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**CITY SECRETARY
DALLAS, TEXAS**



Public Notice

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**POSTED CITY SECRETARY
DALLAS, TX**

BOARD OF ADJUSTMENT (PANEL B)

**DECEMBER 18, 2024, BRIEFING AT 10:30 A.M. AND
THE PUBLIC HEARING AT 1:00 P.M.**

Dallas City Hall, Room 6ES Council Briefing and Videoconference

Video Conference Link: <https://bit.ly/boa1218-B>

Telephone: (408) 418-9388, Access Code: 325527

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

Individuals and interested parties wishing to speak must register with the Board of Adjustment at <https://bit.ly/BDA-B-Register> by the close of **business Tuesday, December 17, 2024**. **In Person speakers can register at the hearing.**

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

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en <https://bit.ly/BDA-B-Register> antes de cierre de oficina el **Martes, 17 de Diciembre, 2024**. **Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

- | | | |
|------|------------------------------------|--------------------------|
| I. | Call to Order | Cheri Gambow, 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 B Minutes – November 20, 2024
-

UNCONTESTED CASE(S)

BDA234-139(CJ)	6240 E. Mockingbird Lane REQUEST: Application of Charles D. Corson for (1) a special exception to the sign regulations.	1
BDA234-152(CJ)	6114 Carlton Garrett Street REQUEST: Application of Monique Everett for (1) a variance to the front yard setback regulations.	2
BDA234-142(BT)	1535 Annex Avenue REQUEST: Application of Sateesh Reddy Nagilla for (1) a variance to the front-yard setback regulations, for (2) a variance to the side-yard setback regulations, and for (3) a variance to the required off-street parking regulations.	3
BDA234-151(BT)	1602 Kessler Parkway REQUEST: Application of Gilbert Brown for (1) a variance to the off street parking regulations.	4
BDA234-153(BT)	5814 Carlton Garrett Street REQUEST: Application of Ricardo Alonso for (1) a variance to the front-yard setback regulations.	5

HOLDOVER

BDA234-122(BT)	5314 Ursula Lane REQUEST: Application of Eddie Grothaus for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations.	6
BDA234-130(CJ)	9820 Royce Drive REQUEST: Application of Alma Rocio Davalos represented by Douglas Lemus for (1) a variance to the front-yard setback regulations.	7

INDIVIDUAL CASES

None

BOARD OF ADJUSTMENT

Panel B Minutes

November 20th, 2024

DRAFT



6ES Briefing Room
24974849659@dallascityhall.webex.com

Cheri Gambow, Vice-Chair

PRESENT: [5]

Cheri Gambow, Vice-Chair	
Sarah Lamb	
Joe Cannon	
Dr. Emmanuel Glover	
Nicholas Brooks	

ABSENT: [0]

Vice-Chair Cheri Gambow made the motion to select Sarah Lamb as Presiding Officer, seconded by Phil Sahuc, and was called the briefing to order at **10:31 A.M.** with a quorum of the Board of Adjustment present.

Presiding Officer Sarah Lamb called the hearing to order at **1:03 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

Approval of the Board of Adjustment Panel B, October 23rd, 2024, Meeting Minutes.

Motion was made to approve Panel B, October 23rd, 2024, Public Hearing Minutes.

Maker:	Joe Cannon				
Second:	Sarah Lamb				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

Approval of the Board of Adjustment Full Board Meeting Minutes, October 29th, 2024.

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

Maker:	Joe Cannon				
Second:	Dr. Emmanuel Glover				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

1. 929 Brookwood Drive
BDA234-155_FW1

BUILDING OFFICIAL’S REPORT: Application of Benjamin Lartey requesting a **(1)** fee waiver for special exceptions to the fence height regulations and visibility obstruction regulations.

LOCATION: 929 Brookwood Dr.

APPLICANT: Benjamin Lartey

REQUESTS:

The applicant is requesting a fee waiver for special exceptions to the fence height regulations and visibility obstruction regulations at 929 Brookwood Dr.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

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

In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

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

Speakers:

For: Benjamin Lartey, 6010 W. Spring Creek Pkwy Dallas TX 75024

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-155_FR1, on application of Benjamin Lartey, **GRANT** the request to waive the filing fees to be paid in association with a request for a special exception to the fence height regulations and visibility obstruction regulations as requested by this applicant because our evaluation of the property and testimony shows that the payment of the fee would result in substantial financial hardship to this applicant.

Maker:	Nicholas Brooks				
Second:	Sarah Lamb				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks and Dr. Emmanuel Glover
		Against:	-	0	

UNCONTESTED CASES

2. 3434 Altamoore Drive

This item was moved to Individual Cases

BDA234-133(CJ)

BUILDING OFFICIAL’S REPORT: Application of Michael Bergey represented by Elsie Thurman for (1) a variance to the building height regulations at **3434 Altamoore Drive**. This property is more fully described as Block A/8299, Lot 2 and is zoned LI, which limits the maximum structure height to 70-feet. The applicant proposes to construct and/or maintain a non-residential structure (wind turbine) measuring 97-feet in height, which will require (1) a 27-foot variance to the maximum building height regulations.

LOCATION: 3434 Altamoore Drive

APPLICANT: Michael Bergey

REQUEST:

- (1) A request for a variance to the maximum building height 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:

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

1. Variance to the maximum building height regulations

Denial

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. Although the specifications describe the proposed wind turbine as smaller than average, the subject site is 2,191,503.6 of square feet or 50.31 acres, and not sloped or irregularly shaped; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 3434 Altamoore Drive within the last 5 years.

Square Footage:

This lot contains 2,191,503.6 of square feet or 50.31 acres.

This lot is zoned Light Industrial (LI) which does not have a minimum lot size.

Site: Light Industrial (LI) Zoning District

North: Light Industrial (LI) Zoning District

East: Light Industrial (LI) Zoning District

South: Light Industrial (LI) Zoning District

West: Light Industrial (LI) Zoning District

Land Use:

The subject site and areas to the north, south, east, and west are zoned Light Industrial (LI).

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Michael Bergey property located at 3434 Altamoore Drive focuses on one request relating to the maximum building height regulations.
- A request for a variance to the maximum building height regulations of 27-feet is made to construct a 97-foot non-residential structure; the maximum building height allowed in the Light Industrial zoning district is 70-feet.
- The subject site has triple street frontage on Altamoore Drive, Van Horn Drive, and Balmorhea Drive.
- The subject site along with surrounding properties to the north, south, east and west are zoned with industrial uses.
- The subject site is currently developed with a non-residential structure and located within an established industrial area.
- Per the applicant, the L'Oreal group would like to go green at their warehouse as an initiative to aid The City in promoting and protecting the health and safety of the communities through the Office of Environmental Quality & Sustainability.

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.
 - 27-foot variance to the maximum building height regulations.
 - 200' Radius Video: [BDA234-133 at 3434 Altamoore Rd.](#)

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 **B**.
- 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: Elsie Thurman, 9406 Biscayne Blvd., Dallas TX 75218
Michael Bergey, 2200 Industrial Blvd., Norman OK 73069
Brian Orsini, 175 terminal Ave., Clark NJ 7066
- Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-133, on application of Michael Bergey represented by Elsie Thurman, **DENY** the variance to the maximum building height regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Joe Cannon				
Second:	Nicholas Brooks				
Results:	4-0 Unanimously				Motion to deny
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks and Dr. Emmanuel Glover
		Against:	-	0	

1415 Corto Drive

BDA234-138(BT)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Larry Paschall for **(1)** a special exception to the 20-foot visibility obstruction regulations, at driveway approaches, and for **(2)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches at **1415 CORTO DR.** This property is more fully described as Block 8/5331, Lot 14, and is zoned R-10(A), which requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #1, which will require **(1)** a special exception to the visibility obstruction regulations, and to construct and/or maintain a residential fence structure in a required 20-foot visibility obstruction triangle at driveway #2, which will require **(2)** a special exception to the visibility obstruction regulations.

LOCATION: 1415 Corto Dr.

APPLICANT: Larry Paschall

REQUEST:

- (1) A request for a special exception to the 20-foot visibility obstruction regulations at the driveway #1 along Hermosa Dr.; and
- (2) A request for a special exception to the 20-foot visibility obstruction regulations at the driveway #2 along Hermosa Dr.

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Larry Paschall for the property located at 1415 Corto Dr. focuses on two requests relating to the visual obstruction regulations.
- The first request is for a special exception to 20-foot visibility obstruction triangle at the drive approach #1 along Hermosa Dr.
- Secondly, the applicant is requesting a special exception to 20-foot visibility obstruction triangle at the drive approach #2 along Hermosa Dr.
- The subject site and surrounding properties to the north, south, east, and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing fencing and gates along Hermosa Dr.
- The Engineering Division has no objections to the proposed 15' x 15' encroachment to the visibility triangle at the alley along Hermosa Dr.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence height and 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:

Timeline:

- October 1, 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 **B**.
- 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: Larry Paschall, 8725 Stanwood Dr., Dallas TX 75228
Bradley Goodman, 1414 Corto Dr., Dallas TX

Against: No Speakers

Motion

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

BDA 234-138—Application of Larry Paschall, for special exceptions from the visual obstruction regulations at the driveway approaches 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:	Joe Cannon			
Second:	Sarah Lamb			

Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

**** Vice-Chair Cheri Gambow left at 2:30 p.m.****

It was motioned to appoint Board Member Sarah Lamb as Presiding Office

Maker:	Joe Cannon				
Second:	Dr. Emmanuel Glover				

HOLDOVER CASES

3. 5314 Ursula Lane
BDA234-122(BT)

BUILDING OFFICIAL’S REPORT: Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 5314 Ursula Ln.

APPLICANT: Eddie Grothaus

REQUEST:

- (3) A request for a special exception to the fence height regulations; and
- (4) A request for a special exception to the fence standard regulations regarding opacity

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Eddie Grothaus for the property located at 5314 Ursula Ln. focuses on 2 requests relating to the fence height, and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace the existing 4-foot high gate section to the east and west with a 6-foot high gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, many were open with no fencing or vegetation, some properties provided a form of vegetation serving as a screening mechanism along Ursula Ln and Palomar Ln.
- Some properties provided a fence and/or gate at 4-feet above grade in the required front yard along Ursula Ln and Palomar Ln.
- Applicant is requesting additional height due to safety and security concerns, as the family travel schedule is public knowledge
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.

- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-122 at 5314 Ursula Ln](#)

Timeline:

- August 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.
- September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- September 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 September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 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.
- October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October 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.
- October 23, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, October 23, 2024, moved to **HOLD** this matter under advisement until **November 20, 2024**.
- October 24, 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 October 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: Eddie Grothans, 10930 Switzer Ave, Dallas TX 75238

Against: Kara Gehan, 5330 Ursula Lane, Dallas TX 75229

Motion

I move that the Board of Adjustment in Appeal No. BDA 234-122 **HOLD** this matter under advisement until **December 18, 2024.**

Maker:	Sarah Lamb				
Second:	Nicholas Brooks				
Results:	5-0 Unanimously				Motion to hold until December 18, 2024.
		Ayes:	-	5	Cheri Gambow, Sarah Lamb, Joe Cannon, Nicholas Brooks, and Dr. Emmanuel Glover
		Against:	-	0	

5. 2417 W. 12th Street
BDA234-124(BT)

BUILDING OFFICIAL’S REPORT: Application of Elizabeth Rader at **2417 W 12TH STREET** to request an interpretation of the intent of the zoning district boundary map. This property is more fully described as Block B/4567, parts of Lots 7, 8 and a portion of Tract 15, and is zoned CR and R-7.5(A). The applicant requests the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

LOCATION: 2417 W 12TH St.

APPLICANT: Elizabeth Rader

REQUEST: A request is made that the Board of Adjustment interpret the zoning map for this property and the ordinances amending the map.

STANDARD FOR INTERPRETATION OF INTENT OF ZONING DISTRICT BOUNDARY MAP:

Dallas Development Code Sec. 51A-4.104(d) state that when there is a question as to the boundary of a tract and that question cannot be resolved by the application of Subsections (a) through (c), the board of adjustment shall determine the boundary by interpreting the official zoning district map and ordinances amending the map.

STANDARD FOR DECISION MAKING:

Dallas Development Code Sec. 51A.3-102(d)(2) states that the board has the following powers and duties to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.

BACKGROUND INFORMATION:

Zoning:

Site: CR and R-7.5(A)
North: CR and R-7.5(A)
East: CR
South: R-7.5(A)
West: PD-829

Land Use:

The subject site is developed with an auto service use and surrounding properties to the north developed with restaurant use, east developed with uses allowed in CR, south developed with DISD school use and west developed with DISD athletic field uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Elizabeth Rader, represented by James B. Harris is requesting the Board of Adjustment interpret the zoning map and ordinances amending the map at the property located at 2417 W 12th St.
- The property owner requested C-1 zoning, but instead CPC recommended a Special Permit and Council passed CPC's recommendation.
- City of Dallas staff understanding is that essentially a Special Permit (SP) is not exactly like an SUP—it is probably closer to a Planned Development (PD) because an SUP can allow a use that the zoning district allows when special conditions are imposed, whereas the 1951 zoning code allows Council to adopt an SP for a use that is not allowed in the zoning district when special conditions (and a site plan) are imposed.
- The important distinction here is that the zoning was still Residential and Council granted an SP instead of the C-1 zoning the applicant requested.
- Describing something similar to public deed restrictions or the current SUP regulations by saying it is an “amendment to the zoning ordinance as applicable” like we would apply a DR or SUP over the map today. It also goes on to explain the conditions are for granting the CO.
- March 1954 - 20’ strip of land deeded to adjacent property, creating split zoning on the property (R-7.5 and C-1).
- 1959 Ordinance No. 5238 zoned property C-1 thru special permit

- December 1959 boundaries near W. 12th St. and S. Hampton Rd. all rezoned C-1 Ordinance No. 8288
- March 29, 1965 (Revised May 20, 1971) rezoning maps with Ordinance No 10962 near W. 12th St. and S. Hampton Rd.
- February 4, 1987, Ordinance No. 19455 which adopted Chapter 51A provided new zoning districts city-wide, replacing all previous district definitions and boundaries (see Exhibit B of Ordinance No. 20180 passed on January 25, 1989)
- Majority of the original R-7.5(A) zoning district was removed by Ordinance 27942 on August 11, 2010.
- CPC denying request to change R-7.5(A) to CR with Z212-345 on February 2, 2023.
- May 3, 2024 letter delivered to Casey Burgess, Executive Assistant City Attorney.
- Memorandum provided to applicant from city staff with detail interpretation of the zoning district boundary lines on July 24, 2024.
- The board has the power and duty to interpret the intent of the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.
- 200' Radius Video: [BDA234-124 at 2417 W 12th St](#)

Timeline:

- August 29, 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.
- September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- September 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 September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 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.
- October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October 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.

October 23, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, October 23, 2024, moved to **HOLD** this matter under advisement until **November 20, 2024**.

October 24, 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 October 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: Jim Harris – 1722 Routh Street, Dallas TX 75201
Peter Kavanagh - 1620 Handley ST., Ste A, Dallas TX 75208
Geena Piwetz - 12342 Inwood Rd., Dallas TX 75244 (Did not speak)

Against (Virtual) Yolanda Alameda – 2405 Tyler St., Dallas TX 75224
Christine Hopkins – 1118 Elmwood Blvd., Dallas TX 75224
Albert Mata – 101 W. Davis St., Dallas TX 75208

In person: Dr. Victoria Susan Nearpass, D.C.2407 W. 12th St., Dallas
Jerry Figueroa – 2220 W. Clarendon Dr., Dallas TX 75208

Motion # 1

I move that the Board of Adjustment in Appeal No. BDA 234-124 **HOLD** this matter under advisement until **December 18, 2024**.

Maker:	Dr. Emmanuel Glover				
Second:	Nicholas Brooks				
Results:	2-2				Motion to hold until December 18, 2024.
		Ayes:	-	2	Dr. Emmanuel Glover and Sarah Lamb

		Against:	-	2	Joe Cannon and Nicholas Brooks
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Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA234-124, on application of Elizabeth Rader, determine that the property located at 2417 W. 12th Street was intended to be zoned as a CR Community Retail District based on the facts and testimony presented.

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

Staff shall mark the current zoning district map in accordance with the Board’s determination.

Maker:	Joe Cannon				
Second:	Nicholas Brooks				
Results:	3-1				Motion fails
		Ayes:	-	3	Joe Cannon, Sarah Lamb and Nicholas Brooks
		Against:	-	1	Dr. Emmanuel Glover

Motion # 3

It was motioned to reconsider the motion to HOLD.

I move that the Board of Adjustment in Appeal No. BDA 234-124 **HOLD** this matter under advisement until **December 18, 2024.**

Maker:	Joe Cannon				
Second:	Sarah Lamb				
Results:	2-2				Motion to hold fails.
		Ayes:	-	2	Sarah Lamb and Joe Cannon
		Against:	-	2	Dr. Emmanuel Glover and Nicholas Brooks

Motion # 4

I move that the Board of Adjustment, in Appeal No. BDA 234-124, on application of Elizabeth Rader, **DENY without prejudice** and determine that the property located at 2417 W. 12th Street was intended to be zoned as a **R-7.5(A) Single Family District** based on the facts and testimony presented.

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

If not already clearly marked, staff shall mark the current zoning district map in accordance with the Board’s determination.

Maker:	Joe Cannon				
Second:	Nicholas Brooks				
Results:	3-1				Motion to deny
		Ayes:	-	3	Sarah Lamb, Joe Cannon and Nicholas Brooks

		Against:	-	1	Dr. Emmanuel Glover
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INDIVIDUAL CASES

6. 9820 Royce Drive

BDA234-130(CJ)

BUILDING OFFICIAL’S REPORT: Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations at 9820 Royce Dr. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require **(1)** a 5-foot variance to the front-yard setback regulations.

LOCATION: 9820 Royce Drive

APPLICANT: Alma Rocio Davalos

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

easement; or

(v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

2. Variance to the front yard setback regulations

Denial

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

- D. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- E. The subject site is 14,810.4 sq ft. which is larger than the minimum lot size for a residential use in the R-10(A) zoning district (10,000 sq ft.), and is not sloped or irregularly shaped; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- F. Is a self-created or personal hardship. The construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly constructed the single-family home with a 25 foot front yard setback in error making this a self-created hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 9820 Royce Drive within the last 5 years.

Square Footage:

This lot contains 14,810.4 of square feet.

This lot is zoned R10(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 Alma Rocio Davalos property located at 9820 Royce Drive focuses on 1 request relating to the front yard setback regulations.
- A request for a variance to the front yard setback regulations of 5-feet is made to construct and/or maintain a single-family residential structure.
- The subject site is a mid-block lot and has single street frontage on Royce 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 single-family structure and located within an established neighborhood.
- It is imperative to note that the construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly assumed a 25 foot front yard setback was required.

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:

- (f) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (g) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (h) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (i) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (j) the municipality considers the structure to be a nonconforming structure.
- Granting the 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.
 - 5-foot variance to the front yard setback regulations.
 - 200' Radius Video: [BDA234-130 at 9820 Royce Dr.](#)

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 **A**.
- 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: Douglas Lemus, 9820 Royce Dr., Dallas TX 75217
Alma Douglas, 9820 Royce Dr., Dallas TX 75217

Against: None

Motion

I move that the Board of Adjustment in Appeal No. BDA 234-124 **HOLD** this matter under advisement until **December 18, 2024.**

Maker:	Joe Cannon				
Second:	Sarah Lamb				
Results:	4-0 Unanimously				Motion to hold until December 18, 2024.
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks and Dr. Emmanuel Glover
		Against:	-	0	

6. 12464 Breckenridge Drive

BDA234-137(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations at **12464 BRECKENRIDGE DR.** This property is more fully described as Block A/7463, Lot 9, and is zoned R-1/2ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence regulations.

LOCATION: 12464 Breckenridge Dr.

APPLICANT: Baldwin Associates - Rob Baldwin

REQUEST:

- (5) 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 (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: R-1/2ac(A)
North: TH-1(A), D(A) and PD-47
East: PD-381
South: R-1/2ac(A)
West: R-1ac(A)

Land Use:

The subject site is developed with single family use.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin for the property located at 12464 Breckenridge Dr. focuses on one request relating to the fence height.
- A request for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high fence with 8-foot high gate in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- The subject site along with surroundings properties to south, and east are all developed with single-family homes.
- The surrounding properties to the north are developed with mostly townhomes and duplexes uses.
- The surroundings properties to west a recreational use, public park.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot high fence and 8-foot high gate, located near the front property line.

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

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

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-137, on application of Baldwin Associates, **GRANT** the request of this applicant to construct and/or maintain an 8-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Joe Cannon				
Second:	Nicholas Brooks				
Results:	4-0 Unanimously				Motion to grant
		Ayes:	-	4	Sarah Lamb, Joe Cannon, Nicholas Brooks and Dr. Emmanuel Glover
		Against:	-	0	

****Recess at 2:02 pm – 2:21 pm****

****Recess at 4:52 pm – 4:57 pm****

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Presiding Officer Sarah Lamb moved to adjourn the meeting at 5:09 p.m.

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

Date

Required Signature:
Dr. Kameka Miller-Hoskins, Board Administrator
Planning and Development Department

Date

Required Signature:
Cheri Gambow, Vice Chair
Board of Adjustment

Date

FILE NUMBER: BDA234-139(CJ)

BUILDING OFFICIAL'S REPORT Application of Charles D. Corson for **(1)** a special exception to the sign regulations at **6240 E Mockingbird Lane**. This property is more fully described as Block B/2869, Lot 1A, and is zoned CR, which prohibits non-monument signs within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The applicant proposes to construct and/or maintain a detached premise non-monument sign on a nonresidential premise within 250 feet of either private property in a non-business zoning district or a public park of more than one acre, which will require **(1)** a special exception to the sign regulations.

LOCATION: 6240 E Mockingbird Lane

APPLICANT: Charles D. Corson

REQUEST:

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

STANDARD FOR DETACHED SIGN STANDARDS REGULATIONS & STANDARD FOR SPECIAL EXCEPTION TO SIGN STANDARD REGULATIONS:

Section 51A-7.304(b)(3) of the Dallas Development Code states that Non-monument signs are not allowed within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The board of adjustment may grant a special exception to this provision when, in the opinion of the board, the special exception will not adversely affect neighboring property.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 6240 E. Mockingbird Lane found in 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.

Zoning:

Site: Community Retail (CR)
North: R-7.5(A) (Single Family District)
East: Community Retail (CR)
South: PD 990 (Planned Development)
West: R-7.5(A) (Single Family District)

Land Use:

The subject site and surrounding properties to the east are zoned Community Retail, areas to the North and West are zoned R-7.5(A) and properties the south are developed with uses permitted under PD-990 use regulations.

GENERAL FACTS/STAFF ANALYSIS:

- The application Charles D. Corson for the property located at 6240 E Mockingbird Lane focuses on 1 request relating to the sign regulations.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a detached premise non-monument sign on a nonresidential premise within 250 feet of either private property in a non-business zoning district that is larger than one acre.
- The subject site is a mid-block lot, and it has double street frontage on East Mockingbird Lane and Winton Street.
- The Dallas Development Code prohibits non-monument signs within 250 feet of either private property in a non-business zoning district or a public park of more than one acre.
- The applicant has the burden of proof in establishing that the special exception(s) to the sign regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the sign standards relating to sign 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): [BDA234-139 at 6240 E. Mockingbird Ln.](#)

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:

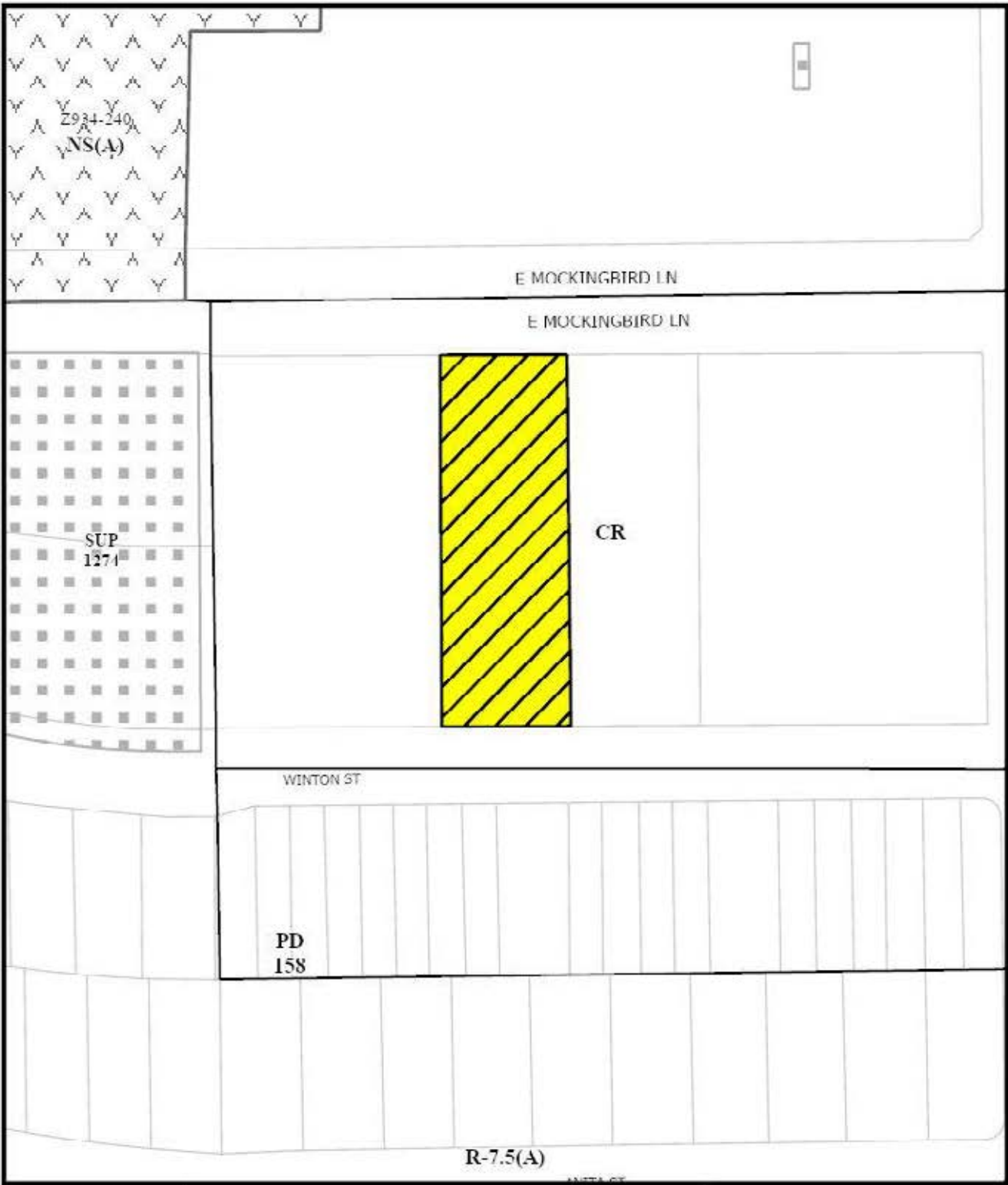
- an attachment that provided the hearing date and panel that will consider the application; the November 22, 2024, deadline to

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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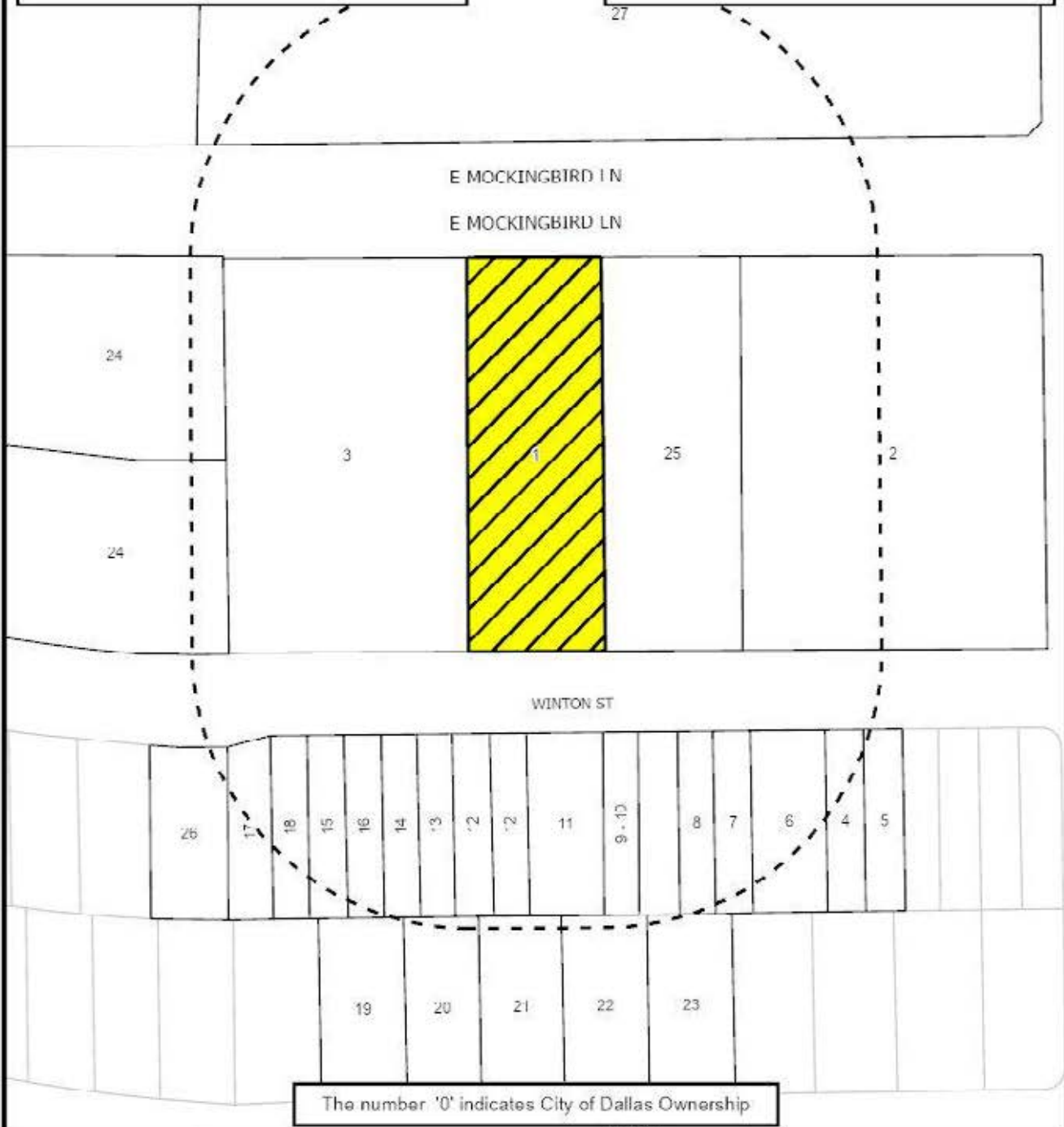
ZONING MAP

Case no: BDA234-139

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 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

