

RECEIVED

2024 APR - 4 PM 2: 52

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

Public Notice

2 4 0 3 4 8

POSTED CITY SECRETARY
DALLAS, TX

BOARD OF ADJUSTMENT (PANEL C)

**April 15th, 2024, Briefing at 10:30 A.M. and the Public Hearing at 1:00 P.M.
Dallas City Hall, Room 6ES, and Videoconference**

**Video Conference Link: <https://bit.ly/boa0415>
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-C-Register> or call (214) 670-4127, **by the close of business Sunday, April 14, 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-C-Register> o llamando al (214) 670-4127, **antes de cierre de oficina el Domingo, 14 de Abril, 2024. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

- I. **Call to Order** Robert Agnich, Vice-Chair
- II. **Staff Presentation/Briefing**
- III. **Public Hearing** Board of Adjustment
- IV. **Public Testimony**
- V. **Miscellaneous Items**
 - Approval of Panel C Minutes – March 18th, 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 CASES

BDA234-026(CJ)	1902 Lakeland Drive REQUEST: Application of Rotem Fartook for (1) a special exception to the fence height regulations.	1
BDA234-042(KMH)	5511 Park Lane REQUEST: Application of Rob Baldwin for (1) a special exception to the fence height regulations.	2
BDA234-043(CJ)	6242 Walnut Hill Lane REQUEST: Application of Sachin Patel for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations.	3

HOLDOVER

BDA234-032(CJ)	1426 Morrell Avenue REQUEST: Application of Jonathan Martinez for (1) a special exception to the side-yard setback regulations, and for (2) a variance to the side-yard setback regulations, and for (3) a variance to the floor area ratio.	4
-----------------------	---	---

INDIVIDUAL CASES

BDA234-046(CJ)	310 Canada Drive REQUEST: Application of Audra Buckley for (1) a variance to the front yard setback regulations, and for (2) a variance to the off-street parking regulations, and for (3) a special exception to the visibility obstruction regulations.	5
-----------------------	--	---



BOARD OF ADJUSTMENT

Panel C Minutes

March 18, 2024

DRAFT

6ES Briefing Room

24957316190@dallascityhall.webex.com

[bex.com](https://www.webex.com)

Robert Agnich, Vice-Chair

PRESENT: [5]

Robert Agnich, VC	
Rodney Milliken	
Jared Slade	
Judy Pollock	
Roger Sashington – V/P	

ABSENT: [0]

Vice-Chair Agnich called the briefing to order at **10:34 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Agnich called the hearing to order at **1:08 P.M.** with a quorum of the Board of Adjustment present.

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

PUBLIC SPEAKERS

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

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

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel C, February 22, 2024, Minutes.

A motion was made to approve Panel C, February 22nd, 2024, Public Hearing minutes.

Maker:	Judy Pollock				
Second:	Robert Agnich				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Robert Agnich, Judy Pollock, Roger Sashington, Rodney Milliken, and Jared Slade
		Against:	-	0	

UNCONTESTED ITEMS

1. 4447 Brookview Drive

***This case was moved to Individual Items**

BDA234-035(DB)

BUILDING OFFICIAL’S REPORT Application of Steve Bowen for (1) a special exception to the fence height regulations at 4447 BROOKVIEW DR. This property is more fully described as Block B/5551, Lot 5, and is zoned 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 a 6-foot 6-inch high fence in a required front-yard, which will require (1) a 2-foot 6-inch special exception to the fence regulations.

LOCATION: 4447 Brookview Dr.

APPLICANT: Steve Bowen

REQUEST:

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

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

STAFF RECOMMENDATION:

Special Exceptions:

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

BACKGROUND INFORMATION:

Zoning:

Site: R-10(A)
North: R-10(A)
East: R-10(A)
South: R-10(A)
West: R-10(A)

Land Use:

The subject site is developed with a single-family home. The surrounding properties are developed with single family homes.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Steve Bowen for the property located at 4447 Brookview Dr. focuses on one request relating to the fence height.
- The applicant proposes to construct and maintain a 6-foot-6-inch high fence in a required front yard along Brookview Dr., which will require a 2-foot-6-inch special exception to the fence height regulations.
- The applicant states that the need for the proposed 6-foot-6-inch fence is for making the retaining wall/fence even as well as for security and privacy.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 6-foot-6-inch high masonry wall/fence beginning at 14-feet-7-inches from the property line. Per the plans the wall/fence increases to the maximum height of 6-feete-6-inches and connects to an entry gate behind the required setback.
- The Dallas Development Code states that a fence located in the required front yard may be built to a maximum height of 4-feet above grade.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height 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.
- [BDA234-035_4447 Brookview Dr.](#) 200'Radius Video

Timeline:

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

February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

February 15, 2024: The Sustainable Development and Construction 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 February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 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.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March 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.

It was moved to suspend the rules to accept 10 pages for submitted Documentary Evidence by the applicant.

Maker:	Robert Agnich				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to suspend the rules
		Ayes:	-	5	Roger Sashington, Judy Pollock, Rodney Milliken, Jared Slade, and Robert Agnich
		Against:	-	0	

Speakers:

For: Steve Bowen, 1433 Memory Ct., Lewisville TX

Against: David Fosdick, 4538 Brookview Dr., Dallas TX 75220

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-035, on application of Steve Bowen, **DENY** the special exception requested by this applicant to construct and/or maintain a 2-foot 6-inch high fence **without** prejudice, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Jared Slade				
Second:	Roger Sashington				

Results:	4-1				Motion to deny
		Ayes:	-	4	Roger Sashington, Rodney Milliken, Jared Slade, and Robert Agnich
		Against:	-	1	Judy Pollock

2. 11601 Liberty Commons Court
 BDA234-038(KMH)

BUILDING OFFICIAL’S REPORT: Application of Bill Davis for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence standards regulations at 11601 Liberty Commons Ct. This property is more fully described as Block 7B/6595, Lot Common area A, and is zoned PD-978 (MF-1(A)), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. 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, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence regulations.

LOCATION: 11601 Liberty Commons Ct.

APPLICANT: Bill Davis

REQUEST:

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made.

BACKGROUND INFORMATION:

Zoning:

Site: PD 978
North: PD 978
East: D(A)
South: R-10(A)
West: TH-2(A)

Land Use:

The subject site is developed with new multifamily development units. The surrounding properties are developed with single family homes, duplexes and townhomes.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Bill Davis for the property located at 11601 Liberty Commons Ct. focuses on 2 requests relating to the fence height and fence opacity regulations.
- The applicant proposes to construct and maintain an 8-foot high fence in a required front yard along Modella Ave., which will require a 4-foot special exception to the fence height regulations.
- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site is developed with newly multifamily units. The surrounding properties are developed with single-family homes, townhomes and duplexes.
- The applicant states that the need for the proposed 8-foot high fence is for security and privacy due to thefts and unauthorized trespassing.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain an 8-foot high wood fence at the property line.
- The Dallas Development Code states that a fence located in the required front yard may be built to a maximum height of six feet above grade if all conditions in the following subparagraphs are met: (a) no lot in the block face may be zoned as a single-family or duplex district; (b) no gates for vehicular traffic may be located less than 20 feet from the back of the street curb and (c) no fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line. Unless all of the conditions are met, a fence in a multifamily district may not exceed four feet above grade when located in the required front yard, except when the required front yard is governed by the side or rear yard regulations.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.

- Granting the special exceptions to the fence standards relating to height and opacity with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- [BDA234-038 at 11601 Liberty Commons](#) 200' Radius Video

Timeline:

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

February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

February 15, 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 February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 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.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March 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: Bill Davis, 3377 Blackborow, Dallas TX 75208
Did not speak

Against: No Speakers

Motion

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

BDA 234-038 - Application of Bill Davis, 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 234-038 - Application of Bill Davis, 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.

Maker:	Judy Pollock				
Second:	Rodney Milliken				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Robert Agnich, Judy Pollock, Roger Sashinton, Rodney Milliken, Jared Slade
		Against:	-	0	

INDIVIDUAL CASES

3. 1426 Morrell Avenue
 BDA234-032(CJ)

BUILDING OFFICIAL’S REPORT: Application of Jonathan Martinez for **(1)** a special exception to the side-yard setback regulations, and for **(2)** a variance to the side-yard setback regulations, and for **(3)** a variance to the floor area ratio at 1426 Morrell Ave. This property is more fully described as Block 26/3587, Lot 7, and is zoned R-5(A), which requires a side-yard setback of 5-feet, and prohibits the floor area of an accessory structure from exceeding 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide **(1)** a 1-foot setback, which will require a 4-foot special exception to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure and provide a 2-foot 8-inch side-yard setback, which will require **(2)** a 2-foot 4-inch variance to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure with 362 square feet of floor area (28% of the 1282 square foot floor area of the main structure), which will require **(3)** a 41.5 square foot variance to the floor area regulations.

LOCATION: 1426 Morrell Ave.

APPLICANT: Jonathan Martinez

REPRESENTED BY:

REQUEST:

- (1) A request for a special exception to the side-yard setback regulations.
- (2) A request for a variance to the side-yard setback regulations
- (3) A variance to the floor area ratio regulations to construct and/or maintain a detached accessory structure, not for rent, on a site developed with a single-family home.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE SIDE YARD SETBACK REGULATIONS FOR CARPORTS:

Section 51A-4.402(1)(c)(6)(1) of the Dallas Development Code specifies that the board may grant a special exception to the minimum side yard requirements in this section for a carport for a single family or duplex use when, in the opinion of the board, **the carport will not have a detrimental impact on surrounding properties.**

Section 51A-4.402(1)(c)(6)(2) In granting this type of special exception, the board shall consider the following:

- (A) Whether the requested special exception is compatible with the character of the neighborhood.
- (B) Whether the value of surrounding properties will be adversely affected.
- (C) The suitability of the size and location of the carport.
- (D) The materials to be used in construction of the carport

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:

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

Special Exception (1st Request):

No staff recommendation is made.

Variance to the side-yard setback regulations (2nd Request):

Denial

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. Not restrictive in area due to the lot size (6804.072 sqft); The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sqft therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

Variance to the floor area regulations (3rd Request):

Denial

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. Not restrictive in area due to the lot size (6804.072 sqft); The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sqft therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BDA HISTORY:

No BDA history found within the last 5 years.

Square Footage:

This lot contains 6804.072 of square feet.

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

Zoning:

Site: R-5 (A) (Single Family District)
North: R-5 (A) (Single Family District)
South: R-5 (A) (Single Family District)
East: R-5 (A) (Single Family District)
West: R-5 (A) (Single Family District)

Land Use:

The subject site and all surrounding properties are developed with industrial uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jonathan Martinez for the property located at 1426 Morrell Avenue focuses on three specific requests. The first request is a special exception to the side yard

setback regulations. The second request focuses on a variance to the floor area ratio regulations. Lastly, the third request focuses on a variance to the side yard setback regulations.

1st Request (Special Exception to Side Yard Setback Regulations)

- A request for a special exception, to the side yard setback regulations, of 1-foot is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a residential structure.
- Zoning District R-5(A) requires a minimum side-yard setback of 5-feet.
- As gleaned from the submitted site plan, the proposed renovations to the existing subject site encroach into the 5-foot required side yard setback.

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

- That granting the special exception to the side 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 special exception 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 special exception 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.

2nd Request (Variance to Floor Area Ratio)

- The applicant proposes to construct a detached accessory structure (NFR), which will require a special exception to the floor area ratio regulations.
- Secondly, the applicant proposes to construct and/or maintain a 362 square foot single-family residential accessory structure (not for rent) which exceeds 25% of the main structure. The square footage of the main structure is 1,282. Therefore, a 41.5 square foot (28%) variance is required.
- The Dallas Development Code states that an accessory structure may not exceed 25% of the floor area of the main structure.
- According to the applicant's application, the detached accessory structure unit will be utilized as a detached garage.
- The applicant has the burden of proof in establishing that the accessory structure will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.
- Granting this variance request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e., development on the site must meet all required code requirements).

Moreover, the applicant has the burden of proof in establishing the following:

- That granting the variance to the floor area ratio 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.

3rd Request (Variance to Side-Yard Setback Regulations)

- A request for a variance to the side yard setback regulations of 2-feet 4-inches is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a residential structure.
- Zoning District R-5(A) requires a minimum side-yard setback of 5-feet.
- As gleaned from the submitted site plan, the proposed renovations to the existing subject site encroach into the 5-foot required side yard setback.

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

- That granting the variance to the side 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 proposed 2-feet 4-inch variance to the side yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- Granting the proposed **41.5 square foot** variance to **the floor are regulations** with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-032 1426 Morrell Ave.](#)

Timeline:

January 12, 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.

February 21, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

February 15, 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 February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 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.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-032, **HOLD** this matter under advisement until **April 15, 2024**.

Maker:	Jared Slade			
Second:	Judy Pollock			
Results:	3-2			Motion to hold

		Ayes:	-	3	Judy Pollock, Rodney Milliken, and Jared Slade
		Against:	-	2	Robert Agnich, Roger Sashington

****Recess at 2:23 pm – 2:31 pm****

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice-Chair Agnich moved to adjourn the meeting at **2:43 P.M.**

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

Date

Required Signature:
Dr. Kameka Miller-Hoskins – Board Administrator
Development Services Dept.

Date

Required Signature:
Robert Agnich, Vice-Chair
Board of Adjustment

Date

FILE NUMBER: BDA234-026(CJ)

BUILDING OFFICIAL'S REPORT Application of Rotem Fartook for **(1)** a special exception to the fence height regulations at 1902 LAKELAND DR. This property is more fully described as Block 16/5243 Lot 1A, and is zoned R-7.5(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 facing San Leandro Drive, which will require **(1)** a 4-foot special exception to the fence regulations.

LOCATION: 1902 Lakeland Dr.

APPLICANT: Rotem Fartook

REQUEST:

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT 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:

Zoning:

Site: R-5 (A) (Single Family District)
North: R-5 (A) (Single Family District)
East: R-5 (A) (Single Family District)
South: R-10 (A) (Single Family District)
West: R-5 (A) (Single Family District)

Land Use:

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

Square Footage:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Rotem Fartook, for the property located at 1902 Lakeland Drive focuses on 1 request relating to the fence height regulations.
- The applicant proposes to construct and maintain an 8-foot-high fence in a required front yard facing San Leandro Drive, 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 back and along a portion of the front yard of the property at 1902 Lakeland Drive.
- The applicant has stated that the proposed 8-foot fence will be an addition for privacy and security around the properties swimming pool area.
- Based upon staff's analysis of the surrounding properties, there are a few homes along San Leandro Drive with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It is imperative to note that the subject site is a corner lot, and it has double street frontage and front yards on San Leandro Drive and Lakeland Drive due to block face continuity.
- 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.
- 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.

Timeline:

January 22, 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.

February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

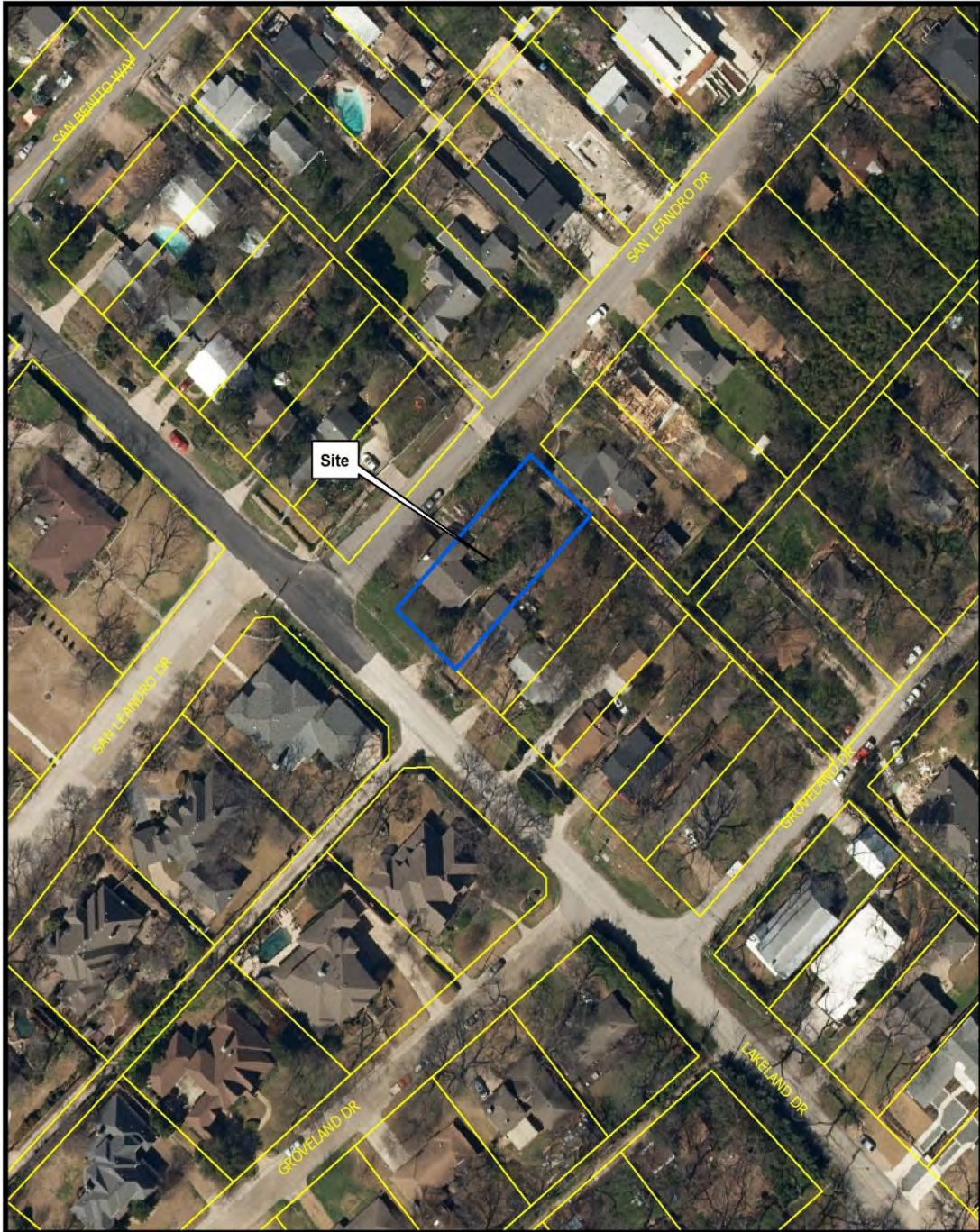
February 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 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.

February 26, 2024: The applicant requested to postpone case to the April docket

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



1:1,200

AERIAL MAP

Case no: BDA234-026

Date: 2/7/2024



1:1,200

ZONING MAP

Case no: BDA234-026

Date: 2/7/2024



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

22

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-026**

Date: **2/7/2024**



Notification List of Property Owners

BDA234-026

22 Property Owners Notified

Label #	Address	Owner
1	1902 LAKELAND DR	BELLA DIAMANTI INC
2	1814 LAKELAND DR	CAMPBELL IAN A
3	1818 LAKELAND DR	LONG EDWARD R II
4	1822 LAKELAND DR	SAENZ JEFFREY CHARLES
5	8615 SAN LEANDRO DR	CAULEY SHEILA A &
6	8619 SAN LEANDRO DR	Taxpayer at
7	8623 SAN LEANDRO DR	DOHERTY JOSH & DAWN KAHLE
8	8627 SAN LEANDRO DR	FONTANILLAS JOSE &
9	1906 LAKELAND DR	DUGUE ALLISON NICOLE
10	1910 LAKELAND DR	ROSS BRADFORD LEE
11	1914 LAKELAND DR	HEED CHERYL K
12	1918 LAKELAND DR	GAROFANELLO JOSEPH
13	8615 GROVELAND DR	KISH LETA
14	8627 GROVELAND DR	DONOVAN JILL DENISE
15	8626 SAN LEANDRO DR	DUKE CHARLES WILLIAM
16	8622 SAN LEANDRO DR	HENDLER GLORIA M
17	8614 SAN LEANDRO DR	8614 SAN LEANDRO LLC
18	8567 SAN LEANDRO DR	WHEELER COLE R &
19	8520 SAN LEANDRO DR	OJEDA REVOCABLE TRUST THE
20	8524 SAN LEANDRO DR	ANSOLABEHERE MICHAEL &
21	8541 GROVELAND DR	MARTIN PETER T &
22	8535 GROVELAND DR	IRONS KYLE & ELIZABETH



1:1,200

NOTIFICATION

300' AREA OF NOTIFICATION
22 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-026**

Date: **2/7/2024**

PUBLIC HEARING

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

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

DATE: MONDAY, APRIL 15th, 2024

BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

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

BDA234-026(CJ) Application of Rotem Farook for (1) a special exception to the fence height regulations at 1902 LAKELAND DR. This property is more fully described as Block 16/5243 Lot 1A, and is zoned R-7.5(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 facing San Leandro Drive, which will require (1) a 4-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-C-Register> or contact the Development Services Department at 214-670-4127 by the close of business Sunday, April 14th, 2024. All virtual speakers will be required to show their video in order to address the board. 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.

Board of Adjustment, Development Services
320 E. Jefferson Blvd. Rm 210, 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:



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-026 **IVED**
Date: 12/08/23 **JAN 1 REC'D**
Zoning District: Dallas R-7.5(A)

Data Relative to Subject Property:

Location address: 1902 Lakeland Dr. Dallas, Tx
Lot No.: 1A Block No.: 16-5243 Acreage: 0.22 Census Tract: _____
Street Frontage (in Feet): 1) 65 ft 2) 155 ft 3) 65 ft 4) 155 ft 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Bella Diamanti Inc.
Applicant: Rotem Fartook Telephone: 214-454-5095
Mailing Address: 2050 N Stemmon fwy. Ste 7507 Zip Code: 75207
E-mail Address: Rfartok@yahoo.com
Represented by: Rotem Fartook Telephone: 214-454-5095
Mailing Address: 2050 N Stemmon fwy Ste 7507 Zip Code: 75207
E-mail Address: Rfartok@yahoo.com

Affirm that an appeal has been made for a Variance __, or Special Exception , of Constructing 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation and construct a fence in a required front yard with fence panel having less than 50 percent opening.
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:

Swimming pool enclosure and privacy/ security measures.

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.

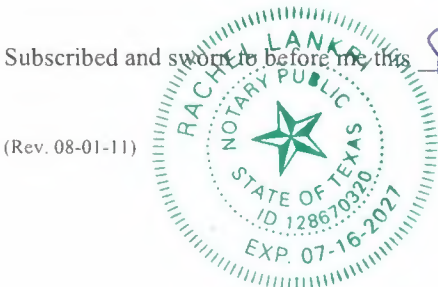
Affidavit

Before me the undersigned on this day personally appeared Rotem Fartook
(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 8th day of December, 2023



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

**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that ROTEM FARTOOK

did submit a request for (1) a special exception to the fence height regulations
at 1902 Lakeland Dr

BDA234-026(CJ) Application of Rotem Fartook for (1) a special exception to the fence height regulations at 1902 LAKELAND DR. This property is more fully described as Block 16/5243 Lot 1A, and is zoned R-7.5(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 facing San Leandro Drive, which will require (1) a 4-foot special exception to the fence height regulations.

Sincerely,

Andrew Espinoza, CBO, MCP, CFM, CCEA



AFFIDAVIT

Appeal number: BDA 234-024

I, Rotem Fartook / Bella Diamanti Inc; Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1902 Lakeland Drive Dallas, Tx. 75218
(Address of property as stated on application)

Authorize: Rotem Fartook
(Applicant's name as stated on application)

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

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

Other Appeal (specify below)

Specify: 8 foot fence in a required front yard, which will require a 4th special exception to the fence regulation and construct a fence in a required front yard with fence panel having less than 50 percent opening.

ROTEM FARTOOK
Print name of property owner or registered agent

Signature of property owner or registered agent

agent Date 12/08/23

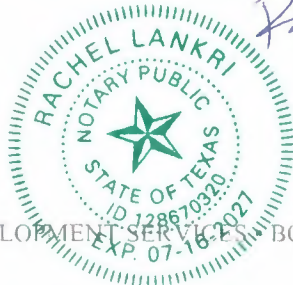
Before me, the undersigned, on this day personally appeared

Rotem Fartook

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 8th day of

December, 2023



Paul Lankri

Commission expires on 07-16-2027



RF

BDA 234-026

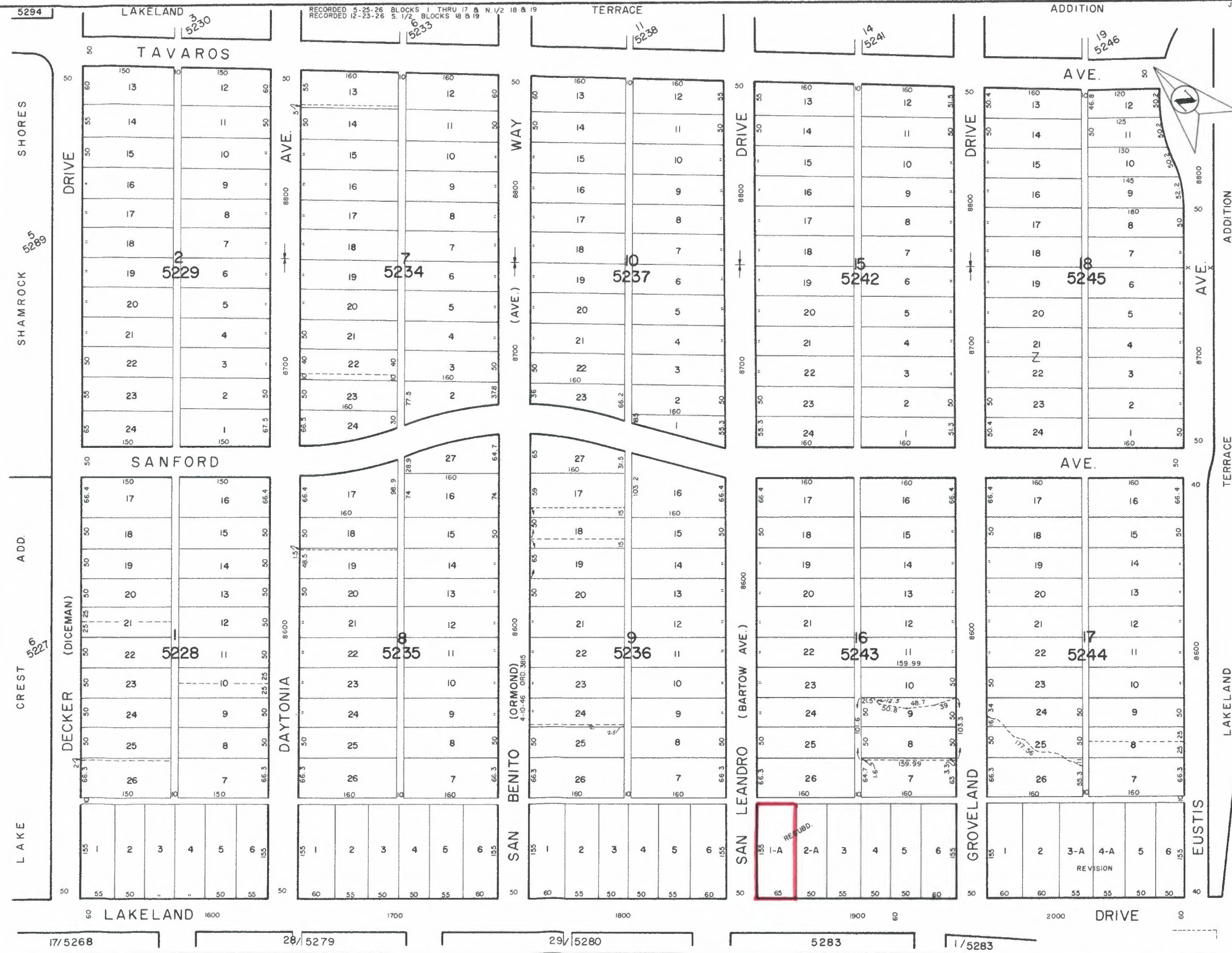
SHIPPED DATE: 10-29-96 RECEIVED DATE: 12-29-96
 ANNEXED: APRIL 14, 1945 ORD. NO. 3614
 SURVEY: R. SCURRY ABST. 1382

