceptions (1):**

No BDA staff recommendation is made on this or any request for a special exception to the landscape regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties.

The arborist division revised comment as of August 1, 2024: The only location to add any new landscaping is within the ROW dedication. Any built improvements that are not there currently should be removed if called for by Transportation. The arborist division believes the Vitex are suitable for tree planting, but may also be able to be satisfied with the redbud if a sidewalk is not being placed along Fouraker. The applicant believes they can retain the 12" oak along Davis now that they're setting the building back to 10'. Chief Arborist is somewhat skeptical but open to the applicants effort to try to retain the tree. The tree branching away from the building

location may help support the idea. Our Chief Arborist may condition it to if the tree fails, it must be replaced with a small tree.

The arborist division is favorable overall to the proposed landscape plan. The building reduction is favorable to increased landscaping.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: PD-830 Subdistrict 6
- North: PD-830 Subdistrict 6 & PD-830 Subdistrict 4
- East: PD-830 Subdistrict 6 & PD-160
- South: PD-830 Subdistrict 6
- West: PD-830 Subdistrict 6

**Land Use:**

The subject site is currently developed with a convenience store and gas station and the proposed one story retail addition. The surrounding area mainly consists of retail and single family structures.

**BDA History:**

No BDA history found within the last 5 years.

**GENERAL FACTS/STAFF ANALYSIS:**

- A request for a special exception to the landscape regulations.
- As gleaned from the submitted site plan, the applicant is proposing to construct and/or maintain and retail food mart resulting in the need for a landscape special exception.
- The original development was approved with an alternate landscape plan under BDA978-150 which was deficient from Article X (1994 amendments) requirements. The site had been modified in recent years with a reduction of some landscape area and paving expansion along Fouraker Street. Davis Street was improved by the City of Dallas with new street and sidewalk improvements and the introduction of three trees in the right-of-way in designated tree wells. One tree near Davis Street was lost to storm damage and one additional tree is proposed to be removed for the new building addition.
- Article X (2018 amendments) requires the provision of 1 large/medium tree per 40 feet of street frontage (6 trees per frontage) with a street buffer zone on both streets, and a residential buffer zone of a minimum of 6.5' wide along Fouraker Street. The narrow street and existing driveway and infrastructure conditions are not supportable to compliance for Fouraker Street or Davis Street.
- The property requires 10 landscape design option points. The plan provides for 5 points for foundation planting conditions.

- Along Fouraker Street, a new 5.5' wide right-of-way dedication places all existing and new landscaping inside the dedicated area. An additional 2' right-of-way dedication was placed along Davis Street. Infrastructure, visibility triangles, and infrastructure restrict planting.
- Granting the special exception to the landscape and tree mitigation regulations with a condition that the applicant complies with the submitted site and landscape plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-071 607 W. Davis St](#)

**Timeline:**

- April 19, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- May 15, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- May 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the May 24, 2024, deadline to submit additional evidence for staff to factor into their analysis; and June 7, 2024, 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.
- June 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the June public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.
- June 18, 2024: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, June 18, 2024, moved to **HOLD** this matter under advisement until Tuesday, August 20, 2024.
- July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis;

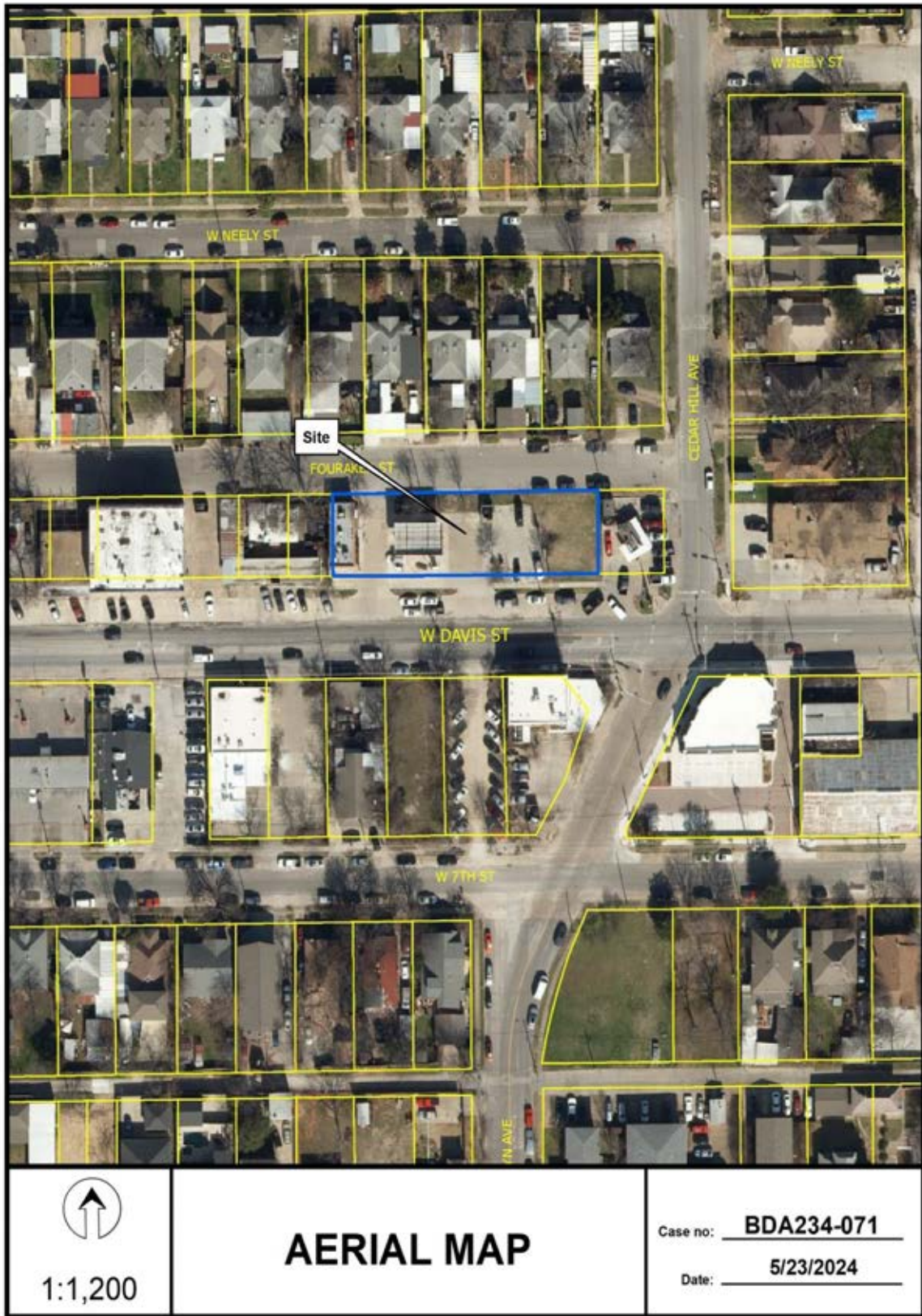
and July 26, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

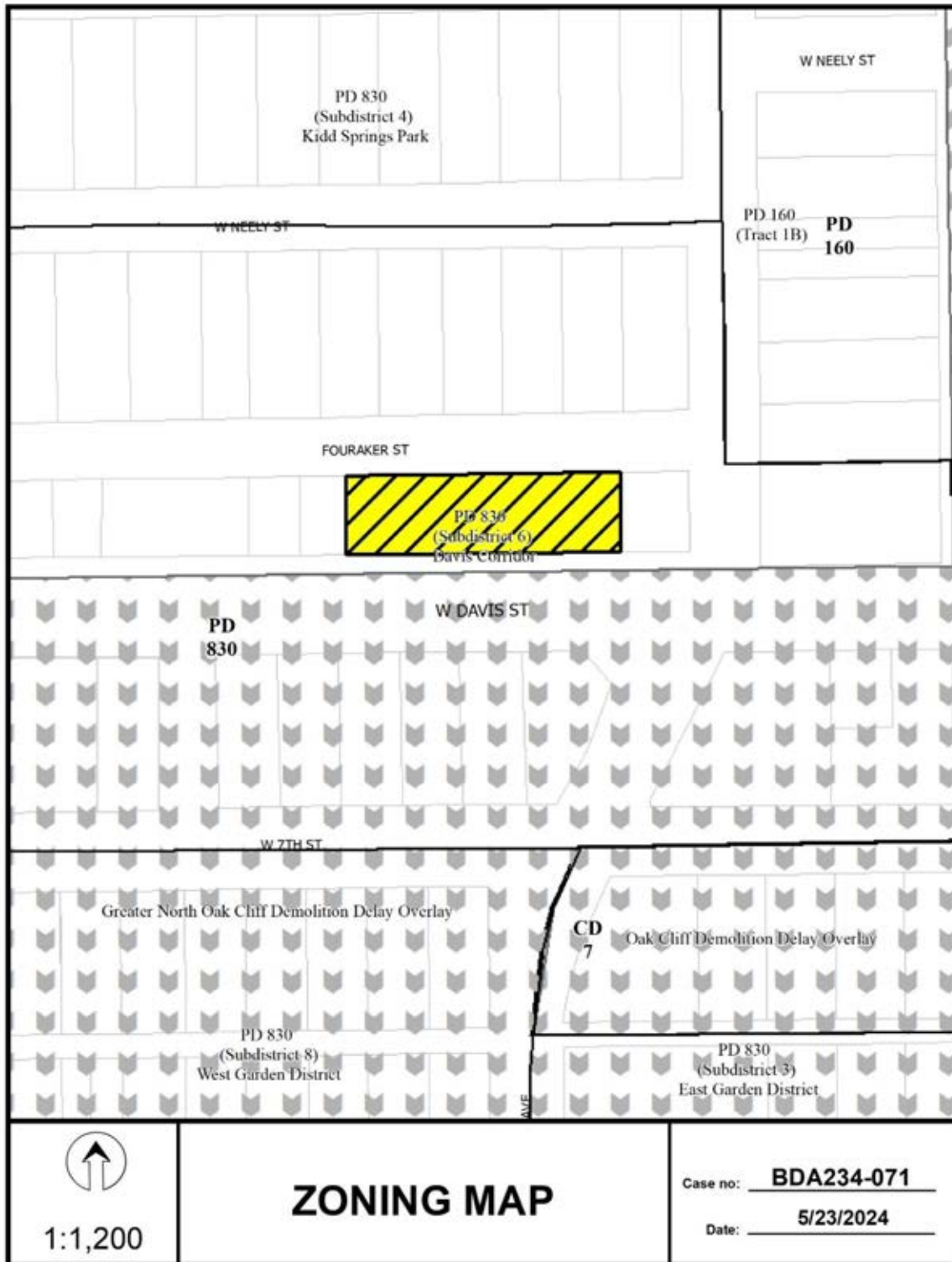
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 29, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

July 29, 2024: The applicant submitted a revised landscape plan.

August 1, 2024: Chief Arborist provided comments based on applicant's revised landscape plan.

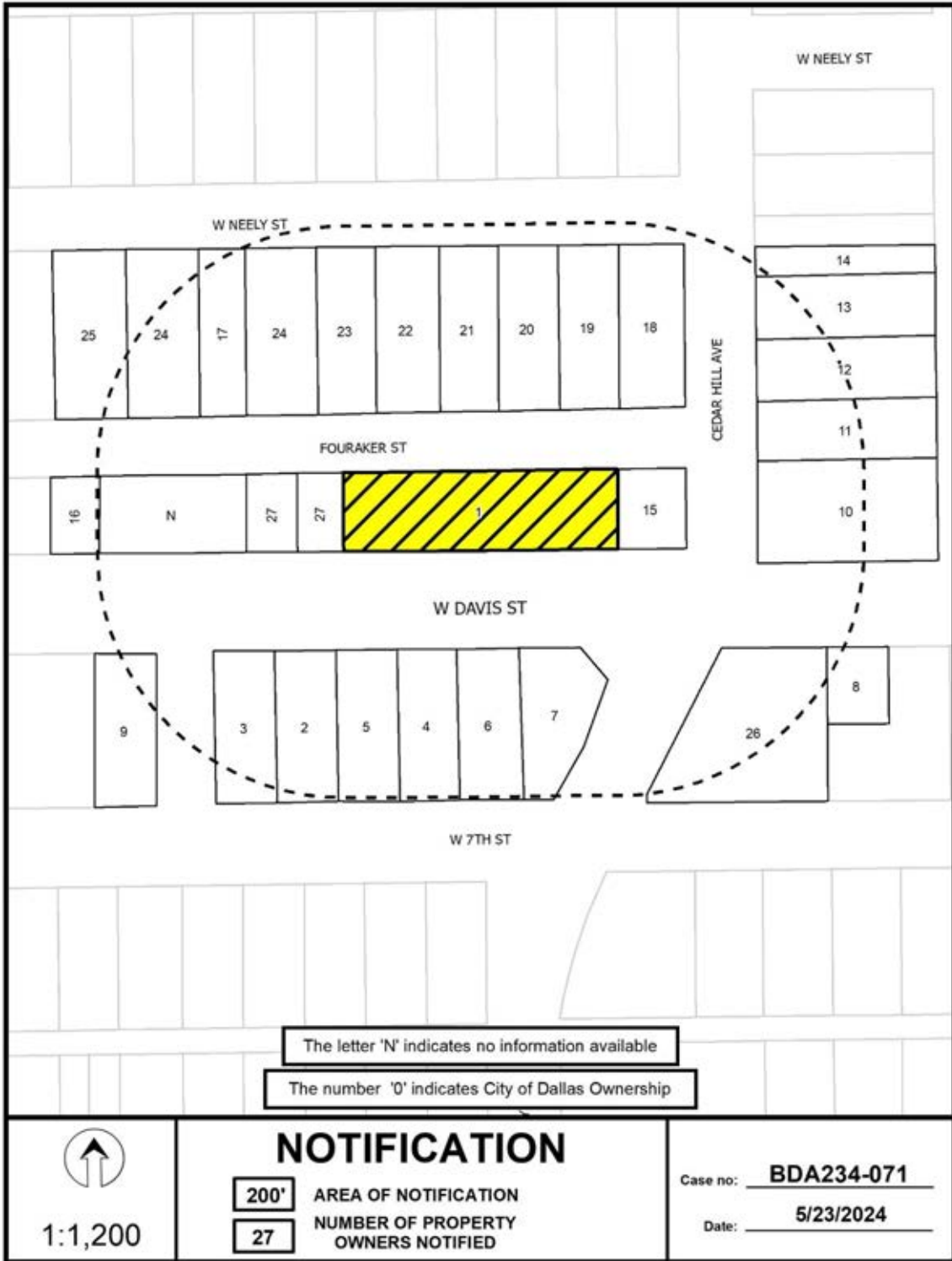




# ZONING MAP

Case no: BDA234-071

Date: 5/23/2024



05/23/2024

## ***Notification List of Property Owners***

***BDA234-071***

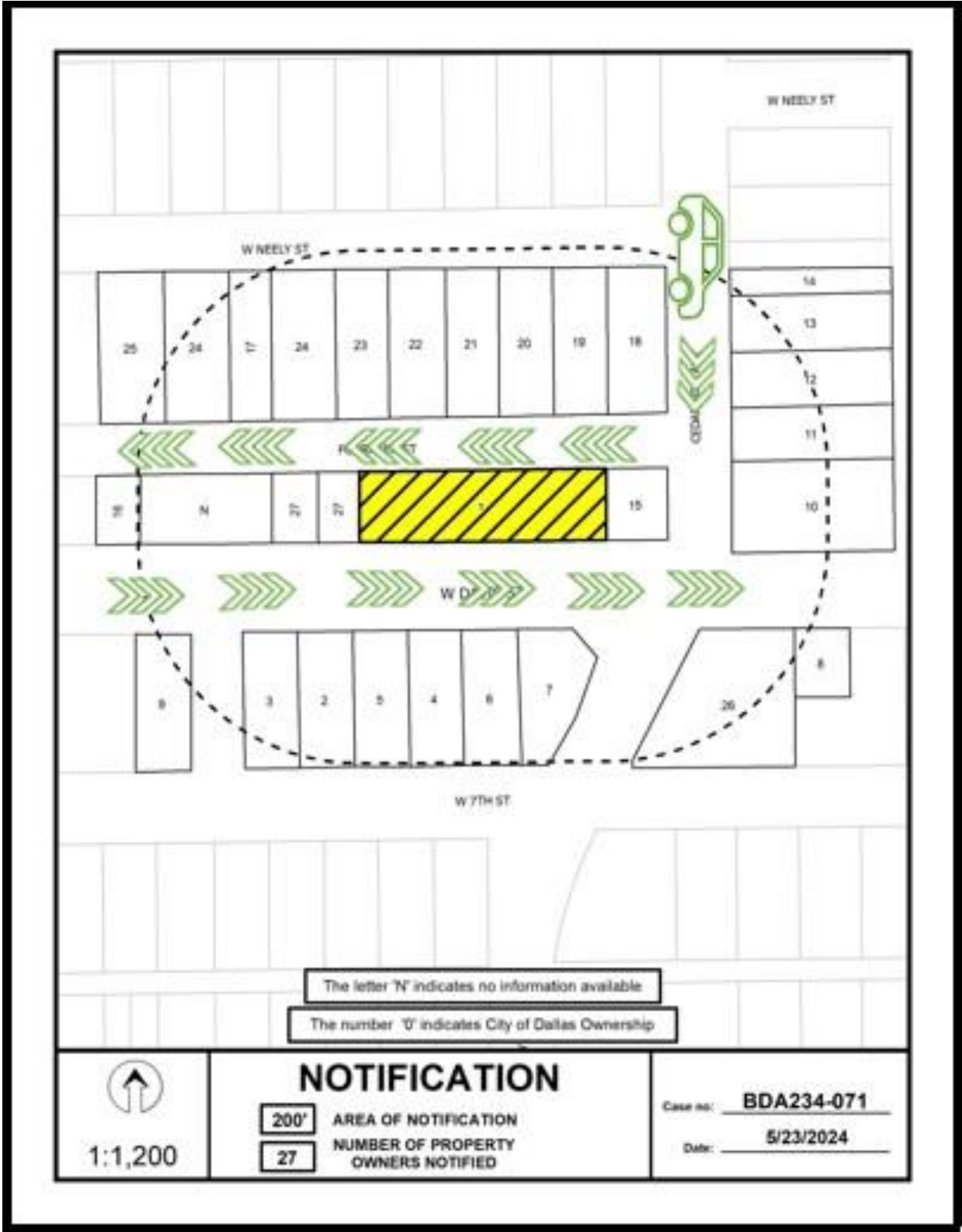
### ***27 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	619 W DAVIS ST	TIN DIK ENTERPRISES INC
2	629 W 7TH ST	Taxpayer at
3	634 W DAVIS ST	Taxpayer at
4	624 W DAVIS ST	GAYTAN JOSE SR &
5	626 W DAVIS ST	RANGEL FRANCISCO JAVIER
6	617 W 7TH ST	Taxpayer at
7	614 W DAVIS ST	Taxpayer at
8	520 W DAVIS ST	CLIFTON DEBI
9	642 W DAVIS ST	L & K GROUP LLC
10	519 W DAVIS ST	WEST DAVIS ASSOCIATES
11	610 CEDAR HILL AVE	CARMODY DAVID E &
12	612 CEDAR HILL AVE	GAYTAN JOSE &
13	616 CEDAR HILL AVE	VASQUEZ JUAN
14	618 CEDAR HILL AVE	CUELLAR MARTHA
15	601 W DAVIS ST	GAYTAN JOSE & MARIA
16	639 W DAVIS ST	Taxpayer at
17	630 W NEELY ST	BARTOLOMEI MARCO
18	600 W NEELY ST	CARRANZA MARIA
19	604 W NEELY ST	SANCHEZ LEONOR
20	608 W NEELY ST	GUERRERO JOSE G &
21	612 W NEELY ST	SERRANO MANUEL
22	616 W NEELY ST	MUNOZ GUADALUPE &
23	620 W NEELY ST	ROBLEDO ALBERTO & MARIA N
24	624 W NEELY ST	JENNIFER OWENS LLC
25	636 W NEELY ST	MENDEZ PEDRO D &
26	550 W DAVIS ST	FUENTES JOSE CO INC

05/23/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	625 W DAVIS ST	MOORE DOUGLAS RICARDO

# 200' Radius Route Map



## NOTICE OF PUBLIC HEARING

### BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

**NOTICE IS HEREBY GIVEN** that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)** will hold a hearing as follows:

**DATE:** TUESDAY, JUNE 18<sup>TH</sup>, 2024

**BRIEFING:** 10:00 a.m. via **Videoconference** and in **6ES**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa-0618>

**HEARING:** 1:00 p.m. via **Videoconference** and in **6ES**, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa-0618>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment:

---

**BDA234-071(BT)** Application of Houshang Jahvani for **(1)** a special exception to the landscaping regulations at **607 W. DAVIS ST.** This property is more fully described as Block A/3438, Lot 2A and is zoned PD-830, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require **(1)** a special exception to the landscape regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov). Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

**Note:** Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> **by the close of business Monday, June 17<sup>th</sup>, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

**Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.**

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment, Development Services  
320 E. Jefferson Blvd. Rm 210, Dallas, TX 75201

**PLEASE SEND REPLIES TO:**  
[BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov)

**Letters will be received until 9:00  
am the day of the hearing.**

**PLEASE REGISTER AT:**  
<https://bit.ly/BDA-A-Register>

NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

NOTICE IS HEREBY GIVEN that the BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A) will hold a hearing as follows:

DATE: TUESDAY, AUGUST 20<sup>TH</sup>, 2024

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment. This case was held under advisement on June 18<sup>th</sup>, 2024.

---

BDA234-071(BT) Application of Houshang Jahvani for (1) a special exception to the landscaping regulations at 607 W. DAVIS ST. This property is more fully described as Block A/3438, Lot 2A and is zoned PD-830, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

---

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Board of Adjustment  
Planning and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**  
[BDAreply@dallas.gov](mailto:BDAreply@dallas.gov)

Letters will be received until 9:00  
am the day of the hearing.

**PLEASE REGISTER AT:**  
<https://bit.ly/BDA-A-Register>



# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-071 **RECEIVED**  
**APR 18 REC'D**  
**BY: DISTRICT 6**

Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_  
 Location address: 607 W DAVIS STREET Zoning District: PD 83C  
 Lot No.: 2A Block No.: 413438 Acreage: 0.343 Census Tract: \_\_\_\_\_  
 Street Frontage (in Feet): 1) 230' 2) 230' 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): TAN DIK ENTERPRISES, INC  
 Applicant: HOUSHANG JAHVANI Telephone: 214-718-9469  
 Mailing Address: 2121 N. JOSEY LANE, #200 Zip Code: 75006  
CARROLLTON TX  
 E-mail Address: JAHVANI@HOTMAIL.COM  
 Represented by: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

Affirm that an appeal has been made for a Variance  or Special Exception  of SPECIAL EXCEPTION  
TO LANDSCAPE

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:

NOT ENOUGH SPACE FOR LANDSCAPE

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

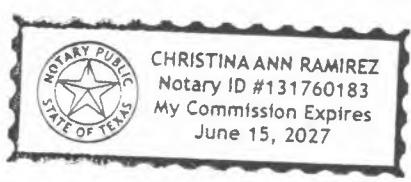
Before me the undersigned on this day personally appeared HOUSHANG JAHVANI  
 (Affiant/Applicant's name printed)

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 5<sup>th</sup> day of April, 2021

[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 HOUSANG JAHVANI

did submit a request for (1) a special exception to the landscaping regulations  
at 607 W. Davis St

BDA234-071(BT) Application of Houshang Jahvani for (1) a special exception to the landscaping regulations at 619 W. DAVIS ST. This property is more fully described as Block A/3438, Lot 2A and is zoned PD-830, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



**REFERRAL FORM FOR BOARD OF ADJUSTMENT**

APPLICANT HOUSHANG JAHVANI OWNER SHAM SUDDUHA  
 ADDRESS 607 W DAVIS ST. STATE TEXAS ZIP  
75201 24 BLOCK A/3438 ZONING

<u>Variance</u>	<u>Special Exception</u>
<input type="checkbox"/> Yard setback	<input type="checkbox"/> Fence height and standards
<input type="checkbox"/> Lot width	<input type="checkbox"/> Visibility triangle obstructions
<input type="checkbox"/> Lot Depth	<input type="checkbox"/> Parking demand
<input type="checkbox"/> Lot Coverage	<input checked="" type="checkbox"/> Landscaping
<input type="checkbox"/> Floor area for accessory structures for single family uses	<input type="checkbox"/> Additional dwelling unit for a single-family
<input type="checkbox"/> Height	<input type="checkbox"/> Carport
<input type="checkbox"/> Minimum width of sidewalk	<input type="checkbox"/> Non-conforming use
<input type="checkbox"/> Off-street parking	<input type="checkbox"/> Other
<input type="checkbox"/> Off-street loading	
<input type="checkbox"/> Landscape regulations	
<input type="checkbox"/> Other	

Please list the City of Dallas Development Code(s) this project is non-compliant with:  
51A-10.125, 51A-10.126

Description: The site is being improved with additional floor area triggering landscaping. The changes also amend landscaping code that was approved by the Board of Adjustment by a previous case (619 W Davis, BDA 978-150).

Alternative resolutions discussed/offered:  
Revert amendment to BDA 978-150.

Referred by: Philip Erwin Contact: 214-948-4117 Date: 1/26/24

\*\*\*FOR INTERNAL USE ONLY\*\*\*

**Board of Adjustment Prescreen Checklist**

*Intake*

Reviewer: *JVora* Date: *2/22/24*

Referred By: \_\_\_\_\_

Applicant: *Sudduha Sham* Ph #: \_\_\_\_\_ email: \_\_\_\_\_

Property Address: *607 W. Davis*

Zoning: *PD830, Sub. 6* Lot: *2A* Block: *A/3438* Acres: *0.343*

Conservation/Historic District: \_\_\_\_\_

Land Use: \_\_\_\_\_ Is use allowed? Yes No

County Plat?  *Yes*  *No* *-Pending replat.* Legal Build Site: \_\_\_\_\_

Street frontage: 1.) *230'* 2.) *230'* 3.) \_\_\_\_\_ 4.) \_\_\_\_\_

Corner lot: \_\_\_\_\_ Double frontage: *yes*

Utilities/Easements/Dedications/Thoroughfare: \_\_\_\_\_

Permit: *S 223-087*

	<u>Required</u>	<u>Proposed</u>		<u>Required</u>	<u>Proposed</u>
Front yard setback:	_____ MIN.	_____	Lot coverage:	_____ MIN.	_____
Side yard setback:	_____ MIN.	_____	Height:	_____ MIN.	_____
Rear yard setback:	_____ MIN.	_____	Lot size:	_____ MIN.	_____
Parking:	_____ MIN.	_____			

**Accessory/Additional dwelling**

	<u>Required</u>	<u>Proposed</u>		<u>Required</u>	<u>Proposed</u>
Side yard setback:	_____ MIN.	_____	Sq ft.:	_____ MIN.	_____
Rear yard setback:	_____ MIN.	_____	Height:	_____ MIN.	_____

Notes:  
*Affidavit incomplete, App incomplete, entity ownership*  
*Reason for request, & block map.*



Appeal number: BDA 234-071

I, Suddha Sham, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 805 Berkshire Rd Southlake TX 76092  
(Address of property as stated on application)

Authorize: HOUSHANG JAHVANI  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

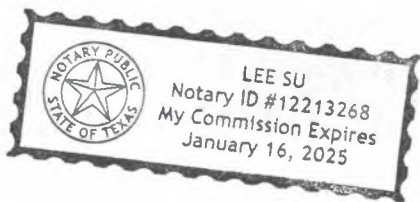
- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: LANDSCAPE EXCEPTION

Suddha Sham [Signature]  
 Print name of property owner or registered agent      Signature of property owner or registered agent  
 agent Date 6th February 2024

Before me, the undersigned, on this day personally appeared  
with Texas Driver License ID- 13960963

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 6th day of February, 2024



[Signature]  
Notary Public for Dallas County, Texas

Commission expires on \_\_\_\_\_



Appeal number: BDA 234-071

I, Sudduka Sham, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 805 Berkshire Rd, Southlake, TX 76092  
(Address of property as stated on application)

Authorize: HOUSHANG JAHVANI  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

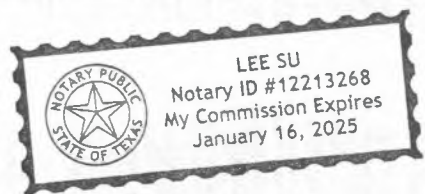
Specify: LANDSCAPE EXCEPTION

Sudduka Sham \_\_\_\_\_  
Print name of property owner or registered agent      Signature of property owner or registered

agent Date Feb 6th 2024

Before me, the undersigned, on this day personally appeared  
with TEXAS DRIVERS LICENCE FD # 13960963

Who on his/her oath certifies that the above statements are true and correct to his/her best  
knowledge. Subscribed and sworn to before me this 6th day of  
Feb, 2024



\_\_\_\_\_  
Notary Public for Dallas County,  
Texas

Commission expires on \_\_\_\_\_



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA \_\_\_\_\_

I, \_\_\_\_\_, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: \_\_\_\_\_  
(Address of property as stated on application)

Authorize: \_\_\_\_\_  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- \_\_\_\_\_ Variance (specify below)
- \_\_\_\_\_ Special Exception (specify below)
- \_\_\_\_\_ Other Appeal (specify below)

Specify: \_\_\_\_\_

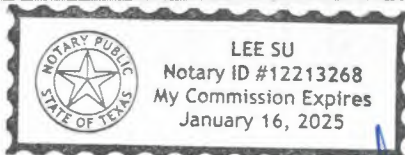
\_\_\_\_\_

Sudduha Sham  
Print name of property owner or registered agent  
agent Date Feb 6th 2024

[Signature]  
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared  
with Texas Driver's licence ID# 13960963

Who on his/her oath certifies that the above statements are true and correct to his/her best  
knowledge. Subscribed and sworn to before me this 6th day of  
Feb, 2024



Commission expires on \_\_\_\_\_

**BDA234-071**



AFFIDAVIT

Appeal number: BDA \_\_\_\_\_

I, \_\_\_\_\_, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: \_\_\_\_\_  
(Address of property as stated on application)

Authorize: \_\_\_\_\_  
(Applicant's name as stated on application)

To pursue an appeal to the City of Dallas Zoning Board of Adjustment for the following request(s)

- \_\_\_\_\_ Variance (specify below)
- \_\_\_\_\_ Special Exception (specify below)
- \_\_\_\_\_ Other Appeal (specify below)

Specify: \_\_\_\_\_

Sudduha Sham \_\_\_\_\_  
 Print name of property owner or registered agent      Signature of property owner or registered agent

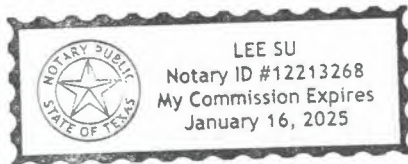
agent Date 6th February 2024

Before me, the undersigned, on this day personally appeared  
With Texan Driver Licence ID # 13960963

Who on his/her oath certifies that the above statements are true and correct to his/her best

knowledge. Subscribed and sworn to before me this 6th day of

February, 2024



Commission expires on 1-16, 2025

**BDA 234-071**



## Posting of Notification Sign

Address 407 W. Davis St

Appeal Number: BDA 234-071

All required notification signs must be posted on the property within fourteen (14) days after an application has been made, prior to the Board of Adjustment Hearing, and not be removed until the hearing ends.

The sign must be posted at a prominent location adjacent to the public street, evenly spaced along each frontage, and easily visible from the street. Failure to properly post the sign(s) may result in either a postponement or denial of the appeal.

All required notification signs have been received. One sign is required for each 500 feet or less of frontage, or every tract of five (5) acres or less, with a maximum of five (5) signs required. The cost of each sign is \$10.00.

Footage of each street frontage: 230', 230'

Number of acres: 0.343

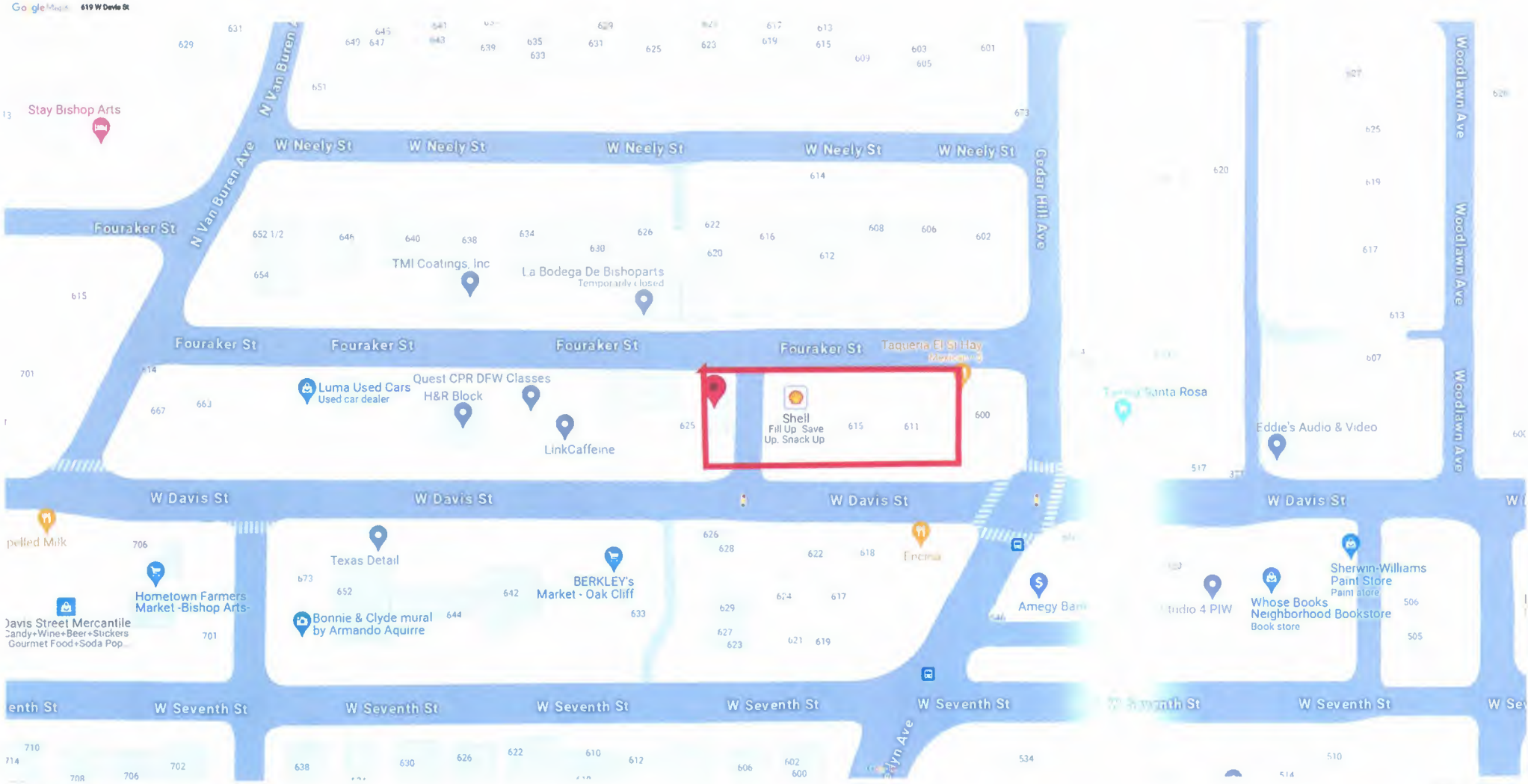
Number of signs received: 2

Signature of applicant or person receiving signs

4-18-24

Date

# 619 WEST DAVIS STREET

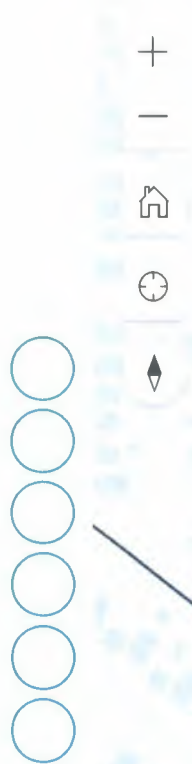


619 W Davis St  
Building

Directions Open Street View Nearby Bookmarks Share

619 W Davis St, Dallas, TX 75208

BDA234-071



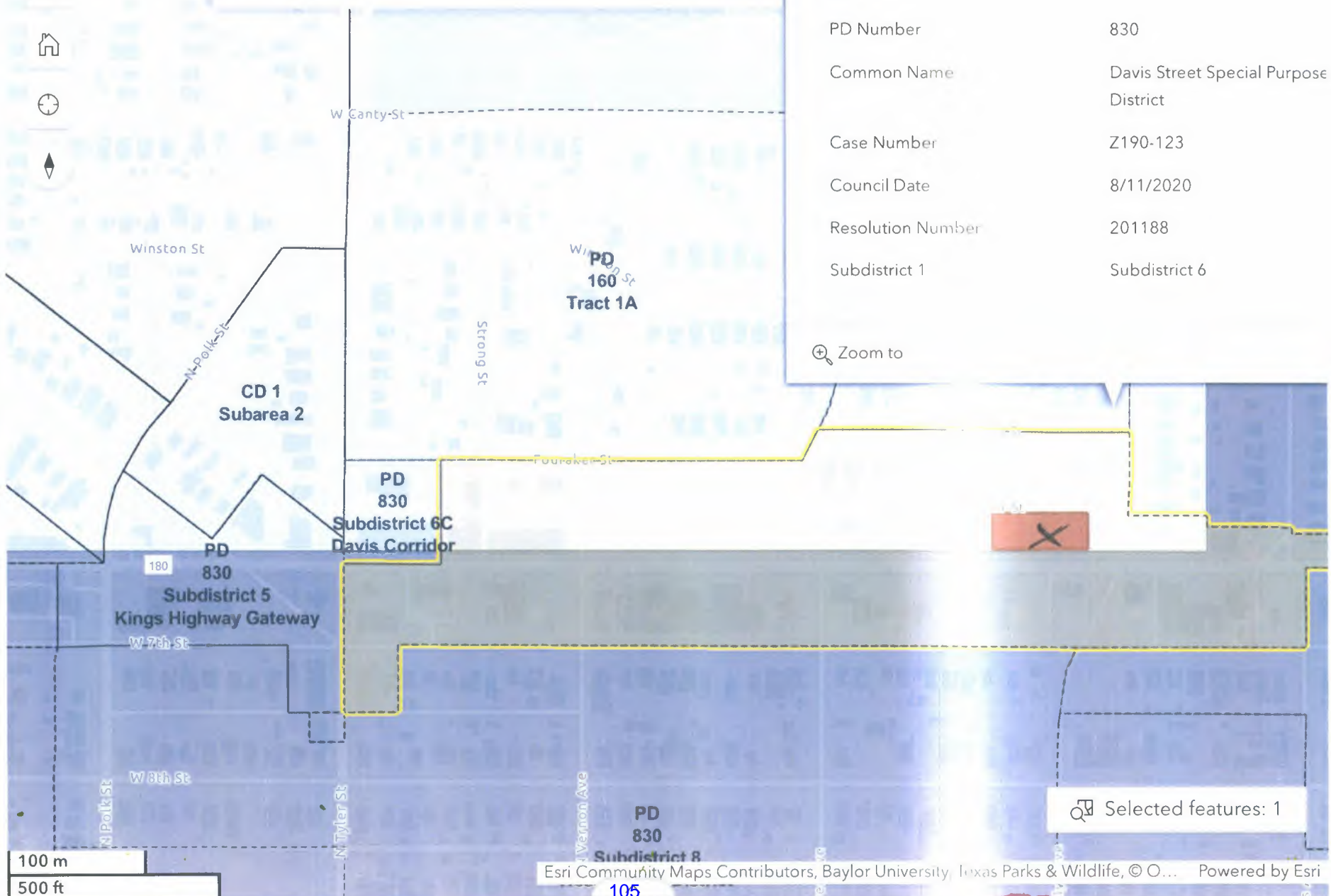
619 W DAVIS ST, DALLAS

Search result

PD (Planned Development) Subdistricts

Zone District	PD
PD Number	830
Common Name	Davis Street Special Purpose District
Case Number	Z190-123
Council Date	8/11/2020
Resolution Number	201188
Subdistrict 1	Subdistrict 6

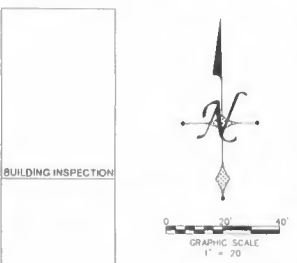
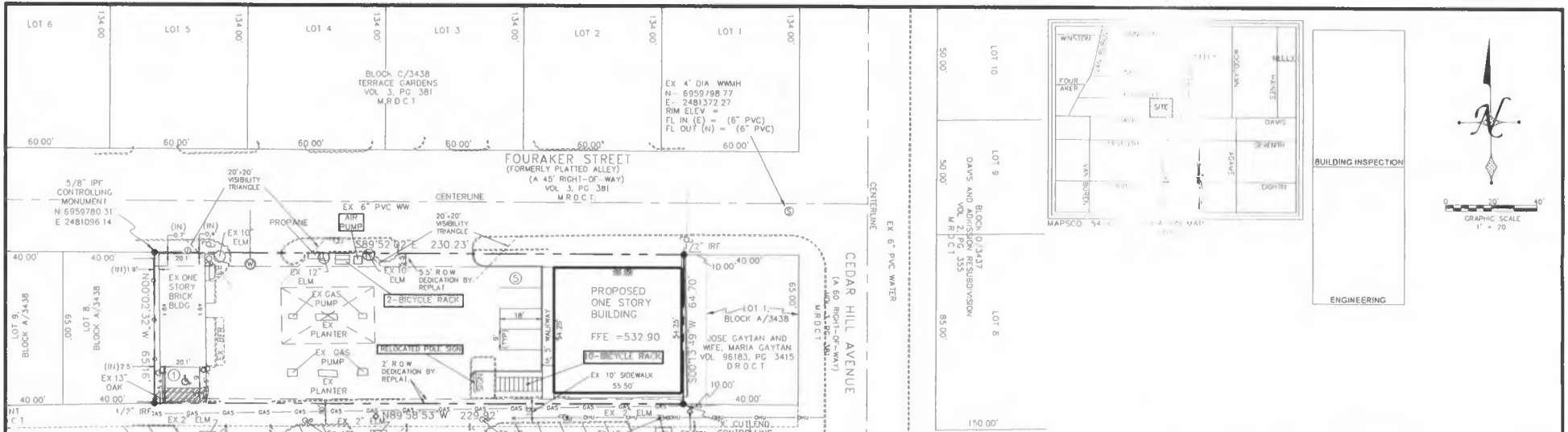
Zoom to



Selected features: 1



BDA-234-071



**SITE PLAN SUMMARY**

LOT AREA	0.343 ACRES (14,939 SQ. FT)
ZONE	TU-50 SUB DISTRICT 6 (DAVIS CORRIDOR)
LOT AREA	
PROPOSED BUILDING AREA	980 S.F.
MAX. A. FLOOR AREA	3000 S.F.
FLOOR FLOOR AREA	3,980.00 S.F.
FLOOR AREA RATIO	0.27/1
REQUIREMENTS	
PARKING SPACE PER 200 S.F. BUILDING AREA	= 20
PROVIDED ON SITE	10 ALONG STREET, AND 12 BICYCLE SPACES (EQUAL TO 3 PARKING SPACES)
NET PARKING SPACE REDUCTION:	1
NET SPACE REQUIRED:	2
NET SPACE PROVIDED:	12 (EQUAL TO 3 PARKING SPACES)
LANDSCAPE PARKING SPACE REQUIRED:	1
LANDSCAPE PARKING SPACE PROVIDED:	1
NET LANDSCAPE:	
MINIMUM ONE (1) TREE FOR EACH 40' OF FRONTAGE	: 6 TREES ALONG DAVIS STREET AND 6 ALONG FOURAKER STREET = 12
PROVIDED TREES ALONG DAVIS STREET AND ALONG FOURAKER STREET	= 12

NOTES:  
 1. 50' SIDEWALK ALONG BOTH SIDES OF FOURAKER STREET

CITY OF DALLAS BENCHMARKS	
1- BENCHMARK # 54-C-4S Standard WDBM on concrete curb of storm sewer drop inlet southeast corner of intersection of Davis Street and N. Van Buren Avenue. N- 6,959,639.590 E- 2,480,718.380	Elevation=530.74'
2- BENCHMARK # 54-C-2 Square on concrete curb northeast corner of intersection of Cedar Hill Avenue, and Sixth Street N- 6,961,261.368 E- 2,481,416.380	Elevation=522.84'

Owner/Developer:  
**TIN DIK ENTERPRISES, INC.**  
 SHAM SUDDUHA  
 619 W DAVIS STREET DRIVE  
 DALLAS, TX. 75208  
 214-663-0767  
 shagor33@hotmail.com



CONTRACT NO. \_\_\_\_\_  
 CONTRACTOR \_\_\_\_\_

REVISIONS			
REV NO.	DATE	DESCRIPTION	BY
JAHVANI CONSULTING ENGINEERS, INC. TBPE FIRM REGISTRATION NO. F-10188			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2308081057	WW23-XXX	DP23-XXX
<b>DIMENSION CONTROL PLAN / SITE PLAN</b>			
<b>607 WEST DAVIS STREET ADDITION</b>			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	411Q 80 C05.01

BDA234-071

SHIPPED DATE: 6-20-98 RECEIVED DATE: 7-2-98

# CITY OF DALLAS PLAT BOOKS

ANNEXED SURVEY G. S. LEONARD A. OVERTON ORD. NO. ABST. 780 1011

ADDITION \_\_\_\_\_

BLOCKS C H 3436-3439 SCHOOL DISTRICT DALLAS

SCALE 100 FT. EQUALS 1 INCH



BDA234-071

# **Applicant's Documentary Evidence**















# UPDATED SITE PLAN



# Construction Plans

## 607 WEST DAVIS STREET ADDITION



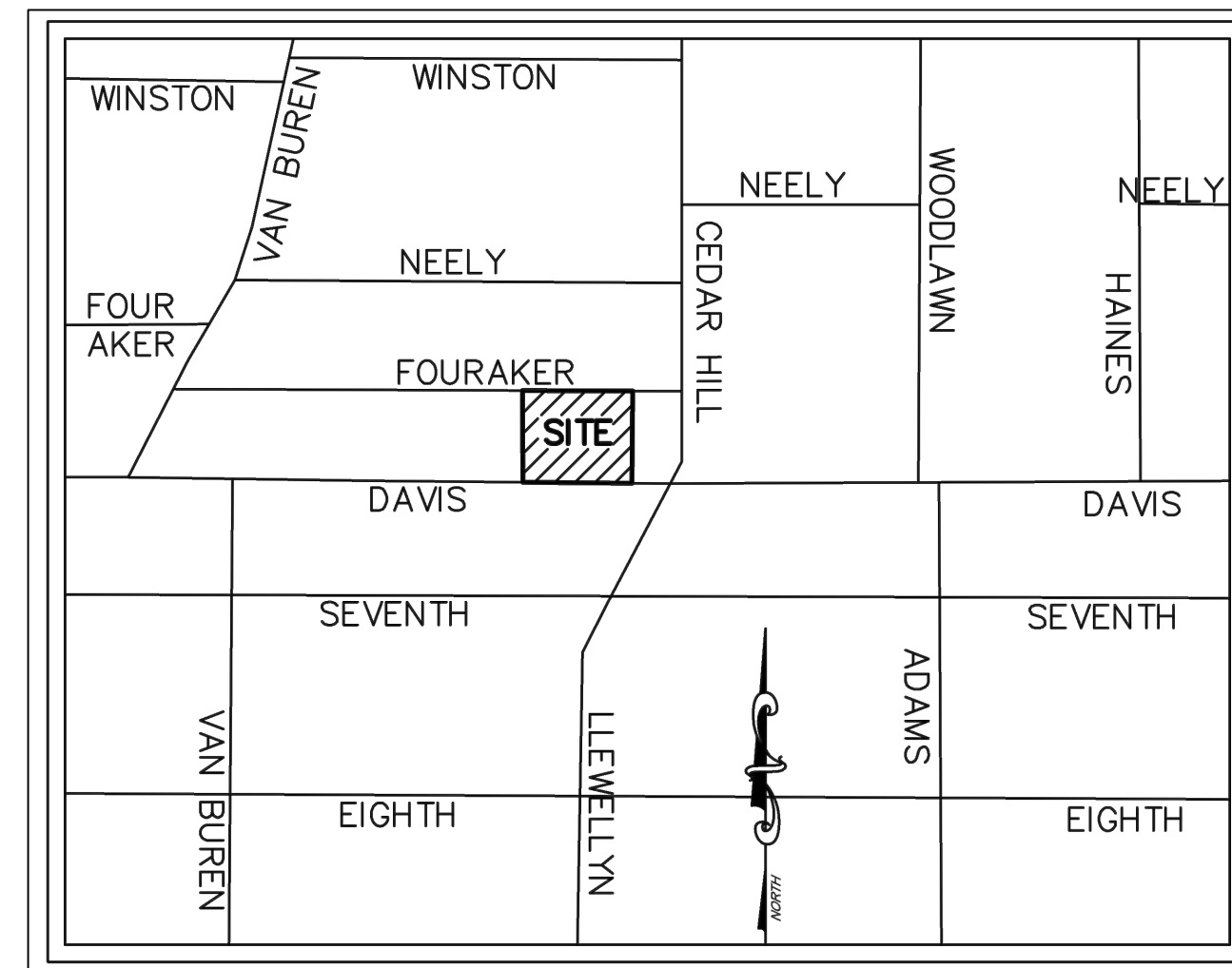
LOT 1, BLOCK A/3438, TIN DIK ADDITION  
0.343 ACRES (OR 14,939 S.F)

A REPLAT OF LOTS 3-7 AND PORTION OF LOT 2, BLOCK A/3438 TERRACE GARDENS  
AARON OVERTON SURVEY, ABSTRACT NUMBER 1101

# Paving/Drainage Improvements

## City of Dallas, Dallas County, Texas

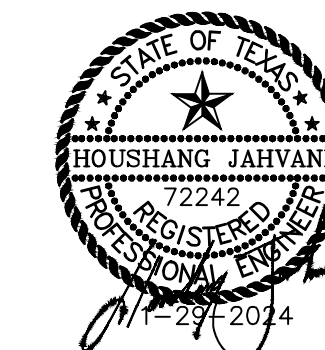
DP22-XXX  
S-223-087



MAPSCO: 54-C LOCATION MAP N.T.S.

