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**CITY SECRETARY
DALLAS, TEXAS**



City of Dallas

AGENDA

Public Notice

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**POSTED CITY SECRETARY
DALLAS, TX**

BOARD OF ADJUSTMENT (PANEL C)

**DECEMBER 16, 2024, BRIEFING AT 10:30 A.M. AND
THE PUBLIC HEARING AT 1:00 P.M.**

Dallas City Hall, 6ES Council Briefing, and Videoconference

**Video Conference Link: <https://bit.ly/boa1216C>
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 **5 p.m. on Sunday, December 15, 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 las 5 p.m. Domingo, 15 de Diciembre, 2024. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

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|------|------------------------------------|---------------------------|
| I. | Call to Order | Robert Agnich, Vice-Chair |
| II. | Staff Presentation/Briefing | |
| III. | Public Hearing | Board of Adjustment |
| IV. | Public Testimony | |
| V. | Miscellaneous Items | |
| 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]

MISCELLANEOUS ITEM(S)

- Approval of Panel C Minutes – November 18, 2024
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UNCONTESTED CASE(S)

BDA234-140(CJ)	12908 Windfall Circle REQUEST: Application of Jordan DSilva for (1) a variance to the side-yard setback regulations.	1
BDA234-146(CJ)	3226 Lawnview Avenue REQUEST: Application of Raul Cortes Garcia for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations.	2
BDA234-154(CJ)	4119 Mehalia Drive REQUEST: Application of Ana Castro for (1) a variance to the floor area ratio for structures accessory to single-family uses regulations.	3
BDA234-150(BT)	5631 Alta Avenue REQUEST: Application of Rob Baldwin for (1) a variance to the front-yard setback regulations, (2) a special exception to the visibility triangle regulations at the intersection of a street and alley, and (3) a special exception to the visibility triangle regulations at drive approaches.	4

HOLDOVER

BDA234-132(BT)	1000 N. Riverfront Boulevard REQUEST: Application of Andrew Hooper represented by Mike Davis for (1) a special exception to the parking regulations.	5
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INDIVIDUAL CASES

None



BOARD OF ADJUSTMENT

Panel C Minutes

November 18th, 2024

DRAFT

6ES – Council Briefing
24957316190@dallascityhall.webex.com

Robert Agnich, Vice-Chair

PRESENT: [5]

Robert Agnich, VC	
Rodney Milliken	
Jared Slade	
Roger Sashington	
Andrew Finney	

ABSENT: [1]

Judy Pollock	

Vice-Chair Agnich called the briefing to order at **10:41 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 testimony opportunities for individuals to comment on matters that were scheduled on the posted meeting agenda.

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

MISCELLANEOUS ITEMS

It was motion to suspend the Rules of Procedure and allow the docket to be published only 6 days prior to the hearing due to the holiday.

Maker:	Robert Agnich				
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Approval of the Board of Adjustment Panel C, October 21, 2024, Minutes as presented during the briefing.

A motion was made to approve Panel C, October 21, 2024, Public Hearing minutes.

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

Approval of the Board of Adjustment Full Board Meeting Minutes, October 29th, 2024, Minutes as presented during the briefing.

A motion was made to approve Full Board Meeting Minutes, October 29th, 2024.

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

UNCONTESTED ITEMS

1. 5251 Ravine Drive
BDA234-126(CJ)

This case was moved to Individual Cases # 1

BUILDING OFFICIAL’S REPORT: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulations at **5251 Ravine Dr**. This property is more fully described as Block 5/5595, Lot 8, and is zoned R-1 ac(A), which limits the height of a fence in the front-yard to 4-feet, requires a fence panel with a surface area that is less than 50

percent open may not be located less than 5-feet from the front lot line, and requires a 20-foot visibility triangle at driveway approaches.. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway approaches.

LOCATION: 5251 Ravine Drive

APPLICANT: Rob Baldwin

REQUEST:

- (1) A request for a special exception to the fence height regulations; and
- (2) A special exception to the fence standards regulations regarding opacity; and
- (3) A special exception to the 20-foot visibility obstruction regulations at the drive approach.

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

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 5251 Ravine Drive in the last 5 years.

Square Footage:

- This lot contains 36,590.4 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 43,560 square feet or 1 acre.

Zoning:

Site: R-1ac(A) (Single Family District)

North: R-1ac(A) (Single Family District)

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Rob Baldwin property located at 5251 Ravine Drive focuses on 3 requests relating to fence height, fence opacity and visual obstruction regulations.
- The applicant proposes to construct and maintain a 7-foot 6-inch-high fence in a required front yard, which will require a 3-foot 6-inch special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding opacity; the proposed fence material is wrought iron with various sections of brick wall.
- Lastly, the applicant is proposing to maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction regulations at the drive approach on Ravine Drive.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a mid-block lot with single street frontage on Ravine Drive.
- Based upon staff's analysis of the surrounding properties, there are several homes along Ravine Drive with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It has been confirmed that the fence is proposed and not existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations regarding visual obstruction will not constitute a traffic hazard.
- Granting the special exceptions to the fence standards relating to height, opacity and visual obstruction regulations with a condition that the applicant complies with the submitted site

plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BDA234-126 at 5251 Ravine Dr.](#)

Timeline:

September 18, 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.

October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

October 16, 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 October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and November 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.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November 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.

November 8, 2024: Traffic Engineering Program Administrator provided comments stating no objection.

Speakers:

For: Rob Baldwin, 3904 Elm St. # B, Dallas TX 75226

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 234-126, on application of Rob Baldwin, **GRANT** the request of this applicant to construct and/or maintain a 7-foot 6-inch high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Andrew Finney				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Andrew Finney, Rodney Milliken, Jared Slade and Robert Agnich
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 234-126, on application of Rob Baldwin, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Andrew Finney				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Andrew Finney, Rodney Milliken, Jared Slade and Robert Agnich
		Against:	-	0	

Motion # 3

I move that the Board of Adjustment, in Appeal No. BDA 234-126, on application of Rob Baldwin, **GRANT** the request to maintain items in the 20-foot visibility triangle at the drive approach as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

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

Compliance with the most recent version of all submitted plans, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Andrew Finney				
Second:	Rodney Milliken				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Andrew Finney, Rodney Milliken, Jared Slade and Robert Agnich
		Against:	-	0	

2. 8151 Military Parkway
BDA234-131(CJ)

BUILDING OFFICIAL’S REPORT: Application of Jackson Walker represented by Jonathan Vinson for (1) a special exception to the fence height regulations at **8151 MILITARY PKWY**. This property is more fully described as A/6207, Lot 1B, 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 a 6-foot high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations.

LOCATION: 8151 Military Parkway

APPLICANT: Jackson Walker

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 8151 Military Parkway in the last 5 years.

Square Footage:

- This lot contains 486,739.44 of square feet.
- This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet.

Zoning:

- Site: R-7.5 (A) (Single Family District)
North: R-7.5 (A) (Single Family District)
East: Planned Development (PD) 827
South: Multifamily (MF-2(A) and Community Retail (CR)
West: Planned Development (PD) 366

Land Use:

The subject site and areas to the north are zoned R-7.5(A). Surrounding properties to the east are zoned with used permissible in PD 827, properties to the west are zoned with uses permissible in PD 366 and areas to the south are zoned with multifamily (MF-2(A) and community retail (CR) uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application for Jackson Walker property located at 8151 Military Parkway focuses on one request relating to fence height regulations.
- The applicant proposes to construct and maintain a 6-foot fence in required front yards, which will require a 2-foot special exception to the fence height regulations.
- The subject site is developed with an academy school.
- It is imperative to note that the subject site has single street frontage on Military Parkway.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a 6-foot wrought iron fence in the required front yard on Military Parkway.
- Based upon staff's analysis of the surrounding properties, there are a few properties along Military Parkway with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-131 at 8151 Military Pkwy](#)

Timeline:

- September 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.
- October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

October 16, 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 October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 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.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

Motion

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

BDA 234-131 – Application of Jackson Walker, LLP, represented by Jonathan Vinson, for a special exception to the fence height regulations in the Dallas Development Code is **granted** subject to the following condition:

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

Maker:	Rodney Milliken				
Second:	Andrew Finney				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Andrew Finney, Jared Slade, Rodney Milliken and Robert Agnich
		Against:	-	0	

****Board Member Roger Sashington left at 2:16 p.m.****

3. 1000 N. Riverfront Boulevard
BDA234-132(BT)

This case was moved to Individual Cases # 3

BUILDING OFFICIAL'S REPORT: Application of Mike Davis for (1) a special exception to the parking regulations at **1000 N RIVERFRONT BLVD**. This property is more fully described as Block 4/6834, Lot 1A and is zoned PD-621 (Subdistrict 1), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service use and provide 50 of the required 72 parking spaces, which will require (1) a 22 space special exception (31 percent reduction) to the parking regulation.

LOCATION: 1000 N. Riverfront Blvd.

APPLICANT: Andrew Hooper

REPRESENTED BY: Mike Davis

REQUEST:

- (1) Special Exception to the parking regulations

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

SEC 51P-621.110.(2) Parking reduction (D) Special exception of the Dallas Development Code states that The board may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in **SEC 51A-4.311**, minus the number of parking spaces currently not provided due to delta credits, as defined in **SEC 51A-4.704(b)(4)(A)**. The board of adjustment may impose conditions on the special exception.

Section 51A-3.111(a) of the Dallas Development Code specifies that the board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, **that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.**

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the parking regulations since the basis for this type of appeal is when in the opinion of the board, the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.

Square Footage:

This lot size is 7,352.81 sq. ft.

Building Footprint is 4,465 sq. ft. (63.69 percent lot coverage)

Total Floor Area 7,562 sq. ft. (2-story structure)

Zoning:

Site: PD-621 (Subdistrict 1)

North: PD-621 (Subdistrict 1)

South: PD-621 (Subdistrict 1)

East: PD-621 (Subdistrict 1)

West: PD-621 (Subdistrict 1A) & PD-621 (Subdistrict 1D)

Land Use:

The subject site proposes use is for a restaurant without drive-in or drive-through service. The areas to the north, south, east, and west are developed with various uses.

BDA HISTORY:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Andrew Hooper represented by Mike Davis for the property located at 1000 N. Riverfront Blvd. focuses on one request relating to the parking regulations.
- A request for a special exception to the parking regulations of a 22-space special exception (31 percent reduction) is made to construct and/or maintain a nonresidential structure.
- PD-621 (Subdistrict 1) requires one parking space per 105 square feet of floor area for restaurant without drive-in or drive-through service ($7,562 / 105 = 72.019$).
- The applicant proposes to provide 7 total on-site parking spaces
- The applicant proposes to use 43 parking spaces across Payne St. w/Parking Agreement
- The applicant proposes to use 22 parking spaces w/Parking Agreement at 201 Continental.
- The subject site is currently under construction.
- N. Riverfront Blvd. is a major thoroughfare (8 Lanes with Bike Plan)
- Granting the proposed 22-space special exception (31 percent reduction) to the parking regulations will reduce the number of Parking Agreements required from 2 to 1, with a condition that the special exception of 22 spaces shall automatically and immediately terminate if and when the restaurant without drive-in or drive-through service use is charged or discontinued.
- 200' Radius Video:

Timeline:

September 24, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

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

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 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.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November 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: Mike Davis, PO Box 151434, Dallas TX 75215

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA234-132, **HOLD** this matter under advisement until December 16, 2024, with the finding of fact that the applicant did not comply with the notification sign posting requirements of Section 51A-1.106 of the Dallas Development Code.

Maker:	Andrew Finney				
Second:	Rodney Milliken				
Results:	4-0 Unanimously				Motion to hold
		Ayes:	-	4	Rodney Milliken, Judy Pollock, Jared Slade, Robert Agnich
		Against:	-	0	

4. 6506 N. Frankford Road
BDA234-136(BT)

This case was moved to Individual Cases # 2

BUILDING OFFICIAL’S REPORT: Application of Moshe Tropper for (1) a special exception to the fence height regulations along Davenport Road; for (2) a special exception to the fence height regulations along Frankford Road; and for (3) a special exception to the fence height regulations along Windpiper Drive at **6506 FRANKFORD RD**. This property is more fully described as Block Q/8727, Lot6A and is zoned PD-106 (SUP 1288), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations along Davenport Road, to construct and/or maintain an 8-foot high fence in a required front-yard along Frankford Road, which will require (2) a 4-foot special exception to the fence height regulations, and to construct and/or maintain an 8-foot high fence in a required front-yard along Windpiper Drive, which will require (3) a 4-foot special exception to the fence height regulations.

LOCATION: 6506 Frankford Rd.

APPLICANT: Moshe Tropper

REQUEST:

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

- (6) A request for a special exception to the fence height regulations
- (7) A request for a special exception to the fence height regulations

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: PD-106 (SUP 1288)
North: R-7.5(A) and PD-268 (Area D)
East: PD-106
South: PD-106
West: R-7.5(A) and CR

Land Use:

The subject site is part of SUP 1288 Private School use and all surrounding properties are developed with single-family uses and some CR uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Moshe Tropper for the property located at 6506 Frankford Rd. focuses on three requests relating to the fence height.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Davenport Road, which will require a 4-foot special exception to the fence height regulations.
- The second request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Frankford Road, which will require a 4-foot special exception to the fence height regulations.
- The third request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Windpiper Drive, which will require a 4-foot special exception to the fence height regulations.

- The subject site is a private school with majority of the surroundings properties to the north, south, east, and west all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace existing fencing and gates surrounding the street frontage of the property.
- Based upon staff's analysis of the surrounding properties, many provided tall fencing serving as a screening mechanism along Frankford Road and Davenport Road
- Both Davenport Road and Frankford Road, are identified as major thoroughfares.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

Timeline:

- September 30, 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.
- October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.
- October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 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.
- November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November 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: Moshe Tropper, 6506 Frankford Rd., Dallas TX 75252
Eli Kaufman, 6506 Frankford Rd., Dallas TX 75252

Against: None

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 234-136, on application of Moshe Tropper, **GRANT** the request of this applicant to construct and/or maintain an 8-foot high fence along Davenport Road as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Andrew Finney				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Rodney Milliken, Andrew Finney, Jared Slade, Roger Sashington and Robert Agnich
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 234-136, on application of Moshe Tropper, **GRANT** the request of this applicant to construct and/or maintain an 8-foot high fence along Frankford Road as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Andrew Finney				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Rodney Milliken, Andrew Finney, Jared Slade, Roger Sashington and Robert Agnich
		Against:	-	0	

Motion # 3

I move that the Board of Adjustment, in Appeal No. BDA 234-136, on application of Moshe Tropper, **GRANT** the request of this applicant to construct and/or maintain an 8-foot high fence along Windpiper Drive as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Andrew Finney				
Second:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Rodney Milliken, Andrew Finney, Jared Slade, Roger Sashington and Robert Agnich
		Against:	-	0	

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice-Chair Agnich moved to adjourn the meeting at **2:48 P.M.**

Required Signature:
Mary Williams, Board Secretary
Planning and Development.

Date

Required Signature:
Dr. Kameka Miller-Hoskins – Chief Administrator
Planning & Development

Date

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

Date

FILE NUMBER: BDA234-140 (CJ)

BUILDING OFFICIAL’S REPORT: Application of Jordan DSilva for **(1)** a variance to the side-yard setback regulations at **12908 Windfall Circle**. This property is more fully described as 4/8788, Lot 5 and is zoned R-10(A), which requires a 6-foot side-yard setback. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 2-foot 6-inch side-yard setback, which will require a **(1)** 3-foot 6-inch variance to the side-yard setback regulations.

LOCATION: 12908 Windfall Circle

APPLICANT: Jordan DSilva

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

- 1. Variance to the front yard setback regulations

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. Though the subject site is not sloped or irregularly shaped, it is only 8,189.28 sq ft. which is smaller than the minimum lot size for residential use in the R-10(A) zoning district (10,000 sq ft.); therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 12908 Windfall Circle within the last 5 years.

Square Footage:

This lot contains 8,189.28 of square feet.

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

Site: R-10(A) (Single Family District)

North: R-10(A) (Single Family District)

East: R-10(A) (Single Family District)

South: R-10(A) (Single Family District)

West: R-10(A) (Single Family District)

Land Use:

The subject site and areas to the north, south, east, and west are zoned R-10(A).

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Jordan DSilva property located at 12908 Windfall Circle focuses on 1 request relating to the side yard setback regulations.
- A request for a variance to the side yard setback regulations of 3-feet 6-inches is made to construct and/or maintain a single-family residential structure; zoning district R-10(A) requires a 6-foot side yard setback.
- The subject site is a mid-block lot and has single street frontage on Windfall Circle.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- The subject site is currently developed with a single-family structure and located within an established neighborhood.

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

- That granting the variance 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:

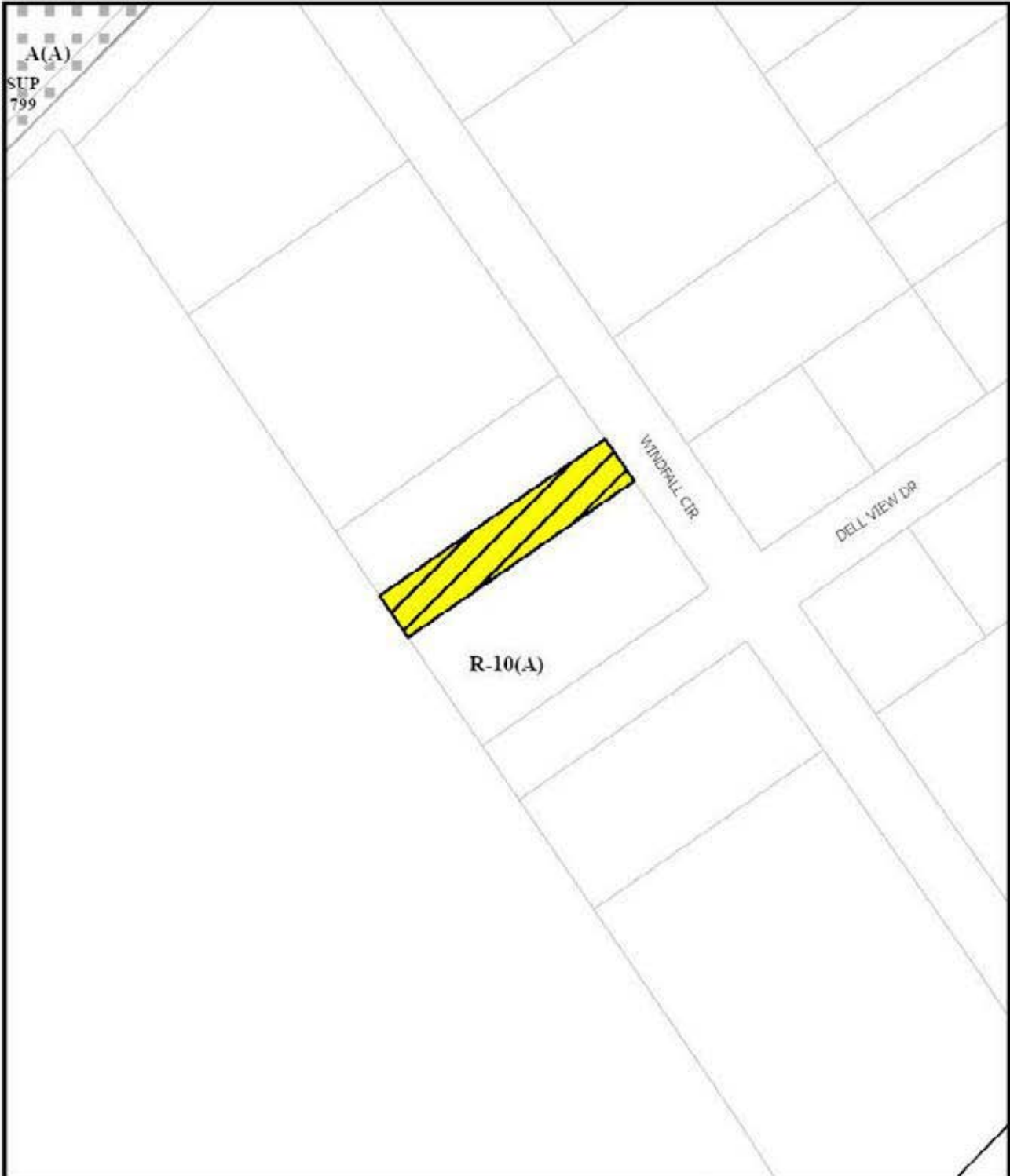
- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
- (b) compliance would result in a loss 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 variance below 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.
 - 3-foot 6-inches variance to the side yard setback regulations.
 - 200' Radius Video: [BDA234-140 at 12908 Windfall Circle](#)

Timeline:

- October 17, 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.
- November 4, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- November 13, 2024: The Planning and Development Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the November 22, 2024, deadline to submit additional evidence for staff to factor into their analysis; and December 6, 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.
- December 4, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.







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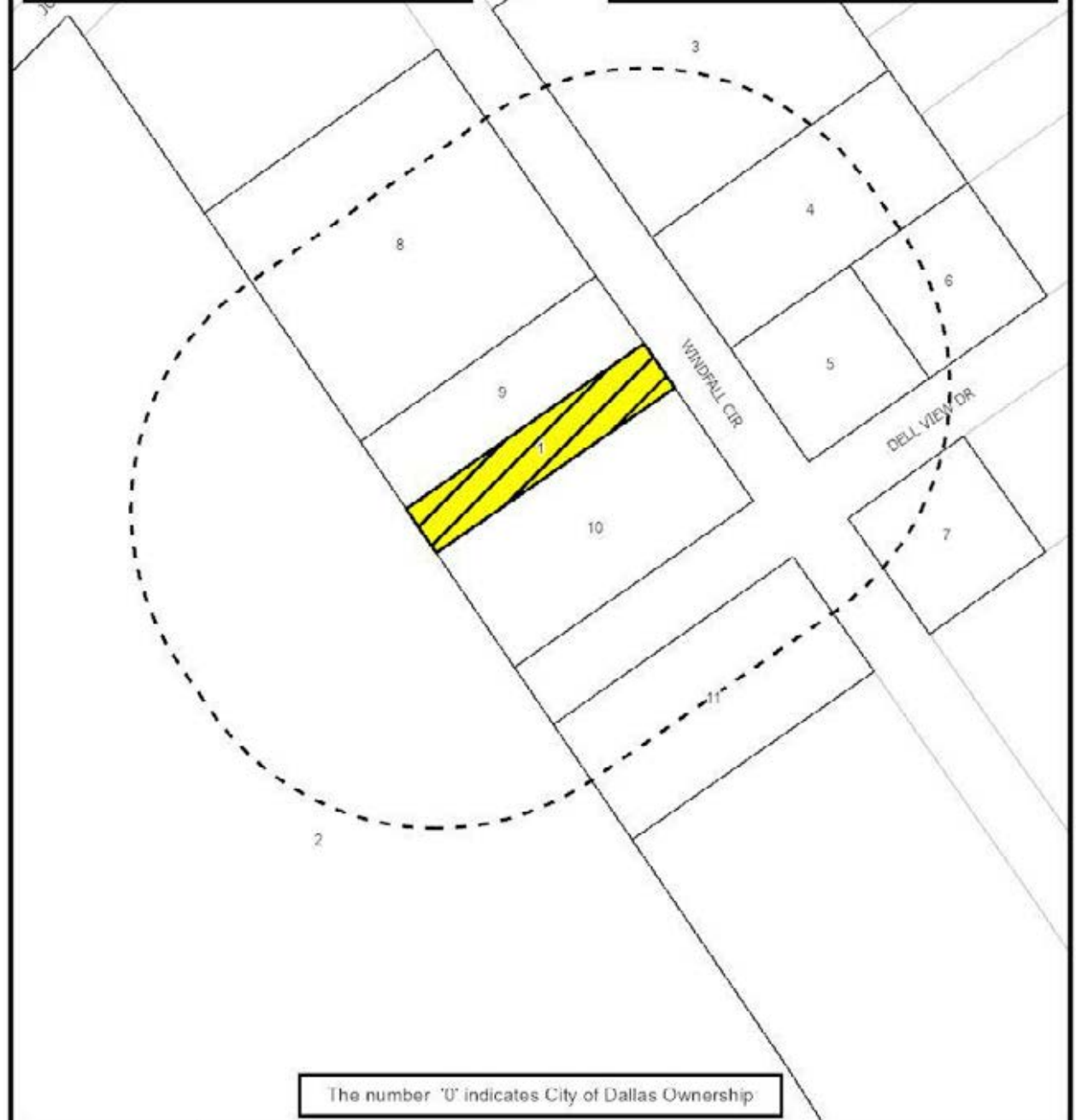
ZONING MAP

Case no: BDA234-140

Date: 11/08/2024

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

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

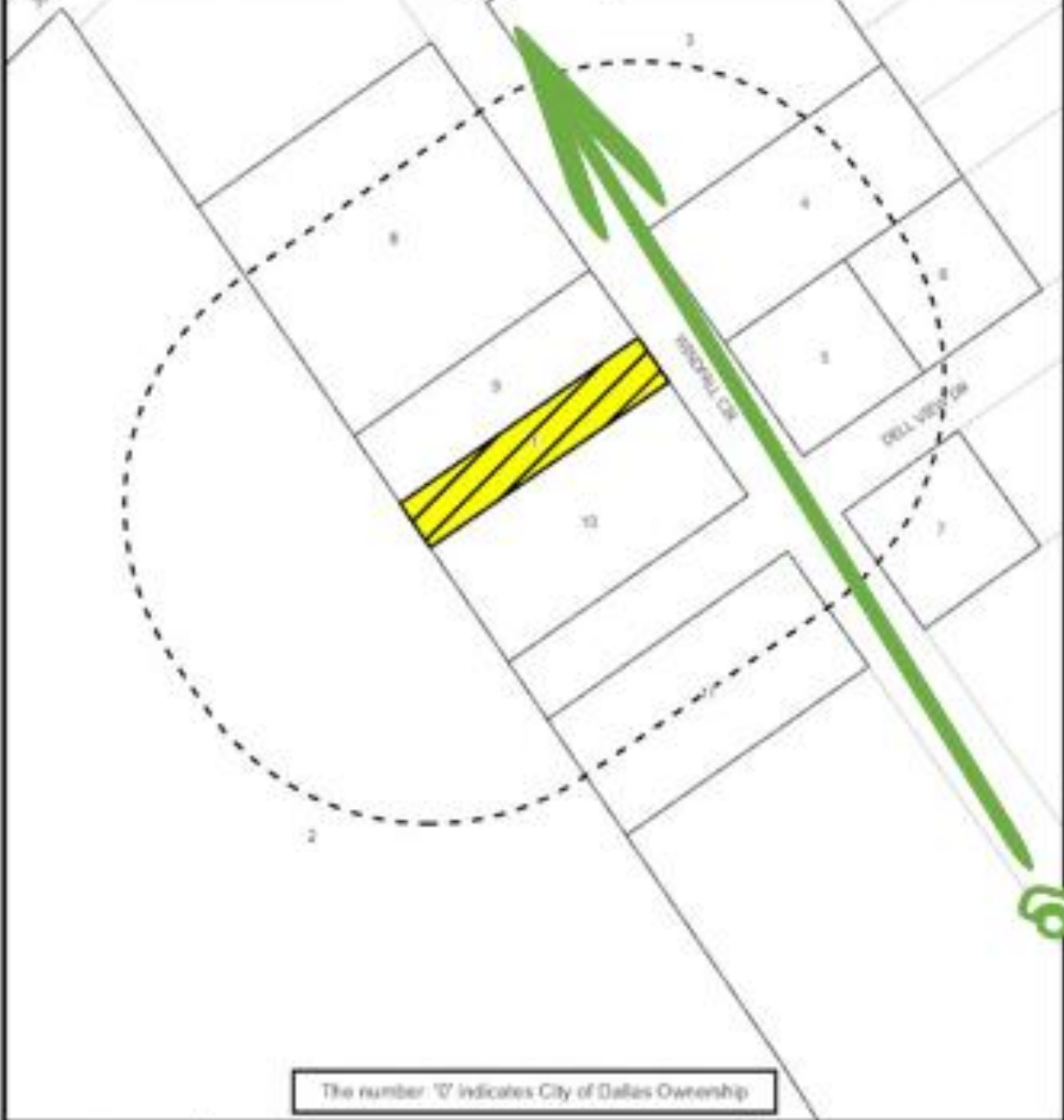


The number '0' indicates City of Dallas Ownership

 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-140
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">11</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 11/8/2024

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

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11/08/2024

Notification List of Property Owners

BDA234-140

11 Property Owners Notified

Label #	Address	Owner
1	12908 WINDFALL CIR	DAILVA JOHN LLC
2	12535 FOOTHILL DR	SHORTNACY LEONARD MICHAEL
3	12929 WINDFALL CIR	LOPEZ PATRICIA
4	12915 WINDFALL CIR	LOPEZ ALONSO & PATRICIA
5	2529 DELL VIEW DR	DONLIN LIVING TRUST THE
6	2517 DELL VIEW DR	MADDOX HERSCHEL W
7	2530 DELL VIEW DR	BUSTOS EDUARDO SAUCEDO
8	12930 WINDFALL CIR	SAUCEDO DIANA & EDUARDO
9	12920 WINDFALL CIR	RAFAEL FROYLAN SALAZAR &
10	12904 WINDFALL CIR	QUICK DEAL PROPERTIES LLC
11	12902 WINDFALL CIR	CARDENAS AMANDO

 1:1,200	NOTIFICATION	Case no: BDA234-140
	200' AREA OF NOTIFICATION 11 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/8/2024



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

234-140

Date:

FOR OFFICE USE ONLY

OCT 17 2024

Data Relative to Subject Property:

Location address: 12908 Windfall Cir Dallas, TX Zoning District: R10(A)

Lot No.: 5 Block No.: 4/8788 Acreage: 0.188

Census Tract:

Street Frontage (in Feet): 1) 40 2) 210 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): John Dsilva, LLC

Applicant: Jordan Dsilva

Telephone: (214) 886-7947

Mailing Address: 3455 Highland Ste. 200

Zip Code: 75228

E-mail Address: jordan@webcityproperties.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 ~~requesting a~~

~~variance for front setback of 11'-5"; the current structure~~

~~is 10'-77"~~ As well as a request for a side yard setback variance for 2-2 since existing home is at 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:

We are requesting a variance because the City of Dallas Project Coordinator deemed our property non-compliant with front yard setbacks after a partial demo. However, we didn't alter the front yard setback, the original front wall remains intact.

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 Jordan Dsilva

(Affiant/Applicant's name printed)

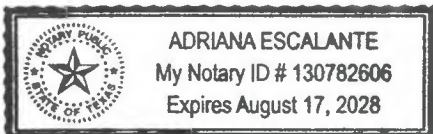
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

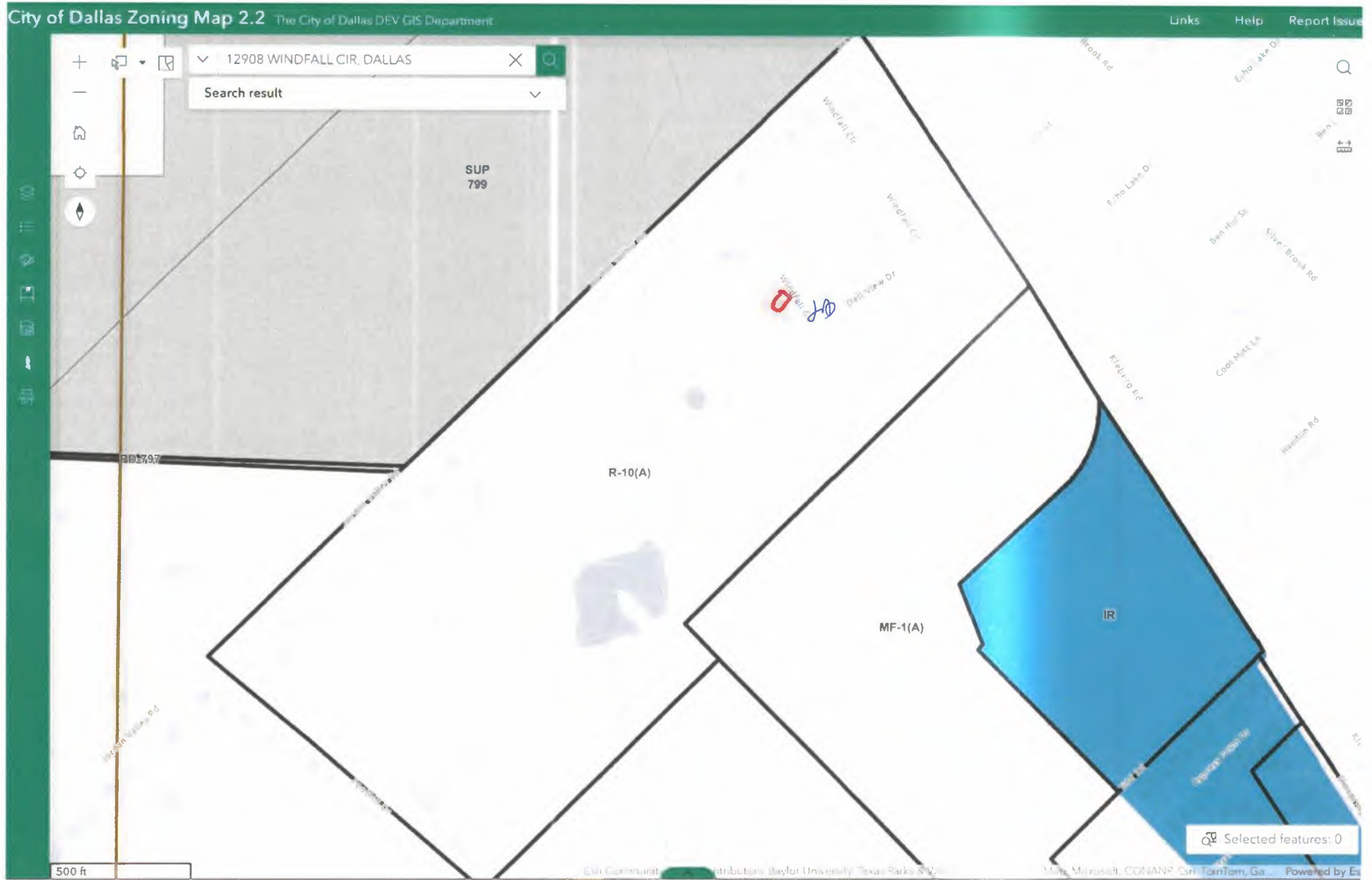
Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 16th day of September, 2024

Notary Public in and for Dallas County, Texas







NEW SITE PLAN
SCALE 1/8" = 1' 0"



STUDIO MAS+ ARCHITECTS

ARCHITECTURE • PLANNING • INTERIORS
10440 E NORTHWEST HWY
SUITE 301
DALLAS, TX 75238
214 659 4584

CLIENT
JORDAN DSILVA
WEB CITY
PROPERTIES

PROJECT NAME:
WINDFALL RESIDENCE

PROJECT ADDRESS:
PORTION OF LOT 5, BLOCK
48788, CHESTER DAVIS
ADDITION CITY OF DALLAS,
DALLAS COUNTY, TEXAS
12908 WINDFALL CIRCLE

STRUCTURAL ENGINEER:
Falkolske Engineering, Inc.
Structural Engineering Consultants
TX Reg. Engineering Firm F-4038
722 North Fielder Road
Arlington, Texas 76012
(817) 261-8300



Jordan Silva
DATE: 02/21/2024

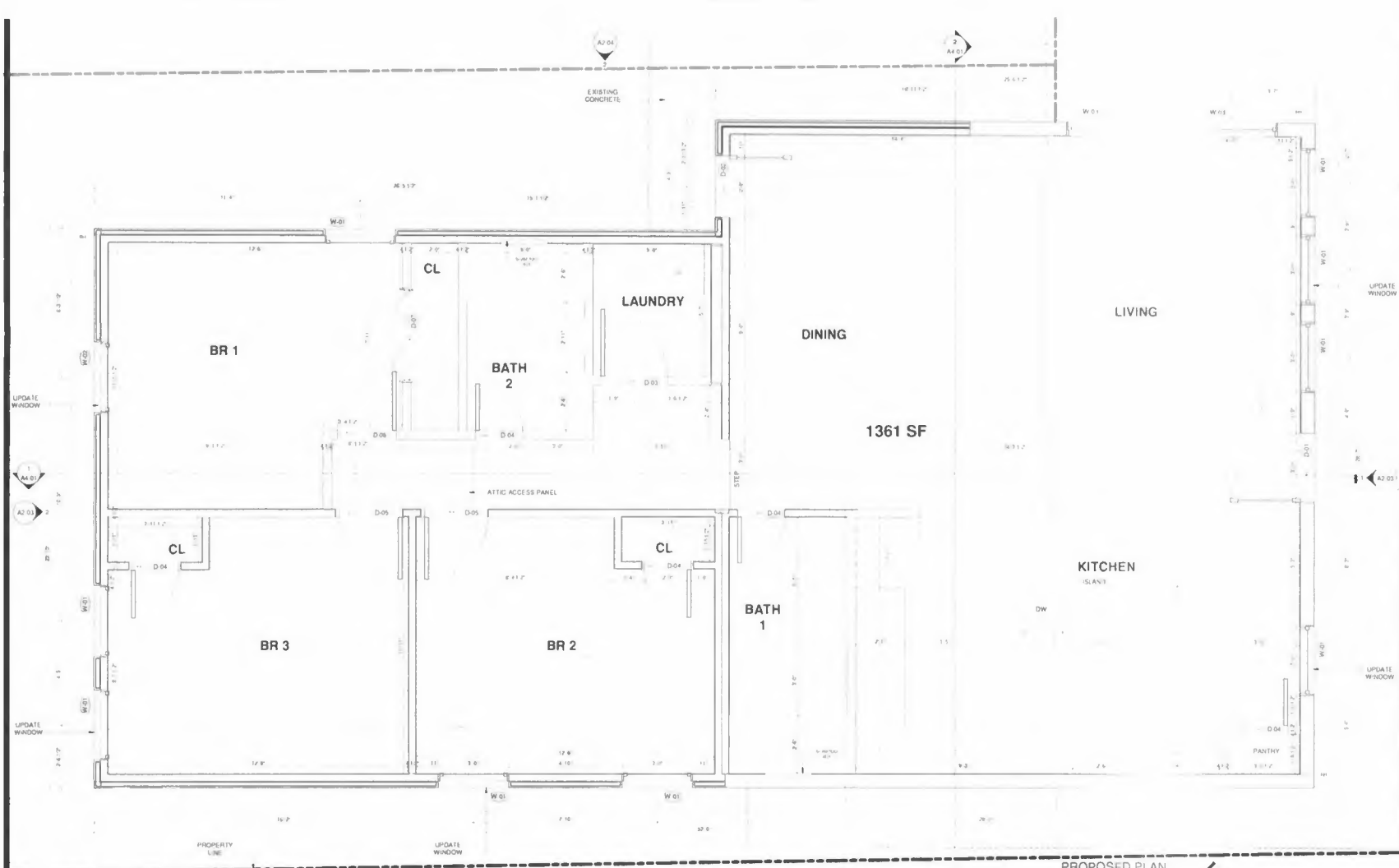
PROJECT NO. 322611

NEW SITE PLAN

CONSTRUCTION PERMIT
SET

02/21/2024

A0-01



PROPOSED PLAN
SCALE: 1/8" = 1'-0"

BUILDING PLAN NOTES

1. GENERAL CONTRACTOR TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS OF THE EXISTING STRUCTURE.
2. NOTHING IN THIS DOCUMENT RELIEVES THE CONTRACTOR FROM PERFORMING ITS OWN DUE DILIGENCE OF THE EXISTING STRUCTURE.
3. ALL DIMENSIONS ARE TO BE FIELD VERIFIED, INCLUDING BUT NOT LIMITED TO PLUMBING, ELECTRICAL, HVAC AND WINDOW AND DOOR OPENINGS.
4. DIMENSIONS ARE TO FINISH WALLS.
5. AT TIC ACCESS PANEL, TO PROVIDE AN INTERIOR OPENING NOT LESS THAN 30" X 30" W/ CLEAR HEIGHT OF 30" COORDINATE LOCATION WITH OWNERS.
6. FOR WALL INTERIOR LOAD BEARING WALLS REFER TO STRUCTURAL.
7. FOR WALL EXTERIOR LOAD BEARING WALLS REFER TO STRUCTURAL.
8. INTERIOR WALL FRAMING TO BE 2 X 4 WOOD U.S.D.
9. EACH SLEEPING ROOM SHALL HAVE AN EGRESS WINDOW W/ CLEAR OPENING OF 5.7 SQUARE FEET.
10. ALL INTERIOR CYPRESS WALL BOARD TO BE 1/2" AND MOISTURE RESISTANT IN WET AREAS.
11. ALL PITCHED ROOFS THROUGH DRAFF STOP IN ATTIC TO BE SEALED.
12. EVERY HABITABLE ROOM MUST HAVE A SMOKE DETECTOR WITH INTEGRATED MONOXIDE DETECTION.
13. IN SPOUT ELEVATIONS 9'-0" FRESH FLOOR.
14. CONTRACTOR MUST COMPLY WITH ALL APPLICABLE CODES.
15. FOR DOORS AND WINDOWS, REFER TO DOOR AND WINDOW SCHEDULE.
16. FLOORS, SELECTION BY OWNER.
17. CONTRACTOR TO COORDINATE FIXTURE AND APPLIANCE, POWER LOCATION AND INSTALLATION WITH BUILT-IN CONDITIONS, AND SPECIAL REQUIREMENTS SUCH AS POWER/WATER, ETC. CONTRACTOR TO VERIFY SUCH INSTALLATIONS MEET CODE AND ANY REQUIRED INSPECTIONS.
18. ALL ELECTRICAL OUTLETS IN WET AREAS AND EXTERIOR TO BE GFCI TYPE.
19. FLOORS, SELECTION BY OWNER.
20. RESTROOM FIXTURE SELECTIONS BY OWNER.
21. CONTRACTOR TO COORDINATE FIXTURE AND APPLIANCE, POWER LOCATION AND INSTALLATION WITH BUILT-IN CONDITIONS AND SPECIAL REQUIREMENTS SUCH AS POWER/WATER, ETC. CONTRACTOR TO VERIFY SUCH INSTALLATIONS MEET CODE AND ANY REQUIRED INSPECTIONS.
22. CONTRACTOR TO COORDINATE INSTALLATION OF NEW A/C UNIT AND ITS COMPONENTS.
23. CONTRACTOR TO OBTAIN FULL APPROVAL OF SHOWER GLASS BEFORE INSTALLATION.