CITY OF DALLAS PLAT BOOKS

ADDITION: LAKELAND TERRACE

BLOCKS: 5228 & 5229 THRU 5234 THRU 5237
 SCHOOL DISTRICT: DALLAS

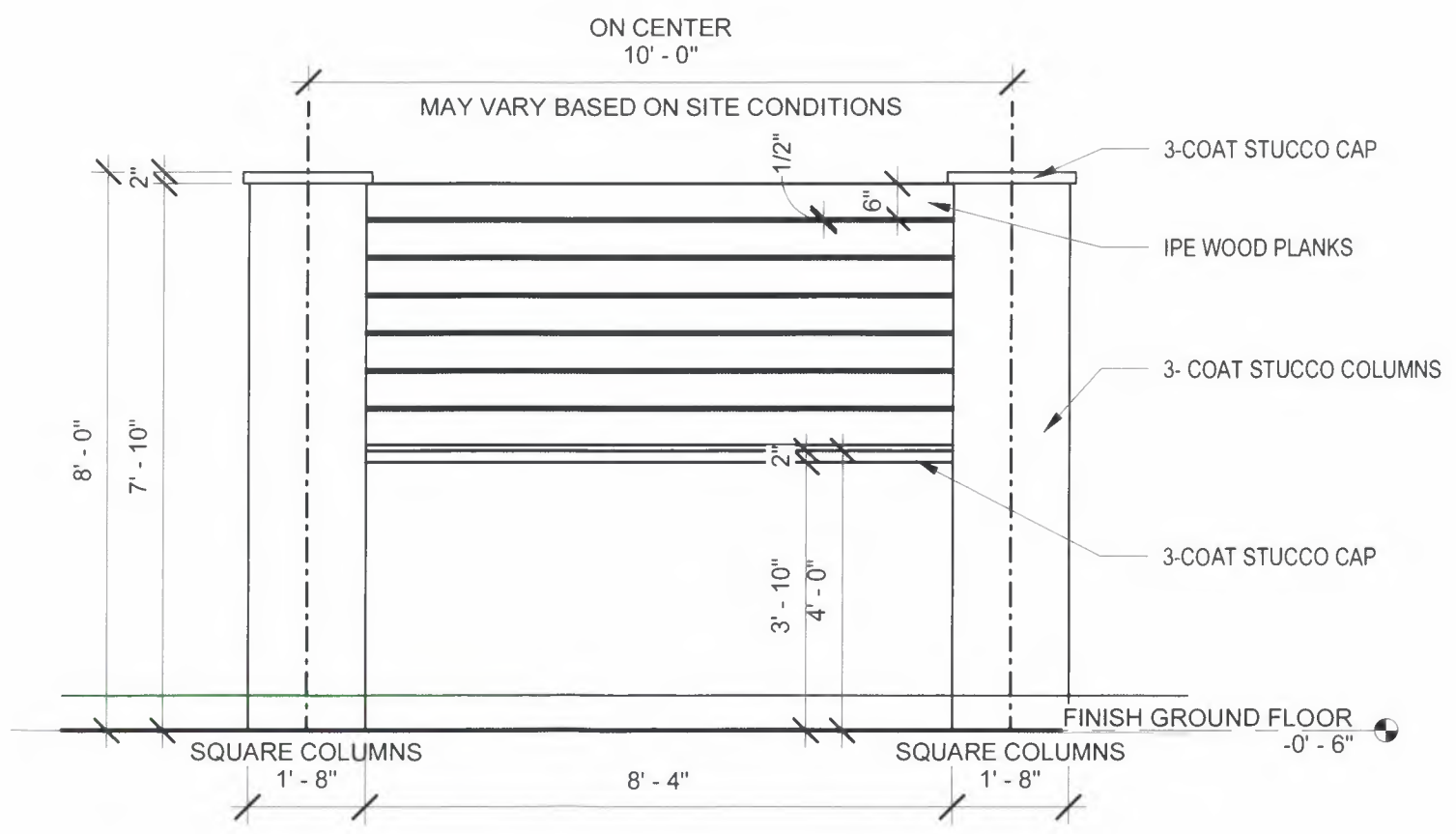
SCALE 100 FT. EQUALS 1 INCH



TRUE AND CORRECT COPY OF RECORD ON FILE IN CITY SURVEYOR'S OFFICE
 BY: *Jerry [Signature]*
 DATE: 11-27-2022

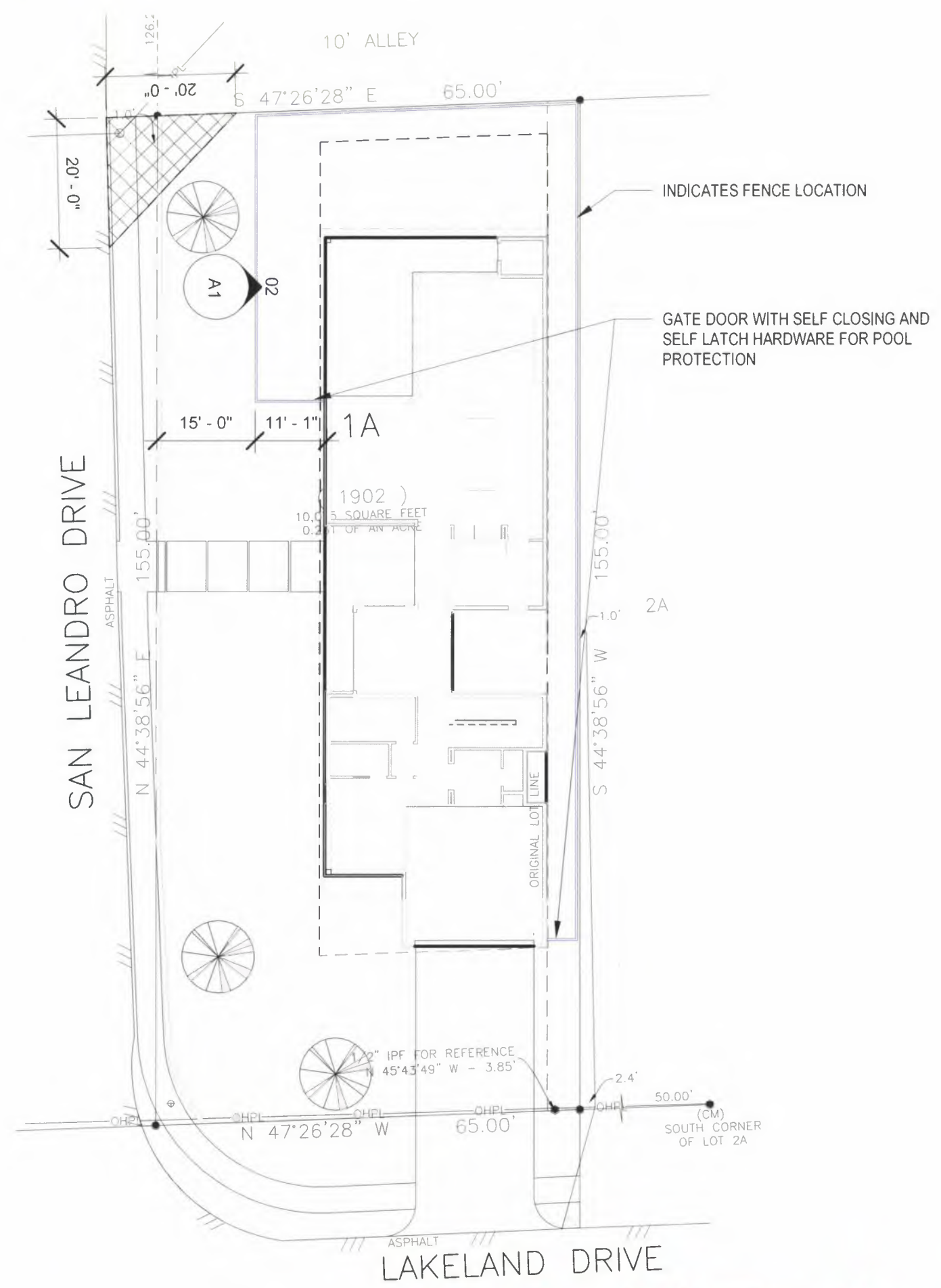
01 FENCE PLAN - SITE PLAN

SCALE: 1" = 20'-0"



02 FENCE ELEVATION

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

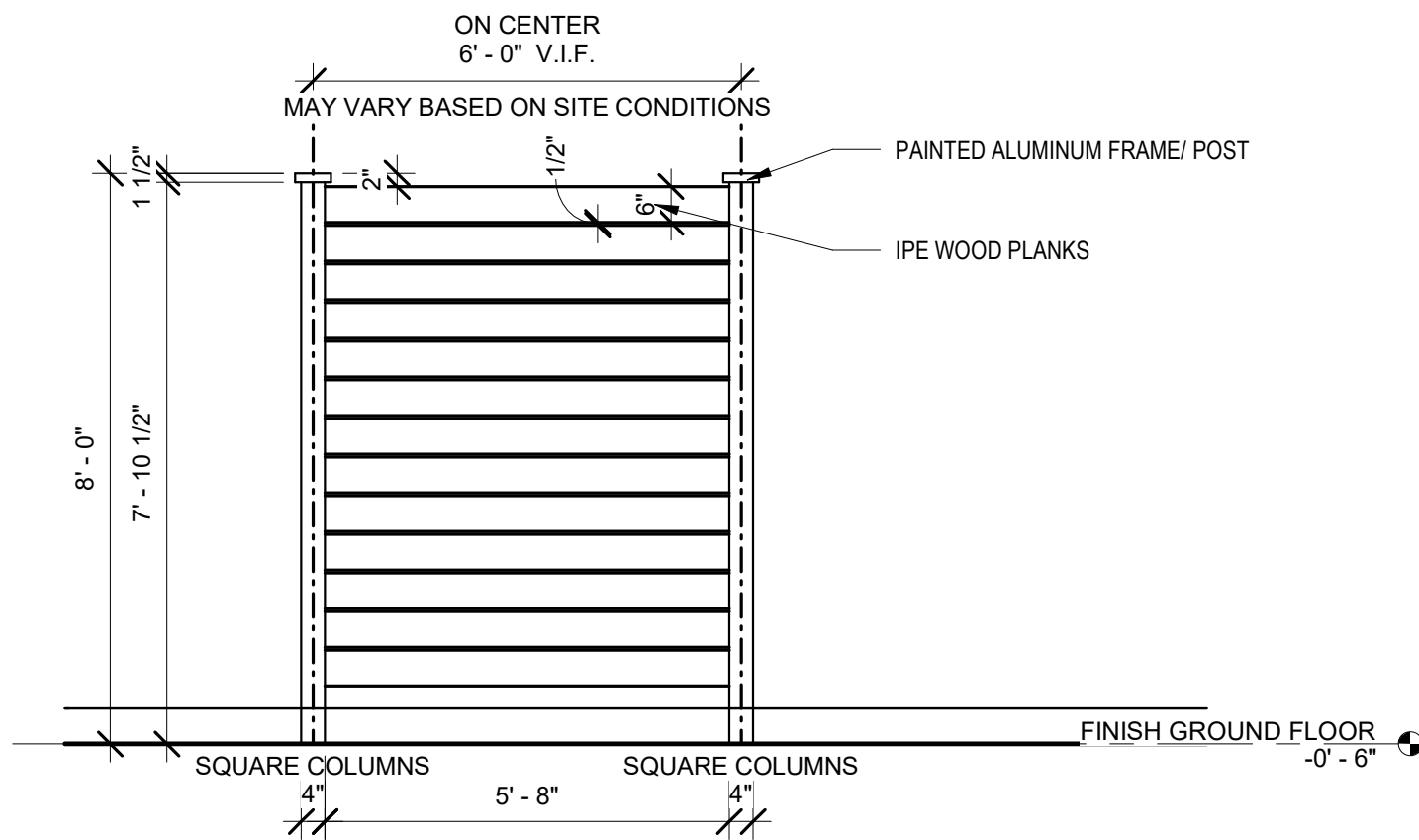
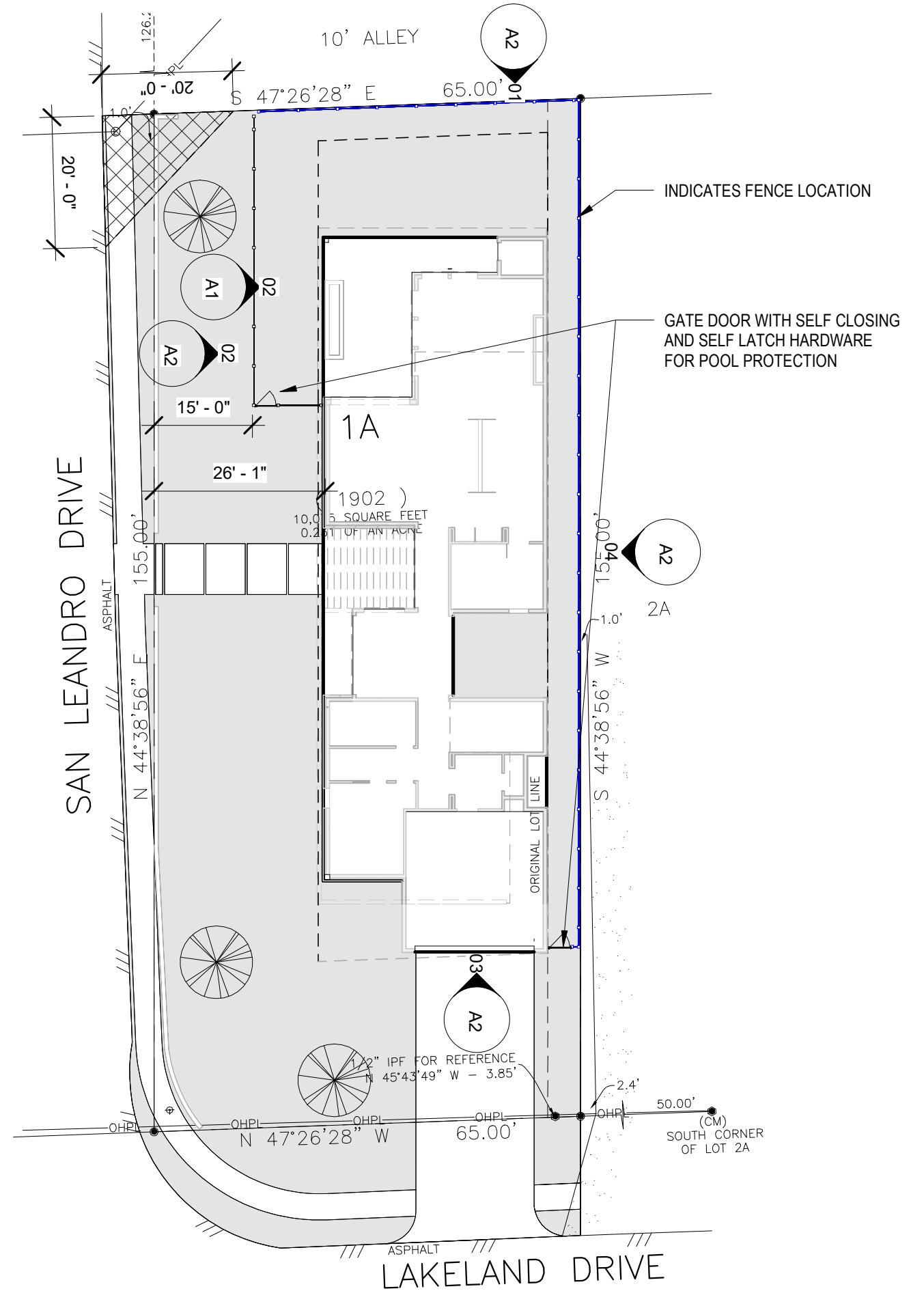


BDA234-026

UPDATED FENCE PLAN

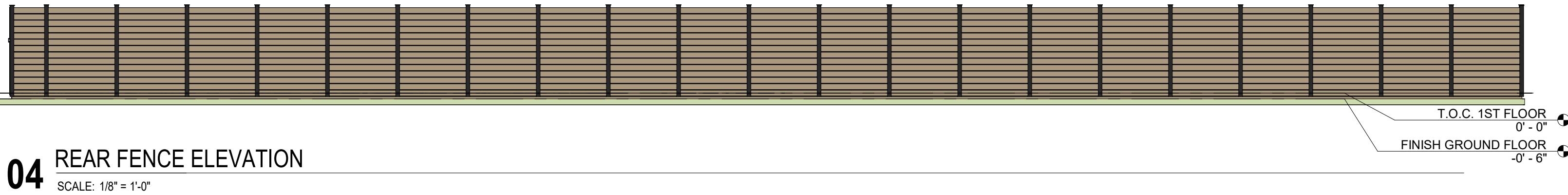
01 FENCE PLAN - SITE PLAN

SCALE: 1" = 20'-0"

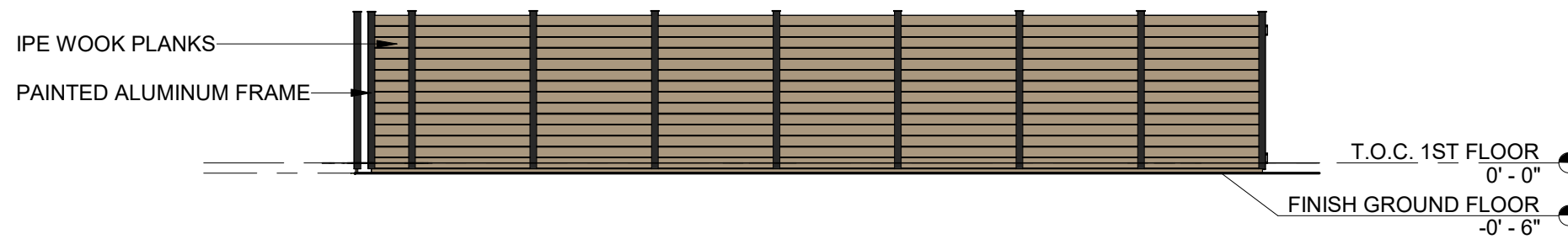


02 FENCE ELEVATION

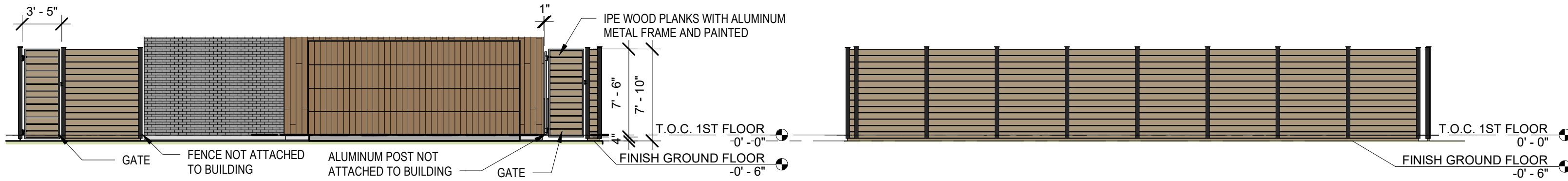
SCALE: 3/8" = 1'-0"



04 REAR FENCE ELEVATION
SCALE: 1/8" = 1'-0"



02 SAN LEANDRO FENCE ELEVATION
SCALE: 1/8" = 1'-0"



03 LAKELAND FENCE ELEVATION
SCALE: 1/8" = 1'-0"

01 LEFT FENCE ELEVATION
SCALE: 1/8" = 1'-0"

FILE NUMBER: BDA234-042 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for a special exception to the fence height regulations at 5511 Park Ln. This property is more fully described as Block B/5592, 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 an 8-foot high fence in a required front-yard, which will require a 4-foot special exception to the fence regulations.

LOCATION: 5511 Park Ln.

APPLICANT: Rob Baldwin

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:

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

BACKGROUND INFORMATION:

BDA History:

No BDA history

Square Footage:

This lot contains 51,710.81 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)

North: R-1ac (A)

East: R-1ac (A)

South: R-1ac (A)

West: R-1ac (A)

Land Use:

The subject site is developed with a single-family home. The surrounding properties are also developed with single-family homes.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin for the property located at 5511 Park Lane focuses on one specific request relating to the fence height regulations.
- The subject site is situated on a corner lot and is developed with a single-family home. The surrounding properties are also developed with single-family homes.
- The applicant proposes to construct and maintain an 8-foot high fence in a required front yard. The proposed fence is expected to be constructed of decorative iron with masonry columns.
- As gleaned from the submitted elevations, the fence panels measure approximately 6-feet in height and the fence columns measure roughly 6-feet and 8-inches in height.
- Additionally, the fence does include 2 entrance gates at each drive approach measuring roughly 8-feet in height.
- Although outside the scope of this request, it is important to note that there is an existing stone wall on the subject site along Holloway Road measuring at 4-feet. There is also an existing 7-foot wood screening fence located along the eastern perimeter of the subject site.
- The applicant has stated the proposed request is in keeping with other fences in the immediate area of the subject site.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Park Lane with fences and gates at the drive approaches 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 to the fence height regulations will not adversely affect the neighboring properties.
- Granting the special exception relating to the fence 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.
- [BDA234-042 at 5511 Park Lane](#) 200' Radius Video

Timeline:

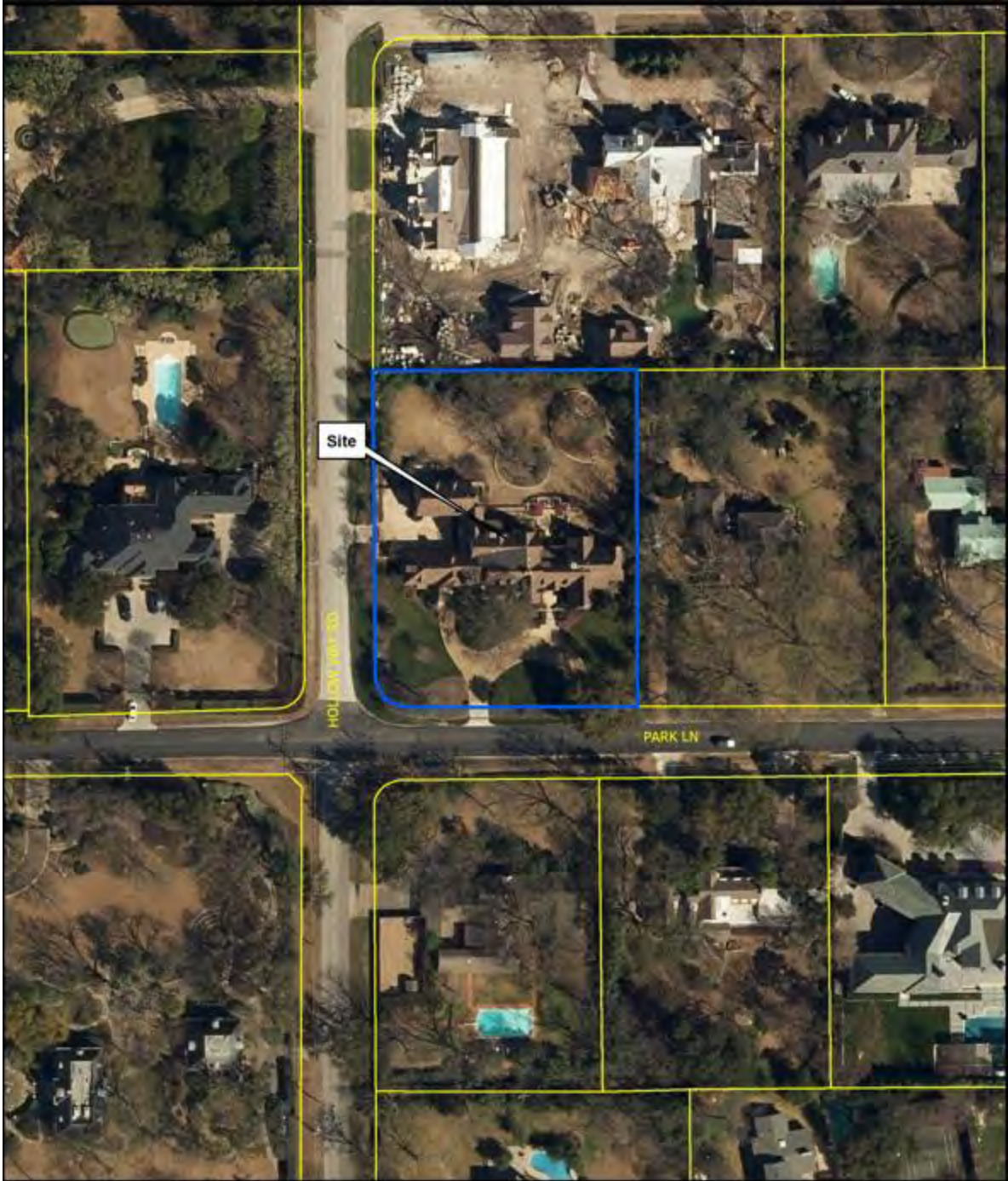
February 23, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

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

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.

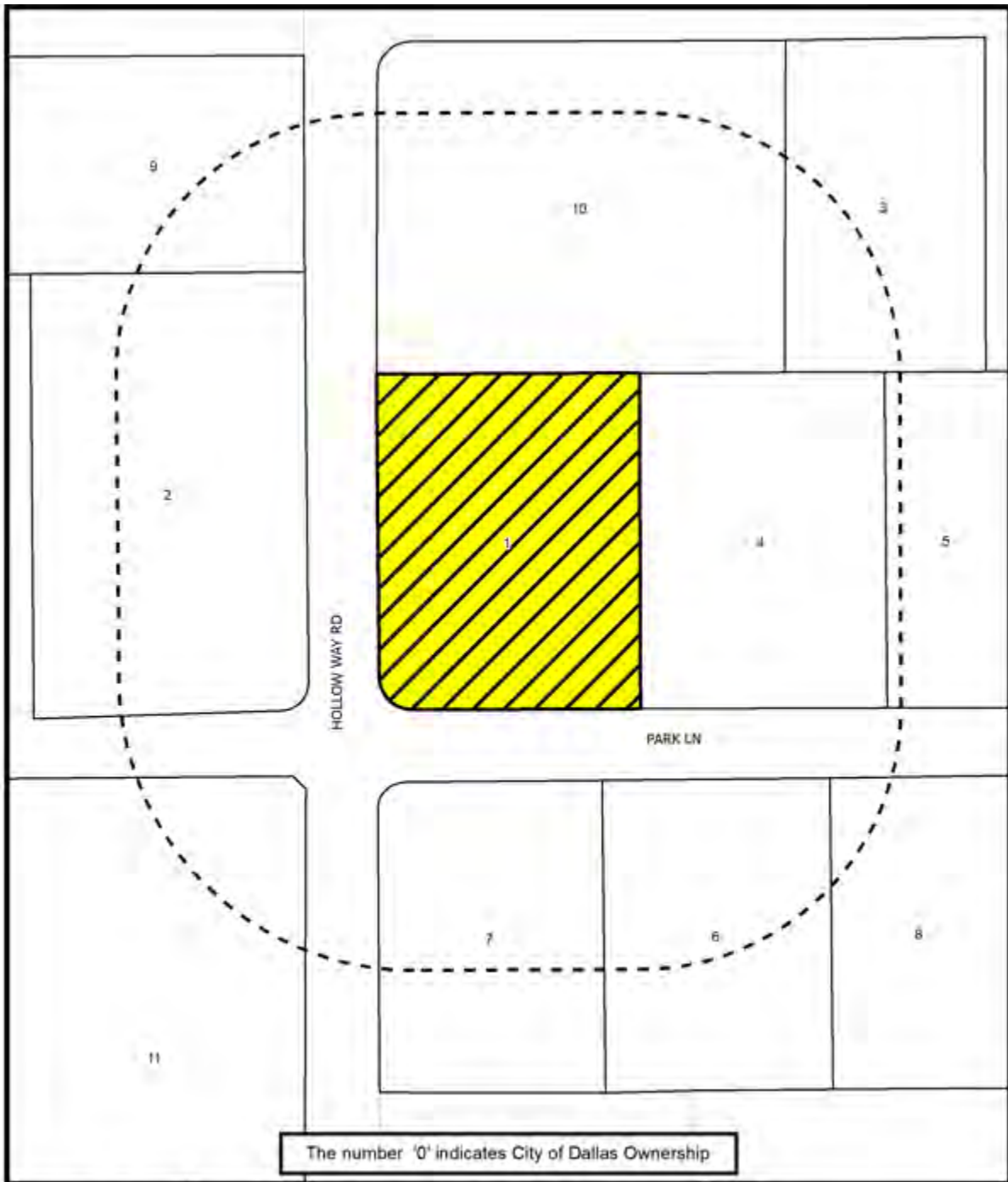


1:1,200

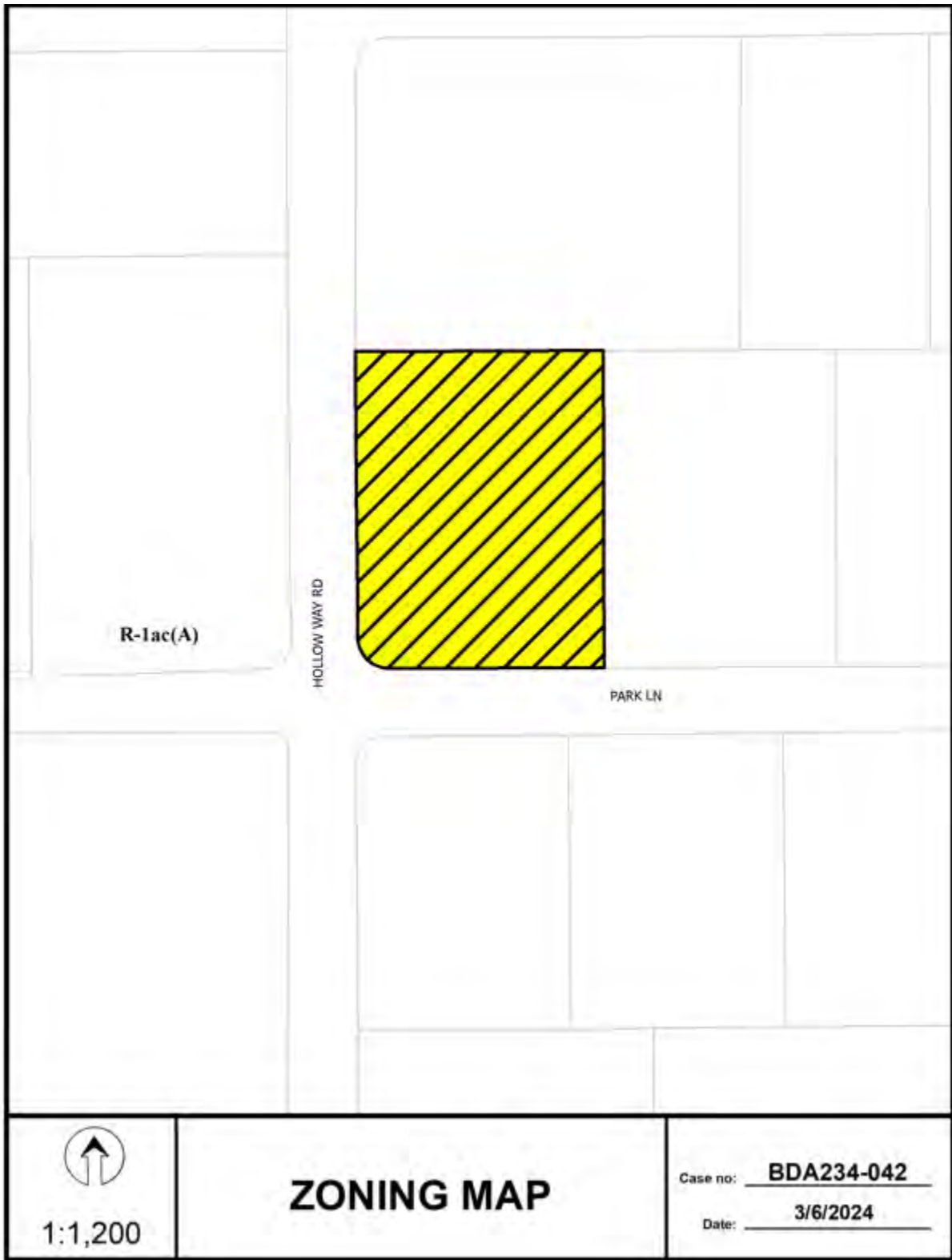
AERIAL MAP

Case no: BDA234-042

Date: 3/6/2024



 1:1,200	NOTIFICATION		Case no: BDA234-042
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">11</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 3/6/2024



03/06/2024

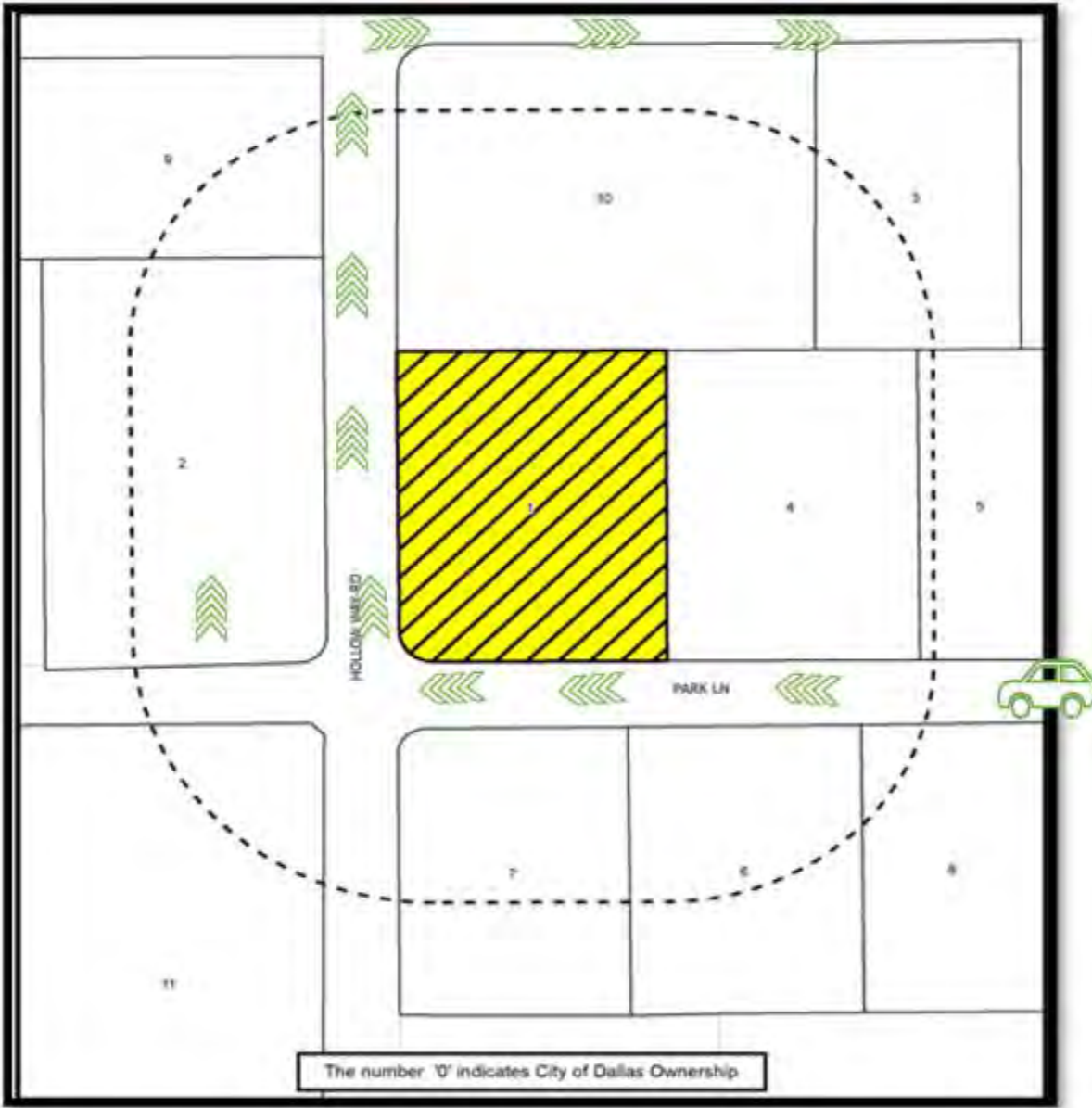
Notification List of Property Owners

BDA234-042

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5511 PARK LN	VANNUCCINI ROBERT & JENNIFER
2	5435 PARK LN	WHITMAN KIMBERLY &
3	5530 WINSTON CT	JENNINGS JAMES B & REGINA A
4	5523 PARK LN	MCDONALD JANET
5	5535 PARK LN	BONNER DARCY R & MARTA R
6	5520 PARK LN	GRIMES JOHN E &
7	5510 PARK LN	HINSHAW FAMILY TRUST THE
8	5532 PARK LN	PEINADO GEORGE & JULIE
9	9639 HOLLOW WAY RD	DAVIES LEWIS PAUL III 2004 TRUST
10	5518 WINSTON CT	WOOD CHARLES D JR
11	5404 PARK LN	PEARLMAN ELAINE

200' Radius Route Map



PUBLIC HEARING

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

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

DATE: MONDAY, APRIL 15th, 2024

BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

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

BDA234-042(KMH) Application of Rob Baldwin for a special exception to the fence height regulations at 5511 PARK LN. This property is more fully described as Block B/5592, 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 an 8-foot-high fence in a required front yard, which will require a 4-foot special exception to the fence 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-C-Register> or contact the Development Services Department at 214-670-4127 by the close of business Sunday, April 14th, 2024. All virtual speakers will be required to show their video in order to address the board. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallasty or [YouTube.com/CityofDallasCityHall](https://www.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 Dr. Kameka Miller-Hoskins, Chief Planner at (214) 948-4478, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

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

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

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



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No. BDA 234-042
Date: FEB 23 2024
Zoning District: R-1ac(A)

Data Relative to Subject Property:

Location address: 5511 Park Lane
Lot No.: 6 Block No.: B/5592 Acreage: 1.176 ac Census Tract: 48113020600
Street Frontage (in Feet): 1) 235' 2) 173' 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Robert and Jennifer Vannuccini

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

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

E-mail Address: rob@baldwinplanning.com

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

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

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of Request for a fence in the front yard to be up to 8' or 4' above the allowed height of four feet. The fence is proposed to be constructed of decorative iron with masonry columns.