Owner/Developer:  
**TIN DIK ENTERPRISES, INC.**  
SHAM SUDDUHA  
619 W DAVIS STREET DRIVE  
DALLAS, TX. 75208  
214-663-0767  
shagor33@hotmail.com

Engineer:  
**JAHVANI CONSULTING ENGINEERS, INC.**  
TBPELS REGISTRATION NO. F-10198  
 2121 N. JOSEY LANE, #200  
CARROLLTON, TEXAS 75006  
TEL. (214) 718-9469  
jahvani@hotmail.com  
Houshang Jahvani, P.E.



CONSTRUCTION NOTES:  
ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE ADOPTED STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION IN THE CITY OF DALLAS, TEXAS.

- The existing public water, sanitary sewer, and storm sewer utility lines and appurtenances shown on these plans are based on survey provided by Winklemann & Associates, LLC. Existing Water lines as shown on plans are per the Public Works Department of the City of Dallas, Texas.
- The contractor shall be responsible for determining the depth and location of existing underground utilities prior to trenching or excavation and is required to take any precautionary measures to protect all lines shown and/or any other underground utilities not of record or not shown on the plans. Contractor is responsible for contacting all the franchise utility companies, city utility departments and DIGTESS for locates prior to construction.
- The developer and contractor shall comply with all acceptance procedures and processes identified at the pre-construction meeting.
- The developer or his/her contractor shall maintain daily contact with the city inspector during construction of improvements. No public sanitary sewer, water or storm sewer pipe shall be covered without approval of the city inspector. No subgrade material, stabilization or paving shall be applied in public right-of-way without approval of the city inspector. The inspector may at any time cause any construction, installation, maintenance of improvements to cease when, in his judgment the City's Standard Construction Details have been violated and may require reconstruction or other work as may be necessary to correct the violation.
- Construction plans without the City of Dallas "Released for Construction" stamp are not valid for construction and shall be removed from the construction site.
- The developer is responsible for obtaining all applicable city, state, and federal permits.
- Erosion control and storm water management measures must be in place and comply with applicable city, state and federal regulations. Erosion and sedimentation control measures and practices shall be maintained at all times during construction, additional measures and practices shall be installed if deemed necessary by the city inspector.
- The contractor shall make every effort not to impede traffic on ST. Francis Avenue. The developer/contractor is responsible for furnishing and installing all temporary and permanent traffic control devices in accordance with the minimum requirements of the latest revision to the Texas Manual on Uniform Traffic Control Handbook.
- All excavations within the right of the way shall be filled and compacted within twenty-four (24) hours of completion of work and no excavation shall remain open for longer than 72 hours.
- The contractor shall be responsible for providing "As-Builts", and/or "Record Drawings" to the Engineer of Record / Firm defining the location of improvements and any changes to the City approved drawings constructed in conjunction with the project including but not limited to public and private paving, grading, drainage, and utilities and appurtenances. Prior to final acceptance by the City, the Engineer of Record / FIRM shall provide the city inspector with a reproducible set of "As-Builts" and / or "Record Drawings" on 24" x 36" sheets and a digital copy of all files on compact disk (CD) in a City approved AutoCAD (.dwg) format of all drawings bearing the City's "Release for Construction" stamp.

CITY OF DALLAS BENCHMARKS	
1- BENCHMARK # 54-C-4S Standard WDBM on concrete curb of storm sewer drop inlet southeast corner of intersection of Davis Street and N. Van Buren Avenue. N- 6,959,639.590 E- 2,480,718.380	Elevation=530.74'
2- BENCHMARK # 54-C-2 Square on concrete curb northeast corner of intersection of Cedar Hill Avenue, and Sixth Street. N- 6,961,261.368 E- 2,481,416.380	Elevation=522.84'

FLOOD NOTE:  
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48113C0480K, DATED 07-07-2014, THIS PROPERTY IS WITHIN FLOOD ZONE X.  
ZONE X-AREAS DETERMINED TO BE OUTSIDE THE 0.20% ANNUAL CHANCE FLOODPLAIN.

TRAFFIC CONTROL NOTE:  
1- ANY TRAFFIC CONTROL PLAN (TCP) MUST BE SUBMITTED TO THE DEPARTMENT OF PUBLIC WORKS FOR REVIEW AND APPROVAL BY TRAFFIC SAFETY COORDINATORS PRIOR TO START OF CONSTRUCTION. NO TRAFFIC LANE OR SIDEWALK ALONG ANY PUBLIC STREET OR ALLEY IS TO BE CLOSED WITHOUT FIRST OBTAINING THE APPROPRIATE PERMIT(S). CLOSURE OF ANY TRAFFIC LANE MUST BE RESTRICTED TO THE HOURS OF 9:30 AM TO 3:30 PM WORKDAYS (HOURS MAY DIFFER ON SCHOOL ZONES). CONTRACTOR MUST CALL (214) 948-4290 TO REQUEST APPROVAL OF TCP AND TO OBTAIN A RIGHT-OF-WAY PERMIT.

BUILDING INSPECTION
ENGINEERING

619 WEST DAVIS STREET

### Drawing Sheet Index

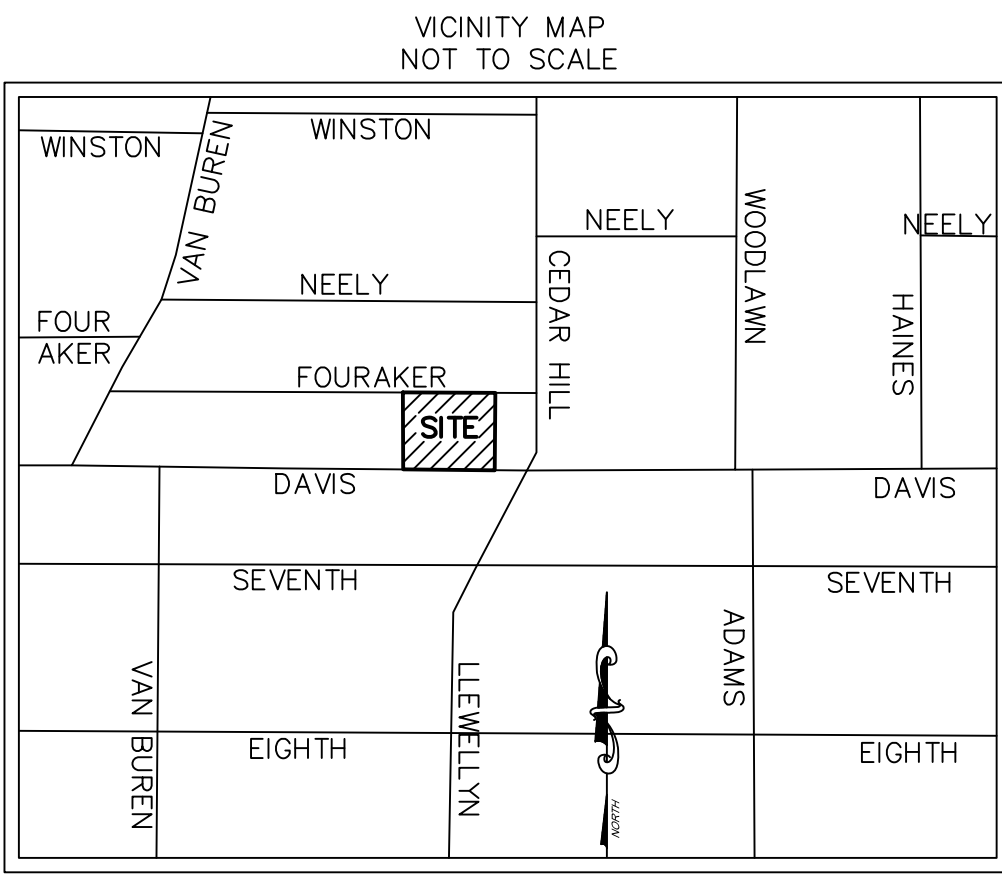
C01	Cover.
C02	Final Plat - S223-087.
C04	Demolition Plan.
C05.01	Dimension Control Plan / Site Plan.
C06.01	Paving Plan and Details.
C07.01	Grading Plan.
C08.01	Pre-Development Drainage Area Map.
C08.02	Post-Development Drainage Area Map.
C11.01	Erosion Control Plan.
C11.50	Erosion Control Details.

STREET LIGHTING PLAN NOTE:  
NO STREET LIGHTING PLAN IS REQUIRED. ALL STREET LIGHTS ARE ALREADY LED.

CONTRACT INFORMATION	
CONTRACT NO. _____	DATE: _____
CONTRACTOR _____	

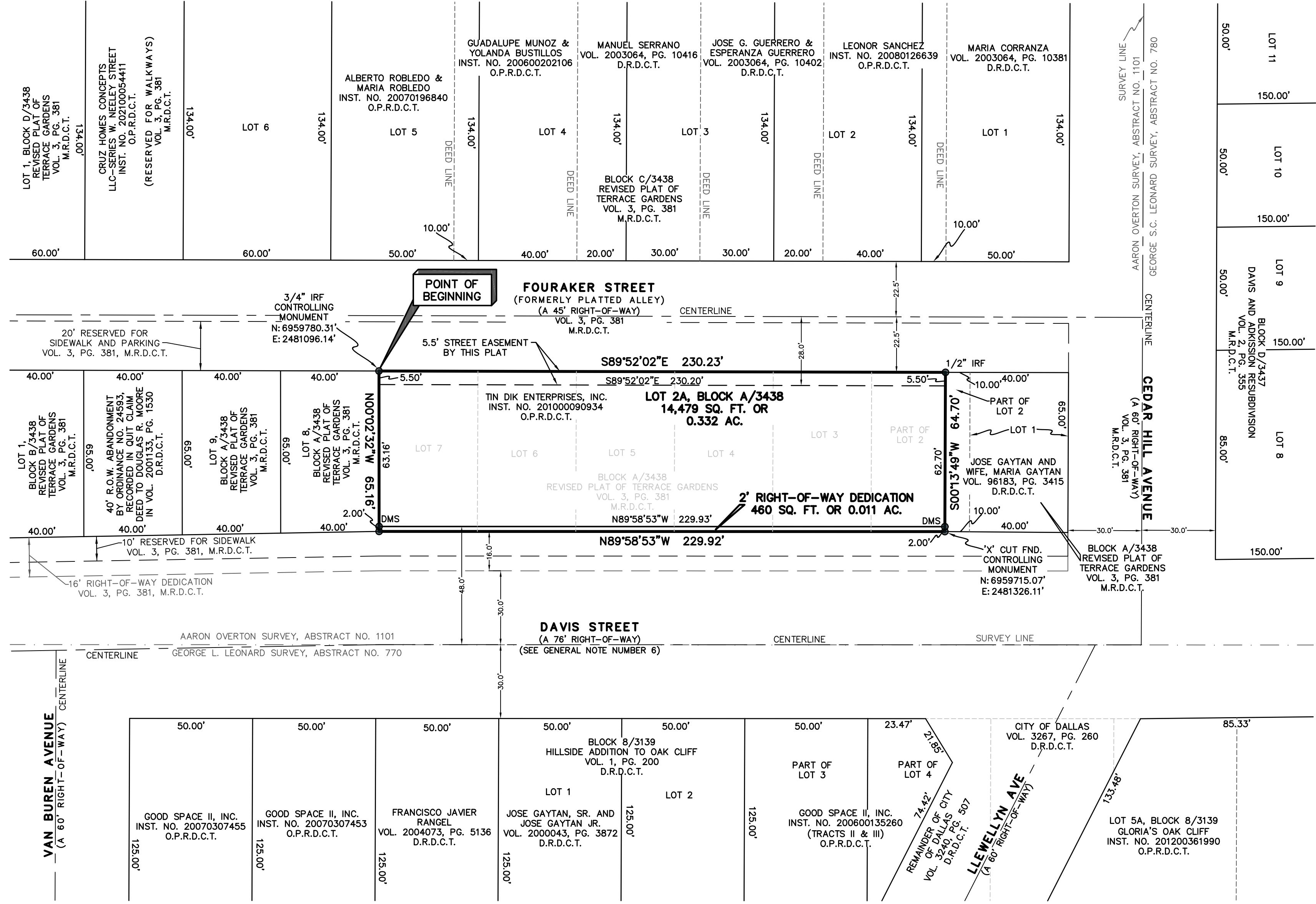
REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
<b>JAHVANI CONSULTING ENGINEERS, INC.</b> TBPELS FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW22-XXX	DP22-XXX
COVER			
<b>607 WEST DAVIS STREET ADDITION</b>			
607 WEST DAVIS STREET DEVELOPMENT SERVICES CITY OF DALLAS, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	421Q 80 C01

JANUARY, 2024



GENERAL NOTES:  
 1. BASIS OF BEARING - STATE PLANE COORDINATE SYSTEM, NORTH TEXAS CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ADJUSTMENT REALIZATION 2011.  
 2. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.  
 3. THE PURPOSE OF THIS PLAT IS TO CREATE ONE LOT FROM FIVE PLATTED LOTS AND A PORTION OF ONE PLATTED LOT.  
 4. COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.  
 5. TxDOT APPROVAL MAY BE REQUIRED FOR ANY DRIVEWAY MODIFICATION OR NEW ACCESS POINTS.  
 6. DAVIS STREET IS FORMERLY KNOWN AS STATE HIGHWAY 180 AND OLD U.S. HIGHWAY 80. THE STATE OF TEXAS QUITCLAIMED THE STATE'S RIGHT, TITLE AND INTEREST IN THE ROADWAY FROM STATE HIGHWAY 12 TO I-35E IN DALLAS, BY QUITCLAIM DEED RECORDED IN INSTRUMENT NUMBER 201400321506, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.

LEGEND  
 IRF - IRON ROD FOUND  
 D.R.D.C.T. - DEED RECORDS, DALLAS COUNTY, TEXAS  
 O.P.R.D.C.T. - OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS  
 INST. NO. - INSTRUMENT NUMBER  
 VOL. - VOLUME  
 PG. - PAGE  
 M.R.D.C.T. - MAP RECORDS, DALLAS COUNTY, TEXAS  
 DMS - 3 1/4 INCH ALUMINUM DISK STAMPED "BLOCK A/3438 TIN DIK ADDITION RPLS 6122" SET



OWNER'S CERTIFICATE:

STATE OF TEXAS )  
 COUNTY OF DALLAS )  
 WHEREAS TIN DIK ENTERPRISES, INC., is the sole owner of that certain 0.343 acre tract of land situated in the Aaron Overton Survey, Abstract No. 1101, and being all that certain tract of land conveyed to Tin Dik Enterprises, Inc., by Special Warranty Deed with Vendor's Lien recorded in Instrument Number 201000090934, Official Public Records, Dallas County, Texas, and being a portion of Lot 2, and all of Lots 3, 4, 5, 6, and 7, Block A/3438, Revised Plat of Terrace Gardens, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 3, Page 381, Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 3/4 inch iron rod found for the northwest corner of said Tin Dik tract, same being the northwest corner of said Lot 7, same being the northeast corner of Lot 8 of said Block A/3438, same being in the south right-of-way line of Fouraker Street (a 45 foot right-of-way) (formerly platted alley per Volume 3, Page 381, said Map Records);

THENCE South 89 deg. 52 min. 02 sec. East, along the south line of said Fouraker Street, a distance of 230.23 feet to a 1/2 inch iron rod found for the northeast corner of said Tin Dik tract, same being the northwest corner of that certain tract of land conveyed to Jose Gaytan and wife, Maria Gaytan, by deed recorded in Volume 96183, Page 3415, Deed Records, Dallas County, Texas;

THENCE South 00 deg. 13 min. 49 sec. West, along the common line of said Tin Dik tract and said Gaytan tract, a distance of 64.70 feet to an 'X' cut found for the southeast corner of said Tin Dik tract, same being in the south line of said Block A/3438, same being the southwest corner of said Gaytan tract, same being in the north line of Davis Street (a 76 foot right-of-way);

THENCE North 89 deg. 58 min. 53 sec. West, along the north line of said Davis Street, a distance of 229.92 feet to the southwest corner of said Tin Dik tract, same being the southwest corner of aforesaid Lot 7, same being the southeast corner of aforesaid Lot 8, said Block A/3438;

THENCE North 00 deg. 02 min. 32 sec. West, along the common line of said Lots 7 and 8, a distance of 65.16 feet to the POINT OF BEGINNING and containing 14,939 square feet or 0.343 acre of computed land, more or less.

OWNER'S DEDICATION:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TIN DIK ENTERPRISES, INC., ACTING BY AND THROUGH ITS DULY AUTHORIZED AGENT, DOES HEREBY ADOPT THIS PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **TIN DIK ADDITION**, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER ANY STREETS, ALLEYS, AND FLOODWAY MANAGEMENT AREAS SHOWN THEREON. THE EASEMENTS SHOWN THEREON ARE HEREBY RESERVED FOR THE PURPOSES INDICATED. THE UTILITY AND FIRE LANE EASEMENTS SHALL BE OPEN TO THE PUBLIC, FIRE AND POLICE UNITS, GARBAGE AND RUBBISH COLLECTION AGENCIES, AND ALL PUBLIC AND PRIVATE UTILITIES FOR EACH PARTICULAR USE. THE MAINTENANCE OF PAVING ON THE UTILITY AND FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED, RECONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN. SAID EASEMENTS BEING HEREBY RESERVED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES USING OR DESIRING TO USE SAME. ALL, AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDING, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY MAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON THE EASEMENTS, AND ALL PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THE SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PARTS OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO PRIVATE PROPERTY FOR THE PURPOSE OF READING METERS AND ANY MAINTENANCE OR SERVICE REQUIRED OR ORDINARILY PERFORMED BY THAT UTILITY).

WATER MAIN AND WASTEWATER EASEMENTS SHALL ALSO INCLUDE ADDITIONAL AREA OF WORKING SPACE FOR CONSTRUCTION AND MAINTENANCE OF THE SYSTEMS. ADDITIONAL EASEMENT AREA IS ALSO CONVEYED FOR INSTALLATION AND MAINTENANCE OF MANHOLES, CLEANOUTS, FIRE HYDRANTS, WATER SERVICES AND WASTEWATER SERVICES FROM THE MAIN TO THE CURB OR PAVEMENT LINE, AND DESCRIPTION OF SUCH ADDITIONAL EASEMENTS HEREIN GRANTED SHALL BE DETERMINED BY THEIR LOCATION AS INSTALLED.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF DALLAS, TEXAS.

WITNESS MY HAND THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023,  
 TIN DIK ENTERPRISES, INC.

By: \_\_\_\_\_  
 SHAM SUDDUHA, OWNER

STATE OF TEXAS:  
 COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED SHAM SUDDUHA, OWNER OF TIN DIK ENTERPRISES, INC., KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

NOTARY PUBLIC IN AND FOR \_\_\_\_\_ COUNTY

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:  
 [Bank/mortgagee]

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS  
 COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (date of acknowledgement) by \_\_\_\_\_ (name of person who signed), as \_\_\_\_\_ (title of officer-usually president or secretary, or \_\_\_\_\_ (name of business), a \_\_\_\_\_ (state of business, i.e., LLC, Corp, etc.), on behalf of the \_\_\_\_\_ (LLC, Corp., etc.).

Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, TIMOTHY R. MANKIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, AFFIRM THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, FROM RECORDED DOCUMENTATION, EVIDENCE COLLECTED ON THE GROUND DURING FIELD OPERATIONS AND OTHER RELIABLE DOCUMENTATION; AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE CITY OF DALLAS DEVELOPMENT CODE (ORDINANCE NO. 19455, AS AMENDED), AND TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212. I FURTHER AFFIRM THAT MONUMENTATION SHOWN HEREON WAS EITHER FOUND OR PLACED IN COMPLIANCE WITH THE CITY OF DALLAS DEVELOPMENT CODE, SEC. 51A-8.617 (A)(B)(C)(D) & (E); AND THAT THE DIGITAL DRAWING FILE ACCOMPANYING THIS PLAT IS A PRECISE REPRESENTATION OF THIS SIGNED FINAL PLAT.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. RELEASED FOR REVIEW 10/19/2023

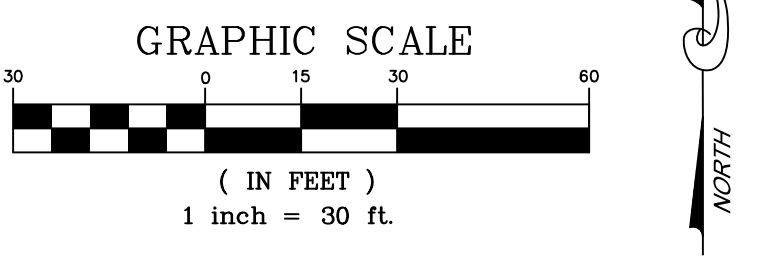
TIMOTHY R. MANKIN DATE  
 TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6122

STATE OF TEXAS:  
 COUNTY OF TARRANT:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED TIMOTHY R. MANKIN, KNOWN TO ME TO BE THE PERSON OR PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY HEREIN STATED AND THE ACT AND DEED OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

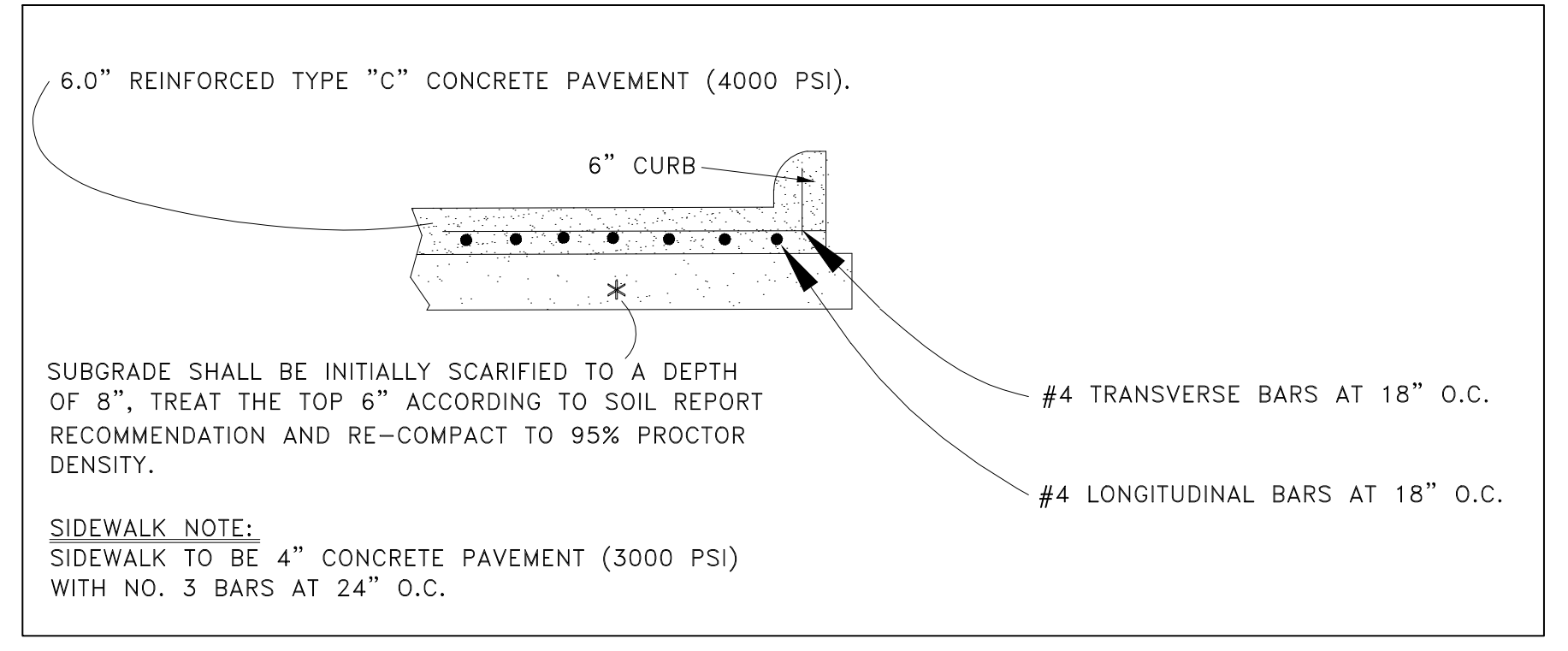
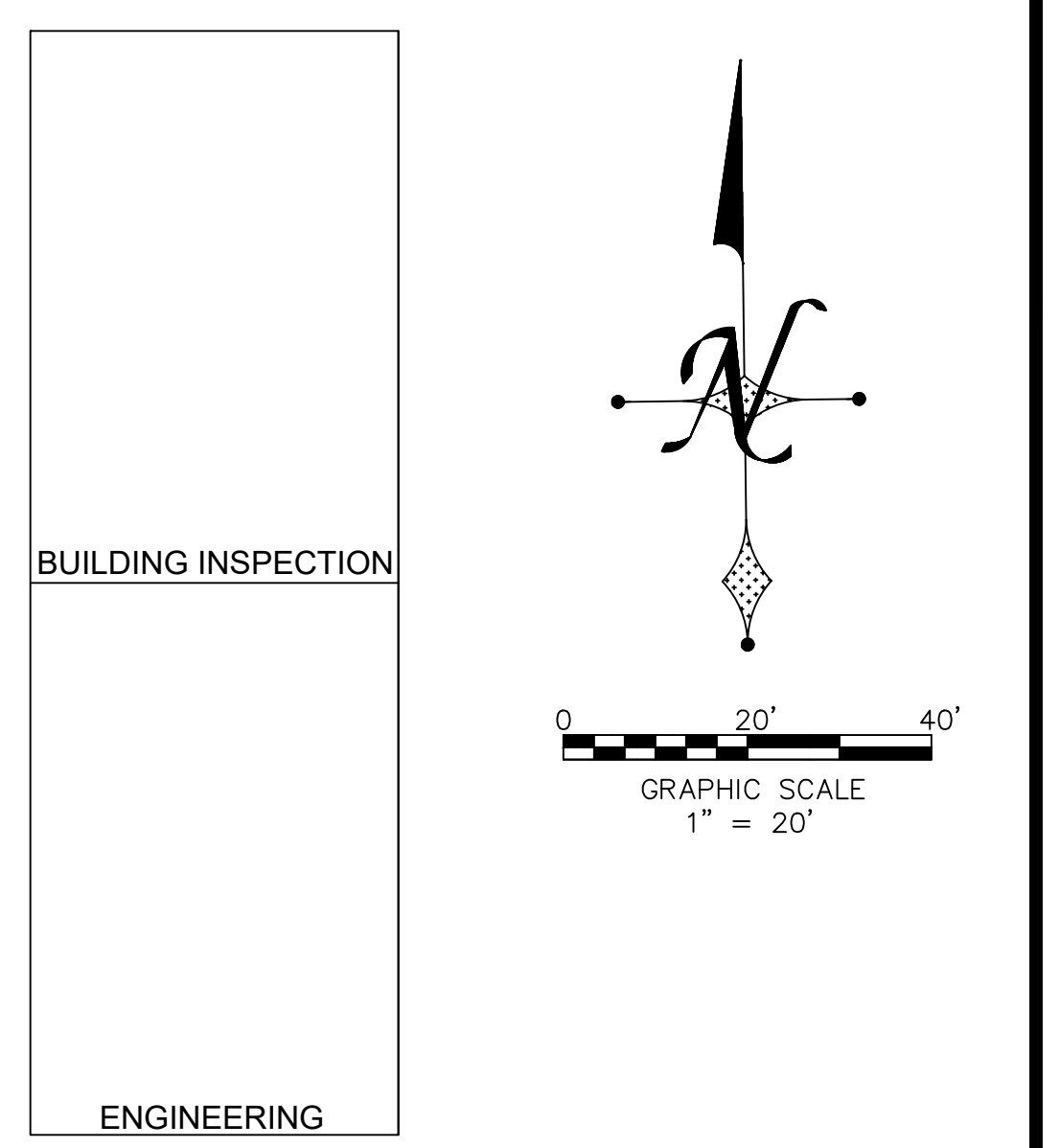
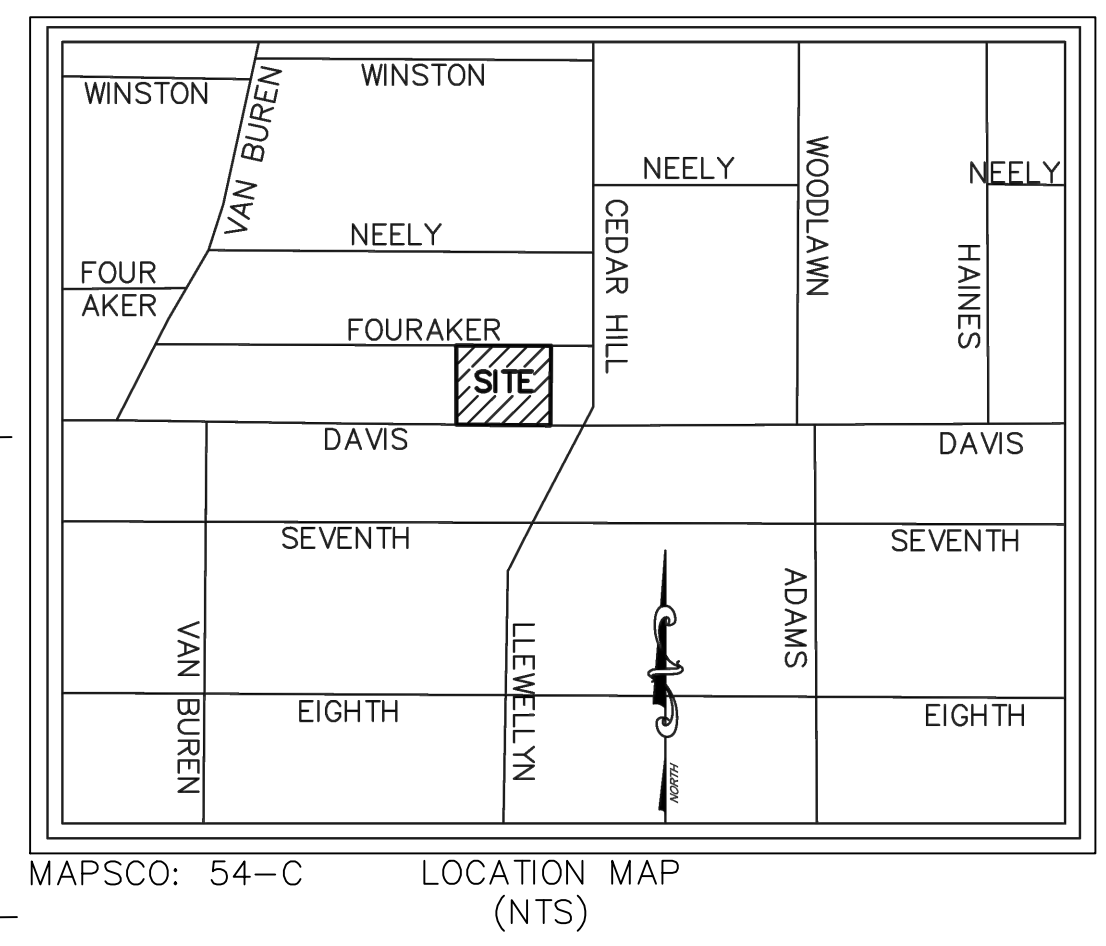
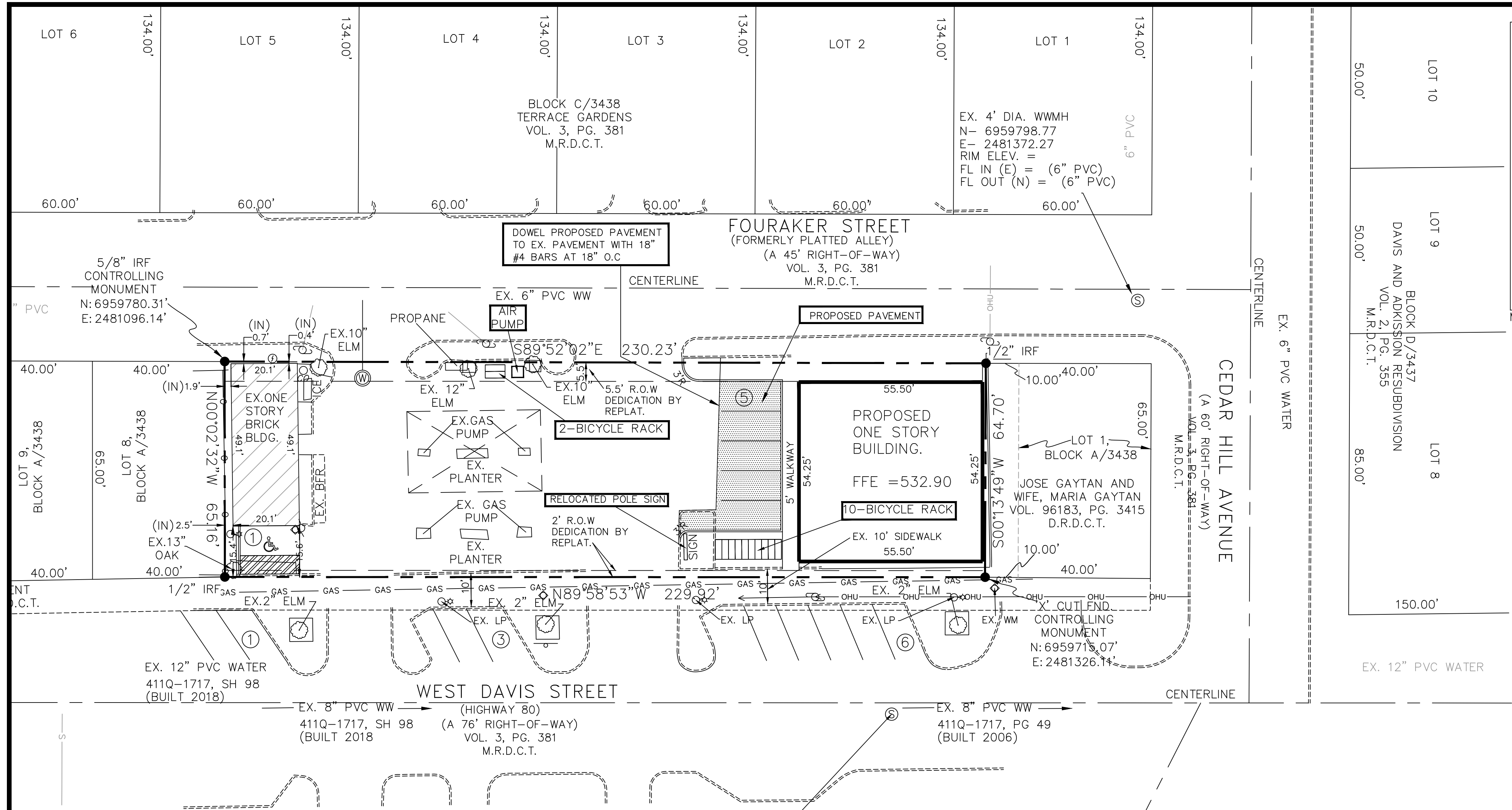
NOTARY PUBLIC IN AND FOR TARRANT COUNTY, TEXAS



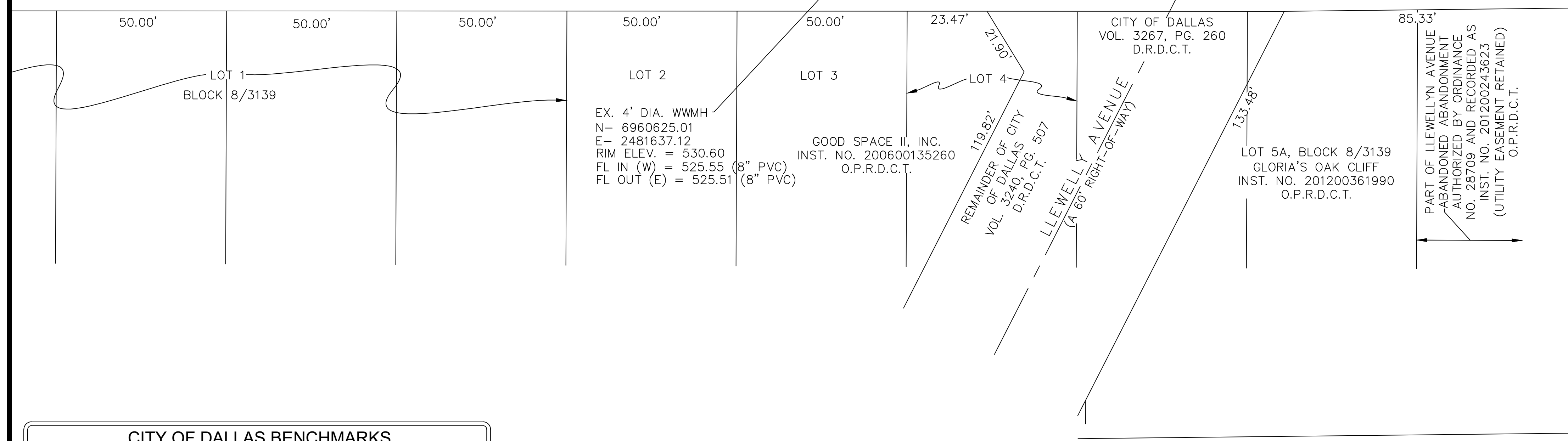
JOB NO.: 22-1206	PEISER & MANKIN SURVEYING, LLC www.mankinsurveying.com	1612 HART STREET SUITE 201 SOUTH LAKE, TEXAS 76092 817-481-1806 (O)	COMMERCIAL RESIDENTIAL BOUNDARIES TOPOGRAPHY MORTGAGE	Texas Society of Professional Surveyors
DATE: 1/16/2023				
FIELD DATE: 1/3/2023				
SCALE: 1" = 30'				
FIELD: A.R.M.				
DRAWN: J.M.N.				
CHECKED: T.R.M.	tmankin@peisersurveying.com	FIRM No. 100999-00	Member Since 1977	







TYPICAL PARKING AREA PAVING & FIRE LANE CROSS SECTION DETAIL  
N.T.S



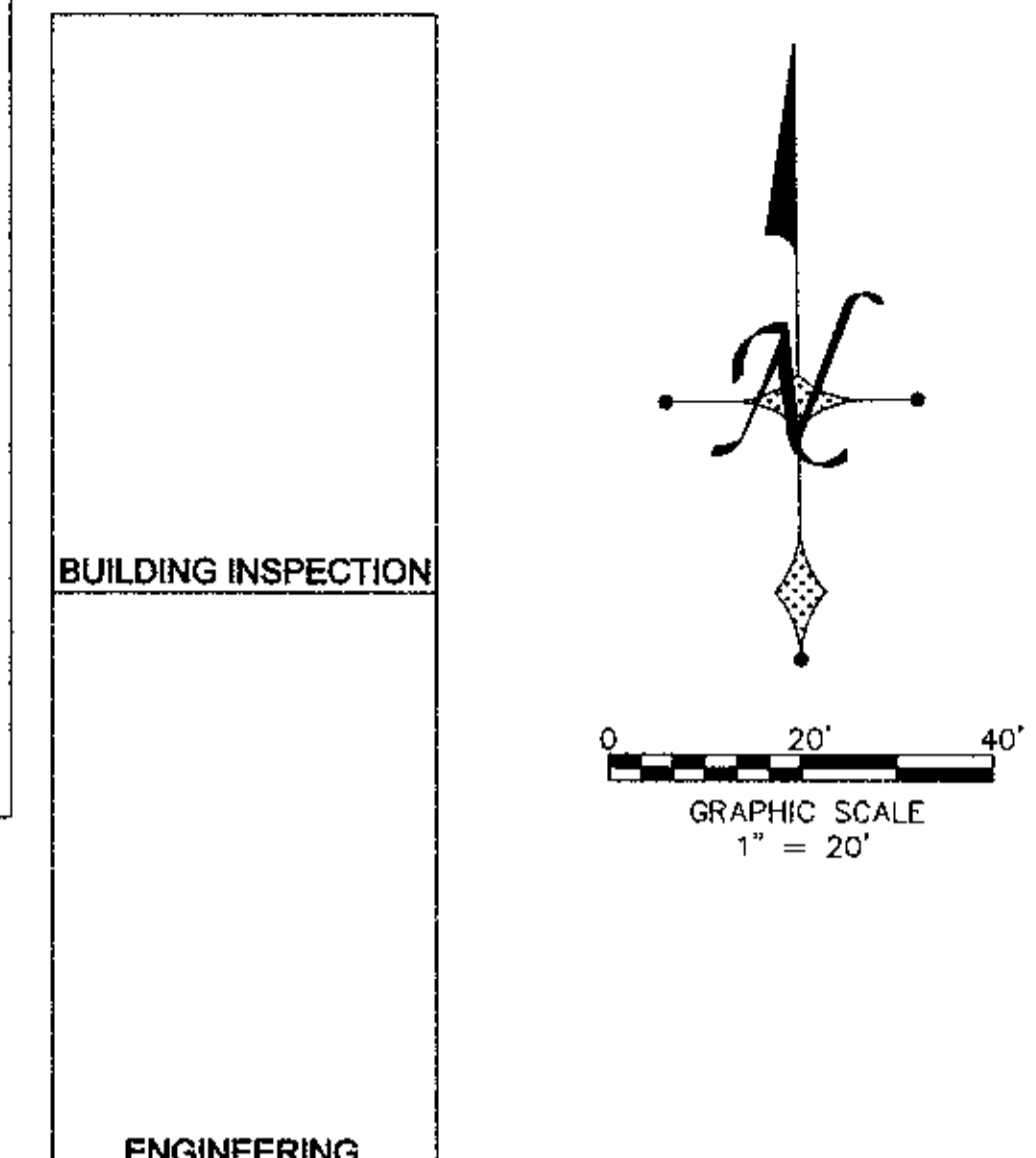
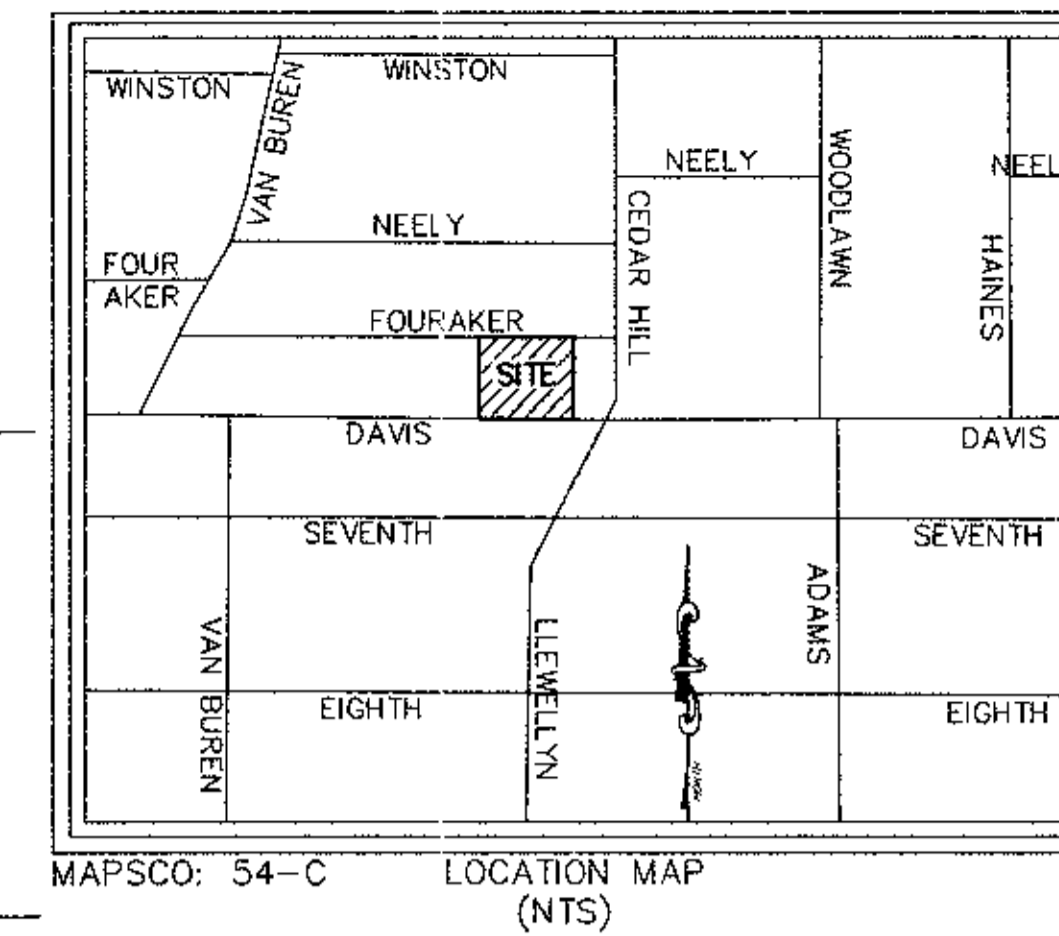
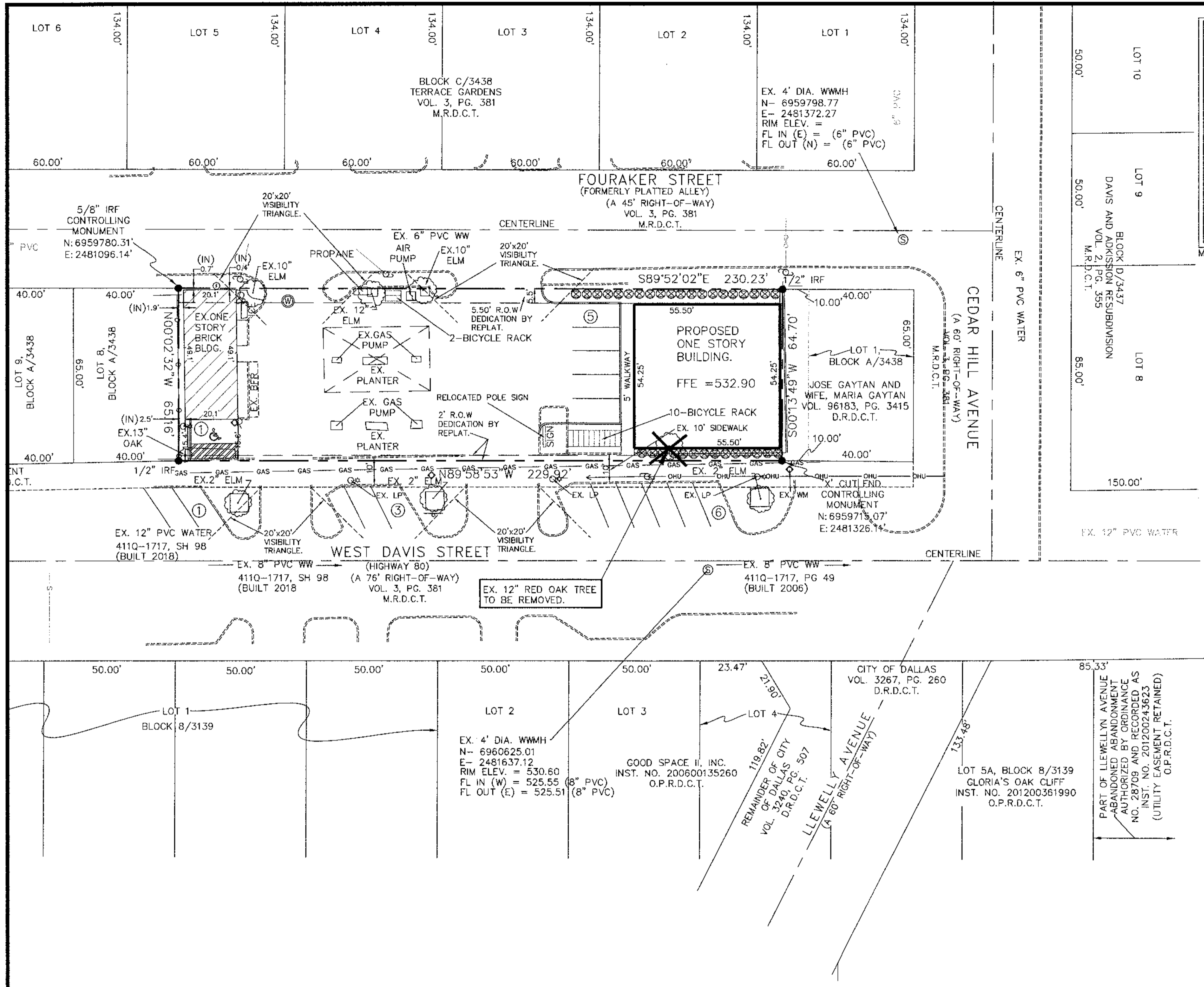
CITY OF DALLAS BENCHMARKS	
1- BENCHMARK # 54-C-4S Standard WDBM on concrete curb of storm sewer drop inlet southeast corner of intersection of Davis Street and N. Van Buren Avenue. N- 6,959,639.590 E- 2,480,718.380	Elevation=530.74'
2- BENCHMARK # 54-C-2 Square on concrete curb northeast corner of intersection of Cedar Hill Avenue, and Sixth Street. N- 6,961,261.368 E- 2,481,416.380	Elevation=522.84'

Owner/Developer:  
**TIN DIK ENTERPRISES, INC.**  
SHAM SUDDUHA  
619 W DAVIS STREET DRIVE  
DALLAS, TX. 75208  
214-663-0767  
shagor33@hotmail.com



CONTRACT INFORMATION	
CONTRACT NO.	DATE:
CONTRACTOR:	

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
JAHVANI CONSULTING ENGINEERS, INC. TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW23-XXX	DP23-XXX
PAVING PLAN AND DETAILS			
607 WEST DAVIS STREET ADDITION			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	411Q 80 C06.01



**LANDSCAPE TABULATION:**

SITE AREA: 14,939 S.F OR 0.343 ACRE.  
 STREET BUFFER ZONE (SBZ) - REQUIRED: 11  
 (ONE PER 40 FEET OF STREET FRONTAGE (223' DAVIS + 223' FOURAKER' = 446'  
 PROVIDED = 11 (6 EXISTING AND 5 PROPOSED)

SITE TREES - REQUIRED: 4 (1 PER 4000 S.F OF LOT AREA)  
 PROVIDED: 6

URBAN STREETScape:(465')  
 1- 8' SIDEWALK  
 2- THREE (3) STREET LAMPS  
 3- 25 S.F OPEN SOIL FOR EACH LARGE OR MEDIUM TREES

DESIGN OPTIONS (#6)  
 1- PEDESTRIAN USE  
 2- STREETScape  
 3- ENHANCED SIDEWALK LAMP.