HOSE BIB

STUDIO MAS+ ARCHITECTS

ARCHITECTURE • PLANNING • INTERIORS
10440 E NORTHWEST HWY
SUITE 301
DALLAS, TX 75238
214.669.4604

CLIENT
JORDAN DSILVA
WEB CITY
PROPERTIES

PROJECT NAME:
WINDFALL RESIDENCE

PROJECT ADDRESS:
PORTION OF LOT 5, BLOCK
48788, CHESTER DAVIS
ADDITION CITY OF DALLAS,
DALLAS COUNTY, TEXAS
12908 WINDFALL CIRCLE

STRUCTURAL ENGINEER:
Falkotske Engineering, Inc
Structural Engineering Consultants
TX Reg. Engineering Firm F-4038
722 North Fielder Road
Arlington, Texas 76012
(817) 261-8300



DATE: 02-21-2024

PROJECT NO. 322011

PROPOSED PLAN

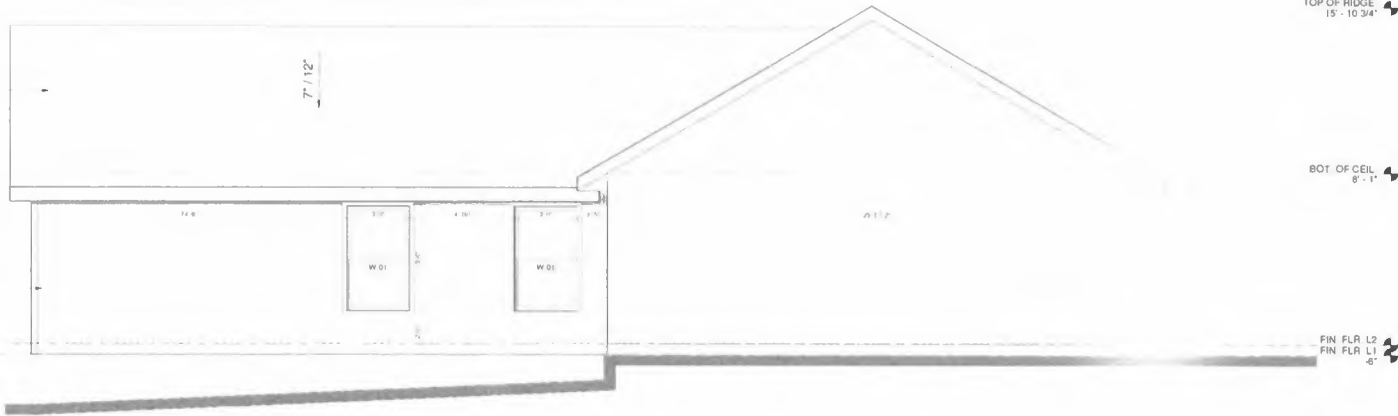
CONSTRUCTION PERMIT
SET

02/21/2024

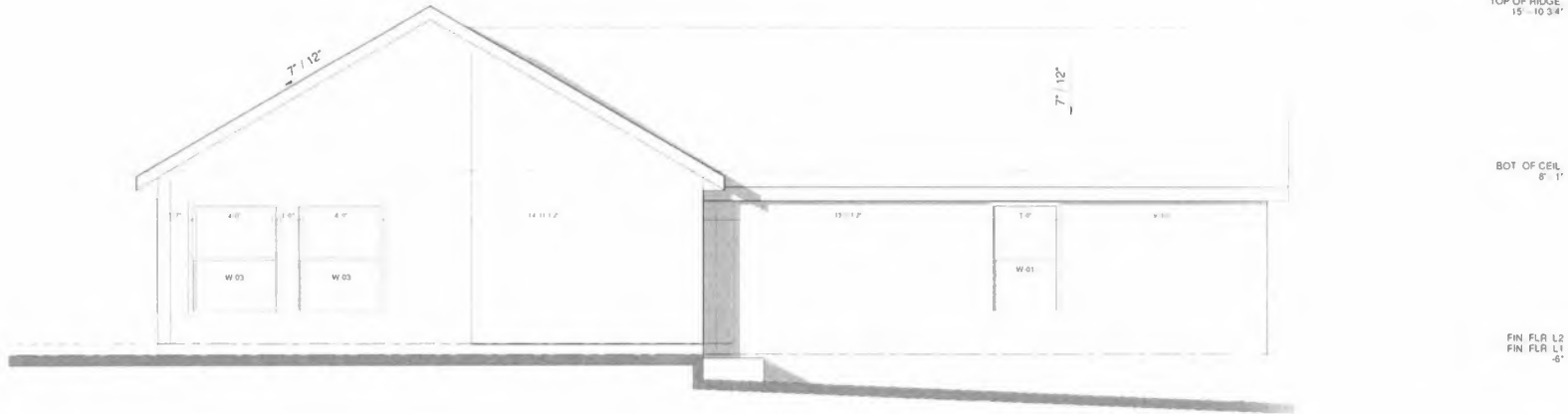
A2-01

NEW ASPHALT SHINGLE
ROOF
ON 4/13 FEET

NEW SIDING



NEW ELEVATION SOUTH



NEW ELEVATION NORTH



TOP OF RIDGE
15' - 10 3/4"

BOT. OF CEIL
8' - 1"

FIN FLR L2
FIN FLR L1
6"

TOP OF RIDGE
15' - 10 3/4"

BOT. OF CEIL
8' - 1"

FIN FLR L2
FIN FLR L1
6"



ARCHITECTURE • PLANNING • INTERIORS

10440 E NORTHWEST HWY
SUITE 301
DALLAS, TX 75238
214 668 4684

CLIENT
JORDAN DSILVA
WEB CITY
PROPERTIES

PROJECT NAME:
WINDFALL RESIDENCE

PROJECT ADDRESS:
PORTION OF LOT 5, BLOCK
48788, CHESTER DAVIS
ADDITION CITY OF DALLAS,
DALLAS COUNTY, TEXAS
12908 WINDFALL CIRCLE

STRUCTURAL ENGINEER:
Falkotske Engineering, Inc
Structural Engineering Consultants
TX Reg. Engineering Firm F-4038
722 North Fielder Road
Arlington, Texas 76012
(817) 261-8300



Santos Catalan
DATE: 02/21/2024

PROJECT NO. 222011

NEW ELEVATIONS 2

CONSTRUCTION PERMIT
SET

02/21/2024

A2-04

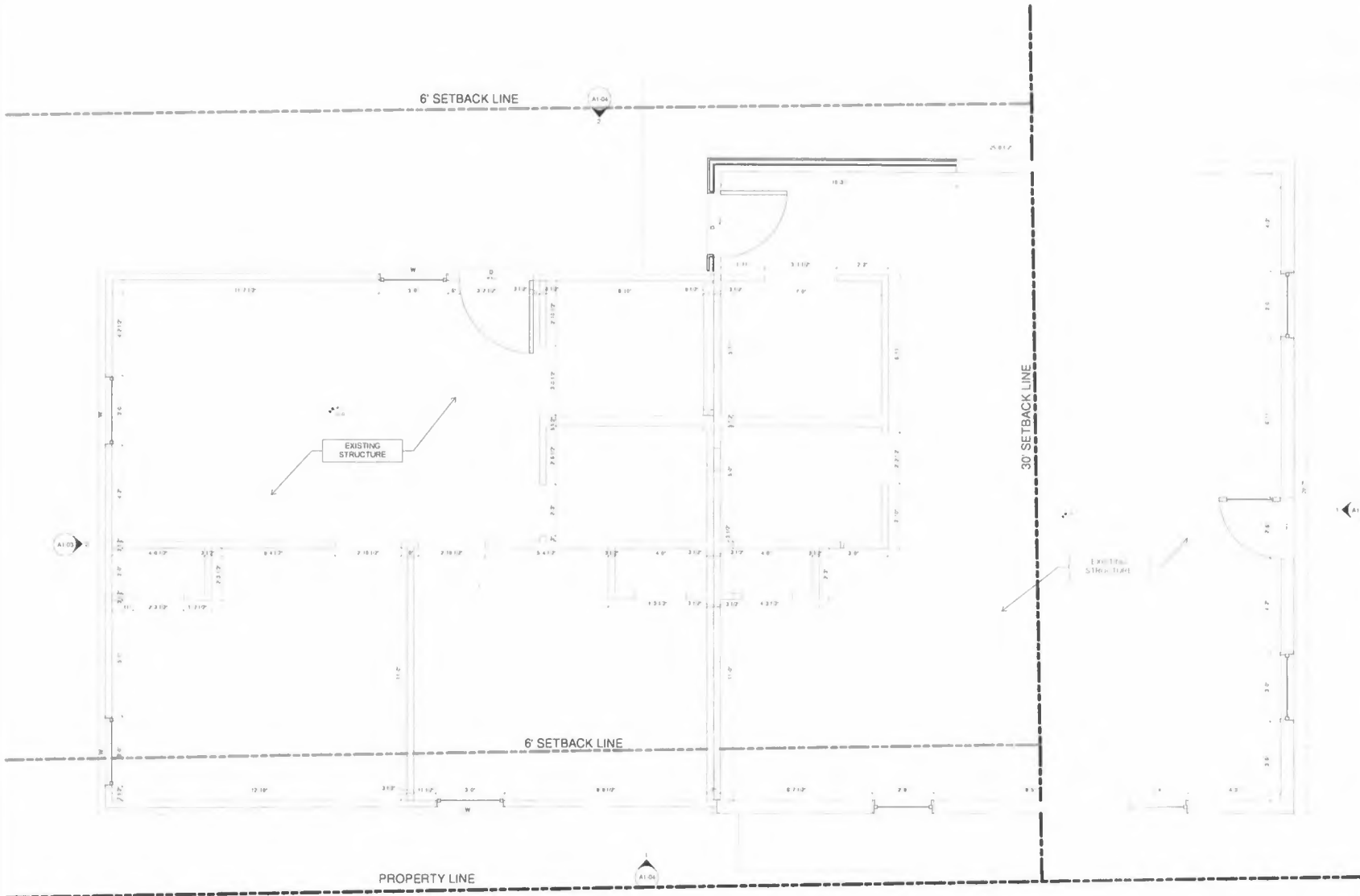
BUILDING PLAN NOTES

1. GENERAL CONTRACTOR TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS OF THE EXISTING STRUCTURE.
2. NOTHING IN THIS DOCUMENTS RELIEVES THE CONTRACTOR FROM PERFORMING ITS OWN DUE DILIGENCE OF THE EXISTING STRUCTURE.
3. ALL DIMENSIONS ARE TO BE FIELD VERIFIED INCLUDING BUT NOT LIMITED TO PLUMBING, ELECTRICAL, HVAC, AND WINDOW AND DOOR OPENINGS.
4. DIMENSIONS ARE TO FINISH WALLS.
5. ALL TIC ACCESS PANELS TO PROVIDE AN INTERIOR OPENING NOT LESS THAN 20" X 30" W/ CLEAR HEIGHT OF 36". COORDINATE LOCATION WITH OWNER.
6. FOR WALL EXTERIOR LOAD BEARING WALLS REFER TO STRUCTURAL.
7. FOR WALL EXTERIOR LOAD BEARING WALLS REFER TO STRUCTURAL.

8. INTERIOR WALL FRAMING TO BE 2 X 4 WOOD U/N/D.
9. EACH SLEEPING ROOM SHALL HAVE AN EGRESS WINDOW IN CLEAR OPENING OF 5.7 SQUARE FEET.
10. ALL INTERIOR GYPSUM WALL BOARD TO BE 1/2" AND MOISTURE RESISTANT IN WET AREAS.
11. ALL PENETRATIONS THROUGH DRYWALL STOP IN ATTIC TO BE SEALED.
12. EXTERIOR FINISHABLE ROOMS MUST HAVE A SMOKE DETECTOR WITH INTEGRATED MONOXIDE DETECTION IN SPOU ELEVATIONS 0" 0" 4" FINISH FLOOR.
13. CONTRACTOR MUST COMPLY WITH ALL APPLICABLE CODES.
14. FOR DOORS AND WINDOWS, REFER TO DOOR AND WINDOW SCHEDULE.
15. FLOORS: SELECTIONS BY OWNER.
16. CONTRACTOR TO COORDINATE FITTURE AND APPLIANCE POWER LOCATION AND INSTALLATION WITH BUILT IN CONDITIONS AND SPECIAL REQUIREMENTS SUCH AS POWER/WATER, ETC. CONTRACTOR TO VERIFY SUCH INSTALLATIONS MEET CODE AND ANY REQUIRED INSPECTIONS.

17. FLOORS: SELECTIONS BY OWNER.
18. RESTROOM FITTURES: SELECTIONS BY OWNER.
19. CONTRACTOR TO COORDINATE FITTURE AND APPLIANCE POWER LOCATION AND INSTALLATION WITH BUILT IN CONDITIONS AND SPECIAL REQUIREMENTS SUCH AS POWER/WATER, ETC. CONTRACTOR TO VERIFY SUCH INSTALLATIONS MEET CODE AND ANY REQUIRED INSPECTIONS.
20. CONTRACTOR TO COORDINATE INSTALLATION OF H/W AC UNIT AND ITS COMPONENTS.
21. CONTRACTOR TO GET FULL APPROVAL OF 5-HOUR GLASS BEFORE INSTALLATION.
22. CONTRACTOR TO COORDINATE FITTURE AND APPLIANCE POWER LOCATION AND INSTALLATION WITH BUILT IN CONDITIONS AND SPECIAL REQUIREMENTS SUCH AS POWER/WATER, ETC. CONTRACTOR TO VERIFY SUCH INSTALLATIONS MEET CODE AND ANY REQUIRED INSPECTIONS.
23. CONTRACTOR TO GET FULL APPROVAL OF 5-HOUR GLASS BEFORE INSTALLATION.

HB HOSE BIB



EXISTING PLAN
SCALE: 1/8" = 1'-0"



ARCHITECTURE • PLANNING • INTERIORS

10440 E NORTHWEST HWY
SUITE 301
DALLAS, TX 75238
214 669 4684

CLIENT
JORDAN DSILVA
WEB CITY
PROPERTIES

PROJECT NAME:
WINDFALL RESIDENCE

PROJECT ADDRESS:
PORTION OF LOT 5, BLOCK
46788, CHESTER DAVIS
ADDITION CITY OF DALLAS,
DALLAS COUNTY, TEXAS
12908 WINDFALL CIRCLE

STRUCTURAL ENGINEER:
Falkolske Engineering, Inc
Structural Engineering Consultants
TX Reg. Engineering Firm F-4038
722 North Fielder Road
Arlington, Texas 76012
(817) 261-6300



DATE: 02/21/2024

PROJECT #11 322011

EXISTING PLAN

CONSTRUCTION PERMIT
SET

02/21/2024

A1-01



ARCHITECTURE • PLANNING • INTERIORS

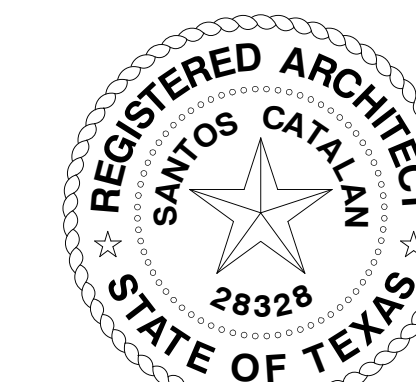
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STRUCTURAL ENGINEER:
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Structural Engineering Consultants
TX Reg. Engineering Firm F-4038
722 North Fielder Road
Arlington, Texas 76012
(817) 261-8300



Santos Catalan
DATE: 02-21-2024

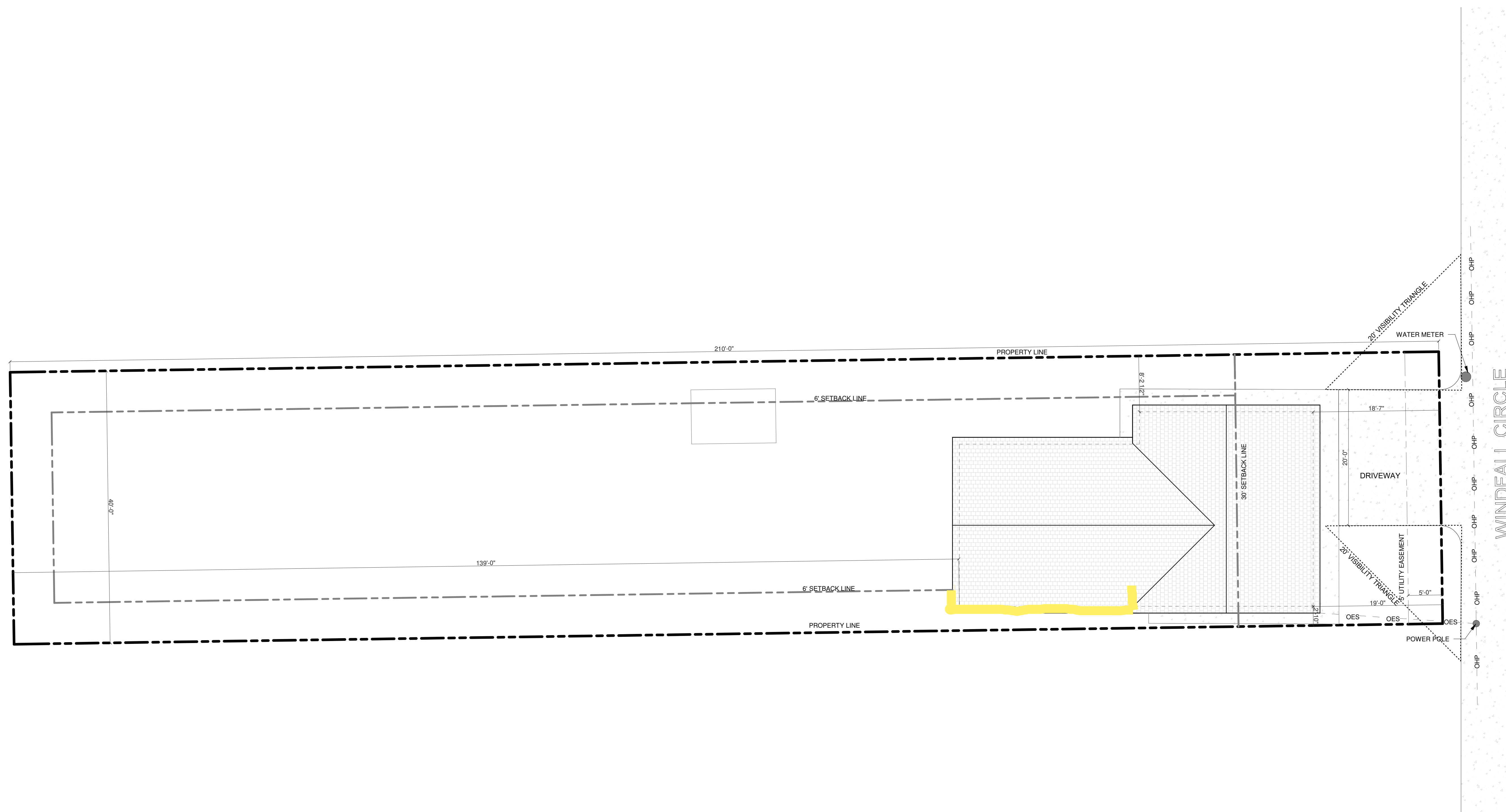
PROJECT NO: 323011

NEW SITE PLAN

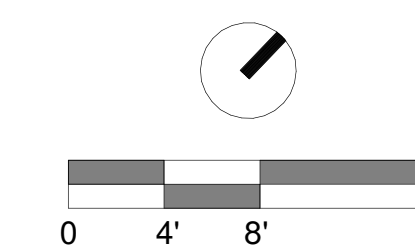
CONSTRUCTION PERMIT
SET

02/21/2024

A0-01



NEW SITE PLAN
SCALE: 1/8" = 1'-0"



Plan Review - Review Comments Report

Project Name: **2403211194 (EP) DEMO**

Workflow Started: **3/21/2024 7:12:59 PM**

Report Generated: **05/06/2024 04:45 PM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1		Facilitator Evelyn Parra 4/5/24 8:33 AM	Comment Please fill out the demolition checklist , blank form can be found under submission requirements folder.		Responded by: Jordan D'Silva - 4/11/24 5:56 PM Demo checklist has been filled, signed and notarized. I have uploaded the file under documents.	Resolved
2	1	Intake-CO-Comm-RES Remodel Only jessica hernandez 4/17/24 9:46 AM	Changemark Proposed work Your application states partial demolition, what will be remaining on the lot?	12908 Windfall Permit Application - Demolition.pdf	Responded by: Jordan D'Silva - 4/26/24 8:59 AM The items remaining on the lot will be foundation, subflooring, decking, exterior siding, and framing. Please let me know if there are any more specific items you need. Thank you.	Resolved

Project History and Variance Request Summary

Property Address: 12908 Windfall Cir Dallas , TX 75253

Overview: This report outlines the history and sequence of events related to our project and explains the circumstances leading to our variance request. We hope to provide clarity and demonstrate our commitment to resolving the current issues responsibly.

Sequence of Events

1. Initial Addition Permit

- We submitted a permit application for an addition to the property, which was approved and issued.
- All required documentation and accurate information were provided during this application process.

2. Unauthorized Work Beyond Scope

- During the construction phase, work beyond the approved scope of the addition was completed on the main house by our contractor.
- This unauthorized work included alterations to the roof and roof rafters and was performed without our explicit direction.
- Inspectors contacted us regarding this unauthorized work.

3. Partial Demolition Permit

- Following discussions with inspectors, we were instructed to obtain a partial demolition permit to address the unauthorized work.
- This permit was issued, allowing us to proceed with the necessary corrective steps, which were later retracted and we had to stop working on it as a reconstruction permit could not be obtained.

4. Reconstruction Permit Application

- We applied for a reconstruction permit to address the roof and roof rafters, as instructed.
- The scope of work in this application explicitly stated that no changes would be made to the property's foundation, framing, exterior items, or the addition foundation.
- The property's original house foundation, framing, and addition foundation remain intact and unchanged. The foundation was never removed or altered from its original location.

Additional Notes

1. Addition Permit Labeled as an Accessory in Error

- The addition portion of the project was mistakenly approved and labeled as an accessory structure, something we were not aware of until this year.
- This occurred despite us providing accurate and complete information at the time of the permit application.

2. Lot Size and Configuration

- The property sits on a lot that is smaller and narrower than neighboring lots.
- This lot configuration was pre-existing, as it was already platted this way prior to our ownership or project initiation.

- The unique lot size and shape were not caused by any actions on our part.

3. Demolition Permit Not Required

- We complied with all directives from inspectors and the city.
- A demolition permit, as previously requested, was ultimately determined not to be necessary.

4. Other Permit Issues

- We were given guidance to apply for a reconstruction permit, later told that wasn't necessary because we should be applying for a remodeling permit.
- Finally we were told that we had lost our non conforming rights and had to request a variance request for the front yard setback, which was later determined that we did not need the front yard set back variance just the side yard setback for the approved addition.

Examples of our previous and current projects/rentals in South Dallas area:

- 2230 Jordan St, Dallas, TX 75215



- 5006 Bartlett Ave, Dallas, TX 75216



-
- 7842 Doak St, Dallas, TX 75217



Conclusion:

We have worked diligently to address all issues as they arose, demonstrating our commitment to compliance and proper procedure. The variance we are requesting is critical to allowing us to move forward and complete the project, which will improve the property and enhance the neighborhood.



MIKE SHORTNACY AND WIFE, DONNA K. SHORTNACY VOL. 93130, PG. 5758

(PLAT = N 33°51'00" W)
N 34°18'24" W
40.00'

POST FOR WITNESS
N 75°11'38" E 1.84'

JOHN DSILVA, LLC
INST.# 202100350064

LOT 6

S 55°41'36" W 210.00'

8.0'

12.4'

MIKE LEONARD
VOL. 2001123, PG. 2622

50.8'

23.2'

26.4'

24.4'

28.4'

5.2'

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Residential Account #0000899724460000

[Location](#) [Owner](#) [Legal Desc](#) [Value](#) [Main Improvement](#) [Additional Improvements](#) [Land](#) [Exemptions](#)
[Estimated Taxes](#) [History](#)

Property Location (Current 2025)

Address: 12908 WINDFALL CIR
Neighborhood: 4DSG01
Mapsc0: 69A-P (DALLAS)

[DCAD Property Map](#)

[2024 Appraisal Notice](#)

[41.13 ARB Order Information](#)

[Electronic Documents \(DCAD ENS*\)](#)

[Notice Of Estimated Taxes \(ENS*\)](#)

* Electronic Notification System

[File Homestead Exemption Online](#)



[Print Homestead Exemption Form](#)

Owner (Current 2025)

DSILVA JOHN LLC
 3455 HIGHLAND RD STE 200
 DALLAS, TEXAS 752287193

Multi-Owner (Current 2025)

Owner Name	Ownership %
DSILVA JOHN LLC	100%

Legal Desc (Current 2025)

- 1: CHESTER DAVIS ADDN
 - 2: BLK 4/8788 PT LT 5
 - 3: 40X210
 - 4: INT202100350064 DD11222021 CO-DC
 - 5: 8788 004 05A00 3008788 004
- Deed Transfer Date:** 11/22/2021

Value

2024 Certified Values	
Improvement:	\$16,710
Land:	+ \$16,380
Market Value:	= \$33,090
Tax Agent: VANGUARD PROPERTY TAX APPEALS	
Revaluation Year:	2024
Previous Revaluation Year:	2023

Main Improvement (Current 2025)

Building Class	04	Construction Type	FRAME	# Baths (Full/Half)	1/ 0
Year Built	1935	Foundation	POST	# Kitchens	1
Effective Year Built	1935	Roof Type	GABLE	# Bedrooms	2
Actual Age	90 years	Roof Material	COMP SHINGLES	# Wet Bars	0
Desirability	UNDESIRABLE	Fence Type	CHAIN	# Fireplaces	0
Living Area	672 sqft	Ext. Wall Material	FRAME	Sprinkler (Y/N)	N
Total Area	672 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	90%			Sauna (Y/N)	N

Additional Improvements (Current 2025)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	STORAGE BUILDING		UNASSIGNED	FRAME	120

Land (2024 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY 10K SQFT	40	210	8,190.0000 SQUARE FEET	STANDARD	\$2.00	0%	\$16,380	N

*** All Exemption information reflects 2024 Certified Values. ***

Exemptions (2024 Certified Values)

No Exemptions

Estimated Taxes (2024 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.7047	\$0.997235	\$0.2155	\$0.105595	\$0.212	N/A
Taxable Value	\$33,090	\$33,090	\$33,090	\$33,090	\$33,090	\$0
Estimated Taxes	\$233.19	\$329.99	\$71.31	\$34.94	\$70.15	N/A
Tax Ceiling					N/A	N/A
Total Estimated Taxes:						\$739.57

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person **Tax Ceiling** displayed above, **it is NOT reflected** in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios, like a tax ceiling, etc..** If you wish to calculate taxes yourself, you may use the [Tax Calculator](#) to assist you.

History

[History](#)

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Santana Builders & Remodeling INC

14311 Skyfrost Drive TRLR 93, Dallas, TX 75253

Phone: (469) 9962203

Email: 1991juansantana42@gmail.com

Location: 12908 Windfall Cir Dallas , TX 75253

Budget Estimate for 616 sqft Addition

Initial Assessment & Documentation

Property Inspection & Site Assessment: \$350.00

Permit Acquisition & Documentation: \$300.00

Subtotal: \$650.00

Demolition & Site Preparation

Site Clearing & Preparation: \$2,000.00

Grading & Excavation: \$1,800.00

Trash & Debris Disposal: \$1,000.00

Subtotal: \$4,800.00

Foundation

Foundation Pouring (Concrete Slab): \$9,500.00

Subtotal: \$9,500.00

Framing

Framing (Walls, Roof, Floor): \$12,000.00

Windows & Door Framing: \$2,000.00

Subtotal: \$14,000.00

Roofing

Roofing Installation (Shingles, Underlayment): \$5,000.00

Subtotal: \$5,000.00

Electrical System

Electrical Wiring & Fixtures: \$4,500.00

Subtotal: \$4,500.00

Plumbing System

Plumbing Installation (Fixtures, Pipes): \$3,800.00

Subtotal: \$3,800.00

Insulation & Vapor Barriers

Insulation & Barrier Installation: \$2,800.00

Subtotal: \$2,800.00

Interior Finishes

Drywall & Painting: \$5,500.00

Flooring Installation (Hardwood, Tile, or Carpet): \$4,000.00

Cabinetry & Countertops: \$3,500.00

Subtotal: \$13,000.00

Exterior Finishes

Exterior Siding : \$6,500.00

Painting & Sealing: \$2,500.00

Window & Door Installation (Exterior): \$3,500.00

Subtotal: \$12,500.00

Final Cleaning & Handover

PostConstruction Cleaning: \$1,200.00

HVAC System Integration (if needed): \$1,000.00

Subtotal: \$2,200.00

Total Estimated Cost: \$72,250.00

Payment Terms:

Deposit: 50% due upfront to begin work.

Balance: Remaining balance due upon completion of the project.

Payment Methods: Bank transfer, check, or credit card.

Thank you for your business! We look forward to restoring your home to its full glory. Please contact us with any questions or concerns.

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Total Estimated Cost: \$72,250.00

DATE: 01/26/2024

APPLICATION TYPE
 REGULAR EXPRESS

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY



JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY)

STREET ADDRESS OF PROPOSED PROJECT 12908 Windfall Cir Dallas , TX 75253		SUITE/BLDG/FLOOR NO	USE OF PROPERTY Residential									
APPLICANT Jordan D'Silva	ADDRESS 8447 San Leandro Dr	CITY Dallas	STATE Texas <input type="checkbox"/> ZIP CODE 75218									
DBA (IF APPLICABLE)	PHONE NO 2148867947	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION) jordan@webcityproperties.com										
CONTRACTOR-INDIVIDUAL Jordan D'Silva	CONTRACTOR NUMBER BU131536	PIN 5253	COMPANY NAME Jordan's Construction									
CURRENT HOME REPAIR LICENSE ON FILE? <input type="radio"/> YES <input type="radio"/> NO	IF YES, LIST NUMBER 1231681	PHONE NO 2148867947	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION) jordan@webcityproperties.com									
PROPERTY OWNER (INDIVIDUAL CONTACT) Jordan D'Silva	ADDRESS 3455 Highland Rd #200	CITY Dallas	STATE Texas <input type="checkbox"/> ZIP CODE 75228									
PROPERTY OWNER (COMPANY NAME) John DSilva, LLC	PHONE NO 2148867947	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION) jordan@webcityproperties.com										
DESCRIPTION OF PROPOSED PROJECT Residential demolition - partial residential demolition throught the residential building as needed, not full demolition		<table border="1"> <tr><td>NEW CONST</td><td>NEW CONST</td></tr> <tr><td>MFD OTHER</td><td>MFD OTHER</td></tr> <tr><td>REMODEL</td><td>REMODEL 1361 SQFT</td></tr> <tr><td>TOTAL VALUATION</td><td>TOTAL AREA 1361 SQFT</td></tr> </table>	NEW CONST	NEW CONST	MFD OTHER	MFD OTHER	REMODEL	REMODEL 1361 SQFT	TOTAL VALUATION	TOTAL AREA 1361 SQFT	CONST AREA (sq ft)	
NEW CONST	NEW CONST											
MFD OTHER	MFD OTHER											
REMODEL	REMODEL 1361 SQFT											
TOTAL VALUATION	TOTAL AREA 1361 SQFT											

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

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

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

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

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

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

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

I AGREE. I DO NOT AGREE.

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

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

APPLICANT'S SIGNATURE 	DATE OF APPLICATION SUBMISSION 01/26/2024
---------------------------	----------------------------------------------



Santana Builders & Remodeling INC

14311 Skyfrost Drive TRLR 93, Dallas, TX 75253

Phone: (469) 9962203

Email: 1991juansantana42@gmail.com

Location: 12908 Windfall Cir Dallas , TX 75253

Estimate for Demolition of 616 SQFT Addition - Completed appx. to final framing phase

Initial Assessment & Documentation

Property Inspection & Demolition Planning: \$300.00

Permit Acquisition (Demolition): \$250.00

Subtotal: \$550.00

Demolition

Framing Removal (Walls, Roof, Floor, etc): \$3,500.00

Partial Foundation Removal: \$2,500.00

Utility Disconnections (Electricity, Plumbing- as needed): \$750.00

Subtotal: \$6,750.00

Debris Removal & Disposal

Trash & Debris Collection (Dumpster Rental & Hauling): \$1,500.00

Disposal Fees (Wood, Concrete, Misc. Materials): \$2,200.00

Subtotal: \$2,700.00

Site Cleanup & Preparation

Site Cleanup (Grading & Leveling): \$1,500.00

Subtotal: \$1,500.00

Total Estimated Cost: \$12,500.00

—
Payment Terms:

Deposit: 50% due upfront to begin work.

Balance: Remaining balance due upon completion of the project.

Payment Methods: Bank transfer, check, or credit card.

Thank you for your business! We look forward to restoring your home to its full glory. Please contact us with any questions or concerns.



Tania Garcia <tania@webcityproperties.com>

12908 Windfall - Permit Questions

1 message

Tania Garcia <tania@webcityproperties.com>

Tue, Nov 14, 2023 at 10:59 AM

To: ana.ipina@dallas.gov

Cc: anthony.cisneros@dallas.gov, juan.contreras1@dallas.gov

[Preview attachment 12908 Windfall Permit - Foundation Letter.pdf](#)



[12908 Windfall Permit - Foundation Letter.pdf](#)

751 KB

[Preview attachment BI_FamilyNewConstrOnly.pdf](#)



[BI_FamilyNewConstrOnly.pdf](#)

866 KB

[Preview attachment BI_Single_Family_Dwelling_Remodel.pdf](#)



[BI_Single_Family_Dwelling_Remodel.pdf](#)

796 KB

[Preview attachment 12908 Windfall Permit Application.pdf](#)



[12908 Windfall Permit Application.pdf](#)

1.1 MB

Hello,

I had a couple questions about what all we need to do to make sure we meet all permit requirements and get the correct permit as well.

I've attached the two checklists one for the remodel and another for the new construction permit. Please advise on which one to follow. I've also attached the permit form application as well as the letter we received from our foundation engineer - Jordan mentioned we will have to submit this with this permit application as well to make sure this permit takes over our current addition permit, if you can please verify these are the correct ones or if we need any additional information.

I would really appreciate your help with this, let me know if you have any questions.

Thank you!

--



Tania Garcia | Operations Manager

P: (972) 910-2079 | M: (469) 254-8249 | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228
www.webcityproperties.com



Tania Garcia <vania@webcityproperties.com>

12908 Windfall Permits Needed

1 message

Jordan D'Silva <jordan@webcityproperties.com>
To: ana.ipina@dallas.gov
Cc: Tania Garcia <vania@webcityproperties.com>

Wed, Nov 8, 2023 at 8:49 AM

Ana,

This is Jordan DSilva with Jordan's Construction, the contractor and owner of 12908 Windfall, my associate Tania is reaching out to ensure we get the right permits needed for this job after some miscommunication with our sub contractor.

She tried to email you and you said you can't share information with her because she's not the contractor, but she works for me, so I would like to grant her that permission.

We apologize for this error and we are working to get it remedied but need your assistance in ensuring we do so. Please let us know what our next steps should be when you have time to discuss.

Jordan DSilva



Tania Garcia <tania@webcityproperties.com>

12908 Winfall - Inspection for Permit

15 messages

Tania Garcia <tania@webcityproperties.com>
To: "Ipina, Ana" <ana.ipina@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>

Thu, Jan 25, 2024 at 5:07 PM

Hello Ana,

I've been reaching out to all building inspectors for more than 3 weeks now. I've also called the building inspection department and all they were able to do to help me was give me the inspector's number which I already have.

I've reached out to inspector Contreras, Cisneros and King and received no response even after leaving numerous messages. I was able to talk to inspector Miguel Torres last Friday and he told me he would schedule a visit to 12908 Winfall for this Monday and will follow up with me by latest Tuesday. I didn't receive a call and have been calling him and leaving messages since then, but no response yet.

We are ready to begin applying for a permit since we have the necessary plans, but we need to know what checklist and process to follow depending on what is determined to be the correct permit to apply for.

Please let me know if we can do anything to help speed up the process.

Thank you.

--



Tania Garcia | Operations Manager

P: (972) 910-2079 | M: (469) 254-8249 | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228
www.webcityproperties.com

Ipina, Ana <ana.ipina@dallas.gov>
To: Tania Garcia <tania@webcityproperties.com>, "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>

Fri, Jan 26, 2024 at 10:35 AM

Hi Tania,

I'm including @Hernandez, Jessica who currently oversees the demo documentation and process.

Jessica, could we please get your assistance with this? Please see below.

Thank you,

Please Take a Moment to Tell Us How We Are Doing



Ana Ipina

Project Coordinator
Development Services
City of Dallas | DallasCityNews.net

7800 N. Stemmons Fwy.

Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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From: Tania Garcia <tania@webcityproperties.com>
Sent: Thursday, January 25, 2024 5:07 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: 12908 Winfall - Inspection for Permit

External Email!

[Quoted text hidden]

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

To: "Ipina, Ana" <ana.ipina@dallas.gov>, Tania Garcia <tania@webcityproperties.com>
Cc: Jordan DSilva <jordan@webcityproperties.com>

Good morning Tania,

Demo permits can be applied for in person at **320 E. Jefferson Blvd. #118** or electronically at <https://dallas-tx-us.avolvecloud.com/>. I would highly recommend to apply in person to have your permit issued same day, electronic submittals can take anywhere from 5-10 business days to issue. I have attached the necessary documents to complete and submit. Our business hours are Monday-Friday (8:00am-5:00pm), however, cashiers close down at 4:15 pm.

Thank You,

“Together we are building a safe and united Dallas.”



Jessica Hernandez
Plans Examiner
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Blvd #118
Dallas, TX 75203
O: (214)948-4480
jessica.hernandez4@dallas.gov



Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>



From: Ipina, Ana <ana.ipina@dallas.gov>
Sent: Friday, January 26, 2024 10:35 AM
To: Tania Garcia <tania@webcityproperties.com>; Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: RE: 12908 Winfall - Inspection for Permit

[Quoted text hidden]

4 attachments

Hold Harmless AgreementT.pdf
159K

BI_Building Permit Application (1).pdf
1125K

 **DEMO CHECKLIST.pdf**
36K

 **GC REGISTRATION.RENEWAL.pdf**
998K

Tania Garcia <tania@webcityproperties.com>
To: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>

Fri, Jan 26, 2024 at 5:26 PM

Thank you. We will be applying to get a demolition permit as well, and have most things necessary for the demo permit, but we need more guidance on if we need to apply for a **reconstruction or new construction permit**. Due to the fact that this property will only be a partial, as needed demolition. We won't be demolishing the foundation only doing repairs and we have a demo plan where it will be needed. I've tried calling building inspectors to see if they can go to the property to give me an answer to this question, but I have yet to hear back from them.

We are ready to begin applying for a reconstruction or new construction permit since we have the necessary plans, but we need to know what checklist and process to follow depending on what is determined to be the correct permit to apply for.

Please let me know if we can do anything to help speed up the process.

Thank you.
[Quoted text hidden]

Hernandez, Jessica <jessica.hernandez4@dallas.gov>
To: Tania Garcia <tania@webcityproperties.com>, BI Residential <BIResidential@dallas.gov>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>

Mon, Jan 29, 2024 at 8:50 AM

Good morning,

I have included the @BI Residential team to further assist whether this will be considered a new construction or reconstruction. I believe they are both going to be considered as "new" structure rather than a remodel, however, i do not want to provide the wrong information when it comes to residential.

Thank You,

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Sent: Friday, January 26, 2024 5:26 PM
To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

[Quoted text hidden]

Tania Garcia <vania@webcityproperties.com>
To: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>
Cc: BI Residential <BIResidential@dallas.gov>, "Ipina, Ana" <ana.ipina@dallas.gov>

Fri, Feb 9, 2024 at 6:58 PM

Hello,

I have a question regarding the documents needed for 12908 Windfall checklist, since 12908 Windfall is technically following the new construction checklist, but it is a reconstruction not a new construction, do we need a water and wastewater service installation and residential infill grading?

Please advise. Thank you!

[Quoted text hidden]

3 attachments



Hernandez, Jessica <jessica.hernandez4@dallas.gov>
To: Tania Garcia <vania@webcityproperties.com>, BI Residential <BIResidential@dallas.gov>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>

Sat, Feb 10, 2024 at 11:49 AM

Good morning,

Unfortunately i am not familiar for the new construction requirements for SFD. @BI Residential, can you please assist with what all is needed for a reconstruction.

Thank You,

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Jessica Hernandez
Plans Examiner

City of Dallas | DallasCityNews.net

Development Services

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O: (214)948-4480

jessica.hernandez4@dallas.gov



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Sent: Friday, February 9, 2024 6:58 PM

To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>

Cc: BI Residential <BIResidential@dallas.gov>; Ipina, Ana <ana.ipina@dallas.gov>

[Quoted text hidden]

[Quoted text hidden]

Tania Garcia <tania@webcityproperties.com>

Mon, Feb 12, 2024 at 3:48 PM

To: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>

Cc: BI Residential <BIResidential@dallas.gov>, "Ipina, Ana" <ana.ipina@dallas.gov>

Thank you! Any assistance you can provide is greatly appreciated.

[Quoted text hidden]

3 attachments



Outlook-youtube ic.png
2K



Outlook-twitter ic.png
3K



Outlook-facebook i.png
2K

Ipina, Ana <ana.ipina@dallas.gov>

Thu, Feb 15, 2024 at 10:01 AM

To: Tania Garcia <tania@webcityproperties.com>, "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>

Cc: BI Residential <BIResidential@dallas.gov>

Good morning Tania,

Have we reached out to you regarding your questions?

Sorry, for the late response I've been out sick, now I'm playing catch up with the emails.

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[Quoted text hidden]
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External Email!

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Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>

[Quoted text hidden]

Tania Garcia <tania@webcityproperties.com>
To: "Ipina, Ana" <ana.ipina@dallas.gov>

Thu, Feb 15, 2024 at 10:06 AM

Hello,

Sorry to hear that and thanks for reaching out! I have not received an answer to the question regarding if we need a water and wastewater service installation and residential infill grading for 12908 Windfall reconstruction permit and not a new construction.

Please advise and let me know if we need to jump on a quick call if any clarification is needed.

Thank you!



Tania Garcia | Operations Manager

P: (972) 910-2079 | M: (469) 254-8249 | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228
www.webcityproperties.com

On Thu, Feb 15, 2024 at 9:01 AM Ipina, Ana <ana.ipina@dallas.gov> wrote:

Good morning Tania,

Have we reached out to you regarding your questions?

Sorry, for the late response I've been out sick, now I'm playing catch up with the emails.

Thank you,

Please Take a Moment to Tell Us How We Are Doing



Ana Ipina

Project Coordinator
Development Services
City of Dallas | DallasCityNews.net

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Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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Sent: Monday, February 12, 2024 3:49 PM
To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: BI Residential <BIResidential@dallas.gov>; Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

External Email!

Thank you! Any assistance you can provide is greatly appreciated.

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twitter icon facebook icon youtube icon

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On Mon, Jan 29, 2024 at 8:50 AM Hernandez, Jessica <jessica.hernandez4@dallas.gov> wrote:

Good morning,

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Sent: Friday, January 26, 2024 5:26 PM
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Sent: Friday, January 26, 2024 10:35 AM
To: Tania Garcia <tania@webcityproperties.com>; Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: RE: 12908 Winfall - Inspection for Permit

Hi Tania,

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Thank you,

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 7800 N. Stemmons Fwy.

Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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From: Tania Garcia <tania@webcityproperties.com>
Sent: Thursday, January 25, 2024 5:07 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: 12908 Winfall - Inspection for Permit

External Email!

Hello Ana,

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Please let me know if we can do anything to help speed up the process.

Thank you.

--



Tania Garcia | Operations Manager

P: [\(972\) 910-2079](tel:(972)910-2079) | M: [\(469\) 254-8249](tel:(469)254-8249) | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228

www.webcityproperties.com

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www.webcityproperties.com

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Ipina, Ana <ana.ipina@dallas.gov>

Thu, Feb 15, 2024 at 1:42 PM

To: Tania Garcia <tania@webcityproperties.com>, "Hernandez, Jessica" <jessica.hernandez1@dallas.gov>

Hi Tania,

I have cc'd [@Hernandez, Jessica](#) who can further assist you regarding the water questions.

Now, regarding the grading, what is the question?

Thank you,

Please Take a Moment to Tell Us How We Are Doing



Ana Ipina

Project Coordinator
Development Services
City of Dallas | DallasCityNews.net

7800 N. Stemmons Fwy.

Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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Sent: Thursday, February 15, 2024 10:06 AM
To: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

External Email!

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Thank you!



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www.webcityproperties.com

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Cc: BI Residential <BIResidential@dallas.gov>; Ipina, Ana <ana.ipina@dallas.gov>
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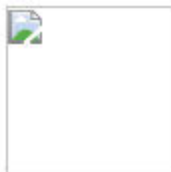
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Please let me know if we can do anything to help speed up the process.

Thank you.

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Tania Garcia | Operations Manager

P: (972) 910-2079 | M: (469) 254-8249 | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228
www.webcityproperties.com

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Hernandez, Jessica <jessica.hernandez1@dallas.gov>
To: Tania Garcia <tania@webcityproperties.com>, "Ipina, Ana" <ana.ipina@dallas.gov>

Thu, Feb 15, 2024 at 2:29 PM

Tania,

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You will need to ask for an appointment with the inspector and your plumber. The plumber will need to run down a camera to verify if the connection is still good and you can use it for the new home.

Wastewater 214-670-8791.

Thank you



Jessica Hernandez

Supervisor

City of Dallas | DallasCityNews.net
Sustainable Development and Construction

[320 E. Jefferson Room 105](#)

[Dallas, TX 75203](#)

o: 214-948-4062

jessica.hernandez1@dallas.gov



Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>



From: Tania Garcia <tania@webcityproperties.com>
Sent: Thursday, February 15, 2024 1:57 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Cc: Hernandez, Jessica <jessica.hernandez1@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

External Email!

Thank you, looking forward to hearing from Jessica, if you need any clarification please let me know.

Which option on the image below would be the best one for us to choose since it's a partial reconstruction and not a new structure being built here?

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Hi Tania,

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Now, regarding the grading, what is the question?