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 is in keeping with other fences in the immediate area.

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

Affidavit

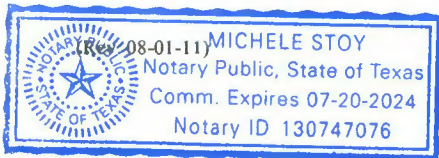
Before me the undersigned on this day personally appeared Robert Baldwin (Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 22 day of January, 2024

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



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

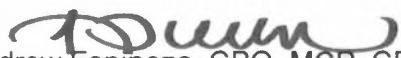
Building Official's Report

I hereby certify that ROB BALDWIN

did submit a request for (1) a special exception to the fence height regulations
at 5511 Park Ln

BDA234-042(KMH) Application of Rob Baldwin for a special exception to the fence height regulations at 5511 PARK LN. This property is more fully described as Block B/5592, 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 an 8-foot-high fence in a required front yard, which will require a 4-foot special exception to the fence regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



AFFIDAVIT

Appeal number: BDA 234-042

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

at: 5511 Park Lane
(Address of property as stated on application)

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

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

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

Specify: Special Exception to fence height

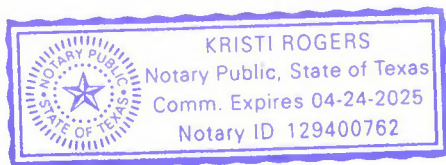
Robert Vannuccini [Signature]
 Print name of property owner or registered agent Signature of property owner or registered agent

Date January 18, 2024

Before me, the undersigned, on this day personally appeared Robert Vannuccini

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 18th day of January, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 1/24/2025



AFFIDAVIT

Appeal number: BDA 234-042

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

at: 5511 Park Lane
(Address of property as stated on application)

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

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

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

Specify: Special Exception to fence height

Jennifer Vannuccini
Print name of property owner or registered agent

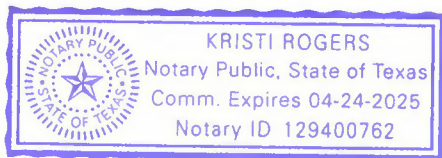
[Signature]
Signature of property owner or registered agent

Date January 18, 2024

Before me, the undersigned, on this day personally appeared Jennifer Vannuccini

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 18th day of January, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 4/24/2025

PRESTON HOLLOW

A RESUBDIVISION OF BLOCK # 3 AND WEST PART OF BLOCK # 4
DALLAS CO. TEX. A.G. JOYCE OWNER



BDA234-012 4/8

98509 - \$4.50

A. G. JOYCE ET UX : STATE OF TEXAS :
TO:... DEDICATION : :
TO THE PUBLIC : COUNTY OF DALLAS : WHEREAS, We, A. G. JOYCE & WIFE NANCY E. JOYCE are the owners of a tract of land situated in the Jno Howell Survey, County of Dallas and more particularly described as follows:

BEING A SUBDIVISION of BLOCK #3, and West Part Blk #4, Preston Hollow.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, A. G. JOYCE & WIFE, NANCY E. JOYCE, do hereby adopt this plat designating the hereinabove described property as Resubdivision Block #3 and West part Block #4, Preston Hollow Addition to the City of Dallas, Texas, and, We do hereby dedicate to the Public Use forever the streets and alleys (or easements) (and parkways and parks) shown thereon.

WITNESS our hands at Dallas, Texas, this the 24th day of Sept. 1935.

A. G. JOYCE
NANCY E. JOYCE

THE STATE OF TEXAS :
COUNTY OF DALLAS : Before me, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared A. G. JOYCE & NANCY E. JOYCE known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th day of Sept. 1935.

SYDNEY SMITH
Notary Public in and for Dallas County, Texas.

L. S. SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, JNO R. WEST, JR., do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Platting Rules and Regulations of the City Plan Commission of the City of Dallas, Texas.

JNO. R. WEST, JR.

THE STATE OF TEXAS :
COUNTY OF DALLAS : Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared JNO. R. WEST, JR. known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24th day of Sept. 1935.

SYDNEY SMITH
Notary Public in and for Dallas County, Texas.

L. S.

CERTIFICATE OF APPROVAL:

I, J. W. Pat Murphy, Chairman of the City Plan Commission of the City of Dallas, State of Texas, hereby certify that the attached plat was duly filed for approval with the City Plan Commission of the City of Dallas on the 24th day of Sept. A. D. 1935. and same was duly approved the 3rd day of October A. D. 1935 by said Commission.

J. W. PAT MURPHY, Vice-Chairman
City Plan Commission, Dallas, Texas.
ATTEST: RUTH GORNINO, Secretary.

FILED FOR APPROVAL This 24 day of September 1935 at 4 o'clock P.M.
CITY PLAN COMMISSION, Dallas, Texas.
By R. E. McVEY, Asslt City Plan Engineer.

FILED FOR RECORD OCTOBER 4th, A. D., 1935 at 3:10 O'clock p.m. ED. H. STEGER, COUNTY CLERK.
BY:..... A. E. GRUGETT, DEPUTY.
RECORDED OCTOBER 21st, A. D., 1935. ED. H. STEGER, COUNTY CLERK. BY *[Signature]* Deputy.



BDA 234-042 4/8



R-1ac(A)

EDLEN DR

FALLS RD

WINSTON CT

HOLLOW WAY RD

PARK LN

KEMPER CT

DELOACHE AVE

DELOACHE AVE

SUP
29

WATSON CIR

H/149

RAVINE DR

ALVA CT

MEADOW BROOK DR

HATHAWAY ST

HATHAWAY ST

DALLAS NORTH
TOLLWAY
ACRD

DALLAS NORTH TOLLWAY ACRD

DALLAS NORTH TOLLWAY

DOUGLAS AVE



1:4,800

DALLAS COUNTY PLAT BOOKS

55915592.5594

TRACT

ABST.

PRESTON HOLLOW ADDITION CONTINUED

BLOCKS 3 & 4 & A-B-C 5593

OWNER

SCALE 100 FT. EQUAL 1 INCH

RESUBDIVISION OF BLK 3 & ADJOINING 3 AC TRACT

RECORDED 6-18-34 VOL. 5 PAGE 2

RESUBDIVISION OF PART OF BLK 3 " 10-4-35 " 5 " 69

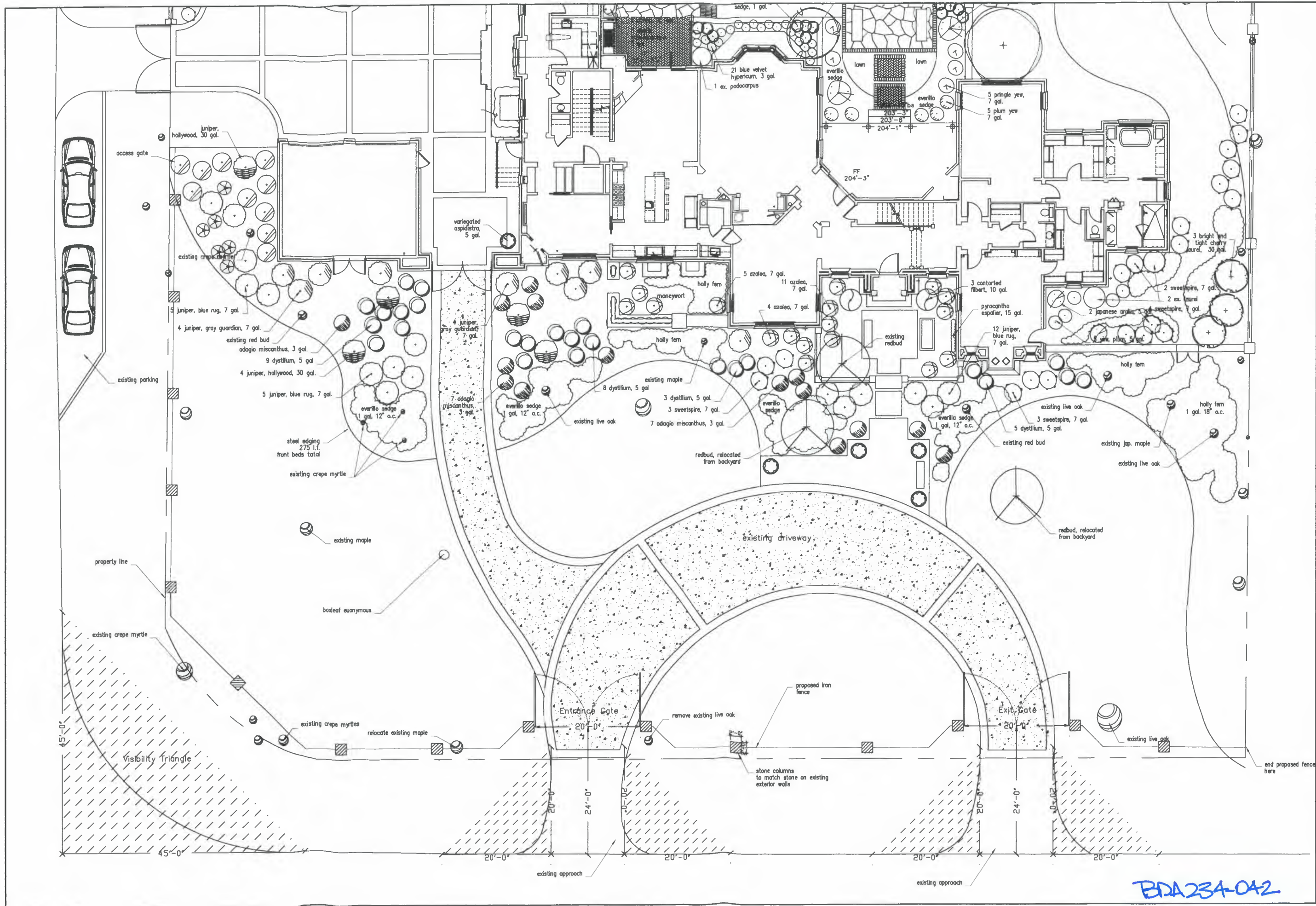
All in town of Preston Hollow.



PRESTON

HOLLOW

BDA 234-042 48

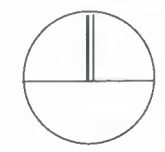


BDA234-042

David Rolston

Registered Landscape Architects

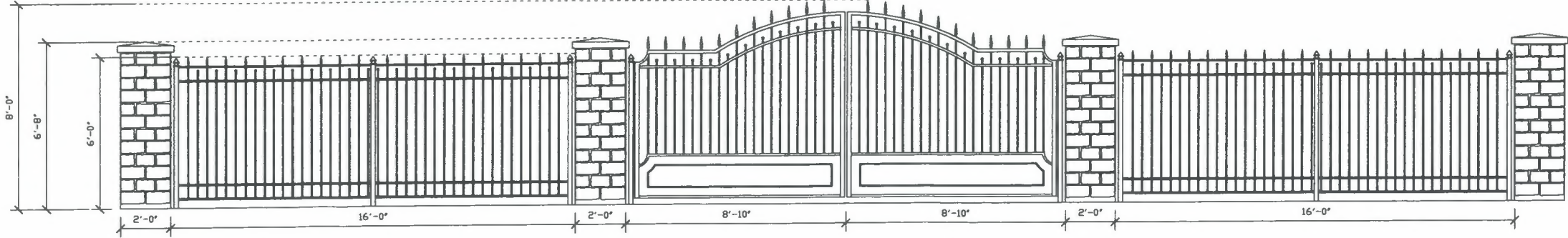
5607 Dyer Street
Dallas, TX 75206
214.354.5383
www.dallasgardens.com



Date: 12/05/23
Revisions:
Scale: 1/4" = 1'-0"

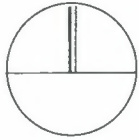
Vannuccini Residence
5511 Park Lane
Dallas, TX 75220

gate/fence detail



David Rolston
Registered Landscape Architects

5607 Dyer Street
Dallas, TX 75206
214.354.5383
www.dallasgardens.com



Date: 01/24/24

Revisions:

Scale: 3/16" = 1'-0"

Vannuccini Residence
5511 Park Lane
Dallas, TX 75220

BDA234-042

Applicant's Documentary Evidence



March 27, 2024

Dallas Board of Adjustment Panel C Members
Planning & Urban Design
1500 Marilla Street
Dallas, TX 75201

Re: BDA234-042

Dear Board of Adjustment Panel C,

I am writing to you on behalf of Robert and Jennifer Vannuccini, the property owners of 5511 Park Lane, concerning her request for a special exception to the fence requirements. This request is to facilitate the construction of a fence taller than four feet in the required front yard. We trust that upon reviewing the pertinent details of this case, you will find merit in supporting our request.

The property is situated at 5511 Park Lane, which is the northeast corner of the intersection of Park Lane and Hollow Way Road. The subject property encompasses approximately 1.17 acres of land and is improved with a single-family residence.

The request is to construct a new fence along the Park Lane and Hollow Way Street frontages with a maximum height of eight feet. The fence will be constructed of open, decorative iron panels and masonry columns. The open, decorative fence panels will have a height of six feet, while the masonry columns will have a height of six feet and nine inches. There is a circular driveway along Park Lane which will have gates with a maximum height of eight feet. The gates will also be constructed of open, decorative iron. No portion of the fence will encroach into required sight visibility triangles.

This area of Preston Hollow is a single-family estate area, with large homes on large lots. Given the land use pattern in the area, fences taller than four feet in height in required front yards are common. The proposed fence is consistent with other fences in the immediate area.

The Dallas Development Code allows the Board of Adjustment to grant a special exception to the fence height when it's determined that the exception will not adversely affect neighboring properties. In this case, the proposed fence will not negatively impact

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

March 27, 2024
Page 2

neighboring properties as many of the homes in the area have fences and gates taller than four feet in the required front yards. Therefore, we urge you to consider this request favorably.

I hope that you can support this request.

With kind regards,

A handwritten signature in blue ink, appearing to read 'Robert Baldwin', is written over a light blue horizontal line.

Robert Baldwin

FILE NUMBER: BDA234-043(CJ)

BUILDING OFFICIAL'S REPORT Application of Sachin Patel for a special exception to the fence height regulations, and for a special exception to the fence opacity regulations at **6242 Walnut Hill Ln.** This property is more fully described as Block B/5479, Lot 4, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 6242 Walnut Hill Ln.

APPLICANT: Sachin Patel

REQUESTS:

- (1) A request for a special exception to the fence height regulations; and
- (2) A special exception to the fence standards regulations regarding opacity

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(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 adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (2):

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

BACKGROUND INFORMATION:

BDA History:

No BDA history

Square Footage:

This lot contains 7,535.88 of square feet

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

Zoning:

<u>Site:</u>	R-10 (A) (Single Family District)
<u>North:</u>	R-10 (A) (Single Family District)
<u>East:</u>	R-10 (A) (Single Family District)
<u>South:</u>	R-10 (A) (Single Family District)
<u>West:</u>	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 Sachin Patel property located at 6242 Walnut Hill Lane focuses on 2 requests relating to the fence height and fence standards regarding opacity.
- The applicant proposes to construct and maintain and 6-foot-high stucco 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 standards regulations regarding opacity
- 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 a 6-foot-high fence in the front yard of the property at 6242 Walnut Hill Ln.
- Per the applicant, the proposed fence will match the stucco fences that sit in the front yards of properties immediately East of the subject site on Walnut Hill Lane; a visualization of this can be found in the top right corner of the provided site plan.
- It is imperative to note that the subject site is a mid-block lot, and it has single street frontage on Walnut Hill Lane.
- Based upon staff's analysis of the surrounding properties, there are a few homes along Walnut Hill Lane with fences and gates in the front yard and/or some form of vegetation serving as a screening mechanism.

- The applicant has stated that the purpose of the special exception request is to provide privacy, security, and noise reduction on Walnut Hill; Walnut Hill Lane is a well-traveled thoroughfare in Dallas.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations regarding height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and/or opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

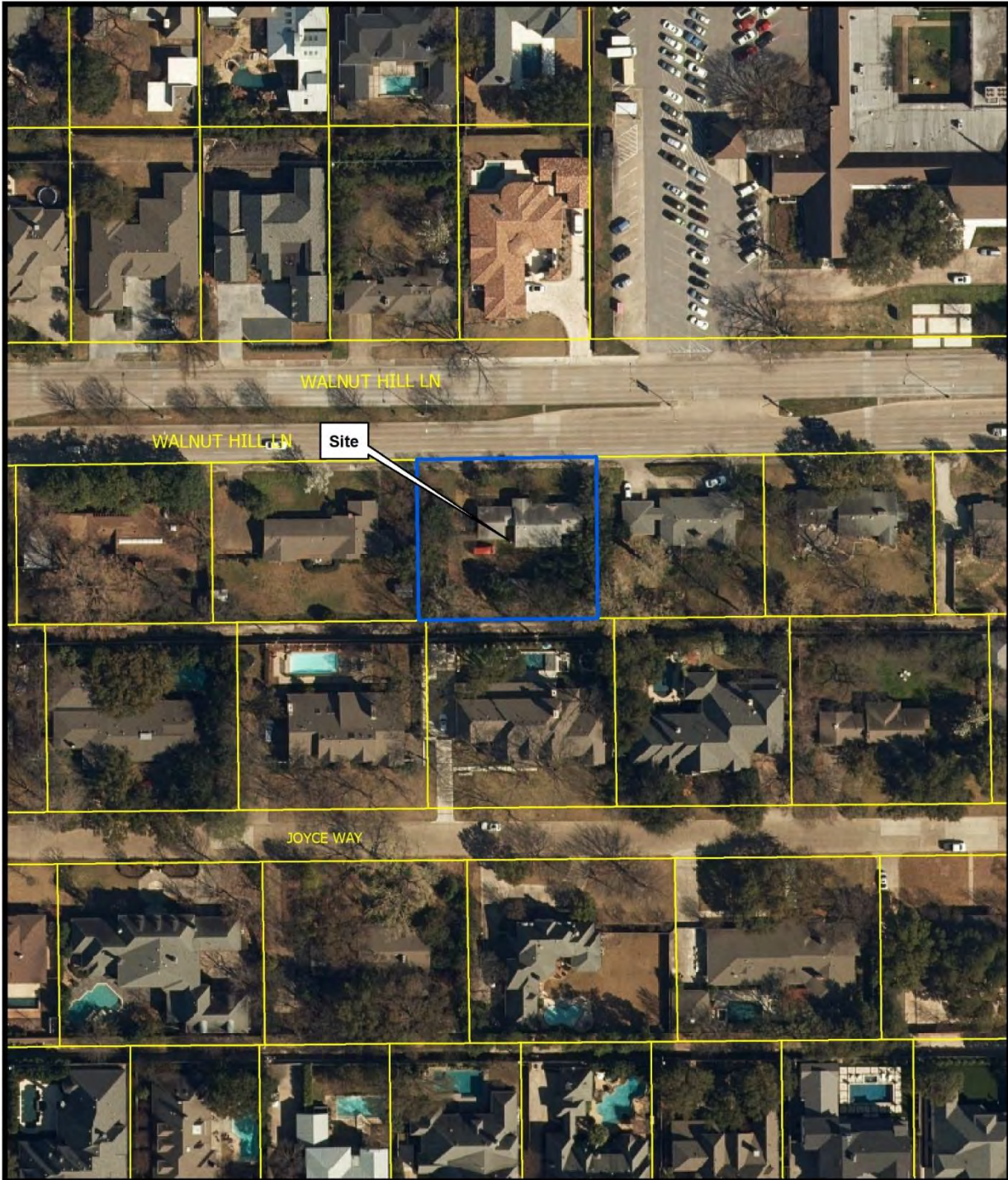
February 23, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

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

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.

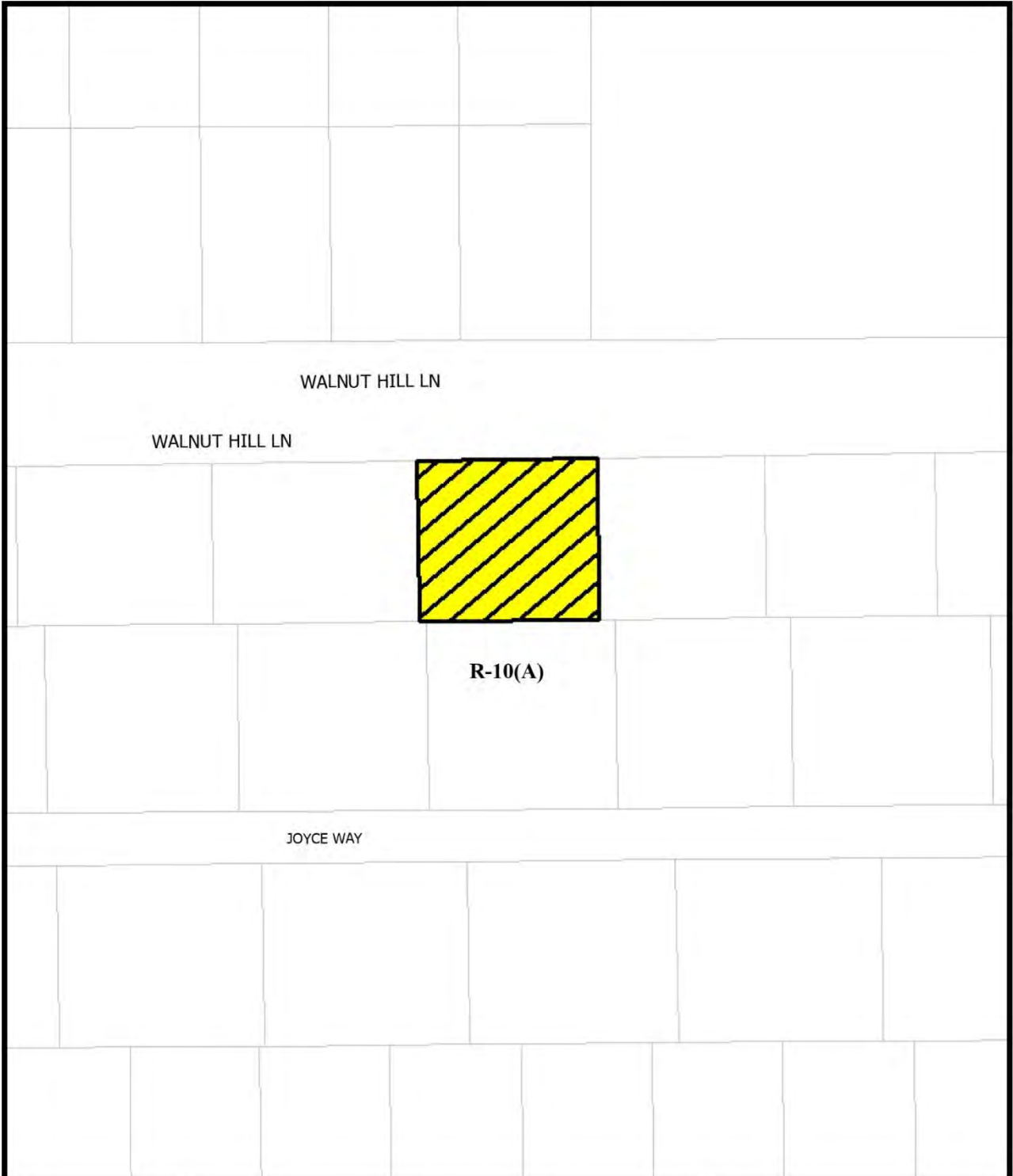


1:1,200

AERIAL MAP

Case no: BDA234-043

Date: 3/7/2024

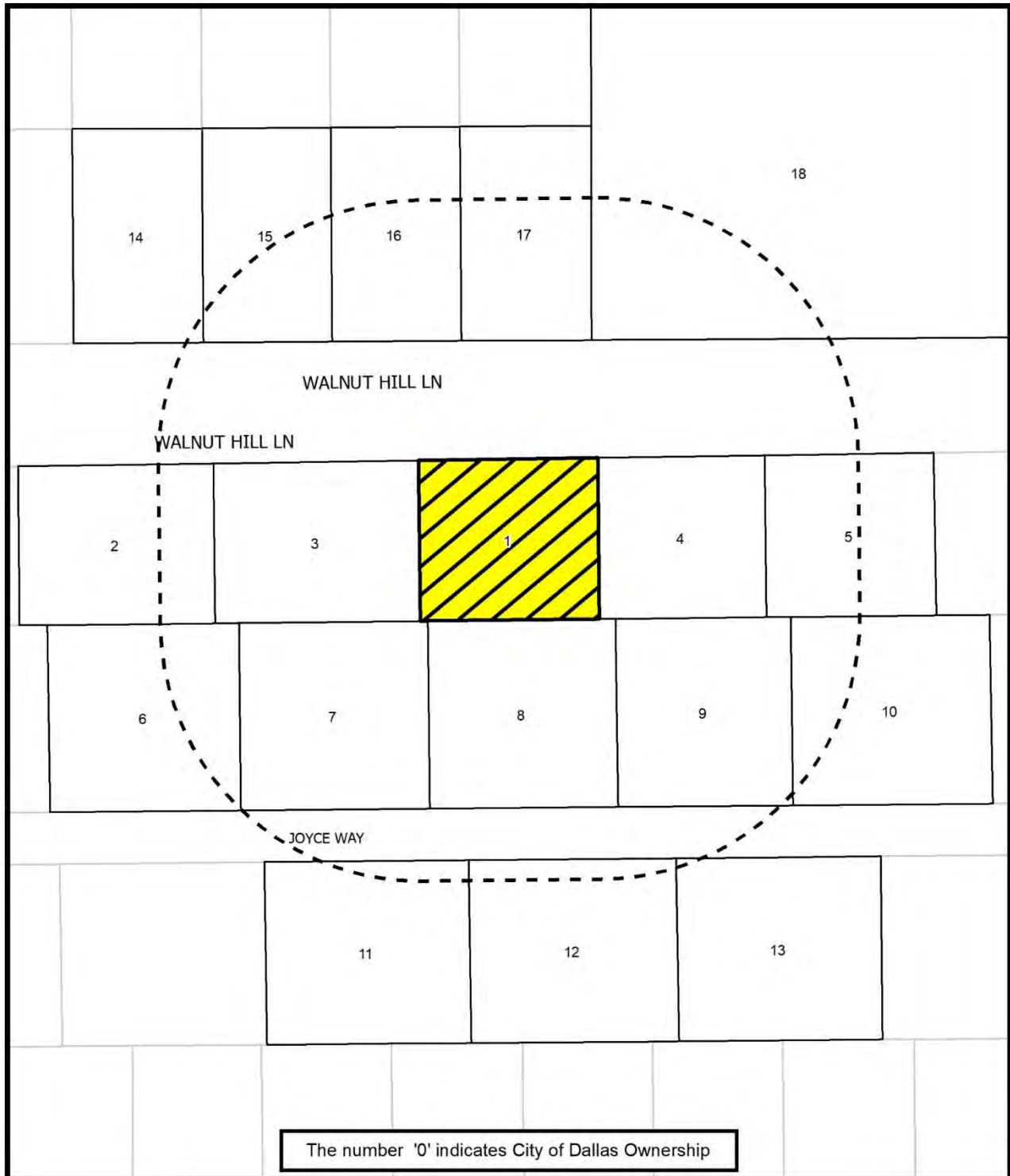


1:1,200

ZONING MAP

Case no: BDA234-043

Date: 3/7/2024



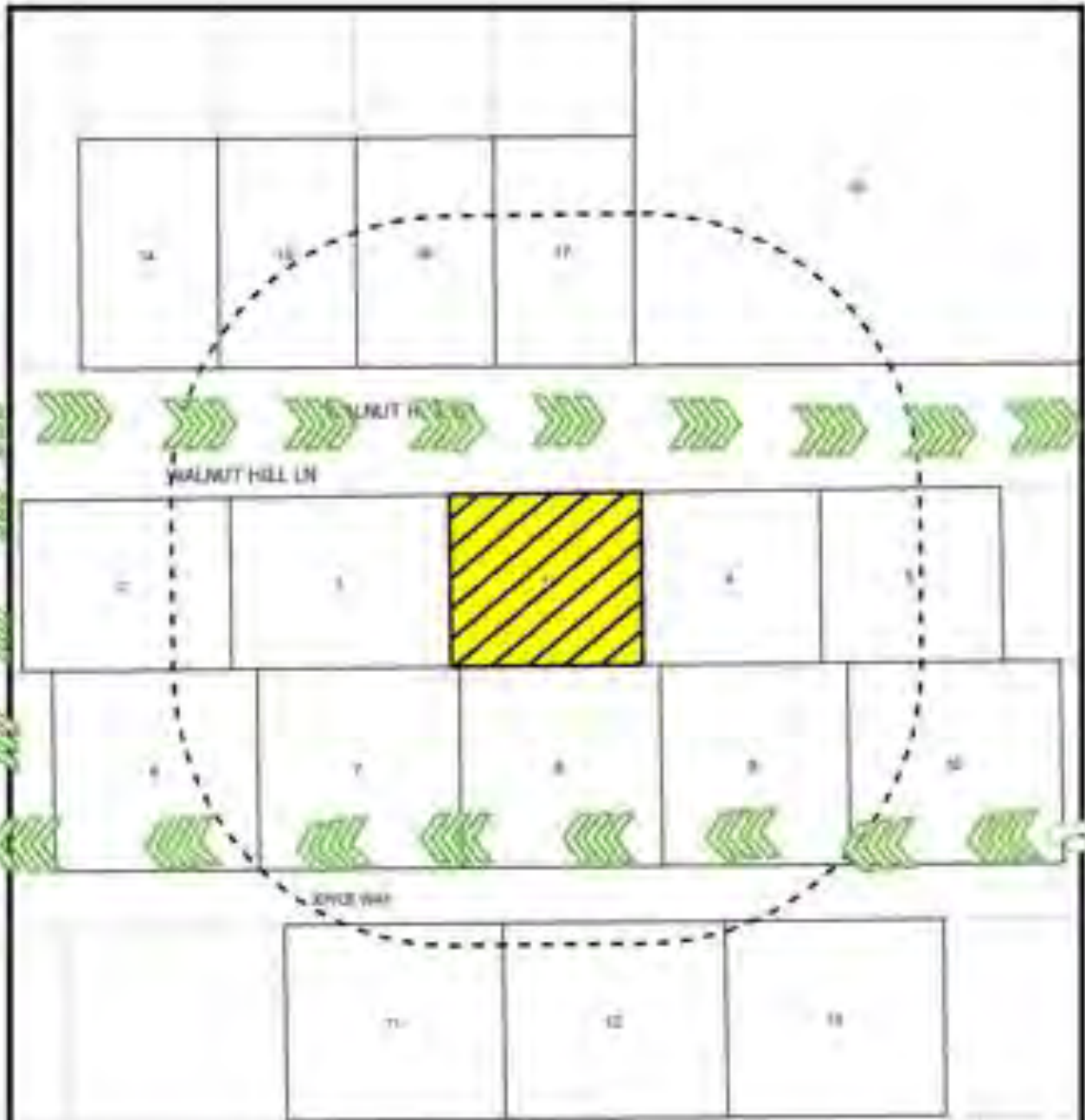
1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-043**

Date: **3/7/2024**



The number '0' indicates City of Dallas Ownership

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">18</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	18	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA234-043</u> Date: <u>3/7/2024</u>
200'	AREA OF NOTIFICATION					
18	NUMBER OF PROPERTY OWNERS NOTIFIED					

03/07/2024

Notification List of Property Owners

BDA234-043

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6242 WALNUT HILL LN	ELEVATE DEVELOPMENT SERIES LLC
2	6218 WALNUT HILL LN	DALLAS NEW HOME BUILDERS LLC
3	6230 WALNUT HILL LN	MEHTA JAPAN & NUPUR
4	6302 WALNUT HILL LN	GILBERT JOHN CLAYTON
5	6314 WALNUT HILL LN	KINGSTON DOROTHY H
6	6219 JOYCE WAY	LIVELY FAMILY TRUST
7	6231 JOYCE WAY	OCONNELL DANIEL J SR &
8	6243 JOYCE WAY	HATTENDORF LIVING TRUST
9	6307 JOYCE WAY	VINCENT CHARLES VICTOR & KRISTIN H
10	6321 JOYCE WAY	FEHERTY ANITA & DAVID
11	6230 JOYCE WAY	SMALLWOOD CARL JEFFREY &
12	6242 JOYCE WAY	MANOGUE JOSEPH M &
13	6310 JOYCE WAY	NUNNELEY MARK & KATI
14	6223 WALNUT HILL LN	GUIDO CARMEN CARL & JANET
15	6231 WALNUT HILL LN	BASKARAN SANJAY &
16	6239 WALNUT HILL LN	NYLUND JON
17	6247 WALNUT HILL LN	ZOUBI YOUSEF DIAB
18	6315 WALNUT HILL LN	PRESTON HOLLOW METH CH



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-043**

Date: **3/7/2024**

PUBLIC HEARING

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

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

DATE: MONDAY, APRIL 15th, 2024

BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

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

BDA234-043(CJ) Application of Sachin Patel for a special exception to the fence height regulations, and for a special exception to the fence opacity regulations at **6242 WALNUT HILL LN**. This property is more fully described as Block B/5479, Lot 4, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front yard, which will require (1) a 2-foot special exception to the fence regulations, and to construct 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.