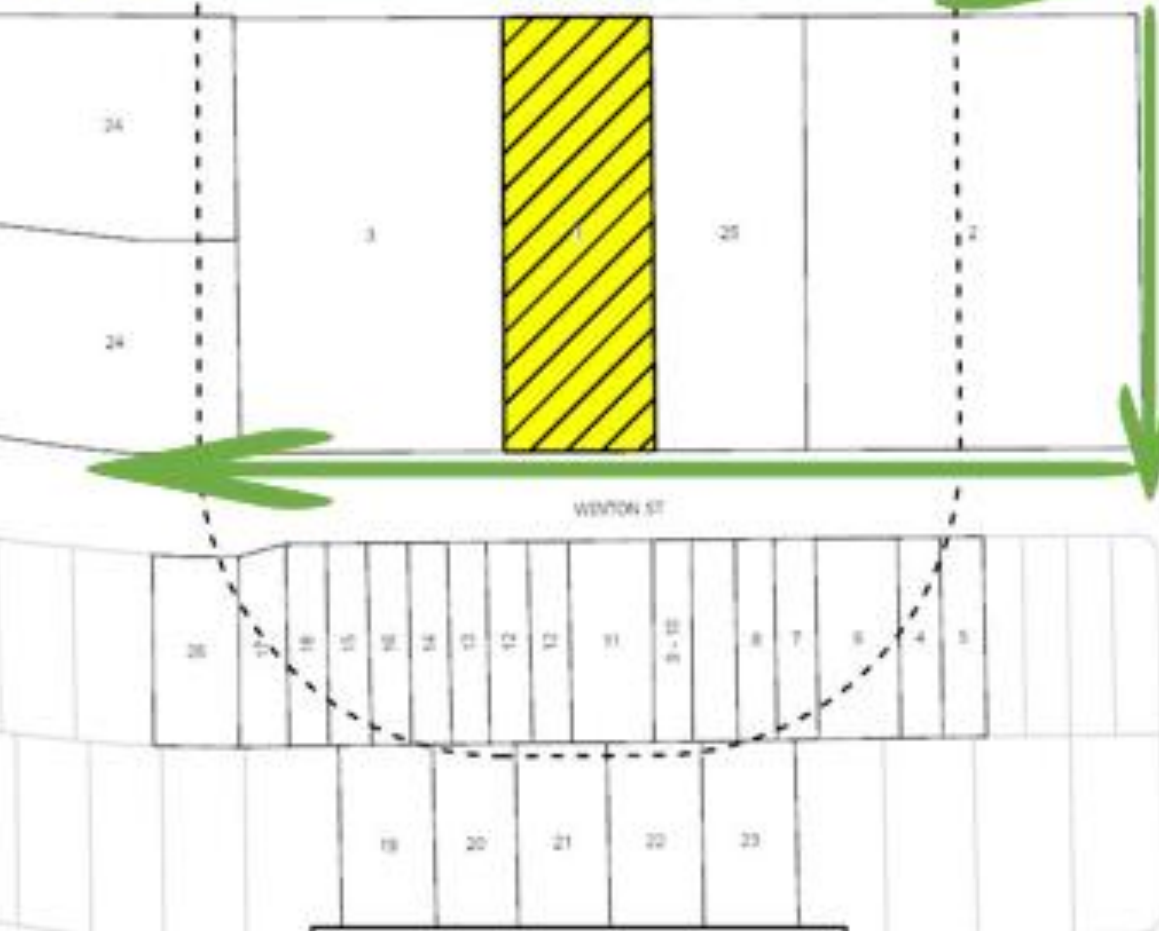
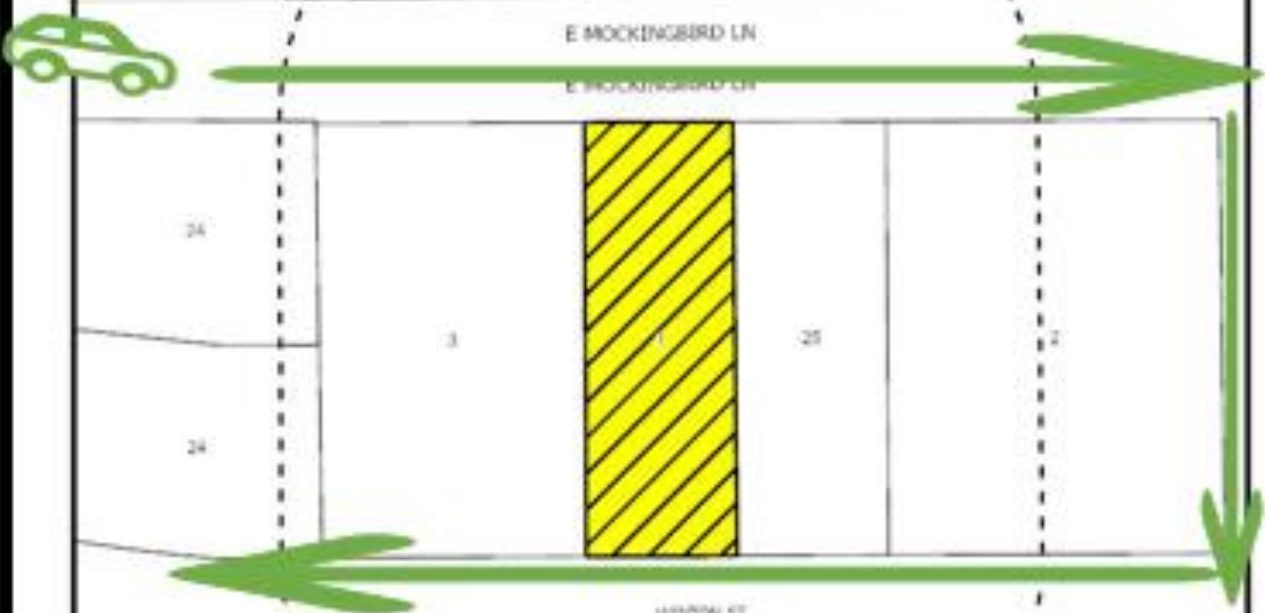
200' AREA OF NOTIFICATION
27 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-139**

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 lines). 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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The number '0' indicates City of Dallas Ownership

 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-139
	200' AREA OF NOTIFICATION 27 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/8/2024

11/08/2024

Notification List of Property Owners

BDA234-139

27 Property Owners Notified

Label #	Address	Owner
1	6240 E MOCKINGBIRD LN	6240 MOCKINGBIRD LLC
2	6260 E MOCKINGBIRD LN	MDD REAL ESTATE LLC
3	6232 E MOCKINGBIRD LN	CCP MOCKINGBIRD LEASEHOLD I LP
4	6260 WINTON ST	P&L 6260 WINTON LLC
5	6262 WINTON ST	JOHNSON LIVING TRUST
6	6254 WINTON ST	HOUSTON DAVID
7	6252 WINTON ST	BOND LAURA LYNN
8	6250 WINTON ST	LAW POSHAN C
9	6246 WINTON ST	RAY SAMIR
10	6248 WINTON ST	FORREST SUSAN B & JOHN
11	6244 WINTON ST	STEWART ANNA K
12	6238 WINTON ST	WENDORF ROBERT L
13	6236 WINTON ST	DEAN JOHN
14	6234 WINTON ST	MALIK PANKAJ KUMAR &
15	6230 WINTON ST	HARTL KRISTIN
16	6232 WINTON ST	GATINS LAURA L
17	6226 WINTON ST	CHILDERS MARY BESS
18	6228 WINTON ST	HIRSCHBRICH MARKUS
19	6231 ANITA ST	BOHANNON JASON A &
20	6237 ANITA ST	BAKER KAY
21	6243 ANITA ST	HICKOX SUSAN PERRY &
22	6247 ANITA ST	WILLIAMS MATTHEW C &
23	6251 ANITA ST	WILSON LIVING TRUST THE
24	6202 E MOCKINGBIRD LN	FIRST UNITED LUTHERAN
25	6248 E MOCKINGBIRD LN	BWD REAL ESTATE LLC
26	6220 WINTON ST	CONLEY PROPERTY GROUP LLC
27	6255 E MOCKINGBIRD LN	STACP RC



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
27 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-139**

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 234-134 RECEIVED
OCT 17 REC'D

Data Relative to Subject Property: _____ Date: _____
Location address 6240 E Mockingbird Dallas Tx 75214 Zoning District: CR - Community Retail
Lot No 1A Block No B/2869 Acreage: 0.6587 Census Tract: _____
Street Frontage (in Feet): 1) 100' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): 6240 Mockingbird LLC
Applicant: Charles D. Corson Telephone: 214-365-4810
Mailing Address: 8333 Douglas Avenue, Suite 1500 Dallas TX Zip Code: 75225
E-mail Address: ccorson@centriccapitalinc.com
Represented by: Pattison Signs, Inc dba Chandler Signs, LLC Telephone: 972-739-6547
Mailing Address: 14201 Sovereign Rd. Ft. Worth Tx Zip Code: 76155
E-mail Address: jrobertson@chandlersigns.com
Affirm that an appeal has been made for a Variance or Special Exception of Detached Sign.

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:

pre-existing pylon removed, would like to return due to usability on mockingbird. Both businesses on each side have pylons.

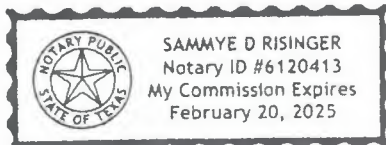
Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Charles D. Corson
(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: Charles D. Corson
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 18th day of June, 2024



Sammy D. Risinger
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

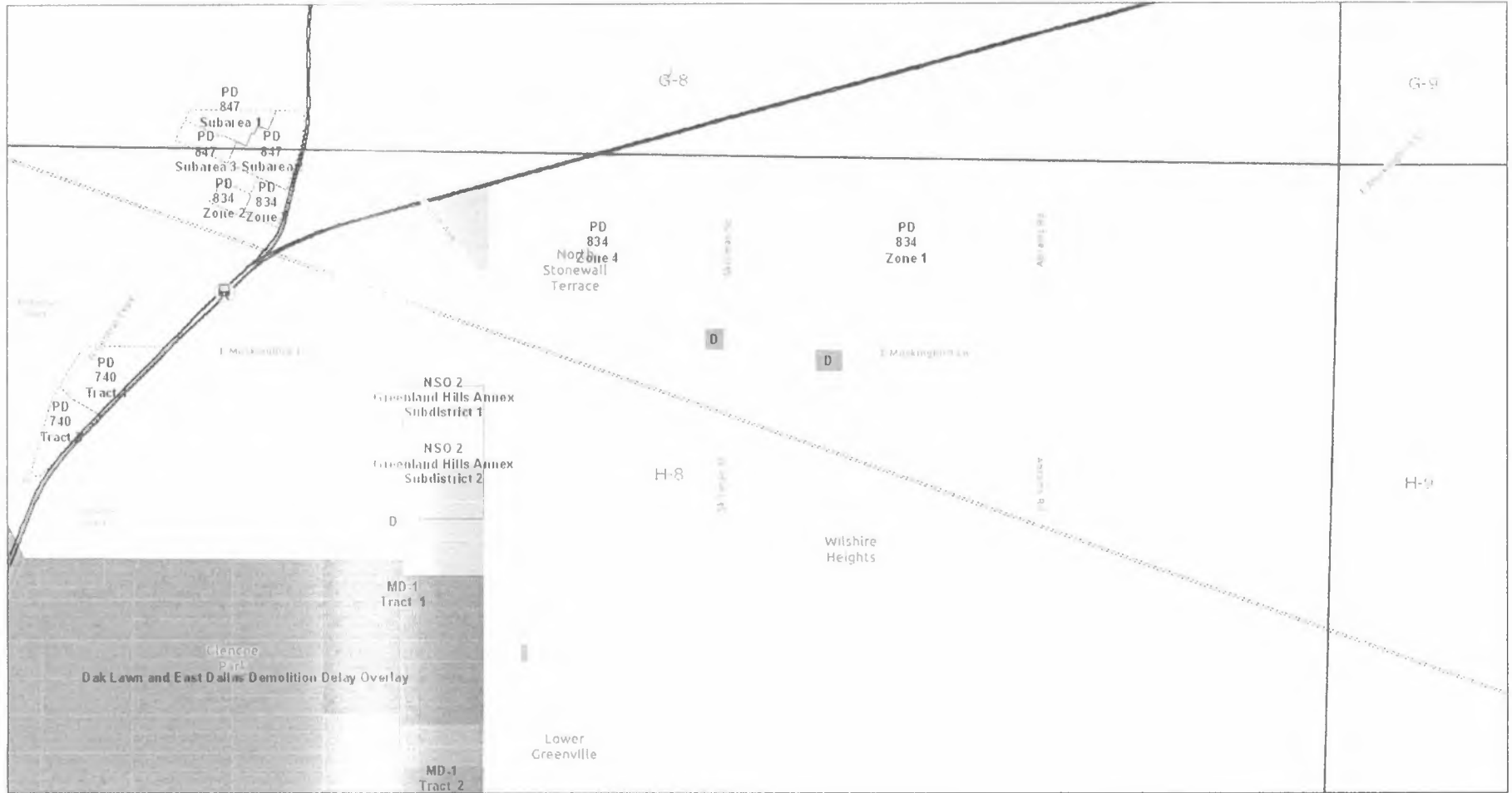
I hereby certify that Charles D. Corson
represented by Pattison Signs
did submit a request for (1) a special exception to the sign regulation for a special exception to the sign regulations
at 6240 E. Mockingbird

BDA234-139. Application of Charles D. Corson for (1) a special exception to the sign regulations at 6240 E MOCKINGBIRD LN. This property is more fully described as Block B/2869, Lot 1A, and is zoned CR, which prohibits non-monument signs within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The applicant proposes to construct and/or maintain a detached premise non-monument sign on a nonresidential premise within 250 feet of either private property in a non-business zoning district or a public park of more than one acre, which will require (1) a special exception to the sign regulations.

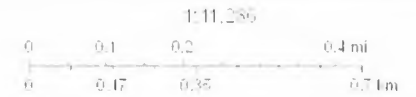
Sincerely,


M. Samuell Eskander, PE

ArcGIS Web Map



8/6/2024, 11:17:10 AM





REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT: CHANDLER SIGNS, INC		OWNER: BLACK SHEEP COFFEE
ADDRESS: 6240 E MOCKINGBIRD LN	STATE: DALLAS	ZIP: 75214
LOT: 1A	BLOCK: B-2869	ZONING: CR

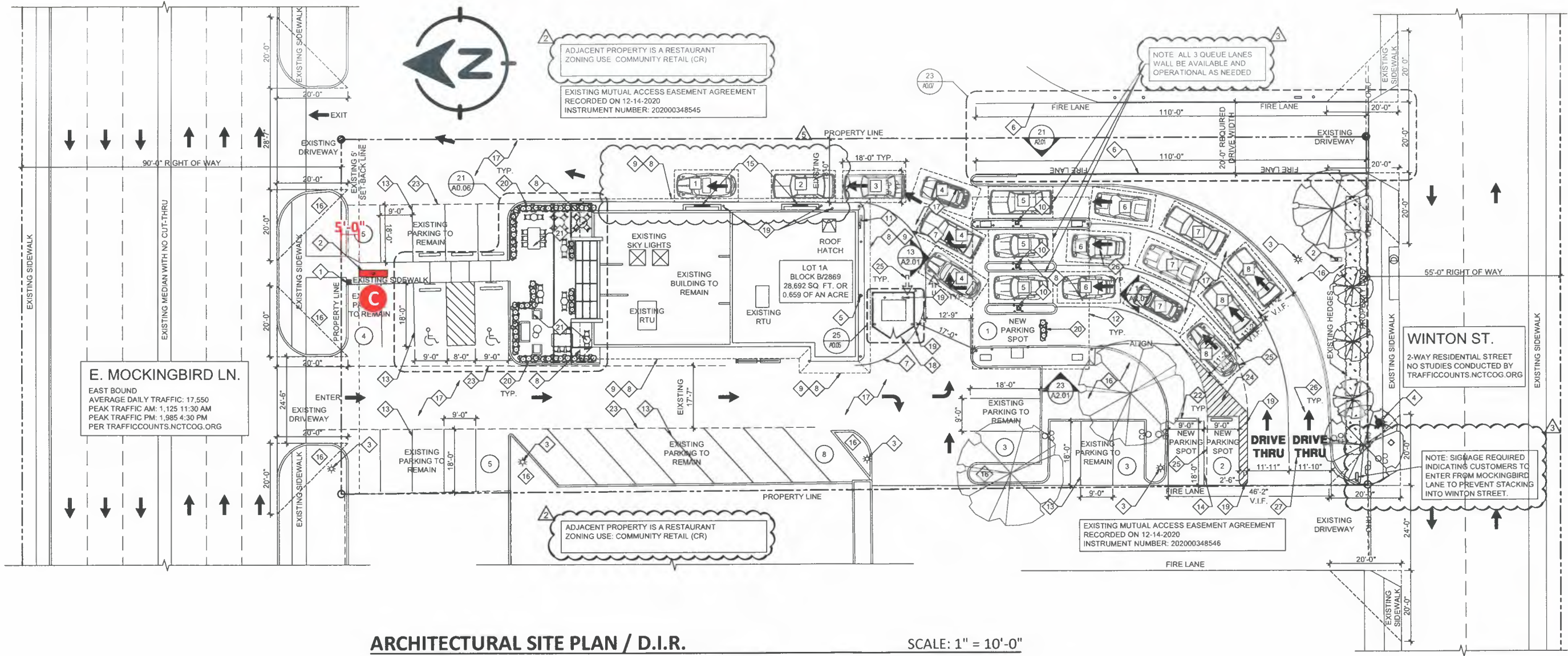
<input type="checkbox"/> Variance	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Yard setback	<input type="checkbox"/> Fence height and standards
<input type="checkbox"/> Lot width	<input type="checkbox"/> Visibility triangle obstructions
<input type="checkbox"/> Lot Depth	<input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

Please list the City of Dallas Development Code(s) this project is non-compliant with:
 SEC. 51A-7.304. (b)(3) DETACHED SIGNS.

Description: Non-monument signs are not allowed within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The board of adjustment may grant a special exception to this provision when, in the opinion of the board, the special exception will not adversely affect neighboring property.

Alternative resolutions discussed/offered: Property owner removed the original non-monument sign and replaced with a monument sign. Applicant prefers to have a non-monument sign so chose this option in lieu of using monument sign.

Referred by: Scott Roper, Sr Plans Examiner Contact: scott.roper@dallas.gov Date: 8/23/23



ARCHITECTURAL SITE PLAN / D.I.R.

SCALE: 1" = 10'-0"

Design #

0418794Ar18

Sheet 1 of 3

Client

BLACK SHEEP COFFEE

Address

6240 E. MOCKINGBIRD LN.
DALLAS, TEXAS 75214

Account Rep. WLF/JMR

Designer AC

Date 1/6/23

Revision / Date

- r1-AC-1/12/23: Add A opt. 2, E, F, G, H
- r2-TS-1/5/23: Change Sign A - Add B
- r3-AC-2/2/23: Rev. A opt's - Rev. E
- r4-JMC-2/28/23: Remove opt's 1 & 3 of Sign A - Remove "pick your poison" writing from Sign B
- r5-BR-4/11/23: Update B - Delete F
- r7-BR-4/21/23: Adjust B specs
- r6-TS-4/48/23: Add visibility pg. for C
- r7-MR-7/12/23: Remove Monument page & specs - Repl. w/ Pylon Sign C
- r8-TS-11/6/23: Adj. Signs A & C
- r9-JMC-11/9/23: Revise Sign A opt. 2
- r10-MR-1/11/24: Revise Sign A option 1 - Remove Sign A option 2 - Remove Signs G1, G2 & H
- r11-LDB-1/17/23: Revise Sign A - Move C/L's up - Decrease DT cabinet
- r12-AC-2/12/24: Rev. A & D - Add E
- r13-TS-2/21/24: Update Site - Paint bldg - Add to D
- r14-LDB-3/12/24: Relocate Sign A & add bottom DT cabinet/mounting braces - Remove E1 & E2
- r15-TS-4/9/24: Omit orange on bldg.
- r16-MAB-5/14/24: Update site plan & show Sign C setback
- r7-MAB-6/4/24: Sign A backer stats to panel - B brand - C face material
- r17-JMC-6/20/24: REVISED SIGN A
- r18-TS-6/27/24: new wood sample for QPC Super Oak.



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National Headquarters 14201 Sovereign Road #101
Fort Worth, TX 76155
(214) 902-2000 Fax (214) 902-2044

San Antonio 17319 San Pedro Avenue
Suite 200
San Antonio, TX 78232
(210) 349-3804 Fax (210) 349-8724

Georgia 111 Woodstone Place
Dawsonville, GA 30534
(678) 725-8852 Fax (210) 349-8724

South Texas PO BOX 125 206 Doral Drive
Portland, TX 78374
(361) 543-5599 Fax (361) 643-6533

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FINAL ELECTRICAL CONNECTION BY CUSTOMER

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH ARTICLE 610 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL TEAR UL LABEL(S).

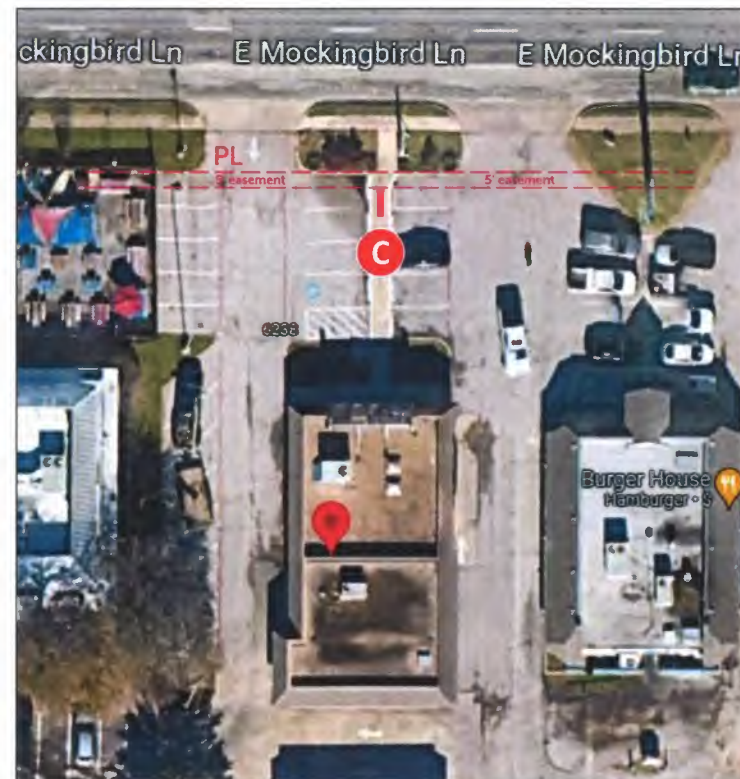


EXISTING MONUMENT



C PROPOSED PYLON

EXISTING MONUMENT SIGN TO BE REMOVED & REPLACED w/ NEW PYLON SIGN 5'-0" SETBACK FROM PROPERTY LINE



AERIAL VIEW



Design #	0418794Ar18
Sheet	2 of 3
Client	BLACK SHEEP COFFEE
Address	6240 E. MOCKINGBIRD LN. DALLAS, TEXAS 75214
Account Rep.	WLF/JMR
Designer	AC
Date	1/6/23

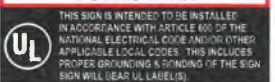
Revision / Date
r1-AC-1/12/23: Add A opt 2, E, F, G, H
r2-TS-1/5/23: Change Sign A - Add B
r3-AC-2/2/23: Rev. A opt's - Rev. E
r4 JMC 2/28/23 Remove opt's 1 & 3 of Sign A - Remove "pick your poison" writing from Sign B
r5-BR-4/11/23: Update B - Delete F
RT-BR-4/21/23: Adjust B specs
r6 TS-4/48/23: Add visibility pg. for C
r7-MR-7/12/23: Remove Monument page & specs - Repl. w/ Pylon Sign C
r8-TS-11/6/23: Adj. Signs A & C
r9-JMC-11/9/23: Revise Sign A opt. 2
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r15-TS-4/9/24: Omit orange on bldg. Sign C setback
r16-MAB-5/14/24: Update site plan & show Sign C setback
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R17 JMC 6/20/24: REVISED SIGN A
R18 TS-6/27/24: new wood sample for QPC Super Oak.



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National Headquarters	14201 Sovereign Road #101 Fort Worth, TX 76155 (214) 902-2969 Fax (214) 902-2944
San Antonio	17319 San Pedro Avenue Suite 200 San Antonio, TX 78232 (210) 349-3804 Fax (210) 349-8724
Georgia	111 Woodstone Place Dawsonville, GA 30534 (678) 725-8852 Fax (210) 349-8724
South Texas	PO BOX 125 206 Doral Drive Portland, TX 78374 (361) 563-5599 Fax (361) 643-6533

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FINAL ELECTRICAL CONNECTION BY CUSTOMER





SITE SIDE

STREET SIDE

C D/F PYLON SIGN - CUSTOM SCALE: 3/8" = 1'-0"
ONE [1] REQUIRED - MANUFACTURE & INSTALL

**FIELD SURVEY REQUIRED
PRIOR TO MANUFACTURE**

PRIMARY ID CABINET:

24" DEEP D/F ALUMINUM SIGN CABINET 1/2" RETAINERS PAINTED BLACK - INTERIOR PAINTED LIGHT-ENHANCING WHITE

WHITE FLEXIBLE FACES w/ DIGITALLY-PRINTED ROUND & WHITE SHOW-THRU GRAPHICS (BLOCK OUT FILM AS REQ'D)

INTERNALLY ILLUMINATED w/ GE TETRAMER LED'S - GE LED POWER SUPPLIES LOCATED INSIDE CUSTOMER TO PROVIDE POWER TO SIGN

DRIVE THRU CABINET:

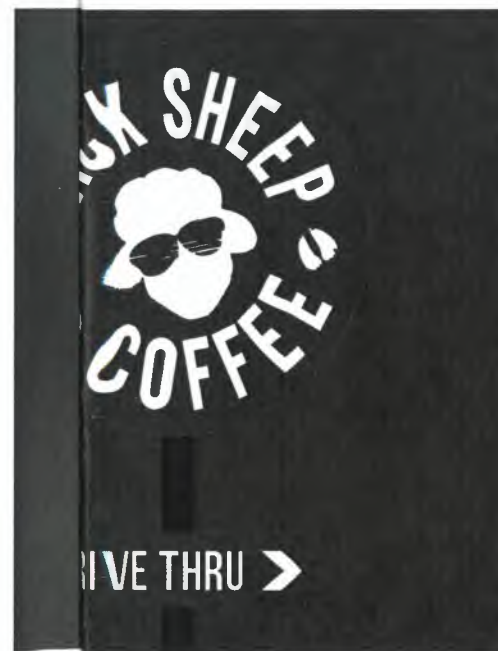
24" DEEP D/F ALUMINUM SIGN CABINET 1/2" RETAINERS PAINTED BLACK - #7328 WHITE ACRYLIC FACES w/ 1st SURFACE BLACK VINYL BACKGROUND w/ WHITE SHOW-THRU COIL FILM AS REQ'D)

SUPPORT:

8" NEW STEEL PIPE SUPPORT PAINTED BLACK SET INTO CONCRETE PIER TYPE FOUNDATION (SURVEY REQUIRED) - ENGINEERING TO DETERMINE SIZES & DEPENDENT CONDITIONS & CODE COMPLIANCE - ELECTRICAL SERVICE TO SIGN BY CUSTOMER

COLOR KEY

■ PANTONE PROCESS BLACK c/
3M 7725-12 BLACK VINYL



SIGHT VIEW



END VIEW



TYPICAL ELEVATION

OPPOSITE VIEW
SCALE: 3/16" = 1'-0"



Design #	
0418794Ar18	
Sheet	3 of 3
Client	
BLACK SHEEP COFFEE	
Address	
6240 E. MOCKINGBIRD LN. DALLAS, TEXAS 75214	
Account Rep.	WLF/JMR
Designer	AC
Date	1/6/23
Revision / Date	
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RT-MAB-6/4/24: Sign A backer stays to panel - B brand - C face material	
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FILE NUMBER: BDA234-152 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Monique Everett for **(1)** a variance to the front yard setback regulations at **6114 Carlton Garrett Street**. This property is more fully described as Block 23/2565, Lot 7 and is zoned PD-595 (R-5(A) Single Family Subdistrict), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback along Easley Street, which will require **(1)** a 15-foot variance to the front- yard setback regulations.

LOCATION: 6114 Carlton Garrett Street

APPLICANT: Monique Everett

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

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 4,922.28 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 6114 Carlton Garrett Street within the last 5 years.

Square Footage:

This lot contains 4,922.28 of square feet.

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

Site: Planned Development 595 (R-5(A))

North: Planned Development 595 / Planned Development 595 (R-5(A))

East: Planned Development 595 (R-5(A))

South: Planned Development 595

West: Planned Development 595

Land Use:

The subject site is vacant. Areas to the north, south, east, and west are zoned with uses permissible in Planned Development 595.

GENERAL FACTS/STAFF ANALYSIS:

- The application for the Rob Baldwin property located at 6114 Carlton Garrett Street focuses on 1 request relating to the front yard setback regulations on Easley Street.
- A request for a variance to the front yard setback regulations of 15-feet is made to maintain a single-family residential structure.
- The subject site is a corner lot and has double street frontage on Carlton Garret Street and Easley Street.

- The subject site has two front yards due to block face continuity; one front yard on Carlton Garrett Street and another Easley Street.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- The subject site is currently vacant 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.
 - 15-foot variance to the front yard setback regulations.
 - 200' Radius Video: [BDA234-152 at 6114 Carlton Garrett St.](#)

Timeline:

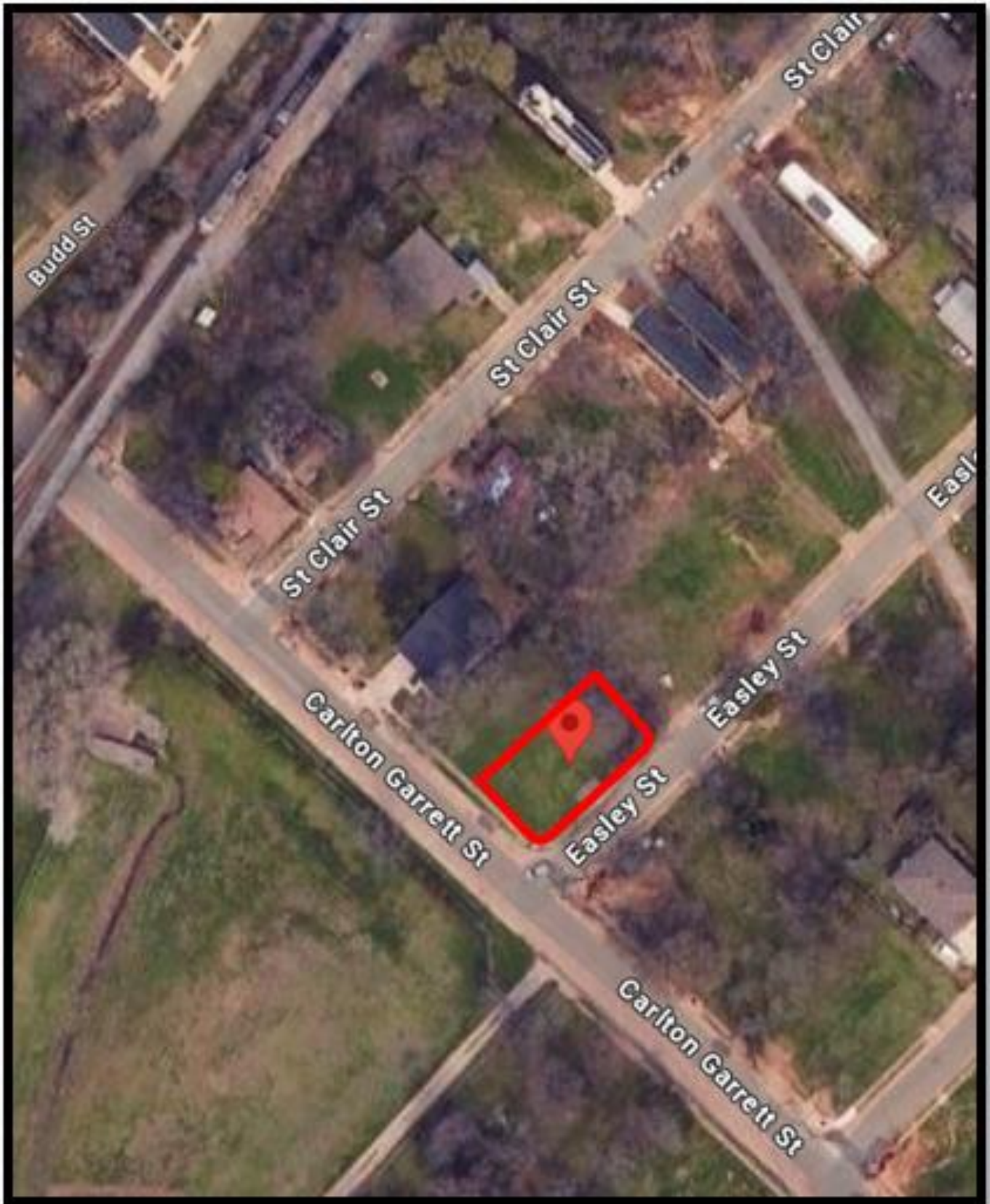
October 25, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

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

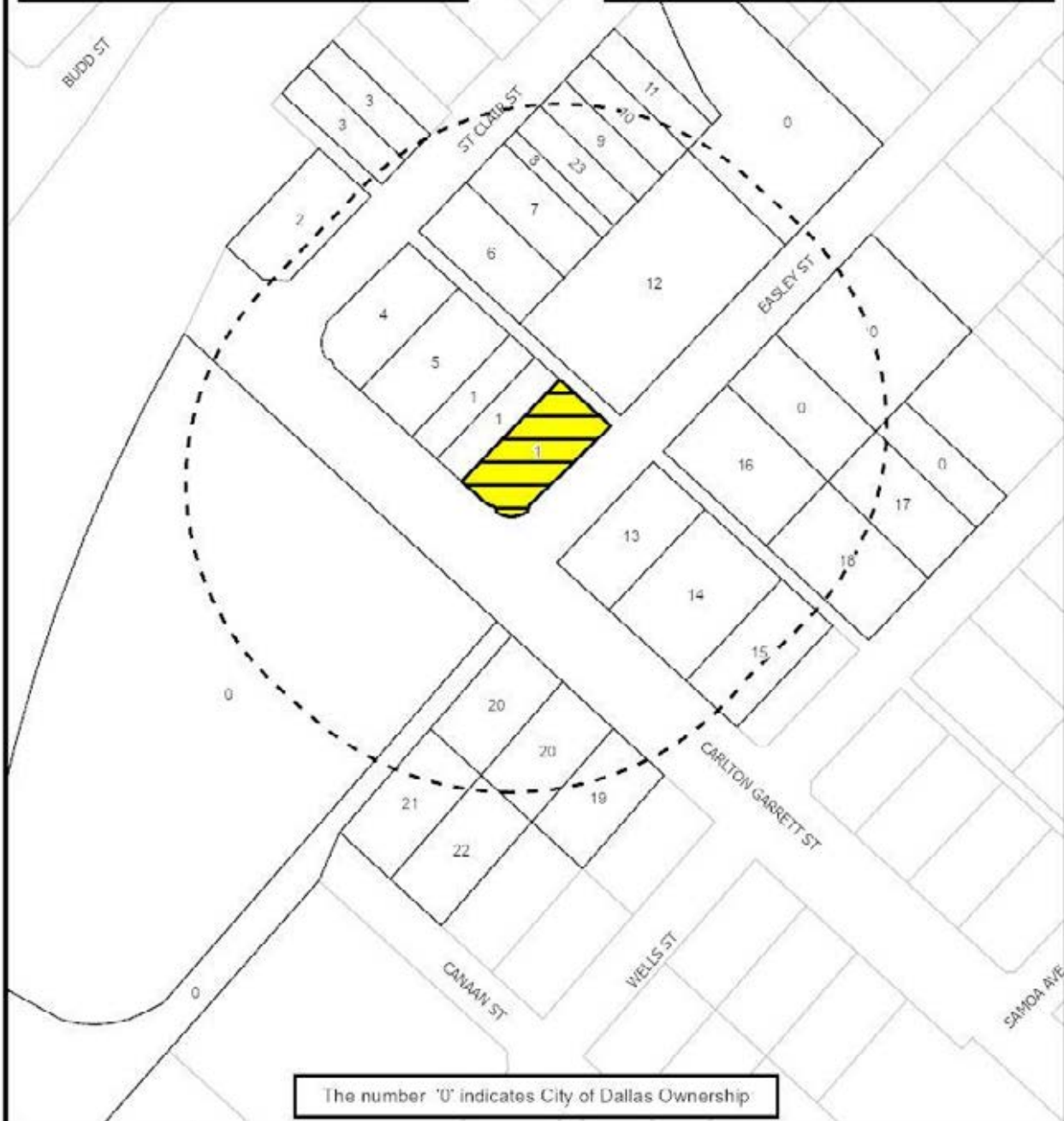
ZONING MAP

Case no: BDA234-152

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	<h2>NOTIFICATION</h2>		Case no: BDA234-152
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">23</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/22/2024	

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	<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;">23</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 11/22/2024

11/22/2024

Notification List of Property Owners

BDA234-152

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6108	CARLTON GARRETT STMDD HOMES LLC
2	6014	CARLTON GARRETT STCARTER VIRGINIA DELL
3	2413	ST CLAIR DR OSEGUERA MIRTA
4	6100	CARLTON GARRETT STWRIGHT JAMES E
5	6106	CARLTON GARRETT STMOSSLAMIZADEH ABON
6	2412	ST CLAIR DR CARTER JERRY M
7	2414	ST CLAIR DR RINGWOOD DALE &
8	2416	ST CLAIR DR TOSHO PROPERTIES INVESTMENT
9	2420	ST CLAIR DR SWEENEY L E
10	2422	ST CLAIR DR WARD WILLIAM
11	2426	ST CLAIR DR DOLLSON DOROTHY M
12	2417	EASLEY ST MDD HOMES LLC
13	6200	CARLTON GARRETT STWHITE HAROLD L
14	6204	CARLTON GARRETT STWHITE HAROLD L
15	6248	CARLTON GARRETT STBLUE MARLIN ESTATES LLC
16	2410	EASLEY ST BENNERS WILL H III &
17	2519	WELLS ST BAAGILU VENTURES LLC
18	2517	WELLS ST VELOZ JOSE ALFREDO HERNANDEZ &
19	6209	CARLTON GARRETT STSTRANGE & SONS DEVELOPMENT LLC
20	6207	CARLTON GARRETT STCONFIA HOMES LLC
21	6216	CANAAN ST MITCHELL CORNELIUS
22	6218	CANAAN ST ARRELLANO YAQUELIN B
23	2418	ST CLAIR DR CLAYBURTON EMMA LOIS



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

23

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-152**

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

234-152

RECEIVED

Data Relative to Subject Property: 6114 Carlton Garrett St Date: _____

Location address: 6114 Carlton Garrett St Zoning District: PD 595-R5

Lot No.: 8 Block No.: 23/2565 Acreage: 0.113 Census Tract: 4811 30 20500

Street Frontage (in Feet): 1) 250' 2) 80' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): MDP Homes LLC

Applicant: Monique Everett Telephone: 919-523-9908

Mailing Address: 4608 Steel St Zip Code: 75219

E-mail Address: admin@renuhouses.com

Represented by: Monique Everett Telephone: 919-523-9908

Mailing Address: 4608 Steel St Zip Code: 75219

E-mail Address: Admin@renuhouses.com

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

Front yard setback (5) instead of 20

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:

Because we have two frontage

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 Monique Everett
(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 9th day of Oct, 2024



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Monquie Everett

did submit a request for (1) a variance to the front yard setback regulations
at 6114 Carlton Garrett

BDA234-152(CJ) Application of Monique Everett for (1) a variance to the front yard setback regulations at 6114 CARLTON GARRETT STREET. This property is more fully described as Block 23/2565, Lot 7, and is zoned PD-595 (R-5(A) Single Family Subdistrict), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback along Easley Street, which will require (1) a 15-foot variance to the front-yard setback regulations.