Thank you,

Please Take a Moment to Tell Us [How We Are Doing](#)



Ana Ipina

Project Coordinator
Development Services
City of Dallas | DallasCityNews.net

[7800 N. Stemmons Fwy.](#)
[Dallas, TX 75247](#)

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ana.ipina@dallas.gov



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Sent: Thursday, February 15, 2024 10:06 AM
To: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

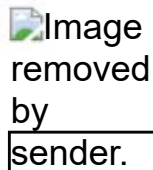
External Email!

Hello,

Sorry to hear that and thanks for reaching out! I have not received an answer to the question regarding if we need a water and wastewater service installation and residential infill grading for 12908 Windfall reconstruction permit and not a new construction.

Please advise and let me know if we need to jump on a quick call if any clarification is needed.

Thank you!

Image removed by sender.

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Have we reached out to you regarding your questions?

Sorry, for the late response I've been out sick, now I'm playing catch up with the emails.

Thank you,

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Sent: Monday, February 12, 2024 3:49 PM
To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: BI Residential <BIResidential@dallas.gov>; Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

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Good morning,

Unfortunately i am not familiar for the new construction requirements for SFD. [@BI Residential](#), can you please assist with what all is needed for a reconstruction.

Thank You,

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City of Dallas | DallasCityNews.net
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Cc: BI Residential <BIResidential@dallas.gov>; Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

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Hello,

I have a question regarding the documents needed for 12908 Windfall checklist, since 12908 Windfall is technically following the new construction checklist, but it is a reconstruction not a new construction, do we need a water and wastewater service installation and residential infill grading?

Please advise. Thank you!

On Mon, Jan 29, 2024 at 8:50 AM Hernandez, Jessica <jessica.hernandez4@dallas.gov> wrote:

Good morning,

I have included the [@BI Residential](#) team to further assist whether this will be considered a new construction or reconstruction. I believe they are both going to be considered as "new" structure rather than a remodel, however, i do not want to provide the wrong information when it comes to residential.

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From: Tania Garcia <tania@webcityproperties.com>
Sent: Friday, January 26, 2024 5:26 PM
To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

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Thank you. We will be applying to get a demolition permit as well, and have most things necessary for the demo permit, but we need more guidance on if we need to apply for a **reconstruction or new construction permit**. Due to the fact that this property will only be a partial, as needed demolition. We won't be demolishing the foundation only doing repairs and we have a demo plan where it will be needed. I've tried calling building inspectors to see if they can go to the property to give me an answer to this question, but I have yet to hear back from them.

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Please let me know if we can do anything to help speed up the process.

Thank you.

On Fri, Jan 26, 2024 at 11:19 AM Hernandez, Jessica <jessica.hernandez4@dallas.gov> wrote:

Good morning Tania,

Demo permits can be applied for in person at **320 E. Jefferson Blvd. #118** or electronically at <https://dallas-tx-us.avolvecloud.com/>. I would highly recommend to apply in person to have your permit issued same day, electronic submittals can take anywhere from 5-10 business days to issue. I have attached the necessary documents to complete and submit. Our business hours are Monday-Friday (8:00am-5:00pm), however, cashiers close down at 4:15 pm.

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From: Ipina, Ana <ana.ipina@dallas.gov>
Sent: Friday, January 26, 2024 10:35 AM
To: Tania Garcia <tania@webcityproperties.com>; Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: RE: 12908 Winfall - Inspection for Permit

Hi Tania,

I'm including @Hernandez, Jessica who currently oversees the demo documentation and process.

Jessica, could we please get your assistance with this? Please see below.

Thank you,

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From: Tania Garcia <tania@webcityproperties.com>
Sent: Thursday, January 25, 2024 5:07 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: 12908 Winfall - Inspection for Permit

External Email!

Hello Ana,

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I've reached out to inspector Contreras, Cisneros and King and received no response even after leaving numerous messages. I was able to talk to inspector Miguel Torres last Friday and he told me he would schedule a visit to 12908 Windfall for this Monday and will follow up with me by latest Tuesday. I didn't receive a call and have been calling him and leaving messages since then, but no response yet.

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To: "Hernandez, Jessica" <jessica.hernandez1@dallas.gov>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>

Thu, Feb 15, 2024 at 3:12 PM

Thank you for that information. Could I please get some guidance on how to fill this part out for the documents required for the permit? I've attached an image of the section I need help with.

Let me know if you have any questions. Thank you!

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C: (945) 542-2971

ana.ipina@dallas.gov



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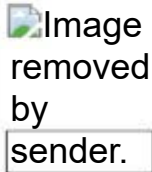
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Tania Garcia | Operations Manager

P: (972) 910-2079 | M: (469) 254-8249 | E: tania@webcityproperties.com

3455 Highland Road #200 Dallas, TX 75228
www.webcityproperties.com



Screenshot 2024-02-15 151050.png

99K



Tania Garcia <tania@webcityproperties.com>

12908 Windfall - Demo Permit

5 messages

Tania Garcia <tania@webcityproperties.com>
To: "Ipina, Ana" <ana.ipina@dallas.gov>

Tue, Apr 9, 2024 at 2:16 PM

Hello Ana,

I'm reaching out again regarding the subject property and the demolition permit. We have submitted everything required except for the demolition checklist. As you know the demolition on this property was already demolished before we started the permit process due to our contractor and Jordan mention you would be able to help us out with the last page of the checklist requiring all the demo information since we don't have any of that information.

Please advise as that is the only thing right now holding us back from getting the demo permit which is putting a hold on our partial reconstruction permit.

Thank you.

--



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Ipina, Ana <ana.ipina@dallas.gov>
To: Tania Garcia <tania@webcityproperties.com>
Cc: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>, "Lewis, Loree" <loree.lewis@dallas.gov>

Tue, Apr 9, 2024 at 2:43 PM

Hi Tania,

The expert in the demo application procedure, @Hernandez, Jessica, has been copied on this email. She'll have the ability to guide you through it.

Thank you,

Please Take a Moment to Tell Us How We Are Doing



Ana Ipina

Project Coordinator
Development Services

City of Dallas | DallasCityNews.net

7800 N. Stemmons Fwy.

Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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From: Tania Garcia <tania@webcityproperties.com>
Sent: Tuesday, April 9, 2024 2:17 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Subject: 12908 Windfall - Demo Permit

External Email!

[Quoted text hidden]

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Hernandez, Jessica <jessica.hernandez4@dallas.gov>
To: "Ipina, Ana" <ana.ipina@dallas.gov>, Tania Garcia <tania@webcityproperties.com>
Cc: "Lewis, Loree" <loreelewis@dallas.gov>

Tue, Apr 9, 2024 at 3:58 PM

Good afternoon Mrs. Garcia,

Although the structure has been condemned, we will still treat this property as if the structure still existed since a permit was ever issued for the demolition. Therefore, all documents will be submitted as if this was

a *proposed demolition*. For the demolition checklist be sure to complete the following information, this is very necessary:

1. Questions #6-10 must be checked and answered
2. Please be sure to enter a start date and a completion date for demolition for question # 11 (since this has already been demolished, this will still be required). Demo dates cannot exceed 30 days within the start and finish (you may enter the present day until a completion date you wish to provide).
3. Affidavit must be signed and notarized on behalf of the property owner (pink highlighted section)
4. Provide the demolition contractor information (blue highlighted section). All demo permits require a registered contractor with the City of Dallas
5. A demolition route will be required and site location of where the debris was dumped at. (if you are unknown of this information, please reach out to the contractor who completed the disposal of the structure or provide a route as if you were the contractors.) Please do not enter "see attachment" , this must be entered in this section.

DEMOLITION PERMITS



City of Dallas

APPLICATION CHECKLIST AND REQUIRED DOCUMENTS

By checking each requirement, you are stating that you have supplied correct and complete information. In the event that the required information is not contained in the submitted documents, you will be notified of the deficiency. Failure to supply the additional requested information within five (5) working days after notification may result in your application being delayed and eventually discarded. A new application, the original application, complete plans and a new checklist will be required for re-submittal for plan review. This re-submittal will be treated as a new application and will be processed in the order of receipt. Complete the information sheet.

- 1. Completed [Building Inspection Permit Application](#).
Note: future reconstruction of structures within a flood plain is not allowed without prior approval from Public Works, Storm Water Section.
- 2. Completed [Additional Information Sheet for Demolition Permit](#) (last page).
- 3. Permit applicant must execute [Hold Harmless Form](#).
- 4. Provide proof of contract with a solid waste collection franchise. If proof cannot be provided, call Geri Strong (geri.strong@dallascityhall.com) at 214-670-4362 or Sandra Robinson (sandra.robinson@dallascityhall.com) at 214-671-1918 to contact a solid waste collection franchise.
- 5. Provide an original certificate of insurance from an insurance company authorized to do business in this state that shows the City of Dallas as the certificate holder in the following amounts:
 - Minimum general liability insurance shall provide combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence and include coverage for premises operations, asbestos hazards (if project includes asbestos), independent contractors, products/completed operations, personal injury, contractual liability and medical payments; and also include coverage for underground, explosion and collapse hazards.
 - Comprehensive automobile liability insurance shall provide combined single limits of liability for bodily injury and property damage of not less than \$500,000 for auto insurance for each vehicle used by the permittee.
 - Each insurance policy shall include a cancellation provision in which the insurance company is required to notify the building official in writing not less than 30 days prior to canceling, non-renewal or making a material change to the policy.
Note: Insurance coverage is not required for the demolition of one- or two-family dwellings.
- 6. An asbestos survey has been conducted in accordance with the Texas Asbestos Health Protection Rules and the National Emission Standards for Hazardous Air Pollutants for the area being renovated and/or demolished.
 - Yes No (Permit cannot be issued prior to notification of survey being conducted.)
 - Not applicable; reason: _____
- 7. Are you disturbing one (1) or more acres of land? Yes No, not applicable
If Yes, have you submitted an electronic copy of the [Storm Water Pollution Prevention Plan \(SWPPP\)](#) to Public Works & Transportation / Storm Water Management?
- 8. I have or will insure that all utility companies have been or will be notified to disconnect services to the structure prior to commencing demolition work.
- 9. Is the structure to be demolished in a Historic District or Conservation District? Yes No
 - If within a Historic District, provide approved Certificate of Demolition to Landmark Commission.
 - If within a Conservation District, provide approved work review form.

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT - BUILDING INSPECTOR DIVISION
ONE CLIFF MUNICIPAL CENTER, 120 E. JEFFERSON BLVD., ROOM 116, DALLAS, TX 75202 - TEL. NO. (214) 688-8889 REV 08-20-2017

DEMOLITION PERMITS

APPLICATION CHECKLIST AND REQUIRED DOCUMENTS (CONTINUED)

- 10. Method of demolition - check all that apply:
 - a. General method - deconstruction in sections from top down. Refer to Section 4018.1, Chapter 53, Dallas Building Code.
 - b. Implosion/explosion (use of dynamite)
 - c. Wrecking ball
 - d. Mechanized, high reach excavators, bull dozers, track machines
 - e. Other: _____
- 11. Scheduled demolition:
 - a. Estimated date of commencement of demolition: _____
 - b. Estimated date of completion of demolition: _____

ADDITIONAL REQUIREMENTS/INFORMATION

1. All drawing documents submitted for review must have a minimum text size of 3/32" and a minimum drawing sheet size of 11" x 17" and a maximum of 36" x 48", "E" size.
2. Building Construction Site Management Requirement signs and site erosion control are required.
3. Tree survey identifying any protected trees within 50 feet of demolition or any related activity is required.
4. A barricade permit may be required if within 10 feet of a public right-of-way. Call 214-670-6904 for more information.
5. Compliance with special conditions that may be determined necessary by the Demolition Review Committee.
6. A demolition permit does not authorize any other activity that may require another permit, to include but not limited to, barricade permits, welding or open flame cutting (fire department), construction of pedestrian protection structures and hauling of debris over city ROW.
7. Upon completion of demolition, the contractor shall: leave the demolition site blade clean; fill, level, compact and smooth areas of the lot that is an apparent consequence of the demolition (note - a contractor is not required to fill, level, compact and smooth the demolition site if a building permit has been issued for new construction to begin within 60 days of the completion of demolition).
8. Additional information as deemed necessary by the Building Official to issue any permits (Ordinance no. 26029).

I, _____ have read the above information and acknowledge that all required documents have been provided.

Signature _____ Date _____

Please note that staff cannot accept incomplete applications or illegible construction documents.

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
 OAK CLIFF MUNICIPAL CENTER, 330 E. JEFFERSON BLVD., ROOM 116, DALLAS, TX 75202 • TEL. NO. (214) 916 4888 REV 09-25-2017

ADDITIONAL INFORMATION SHEET FOR DEMOLITION PERMIT



PROJECT ADDRESS: _____
PROJECT STREET ADDRESS ZIP CODE

OWNER'S AUTHORIZATION:
This is to certify that I, _____, hereby authorize _____
to apply for a demolition permit on my behalf to demolish and/or remove the improvements at:

STREET ADDRESS ZIP CODE
I further certify that I am the legally registered owner of said property.
I further certify that I will provide a tree survey to the City of Dallas for approval prior to the commencing of demolition.
I further certify that I have treated for rodent and insect infestation 30 days prior to demolition.

OWNER'S SIGNATURE _____ **OWNER'S PHONE NO.** _____

OWNER'S ADDRESS: _____
STREET ADDRESS CITY STATE ZIP CODE

AFFIDAVIT - STATE OF TEXAS, COUNTY OF DALLAS
Before me the undersigned on this day personally appeared: _____
Who on his / her oath certified that the above statements are true and correct _____
Subscribed and sworn to before me this _____ day of _____

AFFIX SEAL

NOTARY PUBLIC FOR AND IN DALLAS COUNTY, TEXAS

DEMOLITION CONTRACTOR

PHONE	CONTRACT NO.	COMPANY NAME
ADDRESS	CITY	STATE ZIP CODE PHONE NO.

DEMOLITION PLAN AND ROUTE

DISPOSAL SITE LOCATION

FEES: Yes No, not applicable INSURANCE: Yes No, not applicable
CITY OF DALLAS LANDMARK OR CATEGORY STRUCTURE: Yes No, not applicable

APPLICANT'S NAME: _____ **APPLICANT'S PHONE NO.:** _____

APPLICANT'S SIGNATURE: _____ **DATE:** _____

Thank You,

“Together we are building a safe and united Dallas.”



Jessica Hernandez
Plans Examiner
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Blvd #118
Dallas, TX 75203
O: (214)948-4480
jessica.hernandez4@dallas.gov



Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>



From: Ipina, Ana <ana.ipina@dallas.gov>
Sent: Tuesday, April 9, 2024 2:43 PM
To: Tania Garcia <tania@webcityproperties.com>
Cc: Hernandez, Jessica <jessica.hernandez4@dallas.gov>; Lewis, Loree <loree.lewis@dallas.gov>
Subject: RE: 12908 Windfall - Demo Permit

[Quoted text hidden]

Tania Garcia <tania@webcityproperties.com> Tue, Apr 9, 2024 at 4:54 PM
To: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>, "Lewis, Loree" <loree.lewis@dallas.gov>

Thank you this really helpful. For the demo plan and route do you have an example of this? I will be reaching out to our contractor but in case don't get that information from him. I would like to know.

Also would you be able to provide some guidance on the waste water application for this property as well? Since it's not really a new construction and there's existing water lines. I'm not sure what to put in the blanks there. Please let me know.

Thank you!



Tania Garcia | Operations Manager
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www.webcityproperties.com

[Quoted text hidden]

Hernandez, Jessica <jessica.hernandez4@dallas.gov> Wed, Apr 10, 2024 at 1:27 PM
To: Tania Garcia <tania@webcityproperties.com>
Cc: "Ipina, Ana" <ana.ipina@dallas.gov>, "Lewis, Loree" <loree.lewis@dallas.gov>

Hello,

for the route, it will be simple directions from the property to the landfill of your choice (Example: Left on Marsalis ave., right on Flower ln, right on Davis, destination on your left...etc).

As for water and waste water, i do not handle these applications so i do not want to provide any wrong information. You may contact BIWATERWASTEWATER@DALLAS.GOV if you have any questions to your application.

Thank You,

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Jessica Hernandez

Plans Examiner

City of Dallas | DallasCityNews.net

Development Services

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Dallas, TX 75203

O: (214)948-4480

jessica.hernandez4@dallas.gov



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[surveymonkey.com/r/FRWPLBQ](https://www.surveymonkey.com/r/FRWPLBQ)



From: Tania Garcia <tania@webcityproperties.com>

Sent: Tuesday, April 9, 2024 4:54 PM

To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>

Cc: Ipina, Ana <ana.ipina@dallas.gov>; Lewis, Loree <loree.lewis@dallas.gov>

Subject: Re: 12908 Windfall - Demo Permit

[Quoted text hidden]



Tania Garcia <tania@webcityproperties.com>

RE: 12908 Windfall - Inspection for Permit

3 messages

Ipina, Ana <ana.ipina@dallas.gov>

Mon, Jan 29, 2024 at 9:23 AM

To: "Hernandez, Jessica" <jessica.hernandez4@dallas.gov>, Tania Garcia <tania@webcityproperties.com>, BI Residential <BIResidential@dallas.gov>, DEVTEAMresidentialGroup <devTEAMresidentialgroup@dallastxgov.onmicrosoft.com>

Good morning Tania,

Please apply for "reconstruction of main structure with foundation repair" permit. The engineering letter with supporting documentation for the foundation repair shall be included with the submitted application and plans to scale.

Thank you,

Please Take a Moment to Tell Us How We Are Doing



Ana Ipina

Project Coordinator
Development Services
City of Dallas | DallasCityNews.net

7800 N. Stemmons Fwy.

Dallas, TX 75247

O: (214) 948-5333

C: (945) 542-2971

ana.ipina@dallas.gov



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From: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Sent: Monday, January 29, 2024 8:50 AM
To: Tania Garcia <tania@webcityproperties.com>; BI Residential <BIResidential@dallas.gov>
Cc: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Windfall - Inspection for Permit

Good morning,

I have included the @BI Residential team to further assist whether this will be considered a new construction or reconstruction. I believe they are both going to be considered as "new" structure rather than a remodel, however, i do not want to provide the wrong information when it comes to residential.

Thank You,

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Jessica Hernandez
Plans Examiner
City of Dallas | DallasCityNews.net
Development Services

320 E. Jefferson Blvd #118

Dallas, TX 75203
O: (214)948-4480

jessica.hernandez4@dallas.gov



Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>



From: Tania Garcia <tania@webcityproperties.com>
Sent: Friday, January 26, 2024 5:26 PM
To: Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Ipina, Ana <ana.ipina@dallas.gov>
Subject: Re: 12908 Winfall - Inspection for Permit

External Email!

Thank you. We will be applying to get a demolition permit as well, and have most things necessary for the demo permit, but we need more guidance on if we need to apply for a **reconstruction or new construction permit**. Due to the fact that this property will only be a partial, as needed demolition. We won't be demolishing the foundation only doing repairs and we have a demo plan where it will be needed. I've tried calling building inspectors to see if they can go to the property to give me an answer to this question, but I have yet to hear back from them.

We are ready to begin applying for a reconstruction or new construction permit since we have the necessary plans, but we need to know what checklist and process to follow depending on what is determined to be the correct permit to apply for.

Please let me know if we can do anything to help speed up the process.

Thank you.

On Fri, Jan 26, 2024 at 11:19 AM Hernandez, Jessica <jessica.hernandez4@dallas.gov> wrote:

Good morning Tania,

Demo permits can be applied for in person at **320 E. Jefferson Blvd. #118** or electronically at <https://dallas-tx-us.avolvecloud.com/>. I would highly recommend to apply in person to have your permit issued same day, electronic submittals can take anywhere from 5-10 business days to issue. I have attached the necessary documents to complete and submit. Our business hours are Monday-Friday (8:00am-5:00pm), however, cashiers close down at 4:15 pm.

Thank You,

“Together we are building a safe and united Dallas.”



Jessica Hernandez
Plans Examiner
City of Dallas | DallasCityNews.net
Development Services

320 E. Jefferson Blvd #118

Dallas, TX 75203
O: (214)948-4480

jessica.hernandez4@dallas.gov



Please take a moment and let us know how we are doing, <https://www.surveymonkey.com/r/FRWPLBQ>



From: Ipina, Ana <ana.ipina@dallas.gov>
Sent: Friday, January 26, 2024 10:35 AM
To: Tania Garcia <tania@webcityproperties.com>; Hernandez, Jessica <jessica.hernandez4@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: RE: 12908 Winfall - Inspection for Permit

Hi Tania,

I'm including [@Hernandez, Jessica](#) who currently oversees the demo documentation and process.

Jessica, could we please get your assistance with this? Please see below.

Thank you,

[Please Take a Moment to Tell Us How We Are Doing](https://www.surveymonkey.com/r/FRWPLBQ)



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ana.ipina@dallas.gov



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From: Tania Garcia <tania@webcityproperties.com>
Sent: Thursday, January 25, 2024 5:07 PM
To: Ipina, Ana <ana.ipina@dallas.gov>
Cc: Jordan DSilva <jordan@webcityproperties.com>
Subject: 12908 Winfall - Inspection for Permit

External Email!

Hello Ana,

I've been reaching out to all building inspectors for more than 3 weeks now. I've also called the building inspection department and all they were able to do to help me was give me the inspector's number which I already have.

I've reached out to inspector Contreras, Cisneros and King and received no response even after leaving numerous messages. I was able to talk to inspector Miguel Torres last Friday and he told me he would schedule a visit to 12908 Windfall for this Monday and will follow up with me by latest Tuesday. I didn't receive a call and have been calling him and leaving messages since then, but no response yet.

We are ready to begin applying for a permit since we have the necessary plans, but we need to know what checklist and process to follow depending on what is determined to be the correct permit to apply for.

Please let me know if we can do anything to help speed up the process.

Thank you.

--



Tania Garcia | Operations Manager

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www.webcityproperties.com

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Tania Garcia <tania@webcityproperties.com>

Mon, Jan 29, 2024 at 10:51 AM

To: "Ipina, Ana" <ana.ipina@dallas.gov>

Cc: Jordan DSilva <jordan@webcityproperties.com>, BIResidential@dallas.gov

Thank you for the information. Just need some verification on which permit to choose to apply for "reconstruction of main structure with foundation repair" permit under the Application and Permit type - Step 5:

Residential - New 1 or 2 Family Dwelling

OR

Residential - Remodel 1 or 2 Family Dwelling

Please advise. Thank you!

[Quoted text hidden]

Ipina, Ana <ana.ipina@dallas.gov>

Mon, Jan 29, 2024 at 10:52 AM

To: Tania Garcia <tania@webcityproperties.com>

Cc: Jordan DSilva <jordan@webcityproperties.com>, BI Residential <BIResidential@dallas.gov>

"new"

[Quoted text hidden]

FILE NUMBER: BDA234-146(CJ)

BUILDING OFFICIAL'S REPORT: Application of Raul Cortes Garcia for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **3226 Lawnview Avenue**. This property is more fully described as Block 37/5809, Lot 5 and is zoned R-7.5(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 along Menger Avenue, which will require a **(1)** 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 a **(2)** special exception to the fence opacity regulations.

LOCATION: 3226 Lawnview Avenue

APPLICANT: Raul Cortes Garcia

REQUEST:

- (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 & 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 standard 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 these requests.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 3226 Lawnview Avenue in the last 5 years.

Square Footage:

- This lot contains 12,632.4 of square feet.
- This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet.

Zoning:

Site: R-7.5(A) (Single Family District)

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Raul Cortes Garcia property located at 3226 Lawnview Avenue focuses on 2 requests relating to fence height and fence opacity.
- The applicant proposes to maintain a 6-foot 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 existing fence is made from cedar wood panels.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- The subject site is a corner lot with double street frontage on Lawnview Avenue and Menger Avenue.
- The subject site has two front yards due to block face continuity; one front yard on Lawnview Avenue and another on Menger Avenue.
- It is imperative to note that the existing fence replaced an older fence that appeared to exist within the front yard setback on Menger Ave. to some degree.
- It has been confirmed that the fence is existing and not proposed.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence 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.
- 200' Radius Video: [BDA234-146 at 3226 Lawnveiw Ave.](#)

Timeline:

- October 24, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- November 4, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- November 13, 2024: The Planning and Development Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the November 22, 2024, deadline to submit additional evidence for staff to factor into their analysis; and December 6, 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.
- December 4, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December 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

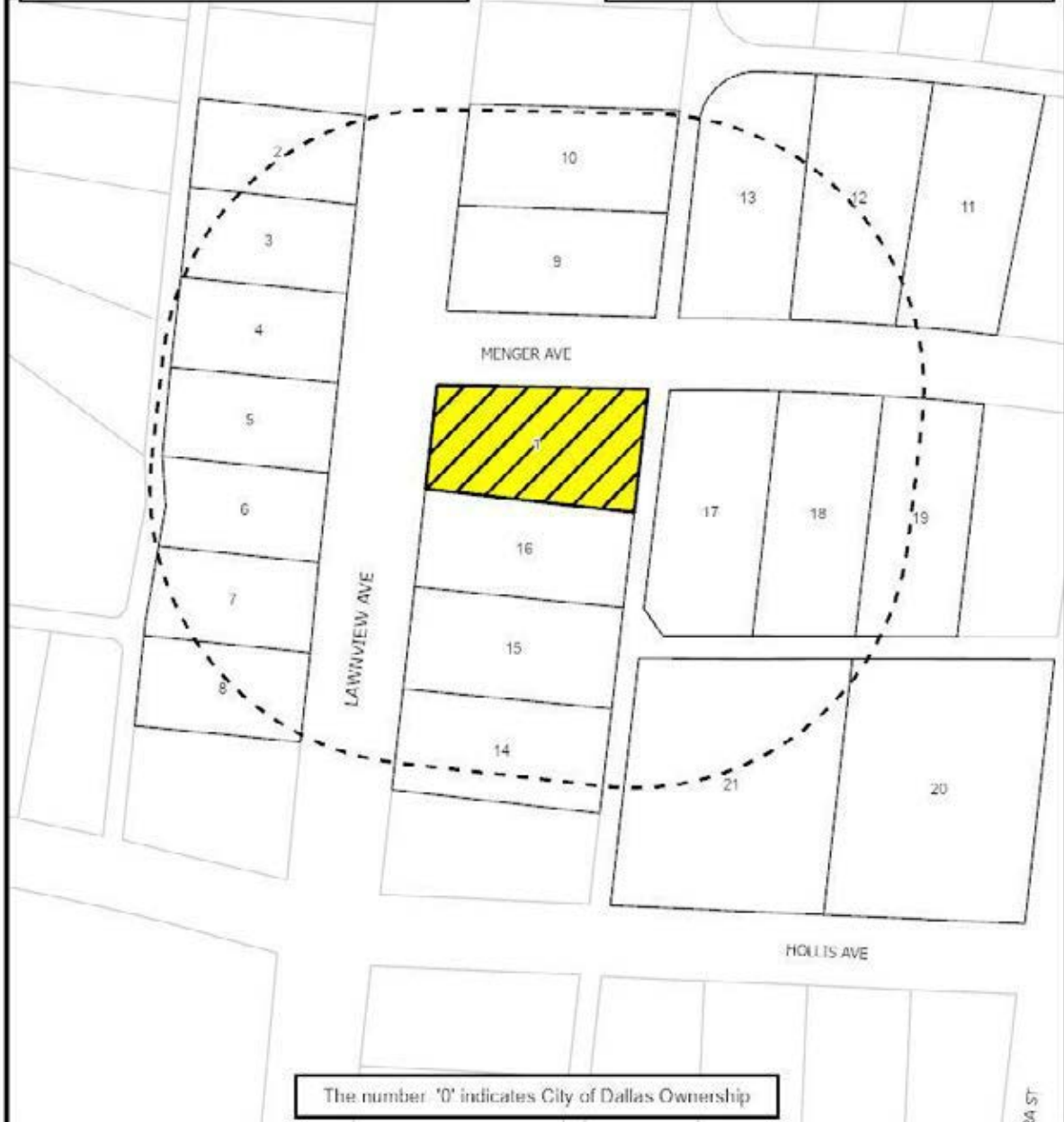
ZONING MAP

Case no: BDA234-146

Date: 11/21/2024

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

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



The number '0' indicates City of Dallas Ownership





1:1,200

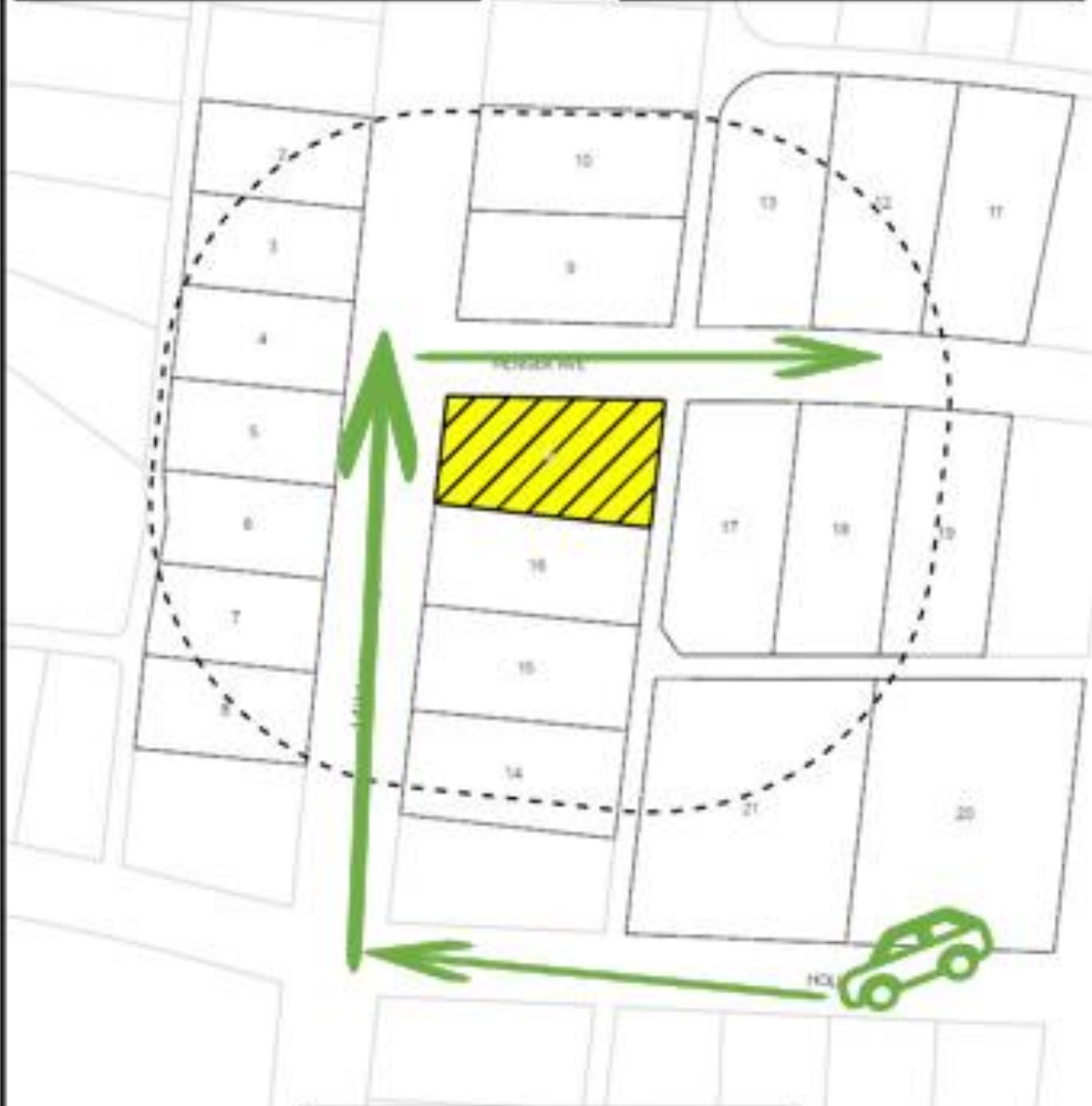
NOTIFICATION

200' AREA OF NOTIFICATION
21 NUMBER OF PROPERTY OWNERS NOTIFIED


Case no: **BDA234-146**
 Date: **11/21/2024**

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

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
21 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-146**
 Date: **11/21/2024**

1
11/21/2024

Notification List of Property Owners

BDA234-146

21 Property Owners Notified

Label #	Address	Owner
1	3226 LAWNVIEW AVE	CORTESGARCIA RAUL R &
2	3309 LAWNVIEW AVE	GARCIA JUAN & GABRIELA
3	3303 LAWNVIEW AVE	PAYNE LUCAS M &
4	3231 LAWNVIEW AVE	Taxpayer at
5	3225 LAWNVIEW AVE	SALINAS GLORIA
6	3221 LAWNVIEW AVE	GARCIA ELODIA & LUCIO JAIMES
7	3215 LAWNVIEW AVE	MARQUEZ FRANCISCO VERGARA &
8	3211 LAWNVIEW AVE	3211 LAWNVIEW LLC
9	3302 LAWNVIEW AVE	RUSSELL JOEL DAVID
10	3304 LAWNVIEW AVE	MENDEZ IGNACIO &
11	6031 MENDER AVE	PEREZ FELICIANO & ROSA
12	6023 MENDER AVE	BENAVIDES TERESA
13	6019 MENDER AVE	MARTINEZ JUANA
14	3206 LAWNVIEW AVE	BRADFORD ELLA MAE
15	3214 LAWNVIEW AVE	Taxpayer at
16	3220 LAWNVIEW AVE	FLORES CARLOS &
17	6018 MENDER AVE	LONG ARDIS WAYNE II
18	6022 MENDER AVE	PATINO CYNTHIA & MIGUEL
19	6030 MENDER AVE	OLVERA CELESTINO RANGEL
20	6035 HOLLIS AVE	ANTHONY SHIRLEY
21	6019 HOLLIS AVE	YOUSUF NIZAR

 1:1,200	NOTIFICATION	Case no: <u>BDA234-146</u>
	200' AREA OF NOTIFICATION 21 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u>11/21/2024</u>



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

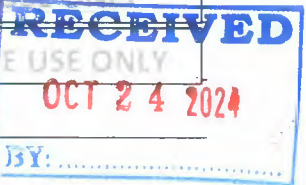
APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

234-146

Date:

FOR OFFICE USE ONLY



Data Relative to Subject Property:

Location address: 3226 Lawnview Ave

Zoning District:

Lot No.: 5 Block No.: 37/5809 Acreage: 0.29

Census Tract:

Street Frontage (in Feet): 1) 75' 2) 50' 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Raul Cortes-Garcia and Alan Cortes

Applicant: Raul Cortes-Garcia

Telephone: 915-539-2915

Mailing Address: 3226 Lawnview Ave

Zip Code: 75227

E-mail Address: raul.c.cortesgarcia@gmail.com

Represented by: self

Telephone:

Mailing Address:

Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance or Special Exception of extension of existing 6' fence out to sidewalk facing Mergen Ave and construct a 4' fence on the remaining perimeter 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:

safety of inhabitants and pets, enjoyment of entire property, discouraging loitering (elementary school are block away)

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

Raul Cortes Garcia Raul Cortes Garcia

(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:

Raul Cortes Garcia

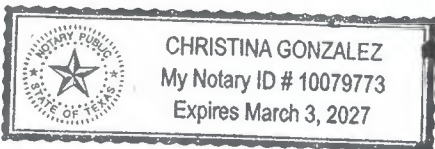
(Affiant/Applicant's signature)

Subscribed and sworn to before me this

24th day of September, 2024

Christina Gonzalez

Notary Public in and for Dallas County, Texas





CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-146

I, Raul Cortes-Garcia and Alan Cortes, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3226 Lawnview Ave Dallas, TX 75227
(Address of property as stated on application)

Authorize: Raul Cortes-Garcia
(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: extend fence from existing position out to sidewalk facing
Manger Avenue - 6' fence and a 4' fence on remaining perimeter

Raul Cortes-Garcia and Alan Cortes
Print name of property owner or registered agent

Raul Cortes-Garcia Alan Cortes
Signature of property owner or registered

agent Date 9/24/24

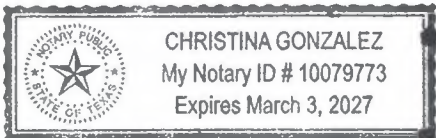
Before me, the undersigned, on this day personally appeared
Raul Cortes Garcia and Alan Cortes

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 24th day of

September, 2024

Christina Gonzalez
Notary Public for Dallas County,
Texas



Commission expires on
03/03/2027



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-146

I, Raul Cortes-Garcia and Alan Cortes, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3226 Lawnview Ave Dallas, TX 75227
(Address of property as stated on application)

Authorize: Raul Cortes-Garcia
(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: extend fence from existing position out to sidewalk facing Menger Avenue - 6' fence and a 4' fence on the remaining perimeter

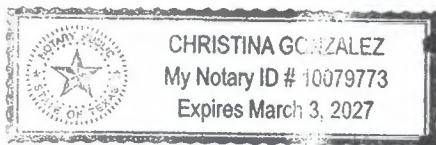
Raul Cortes-Garcia and Alan Cortes
Print name of property owner or registered agent

Raul Cortes-Garcia / Alan Cortes
Signature of property owner or registered agent

agent Date 9/24/24

Before me, the undersigned, on this day personally appeared Raul Cortes Garcia and Alan Cortes

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 24th day of September, 2024



Christina Gonzalez
Commission expires on 03/03/2027

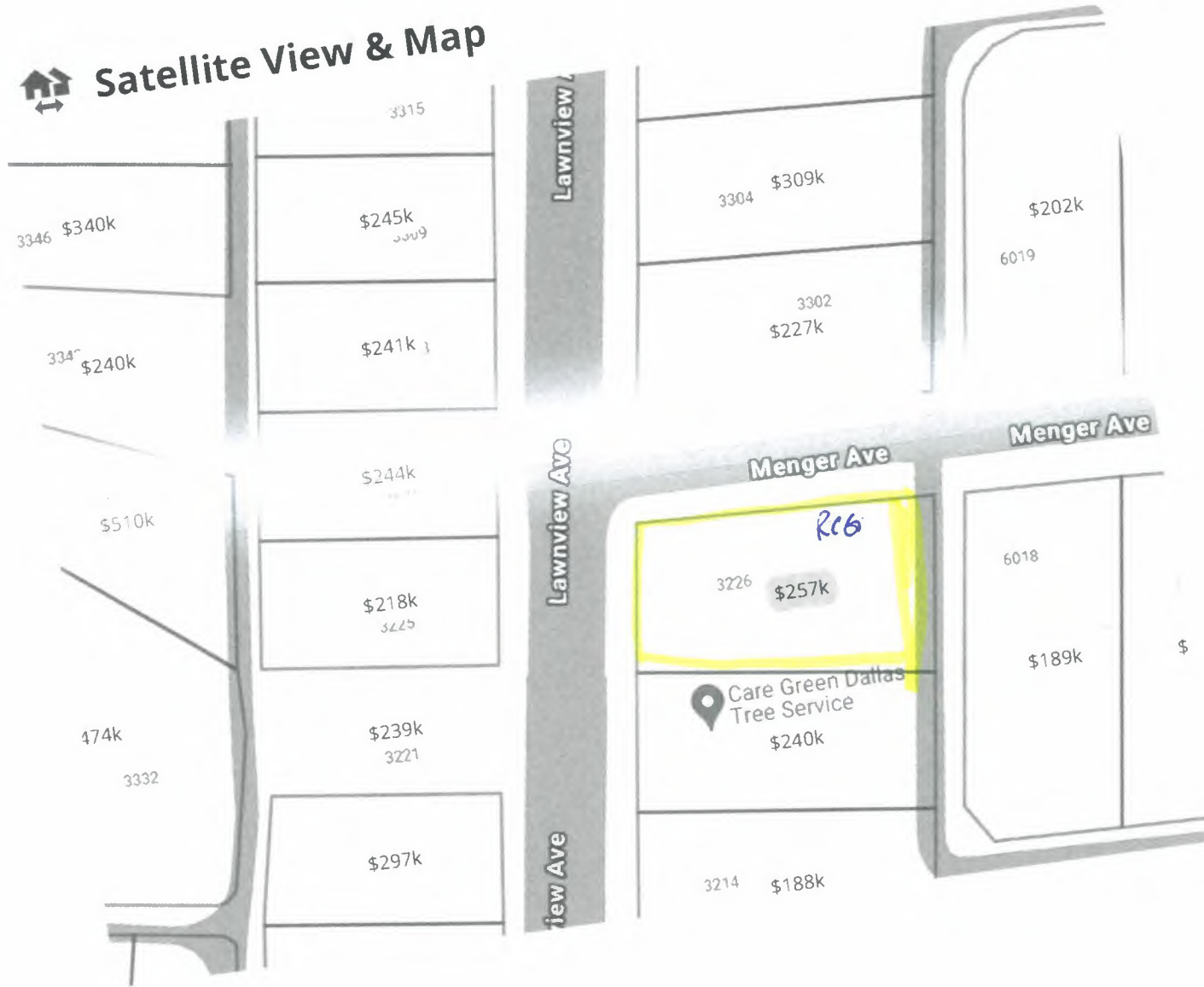
The screenshot shows a GIS web application interface. At the top, there is a search bar with the address "3226 LAWNVIEW AVE" entered. The main map area displays a zoning map with various parcels outlined in grey. A red box highlights a specific parcel. A pop-up window titled "Base Zoning" is open over the highlighted parcel, displaying the following information:

Base Zoning	
Zoom to	
Zone District	R7.5(A)
PD Number	
CD Number	
Common Name	
Case Number	Transition
Council Date	7/18/1989
Ordinance Number	19455

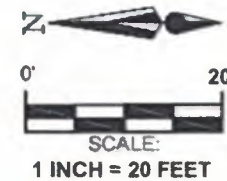
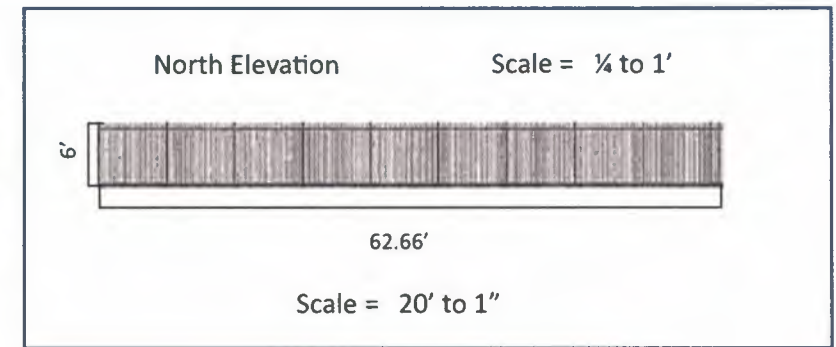
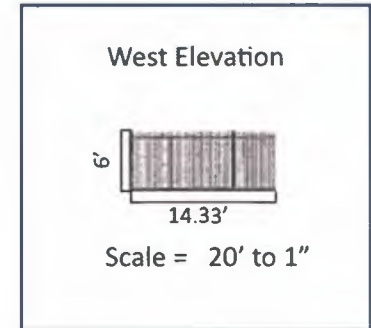
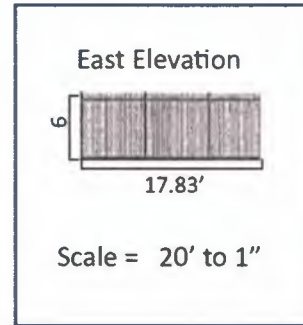
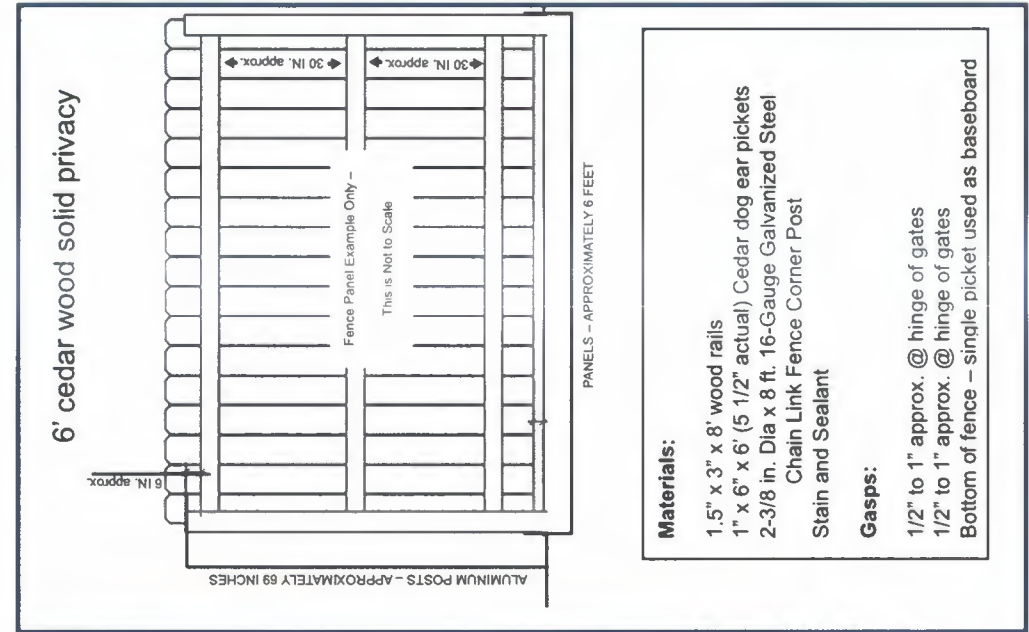
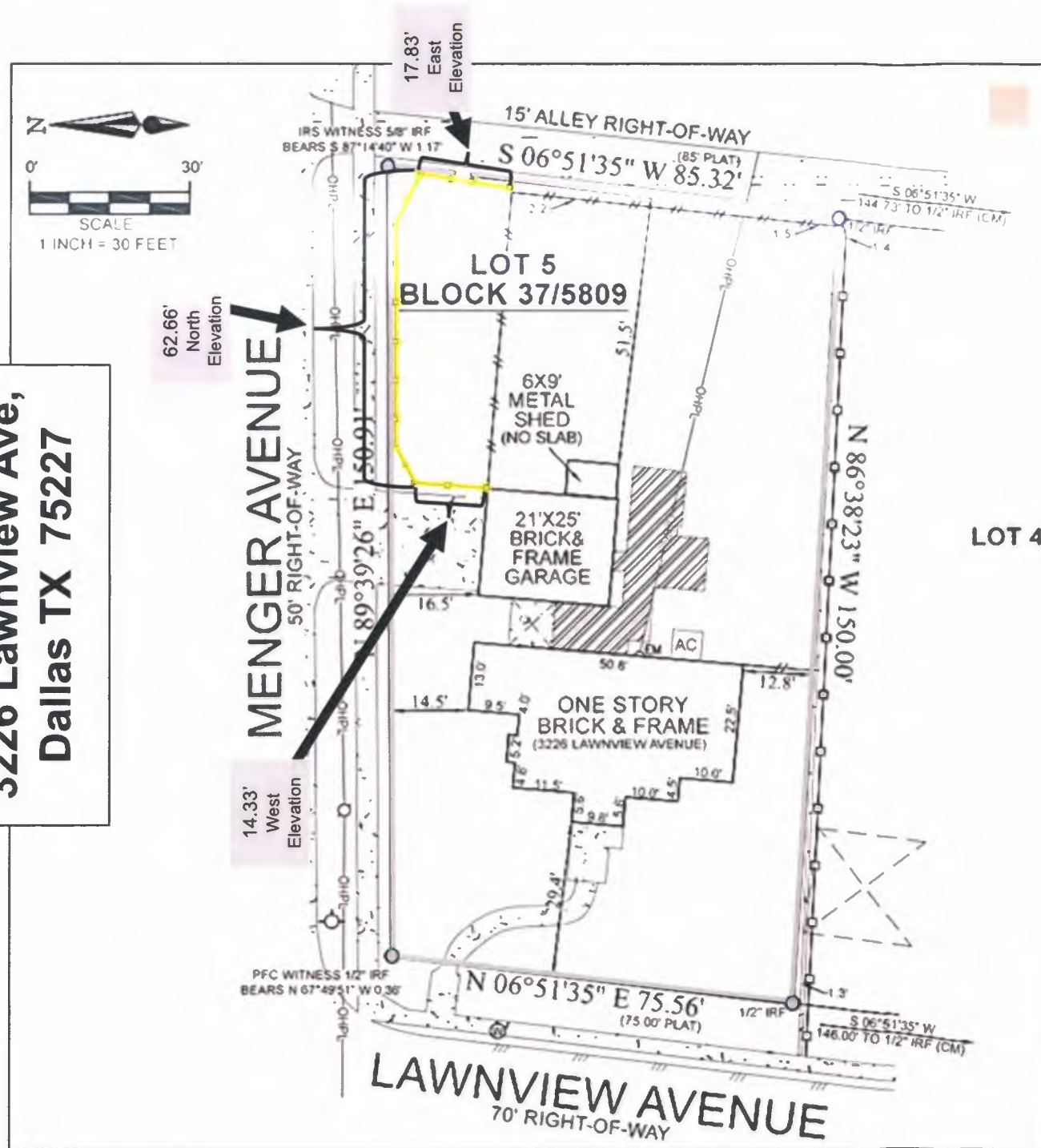
The map also shows a search bar with "3226 LAWNVIEW AVE" and a "Selected features: 1" indicator at the bottom right. The interface includes navigation controls on the left and a "Report Issue" link at the top right.

