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BOARD OF ADJUSTMENT (PANEL B)

AUGUST 21ST, 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/boa0821-B
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-B-Register **by the close of business Tuesday, August 20th, 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 https://bit.ly/BDA-B-Register **antes de cierre de oficina el Martes, 20 de Agosto, 2024. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

I. **Call to Order** — Cherri Gambow, Vice-Chair

II. **Staff Presentation/Briefing**

III. **Public Hearing** — Board of Adjustment

IV. **Public Testimony**

V. **Miscellaneous Items –**

- Approval of Panel B Minutes – May 22nd, 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]

UNCONTESTED CASE(S)

BDA234-094(BT)	2706 Turtle Creek Circle **REQUEST:** Application of Rob Baldwin for **(1)** a special exception to the fence opacity regulations, and for **(2)** a special exception to the visibility obstruction regulations.	1
BDA234-102(CJ)	5311 Edlen Drive **REQUEST:** Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations.	2

HOLDOVER

None

INDIVIDUAL CASES

BDA234-096(CJ)	5325 Kelsey Road **REQUEST:** Application of Charles Anderson for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the visibility obstruction regulations at driveway #1; and for **(3)** a special exception to the visibility obstruction regulations at driveway #2.	3
BDA234-097(BT)	6121 E. Lovers Lane **REQUEST:** Application of Joseph and Alevtina Sarno to appeal the decision of the administrative official.	4
BDA234-098(BT)	5311 Kelsey Road **REQUEST:** Application of Karlyn Herlitz for **(1)** a special exception to the fence height regulations.	5

BOARD OF ADJUSTMENT

Panel B Minutes

May 22nd, 2024

DRAFT

6ES Briefing Room
24974849659@dallascityhall.we
bex.com
Cheri Gambow, Vice-Chair

PRESENT: [5]

Michael Karnowski, Presiding Officer	
Sarah Lamb	
Joe Cannon	
Andrew Finney	
Derrick Nutall (V)	

ABSENT: [1]

Cheri Gambow, Vice-Chair	

Vice-Chair Gambow called the briefing to order at **10:30 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Gambow called the hearing to order at **1:01 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.

No Public Speakers

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel B, April 17th, 2024, Meeting Minutes.

Motion was made to approve Panel B, April 17th, 2024, Public Hearing Minutes.

Maker:	Sarah Lamb				
Second:	Andrew Finney				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Michael Karnowski, Joe Cannon, Sarah Lamb, Andrew Finney and Derrick Nutall
		Against:	-	0	

UNCONTESTED CASES

1. 4906 Deloache Avenue
BDA234-040(KMH)

BUILDING OFFICIAL'S REPORT: Application of Sameepa Modi for (1) a special exception to the fence height regulations; for (2) a special exception to the fence opacity regulations; for (3) a special exception to the 20-foot visibility obstruction regulations at Sunnybrook Lane; and for (4) a variance to the front-yard setback regulations at 4906 DELOACHE AVE. This property is more fully described as block 11/5584, Lot 13C, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet; requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line; requires a 20-foot visibility triangle at driveway approaches; and requires a front-yard setback of 40-feet. The applicant proposes to construct and/or maintain an 6-foot high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence regulations; and 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; and to construct and/or maintain a nonresidential structure in a required visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulations at Sunnybrook Lane; and to construct and/or maintain a single-family nonresidential structure and provide a 0-foot front-yard setback at Sunnybrook Lane, which will require (4) a 40-foot variance to the front-yard setback regulations.

LOCATION: 4906 Deloache Ave

APPLICANT: Sameepa Modi

REQUEST:

(1) A request for a special exception to the fence height regulations;
(2) A request for a special exception to the fence opacity regulations;
(3) A request for a special exception to the visual obstruction regulations as Sunnybrook Ln.; and
(4) A request for a variance to the front-yard setback 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**.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO 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**.

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

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

STANDARD 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:

- **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.
- 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
- **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 **non-conforming structure**.

STAFF RECOMMENDATION:

Special Exception:

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception.

Variance
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.
B. Restrictive in shape as it is an irregularly shaped lot, it is also a corner lot which requires two front yard setback requirements; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

BDA History:
No BDA history found within the last 5 years.

Square Footage:
This lot contains 54,892.12 of square feet.
This lot is zoned R-1ac(A) which requires a minimum lot size of 1 acre or 43,560 square feet.

Zoning:

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

Land Use:
The subject site is developed with a single family home. The areas to the north, south, east and west are also developed with single family homes.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Sameepa Modi for the property located at 4906 Deloache Ave. focuses on 4 requests. It is imperative to note that the subject site is situated on a corner lot with fence structures being proposed on both street frontages, Deloache Ave and Sunnybrook Ln.
- The first request is for a special exception to the fence height regulations of 2-feet along Deloache Ave. The applicant is proposing to construct and maintain a 6-foot high wrought iron fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence opacity regulations along Sunnybrook Lane. 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.

As illustrated on the submitted site plan and elevations, the applicant is proposing a masonry wall with masonry columns along Sunnybrook lane located on the property line.

- The applicant is also requesting a special exception to the visual obstruction regulations at the drive approach along Sunnybrook Lane. The proposed masonry wall along Sunnybrook lane has a sliding wrought iron gate at the drive approach which encroaches about 2½-3-feet into the visibility triangle; which requires a special exception to the 20-foot visual obstruction regulations.
- And lastly, the applicant is requesting a variance to the front-yard setback regulations. The applicant is proposing to construct and maintain a nonresidential structure and provide a 0-foot front yard setback at Sunnybrook Lane, which will require a 40-foot variance to the front-yard setback regulations. As mentioned previously, the applicant is proposing a masonry wall with masonry columns along Sunnybrook Ln. It is important to note that the highest point of the proposed masonry columns are approximately 11'5" in height. This proposed wall exceeds 9-feet which is now considered a structure and should be located beyond the 40-foot front yard setback. However, the proposal only provides a 0-foot front yard setback, which means that the structure (masonry walls/columns) will be located on the property line; therefore, a variance of 40-feet to the front yard setback is required.
- As gleaned from the submitted site plan and elevations, the applicant is proposing a 6-foot wrought iron fence approximately 229 linear feet along Deloache Ave which curves onto Sunnybrook Lane. Additionally, the submitted site plan and elevations illustrate a masonry wall and masonry columns with a sliding gate approximately 156 linear feet along Sunnybrook lane.
- The applicant has stated that the reason for the request is to maintain the architectural integrity of the neighborhood by matching the height of the fence with other estates in the neighborhood.
- Based upon staff's analysis of the surrounding properties, there are other homes within the neighborhood with fences of somewhat similar height.

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

- That granting the variance to the front yard setback 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 variance to the front yard setback 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.

- Additionally, the applicant has the burden of proof in establishing that the special exceptions to the fence height, opacity and visual obstruction will not adversely affect the neighboring properties nor constitute a traffic hazard.

- Granting the special exceptions (3) to the fence height, opacity and 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.

- BDA234-040 at 4906 Deloache Ave (200' radius video)

Timeline:

February 23, 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.

March 11, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

March 22, 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 March 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and April 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.

April 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the April 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, Board Attorney, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Kylee Polaski & Sameepa Medi. 4252 Marsh Ridge Rd, Carrollton, TX 75010 (Did not speak)

Against: Julie Clark, 9346 Sunnybrook Lane, Dallas TX 75220 (Did not speak)

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 234-040 – Application of Sameepa Modi for a special exception to the fence height regulations in 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 234-040 – Application of Sameepa Modi 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 234-040 – Application of Sameepa Modi for a special exception to the 20-foot visibility obstruction regulations in the Dallas Development Code is granted subject to the following condition:
Compliance with the most recent version of all submitted plans are required.

BDA 234-040 – Application of Sameepa Modi for a variance to the front-yard setback regulations in the Dallas Development Code is granted subject to the following condition:
Compliance with the most recent version of all submitted plans are required.

Maker:	Sarah Lamb				
Second:	Andrew Finney				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Michael Karnowski, Joe Cannon, Sarah Lamb, Andrew Finney & Derrick Nutall
		Against:	-	0	

2. 7021 Creek Bend Road
***This Case was moved to Individual Items**
BDA234-045(CJ)

BUILDING OFFICIAL'S REPORT Application of Kara Crane for **(1)** a special exception to the fence height regulations at 7021 Creek Bend Rd. This property is more fully described as Block P/8727, Lot 1, and is zoned PD-106 (R-10(A)), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence regulations.

LOCATION: 7021 Creek Bend Rd.

APPLICANT: Kara Crane

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 Exception (1):

No staff recommendation is made on this or any request for a special exception.

BACKGROUND INFORMATION:

BDA History:

BDA212-110 at 7021 Creek Bend Rd.

- A VARIANCE to the front yard setback regulations.
- The applicant proposed to construct a single-family residential structure and provide a 9-foot front yard setback, which required (1) a 21-foot variance to the front yard setback regulations on Windpiper Rd**.**
- Request granted by Panel C, November 14, 2022
- Approved under building permit #2204181158 November 18, 2022

Square Footage:
This lot contains 19,166.4 of square feet.
This lot is zoned PD 106; **In general**. Except as provided in Section 51P-106.107 and Section 51P-106.108, utilization of lots within PD 106 must comply with the development standards of the R-10(A) Single Family District. R-10 zoning district 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-10 (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, for the Kara Crane property located at 7021 Creek Bend Road focuses on one request relating to the fence height regulations.
- The applicant proposes to construct and maintain and 8-foot-high fence in a required front yard, which will require a 4-foot special exception to the fence height regulations.

- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain an 8-foot-high fence around the circumference of the property at 7021 Creek Bend Road.
- It is imperative to note that the subject site is a corner lot and has double street frontage and two front yards on Creek Bend Road and Windpiper Drive.
- The applicant has stated that the proposed 8-foot fence will be an addition for privacy.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Windpiper Drive with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- 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 height regulations 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: BDA234-045_7021 Creek Bend Rd..

Timeline:

February 23, 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.

March 11, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

March 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 March 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and April 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.

April 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the April 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: Kara Crane, 7021 Creel Bend Rd., Dallas TX 75252
Adriana Meyerovitz, 17805 Windpiper, Dallas TX 75252
Rabbi D. Rivgelheim, 6500 Frankford, Dallas TX 75252

Against: Shiela Shiver, 17809 Windpiper Dr., Dallas TX 75252
John Shiver, 17809 Windpiper Dr., Dallas TX 75252

Motion
I move that the Board of Adjustment, in Appeal No. BDA 234-045, on application of Kara Crane, **GRANT** the request of this applicant to construct and/or maintain a 8-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:	Sarah Lamb					
Second:	Andrew Finney					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Michael Karnowski, Joe Cannon, Sarah Lamb, Andrew Finney & Derrick Nutall
		Against:	-		0	

3. 7307 Robin Road
***This Case was moved to Individual Items**
BDA234-049(DB)

BUILDING OFFICIAL'S REPORT: Application of Nolette Construction, LLC represented by Rebecca Nolette for (1) a variance to the building height regulations at 7307 ROBIN RD. This property is more fully described as Block 15/4846, Lot 9, and is zoned PD-67 (previously zoned R-7.5(A) at time of permitting), which limits the maximum building height to 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 33-feet, which will require (1) a 3-foot variance to the maximum building height regulations.

LOCATION: 7307 ROBIN RD.

APPLICANT: NOLETTE CONSTRCUTION, LLC

REPRESENTED BY: REBECCA NOLETTE

REQUEST:

(5) A request for a variance to the building height regulations.

STANDARD 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:

- **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.
- 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
- **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 non-conforming structure.

STAFF RECOMMENDATION:

Variance
Denial (soft recommendation)

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

D. Not contrary to the public interest as no letters of opposition were received.
E. The site is not restrictive in area, shape, or slope as it is not an irregularly shaped lot and meets the minimum required lot size of 7500sf and appears to be a level piece of land with no signs of a slope that would affect the development of the site; therefore, it can be developed in a manner commensurate with development upon other parcels of land in the same zoning.

F. Not self-created nor is it a personal hardship since the property was purchased with the existing structure at its illegal height.

** The lot does not meet all three standards for a variance, but the applicant has the option to prove hardship by asking the board to consider Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475.

BACKGROUND INFORMATION:

BDA History:
No BDA history found within the last 5 years.

Square Footage:
This lot area is 7,500 square feet.
This lot is zoned PD-67 which requires a minimum lot size of 7500 square feet.

Zoning:

Site:	PD-67 Single Family District per land use map
North:	PD-67 Single Family District per land use map
South:	PD-67 Single Family District per land use map
East:	PD-67 Single Family District per land use map
West:	PD-67 Single Family District per land use map

Land Use:
The subject site is developed with a single family home. The areas to the north, south, east and west are also developed with single family homes.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rebecca Nolette for the property located at 7307 Robin Rd. focuses on 1 request. It is imperative to note that the subject site is situated on an inner lot that faces one street and is adjacent to an alley at the rear of the property.
- The request is for a variance the building height regulations in PD-67. The applicant is proposing to construct and maintain a 33-foot high residential structure in a district with a maximum building height of 30-feet (25-feet maximum at midpoint), which will require a 3-foot variance to the height regulations.
- As illustrated on the submitted site plan and elevations, the structure is existing but does not comply with the previously approved plans, therefore, it is an illegal structure.
- Applicant purchased this home after it was built but was not completed; the issue with the height was not disclosed to the applicant as it was not an issue until the new owner was in the process of completing the project.
- The applicant has stated that the height of this home is similar to the heights of other homes in the neighborhood; documentary evidence was submitted
- Based upon staff's analysis of the surrounding properties, there are other homes within the neighborhood that have a similar roof type and somewhat similar height.
- There was a zoning change from R-7.5(A) to PD67 that was approved on October 11, 2022.
- Although the zoning change affected the height requirements of R7.5(A) to a lesser allowed maximum height of 25-feet to midpoint (see below), this will continue to be reviewed under the R-7.5(A) regulations.
  (b) Single family and duplex structures.
  (1) Height. Maximum structure height is 25 feet.
  No portion of the structure may be greater than 30 feet above grade.

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

- That granting the variance to the height 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:

(f) 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.
(g) 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.
(h) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
(i) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
(j) the municipality considers the structure to be a nonconforming structure.

- Granting the variance to the building 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.

- BDA234-049 7307 Robin RD. 200' radius video

Timeline:

February 23, 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.

March 11, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

March 22, 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 March 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and April 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.

April 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the April 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, Board Attorney, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Rebecca Nolette, 7307 Robin Road, Dallas TX 75209

Against: Jonathan Maples, 6525 Oriole Drive, Dallas TX 75209

Motion
I move that the Board of Adjustment, in Appeal No. BDA 234-049, on application of Nolette Construction LLC, **GRANT** the 3-foot variance to the building height regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	Sarah Lamb				
Second:	Joe Cannon				
Results:	4-1				Motion to grant
		Ayes:	-	4	Michael Karnowski, Joe Cannon, Sarah Lamb and Andrew
		Against:	-	1	Derrick Nutall

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Presiding Officer Michael Karnowski moved to adjourn the meeting at 2:51 p.m.

_____ _____

Required Signature: Date
Mary Williams, Board Secretary
Development Services Dept.

Required Signature: Date

Bryant Thompson, Acting Board Administrator

Planning & Development Department

Required Signature: Date

Cheri Gambow, Vice Chair

Board of Adjustment

FILE NUMBER: BDA234-094 (BT)

BUILDING OFFICIAL'S REPORT: BDA234-094(BT) Application of Rob Baldwin for **(1)** a special exception to the fence opacity regulations; and for **(2)** a special exception to the visibility obstruction regulations at **2706 TURTLE CREEK CIR**. This property is more fully described as Block A/0995, Lot 1A, and is zoned PD-193 (TH-3), which requires a 20-foot visibility triangle at driveway approaches and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front-lot line. 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 **(1)** a special exception to the fence opacity standards regulations; and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the drive approach, which will require **(2)** a special exception to the 20-foot visibility obstruction regulations.

LOCATION: 2706 Turtle Creek Cir.

APPLICANT: Rob Baldwin

REQUEST:

(1) A request for a special exception to the fence opacity regulations; and
(2) A special exception to the 20-foot visibility obstruction regulations at the driveway

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE OPACITY 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 nor constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (2):

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 constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site:	PD-193 (TH-3)
North:	PD-193 (O-2)
East:	PD-193 (TH-3)
South:	PD-193 (GR and HC)
West:	PD-193 (O-2)

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 Rob Baldwin for the property located at 2706 Turtle Creek Cir. focuses on 2 requests relating to the fence opacity regulations, and to the visual obstruction regulations.
- The first request is for a special exception to the fence standard regulations. 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 20-foot visibility obstruction triangle at the drive approach along Turtle Creek Cir. The proposed 7-foot high fence encroach about 10-foot 6-inches into the visibility obstruction triangle on the western boundary and 5-foot into the visibility obstruction triangle on the Northwestern boundary of Turtle Creek Cir.
- The subject site along with surroundings properties to the north, south east and west are all developed with single-family and multi-family uses.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of 7-foot high gate and fence, located near the front property line less than 5-feet.
- A portion of the proposed 7-foot high fence is existing as illustrated on the submitted site plan and elevations.
- Based upon staff's analysis of the surrounding properties, the property is located within a gated community.
- 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 opacity regulations and visual obstruction regulations will not adversely affect the neighboring properties nor constitute a traffic hazard.
- 200' Radius Video: **BDA234-094 xxxx n**

Timeline:

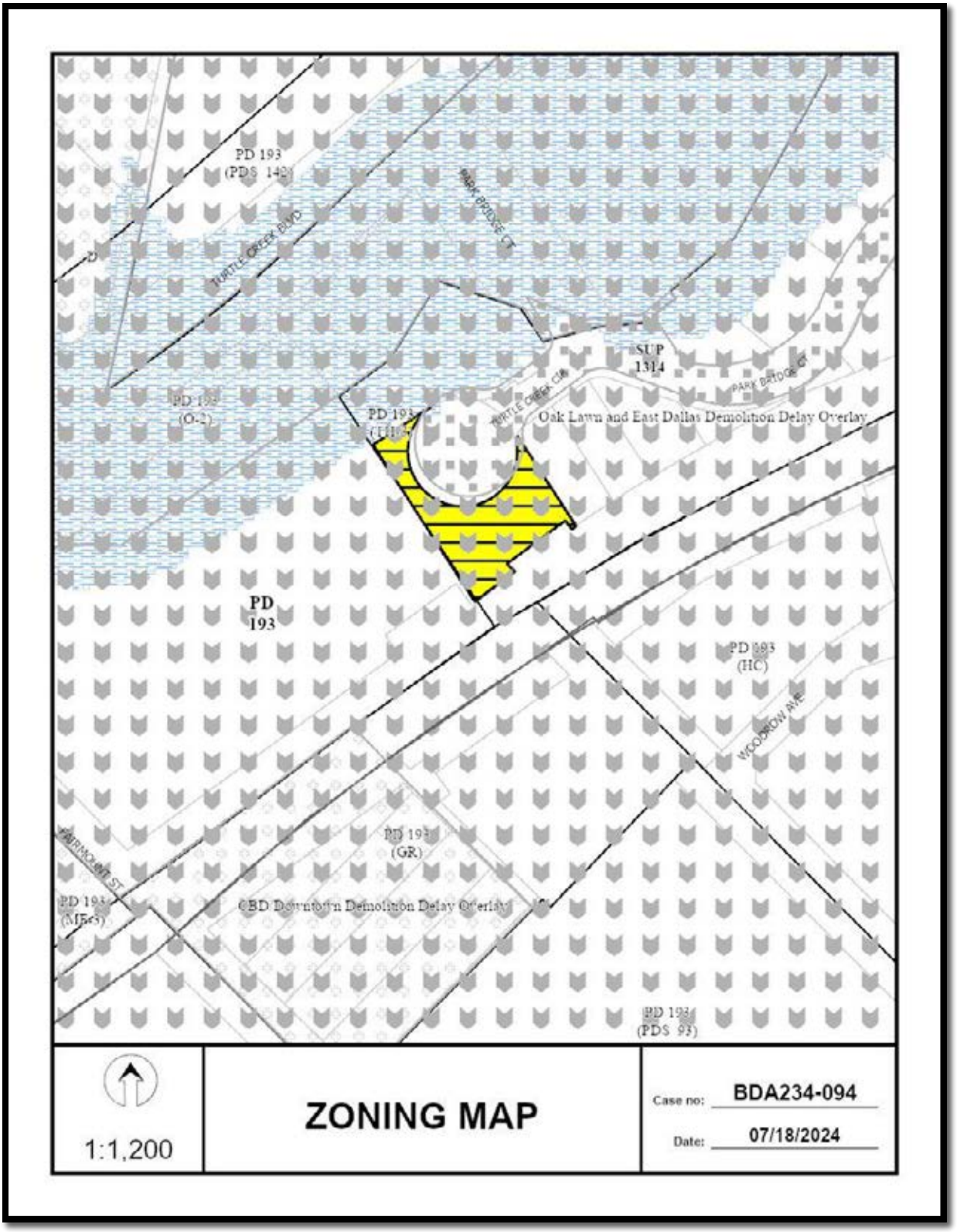
June 21, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

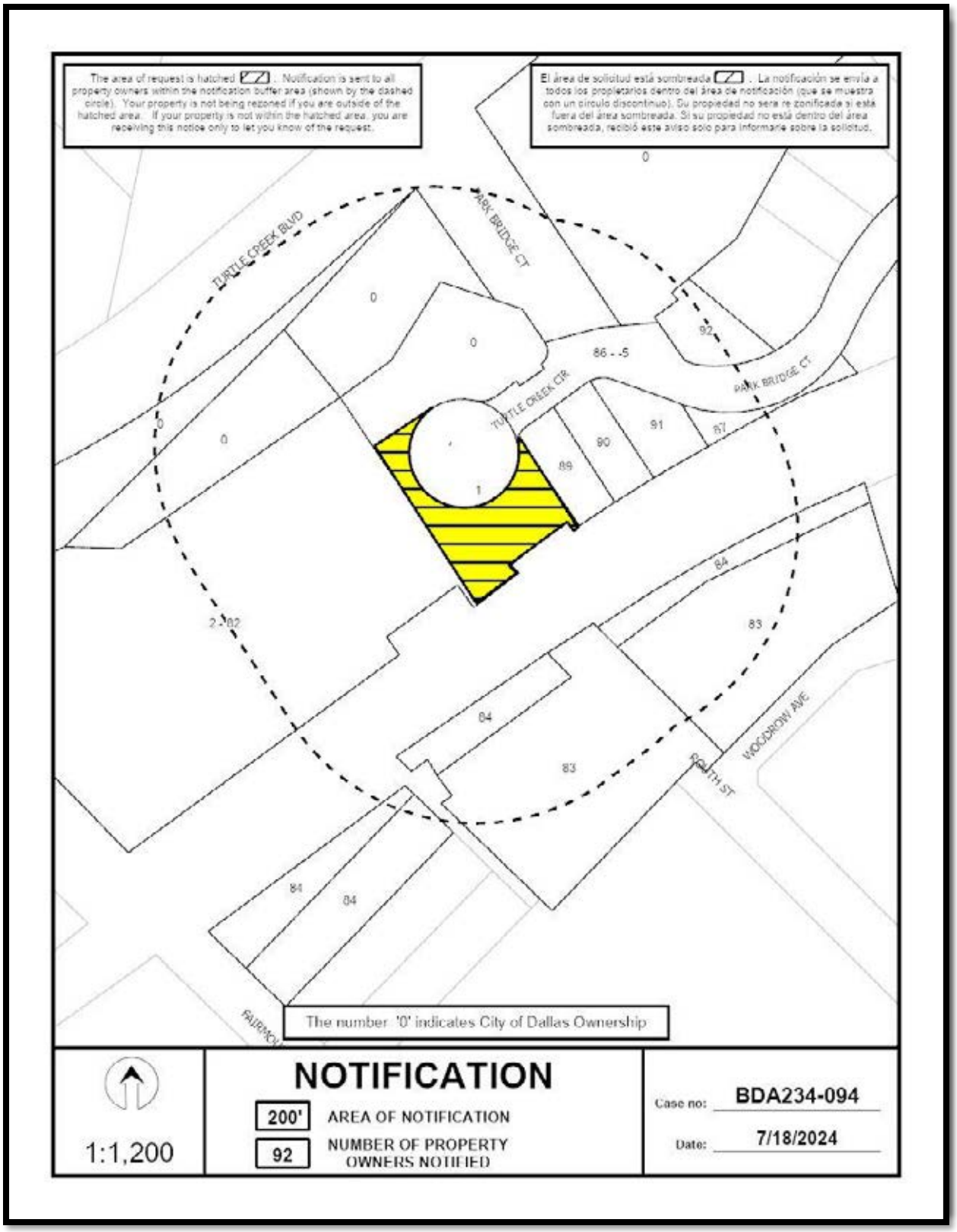
July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

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 July 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and August 9, 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.


PD 193
(PDS 142)
PARK BRIDGE CT
TURTLE CREEK BLVD
SUP
1314
PARK BRIDGE CT
PD 193
(O-2)
PD 193
(LI)
TURTLE CREEK CIR
Oak Lawn and East Dallas Demolition Delay Overlay
PD
193
PD 193
(HC)
WOODBRON AVE
PD 193
(GR)
PARKMONT ST
PD 193
(MF-2)
CBD Downtown Demolition Delay Overlay
PD 193
(PDS 93)
1:1,200
ZONING MAP
Case no: BDA234-094
Date: 07/18/2024


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.
TURTLE CREEK BLVD
PARK BRIDGE CT
TURTLE CREEK CIR
WOODROW AVE
SOUTH ST
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
92
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-094
Date: 7/18/2024

07/18/2024

Notification List of Property Owners

BDA234-094

92 Property Owners Notified

Label #	*Address*		*Owner*
1	2706	TURTLE CREEK CIR	OBRIEN JOSEPH DENIS &
2	3310	FAIRMOUNT ST	PARK TOWERS TURTLE CREEK
3	3310	FAIRMOUNT ST	HARSDORFF CHRIS &
4	3310	FAIRMOUNT ST	HINSON DARRELYN D
5	3310	FAIRMOUNT ST	PETRILLO S EILEEN
6	3310	FAIRMOUNT ST	ELLIS BETTY ELLIS REVOCABLE
7	3310	FAIRMOUNT ST	TERMINI RAYMOND J &
8	3310	FAIRMOUNT ST	YATES HAROLD E
9	3310	FAIRMOUNT ST	FORBES HSI CHUEH TRACEY
10	3310	FAIRMOUNT ST	DAVIS HELEN B
11	3310	FAIRMOUNT ST	CALDWELL JAMES
12	3310	FAIRMOUNT ST	WILKINS MICHAEL C
13	3310	FAIRMOUNT ST	CREASEY MARILYN
14	3310	FAIRMOUNT ST	AMERINGER ROSS &
15	3310	FAIRMOUNT ST	DELPHENIS JEANNE M
16	3310	FAIRMOUNT ST	DAY DOUGLAS DEE
17	3310	FAIRMOUNT ST	ASHY KAREN S &
18	3310	FAIRMOUNT ST	PREJEAN ROBERT & MARGARET
19	3310	FAIRMOUNT ST	DILLARD LESLIE ANN &
20	3310	FAIRMOUNT ST	WYNNE MITCHELL
21	3310	FAIRMOUNT ST	JACKSON JOHN M & IMEE C
22	3310	FAIRMOUNT ST	BRANKS SCOTT T
23	3310	FAIRMOUNT ST	VOGT LYNN M
24	3310	FAIRMOUNT ST	BLANCHAT MICHAEL & KIRSTEN B
25	3310	FAIRMOUNT ST	MILLER W W III & ANN S
26	3310	FAIRMOUNT ST	KATZ ROBERT MYLES &

Label #	Address		Owner
27	3310	FAIRMOUNT ST	SMITHER MARTHA M
28	3310	FAIRMOUNT ST	YOTIDES 2012 FAMILY TRUST THE
29	3310	FAIRMOUNT ST	NAZERIAN FAMILY TRUST
30	3310	FAIRMOUNT ST	HUNT ERNEST E III ET AL
31	3310	FAIRMOUNT ST	BARHAM EUGENE J III &
32	3310	FAIRMOUNT ST	MACLEAN LESLIE C
33	3310	FAIRMOUNT ST	JANSHA MATT C
34	3310	FAIRMOUNT ST	CARVEY PAMELA T
35	3310	FAIRMOUNT ST	DUNAGAN MICHAEL W
36	3310	FAIRMOUNT ST	DUFFY TARA ANN
37	3310	FAIRMOUNT ST	KEYAN MASOUD & BONNIE
38	3310	FAIRMOUNT ST	MILLER DAVID
39	3310	FAIRMOUNT ST	FOERSTER KARL A &
40	3310	FAIRMOUNT ST	TALLEY COY B
41	3310	FAIRMOUNT ST	BAGOT DREW N
42	3310	FAIRMOUNT ST	HANKINS JACQUELINE
43	3310	FAIRMOUNT ST	NOLANCO LLC
44	3310	FAIRMOUNT ST	TIBURON LAND & CATTLE
45	3310	FAIRMOUNT ST	BARNER ROBERT &
46	3310	FAIRMOUNT ST	WIEDERKEHR RUTH W
47	3310	FAIRMOUNT ST	THOMPSON JOAN S & HUGH S
48	3310	FAIRMOUNT ST	MEYERS DORIS B
49	3310	FAIRMOUNT ST	ADAMS JOHN LUTHER LIFE ESTATE
50	3310	FAIRMOUNT ST	BOHL RONALD L & DORIS K
51	3310	FAIRMOUNT ST	HALE JAMES B &
52	3310	FAIRMOUNT ST	MICHEL DAN & MENDY
53	3310	FAIRMOUNT ST	COLEMAN RUSSELL F & MARTHA C
54	3310	FAIRMOUNT ST	VAUGHAN JOHN R L JR &
55	3310	FAIRMOUNT ST	LITTLE GLENN E & LINDA E
56	3310	FAIRMOUNT ST	LITTLE BERTIS B
57	3310	FAIRMOUNT ST	WALES VICTOR R &

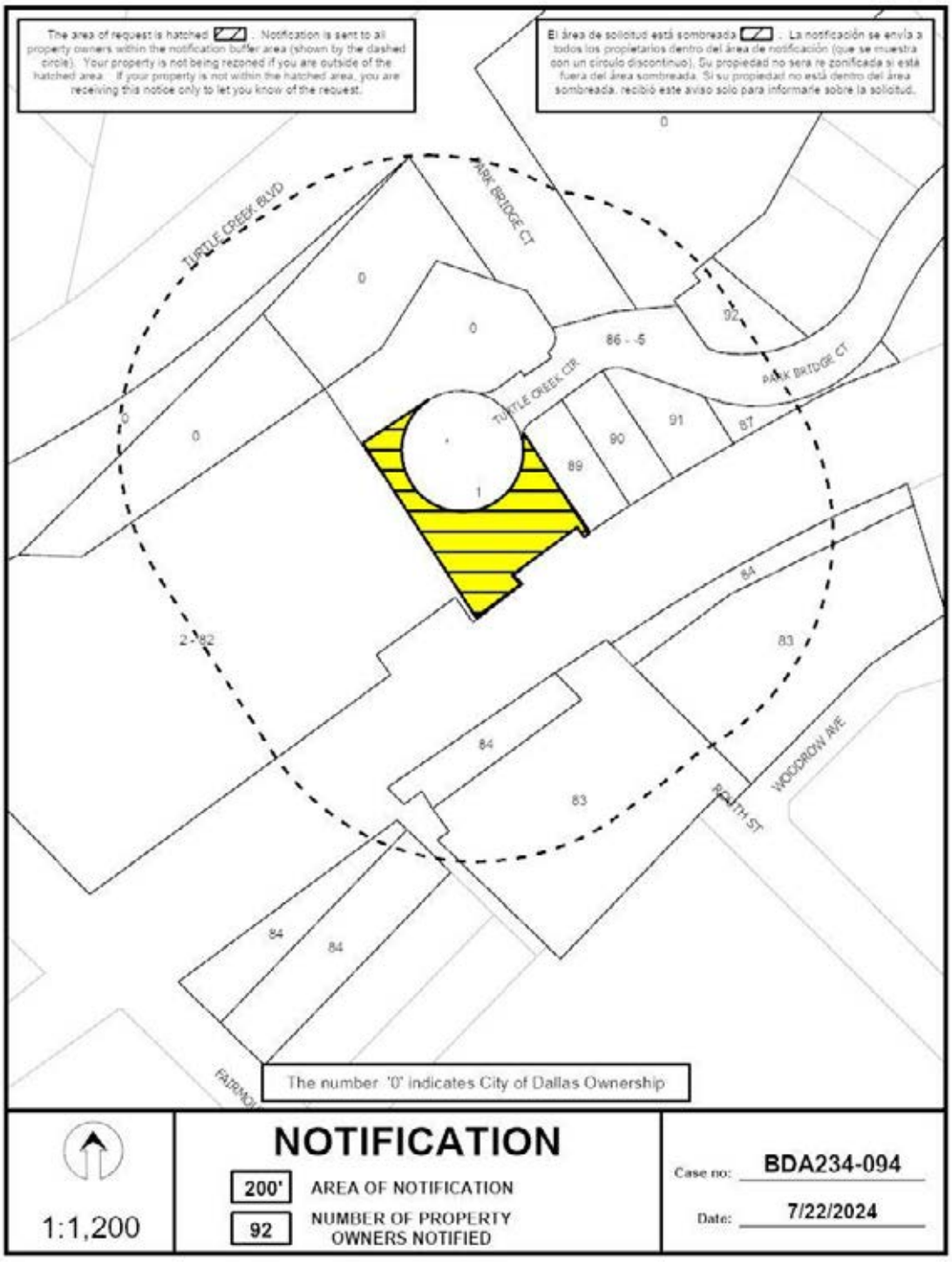
07/18/2024

Label #	*Address*		*Owner*
58	3310	FAIRMOUNT ST	DYER LINDA KAY
59	3310	FAIRMOUNT ST	MCDONALD STEPHANIE B
60	3310	FAIRMOUNT ST	SAKLER THOMAS ALLEN
61	3310	FAIRMOUNT ST	STEVENSON RICHARD L &
62	3310	FAIRMOUNT ST	CHILDS VIRGIE HOLST
63	3310	FAIRMOUNT ST	DAY GAYDEN
64	3310	FAIRMOUNT ST	CHAPADOS GREGORY F
65	3310	FAIRMOUNT ST	CHAPADOS GREGORY F
66	3310	FAIRMOUNT ST	FORD ARLENE J & CHRISTOPHER P REYNOLDS
67	3310	FAIRMOUNT ST	BLANTON PATRICIA L
68	3310	FAIRMOUNT ST	VOLK LEONARD WILLIAM
69	3310	FAIRMOUNT ST	ESTRADA JANIS L
70	3310	FAIRMOUNT ST	BLOMEYER ROBERT B II &
71	3310	FAIRMOUNT ST	GARGALLO JULIA REVOCABLE TRUST
72	3310	FAIRMOUNT ST	WAKELAND EDWARD &
73	3310	FAIRMOUNT ST	VIGNA GREG & ANGELA
74	3310	FAIRMOUNT ST	MARTIN BEN CARL
75	3310	FAIRMOUNT ST	BARZUNE LAWRENCE S & DOLORES G
76	3310	FAIRMOUNT ST	PT MERKEN TRUST
77	3310	FAIRMOUNT ST	JENNINGS W L
78	3310	FAIRMOUNT ST	KRUKA BERNHARDT SCOTT &
79	3310	FAIRMOUNT ST	SLPSSR REVOCABLE LIVING
80	3310	FAIRMOUNT ST	LIBERTY JOE P
81	3310	FAIRMOUNT ST	JOHNSON JANIS
82	3310	FAIRMOUNT ST	MOODY JANET PIKE
83	3136	ROUTH ST	KATY TRAIL ICE HOUSE LP
84	3100	ROUTH ST	ONCOR ELECRIC DELIVERY COMPANY
85	2800	PARK BRIDGE CT	TURTLE CREEK CIR HOA
86	2800	PARK BRIDGE CT	TURTLE CREEK CIR HOA
87	2800	PARK BRIDGE CT	TURTLE CREEK CIR HOA
88	2700	TURTLE CREEK CIR	TURTLE CREEK CIR HOA

07/18/2024

Label #	*Address*		*Owner*
89	2714	TURTLE CREEK CIR	RUBIN ALLEN & HARRIET
90	2718	TURTLE CREEK CIR	CULLUM LEE
91	2814	PARK BRIDGE CT	RICKETTS TODD &
92	2817	PARK BRIDGE CT	BATEN GREGORY B & SUSAN F

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **WEDNESDAY, AUGUST 21ST, 2024**

BRIEFING: **10:00 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

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

BDA234-094(BT) Application of Rob Baldwin for **(1)** a special exception to the fence opacity regulations, and for **(2)** a special exception to the visibility obstruction regulations at **2706 TURTLE CREEK CIR**. This property is more fully described as Block A/0995, Lot 1A, and is zoned PD-193 (TH-3), which requires a 20-foot visibility triangle at driveway approaches and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. 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 **(1)** a special exception to the fence opacity standards regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the drive approach, which will require **(2)** a special exception to the 20-foot visibility obstruction regulation at driveway approaches.

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. 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 in 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-B-Register **by the close of business Tuesday, August 20tht, 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 or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4205, 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.

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

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



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-094 FOR OFFICE USE ONLY

Data Relative to Subject Property: Date: FOR OFFICE USE ONLY

RECEIVED
MAY 21 REC'D
BY:

Location address: 2706 Turtle Creek Circle Zoning District:

Lot No.: 1 A Block No.: A/995 Acreage: 0.230 Census Tract: 48113000502

Street Frontage (in Feet): 1) 245' 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Joseph Denis O'Brien III and Thayer Collins O'Brien

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

Affirm that an appeal has been made for a Variance __, or Special Exception X, of ~~3' to the fence regulations to allow~~ a 7' solid fence in the front yard and to allow encroachment into the visibility triangle.

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 lot is irregularly shaped and at the end of a cul-de-sac. The proposed fence will not negatively affect neighboring 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/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

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

Michele Stoy

Notary Public in and for Dallas County, Texas

MICHELE STOY
Notary Public, State of Texas
Comm. Expires 07-20-2024
Notary ID 130747076

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 (1) a special exception to the fence standards regulations, and for (2) a special exception to the visibility obstruction regulations

at 2706 Turtle Creek

BDA234-094. Application of ROB BALDWIN for (1) a special exception to the fence standards regulations, and for (2) a special exception to the visibility obstruction regulations at 2706 TURTLE CREEK CIR. This property is more fully described as Block A/0995, Lot 1A, and is zoned PD-193 (TH-3), which requires a 20-foot visibility triangle at driveway approaches 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. 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 (1) a special exception to the fence standards regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the drive approach, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway approaches.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-094

I, Thayer Collins O'Brien, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2706 Turtle Creek Circle
(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)

x_____Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Special exception to the fence requirements opacity + visibility triangle at drive approach MB

Thayer Collins O'Brien
Print name of property owner or registered agent

Thayer Collins OBrien
Signature of property owner or registered agent

Date 4/10/24

Before me, the undersigned, on this day personally appeared Thayer Collins O'Brien

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 10 day of April, 2024

SUSANNAH STEELE MOORE
Notary ID #132061221
My Commission Expires
June 21, 2027

Susannah Steele Moore
Notary Public for Dallas County, Texas

Commission expires on 6/21/27

12

CITY OF DALLAS

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Commission expires on 6/21/27

12

SHIPPED DATE: 12-8-95 RECEIVED DATE: 3-20-96

CITY OF DALLAS PLAT BOOKS

ANNEXED ORD. NO.

SURVEY JOHN GRIGSBY J.A. SYLVESTER ABST. 495 1383

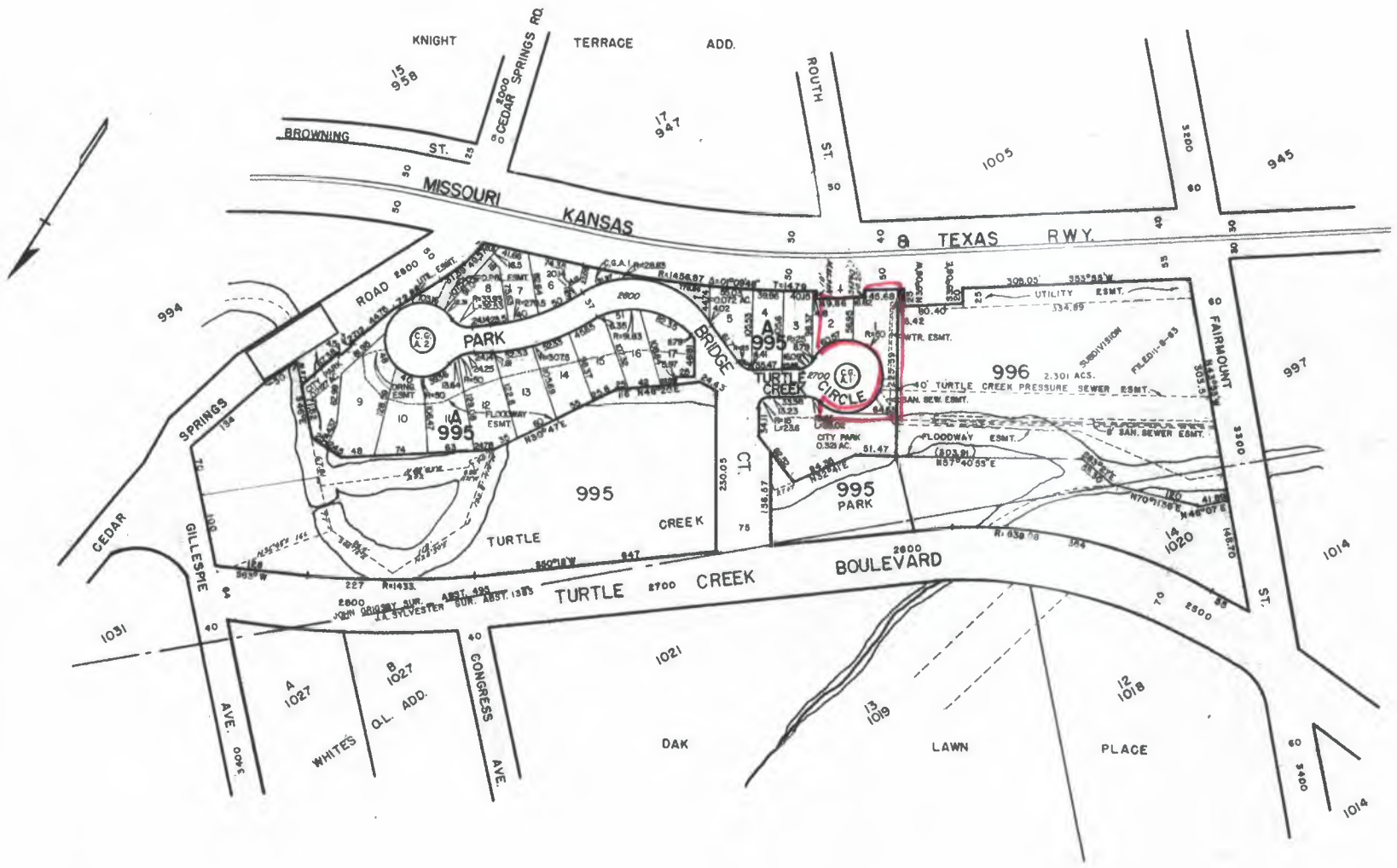
ADDITION

SCALE 100 FT. EQUALS 1 INCH

BLOCKS 995, 996, A 995

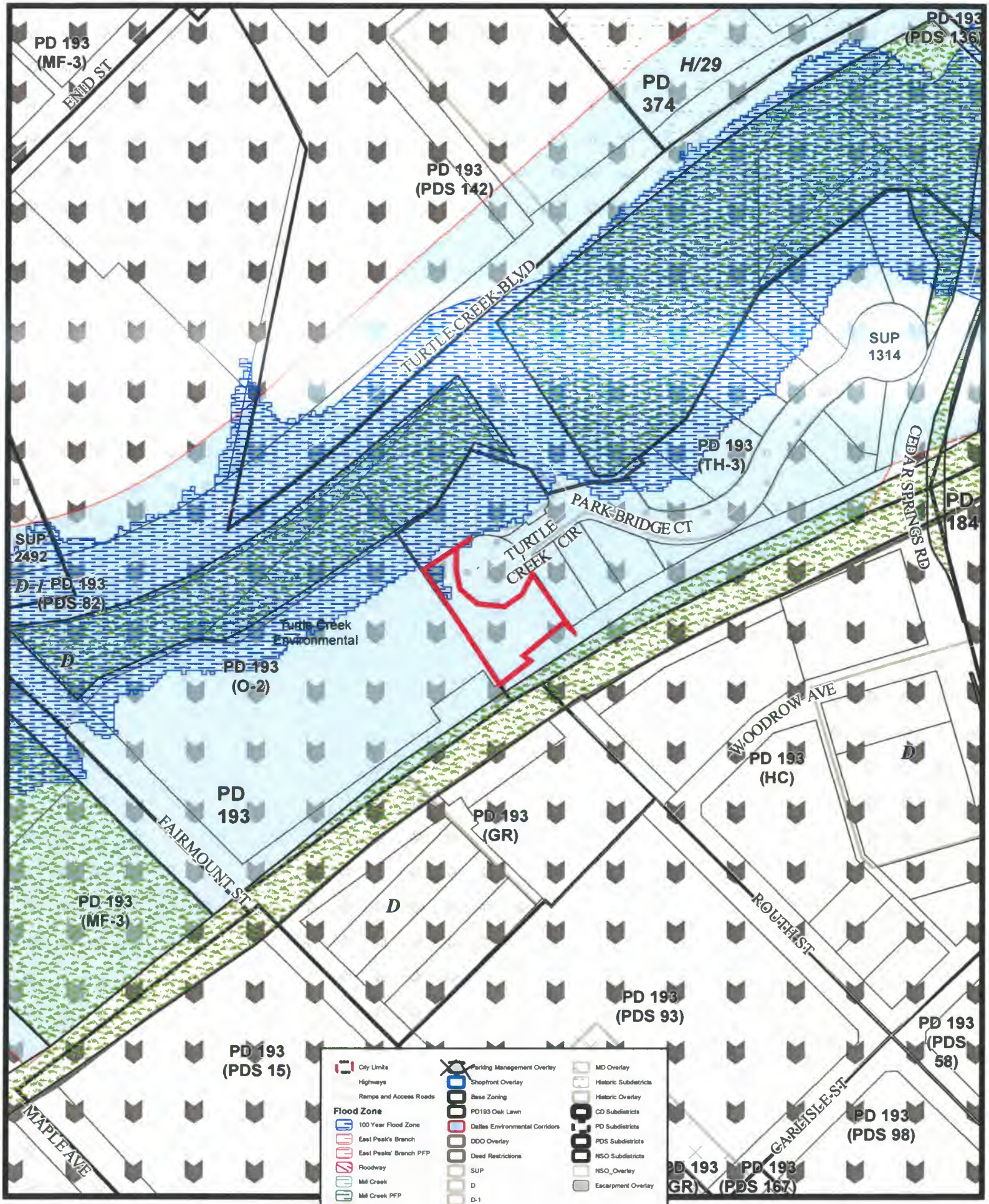
SCHOOL DISTRICT DALLAS

FILED: 8-15-79 A/995 TURTLE CREEK CIRCLE ADD



BDA234-094

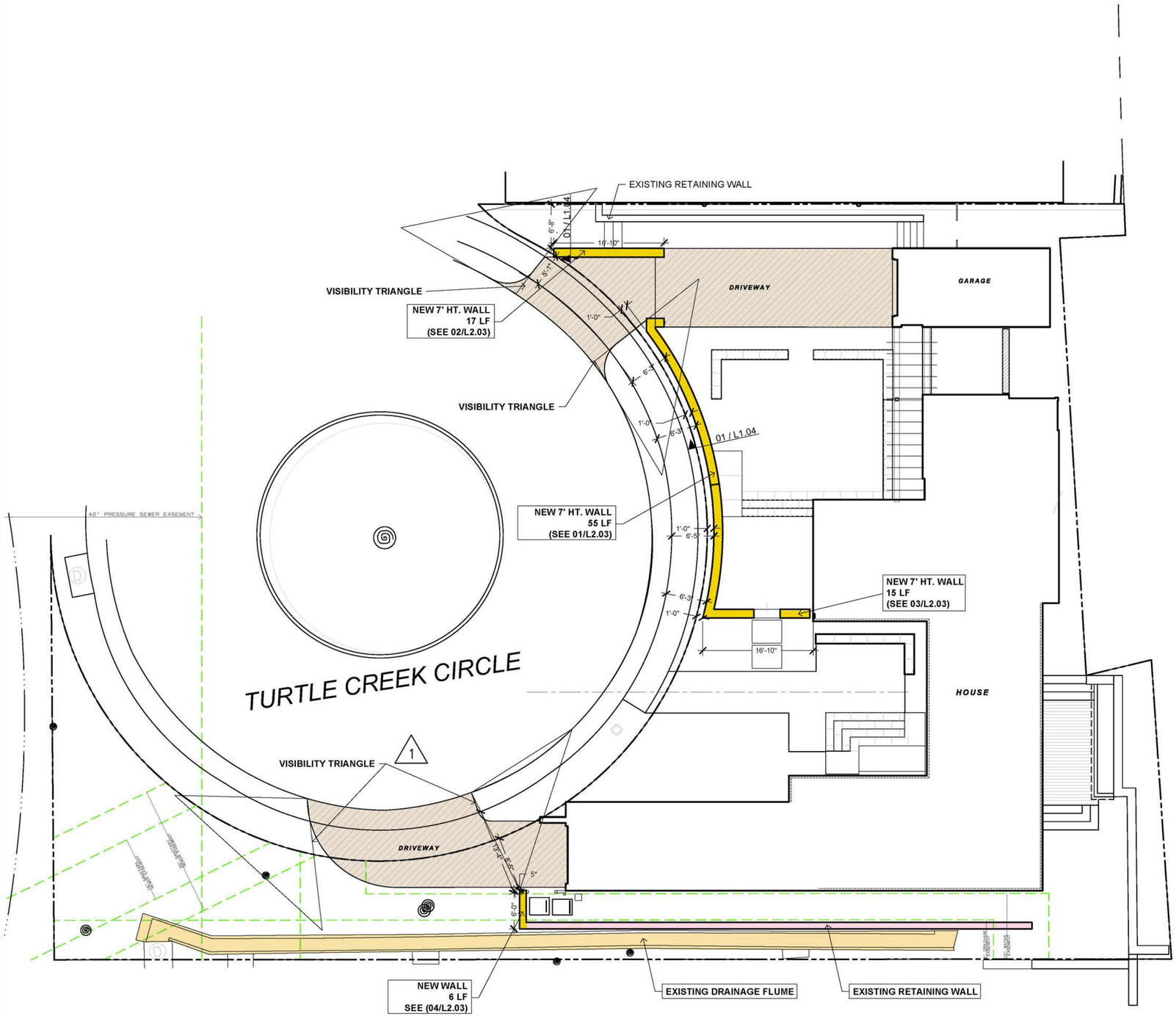
RIDGWAY'S 120A

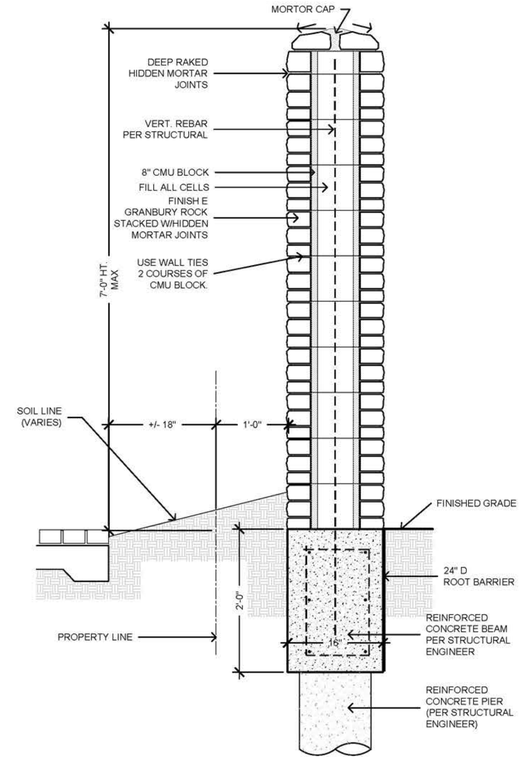


1:1,800

Case ID: BDA234-094

Printed: 4/10/2024





01 FRONT FRESTANDING WALL DETAIL
SCALE: 1"=1'-0"

NEW FRONT WALL
PLANTING
HARDSCAPE

THIS RESIDENTIAL DEVELOPMENT IS ZONED TOWNHOUSE-3, PER SECTION 51 A-4.100 AND 51A-4.114-4A, THE SETBACK IS 0 FEET.

0 4' 8' 16'
GRAPHIC SCALE 1/8" = 1'-0"

NORTH

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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CONSTRUCTION SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS

1 July 26, 2024 Site Layout Plan- Front Wall Visibility Triangle Update
May 09, 2024 Site Layout Plan- Front Wall (LF Note Addition)
April 29, 2024 Site Layout Plan- Front Wall
April 16, 2024 Site Layout Plan- Front Wall

Armstrong Berger
Landscape Architecture • Planning • Construction Management
2611 Date Street, Dallas, Texas 75204 | 214.871.0555 Phone | armberg@armberg.com | P.O. Box 191420, Dallas, Texas 75219

OBRIEN RESIDENCE

2706 Turtle Creek Circle
Dallas, Texas

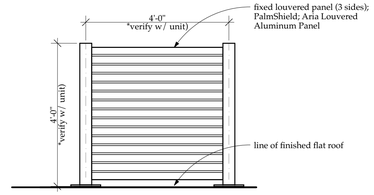
DRAWING TITLE

SITE LAYOUT PLAN FRONT WALL

ISSUE DATE:	November 2020
DRAWING SCALE:	1/8"=1'-0"
PROJECT NUMBER	20060
DRAWN BY:	PK
REVIEWED BY:	JHA
APPROVED BY:	JHA

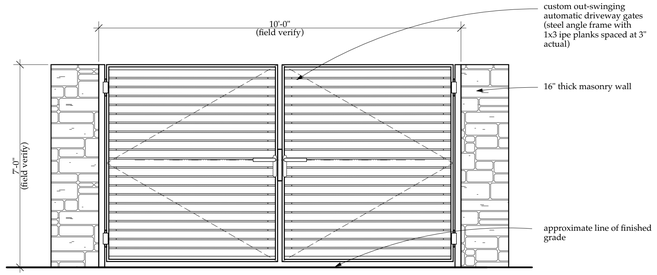
DRAWING NUMBER

L1.04

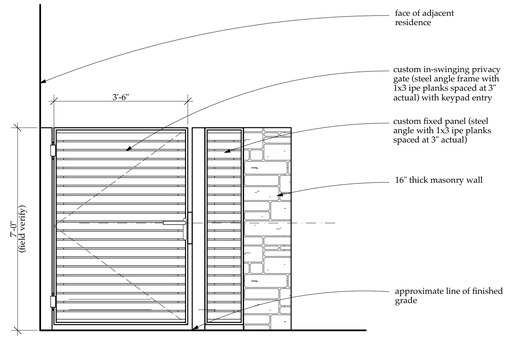


03 A8.17 A/C ENCLOSURE

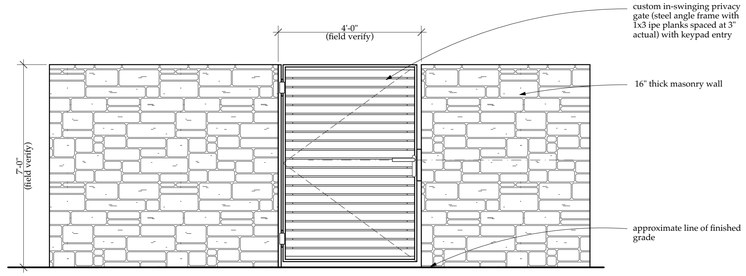
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DRIVEWAY GATE



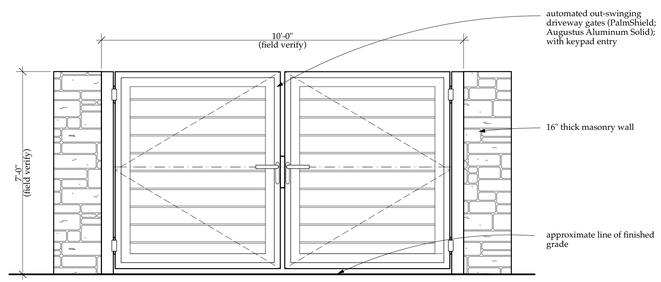
SIDE ENTRY GATE



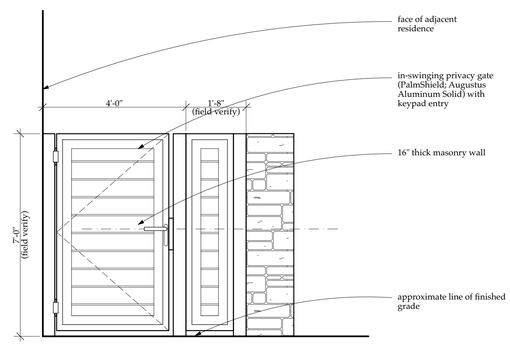
ENTRY GATE

02 A8.17 GATES - Custom

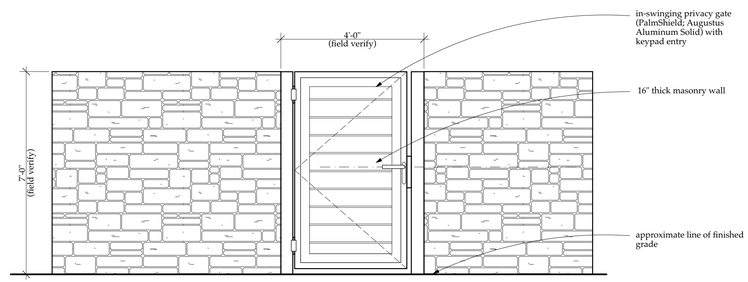
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DRIVEWAY GATE



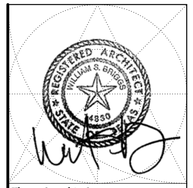
SIDE ENTRY GATE



ENTRY GATE

01 A8.17 GATES - Prefabricated

SCALE: 1/2" = 1'-0"



The seal on this document was authorized by William S. Briggs, Architect #14830 on 19 August 2021. This document may not be changed in any fashion without permission from William S. Briggs, Architect.

WILLIAM S. BRIGGS
ARCHITECT
3939 BLACK GOLD DRIVE, SUITE B
DALLAS, TX 75247
214.696.1988
WILLIAMSBRIGGS.COM

being architectural drawings for a project located at:

2706 Turtle Creek Circle

in Dallas, Texas 75219

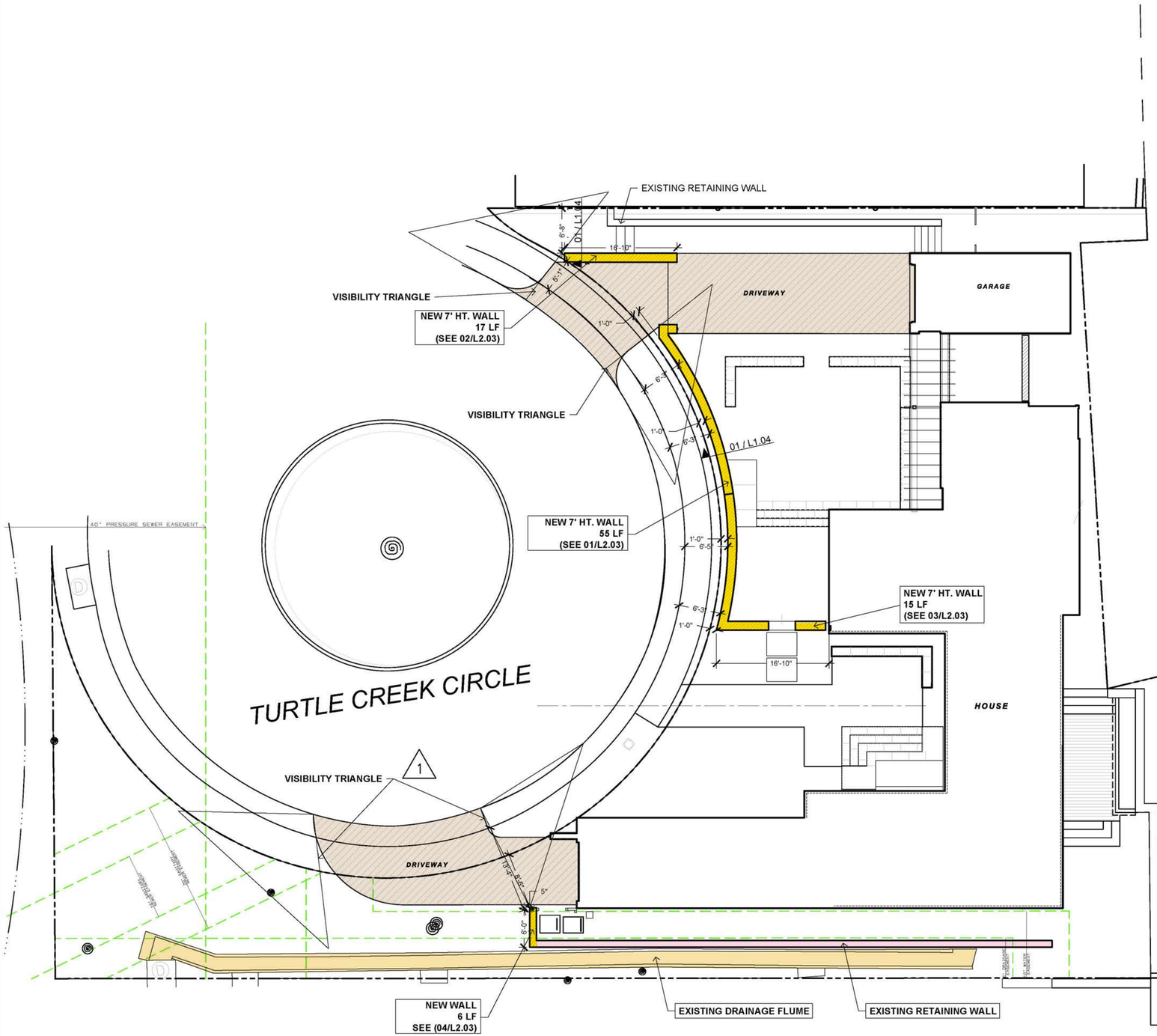
issue dates:
06 May 2024, issued for Review

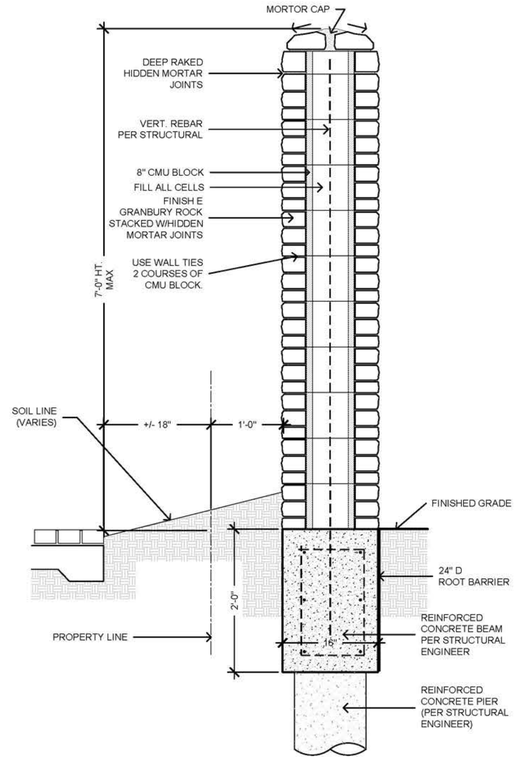
GATES

A8.17

job # 2033

UPDATED SITE PLAN





01 FRONT FRESTANDING WALL DETAIL
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NEW FRONT WALL
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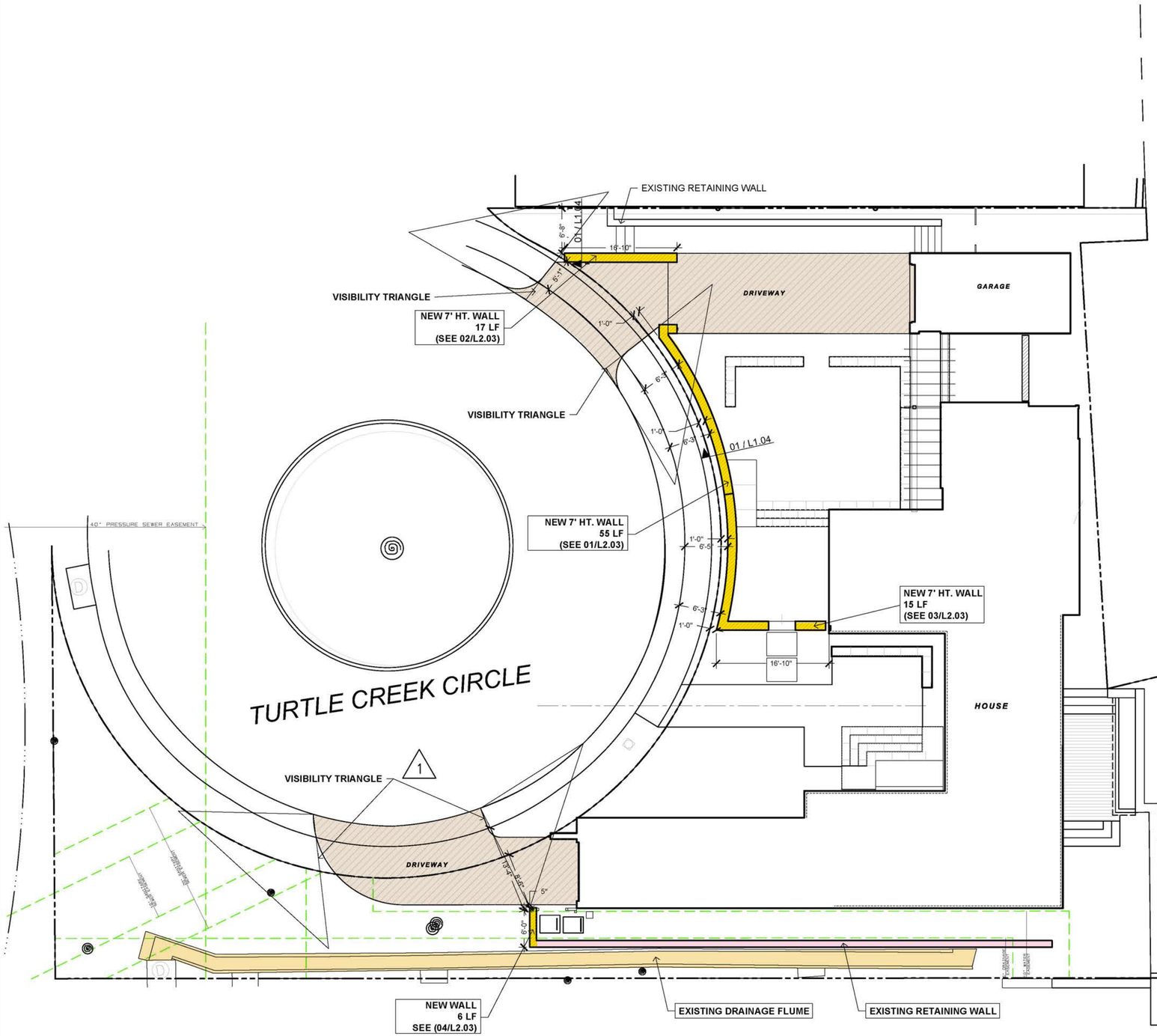
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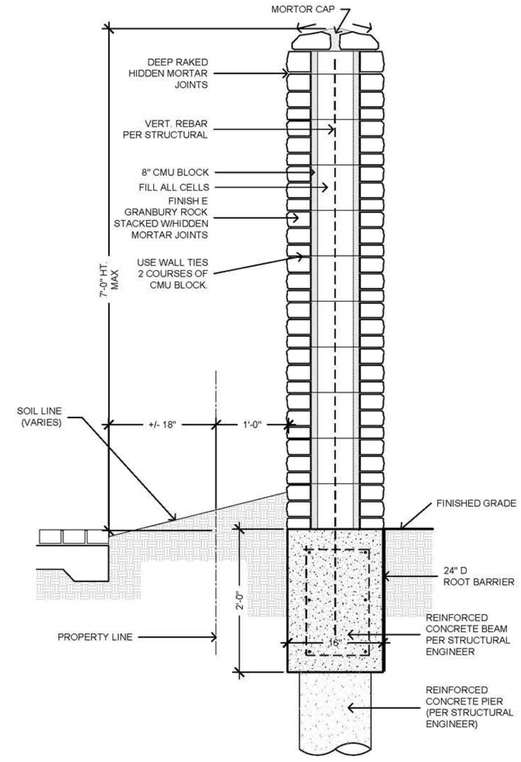
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ISSUE DATE:	November 2020
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PROJECT NUMBER	20060
DRAWN BY:	PK
REVIEWED BY:	JHA
APPROVED BY:	JHA

DRAWING NUMBER

L1.04





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PROJECT NUMBER	20060
DRAWN BY:	PK
REVIEWED BY:	JHA
APPROVED BY:	JHA

DRAWING NUMBER

L1.04

FILE NUMBER: BDA234-102(CJ)

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at 5311 EDLEN DR. This property is more fully described as Block 1/5602, Lot 6, and is zoned R-1ac(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 high fence in a required front-yard, which will require **(1)** a 3-foot special exception to the fence height regulations.

LOCATION: 5311 Edlen Dr.

APPLICANT: Jennifer Hiromoto

REQUEST:

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT 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 standard 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.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 5311 Edlen Drive in the last 5 years.

Square Footage:

- This lot contains 43,560 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 1 acre or 43,560 square feet.

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Jennifer Hiromoto property located at 5311 Edlen Drive focuses on one request relating to fence height regulations.
- The applicant proposes to construct and maintain a 6-foot fence with 7-foot high masonry columns in a required front yard, which will require a 3-foot special exception to the fence height regulations.
- The subject site along with properties to the north, south, east and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a 6-foot wrought iron fence with 7-foot masonry columns along the front and side of the property at 5311 Edlen Drive.
- It is imperative to note that the subject site is a corner lot with double street frontage on Edlen Drive and Meadowbrook Drive.
- The street frontage along Edlen Drive and Meadowbrook Drive act as two front yards due to block-face continuity.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Edlen Drive with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It has been confirmed that the proposed fence will replace the existing fence along Meadowbrook Drive and be placed in a similar location; the remainder of the fence will be along Edlen Drive.
- 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:

Timeline:

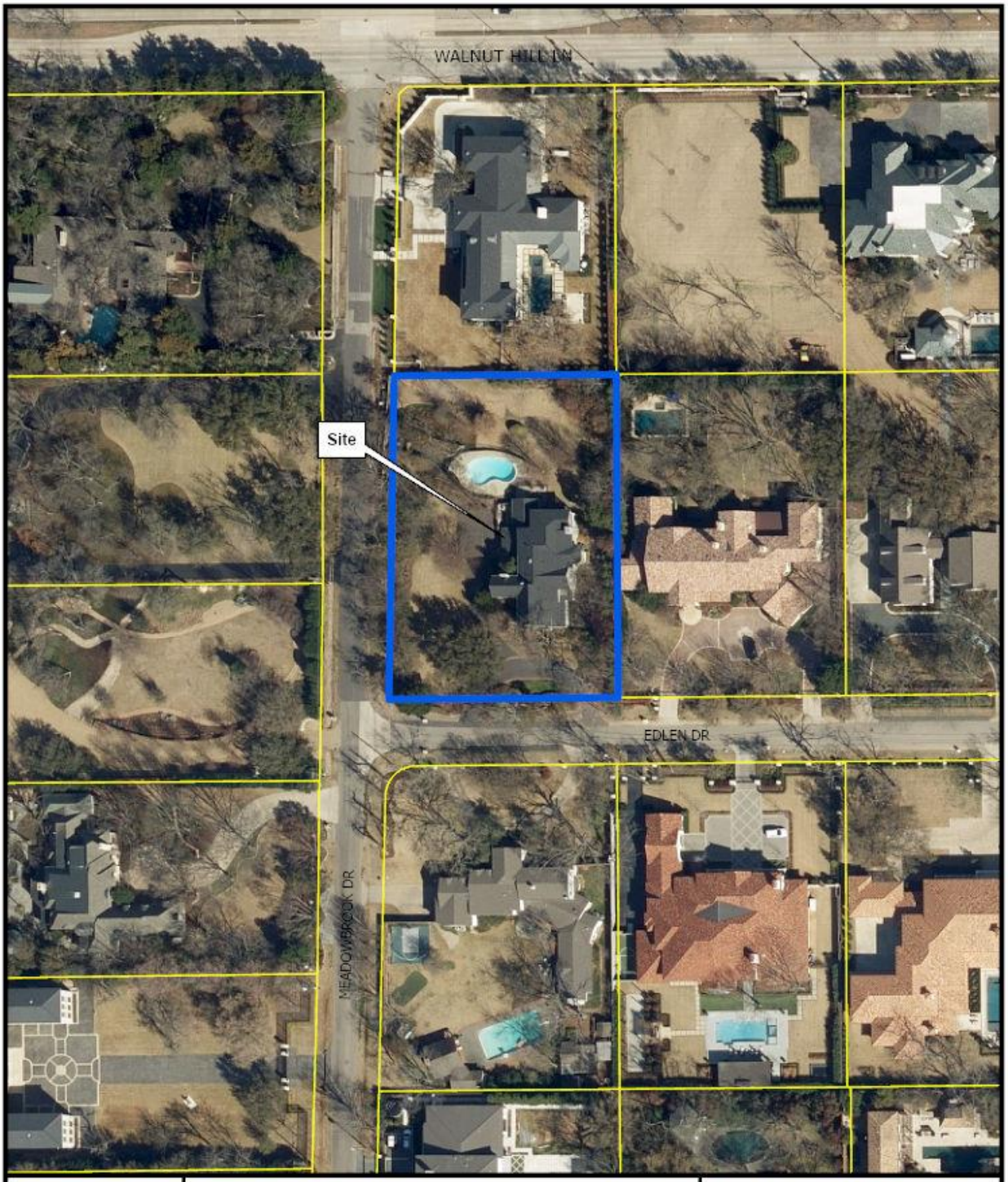
June 21, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

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

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

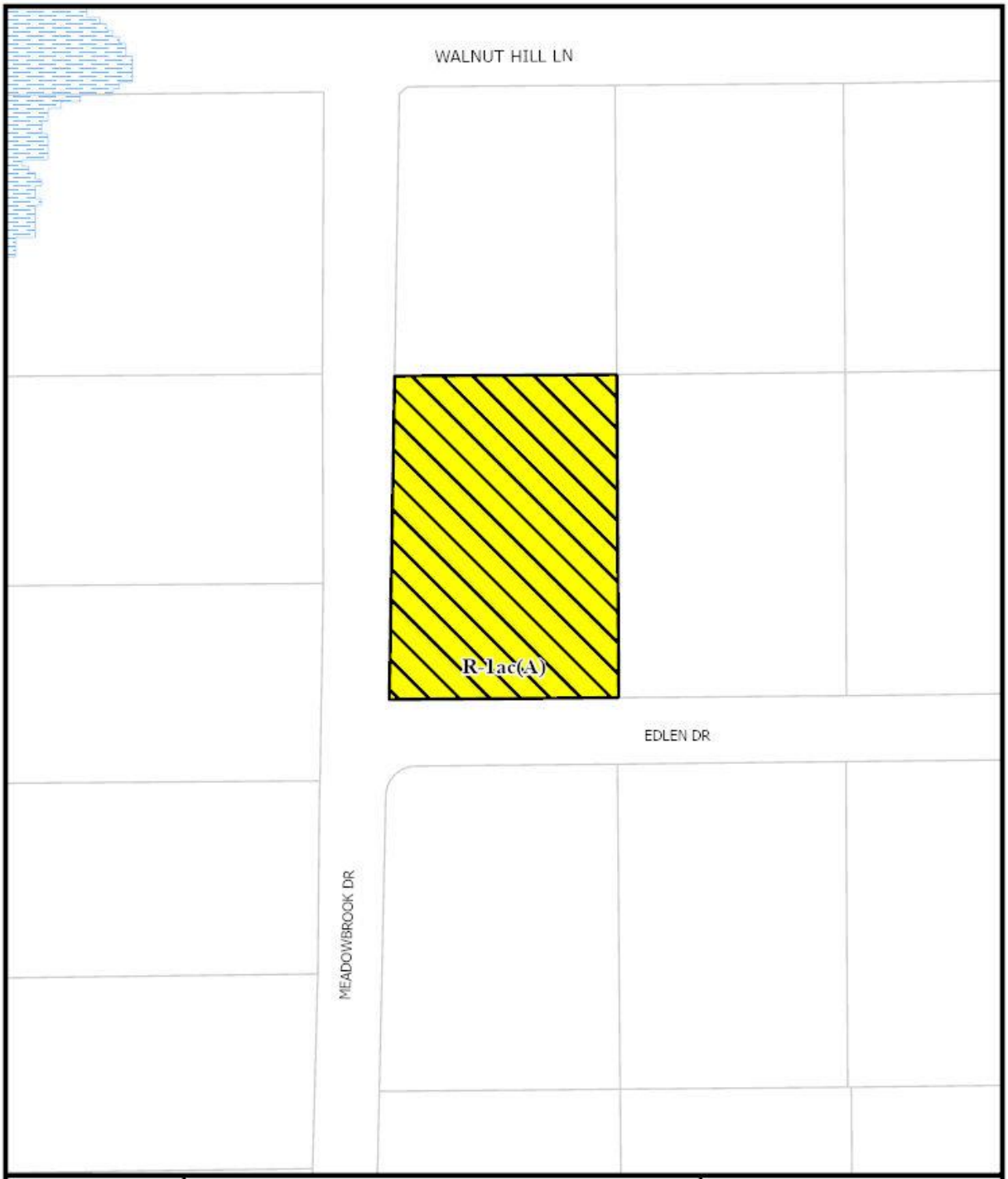


1:1,200

AERIAL MAP

Case no: BDA234-102

Date: 07/26/2024

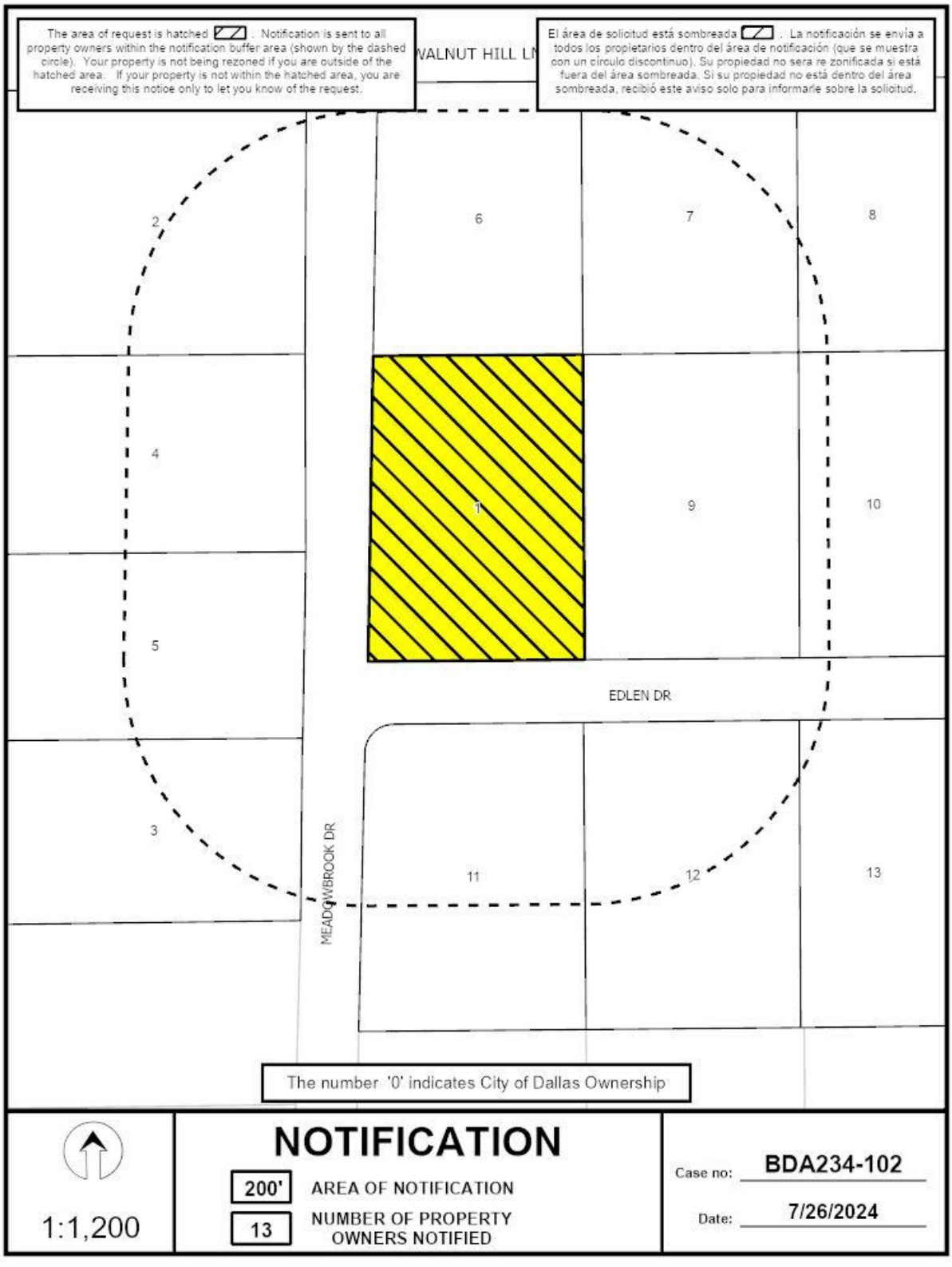


1:1,200

ZONING MAP

Case no: BDA234-102

Date: 07/26/2024


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.
WALNUT HILL LN
EDLEN DR
MEADOWBROOK DR
1
2
3
4
5
6
7
8
9
10
11
12
13
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
13
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-102
Date: 7/26/2024

/
07/26/2024

Notification List of Property Owners

BDA234-102

13 Property Owners Notified

Label #	Address		Owner
1	5311	EDLEN DR	MERCER THOMAS M JR
2	9999	MEADOWBROOK DR	WALNUT & MEADOWBROOK
3	9831	MEADOWBROOK DR	PAULSON ROY STEVEN &
4	9915	MEADOWBROOK DR	SHAW JANET SPENCER
5	9901	MEADOWBROOK DR	BLANKS DAN H &
6	9930	MEADOWBROOK DR	BOSITA 2020 IRREVOCABLE TRUST &
7	5322	WALNUT HILL LN	STEPHENSON RANDALL L &
8	5404	WALNUT HILL LN	STEPHENSON RANDALL L & LENISE H
9	5327	EDLEN DR	FOLSOM R STEPHEN 1996 IRREVOCABLE TR
10	5333	EDLEN DR	LIMESTONE TRUST
11	5310	EDLEN DR	GEMINI III FUTURE TRUST
12	5326	EDLEN DR	LANCASHIRE DAVID A &
13	5400	EDLEN DR	SADOUGHI ARMAND & LISA



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

13 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-102

Date: 7/26/2024

NOTICE OF PUBLIC HEARING

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

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

DATE: **WEDNESDAY, AUGUST 21ST, 2024**

BRIEFING: **10:00 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

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

BDA234-102(CJ) Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at **5311 EDLEN DR.** This property is more fully described as 1/5602, Lot 6, and is zoned R-1ac(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 high fence in a required front-yard, which will require **(1)** a 3-foot 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. 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 in 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-B-Register **by the close of business Tuesday, August 20tht, 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 or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three 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.

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

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

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-102 FOR OFFICE USE ONLY

Date: FOR OFFICE USE ONLY

RECEIVED JUN 28 REC'D BY:

Data Relative to Subject Property:

Location address: 5311 Edlen Drive Zoning District: R-1AC(A)

Lot No.: 6 Block No.: 1/5602 Acreage: 1 Census Tract: 48113020600

Street Frontage (in Feet): 1) 177.45 2) 250 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Thomas M. Mercer, Jr. and Janice L. Mercer

Applicant: Jennifer Hiromoto Telephone: 469-275-2414

Mailing Address: PO Box 38586, Dallas TX Zip Code: 75238

E-mail Address: jennifer@buzzurbanplanning.com

Represented by: Jennifer Hiromoto Telephone: 469-275-2414

Mailing Address: PO Box 38586, Dallas TX Zip Code: 75238

E-mail Address: jennifer@buzzurbanplanning.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of fence height regulations to allow a 7' fence in a required front yard.

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

The proposed fence (6' wrought iron with 7' masonry columns) will not adversely affect surrounding properties as many other properties in the surrounding area already have fences taller than 4'.

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 Jennifer Hiromoto

(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 28 day of June, 2024

_____

Notary Public in and for Dallas County, Texas

CHERIE' BAYON LEVIER
Notary Public
STATE OF TEXAS
ID# 13433586-0
My Comm. Exp. 05/01/2027

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 Jennifer Hiromoto

did submit a request for (1) a special exception to the fence height regulations

at 5311 Edlen Drive

BDA234-102. Application of Jennifer Hiromoto for (1) a special exception to the fence height regulations at 5311 EDLEN DR. This property is more fully described as 1/5602, Lc 6, and is zoned R-1ac(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 high fence in a required front-yard, which will require (1) a 3-foot special exception to the fence height regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-102

I, Thomas M. Mercer, Jr., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5311 Edlen Drive
(Address of property as stated on application)

Authorize: Jennifer Hiromoto
(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)

X Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Fence height

Thomas M Mercer Jr — Print name of property owner or registered agent

Thomas M Mercer Jr — Signature of property owner or registered agent

Date 4/8/26 6/6/24

Before me, the undersigned, on this day personally appeared Thomas M Mercer 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 6th day of June, 2024

Notary Public for Dallas County, Texas

Commission expires on 4/8/26

JEREMY JONES
Notary ID #125948867
My Commission Expires
April 8, 2026

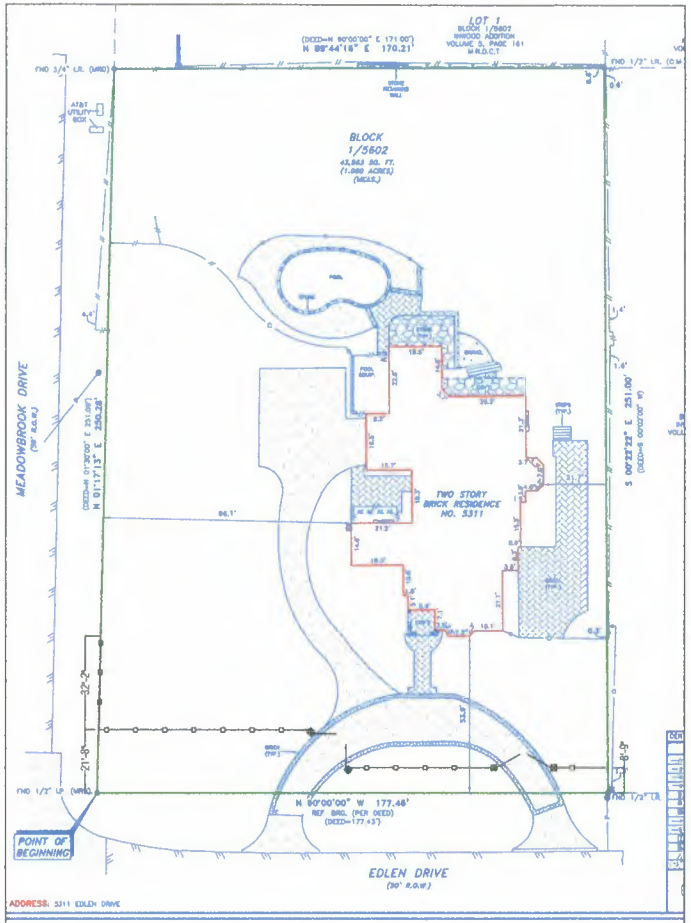


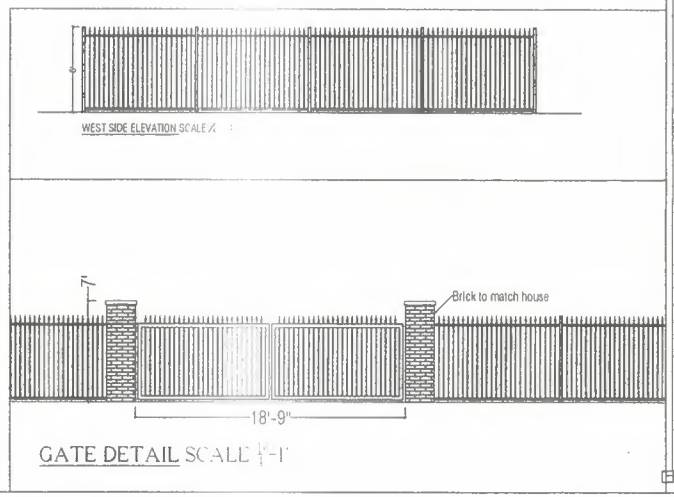
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Case ID: PDA-234-102

Printed: 6/3/2024

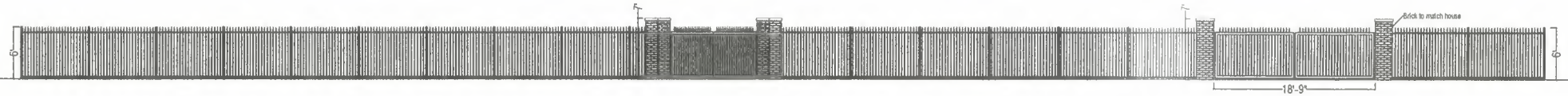
SITE PLAN SCALE 1:20





DATE 05.14.24

CLIENT: MERCER RESIDENCE
5311 EDLEN DR.
DALLAS, TX 75220



FENCE ELEVATION SCALE ¼"-1'

BDA234-102

FILE NUMBER: BDA234-096(CJ)

BUILDING OFFICIAL'S REPORT: Application of Charles Anderson for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the visibility obstruction regulations at driveway #1; and for **(3)** a special exception to the visibility obstruction regulations at driveway #2 at 5325 Kelsey Rd. This property is more fully described as Block A/5517, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet and requires a 20-foot visibility triangle at the driveway approaches. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations; the applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require **(2)** a special exception to the 20-foot visibility obstruction regulation at driveway #1; The applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway #2.

LOCATION: 5325 Kelsey Rd.

APPLICANT: Charles C. Anderson

REQUEST:

(1) A special exception to the fence height regulations;
(2) A special exception to the 20-foot visibility obstruction regulations at the first drive approach;
(3) A special exception to the 20-foot visibility obstruction regulations at the second drive approach.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT 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.**

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 (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 nor will it constitute a traffic hazard.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 5325 Kelsey Road in the last five years.

Square Footage:

- This lot contains 42,253.2 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 1 acre or 43,650 square feet.

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application, for the Charles C. Anderson property located at 5325 Kelsey Road focuses on 3 requests relating to the fence height and visual obstruction regulations.
- The applicant is proposing to construct and maintain a 7-foot 6-inch fence with 8-foot stone columns in a required front yard, which will require a 4-foot special exception to the fence height regulations.
- Secondly, the applicant is proposing to maintain a single-family residential fence structure in required 20-foot visibility obstruction triangles, which will require a special exception to the 20-foot visibility obstruction regulations at drive approach #1 and drive approach #2.

- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a 7-foot 6-inch fence with 8-foot stone columns along the front yard of the home.
- The proposed fence is material is wrought iron connected by stone columns.
- It is imperative to note that the subject site is a mid-block lot with single street frontage on Kelsey Road.
- The applicant has stated that the request for special exception has been made for safety/security reasons.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Kelsey Road with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It has been confirmed that the proposed fence will replace the existing 4-foot fence and be placed in the same location.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations regarding fence height, will not adversely affect neighboring properties.
- The applicant also has the burden of proof in establishing that the special exceptions to the fence regulations regarding visual obstruction will not constitute a traffic hazard.
- Granting the special exceptions to the fence standards relating to fence height and 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:

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 **B**.

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

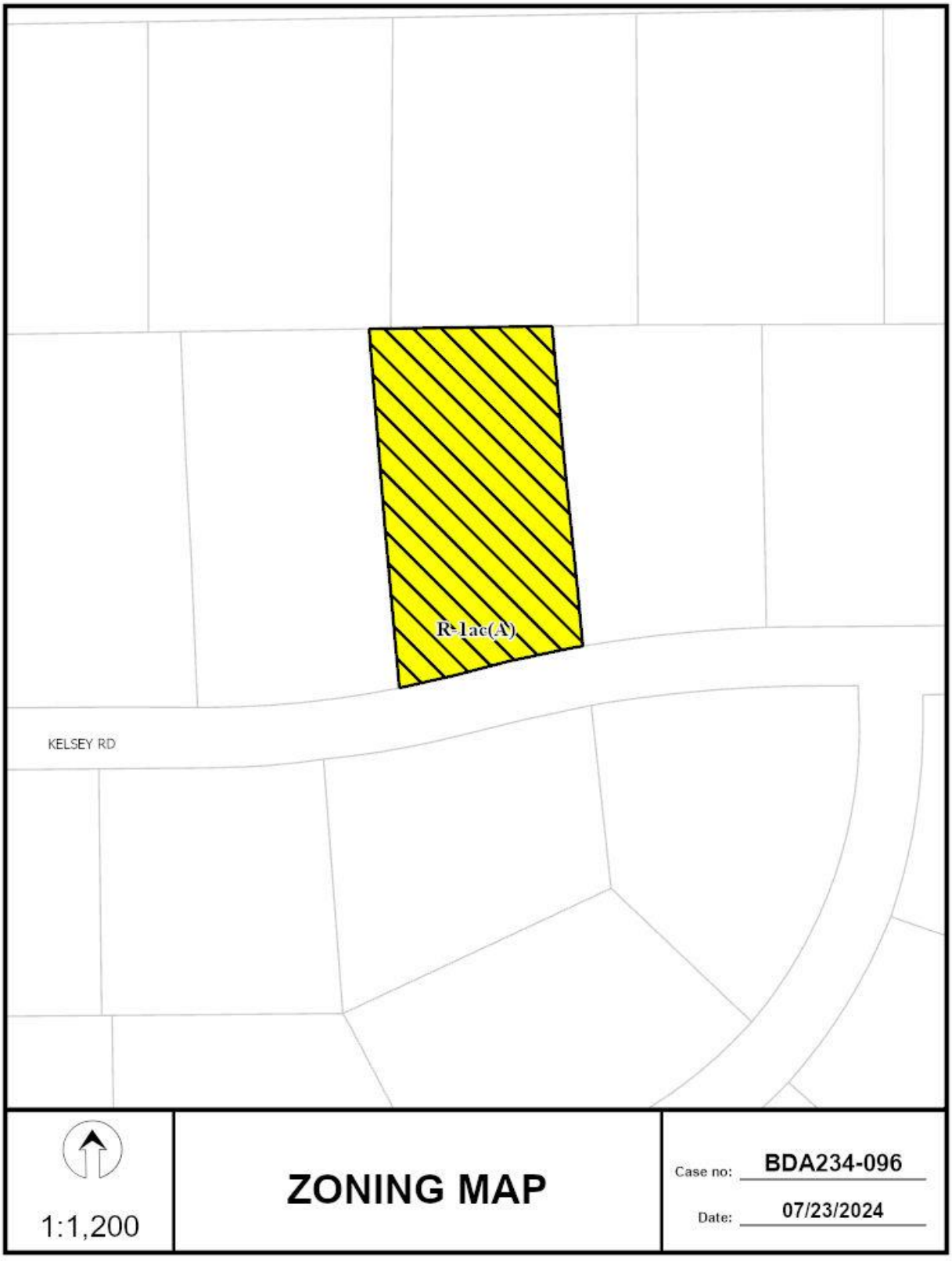


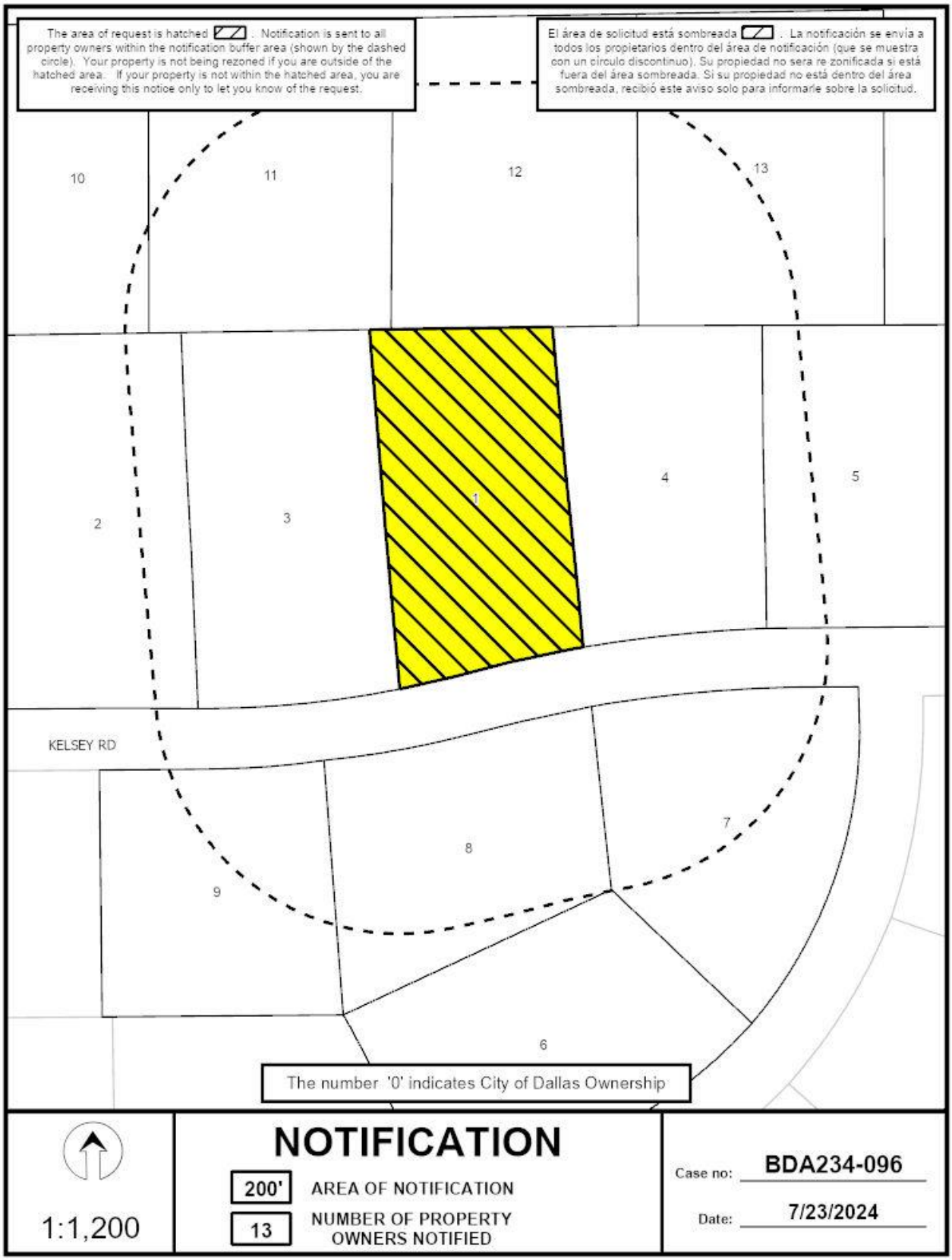
1:1,200

AERIAL MAP

Case no: BDA234-096

Date: 07/23/2024


R-1ac(A)
KELSEY RD
1:1,200
ZONING MAP
Case no: BDA234-096
Date: 07/23/2024


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.
10
11
12
13
1
2
3
4
5
KELSEY RD
6
7
8
9
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
13
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-096
Date: 7/23/2024

/
07/23/2024

Notification List of Property Owners

BDA234-096

13 Property Owners Notified

Label #	Address		Owner
1	5325	KELSEY RD	ANDERSON CHARLES C & MOLLY R
2	5233	KELSEY RD	LERER RICHARD
3	5311	KELSEY RD	TRUMPOWER IAN N &
4	5337	KELSEY RD	ALLEN MICHAEL M &
5	5351	KELSEY RD	ELMQUIST DAVID W & ALISON M
6	5335	MEADERS LN	BILLINGSLEY JOHN & HARRIET
7	5353	MEADERS LN	SCHLIEM THOMAS R & JANICE L R CO-TRUSTEES
8	5322	KELSEY RD	HERLITZ GRANT & KARLYN
9	5306	KELSEY RD	BROWN AARON D & AMANDA Z
10	5214	YOLANDA LN	SACHS WILLIAM R &
11	5230	YOLANDA LN	RABENHORST JOHN & NATALIE
12	5314	YOLANDA LN	VANDER LINDEN LANCE & SHARI
13	5330	YOLANDA LN	BYRNE TIMOTHY W &



NOTICE OF PUBLIC HEARING

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

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

DATE: **WEDNESDAY, AUGUST 21ST, 2024**

BRIEFING: **10:00 a.m.** via **Videoconference and** in 6**ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

HEARING: **1:00 p.m.** via **Videoconference and** in 6**ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

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

BDA234-096(CJ) Application of Charles Anderson for **(1)** a special exception to the fence height regulations; for **(2)** a special exception to the visibility obstruction regulations at driveway #1; and for **(3)** a special exception to the visibility obstruction regulations at driveway #2 at **5325 KELSEY RD**. This property is more fully described as Block A/5517, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet and requires a 20-foot visibility triangle at the driveway approaches. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations; the applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require **(2)** a special exception to the 20-foot visibility obstruction regulation at driveway #1; the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway #2.

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. 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 in 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-B-Register **by the close of business Tuesday, August 20tht, 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 or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three 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.

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

Board of Adjustment
Planning & Development department
1500 Marilla Street 5CN Dallas TX 75201

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-096

RECEIVED
JUN 2 1 REC'D
BY:

Data Relative to Subject Property: Date:

Location address: 5325 Kelsey Road Zoning District: R-1ac.

Lot No.: 9 Block No.: A/5517 Acreage: .97 Census Tract:

Street Frontage (in Feet): 1) 154.2 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Charles and Molly Anderson

Applicant: Charles C. Anderson, Jr Telephone: 85-474-8504

Mailing Address: 5325 Kelsey Road Zip Code: 75229

E-mail Address:

Represented by: Zone Systems, Inc.; Peter Kavouras Telephone: 214 941 4440

Mailing Address: 1620 Handley, Suite A, Dallas TX Zip Code: 75208

E-mail Address: peterk@zonesystems.com

Affirm that an appeal has been made for a Variance __, or Special Exception X of Sec. 51A-4.602(a)(2) to provide for a fence Height of 7'6" with 8' Stone columns; ~~per~~ visibility triangle special exception on two driveways.

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:

Security is the reason for our request. Our fence design matches the scale of existing landscaping and will discreetly provide security.

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 Charles C. Anderson, Jr.
(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 23 day of May, 2024

Karen A Hosack

Notary Public In and for ~~Dallas County, Texas~~ Knox County, Tennessee

KAREN A HOSACK
STATE OF TENNESSEE NOTARY PUBLIC
KNOX COUNTY
My Commission Expires 08-02-2025

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 Charles C Anderson

represented by Zone Systems

did submit a request for a special exception to the fence height regulations, and for (2) a special exception to the visibility obstruction regulations at driveway #1, and for (3) a special exception to the visibility obstruction regulations at driveway #2

at 5325 Kelsey Rd

BDA234-096. Application of Charles C. Anderson for (1) a special exception to the fence height regulations; for (2) a special exception to the visibility obstruction regulations at driveway #1; for (3) a special exception to the visibility obstruction regulations at driveway #2 at 5325 KELSEY RD. This property is more fully described as Block A/5517, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4- feet and requires a 20-foot visibility triangle at the driveway approaches. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations; The applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway #1; The applicant proposes to construct and/or maintair a single-family residential fence structure in a required 20-foot visibility obstruction triangle which will require (3) a special exception to the visibility obstruction regulation at driveway #2

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-096

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

at: 5325 Kelsey
(Address of property as stated on application)

Authorize: Charles C. Anderson
(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)

__XX__Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Special Exception to Sec. 51A-4.602(a)(2) to allow for 7'6" fence with 8' stone columns per Sec. 51A-4.602(11) and visibility triangles at both driveways.

Molly R. Anderson
Print name of property owner or registered agent

Molly R Anderson
Signature of property owner or registered agent

Date 6/19/24

Before me, the undersigned, on this day personally appeared Molly R. Anderson

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 19 day of June, 2024

See Attached
Jurat

Commission expires on 10/19/2025

Affidavit

BDA234-096

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 19th day of June, 2024, by Molly R. Anderson,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Ryan Matthew McDuffie
COMM. 2379110
NOTARY PUBLIC · CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Oct. 19, 2025

(Seal) Signature

ArcGIS Web Map



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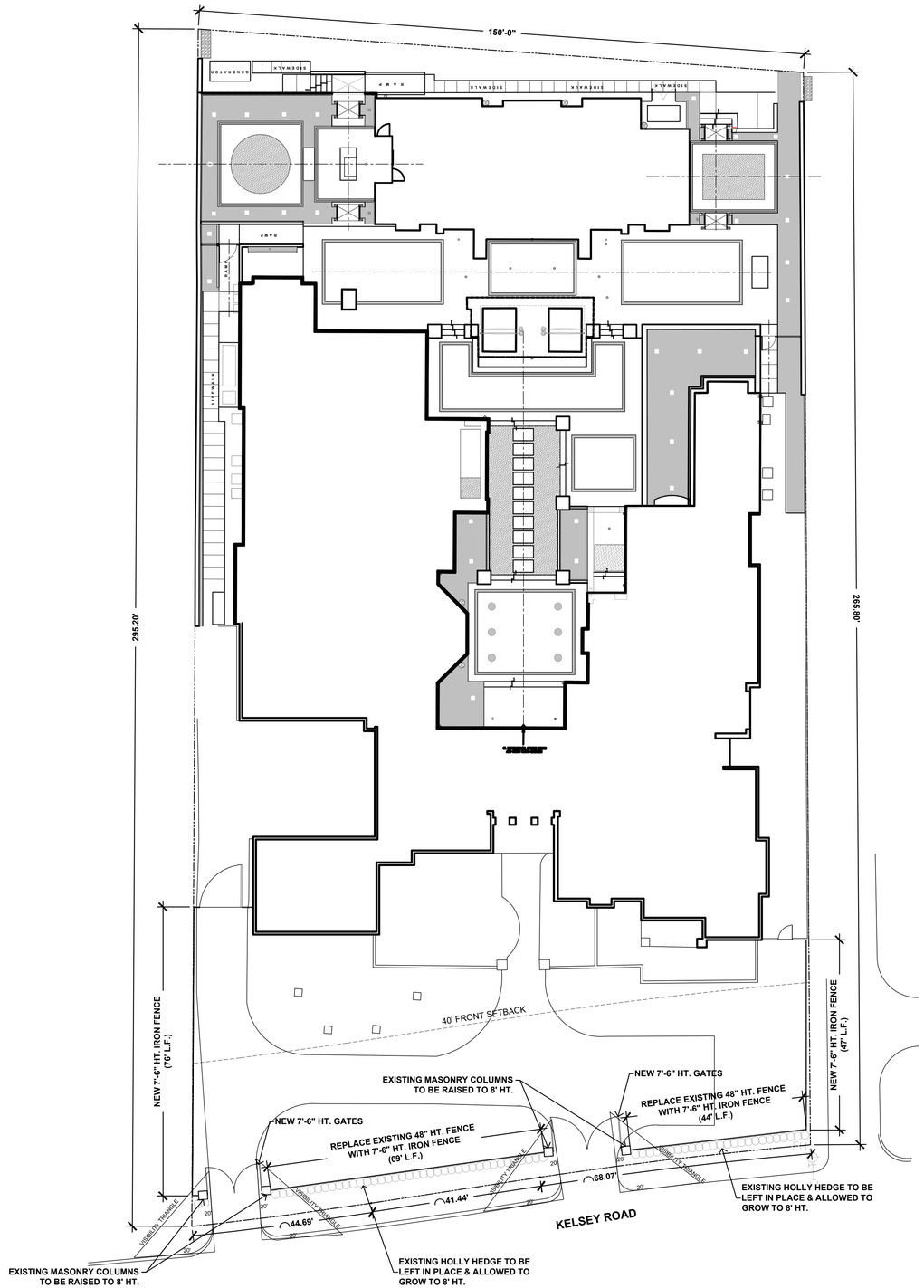
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

BDA234-096

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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FRONT YARD	**LF**
EXISTING PROPERTY LINE	**154'-2" LF**
SOLID COLUMNS AT GATES	10' LF
% OF SOLID STRUCTURE	6%
% OF FENCE & GATES (OPEN-NESS)	**94%**

NORTH

0 8' 16' 32'

GRAPHIC SCALE 1"=16'-0"

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

CONSTRUCTION SET

SEAL

REGISTERED LANDSCAPE ARCHITECT JOHN H. ARMSTRONG 620 STATE OF TEXAS

JOHN H. ARMSTRONG, ASLA

REVISIONS

July 26, 2024 Fence coverage %
June 13, 2024 Layout-Dim Control Fence Plan Update
March 19, 2024 Layout-Dim Control Fence Plan Update
Sept.19, 2023 Layout-Dim Control Fence Plan Update

Armstrong Berger
Landscape Architecture ◆ Planning ◆ Construction Management
2611 State Street, Dallas, Texas 75204 | 214-871-0895 Phone | armberg @ armberg.com | P.O. Box 191425, Dallas, Texas 75219

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

DRAWING TITLE

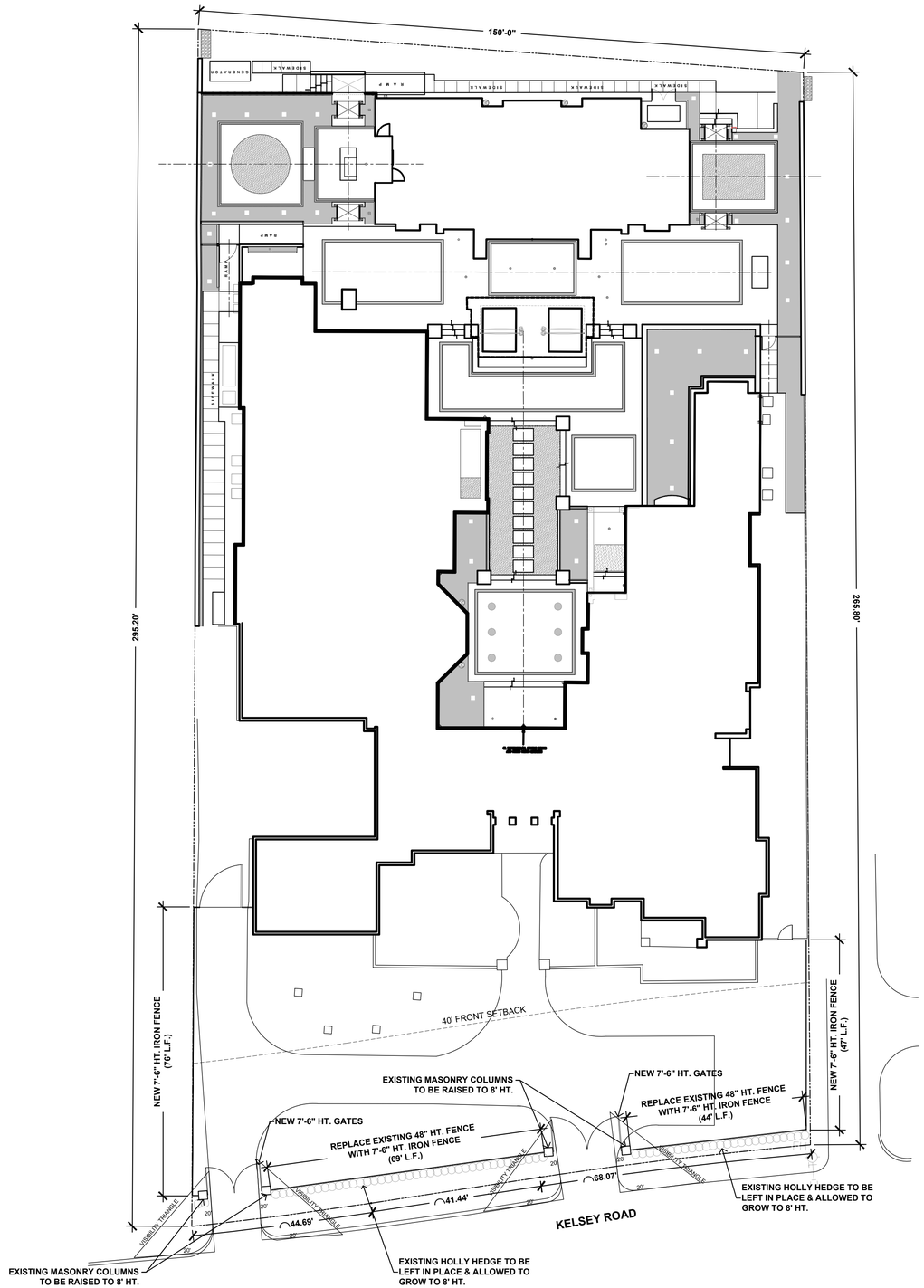
SITE FENCE PLAN LAYOUT / DIM CONTROL PLAN

ISSUE DATE:	**March 2021**
DRAWING SCALE:	**1/16"=1'-0"**
PROJECT NUMBER	21024
DRAWN BY:	**PK**
REVIEWED BY:	**JHA**
APPROVED BY:	**JHA**

DRAWING NUMBER

L6.00

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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EXISTING PROPERTY LINE	**154'-2" LF**
SOLID COLUMNS AT GATES	10' LF
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0 8' 16' 32'

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CONSTRUCTION SET

SEAL

JOHN H. ARMSTRONG, ASLA

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Armstrong Berger
Landscape Architecture ◆ Planning ◆ Construction Management
2611 State Street, Dallas, Texas 75204 | 214-871-0895 Phone | armberg @ armberg.com | P.O. Box 191425, Dallas, Texas 75219

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

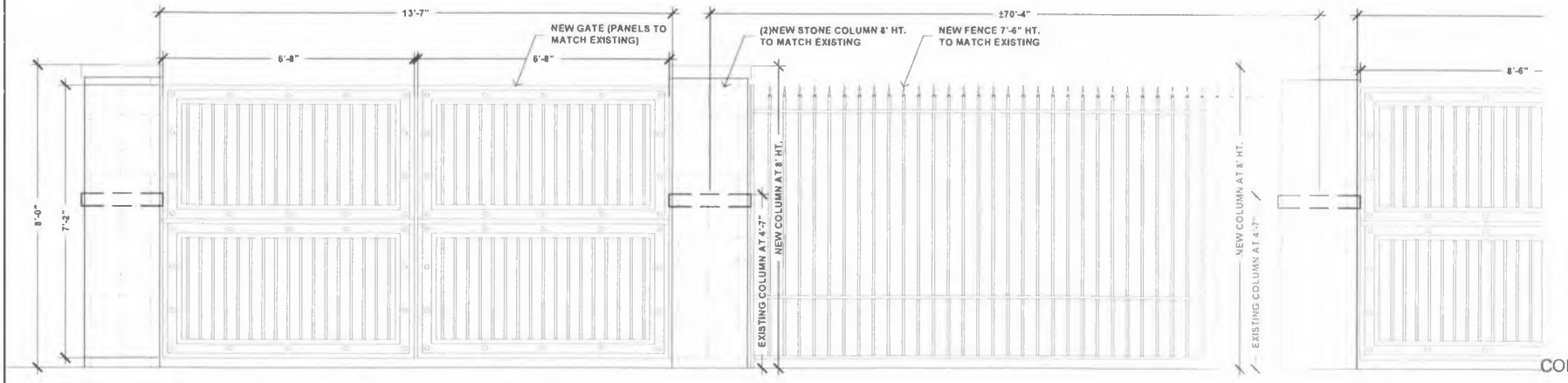
DRAWING TITLE

SITE FENCE PLAN LAYOUT / DIM CONTROL PLAN

ISSUE DATE:	**March 2021**
DRAWING SCALE:	**1/16"=1'-0"**
PROJECT NUMBER	21024
DRAWN BY:	**PK**
REVIEWED BY:	**JHA**
APPROVED BY:	**JHA**

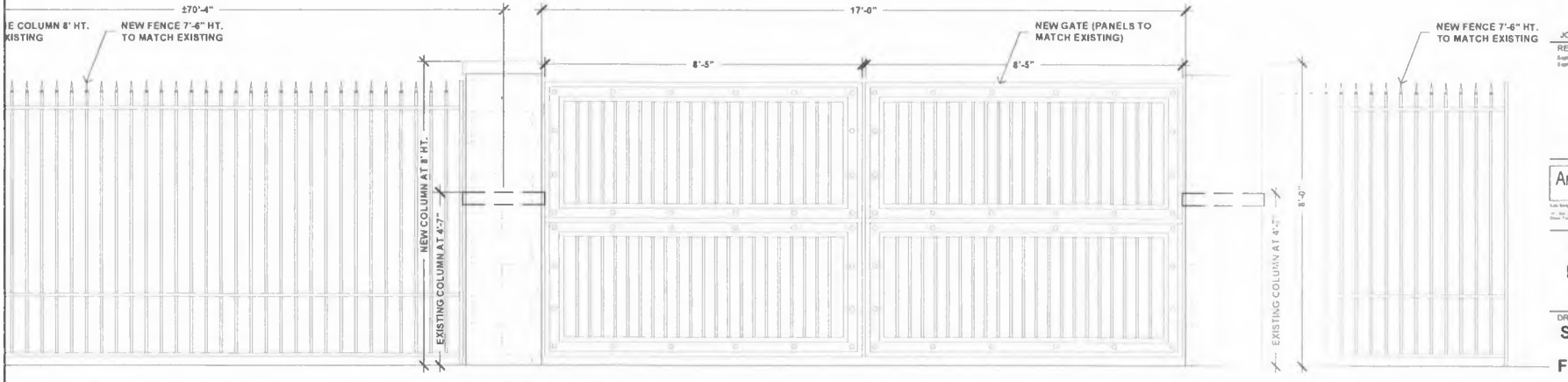
DRAWING NUMBER

L6.00



PROPOSED FRONT ELEVATION- FENCE & GATE AT WEST END

SCALE: 3/4"=1'-0"



PROPOSED FRONT ELEVATION- FENCE & GATE AT EAST END

SCALE: 3/4"=1'-0"

ARMSTRONG BERGER
LANDSCAPE ARCHITECTS PLANNERS
CONSTRUCTION MANAGERS
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NORTH

CONSTRUCTION SET

SEAL

JOHN H. ARMSTRONG ASLA

REVISIONS

September 15, 2023 Site Details Front Fence Updated
September 06, 2023 Site Details Front Fence

Armstrong Berger

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

DRAWING TITLE

SITE DETAILS

FRONT FENCE

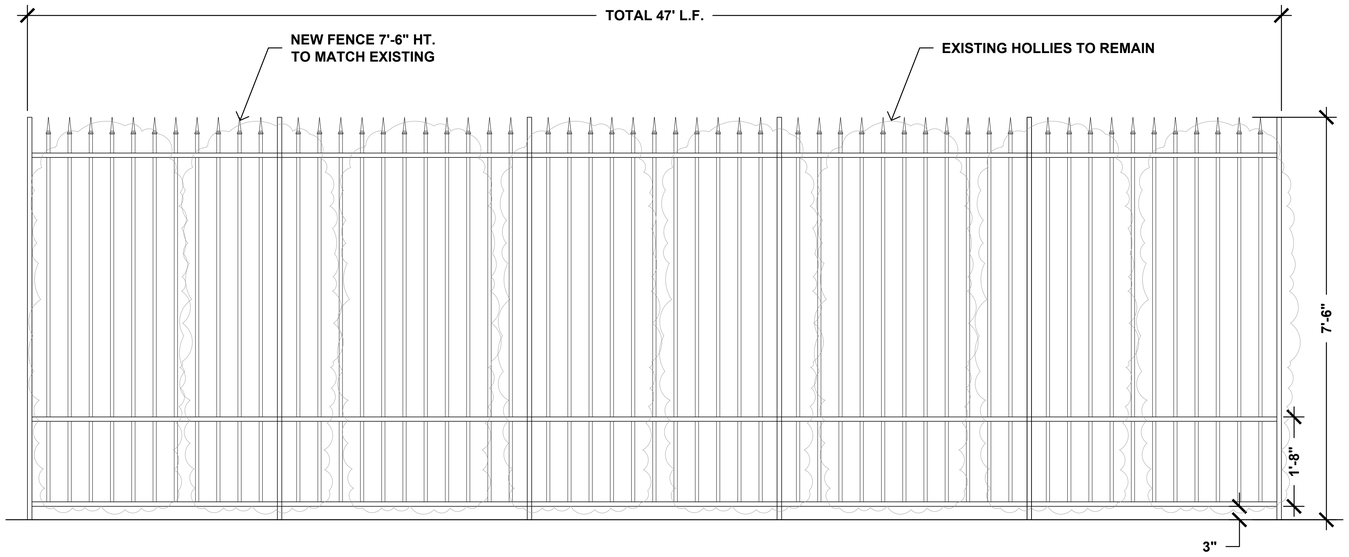
ISSUE DATE	March 2021
DRAWING SCALE	3/4"=1'-0"
PROJECT NUMBER	21024
DRAWN BY	PK
REVIEWED BY	JHA
APPROVED BY	JHA

DRAWING NUMBER

L2.04

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

BDA234-096



PROPOSED FRONT ELEVATION- FENCE AT SIDE YARD (EAST)

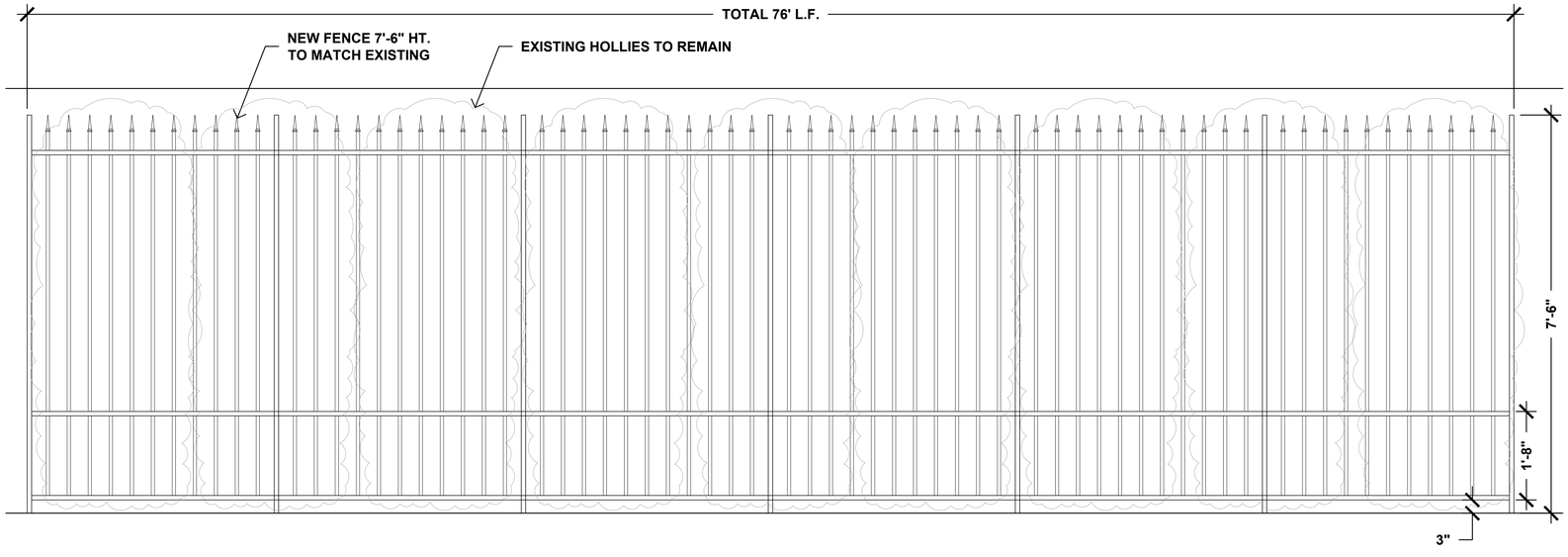
SCALE: 3/4"=1'-0"



EXISTING WEST SIDE PROPERTY LINE



EXISTING EAST SIDE PROPERTY LINE



PROPOSED FRONT ELEVATION- FENCE AT SIDE YARD (WEST)

SCALE: 3/4"=1'-0"

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS - PLANNERS
CONSTRUCTION MANAGEMENT

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CONSTRUCTION SET

SEAL

REGISTERED LANDSCAPE ARCHITECT JOHN H. ARMSTRONG 629 STATE OF TEXAS

JOHN H. ARMSTRONG, ASLA

REVISIONS
July 25, 2024 Site Details- Side Yard Fence

Armstrong Berger
Landscape Architecture • Planning • Construction Management
2611 State Street
Dallas, Texas 75204
214/871-0891 Phone
armberg@armberg.com
P.O. Box 191425
Dallas, Texas 75219

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

DRAWING TITLE

SITE DETAILS
FENCE
SIDE YARD

ISSUE DATE:	**March 2021**
DRAWING SCALE:	**3/4"=1'-0"**
PROJECT NUMBER	21024
DRAWN BY:	**PK**
REVIEWED BY:	**JHA**
APPROVED BY:	**JHA**

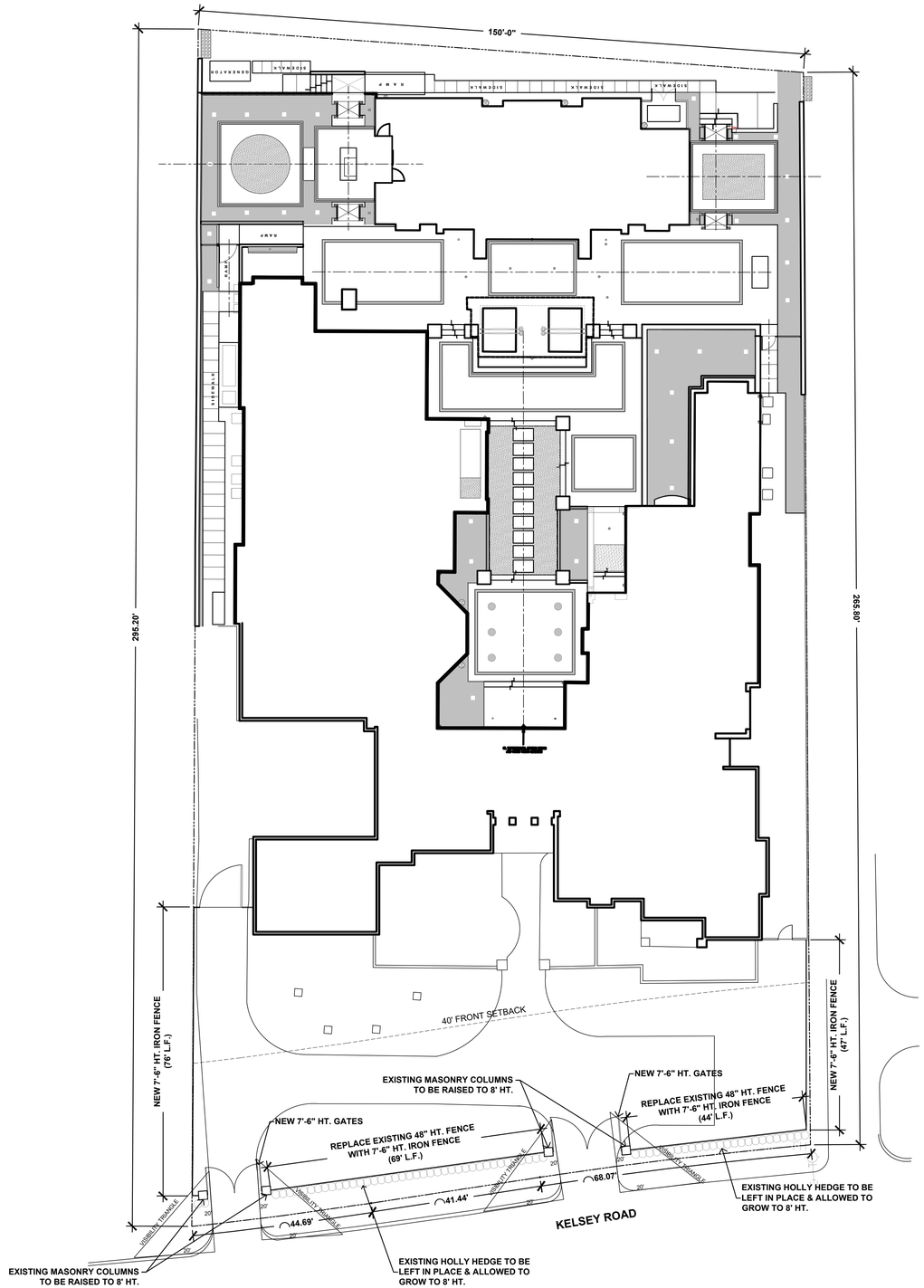
DRAWING NUMBER

L6.03

UPDATED SITE PLAN

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT

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FRONT YARD	**LF**
EXISTING PROPERTY LINE	**154'-2" LF**
SOLID COLUMNS AT GATES	10' LF
% OF SOLID STRUCTURE	6%
% OF FENCE & GATES (OPEN-NESS)	**94%**

NORTH

0 8' 16' 32'

GRAPHIC SCALE 1"=16'-0"

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

CONSTRUCTION SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS

July 26, 2024 Fence coverage %
June 13, 2024 Layout-Dim Control Fence Plan Update
March 19, 2024 Layout-Dim Control Fence Plan Update
Sept.19, 2023 Layout-Dim Control Fence Plan Update

Armstrong Berger
Landscape Architecture ◆ Planning ◆ Construction Management
2611 State Street, Dallas, Texas 75204 | 214-871-0895 Phone | armberg @ armberg.com | P.O. Box 191425, Dallas, Texas 75219

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

DRAWING TITLE

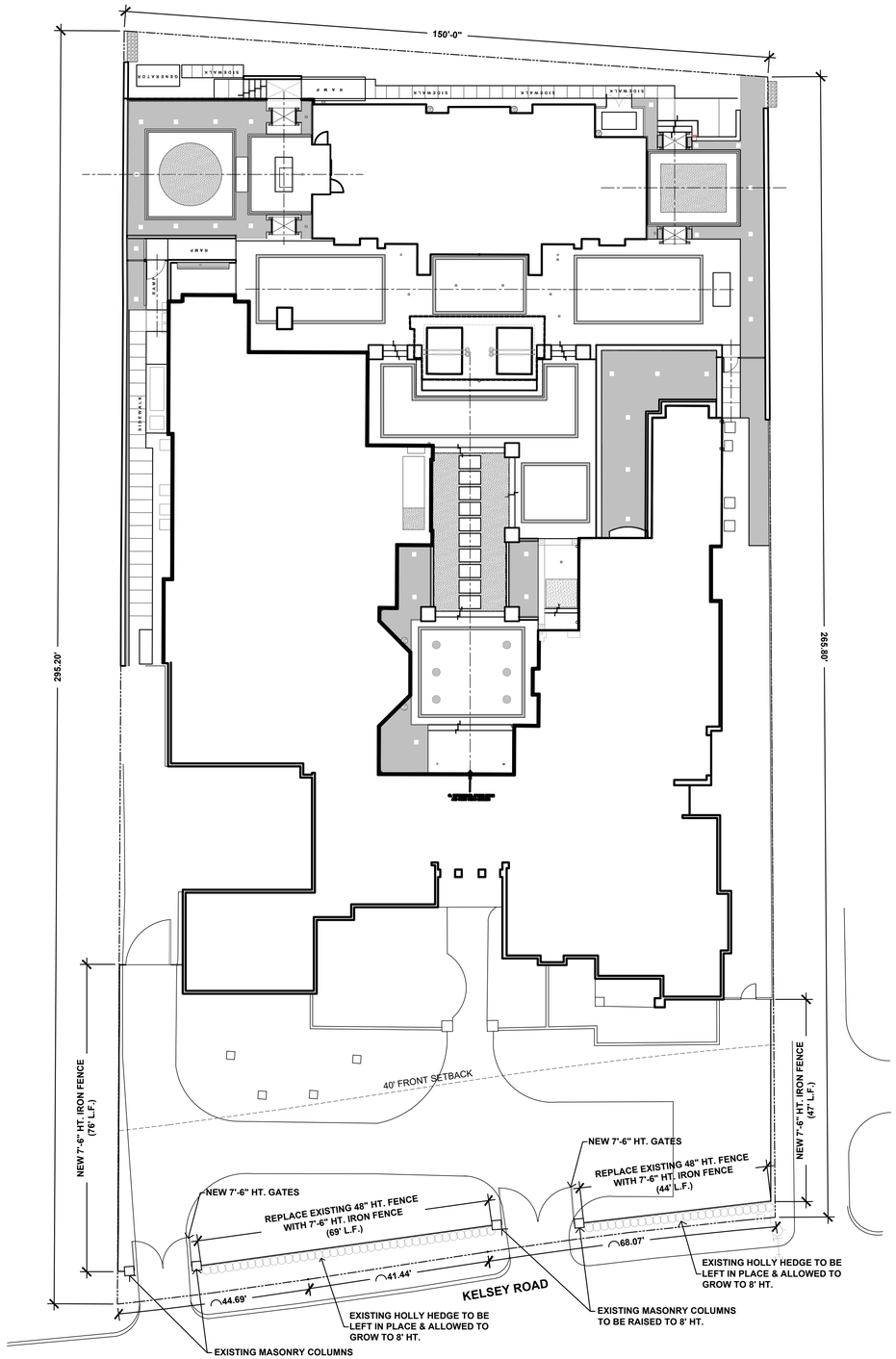
SITE FENCE PLAN LAYOUT / DIM CONTROL PLAN

ISSUE DATE:	**March 2021**
DRAWING SCALE:	**1/16"=1'-0"**
PROJECT NUMBER	21024
DRAWN BY:	**PK**
REVIEWED BY:	**JHA**
APPROVED BY:	**JHA**

DRAWING NUMBER

L6.00

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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5325 Kelsey Road
Dallas, Texas

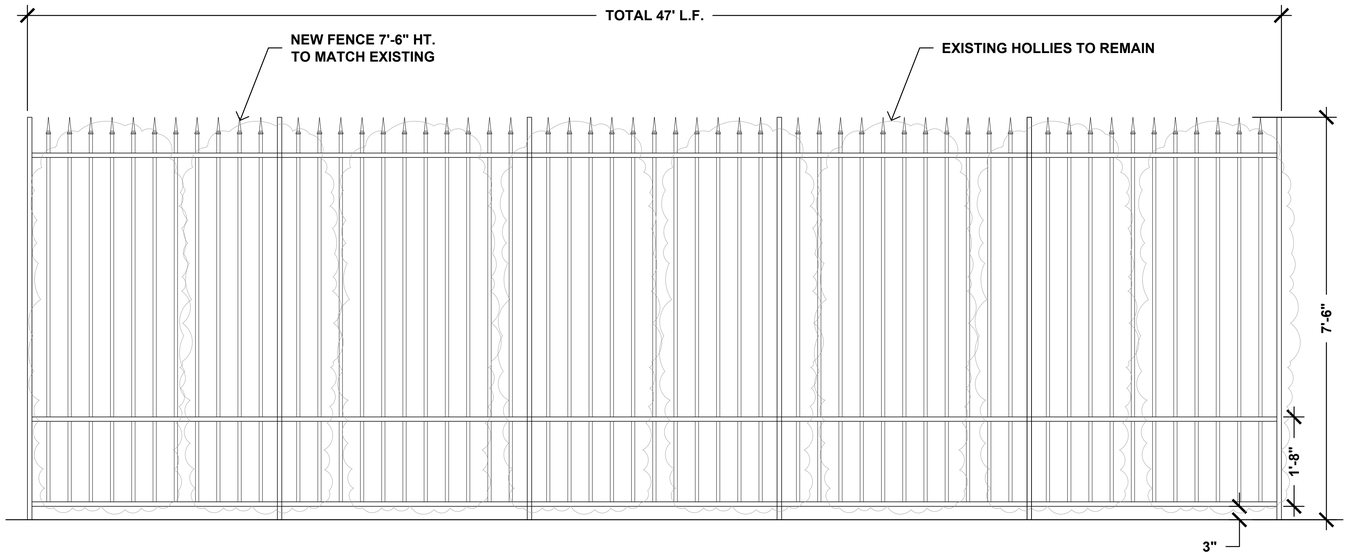
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APPROVED BY:	**JHA**

DRAWING NUMBER

L6.00



PROPOSED FRONT ELEVATION- FENCE AT SIDE YARD (EAST)

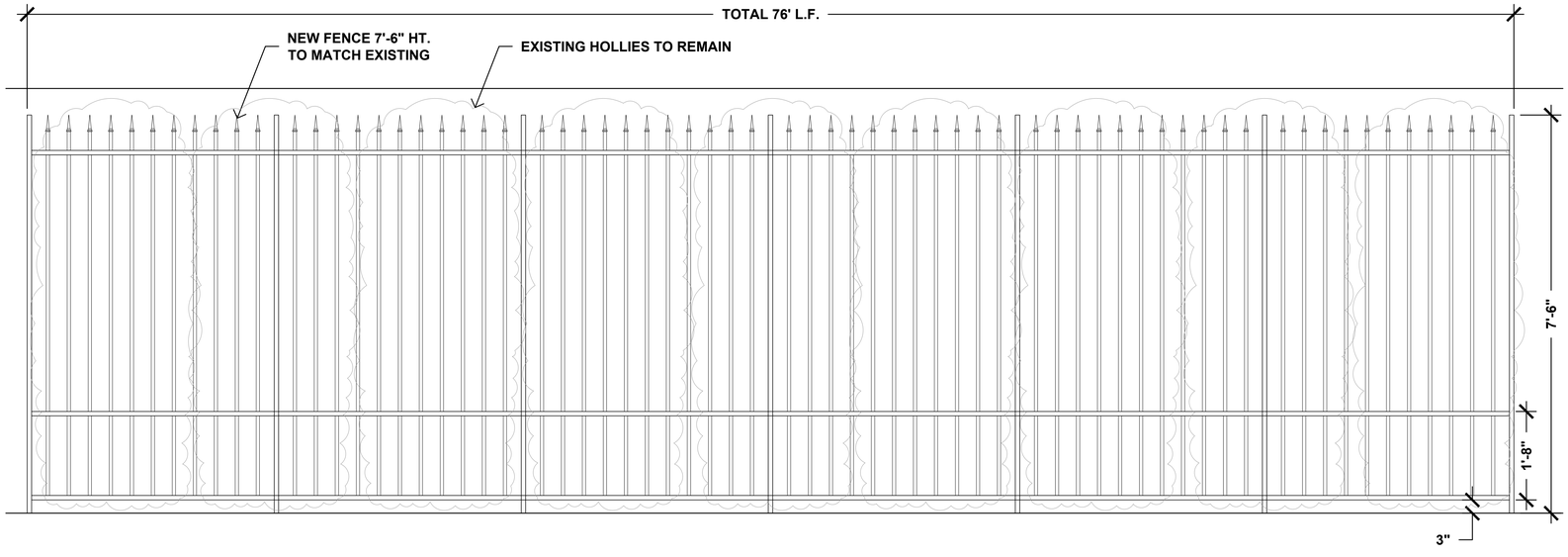
SCALE: 3/4"=1'-0"



EXISTING WEST SIDE PROPERTY LINE



EXISTING EAST SIDE PROPERTY LINE



PROPOSED FRONT ELEVATION- FENCE AT SIDE YARD (WEST)

SCALE: 3/4"=1'-0"

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS - PLANNERS
CONSTRUCTION MANAGEMENT

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CONSTRUCTION SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS
July 25, 2024 Site Details- Side Yard Fence

Armstrong Berger
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2611 State Street
Dallas, Texas 75204
214/871-0891 Phone
armberg@armberg.com
P.O. Box 191425
Dallas, Texas 75219

ANDERSON RESIDENCE

5325 Kelsey Road
Dallas, Texas

DRAWING TITLE

SITE DETAILS
FENCE
SIDE YARD

ISSUE DATE:	**March 2021**
DRAWING SCALE:	**3/4"=1'-0"**
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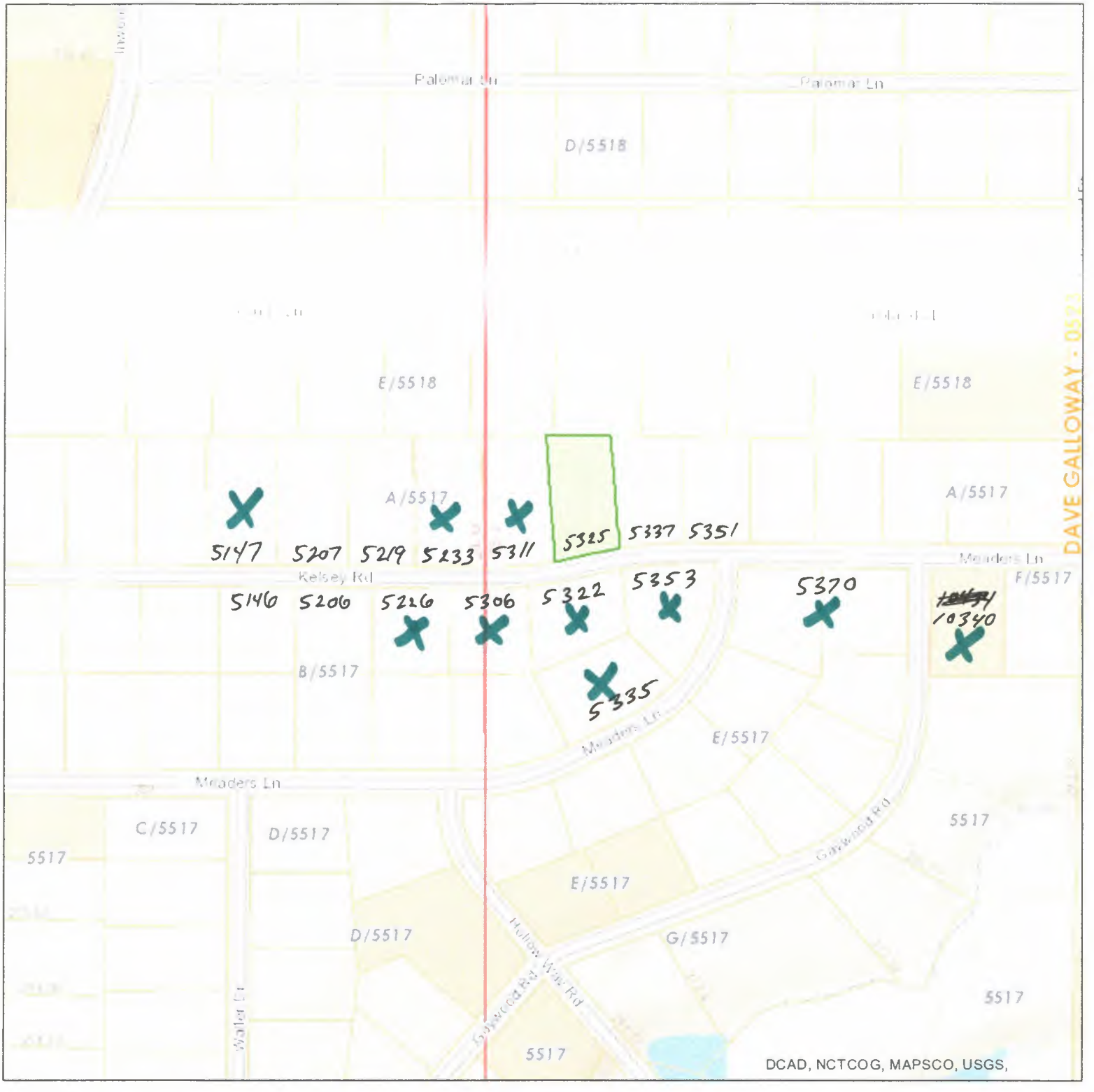
L6.03

Applicant's Documentary Evidence

5325 Kelsey

Date of copy: 5/24/2024

DCAD Tax Account: 00000415450000000



This product is for INFORMATIONAL purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

N
W E
S

BDA234-096

Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org

1 inch equals 376 feet

0 190 380 760 ft

0 55 110 220 m

DCAD, NCTCOG, USGS, Esri.Inc

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5311 Kelsey Rd. and support the Anderson's fence plan.