Sincerely,


M. Samuell Eskander, PE



Appeal number: BDA 204-157

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

at: 6114 Carlton Garrett St Dallas, TX
(Address of property as stated on application)

Authorize: Monique Everett
(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: Front yard setback (5) instead of 20

Daniel Bressler
Print name of property owner or registered agent
agent Date 10/09/2024

[Signature]
Signature of property owner or registered

Before me, the undersigned, on this day personally appeared

Daniel Bressler

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 9th day of
October, 2024



[Signature]
Notary Public for Dallas County,
Texas

Commission expires on 8-19-28



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-152

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

at: 6114 Carlton Garrett St Dallas TX
(Address of property as stated on application)

Authorize: Monique Everett
(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: Front yard setback (5) instead of 20

Daniel Bressler
Print name of property owner or registered agent

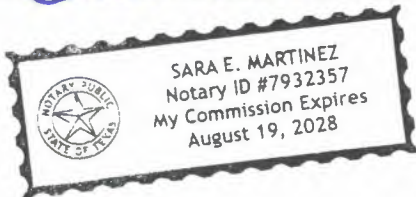
[Signature]
Signature of property owner or registered agent

agent Date 10/09/2024

Before me, the undersigned on this day personally appeared Daniel Bressler

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 9th day of

October, 2024



Commission expires on 8-19-28

LINCOLN MANOR No 2



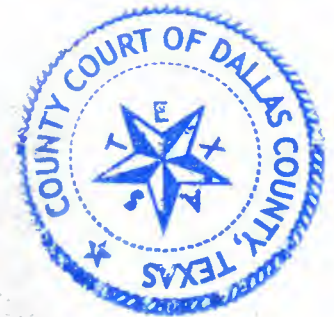
THE STATE OF TEXAS |
 COUNTY OF DALLAS |

KNOW ALL MEN BY THESE PRESENTS:-

That I, R. C. Ayres, Trustee of the City and County of Dallas, State of Texas, do hereby designate, as "Lincoln Manor" No. 2 the area on the plat of "Lincoln Manor" No. 2, an addition to the City of Dallas, Texas, a plat of which is recorded in Volume . . Page . . of the Map Records of Dallas County, Texas, and I do hereby dedicate the streets and alleys shown on said plat within the said boundary lines of said plat to the use of the public forever.

Witness my hand this the 4th day of
 October, 1913.

R. C. Ayres, Trustee.



THE STATE OF TEXAS |
 COUNTY OF DALLAS |

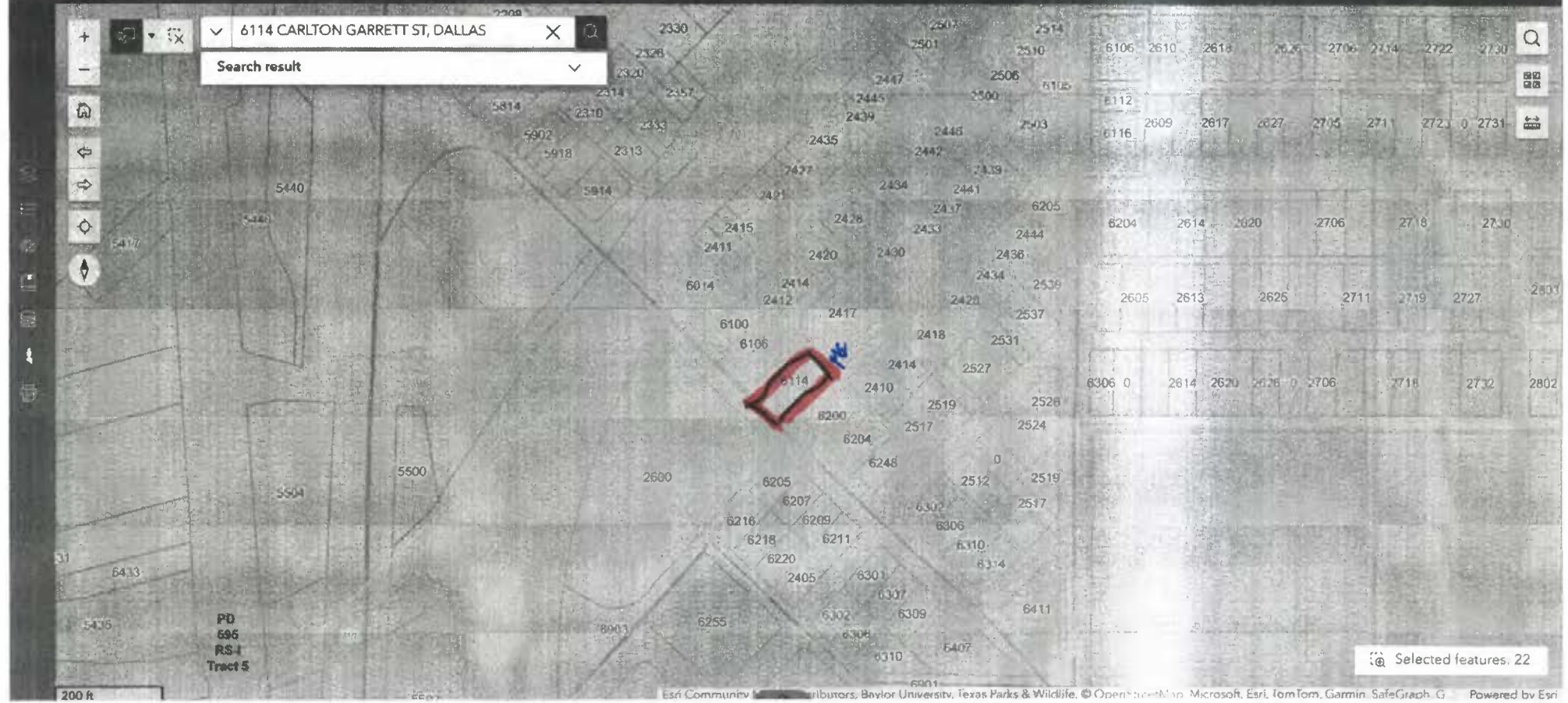
Before me, Milton Park, a Notary Public in and for said County and State on this day personally appeared R. C. Ayres, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

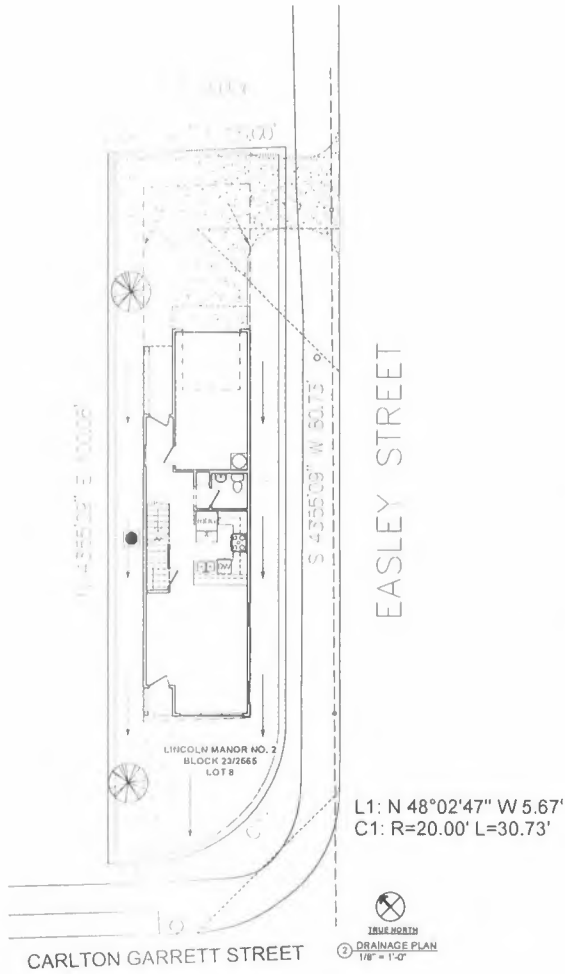
Given under my hand and seal of office this 4th day of October, 1913.

Milton Park,
 Notary Public, Dallas County, Texas.

Filed for Record October 4th, 1913, at 5 P.M. J. E. Record
 County Clerk, by Sam Barnett, Deputy.

Recorded October 31st, 1913, J. E. Record, County Clerk
 By S. S. Fitzhugh, Deputy.

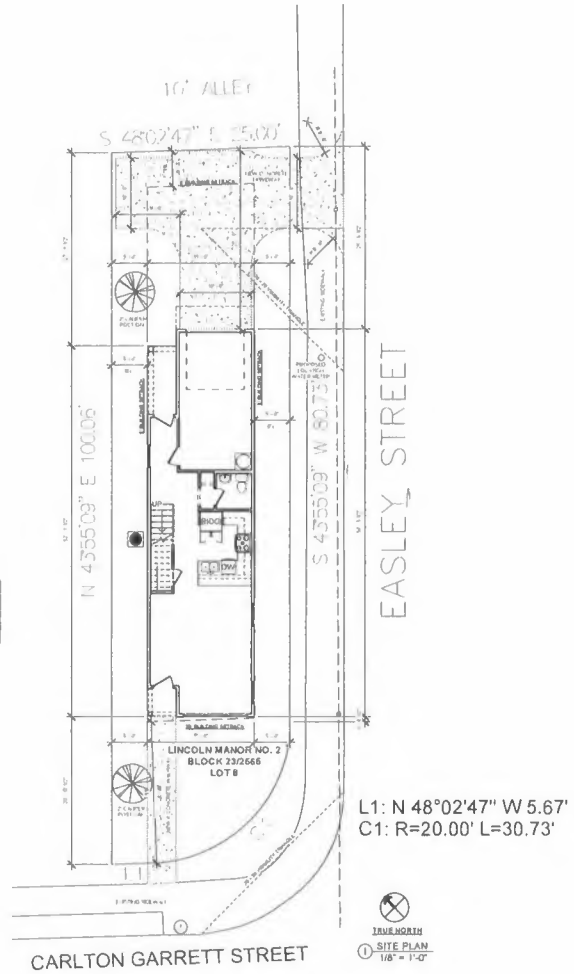


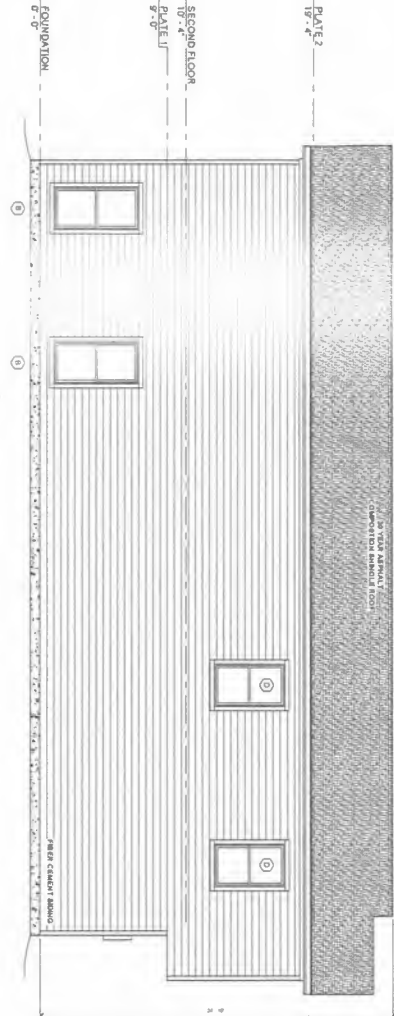


ZONING: PD 598 R-5(A)
LOT COVERAGE PER ZONING: 45%
LOT AREA: 2,420 SF
HOUSE AREA: 808 SF
LOT COVERAGE: 33%

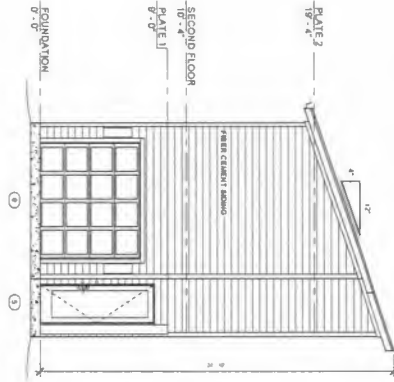
GENERAL SITE PLAN NOTES:

- 1) ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
- 2) ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD, ALLEY, OR DRIVE UNLESS OTHERWISE NOTED.
- 3) ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD, ALLEY, OR DRIVE UNLESS OTHERWISE NOTED.

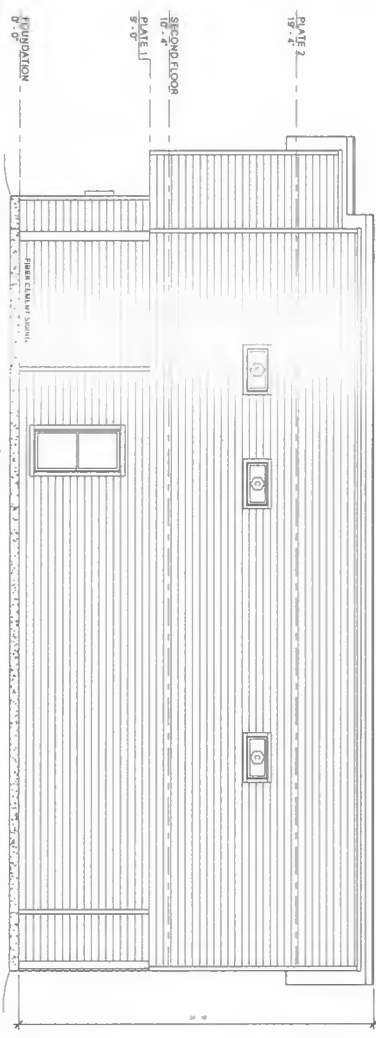




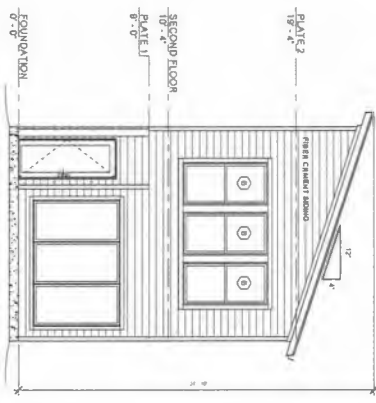
2 RIGHT ELEVATION
1/4" = 1'-0"



3 REAR ELEVATION
1/4" = 1'-0"



4 LEFT ELEVATION
1/4" = 1'-0"



5 FRONT ELEVATION
1/4" = 1'-0"

NOTES:
 1) These plans are intended to provide a general guide only. They are not to be used for construction without the approval of the local building department.
 2) The owner is responsible for obtaining all necessary permits and approvals from the local building department.
 3) The owner is responsible for providing all necessary site information and utility locations.
 4) The owner is responsible for providing all necessary materials and labor for the construction of the building.
 5) The owner is responsible for providing all necessary utilities and services to the building.
 6) The owner is responsible for providing all necessary site work and landscaping.
 7) The owner is responsible for providing all necessary site access and parking.
 8) The owner is responsible for providing all necessary site security and safety.
 9) The owner is responsible for providing all necessary site maintenance and repair.
 10) The owner is responsible for providing all necessary site cleanup and removal.

GENERAL NOTES:
 1) All dimensions are in feet and inches.
 2) All materials are to be of standard quality.
 3) All work is to be done in accordance with the applicable building codes and regulations.
 4) The owner is responsible for providing all necessary site information and utility locations.
 5) The owner is responsible for providing all necessary materials and labor for the construction of the building.
 6) The owner is responsible for providing all necessary utilities and services to the building.
 7) The owner is responsible for providing all necessary site work and landscaping.
 8) The owner is responsible for providing all necessary site access and parking.
 9) The owner is responsible for providing all necessary site security and safety.
 10) The owner is responsible for providing all necessary site maintenance and repair.

DC TEXAS ARCHITECTURE
 2024

BRESSLER

6114 Carlton Garrett Street
 Lincoln Manor No. 2
 Block 23/2565, Lot 8
 Dallas, Texas 75215

ISSUE FOR PERMIT
 June 20, 2024



ELEVATIONS

A-301

DC TEXAS ARCHITECTURE

FILE NUMBER: BDA234-142(BT)

BUILDING OFFICIAL'S REPORT: Application of Sateesh Reddy Nagilla for **(1)** a variance to the front-yard setback regulations, for **(2)** a variance to the side-yard setback regulations, and for **(3)** a variance to the required off-street parking regulations at **1535 ANNEX AVENUE**. This property is more fully described as Block 2/648, Lot 5, and is zoned MF-2(A), which requires a front-yard setback of 15-feet, requires a side-yard setback of 10-feet, and requires guest parking spaces to be provided. The applicant proposes to construct and/or maintain a Multifamily residential structure and provide a 12-foot front-yard setback along San Jacinto Street, which will require **(1)** a 3-foot variance to the front-yard setback regulations, and to construct and/or maintain a multifamily residential structure and provide a 3-foot 6-inch side-yard setback, which will require **(2)** a 6-foot 6-inch variance to the side-yard setback regulations, and to construct and/or maintain a multifamily residential structure and to provide 1-guest parking space, which will require **(3)** a 1-space variance to the off-street parking regulations.

LOCATION: 1535 Annex Avenue

APPLICANT: Sateesh Reddy Nagilla

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

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.
- B. Lot is restrictive in buildable **area**, shape, or slope; it is a corner lot with front-yard setbacks facing both Annex Avenue and San Jacinto Street; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

Variance to the side-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.
- B. Lot is restrictive in **area**, shape, or slope; it is a corner lot reducing the buildable area. With only one street frontage, the applicant could possibly meet the side-yard setbacks; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

Variance the off-street parking regulations:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Lot is restrictive in buildable **area**, shape, or slope; it is a corner lot with front-yard setbacks facing both Annex Avenue and San Jacinto Street; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

- Site: MF-2(A) (Multifamily District)
- North: PD-298 (Bryan Area Special Purpose District) and PD-987 (MF-2(A))
- East: MF-2(A) (Multifamily District)
- South: MF-2(A) (Multifamily District)
- West: MF-2(A) (Multifamily District) and PD-298 (Bryan Area Special Purpose District)

Land Use:

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

Lot Square Footage:

This lot size is 10,189 square feet. (0.234 of an acre)

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Sateesh Reddy Nagilla for the property located at 5315 Annex Avenue focuses on three requests relating to a variance to the front-yard setback regulations; variance to the side-yard setback regulations; and variance to the off-street parking regulations.
- The first request is for a variance to the front-yard setback regulations. The applicant is proposing to construct and maintain a multifamily structure and provide a 12-foot front yard setback along San Jacinto Street, which will require a 3-foot variance to the front-yard setback regulations.
- Secondly, the applicant is requesting a variance to the side-yard setback regulations. The applicant is proposing to construct and maintain a multifamily structure and provide a 3-

foot 6-inch side yard setback, which will require a 6-foot 6-inch variance to the side-yard setback regulations.

- Last, the applicant is requesting a variance to the off-street parking regulations. The applicant is proposing to construct and maintain a multifamily structure and provide a 1-guest parking space, which will require a 1-parking space variance to the off-street parking regulations.
- The applicant is proposing seven dwelling units, with two bedroom in each dwelling unit.
- The applicant is proposing two parking spaces per unit, with one guest parking space and four bicycle parking slots
- The subject site along with surroundings properties are all developed with multifamily and single-family homes.
- It is imperative to note that the subject site is a corner lot, and developed 42 percent of the 60 percent allowed lot coverage.
- Per staff's review of the subject site, it has been confirmed that the multifamily structure of the property is proposed on a vacant lot.
- 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.
- 200' Radius Video:

Timeline:

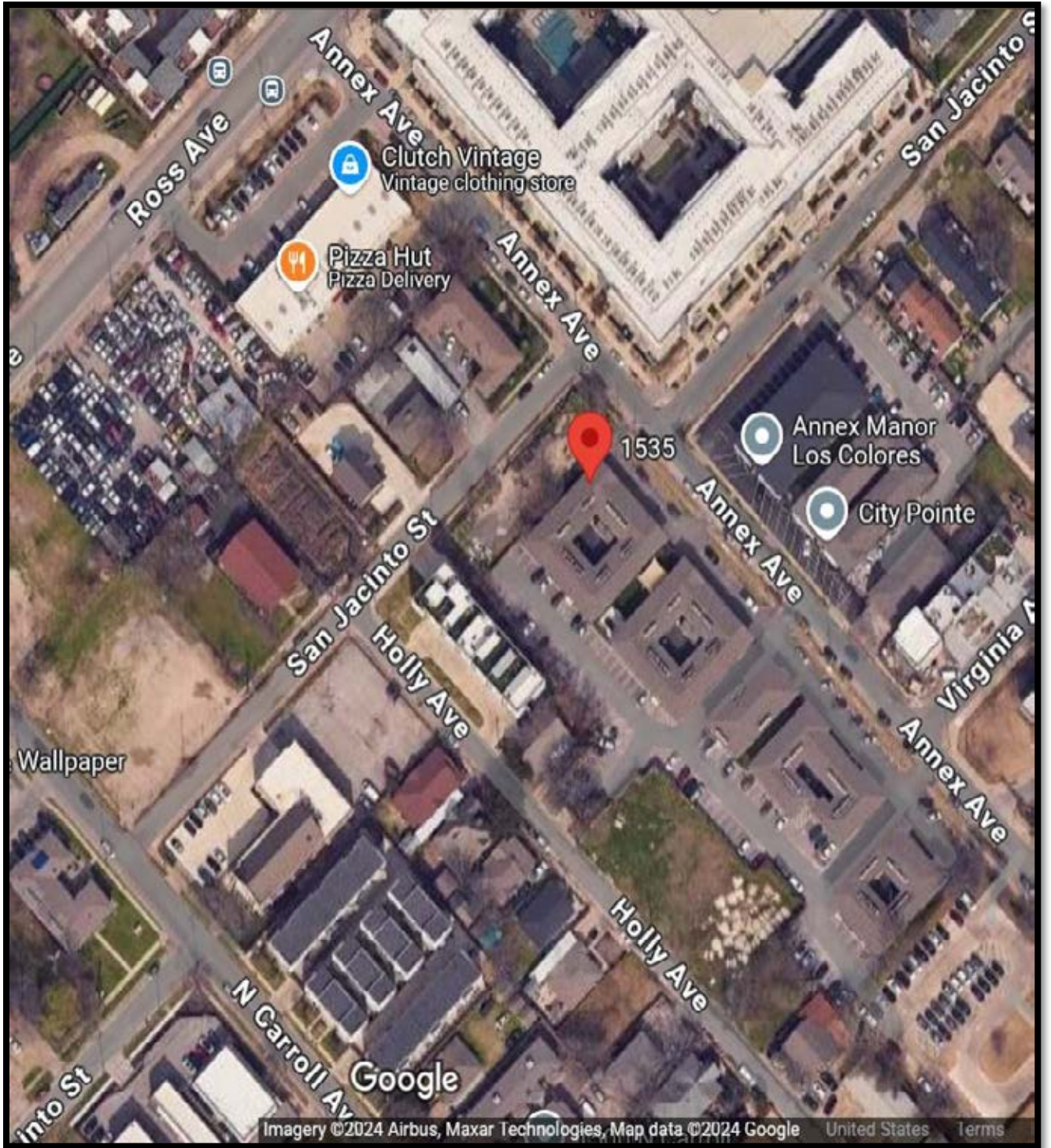
October 18, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

November 7, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.

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.
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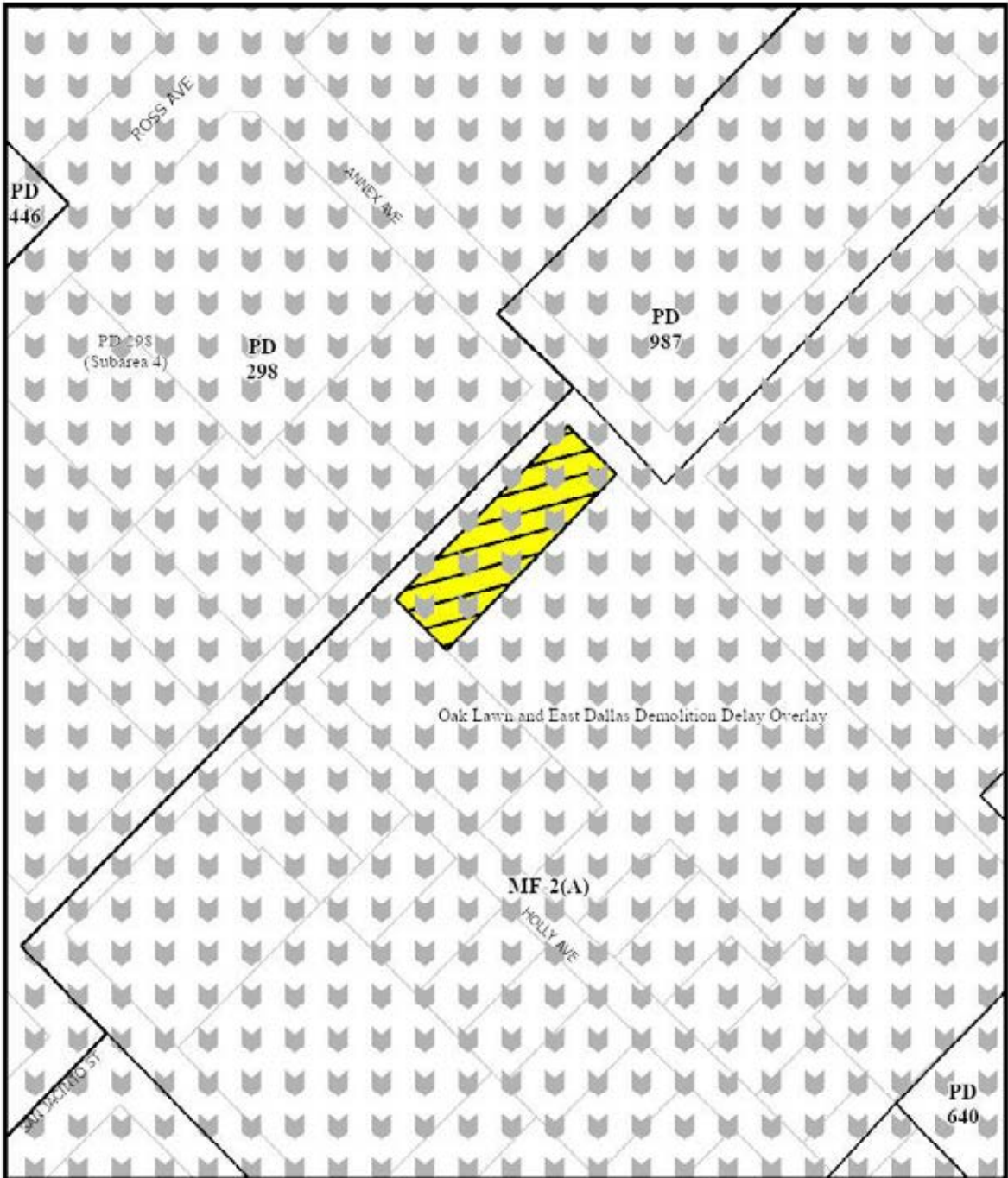
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1:1,200