DESIGN OPTIONS POINTS REQUIRED: 10  
 PROVIDED: 10

3 LAMPS = 5 PONTs  
 5 SIDEWALK = 5 PONTs

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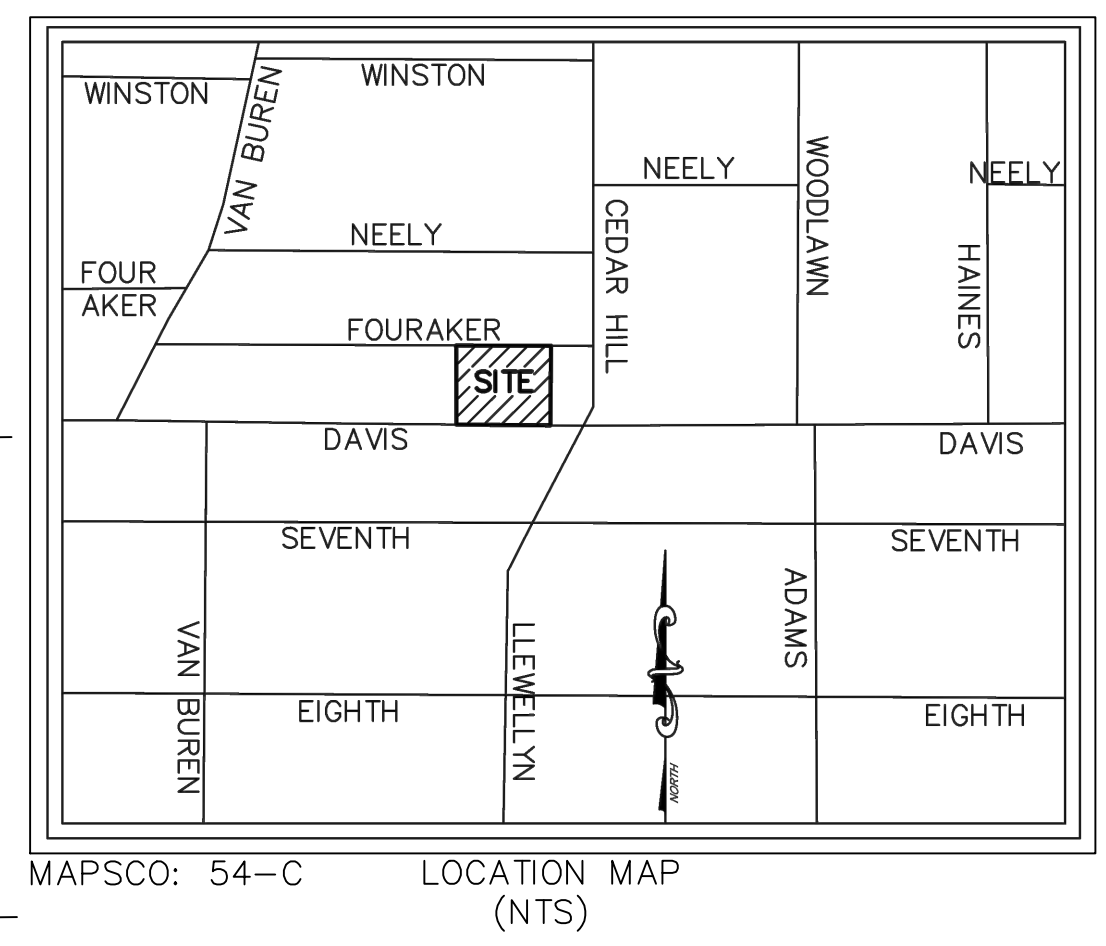
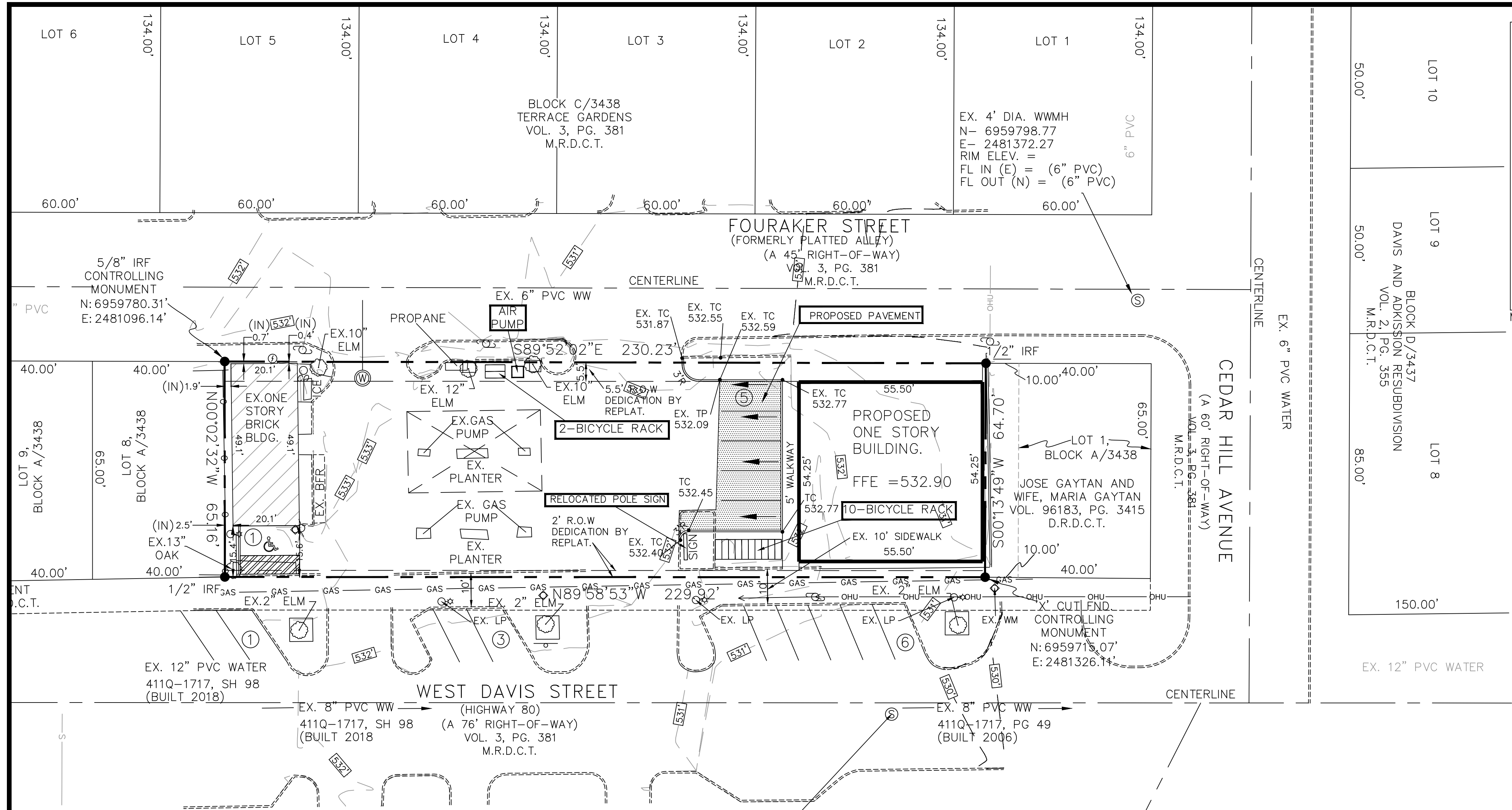
PLANTING SCHEDULE (SHRUBS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
⊗⊗⊗⊗⊗ (NH QTY)	34	DWARF BURFORD HOLLY	Ilex cornuta "Burfordi Nana"	5 GAL.	36"	3' O.C



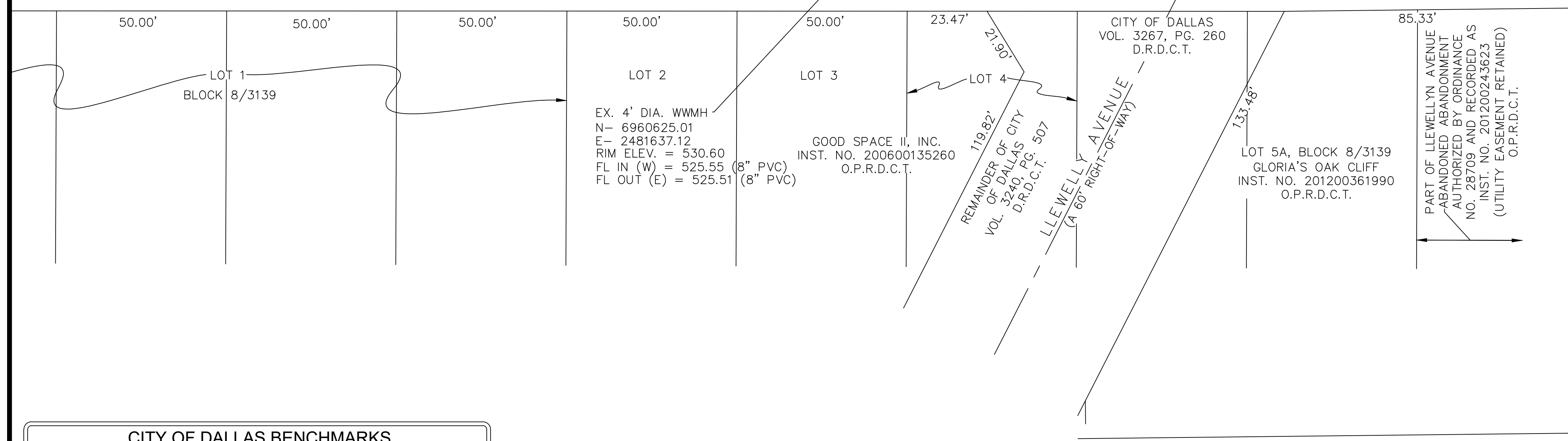
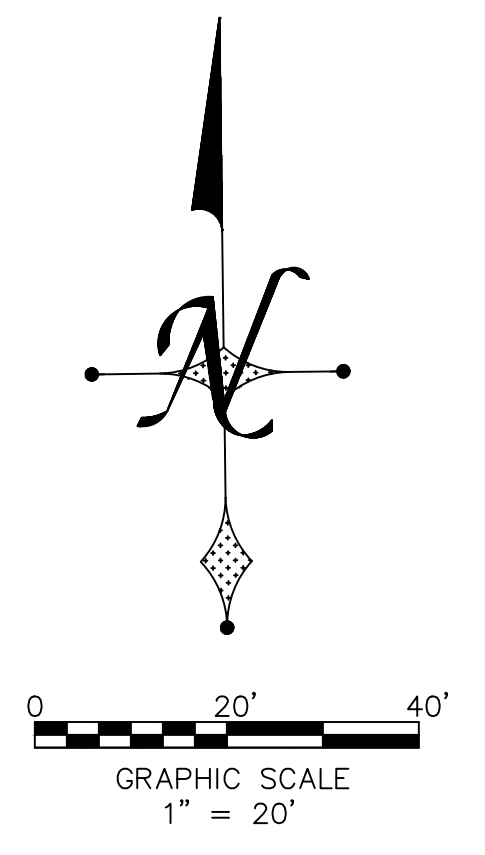
**CONTRACT INFORMATION**  
 CONTRACT NO. \_\_\_\_\_ DATE: \_\_\_\_\_  
 CONTRACTOR: \_\_\_\_\_

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
JAHVANI CONSULTING ENGINEERS, INC. TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLOG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW24-163	N/A
LANDSCAPE PLAN			
607 WEST DAVIS STREET ADDITION			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	N/A N/A 1



BUILDING INSPECTION

ENGINEERING



CITY OF DALLAS BENCHMARKS	
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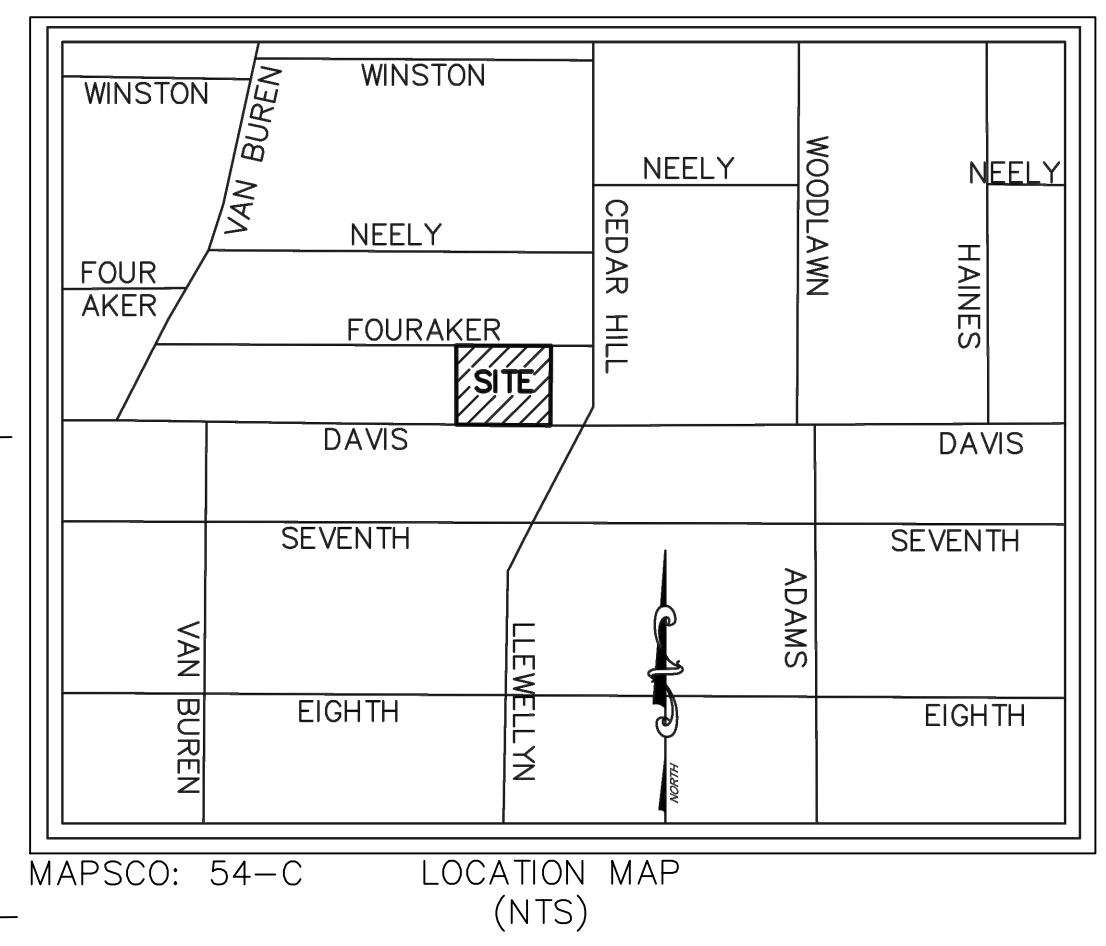
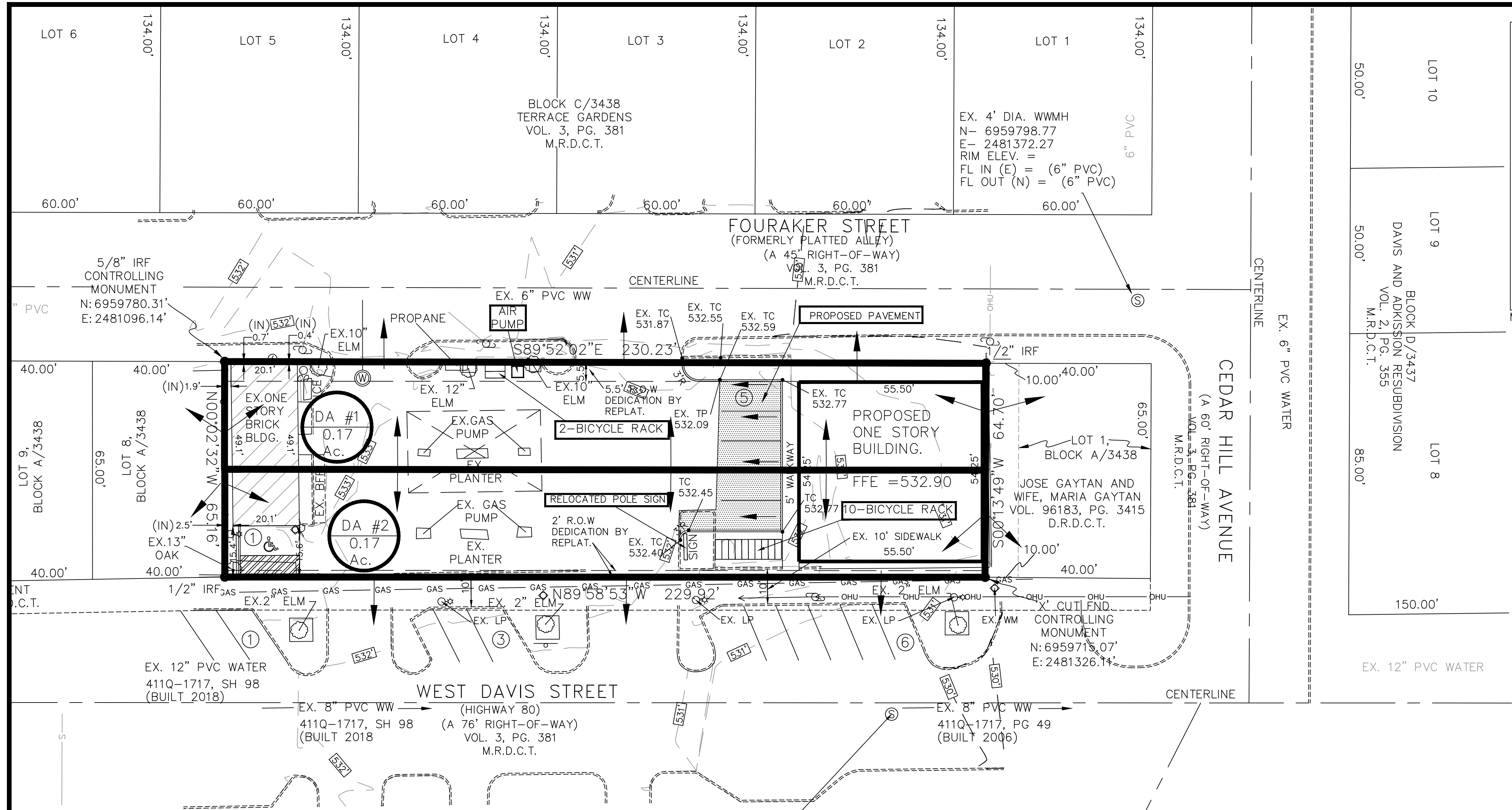
Owner/Developer:  
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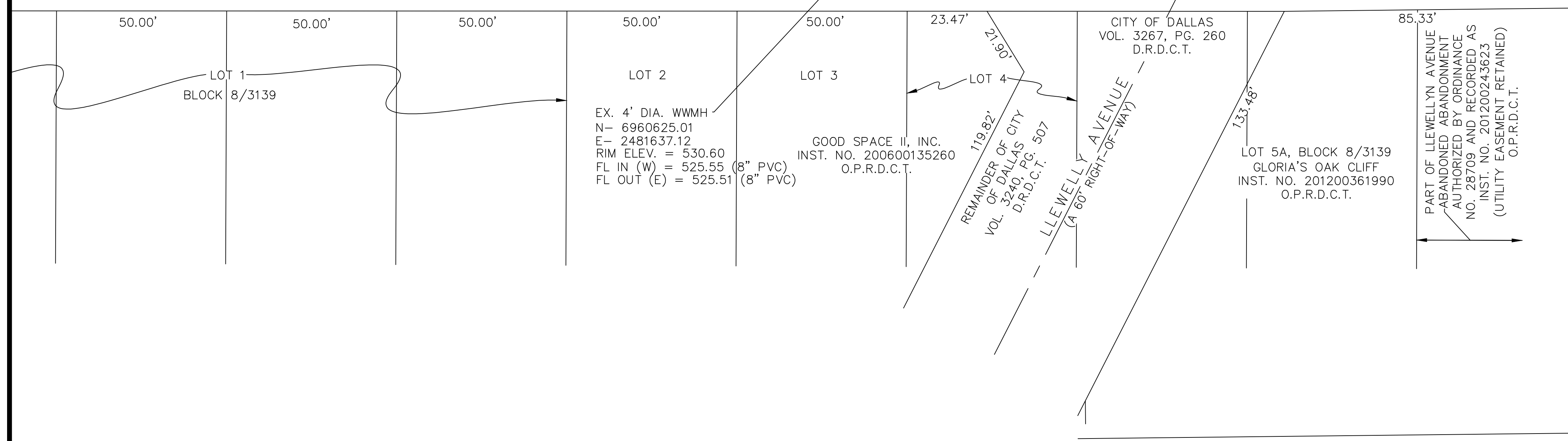
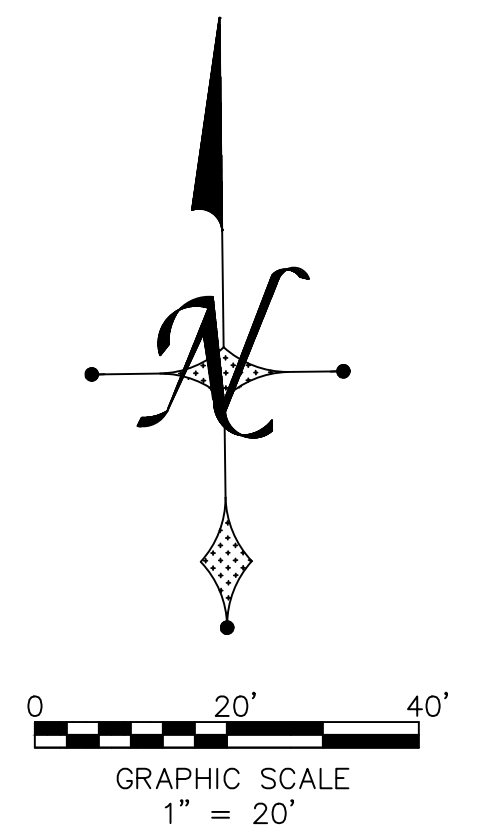
REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
<b>JAHVANI CONSULTING ENGINEERS, INC.</b> TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW23-XXX	DP23-XXX
GRADING PLAN			
607 WEST DAVIS STREET ADDITION			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	411Q 80 C07.01





BUILDING INSPECTION

ENGINEERING



Post-Development Drainage Area Computation

Drainage Area #	Run-off Coef. "C"	Area "A" (Acres)	Time of Concentration T(min)	Intensity I 2Yr (in/min)	Intensity I 10Yr (in/min)	Intensity I 50Yr (in/min)	Intensity I 100yr (in/min)	Discharge Q 2Yr (cfs)	Discharge Q 10Yr (cfs)	Discharge Q 50Yr (cfs)	Discharge Q100 yr (cfs)	Comments
DA #1	0.90	0.17	10	4.75	6.75	8.89	9.80	0.73	1.03	1.36	1.50	TO FOURAKER STREET.
DA #2	0.90	0.17	10	4.75	6.75	8.89	9.80	0.73	1.03	1.36	1.50	TO DAVIS STREET.

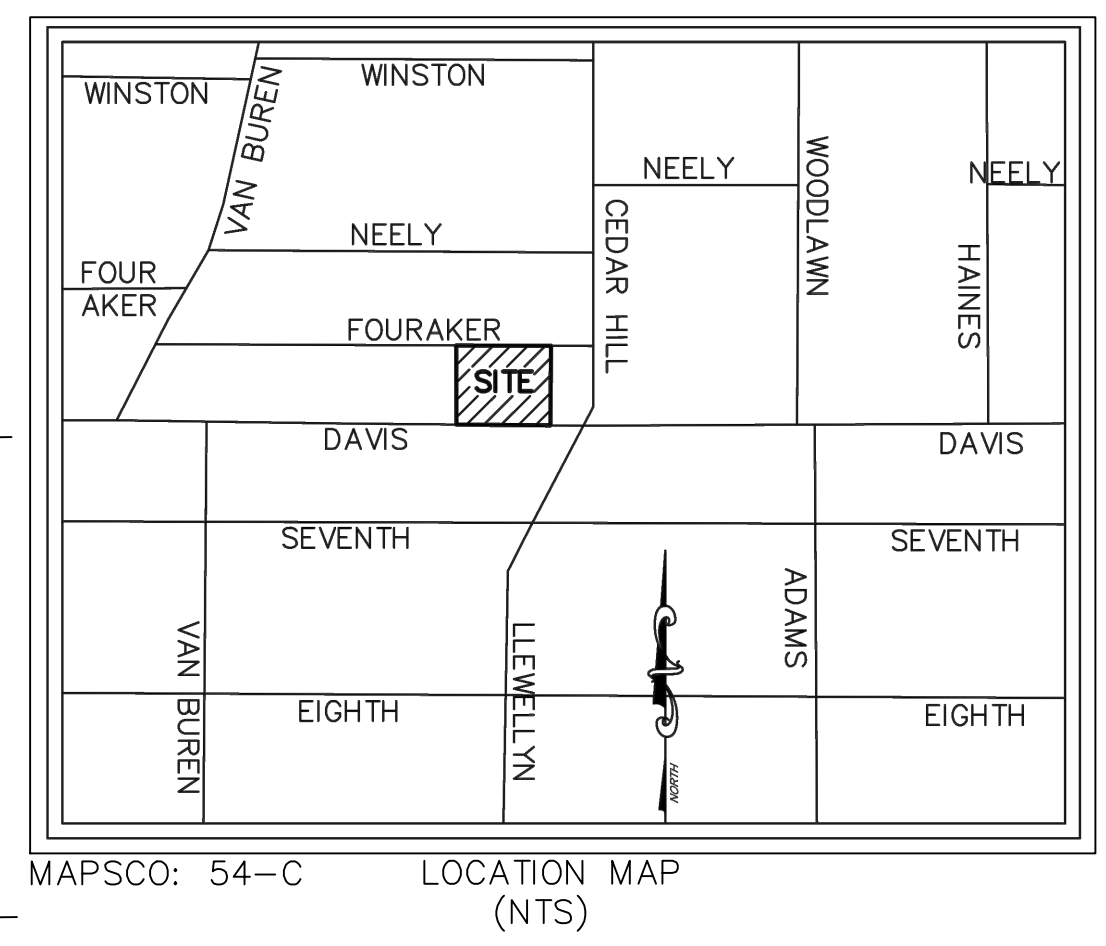
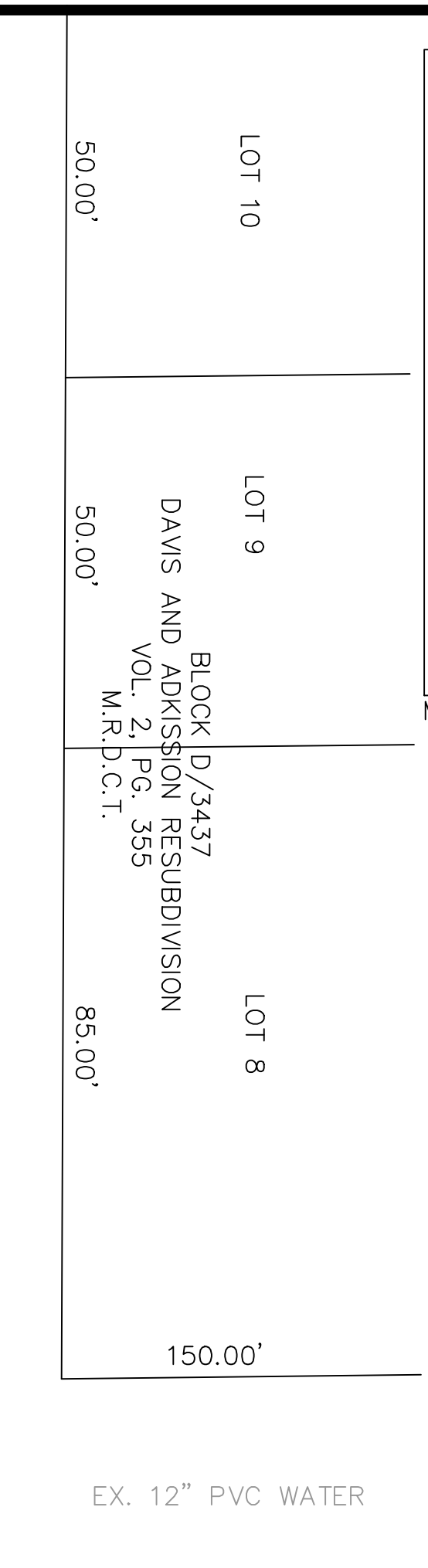
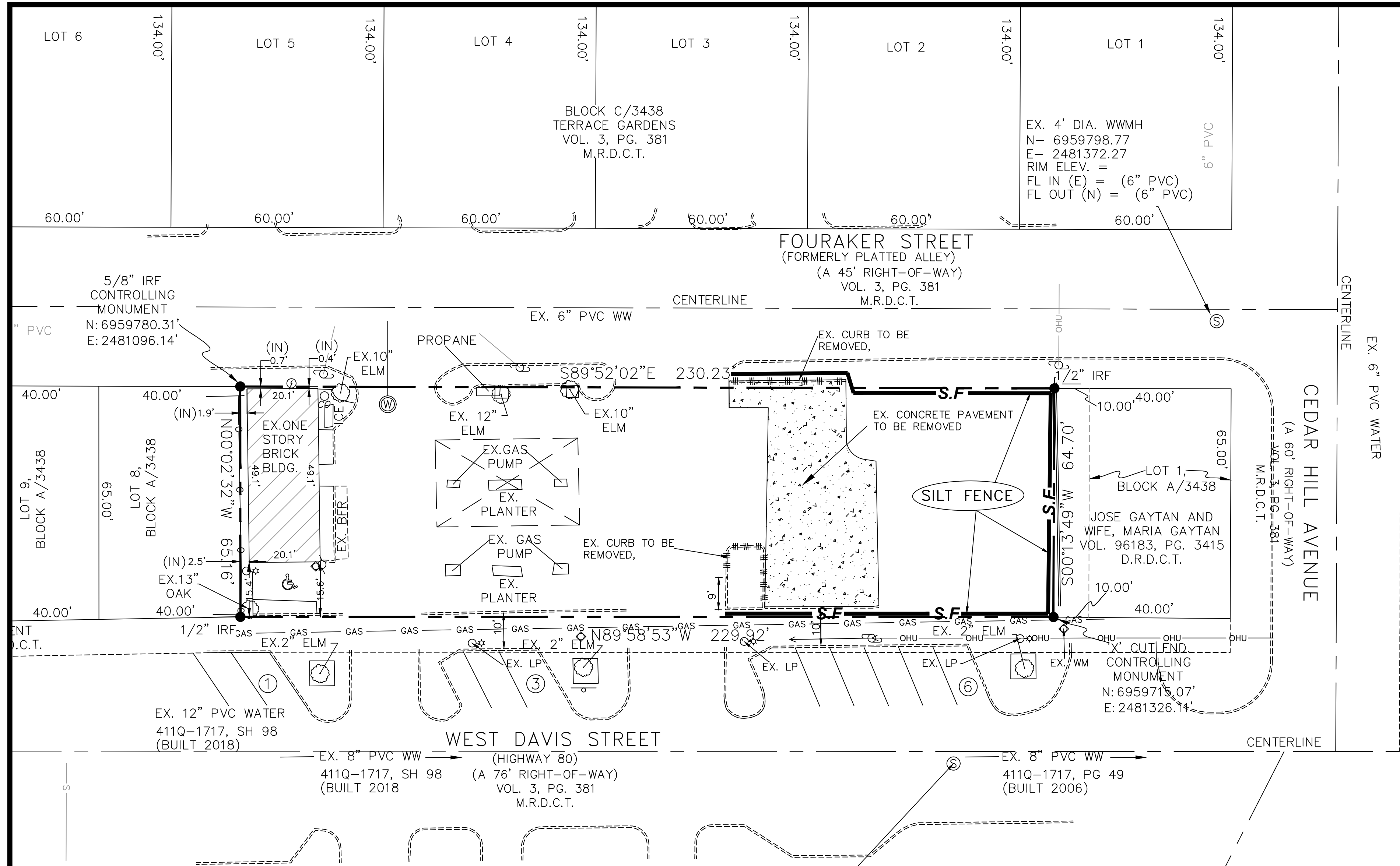


CONTRACT INFORMATION

CONTRACT NO. \_\_\_\_\_ DATE: \_\_\_\_\_

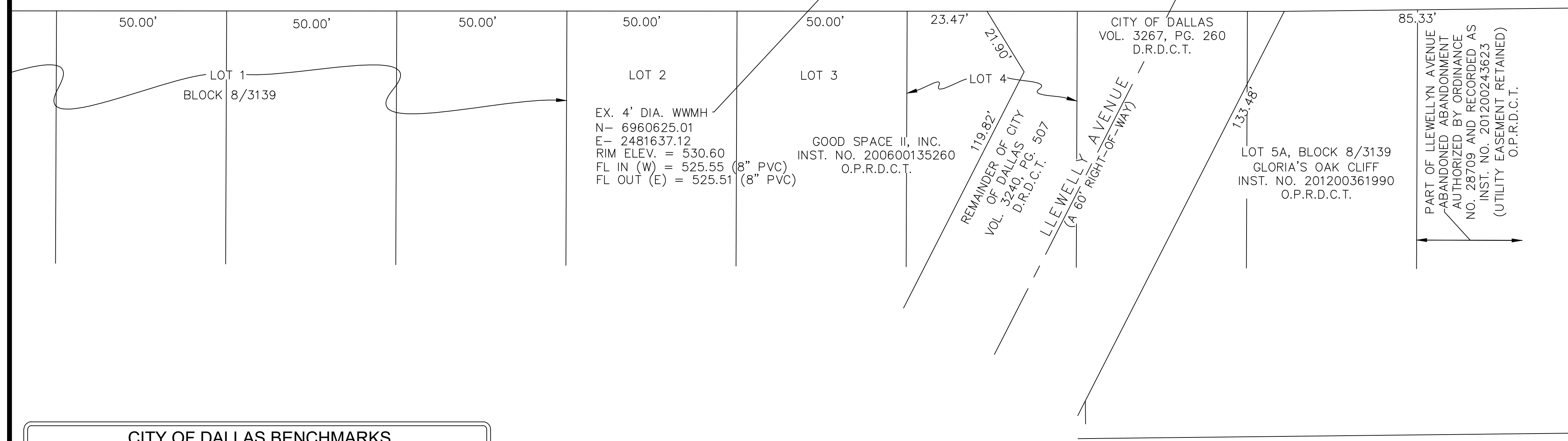
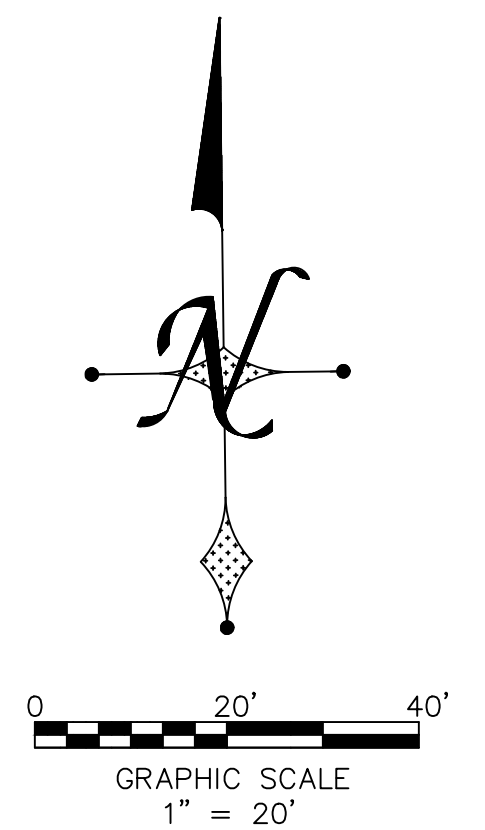
CONTRACTOR: \_\_\_\_\_

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REV. NO.	DATE	DESCRIPTION	BY
<b>JAHVANI CONSULTING ENGINEERS, INC.</b>			
TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW23-XXX	DP23-XXX
<b>POST DEVELOPMENT DRAINAGE AREA MAP</b>			
<b>607 WEST DAVIS STREET ADDITION</b>			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	411Q 80 C08.02



BUILDING INSPECTION

ENGINEERING



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<b>JAHVANI CONSULTING ENGINEERS, INC.</b> TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	N/A	WW23-XXX	DP23-XXX
EROSION CONTROL PLAN			
619 WEST DAVIS STREET ADDITION			
619 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	411Q 80 C11.01

Solid Waste Management	
<p><b>DESCRIPTION</b> Large volumes of solid waste are often generated at construction sites including: packaging, pallets, wood waste, concrete waste, soil, electrical wiring, cuttings, and a variety of other materials. The solid waste management practice lists techniques to minimize the potential of storm water contamination from solid waste through appropriate storage and disposal practices.</p> <p><b>PRIMARY USE</b> These practices should be a part of all construction practices. By limiting the trash and debris on site, storm water quality is improved along with reduced clean up requirements at the completion of the project.</p> <p><b>APPLICATIONS</b> The solid waste management practice for construction sites is based on proper storage and disposal practices by construction workers and supervisors. Key elements of the program are education and modification of improper disposal habits. Cooperation and vigilance is required on the part of supervisors and workers to ensure that the recommendations and procedures are followed. Following are lists describing the targeted materials and recommended procedures:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Targeted Solid Waste Materials <ul style="list-style-type: none"> <li>Paper and cardboard containers</li> <li>Plastic packaging</li> <li>Styrofoam packing and forms</li> <li>Insulation materials (non-hazardous)</li> <li>Wood pallets</li> <li>Wood cuttings</li> <li>Pipe and electrical cuttings</li> <li>concrete, brick, and mortar waste</li> <li>Shingle cuttings and waste</li> <li>Roofing tar</li> <li>Steel (cuttings, nails, rust residue)</li> <li>Gypsum board cuttings and waste</li> <li>Sheathing cuttings and waste</li> <li>Miscellaneous cuttings and waste</li> <li>Food waste</li> <li>Demolition waste</li> </ul> </li> </ul> <p><b>Storage Procedures</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Wherever possible, minimize production of solid waste materials.</li> <li><input type="checkbox"/> Designate a foreman or supervisor to oversee and enforce proper solid waste procedures.</li> <li><input type="checkbox"/> Instruct construction workers in proper solid waste procedures.</li> <li><input type="checkbox"/> Segregate potentially hazardous waste from non-hazardous construction site debris.</li> <li><input type="checkbox"/> Keep solid waste materials under cover in either a closed dumpster or other enclosed trash container that limits contact with rain and runoff.</li> <li><input type="checkbox"/> Store waste materials away from drainage ditches, swales and catch basins.</li> <li><input type="checkbox"/> Do not allow trash containers to overflow.</li> <li><input type="checkbox"/> Do not allow waste materials to accumulate on the ground.</li> <li><input type="checkbox"/> Prohibit littering by workers and visitors.</li> <li><input type="checkbox"/> Police area daily for litter and debris.</li> <li><input type="checkbox"/> Enforce solid waste handling and storage procedures.</li> </ul> <p><b>Disposal Procedures</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> If feasible, segregate recyclable wastes from non-recyclable waste materials and dispose of properly.</li> <li><input type="checkbox"/> General construction debris may be hauled to a licensed construction debris landfill (typically less expensive than a sanitary landfill).</li> <li><input type="checkbox"/> Use waste facilities approved by local jurisdiction.</li> <li><input type="checkbox"/> Runoff which comes into contact with unprotected waste shall be directed into structural be dirtreatment such as silt fence to remove debris.</li> </ul> <p><b>Education</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Educate all workers on solid waste storage and disposal procedures.</li> <li><input type="checkbox"/> Instruct workers in identification of solid waste and hazardous waste.</li> <li><input type="checkbox"/> Have regular meetings to discuss and reinforce disposal procedures (incorporate in regular safety seminars).</li> <li><input type="checkbox"/> Clearly mark on all solid waste containers which materials are acceptable.</li> </ul> <p><b>Quality Control</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Foreman and/or construction supervisor shall monitor on-site solid waste storage and disposal procedures.</li> <li><input type="checkbox"/> Discipline workers who repeatedly violate procedures.</li> </ul> <p><b>Requirements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Job-site waste handling and disposal education and awareness program.</li> <li><input type="checkbox"/> Commitment by management to implement and enforce Solid Waste Management Program.</li> <li><input type="checkbox"/> Compliance by workers.</li> <li><input type="checkbox"/> Sufficient and appropriate waste storage containers.</li> <li><input type="checkbox"/> Timely removal of stored solid waste materials.</li> <li><input type="checkbox"/> Possible modest cost impact for additional waste storage containers.</li> <li><input type="checkbox"/> Minimal overall cost impact.</li> </ul> <p><b>LIMITATIONS</b> Only address non-hazardous solid waste. One part of a comprehensive construction site management program.</p>	<p><b>Applications</b> Perimeter Control Slope Protection Sediment Trapping Channel Protection Temporary Stabilization Permanent Stabilization <b>Waste Management</b> <b>Housekeeping Practices</b></p> <p><b>Targeted Constituents</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Sediment</li> <li><input checked="" type="radio"/> Nutrients</li> <li>Toxic Materials</li> <li><input type="radio"/> Oil &amp; Grease</li> <li><input checked="" type="radio"/> Floatable Materials</li> <li><input checked="" type="radio"/> Other Construction Wastes</li> </ul> <p><b>Implementation Requirements</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Capital Costs</li> <li><input checked="" type="radio"/> Maintenance</li> <li><input checked="" type="radio"/> Training</li> <li><input type="radio"/> Suitability for Slopes &gt; 5%</li> </ul> <p><b>Legend</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Significant Impact</li> <li><input checked="" type="radio"/> Medium Impact</li> <li><input type="radio"/> Low Impact</li> <li>? Unknown or Questionable Impact</li> </ul> <p style="text-align: center; font-size: 24pt;">W-1</p>

Hazardous Waste Management	
<p><b>DESCRIPTION</b> The hazardous waste management BMP addresses the problem of storm water polluted with hazardous waste through spills or other forms of contact. The objective of the Management Program is to minimize the potential of stormwater contamination from common construction wastes through appropriate recognition, handling, storage and disposal practices.</p> <p>It is not the intent of this Management Program to supersede or replace normal site assessment and remediation procedures. Significant spills and/or contamination warrant immediate response by trained professionals. Suspected job-site contaminants should be immediately reported to regulatory authorities and protective actions taken. The General Permit requires reporting of significant spills to the National Response Center (NRC) at (800) 424-8802.</p> <p><b>PRIMARY USE</b> These management practices along with applicable OSHA and EPA guidelines should be incorporated at all construction sites which use or generate hazardous wastes. Many wastes such as fuel, oil, grease, fertilizer and pesticide are present at most construction sites.</p> <p><b>INSTALLATION, APPLICATION AND DISPOSAL CRITERIA</b> The hazardous waste management techniques presented here are based on proper recognition, handling, and disposal practices by construction workers and supervisors. Key elements of the management program are education, proper disposal practices, as well as provisions for site storage and disposal. Following are lists describing the targeted materials and recommended procedures:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Targeted Solid Waste Materials <ul style="list-style-type: none"> <li>Points</li> <li>Solvents</li> <li>Stains</li> <li>Wood preservatives</li> <li>Cutting oils</li> <li>Greases</li> <li>Roofing tar</li> <li>Pesticides</li> <li>Fuels and lube oils</li> <li>Lead based paints (Demolition)</li> </ul> </li> </ul> <p><b>Storage Procedures</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Wherever possible, minimize use of hazardous materials.</li> <li><input type="checkbox"/> Minimize generation of hazardous wastes on the job-site.</li> <li><input type="checkbox"/> Segregate potentially hazardous waste from non-hazardous construction site debris.</li> <li><input type="checkbox"/> Designate a foreman or supervisor to oversee hazardous materials handling procedures.</li> <li><input type="checkbox"/> Keep liquid or semi-liquid hazardous waste in appropriate containers (closed drums or similar) under cover.</li> <li><input type="checkbox"/> Store waste materials away from drainage ditches, swales and catch basins.</li> <li><input type="checkbox"/> Use containment berms in fueling and maintenance areas and where the potential for spills is high.</li> <li><input type="checkbox"/> Ensure that adequate hazardous waste storage volume is available.</li> <li><input type="checkbox"/> Ensure tht hazardous waste collection containers are conveniently located.</li> <li><input type="checkbox"/> Do not allow potentially hazardous waste materials to accumulate on the ground.</li> <li><input type="checkbox"/> Enforce hazardous waste handling and disposal procedures.</li> <li><input type="checkbox"/> Clearly mark on all hazardous waste containers which materials are acceptable for the container.</li> </ul> <p><b>Disposal Procedures</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Regularly schedule hazardous removal to minimize on-site storage.</li> <li><input type="checkbox"/> Use only reputable, licensed hazardous waste haulers.</li> </ul> <p><b>Education</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Instruct workers in identification of hazardous waste.</li> <li><input type="checkbox"/> Educate workers of potential dangers to humans and the environment from hazardous wastes.</li> <li><input type="checkbox"/> Instruct workers on safety procedures for common construction site hazardous wastes.</li> <li><input type="checkbox"/> Educate all workers on hazardous waste storage and disposal procedures.</li> <li><input type="checkbox"/> Have regular meetings to discuss and reinforce identification, handling and disposal procedures (incorporate in regular safety seminars).</li> <li><input type="checkbox"/> Establish a continuing education program to indoctrinate new employees.</li> </ul> <p><b>Quality Assurance</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Foreman and/or construction supervisor shall monitor on-site hazardous waste storage and disposal procedures.</li> <li><input type="checkbox"/> Educate and if necessary, discipline workers who violate procedures.</li> <li><input type="checkbox"/> Ensure that the hazardous waste disposal contractor is reputable and licensed.</li> </ul> <p><b>Requirements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Job-site hazardous waste handling and disposal education and awareness program.</li> <li><input type="checkbox"/> Commitment by management to implement hazardous waste management practices.</li> <li><input type="checkbox"/> Compliance by workers.</li> <li><input type="checkbox"/> Sufficient and appropriate hazardous waste storage containers.</li> <li><input type="checkbox"/> Timely removal of stored hazardous waste materials.</li> </ul> <p><b>Costs</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Possible modest cost impact for additional hazardous storage containers.</li> <li><input type="checkbox"/> Commitment by management to implement hazardous waste management practices.</li> <li><input type="checkbox"/> Small cost impact for training and monitoring.</li> <li><input type="checkbox"/> Potential cost impact for hazardous waste collection and disposal by licensed hauler - actual cost depends on type of material and volume.</li> </ul> <p><b>LIMITATIONS</b> This practice is not intended to address site-assessments and pre-existing contamination. Major contamination, large spills and other serious hazardous waste incidents require immediate response from specialists. Demolition activities and potential pre-existing materials, such as asbestos, are not addressed by this program. Site specific information on plans is necessary. Contaminated soils are not addressed. One part of a comprehensive construction site waste management program.</p>	<p><b>Applications</b> Perimeter Control Slope Protection Sediment Trapping Channel Protection Temporary Stabilization Permanent Stabilization <b>Waste Management</b> <b>Housekeeping Practices</b></p> <p><b>Targeted Constituents</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Sediment</li> <li><input checked="" type="radio"/> Nutrients</li> <li>Toxic Materials</li> <li><input checked="" type="radio"/> Oil &amp; Grease</li> <li><input type="radio"/> Floatable Materials</li> <li><input checked="" type="radio"/> Other Construction Wastes</li> </ul> <p><b>Implementation Requirements</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Capital Costs</li> <li><input checked="" type="radio"/> Maintenance</li> <li><input checked="" type="radio"/> Training</li> <li><input type="radio"/> Suitability for Slopes &gt; 5%</li> </ul> <p><b>Legend</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Significant Impact</li> <li><input checked="" type="radio"/> Medium Impact</li> <li><input type="radio"/> Low Impact</li> <li>? Unknown or Questionable Impact</li> </ul> <p style="text-align: center; font-size: 24pt;">W-2</p>