Rafael Garcia

🏠 Satellite View & Map



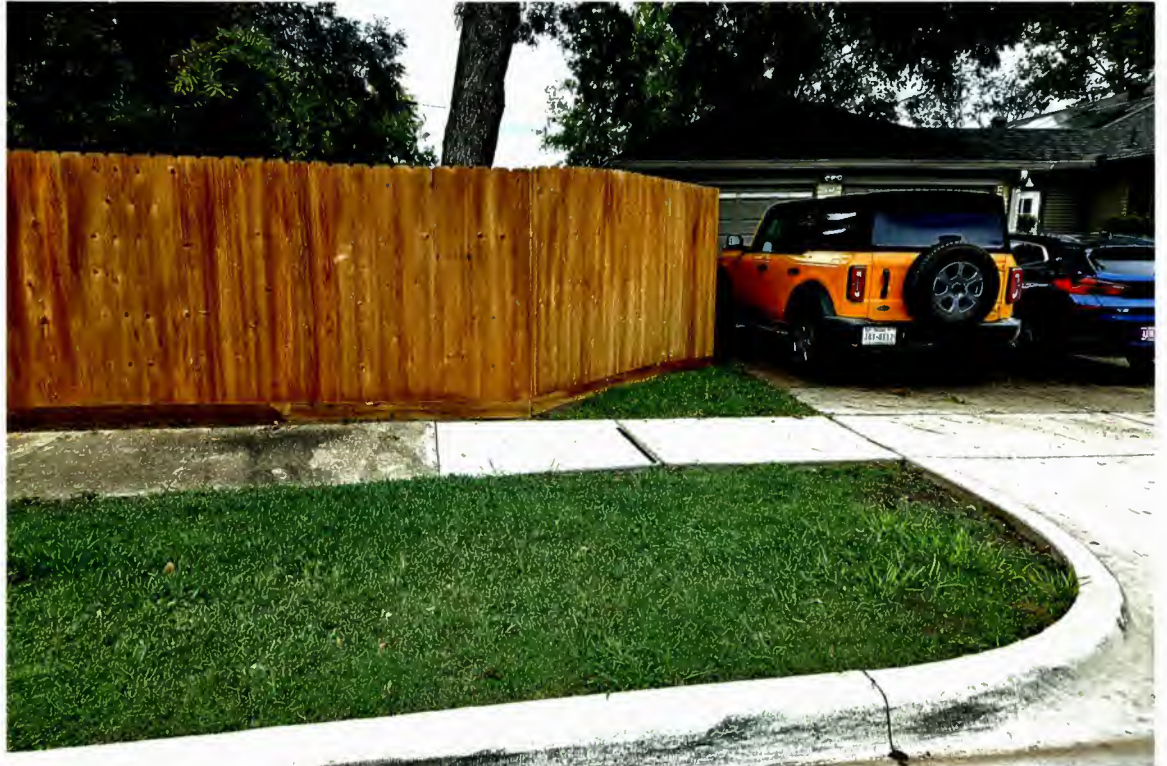
**3226 Lawnview Ave,
Dallas TX 75227**

















FILE NUMBER: BDA234-154 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Ana Castro for **(1)** a variance to the floor area ratio for structures accessory to single-family uses regulations at **4119 Mehalia Drive**. This property is more fully described as Block D/6868, Lot 36, and is zoned R-5(A), which states that an accessory structure may not exceed 25 percent of the floor area of the main structure. The applicant proposes to construct and/or maintain a single family residential accessory structure with 474 square feet of floor area (40 percent of floor area of the main structure), which will require **(1)** a 177 square foot variance to the floor area ratio regulations.

LOCATION: 4119 Mehalia Drive

APPLICANT: Ana Castro

REQUEST:

- (1) A request for a special exception to the floor area ratio for structures accessory to single-family uses regulations

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.

- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

- 1. Variance to the floor area ratio regulations

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. Though the subject site is not sloped or irregularly shaped, it is 4,356 sq ft. which is smaller than the minimum lot size for residential use in the R-5(A) zoning district (5,000 sq ft.); therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 4119 Mehalia Drive within the last 5 years.

Square Footage:

This lot contains 4,356 of square feet.

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

Zoning:

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

Land Use:

The subject site and areas to the north, south, east, and west are zoned with residential uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Ana Castro property located at 4119 Mehalia Drive focuses on 1 request relating to the floor area ratio for structures accessory to single family uses regulations.

- A request for a variance to the floor area ratio regulations of 177 square feet is made to maintain a single-family residential accessory structure with 474 square feet of floor area on a site that is developed with a main structure that has 1190 square feet.
- The subject site is a mid-block lot and has single street frontage on Mehalia Drive.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- The subject site is currently developed with a residential structure and located within an established neighborhood.

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

- That granting the variance 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 variance below, 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.
 - 177 square foot variance to the floor area ratio regulations.
 - 200' Radius Video: [BDA234-154 at 4119 Mehalia Dr.](#)

Timeline:

October 25, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 4, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

November 13, 2024: The Planning and Development Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the November 22, 2024, deadline to submit additional evidence for staff to factor into their analysis; and December 6, 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.

December 4, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December 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

ZONING MAP

Case no: **BDA234-154**


Date: **11/22/2024**

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

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
36 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-154**
 Date: **11/22/2024**

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

El área de solicitud está sombreada [hatched box] Notificación se envía a todos los propietarios dentro del área de notificación (se muestra con un círculo discontinuo). Su propiedad no se muestra fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibirá esta notificación solo para informarle sobre la solicitud.



The number 'V' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

 AREA OF NOTIFICATION

 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-154**

Date: **11/22/2024**

Notification List of Property Owners

BDA234-154

36 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4119 MEHALIA DR	CASTRO JORGE CASTRO &
2	4019 AMBROSE DR	DESOTO REAL ESTATE RESOURCE LLC
3	4023 AMBROSE DR	Taxpayer at
4	4027 AMBROSE DR	HOLLINS NATHANIEL
5	4031 AMBROSE DR	ESQUIVEL JUAN
6	4010 AMBROSE DR	MEDINA BRENDA &
7	4014 AMBROSE DR	JACKSON WILLIE M
8	4018 AMBROSE DR	TRVK INVESTMENTS LLV
9	4022 AMBROSE DR	CASTRUITA YONATON &
10	4026 AMBROSE DR	Taxpayer at
11	4030 AMBROSE DR	ESPINOZA MARISOL &
12	4034 AMBROSE DR	COFER DANITA K &
13	4038 AMBROSE DR	TITTLE DEBORRA A
14	4042 AMBROSE DR	TAYLOR KAMEISHA D
15	4135 MEHALIA DR	CEASAR JOSEPHINE
16	4131 MEHALIA DR	Taxpayer at
17	4127 MEHALIA DR	Taxpayer at
18	4123 MEHALIA DR	ALLEN DOROTHY J & MARCUS T
19	4115 MEHALIA DR	SANTILLAN ANGELICA
20	4111 MEHALIA DR	ERICKSON NATALIE J
21	4107 MEHALIA DR	GARCIA JOSE A VARGAS &
22	4047 MEHALIA DR	COFFEE TRAQUEL
23	4048 MEHALIA DR	BOWMAN EDDIE MAE
24	4106 MEHALIA DR	FRANCO LILIANA &
25	4110 MEHALIA DR	JENNINGS CLARISSA
26	4114 MEHALIA DR	LOVE ONDRECE

11/22/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4118 MEHALLA DR	4118 MEHALLA DRIVE TRUST
28	4122 MEHALLA DR	Taxpayer at
29	4126 MEHALLA DR	HOLLOWAY KAREN SHAW &
30	4130 MEHALLA DR	PICKERINGWALTERS ALAN &
31	4134 MEHALLA DR	BRYANT JACK C &
32	4131 ROBERTSON DR	JONES ANNIE JEAN LIFE ESTATE
33	4125 ROBERTSON DR	MYLES PRESTON JR
34	4121 ROBERTSON DR	BOYCE JOE R
35	4115 ROBERTSON DR	AINOS CAMILA
36	4111 ROBERTSON DR	PAYNE RICKEY B



1:1,200

ZONING MAP

Case no: BDA234-154

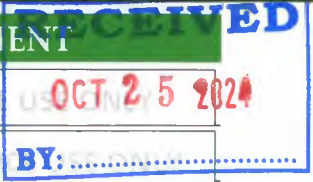
Date: 11/22/2024



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT



Case No.: BDA

234-154

Data Relative to Subject Property: _____

Date: _____

Location address: 4119 Menalia dr Zoning District: R-5 (A)

Lot No.: 36 Block No.: D16868 Acreage: 7,347 Census Tract: _____

Street Frontage (in Feet): 1) 65 2) _____ 3) 0.1 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Ana Lilia Castro Sanchez and Jorge Castro

Applicant: Ana Castro Telephone: 469-329-82-42

Mailing Address: 4119 Menalia dr Zip Code: 75241
annylili.77@icloud.com

E-mail Address: annylili.77@icloud.com

Represented by: _____ Telephone: _____

Mailing Address: 4119 Menalia dr Zip Code: 75241

E-mail Address: annylili.77@icloud.com

Affirm that an appeal has been made for a Variance or Special Exception of accessory
structure exceeding main structure 32%

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

Not affecting neighboring property

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 Ana Castro

(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: Ana Castro
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 26th day of October, 2024

Notary Public in and for Dallas County, Texas





Appeal number: BDA 234-154

I, ~~Ana Castro~~ Jorge Castro, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4119 Mehalia dr
(Address of property as stated on application)

Authorize: Ana Castro
(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)

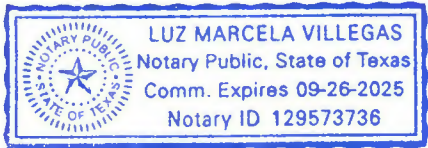
- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Submitting variance to approve slightly larger storage/ shed. Please refer to plans for appropriate dimensions. Shed does not exceed current home height.

Ana Castro Ana Castro Jorge Castro
 Print name of property owner or registered agent Signature of property owner or registered agent
 agent Date 10-23-24

Before me, the undersigned, on this day personally appeared Ana Castro

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 23rd day of October, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 09-26-25



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-154

I, ~~Ana Castro~~ Jorge Castro, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4119 Mehalia Dr. Dallas Texas 75241
(Address of property as stated on application)

Authorize: ~~Ana Castro~~ Ana Castro
(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)

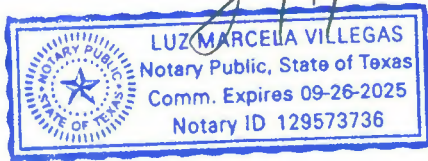
- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: _____

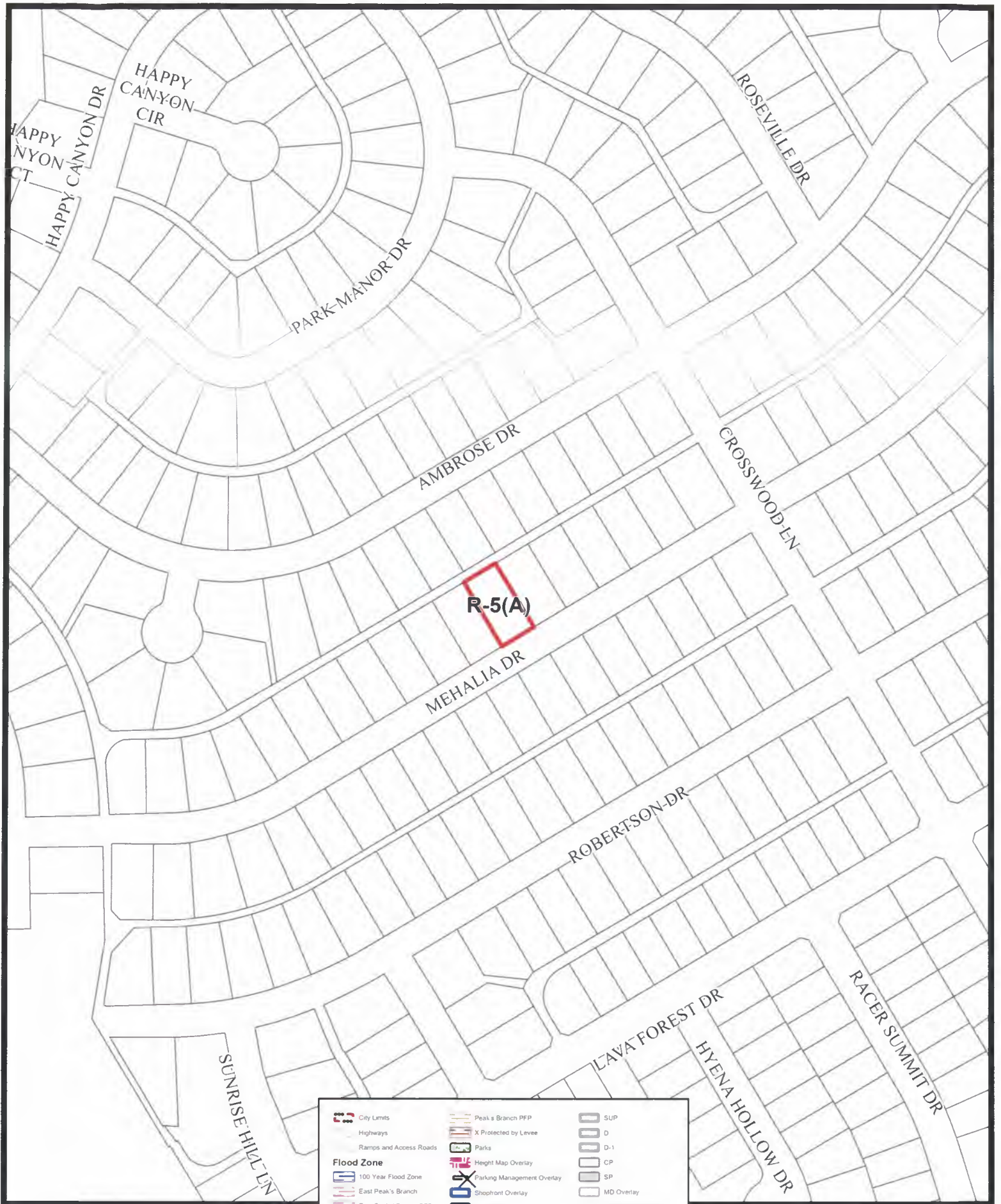
Ana Castro Ana Castro Jorge Castro
 Print name of property owner or registered agent Signature of property owner or registered agent
 agent Date 10-23-2024

Before me, the undersigned, on this day personally appeared Ana L. Castro

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 10-23-24 day of Jorge Castro



Commission expires on 09-26-2025



R-5(A)



1:2,400

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

Block	Description	Area	Owner	Curse	Home	Curse
1
2
3
4
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45



HIGHLAND HILLS NO. 6
 LEVY DIXON SURVEY ABSTRACT NO. 840
 CITY BLOCK 6888 B 6887 DALLAS, TEXAS
 JAMES & VERNON SMITH PARTNERSHIP
 SCALE 1" = 40' GARDNER & SMITH CIVIL ENGINEERS
 CITY PLAN NO. 59-477C DECEMBER 9, 1960

RECEIVED
 CITY PLAN OFFICE
 JAN 5 1961

I, JAMES H. GARDNER, County Clerk of Dallas County, Texas, do hereby certify that the foregoing is a true and correct copy of the original plat as filed in my office on December 9, 1960, and that the same conforms to the provisions of the laws of this State relating to the recording of plats.



46-53

ORDER OF VETALS
COUNTY OF DALLAS

WHEREAS, JAMES S. FURCH and others, a partnership, are the owners of a tract of land situated in the City of Dallas, Texas, and located in City Blocks 6867 and 6868, City of Dallas, Dallas County, Texas, and being more particularly described as follows:

BEING and the North corner of Highland Hills No. 4, and corner being in the SE line of Simpson-Burnett Road 112.0 ft. W 60°-16' E of the SE line of Paul Henry Hyde; Thence N 60°-16' E along the SE line of Simpson-Burnett Road (40 ft. road) a distance of 328.25 ft. to angle point; Thence S 60°-22' E 72.0 ft. to corner; Thence S 29°-38' E along the proposed SE line of J.J. Lomon Road a distance of 203.72 ft. to beginning point of curve; Thence along a curve to the left having a radius of 140 ft. through a central angle of 14°-11', a distance of 112.76 ft. to corner; Thence S 60°-22' E 141.55 ft. to corner; Thence S 29°-38' E 144.55 ft. to beginning point of curve; Thence along a curve to the right having a radius of 133 ft. a central angle of 50°-13'-10" a distance of 242.13 ft. to end of curve; Thence S 12°-28'-30" E 25.56 ft. to corner; Thence S 12°-28'-30" E 95.0 ft. to corner; Thence S 29°-39'-30" E 190.07 ft. to corner; Thence S 7°-29'-30" E 21.2 ft. to corner; Thence S 29°-38'-30" E 15.0 ft. to corner; Thence S 60°-30'-30" E along the SE line of a 144.64 Acre tract of land conveyed to Norman F. Smith, James V. Smith, and Ida Smith, as recorded in Vol. 4958, at page 378 of the Book Records of Dallas County, Texas, a distance of 577.99 ft. to corner; Thence S 31°-41'-40" W along the SE line of J.J. Lomon Road a distance of 12.83 ft. to beginning point of curve; Thence along a curve to the right having a radius of 220 ft. through a central angle of 15°-58'-30" a distance of 69.72 ft. to corner; Thence S 78°-34'-40" W 199.85 ft. to corner; Thence S 12°-18' W 20.36 ft. to corner; Thence S 74°-45' W 176.69 ft. to corner; Thence S 15°-21'-10" W 224.12 ft. to corner; Thence S 60°-29'-10" W along the SE line of the said Smith Tract a distance of 193.77 ft. to corner; Thence S 60°-13'-10" W 610.38 ft. to corner; Thence along a curve to the right having a radius of 300.05 ft. through a central angle of 20°-51'-20" a distance of 161.60 ft. to end of curve; Thence S 69°-15' W 61.02 ft. to corner; Thence S 60°-15' W 21.21 ft. to corner; Thence S 60°-15' W 15.0 ft. to corner; Thence S 0°-45' W 80.0 ft. to corner; Thence S 60°-15' E 15.0 ft. to corner; Thence S 0°-45' E 129.51 ft. to beginning point of curve; Thence along a curve to the left having a radius of 534 ft. through a central angle of 9°-52'-40" a distance of 70.43 ft. to corner; Thence S 60°-15' E 19.02 ft. to corner; Thence S 69°-15' E 20.88 ft. to beginning point of curve; Thence along a curve to the left having a radius of 230 ft. a central angle of 28°-25" a distance of 134.08 ft. to end of curve; Thence S 60°-21' E 88.21 ft. to corner; Thence S 29°-39' W 115.0 ft. to corner; Thence S 0°-10' W 147.0 ft. to corner; Thence is a westerly direction along the South line of Johnson Drive along a curve to the left having a radius of 140 ft. through a central angle of 2°-57'-40" a distance of 20.47 ft. to corner; Thence S 9°-08' E 170.0 ft. to corner; Thence is a westerly direction along the South line of a 15 ft. alley in Block 6868, Highland Hills No. 4 along a curve to the left having a radius of 200 ft. a central angle of 20°-31'-20" a distance of 63.37 ft. to end of curve; Thence S 60°-15' E 443.73 ft. to corner; Thence S 29°-39' W 97.92 ft. to corner; Thence S 1°-40' W 28.48 ft. to corner; Thence S 28°-13' E 238.15 ft. to corner; Thence S 34°-05' E 20.0 ft. to corner; Thence is a northwesterly direction along the SE line of Greenwood Lane along a curve to the left having a radius of 200 ft. through a central angle of 19°-20" a distance of 69.28 ft. to corner; Thence S 7°-48' E 99.20 ft. to corner; Thence S 28°-13' E 115.0 ft. to corner; Thence S 61°-15' W 21.48 ft. to corner; Thence S 15°-41' W 28.28 ft. to corner; Thence S 28°-13' W 71.8 ft. to corner; Thence S 34°-05' W 133.77 ft. to corner; Thence S 29°-39' W 124.43 ft. to corner; Thence S 60°-15' W 40.0 ft. to corner; Thence S 29°-39' W 145.0 ft. to lines at beginning.

This tract of land contains 27.060 Acres of land. THEREFORE, CURE ALL USE OF THIS PROPERTY. That he, JAMES S. FURCH, a partnership, do hereby adopt this plan and the hereinbefore described property as HERELAND SHALL BE, & in addition to the City of Dallas, Dallas Co. Texas, and do hereby dedicate to the public use (through the streets and alleys shown thereon) and do hereby reserve the easement strips shown on this plan for the actual use and accommodation of all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or parts of any building, fence, trees, shrubs, or other improvements or growth which in any way may interfere or interfere with the construction, maintenance or efficiency of its respective system or any of them. The full right of ingress and egress is not free and upon the said easement strips for the purpose of constructing, reconstructing, repairing, maintaining, stabilizing and adding to or removing all or part of its respective system subject to the approval of the Director of Public Works of the City of Dallas, Texas, and in accordance with the requirements of the Ordinance of the City of Dallas, Texas, Chapter 21A, Article 10, Section 10-101, as amended, and in accordance with the requirements of the Director of Public Works of the City of Dallas, Texas, Chapter 21A, Article 10, Section 10-101, as amended, and in accordance with the requirements of the Ordinance of the City of Dallas, Texas, Chapter 21A, Article 10, Section 10-101, as amended.

WITNESSE our hands at Dallas, Texas, this 10th day of June 1961.
J.S. Furch
JAMES S. FURCH
JAMES S. FURCH

THE STATE OF TEXAS
COUNTY OF DALLAS
I, _____, Notary Public, in and for said County of Dallas, Texas, do hereby certify that the foregoing instrument, and the same, were duly executed and acknowledged before me on this 10th day of June 1961, at Dallas, Texas, and that the signers of the same are the persons named therein.
Notary Public
DALLAS, TEXAS



46-53
Highland Hills #6

15.00

10

65573

FILED FOR RECORD
DALLAS CO. TEXAS

1961 MAY 25 AM 11 36

ED. H. STEGER, CLERK
BY *[Signature]*
DEPUTY

James A. Campbell
421 1/2 E Jefferson

To the County Clerk of Dallas County:

Under Ordinance 3558 of the City of Dallas, the approval of this plat by the City Plan Commission is automatically terminated after the 26th day of June, 1961, and unless this plat is presented for filing on or before said date it should not be accepted for filing.

Department of City Planning

Asst by *[Signature]*
Director of Planning

CERTIFICATE OF APPROVAL

L. LOYD SHELBY

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 25 day of August, A.D. 1960 and same was duly approved on the 25 day of August, A.D. 1960 by said Commission.

[Signature]
Chairman
City Plan Commission
Dallas, Texas

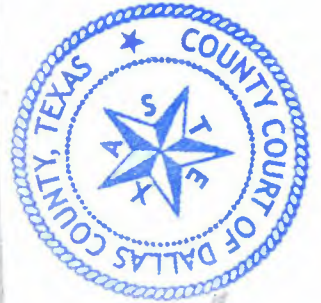
Attest:

[Signature]
Secretary

CITY OF DALLAS
FILING FEE PAID

5-25-61
As Required By Ordinance 3008

CITY OF DALLAS
1961 and Prior Taxes
PAID 394.26 5-25-61



File #59-477-C

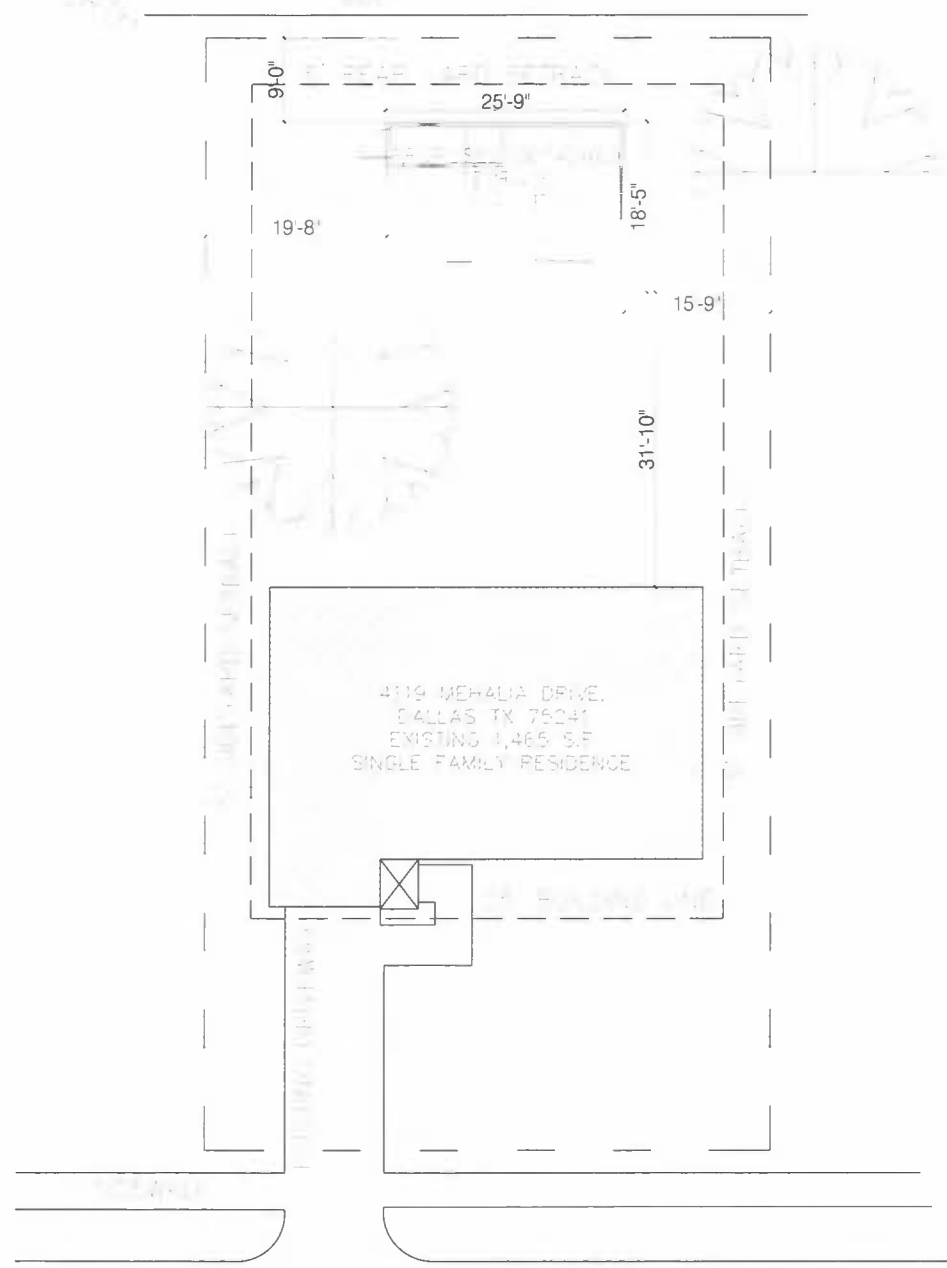
Filed for Record on the 25 day of May, A. D. 1961, at 11:36 o'clock A. M.

Duly Recorded this the 31 day of May, A. D. 1961, at o'clock M.

Instrument No. 102620

ED. H. STEGER, County Clerk
Dallas County, Texas

By *[Signature]* Deputy



VICINITY MAP
For reference only

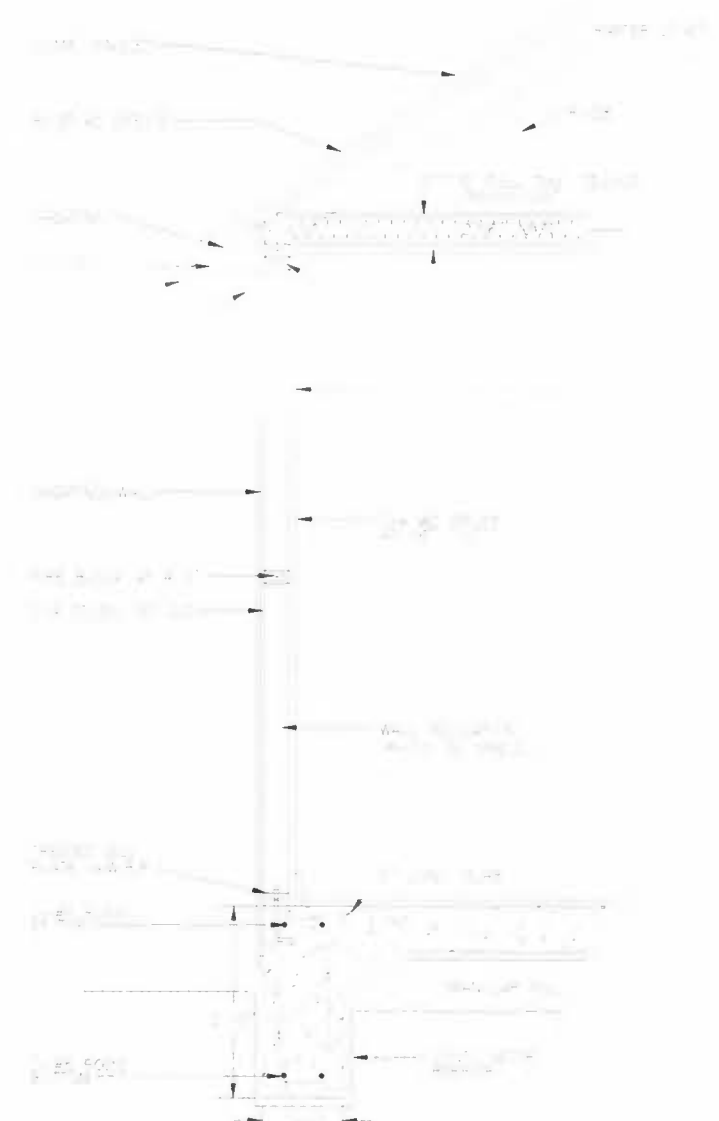
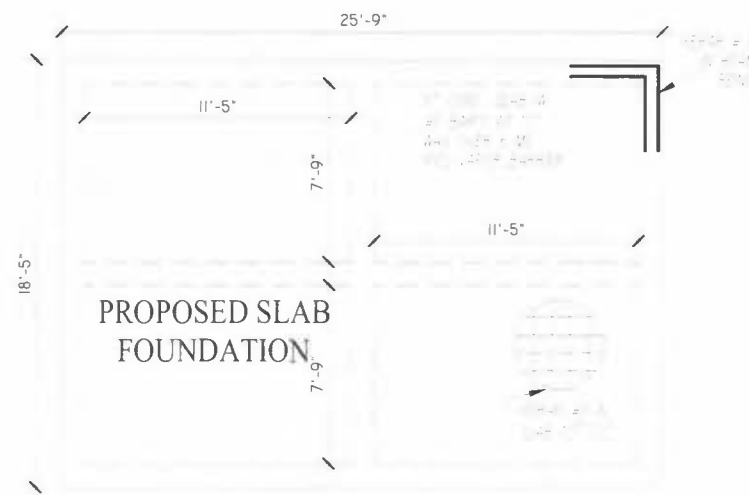
4119 MEHALIA DRIVE DALLAS TX 75241 SQUARE FOOTAGE	
EXISTING HOUSE	1,465 SF
EXISTING GARAGE	275 SF
PROPOSED STORAGE	50 SF
PROPOSED PORCH	77 SF
TOTAL A.C.	1,867 SF
TOTAL UNDER ROOF	1,939 SF
PROPOSED FINISH	PARTIAL
LOT AREA	7,147 SF
LOT COVERAGE	27.00%
LEGAL DESCRIPTION	
1 HIGHWAY 66 L.L. 1 C.B. 1 3000 10' 20'	

Elite Architectural Designs
Imagine. Design. Build
PHONE: 214-794-8568 817-707-1960
MYDESIGNS@ELITEARCHITECTURALDESIGNS.COM

**4119 MEHALIA DRIVE
DALLAS TX 75241**

DATE: _____
SCALE: _____
SHEET: **1**

- 2021 IBC
- 2021 IRC
- 2021 IFC
- 2021 IPC
- 2021 IFGC
- 2021 IMC
- 2021 IECC
- 2021 IPMC
- 2021 ISPSC
- 2020 NEC

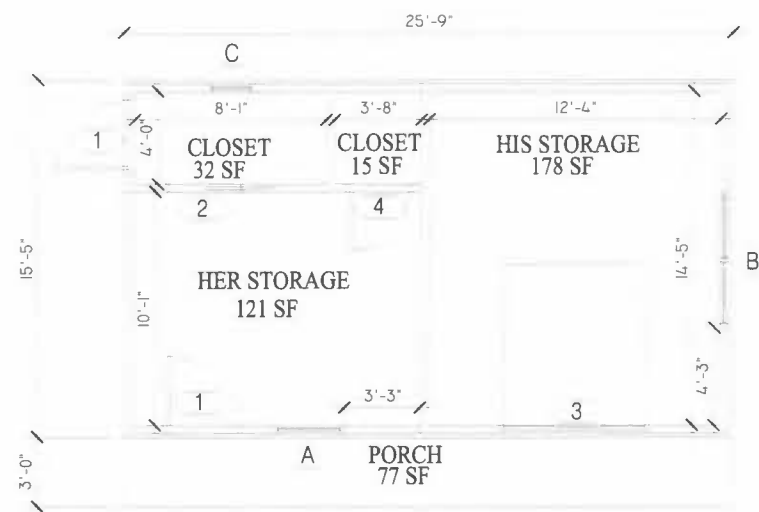


WALL SECTION - SIDING
not to scale


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**4119 MEHALIA DRIVE
DALLAS TX 75241**





WINDOW SCHEDULE

TAG	SIZE	DESC.	QTY.
A	3'-0" X 3'-0"	DBLH	1
B	(2)3'-0" X 4'-0"	DBLH	1
C	2'-0" X 3'-0"	DBLH	1

DBLH = DOUBLE HUNG
CSMNT = CASEMENT

DOOR SCHEDULE

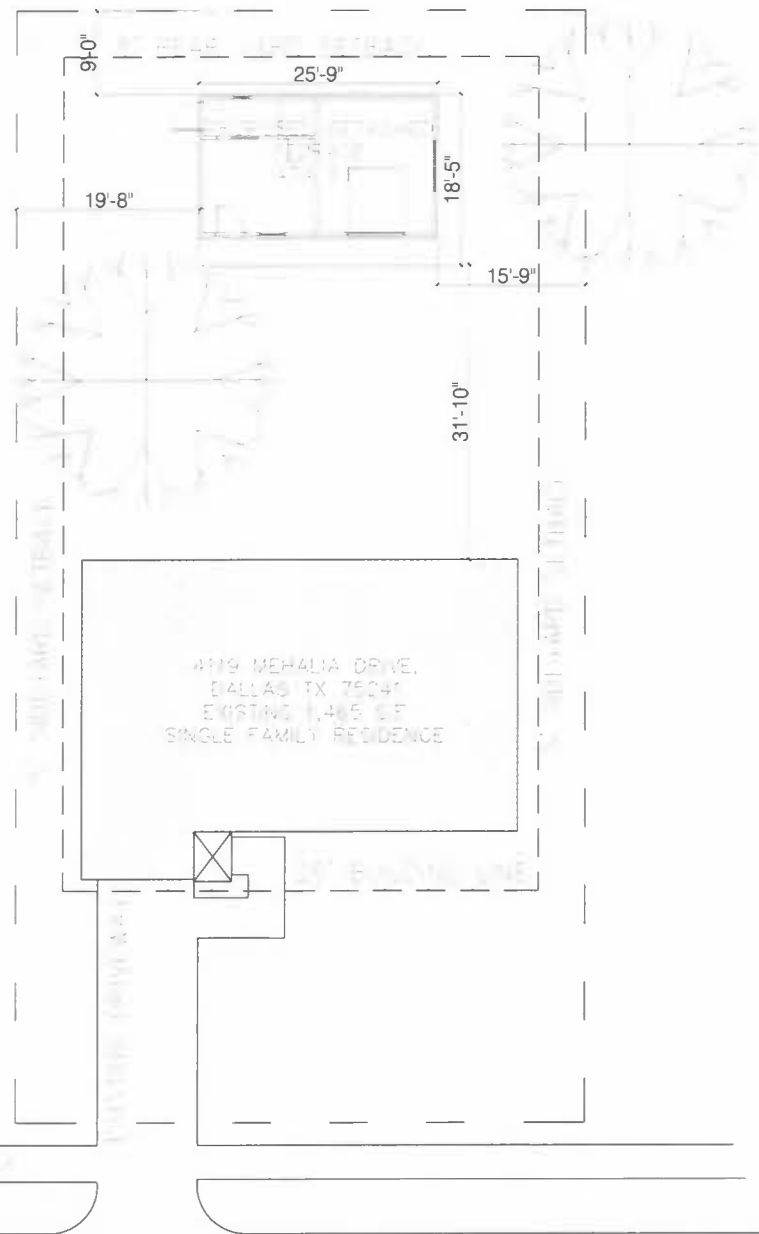
TAG	SIZE	DESC.	QTY.
1	3'-0" X 6'-8"	S.C.	2
2	3'-0" X 6'-8"	P.D.	1
3	6'-0" X 8'-0"	O.D.	1
4	2'-6" X 6'-8"	H.C.	1

S.F. = STORE FRONT
MTL. = METAL DOOR
H.C. = HOLLOW CORE
P.D. = POCKET DOOR
S.C. = SOLID CORE
S.G.D. = SOLID GLASS DOOR
DBL = DOUBLE DOOR
O.H. = OVERHEAD

EXISTING HOUSE		1150 SF
EXISTING GARAGE		250 SF
PROPOSED STORAGE		200 SF
PROPOSED PORCH		77 SF
TOTAL A.S.		1677 SF
TOTAL UNDER FLOOR		1677 SF
PROPOSED ADDITION		200 SF
TOTAL UNDER FLOOR		1877 SF
TOTAL HOUSE		1877 SF
TOTAL GARAGE		250 SF
TOTAL PROJECT		2127 SF

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**4119 MEHALIA DRIVE
DALLAS TX 75241**