AERIAL MAP

Case no: BDA234-142
Date: 11/14/2024





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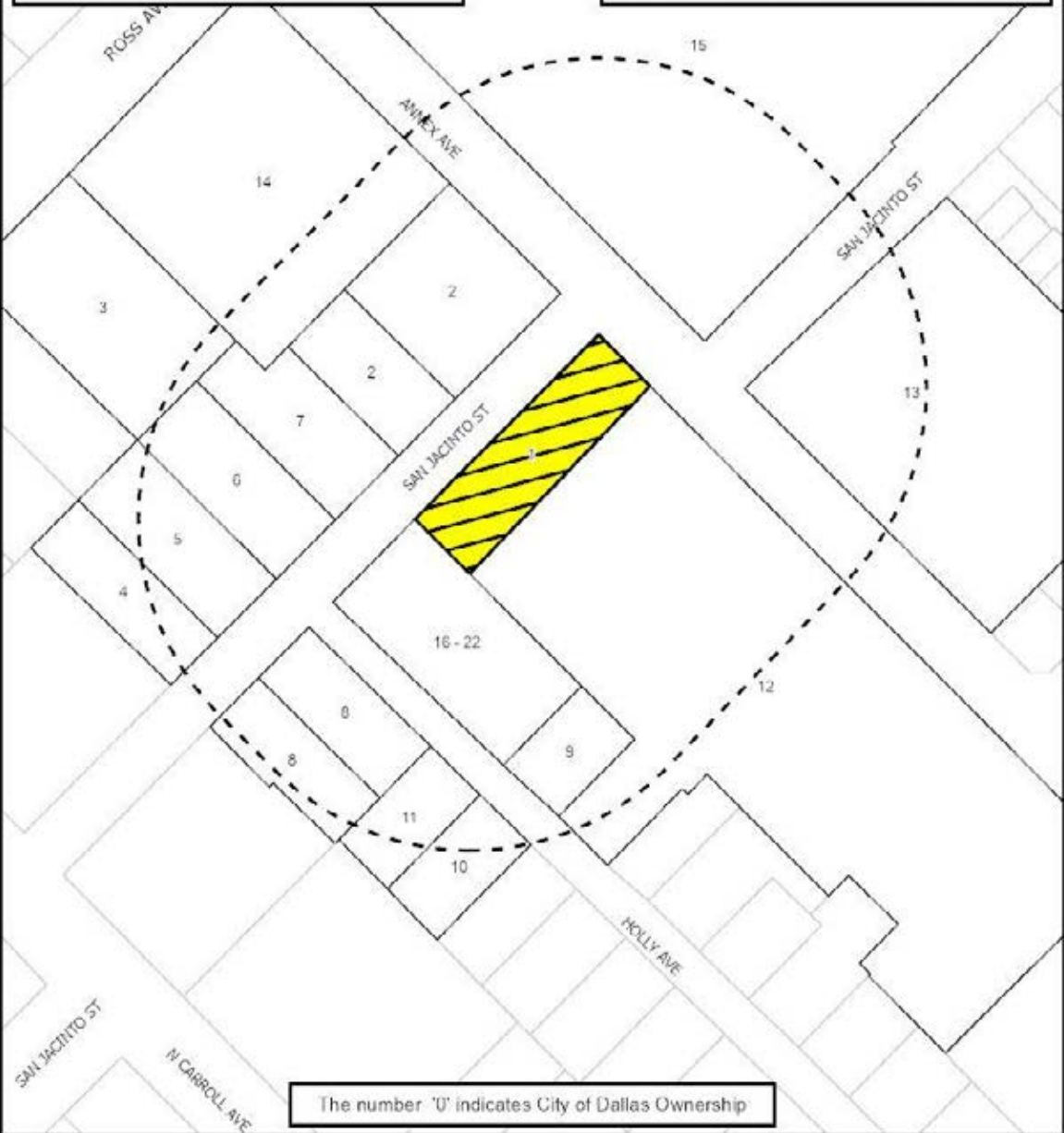
ZONING MAP

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Date: 11/14/2024

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	<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;">22</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 11/14/2024

Notification List of Property Owners

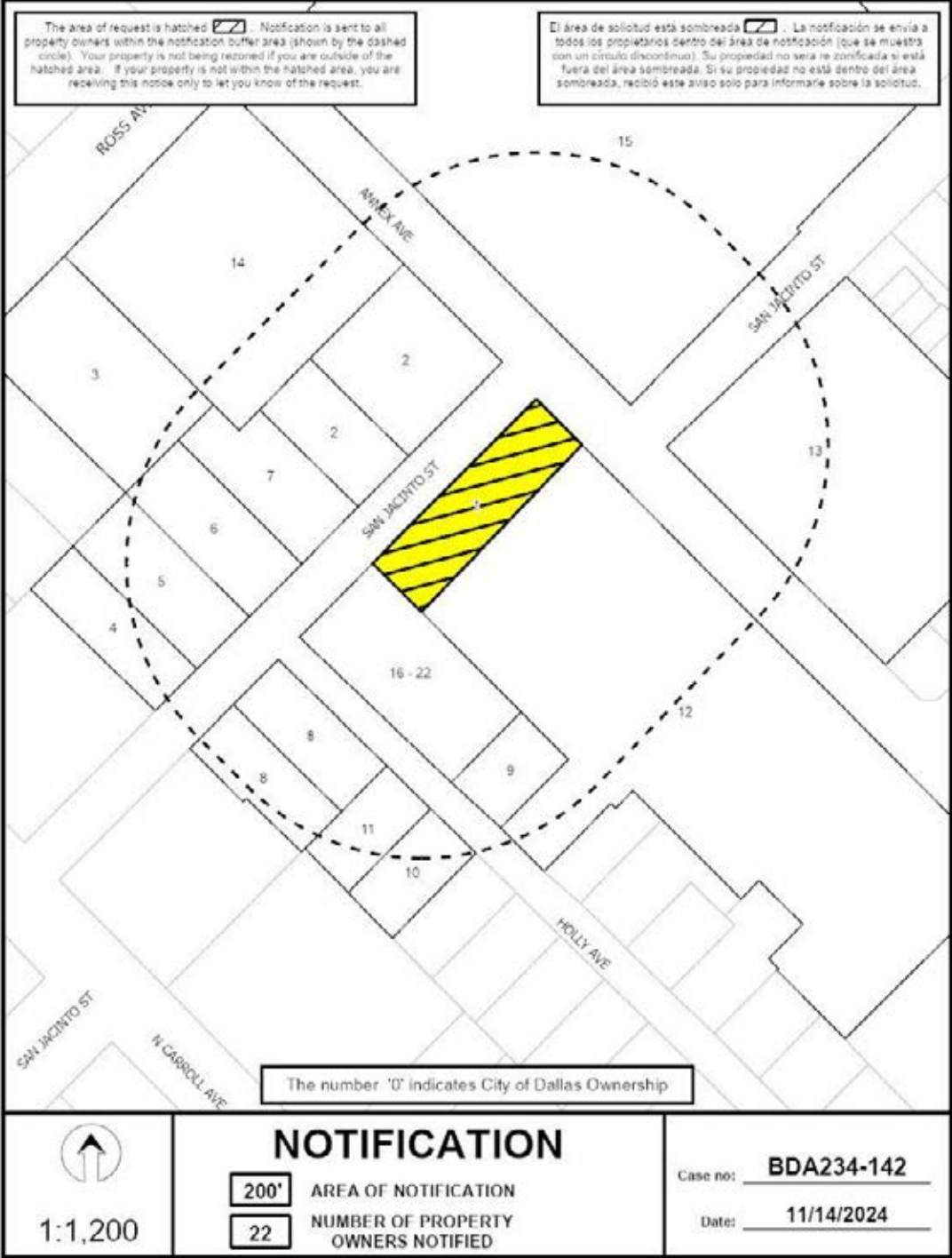
BDA234-142

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1535 ANNEX AVE	HOLLYVALE RENTAL HOLDINGS LLC
2	1601 ANNEX AVE	FORTY LOVE PROPERTIES LP
3	4522 ROSS AVE	CHAPMAN MOTORS INC
4	4511 SAN JACINTO ST	OPTIMUM REALTIES FL1 LLC
5	4515 SAN JACINTO ST	VALDEZ JUVENTINO
6	4519 SAN JACINTO ST	MOTION PROPERTY MGMT LLC
7	4521 SAN JACINTO ST	TEXILCON LLC
8	4512 SAN JACINTO ST	CITY CHURCH INTERNATIONAL
9	1520 HOLLY ST	ALBI HOMES LLC
10	1519 HOLLY ST	GAMEZ SIXTO
11	1527 HOLLY ST	ROJAS JOSE GAMEZ &
12	1519 ANNEX AVE	HOLLYVALE RENTAL HOLDINGS LLC
13	1516 ANNEX AVE	BETA 701 LLC
14	4540 ROSS AVE	PRESCOTT INTERESTS MIDWAY PLAZA LTD
15	4600 ROSS AVE	BSP 4600 ROSS LLC
16	1536 HOLLY AVE	HICKEY SUZANNE
17	1536 HOLLY AVE	FRIEDMAN JASON H
18	1536 HOLLY AVE	AGUAYO ANDRES
19	1536 HOLLY AVE	WARREN HOLDEN WILLIAM
20	1536 HOLLY AVE	MEAD KYLE
21	1536 HOLLY AVE	JENSEN DEREK
22	1536 HOLLY AVE	WENGER KATARINA CEDERLOF

 1:1,200	<h3 style="margin: 0;">NOTIFICATION</h3> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px;">22</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	<div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> Case no: BDA234-142 </div> <div style="display: flex; justify-content: space-between;"> Date: 11/14/2024 </div>
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200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

- DATE: WEDNESDAY, DECEMBER 18, 2024
- BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
- HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.

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

BDA234-142(BT) Application of Sateesh Reddy Nagilla for (1) a variance to the front-yard setback regulations, for (2) a variance to the side-yard setback regulations, and for (3) a variance to the required off-street parking regulations at 1535 ANNEX AVENUE. This property is more fully described as Block 2/648, Lot 5, and is zoned MF-2(A), which requires a front-yard setback of 15-feet, requires a side-yard setback of 10-feet, and requires guest parking spaces to be provided. The applicant proposes to construct and/or maintain a Multifamily residential structure and provide a 12-foot front-yard setback along San Jacinto Street, which will require (1) a 3-foot variance to the front-yard setback regulations, and to construct and/or maintain a multifamily residential structure and provide a 3-foot 6-inch side-yard setback, which will require (2) a 6-foot 6-inch variance to the side-yard setback regulations, and to construct and/or maintain a multifamily residential structure and to provide 1-guest parking space, which will require (3) a 1-space variance to the off-street parking regulations.

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

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

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

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

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

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

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

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA BDA234-142 **RECEIVED**
 Date: OCT 18 2024

Data Relative to Subject Property: _____ Date: _____
 Location address: 1535 Annex Way Dallas TX Zoning District: MU 2
 Lot No.: _____ Block No.: _____ Acreage: _____ Census Tract: _____
 Street Frontage (in Feet): 1) 187.37 2) 51.68 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Lisa Wehrly, on behalf of Hollyvale Rental Holdings, LLC
 Applicant: Sateesh Reddy Nagilla Telephone: (214) 399 - 7742
 Mailing Address: 5989 Louis Ln, Frisco TX Zip Code: 75035
 E-mail Address: Sateesh.Nagilla@gmail.com
 Represented by: Sateesh Reddy Nagilla Telephone: (214) 399 - 7742
 Mailing Address: 5989 Louis Ln, Frisco TX Zip Code: 75035
 E-mail Address: Sateesh.Nagilla@gmail.com

Affirm that an appeal has been made for a Variance or Special Exception of 1. Variance to off-street parking.
2. Variance to the front yard setback: from 15 feet to 12 feet to accommodate a decent-sized bedroom on the third floor.
3. Variance to the rear yard setback: from 10 feet to 3.5 feet to accommodate the 2 car garage.

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:
To develop, build and construct a building to provide the living space in the heart of the city and generate the property tax revenue for the city of Dalla.

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.

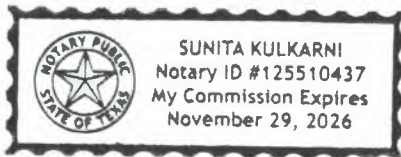
Affidavit

Before me the undersigned on this day personally appeared Sateesh Nagilla
 (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 18th day of October, 2024

 Notary Public in and for Dallas County, Texas



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

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Sateesh Reddy Nagilla

did submit a request for (1) a variance to the off-street regulations, and for (2) a variance to the front yard setback regulations, and for (3) a special exception to the side yard setback regulations

at 1535 Annex Ave.

BDA234-142(BT) Application of Sateesh Reddy Nagilla for (1) a variance to the front-yard setback regulations, for (2) a variance to the side-yard setback regulations, and for (3) a variance to the required off-street parking regulations at 1535 ANNEX AVENUE. This property is more fully described as Block 2/648, Lot 5, and is zoned MF-2(A), which requires a front-yard setback of 15-feet, requires a side-yard setback of 10-feet, and requires guest parking spaces to be provided. The applicant proposes to construct and/or maintain a Multifamily residential structure and provide a 12-foot front-yard setback along San Jacinto Street, which will require (1) a 3-foot variance to the front-yard setback regulations, and to construct and/or maintain a multifamily residential structure and provide a 3-foot 6-inch side-yard setback, which will require (2) a 6-foot 6-inch variance to the side-yard setback regulations, and to construct and/or maintain a multifamily residential structure and to provide 1-guest parking space, which will require (3) a 1-space variance to the off-street parking regulations.

Sincerely,


M. Samuell Eskander, PE

1



CITY OF DALLAS

Development Services Board of Adjustment Referral Form:

Applicant/Representative: SATEESH NAGILLA

Owner (if applicable): _____

Property address: 1535 Anna Ave

Lot: _____ City Block: 21648 Zoning: MF2

Request (check all that apply):

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

Referrer

- Physical properties of the land prohibit commensurate development with properties of the same zoning
- The land (not the improvements) has restrictive size, shape, or slope.

"A variance may not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor may a variance be granted to permit any reason privilege in developing a parcel of land permitted by the zoning ordinance to other parcels of the land in districts with the same classification."

want smaller front yard set back due to 28 ft easement

SEC. 51A-3.102

Referred by: Anthony Cisneros Date: 9-4-24
Printed name

Application forms can be obtained at http://www.dallascityhall.com/development_services/current_planning.html or 320 E. Jefferson Blvd, Rm 118 Dallas TX 75203



Appeal number: BDA 234-142

I, Lisa Wehrly, on behalf of Hollyvale Rental Holdings, LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1535 Annex Ave Dallas TX
(Address of property as stated on application)

Authorize: Sateesh Reddy Nagilla
(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: Dedications and set backs relaxation

Lisa Wehrly, on behalf of Hollyvale Rental Holdings, LLC

Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date _____

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 _____ day of _____

Notary Public for Dallas County,
Texas

Commission expires on _____

JURAT

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

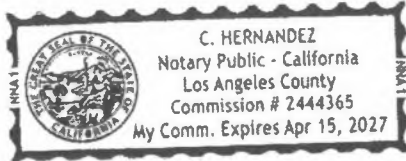
State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on 12th day of September 2024,

by Lisa Wehry

proved to me on the basis of satisfactory evidence to be the person(s) who appeared.



(Seal)

Signature _____

A handwritten signature in black ink, appearing to be 'C. Hernandez', written over a horizontal line.



AFFIDAVIT

Appeal number: BDA 234-142

I, Lisa Wehrly, on behalf of Hollyvale Rental Holdings, LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1535 Annex Ave, Dallas TX
(Address of property as stated on application)

Authorize: Sateesh Reddy Nagilla
(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: Dedications and set backs relaxation

Lisa Wehrly, on behalf of Hollyvale Rental Holdings, LLC
 Print name of property owner or registered agent [Signature]
 Signature of property owner or registered agent
 agent Date _____

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 _____ day of _____

Commission expires on _____

JURAT

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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on 12th day of September 2024,

by Lisa Wehrly

proved to me on the basis of satisfactory evidence to be the person(s) who appeared.

(Seal)



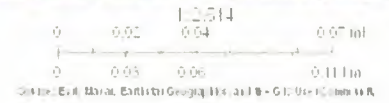
Signature

C. Hernandez

ArcGIS Web Map

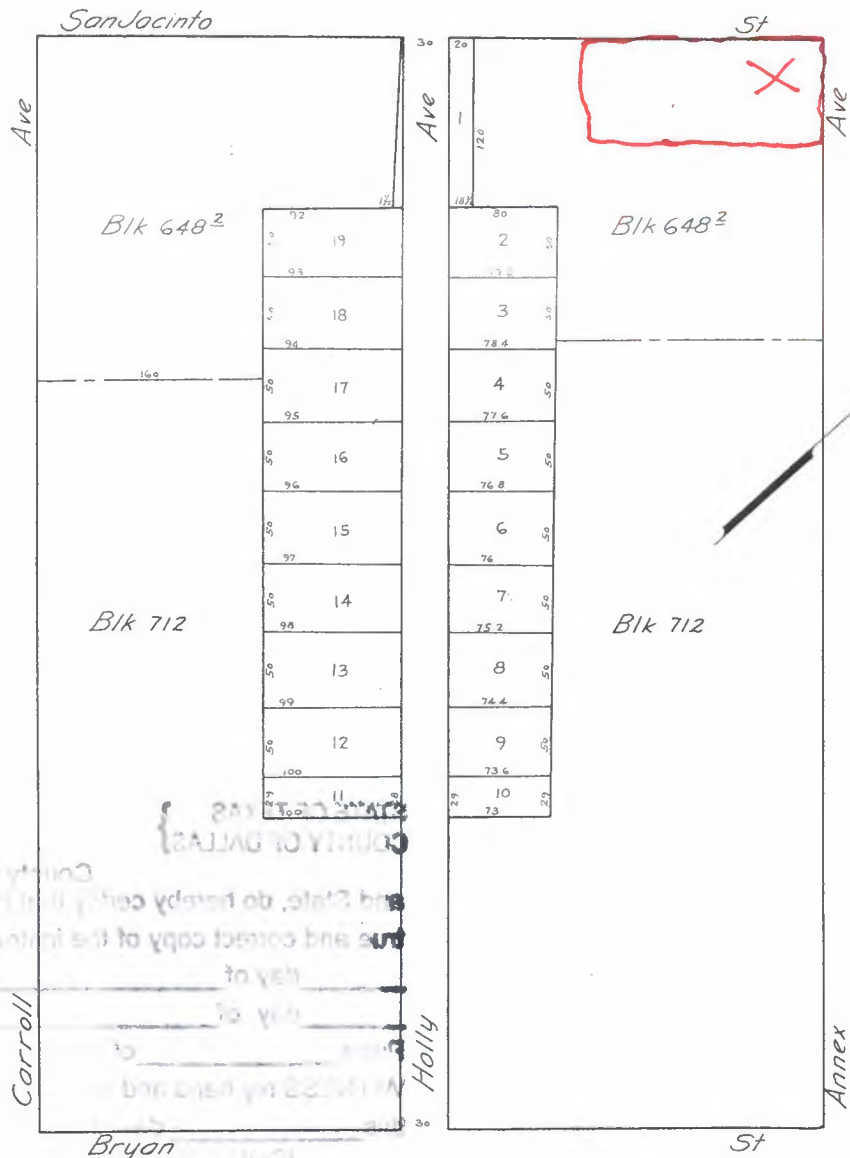


9/12/2024 11:26:13 PM



A.F. KIRKPATRICK'S SUBDIVISION

OF PART OF BLOCKS 648-2 and 712.



I, A. F. Kirkpatrick, adopt the above Plat, as a true and correct copy of the A.F. Kirkpatrick subdivision of parts of Blocks 648-2 and 712 and I do hereby dedicate the streets as shown on said plat, for the public use forever.

Dallas, Dallas County, Texas, Sept 1st, 1911.

A.F. Kirkpatrick

27675

THE STATE OF TEXAS }
COUNTY OF DALLAS }

subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Before me, Z.J. Anderson, a Notary Public in and for said County, on this day personally appeared A.F. Kirkpatrick, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of Sept, A.D. 1911.

Z.J. Anderson, Notary Public, Dallas County, Texas.

(L.S.)

Filed for Record Sept 8th, 1911, at 1:50 o'clock P.M. J. E. Record, County Clerk, Dallas County, Texas, by Sam Barnett, Deputy Recorded Sept. 15th, 1911, J. E. Record County Clerk, Dallas County, Texas, By T. B. Kendall, Deputy.



PARKING ANALYSIS

BEDROOM	PARKING QUANTITY FOR EACH UNIT	UNIT QUANTITY	TOTAL PARKING QUANTITY	REMARKS
Two Bedroom Unit	2	7	14	
Guest Parking		1	1	7 units x 0.25 = 1.75 (1) Guest Parking and (4) Class I Bicycle Parking
			15	

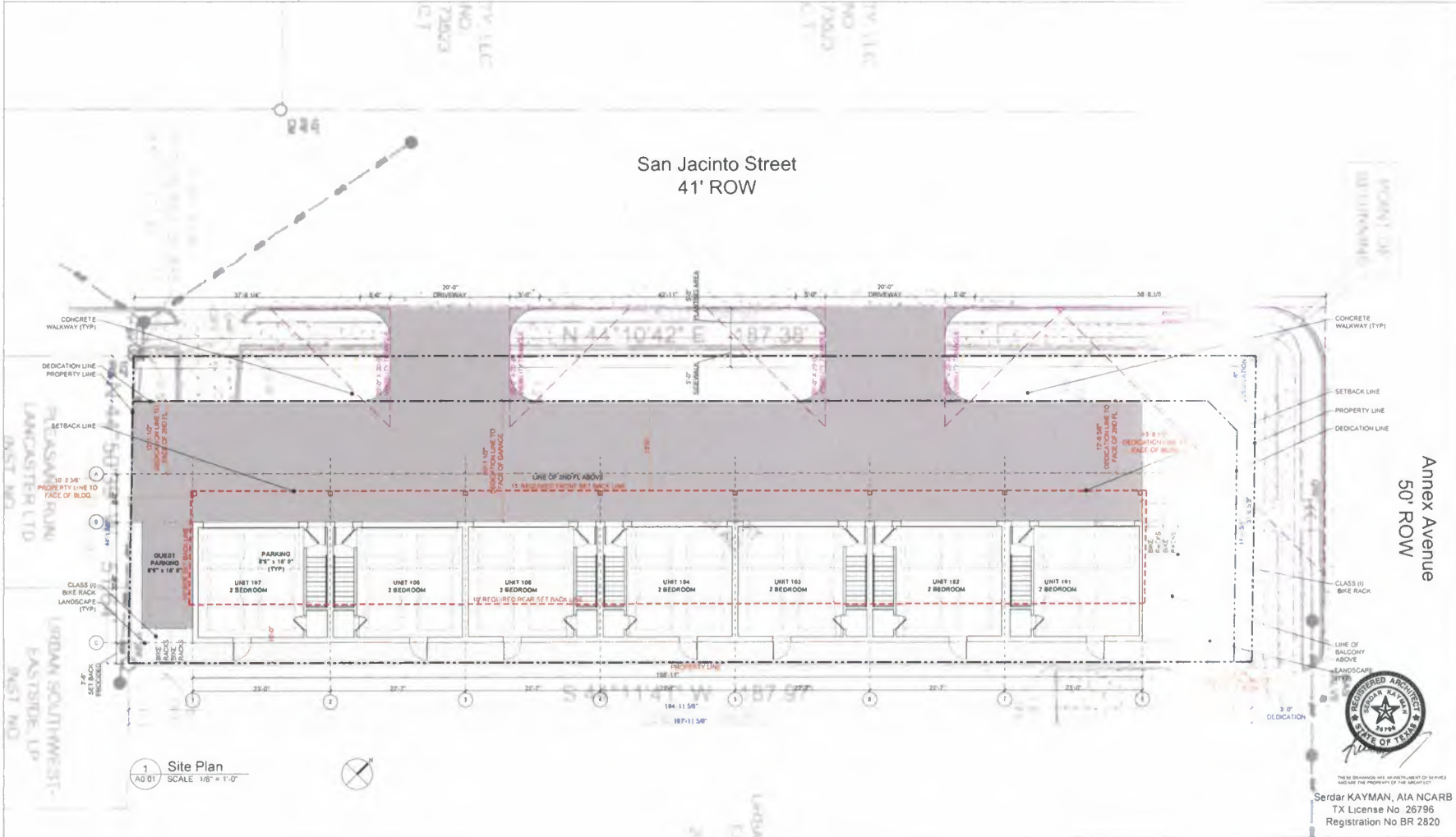
ZONING NOTES

Zoning District MF-2 (A)
Multi Family

Min Lot Area	Required 1,000 sf	Proposed 9,737 sf (without dedication)
Max Lot Coverage	60%	41.6% (4,052 sf x 100/9,737 sf)
Max Building Height	36'-0"	36'-0"

Min Front Yard Depth (San Jacinto St)	15'-0"	12'-0"
Min Front Yard Depth (Annex Ave)	15'-0"	15'-0"
Min Side Yard Depth	10'-0"	10'-0"
Min Rear Yard Depth	10'-0"	3'-6"

Unit Density
Two bedroom 1,200 sf required
9,737 sf lot (without dedication) / 1,200 = 8.1 two bedroom units permitted



SK2
ARCHITECTS
2160 N Central Rd
Suite 210
Fort Lee, NJ 07024
info@sk2architects.com
917 690 0273

KEY PLAN

REVISION

No Data Description
PROJECT NAME
Annex Townhomes
1535 Annex Ave
Dallas, TX 75204
Lot 1 Block 2/648

PROJECT NUMBER
24670
Preliminary Site Plan
DRAWING TITLE

Site Plan

DRAWN BY SK
CHECKED BY
DATE 09 18 2024
SCALE AS NOTED
SHEET



Serdar KAYMAN, AIA NCARB
TX License No 26796
Registration No BR 2820

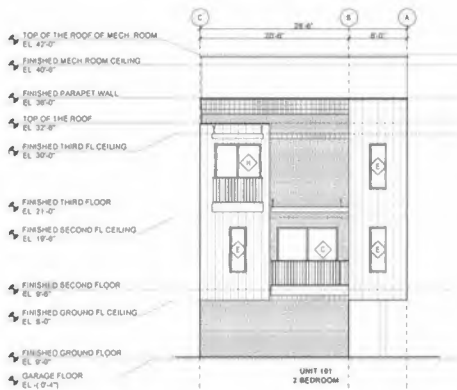
A0.01



1 Preliminary Typ Floor Plans
 A0 02 SCALE 1/8" = 1'-0"



2 North West Elevation (San Jacinto)
 A0 02 SCALE 1/8" = 1'-0"



3 North East Elevation (Annex Ave.)
 A0 02 SCALE 1/8" = 1'-0"

SK2
 ARCHITECTS
 2160 N Central Rd
 Suite 210
 Fort Lee, NJ 07024
 info@sk2architects.com
 917 690 0273

KEY PLAN

REVISION

No Date Description

PROJECT NAME
 Annex Townhomes
 1535 Annex Ave
 Dallas, TX 75204
 Lot 1 Block 2/648

PROJECT NUMBER
 24670

Preliminary
 Site Plan

DRAWING TITLE

Preliminary Floor Plans
 and Elevations

DRAWN BY SK

CHECKED BY

DATE 09 18 2024

SCALE AS NOTED

SHEET



THIS SEAL GUARANTEES THAT THE ARCHITECT HAS MET THE REQUIREMENTS OF THE STATE OF TEXAS AND HAS THE PRIVILEGE TO THE PRACTICE OF ARCHITECTURE.
 Serdar KAYMAN, AIA NCARB
 TX License No. 26796
 Registration No. BR 2820

A0.02

FILE NUMBER: BDA234-151(BT)

BUILDING OFFICIAL'S REPORT: Application of Gilbert Brown represented by Jokabet Anaya for (1) a variance to the off-street parking regulations at **1602 KESSLER PARKWAY**. This property is more fully described as Block 1/5928, Lot 10, and is zoned CD-13 (Subarea 3) , which requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to locate and maintain a parking space in an enclosed structure with a setback of 10 feet which will require (1) a variance of 10-feet to the off-street parking regulations.

LOCATION: 1602 Kessler Parkway.

APPLICANT: Gilbert Brown

REPRESENTED BY: Jokabet Anaya

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

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.
- B. Lot is restrictive in buildable area, **shape**, or slope; it is a corner lot with street frontage facing Kessler Parkway and Kessler Canyon Drive; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: CD-13 (Subarea 3)
North: PD-714 (Subdistrict 2B)
East: CD-13 (Subarea 3)
South: CD-13 (Subarea 3)
West: CD-13 (Subarea 3)

Land Use:

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

BDA History:

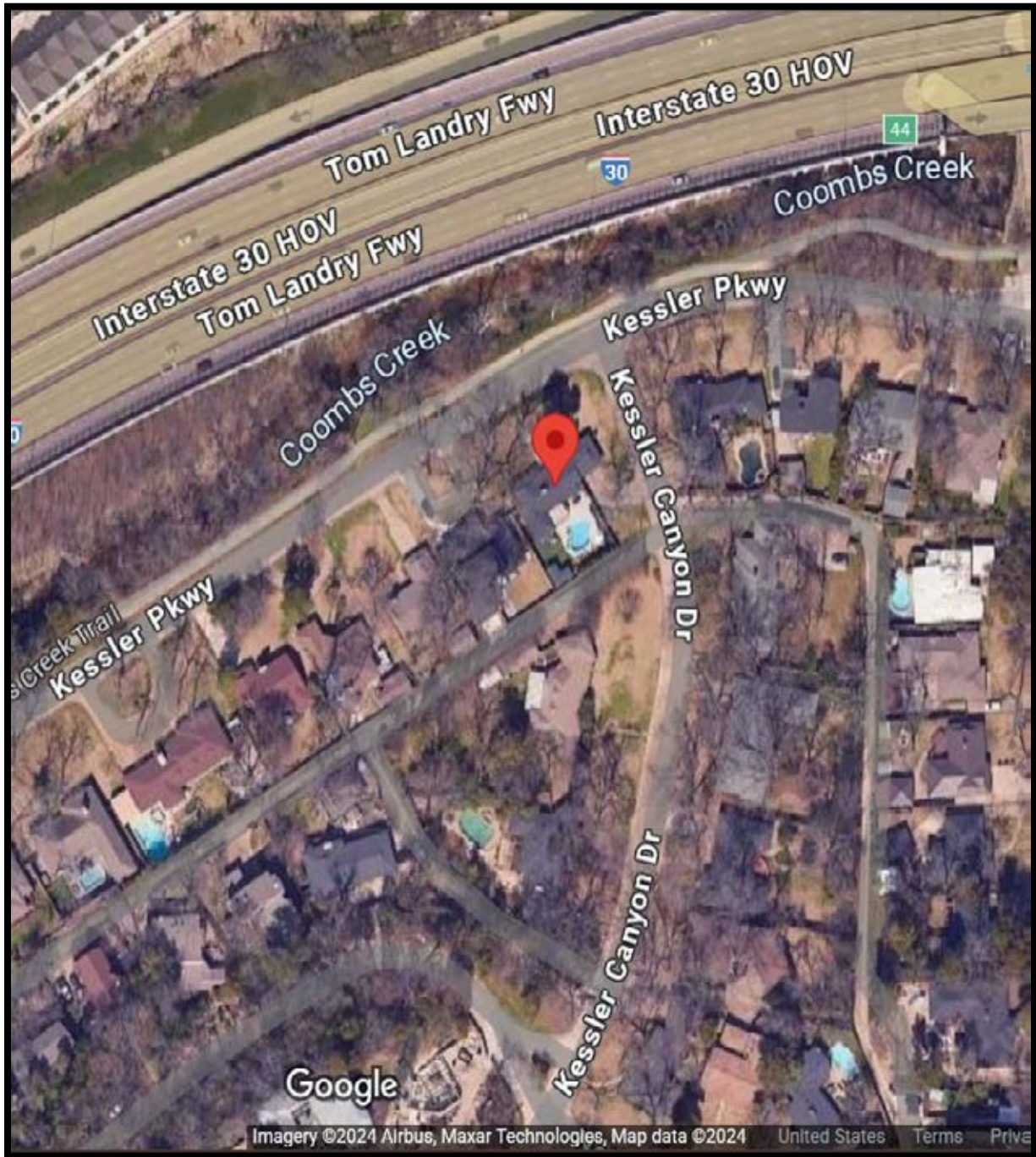
No BDA history found in the last five years.