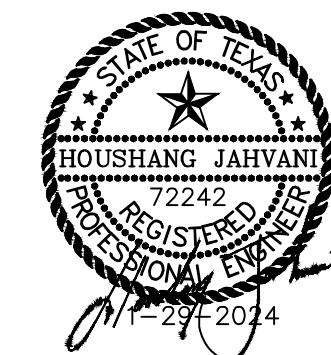
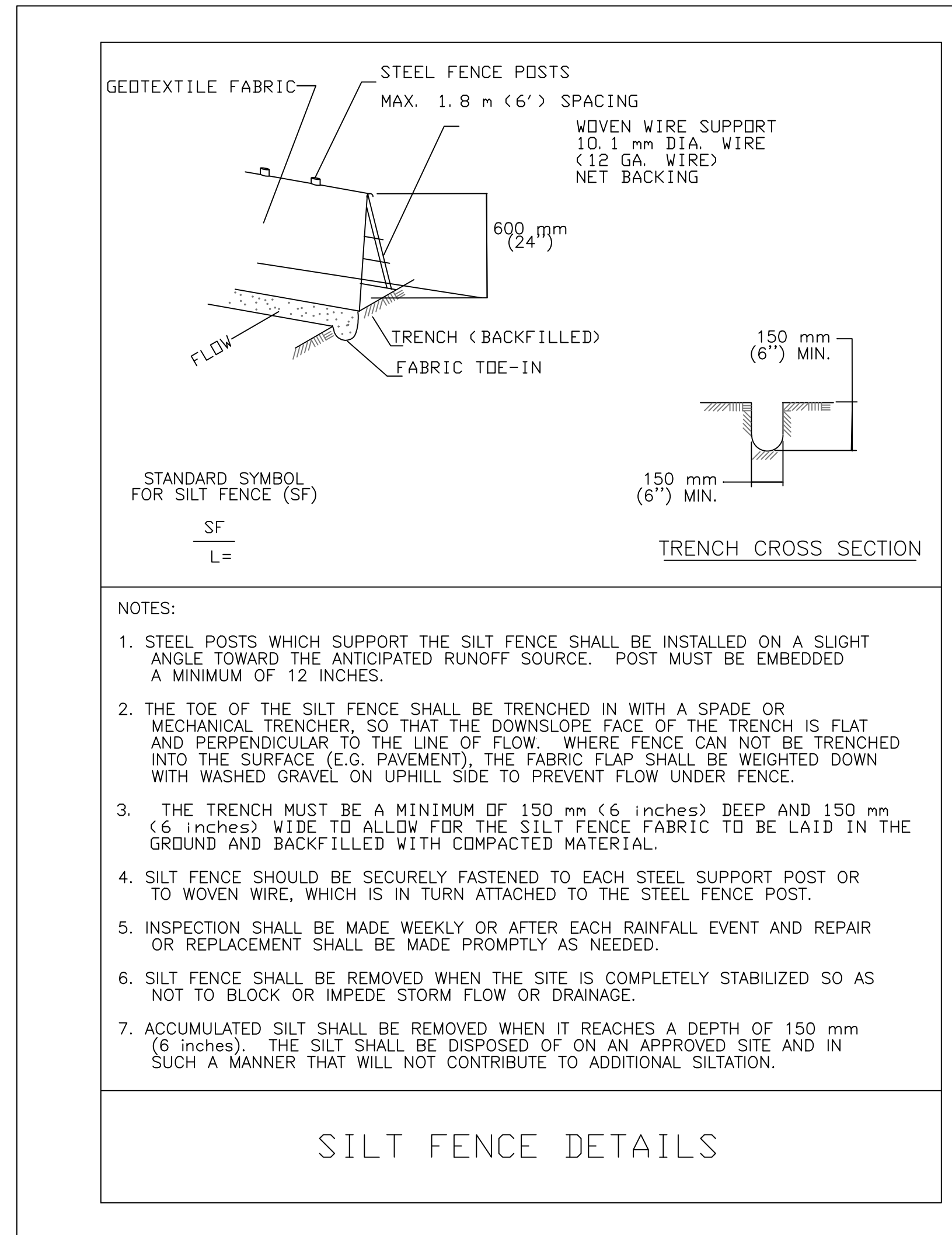
Concrete Waste Management	
<p><b>DESCRIPTION</b> Concrete waste at construction sites comes in two forms; 1) excess fresh concrete mix including truck and equipment washing, and 2) concrete dust and concrete debris resulting from demolition. Both forms have the potential to impact water quality through storm water runoff contact with the waste.</p> <p><b>PRIMARY USE</b> Concrete waste is present at most construction sites. This BMP should be utilized at sites in which concrete waste is present.</p> <p><b>APPLICATIONS</b> A number of water quality parameters can be affected by introduction of concrete - especially fresh concrete. Concrete affects the pH of runoff, causing significant chemical changes in water bodies and harming aquatic life. Suspended solids in the form of both cement and aggregate dust are also generated from both fresh and demolished concrete waste.</p> <p><b>Current Unacceptable Waste Concrete Disposal Practices</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dumping in vacant areas on the job-site.</li> <li><input type="checkbox"/> Illicit dumping off-site.</li> <li><input type="checkbox"/> Dumping into ditches or drainage facilities.</li> </ul> <p><b>Recommended Disposal Practices</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Avoid unacceptable disposal practices listed above.</li> <li><input type="checkbox"/> Develop pre-determined, safe concrete disposal areas.</li> <li><input type="checkbox"/> Provide a washout area with a minimum of 6 cubic feet of containment area volume for every 10 cubic yards of concrete poured.</li> <li><input type="checkbox"/> Never dump waste concrete illicitly or without property owners knowledge and consent.</li> <li><input type="checkbox"/> Treat runoff from storage areas through the use of structural controls as required.</li> </ul> <p><b>Education</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Drivers and equipment operators should be instructed on proper disposal and equipment washing practices (see above).</li> <li><input type="checkbox"/> Supervisors must be made aware of the potential environmental consequences of improperly handled concrete waste.</li> </ul> <p><b>Enforcement</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The construction site manager or foreman must ensure that employees and pre-mix companies follow proper procedures for concrete disposal and equipment washing.</li> <li><input type="checkbox"/> Employees violating disposal or equipment cleaning directives must be re-educated or disciplined if necessary.</li> </ul> <p><b>Demolition Practices</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Monitor weather and wind direction to ensure concrete dust is not entering drainage structures and surface waters. Where appropriate, construct sediment traps or other types of sediment detention devices downstream of demolition activities.</li> </ul> <p><b>Requirements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use pre-determined disposal sites for waste concrete.</li> <li><input type="checkbox"/> Prohibit dumping waste concrete anywhere but pre-determined areas.</li> <li><input type="checkbox"/> Assign pre-determined truck and equipment washing areas.</li> <li><input type="checkbox"/> Educate drivers and operators on proper disposal and equipment cleaning procedures.</li> </ul> <p><b>Education</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Minimize cost impact for training and monitoring.</li> <li><input type="checkbox"/> Concrete disposal cost depends on availability and distance to suitable disposal areas.</li> <li><input type="checkbox"/> Additional costs involved in equipment washing could be significant.</li> </ul> <p><b>LIMITATIONS</b> This concrete waste management program is one part of a comprehensive construction site waste management program.</p>	<p><b>Applications</b> Perimeter Control Slope Protection Sediment Trapping Channel Protection Temporary Stabilization Permanent Stabilization <b>Waste Management</b> <b>Housekeeping Practices</b></p> <p><b>Targeted Constituents</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Sediment</li> <li><input checked="" type="radio"/> Nutrients</li> <li>Toxic Materials</li> <li><input type="radio"/> Oil &amp; Grease</li> <li><input checked="" type="radio"/> Floatable Materials</li> <li><input checked="" type="radio"/> Other Construction Wastes</li> </ul> <p><b>Implementation Requirements</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Capital Costs</li> <li><input checked="" type="radio"/> Maintenance</li> <li><input checked="" type="radio"/> Training</li> <li><input type="radio"/> Suitability for Slopes &gt; 5%</li> </ul> <p><b>Legend</b></p> <ul style="list-style-type: none"> <li><input checked="" type="radio"/> Significant Impact</li> <li><input checked="" type="radio"/> Medium Impact</li> <li><input type="radio"/> Low Impact</li> <li>? Unknown or Questionable Impact</li> </ul> <p style="text-align: center; font-size: 24pt;">W-3</p>

**EROSION CONTROL PLAN  
STANDARD GENERAL NOTES**

1. EROSION CONTROL DEVICES AS SHOWN ON THE EROSION CONTROL PLAN FOR THE PROJECT SHALL BE INSTALLED PRIOR TO THE START OF LAND DISTURBING ACTIVITIES ON
2. ALL EROSION CONTROL DEVICES ARE TO BE INSTALLED IN ACCORDANCE WITH APPROVED PLANS AND SPECIFICATIONS FOR THE PROJECT. CHANGES ARE TO BE APPROVED BEFORE CONSTRUCTION BY THE DESIGN ENGINEER AND THE CITY OF DALLAS ENGINEERING DIVISION.
3. IF THE EROSION CONTROL PLAN AS APPROVED CANNOT CONTROL EROSION AND OFF-SITE SEDIMENTATION FROM THE PROJECT, THE EROSION CONTROL PLAN WILL BE REQUIRED TO BE REVISED AND/OR ADDITIONAL EROSION CONTROL DEVICES WILL BE REQUIRED BEFORE CONSTRUCTION.
4. IF OFF-SITE SOIL BORROW OR SPOIL SITES ARE USED IN CONJUNCTION WITH THIS PROJECT, THIS INFORMATION SHALL BE DISCLOSED AND SHOWN ON THE EROSION CONTROL PLAN. EROSION BORROW AND SPOIL AREAS ARE CONSIDERED A PART OF THE PROJECT SITE AND THEREFORE SHALL COMPLY WITH THE CITY OF DALLAS EROSION CONTROL PLAN REQUIREMENTS. THESE AREAS SHALL BE STABILIZED WITH PERMANENT GROUND COVER PRIOR TO FINAL APPROVAL OF THE PROJECT.

BUILDING INSPECTION

ENGINEERING



REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
<b>JAHVANI CONSULTING ENGINEERS, INC.</b>			
TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLDG PERMIT NO.	WWW TRACKING NO.	SDC ENGINEERING TRACKING NO.
S223-087	N/A	WW23-XXX	DP23-XXX
<b>EROSION CONTROL DETAILS</b>			
<b>619 DAVIS STREET ADDITION</b>			
619 DAVIS STREET			
DALLAS WATER UTILITIES			
CITY OF DALLAS, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	421Q 80 C11.50

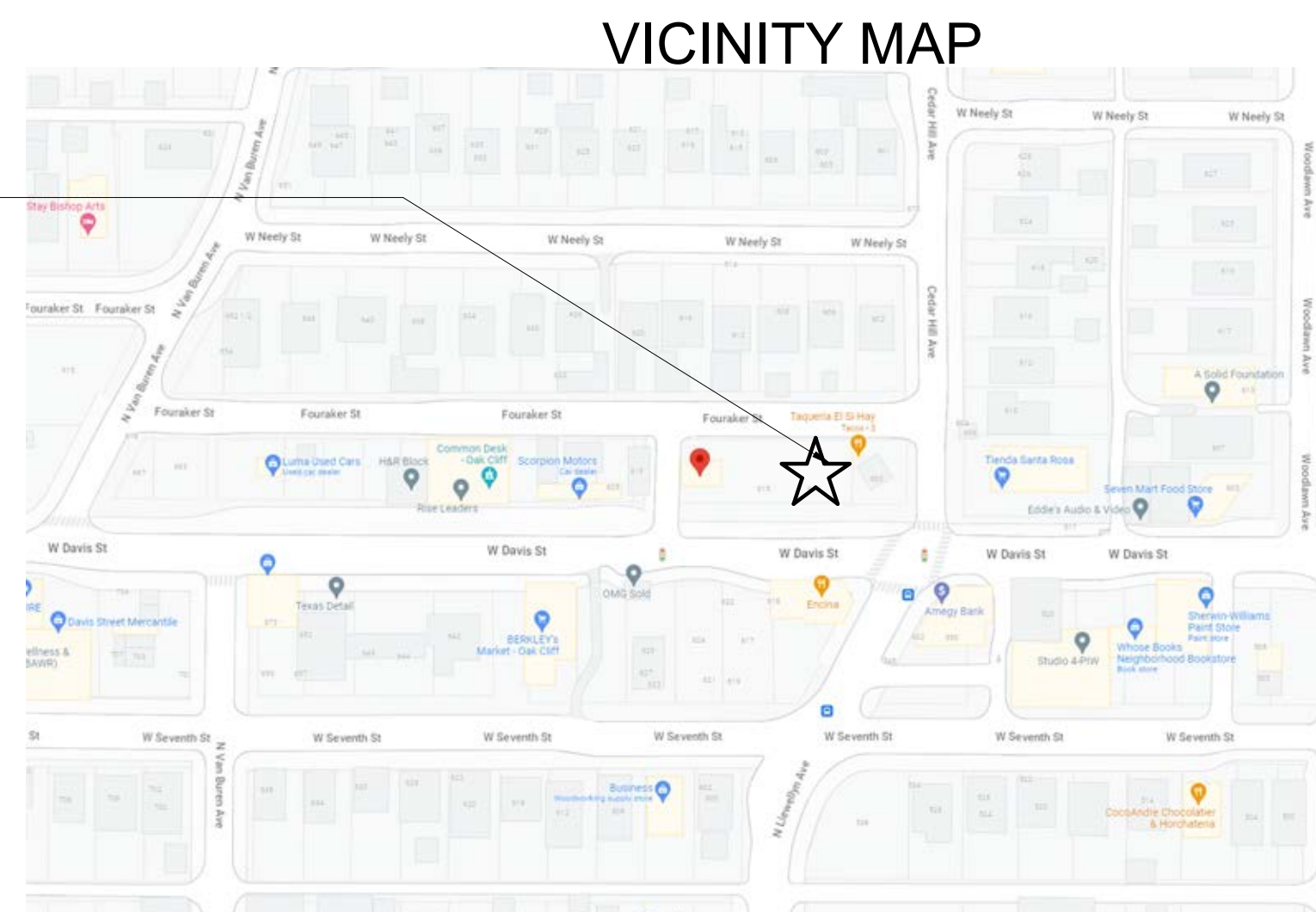
CONTRACT INFORMATION	
CONTRACT NO.	DATE:
CONTRACTOR:	

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# TIN DIK ENTERPRISES, INC.

## WEST DAVIS FOOD MART

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745



### SHEET INDEX

#### GENERAL

G-001	COVER SHEET & INDEX
G-002	PROJECT STANDARDS
G-003	PROJECT STANDARDS
G-011	SYMBOLS, LEGENDS & ABBREVIATIONS
G-021	ACCESSIBILITY STANDARDS
G-022	ACCESSIBILITY STANDARDS
G-023	ACCESSIBILITY STANDARDS
G-024	ACCESSIBILITY STANDARDS
G-101	CODE INFORMATION

#### CIVIL

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C05.01	DIMENSION CONTROL PLAN / SITE PLAN
C06.01	PAVING PLAN AND DETAILS
C07.01	GRADING PLAN
C08.01	PREDEVELOPMENT DRAINAGE AREA MAP
C08.02	POST DEVELOPMENT DRAINAGE AREA MAP
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S1.02	MEZZANINE FRAMING PLAN
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A-302	BUILDING SECTIONS
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A-506A	SECTION DETAILS- CEILING SYSTEMS
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A-601	DOOR & GLAZING SCHEDULE
A-602	ALUMINUM FRAME SCHEDULE
A-603	STOREFRONT DETAILS
A-900	WALL PARTITIONS- EXTERIOR
A-902	WALL PARTITIONS- EXTERIOR
A-903	WALL PARTITIONS- INTERIOR

#### INTERIOR

I-001	INTERIOR LEGENDS & ABBREVIATIONS
I-003	FINISH SCHEDULE, NOTES, AND LEGENDS
I-111	FLOOR FINISH PLAN
I-121	WALL FINISH PLAN

#### MECHANICAL

M-1.00	HVAC PLAN
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#### PLUMBING

P-1.00	PLUMBING PLAN
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#### ELECTRICAL

E-1.00	ELECTRICAL PLAN
E-2.00	LIGHTING PLAN

#### CONTACT LIST

##### OWNER

**OWNER/ DEVELOPER**  
SUDDUHA SHAM  
805 BERKSHIRE RD.  
SOUTHLAKE, TX-76092  
SSUDDUHA@GMAIL.COM  
214-663-0767 (T)

##### ARCHITECT

**iXDesignStudio**  
PLANO, TX 75025  
PHONE: 573.529.0127  
EMAIL: iXDzn.Studio@gmail.com

##### STRUCTURAL ENGINEER

**MK ENGINEERS AND ASSOCIATES, INC.**  
400 CHISHOLM PLACE, SUITE 106  
PLANO, TX 75075  
PHONE: (214) 501-3354  
Email: info@mkaainc.com

##### MEP ENGINEER

**AZEN MECHANICAL CORPORATION**  
9078 RIVER TRAILS BLVD.  
FORT WORTH, TX 76118  
SAMJOEMEP@GMAIL.COM

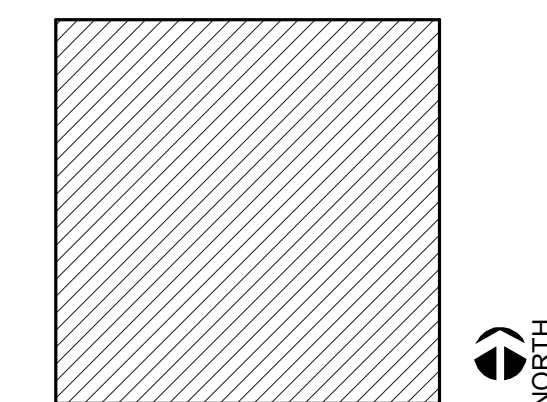


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## WEST DAVIS FOOD MART

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

KEY PLAN



NO	DATE	DESCRIPTION
-	06/01/2023	PERMIT ISSUE
ISSUING OFFICE/OFFICE		PROJECT NO2211.01

#### COVER SHEET & INDEX

**G-001**

REVIT\_116

**GENERAL NOTES**

- UL ASSEMBLIES INDICATED ESTABLISH BASIS PERFORMANCE. OTHER ASSEMBLIES MAY BE CONSIDERED AT DISCRETION OF ARCHITECT IF EQUIVALENT PERFORMANCE IS PROVIDED. SUBSTITUTION PROPOSALS SHALL INCLUDE CHANGES REQUIRED TO COMPONENTS OF ASSEMBLY.
- FIRE EXTINGUISHERS, (IFC SECTION 906 AND NFPA 10, CHAPTER 6 AND TABLE 6.2.1.1, CLASS A - LIGHT HAZARD OCCUPANCY) MAXIMUM FLOOR AREA FOR UNIT - 11,250 SF; MAXIMUM TRAVEL DISTANCE TO EXTINGUISHER - 75 FT.

**GENERAL CONSTRUCTION INFORMATION**

**APPLICABLE CODES:**

BUILDING	2021 IBC - WITH DALLAS AMENDMENTS
PLUMBING	2021 IPC - WITH DALLAS AMENDMENTS
MECHANICAL	2021 IMC - WITH DALLAS AMENDMENTS
ELECTRICAL	2020 NEC - WITH DALLAS AMENDMENTS
FIRE	2021 IFC - WITH DALLAS AMENDMENTS
ENERGY	2021 IECC - WITH DALLAS AMENDMENTS
ACCESSIBILITY	2012 TAS, 2010 ADA/SAD
FUEL GAS CODE	2021 IFGC - WITH DALLAS AMENDMENTS

**OTHER:** 2017 ACI MANUAL OF CONCRETE PRACTICE, ACI 318.2012. ANNUAL BOOK OF ASTM STANDARDS, VOL 04.02 CONCRETE & AGGREGATES

**EGRESS**

TOTAL OCCUPANT LOAD FOR THE BUILDING	29 PEOPLE
TOTAL OCCUPANT LOAD EGRESS WILL ACCOMMODATE	XXX PEOPLE
EGRESS WIDTH REQUIRED	
0.000 X 0.2 (SECTION 1005.3.1 FOR STAIRS; 1005.3.2 FOR OTHERS)	5.8 INCHES
EGRESS PROVIDED	36 INCHES

MAXIMUM ALLOWABLE TRAVEL DISTANCE (TABLE 1017.2)	XXX FEET (SPRINKLED)
LONGEST TRAVEL DISTANCE	XXX FEET (SPRINKLED)

MAXIMUM DEAD END LIMIT (SECTION 1020.4)	XXX FEET
MAXIMUM DEAD END LIMIT PROVIDED	XXX FEET

MAXIMUM COMMON PATH OF EGRESS TRAVEL (TABLE 1006.2.1)	
COMMON PATH OF EGRESS TRAVEL PROVIDED	

TWO EXITS REQUIRED WHERE DESIGN OCCUPANT LOAD EXCEEDS VALUES LISTED (TABLE 1006.2.1)	49 FEET
--	---------

MINIMUM NUMBER OF EXITS FOR OCCUPANT LOAD (TABLE 1006.3.2)	
1-500	2 EXITS
501-1000	3 EXITS
MORE THAN 1000	4 EXITS

**FIRE PROTECTION RQMTS (TABLE 601)**

**CONSTRUCTION TYPE: TYPE II-B**

STRUCTURAL FRAME	XX HOUR(S)
EXTERIOR BEARING WALLS	XX HOUR(S)
INTERIOR BEARING WALLS	XX HOUR(S)
FLOOR CONSTRUCTION	XX HOUR(S)
ROOF CONSTRUCTION	XX HOUR(S)
EXTERIOR WALLS (TABLE 602)	XX HOUR(S) TYPE OF FIRE DOORS 0 HR.
CORRIDORS (TABLE 1020.1)	XX HOUR(S) W/ SPRINKLER SYSTEM

SPRINKLED BUILDING: PER NFPA 13 & IBC 2021 SECTION 9

**PLUMBING FIXTURE RQMTS - IPC**

OCC:	USE GROUP	OCCUPANT LOAD (ACTUAL)	WATER CLOSET		LAV		DRINK FOUNT. REF. IPC 410	OTHER
			M	F	M	F		
M/RETAIL	M	29	M=15 & F=15					
TOTAL REQUIRED			1	1	X	1	1	X
TOTAL PROVIDED			1	1	X	1	1	X

**FRONTAGE AND AREA INCREASES**

**BUILDING: \*ENTIRE -OR- AREA\***

<b>DESIGN CONDITIONS</b>	
PERIMETER ALLOWED (FT) (F)	
PERIMETER TOTAL (FT) OF ENTIRE BUILDING (P)	
OCCUPANT LOAD	29
OCCUPANCY CLASSIFICATION	M
CONSTRUCTION TYPE	II - B
FLOOR AREA - FIRST FLOOR	2,870 SF
TOTAL FLOOR AREA-INCLUDING ALL FLOORS	2,870 SF
STORIES	1
BUILDING HEIGHT	23' - 4"
SPRINKLER SYSTEM PROVIDED	YES
SPRINKLER SYSTEM TYPE	NFPA 13 & IBC SECTION 9

Architectural Barriers Project Registration No: **TABS2023020382**

**ENVELOPE RQMTS**

BUILDING: WEST DAVIS FOOD MART  
CLIMATE ZONE: COLLIN COUNTY 3A  
\*BUILDING ELEMENTS MUST COMPLY WITH EITHER U-FACTOR ALTERNATIVE OR PRESCRIPTIVE METHODS AS REF. CHECK COMCHECK REPORT

**OPAQUE ELEMENTS**

ROOF (ZONE X) INSULATION ABOVE DECK	R-25 CI
WALLS ABOVE GRADE (ZONE X) MASS METAL FRAMED	R- 13 + R- 6.5 CI
DOORS (ZONE 3) SWINGING NONSWINGING	U - 0.61 R - 4.75

**FENESTRATION**

VERTICAL GLAZING (ZONE X) METAL FRAMING (CW / SF) ENTRANCE DOORS	AS SPEC.
--	----------

**OCCUPANT LOAD (TAB 1004.5)**

FUNCTION OF SPACE	OCCUPANT PER SF
ACCESSORY STORAGE AREAS, MECHANICAL, EQUIPMENT ROOM	300 GROSS
AGRICULTURAL BUILDING	300 GROSS
AIRCRAFT HANGARS	500 GROSS
AIRPORT TERMINAL	
BAGGAGE CLAIM	20 GROSS
BAGGAGE HANDLING	300 GROSS
CONCOURSE	100 GROSS
WAITING AREAS	15 GROSS
ASSEMBLY	
GAMING FLOORS (KENO, SLOTS, ETC.)	11 GROSS
EXHIBIT GALLERY AND MUSEUM	30 NET
ASSEMBLY W/ FIXED SEATS	SEE SECTION 1004.6
ASSEMBLY WITHOUT FIXED SEATS	
CONCENTRATED (CHAIRS ONLY-NOT FIXED)	7 NET
STANDING SPACE	5 NET
UNCONCENTRATED (TABLES AND CHAIRS)	15 NET
BOWLING CENTERS, ALLOW 5 PERSONS FOR EACH LANE INCLUDING 15 FEET OF RUNWAY, AND FOR ADDITIONAL AREAS	7 NET
BUSINESS AREAS	150 GROSS
CONCENTRATED BUSINESS USE AREA	SEE SECTION 1004.8
COURT ROOMS-OTHER THAN FIXED SEATING AREAS	40 NET
DAY CARE	35 NET
DORMITORIES	50 GROSS
EDUCATIONAL	
CLASSROOM AREA	20 NET
SHOPS AND OTHER VOCATIONAL ROOM AREAS	50 NET
EXERCISE ROOMS	50 GROSS
H-S FABRICATION AND MANUFACTURING AREAS	200 GROSS
INDUSTRIAL AREAS	100 GROSS
INSTITUTIONAL AREAS	
INPATIENT TREATMENT AREAS	240 GROSS
OUTPATIENT AREAS	100 GROSS
SLEEPING AREAS	120 GROSS
KITCHENS, COMMERCIAL	200 GROSS
LIBRARY	
READING ROOM	50 NET
STACK AREA	100 GROSS
LOCKER ROOMS	50 GROSS
MALL BUILDINGS - COVERED AND OPEN	SEE SECTION 402.8.2
MERCANTILE	
AREAS ON OTHER FLOORS	60 GROSS
STORAGE, STOCK, SHIPPING AREAS	300 GROSS
PARKING GARAGES	200 GROSS
RESIDENTIAL	200 GROSS
SKATING RINKS, SWIMMING POOLS	
RINK AND POOL	50 GROSS
DECKS	15 GROSS
STAGES AND PLATFORMS	15 NET
WAREHOUSES	500 GROSS
OCCUPANT LOAD	# OF PEOPLE
ASSEMBLY	X,XXX SF @ 15 SF PER PERSON
BUSINESS	X,XXX SF @ 100 SF PER PERSON
STORAGE/MECHANICAL	X,XXX SF @ 300 SF PER PERSON
TOTAL	X

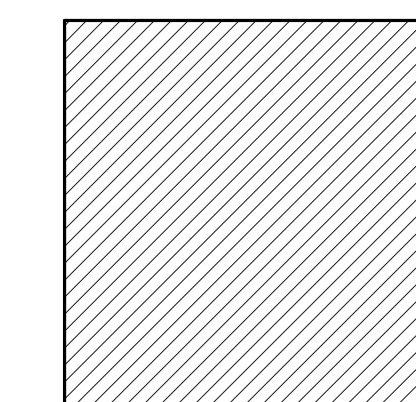


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**WEST DAVIS FOOD MART**

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

**KEY PLAN**

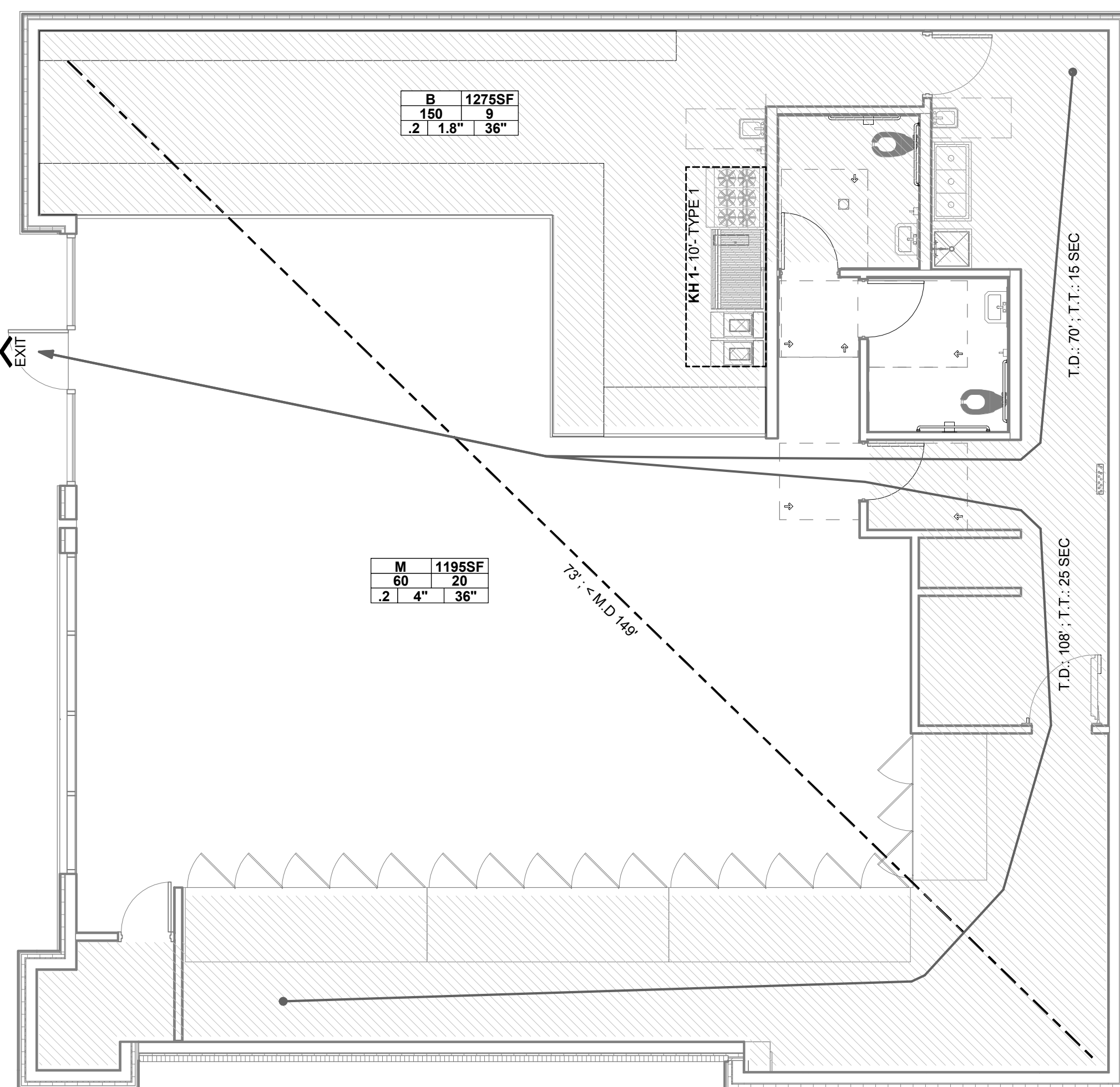


-	06/01/2023 PERMIT ISSUE
NO DATE	DESCRIPTION
PROJECT NO:2211.01	

**CODE INFORMATION**

**G-101**

REVIT\_102



**A1 FIRST FLOOR - CODE PLAN**  
A-201 G-101 3/16" = 1'-0"

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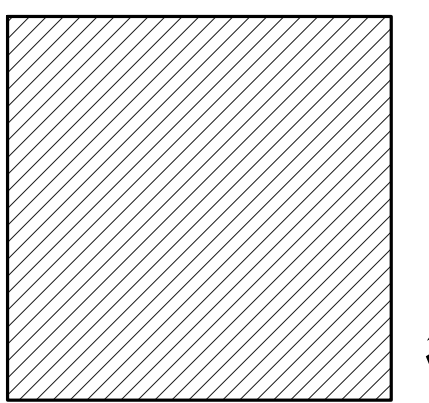


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**WEST DAVIS FOOD MART**

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

KEY PLAN



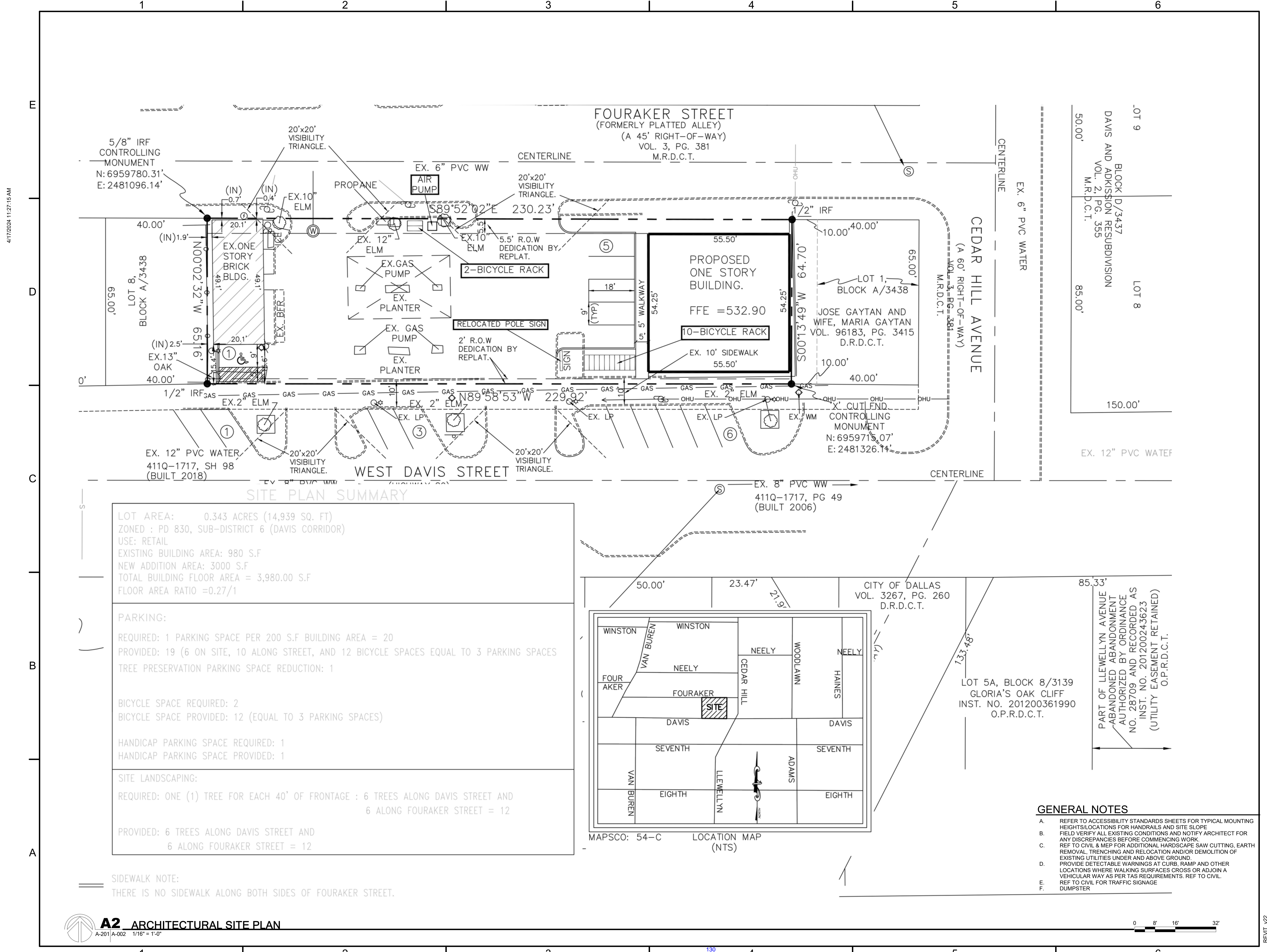
NORTH

NO	DATE	DESCRIPTION
-	06/01/2023	PERMIT ISSUE

PROJECT NO: 2211.01

**ARCHITECTURAL SITE PLAN**

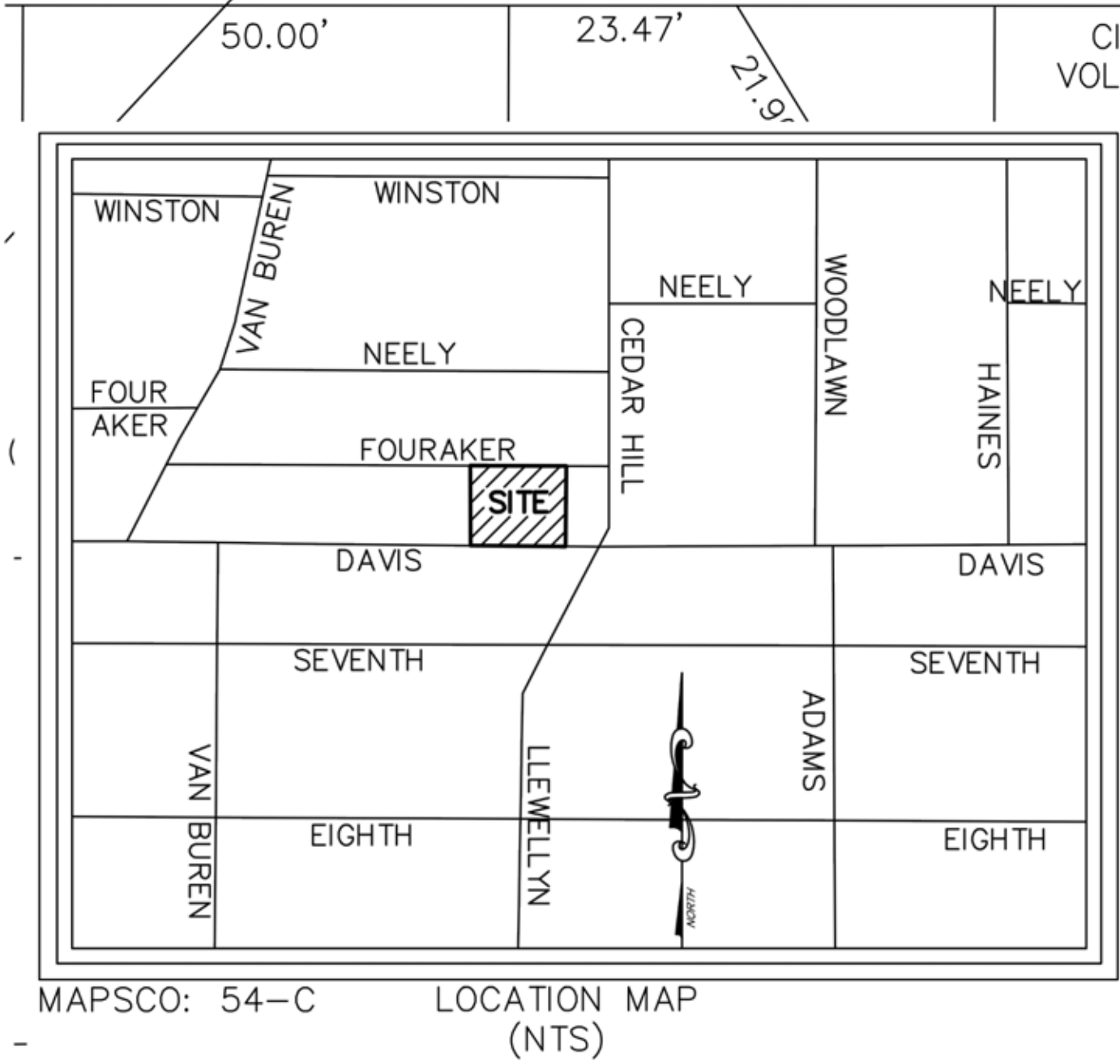
**A-002**



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**SITE PLAN SUMMARY**

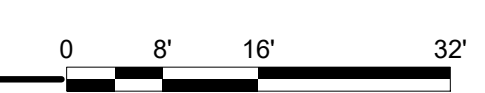
LOT AREA: 0.343 ACRES (14,939 SQ. FT)
ZONED : PD 830, SUB-DISTRICT 6 (DAVIS CORRIDOR)
USE: RETAIL
EXISTING BUILDING AREA: 980 S.F
NEW ADDITION AREA: 3000 S.F
TOTAL BUILDING FLOOR AREA = 3,980.00 S.F
FLOOR AREA RATIO = 0.27/1
<b>PARKING:</b>
REQUIRED: 1 PARKING SPACE PER 200 S.F BUILDING AREA = 20
PROVIDED: 19 (6 ON SITE, 10 ALONG STREET, AND 12 BICYCLE SPACES EQUAL TO 3 PARKING SPACES)
TREE PRESERVATION PARKING SPACE REDUCTION: 1
BICYCLE SPACE REQUIRED: 2
BICYCLE SPACE PROVIDED: 12 (EQUAL TO 3 PARKING SPACES)
HANDICAP PARKING SPACE REQUIRED: 1
HANDICAP PARKING SPACE PROVIDED: 1
<b>SITE LANDSCAPING:</b>
REQUIRED: ONE (1) TREE FOR EACH 40' OF FRONTAGE : 6 TREES ALONG DAVIS STREET AND 6 ALONG FOURAKER STREET = 12
PROVIDED: 6 TREES ALONG DAVIS STREET AND 6 ALONG FOURAKER STREET = 12



**GENERAL NOTES**

- A. REFER TO ACCESSIBILITY STANDARDS SHEETS FOR TYPICAL MOUNTING HEIGHTS/LOCATIONS FOR HANDRAILS AND SITE SLOPE
- B. FIELD VERIFY ALL EXISTING CONDITIONS AND NOTIFY ARCHITECT FOR ANY DISCREPANCIES BEFORE COMMENCING WORK.
- C. REF TO CIVIL & MEP FOR ADDITIONAL HARDSCAPE SAW CUTTING, EARTH REMOVAL, TRENCHING AND RELOCATION AND/OR DEMOLITION OF EXISTING UTILITIES UNDER AND ABOVE GROUND.
- D. PROVIDE DETECTABLE WARNINGS AT CURB, RAMP AND OTHER LOCATIONS WHERE WALKING SURFACES CROSS OR ADJOIN A VEHICULAR WAY AS PER T&S REQUIREMENTS. REF TO CIVIL.
- E. REF TO CIVIL FOR TRAFFIC SIGNAGE
- F. DUMPSTER

**SIDEWALK NOTE:**  
THERE IS NO SIDEWALK ALONG BOTH SIDES OF FOURAKER STREET.



REVIT\_02

### WALL NOTATION LEGEND

WALL GROUP  
FRAMING/MASONRY SIZE

**P 01 A 1**

FIRE RATING (SEE SCHEDULE)  
PARTITION NUMBER (SEE DETAILS)

**WALL GROUP**  
E - EXTERIOR WALL  
P - PARTITION  
F - FURRING  
S - SHAFT WALL

### PARTITION LEGEND

THE FOLLOWING PARTITION GRAPHIC SYMBOL AND TWO PART NOTATION SYSTEM IS USED IN THE CONSTRUCTION DOCUMENTS FOR THIS PROJECT. NOTE: THE PARTITION CONSTRUCTION WILL MAINTAIN ITS DESIGNATION TO THE POINT OF AN INTERSECTION WALL. IF NO CHANGE IN DESIGNATION IS SHOWN BEYOND THE INTERSECTION, THE PREVIOUS PARTITION CONSTRUCTION DESIGNATION APPLIES. REFER TO CODE PLAN G-005 FOR RATED WALLS.

### PARTITION CONSTRUCTION

A. METAL STUDS - GYPSUM BOARD ONE SIDE  
B. 2x4 NOMINAL WOOD STUD  
C. 2x6 NOMINAL WOOD STUD  
D. 2x6/2x6 NOMINAL WOOD STUD, 2 LAYERS OF GYPSUM BOARD ON EACH SIDE  
E. WOOD FURRING STRIP  
F. METAL STUDS - GYPSUM BOARD & DENSE GLASS SHEATHING ON EXTERIOR & FINISH AS SCHEDULED  
G. METAL STUDS - TYPE X GYPSUM BOARD ON EACH SIDE  
H. CMU  
I. CMU - GYPSUM BOARD ON HAT CHANNELS  
J. CONCRETE  
K. SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE  
L. SHAFT WALL SYSTEM - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE  
M. CMU/SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE, REFER DETAIL ??/A-???

### PARTITION CONDITION

"STRUCTURE ABOVE" (AS NOTED IN THE PARTITION CONDITIONS) IS DEFINED AS THE UNDERSIDE OF ONE OR MORE OF THE FOLLOWING:

- COMPOSITE FLOOR SLAB
- STAIR TREADS/RISERS
- METAL ROOF DECK
- STEEL BEAMS

TERMINATE METAL STUDS AT "STRUCTURE ABOVE" WITH DEFLECTION TRACK REQUIRED FOR WALL CONDITION SCHEDULED.

(NOTE: IN NO CASE SHALL THE BOTTOM OF STEEL JOISTS BE CONSIDERED BOTTOM OF STRUCTURE ABOVE.)

(NOTE: ALL INTERIOR WALLS ARE "PB3" UNLESS NOTED OTHERWISE.)

1. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILING ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE).
2. RATED ASSEMBLY EXTENDS TO STRUCTURE ABOVE (SEE DEFINITION BELOW). PROVIDE UL APPROVED FIRE RATED HEAD OF WALL ASSEMBLY TO MATCH RATING OF WALL. WALL HEIGHTS EXCEEDING STUD MANUFACTURER'S MAXIMUM (LIMITING) SPAN USING 5PSF LATERAL LOADING SHALL BE BRACED TO STRUCTURE ABOVE. (LAY-IN CEILING ARE NOT ACCEPTABLE BRACING, HARD CEILINGS ARE ACCEPTABLE). WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS. COMPLETE ASSEMBLY EXTENDS TO STRUCTURE ABOVE. WALL CAVITY IS FULLY INSULATED WITH SOUND ATTENUATION BATTS. INSTALL ACOUSTICAL SEALANT AT TOP AND BOTTOM OF WALLS (BOTH SIDES) AND ALL PENETRATIONS PER MANUFACTURER'S INSTRUCTIONS. COMPLETE ASSEMBLY EXTENDS TO & IS BRACED TO STR. ABOVE.
3. ASSEMBLY EXTENDS 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING AND IS BRACED EACH WAY TO STRUCTURE ABOVE.
4. EXTEND RATED ASSEMBLY THROUGH THE ROOF. METAL STUD WALLS EXTEND TO 4" MINIMUM ABOVE HIGHEST ADJACENT CEILING.