VICINITY MAP
FOR REFERENCE ONLY

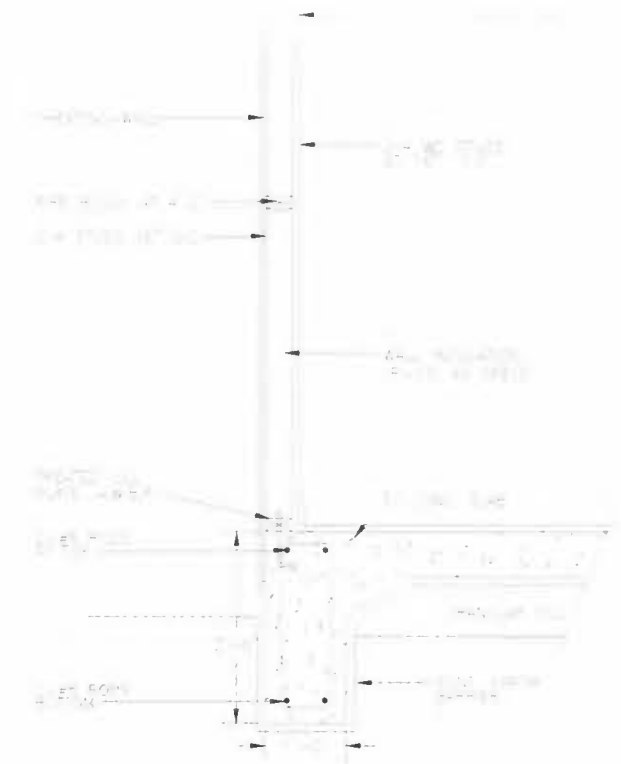
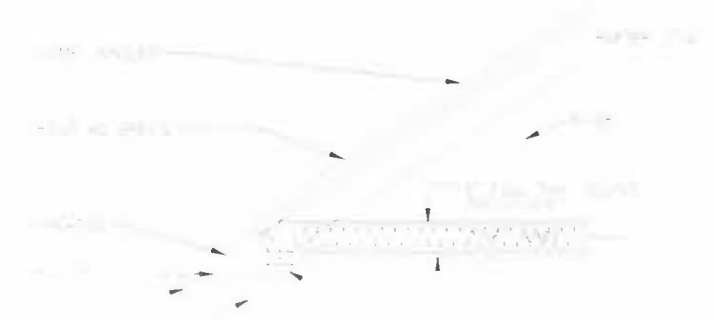
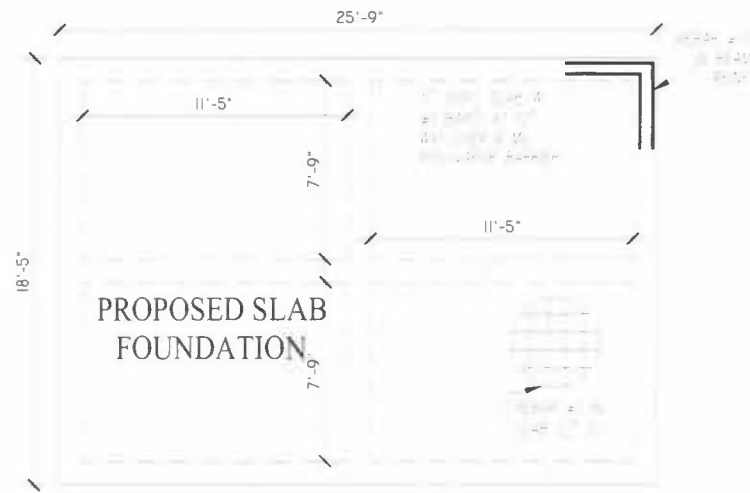
4119 MEHALIA DRIVE DALLAS TX 75241 SQUARE FOOTAGE	
EXISTING HOUSE	1,465 SF
EXISTING GARAGE	274 SF
PROPOSED STORAGE	397 SF
PROPOSED PORCH	77 SF
TOTAL A.F.	2,313 SF
TOTAL UNDER ROOF	1,739 SF
PROPERTY ZONING	R-750
LOT AREA	7,571 SF
LOT COVERAGE	26.3%
LEGAL DESCRIPTION	
FISHLAND HILL S 1/4 1.465 LOT 18	


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**4119 MEHALIA DRIVE
DALLAS TX 75241**

PROJECT NO. _____
 DATE _____
 SHEET NO. _____
1

- 2021 IBC
- 2021 IRC
- 2021 IFC
- 2021 IPC
- 2021 IFGC
- 2021 IMC
- 2021 IECC
- 2021 IPMC
- 2021 ISPC
- 2020 NEC



WALL SECTION - SIDING
not to scale

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**4119 MEHALIA DRIVE
DALLAS TX 75241**



PROJECT NO.	
DATE	
2	

WINDOW SCHEDULE

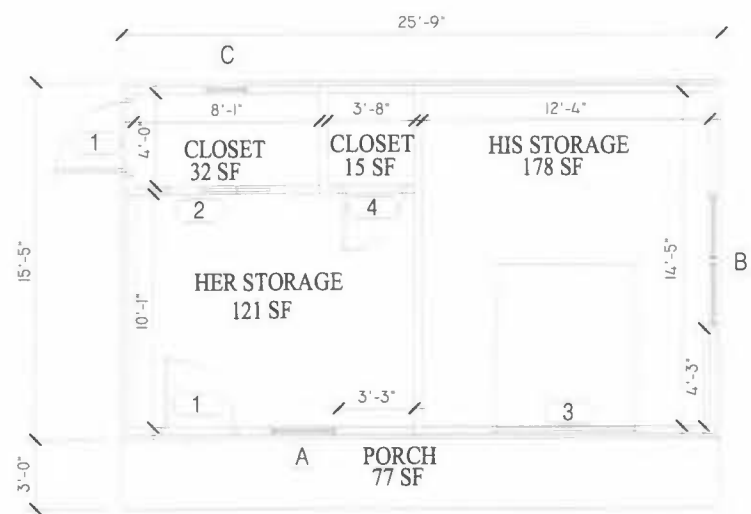
TAG	SIZE	DESC.	QTY.
A	3'-0" X 3'-0"	DBLH	1
B	(2)3'-0" X 4'-0"	DBLH	1
C	2'-0" X 3'-0"	DBLH	1

DBLH = DOUBLE HUNG
CSMNT = CASEMENT

DOOR SCHEDULE

TAG	SIZE	DESC.	QTY.
1	3'-0" X 6'-8"	S.C.	2
2	3'-0" X 6'-8"	P.D.	1
3	6'-0" X 8'-0"	O.D.	1
4	2'-6" X 6'-8"	H.C.	1

S.F. = STORE FRONT
MTL. = METAL DOOR
H.C. = HOLLOW CORE
P.D. = POCKET DOOR
S.C. = SOLID CORE
S.G.D. = SOLID GLASS DOOR
DBL = DOUBLE DOOR
O.H. = OVERHEAD



419 MEHALIA DRIVE DALLAS, TX 75241 SQUARE FOOTAGE	
EXISTING HOUSE	1,120 SF
EXISTING GARAGE	272 SF
PROPOSED STORAGE	39 SF
PROPOSED PORCH	77 SF
TOTAL A.C.	1,508 SF
TOTAL UNDER RT/F	1,299 SF
PROPERTY ZONING	P-534
LOT AREA	12,577 SF
LOT COVERAGE	12.8%
LEGAL DESCRIPTION	
HIGHLAND HILLS SUBDIVISION LOT 38	

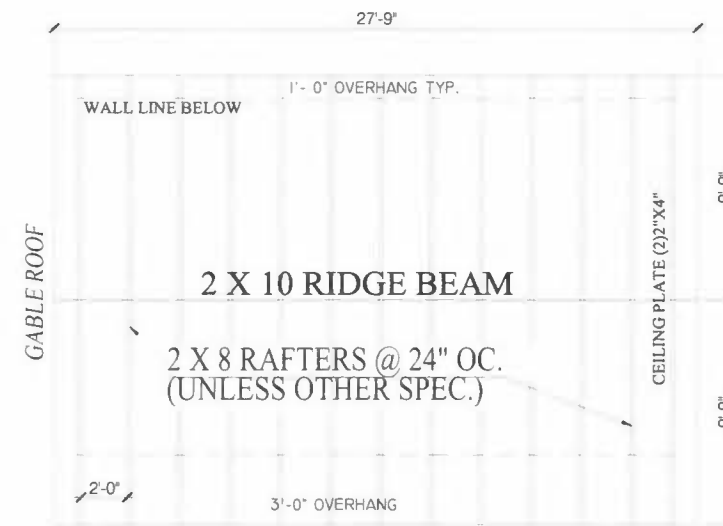
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**4119 MEHALIA DRIVE
DALLAS TX 75241**

4



ROOF PLAN

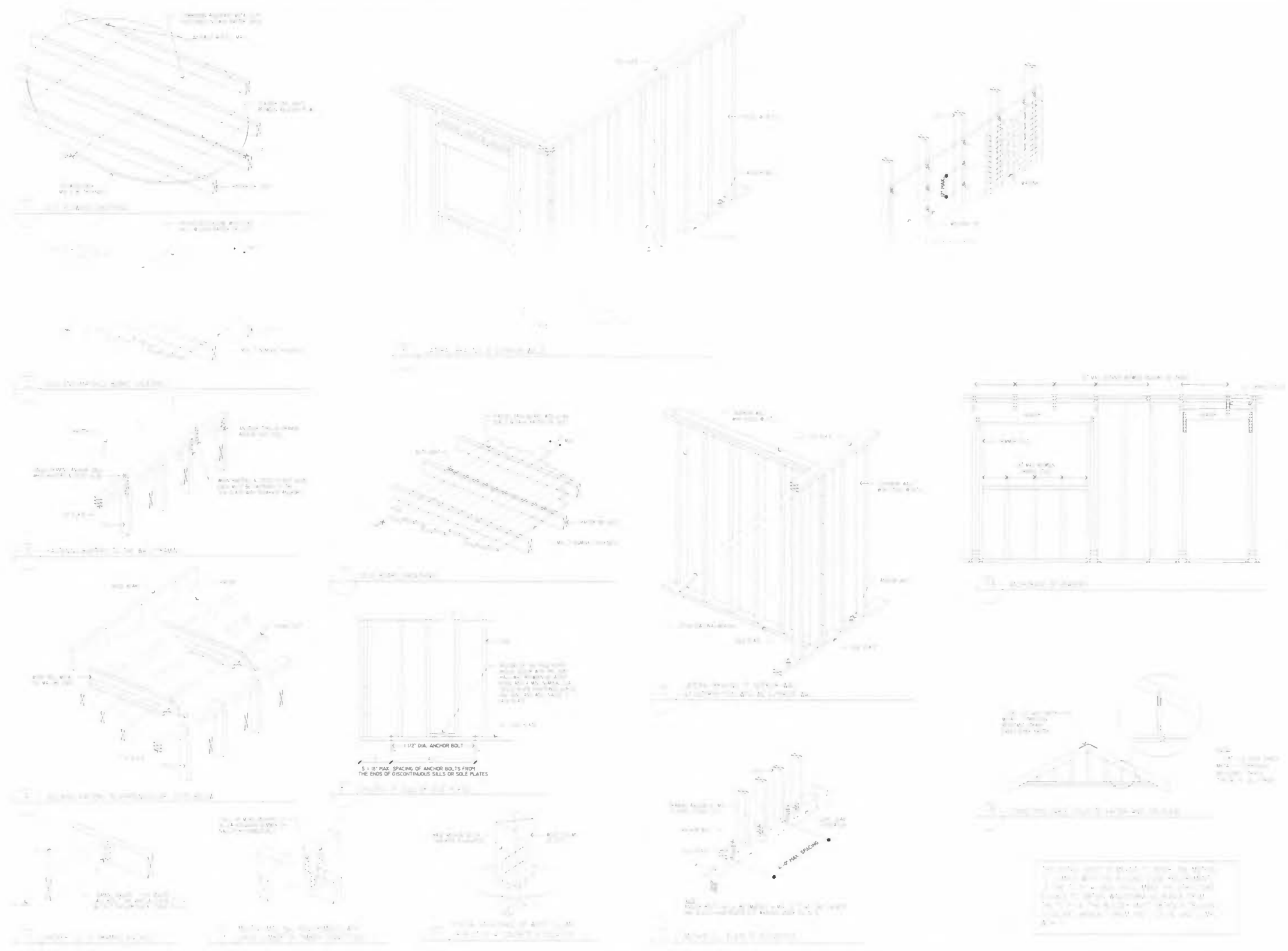


RAFTER PLAN


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4119 MEHALIA DRIVE
DALLAS TX 75241






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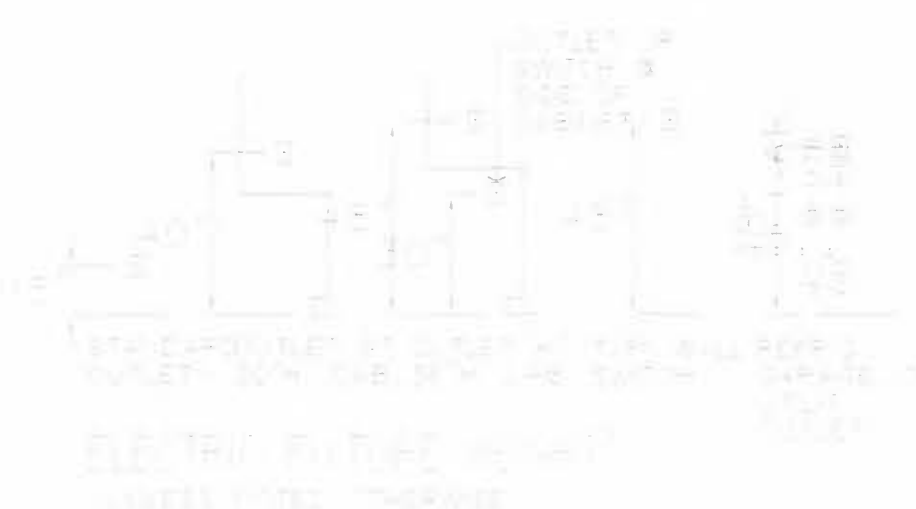
4119 MEHALIA DRIVE
DALLAS TX 75241



5.1

ELECTRICAL LEGEND

1. 15 AMP CIRCUIT	11. 15 AMP CIRCUIT
2. 20 AMP CIRCUIT	12. 20 AMP CIRCUIT
3. 30 AMP CIRCUIT	13. 30 AMP CIRCUIT
4. 40 AMP CIRCUIT	14. 40 AMP CIRCUIT
5. 50 AMP CIRCUIT	15. 50 AMP CIRCUIT
6. 60 AMP CIRCUIT	16. 60 AMP CIRCUIT
7. 70 AMP CIRCUIT	17. 70 AMP CIRCUIT
8. 80 AMP CIRCUIT	18. 80 AMP CIRCUIT
9. 90 AMP CIRCUIT	19. 90 AMP CIRCUIT
10. 100 AMP CIRCUIT	20. 100 AMP CIRCUIT



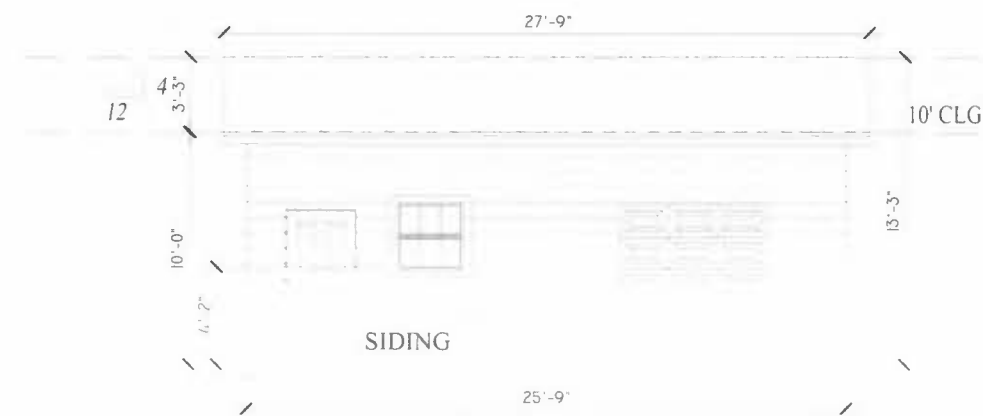
GENERAL ELECTRICAL NOTES

1. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
2. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
3. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
4. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
5. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
6. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
7. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
8. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
9. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
10. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).

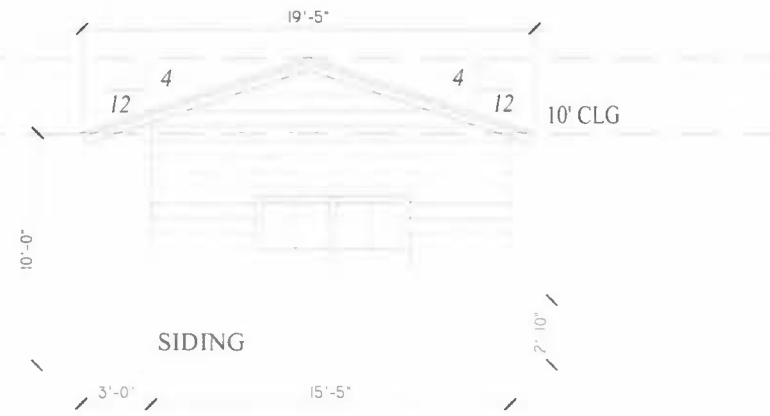
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**4119 MEHALIA DRIVE
 DALLAS TX 75241**

Project Title: _____
 Date: _____
6



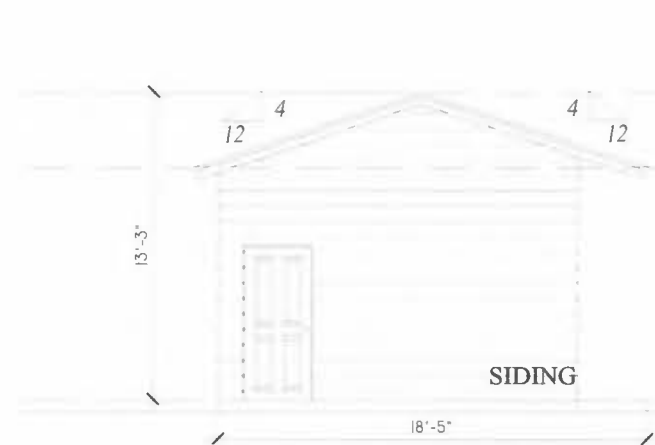
FRONT ELEVATION



RIGHT ELEVATION

PROPOSED DETACHED STORAGE TO BE CONSTRUCTED AT REAR OF RESIDENCE WITH WOOD AND FRAME, AND A ROOF PITCH OF 4:12. BUILDING MATERIALS TO BE APPROVED BY INSPECTOR, CONTRACTOR AND HOMEOWNER.

The main structure our house is 14 feet 10 inches high
Ana Castro



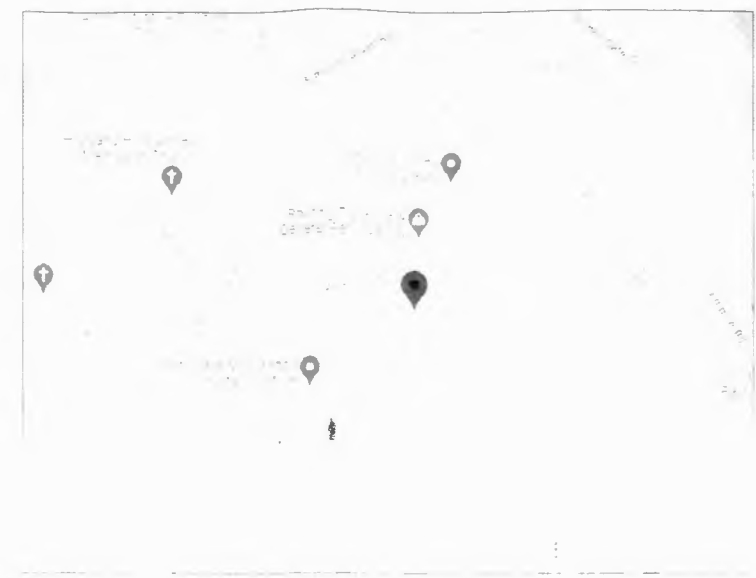
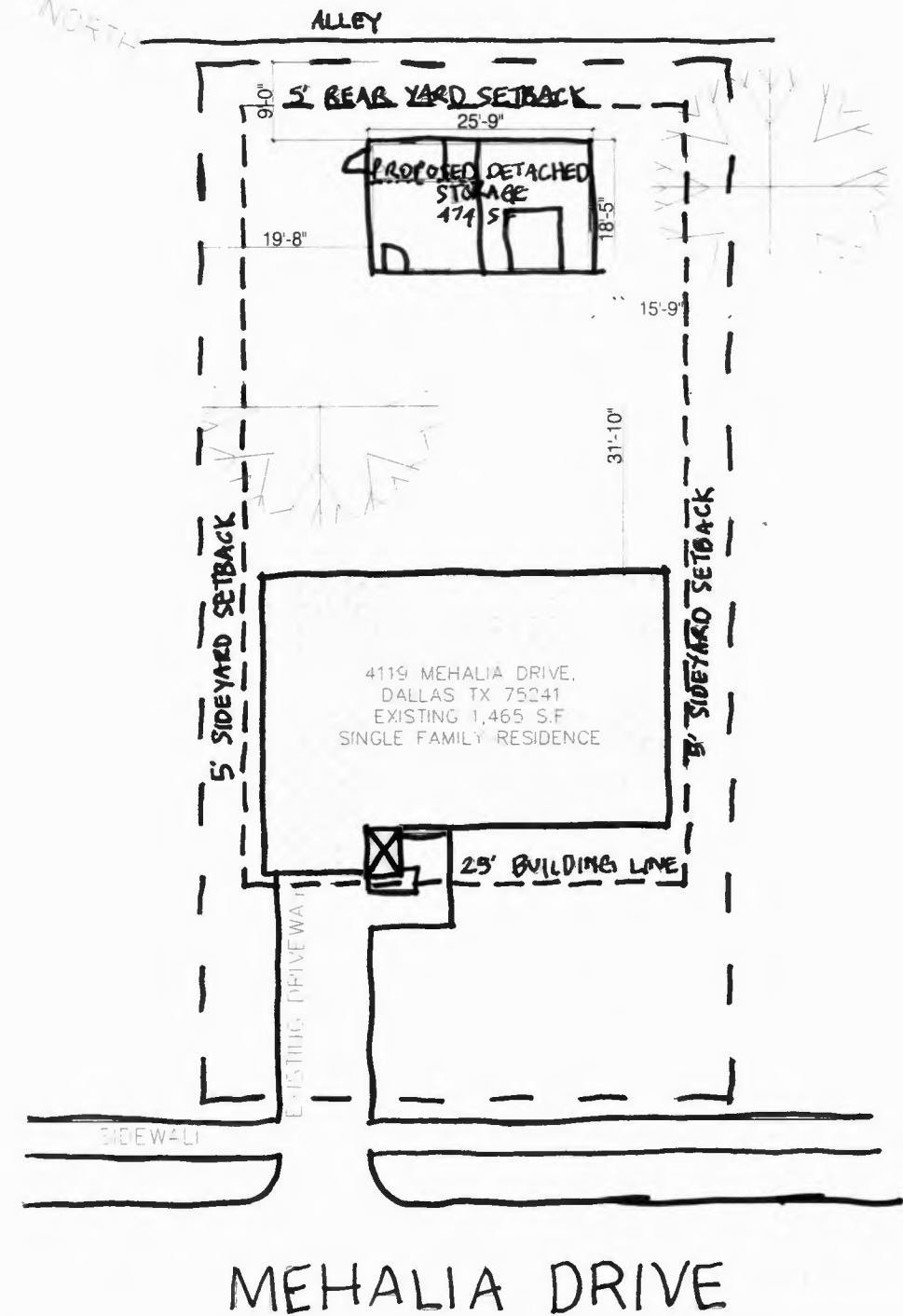
LEFT ELEVATION



REAR ELEVATION

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**4119 MEHALIA DRIVE
DALLAS TX 75241**



VICINITY MAP
for reference only

4119 MEHALIA DRIVE DALLAS, TX 75241 SOUAPE FOOTAGE	
EXISTING HOUSE	1,190 S.F.
EXISTING GARAGE	275 S.F.
PROPOSED STORAGE	397 S.F.
PROPOSED PORCH	77 S.F.
TOTAL A/C	1,190 S.F.
TOTAL UNDER ROOF	1,939 S.F.
PROPERTY ZONING	R-5(A)
LOT AREA	7,347 S.F.
LOT COVERAGE	26.39%
LEGAL DESCRIPTION	
1 HIGHLAND HILLS	
2 BLK D 6868 LOT 36	

Elite Architectural Designs
Imagine. Design. Build
PHONE: 214-794-8568 817-707-1960
MYDESIGNS@ELITEARCHITECTURALDESIGNS.COM

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE REPRODUCED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, MECH. AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION. IT IS THE BUYER'S RESPONSIBILITY TO OBTAIN ALL LOCAL, STATE, AND FEDERAL PERMITS AND RESTRICTIONS THAT APPLY TO THIS PROJECT AND TO BE AWARE OF ALL APPLICABLE CODES AND ORDINANCES.

ADDRESS
**4119 MEHALIA DRIVE
DALLAS TX 75241**

PROJECT TITLE: SITE
SCALE: 1" = 20'-0"
DATE: 10/28/2025
SHEET: **1**

FILE NUMBER: BDA234-150(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a variance to the front-yard setback regulations, **(2)** a special exception to the visibility triangle regulations and **(3)** a special exception to the visibility triangle regulations at **5631 ALTA AVENUE**. This property is more fully described as Block C/1983, Lot 16, and is zoned PD-842, which requires a front-yard setback of 15-feet and requires a 20-foot visibility triangle at the corner of the street and alley and requires a 20-foot visibility at drive approaches. The applicant proposes to construct and/or maintain a non-residential structure and provide a 0-foot front-yard setback, which will require **(1)** a 15-foot variance to the front-yard setback regulation, the applicant proposes to construct and/or maintain a nonresidential structure in a 20-foot visibility triangle at the corner of Alta Avenue and an alley, **(2)** a special exception to the visibility triangle regulations, and the applicant proposes to construct and/or maintain a nonresidential structure in a 20-foot visibility triangle at the drive approach along Alta Avenue, which requires **(3)** a special exception to the visibility triangle regulations

LOCATION: 5631 Alta Avenue.

APPLICANT: Rob Baldwin, Baldwin Associates

REQUEST:

- (1) A request for a variance to the front-yard setback regulations;
- (2) A request for a special exception to the 20-foot visibility obstruction regulations at the corner of Alta Avenue and an alley; and
- (3) A request for a special exception to the 20-foot visibility obstruction regulations at the drive approach along Alta Avenue.

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

Variance:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Lot is restrictive in **area**, shape, or slope; it is treated like a corner lot based on the location next to an alley, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

- Site: PD-842 (CR)
- North: PD-842 (CR) and PD-842 (Subdistrict 1), SUP1905 and SUP 1289
- East: PD-842 (CR)
- South: PD-842 (CR)
- West: PD-842 (CR) and PD-691 (Nonresidential and Residential uses allowed)

Land Use:

The subject site and surrounding properties are developed with Nonresidential and Residential uses.

Lot Square Footage:

This lot size is 9,243 square feet (0.212 of an acre)

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin of Baldwin Associates for the property located at 5631 Alta Avenue focuses on three requests, one relating to a variance to the front-yard setback regulations, and two requests relating to the visual obstruction regulations.
- The first request is for a variance to the front-yard setback regulations. The applicant is proposing to construct and maintain a nonresidential structure and provide a 0-foot front yard setback along Alta Avenue, which will require a 15-foot variance to the front-yard setback regulations.
- Secondly, the applicant is requesting a special exception to 20-foot visibility obstruction triangle at the corner of Alta Avenue and an alley.
- Last, the applicant is requesting a special exception to 20-foot visibility obstruction triangle at the drive approach along Alta Avenue.
- The subject site along with surroundings properties are all developed with various types of nonresidential and residential uses.
- It is imperative to note that the subject site has provided outdoor seating in the same area for several years.
- Per staff's review of the subject site, it has been confirmed that the covered patio is complete.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the front yard setback will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result

in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

- 2) 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
 - 3) 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.
- Granting the variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
 - The Engineering Division has no objections to visibility triangle obstruction at the alley along Alta Avenue.
 - The Engineering Division has no objections to visibility triangle obstruction at the drive approach along Alta Avenue.
 - The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
 - The applicant has the burden of proof in establishing that the special exception(s) to the visual obstruction regulations will not adversely affect the neighboring properties nor constitute a traffic hazard.
 - Granting the special exceptions to the visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
 - 200' Radius Video: [BDA234-150 at 5631 Alta Ave](#)

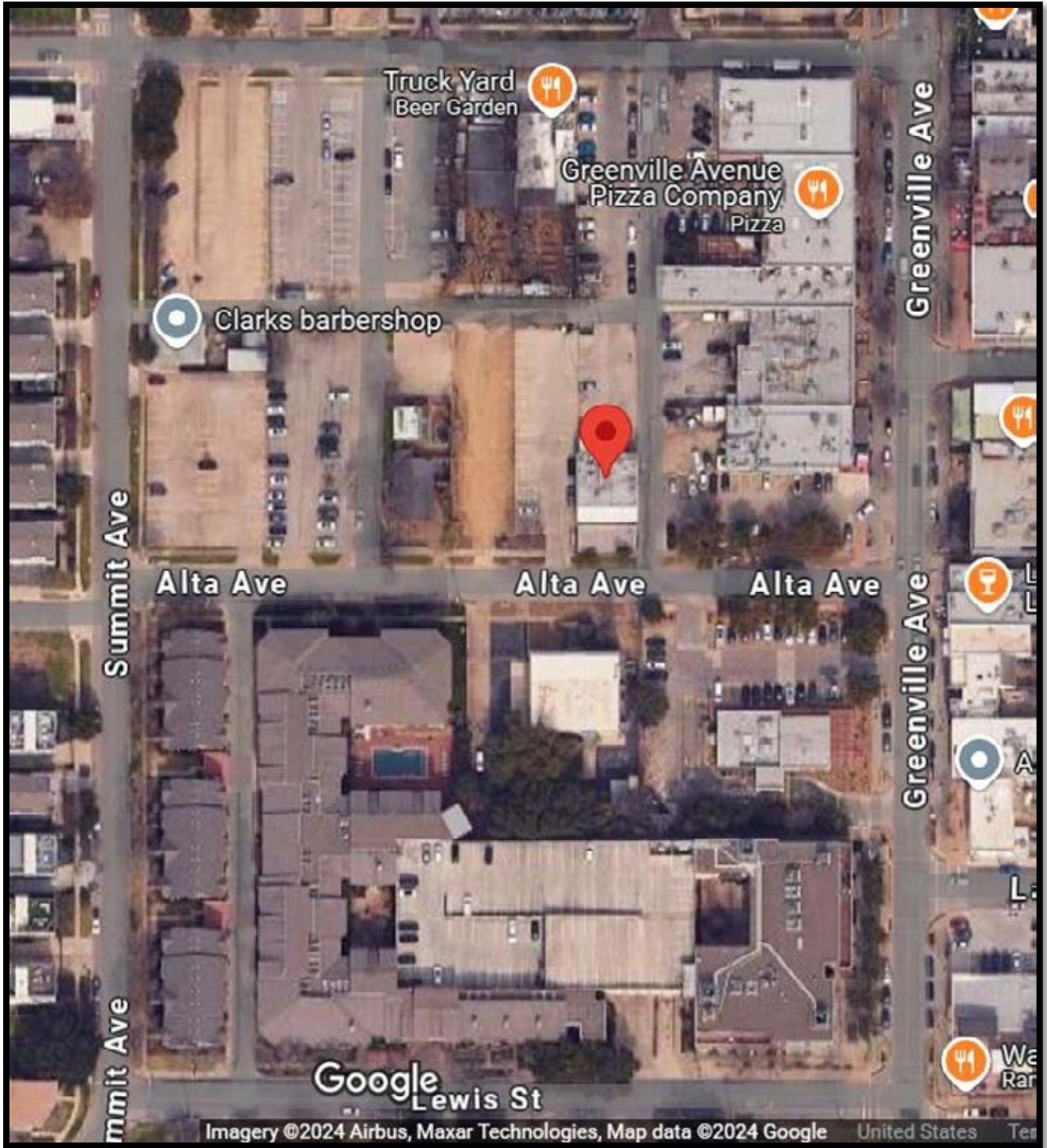
Timeline:

- October 25, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- November 7, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.
- November 18, 2024: Planning and Development 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 November 22, 2024, deadline to submit additional evidence for staff to factor into their

analysis; and December 6, 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.

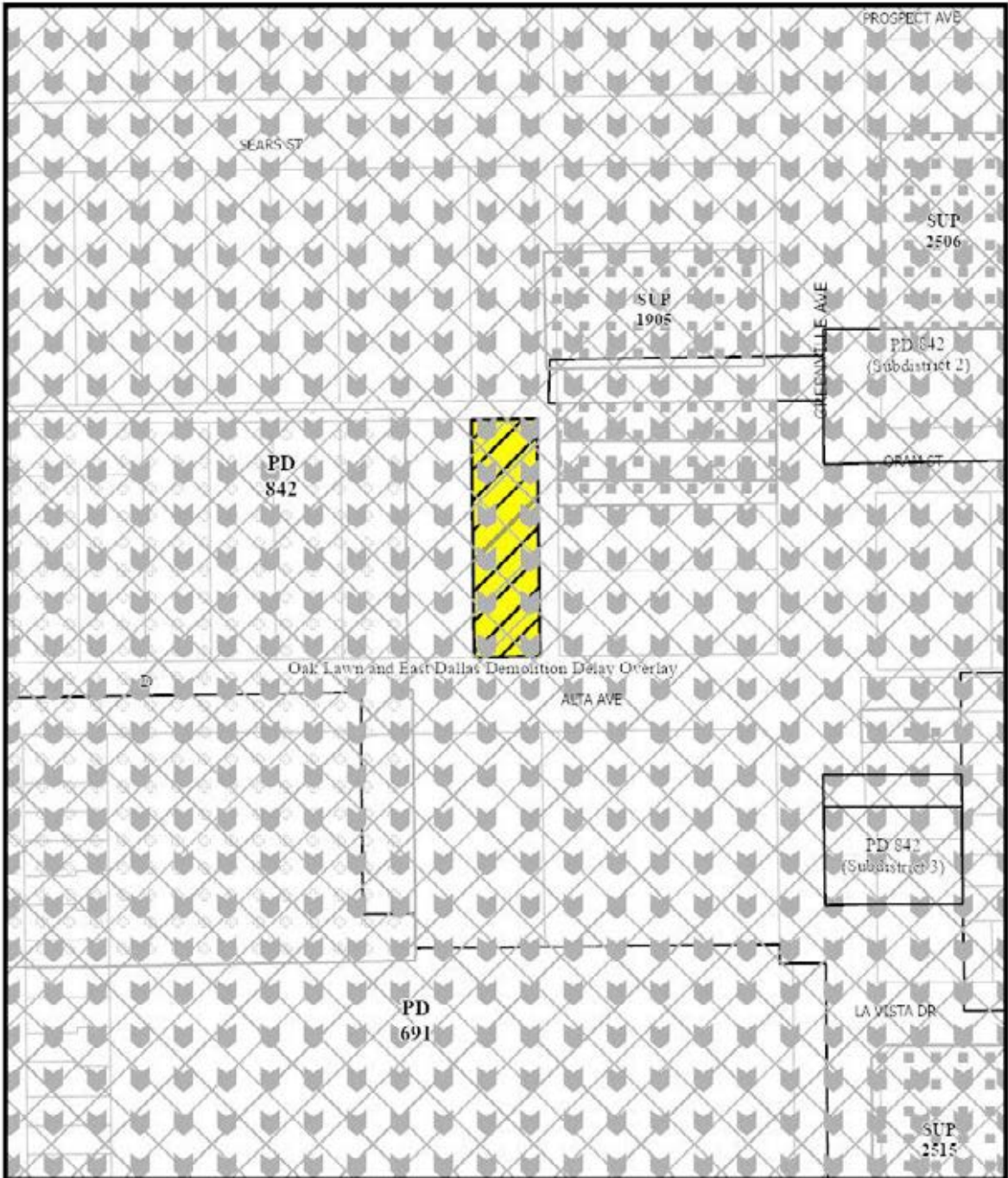
December 4, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer




1:1,200

AERIAL MAP

Case no: BDA234-150
Date: 11/22/2024





1:1,200

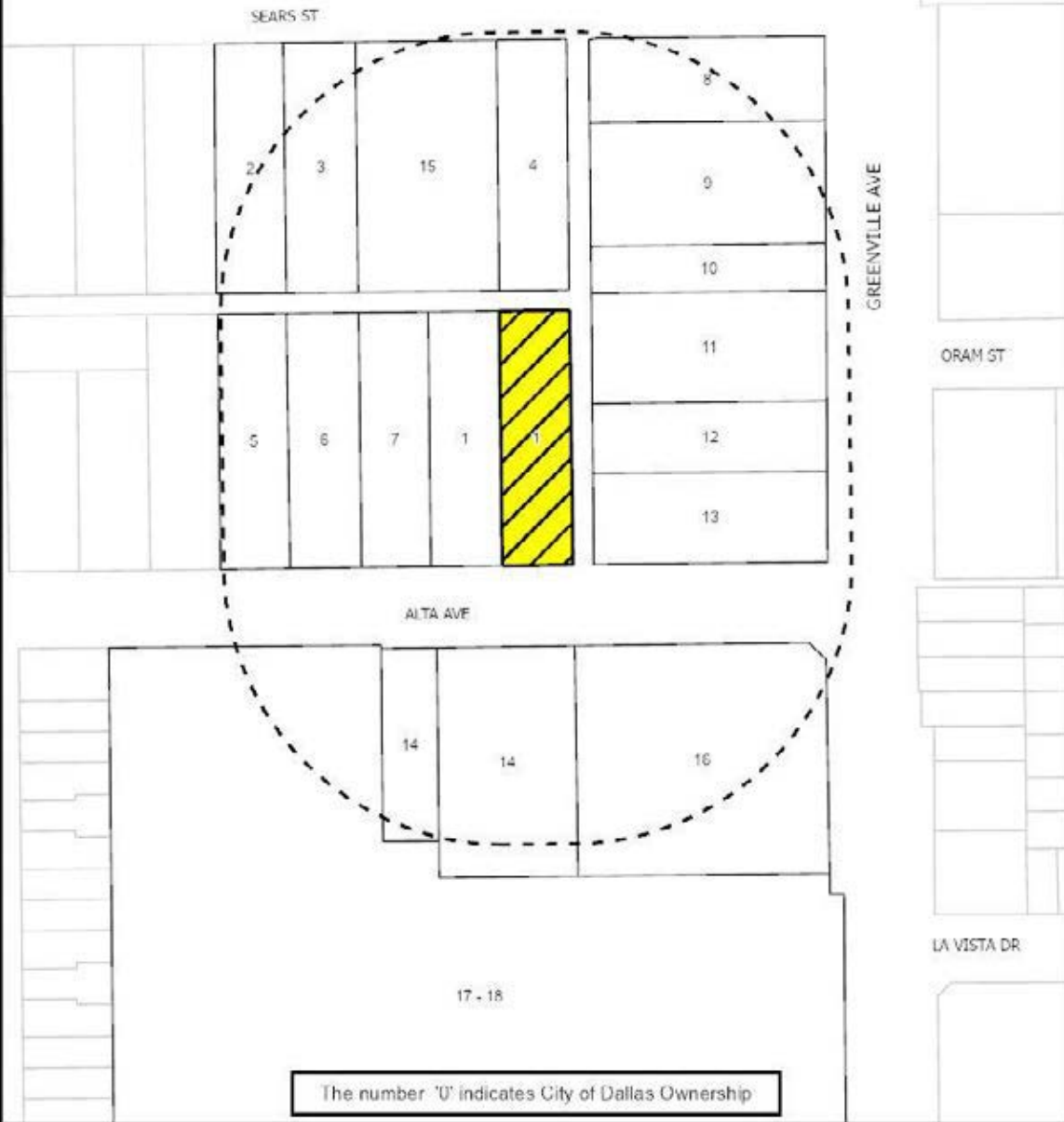
ZONING MAP

Case no: **BDA234-150**

Date: **11/22/2024**

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

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-150**
Date: **11/22/2024**

11/22/2024

Notification List of Property Owners

BDA234-150

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5627 ALTA AVE	LOWGREEN PS LTD
2	5614 SEARS ST	GREENVILLE HOLDINGS INC
3	5618 SEARS ST	GREENVILLE HOLDINGS CO
4	5628 SEARS ST	ANDRES FAMILY TRUSTS
5	5615 ALTA AVE	THACKER RICHARD E
6	5619 ALTA AVE	THACKER RICHARD E JR
7	5623 ALTA AVE	GREENWAYSEARS LP
8	1931 GREENVILLE AVE	GREENWAY SEARS LP
9	1919 GREENVILLE AVE	1919 27 GREENVILLE LTD
10	1917 GREENVILLE AVE	MEDICAPITAL INC
11	1911 GREENVILLE AVE	GREENVILLE AVE LLC
12	1909 GREENVILLE AVE	WORLDWIDE FOOD INC
13	1903 GREENVILLE AVE	LOWGREEN PS
14	5626 ALTA AVE	LATORRE ROBERT INC
15	5622 SEARS ST	5624 SEARS STREET LTD
16	1827 GREENVILLE AVE	LOWGREEN PS
17	1811 GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
18	1811 GREENVILLE AVE	GREENWAY GREENVILLE LP



1:1,200

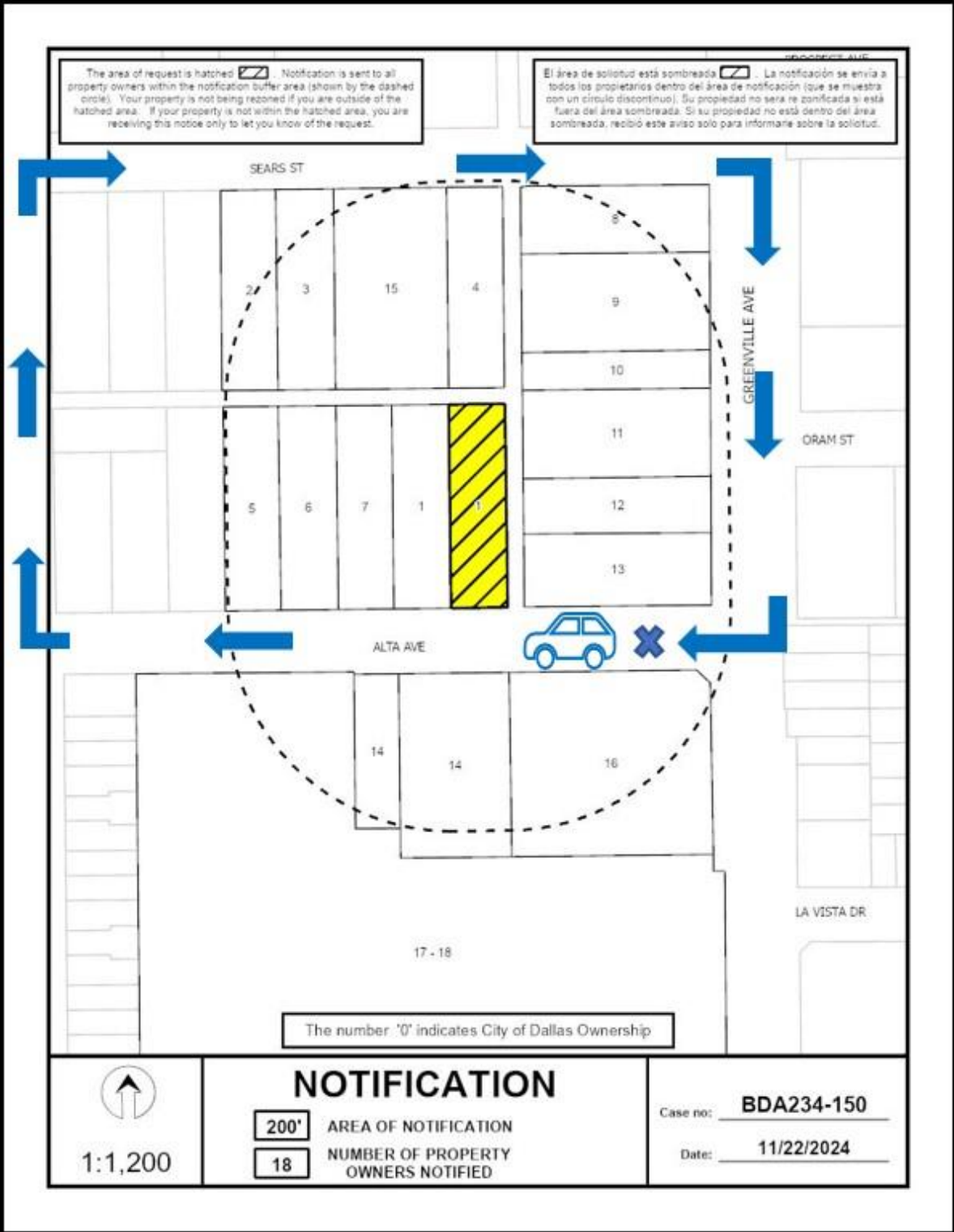
NOTIFICATION

200' AREA OF NOTIFICATION
18 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-150**

Date: **11/22/2024**

200' Radius Route Map





Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

FOR OFFICE USE ONLY

Data Relative to Subject Property:

Date:

FOR OFFICE USE ONLY

Location address: 5631 Alta Avenue Zoning District: PD 842/MD-1 Tr.3

Lot No.: 16 Block No.: C/1983 Acreage: 8,975 sf Census Tract: 48113001002

Street Frontage (in Feet): 1) 147' 2) 56' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Lowgreen PS, Ltd.