GENERAL FACTS/STAFF ANALYSIS:

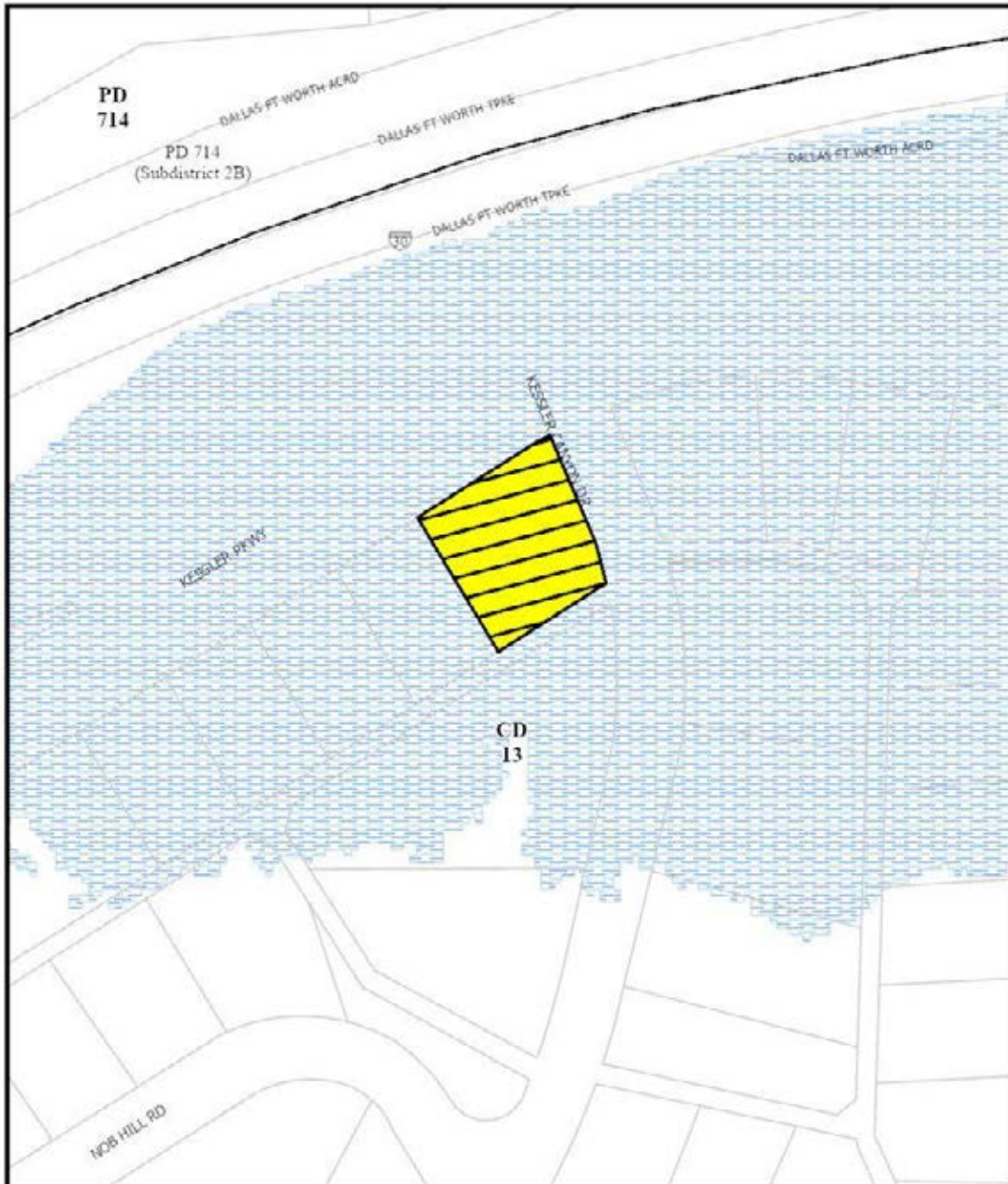
- The application of Gilbert Brown represented by Jokabet Anaya for the property located at 1602 Kessler Parkway focuses on one request relating to the off-street parking regulations.
- The applicant proposes to construct and maintain a parking space in an enclosed structure with a 10-foot setback in the required front-yard setback.
- CD-13 (Subarea 3) (k) Setbacks (1) Front-yard setback (B) For corner lots, the minimum front yard must equal the front yard of the house on the contiguous lot.
- Subject lot behind subject property is not contiguous (touching/shares common boundary) with the lot to the rear due to alley separation and cannot be used to establish a front-yard setback requirement, therefore area of request must be treated as a side-yard.
- CD-13 (Subarea 3) (k) Setbacks (2) Side-yard setback (A) For structures with a height of 15-feet or less, the minimum side yard is five feet. **(B) For all other structures, the minimum side yard is one-third the height of the structure.**
- Proposed Height of the structure is 23-feet 8-inches
- Minimum setback approx. 7-feet 10-inches
- Applicant is proposing 10-feet.
- Per engineering review comment sheet, recommends denial.
- Per engineering review comment sheet, applicant to provide site plan, showing location of proposed garage door relative to the edge of curb and sidewalk, assuming the City or abutting property owner constructs one in the future.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the off-street parking regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - 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 off-street parking 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: [BDA234-151 at 1602 Kessler Pkwy](#)

Timeline:

- October 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.
- November 7, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- 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>BDA234-151</u> Date: <u>11/22/2024</u>
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1:1,200

ZONING MAP

Case no: BDA234-151

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	<h2>NOTIFICATION</h2>	Case no: BDA234-151
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">11</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/22/2024

11/22/2024

Notification List of Property Owners

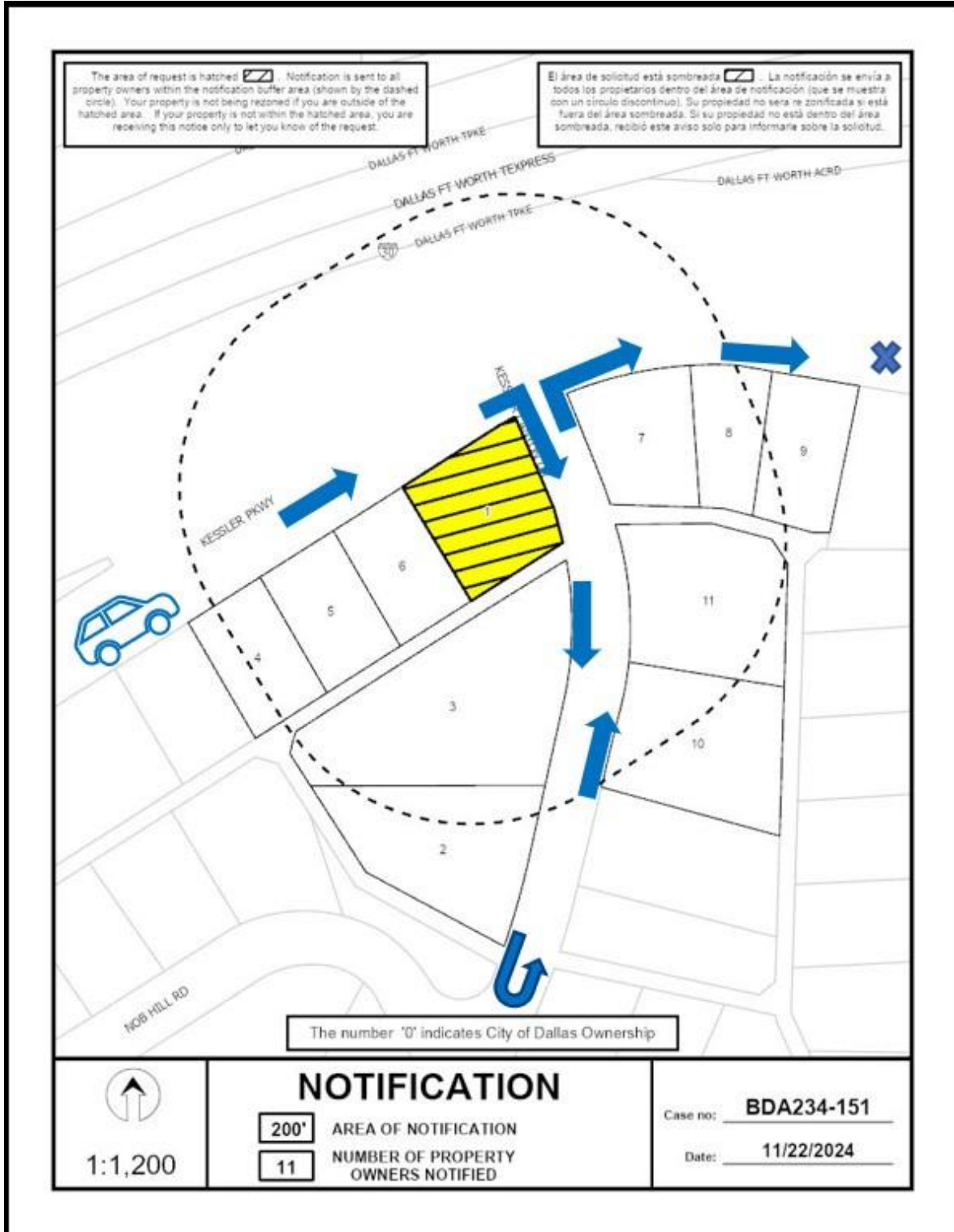
BDA234-151

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1602 KESSLER PKWY	BROWN GILBERT RYER &
2	1655 KESSLER CANYON DR	DRENNAN MARK & CYNTHIA A
3	1661 KESSLER CANYON DR	HULME MICHAEL EUGENE &
4	1626 KESSLER PKWY	GUNN NORMAN SCOTT
5	1618 KESSLER PKWY	FANNING MARY LOIS
6	1614 KESSLER PKWY	COUTRE ZACHARY MATTHEW
7	1522 KESSLER PKWY	GONZALEZ JUANITA C
8	1516 KESSLER PKWY	WILLIAMSON GRANT &
9	1510 KESSLER PKWY	TOSI JOHN &
10	1662 KESSLER CANYON DR	HAIL G W JR & MELINDA
11	1674 KESSLER CANYON DR	LONG RYAN F & KATHRYN E

 1:1,200	NOTIFICATION	Case no: BDA234-103
	200' AREA OF NOTIFICATION 64 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/26/2024

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

- DATE: WEDNESDAY, DECEMBER 18, 2024
- BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
- HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.

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

BDA234-151(BT) Application of Gilbert Brown for (1) a variance to the off street parking regulations at **1602 KESSLER PARKWAY**. This property is more fully described as Block 1/5928, Lot 10, and is zoned CD-13 (Subarea 3), which requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to locate and maintain a parking space in an enclosed structure with a setback of 10 feet which will require (1) a variance of 10-feet to the off-street parking regulations.

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

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

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

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

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

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

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

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

RECEIVED

Case No.: BDA

234-151

OCT 25 2024

Data Relative to Subject Property: _____

Date: _____

FOR OFFICE USE ONLY

BY: _____

Location address: 1602 Kessler PKwy. Zoning District: Conservation District 13 Subarea 3/R-7.5C

Lot No.: 10 Block No.: 1/5928 Acreage: 0.30 or 13,123 sq Census Tract: 48113004400

Street Frontage (in Feet): 1) 105.70' 2) 87.75' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Gilbert Ryer Brown & Shawn Shutzman

Applicant: Gilbert Brown & Shawn Shutzman Telephone: (214) 674-7217

Mailing Address: 1602 Kessler PKwy. Zip Code: 75208

E-mail Address: gillemaplewoodgroup@tx.com

Represented by: Jokabet Anata Telephone: (469) 275-6810

Mailing Address: 5225 Maple Ave. Zip Code: 75235

E-mail Address: jokabet@xhoprojects.com

Affirm that an appeal has been made for a Variance or Special Exception of side yard setback off street parking.

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 lot is on a corner, the street is diagonal, there is currently a large tree and a pool and because of all of these factors, the current setback (20') would put the garage in the middle of the backyard. Off street parking Variance.

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

GILBERT BROWN & SHAWN SHUTZMAN

(Affiant/Applicant's name printed)

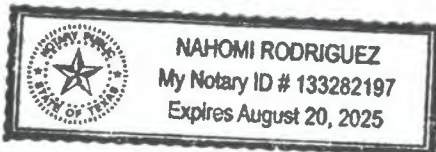
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 28 day of October, 2024

Nahomi Rodriguez
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 Gilbert Brown

did submit a request for (1) a variance of 10-feet to the off-street parking regulations
at 1602 Kelssler PKWY

BDA234-151. Application of Gilbert Brown for (1) a variance to the off street parking regulations at 1602 KESSLER PKWY. This property is more fully described as Block 1/5928, Lot 10 and is zoned CD-13 Sub area 3 (R-7.5(A)), which requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is in an enclosed structure and if the space faces upon or can be entered directly from the street or alley The applicant proposes to construct and/or maintain a single-family residential structure which will require (1) a variance of 10- feet to the off-street parking regulations.

Sincerely,


M. Samuell Eskander, PE


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-151

I, Gilbert Brown + Shawn Shatzman, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1602 Kessler Pkwy.
(Address of property as stated on application)

Authorize: Jokabet Anaya
(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: The lot is on a corner, the street is diagonal, there is currently a large tree and a pool and because of all of these factors the current setback (20') would put the garage in the middle of the backyard.

Gilbert Brown + Shawn Shatzman
Print name of property owner or registered agent

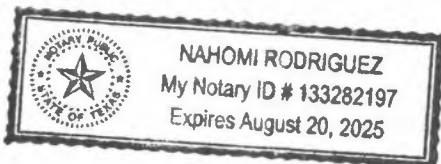
[Signature]
Signature of property owner or registered agent

agent Date 10/28/24

Before me, the undersigned, on this day personally appeared
Gilbert Brown + Shawn Shatzman

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 28th day of
October, 2024



Nahomi Rodriguez
Notary Public for Dallas County,
Texas

Commission expires on
August 20, 2025


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-151

I, Gilbert Brown & Sharon Shatzman, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1602 Kessler Pkwy.
(Address of property as stated on application)

Authorize: Jokabet Anaya
(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)
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Specify: The lot is on a corner, the street is diagonal, there is currently a large tree and a pool and because of all of these factors the current setback (20') would put the garage in the middle of the backyard.

↑

Gilbert Brown & Sharon Shatzman
Print name of property owner or registered agent

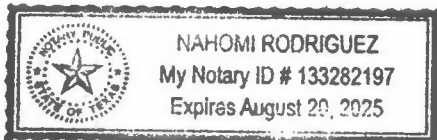
[Signature]
Signature of property owner or registered agent

agent Date 10/29/24

Before me, the undersigned, on this day personally appeared
-Gilbert Brown + Sharon Shatzman

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

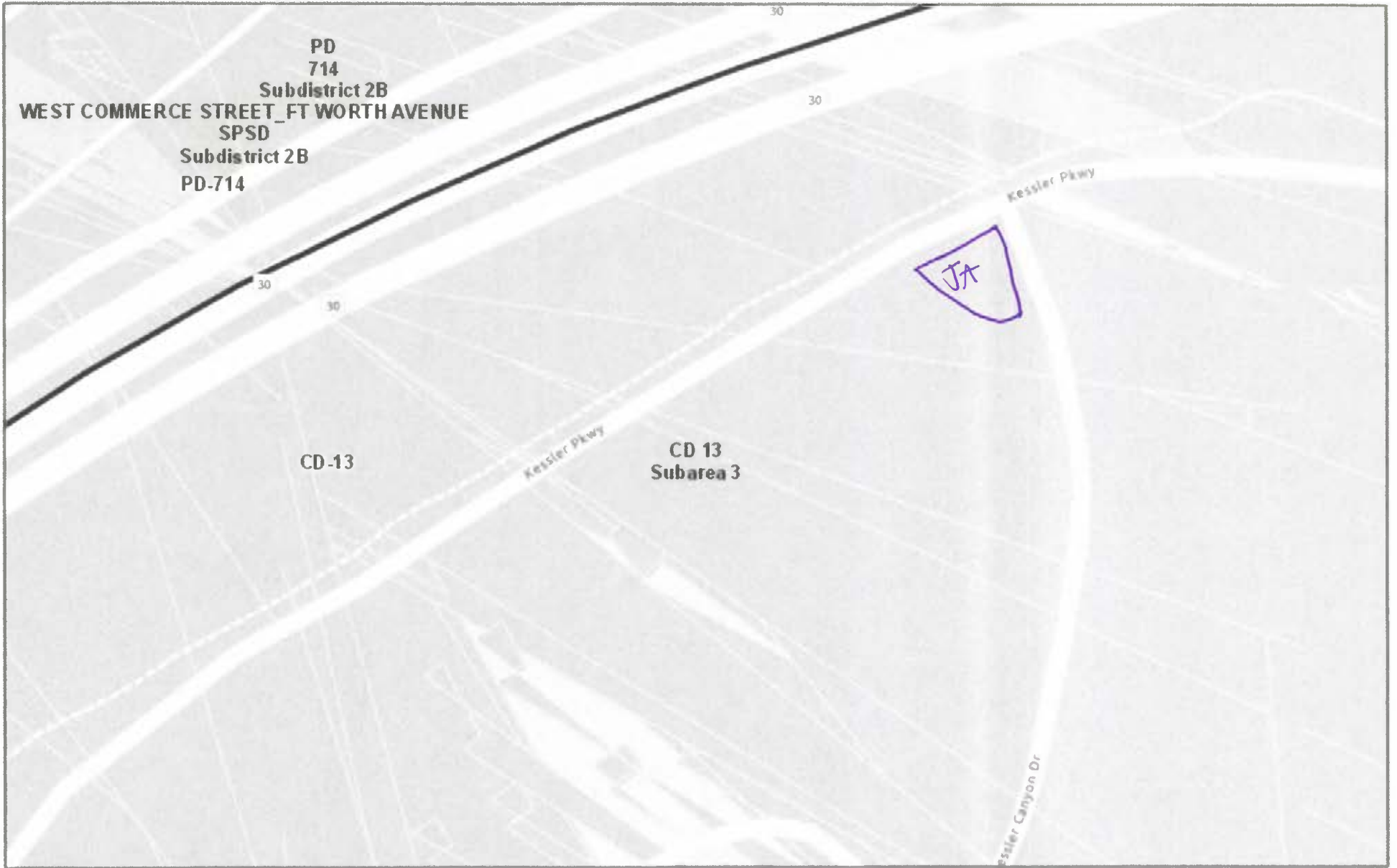
knowledge. Subscribed and sworn to before me this 29th day of
October, 2024



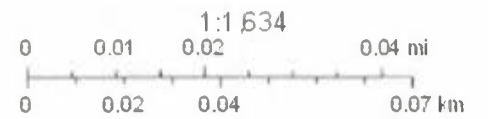
[Signature]
Notary Public for Dallas County,
Texas

Commission expires on
August 20, 2025

ArcGIS Web Map

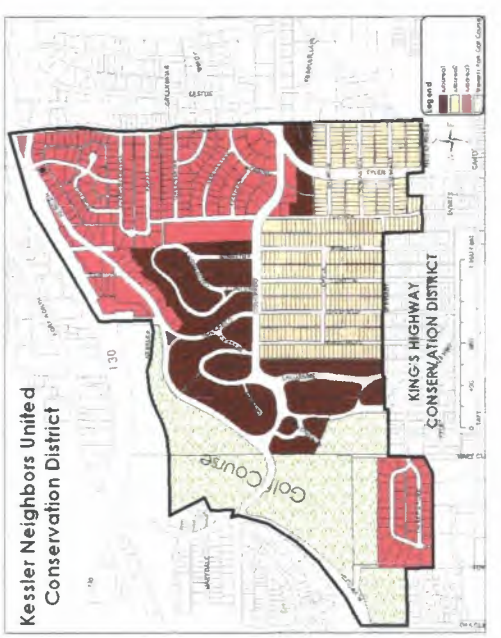


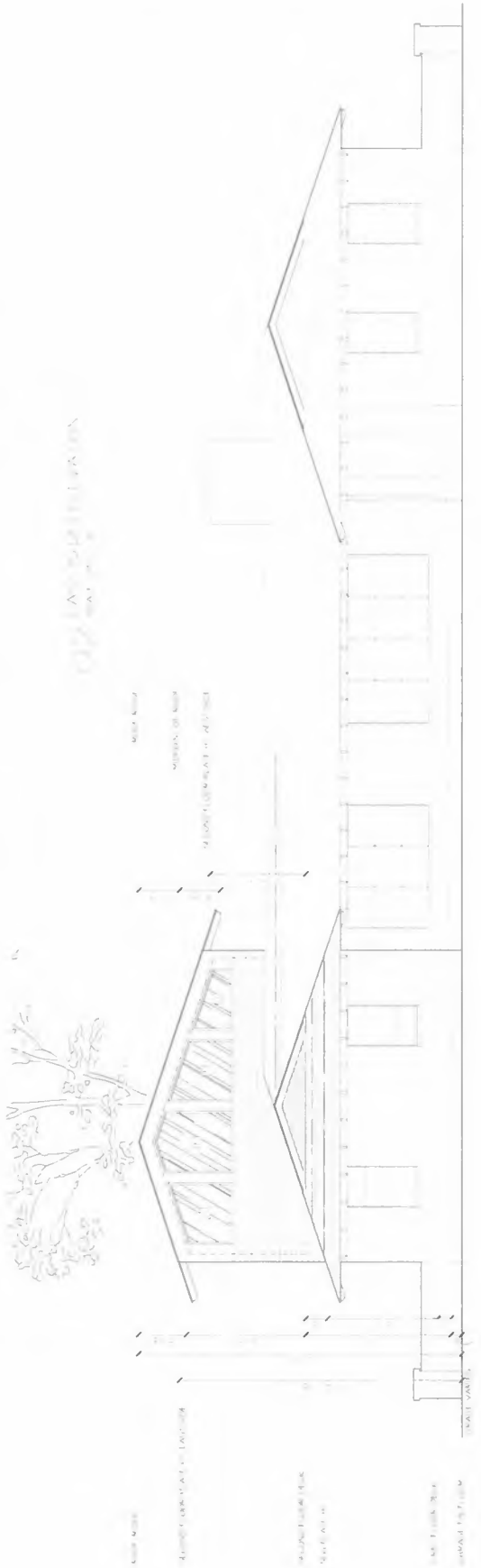
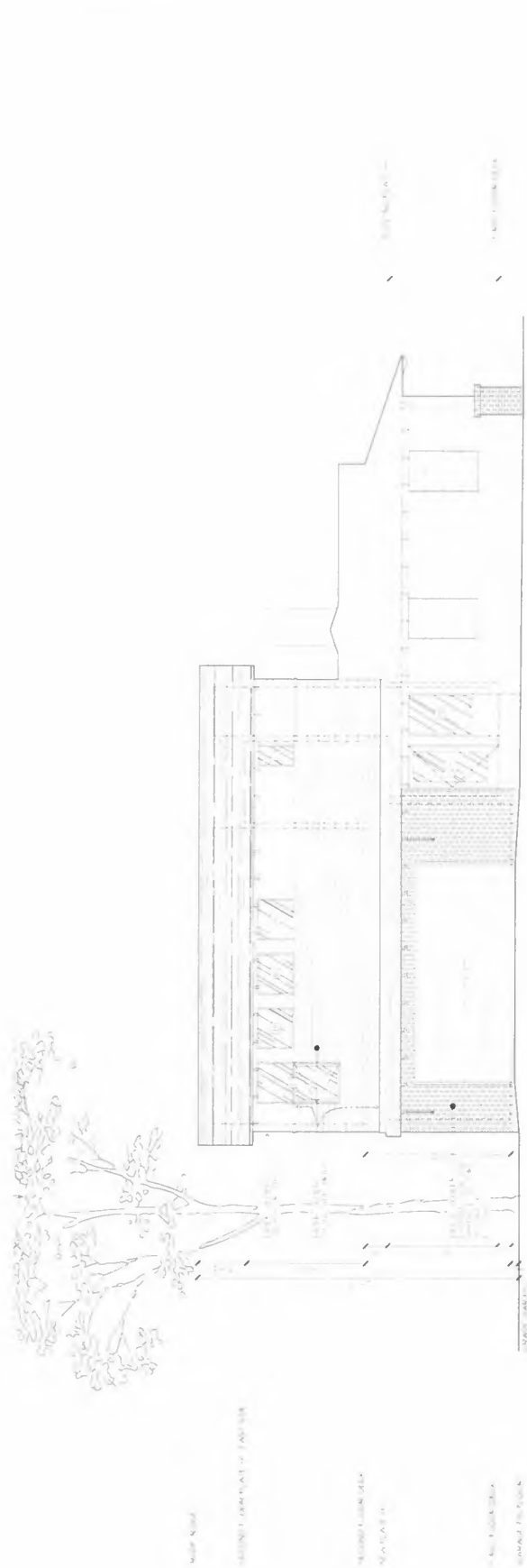
10/16/2024, 4:07:28 PM





1. THE PROPOSED PROJECT IS A RESIDENTIAL DEVELOPMENT OF 130 UNITS, INCLUDING 100 SINGLE-FAMILY HOMES AND 30 TOWNHOMES. THE PROJECT IS SCHEDULED TO BE COMPLETED BY Q3 2024.
2. THE PROJECT IS SCHEDULED TO BE COMPLETED BY Q3 2024.
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18. THE PROJECT IS SCHEDULED TO BE COMPLETED BY Q3 2024.
19. THE PROJECT IS SCHEDULED TO BE COMPLETED BY Q3 2024.
20. THE PROJECT IS SCHEDULED TO BE COMPLETED BY Q3 2024.





FILE NUMBER: BDA234-153(BT)

BUILDING OFFICIAL'S REPORT: Application of Ricardo Alonso for (1) a variance to the front-yard setback regulations at **5814 CARLTON GARRETT STREET**. This property is more fully described as Block 17/2559, Lot 7, and is zoned PD-595 (R-5(A) Single Family Subdistrict), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback along Scott Street, which will require (1) a 15-foot variance to the front-yard setback regulations.

LOCATION: 5814 Carlton Garrett Street

APPLICANT: Ricardo Alonzo

REPRESENTED BY: Marisol Ortiz

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

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

STAFF RECOMMENDATION:

Variance:

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 buildable area, shape, or slope; it is a corner lot with front-yard setbacks facing both Carlton Garrett Street and Scott Street; however, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

- Site: PD-595 (R-5(A)) (Single Family District)
- North: PD-595 (R-5(A)) (Single Family District)
- East: PD-595 (R-5(A)) (Single Family District)
- South: PD-595 (R-5(A)) (Single Family District)
- West: PD-595 (R-5(A)) (Single Family District)

Land Use:

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

Lot Square Footage:

This lot size is 5,049 square feet. (0.116 of an acre)

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Ricardo Alonzo represented by Marisol Ortiz for the property located at 5814 Carlton Garrett Street focuses on 1 request relating to a variance to the front-yard setback regulations.

- The applicant is requesting a variance to the front-yard setback regulations. The applicant is proposing to construct and maintain a residential structure and provide a 5-foot front yard setback along Scott Street, which will require a 15-foot variance to the front-yard setback regulations.
- The subject site along with surroundings properties are all developed with single-family homes.
- It is imperative to note that the subject site is a corner lot, having a 20-foot front-yard setback along Carlton Garrett Street and a 20-foot front-yard setback along Scott Street.
- Subject lot is zoned PD-595 (R-5(A)) which requires a minimum lot size of 5,000 square feet (0.115 of an acre).
- Subject lot meets the minimum lot size, however the subject lot buildable area is 1,875 square feet (0.043 of an acre) compared to other lots buildable area is 3,000 square feet (0.069 of an acre) in the same zoning.
- Per staff's review of the subject site, it has been confirmed that the single-family structure of the property is proposed on a vacant lot.
- 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.
- 200' Radius Video: [BDA234-153 at 5814 Carlton Garrett St](#)

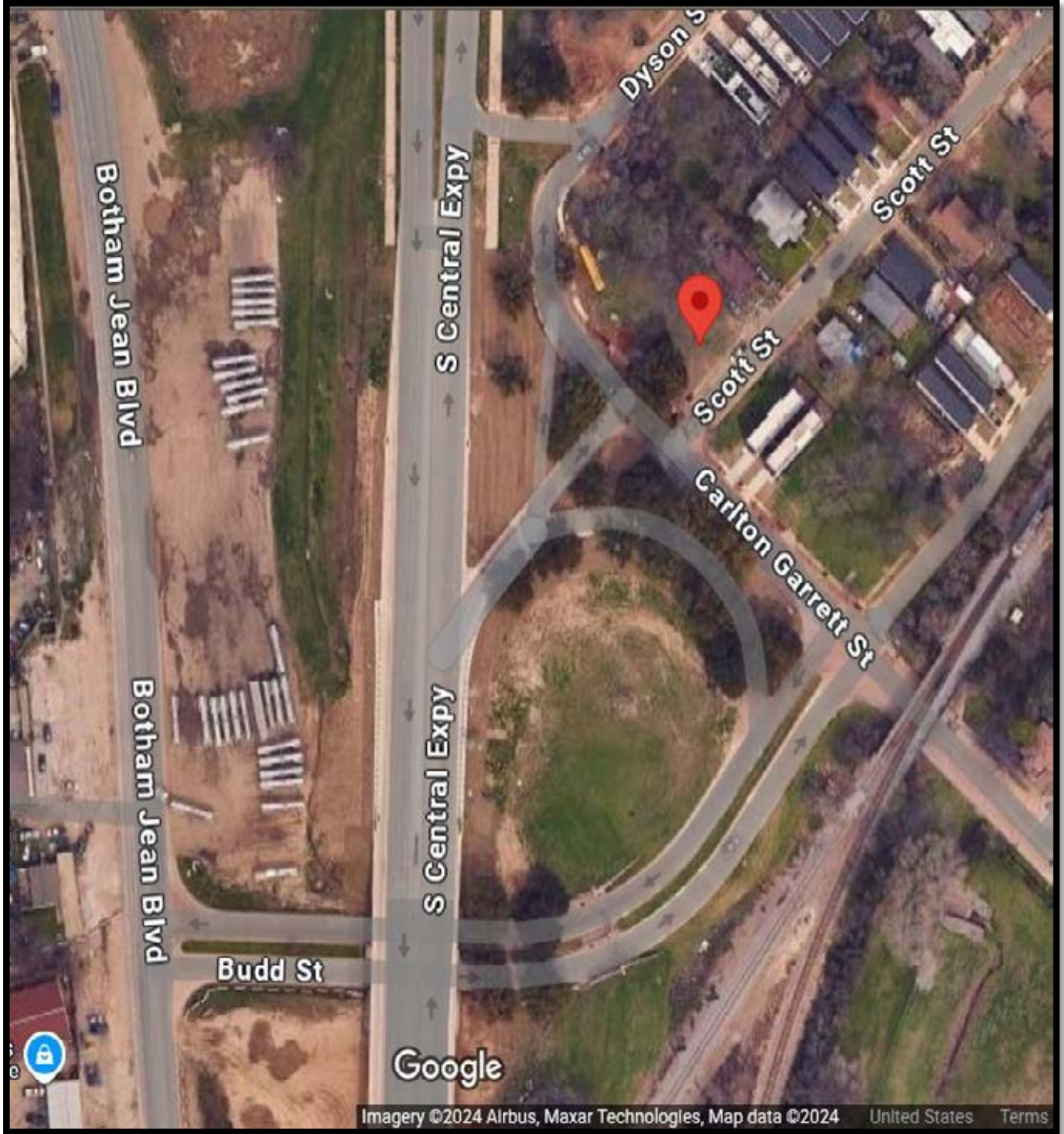
Timeline:

- 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 **B**.