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-C-Register> or contact the Development Services Department at 214-670-4127 by the close of business Sunday, April 14th, 2024. All virtual speakers will be required to show their video in order to address the board. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallasty 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.

Board of Adjustment, Development Services
320 E. Jefferson Blvd. Rm 210, 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-C-Register>



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-043
Date: FOR OFFICE USE ONLY
FEB 23 REC'D
BY: _____

Data Relative to Subject Property: _____
Location address: 6242 Walnut Hill Lane Zoning District: _____
Lot No.: 4 Block No.: B/5479 Acreage: 0.40 Census Tract: _____
Street Frontage (in Feet): 1) 139' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Elevate Development Series LLC EDS 6242 Walnut Hill Series
Applicant: Sachin Patel Telephone: 469-767-2448
Mailing Address: 5090 Richmond Ave #131 Houston, TX Zip Code: 77056
E-mail Address: spatel@edmbuilds.com

Represented by: _____ Telephone: _____
Mailing Address: _____ Zip Code: _____
E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception of 2' to fence height and opacity

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:
Provide privacy, security and noise reduction off of Walnut Hill

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.

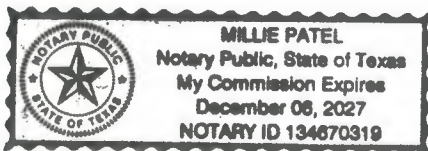
Affidavit

Before me the undersigned on this day personally appeared Sachin Patel
(Affiant/Applicant's name printed)
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

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

Subscribed and sworn to before me this 21 day of February, 2024

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



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that SACHIN PATEL

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations

at 6242 Walnut Hill

BDA234-043(CJ) Application of Sachin Patel for a special exception to the fence height regulations, and for a special exception to the fence opacity regulations at 6242 WALNUT HILL LN. This property is more fully described as Block B/5479, Lot 4, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front yard, which will require (1) a 2-foot special exception to the fence regulations, and to construct 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.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-043

I, Elevate Development Series LLC EDS 6242 Walnut Hill Series, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 6242 Walnut Hill Lane Dallas, TX 75230
(Address of property as stated on application)

Authorize: Sachin Patel
(Applicant's name as stated on application)

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

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

Specify: 2' to fence height and opacity

Sachin Patel
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 2/21/2024

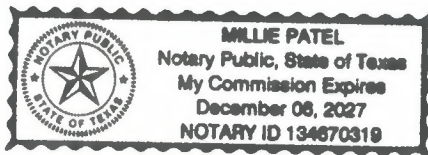
Before me, the undersigned, on this day personally appeared
Sachin Patel

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 21st day of

February, 2024

[Signature]
Notary Public for Dallas County,
Texas



Commission expires on _____

LEGAL DESCRIPTION

6242 WALNUT HILL LANE
 DALLAS, TX 75236
 BEING A PORTION OF LOT 4, IN BLOCK 85478 OF
 BIGLOT ADDITION, AN ADDITION TO THE CITY OF
 DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO
 THE PLAT THEREOF RECORDED IN VOLUME 8,
 PAGES 411, MAP RECORDS, DALLAS COUNTY,
 TEXAS, SAME BEING THAT TRACT OF LAND
 CONVEYED TO BEHZOZ PEKARI AND WIFE,
 PATRICIA PEKARI, BY DEED RECORDED IN VOLUME
 93248, PAGE 3283, DEED RECORDS, DALLAS
 COUNTY, TEXAS.



RENDER OF PROPOSED FENCE

PERMIT STAMPS



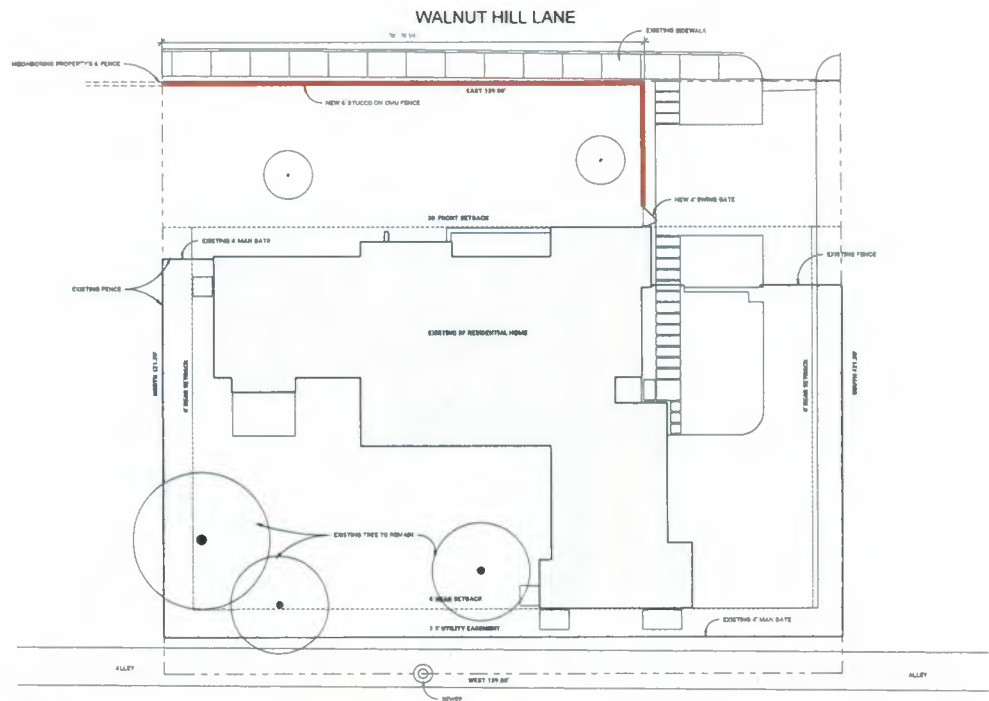
DISCLAIMER
 The firm has designed this document in accordance with the professional seal of the State of Texas. It is not to be used for any other purpose without the written consent of the firm.

PROJECT CONTACT INFORMATION

OWNER: BEHZOZ PEKARI
 13333 MAY FRY, STE 668 HOUSTON, TX 77061
 (713) 796-1831

DESIGNER: MOAR DESIGN, L.L.C.
 13333 MAY FRY, STE 668 HOUSTON, TX 77061
 (713) 796-1831

CONTRACTOR: JAMES GARLAND FOR TEXAS
 13333 MAY FRY, STE 668 HOUSTON, TX 77061
 (713) 796-1831



① SITE PLAN - FENCE
 1" = 10'-0"

6242 WALNUT HILL LANE
 OWNER: EDG 6242 WALNUT HILL, LLC

SITE PLAN

PROJECT NUMBER: 1132
 DATE: _____
 PHASE: _____
 C-101
 1" = 10'-0"

BDA234-043

Applicant's Documentary Evidence

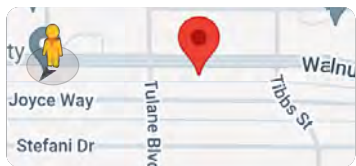
Dallas, Texas

Google Street View

Jan 2024 See more dates



Image capture: Jan 2024 © 2024 Google



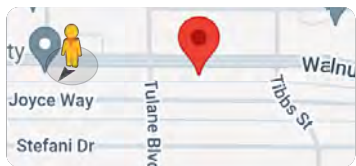
Dallas, Texas

Google Street View

Jan 2024 See more dates



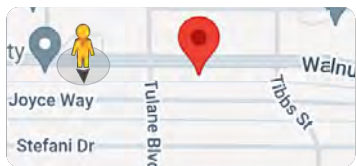
Image capture: Jan 2024 © 2024 Google





Dallas, Texas
Google Street View
Jan 2024 See more dates

Image capture: Jan 2024 © 2024 Google



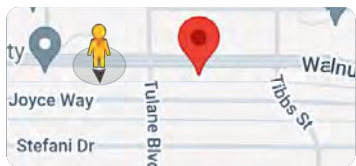
Dallas, Texas

Google Street View

Jan 2024 See more dates



Image capture: Jan 2024 © 2024 Google











FILE NUMBER: BDA234-032 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Jonathan Martinez for **(1)** a special exception to the side-yard setback regulations, and for **(2)** a variance to the side-yard setback regulations, and for **(3)** a variance to the floor area ratio at 1426 Morrell Ave. This property is more fully described as Block 26/3587, Lot 7, and is zoned R-5(A), which requires a side-yard setback of 5-feet, and prohibits the floor area of an accessory structure from exceeding 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide **(1)** a 1-foot setback, which will require a 4-foot special exception to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure and provide a 2-foot 8-inch side-yard setback, which will require **(2)** a 2-foot 4-inch variance to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure with 362 square feet of floor area (28% of the 1282 square foot floor area of the main structure), which will require **(3)** a 41.5 square foot variance to the floor area regulations.

LOCATION: 1426 Morrell Ave.

APPLICANT: Jonathan Martinez

REPRESENTED BY:

REQUEST:

- (1) A request for a special exception to the side-yard setback regulations for a carport for single-family residential use.
- (2) A request for a variance to the side-yard setback regulations
- (3) A variance to the floor area ratio regulations to construct and/or maintain a detached accessory structure, not for rent, on a site developed with a single-family home.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE SIDE YARD SETBACK REGULATIONS FOR CARPORTS:

Section 51A-4.402(1)(c)(6)(1) of the Dallas Development Code specifies that the board may grant a special exception to the minimum side yard requirements in this section for a carport for a single family or duplex use when, in the opinion of the board, **the carport will not have a detrimental impact on surrounding properties.**

Section 51A-4.402(1)(c)(6)(2) In granting this type of special exception, the board shall consider the following:

- (A) Whether the requested special exception is compatible with the character of the neighborhood.
- (B) Whether the value of surrounding properties will be adversely affected.
- (C) The suitability of the size and location of the carport.
- (D) The materials to be used in construction of the carport

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:

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

- 1. **1st Request** - Special Exception to the side yard setback regulations for a carport for single-family residential use:

No staff recommendation is made.

- 2. **2nd Request** - Variance to the side-yard setback regulations:

Denial

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. Not restrictive in area due to the lot size (6804.072 sqft); The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sqft therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

3. 3rd Request - Variance to the floor area regulations:

Denial

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. Not restrictive in area due to the lot size (6804.072 sqft); The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sqft therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: R-5 (A) (Single Family District)
North: R-5 (A) (Single Family District)
South: R-5 (A) (Single Family District)
East: R-5 (A) (Single Family District)
West: R-5 (A) (Single Family District)

Land Use:

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

Square Footage:

This lot contains 6804.072 of square feet.

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

BDA History:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jonathan Martinez for the property located at 1426 Morrell Avenue focuses on three specific requests. The first request is a special exception to the side yard setback regulations for a carport for a single-family use. The second request focuses on a variance to the floor area ratio regulations. Lastly, the third request focuses on a variance to the side yard setback regulations.
- The applicant has stated that the requests for variances and a special exception were submitted to create enough parking space on the subject site and to protect vehicles from heavy storms.
- It is imperative to note that the subject site has single street frontage on Morrell Avenue.
- Per the applicant and provided site plan, the carport and single-family residential detached accessory structure are proposed and not existing.

1st Request (Special Exception to Side Yard Setback Regulations)

- A request for a special exception, to the side yard setback regulations, of 1-foot is made to construct and/or maintain a carport for single-family residential structure.
- The subject site is currently developed with a residential structure.
- Zoning District R-5(A) requires a minimum side-yard setback of 5-feet.
- As gleaned from the submitted site plan, the proposed renovations to the existing subject site encroach into the 5-foot required side yard setback.

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

- The applicant has the burden of proof in establishing that the special exception(s) to the side yard setback regulations for a carport for a single-family residential structure will not adversely affect the neighboring properties.
- Granting the special exception to the side yard setback regulations relating to carports for single-family residential structures 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.

2nd Request (Variance to Floor Area Ratio)

- The applicant proposes to construct a detached accessory structure (NFR), which will require a special exception to the floor area ratio regulations.
- Secondly, the applicant proposes to construct and/or maintain a 362 square foot single-family residential accessory structure (not for rent) which exceeds 25% of the main structure. The square footage of the main structure is 1,282. Therefore, a 41.5 square foot (28%) variance is required.
- The Dallas Development Code states that an accessory structure may not exceed 25% of the floor area of the main structure.
- According to the applicant's application, the detached accessory structure unit will be utilized as a detached garage.
- The applicant has the burden of proof in establishing that the accessory structure will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.
- Granting this variance request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e., development on the site must meet all required code requirements).

Moreover, the applicant has the burden of proof in establishing the following:

- That granting the variance to the floor area ratio 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.

3rd Request (Variance to Side-Yard Setback Regulations)

- A request for a variance to the side yard setback regulations of 2-feet 4-inches is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a residential structure.
- Zoning District R-5(A) requires a minimum side-yard setback of 5-feet.
- As gleaned from the submitted site plan, the proposed renovations to the existing subject site encroach into the 5-foot required side yard setback.

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

- That granting the variance to the side 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.

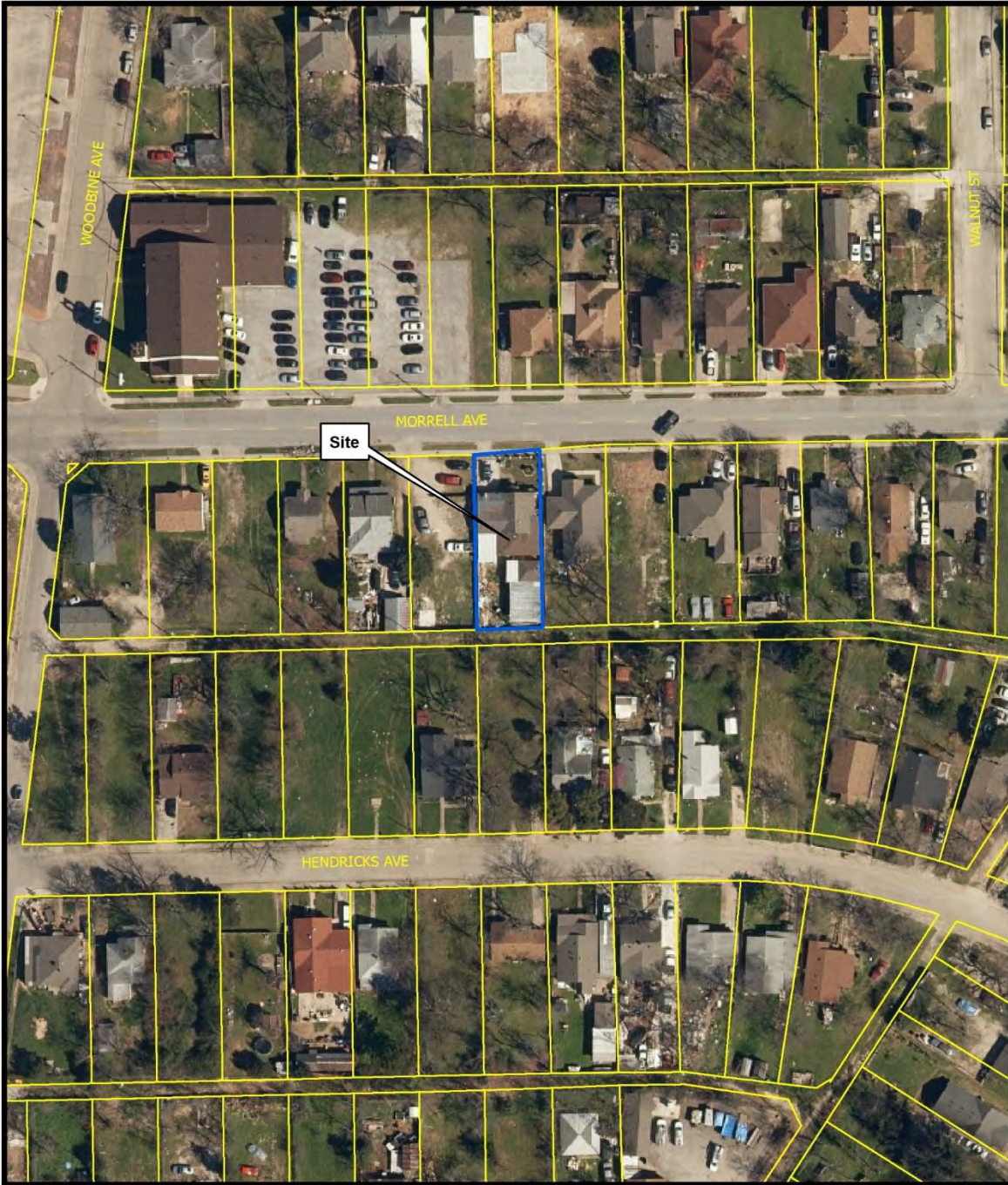
The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (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 proposed 2-feet 4-inch variance to the side yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- Granting the proposed 41.5 square foot variance to the floor area regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-032 1426 Morrell Ave.](#)

Timeline:

- January 12, 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.
- February 21, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.
- February 15, 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 February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 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.
- March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March 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
- March 18, 2024: The Board of Adjustment Panel **C** moved to hold this matter under advisement until April 15, 2024.
- 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



1:1,200

AERIAL MAP

Case no: **BDA234-032**

Date: **2/13/2024**

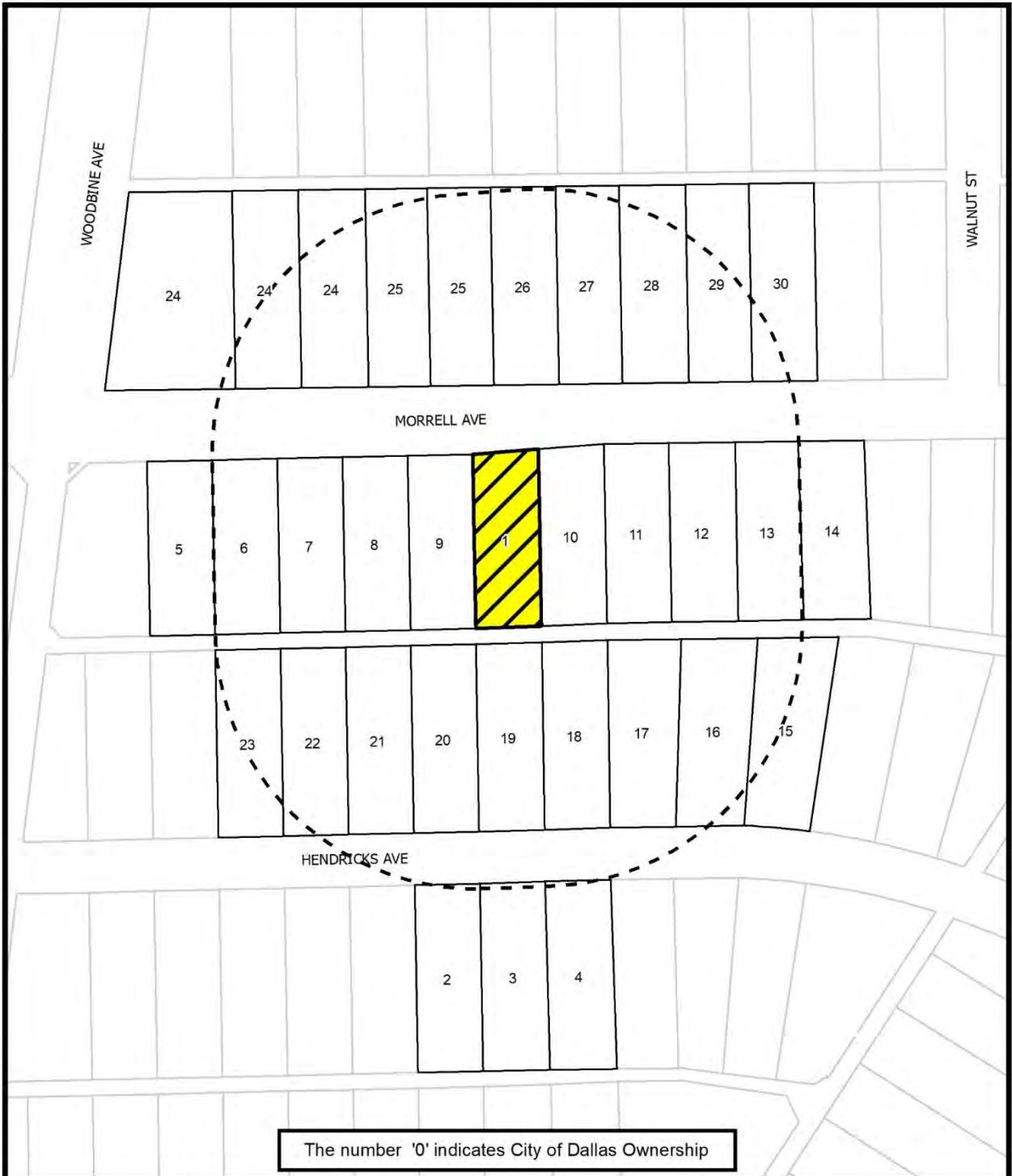


1:1,200

ZONING MAP

Case no: BDA234-032

Date: 2/13/2024



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
30 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-032**

Date: **2/13/2024**

02/13/2024

Notification List of Property Owners

BDA234-032

30 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1426 MORRELL AVE	OBREGON ALFREDO &
2	1426 HENDRICKS AVE	FLORES RODRIGO GALINDO
3	1430 HENDRICKS AVE	KYSER DICK & MARGIE
4	1434 HENDRICKS AVE	QUIROGA JOSE P &
5	1406 MORRELL AVE	TISBY EVA RENE A &
6	1410 MORRELL AVE	SORRELS LARRY KEITH
7	1414 MORRELL AVE	THOMAS KASHEEM SHANE
8	1418 MORRELL AVE	AVILA LORENZO
9	1420 MORRELL AVE	OBREGON ALFREDO PARDO &
10	1430 MORRELL AVE	EPPERSON CUDOY
11	1434 MORRELL AVE	PEREZ VERONICA
12	1436 MORRELL AVE	DAVIS PANDORA M
13	1442 MORRELL AVE	RAMIREZ MARIA CARMEN & MIGUEL
14	1446 MORRELL AVE	KELLEY LUCILLE EST OF
15	1447 HENDRICKS AVE	MIAN RAZA
16	1443 HENDRICKS AVE	MCLLVEEN REAL ESTATE & MANAGEMENT INC
17	1439 HENDRICKS AVE	QUIROGA JOSHUA &
18	1435 HENDRICKS AVE	PARRA RICARDO & SHAUNTELL
19	1431 HENDRICKS AVE	CNA & PHAM INVESTMENT LLC
20	1427 HENDRICKS AVE	MARTINEZ JUAN & ELIZABETH
21	1423 HENDRICKS AVE	SOLIS RAUL
22	1419 HENDRICKS AVE	YOUR WAY HOMES AND LOTS LLC
23	1415 HENDRICKS AVE	PEAK ESTATES LLC
24	1403 MORRELL AVE	GREATER MT PLEASANT
25	1419 MORRELL AVE	GREATER MT PLEASANT BAPTIST CHURCH
26	1427 MORRELL AVE	SPEARS RUDOLPH &

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1431 MORRELL AVE	SPEARS RUDOLPH & JANICE A
28	1435 MORRELL AVE	GARCIA JOSE A & CLAUDIA P
29	1439 MORRELL AVE	OBREGON ALFREDO &
30	1443 MORRELL AVE	JERNIGAN CHERYL Y



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

30

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-032**

Date: **2/13/2024**



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-032			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">30</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	30	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
30	NUMBER OF PROPERTY OWNERS NOTIFIED				

PUBLIC HEARING

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

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

- DATE: MONDAY, APRIL 15th, 2024
- BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>
- HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment: **This Case was held under advisement on March 18, 2024.**

BDA234-032(CJ) Application of Jonathan Martinez for (1) a special exception to the side-yard setback regulations; for (2) a variance to the side-yard setback regulations, and for (3) a variance to the floor area ratio at **1426 MORRELL AVE**. This property is more fully described as Block 26/3587, Lot 7, and is zoned R-5(A), which requires a side-yard setback of 5-feet, and prohibits the floor area of an accessory structure from exceeding 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide a 1-foot setback, which will require (1) a 4-foot special exception to the side-yard setback regulations; to construct and/or maintain a single-family residential detached accessory structure and provide a 2-foot 8-inch side-yard setback, which will require (2) a 2-foot 4-inch variance to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure with 362 square feet of floor area (28% of the 1282 square foot floor area of the main structure), which will require (3) a 41.5 square foot variance to the floor area 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-C-Register> or contact the Development Services Department at 214-670-4127 by the close of business Sunday, April 14th, 2024. All virtual speakers will be required to show their video in order to address the board. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallasty 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.

Board of Adjustment, Development Services
320 E. Jefferson Blvd. Rm 210, 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:



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-032 **RECEIVED**
Date: **JAN 19 REC'D**

Data Relative to Subject Property: _____ Date: _____
Location address: 1426 Morrell Avenue Zoning District: R-5 (6A)
Lot No.: 17 Block No.: 26/3587 Acreage: 0.1562 Census Tract: _____
Street Frontage (in Feet): 1) 50' 2) 134' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Alfredo Obregon
Applicant: Jonathan Martinez Telephone: 214 946 43 00
Mailing Address: 317 E Jefferson Blvd. Zip Code: 75203
E-mail Address: cs@buildingplansandpermits.com
Represented by: Alfredo Obregon Telephone: 214-293-82-45
Mailing Address: 1426 Morrell Avenue Zip Code: 75203
E-mail Address: alfredoobregon1426@gmail.com

Affirm that an appeal has been made for a Variance or Special Exception of 2'-4 1/2" of the main house and 2'-2" on the existing Garage of the required 5' side yard setback + Provide 2'-10"

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:
In order to have enough space to park the cars and protect them from heavy storms.

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 Alfredo Obregon
(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: Alfredo Obregon
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 9 day of June, 2023

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



**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Jonathan Martinez

did submit a request for (1) a special exception to the side yard setback regulations, and for (2) a variance to the side-yard setback regulations, and for (3) a variance to the floor area ratio regulations

at 1426 Morrell Ave

BDA234-032(CJ) Application of Jonathan Martinez for (1) a special exception to the side-yard setback regulations; for (2) a variance to the side-yard setback regulations, and for (3) a variance to the floor area ratio at 1426 MORRELL AVE. This property is more fully described as Block 26/3587, Lot 7, and is zoned R-5(A), which requires a side-yard setback of 5-feet, and prohibits the floor area of an accessory structure from exceeding 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide a 1-foot setback, which will require (1) a 4-foot special exception to the side-yard setback regulations; to construct and/or maintain a single-family residential detached accessory structure and provide a 2-foot 8-inch side-yard setback, which will require (2) a 2-foot 4-inch variance to the side-yard setback regulations; and to construct and/or maintain a single-family residential detached accessory structure with 362 square feet of floor area (28% of the 1282 square foot floor area of the main structure), which will require (3) a 41.5 square foot variance to the floor area regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-D32

I, Alfredo Obregon, Owner of the subject property
(Owner or "Grantor" of property as it appears on the Warranty Deed)

at: 1426 Morrell Avenue, Dallas, Tx 75203
(Address of property as stated on application)

Authorize: Jonathan Martinez
(Applicant's name as stated on application)

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

Variance (specify below)

Special Exception (specify below)

Other Appeal (specify below)

Specify: Applying for a 2'-4 1/2" of the existing house and 2'-2" on the existing Garage variance due to the house built encroaching the side setback.

Alfredo Obregon
Print name of property owner or registered agent

Alfredo Obregon
Signature of property owner or registered agent

Date June 9th, 2023

Before me, the undersigned, on this day personally appeared _____

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 9 day of June 2023



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 02/09/2025



AFFIDAVIT

Appeal number: BDA 234-032

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

at: 1426 Morrell Ave Dallas Tx 75203
(Address of property as stated on application)

Authorize: Elios Rodriguez
(Applicant's name as stated on application)

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

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

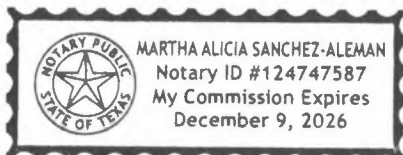
Specify: Applying for a 2'-4 1/2" of the existing house and 2'-2" on the existing garage variance due to the house built encroaching the side setback.