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

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

E-mail Address: rob@baldwinplanning.com / michele@baldwinplanning.com

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

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

E-mail Address: rob@baldwinplanning.com / michele@baldwinplanning.com

Affirm that an appeal has been made for a Variance , or Special Exception , of 15' variance to the front yard setback to allow for the continued use of an outdoor patio. And an encroachment into a sight visibility triangle.

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

The property has had a patio in this location for several years. During the covid pandemic, the patio was covered to offer a "safe" place for outdoor dining. The owner would like to continue use of the patio.

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

Affidavit

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

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

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

Subscribed and sworn to before me this 1 day of October, 2024

Michele W. Stoy
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 variance to the front-yard setback regulations, and for (2) a special exception to the visibility obstruction regulations, and for (3) a special exception to the visibility obstruction regulations

at 5631 Alta Ave

BDA234-150(BT) Application of Rob Baldwin for (1) a variance to the front-yard setback regulations and (2) a special exception to the visibility triangle regulations and (3) a special exception to the visibility triangle regulations at 5631 ALTA AVENUE. This property is more fully described as Block C/1983, Lot 16, and is zoned PD-842, which requires a front-yard setback of 15-feet and requires a 20-foot visibility triangle at the corner of the street and alley and requires a 20-foot visibility triangle at drive approaches. The applicant proposes to construct and/or maintain a non-residential structure and provide a 0-foot front-yard setback, which will require (1) a 15-foot variance to the front-yard setback regulation, and the applicant proposes to construct and/or maintain a nonresidential structure in a 20-foot visibility triangle at the corner of Alta and an alley, which requires (2) a special exception to the visibility triangle regulations, and the applicant proposes to construct and/or maintain a nonresidential structure in a 20-foot visibility triangle at the drive approach along Alta Street, which requires (3) a special exception to the visibility triangle regulations.

Sincerely,


M. Samuell Eskander, PE



AFFIDAVIT

Appeal number: BDA 234-150

I, Lowgreen PS, Ltd., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5631 Alta Avenue
(Address of property as stated on application)

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

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

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

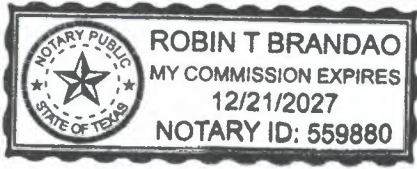
Specify: Variance to the front yard setback to allow for an outdoor patio

Marc Andros member
Print name of property owner or registered agent
agent Date 9/25/24

Marc
Signature of property owner or registered

Before me, the undersigned, on this day personally appeared
Marc Andros

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 25th day of September, 2024



[Signature]
Commission expires on 12/21/27



AFFIDAVIT

Appeal number: BDA 234-150

I, Lowgreen PS, Ltd., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5631 Alta Avenue
(Address of property as stated on application)

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

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

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

Specify: Variance to the front yard setback to allow for an outdoor patio

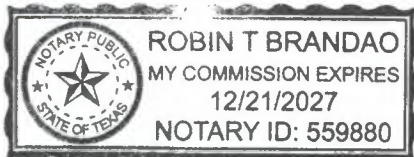
Marc Andres member
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 9/25/24

Before me, the undersigned, on this day personally appeared Marc Andres

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 25th day of September, 2024



[Signature]
Commission expires on 12/21/27

ROSS AVE ANNEX No 2

AN ADDITION TO THE CITY OF DALLAS, TEXAS, OUT OF J. M. PATTERSON SURVEY.

THE STATE OF TEXAS
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

That we, Seay-Robinson-Cranfill Land & Loan Company, of the County of Dallas, State of Texas, do hereby adopt the within map as a true and correct plat of Ross Avenue Annex No. 2, an Addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate for the use and benefit of the Public forever, the streets and alleys shown therein.

4th day of May, A.D. 1911.

Witness our hands this the

SEAY-ROBINSON-CRANFILL LAND & LOAN CO.

ATTEST: Tom E. Cranfill

BY Ben T. Seay, President,

(SEAL) Secretary.

THE STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Ben T. Seay, President of the Seay-Robinson-Cranfill Land & Loan Co., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of said corporation, for the purposes and consideration therein expressed.

Given under my hand and seal of office this 4th day of May A.D. 1911.

J. D. Bowles,

Notary Public in and for Dallas County, Texas.

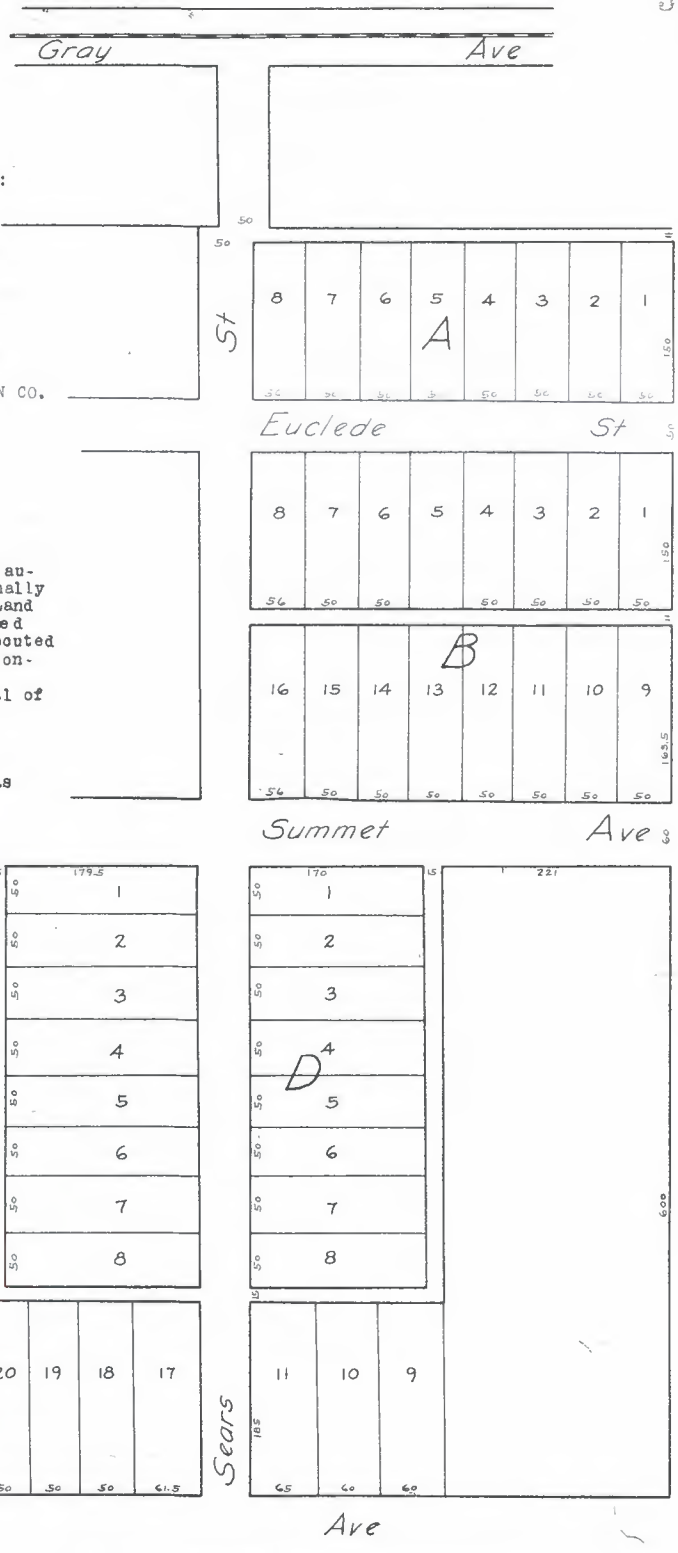
(SEAL)

Filed May 4th, 1911 at 2:15 P.M.

Recorded May 4th, 1911, at 10 o'clock P.M.

J. E. Record, County Clerk

By Sam Barnett, Dy.





	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		Dead 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				
	Height Map Overlay				

1:2,400

SHIPPED DATE: 5-2-94 RECEIVED DATE: 7-11-96

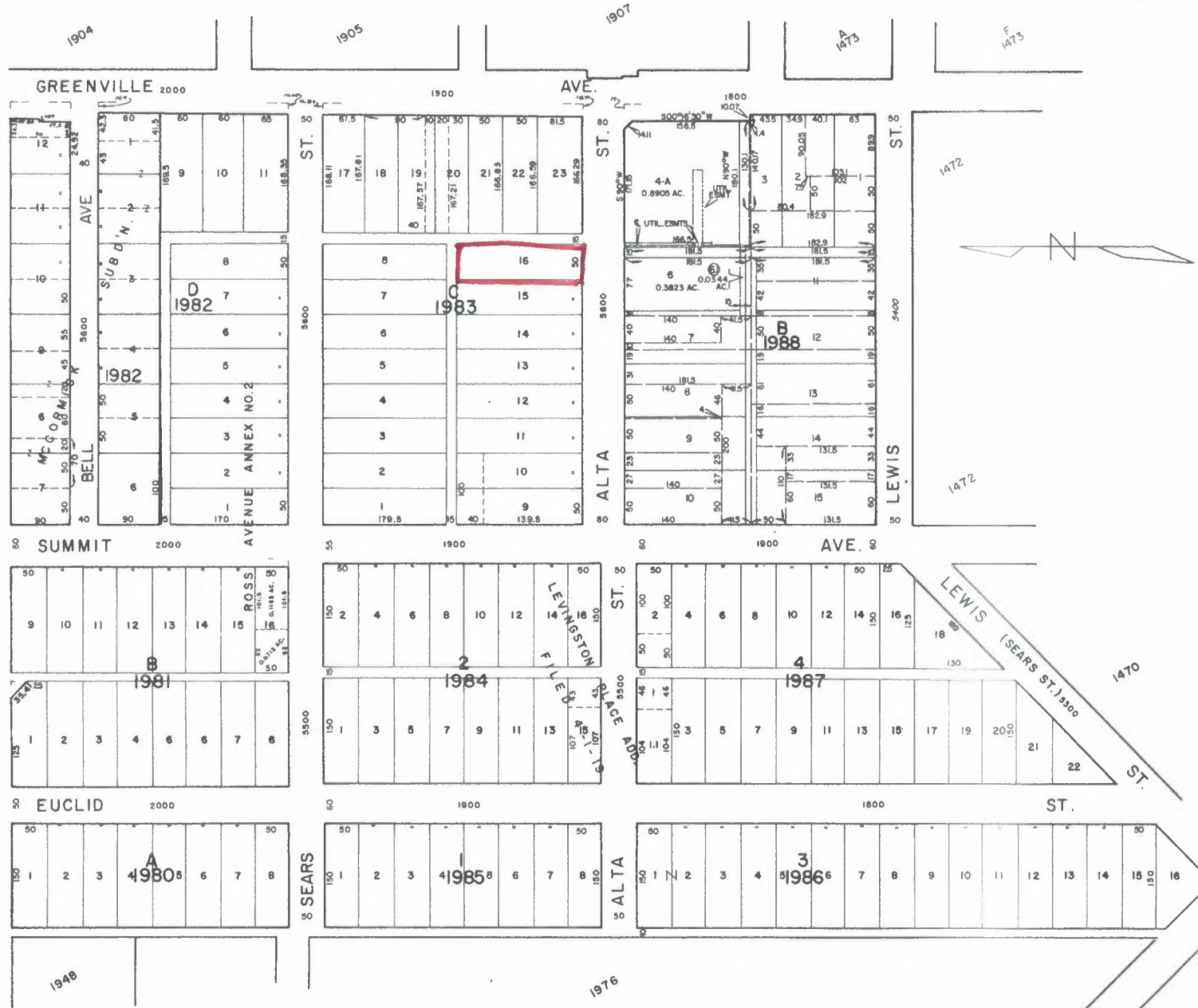
CITY OF DALLAS PLAT BOOKS

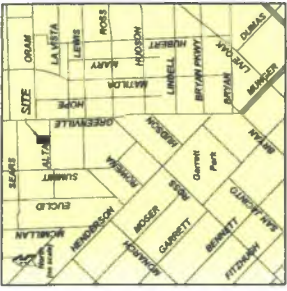
ANNEXED SURVEY J. HART
ORD. NO. ABST. 578

ADDITION
SCALE 100 FT. EQUALS 1 INCH
PHA 8-11-87

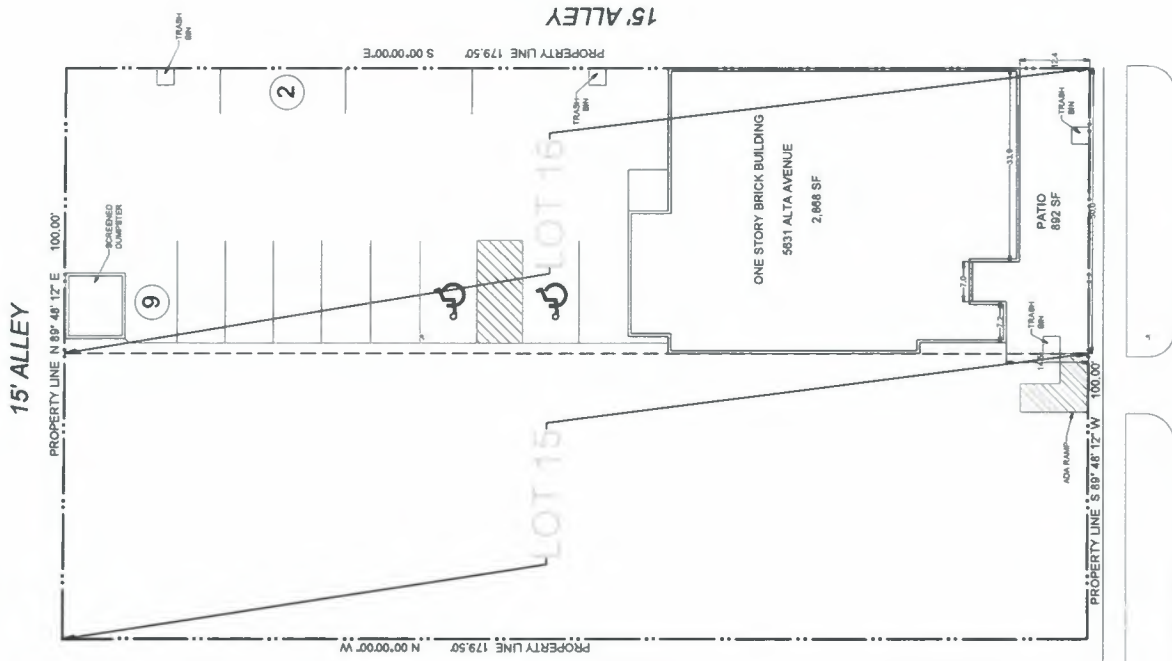
BLOCKS 1980 THRU 1987, 1988
SCHOOL DISTRICT DALLAS

Filed 8-28-87 BLK. B/1988 TWO PESOS





VICINITY MAP
NTS

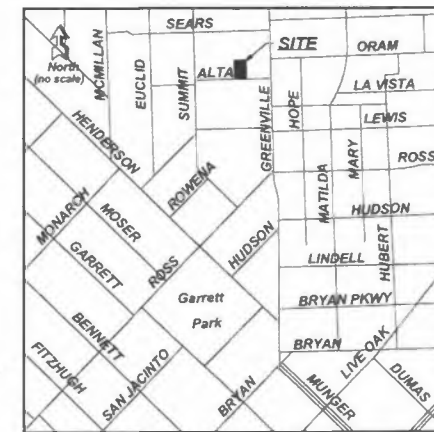
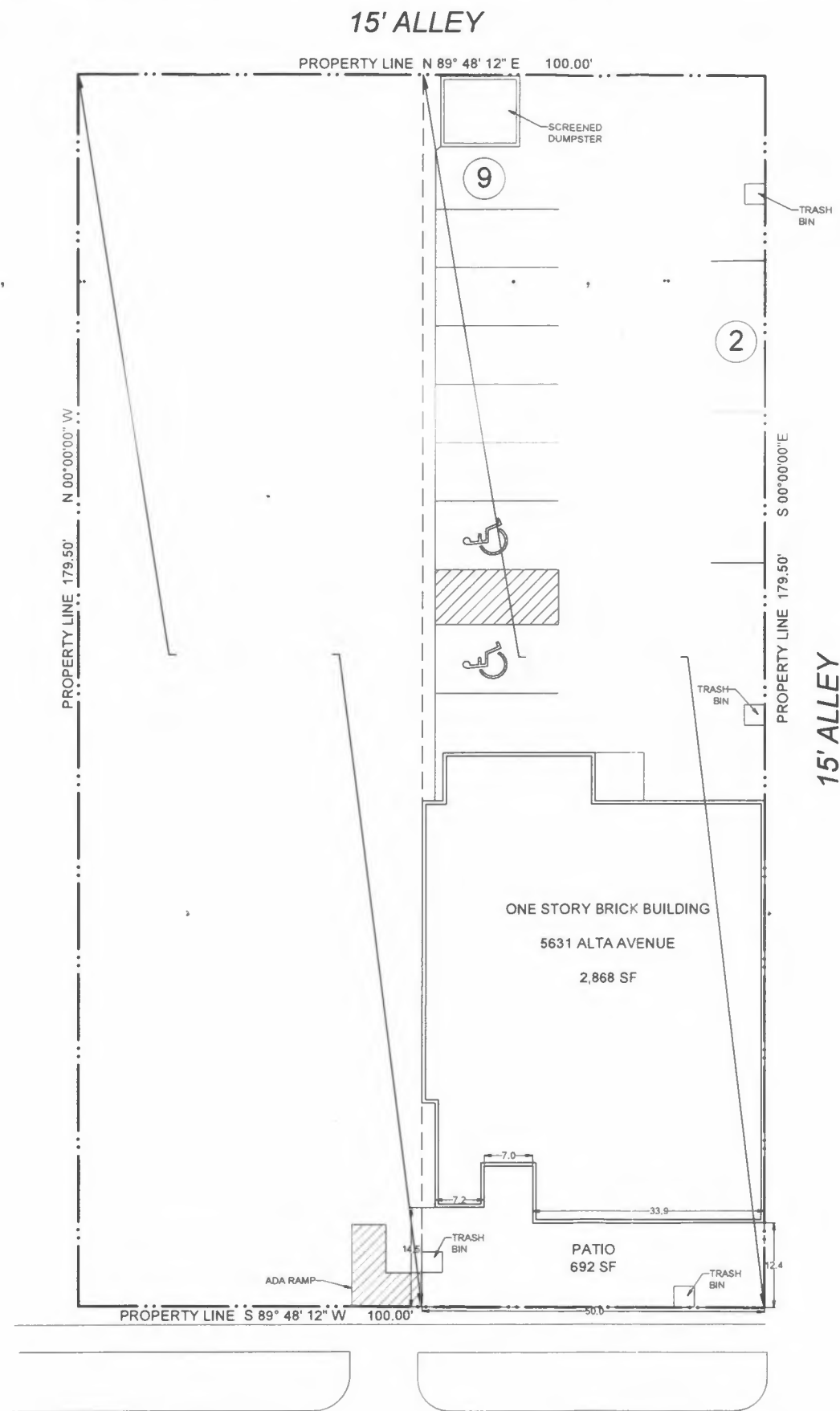


ALTA AVENUE

BDA SITE PLAN

SCALE: 1" = 10'-0"





07/06/2023
PROJECT NUMBER
CASE NUMBER

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

Baldwin Associates

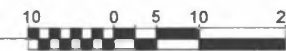
**5631 ALTA AVENUE
CITY OF DALLAS, TEXAS**



BDA SITE PLAN

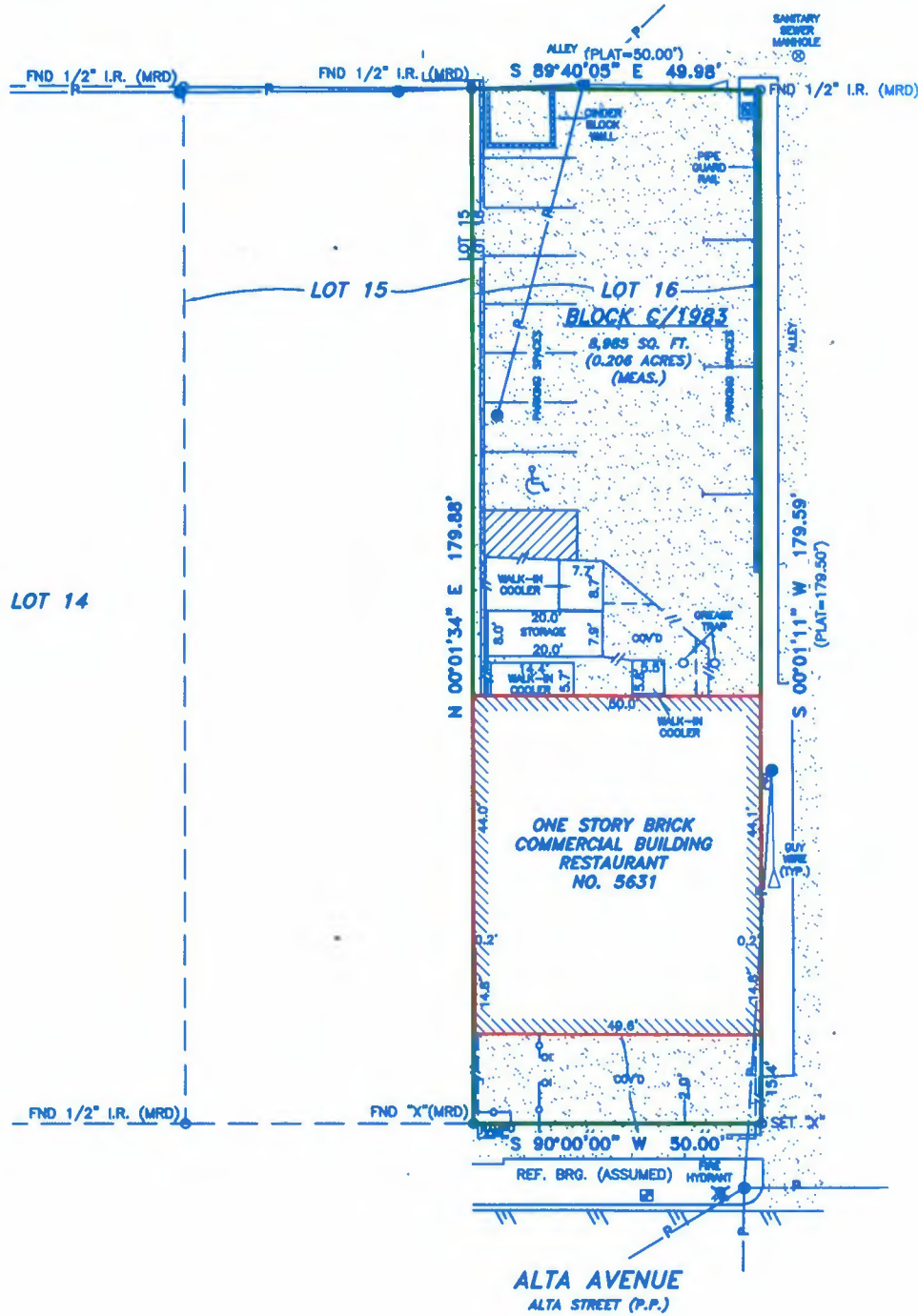
SCALE: 1" = 10'-0"

ALTA AVENUE



'SURVEY PLAT'

LOT 16, BLOCK C/1983, OF ROSS AVENUE ANNEX ADDITION NO. 2, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 315, MAP RECORDS, DALLAS COUNTY, TEXAS.



ADDRESS: 5631 ALTA AVENUE

NOTES:

- 1) (P.P.) INDICATES BUILDING LINES, EASEMENTS, R.O.W.S, DIMENSIONS, ETC. ARE PER PLAT REFERENCED IN LEGAL DESCRIPTION ABOVE.
- 2) (MRD) INDICATES MONUMENTS OF RECORD DIGNITY THAT REPRESENT ORIGINAL CORNERS SET BY THE SURVEYOR OR A SURVEYOR FOLLOWING IN THE FOOTSTEPS OF THE ORIGINAL SURVEYOR OF THE SUBDIVISION OR TRACT REFERENCED IN LEGAL DESCRIPTION ABOVE UNLESS OTHERWISE NOTED.

FLOOD STATEMENT:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 480171 0339K, DATED 7/7/2014, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR DALLAS COUNTY, TEXAS, THE SUBJECT PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

CERTIFIED TO: ANDRES PROPERTIES

DATE: 10/08/2024 JOB NO:24-10-074

SYMBOL LEGEND	FND=FOUND I.R.= IRON ROD I.P.=IRON PIPE ESMT.= EASEMENT B.L.=BUILDING LINE (MRD)=MONUMENT OF RECORD DIGNITY
	<p>JASON L. MORGAN, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE SUBJECT PROPERTY AS DETERMINED BY AN ON THE GROUND SURVEY UNDER MY SUPERVISION, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING INDICATED BY THE PLAT.</p> <p>THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT. THEREFORE, NO SEARCH OF RECORD EASEMENTS WAS PERFORMED ON THE SUBJECT PROPERTY. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED TO THE SURVEYOR. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED TO THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.</p> <p><i>Jason L. Morgan</i> JASON L. MORGAN TIRPLES 5687</p>

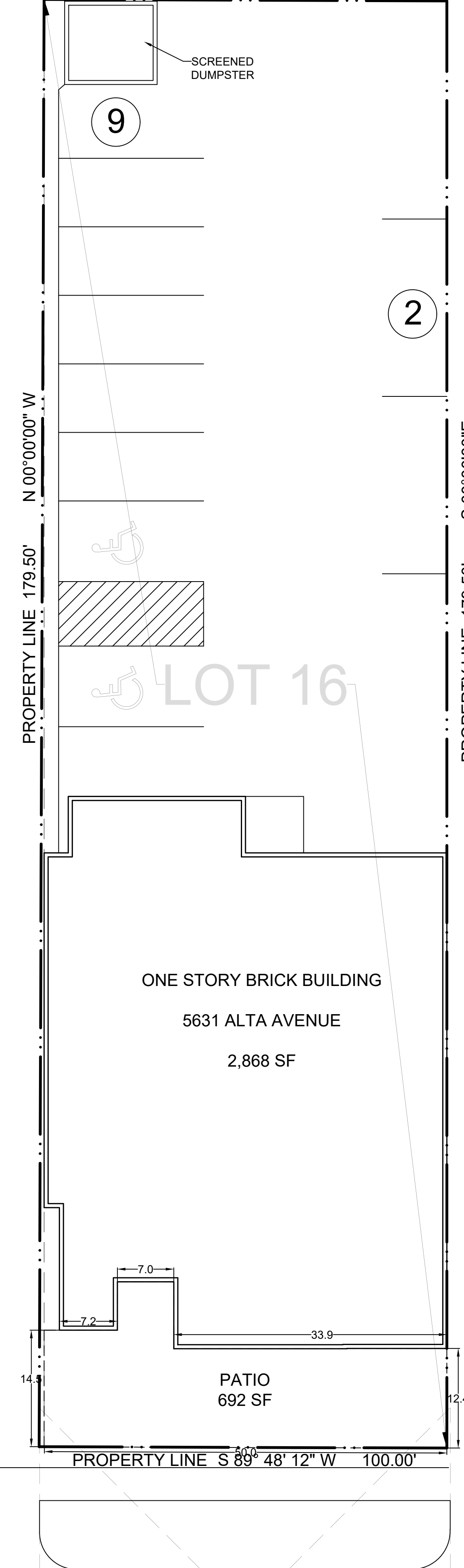


Global Land Surveying, Inc.
 SERVING COLLIN, DALLAS AND DENTON COUNTIES SINCE 2002

GLOBAL LAND SURVEYING, INC.
 P.O. BOX 280308
 PLANO, TEXAS 75028
 PHONE (972) 881-1700
 JMORGAN@GLS-INC.COM
 TIRPLES FIRM NO. 10016300

15' ALLEY

PROPERTY LINE N 89° 48' 12" E 50.00'



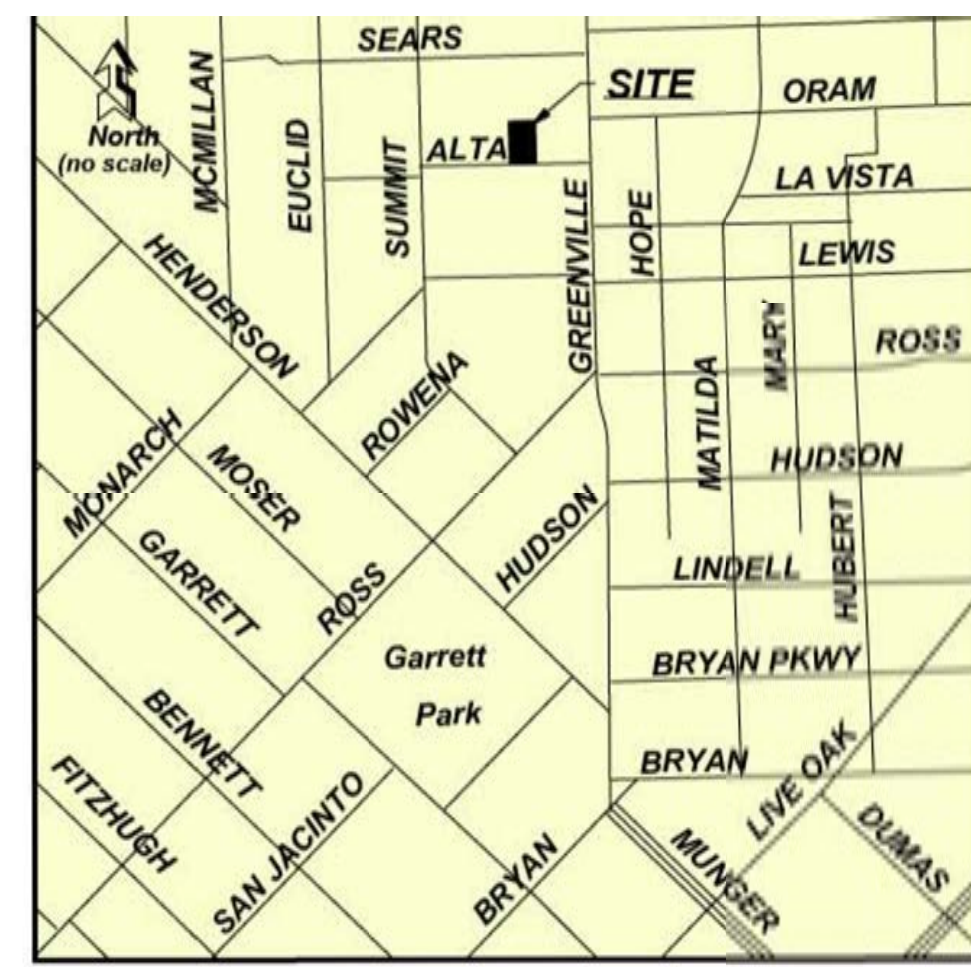
ONE STORY BRICK BUILDING
5631 ALTA AVENUE
2,868 SF

PATIO
692 SF

PROPERTY LINE S 89° 48' 12" W 100.00'

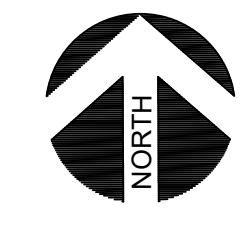
15' ALLEY

ALTA AVENUE



VICINITY MAP

NTS



11/14/2024

PROJECT NUMBER

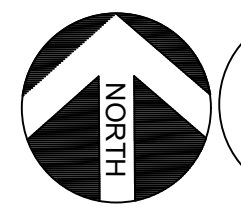
CASE NUMBER

BALDWIN ASSOCIATES

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



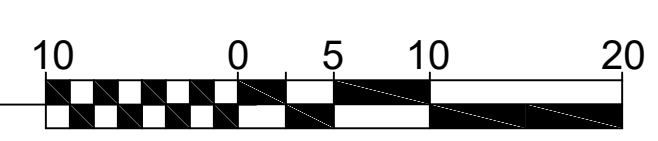
5631 ALTA AVENUE
CITY OF DALLAS, TEXAS



1

SUP SITE PLAN

SCALE: 1" = 10'-0"



Z223-135(AU)

FILE NUMBER: BDA234-132 (BT)

BUILDING OFFICIAL'S REPORT: Application of Mike Davis for **(1)** a special exception to the parking regulations at **1000 N RIVERFRONT BOULEVARD**. This property is more fully described as Block 4/6834, Lot 1A and is zoned PD-621 (Subdistrict 1), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service use and provide 50 of the required 72 parking spaces, which will require **(1)** a 22 space special exception (31 percent reduction) to the parking regulation.

LOCATION: 1000 N. Riverfront Boulevard

APPLICANT: Andrew Hooper

REPRESENTED BY: Mike Davis

REQUEST:

- (1) Special Exception to the parking regulations

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

SEC 51P-621.110.(2) Parking reduction (D) Special exception of the Dallas Development Code states that The board may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in **SEC 51A-4.311**, minus the number of parking spaces currently not provided due to delta credits, as defined in **SEC 51A-4.704(b)(4)(A)**. The board of adjustment may impose conditions on the special exception.

Section 51A-3.111(a) of the Dallas Development Code specifies that the board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, **that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.**

Staff Recommendation:

Special Exceptions (1):

No staff recommendation is made on this request.

Square Footage:

This lot size is 7,352.81 sq. ft.

Building Footprint is 4,465 sq. ft. (63.69 percent lot coverage)

Total Floor Area 7,562 sq. ft. (2-story structure)

Zoning:

Site: PD-621 (Subdistrict 1)

North: PD-621 (Subdistrict 1)

South: PD-621 (Subdistrict 1)

East: PD-621 (Subdistrict 1)

West: PD-621 (Subdistrict 1A) & PD-621 (Subdistrict 1D)

Land Use:

The subject site proposes use is for a restaurant without drive-in or drive-through service.

The areas to the north, south, east, and west are developed with various uses.

BDA HISTORY:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Andrew Hooper represented by Mike Davis for the property located at 1000 N Riverfront Boulevard focuses on one request relating to the parking regulations.
- A request for a special exception to the parking regulations of a 22-space special exception (31 percent reduction) is made to construct and/or maintain a nonresidential structure.
- PD-621 (Subdistrict 1) requires one parking space per 105 square feet of floor area for restaurant without drive-in or drive-through service ($7,562 / 105 = 72.019$).
- The applicant proposes to provide 7 total on-site parking spaces
- The applicant proposes to use 43 parking spaces across Payne St. w/Parking Agreement
- The applicant proposes to use 22 parking spaces w/Parking Agreement at 201 Continental.
- The subject site is currently under construction.
- N Riverfront Boulevard is a major thoroughfare (8 Lanes with Bike Plan)
- It is imperative to note that the subject site has provided unobstructed visual signage from N Riverfront Boulevard and Payne Street.
- Granting the proposed 22-space special exception (31 percent reduction) to the parking regulations will reduce the number of Parking Agreements required from 2 to 1, with a condition that the special exception of 22 spaces shall automatically and immediately terminate if and when the restaurant without drive-in or drive-through service use is charged or discontinued.

- 200' Radius Video: [BDA234-132 at 1000 N Riverside Blvd](#)

Timeline:

September 24, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

October 17, 2024: Planning and Development 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 October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 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.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November 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.

November 18, 2024: The Board of Adjustment Panel **C**, at its public hearing held on Monday, November 18, 2024, moved to **HOLD** this matter under advisement until **December 16, 2024**.

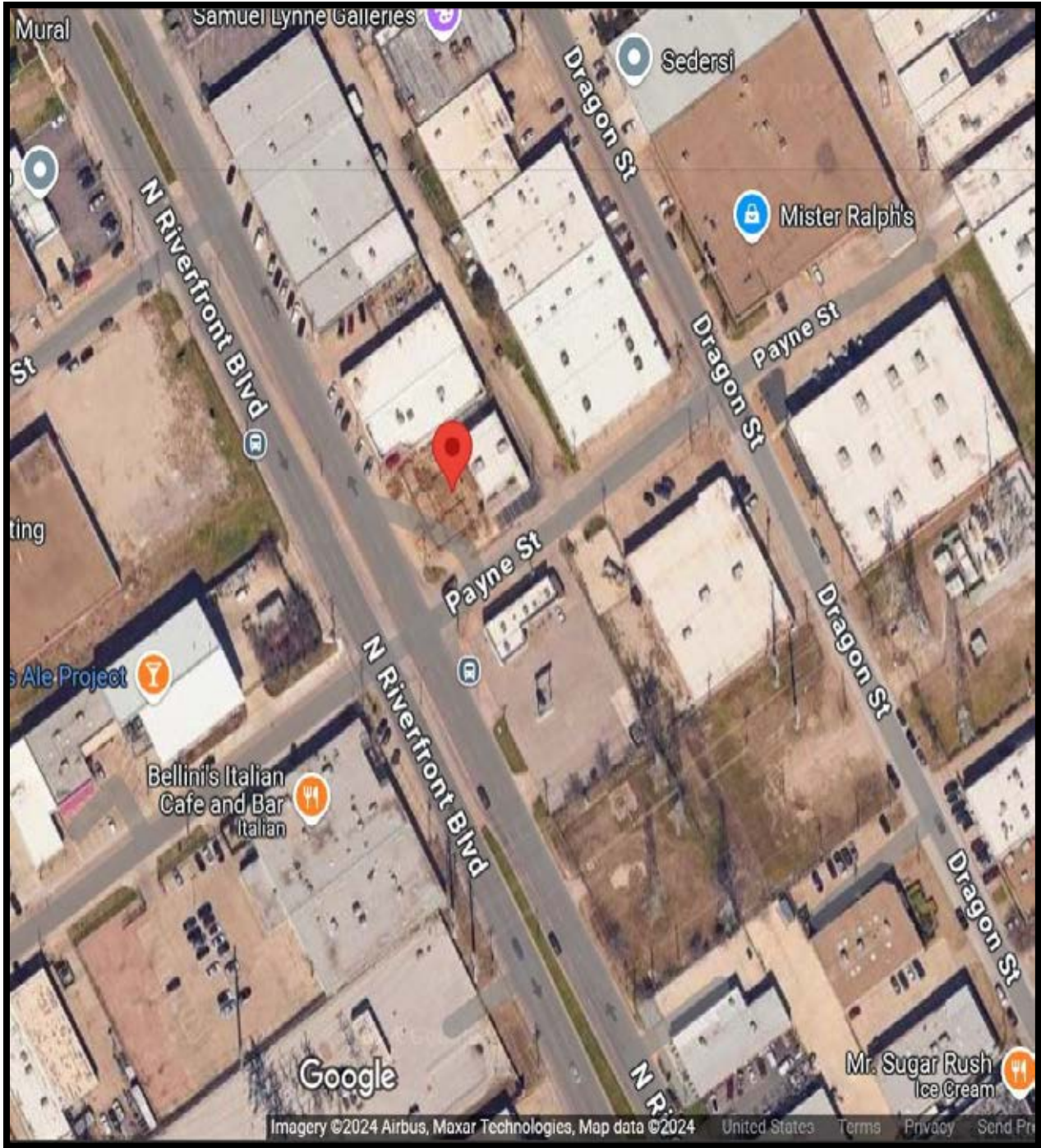
November 18, 2024: Planning and Development Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the November 22, 2024, deadline to submit additional evidence for staff to factor into their analysis; and December 6, 2024, deadline to submit

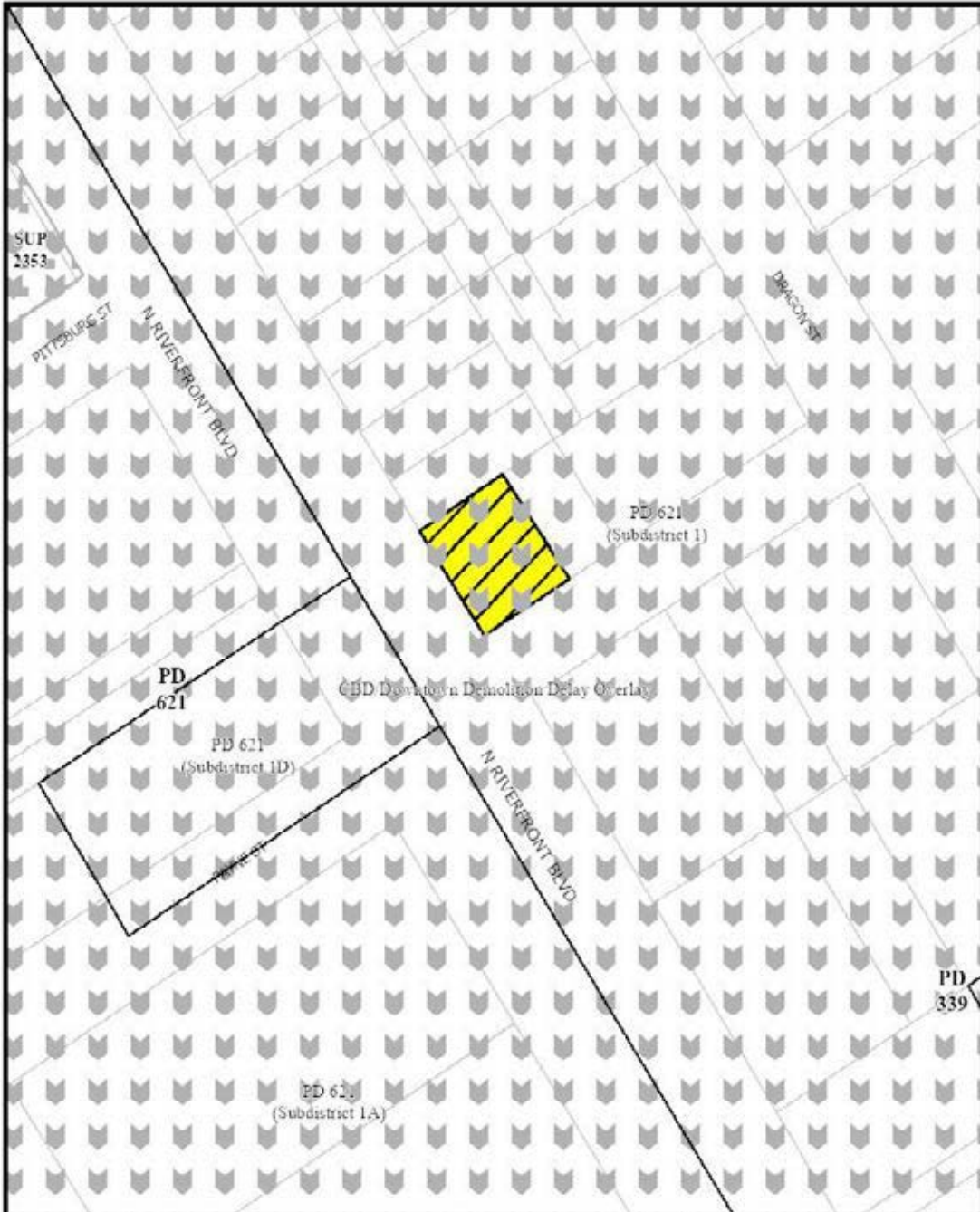
additional evidence to be incorporated into the board's docket materials.

- 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.