Aimee Simpson

BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5370 meadows LN and support the Anderson's fence plan.

X [signature] Jennifer Kaar

BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5147 Kelsey Rd. and support the Anderson's fence plan.

BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5226 Kelsey Rd and support the Anderson's fence plan.

Kim Hodge

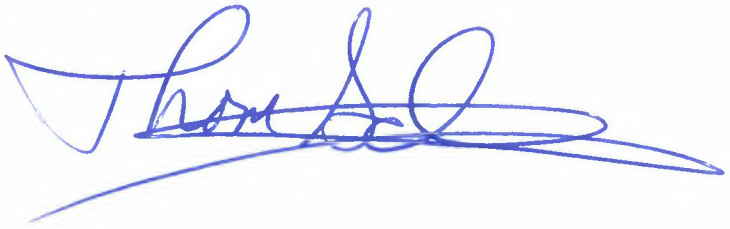
BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5353 Meadows Lane and support the Anderson's fence plan.



BDA23A-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5306 Kelsey Rd 75229 and support the Anderson's fence plan.

Amanda and Aaron Brown



BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5233 Kelsey St and support the Anderson's fence plan.

BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 5323 Kelsey Road and support the Anderson's fence plan.

Karlyn & Grant Herlitz

BDA234-096

April 25, 2024

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

The Anderson Family plans to construct a six-foot wrought iron fence across the front of their property . The fence will be at the front and sides of the home.

We live at 5335 Meaders and support the Anderson's fence plan.

John B Billingsley

Harriett Billingsley

BDA234-096

April 17, 2024

The Anderson family currently have a 4' FT high iron fence and 4'- 7" FT high stone columns with a Holly Hedge in place across the front of the house along the property line. We are asking the City to approve a variance that would allow us to increase the column height to 8' FT high and the iron fence to 7'-6' FT high. We will allow the hedge to grow to 8' FT high to cover the fence. We ask for your support.

Our home is near Charles and Molly Anderson's home at 5325 Kelsey Road.

We live at 10340 Gaywood Rd and support the Anderson's fence plan.

Tracy Aaron

BDA234-096

FILE NUMBER: BDA234-097 (BT)

BUILDING OFFICIAL'S REPORT: BDA234-097(BT) Application of Joseph and Alevtina Sarno to appeal the decision of the administrative official at **6121 E. LOVERS LN**. This property is more fully described as Block 7/5411, Lot 1, and is zoned PD-1053, which allows a person who is aggrieved by the decision of an administrative official and is the owner of real property within 200 feet of the subject site related to a specific application, address, or project, may appeal to the board. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit and associated master permit.

LOCATION: 6121 E Lovers Ln.

APPLICANT: Joseph and Alevtina Sarno

REQUEST:

(1) A request is made to appeal the decision of the administrative official in building permit 2303301066 for a 4500 sq. ft. concrete outdoor basketball court.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Section 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).

BACKGROUND INFORMATION:

Zoning:

Site:	PD-1053
North:	R-7.5(A)
East:	R-7.5(A)
South:	R-7.5(A)
West:	PD-916 (Subarea A) and PD-916 (Subarea B) Tract 6

Land Use:

The subject site is a place of worship and school with surrounding properties to the north, east and south developed with single-family. To the West, PD 916 developed with multi-family.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Zion Lutheran Church applied for a 4500 sq. ft. outdoor basketball addition on March 30, 2023, permit #2303301066 was approved on May 21, 2024 and final green tag inspection completed on July 8, 2024.
- Citizen complaint created on June 24, 2024 and completed on June 27, 2024.
- 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 24, 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 **B**.

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 July 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and August 9, 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 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.

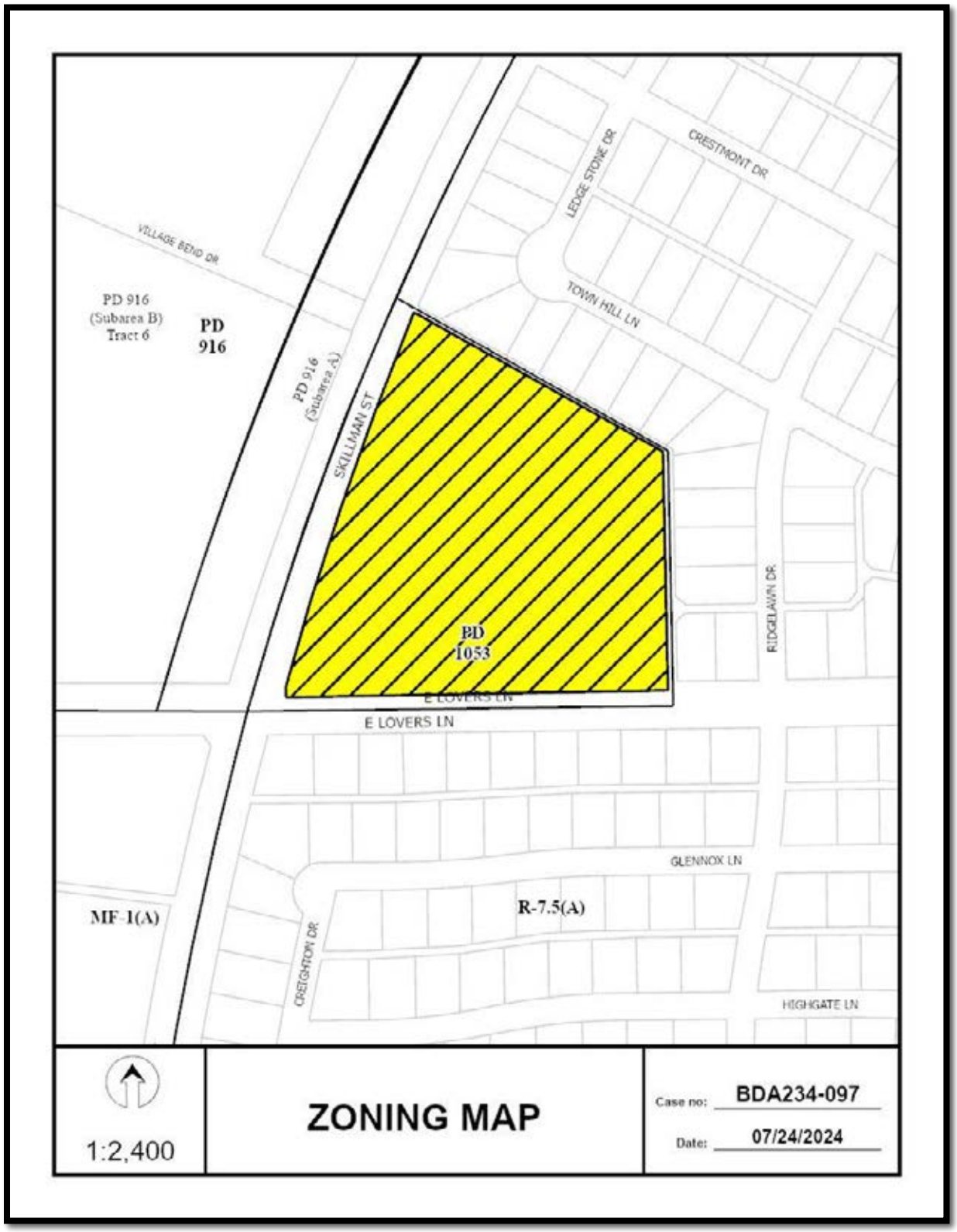


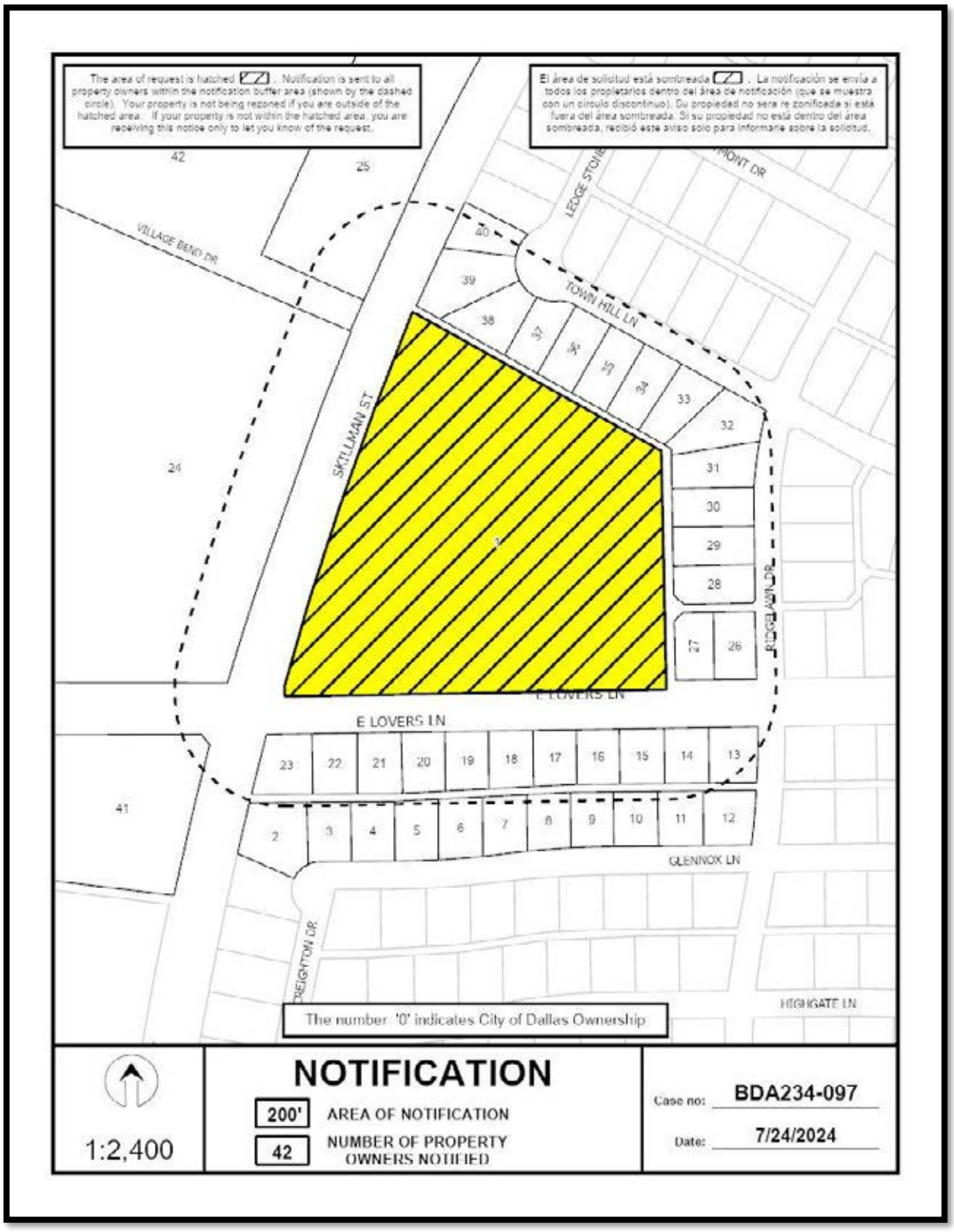
1:2,400

AERIAL MAP

Case no: BDA234-097

Date: 07/24/2024


LEDGE STONE DR
CRESTMONT DR
VILLAGE BEND DR
TOWN HILL LN
PD 916
(Subarea B)
Tract 6
PD
916
PD 916
(Subarea A)
SKILLMAN ST
BD
1053
RIDGELAWN DR
E LOVERS LN
E LOVERS LN
GLENNOX LN
MF-1(A)
R-7.5(A)
CREIGHTON DR
HIGHGATE LN
1:2,400
ZONING MAP
Case no: BDA234-097
Date: 07/24/2024


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.
VILLAGE BEND DR
SKILLMAN ST
TOWN HILL LN
RIDGELAWN DR
E LOVERS LN
GLENNOX LN
HIGHGATE LN
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
42
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-097
Date: 7/24/2024

07/24/2024

Notification List of Property Owners

BDA234-097

42 Property Owners Notified

Label #	*Address*		*Owner*
1	6121	E LOVERS LN	ZION LUTHERAN CHURCH
2	5123	CREIGHTON DR	WYMAN ROBERT &
3	6105	GLENNOX LN	PAULINO JOSE & NAOMI L
4	6111	GLENNOX LN	WYATT JOHN ROBERT &
5	6117	GLENNOX LN	VAUGHN JAMES O & PATSY
6	6123	GLENNOX LN	METW HOLDINGS LLC
7	6129	GLENNOX LN	SILVER GABRIELA
8	6135	GLENNOX LN	HELM ADAM
9	6141	GLENNOX LN	TEJAS 93 INVESTMENTS LTD
10	6147	GLENNOX LN	WILLIAMS JACKSON TODD
11	6153	GLENNOX LN	HIGGINBOTHAM ROBERT M &
12	6161	GLENNOX LN	BAYLOR CHASE & AMY
13	6168	E LOVERS LN	HIMES JOANN
14	6160	E LOVERS LN	VELA AUSTIN MIKEL &
15	6154	E LOVERS LN	BUCHANAN KELSEY R &
16	6148	E LOVERS LN	GILBERT LILLIAN TRUST
17	6142	E LOVERS LN	POHLI LAURA ANNE
18	6136	E LOVERS LN	BURNS DAVID LEITER
19	6130	E LOVERS LN	ORSOY SELIN
20	6124	E LOVERS LN	LAI WENDY
21	6118	E LOVERS LN	BLACK JOHN KEITH
22	6112	E LOVERS LN	CHOI MARGOT BLAIR & BRIAN JOHN
23	6106	E LOVERS LN	DAVIS TIMOTHY
24	6060	VILLAGE BEND DR	DALLAS VILLAGE GREEN LLC
25	6071	VILLAGE BEND DR	FM VILLAGE FIXED RATE LLC
26	6167	E LOVERS LN	Taxpayer at

07/24/2024

Label #	*Address*		*Owner*
27	6161	E LOVERS LN	HAZLETT PAULINE EST OF
28	5315	RIDGELAWN DR	Taxpayer at
29	5321	RIDGELAWN DR	ABUHAMAD KARIM &
30	5327	RIDGELAWN DR	PRASSE ERIC
31	5335	RIDGELAWN DR	WOOD MARCUS LIFE EST
32	6132	TOWN HILL LN	CANNON SARAH
33	6126	TOWN HILL LN	TROUTT KAY S
34	6120	TOWN HILL LN	TUBB FRANCES
35	6114	TOWN HILL LN	Taxpayer at
36	6108	TOWN HILL LN	RITTER ALEXANDRA E
37	6102	TOWN HILL LN	BOYINGTON KELLY RENEE
38	6100	TOWN HILL LN	FINE JAMES TIM & REBECCA A
39	5407	LEDGESTONE DR	WIEGERT JAMES S & MAUREEN O
40	5411	LEDGESTONE DR	BOYLE JERRAD M
41	6044	E LOVERS LN	RESERVE WP LLC &
42	6061	VILLAGE BEND DR	FM VILLAGE FIXED RATE LLC

NOTICE OF ADMINISTRATIVE OFFICIAL APPEAL

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

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

DATE: **WEDNESDAY, AUGUST 21ST, 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

---

BDA234-097(BT) Application of Joseph and Alevtina Sarno to appeal the decision of the administrative official at **6121 E LOVERS LN**. This property is more fully described as Block 7/5411, Lot 1, and is zoned PD-1053, which allows a person who is aggrieved by the decision of an administrative official and is the owner of real property within 200 feet of the subject site related to a specific application, address, or project, may appeal to the board. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit 2303301066 and associated master permit 2303301078.

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 open as a public 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**.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner at (214) 948-4502, Bryant.thompson@dallas.gov., 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.

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

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

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-097

RECEIVED
JUN 24 2024
BY: .....

Data Relative to Subject Property: Permit No. 2303301078 issuance Date: 6/24/2024

Location address: 6121 East Lovers Lane Zoning District: PD-1053

Lot No.: 10 Block No.: 5411 Acreage: 7.68 Census Tract: 0079.03

Street Frontage (in Feet): 1) 709 ft. 2) 736 ft. 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Zion Lutheran Church

Applicant: Joseph and Alevtina Sarno Telephone: 214-692-0006/214794-2808

Mailing Address: 6114 Town Hill Lane Zip Code: 75214

E-mail Address: jwsarno123@gmail.com

Represented by: N/A Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception __, of

Building official appeal, basketball court approved in error.

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: Director or other Building Official's decision to issue Permit No. 2303301078 without a zoning amendment, despite being provided evidence that appurtenant and necessary structures will exceed a 12-foot height and the proposed facility being constructed, when in use, will excessively violate city noise ordinances at neighboring residences. Permit was also granted despite applicant not being in compliance with Planned Development rules (unpermitted build).

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 Joseph W. Sarno

(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: Joseph W. Sarno

(Affiant/Applicant's signature)

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

Notary Public in and for Dallas County, Texas

REBECCA IBARRA
Notary Public
STATE OF TEXAS
My Comm. Exp. 01-04-28
Notary ID # 132296870

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 JOSEPH AND ALEVTINA SARNO

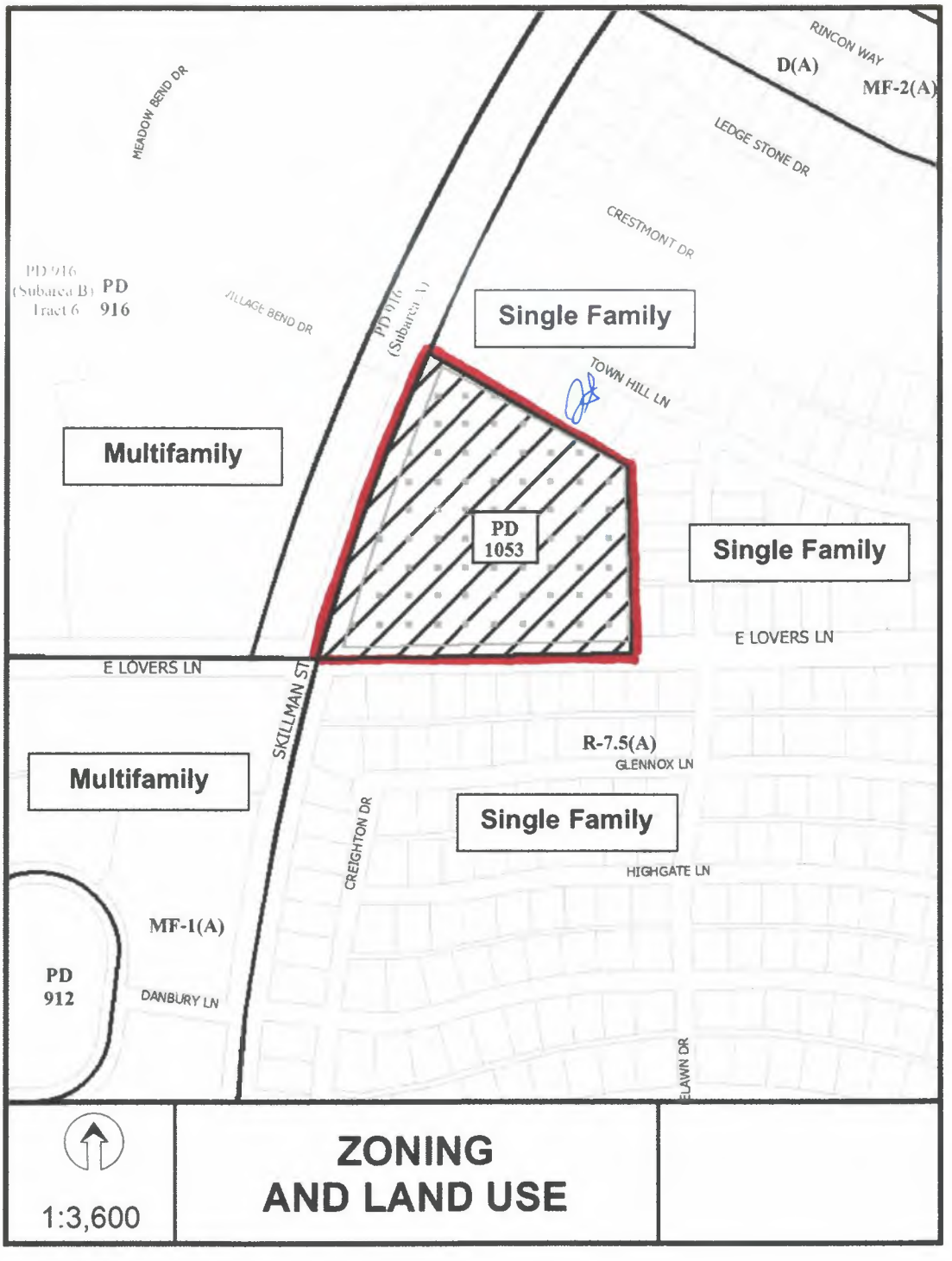
did submit a request to appeal the decision of the administrative official

at 6121 E Lovers Ln.

BDA234-097. Application of JOSEPH AND ALEVTINA SARNO to appeal the decision of the administrative official at 6121 E LOVERS LN. This property is more fully described as Block 7/5411, Lot 1, and is zoned PD-1053, which allows a person who is aggrieved by the decision of an administrative official and is the owner of real property within 200 feet o the subject site related to a specific application, address, or project, may appeal to the board. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit 2303301066 and associated master permit 2303301078.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA


RINCON WAY
D(A)
MF-2(A)
MEADOW BEND DR
LEDGE STONE DR
CRESTMONT DR
PD 916 (Subarea B) Tract 6
PD 916
VILLAGE BEND DR
PD 916 (Subarea A)
Single Family
TOWN HILL LN
Multifamily
PD 1053
Single Family
E LOVERS LN
E LOVERS LN
SKILLMAN ST
R-7.5(A)
GLENNOX LN
Multifamily
Single Family
CREIGHTON DR
HIGHGATE LN
MF-1(A)
PD 912
DANBURY LN
ELAWN DR
1:3,600
ZONING AND LAND USE

BDA234-097

ArcGIS Web Map



6/5/2024, 1:28:44 AM

1:3,489

0 0.03 0.05 0.1 mi

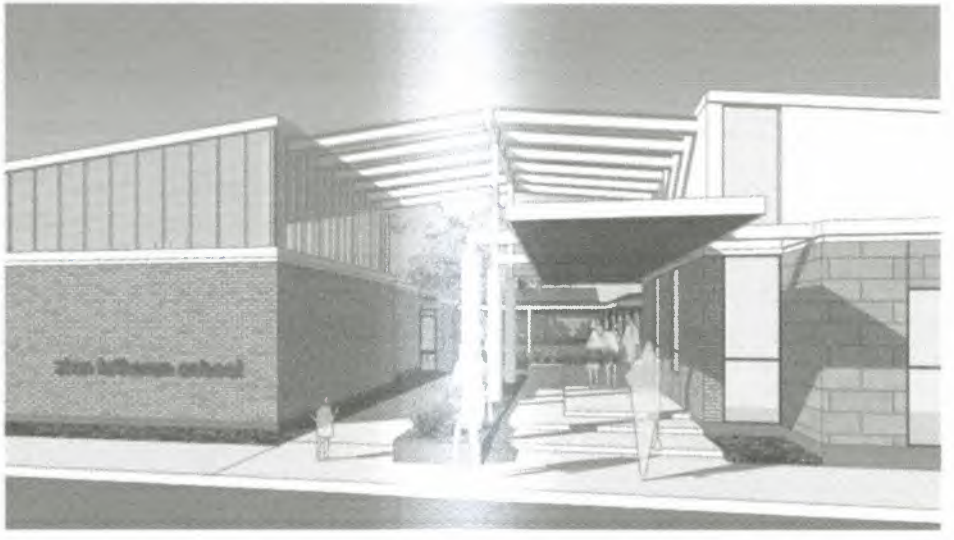
0 0.04 0.07 0.15 km

BDA234-097

ELEVATION DRAWINGS

[6121 E. LOVERS LANE
DALLAS, TX 75214]





BDA234-097

DATE: 03-30-2023

APPLICATION TYPE
REGULAR (•) EXPRESS ( )

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

City of Dallas

JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY
2303301066

BUILDING PROJECT

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	USE OF PROPERTY
6121 E. Lovers Lane, Dallas, Tx 75214		Church/School

APPLICANT	ADDRESS	CITY	STATE	ZIP CODE
James Kuhlmann Architect	7216 Clemson Drive	Dallas	Texas	7521⁴

DBA (IF APPLICABLE)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
	(214) 293-3850	james@jkuhlmannarchitect.com

CONTRACTOR INDIVIDUAL	CONTRACTOR NUMBER	PIN	COMPANY NAME
James Kuhlmann	BU138359	2469	James Kuhlmann Architect PLLC

GREEN HOME REPAIR LICENSE ON FILE			PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
( ) YES	(•) NO		(214) 293-3850	james@jkuhlmannarchitect.com

PROPERTY OWNER (INDIVIDUAL CONTACT)	ADDRESS	CITY	STATE	ZIP CODE
Jerry Knippa	6121 E. Lovers Lane	Dallas	Texas	75214

PROPERTY OWNER (COMPANY NAME)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
Zion Lutheran Church	(214) 363-1639	jknippa@ziondallas.org

DESCRIPTION OF PROPOSED PROJECT
Add 4,500 SF concrete slab on grade for playground court area

VALUATION ($) Commercial Only		CONST AREA (sq ft)	
NEW CONST	48,000.00	NEW CONST	4,50
MFD OTHER		MFD OTHER	
REMODEL		REMODEL	
TOTAL VALUATION	48,000.00	TOTAL AREA	4,50

PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX

[ ] BUILDING	[ ] PLUMBING	[ ] FENCE	[ ] DRIVE APPROACH	[ ] BACKFLOW	[ ] BARRICADE	[ ] ENERGY
[ ] ELECTRICAL	[ ] FIRE SPRKLR	[ ] SIGN	[ ] SWIMMING POOL	[ ] CUSTOMER SVC	[ ] GREEN	[x] PAVING/GRADING
[ ] MECHANICAL	[ ] FIRE ALARM	[ ] LANDSCAPE	[ ] LAWN SPRINKLER	[ ] FLAMMABLE LIQUID	[ ] OTHER:	

All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? ( ) YES (•) NO

The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application in review that requires revisions or corrections may be avoided by agreeing to allow the City the following additional time to review the application:

I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:

Zoning, Building Code, Residential Code, Electrical Code, Plumbing/Mechanical Code, Fuel Gas Code, Energy Code, Green Building Code, Health, Historical Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.

If the permit is granted (*Approved*) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.

(✓) I AGREE. ( ) I DO NOT AGREE.

I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES.

I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.

APPLICANT'S SIGNATURE	DATE OF APPLICATION SUBMISSION
	BDA23A-097

FOR OFFICE USE ONLY

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	PROJECT/PERMIT NUMBER
6121 E. LOVERS LN		230330 1066

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
6911		PD	1053	11B	A4	6	A
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
10	5411						
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL

ROUTE TO		REVIEWER	DATE	APPLICATION REMARKS
PRE-SCREEN		RT	3.30.23	
ZONING				
BUILDING				
ELECTRICAL				
PLUMBING/MECHANICAL				
GREEN BUILDING				
HEALTH				
HISTORICAL/CONS DIST				
ENGINEERING				
WATER				
FIRE				
LANDSCAPING				
AVIATION				
OTHER _____				

FEE CALCULATIONS ($)	
PERMIT FEE	302.92
PLAN REVIEW FEE	150.00
PREQUALIFICATION REVIEW FEE	
EXPRESS PLAN REVIEW HOURLY FEE TOTAL	
HEALTH PERMIT APPLICATION FEE	
HEALTH PLAN REVIEW FEES	
OTHER FEES	
OTHER FEES	
TOTAL FEES	$ 452.92

PLAN REVIEW NOTES

BDA234-097

Site Plan Review Application

Date: 3/30/23

Grading/Paving only?

X Yes ____ No

Site Plan Review #

CITY OF DALLAS

Site Information			Applicant Information	
Address:	6121 E. Lovers Ln		Name:	James Kuhlmann
Existing use:	Church & School		Company:	Zion Lutheran Church
Proposed use:	Church & School		Address:	6121 E. Lovers Lane
[illegible]	62,712	SF	City:	Dallas
Proposed floor area:	0	SF	State, Zip:	TX, 75214
Total floor area:	62,712	SF	Phone #:	214-293-3850
Existing coverage:	177,289	SF	Fax #:	
Additional coverage:	4,500	SF	Email:	James@Jkuhlmannarchitect.c
Total coverage:	181,789	SF	Zoning Case #	
New paved/graded:	4,500	SF	BDA Case #	
Total lot area:	334,540	SF	Subdivision Plat #	
Description of proposed work:	4,500 SF OF A POST TENSIONED SLAB FOR A SPORT COURT			

I have read the completed application and know the same is true and correct and agree that all provision of the City ordinances and State laws will be complied with whether herein specified or not. I agree with all property restrictions. I am the owner of the property or the duly authorized agent.

X _____
Applicant's signature

BELOW FOR OFFICE USE ONLY

	Proposed	Minimum
Front Yard		
Side Yard		
Rear Yard		
Site Parking		
Delta credits		
By pkg agrmt		

	Proposed	Maximum
Height		
FAR		
Lot Coverage		

Land Use	Block	Lot	FP	Dry
Zoning	PD	RAR	DIR	SUP
DR	Early Release	Hist	D.U. #	BDA

Route to	Checked	Date	Comments
Zoning			
Arborist			
Water			
Engineering			
Building			
Other			

Remarks:

Fee Calculation

Site Plan Review	50.00
DIR	
RAR	
Other	
Total Fee	

BDA234-097

DATE 3/15/24

APPLICATION TYPE
REGULAR ◯ EXPRESS ◯

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

City of Dallas

JOB NO. (OFFICE USE ONLY)

PERMIT NO. (OFFICE USE ONLY)
24031510 99

STREET ADDRESS OF PROPOSED PROJECT: 8306 MIDWAY RD | SUITE/BLDG/FLOOR NO: | USE OF PROPERTY: RESIDENTIAL

APPLICANT: MATTHEW HICKEY 8306 MIDWAY RD DALLAS TX 75209
4044335747

CURRENT HOME REPAIR LICENSE ON FILE? ◯ YES ◯ NO | IF YES, LIST NUMBER | PHONE NO | E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION): MATT.HICKEY@ATT.COM

PROPERTY OWNER (INDIVIDUAL CONTACT): MATTHEW HICKEY | ADDRESS: 8306 MIDWAY RD | CITY: DALLAS | STATE: TX | ZIP CODE: 75209

PROPERTY OWNER (COMPANY NAME) | PHONE NO | E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)

DESCRIPTION OF PROPOSED PROJECT: REPLACED 7'1/2 FT CHAIN FENCE

VALUATION ($) Commercial Only		CONST AREA (sq ft)	
NEW CONST		NEW CONST	
MFG OTHER		MFG OTHER	
REMODEL		REMODEL	
TOTAL VALUATION		TOTAL AREA	500 FT

PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX

☐ BUILDING	☐ PLUMBING	☑ FENCE	☐ DRIVE APPROACH	☐ BACKFLOW	☐ BARRICADE	☐ ENERGY
☐ ELECTRICAL	☐ FIRE SPRKLR	☐ SIGN	☐ SWIMMING POOL	☐ CUSTOMER SVC	☐ GREEN	☐ PAVING/GRADING
☐ MECHANICAL	☐ FIRE ALARM	☐ LANDSCAPE	☐ LAWN SPRINKLER	☐ FLAMMABLE LIQUID	☐ OTHER	

All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? ◯ YES ◯ NO

The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application in review that requires revisions or corrections may be avoided by agreeing to allow the City the following additional time to review the application.

I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:

Zoning, Building Code, Residential Code, Electrical Code, Plumbing/Mechanical Code, Fuel Gas Code, Energy Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.

If the permit is granted (*Approved*) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.

◉ I AGREE. ◯ I DO NOT AGREE.

I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES.

I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.

APPLICANT'S SIGNATURE | DATE OF APPLICATION SUBMISSION

BDA23A-097

FOR OFFICE USE ONLY

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	PROJECT/PERMIT NUMBER
8306 Midway Rd		240315 1099

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
1111	110	R-10(A)		VA		B	A
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
C	A/4971						
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL

ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS
ZONING	RV	3/5/24	Fence Only
BUILDING			
ELECTRICAL			
PLUMBING/MECHANICAL			
GREEN BUILDING			
HEALTH			
HISTORICAL/CONS DIST			
ENGINEERING			
WATER			
FIRE			
LANDSCAPING			
AVIATION			
OTHER _____			

FEE CALCULATIONS (S)	
BASE FEE	125.00
SURCHARGE	
PLAN REVIEW FEE	
PREQUALIFICATION REVIEW FEE	
EXPRESS PLAN REVIEW HOURLY FEE TOTAL	
HEALTH PERMIT APPLICATION FEE	
HEALTH PLAN REVIEW FEES	
OTHER FEES	
OTHER FEES	
TOTAL FEES	$ 125.00

PLAN REVIEW NOTES

BDA234-097

Site Plan Review Application

Date: 3/30/23

Grading/Paving only?
X Yes ____ No

Site Plan Review #
230330 1077

CITY OF DALLAS

Site Information			Applicant Information	
Address:	6121 E. Lovers Ln		Name:	James Kuhlmann
Existing use:	Church & School		Company:	Zion Lutheran Church
Proposed use:	Church & School		Address:	6121 E. Lovers Lane
Existing floor area:	62,712	SF	City:	Dallas
Proposed floor area:	0	SF	State Zip:	TX, 75214
Total floor area:	62,712	SF	Phone #:	214-293-3850
Existing coverage:	177,289	SF	Fax #:	
Additional coverage:	4,500	SF	Email:	james@kuhlmannarchitect.c
Total coverage:	181,789	SF	Zoning Case #:	
New paved/graded:	4,500	SF	BDA Case #:	
Total lot area:	334,540	SF	Subdivision Plat #:	
Description of proposed work:	4,500 SF OF A POST TENSIONED SLAB FOR A SPORT COURT			

I have read the completed application and know the same is true and correct and agree that all provision of the City ordinances and State laws will be complied with whether herein specified or not. I agree with all property restrictions. I am the owner of the property or the duly authonzed agent.

X _____
Applicant's signature

BELOW FOR OFFICE USE ONLY

	Proposed	Minimum
Front Yard		
Side Yard		
Rear Yard		
Site Parking		
Delta credits		
By pkg agrmt		

	Proposed	Maximum
Height		
FAR		
Lot Coverage		

Land Use	Block	Lot	FP	Dry
Zoning	PD	RAR	DIR	SUP
DR	Early Release	Hist	D.U. #	BDA

Route to:	Checked	Date	Comments
Zoning			
Arborist			
Water			
Engineering			
Building			
Other			

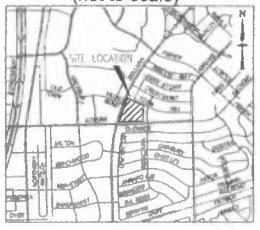
Remarks:

Fee Calculation

Site Plan Review	50.00
DIR	
RAR	
Other	
Total Fee	

BDA234-097

LOCATION MAP
(not to scale)



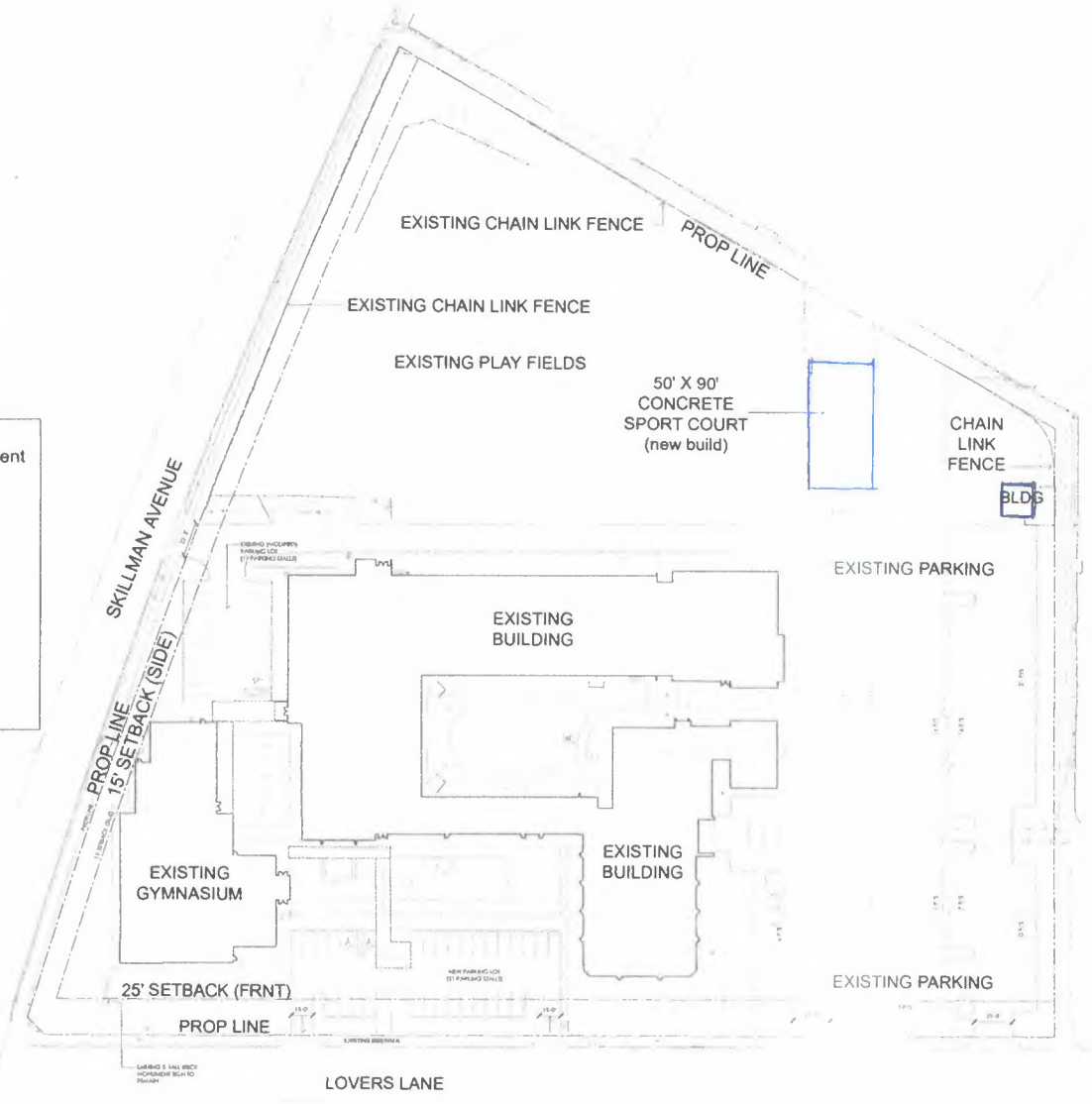
LEGEND

CURRENT ZONING: Planned Development
Use: Church/School

Land Area: 7.684 Acres

Total Floor Area 67,470 SF

Max. Height: 30 Feet



1 DEVELOPMENT PLAN

NOT

ZION CHURCH - SCHOOL
6121 E. LOVERS LN., DALLAS, TEXAS 75214

BDA234-097

Applicant's Documentary Evidence

Exhibits List

Exhibit A – Structure – 12-Foot Height Issue

Exhibit B – Noise Study

Exhibit C – Letters to City Planners

Exhibit D – Noise Complaints

Exhibit E – DISD Game Court Survey

Exhibit F – Various Emails to City of Dallas Officials

Exhibit G – Emails From Neighbor, Frances Tubb

Exhibit H – Letters to City Planning Commission

The Zion Church & School permit regarding the new Basketball/Pickleball/Sport Court was granted in error.

The permit itself was flawed. The very first question on the permit asks whether the permit will require "grading/paving only." James Kuhlmann, an architect and member of Zion, answered in the affirmative. However, Zion intended from the beginning to erect basketball goals. Those basketball goals have been erected and exceed 12 feet, an important height according to the Dallas Development Code.

The approval of the permit also failed to take into consideration existing noise violations emanating from Zion. By approving the permit, especially in its current location, Zion will now compound its poor neighborly behavior by increasing the density and frequency of damaging noise coming from its property. Attached is a 13-page independent sound analysis independent noise study by Dr. Barry Wyerman, PE that concludes:

> *"It is the opinion of PSM Consulting that LAFmax noise levels from basketball on the parking lot court create an annoyance to the residents at 6114 Town Hill Lane. This conclusion is based on LAFmax measurements under controlled conditions that were used to estimate LAFmax noise levels at the property line. If the new court closer to the property line were to be used for basketball, these noise levels would create even more annoyance. These estimated noise levels and conclusions are in line with estimated results from other basketball court noise studies."*



Figure 1 Basketball hoops exceed 12 ft. Chapter 51A requirement and are located 30 ft. from Sarno home.

Because the permit application was faulty, the structures exceed the height of 12 feet, and the only noise study conducted concludes that Zion is already in violation of code, and that Zion intends to use its new structure to more aggressively violate the Dallas City Code; we ask this Board to reverse the Dallas Building Official's decision to issue permit NO. 23033301066 and to order Zion to cease and desist with their efforts to continue to build or use the basketball court.

Exhibits List

Exhibit A – Structure – 12-Foot Height Issue

Exhibit B – Noise Study

Exhibit C – Letters to City Planners

Exhibit D – Noise Complaints

Exhibit E – DISD Game Court Survey

Exhibit F – Various Emails to City of Dallas Officials

Exhibit G – Emails From Neighbor, Frances Tubb

Exhibit H – Letters to City Planning Commission

BOA EXHIBIT A

Structure – 12-Foot Height Issue

Gmail

Joseph Sarno <jwsarno123@gmail.com>

Permits 2303301066, 23033301077, and 2303301078

Joseph Sarno <jwsarno123@gmail.com> Tue, Apr 23, 2024 at 10:48 AM
To: andres.espinoza@dallas.gov
Cc: Tenisha.lester@dallas.gov, mina.eskander@dallas.gov, ann.hamilton@dallascityhall.com, "Moore, Daniel T" <daniel.moore@dallas.gov>, "Burgess, Casey" <casey.burgess@dallas.gov>

Regarding the above-referenced permits for the construction of a basketball/game court, there are two appurtenant structures, namely the basketball goals. At regulation height, the standard backboard extends about 30 inches above the ten-foot rim. These structures would then be taller than 12 feet from grade (even if you ignore that the concrete court is already eight inches above grade). Structure is defined broadly in the 2021 IBC, which was adopted by the City of Dallas as part of its Code in 2023.*

This development was categorized as a minor amendment (see Case No.M234-003). However, one of the minor amendment requirements stipulates that the development should not “increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade.”

Regards,

Joe

Joseph W. Sarno

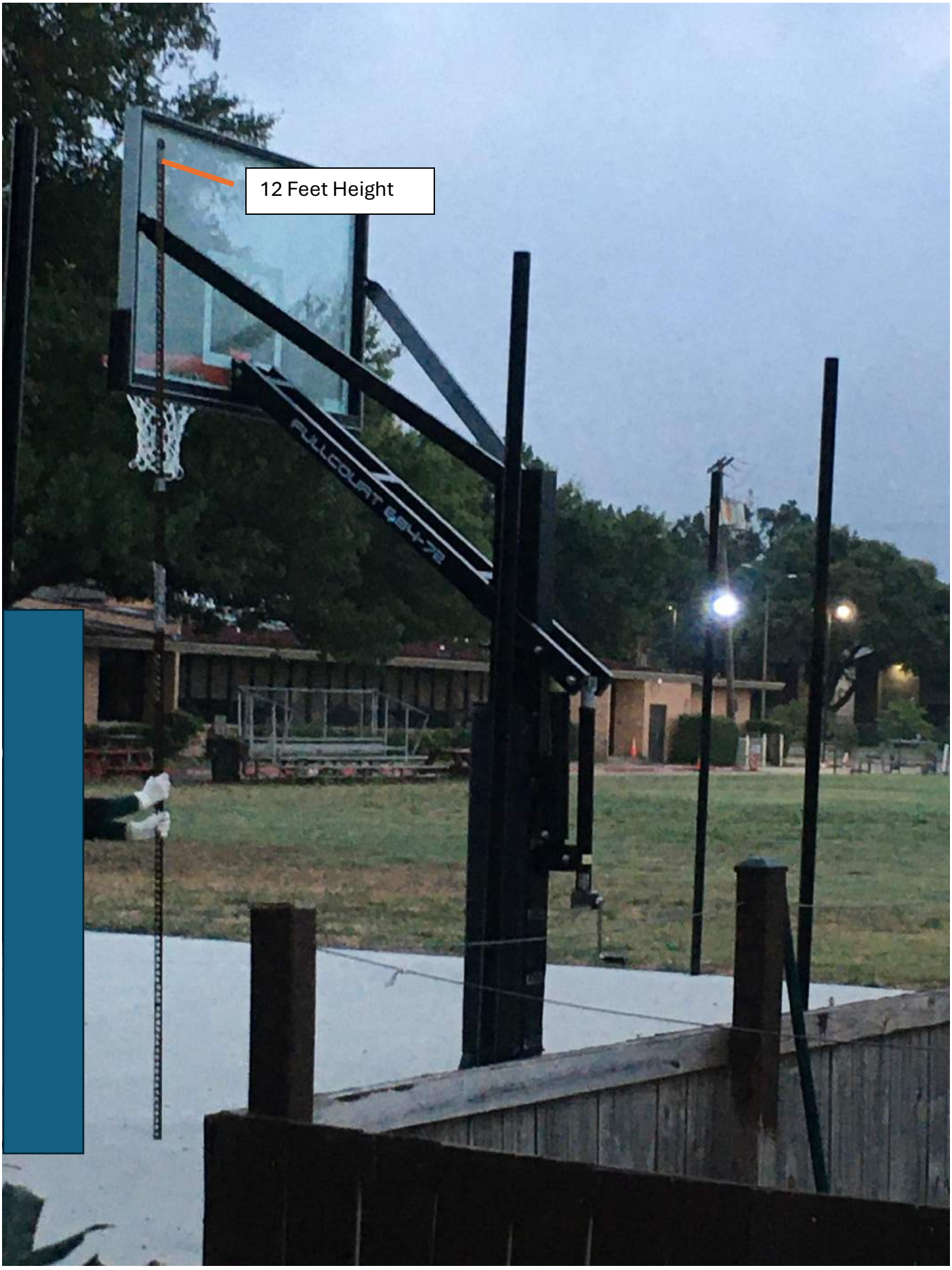
6114 Town Hill Lane

Dallas, TX 75214

(214) 794-2808

* (1) Section 301.1 of Chapter 52 of the Dallas City Code reads: A person, firm, or corporation shall not, without first obtaining a permit from the building official: erect, construct, enlarge, add to, alter, repair, replace, move, improv e, remove, install, convert, demolish, equip, use, occupy, or maintain a structure or building service equipment. Structure is defined broadly in the Code (through the 2021 IBC) as: That which is built or constructed.
(2) In Chapter 51A, STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.


12 Feet Height


12 Feet Height

BOA EXHIBIT B

Noise Study

PSM CONSULTING LLC
Pickleball Sound Mitigation

Mr. Joseph Sarno
6114 Town Hill Lane
Dallas, TX 75214
jwsarno123@gmail.com
214-794-2808

July 14, 2024

PSM Consulting LLC, an acoustical consulting firm, was requested to provide an expert opinion on noise at the residential property line at 6114 Town Hill Lane, Dallas Texas from an existing basketball court, a playground, and from a new court at the nearby Zion Lutheran School. In addition, comments and guidelines will be provided on noise mitigation strategies. Finally, estimates of pickleball noise at the property line will be made if pickleball courts are added to this new court surface.

PSM Consulting LLC has expertise in pickleball noise analysis and mitigation and has performed over 100 site studies of pickleball courts. Noise from pickleball and noise from basketball are both impulsive noises. This means that the noise lasts less than one second with an abrupt onset and an abrupt decay. While basketball and pickleball noises differ in loudness and tonal quality, they follow the same laws of physics and can be analyzed for loudness and annoyance following standard acoustical practices.

A basketball bounce (dribble) has a major tone around 200 Hz. When the basketball hits the backboard or rim, this impact has a tone below 1000 Hz. A paddle and ball impact in pickleball has a major tone around 1000 Hz. This frequency is near the maximum sensitivity of human hearing, which is why pickleball, or any noise in this frequency range, can be annoying at close distances. All these sounds are impulsive sounds lasting only 10 to 20 milliseconds even though they can occur intermittently for extended periods. Basketball has a lower overall noise level than pickleball, as will be shown later, but can also be annoying based on distance to a receiver.

Site Description

Zion Lutheran School, 6121 East Lovers Lane, Dallas Texas has a basketball court located on the north side of the parking lot and a playground next to this parking lot. The edge of the parking lot court is 141 feet from the midpoint of the property line at 6114 Town Hill Lane. The center of the playground is 120 feet from this property line. A new basketball court has been installed closer to the property line at 6114 Town Hill Lane. The edge of the new basketball court is now 42 feet from the property line and the center of the court is 85 feet from the property line. Figure

1 shows the site from Google Earth with the school, the parking lot basketball court, the playground, the new basketball court, and the nearby property line at 6114 Town Hill Lane.



Figure 1 – Basketball courts and nearby home at 6114 Town Hill Lane

Figure 2 shows the parking lot basketball court and the new basketball court surrounded by a construction fence viewed from the property line at 6114 Town Hill Lane. Figure 3 shows the new court from this property line.

(This space is intentionally left blank)



Figure 2 – Photo of paring lot basketball court from 6114 Town Hill Lane



Figure 3 – Photo of new basketball court from 6114 Town Hill Lane

Noise Ordinances

Noise ordinances use different noise metrics to quantify the time varying loudness of different types of noise. These ordinances set a noise limit based on that metric to prevent the noise from being bothersome to a person with normal hearing sensitivity. This is different from reducing the sound to a level where it is not audible. Most sounds at or below the noise limit will still be audible but not bothersome to people with normal hearing. People with acute noise sensitivity or hyperacusis may still feel annoyed when noise is at or below the noise limit in an ordinance.

The Dallas Noise Ordinance

The Dallas City Code, section 51-6.102, Noise Regulations, item b, has a maximum daytime noise level of 56 dBA for continuous noise in residential areas. The averaging time interval is not defined for 56 dBA, but Leq, the continuous equivalent energy level, is mentioned in section 51-6.101, item 7. The LAeq will be the noise metric used for this ordinance.

The continuous equivalent-energy level (Leq) is that level of a steady-state noise having the same sound energy as a given time-varying noise. The Leq represents the decibel level of the time-averaged value of sound energy. The A designation requires that the noise measurement match the frequency sensitivity of human nearing. For an impulsive noise that is only present for a short period of time, the time averaged dB level will understate the higher dB level of the short duration noise impulse. To account for this, Section 51-6.102, item f, Noise level adjustments, imposes a 7 dB subtraction for impulsive noise.

Therefore, the noise limit per the Dallas City Code for impulsive noise like basketball (or pickleball) is 56dBA LAeq – 7 dB LAeq = 49 dBA LAeq. If the noise is not impulsive, then the limit remains at 56 dBA LAeq for a continuous noise.

PSM Recommended Ordinance

Many ordinances lack sufficient detail to set a limit for impulsive noise from basketball or pickleball. This is not the case with the Dallas City Code because of the adjustment for impulsive noise. When this information is lacking in a community noise ordinance, PSM uses a limit for impulsive sounds based on LAFmax measurements. LAFmax is the sound level with A weighting and fast meter response. This LAFmax noise level is easy to measure, easy to apply, and correlates with human annoyance.

These maximum noise levels measured by LAFmax contribute more to annoyance than a time weighted average which can understate the peak noise levels. The time weighted average combines multiple high dB noise levels for impulsive noise events over short time intervals with lower dB background sound over a longer measurement interval. The results in a lower average dB level than the ear perceives.

The PSM recommended limit for impulsive noise using LAFmax follows.

- When the background sound level is at or below 47 dB LAeq, the limit for impulsive noise should be 50 dB LAFmax.
- When the background sound level is above 47 dB LAeq, the limit for impulsive noise should be 3 dB LAFmax above the background level.

This metric differs from the Dallas City Code which uses an LAeq measurement and an LAeq noise limit. However, both limits will be shown for comparison when applied to 6114 Town Hill Lane.

Basketball Noise

Basketball noise includes noise from dribbling, noise when the ball hits the backboard and/or the rim, and noise from the voices of the players. Without the ability to do a site visit to Zion Lutheran School, PSM conducted basketball noise measurements on dribbling and shooting with an 8 year old male player and an adult male player. Impulsive noise from a normal dribble and a hard dribble were measured. Noise from a normal shot to the backboard/rim and a hard shot to the backboard/rim were measured. The noise levels from each of these actions for each player were recorded 10 times to determine an average LAFmax from each action and for each player. Table 1 shows the results. Before extending these results to the property line near Zion School, the following conclusions can be noted.

- The normal and hard dribble for the 8 year old were 3 dB LAFmax lower than the same actions for an adult male.
- The shots to the backboard/rim for the 8 year old were 2.5 to 4.7 dB LAFmax lower than the same actions for an adult male.

Table 1 – Basketball noise measurements

Noise event	Distance (ft)	dB LAFmax
8 year old normal dribble	18.5	70.5
8 year old hard dribble	18.5	72.7
8 year old shots to backboard/rim	33.5	70.4
adult normal dribble	18.5	73.5
adult hard dribble	18.5	76
adult shots to backboard/rim	33.5	72.9
adult hard shots to backboard/rim shots	33.5	75.1

Using this baseline data, the LAFmax noise levels for these events were then estimated at the property line of 6114 Town Hill Lane based on the distances from this property line to the parking

lot court and to the new court. Table 2 shows the distances and the increase in noise level expected for an event at the foul line (dribbling) or at the basket (shooting). The result is that noise from the new court will be 8 to 10 dB louder for both LAFmax (and LAeq) at 6114 Town Hill Lane than presently experienced from the parking lot court. A 10 dB increase is perceived as a doubling of loudness.

Table 2 – Distances for noise analysis to 6114 Town Hill Lane

Point to point distance	**Parking Lot Court**	**New Court**	**dB increase**
Edge of court to property line	141 feet	42 feet	11 dB
Hoop to property line (1)	145 feet	46 feet	10 dB
Free throw line to property line (2)	160 feet	61 feet	8 dB

(1) Hoop is 4 feet from court boundary and this distance was added to the distance to the property line.

(2) The free throw line is 19 feet from court boundary and this distance was added to the distance to the property line.

Reports from two acoustical studies on basketball noise have been analyzed and applied to the distances between the Zion courts and the property line of 6114 Town Hill Lane for additional comparisons. Table 3 shows these noise levels from other sites extrapolated to 6114 Town Hill Lane.

It is important to note that the BKL estimate of 61 dB LAFmax for the parking lot court is in line with the PSM adult range of 55 to 62 dB LAFmax for adult basketball play and the BKL measurement of 71 dB LAFmax for the new court is in line with the PSM adult play range of 63 to 72 dB LAFmax. Higher LAFmax noise levels with BKL measurement could be due to voices which were not present in the PSM measurements. This shows good agreement between LAFmax levels from the PSM baseline data and the BKL study when applied to this site.

When the dB LAeq measurements for basketball from the VHB and BKL studies were extrapolated to the 6114 Town Hill Lane property line, the dB LAeq levels were within 1 dB from both courts. Good agreement is therefore seen between LAeq levels from BKL and VHB studies when applied to this site. It is important to note that the BKL studies show LAeq noise levels that are 15 dB lower than LAFmax levels for the same activity. This supports the previous statement about averaging times that understate higher LAFmax noise levels that cause annoyance.

Table 3 – dB LAFmax and dB LAeq noise levels at 6114 Town Hill Lane

	Noise levels at rear property line 6114 Town Hill Lane			
	Parking Lot Court		New Court	
Noise event	dB LAFmax	dB LAeq	dB LAFmax	dB LAeq
8 year old normal dribble (1)	52		60	
8 year old hard dribble (1)	54		62	
8 year old shots to backboard/rim (2)	58		68	
adult normal dribble (1)	55		63	
adult hard dribble (1)	57		66	
adult shots to backboard/rim (2)	60		70	
adult hard shots to backboard/rim shots (2)	62		72	
Basketball from VHB study (3)		45		55
Basketball from BKL study (4)	61	46	71	56
Current playground (5) (6)		62		62
Playground on new court (5) (6)				65
Pickleball on new court at Zion school			72	58

(1) Hoop is 4 feet from court boundary and this distance was added to distance to the property line.

(2) The free throw line is 19 feet from court boundary and this distance was added to distance to the property line.

(3) VHB study for Southampton Tennis Club and Camp 2/8/2016

(4) BKL study for Vancouver, BC 4/12/2022

(5) Noise from shouting children on playground

(6) Average of 33 site measurements supplied by property owner at 6114 Town Hill Lane

PSM did not do noise measurements for basketball or playground activity at this site, nor did it measure LAeq for the different basketball events of each player described previously. An average of 33 noise measurements supplied by the property owner at 6114 Town Hill Lane for playground activity is 62 dB LAeq. The range of the 33 measurements was 60 to 65 dB Leq. The property owner stated that these measurements were made with a Type II calibrated meter at the property line, which follows standard acoustical practices. These noise levels are in line with expectations from multiple shouting voices at this distance. These LAeq noise levels for playground activity are 15 to 16 dB LAeq higher than predicted LAeq nose levels from basketball based on VHB and BKL studies. This shows that the average noise level from playground activity with shouting voices is higher than basketball noise from the parking lot court. The impulsive noise from basketball at 61 dB LAFmax from the BKL study would still be audible for each basketball event but would be interspersed with the continuous playground noise at 62 dB LAeq.

If playground activity were to be moved to the new court for kickball, 4 square, tag, or other playground games, then this play new area is closer to the property line and would result in even louder playground noise at this location. The distance from the property line to the center of the new court is 85 feet compared to 120 feet to the center of the existing playground. This closer distance would raise the continuous noise from 62 dB LAeq to 65 dB LAeq. This is 19 to 20 dB LAeq higher than the continuous noise predicted from basketball. The impulsive noise from basketball on the new court estimated at 71 dB LAFmax would be audible for each basketball event but would be interspersed with the continuous playground noise at 63 dB LAeq from the existing playground.

With no school in session, it is probable that the new basketball court would be used by all ages of players for basketball games in the afternoon, evening, or weekends. Noise from high school or adult players would be higher than noise from elementary school players. Without playground activity during these times to mask the noises from basketball, basketball noise will be prominent and as high as 71 dB LAFmax or 56 dB LAeq at the property line.

Pickleball Noise

At the same distance from basketball and pickleball activity, the impulsive noise from a pickleball impact is louder than any of the basketball noises. The last row of Table 3 shows an LAFmax estimate for pickleball noise of 72 dB LAFmax at the property line – if a pickleball court were to be included at the center of the new courts. The pickleball noise level measured in LAeq would be much lower since the pickleball impacts lasting only 10 to 20 milliseconds are averaged with longer periods of lower level background noise.

With an average of 15 pickleball impacts per minute of play, the noise level would be 72 dB LAFmax or 58 dB LAFmax due to time averaging.

Pickleball requires a 30 x 60 feet court space so only one court would fit on this surface. If the pickleball court were to be located at the north end of the new court, it would be even louder than the basketball noise levels reported here due to closer proximity to the property line. Pickleball may be added to the basketball court for 2 reasons.

1. Pickleball is a popular physical education activity for elementary students as male and female students can play together.
2. Pickleball continues to grow in popularity with a scarcity of courts forcing (adult) players to seek out little used tennis courts, basketball courts, or even parking lots by using temporary nets and taped court outlines to play.

A vacant tennis court, parking lot, or basketball court can be easily and quickly repurposed as a pickleball court, as evidenced by the many noise complaints highlighted by the news media when pickleball courts are placed near residential properties.

Noise Levels at 100 feet

Since many activities and distances between a noise source and receiver are considered in this study, it is important to show the dB differences for each of these activities at a standard distance of 100 feet. Table 5 shows the noise levels in LAFmax and LAeq for each of the events described previously. Based on LAFmax, pickleball is clearly the loudest noise, followed by the different basketball events. Based on LAeq, playground activity is the loudest due to its continuous nature and then followed by pickleball and basketball.

Table 4 – Noise levels at 100 feet

	Noise level at 100 feet	
Noise event	**dB LAFmax**	**dB LAeq**
8 year old normal dribble	56	
8 year old hard dribble	58	
8 year old shots to backboard/rim	61	
adult normal dribble	59	
adult hard dribble	61	
adult shots to backboard/rim	63	
adult hard shots to backboard/rim shots	66	
Basketball from VHB study		48
Basketball from BKL study	64	49
Playground activity		63
Pickleball	70	56

Noise Limits for Zion Activities

Table 5 compares the noise levels from Table 3 to the noise limits for LAFmax (PSM) and LAeq (Dallas Code). The owner of 6114 Town Hill Lane measured a background sound level of 50 dB LAeq so the LAFmax limit recommended by PSM Consulting would be 50 +3 = 53 dB LAFmax. Limits from the Dallas City Code are 49 dB LAeq for impulsive noise from basketball and 56 dB LAeq for continuous noise (children shouting). The red boxes indicate a noise level above the recommended limit. In the case of the LAeq levels specified by the Dallas City Code, these red boxes are code violations.

Based on LAFmax levels for basketball, the loudest noises are from the hard dribbles and hard backboard shots. All these events from the parking lot court would create an annoyance for those exposed to these noise levels and would create greater annoyance if the new court were to be used. PSM believes the estimated basketball noise from the parking lot court at 6114 Town Hill Lane and the measured playground noise both qualify as an annoyance. These would only become a greater annoyance with play on the new court.

Based on LAeq, the loudest noises are from playground activity. While basketball activity from the parking lot court is not a Dallas Code violation, the continuous playground activity is clearly above the code limit. With basketball moved to the new court, the LAeq levels for basketball exceed the Dallas noise code. In addition, continuous activity from the existing playground or from the new court would also exceed the noise limits in the Dallas City Code. All these activities would create an annoyance to those exposed to these noise levels.

Table 5 – Noise levels at 6114 Town Hill Lane compared to noise limits.

	Noise levels at rear property line 6114 Town Hill Lane							
	Parking Lot Court				New Court			
Noise event	dB LAFmax	LAF Limit	dB LAeq	LAeq limit	dB LAFmax	LAF Limit	dB LAeq	LAeq limit
8 year old normal dribble (1)	52	53			60	53		
8 year old hard dribble (1)	54	53			62	53		
8 year old shots to backboard/rim (1)	58	53			68	53		
adult normal dribble (1)	55	53			63	53		
adult hard dribble (1)	57	53			66	53		
adult shots to backboard/rim (1)	60	53			70	53		
adult hard shots to backboard/rim shots (1)	62	53			72	53		
Basketball from VHB study (3)			45	49			55	49
Basketball from BKL study (4)	61	53	46	49	71	53	56	49
Current playground (5) (6)			62	56			62	56
Playground on new court (5) (6)							65	56
Pickleball on new court at Zion school					72	53	58	49

Noise Mitigation

The best way to mitigate outdoor noise is with a sound barrier that blocks the noise. An effective sound barrier should have a surface weight of 1 pound per square foot. This could be a brick or cement wall, or a mass loaded vinyl barrier hung on a chain link fence. The barrier should be 10 feet in height and enclose 3 sides of the court in a U-shape configuration to direct sound in the opposite direction. This design will reduce noise about 10 dB which would be perceived as a 50% reduction in loudness – ½ as loud. This 10 dB reduction may not be enough for some of the activities at this site. If this action is to be pursued, then estimates of sound barrier placement and potential noise reduction should be made by a qualified acoustical consultant.

Hedges, trees, or bushes planted along a perimeter border or near a sports court are only visual barriers. They are not sound barriers. While this planting may beautify the site, no sound reduction would be expected. There is no natural vegetation that will reduce noise as effectively as a noise barrier.

Conclusions

It is the opinion of PSM Consulting that LAFmax noise levels from basketball on the parking lot court create an annoyance to the residents at 6114 Town Hill Lane. This conclusion is based on LAFmax measurements under controlled conditions that were used to estimate LAFmax noise levels at the property line. If the new court closer to the property line were to be used for basketball, these noise levels would create even more annoyance. These estimated noise levels and conclusions are in line with estimated results from other basketball court noise studies.

Without LAeq data from this site and for these activities, PSM used data from other acoustical studies together with measurements supplied by the homeowner at 6114 Town Hill on the existing parking lot court and playground.

It is the opinion of PSM Consulting that the LAeq noise levels from the combined parking lot court and playground activity are above the Dallas City Code limit for continuous noise. The playground activity is the dominant noise present and is above the Dallas City Code continuous noise limit. If the new court were to be used for basketball, the impulsive noise from basketball by itself would be a Dallas City Code violation due to a lower threshold for impulsive noise. These estimated basketball noise levels and conclusions are in line with estimated results from other basketball court noise studies. If playground activities such as kickball, 4 square, freeze tag, or other were to be moved to the new court surface, then this would create even louder continuous noise levels at the property line of 6114 Town Hill Lane that exceed the Dallas City Code.

Hedges or plantings on the perimeter of the playground or court will be a visual barrier but will not add any sound reduction.

Barry Wyerman, PhD, PE
Principal Acoustical Consultant
PSM Consulting LLC
wyerbr@sbcglobal.net
248 563 0867

Note – This revised report of June 14, 2024 includes 6 corrections of typos for Town Hall Lane in the June 7, 2024 original report to the correct location of Town Hill Lane.

Barry Wyerman, PhD, PE

Barry Wyerman, PhD, is the Principal Acoustical Consultant for PSMC LLC. He is a pickleball player and a USA Pickleball Level 2 Referee. His professional background includes over 45 years of acoustical experience in creating innovative acoustical products, solving industrial noise control and vibration problems, and designing solutions for automotive noise and vibration control. He is the owner of Acoustical Design and Consulting, LLC, which provides engineering and consulting support in all areas of acoustics and noise control. He has a BS degree in physics from Ohio University and MS and PhD degrees in engineering acoustics from Penn State University. He became involved in pickleball noise mitigation when he provided initial recommendations on pickleball noise control from his work experience and acoustical training. His professional associations include:

- The Acoustical Society of America
- Society of Automotive Engineers, Noise and Vibration Committee
- Society of Automotive Engineers, Acoustical Materials Committee
- Professional Engineer, registered in Ohio

BOA EXHIBIT C

Letters to City Planners

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

November 29, 2023

By Electronic Mail &Personal Delivery to Current Planning Division

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Andreea Udrea, Director

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Udrea,

My wife and I are following up on our October 23rd letter (see Exhibit A, attached without prior exhibits).

We're providing you and your staff with more recent measurements of the noise levels coming from the playground (with no setback) located on the above-referenced property which sits behind our property. Generally, measurements were taken when the noise was loud enough to be heard in the front rooms of our house. There were a handful of inclement weather days and days (or partial days) in which both my wife and I had to be away from home and could not monitor the recording equipment. In those cases, no measurements were taken, and no assumptions should be made as to the lack of recordings for a day or any part of a day. All recordings are certified as to the use of Level II equipment with calibration checks before and after each measurement. The process was also recorded on video.

In total, seventy-six (76) measurements within a 30-day period were recorded while the playground was in use. A sample of recordings were taken of ambient noise (when the playground was not in use). The average (mean) ambient noise level was 49.5 dB (LAeq) and the median ambient noise level was 50.2 dB (LAeq). A fair representative sample of these ambient readings are attached as Exhibit C. The ambient levels are louder during rush hour given the traffic in the area.

Of the 76 decibel (LAeq) measurements taken, ***only three*** of these measurements did not violate the noise regulations in Chapter 51A, assuming the higher threshold of 56 dB LAeq. We've included reports of the thirty-three (33) measurements that exceeded the noise regulations by four or more decibels. Given that the decibel scale is logarithmic and not linear, these excessive sound levels are significant.

We ask that you and the planner(s) assigned to the above-referenced amendment application acknowledge these violations and consider them in your analysis of the applicable environmental performance standards. We also ask that you consider what these violations mean for our ability to work and live in our home during the day and how the addition of a game court even closer to our property will only make things worse.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

EXHIBIT A

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

October 23, 2023

By Electronic Mail &Personal Delivery to Planner

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Teaseia Blue, Planner

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Blue,

My wife and I are current residents and property owners in northeast Dallas and our property is adjacent to neighboring Zion Church and School ("Zion") located at 6121 East Lovers Lane in Dallas. We are writing this letter to all planners in order that you consider our concerns with the site plan changes proposed by Zion. Zion has its own Planned Development district (see Exhibit A). Zion is in the process of applying with the City of Dallas for a minor amendment to add a proposed basketball/sports court a mere ten yards from our property. This court will negatively affect the market value of our property. More importantly, the proposed court, with its proximity, will intrude on the quiet enjoyment of our home and be a legitimate health concern given the level of noise that such a court produces. Finally, it will expand on the existing noise regulation violations created by the playground situated right next to the proposed court.

According to Article VI of the Development Code in Chapter 51A of Dallas City Code (the "Code"), certain noise regulations were established to protect the health and general welfare of neighboring properties. The relevant noise regulations can be found in Sections 51A-6.102 and 51A-6.107. See attached excerpt of the cited rules highlighted in the red boxes. Section 51A-6.102 puts a cap on the level of noise that is produced from the particular use of a property. See Code excerpts attached as Exhibit B.

Zion's proposed sports court is too close to residential property to comply with city noise regulations. In this case, Zion is already violating the Environmental Performance Standards set forth in the development code through its continuing violations of the noise regulations. See evidence provided and attached as Exhibit C. Section 51A-6.107 requires that a use that is non-conforming may not be expanded or enlarged.

Unless Zion's minor amendment can be conditioned on the inclusion of adequate sound barriers or buffers, Zion's minor amendment should not be approved or recommended by the City of Dallas Current Planning department.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

CC: Andreea Udrea

EXHIBIT B

Noise measurement report

Date: 10/3/23, 10:12 AM

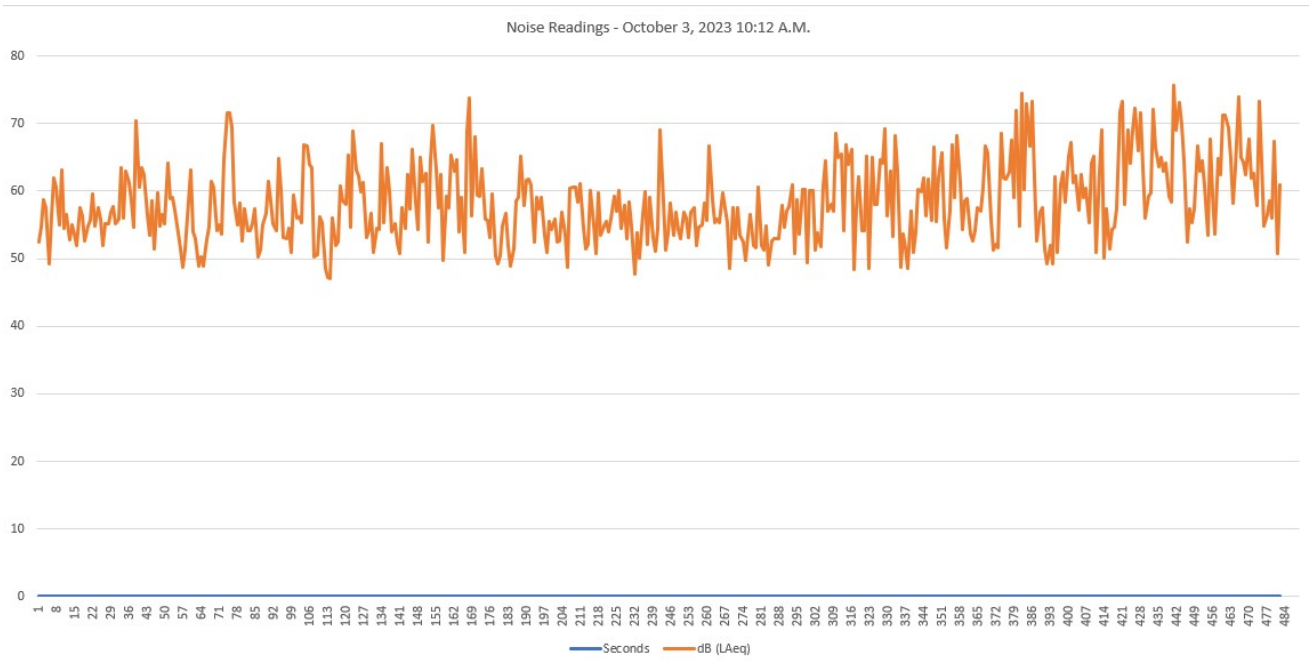
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.7	dB
Max. level	78.7	dB
LCpeak	89.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/6/23, 9:39 AM

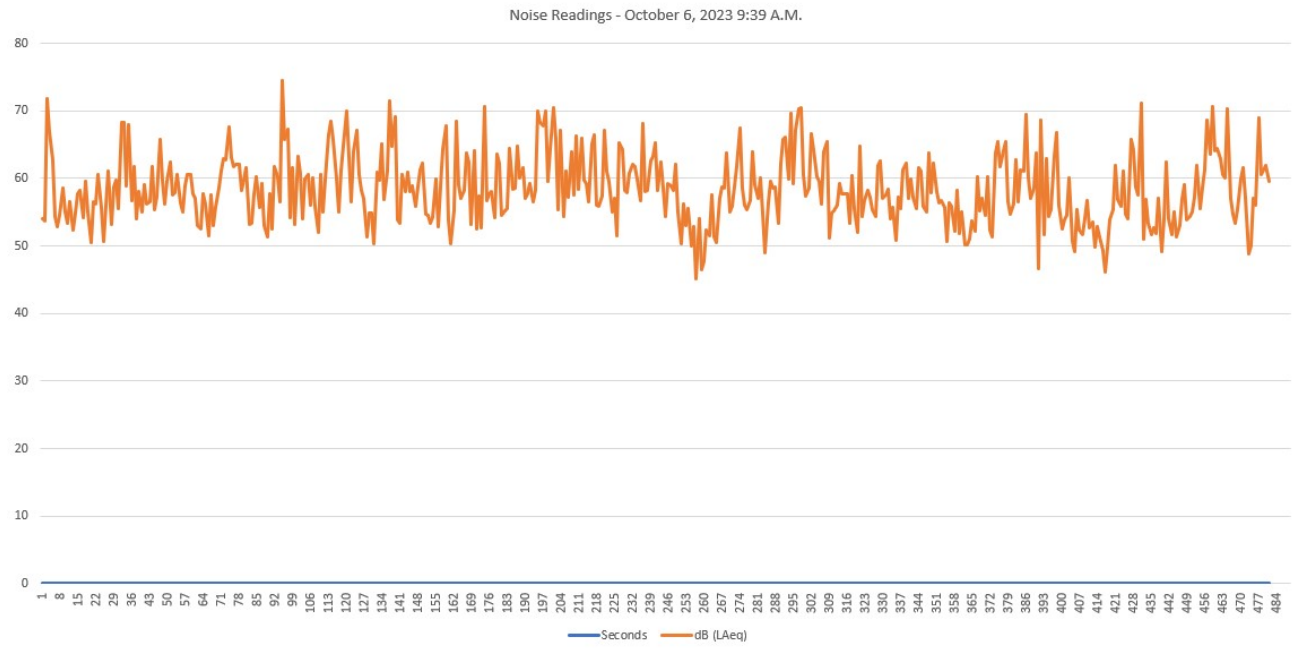
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.6	dB
Max. level	84.2	dB
LCpeak	92.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 9:40 AM

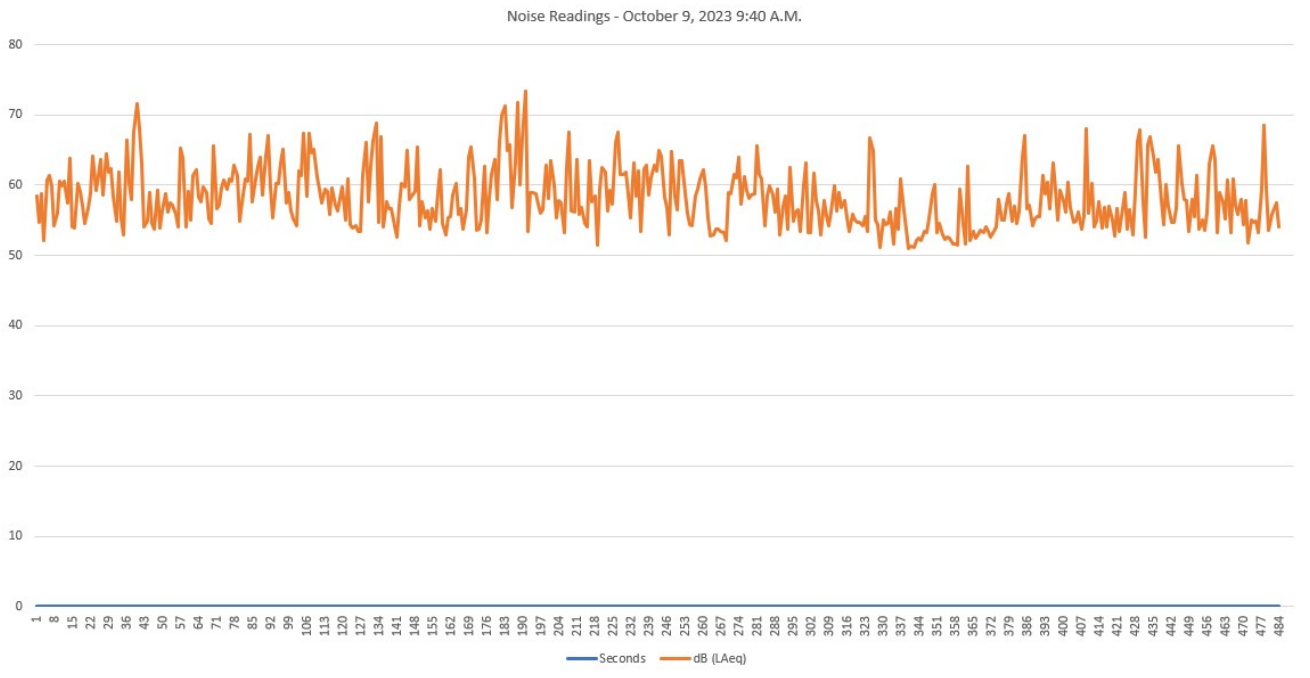
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	60.6	dB
Max. level	76.4	dB
LCpeak	86.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 10:13 AM

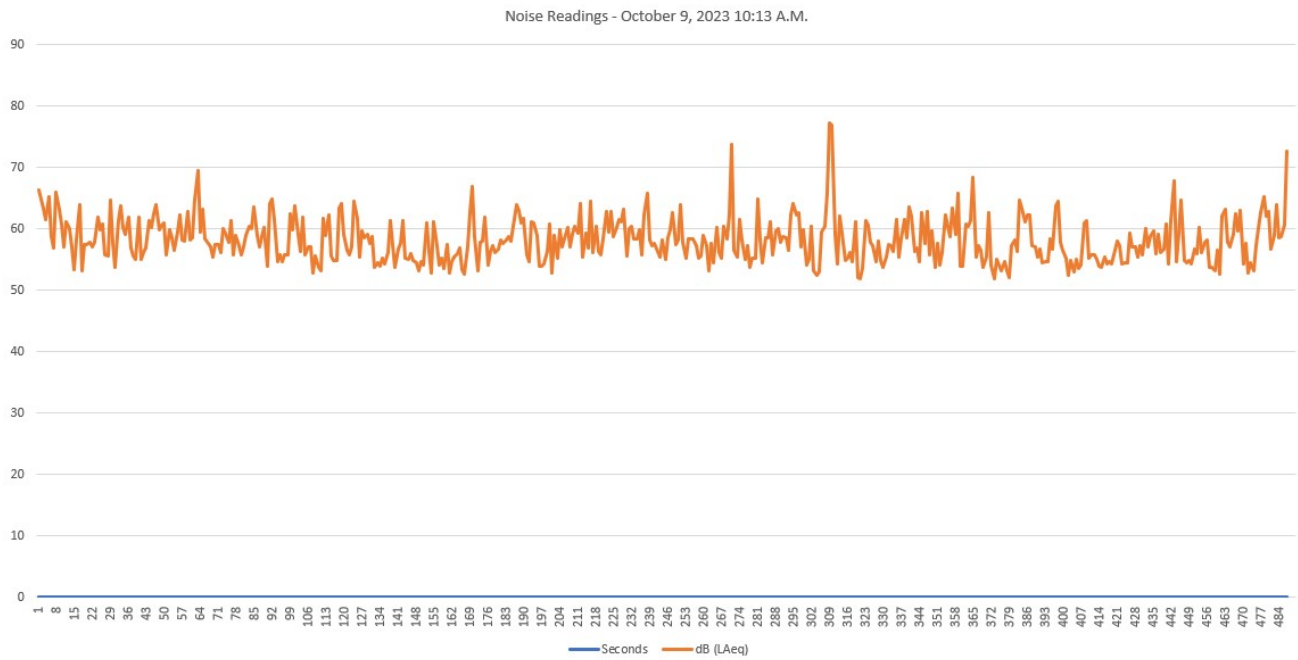
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:08	
LAeq	60.1	dB
Max. level	79.4	dB
LCpeak	89.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 11:20 AM

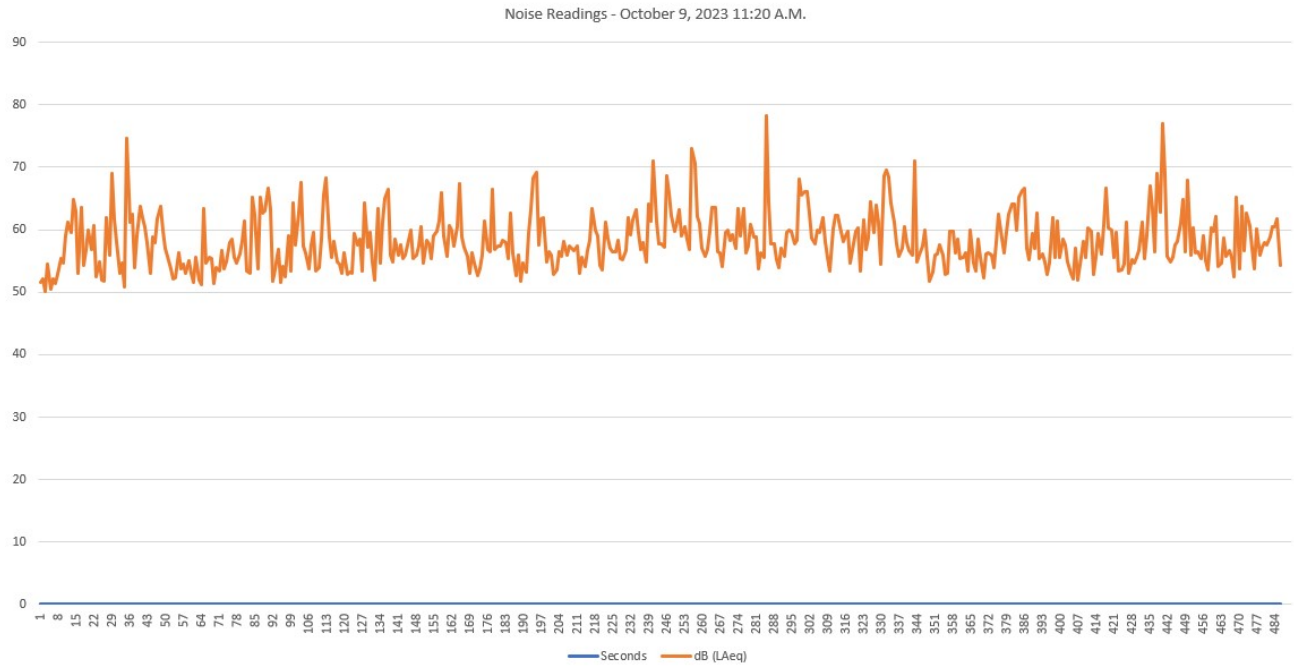
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	60.7	dB
Max. level	78.9	dB
LCpeak	88.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 11:33 AM

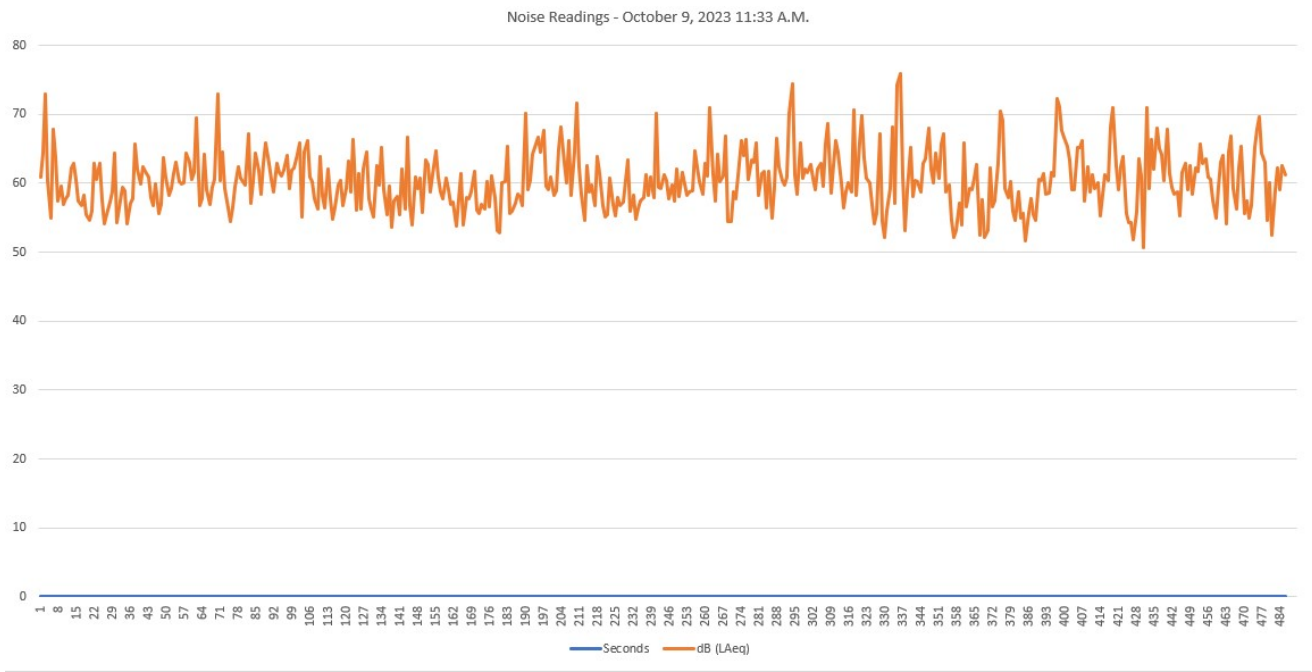
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	62.2	dB
Max. level	77.3	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 9:42 AM

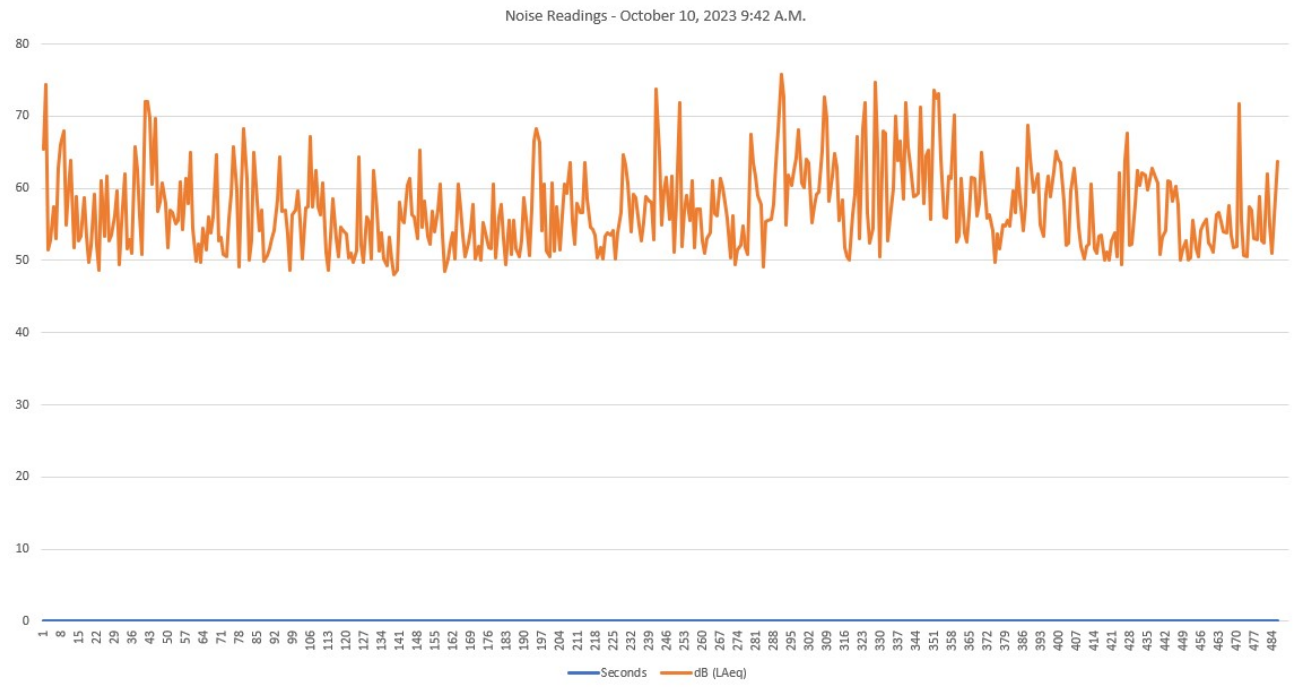
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	61.6	dB
Max. level	81.6	dB
LCpeak	88.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 11:26 AM

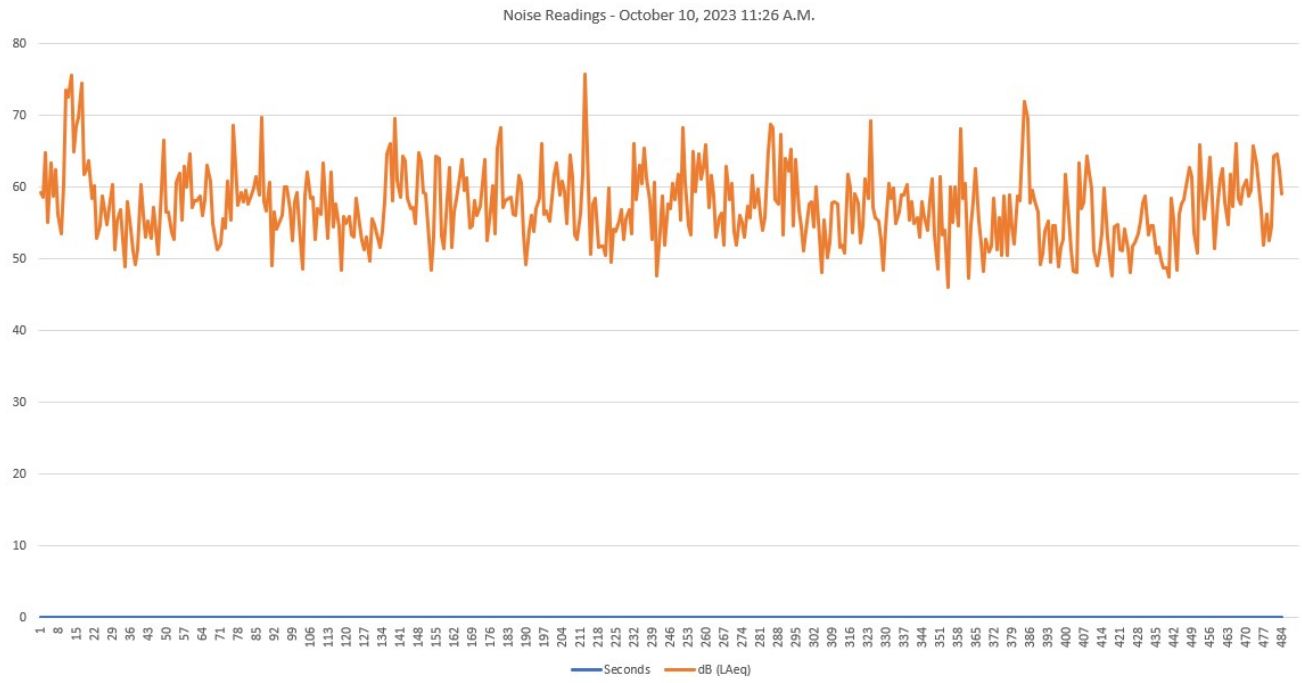
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	61.1	dB
Max. level	83.5	dB
LCpeak	90.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 2:03 PM

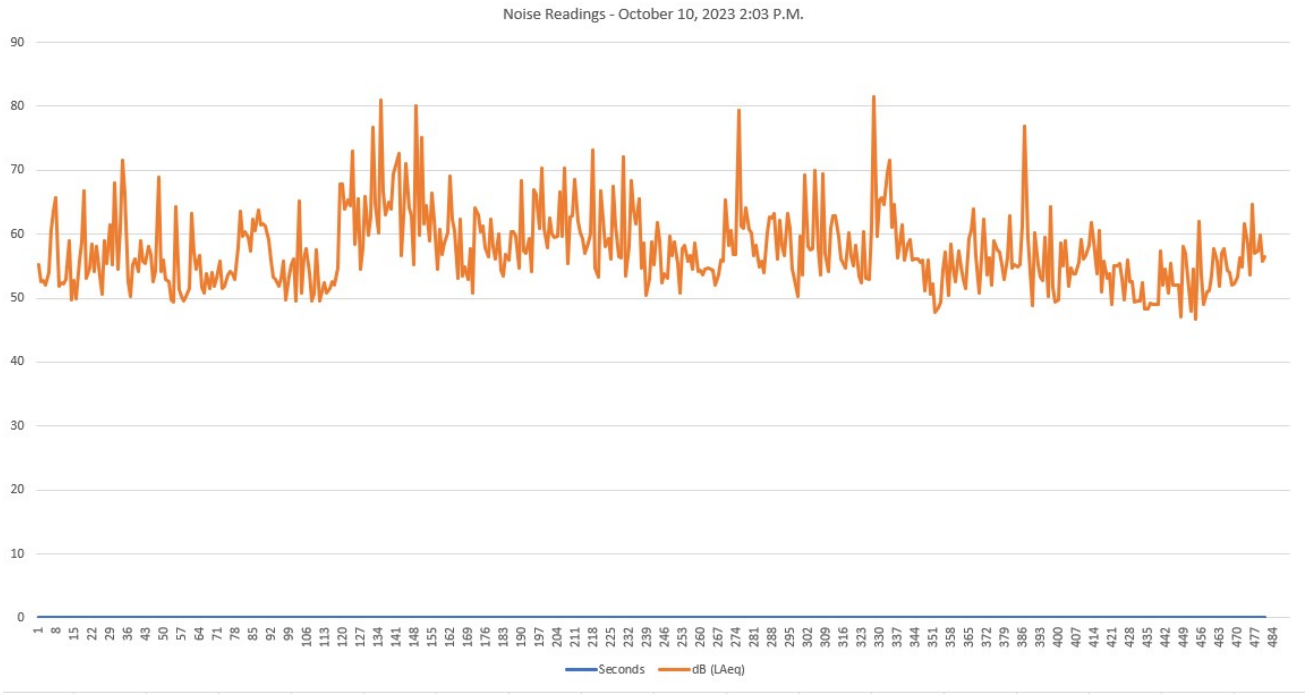
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.5	dB
Max. level	81.6	dB
LCpeak	90.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 2:38 PM

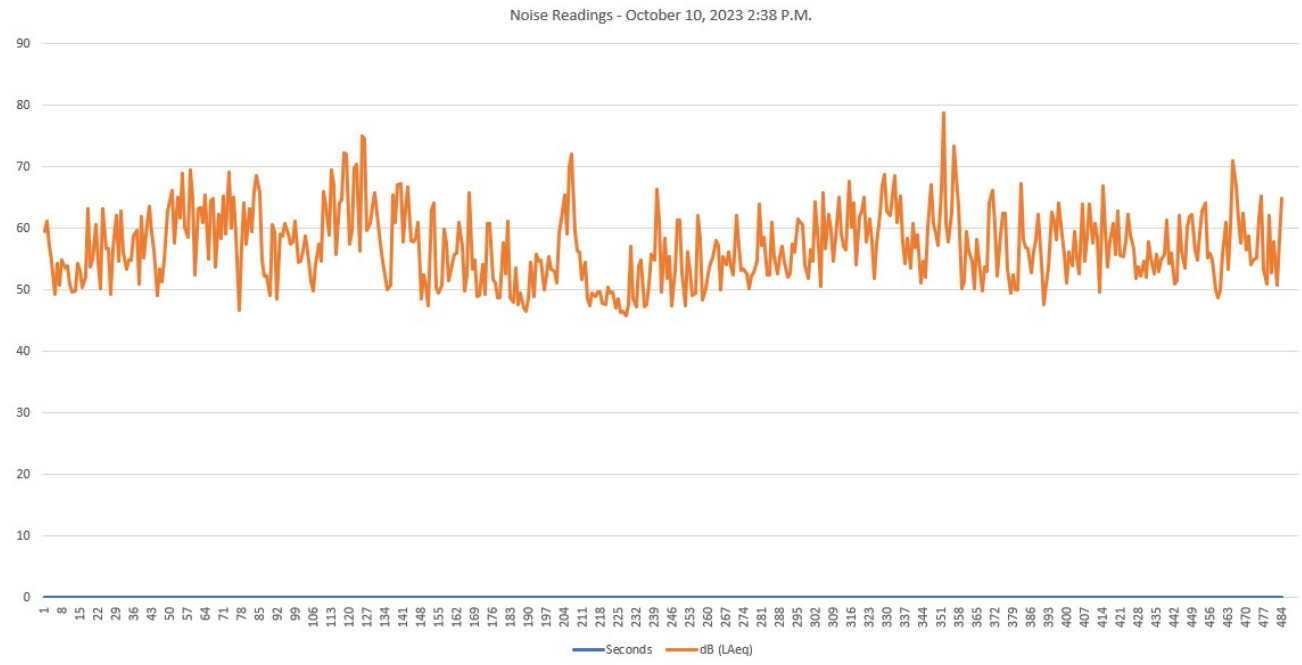
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	60.7	dB
Max. level	78.9	dB
LCpeak	88.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 9:41 AM

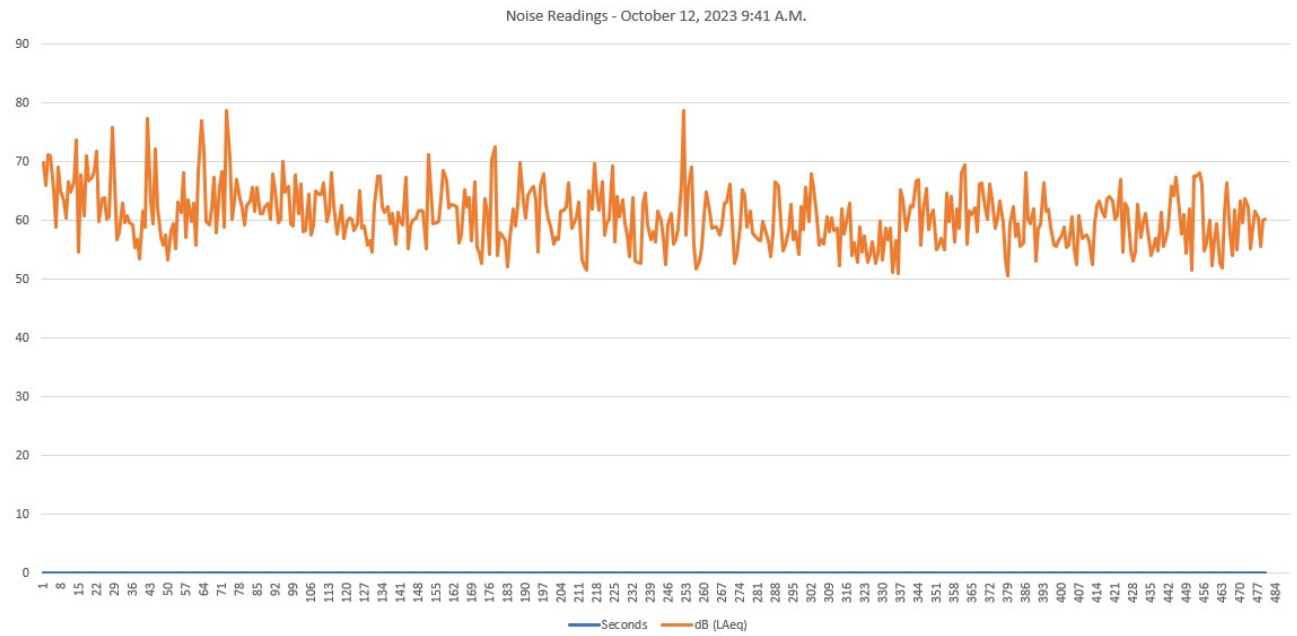
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:00	
LAeq	63.6	dB
Max. level	81.9	dB
LCpeak	90.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 11:34 AM

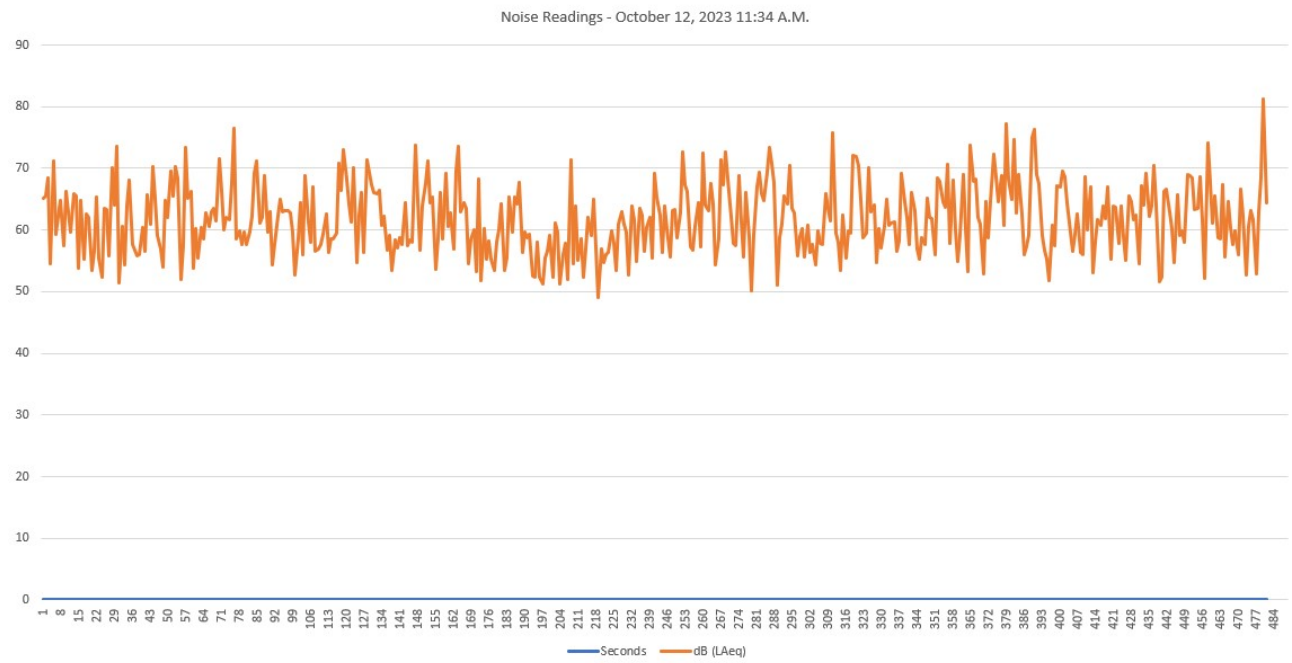
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	65.2	dB
Max. level	84.8	dB
LCpeak	92.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 2:07 PM

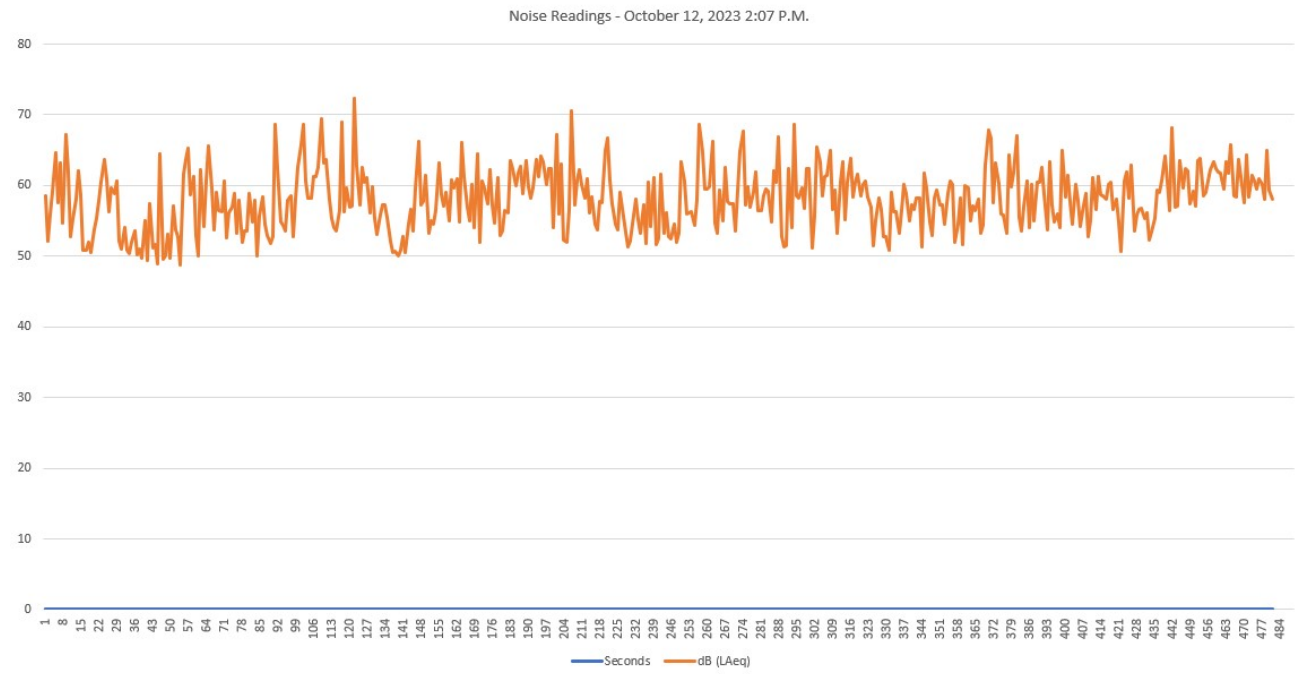
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.2	dB
Max. level	75.1	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 9:38 AM

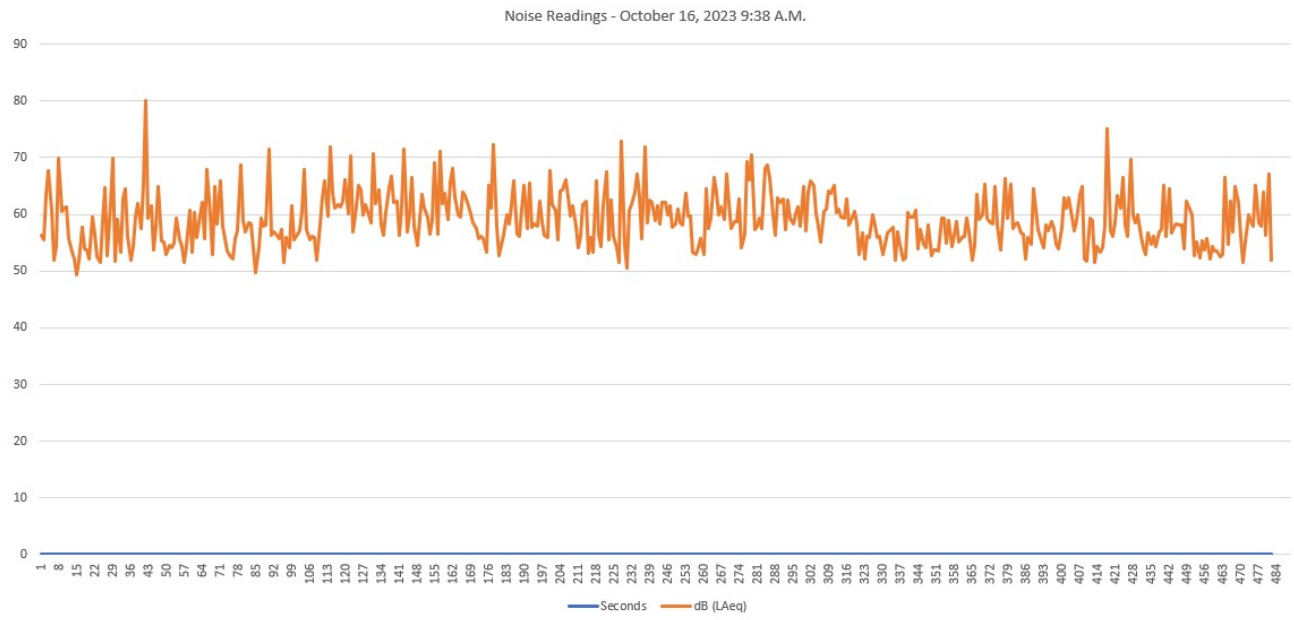
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.5	dB
Max. level	80.6	dB
LCpeak	88.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 11:30 AM

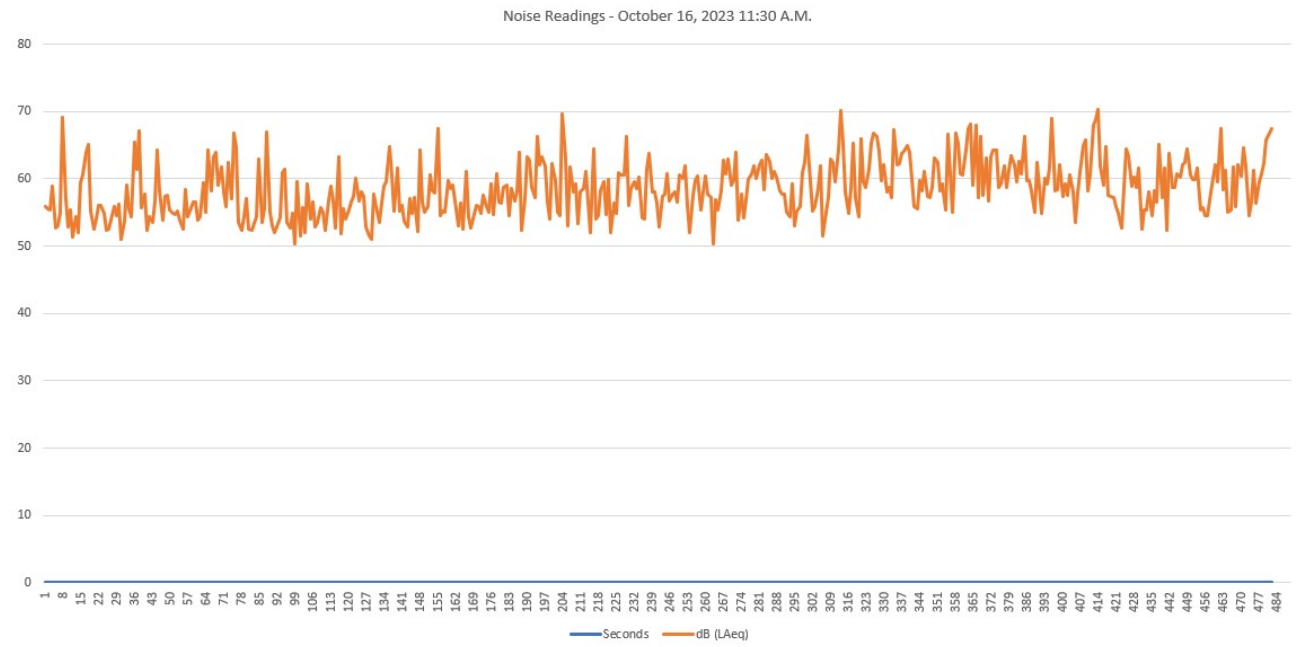
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	60.3	dB
Max. level	74.9	dB
LCpeak	101.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 1:39 PM

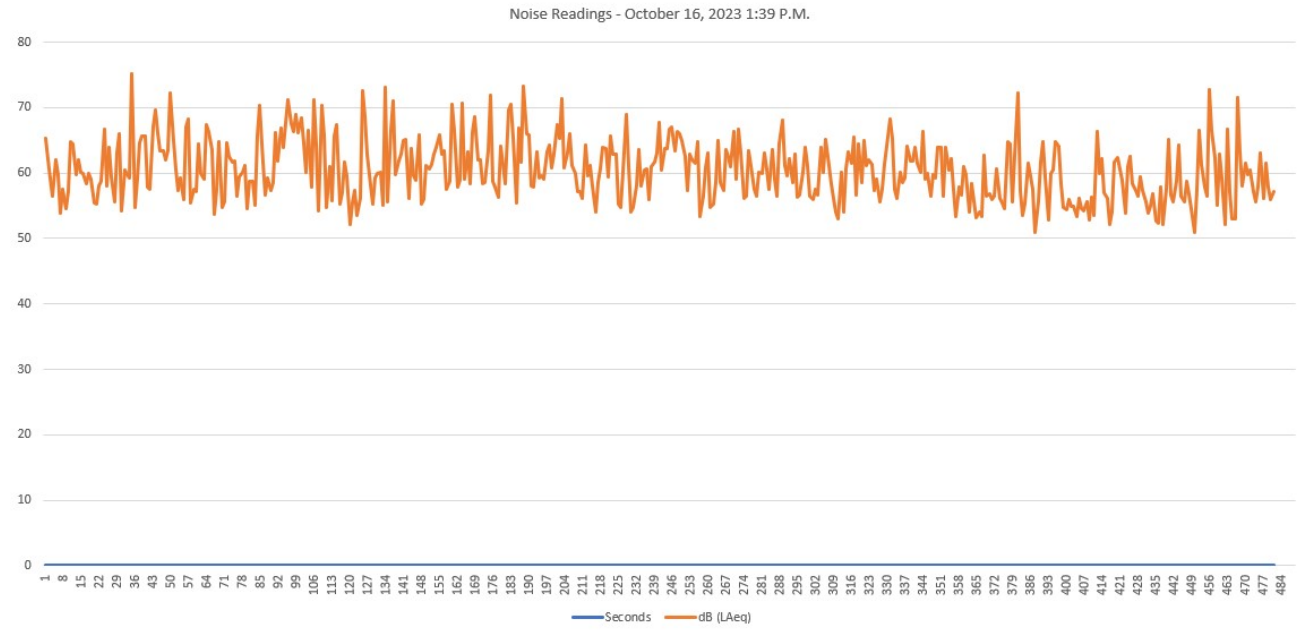
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.6	dB
Max. level	77.6	dB
LCpeak	94.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/17/23, 9:56 AM

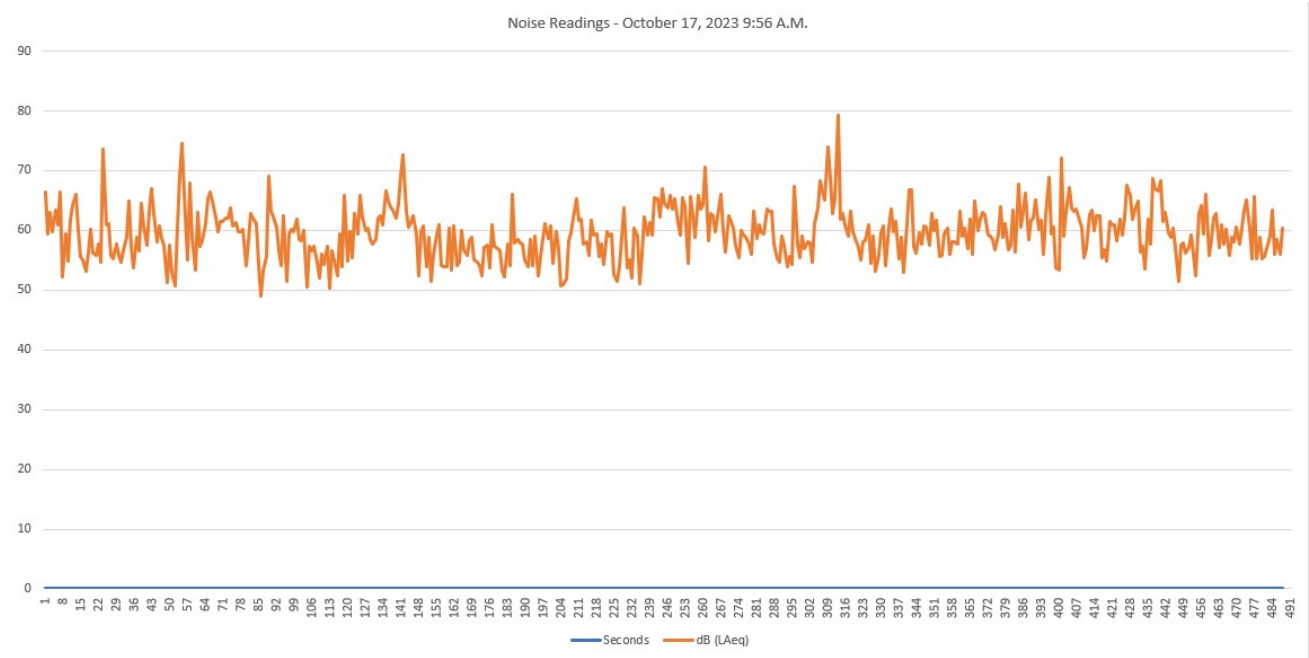
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:08	
LAeq	61.5	dB
Max. level	79.6	dB
LCpeak	87.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/17/23, 11:57 AM

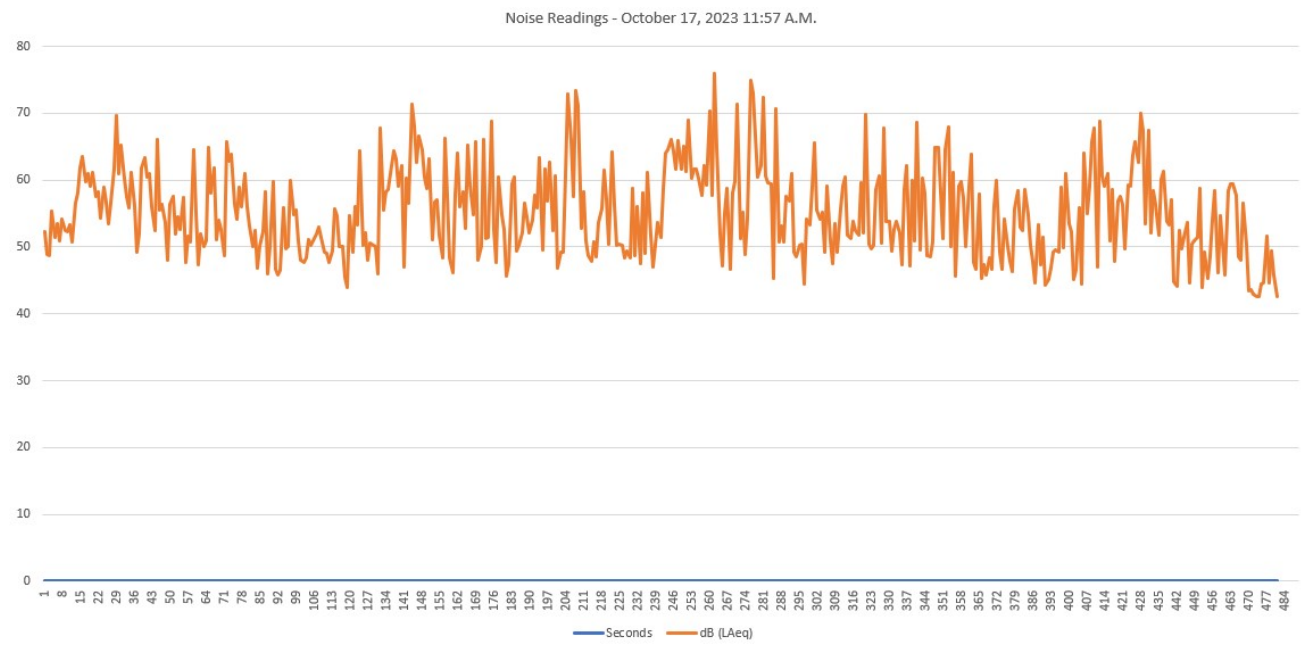
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.5	dB
Max. level	82.8	dB
LCpeak	89.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/18/23, 9:55 AM

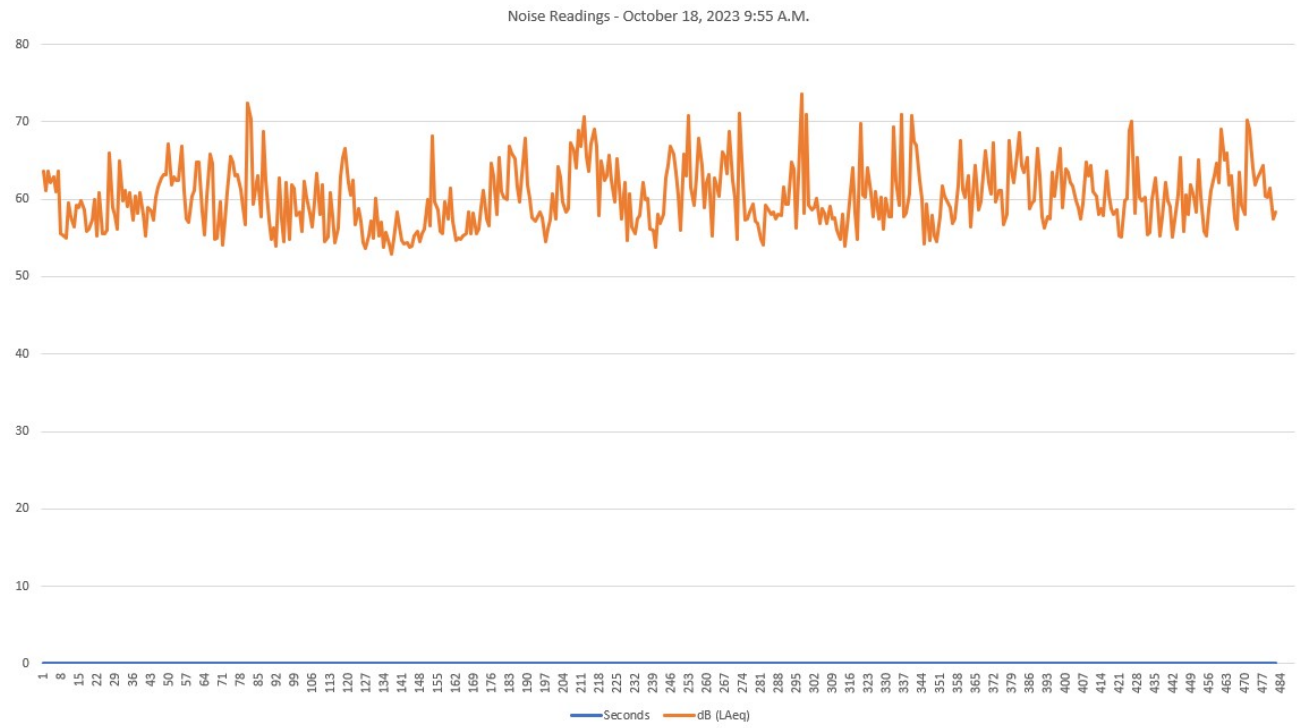
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.9	dB
Max. level	79.5	dB
LCpeak	88.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/18/23, 11:31 AM

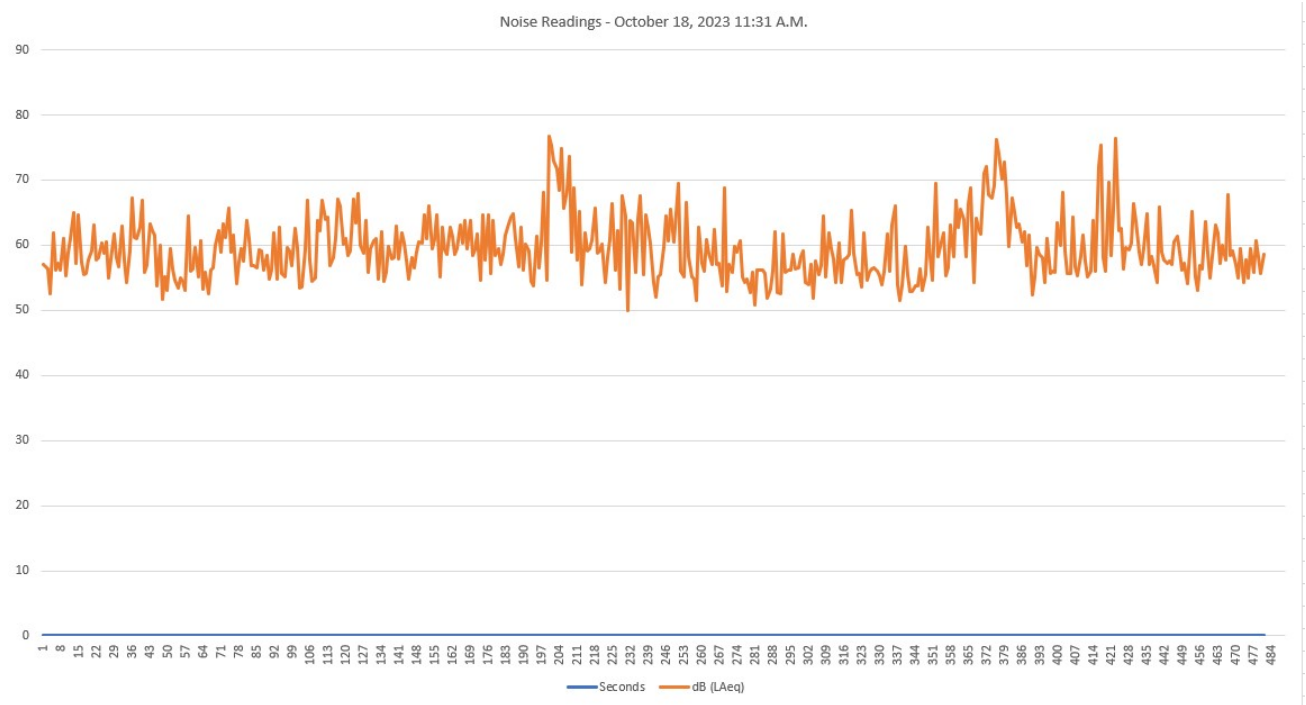
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.5	dB
Max. level	79.1	dB
LCpeak	87.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/23/23, 9:48 AM

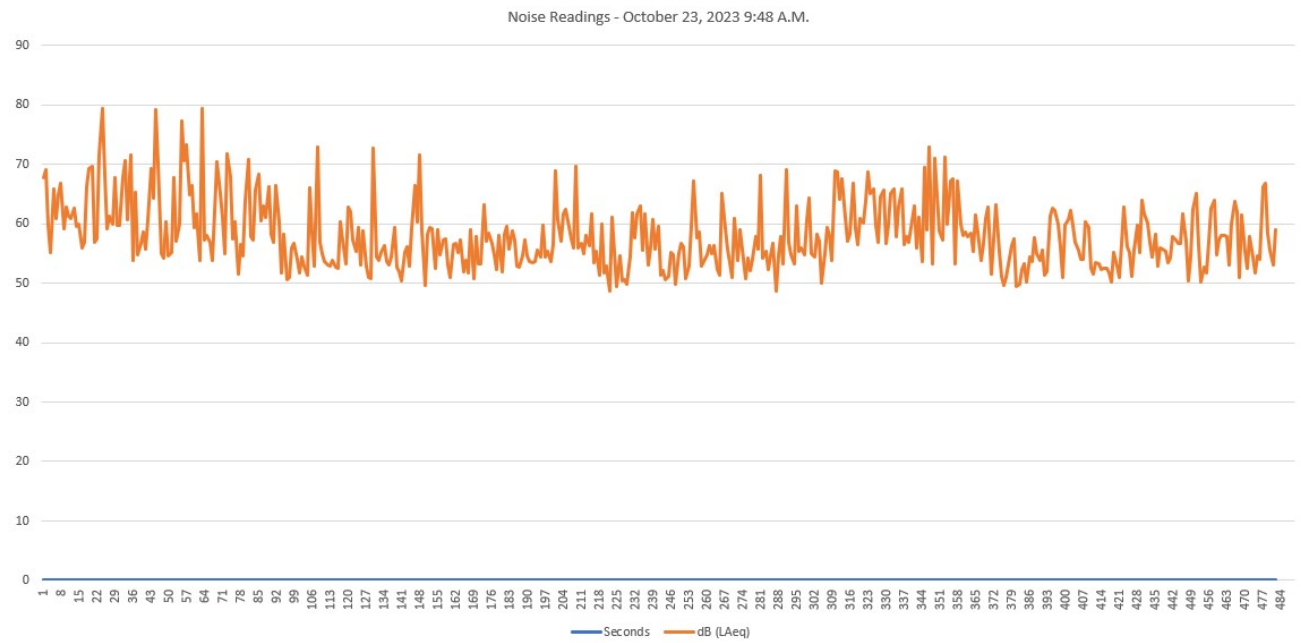
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.7	dB
Max. level	80.2	dB
LCpeak	90.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/23/23, 1:47 PM