### BUILDING PLAN GENERAL NOTES

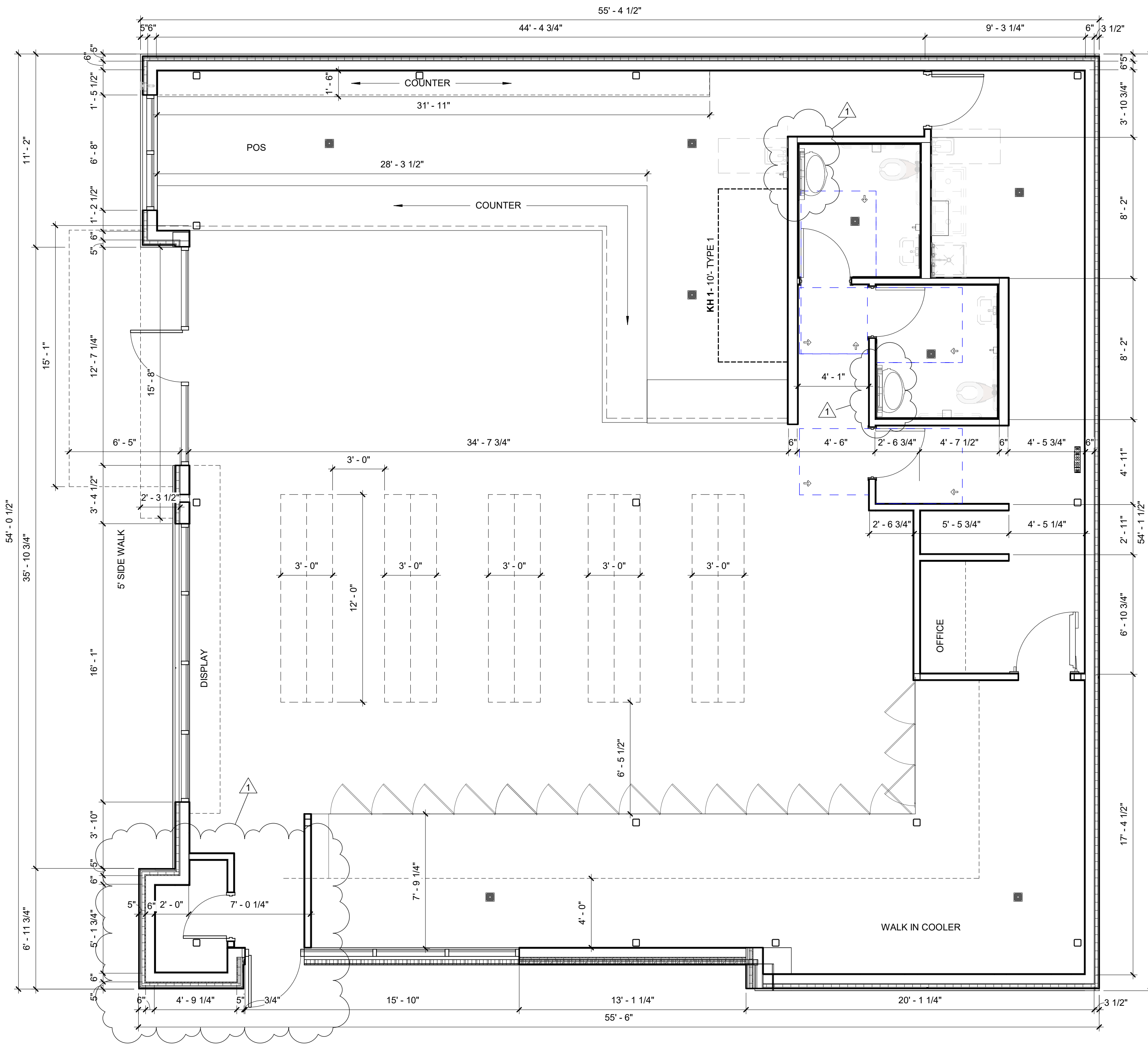
1. ALL DIMENSIONS ARE TO FACE OF STUD U.O.N.
2. REFER TO SHEET G-### FOR ACCESSIBILITY DESIGN STANDARDS.
3. ALL ANGLES ARE 45 TO THE HORIZONTAL & VERTICAL U.O.N.
4. INSTALL FULL FILL INSULATION IN ALL INTERSTITIAL SPACES.
5. BLOWN INSULATION OCCURS IN ALL FLOOR/CEILING CONCEALED ASSEMBLIES IN ACCORDANCE WITH NFPA 13.
6. ALL ACCESSIBLE DOORWAYS SHALL HAVE 2% MAX. SLOPE FOR A DISTANCE OF 60 INCHES PERPENDICULAR TO THE DOOR. THE THRESHOLD SHALL NOT EXCEED 1/2 INCH.
7. ALL SPOT ELEVATIONS INDICATE TOP OF DECK U.O.N. IF SPOT ELEVATION FALLS ON CONCRETE SLAB, IT INDICATES TOP OF CONCRETE.
8. ALL SLOPED CONCRETE SURFACES SHALL HAVE A BROOM FINISH. ALL CORRIDOR SURFACES SHALL BE TROWELED SMOOTH AND SEALED.
9. INTERIOR CORRIDOR WALLS SHALL HAVE FULL HEIGHT CONTROL JOINTS EVERY 30 FEET MAX., AT DOOR JAMBS, RAMPS, AND CONSTRUCTION JOINTS. REFER TO DETAILS ### WHEN PROVIDED.
10. APPLY INTUMESCENT PAINT ON STEEL STRUCTURAL MEMBERS FOR 1-HOUR (OR 2-HOUR) FIRE PROTECTION.
11. KEYPAD AND/OR CARD READER ACCESS CONTROLS SHALL BE IN ACCESSIBLE LOCATIONS AND MOUNTED WITHIN 48" MAX. A.F.F.
12. WALLS AND PARTITIONS WITHIN 2 FEET OF SERVICE SINK, URINALS, AND WATER CLOSETS SHALL HAVE A SMOOTH, HARD, NONABSORBENT SURFACE TO THE HEIGHT OF 48 INCHES MIN. A.F.F.
13. INSTALL PORTABLE FIRE EXTINGUISHERS EVERY 75 FEET MAX. IN CORRIDORS AS INDICATED ON THE PLANS.
14. REFER TO WALL SCHEDULE AND ASSEMBLIES.
15. INTERIOR DOORS SHOWN IN THE CORNER OF A SPACE ARE ASSUMED TO BE 4 INCHES FROM THE CORNER WALL STUD AND NEED NOT BE DIMENSIONED U.O.N.
16. BREEZEWAY WALLS THAT DAYLIGHT TO THE EXTERIOR TO BE FIBER CEMENT FOR A MINIMUM OF 15' FROM THE OPENING. TERMINATE AT AN INTERIOR CORNER WHEREVER POSSIBLE.
17. FURR-DOWNS MAY BE CONSTRUCTED USING ANY MATERIALS PERMITTED BY THE CONSTRUCTION TYPE AS DEFINED BY IBC, HOWEVER MATERIALS EXPOSED TO AIR FLOW (EXAMPLE: RETURN AIR PLENUM) MUST BE NON-COMBUSTIBLE OR MEET THE 25/50 FLAME SPREAD/SMOKE-DEVELOPED INDICES AS PER IMC 2021 SECTION 602.

### GENERAL NOTES

A. REFER TO ACCESSIBILITY STANDARDS SHEETS FOR TYPICAL MOUNTING HEIGHTS/LOCATIONS FOR TOILET ROOM ACCESSORIES.

### KEY NOTES

AS INDICATED BY: (#) —



**A1 DIMENSIONED FLOOR PLAN**  
A-201/A-111 1/4" = 1'-0"

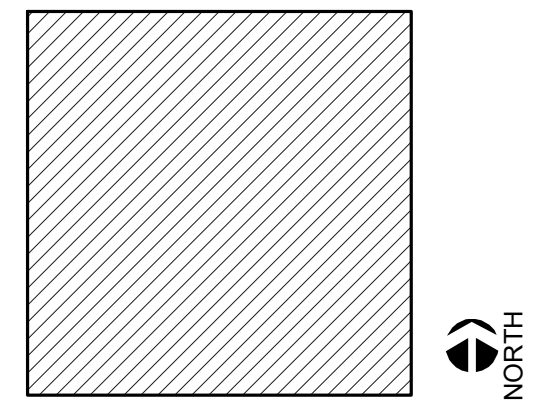


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## WEST DAVIS FOOD MART

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

KEY PLAN



NO	DATE	DESCRIPTION
1	10/26/23	CITY COMMENTS
-	06/01/2023	PERMIT ISSUE
NO	DATE	DESCRIPTION

PROJECT NO 2211.01

### FLOOR PLAN - DIMENSION

**A-111**

2/25/2024 9:25:08 PM

REVIT\_V22

### WALL NOTATION LEGEND

WALL GROUP  
FRAMING/MASONRY SIZE

P 01 A 1

FIRE RATING (SEE SCHEDULE)  
PARTITION NUMBER (SEE DETAILS)

**WALL GROUP**  
E - EXTERIOR WALL  
P - PARTITION  
F - FURRING  
S - SHAFT WALL

### PARTITION LEGEND

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### PARTITION CONSTRUCTION

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C. 2x6 NOMINAL WOOD STUD  
D. 2x6/2x6 NOMINAL WOOD STUD, 2 LAYERS OF GYPSUM BOARD ON EACH SIDE  
E. WOOD FURRING STRIP  
F. METAL STUDS - GYPSUM BOARD & DENSE GLASS SHEATHING ON EXTERIOR & FINISH AS SCHEDULED  
G. METAL STUDS - TYPE X GYPSUM BOARD ON EACH SIDE  
H. CMU  
I. CMU - GYPSUM BOARD ON HAT CHANNELS  
J. CONCRETE  
K. SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE  
L. SHAFT WALL SYSTEM - 2 LAYERS OF GYPSUM BOARD ON EACH SIDE  
M. CMU/SHAFT WALL SYSTEM - GYPSUM BOARD ON FINISHED SIDE, REFER DETAIL ??/A-???

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(NOTE: ALL INTERIOR WALLS ARE "PB3" UNLESS NOTED OTHERWISE.)

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### GENERAL NOTES

A. REFER TO ACCESSIBILITY STANDARDS SHEETS FOR TYPICAL MOUNTING HEIGHTS/LOCATIONS FOR TOILET ROOM ACCESSORIES.

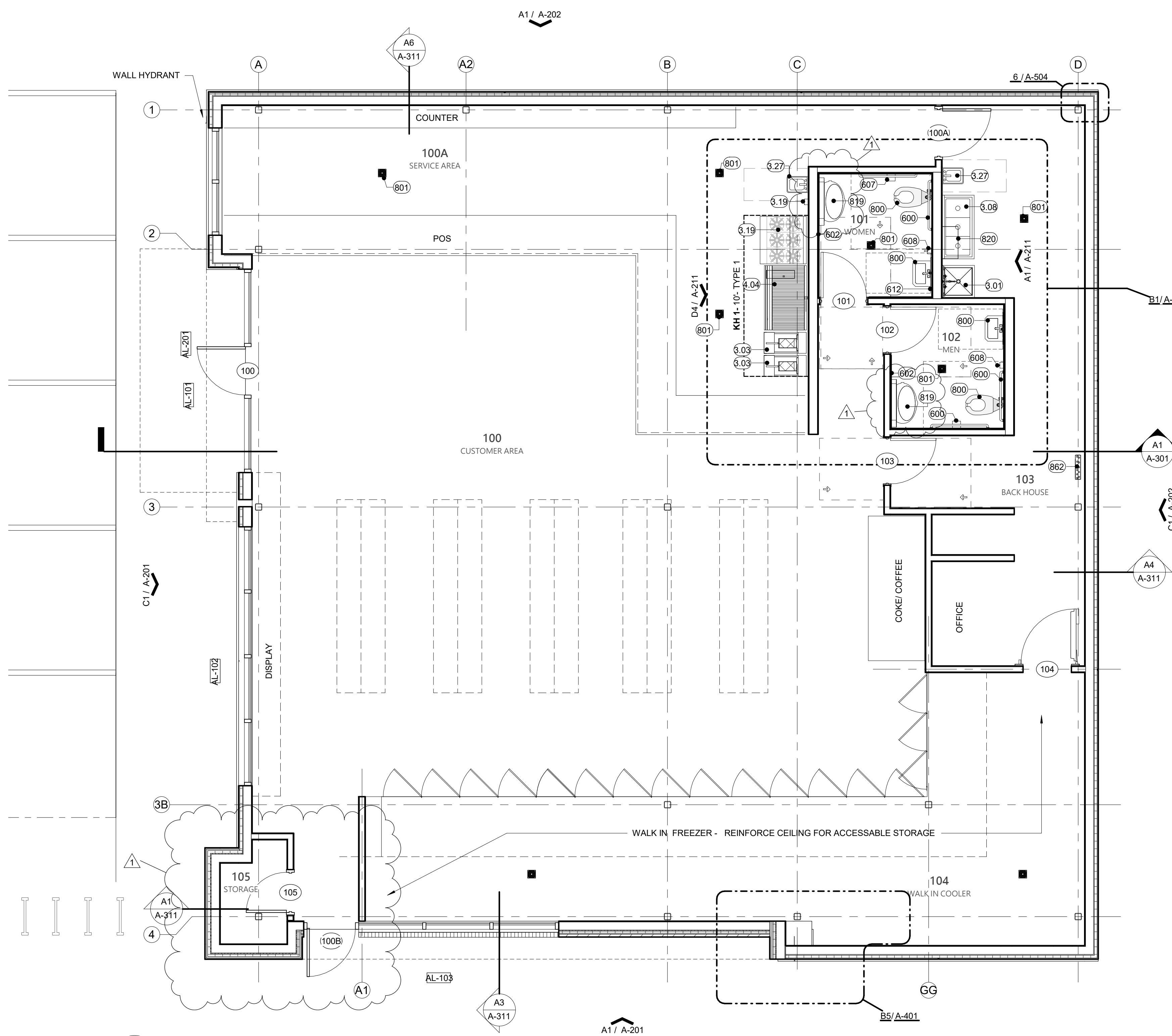
### KEY NOTES

AS INDICATED BY: (#) —

- 3.01 MOP SINK W/ BACKFLOW PREVENTER: MODEL NO. MRS-1-MOP
- 3.03 GAS FRYER, SECURED ON FLOOR. MODEL NO ATFS-40
- 3.08 THREE COMPARTMENT SINK WITH DRAINBOARD
- 3.19 6 BURNER GAS RANGE, MODEL NO. VULCAN 36S-6B OR EQUIVALENT, PROVIDE CASTER OPTION
- 3.27 WALL MOUNTED HAND SINK WITH 4" WRIST HANDEL, GOOSENECK FAUCET, SIDE SPLASHES, AND TOP MOUNTED PAPER TOWEL AND SOAP DISPENSER. MODEL NO : 600HS17SPDST; OR EQUAL
- 4.04 GAS GRIDDLE W/ THERMOSTATIC CONTROLS, VULCAN MSA48- 48" OR EQUIVALENT
- 600 GRAB BAR (GB)
- 602 COMBINATION PAPER TOWEL DISPENSER/WASTE RECEPTACLE- SEMI RECESSED(PTDWR)
- 607 TLT TISSUE DISPENSER (TTD-1)
- 608 SOAP DISPENSER (SD)
- 612 MIRROR (M1)
- 800 REF PLUMBING
- 801 FD, REF PLUMBING
- 819 SURFACE MOUNTED BABY CHANGING STATION
- 820 WALL MOUNTED SHELVING/ DRYING RACK
- 862 ELECTRICAL PANEL

### KITCHEN EQUIPMENT SCHEDULE

#	TAG	DESCRIPTION
1.	3.03	GAS FRYER, ATFS-40 NATURAL GAS, STAINLESS STEEL FLOOR FRYER
2.	4.04	GAS GRIDDLE - VULCAN MSA48- 48"
3.	3.19	SIX BURNER GAS RANGE, VULCAN 36S-6B
4.	3.27	WALL MOUNTED HAND SINK WITH SPLASHGUARD
5.	3.08	THREE COMPARTMENT SINK WITH TWO DRAIN BOARDS
6.	820	WALL MOUNTED OVER SINK DRYING RACK



**A1 FLOOR PLAN - ANNOTATION**  
A-201/A-121 1/4" = 1'-0"

INNOVATION EXPERIENCE

**IXD STUDIO**

IXDESIGN STUDIO

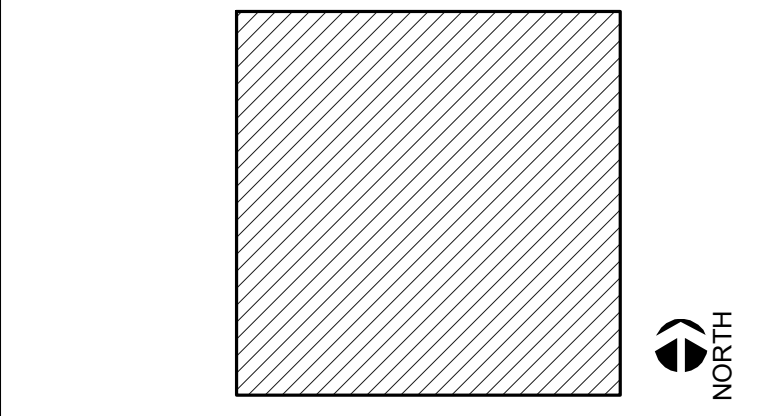
06/07/2023

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## WEST DAVIS FOOD MART

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

KEY PLAN



NO	DATE	DESCRIPTION
1	10/26/23	CITY COMMENTS
-	06/01/2023	PERMIT ISSUE

PROJECT NO 2211.01

### FLOOR PLAN - ANNOTATION

# A-121

2/25/2024 9:25:08 PM

REVIT\_V2

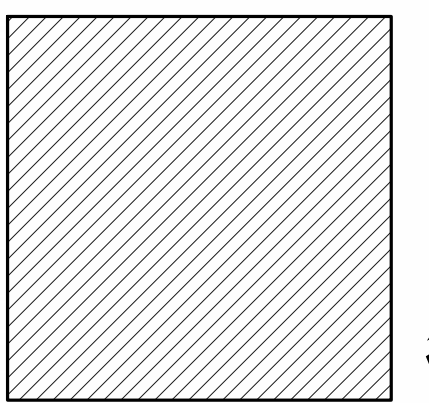


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# WEST DAVIS FOOD MART

607 W DAVIS ST  
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KEY PLAN



NO	DATE	DESCRIPTION
1	10/26/23	CITY COMMENTS
-	06/01/2023	PERMIT ISSUE
NO	DATE	DESCRIPTION

PROJECT NO:2211.01

## EXTERIOR ELEVATIONS

**A-201**

REVIT\_V22

607 W DAVIS ST.  
ZONING: PD 830 SUBDISTRICT 6 DAVIS CORRIDOR  
SEC. 51P-830.122. ARCHITECTURAL DESIGN STANDARDS.

- A. APPLICABILITY.** The architectural design standards of this section apply to:  
1. New construction and major modification of buildings containing a non-residential use.
- B. PURPOSE**  
2a. The new development enhances the character of the corridor and complements adjacent neighborhoods;  
2b. The new development increased density in established neighborhoods makes a positive contribution to the area's character;  
2c. Enhance the character and environment for pedestrians.
- C. PLAN REVIEW:** The director shall review any plan submitted to determine whether it complies with the requirements of this section.
- D. BUILDING ORIENTATION.** The primary facade of new construction on a vacant lot must face the street.  
**EXPLANATION:** Due to the use and function of the new construction in relation to the existing facility (Gas Pumps) the primary facade is proposed at the west side of the building; however the southside / streetside was offered equal attention.
- E. ENTRANCE:**  
(2) Primary customer entrances for office uses and retail and personal service uses must face the street or a courtyard, door yard, or plaza area with direct access to the street. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:  
(A) Arcade. - NOT USED  
(B) Arch. - NOT USED  
(C) AWNING.  
(D) Canopy. - NOT USED  
(E) Decorative elements. - NOT USED  
(F) DISPLAY WINDOWS.  
(G) Projections. - NOT USED  
(H) Enhanced cornice details. - NOT USED  
(I) RAISED PARAPET.  
(J) RECESS.
- F. FAÇADE:**  
(1) STREET-FACING FAÇADES ON A SINGLE BUILDING SITE MUST HAVE SIMILAR ARCHITECTURAL DESIGN.  
(2) Street-facing facades exceeding 30 feet in length must have two of the following elements.  
(A) Change in plane, such as an OFFSET, REVEAL, RECESS, OR PROJECTION. Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches and niches.  
(B) Architectural details such as raised bands and cornices. - NOT USED  
(C) ARCHITECTURALLY PROMINENT PUBLIC ENTRANCE. .  
(D) AWNINGS.  
(E) CHANGE IN COLOR.  
(F) CHANGE IN MATERIAL.  
(G) CHANGE IN TEXTURE.  
(3) The street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:  
(A) Arcades, canopies, or secondary roofs to provide shade. - NOT USED  
(C) AWNINGS ASSOCIATED WITH WINDOWS OR DOORS.  
(5) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first story street-facing facade, excluding fenestration, must be masonry.  
(6) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 40%.  
**EXPLANATION:** Due to the limitation of orientation of the building (enforced by existing fuel pumps) and optimal space layout for the business to operate walk in cooler was required to be located at the street side, which again limited the use of transparency. Provided glazing on street side is 8% and at the Entrance of the building is 26%.  
(7) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.  
**-NO FAÇADE CONTAINS MORE THAN 80% GLASS.**
- I. MATERIALS:**  
(1) GLASS.  
(2) MASONRY.  
(A) ALLOWED.  
(I) STONE.  
(II) BRICK.  
(III) SPLIT-FACED CONCRETE MASONRY UNITS. - NOT USED  
(IV) JOB-SITE CAST CC WITH AN ARCHITECTURAL FINISH. - NOT USED  
(V) CAST STONE. - NOT USED  
(VI) CULTURED STONE.  
**CEMENT-BASED SIDING OR PANELS**  
(3) METAL.  
(A) ALLOWED. NO MORE THAN 20 PERCENT OF A STREET-FACING FAÇADE MAY BE FLAT OR CORRUGATED METAL PANELS.  
(B) PROHIBITED. METAL SIDING THAT IMITATES WOOD SIDING. -NOT USED  
(5) STUCCO.  
(A) ALLOWED. STUCCO.  
(B) PROHIBITED. SIMULATED STUCCO (EIFS). -NOT USED
- (J) ROOFS.** In addition to the requirements of Section 51P-830.122(g), mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at street level on the opposite side of any adjacent right-of-way. This provision does not apply in Subdistrict 3A.
- (K) WINDOWS.** Retail and personal service uses must provide windows or display cases in street-level street facing windows along sidewalks.

### MATERIAL PERCENTAGES PER ELEVATION

SOUTH (RIGHT) ELEVATION - # A1			
	SF	%	
A. BRICK	348.2	28%	
B. STONE VENEER	83.7	7%	
C. FIBER CEMENT SIDING	298.5	24%	
D. METAL (AWNING & OTHER)	5.8	0%	
E. 3 STEP STUCCO	404.1	33%	
F. GLAZING	92.8	8%	
<b>NET FAÇADE AREA =</b>	<b>1233.0</b>	<b>100%</b>	

### TOTAL SURFACE AREA = 1233.0

NORTH (LEFT) ELEVATION - # A1			
	SF	%	
A. BRICK	0.0	0%	
B. STONE VENEER	178.8	15%	
C. FIBER CEMENT SIDING	0.0	0%	
D. METAL (AWNING & OTHER)	0.0	0%	
E. 3 STEP STUCCO	1009.7	85%	
F. GLAZING	0.0	0%	
<b>NET FAÇADE AREA =</b>	<b>1188.6</b>	<b>100%</b>	

### TOTAL SURFACE AREA = 1188.6

WEST (FRONT) ELEVATION - # C1			
	SF	%	
A. BRICK VENEER	0.0	0%	
B. STONE VENEER	133.2	11%	
C. FIBER CEMENT SIDING	136.8	12%	
D. METAL (AWNING & OTHER)	0.0	0%	
E. 3 STEP STUCCO	597.5	51%	
F. GLAZING	311.3	26%	
<b>NET FAÇADE AREA =</b>	<b>1178.8</b>	<b>100%</b>	

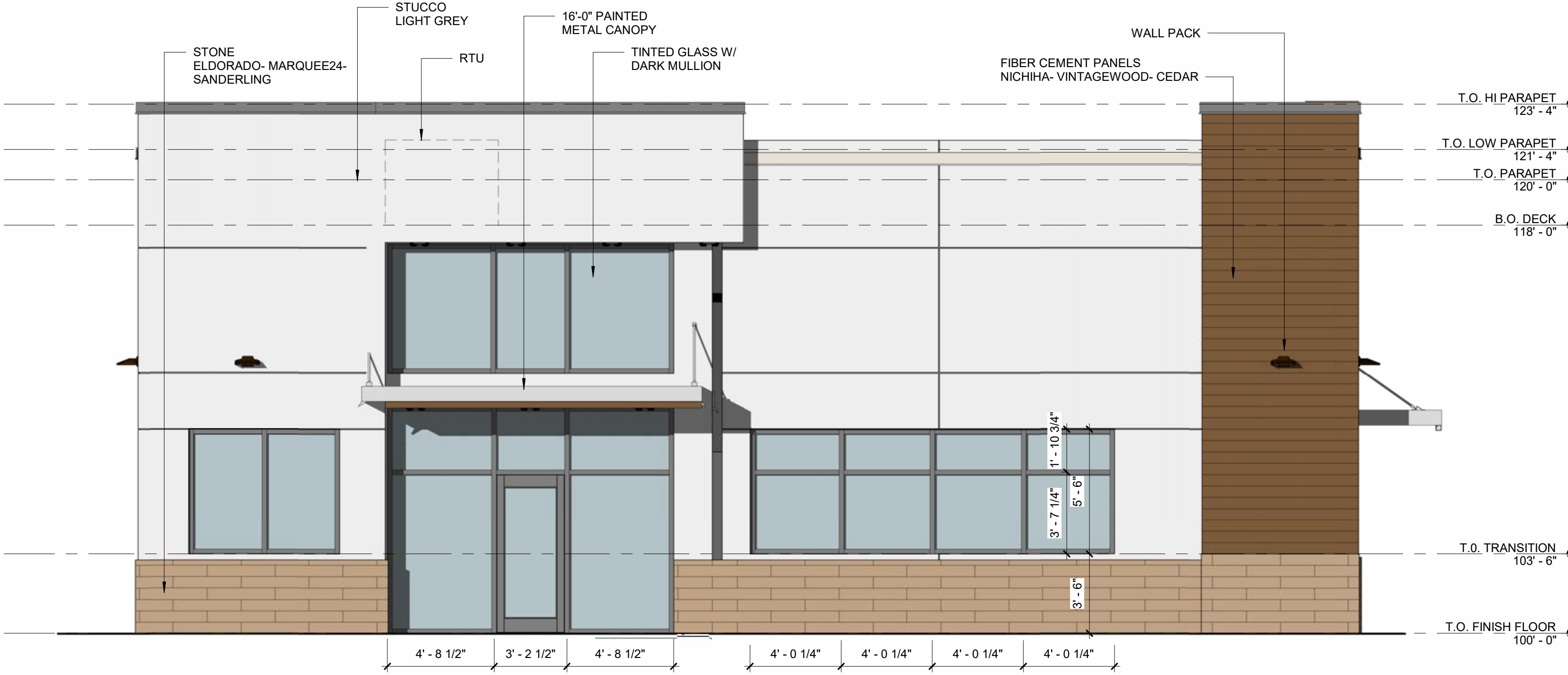
### TOTAL SURFACE AREA = 1178.8

EAST (BACK) ELEVATION - # C1			
	SF	%	
A. BRICK	0.0	0%	
B. STONE VENEER	0.0	0%	
C. FIBER CEMENT SIDING	0.0	0%	
D. METAL (AWNING & OTHER)	0.0	0%	
E. 3 STEP STUCCO	1180.3	100%	
F. GLAZING	0.0	0%	
<b>NET FAÇADE AREA =</b>	<b>1180.3</b>	<b>100%</b>	

### TOTAL SURFACE AREA = 1180.3

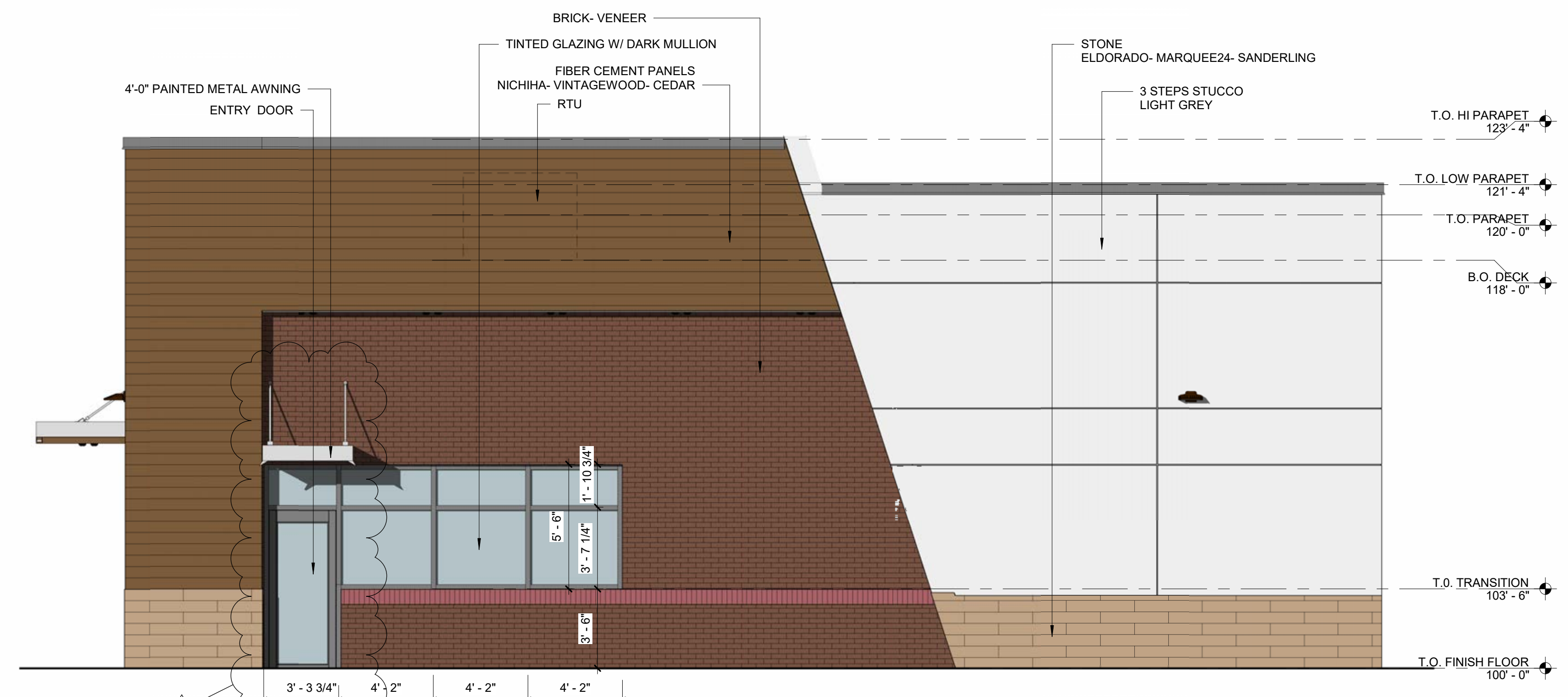
OVERALL			
	SF	%	
A. BRICK	348.2	8%	
B. STONE VENEER	395.7	9%	
C. FIBER CEMENT SIDING	435.2	10%	
D. METAL (AWNING & OTHER)	5.8	0%	
E. 3 STEP STUCCO	3191.6	73%	
F. GLAZING	404.1	9%	
<b>NET FAÇADE AREA =</b>	<b>4376.6</b>	<b>100%</b>	

### TOTAL SURFACE AREA = 4376.6



### C1 WEST ELEVATION (FRONT)

A-121 | A-201 1/4" = 1'-0"



### A1 SOUTH ELEVATION

A-121 | A-201 1/4" = 1'-0"

### KEY NOTES

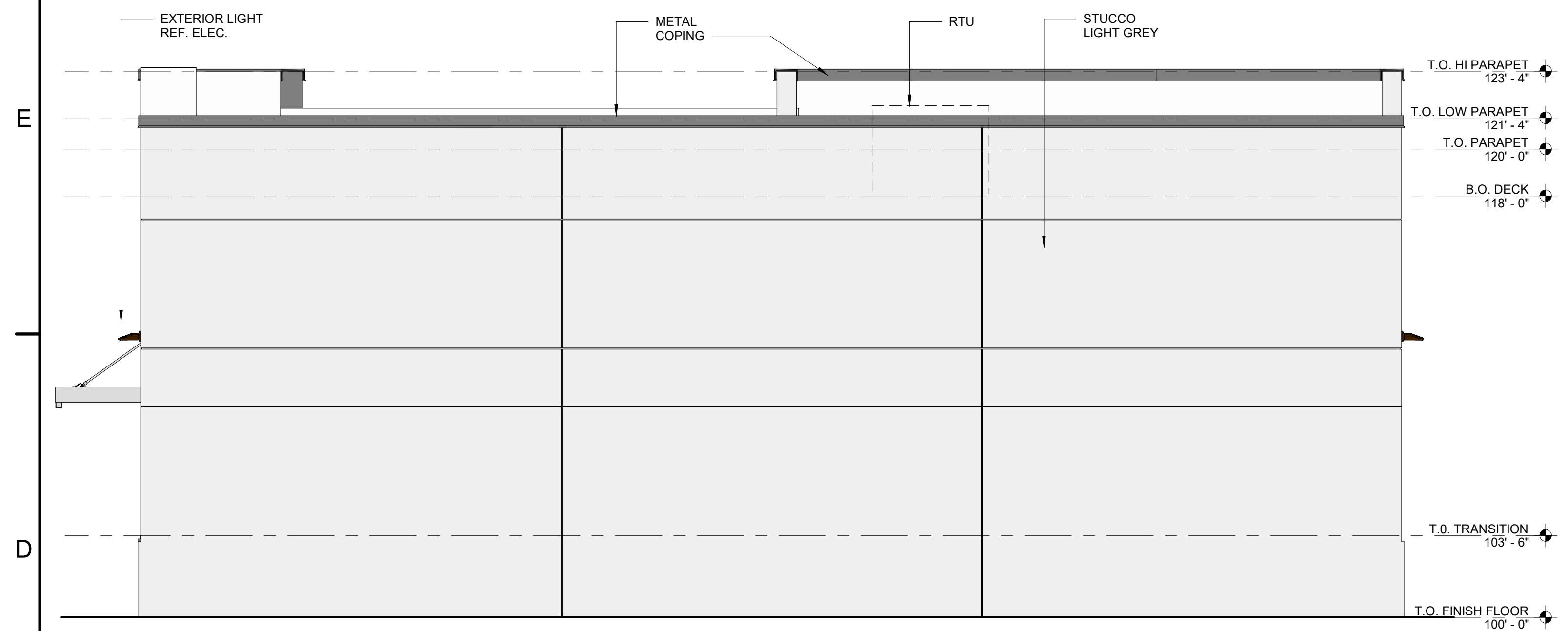
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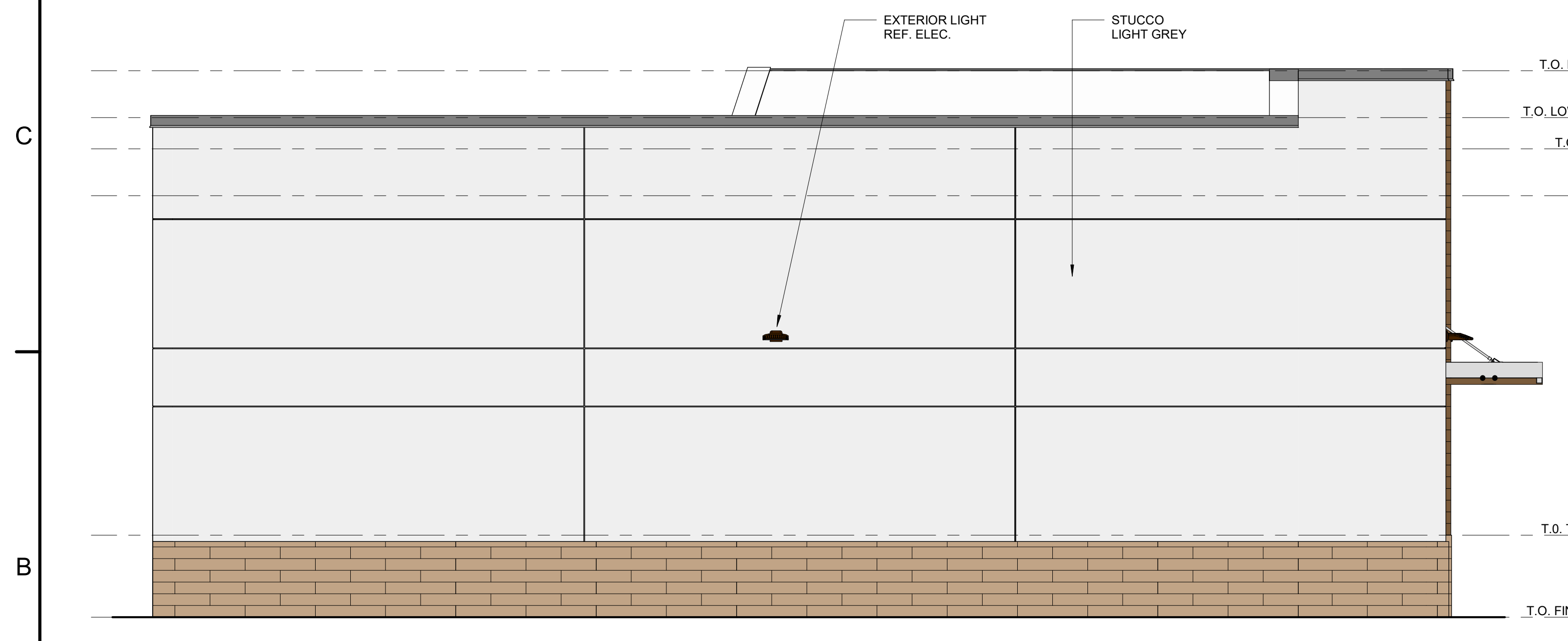


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**C1 EAST ELEVATION (REAR)**  
A-121 | A-202 1/4" = 1'-0"



**A1 NORTH ELEVATION**  
A-121 | A-202 1/4" = 1'-0"

**GENERAL NOTES**

- A. CONTRACTOR TO VERIFY ALL DIMENSIONS
- B. PROVIDE TILT-UP WALL JOINTS PER ELEVATION. REF TO STRUCTURE

**KEY NOTES**

AS INDICATED BY: (#) →

**MATERIAL PERCENTAGES PER ELEVATION**

**SOUTH (RIGHT) ELEVATION - # A1**

	SF	%
A. BRICK	348.2	28%
B. STONE VENEER	83.7	7%
C. FIBER CEMENT SIDING	298.5	24%
D. METAL (AWNING & OTHER)	5.8	0%
E. 3 STEP STUCCO	404.1	33%
F. GLAZING	92.8	8%
<b>NET FAÇADE AREA =</b>	<b>1233.0</b>	<b>100%</b>

**TOTAL SURFACE AREA = 1233.0**

**NORTH (LEFT) ELEVATION - # A1**

	SF	%
A. BRICK	0.0	0%
B. STONE VENEER	178.8	15%
C. FIBER CEMENT SIDING	0.0	0%
D. METAL (AWNING & OTHER)	0.0	0%
E. 3 STEP STUCCO	1009.7	85%
F. GLAZING	0.0	0%
<b>NET FAÇADE AREA =</b>	<b>1188.6</b>	<b>100%</b>

**TOTAL SURFACE AREA = 1188.6**

**WEST (FRONT) ELEVATION - # C1**

	SF	%
A. BRICK VENEER	0.0	0%
B. STONE VENEER	133.2	11%
C. FIBER CEMENT SIDING	136.8	12%
D. METAL (AWNING & OTHER)	0.0	0%
E. 3 STEP STUCCO	597.5	51%
F. GLAZING	311.3	26%
<b>NET FAÇADE AREA =</b>	<b>1178.8</b>	<b>100%</b>

**TOTAL SURFACE AREA = 1178.8**

**EAST (BACK) ELEVATION - # C1**

	SF	%
A. BRICK	0.0	0%
B. STONE VENEER	0.0	0%
C. FIBER CEMENT SIDING	0.0	0%
D. METAL (AWNING & OTHER)	0.0	0%
E. 3 STEP STUCCO	1180.3	100%
F. GLAZING	0.0	0%
<b>NET FAÇADE AREA =</b>	<b>1180.3</b>	<b>100%</b>

**TOTAL SURFACE AREA = 1180.3**

**OVERALL**

	SF	%
A. BRICK	348.2	8%
B. STONE VENEER	395.7	9%
C. FIBER CEMENT SIDING	435.2	10%
D. METAL (AWNING & OTHER)	5.8	0%
E. 3 STEP STUCCO	3191.6	73%
F. GLAZING	404.1	9%
<b>NET FAÇADE AREA =</b>	<b>4376.6</b>	<b>100%</b>

**TOTAL SURFACE AREA = 4376.6**

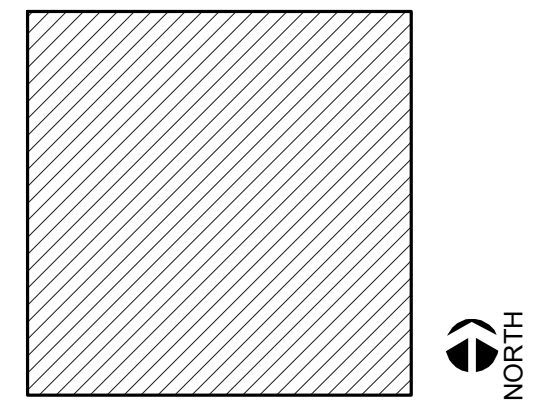
607 W DAVIS ST.  
ZONING: PD 830 SUBDISTRICT 6 DAVIS CORRIDOR  
SEC. 51P-830.122. ARCHITECTURAL DESIGN STANDARDS.

- A. APPLICABILITY:** The architectural design standards of this section apply to:  
1. New construction and major modification of buildings containing a non-residential use.
- B. PURPOSE**  
2a. The new development enhances the character of the corridor and complements adjacent neighborhoods;  
2b. The new development increased density in established neighborhoods makes a positive contribution to the area's character;  
2c. Enhance the character and environment for pedestrians.
- C. PLAN REVIEW:** The director shall review any plan submitted to determine whether it complies with the requirements of this section.
- D. BUILDING ORIENTATION.** The primary facade of new construction on a vacant lot must face the street.  
**EXPLANATION:** Due to the use and function of the new construction in relation to the existing facility (Gas Pumps) the primary facade is proposed at the west side of the building; however the southside / streetside was offered equal attention.
- E. ENTRANCE:**  
(2) Primary customer entrances for office uses and retail and personal service uses must face the street or a courtyard, door yard, or plaza area with direct access to the street. Primary customer entrances for retail and personal service uses must be clearly visible through the use of two or more of the following architectural details:  
(A) Arcade. - NOT USED  
(B) Arch. - NOT USED  
(C) AWNING.  
(D) Canopy. - NOT USED  
(E) Decorative elements. - NOT USED  
(F) DISPLAY WINDOWS.  
(G) Projections. - NOT USED  
(H) Raised cornice details. - NOT USED  
(I) HANCED PARAPET.  
(J) RECESS.
- F. FAÇADE:**  
(1) STREET-FACING FAÇADES ON A SINGLE BUILDING SITE MUST HAVE SIMILAR ARCHITECTURAL DESIGN.  
(2) Street-facing facades exceeding 30 feet in length must have two of the following elements:  
(A) Change in plane, such as an **OFFSET, REVEAL, RECESS, OR PROJECTION.** Changes in plane must have a width of no less than 24 inches and depth of at least eight inches and may include columns, planters, arches and niches.  
(B) Architectural details such as raised bands and cornices. - NOT USED  
(C) **ARCHITECTURALLY PROMINENT PUBLIC ENTRANCE.**  
(D) **AWNINGS.**  
(E) **CHANGE IN COLOR.**  
(F) **CHANGE IN MATERIAL.**  
(G) **CHANGE IN TEXTURE.**  
(3) The street level of the primary facade for nonresidential uses or mixed use projects with retail uses on the street level must have at least two of the following elements for at least 60 percent of the width of the facade:  
(A) Arcades, canopies, or secondary roofs to provide shade. - NOT USED  
(C) **AWNINGS ASSOCIATED WITH WINDOWS OR DOORS.**  
(5) If a building is two stories or less, 30 percent of the street-facing facade, excluding fenestration, must be masonry. If the building is more than two stories, 100 percent of the first story street-facing facade, excluding fenestration, must be masonry.  
(6) The street level of the primary facade of nonresidential uses or mixed use projects with nonresidential uses on the street level must have a minimum transparency of 40%.  
**EXPLANATION:** Due to the limitation of orientation of the building (enforced by existing fuel pumps) and optimal space layout for the business to operate walk in cooler was required to be located at the street side, which again limited the use of transparency. Provided glazing on street side is 8% and at the Entrance of the building is 25%.  
(7) Facades may not consist of more than 80 percent glass. For purposes of this provision, glass block is not considered as glass.  
**-NO FAÇADE CONTAINS MORE THAN 80% GLASS.**
- I. MATERIALS:**  
(1) GLASS.  
(2) MASONRY.  
(A) ALLOWED.  
(I) STONE.  
(II) BRICK.  
(III) SPLIT-FACED CONCRETE MASONRY UNITS. - NOT USED  
(IV) JOB-SITE CAST CC WITH AN ARCHITECTURAL FINISH. - NOT USED  
(V) CAST STONE. - NOT USED  
(VI) CULTURED STONE.  
(VII) CEMENT-BASED SIDING OR PANELS  
(3) METAL.  
(A) ALLOWED. NO MORE THAN 20 PERCENT OF A STREET-FACING FAÇADE MAY BE FLAT OR CORRUGATED METAL PANELS.  
(B) PROHIBITED. METAL SIDING THAT IMITATES WOOD SIDING. -NOT USED  
(5) STUCCO.  
(A) ALLOWED. STUCCO.  
(B) PROHIBITED. SIMULATED STUCCO (EIFS). -NOT USED
- (J) ROOFS.** In addition to the requirements of Section 51P-830.122(g), mechanical equipment, skylights, and solar panels on roofs must be set back or screened so that they are not visible to a person standing at street level on the opposite side of any adjacent right-of-way. This provision does not apply in Subdistrict 3A.
- (K) WINDOWS.** Retail and personal service uses must provide windows or display cases in street-level street facing windows along sidewalks.

**WEST DAVIS FOOD MART**

607 W DAVIS ST  
DALLAS, TEXAS 75208 4745

KEY PLAN

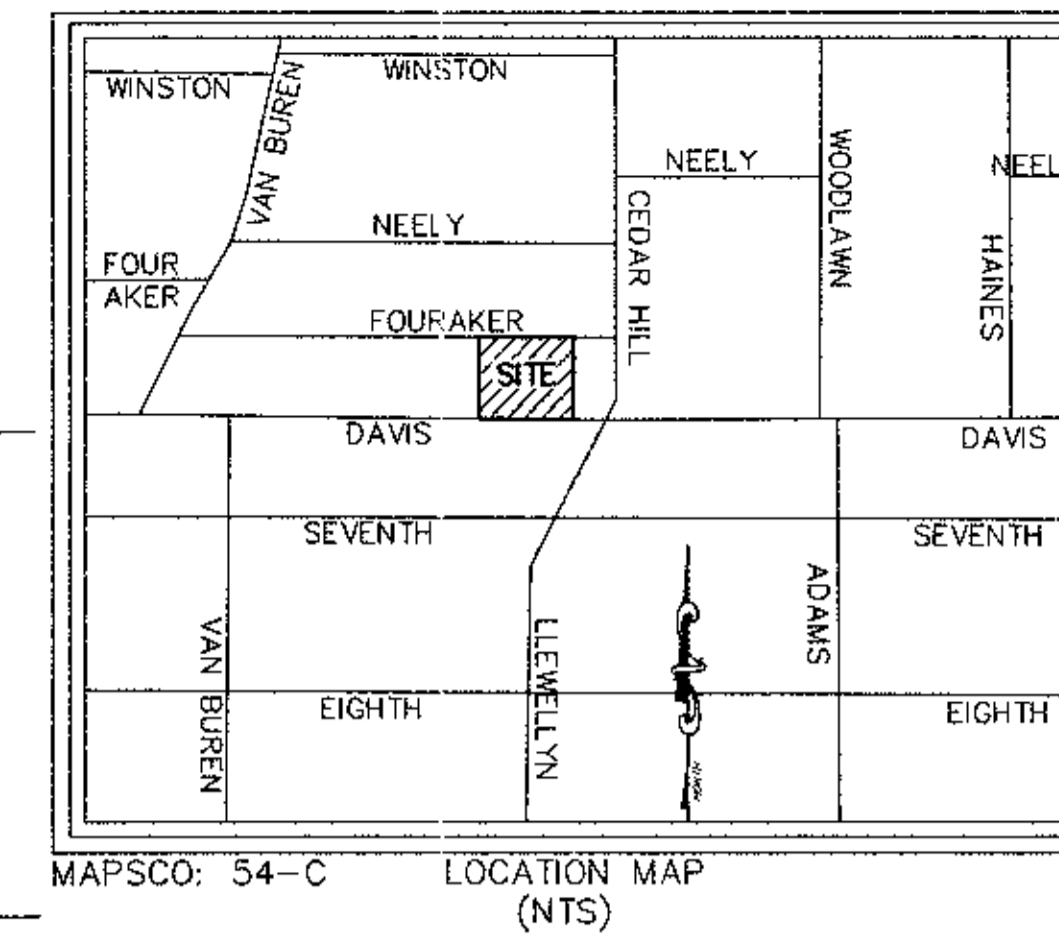
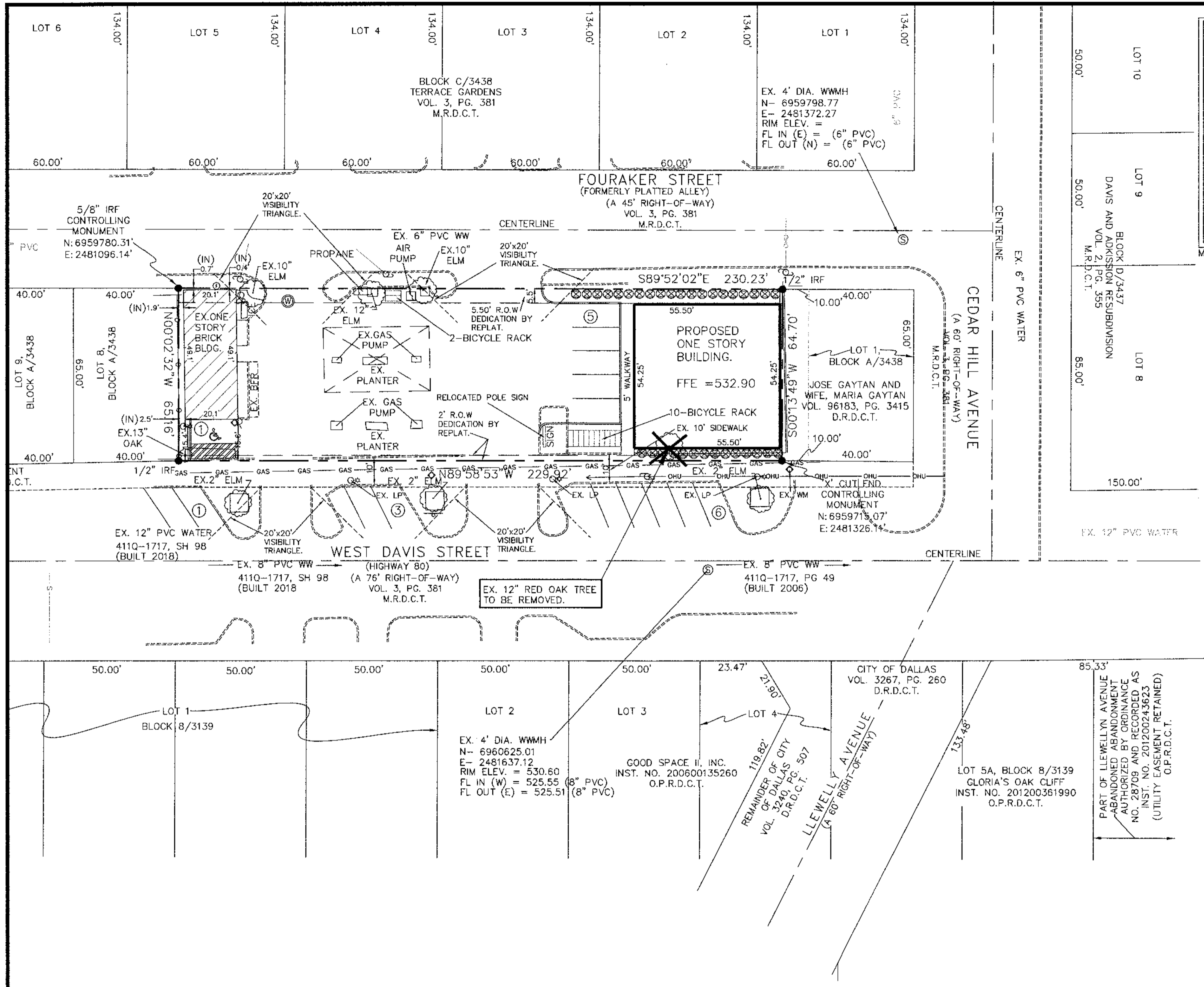


NO	DATE	DESCRIPTION
1	10/26/23	CITY COMMENTS
-	06/01/2023	PERMIT ISSUE

PROJECT NO 2211.01

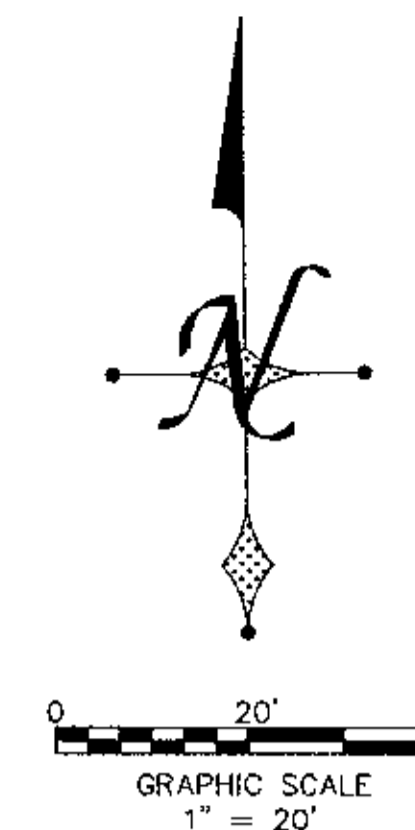
**EXTERIOR ELEVATIONS**

REVIT\_02



BUILDING INSPECTION

ENGINEERING



**LANDSCAPE TABULATION:**

SITE AREA: 14,939 S.F OR 0.343 ACRE.  
 STREET BUFFER ZONE (SBZ) – REQUIRED: 11  
 (ONE PER 40 FEET OF STREET FRONTAGE (223' DAVIS + 223' FOURAKER' = 446'  
 PROVIDED = 11 (6 EXISTING AND 5 PROPOSED)

SITE TREES – REQUIRED: 4 (1 PER 4000 S.F OF LOT AREA)  
 PROVIDED: 6

URBAN STREETScape:(465')  
 1- 8' SIDEWALK  
 2- THREE (3) STREET LAMPS  
 3- 25 S.F OPEN SOIL FOR EACH LARGE OR MEDIUM TREES

DESIGN OPTIONS (#6)  
 1- PEDESTRIAN USE  
 2- STREETScape  
 3- ENHANCED SIDEWALK LAMP.