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: BDA234-153
Date: 11/22/2024





1:1,200

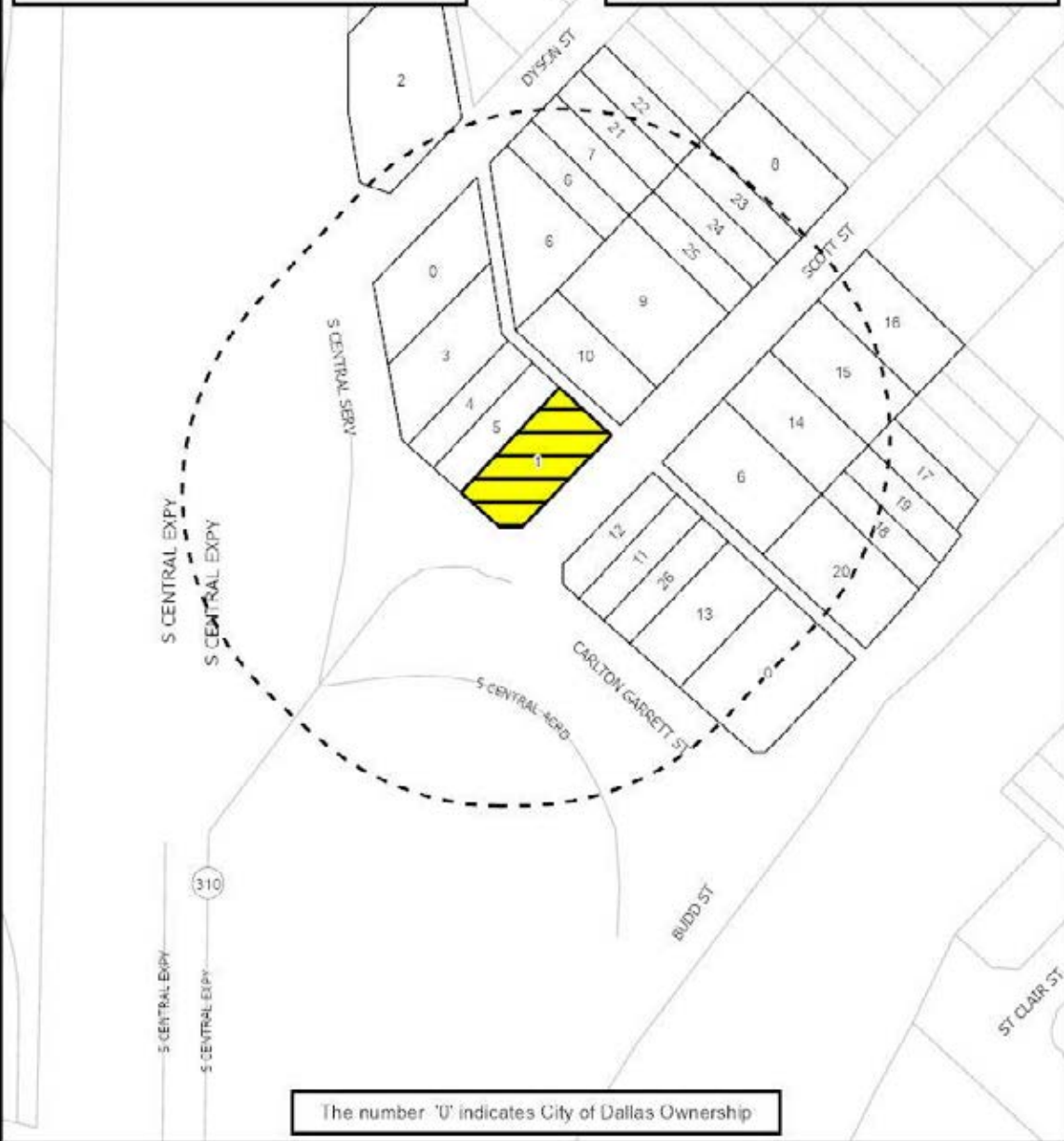
ZONING MAP

Case no: **BDA234-153**

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
26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-153**
 Date: **11/22/2024**

11/22/2024

Notification List of Property Owners

BDA234-153

26 Property Owners Notified

Label #	Address	Owner
1	5814	CARLTON GARRETT STCONFIA HOMES LLC
2	5714	S CENTRAL EXPY UTHMAN OLANIYI
3	5806	CARLTON GARRETT STDOTSON MAURICE SR
4	5808	CARLTON GARRETT STRHONE JASMINE YVETTE &
5	5810	CARLTON GARRETT STBLESS HOUSING LLC
6	2208	DYSON ST BELLFIELD SHEILA CHANEY
7	2210	DYSON ST Taxpayer at
8	2327	SCOTT ST PRIVADO ROCIO HERNANDEZ
9	2315	SCOTT ST SIMMONS MAE PEARL EST OF
10	2311	SCOTT ST WALTON LEONARD CHARLES JR
11	5910	CARLTON GARRETT STSUMPTER DESMOND O & MAYA E
12	5902	CARLTON GARRETT STMERCADO ANGEL LUIS
13	5908	CARLTON GARRETT STKELLEY DAPORSCHA
14	2314	SCOTT ST GRANT RUE B
15	2320	SCOTT ST MATURINO JOSE & GONZALO
16	2326	SCOTT ST THOMAS MAXINE
17	2341	BUDD ST PHILPOTTS MILTON
18	2325	BUDD ST DSW TRUST
19	2333	BUDD ST JONES LADREA LASTARR DOMINIQUE
20	2313	BUDD ST HYBRID CUSTOM HOMES LLC
21	2212	DYSON ST JAMES CHELSEY
22	2214	DYSON ST MCGHEE THOMAS P
23	2323	SCOTT ST ONONOGBU CHUKWUNWEIKE K &
24	2321	SCOTT ST PASCHAL CANDICE
25	2319	SCOTT ST RAMIREZ JONATHAN
26	5918	CARLTON GARRETT STSHOEMAKER ROBERT



1:1,200

NOTIFICATION

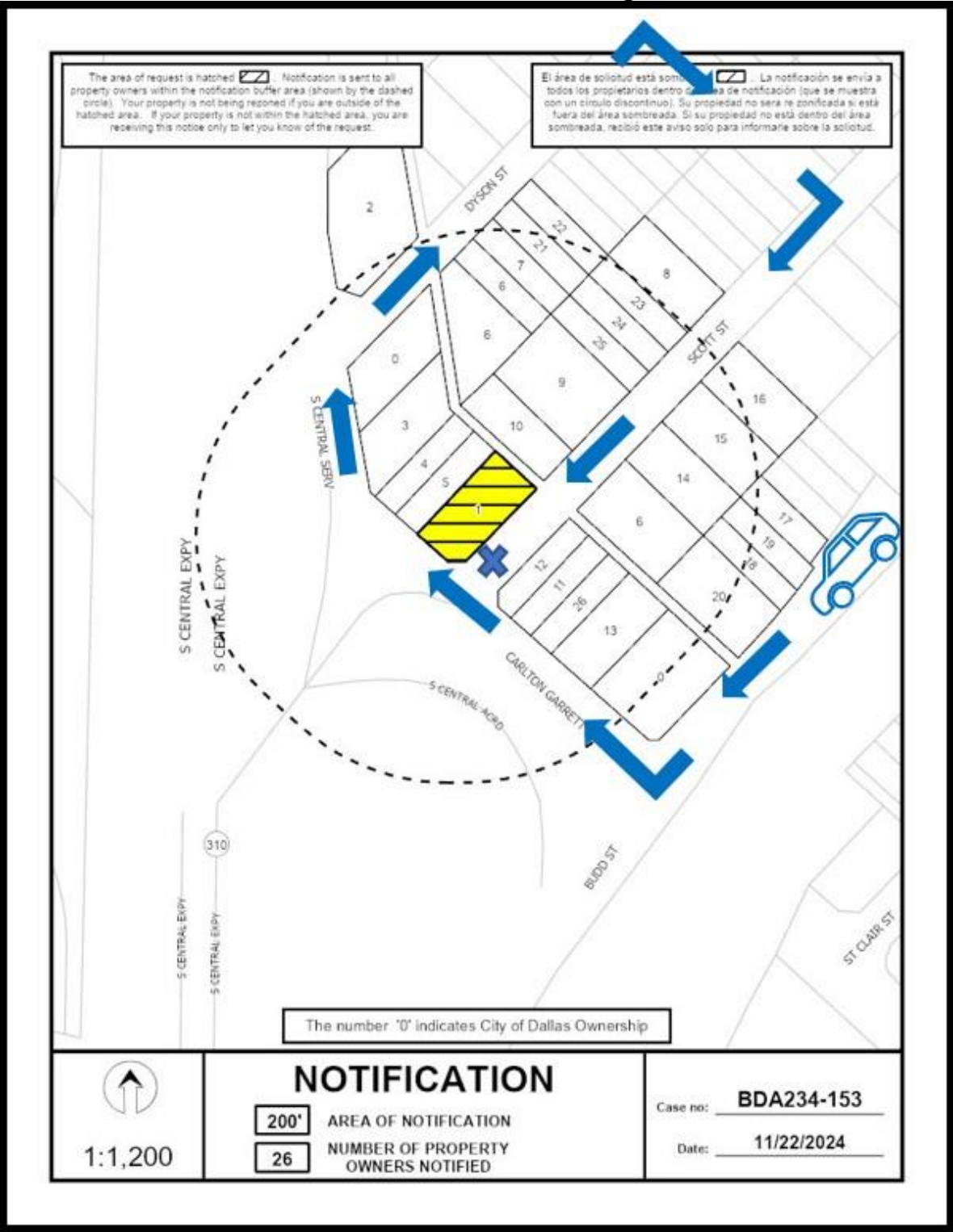
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26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-153**

Date: **11/22/2024**

200' Radius Route Map



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

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**Letters will be received until 9:00
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Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

234-153

RECEIVED

Date:

FOR OFFICE USE ONLY OCT 25 REC'D

Data Relative to Subject Property:

Location address: 584 Carlton Garrett St, Dallas TX Zoning District: PD 595 (R-S(A))

Lot No.: 8 Block No.: 17/2559 1/2 Acreage: 0.1158 Census Tract:

Street Frontage (in Feet): 1) 100' 2) 50' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Ricardo Alonso - Confia Homes LLC

Applicant: Ricardo Alonso Telephone: 469-881-2416

Mailing Address: 2435 N Central Expressway, Richardson TX Zip Code: 75080

E-mail Address: marisol.ortiz@confiahomes.com

Represented by: Marisol Ortiz Telephone: 469-881-2416

Mailing Address: 2435 N Central Expressway, Richardson TX Zip Code: 75080

E-mail Address: marisol.ortiz@confiahomes.com

Affirm that an appeal has been made for a Variance or Special Exception of requesting 15 ft variance to reduce the 20 ft setback to 5 ft

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:

To be able to fit the house

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.

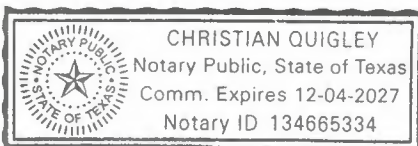
Affidavit

Before me the undersigned on this day personally appeared RICARDO ALONSO CARRILLO
(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: R. Alonso
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 4 day of October, 2024



Christian Quigley
Notary Public in and for Dallas County, Texas



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-153

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

at: 5814 Carlton Garrett St, Dallas TX 75215
(Address of property as stated on application)

Authorize: Ricardo Alonso
(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: Requesting a 15 ft variance to reduce the 20ft setback to 5ft

RICARDO ALONSO CARRELL
Print name of property owner or registered agent

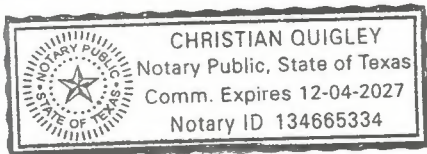
R. Alonso
Signature of property owner or registered agent

agent Date 10/04/2024

Before me, the undersigned, on this day personally appeared
RICARDO ALONSO CARRELL

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 4th day of
October, 2024



Commission expires on 12-4-2027
Christian Quigley



AFFIDAVIT

Appeal number: BDA 234-153

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

at: 5814 Carlton Barrett St, Dallas TX 75215
(Address of property as stated on application)

Authorize: Ricardo Alonso
(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: requesting a 15 foot variance to reduce the 20ft setback to 5ft

Ricardo Alonso Carrillo
Print name of property owner or registered agent

R. Alonso
Signature of property owner or registered agent

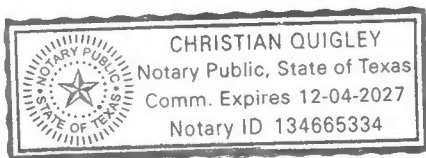
agent Date 10/04/2024

Before me, the undersigned, on this day personally appeared
Ricardo Alonso Carrillo

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 4th day of

October, 2024



Commission expires on 12-4-2027
Christian Quigley

LINCOLN MANOR No 2



THE STATE OF TEXAS |
 COUNTY OF DALLAS |

KNOW ALL MEN BY THESE PRESENTS:-

That I, R. C. Ayres, Trustee of the City and County of Dallas, State of Texas, do hereby designate, as "Lincoln Manor" No. 2 the area on the plat of "Lincoln Manor" No. 2, an addition to the City of Dallas, Texas, a plat of which is recorded in Volume .. Page.. of the Map Records of Dallas County, Texas, and I do hereby dedicate the streets and alleys shown on said plat within the said boundary lines of said plat to the use of the public forever.

October, 1913.

Witness my hand this the 4th day of

R. C. Ayres, Trustee.

THE STATE OF TEXAS |
 COUNTY OF DALLAS |

Before me, Milton Park, a Notary Public in and for said County and State on this day personally appeared R. C. Ayres, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 4th day of October, 1913.

Milton Park,

(LS) Notary Public, Dallas County, Texas.

Filed for Record October 4th, 1913, at 5 P.M. J. E. Record County Clerk, by Sam Barnett, Deputy.

Recorded October 31st, 1913, J. E. Record, County Clerk

By S. S. Fitzhugh, Deputy.



LINCOLN MANOR No 2



THE STATE OF TEXAS ;
 COUNTY OF DALLAS ;

KNOW ALL MEN BY THESE PRESENTS:-

That I, R. C. Ayres, Trustee of the City and County of Dallas, State of Texas, do hereby designate as "Lincoln Manor" No. 2 the area on the plat of "Lincoln Manor" No. 2, an addition to the City of Dallas, Texas, a plat of which is recorded in Volume .. Page.. of the Map Records of Dallas County, Texas, and I do hereby dedicate the streets and alleys shown on said plat within the said boundary lines of said plat to the use of the public forever.

October, 1913.

Witness my hand this the 4th day of

R. C. Ayres, Trustee.

THE STATE OF TEXAS ;
 COUNTY OF DALLAS ;

Before me, Milton Park, a Notary Public in and for said County and State on this day personally appeared R. C. Ayres, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 4th day of October, 1913.

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Filed for Record October 4th, 1913, at 5 P.M. J. E. Record County Clerk, by Sam Barnett, Deputy.

Recorded October 31st, 1913, J. E. Record, County Clerk

By S. S. Fitzhugh, Deputy.



STATE OF TEXAS }
COUNTY OF DALLAS }

I, JOHN F. WARREN

County Clerk in and for said County

and State, do hereby certify that the above and foregoing is a
true and correct copy of the instrument filed for record on the

4 day of OCT 1913 and duly recorded on the
31 day of OCT 1913 in Volume 1

Page 474 of the Records of Dallas County, Texas

WITNESS my hand and seal of office at Dallas, Texas

this 23 day of SEP, 2024.

JOHN F. WARREN, COUNTY CLERK
DALLAS COUNTY, TEXAS

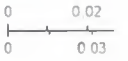
By [Signature] Deputy



ArcGIS Web Map



10/25/2024, 2:07:43 PM



Sources Esri
OpenStreetMap contributors

CITY OF DALLAS PLAT BOOKS

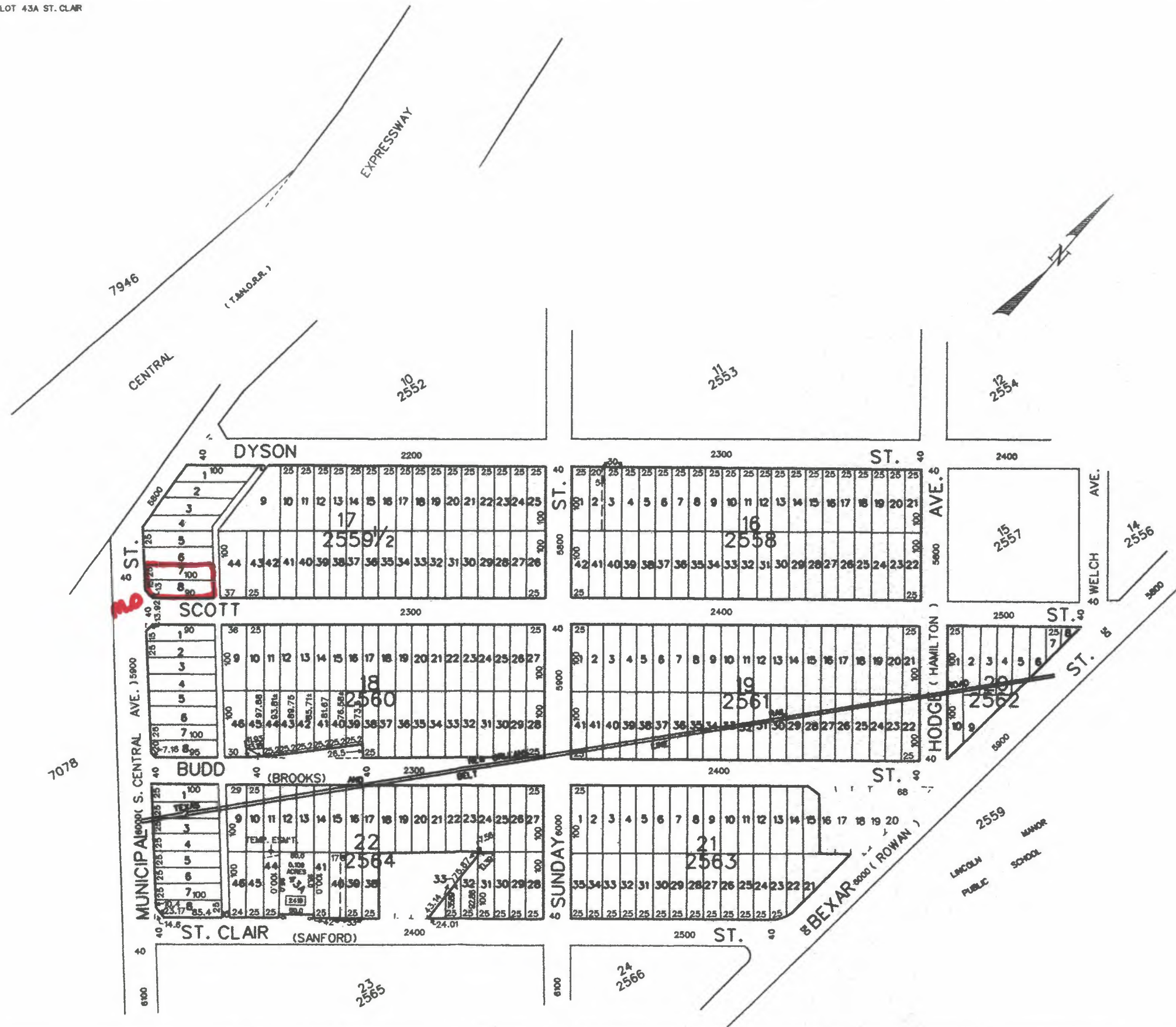
ANNEXED OCTOBER 28, 1929 ORD. NO. _____
SURVEY J. M. CROCKETT ABST. 353

ADDITION _____
SCALE 100 FT. EQUALS 1 INCH

BLOCKS 16 22
2558 - 2564
SCHOOL DISTRICT DALLAS

HMR 4-3-98

FILED-10-14-13
FILED: 3-7-97 BLK. 22/2564 LOT 43A ST. CLAIR





REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT: <u>Contra Homes</u>	OWNER: <u>Contra Homes</u>
ADDRESS: <u>5814 Carlton Court</u>	STATE: <u>TX</u> ZIP: <u>75215</u>
LOT: <u>8</u>	BLOCK: <u>17/2559 1/2</u> ZONING: <u>PD595(R-5(A))</u>

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

Please list the City of Dallas Development Code(s) this project is non-compliant with:
51A-4.401(b)(1)

Description: Setback on Scott required 20' due to continuity of blockface

Alternative resolutions discussed/offered:

Referred by: Arnell Lewis Contact: 800 214-948-4327 Date: 09/25/2024

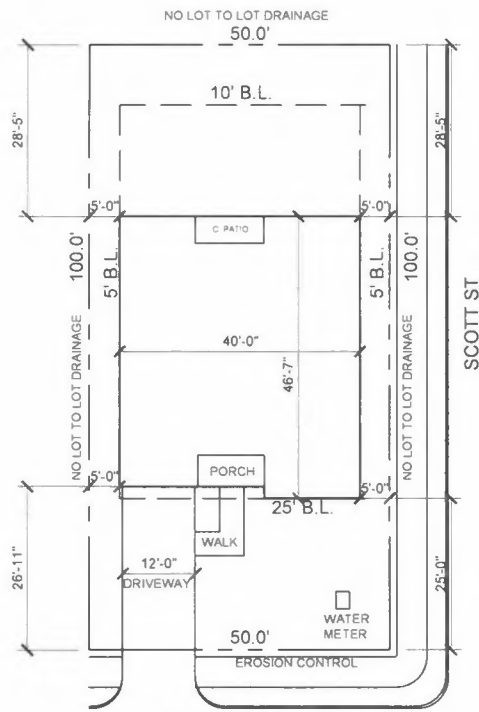
CONFIA HOMES

PLOT PLAN

SUBDIVISION	LINCOLN MANOR 2	BUYER	Spec.
LOT - 7&8	BLK - 17/2559		
ADDRESS	5814 CARLTON GARRETT ST		
DATE	09/17/24	DRAWN BY:	AW
PLAN NUMBER	DALIA-1392	725	SQ. FT. FLATWORK



NORTH
SCALE: 1"=20'



ALL DRAINAGE TO STREET
5814 CARLTON GARRETT ST

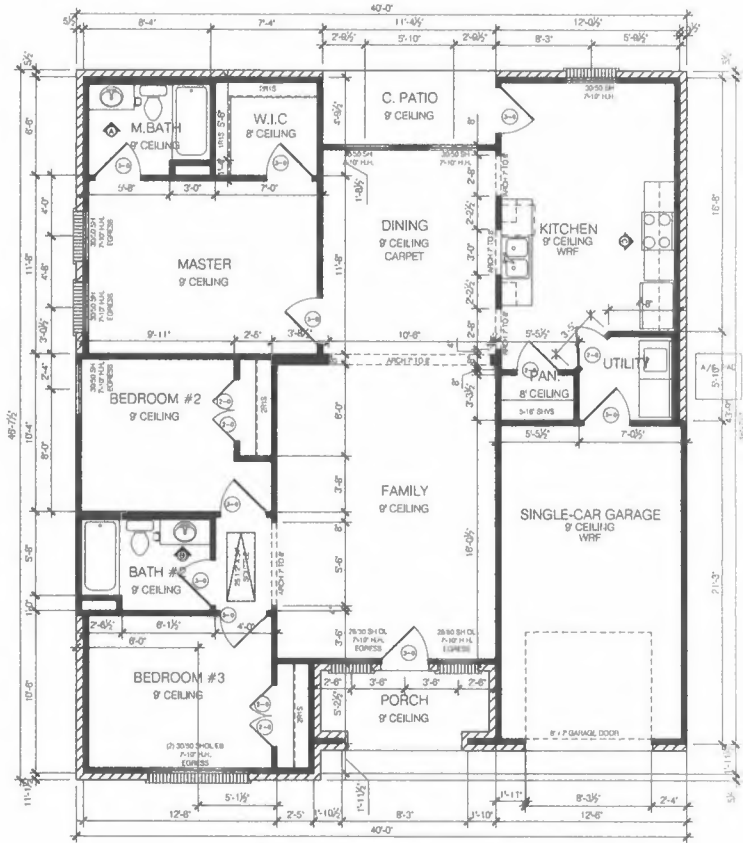
Type " B " Drainage

GENERAL NOTES FOR M.E.P. INFO:

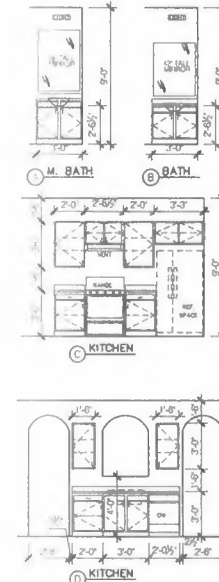
1. ALL MECHANICAL, ELECTRICAL AND PLUMBING WORK TO CONFORM TO LOCAL, STATE AND NATIONAL CODES, WHICH SHALL TAKE PRECEDENCE OVER THESE DRAWINGS. REPORT ANY ERRORS, DISCREPANCIES OR OMISSIONS TO THE BUILDER/ARCHITECT BEFORE COMMENCEMENT OF CONSTRUCTION.
2. LOW VOLTAGE FOR THERMOSTAT TO BE PROVIDED BY HVAC SUBCONTRACTOR.
3. ELECTRICIAN TO SUPPLY POWER TO ALL EQUIPMENT AND APPLIANCES AS REQUIRED PER MANUFACTURERS RECOMMENDATIONS.
4. EXACT LOCATION OF HVAC UNITS MAY VARY WITH FINAL FRAMING.
5. ALL ACCENT AND RECESSED LIGHT FIXTURES TO BE CAREFULLY CENTERED ON THEIR RESPECTIVE, CABINETS, NICHES, ETC.
6. U.N.O. ALL BOTTOM OF LIGHT SWITCHES TO BE 48" A.F.F.
7. LIGHT FIXTURES OVER VANITIES AT 6'-10" A.F.F. TO CENTER.
8. LIGHT FIXTURES AT POWDER ROOMS WITH 9'-0" CEILINGS TO BE 7'-4" A.F.F. TO CENTER.
9. EXTERIOR COACH LIGHT FOR GARAGE (IF APPLICABLE) TO BE 6'-8" ABOVE GARAGE FLOOR TO CENTER.
10. U.N.O. WALL SCONCES TO BE AT 6'-8" ABOVE FLOOR TO THE CENTER OF ROUGH-IN BOX.
11. PATIO LIGHTS TO BE 6'-8" TO CENTER ABOVE PATIO FLOOR U.N.O.
12. FRONT PORCH WALL LIGHTS TO BE 6'-8" TO CENTER ABOVE PORCH FLOOR U.N.O.
13. HOSE BIBS TO BE 24" ABOVE FINISH GRADE (ASSUME 4" FILL). THIS MEANS TO STUB THROUGH SLAB ON HIGH FOUNDATIONS.
14. ALL GAS SERVICE, CONNECTIONS & FIXTURES TO BE DETERMINED BY SUBDIVISION REQUIREMENTS FOR WATER HEATER, PURCHASE, FIREPLACE, COOK TOPS AND RANGES.
15. ROUTE ALL FLUES AND VENTS TO REAR ROOF SLOPE WHERE POSSIBLE, OTHERWISE TO THE SIDE, NO VENTS SHALL PROTRUDE THROUGH THE FRONT ELEVATION.
16. WATER PIPES FOR SHOWERHEADS TO BE STUBBED OUT AT 6'-6" A.F.F.
17. WHEN APPLICABLE, GAS LOG LIGHTER TO BE 18" TO SIDE OF FIREPLACE AND 18" OFF THE FLOOR WHENEVER POSSIBLE.
18. ALL DRYER VENTS TO BE 8" ABOVE FINISHED FLOOR TO THE CENTER OF VENT!
19. SMOKE ALARMS SHALL BE HARD WIRED IN SERIES W/BATTERY BACKUP.
20. ELECTRICIAN TO SUPPLY POWER TO ALL EQUIPMENT AND APPLIANCES AS REQUIRED PER MANUFACTURERS RECOMMENDATIONS.
21. TO THE CUSTOMER THE EXACT LOCATION OF PLUGS, SWITCHES, THERMOSTATS, AND LIGHTS WILL VARY FROM HOUSE TO HOUSE BASED ON FRAMING MEMBER LOCATIONS AND FIELD ADJUSTMENTS.

SEE SCOPES OF WORK AND CONSTRUCTION SPECIFICATIONS FOR ADDITIONAL INFORMATION

SQ. FT. CHART	
	FRAME
FIRST FLOOR	1382 SF
SECOND FLOOR	0 SF
TOTAL LIVING AREA	1382 SF
GARAGE	257 SF
FRONT PORCH	58 SF
COVERED PATIOS	51 SF
.	SF
.	SF
.	SF
TOTAL	1758 SF
SLAB IMPERVIOUS	1817 SF



1ST FLOOR
1/8"=1'-0"

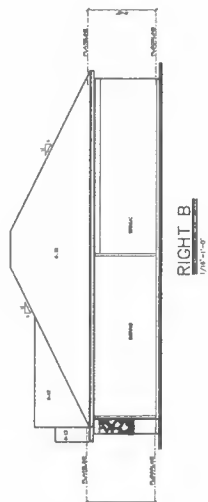
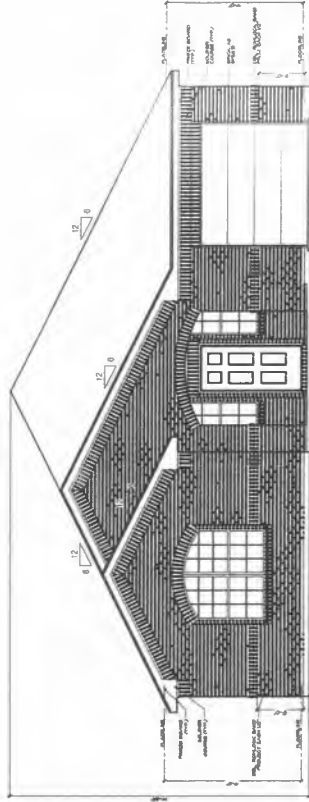
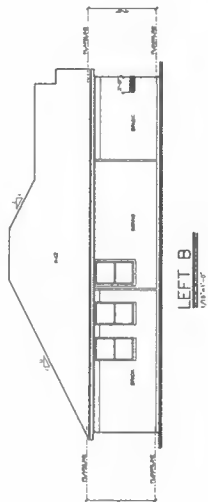
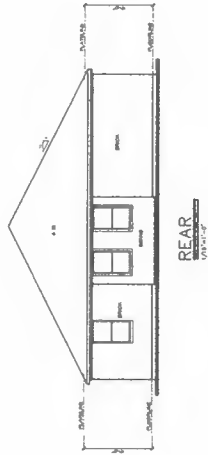
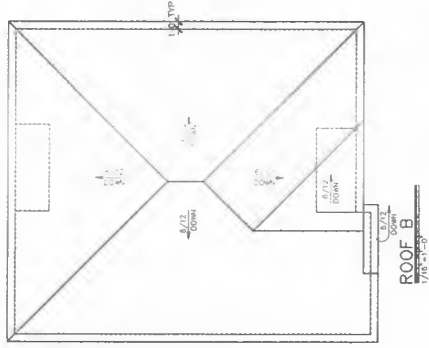


CONFIA HOMES LLC

DESIGNED BY	PLANNED BY
ARCHITECTURE	BY
DATE	DATE
ARCHITECTURE	DATE
DATE	DATE
REVISIONS	DATE
DATE	DATE
DATE	DATE

A-1

OWNER:	CONFIA HOMES LLC
ARCHITECT:	CONFIA HOMES LLC
DATE:	10/1/20
PROJECT:	CONFIA HOMES LLC
SCALE:	1/8" = 1'-0"
NO.:	A-3



FRONT B
1/8" = 1'-0"

FILE NUMBER: BDA234-122 (BT)

BUILDING OFFICIAL'S REPORT: Application of Eddie Grothaus for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **5314 URSULA LANE**. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 5314 Ursula Ln.

APPLICANT: Eddie Grothaus

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

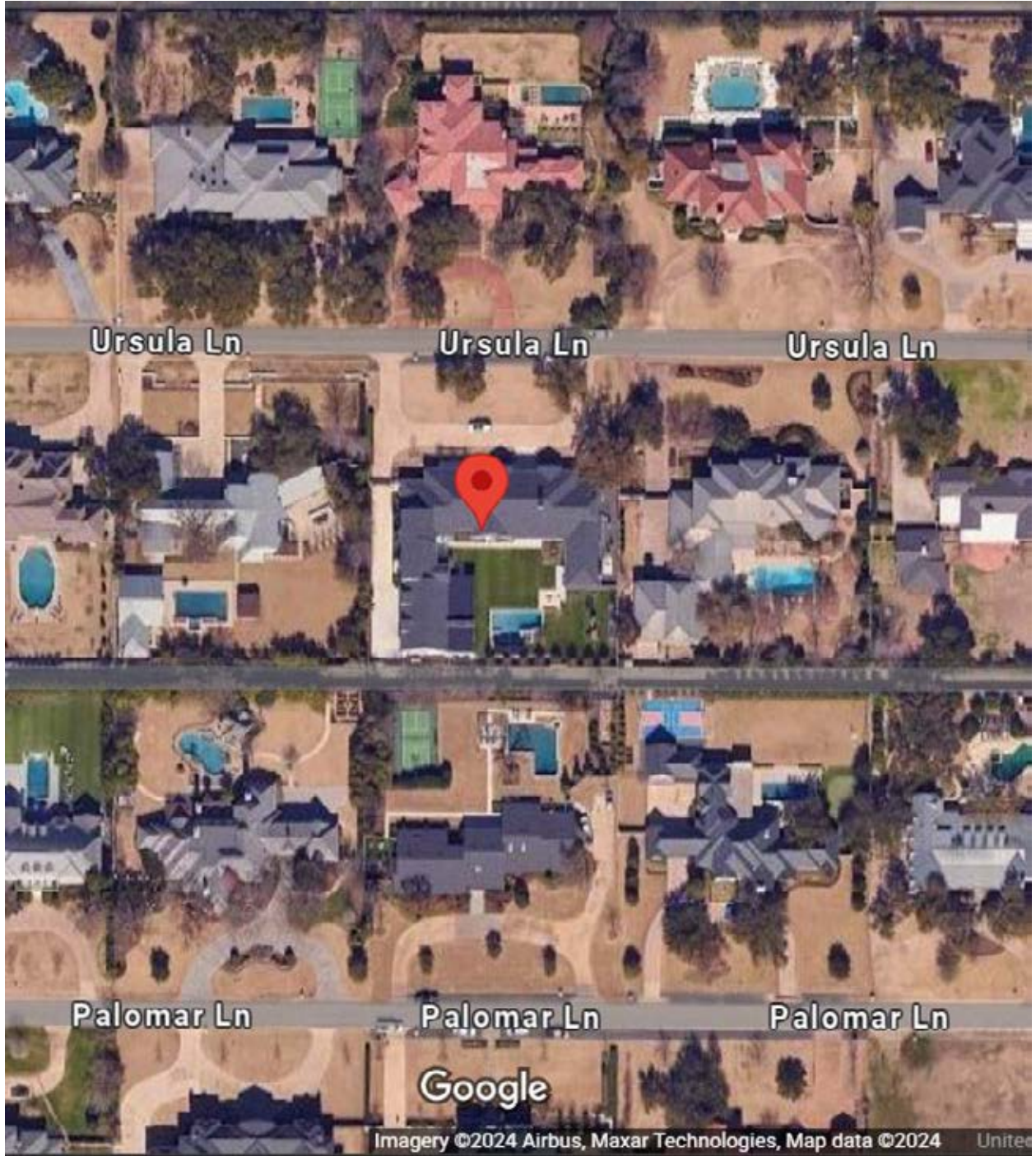
GENERAL FACTS/STAFF ANALYSIS:

- The application of Eddie Grothaus for the property located at 5314 Ursula Ln. focuses on 2 requests relating to the fence height, and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace the existing 4-foot high gate section to the east and west with a 6-foot high gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, many were open with no fencing or vegetation, some properties provided a form of vegetation serving as a screening mechanism along Ursula Ln and Palomar Ln.
- Some properties provided a fence and/or gate at 4-feet above grade in the required front yard along Ursula Ln and Palomar Ln.
- Applicant is requesting additional height due to safety and security concerns, as the family travel schedule is public knowledge
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-122 at 5314 Ursula Ln](#)

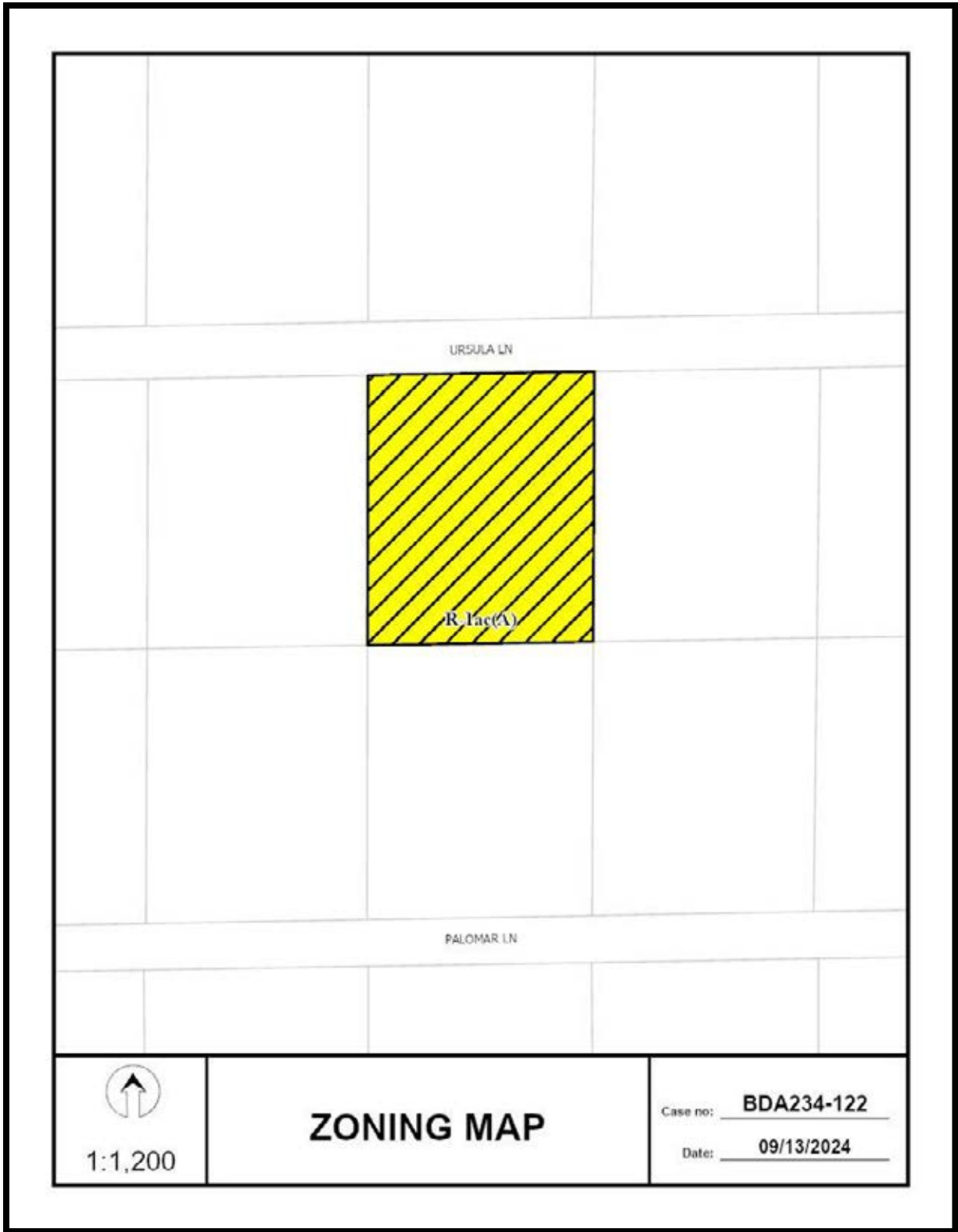
Timeline:

- August 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.
- September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- September 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 September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 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.
- October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October 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.
- October 23, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, October 23, 2024, moved to **HOLD** this matter under advisement until **November 20, 2024**.
- October 24, 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 October 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 20, 2024: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, November 20, 2024, moved to **HOLD** this matter under advisement until **December 18, 2024**.
- November 20, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the 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.