December 4, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the December 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	<h1>AERIAL MAP</h1>	Case no: <u>BDA234-132</u> Date: <u>10/30/2024</u>
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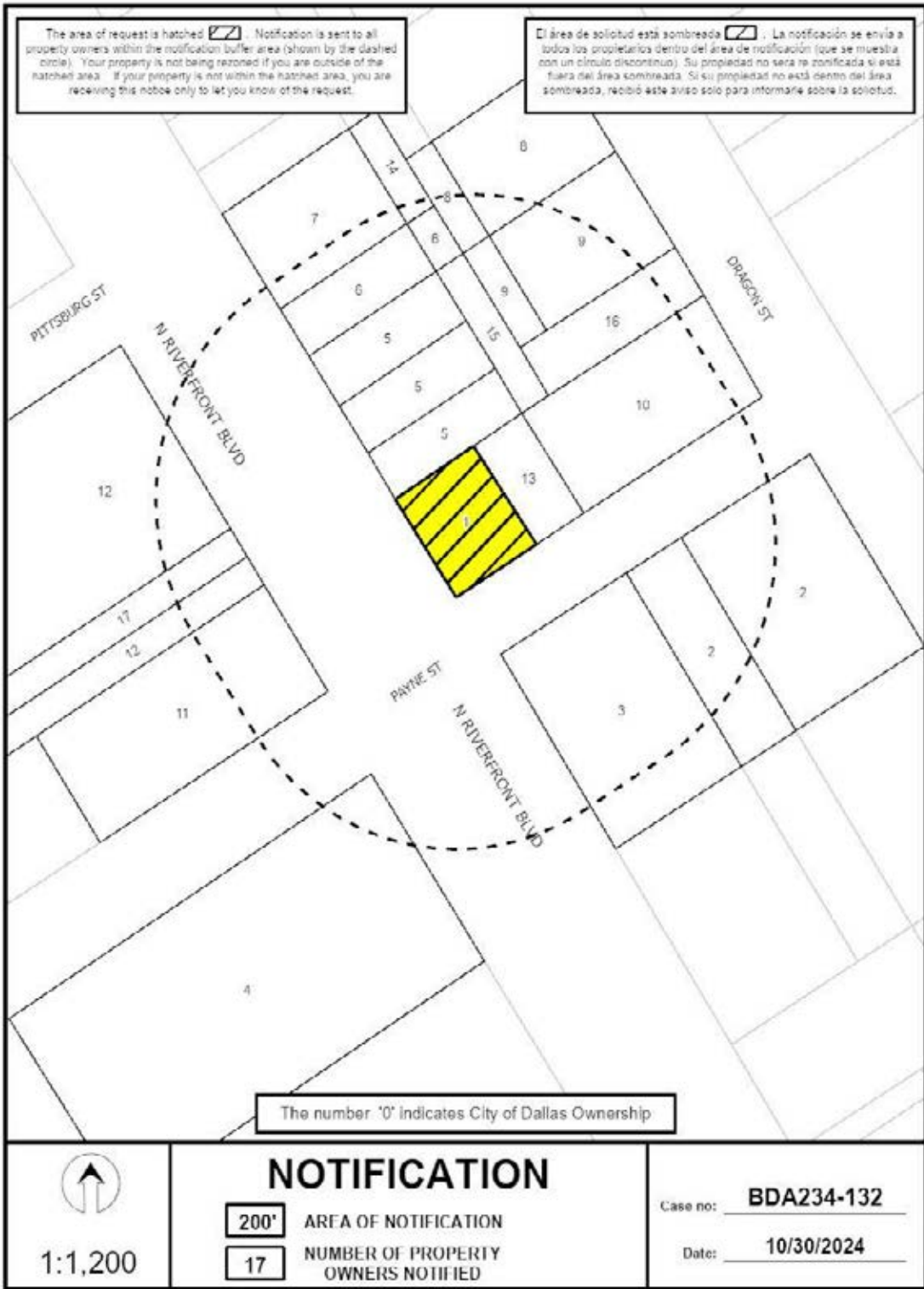


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ZONING MAP

Case no: BDA234-132

Date: 10/30/2024



10/30/2024

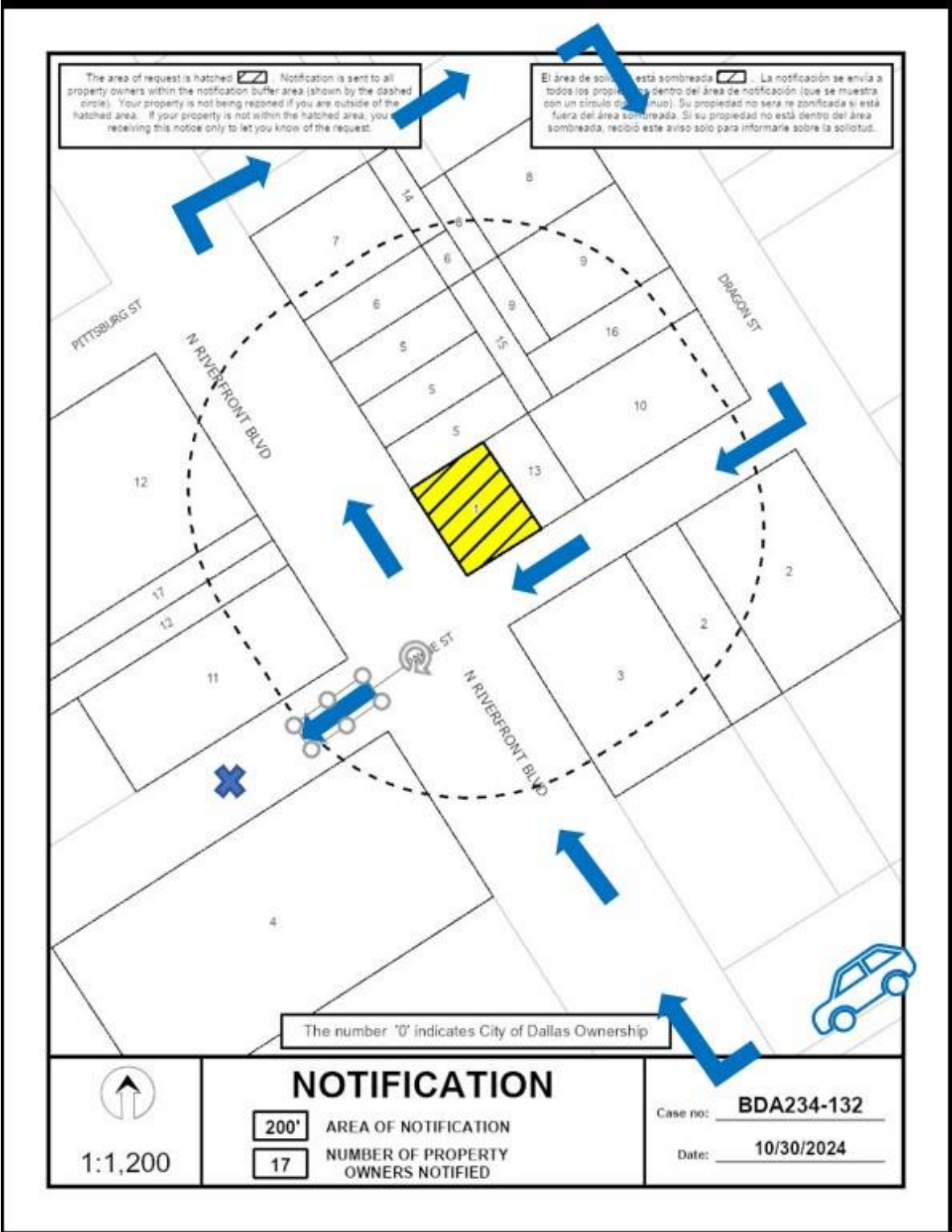
Notification List of Property Owners

BDA234-132

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1000 N RIVERFRONT BLVD	WOODMONT RIVERFRONT DESIGN
2	959 DRAGON ST	CRC INVESTMENTS LP
3	940 N RIVERFRONT BLVD	CRC INVESTMENTS LP
4	921 N RIVERFRONT BLVD	RIVERFRONT EPA LLC
5	1010 N RIVERFRONT BLVD	MOODY HERMAN B III &
6	1022 N RIVERFRONT BLVD	CCFP LTD
7	1026 N RIVERFRONT BLVD	CHRIST GEORGE C TRUST
8	1027 DRAGON ST	DRAGON REALTY
9	1019 DRAGON ST	DRAGON 1019 LLC
10	1003 DRAGON ST	1003 DRAGON ST LLC
11	1001 N RIVERFRONT BLVD	1001 RIVERFRONT LLC
12	170 PITTSBURG ST	DESIGN DISTRICT
13	209 PAYNE ST	FOUNTAIN DESIGN DISTRICT LLC
14	1026 N RIVERFRONT BLVD	CHRIST GEORGE CHARLES
15	1012 N RIVERFRONT BLVD	MOODY JANET PIKE &
16	1011 DRAGON ST	BUBBLED ENTERPRISES LLC
17	148 PITTSBURG ST	AZIMI ENTERPRISES

200' Radius Route Map



ARTICLE 621.

PD 621.

Old Trinity and Design District Special Purpose District

SEC. 51P-621.101. LEGISLATIVE HISTORY.

PD 621 was established by Ordinance No. 25013, passed by the Dallas City Council on August 28, 2002. (Ord. 25013)

SEC. 51P-621.102. PROPERTY LOCATION AND SIZE.

PD 621 is established on property generally bounded by Sylvan Avenue/Wycliff Avenue on the northwest, the meanders of the old channel of the Trinity River on the north, Interstate 35 on the east, Continental Avenue on the south, and the Trinity River Floodway on the west. The size of PD 621 is approximately 424.3103 acres. (Ord. Nos. 25013; 25560; 27006; 29127; 31235)

SEC. 51P-621.102.1. CREATION OF SUBDISTRICTS.

(a) Name. This special purpose district is to be known as the Old Trinity and Design District Special Purpose District.

(b) Creation of subdistricts.

(1) This special purpose district is divided into 13 subdistricts. Exhibit 621A describes the boundaries of each subdistrict. The map labelled Exhibit 621B shows the boundaries of each subdistrict. In case of a conflict, the verbal description in Exhibit 621A controls over the map in Exhibit 621B.

(2) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3 are transit oriented, mixed-use zoning districts for the development of combinations of medium to high density residential, retail, and office uses. Development should encourage residential, retail, office, and lodging uses in compatible combinations within walking distance of DART light-rail stations; conserve energy; provide for efficient traffic circulation; conserve land; minimize vehicular travel; encourage both day-time and night-time activity; encourage use of mass transit; increase pedestrian activity; and encourage bicycle usage. Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3 retain the potential for limited industrial and warehouse uses.

(3) Subdistrict 2 is for MU-3 Mixed Use District uses, bus or rail transit vehicle maintenance or storage facility uses, and commercial bus station and terminal uses. (Ord. Nos. 25013; 26975; 27006; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31235; 32135)

SEC. 51P-621.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions in Chapter 51A apply to this article. The following definitions apply to this special purpose district:

(1) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(2) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(3) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking and for sale of the products to the general public.

(4) BEER OR WINE MANUFACTURING means an enclosed facility that processes and manufactures alcoholic beverages. This use does not include the processing or manufacturing of distilled spirits.

(5) BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY means a facility for the maintenance, repair, or storage of bus, rail, or other transit vehicles, including the following accessory uses: sleeping facilities for bus, rail or transit vehicle drivers, vehicle paint and body shop, vehicle washing, vehicle fueling facilities, sanitary hoppers, oil storage, package express services, bus charter sales, offices, training facilities, vehicle storage, vehicle sales, and communication antennas.

(6) CANOPY TREE means a species of tree that normally bears crown foliage no lower than six feet above ground upon maturity.

(7) DUMPSTER means a movable container holding two cubic yards or more of garbage.

(8) FACADE means any separate face of a building that is visible from a street, alley, or railbed.

(8.1) INDOOR ATHLETIC AND ENTERTAINMENT CENTER means, within Subdistrict 3, an establishment with separate suites dedicated for athletic competition, training, and games of skill within private rooms. Other forms of indoor entertainment or games are also permitted in conjunction with this use as an accessory use. Sale and consumption of food and beverages is permitted on the premises and may be prepared and served as an accessory use.

(8.2) LEGACY BUILDING means a building constructed on or before 1963 that:

(A) contains a hotel or motel use; and

(B) is individually listed in the National Register of Historic Places.

(8.3) LEGACY BUILDING MIXED-USE PROJECT means a project containing more than two uses developed as a single project that includes at least one use in a legacy building.

(9) MAJOR MODIFICATION means reconstruction, alteration, or renovation of an original building that exceeds 50 percent of the value of the original building assessed by the Dallas Central Appraisal District or any increase in the floor area of an original building if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, and over 75 percent for residential projects.

(10) MASSAGE ESTABLISHMENT means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, and includes Turkish bathhouses. This term does not include, however, duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under such physician's direction. "MASSAGE" means any process consisting of kneading, rubbing, or otherwise manipulating the skin of the body of a human being, either with the hand or by means of electrical instruments or apparatus, or other special apparatus, but does not include massage by duly licensed physicians and chiropractors, and registered physical therapists who treat only patients recommended by a licensed physician and who operate only under such physician's direction, nor massage of the face practiced by beauty parlors or barbershops duly licensed under the penal code of the state.

(11) MEANDERS OF THE OLD TRINITY RIVER CHANNEL means the old Trinity River channel within this special purpose district, as shown on the map labeled Exhibit 621C.

(12) MIXED USE PROJECT means a development, on a single building site, that contains more than one use.

(13) NEW CONSTRUCTION means construction of a main structure that is not an original building.

(13.1) NEW DEVELOPMENT means any work that increases the total floor area on a building site.

(14) OPENING means a door, window, passageway, or any other similar architectural feature through which light or solid objects may pass.

(15) ORIGINAL BUILDING means a structure existing on the date of the establishment of this special purpose district, but does not include a structure that has undergone a major modification.

(16) OUTSIDE SEATING means the area between an omitted wall line and the structural wall when the area is used solely for seating of patrons.

(17) PIERCING SALON means a facility in which body piercing is performed. BODY PIERCING means the creation of an opening in an individual's body, other than in an individual's earlobe, to insert jewelry or another decoration.

(18) SPORTS PRACTICE FACILITY means a private recreation center, club, or area that includes a combination of the following: two full basketball courts, locker rooms, plunge pools, weight room and training area, a lounge area, and offices for staff.

(19) RAILBEDS means the areas shown on the map labelled Exhibit 621D.

(20) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

(21) WALKING DISTANCE means the distance from the nearest point of a parking lot to the nearest public entrance of a main use, measured along the most convenient pedestrian walkway.

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

(c) This special purpose district is considered to be a mixed use zoning district.

(d) The following rules apply in interpreting the use regulations in this article:

(1) The absence of a symbol appearing after a listed use means that the use is permitted by right.

(2) The symbol *[L]* appearing after a listed use means that the use is permitted by right as a limited use only. (For more information regarding limited uses, see Section 51A-4.218, “Limited Uses.”)

(3) The symbol *[SUP]* appearing after a listed use means that the use is permitted by specific use permit only.

(4) The symbol *[DIR]* appearing after a listed use means that a site plan must be submitted and approved in accordance with the requirements of Section 51A-4.803, “Site Plan Review.” (“DIR” means “development impact review.” For more information regarding development impact review generally, see Division 51A-4.800, “Development Impact Review.”)

(5) The symbol *[RAR]* appearing after a listed use means that, if the use has a residential adjacency as defined in Section 51A-4.803, “Site Plan Review,” a site plan must be submitted and approved in accordance with the requirements of that section. (“RAR” means “residential adjacency review.” For more information regarding residential adjacency review generally, see Division 51A-4.800, “Development Impact Review.”) (Ord. Nos. 25013; 25560; 28231; 30347; 31235; 32135)

SEC. 51P-621.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 621A: Property and Subdistrict Descriptions.
- (2) Exhibit 621B: Subdistrict Map.
- (3) Exhibit 621C: Meanders of the Old Trinity River Channel.
- (4) Exhibit 621D: Existing Railbeds.
- (5) Exhibit 621E: List of Native Plants.
- (6) Exhibit 621F: The Old Trinity and Design District “Woonerf-Living Streets” Conceptual Plan.
- (7) Exhibit 621G: Tower Diagrams for Subdistrict 1A.
- (8) Exhibit 621H: Tower Orientation.
- (9) Exhibit 621I: Tower Diagram for Subdistrict 1E.
- (10) Exhibit 621J: Tower Diagram for Subdistrict 1F.
- (11) Exhibit 621K: Tower Diagram for Subdistrict 1G.
- (12) Exhibit 621L: Tower Diagram for Subdistrict 1J.
- (13) Exhibit 621M: Development Plan for Subdistrict 3.
- (14) Exhibit 621N: Landscape Plan for Subdistrict 3. (Ord. Nos. 28231; 30040; 30041; 30042; 31235; 32135)

SEC. 51P-621.104. CONCEPTUAL PLAN.

There is no conceptual plan for this special purpose district. (Ord. 25013)

SEC. 51P-621.105. DEVELOPMENT PLAN.

(a) Except as otherwise provided in this article, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

(b) Development of the railbeds as woonerf, as described in Exhibit 621F, is encouraged. The provisions of Exhibit 621F are not required.

(c) Development and use of the Property in Subdistrict 3 must comply with the development plan for Subdistrict 3 (Exhibit 621M). If there is a conflict between the text of this

article and the development plan for Subdistrict 3, the text of this article controls. (Ord. Nos. 25013; 25560; 32135)

SEC. 51P-621.106. MAIN USES PERMITTED.

(a) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3.

(1) Agricultural uses.

None permitted.

(2) Commercial and business service uses.

- Building repair and maintenance shop. [RAR]
- Catering service.
- Commercial cleaning or laundry plant. [SUP]
- Custom business services.
- Custom woodworking, furniture construction, or repair.
- Electronics service center.
- Job or lithographic printing. [RAR]
- Labor hall. [SUP]
- Machine or welding shop. [RAR]
- Medical or scientific laboratory.
- Technical school.
- Tool or equipment rental.

(3) Industrial uses.

- Beer or wine manufacturing. [Limited to Subdistricts 1C, 1D, and 1I.]
- Industrial (inside) for light manufacturing.
- Industrial (inside). [RAR]
- Temporary concrete or asphalt batching plant. [By special authorization of the building official.]

(4) Institutional and community service uses.

- Adult day care facility.
- Child-care facility.
- Church.
- College, university, or seminary.
- Community service center. [SUP]
- Convent or monastery.
- Halfway house. [SUP]
- Hospital. [RAR]
- Library, art gallery, or museum.
- Open-enrollment charter school. [SUP]
- Private school other than open-enrollment charter school. [SUP]

- Public school other than open-enrollment charter school. *[SUP]*
- (5) Lodging uses.
- Hotel or motel. *[RAR]*
 - Lodging or boarding house. *[SUP]*
- (6) Miscellaneous uses.
- Carnival or circus (temporary). *[By special authorization of the building official]*
 - Temporary construction or sales office.
- (7) Office uses.
- Financial institution without drive-in window.
 - Financial institution with drive-in window. *[SUP, except with RAR only for lots adjacent to Oak Lawn Avenue, Market Center Boulevard, or Turtle Creek Boulevard]*
 - Medical clinic or ambulatory surgical center.
 - Office.
- (8) Recreation uses.
- Country club with private membership.
 - Private recreation center, club, or area. *[See Section 51P-621.117(c) for use with a seating capacity of 10,000 or more in Subdistrict II.]*
 - Public park, playground, or golf course.
- (9) Residential uses.
- College dormitory, fraternity, or sorority house. *[SUP]*
 - Duplex.
 - Group residential facility. *[SUP required if the spacing component of Section 51A-4.209(3) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District]*
 - Handicapped group dwelling unit. *[SUP required if the spacing component of Section 51A-4.209(3.1) is not met. Permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District]*
 - Multifamily.
 - Retirement housing. *[SUP]*
 - Single family.
- (10) Retail and personal service uses.

- Alcoholic beverage establishments. *[Allowed by right in Subdistrict 1J. SUP required in all other subdistricts, except that a microbrewery, micro-distillery, or winery is permitted by right in Subdistrict II. See Section 51A-4.210(b)(4).]*
- Ambulance service. *[RAR]*
- Animal shelter or clinic without outside run. *[RAR]*
- Animal shelter or clinic with outside run. *[SUP]*
- Antique shop.
- Art gallery.
- Art or craft production facility. *[Limited to 5,000 square feet or less of floor area.]*
- Auto service center. *[SUP]*
- Billiard hall. *[SUP]*
- Bingo parlor. *[SUP]*
- Business school.
- Car wash. *[SUP]*
- Commercial amusement (inside). *[See Section 51A-4.210(b)(7). Except as otherwise provided, permitted in this subdistrict subject to the same requirements as if located in an MU-3 Mixed Use District. Class E dancehalls, as defined in Chapter 14 of the Dallas City Code, are not permitted. Billiard hall by SUP only. Bingo parlor by SUP only. In Subdistrict II, see Section 51P-621.117(c) for use with a seating capacity of 10,000 or more.]*
- Commercial parking lot or garage.
- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Home improvement center, lumber, brick, or building materials sales yard.
- Household equipment and appliance repair.
- Indoor athletic and entertainment center *[Subdistrict 3 only by SUP only]*
- Liquor store.
- Massage establishment. *[SUP]*
- Mortuary, funeral home, or commercial wedding chapel.
- Motor vehicle fueling station. *[SUP]*
- Nursery, garden shop, or plant sales.
- Outside sales. *[SUP]*
- Personal service uses.
- Piercing salon. *[SUP]*
- Restaurant without drive-in or drive-through service.
- Restaurant with drive-in or drive-through service. *[SUP]*
- Swap or buy shop. *[SUP]*
- Taxidermist.
- Tattoo studio. *[SUP]*
- Temporary retail use.

- Theater. *[Limited to 1,000 seats or fewer, except in Subdistrict II. See Section 51P-621.117(c) for use with a seating capacity of 10,000 or more in Subdistrict II.]*
- Truck stop. *[SUP]*
- Vehicle display, sales, and service. *[SUP]*

(11) Transportation uses.

- Heliport. *[SUP]*
- Helistop. *[SUP]*
- Railroad passenger station. *[SUP]*
- Transit passenger shelter.
- Transit passenger station or transfer center. *[By SUP or city council resolution.]*

(12) Utility and public service uses.

- Electrical substation.
- Local utilities.
- Police or fire station.
- Post office.
- Radio, television, or microwave tower. *[RAR]*
- Tower/antenna for cellular communication.
- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

- Auto auction. *[SUP]*
- Contractor's maintenance yard. *[RAR]*
- Mini-warehouse. *[SUP, except with RAR only if all on-site circulation is internal to the structure.]*
- Office showroom/warehouse.
- Recycling drop-off container. *[SUP required if the requirements of Subparagraph (E) of Section 51A-4.213(11.2) are not satisfied.]*
- Trade center.
- Warehouse.

(b) Subdistrict 2.

(1) Except as otherwise provided in this subsection, the uses permitted in this subdistrict are the same as those uses permitted in the MU-3 Mixed Use District, subject to the same conditions applicable in the MU-3 Mixed Use District, as set out in the Dallas Development Code, as amended. For example, a use permitted in the MU-3 Mixed Use District only by specific use permit (SUP) is permitted in this special purpose district only by SUP; a use subject to development impact review (DIR) in the MU-3 Mixed Use District is subject to DIR in this special purpose district; etc.

(2) The following use is permitted in this subdistrict subject to residential adjacency review:

-- Bus or rail transit vehicle maintenance or storage facility. *[RAR]*

(3) The following use is permitted in this subdistrict by specific use permit only:

-- Commercial bus station and terminal. *[SUP]*

(Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31235; 32135)

SEC. 51P-621.107. ACCESSORY USES.

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

(b) The following accessory uses are not permitted in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J:

- Accessory medical/infectious waste incinerator.
- Accessory pathological waste incinerator.
- Amateur communications tower.
- Day home.
- General waste incinerator.
- Private stable.

(c) Except as otherwise provided in this section, accessory uses in Subdistrict 2 must comply with the accessory use regulations applicable to the MU-3 Mixed Use District.

(d) The following accessory uses are permitted by SUP only:

-- Accessory outside storage. *[SUP]*

-- Pedestrian skybridges. *[SUP]* (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30347; 31235)

SEC. 51P-621.108. CREATION OF A BUILDING SITE.

(a) The building official shall not issue a certificate of occupancy or a building permit until:

(1) a building site has been established under Section 51A-4.601, "Creation of a Building Site"; or

(2) the yard, lot, and space requirements of a lot or parcel can be determined from property lines described in deed records. (Ord. 25013)

SEC. 51P-621.109.

YARD, LOT, AND SPACE REGULATIONS.

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

(a) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3.

(1) Front yard. No minimum front yard.

(2) Side and rear yard. No minimum side or rear yard.

(3) Density. No maximum density.

(4) Floor area.

(A) For Subdistricts 1, 1A, 1C, 1D, and 3, maximum floor area ratio is 4.0.

(B) For Subdistrict 1B, maximum floor area is 449,316 square feet.

(C) Except as provided in this subparagraph, for Subdistrict 1E, maximum floor area is 186,437 square feet.

(i) Mix of uses with a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a hotel or motel use with a minimum of 150 guest rooms and a minimum of 7,000 square feet of floor area for retail and personal service uses at street level.

(aa) If a restaurant without drive-in or drive-through service is located at street level, an outside seating area of 700 square feet, for all restaurants combined, must be provided and must face a public right-of-way or abandoned railroad right-of-way.

(bb) An outside seating area does not count toward the minimum 7,000 square feet of floor area requirement for retail and personal service uses.

(ii) Mix of uses without a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a multifamily use with a minimum of 135 dwelling units has a minimum of 7,000 square feet of floor area for retail and personal service uses at street level.

(aa) If a restaurant without drive-in or drive-through service is located at street level, an outside seating area of 700 square feet, for all restaurants combined, must face a public right-of-way or abandoned railroad right-of-way.

(bb) An outside seating area does not count toward the minimum 7,000 square feet of floor area requirement for retail and personal service uses.

(D) Except as provided in this subparagraph, for Subdistrict 1F, maximum floor area is 268,330 square feet. Maximum floor area may be increased to 295,000 square feet if a structure contains a minimum of 3,000 square feet of floor area for retail and personal service uses located at street level.

(i) If a restaurant without drive-in or drive-through service is located at street level as part of the 3,000 square feet of floor area requirement for retail and personal service uses, an outside seating area of 800 square feet, for all restaurants combined, must be provided along Edison Street and the southeastern Property line.

(ii) An outside seating area does not count toward the minimum 3,000 square feet of floor area requirement for retail and personal service uses.

(E) Except as provided in this subparagraph, for Subdistrict 1G, maximum floor area is 245,678 square feet.

(i) Mix of uses with a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a:

(aa) hotel or motel use with a minimum of 100 guest rooms;

(bb) a multifamily use with a minimum of 120 dwelling units; and

(cc) a minimum of 4,000 square feet of floor area for retail and personal service uses at ground level.

(11) If a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of 500 square feet, for all restaurants combined, must be provided and must face a Property line other than Stemmons Freeway.

(22) An outside seating area does not count toward the minimum 4,000 square feet of floor area requirement for retail and personal service uses.

(ii) Mix of uses without a hotel or motel use. Maximum floor area may be increased to 450,000 square feet if a structure contains a multifamily use with a minimum of 200 dwelling units and a minimum of 4,000 square feet of floor area for retail and personal service uses located at ground level.

(aa) If a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of 500 square feet, for all restaurants combined, must be provided and must face a Property line other than Stemmons Freeway.

(bb) An outside seating area does not count toward the minimum 4,000 square feet of floor area requirement for retail and personal service uses.

(F) Except as provided in this subparagraph, in Subdistrict 1H, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.0 for a residential use if it complies with the following:

(i) Any ground-story blank wall area, as defined in Section 51A-13.201(5), along Hi Line Drive does not exceed a maximum of 30 linear feet.

(ii) A minimum of 70 percent of the lot width along Hi Line Drive contains a building facade within 20 feet of the Property line.

(iii) A minimum of 75 percent of a structure at street level along Hi Line Drive must have one or more of the following:

(aa) residential units with direct street level access to the sidewalk;

(bb) for the portion of the structure that contains a lobby, a ground-story facade providing a minimum of 50 percent window pane surface area that allows views into the structure at a minimum depth of four feet; or

(cc) a publically accessible open space area that complies with the criteria of Section 51P-621.109(a)(5.1)(G).

(iv) The sidewalk along Hi Line Drive has a minimum unobstructed width of eight feet.

(G) Except as provided in this subparagraph, in Subdistrict 1I, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.5 for mixed-uses if it complies with the following:

(i) Any ground-story blank wall area, as defined in Section 51A-13.201(5), along Inspiration Drive does not exceed a maximum of 20 linear feet.

(ii) A minimum of 70 percent of the lot width along Inspiration Drive contains a building facade within 20 feet of the Property line.

(iii) A minimum of 75 percent of a structure at street level along Inspiration Drive has one or more of the following:

(aa) if a restaurant without drive-in or drive-through service is located at ground level, an outside seating area of at least 500 square feet, for all restaurants combined, is provided and faces a Property line other than the one along Stemmons Freeway;

(bb) residential units with direct street level access to the sidewalk;

(cc) for the portion of the structure that contains a non-residential use, a ground-story facade providing a minimum of 50 percent window pane surface area that allows views into the structure at a minimum depth of four feet; or

(dd) a publically accessible open space area that complies with the criteria of Section 51P-621.109(a)(5.1)(G).

(H) Except as provided in this subparagraph, in Subdistrict 1J, maximum floor area ratio is 4.0. Maximum floor area ratio may be increased to 5.5 for a legacy building mixed-use project when all the following provisions are met:

(i) The legacy building mixed-use project contains a multifamily use.

(ii) A minimum of 70 percent of the lot width along Slocum Street contains a building facade within 20 feet of the property line.

(iii) The legacy building mixed-use project includes a minimum of 5,700 square feet of retail and personal service uses located on the ground floor.

(aa) If a restaurant without drive-in or drive-through service is located on the ground floor, an outside seating area of at least 500 square feet, for all restaurants combined, must be provided and must face a public right-of-way.

(bb) An outside seating area does not count toward the minimum 5,700 square feet of floor area requirement for retail and personal service uses.

(5) Height.

(A) Except as provided in this subsection, maximum height is:

(i) 150 feet for buildings having an FAR for residential uses of 0.5 or more; and

(ii) 130 feet for all other buildings and structures.

(B) In Subdistricts 1E, 1F, 1G, 1H, 1I, and 1J, mechanical equipment, elevator overrides, penthouses, parapet walls, and related equipment and structures may extend an additional 10 feet in height above the maximum structure height.

(5.1) Height bonuses for Subdistricts 1A, 1B, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3. One or more of the following height bonuses may be combined to achieve a maximum building height of 270 feet for Subdistricts 1A, 1B, 1D, and 3, a maximum building height of 300 feet for Subdistricts 1E, 1F, 1G, and 1H, a maximum building height of 350 feet for Subdistrict 1I, and a maximum building height of 400 feet for Subdistrict 1J. In Subdistrict 1F, the development must comply with Section 51P-621.109(a)(4)(D)(i) and (ii) to receive a height bonus. In Subdistrict 1G, the development must comply with Section 51P-621.109(a)(4)(E)(i) or (ii) to receive a height bonus. In Subdistrict 1H, the development must comply with Section 51P-621.109(a)(4)(F)(i)

through (iv) to receive a height bonus. In Subdistrict 1I, once the following height bonuses are used to reach a building height of 350 feet, a structure may be built to any legal height allowed by the Federal Aviation Administration. In Subdistrict 1J, the development must include the rehabilitation and adaptive reuse of a legacy building to receive a height bonus. In this paragraph, REHABILITATION means the process of returning a building to a state of utility in accordance with the United States Department of the Interior guidelines, as stated in the Secretary of the Interior's Standards for Rehabilitation.

(A) Tower size and orientation. Building height may be increased a maximum of 60 feet if (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B. See Exhibit 621I for Subdistrict 1E. See Exhibit 621J for Subdistrict 1F. See Exhibit 621K for Subdistrict 1G. See Exhibit 621L for Subdistrict 1H. See Exhibit 621L for Subdistrict 1J):

(i) in Subdistricts 1A, 1D, and 3:

(aa) the portion of the building above 75 feet in height has a floor plate of 12,500 square feet or less; and

(bb) the tower dimension perpendicular to the east Trinity River levee is at least three times longer than the tower dimension parallel to the east Trinity River levee (tower dimension is measured at the widest point of the building facade).

(ii) In Subdistrict 1B:

(aa) the portion of the building above 75 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621H; and

(cc) the longer tower dimension is at least three times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(iii) In Subdistricts 1E and 1G:

(aa) the portion of the building above 85 feet has a floor plate of 25,000 square feet or less;

(bb) the tower is oriented as indicated on Exhibit 621I (for Subdistrict 1E) or Exhibit 621K (for Subdistrict 1G); and

(cc) the longer tower dimensions is at least two times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(iv) in Subdistrict 1F:

plate of 25,000 square feet or less;

- (aa) the portion of the building above 75 feet has a floor

and

- (bb) the tower is oriented as indicated on Exhibit 621J;
- (cc) the longer tower dimension is at least one-and-a-half times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

- (v) in Subdistrict 1H:

- (aa) the portion of a building above 85 feet has a floor plate of 25,000 square feet or less;

- (bb) towers are oriented as indicated on Exhibit 621L; and

- (cc) the longer tower dimension is at least one and a half times longer than the short tower dimension (tower dimension is measured at the widest point of the building facade).

- (vi) in Subdistrict 1J:

- (aa) the portion of a building that is above 75 feet, has a floor plate of 25,000 square feet or less;

- (bb) the tower is oriented as indicated on Exhibit 621L;

and

- (cc) the longer tower dimension is at least three times higher than the short tower dimension (tower dimension is measured at the widest point of the building facade).

(B) Street-level parking structure concealment. Building height may be increased a maximum of 36 feet if:

- (i) the building is located in Subdistricts 1A, 1B, 1D, 1H, or 3

and:

- (aa) the building has street-level office showroom/warehouse, office, restaurant, or residential uses that conceal 100 percent of the street-level parking structure facade; and

- (bb) the street-level uses have a minimum depth of 30 feet measured from the building facade.

- (ii) the building is located in Subdistrict 1E and except as provided in this subparagraph:

(aa) the development complies with Section 51P-621.109(a)(4)(C)(i) or (ii);

(bb) one hundred percent of the street-level parking structure facade is screened as follows:

(I) the building has street-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal a minimum of 85 percent of the street-level parking structure facade (excluding driveway entrances);

(II) the remainder of the street-level parking structure facade is screened with a solid material that is architecturally compatible with the main building.

(cc) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(iii) the building is located in Subdistrict 1F and:

(aa) the building has street-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal 100 percent of the street-level parking structure facade facing Edison Street (excluding driveway entrances);

(bb) any street-level parking structure facade must provide screening that is architecturally compatible with the building and conceals a minimum of 50 percent of the street-level parking structure facade facing Stemmons Freeway (excluding driveway entrances); and

(cc) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(iv) the building is located in Subdistrict 1G and:

(aa) except as provided in this provision, the building has ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal 70 percent of the ground-level parking structure facade on the south side of the parking structure;

(bb) the ground-level uses have a minimum depth of 30 feet measured from the building facade; and

(cc) for facades facing Stemmons Freeway, ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses or screening of any portion of a ground-level parking structure facade are not required.

(v) the building is located in Subdistrict 1I and:

(aa) except as provided in this provision, the building has ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses that conceal 70 percent of the ground-level parking structure facade. The remainder of the street-level parking structure facade must be screened with a solid material that is architecturally compatible with the main building;

(bb) the ground-level uses have a minimum depth of 30 feet measured from the building facade; and

(cc) for facades facing Stemmons Freeway, ground-level office showroom/warehouse, office, restaurant, hotel or motel, retail and personal service, or residential uses or screening of any portion of a ground-level parking structure facade are not required.

(vi) the building is located in Subdistrict 1J and:

(aa) complies with Section 51P-621.109(a)(4)(H);

(bb) the building contains ground-level retail and personal service uses, or residential uses that conceal a minimum of 50 percent of the ground-level street-facing parking structure facade. The remainder of the parking structure facades must provide screening that is architecturally compatible with the main building; and

(cc) the street-level uses have a minimum depth of 30 feet measured from the building facade.

(C) LEED rating.

(i) Building height may be increased a maximum of 12 feet if the building is eligible for silver, gold, or platinum designation under the United States Green Building Leadership in Energy and Environmental Design (LEED) rating system.

(ii) Determination of eligibility.

(aa) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation. The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of development services.

(bb) Before the issuance of a building permit, the building official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(cc) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(dd) The checklist, certified development plans, and any supporting documents and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified designation.

(D) Pedestrian amenities. Building height may be increased a maximum of 12 feet if the building achieves 25 points under Section 51P-621.113(c)(3).

(E) Public art or water feature. In Subdistricts 1E, 1F, 1G, 1H, 1I, and 1J building height may be increased a maximum of 15 feet if:

(i) in Subdistricts 1E, and 1F, the building achieves 15 points under Section 51P-621.113(c)(4);

(ii) the public art or water feature is located in exterior open space and has a minimum of 600 square feet of land area, and includes a minimum of two of the following:

(aa) benches and/or seat walls;

(bb) trash receptacles;

(cc) shade structure, awning, trees; and

(iii) In Subdistrict 1E, the developer complies with Section 51P-621.109(a)(4)(C)(i) or (ii).

(F) Electric charging stations. In Subdistricts 1E, 1F, 1G, 1H, 1I, and 1J, building height may be increased a maximum of 15 feet if the development provides a minimum of five electric charging stations for the charging of electrically-powered motor vehicles, with a minimum of two of the stations that are accessible to the public. For purposes of this subparagraph, accessible to the public means an electric charging station that is visible from a public right-of-way or signage or other identification if either or all of the spaces are located within a structure.

(G) Publicly accessible open space. In Subdistricts 1F, 1H, 1I, and 1J, building height may be increased a maximum of 40 feet if street-level publicly accessible open space is provided in accordance with this subparagraph. If building height is increased under this subparagraph, it may not be increased an additional 15 feet under Subparagraph (E) for the same open space.

(i) The open space must have a minimum of 1,000 square feet of land area.

(ii) The open space must be clearly visible and adjacent to, or a part of, a public sidewalk, subject to the following maximum elevations between the grade or the sidewalk and the grade of the open space:

Publicly Accessible Open Space Elevation

Open Space Land Area

Maximum elevation above sidewalk grade

500 square feet or less	6 inches or less
501-1,000 square feet	12 inches or less
1,001-2,000 square feet	2 feet or less
2,001-3,000 square feet	3 feet or less
3,001 square feet and greater	4 feet or less

(iii) The open space may not be designed to allow vehicular access.

(iv) In Subdistrict 1F, obstructions are not allowed above the plaza except awnings, trellises, or similar structures to enhance usability. In Subdistricts 1H and 1I, obstructions with a minimum clearance of 14 feet in height from the grade of the plaza are allowed within the publicly accessible open space.

(v) A minimum of 25 percent of the land area must be improved with plantings, sculptures, pools, or similar features.

(vi) A minimum of 25 percent of the land area must be improved to provide shade, using trees, awnings, shade structures, or other means to provide users refuge from the elements.

(vii) Lighting must be provided to maintain a minimum of 0.2 footcandles across all walkable and seating areas inside and adjacent to the open space area. Illumination must be provided from one hour after sunset to one hour after sunrise.

(viii) All light sources that illuminate the open space area must be shielded from direct view.

(ix) The open space must provide a minimum of three of the following:

(aa) seating areas.

(bb) children's play area.

(cc) water feature.

- (dd) public art.
- (ee) historical monument.
- (ff) trash and recycling receptacles.
- (gg) windows and doors from an abutting building facing the public art.
- (hh) drinking fountains.

(H) Sports practice facility. In Subdistrict 1I, building height may be increased a maximum of 50 feet if a sports practice facility is constructed.

(I) Public trail. In Subdistrict 1I, building height may be increased a maximum of 75 feet if a public trail is provided extending from Slocum Street along the southern boundary of Subdistrict 1I and connecting to the existing DART Victory Station. The public trail must meet the park and recreation department standards for hike and bike trails, measuring a minimum of 12 feet in width and composed of a minimum of five-inch-thick reinforced concrete with a minimum shoulder of 24 inches. Amenities such as trash receptacles, benches, bubblers, lighting, signage, striping, traffic control devices, and other trail-related items must be included if required by park and recreation department staff during the design of the trail. Other trail-related items include landscaping which coordinates with the development. The public trail must be reviewed and approved by the park board. Upon connection to the DART Victory Station, a 25-foot easement must be dedicated exclusively to the city to assure its availability to the public for pedestrian access. Upon dedication to the city, maintenance will be completed by the city.

(i) A development agreement approved by the city council that details infrastructure and service provisions and phasing and assigns cost responsibilities for the provision of recreational services and facilities is required before this this provision is satisfied.

(ii) If the Texas Department of Transportation or DART denies the application to connect the trail through right-of-way to the DART Victory Station and no other reasonable means of connection is available; or, if the park and recreation department, park board, and property owner cannot come to an agreement for the design of the trail, then in-lieu of providing the trail connection and to satisfy the requirement of this bonus, a contribution may be made to the Old Trinity and Design District Open Space Fund as described in Section 51P-621.112(b)(6)(A). The contribution will be determined based on an estimate of the cost of the construction of the proposed trail. The estimate must be provided by the developer and approved by the park and recreation department.

(J) New development design. In Subdistrict 1J, height may be increased a maximum of 25 feet if new development is architecturally compatible with the legacy building. In this subparagraph, COMPATIBLE means similar and consistent in appearance and style; but does not necessarily mean identical.

(K) Sidewalks. In Subdistrict 1J, height may be increased a maximum of 15 feet if a minimum six-foot wide, unobstructed sidewalk is constructed along Slocum Street.

(L) Mixed-income housing. In Subdistrict 1J, when a multifamily use complies with the requirements in Section 51P-621.116.1, the proposed height may be increased a maximum of 35 feet, in the following increments:

(i) 10 feet if a minimum of five percent of the units are available to households earning between 51 and 60 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices.

(ii) 10 feet if a minimum of five percent of the units are available to households earning between 61 and 80 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices.

(iii) 15 feet if a minimum of five percent of the units are available to households earning between 81 and 100 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rent prices.

(6) Building site coverage.

(A) Except as provided in this paragraph, maximum building site coverage is 100 percent.

(B) For Subdistricts 1A, 1B, 1F, and 1J any portion of a building that is above 75 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621G for Subdistrict 1A. See Exhibit 621H for Subdistrict 1B. See Exhibit 621J for Subdistrict 1F. See Exhibit 621L for Subdistrict 1J.).

(C) For Subdistricts 1E, 1G, and 1H any portion of a building that is above 85 feet in height may not have a floor plate greater than 60 percent of the lot area or 25,000 square feet, whichever is less (See Exhibit 621I for Subdistrict 1E. See Exhibit 621K for Subdistrict 1G. See Exhibit 621L for Subdistrict 1H.)

(D) In Subdistrict 1I, except as provided in this subparagraph, any portion of a building that is above 130 feet in height may have a floor plate of up to 60 percent of the lot area or 40,000 square feet, whichever is less.

(i) A building containing a commercial amusement (inside) use with a seating capacity of more than 12,500, is not subject to this floor plate limitation.

(ii) A development plan for a building referenced in Romanette (i) above must be approved by the city plan commission confirming that the tower dimension perpendicular to views of downtown to the east is at least two times longer than the tower dimension parallel to views to the southeast (tower dimension is measured at the widest point of the building facade).

(7) Building site size. No minimum building site size.

(8) Stories. No maximum number of stories.

(b) Subdistrict 2.

(1) Except for a bus or rail transit vehicle maintenance or storage facility, the yard, lot, and space regulations applicable to the MU-3 Mixed Use District, as amended, apply to this subdistrict.

(2) The following yard, lot, and space regulations apply to bus or rail transit vehicle maintenance or storage facility uses:

(A) Front yard. No minimum front yard.

(B) Side and rear yard. No minimum side or rear yard.

(C) Density. No maximum density.

(D) Floor area. Maximum floor area ratio (FAR) is 4.0.

(E) Height. Maximum structure height is 200 feet.

(F) Building site coverage. Maximum building site coverage is 100 percent.

(G) Building site size. No minimum building site size.

(H) Stories. No maximum number of stories. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31235; 32135)

SEC. 51P-621.110. OFF-STREET PARKING AND LOADING.

(a) General requirements applicable to all subdistricts.

(1) Except as otherwise provided in this section, off-street parking and loading must be provided in compliance with Division 51A-4.300, "Off-Street Parking and Loading Regulations." In the event of a conflict between this section and Division 51A-4.300, this section controls.

(2) If several uses are located on a single building site, the off-street parking requirement is the sum of the requirements for each use, and off-street parking spaces for one use may not be counted toward the off-street parking requirement of another use, except as otherwise provided in this section.

(3) If more than 10 off-street parking spaces are required, handicapped parking must be provided pursuant to Section 51A-4.305, "Handicapped Parking Regulations."

(b) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, and 3.

(1) Except for the uses listed below, consult the use regulations in Division 51A-4.200, "Use Regulations," for the specific off-street parking requirements for each use.

(A) Alcoholic beverage establishment. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the alcoholic beverage establishment. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(B) Antique shop. One space per 600 square feet of floor area.

(C) Art gallery. One space per 600 square feet of floor area.

(D) Art or craft production facility. One space per 1,000 square feet of floor area.

(E) Beer or wine manufacturing. One space per 600 square feet of floor area.

(F) Dance hall. One space per 25 square feet of floor area.

(G) Duplex.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(H) Furniture store. One space per 1,000 square feet of floor area.

(I) General merchandise or food store 3,500 square feet or less. One space per 275 square feet of floor area.

(J) General merchandise or food store greater than 3,500 square feet. One space per 275 square feet of floor area.