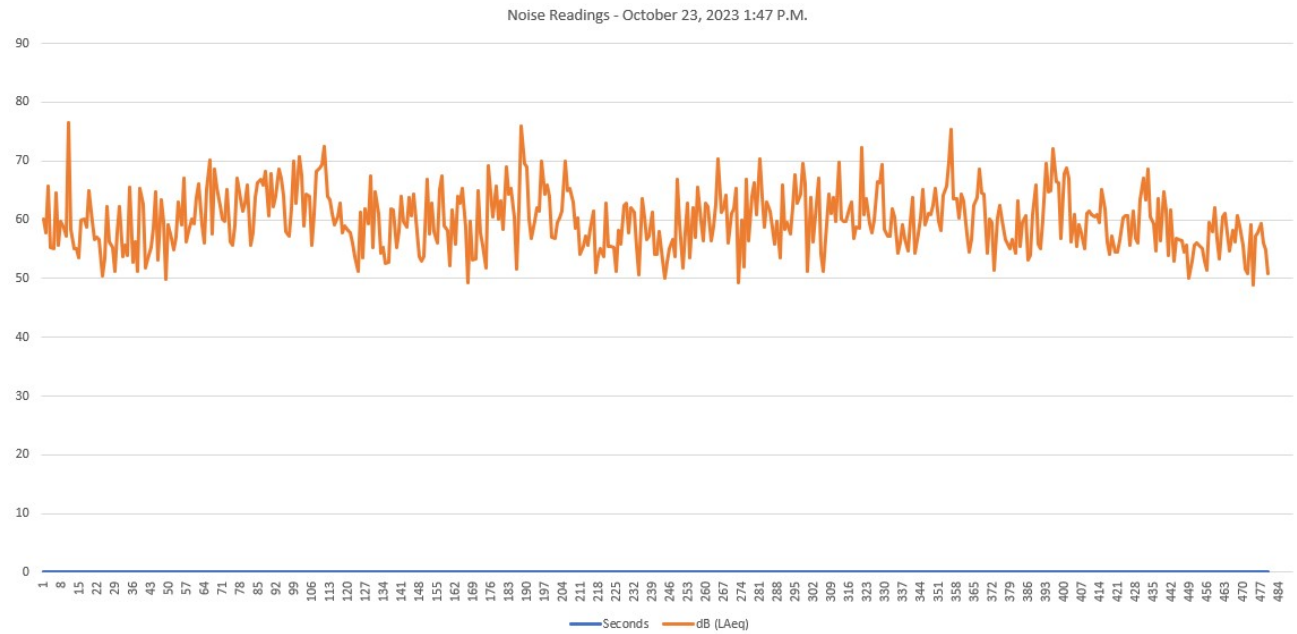
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:00	
LAeq	62.6	dB
Max. level	79.6	dB
LCpeak	92.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/25/23, 11:19 AM

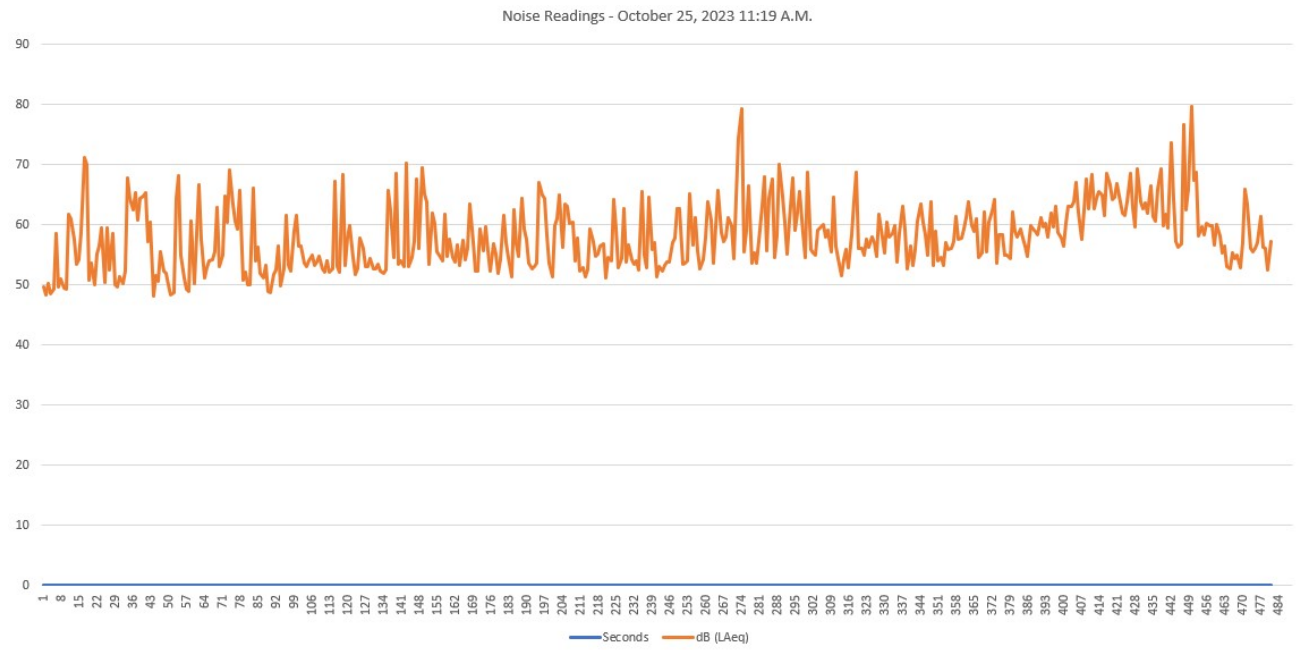
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.1	dB
Max. level	82.2	dB
LCpeak	96.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/25/23, 11:32 AM

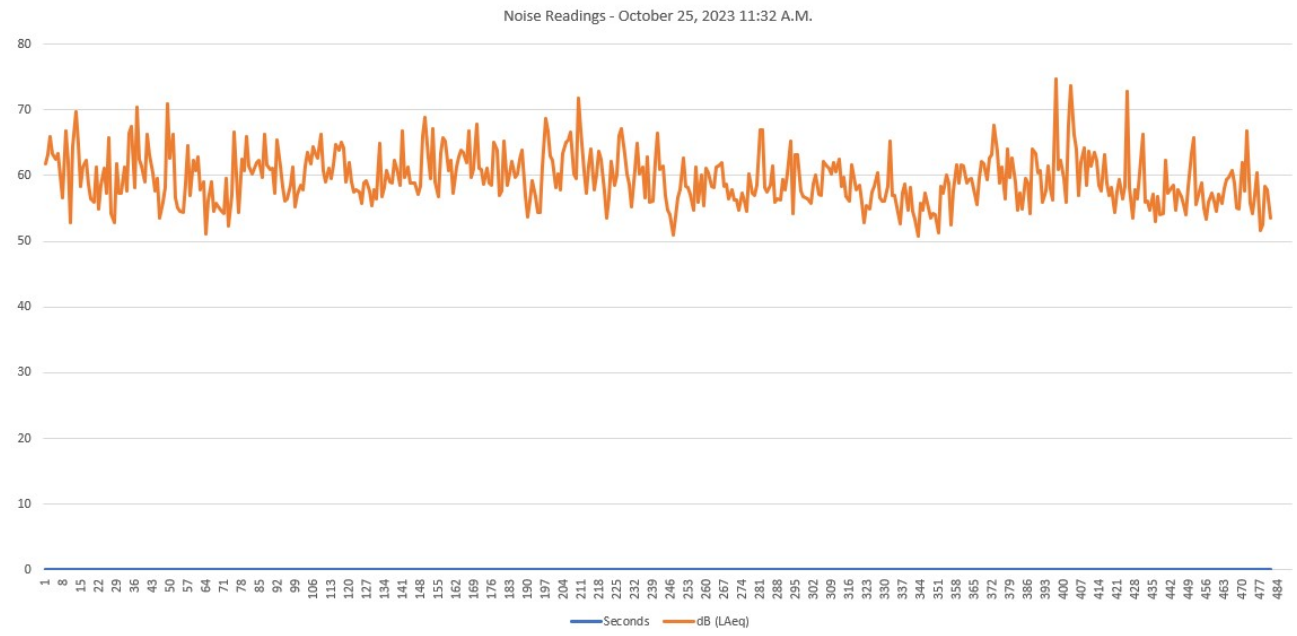
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.0	dB
Max. level	76.1	dB
LCpeak	86.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/27/23, 9:40 AM

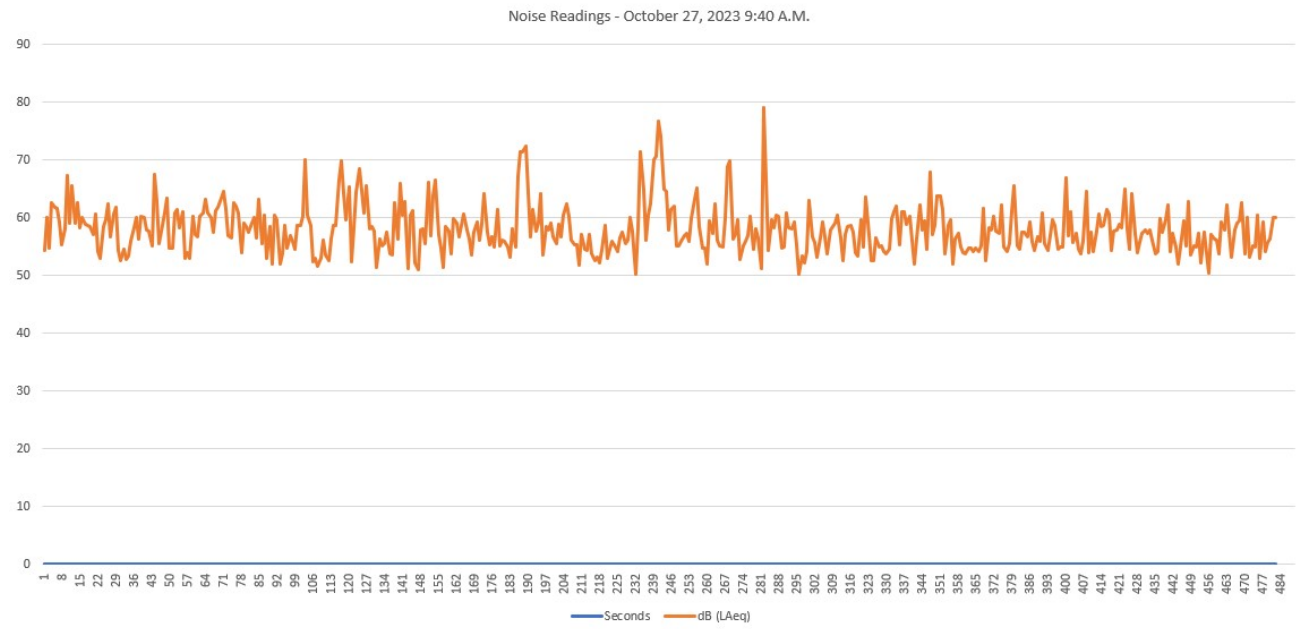
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	60.7	dB
Max. level	79.0	dB
LCpeak	90.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/27/23, 11:16 AM

Operator: Sarno (Property Owner)

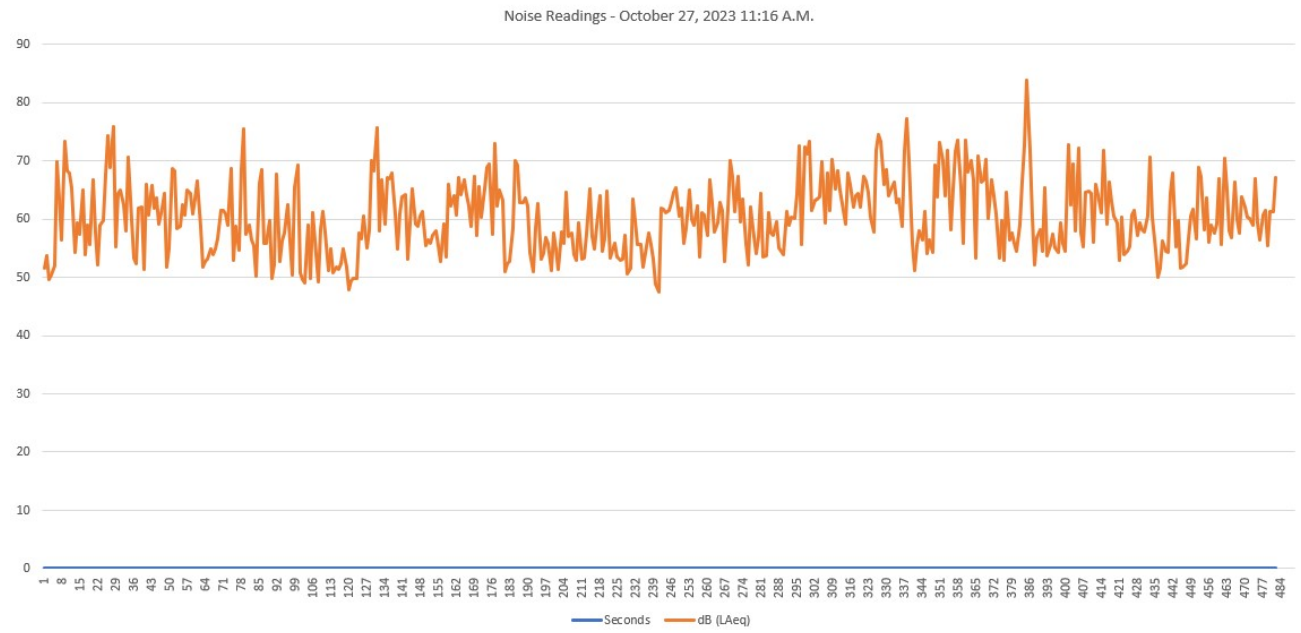
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	64.3	dB
Max. level	83.8	dB
LCpeak	90.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Very loud



Noise measurement report

Date: 10/27/23, 11:30 AM

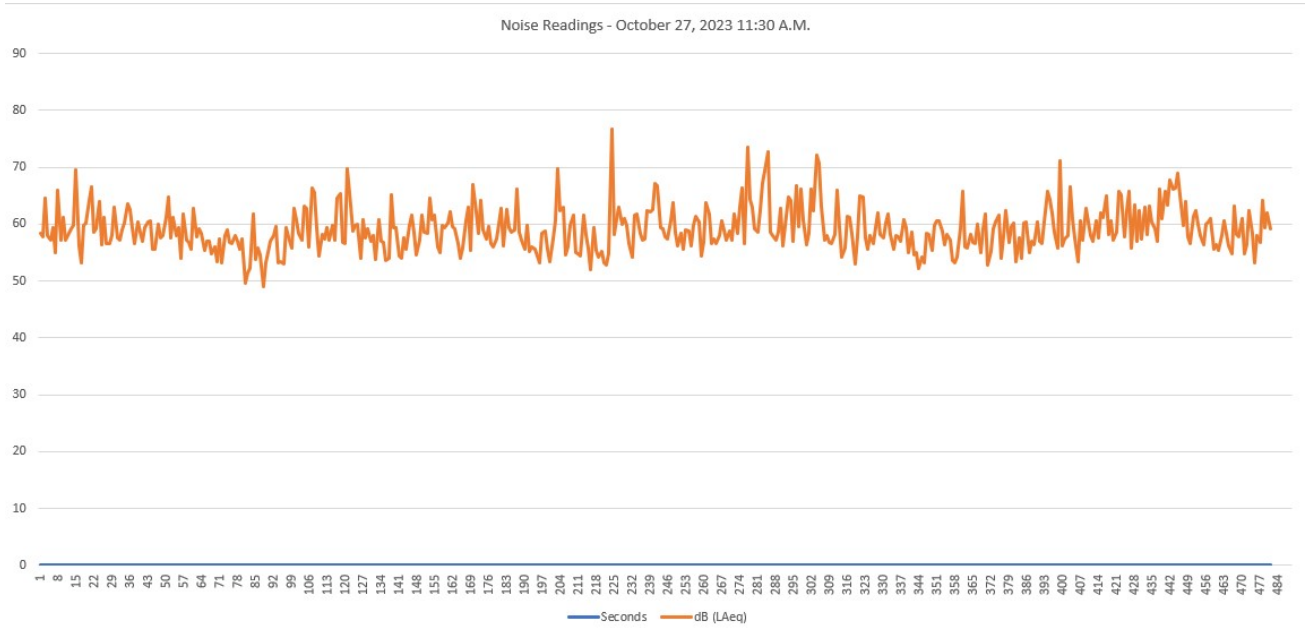
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.6	dB
Max. level	76.6	dB
LCpeak	85.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/30/23, 1:42 PM

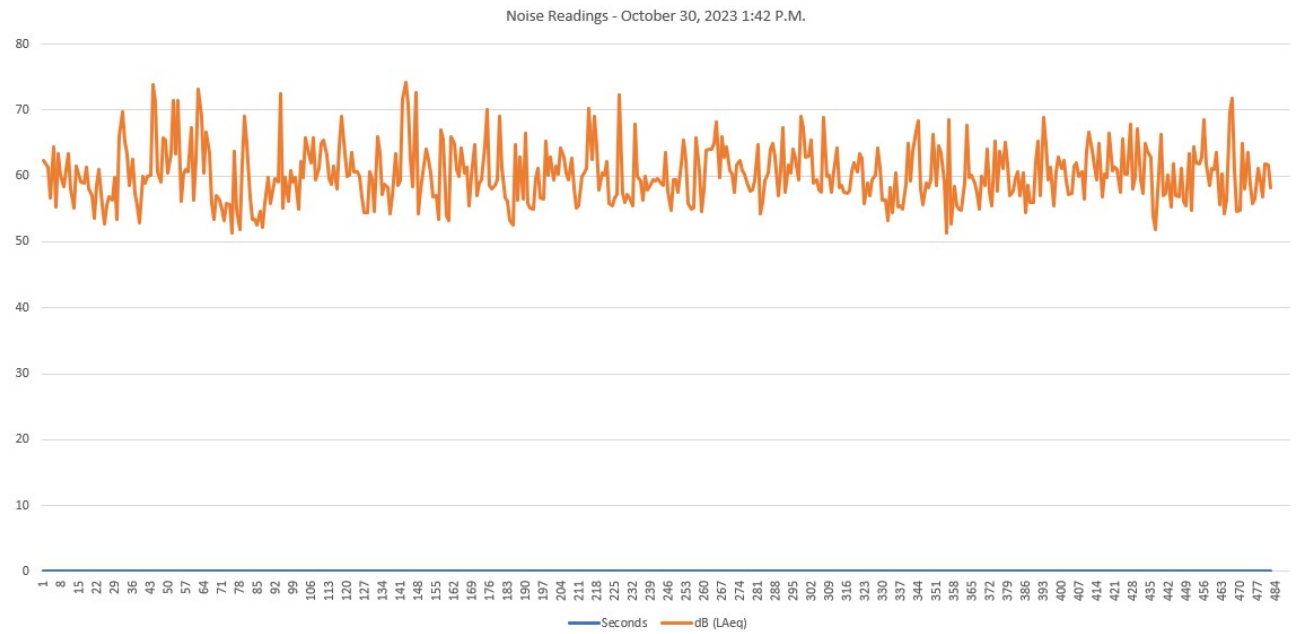
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	62.2	dB
Max. level	77.6	dB
LCpeak	92.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/30/23, 4:22 PM

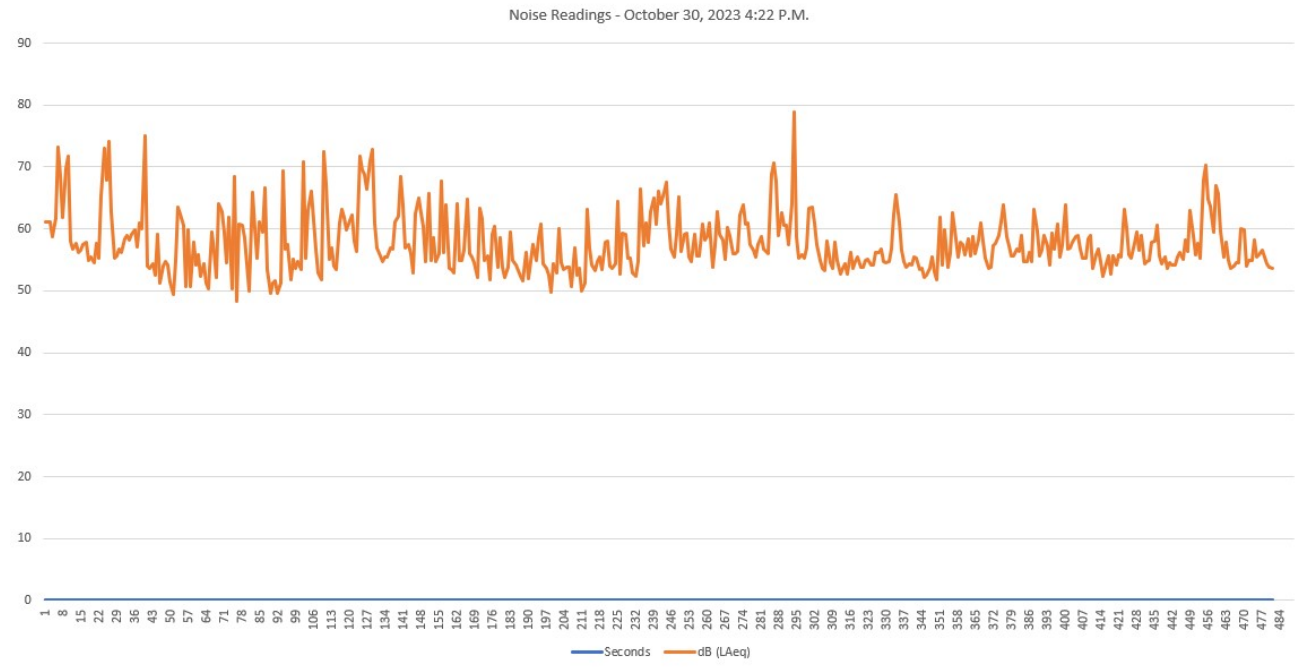
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.1	dB
Max. level	79.5	dB
LCpeak	97.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/31/23, 9:42 AM

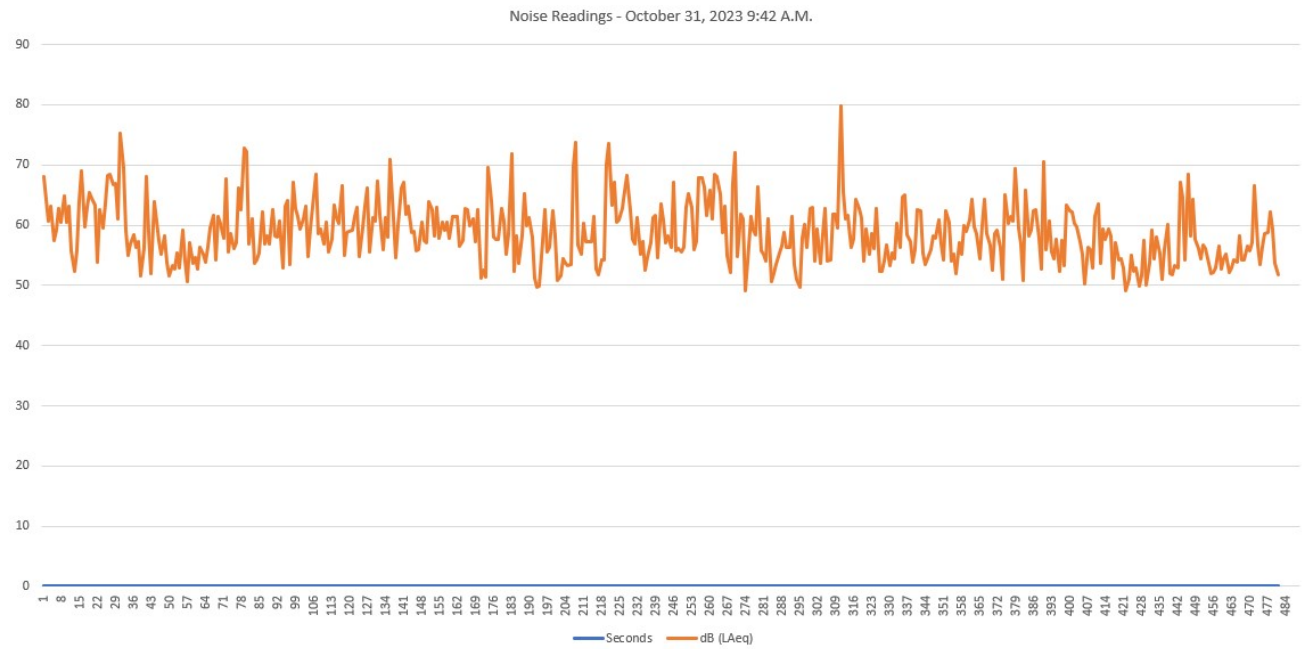
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.4	dB
Max. level	80.5	dB
LCpeak	87.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 9:44 AM

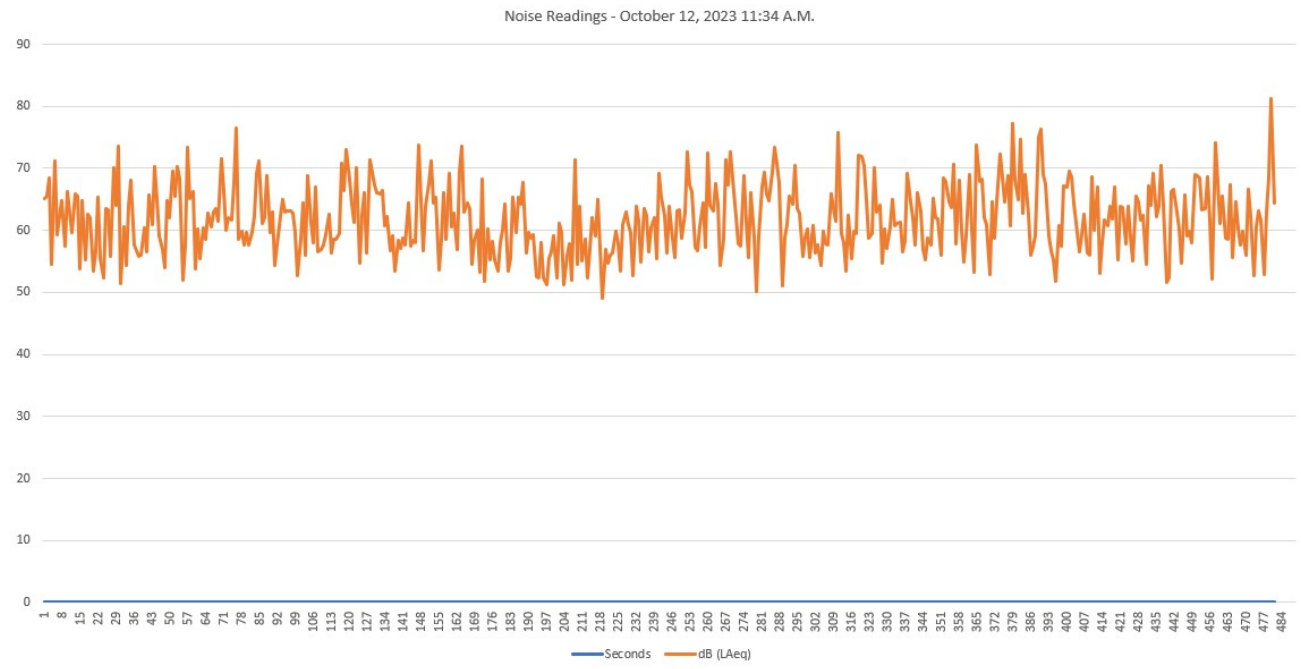
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.0	dB
Max. level	80.3	dB
LCpeak	88.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 11:30 AM

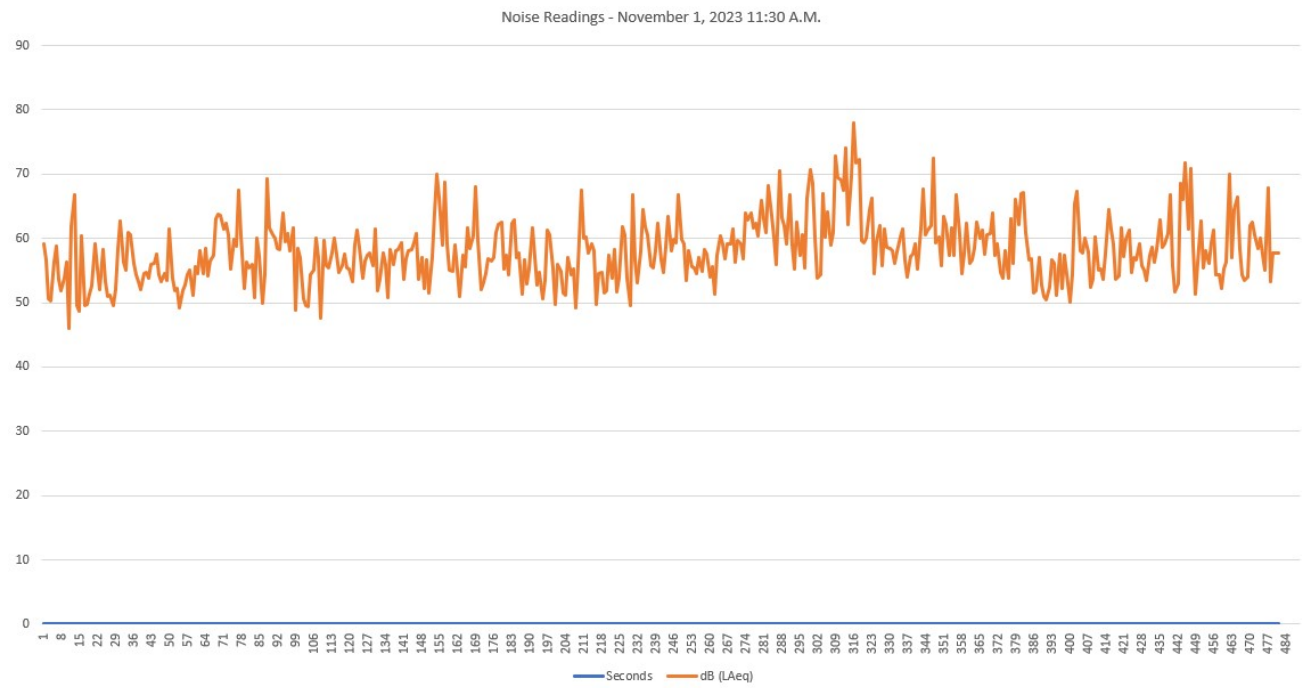
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.6	dB
Max. level	78.0	dB
LCpeak	85.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 1:26 PM

Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.8	dB
Max. level	81.8	dB
LCpeak	90.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes

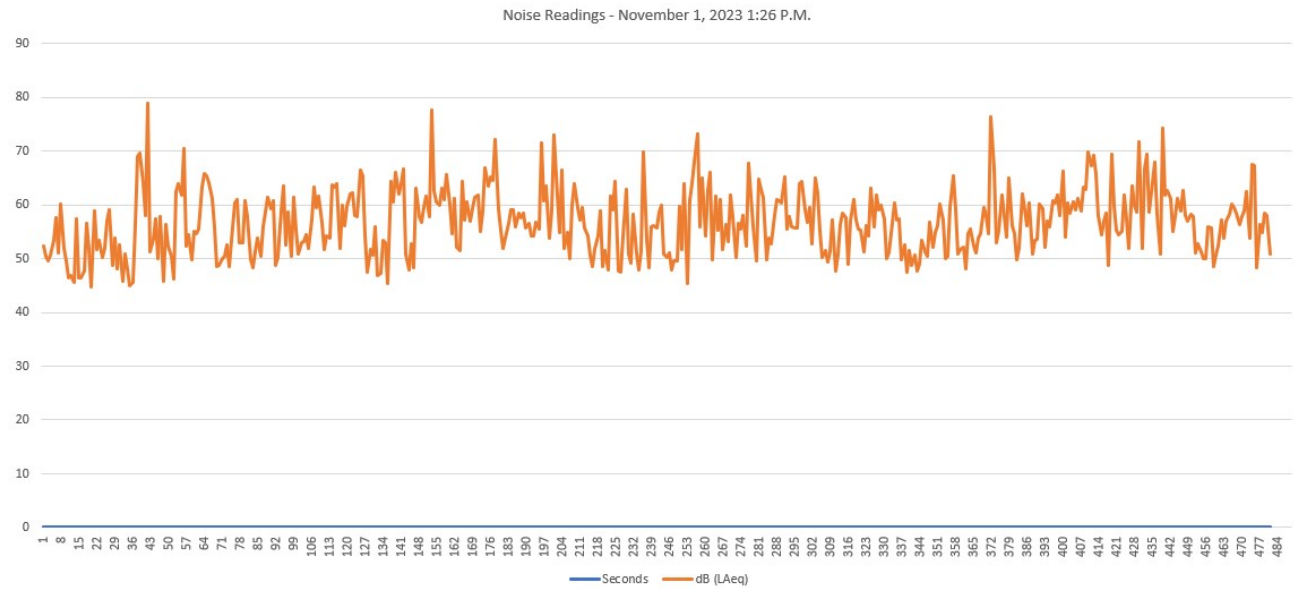


EXHIBIT C

Noise measurement report

Date: 10/3/23, 3:25 PM

Operator: Sarno (Property Owner)

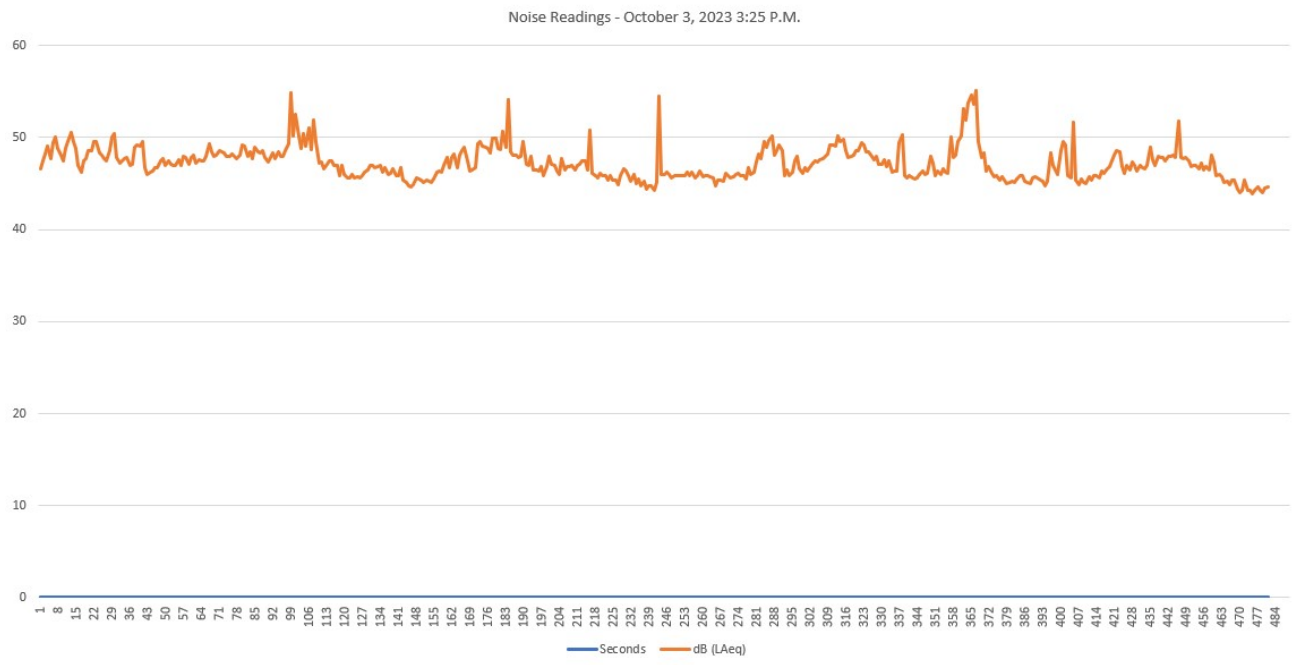
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	47.4	dB
Max. level	56.3	dB
LCpeak	83.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/5/23, 8:58 AM

Operator: Sarno (Property Owner)

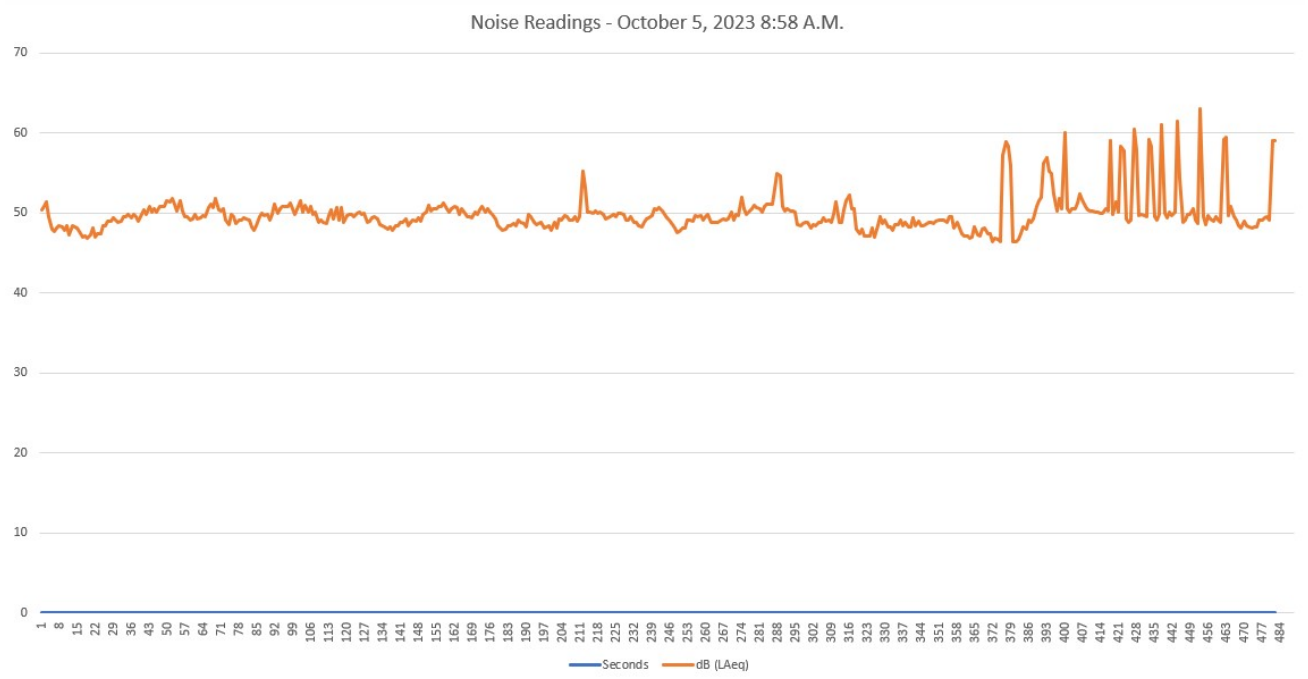
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	50.6	dB
Max. level	63.6	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/6/23, 1:02 PM

Operator: Sarno (Property Owner)

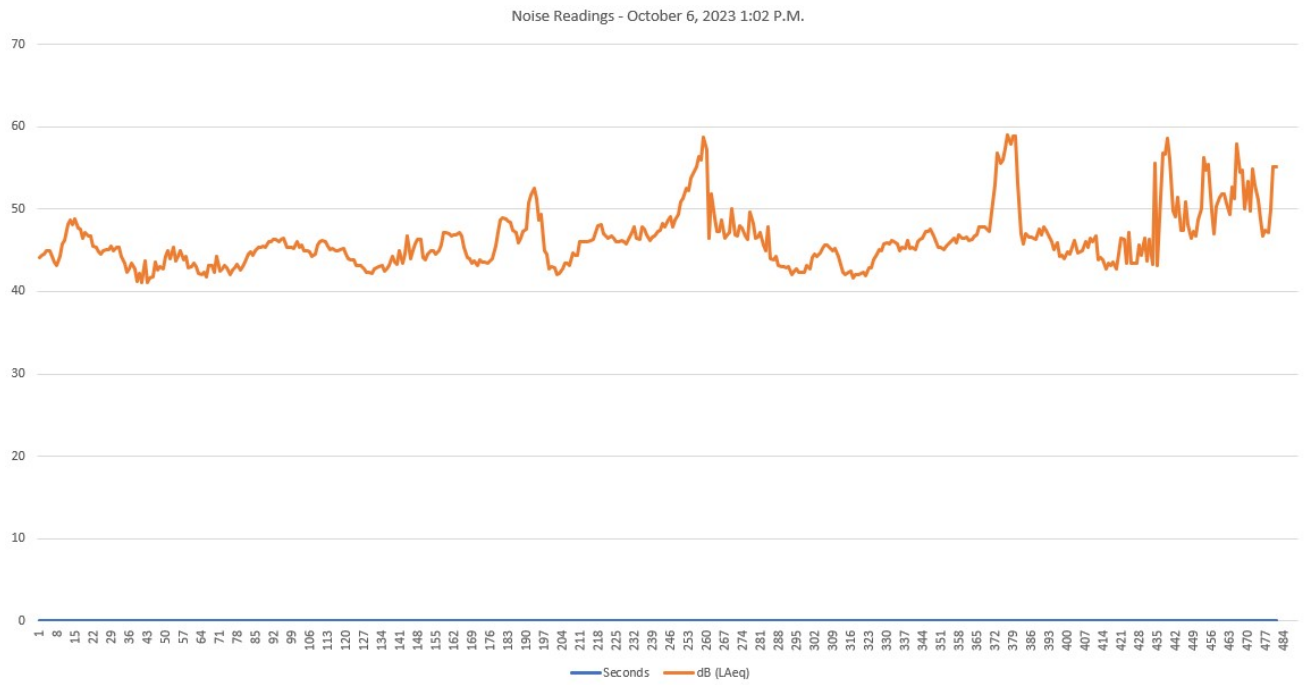
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:03	
LAeq	48.0	dB
Max. level	61.9	dB
LCpeak	88.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/12/23, 9:06 AM

Operator: Sarno (Property Owner)

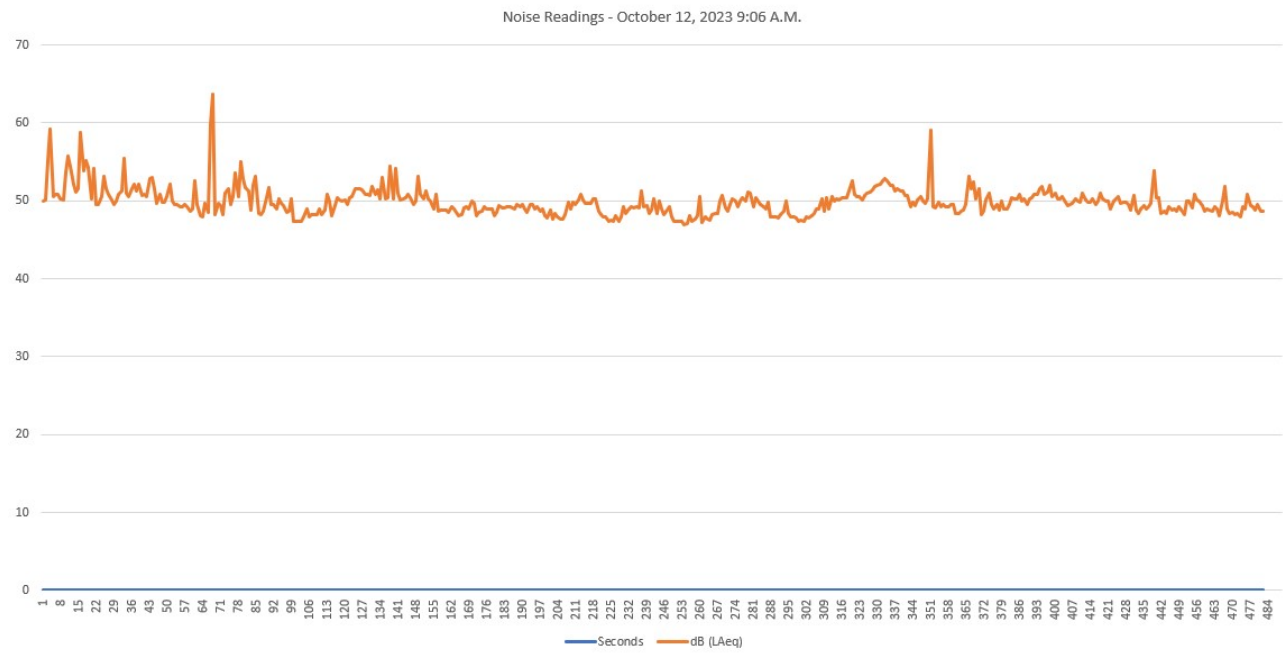
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	50.2	dB
Max. level	64.8	dB
LCpeak	78.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

October 23, 2023

By Electronic Mail

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Donna Moorman, Chief Planner

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Moorman,

My wife and I are current residents and property owners in northeast Dallas and our property is adjacent to neighboring Zion Church and School ("Zion") located at 6121 East Lovers Lane in Dallas. We are writing this letter to all planners in order that you consider our concerns with the site plan changes proposed by Zion. Zion has its own Planned Development district (see Exhibit A). Zion is in the process of applying with the City of Dallas for a minor amendment to add a proposed basketball/sports court a mere ten yards from our property. This court will negatively affect the market value of our property. More importantly, the proposed court, with its proximity, will intrude on the quiet enjoyment of our home and be a legitimate health concern given the level of noise that such a court produces. Finally, it will expand on the existing noise regulation violations created by the playground situated right next to the proposed court.

According to Article VI of the Development Code in Chapter 51A of Dallas City Code (the "Code"), certain noise regulations were established to protect the health and general welfare of neighboring properties. The relevant noise regulations can be found in Sections 51A-6.102 and 51A-6.107. See attached excerpt of the cited rules highlighted in the red boxes. Section 51A-6.102 puts a cap on the level of noise that is produced from the particular use of a property. See Code excerpts attached as Exhibit B.

Zion's proposed sports court is too close to residential property to comply with city noise regulations. In this case, Zion is already violating the Environmental Performance Standards set forth in the development code through its continuing violations of the noise regulations. See evidence provided and attached as Exhibit C. Section 51A-6.107 requires that a use that is non-conforming may not be expanded or enlarged.

Unless Zion's minor amendment can be conditioned on the inclusion of adequate sound barriers or buffers, Zion's minor amendment should not be approved or recommended by the City of Dallas Current Planning department.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

CC: Andreea Udrea

EXHIBIT A

ARTICLE 1053.

PD 1053.

SEC. 51P-1053.101. LEGISLATIVE HISTORY.

PD 1053 was established by Ordinance No. 31856, passed by the Dallas City Council on May 12, 2021. (Ord. 31856)

SEC. 51P-1053.102. PROPERTY LOCATION AND SIZE.

PD 1053 is established on property generally located at the northeast corner of Lovers Lane and Skillman Street. The size of PD 1053 is approximately 7.929 acres. (Ord. 31856)

SEC. 51P-1053.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 31856)

SEC. 51P-1053.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 1053A: development plan.

(2) Exhibit 1053B: traffic management plan. (Ord. 31856)

SEC. 51P-1053.105. DEVELOPMENT PLAN.

(a) For a private school, development and use of the Property must comply with the development plan (Exhibit 1053A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other permitted uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and landscape plan do not apply. (Ord. 31856)

SEC. 51P-1053.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district, etc.

(b) Private school is allowed by right. (Ord. 31856)

SEC. 51P-1053.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 31856)

SEC. 51P-1053.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Private school.

(1) Setbacks.

(A) Skillman Street. Minimum setback is 15 feet.

(B) Lovers Lane. Minimum setback is 25 feet.

(C) Encroachments. Steps, handrails, canopies, fences, and light poles are allowed within the required setbacks.

(2) Floor area. Maximum floor area is 67,500 square feet. (Ord. 31856)

SEC. 51P-1053.109. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a private school and church, parking is allowed within the required setback. (Ord. 31856)

SEC. 51P-1053.110. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a private school must comply with the traffic management plan (Exhibit 1053B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by May 21, 2023. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation, eliminate traffic hazards, or decrease traffic congestion. (Ord. 31856)

SEC. 51P-1053.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 31856)

SEC. 51P-1053.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 31856)

SEC. 51P-1053.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 31856)

SEC. 51P-1053.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 31856)

SEC. 51P-1053.115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 31856)

Exhibit 1053A: Development Plan

Approved
City Plan Commission
March 25, 2021

LEGEND

Current Zoning: Specific Use Permit Permit No. 2114 Use: Church/Private School	
Land Area:	334,728 SF / 7.684 AC
School Existing Floor Area:	39,000 SF
Church Existing Floor Area:	14,500 SF
Proposed Gymnasium Addition Floor Area:	12,000 SF
Total Floor Area:	67,479 SF
Maximum Height:	30 Feet
Number of Classrooms Classrooms Pre-K - 6	13
Classrooms 7-8	2
Parking Required	402 spots / 4 spots per school + Pre K-6 15 Classrooms @1.5 Spaces + 7-8 Grade Classrooms @ 3.5 spaces /1 =
Total Required	125 28 153
Parking Provided: Proposed Additional Parking	153

LOCATION MAP

1 DEVELOPMENT PLAN

ZION LUTHERAN CHURCH - GYMNASIUM ADDITION
4131 E. LOWDEN LN., DALLAS, TEXAS 75214

cunninghamarchitects

NOT

A101

EXHIBIT B

SEC. 51A-6.102. NOISE REGULATIONS.

(a) General provisions.

(1) A person may not conduct a use that creates a noise level that exceeds the levels established in Subsections (b) through (e) or that exceeds the background level by five dB(A), whichever is greater.

(2) A sound level meter that meets the standards of the American Standards Association must be used to determine whether the level of noise violates this section. The instrument must be maintained in good working order. A calibration check should be made prior to and following any noise investigation.

(3) Traffic, aircraft, and other background noises are not considered in measuring noise levels except when the background noise level is being determined.

(4) For purposes of this section, any identifiable portion of a planned development (PD) district governed by a distinct set of use regulations is considered to be a separate zoning district. If the PD district or a portion of the district is limited to uses permitted in an expressly stated zoning district, the PD district or portion of the district is considered to be that zoning district; otherwise it is considered to be:

(A) an MF-3(A) zoning district if it is restricted to residential uses and those nonresidential uses permitted in a residential district; otherwise

(B) an IM zoning district if it allows one or more uses that are only permitted in that district; otherwise

(C) an IR zoning district if it allows one or more uses that are only permitted in a CS, LI, or IR district; otherwise

(D) if it does not fit into one of the above categories, an MU-3 district.

(5) The requirements of this section do not apply to:

(A) mobile sources;

(B) construction/demolition activities regulated by Chapter 30;

(C) special events for which a special events permit is issued under Chapter 42A;

(D) sound generating equipment or apparatus to warn the public of an emergency or for public safety;

(E) noise from use-related loading/ unloading operations that impact residential areas when conducted during daytime hours; or

(F) the following activities, as long as they are conducted between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, Sunday, and legal holidays as a normal function of a permitted use and the equipment is maintained in proper working condition:

(i) Lawn maintenance.

(ii) Repair of personal use vehicles.

(iii) Home repair of place of residence.

(b) Permissible sound pressure level in WR without a shopfront overlay and residential districts.

(1) In a WR without a shopfront overlay or residential district, a person may not conduct a use so as to create a sound pressure level on the bounding lot line that exceeds the decibel limits contained in the following table:

Maximum Permissible Daytime Decibel Limits at the Bounding Lot Line of a WR without a Shopfront Overlay or Residential District	
	A Scale
Decibel Limit (dBA re 0.0002 Microbar)	56

SEC. 51A-6.107. NONCONFORMANCE WITH THE ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) A use that is nonconforming with applicable environmental performance standards may continue if it complies with any conditions imposed by the board, the public health authority, or the environmental health officer for the protection of the use and enjoyment of adjacent property or the public health.

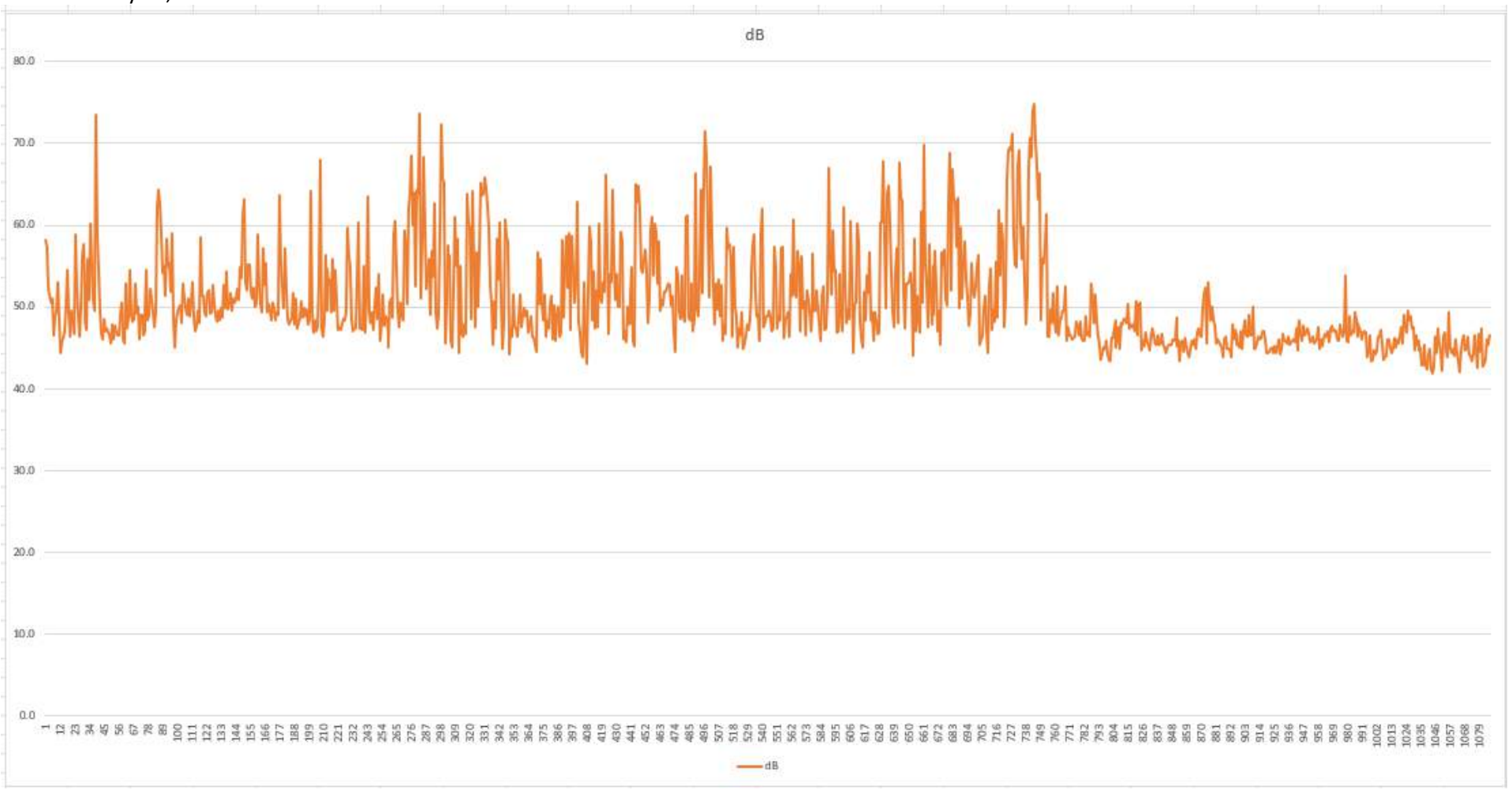
(b) A use that is nonconforming with applicable environmental performance standards may not be enlarged or remodeled if the enlargement or remodeling would cause greater noncompliance with the environmental performance standards than existed at the time the use became nonconforming. (Ord. Nos. 19455; 19995)

EXHIBIT C

The following charts graphically represent sound level recordings taken at the end of Zion's 2022-2023 school year from our backyard of our property located at 6114 Town Hill Lane in Dallas. These recordings were recorded with Class II equipment which meets the standards set by the City of Dallas in Article VI of Chapter 51 (Dallas Development Code). Video support documenting the authenticity of each recording can be accessed via the following Links:

05-18-23, 2:33 P.M.:
https://drive.google.com/file/d/1ik6poeSORGaOJp0esn3C3maJbieCaPwn/view?usp=share_link
05-15-23, 9:14 A.M.:
https://drive.google.com/file/d/1wCZn2oMYu65kACZbIvgoXRYyOKj8twWi/view?usp=share_link
05-16-23, 10:55 A.M.:
https://drive.google.com/file/d/186pSUfEy_7c6ARjLvyS46KLPp1DZpndq/view?usp=share_link
05-18-23, 4:16 P.M.:
https://drive.google.com/file/d/1dPMZGUKGjdNZU2evHsnklz7pZnX11ycm/view?usp=share_link
05-19-23, 9:20 A.M.:
https://drive.google.com/file/d/1Rb0UGctJbeyITYSh-l6CKwpo27k8xVW8/view?usp=share_link
05-19-23, 1:08 P.M.:
https://drive.google.com/file/d/16dfovaHiiKfCAym1x4f4tdMxJoCW1B0D/view?usp=share_link
05-22-23, 9:19 A.M.:
https://drive.google.com/file/d/17VOkyMDXCgIZ6kQmYQ1kKwp3fNKcugkC/view?usp=share_link
05-22-23, 11:30 A.M.:
https://drive.google.com/file/d/1e0jFLTfnJBxBjzrQoPv17PIMx-Kc_ax6/view?usp=share_link
05-23-23, 9:17 A.M.:
https://drive.google.com/file/d/1b1LV9Ot1PEexn0meYmwQIijupypnuPuV/view?usp=share_link
05-23-23, 11:04 A.M.:
https://drive.google.com/file/d/1VsAIB-xk9q56v60Jv-EoCoUrPviKr9Jo/view?usp=share_link
05-24-23, 1:08 P.M.:
https://drive.google.com/file/d/13lK9jyKQf9tE5SI4FfV9r70I0Kug2tdc/view?usp=share_link

Recorded May 18, 2023 at 2:33 P.M.:



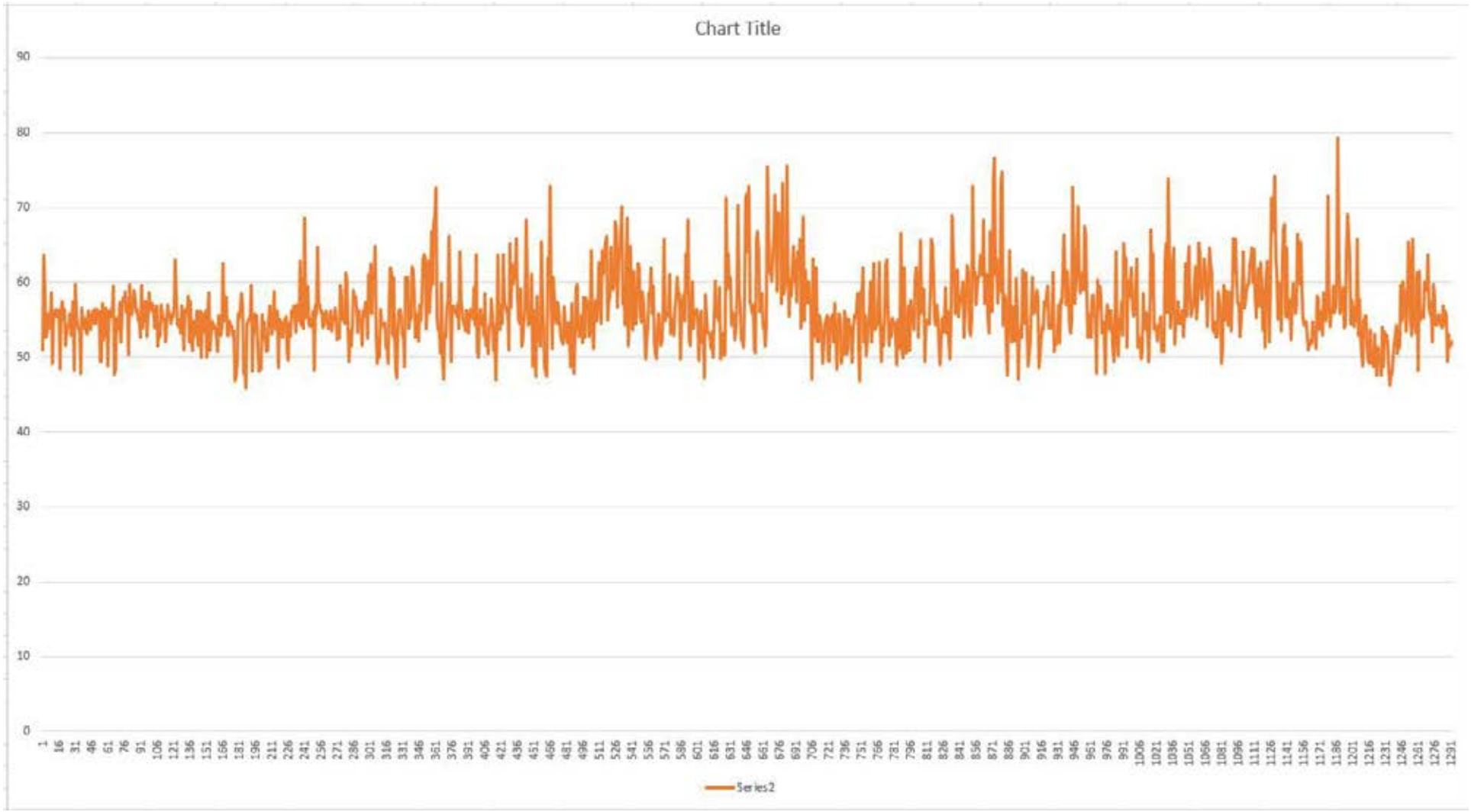
STATISTICS

LAeq: See Note*

Length of recording: 21.53 minutes

*NOTE: This particular recess ends at about the 13 minute mark. LAeq with use is about 58.7 dB. LAeq without use (ambient background) is about 46.7 dB.

Recorded May 15, 2023 at 9:14 A.M.:

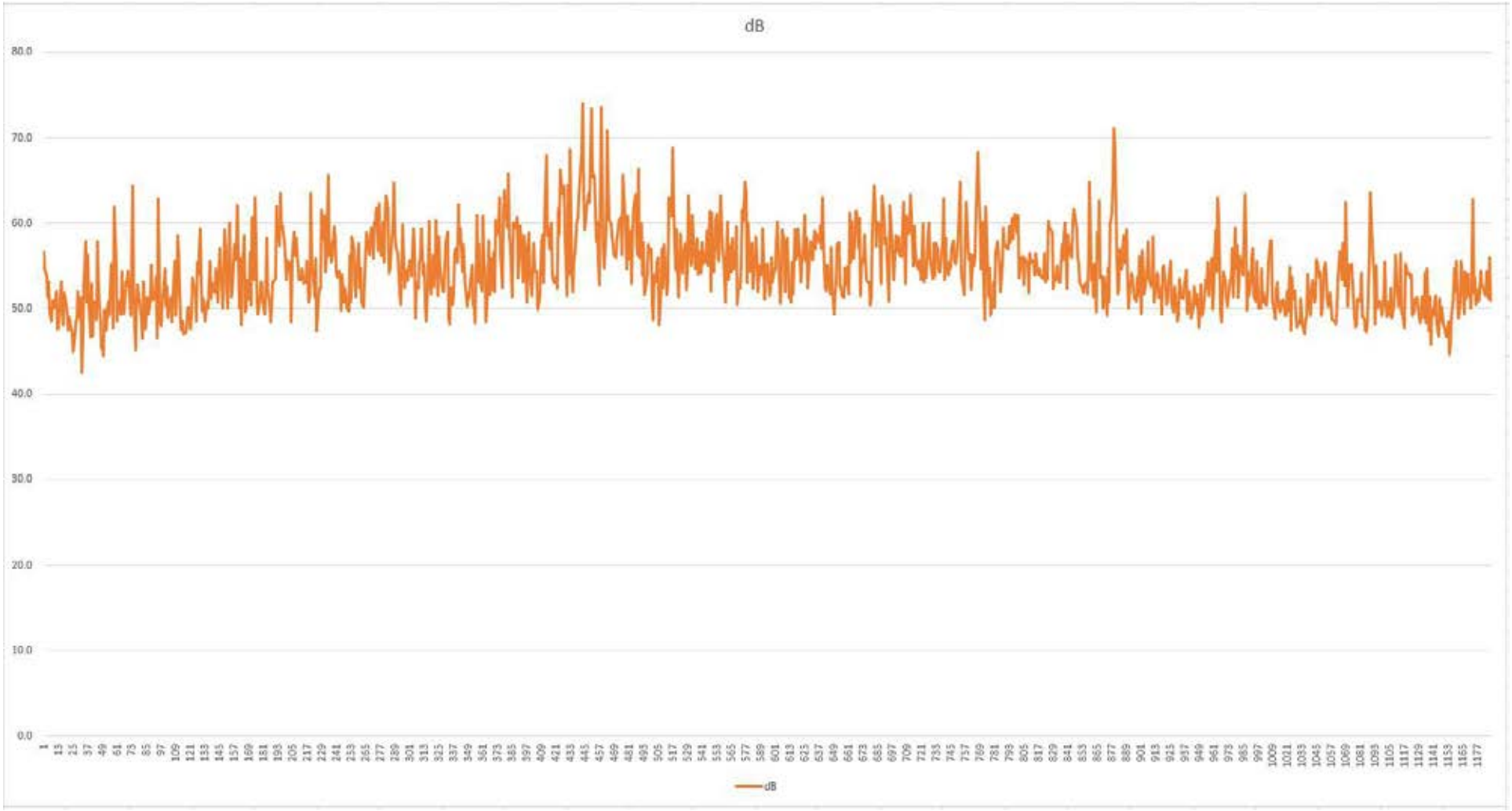


STATISTICS

LAeq: 60.6

Length of recording: 21.53 minutes

Recorded May 16, 2023 at 10:55 A.M.:

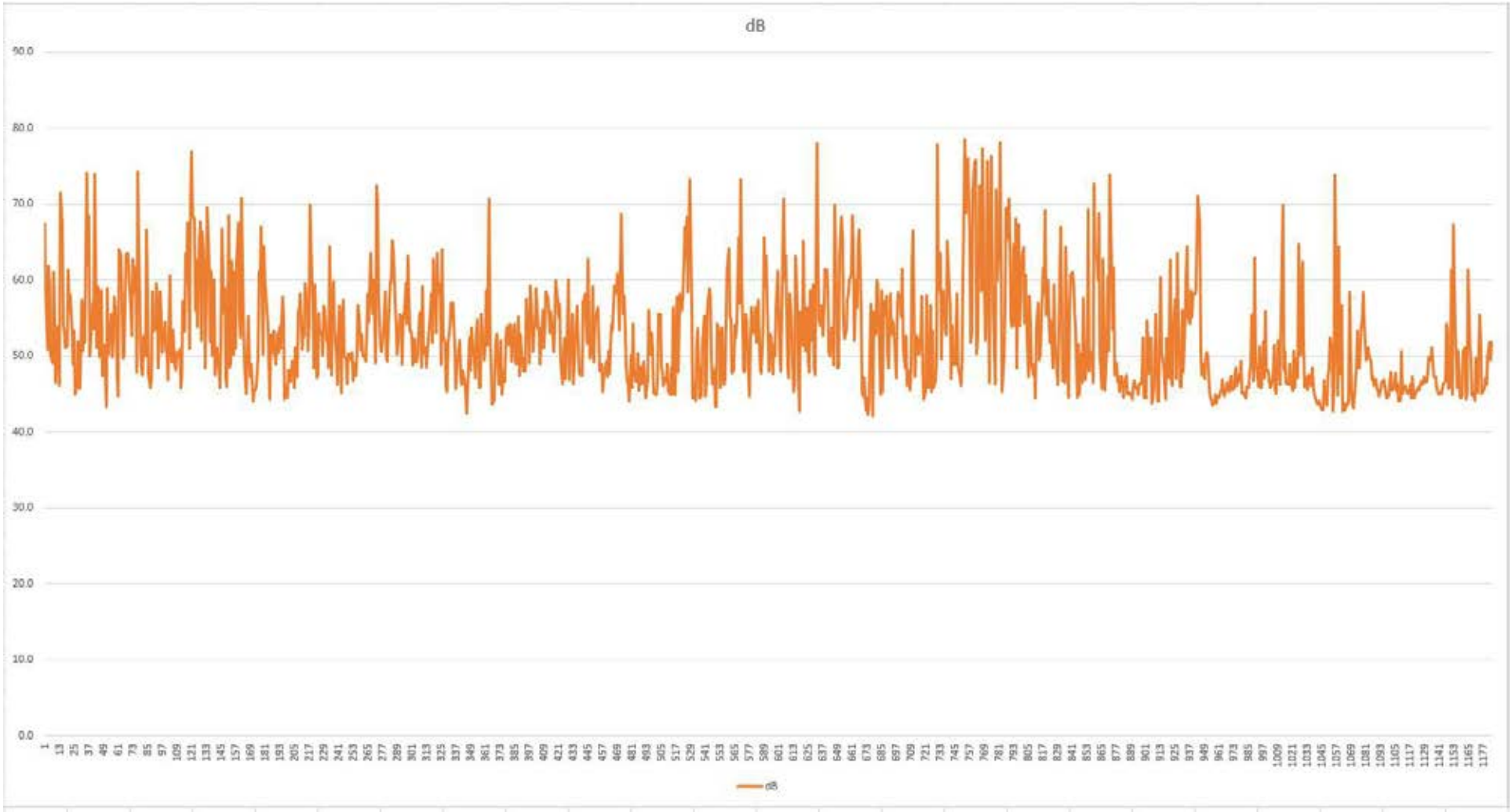


STATISTICS

LAeq: 57.5

Length of recording: 19.78 minutes

Recorded May 18, 2023 at 4:16 P.M.:

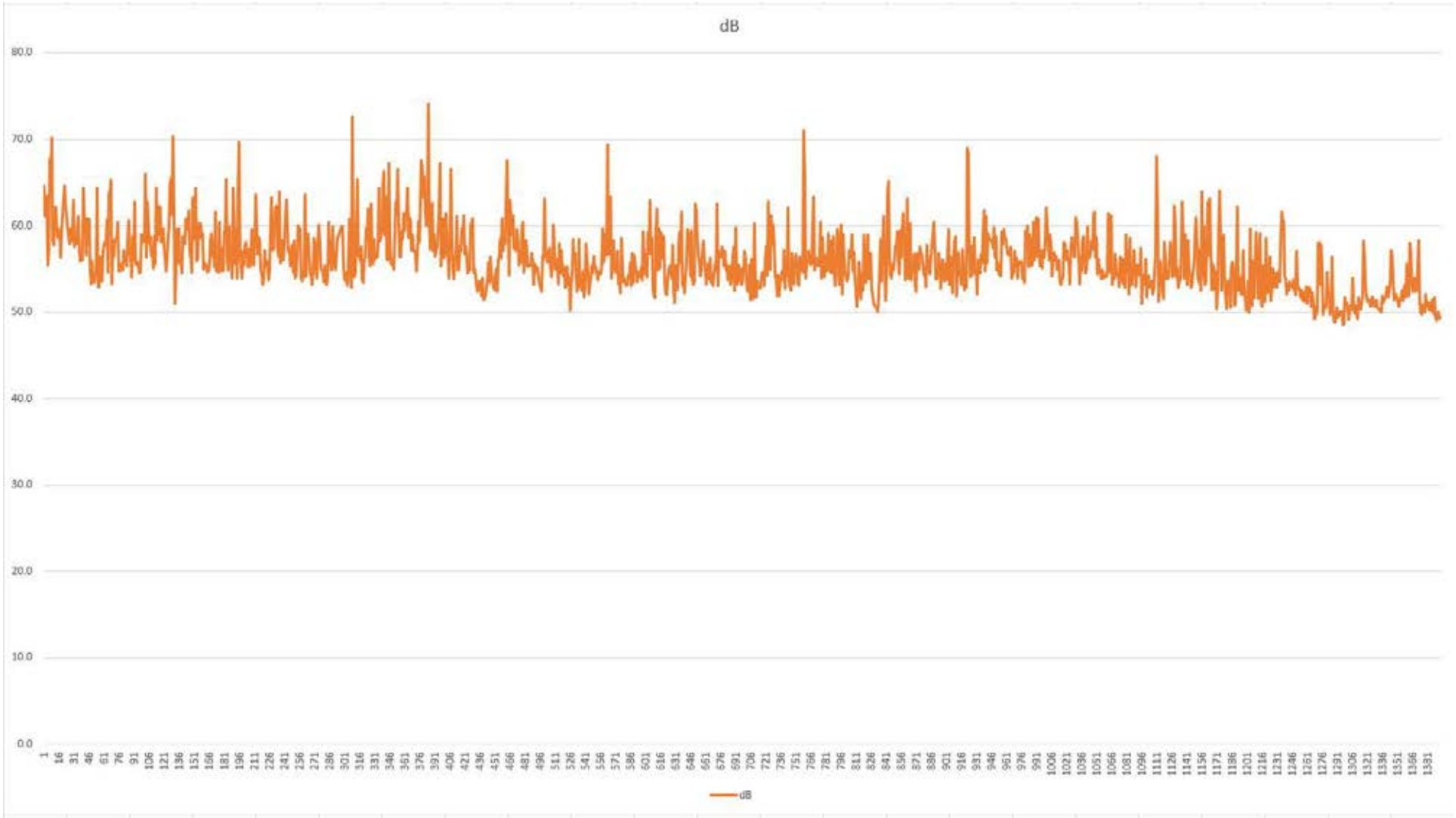


STATISTICS

LAeq: 61.2

Length of recording: 19.73 minutes

Recorded May 19, 2023 at 9:20 A.M.:

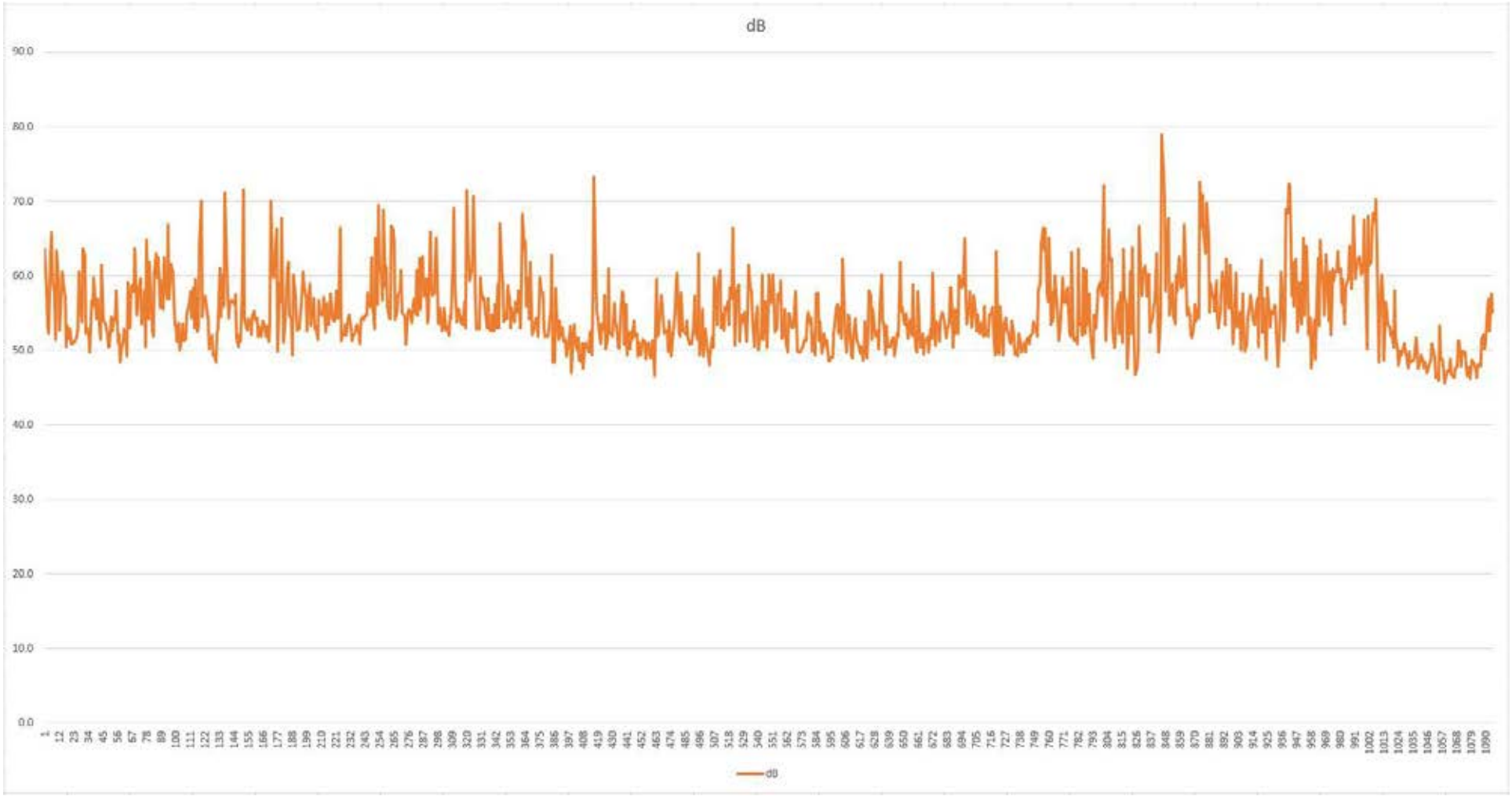


STATISTICS

LAeq: 58.0

Length of recording: 23.23 minutes

Recorded May 19, 2023 at 1:08 P.M.:

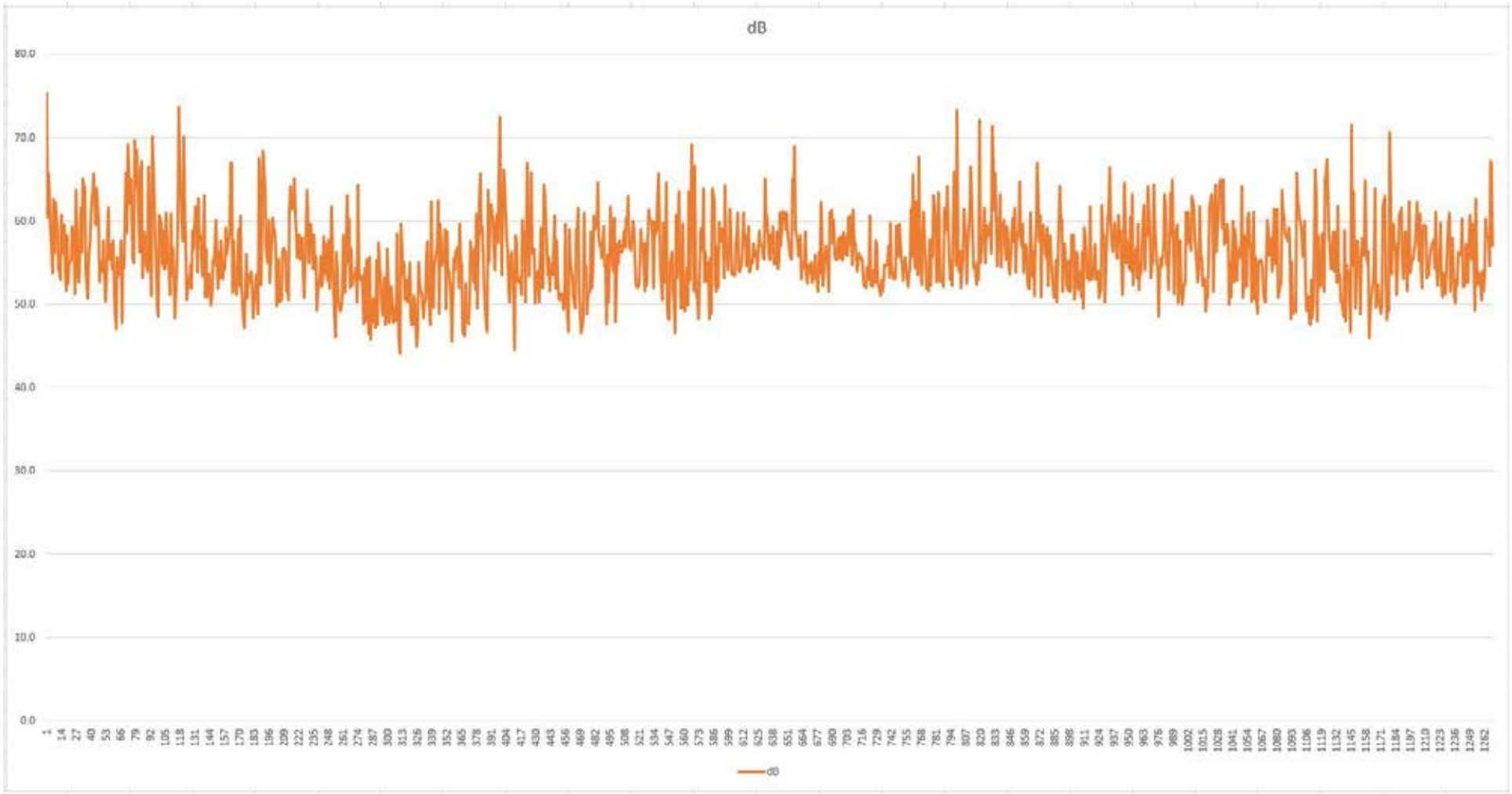


STATISTICS

LAeq: 59.3

Length of recording: 18.25 minutes

Recorded May 22, 2023 at 9:19 A.M.:

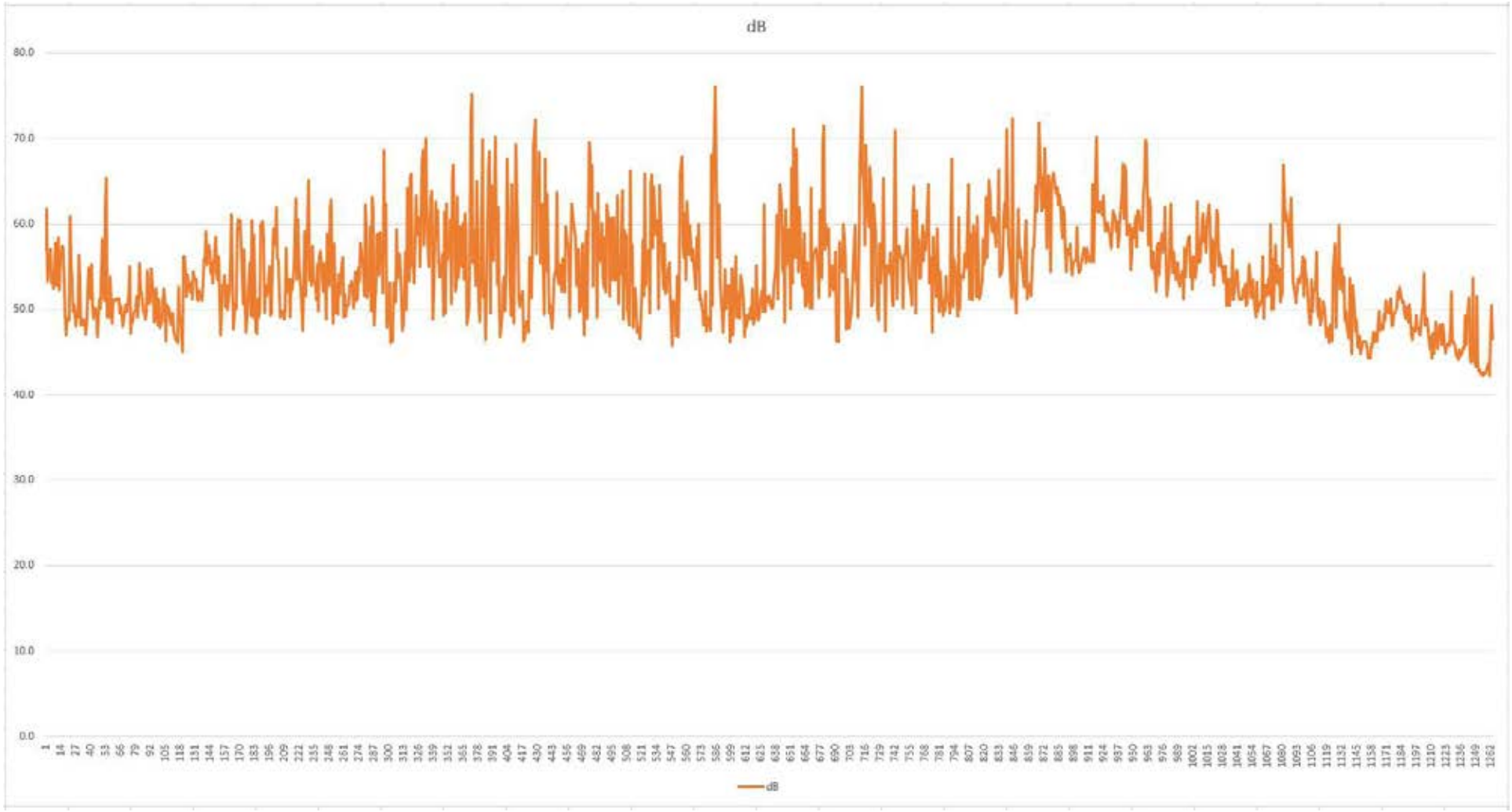


STATISTICS

LAeq: 59.2

Length of recording: 21.15 minutes

Recorded May 22, 2023 at 11:30 A.M.:

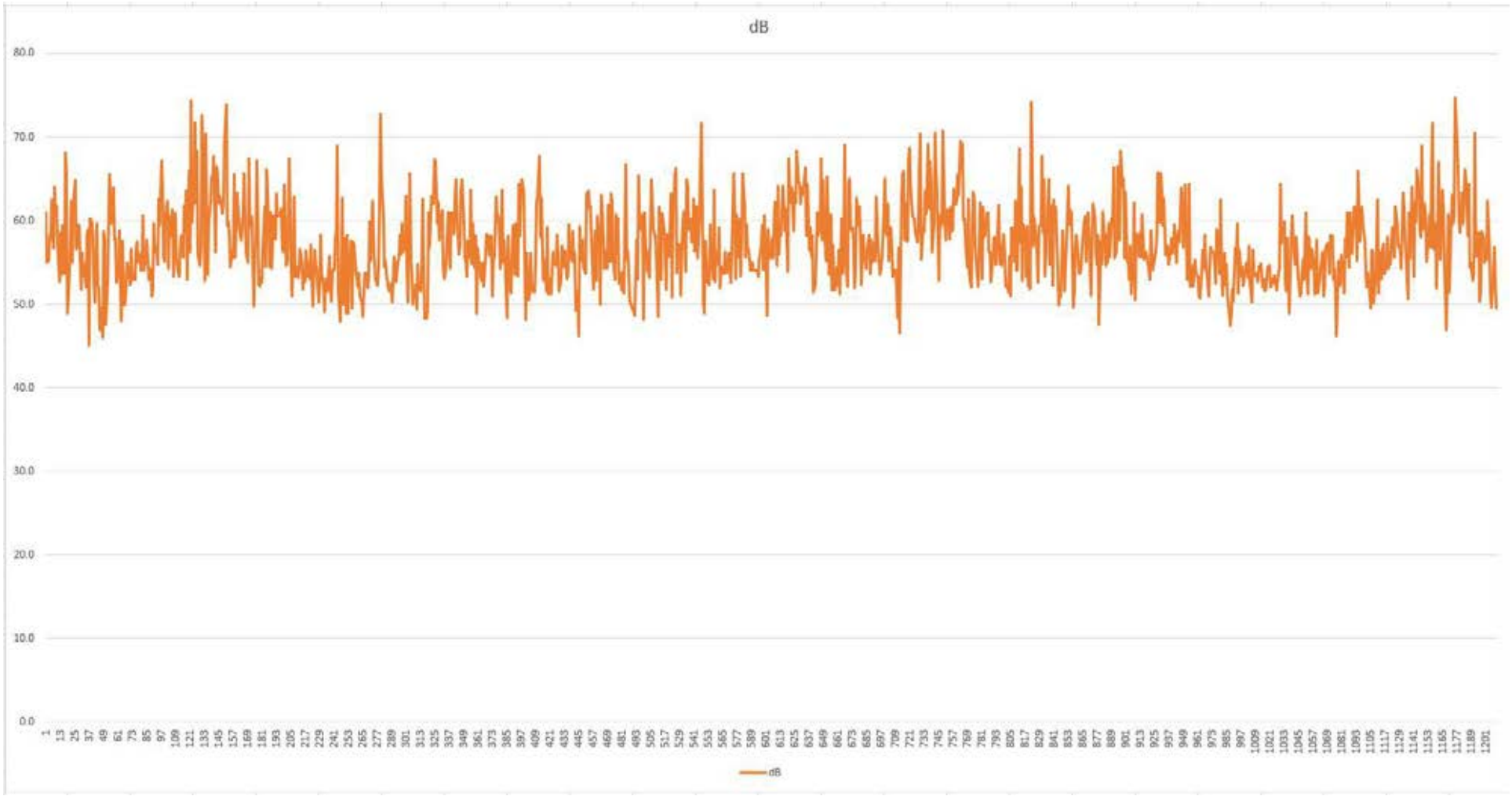


STATISTICS

LAeq: 59.3

Length of recording: 21.07 minutes

Recorded May 23, 2023 at 9:17 A.M.:

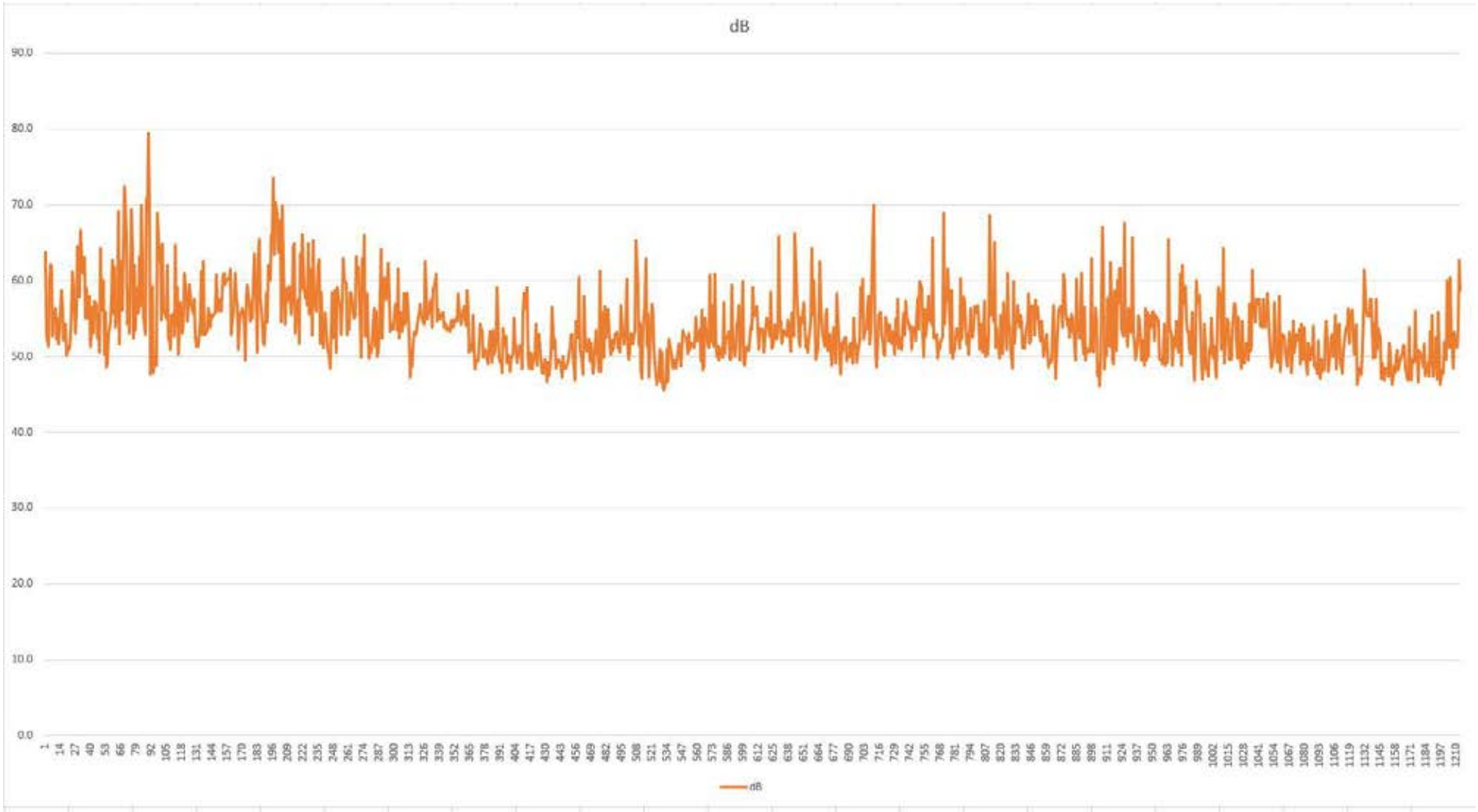


STATISTICS

LAeq: 60.4

Length of recording: 20.17 minutes

Recorded May 23, 2023 at 11:04 A.M.:

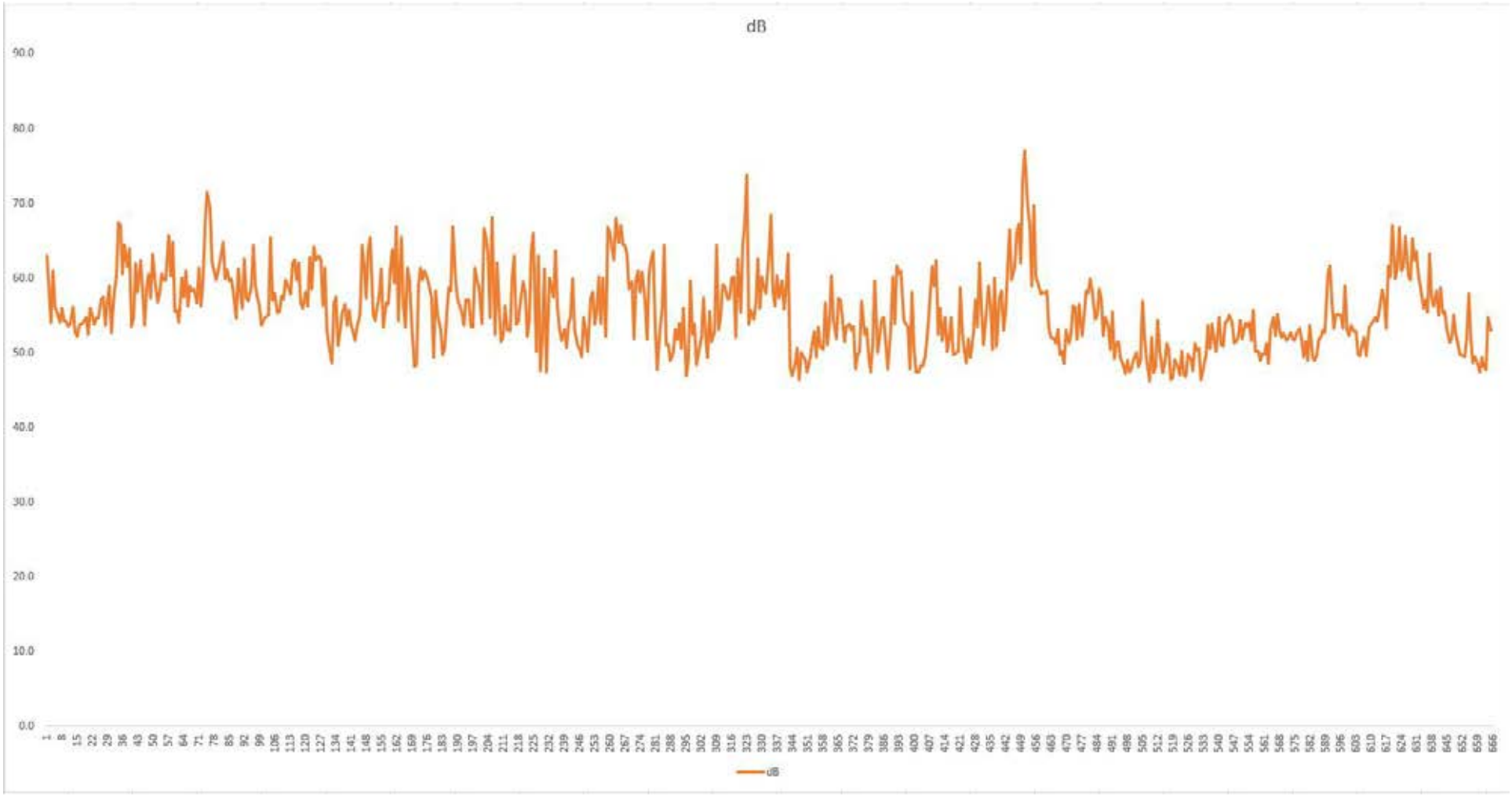


STATISTICS

LAeq: 58.0

Length of recording: 20.23 minutes

Recorded May 24, 2023 at 1:08 A.M.:



STATISTICS

LAeq: 59.6

Length of recording: 11.1 minutes

BOA EXHIBIT D

Noise Complaints

Noise Complaint No.	Date
23-00164443	4/12/2023
23-00181218	4/21/2023
23-00186881	4/25/2023
23-00186954	4/25/2023
23-00522460	11/14/2023
23-00526565	11/16/2023
23-00562259	12/13/2023
24-00184266	4/22/2024
24-00196991	4/29/2024

City of Dallas

Request Status All Services Knowledge Alerts Sign In

Sign in for more info

23-00164443

Service Request Search

Noise Complaint (Residential)

6114 TOWN HILL LN, DALLAS, TX, 75214

Open

Details Activities

Submitted
April 12, 2023

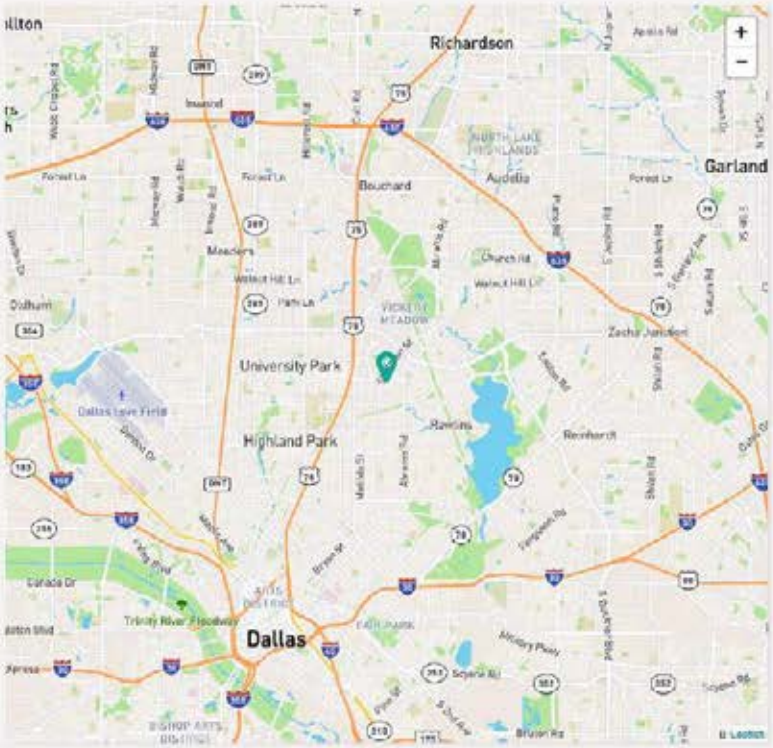
Expected Resolution
April 21, 2023

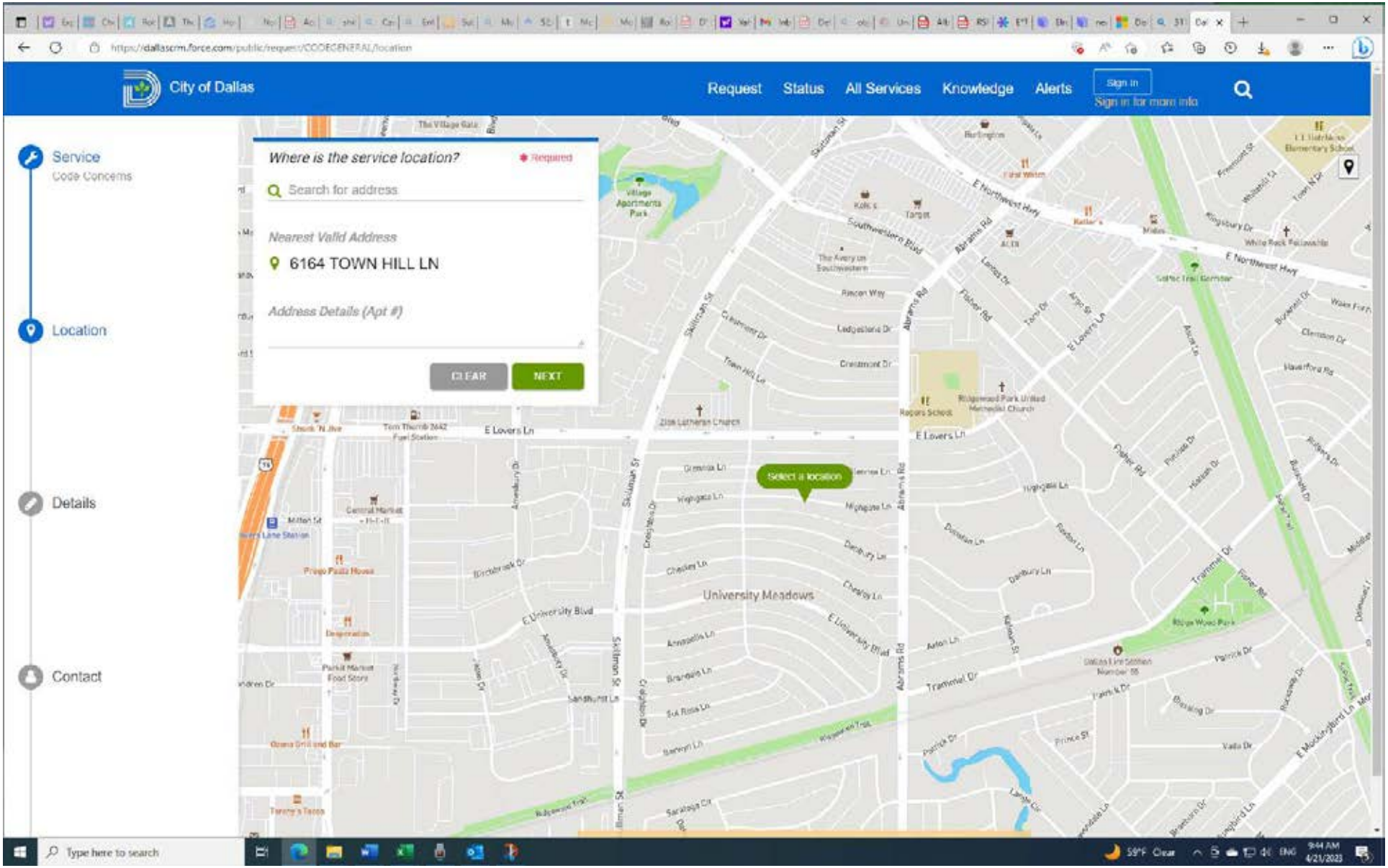
What is the nature of your request?
citizen states that the noise screaming from behind citizen's house. kids. citizen states that's the noise is usually around 11 AM>

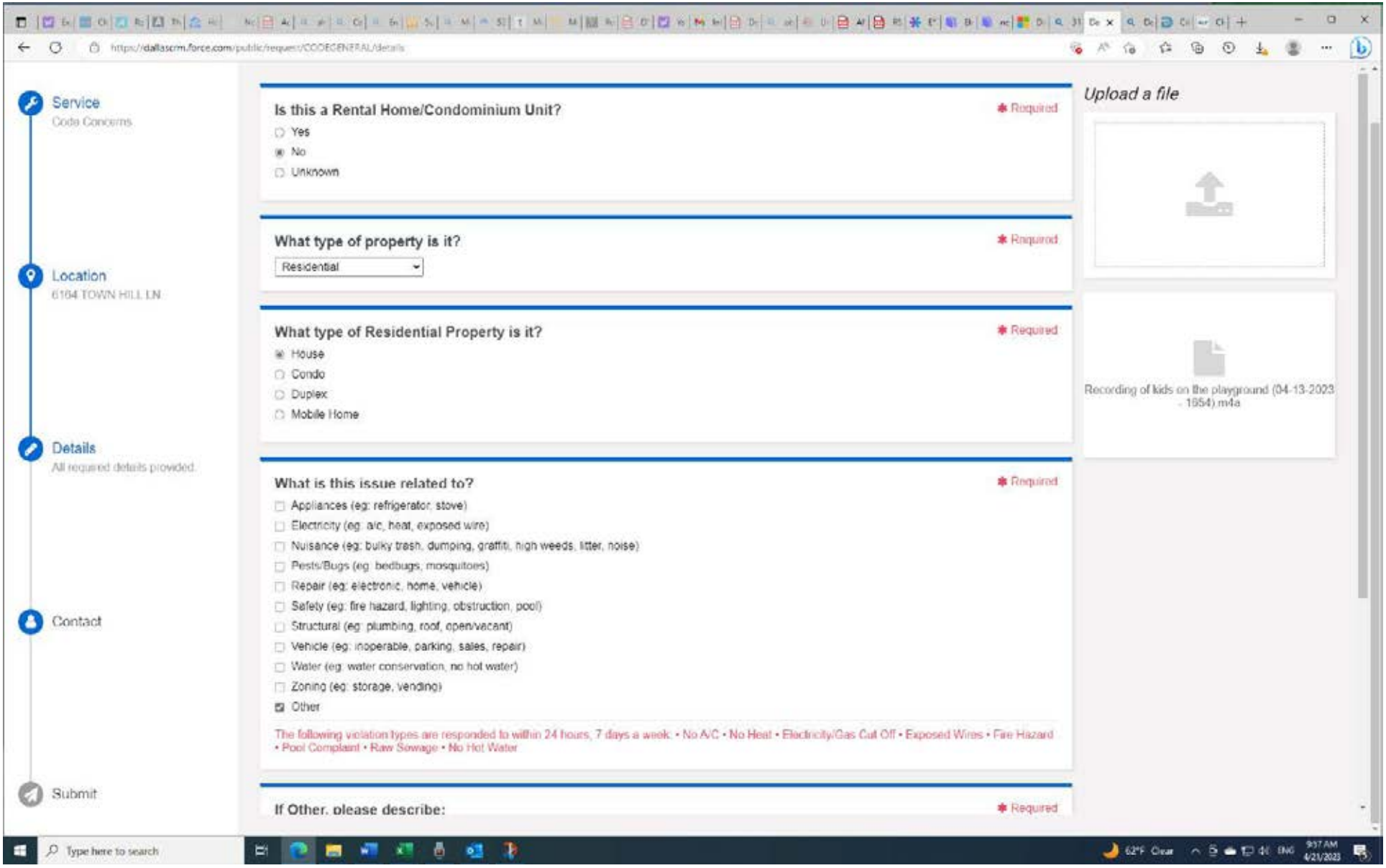
Is this a recurring problem?
Yes

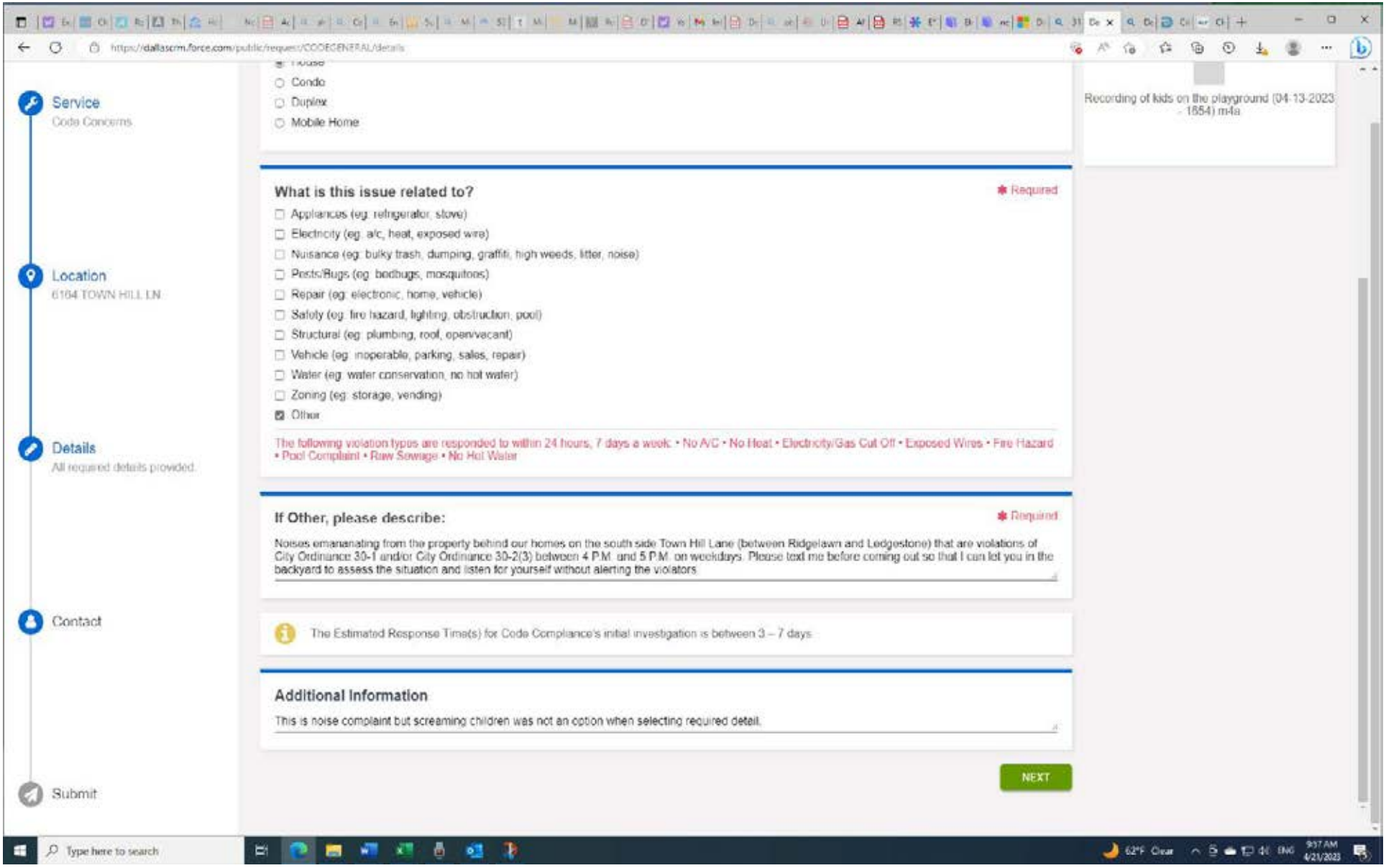
What specific day(s) or time(s) does it occur?
mostly weekdays

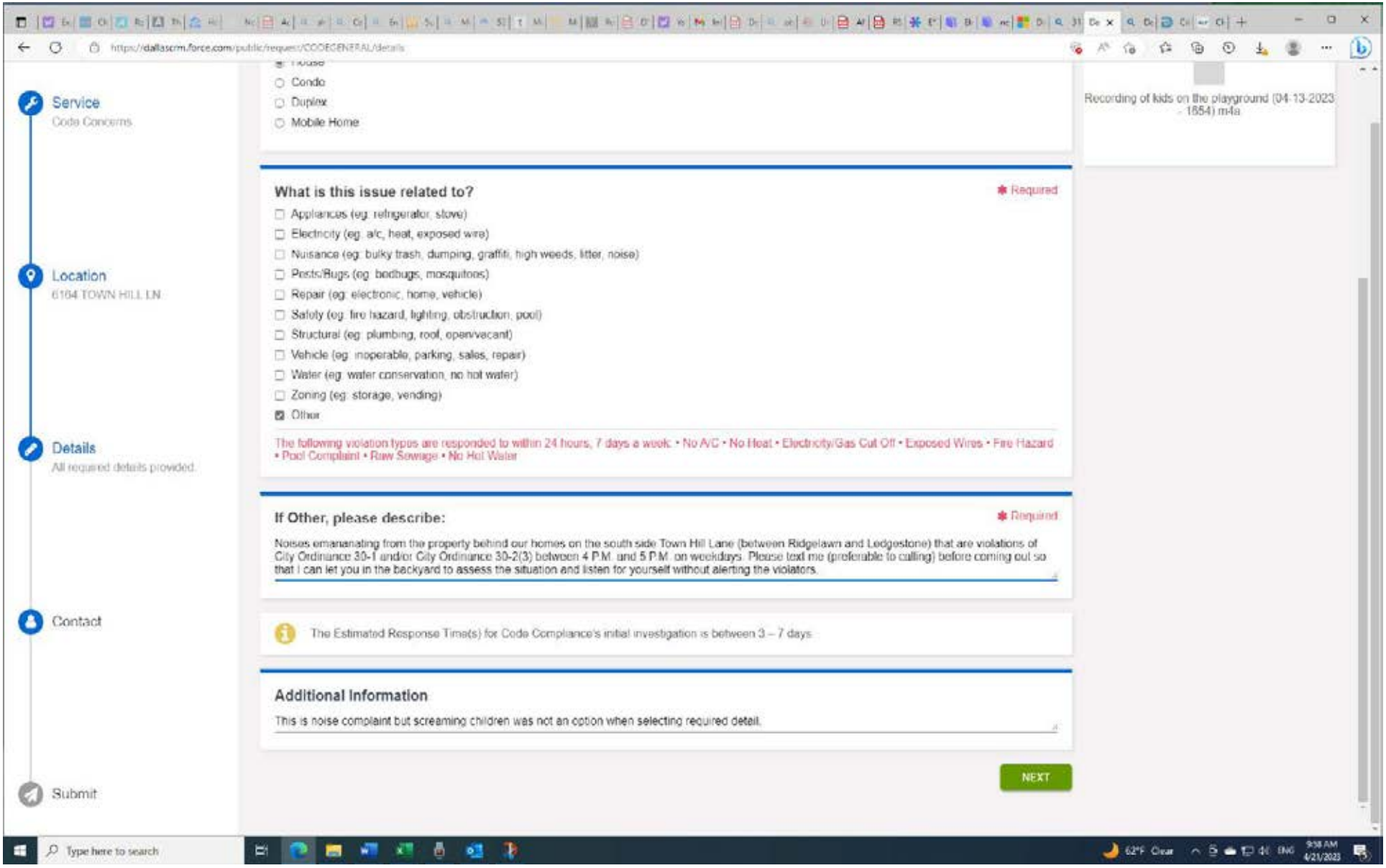
Would you like to be contacted?
Yes - prior to work being completed

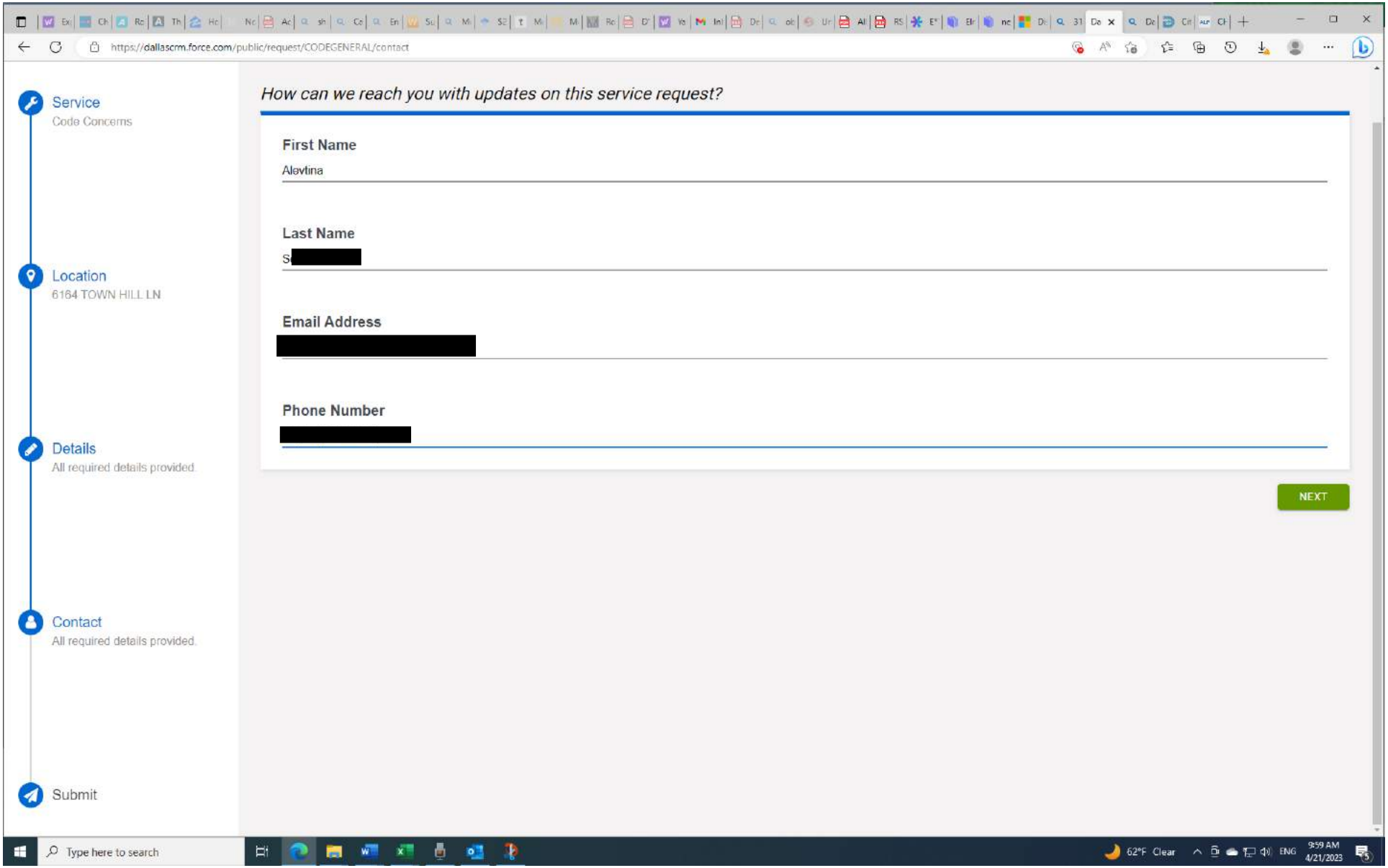


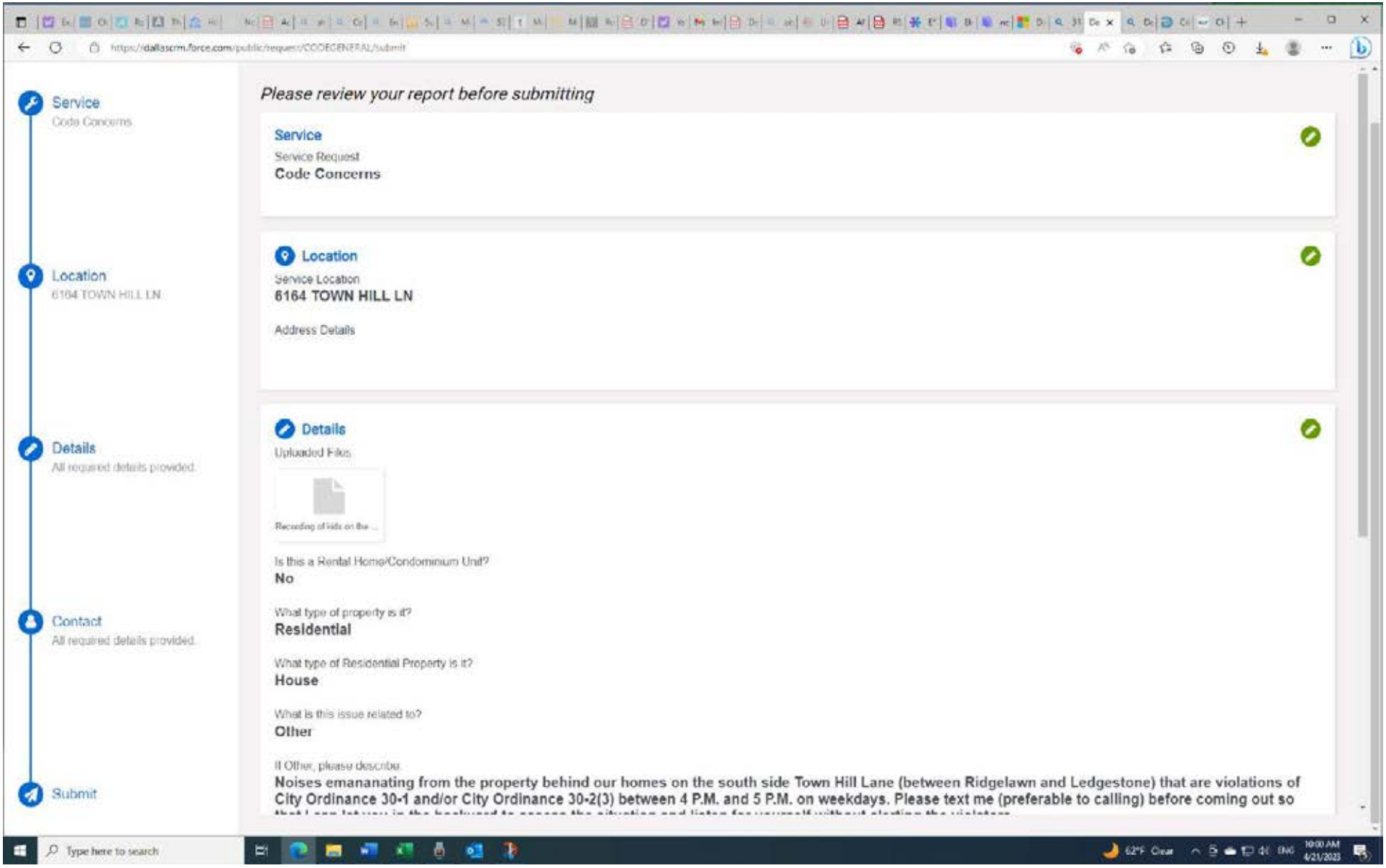

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Where is the service location?
Required
Search for address
Nearest Valid Address
6164 TOWN HILL LN
Address Details (Apt #)
CLEAR
NEXT
Select a location
E Lovers Ln
University Meadows
E University Blvd
Abrams Rd
Skillman St
Type here to search

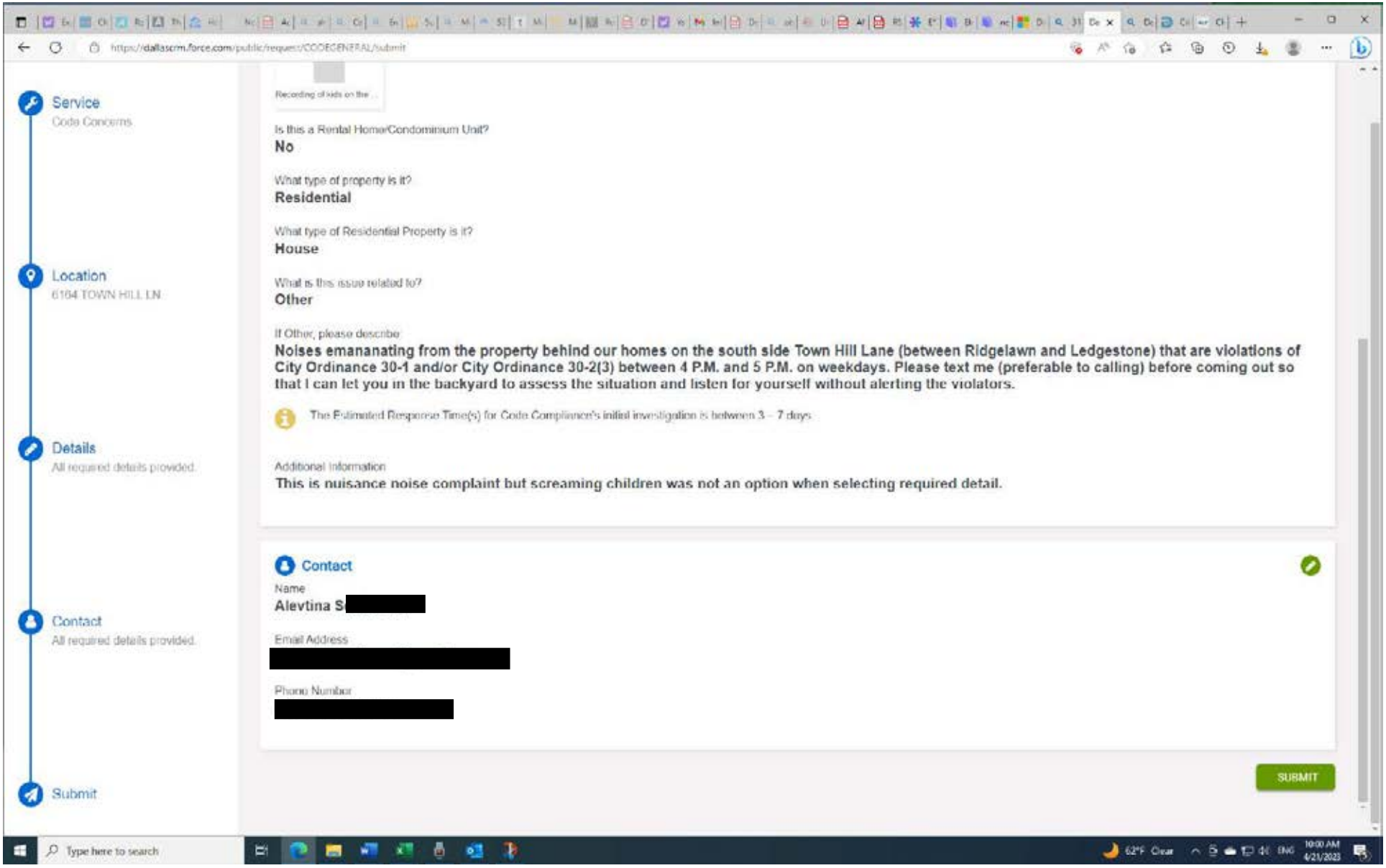

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
Upload a file
Recording of kids on the playground (04-13-2023 - 1954).m4a

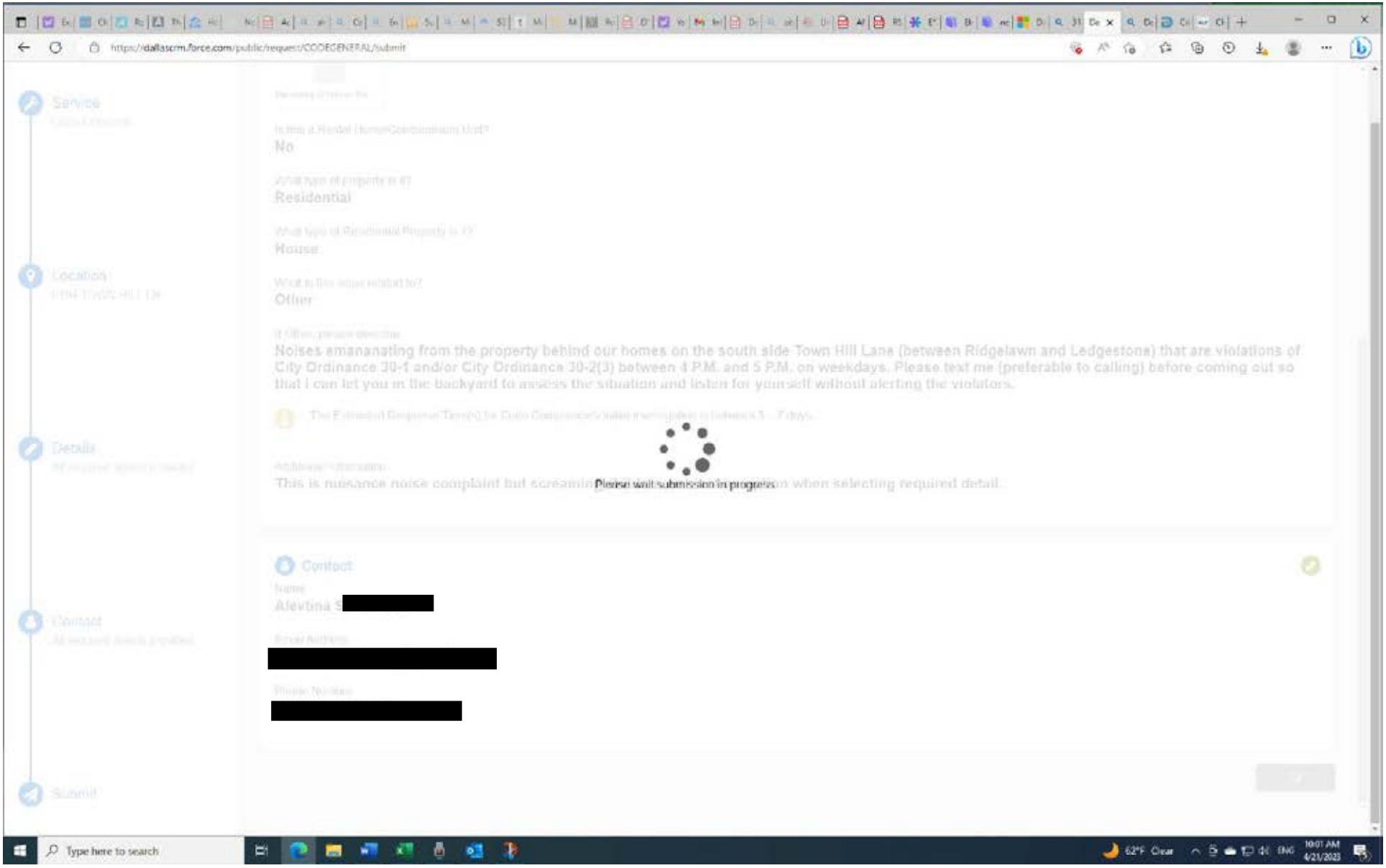

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Condo
Duplex
Mobile Home
Recording of kids on the playground (04-13-2023 - 1654).m4a
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
Noises emananating from the property behind our homes on the south side Town Hill Lane (between Ridgelawn and Ledgestone) that are violations of City Ordinance 30-1 and/or City Ordinance 30-2(3) between 4 P.M. and 5 P.M. on weekdays. Please text me before coming out so that I can let you in the backyard to assess the situation and listen for yourself without alerting the violators.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
This is noise complaint but screaming children was not an option when selecting required detail.
NEXT
Type here to search
62°F Clear
ENG
9:57 AM
4/21/2023

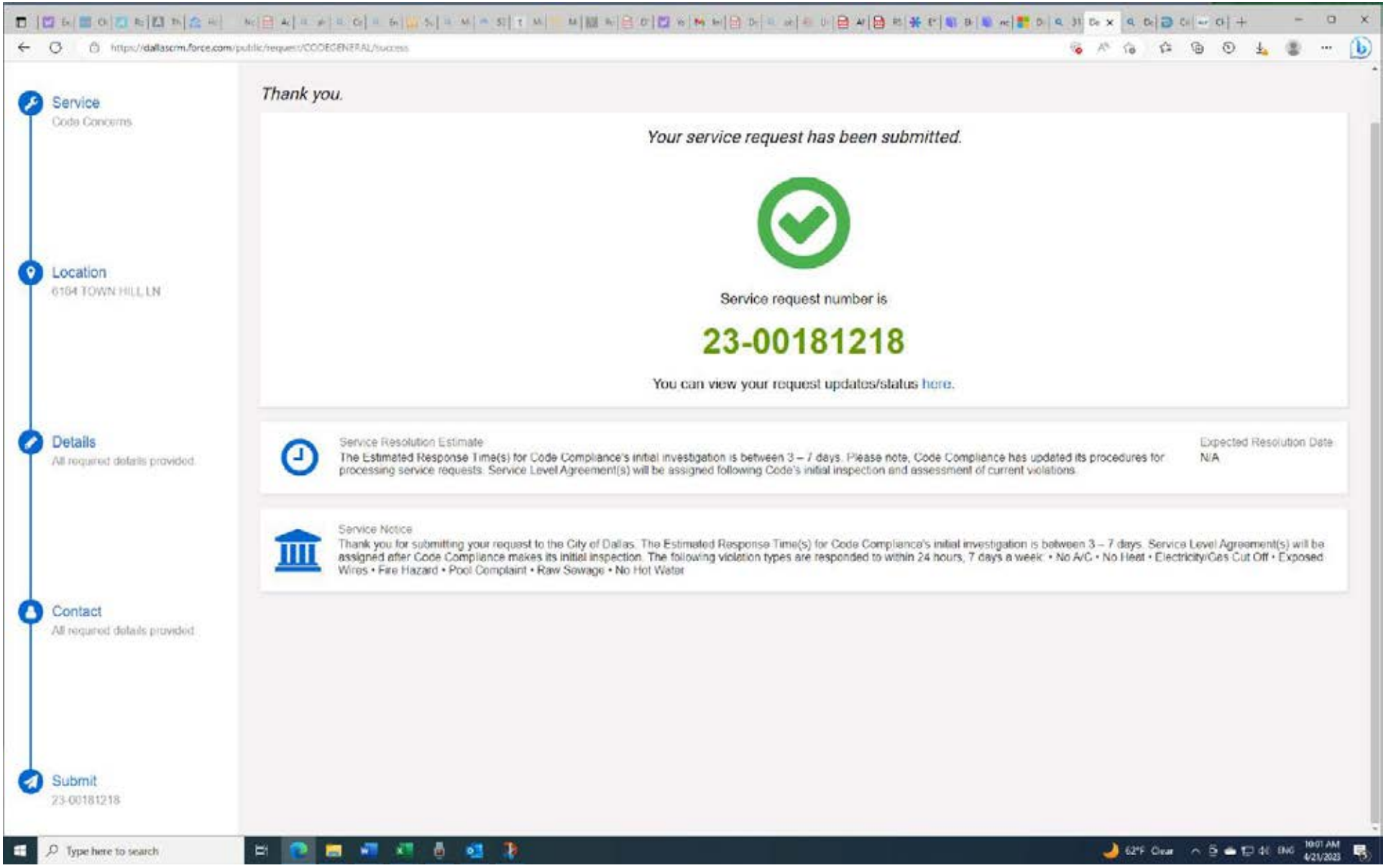

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Condo
Duplex
Mobile Home
Recording of kids on the playground (04-13-2023 - 1654).m4a
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
Noises emananating from the property behind our homes on the south side Town Hill Lane (between Ridgelawn and Ledgestone) that are violations of City Ordinance 30-1 and/or City Ordinance 30-2(3) between 4 P.M. and 5 P.M. on weekdays. Please text me (preferable to calling) before coming out so that I can let you in the backyard to assess the situation and listen for yourself without alerting the violators.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
This is noise complaint but screaming children was not an option when selecting required detail.
NEXT
Type here to search
62°F Clear
ENG
9:58 AM
4/21/2023

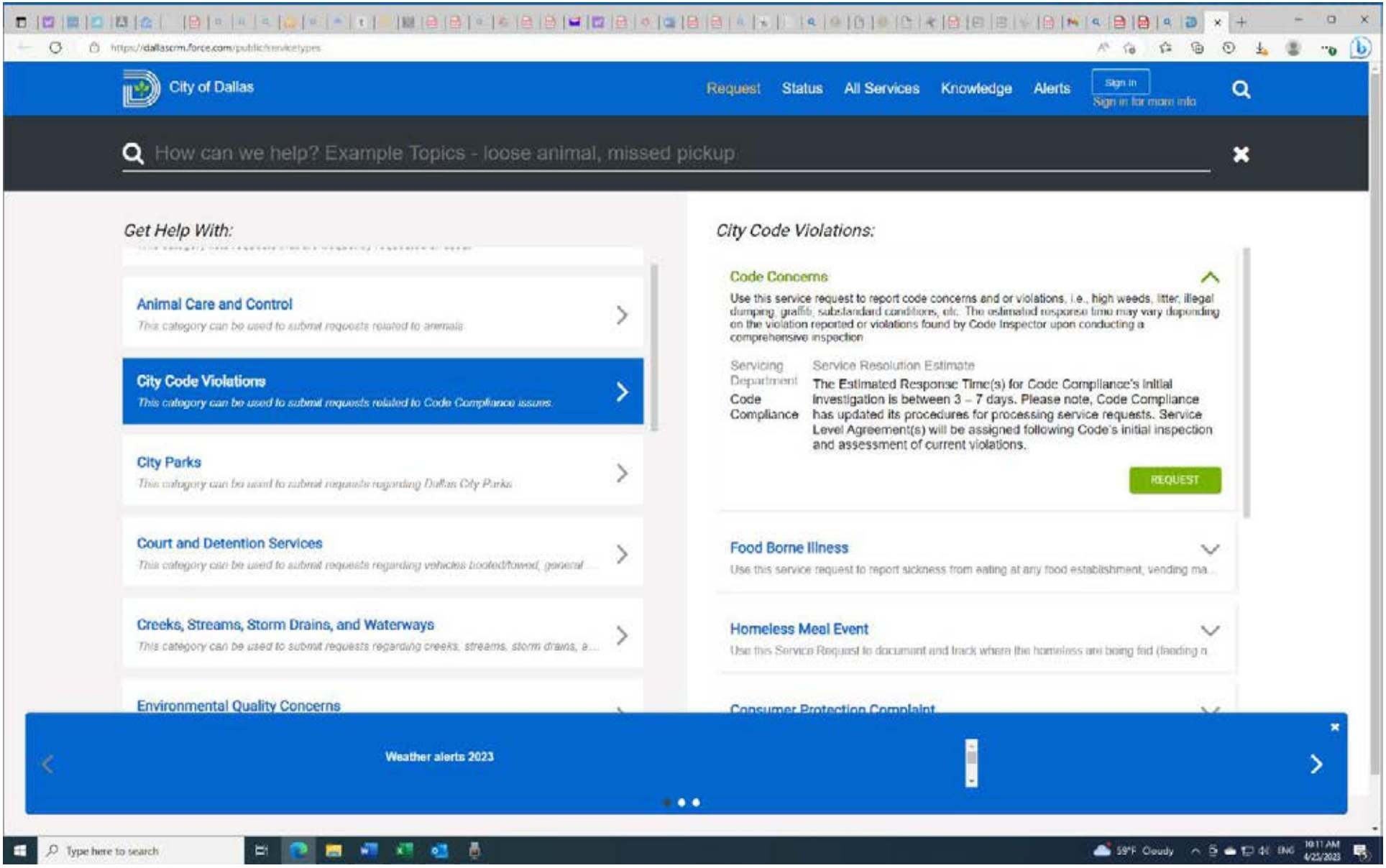

https://dallascrm.force.com/public/request/CODEGENERAL/contact
Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
How can we reach you with updates on this service request?
First Name
Alevtina
Last Name
[redacted]
Email Address
[redacted]
Phone Number
[redacted]
NEXT
Type here to search
62°F Clear
ENG
9:59 AM
4/21/2023