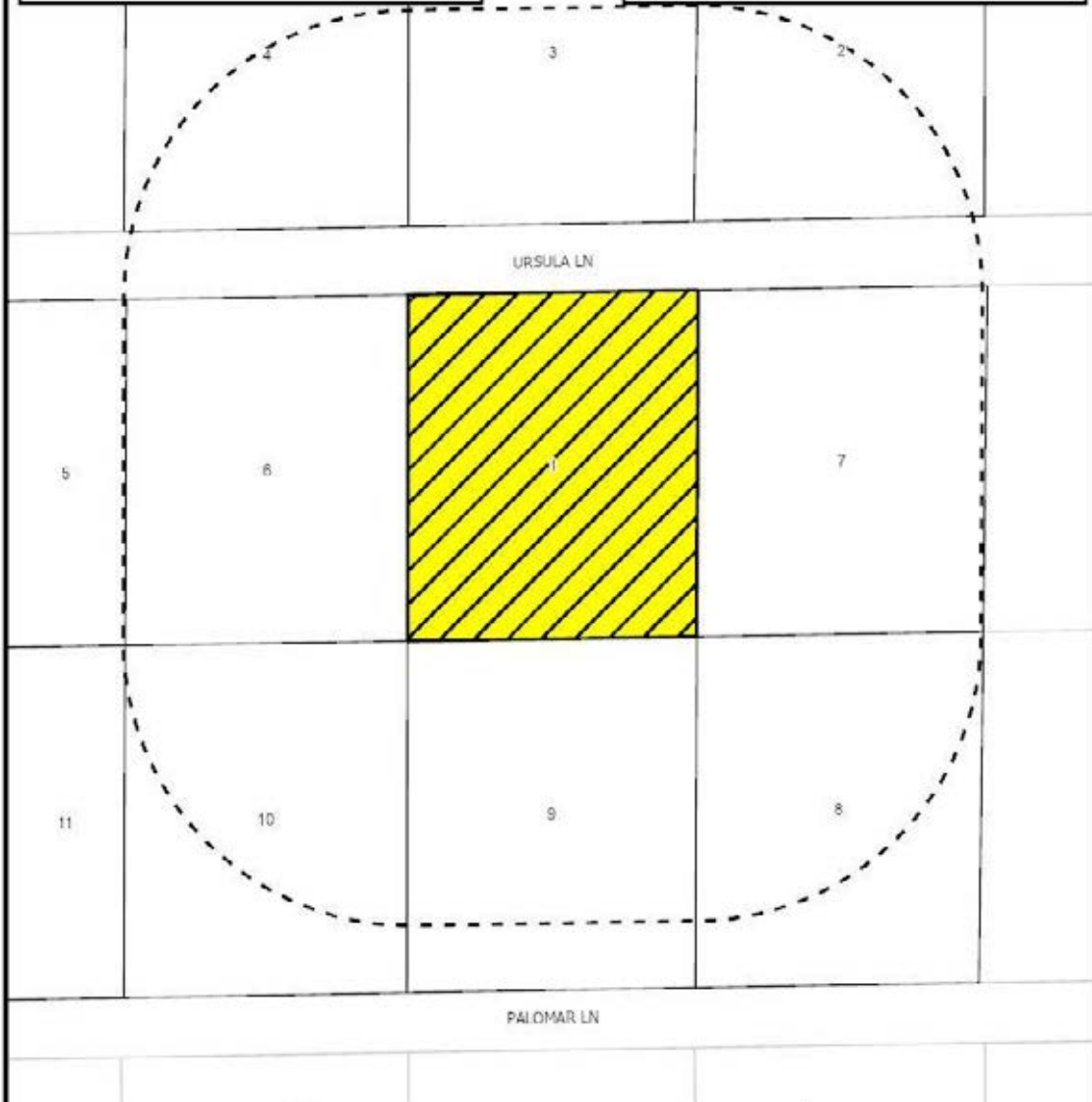


 1:1,200	<h1>AERIAL MAP</h1>	Case no: <u>BDA234-122</u> Date: <u>09/13/2024</u>
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The area of request is hatched [diagonal lines]. Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property 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 [diagonal lines]. 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
11 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-122**
 Date: **9/13/2024**

09/13/2024

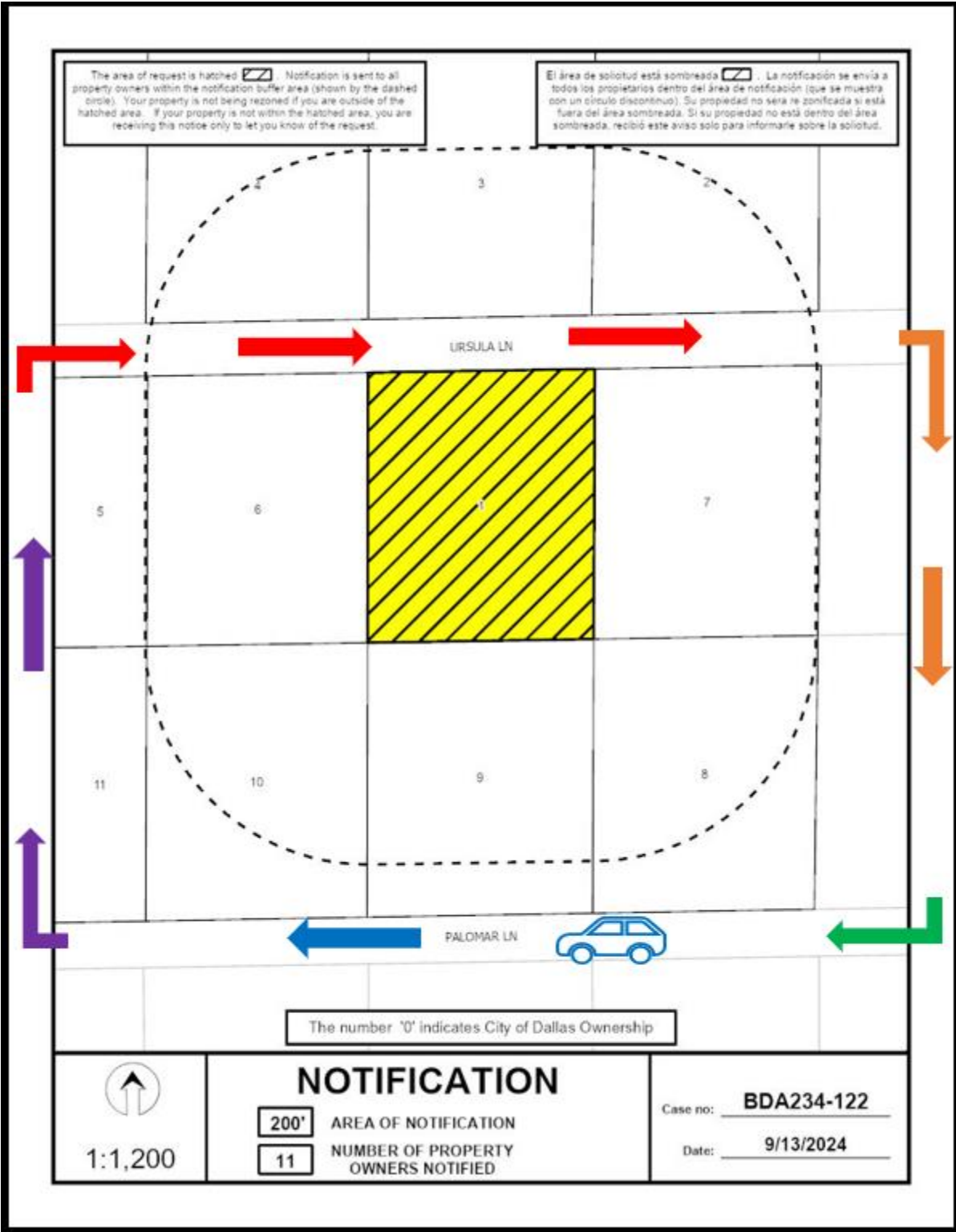
Notification List of Property Owners

BDA234-122

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5314 URSULA LN	MAHAN HUNTER & KANDI
2	5331 URSULA LN	KARLSENG CATHERINE
3	5315 URSULA LN	LIU QING
4	5233 URSULA LN	SIEGEL MARK J
5	5214 URSULA LN	HARBERG JOSEPH L &
6	5230 URSULA LN	UZELAC THEODORE D &
7	5330 URSULA LN	GEHAN PETER M & KARA E
8	5331 PALOMAR LN	FAGELMAN MICHAEL & KERRY
9	5315 PALOMAR LN	KAHN MICHAEL IAN &
10	5233 PALOMAR LN	COUSINS JOHN D TR &
11	5215 PALOMAR LN	DEVENING JASON B & KARA D

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

- DATE: WEDNESDAY, DECEMBER 18, 2024
- BRIEFING: 10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
- HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment. This case was held under advisement on November 20, 2024.

BDA234-122(BT) Application of Eddie Grothaus for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations at 5314 URSULA LANE. This property is more fully described as Block C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations, and to construct 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.

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

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

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

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

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

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

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

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



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234122

RECEIVED AUG 26 REC'D BY:

Data Relative to Subject Property: _____ Date: _____

Location address: 5314 URSUCA LN 75229 Zoning District: R-1AC

Lot No.: 5 Block No.: C/5518 Acreage: 1.1 Census Tract: _____

Street Frontage (in Feet): 1) 200' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment: JENNIFER CERRETO
Owner of Property (per Warranty Deed): TRUSTEE OF THE 4610 SOUTH LINDHURST AVENUE TRUST

Applicant: EDWARD GROTHAUS Telephone: 214 914 0079

Mailing Address: 4004 BARNES BRIDGE RD Zip Code: 75228

E-mail Address: EDDIE@HAUSCOHOMES.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 FENCE/GATE HEIGHT & STANDARDS. SEEKING TO CONSTRUCT SEMI-PRIVATE ENTRY GATES (2) AND WING WALLS AT 72" HEIGHT. PICTURE OF SLIDING GATE ATTACHED.

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 & SECURITY AS FAMILY TRAVEL SCHEDULE IS PUBLIC KNOWLEDGE.

WINGWALL OPACITY 0%

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

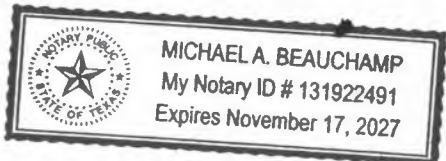
Before me the undersigned on this day personally appeared EDWARD GROTHAUS (Affiant/Applicant's name printed)

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 23 day of July 2024

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



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

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that EDDIE GROTHAUS

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations
at 5314 Ursula

BDA234-122. Application of EDDIE GROTHAUS for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations at 5314 URSULA LN. This property is more fully described as Blcok C/5518, Lot 5, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot-high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations, and to construct 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 standard regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-122

I, Jennifer Cerreto, 4610 S. Lindhurst Trust, Owner of the subject property
(Owner or Grantee of property as it appears on the Warranty Deed)

at: 5314 Ursula Ln, Dallas TX
(Address of property as stated on application)

Authorize: Edward Grothman IV
(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)

~~X~~ Variance (specify below) SE

X Special Exception (specify below) Fence Height

Other Appeal (specify below)

Specify: Construct 72" entry gates and wing walls
at 2 entries. WING WALL OPACITY 0%

Jennifer Cerreto, 4610 S. Lindhurst Trust Jen Cerreto
Print name of property owner or registered agent Signature of property owner or registered agent

agent Date 7/16/2024

Before me, the undersigned, on this day personally appeared
JENNIFER CERRETO

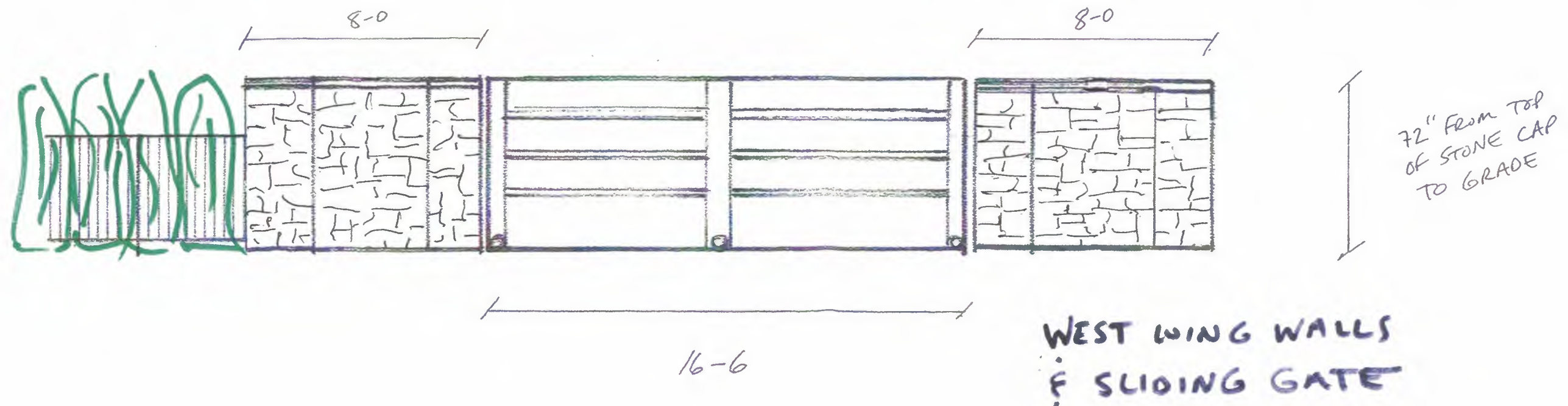
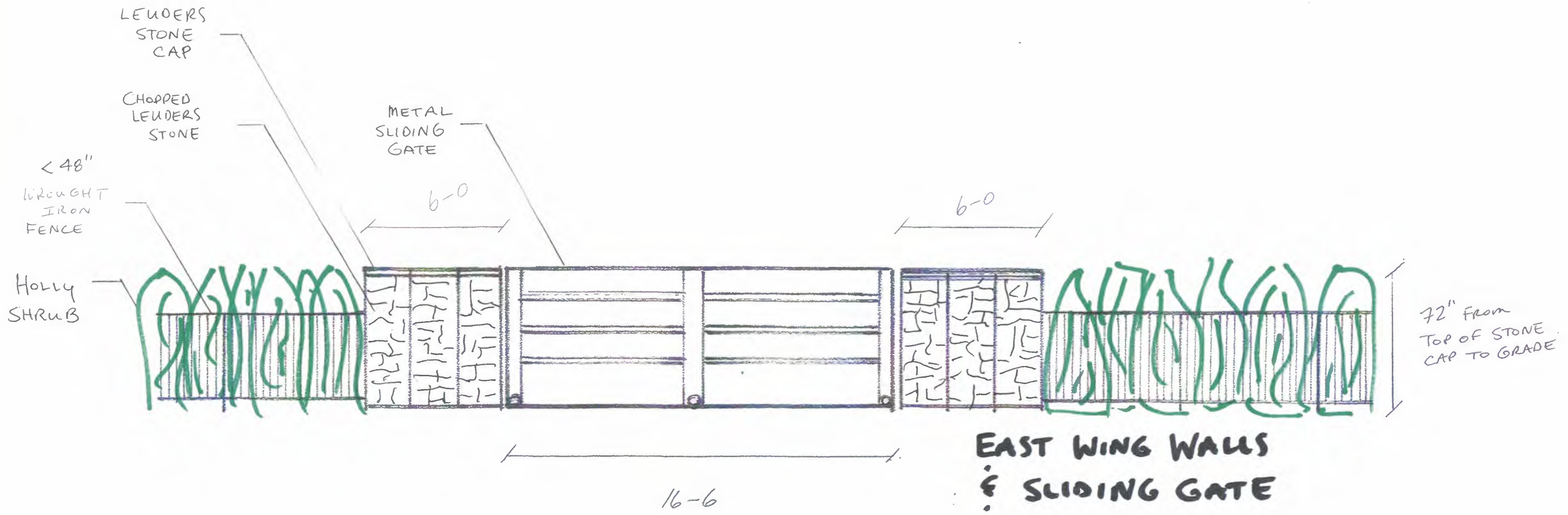
Who on his/her oath certifies that the above statements are true and correct to his/her best

knowledge. Subscribed and sworn to before me this 16TH day of
July, 2024

[Signature]

Commission expires on Sept. 10, 2027

SANDRA BACA CASTILLO
Notary Public
State of New Jersey
My Commission Expires Sept. 10, 2027



FILE NUMBER: BDA234-130 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations at 9820 Royce Dr. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require **(1)** a 5-foot variance to the front-yard setback regulations.

LOCATION: 9820 Royce Drive

APPLICANT: Alma Rocio Davalos

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

1. Variance to the front yard setback regulations

Denial

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. The subject site is 14,810.4 sq ft. which is larger than the minimum lot size for a residential use in the R-10(A) zoning district (10,000 sq ft.), and is not sloped or irregularly shaped; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is a self-created or personal hardship. The construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly constructed the single-family home with a 25 foot front yard setback in error making this a self-created hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 9820 Royce Drive within the last 5 years.

Square Footage:

This lot contains 14,810.4 of square feet.

This lot is zoned R10(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 Alma Rocio Davalos property located at 9820 Royce Drive focuses on 1 request relating to the front yard setback regulations.
- A request for a variance to the front yard setback regulations of 5-feet is made to construct and/or maintain a single-family residential structure.
- The subject site is a mid-block lot and has single street frontage on Royce 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 single-family structure and located within an established neighborhood.
- It is imperative to note that the construction of the existing single-family home was approved under building permit #2312111179 on 3/15/2024 with a site plan showing the required 30 foot front yard setback; per the applicant, the developer mistakenly assumed a 25 foot front yard setback was required.

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.
 - 5-foot variance to the front yard setback regulations.
 - 200' Radius Video: [BDA234-130 at 9820 Royce Dr.](#)

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 **B**.
- 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.







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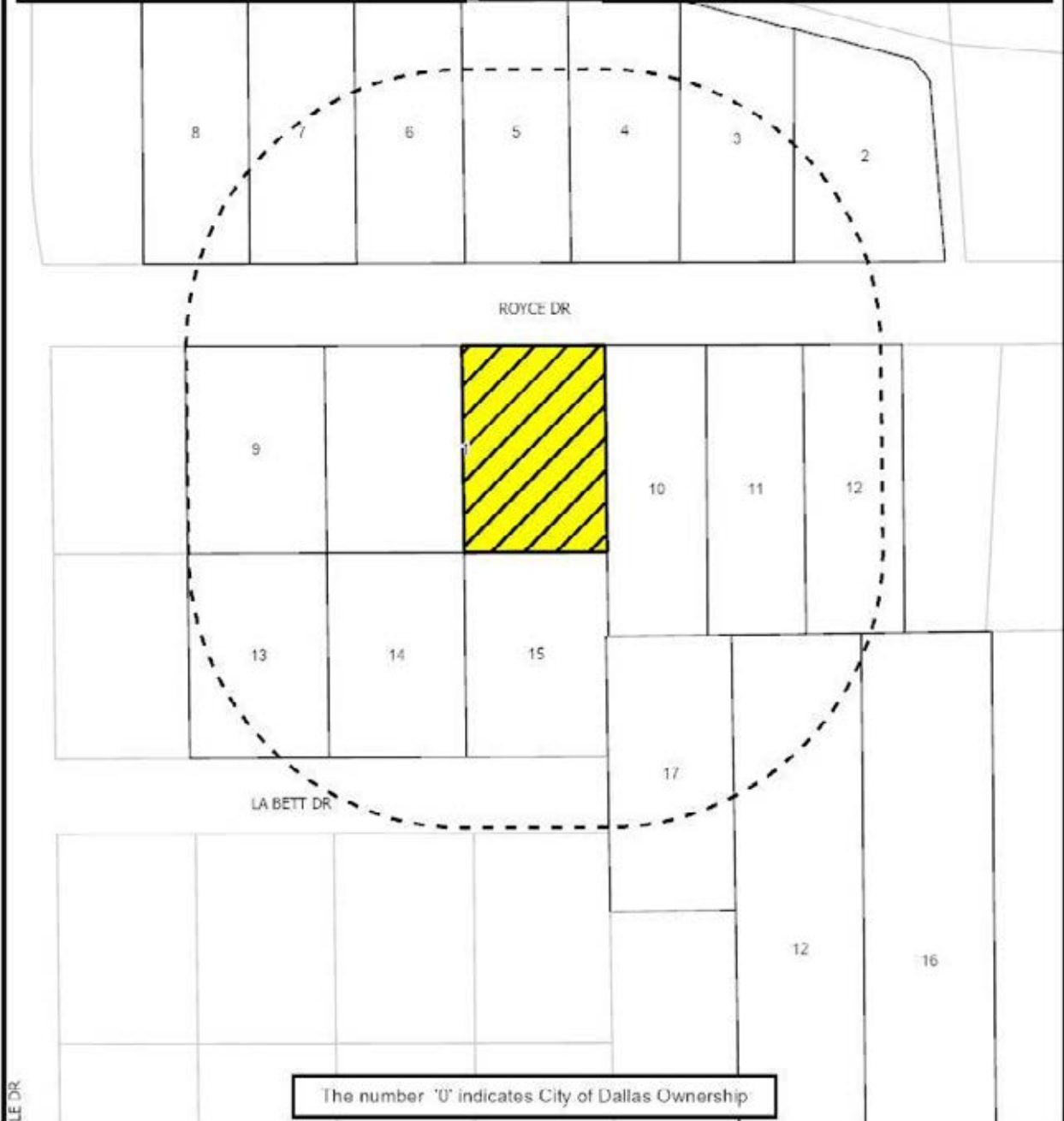
ZONING MAP

Case no: BDA234-130

Date: 11/04/2024

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.

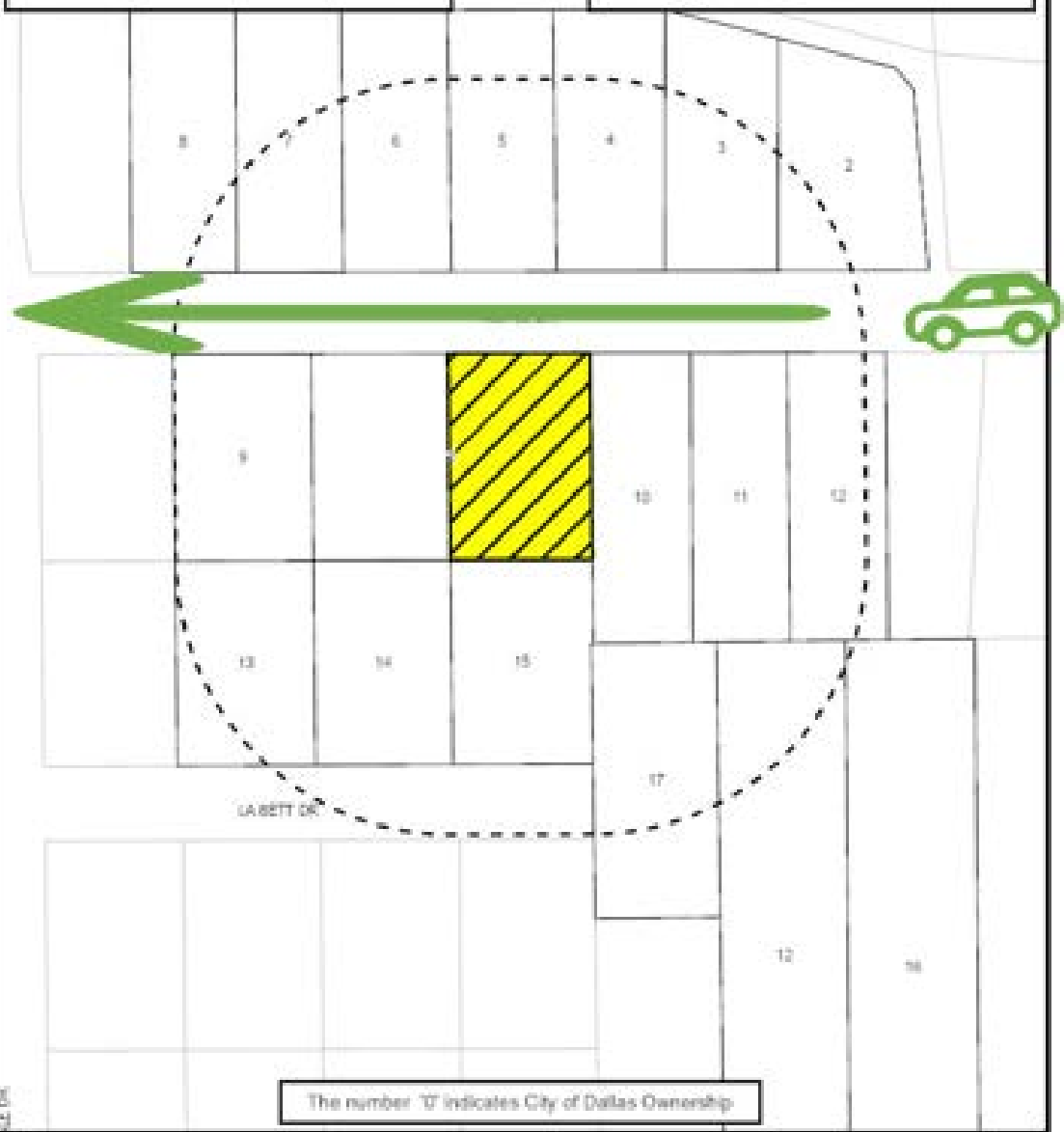


The number '0' indicates City of Dallas Ownership

 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-130
	<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;">17</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 11/4/2024

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 notified 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 notificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, reciba este aviso solo para informarle sobre la solicitud.



The number '17' indicates City of Dallas Ownership

 1:1,200	NOTIFICATION	Case no: BDA234-130			
	<table border="0"> <tr> <td style="border: 1px solid black; padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">17</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	17	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
17	NUMBER OF PROPERTY OWNERS NOTIFIED				

11/04/2024

Notification List of Property Owners

BDA234-130

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9816 ROYCE DR	LIMON ALMA ROCIO DAVALOS &
2	9833 ROYCE DR	VARELA RAUL
3	9829 ROYCE DR	BENITEZ GERARDO
4	9825 ROYCE DR	VALENZUELA GRACIELA
5	9821 ROYCE DR	VEGA JUAN JOSE &
6	9817 ROYCE DR	MONTENEGRO GLORIA PARAMO
7	9813 ROYCE DR	SOTO ANDRES
8	9809 ROYCE DR	LEIJA LORENZO &
9	9810 ROYCE DR	RIOS JOSE IGNACIO
10	9922 ROYCE DR	BRADLEY PATSY A
11	9926 ROYCE DR	COLCHADO DAVID PEREZ
12	9930 ROYCE DR	MENDOZA CARLOS &
13	13 LA BETT DR	VASQUEZ RAFAEL CONTRERAS
14	9819 LA BETT DR	LEIJA JOSE A
15	9827 LA BETT DR	Taxpayer at
16	9925 TEAGARDEN RD	GUERRERO BRIDGET ESQUIVEL
17	9835 LA BETT DR	HORTON PAULA DEAN

 1:1,200	NOTIFICATION	Case no: BDA234-130
	200' AREA OF NOTIFICATION 17 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/4/2024

NOTICE OF PUBLIC HEARING

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

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

- DATE:** **WEDNESDAY, NOVEMBER 20th, 2024**
- BRIEFING:** **10:30 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa1120B>**
- HEARING:** **1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street. <https://bit.ly/boa1120B>**

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

BDA234-130(CJ) Application of Alma Rocio Davalos represented by Douglas Lemus for **(1)** a variance to the front-yard setback regulations at **9820 ROYCE DRIVE**. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require **(1)** a 5-foot variance to the front-yard setback regulations.

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

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

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

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

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

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

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

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

AVISO DE AUDIENCIA PÚBLICA

JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)

POR LA PRESENTE SE NOTIFICA que la **JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL B)** celebrará una audiencia de la siguiente manera:

FECHA: **MIÉRCOLES, 20 DE NOVIEMBRE DE 2024**

SESIÓN INFORMATIVA: **10:30 a.m.** Vía **Videoconferencia** y en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. <https://bit.ly/boa1120B>

AUDIENCIA: **1:00 p.m.** Vía **Videoconferencia** y en **6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. <https://bit.ly/boa1120B>

El propósito de la audiencia es considerar las siguientes apelaciones actualmente pendientes ante la Junta de Ajuste.

BDA234-130 (CJ) Solicitud de Alma Rocío Dávalos representada por Douglas Lemus por **(1)** una variación a las regulaciones de retroceso del patio delantero en **9820 ROYCE DRIVE**. Esta propiedad se describe más detalladamente como Bloque B / 8486, Lote 4, y está zonificada R-10 (A), que requiere un retroceso de 30 pies en el patio delantero. El solicitante propone construir y/o mantener una estructura residencial unifamiliar y proporcionar un retranqueo de 25 pies en el patio delantero, lo que requerirá **(1)** una variación de 5 pies a las regulaciones de retranqueo del patio delantero.

Usted ha recibido este aviso porque posee una propiedad dentro de los 200 pies de la propiedad anterior. Es posible que le interese asistir a la audiencia de la Junta de Ajuste para expresar su apoyo u oposición a la solicitud. También puede comunicarse con la Junta de Ajuste por correo electrónico a BDAREPLY@dallas.gov. Se aceptarán cartas hasta las 9:00 a.m. del día de la audiencia, si no puede asistir a la audiencia. Si decide responder, es importante que informe a la Junta sus razones para estar a favor o en contra de la solicitud. Los miembros de la Junta están muy interesados en su opinión.

Nota: Cualquier material (como planos, elevaciones, etc.) incluido en este aviso puede estar sujeto a cambios.

La audiencia de la Junta de Ajuste se llevará a cabo por videoconferencia y en 6ES en el Ayuntamiento. Las personas que deseen hablar de acuerdo con las Reglas de Procedimiento de la Junta de Ajuste **uniéndose a la reunión virtualmente**, deben registrarse en línea en <https://bit.ly/BDA-B-Register> **antes del cierre de las operaciones el martes 19 de noviembre de 2024. Todos los oradores virtuales deberán mostrar su video para dirigirse a la junta. Los oradores presenciales pueden registrarse en la audiencia.** El Departamento de Asuntos Públicos y Divulgación también transmitirá la audiencia pública en el canal 96 o 99 de Spectrum Cable; y bit.ly/cityofdallastv o [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

Los oradores en la reunión tienen un máximo de tres minutos para dirigirse a la Junta.