DESIGN OPTIONS POINTS REQUIRED: 10  
 PROVIDED: 10

3 LAMPS = 5 PONTs  
 5 SIDEWALK = 5 PONTs

Owner/Developer:  
**TIN DIK ENTERPRISES, INC.**  
 SHAM SUDDUHA  
 619 W DAVIS STREET DRIVE  
 DALLAS, TX. 75208  
 214-663-0767  
 shagor33@hotmail.com

PLANTING SCHEDULE (SHRUBS)

SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE/ CAL.	HEIGHT	SPACING
⊗⊗⊗⊗⊗ (NH QTY)	34	DWARF BURFORD HOLLY	Ilex cornuta "Burfordi Nana"	5 GAL.	36"	3' O.C



CONTRACT INFORMATION

CONTRACT NO. \_\_\_\_\_ DATE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY
JAHVANI CONSULTING ENGINEERS, INC. TBPE FIRM REGISTRATION NO. F-10198			
PLAT NO.	BLOG PERMIT NO.	WWW TRACKING NO.	DEV ENGINEERING TRACKING NO.
S223-087	2306081057	WW24-163	N/A
LANDSCAPE PLAN			
607 WEST DAVIS STREET ADDITION			
607 WEST DAVIS STREET			
DEVELOPMENT SERVICES			
CITY OF DALLAS, DALLAS COUNTY, TEXAS			
REVIEW	DRAWN	DATE	FILE NUMBER SHEET
HJ	HJ	JANUARY 2024	N/A N/A 1

**FILE NUMBER:** BDA234-077(CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Joel Perales for **(1)** a special exception to the fence height regulations at 3216 PEORIA AVE. This property is more fully described as Block 21/7159, Lot 4 and is zoned as both R-5(A) and CS, which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct a 6-foot 6-inch-high fence in a required front-yard, which will require **(1)** a 2-foot 6-inch special exception to the fence regulations.

**LOCATION:** 3216 Peoria St.

**APPLICANT:** Joel Perales

**REQUEST:**

(1) A request for a special exception to the fence height regulations.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:**

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

**STAFF RECOMMENDATION:**

**Special Exceptions (1):**

No staff recommendation is made on this or any request for a special exception since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring properties nor will it constitute a traffic hazard.

**BACKGROUND INFORMATION:**

**BDA History:**

BDA234-033 at 3216 Peoria Street

- A **SPECIAL EXCEPTION** to the fence height regulations.
  - The applicant proposed to construct and/or maintain a 6-foot-high fence in a required front yard, which will require (1) a 2-foot special exception to the fence regulations on Peoria St.
- A **SPECIAL EXCEPTION** to the fence standards regulations regarding opacity.

- The applicant proposes to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence regulations on Peoria St.
- A **SPECIAL EXCEPTION** to the 20-foot visibility obstruction regulations.
  - The applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation. on Peoria Street.
- Requests denied by Panel A, April 16, 2024

**Square Footage:**

- This lot contains 27,878.4 of square feet.
- This lot is zoned R-5(A) which has a minimum lot size of 5,000 square feet.

**Zoning:**

- Site: R-5 (A) (Single Family District)
- North: R-5 (A) (Single Family District)
- East: IM (Industrial Manufacturing Zoning District)
- South: R-5 (A) (Single Family District)
- West: R-5 (A) (Single Family District)

**Land Use:**

The subject site and surrounding properties to the north, east and south are developed with single-family uses. Properties to the east are developed with industrial manufacturing uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application, for the Joel Perales property located at 3216 Peoria Street focuses on one request relating to fence height regulations.
- The applicant proposes to maintain and 6-foot-6-inch high fence in a required front yard, which will require a 2-foot 6-inch special exception to the fence height regulations.
- The subject site along with properties to the north, south, and west are all developed with single-family homes. Areas to the east are developed with industrial manufacturing uses.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a 6-foot 6-inch high fence around the circumference of the property at 3216 Peoria Street.
- The fence is material is partially wood, wrought iron and concrete.

- It is imperative to note that the subject site is a mid-block lot, and it has single street frontage on Peoria Street.
- Based upon staff’s analysis of the surrounding properties, there are a few homes along Peoria Street with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- Per staff’s review of the subject site, it has been confirmed that the fence surrounding the circumference of the property is existing and not proposed.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-077 at 3216 Peoria St.](#)

**Timeline:**

April 26, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 15, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

May 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the May 24, 2024, deadline to submit additional evidence for staff to factor into their analysis; and June 7, 2024, 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.

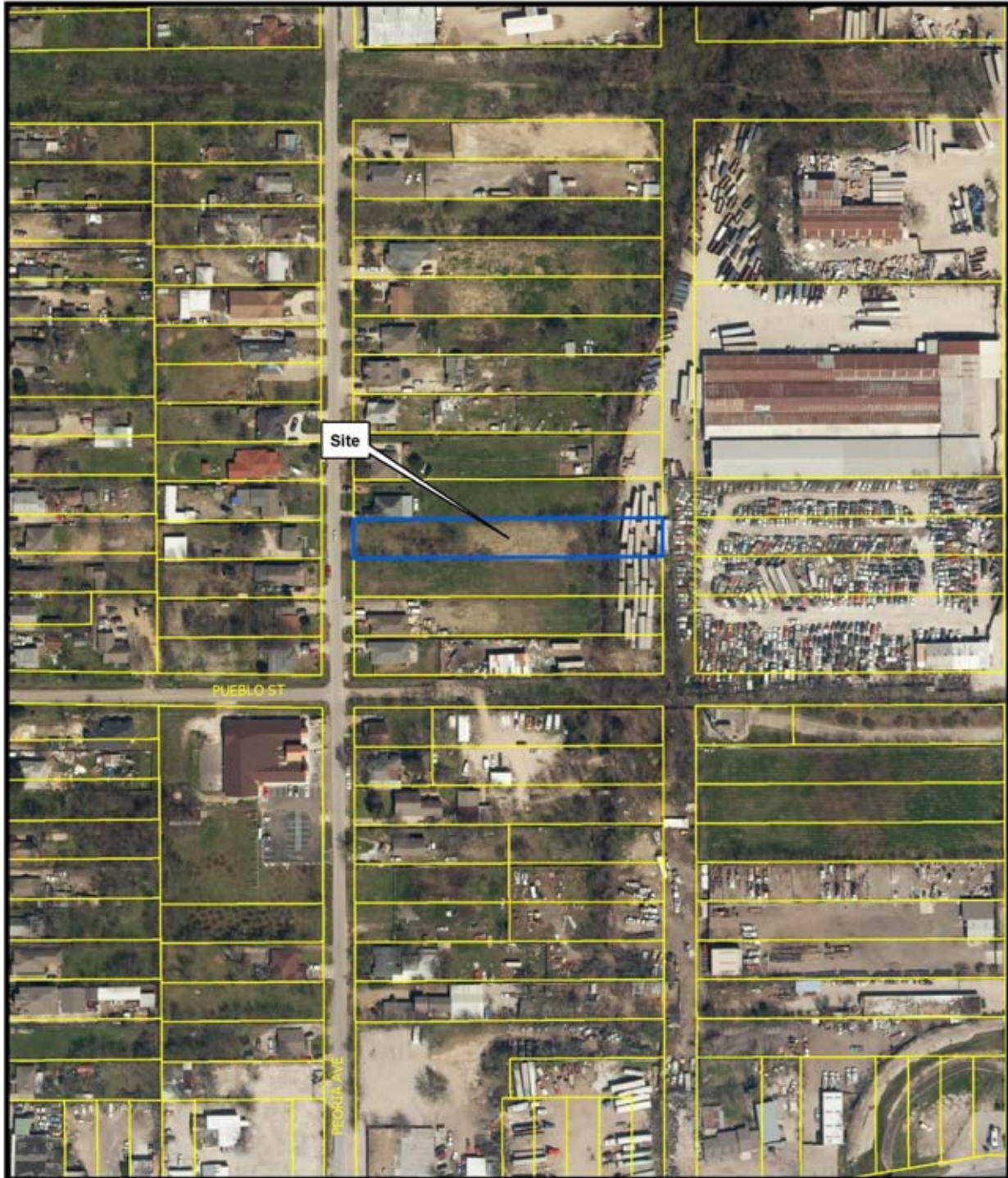
June 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the June public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

June 18, 2024: Panel A, at its regular scheduled hearing on June 18, 2024 voted to hold this matter under advisement until it's August hearing.

July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 26, 2024, 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.

July 29, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

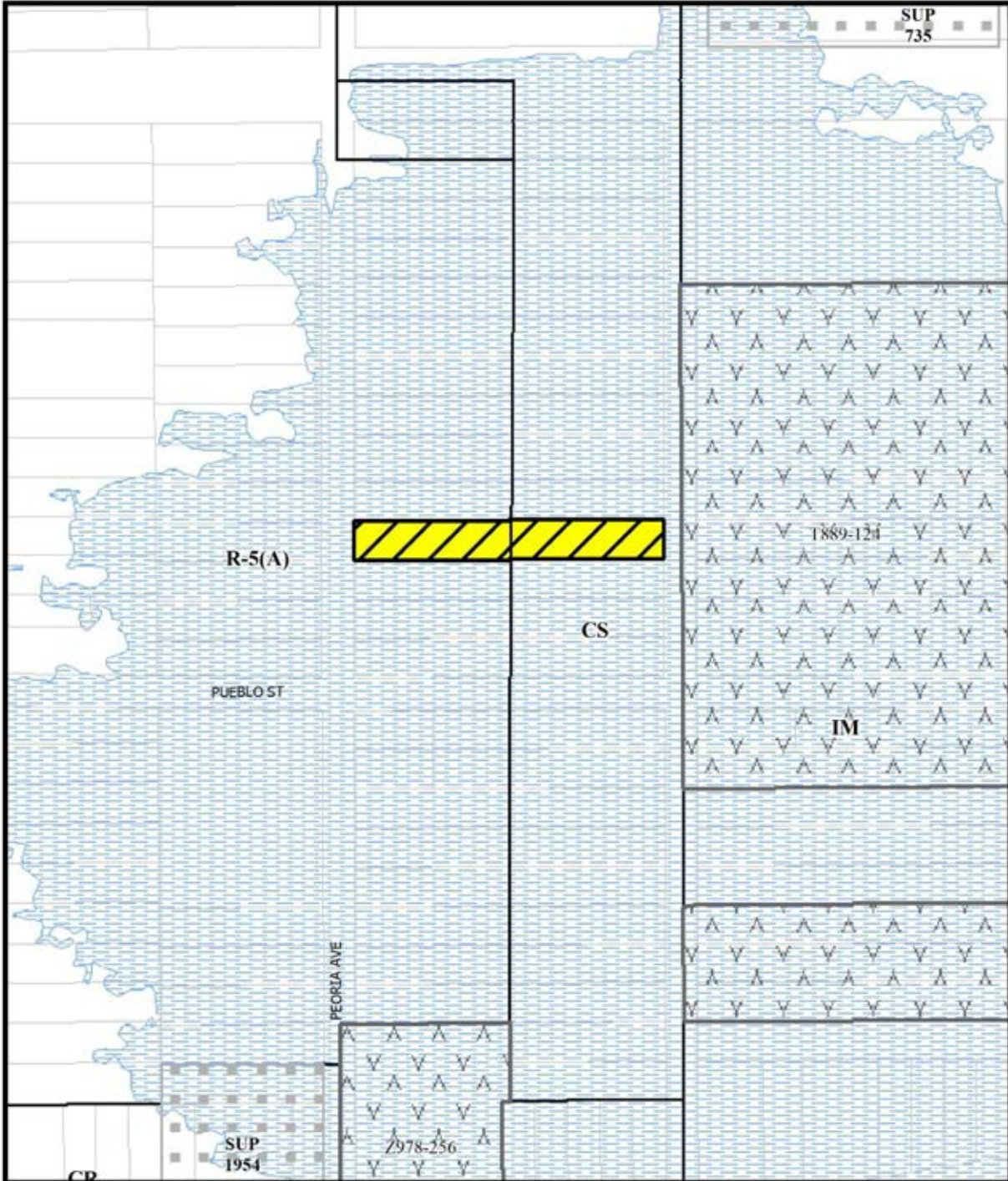


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# AERIAL MAP

Case no: BDA234-077

Date: 5/30/2024

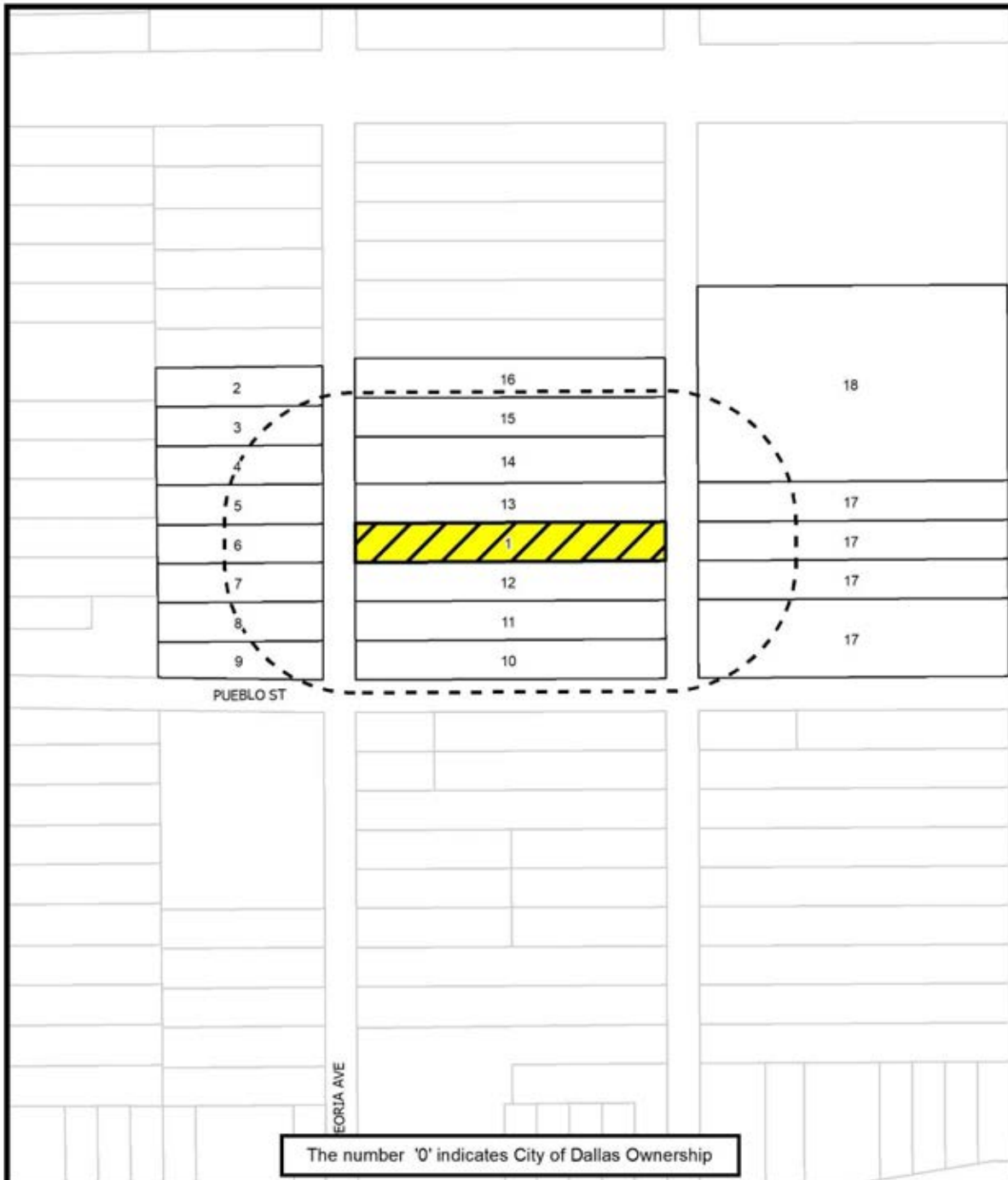


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# ZONING MAP

Case no: BDA234-077

Date: 5/30/2024



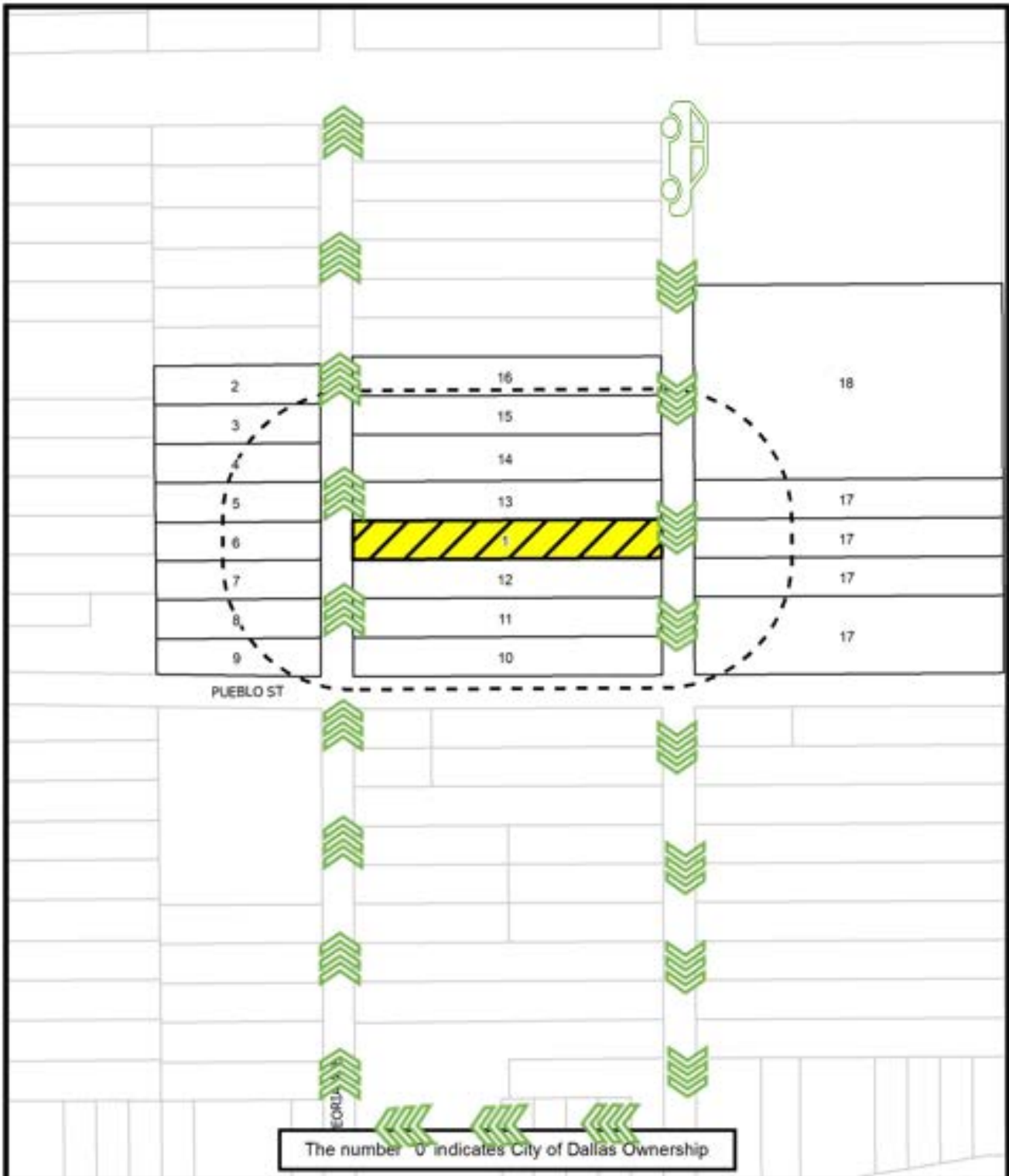
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# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**18** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-077**

Date: **5/30/2024**



1:2,400

# NOTIFICATION

200'

AREA OF NOTIFICATION

18

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-077**

Date: **5/30/2024**

1  
05/30/2024

## Notification List of Property Owners

**BDA234-077**

*18 Property Owners Notified*

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	3216 PEORIA AVE	PERALES JOEL
2	3303 PEORIA AVE	GONZALEZ YOLANDA C
3	3231 PEORIA AVE	CARMONA ANTONIO
4	3227 PEORIA AVE	CORREA ISMAEL &
5	3223 PEORIA AVE	PEREZ JUAN JOSE &
6	3217 PEORIA AVE	VIGIL FLORENCIO ARMIJO &
7	3211 PEORIA AVE	AGUILAR JAIME & LIDIA
8	3205 PEORIA AVE	ACOSTA ROSA O
9	3203 PEORIA AVE	ACOSTA ROSA &
10	3202 PEORIA AVE	FLORES DAVID M SR
11	3206 PEORIA AVE	MARTINEZ BLANCA
12	3212 PEORIA AVE	ORTIZ NANCY A &
13	3222 PEORIA AVE	VIERA CARLOS G &
14	3226 PEORIA AVE	GALINDO JOSE
15	3230 PEORIA AVE	SIERRA SANTOS
16	3302 PEORIA AVE	ROSTRO MARCOS &
17	3203 PLUTO ST	MORADO VICTOR
18	3303 PLUTO ST	SZARKOWSKI RICHARD &



1:2,400

## NOTIFICATION

200'

AREA OF NOTIFICATION

18

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-077**

Date: **5/30/2024**

## NOTICE OF PUBLIC HEARING

### BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

NOTICE IS HEREBY GIVEN that the BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A) will hold a hearing as follows:

DATE: TUESDAY, AUGUST 20<sup>TH</sup>, 2024

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0820-A>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment. This case was held under advisement on June 18<sup>th</sup>, 2024.

---

BDA234-077(CJ) Application of Joel Perales for (1) a special exception to the fence height regulations at 3216 PEORIA AVE. This property is more fully described as Block 21/7159, Lot 4 and is zoned as both R-5(A) and CS, which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct a 6-foot 6-inch high fence in a required front-yard, which will require (1) a 2-foot 6-inch special exception to the fence height regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAreply@dallas.gov](mailto:BDAreply@dallas.gov). Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

**Note:** Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the close of business Monday, August 19<sup>th</sup>, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

**Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.**

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment  
Planning and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**  
[BDAreply@dallas.gov](mailto:BDAreply@dallas.gov)  
Letters will be received until 9:00  
am the day of the hearing.

**PLEASE REGISTER AT:**  
<https://bit.ly/BDA-A-Register>



# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 23 **RECEIVED**  
**APR 26 REC'D**  
**BY: S(A)**

Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_  
 Location address: 3216 Peoria Ave. Zoning District: \_\_\_\_\_  
 Lot No.: 4 Block No.: 217159 Acreage: 0.64 Census Tract: \_\_\_\_\_  
 Street Frontage (in Feet): 1) 60 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

**To the Honorable Board of Adjustment:**  
 Owner of Property (per Warranty Deed): Joel Perales.  
 Applicant: Joel Perales Telephone: (214) 288-3620  
 Mailing Address: 3214 Odessa st. Zip Code: 75212  
 E-mail Address: joelperales1011@gmail.com  
 Represented by: Blas Garza Telephone: (214) 927-8556  
 Mailing Address: 1419 Memory Ln. Zip Code: 75217  
 E-mail Address: garzablas71@yahoo.com.

Affirm that an appeal has been made for a Variance  or Special Exception  of  
Special Exception 2'-6" Height.

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:  
Home Protection

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 Joel Perales  
 (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 26 day of April, 2021

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





SECOND INSTALLMENT  
**WEISENBERGER GARDENS**  
 DALLAS COUNTY TEXAS  
 THE WEISENBERGER COMPANY  
 SELLING AGENTS

SCALE  
 G. R. MAC LELLAN SURVEYOR  
 JULY 1943

DRAINAGE EASEMENTS





### Posting of Notification Sign

Address 3211e Pecunia Ave.

Appeal Number: BDA 234-077

All required notification signs must be posted on the property within fourteen (14) days after an application has been made, prior to the Board of Adjustment Hearing, and not be removed until the hearing ends.

The sign must be posted at a prominent location adjacent to the public street, evenly spaced along each frontage, and easily visible from the street. Failure to properly post the sign(s) may result in either a postponement or denial of the appeal.

All required notification signs have been received. One sign is required for each 500 feet or less of frontage, or every tract of five (5) acres or less, with a maximum of five (5) signs required. The cost of each sign is \$10.00.

Footage of each street frontage: 120'

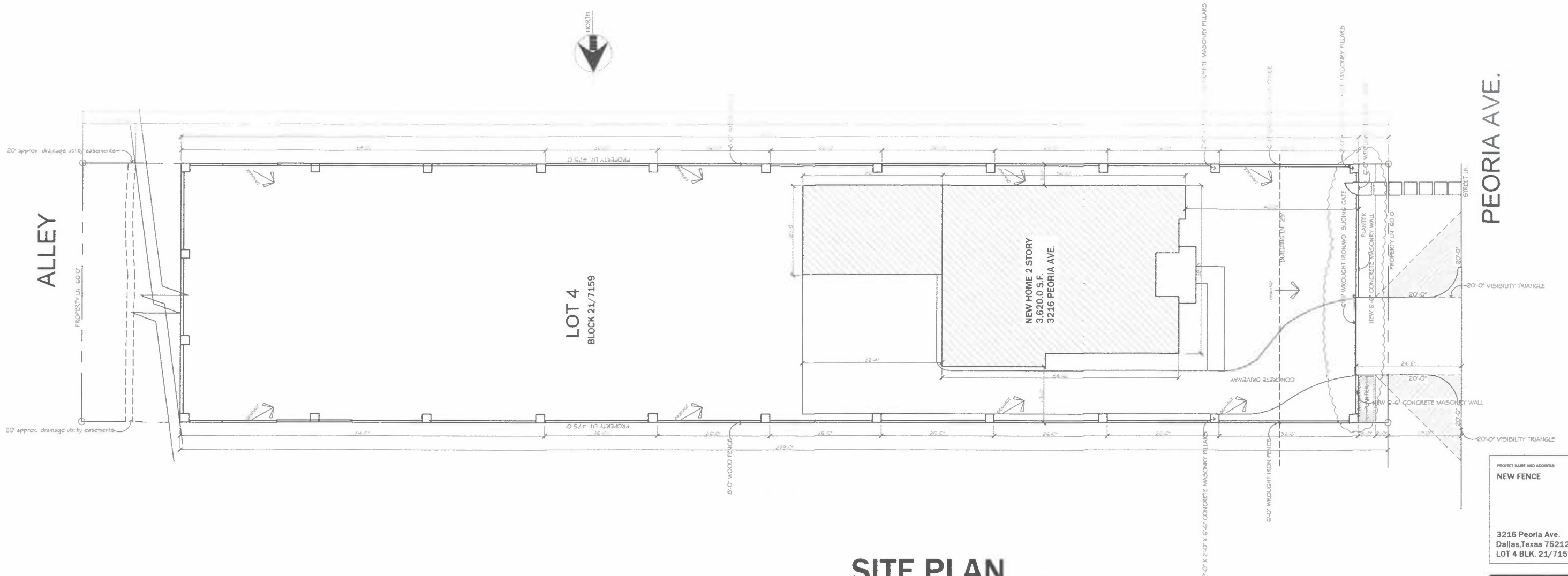
Number of acres: 0.65

Number of signs received: 1

Sal Park  
Signature of applicant or person receiving signs

4/26/2024  
Date





**SITE PLAN**  
SCALE 3/32" = 1'-0"

PROJECT NAME AND ADDRESS  
**NEW FENCE**

3216 Peoria Ave.  
Dallas, Texas 75212  
LOT 4 BLK. 21/7159

#	DATE	SUBMISSION
	03-19-24	ISSUE FOR PERMIT

**GARZA**  
CONSTRUCTION  
CONSULTANTS

1419 MEMORY LN. DALLAS, TEXAS  
75217  
PH 214 9278556  
garzablas71@yahoo.com

SITE PLAN

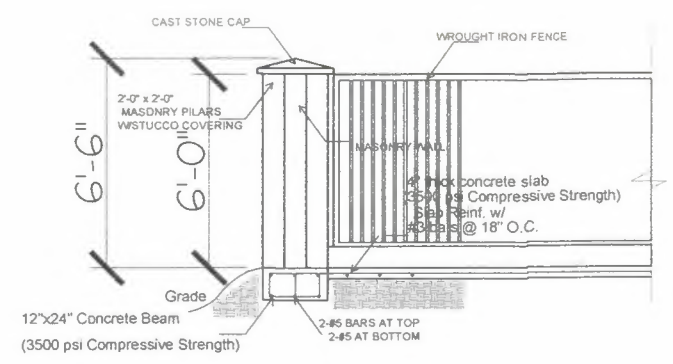
S-1  
JOB NO SHEET

BDA234-077

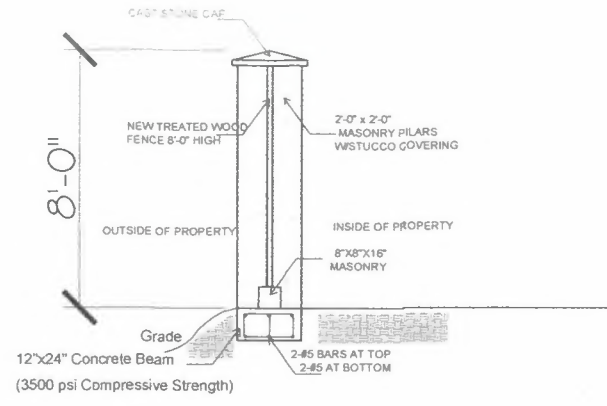
DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE. THE CONTRACTOR AND THE OWNER ARE ULTIMATELY RESPONSIBLE TO CONFIRMING AND CORRELATING DIMENSIONS AT THE JOB SITE. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THIS PROJECT.

- GENERAL NOTES:**
1. THE CONTRACTOR SHALL COORDINATE THE LOCATION WITH ARCHITECTURAL DRAWINGS FOR OPENINGS, NOTCHES, AND RELATED ITEMS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE CONCRETE IS PLACED.
  2. THE CONTRACTOR SHALL VERIFY FROM THE CONSTRUCTION THAT THE NEW CONSTRUCTION WILL NOT COMPETE WITH ANY EXISTING UTILITY. IF CONFLICTS ARE FOUND, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND SHALL STOP WORK UNTIL AN ALTERNATE SOLUTION TO THE CONFLICT IS FOUND.
  3. TYPICAL DETAILS AND NOTES SHALL APPLY UNLESS SPECIFICALLY SHOWN OR NOTED OTHERWISE. CONSTRUCTION DETAILS NOT SHOWN BUT SPECIFICALLY NOTED SHALL BE SHOWN IN DETAIL UPON CONSULTATION.
  4. DUE TO THE NATURE OF CONSTRUCTION, IT IS NECESSARY TO STOP WORK UPON EVERY DETAIL IF A CONFLICT IS NOT SHOWN. A MAXIMUM TOTAL OF THE CURRENT RULES OF GOOD CONSTRUCTION PRACTICES SHALL BE FOLLOWED.
  5. SITE GRADING AND DRAINAGE AROUND THE FOUNDATION SHALL BE MAINTAINED AT ALL TIMES IN SUCH A MANNER THAT SURFACE DRAINAGE WILL NOT COLLECT UNDER OR ADJACENT TO THE FOUNDATION. SUFFICIENT DRAINAGE KEPT TOGETHER AND PROPER DRAINAGE AWAY FROM FOUNDATION IS REQUIRED.
  6. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE WARRANTY OF THE CONSTRUCTION.

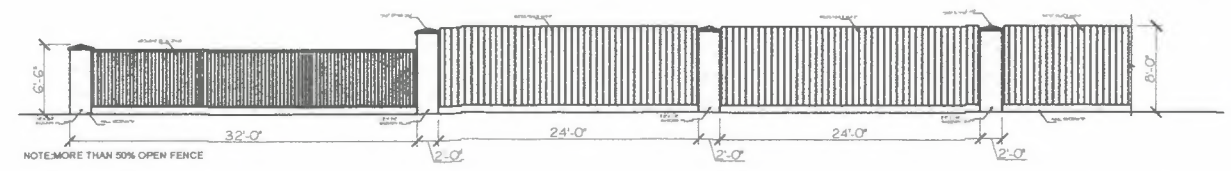
- FOUNDATION NOTES:**
- A. THE FLOOR SLAB SHOULD BE PLACED ON A MINIMUM OF 2.5 FEET OF COMPACTED AND TESTED SUBSOIL FULL DEPTH TO THE DEEPEST PLACED LAYER OF SUBSOIL.
  - B. IF IT IS DETERMINED THAT THE EXISTING SOIL BE EXPOSED TO A DEPTH OF 6 INCHES BELOW THE BOTTOM OF ALL FOUNDATION ELEMENTS, PRIOR TO PLACING ANY ADDITIONAL FILL MATERIAL, WE RECOMMEND THAT ALL EXPOSED SURFACES BE GRADED TO A DEPTH OF ABOUT 6 TO 8 INCHES, MOISTURE CONTENT NOT TO EXCEED 15 PERCENT (ASTM D 1557 STANDARD PRACTICE TEST), AND COMPACTED TO 95 PERCENT OF THE MAXIMUM DRY DENSITY.
  - C. OVER EXCAVATIONS SHOULD EXTEND A MINIMUM OF 2 FEET BEYOND ALL SIDES OF THE FOUNDRY FOOTINGS OR BEAMS.
  - D. WE RECOMMEND THAT PROTECTIVE EXPOSED SUBGRADE FROM TO BACKFILLING AND THE COMPACTION OF STRUCTURAL FILL OPERATIONS BE OBSERVED AND DOCUMENTED BY A GEOTECHNICAL ENGINEER OR QUALIFIED REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER.
  - E. ALL FILL SHALL BE SPREAD IN LAYERS NOT EXCEEDING EIGHT (8) INCHES, WATER CONTENT, MOISTURE, AND COMPACTED MOISTURE CONTENT AT THE TIME OF COMPACTION SHALL BE WITHIN 2 PERCENT OF OPTIMUM MOISTURE CONTENT. COMPACTION OF THE FILL SHALL BE ACCOMPLISHED TO OBTAIN A DENSITY OF NOT LESS THAN 95 PERCENT OF MAXIMUM DRY DENSITY.
  - F. A MINIMUM OF 2 MIL POLYETHYLENE VISIBER BARBER (PVB) SHOULD BE PLACED ON TOP OF THE PREPARED SUBGRADE SURFACE TO MINIMIZE MOISTURE MIGRATION THROUGH THE SLABS. THE INTEGRITY OF THE PVB MUST BE MAINTAINED DURING FILL CONSTRUCTION. A MINIMUM 4 INCHES THICK CUSHION LAYER CONSISTING OF FINE SAND CAN BE PLACED BELOW THE PVB FOR LIVING PURPOSES.
  - G. MATERIALS UNDESIGNED SATISFACTORY ASSEMBLED TO ALL OR TRENCH FILLING MATERIALS ARE CLASSIFIED AS: (BY SP. CAL. ENRM, SCL. ENRM, EM. US, GM. OF GM AND BRUM) IN ACCORDANCE WITH THE UNIFIED SOIL CLASSIFICATION.



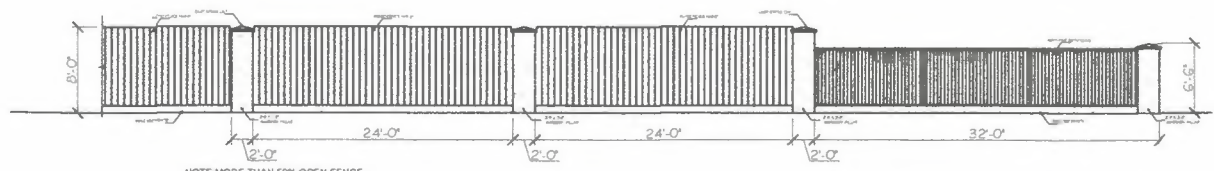
**WALL SECTION "A"**  
Scale : 3/8" = 1'-0"



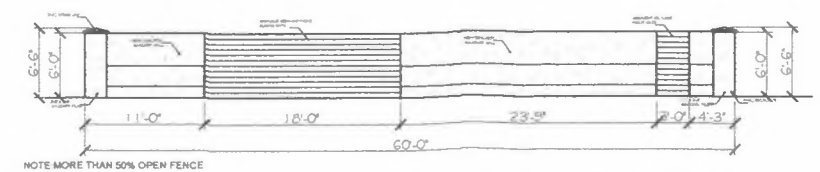
**WALL SECTION "B"**  
Scale : 3/8" = 1'-0"



**RIGHT SECTION VIEW**  
Scale : 1/8" = 1'-0"



**LEFT SECTION VIEW**  
Scale : 1/8" = 1'-0"



**FRONT VIEW**  
Scale : 1/8" = 1'-0"

PROJECT NAME AND ADDRESS:  
**NEW FENCE**

3216 Peoria Ave.  
Dallas, Texas 75212  
LOT 4 BLK. 21/7159

#	DATE	SUBMISSION
	03-19-24	ISSUE FOR PERMIT

**GARZA**  
CONSTRUCTION  
CONSULTANTS

1419 MEMORY LN. DALLAS, TEXAS  
75217  
PH 214 9278556  
garzablas71@yahoo.com

STRUCTURAL WALL  
SECTION FRONT AND SIDE  
VIEW

A-1  
JOB NO. SHEET

BDA234-077

**FILE NUMBER:** BDA234-101(CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Akber Meghani to appeal the decision of the administrative official at 6801 Tyree St. This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of building project 2211181039 and associated master permit 2211181139 for the construction of a new duplex.

**LOCATION:** 6801 Tyree St.

**APPLICANT:** Akber Meghani

**REQUEST:**

A request is made to appeal the decision of an administrative official in the revocation of building project 2211181039 and associated master permit 2211181139 for the construction of a new duplex.

**STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:**

Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

**The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official.** Tex. Local Gov't Code Section 211.009(a)(1).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

**BDA History:**

No BDA History found at 6801 Tyree Street in the last 5 years.

**Zoning:**

Site: Planned Development (PD) 67 Zoning District  
North: Planned Development (PD) 67 Zoning District  
South: Planned Development (PD) 67 Zoning District  
East: Planned Development (PD) 67 Zoning District  
West: Planned Development (PD) 67 Zoning District

**Land Use:**

The subject site and surrounding properties are developed with a single-family residential use.

**GENERAL FACTS/STAFF ANALYSIS:**

- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

**Timeline:**

June 25, 2024: The applicant was sent a denial letter for permit number 2211181039 and master permit 2211181139 which were incorrectly issued by Development Services Department and invalid.

June 27, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

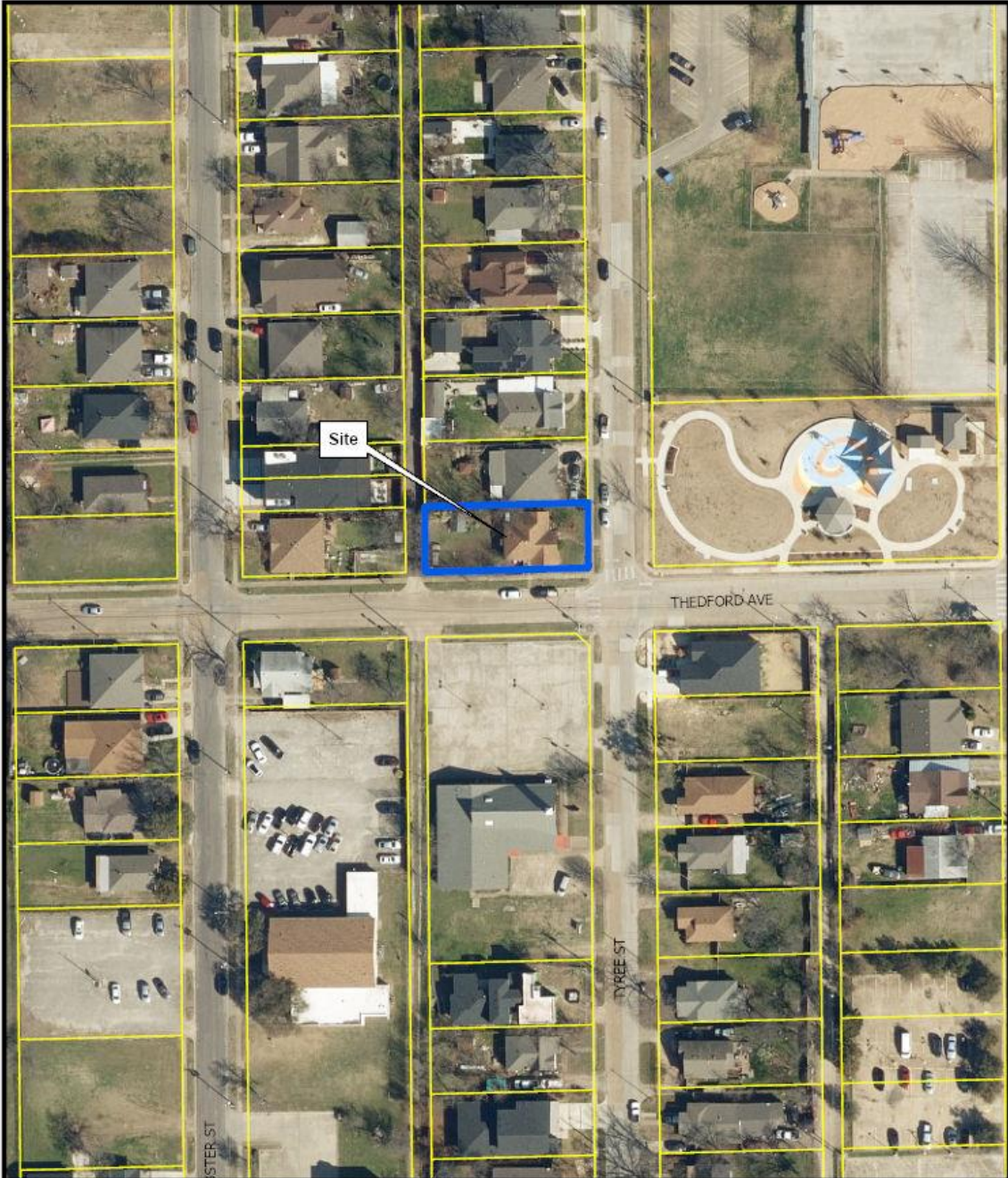
July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 26, 2024, 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.