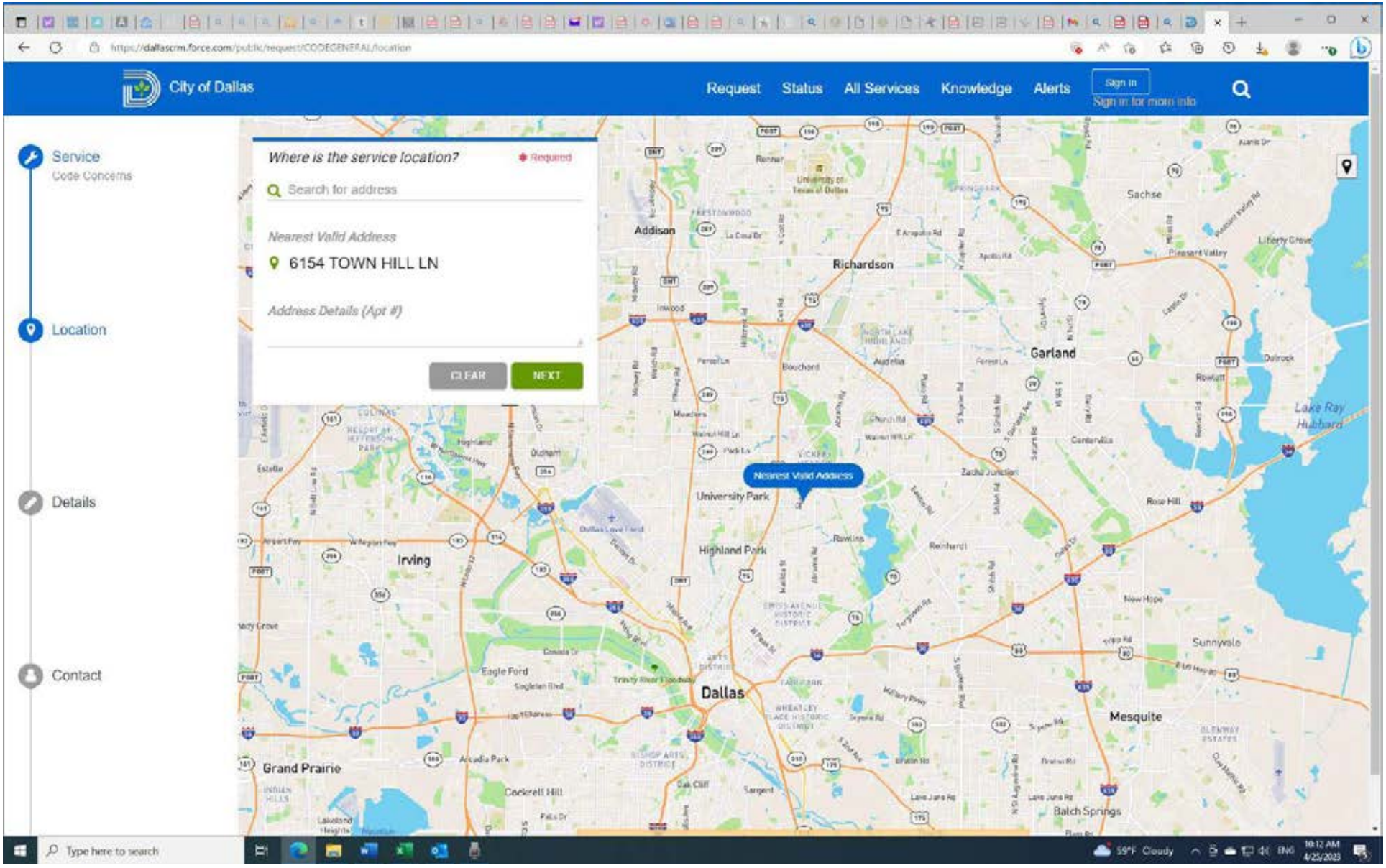

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
Please review your report before submitting
Service
Service Request
Code Concerns
Location
Service Location
6164 TOWN HILL LN
Address Details
Details
Uploaded Files
Recording of kids on the ...
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe
Noises emananating from the property behind our homes on the south side Town Hill Lane (between Ridgelawn and Ledgestone) that are violations of City Ordinance 30-1 and/or City Ordinance 30-2(3) between 4 P.M. and 5 P.M. on weekdays. Please text me (preferable to calling) before coming out so

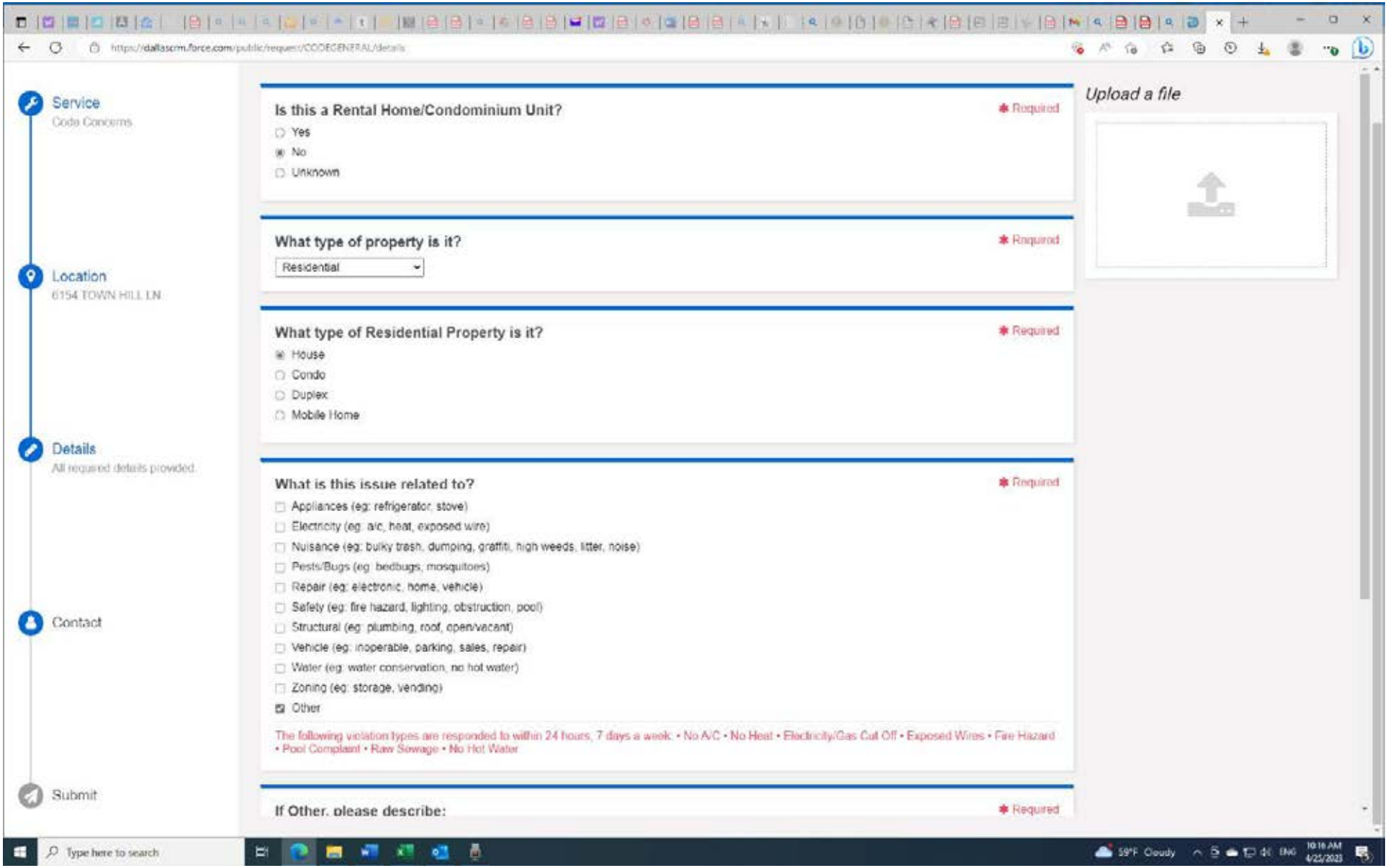

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
Recording of kids on the ...
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe
Noises emananating from the property behind our homes on the south side Town Hill Lane (between Ridgelawn and Ledgestone) that are violations of City Ordinance 30-1 and/or City Ordinance 30-2(3) between 4 P.M. and 5 P.M. on weekdays. Please text me (preferable to calling) before coming out so that I can let you in the backyard to assess the situation and listen for yourself without alerting the violators.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
This is nuisance noise complaint but screaming children was not an option when selecting required detail.
Contact
Name
Alevtina S
Email Address
Phone Number
SUBMIT
Type here to search

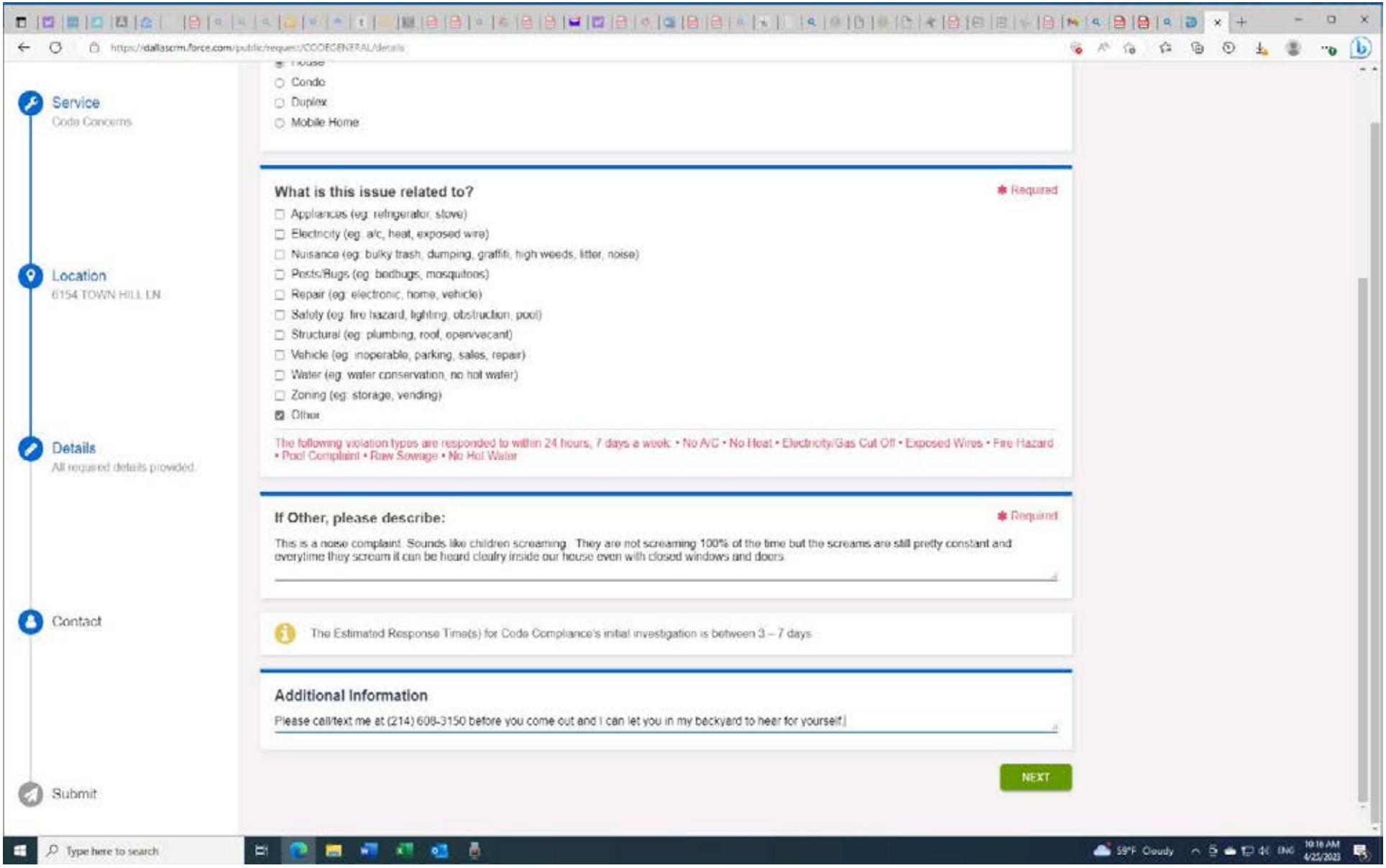

https://dallascrm.force.com/public/request/CODECENTRAL/submit
Service
No
Residential
House
Other
Noises emananating from the property behind our homes on the south side Town Hill Lane (between Ridgelawn and Ledgestone) that are violations of City Ordinance 30-1 and/or City Ordinance 30-2(3) between 4 P.M. and 5 P.M. on weekdays. Please text me (preferable to calling) before coming out so that I can let you in the backyard to assess the situation and listen for yourself without alerting the violators.
Location
Details
Please wait submission in progress
Contact
Alevtina S
Contact
Submit
Type here to search
62°F Clear
ENG
10:01 AM
4/21/2023

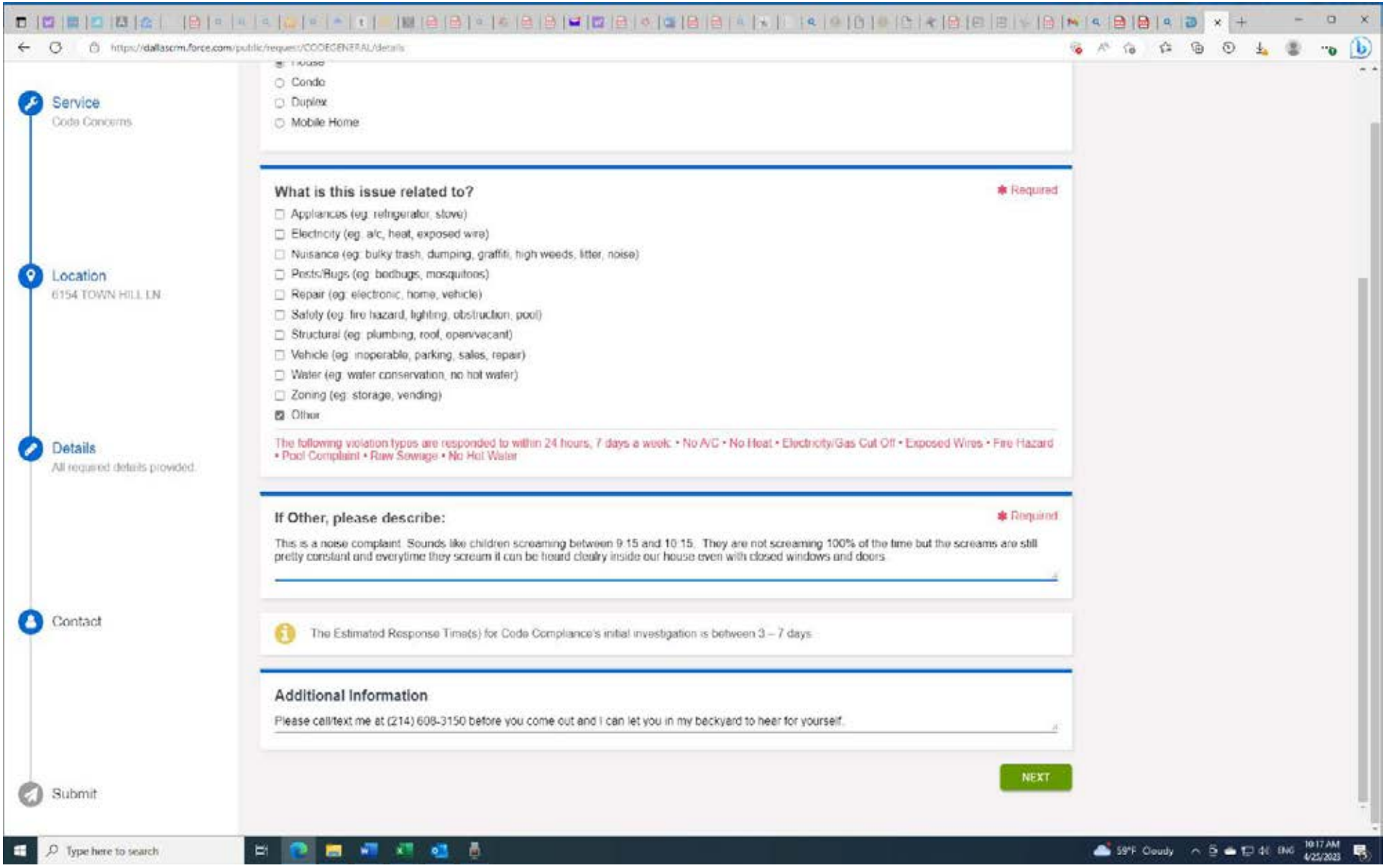

Service
Code Concerns
Location
6164 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
23-00181218
Thank you.
Your service request has been submitted.
Service request number is
23-00181218
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water

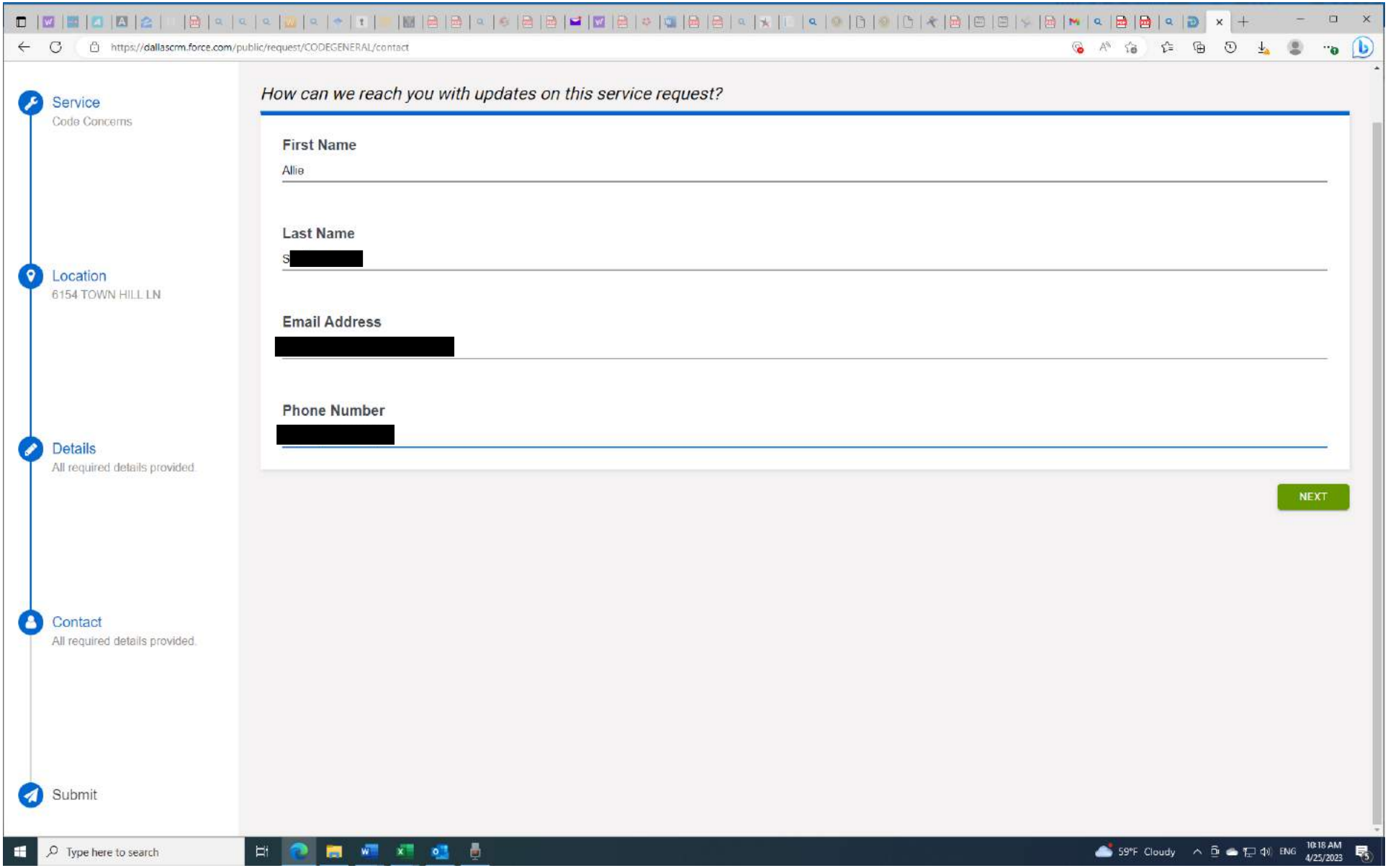

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
How can we help? Example Topics - loose animal, missed pickup
Get Help With:
Animal Care and Control
This category can be used to submit requests related to animals
City Code Violations
This category can be used to submit requests related to Code Compliance issues.
City Parks
This category can be used to submit requests regarding Dallas City Parks
Court and Detention Services
This category can be used to submit requests regarding vehicles booted/towed, general
Creeks, Streams, Storm Drains, and Waterways
This category can be used to submit requests regarding creeks, streams, storm drains, e
Environmental Quality Concerns
City Code Violations:
Code Concerns
Use this service request to report code concerns and or violations, i.e., high weeds, litter, illegal dumping, graffiti, substandard conditions, etc. The estimated response time may vary depending on the violation reported or violations found by Code Inspector upon conducting a comprehensive inspection
Servicing Department
Code Compliance
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
REQUEST
Food Borne Illness
Use this service request to report sickness from eating at any food establishment, vending ma
Homeless Meal Event
Use this Service Request to document and track where the homeless are being fed (feeding o
Consumer Protection Complaint
Weather alerts 2023
Type here to search
59°F Cloudy
ENG
10:11 AM
4/25/2023

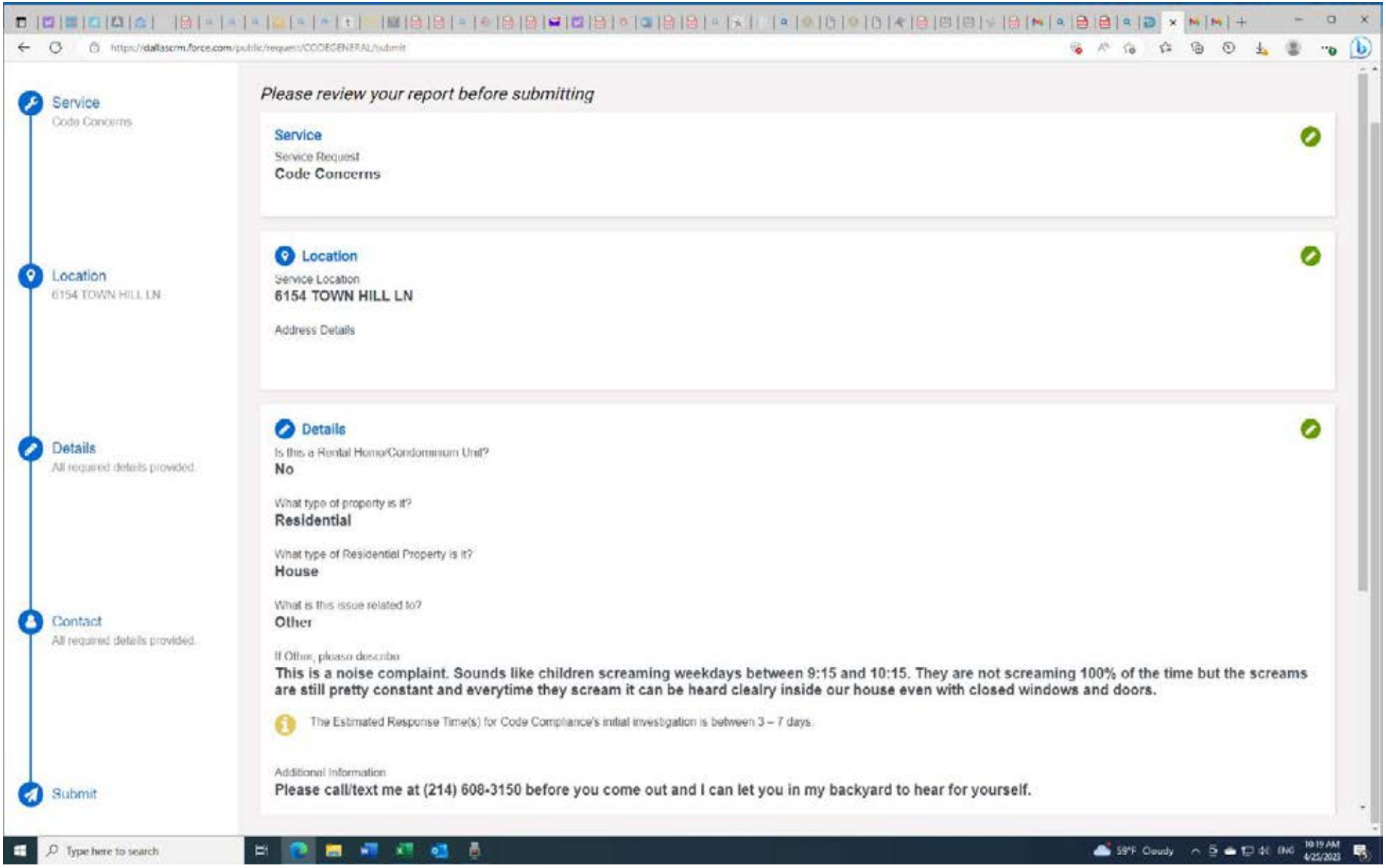

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign In
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Where is the service location?
Required
Search for address
Nearest Valid Address
6154 TOWN HILL LN
Address Details (Apt #)
CLEAR
NEXT
Nearest Valid Address
Addison
Richardson
Garland
Sachse
Irving
Dallas
University Park
Highland Park
Mesquite
Grand Prairie
Lake Ray Hubbard
Type here to search

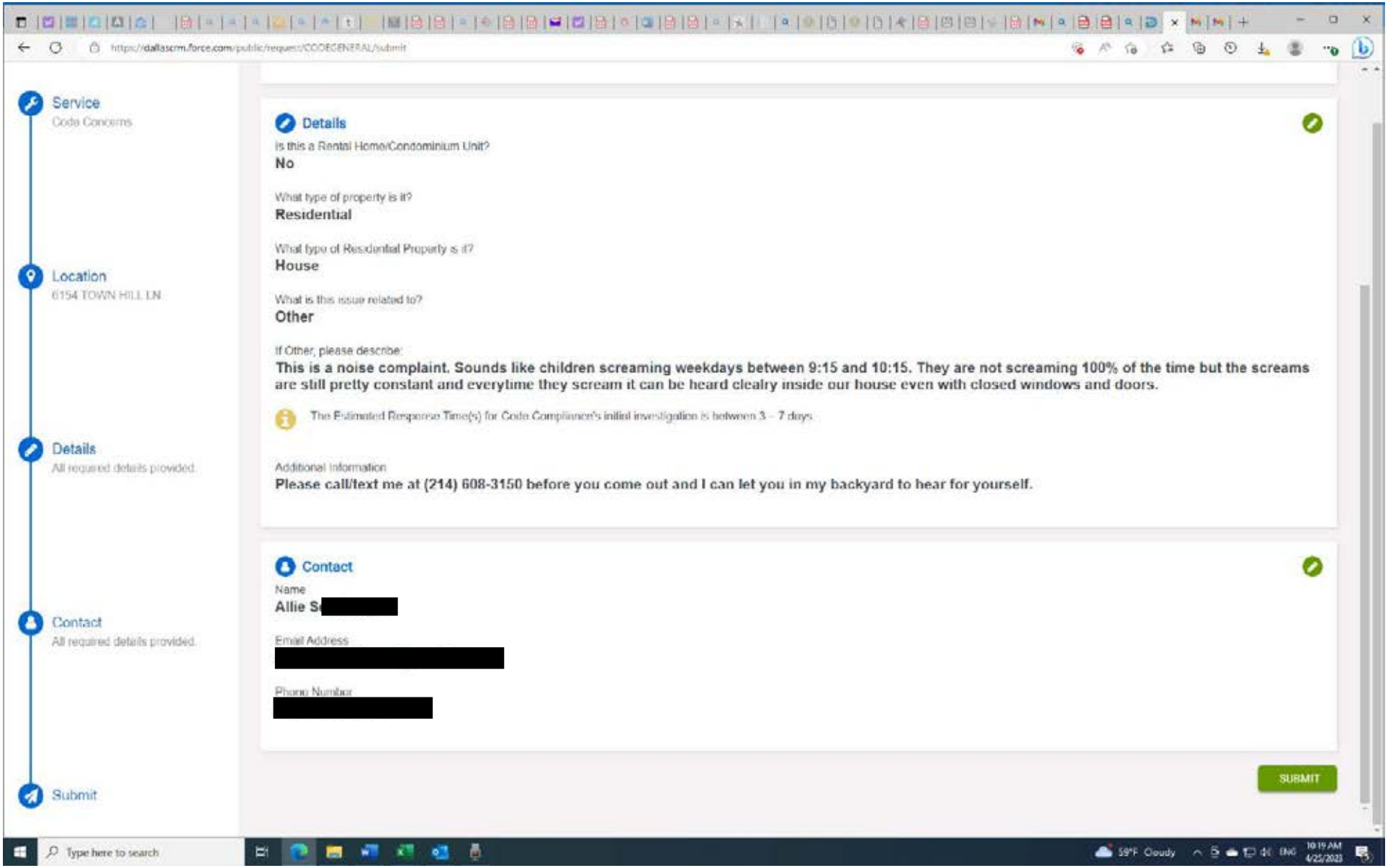

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
Upload a file
Type here to search

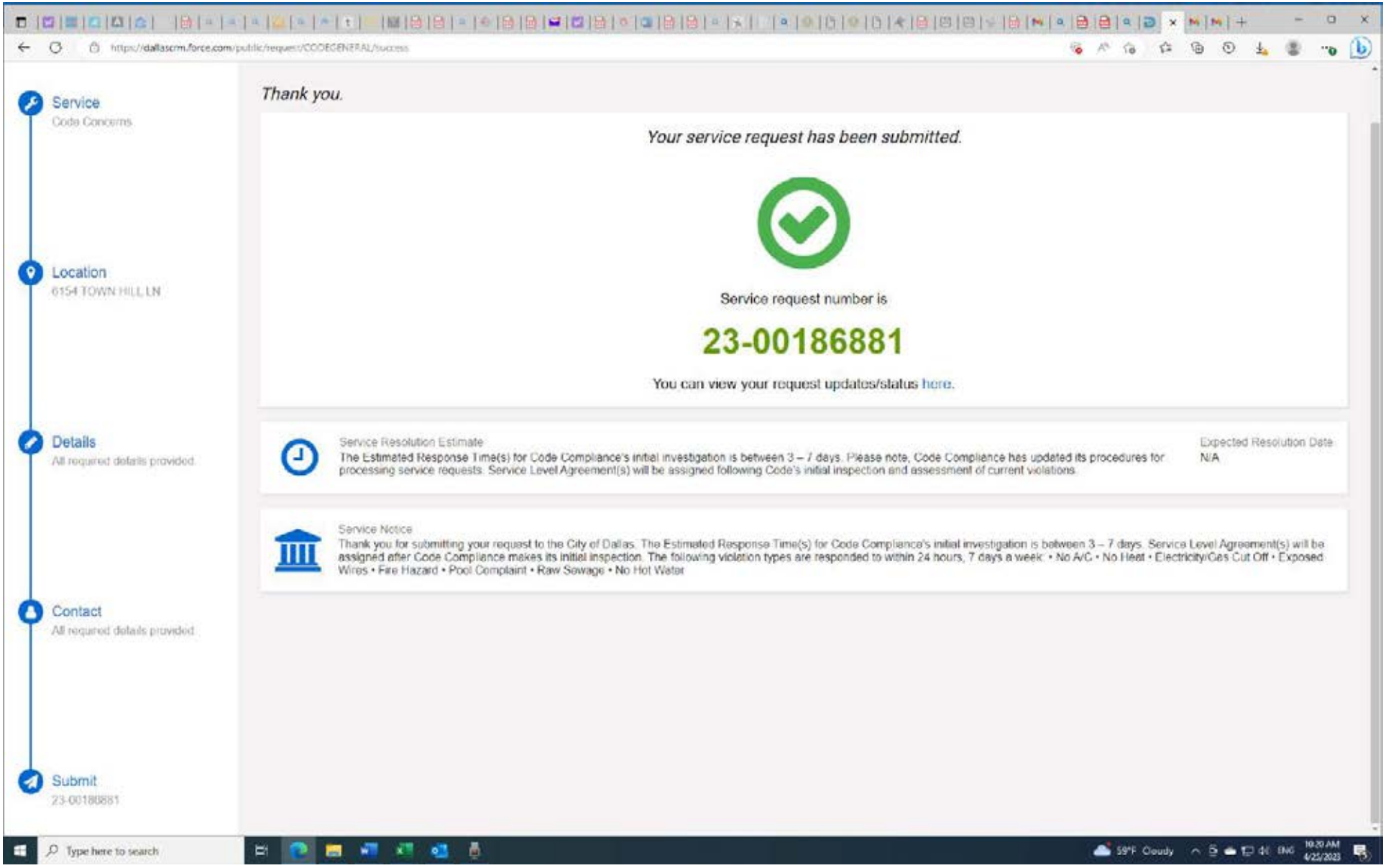

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
This is a noise complaint. Sounds like children screaming. They are not screaming 100% of the time but the screams are still pretty constant and everytime they scream it can be heard clearly inside our house even with closed windows and doors.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
Please call/text me at (214) 608-3150 before you come out and I can let you in my backyard to hear for yourself.
NEXT

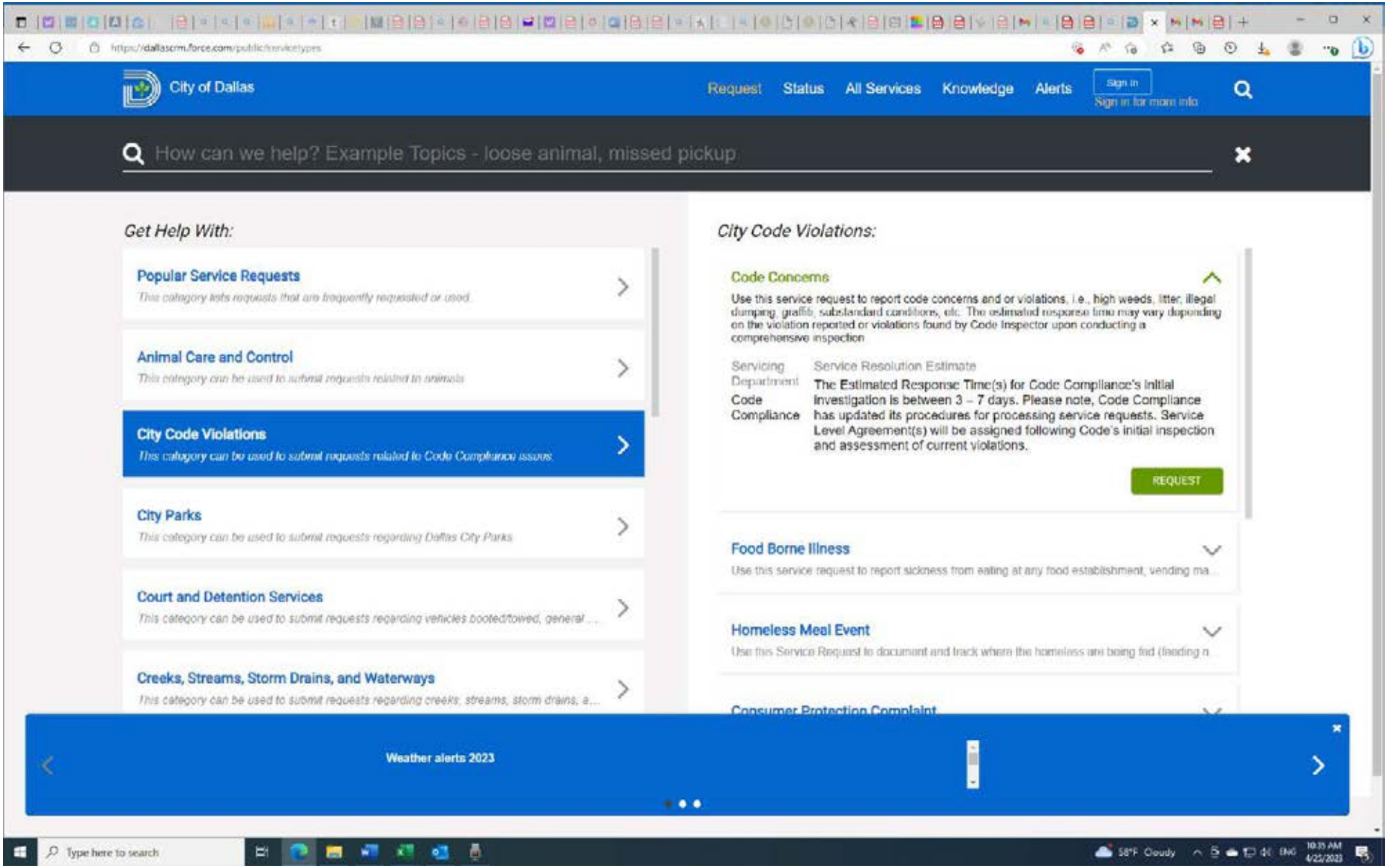

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
Submit
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
This is a noise complaint. Sounds like children screaming between 9:15 and 10:15. They are not screaming 100% of the time but the screams are still pretty constant and everytime they scream it can be heard clearly inside our house even with closed windows and doors
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
Please call/text me at (214) 608-3150 before you come out and I can let you in my backyard to hear for yourself.
NEXT

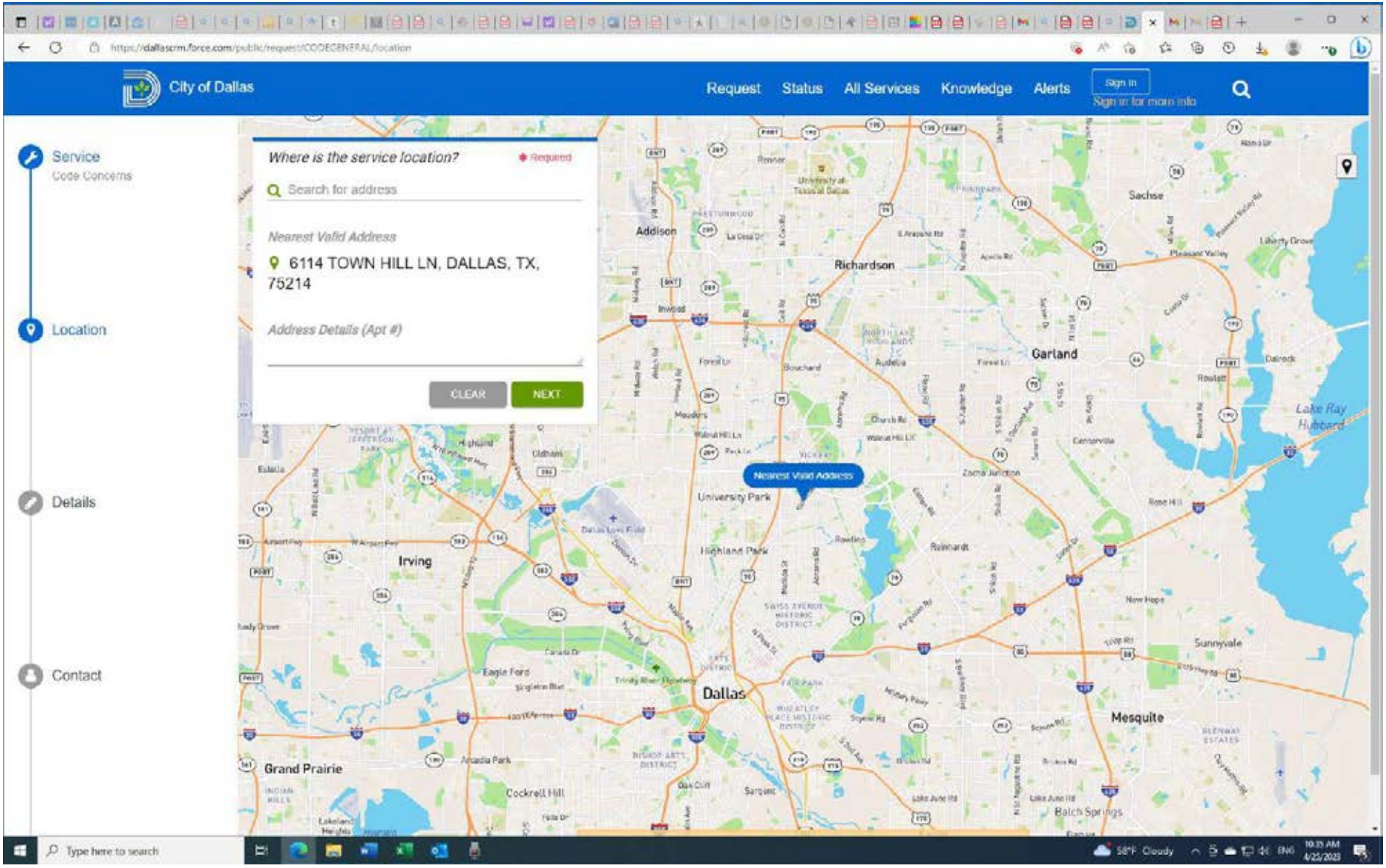

https://dallascrm.force.com/public/request/CODEGENERAL/contact
Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
How can we reach you with updates on this service request?
First Name
Allie
Last Name
S[redacted]
Email Address
[redacted]
Phone Number
[redacted]
NEXT
Type here to search
59°F Cloudy
ENG
10:18 AM
4/25/2023

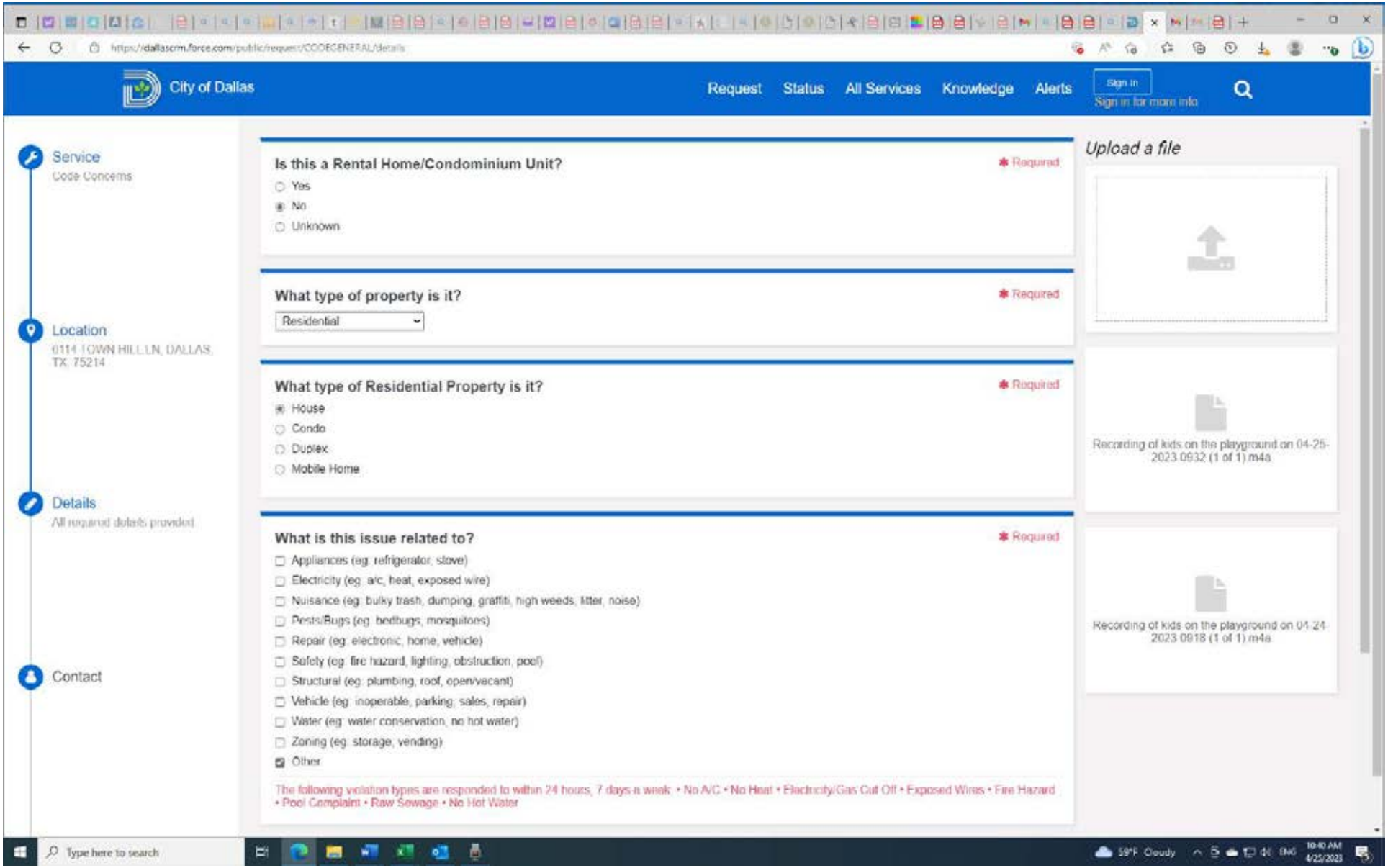

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
Please review your report before submitting
Service
Service Request
Code Concerns
Location
Service Location
6154 TOWN HILL LN
Address Details
Details
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe
This is a noise complaint. Sounds like children screaming weekdays between 9:15 and 10:15. They are not screaming 100% of the time but the screams are still pretty constant and everytime they scream it can be heard clearly inside our house even with closed windows and doors.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Please call/text me at (214) 608-3150 before you come out and I can let you in my backyard to hear for yourself.

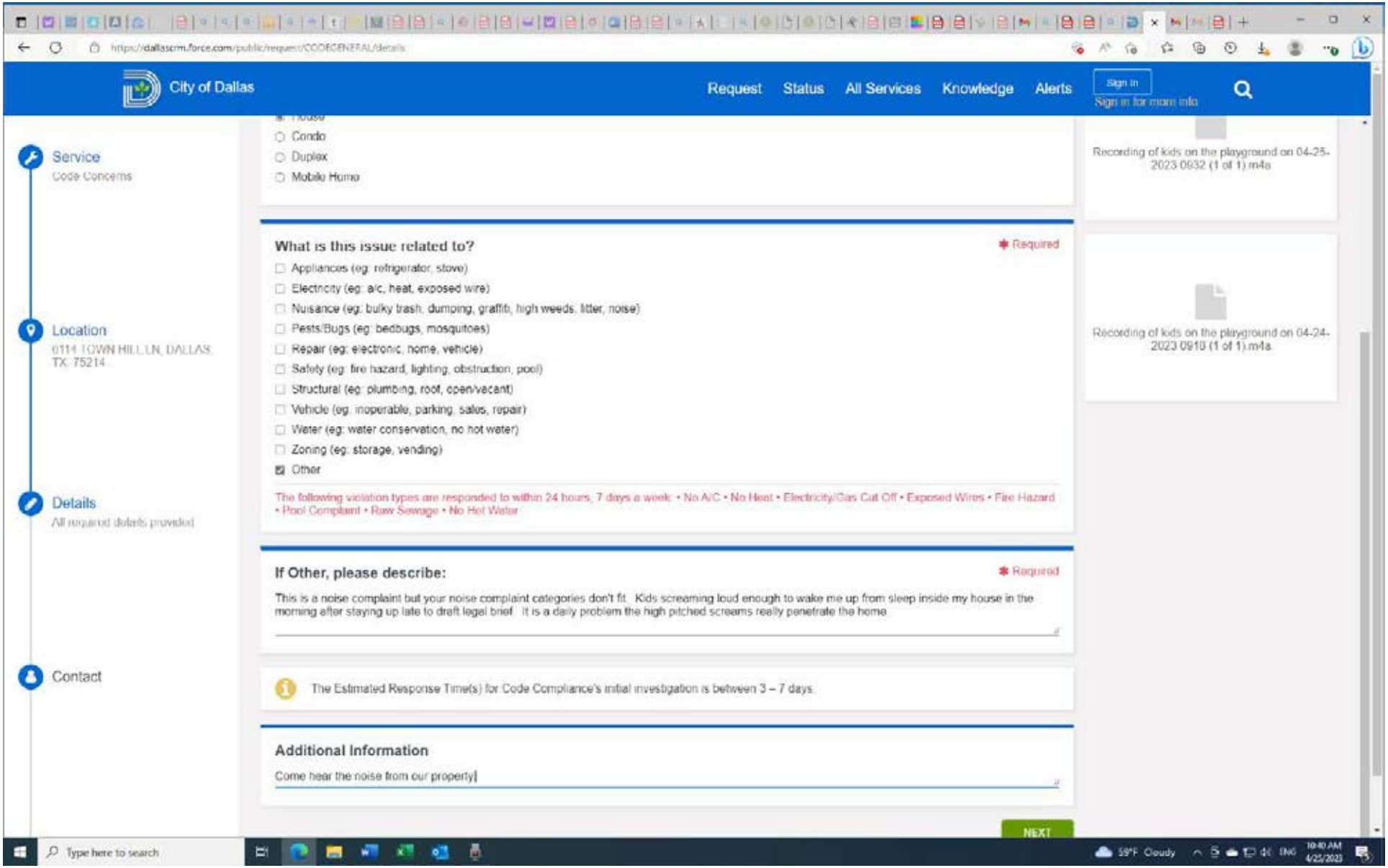

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
Details
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe:
This is a noise complaint. Sounds like children screaming weekdays between 9:15 and 10:15. They are not screaming 100% of the time but the screams are still pretty constant and everytime they scream it can be heard clearly inside our house even with closed windows and doors.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
Please call/text me at (214) 608-3150 before you come out and I can let you in my backyard to hear for yourself.
Contact
Name
Allie S[redacted]
Email Address
[redacted]
Phone Number
[redacted]
SUBMIT

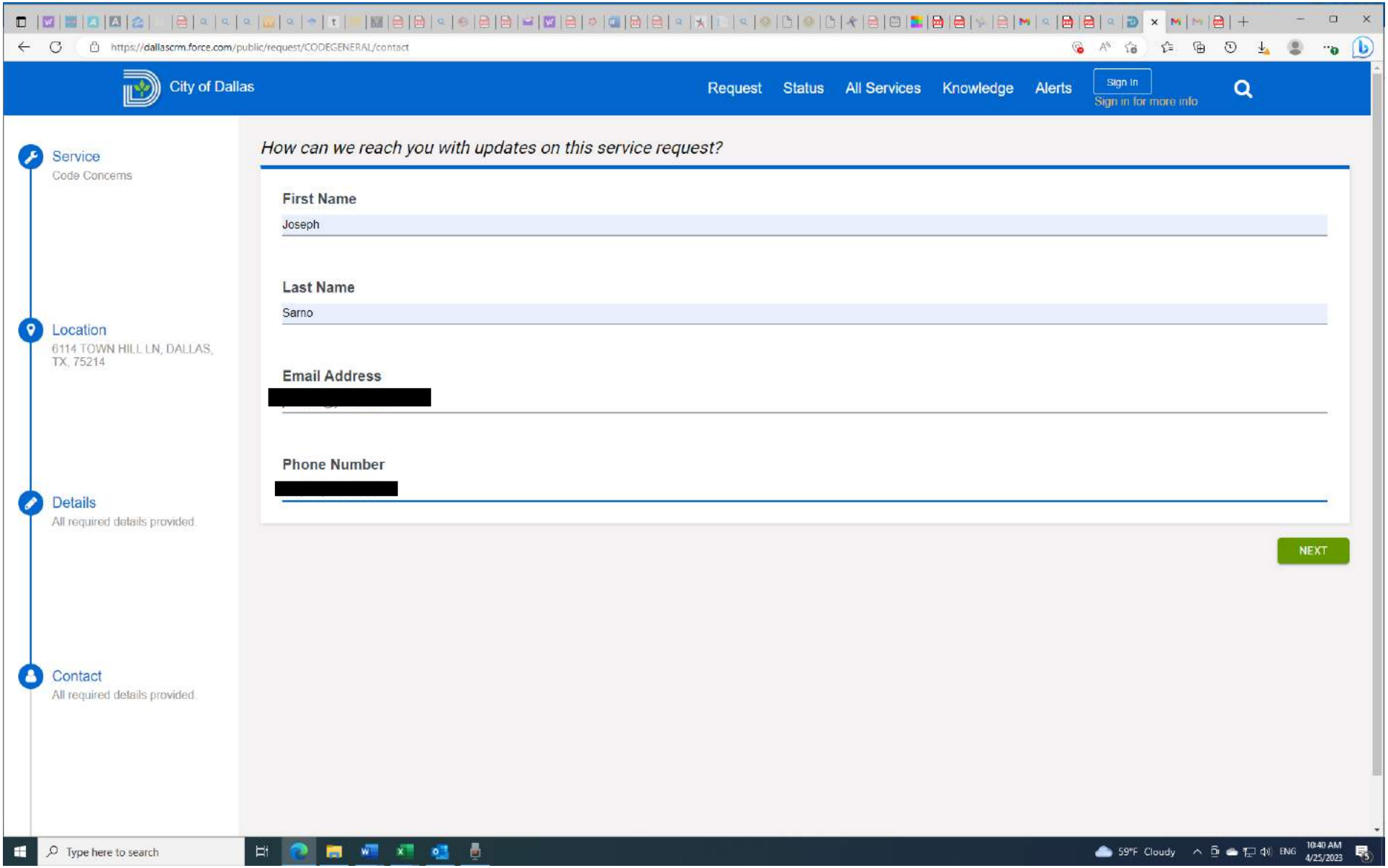

Service
Code Concerns
Location
6154 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
23-00186881
Thank you.
Your service request has been submitted.
Service request number is
23-00186881
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Type here to search

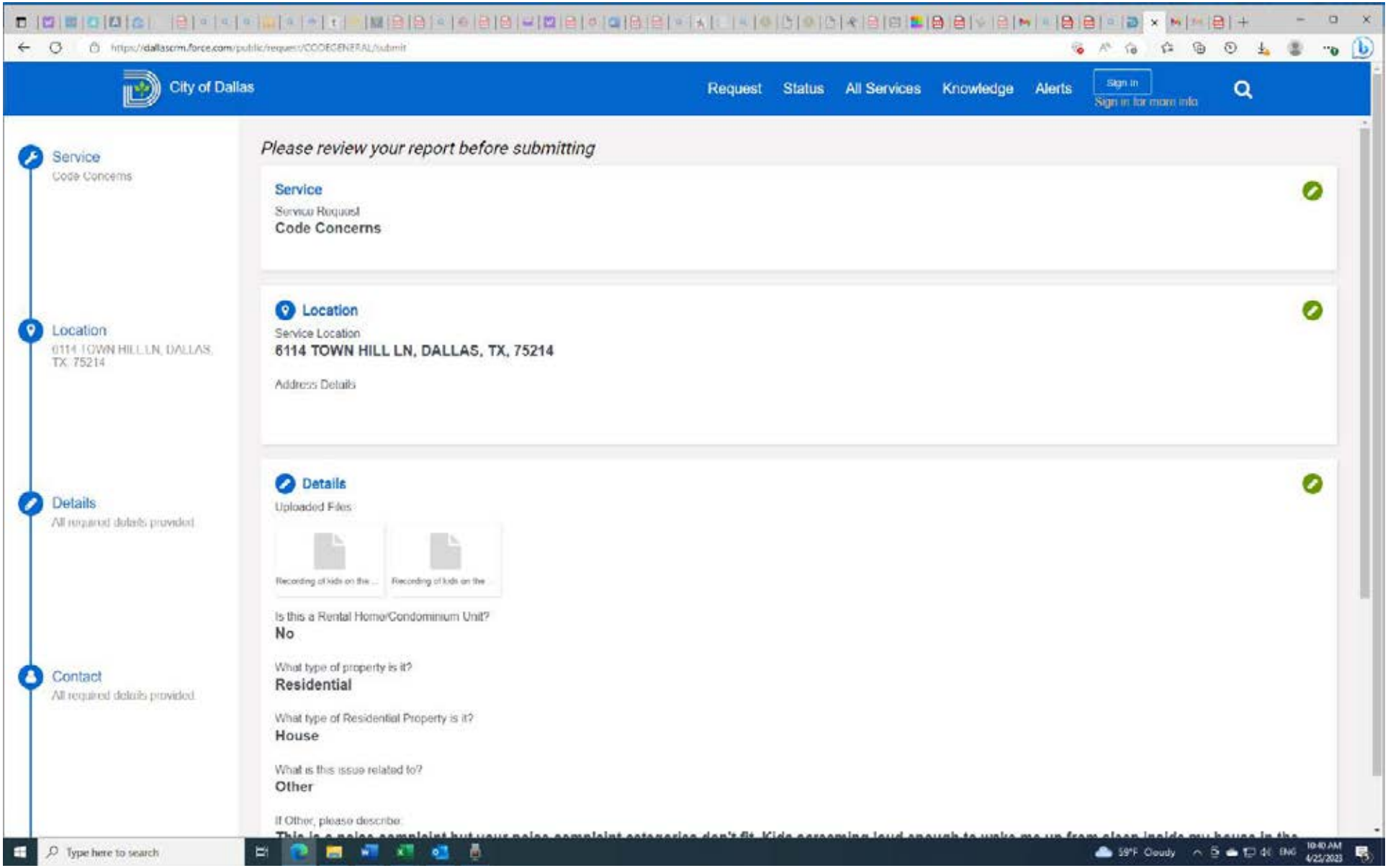

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
How can we help? Example Topics - loose animal, missed pickup
Get Help With:
Popular Service Requests
This category lists requests that are frequently requested or used.
Animal Care and Control
This category can be used to submit requests related to animals
City Code Violations
This category can be used to submit requests related to Code Compliance issues.
City Parks
This category can be used to submit requests regarding Dallas City Parks
Court and Detention Services
This category can be used to submit requests regarding vehicles booted/towed, general ...
Creeks, Streams, Storm Drains, and Waterways
This category can be used to submit requests regarding creeks, streams, storm drains, a...
City Code Violations:
Code Concerns
Use this service request to report code concerns and or violations, i.e., high weeds, litter, illegal dumping, graffiti, substandard conditions, etc. The estimated response time may vary depending on the violation reported or violations found by Code Inspector upon conducting a comprehensive inspection
Servicing Department
Code Compliance
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
REQUEST
Food Borne Illness
Use this service request to report sickness from eating at any food establishment, vending ma...
Homeless Meal Event
Use this Service Request to document and track where the homeless are being fed (feeding o...
Consumer Protection Complaint
Weather alerts 2023
Type here to search
58°F Cloudy
ENG
10:35 AM
4/25/2023

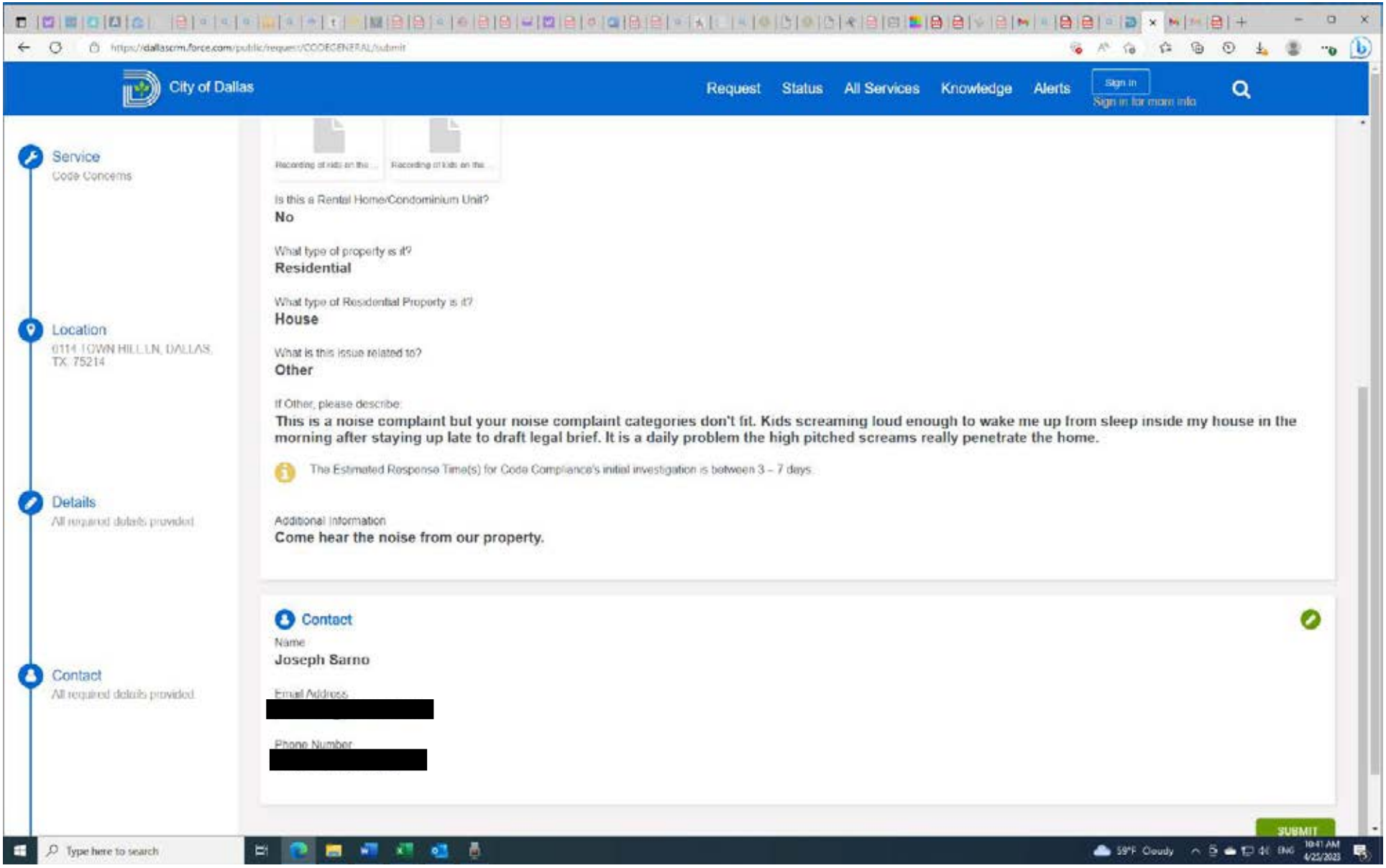

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Where is the service location?
Required
Search for address
Nearest Valid Address
6114 TOWN HILL LN, DALLAS, TX, 75214
Address Details (Apt #)
CLEAR
NEXT
Nearest Valid Address
Addison
Richardson
Garland
Sachse
Irving
Dallas
Mesquite
Grand Prairie
University Park
Highland Park
Lake Ray Hubbard
Type here to search

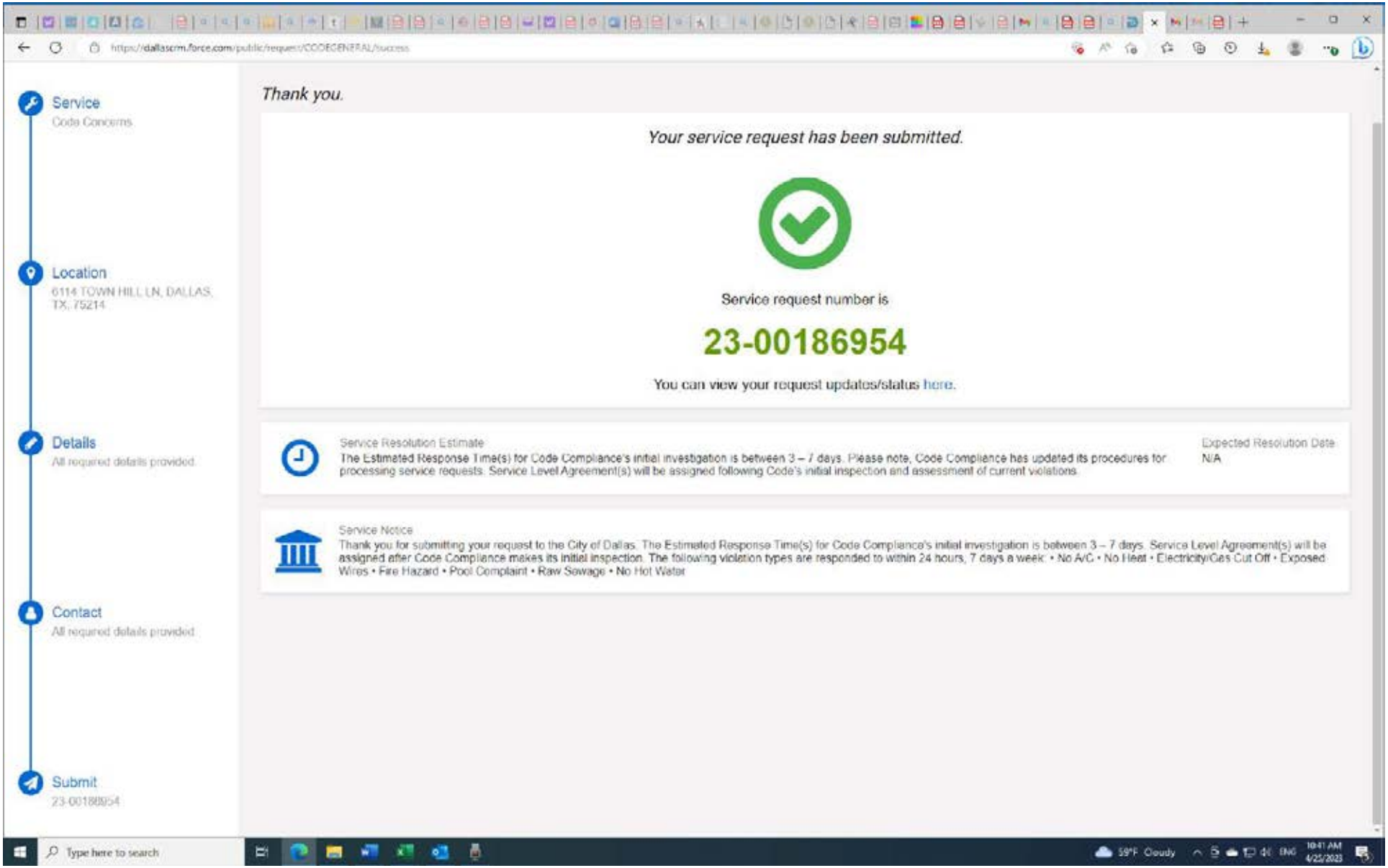

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Upload a file
Recording of kids on the playground on 04-25-2023 0932 (1 of 1).m4a
Recording of kids on the playground on 04-24-2023 0918 (1 of 1).m4a
Type here to search
59°F Cloudy
10:40 AM
4/25/2023

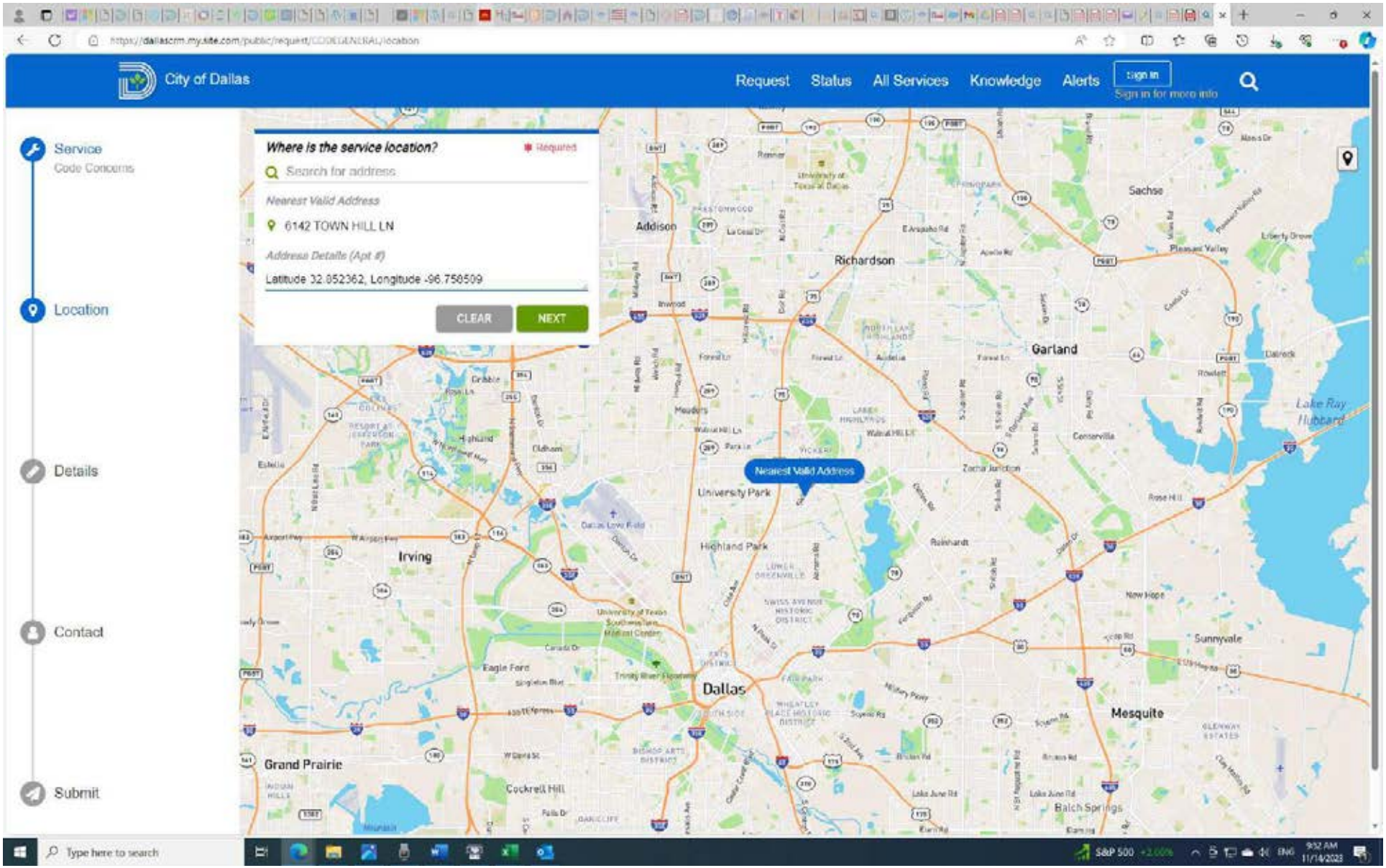

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If Other, please describe:
* Required
This is a noise complaint but your noise complaint categories don't fit. Kids screaming loud enough to wake me up from sleep inside my house in the morning after staying up late to draft legal brief. It is a daily problem the high pitched screams really penetrate the home
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Come hear the noise from our property
NEXT
Recording of kids on the playground on 04-25-2023 0932 (1 of 1).m4a
Recording of kids on the playground on 04-24-2023 0910 (1 of 1).m4a
Type here to search
59°F Cloudy
10:40 AM
4/25/2023

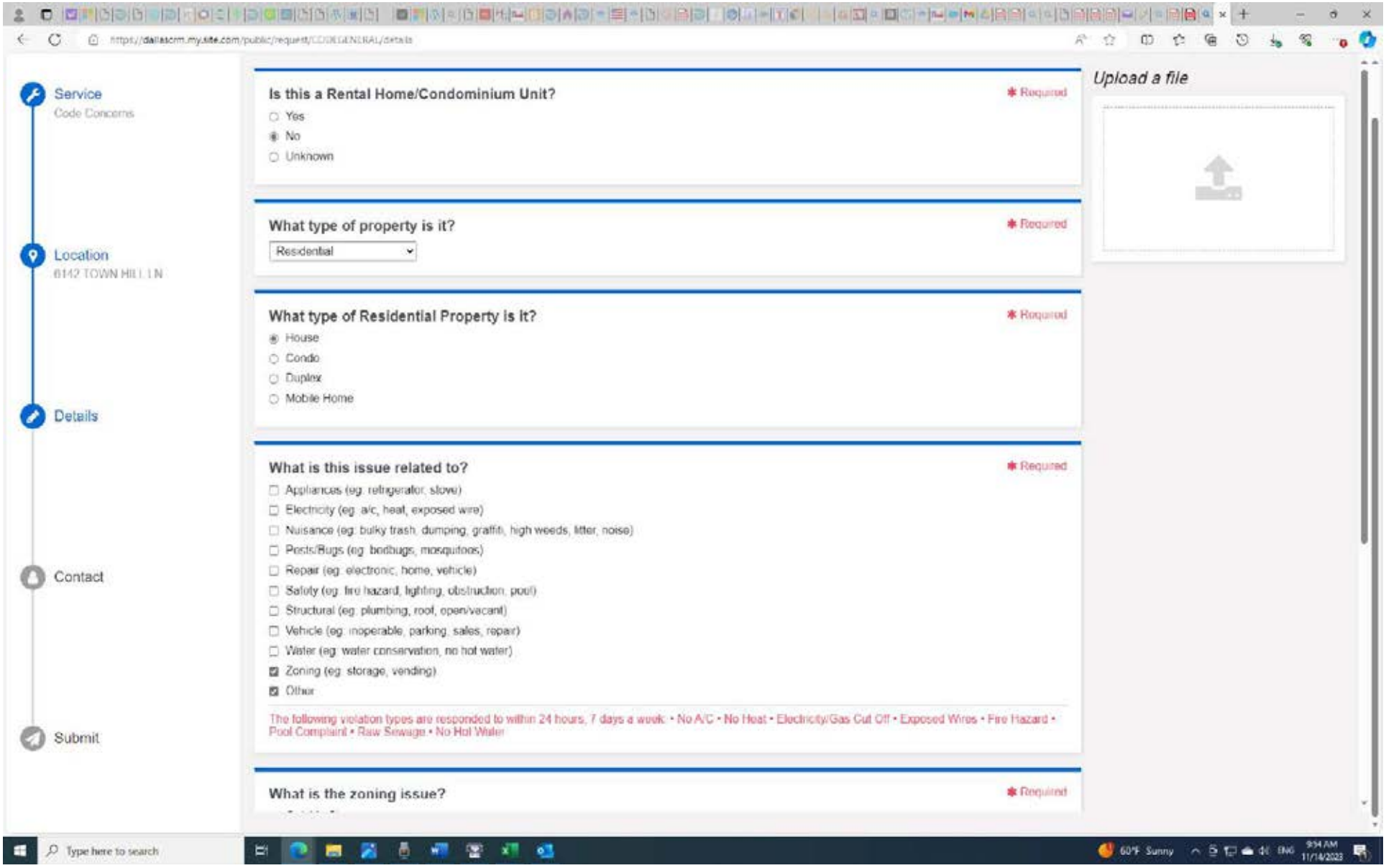

https://dallascrm.force.com/public/request/CODEGENERAL/contact
City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign In
Sign in for more info
Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
All required details provided
How can we reach you with updates on this service request?
First Name
Joseph
Last Name
Sarno
Email Address
[redacted]
Phone Number
[redacted]
NEXT
Type here to search
59°F Cloudy
ENG
10:40 AM
4/25/2023

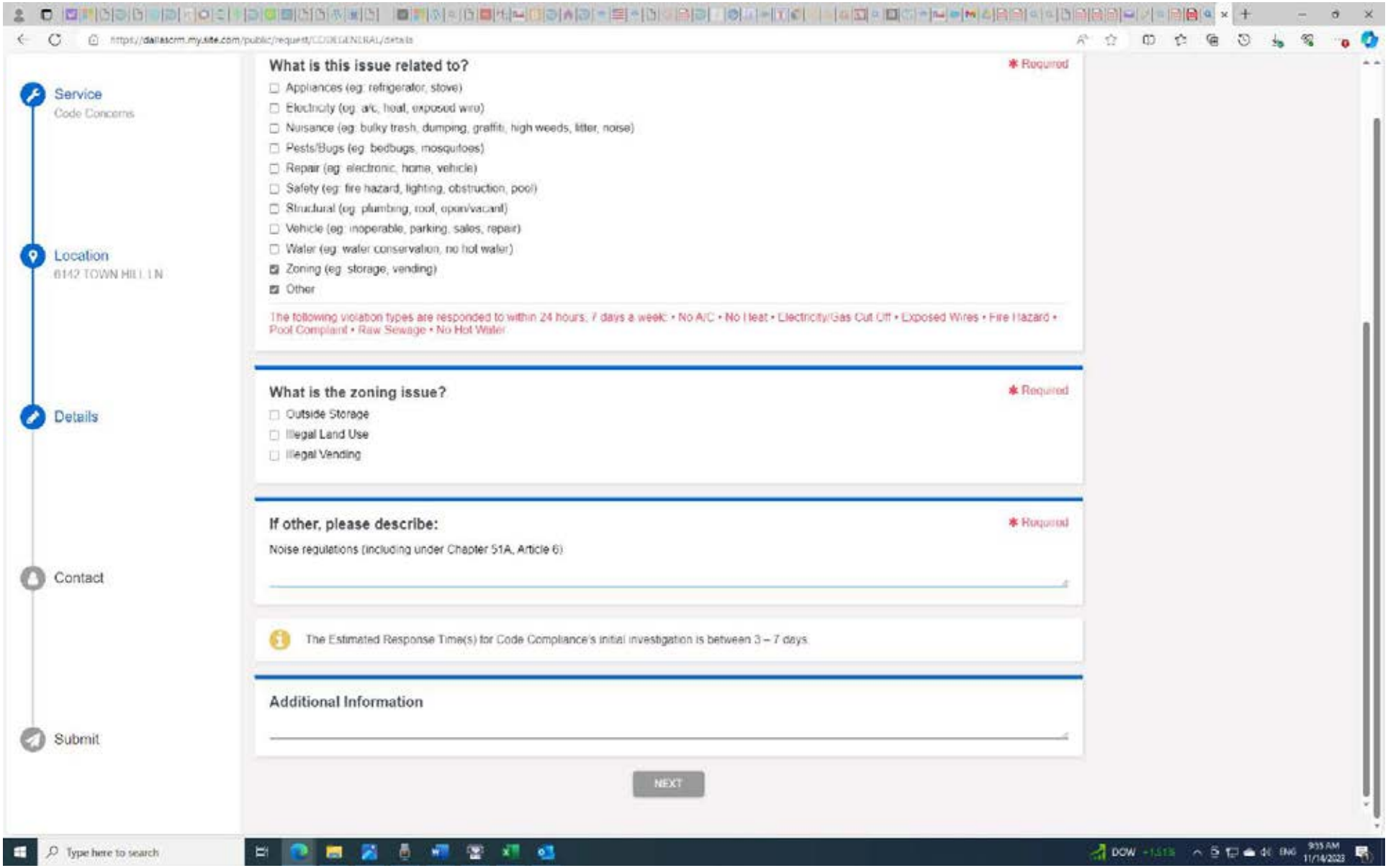

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
All required details provided
Please review your report before submitting
Service
Service Request
Code Concerns
Location
Service Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Address Details
Details
Uploaded Files
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe:
Type here to search

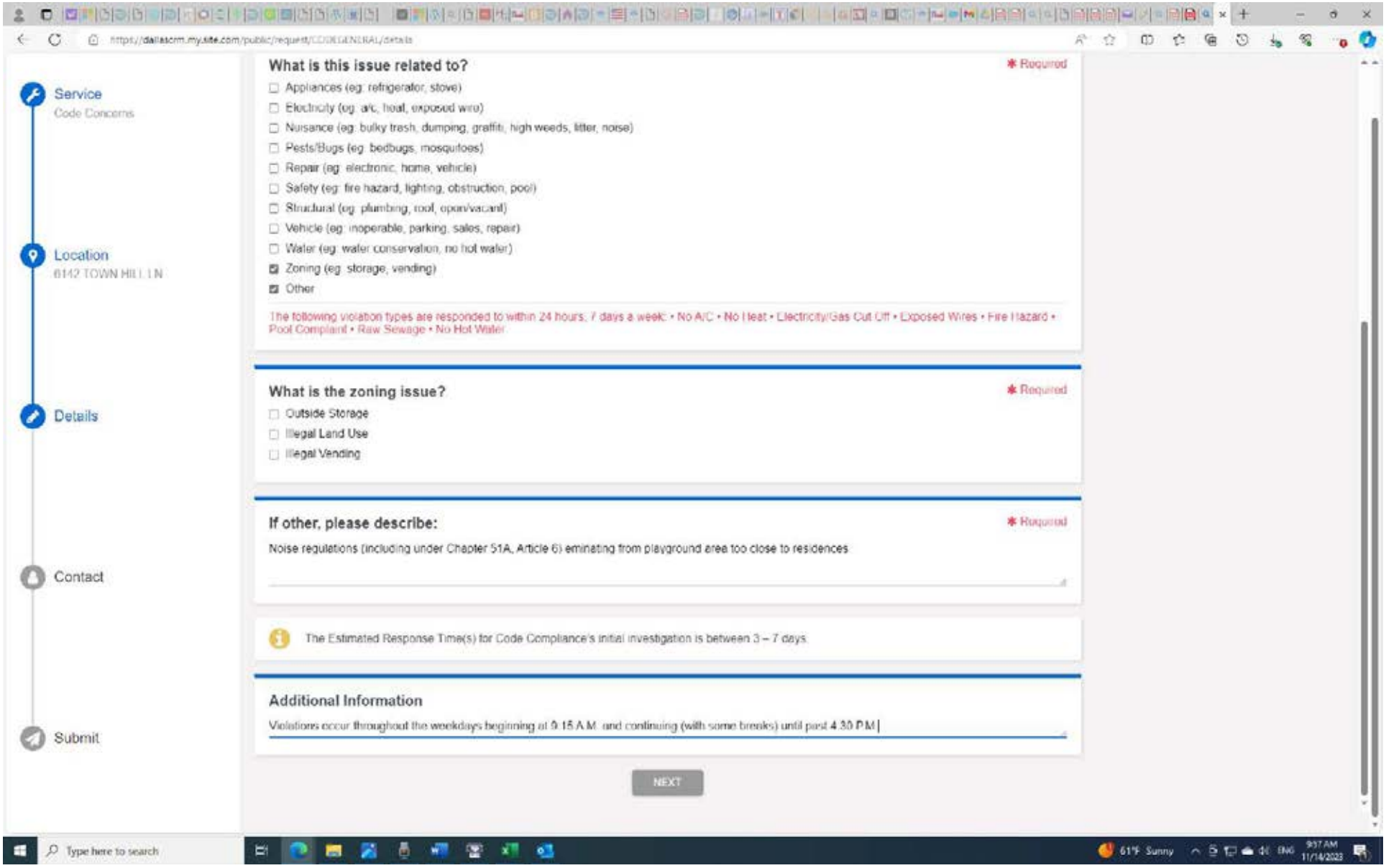

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
All required details provided
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If Other, please describe:
This is a noise complaint but your noise complaint categories don't fit. Kids screaming loud enough to wake me up from sleep inside my house in the morning after staying up late to draft legal brief. It is a daily problem the high pitched screams really penetrate the home.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Come hear the noise from our property.
Contact
Name
Joseph Sarno
Email Address
[redacted]
Phone Number
[redacted]
SUBMIT
Type here to search
59°F Cloudy
10:41 AM
4/25/2023

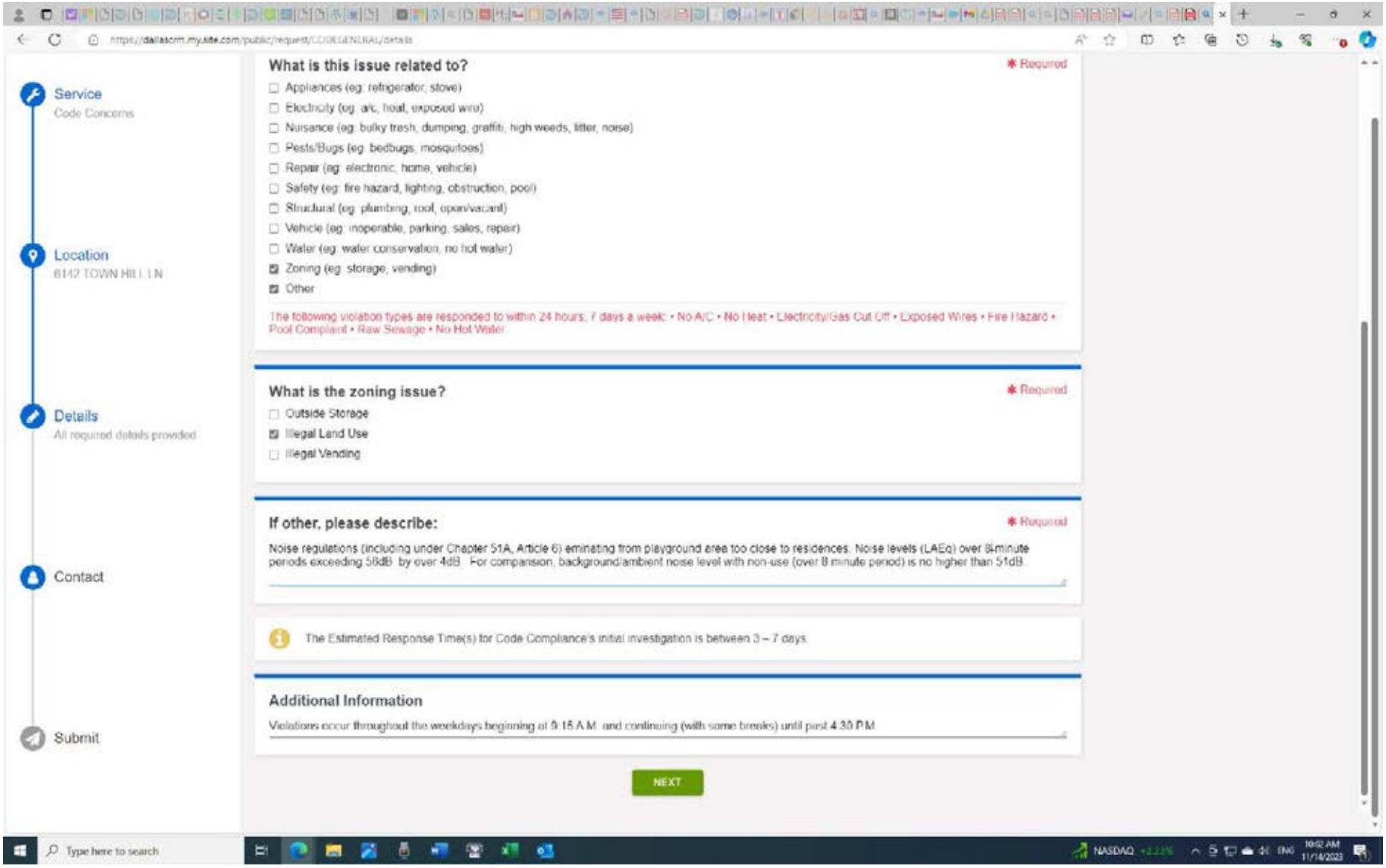

Service
Code Concerns
Location
6114 TOWN HILL LN, DALLAS, TX, 75214
Details
All required details provided
Contact
All required details provided
Submit
23-00186954
Thank you.
Your service request has been submitted.
Service request number is
23-00186954
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Type here to search

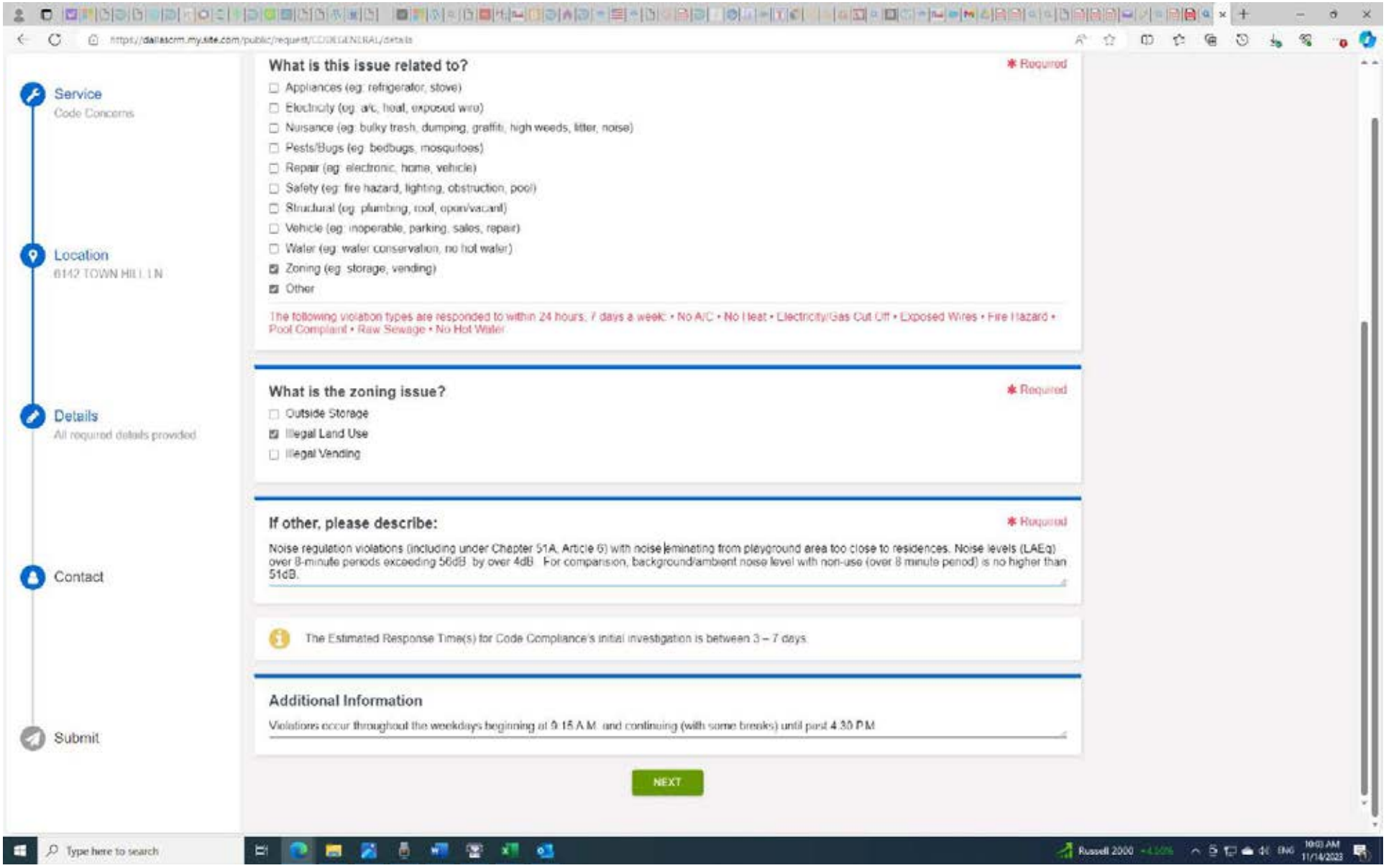

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Submit
Where is the service location?
Required
Search for address
Nearest Valid Address
6142 TOWN HILL LN
Address Details (Apt #)
Latitude 32.052362, Longitude -96.758509
CLEAR
NEXT
Nearest Valid Address
Addison
Richardson
Sachse
Garland
Irving
University Park
Highland Park
Dallas
Mesquite
Grand Prairie
Sunnyvale
Balch Springs
Lake Ray Hubbard

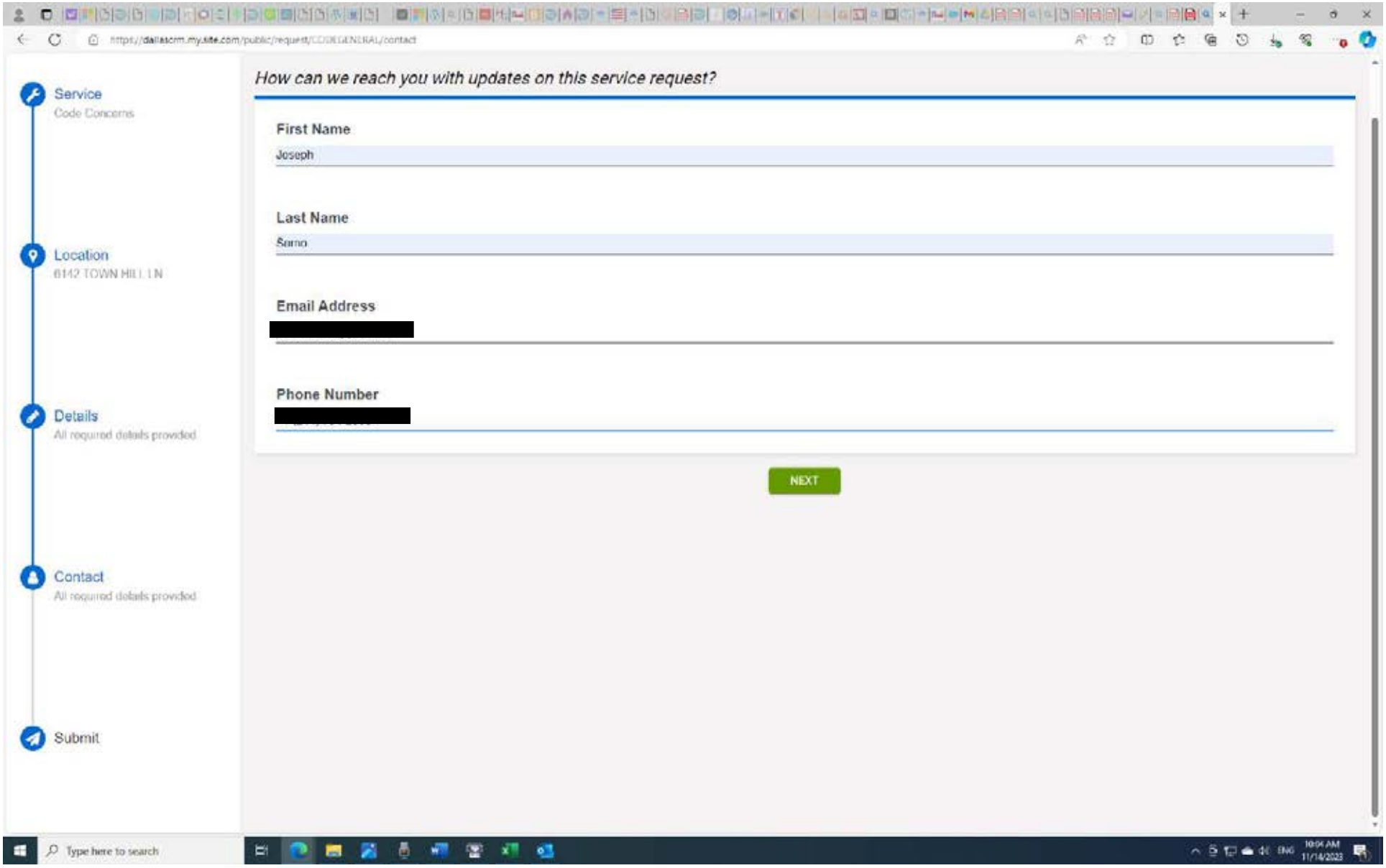

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
Contact
Submit
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Upload a file
Type here to search
60°F Sunny

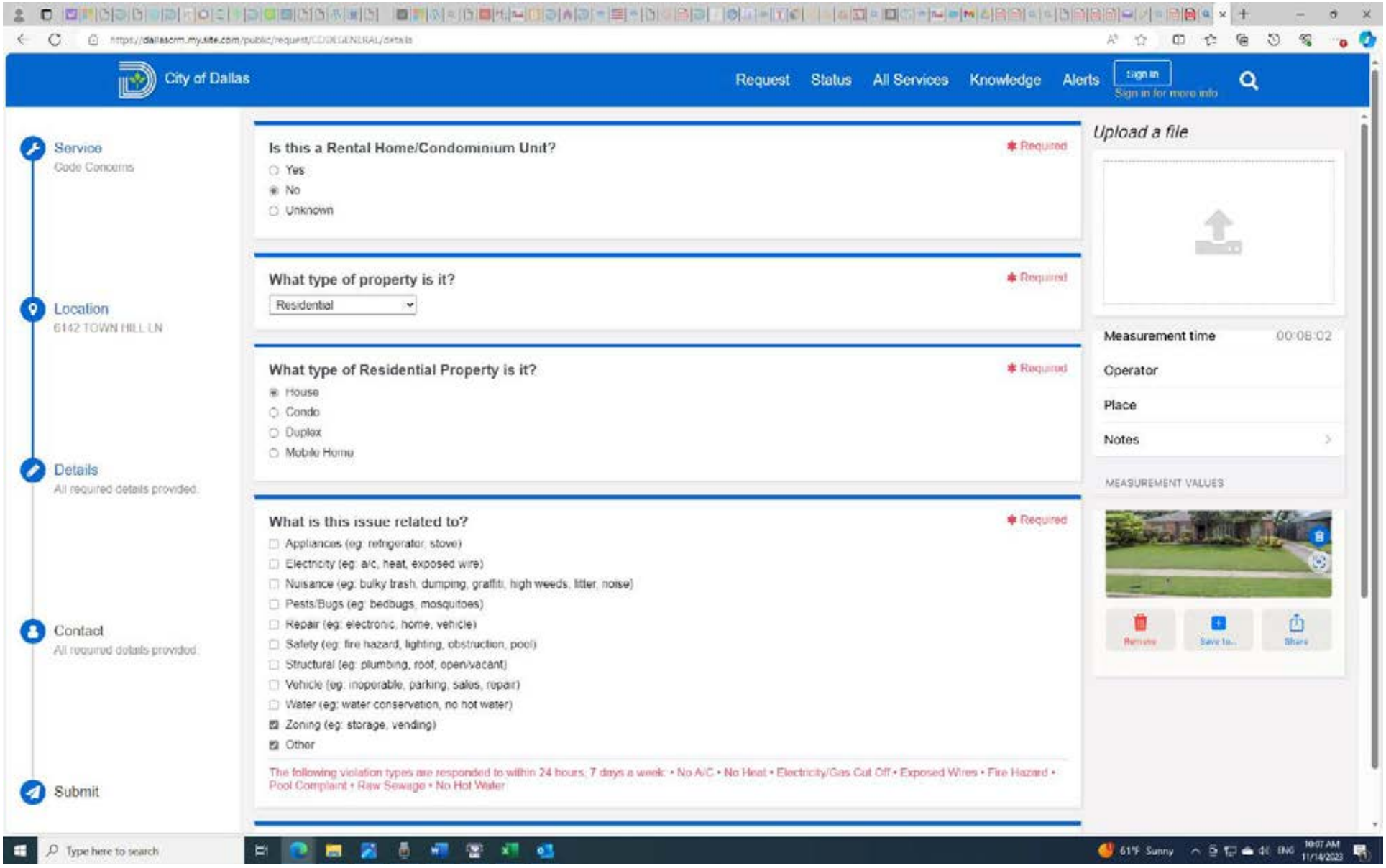

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
Contact
Submit
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Outside Storage
Illegal Land Use
Illegal Vending
If other, please describe:
* Required
Noise regulations (including under Chapter 51A, Article 6)
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
NEXT
Type here to search

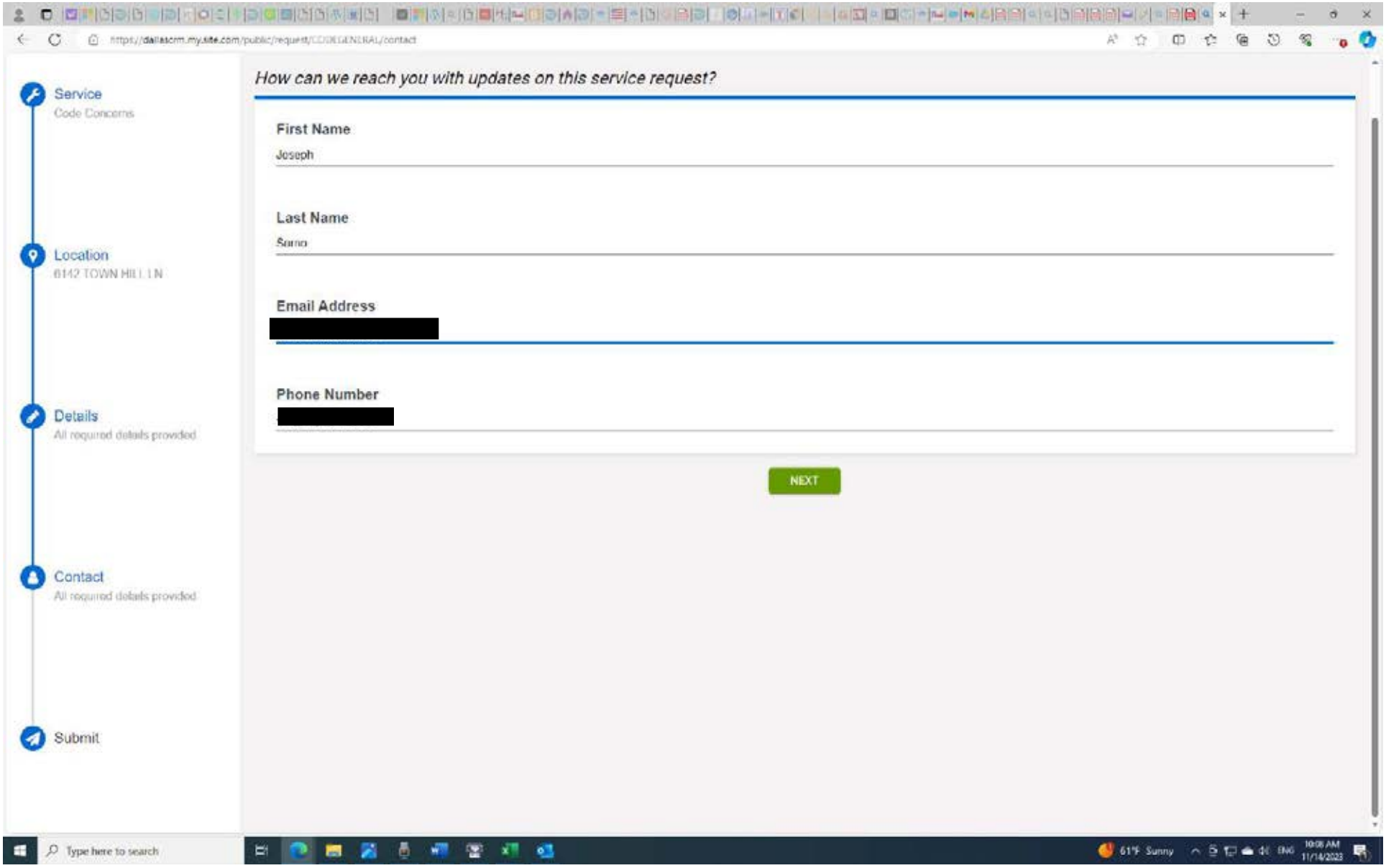

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
Contact
Submit
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Outside Storage
Illegal Land Use
Illegal Vending
If other, please describe:
* Required
Noise regulations (including under Chapter 51A, Article 6) eminating from playground area too close to residences
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Violations occur throughout the weekdays beginning at 9:15 A.M. and continuing (with some breaks) until past 4:30 P.M.
NEXT
Type here to search
61°F Sunny
9:57 AM
11/14/2023

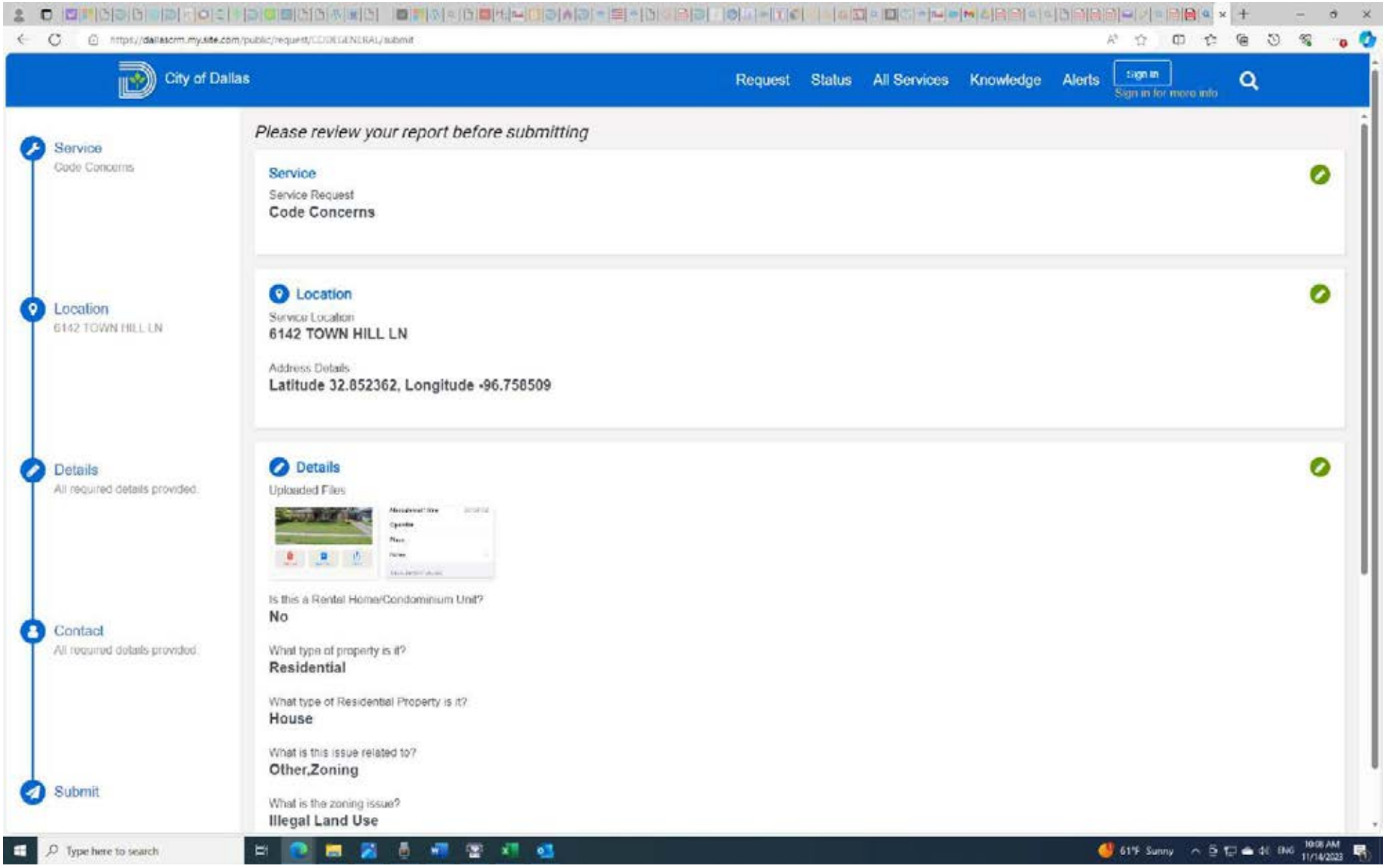

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
Submit
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Outside Storage
Illegal Land Use
Illegal Vending
If other, please describe:
* Required
Noise regulations (including under Chapter 51A, Article 6) eminating from playground area too close to residences. Noise levels (LAEq) over 8-minute periods exceeding 56dB by over 4dB. For comparision, background/ambient noise level with non-use (over 8 minute period) is no higher than 51dB.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Violations occur throughout the weekdays beginning at 9:15 A.M. and continuing (with some breaks) until past 4:30 P.M.
NEXT
Type here to search

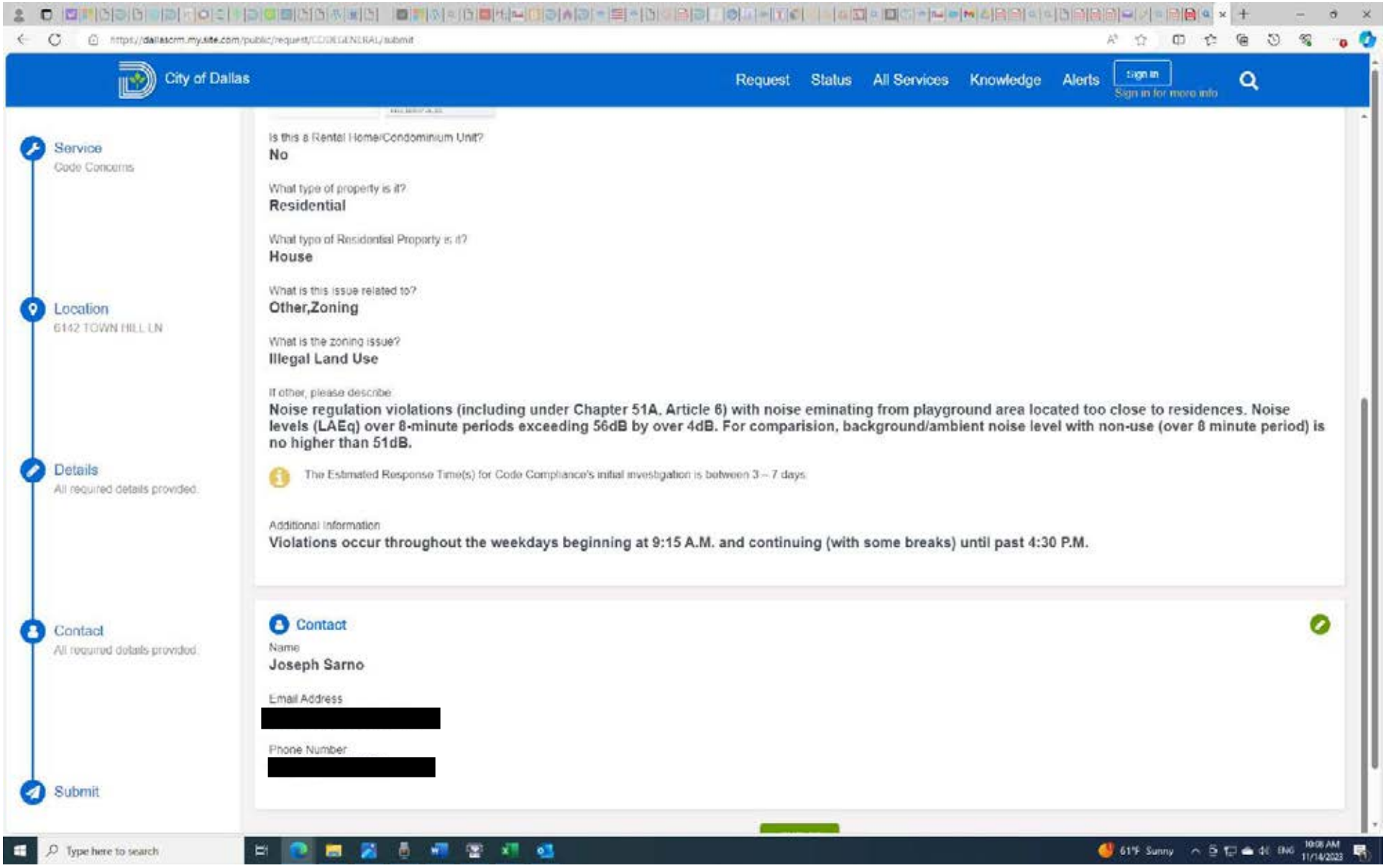

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
Submit
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Outside Storage
Illegal Land Use
Illegal Vending
If other, please describe:
* Required
Noise regulation violations (including under Chapter 51A, Article 6) with noise eminating from playground area too close to residences. Noise levels (LAEq) over 8-minute periods exceeding 56dB by over 4dB. For comparision, background/ambient noise level with non-use (over 8 minute period) is no higher than 51dB.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Violations occur throughout the weekdays beginning at 9:15 A.M. and continuing (with some breaks) until past 4:30 P.M.
NEXT
Type here to search
Russell 2000

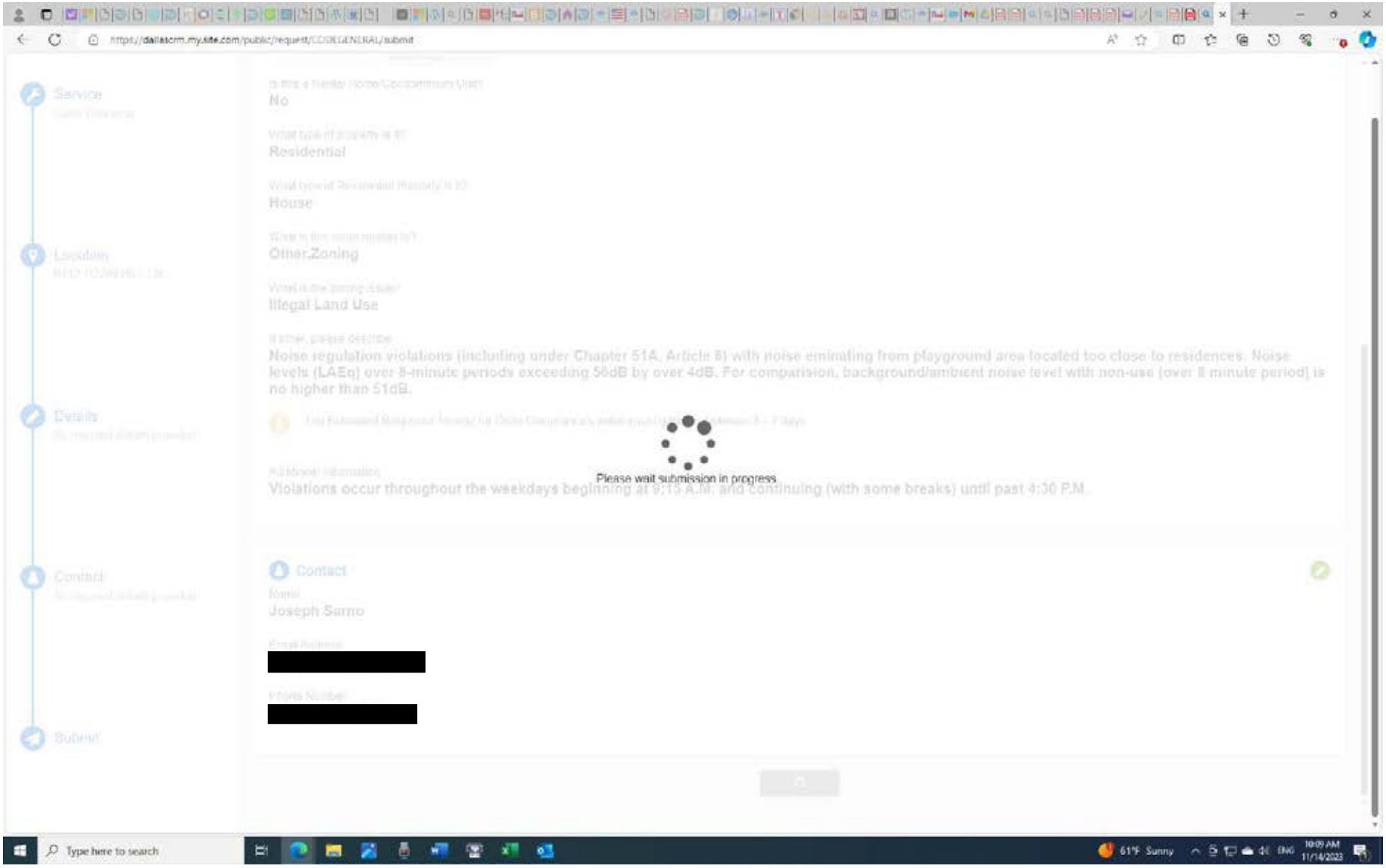

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
How can we reach you with updates on this service request?
First Name
Joseph
Last Name
Sano
Email Address
[redacted]
Phone Number
[redacted]
NEXT
Type here to search

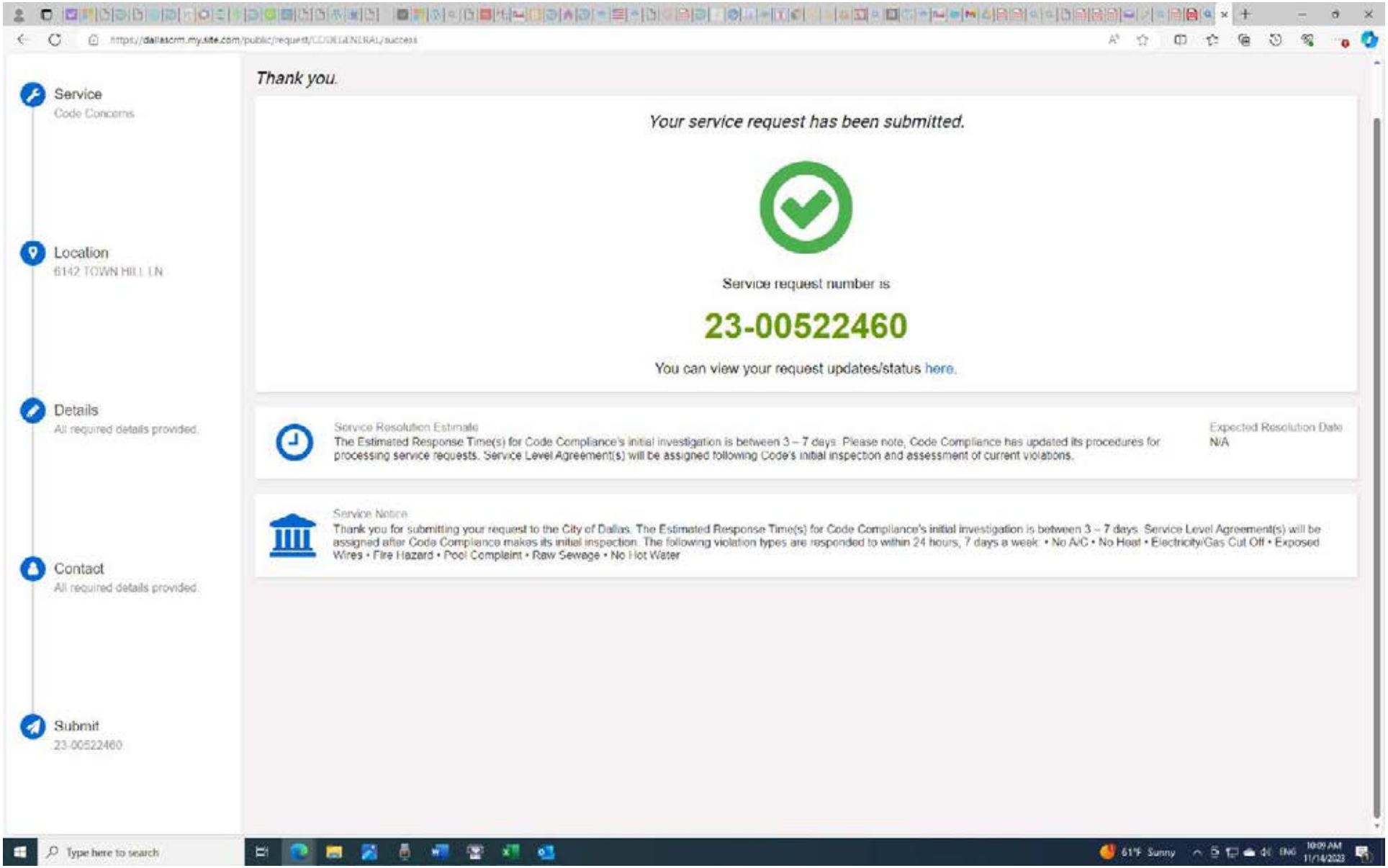

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Upload a file
Measurement time
00:08:02
Operator
Place
Notes
MEASUREMENT VALUES
Remove
Save to...
Share
Type here to search
61°F Sunny
ENG
10:07 AM
11/14/2023

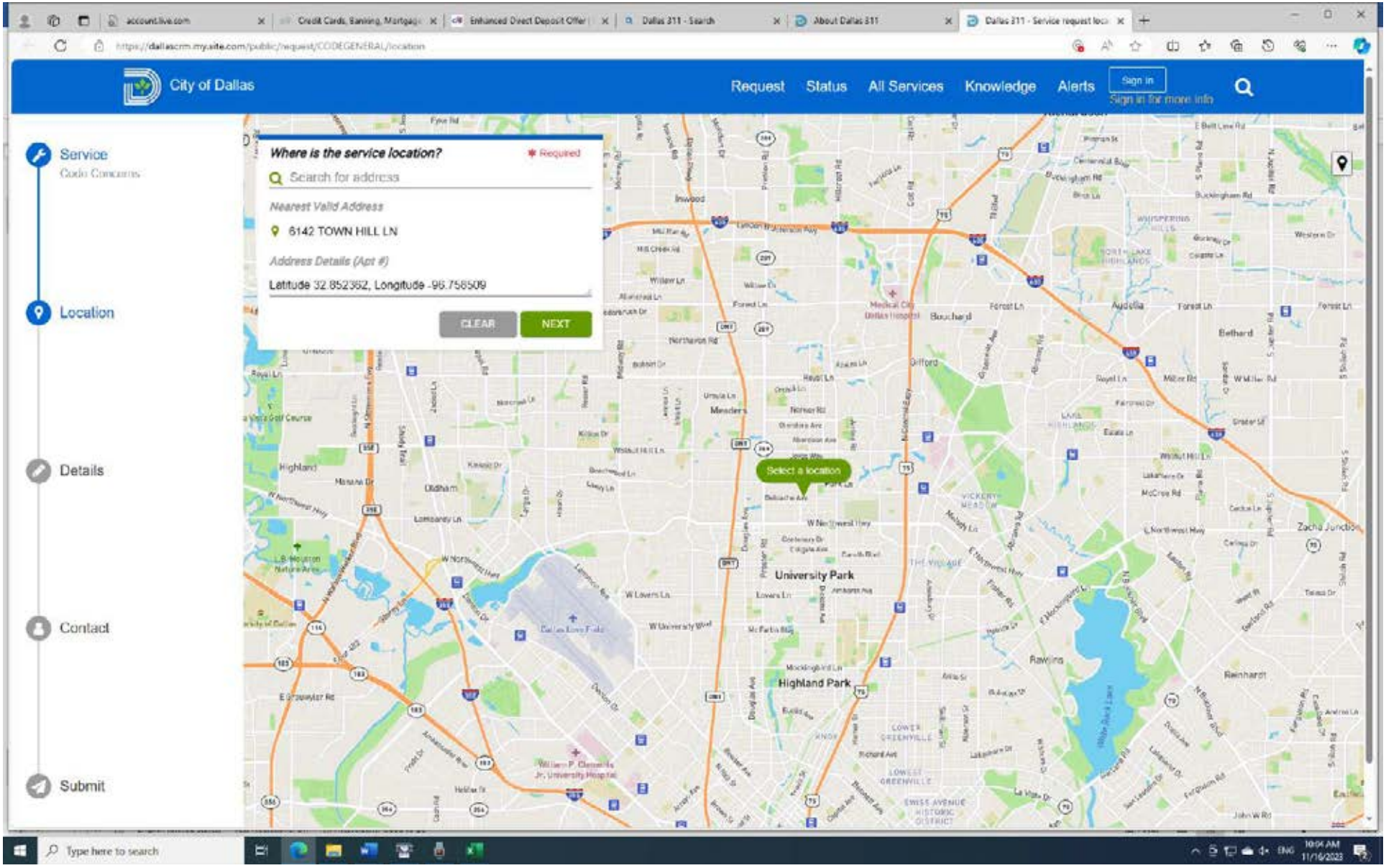

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
How can we reach you with updates on this service request?
First Name
Joseph
Last Name
Sano
Email Address
[redacted]
Phone Number
[redacted]
NEXT

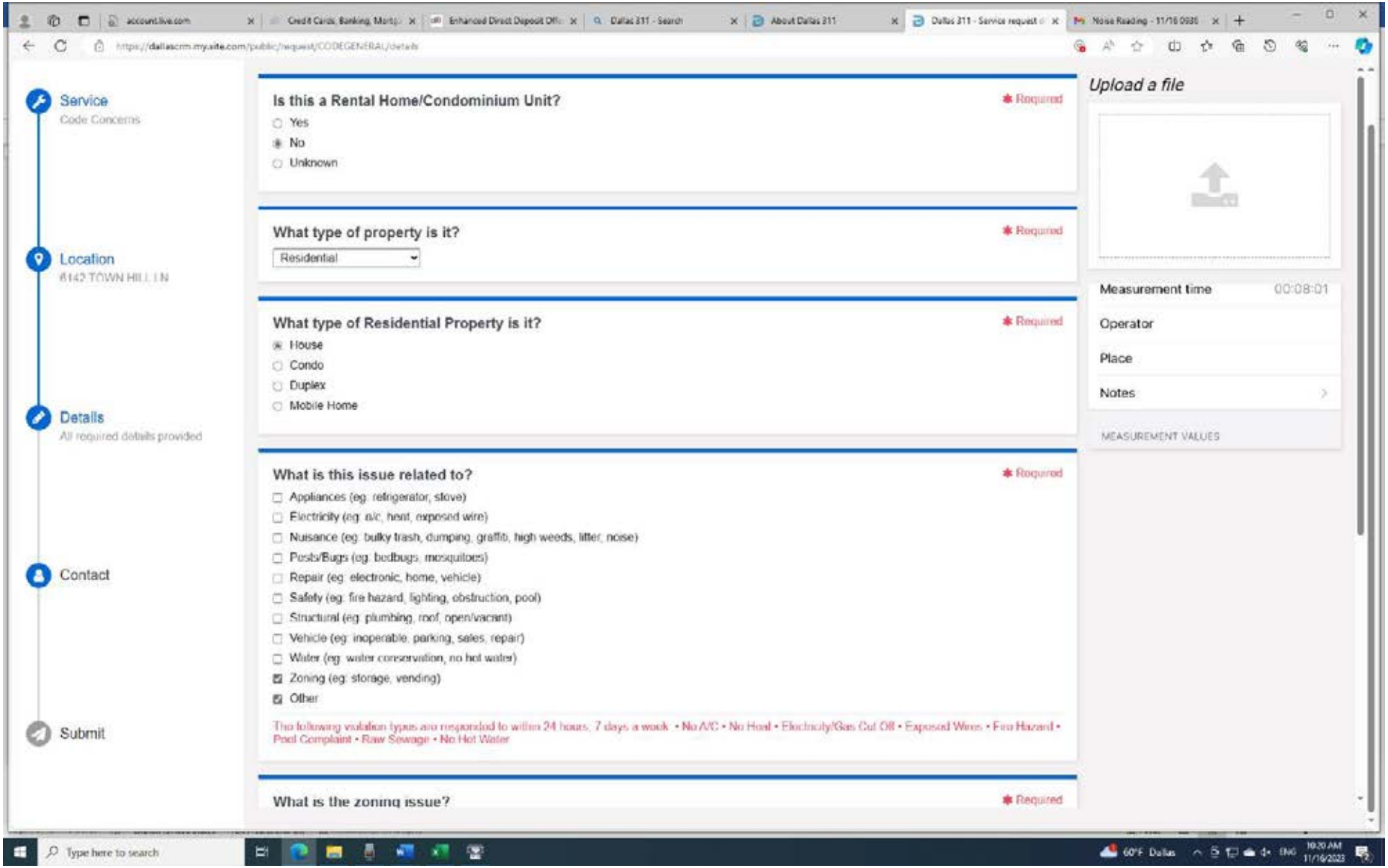

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Please review your report before submitting
Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Service
Service Request
Code Concerns
Location
Service Location
6142 TOWN HILL LN
Address Details
Latitude 32.852362, Longitude -96.758509
Details
Uploaded Files
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other,Zoning
What is the zoning issue?
Illegal Land Use

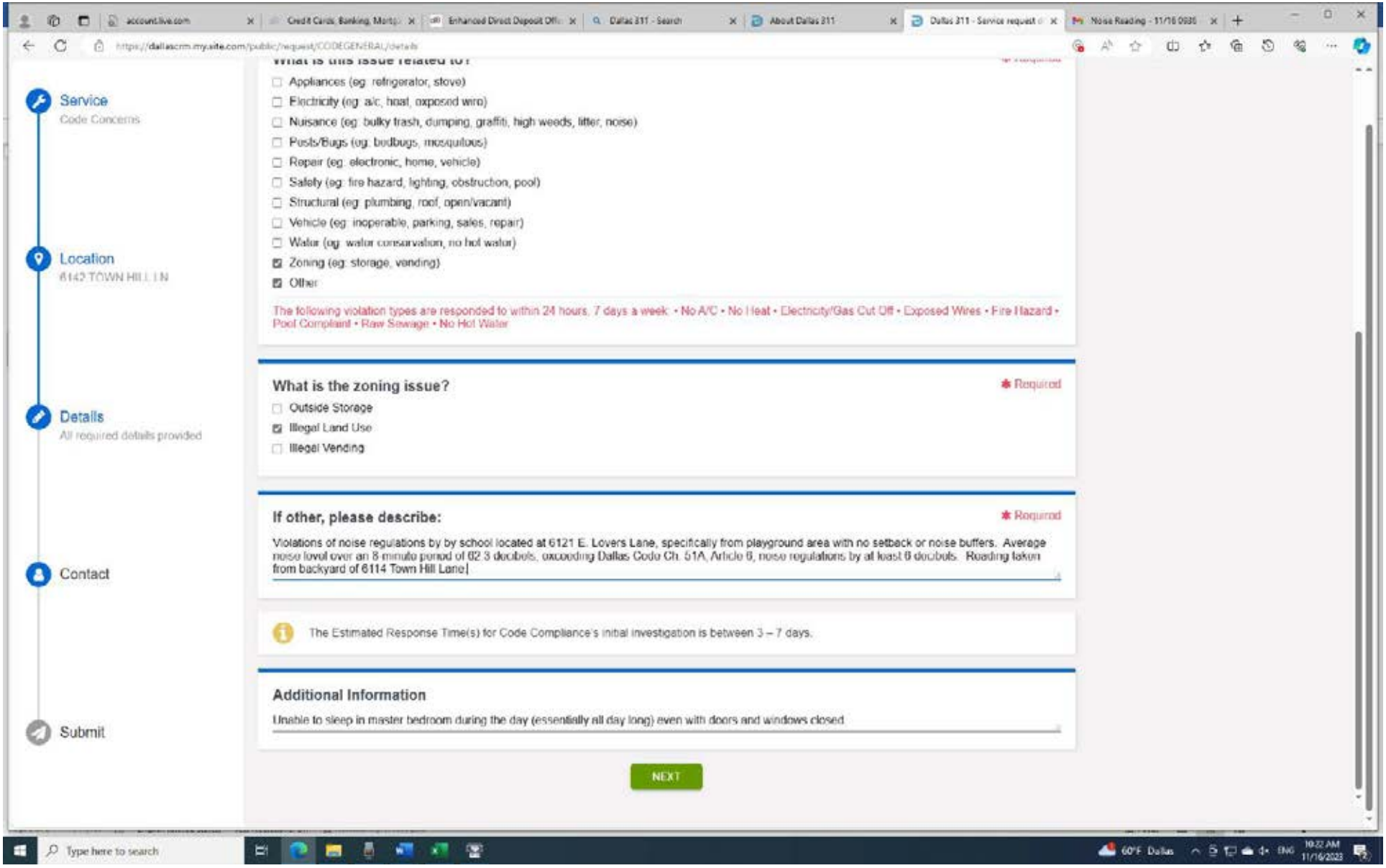

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other,Zoning
What is the zoning issue?
Illegal Land Use
If other, please describe
Noise regulation violations (including under Chapter 51A. Article 6) with noise eminating from playground area located too close to residences. Noise levels (LAEq) over 8-minute periods exceeding 56dB by over 4dB. For comparision, background/ambient noise level with non-use (over 8 minute period) is no higher than 51dB.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Violations occur throughout the weekdays beginning at 9:15 A.M. and continuing (with some breaks) until past 4:30 P.M.
Contact
Name
Joseph Sarno
Email Address
[redacted]
Phone Number
[redacted]
Type here to search
61°F Sunny
ENG
10:08 AM
11/14/2023

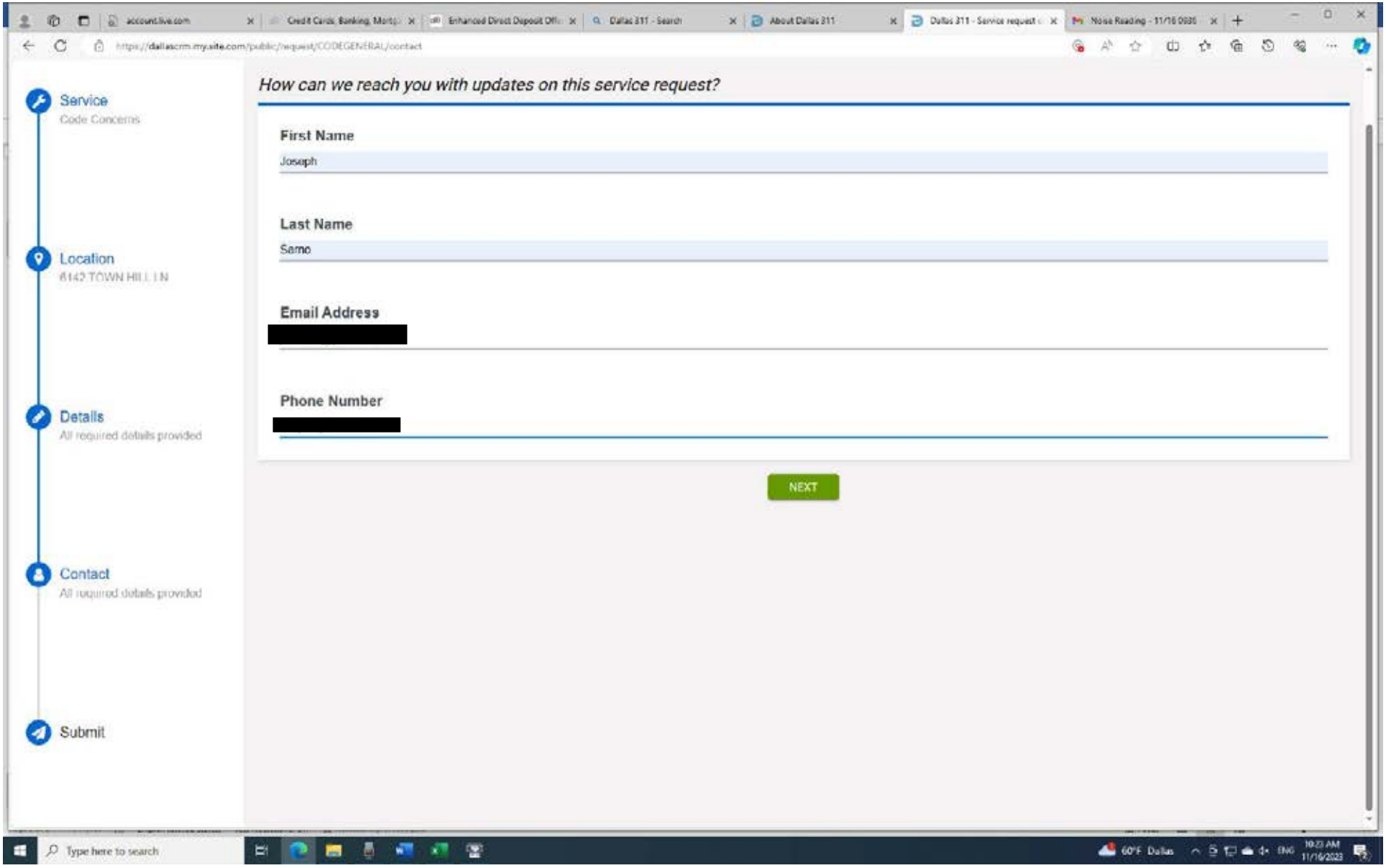

https://dallascrm.my.site.com/public/request/CC0GEGENERAL/submit
Service
No
Residential
House
Other,Zoning
Illegal Land Use
Noise regulation violations (including under Chapter 51A, Article 8) with noise emanating from playground area located too close to residences. Noise levels (LAEq) over 8-minute periods exceeding 56dB by over 4dB. For comparision, background/ambient noise level with non-use (over 8 minute period) is no higher than 51dB.
Please wait submission in progress
Violations occur throughout the weekdays beginning at 9:15 A.M. and continuing (with some breaks) until past 4:30 P.M.
Contact
Joseph Sarno
[redacted]
[redacted]
Type here to search
61°F Sunny
10:09 AM
11/14/2023