Juana Plaza
Print name of property owner or registered agent
agent Date 1/18/24

Juana Plaza
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared Juana Plaza

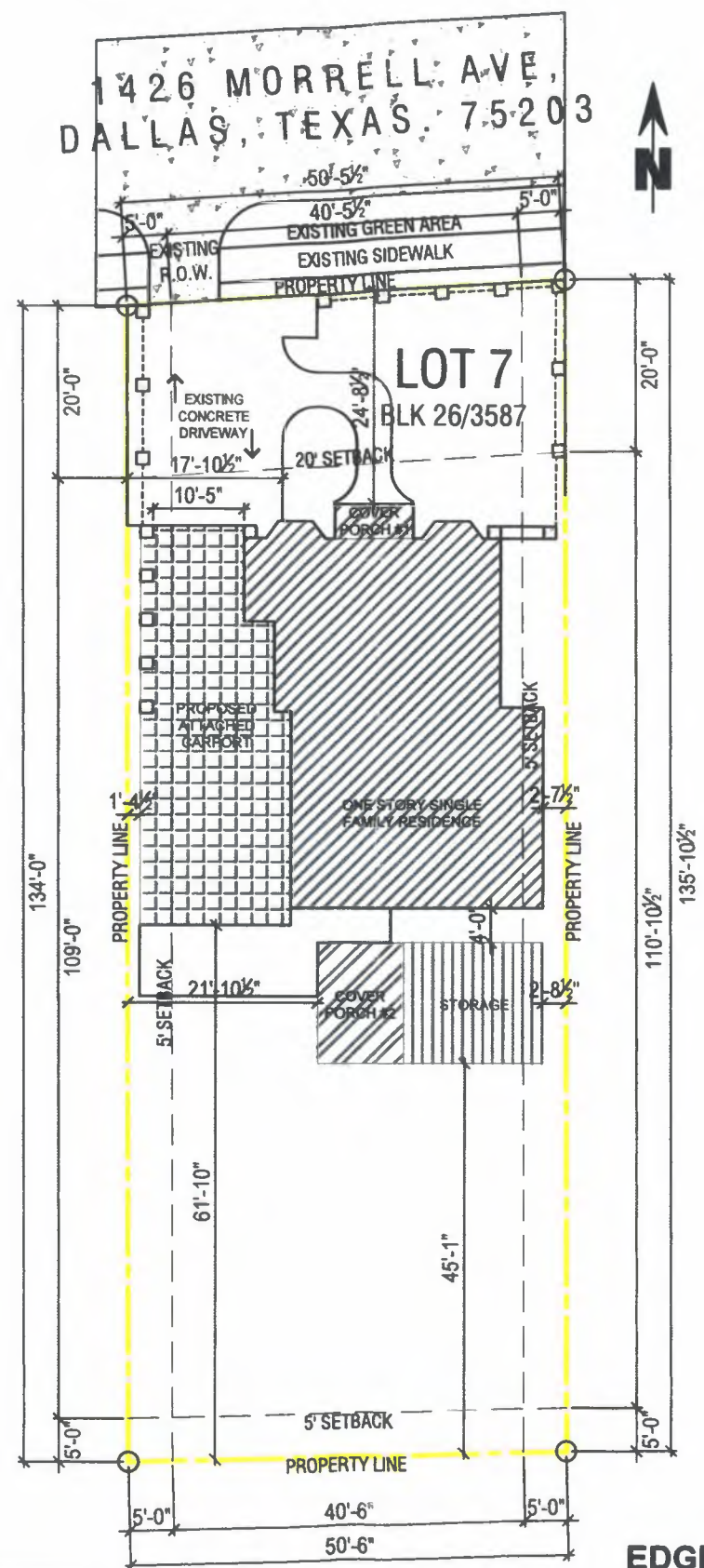
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 18 day of January, 2024



Commission expires on 12/9/26
[Signature]

BDA 234-032





1 SITE PLAN
C2.00 1" = 20'-0"

BDA 234-032

EDGEMONT
BLK 26 / 3587 LOT 7



2 VICINITY MAP
C2.00 N.T.S.

PROJECT INFORMATION

ZONING	R-5 (A)
LEGAL DESCRIPTION	EDGEMONT BLK 26 / 3587 LOT 7
CONSTR TYPE	V-B
CLIMATE ZONE	ZONE 3A (MOIST)
HOUSE DESCRIPTION	EXISTING ONE STORY SINGLE FAMILY RESIDENCE ATTACHED CARPORT, COVER PORCH AND DETACHED STORAGE ADDITION

PROJECT AREA CALCULATIONS			
EXISTING LIVING AREA (AC)		PRPSD. NON CONDITIONED AREA	
GROUND LVL FLOOR PLAN	1,246 S.F.	ATTACHED CARPORT	728 S.F.
EXTG. NON CONDITIONED AREA		COVER PORCH #2	138 S.F.
COVD PORCH #1	36 S.F.	STORAGE	224 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	1,246 S.F.	PERIMETER (AC)	159 F.
PERIMETER (AC)	194 F.	LOT SIZE	6,807 S.F.
TTL UNDER ROOF	2,372 S.F.	NON ROOF AREA	4,435 S.F.
FOOTPRINT	2,372 S.F.	% OF LOT	35 %

SEAL

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD.
DALLAS, TX 75203
TEL. (214) 946-4300
FAX. (214) 946-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
1/18/24

DRAWN BY
IB

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY
SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVD PORCH AND
DETACHED STORAGE ADDITION

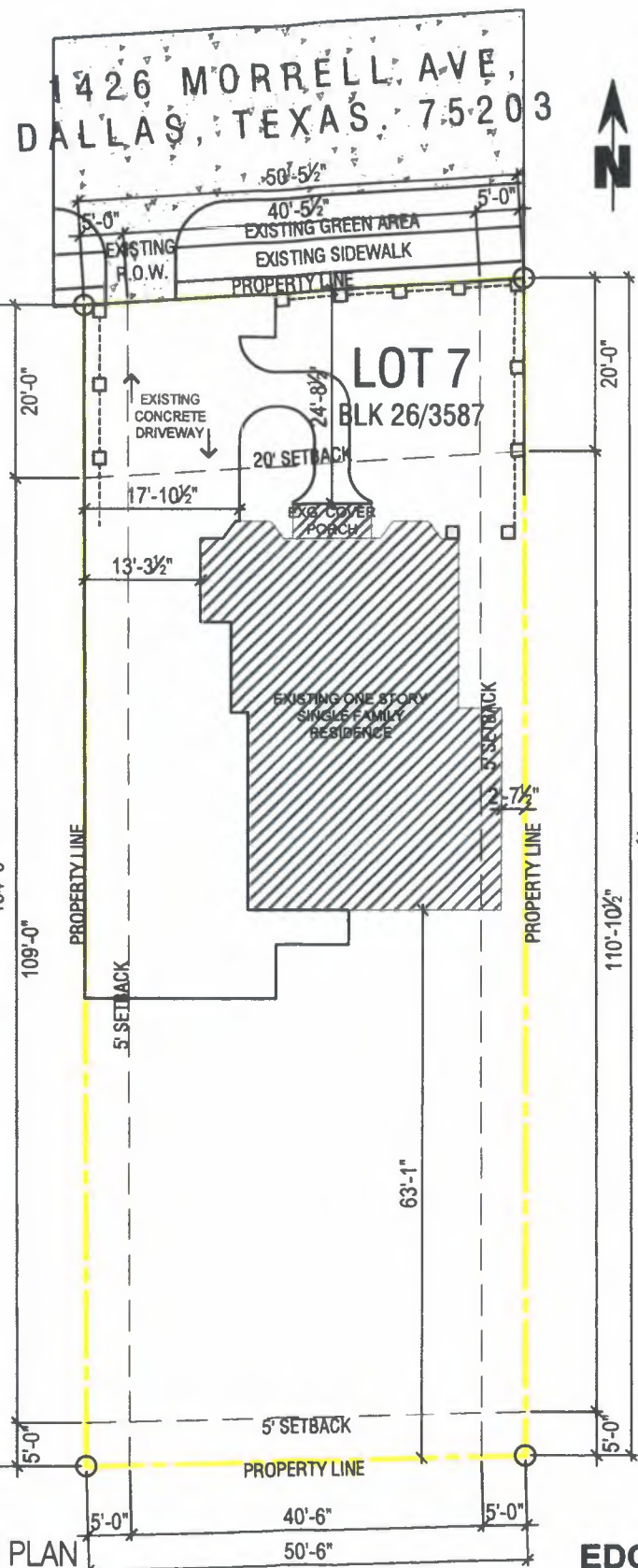
SCALE
1" = 20'-0"

SHEET TITLE
SITE PLAN

SHEET #
C2.00

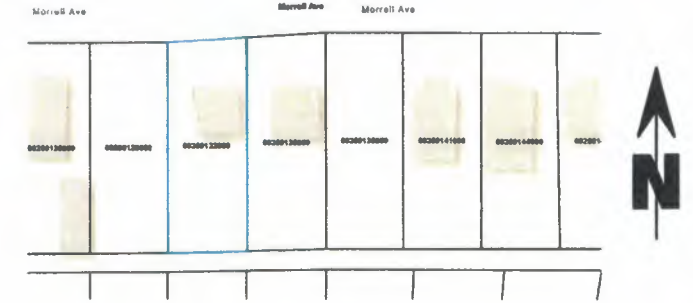
FILE NAME
C2.00_SITE_PLAN

© All Rights Reserved



1 EXISTING SITE PLAN
 C4.00 1" = 20'-0"
 BDA 234-032

EDGEMONT
BLK 26 / 3587 LOT 7



2 VICINITY MAP
 C4.00 N.T.S.

PROJECT INFORMATION

ZONING	R-5 (A)
LEGAL DESCRIPTION	EDGEMONT BLK 26 / 3587 LOT 7
CONSTR TYPE	V-B
CLIMATE ZONE	ZONE 3A (MOIST)
HOUSE DESCRIPTION	EXISTING ONE STORY SINGLE FAMILY RESIDENCE ATTACHED CARPORT, COVER PORCH AND DETACHED STORAGE ADDITION

PROJECT AREA CALCULATIONS			
EXISTING LIVING AREA (AC)		PRPSD. NON CONDITIONED AREA	
GROUND LVL FLOOR PLAN	1,246 S.F.	ATTACHED CARPORT	728 S.F.
EXTG. NON CONDITIONED AREA		COVER PORCH #2	
COVID PORCH #1	36 S.F.	STORAGE	224 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	1,246 S.F.	PERIMETER (AC)	159 F.
PERIMETER (AC)	194 F.	LOT SIZE	6,807 S.F.
TTL UNDER ROOF	2,372 S.F.	NON ROOF AREA	4,435 S.F.
FOOTPRINT	2,372 S.F.	% OF LOT	35 %

SEAL

CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL. (214) 948-4300
 FAX. (214) 948-8644

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
 1426 MORRELL AVE
 DALLAS, TEXAS
 75203

DATE
1/18/24

DRAWN BY
IB

CHECKED BY
ER

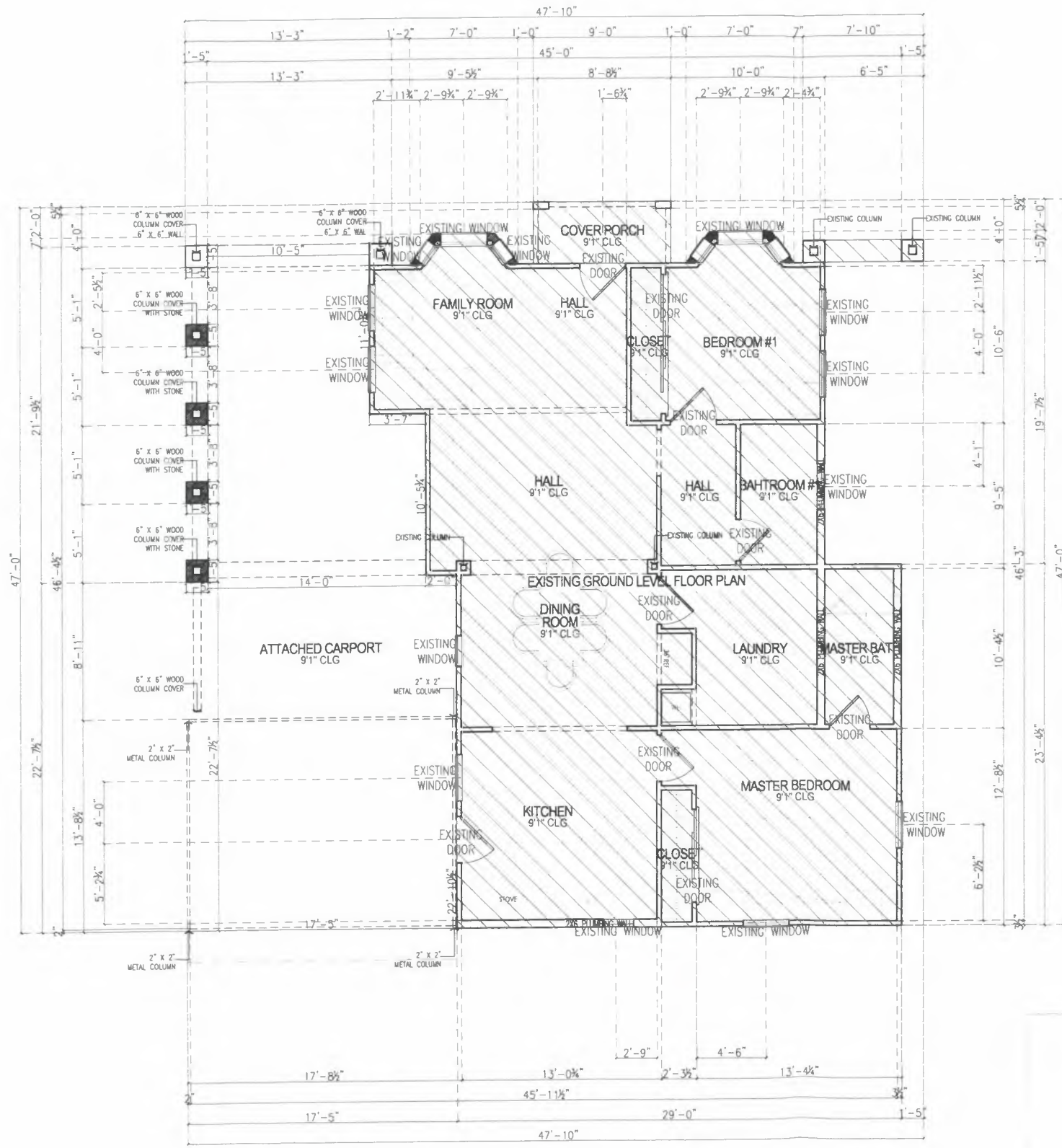
DESCRIPTION
 EXISTING ONE STORY
 SINGLE FAMILY RESIDENCE
 ATTACHED CARPORT, COVID PORCH AND
 DETACHED STORAGE ADDITION

SCALE
1" = 20'-0"

SHEET TITLE
EXISTING SITE PLAN

SHEET #
C4.00

FILE NAME
C4.00_DEMO_PLAN



1 PROPOSED PLAN - ATTACHED CARPORT
 A1.01 1/4" = 1'-0"

BDA234032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD
 DALLAS, TX. 75203
 TEL (214) 948-4300
 FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
 1426 MORRELL AVE
 DALLAS, TEXAS
 75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
 EXISTING ONE STORY SINGLE FAMILY RESIDENCE
 ATTACHED CARPORT, COVER PORCH AND DETACHED
 STORAGE ADDITION

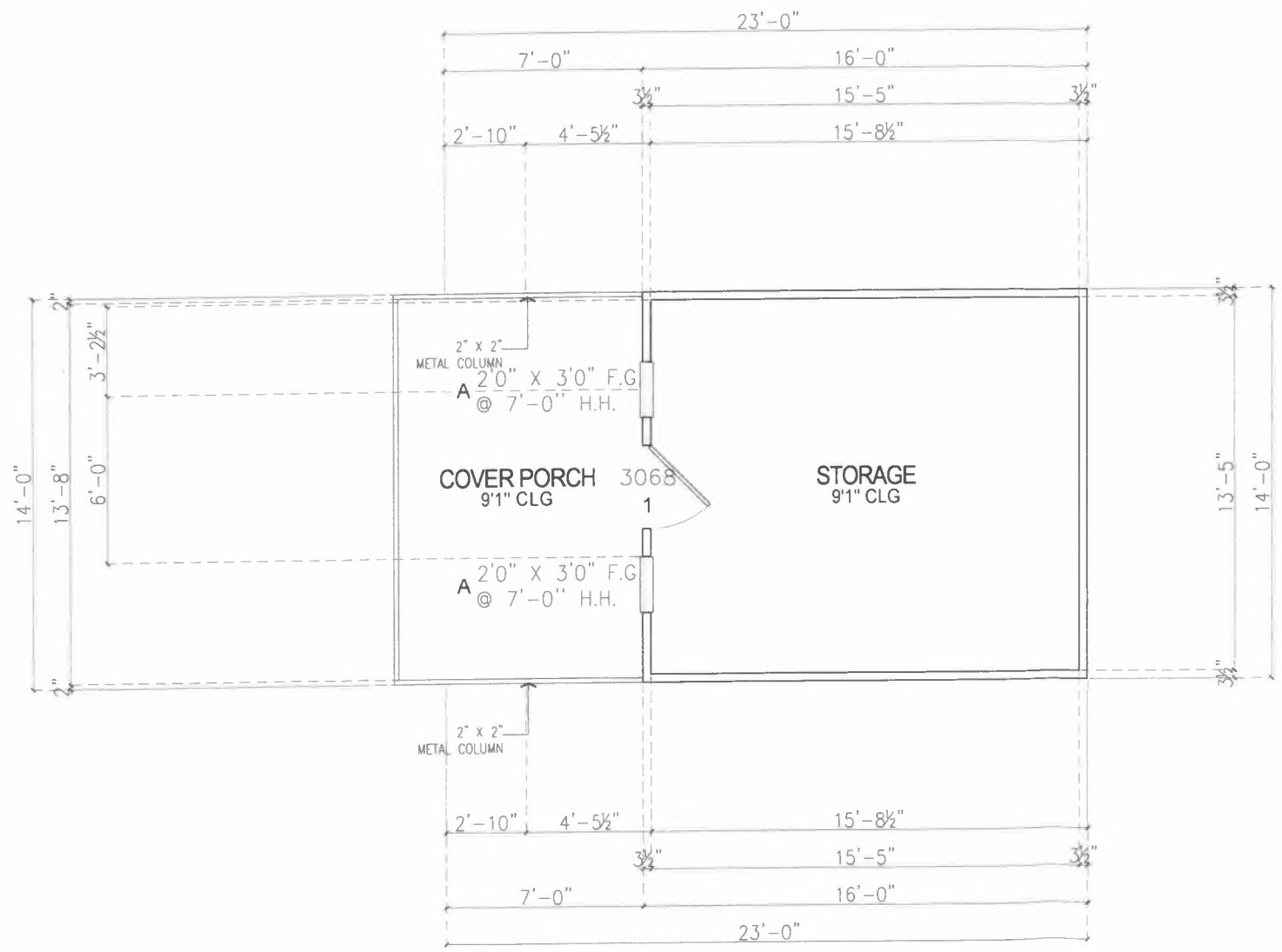
SCALE
1/4" = 1'-0"

SHEET TITLE
FLOOR PLAN

SHEET #
A1.01

FILE NAME
A1.01_FLR1_PLAN

© All Rights Reserved



1 PROPOSED PLAN - STORAGE
 A1.02 3/8" = 1'-0"

BDA234-032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL (214) 946-4300
 FAX (214) 946-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
 1426 MORRELL AVE
 DALLAS, TEXAS
 75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
 EXISTING ONE STORY SINGLE FAMILY RESIDENCE
 ATTACHED CARPORT, COVER PORCH AND DETACHED
 STORAGE ADDITION

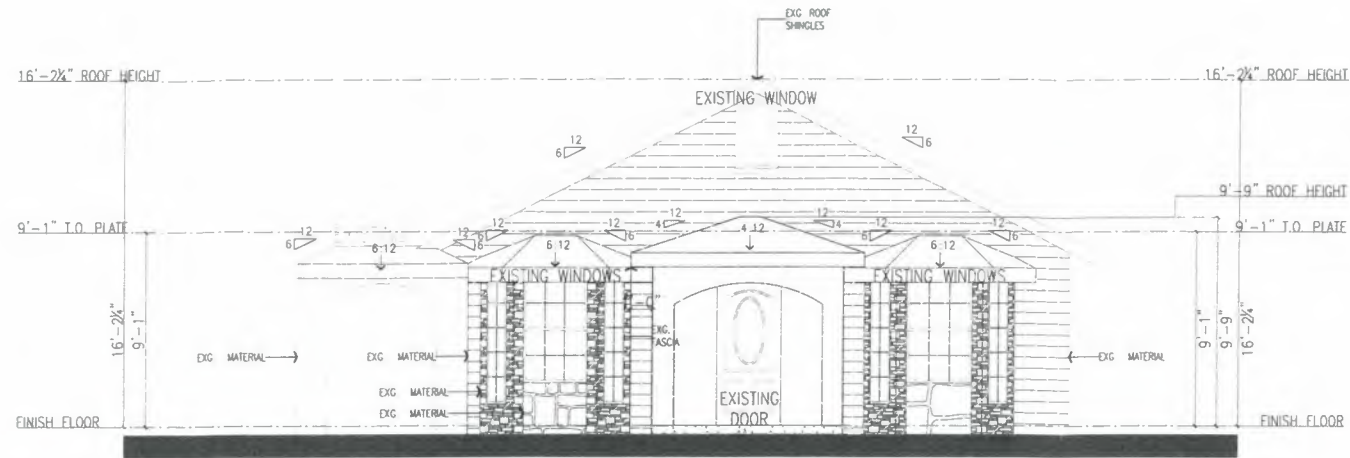
SCALE
3/8" = 1'-0"

SHEET TITLE
FLOOR PLAN

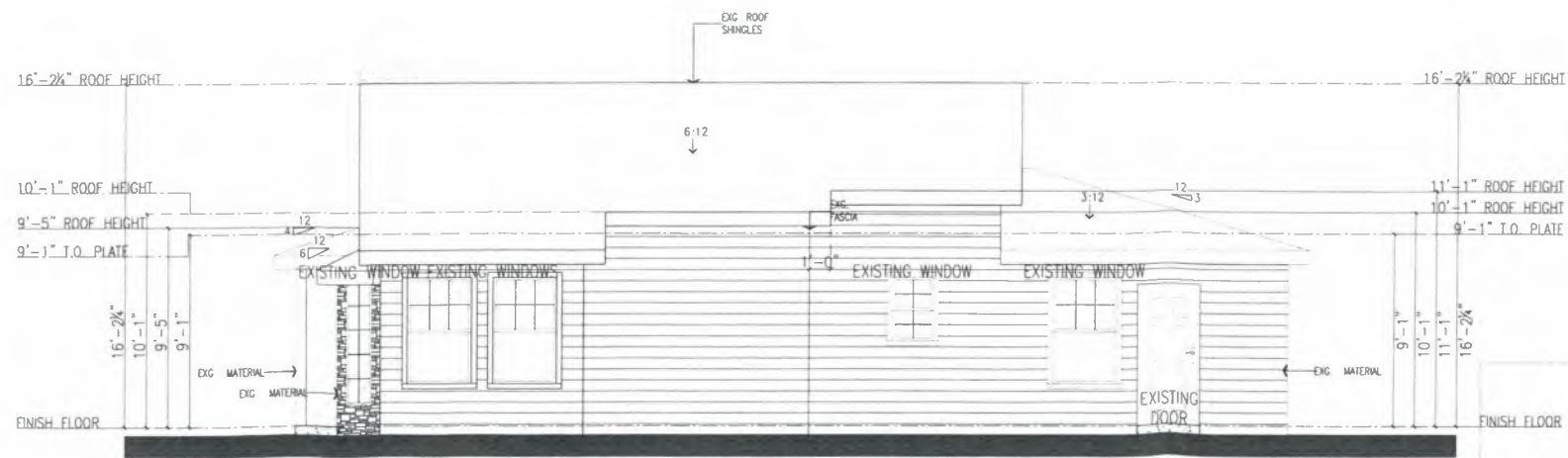
SHEET #
A1.02

FILE NAME
A1.02_FLR1_PLAN

© All Rights Reserved



1 EXISTING FRONT ELEVATION
A2.01 1/4" = 1'-0"



1 EXISTING RIGHT ELEVATION
A2.01 1/4" = 1'-0"

BDA234-032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD
DALLAS, TX 75203
TEL (214) 946-4300
FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVER PORCH AND DETACHED
STORAGE ADDITION

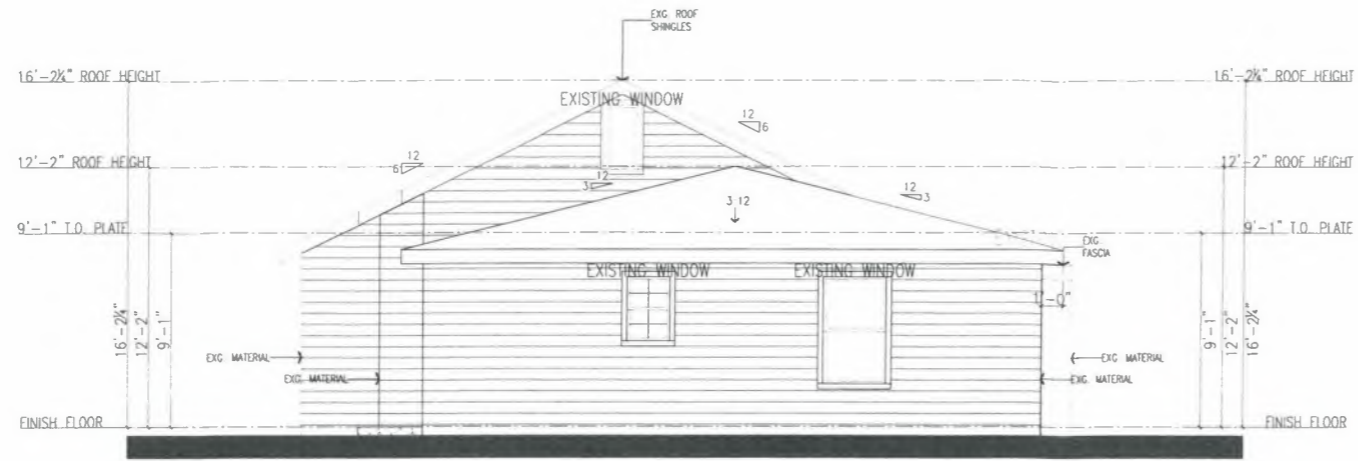
SCALE
1/4" = 1'-0"

SHEET TITLE
ELEVATIONS

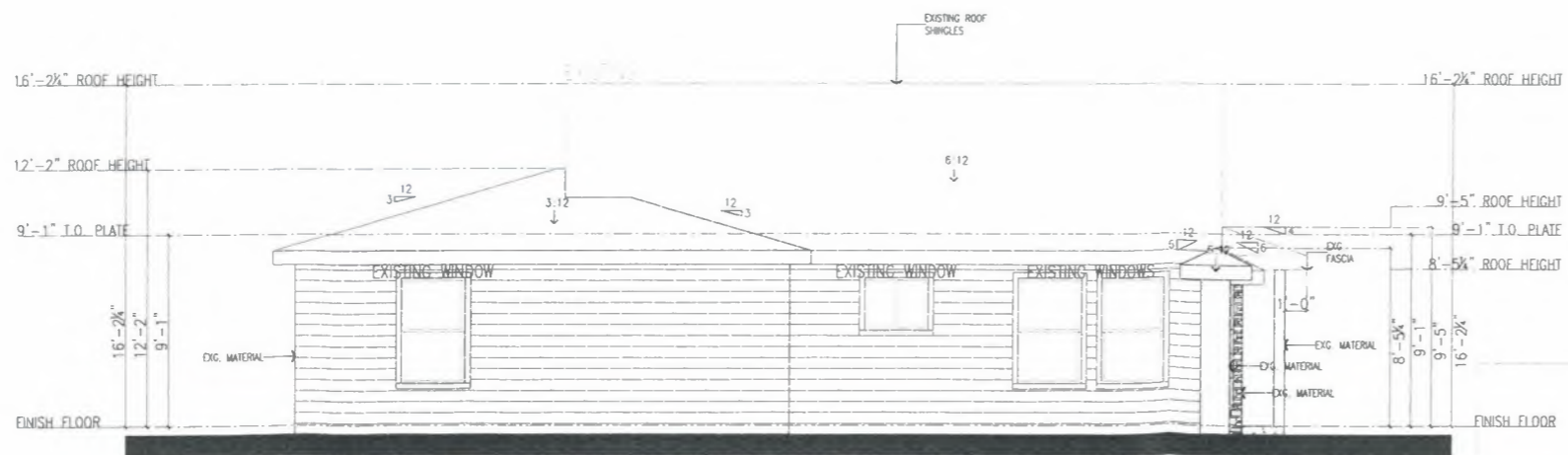
SHEET #
A2.01

FILE NAME
A2.01_ELEVATIONS

© All Rights Reserved



1 EXISTING REAR ELEVATION
A2.02 1/4" = 1'-0"



1 EXISTING LEFT ELEVATION
A2.02 1/4" = 1'-0"

BOA 234-032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD.
DALLAS, TX, 75203
TEL (214) 948-4300
FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVER PORCH AND DETACHED
STORAGE ADDITION

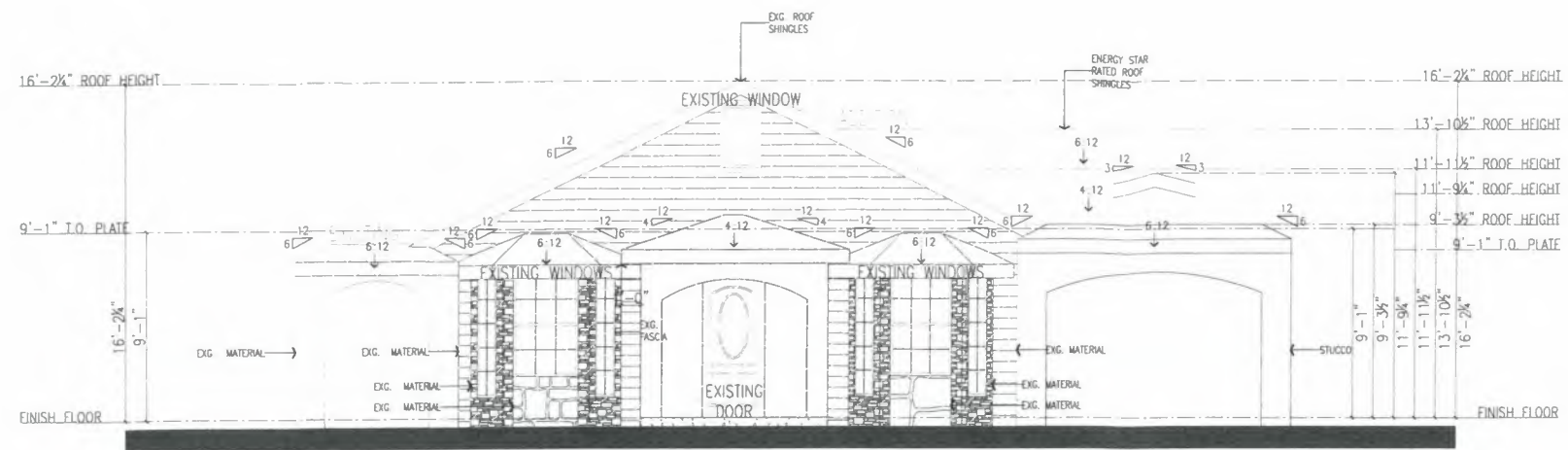
SCALE
1/4" = 1'-0"