July 29, 2024:

The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer



1:1,200

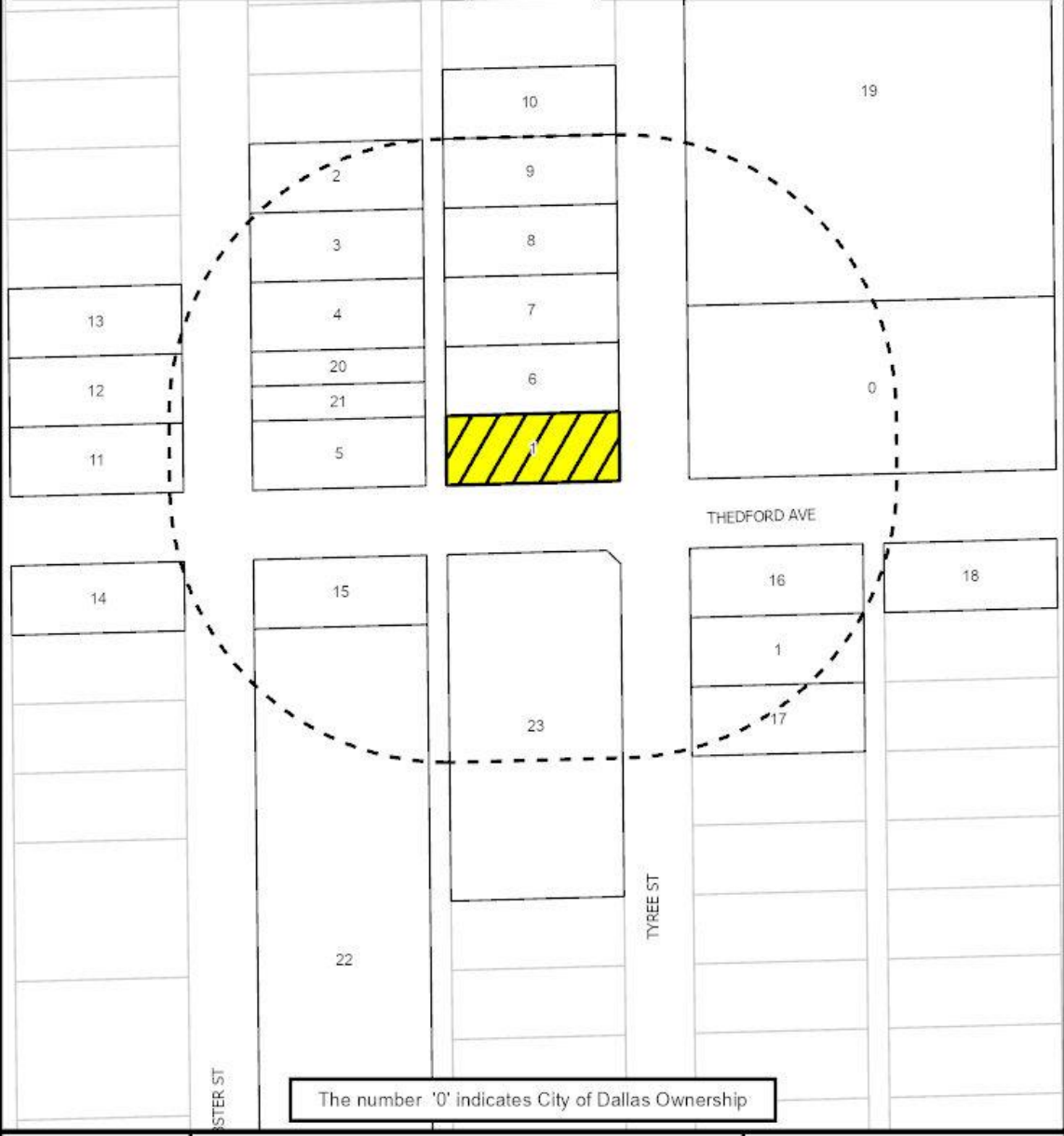
# AERIAL MAP

Case no: BDA234-101

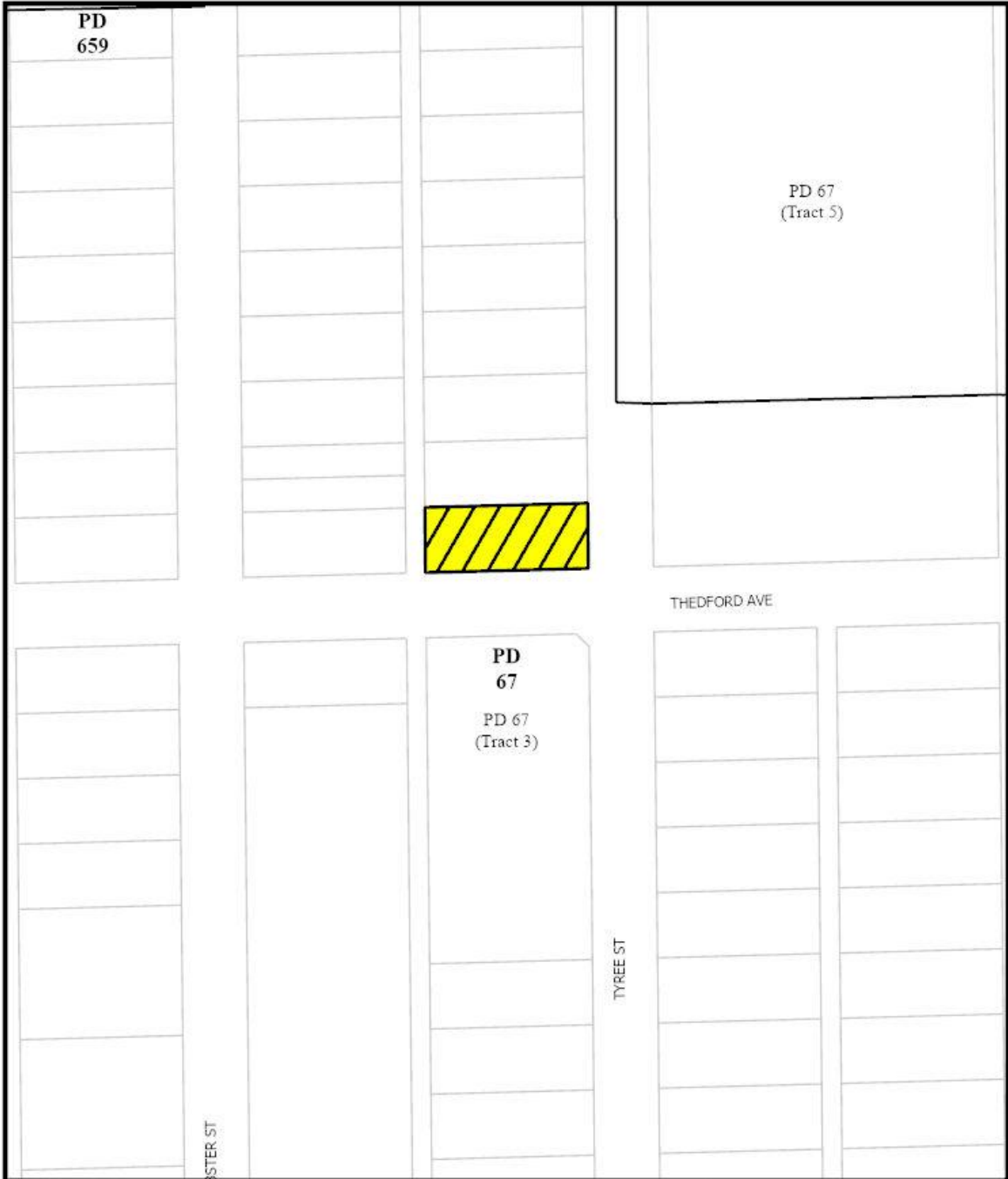
Date: 06/28/2024

The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

El área de solicitud está sombreada  . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



 1:1,200	<b>NOTIFICATION</b>	Case no: <b>BDA234-101</b>			
	<table border="1"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>23</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>23</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>200'</b>	AREA OF NOTIFICATION				
<b>23</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				



1:1,200

# ZONING MAP

Case no: BDA234-101

Date: 06/28/2024

/  
06/28/2024

## *Notification List of Property Owners*

***BDA234-101***

***23 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6803 TYREE ST	4901 4903 NEWMORE LLP
2	6818 WEBSTER ST	CRUZ JOSE & MARIA SARA
3	6812 WEBSTER ST	J C LEASING LLP
4	6810 WEBSTER ST	BUSTAMANTE VICENTE
5	6802 WEBSTER ST	ATAO MARIA &
6	6805 TYREE ST	LY NHON VAN
7	6811 TYREE ST	LOPEZ JOSE
8	6815 TYREE ST	ZERFAS RENE
9	6817 TYREE ST	MORENO GENARO &
10	6823 TYREE ST	LCD 6823 TYREE LLC
11	6801 WEBSTER ST	MONTELUPO LLC
12	6807 WEBSTER ST	Taxpayer at
13	6811 WEBSTER ST	ALLEN LEE & STEPHANIE
14	6735 WEBSTER ST	YANKOVICH JORDAN
15	6734 WEBSTER ST	DERIS INTERESTS LLC
16	6734 TYREE ST	LOPEZ ERICK
17	6724 TYREE ST	NEGRETE FELIPE DE JESUS
18	6735 VICTORIA AVE	SAN IGNACIO <u>PROPERTY</u>
19	6911 VICTORIA AVE	Dallas ISD
20	6806 WEBSTER ST	HAYES JASON & PATRICK MURRAY
21	6804 WEBSTER ST	FILLEY KYLE
22	6710 WEBSTER ST	BETHANY BAPTIST CHURCH
23	6725 TYREE ST	NORTHPARK CHRISTIAN METH

## NOTICE OF ADMINISTRATIVE OFFICIAL APPEAL

### BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

**NOTICE IS HEREBY GIVEN** that the **BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)** will hold a hearing as follows:

**DATE:** TUESDAY, AUGUST 20<sup>TH</sup>, 2024  
**BRIEFING:** 10:00 A.M. in 6ES, Dallas City Hall, 1500 Marilla Street  
**HEARING:** 1:00 P.M. in 6ES, Dallas City Hall, 1500 Marilla Street

The purpose of the hearing is to consider the following appeal now pending before the Board of Adjustment

---

**BDA234-101(CJ)** Application of Akber Meghani to appeal the decision of the administrative official at **6801 TYREE ST.** This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of building project 2211181039 and associated master permit 2211181139 for the construction of a new duplex.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Administrative Official Appeal during the public hearing of the Board of Adjustment to hear both the applicant's and the administrative official's cases and testimony. Although the Administrative Official Appeal item is not an open hearing, you may speak during the public testimony portion of the Board of Adjustment's Public Hearing at 1:00pm. Additionally, you may submit letters expressing your opinion on the subject of the appeal at [BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov).

**Note:** Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment  
Planning and Development Department  
1500 Marilla Street 5CN, Dallas TX 75201

**PLEASE SEND REPLIES TO:**

[BDAREPLY@dallas.gov](mailto:BDAREPLY@dallas.gov)

**Letters will be received until 9:00  
am the day of the hearing.**



# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-101 **RECEIVED**  
 Date: Lot 18 OFFICE USE ONLY  
 Date: PD 67 DALLAS **MIN 2 7 REC'D**  
 Data Relative to Subject Property: fee waiver 6801 TYREE STREET  
 Location address: 6801 TYREE STREET DALLAS Zoning District: PD 67 DALLAS  
 Lot No.: 18 Block No.: C/2595 Acreage: .12 Census Tract: \_\_\_\_\_  
 Street Frontage (in Feet): 1) 50 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

**To the Honorable Board of Adjustment:**  
 Owner of Property (per Warranty Deed): 4901-4903 NEWMORE LLP  
 Applicant: AKBER MEGHANI Telephone: 2143953622  
 Mailing Address: 5329 NORTHMOOR DR DALLAS Zip Code: 75229  
 E-mail Address: AKBER@GRANDDEVELOPMENT.NET  
 Represented by: AKBER MEGHANI Telephone: 214-395-3622  
 Mailing Address: 5329 NORTHMOOR DR DALLAS Zip Code: 75229  
 E-mail Address: AKBER@GRANDDEVELOPMENT.NET

Affirm that an appeal has been made for a Variance  or Special Exception  of \_\_\_\_\_  
AO APPEAL - SEE REVOLUTION KPR

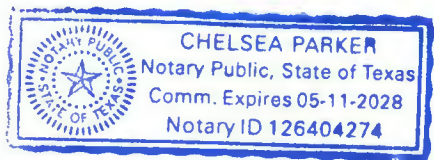
Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:

WE HAVE BEEN ISSUED BUILDING PERMIT AND LOT IS ZONED DUPLEX PD 67A AND THEN ZONE CHANGE TO SINGLE FAMILY WE HAVE ALREADY STARTED BUILDING AND WE HAVE DONE FRAMING AND NOW DRYWALL STAGE

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 Akber Meghani  
 (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: Akber Meghani  
 (Affiant/Applicant's signature)

Subscribed and sworn to before me this 11 day of June, 2024  
Chelsea Parker



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     AKBER MEGHANI

did submit a request     to appeal the decision of the administrative official  
                                  at     6801-6803 Tyree

BDA234-101(CJ). Application of AKBER MEGHANI to appeal the decision of the administrative official at 6801 TYREE ST. This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of building project 2211181039 and associated master permit 2211181139 for the construction of a new duplex.

Sincerely,

  
Andrew Espinoza, CBO, MCP, CFM, CCEA



CITY OF DALLAS

June 25, 2024

Mr. Akber Meghani  
5329 Northmoor Dr.  
Dallas, TX 75229  
[akbermeghani@gmail.com](mailto:akbermeghani@gmail.com)

*Via Email*

**RE: Project/Permit # 2211181039 and 2211181139**

This letter serves as official notification that project 2211181039 and master permit 2211181139, for the construction of a new duplex at 6801 Tyree, Dallas, Texas 75209, were issued in error by the Development Services Department (DSD) are hereby revoked for the following reasons:

- Illegal Land Use per [Exhibit 67A](#) of [Planned Development No. 67](#).
- Structure exceeds the maximum allowed height for the district per Dallas Development Code [§ 51P-67.107\(c\)\(1\)](#).
- Non-compliant roof type per the design standards for Planned Development No. 67 per Dallas Development Code [§ 51P-67.107\(c\)\(3\)](#).

**Next Steps:**

Please reach out to Development Services to discuss any of the following options:

- **Option 1 – Board of Adjustment Administrative Official Appeal:** The Board of Adjustment is charged with the duty to hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city as listed in [51A-3.102\(d\)\(1\)](#) & [51A-4.703\(a\)\(2\)](#).
- **Option 2 – Submit New Permit:** Submit new plans and permit for a structure compliant with all [Planned Development No. 67](#) standards and conditions.

Please note, these options are provided as a means toward potential compliance and are not intended to constitute legal advice. Please do not hesitate to reach out to Jason Pool, Development Services Administrator, should you have any questions or require additional information.

Should the property owner choose not to take any of the above actions, this matter will be referred to the City's Department of Code Compliance for enforcement.



CITY OF DALLAS

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703(a)(2) of the Dallas City Code within 20 days after written notice of the above action.

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, appearing to read 'Jason Pool'.

Jason Pool  
Development Services Administrator  
Land Development Division  
214-948-4392  
[Jason.Pool@Dallas.gov](mailto:Jason.Pool@Dallas.gov)

c: Andrew Espinoza, Director/Building Official  
M. Samuel Eskander, Assistant Director  
Vernon Young, Assistant Director  
Michael Herron, Zoning Inspections Supervisor  
Jill Haning, Assistant City Attorney

Christopher Christian, Director  
Jeremy Reed, Assistant Director  
Alfred Beecham, Manager  
Stormy Gonzalez, Manager  
Charlotta Riley, Assistant City Attorney

BDA234101



City of Dallas

# Permit # 2211181039

Issue Date: 12/20/2022

Sustainable Construction and Development | Building Inspection Division | 214/948-4480 | www.dallascityhall.com

Address: **6801 TYREE ST 75209**

Land Use Description: TWO FAMILY DWELLING

Work Description: NEW DUPLEX

Value Of Work: \$0.00

Owner Or Tenant: akber meghani  
5329  
dallas  
TX  
75229  
(214) 395-3622  
akbermeghani@gmail.com

Applicant: akber meghani  
Contractor: 4901-4903 NEWMORE LLP  
Business Address: 5329 NORTHMOOR DR, DALLAS, TX 75229  
Telephone: 214/395-3622 Fax:

Lot: 18	Block: C/259	Zoning: PD-67	PDD: 67	SUP:
Historic Dist:	Consrv Dist: Chapter 51	Pro Park: 4	Req Park: 4	Park Agrmt: N
Dwlg Units: 2	Stories: 2	New Area: 5746	Lot Area: 6250	Total Area: 5746
Type Const: VB	Sprinkler: None	Occ Code: R3	Occ Load:	
Inches Of Removed Trees:				

ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.

This document is issued on the basis of information furnished in the application and is subject to the provisions of all governing ordinances, which must be complied with, whether or not herein specified.

*BOA234-101*

**THIS DOCUMENT SHALL BE POSTED AT WORK SITE AND IS SUBJECT TO CANCELLATION UPON NOTICE.**

SHIPPED RECEIVED  
 DATE: 12-8-95 DATE: 3-26-96  
 ANNEXED OCTOBER 25, 1929 ORD. NO. \_\_\_\_\_  
 SURVEY C. G. COLE ABST. 320

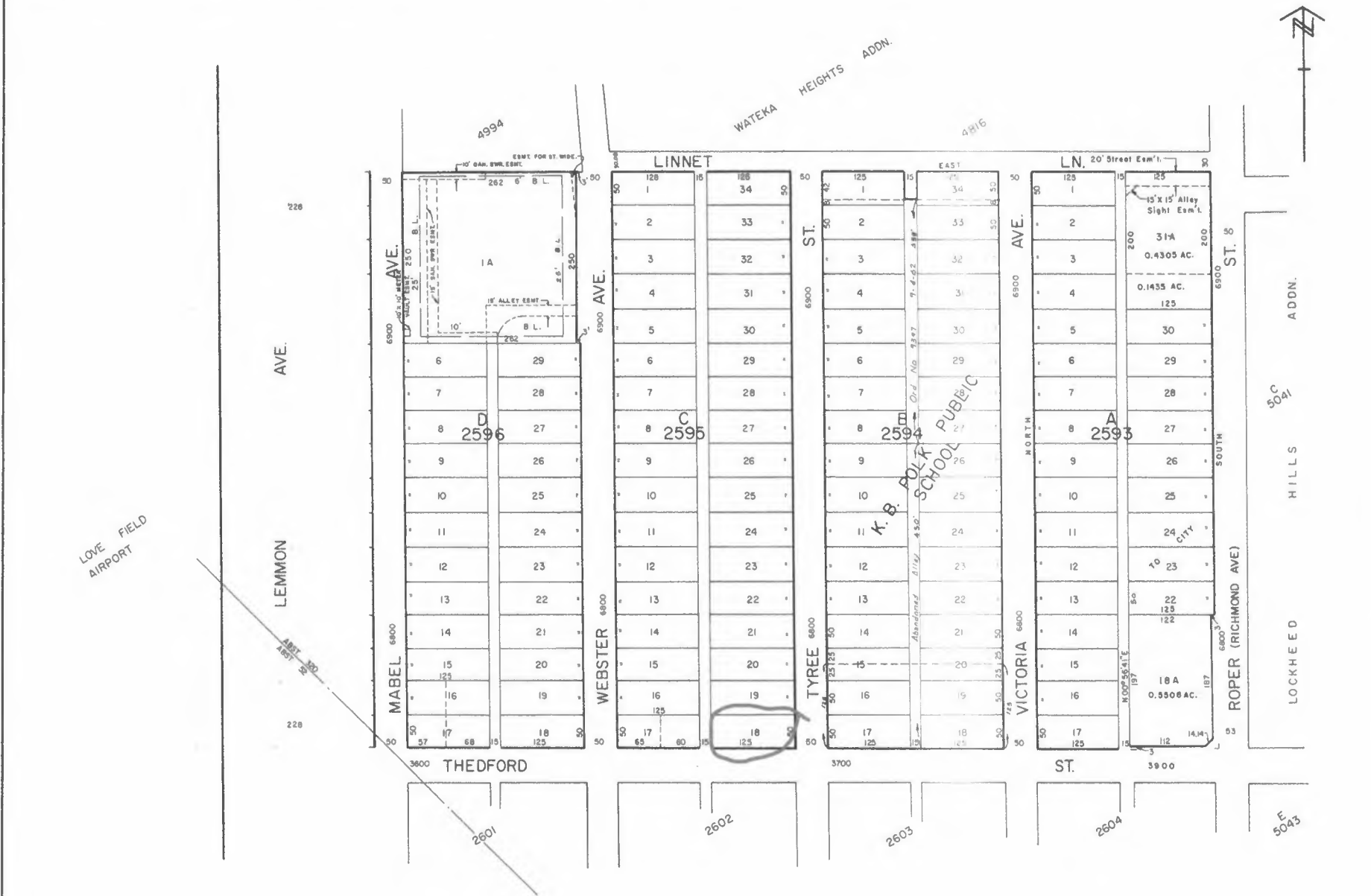
CITY OF DALLAS PLAT BOOKS  
 ADDITION WEBSTER & WOOD'S NORTHPARK

A B C D  
 BLOCKS 2593, 2594, 2595, 2596

SCALE 100 FT. EQUALS 1 INCH

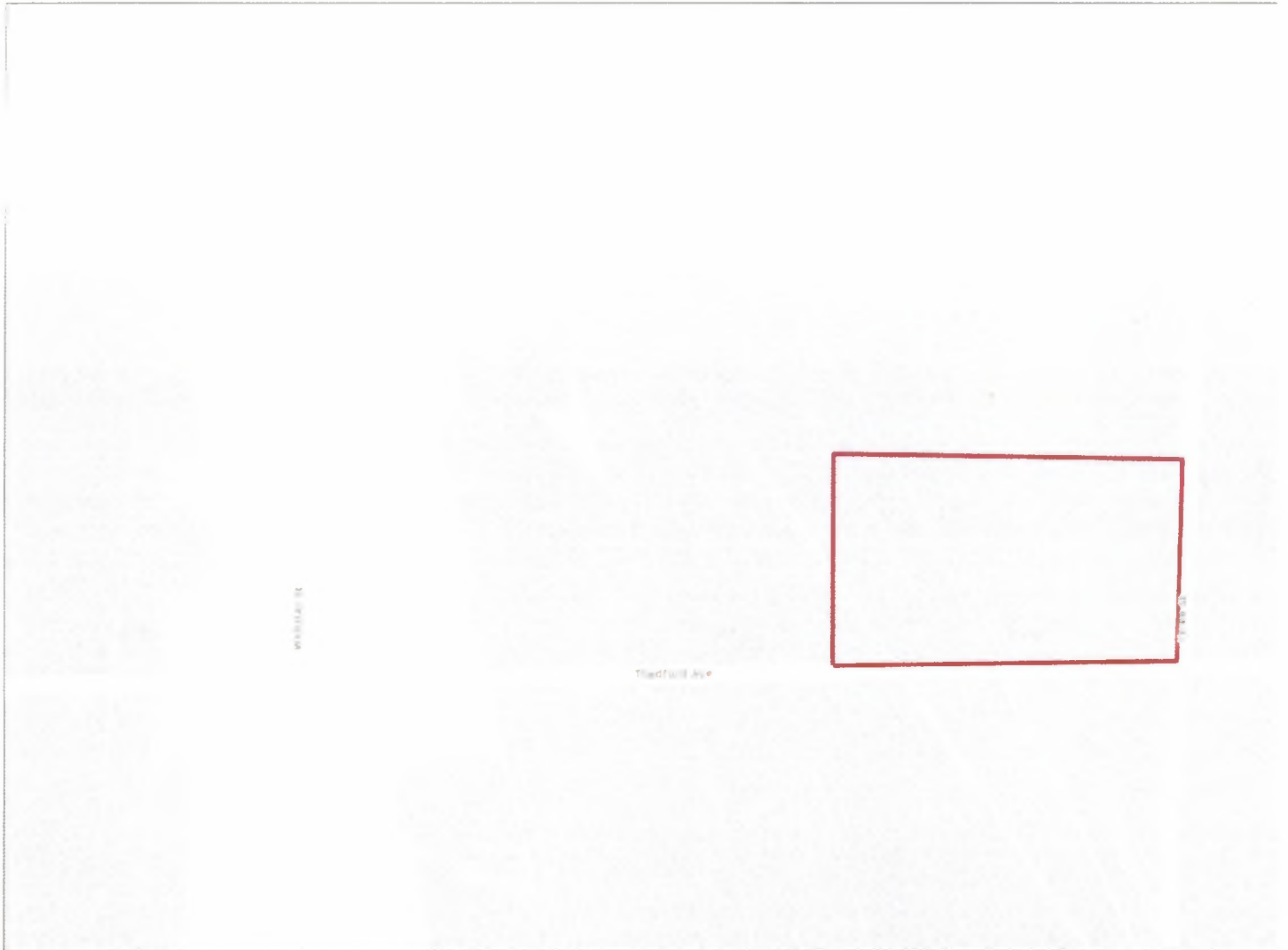
SCHOOL DISTRICT DALLAS

FILED: JUNE 5, 1890  
 FILED: 9-30-85 BLK A/2593 LOT 18A POLK PARK (CITY PARK)  
 FILED: 9-23-88 BLK Q/2596 LOT 1A LEMMON AVE POTTERY  
 FILED: 2-2-93 Northpark Missionary Baptist Church LOT 31A, BLK. A/2593



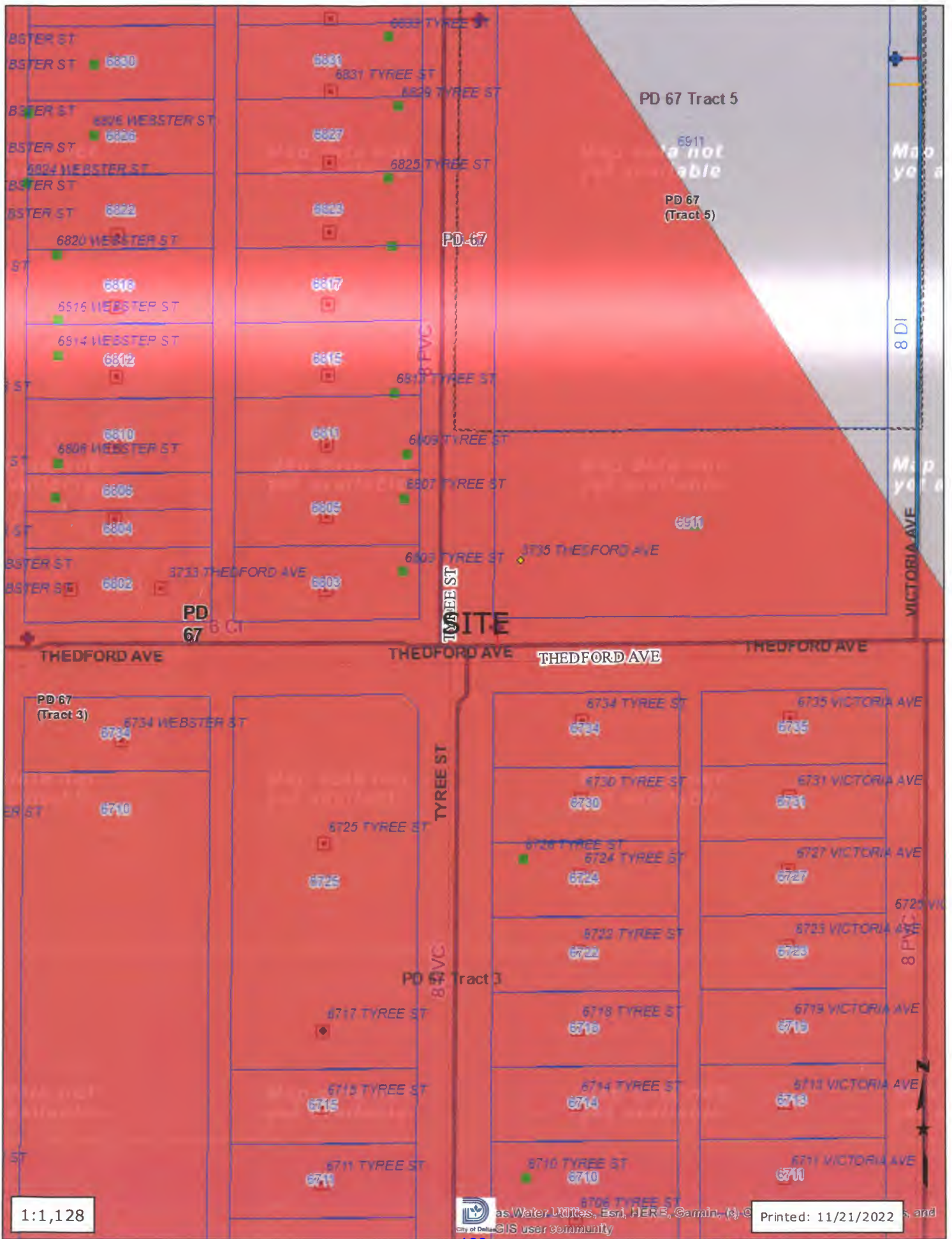
BDA234-101

ArcGIS Web Map



6/11/2024, 12:35:03 PM

BDA234-101



1:1,128



City of Dallas Water Utilities, Esri, HERE, Garmin, (c) © GIS user community

Printed: 11/21/2022

BDA234-101








25423

061164

# EXHIBIT 67A

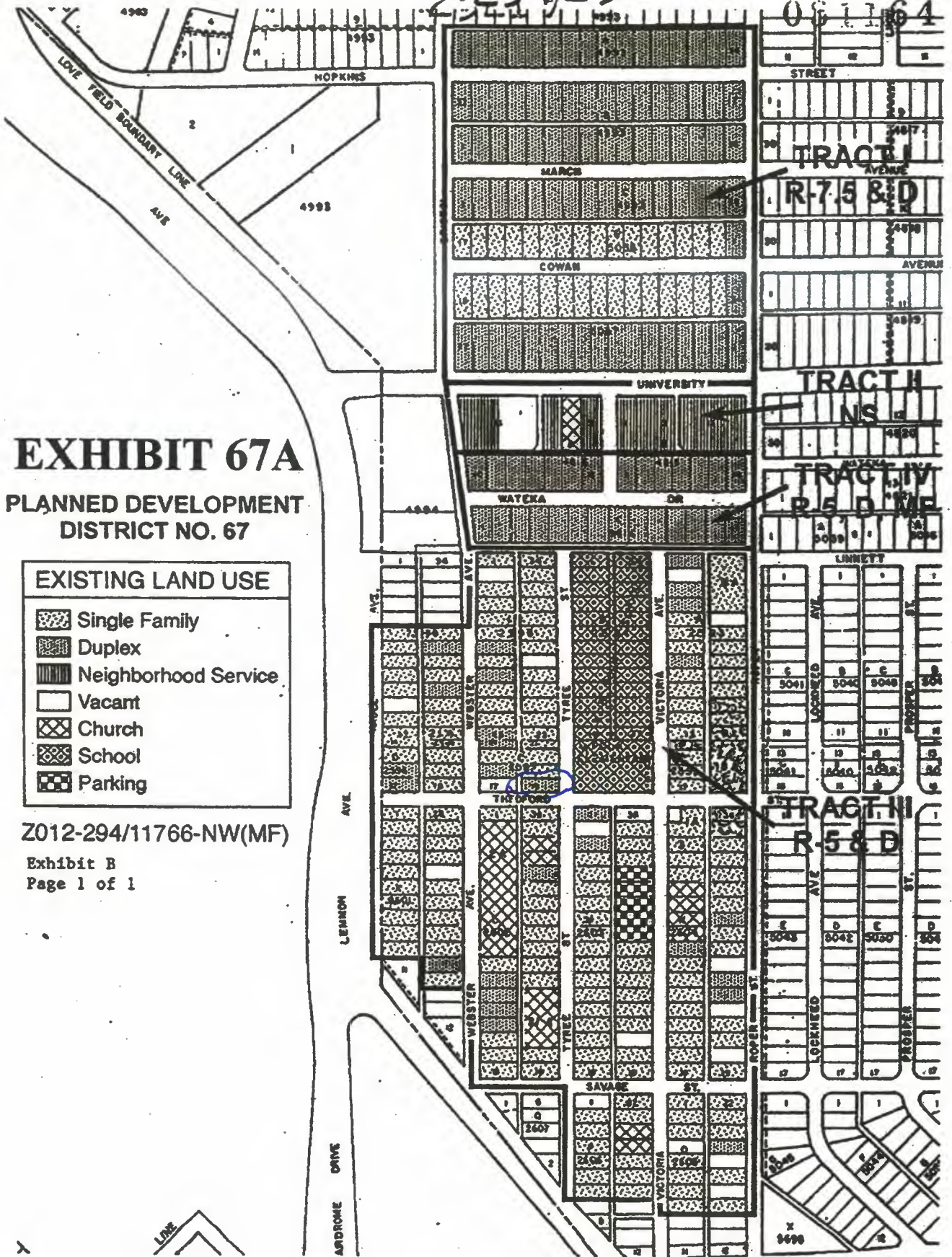
## PLANNED DEVELOPMENT DISTRICT NO. 67

**EXISTING LAND USE**

-  Single Family
-  Duplex
-  Neighborhood Service
-  Vacant
-  Church
-  School
-  Parking

Z012-294/11766-NW(MF)

Exhibit B  
Page 1 of 1



BDA234-101

BDA234-106





BDA234-101

WATER-RESISTIVE & AIR BARRIER PROTECTIVE SHEETING

### STOP WORK ORDER

WORK IS STOPPED ON THIS PREMISES IN VIOLATION OF CHAPTER 51 OF THE DALLAS CITY CODE

ANY PERSON OR PERSONS PERFORMING CONSTRUCTION RELATED ACTIVITIES WHILE THIS NOTICE IS IN EFFECT, COMMITTS AN OFFENSE PUNISHABLE BY A FINE NOT TO EXCEED \$200 EACH DAY.

ADDRESS: *6801 Tyree*



City of Dallas

FOR MORE INFORMATION CALL BUILDING INSPECTION:  
PHONE: *214-671-1511*

**PD 67 (TRACT 3)**

F - 25'  
S - 5'  
R - 10'  
HT - 36'  
LOT - 60%  
P - 4

**MINIMUM 2 MEDIUM OR  
LARGE TREES REQUIRED**

**SUBJECT TO FIELD INSPECTOR'S  
APPROVAL**

**A PERMIT IS BEING ISSUED FOR WATER/WASTEWATER UTILITIES.  
YOU ARE RESPONSIBLE TO VERIFY THAT UTILITIES ARE  
AVAILABLE FOR THIS PROPERTY. IF UTILITIES ARE NOT  
AVAILABLE FOR THIS SITE, THE CITY OF DALLAS IS NOT  
RESPONSIBLE.**

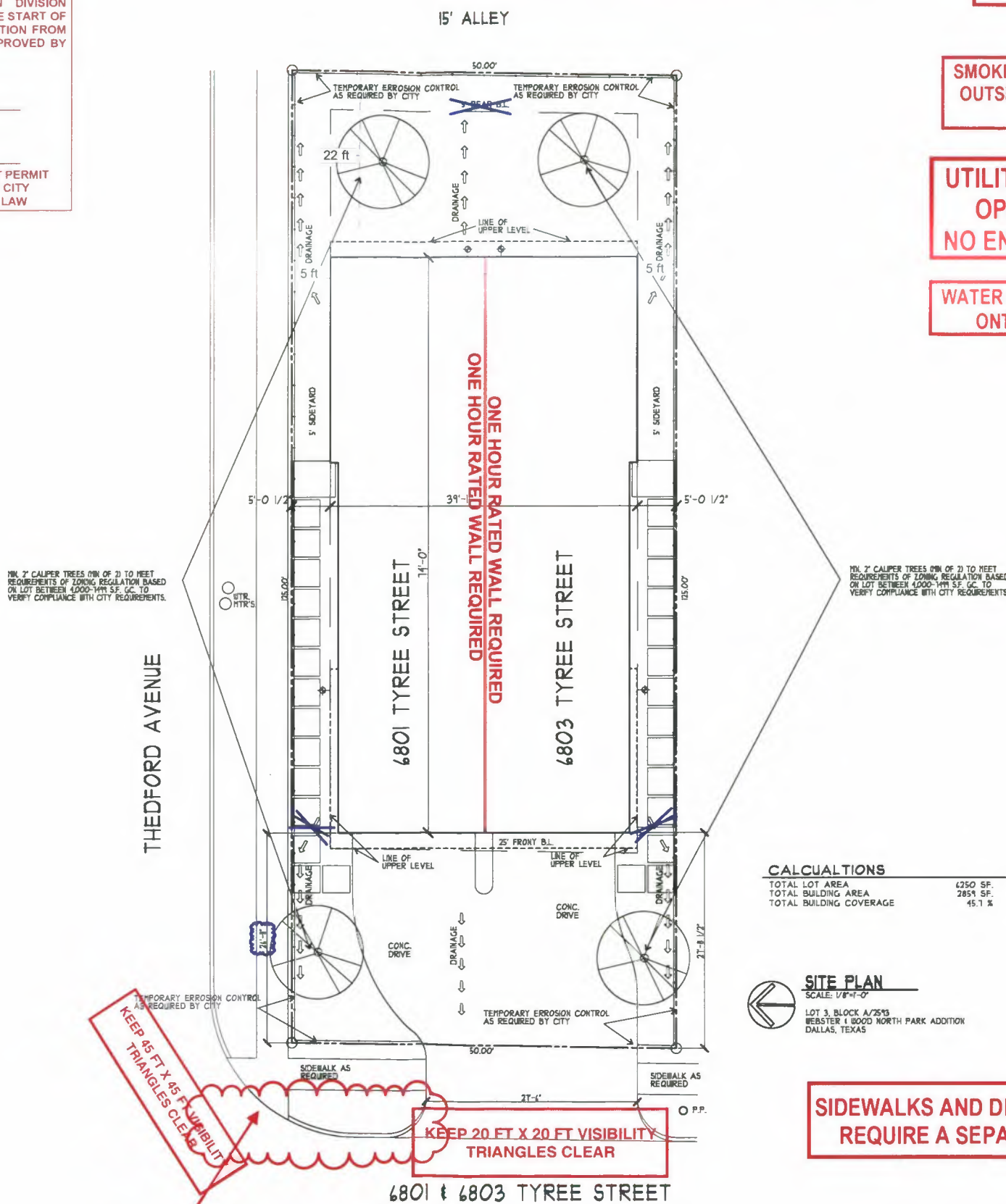
**NOTICE  
CHECK FOR PRIVATE DEED  
RESTRICTIONS FILE AT  
COUNTY OFFICE**

THESE PLANS HAVE BEEN REVIEWED BY  
THE BUILDING INSPECTION DIVISION  
AND ARE APPROVED FOR THE START OF  
CONSTRUCTION. ANY DEVIATION FROM  
THESE PLANS SHALL BE APPROVED BY  
THE BUILDING OFFICIAL.  
ZO DATE: 12/20/2022  
BY: Loree Myers  
BU DATE: 12/20/2022  
BY: Loree Myers  
THIS APPROVAL DOES NOT PERMIT  
THE VIOLATION OF ANY CITY  
ORDINANCE OR STATE LAW

**SMOKE DETECTORS REQUIRED IMMEDIATELY  
OUTSIDE ALL SLEEPING AREAS AND AT ALL  
FLOOR LEVELS**

**UTILITY EASEMENT MUST REMAIN  
OPEN AND UNOBSTRUCTED.  
NO ENCROACHMENTS PERMITTED**

**WATER SHALL NOT BE REDIRECTED TO DRAIN  
ONTO ADJOINING PRIVATE PROPERTY**



**CALCULATIONS**

TOTAL LOT AREA	6250 SF
TOTAL BUILDING AREA	2854 SF
TOTAL BUILDING COVERAGE	45.1 %

**SITE PLAN**  
SCALE: 1/8"=1'-0"  
LOT 3, BLOCK A/2513  
WEBSTER & GOOD NORTH PARK ADDITION  
DALLAS, TEXAS

**SIDEWALKS AND DRIVE APPROACH  
REQUIRE A SEPARATE PERMIT**

City of Dallas  
APPROVED  
Building Inspection  
222022

SHEET NO. 1  
OF 1

221014

10-13-22

REVISIONS

A DUPLEX FOR  
6801 & 6803 TYREE STREET  
DALLAS, TEXAS

**ROSSON**  
DESIGNER, INC.

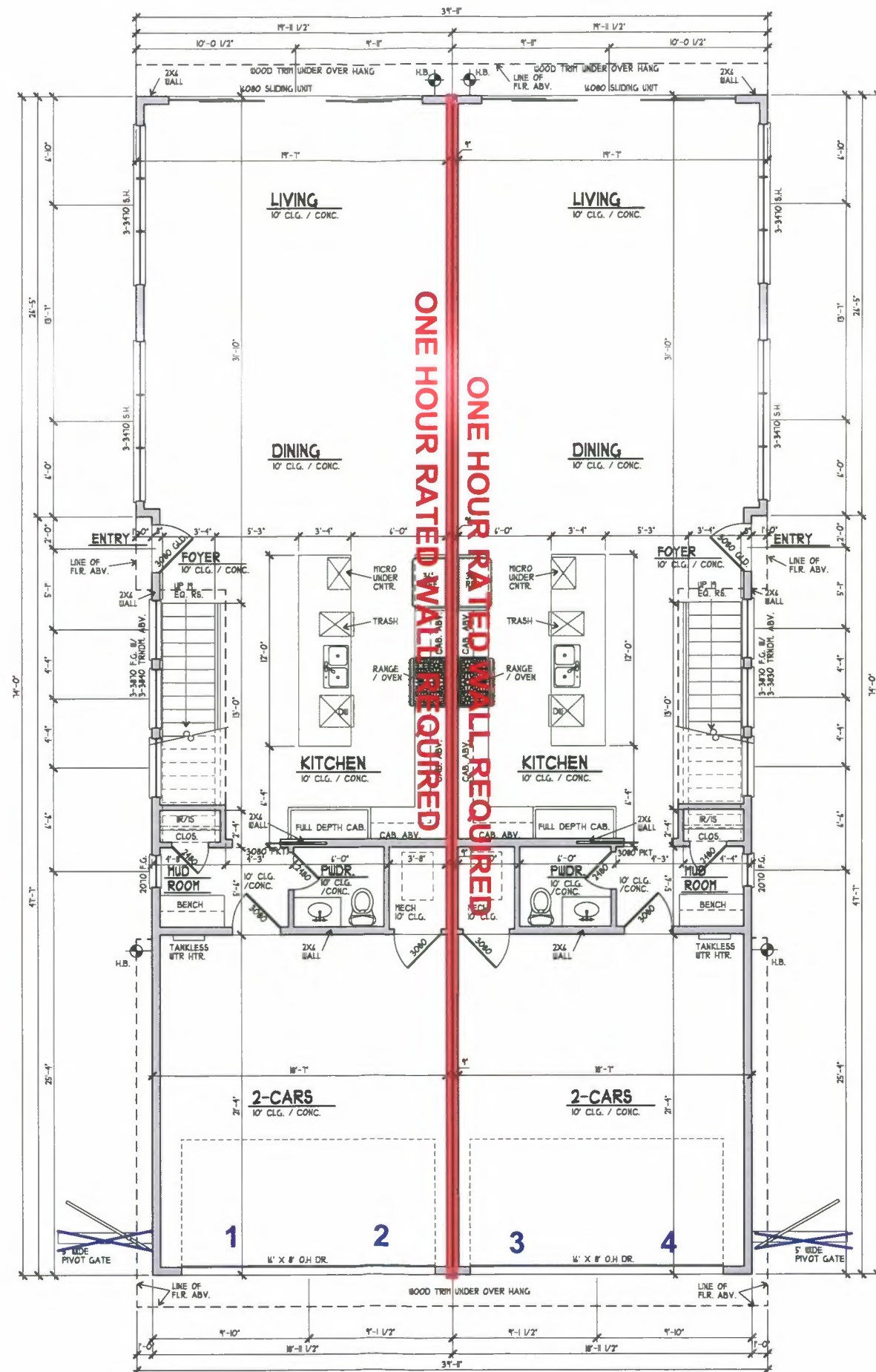
912-492-4384

All Documents by the corporation are instruments of service for the project and shall remain the property of the corporation, and shall not be used for any other endeavor without the written consent of the corporation.

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Ramon Design Home, Inc.

BDA234-101

**SUBJECT TO FIELD INSPECTOR'S APPROVAL**



**6801 TYREE STREET**

AREAS	SQ. FT.
LOWER LEVEL	411
UPPER LEVEL	145
TOTAL (A.C.)	240
AUTOS	401
MECHANICAL	54
TOTAL COVERED	283

**6803 TYREE STREET**

AREAS	SQ. FT.
LOWER LEVEL	411
UPPER LEVEL	145
TOTAL (A.C.)	240
AUTOS	401
MECHANICAL	54
TOTAL COVERED	283

NOTE:  
2 x 4 STUDS • ALL EXTERIOR AND PLUMBING WALLS TYP.

**LOWER LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

BDA234-101

  
 SHEET NO. 2  
 APPROVE  
 Building Inspector  
 12/20/22

OF 1

221014

10-13-22

REVISIONS

A DUPLEX FOR  
**6801 & 6803 TYREE STREET**  
 DALLAS, TEXAS

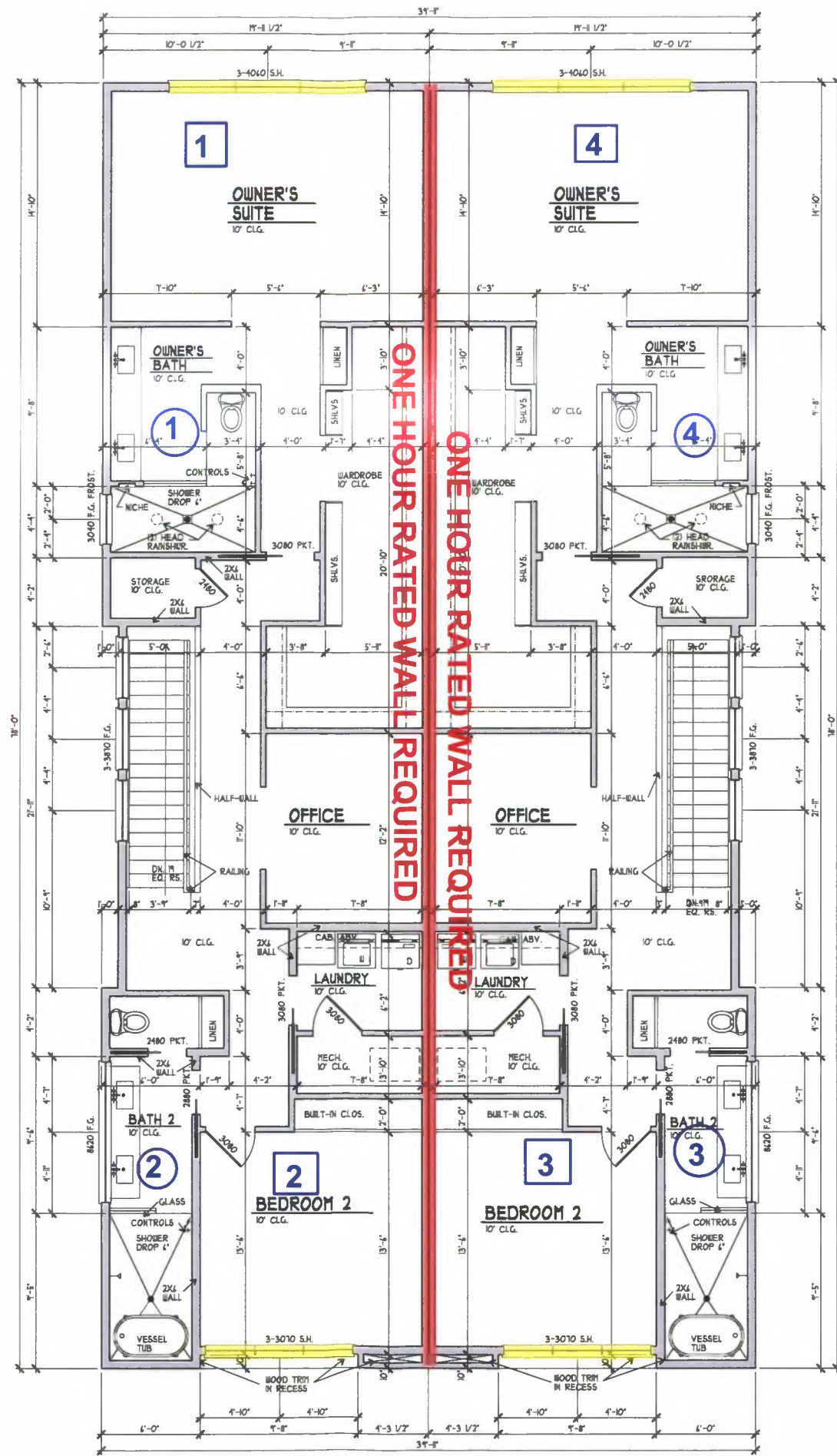
**ROSSON**  
DESIGNER

912-492-4384

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 Rossion Designer Homes, Inc.

**SUBJECT TO FIELD INSPECTOR'S APPROVAL**



NOTE:  
 2 x 4 STUDS \* ALL EXTERIOR  
 A/C AND PLUMBING WALLS TYP.  
 175

UPPER LEVEL FLOOR PLAN  
 SCALE: 1/4"=1'-0"

BDA234-101

SHEET 3  
 City of Dallas  
 APPROVE  
 Building Inspection  
 12/22/22

OF 7  
 221014  
 10-13-22  
 REVISIONS

A DUPLEX FOR  
 6801 & 6803 TYREE STREET  
 DALLAS, TEXAS

ROSSON  
 DESIGNER  
 L.L.P.

912-492-4384

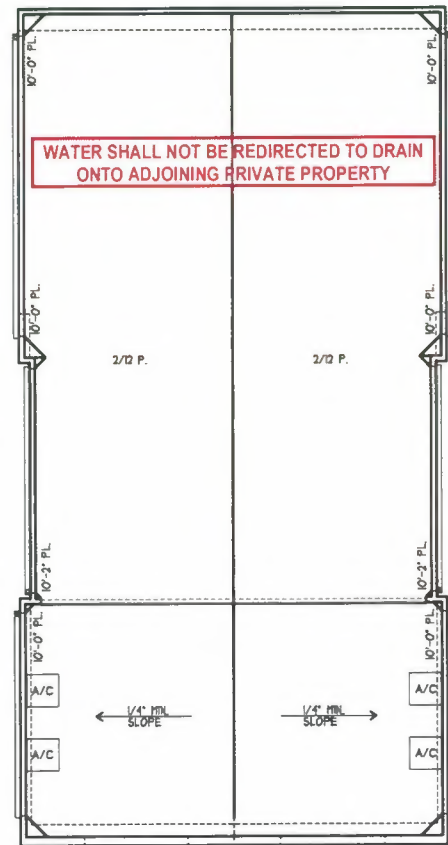
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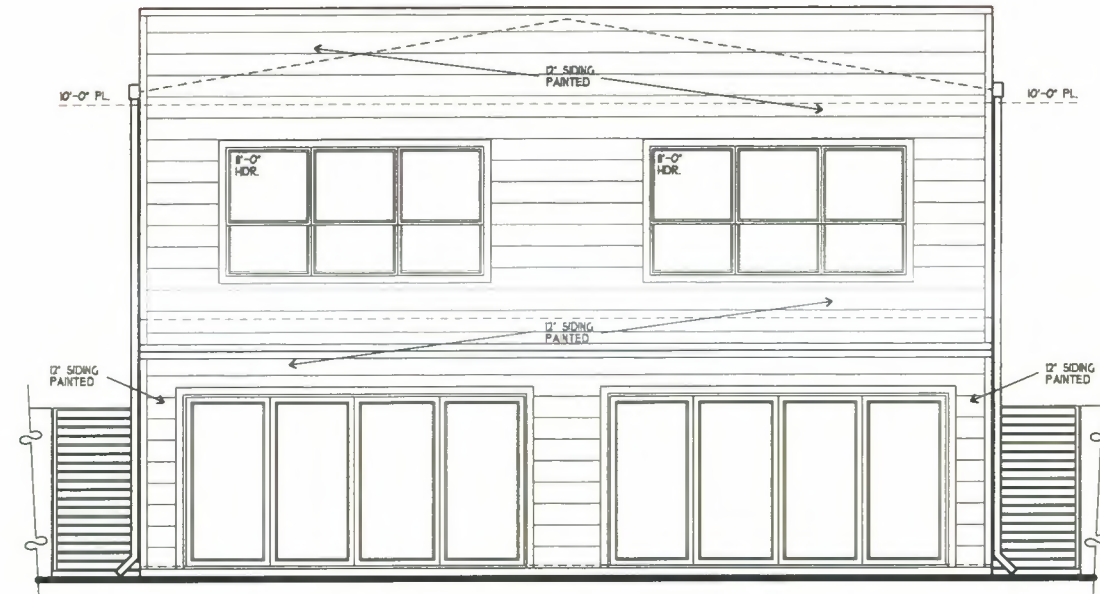


**26' 6" GRADE TO TOP  
36' MAX HEIGHT**

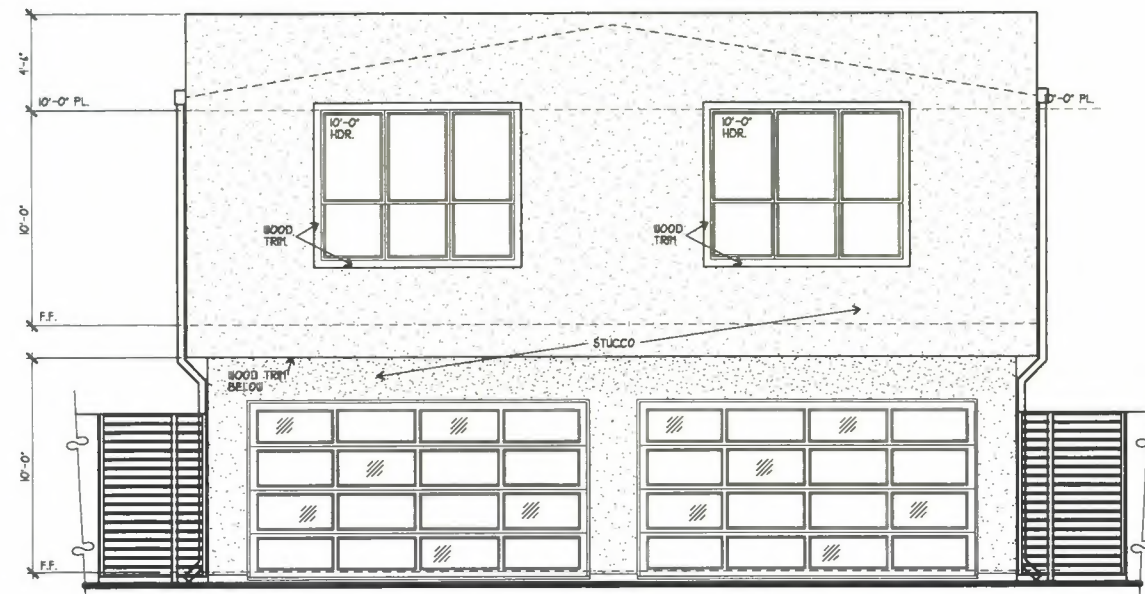
**SUBJECT TO FIELD INSPECTOR'S  
APPROVAL**



**ROOF PLAN**  
SCALE: 1/8"=1'-0"



**REAR ELEVATION**  
SCALE: 1/4"=1'-0"



**FRONT ELEVATION**  
SCALE: 1/4"=1'-0"

City of Dallas  
**APPROVED**  
Building Inspection  
10/13/22

OF 1  
221014  
10-13-22

REVISIONS

A DUPLEX FOR  
**6801 & 6803 TYREE STREET**  
DALLAS, TEXAS

**ROSSON**  
DESIGNER  
L.L.P.

912-492-4384

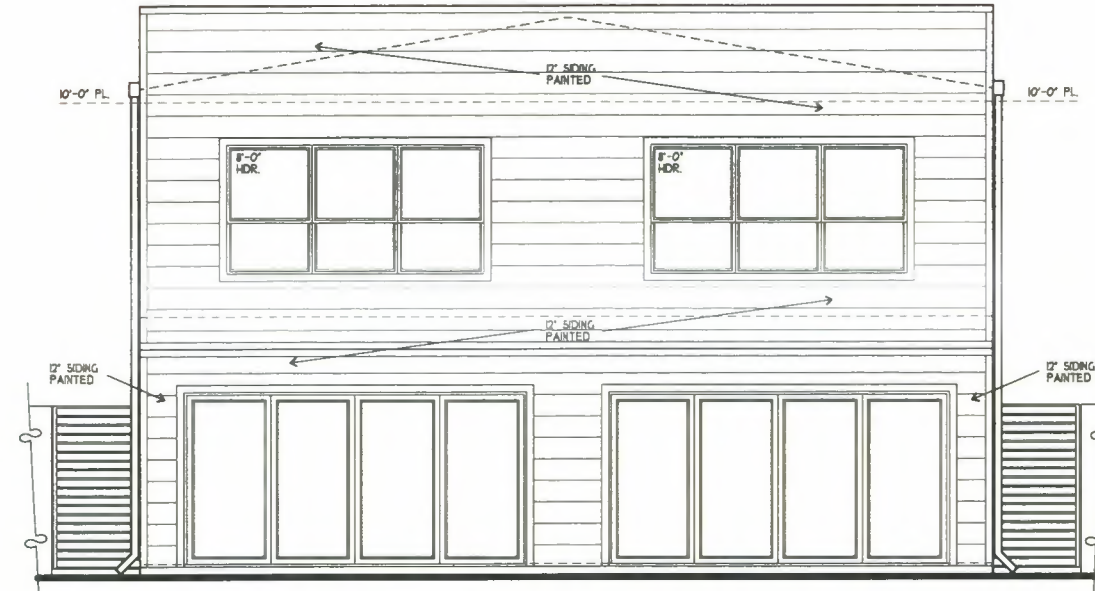
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Rosson Designer, Inc.