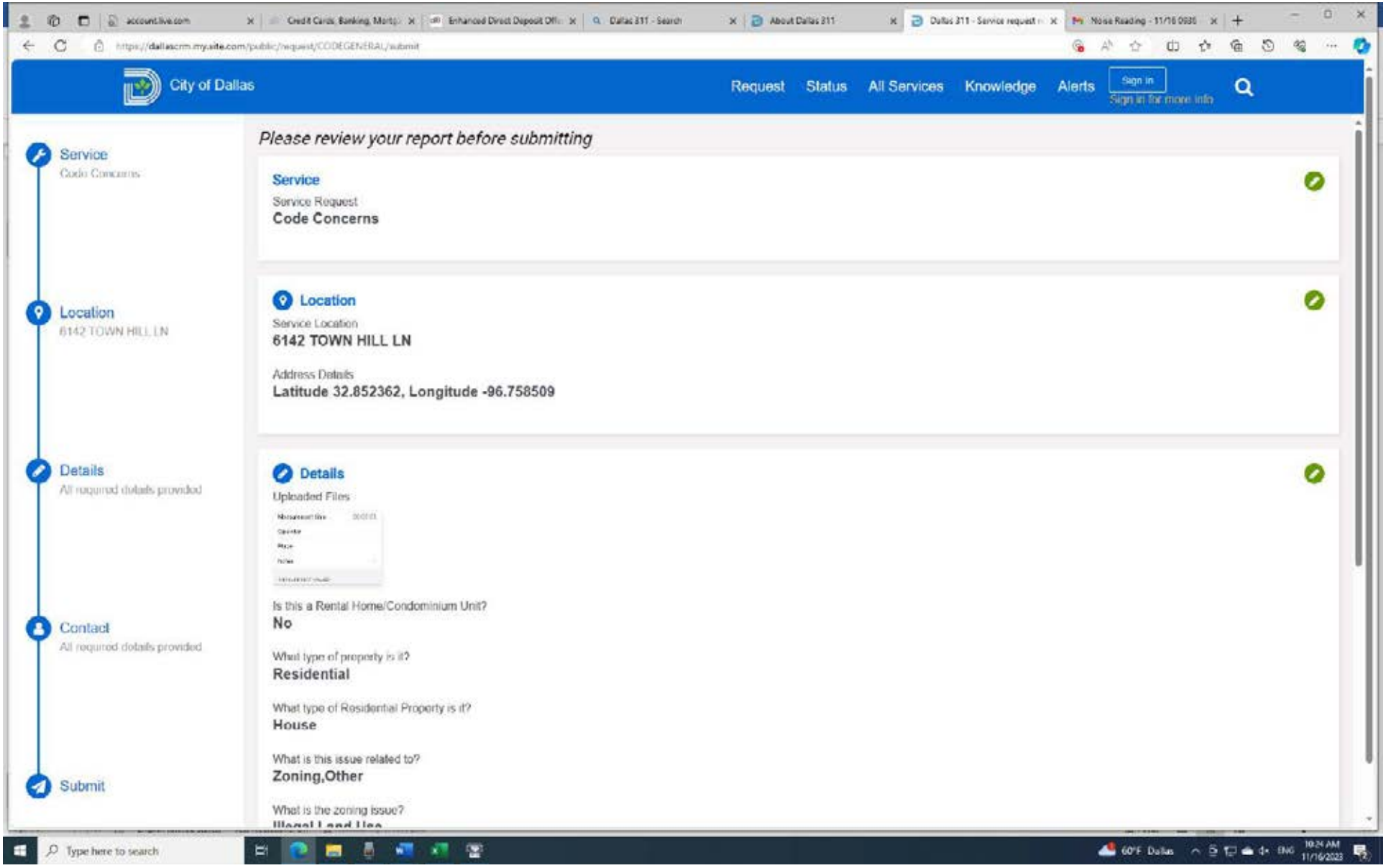

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
23-00522460
Thank you.
Your service request has been submitted.
Service request number is
23-00522460
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Type here to search
61°F Sunny

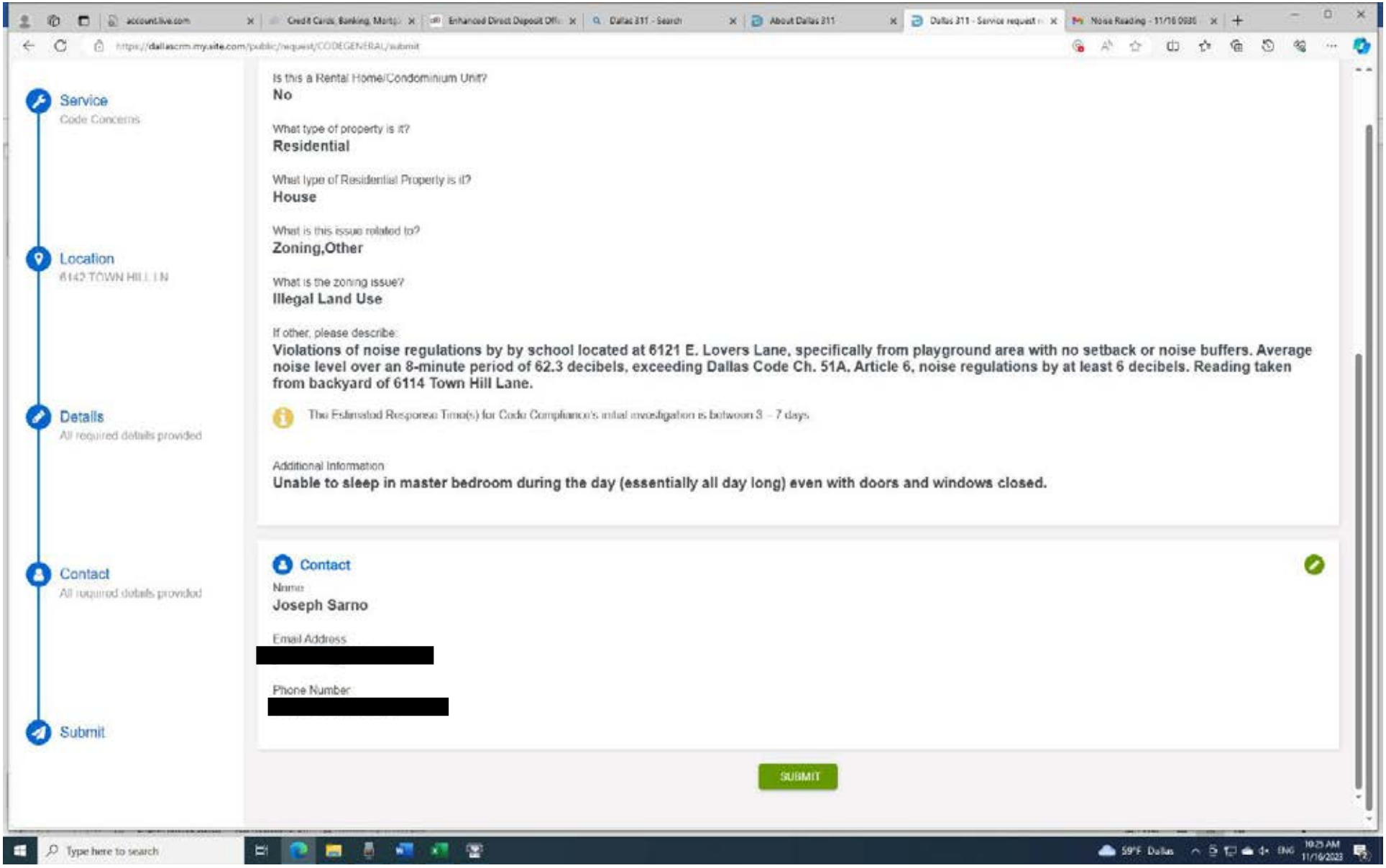

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Submit
Where is the service location?
Required
Search for address
Nearest Valid Address
6142 TOWN HILL LN
Address Details (Apt #)
Latitude 32.852362, Longitude -96.758509
CLEAR
NEXT
Select a location
University Park
Highland Park
Dallas Love Field
Type here to search

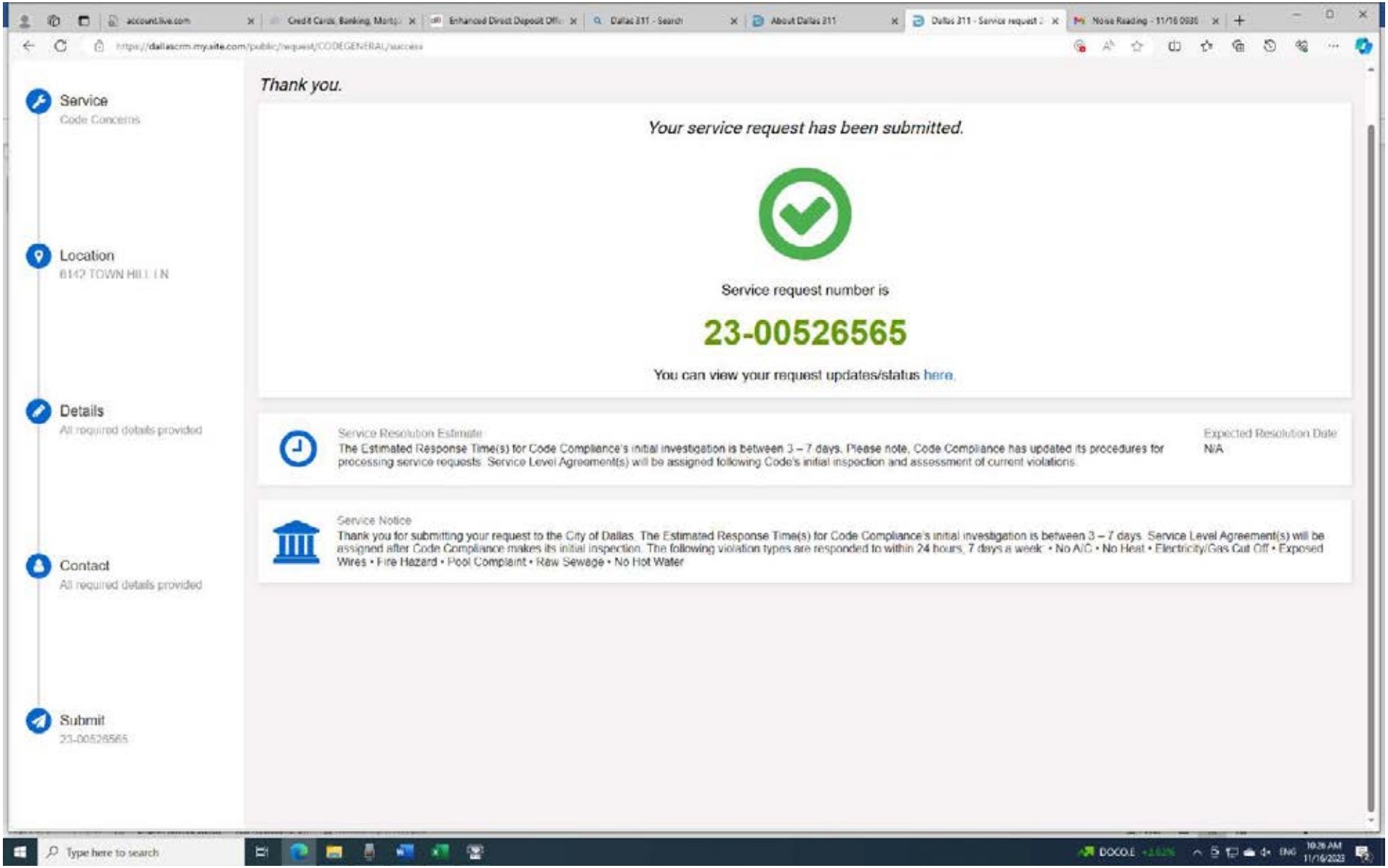

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
Submit
Is this a Rental Home/Condominium Unit?
Required
Yes
No
Unknown
What type of property is it?
Required
Residential
What type of Residential Property is it?
Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
Required
Upload a file
Measurement time
00:08:01
Operator
Place
Notes
MEASUREMENT VALUES

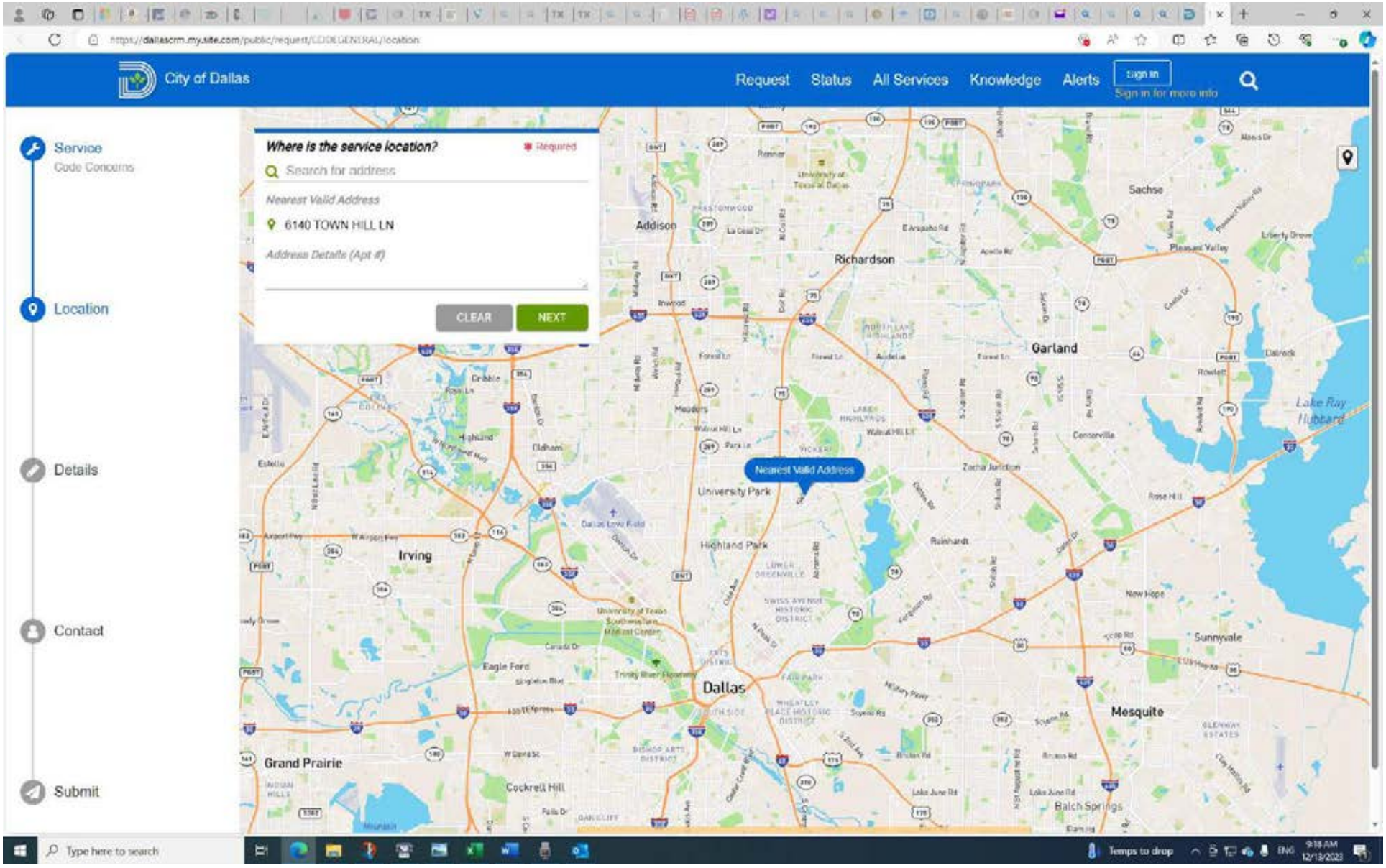

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
Submit
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
What is the zoning issue?
* Required
Outside Storage
Illegal Land Use
Illegal Vending
If other, please describe:
* Required
Violations of noise regulations by by school located at 6121 E. Lovers Lane, specifically from playground area with no setback or noise buffers. Average noise level over an 8 minute period of 62.3 decibels, exceeding Dallas Code Ch. 51A, Article 6, noise regulations by at least 8 decibels. Reading taken from backyard of 6114 Town Hill Lane
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Unable to sleep in master bedroom during the day (essentially all day long) even with doors and windows closed
NEXT

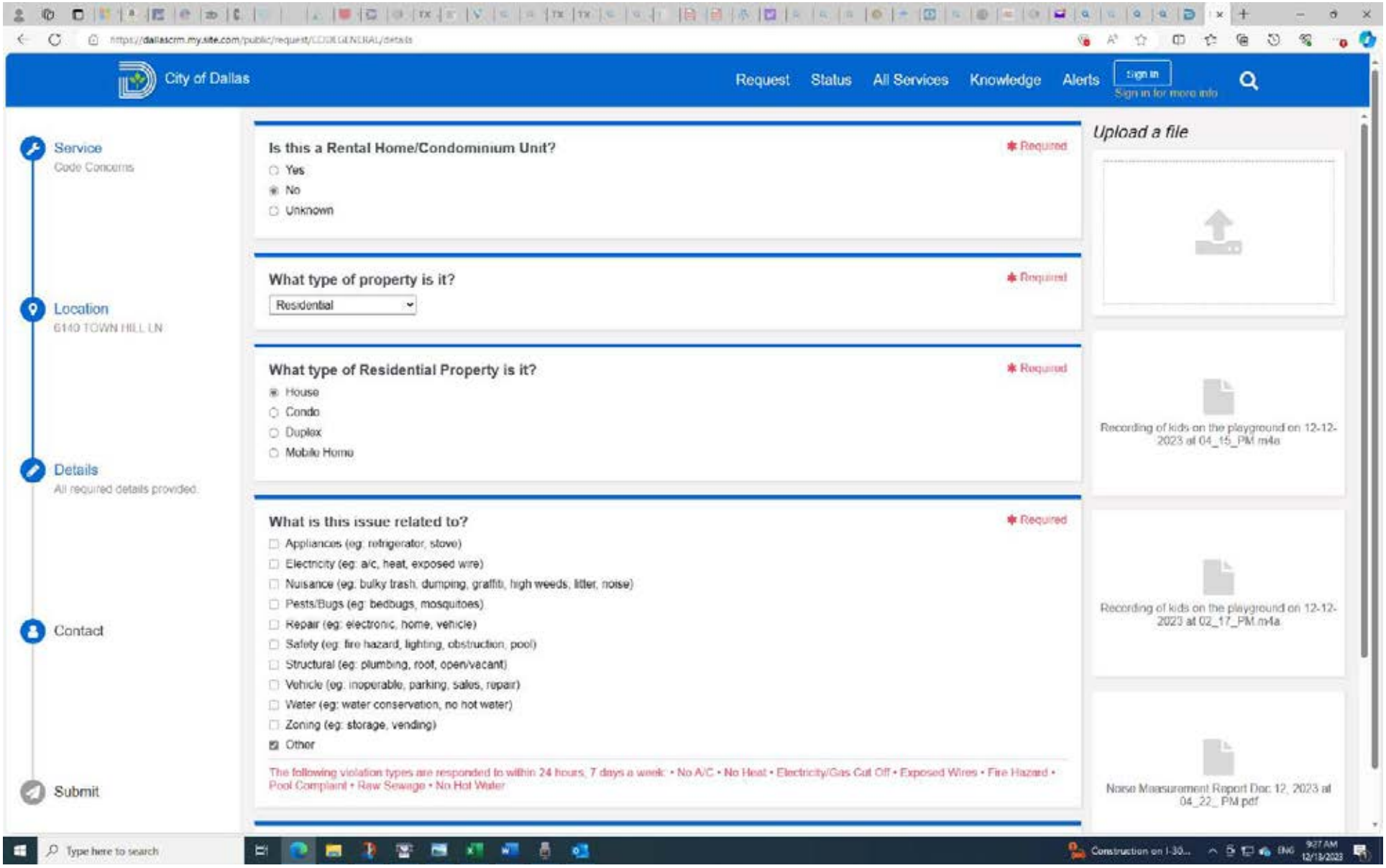

Service
Code Concerns
Location
Details
All required details provided
Contact
All required details provided
Submit
How can we reach you with updates on this service request?
First Name
Joseph
Last Name
Samo
Email Address
Phone Number
NEXT

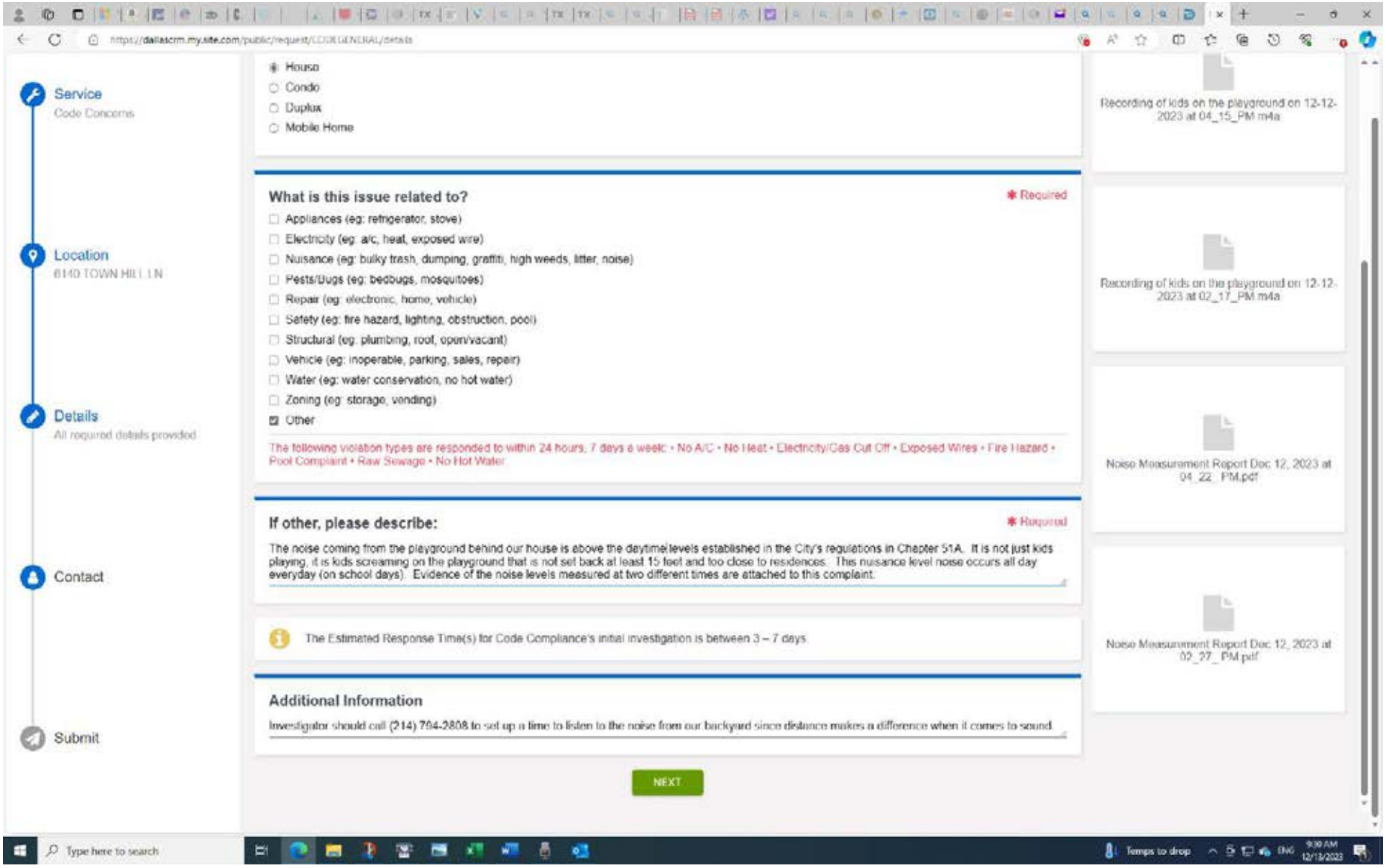

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Please review your report before submitting
Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Service
Service Request
Code Concerns
Location
Service Location
6142 TOWN HILL LN
Address Details
Latitude 32.852362, Longitude -96.758509
Details
Uploaded Files
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Zoning,Other
What is the zoning issue?

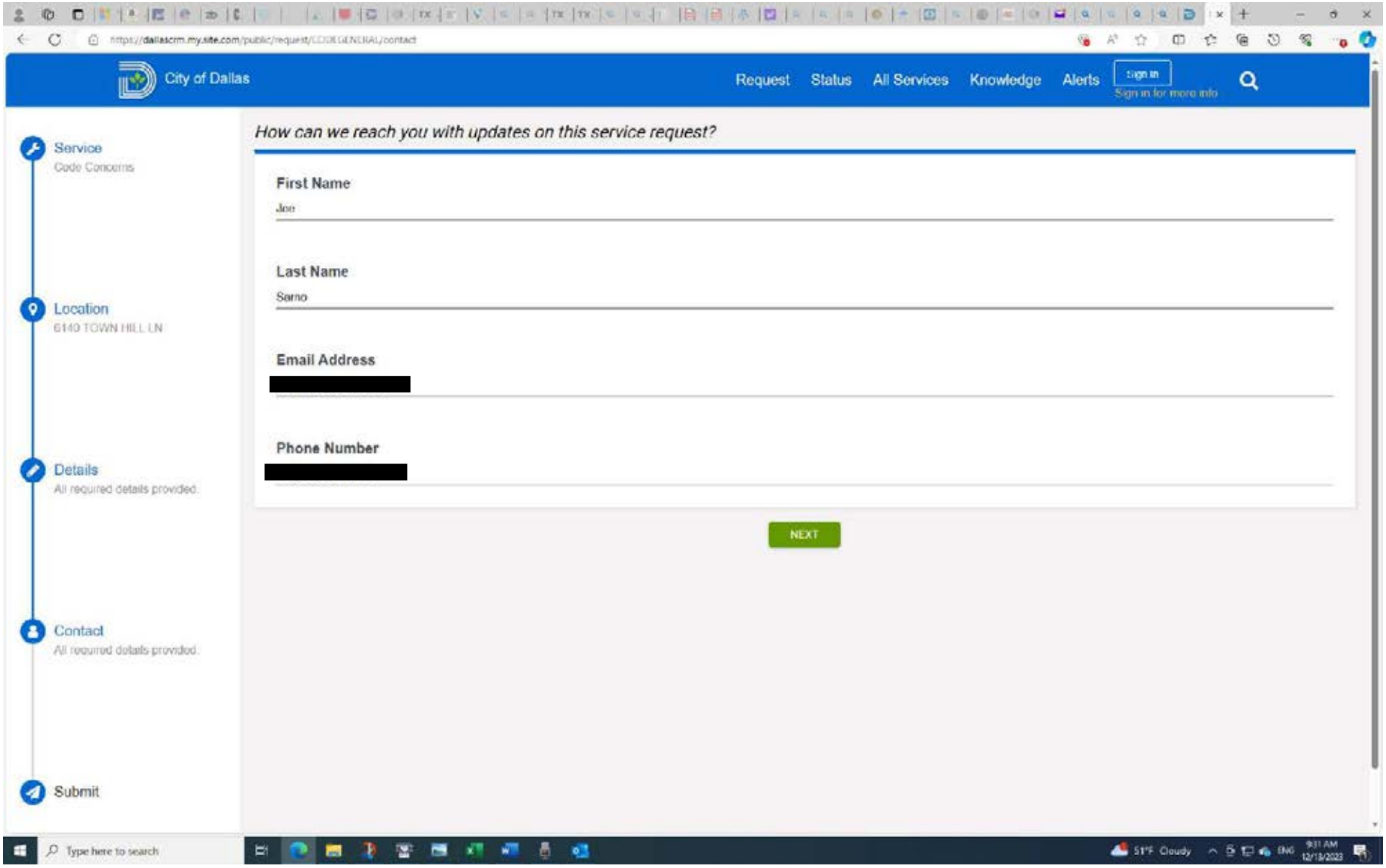

Service
Code Concerns
Location
6142 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Zoning,Other
What is the zoning issue?
Illegal Land Use
If other, please describe:
Violations of noise regulations by by school located at 6121 E. Lovers Lane, specifically from playground area with no setback or noise buffers. Average noise level over an 8-minute period of 62.3 decibels, exceeding Dallas Code Ch. 51A, Article 6, noise regulations by at least 6 decibels. Reading taken from backyard of 6114 Town Hill Lane.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Unable to sleep in master bedroom during the day (essentially all day long) even with doors and windows closed.
Contact
Name
Joseph Sarno
Email Address
[redacted]
Phone Number
[redacted]
SUBMIT

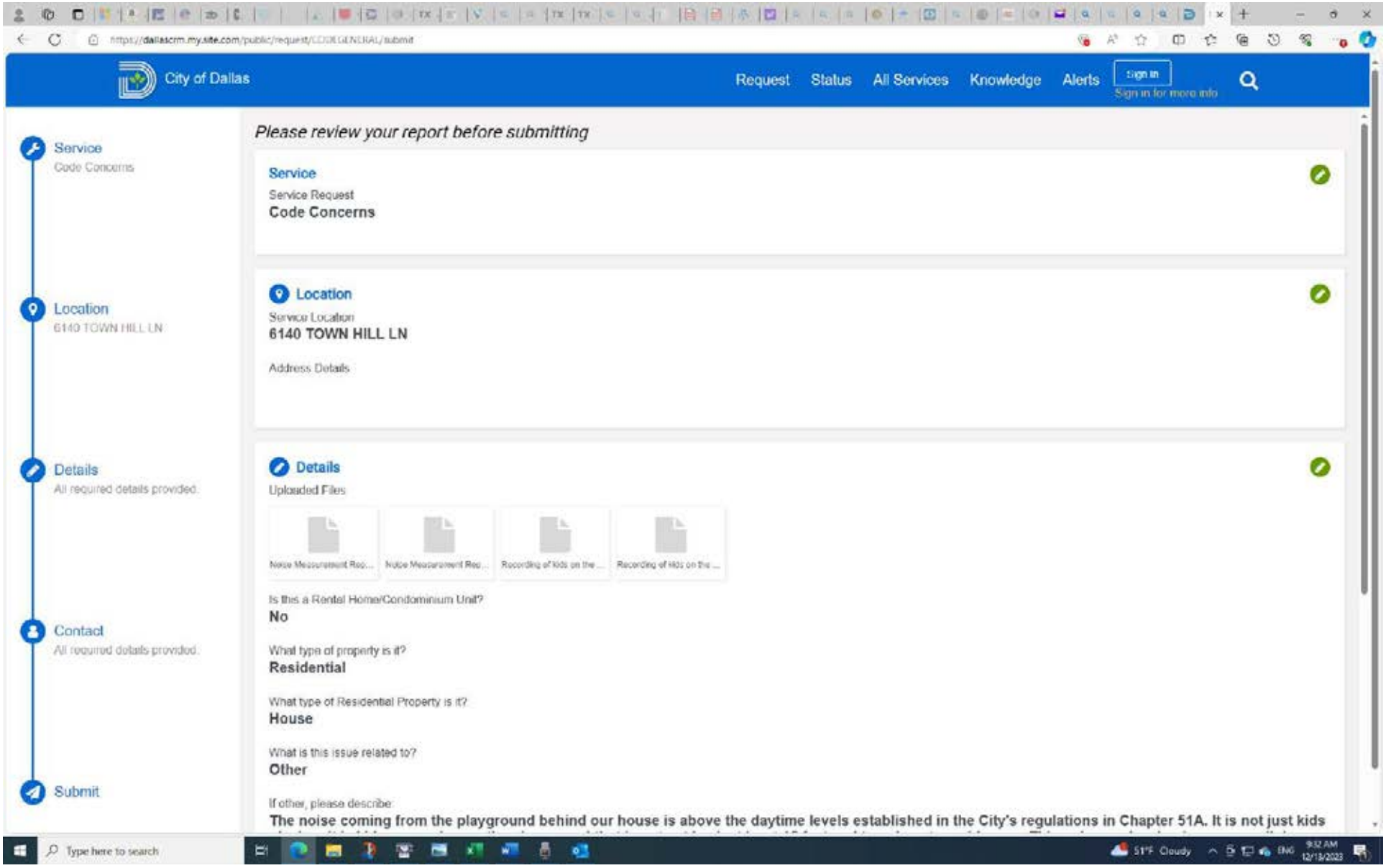

Service
Code Concerns
Location
Details
All required details provided
Contact
All required details provided
Submit
Thank you.
Your service request has been submitted.
Service request number is
23-00526565
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water

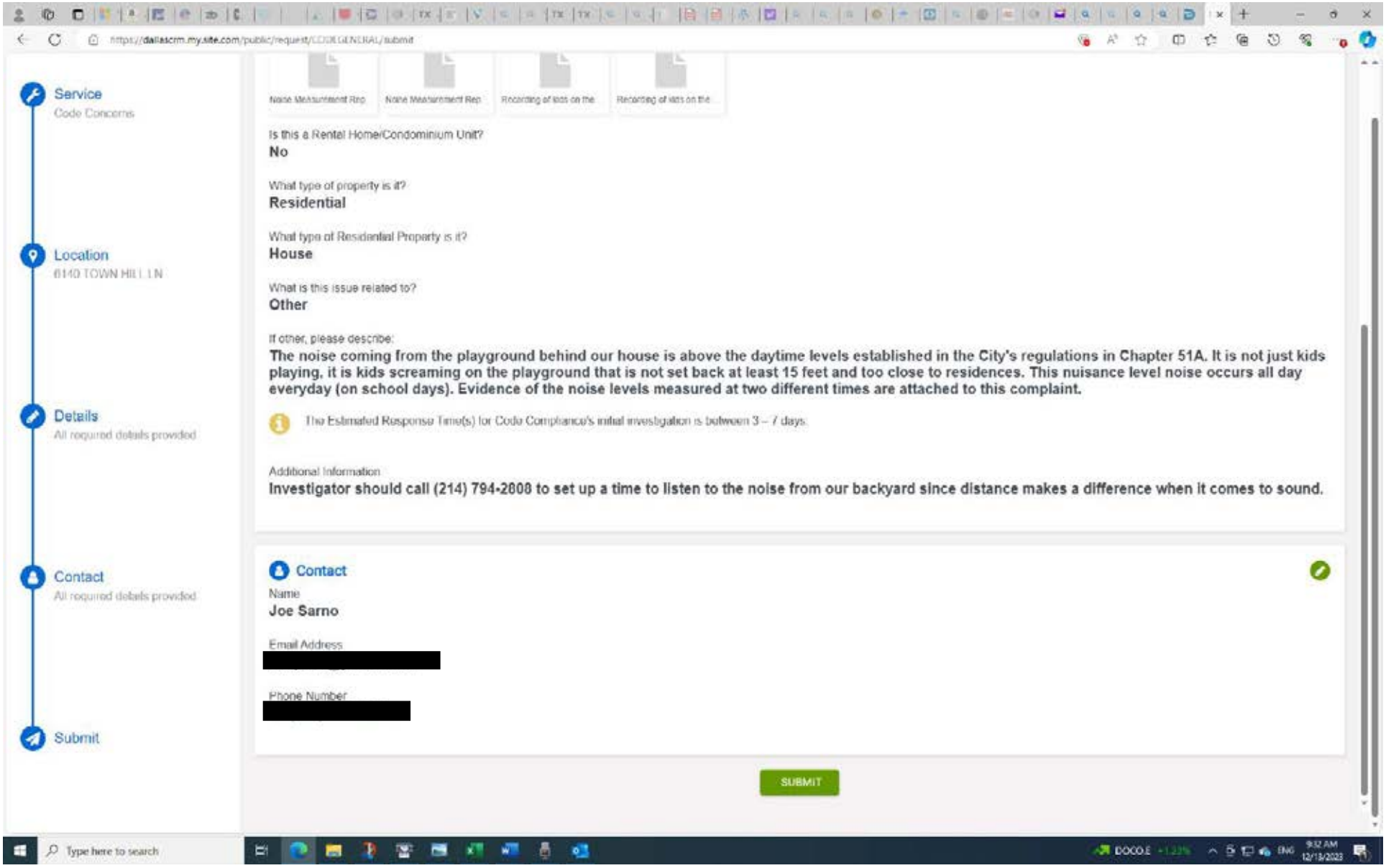

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
Details
Contact
Submit
Where is the service location?
Required
Search for address
Nearest Valid Address
6140 TOWN HILL LN
Address Details (Apt #)
CLEAR
NEXT
Nearest Valid Address
Addison
Richardson
Garland
Sachse
Irving
Dallas
University Park
Highland Park
Mesquite
Grand Prairie
Lake Ray Hubbard
Type here to search

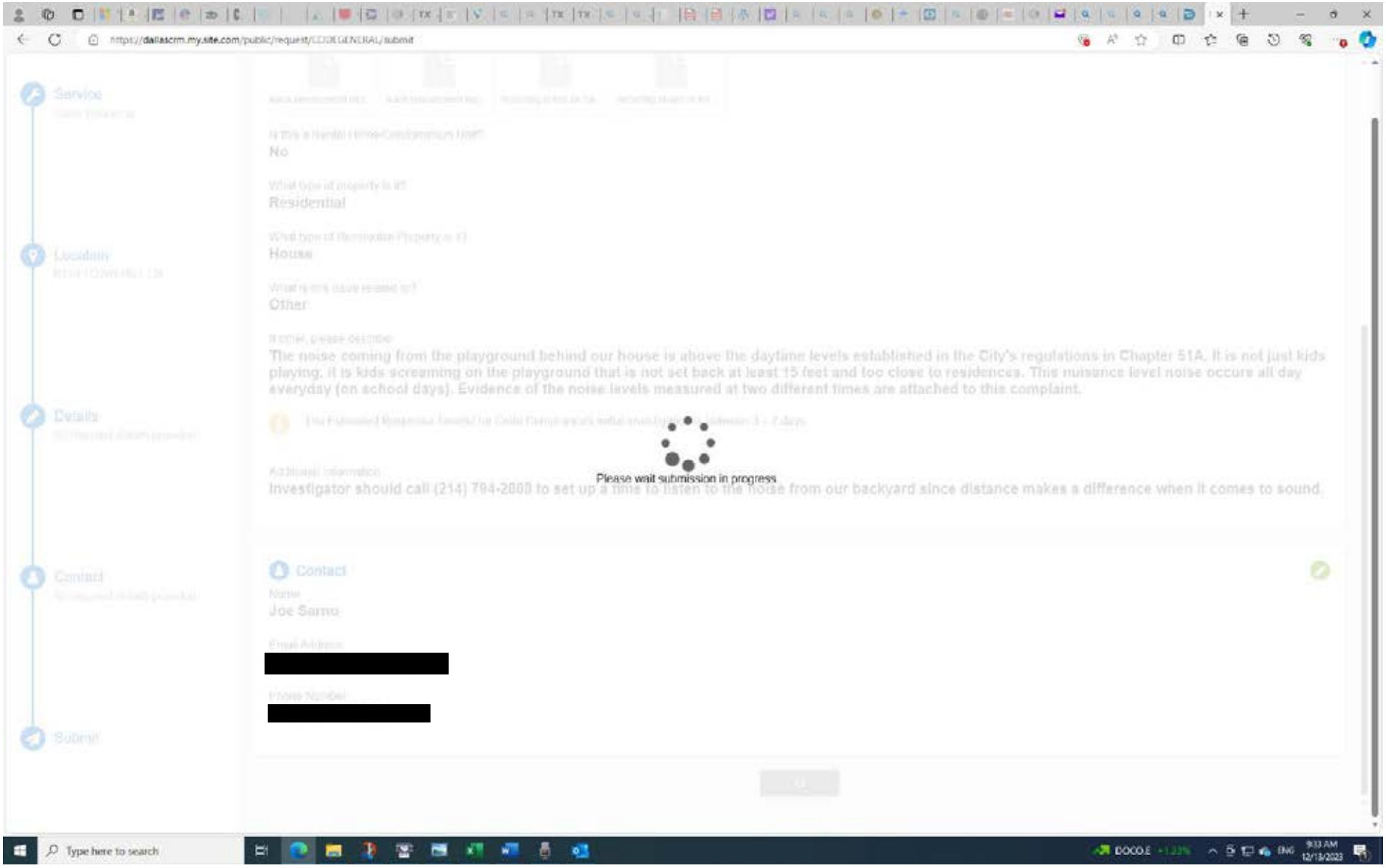

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided
Contact
Submit
Is this a Rental Home/Condominium Unit?
* Required
Yes
No
Unknown
What type of property is it?
* Required
Residential
What type of Residential Property is it?
* Required
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Upload a file
Recording of kids on the playground on 12-12-2023 at 04_15_PM.m4a
Recording of kids on the playground on 12-12-2023 at 02_17_PM.m4a
Noise Measurement Report Dec 12, 2023 at 04_22_ PM.pdf
Type here to search
Construction on I-30...
ENG
9:27 AM
12/13/2023

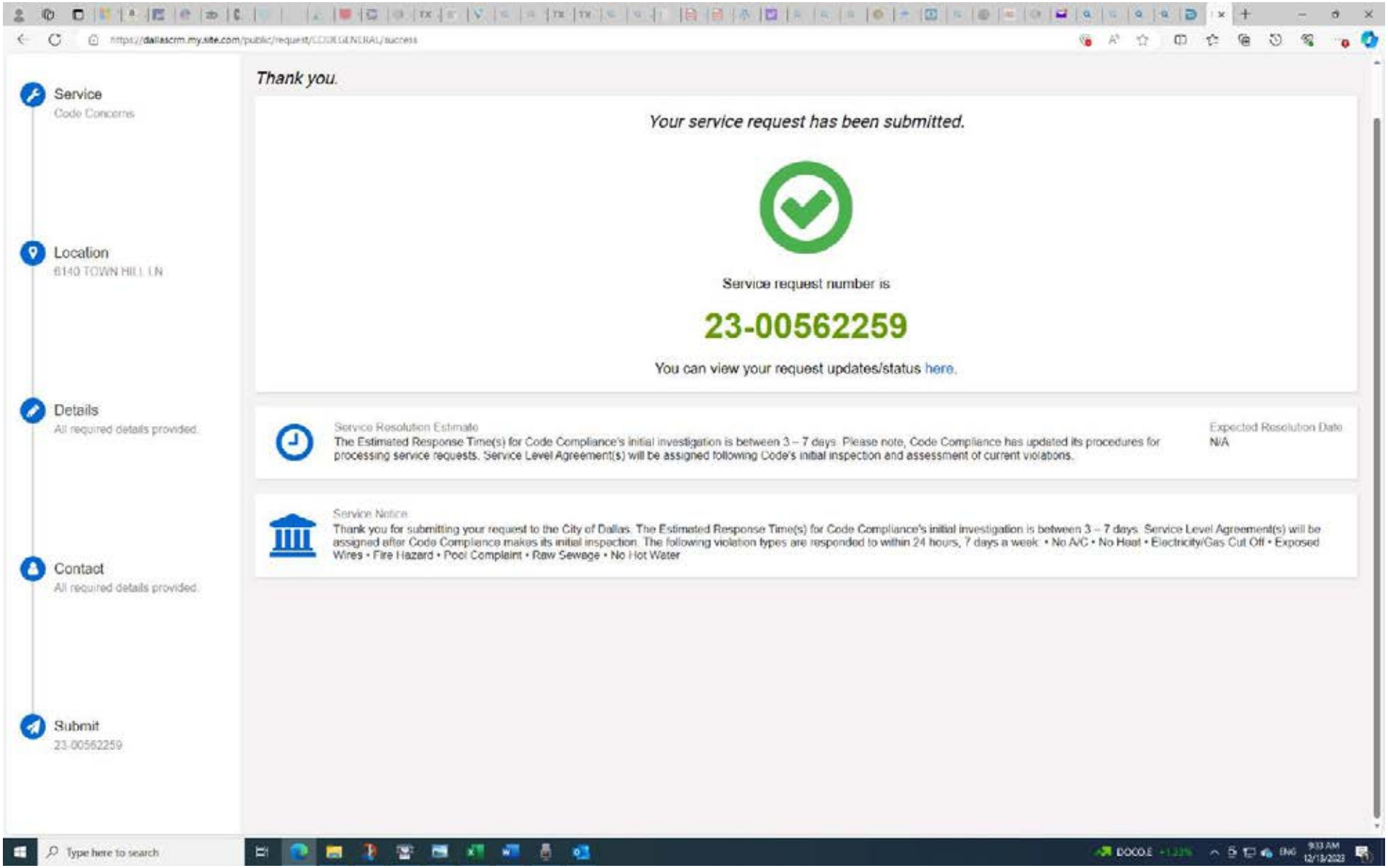

Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided
Contact
Submit
House
Condo
Duplex
Mobile Home
What is this issue related to?
* Required
Appliances (eg: refrigerator, stove)
Electricity (eg: a/c, heat, exposed wire)
Nuisance (eg: bulky trash, dumping, graffiti, high weeds, litter, noise)
Pests/Bugs (eg: bedbugs, mosquitoes)
Repair (eg: electronic, home, vehicle)
Safety (eg: fire hazard, lighting, obstruction, pool)
Structural (eg: plumbing, roof, open/vacant)
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
If other, please describe:
* Required
The noise coming from the playground behind our house is above the daytime levels established in the City's regulations in Chapter 51A. It is not just kids playing, it is kids screaming on the playground that is not set back at least 15 feet and too close to residences. This nuisance level noise occurs all day everyday (on school days). Evidence of the noise levels measured at two different times are attached to this complaint.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days
Additional Information
Investigator should call (214) 704-2808 to set up a time to listen to the noise from our backyard since distance makes a difference when it comes to sound
NEXT
Recording of kids on the playground on 12-12-2023 at 04_15_PM m4a
Recording of kids on the playground on 12-12-2023 at 02_17_PM m4a
Noise Measurement Report Dec 12, 2023 at 04_22_PM.pdf
Noise Measurement Report Dec 12, 2023 at 02_27_PM.pdf
Type here to search
Temps to drop

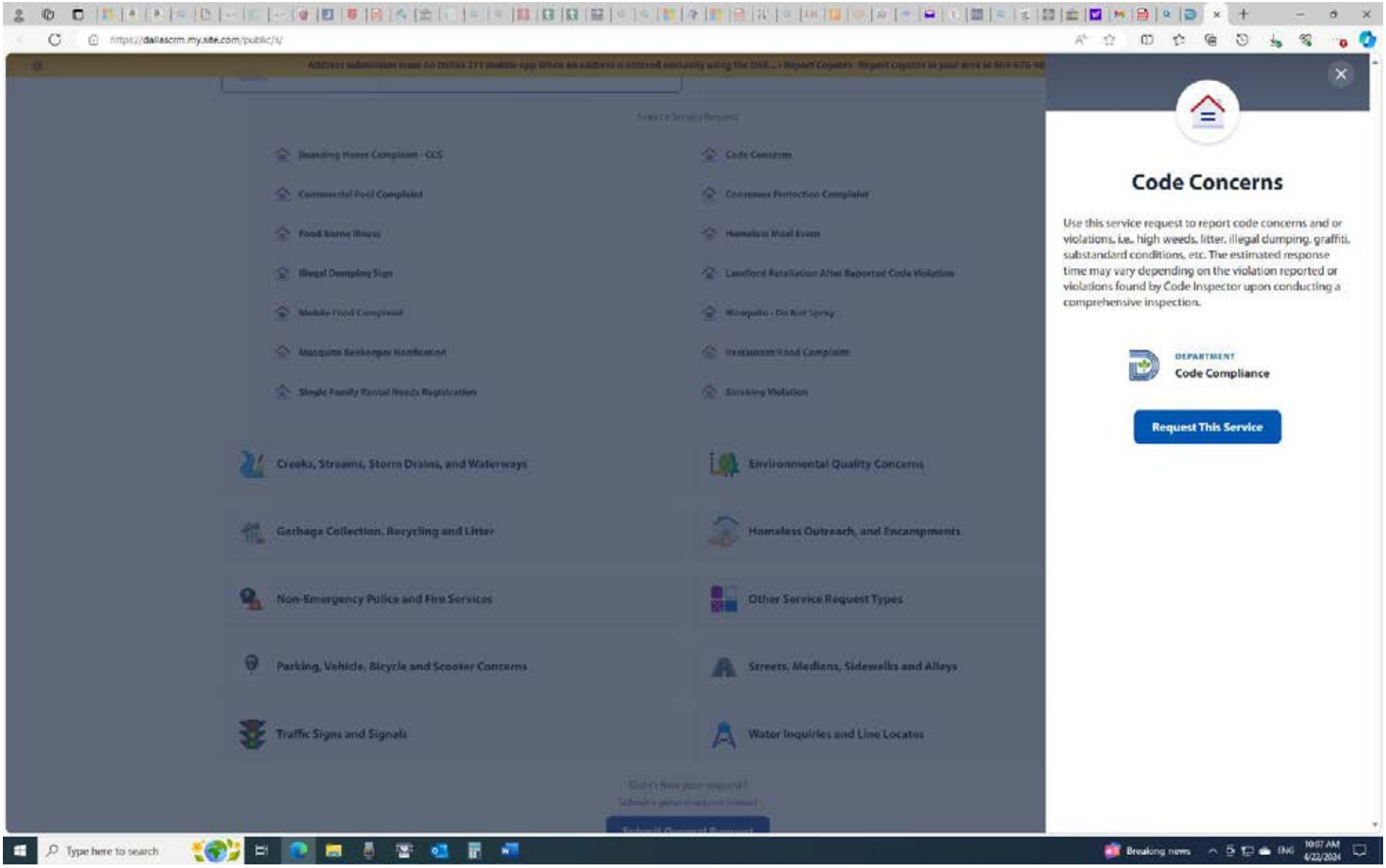

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
How can we reach you with updates on this service request?
First Name
Joe
Last Name
Sarno
Email Address
[redacted]
Phone Number
[redacted]
NEXT
Type here to search
51°F Cloudy

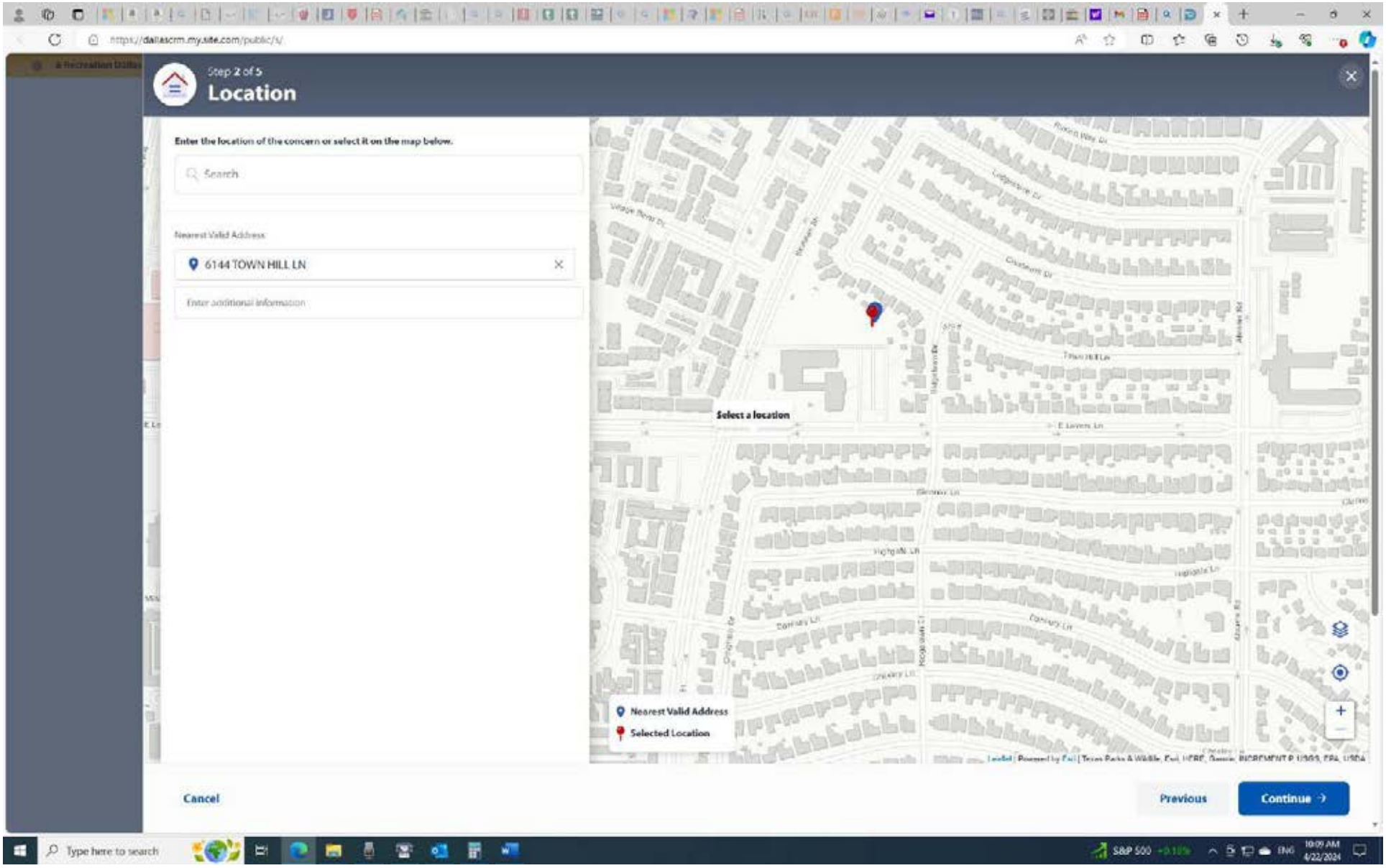

City of Dallas
Request
Status
All Services
Knowledge
Alerts
Sign in
Sign in for more info
Please review your report before submitting
Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
Service
Service Request
Code Concerns
Location
Service Location
6140 TOWN HILL LN
Address Details
Details
Uploaded Files
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If other, please describe:
The noise coming from the playground behind our house is above the daytime levels established in the City's regulations in Chapter 51A. It is not just kids

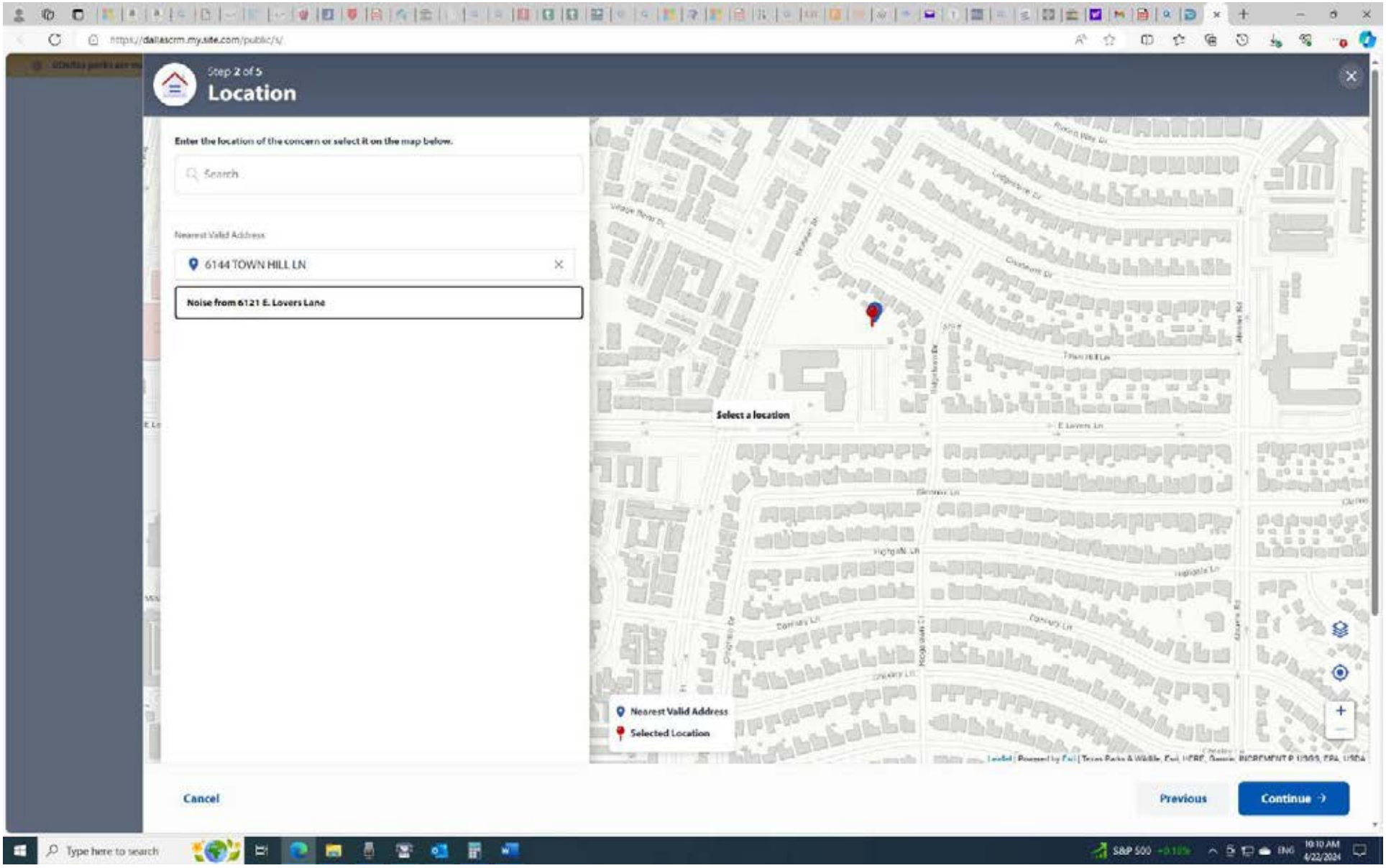

Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided
Contact
All required details provided
Submit
Noise Measurement Rep
Noise Measurement Rep
Recording of kids on the
Recording of kids on the
Is this a Rental Home/Condominium Unit?
No
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If other, please describe:
The noise coming from the playground behind our house is above the daytime levels established in the City's regulations in Chapter 51A. It is not just kids playing, it is kids screaming on the playground that is not set back at least 15 feet and too close to residences. This nuisance level noise occurs all day everyday (on school days). Evidence of the noise levels measured at two different times are attached to this complaint.
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days.
Additional Information
Investigator should call (214) 794-2808 to set up a time to listen to the noise from our backyard since distance makes a difference when it comes to sound.
Contact
Name
Joe Sarno
Email Address
[redacted]
Phone Number
[redacted]
SUBMIT
Type here to search

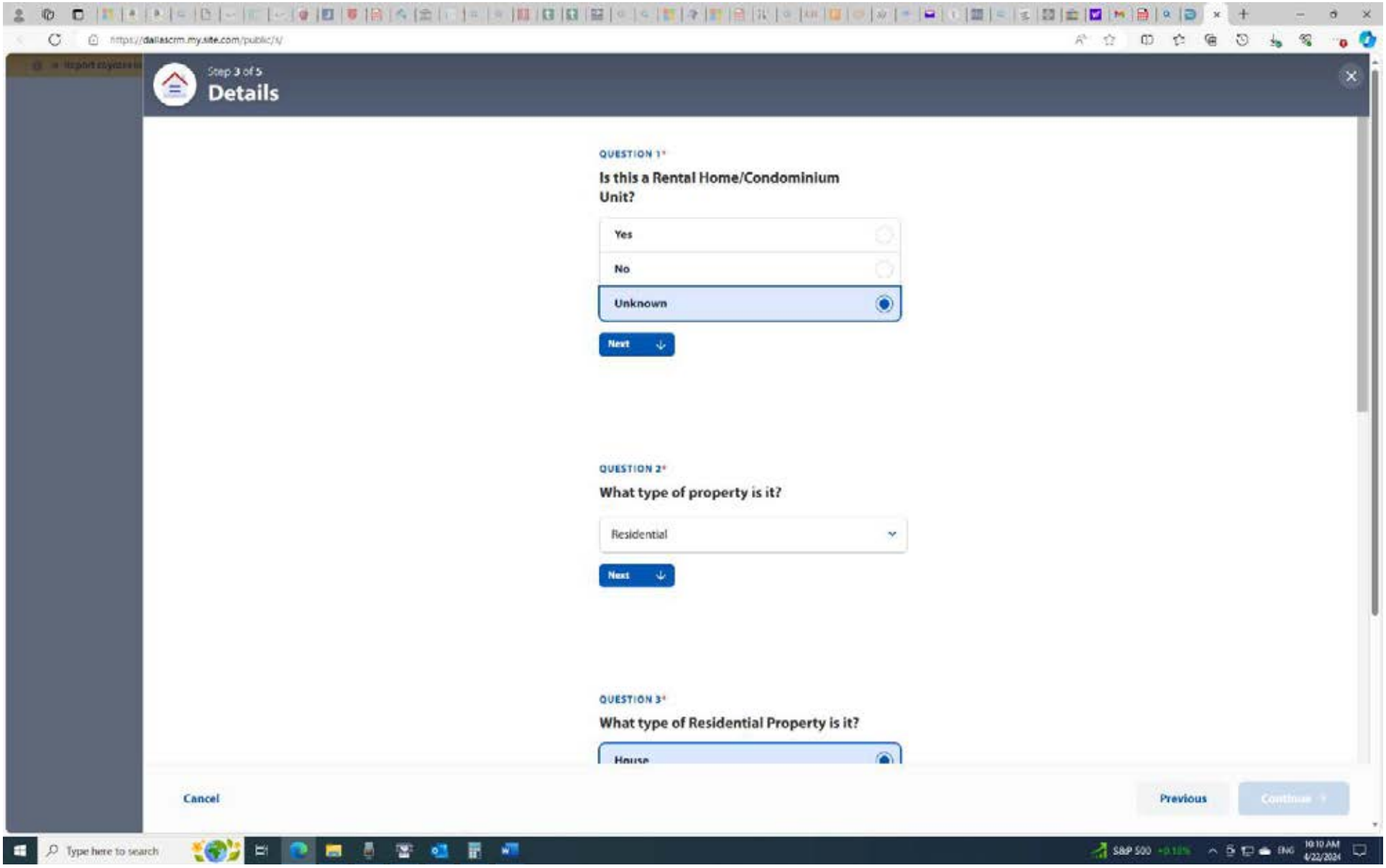

Service
No
Residential
House
Other
The noise coming from the playground behind our house is above the daytime levels established in the City's regulations in Chapter 51A. It is not just kids playing, it is kids screaming on the playground that is not set back at least 15 feet and too close to residences. This nuisance level noise occure all day everyday (on school days). Evidence of the noise levels measured at two different times are attached to this complaint.
Please wait submission in progress
Investigator should call (214) 794-2000 to set up a time to listen to the noise from our backyard since distance makes a difference when it comes to sound.
Contact
Joe Sarno
[redacted]
[redacted]
Type here to search

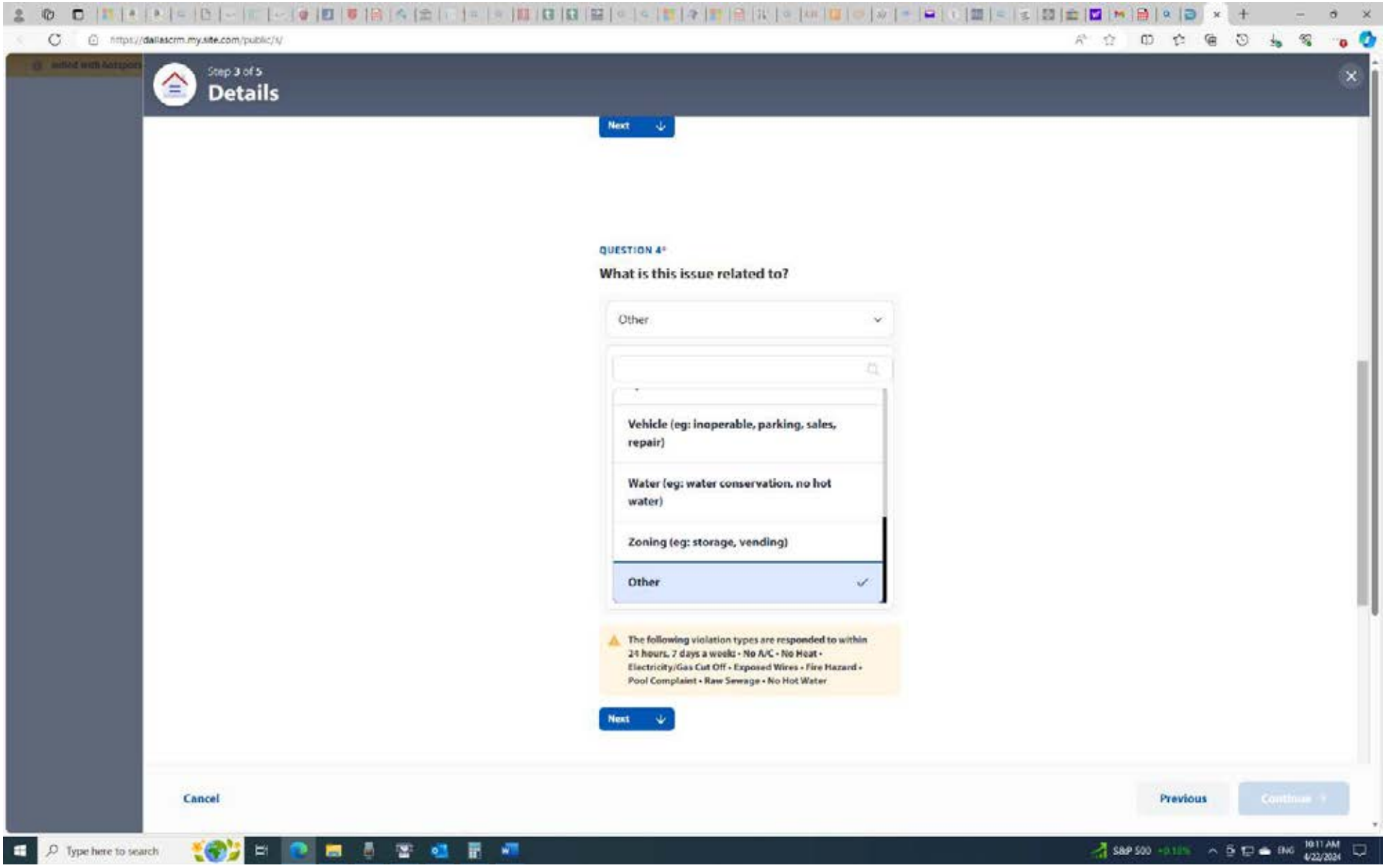

Service
Code Concerns
Location
6140 TOWN HILL LN
Details
All required details provided.
Contact
All required details provided.
Submit
23-00562259
Thank you.
Your service request has been submitted.
Service request number is
23-00562259
You can view your request updates/status here.
Service Resolution Estimate
The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Please note, Code Compliance has updated its procedures for processing service requests. Service Level Agreement(s) will be assigned following Code's initial inspection and assessment of current violations.
Expected Resolution Date
N/A
Service Notice
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 – 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water

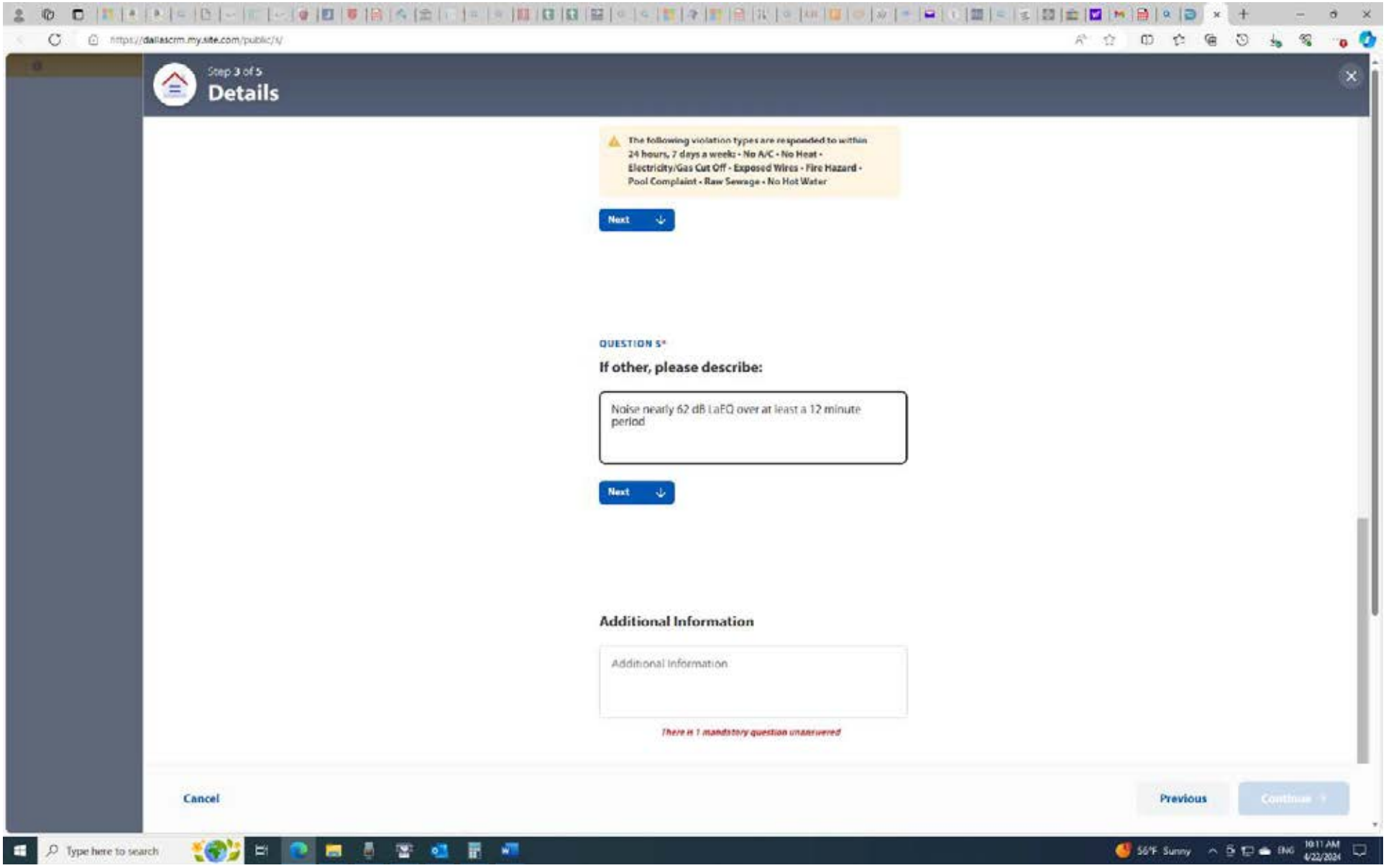

Code Concerns
Use this service request to report code concerns and or violations, i.e., high weeds, litter, illegal dumping, graffiti, substandard conditions, etc. The estimated response time may vary depending on the violation reported or violations found by Code Inspector upon conducting a comprehensive inspection.
DEPARTMENT
Code Compliance
Request This Service
Creeks, Streams, Storm Drains, and Waterways
Environmental Quality Concerns
Garbage Collection, Recycling and Litter
Homeless Outreach, and Encampments
Non-Emergency Police and Fire Services
Other Service Request Types
Parking, Vehicle, Bicycle and Scooter Concerns
Streets, Medians, Sidewalks and Alleys
Traffic Signs and Signals
Water Inquiries and Line Locates

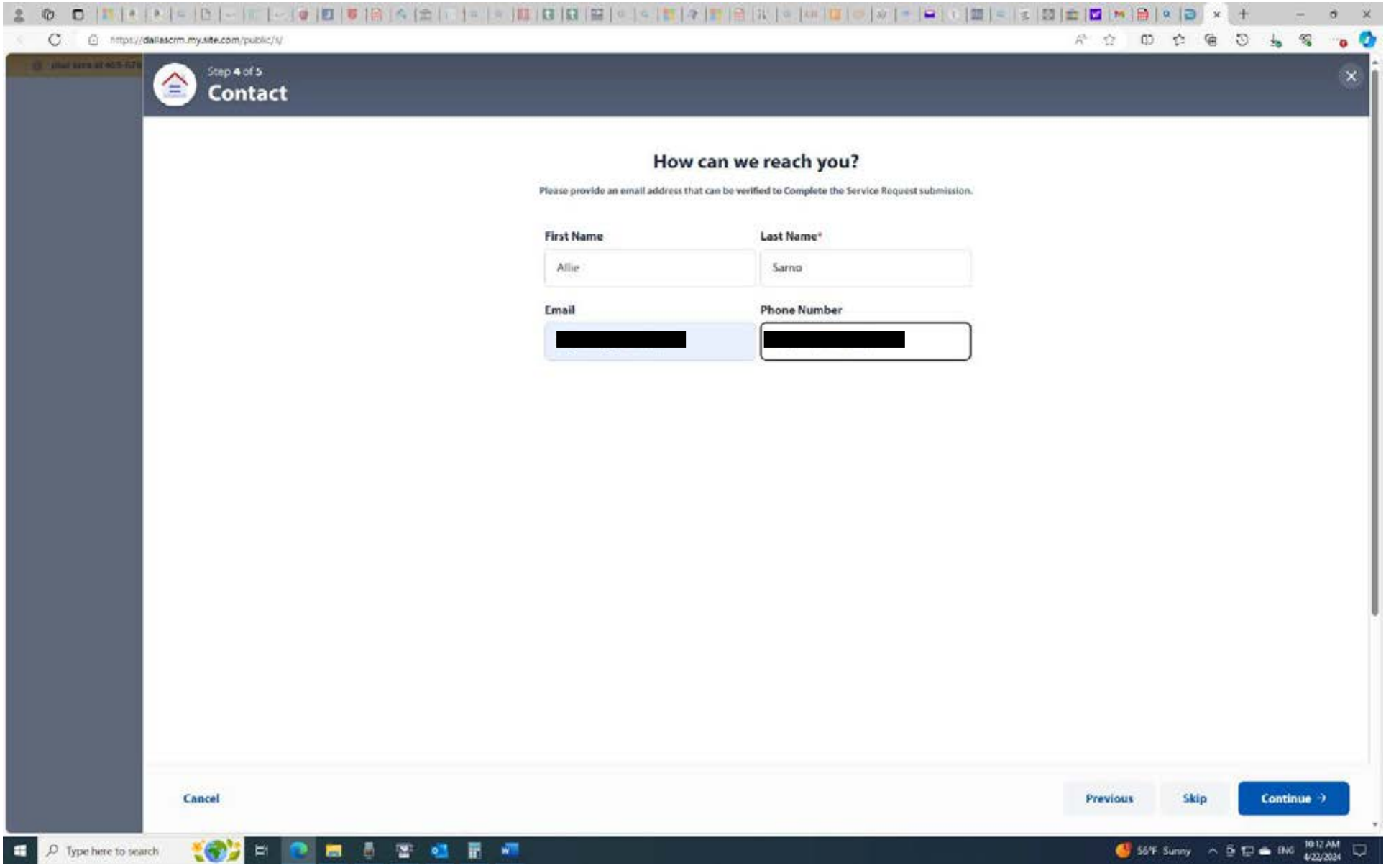

https://dallascrm.my.site.com/public/s/
Step 2 of 5
Location
Enter the location of the concern or select it on the map below.
Search
Nearest Valid Address
6144 TOWN HILL LN
Enter additional information
Select a location
Nearest Valid Address
Selected Location
Cancel
Previous
Continue
Type here to search
S&P 500
ENG
10:09 AM
4/22/2024


https://dallascrm.my.site.com/public/s/
Step 2 of 5
Location
Enter the location of the concern or select it on the map below.
Search
Nearest Valid Address
6144 TOWN HILL LN
Noise from 6121 E. Lovers Lane
Select a location
Nearest Valid Address
Selected Location
Cancel
Previous
Continue
Type here to search
S&P 500
ENG
10:10 AM
4/22/2024


Step 3 of 5
Details
QUESTION 1*
Is this a Rental Home/Condominium Unit?
Yes
No
Unknown
Next
QUESTION 2*
What type of property is it?
Residential
Next
QUESTION 3*
What type of Residential Property is it?
House
Cancel
Previous
Continue
Type here to search


Step 3 of 5
Details
Next
QUESTION 4*
What is this issue related to?
Other
Vehicle (eg: inoperable, parking, sales, repair)
Water (eg: water conservation, no hot water)
Zoning (eg: storage, vending)
Other
The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Next
Cancel
Previous
Continue
Type here to search


https://dallascrm.my.site.com/public/s/
Step 3 of 5
Details
The following violation types are responded to within 24 hours, 7 days a week: - No A/C - No Heat - Electricity/Gas Cut Off - Exposed Wires - Fire Hazard - Pool Complaint - Raw Sewage - No Hot Water
Next
QUESTION 5*
If other, please describe:
Noise nearly 62 dB LaEQ over at least a 12 minute period
Next
Additional Information
Additional Information
There is 1 mandatory question unanswered
Cancel
Previous
Continue
Type here to search
56°F Sunny
ENG
10:11 AM
4/22/2024


https://dallascrm.my.site.com/public/s/
Step 4 of 5
Contact
How can we reach you?
Please provide an email address that can be verified to Complete the Service Request submission.
First Name
Allie
Last Name*
Sarno
Email
[redacted]
Phone Number
[redacted]
Cancel
Previous
Skip
Continue
Type here to search
56°F Sunny
ENG
10:12 AM
4/22/2024

Step 5 of 5

Review

Verify your Service Request details. Select any item to edit.

Service Type

Code Concerns

Location



Attachments

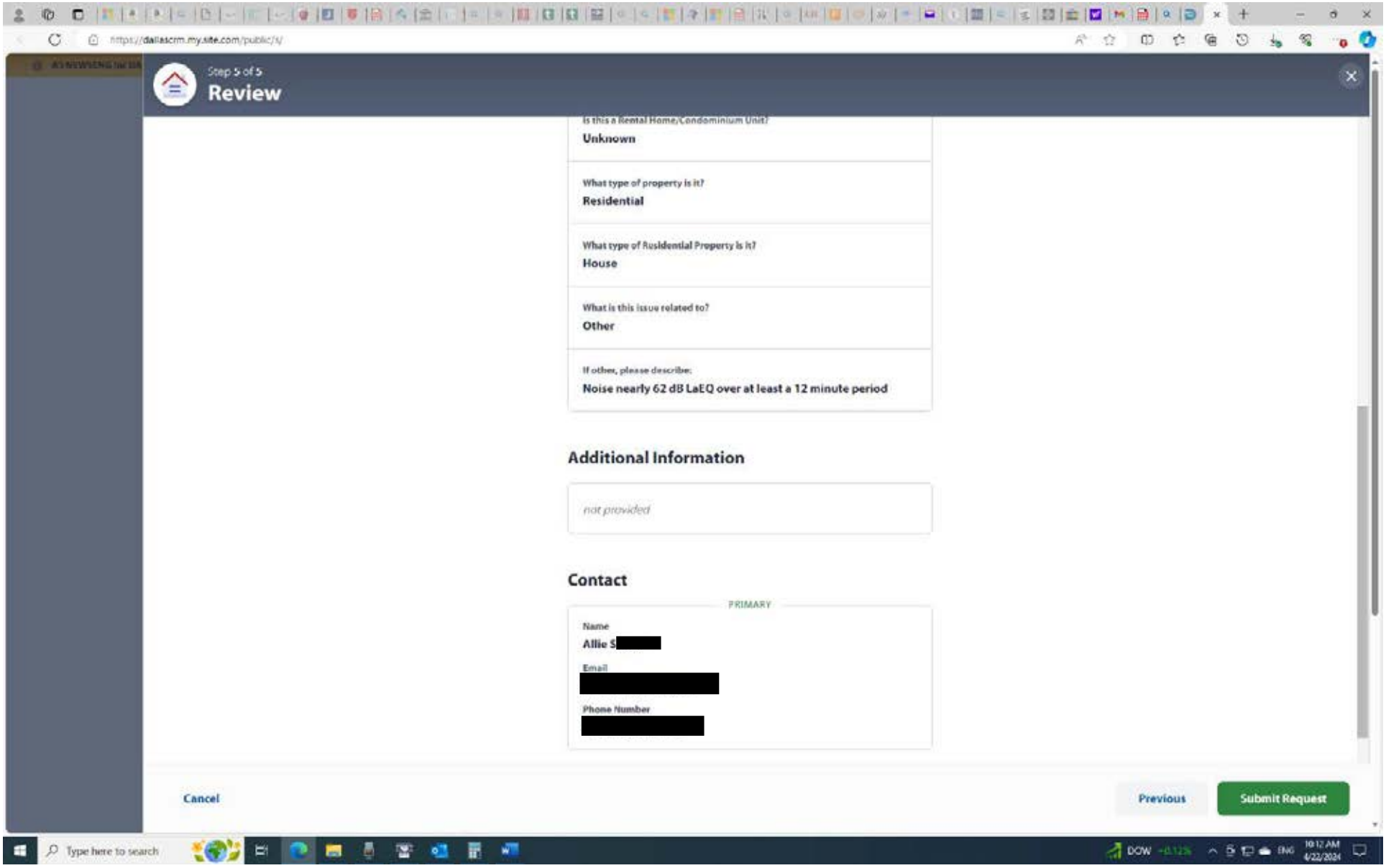
Report Apr 2...

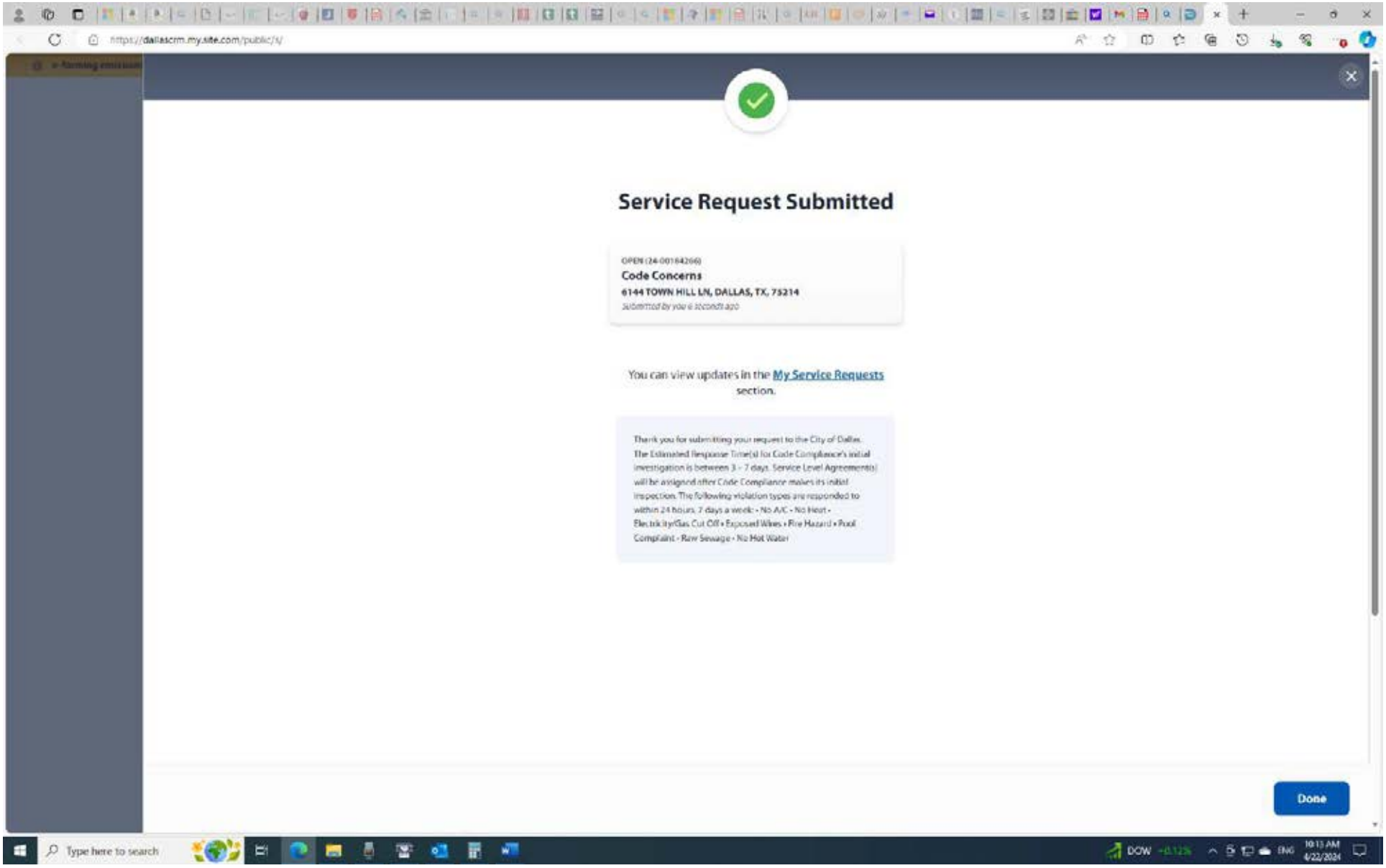
Details

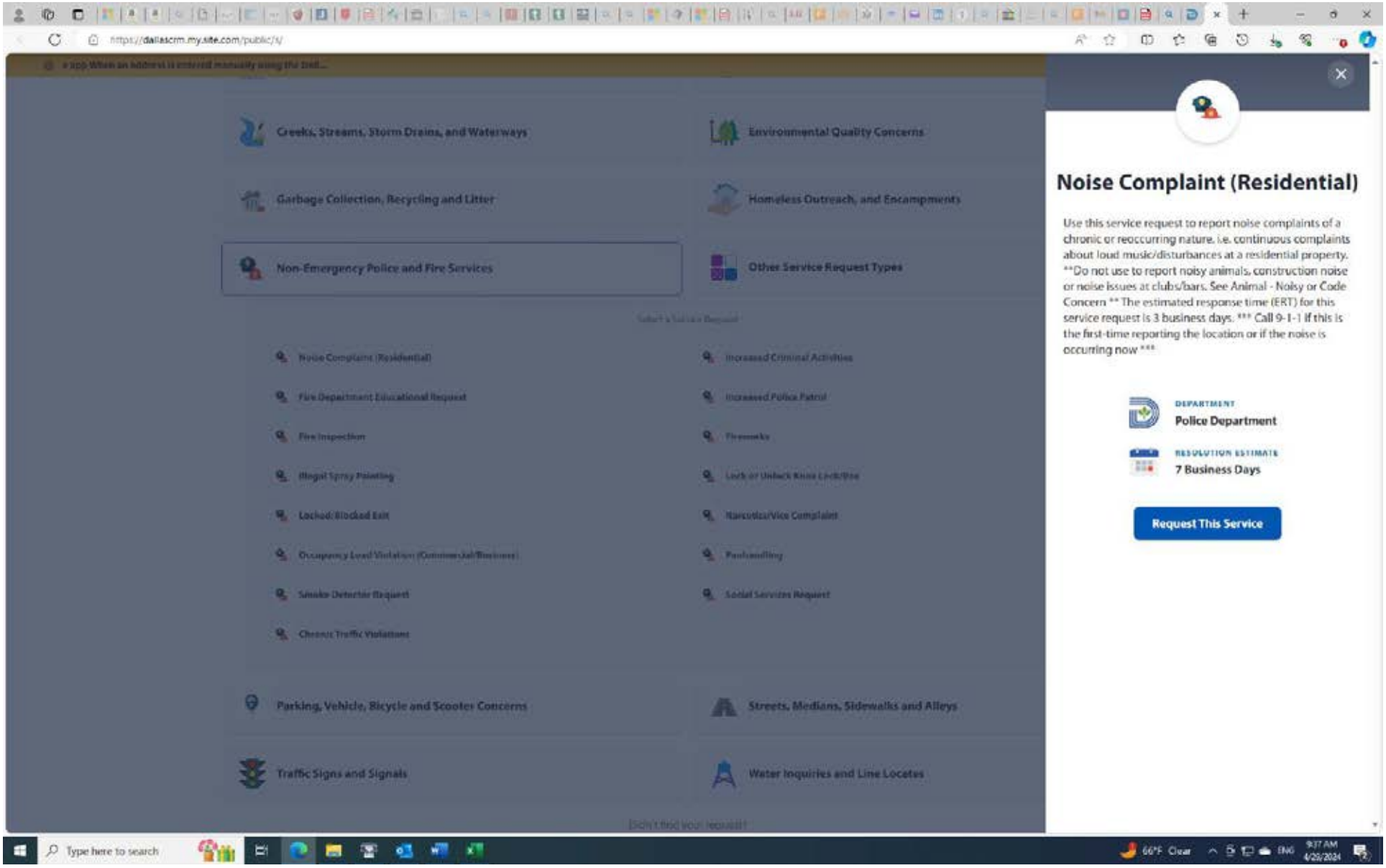
Cancel

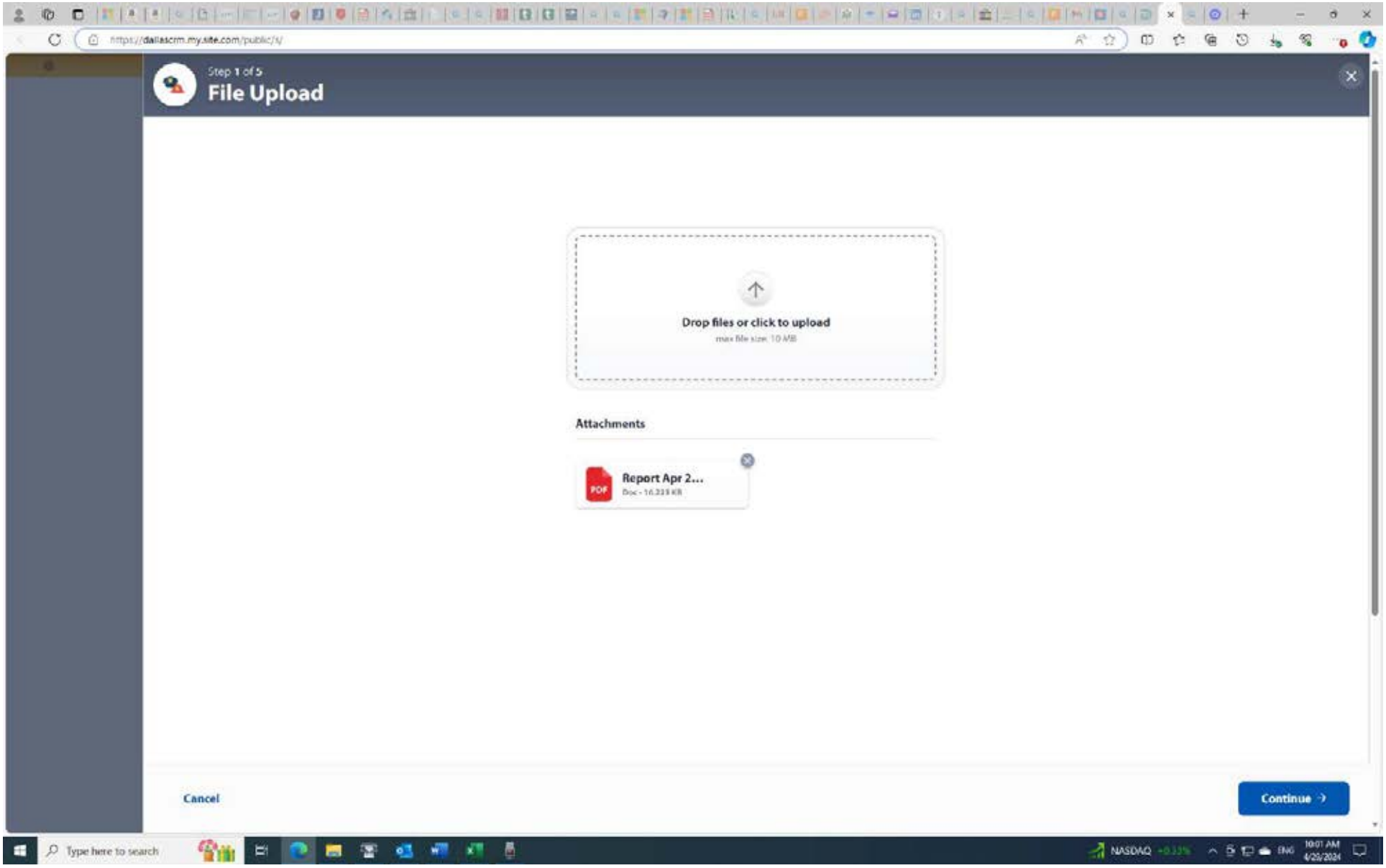
Previous

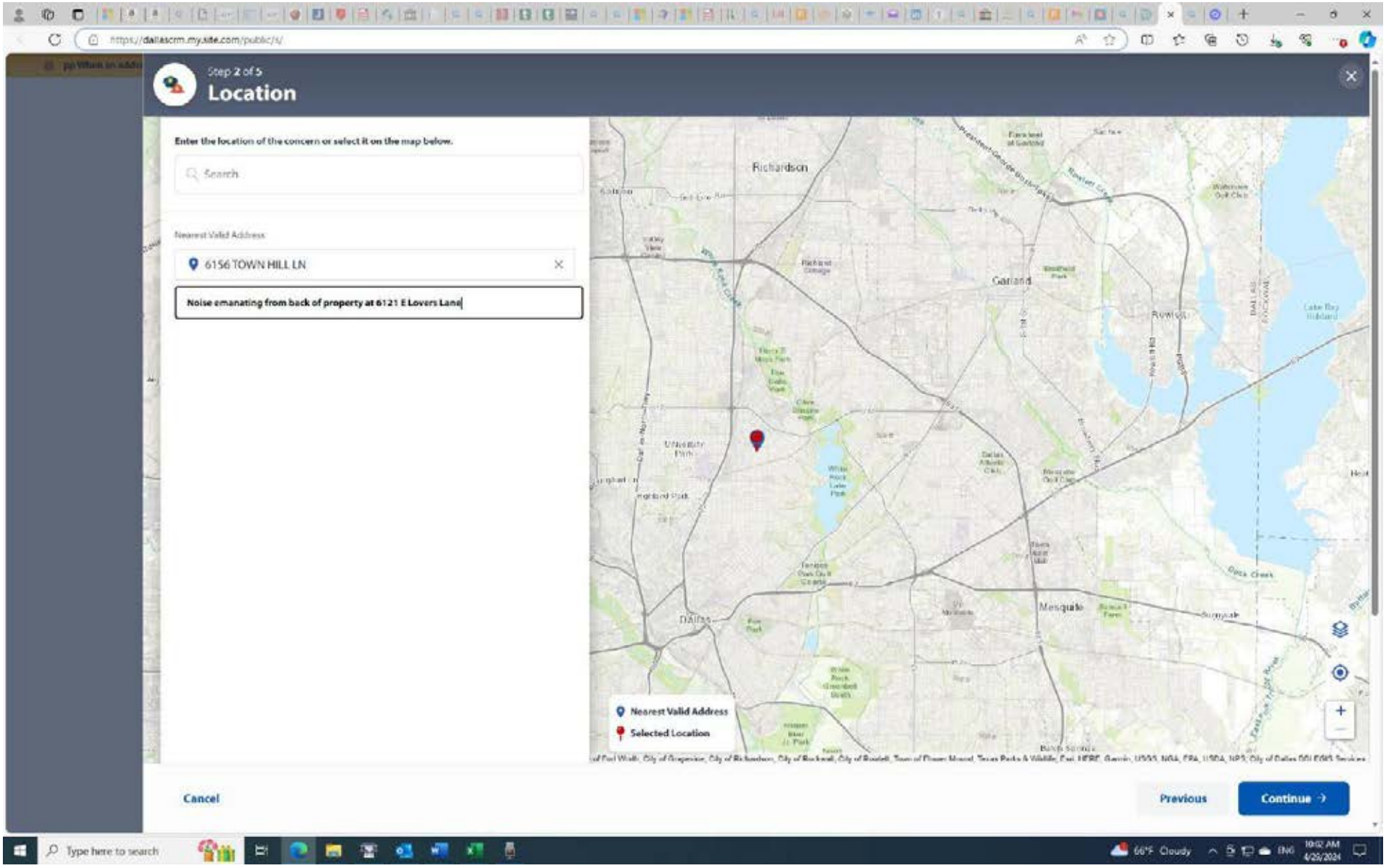
Submit Request

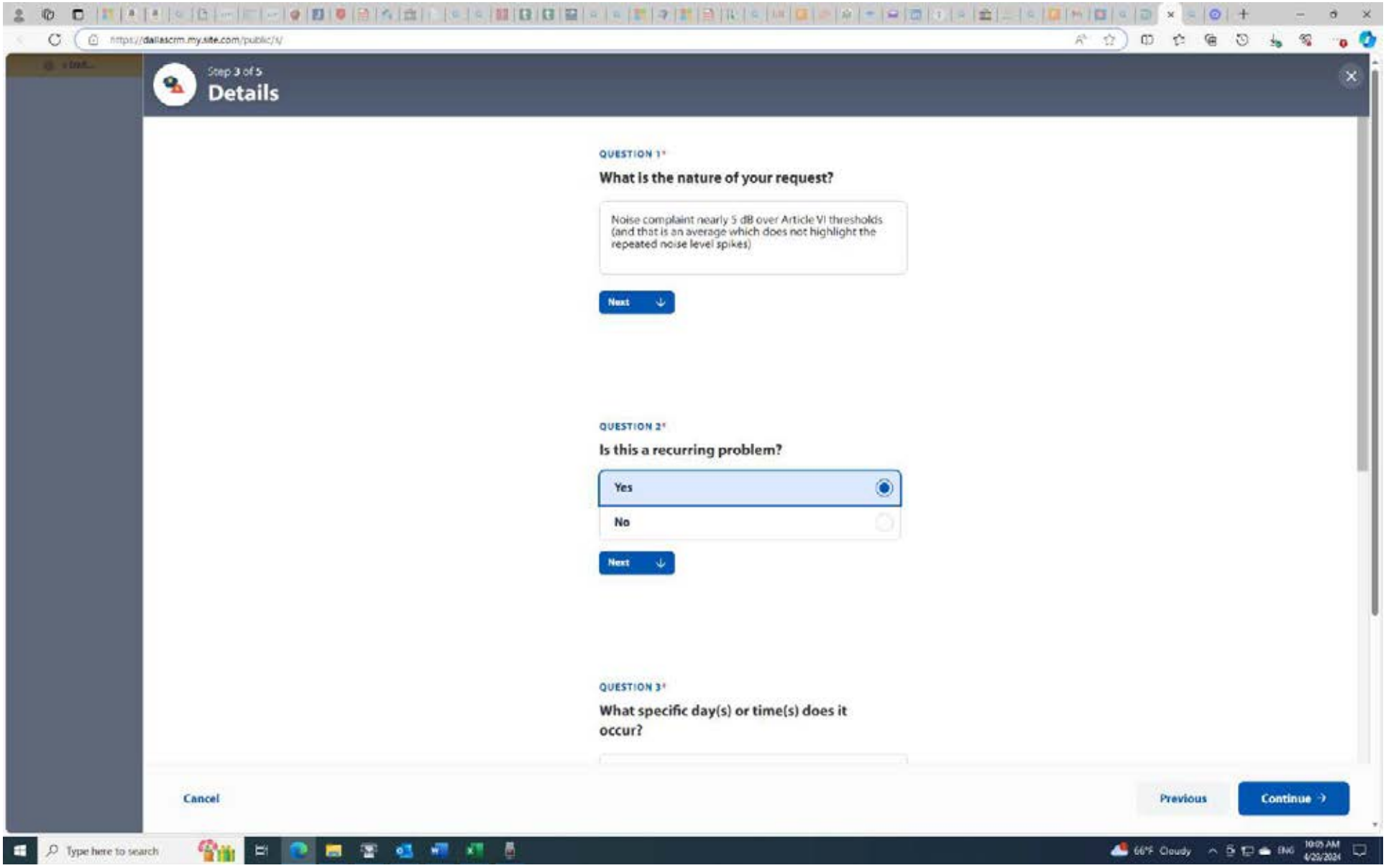

Step 5 of 5
Review
Is this a Rental Home/Condominium Unit?
Unknown
What type of property is it?
Residential
What type of Residential Property is it?
House
What is this issue related to?
Other
If other, please describe:
Noise nearly 62 dB LaEQ over at least a 12 minute period
Additional Information
not provided
Contact
PRIMARY
Name
Allie S[redacted]
Email
[redacted]
Phone Number
[redacted]
Cancel
Previous
Submit Request
Type here to search
DOW
ENG
10:12 AM
4/22/2024

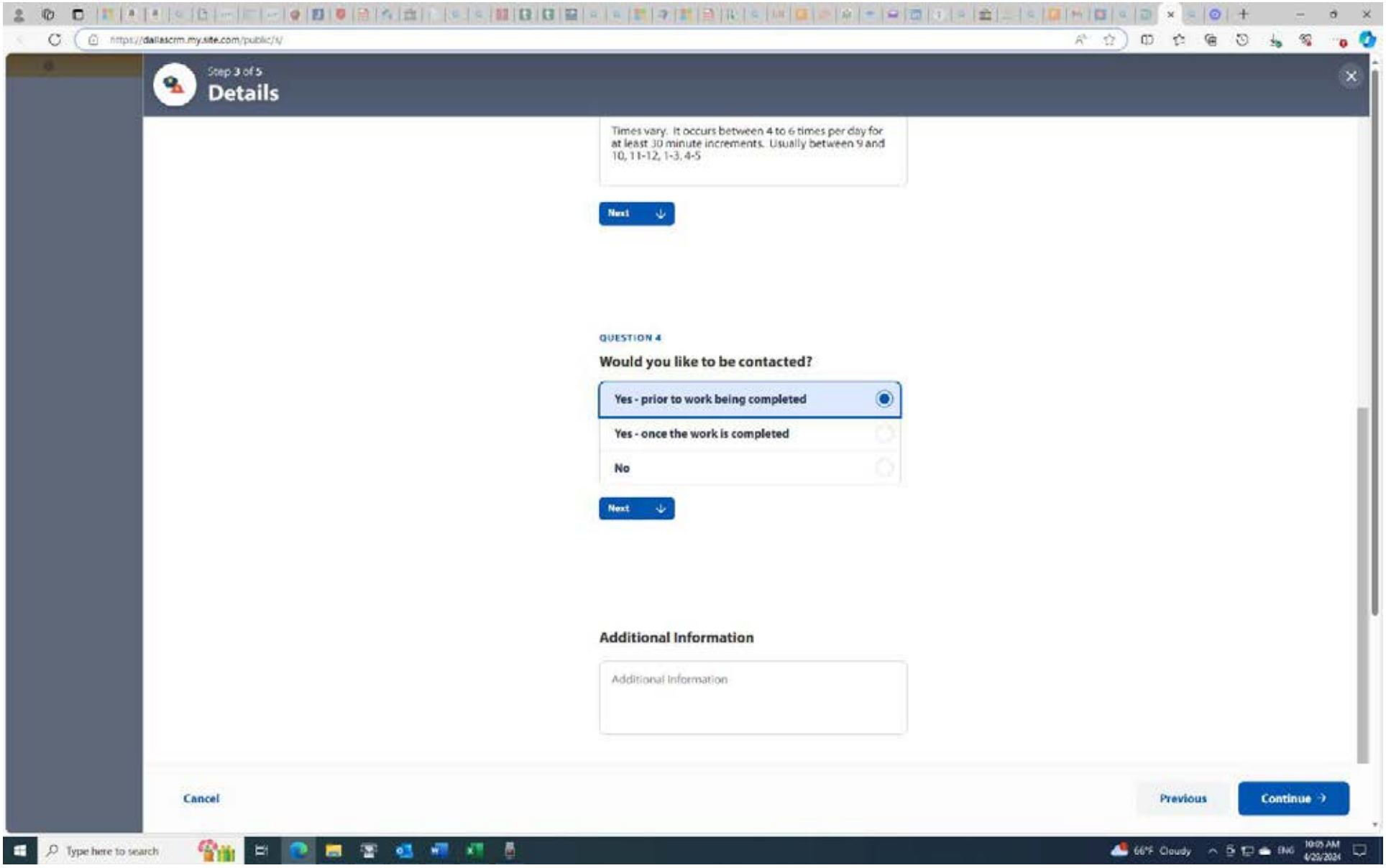

https://dallascrm.my.site.com/public/s/
Service Request Submitted
OPEN (24-00184266)
Code Concerns
6144 TOWN HILL LN, DALLAS, TX, 75214
Submitted by you a seconds ago
You can view updates in the My Service Requests section.
Thank you for submitting your request to the City of Dallas. The Estimated Response Time(s) for Code Compliance's initial investigation is between 3 - 7 days. Service Level Agreement(s) will be assigned after Code Compliance makes its initial inspection. The following violation types are responded to within 24 hours, 7 days a week: • No A/C • No Heat • Electricity/Gas Cut Off • Exposed Wires • Fire Hazard • Pool Complaint • Raw Sewage • No Hot Water
Done
Type here to search
DOW
ENG
10:13 AM
4/22/2024

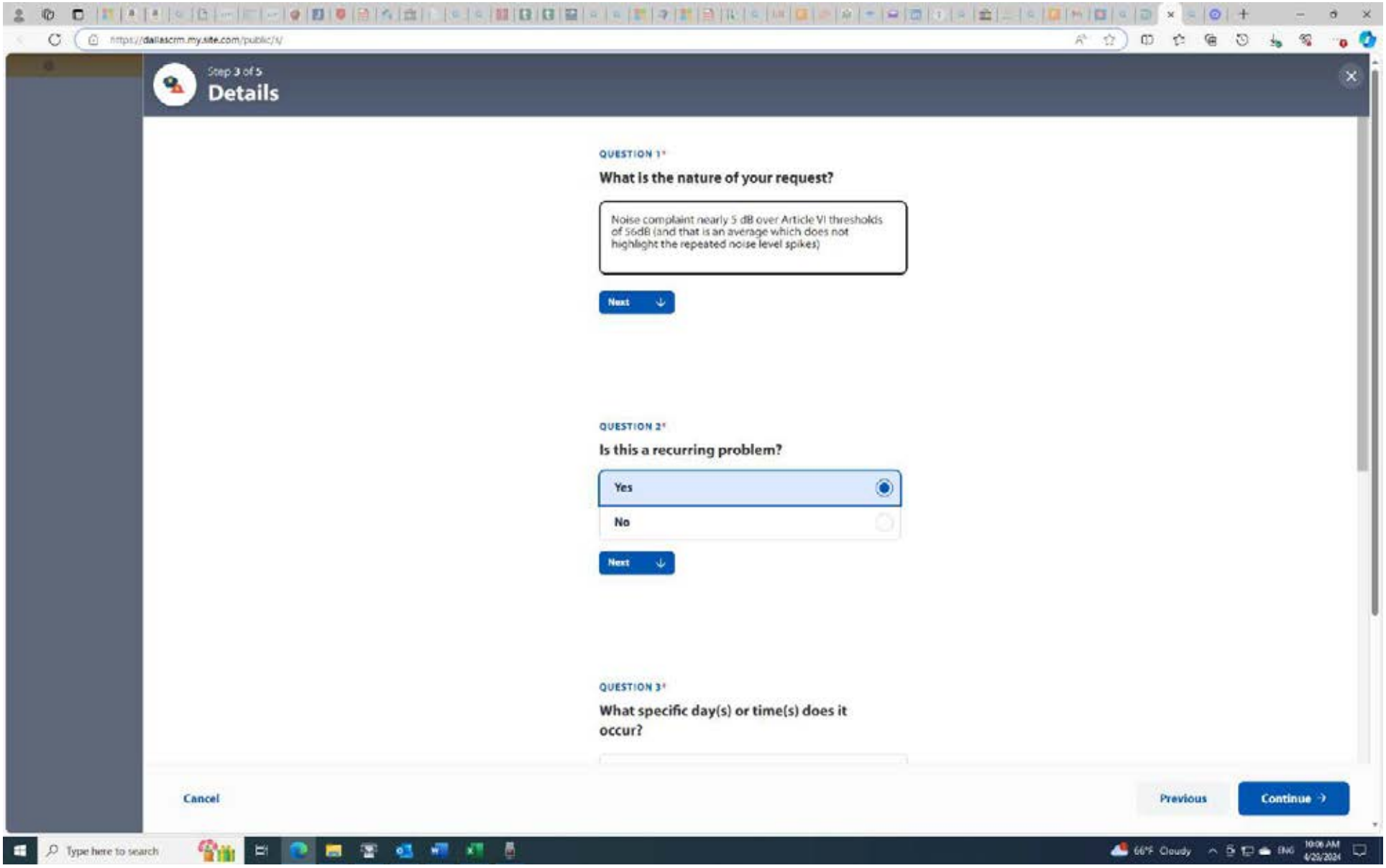

Creeks, Streams, Storm Drains, and Waterways
Environmental Quality Concerns
Garbage Collection, Recycling and Litter
Homeless Outreach, and Encampments
Non-Emergency Police and Fire Services
Other Service Request Types
Noise Complaint (Residential)
Fire Department Educational Request
Fire Inspection
Illegal Spray Painting
Locked/Blocked Exit
Occupancy Load Violation (Commercial/Business)
Smoke Detector Request
Chronic Traffic Violations
Increased Criminal Activities
Increased Police Patrol
Fireworks
Lock or Unlock Knox Lock/Box
Narcotics/Vice Complaint
Panhandling
Social Services Request
Parking, Vehicle, Bicycle and Scooter Concerns
Streets, Medians, Sidewalks and Alleys
Traffic Signs and Signals
Water Inquiries and Line Locates
Noise Complaint (Residential)
Use this service request to report noise complaints of a chronic or reoccurring nature, i.e. continuous complaints about loud music/disturbances at a residential property. **Do not use to report noisy animals, construction noise or noise issues at clubs/bars. See Animal - Noisy or Code Concern ** The estimated response time (ERT) for this service request is 3 business days. *** Call 9-1-1 if this is the first-time reporting the location or if the noise is occurring now ***
DEPARTMENT
Police Department
RESOLUTION ESTIMATE
7 Business Days
Request This Service
Type here to search
66°F Clear
ENG
9:17 AM
4/26/2024

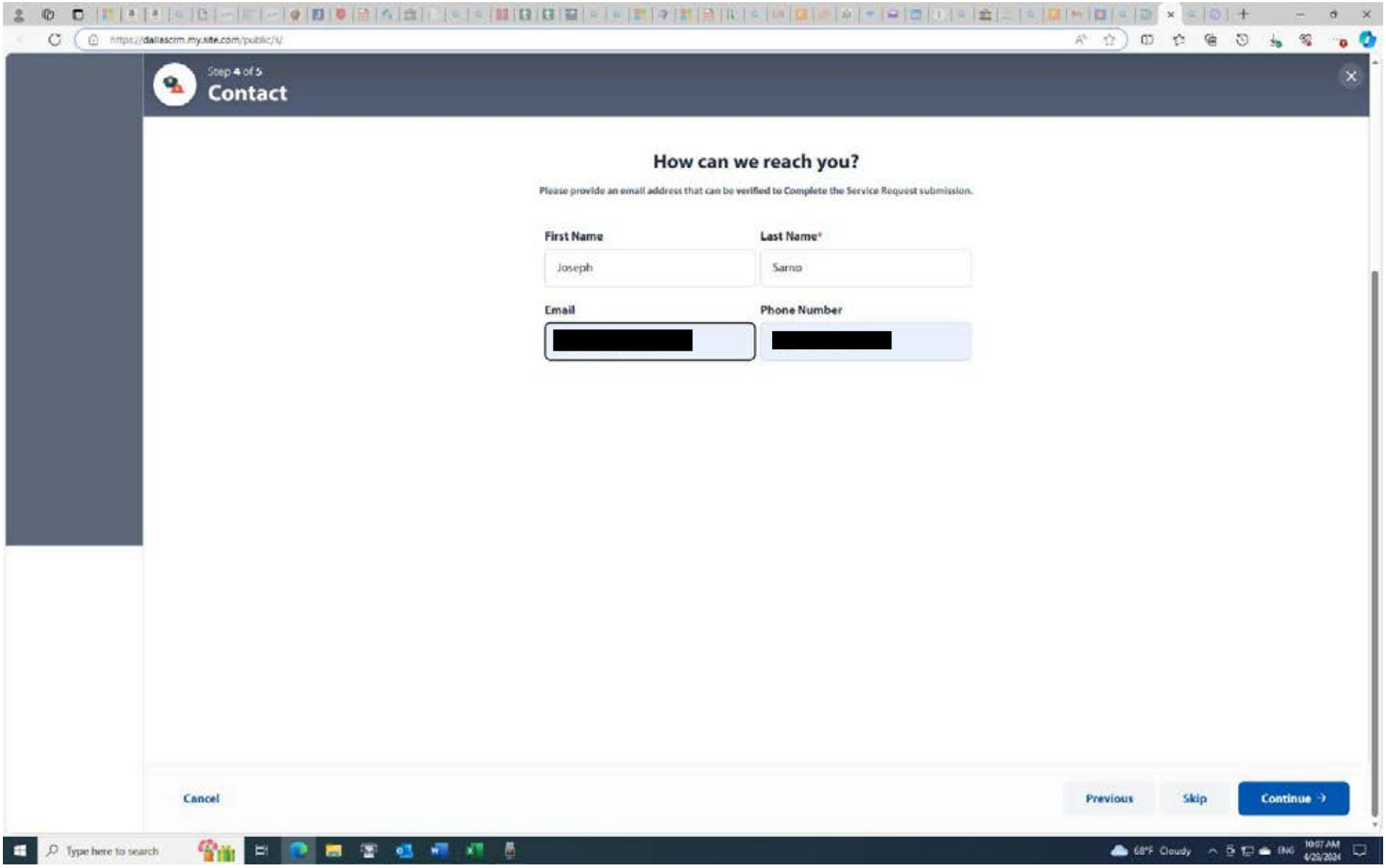

https://dallascrm.my.site.com/public/s/
Step 1 of 5
File Upload
Drop files or click to upload
Attachments
Report Apr 2...
Cancel
Continue
Type here to search
NASDAQ

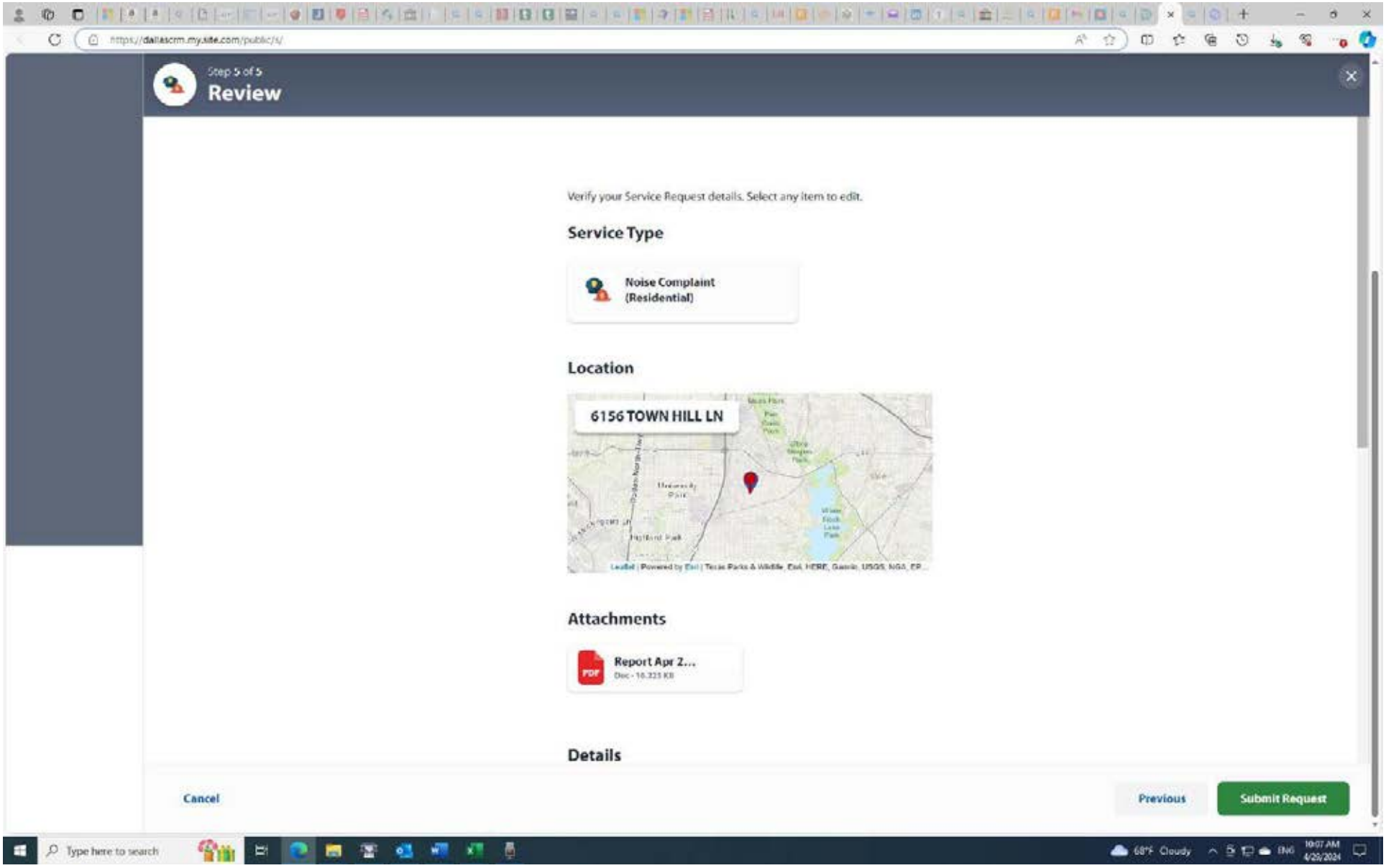

https://dallascrm.my.site.com/public/s/
Step 2 of 5
Location
Enter the location of the concern or select it on the map below.
Search
Nearest Valid Address
6156 TOWN HILL LN
Noise emanating from back of property at 6121 E Lovers Lane
Richardson
Garland
Rowlett
Dallas
Mesquite
Nearest Valid Address
Selected Location
Cancel
Previous
Continue
Type here to search
66°F Cloudy
ENG
10:02 AM
4/25/2024

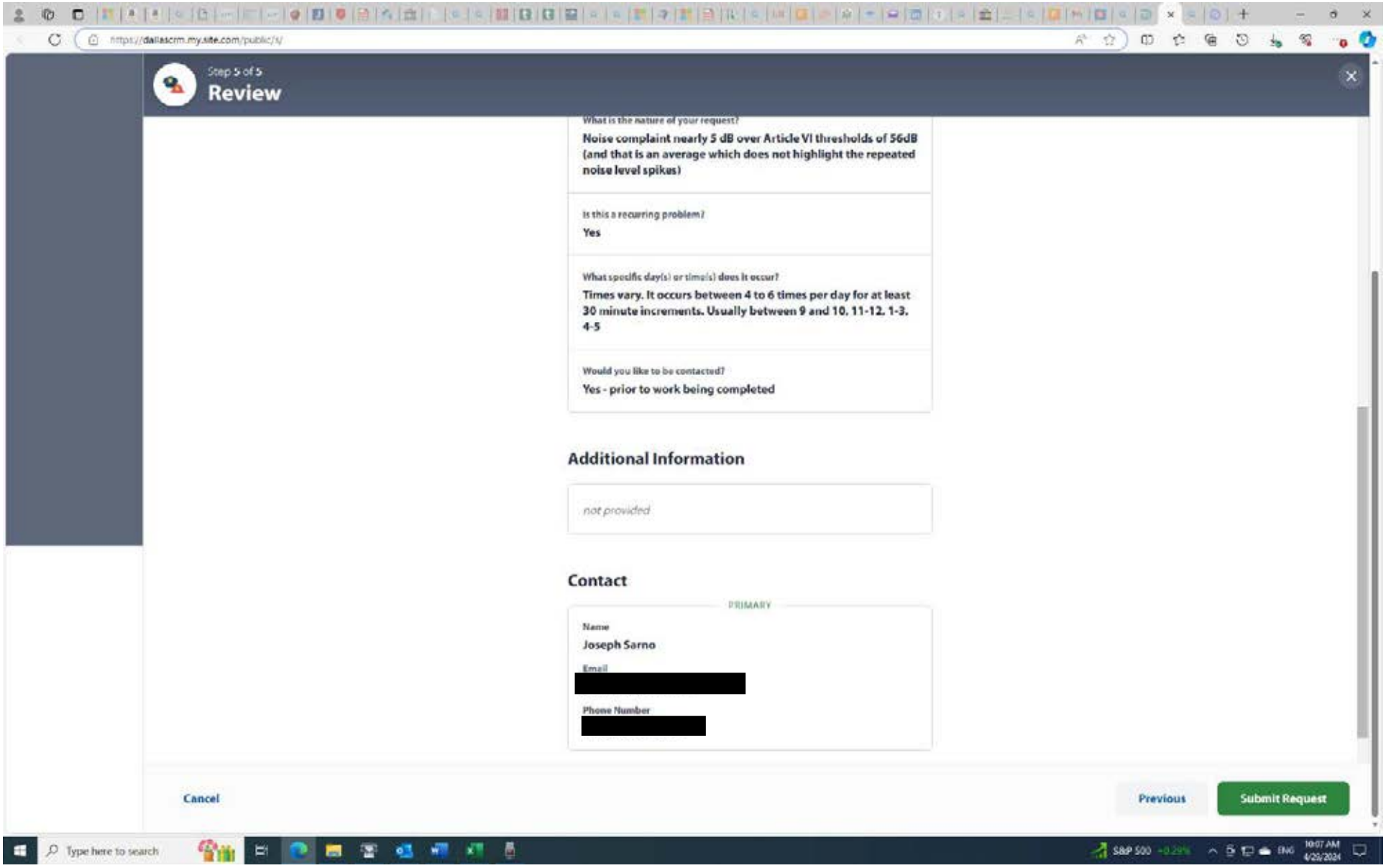

https://dallascrm.my.site.com/public/s/
Step 3 of 5
Details
QUESTION 1*
What is the nature of your request?
Noise complaint nearly 5 dB over Article VI thresholds (and that is an average which does not highlight the repeated noise level spikes)
Next
QUESTION 2*
Is this a recurring problem?
Yes
No
Next
QUESTION 3*
What specific day(s) or time(s) does it occur?
Cancel
Previous
Continue
Type here to search
66°F Cloudy
ENG
10:05 AM
4/22/2024

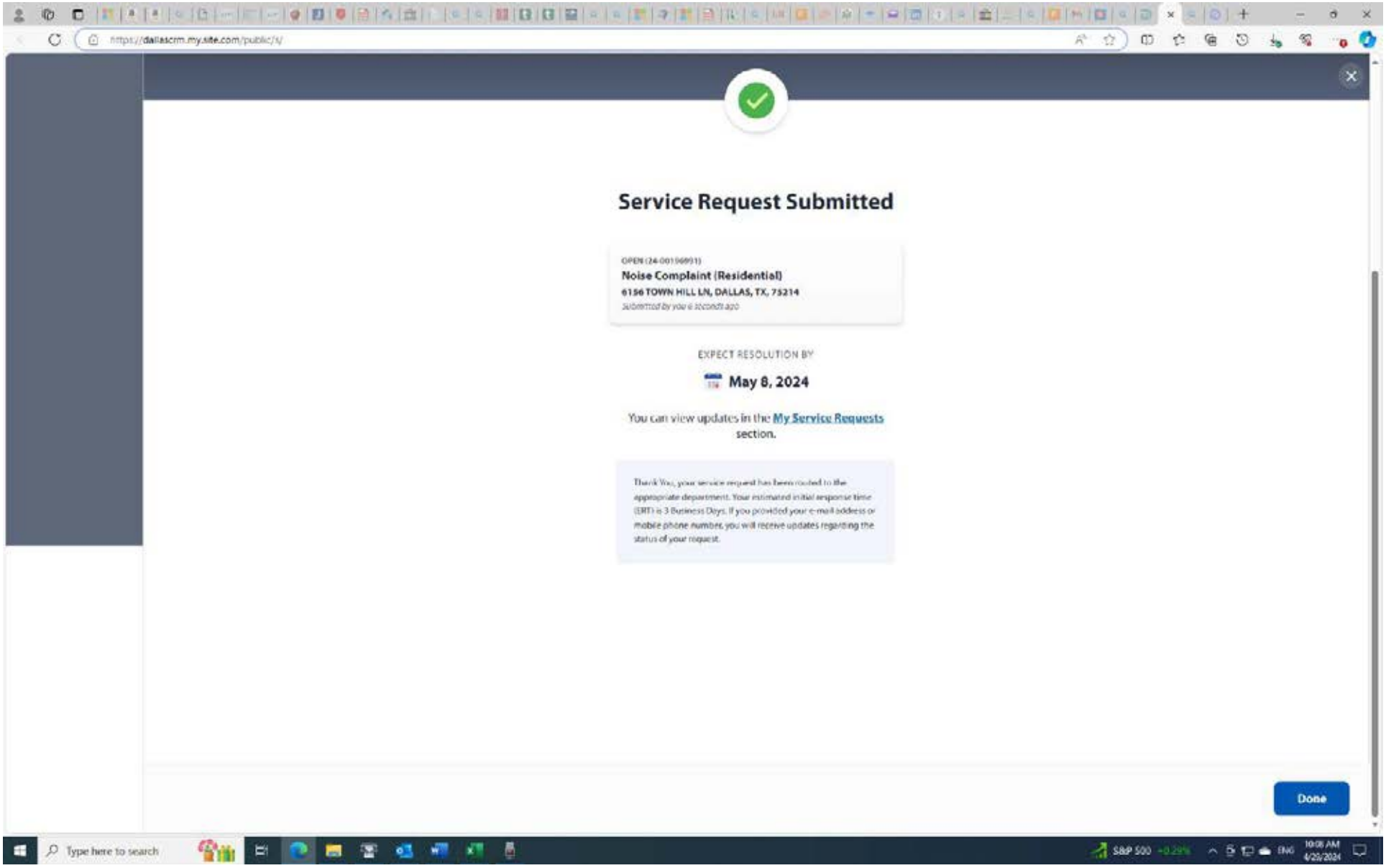

https://dallascrm.my.site.com/public/s/
Step 3 of 5
Details
Times vary. It occurs between 4 to 6 times per day for at least 30 minute increments. Usually between 9 and 10, 11-12, 1-3, 4-5
Next
QUESTION 4
Would you like to be contacted?
Yes - prior to work being completed
Yes - once the work is completed
No
Next
Additional Information
Additional Information
Cancel
Previous
Continue
Type here to search
66°F Cloudy
ENG
10:05 AM
4/22/2024


https://dallascrm.my.site.com/public/s/
Step 3 of 5
Details
QUESTION 1*
What is the nature of your request?
Noise complaint nearly 5 dB over Article VI thresholds of 56dB (and that is an average which does not highlight the repeated noise level spikes)
Next
QUESTION 2*
Is this a recurring problem?
Yes
No
Next
QUESTION 3*
What specific day(s) or time(s) does it occur?
Cancel
Previous
Continue
Type here to search
66°F Cloudy
ENG
10:06 AM
4/25/2024


https://dallascrm.my.site.com/public/s/
Step 4 of 5
Contact
How can we reach you?
Please provide an email address that can be verified to Complete the Service Request submission.
First Name
Joseph
Last Name*
Sarno
Email
[redacted]
Phone Number
[redacted]
Cancel
Previous
Skip
Continue
Type here to search
68°F Cloudy
ENG
10:07 AM
4/25/2024


https://dallascrm.my.site.com/public/s/
Step 5 of 5
Review
Verify your Service Request details. Select any item to edit.
Service Type
Noise Complaint (Residential)
Location
6156 TOWN HILL LN
Attachments
Report Apr 2...
Details
Cancel
Previous
Submit Request
Type here to search
68°F Cloudy
ENG
10:07 AM
4/25/2024


https://dallascrm.my.site.com/public/s/
Step 5 of 5
Review
What is the nature of your request?
Noise complaint nearly 5 dB over Article VI thresholds of 56dB (and that is an average which does not highlight the repeated noise level spikes)
Is this a recurring problem?
Yes
What specific day(s) or time(s) does it occur?
Times vary. It occurs between 4 to 6 times per day for at least 30 minute increments. Usually between 9 and 10, 11-12, 1-3, 4-5
Would you like to be contacted?
Yes - prior to work being completed
Additional Information
not provided
Contact
PRIMARY
Name
Joseph Sarno
Email
[redacted]
Phone Number
[redacted]
Cancel
Previous
Submit Request
Type here to search
S&P 500
ENG
10:07 AM
4/20/2024


https://dallascrm.my.site.com/public/s/
Service Request Submitted
OPEN (24-00196991)
Noise Complaint (Residential)
6156 TOWN HILL LN, DALLAS, TX, 75214
Submitted by you a seconds ago
EXPECT RESOLUTION BY
May 8, 2024
You can view updates in the My Service Requests section.
Thank You, your service request has been routed to the appropriate department. Your estimated initial response time (ERT) is 3 Business Days. If you provided your e-mail address or mobile phone number, you will receive updates regarding the status of your request.
Done
Type here to search
S&P 500
ENG
10:08 AM
4/25/2024

BOA EXHIBIT E

DISD Game Court Survey

SCHOOL NAME	ADDRESS	DISTANCE TO RESIDENCES	NOTES
Alex Sanger Preparatory School	8410 San Leandro Drive, Dallas, TX 75218	231	
Alex W. Spence Talented/Gifted Academy	4001 Capitol Ave, Dallas, TX 75204	N/A	No Basketball court
Ann Richards Middle School	3831 N. Prairie Creek Road, Dallas, TX 75227	505	
Benjamin Franklin Middle School	6920 Meadow Road, Dallas, TX 75230	573	
Billy Earl Dade Middle School	2727 Al Lipscomb Way, Dallas, TX 75215	443	
Boude Storey Middle School	3000 Maryland Ave., Dallas, TX 75216	300	Half courts, Distance from front yard
D.A. Hulcy STEAM Middle School	9339 South Polk St, Dallas, TX 75232	537	Distance separated by a building
Dallas Environmental Science Academy	3531 N. Westmoreland Road, Dallas, TX 75212	179	
Dallas Hybrid Preparatory at Stephen J. Hay	3801 Herschel Ave, Dallas, TX 75219	N/A	No Basketball court
Dr. Frederick D. Haynes, III School	3837 Simpson Stuart Road, Dallas, TX 75241	N/A	No Basketball court
Dr. Frederick Douglass Todd Sr.Middle School	2445 E. Ledbetter Drive, Dallas, TX 75216	486	
E.B. Comstock Middle School	7044 Hodde Street, Dallas, TX 75217	459	
Ewell D. Walker Middle School	12532 Nuestra Drive, Dallas, TX 75230	386	
Francisco "Pancho" Medrano Middle School	9815 Brockbank Drive, Dallas, TX 75220	174	
George Bannerman Dealey Montessori Academy	6501 Royal Lane, Dallas, TX 75230	253	
Harold W. Lang Middle School	1678 Chenault Street, Dallas, TX 75228	415	
Harry Stone Montessori	4747 Veterans Drive, Dallas, TX 75216	371	
Hector P. Garcia Middle School	700 E. Eighth Street, Dallas, TX 75203	594	
Henry W. Longfellow Career Exploration Academy	5314 Boaz Street, Dallas, TX 75209	406	
Ignite Middle School	2211 Caddo Street, Dallas, TX 75204	235	Distance separated by a building
iLearn Virtual School	408 N Haskell Ave., Dallas, TX 75246	N/A	No Basketball court
J. L. Long Middle School	6116 Reiger Ave., Dallas, TX 75214	N/A	No Basketball court
Jesus Moroles Expressive Arts Vanguard	1400 Walmsley Ave., Dallas, TX 75208	107	Distance from a front yard
John Lewis Social Justice Academy at Oliver Wendell Holmes	3111 Bonnie View Rd., Dallas, TX 75216	105	
Judge Louis A. Bedford, Jr. Law Academy	1303 Reynoldston Lane, Dallas, TX 75232	310	
L. V. Stockard Middle School	2300 Ravinia Drive, Dallas, TX 75211	565	
Piedmont G.L.O.B.A.L. Academy	7625 Hume Drive, Dallas, TX 75227	218	
Raul Quintanilla Sr. Middle School	2700 Remond Drive, Dallas, TX 75211	385	
Robert T. Hill Middle School	505 Easton Rd, Dallas, TX 75218	30	SEE NOTES BELOW [1]
Rosemont Upper and Lower	911 North Morocco, Dallas, TX 75211	587	
Royce West Leadership Academy	6605 Sebring Dr., Dallas, TX 75241	360	
Sam Tasby Middle School	7001 Fair Oaks Ave., Dallas, TX 75231	189	
School for the Talented & Gifted in Pleasant Grove	9610 Bruton Rd, Dallas, TX 75217	N/A	No Basketball court
Seagoville Middle School	950 Woody Road, Dallas, TX 75253	764	
Solar Preparatory School for Girls at James B. Bonham	2617 N Henderson Ave, Dallas, TX 75206	N/A	No Basketball court
Sudie L. Williams Talented and Gifted Academy	4518 Pomona Rd, Dallas, TX 75209	20	SEE NOTES BELOW [2]
T.W. Browne Middle School	3333 Sprague Drive, Dallas, TX 75233	636	
Thomas C. Marsh Middle School	3838 Crown Shore Drive, Dallas, TX 75244	339	
Thomas J. Rusk Middle School	2929 Inwood Road, Dallas, TX 75235	531	
Trinity Heights School for the Talented and Gifted	1515 Lynn Haven Ave., Dallas, TX 75216	249	
W.E. Greiner Exploratory Arts Academy	501 S. Edgefield Avenue, Dallas, TX 75208	N/A	No Basketball court
W.H. Gaston Middle School	9565 Mercer Drive, Dallas, TX 75228	107	
West Dallas Junior High	2200 Dennison Street, Dallas, TX 75212	N/A	No Basketball court
William B. Travis Academy	3001 McKinney Ave, Dallas, TX 75204	160	Distance form Apartments
Young Men's Leadership Academy at Fred F. Florence	1625 N. Masters Drive, Dallas, TX 75217	295	
Young Women's STEAM Academy at Balch Springs School	710 Cheyenne Rd, Dallas, TX 75217	694	
Zan Wesley Holmes Jr. Middle School	2939 St. Rita Drive, Dallas, TX 75233	374	

AVERAGE DISTANCE = ***357 FEET***

1 Per DCAD appraisal district, DCAD recognizes a land value reduction of 40% on account of the property's proximity to the school courts and the related noise issues

2 Per the school office manager, Anissa, the courts do not get much use for basketball and the school has gates that keep people out during non-school hours; park next to school provides a court for use by the public.

BOA EXHIBIT F

Various Emails to City of Dallas Officials

Gmail Joseph Sarno <jwsarno123@gmail.com>

Zion Expansion Issue (Basketball Court) - Additional Support

1 message

Joseph Sarno <jwsarno123@gmail.com> Wed, May 17, 2023 at 10:25 AM
To: paul.ridley@dallas.gov, paula.blackmon@dallas.gov
Cc: kayleigh.rice@dallas.gov, consuelo.avila@dallas.gov, andres.espinoza@dallas.gov, donna.moorman@dallas.gov, ann.hamilton@dallascityhall.com

As promised, I am providing a link to a video documenting the sound level readings on the noise coming from the Zion school playground (as recorded from our property).

Kind regards,
Joe

Joseph W. Sarno
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

100_1151 (Recorded 05-15-23 0914).MOV

Gmail Joseph Sarno <jwsarno123@gmail.com>

Zion Basketball Court

Joseph Sarno <jwsarno123@gmail.com> Sun, Sep 24, 2023 at 10:31 AM
To: jason.pool@dallas.gov
Cc: donna.moorman@dallas.gov, john.tinker@dallas.gov, Frances T <tubbfe@gmail.com>, paula.blackmon@dallas.gov, mjung@clarkhill.com
Bcc: Alevtina Sarno <Alevtinasarno@gmail.com>

Jason,

Per our Friday evening phone conversation (your call to me was greatly appreciated) I am attaching/linking one of dozens of calibrated meter level recordings that I took of the noises from the slightly more distant playground. I haven't sent this particular recording to anyone previously. This recording is unique because the kids were not out there the whole time during the recording session. I am also including a graphical representation.

You really have to listen to it the whole time the kids are out there to get the full picture. They don't scream constantly but it is frequent enough. When they do, I can hear it clearly in my home office at the front of our house. And if I've been up late drafting a brief, getting any sleep during the day is impossible in our bedroom at the back of the house.

Note the average dB differential (6.4dB) of the noise when in use and background noise otherwise. This noise issue is addressed by Chapter 51A Sections 51A-6.102(a)(1) and 51A-6.107(b). Zion's basketball court will result in noncompliance on its own, but in this case, it also expands on the existing noncompliance under Article VI of Chapter 51A.