SHEET TITLE
ELEVATIONS

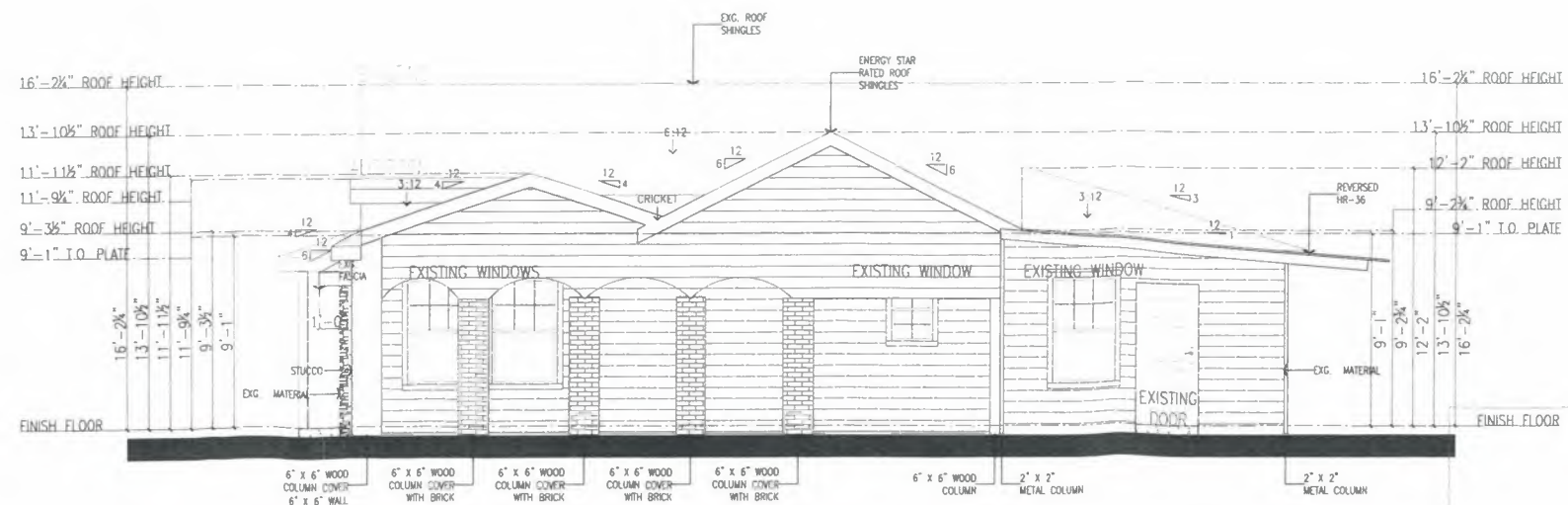
SHEET #
A2.02

FILE NAME
A2.02_ELEVATIONS

© All Rights Reserved



1 PROPOSED FRONT ELEVATION - HOUSE
A2.03 1/4" = 1'-0"



1 PROPOSED RIGHT ELEVATION - HOUSE
A2.03 1/4" = 1'-0"

BDA234-032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD
DALLAS, TX. 75203
TEL. (214) 946-4300
FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVER PORCH AND DETACHED
STORAGE ADDITION

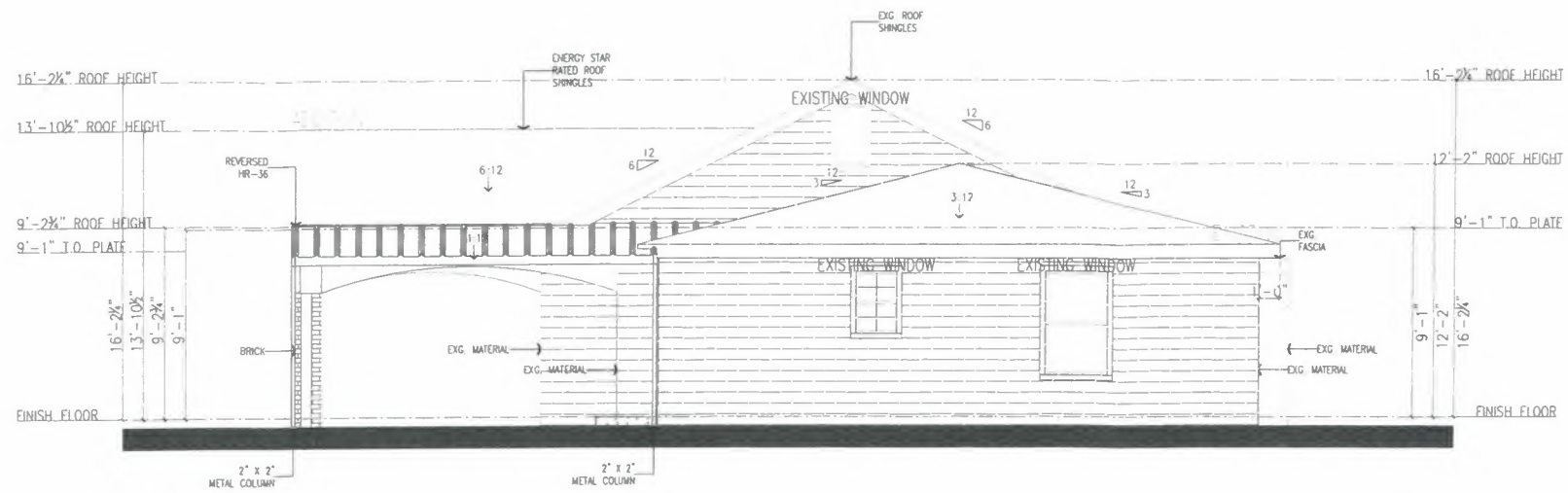
SCALE
1/4" = 1'-0"

SHEET TITLE
ELEVATIONS

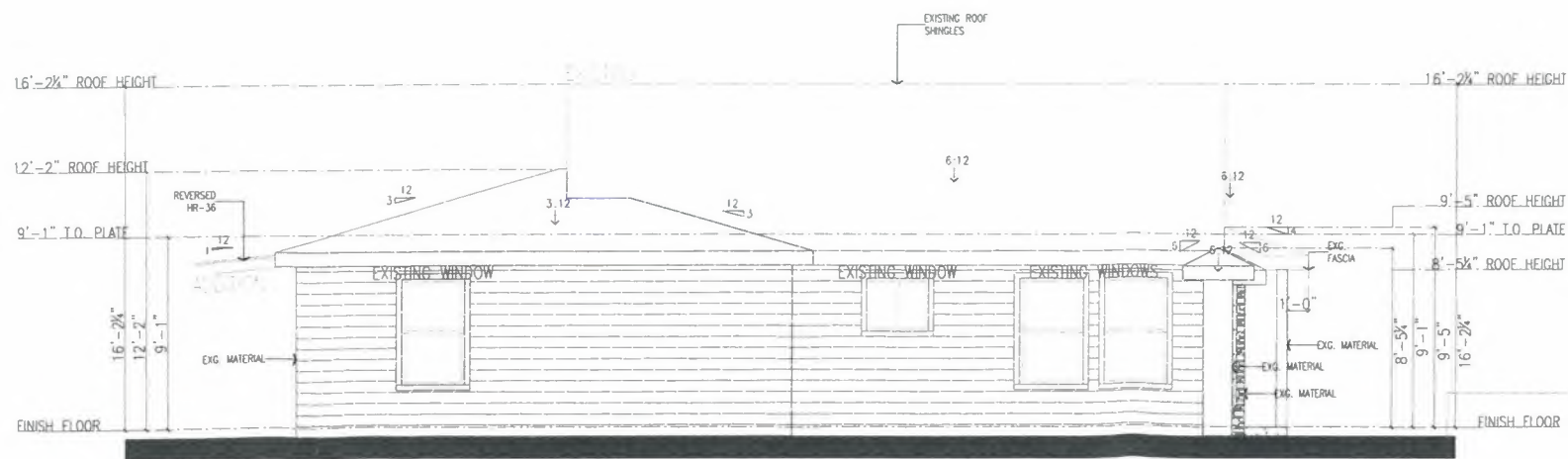
SHEET #
A2.03

FILE NAME
A2.03_ELEVATIONS

© All Rights Reserved



1 PROPOSED REAR ELEVATION - HOUSE
A2.04 1/4" = 1'-0"



1 PROPOSED LEFT ELEVATION - HOUSE
A2.04 1/4" = 1'-0"

BOA234-032

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD.
DALLAS, TX. 75203
TEL (214) 946-4300
FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVER PORCH AND DETACHED
STORAGE ADDITION

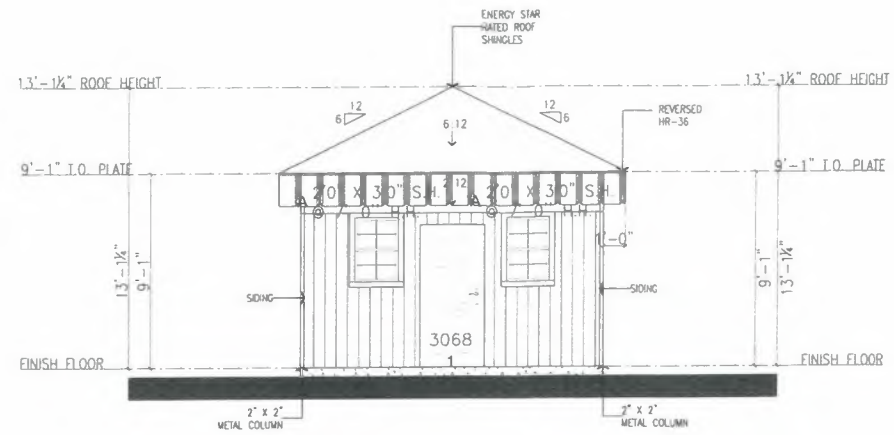
SCALE
1/4" = 1'-0"

SHEET TITLE
ELEVATIONS

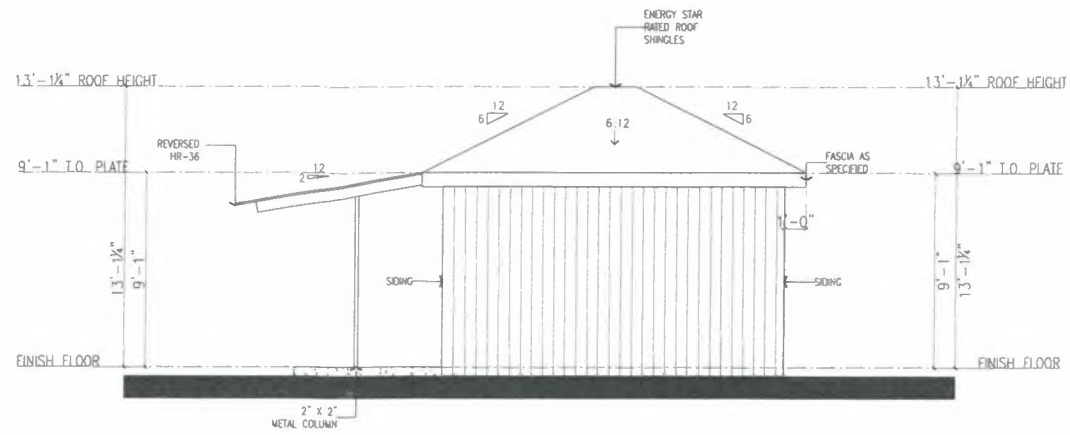
SHEET #
A2.04

FILE NAME
A2.04_ELEVATIONS

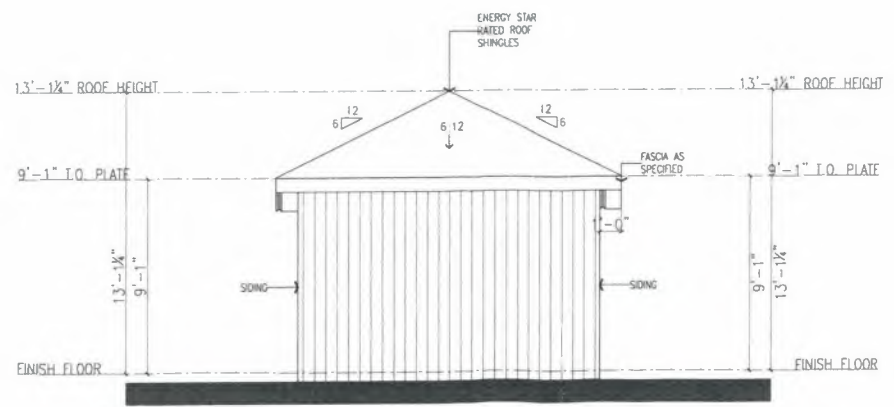
© All Rights Reserved



1 PROPSOED FRONT ELEVATION - DETACHED STORAGE
A2.05 1/4" = 1'-0"

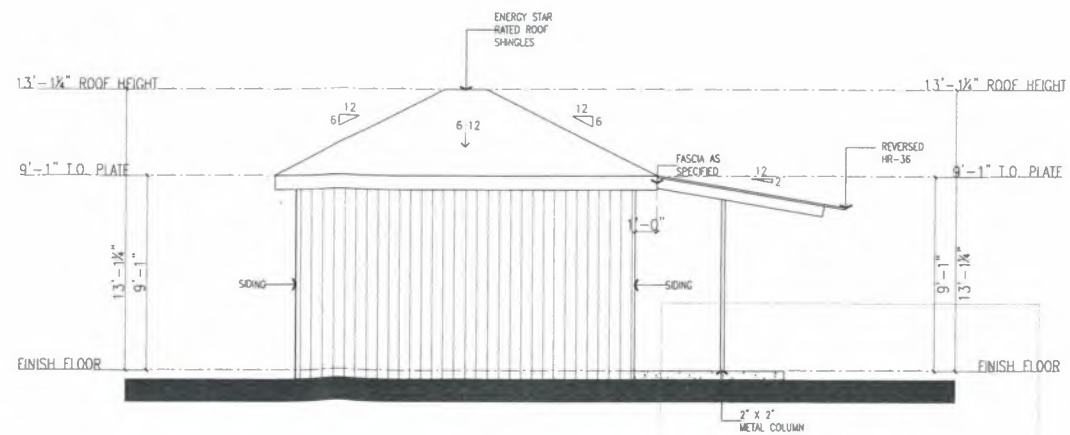


1 PROPSOED RIGHT ELEVATION - DETACHED STORAGE
A2.05 1/4" = 1'-0"



1 PROPSOED REAR ELEVATION - DETACHED STORAGE
A2.05 1/4" = 1'-0"

BDA 234-032



1 PROPSOED LEFT ELEVATION - DETACHED STORAGE
A2.05 1/4" = 1'-0"

SIGNATURE

SEAL

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD
DALLAS, TX. 75203
TEL (214) 946-4300
FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
1426 MORRELL AVE
DALLAS, TEXAS
75203

DATE
08/16/2023

DRAWN BY
VP

CHECKED BY
ER

DESCRIPTION
EXISTING ONE STORY SINGLE FAMILY RESIDENCE
ATTACHED CARPORT, COVER PORCH AND DETACHED
STORAGE ADDITION

SCALE
1/4" = 1'-0"

SHEET TITLE
ELEVATIONS

SHEET #
A2.05

FILE NAME
A2.05_ELEVATIONS

© All Rights Reserved

SEAL

CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL (214) 946-4300
 FAX (214) 948-9544

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
 1426 MORRELL AVE
 DALLAS, TEXAS
 75203

DATE
 08/16/2023

DRAWN BY
 VP

CHECKED BY
 ER

DESCRIPTION
 EXISTING ONE STORY SINGLE FAMILY RESIDENCE
 ATTACHED CARPORT, COVER PORCH AND DETACHED
 STORAGE ADDITION

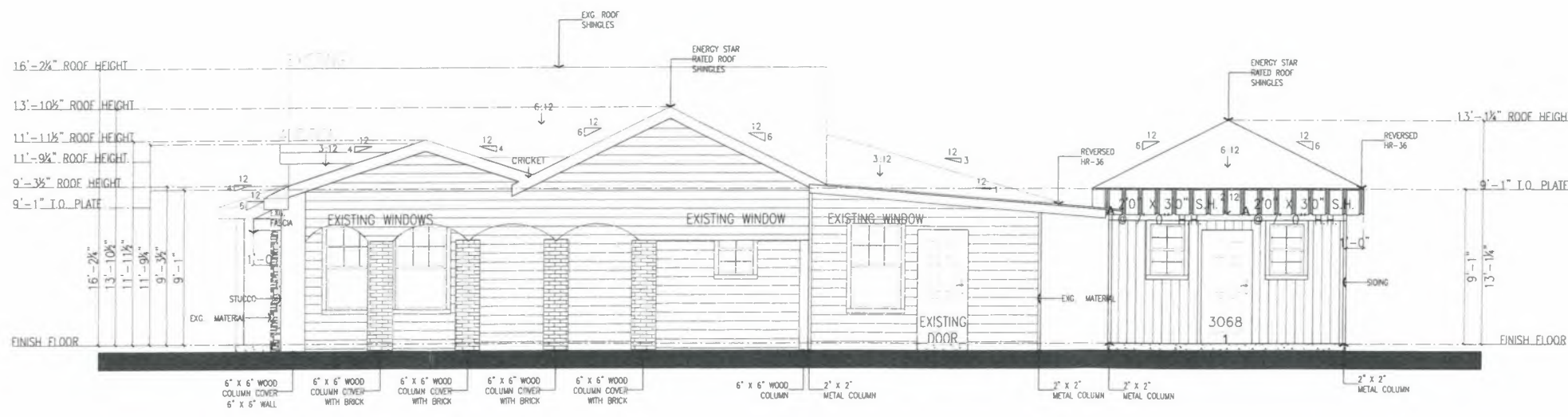
SCALE
 1/4" = 1'-0"

SHEET TITLE
 ELEVATIONS

SHEET #
 A2.06

FILE NAME
 A2.06_ELEVATIONS

© All Rights Reserved



1 HEIGHT REFERENCE ELEVATION
 A2.06 1/4" = 1'-0"

BDA234-032

SIGNATURE

FILE NUMBER: BDA234-046 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Audra Buckley for **(1)** a variance to the front-yard setback regulations; for **(2)** a variance to the off-street parking regulations; and for **(3)** a special exception to the visibility obstruction regulations at 310 CANADA DR. This property is more fully described as Block 2/7089, Lot 16 and is zoned R-5(A), which requires a front-yard setback of 20-feet; and requires a parking space must be at least 20-feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley; and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require **(1)** a 15-foot variance to the front-yard setback regulations; to construct and/or maintain a single-family residential structure with a setback of 5-feet, which will require **(2)** a variance of 15-feet to the off-street parking regulations; and to construct and/or maintain a single-family residential structure in a required visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation.

LOCATION: 310 Canada Dr.

APPLICANT: Audra Buckley

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the **front yard**, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single-family uses, height, minimum sidewalks, **off-street parking** or off-street loading, or landscape regulations provided that the variance is:

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

ELEMENT II SUBSTITUTE:

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

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

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.**

STAFF RECOMMENDATION:

1. 1st Request - Variance to the front-yard setback regulations

Denial

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

- A. **Is contrary to the public interest as:**
 - **Letters of opposition were received.**
 - **Monetary: The variance poses the possibility of increasing the property value of homes in the neighborhood. Increased property value causes increased property taxes for residents of the established neighborhood.**
 - **Aesthetics: The proposed 3-level home does not fit in with the character of the neighborhood which has mostly single and two-story homes.**
 - **Aesthetics & Safety: The proposed size of the home in comparison to the size of the lot may be a case of overdevelopment which would not be an example of developing a piece of land to its best use.**
 - **Safety: The request to obstruct both visibility triangles on the small lot may constitute traffic hazards.**
- B. **Is restrictive in shape and area (1,742.4 sqft); The minimum lot are for residential use in the R-5(A) zoning district is 5,000 sqft, therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.**
- C. **Is not a self-created or personal hardship.**

2. 2nd Request - Variance to the off-street parking regulations

Denial

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

A. Is contrary to the public interest as

- Letters of opposition were received.
- Monetary: The variance poses the possibility of increasing the property value of homes in the neighborhood. Increased property value might also lead to increased property taxes to residents of the established neighborhood.
- Aesthetics: The proposed 3-level home does not fit in with the character of the neighborhood which has mostly single and two-story homes.
- Aesthetics & Safety: The proposed size of the home in comparison to the size of the lot may be a case of overdevelopment which would not be an example of developing a piece of land to its best use.
- Safety: The request to obstruct both visibility triangles on the small lot may constitute traffic hazards.

A. Is restrictive in shape and area (1,742.4 sqft); The minimum lot are for residential use in the R-5(A) zoning district is 5,000 sqft, therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.

B. Is not a self-created or personal hardship.

3. 3rd Request - Special Exception to the visual obstruction regulations

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

BACKGROUND INFORMATION:

BDA History:

No BDA history found within the last 5 years.

Square Footage:

This lot contains 1,742.4 of square feet.

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

Zoning:

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

Land Use:

The subject site is vacant. The areas to the south, east, and west are developed and being developed with single-family uses. Areas to the north are currently used for agricultural purposes.

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Audra Buckley property located at 310 Canada Drive focuses on 3 requests relating to the front yard setback regulations, the off-street parking regulations as well as the visual obstruction regulations.
- A request for a variance to the front yard setback regulations of 15-feet is made to construct and/or maintain a single-family residential structure at 310 Canada Drive.
- Zoning District R-5(A) requires a minimum front yard setback of 20-feet.
- As gleaned from the submitted site plan, the proposed home is set to encroach 15-feet into the 20-foot required front yard setback at 310 Canada Drive.
- Secondly, a request for a variance to the off-street parking regulations of 15-feet is made to construct and/or maintain a single-family residential structure at 310 Canada Drive.
- A parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from the street or alley.
- Lastly, the applicant proposed to construct and/or maintain a single-family residential structure in a required visibility obstruction triangle which will require a special exception to the visibility obstruction regulations.
- Per 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.
- It is imperative to note that the subject site has single street frontage on Canada Drive.
- Based upon staff's analysis of the surrounding properties, the subject site is restrictive in size being only 1,742.4 sqft in the R-5(A) zoning district which has a minimum lot size of 5,000 sqft. Staff has also concluded that the triangular shape of the subject site is irregular.
- The subject site is currently vacant.

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

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

- The applicant has the burden of proof in establishing that the special exception(s) to the visual obstruction regulations will not constitute a traffic hazard.

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed 15-foot variance to the front yard setback regulations and/or the proposed 15-foot variance to the off-street parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - Granting the special exception to the visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
 - 200' Radius Video: [BDA234-046 310 Canada Dr.](#)

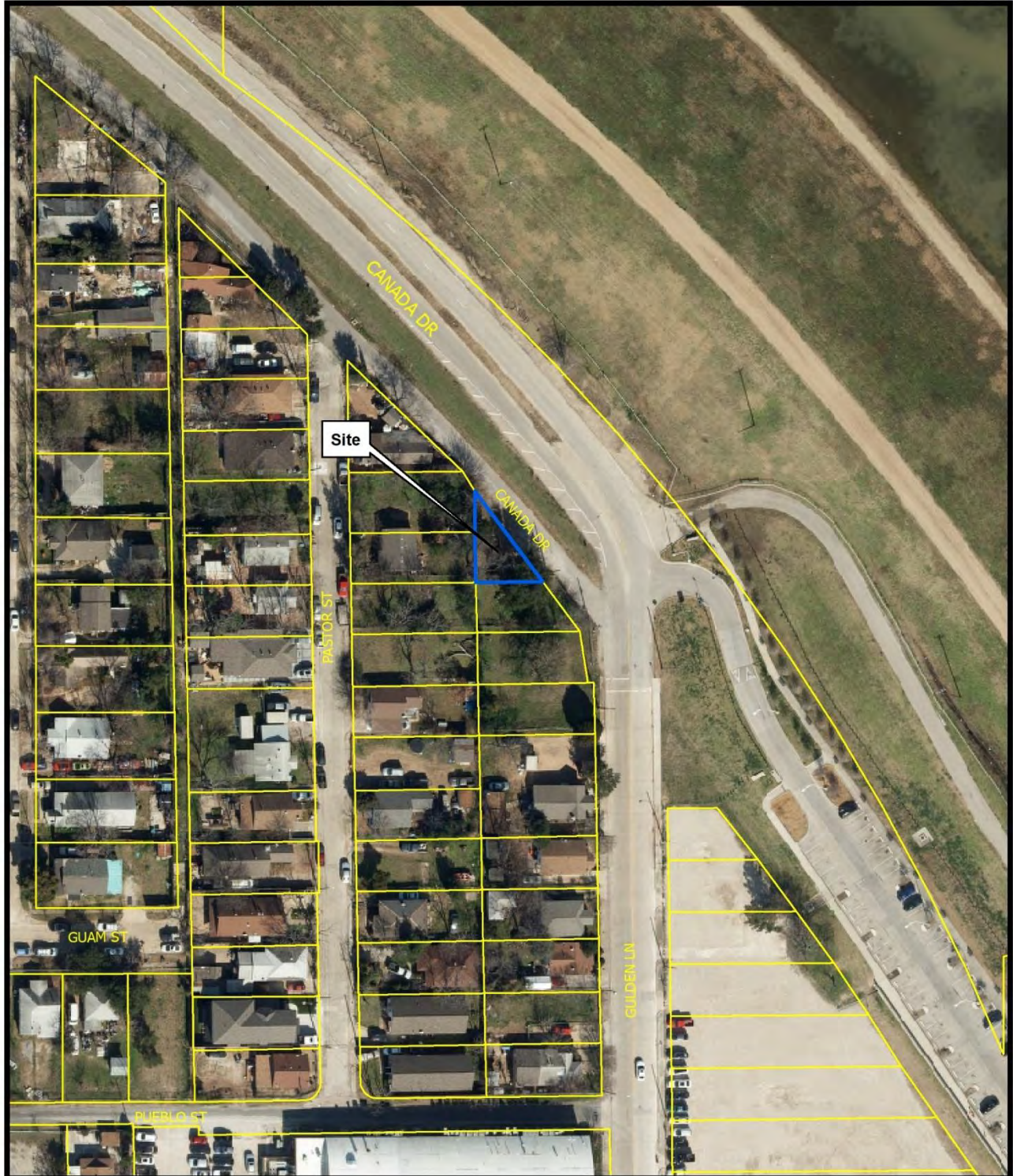
Timeline:

- 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 13, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.
- March 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
 - an attachment that provided the hearing date and panel that will consider the application; the 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

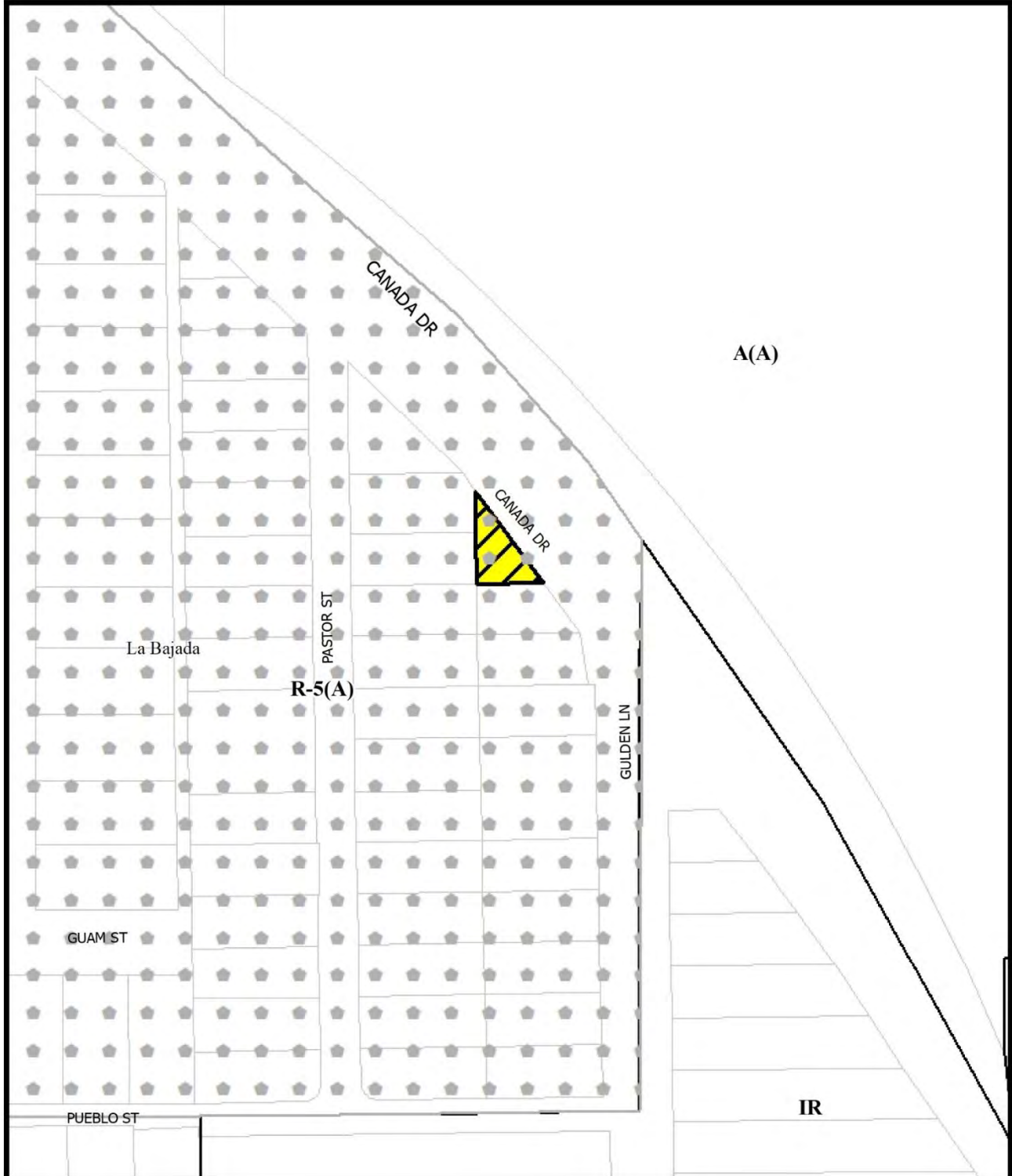



1:1,200

AERIAL MAP

Case no: BDA234-046

Date: 3/12/2024




 1:1,200

ZONING MAP

Case no: BDA234-046
 Date: 3/12/2024




 1:1,200

NOTIFICATION

200'	AREA OF NOTIFICATION
20	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-046**
 Date: **3/12/2024**



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-046			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">20</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	20	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
20	NUMBER OF PROPERTY OWNERS NOTIFIED				

03/12/2024

Notification List of Property Owners

BDA234-046

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	310 CANADA DR	RIVERS EDGE INVESTMENTS LLC
2	3149 CANADA DR	MENDEZ JOE
3	3145 PASTOR ST	MENDEZ JOSE N
4	3141 PASTOR ST	RODRIGUEZ VIVIAN
5	3139 PASTOR ST	GARCIA TOMASA C
6	3135 PASTOR ST	ALVAREZ JOSE M & MARY E
7	3127 PASTOR ST	KEARNS RYAN M
8	3121 PASTOR ST	MARTINEZ JOSEFINA RODRIGUEZ
9	3140 PASTOR ST	SWOFFORD LAURA & JOEY
10	3138 PASTOR ST	PEREZ DOLORES REYNOSA ESTATE OF
11	3134 PASTOR ST	ESTATE OF PEREZ DOLORES REYNOSA
12	3126 PASTOR ST	MENDEZ DANIEL
13	3124 PASTOR ST	CARRASCO JUAN
14	3120 PASTOR ST	GARCIA SAN JUANA R
15	3118 PASTOR ST	GARICA SAN JUANA R &
16	3114 PASTOR ST	RIOS LIVING TRUST
17	3137 GULDEN LN	CARRIZALES RICHARD E &
18	3119 GULDEN LN	HERNANDEZ PRISCILLA A &
19	3115 GULDEN LN	MARTINEZ SILVERIO
20	3118 GULDEN LN	WEST DALLAS INV LP



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

20

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-046**

Date: **3/12/2024**

PUBLIC HEARING

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

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

DATE: MONDAY, APRIL 15th, 2024

BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa0415>

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

BDA234-046(CJ) Application of Audra Buckley for (1) a variance to the front yard setback regulations, and for (2) a variance to the off-street parking regulations, and for (3) a special exception to the visibility obstruction regulations at 310 CANADA DR. This property is more fully described as Block 2/7089, Lot 16 and is zoned R-5(A), which requires a front-yard setback of 20-feet, and requires a parking space must be at least 20-feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley, and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require (1) a 15-foot variance to the front setback regulations, and to construct and/or maintain a single-family residential structure with a setback of 5-feet, which will require (2) a variance of 15-feet to the off-street parking regulations, and to construct and/or maintain a single-family residential structure in a required visibility obstruction triangle, which will require (3) a special exception to the visibility obstruction 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-C-Register> or contact the Development Services Department at 214-670-4127 by the close of business Sunday, April 14th, 2024. All virtual speakers will be required to show their video in order to address the board. 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](https://www.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.