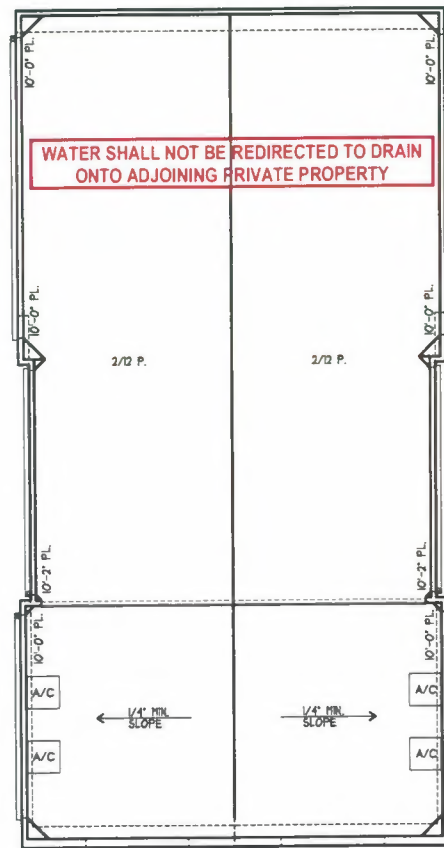
**BDA234-101**

26' 6" GRADE TO TOP  
36' MAX HEIGHT

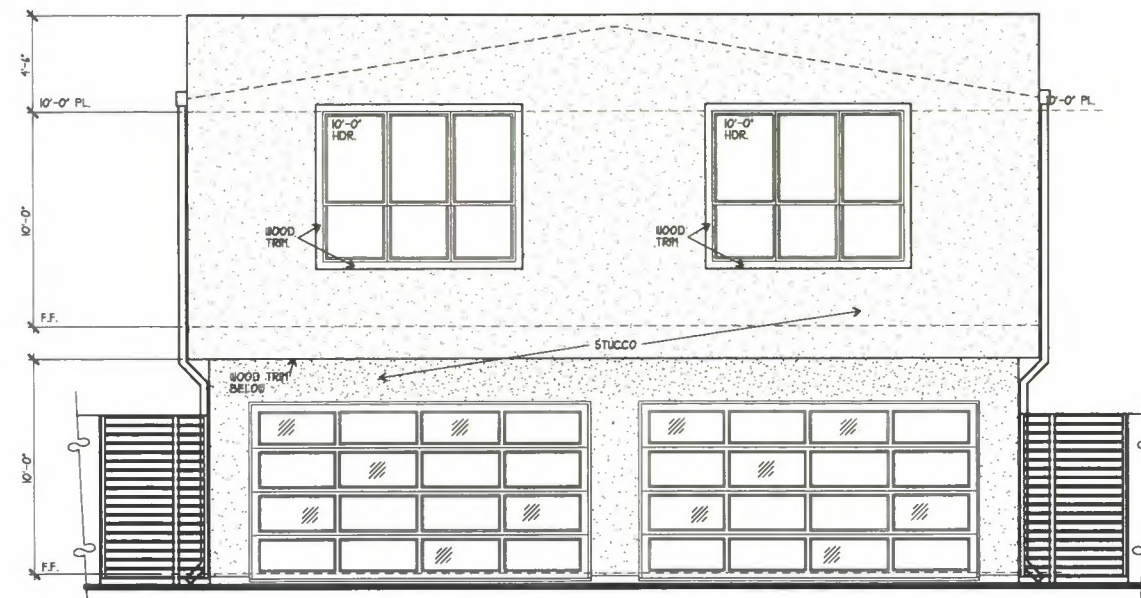
SUBJECT TO FIELD INSPECTOR'S  
APPROVAL



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



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



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

SHEET NO. APPROVED  
City of Dallas  
Building Inspection  
4/22/22

OF 1

221014

10-13-22

REVISIONS

A DUPLEX FOR  
6801 & 6803 TYREE STREET  
DALLAS, TEXAS

ROSSON  
DESIGNER  
CORP., LLC

912-492-4384

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BDA234-101



9 August 2024

Panel A, City of Dallas Board of Adjustment  
Planning and Urban Design  
1500 Marilla  
Dallas, TX 75201

RE: BDA234-101; 6801 Tyree St.

Dear Board Member:

Pertinent Development Code Regulations

SEC. 51A-3.102(d)(1):

(d) Powers and duties. The board has the following powers and duties, which must be exercised in accordance with this chapter:

(1) To hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city. For purposes of this section, "administrative official" means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.

Request

We respectfully ask that the Board consider reinstating our permit for 6801 Tyree Street, approved in December of 2022. Please see the following screenshots. The applicant numerous times received green tags on inspections. The City numerous times had opportunities to correct the permit they now claim was issued in error.

Please be advised that, because the City of Dallas is examining the issuance of numerous building permits issued in the Elm Thicket area, including this request, we've asked this application be held under advisement until the September meeting. The City Manager's office issued the attached memo and a member of the council has also started an inquiry (see *Candy's Dirt* article [www.candysdirt.com/2024/08/02/dallas-admits-elm-thicket-permits-were-issued-erroneously-builders-ordered-to-stop-work/](http://www.candysdirt.com/2024/08/02/dallas-admits-elm-thicket-permits-were-issued-erroneously-builders-ordered-to-stop-work/) and find a *Dallas Morning News* article attached).

Conclusion

While the zoning was adopted in October of 2022, City staff members were not made aware of the changes until months later. Mr. Meghan's permit had already been applied for and issued.

Furthermore, several inspections occurred from 2023-2024, and a stop work order could have been issued at the time for noncompliance, but this did not happen. The City, instead, sent a letter of cancellation this year.

To date, the Client has invested significantly in the project. To ask him to tear down, reapply for a permit, and rebuild is asking the patient to take a severe dose of medicine. Let's hope wisdom from city leadership creates a viable alternative.

Cordially,

A handwritten signature in cursive script that reads 'Dallas Cothrum'.

Dallas Cothrum, Ph.D.  
President

**Attachments:**

City of Dallas Memorandum Re: Elm Thicket-Northpark Permit Oversights and Violations

DMN Article: "Dallas City Hall's Elm Thicket humiliation is another permitting mess"

Letter of Cancellation

Inspection Screenshots

# Memorandum



CITY OF DALLAS

DATE: August 2, 2024

TO: Honorable Mayor and Members of the City Council

SUBJECT: **Elm Thicket-Northpark Permit Oversights and Violations**

In September 2017, the City Plan Commission authorized a hearing to amend Planned Development (PD) No. 67. The resulting amendment, effective October 12, 2022, sought to preserve Elm Thicket-Northpark's historic character and prevent displacement. Key changes included district expansion, height restrictions, a revised land-use map, reduced lot coverage, and new roof design standards.

Earlier this year, the City began receiving complaints about construction violations on new homes and duplexes. On June 12, 2024, Interim City Manager Tolbert (ICM) announced the consolidation of the Planning and Urban Design and Development Services departments with new leadership. Immediately, the staff of the newly merged departments collaborated on a deeper dive into the complaints. The initial fact finding revealed that permit applications for projects in the Elm Thicket-Northpark neighborhood reviewed between October 12, 2022 and June 2, 2023 were evaluated using outdated zoning information, and some permits may have been approved in error. We are working to determine what led to these errors.

A total of 29 initial sites were identified for review in collaboration with Save Elm Thicket, a neighborhood advocacy group. Of the 29 initial sites investigated, 10 met the PD requirements and therefore had no violations, five had non-compliant plans but had not yet started construction, and the rest were in various stages of construction with violations.

Last week, after completing the fact-finding and field visits, Planning and Development Department staff began contacting contractors and applicants to address the 19 sites with violations. Actions taken by staff included issuing stop work orders and placing holds on violating sites. Our residential and enforcement teams are working closely with applicants and contractors to quickly bring these sites into compliance with the new development provisions.

As a next step, Planning and Development staff will review all additional Elm Thicket-Northpark permits issued within the October 12, 2022 to June 2, 2023 timeframe. This review will be completed no later than September 30, and Planning and Development staff will update the City Council once that review is complete.

In addition to resolving these specific Elm Thicket-Northpark permitting errors, staff is looking at larger systemic changes to ensure this type of error does not occur in the future. As a reminder, in the last few weeks, ICM Tolbert announced the formation of a City Action Strike Team (CAST) to engage and collaborate cross-departmentally in situations

DATE August 2, 2024  
SUBJECT Elm Thicket-Northpark Permit Oversights and Violations  
PAGE 2 of 2

such as this. The CAST will evaluate the processes by which the City updates our GIS and permitting systems following an ordinance change. The CAST will also consider procedural changes such as allowing a short delay between ordinance approval and implementation to build in time for staff training and system updates. The recent consolidation of zoning, planning and permitting into one department under common leadership will also create stronger communication between the various land use teams.

As a reminder, please be advised that there may be some media coverage regarding this PD. We will continue to provide updates as the work progresses.

Should you have any questions or concerns, please do not hesitate to contact me or Emily Liu, Director of Planning and Development, [yu.liu@dallas.gov](mailto:yu.liu@dallas.gov).



Robin Bentley,  
Assistant City Manager (I)

c: Kimberly Bizer Tolbert City Manager (I)  
Tammy Palomino, City Attorney  
Mark Swann, City Auditor  
Billerae Johnson, City Secretary  
Preston Robinson, Administrative Judge  
Dominique Artis, Chief of Public Safety (I)  
Dev Rastogi, Assistant City Manager

M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager  
Alina Ciocan, Assistant City Manager  
Donzell Gipson, Assistant City Manager (I)  
Jack Ireland, Chief Financial Officer  
Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)  
Directors and Assistant Directors

**MORE FROM HOMEPAGE**

Gov. Greg Abbott orders hospitals to report treatment costs for undocumented migrants

What to know about Texas' new car inspection requirements



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THIS IS MEMBER-EXCLUSIVE CONTENT ⓘ

**OPINION**

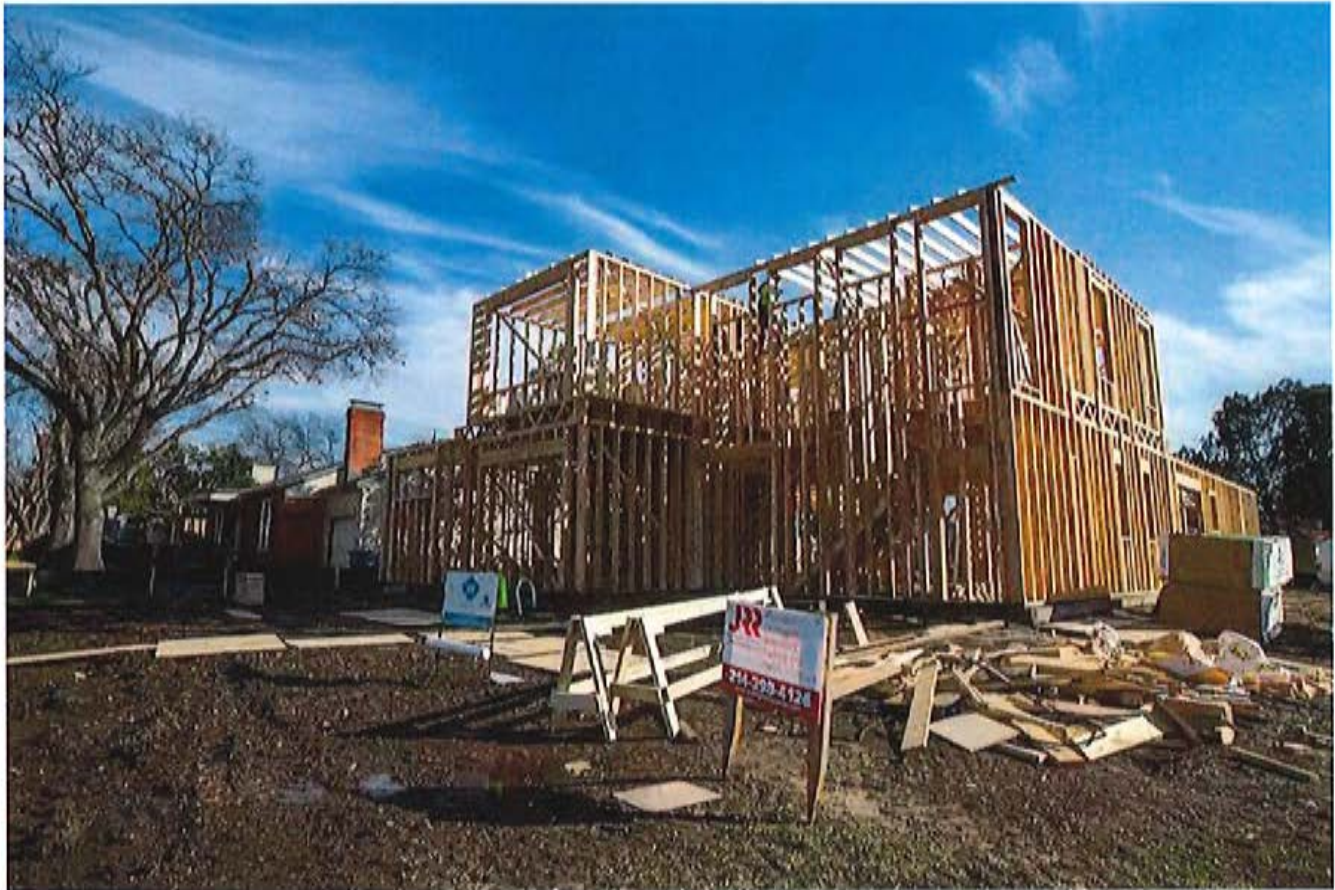
# Dallas City Hall's Elm Thicket humiliation is another permitting mess

City must make property owners whole after issuing bad permits.



By **Dallas Morning News Editorial**

2:00 AM on Aug 9, 2024



Workers construct a new two-story house in the Elm Thicket-Northpark neighborhood in Dallas on Thursday. (Lynda M. Gonzalez / Staff Photographer)



It's been two years since we all but begged the [Dallas City Council](#) not to make the mistake of interfering in the renewal of a neighborhood of small homes near Love Field known as Elm Thicket.

The council didn't listen to us, but that's not particularly uncommon. A council majority instead decided that the right way to ensure affordable housing in Dallas is to scare away developers who might want to build here.

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Shop Now



Despite opposition from a huge majority of property owners, Elm Thicket was downzoned. Rights that landowners enjoyed when they bought their properties were stripped away. New homes needed to be smaller and thus less valuable, the council decided.

Longtime homeowners lost the opportunity to maximize the investment of their lives. Families who otherwise might have made Elm Thicket home decided to live elsewhere. Victory was declared.

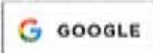
## **D** Opinion

Get smart opinions on the topics North Texans care about.

nicolle@masterplantexas.com

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To us this was bad — a lost opportunity and a signal of how Dallas too often trips over its own feet. We had no idea that City Hall would figure out how to turn a mistake into a mess.

## **Wellness for the Win**

ADVERTISEMENT

The latest news is this: after the downzoning, City Hall went ahead and issued permits to build homes that didn't fit the new constraints that our representatives decided were appropriate.

ADVERTISEMENT

There are now 14 homes in various stages of construction that “do not comply with current zoning.” Another five permits were issued for homes not yet under construction and city staff “is working with those developers to bring those plans into compliance.”

What a humiliation for the city. The Elm Thicket rezoning was hugely controversial. It was covered in every major media outlet. Dozens of people showed up to speak out at City Hall. But somehow the folks in the planning department didn't get the memo.

The city cannot now require homeowners who have invested in construction to bear the costs of these errors.

Interim City Manager Kimberly Bizer Tolbert has sounded the right level of frustration. "We are committed to uncovering what led to these errors and to resolving them as quickly and fairly as possible to ensure compliance with zoning regulations while minimizing the disruptive impact on residents and builders," she said.

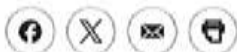
ADVERTISEMENT

She's promised that she will identify and address the systemic problem that led to this failure.

It's no secret Dallas' permitting department has not performed well in recent years. If Tolbert can get some accountability even in an interim role that will be a step forward.

But we need to be asking a deeper question, Dallas. Why are we telling people who want to invest in our city that their investment isn't welcome? It's the City Council's social engineering at the root of this mess. The rest of us are paying for it.

**We welcome your thoughts in a letter to the editor. See the guidelines and [submit your letter here](#). If you have problems with the form, you can submit via email at [letters@dallasnews.com](mailto:letters@dallasnews.com)**



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[editorialboard@dallasnews.com](mailto:editorialboard@dallasnews.com) [@dmnooinion](https://twitter.com/dmnooinion)

TOP PICKS



**Toll Trap**  
Inside the state's complex toll system



**Deadly Fake**  
30 Days Inside Fentanyl's Grip on North Texas

10/10/2024



CITY OF DALLAS

June 25, 2024

Mr. Akber Meghani  
5329 Northmoor Dr.  
Dallas, TX 75229  
[akbermeghani@gmail.com](mailto:akbermeghani@gmail.com)

Via Email

**RE: Project/Permit # 2211181039 and 2211181139**

This letter serves as official notification that project 2211181039 and master permit 2211181139, for the construction of a new duplex at 6801 Tyree, Dallas, Texas 75209, were issued in error by the Development Services Department (DSD) are hereby revoked for the following reasons:

- Illegal Land Use per [Exhibit 67A](#) of [Planned Development No. 67](#).
- Structure exceeds the maximum allowed height for the district per Dallas Development Code [§ 51P-67.107\(c\)\(1\)](#).
- Non-compliant roof type per the design standards for Planned Development No. 67 per Dallas Development Code [§ 51P-67.107\(c\)\(3\)](#).

**Next Steps:**

Please reach out to Development Services to discuss any of the following options:

- **Option 1 – Board of Adjustment Administrative Official Appeal:** The Board of Adjustment is charged with the duty to hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city as listed in [51A-3.102\(d\)\(1\)](#) & [51A-4.703\(a\)\(2\)](#).
- **Option 2 – Submit New Permit:** Submit new plans and permit for a structure compliant with all [Planned Development No. 67](#) standards and conditions.

Please note, these options are provided as a means toward potential compliance and are not intended to constitute legal advice. Please do not hesitate to reach out to Jason Pool, Development Services Administrator, should you have any questions or require additional information.

Should the property owner choose not to take any of the above actions, this matter will be referred to the City's Department of Code Compliance for enforcement.

BDA234-1000



CITY OF DALLAS

This decision is final unless appealed to the Board of Adjustment in accordance with Section [51A-4.703\(a\)\(2\)](#) of the Dallas City Code within 20 days after written notice of the above action.

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, appearing to read 'Jason Pool'.

Jason Pool  
Development Services Administrator  
Land Development Division  
214-948-4392  
[Jason.Pool@Dallas.gov](mailto:Jason.Pool@Dallas.gov)

c: Andrew Espinoza, Director/Building Official  
M. Samuel Eskander, Assistant Director  
Vernon Young, Assistant Director  
Michael Herron, Zoning Inspections Supervisor  
Jill Haning, Assistant City Attorney

Christopher Christian, Director  
Jeremy Reed, Assistant Director  
Alfred Beecham, Manager  
Stormy Gonzalez, Manager  
Charlotte Riley, Assistant City Attorney

Inspection Passed: 314 T-Pole

12:43



Dallas Home Building Inspection Home Offices Re

Electrical Inspection

Welcome, AKBER MEGHAN

Details Notes

2211181039 6801 TYREE ST

Inspection Called: Oct 3, 2023 Requested For: Oct 4, 2023

Trade Permit: 2211181039301 Electrical (EL)

Inspection Type: 314 T-Pole

Special Instructions:  
JOSE CASTILLO (469) 254-7614

Inspection Results: Green Tag  
T pole OK.

Reinspection Fee:  75  (None)

After Hours Total Time:

Send Electrical Release  T-Pole

Trades Concealed

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee:

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Inspection Passed: 220 Rough below floor level, DWV, water, etc.

12:44   

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[Plumbing Inspection](#) **Welcome, AKBER MEGHAN**

**Details** **Checklist** **Notes**

**2211181039** 6801 TYREE ST  
Inspection Called: Feb 25, 2024 Requested Date: Feb 26, 2024  
Inspection Type: 220 Rough below floor level, DWV, water, etc.  
Trade Permit: **2211181039201** Plumbing (PL)  
Special Instructions:



Inspection Results: Green Tag  
Rough ok - PVC building drains with test, pex water distribution H105






Reinspection Fee:  75  (None)

After Hours Total Time:  
Send Sewer Release:  (None)  
Send Gas Release:  (None)

**Trades Concealed**  
 Building  Electrical  
 Mechanical  Plumbing  Paving  
Total Concealment Fee:

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12:44



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Plumbing Inspection

Welcome, AKBER MEGHANI -

**Details** Checklist Notes

**2211181039**

6601 TYREE ST

Inspection Cated: Feb 25, 2024 Requested Date: Feb 26, 2024

Inspection Type: 210 Utility service sewer-water-gas

Trade Permit: 2211181039201 Plumbing (PL)

Special Instructions:

Inspection Results: Green Tag

PVC tubding sewer with test ok, pex water service ok, no gas at this time. 14105

Reinspection Fee:  75  (None)

After Hours Total Time:

Send Sewer Release  New - Single Family

Send Gas Release:  (None)

Trades Concealed

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee:

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12:45



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Electrical Inspection

Welcome, AKBER

Details

Notes

2211181039

6801 TYREE ST

Inspection Called: Mar 6, 2024 Requested For: Mar 7, 2024

Trade Permit: 2211181039301 Electrical (EL)

Inspection Type: 323 (UFER) Concrete Encase Electrode

Special Instructions:

JOSE CASTILLO (469) 254-7614

Inspection Results: Red Tag

Fee Accessed no inspections at this time

Reinspection Fee:  75  (None)

After Hours Total Time

Send Electrical Release:  (None)

Trades Concealed

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee :

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Inspection Passed: 120 Pier, Foundation, Excavation

12:46



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[Building Inspection](#)

Welcome, AKBER MEGHA

**Details** **General** **Checklist** **Notes**

**2211181039**

6801 TYREE ST

Inspection Called: Mar 7, 2024 Requested For: Mar 8, 2024

Trade Permit: 2211181039101 Building (BU) NEW DUPLEX

Inspection Type: 120 Pier, Foundation, Excavation

Special Instructions:

Inspection Results: Red Tag  
water in forms

Reinspection Fee:  75  (None)

After Hours Total Time:

**Trades Concealed**

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee:

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Inspection Passed: 121 Zoning Foundation

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**Building Inspection**

Welcome, AKBER M

**Details** **Checklist** **Notes**

**2211181039** 6801 TYREE ST  
Inspection Called: Mar 12, 2024 Requested For: Mar 13, 2024  
Trade Permit: **2211181039251** Zoning (ZO)  
Inspection Type: 121 Zoning Foundation  
Special Instructions:

Inspection Results: Green Tag  
Foundation ok

Reinspection Fee:  75  (None)  
After Hours Total Time:

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12:46



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Building Inspection **Welcome, AKBER MEGHAN**

Details **General** Checklist Notes

**2211181019** 6001 TYREE ST

Inspection Called: Mar 12, 2024 Requested For: Mar 13, 2024

Trade Permit: 2211181039101 Building (BU) NEW DUPLEX

Inspection Type: 120 Pier, Foundation, Excavation

Special Instructions:

after hours inspection

akber **214-395-3622**

Inspection Results: Green Tag

Foundation ok

Reinspection Fee:  75  (None)

After Hours Total Time:

**Trades Concealed**

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee:

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Inspection Passed: 323 (UFER) Concrete Encase Electrode

electrical inspection

6801 TYRE

Details Notes

2211181039

6801 TYRE

Inspection Called: Mar 11, 2024 Requested For: Mar 12,

Trade Permit: 2211181039301 Electrical (EL)

Inspection Type: 323 (UFER) Concrete Encase Electrode

Special Instructions

JOSE CASTILLO (469) 254-7614

Inspection Results: Green Tag

Duplex 6801-03 Tyres

Ufer's are 5/8" rebar

Ufer for 6801 is Located at the left side front of house

Ufer for 6803 is Located at the right side front of house

Reinspection Fee:  75  (None)

After Hours Total Time:

Send Electrical Release:  (None)

Trades Concealed

Building  Electrical

Mechanical  Plumbing  Paving

Total Concealment Fee :

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12:53



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Building Inspection

Welcome, **AKBER MEGHANI** • 4901-4903 NEWMORE LLP (BU)

**Details** **General** **Checklist** **Notes**

**2211181039** 4801 TYRRE ST  
Inspection Call# Mar 12, 2024 Requested For Mar 13, 2024  
Trade Permit 2211181039101 Building (BU) NEW DUPLEX  
Inspection Type 120 Pier Foundation Excavation  
Special Instructions  
after hours inspection  
call 214-595-2622  
Inspection Results Green Tag  
Foundation ok

Inspection Fee  75  None

After Hours Total Time

Trades Concealed

Building  Electrical  
 Mechanical  Plumbing  Paving

Total Concealment Fee

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**Building Inspection** Welcome, **AKBER MEGHANI - 4901-4903 NEWMORE LLP (BU)**

**Details** **Checklist** **Notes**

**2211181039** 4801 THREE ST  
Inspection Called Mar 12, 2024 Requested For Mar 13, 2024  
Trade Permit **2211181039251** Zoning (ZC)  
Inspection Type 121 Zoning Foundation  
Special Instructions

Inspection Results Green Tag  
Foundation OK

Respection Fee:  75  (None)  
After Hours Total Time

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Inspection Passed: 323 (UFER) Concrete Encase Electrode

12:54



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#Electrical Inspection **Welcome, AKBER MEGHANI - 4901-4903 NEWMORE LLP (BU)**

**Details** **Notes**

**221181020** 8801 TVM02 ST

Inspection Called: Mar 11, 2024 Requested For: Mar 12, 2024

Trade Permit: **22118100004** Electrical (E.L.)

Inspection Type: 323 (UFER) Concrete Encase Electrode

Special Trades/Work:

2500 (ELECTRICAL) 250 7414

Inspection Results: **Green Tag**

Diagrams: 8801.03 Types

Ufer's are 5/8" rebar

Ufer for 8801 is Located at the left side front of house

Ufer for 8802 is Located at the right side front of house

Noninspection Fee:  75  None

After Hours Total Fees:  (None)

Trade Completed:

Building  Electrical

Mechanical  Plumbing  Paving

Total Commitment Fee:

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12:59



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**Electrical Inspection**      **Welcome, AKBER MEGHANI - 4901-4903 NEWMORE LLP (BU)**

**Details**   **History**

**211183830**      **4901-4903 BT**

Inspection Called: Mar 01, 2024      Requested For: Mar 12, 2024

Trade Name: **2111838301 Electrical (E.I.)**

Inspection Type: 314 T-Pole

Special Instructions:  
**4901-4903 (BU) 4901-4903**

Inspection Results: [View](#)   [Top](#)

T-pole has BT amp main breaker and GFCI protection receptacles

Reinspection Fee:  No    **Yes**

After Hours: **Not Done**

Send Equipment Removal:  **T-Pole**

Trades Connected:

Building    Electrical

Mechanical    Plumbing    HVAC

Seal/Concealment Fee

[View History](#)

12:59



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Electrical Inspection Welcome, AKBER MEGHANI - 4901-4903 NEWMORE LLP (BU)

Details **Notes**

**211181628** 4901-4903 NT

Inspection Called: Oct 8, 2022 Requested For: Oct 8, 2022

Trade Permit: 2271181628000 Electrical (E)

Inspection Type: 314 T-Pole

Special Instructions:

AKBER MEGHANI (AKBER) 4901-4903

Inspection Results: Green Tag

Tagged On:

Remediation Fee:  No  (None)

48hr Hourly Total Price:

Send Electrical Permits:  1 Price

Trades Connected:

Plumbing  Electrical

Mechanical  Plumbing  Othering

Total Commitment Fee:

4901-4903

12:59



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[Plumbing Inspection](#)

Welcome, **AKBER MEGHANI - 4901-4903 NEWMORE LLP (BU)**

**Details** **Checklist** **Notes**

**221181022** 601 THREE ST  
Inspection Code Feb 25 2024 Requested Date Feb 26 2024  
Inspection Type 210 Utility service sewer-water-gas  
Trade Permit 22118102201 Plumbing (P)  
Special Instructions

Inspection Results Green Tag  
PVC building sewer with test ok, gas water service ok, no gas at this time 18105

Reinspection Fee  75  (None)

After Hours Total Time  
Send Sewer Release  New - Single Family  
Send Gas Release  (None)

Trades Contacted  
 Plumbing  Electrical  
 Mechanical  Plumbing  Paving  
Total Consultation Fee

[View More](#)

Inspection Passed: 220 Rough below floor level, DMW, water, etc.

1:00



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[Plumbing Inspections](#) **Welcome, AKBER MEGHANI - 4901-4903 NEWMORE LLP (DU)**

**Details** **Education** **Notes**

**2211818333** 4901-4903 ST  
Inspection Category: Feb 26, 2014 Requested Date: Feb 26, 2014  
Inspection Type: 220 Rough Below Floor level, DMW, water, etc.  
Trade Permit: 2211818333 Plumbing (PL)  
Special Instructions:

Inspection Results: Green Tag  
Rough IN: PVC building drains with test, per code distribution of 100

Renovation Fee:  No  (None)  
After Hours Test Date:  
Send Test Results:  Print  
Send Test Results:  Print

**Trades Consented**  
 Plumbing  Electrical  
 Mechanical  Plumbing  Piping  
See Government Fee

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August 9, 2024

***Via Email to BDA Secretary***

Board of Adjustment, Panel A  
320 E. Jefferson Blvd., Rm. 210  
Dallas, Texas 75203

Re: BDA 234-101: Appeal of Administrative Official Decision

Dear Board Members:

This is the administrative official's response to Akber Meghani's (the "Applicant") appeal of the administrative official's decision that permits numbered 2211181039 and 221118119 were issued in error and are invalid for a partially built duplex at 6801 Tyree Street, Dallas, Texas 75209 (the "Property")<sup>1</sup>.

**I. BACKGROUND**

The Property is located in a planned development ("PD") district called the Elm Thicket - Northpark Neighborhood or PD 67 ("PD 67"). Dallas, Tex., Code §51P-67.101-02. The purpose of PD zoning is to provide flexibility in the planning and construction of development projects by allowing a combination of land uses developed under a uniform plan that protects contiguous land uses and preserves significant natural features. *Id.* at §51A-4.702(a)(1). Also, a PD may contain any use or combination of uses. *Id.* at §51A-4.702(a)(1).

On May 24, 1976, the Dallas City Council first established PD 67 and has amended PD 67 numerous times, with the latest amendment occurring on October 12, 2022, as Ordinance No. 32324. Ordinance 32324 incorporated a new land use map attached as Exhibit 67A ("land use map"). The land use map changed the use designations for numerous tracts in PD 67. The new uses reflected on the land use map were effective upon passage and publication and superseded all previous land use data.

Applicant intends to build a duplex on the Property. However, the land use specified for the lot is for a single family home, not a duplex. (*See* Exhibit A.) When Applicant applied for a permit to build the duplex on the Property on November 18, 2022, the lot was zoned for a single family home only. However, an error was made and on December 20, 2022, the Development Services department (now renamed Planning and Development) approved the plans and issued the permits to the Applicant for the duplex use.

Planning and Development believes little or no construction took place on the Property until the end of summer 2023, as the first inspection took place on October 4, 2024. Construction commenced, but on June 25, 2024, a letter was issued by the Planning and Development

<sup>1</sup> Applicant appealed the matter as 6801 Tyree, Dallas, Texas. The original residential structure was designated by the City with the address 6803 Tyree. Because Applicant applied to build a duplex, 6801 Tyree was created for one half of the duplex, while the other is located at 6803 Tyree.

administrator to Applicant revoking the permit. Applicant stopped construction and the structure is approximately fifty percent complete. There were three reasons stated for the revocation:

- Illegal land use per Exhibit 67A of PD 67;
- The structure exceeds the maximum allowed height for the district, *see* Dallas, Tex., Code §51P-67.107(c)(1); and
- The roof type is not compliant with the design standards, *see id.* at §51P-67.107(c)(3).

(*See* Exhibit C.)

In addition, Applicant is not compliant with the lot coverage requirements of PD 67. Planning and Development requested Applicant either file an appeal with the Board of Adjustment (“BDA”) appealing the decision of the administrative official to revoke the permit, or submit new plans and permit for a structure compliant with PD 67. This appeal was filed on June 27, 2024, asking the BDA to reverse the decision revoking the permit.

## **II. BURDEN OF PROOF**

“The applicant has the burden of proof to establish the necessary facts to warrant favorable action of the board.” Dallas, Texas, Code §51A-4.703(d)(1).

## **III. DISCUSSION AND ARGUMENT**

In this appeal, Applicant seeks to overturn the administrative official’s decision to revoke Applicant’s permit. However, there is no dispute that the permit was issued in error by Development Services. The Applicant may make two arguments in support of his request: (1) construction has already begun, so the City is no longer allowed to enforce its laws; and (2) the Applicant was unaware of the zoning change. Under state and local law these are not permissible justifications for allowing the construction of a noncompliant structure to be completed.

The approval of the plans by Development Services did “not permit the violation of any city ordinance or state law.” (*See* Exhibit B - 001.) Further, the Dallas Code provides that issuance of a permit or approval of plans “shall not be construed to be a permit for, or an approval of, any violation of any provision of the codes or of any other city ordinance.” Dallas, Tex., Code ch. 52, § 302.4. The code further provides: “Any permit presuming to give authority to violate or cancel any provision of the codes or any other city ordinance shall not be valid.” *Id.* Issuance of a permit based on plans, specifications, or other data does not prevent the administrative official “from preventing building operations being carried on when in violation of the codes or of any other city ordinance.” *Id.* The code directs the building official to “suspend or revoke a permit . . . if he or she determines that the permit was issued in error or . . . in violation of any city ordinance or regulation or any provision of this chapter or the codes.” *Id.* § 302.6.1.

In cases similar to this one, the Texas Supreme Court determined that “[t]he mere issuance of a building permit does not render a city’s zoning ordinances unenforceable.” *City of Dallas v. Vanesko*, 189 S.W.3d 769, 774 (Tex. 2006) (the basis for such a ruling is that if this were not the case, the city would never be able to correct errors in the permitting process.) The Applicant is

responsible for knowing the rules and regulations in the development of the lot. Because the Applicant applied for his permit after Ordinance 32324 was effective, Applicant must comply with the current zoning regulations in that ordinance.

**a. PD 67 prohibits a duplex use on Applicant’s lot.**

Exhibit 67A specifically excludes any use other than single family use on the lot being developed by the Applicant. (See Exhibit A.) Therefore, Applicant should refine its plans for the lot to develop a single family home.

**b. The maximum structure height in PD 67 is 25 feet.**

Applicant plans for the maximum height of the duplex to be 26 feet 6 inches from grade. (See Exhibit B – 004.) Therefore, Applicant should refine its plans to lower the height of the roof of the structure. Dallas, Tex., Code §51P-67.107(c)(1) (limiting the height of a structure to 25 feet.)

**c. The planned roof structure is not compliant with PD 67.**

Applicant plans for the roof structure to be flat. (See Exhibit B – 004, 006.) Therefore, Applicant should refine its building plans so the roof is hip and gable. Dallas, Tex., Code §51P-67.107(c)(3) (limiting the roof structure to hip and gable if the height of a roof is above 20 feet.)

**d. The planned lot coverage of the structure is not compliant with PD 67.**

The plans indicate that the lot coverage of the building structure is going to be 45 percent:

<b>CALCUALTIONS</b>	
TOTAL LOT AREA	4250 SF.
TOTAL BUILDING AREA	2859 SF.
TOTAL BUILDING COVERAGE	45.7 %

(See Exhibit B – 001.) However, PD 67 allows the maximum lot coverage to be 40 percent for residential structures. Dallas, Tex., Code §51P-67.107(c)(2) (the maximum lot coverage is 40 percent.)

Accordingly, Applicant cannot meet his burden to establish the facts necessary to overturn the decision to revoke his building permits.

**IV. CONCLUSION**

The administrative official correctly determined that the Permits were issued in error. Applicant should refine his development plans for the lot so that the structure is compliant with the single family use requirement. Further, Applicant should comply with PD 67’s requirements for the height of the structure, roof structure, and lot coverage.

Very truly yours,

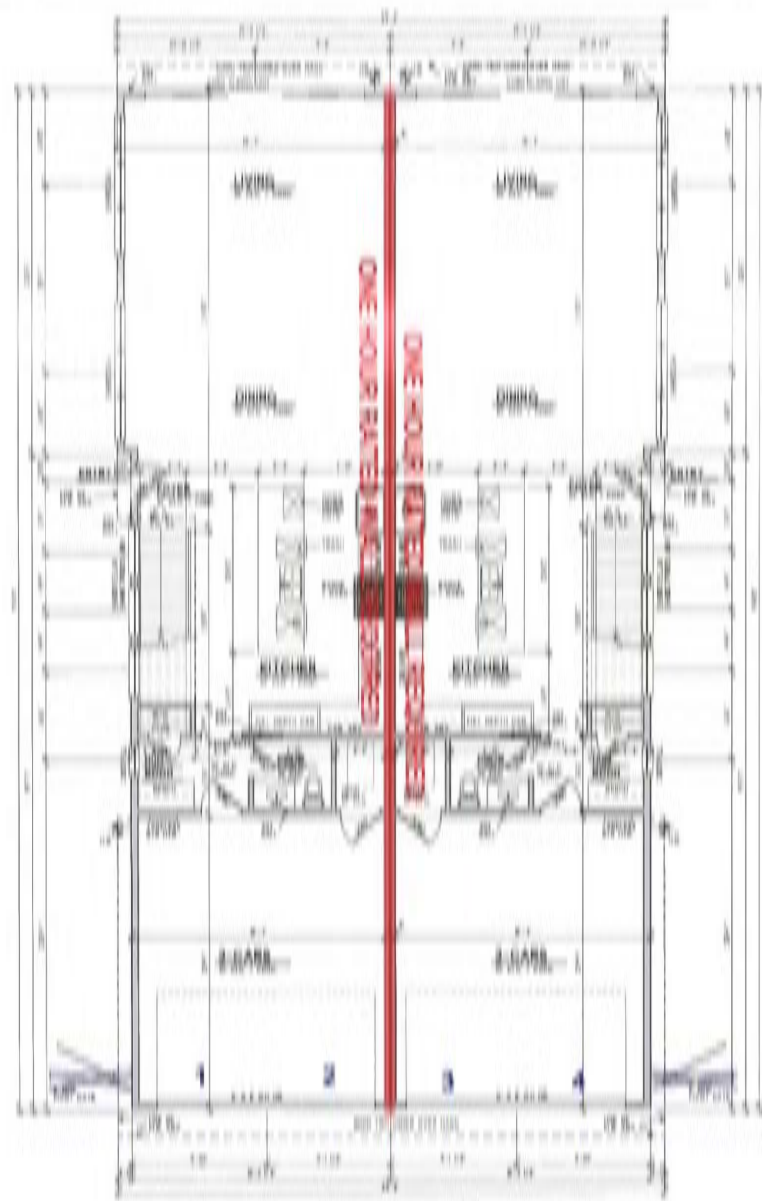
Justin H. Roy  
Assistant City Attorney  
214-671-1593  
[justin.roy@dallas.gov](mailto:justin.roy@dallas.gov)

## Exhibit A





**SUBJECT TO FIELD INSPECTOR'S APPROVAL**



4803 TYRRE STREET

AREA	NO. FT.
VEH	1
DIN	1
E-CAR	2

4803 TYRRE STREET

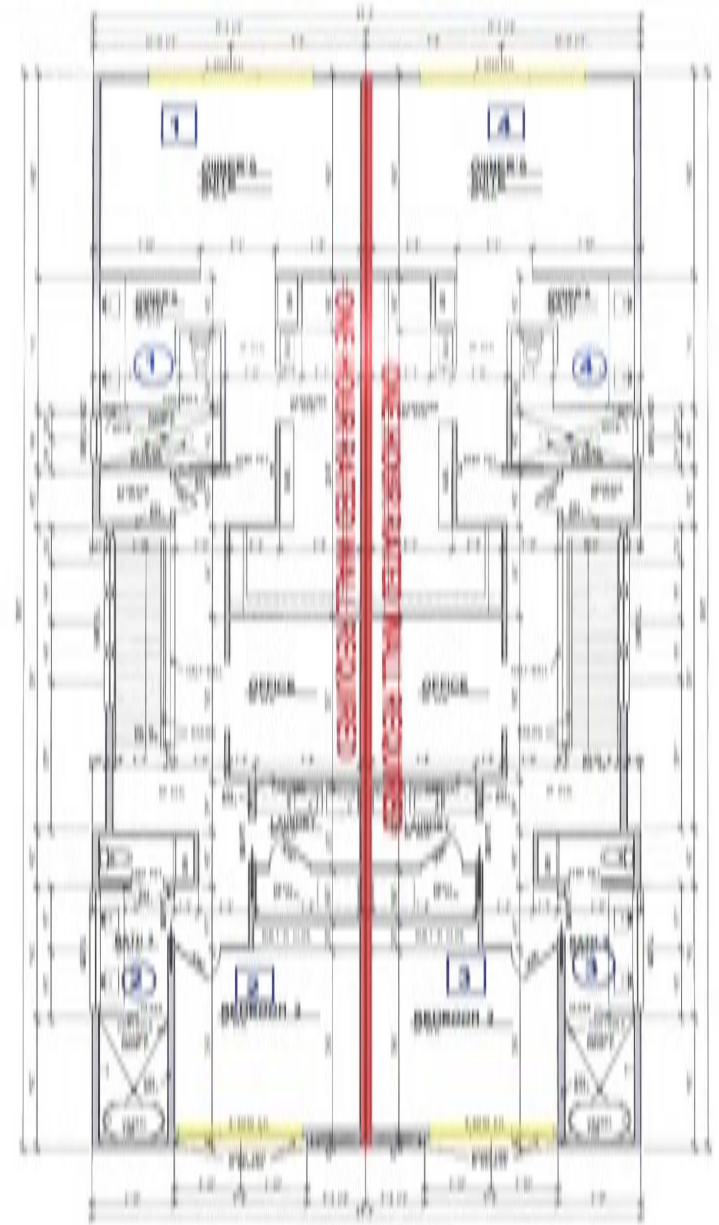
AREA	NO. FT.
VEH	1
DIN	1
E-CAR	2

100%  
LA/ARCHITECTURE

LOWER LEVEL FLOOR PLAN

RUSSELL R. ROBERTS  
 LICENSE NO. 10000  
 STATE OF CALIFORNIA  
 REGISTERED PROFESSIONAL ENGINEER  
 CIVIL ENGINEERING  
 4803 TYRRE STREET  
 4803 TYRRE STREET  
 4803 TYRRE STREET

SUBJECT TO FIELD INSPECTOR'S APPROVAL



1ST FLOOR PLAN

2ND FLOOR PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

IN CHARGE FOR ARCHITECTURE THREE STREET

ROSSI ARCHITECTURE

11 11 11

11 11 11







June 25, 2024

Mr. Akber Meghani  
5329 Northmoor Dr.  
Dallas, TX 75229  
[akbermeghani@gmail.com](mailto:akbermeghani@gmail.com)

**Via Email**

**RE: Project/Permit # 2211181039 and 2211181139**

This letter serves as official notification that project 2211181039 and master permit 2211181139, for the construction of a new duplex at 6801 Tyree, Dallas, Texas 75209, were issued in error by the Development Services Department (DSD) are hereby revoked for the following reasons:

- Illegal Land Use per [Exhibit 67A](#) of [Planned Development No. 67](#).
- Structure exceeds the maximum allowed height for the district per Dallas Development Code [§ 51P-67.107\(c\)\(1\)](#).
- Non-compliant roof type per the design standards for Planned Development No. 67 per Dallas Development Code [§ 51P-67.107\(c\)\(3\)](#).

**Next Steps:**

Please reach out to Development Services to discuss any of the following options:

- **Option 1 – Board of Adjustment Administrative Official Appeal:** The Board of Adjustment is charged with the duty to hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city as listed in [51A-3.102\(d\)\(1\)](#) & [51A-4.703\(a\)\(2\)](#).
- **Option 2 – Submit New Permit:** Submit new plans and permit for a structure compliant with all [Planned Development No. 67](#) standards and conditions.


Please note, these options are provided as a means toward potential compliance and are not intended to constitute legal advice. Please do not hesitate to reach out to Jason Pool, Development Services Administrator, should you have any questions or require additional information.

Should the property owner choose not to take any of the above actions, this matter will be referred to the City's Department of Code Compliance for enforcement.

**Exhibit C**

This decision is final unless appealed to the Board of Adjustment in accordance with Section [51A-4.703\(a\)\(2\)](#) of the Dallas City Code within 20 days after written notice of the above action.

Thank you for your prompt attention to this matter.



Jason Pool  
Development Services Administrator  
Land Development Division  
214-948-4392  
[Jason.Pool@Dallas.gov](mailto:Jason.Pool@Dallas.gov)

c: Andrew Espinoza, Director/Building Official  
M. Samuel Eskander, Assistant Director  
Vernon Young, Assistant Director  
Michael Herron, Zoning Inspections Supervisor  
Jill Haning, Assistant City Attorney

Christopher Christian, Director  
Jeremy Reed, Assistant Director  
Alfred Beecham, Manager  
Stormy Gonzalez, Manager  
Charlotta Riley, Assistant City Attorney

**FILE NUMBER:** BDA234-101\_FR1

**BUILDING OFFICIAL'S REPORT:** Application of Akber Meghani to appeal the decision of the administrative official at 6801 Tyree St. This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards.

**LOCATION:** 6801 Tyree St.

**APPLICANT:** Akber Meghani

**REQUESTS:**

The applicant is requesting a fee reimbursement for fees paid for the application submitted to appeal the decision of the administrative official at 6801 Tyree Street which will appear before Panel A on August 20, 2024.

**STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:**

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that **payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

**STAFF RECOMMENDATION:**

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.