Regards,
Joe

Joseph W. Sarno
6114 Town Hill Lane
Dallas, TX 75214
(214) 794-2808

100_1164 (Recorded 05-18-23 1433).MOV

Meter level recording on May 18 at 2.33 P.M. (recess ends during recording).xlsx
56K

Gmail Joseph Sarno <jwsarno123@gmail.com>

Fwd: Fw: Additional Questions - Zion Basketball Court

Joseph Sarno <jwsarno123@gmail.com> Tue, Oct 3, 2023 at 7:53 AM
To: jason.pool@dallas.gov
Cc: donna.moorman@dallas.gov, andres.espinoza@dallas.gov, paula.blackmon@dallas.gov, john.tinker@dallas.gov, tammy.palomino@dallascityhall.com, mjung@clarkhill.com, "Moore, Daniel T" <daniel.moore@dallas.gov>
Bcc: Alevtina Sarno <Alevtinasarno@gmail.com>, "wbbdavison@gmail.com" <wbbdavison@gmail.com>

Mr. Pool,

What about the noise?

I recognize that there is a subjective factor behind the determination that Zion's proposed court requires only a minor amendment.

But noise is an objectively measurable certainty. A basketball court, when in use, produces a certain level of noise. Period. I am again attaching a ***neutral*** study excerpt by Edwin Pack and Associates which studied the noise levels produced from the use of a basketball court. I called Mr. Pack, the owner of the firm that did the noise study. He asked me how close Zion's proposed court was to our property. When I told him he replied with something to the effect of, “wow, that’s crazy – that’s really close.” The proposed court is only ten yards (30 feet) from our property (see attached picture taken from our backyard). Pack’s study shows that the noise produced from a standard basketball game is 64dB on average at 40 feet from the center of the court. There is ***no way*** that that level of noise will comply with Article 6 of Chapter 51A. It won’t even be a close call!

It should be the job of those involved in the City’s zoning process to look out for the welfare of its residents. This noise issue should be factored into the City's decision before it is pointed out to the CPC by members of the public. The City’s goal should be to do its best to ***accurately*** assess any noise issue. After all, turning a blind eye to the issue doesn’t help anyone, including the City or Zion. Plus, given how Zion has been snubbing its nose at the process and rules, it will be a ridiculous look for the City of Dallas if the answer to the question, “What noise studies did you look at or consider?” is “None”.

SIncerely,
Joe

Joseph W. Sarno
6114 Town Hill Lane
Dallas, TX 75214
(214) 794-2808

---------- Forwarded message ---------
From: **Joseph Sarno** <jwsarno@yahoo.com>
Date: Tue, Oct 3, 2023 at 7:19 AM
Subject: Fw: Additional Questions - Zion Basketball Court
To: <jwsarno123@gmail.com>

> ----- Forwarded Message -----
> **From:** Pool, Jason <jason.pool@dallas.gov>

To: Joseph Sarno <jwsarno@yahoo.com>
Cc: Frances T. <tubbfe@gmail.com>; Moorman, Donna <donna.moorman@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Eskander, Mina <mina.eskander@dallas.gov>
Sent: Thursday, September 21, 2023 at 12:45:18 PM CDT
Subject: RE: Additional Questions - Zion Basketball Court

Good afternoon Mr. Sarno,

I want to first express my understanding of your concerns and to ensure that we address each point you've mentioned. To avoid overburdening the inboxes of the Council Member and Plan Commissioner, I've removed them from this conversation. However, I encourage you to contact them directly if you feel it's necessary.

Regarding Section 51A-4.704(h)(1)(A), it is indeed taken into consideration in alignment with the context of the rest of the section. Any changes such as the classification of or overall boundaries of the district, uses outside of what the PD permits, increases in height beyond what the PD stipulates, or reductions in setback or parking based on the PD allowances would indeed change the basic relationship as referred to in (1)(A).

I would like to confirm that our Zoning Chief, Tenisha Lester, made the determination on the minor amendment. In my role as Development Services Administrator for the Land Development Team, I fully support her interpretation. The matter does not meet the criteria for a full zoning amendment.

Regarding game courts: to clarify, all game courts, regardless of the type of sport, are categorized by Development Services as "accessory game courts".

Lastly, concerning the "conditions", these typically refer to additional recommendations or stipulations that the Sr. Planner or City Plan Commissioner might request. These conditions are negotiated and finalized with the applicant during the review process.

I hope this provides clarity on the matter. If you have any further questions or require additional information, please don't hesitate to reach out.

Thank you,

Jason Pool

"Together We Are Building a Safe and United Dallas!"

Please Take a Moment to Tell Us How We Are Doing.

Jason Pool
Development Services Administrator

Land Development Division

City of Dallas | DallasCityNews.net
Development Services
320 E Jefferson, LL04
Dallas, TX 75203
O: (214) 948-4392
C: (817) 800-9139
Jason.Pool@dallas.gov

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Thursday, September 21, 2023 11:52 AM
To: Pool, Jason <jason.pool@dallas.gov>
Cc: mjung@clarkhill.com; Blackmon, Paula <paula.blackmon@dallas.gov>; Tinker, John <john.tinker@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Moorman, Donna <donna.moorman@dallas.gov>; Frances T. <tubbfe@gmail.com>
Subject: Re: Additional Questions - Zion Basketball Court

External Email!

Mr. Pool,

I appreciate your prompt response.

I understand how the accessory use otherwise complies with the PD ordinance and why it (at least) requires a minor amendment. I was not really questioning that aspect of the process. What I was looking for was an answer about how Chapter 51A Section 51A-4.702 (h)(1)(A) is taken into consideration. You don't need to explain further but can you let me know who made the final determination (or signed off on the determination) that the court requires only a minor amendment?

Regarding pickle ball, assuming Zion gets approval to start building the court (or in this case just add the backboards/hoops), there is nothing stopping Zion from using the 50' x 90' court for both games? Seehttps://racketopia.com/how-many-pickleball-courts-fit-on-a-basketball-court/

Again, you mentioned "conditions" (presumably related to what the city can require on Zion's proposed court) on our phone call. Could you explain further what you meant by conditions?

Thanks,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

On Wednesday, September 20, 2023 at 03:43:52 PM CDT, Pool, Jason <jason.pool@dallas.gov> wrote:

Good afternoon Mr. Sarno,

My apologies for not providing enough clarity on the minor amendment. Since the basketball court is allowed per the PD as an accessory to the main use, it does not require a full PD amendment. Since all development is subject to the development plan, the specifics of the use (positioning/location/size, etc.) must be shown on that plan. Any changes to these specifics require a minor amendment (amendment to the development plan. The only thing that would trigger the full PD amendment would be a request for something that is not allowed by the PD, such as a commercial use or the addition of an office tower. For clarity, these are only examples.

I do understand your concern for the noise that could be produced by the use of a basketball court. Since the court has residential proximity, this requires the review through a public hearing, where these concerns can be heard and factored into the approval process.

As for pickleball, I mentioned as an example of a type of game court. To my knowledge there is no intention for pickleball courts at this location. However, if there were, they would be subject to the same minor amendment process, with residential proximity as a factor.

Please let me know if you have any additional questions.

Thank you,
Jason Pool

"Together We Are Building a Safe and United Dallas!"

Please Take a Moment to Tell Us How We Are Doing.

Jason Pool
Development Services Administrator
Land Development Division
City of Dallas | DallasCityNews.net
Development Services
320 E Jefferson, LL04
Dallas, TX 75203
O: (214) 948-4392
C: (817) 800-9139
Jason.Pool@dallas.gov

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Wednesday, September 20, 2023 3:16 PM
To: Pool, Jason <jason.pool@dallas.gov>
Cc: mjung@clarkhill.com <mjung@clarkhill.com>; Blackmon, Paula <paula.blackmon@dallas.gov>; Tinker, John <john.tinker@dallas.gov>; Espinoza, Andres <andres.espinoza@dallas.gov>; Moorman, Donna <donna.moorman@dallas.gov>; Frances T. <tubbfe@gmail.com>
Subject: Additional Questions - Zion Basketball Court

External Email!

Good afternoon Mr. Pool,

I appreciate your call on Monday.

I understand the Accessory Use section (Sec. 51A-4.217) of Chapter 51A, but I still have questions as to why the basketball court is considered only a minor amendment. I have added my thoughts below, but could you please explain to me your understanding of why the court is a minor amendment?

Per Chapter 51A, a minor amendment to a Planned Development ("PD") is:

"limited to minor changes in the development plan that otherwise comply with the PD ordinance and do not: (A) alter the basic relationship of the proposed development to adjacent property..."

A basketball court, when in use, is a substantial noise producer. That fact alters the basic relationship of the proposed development to adjacent properties. I am attaching a neutral noise study excerpt I found that gives one an idea of just how much noise is produced by a basketball court. The study found an average of sixty-four decibels (64dB) at 40 feet from the center of the court (see highlighted section). That is the average level. That is significant! Is it possible the city could just ignore the fact that the court will produce that level of noise and is only 30 feet from residential neighbors?

On our call, you mentioned pickle ball. Obviously, pickleball is the outdoor "sport du jour." Why did you mention pickleball? Is there an indication that the proposed court will be used for pickleball as well?

You also mentioned “conditions”. Could you explain what you meant by conditions?

I appreciate your assistance in answering my questions.

Kind regards,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

1 https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.salinasuhsd.org%2Fcms%2Flib%2FCA02208720%2FCentricity%2FDomain%2F452%2FAppendix%2520F%2520Noise%2520Study.pdf&data=05%7C01%7Cjason.pool%40dallas.gov%7Cc6720232d4a949242c2608dbba168dd5%7C2935709ec10c4809a302852d369f8700%7C0%7C1%7C638308378290398014%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=AbdtBjuvmGatnI%2BpVkiwRgWMvPQ2gty3e71qn1Emzyl%3D&reserved=0
CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

17 attachments



Basketball Court (from our yard on 07-23-2023).JPG
3626K



image001.png
8K



image002.png
3K



image003.png
2K



image004.png
2K



image005.png
49K



image004.png
2K



image002.png
3K



image002.png
3K



image003.png
2K



image005.png
49K



image001.png
8K



image004.png
2K



image005.png
49K



image003.png
2K



image001.png
8K

B'Ball Court Study Excerpt.pdf
57K

Gmail

Joseph Sarno <jwsarno123@gmail.com>

RE: M234-003 - Minor Amendment Application

Moorman, Donna <donna.moorman@dallas.gov> Mon, Jan 8, 2024 at 2:59 PM
To: Joseph Sarno <jwsarno123@gmail.com>

Mr. Sarno,

Thank you for your correspondence.

M234-003 is being scheduled for City Plan Commission on Jan. 18th. You should be receiving the notice of public hearing in the next few days. The agenda with corresponding case report will be posted by EOD Friday and can be found at the following link once posted: https://cityofdallas.legistar.com/Calendar.aspx

There are no regulations determining what games may or may not be played on a sports court.

Regards,

Donna Moorman, PLA
Chief Planner
City of Dallas | www.dallascityhall.com
Planning and Urban Design

1500 Marilla, 5CN

Dallas, TX 75201
O: (214)670-4130
donna.moorman@dallas.gov

How am I doing? Please contact my supervisor at Andreea.udrea@dallas.gov

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EMPATHY • ETHICS • EXCELLENCE • ENGAGEMENT • EQUITY

From: Joseph Sarno <jwsarno123@gmail.com>
Sent: Thursday, January 4, 2024 5:36 PM
To: Moorman, Donna <donna.moorman@dallas.gov>
Subject: M234-003 - Minor Amendment Application

External Email!

Ms. Moorman,

I requested a copy of the minor amendment application through the open records process. After looking it over I have some concerns to share as well as some questions that I am hoping you can answer.

Concerns:

(1) It is an issue that I sort of already brought to the attention of Mrs. Blackmon, but I have concerns about the accuracy of the following statement in the letter included with their amendment:

> "We are moving an existing activity from the parking lot to an ***area already serving our playground***. Only the playing surface is changed from turf to concrete..." (emphasis added)

That statement is not true. The playground is currently fenced in and the game court surface lies completely outside of the current playground area, as shown on their PD site plan. The kids at recess were not generally occupying the area where the new court is at recess.

(2) It appears that on the first page, in the request area, part of the request is crossed out. The words behind this redaction are still legible however. It appears that the words crossed out include the words "volleyball" and "pickleball." Pickleball is a very popular sport these days but it is also fairly noisy. Nightline had a story that covered these noise issues. I have a video of that story that I'll send to you.

(3) Under the same paragraph, it reads that "no exterior lighting will be provided." The ambient lighting at the school is already bright enough to enable play on their proposed court. With the newer LED lighting Zion has installed, it's like we now have a Tom Thumb behind our house. But I digress.

I am attaching a video I took of someone shooting at the far basket that is in the parking lot last week. I recorded him at 8:00 P.M. on Friday night. It could have been the same person, but someone was also shooting hoops the night before until around 9:15. Noise was not an issue (b/c it was one person not yelling and on the furthest court) in this case but I want to point out to you that no extra lighting will be needed to enable persons to play at the "new" court any time of day. Also see attached picture of new court lit up on at least one half.

Questions:

(1) If a game court gets approved, is there anything stopping Zion from adding nets and using the court for pickleball? Keep in mind this court will be ten yards from our property.

(2) Can you give me an idea on where you are in the review process?

Your consideration is greatly appreciated.

Thanks,

Joe

Joseph W. Sarno

6114 Town Hill Lane

Dallas, TX 75214

(214) 794-2808

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Gmail Joseph Sarno <jwsarno123@gmail.com>

Minor Amendment No. M234-003 – Noise Study/Analysis Request

1 message

Joseph Sarno <jwsarno123@gmail.com> Thu, Feb 8, 2024 at 11:57 AM
To: "Moorman, Donna" <donna.moorman@dallas.gov>
Cc: Alevtina Sarno <Alevtinasarno@gmail.com>
Bcc: wbbdavison <wbbdavison@gmail.com>

Ms. Moorman,

I was able to review the application file for the above-referenced matter this morning. Thank you for making that available.

Attached is an electronic copy of the letter request personally delivered earlier.

Feel free to call or email me if you want to discuss my request or have questions. Thank you in advance for your assistance.

Regards,
Joe

Joseph W. Sarno
6114 Town Hill Lane
Dallas, TX 75214
(214) 794-2808

Letter to D Moorman (Noise Study-Analysis Request)- 02-08-2024.pdf
5382K

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

February 8, 2024

By Electronic Mail &Personal Delivery

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Donna Moorman, Chief Planner

Re: Minor Amendment No. M234-003 – Noise Study/Analysis Request

Dear Ms. Moorman,

I am talking to Zion representatives about noise mitigation measures for its proposed game court. I understand you did not consider noise before recommending approval of the above-referenced minor amendment application. However, it would be helpful to our analysis and discussions if we had the benefit of a prospective noise study or analysis. Allie and I, our next-door neighbor Frances Tubb, and at least thirteen of our neighbors agree that a noise study/analysis is a reasonable request, given the proximity of the proposed court to adjacent properties and the applicant's plans to use the court for both basketball and pickleball. I am attaching copies of the declarations signed by neighbors, located in the notification area for the minor amendment, who are also requesting that the city do a noise study and analysis of the noise levels likely to be produced with the use of the game court.

Perhaps you can pull statistics and analysis from other city departments, such as parks and recreation, that have had to consider the addition of a basketball or pickleball court. I recently read about a plan to build a multi-court facility in Kathy Stewart's District 10.

Any information you can provide will be helpful. Do not hesitate to contact me should you have questions or require additional information. Your assistance is greatly appreciated.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Lizzy Vela.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Lizzy Vela

My date of birth is
03/19/1989

My address is
6160 East Lovers Lane

Executed in Dallas County, on this
3 day of January,
2024

Lizzy Vela
Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is John M'Grimley.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
John M'Grimley

My date of birth is
2/15/87

My address is
6109 Town Hill Ln
Dallas, TX 75214

Executed in Dallas County, on this
31 day of January,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Jack Clayton.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Jack Clayton

My date of birth is
09/02/1948

My address is
6219 Glennox Ln

Executed in Dallas County, on this
28 day of January,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Holly H Cooper.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Holly H Cooper

My date of birth is
12·27 1987

My address is
6102 Town Hill
Dallas TX 75214

Executed in Dallas County, on this
31 day of Jan 2024,
2024

Holly H Cooper
Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Laura Anne Pohli.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Laura Anne Pohli

My date of birth is
8-15-54

My address is
6142 Lovers Ln.

Executed in Dallas County, on this
3 day of Feb,
2024

Laura Anne Pohli
Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is DAVE BURNS.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
DAVE BURNS

My date of birth is
6-13-45

My address is
6136. E. LOVERS LN.

Executed in Dallas County, on this
29 day of JAN.,
2024

Dave Burns

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Chase Baylor.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Chase Baylor

My date of birth is
02/02/1990

My address is
6161 Glennox Lane
Dallas, TX 75214

Executed in Dallas County, on this
27th day of January,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Kelsey Straub.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Kelsey Straub

My date of birth is
4-4-89

My address is
4154 Lovers Ln
Dallas TX 75214

Executed in Dallas County, on this
29 day of January,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Rebekah Shultz.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Rebekah Shultz

My date of birth is
3/20/71

My address is
6167 E. Lovers Ln.
Dallas, TX 75214

Executed in Dallas County, on this
27th day of January
2024

Rebekah Shultz
Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Naomi Paulino.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Naomi Paulino

My date of birth is
3-31-1979

My address is
6105 Glennox Ln.
Dallas, TX 75214

Executed in Dallas County, on this
____ day of _____,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Jackson Williams.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Jackson Williams

My date of birth is
8/3/92

My address is
6147 Gleanox
Dallas, TX 75214

Executed in Dallas County, on this
25 day of January,
2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Kenzie A Fenglas.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is

Kenzie Fenglas

My date of birth is

11/20/98

My address is

6111 glennox ln

Executed in Dallas County, on this

28 day of Jan.,

2024

Declarant's Signature

DECLARATION

I am signing this document under penalty of perjury under Texas Penal Code 37.02 and 37.03—that is, I am signing it knowing that it is a crime if, with intent to deceive and with knowledge of the statement's meaning, I make a false unsworn declaration.

1."My name is Patsy Vaughn.

2."I am capable of making this declaration. The facts stated in the declaration are within my personal knowledge and are true and correct.

3."I am at least 18 years old.

4."I am of sound mind.

5. "I have personal knowledge of the facts stated in this declaration.

6. "The facts stated in this declaration are true and correct.

7."Regarding Minor Amendment M234-003, I would request that the City of Dallas do an analysis and prospective study of the sound levels likely to be produced by the proposed game court to make sure that adjacent residential neighbors are not going to be exposed to sound levels that violate the noise regulations under Article VI of Chapter 51A of Dallas City Code.

My name is
Patsy Vaughn

My date of birth is
12/8/1951

My address is
6117 Glennoxln.
Dallas, TX 75214

Executed in Dallas County, on this
25 day of January,
2024

Patsy Vaughn
Declarant's Signature

Gmail Joseph Sarno <jwsarno123@gmail.com>

RE: "Good Neighbor" Agreements/Deed Restrictions

1 message

Burgess, Casey <casey.burgess@dallas.gov> Tue, Apr 2, 2024 at 10:09 AM
To: Joseph Sarno <jwsarno123@gmail.com>
Cc: "Moore, Daniel T" <daniel.moore@dallas.gov>, Alevtina Sarno <Alevtinasarno@gmail.com>, Frances T <tubbfe@gmail.com>

Hi Joseph,

Sorry, I missed your email last week. Unfortunately, I can't offer any assistance on a good neighbor agreement or deed restrictions. That would be a private agreement between the parties. The city would not be involved.

Casey Burgess

Executive Assistant City Attorney

City of Dallas
Dallas City Attorney's Office

Municipal/Regulatory Section

1500 Marilla St., 7DN

Dallas, TX 75201
O: 214-670-1332

F: 214-670-0622
casey.burgess@dallas.gov

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From: Joseph Sarno <jwsarno123@gmail.com>
Sent: Tuesday, March 26, 2024 4:04 PM
To: Burgess, Casey <casey.burgess@dallas.gov>
Cc: Moore, Daniel T <daniel.moore@dallas.gov>; Alevtina Sarno <Alevtinasarno@gmail.com>; Frances T <tubbfe@gmail.com>
Subject: Fwd: "Good Neighbor" Agreements/Deed Restrictions

External Email!

Good afternoon Casey,

I am following up on my previous email. Is this something you can assist with regarding "good neighbor" agreements/deed restrictions? It is something that has been mentioned at least a few times, most recently by Councillor Blackmon. I have reached out to the only Zion representative that I have had any contact with, and he has replied once saying he'll get back to me (and that was nearly two weeks ago).

Thanks,

Joe

Joseph W. Sarno

6114 Town Hill Lane

Dallas, TX 75214

(214) 794-2808

---------- Forwarded message ---------
From: **Joseph Sarno** <jwsarno123@gmail.com>
Date: Wed, Mar 13, 2024 at 2:37 PM
Subject: "Good Neighbor" Agreements/Deed Restrictions
To: Moore, Daniel T <daniel.moore@dallas.gov>
Cc: <casey.burgess@dallas.gov>

Mr. Moore,

Can you send me as much information as possible (the who. what, where, why, & when - including references, legal citations, and perhaps an example or two) regarding the above-referenced topic?

Thanks,

Joe

Joseph W. Sarno

6114 Town Hill Lane

Dallas, TX 75214

(214) 794-2808

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BOA EXHIBIT G

Emails from Next-Door Neighbor, Frances Tubb

Gmail

Joseph Sarno <jwsarno123@gmail.com>

Fwd: Update Regarding Zion Basketball Court

1 message

Frances T <[redacted]@gmail.com> Mon, Jan 22, 2024 at 5:47 PM
To: Joseph Sarno <jwsarno123@gmail.com>

Joe - below is the email I sent Donna regarding the prospective noise study.

Best,

Frances

---------- Forwarded message ---------
From: **Frances Tubb** <[redacted]@gmail.com>
Date: Thu, Jan 18, 2024 at 9:34 AM
Subject: Update Regarding Zion Basketball Court
To: Moorman, Donna <donna.moorman@dallas.gov>

Donna - I would support Joe Sarno's request for a prospective noise study as well.

Best,

Frances

Gmail Joseph Sarno <jwsarno123@gmail.com>

24-259/M234-003 Minor Amendment Application - Zion Lutheran - Sport Court

1 message

Frances T <[redacted]@gmail.com> Tue, Feb 6, 2024 at 9:50 PM
To: christian.chernock@dallas.gov, joanna.hampton@dallas.gov, darrell.herbert@dallas.gov, tony.shidid@dallas.gov, deborah.carpenter@dallas.gov, tabitha.reagan@dallas.gov, lorie.blair@dallas.gov, neal.sleeper@dallas.gov, tipton.housewright@dallas.gov, brandy.treadway@dallas.gov, aaliyah.haqq@dallas.gov, larry.hall@dallas.gov, melissa.kingston@dallas.gov, brent.rubin@dallas.gov
Cc: Joseph Sarno <jwsarno123@gmail.com>

Commissioners:

My name is Frances Tubb. I live at 6120 Town Hill Lane, Dallas, Texas 75214, directly behind Zion Lutheran's playground and diagonal from the new sport court. I did not attend the January 18 meeting of the CPC because I was out of town.

I was under the mistaken impression that previously communicating my concerns regarding additional noise produced by the sport court and reasonably requested modifications to Zion, my city council member, and City of Dallas staff would be sufficient to ensure that reasonable changes were made to Zion's plans prior to Zion seeking approval of its minor amendment.

That was apparently incorrect. I've since watched the recording of the meeting, and I wanted to provide more information regarding my requests and efforts to date to come to a mutually beneficial resolution with Zion.

1. Conversation and text messages with Bryan Wendt in September 2023 regarding the plans for the sport court, my requests for reasonable modifications to Zion's plans (sound mitigation, fenced, and locked court), and Bryan Wendt's confirmation that he had passed my requests along to those coordinating the building plans.
2. Email correspondence with Councilwoman Blackmon in October 2023 requesting reasonable modifications to Zion's plans (the same mentioned to Zion above) and assistance in coordinating the same with the City of Dallas, which I've attached for reference.
3. Email confirmation from Donna Moorman in October of 2023 that she had received my comments and concerns (same email thread).
4. Letter I sent to Zion Lutheran, Donna Moorman, and Councilwoman Blackmon prior to the January 18 meeting, which I've attached for reference.

No one from Zion has reached out to me in the weeks following the January 18th meeting.

I'd like to (i) reiterate my reasonable requests enclosed in the attached letter, (ii) express support for Joe and Allie Sarno's requests that the sound proofing added to the court be sufficient to prohibit the noise emanating from the court to exceed sound levels set by ordinance, and (iii) request that Zion agree not to erect a pickleball net on the court. As Zion admitted and one of the commissioners pointed out in the hearing, Zion has a brand new gym in which the students can play pickleball. As no pickleball net currently exists in the parking lot, the use of the sport court for pickleball would alter the basic relationship of the proposed development to the adjacent property (my home).

Please let me know if you have any questions regarding my concerns or requests.

Best,

Frances

2 attachments

Zion Lutheran - Letter regarding Sport Court Installation.pdf
76K

Gmail - Re_ Update Regarding Zion Basketball Court.pdf
314K

Gmail Joseph Sarno <jwsarno123@gmail.com>

Re: Case No. M234-003(DM) - Zion Basketball Court

1 message

Frances T <[redacted]@gmail.com> Tue, Apr 9, 2024 at 8:25 AM
To: "Tinker, John" <john.tinker@dallas.gov>, paula.blackmon@dallas.gov
Cc: Joseph Sarno <jwsarno123@gmail.com>

Councilmember Blackmon:

I have not received a response from you.

As I mentioned below, I followed up with Zion regarding my letter. I received no response, so I followed up again yesterday. I finally received a response, which suggests Zion is not interested in a reasonable compromise. I followed up this morning with yet another proposal for a compromise that would involve a good neighbor agreement. I will let you know what response I receive, if any.

By definition, the approval of the court as-is without any modifications or concessions from Zion will alter the basic relationship of the proposed development to adjacent property, namely my home, which is one of the key factors to be considered when approving a Minor Amendment pursuant to Chapter 51A-4.702(h)(1)(A) of the Dallas Development Code, which I detailed below. **All I'm asking for is assistance in requiring Zion to reach a compromise that would prohibit Zion from expanding its use of its Property beyond the existing use, which I accepted when I purchased my home**.

Please respond to this email or give me a ring at the number below to discuss further.

Best,

Frances Tubb
6120 Town Hill Ln.
214-[redacted]

On Fri, Apr 5, 2024 at 6:35 PM Frances T <[redacted]@gmail.com> wrote:

> Councilmember Blackmon:
>
> As I've mentioned before, I live at 6120 Town Hill Ln, Dallas, TX 75214 directly behind Zion Lutheran's playground and diagonal from the proposed Sport Court and have concerns regarding increased noise and noise at additional times of the day, which I have communicated to you, the City Planning Commission, City Staff, and Zion Lutheran ("**Zion**"). As a preface, I have no issue with the concept of the court. I can understand why Zion wants to construct the court, and I can understand why Zion wants to install the court in the intended location. **I'm just looking for some assistance from my city council member to ensure that when Zion expands its use it is done in a manner that respects my home, which is all I've been requesting since late summer.**
>
> As I understand it, you are of the belief that there should be a compromise available to allow Zion to continue with their court construction and limit unreasonable interference with the use and enjoyment of the immediately adjacent homes. **I share that sentiment.** Some members of the CPC shared the same belief evidenced by Commissioner Sleeper's initial continuance (the "**Continuance**") and the numerous votes to deny the Minor Amendment.
>
> **At this point, my request and questions to you are the following**: (i) what compromise would you view as reasonable and (ii) will stand behind your position by denying or continuing Zion's Minor Amendment until such time as Zion has entered into a binding reasonable compromise?
>
> I'd like to ask for your assistance in requiring Zion to reach a meaningful compromise by denying or continuing Zion's Minor Amendment until such time as a binding compromise can be reached that would prevent the Minor Amendment from altering the basic relationship of the proposed development to the adjacent property.

By definition, the approval of the court as-is without any modifications or concessions from Zion will alter the basic relationship of the proposed development to adjacent property, namely my home, which is one of the key factors to be considered when approving a Minor Amendment pursuant to Chapter 51A-4.702(h)(1)(A) of the Dallas Development Code. This is the case for several reasons:

1. I moved in behind a school/church. I did not move in behind a public park.
   - Whether Zion considers the “sport court” to be private property is irrelevant if Zion does nothing to discourage use by the general public.
   - Without a fence and a lock, this will for all practical purposes be a public court.
   - Posting no trespassing signs will not be sufficient to prevent use by the general public, which will expand the usage of the “sport court” from the typical hours of use I accepted when I purchased my home, namely after school hours and on the weekends.
2. Zion will not agree to only use this "sport court" for the present existing use (basketball).
   - It is not possible to play any other sport in the existing area.
   - Following construction, it would be very simple for Zion to erect a permanent or temporary tennis net or pickleball net on the court.
   - I would have no recourse as the approval appears to be tied to a general “sport court”.
   - To further point #1, I am certain that if the general public learned there was a pickleball court that required no reservations or payment like other public parks or private properties, there would be numerous community members who use the court despite it being located on private property and the presence of a no trespassing sign.
3. The existing basketball hoops do not face each other, and as such, are not a fully functional court.
   - You cannot presently play a true game of basketball on Zion's outdoor property.
   - The new “sport court” will permit a true game of basketball and provide a hard surface on which other games can be played.
4. The new “sport court” is significantly closer to my property line.
   - This relocation will result in increased noise coming from the basketball area.

In an effort to be a good neighbor, I’ve reached out to Zion on no less than three occasions to open a dialogue and to request reasonable modifications to Zion’s existing plans to allow Zion to continue constructing the court in the present location (“**My Proposal**”), including:

1. Agreeing to prohibit use of the sport court for pickleball, which could easily be addressed in the good neighbor agreement you mentioned to Joe.
2. Fencing the court, locking the court outside of church and school hours.
3. Adding sound mitigation to the north end of the court to prevent the court from violating existing noise ordinances.

Despite this, Zion has failed to respond to any of these requested modifications. I have also communicated these requests to you twice, the City of Dallas twice, and the City Planning Commission.

During the Continuance, Zion’s only proposed compromise was the installation of sound proofing on Joe and Allie's existing fence (the “**Zion’s Proposal**”). This compromise is lacking in several respects as it managed to simultaneously be (i) ineffective, (ii) inconsiderate, (iii) unequal, and (iv) incomplete.

- **Inconsiderate** as Zion, the party modifying their existing property use, presented a solution that would require future expense and labor by the parties not modifying the use of their property to repair and maintain the material and requires virtually no concession from Zion.
- **Unequal** as I’m still not sure whether or not Zion was extending the same offer to me as well as Joe and Allie; I inquired but never received a response.
- **Incomplete** as Zion provided no information on the proposed material, proposed useful life of said material, warranty information on the contractor’s labor and the proposed material, contractor information, or insurance information for the contractor; I followed up with those inquiries and again, never received a response.

During the Continuance, I also reiterated my reasonable requests for a compromise to Zion (see attached). Zion responded, confirming receipt, and let me know they would share my concerns, but I never received a follow up email. I will follow up with Zion as well and see if an agreement can be reached. Unfortunately, the CPC approval was granted before anyone required Zion to enter into a binding agreement for a reasonable compromise, though that approval wouldn’t be considered a slam dunk by any metric.

If nothing else has become clear over the last nine months, it is that Zion will not reach a meaningful compromise until they are required to do so. This situation could have been resolved months ago from my perspective if Zion had considered my reasonable requests, slightly altered their plans, and communicated the same to me. I'm frustrated by where we find ourselves, as I don't enjoy spending the limited free time I have asking Zion to compromise and asking my councilmember, the City Planning Commission, and the City of Dallas to require Zion to compromise.

If it would be helpful for context, I'm more than happy to jump on a quick 10 minute phone call to explain my position. Below in the thread, you will see my initial communication to you detailing my reasonable requests and my communications with Zion and my subsequent email to you prior to the CPC meeting letting you know I had communicated the requests to Zion and the City of Dallas. I've reattached a copy of the letter I sent to Zion, which I forwarded to you and the City of Dallas. I've also attached a copy of my email to the City Planning Commission prior to their vote and the emails I have from Zion. If you need copies of the texts I received from Zion's representatives, then please let me know.

Thank you in advance for your time, consideration, and your assistance to reach a mutually agreeable outcome. I greatly appreciate it.

Best,

Frances Tubb
6120 Town Hill Ln.
Dallas, Texas 75214
214-[redacted]

On Mon, Jan 15, 2024 at 9:06 PM Frances T <[redacted]@gmail.com> wrote:

> Councilwoman Blackmon and John:
>
> The meeting for Zion Lutheran's PD Amendment is coming up this week. I'll be out of town for the meeting, but I sent the attached letter to both Zion and Donna Moorman at the City.
>
> This letter summarizes the reasonable requests I have for modifications to Zion's sport court plans to minimize the negative impact on my property.
>
> I'd be grateful if there's anything you can do to encourage the City to require these minor modifications in connection with approval for Zion's plans or the Minor Amendment to the PD.
>
> I appreciate your time.
>
> Best,
>
> Frances
>
> On Mon, Oct 16, 2023 at 9:40 AM Frances T <[redacted]@gmail.com> wrote:
>
> > Councilwoman Blackmon:
> >
> > My name is Frances Tubb, and I live at 6120 Town Hill Ln, Dallas, TX 75214. Joe Sarno is my next door neighbor. I apologize for missing the meeting a couple of weeks ago, but I decided that it might be more productive for me to reach out on my own.
> >
> > My house is directly behind the existing playground and diagonal from the new basketball court Zion is planning to install. I find it frustrating that Zion seems to have circumvented the proper process to have this court installed, but I understand they are now seeking a minor amendment to their PD to have the court approved.
> >
> > I don't have an issue with the noise from the playground. Kids yelling on a playground at recess reminds me of simpler times and honestly makes me smile. That being said, the basketball court is a new addition that will produce additional noise and could later be a deterrent for future homeowners if I decide to sell my home. I would like to take steps now to mitigate the potential noise when the court is being installed. I have 3 reasonable requests, which I have communicated to Zion through Bryan Wendt (the former president of the school I believe). He said he has passed these requests along, but I'm hoping you can help me find the right avenue to ensure they are factored into Zion's plans.
> >
> > 1. Place a 6 to 8 foot chain link fence around the entire perimeter of the basketball court.

- This fence would help everyone.
- First, it would prevent the ball from escaping the court, meaning kids would spend less time chasing the basketball across the massive adjacent field.
- Second, it would allow the court to be locked when school and church are not using the court.

2. Lock the basketball court after school and church hours.

- Again, this lock would help everyone.
- Zion has indicated they view the court as private property. Fencing and locking the court when not in use for church/school would help from a liability perspective to ensure no injuries occur on the court that are unrelated to the school and church.
- Locks would prohibit people not associated with the school/church from using the court late at night or on the weekends, which is my largest concern.
- Technology has progressed such that I'm sure Zion could find a lock that was automatic on a timer, which would prevent the school/church from having to remember to lock the fence themselves.

3. Place sound barrier batting or lining along the fence on the north side of the court (closest to the home property lines).

- I found several options for sound barrier that can be installed on a fence. I'm certain Zion's contractors can provide some options.
- I understand Zion has incorporated shrubs as part of a landscape plan based on the City of Dallas's requirement, which I appreciate. This is an insufficient sound barrier given the proximity of the court to my home.
- Given that the court is a new noise generator and Zion has a lot of space they could have placed the court farther away from my property, it is reasonable to request additional sound proofing.

These are reasonable requests to ensure Zion's private property rights have a more minimal affect on my private property rights.

I'm drafting a formal letter to send to Zion, but I was wondering if there was a department or office within the City that I could submit these requests to for review and to ensure they were incorporated into Zion's plans. I understand all of these changes would require additional modifications not currently in the plans; however, Zion managed to raise millions to build their new facility and the basketball court. I'm certain they can raise the few thousand required to make these reasonable modifications.

Thank you for your time, and I look forward to hearing from you.

Best,

Frances

On Fri, Sep 1, 2023 at 12:35 PM Tinker, John <john.tinker@dallas.gov> wrote:

> Yes sir, I will add Ms. Tubb to the invite. Councilwoman Blackmon has 30 minutes assigned for your upcoming meeting.
>
> Best regards,

John (Luke) Tinker

Interim Council Liaison & Policy Advisor

Office of Paula C. Blackmon

City Council Member, District 9

City of Dallas | Council Office

1500 Marilla Street, 5FN Dallas, TX 75201

O: 214-671-8916 C: 214-287-4891
John.Tinker@dallas.gov

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Friday, September 1, 2023 10:03 AM
To: Blackmon, Paula <paula.blackmon@dallas.gov>; Tinker, John <john.tinker@dallas.gov>
Cc: Avila, Consuelo <consuelo.avila@dallas.gov>; [redacted]@gmail.com
Subject: Re: Update Regarding Zion Basketball Court

External Email!

Good morning John,

For the meeting with CM Blackmon at noon on September 26th, would you be able to add an invitee and send along the meeting information? My next-door neighbor, Ms. Frances Tubb is also interested in meeting with CM Blackmon, if her schedule permits, to discuss Zion zoning/land use issues. I am copying her on this email and listing her email address here:

tubbfe@gmail.com

Can you also inform me/us as to the amount of time that CM Blackmon is allotting for our meeting?

Thanks,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

> On Monday, August 28, 2023 at 12:30:59 PM CDT, Tinker, John <john.tinker@dallas.gov> wrote:
>
> Good afternoon Mr. Sarno Tuesday September 26th at Noon is a good time for CM Blackmon to have a virtual meeting or phone call. Would this date and time work for you? Please let me know and I will add it to her calendar.
>
> Best regards,

John (Luke) Tinker

Interim Council Liaison & Policy Advisor

Office of Paula C. Blackmon

City Council Member, District 9

City of Dallas | Council Office

1500 Marilla Street, 5FN Dallas, TX 75201

O: 214-671-8916 C: 214-287-4891
John.Tinker@dallas.gov

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Monday, August 28, 2023 12:24 PM
To: Blackmon, Paula <paula.blackmon@dallas.gov>; Tinker, John <john.tinker@dallas.gov>
Cc: Avila, Consuelo <consuelo.avila@dallas.gov>
Subject: Re: Update Regarding Zion Basketball Court

External Email!

Hi John,

I am following up on the requested meeting with Mrs. Blackmon. My understanding is that Zion has recently submitted its minor amendment application, so I would like to have the meeting as soon as possible to discuss with Mrs. Blackmon our concerns and our neighbors' concerns with Zion's "minor" amendment.

Please provide me with a date and time (or a few of them) as soon as possible. Your cooperation is greatly appreciated.

Kind regards,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

On Tuesday, August 22, 2023 at 11:21:03 AM CDT, Blackmon, Paula <paula.blackmon@dallas.gov> wrote:

Good morning Mr. Sarno.

I have spoken with the Councilwoman and looked over her calendar. She is booked up due to the upcoming budget and bond for the City of Dallas. She has agreed to a meeting in late September or early October but would like it to be virtual. I will find a date and time and reach out to make sure that you are available.

Best regards,

John (Luke) Tinker

Interim Council Liaison & Policy Advisor

Office of Paula C. Blackmon

City Council Member, District 9

City of Dallas | Council Office

1500 Marilla Street, 5FN Dallas, TX 75201

O: 214-671-8916 C: 214-287-4891

John.Tinker@dallas.gov

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Monday, August 21, 2023 8:08 PM
To: Tinker, John <john.tinker@dallas.gov>
Cc: Blackmon, Paula <paula.blackmon@dallas.gov>; Avila, Consuelo <consuelo.avila@dallas.gov>
Subject: Fw: Update Regarding Zion Basketball Court

External Email!

Mr. Tinker,

I would like an opportunity for an in-person meeting with my council person Mrs. Blackmon to discuss the above-refernced zoning issue. Can you assist in arranging such a meeting?

Thanks,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

> ----- Forwarded Message -----
>
> **From:** Joseph Sarno <jwsarno@yahoo.com>
>
> **To:** Tinker, John <john.tinker@dallas.gov>
>
> **Cc:** Watkins, James <james.watkins@dallas.gov>; Avila, Consuelo <consuelo.avila@dallas.gov>; Rice, Kayleigh <kayleigh.rice@dallas.gov>; Paula Blackmon <paula.blackmon@dallas.gov>; Donna Moorman <donna.moorman@dallas.gov>
>
> **Sent:** Thursday, August 17, 2023 at 08:15:25 AM CDT
>
> **Subject:** Re: Update Regarding Zion Basketball Court
>
> Hi John,
>
> Can you give me an update on the above Minor amendment process for 6121 E. Lovers Lane? My understading is that because adjacent neighbors are concerned, the process involves public notice. Will the adjacent neighbors be mailed something with this notice or is there some other way my neighbors and I could make sure to stay updated? Is there an email list that I can get on for zoning updates (including minor amendments)?
>
> Thanks,
> Joe
>
> Joseph W. Sarno, JD, CPA
> 6114 Town Hill Lane
> Dallas, TX 75214
> 214-794-2808
>
> > On Wednesday, June 14, 2023 at 03:14:29 PM CDT, Tinker, John <john.tinker@dallas.gov> wrote:
> >
> > Glad to be of assistance Mr. Sarno.
> >
> > I will continue to provide you with updates as our office receives them. We have asked all departments working on this case to keep us in the loop so we can relay any new information to you.
> >
> > Please feel free to reach out to me if you ever have any questions in the meantime.

John (Luke) Tinker

Policy Analyst

Office of Paula C. Blackmon

City Council Member, District 9

City of Dallas | Council Office

1500 Marilla Street, 5FN Dallas, TX 75201

O: 214-671-8916 C: 214-287-4891
John.Tinker@dallas.gov

From: Joseph Sarno <jwsarno@yahoo.com>
Sent: Wednesday, June 14, 2023 2:21 PM
To: Tinker, John <john.tinker@dallas.gov>
Cc: Watkins, James <james.watkins@dallas.gov>; Avila, Consuelo <consuelo.avila@dallas.gov>; Rice, Kayleigh <kayleigh.rice@dallas.gov>
Subject: Re: Update Regarding Zion Basketball Court

External Email!

Good afternoon Mr. Tinker.

I had sent out an email last week requesting an update, having not seen the email below. The update is greatly appreciated.

Kind regards,
Joe

Joseph W. Sarno, JD, CPA
6114 Town Hill Lane
Dallas, TX 75214
214-794-2808

> On Thursday, June 8, 2023 at 01:57:06 PM CDT, Tinker, John <john.tinker@dallas.gov> wrote:

Good afternoon Mr. Sarno.

We received an update from our Chief Zoning Planner regarding the Zion basketball court.

“The building permit for the basketball court at Zion Church will not be issued until a minor amendment has been approved. I spoke with Jerry Knippa, an affiliate with the school, and he confirmed that they've started the amendment process to add the basketball court.”

Please feel free to reach out to me if I may be of assistance in anyway.

John (Luke) Tinker

Policy Analyst

Office of Paula C. Blackmon

City Council Member, District 9

City of Dallas | Council Office

1500 Marilla Street, 5FN Dallas, TX 75201

O: 214-671-8916 C: 214-287-4891
John.Tinker@dallas.gov

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BOA EXHIBIT H

Letters to City Planning Commission

Letter to Dallas City Planning Commission January 17, 2024

From Allie and Joe Sarno, 6114 Town Hill Lane, Dallas, Texas

INTRODUCTION

On January 18, 2024, you will be voting on a minor amendment application for the addition of a game court by Zion Lutheran Church and School ("Zion"). This is part of the Dallas zoning process.

ZONING

Most people agree that zoning laws are created for the simple purpose of protecting the health, safety and general welfare of the people as relates to land use.

In cases of residential zoning, this type of zoning is most often specified for housing purposes, such as single-family homes, apartments, or townhomes. ***Importantly, the purpose in these designated residential zones is to provide areas where people can live peacefully without being disturbed by activities that negatively affect the peaceful enjoyment of one's home or residential property.***

Zion is currently not in compliance with the zoning laws in several ways. Noise levels already exceed the maximum level allowable by law. They also have on site a structure that may violate their current Planned Development. Zion began this process without getting the proper permits. **This amendment should be denied for the above reasons, but most importantly because it will "alter the basic relationship of the proposed development and the adjacent property."** This new amendment, if approved, will only exacerbate Zion's non-compliance, and create physical and financial harm for my family.

FACTS

Zion's property is a seven plus acre tract of land in northeast Dallas. Zion is registered as a nonprofit corporation, and it operates both a church and a school on its site. In 2021, Zion applied for and was approved for a zoning district as its own Planned Development (the "PD") located within or surrounded by a residential zoning district. This application was submitted in conjunction with the addition of a gymnasium. The PD ordinance can be found in Article 1053 of Chapter 51P of the Dallas City Code. Construction of the gymnasium was completed in 2023.

Zion is now looking to add a 4,500 square foot outdoor concrete game court (the "Court") to its property. That is large enough to contain a full-size basketball court and up to three pickleball courts. The Court will be situated on the north end of the property about 105 feet from the eastern boundary and 12 feet from the western edge of its playground facilities that fill out the northeastern corner of its property. It is also to the west of the area designated on its site plan as existing play fields. See the area marked in red in Diagram 1 below.

Except for badminton, the area being considered for the court is not large enough to be usable for most field games, such as lacrosse, football, soccer, field hockey, and baseball.[1] Based on my observation, the patch of land now being considered for the court was never used for badminton. It was also never part of the fenced in playground either. The court being proposed is a ***new recreational use facility*** being added to Zion's property.[2]

[1] https://www.dimensions.com/collection/sports-fields-of-play

[2] See Dallas, Tex. City Code § 51A-4.208(2)(A) (differentiating different types of recreational facilities, specifically delineating playgrounds, playing fields, and game courts)

My wife Allie and I own, and live at, 6114 Town Hill Lane in the North Hill Estates subdivision in northeast Dallas, just to the north of Zion and the Court. See the area marked in blue in Diagram 1 below. I have owned the property since 2001 and until the worldwide pandemic always worked in an office outside of the home. Allie and I were married in 2016, when she joined me at the home on Town Hill Lane. Since the pandemic, she has also been working, for the most part, remotely at home.

Since we started working from home, we soon realized that the playground at the back edge of Zion's property was host throughout the day to Zion's students numbering between twenty and forty at a time yelling and screaming (as kids do when at play). The playground is situated to the southeast of our home and further away from our property than the Court. See the area marked in green in Diagram 1 below.

DIAGRAM 1



APPLICABLE RULES

The purpose of the planned development 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."[3] (Emphasis added)

A planned development must include a site plan that clearly indicates all building sites.[4]

Minor amendments to planned developments are defined as follows in Dallas Code Chapter 51A:

> The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. Minor amendments are limited to minor changes in the development plan that otherwise comply with the PD ordinance and do not:
>
> (A) ***alter the basic relationship of the proposed development to adjacent property;*** (emphasis added)
>
> (B) increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade;
>
> (C) decrease the amount of off-street parking spaces shown on the original development plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or (D) reduce building setbacks at the boundary of the site shown on the original development plan.[5]

The Environmental Performance Standards in Article VI of Chapter 51A contain certain noise regulations for uses in various zoning districts. Generally, a person may not conduct a use that creates a noise level that exceeds the levels established in Subsections (b) through (e) or that exceeds the background level by five dB(A), whichever is greater.[6] In a residential district, the specified daytime dB(A) level limits at the Bounding Lot Line is 56dB.[7]

If a property owner is not in compliance with these noise regulations, ***such use may not be enlarged if the enlargement would cause greater noncompliance*** with the environmental performance standards than existed at the time the use became nonconforming.[8]

Zion's planned development requires that no permits shall be issued "until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city."[9]

---

[3] See Dallas, Tex. City Code § 51A-4.702(a)(1)
[4] See Dallas, Tex. City Code § 51A-4.702(e)(1)(B)
[5] See Dallas, Tex. City Code § 51A-4.702(h)(1)
[6] See Dallas, Tex. City Code § 51A-6.102(a)(1) and definitions in Dallas, Tex. City Code § 51A-6.101
[7] See Dallas, Tex. City Code § 51A-6.102(b)(1)
[8] See Dallas, Tex. City Code § 51A-6.107(b)
[9] See Dallas, Tex. City Code § 51P-1053.115(b)

ANALYSIS

Noise and Health

Our concern with the Court can be summed up in one word: Noise. The Court proposed by Zion represents an additional source of violative noise. Not only will this be a noise source closer to our property, but it will likely be used at additional times and days of the week by people other than Zion students. This noise issue is a legitimate health concern for us.

Noise is an objectively measurably certainty. Whether it is pickleball or basketball, a game court, when in use, produces a certain level of noise. Also, there is an established scientific correlation between source distance and noise level.[10] In this case, the Court is too close to our property. There should be no doubt, based on the results of a neutral noise study on the use as a basketball court, and articles addressing the noise issues of pickleball courts, that the noise produced by this Court will violate the City Code's noise regulations.[11, 12, 13]

While it is a separate but related issue, Zion's is currently violating the noise regulations with the use of its playground pushed all the way back to its property line. This is relevant because my wife and I already are suffering the negative effects of Zion's violations of the Article VI noise regulations.

Allie suffers from a noise sensitivity condition, called hyperacusis. Hyperacusis is a physiological condition in which the structures in one's brain that control how one perceives stimulation make sounds seem louder. It is a condition that is not treatable, and it causes us real palpable anxiety. For me, if I am up late drafting a document or working on a client's project, I am unable to rest at all during the day. The current noise levels are loud enough that it wakes me up, even with doors and windows sealed shut.

When it comes to zoning and noise, we just want the city to follow and enforce its own rules designed to protect the health and welfare of its citizens.

City Planning and Zion Turn a Blind Eye to the Issues

From the beginning, we've reached out to Zion officials to discuss these issues. We've sent no less than a half a dozen emails to multiple Zion officials, but no one has ever responded. We have been willing to have a discussion to see about some sort of compromise. We even offered to contribute financially for the installation of a sound mitigating fence, using money that we would otherwise be spending on our fight in opposition to the Court.

Regarding city planners and city council, all our attempts at getting the city to recognize that the current and prospective noise issues seem to have fallen on deaf ears. This Court significantly alters the basic relationship of the proposed development of Zion's property to adjacent properties. I asked planners if they consider prospective noise issues but was told "we only look to see if the proposed development

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[10] The general rule is that for every doubling of distance from a noise source, the decibel level is reduced by 6 dB; Also, decibel scale is logarithmic so that an increase of 3 dB reflects a doubling of sound intensity

[11] See Edwin Pack and Associates Sound Study link: https://drive.google.com/file/d/1H2TZLiRcs2GeGne2pl-xip886WD3g9gW/view?usp=drive_link

[12] See Exhibit 1 – New York Times article on pickleball

[13] See Nightline piece on pickleball courts video link: https://drive.google.com/file/d/14vB0BaYae0yu3M46ZEB010_CKWtYxxGO/view?usp=drive_link

fits within the *purpose* of the development plan." A consideration of the environmental standards under Article VI should be part of the analysis, especially when it is obvious that noise will be a factor. Our requests that the city do some noise level studies of the current violations were also ignored. I did my own studies in accordance with the Article IV rules so that I could point out that Zion's use already does not conform and should therefore not be expanded.[14]

My wife and I sent multiple emails, and I talked with several city officials and staff, pointing out that Zion officials seem to not care about its neighbors but also about following the City's rules. Zion officials would have built the Court without a permit if we hadn't intervened. Zion even continued building it after the project was halted by the city. The various submissions, correspondence, and other support showing that Zion is not in compliance with its development plan and the Development Code per Section 51P-1053.115 (b) are listed in Table 1 below.

TABLE 1

	Description	Link
1.	Conversation with site supervisor prior during non-permitted build stating build is being done "underneath the table"	https://drive.google.com/file/d/1Ix4lUJDAXu8i7fqv-I6MrRJCwfeZ3pFj/view?usp=drive_link
2.	Email and attachments pointing out that Zion has a building on site that is not part of its Development Site Plan requiring an opening of the PD. See "Existing Shed" on Diagram 1	https://drive.google.com/file/d/1rC9dbeVWEFYoKtZwYs31zWGARMYBG6nI/view?usp=drive_link
3.	Evidence of Zion continuing work on the Court despite the stoppage order by the city	https://drive.google.com/drive/folders/1oNKEXzqAFNRbZ2jAQs2Y4_dXHKjtBVw5?usp=drive_link
4.	Conversation with school chaperone on 4/11/23 – Zion running a day care center after 4:30 P.M. without a required special use permit or PD authorized	https://drive.google.com/file/d/1m1Gg2liR4iAK6x9OvKuK6RvCoOEu0lcb/view?usp=drive_link
5.	December email highlighted that noise violations occur throughout the day on school days	https://drive.google.com/drive/folders/1ZafeilkVdHweB6a8BQ14lCTrbMg3il9i?usp=drive_link

CONCLUSION

Zion's proposed Court requires more than a mere minor amendment. In addition, there are present issues that we believe require an opening of the PD which would allow for a "good neighbor" agreement.

We can only infer from Zion officials' indifference to our concerns and their lack of response that are only option are to either suffer or move. It also seems like the city has adopted that same sentiment.

We sincerely hope the Dallas City Planning Commission will recognize the real issues created by Zion's Court and not vote to unconditionally approve Zion's minor amendment. At the very least, a prospective noise study and analysis is warranted given the location of the proposed development and its proximity to adjacent neighbors.

[14] See Exhibit 2 – Letters sent to planners regarding existing noise issues created by playground use

Exhibit 1

Shattered Nerves, Sleepless Nights: Pickleball Noise Is Driving Everyone Nuts

The incessant pop-pop-pop of the fast-growing sport has brought on a nationwide scourge of unneighborly clashes, petitions, calls to the police and lawsuits, with no solution in sight.

By Andrew Keh Audio produced by Alyssa Schukar
Reporting from Arlington, Va.

June 30, 2023

It sounded like popcorn warming in a microwave: sporadic bursts that quickened, gradually, to an arrhythmic clatter.

“There it is,” Mary McKee said, staring out the front door of her home in Arlington, Va., on a recent afternoon.

McKee, 43, a conference planner, moved to the neighborhood in 2005 and for the next decade and a half enjoyed a mostly tranquil existence. Then came the pickleball players.

She gestured across the street to the Walter Reed Community Center, less than 100 feet from her yard, where a group of players, the first of the day, had started rallying on a repurposed tennis court. More arrived in short order, spreading out until there were six games going at once. Together they produced an hourslong ticktock cacophony that has become the unwanted soundtrack of the lives of McKee and her neighbors.

“I thought maybe I could live with it, maybe it would fade into the background,” she said of the clamor, which began around the height of the coronavirus pandemic and now reverberates through her home, even when her windows are closed. “But it never did.”



Pickleball at the Walter Reed Community Center is played on repurposed tennis courts. Jason Andrew for The New York Times



Mary McKee, who lives across the street from the Walter Reed Community Center, has been fighting the noise pollution. Jason Andrew for The New York Times



Armand Ciccarelli, 51, another resident who has complained about the noise. Jason Andrew for The New York Times

Sports can produce all kinds of unpleasant noises: referees' whistles, rancorous boos, vuvuzelas. But the most grating and disruptive sound in the entire athletic ecosystem right now may be the staccato *pop-pop-pop* emanating from America's rapidly multiplying pickleball courts.

The sound has brought on a nationwide scourge of frayed nerves and unneighborly clashes — and those, in turn, have elicited petitions and calls to the police and last-ditch lawsuits aimed at the local parks, private clubs and homeowners associations that rushed to open courts during the sport's recent boom.

The hubbub has given new meaning to the phrase racket sport, testing the sanity of anyone within earshot of a game.

"It's like having a pistol range in your backyard," said John Mancini, 82, whose Wellesley, Mass., home abuts a cluster of public courts.

"It's a torture technique," said Clint Ellis, 37, who lives across the street from a private club in York, Maine.

"Living here is hell," said Debbie Nagle, 67, whose gated community in Scottsdale, Ariz., installed courts a few years ago.

Modern society is inherently inharmonious — think of children shouting, dogs barking, lawn mowers roaring. So what makes the sound of pickleball, specifically, so hard to tolerate?

For answers, many have turned to Bob Unetich, 77, a retired engineer and avid pickleball player, who became one of the foremost authorities on muffling the game after starting a consulting firm called Pickleball Sound Mitigation. Unetich said that pickleball whacks from 100 feet away could reach 70 dBA (a measure of decibels), similar to some vacuum cleaners, while everyday background noise outside typically tops off at a "somewhat annoying 55."

But decibel readings alone are insufficient for conveying the true magnitude of any annoyance. Two factors — the high pitch of a hard paddle slamming a plastic ball and the erratic, often frantic rhythm of the smacks — also contribute to its uncanny ability to drive bystanders crazy.

“It creates vibrations in a range that can be extremely annoying to humans,” Unetich said.



Hayden Sealander, 26, reaches for a ball while playing. Jason Andrew for The New York Times

These bad vibrations have created an unforeseen growing pain for pickleball, which emerged from relative obscurity in recent years to become the fastest-growing sport in the country.

The sounds were even dissected last month at Noise-Con 2023, the annual conference of North American noise control professionals, which featured an opening-night session called “Pickleball Noise.”

“Pickleball is the topic of the year,” said Jeanette Hesedahl, vice chair for the conference.

The same story, the same jarring sound, has echoed across American communities like rolling thunder.

Sue-Ellen Welfonder, 66, a best-selling romance novelist from Longboat Key, Fla., once enjoyed listening to the singing birds and the gentle swish of trees during her daily walks — her “soul balm time” — through a local park. The *thump-thump* of a tennis match never bothered her, either. But the arrival of pickleball this spring, she said, shattered her idyll.

“Pickleball has replaced leaf blowers as my No. 1 noise nuisance,” said Welfonder, who has been sketching the outlines of a new novel, set in the present day, with a couple of pickleball-loving characters: “I’m making them really nasty people.”

The complaints were equally dramatic at a Feb. 6 city council meeting in West Linn, Ore., where residents have been vexed by the constant click-clacking from Tanner Creek Park.

“One of our neighbors who lived directly across from the courts and was dying from cancer noted the pickleball noise was worse than his cancer,” Dan Lavery, a West Linn resident, said at the meeting. “Sadly, he recently passed.”

Scores of similarly suffering Americans are finding their way to a rapidly growing Facebook group, also started by Unetich, where upward of 1,000 frazzled users exchange technical advice, let off steam and engage in a sort of group therapy.

“We try to keep it civil,” Unetich said, “because it gets pretty emotional.”

A few lessons have crystallized within the group. Soundproof barriers — a go-to solution for many at first — can be expensive and are often improperly deployed. New paddles and balls designed to dampen noise have had marginal uptake among players. Moving pickleball far away from human life may be the only surefire solution — but many are slow to reach that conclusion, which presents its own hurdles.



The tennis courts at the Walter Reed Community Center are now primarily used for pickleball, allowing six games to happen simultaneously. Jason Andrew for The New York Times



Alyssa Schukar for The New York Times



Jason Andrew for The New York Times

Irritated homeowners, as a result, often resort to fighting pickleball courts in the courts of law.

Last year, Rob Mastroianni, 58, and his neighbors in Falmouth, Mass., filed a lawsuit against their town claiming that the courts near their homes violated local sound ordinances. They won a temporary injunction, which has closed the facility for now. By then Mastroianni had already sold his house and moved to a different part of town to escape the noise.

“I was Google Mapping the new house, making sure there were no courts nearby,” Mastroianni said.

In Arlington, McKee and her neighbors around the community center are waiting to see what happens next. They shared their pain with the county, which for now appears to be moving forward with plans to spend close to $2 million to make the pickleball courts permanent.

The players there sympathized with the residents’ plight — but only to an extent.

“If I had that home, I’d be mad, because it is annoying — it’s obnoxious,” Jordan Sawyer, 25, a dietitian from Arlington and an avid player, said between games this month. “But I don’t feel bad because I want to play, and this is the best place to play. Honestly, I just feel like it’s unfortunate. It’s unlucky for these people.”

Sawyer described herself as a “rule follower.” But McKee and the others recounted being woken up at 3 a.m. by middle-of-the-night pickleball matches. Another time they listened to a player banging a tambourine on the court, apparently to taunt those who had complained.

Armand Ciccarelli, 51, who often walks his dog, Winona, around the community center, said that anybody downplaying pickleball noise should try hearing it for 12 hours a day.

“I know this seems like a small thing in the grand scheme of the world, where we’re dealing with big things, like climate change,” Ciccarelli said. “But, as you can see, it’s a nationwide problem.”

Kitty Bennett contributed research.

Andrew Keh is a sports reporter in New York. He was previously an international correspondent based in Berlin and has reported from more than 25 countries. More about Andrew Keh

A version of this article appears in print on , Section A, Page 1 of the New York edition with the headline: A Sport Played With Paddles Can Generate Quite a Racket

Exhibit 2

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

October 23, 2023

By Electronic Mail

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Donna Moorman, Chief Planner

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Moorman,

My wife and I are current residents and property owners in northeast Dallas and our property is adjacent to neighboring Zion Church and School ("Zion") located at 6121 East Lovers Lane in Dallas. We are writing this letter to all planners in order that you consider our concerns with the site plan changes proposed by Zion. Zion has its own Planned Development district (see Exhibit A). Zion is in the process of applying with the City of Dallas for a minor amendment to add a proposed basketball/sports court a mere ten yards from our property. This court will negatively affect the market value of our property. More importantly, the proposed court, with its proximity, will intrude on the quiet enjoyment of our home and be a legitimate health concern given the level of noise that such a court produces. Finally, it will expand on the existing noise regulation violations created by the playground situated right next to the proposed court.

According to Article VI of the Development Code in Chapter 51A of Dallas City Code (the "Code"), certain noise regulations were established to protect the health and general welfare of neighboring properties. The relevant noise regulations can be found in Sections 51A-6.102 and 51A-6.107. See attached excerpt of the cited rules highlighted in the red boxes. Section 51A-6.102 puts a cap on the level of noise that is produced from the particular use of a property. See Code excerpts attached as Exhibit B.

Zion's proposed sports court is too close to residential property to comply with city noise regulations. In this case, Zion is already violating the Environmental Performance Standards set forth in the development code through its continuing violations of the noise regulations. See evidence provided and attached as Exhibit C. Section 51A-6.107 requires that a use that is non-conforming may not be expanded or enlarged.

Unless Zion's minor amendment can be conditioned on the inclusion of adequate sound barriers or buffers, Zion's minor amendment should not be approved or recommended by the City of Dallas Current Planning department.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

CC: Andreea Udrea

EXHIBIT A

ARTICLE 1053.

PD 1053.

SEC. 51P-1053.101. LEGISLATIVE HISTORY.

PD 1053 was established by Ordinance No. 31856, passed by the Dallas City Council on May 12, 2021. (Ord. 31856)

SEC. 51P-1053.102. PROPERTY LOCATION AND SIZE.

PD 1053 is established on property generally located at the northeast corner of Lovers Lane and Skillman Street. The size of PD 1053 is approximately 7.929 acres. (Ord. 31856)

SEC. 51P-1053.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district. (Ord. 31856)

SEC. 51P-1053.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 1053A: development plan.

(2) Exhibit 1053B: traffic management plan. (Ord. 31856)

SEC. 51P-1053.105. DEVELOPMENT PLAN.

(a) For a private school, development and use of the Property must comply with the development plan (Exhibit 1053A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other permitted uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and landscape plan do not apply. (Ord. 31856)

SEC. 51P-1053.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district, etc.

(b) Private school is allowed by right. (Ord. 31856)

SEC. 51P-1053.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 31856)

SEC. 51P-1053.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Private school.

(1) Setbacks.

(A) Skillman Street. Minimum setback is 15 feet.

(B) Lovers Lane. Minimum setback is 25 feet.

(C) Encroachments. Steps, handrails, canopies, fences, and light poles are allowed within the required setbacks.

(2) Floor area. Maximum floor area is 67,500 square feet. (Ord. 31856)

SEC. 51P-1053.109. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a private school and church, parking is allowed within the required setback. (Ord. 31856)

SEC. 51P-1053.110. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a private school must comply with the traffic management plan (Exhibit 1053B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by May 21, 2023. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation, eliminate traffic hazards, or decrease traffic congestion. (Ord. 31856)

SEC. 51P-1053.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 31856)

SEC. 51P-1053.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 31856)

SEC. 51P-1053.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII. (Ord. 31856)

SEC. 51P-1053.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. 31856)

SEC. 51P-1053.115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 31856)

31856 210780 H-022

Exhibit 1053A: Development Plan

Approved
City Plan Commission
March 25, 2021

LEGEND

Current Zoning: Specific Use Permit Permit No. 2114 Use: Church/Private School	
Land Area:	334,728 SF / 7.684 AC
School Existing Floor Area:	30,000 SF
Church Existing Floor Area:	14,500 SF
Proposed Gymnasium Addition Floor Area:	12300 SF
Total Floor Area:	67,479 SF
Maximum Height:	30 Feet
Number of Classrooms Classrooms 1-5	13
Classrooms 7-8	2
Parking Required	450 seats / 4 seats per space = 113 Spaces + Pre K-5 15 Classrooms @1.5 Spaces = 23 + 7-8 Grade Classrooms @ 3.5 spaces /1 = 7
Total Required	143
Parking Provided	141
Proposed Additional Parking	2

LOCATION MAP

1 DEVELOPMENT PLAN

ZION LUTHERAN CHURCH - GYMNASIUM ADDITION
4101 E. LOWDEN LN., DALLAS, TEXAS 75214

cunninghamarchitects

A101

EXHIBIT B

SEC. 51A-6.102. NOISE REGULATIONS.

(a) General provisions.

(1) A person may not conduct a use that creates a noise level that exceeds the levels established in Subsections (b) through (e) or that exceeds the background level by five dB(A), whichever is greater.

(2) A sound level meter that meets the standards of the American Standards Association must be used to determine whether the level of noise violates this section. The instrument must be maintained in good working order. A calibration check should be made prior to and following any noise investigation.

(3) Traffic, aircraft, and other background noises are not considered in measuring noise levels except when the background noise level is being determined.

(4) For purposes of this section, any identifiable portion of a planned development (PD) district governed by a distinct set of use regulations is considered to be a separate zoning district. If the PD district or a portion of the district is limited to uses permitted in an expressly stated zoning district, the PD district or portion of the district is considered to be that zoning district; otherwise it is considered to be:

(A) an MF-3(A) zoning district if it is restricted to residential uses and those nonresidential uses permitted in a residential district; otherwise

(B) an IM zoning district if it allows one or more uses that are only permitted in that district; otherwise

(C) an IR zoning district if it allows one or more uses that are only permitted in a CS, LI, or IR district; otherwise

(D) if it does not fit into one of the above categories, an MU-3 district.

(5) The requirements of this section do not apply to:

(A) mobile sources;

(B) construction/demolition activities regulated by Chapter 30;

(C) special events for which a special events permit is issued under Chapter 42A;

(D) sound generating equipment or apparatus to warn the public of an emergency or for public safety;

(E) noise from use-related loading/ unloading operations that impact residential areas when conducted during daytime hours; or

(F) the following activities, as long as they are conducted between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, Sunday, and legal holidays as a normal function of a permitted use and the equipment is maintained in proper working condition:

(i) Lawn maintenance.

(ii) Repair of personal use vehicles.

(iii) Home repair of place of residence.

(b) Permissible sound pressure level in WR without a shopfront overlay and residential districts.

(1) In a WR without a shopfront overlay or residential district, a person may not conduct a use so as to create a sound pressure level on the bounding lot line that exceeds the decibel limits contained in the following table:

Maximum Permissible Daytime Decibel Limits at the Bounding Lot Line of a WR without a Shopfront Overlay or Residential District	
	A Scale
Decibel Limit (dBA re 0.0002 Microbar)	56

SEC. 51A-6.107. NONCONFORMANCE WITH THE ENVIRONMENTAL PERFORMANCE STANDARDS.

(a) A use that is nonconforming with applicable environmental performance standards may continue if it complies with any conditions imposed by the board, the public health authority, or the environmental health officer for the protection of the use and enjoyment of adjacent property or the public health.

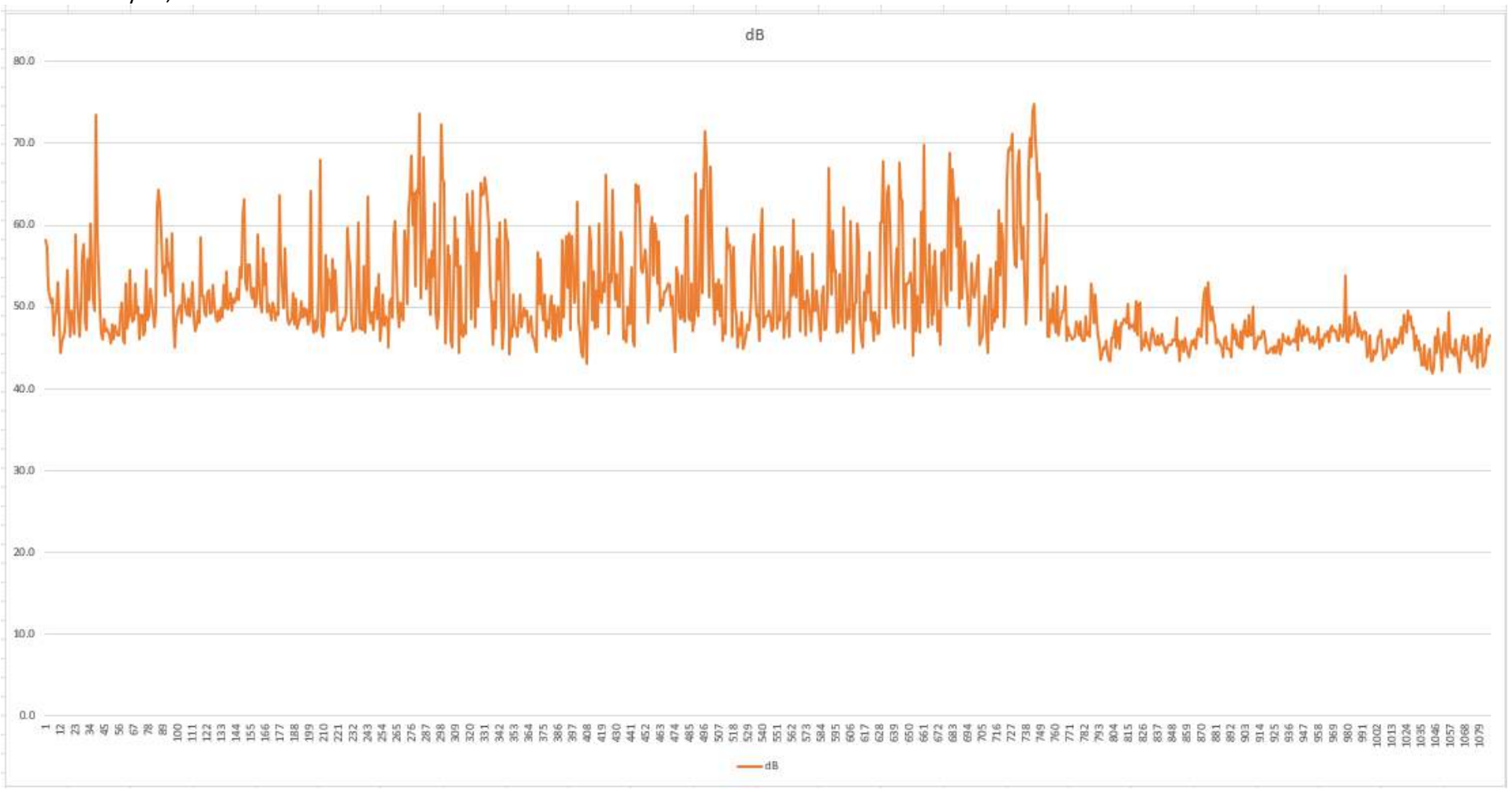
(b) A use that is nonconforming with applicable environmental performance standards may not be enlarged or remodeled if the enlargement or remodeling would cause greater noncompliance with the environmental performance standards than existed at the time the use became nonconforming. (Ord. Nos. 19455; 19995)

EXHIBIT C

The following charts graphically represent sound level recordings taken at the end of Zion's 2022-2023 school year from our backyard of our property located at 6114 Town Hill Lane in Dallas. These recordings were recorded with Class II equipment which meets the standards set by the City of Dallas in Article VI of Chapter 51 (Dallas Development Code). Video support documenting the authenticity of each recording can be accessed via the following Links:

05-18-23, 2:33 P.M.:
https://drive.google.com/file/d/1ik6poeSORGaOJp0esn3C3maJbieCaPwn/view?usp=share_link
05-15-23, 9:14 A.M.:
https://drive.google.com/file/d/1wCZn2oMYu65kACZbIvgoXRYyOKj8twWi/view?usp=share_link
05-16-23, 10:55 A.M.:
https://drive.google.com/file/d/186pSUfEy_7c6ARjLvyS46KLPp1DZpndq/view?usp=share_link
05-18-23, 4:16 P.M.:
https://drive.google.com/file/d/1dPMZGUKGjdNZU2evHsnklz7pZnX11ycm/view?usp=share_link
05-19-23, 9:20 A.M.:
https://drive.google.com/file/d/1Rb0UGctJbeyITYSh-l6CKwpo27k8xVW8/view?usp=share_link
05-19-23, 1:08 P.M.:
https://drive.google.com/file/d/16dfovaHiiKfCAym1x4f4tdMxJoCW1B0D/view?usp=share_link
05-22-23, 9:19 A.M.:
https://drive.google.com/file/d/17VOkyMDXCgIZ6kQmYQ1kKwp3fNKcugkC/view?usp=share_link
05-22-23, 11:30 A.M.:
https://drive.google.com/file/d/1e0jFLTfnJBxBjzrQoPv17PIMx-Kc_ax6/view?usp=share_link
05-23-23, 9:17 A.M.:
https://drive.google.com/file/d/1b1LV9Ot1PEexn0meYmwQIijupypnuPuV/view?usp=share_link
05-23-23, 11:04 A.M.:
https://drive.google.com/file/d/1VsAIB-xk9q56v60Jv-EoCoUrPviKr9Jo/view?usp=share_link
05-24-23, 1:08 P.M.:
https://drive.google.com/file/d/13lK9jyKQf9tE5SI4FfV9r70I0Kug2tdc/view?usp=share_link

Recorded May 18, 2023 at 2:33 P.M.:



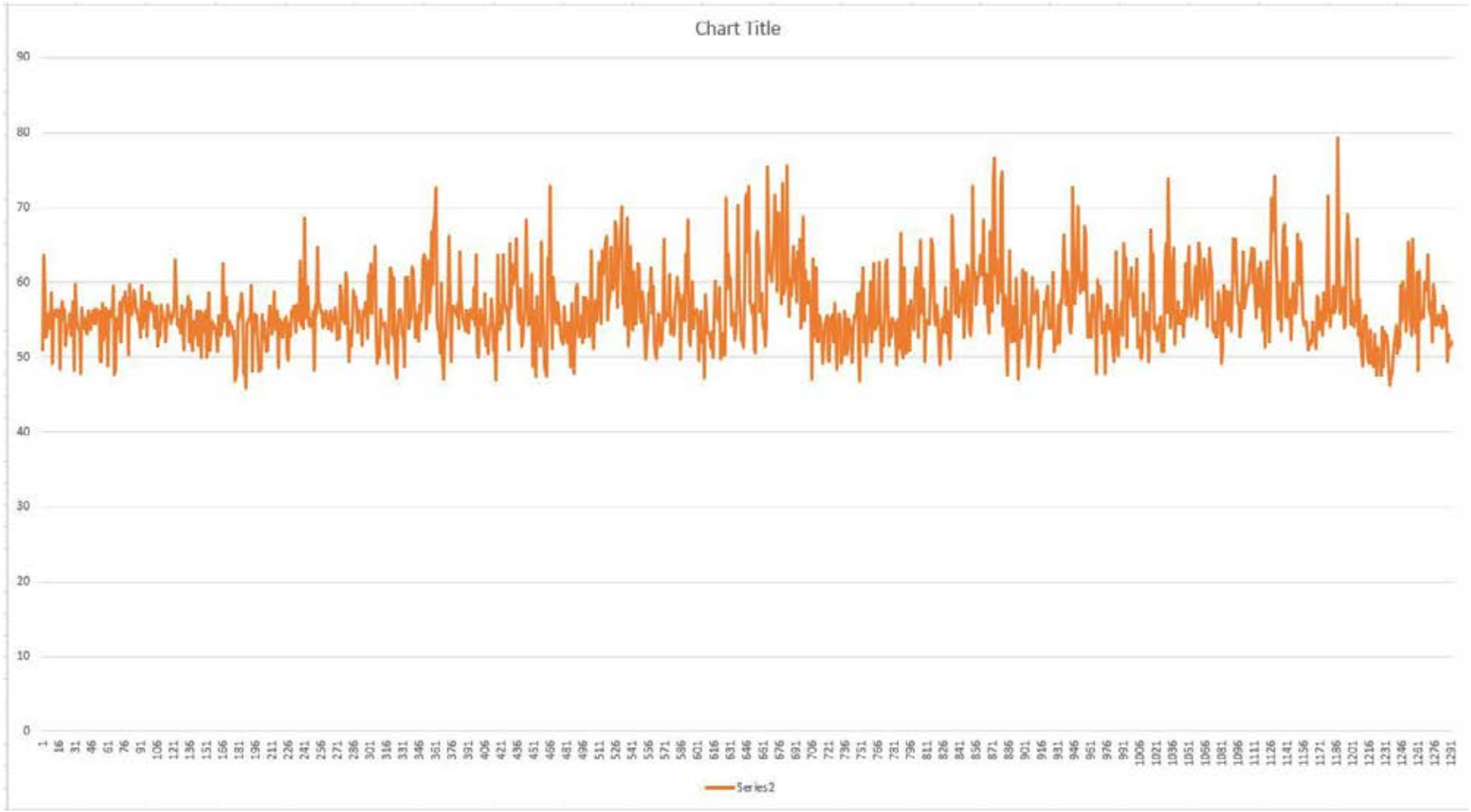
STATISTICS

LAeq: See Note*

Length of recording: 21.53 minutes

*NOTE: This particular recess ends at about the 13 minute mark. LAeq with use is about 58.7 dB. LAeq without use (ambient background) is about 46.7 dB.

Recorded May 15, 2023 at 9:14 A.M.:

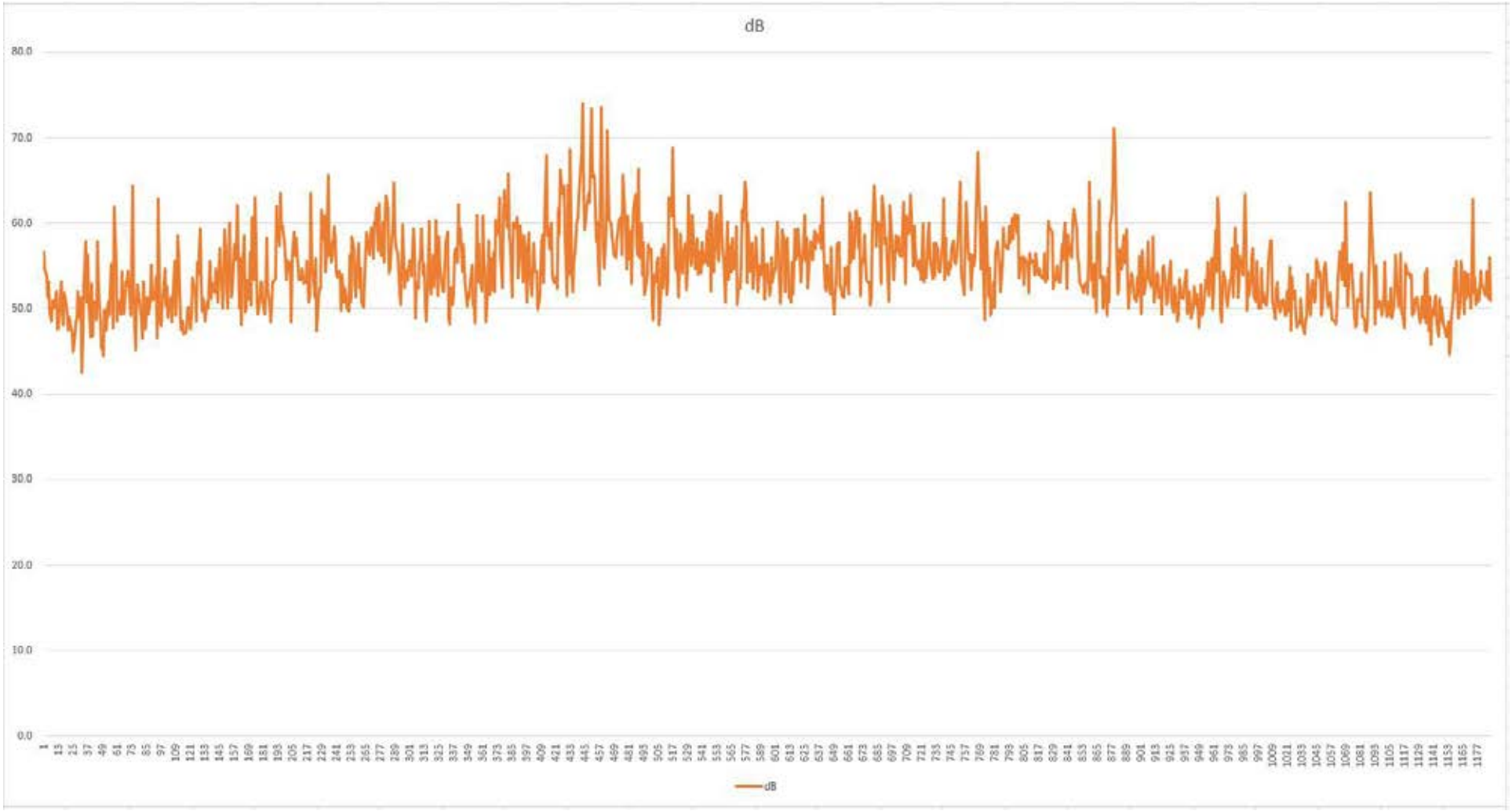


STATISTICS

LAeq: 60.6

Length of recording: 21.53 minutes

Recorded May 16, 2023 at 10:55 A.M.:

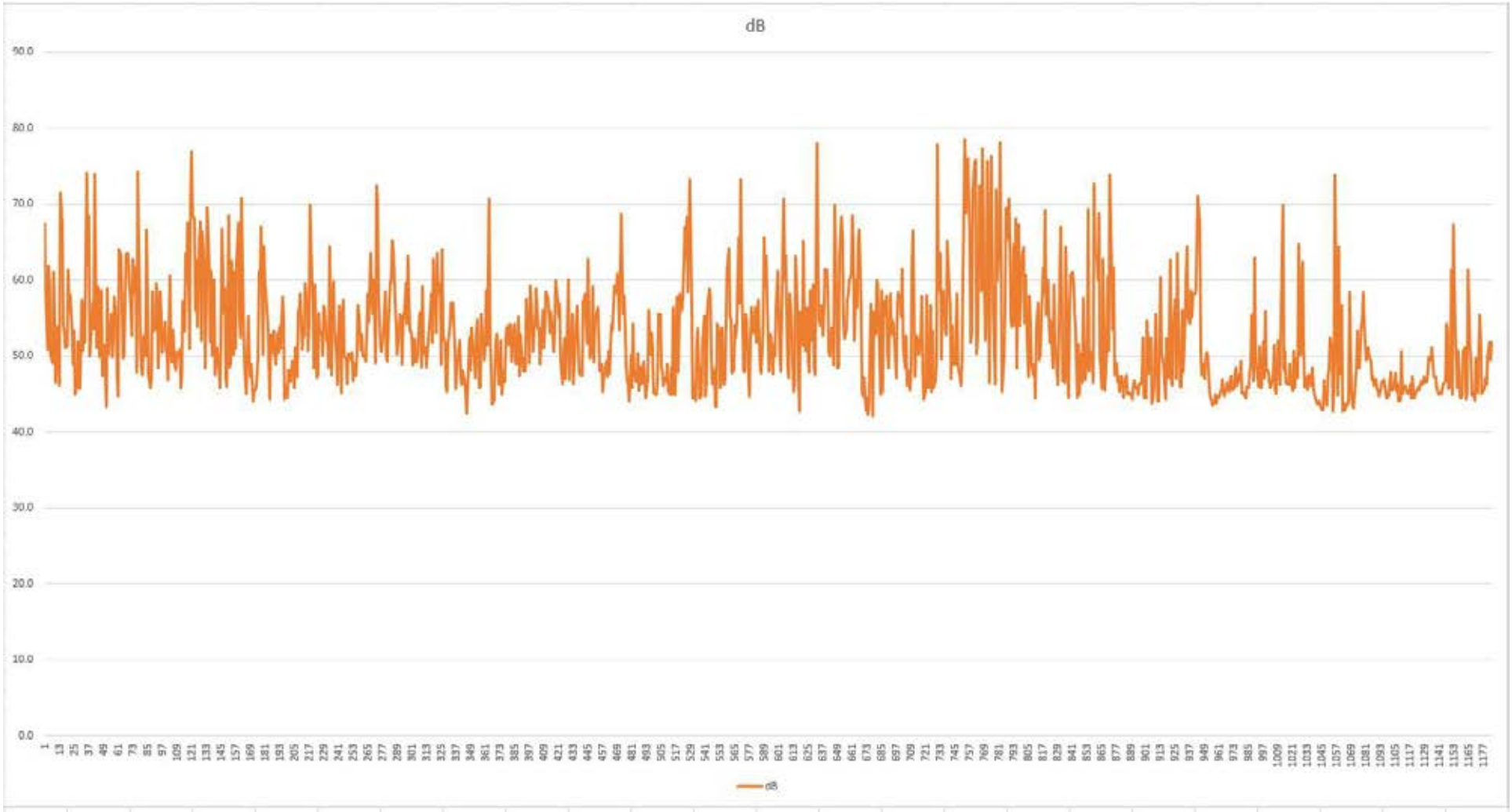


STATISTICS

LAeq: 57.5

Length of recording: 19.78 minutes

Recorded May 18, 2023 at 4:16 P.M.:

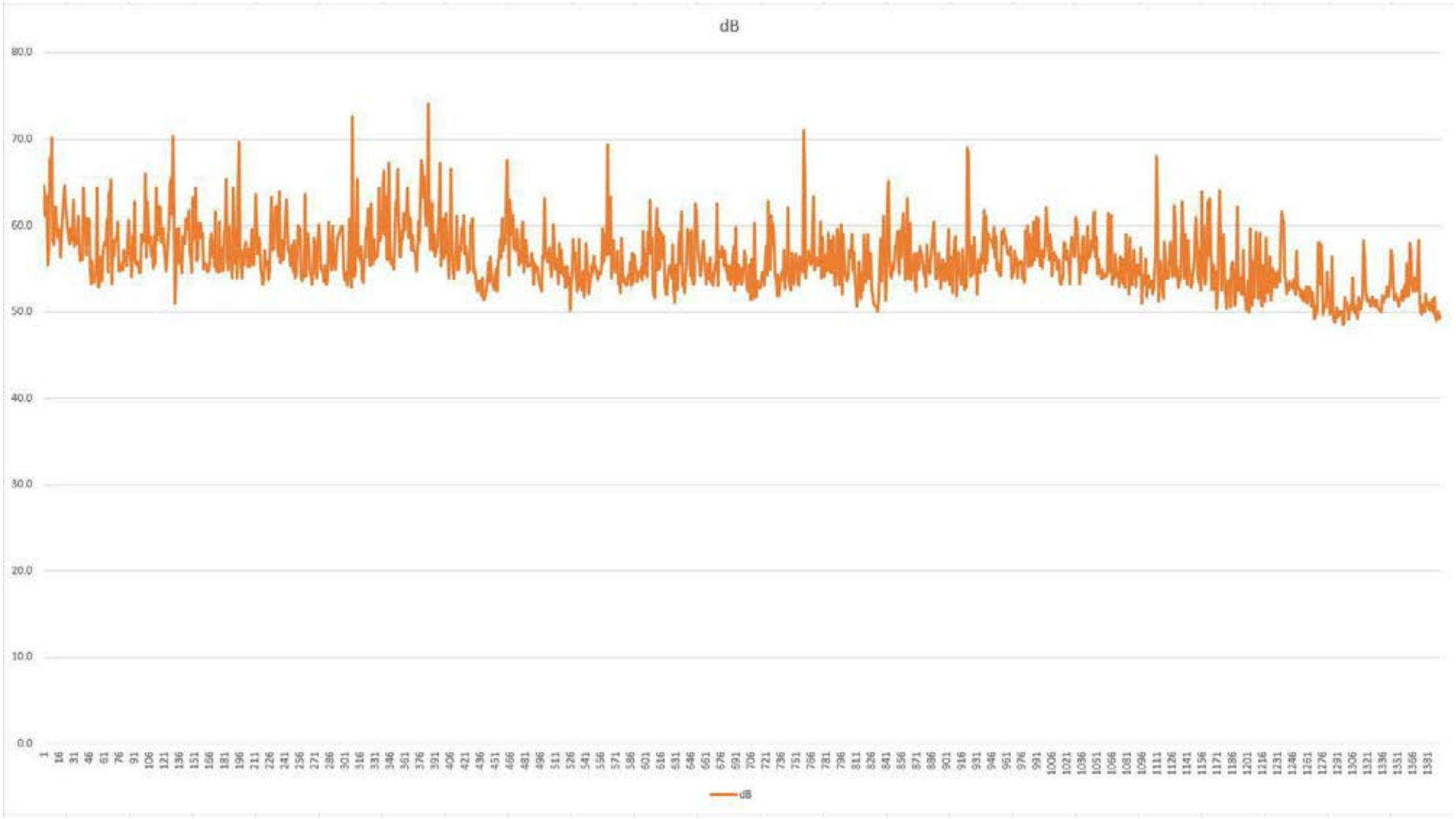


STATISTICS

LAeq: 61.2

Length of recording: 19.73 minutes

Recorded May 19, 2023 at 9:20 A.M.:

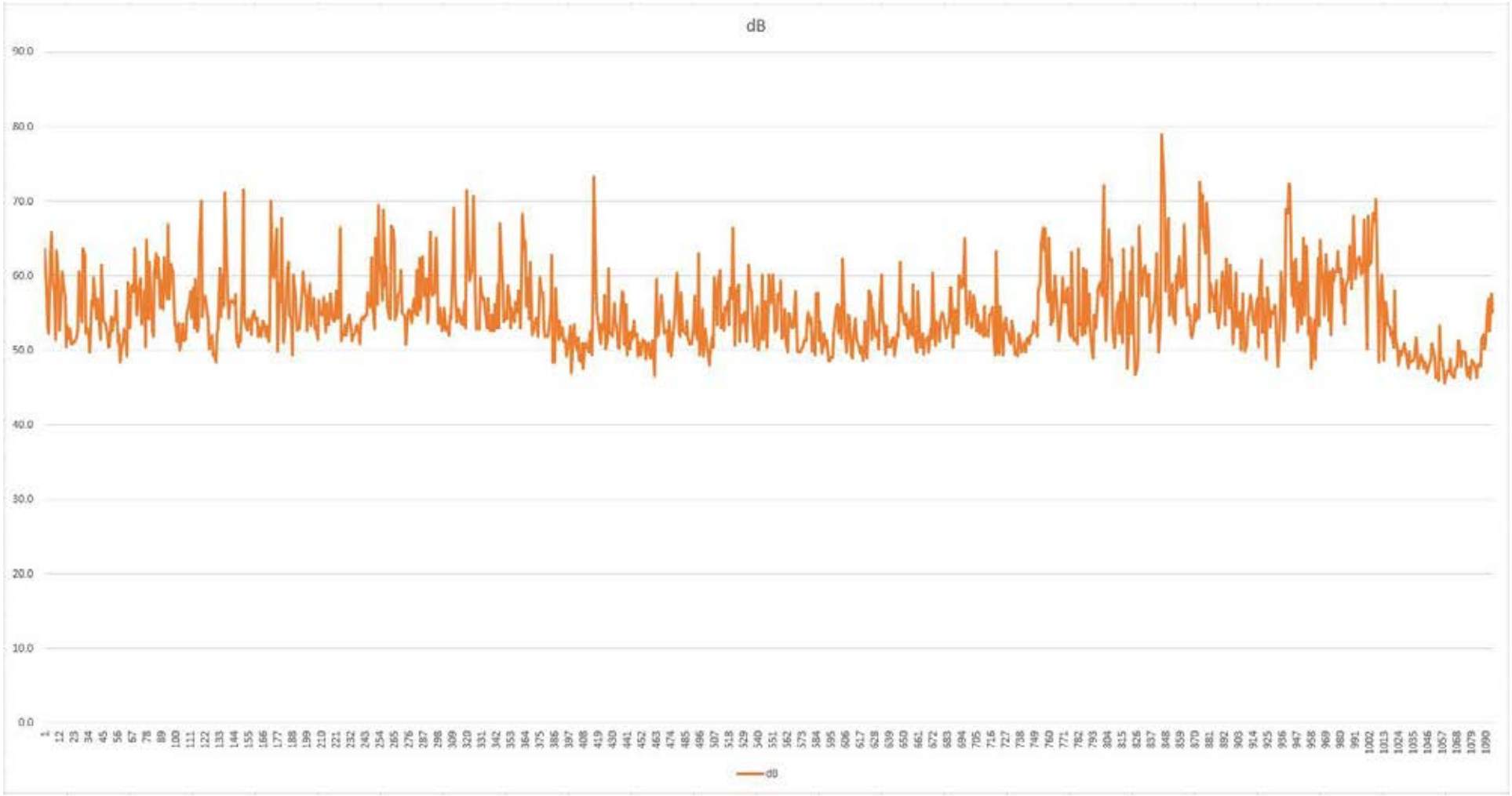


STATISTICS

LAeq: 58.0

Length of recording: 23.23 minutes

Recorded May 19, 2023 at 1:08 P.M.:

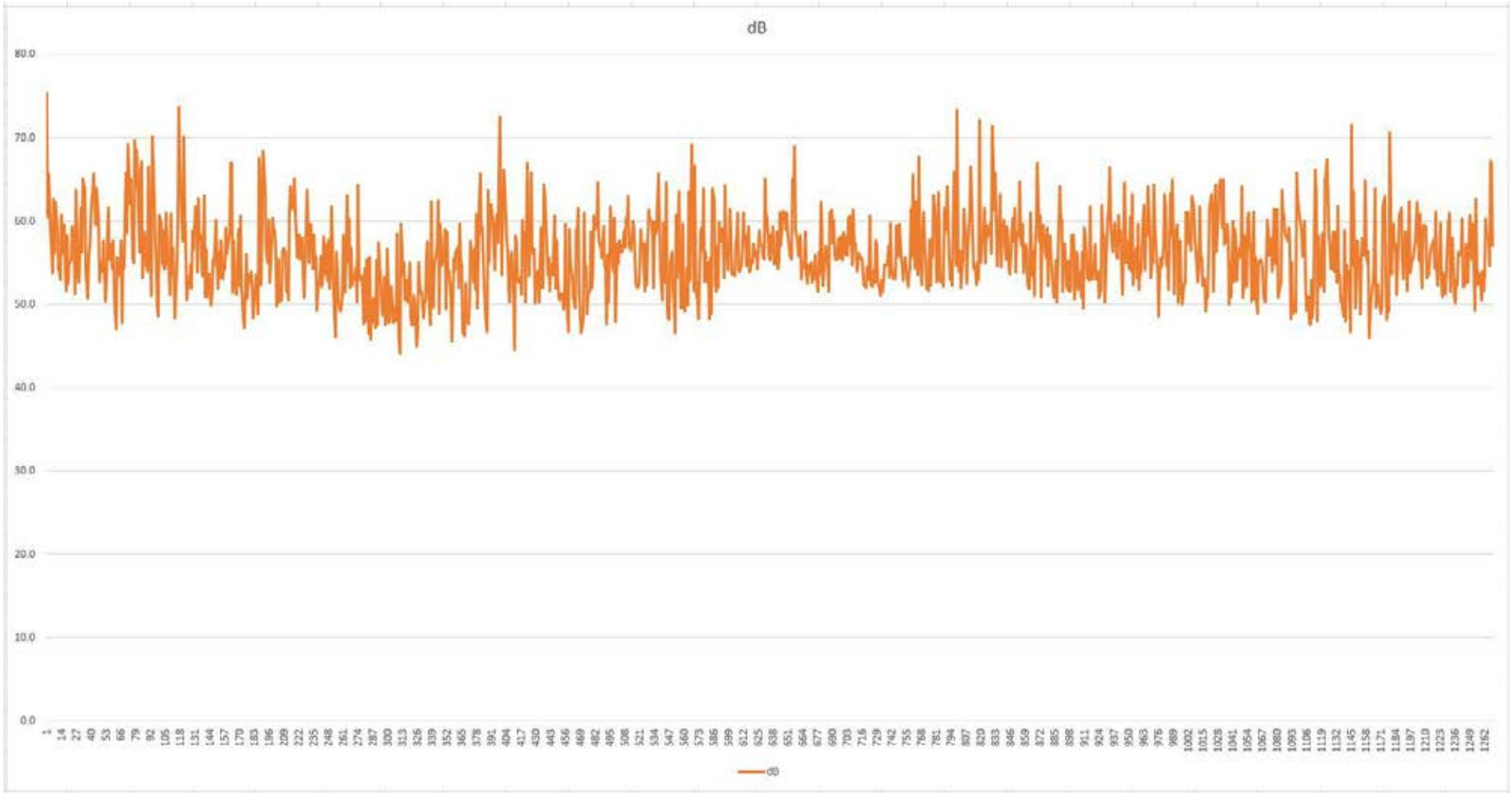


STATISTICS

LAeq: 59.3

Length of recording: 18.25 minutes

Recorded May 22, 2023 at 9:19 A.M.:

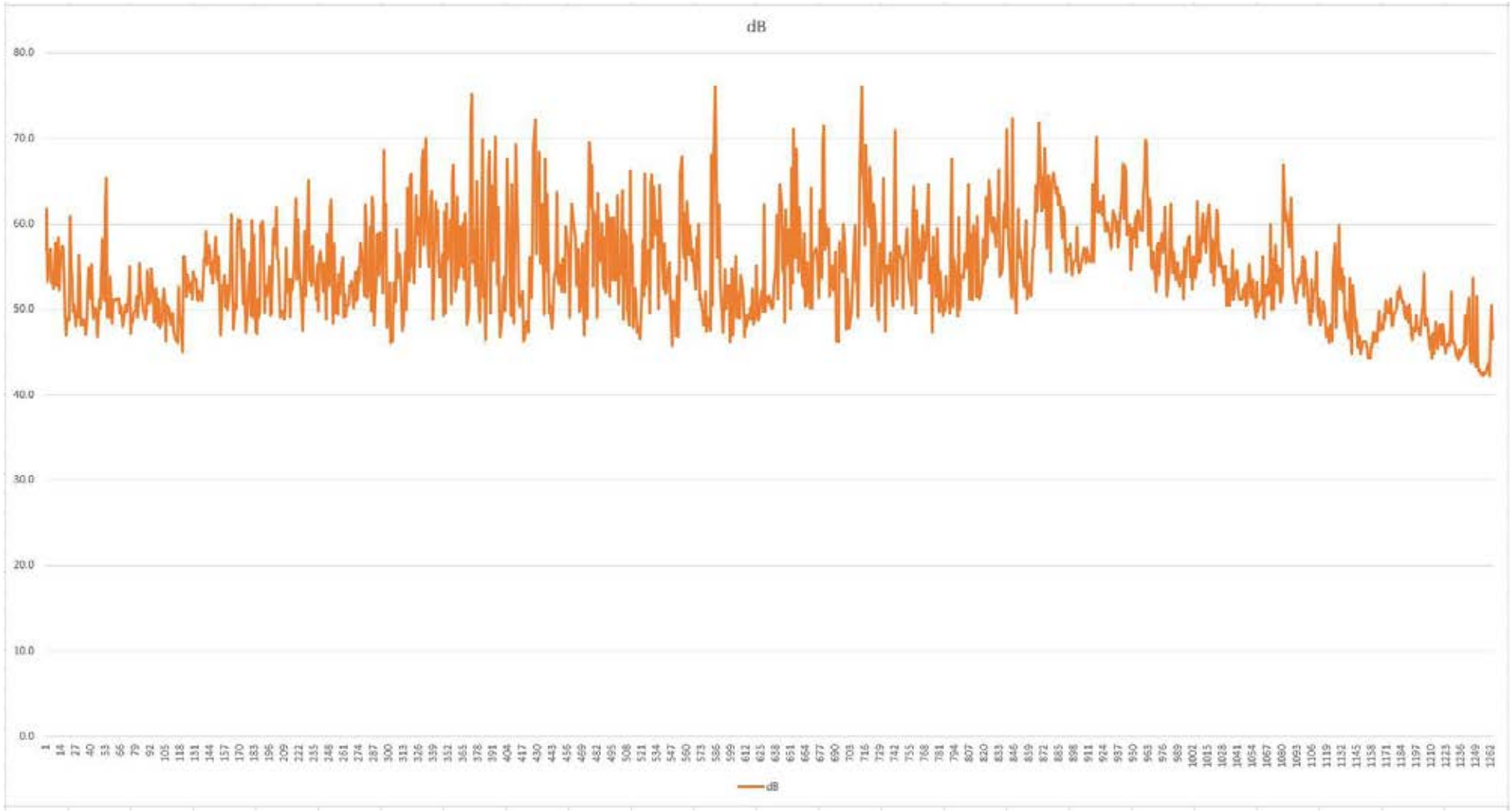


STATISTICS

LAeq: 59.2

Length of recording: 21.15 minutes

Recorded May 22, 2023 at 11:30 A.M.:

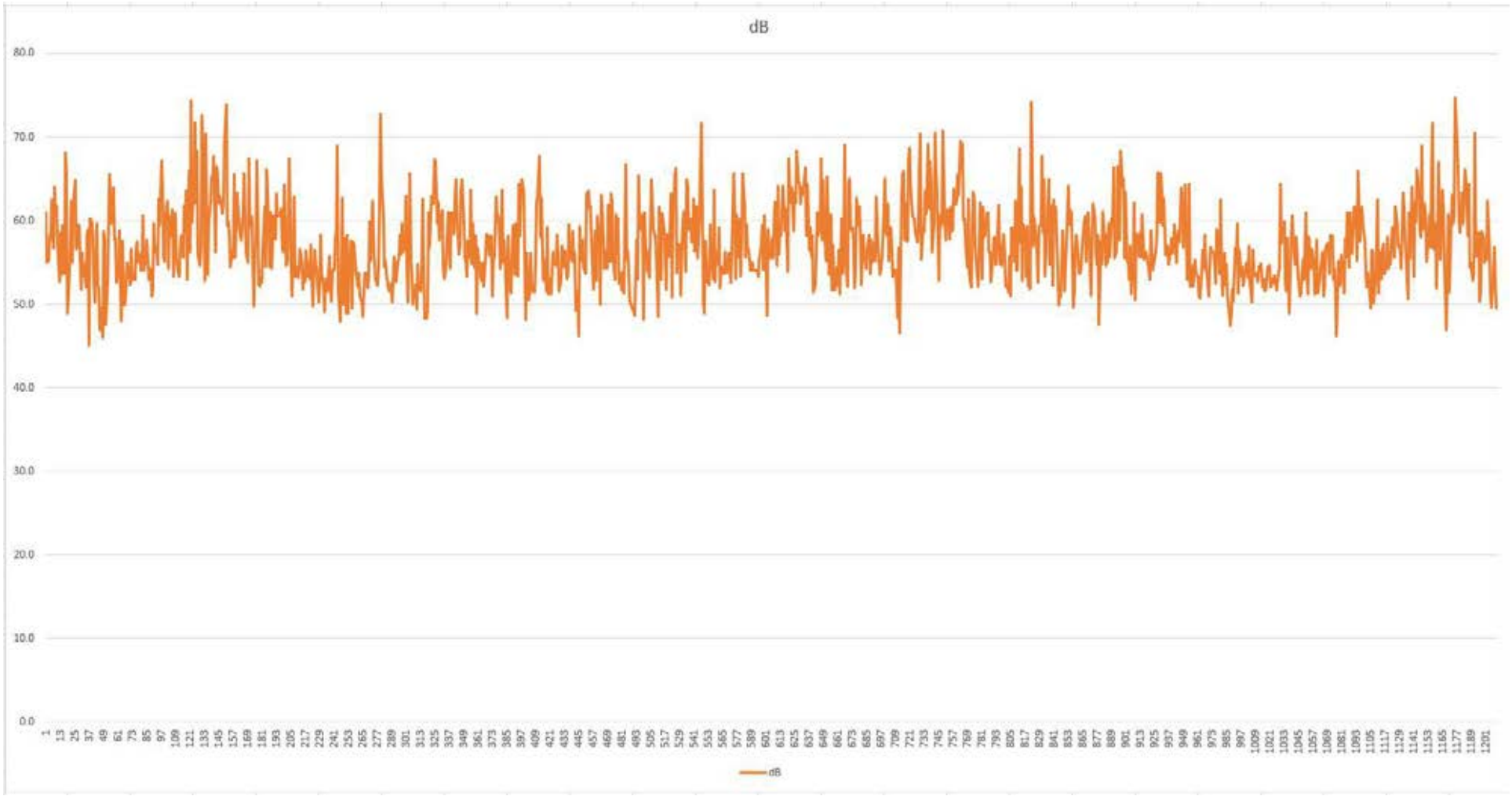


STATISTICS

LAeq: 59.3

Length of recording: 21.07 minutes

Recorded May 23, 2023 at 9:17 A.M.:

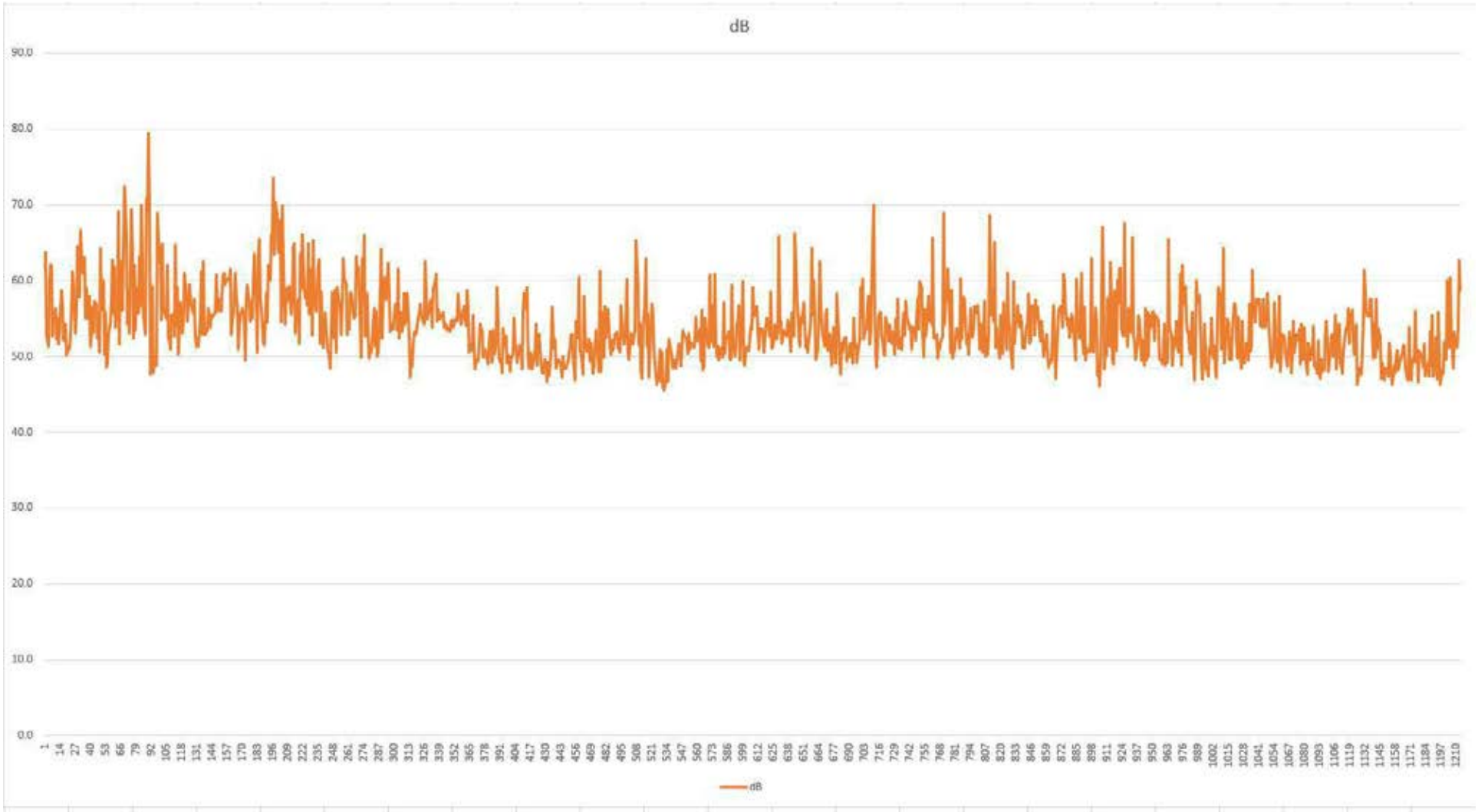


STATISTICS

LAeq: 60.4

Length of recording: 20.17 minutes

Recorded May 23, 2023 at 11:04 A.M.:

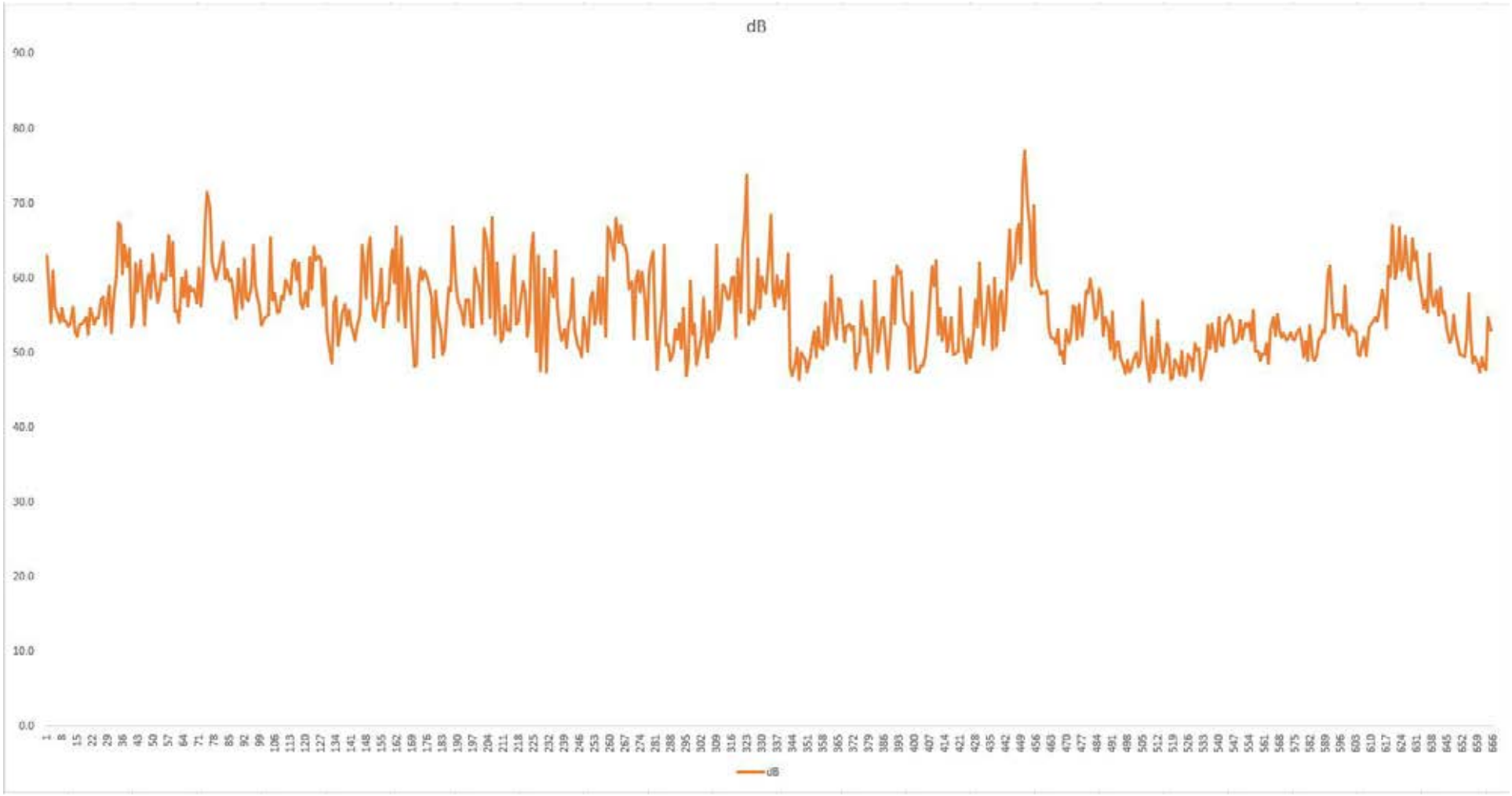


STATISTICS

LAeq: 58.0

Length of recording: 20.23 minutes

Recorded May 24, 2023 at 1:08 A.M.:



STATISTICS

LAeq: 59.6

Length of recording: 11.1 minutes

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

November 29, 2023

By Electronic Mail &Personal Delivery to Current Planning Division

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Andreea Udrea, Director

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Udrea,

My wife and I are following up on our October 23rd letter (see Exhibit A, attached without prior exhibits).

We're providing you and your staff with more recent measurements of the noise levels coming from the playground (with no setback) located on the above-referenced property which sits behind our property. Generally, measurements were taken when the noise was loud enough to be heard in the front rooms of our house. There were a handful of inclement weather days and days (or partial days) in which both my wife and I had to be away from home and could not monitor the recording equipment. In those cases, no measurements were taken, and no assumptions should be made as to the lack of recordings for a day or any part of a day. All recordings are certified as to the use of Level II equipment with calibration checks before and after each measurement. The process was also recorded on video.

In total, seventy-six (76) measurements within a 30-day period were recorded while the playground was in use. A sample of recordings were taken of ambient noise (when the playground was not in use). The average (mean) ambient noise level was 49.5 dB (LAeq) and the median ambient noise level was 50.2 dB (LAeq). A fair representative sample of these ambient readings are attached as Exhibit C. The ambient levels are louder during rush hour given the traffic in the area.

Of the 76 decibel (LAeq) measurements taken, ***only three*** of these measurements did not violate the noise regulations in Chapter 51A, assuming the higher threshold of 56 dB LAeq. We've included reports of the thirty-three (33) measurements that exceeded the noise regulations by four or more decibels. Given that the decibel scale is logarithmic and not linear, these excessive sound levels are significant.

We ask that you and the planner(s) assigned to the above-referenced amendment application acknowledge these violations and consider them in your analysis of the applicable environmental performance standards. We also ask that you consider what these violations mean for our ability to work and live in our home during the day and how the addition of a game court even closer to our property will only make things worse.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

EXHIBIT A

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808

October 23, 2023

By Electronic Mail &Personal Delivery to Planner

City of Dallas – Current Planning Department
1500 Marilla Street, Room 5BN
Dallas, TX 75201
ATTN: Teaseia Blue, Planner

Re: 6121 E. Lovers Lane – Sports Court Permit (PD Minor Amendment)
Case No. M234-003

Dear Ms. Blue,

My wife and I are current residents and property owners in northeast Dallas and our property is adjacent to neighboring Zion Church and School ("Zion") located at 6121 East Lovers Lane in Dallas. We are writing this letter to all planners in order that you consider our concerns with the site plan changes proposed by Zion. Zion has its own Planned Development district (see Exhibit A). Zion is in the process of applying with the City of Dallas for a minor amendment to add a proposed basketball/sports court a mere ten yards from our property. This court will negatively affect the market value of our property. More importantly, the proposed court, with its proximity, will intrude on the quiet enjoyment of our home and be a legitimate health concern given the level of noise that such a court produces. Finally, it will expand on the existing noise regulation violations created by the playground situated right next to the proposed court.

According to Article VI of the Development Code in Chapter 51A of Dallas City Code (the "Code"), certain noise regulations were established to protect the health and general welfare of neighboring properties. The relevant noise regulations can be found in Sections 51A-6.102 and 51A-6.107. See attached excerpt of the cited rules highlighted in the red boxes. Section 51A-6.102 puts a cap on the level of noise that is produced from the particular use of a property. See Code excerpts attached as Exhibit B.

Zion's proposed sports court is too close to residential property to comply with city noise regulations. In this case, Zion is already violating the Environmental Performance Standards set forth in the development code through its continuing violations of the noise regulations. See evidence provided and attached as Exhibit C. Section 51A-6.107 requires that a use that is non-conforming may not be expanded or enlarged.

Unless Zion's minor amendment can be conditioned on the inclusion of adequate sound barriers or buffers, Zion's minor amendment should not be approved or recommended by the City of Dallas Current Planning department.

Yours very truly,

Joseph W. Sarno

Joseph W. Sarno

CC: Andreea Udrea

EXHIBIT B

Noise measurement report

Date: 10/3/23, 10:12 AM

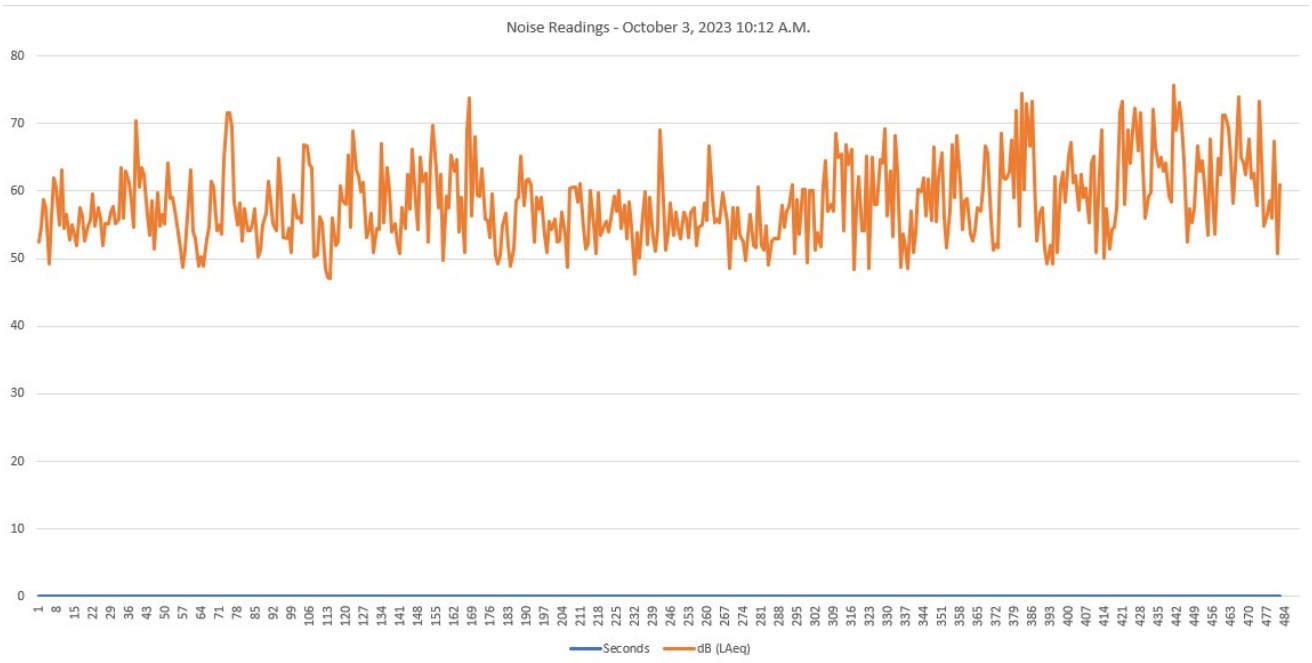
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.7	dB
Max. level	78.7	dB
LCpeak	89.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/6/23, 9:39 AM

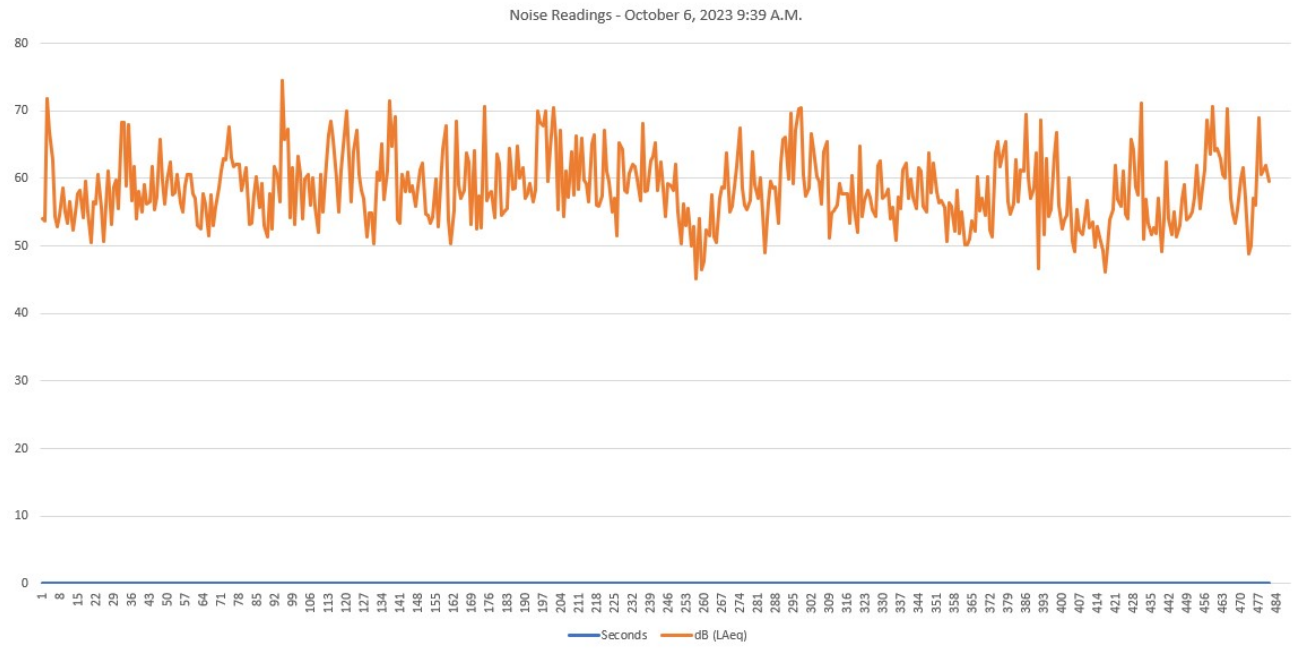
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.6	dB
Max. level	84.2	dB
LCpeak	92.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 9:40 AM

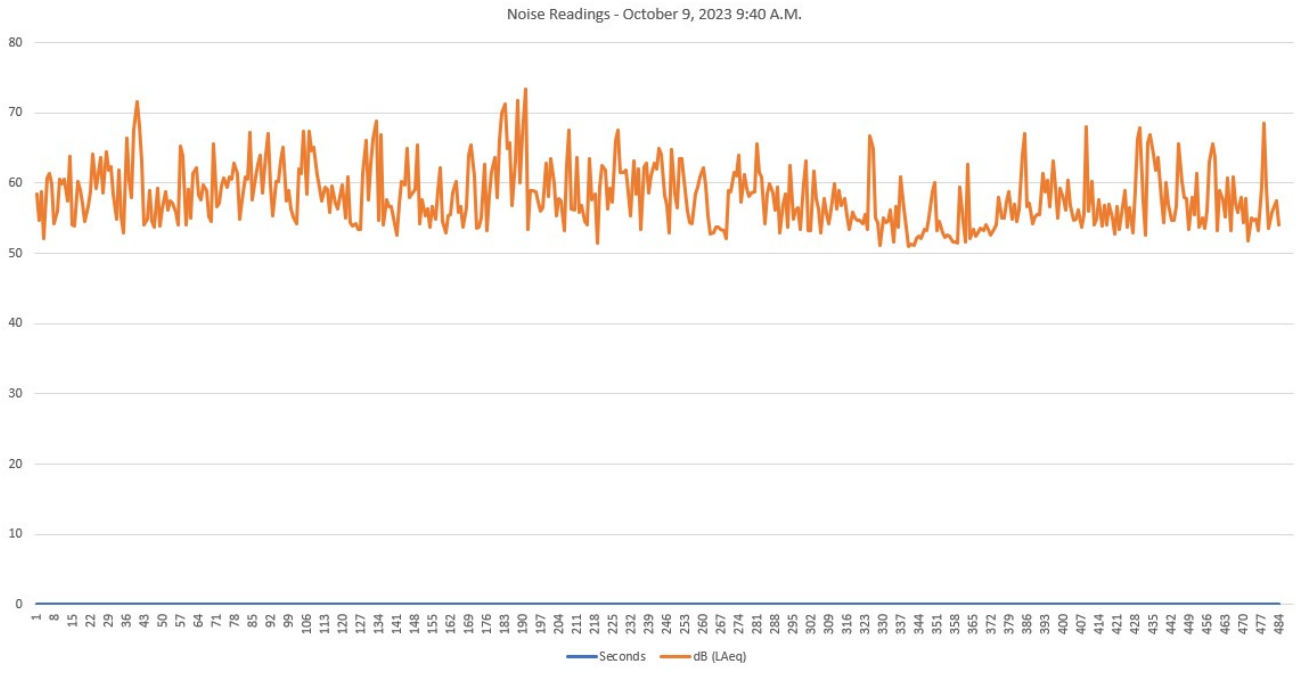
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	60.6	dB
Max. level	76.4	dB
LCpeak	86.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 10:13 AM

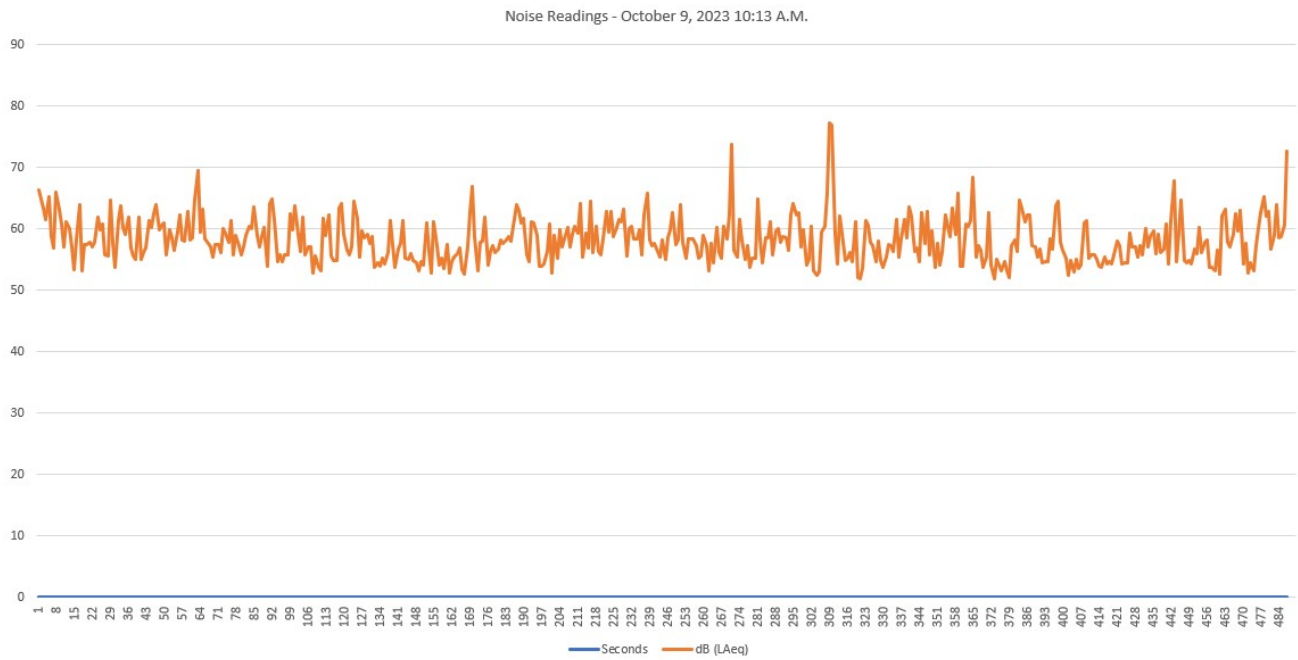
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:08	
LAeq	60.1	dB
Max. level	79.4	dB
LCpeak	89.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 11:20 AM

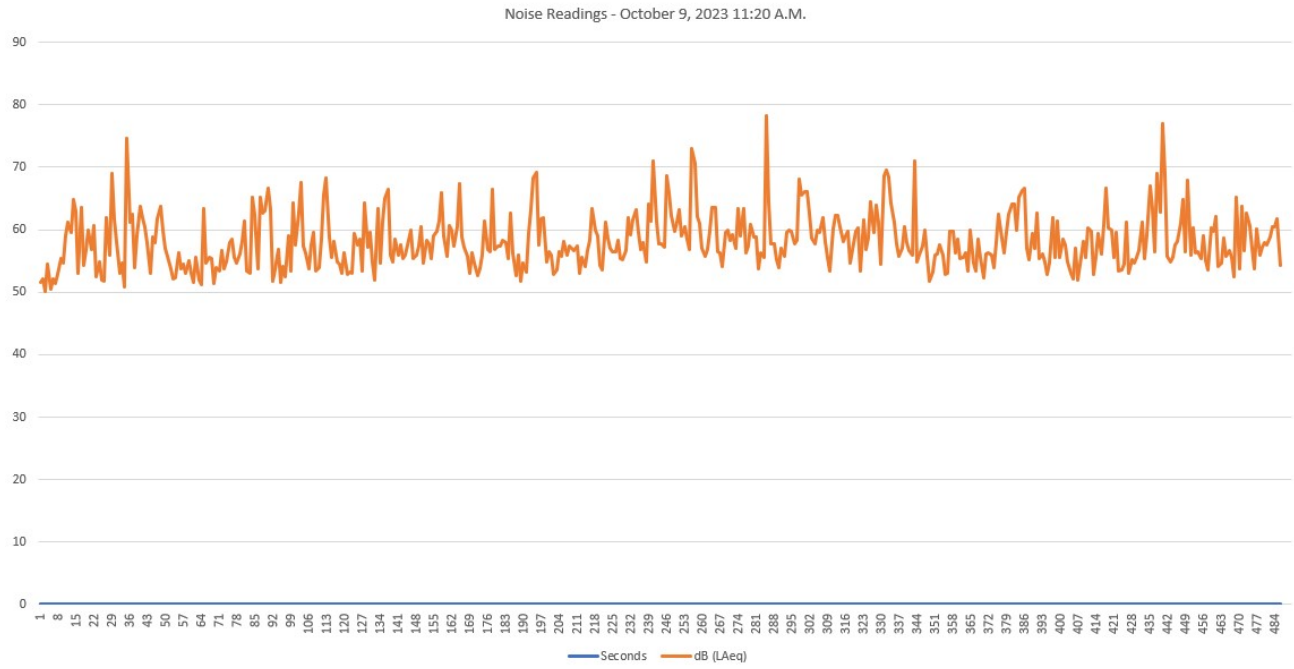
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	60.7	dB
Max. level	78.9	dB
LCpeak	88.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/9/23, 11:33 AM

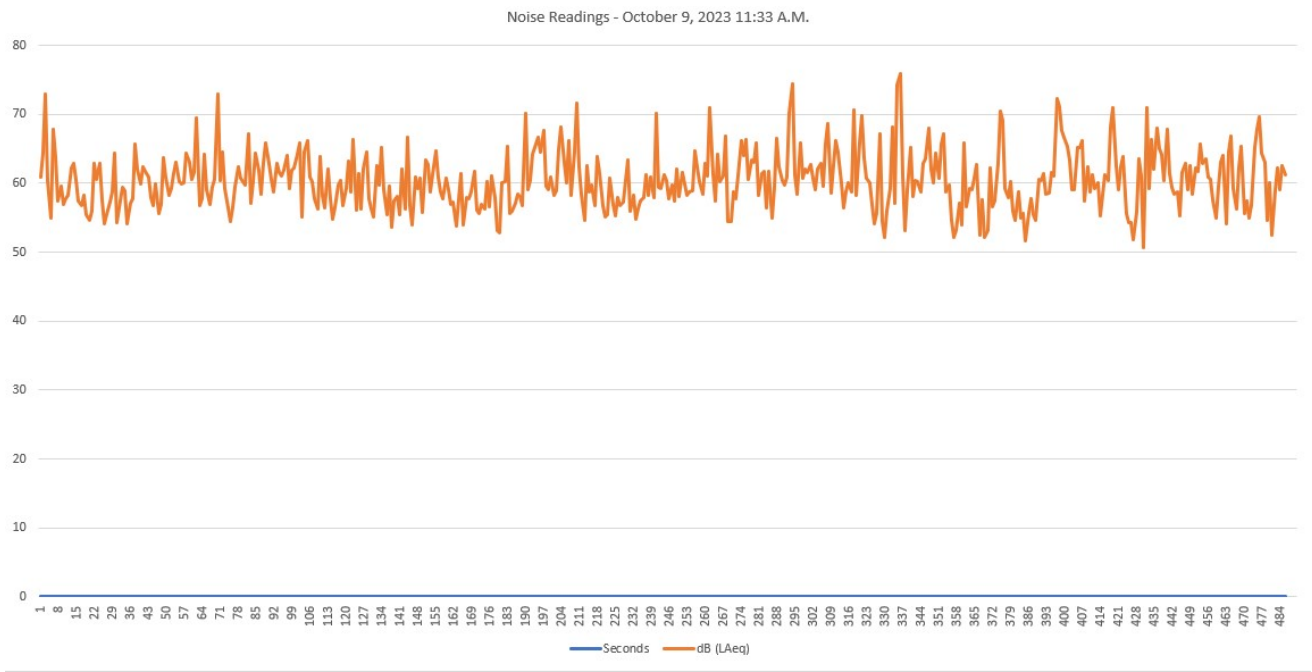
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	62.2	dB
Max. level	77.3	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 9:42 AM

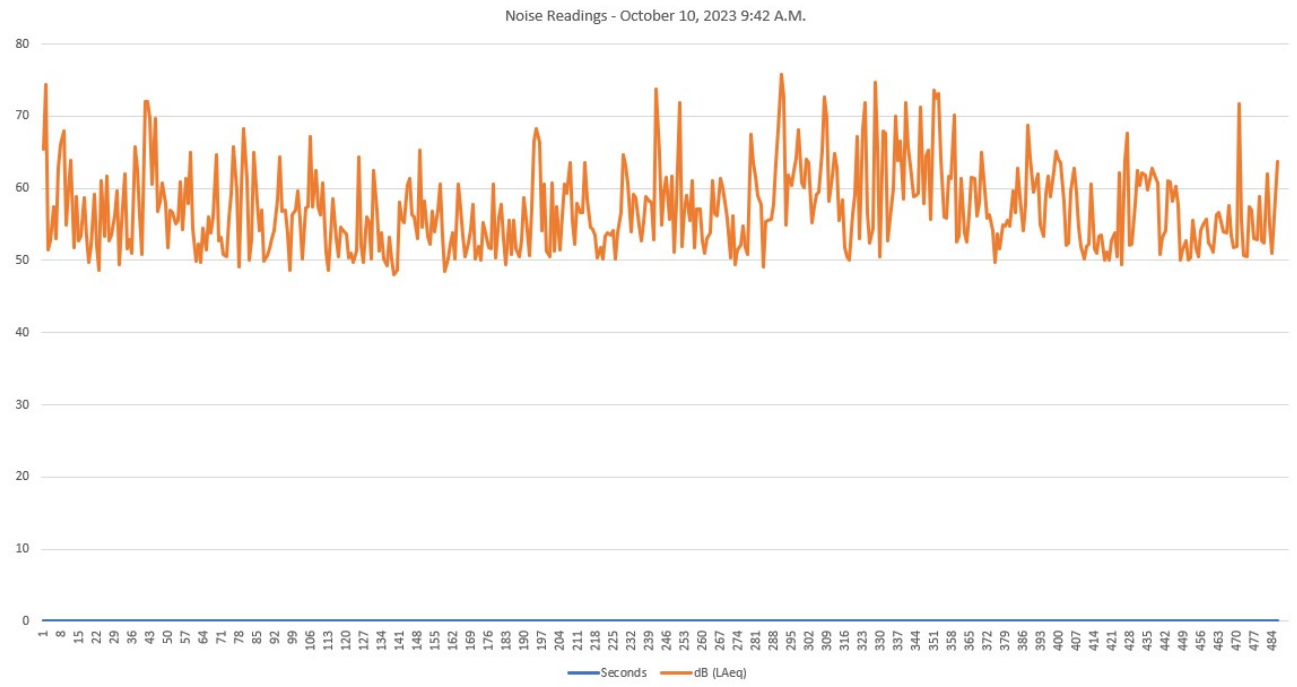
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:06	
LAeq	61.6	dB
Max. level	81.6	dB
LCpeak	88.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 11:26 AM