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

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-040
RECEIVED
FEB 23 2024
BY: *[Signature]*

Data Relative to Subject Property: _____ Date: _____
Location address: 310 Canada Drive Zoning District: R-5(A)/NSO 13
Lot No.: 16 Block No.: 2/7089 Acreage: .04 Census Tract: 48113010102
Street Frontage (in Feet): 1) 86' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Rivers Edge Investments, LLC - Josue Correa, Jr.

Applicant: Audra Buckley Telephone: 214-686-3635

Mailing Address: 1414 Belleview Street, Ste 150, Dallas Zip Code: 75215

E-mail Address: permitted.development.dfw@gmail.com

Represented by: Permitted Development, LLC Telephone: 214-686-3635

Mailing Address: 1414 Belleview Street, Ste 150, Dallas Zip Code: 75215

E-mail Address: permitted.development.dfw@gmail.com

Affirm that an appeal has been made for a Variance or Special Exception of _____
a front yard setback reduction from the 20' required to 5' for a variance of 15' and a variance from the parking setback
requirement of 20' to 5' for a variance of 15'. Special exception to the visual obstruction regulations.

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:

These requests will not adversely impact surrounding properties. Property is restrictive in area and shape and cannot be
developed commensurate with properties of the same zoning. Property has an access lane (public ROW) parallel to Canada
Dr that only serves this property. Therefore, front yard and parking setback and visibility triangle reductions won't impede traffic.

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

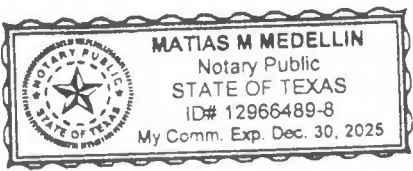
Before me the undersigned on this day personally appeared Audra Buckley
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 27 day of February, 2024

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



**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Audra Buckley

did submit a request for (1) a variance to the front yard setback regulations, and for (2) a variance to the off-street parking regulations
 , and for (3) a special exception to the visibility obstruction regulations
at 310 Canada Dr.

BDA234-046(CJ) Application of Audra Buckley for (1) a variance to the front yard setback regulations, and for (2) a variance to the off-street parking regulations, and for (3) a special exception to the visibility obstruction regulations at 310 CANADA DR. This property is more fully described as Block 2/7089, Lot 16 and is zoned R-5(A), which requires a front-yard setback of 20-feet, and requires a parking space must be at least 20-feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley, and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback, which will require (1) a 15-foot variance to the front setback regulations, and to construct and/or maintain a single-family residential structure with a setback of 5-feet, which will require (2) a variance of 15-feet to the off-street parking regulations, and to construct and/or maintain a single-family residential structure in a required visibility obstruction triangle, which will require (3) a special exception to the visibility obstruction regulation.

Sincerely,


 Andrew Espinoza, CBO, MCP, CFM, CCEA



Appeal number: BDA 234-046

I, Rivers Edge Investments, LLC - Josue Correa, Jr., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 310 Canada Drive
(Address of property as stated on application)

Authorize: Permitted Development, LLC - Audra Buckley
(Applicant's name as stated on application)

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

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

Specify: a front yard setback reduction from the 20' required to 5' for a variance of 15' and a variance from the parking setback requirement of 20' to 5' for a variance of 15'. Special exception to the visual obstruction regulations.

Josue Correa, Jr.
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date 02/23/2024

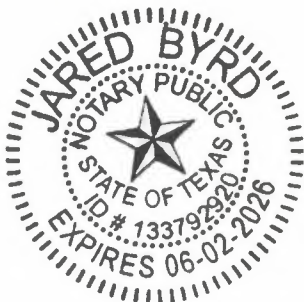
Before me, the undersigned, on this day personally appeared Josue Correa Jr.

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

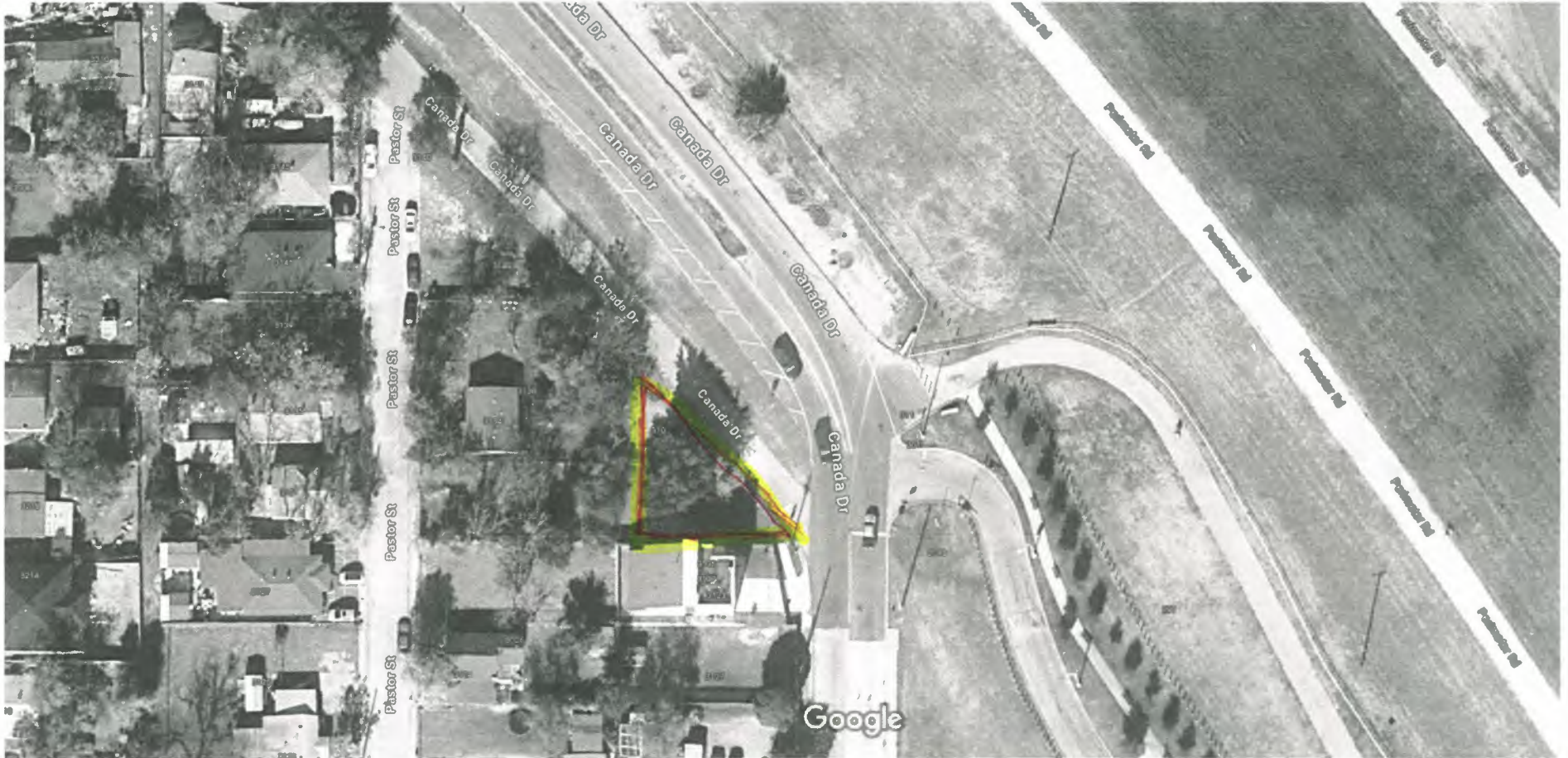
Subscribed and sworn to before me this 23 day of February, 2024

[Signature]
Notary Public for Dallas County, Texas

Commission expires on 06/02/2026

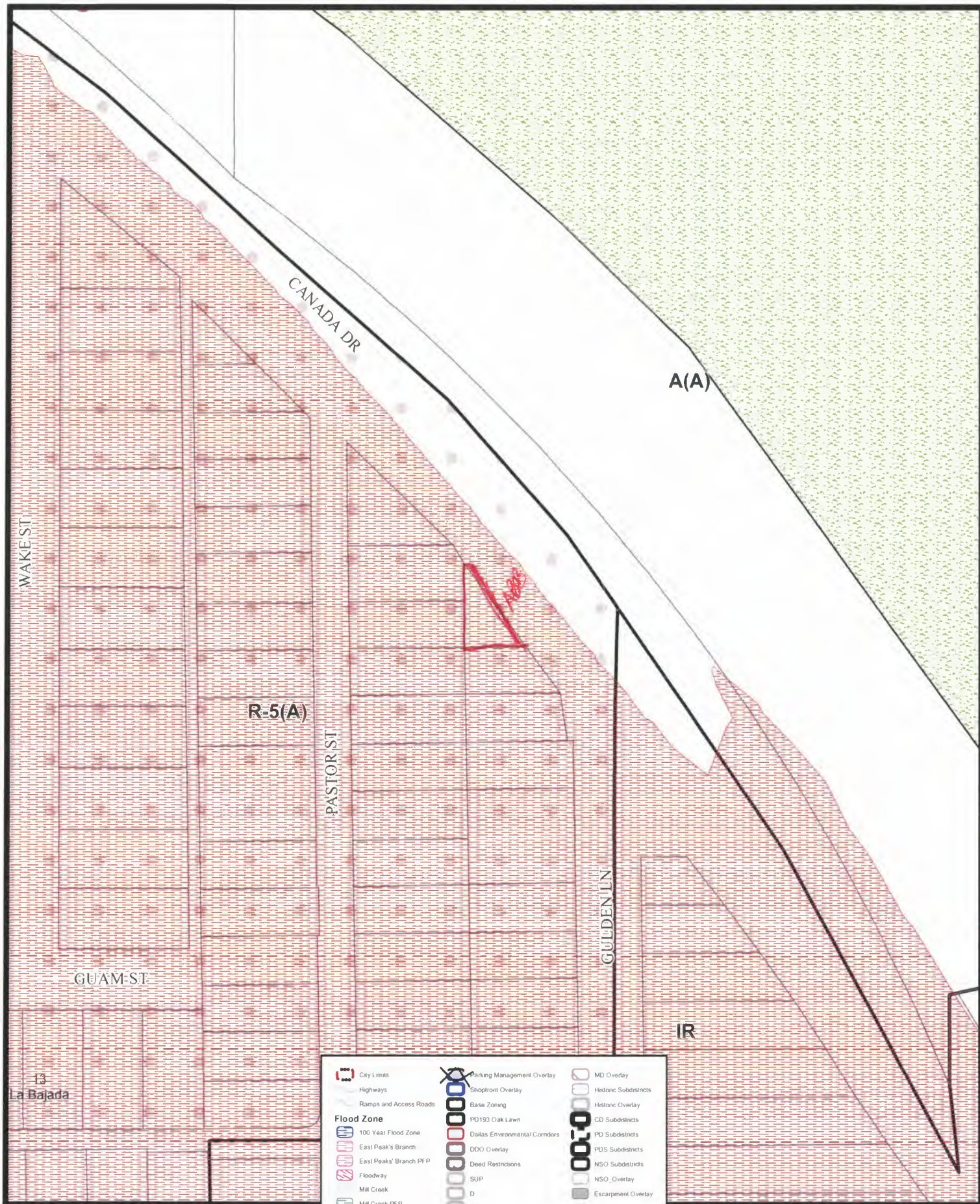


Google Maps



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, Sanborn, U.S. Geological Survey, Map data ©2024 Google 20 ft

BDA 23A-044



13
La Bajada

	City Limits		Parking Management Overlay		MD Overlay
	Highways		Shopfront Overlay		Historic Subdistricts
	Ramps and Access Roads		Base Zoning		Historic Overlay
Flood Zone				PD193 Oak Lawn	CD Subdistricts
	100 Year Flood Zone		Dallas Environmental Corridors		PD Subdistricts
	East Peak's Branch		DDO Overlay		PDS Subdistricts
	East Peak's Branch PFP		Deed Restrictions		NSO Subdistricts
	Floodway		SUP		NSO_Overlay
	Mill Creek		D		Escarpment Overlay
	Mill Creek PFP		D-1		
	Peak's Branch		CP		
	Peak's Branch PFP		SP		
	X Protected by Levee				
	Parks				
	Hoght Map Overlay				

SHIPPED
DATE: 2-20-96
RECEIVED
DATE: 8-16-96

CITY OF DALLAS PLAT BOOKS

ANNEXED DEC 30, 1952 ORD. NO. 5658
SURVEY A. HANNAH ABST. 564

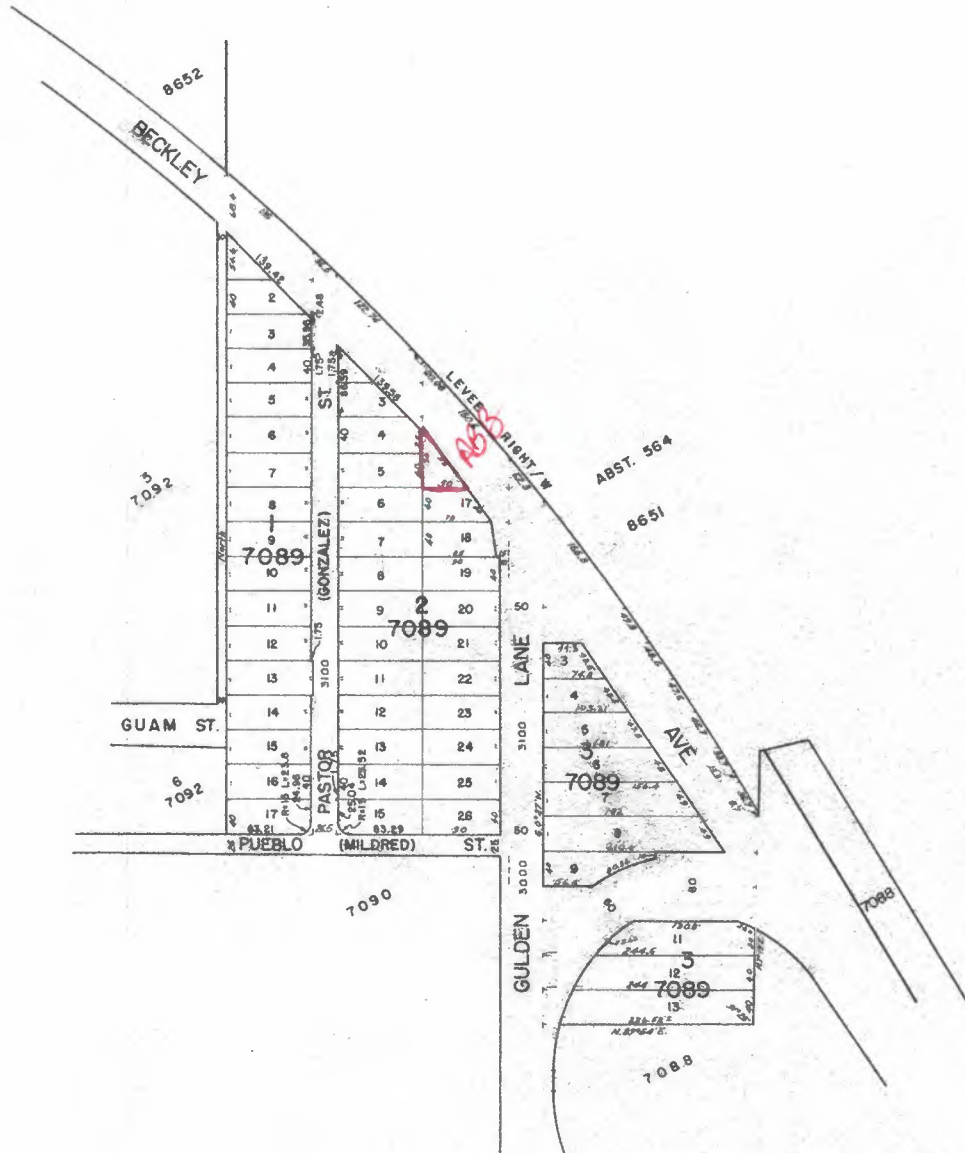
ADDITION EL HOGAR - MEXICANA

1-2-3
BLOCKS 7089

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DIST. DALLAS

RECORDED 12-17-46



BDA 23A-046
4/8



Posting of Notification Sign

PER SEC 51A-1.106 Notification signs required to be obtained and posted

Address: 310 Canada Drive

Appeal Number: BDA 231-040

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

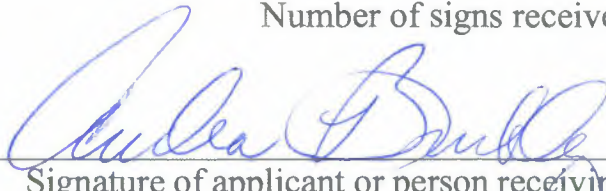
The sign must be posted at a prominent location adjacent to the public street, evenly spaced along each frontage, and easily visible from the street. Failure to properly post the sign(s) may result in either a postponement or denial of the appeal.

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

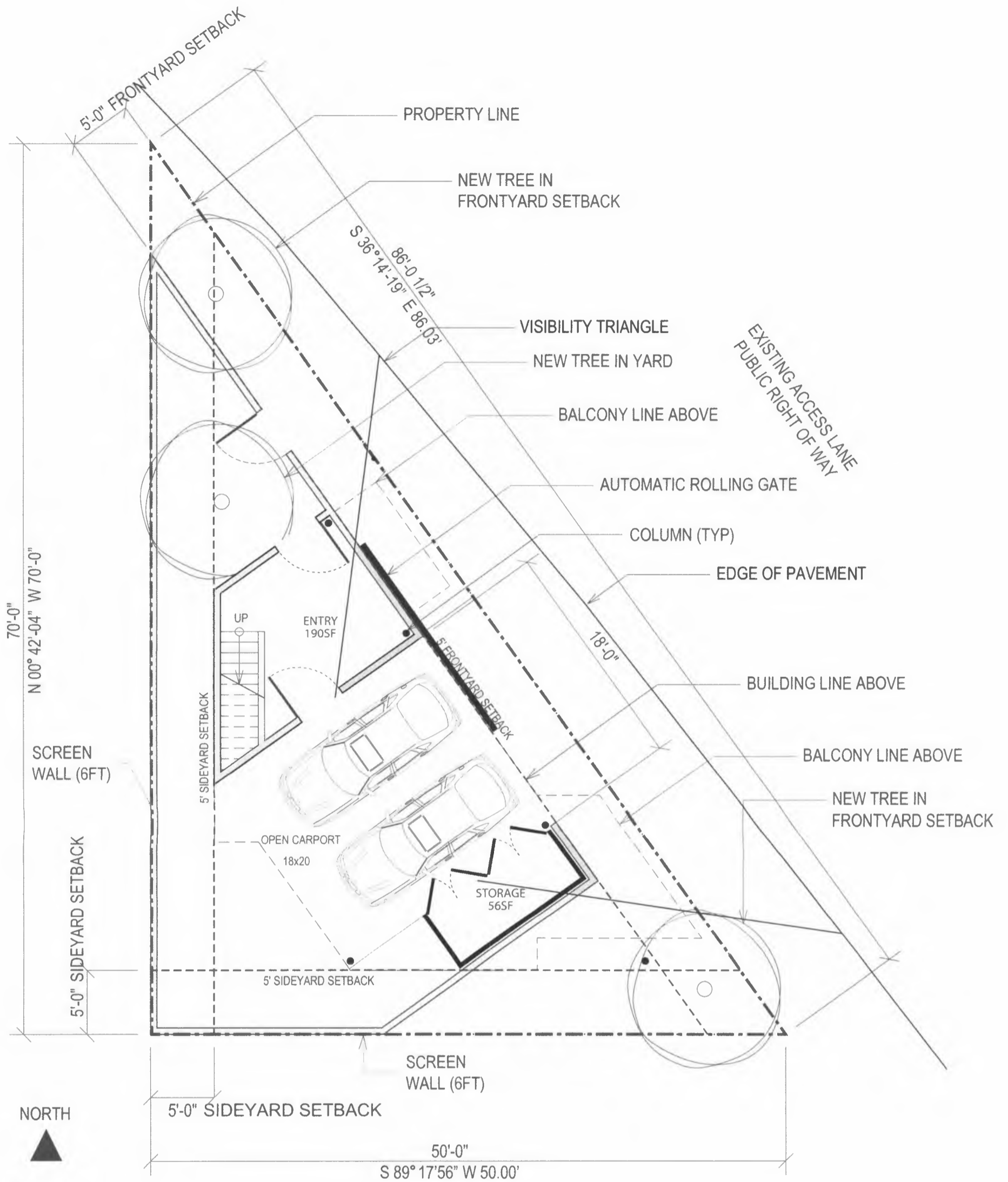
Footage of each street frontage: 86

Number of acres: .04

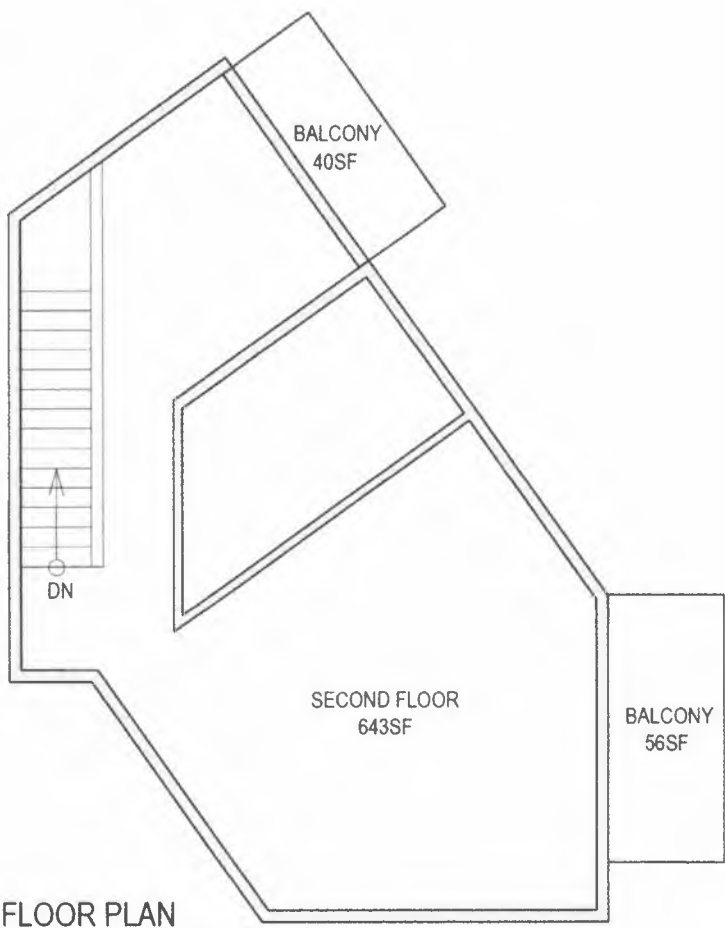
Number of signs received: 1


Signature of applicant or person receiving signs

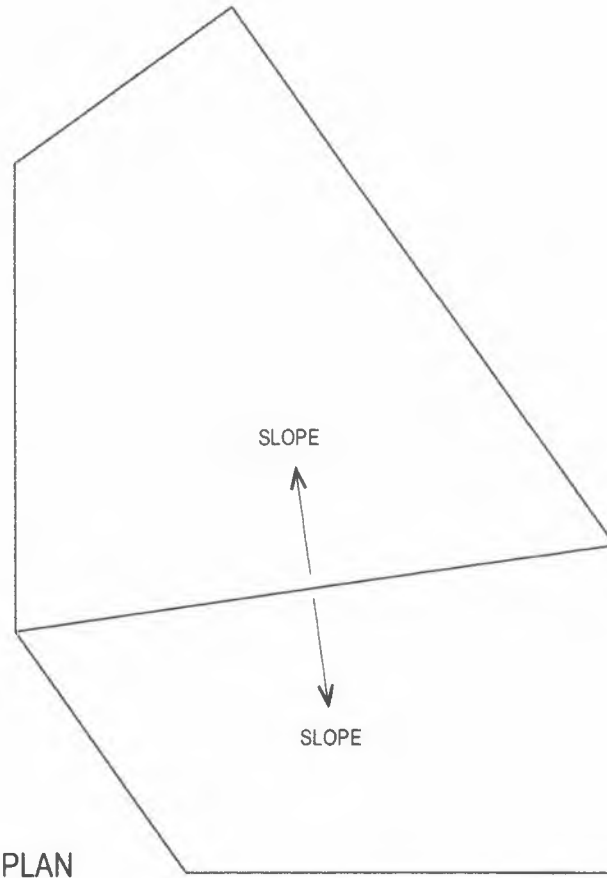
2/23/24
Date



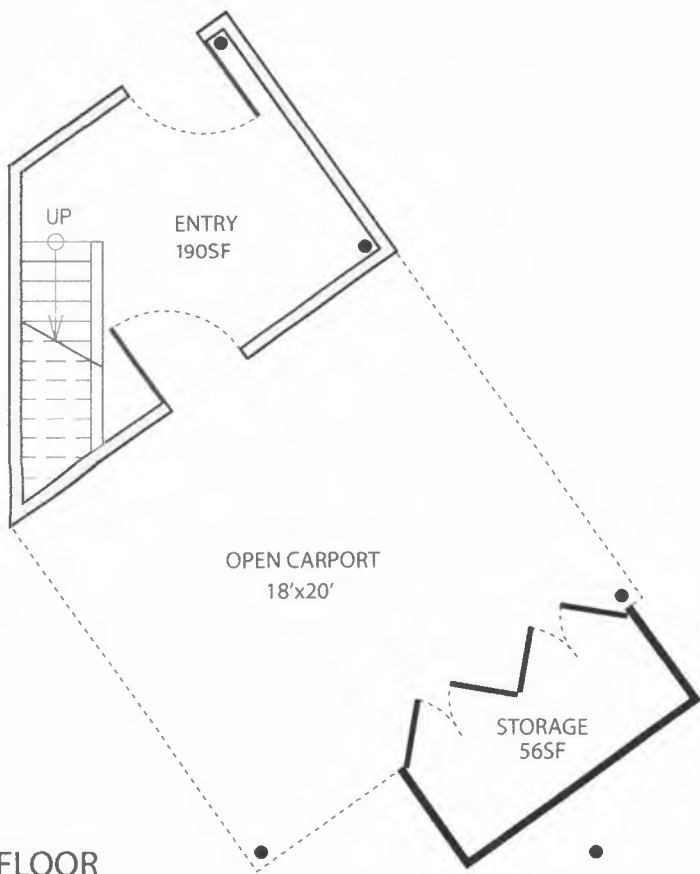
ZONING: R5(a) + NSO #13		
	Existing	Proposed
Site Area	1,750sf	1,750sf
Setbacks	20' frontyard setback 5' sideyard setback	5' frontyard setback 5' sideyard setback
Lot Coverage (max)	45% (788sf)	45% (784sf)
Height (max)	27'	27'
Parking	2, 20' from ROW	2, 5' from ROW
Trees	3, 2 in frontyard	3, 2 in frontyard