(K) Hotel or motel. 0.55 spaces per guest room [*300 rooms or less only; Subdistrict 1E only*].

(L) Indoor athletic and entertainment center. One space per 500 square feet of floor area.

(M) Multifamily.

(i) One-and-one-half spaces per dwelling unit.

(ii) In Subdistricts 1B and 1I, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(N) Office. One space per 358 square feet of floor area.

(O) Office showroom/warehouse. One space per 1,100 square feet of floor area up to 20,000 square feet, and one space per 4,100 square feet of floor area over 20,000 square feet.

(P) Personal service uses. One space per 275 square feet of floor area.

(Q) Restaurant. One space per 105 square feet of floor area. No parking is required for outside seating up to 10 percent of the total floor area of the restaurant. Outside seating may not be converted to interior floor area unless the additional required parking is provided.

(R) Single family.

(i) One space per dwelling unit with one or fewer bedrooms.

(ii) Two spaces per dwelling unit with more than one bedroom.

(iii) In Subdistrict 1B, parking may be gated or otherwise secured if Dallas Fire Code requirements are met.

(2) Parking reductions.

(A) Bicycle parking. The off-street parking requirement for nonresidential uses located within 600 feet of the centerpoint of the intersection of Slocum Street and Cole Street may be reduced by 10 percent if:

(i) one five-bicycle parking stand for each 100 feet of street frontage is provided in the front yard of the building site; and

(ii) a minimum 12-foot-wide pedestrian and bicycle path is provided to link the building site with a DART light rail station.

(B) Employment centers adjacent to shuttle or bus stops. The following uses may provide off-street parking as specified if the use is within 1,000 feet of a shuttle stop or bus stop that provides a direct link to the Victory rail transit station or the Market Center rail transit station and if the use has 75,000 or more square feet of floor area:

(i) Industrial (inside). One space per 750 square feet of floor area.

(ii) Office. One space per 450 square feet of floor area.

(C) On-street parking. On-street parking spaces adjacent to a building site may be credited toward the off-street parking requirement of uses on the building site, even if the parking, backing, or maneuvering must be performed in the public right-of-way. On-street parking must be striped in accordance with standard city specifications.

(i) Head-in parking. One head-in parking space may be credited for each nine feet of frontage of the building site. Angled head-in parking must be angled

more than 60 degrees but less than 90 degrees to the curb. The closest point of any angled head-in parking space may not be located closer than 10 feet to any perpendicular (90 degree) head-in parking space.

(ii) Parallel parking. One parallel parking space may be credited for each 22 feet of frontage of the building site.

(D) Special exception. The board of adjustment may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in Section 51A-4.311. The board of adjustment may impose conditions on the special exception.

(3) Delta theory.

(A) Except as otherwise provided in this paragraph, see Section 51A-4.704(b)(4). In the event of a conflict between this paragraph and Section 51A-4.704(b)(4), this section controls.

(B) The right to carry forward nonconforming parking and loading spaces does not terminate.

(4) Special parking.

(A) In general. Except as otherwise provided in this paragraph, see Division 51A-4.320, "Special Parking Regulations."

(B) Special parking allowed. Except as specifically modified in this section, required off-street parking may be special parking.

(C) Remote parking for nonresidential uses.

(i) Required off-street parking for nonresidential uses may be remote parking.

(ii) Remote parking for nonresidential uses must be located within 1,000 feet of the use served by the remote parking. The building official may extend the distance for remote parking to no more than 1,500 feet if a shuttle from the remote parking is provided. A license is required to authorize an extension of distance beyond 1,500 feet.

(iii) Remote parking lots must meet on-site parking landscape requirements.

(iv) Parking located in a railbed may be used as remote parking.

(D) Shared parking. Except for residential uses in Subdistrict 1B, if more than one type of use is located on a building site, all uses on the building site must share parking. Table 1 must be used to calculate the required off-street parking spaces when parking is shared. The number of off-street parking spaces that must be provided for the development is the largest number of spaces required under any of the five time-of-day columns. For example, in the

morning, a development with residential and office uses must provide 80 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. Likewise, in the afternoon, that development must provide 60 percent of the off-street parking that would normally be required for the residential uses and 100 percent of the off-street parking that would normally be required for the office uses. A similar calculation must be performed for each time of day. If the number of spaces required in the morning is greater than the number of spaces required during any other time of day, then the number of spaces required in the morning must be provided. Likewise, if the number of spaces required in the late afternoon is greater than the number of spaces required during any other time of day, then the number of spaces required in the late afternoon must be provided.

**Table 1: Shared Parking Table
(For calculating the parking requirement for shared parking)**

	%	%	%	%	%
<u>Use Category</u>	<u>Morning</u>	<u>Noon</u>	<u>Afternoon</u>	<u>Late Afternoon</u>	<u>Evening</u>
Residential	80	60	60	70	100
Office-related	100	80	100	85	35
Retail-related	60	75	70	65	70
Bar and Restaurant	20	100	30	30	100
Warehouse/ Showroom	100	75	100	65	35
All other	100	100	100	100	100

“(5) Cash in lieu of required parking. A property owner may make a one-time cash payment to the Old Trinity and Design District Parking Fund in lieu of providing required parking for a use in an original building. The amount of the payment is calculated by using the following formula:

National median cost per square foot x 350 x Dallas cost index x Number of required spaces not provided x .75 = Payment required

where "national median cost per square foot" is the national median cost per square foot of a parking space in a parking garage. Both the "national median cost per square foot" and the "Dallas cost index" must be derived from the most recent issue of Building Construction Cost Data, published by the Robert Snow Means Company, Inc., of Kingston, Massachusetts, unless another comparable publication is designated by the director. The department shall administer a city account to be known as the Old Trinity and Design District Parking Fund. Funds from the Old Trinity and Design District Parking Fund must be used only for the acquisition or construction of parking garages or other parking improvements within Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J. The payment into the Old Trinity and Design District Parking Fund is due at the time of application for a building permit.”

(6) Fees for required parking. Fees may be charged for use of required parking.

(7) Parking structure screening. In Subdistricts 1E, 1F, 1G, 1H, and 1I, any portion of a street-level parking structure facade that is concealed by a street-level use is considered screened.

(c) Subdistrict 2. The off-street parking requirement for a bus or rail transit vehicle maintenance or storage facility is one space per 1,500 square feet of floor area. For all other uses, consult the use regulations contained in Division 51A-4.200, "Use Regulations," for the specific off-street parking/loading requirements for each use. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31150; 31235; 32135)

SEC. 51P-621.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 25013)

SEC. 51P-621.112. LANDSCAPING.

(a) General requirements applicable to all subdistricts except Subdistrict 3.

(1) Required tree species. All required trees must be from the following list of Texas native species:

<u>Scientific name</u>	<u>Common name</u>
Aesculus glaba v. arguta	Texas buckeye
Aesculus pavia	Red buckeye
Bumelia lanuginosa	Woolly-bucket bumelia
Carya illinoensis	Pecan
Carya texana	Black hickory
Cercis canadensis v. Canadensis	Eastern redbud
Diospyros virginiana	Common persimmon
Ilex decidua	Deciduous holly
Ilex vomitoria	Yaupon holly
Juglans nigra	Black walnut
Juniperus virginiana	Eastern red cedar
Morus rubra	Red mulberry
Myrica cerifera	Wax myrtle
Prunus mexicana	Mexican plum
Quercus macrocarpa	Bur oak
Quercus marilandica	Blackjack oak
Quercus shumardii	Shumard red oak
Quercus stellata	Post oak
Quercus virginiana	Live Oak
Rhamnus caroliniana	Carolina buckthorn
Rhus copallina	Flameleaf sumac
Rhus virens	Evergreen sumac
Sapindus drummondii	Western soapberry
Sophora affinis	Eve's necklace
Taxodium distichum	Bald cypress
Ulmus americana	American elm
Ulmus crassifolia	Cedar elm
Viburnum rufidulum	Rusty blackhaw viburnum
Zanthoxylum clavaherulis	Hercules' club

(2) Prohibited trees.

(A) The following trees may not be planted within this special purpose district:

<u>Scientific name</u>	<u>Common name</u>
Populus deltoides	Cottonwood
Albizia julbrissen	Mimosa

(B) Bradford pears (pyrus calleryana) may be planted as site trees. Bradford pears may not be used as street trees, used as landscape buffer trees, or planted in the public right-of-way.

(3) Street trees.

(A) In Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J, one street tree must be provided per 25 feet of street frontage, with a minimum of one street tree per building site. In Subdistrict 2, one street tree must be provided per 50 feet of street frontage, with a minimum of one street tree per building site.

(B) Street trees must be located on the building site within 50 feet of the projected street curb, except that street trees may be located in the public right-of-way if all private licensing requirements of the city code and charter are met and a right-of-way landscape permit is obtained from the city. For purposes of this subparagraph, “projected street curb” means the future location of the street curb consistent with the City of Dallas Thoroughfare Plan as determined by the director of public works and transportation.

(C) Street trees must be provided for all new construction.

(4) Landscaping in the public right-of-way.

(A) Landscaping may be located in the public right-of-way if a right-of-way landscape permit is obtained from the city.

(B) Plants in the public right-of-way may not obstruct visibility or create a traffic hazard. See Section 51A-4.602(d), “Visual Obstruction Regulations.”

(C) The city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the landscaping requirements of this special purpose district. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a right-of-way landscape permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the

license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(D) A property owner or tenant is not required to comply with any right-of-way landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of a right-of-way landscape permit or the revocation of the private license granted under this subsection.

(E) Upon the installation of landscaping in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(F) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, and for keeping the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain the landscaping. The granting of a license for landscaping under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees and landscaping in the public right-of-way.

(5) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that compliance is made impossible by Subsection (d), "Visual Obstruction Regulations," of Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(b) Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J.

(1) General requirement. Except as otherwise provided in this section, landscaping must be provided as required by Article X.

(2) Landscaping in railbeds.

(A) Any landscaping planted in the area to the centerline of a railbed may be used to satisfy required landscaping for the adjacent property. Landscaping planted in a railbed may not be located in an access easement.

(B) The requirements of Section 51A-10.125(b)(5), "Parking Lot Trees," do not apply to parking located within a railbed.

(3) Parking lot buffer. A five-foot-wide landscaped strip must be located along any edge of a parking lot or parking structure that is visible at grade level from a street. A minimum three-inch-caliper tree must be located every 15 feet, or fraction thereof, or clustered every 30 feet within the landscaped strip.

(4) Plant requirements. Plants used to satisfy the landscape requirements must comply with the following requirements:

(A) A large evergreen shrub must have the ability to grow to a minimum height of three feet within three years.

(B) Solid sod or hydro-mulch grass may be used.

(C) Artificial plant materials may not be used.

(D) Any required landscaping that dies must be replaced.

(5) Landscape plan. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for nonresidential projects, over 65 percent for mixed use projects, or over 75 percent for residential projects. A landscape plan must earn at least 50 points (out of a total of 155 possible points.) The points awarded for providing these features are provided in parentheses. Existing landscaping qualifies for points.

(A) Lighting. (Total possible points = 20) Ten points each are awarded for providing tree lighting, light bollards, light poles, building facade lighting, or landscaped area lighting, up to a maximum of 20 points. The lighting provided must be at least 1.5 foot-candles in intensity over adjacent pedestrian areas.

(B) Landscaping on rooftops and facades. (Total possible points = 30) Ten points each are awarded for large planters, hanging planters, exterior embedded or extended planters, and vine supports on rooftops or along front facades up to a maximum of 30 points. Vines within ground-based planters must be able to extend above one-half the total height of the ground story of the main structure.

(C) Landscape buffer. (Total possible points = 25) The landscape buffer must be a minimum of 80 square feet. A mix of plant materials may be used.

(D) Tree canopy at the street frontage. (Total possible points = 20) Points may be obtained for planting canopy trees along the entire street frontage, exclusive of vehicular and pedestrian entrances and exits. The trees may be planted in the right-of-way if a right-of-way landscape permit is obtained. Ten points are awarded for planting these trees at a density of one tree per 30 linear feet of street frontage and 20 points are awarded for planting these trees at a density of one tree per 15 linear feet of street frontage. Note: Power lines may affect the types of trees used.

(E) Seasonal color landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area for seasonal color in planting beds, raised planters, or pots. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape

area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. The plants in the landscape area must be changed at least twice per year with the appropriate seasonal color plants. This area must contain the appropriate seasonal landscaping at all times except when the landscaping is being changed at the beginning of a new season.

(F) Native plant landscaping. (Total possible points = 20) Points may be obtained for providing a landscape area containing native plants. Five points are awarded for a landscape area that is equal to at least one-fourth of a square foot multiplied by the number of feet of street frontage. Ten points are awarded for a landscape area that is equal to at least one-half of a square foot multiplied by the number of feet of street frontage. Fifteen points are awarded for a landscape area that is equal to at least three-fourths of a square foot multiplied by the number of feet of street frontage. Native plants listed in Exhibit 621E must be used.

(G) Creation of open space. (Total possible points = 20) Five points are awarded per 200 square feet of open space if the open space is a minimum of 500 feet from the building site but within this special purpose district. For purposes of this subparagraph, “open space” means a space containing no structures or pavement at or above grade, and containing only grass or other vegetation. Open space must be available for use by the public. The open space must be maintained in a state of good repair and neat appearance at all times by the owner of the property for which the building permit was issued.

(6) Open space fund. If a property owner in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1H, 1I, and 1J cannot plant all of the required trees on the building site, or the property owner in Subdistricts 1G and 1I cannot plant all of the required trees on the building site or within 1,000 feet of the building site, the property owner shall comply with the following requirements for no more than 50 percent of the required trees:

(A) Make a payment into the Old Trinity and Design District Open Space Fund. The department shall administer a city account to be known as the Old Trinity and Design District Open Space Fund. Funds from the Old Trinity and Design District Open Space Fund must be used only for acquiring and maintaining property for parks and open-space within this special purpose district. The amount of the payment required per tree not planted is calculated by using the formula for appraising the value of a two-inch-caliper tree, as derived from the most recent edition of the *Guide for Establishing Values of Trees and Other Plants* published by the Council of Tree and Landscape Appraisers, unless another publication is designated by the building official, and adding the cost of planting and maintaining a two-inch tree for two years.

(B) Plant trees within:

(i) portals to the Trinity River (as identified in the Trinity River Corridor Comprehensive Land Use Plan) within this special purpose district,

(ii) along that portion of the Old Trinity Trail within this special purpose district, or

(iii) along the meanders of the Old Trinity River channel, as shown.

(7) Parking/landscaping zone. Where there is at least a 70-foot space between buildings, a parking/landscaping zone meeting the following requirements is allowed in the space between the two buildings, but is not required. The composition of the parking/landscaping zone, moving from one building façade across to the other building façade, is as follows:

(A) First, a minimum six-foot-wide sidewalk parallel to the façade of the first building.

(B) Second, a parking area between six feet from the first building façade to 16 feet from the first building façade. This parking area must have angled head-in parking at an angle of 60 degrees to 90 degrees. A landscaped area containing one tree must be located between every fifth parking stall. Trees in the parking area must be spaced 46 to 50 feet on center, and must be 12 to 16 feet away from the first building façade. One parking stall may be omitted to allow for a loading dock to remain functional.

(C) Third, a minimum of 26 feet of right-of-way for the two-way traffic in the middle.

(D) Fourth, a matching parking area from between 16 feet from the second building façade to six feet from the second building façade.

(E) Fifth, a matching six-foot-wide sidewalk parallel to the façade of the second building.

(c) Subdistrict 2. Except as otherwise provided in this section, all properties in Subdistrict 2 must comply with Article X.

(d) Subdistrict 3. Landscaping must be provided as shown on the landscape plan for Subdistrict 3 (Exhibit 621N). If there is a conflict between the text of this article and the landscape plan for Subdistrict 3, the text of this article controls. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31235; 32135)

SEC. 51P-621.113.

ARCHITECTURAL DESIGN GUIDELINES.

(a) Purpose. The architectural design guidelines of this section are intended to preserve the historical, cultural, and architectural importance and significance of Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J. These architectural design guidelines are intended to encourage adaptive reuse of existing buildings; new contemporary and creative construction and major modifications that will enhance the architectural character of the district; and sustainable, green, energy efficient design and construction.

(b) Facade requirements for new construction and major modifications in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J.

(1) Facades must be brick, concrete masonry, glass, hollow tile, stone, or other fireproof materials, except that wooden siding, wooden sheets, and metal may not be used on more than 50 percent of any facade.

(2) Facades consisting of more than 80 percent glass, excluding glass block, are prohibited.

(3) The maximum permitted reflectance of glass used as a facade material varies depending on where the glass is used. The reflectance of glass used on the first two stories may not exceed 15 percent. The reflectance of glass used above the first two stories may not exceed 27 percent. Reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. The higher the percentage, the more visible light reflected and the more mirror-like the glass will appear.

(c) Design test requirements in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J. New construction or a major modification must earn at least 50 points for properties with a floor area ratio of 2.0 or less, and at least 70 points for properties with floor area ratios greater than 2.0 (out of 205 possible points). The total possible points in any category are provided in parentheses.

(1) Maintenance of original facades. (Total possible points = 10) Ten points are awarded for the adaptive reuse of an original building if its original facade design elements are not altered.

(2) Ground floor uses, building facades, and roofs. (Total possible points = 20) Points may be earned as follows:

(A) Retail and showroom uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) is allocated to retail and personal service uses or office showroom/warehouse uses.

(B) Restaurant uses. Ten points are awarded if a building's ground floor (excluding halls, restrooms, utility areas, and other public spaces) includes restaurant uses.

(C) Facade treatments. Ten points are awarded if the building's front facade is given texture and complexity by the inclusion of ground level entries more than 14 feet in height, porticos, indented entries, belt coursing or other horizontal banding, grid coursing, articulation of window openings, corner pilasters, rustication of the first floor, changes of color, or ornamental iron.

(3) Pedestrian amenities. (Total possible points = 25) Five points each are awarded for benches, trash receptacles, awnings/canopies, bicycle parking racks, and pedestrian street lamps. These items should be creative and contemporary. Pedestrian amenities must be located within the curb-to-building area of the building site, but, if a hardship prohibits locating these in the curb-to-building area of the building site, the amenities may be placed within the public right-of-way as long as they meet city standards and licensing requirements and do not block free movement of pedestrians. Pedestrian amenities must be maintained and operated by the owner of the building site. If there is more than one owner, all owners are jointly responsible for maintenance. Such amenities include:

(A) Benches or exterior seating areas (maximum of one every 50 feet).

- (B) Trash receptacles (maximum of five points).
- (C) Awnings/canopies along the front facade.
- (D) One five-bicycle stand per 100 feet of street frontage.
- (E) At least one pedestrian street lamp (freestanding or wall mounted) per 50 feet of street frontage.

(4) Public art or water features. (Total possible points = 15) Fifteen points are awarded for public art or water features costing at least \$2,500, limited to one per building site. In order to qualify for public art points, the public art must be visible from a public right-of-way at all times. Examples of public art could include art in an atrium or lobby that is visible from a public right-of-way, art incorporated into the sidewalk or building facade, or freestanding art. For purposes of this paragraph, "water features" means: fountains, pools, mechanical water jets, or similar water devices.

(5) Paving material. (Total possible points = 15) Five points are awarded per one-third increment of an outdoor private walkway area accessible to the public that is covered by decorative pavement. For purposes of this paragraph, "decorative pavement" means: colored concrete pavers; brick; stone; stamped, textured, or colored concrete; and exterior grade tile.

(6) Pedestrian orientation of building facade. (Total possible points = 20) Twenty points are awarded if a minimum of 25 percent of the front facade has transparent display windows or windows affording views into retail, office, or lobby space. The transparency requirement applies to the first 16 feet of height of the facade.

(7) Structured parking facilities. (Total possible points = 50) Fifty points are awarded for a structured parking facility if the design matches the facade of a new building or architecturally complements the facade of an original building.

(8) Energy conservation. (Total possible points = 15) Ten points are awarded for using solar, geothermal, or other non-petroleum, non-coal energy sources. Five points are awarded for planting twice the number of canopy trees required by Section 51P-621.112, "Landscaping."

(9) Permeable surface. (Total possible points = 15) Five points are awarded each third of an outdoor walkway or driveway with a permeable surface.

(10) LEED's credit. (Total possible points = 20) Twenty points are awarded for a project with a floor area ratio of more than 2.0 when the project complies with the following:

(A) A United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Checklist, effective May 1, 2004, must be submitted with an application for a building permit for development, indicating how development will comply with a certified designation (26 to 32 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional designated by the department of sustainable development and construction. Prior to the issuance of a building permit, the building

official shall determine that the project is consistent with the standards and criteria for a LEED certified designation.

(B) If the developer is unable to achieve all of the green building rating system points identified on the checklist, the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(C) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of sustainable development and construction certifies that the building complies with the LEED certified designation (26 to 32 project points).

(d) Approval by development plan. The city plan commission may approve new construction or a major modification that does not meet the requirements of Subsections (b) and (c) of this section if the development plan and elevations show that the new construction or major modification is consistent with the spirit and intent of this section.

(e) Fences and Walls in Subdistricts 1, 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, and 1J. Fences and walls longer than 200 feet adjacent to any public street must be designed to prevent visual monotony through use of offsets, changes of materials and textures, gates or openings, or landscaping. (Ord. Nos. 25013; 25560; 26975; 27280; 28231; 28819; 30040; 30041; 30042; 30347; 31235)

SEC. 51P-621.114. SITE DESIGN REQUIREMENTS.

(a) Above-grade off-street parking. Parking is permitted on any level of a building.

(b) Median and curb cuts along Industrial Boulevard. Median and curb cuts to access railbeds for off-street parking from Industrial Boulevard, between Continental Avenue and Sylvan/Wycliff Avenue, must be approved by the director of public works and transportation. Traffic must be one-way from Industrial Boulevard westbound to Levee Street.

(c) Sidewalk standards for new construction.

(1) In general.

(A) Sidewalks complying with the standards of this subsection must be provided for all new construction.

(B) If a sidewalk is to be located in a front yard, a sidewalk easement must be dedicated to the city to assure its availability to the public for pedestrian access.

(C) Except as otherwise provided in this subsection, the requirements of Chapter 43, "Streets and Sidewalks," apply to all sidewalks.

(2) Location.

(A) Sidewalks must be located along the entire length of the street frontage.

(B) On state highways, sidewalks must be provided in the parkway, subject to Texas Department of Transportation approval. If Texas Department of Transportation approval cannot be obtained, the property is exempt from this requirement.

(C) Except as provided in this section, sidewalks must be located between five feet and 10 feet from the back of the projected street curb, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must be located between five feet and 12 feet from the back of the projected street curb. Sidewalks may be located farther from the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(D) In Subdistrict 1E, sidewalks must be located between zero feet and 10 feet from the back of the projected street curb, except that sidewalks on Turtle Creek Boulevard must be located between zero feet and 12 feet from the back of the projected street curb, but no more than 50 percent of the length of all sidewalks may be immediately adjacent to the street curb. In Subdistrict 1E, sidewalks may be located either closer to, or farther from, the projected street curb to the extent necessary to preserve existing trees or structures or to comply with landscaping requirements.

(E) In Subdistricts 1E, 1F, 1G, 1I, and 1J, design and construction must be level with any connecting sidewalk for sidewalks crossing drive approaches.

(3) Width.

(A) Sidewalk widths must match the width of existing sidewalks in front of adjacent properties at the point of convergence. Where there are different sidewalk widths on each side of the street frontage, the new sidewalk must taper or expand to meet the incongruous sidewalks.

(B) Sidewalks must have an unobstructed minimum width of four feet, except that sidewalks on Oak Lawn Avenue, Irving Boulevard, Market Center Boulevard, and Turtle Creek Boulevard must have an unobstructed minimum width of six feet, and sidewalks in Subdistrict 1I must have a minimum unobstructed width of eight feet. For purposes of this provision, "unobstructed" means by structures or landscaping, excluding utility poles and service boxes.

(d) License to allow compliance with ADA requirements.

(1) If there is no other way to install ramps required by the Americans with Disabilities Act or similar state laws other than to install the ramps in the public right-of-way, the city council hereby grants a non-exclusive revocable license to the owners or tenants (with written consent of the owner) of all property within this special purpose district for the exclusive purpose of authorizing compliance with the Americans with Disabilities Act or similar state laws. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be

charged for issuance of a building permit in accordance with the Dallas Building Code. This private license will not terminate at the end of any specific time period; however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, at any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) Upon the installation of ramp in the public right-of-way, the owners or tenants shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence, and \$2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(3) Each owner or tenant is responsible for maintaining any ramps in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to make repairs or maintain any ramps. The granting of a license for ramps under this subsection does not release the owner or tenant from liability for the installation or maintenance of ramps in the public right-of-way.

(e) Exemption for Subdistrict 2. The site design requirements of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

(f) Exemption for Subdistrict 3. The site design requirements of this section do not apply to uses in Subdistrict 3, except that sidewalks in Subdistrict 3 must be provided as shown in the development plan for Subdistrict 3. (Ord. Nos. 25013; 25560; 26102; 30040; 30041; 30042; 30347; 31150; 31235; 32135)

SEC. 51P-621.115. SCREENING REGULATIONS.

(a) Parking lot screening.

(1) Except as otherwise provided in this section, Section 51A-4.301(f), “Screening Provisions for Off-Street Parking,” applies to all parking lots and parking structures.

(2) Fences may complement but not substitute for parking lot trees and shrubbery screening.

(3) The provision of screening for surface parking only applies to new construction. All surface parking must be screened from a street or access easement by using one or more of the following three methods to separately or collectively attain a minimum height of three feet above the parking surface:

(A) Earthen berm planted with turf grass or groundcover recommended for local area use by the director of parks and recreation. The berm may not have a slope that exceeds one foot of height per three feet of width.

(B) A fence constructed of one or more of the following: brick, stone, concrete masonry, stucco, concrete, wood, or other durable material. Wrought iron fences are allowed.

(C) Hedge-like evergreen plant materials recommended for local area use by the city arborist. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.

(b) Screening of off-street loading spaces, dumpsters, and garbage storage areas.

(1) Except as otherwise provided in this subsection, screening of off-street loading spaces, dumpsters, and garbage storage areas must be provided in compliance with Section 51A-4.602, "Fence, Screening, and Visual Obstruction Regulations."

(2) All off-street loading spaces, dumpsters, and garbage storage areas must be screened from all public streets adjacent to the building site. Screening is not required on sides that are not visible from a public street.

(3) Screening of all off-street loading spaces, dumpsters, and garbage storage areas must be at least six feet in height.

(4) Screening is not required in the railbeds.

(c) Outdoor storage areas. Except for vehicle display, sales, and service uses and nursery, garden shop, and plant sales uses, all outdoor storage areas for commercial and business services uses and industrial uses must be entirely screened by an eight-foot solid screening fence, vegetative materials, or other alternative deemed appropriate by the building official.

(d) Exemption for Subdistrict 2. The screening regulations of this section do not apply to a bus or rail transit vehicle maintenance or storage facility use in Subdistrict 2.

(e) Exemption for Subdistrict 3. The screening regulations of this section do not apply to uses in Subdistrict 3. (Ord. Nos. 25013; 25560; 32135)

(a) Except as otherwise provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) In Subdistrict 2, detached premise signs existing on the date of establishment of this special purpose district may remain, provided the sign and sign supports are maintained in a state of good repair and neat appearance at all times. See Section 51A-7.210, “General Maintenance.”

(c) Projecting attached premise signs for retail and personal service uses are allowed, provided they do not project more than five feet from the building façade and are between nine and 15 feet above the sidewalk. For purposes of this provision, a “projecting attached premise sign” means an attached premise sign projecting more than 12 inches from a building at an angle other than parallel to the façade.

(d) In Subdistrict 1E, one rooftop-mounted metal framework premise sign is permitted, subject to the following conditions:

(1) A rooftop-mounted metal framework premise sign may be illuminated internally or externally or both.

(2) A rooftop-mounted premise sign may not exceed 1,200 square feet in effective area.

(3) A rooftop-mounted premise sign must comply with the Dallas Fire Code and must be approved by the fire marshal before a sign permit may be approved by the director. (Ord. Nos. 25013; 25560; 31150)

SEC. 51P-621.116.1. MIXED-INCOME HOUSING FOR SUBDISTRICT 1J.

(a) Except as provided in this section, compliance with Division 51A-4.1100 is required to obtain the development bonuses in Section 51P-621.109(5.1)(L).

(b) Compliance with Section 51A-4.1107 is not required.

SEC. 51P-621.117. ADDITIONAL PROVISIONS.

(a) The entire Property and any improvements in the public right-of-way must be properly maintained in a state of good repair and neat appearance. The city may remove any improvements in the public right-of-way that are not maintained in a state of good repair and neat appearance at the sole expense of the property owner, and may use any available legal remedy to recover the cost of removal from the property owner.

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

(c) In Subdistrict 1I, a traffic impact analysis is required in addition to the development impact review requirements in Division 51A-4.800 for a commercial amusement (inside), private recreation center, club, or area, or theater with a seating capacity of 10,000 or more. The area subject to review will include Subdistrict 1I and all property within a quarter mile. All infrastructure improvements essential to the operation of the use must be in place prior to the issuance of a certificate of occupancy for the use. The time period for review of the traffic impact analysis and development impact review is extended to 60 calendar days. (Ord. Nos. 25013; 25560; 26102; 30347)

SEC. 51P-621.118. COMPLIANCE WITH CONDITIONS.

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

(b) The building official shall not issue a building permit to authorize work or a certificate of occupancy to authorize the operation of a use in this special purpose district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 25013; 26102)



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-132 OFFICE USE ONLY

Data Relative to Subject Property: _____ Date: 9/24/24 OFFICE USE ONLY

Location address: 1000 N. Riverfront Blvd. Zoning District: PD621

Lot No.: 1A Block No.: 4/6834 Acreage: 0.161 Census Tract: CT100.3

Street Frontage (in Feet): 1) 90.04 2) 78.74 3) ~~90.08~~ 4) 77.92 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Woodmont Riverfront Design District Dallas LLC

Applicant: Andrew Hooper Telephone: (615) 542-4627

Mailing Address: 2100 W. 7th Street, Forth Worth, TX Zip Code: 76107

E-mail Address: andy@hooperhc.com

Represented by: Mike Davis Telephone: (469) 386-0847

Mailing Address: PO Box 151434, Dallas, TX Zip Code: 75215

E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception of minimum parking space requirements from 72 to ³²38 spaces.

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:
unnecessary hardship is resulting from the strict application of the zoning regulations

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

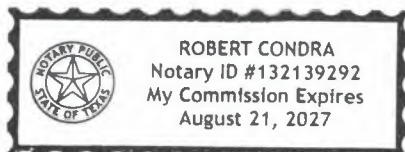
Before me the undersigned on this day personally appeared Andrew Hooper

(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 5th day of OCTOBER, 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 Andy Hooper
represented by MIKE DAVIS
did submit a request for (1) a special exception to the parking regulations
at 1000 N Riverfront

BDA234-132(BT) Application of Andrew Hooper represented by Mike Davis for (1) a special exception to the parking regulations at 1000 N RIVERFRONT BOULEVARD. This property is more fully described as Block 4/6834, Lot 1A and is zoned PD-621 (Subdistrict 1), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service use and provide 50 of the required 72 parking spaces, which will require (1) a 22-space special exception (31 percent reduction) to the parking regulation.

Sincerely,


M. Samuell Eskander, PE


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-132

I, WOODMONT RIVERFRONT DESIGN DISTRICT DALLAS LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1000 N. RIVERFRONT
(Address of property as stated on application)

Authorize: ANDY HOOPER / MIKE DAVIS (REPRESENTATIVE)
(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: PLS REDUCTION OF 22 SPACES

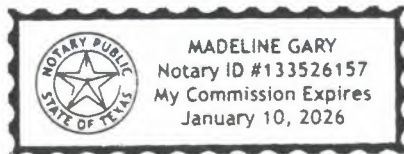
GRANT GARDI
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 9/26/2024

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 26th day of SEPTEMBER, 2024



[Signature]
Notary Public for Dallas County,
Texas

Commission expires on JANUARY 10 2026

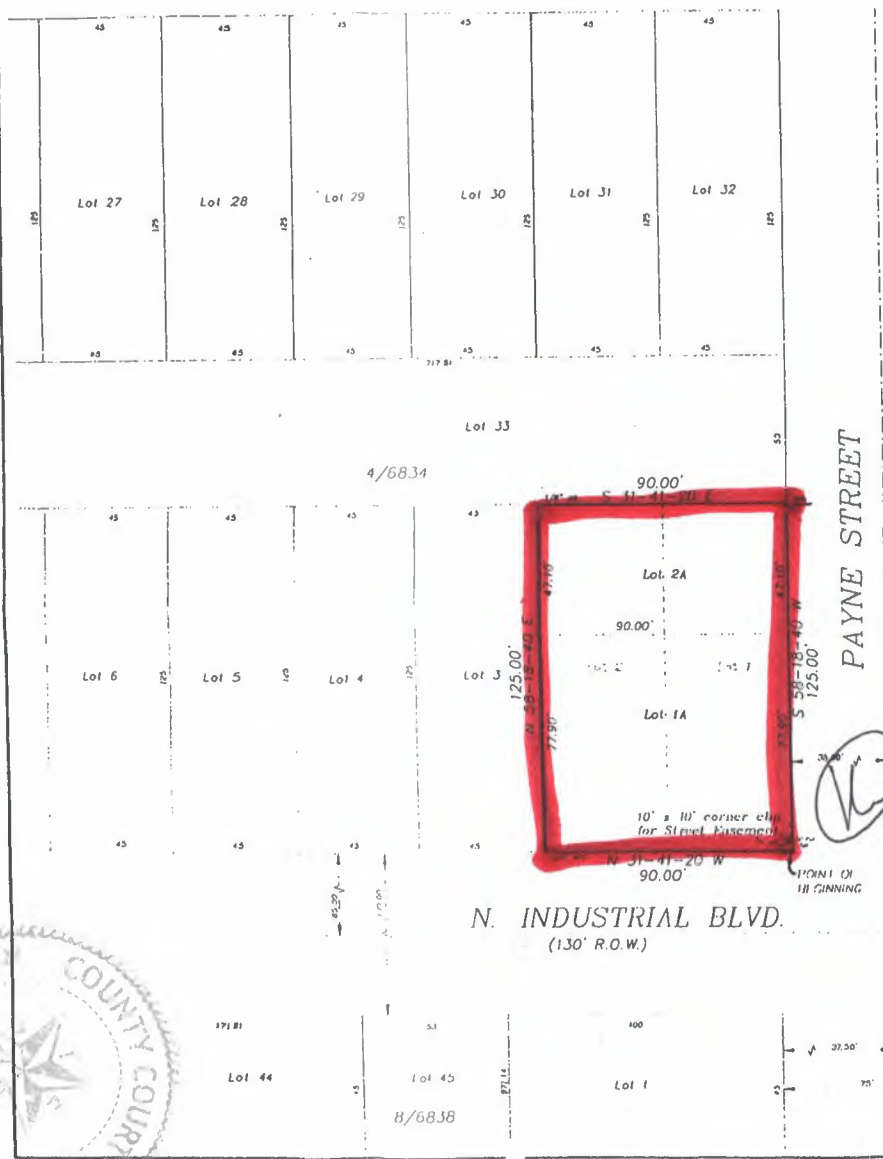
9612 14216

1612 14216

9612 14216

6612 14216

DRAGON STREET (80' R.O.W.)



PAYNE STREET
(70' R.O.W.)

N. INDUSTRIAL BLVD.
(130' R.O.W.)

STATE OF TEXAS
COUNTY OF DALLAS

Whereas, Marian Murray is the owner of a tract of land situated in the Maloney Williams Survey, Abstract No. 4632, and being Lots 1 & 2, Block 4/6834 of Trinity Industrial District, Installation No. 2, in addition to the City of Dallas as recorded in Volume 16, Page 93, of the Map Records of Dallas County, Texas and being more particularly described as follows:

BEHAVING as an "S" cut in concrete of the intersection of the Northeast line of Industrial Blvd. (126' S.O.W.) and the Northeast line of Payne Street, 176' S.O.W. at the Southwest corner of Lot 1, Block 4/6834;

THENCE North 31 degrees, 41 minutes, 20 seconds, West, along the said Northeast line of Industrial Blvd., 88.00 feet to a 3/4-inch iron pipe found at the Northwest corner of Lot 2, Block 4/6834 and the Southwest corner of Lot 3, Block 4/6834;

THENCE North 54 degrees, 14 minutes, 44 seconds, East, along the common line of Lots 2 and 3, 123.00 feet to a 3/4-inch iron rod found for the Northeast corner of Lot 2;

THENCE South 11 degrees, 41 minutes, 20 seconds, East, along the common line with Lot 23, 90.00 feet to a building corner for the Southwest corner of said Lot 1, Block 4/6834 in the Northeast line of Payne Street;

THENCE South 39 degrees, 19 minutes, 46 seconds, West, along the said Northeast line of Payne Street 123.00 feet to the PLACE OF BEGINNING and containing 11,250 sq. feet or 0.258 acres of land.

HOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARIAN MURRAY, do hereby adopt this plat, designated the herein described property as Lots 1A & 2A, Block 4/6834, a replat of Lots 1 & 2, Block 4/6834 of TRINITY INDUSTRIAL DISTRICT, INSTALLMENT NO. 2, in addition to the City of Dallas, Texas. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police lines, garbage and rubbish collection agencies, and all public and private utilities for such particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed, reconstructed or allowed upon, over or across the easements as above, said easements being hereby reserved for the actual use and accommodation of all public utilities mining or desiring to use same. All, and any public utility shall have the right to remove and bring removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way do or may interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity of any line of grading the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility.

Water main and auxiliary sewer easements shall also include additional areas of setting space for construction and maintenance of the systems. Sewer easement areas to also encompass for installation and maintenance of manholes, cleanouts, fire hydrants, water valves and sewer service from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Dallas, Texas.

WITNESS, BY S.A.D. AT Dallas, Texas, this 12th day of Dec. 1991.
BY: *Marian Murray*
Marian Murray, Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Marian Murray, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of Dec. 1991.

[Signature]
Notary Public in and for the State of Texas

KNOW ALL MEN BY THESE PRESENTS:
That I, Steve Davidson, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed or found under my personal supervision in accordance with the platting rules and regulations of the City Plus Commission of the City of Dallas.

[Signature]
Steve Davidson, Registered Professional Land Surveyor No. 4904

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Steve Davidson, 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 purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of Dec. 1991.

[Signature]
Notary Public in and for the State of Texas



LOT 1A & 2A, BLOCK 4/6834
A REPLAT OF
LOT 1 & 2, BLOCK 4/6834
OF
TRINITY INDUSTRIAL DISTRICT
INSTALLMENT NO. 2

POLARIS
LAND SURVEYING INC.
10400 L. NORTHWEST HIGHWAY
SUITE 317, DALLAS, TX 75238
(214) 318-8883 FAX 318-3602

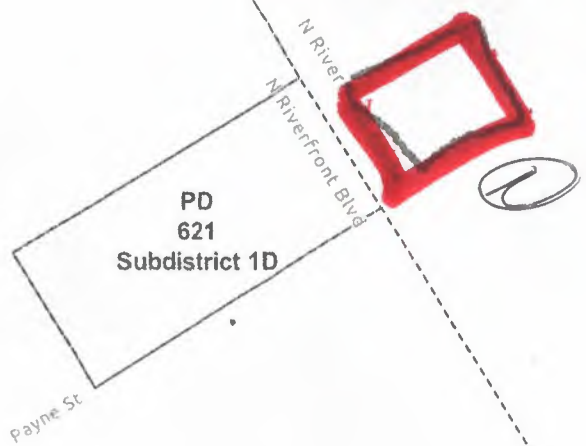
MARIAN MURRAY
1018 GREENBRIAR
GARLAND, TX 75043
(214) 779-8655

NOVEMBER 1991 CITY PLAN FILE NO. S912-021

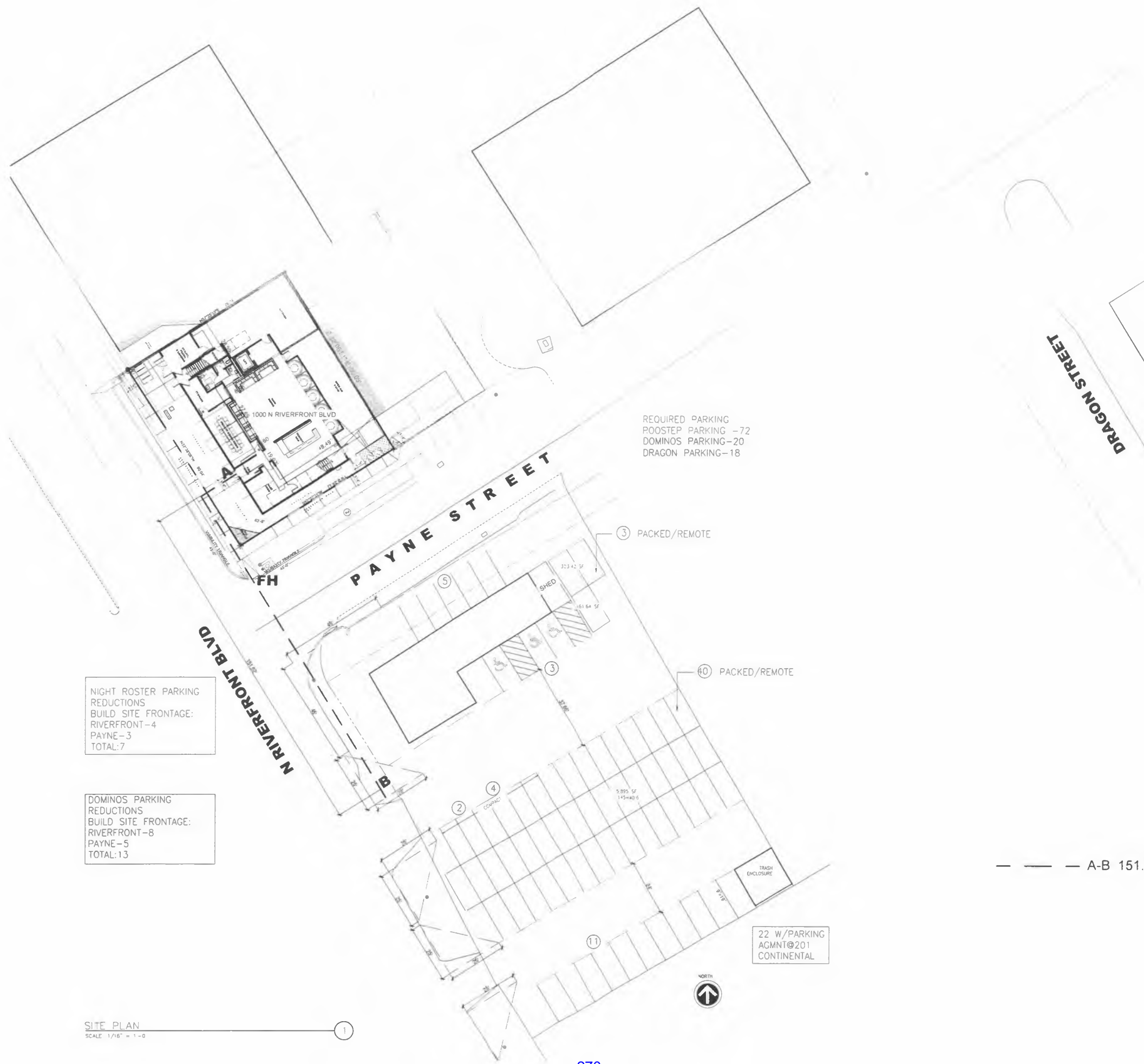


1000 N RIVERFRONT BLVD, D... X

Search result



Selected features:0



NIGHT ROSTER PARKING
 REDUCTIONS
 BUILD SITE FRONTAGE:
 RIVERFRONT-4
 PAYNE-3
 TOTAL:7

DOMINOS PARKING
 REDUCTIONS
 BUILD SITE FRONTAGE:
 RIVERFRONT-8
 PAYNE-5
 TOTAL:13

SITE PLAN
 SCALE 1/16" = 1'-0"



NO.	ISSUES	REVISIONS	DATE

PROJECT

NIGHT ROOSTER STACK
 PARKING PLAN
 1000 N RIVERFRONT, DALLAS

PROJECT NO
 DATE JUNE 06, 2024
 SCALE AS NOTED
 DRAWN BY HY
 SHEET TITLE SITE PLAN

SHEET NO
A-1.0