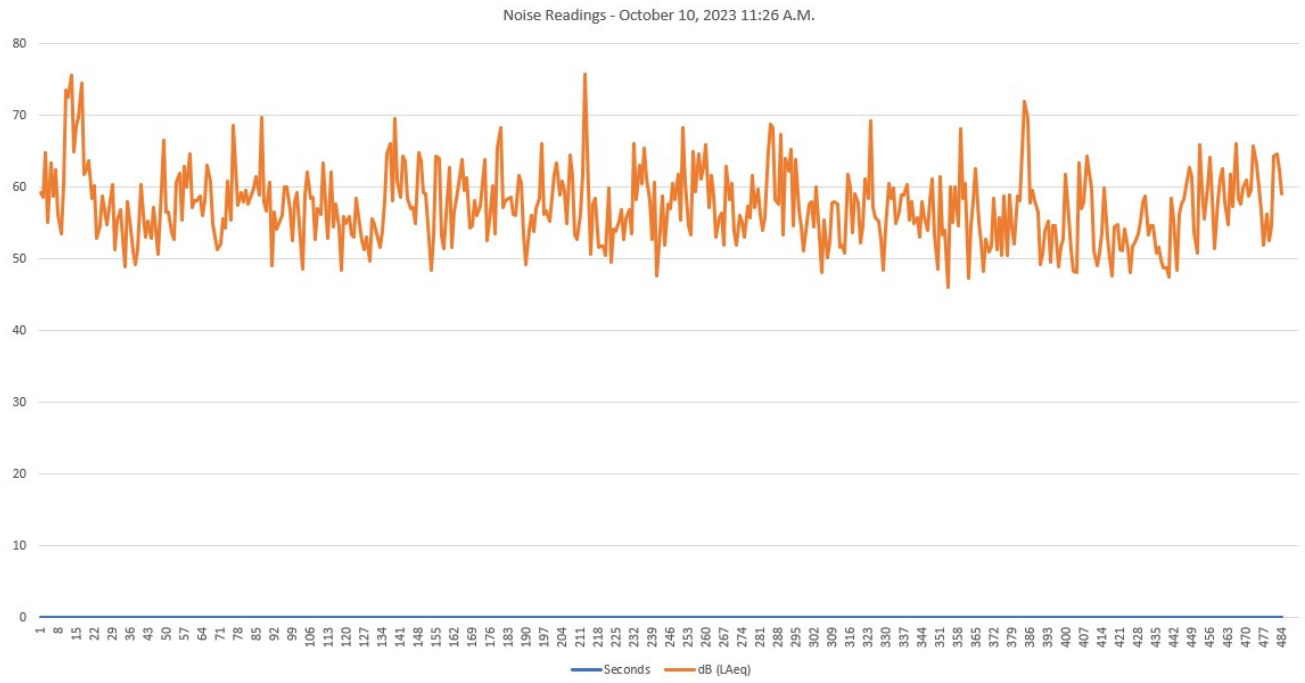
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	61.1	dB
Max. level	83.5	dB
LCpeak	90.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 2:03 PM

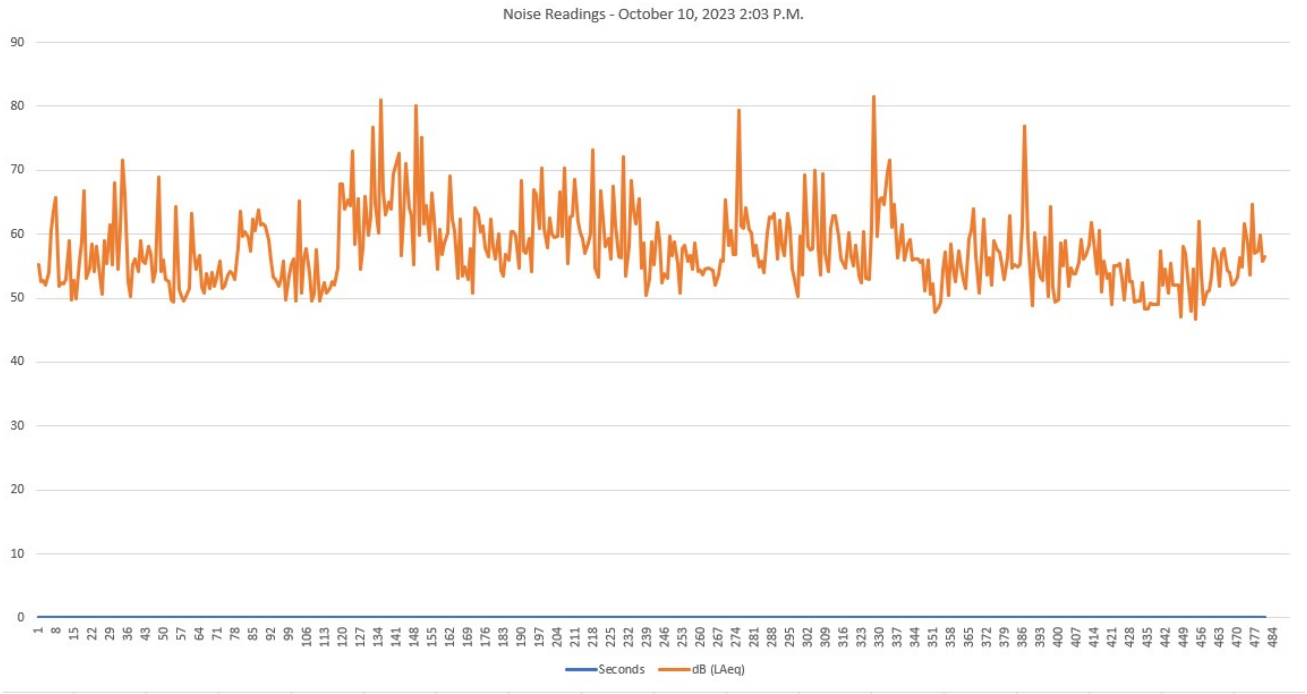
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.5	dB
Max. level	81.6	dB
LCpeak	90.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/10/23, 2:38 PM

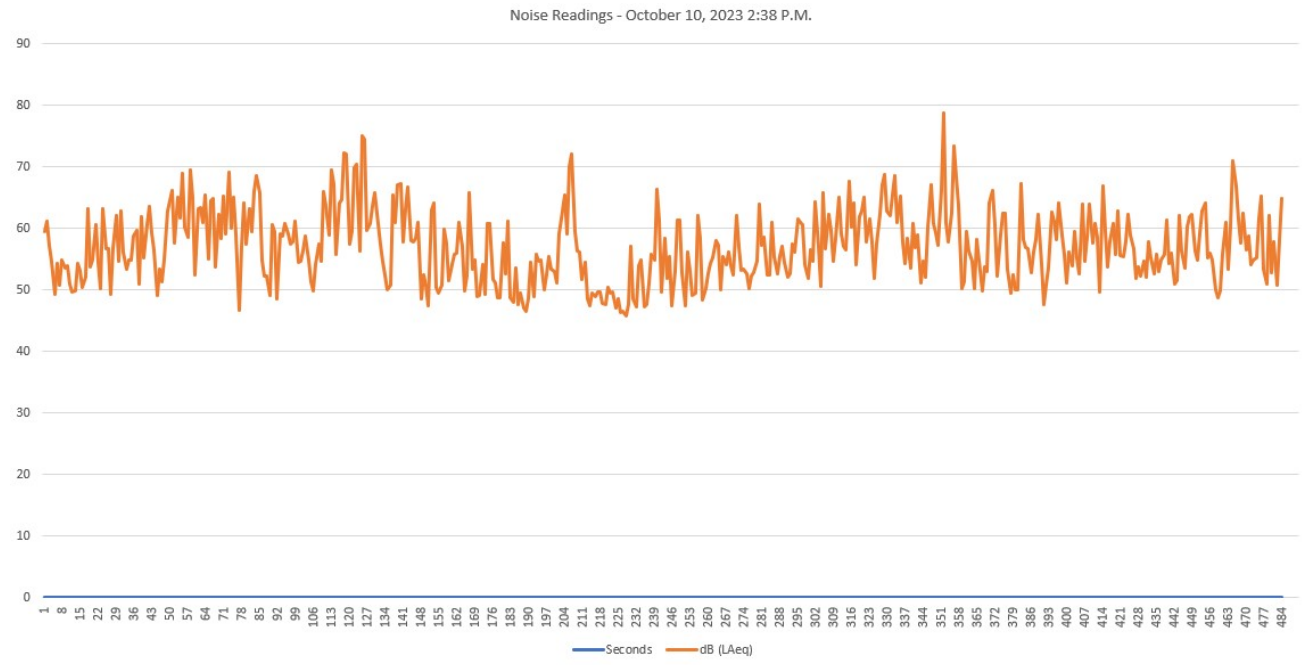
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:04	
LAeq	60.7	dB
Max. level	78.9	dB
LCpeak	88.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 9:41 AM

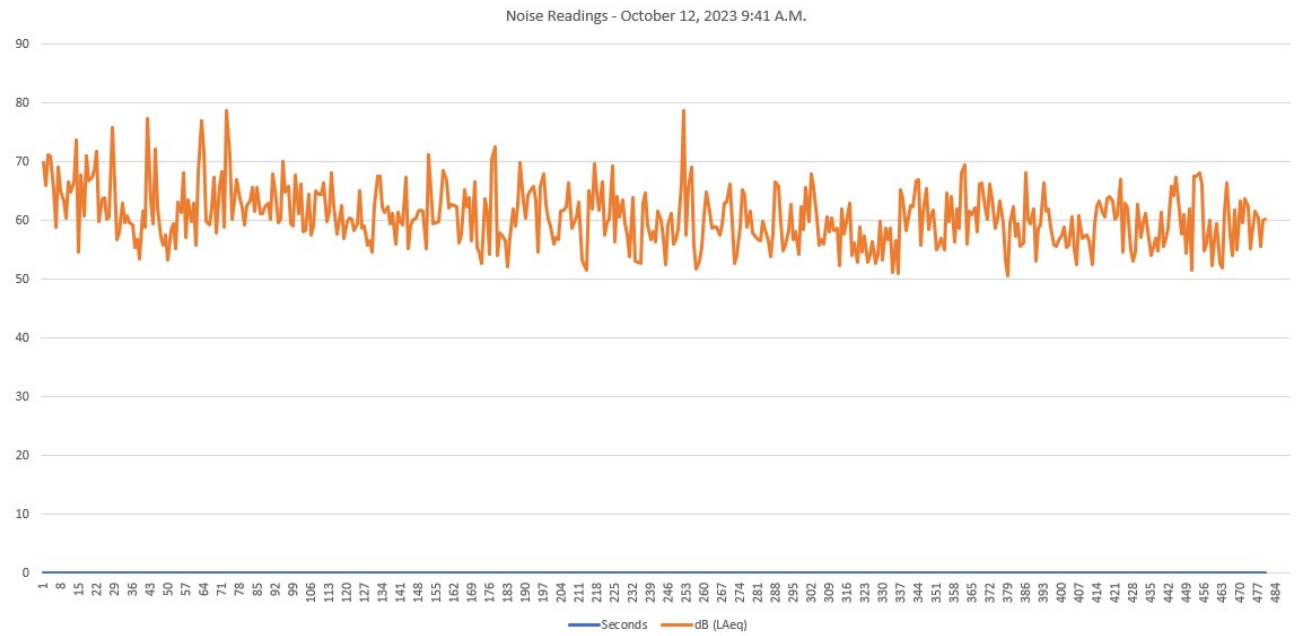
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:00	
LAeq	63.6	dB
Max. level	81.9	dB
LCpeak	90.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 11:34 AM

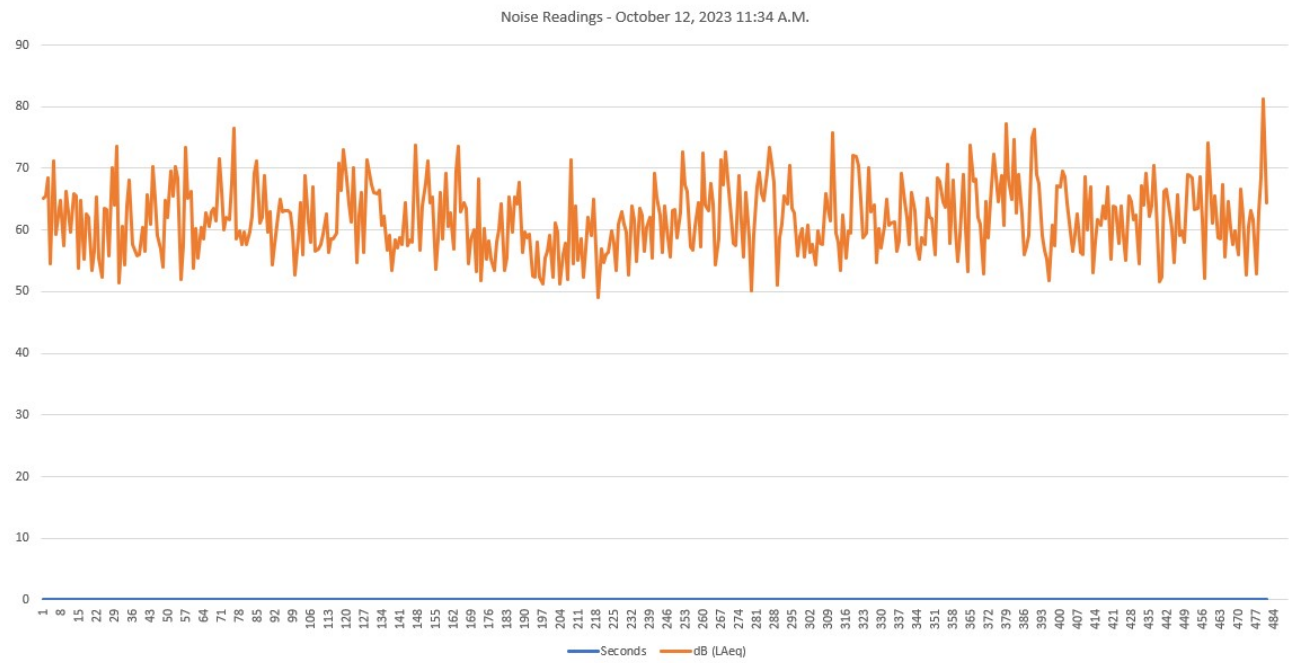
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	65.2	dB
Max. level	84.8	dB
LCpeak	92.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/12/23, 2:07 PM

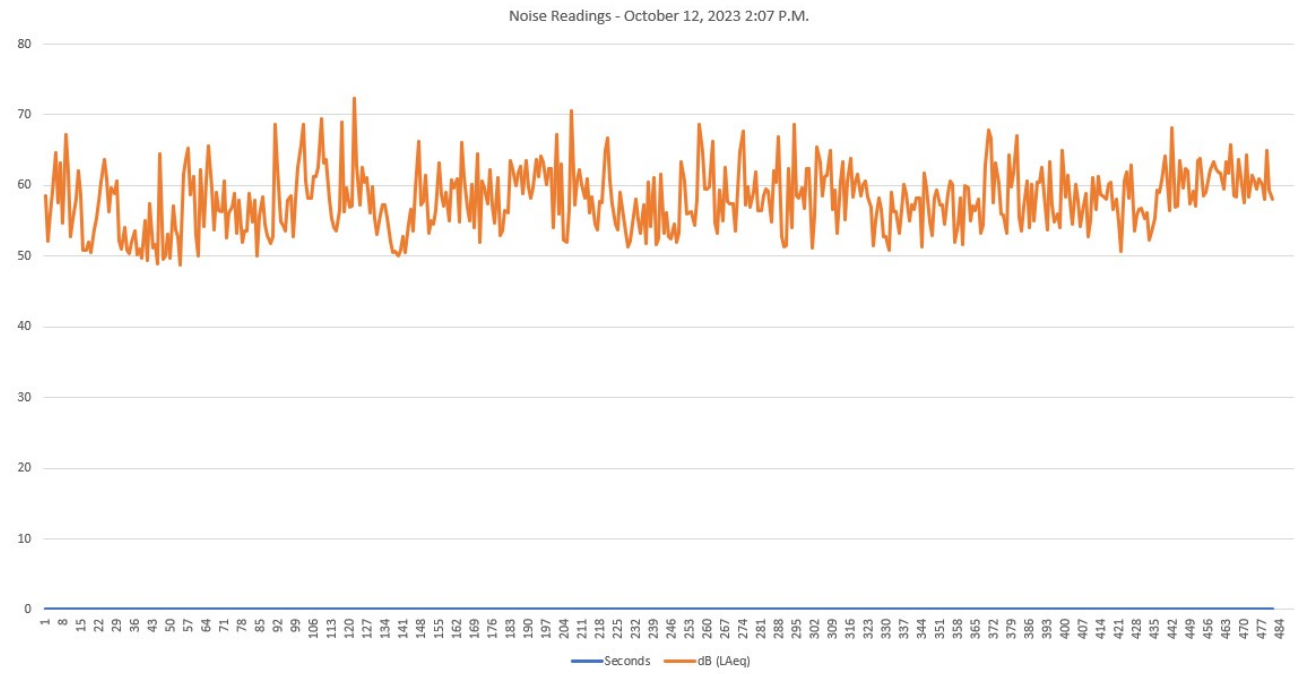
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.2	dB
Max. level	75.1	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 9:38 AM

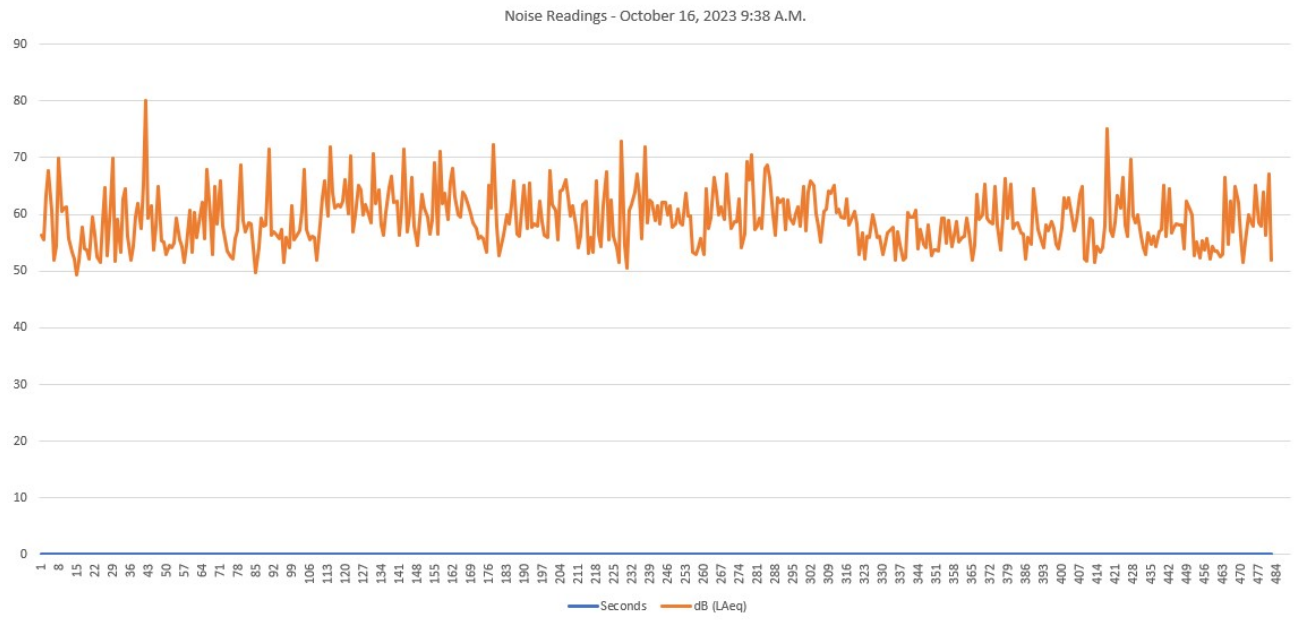
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.5	dB
Max. level	80.6	dB
LCpeak	88.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 11:30 AM

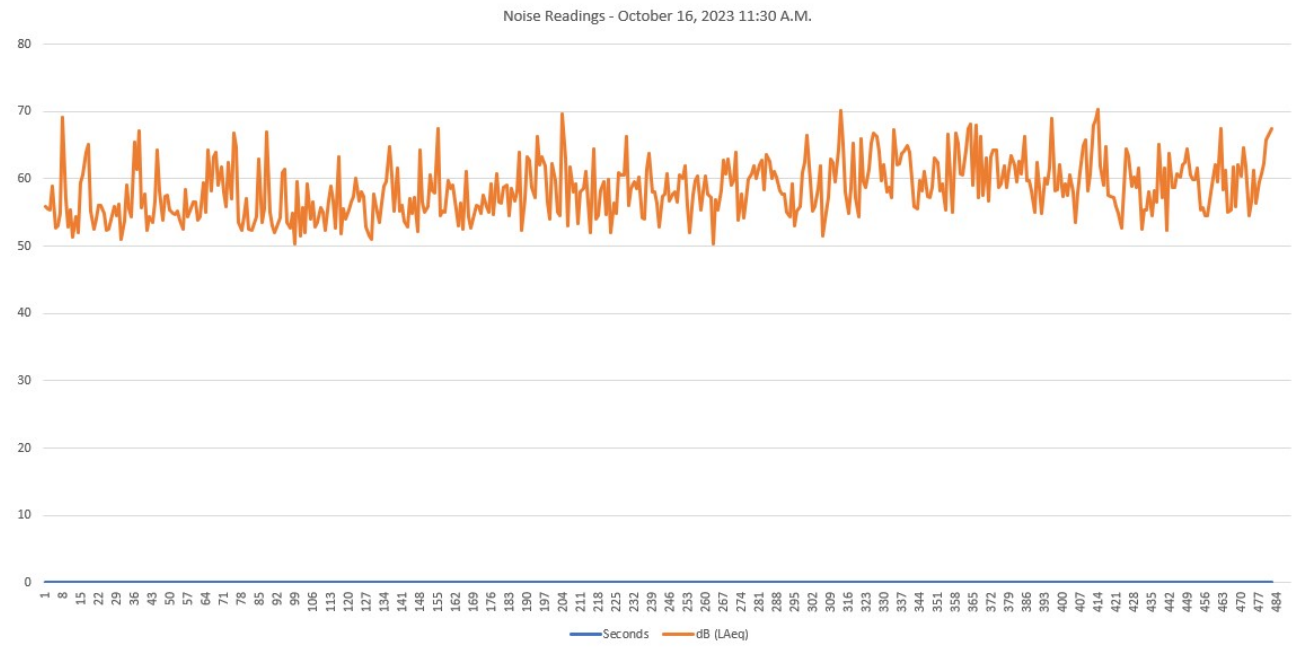
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	60.3	dB
Max. level	74.9	dB
LCpeak	101.8	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/16/23, 1:39 PM

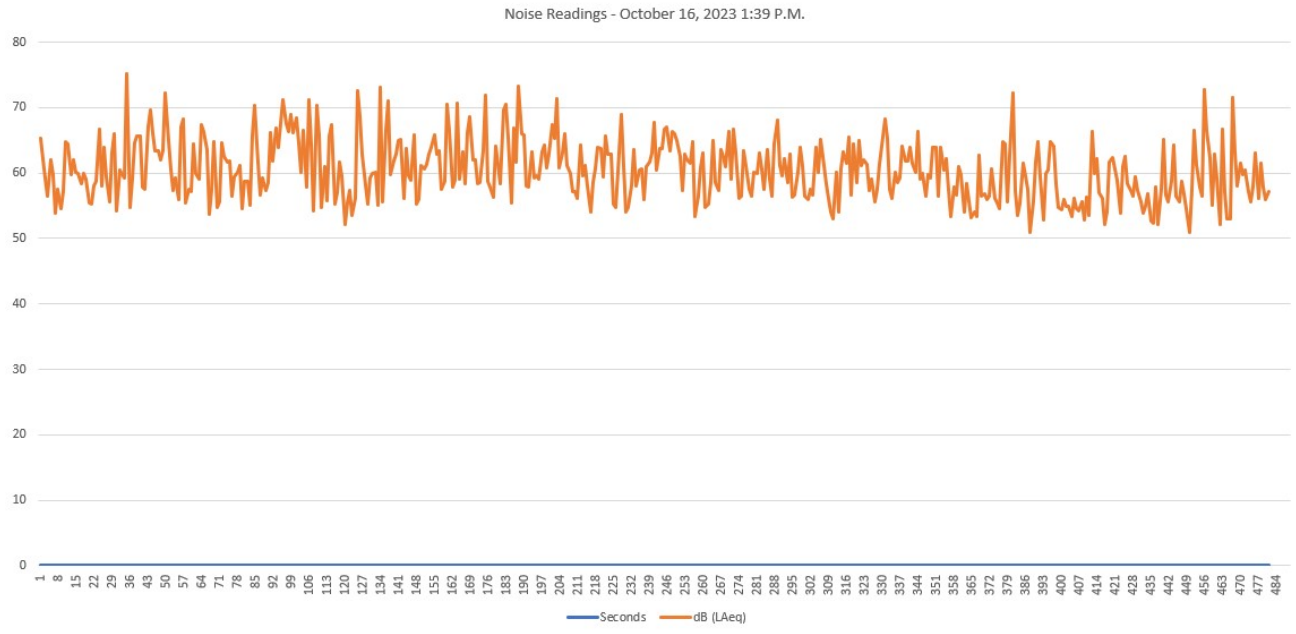
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.6	dB
Max. level	77.6	dB
LCpeak	94.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/17/23, 9:56 AM

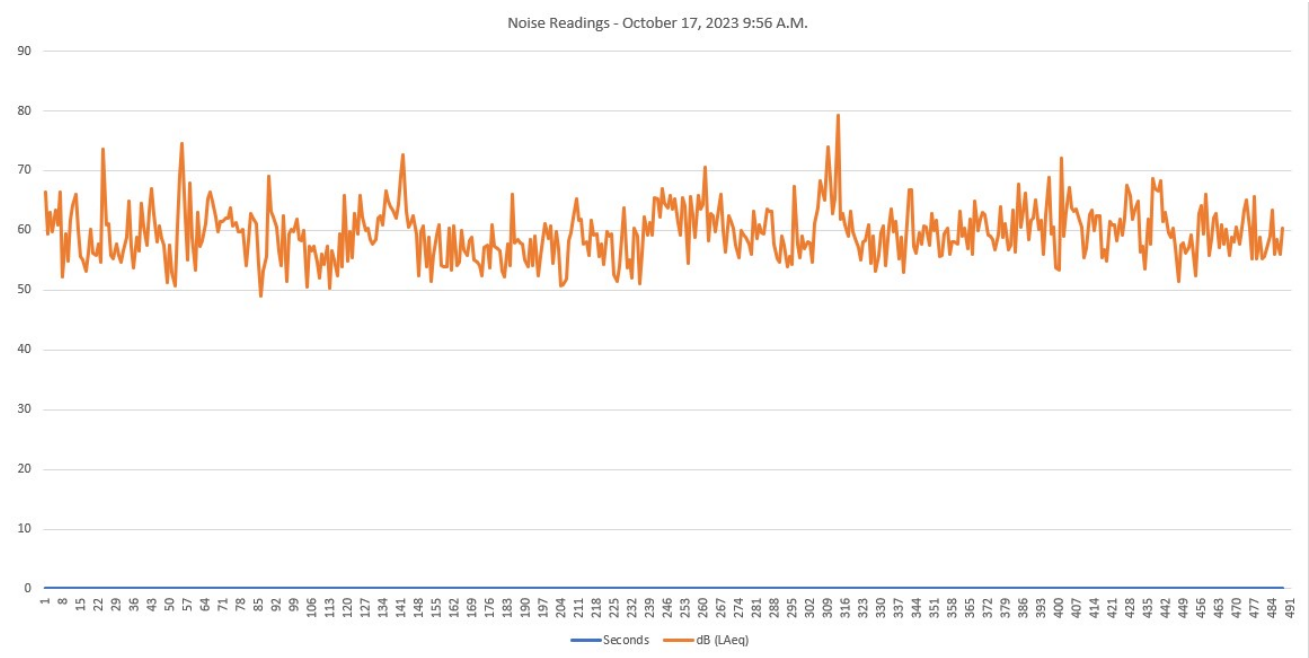
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:08	
LAeq	61.5	dB
Max. level	79.6	dB
LCpeak	87.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/17/23, 11:57 AM

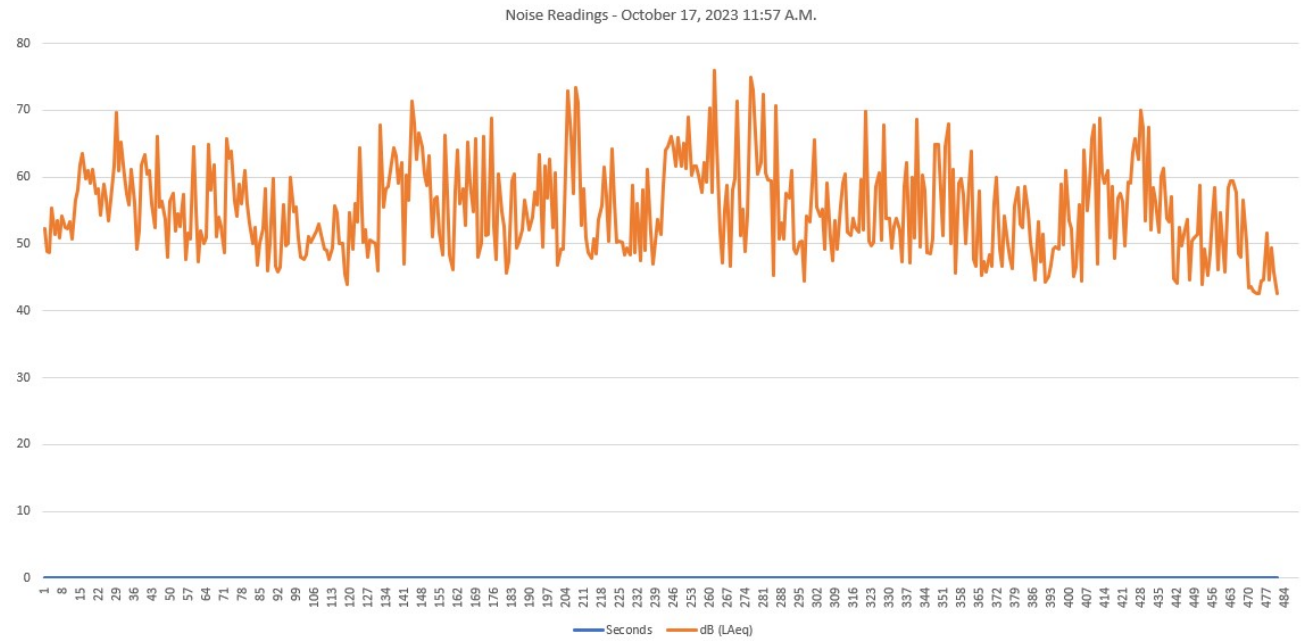
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.5	dB
Max. level	82.8	dB
LCpeak	89.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/18/23, 9:55 AM

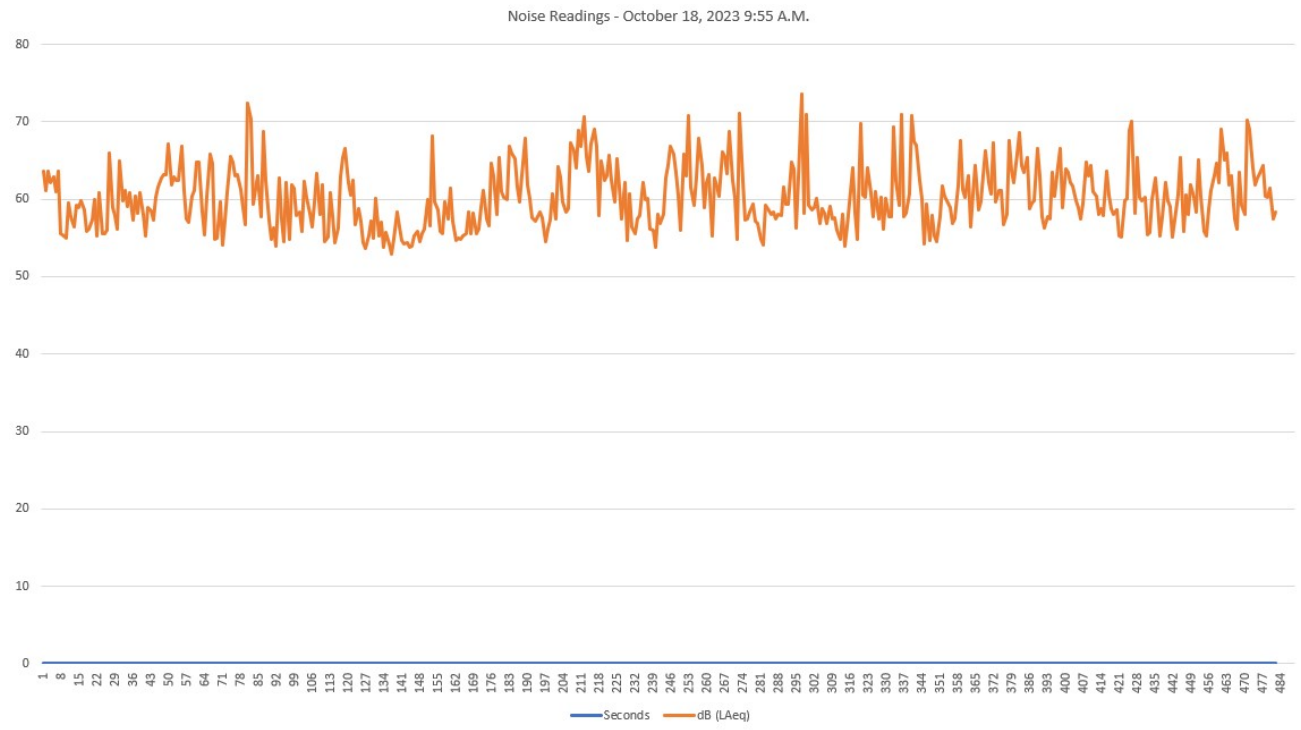
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.9	dB
Max. level	79.5	dB
LCpeak	88.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/18/23, 11:31 AM

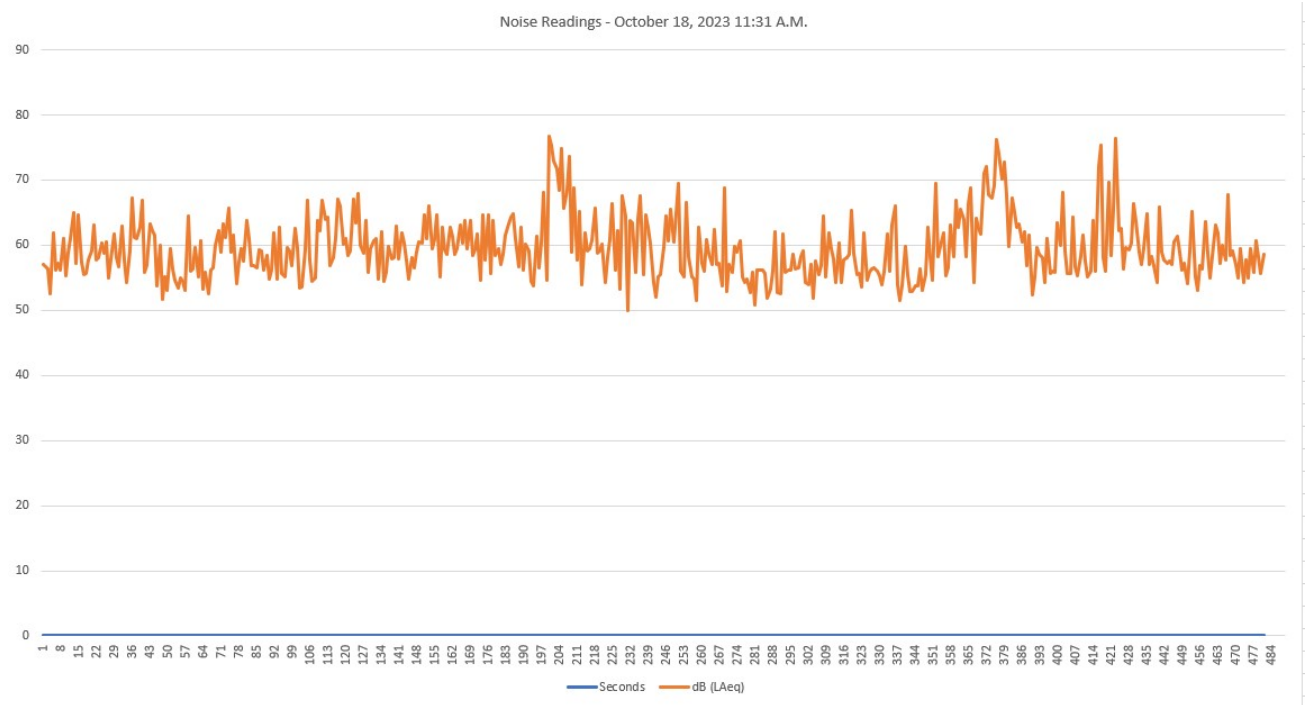
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.5	dB
Max. level	79.1	dB
LCpeak	87.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/23/23, 9:48 AM

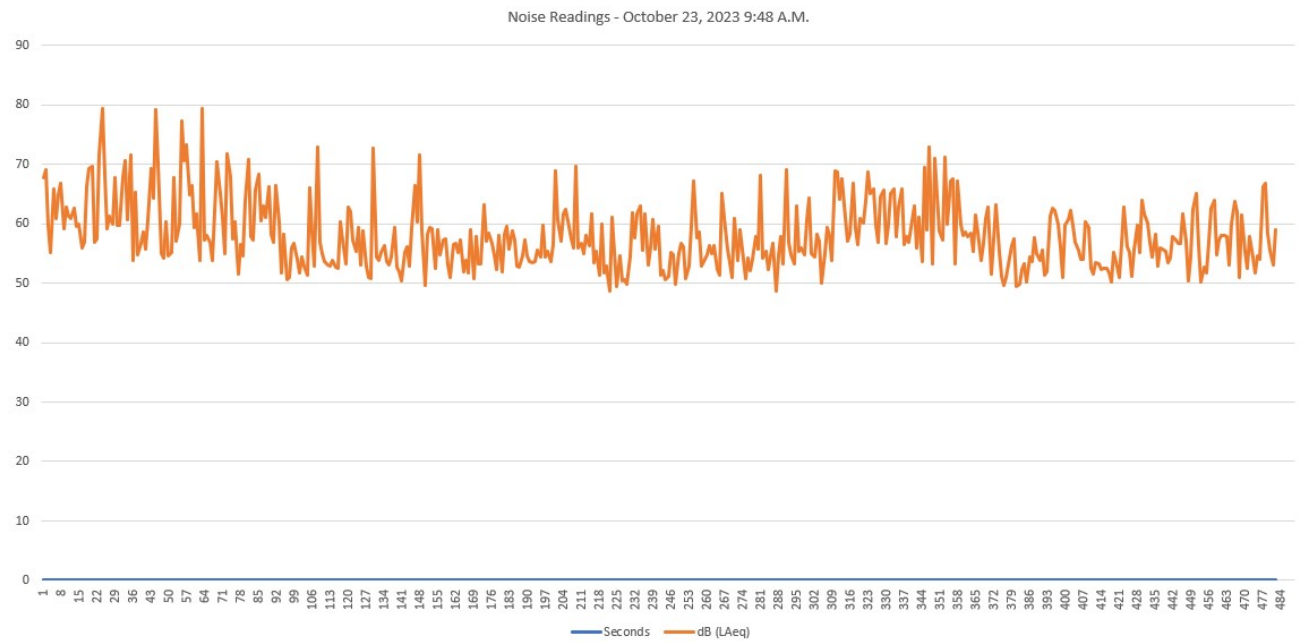
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	61.7	dB
Max. level	80.2	dB
LCpeak	90.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/23/23, 1:47 PM

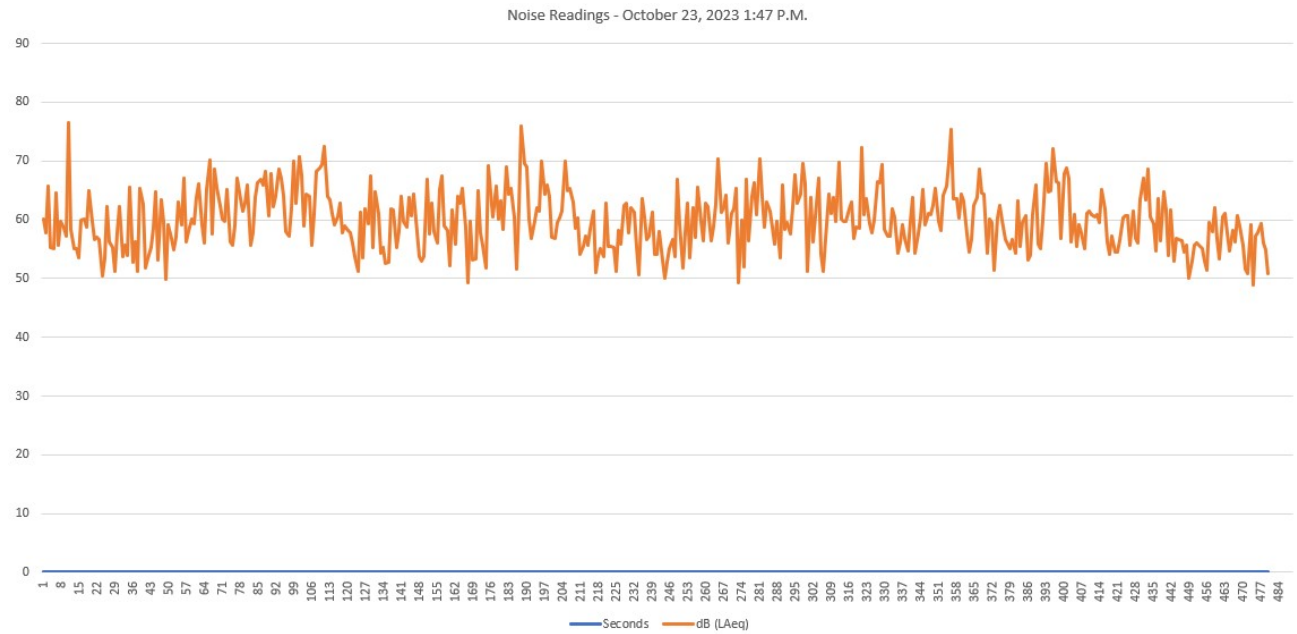
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:00	
LAeq	62.6	dB
Max. level	79.6	dB
LCpeak	92.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/25/23, 11:19 AM

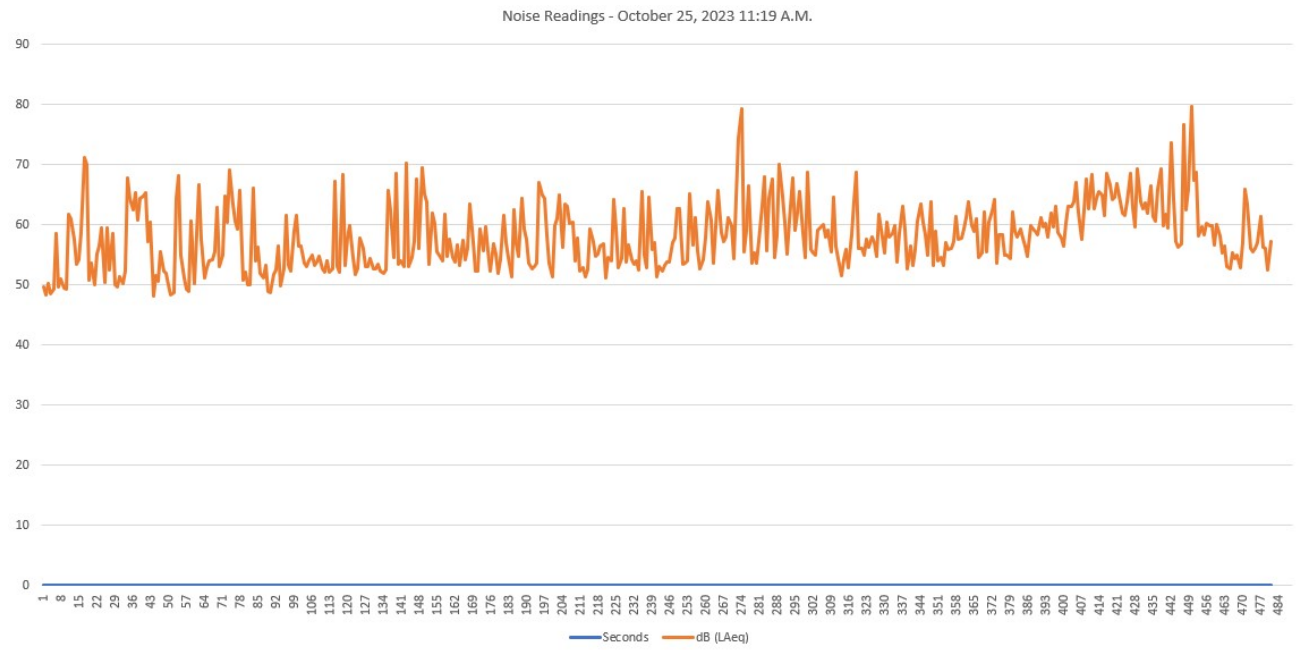
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.1	dB
Max. level	82.2	dB
LCpeak	96.7	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/25/23, 11:32 AM

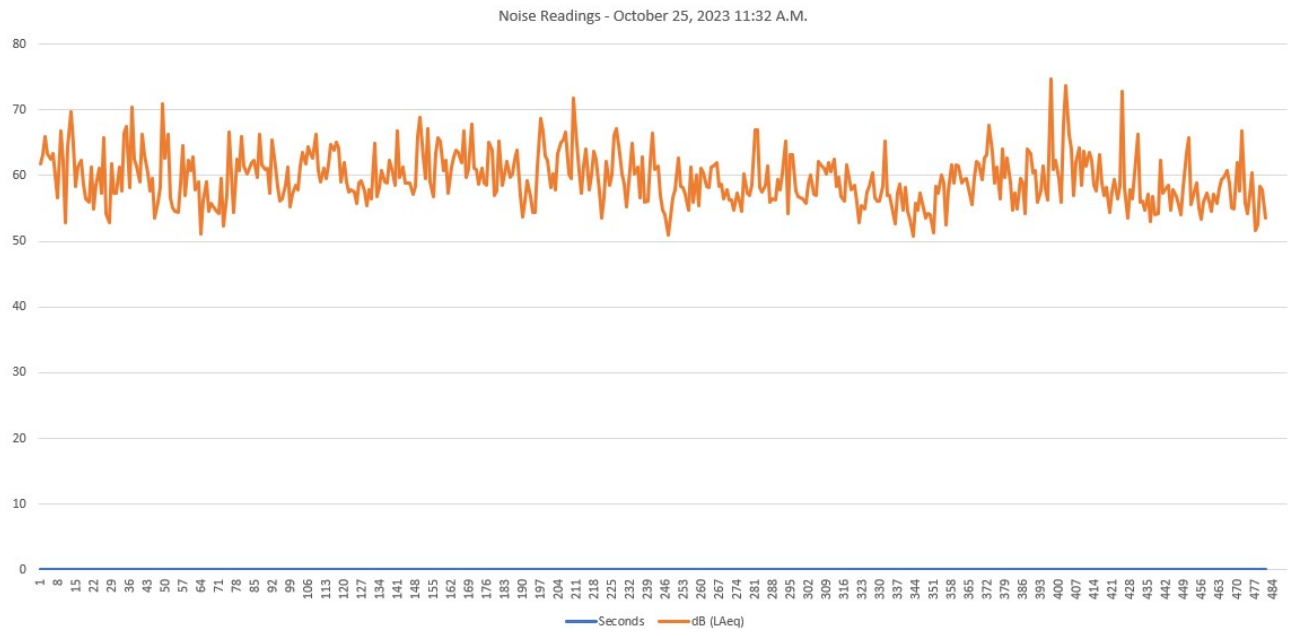
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.0	dB
Max. level	76.1	dB
LCpeak	86.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/27/23, 9:40 AM

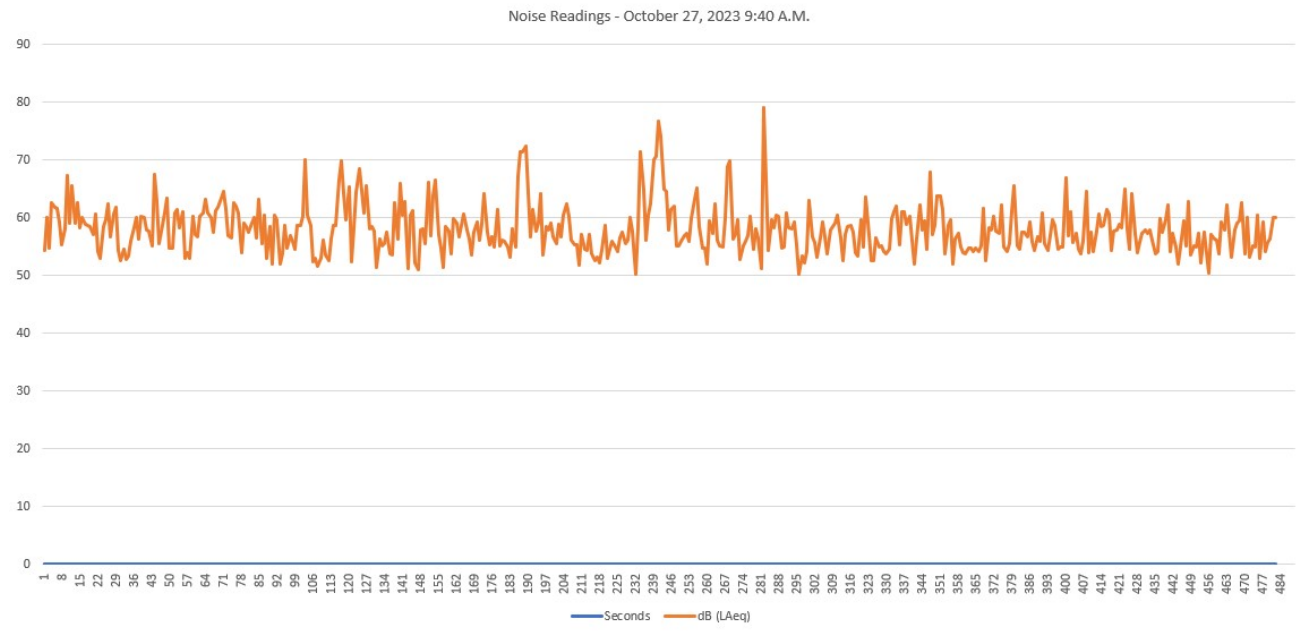
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	60.7	dB
Max. level	79.0	dB
LCpeak	90.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/27/23, 11:16 AM

Operator: Sarno (Property Owner)

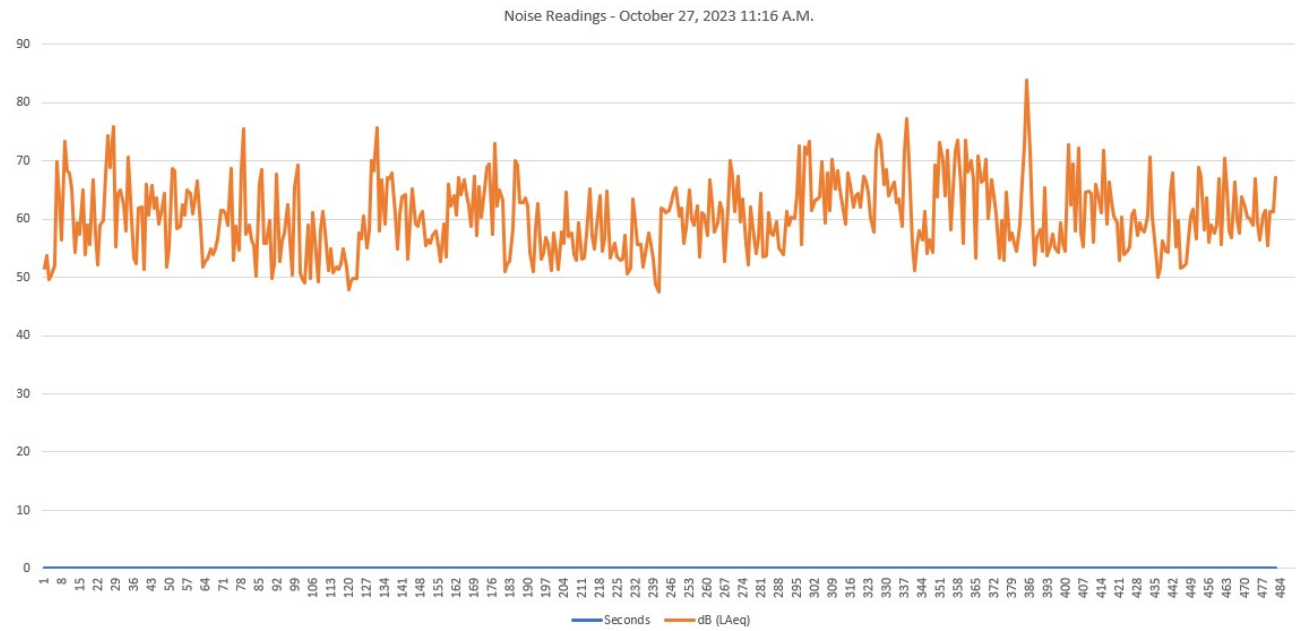
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	64.3	dB
Max. level	83.8	dB
LCpeak	90.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Very loud



Noise measurement report

Date: 10/27/23, 11:30 AM

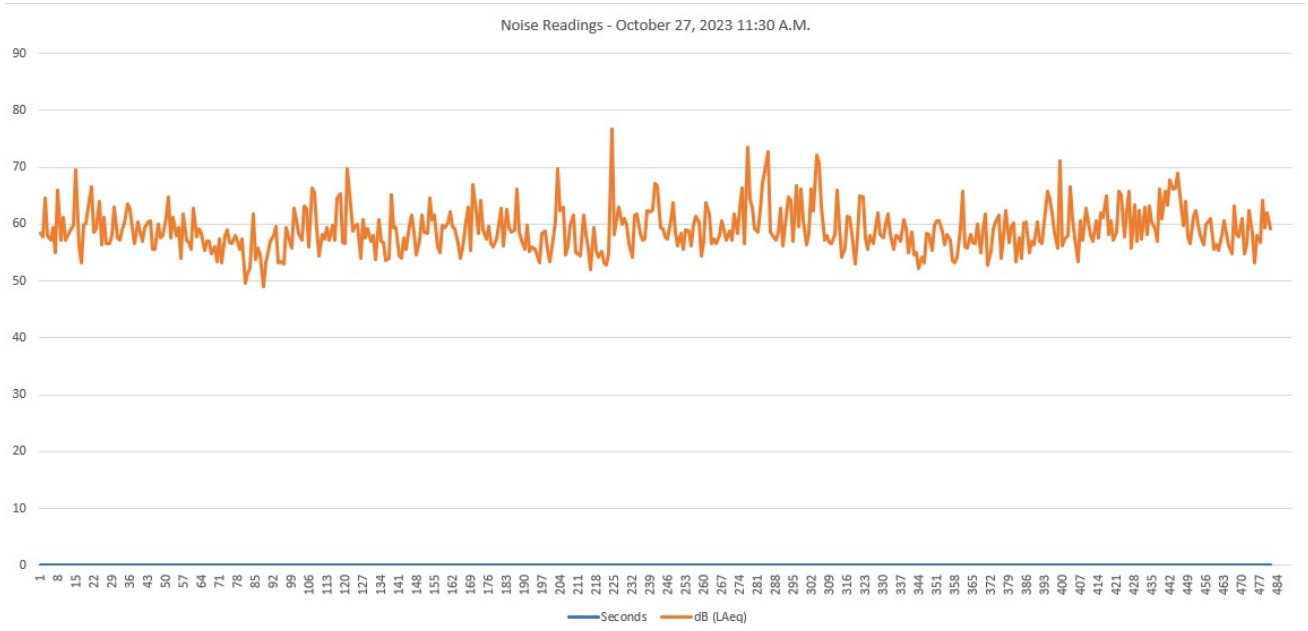
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.6	dB
Max. level	76.6	dB
LCpeak	85.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/30/23, 1:42 PM

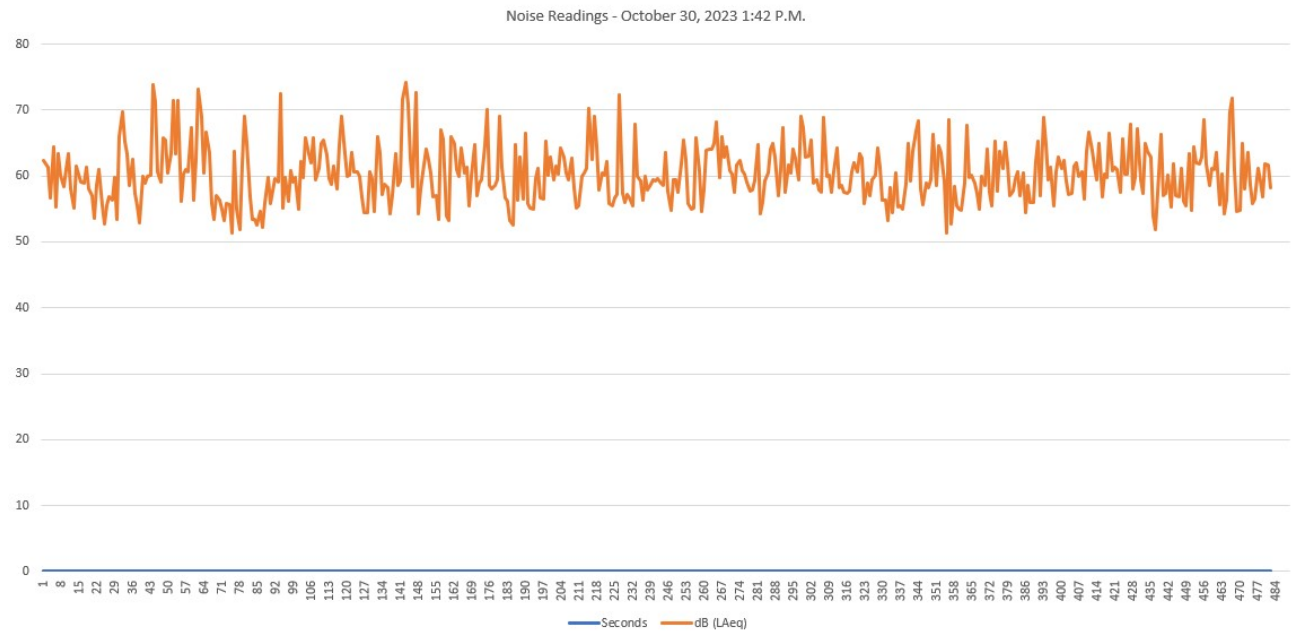
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	62.2	dB
Max. level	77.6	dB
LCpeak	92.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/30/23, 4:22 PM

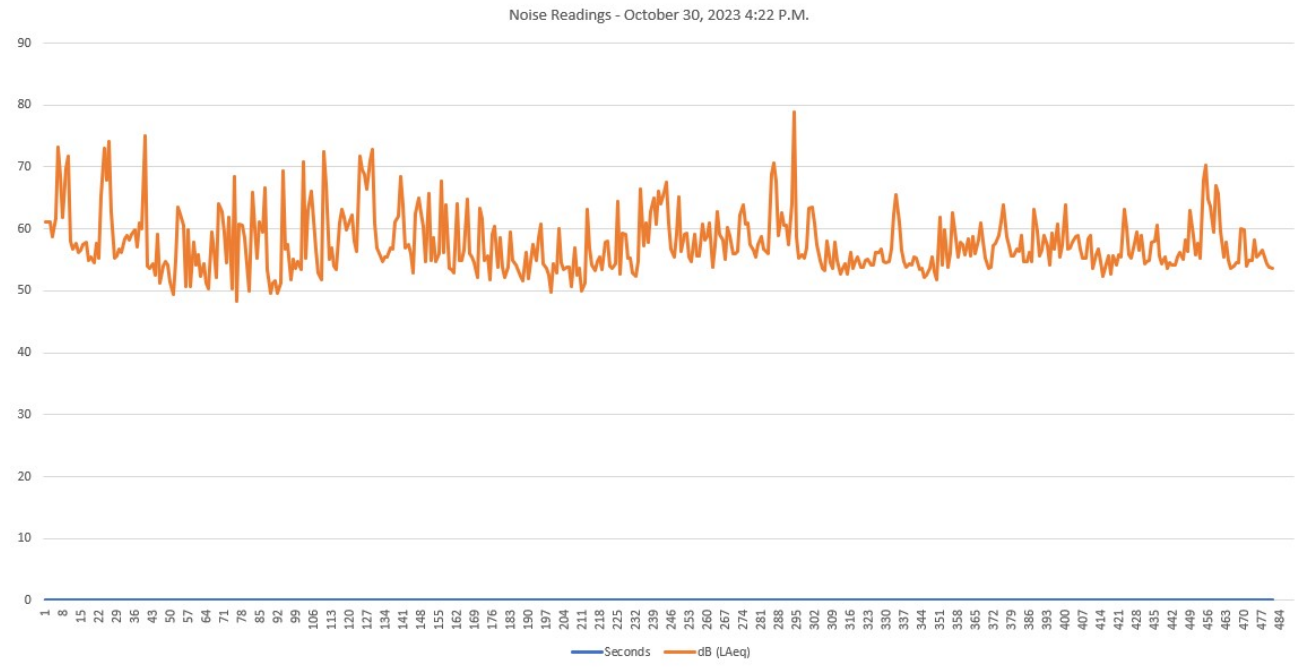
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.1	dB
Max. level	79.5	dB
LCpeak	97.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 10/31/23, 9:42 AM

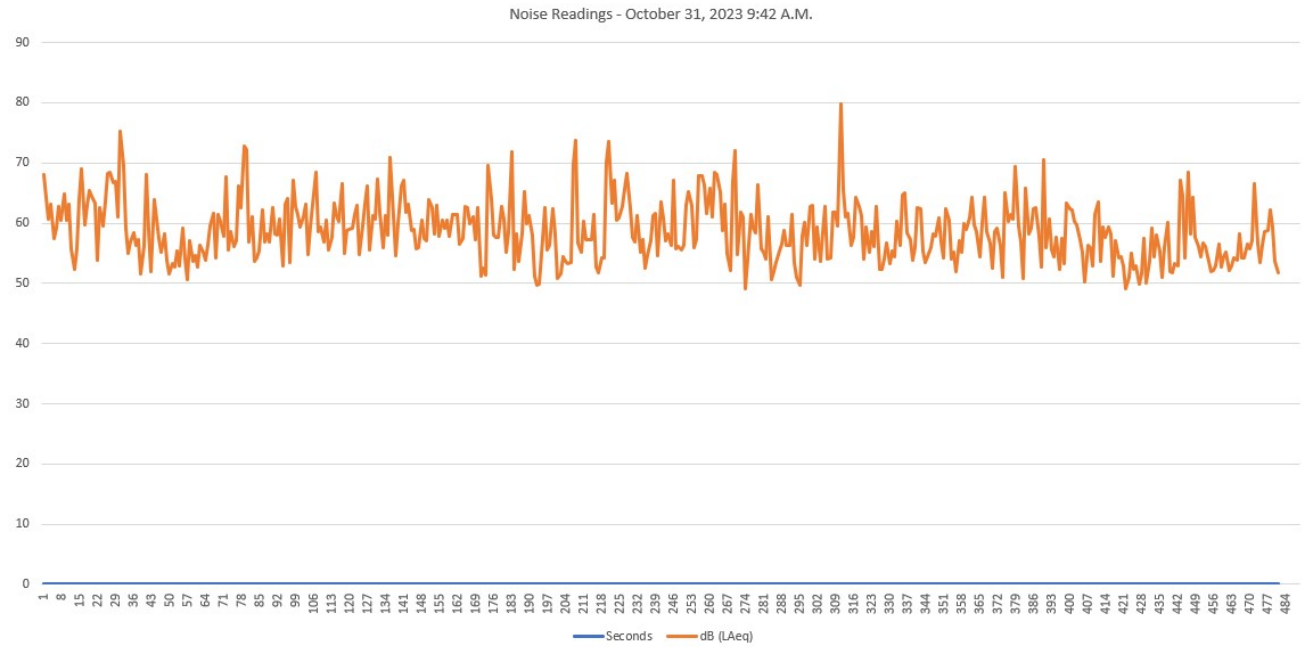
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	61.4	dB
Max. level	80.5	dB
LCpeak	87.4	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 9:44 AM

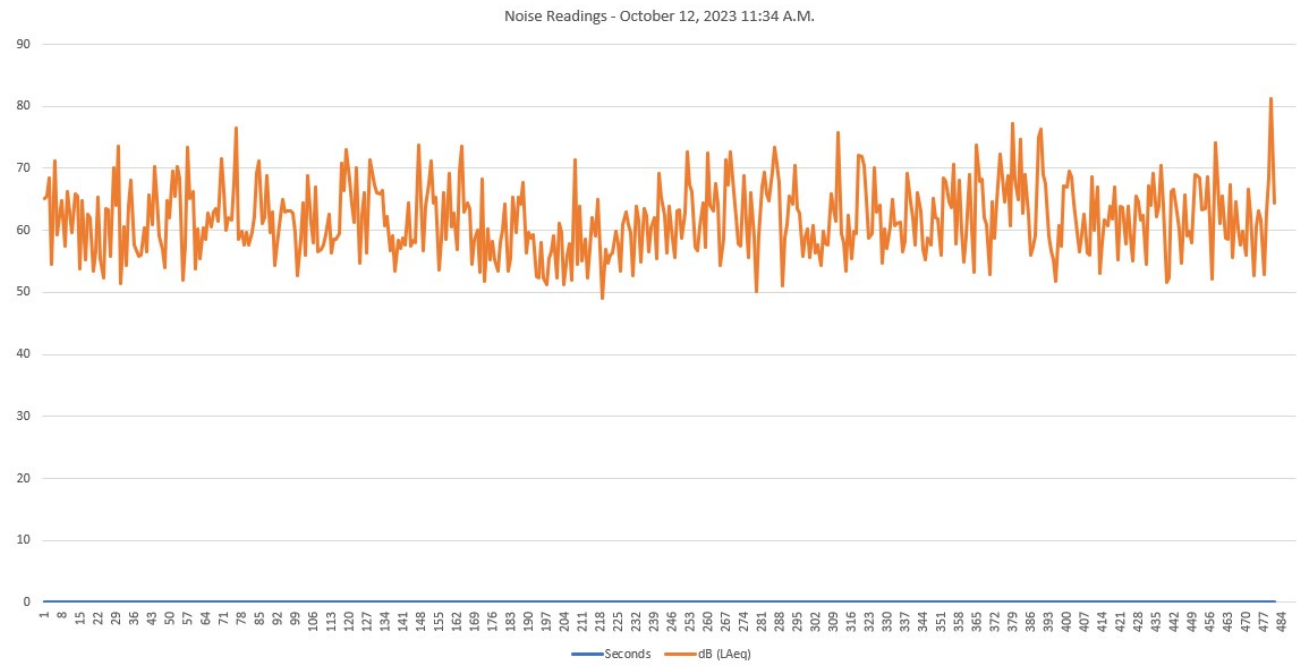
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	62.0	dB
Max. level	80.3	dB
LCpeak	88.9	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 11:30 AM

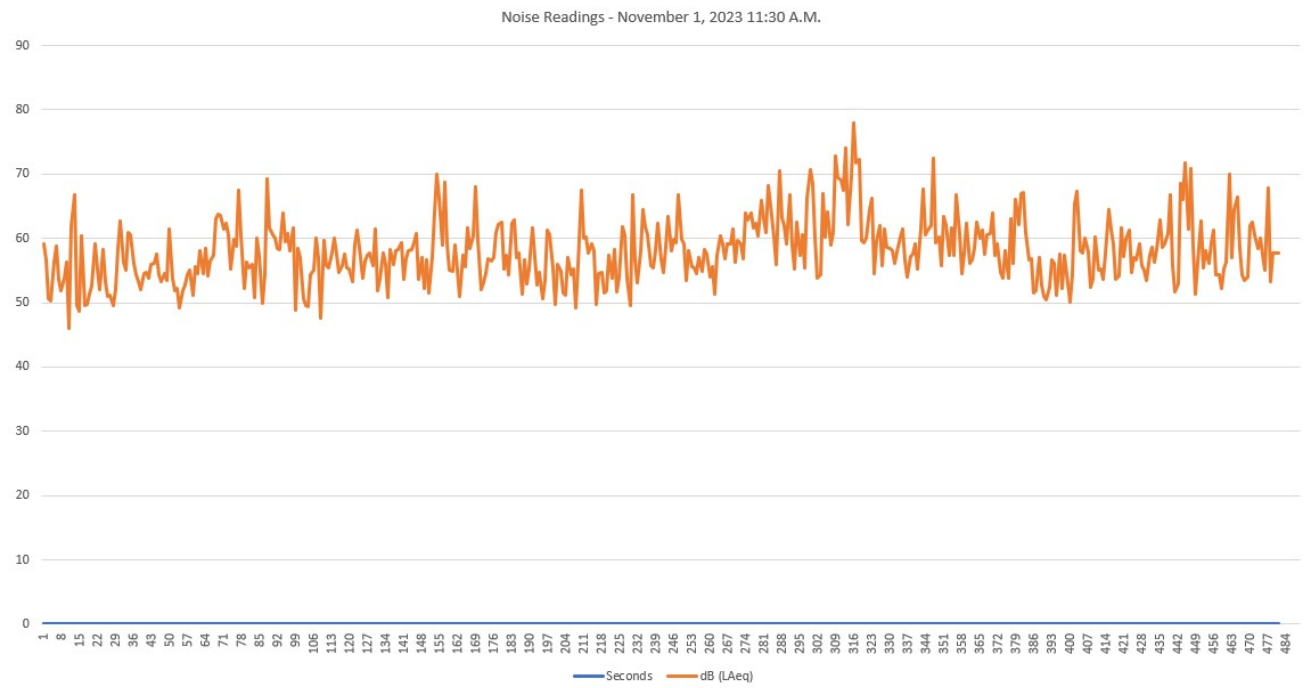
Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.6	dB
Max. level	78.0	dB
LCpeak	85.6	dB
TWA		dB
Dose		%
Projected dose		%

Notes



Noise measurement report

Date: 11/1/23, 1:26 PM

Operator: Sarno (Property Owner)

Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	60.8	dB
Max. level	81.8	dB
LCpeak	90.0	dB
TWA		dB
Dose		%
Projected dose		%

Notes

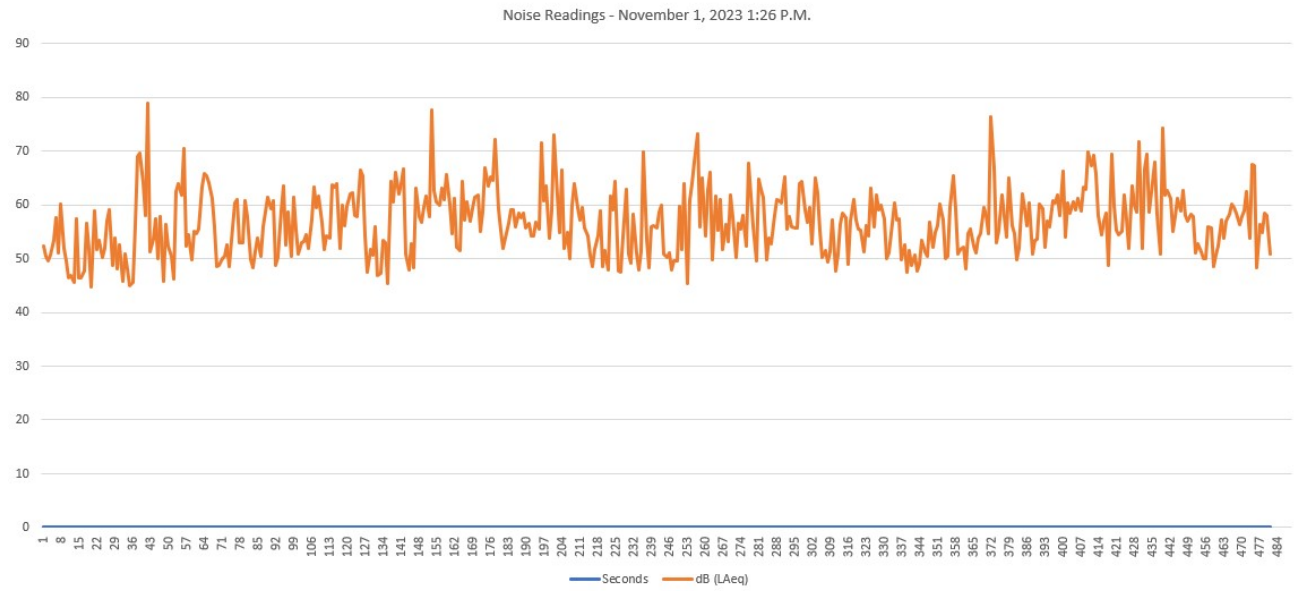


EXHIBIT C

Noise measurement report

Date: 10/3/23, 3:25 PM

Operator: Sarno (Property Owner)

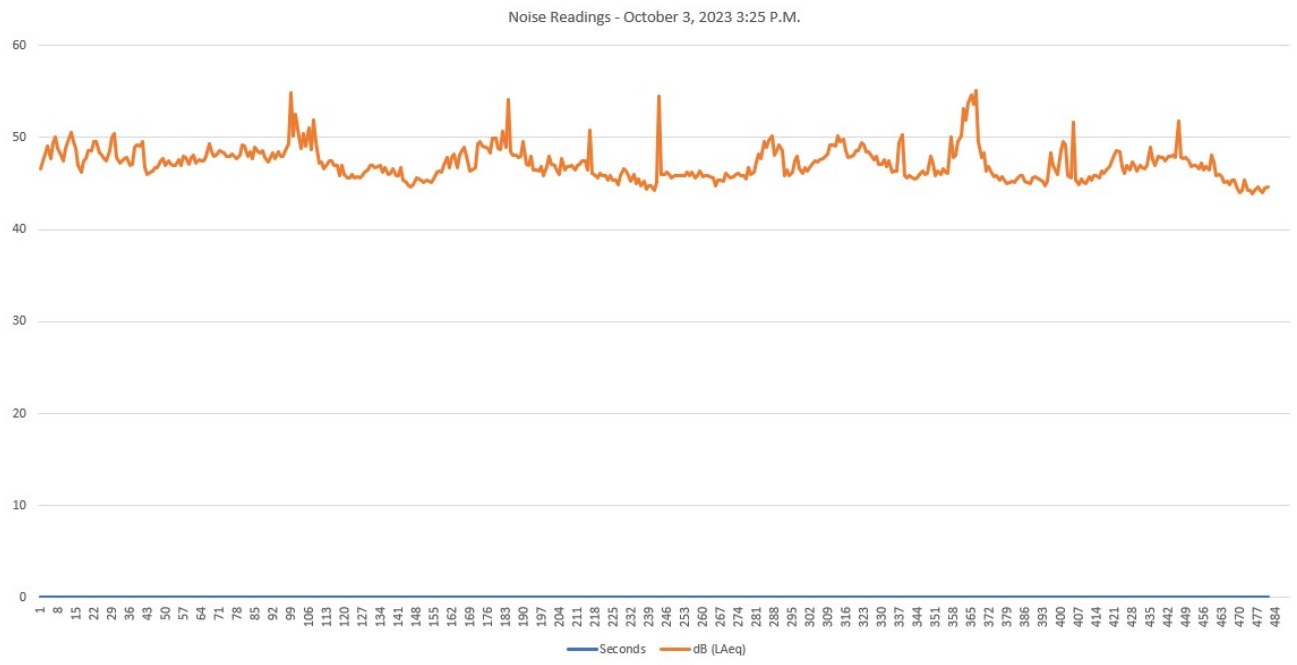
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:01	
LAeq	47.4	dB
Max. level	56.3	dB
LCpeak	83.5	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/5/23, 8:58 AM

Operator: Sarno (Property Owner)

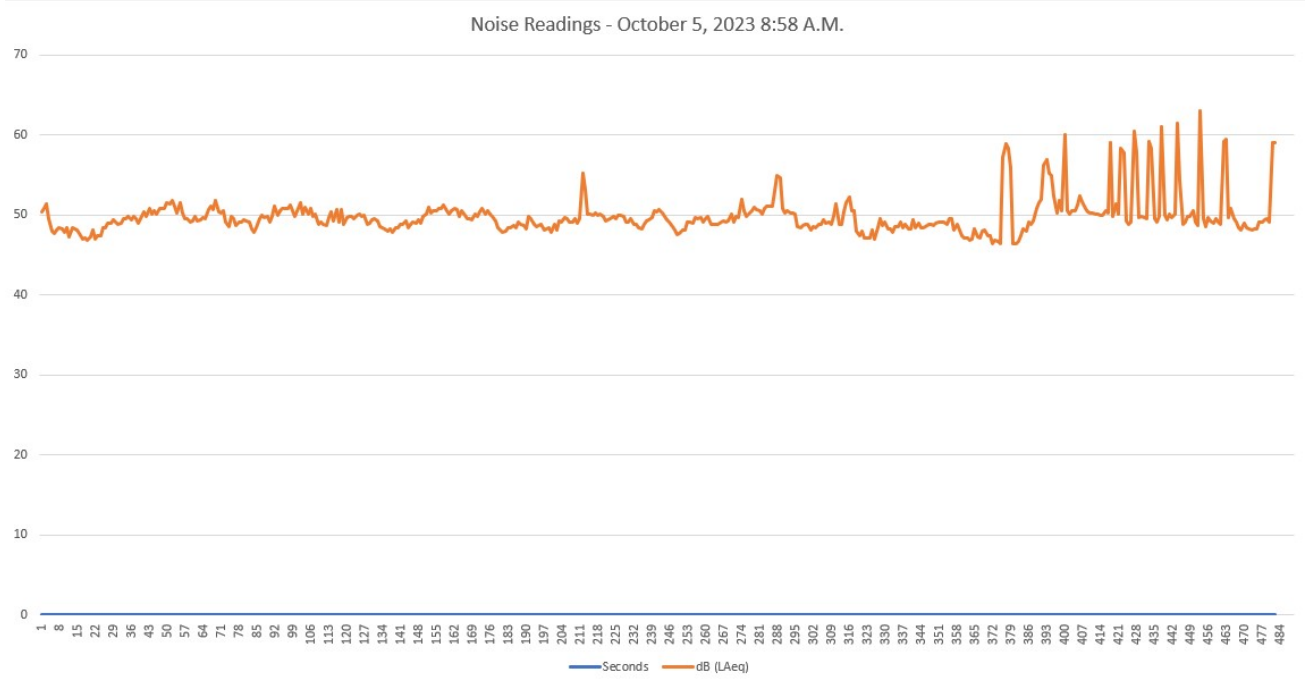
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	50.6	dB
Max. level	63.6	dB
LCpeak	86.1	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/6/23, 1:02 PM

Operator: Sarno (Property Owner)

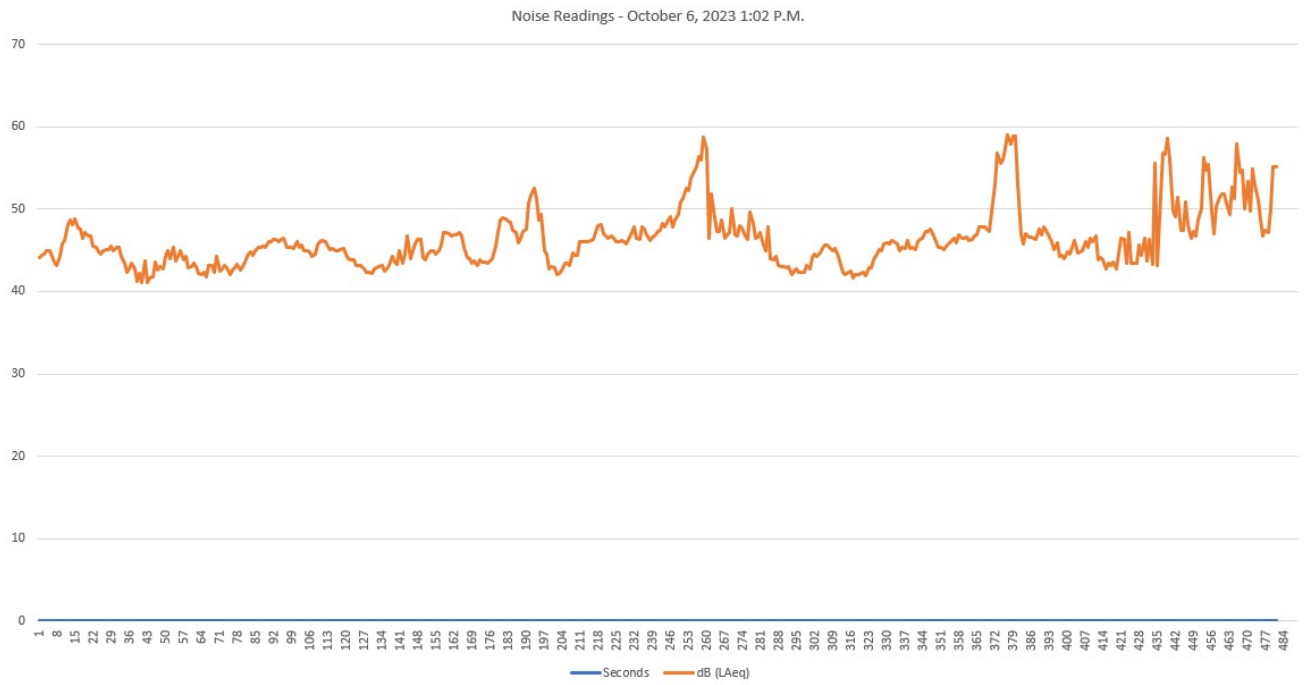
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:03	
LAeq	48.0	dB
Max. level	61.9	dB
LCpeak	88.3	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Noise measurement report

Date: 10/12/23, 9:06 AM

Operator: Sarno (Property Owner)

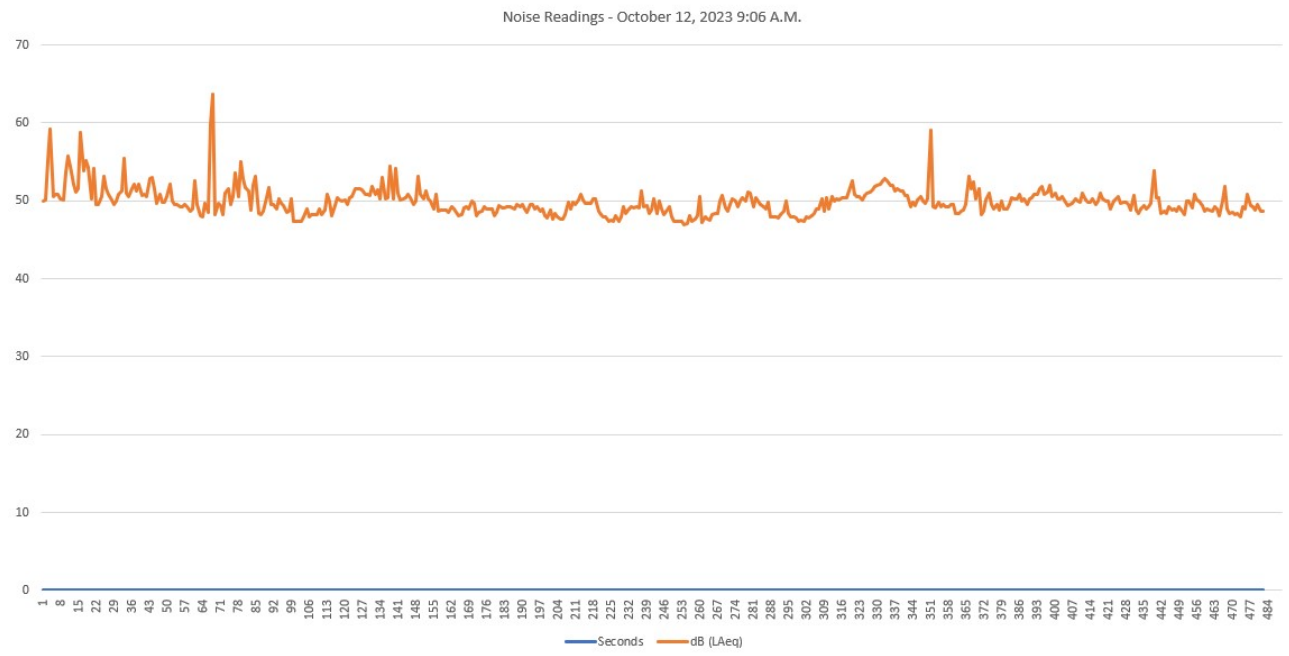
Place: 6114 Town Hill Lane, Dallas, Texas (Lat. 32.8524515, Lng. -96.7584149)

Measurement results

Measurement time (hh:mm:ss)	00:08:02	
LAeq	50.2	dB
Max. level	64.8	dB
LCpeak	78.2	dB
TWA		dB
Dose		%
Projected dose		%

Notes

Ambient noise measurement



Letter to Dallas City Plan Commission February 5, 2024

From Allie and Joe Sarno, 6114 Town Hill Lane, Dallas, Texas

INTRODUCTION

On January 18, 2024, a hearing was held on Minor Amendment Application M234-003 submitted by Zion Lutheran Church and School ("Zion") for the addition of a game court to Zion's development plan. At this hearing, the City Plan Commission ("CPC") heard from various people in support of, and in opposition to, the minor amendment application, including the following representatives of the applicant: James Kuhlmann, Bryan Wendt, and Jeff Thorman. The commission voted to keep the hearing open and under advisement until February 15, 2024.

FACTS

Four people affiliated with Zion addressed CPC at the January 18th hearing. CPC initially heard from architect and church member James Kuhlmann, church officer Bryan Wendt, school principal Jeff Thorman, and Zion parent Amber Cordova. CPC commissioners subsequently asked questions of Mr. Kuhlmann and Mr. Wendt.

The following themes were touched upon in support of the game court addition:

(1) Prospective noise was not contemplated or considered to be a potential issue even though it is not intended that the court's use will be limited in any way as to:
   a. type of use (i.e. basketball, pickleball, etc.);[1]
   b. time of day/day of the week;[2]
   c. specific groups of people (at least with respect to any persons affiliated with Zion);[3]
   d. no effort was made to understand the probable noise issues.[4]

(2) The game court is necessary to address safety concerns.[5]

(3) The game court will not be lit by artificial light.[6]

(4) There were no other alternatives as to placement of the court on the property given current parking requirments and Zion's need for a "regulation" soccer field.[7]

(5) The game court is being moved to the existing playground area.[8]

ANALYSIS

Many statements were made by the applicant and its supporters at the hearing. These statements and the words contained within are best considered against the backdrop of Zion's actions, conflicting statements, and pictures/videos that speak "a thousand words."

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[1] See Transcript, attached as Exhibit A: Pg. 6, Lines 6-7.

[2] See Transcript, attached as Exhibit A: Pg. 8, 14-15.

[3] See Transcript, attached as Exhibit A: Pg. 3, Lines 9-12 (Speaker and Zion parent Amber Cordova clearly expects the court to be open to adults and the public generally. What parents who pitched in for the court?); Pg. 8, Lines 2-5.

[4] See Transcript, attached as Exhibit A: Pg. 5, Line 23; Pg. 6, Lines 23-24

[5] See Transcript, attached as Exhibit A: Pg. 2, Lines 32-38 ("cones don't stop cars"); pg. 3, Lines 6-8; Pg. 10, Lines 12-15, 17-18.

[6] See Transcript, attached as Exhibit A: Pg. 1, Lines 29-32; Pg. 2, Line 41; Pg. 5, Lines 30-31.

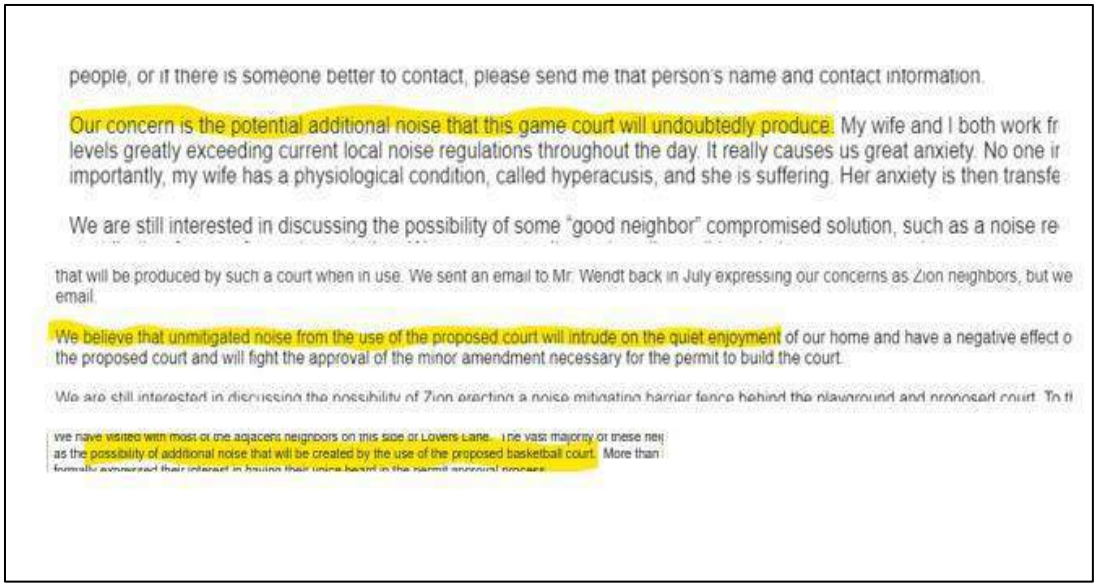
[7] See Transcript, attached as Exhibit A: Pg. 10, Lines 2-3 ("I think we're pretty close to capacity, umm, I'd have to look at that we might have a few spaces.."); Pg. 8, Line 39 ("I believe we're pretty close to our parking requirements right now."); Pg. 7, Lines 10-11 ("If we were to rotate that court 90 degrees, it would impede on the ability to have a regulation size soccer field").

[8] See Transcript, attached as Exhibit A: Pg. 1, Lines 26-27 ("We're moving it into our ***existing*** playground").

Probable Noise Issues for Neighbors Ignored

No one even considered the noise that will be produced "80 feet closer to neighbors" with the addition of the new game court even though at least one neighbor expressed concerns after the unpermitted build came to light.

PICTURE 1 – Notice of noise concerns (excerpts from emails sent to Wendt, Kuhlmann, and Thorman)



people, or if there is someone better to contact, please send me that person's name and contact information.

Our concern is the potential additional noise that this game court will undoubtedly produce. My wife and I both work fr
levels greatly exceeding current local noise regulations throughout the day. It really causes us great anxiety. No one ir
importantly, my wife has a physiological condition, called hyperacusis, and she is suffering. Her anxiety is then transfe

We are still interested in discussing the possibility of some "good neighbor" compromised solution, such as a noise re

that will be produced by such a court when in use. We sent an email to Mr. Wendt back in July expressing our concerns as Zion neighbors, but we
email.

We believe that unmitigated noise from the use of the proposed court will intrude on the quiet enjoyment of our home and have a negative effect o
the proposed court and will fight the approval of the minor amendment necessary for the permit to build the court.

We are still interested in discussing the possibility of Zion erecting a noise mitigating barrier fence behind the playground and proposed court. To th

we have visited with most of the adjacent neighbors on this side of Lovers Lane. The vast majority of these nei
as the possibility of additional noise that will be created by the use of the proposed basketball court. More than
formally expressed their interest in having their voice heard in the permit approval process.

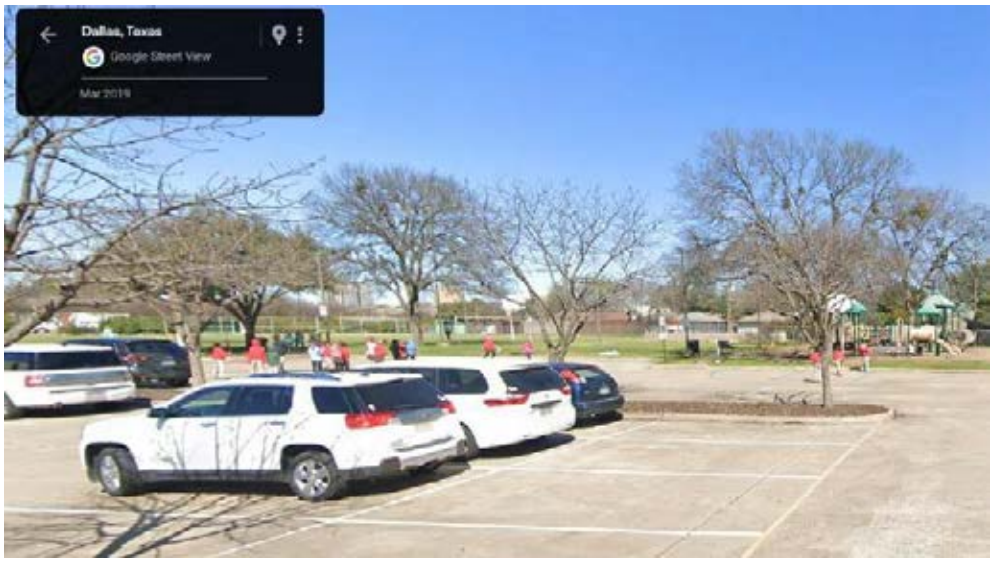
PICTURE 2 – Noise study (***none***)



Safety is Number One?

Both Mr. Thorman and Mr. Kuhlmann stated that safety is the reason behind the ***necessity*** of the game court addition. Mr. Thorman states that the "main reason why this sport court went in" is that the kids playing court games on the parking lot are at risk of getting run over by drivers who might be inclined to run over both traffic cones and then children in their efforts to "scoot around" the Lovers/Skillman intersection.

PICTURE 3 – Safety issues ignored – March 2019 (prior to PD application, ***but now it's a contingency to the 2021 PD?***)



PICTURE 4 – Safety issues ignored – January 26, 2024



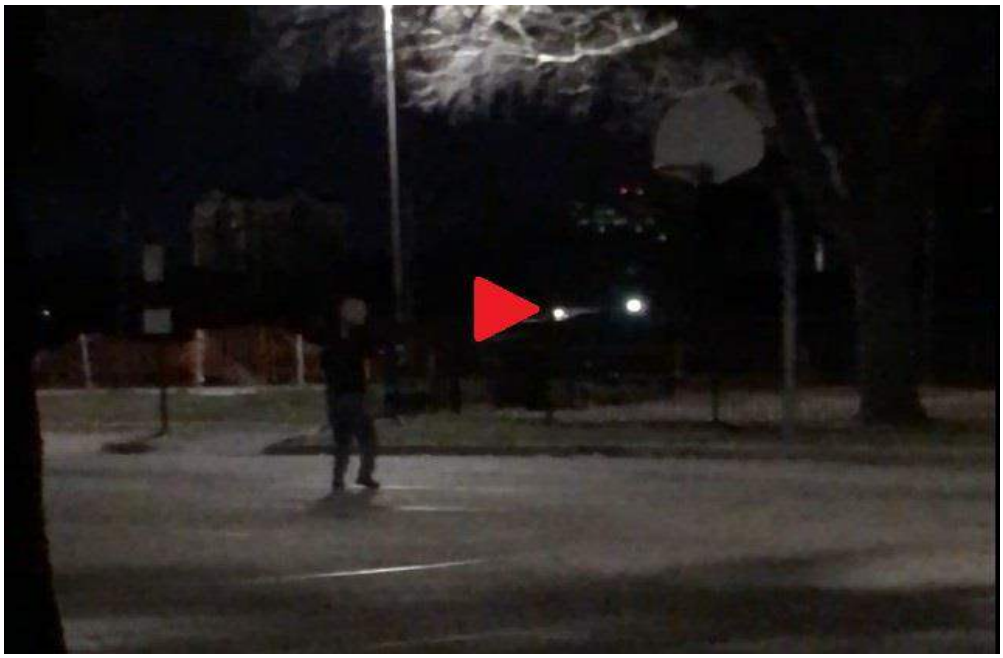
PICTURE 5 – Safety issues ignored – February 1, 2024



The Game Court is Not Lit

Another argument for the addition of the game court repeatedly mentioned is that this new court will not be lit by any artificial light.

PICTURE 6 – One guy (typically it's a group) playing after dark on one of the current courts – December 29, 2023 about 8 P.M. (one person is not too loud at this distance, but adults playing 5-on-5 basketball on the new court would also be a loud, "high intensity" activity – see Transcript, attached as Exhibit A, Pg. 8, Lines 16-17) (click play below)



PICTURE 7 – New court lit by ambient artificial light – February 1, 2023 at 7.45 P.M.



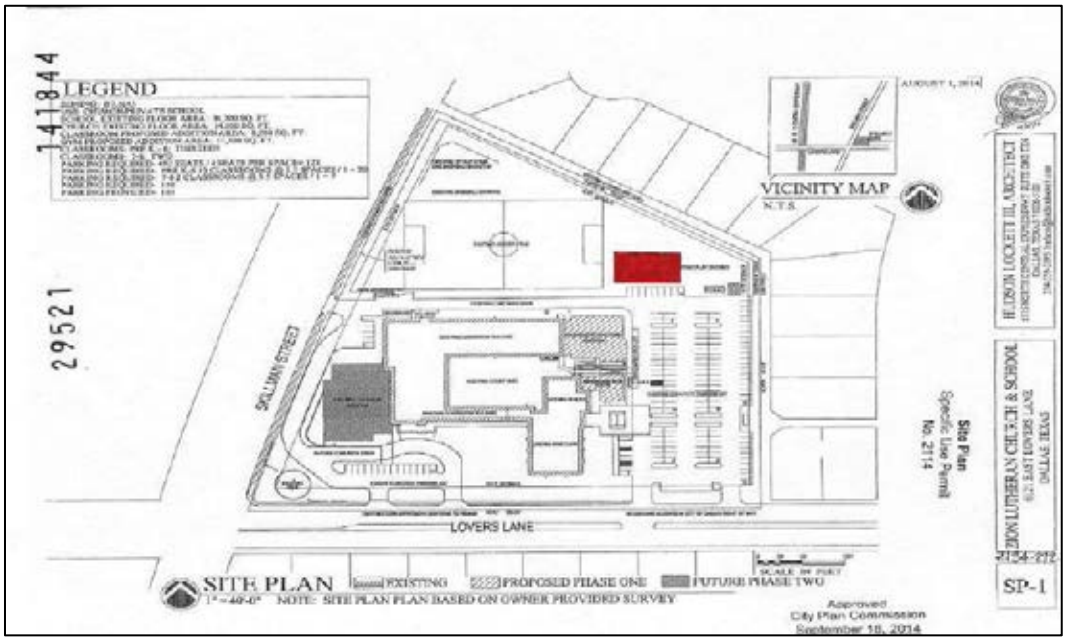
PICTURE 8 – Conversation (click play below) with Chuck Green, chair of Zion's Realize the Vision campaign, regarding adding lights in the future (take one "minor" mile at a time)



No Other Alternatives as to Placement of the Court

When questioned about court placement alternatives, Mr. Kuhlmann responded that any other placement would either interfere with their "regulation" soccer field or else take away the few extra parking spaces on site.

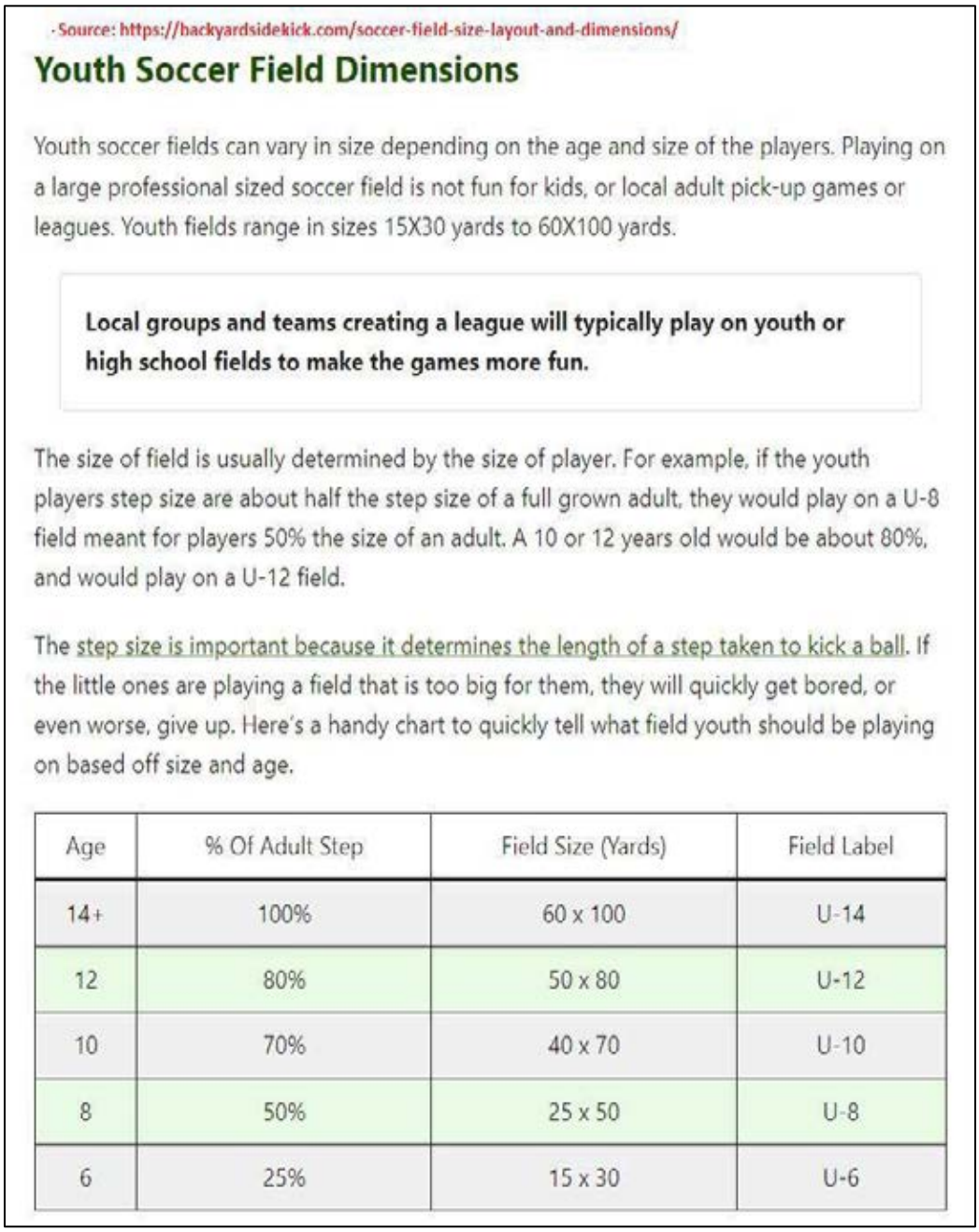
PICTURE 9 – Rotated game court to scale which does not appear to interfere with either current playground or soccer field (about 40 x 90 yards), which, due to shape of the lot couldn't be made any bigger anyway



PICTURE 10 – Current parking requirements with 44 spaces to spare



PICTURE 11 – Youth soccer field dimensions



Source: https://backyardsidekick.com/soccer-field-size-layout-and-dimensions/

Youth Soccer Field Dimensions

Youth soccer fields can vary in size depending on the age and size of the players. Playing on a large professional sized soccer field is not fun for kids, or local adult pick-up games or leagues. Youth fields range in sizes 15X30 yards to 60X100 yards.

Local groups and teams creating a league will typically play on youth or high school fields to make the games more fun.

The size of field is usually determined by the size of player. For example, if the youth players step size are about half the step size of a full grown adult, they would play on a U-8 field meant for players 50% the size of an adult. A 10 or 12 years old would be about 80%, and would play on a U-12 field.

The step size is important because it determines the length of a step taken to kick a ball. If the little ones are playing a field that is too big for them, they will quickly get bored, or even worse, give up. Here's a handy chart to quickly tell what field youth should be playing on based off size and age.

Age	% Of Adult Step	Field Size (Yards)	Field Label
14+	100%	60 x 100	U-14
12	80%	50 x 80	U-12
10	70%	40 x 70	U-10
8	50%	25 x 50	U-8
6	25%	15 x 30	U-6

The Game Court is Being Moved to the Exisitng Playground Area

The game court is ***not*** being moved to the existing playground area. The playground is used by the younger students and not at all by the older students. The proposed game court will now be used by a different set of students that are just as loud, but will now be 80 feet closer to adjacent residential property.

PICTURE 12



PICTURE 13



CONCLUSION

You all asked questions of the applicant for a reason. You expect truthful answers. You expect truthful answers because details matter. A proper analysis of the issues turns on these very details. And a proper analysis is what is required when making your decision – a decision that will greatly impact our lives in the house that my wife and I have made our home.

Again, we assert that Zion's proposed Court requires more than a mere minor amendment. Even if it were only used during school hours, it will bring a whole new group of users 80 feet closer to our property at least doubling the violative noise produced practically in our backyard. Plus, no one should be blind to the fact that it is Zion's stated intention that this court is not going to be used exclusively by Zion students during school hours.

We are still open to a compromised solution, one that keeps the noise levels that will be produced by this game court addition under the thresholds set forth in Article VI of Chapter 51A. Without a noise study, we have no other way to quantify any mitigation measures. Barring that, we would be asking that you deny this application at this time.

EXHIBIT A

CHAIR: Ladies and gentlemen, you have to stay with us here a little bit. We're going to jump around. We have a lot of moving parts, have some commissioner availability. So we're going to jump around a little bit. We'll begin with the top of the docket on the first page with case number three. And Ms. Moorman. For those of you in the flag room, we are beginning with case number 3 - M234-003. If you're interested in being heard in that case, please make your way back into the chamber.
MOORMAN: All right, the first item is item number 3 - M234-003-DM, an application for a minor amendment to an existing development on property zone plan development district number 1053, generally located on the northeast corner of Skillman Street and East Lovers Lane.
Staff recommendation is approval.
CHAIR: Thank you very much Ms. Moorman. Is the applicant here? How many folks intend to speak on this item?
KUHLMANN: I'm not sure. We probably have four or five.
Okay. At least three I know of.
CHAIR: Perfect. Yes, sir. Could you please begin with your name and address for the record?
KUHLMANN: Yes, sir. Thank you. My name is James Kuhlmann. I am an architect here in Dallas. I'm also a member of Zion Lutheran Church and School and I'll be representing the school.
Just to give you a quick bit of history, our church and school has been active in Dallas community for nearly 150 years and our school church and school has been located at this corner for 70 years.
We've got about 275 students enrolled and 80% of those students are not church members. So we consider ourselves a community school.
The reason for this sport court, this new concrete pad was really driven by student safety. Our current basketball courts are located on our parking lot area.
And so what we what we propose to do is locate the new sport court just to the north of the existing basketball court area.
It should be important to note that we are not changing any current use. We're not increasing the number of users. We're simply taking an existing activity that occurs on site in the parking lot. We're moving it into our existing playground. So, I think that should be highlighted that that we're not, we're not, not changing the current use or increasing the number of users, and so we're not changing the relationship to the adjacent properties. And maybe even, there may be less activity because our current basketball courts, because they're part of the parking lot, they're lit.
That can encourage some users to use those courts at night. The new court area that we have established will not be lit.
So, I would anticipate even less activity probably on this court than we currently have. Just to address a couple of concerns that I heard in this morning's briefing regarding the slab location - the current slab is oriented like it is to maximize the area for our adjacent soccer field.
CHAIR: Your time is up, sir.
KUHLMANN: That's it.
CHAIR: That's it. But please stand by there. There are going to be questions for you.
So okay. Take a seat and and hang in for just a second. Ladies and gentlemen, there are other folks. Apparently, we have reached the maximum capacity for this room and they are not letting folks in that want to speak on this case.
So I would respectfully ask for you folks that are not speaking on this case to maybe take a step out of the chamber for just a moment.
Allow some of those folks that want to be heard on this. In this case to take your place for a moment.

Thank you so much. Really appreciate it. Okay, we're taking our speakers in support of the item first. Is there anyone else that would like to be heard in support of this application? This is again case number 3, M234-003. Yes, sir. Please begin with your name and address for the record and Ms. Pesina will keep time.
You'll have one minute.
WOOD: My name is Marcus Wood. 5335 Ridgelawn Drive. I have been a member of ZOAC in years past.
My home since 1967 has been behind Zion Lutheran Church and School. I love it. They're the best neighbors. I don't want any screening. I don't want any hedges. I consider those to be safety problems if those happen. I am thrilled to support the school and their plan.
In fact, I questioned why this is even on the agenda as a minor amendment. Thank you.
CHAIR: Thank you for joining us.
Next speaker in support. Next speaker in support, please. Yes, sir.
WENDT: Yes, my name is Brian Wendt. I'm an officer of Zion Lutheran Church.
I have provided each member with a handout with four exhibits. It looks like this. The first exhibit is letters from four of our neighbors who are also in support of our sport court, none of which are affiliated with Zion. I think Mr. Kuhlman addressed the issue of altering the basic relationship between the property development and the adjacent property.
But I do want to address what I think is going to be in front of the commissioners who I thank for their service.
There have been complaints in the past before and this hasn't been used, from the Sarno family about the noise on our existing playground and we have entertained the folks from code enforcement who have been out in response to those and we've never been cited for anything and I think it's very important
CHAIR: Thank you sir. Your time is up sir. Please stand by the many questions for you. Our next speaker in support.
THORMAN: Hello. I'm Jeff Thorman. I'm the principal of the school. Uhm. Just wanted to talk about the main reason why this sport court went in is because if you know Lovers and Skillman it's one of the busiest intersections in Dallas. And there are many accidents that happen at that intersection. A lot of times when that traffic is backed up people want to cut through our parking lot and scoot around the backside running along our property.
Many times we've had kids out there playing basketball in the parking lot where they try to drive through. Some of them are not very cautious. So, when the idea of putting sport court in to alleviate that issue that was our biggest reason why we wanted to do it.
To get the kids off the parking lot away from potential issues that could happen. We do set cones out there, but cones don't stop cars.
So in saying that, that's the main reason why we wanted this sport for our kids and again we're going to, we don't anticipate having anything happening at night. We will post signs that say, you know, no trespassing, but that's what we're looking for.
CHAIR: Thank you, sir. Next speaker in support.
THORMAN: And it's not lighted.
CHAIR: Thank you, sir. Next speaker in support. Are there any more speakers in support of this item? Is there anyone in the flag room if you're in support of this? Now's your time to please make your way into this chamber.

Just pause it. Couple of minutes here to give anyone that wants to speak in support of the item in favor, an opportunity come on in here.
CORDOVA: Good afternoon members of the council. Thank you so much for considering this request. My name is Amber Cordova. I'm a parishioner at Zion and my children attend there. They are three and five. This sports court is important to keep our children safe. Number one, I don't know if you have three and five year olds, but they bolt, a lot. And so to have them in an area where they're able to play and not be on a parking lot where a car could be coming through sets my mind as a parent at ease.
We also live in the surrounding neighborhood and this is an important place where kids who aren't even part of Zion can come and play when schools not in session or on the weekends.
And so it adds to both time away from screens and helps kids with maintaining physical activity. And it can also be used by adults.
So overall, I think that this is good for the neighborhood. It's good for Zion. It's good for our kids here in Dallas. So, thank you for considering my comments and support.
CHAIR: Thank you for joining us. Are there are any more speakers in support of this item? If there's anyone in the flag room, please make sure you come now. Okay, we'll go to our speakers in opposition.
Sir, please begin with your name and address for the record. You have one minute.
J. SARNO: Only one minute?
CHAIR: Yes, sir.
J. SARNO: My name is Joe Sarno. I live at 6114 Town Hill Lane. I'm here on behalf of myself and my wife, Allie, as adjacent property owners in opposition to the Zion's Minor Amendment application up for vote today.
We are asking that you not approve this amendment in its current form or alternatively continue to vote to allow for additional exploration of the issues and allow for the potential possibility of reaching a compromised solution.
This minor amendment is anything but minor. It will alter the basic relationship of the proposed development and our adjacent property by creating an additional source of noise closer to our property.
The noise is our main concern. It's the intensity and frequency of the noise given by the proximity of the proposed court and the new use created.
Neutral studies provide us with such guidance even though it should also be obvious to the casual observer. I think when people get into these fights each side is sure that it has the higher ground. I've been open to discussions with Zion from the beginning, but they have not engaged. I'm a strong believer that if people are willing to do the work, agreeable solutions can be achieved.
A vote today to unconditionally approve the minor amendment application will only worsen the excessive and offensive noise situation and will not be in accordance with the notion of not rewarding a non-compliant applicant.
Alternatively, we ask that you continue this vote and hold this case under advisement to allow for additional assessment of the issues, perhaps a prospective noise study, and the possibility of the two sides reaching a compromised solution. I also want to point out that Zion is already not in compliance with the code. Zion is already violating Article VI regulations with their playground....
CHAIR: Thank you, sir. Time is up. Thank you for joining us. Please stand by. There may be questions for you. Good afternoon.
A. SARNO: My name is Alevtina Sarno and I also live at 6114 Town Hill Lane.

First of all, I would like to say that...
CHAIR: You need to step right up the microphone.
A. SARNO: We are not against the school. We are not against the church. We are not against the children.
Our main concern, and our own, our concern is the noise, excessive noise. Currently, there's a playground right behind our house and we are hearing screaming and yelling all day long on school days.
And this new court, it's been mentioned that it's not going to increase or it's not going to be a different use of court, that it's just going to be, just adding to the playground.
I don't think so. I think additional noise will be produced because other children, older children that I see playing closer to the school currently will be playing on this new basketball court or pickle ball court, or whatever they're going to make it.
And also, I think we're going to have new noise issues on the weekends and in the evenings, maybe even going later into the night when other people, outside of the school, maybe even adults, not even children who are attending in the school, will be playing basketball.
CHAIR: Thank you for joining us.
A. SARNO: Thank you.
CHAIR: Next speaker please. Are there any more speakers in opposition on this item?
If there's anyone in the flag room, please make your way this way now. Okay. Per our rules, the applicant gets a three-minute rebuttal.
WENDT: Thank you. I'd like to start with the exhibits three and four to this, to our handout and the reason those are included is as you can see in exhibit three, Mr. Sarno has represented to us that, that Mrs. Sarno suffers from a condition called hyperacusis. Uh, which is a hypersensitivity to noise, and I've included this exhibit for an excerpt from the Cleveland Clinic on this, this condition where it says common some common sounds in everyday life that may feel intolerable or people chatting the car engine running and you can see that there. I bring that up only to say that the standard for an unreasonable noise in, in, I believe it's Chapter 30 is something that's disturbing, loud, or is offensive to the ordinary sensibilities of the citizens.
And here, the Sarnos have stated that they don't fall into that category. It's also important to note that they have complained about the noise on our, from our playground as recently as a couple of weeks ago and code enforcement has been out.
If there's unreasonable noise and see you in the next that is the job of code enforcement to look at. And respectfully I just don't think that's the function of this commission.
Okay, I believe that we have complied with the, as Mr. Kuhlmann pointed out. We're it. This ought to be granted in accord with the, the, staff's recommendation.
And if in the future we violate the noise ordinance then code enforcement will handle that and we will deal with it.
And again we, we've never had a complaint in the 20 years that the Sarnos have lived there until last spring; and I just think that's very important, and I entertain any questions that the commissioners have.
CHAIR: Thank you, sir. Commissioners, questions for the applicant or any of the speakers in support? Commissioner, Wheeler.
WHEELER: I have a couple of concerns.
One of the concerns is, is the, is the playground compliant? Is the location of the playground compliant?

Or is it not compliant?
WENDT: It's, it's compliant. It's been there forever. 1957.
WHEELER: Umm, is it, can I? Because I want to say that possibly the person in denial, the person that was in opposition, he had something to further tell us about the playground.
CHAIR: We can ask that, a good question for staff when we get to staff questions.
WHEELER: Well he had something, he didn't get to read that part or maybe that's not any.
CHAIR: Who didn't get to read that?
WHEELER: He had something that was stated there was not compliant. We cut him off before it.
CHAIR: Ok, yea we can ask him, we get to the questions of opposition and then we can ask staff. Ok, umm also, umm, you also said something about normalcy.
Umm, she uhh, the saran- what's her name? Oh no, let me get it. I wanna be- because their complaint was that the noise is offensive to them that is not normal for it to be for everyone else. And.
WENDT: Well, if I might clarify. The noise ordinance in Dallas says you're in violation if you're making a loud or disturbing noise that is offensive to the to a citizen of ordinary sensibilities. And I brought that up to show that according to the Cleveland Clinic and Mr. Sarno's own representation they are not, at least Mrs. Sarno is not a person of ordinary sensibilities and I believe that is one of the things that's driving their opposition.
If that makes it any clearer.
WHEELER: Yeah. Okay so have there been a noise study done? Did you all have a noise study done.
WENDT: I'm sorry I'm sorry.
WHEELER: Did you have a noise study done?
WENDT: We've never had a noise study done that I know of.
WHEELER: Are you aware that, maybe I'm not necessarily the playground, but when you go to move in into sports like pick a ball, basketball, that, that those can produce additional noise that is offensive to the community?
If no noise study is done, then how do we not know that it is not…
WENDT: Well because we're not changing the use.
It's probably less than it would be. Because we're prior to this our basketball area wasn't even a court, just part of the parking lot was lighted and this sport court will not be lighted so it won't be in use for anything that you can't do in the dark.
WHEELER: Am I correct, are these smaller lines? I mean are these houses, houses that's posted, that's at the back part, close to where the new screening fence is going in?
Is those parcels behind there? Maybe I'm looking these lines or is not, these are homes. So what it looks like that the new court is moving closer to the homes than where the existing court was being held.
Am I correct?
WENDT: You are correct.
WHEELER: So you do not believe that because that is moving closer to where the homes are at that it will not be a noise issue.
WENDT: I do not. And in fact, again, with respect, whether there could be or will be additional, quote unquote, additional noise is not, is not the issue in whether this this ought to be approved. The issue is if it comes up that we are making an unreasonable noise that is actually for code enforcement to deal with.
And they've been out a number of times on those complaints and have never cited us.

WHEELER: So, maybe I need to answer the attorney this question because if it's That's it. Our position because I know that in the past we have asked those questions and we can ask.
Okay, so so and you're in your belief moving a basketball court. What what will this court will be used for exactly?
What type of sports are are would be all this sport?
WENDT: Basketball, possibly and possibly pickleball and whatever other children's games you know that games that children may play on a hard surface.
WHEELER: And again, you do not believe that those type of sports moving closer in proximity to the homes will call an additional noise issues to those people who live in that particular area?
WENDT: I personally really don't. But again ma'am, this…
WHEELER: Thank you. Thank you.
CHAIR: Okay, we have some other questions.
Commissioner Kingston. Followed by commissioner Hampton.
KINGSTON: Thank you. Can you describe for me, I understood there's some noise mitigation contemplated on this development plan.
Can you tell me exactly what it is?
WENDT: Noise negation?
KINGSTON: Noise mitigation. What noise mitigation efforts do you plan to install to reduce the impact of loud games like pickleball on the surrounding residential homes?
WENDT: Well, we… do you wanna address that James?
KUHLMANN: Yeah. Umm. So, we have currently planned landscaping, landscape buffer along that property line. But we currently have not considered any specific noise mitigation plans because we don't, we're not aware of any noise issue. Because we don't have, I mean it's something that we would deal with when we understand the issue. I guess is what I'm saying. Right now, the current plan is for this to be a basketball court. To serve the school children during recess. The same way that they're playing in the parking lot now we're just moving that existing current activity 80 feet north to this new location.
KINGSTON: And how far is it from the property line?
KUHLMANN: Well, it depends. It's from the neighbor's property line. It varies from 35 feet to 64 feet.
KINGSTON: Okay. And you don't. Do you play pickleball?
KUHLMANN: I do not.
KINGSTON: You've been to a pickleball game?
KUHLMANN: I have not.
KINGSTON: But it is the church's intention that this may be used for pickleball at some point.
KUHLMANN: Well, honestly, I haven't umm, I mean if you're asking me to guarantee that we'll never use it as a pickleball court, I can't do that.
But that has not been in the discussions I've been in. This has been a court to accommodate school recess activity.
KINGSTON: Well, were you here a few moments ago when your colleague said that you might use it for pickleball.
KUHLMANN: Yeah, I was here.
Okay. I heard that. Yeah.
KINGSTON: Thank you.
CHAIR: Commissioner Hampton.

HAMPTON: Thank you. I believe this will be for Mr. Kuhlmann. You were, I think going to address the question about the orientation of the new sport court.
There was, I was the one who asked the question during the briefing. It was considered to rotate it 90 degrees, which would increase, increase the distance between the adjacent residential. I think I heard you start to say it was to allow for maximum flexibility for the existing soccer courts, but is that layout anywhere here?
I mean, is it encroaching on them or is it just closer to it?
KUHLMANN: Yes. Ma'am. There are two site plans that I have made available to the committee, I believe, and the larger overall site plan while the soccer field layout is not articulated.
If we were to rotate that court 90 degrees, it would impede on the ability to have a regulation size soccer field.
Keeping the court oriented north south also allows us to keep it closer to the existing playground. Our intention is to fence this entire sport court and playground area umm so that it we can you know better manage that. Umm, and so those are the reasons that drove the current orientation north south.
HAMPTON: So I don't have the overlay. I was trying to do the math to see how it worked out. Umm I guess you also have some adjacent parking spaces that are shown. It seems like you maybe have some area but it sounds like it just didn't work with how you're currently utilizing the site.
KUHLMANN: That's right. And so you were using available land. That's, that's exactly right. We're just maximizing the what we saw as the current use and future potential use of the property.
HAMPTON: And then could you speak to just North of where you're showing these? There's a leave out and what looks like the fence line.
You're showing the new row of hedge screen. What is in that fenced area?
KUHLMANN: So in that fenced area, there is a school garden.
HAMPTON: Okay. So it's essentially green, open space.
KUHLMANN: Yes, ma'am.
HAMPTON: Okay. Thank you. Thank you, Mr. Chair.
CHAIR: Commissioner Hall.
HALL: Yeah. Back to the use of the court.
I mean building it as a basketball. It's going to require goals on each end of it I suppose. Yes sir. It is going to be stripes for a basketball.
KUHLMANN: Yes sir.
HALL: I'm thinking here that to play pickleball you need a net, and you need different striping and you'd have to go sort of out of your way to play pickleball by putting up a net anytime somebody wanted to do it.
KUHLMANN: I guess so.
HALL: Perhaps it's more likely it's only going to be useful. Basketball, but
KUHLMANN: That's, that's correct. That's the current plan is to have goals at each end and then some netting to manage balls to get away.
HALL: Okay.
WENDT: We also have indoor pickleball…
CHAIR: Can you speak into the microphone? We have some folks online that won't be able to hear you.
WENDT: Zion has just constructed a new gymnasium that has two indoor pickleball courts as well.
HALL: Yeah.

WENDT: So that's where we would direct that.
HALL: And so this is not lighted, so you don't anticipate people would be using it for sports after dark?
KUHLMANN:
No sir. No sir. And we also, it should also be said that we have no trespass signs on, around the property that encourage people who are not, you know, school related to not use the facility and the intent is to fence this area.
HALL: Okay. And what age group of students do you have at your school?
KUHLMANN: We have pre-school children through grade eight.
HALL: Through grade 8. Okay. Are there, is there any use by outside entities, any sports leagues or?
KUHLMANN: No, not currently.
HALL: So, you, in general, would you in general anticipate this basketball court would be used only during school hours?
KUHLMANN: That would be what we anticipate. Now there are times where after school there are children in the neighborhood that come and use the playground. And on the weekends. But the high-density activity that the Sarno's have referenced, you know, that comes along with school children at recess time, obviously, only during school hours that occur.
HALL: So, you do have neighborhood children coming onto your property too, you anticipate they could come and play that?
KUHLMANN: It would be accessible.
HALL: You have no particular objection to that, I'm assuming?
KUHLMANN: We don't.
HALL: Okay. Well, perhaps it might be better to play pickleball, I think, you know, basketball outside, but okay, thank you.
CHAIR: Thank you, sir. Commissioner Ruben, followed by Commissioner Herbert, then Blair.
RUBEN: Just a very quick question for the gentlemen wearing a tie who's name I'm blanking on. Is this your handout?
WENDT: Yes, sir.
RUBEN: Okay. Thank you.
CHAIR: It's interesting reading. Commissioner Herbert.
HERBERT: Yes. A couple questions.
What was the reason for your decision making on not re redoing the actual parking lot, whether the space was taken.
Maybe thinking about reducing your parking requirements and putting the basketball goal there.
KUHLMANN: Safety and it's financial. I mean, so to do that, we require a considerable amount of more work, right?
Demol, demolishing the existing parking lot, rerouting parking, and then pouring back a new play area. And I'm not too sure exactly.
I believe we're pretty close to our parking requirements right now. So, to reduce the number of parking might impact us from that aspect as well. So.
HERBERT: Okay. Thank you. That gives me some help with your decision making. Last one. You said there was a new gymnasium build. Is there a basketball goal there?
KUHLMANN: Yes.
HERBERT: Okay. Thank you.
KUHLMANN: Yep.

CHAIR: Commissioner Blair.
BLAIR: In our briefing we heard that there's possibly that before you guys entered into this process that concrete has already been poured for this site?
Is that correct?
KUHLMANN: Yes, that's correct. I can give you some history on that. So when we decided to proceed with the sport court, our concrete subcontractor reached out to a building official that he works with regularly down at Jefferson Street. That building official suggested that we did not need a permit because we're in a residential area when we're simply pouring concrete slab in this area. So we proceeded with form work and about two or three days into that process then we get a red flag from the building inspection department that said you do need a permit but you can proceed with this construction just you need to fill out the paperwork submit the applicable materials and engineered site plan you need to run it through landscape and zoning so that you can get your building permit kind of after the fact that's what we were told so that's why we have, kind of where we where we are now umm then as soon as we got that concrete poured then we stopped work and that's where we're in this process now. We had a civil engineering firm create a site plan where they study drainage, permeability, um, paving, et cetera. That was approved by building inspection. The city's landscape department reviewed it and noted that we were required to add the additional landscaping that's shown. So, we had landscaping plans created and reviewed by the city and approved. And so that process has been started and all we lack now to get our building permit to continue is this minor amendment approval.
BLAIR: So, umm, where you have your existing court area, you have two squares.
KUHLMANN: Yes.
BLAIR: And is there a wall or anything that - there's a line that delineates between the existing court area and the new court area?
Is there anything that separates them other than this imaginary line on this paper?
KUHLMANN: There's a - So the lines you see looking at the existing court area to the left right below the new court. So, the first line you see is a curb between the parking lot and the lawn area. The second line which is outlining around the new court, that will be a net fencing that's on either end of the court to just control managed balls that might overshoot....
BLAIR: So the existing court area, you are going to reuse that for another purpose?
KUHLMANN: That will, that will remain parking.
BLAIR: that, okay, so are you, and forgive me are you is your parking at are you, do you, is your parking, do you need more parking?
KUHLMANN: We need the existing parking we have. We're in conformance if that's the question.
BLAIR: Okay, so anything, any additional parking spaces will give you extra parking, not bring you into compliance?
KUHLMANN: The existing parking places noted include the parking places that are on this existing court. When I, when I delineate this as existing court area all that really means is there's a basketball goal at the end of one of the parking spaces. It's, it's delineated as parking. Yeah, it's improvised usage for basketball.
BLAIR: So what I'm saying is the existing court area that the pink box that's underneath your new court..
KUHLMANN: Yes
BLAIR: ...is that existing parking space?
KUHLMANN: Yes. Yes ma'am.

BLAIR: Okay, so, and do you have, or are you over parked or at capacity for parking?
KUHLMANN: I think we're pretty close to capacity, umm, I'd have to look at that we might have a few spaces but I'm not...
BLAIR: So let me ask the question, another question, and to, and it's a what if. We have, I'm hearing, okay, what if umm you move your new court down to some of the existing court area would that not still give you what you need to have your basketball as well as more space, more buffering between the residents and the new court?
KUHLMANN: Well, the problem with that is it still would remain in the primary circulation area of our parking lot. Looking at the site plan, you can see how if you would want to uhm leave this east parking lot and go north on Skillman you typically drive north around through these existing court areas and then use this fire lane that runs east west you would you know take that west to Skillman Street and what, what principal Thorman was describing earlier is that when the traffic at Skillman and Lovers gets backed up and even just traffic from around on church campus when people want to leave and use that route, then they're driving right through this, what is now, used as a basketball court area.
BLAIR: Okay, thank you.
KUHLMANN: So, it's a safety concern. It's what's really driving this.
CHAIR: Still on first round, commissioners. Commissioner Sleeper.
SLEEPER: So, several comments, if you'll bear with me. I have had the opportunity to go out to the site and visit with members of Zion's board and some of their employees and so I have a pretty good sense of what's going on here. And I, I think it should be understood, this has been a very imperfect process.
CHAIR: Commissioner Sleeper, just, just, an FYI, at this point, it's just questions for the applicant.
SLEEPER: Okay.
CHAIR: Yeah. It's just if you have questions for the applicant then we'll go quick. It's not for...
SLEEPER: I'll try to streamline that then. And I want to clarify - is it, it, it is correct, is it not, that the court was poured without a permit? You didn't understand you needed a permit, but you did but you poured it in advance of getting a permit or getting the minor amendment.
0:37:59 Is that correct?
KUHLMANN: That's correct. We poured the court with the verbal permission granted by the city official to say. Go ahead, proceed, but also proceed with getting your permit application in place.
SLEEPER: Thank you. The second question I have is that on the North side of the court, which I think is the side that borders Mr. Sarno's property. I understand that there is going to be a fence of some kind built there. Is that correct?
KUHLMANN: There will be a fence that will be built on the very northern edge of the court itself.
SLEEPER: Yes.
KUHLMANN: And then beyond that we have a fence garden.
SLEEPER: Yes.
KUHLMANN: And beyond that there is a six-foot chain-link fence that is along our property line.
SLEEPER: Yes.
KUHLMANN: And in between that chain link fence in our garden is where we'll be installing a landscape buffer.
SLEEPER: Okay. Thank you.

Okay. But just for clarification, the the fence that you intend to build on the north side of the court as of right now, is that a, something akin to a chain link fence or is it a fence that has some sound mitigation quality?
KUHLMANN: Right, right, it's, it's just a chain link fence.
It'll be transparent.
SLEEPER: Okay. Yes sir. And I thank you. I guess I have a, a question for Mr. Sarno if I, if I could.
CHAIR: Well, we'll go to the questions for opposition...
SLEEPER: You want to stay with the applicant right now?
CHAIR: Yes sir.
SLEEPER: Okay.
CHAIR: I think cause there's a second round...
SLEEPER: All right, I'll then I'll, then I'll, I'll pause that question until later.
CHAIR: Thank you. Commissioners, before we go to the second round, any other questions first round for the applicant or those in support?
Then we'll begin the second round with Commissioner Wheeler.
WHEELER: So, you're telling this body, umm, you've gave us many, you've told us that we cannot, we should not make a decision based off of noise because that's not our position. Umm. That you all have that that knowledge, but you all did not have knowledge that you were not in compliance on pouring a slab?
KUHLMANN: Well, we, we poured the slab with the understanding that we did not need a building permit. That was, that misinformation was given to us, or to our concrete subcontractor, by a building official down on Jefferson Street.
WHEELER: So, you're saying that you all did the work without a permit and then had to come to this body and hope that we will make it okay for you all to, for you to continue with the process that you all did illegally?
KUHLMANN: Well, we proceeded with the work with the understanding, based on what the city of, of what the building inspection or building department was telling us was that you can proceed with this work but you need to get a engineered site plan and go through the permit process so that we could show a building permit. In other words, when they were looking at what we initially submitted they didn't see any concern with what we were proposing, from a building standpoint.
WHEELER: Are you a consultant or you're just a representative? I mean, are you a part of the church?
KUHLMANN: I'm a part of the church.
WHEELER: Okay. Okay. Also, is there any particular reason why you all didn't move the court closer to Skillman?
KUHLMANN: Well, so moving it closer to Skillman in that area, that's where we have an existing soccer field.
WHEELER: Mm hmm. And do you all necessarily need an outside court, when you have a gym?
KUHLMANN: We do.
MOORE: Ms. Wheeler. I think that question is really getting off topic and not what's before the body.
WHEELER: Okay, thanks.
CHAIR: Any other questions like around commissioners? Great, so we'll go to our questions for the opposition. Thank you gentlemen.





City of Dallas

August 9, 2024

Via Email to BDA Secretary
Board of Adjustment, Panel B
320 E. Jefferson Blvd., Rm. 210
Dallas, Texas 75203

Re: BDA234-097 – 6121 E. Lovers Lane; Building Official's Brief in the appeal of the decision of an administrative official to issue building permit No. 2303301066 and associated master permit No. 2303301078

Dear Board Members:

This is the building official's response to Joseph Sarno's (the "Applicant") appeal of the decision to issue permits numbered 2303301066 and 2303301078 (the "Permit"), which authorized Zion Lutheran to build a sport court at 6121 E. Lovers Lane.

I. BACKGROUND

On May 12, 2021, City Council established Planned Development District 1053 ("PD 1053") (Ord. No. 31856) on the northeast corner of Skillman Street and East Lovers Lane, permitting Zion Lutheran Church to use its property for a private school. See Exhibit A. The boundaries of PD 1053 are coextensive with the property owned by Zion Lutheran at 6121 E. Lovers Lane (the "Property"). Included in PD 1053 is a development plan attached as Exhibit 1053 A to the ordinance (the "development plan"). See Dallas, Tex., Code §51P-1053.105.

In the spring of 2023, Zion Lutheran applied for a building permit to add a concrete sport court to its playground, and on March 30, 2023, the building official issued building permit No. 2303301066 and associated master permit No. 2303301078, authorizing the construction of a 4,500 square foot concrete pad on the Property, to be used as a sport court. See Exhibit B. The issuance of this Permit is the subject of this appeal.

Several months after work on the court was completed, Zion Lutheran applied for a minor amendment to the original development plan for PD 1053, to include the new court on the development plan map (Minor Amendment Application No. M234-003). On February 15, 2024, City Plan Commission ("CPC") voted to approve the minor amendment. In a public hearing prior to the CPC vote, Applicant voiced his opposition to the amendment, and on February 23, 2024, Applicant timely appealed the CPC's decision to City Council, pursuant to Section 51A-4.702(h)(5) of the Dallas City Code. See Exhibits C & D.

City Council heard Applicant's appeal in a public hearing held on April 10, 2024, and voted unanimously to affirm the CPC's approval of a minor amendment to the development plan for PD 1053. See Exhibit E. In so doing, the council reviewed the CPC's decision de novo and found that the basketball court met all the required criteria for approval of a minor amendment, including the finding that the amendment "did not alter the basic relationship of the development to adjacent property." Dallas, Tex., Code §51A-4.702. Then, on June 5, 2024, almost 15 months after the original building permits were issued, Applicant filed this appeal of the building official's decision to issue the Permit in March of 2023. See Exhibit F.

II. BURDEN OF PROOF

"The applicant has the burden of proof to establish the necessary facts to warrant favorable action of the board." Dallas, Tex., Code §51A-4.703(d)(1).

III. DISCUSSION AND ARGUMENT

In this appeal, Applicant claims that the Permit was issued in error because it: (1) allowed "appurtenant structures in excess of 12 feet in height," (2) created a facility which, "when in use, will excessively violate city noise ordinances," and (3) does not comply with the Planned Development rules. See Exhibit F. However, Applicant cannot meet his burden as to any of these claims. Furthermore, Applicant's appeal was not filed timely within 20 days of the date the permits were issued, as required by the Dallas City Code. Sec. 51A-4.703(a)(2)(C). For these reasons, Applicant's appeal should be denied.

A. There is no 12-foot height restriction on appurtenant structures, as Applicant suggests.

The only "appurtenant structures" on the sport court are the two standard basketball goals at either end of the court. The total height of the basketball goals including the backboard is more than 12 feet, but there is no rule restricting the height of a basketball goal to 12 feet. There is, however, a rule that CPC cannot approve a minor amendment to a development plan if the proposed amendment would "increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less." The only structural height depicted in the original development plan was 30 feet, so the height limit for a minor amendment to PD 1053 would have been 33 feet (a 10% increase). The standard basketball rim is 10 feet, and most backboards extend two to three feet above the rim. So, the total height of the standard basketball goal is more than 12 feet, but far less than 33 feet. Moreover, the basketball goals are depicted clearly on the amended development plan for PD 1053, which was approved by CPC and City Council. Notably, the issue of height never came up in the hearings before either of those votes, likely because it was obvious that a standard basketball goal installed at ground level would not violate the height restriction of 33 feet.

B. Even if use of the sport court were to violate the city's noise ordinance, that is not a basis for the building official to deny a building permit.

It is not clear that children playing on a basketball court violates the city's noise ordinance. But even if it did, the remedy for that violation is for Code Compliance to investigate the complaint

and issue a citation if necessary, not for the building official to preemptively deny a building permit to build a basketball court, for fear that its use may violate the noise ordinance at some point in the future. Accordingly, if Applicant believes that Zion Lutheran is violating the city's noise ordinance, or any other city code provision, he should report the issue to Code Compliance. This appeal is not the proper forum to redress such a grievance.

C. The construction project approved by building permit 2303301066 and master permit 2303301078 fully complies with the rules for PD 1053, as amended.