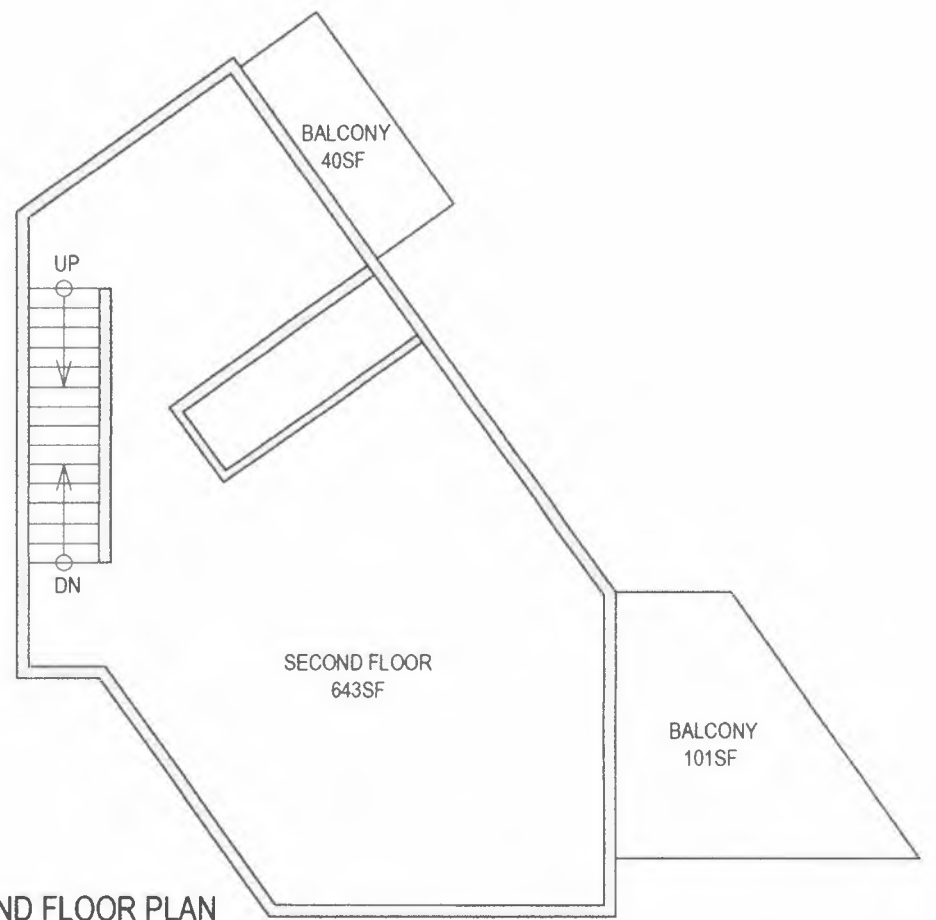
THIRD FLOOR PLAN



ROOF PLAN

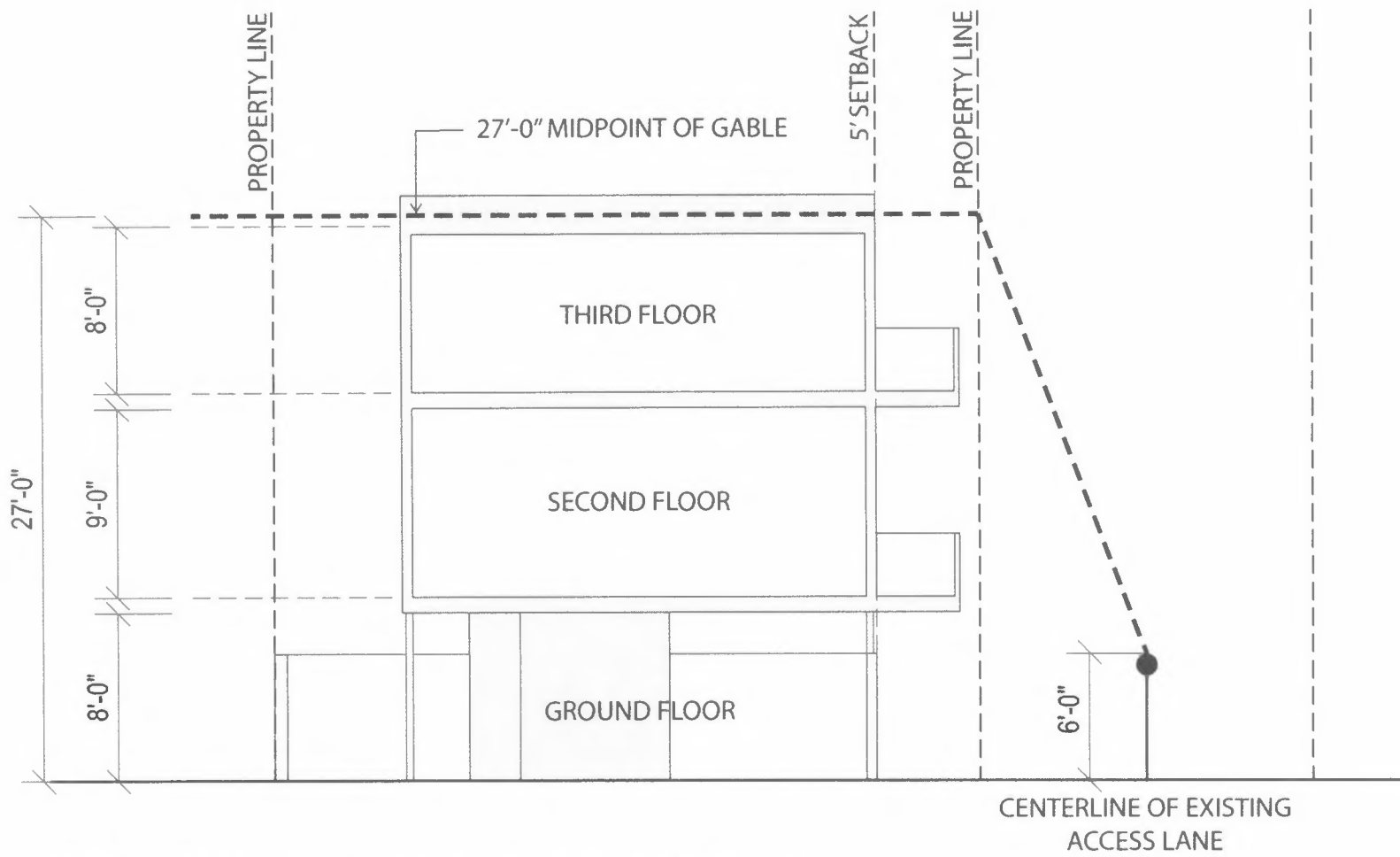


FIRST FLOOR

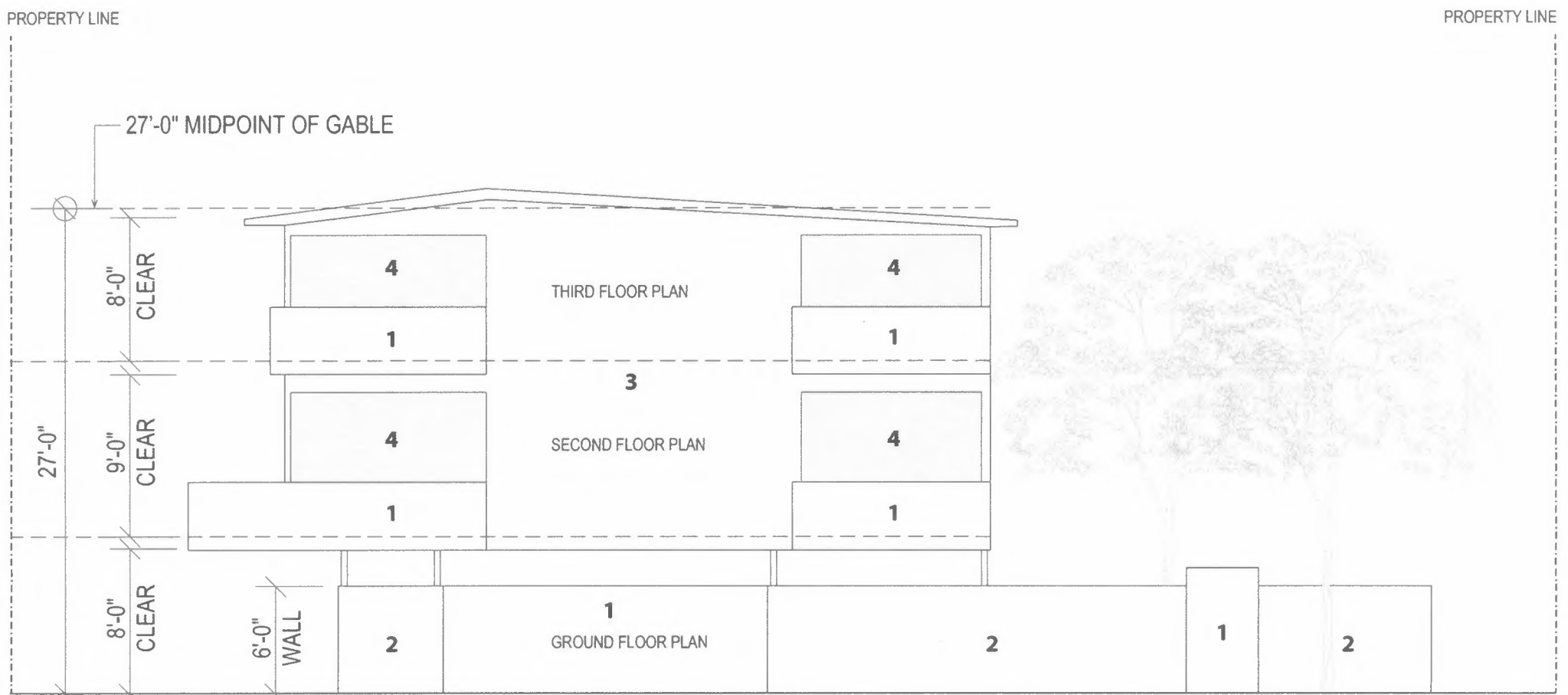


SECOND FLOOR PLAN

	Interior	Exterior
Ground Floor	246sf	360sf
Second Floor	643sf	141sf
Third Floor	643sf	96sf
TOTAL	1,532sf	597sf



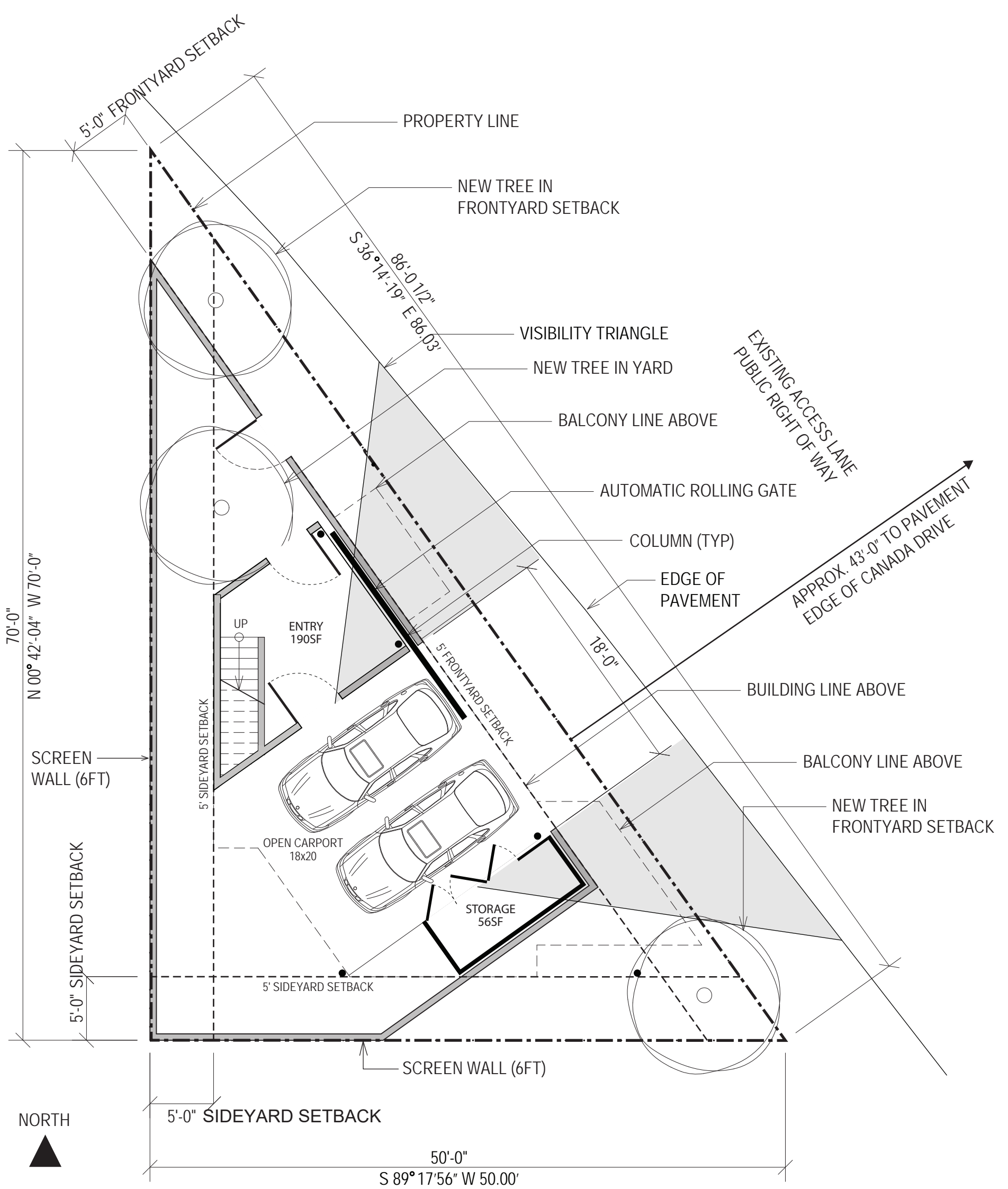
NSO DIAGRAM, CROSS SECTION AT EXISTING ACCESS LANE



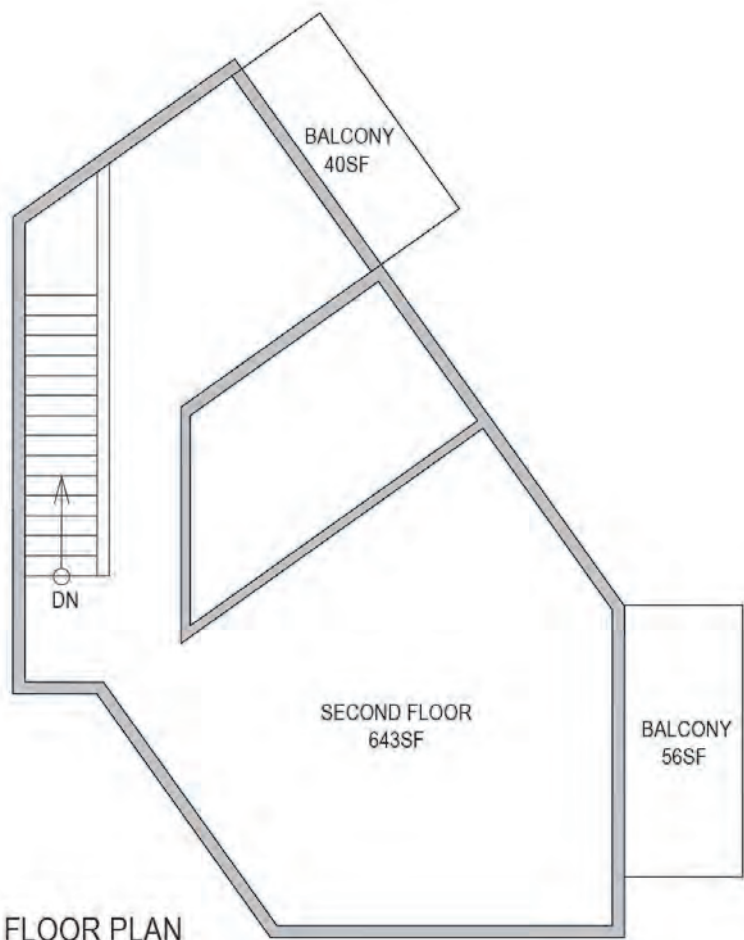
SOUTH-EAST ELEVATION

MATERIALS		
1	Steel	Auto + pedestrian gate + structure + balcony handrails
2	Masonry	Ground floor wall
3	Wood	Siding
4	Glass	Windows

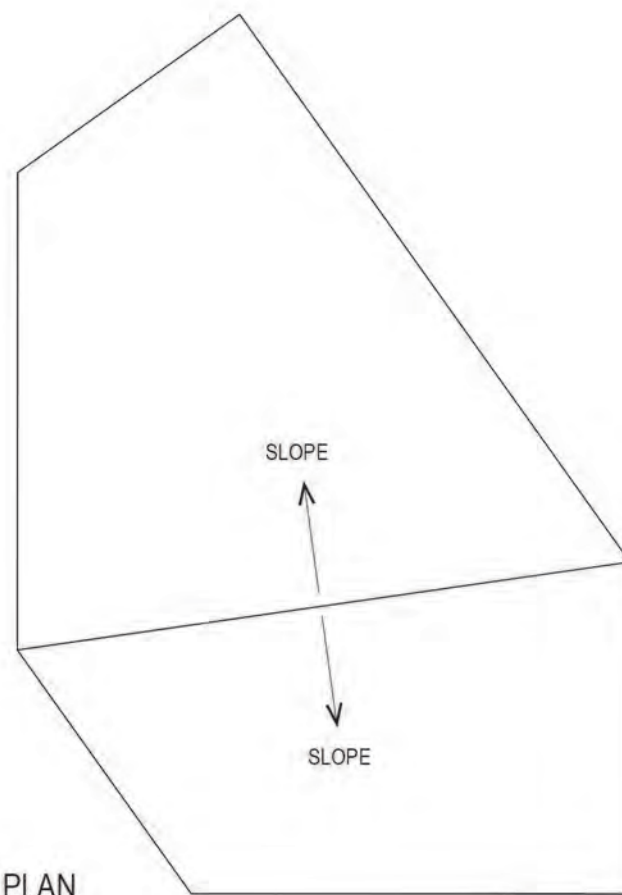
UPDATED SITE PLAN



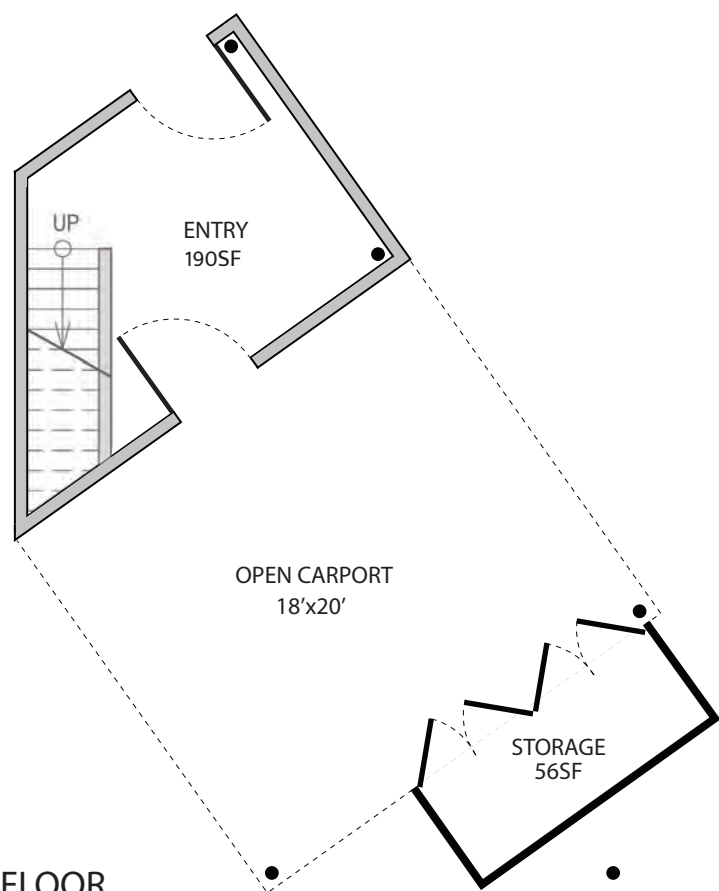
ZONING: R5(a) + NSO #13		
	Existing	Proposed
Site Area	1,750sf	1,750sf
Setbacks	20' front yard setback 5' side yard setback	5' front yard setback 5' side yard setback
Lot Coverage (max)	45% (788sf)	45% (784sf)
Height (max)	27'	27'
Parking	2, 20' from ROW	2, 5' from ROW
Trees	3, 2 in front yard	3, 2 in front yard



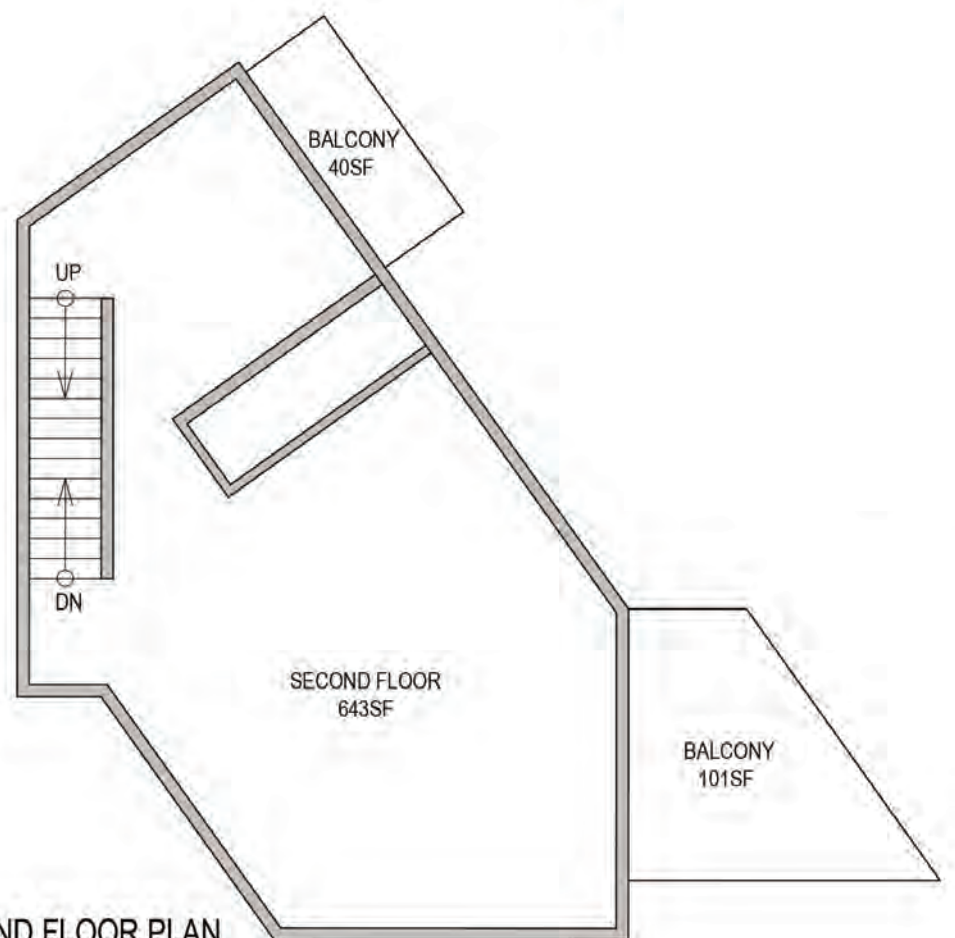
THIRD FLOOR PLAN



ROOF PLAN

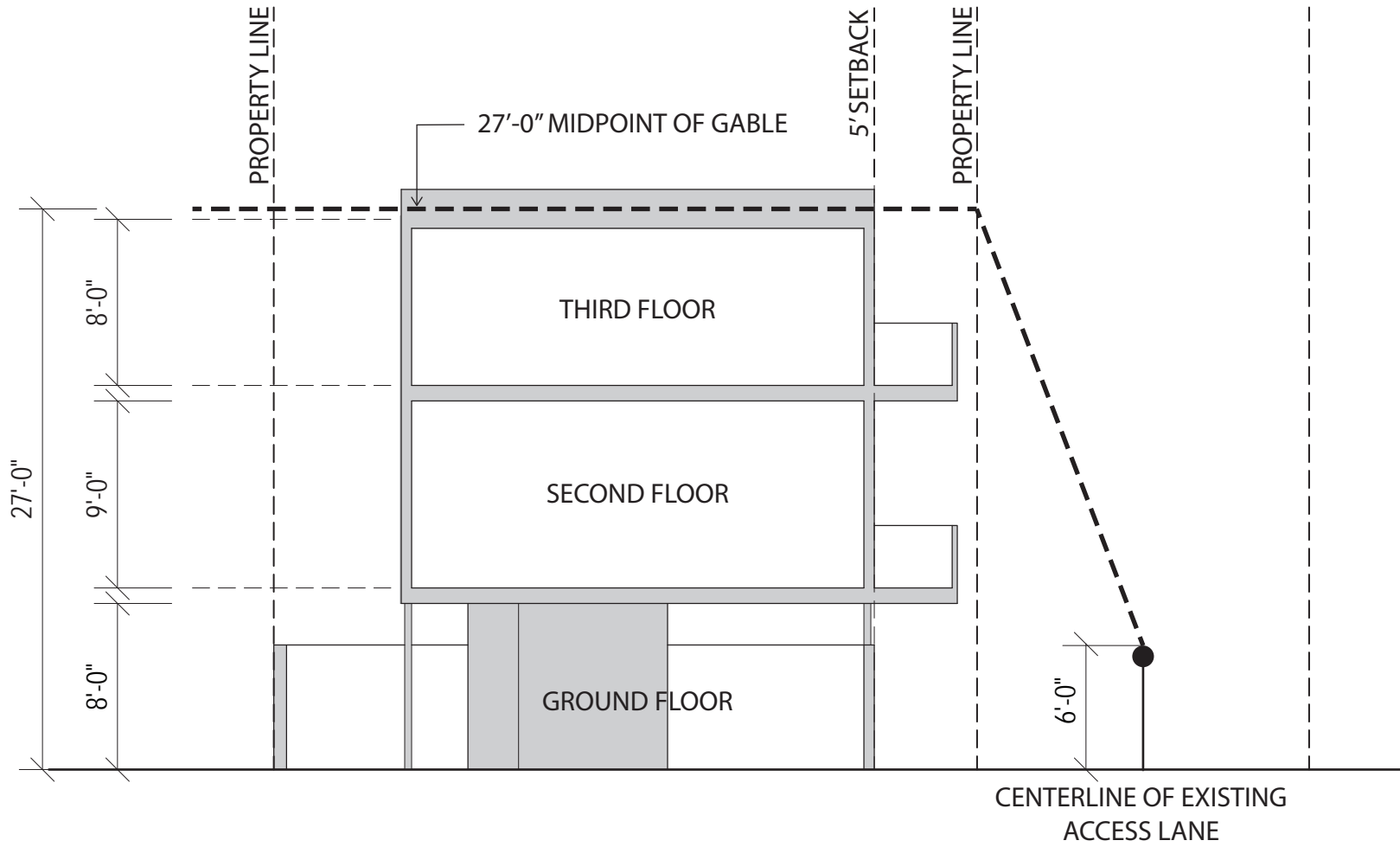


FIRST FLOOR

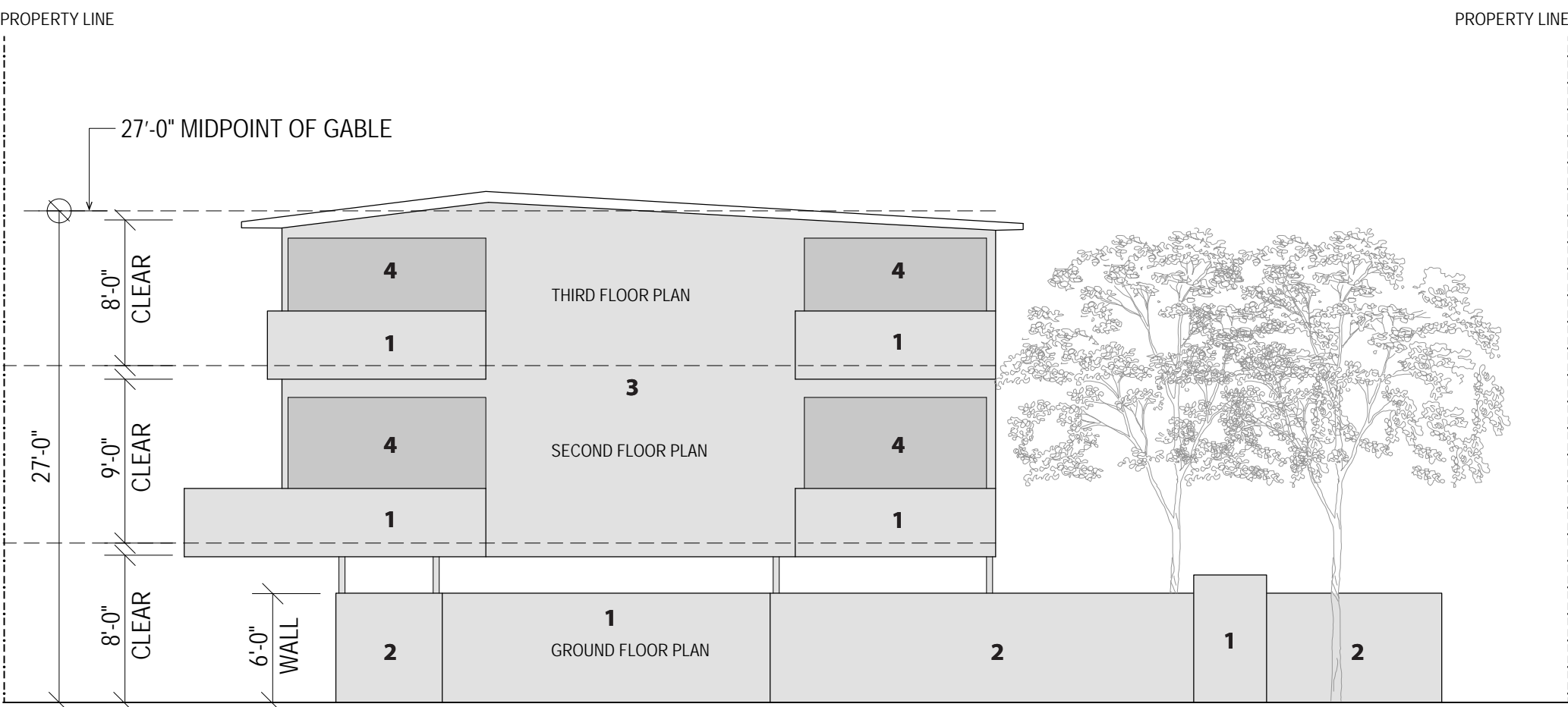


SECOND FLOOR PLAN

	Interior	Exterior
Ground Floor	246sf	360sf
Second Floor	643sf	141sf
Third Floor	643sf	96sf
TOTAL	1,532sf	597sf

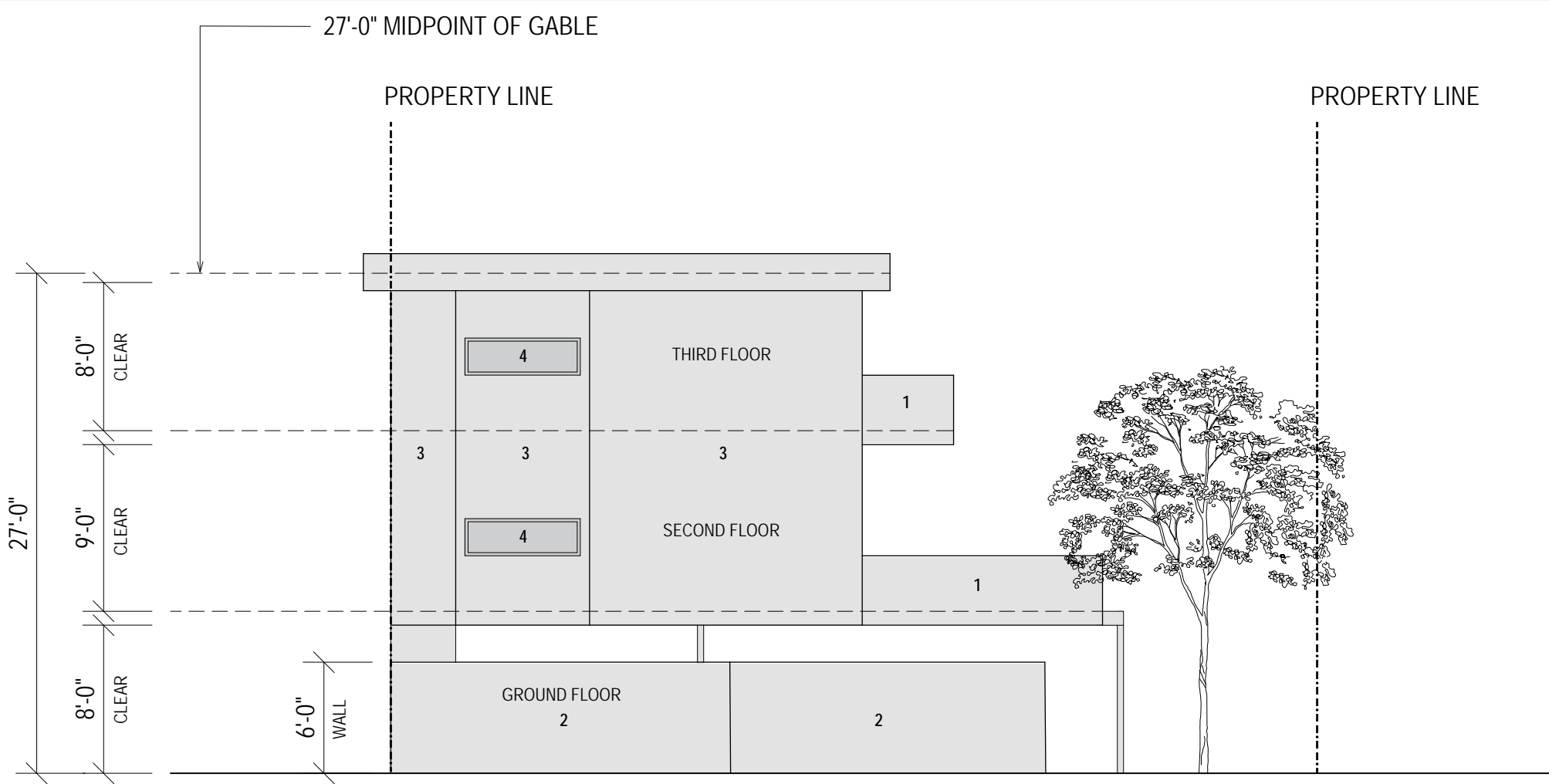


NSO DIAGRAM, CROSS SECTION AT EXISTING ACCESS LANE



SOUTH-EAST ELEVATION

MATERIALS		
1	Steel	Auto + pedestrian gate + structure + balcony handrails
2	Masonry	Ground floor wall
3	Wood	Siding
4	Glass	Windows



NORTH-WEST ELEVATION

MATERIALS		
1	Steel	Auto + pedestrian gate + structure + balcony handrails
2	Masonry	Ground floor wall
3	Wood	Siding
4	Glass	Windows