As discussed above, the building permit at issue in this appeal was approved before the development plan was amended to include the sport court. Ideally, the development plan should have been amended first to avoid any discrepancy between the two. However, CPC was aware of this fact when it voted to approve the minor amendment, as was City Council when it voted to affirm the CPC's decision. Accordingly, this grievance effectively became moot when the minor amendment was approved. The building permit application described the installation of a 4,500 square foot sport court for basketball and similar activities and showed its location on the attached site map. The amended development plan for PD 1053 now includes a sport court of identical dimensions in the same location. Therefore, the building project described in the permit application is in full compliance with the current development plan for PD 1053 and all other applicable zoning laws. As such, it would be pointless to revoke the Permit and require the removal of the sport court at this point, given that a building official would be required to approve the exact same construction in the future if Zion Lutheran were to apply for a second identical building permit.

IV. CONCLUSION

Applicant's appeal should be denied because it was not filed within 20 days of the issuance of the permit as required by the Dallas City Code. In addition to being untimely, this appeal asserts grounds of error that are either inaccurate, irrelevant, or moot. First, the sport court does not violate any height restrictions. Second, Applicant's concern about potential noise ordinance violations was not a proper basis for the building official deny this Permit. And third, the fact that the Permit was issued before the development plan was amended is no longer a valid basis to revoke the Permit because the development plan has now been amended to reflect the project, so the construction is now fully compliant with all applicable laws.

Very truly yours,

/s/ Ryan T. Crocker

Ryan T. Crocker
Assistant City Attorney
ryan.crocker@dallas.gov

APPENDIX

Below is the building official's exhibit list. These exhibits are incorporated into the building official's brief for the record.

Exhibit A, Ordinance No. 31856 ……page 1

Exhibit B, Permits No. 2303301066 & 2303301078 ……page 16

Exhibit C, Appeal of M234-003 (DM) ……page 36

Exhibit D, Appeal of M234-003 (DM) Case Report ……page 37

Exhibit E, City Council Resolution No. 240560 ……page 50

Exhibit F, Board of Adjustment Appeal, BDA-234-097……page 51

EXHIBIT "A"

4-30-21

ORDINANCE NO. 31856

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block 5411; fronting approximately 735.73 feet along the east line of Skillman Street; fronting approximately 709.3 feet along the north line of Lovers Lane; and containing approximately 7.929 acres.

from an R-7.5(A) Single Family District to Planned Development District No. 1053; amending Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code by creating a new Article 1053; establishing use regulations and development standards for this planned development district; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the property described in this ordinance; and

WHEREAS, the city council finds that it is in the public interest to establish this planned development district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed from an R-7.5(A) Single Family District to Planned Development District No. 1053 on the property described in Exhibit A, which is attached to and made a part of this ordinance ("the Property").

SECTION 2. That Chapter 51P, "Dallas Development Code: Planned Development District Regulations," of the Dallas City Code is amended by adding a new Article 1053 to read as follows:

"ARTICLE 1053.

PD 1053.

SEC. 51P-1053.101. LEGISLATIVE HISTORY.

PD 1053 was established by Ordinance No._____, passed by the Dallas City Council on May 12, 2021.

SEC. 51P-1053.102. PROPERTY LOCATION AND SIZE.

PD 1053 is established on property generally located at the northeast corner of Lovers Lane and Skillman Street. The size of PD 1053 is approximately 7.929 acres.

SEC. 51P-1053.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a residential zoning district.

SEC. 51P-1053.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 1053A: development plan.

(2) Exhibit 1053B: traffic management plan.

SEC. 51P-1053.105. DEVELOPMENT PLAN.

(a) For a private school, development and use of the Property must comply with the development plan (Exhibit 1053A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other permitted uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, and landscape plan do not apply.

SEC. 51P-1053.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-7.5(A) Single Family District is subject to DIR in this district, etc.

(b) Private school is allowed by right.

SEC. 51P-1053.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-1053.108. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Private school.

(1) Setbacks.

(A) Skillman Street. Minimum setback is 15 feet.

(B) Lovers Lane. Minimum setback is 25 feet.

(C) Encroachments. Steps, handrails, canopies, fences, and light poles are allowed within the required setbacks.

(2) Floor area. Maximum floor area is 67,500 square feet.

SEC. 51P-1053.109. OFF-STREET PARKING AND LOADING.

(a) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a private school and church, parking is allowed within the required setback.

SEC. 51P-1053.110. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a private school must comply with the traffic management plan (Exhibit 1053B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director by May 21, 2023. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by March 1 of each odd-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using the minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation, eliminate traffic hazards, or decrease traffic congestion.

SEC. 51P-1053.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-1053.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P-1053.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P-1053.114. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-1053.115. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city."

SECTION 3. That, pursuant to Section 51A-4.701 of Chapter 51A of the Dallas City Code, as amended, the property description in Section 1 of this ordinance shall be construed as including the area to the centerline of all adjacent streets and alleys.

SECTION 4. That development of this district must comply with the full-scale version of Exhibit 1053A (development plan) attached to this ordinance. A reduced-sized version of this plan shall be provided in Chapter 51P. Permits shall be issued based on information provided on the full-scale version of the plan.

SECTION 5. That the city attorney is authorized to insert the enrolled number of this ordinance in the legislative history section of Article 1053 in Chapter 51P.

SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 7. That the zoning ordinances of the City of Dallas and Chapter 51P of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By Casey Burgess
Assistant City Attorney

Passed MAY 12 2021

210780

GIS Approved

31856

EXHIBIT A

Being a tract or parcel of land situated in the John C. Cook Survey, Abstract No. 259, City of Dallas, Dallas County, Texas, and being all of a tract of land conveyed to Zion Lutheran Church of Dallas, Texas by warranty deed recorded in Volume 4334, Page 51, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point at the intersection of the north line of Lovers Lane (a variable width right-of-way) and the east line of Skillman Avenue (a 100' right-of-way), said point being the southwest corner of said Zion Lutheran Church of Dallas, Texas tract and the beginning of a curve to the right;

THENCE along the east line of said Skillman Avenue and said curve to the right whose chord bears North 20° 53' 27" East a distance of 735.21 feet, having a radius of 5,679.65 feet, a central angle of 07° 25' 19" and an arc length of 735.73 feet to a point for corner at the intersection of the east line of said Skillman Avenue and the south line of a 15-foot alley in Block 2/5411, North Hill Estates, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 29, Page 33, Deed Records, Dallas County, Texas, said point being the northwest corner of said Zion Lutheran Church of Dallas, Texas tract and the end of said curve to the right;

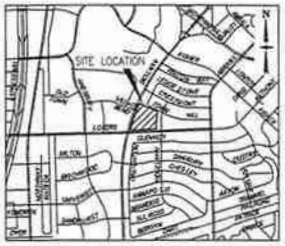
THENCE South 60° 03' 00" East along the south line of said 15-foot alley a distance of 516.05 feet to a point for corner, said point being the northeast corner of said Zion Lutheran Church of Dallas, Texas tract;

THENCE due South along the west line of said 15-foot alley a distance of 429.25 feet to a point for corner in the north line of said Lovers Lane, said point being the southeast corner of said Zion Lutheran Church of Dallas, Texas tract;

THENCE due West along the north line of said Lovers Lane a distance of 709.30 feet to the **POINT OF BEGINNING** and containing 345,408 square feet or 7.929 acres, more or less.

2107780

31856

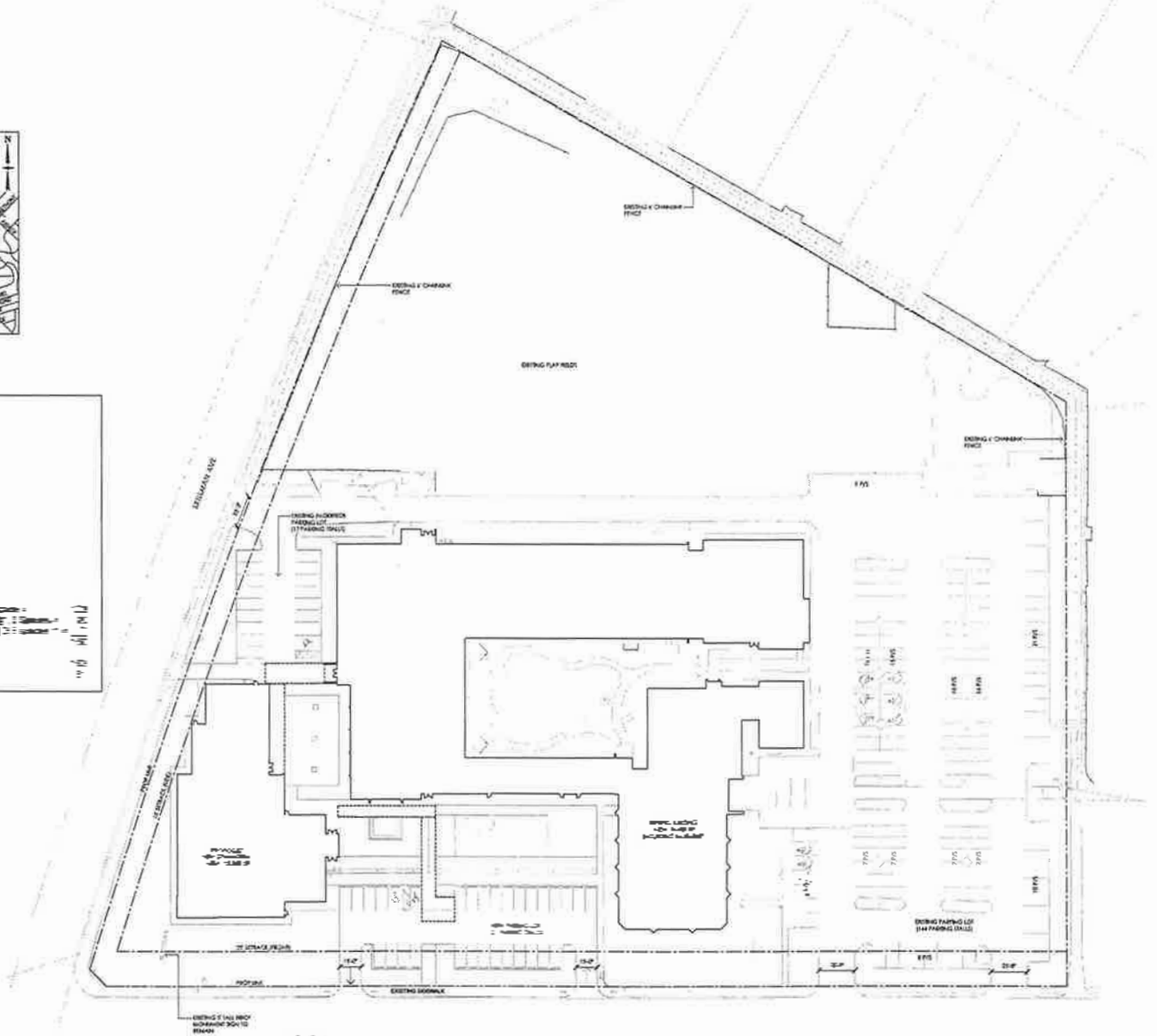


NOT TO SCALE

LEGEND

Current Zoning: Specific Use Permit Permit No. 2114

Use: Church / Private School	
Land Area	
School Existing Floor Area	36,382 SF
Church Existing Floor Area	14,531 SF
Proposed Gymnasium Addition Floor Area	12,900 SF
Total Floor Area	63,813 SF
Maximum Height	30 Feet
Number of Classrooms	
Classrooms Pre-K - 5	41
Classrooms 7-8	10
Parking Required:	178
Total Required	178
Parking Provided:	
Proposed Additional Parking	44



1 DEVELOPMENT PLAN
1" = 30'

Approved
City Plan Commission
March 25, 2021

NOT

cunninghamarchitects

DEVELOPMENT PLAN
2201-156

Approved
City Plan Commission
March 25, 2021

November 16, 2020
PK# 4805-20.605
Z###-###

TRAFFIC MANAGEMENT PLAN



Zion Lutheran School
CITY OF DALLAS

Introduction

The services of **Pacheco Koch** (PK) were retained by Zion Lutheran Church and School to prepare a Traffic Management Plan (TMP) for zoning approval in the City of Dallas for Zion Lutheran School (the "School") located at 6121 East Lovers Lane Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

School Description

- Type: Private School
- Address: 6121 East Lovers Lane
- Grades: Pre-K - 8th Grade
- Start/End Times:
  - 8:15 AM – 3:30 PM
- Existing Zoning: SUP 2114
- Existing Enrollment:
  - 99 (Pre-Kindergarten)
  - 97 (Kindergarten - 5th Grade)
  - 51 (6th Grade – 8th Grade)

School Access

- Adjacent Streets:
  - Lovers Lane: Six lanes, two-way operation, median-divided *(school zone)*
  - Skillman Street: Six lanes, two-way operation, median-divided

Pacheco Koch

7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkce.com
TX.REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

TRAFFIC MANAGEMENT PLAN

A summary of existing conditions from observations performed on November 5th, 2020 is provided below:

- Parent pick-up activity currently occurs within the site in the eastern parking lot. Separate queue lines are utilized that circulation around the northern and eastern sides of the school building. Pre-Kindergarten drop-off/pick-up occurs at the existing turnaround area located at the southwestern portion of the school building.

Traffic Management Operations

- Pre-Kindergarten:

  Parent traffic is to enter the area via Lovers Lane and enter the school site through the western parking lot. Ingress traffic shall queue in the provided queueing area just south of the school building in a one-way directional flow.

  Traffic is to exit continuing south and turning right to travel west on Lovers Lane after the vehicle has sufficiently unloaded/loaded the student(s) out of/into the vehicle.

- Kindergarten – 8th Grade:

  Parent traffic is to enter the area via Lovers Lane and enter the school site through the eastern parking lot. Ingress traffic from the parking lot will travel through the eastern portion of the parking lot where circulation will travel in a counter-clockwise flow. Traffic shall queue in two separate lines in a one-way directional flow and wrap around the northern and eastern sides of the school building. Actual unloading/loading shall occur in the area along the eastern side of the school building in front of the school office.

  Traffic is to exit continuing west for the north queue and south for the east queue after the vehicle has sufficiently unloaded/loaded the student(s) out of/into the vehicle. Traffic is then to exit the site towards Skillman Street or Lovers Lane.

Staff assistance shall be present to allow students to enter the school building in a safe and efficient manner.

No bus loading/unloading occurs on site and minimal students walk to/from home.

No changes to the existing operation are proposed.

A graphical summary of parent pick-up activities is depicted in **Exhibit 1:**

Pacheco Koch

November 16, 2020

Acknowledgement Statement

REVIEW AND COMMITMENT

This school traffic management plan (TMP) for Zion Lutheran School was developed with the intent of optimizing safety and efficiently accommodating vehicular traffic generated during the school's typical student drop-off and pick-up periods. This plan was developed with direct input from individuals familiar with the general characteristics of the traffic needs of the school. It is important to note that a concerted and ongoing effort by and the full participation of the school administration are essential to accomplish these goals.

By the endorsement provided below, the school administration hereby agrees to implement, adhere to, and support the strategies presented in this TMP for which the school is held responsible until or unless the City of Dallas deems those strategies are no longer necessary or that other measures are more appropriate.

Signature

December 3, 2020
Date

Name: Jeff Thorman

Title: Minister of Education / Principal

END OF MEMO

GENERAL NOTES:

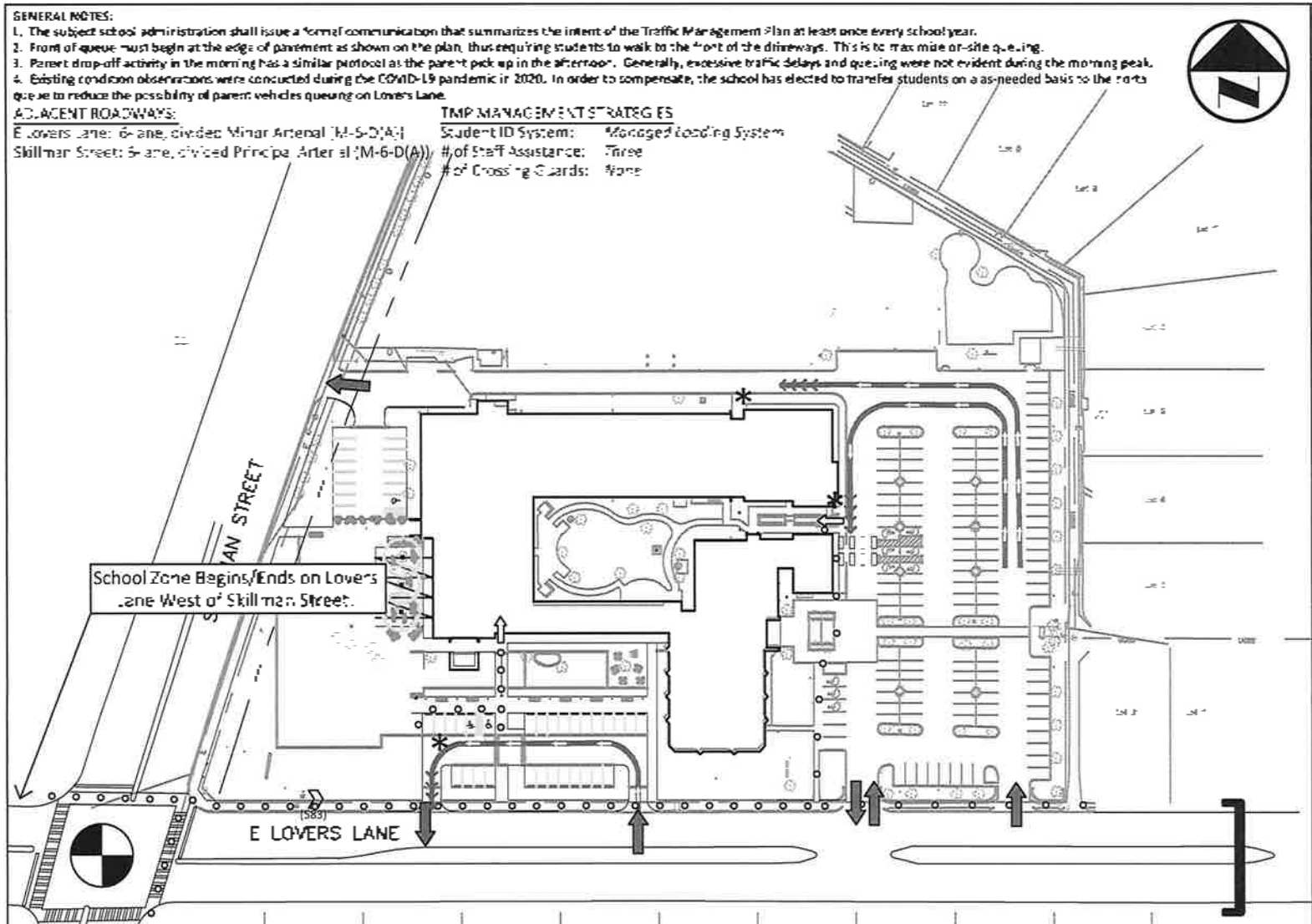
1. The subject school administration shall issue a formal communication that summarizes the intent of the Traffic Management Plan at least once every school year.
2. Front of queue must begin at the edge of pavement as shown on the plan, thus requiring students to walk to the front of the driveways. This is to maximize on-site queuing.
3. Parent drop-off activity in the morning has a similar protocol as the parent pick up in the afternoon. Generally, excessive traffic delays and queuing were not evident during the morning peak.
4. Existing condition observations were conducted during the COVID-19 pandemic in 2020. In order to compensate, the school has elected to transfer students on a as-needed basis to the north queue to reduce the possibility of parent vehicles queuing on Lovers Lane.

ADJACENT ROADWAYS:

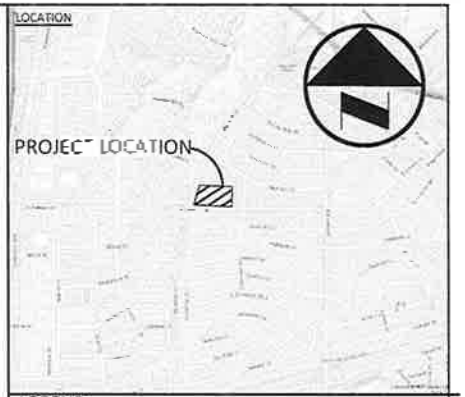
E Lovers Lane: 6-lane, divided Minor Arterial (M-6-D(A))
Skillman Street: 6-lane, divided Principal Arterial (M-6-D(A))

TMP MANAGEMENT STRATEGIES

Student ID System:	Managed Loading System
# of Staff Assistance:	Three
# of Crossing Guards:	None



LOCATION



LEGEND

- Queue Area (Managed Loading)
- Front (or Start) of Queue
- Circulation Flow
- Pedestrian Access Point
- Crosswalk
- Pedestrian Route
- School Zone
- Public Transit Stop (DART Route No.)
- Traffic Signal
- Staff Assistance
- Parent Access Point

Vehicle Accumulation/Capacity	South Queue (Pre-K)	North Queue	
Projected Enrollment	75	172	Students
Deductions:			
By School Bus (0%,0%)*	0	0	Students
By Walking (0%,0%)*	0	0	Students
Other After School Activities (20%, 20%)*	15	34	Students
Parked (10%, 25%)*	8	43	Students
Students by Pick-up/Drop-off	52	98	Students
Engineer Recommended Rate:	5.12	5.12	lf of max. queue per student
Average Length of Vehicle:	23.5	23.5	lf/veh (Pacheco Koch Observed)
"Projected Maximum Vehicle Accumulation":	11	21	Vehicles (253 lf, 484 lf)
Projected Off-Street Capacity:	11	42	Vehicles (253 lf, 1010 lf)
SURPLUS/DEFICIT	0	+20	*Information given by school

Approving Agency: City of Dallas
Private School
Weekday mornings & evenings
Mr. Jeff Thorman/Principal/(214) 3[illegible]

TEXAS REGISTERED ENGINEERING FIRM F-469
TEXAS REGISTERED SURVEYING FIRM LS-100080-00
14805-20.505 (AJV: 11/16/20)

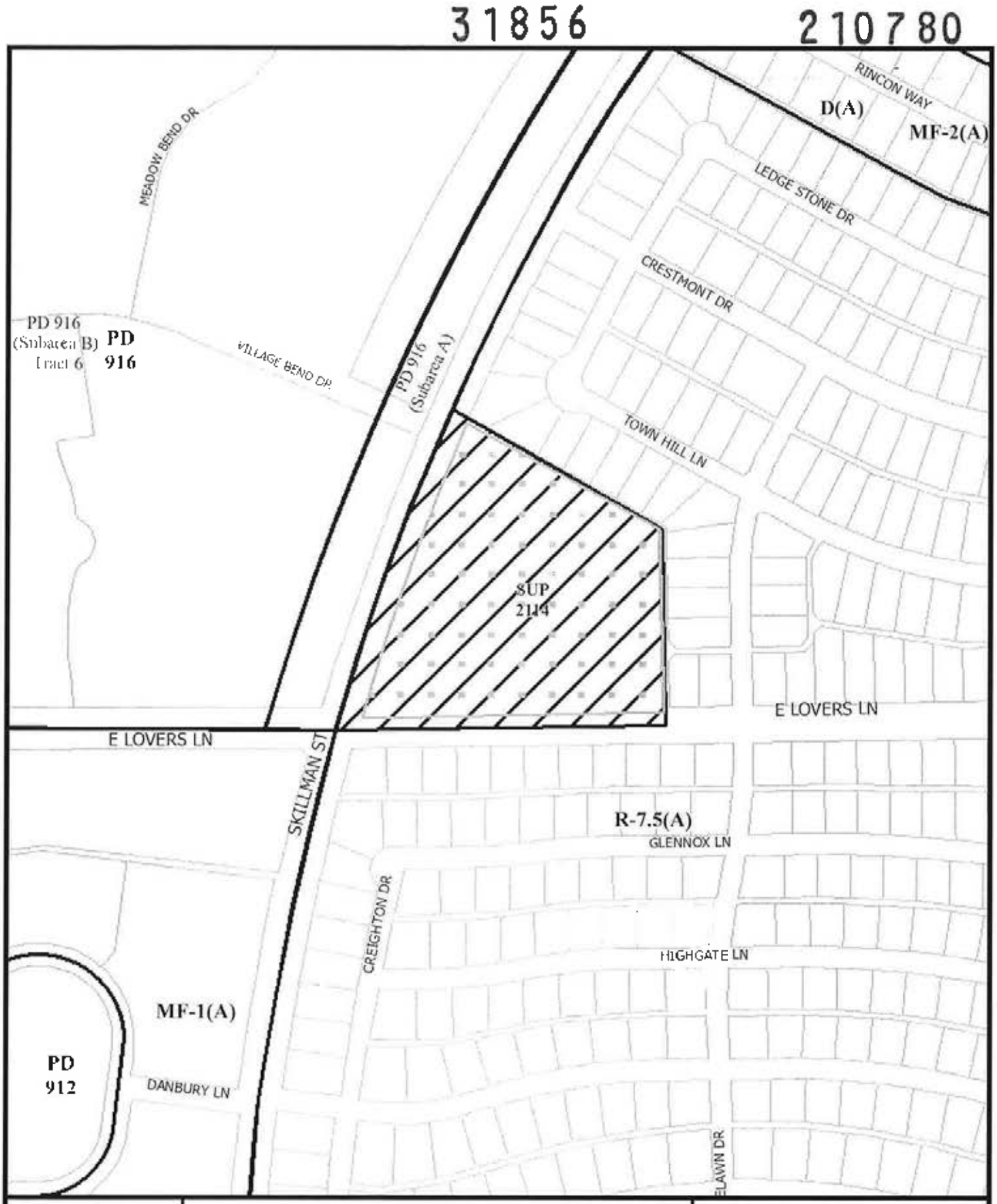
PRELIMINARY
NOT FOR CONSTRUCTION

THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.

PLANS PREPARED UNDER THE DIRECT SUPERVISION OF HUNTER W. LEWLEY, P.E.
TEXAS REGISTRATION NO. 125343
DATE: 11/16/20

EXHIBIT 1 Z___-___
Traffic Management Plan
Zion Lutheran School, Dallas, Texas
Pacheco Koch

31856
21078



1:3,600

ZONING MAP

Case no: Z201-156

Date: 1/8/2021

PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL MAY 12 2021

ORDINANCE NUMBER 31856

DATE PUBLISHED MAY 15 2021

ATTESTED BY:

Job 177099308-001 (2303301066)

EXHIBIT "B"

Job Edit

Building Project

Job 177099308-001 (2303301066)

GP, LA, ZO 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT (G) Addition

Status:	Approved	Created By:	RYATAY2148	Date Created:	Mar 30, 2023
				Date Completed:	Jun 06, 2023

Parent Job:

Specific Location:

Job 177099308-001 (2303301066)

Details

Accepted Waiver Agreement	Yes
Activity	(G) Addition
Address Lookup	6121 E LOVERS LN
Airport	
Alcohol	N
Applicant Name Lookup...	KUHLMANN, JAMES 7216 CLEMSON DR DALLAS, TX 75214 (214) 293-3850 james@jkuhlmannarchitect.com
Base Zoning	PD-1053
BI Flag	N
BI Flag Comments	
BI Flag Override	N
Block	5411
Board of Adjustment	N
Conditions	ALL WORK SUBJECT TO FIELD INPSECTOR'S APPROVAL
Construction Type	IIB
Consultant	
Contractor Name...	JAMES KUHLMANN ARCHITECT PLLC 7216 CLEMSON DR DALLAS, TX 75214 (214) 293-3850 JAMES@JKUHLMANNARCHITECT.COM
Contractor Registration Number	
Create ProjectDox Project	N
CS Number Trades	
Dance Floor	N
Deed Restriction	
Description of Proposed Project	4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT
Dev Impact Charge	N
Development Impact Review	
District	24A
District Office	OCMC
Doing Business As	
Double Permit Fee	N
Dry	N
Dwelling Units	
Email Notify	JAMES@JKUHLMANNARCHITECT.COM
Escarpmant	N
Express Plan Review	N
Express Plan Review Fee	0
Fire Sprinkler Plan Review	N
Fire Sprinkler Plan Review Fee	
Flood Plain	N
Fraction	
GIS Flagged Area	
GIS NSOName	
Health Application Fee Total	
Health Fee to Use	
Health Permit Charged	
Health Review	N
Historic	
Investigation Fee	N
Investigation Fee Amount	
Job Value	$48000.00
Land Use	(6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE

Job 177099308-001 (2303301066)

Lot	10
Lot Area	17,480
Master Permits New Square Feet	4,500
Master Permits Remodel Square Feet	
Master Permits Total Cost	$48000.00
Master Permits Total Square Feet	4,500
MFD Other Value	
Moratorium Override	N
New Construction Cost	$48000.00
New Square Feet	4500
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Apartment Buildings	
Number of Permits	1
Occupancy	A4
OverBlock	
Override CA Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	EXEMPT 1957 6121 E LOVERS LN , DALLAS TEXAS 752142029 UNITED STATES OF AMERICA
Owner Address Override	6121 E. LOVERS LANE DALLAS, TX, 75214
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	JKNIPPA@ZIONDALLAS.ORG
Owner Fax Number	
Owner Name Lookup	ZION LUTHERAN CHURCH
Owner Name Override	JERRY KNIPPA
Owner Phone Number	
Parking Agreement	N
PDD	1053
PIN/SSN	
Plan Review	Y
Plan Review Fee	577
Postage	N
Proposed Parking	
Reason CA Not Required	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	
Selling Open Foods	N
Selling Potentially Hazardous Foods	N
Sprinkler	NFPA13
Stories	
SUP	
TaxParcelLegal5	5411 000 010 1005411 000
Temporary Address	
Total Project Value	
Total Square Feet	4500
Work Code	4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT
Work Code Lookup	

Job 177099308-001 (2303301066)

Details



Parcel: 6121 E LOVERS LN
00000394345000000

Contractor Registration (FIL): Business Building (BU) - JAMES KUHLMANN ARCHITECT PLLC - BU138359



Address: Building
6121 E LOVERS LN



Contractor: JAMES KUHLMANN ARCHITECT PLLC
7216 CLEMSON DR
DALLAS, TX 75214 (214) 293-3850



Applicant: KUHLMANN, JAMES
7216 CLEMSON DR
DALLAS, TX 75214 (214) 293-3850

Job 177099308-001 (2303301066)

Processes

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
Enter Permit Application Details						
Ryan Taylor	Complete	Details Entered	Mar 30, 2023			Mar 30, 2023 12:50:17
Setup Routings						
Ryan Taylor	Complete	Routings Selected	Mar 30, 2023			Mar 30, 2023 12:58:43
Building Plans Review Monitor						
Clay Walker	Complete	Reviews Completed	Mar 30, 2023			Jun 06, 2023 10:23:14
PR Zoning Review						
Ann Hamilton; Brent Johnson	Complete	Approved	Mar 31, 2023			Apr 19, 2023 12:11:31
ZO SHELF (ROLL) 3/31/2023 DM						
PR Engineering Review						
Brent Johnson	Complete	N/A	Mar 30, 2023			Apr 19, 2023 11:55:32
System Fee Collection						
SICASHIERINTERFACE	Complete	Collected	Mar 30, 2023			Mar 30, 2023 13:21:00
Auto generated System Fee Collection						
PR Landscape Review						
Clay Walker	Complete	Waiting For Information	Apr 19, 2023			Apr 25, 2023 08:34:32
Need LA Plan LANSCAPE SHELF (ROLL) 4/19/23 CL						
Receive Plans Information						
Clay Walker	Complete	Information Received-In Re	Apr 25, 2023			Jun 06, 2023 10:23:12
5/26/23 LA rev						
Notify Applicant of Approval						
Olga Torres-Holyoak; Dawn Baxter; R	Complete	Notified	Jun 06, 2023			May 21, 2024 15:59:13
System Fee Collection						
Clay Walker	Complete	Collected	Jun 06, 2023			Jun 06, 2023 10:23:14
PR Landscape Review						
Clay Walker	Complete	Approved	Jun 06, 2023			Jun 07, 2023 12:04:03
CW to insert APPROVED LA Plans when routed back						
PR Zoning Review						
Tenisha Lester	Complete	Waiting For Information	Jun 07, 2023			Jun 07, 2023 10:29:29
Customer needs to apply for dev plan amendment to allow for basketball court. Called customer again 6/7/23 and no answer.						
Receive Plans Information						
Ann Hamilton; Tenisha Lester	Complete	Information Received-In Re	Jun 07, 2023			May 21, 2024 13:21:24
Waiting for information from the PR Zoning Review.						
PR Zoning Review						
Ann Hamilton	Complete	Approved	May 21, 2024			May 21, 2024 13:21:30

Job 177099308-001 (2303301066)

Trades

Relationship: Trade Permit:
Contractor...
Type Grading and Paving (GP)
Work Description

Relationship: Trade Permit:
Contractor...
Type Zoning (ZO)
Work Description

Relationship: Trade Permit:
Contractor...
Type Landscape (LA)
Work Description

Fees

Description Posted Date	Amount	Tax	Total	Balance
Building Plan Review Fee	$150.00	$0.00	$150.00	$0.00
Receipt Number: 805028 $652.92	($150.00)	$0.00	($150.00)	
Remodel Building Permit Fee, Commercial	$502.92	$0.00	$502.92	$0.00
Receipt Number: 805028 $652.92	($502.92)	$0.00	($502.92)	
				$0.00

Bluebeam

Details

Load All Plans N

Job 177099308-001 (2303301066)

Document List

Relationship:	Files:	
Created By		AUTHENTICATOR
Created Date		Jun 7, 2023
Description		Irrigation permit to be reviewed and approved under separate permit.
Last Update		PSERVERONBASE
Subject		Approved Landscape Plan and drawings
Type		

Relationship:	Files:	
Created By		ONBASEWEBSERVICE
Created Date		May 25, 2024
Description		PERMITS - DATE: 5/25/2024 11:24:28 PM
Last Update		PSERVERONBASE
Subject		PERMITS
Type		

Relationship:	Files:	
Created By		AUTHENTICATOR
Created Date		Mar 30, 2023
Description		site plan review
Last Update		PSERVERONBASE
Subject		spr
Type		Document

Relationship:	Files:	
Created By		AUTHENTICATOR
Created Date		Mar 30, 2023
Description		app/spr
Last Update		PSERVERONBASE
Subject		app
Type		Document

Submitted Plans

Approved Plans

Project

Job	Type	Created	Issued	Completed	Status
177099308-001	Building Project	Mar 30, 2023		Jun 06, 2023	Approved
GP, LA, ZO 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT (G) Addition					
177099308-002	Site Plan Review	Mar 30, 2023	Apr 14, 2023	Apr 14, 2023	Approved
(6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE (6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE					
177099308-003	Master Permit	Mar 30, 2023		Jul 08, 2024	Complete
Building (BU) GP, LA 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT					

Job 177099308-001 (2303301066)

Notes

Ext Fees

Fees (EXT): 2303301066 Building Plan Review Fee $150.00
Adjusted:$0.00 Paid:$150.00 Owed:$0.00

Fees (EXT): 2303301066 Remodel Building Permit Fee, Commercial $502.92
Adjusted:$0.00 Paid:$502.92 Owed:$0.00

GIS

Airport	
Base Zoning	PD-1053
BDA Case Number	
BI Flag	N
BI Flag Comments	
BI Flag Override	N
Block	5411
Board of Adjustment	N
Census Tract	0079.03
Council District	14
Deed Restriction	
Dev Impact Charge	N
Development Impact Review	
District	24A
Dry	N
Dry Number	
Escarpmant	N
Escarpment Area	
Flood Plain	
Flood Plain	N
Fraction	
GIS Flagged Area	
GIS NSOName	
GISConsvDist	PVT School_Zion Lutheran_PreK-8
Historic	
Historic District Number	
Homestead Exemption	N
Lot	10
Lot Area	17,480
Lot Area	17480 SQUARE FEET
Mapsco	36-C
Parking Agreement	N
ParkingAgreementAFIL	
ParkingAgreementBFIL	
PD/SUP/Deed Restriction Surcharge Fee	$46.00
PDD	1053
SFD Early Release	N
SUP	

Job 177099308-001 (2303301066)

Review

Addressing	N
Building Comments	
Credit Development Fee	N
Development Meeting Fee	
DevelopmentDate	
Electrical Code Comments	
Engineering Drainage Comments	
Engineering Water Comments	
Expedited Plan Review	N
Expedited Plan Review Type	
Express Charge Fee	N
Express Plan Review	N
Final Development Fee Credit	0
Final Total No Credit	506
Final Total With Credit	506
Fire Protection	N
Fire Protection Comments	
Fire Rescue Comments	
Formal Drainage	N
Green Comments	
Historic Comments	
IsDevelopmentMeeting	N
Landscaping Comments	
License Abandonment	N
Mechanical/Plumbing Comments	
Mitigation	N
Overtime Review	N
Parking	N
Parking/Early Release	N
Partial Team Review	N
PD Engineering Review Number	
PWebFeeVisible	N
Real Estate Comments	
Rezoning	N
Sanitarian Comments	
Subdivision Comments	
Substandard Water	N
TIF Comments	
Upload Allow	N
Upload Docs	N
WW Engineering Review Number	
Zoning Comments	

Audit

Job 177099308-003 (2303301078)

Job Edit with Issue Date

Master Permit

Job 177099308-003 (2303301078)

Building (BU) GP, LA 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT

Status:	Complete	Created By:	RYATAY2148	Date Created:	Mar 30, 2023
		Date Issued:		Date Completed:	Jul 08, 2024

Parent Job: 177099308-001 (2303301066)

Specific Location:

Job 177099308-003 (2303301078)

Details

Accepted Waiver Agreement	
Access Control	
Activity	(G) Addition
Address Lookup	6121 E LOVERS LN
AddressType1	
AddressType2	
Airport	
Alcohol	N
Applicant Name Lookup...	KUHLMANN, JAMES 7216 CLEMSON DR DALLAS, TX 75214 (214) 293-3850 james@jkuhlmannarchitect.com
Base Zoning	PD-1053
Bathrooms	
Bedrooms	
BI Flag	N
BI Flag Comments	
BI Flag Override	N
Block	5411
Board of Adjustment	N
CandoME	N
CandoMR	N
Conditions	ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL
Construction Type	IIB
Consultant	
Contractor Name...	JAMES KUHLMANN ARCHITECT PLLC 7216 CLEMSON DR DALLAS, TX 75214 (214) 293-3850 JAMES@JKUHLMANNARCHITECT.COM
Contractor Registration Number	
Create ProjectDox Project	N
Dance Floor	N
Deed Restriction	
Description of Proposed Project	4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT
Development Impact Review	
DevImpactCharge	N
District	24A
District Office	OCMC
Doing Business As	
Double Permit Fee	N
Dry	N
Dwelling Units	
Email Notify	JAMES@JKUHLMANNARCHITECT.COM
Escarpmant	N
Flood Plain	N
Fraction	
GIS Flagged Area	
GIS NSOName	
Health Application Fee Total	
Health Fee to Use	
Health Permit Charged	
Health Permit Number	
Health Review	N
Historic	
Homestead Exemption	N

Job 177099308-003 (2303301078)

Investigation Fee	N
Investigation Fee Amount	
Job Value	$48000.00
Land Use	(6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE
Lot	10
Lot Area	17,480
Lot Area	17480 SQUARE FEET
MD Overlay	
Moratorium Override	N
New Construction Cost	$48000.00
New Square Feet	4500
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Unity Agreements	
Occupancy	A4
Occupancy Load	
OverBlock	
Override CA Requirement	N
Override Early Release Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	EXEMPT 1957 6121 E LOVERS LN , DALLAS TEXAS 752142029 UNITED STATES OF AMERICA
Owner Address Override	6121 E. LOVERS LANE DALLAS, TX, 75214
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	JKNIPPA@ZIONDALLAS.ORG
Owner Fax Number	
Owner Name Lookup	ZION LUTHERAN CHURCH
Owner Name Override	JERRY KNIPPA
Owner Phone Number	
Parking Agreement	N
PDD	
Permit Type	Building (BU)
PIN/SSN	
Plan Review	N
Plan Review Fee	
Postage	N
Proposed Parking	
PWeb Is A Web Application	N
Reason CA Not Required	
Reason For Early Relase Overide	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	
Selling Potentially Hazardous Foods	N
Sprinkler	NFPA13
Stories	
Suite 1	
Suite 2	
SUP	
TaxParcelLegal5	5411 000 010 1005411 000
Temporary Address	
Total Square Feet	4500
Work Code	

Job 177099308-003 (2303301078)

Work Description 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT

Details

Contractor Registration (FIL): Business Building (BU) - JAMES KUHLMANN ARCHITECT PLLC - BU138359



Contractor: JAMES KUHLMANN ARCHITECT PLLC
7216 CLEMSON DR
DALLAS, TX, 75214, (214) 293-3850



Applicant: KUHLMANN, JAMES
7216 CLEMSON DR
DALLAS, TX, 75214, (214) 293-3850



Parcel: 6121 E LOVERS LN
00000394345000000



Address: Building
6121 E LOVERS LN

Job 177099308-003 (2303301078)

Processes

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
Enter Permit Application Details						
	Scheduled		Mar 30, 2023			
System Fee Collection						
Clay Walker	Complete	Collected				Jun 06, 2023 10:23:14
System Decision						
Clay Walker	Complete	Approved	Jun 06, 2023			Jun 06, 2023 10:23:20
Change Status						
Mariana Garcia SYSTEM NOT UPDATING	Complete	Issued				May 22, 2024 09:24:29
System Decision						
POSSE system power user	Complete	Notify Expire	May 22, 2024			May 22, 2024 09:24:40
System Decision						
POSSE system power user	Complete	Notify Expire	May 22, 2024			May 22, 2024 09:25:33
System Decision						
POSSE system power user	Complete	Notify Expire	May 25, 2024			May 25, 2024 23:25:11
Request Inspection						
13835901	Scheduled		Jun 13, 2024			
Request Inspection						
13835901	Complete	Requested	Jun 26, 2024			Jun 25, 2024 14:07:55
System Decision						
POSSE system power user	Complete	Notify Expire	Jun 25, 2024			Jun 25, 2024 14:05:03
System Decision						
POSSE system power user	Complete	Notify Expire	Jun 25, 2024			Jun 25, 2024 14:06:39
Perform Building Inspection						
Alvin Brookshire 140 Final (Final)	Complete	Cancelled by Requestor	Jun 26, 2024			Jun 26, 2024 08:57:10
Request Inspection						
13835901	Complete	Requested	Jun 27, 2024			Jun 26, 2024 14:24:30
Perform Building Inspection						
Kevin Reid; Alvin Brookshire 140 Final (Final)	Complete	Cancelled by Requestor	Jun 27, 2024			Jun 27, 2024 08:48:34
Request Inspection						
13835901	Complete	Requested	Jun 27, 2024			Jun 26, 2024 14:28:00
Perform Building Inspection						
Kevin Reid; Alvin Brookshire 140 Final (Final)	Complete	Cancelled by Requestor	Jun 27, 2024			Jun 27, 2024 08:48:26
Request Inspection						
13835901	Complete	Requested	Jun 28, 2024			Jun 27, 2024 14:43:10
Perform Building Inspection						
Kevin Reid; Alvin Brookshire 140 Final (Final)	Complete	Cancelled by Requestor	Jun 28, 2024			Jun 28, 2024 08:27:40
Produce New Authorization and Permit						
POSSE system power user	Complete	Saved	Jun 28, 2024			Jun 28, 2024 12:36:20
System Decision						
POSSE system power user	Complete	Notify Expire	Jun 28, 2024			Jun 28, 2024 12:36:23

Job 177099308-003 (2303301078)

Assigned To	Status	Outcome	Scheduled Start	Scheduled Completed	Actual Start	Actual Completed
Request Inspection 13835901	Complete	Requested	Jul 01, 2024			Jun 28, 2024 12:38:59
Perform Grading and Paving Inspection Tony Johnson 940 Grading/Paving (Final)	Complete	Green Tag	Jul 01, 2024		Jul 01, 2024	Jul 02, 2024 11:16:26
Request Inspection 13835901	Scheduled		Jul 02, 2024			
Request Inspection 13835901	Complete	Requested	Jul 02, 2024			Jul 01, 2024 13:53:55
Perform Grading and Paving Inspection Tony Johnson 940 Grading/Paving (Final)	Complete	Green Tag	Jul 02, 2024		Jul 02, 2024	Jul 02, 2024 11:16:05
Email Sub Inspection Result	Complete	Sent	Jul 02, 2024			Jul 02, 2024 11:16:10
Email Sub Inspection Result	Complete	Sent	Jul 02, 2024			Jul 02, 2024 11:16:30
Request Inspection 13835901	Scheduled		Jul 03, 2024			
Request Inspection 13835901	Complete	Requested	Jul 03, 2024			Jul 02, 2024 11:23:36
Perform Building Inspection Kevin Reid 140 Final (Final)	Complete	Cancelled by Requestor	Jul 03, 2024			Jul 03, 2024 08:37:46
Request Inspection DALLASIVR (INTERFACE) IVR Request on Jul 03, 2024.	Complete	Requested	Jul 05, 2024			Jul 03, 2024 09:56:35
Perform Landscape Inspection Tina Standeford 940 Landscape (Final)	Complete	Green Tag	Jul 05, 2024			Jul 05, 2024 13:41:36
Email Sub Inspection Result	Complete	Sent	Jul 05, 2024			Jul 05, 2024 13:41:38
Request Inspection 13835901	Scheduled		Jul 08, 2024			
Request Inspection 13835901	Complete	Requested	Jul 08, 2024			Jul 05, 2024 14:57:59
Perform Building Inspection Alvin Brookshire 140 Final (Final)	Complete	Green Tag	Jul 08, 2024			Jul 08, 2024 10:27:31
System Decision Alvin Brookshire	Complete	Completed	Jul 08, 2024			Jul 08, 2024 10:27:31

Job 177099308-003 (2303301078)

Inspections

Relationship:	Perform Building Inspection (EXT):
Completed	Jul 03, 2024
Inspection Comments	Need LA final.
Inspection Type	140 Final (Final)
Inspector	KREID
Result	Cancelled by Requestor
Scheduled	Jul 03, 2024

Relationship:	Perform Building Inspection (EXT):
Completed	Jun 28, 2024
Inspection Comments	Open GP,LA needs validated and inspections called in prior to BU final inspection
Inspection Type	140 Final (Final)
Inspector	ABROOKSHIRE,KREID
Result	Cancelled by Requestor
Scheduled	Jun 28, 2024

Relationship:	Perform Grading and Paving Inspection (EXT):
Completed	Jul 02, 2024
Inspection Comments	
Inspection Type	940 Grading/Paving (Final)
Inspector	TOJOHNSON
Result	Green Tag
Scheduled	Jul 01, 2024

Relationship:	Perform Building Inspection (EXT):
Completed	Jun 27, 2024
Inspection Comments	Open GP,LA needs validated and inspections called in prior to BU final inspection
Inspection Type	140 Final (Final)
Inspector	ABROOKSHIRE,KREID
Result	Cancelled by Requestor
Scheduled	Jun 27, 2024

Relationship:	Perform Grading and Paving Inspection (EXT):
Completed	Jul 02, 2024
Inspection Comments	
Inspection Type	940 Grading/Paving (Final)
Inspector	TOJOHNSON
Result	Green Tag
Scheduled	Jul 02, 2024

Relationship:	Perform Landscape Inspection (EXT):
Completed	Jul 05, 2024
Inspection Comments	
Inspection Type	940 Landscape (Final)
Inspector	TSTANDEFORD
Result	Green Tag
Scheduled	Jul 05, 2024

Relationship:	Perform Building Inspection (EXT):
Completed	Jun 26, 2024
Inspection Comments	Open GP,LA needs validated and inspections called in prior to BU final inspection
Inspection Type	140 Final (Final)
Inspector	ABROOKSHIRE
Result	Cancelled by Requestor
Scheduled	Jun 26, 2024

Relationship:	Perform Building Inspection (EXT):
Completed	Jul 08, 2024
Inspection Comments	Final ok
Inspection Type	140 Final (Final)

Job 177099308-003 (2303301078)

Relationship:	Perform Building Inspection (EXT):
Inspector	ABROOKSHIRE
Result	Green Tag
Scheduled	Jul 08, 2024

Relationship:	Perform Building Inspection (EXT):
Completed	Jun 27, 2024
Inspection Comments	Open GP,LA needs validated and inspections called in prior to BU final inspection
Inspection Type	140 Final (Final)
Inspector	ABROOKSHIRE,KREID
Result	Cancelled by Requestor
Scheduled	Jun 27, 2024

Trades

Relationship:	Trade Permit:
Contr. #	
Contractor...	JAMES KUHLMANN ARCHITECT PLLC
Finaled	Y
Last Update By	Tony Johnson
PIN	
Removed	N
Type	Grading and Paving (GP)
Validation Number	2303301078001
Withdrawn	N
Work Description	1104-Non-Street Paving and Grading

Relationship:	Primary Trade:
Contr. #	
Contractor...	JAMES KUHLMANN ARCHITECT PLLC
Finaled	Y
Last Update By	Alvin Brookshire
PIN	
Removed	N
Type	Building (BU)
Validation Number	2303301078101
Withdrawn	N
Work Description	4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT

Relationship:	Trade Permit:
Contr. #	
Contractor...	
Finaled	Y
Last Update By	Tina Standeford
PIN	
Removed	N
Type	Landscape (LA)
Validation Number	2303301078141
Withdrawn	N
Work Description	

Fees

Job 177099308-003 (2303301078)

Holds



Hold: Removed: 6121 E LOVERS LN Created on: 2023-04-14 00:00:00
PER DANIEL NIGO, DO NOT ISSUE. PLEASE SEE DANIEL NIGO

Document List

Relationship:	Files:	
Created By		ONBASEWEBSERVICE
Created Date		May 25, 2024
Description		PERMITS - DATE: 5/25/2024 11:25:09 PM
Last Update By		PSERVERONBASE
Subject		PERMITS
Type		

Relationship:	Report:	
Created Date		Jun 28, 2024
Description		Master Permit and Contractor
Last Update By		PSERVERONBASE

Approved Plans

Project

Job	Type	Created	Issued	Completed	Status
177099308-001	Building Project	Mar 30, 2023		Jun 06, 2023	Approved
GP, LA, ZO 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT (G) Addition					
177099308-002	Site Plan Review	Mar 30, 2023	Apr 14, 2023	Apr 14, 2023	Approved
(6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE (6911) CHURCH, SYNAGOGUE, TEMPLE, MOSQUE					
177099308-003	Master Permit	Mar 30, 2023		Jul 08, 2024	Complete
Building (BU) GP, LA 4500 SF CONCRETE SLAB ON GRAD FOR BASKETBALL COURT					

Job 177099308-003 (2303301078)

GIS

Airport	
Base Zoning	PD-1053
BI Flag	N
BI Flag Comments	
Block	5411
Board of Adjustment	N
Census Tract	0079.03
Council District	14
Deed Restriction	
Development Impact Review	
DevImpactCharge	N
District	24A
Dry	N
Escarpmant	N
Flood Plain	N
GIS Flagged Area	
GIS NSOName	
GISConsvDist	PVT School_Zion Lutheran_PreK-8
Historic	
Homestead Exemption	N
IsBuildingProject	Y
Lot	10
Lot Area	17480 SQUARE FEET
Mapsco	36-C
Parking Agreement	N
ParkingAgreementAFIL	
ParkingAgreementBFIL	
PD/SUP/Deed Restriction Surcharge Fee	$0.00
PDD	
SUP	
Zip Code	75214

Notes

Audit

Job 177099308-003 (2303301078)

Review

Addressing	N
Building Comments	
Credit Development Fee	N
Development Meeting Fee	
DevelopmentDate	
Electrical Code Comments	
Engineering Drainage Comments	
Engineering Water Comments	
Expedited Plan Review	N
Expedited Plan Review Type	
Express Charge Fee	N
Express Plan Review	N
Final Total No Credit	0
Final Total With Credit	0
Fire Protection	N
Fire Sprinkler Plan Review	N
Fire Sprinkler Plan Review Fee	
Formal Drainage	N
Green Comments	
Historic Comments	
IsDevelopmentMeeting	N
Landscaping Comments	
License Abandonment	N
Mechanical/Plumbing Comments	
Mitigation	N
Overtime Review	N
Parking	N
Partial Permit	N
Partial Team Review	N
PD Engineering Review Number	
Plan Review	N
Platting/Early Release	N
Real Estate Comments	
Rezoning	N
Sanitarian Comments	
Subdivision Comments	
Substandard Water	N
TIF Comments	
Upload Allow	N
Upload Docs	Y
WW Engineering Review Number	
Zoning Comments	

EXHIBIT "C"

JOSEPH W. SARNO
6114 TOWN HILL LANE
DALLAS, TEXAS 75214-2041
(214) 794-2808
Jwsarno123@gmail.com

February 23, 2024

Dallas Planning and Urban Development
1500 Marilla Street
Dallas, Texas 75201
Attn: Andrea Gilles & Andreea Udrea

Re: **Appeal of the Approval of Minor Amendment Application No. M234-003 (DM)**

My name is Joseph Sarno. My wife Allie and I currently live at 6114 Town Hill Lane, which is in the notification area for the above referenced application. I have owned this home since 2001. Allie moved in after we were married in 2016. We are appealing the approval by the City Plan Commission of the minor amendment application referenced above.

I am writing to you because my wife and I are vehemently opposed to the addition of an accessory use game court on the property located at 6121 East Lovers Lane which is currently owned and operated by Zion Lutheran Church and School. The addition of such a facility in its proposed location will seriously infringe on our right to the quiet enjoyment of our home and negatively affect our health and welfare.

At its closest point, the proposed game court is only 30 feet from our backyard. The proposed game court is too close to our adjacent property. A neutral study (see Exhibit A, pg. 30) indicates that the use of such a game court for basketball will create nuisance level noise in excess of current regulations for us on our property and in our home. The concentrated use by a larger group contemplated by the school will be even louder. Such noise ***cannot be avoided unless the game court is never used as intended***.

A survey of private schools and DISD middle schools (see Exhibit B) shows that it is not a forgone conclusion that a Dallas area school has a basketball or "sports" court in the first place. A deeper look shows that most school basketball/game courts are placed closer to the center of the school property and not close to residential neighbors.

The link below is an internet folder I created so that you, and any other parties, can easily access the information I've collected and organized. It contains correspondence and evidence previously shared with the city staff and the City Plan Commission:

https://drive.google.com/drive/folders/1pXNDpkmezgecW5C1AUCFpTu_lSEWjx0T?usp=drive_link

Yours very truly,

Joseph W. Sarno

CC: Dallas City Council

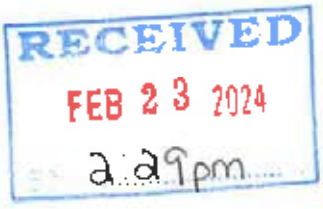


EXHIBIT "D"

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, APRIL 10, 2024**
ACM: Majed Al-Ghafry

FILE NUMBER: M234-003(DM) **DATE FILED:** October 18, 2023

LOCATION: Northeast corner of Skillman Street and East Lovers Lane

COUNCIL DISTRICT: 9

SIZE OF REQUEST: ± 7.29 acres **CENSUS TRACT:** 48113007903

REPRESENTATIVE: James Kuhlmann

OWNER/APPLICANT: Zion Lutheran Church of Dallas

REQUEST: An application for a minor amendment to an existing development plan on property zoned Planned Development District No. 1053.

CPC RECOMMENDATION: **Approval.**

STAFF RECOMMENDATION: **Approval.**

PLANNED DEVELOPMENT DISTRICT No. 1053.
https://dallascityhall.com/departments/city-attorney/pages/articles-data.aspx?pd=1053

BACKGROUND INFORMATION:

- On May 12, 2021, the Dallas City Council established Planned Development District No. 1053, by Ordinance No. 31856 for a private school and main uses permitted in an R-7.5(A) Single Family District.

- For a private school, development and use of the Property must comply with the development plan (Exhibit 1053A). For all other permitted uses, no development plan is required.

- On January 18, 2024, City Plan Commission held this item under advisement.

- On February 15, 2024, City Plan Commission determined that the request met the requirements for a minor amendment and approved the request.

- On February 23, 2023, a request to appeal the decision of the city plan commission to city council was received from an owner of real property within the notification area [in accordance with Sec. 51A-4.702(h)(5)(C), provided below for reference].

  SEC. 51A-4.702. PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS.
  (h) Amendments to the development plan.
  (5) Appeals.
  (C) Public notice procedure. An applicant or owner of real property within the notification area may appeal the decision of the city plan commission to the city council. An appeal must be requested in writing within 10 days after the decision of the city plan commission. City council shall decide whether the city plan commission erred, using the same standards that the city plan commission used. Appeal to the city council is the final administrative remedy available.

REQUEST DETAILS:

The applicant is requesting a minor amendment to the development plan in order to construct a paved game/sports court. Currently, the northeast corner of the parking lot (adjacent to the proposed sport court) is being utilized by the students for playing basketball and other activities that require a hard surface. The proposed game/sports court is to be constructed just north of parking lot within the area designated “Existing Play Fields” on the approved development plan.

This is not a change in zoning request and no changes to the existing zoning standards can be considered. The only purpose of this hearing is to determine if the proposed plan amendments comply with the standards established for minor amendments. The City code requires that if the plan amendment complies with the standards for a minor

amendment [in accordance with Sec. 51A-4.702(h)(1)(A-D), provided below for reference], the plan shall be approved.

> *SEC. 51A-4.702. PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS.*
>
> *(h) Amendments to the development plan.*
>
> *(1) Purpose and scope. The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. Minor amendments are limited to minor changes in the development plan that otherwise comply with the PD ordinance and do not:*
>
> *(A) alter the basic relationship of the proposed development to adjacent property;*
>
> *(B) increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade;*
>
> *(C) decrease the amount of off-street parking spaces shown on the original development plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or*
>
> *(D) reduce building setbacks at the boundary of the site shown on the original development plan.*

City Plan Commission and staff have determined that the request meets the minor amendment criteria for a development plan and does not violate other applicable code requirements.

M234-034(DM)

List of Officers

Jeff Steele - President
James Kuhlmann - VP/President Elect
Bryan Wendt - Immediate Past President
Paul Van der Meer - Secretary
Daniel Kruger - Treasurer

CPC Action
February 15, 2024

Motion: It was moved to **approve** a minor amendment to an existing development plan on property zoned Planned Development District No. 1053, generally on the northeast corner of Skillman Street and East Lovers Lane.

Maker: Sleeper
Second: Treadway
Result: Carried: 9 to 5

For: 9 - Chernock, Herbert, Blair, Sleeper, Housewright, Treadway, Hall, Kingston, Rubin

Against: 5 - Hampton, Forsyth, Carpenter, Wheeler-Reagan, Haqq
Absent: 1 - Shidid
Vacancy: 0

Speakers: For: Marcus Wood, 5335 Ridgelawn Dr., Dallas, TX, 75214
Kara Carter, Address not given
Charles Green, 9541 Windly Hill Rd., Dallas, TX, 75238
Shannon McCraken, Address not given
Alison O'Halloran, 6934 Alexander Dr., Dallas, TX, 75214
Margot Choi, 6112 E. Lovers Ln., Dallas, TX, 75214
Michael Halla, 187 Rolling Ct., Lancaster, TX, 75146
Jeff Thorman, 4106 Eider Dr., McKinney, TX, 75072
For (Did not speak): James Kuhlman, 7216 Clemson Dr., Dallas, TX, 75214
Russell Treece, 5203 Vanderbilt Ave., Dallas, TX, 75206
Robert Preece, 10334 Cimmaron Trl., Dallas, TX, 75243
Against: Joseph Sarno, 6114 Town Hill Ln., Dallas, TX, 75214
Alevtina Sarno, 6114 Town Hill Ln., Dallas, TX, 75214

CPC Action
January 18, 2024

Motion: In considering an application for a minor amendment to an existing development plan on property zoned Planned Development District No. 1053, generally located on the northeast corner of Skillman Street and East Lovers Lane, it was moved to **hold** this case under advisement until February 15, 2024.

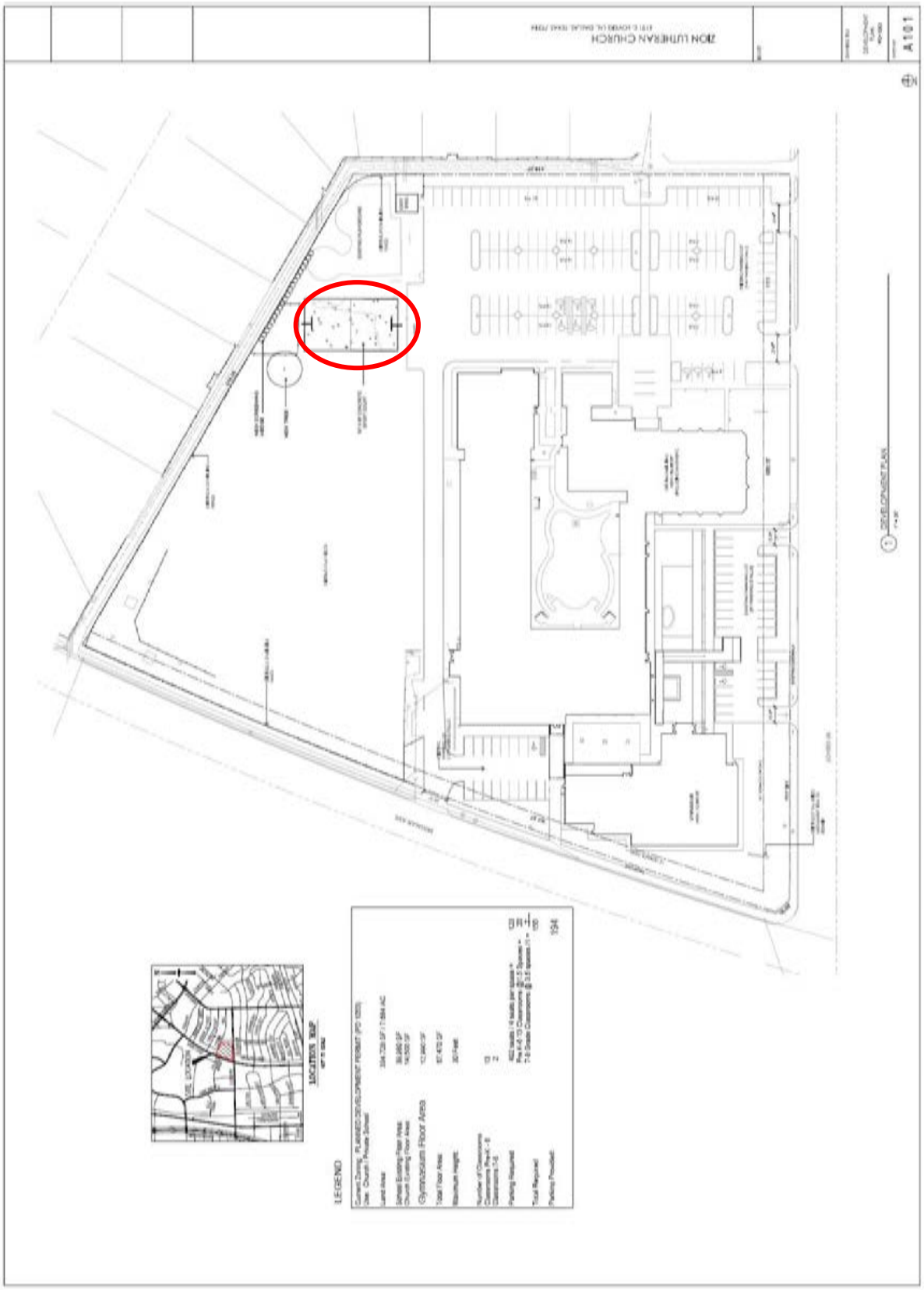
Maker: Sleeper
Second: Hampton
Result: Carried: 11 to 3

For: 11 - Hampton, Shidid, Carpenter, Wheeler-Reagan, Blair, Sleeper, Treadway, Haqq, Hall*, Kingston, Rubin

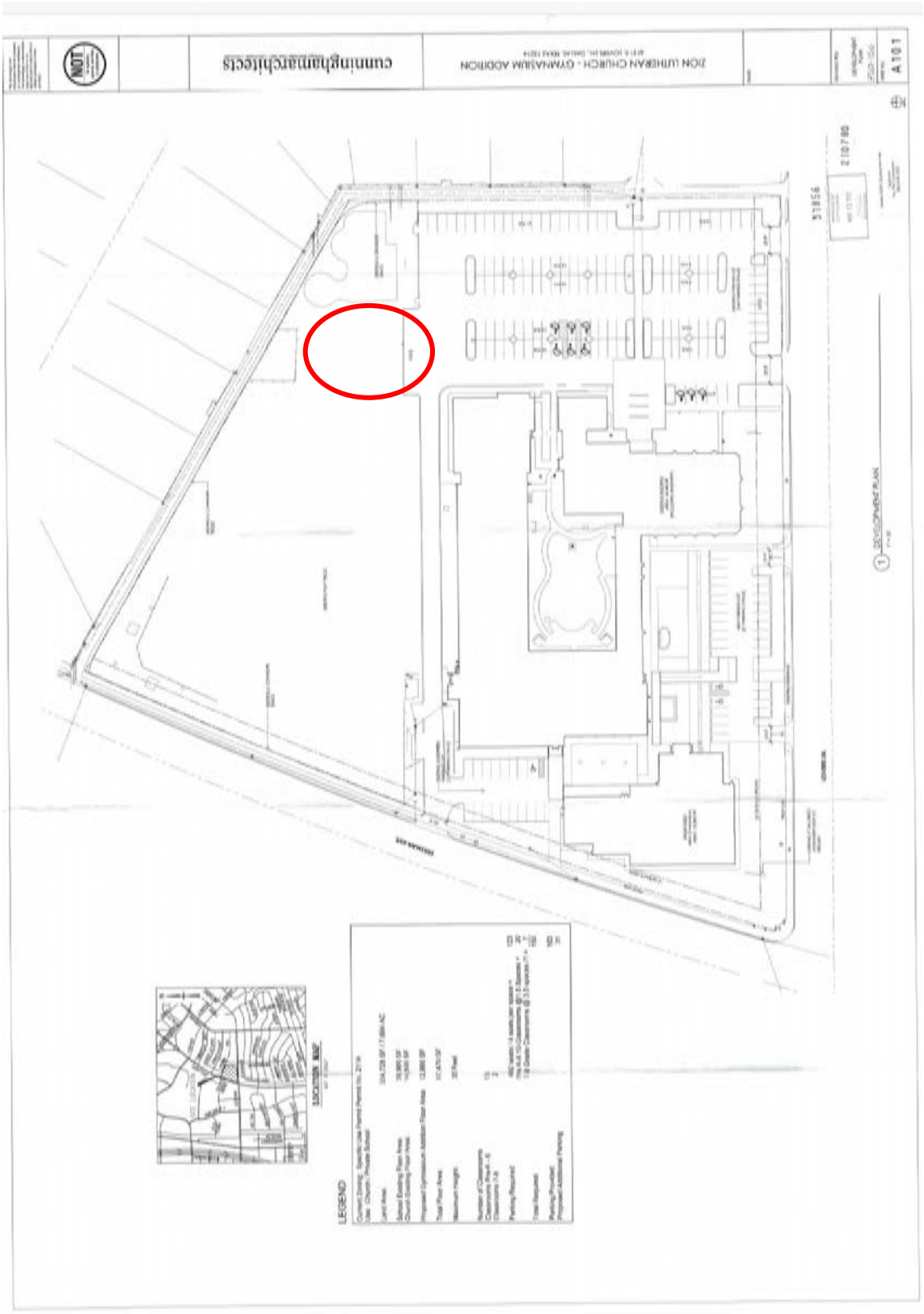
Against: 3 - Chernock, Herbert, Housewright
Absent: 0
Vacancy: 1 - District 4

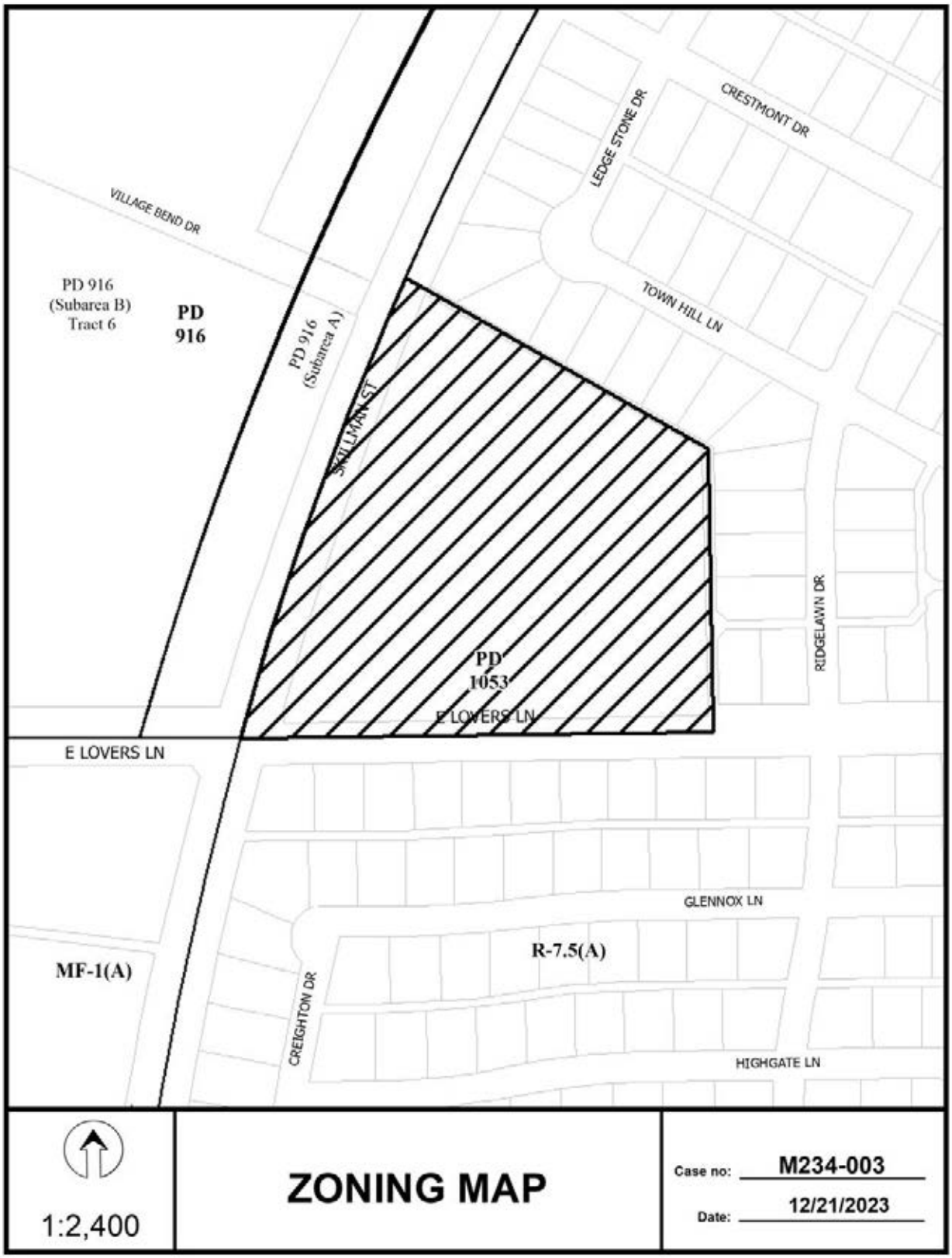
Speakers: For: James Kuhlman, 7216 Clemson Dr., Dallas, TX, 75214
Marcus Wood, 5335 Ridgelawn DR., Dallas, TX, 75214
Bryan Wendt, 226 Suntide Dr., Sunnyvale, TX, 75182
Jeff Thorman, 4106 Eider Dr., McKinney, TX, 75072
Amber Cordova, Address not given
For (Did not speak): Kay Trout, 6126 Town Hill, Dallas, TX, 75214
Adam Helm, 6135 Glennox Ln., Dallas, TX, 75214
Against: Joseph Sarno, 6114 Town Hill Ln., Dallas, TX, 75214
Allie Sarno, 6114 Town Hill Ln., Dallas, TX, 75214

Proposed Development Plan



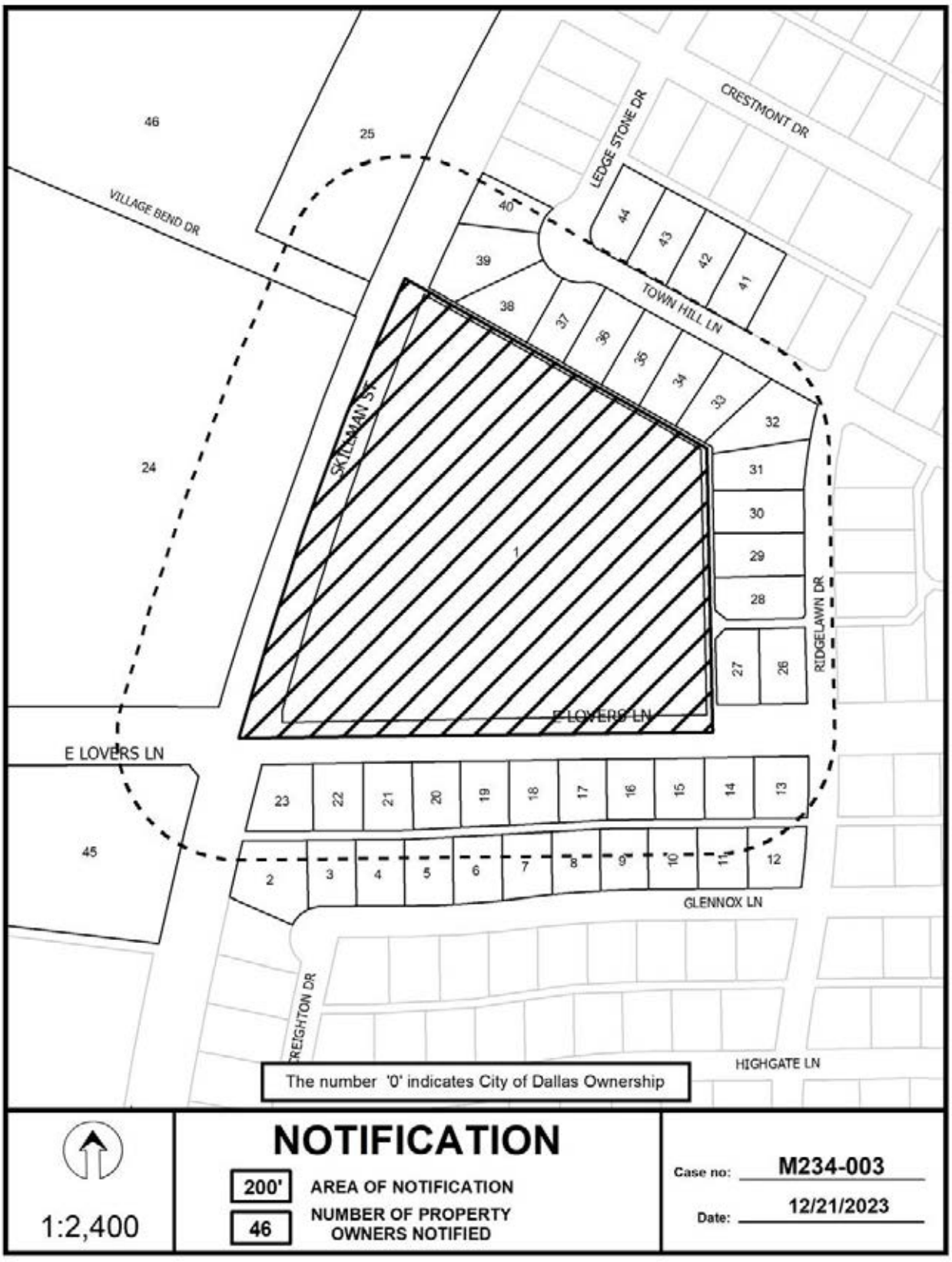
Existing Development Plan




LEDGE STONE DR
CRESTMONT DR
VILLAGE BEND DR
PD 916
(Subarea B)
Tract 6
PD
916
PD 916
(Subarea A)
TOWN HILL LN
SKILLMAN ST
PD
1053
E LOVERS LN
RIDGELAWN DR
E LOVERS LN
GLENNOX LN
R-7.5(A)
MF-1(A)
CREIGHTON DR
HIGHGATE LN
1:2,400
ZONING MAP
Case no: M234-003
Date: 12/21/2023



Aerial Map


46
25
VILLAGE BEND DR
LEDGE STONE DR
CRESTMONT DR
40
39
38
37
36
35
34
33
32
44
43
42
41
TOWN HILL LN
SKILLMAN ST
24
1
31
30
29
28
27
26
RIDGELAWN DR
E LOVERS LN
E LOVERS LN
23
22
21
20
19
18
17
16
15
14
13
45
2
3
4
5
6
7
8
9
10
11
12
GLENNOX LN
REIGHTON DR
HIGHGATE LN
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
46
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: M234-003
Date: 12/21/2023

12/21/2023

Notification List of Property Owners

M234-003

46 Property Owners Notified

Label #	*Address*		*Owner*
1	6121	E LOVERS LN	ZION LUTHERAN CHURCH
2	5123	CREIGHTON DR	WYMAN ROBERT &
3	6105	GLENNOX LN	PAULINO JOSE & NAOMI L
4	6111	GLENNOX LN	WYATT JOHN ROBERT &
5	6117	GLENNOX LN	VAUGHN JAMES O & PATSY
6	6123	GLENNOX LN	METW HOLDINGS LLC
7	6129	GLENNOX LN	SILVER GABRIELA
8	6135	GLENNOX LN	HELM ADAM
9	6141	GLENNOX LN	TEJAS 93 INVESTMENTS LTD
10	6147	GLENNOX LN	WILLIAMS JACKSON TODD
11	6153	GLENNOX LN	HIGGINBOTHAM ROBERT M &
12	6161	GLENNOX LN	BAYLOR CHASE & AMY
13	6168	E LOVERS LN	HIMES JOANN
14	6160	E LOVERS LN	VELA AUSTIN MIKEL &
15	6154	E LOVERS LN	BUCHANAN KELSEY R &
16	6148	E LOVERS LN	GILBERT LILLIAN TRUST
17	6142	E LOVERS LN	POHLI LAURA ANNE
18	6136	E LOVERS LN	BURNS DAVID LEITER
19	6130	E LOVERS LN	ORSOY SELIN
20	6124	E LOVERS LN	LAI WENDY
21	6118	E LOVERS LN	BLACK JOHN KEITH
22	6112	E LOVERS LN	CHOI MARGOT BLAIR & BRIAN JOHN
23	6106	E LOVERS LN	DAVIS TIMOTHY
24	6060	VILLAGE BEND DR	DALLAS VILLAGE GREEN LLC
25	6071	VILLAGE BEND DR	FM VILLAGE FIXED RATE LLC
26	6167	E LOVERS LN	Taxpayer at

12/21/2023

Label #	*Address*		*Owner*
27	6161	E LOVERS LN	HAZLETT PAULINE EST OF
28	5315	RIDGELAWN DR	Taxpayer at
29	5321	RIDGELAWN DR	ABUHAMAD KARIM &
30	5327	RIDGELAWN DR	PRASSE ERIC
31	5335	RIDGELAWN DR	WOOD MARCUS LIFE EST
32	6132	TOWN HILL LN	CANNON SARAH
33	6126	TOWN HILL LN	TROUTT KAY S
34	6120	TOWN HILL LN	TUBB FRANCES
35	6114	TOWN HILL LN	Taxpayer at
36	6108	TOWN HILL LN	RITTER ALEXANDRA E
37	6102	TOWN HILL LN	BOYINGTON KELLY RENEE
38	6100	TOWN HILL LN	FINE JAMES TIM & REBECCA A
39	5407	LEDGESTONE DR	WIEGERT JAMES S & MAUREEN O
40	5411	LEDGESTONE DR	BOYLE JERRAD M
41	6121	TOWN HILL LN	MCLEAN EMMA DELANEY &
42	6115	TOWN HILL LN	JANOUSEK GEORGIA ANN LIFE EST
43	6109	TOWN HILL LN	SCHAUB WILLIAM G & PATRICIA M
44	6103	TOWN HILL LN	GRIFFITH CATHLEEN
45	6044	E LOVERS LN	RESERVE WP LLC &
46	6061	VILLAGE BEND DR	FM VILLAGE FIXED RATE LLC

EXHIBIT "E"

240560

April 10, 2024

WHEREAS, Section 51A-4.702(h) of the Dallas Development Code establishes a process for consideration of a minor amendment to a development plan for property governed by a Planned Development District, and

WHEREAS, the City Plan Commission shall, after a public hearing, authorize minor changes in the development plan that otherwise comply with the PD ordinance and does not:

- alter the basic relationship of the proposed development to adjacent property;
- increase a height shown on the original development plan by more than 10 percent or 12 feet, whichever is less, provided there is no increase in the number of habitable stories or parking levels above grade;
- decrease the amount of required off-street parking spaces shown on the original development plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or
- reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original development plan;

WHEREAS, on February 15, 2024, in Case No. M234-003, the City Plan Commission approved a minor amendment to the development plan for Planned Development District No. 1053, and

WHEREAS, Section 51A-4.702(h)(5) allows for an appeal to City Council by either the applicant or an owner of real property within the notification area, and

WHEREAS, on February 23, 2024, an owner of real property within the notification area appealed the City Plan Commission's decision to the City Council; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Council finds that the minor amendment complies with the requirements of Section 51A-4.702(h) of the Dallas Development Code and the City Plan Commission's decision to approve a minor amendment to the development plan is affirmed.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

APR 10 2024

CITY SECRETARY

EXHIBIT "F"

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-097

RECEIVED
JUN 24 2024
BY: .....

Data Relative to Subject Property: Permit No. 2303301078 issuance Date: 6/24/2024

Location address: 6121 East Lovers Lane Zoning District: PD-1053

Lot No.: 10 Block No.: 5411 Acreage: 7.68 Census Tract: 0079.03

Street Frontage (in Feet): 1) 709 ft. 2) 736 ft. 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Zion Lutheran Church

Applicant: Joseph and Alevtina Sarno Telephone: 214-692-0006/214794-2808

Mailing Address: 6114 Town Hill Lane Zip Code: 75214

E-mail Address: jwsarno123@gmail.com

Represented by: N/A Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception __, of

Building official appeal, basketball court approved in error.

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: Director or other Building Official's decision to issue Permit No. 2303301078 without a zoning amendment, despite being provided evidence that appurtenant and necessary structures will exceed a 12-foot height and the proposed facility being constructed, when in use, will excessively violate city noise ordinances at neighboring residences. Permit was also granted despite applicant not being in compliance with Planned Development rules (unpermitted build).

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 Joseph W. Sarno

(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: Joseph W. Sarno

(Affiant/Applicant's signature)

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

Notary Public in and for Dallas County, Texas

REBECCA IBARRA
Notary Public
STATE OF TEXAS
My Comm. Exp. 01-04-28
Notary ID # 132296870

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 JOSEPH AND ALEVTINA SARNO

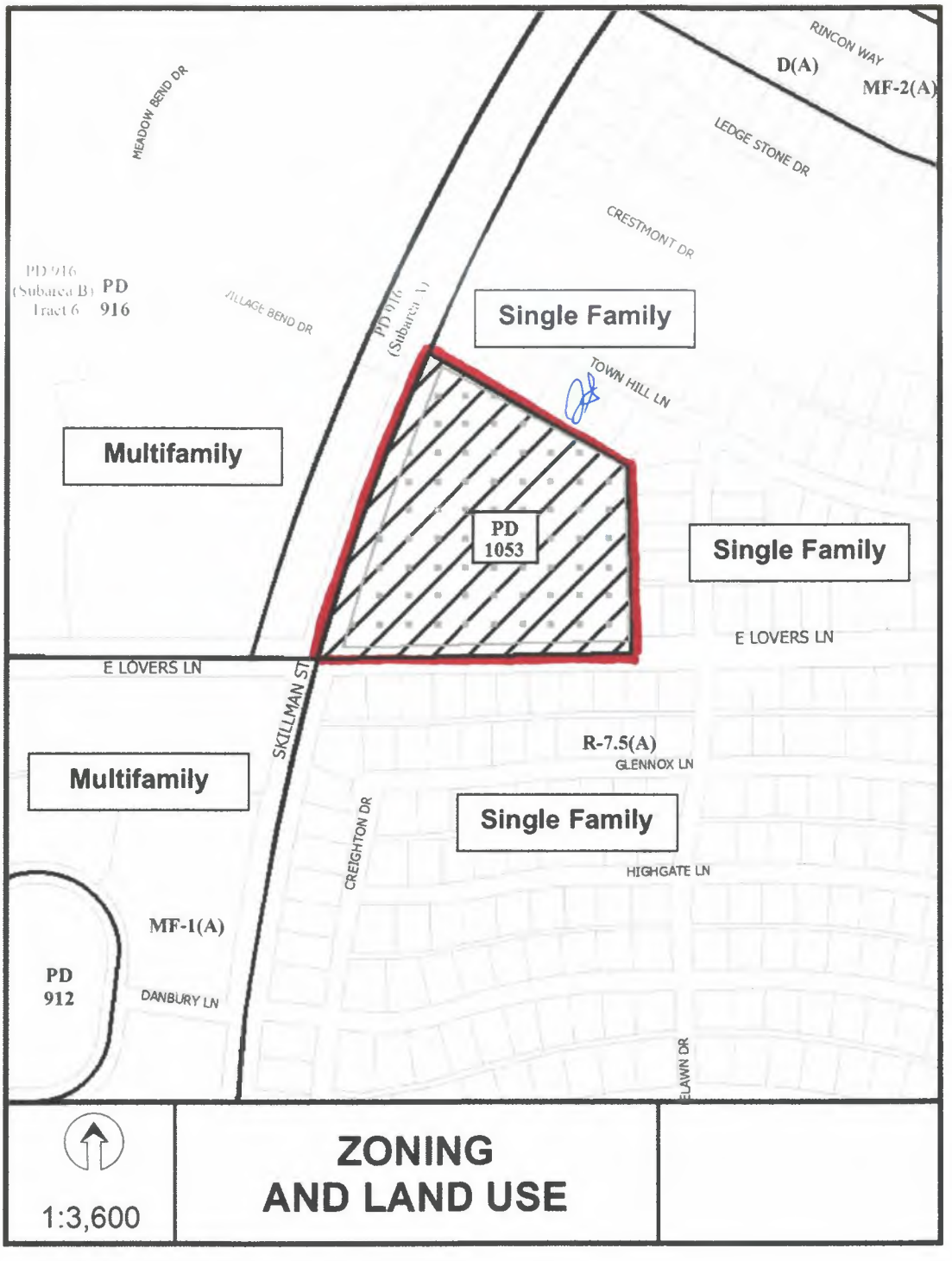
did submit a request to appeal the decision of the administrative official

at 6121 E Lovers Ln.

BDA234-097. Application of JOSEPH AND ALEVTINA SARNO to appeal the decision of the administrative official at 6121 E LOVERS LN. This property is more fully described as Block 7/5411, Lot 1, and is zoned PD-1053, which allows a person who is aggrieved by the decision of an administrative official and is the owner of real property within 200 feet o the the subject site related to a specific application, address, or project, may appeal to the board. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit 2303301066 and associated master permit 2303301078.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA


RINCON WAY
D(A)
MF-2(A)
MEADOW BEND DR
LEDGE STONE DR
CRESTMONT DR
PD 916 (Subarea B) Tract 6
PD 916
VILLAGE BEND DR
PD 916 (Subarea A)
Single Family
TOWN HILL LN
Multifamily
PD 1053
Single Family
E LOVERS LN
E LOVERS LN
SKILLMAN ST
R-7.5(A)
GLENNOX LN
Multifamily
Single Family
CREIGHTON DR
HIGHGATE LN
MF-1(A)
PD 912
DANBURY LN
ELAWN DR
1:3,600
ZONING AND LAND USE

BDA234-097

ArcGIS Web Map



6/5/2024, 1:28:44 AM

1:3,489

0 0.03 0.05 0.1 mi

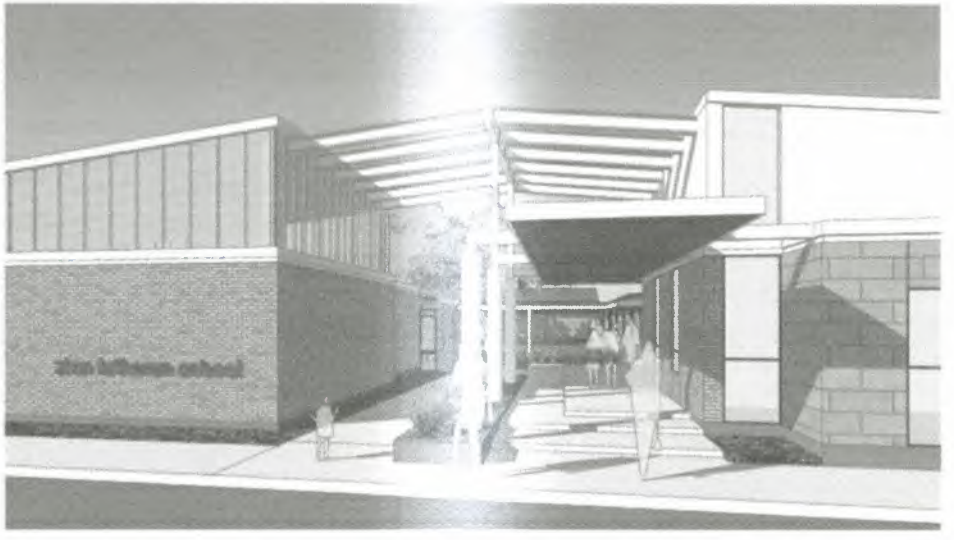
0 0.04 0.07 0.15 km

BDA234-097

ELEVATION DRAWINGS

[6121 E. LOVERS LANE
DALLAS, TX 75214]





BDA234-097

DATE: 03-30-2023

APPLICATION TYPE
REGULAR (•) EXPRESS ( )

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

City of Dallas

JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY) 2303301066

BUILDING PROJECT

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	USE OF PROPERTY
6121 E. Lovers Lane, Dallas, Tx 75214		Church/School

APPLICANT	ADDRESS	CITY	STATE	ZIP CODE
James Kuhlmann Architect	7216 Clemson Drive	Dallas	Texas	75214

DBA (IF APPLICABLE)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
	(214) 293-3850	james@jkuhlmannarchitect.com

CONTRACTOR INDIVIDUAL	CONTRACTOR NUMBER	PIN	COMPANY NAME
James Kuhlmann	BU138359	2469	James Kuhlmann Architect PLLC

GREEN HOME REPAIR LICENSE ON FILE			PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
( ) YES	(•) NO		(214) 293-3850	james@jkuhlmannarchitect.com

PROPERTY OWNER (INDIVIDUAL CONTACT)	ADDRESS	CITY	STATE	ZIP CODE
Jerry Knippa	6121 E. Lovers Lane	Dallas	Texas	75214

PROPERTY OWNER (COMPANY NAME)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
Zion Lutheran Church	(214) 363-1639	jknippa@ziondallas.org

DESCRIPTION OF PROPOSED PROJECT
Add 4,500 SF concrete slab on grade for playground court area

VALUATION ($) Commercial Only		CONST AREA (sq ft)	
NEW CONST	48,000.00	NEW CONST	4,50
MFD OTHER		MFD OTHER	
REMODEL		REMODEL	
TOTAL VALUATION	48,000.00	TOTAL AREA	4,50

PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX

☐ BUILDING	☐ PLUMBING	☐ FENCE	☐ DRIVE APPROACH	☐ BACKFLOW	☐ BARRICADE	☐ ENERGY	
☐ ELECTRICAL	☐ FIRE SPRKLR	☐ SIGN	☐ SWIMMING POOL	☐ CUSTOMER SVC	☐ GREEN	☒ PAVING/GRADING	
☐ MECHANICAL	☐ FIRE ALARM	☐ LANDSCAPE	☐ LAWN SPRINKLER	☐ FLAMMABLE LIQUID	☐ OTHER:		

All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? ( ) YES (•) NO

The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application in review that requires revisions or corrections may be avoided by agreeing to allow the City the following additional time to review the application:

I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:

Zoning, Building Code, Residential Code, Electrical Code, Plumbing/Mechanical Code, Fuel Gas Code, Energy Code, Green Building Code, Health, Historical Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.

If the permit is granted (*Approved*) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.

(✓) I AGREE. ( ) I DO NOT AGREE.

I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES.

I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.

APPLICANT'S SIGNATURE	DATE OF APPLICATION SUBMISSION
	BDA23A-097

FOR OFFICE USE ONLY

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	PROJECT/PERMIT NUMBER
6121 E. LOVERS LN		230330 1066

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
6911		PD	1053	11B	A4	6	A
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
10	5411						
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL

ROUTE TO		REVIEWER	DATE	APPLICATION REMARKS	FEE CALCULATIONS ($)
PRE-SCREEN		RT	3.30.23		PERMIT FEE 302.92
ZONING					
BUILDING					PLAN REVIEW FEE 150.00
ELECTRICAL					
PLUMBING/MECHANICAL					PREQUALIFICATION REVIEW FEE
GREEN BUILDING					EXPRESS PLAN REVIEW HOURLY FEE TOTAL
HEALTH					HEALTH PERMIT APPLICATION FEE
HISTORICAL/CONS DIST					HEALTH PLAN REVIEW FEES
ENGINEERING					OTHER FEES
WATER					OTHER FEES
FIRE					TOTAL FEES $ 452.92
LANDSCAPING					
AVIATION					
OTHER _____					

PLAN REVIEW NOTES

BDA234-097

Site Plan Review Application

Date: 3/30/23

Grading/Paving only?

X Yes ____ No

Site Plan Review #

CITY OF DALLAS

Site Information			Applicant Information	
Address:	6121 E. Lovers Ln		Name:	James Kuhlmann
Existing use:	Church & School		Company:	Zion Lutheran Church
Proposed use:	Church & School		Address:	6121 E. Lovers Lane
[illegible]	62,712	SF	City:	Dallas
Proposed floor area:	0	SF	State, Zip:	TX, 75214
Total floor area:	62,712	SF	Phone #:	214-293-3850
Existing coverage:	177,289	SF	Fax #:	
Additional coverage:	4,500	SF	Email:	James@Jkuhlmannarchitect.c
Total coverage:	181,789	SF	Zoning Case #	
New paved/graded:	4,500	SF	BDA Case #	
Total lot area:	334,540	SF	Subdivision Plat #	
Description of proposed work:	4,500 SF OF A POST TENSIONED SLAB FOR A SPORT COURT			

I have read the completed application and know the same is true and correct and agree that all provision of the City ordinances and State laws will be complied with whether herein specified or not. I agree with all property restrictions. I am the owner of the property or the duly authorized agent.

X _____ Applicant's signature

BELOW FOR OFFICE USE ONLY

	Proposed	Minimum
Front Yard		
Side Yard		
Rear Yard		
Site Parking		
Delta credits		
By pkg agrmt		

	Proposed	Maximum
Height		
FAR		
Lot Coverage		

Land Use	Block	Lot	FP	Dry
Zoning	PD	RAR	DIR	SUP
DR	Early Release	Hist	D.U. #	BDA

Route to	Checked	Date	Comments
Zoning			
Arborist			
Water			
Engineering			
Building			
Other			

Remarks:

Fee Calculation

Site Plan Review	50.00
DIR	
RAR	
Other	
Total Fee	

BDA234-097

DATE 3/15/24

APPLICATION TYPE
REGULAR ◯ EXPRESS ◯

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

City of Dallas

JOB NO. (OFFICE USE ONLY)

PERMIT NO. (OFFICE USE ONLY)
24031510 99

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	USE OF PROPERTY
8306 MIDWAY RD		RESIDENTIAL

APPLICANT	ADDRESS	CITY	STATE	ZIP CODE
MATTHEW HICKEY	8306 MIDWAY RD	DALLAS	TX	75209

4049335NV

CURRENT HOME REPAIR LICENSE ON FILE?	IF YES, LIST NUMBER	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
◯ YES ◯ NO			MATT.HICKEY@ATT.COM

PROPERTY OWNER (INDIVIDUAL CONTACT)	ADDRESS	CITY	STATE	ZIP CODE
MATTHEW HICKEY	8306 MIDWAY RD	DALLAS	TX	75209

PROPERTY OWNER (COMPANY NAME)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)

DESCRIPTION OF PROPOSED PROJECT
REPLACED 7'½ FT CEDAR FENCE

VALUATION ($) Commercial Only		CONST AREA (sq ft)	
NEW CONST		NEW CONST	
MFG OTHER		MFG OTHER	
REMODEL		REMODEL	
TOTAL VALUATION		TOTAL AREA	500 FT

PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX

☐ BUILDING	☐ PLUMBING	☑ FENCE	☐ DRIVE APPROACH	☐ BACKFLOW	☐ BARRICADE	☐ ENERGY	
☐ ELECTRICAL	☐ FIRE SPRKLR	☐ SIGN	☐ SWIMMING POOL	☐ CUSTOMER SVC	☐ GREEN	☐ PAVING/GRADING	
☐ MECHANICAL	☐ FIRE ALARM	☐ LANDSCAPE	☐ LAWN SPRINKLER	☐ FLAMMABLE LIQUID	☐ OTHER		

All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? ◯ YES ◯ NO

The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application in review that requires revisions or corrections may be avoided by agreeing to allow the City the following additional time to review the application.

I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit.

Zoning, Building Code, Residential Code, Electrical Code, Plumbing/Mechanical Code, Fuel Gas Code, Energy Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.

If the permit is granted (*Approved*) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.

◉ I AGREE. ◯ I DO NOT AGREE.

I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES.

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APPLICANT'S SIGNATURE	DATE OF APPLICATION SUBMISSION

BDA23A-097

FOR OFFICE USE ONLY

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	PROJECT/PERMIT NUMBER
8306 Midway Rd		240315 1099

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
1111	110	R-10(A)		VA		B	A
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
C	A/4971						
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL

ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS	FEE CALCULATIONS (S)
FEE AREA				DRAINAGE FEE 125.00
ZONING	RV	3/5/24	Fee Only	SURCHARGE
BUILDING				PLAN REVIEW FEE
ELECTRICAL				PREQUALIFICATION REVIEW FEE
PLUMBING/MECHANICAL				EXPRESS PLAN REVIEW HOURLY FEE TOTAL
GREEN BUILDING				HEALTH PERMIT APPLICATION FEE
HEALTH				HEALTH PLAN REVIEW FEES
HISTORICAL/CONS DIST				OTHER FEES
ENGINEERING				OTHER FEES
WATER				TOTAL FEES
FIRE				$ 125.00
LANDSCAPING				
AVIATION				
OTHER _____				

PLAN REVIEW NOTES

BDA234-097

Site Plan Review Application

Date: 3/30/23

Grading/Paving only?
X Yes ____ No

Site Plan Review #
230330 1077

CITY OF DALLAS

Site Information			Applicant Information	
Address:	6121 E. Lovers Ln		Name:	James Kuhlmann
Existing use:	Church & School		Company:	Zion Lutheran Church
Proposed use:	Church & School		Address:	6121 E. Lovers Lane
Existing floor area:	62,712	SF	City:	Dallas
Proposed floor area:	0	SF	State Zip:	TX, 75214
Total floor area:	62,712	SF	Phone #:	214-293-3850
Existing coverage:	177,289	SF	Fax #:	
Additional coverage:	4,500	SF	Email:	james@kuhlmannarchitect.c
Total coverage:	181,789	SF	Zoning Case #:	
New paved/graded:	4,500	SF	BDA Case #:	
Total lot area:	334,540	SF	Subdivision Plat #:	
Description of proposed work:	4,500 SF OF A POST TENSIONED SLAB FOR A SPORT COURT			

I have read the completed application and know the same is true and correct and agree that all provision of the City ordinances and State laws will be complied with whether herein specified or not. I agree with all property restrictions. I am the owner of the property or the duly authonzed agent.

X _____
Applicant's signature

BELOW FOR OFFICE USE ONLY

	Proposed	Minimum
Front Yard		
Side Yard		
Rear Yard		
Site Parking		
Delta credits		
By pkg agrmt		

	Proposed	Maximum
Height		
FAR		
Lot Coverage		

Land Use	Block	Lot	FP	Dry
Zoning	PD	RAR	DIR	SUP
DR	Early Release	Hist	D.U. #	BDA

Route to:	Checked	Date	Comments
Zoning			
Arborist			
Water			
Engineering			
Building			
Other			

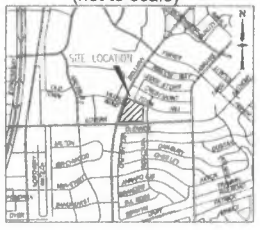
Remarks:

Fee Calculation

Site Plan Review	50.00
DIR	
RAR	
Other	
Total Fee	

BDA234-097

LOCATION MAP
(not to scale)



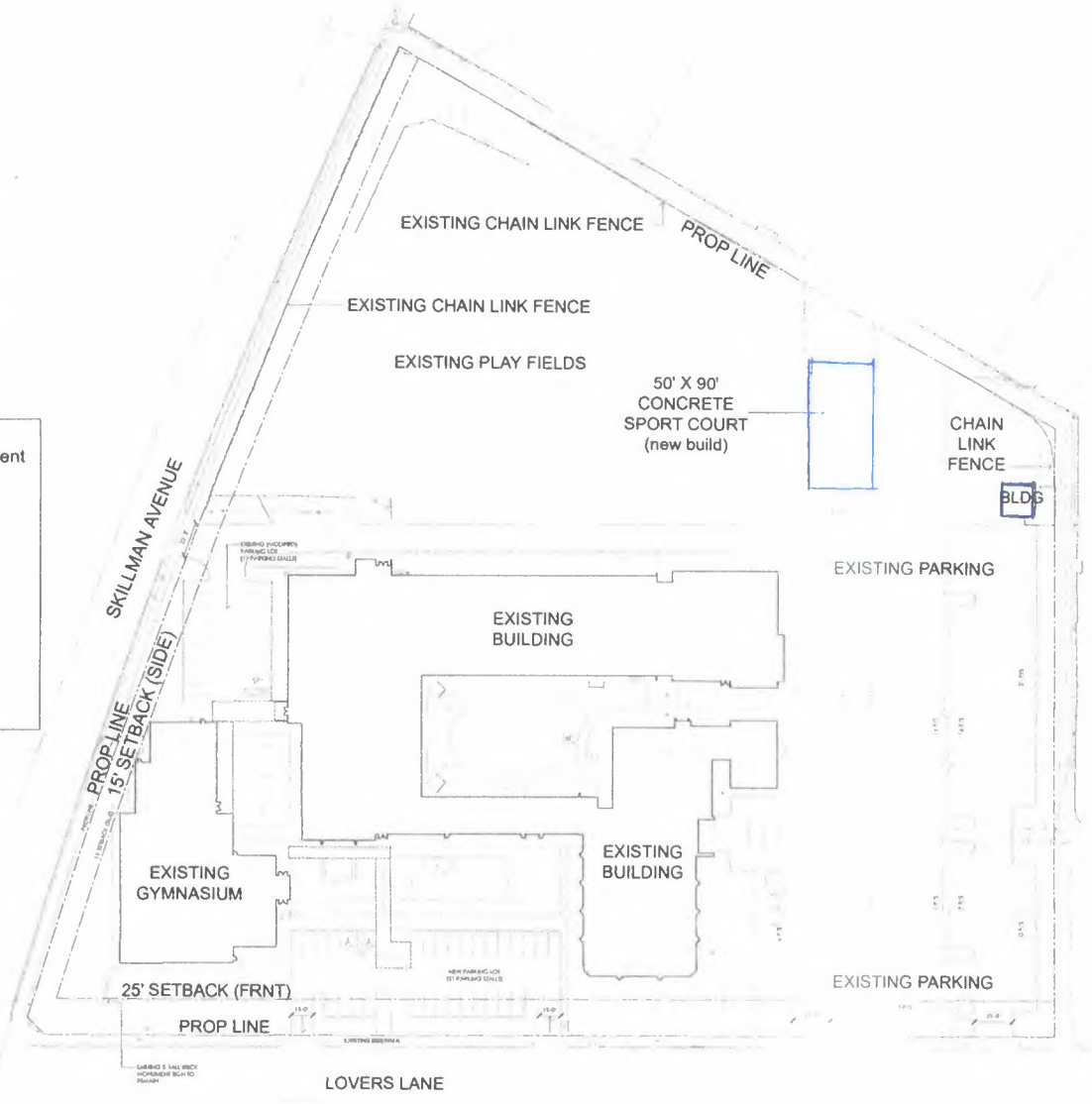
LEGEND

CURRENT ZONING: Planned Development
Use: Church/School

Land Area: 7.684 Acres

Total Floor Area 67,470 SF

Max. Height: 30 Feet



1 DEVELOPMENT PLAN

ZION CHURCH - SCHOOL
6121 E. LOVERS LN., DALLAS, TEXAS 75214

BDA234-097

FILE NUMBER: BDA234-098 (BT)

BUILDING OFFICIAL'S REPORT: Application of Karlyn Herlitz for **(1)** a special exception to the fence height regulations at **5322 KELSEY RD.** This property is more fully described as Block B/5517, Lot 10, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard, which will require a 2-foot 6-inch special exception to the fence regulation.

LOCATION: 5322 Kelsey Rd.

APPLICANT: Karlyn Herlitz

REQUEST:

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

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 (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:

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 Karlyn Herlitz for the property located at 5322 Kelsey Rd. focuses on 1 request relating to the fence height regulations.
- The request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot 6-inch high iron gate and 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 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 6-foot high iron double gate and fence with 6-foot 6-inch high stone columns, located near the front property line.
- A majority of the proposed iron fence and gate will be 6-foot high.
- A portion of the proposed stone columns, fence and gate will be constructed on an existing retaining wall.
- 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 Kelsey Rd.
- The applicant provided a motor vehicle theft police report from 2022.
- 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 will not adversely affect the neighboring properties.
- 200' Radius Video: **BDA234-098 xxxx n**

Timeline:

June 25, 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 **B**.

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

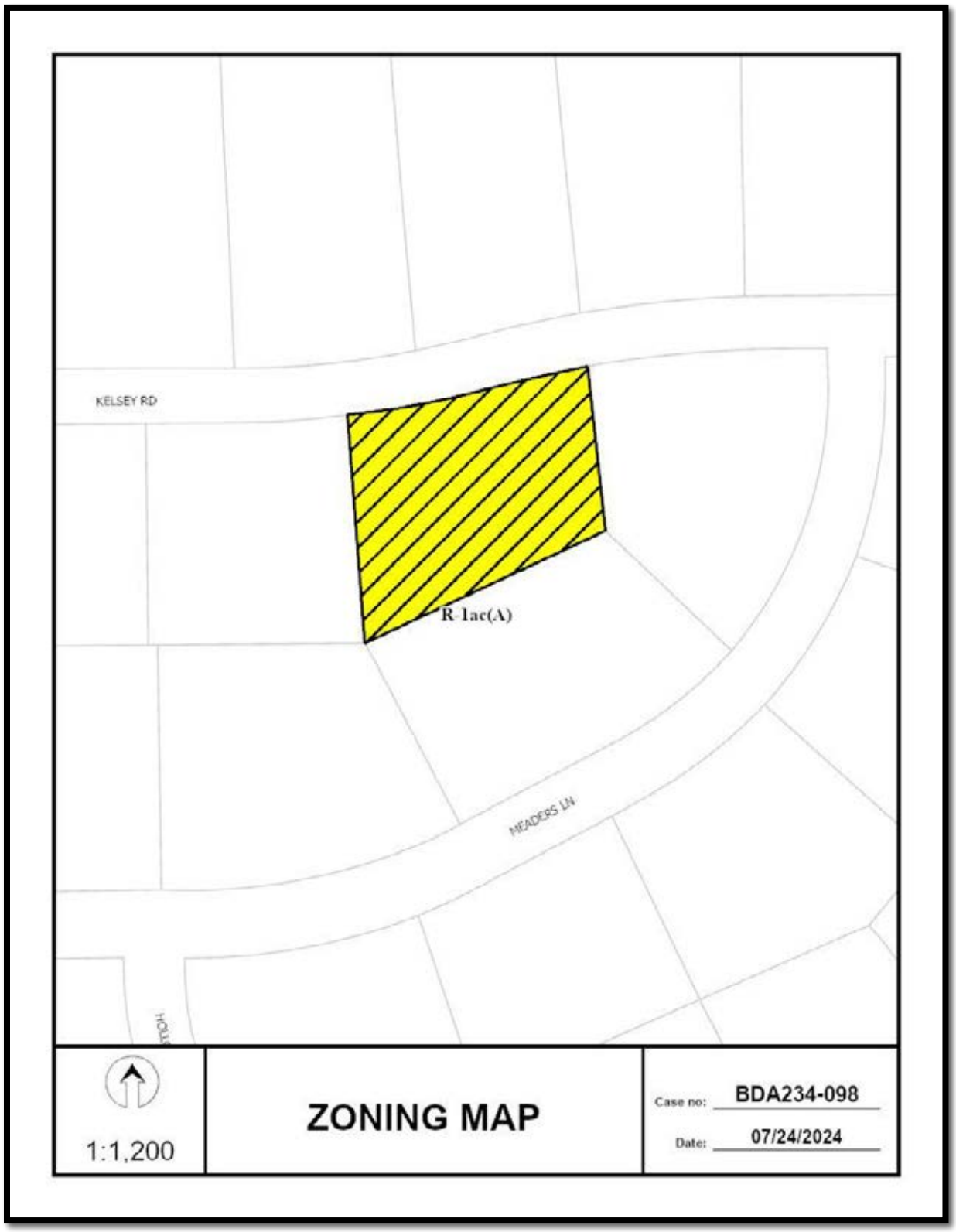
- an attachment that provided the public hearing date and panel that will consider the application; the July 26, 2024, deadline to submit additional evidence for staff to factor into their analysis;

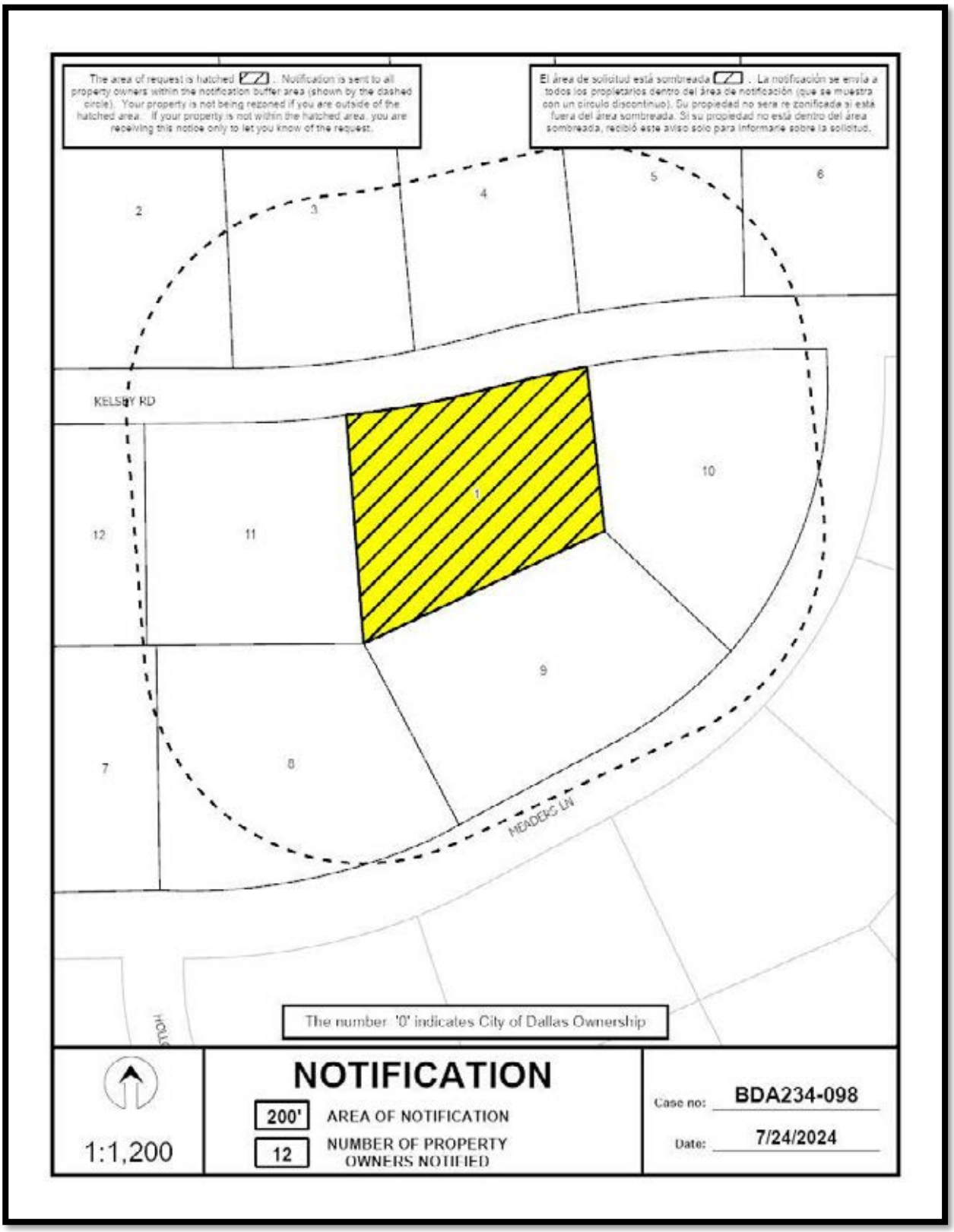
and August 9, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

- 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 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.


KELSEY RD
Site
MEADERS LN
1:1,200
AERIAL MAP
Case no: BDA234-098
Date: 07/24/2024


KELSEY RD
R-1ac(A)
MEADERS LN
1:1,200
ZONING MAP
Case no: BDA234-098
Date: 07/24/2024


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.
KELSEY RD
MEADERC LN
1
2
3
4
5
6
7
8
9
10
11
12
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
12
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-098
Date: 7/24/2024

07/24/2024

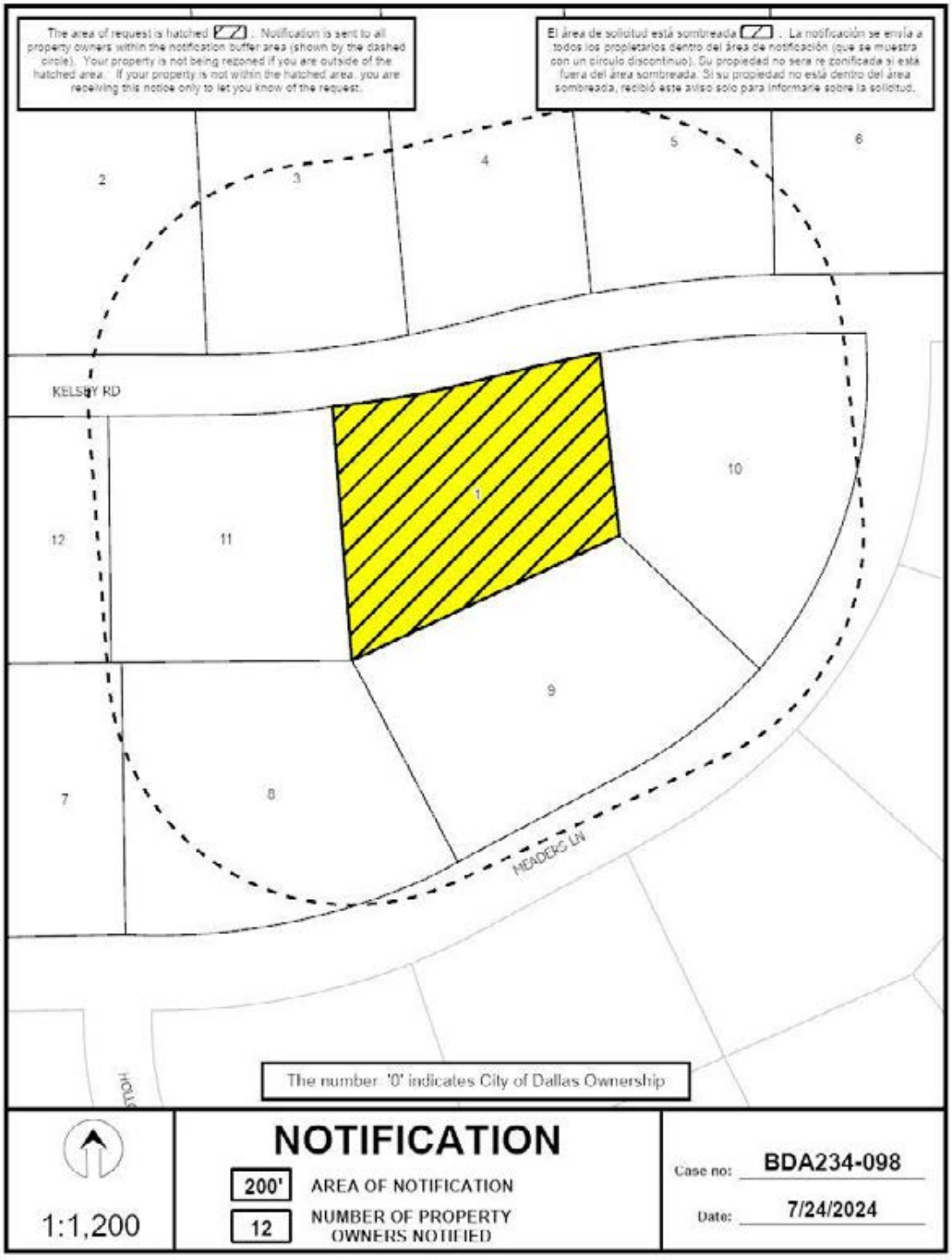
Notification List of Property Owners

BDA234-098

12 Property Owners Notified

Label #	Address		Owner
1	5322	KELSEY RD	HERLITZ GRANT & KARLYN
2	5233	KELSEY RD	LERER RICHARD
3	5311	KELSEY RD	TRUMPOWER IAN N &
4	5325	KELSEY RD	ANDERSON CHARLES C & MOLLY R
5	5337	KELSEY RD	ALLEN MICHAEL M &
6	5351	KELSEY RD	ELMQUIST DAVID W & ALISON M
7	5241	MEADERS LN	BALDRIDGE JOHN L III
8	5315	MEADERS LN	MEADERS TRUST THE
9	5335	MEADERS LN	BILLINGSLEY JOHN & HARRIET
10	5353	MEADERS LN	SCHLIEM THOMAS R & JANICE L R CO-TRUSTEES
11	5306	KELSEY RD	BROWN AARON D & AMANDA Z
12	5226	KELSEY RD	HODGE SANFORD JOHN III

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **WEDNESDAY, AUGUST 21ST, 2024**

BRIEFING: **10:00 a.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa0821-B

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

BDA234-098(BT) Application of Karlyn Herlitz for **(1)** a special exception to the fence height regulations at **5322 KELSEY RD**. This property is more fully described as Block B/5517, Lot 10, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard, which will require a 2-foot 6-inch special exception to the fence regulation.

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. 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 in 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-B-Register **by the close of business Tuesday, August 20tht, 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 or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of three 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
Planning & Development Department
1500 Marilla Street 5CN Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.

PLEASE REGISTER AT:
https://bit.ly/BDA-B-Register

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-098

RECEIVED
JUN 25 REC'D
BY:

Data Relative to Subject Property: Date: FOR OFFICE USE ONLY

Location address: 5322 Kelsey Road Zoning District: R-1ac.

Lot No.: 10 Block No.: B/5517 Acreage: 1.0 Census Tract:

Street Frontage (in Feet): 1) 220' 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Grant and Karlyn Herlitz

Applicant: Karlyn Herlitz Telephone: 214-405-5580

Mailing Address: 5322 Kelsey Road, Dallas TX Zip Code: 75229

E-mail Address: Kherlitz@me.com

Represented by: Zone Systems (Peter Kavanagh Telephone: 214 957 6188

Mailing Address: 1620 Handley, Suite A, Dallas Zip Code: 75208

E-mail Address: peterk@zonesystems.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of Front Yard Fence Height (Sec. 51A-4.602(2) through Sec. 51A-4.602(11) to provide a fence in front yard of 6'6" that is 2'6" above maximum of 4 feet

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:
Security is the reason for the fence and gates. Fence will provide security in a well scaled design to match home

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 Karlyn Herlitz
(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: Karlyn Herlitz
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 25th day of June, 2024

PETER KAVANAGH
Notary ID #8345267
My Commission Expires
December 26, 2024

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 Karlyn Herlitz

did submit a request for a special exception to the fence height regulations

at 5322 Kelsey Rd.

BDA234-098. Application of Karlyn Herlitz for (1) a special exception to the fence height regulations at 5322 KELSEY RD. This property is more fully described as Block B/5517, Lot 10, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard, which will require a 2-foot 6-inch special exception to the fence regulation.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-098

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

at: 5322 Kelsey Road, Dallas, TX 75229
(Address of property as stated on application)

Authorize: Karlyn Herlitz
(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)

__X__Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Front Yard Fence Height of 6'6" per Sec. 51A-4.602(11)

Grant Herlitz
Print name of property owner or registered agent

Signature of property owner or registered agent

Date Karlyn Herlitz 6-25-24

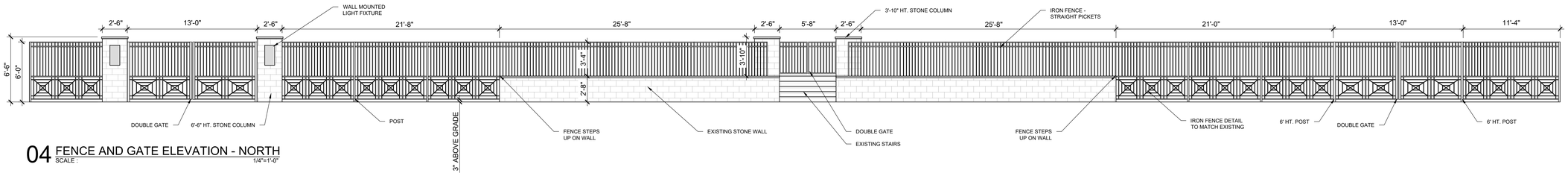
Before me, the undersigned, on this day personally appeared Grant Herlitz

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 25th day of June, 2024

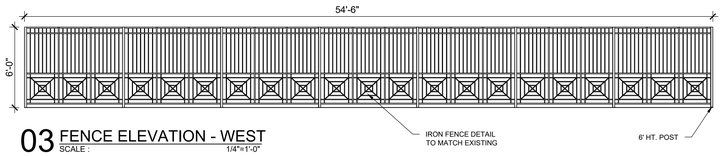
PETER KAVANAGH
Notary ID #8345267
My Commission Expires
December 26, 2024

Notary Public for Dallas County, Texas

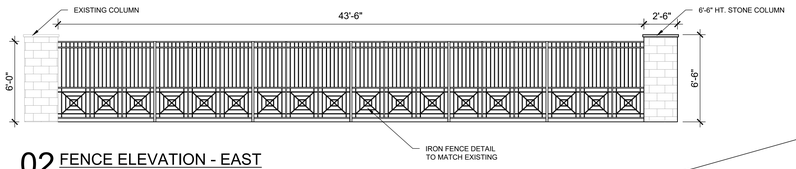
Commission expires on 12-26-24



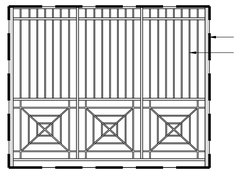
04 FENCE AND GATE ELEVATION - NORTH
SCALE : 1/4"=1'-0"



03 FENCE ELEVATION - WEST
SCALE : 1/4"=1'-0"



02 FENCE ELEVATION - EAST
SCALE : 1/4"=1'-0"



01 FENCE CALCULATION
SCALE : 1/2"=1'-0"

ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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CONSTRUCTION REVIEW SET

SEAL

BRUCE F. BERGER 1101 REGISTERED LANDSCAPE ARCHITECT STATE OF TEXAS

BRUCE F. BERGER, ASLA

REVISIONS

Armstrong Berger
Landscape Architecture • Planning • Construction Management
2611 Stats Street
Dallas, Texas 75204
214.871.0095 Phone
214.871.0099 Fax
info@a-b1.com
P.O. Box 191425
Dallas, Texas 75219

HERLITZ RESIDENCE

5322 Kelsey Road
Dallas, Texas

DRAWING TITLE

SITE PLAN

ISSUE DATE:	7/18/24
DRAWING SCALE:	1/8"=1'-0"
PROJECT NUMBER	15043
DRAWN BY:	AJO
REVIEWED BY:	BFB
APPROVED BY:	BFB

DRAWING NUMBER

L0.01

NORTH

0 4' 8' 16'
GRAPHIC SCALE 1/8" = 1'-0"

CITY OF DALLAS POLICE DEPARTMENT

Incident ID: 192808-2022
Page: 1

Incident Data Sheet Report

ORI Number:
Printed On: 12/18/2023 13:21 (Mon)

Incident ID: 192808-2022	Offense Code: UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE (PC 31.07) (FS-24110003-G13)	
Occurred Address: 5322 KELSEY RD DALLAS, TX 75229		
District: 652	Post: 652	Source:
Log#:	File#:	Case#:
Situation Found:	Disposition: SUSPENDED	
Date Reported: 10/23/2022 11:47	Disp Date: 10/23/2022 00:00	
Date Occurred: 10/22/2022 18:00 TO 10/23/2022 11:30	Case Status: SUSPENDED	
	Status Date: 10/23/2022 00:00	

Shooting: ☐ Domestic Violence: ☐ Hate Crime: ☐ Follow-Up: ☐ Reclassify: ☐

Date Approved By Supervisor: 10/23/2022 13:19	Supervising Officer: CLARK, SHELIA # 15356
Division:	Reporting Officer: TURPIN, MARK # 10877
Date Assigned To Investigator: 10/24/2022 00:00	Investigator Assigned: NARVAEZ, MARIVEL # 113456

Synopsis
7219 KENNY LN

Calls For Service

CFS#:	22-2083763
Disp Recd:	10/23/2022 11:47
Dispatched:	10/23/2022 12:00
Arrived:	10/23/2022 12:15
Cleared:	10/23/2022 13:36
Dispatcher:	MOBILE1

Call Codes:
09V - UUMV
09V - UUMV

Clearance Information

Clearance Date	Incident Reference	Cleared By	Clearance Type
	192808-2022		NOT APPLICABLE
	192808-2022		NOT APPLICABLE

BDA234-098

CITY OF DALLAS POLICE DEPARTMENT

Incident ID: 192808-2022
Page: 2

Incident Data Sheet Report

ORI Number:
Printed On: 12/18/2023 13:21 (Mon)

Associated Names

VICTIM	Vict/Susp Rel:			Name: OKON, LOUIS EUGENE	
DOB 4/30/1974 Age/Time: 48	Juv:	Sex: M	SSN:	Race: WHITE	
Home Phone:	Work Phone:		Other Phone:		
Arrest#	FBI:		SBI:	State	
Appr	Appr By:		Charges:		
Circumstance:					
Visitor: ☐	Military: ☐	Police Dept Associate: ☐	Justif. Homicide:		
Follow-Up:		Weap:			
Injured: ☐	Reasons for Treatment:			Treated: ☐	Voluntary: ☐
Hospital:		Physician:			
Transported By:		Confined: ☐	Refused Admission: ☐	Sent Home: ☐	
Condition:		Other Action:			
Injuries					
Breath Test: ☐	Blood Test: ☐	Refused Test: ☐	Test Results:		
Drivers License State: TX	Expiration:	Number: 04960616			
Clothing:					
Primary Address: 7219 KENNY LN DAL, TX 75230					
Primary Mailing:					
Second Address:					
Second Mailing:					
Advice of Victims Rights Provided ☐ How Notified					

Comment:

Offense 1 : UNAUTHORIZED USE OF MOTOR VEH - AUTOMOBILE (PC 31.07)

Employer	Occupation	Phone Number	Employed From	Employed To

BDA23A-098

CITY OF DALLAS POLICE DEPARTMENT

Incident ID: 192808-2022 | **Incident Data Sheet Report** | ORI Number:

 | Printed On: 12/18/2023 13:21 (Mon)

Associated Names

REPORTING PERSON	Vict/Susp Rel:		Name: OKON, HANNAH		
DOB	Age/Time: 17	Juv: Y	Sex: F	SSN:	Race: WHITE
Home Phone:	Work Phone:		Other Phone:		
Arrest#	FBI:		SBI:		State
Appr	Appr By:		Charges:		
Circumstance:					
Visitor: ☐	Military: ☐	Police Dept Associate: ☐	Justif. Homicide:		
Follow-Up:		Weap:			
Injured: ☐	Reasons for Treatment:			Treated: ☐	Voluntary: ☐
Hospital:		Physician:			
Transported By:			Confined: ☐	Refused Admission: ☐	Sent Home: ☐
Condition:			Other Action:		
Injuries					
Breath Test: ☐	Blood Test: ☐	Refused Test: ☐	Test Results:		
Drivers License State:	Expiration:		Number:		
Clothing:					
Primary Address: 7219 KENNY LN DAL, TX 75230					
Primary Mailing:					
Second Address:					
Second Mailing:					
Advice of Victims Rights Provided ☐ How Notified					

Comment:

Employer	Occupation	Phone Number	Employed From	Employed To

Arrests

BDA234-098

CITY OF DALLAS POLICE DEPARTMENT

Incident Data Sheet Report

Vehicles

Plate: LCD6961	State: TX	Make ACUR	Model:	Color: 21	Year: 2018
Involvement: STOLEN		VIN 5J8YD4H53JL016452			
Owner Notified By:			Owner Notified On:		
Person Notified:					
Returned By:			Returned On:		
Safety Sticker Expiration:		Weight Tax Paid Through:			
Insurance Co:		Policy #		Expiration:	
Comment :					

Stolen Vehicles

Plate: LCD6961	State: TX	Make: ACUR	Model:	Color: SILVER

Year: 2018 VIN 5J8YD4H53JL016452

Reported On: 10/23/2022 11:47 Found On: 10/24/2022 04:12

Stolen Value: $35,000.00 Found Value: $29,000.00

Property

Victim to Suspect Relationships

Victim #	Victim Name	Suspect #	Suspect Name	Relationship

BDA234-098

CITY OF DALLAS POLICE DEPARTMENT

Incident ID: **192808-2022**
Page: 5

Incident Data Sheet Report

ORI Number:
Printed On: 12/18/2023 13:21 (Mon)

Narratives

Narrative Title

☐ **Locked**

Narrative

******THERE IS VIDEO CAPTURED BY THE BODY CAMERA OF RO M. TURPIN #10877******

ON 10/23/2022 AT APPROXIMATELY 12:00PM POLICE OFFICER M. TURPIN #10877 RESPONDED TO A CALL FROM THE POLICE DISPATCHER REGARDING A STOLEN VEHILCE AT 7219 KENNY LANE, DALLAS, DALLAS COUNTY, TX.

NARRATIVE OF OFFICER M. TURPIN #10877;

UPON ARRIVAL I READ THE STOLEN VEHICLE WARNING TO THE COMP WHILE RECORDING WITH MY BODY CAMERA, THE COMP SAID HE UNDERSTOOD THE WARNING.

THE COMP SAID THAT THE RP DROVE THE LISTED VEHICLE, A SILVER 2018 ACURA MDX SUV, TEXAS TAGS LCD6961, TO A FRIENDS HOUSE LOCATED AT 5322 KELSEY RD, DALLAS, DALLAS COUNTY, TX; WHERE THE VEHICLE WAS LAST SEEN ON 10/22/2022 AT APPROXIMATELY 6:00PM. ON 10/23/2022 AT APPROXIMATELY 11:00 AM THE RP CALLED THE COMP AND TOLD HIM THAT THE VEHICLE WAS NO LONGER AT THE LOCATION.
THE VEHICLE WAS TAKEN BY AN UNKNOWN SUSPECT WITHOUT CONSENT.
NO FURTHER INFO AT THIS TIME.

Created On	Created By	Updated On	Updated By
10/23/2022 13:20	MARK.TURPIN	10/23/2022 13:20	MARK.TURPIN

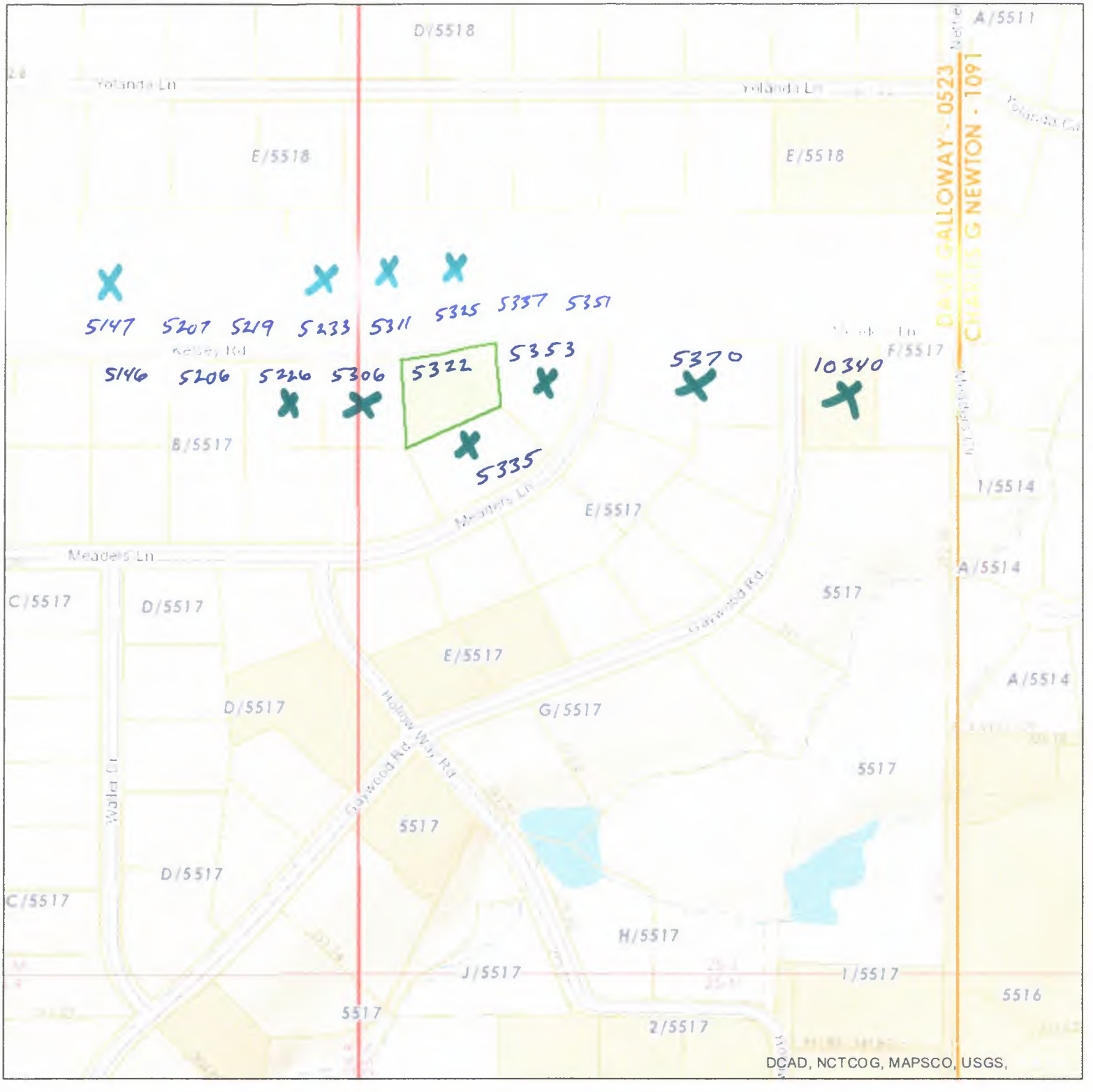
BDA234-098

Applicant's Documentary Evidence

Herlitz DCAD Map

Date of copy: 5/23/2024

DCAD Tax Account: 00000415501000000



This product is for INFORMATIONAL purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

N
W E
S

Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org

1 inch equals 376 feet

0 190 380 760 ft

0 55 110 220 m

DCAD, NCTCOG, USGS, Esri.Inc

BDA234-098

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5147 Kelsey Road and support the Herlitz's fence plan.

BDA234-098

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5335 Meaders and support the Herlitz's fence plan.

John B Billingsley

Barrett A. Billingsley

BDA234-098

March 28, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5306 Kelsey Rd 75229 and support the Herlitz's fence plan.

Amanda and Aaron Brown

BDA234-098

March 28th, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 10340 Gaywood Rd and support the Herlitz's fence plan.

Tracy Aaron

Tracy A

BDA234-098

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5353 MEADERS LANE and support the Herlitz's fence plan.

Thom Schliem

Jan Schliem

BDA234-098

March___, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5333 Kelsey and support the Herlitz's fence plan.

BDA 234-098

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5370 Meaders Lane and support the Herlitz's fence plan.

Jennifer Kaul

BDA234-09B

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5224 Kelsey Rd. and support the Herlitz's fence plan.

Kim Hodge

BDA23A-098

March____, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5325 Kelsey Road and support the Herlitz's fence plan.

Neil Anderson

Cat Anderson

BDA23A-098

March 29, 2024

Our home is near Karlyn and Grant Herlitz' home at 5322 Kelsey Road.

The Herlitz Family plans to construct a six-foot wrought iron fence with stone columns at the entrance gates. The fence will be at the front and sides of the home.

We live at 5311 Kelsey Rd. and support the Herlitz's fence plan.

BDA234-098