Se puede obtener información adicional sobre la solicitud llamando a Cambria Jordan, Planificadora Senior al (214) 948-4476, o Mary Williams, Secretaria de la Junta al (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Junta de Ajuste,
Departamento de Planificación y Desarrollo
1500 Marilla Street, 5CN, Dallas, TX 75201

**POR FAVOR, ENVÍE SUS
RESPUESTAS A:**

BDAREPLY@dallas.gov

**Las cartas se recibirán hasta las
9:00 a.m. del día de la audiencia.**

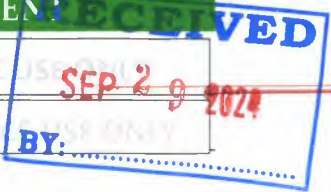
POR FAVOR REGÍSTRESE EN:



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT



Case No.: BDA 234-130

Data Relative to Subject Property: _____ Date: _____

Location address: 9820 Royce Dr, Dallas TX 75217 Zoning District: _____

Lot No.: 4 Block No.: B8486 Acreage: .34 Census Tract: _____

Street Frontage (in Feet): 1) 99.89 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): ~~Dora~~ luxury realty llc (Douglas Lemus Alma Rocio Davalos)

Applicant: Douglas Lemus Telephone: 214 289 8798

Mailing Address: 10316 bel Aire Dr, Dallas TX Zip Code: 75218

E-mail Address: dclhomessignature77@gmail.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 Set back

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 project manager made a mistake of the set-back, he though the set back was 25ft since that's what shows on the approved plans. zoning never stopped the project either.

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

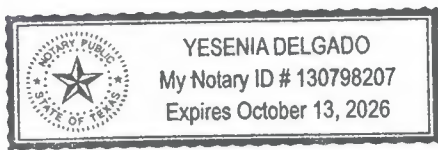
Before me the undersigned on this day personally appeared Douglas Lemus
(Affiant/Applicant's name printed)

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 31 day of October, 2024

Yesenia Delgado
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 Alma Rocio Davalos LImon
represented by Douglas Lemus
did submit a request for (1) a variance to the front-yard setback regulations
at 9820 Royce Dr.

BDA234-130. Application of Alma Rocio Davalos represented by Douglas Lemus for (1) a variance to the front-yard setback regulations at 9820 ROYCE DR. This property is more fully described as Block B/8486, Lot 4, and is zoned R-10(A), which requires a front-yard setback of 30-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 25-foot front-yard setback, which will require (1) a 5-foot variance to the front-yard setback regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT:		OWNER: <i>Alma Davalos</i>	
ADDRESS: <i>9820 Royce Dr.</i>	STATE: <i>TX</i>	ZIP: <i>75217</i>	
LOT: <i>4</i>	BLOCK: <i>B/8486</i>	ZONING: <i>R-10CA</i>	

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

Please list the City of Dallas Development Code(s) this project is non-compliant with:
51A-4.112 (c)(4)(A)

Description: *30' front yard setback required. Plan reviewer noted on site plan and was missed in the field*

Alternative resolutions discussed/offered:
Structure is framed and complete - red tagged - Variance

Referred by: *Srudenis* Contact: *214-948-4327* Date: *09/09/2024*



Appeal number: BDA 234-130

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

at: 9816 Rayce Dr Dallas TX 75217
(Address of property as stated on application)

Authorize: Alma Roco Davalos
(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: Project manager made a mistake on the set back lines, the city inspectors never caught the mistake either. The set back line needs to be 30ft but we did it at 25ft like the plans state

Douglas Lemus
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 09-20-24

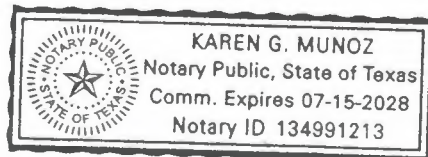
Before me, the undersigned, on this day personally appeared

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

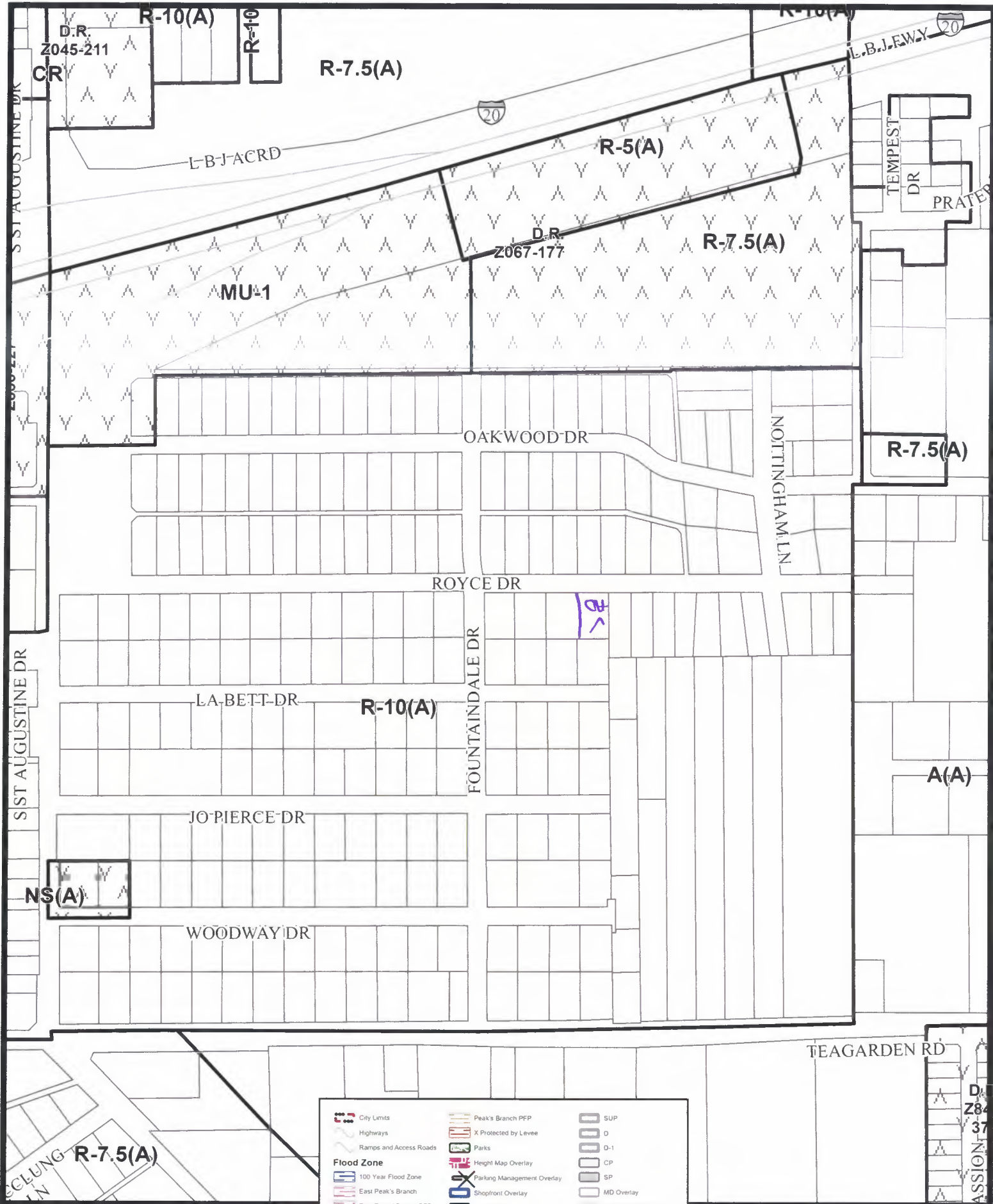
knowledge. Subscribed and sworn to before me this 20 day of

September, 2024

Karen Munoz
Notary Public for Dallas County,
Texas



Commission expires on 7-15-2028



1:4,800

	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		Shopfront 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
	Peak's Branch		Deed Restrictions		PDS Subdistricts
		157			NSO Subdistricts

Case ID:

Printed: 9/13/2024



FRONT ELEVATION

51A-2.102
 (47) HEIGHT means the vertical distance measured from grade to:
 (A) for a structure with a gable, hip, or gambrel roof, the midpoint of the vertical dimension between the lowest eaves and the highest ridge of the structure;
 (B) for a structure with a dome roof, the midpoint of the vertical dimension of the dome; and
 (C) for any other structure, the highest point of the structure.

R404.1.6 Height above finished grade. Concrete and masonry foundation walls shall extend above the finished grade adjacent to the foundation at all points a minimum of 4 inches (102 mm) where masonry veneer is used and a minimum of 6 inches (152 mm) elsewhere.

SUBJECT TO FIELD INSPECTOR'S APPROVAL

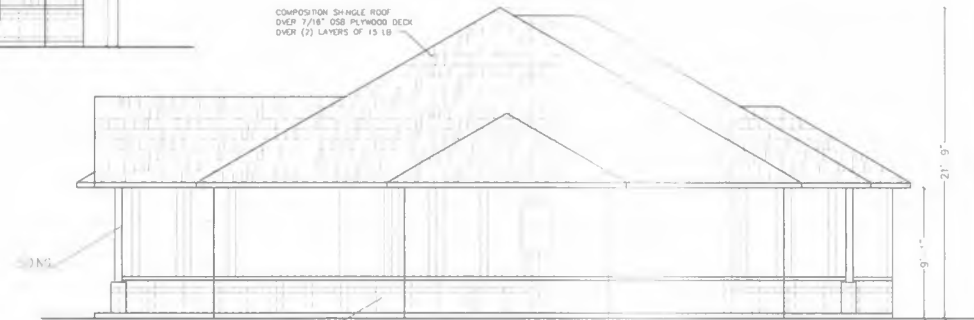


MIDPOINT 5' 5"

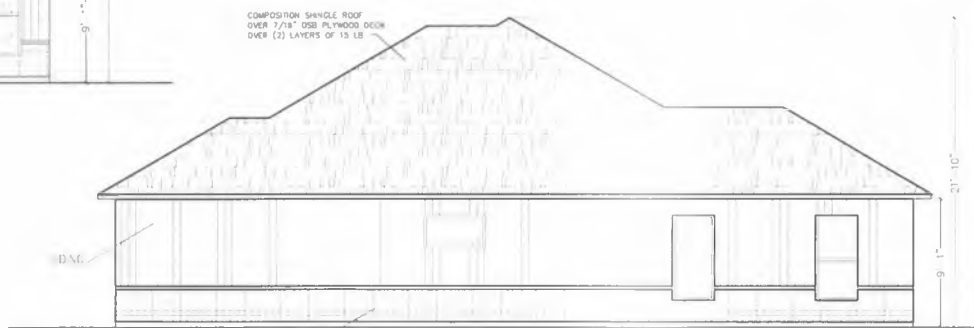


REAR ELEVATION

A2 ELEVATIONS
 00 Scale: 1/4"=1'-0"



RIGHT ELEVATION



LEFT ELEVATION

ALMA DAVALOS
 9820 ROYCE DR
 DALLAS, TX.

GENERAL NOTES

1. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
2. ALL MATERIALS SHALL BE APPROVED BY THE CITY OF DALLAS BUILDING DEPARTMENT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF DALLAS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING LANDSCAPE AND PLANTINGS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF DALLAS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING LANDSCAPE AND PLANTINGS.

PROJECT No: 138-2023

DRAWN: C C

ISSUED

No	DATE	SUBMISSION
1	03-15-2024	ISSUE FOR PERMIT



ELEVATIONS

SHEET
 A2.00

SUBJECT TO FIELD INSPECTOR'S APPROVAL

R303 Light, Ventilation and Heating
Apply ICC IRC code as it applies

R310 EMERGENCY ESCAPE AND RESCUE OPENINGS
Basement's habitable attic and every sleeping room
shall have not less than one operable emergency
escape and rescue opening

Means of Egress R311 IRC
Dwellings shall be provided with a
means of egress in accordance with
this section

Smoke Alarms shall comply with
NFPA 72 and Section R314

R-314.3 Smoke Alarm locations
1) Sleeping rooms
2) Outside separate sleeping
area
3) On each additional story
see IRC 2015 full explanation

Carbon Monoxide Alarm
comply with Section R315



ALMA DAVALOS
9820 ROYCE DR
DALLAS, TX.



AG	SZ	QTY	UNIT
D-01	3' 0" X 7' 0"	2	DOOR
D-02	2' 6" X 7' 0"	4	DOOR
D-03	2' 0" X 7' 0"	6	DOOR
D-04	22 5" X 55"	1	DOOR
D-05	7' 6" X 7' 0"	4	DOOR
D-06	6' 0" X 7' 0"	1	DOOR

AG	SZ	QTY	UNIT
A	3' 0" X 5' 0"	11	WINDOW (eg)
B	2' 0" X 3' 0"	2	WINDOW (eg)
C	4' 0" X 2' 0"	1	WINDOW (eg)

eg: 1 GR SS WINDOW, MINIMUM 1.3 GALLONS PER FLUSH

- 1. ALL CHANGES TO BE 9' 0" OR LESS
- 2. BUILDING APPROVAL & VENDOR APPROVAL REQUIRED
- 3. VERIFY ALL PLANS W/ OWNER
- 4. W/ & VAC TO BE N/A
- 5. PROVIDE SUIVAV
- 6. ALL GLASS OCCASION WITHIN 60" OF

Green Building Program
 average flow rate for all lavatory faucets must be 2.0 g.p.m.
 average flow rate for all showerheads must be 2.0 g.p.m.
 average flow rate for all toilets must be 1.3 gallons per flush.
 utilize energy star labeled dish washers
 that use 6.0 gallons or less per cycle

A1 BEDROOMS 1 GR SS W/ MINIMUM 1.3 GALLONS PER FLUSH
 AIR TO MEET A MINIMUM 1.3 GALLONS PER FLUSH
 O MINIMUM 1.3 GALLONS PER FLUSH
 SECTION R310.

GENERAL NOTES
 1. ALL CHANGES TO BE 9' 0" OR LESS
 2. BUILDING APPROVAL & VENDOR APPROVAL REQUIRED
 3. VERIFY ALL PLANS W/ OWNER
 4. W/ & VAC TO BE N/A
 5. PROVIDE SUIVAV
 6. ALL GLASS OCCASION WITHIN 60" OF

PROJECT No.	138-2023	
DRAWN	C.C.	
ISSUED		
No	DATE	SUBMISSION
1	03-15-24	ISSUE FOR PERMIT



FLOOR PLAN
SHEET
A1.00

A1 FLOOR PLAN
00 Scale: 1/4"=1'-0"

CITY OF DALLAS, TX

REMODELING/ADDITION
SINGLE FAMILY RESIDENCE

CLIENT:

ALMA DAVALOS
9820 ROYCE DR.
DALLAS, TX.

LEGAL INFORMATION:

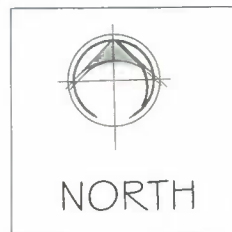
- 1: FOREST HEIGHTS
- 2: BLK B/8486 LT 4 ACS 0.6887
- 3: 14X50 72 MH S#FR211451492MC
- 4: INT202000325691 DD11132020 CO-DC
- 5: 8486 00B 00400 3DA8486 00B

SQUARE FOOTAGE:

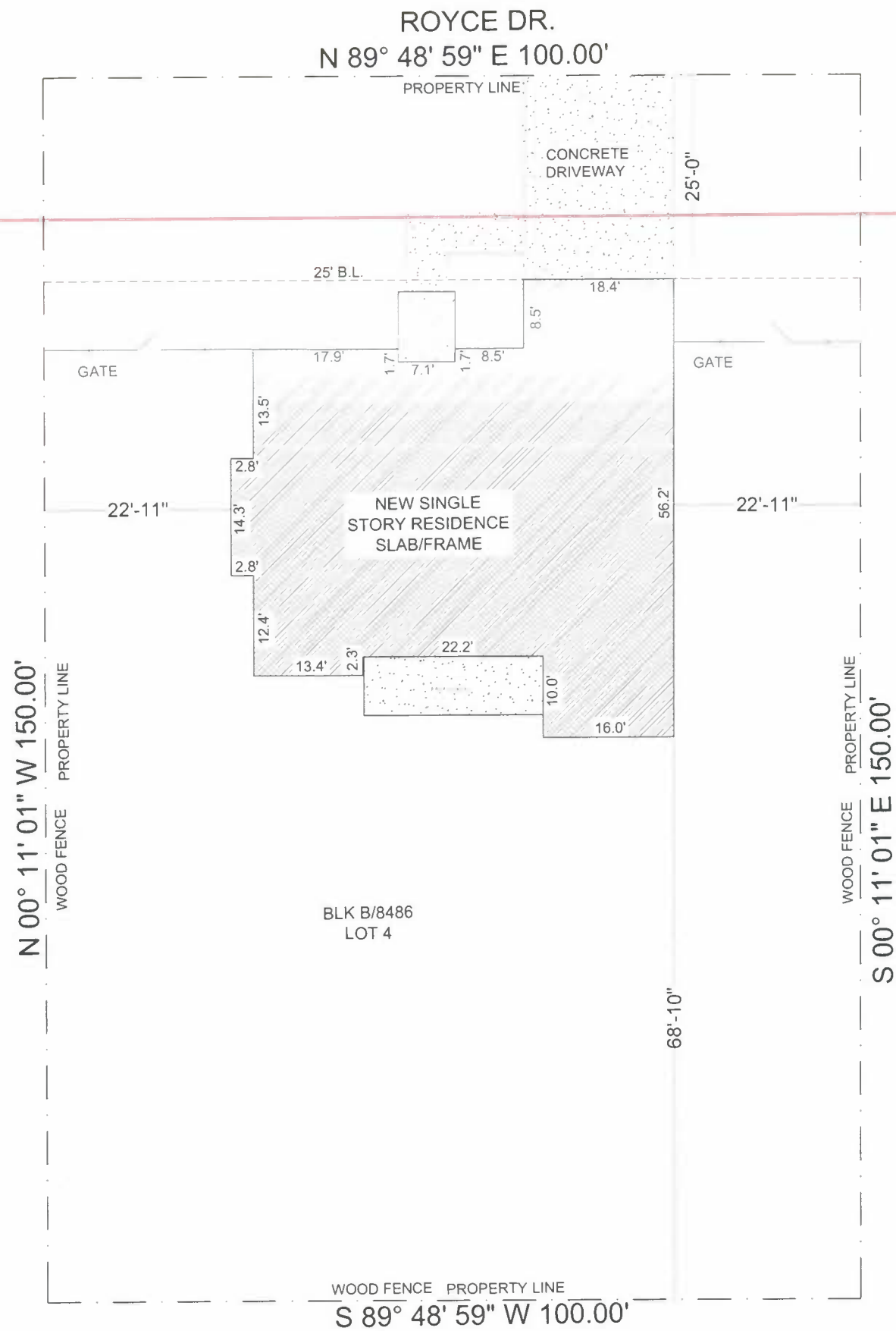
Land: 15,000 SQ.FT.
New Living Area: 1,816 SQ.FT.
New Garage: 393 SQ.FT.
NEW TOTAL: 2,209 SQ.FT.



VICINITY MAP N.T.S.



C1 SITE PLAN
00 Scale: 1/8"=1'-0"



ALMA DAVALOS
9820 ROYCE DR
DALLAS, TX.

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF ALL EXISTING AND PROPOSED UTILITIES, ERECTION AND CONSTRUCTION OF ALL UTILITIES AND SHALL NOTIFY THE OWNER OF ANY DISCREPANCIES AND CORRECTIVE ACTION PRIOR TO THE START OF CONSTRUCTION.

2. THESE PLANS ARE INTENDED FOR THE GENERAL CONTRACTOR'S USE ONLY AND ARE NOT EXHAUSTIVELY DETAILED FOR CONSTRUCTION.

3. THE GENERAL CONTRACTOR SHALL SUPERVISE CONSTRUCTION AND SHALL BE RESPONSIBLE TO SELECT, VERIFY, RESOLVE AND MAINTAIN ALL EQUIPMENT AND MATERIALS AND TO CONTROL THE QUALITY OF THE WORK.

4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE ANNOTATED CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES, AND REGULATIONS.

5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY TO THE INSTALLATION OF THE STRUCTURE(S) OF THE PROJECT. OTHERWISE, IT IS RECOMMENDED THAT THESE PLANS BE REVIEWED BY A QUALIFIED PROFESSIONAL ENGINEER.

PROJECT No. 085-2023

DRAWN: C.C.

ISSUED:

No.	DATE	SUBMISSION
1	04-01-2023	ISSUE FOR B PERMIT

CONSTRUCTION CONSULTANTS
9720 CORT RD SUITE 220-180
PLANO TX 75025
M 214-394-5787
E VINTRACC@GMAIL.COM
www.vintracc.com

SITE PLAN
SHEET:
C1.00

12/02/2024

ALMA DAVALOS
9720 ROYCE DR.
DALLAS, TX. 75023

Thank you for the opportunity to present my proposal to you, for the project mentioned. This proposal is according to the necessary time of drafting services and reimbursable expenses, of the project by Owner's provided information, to be submitted for the Building Permit submission to the City Building Permit Department

The scope of work will be as follows:

- **RESIDENTIAL, SINGLE FAMILY**

My Proposal includes Services to accomplish in a best human manner the completion of the drafting process for the Building Permit submission in -- business days after receiving the 50% deposit (any owner additional request or change will add the necessary time to accomplish unexpected modifications), based on the information provided by owner and site visit. All fees for drafting, reimbursable expenses will not exceed a maximum **amount of \$8,500.00**. This amount will cover two complete set of the plans to be submitted, all other changes will be charged at \$150.00/hr. for principal and \$50.00/hr. for assistant drafter, owner will pay for extra set of copies and other reimbursable expenses incurred.

THE TOTAL AMOUNT OF THIS PROPOSAL IS \$8,500.00 (Eight Thousand Five Hundred00/100) for drafting and design services including Reimbursable Expenses.

Site plan, floor plan(s), elevation(s), Roof , electrical, plumbing ,frame, foundation, energy report.

Clarifications and Exclusions:

- Any further Site Visit, after 1st. site visit, will be charged at \$100.00 per visit
- No Soil Test Report, Level or Dimensional control)
- No Topographical / Hydraulic / Drainage / Erosion Control / R.A.R. Plans
- Any other changes to plans not included on revision approved
- Any Asbestos Abatement Report
- Any TXDOT or Traffic Analysis, Report or Drawing
- No S.W.P.P. Report or inspection
- No Blow Test Door
- No grease trap / sand trap interceptor calculation report
- No Building Permit Fees ,General Contractor Registration / General Repair License application fee
- No Plat / No Survey /No Soil Test Report
- No backflow test

- No M.E.P. / No Electric, CFM AIR Flow or Manual J A/C Load Calculations
- No Permit Processing or submission to City Authorities
- No parking or access agreement.
- If property is affected by easements, liens, records, judge or court declarations or any other restriction that will obstruct the process, owner will be solely responsible to resolve to continue the process.
- Any other or special Governmental fees and Documents, Taxes, Permits or Inspection Fees
- And any other document related to the drawings provided by Owner and drafted.
- All reimbursable expenses not included on this proposal will be charged to the owner separately.
- Any work or service not identified in the above scope of work or unforeseen.
- Any additional work or service that is not indicated in this document and not included in the proposal will be subject to a written order.
- No any Engineer visit, Structural, Foundation or any other kind of Engineer Letter order by the City
- No asbestos survey, report or remediation.
- No COMchek
- No TDLR

In the event that CC will process all building permit applications with all our best effort, reasonable care and skills and in accordance with all procedures prescribed by the City of Authority. We do not guarantee on the building permit submission to detect errors with your construction documents, and we do not undertake to verify any information you provide, which you are responsible for ensuring is accurate.

CC shall have no liability for loss, delays or non-issuance of any building permit application arising from or in connection with (to include but not restricted to) incomplete application forms, incorrectly or falsely completed application forms, and inaccurate or incomplete supporting documentation.

No liability for events not in our control.

CC shall not be considered to be in breach of contract or negligent or otherwise liable in any way for any delay or failure of any building permit application or loss, damage or delay to any construction permit or other documents due to accident, theft, natural calamities (act of god) or any other reason outside the control of, and not arising out of a willful default of, CC, or for the loss or damage to any construction permit or other document after it has been handed over to the applicant.

If for any reason client, architect or owner decides to cancel, hold or disregard the drafting process a 0% of the amount received will be retained as part of the fees incurred on the drafting services.

Payments;

50% of \$_4,250.00 __ Advance Payment prior to commence work.

50% of \$_4,250.00 __ At completion of work, prior submitting to City Building Permit Department or Job beginning, no exclusions.

It is solely responsibility from owner that property complies with all the requirements, codes and regulations by law, and in the event that our company shall submit any documentation to city authorities will be exempt of this matters or issues, stating that no responsibility will be for our company, and all the expenses incurred will be charged separately. If for any reason or circumstance city authority requests a different type of drawings, report, codes or requirements will be charged separately from our initial fees, from client/landlord/owner or any other person involved on this project, showed previously in this proposal.

Lead time frame for drafting services after owner approves and completes as required, 8 business days.

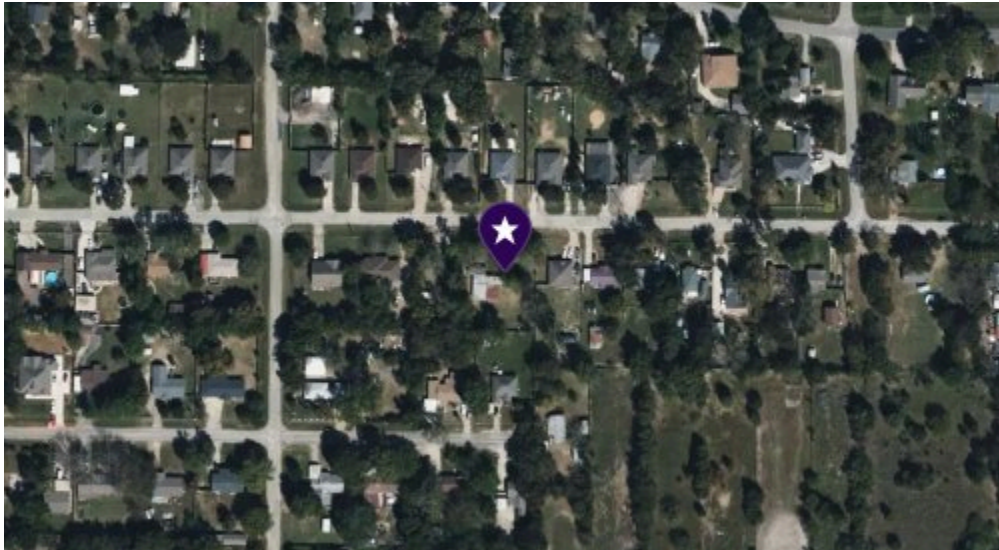
Lead time building process from city authority is not responsibility for our company or employees, and is solely responsibility of owner's property contractor to do the processing.

Sincerely,

ANTONIO ZAMPELLA

ALMA DAVALOS

Comparative Market Analysis



9820 Royce Drive, Dallas, Texas 75217

ALMA ROCIO DAVALOS

DECEMBER 5, 2024

Alma Davalos

Lugary Llc

What is a CMA

No two homes are identical, which is why choosing a sales price or offer price for a home can be challenging. That's where the comparative market analysis, or CMA, is most useful.

What is a CMA?

The CMA is a side-by-side comparison of homes for sale and homes that have recently sold in the same neighborhood and price range. This information is further sorted by data such as type of home, number of bedrooms, number of baths, lot size, neighborhood, property condition and features, and many other factors. The purpose is to show estimated market value, based on what other buyers and sellers have determined through past sales, pending sales and homes recently put on the market.

How is the CMA created?

CMAs are generated by using property information from your real estate agent's multiple listing service (MLS). The MLS is available to licensed members only, including brokers, salespeople, and appraisers, who pay dues to gain access to the service's public and proprietary data, including tax roll information, sold transactions, and listings input by all cooperating MLS members. Listing agents generate CMAs for their sellers, and buyer's agents create them for their buyers so both sides know what current market conditions are for the homes they're interested in comparing.

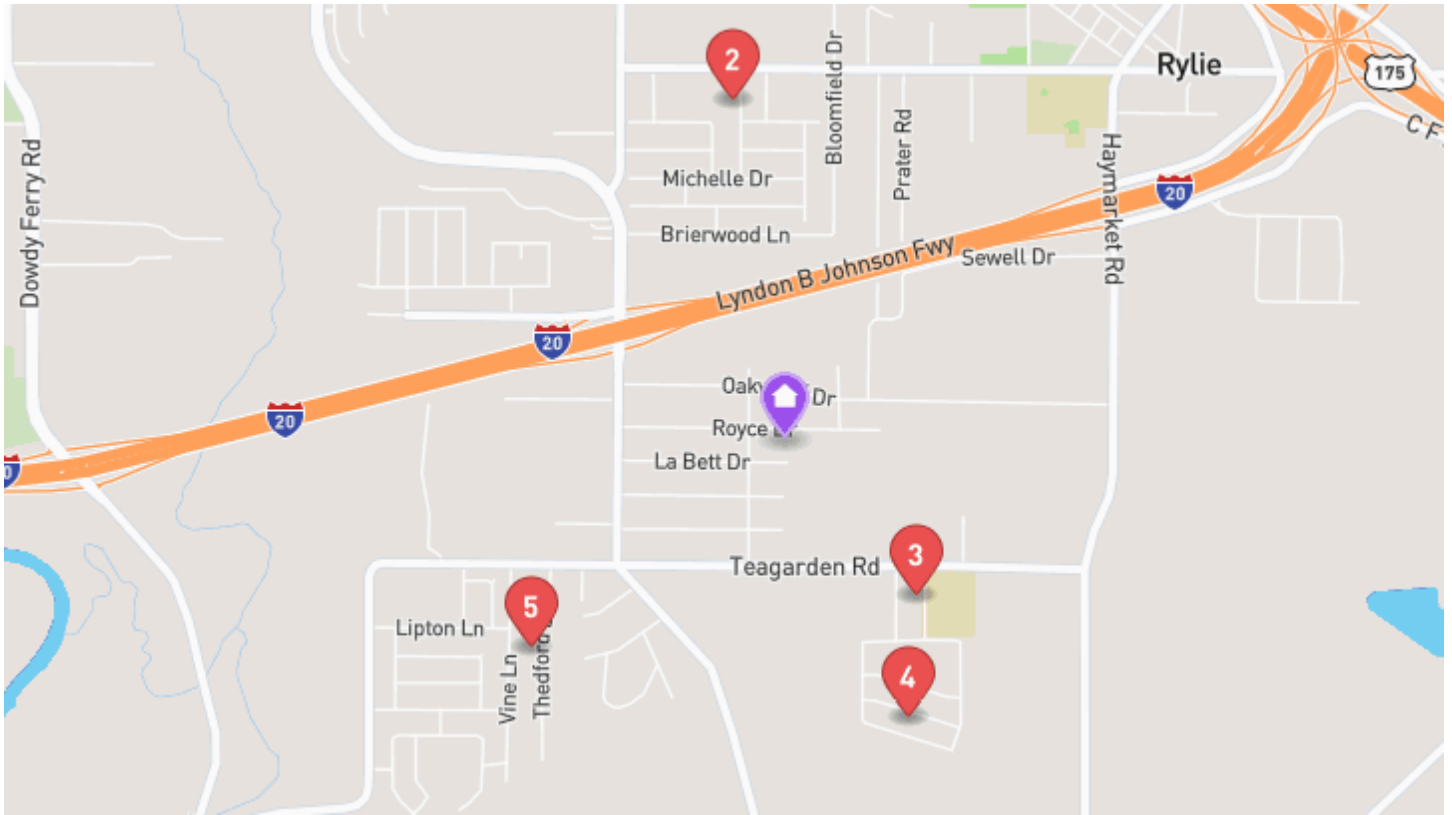
How accurate are CMAs?

The CMA is a here-and-now snapshot of the market, based on the most recent data available, but it can instantly be rendered obsolete by a new listing, or a change of status in a home with the same criteria. Why? The market is constantly changing - new listings, pending sales, closed sales, price reductions, and expired listings.

CMAs can vary widely, depending on the knowledge and skill of the person creating the CMA as well as the number and type of data fields that are chosen. That means some features may not be included.

As informative as the CMA is, it should only be used as a tool and should not substitute for your real estate professional's knowledge and advice.

Map of Comparable Listings



STATUS: S = CLOSED

MLS #	STATUS	ADDRESS	BEDS	BATHS	SQFT	PRICE
1	Subject	9820 Royce Dr	3	2.50	1,816	-
2	S	1323 Thorne Street	4	2.00	1,622	\$314,999
3	S	1933 Education Way	4	2.00	1,657	\$309,900
4	S	10080 Melon Avenue	3	2.00	1,705	\$315,000
5	S	2119 Thedford Drive	4	2.00	1,561	\$320,000

Summary of Comparable Properties

S SOLD LISTINGS

ADDRESS	SOLD DATE	BEDS	BATHS	SQFT	SOLD PRICE	\$/SQ.FT
1323 Thorne Street	6/28/24	4	2.00	1,622	\$314,999	\$194
1933 Education Way	4/19/24	4	2.00	1,657	\$309,900	\$187
10080 Melon Avenue	8/14/24	3	2.00	1,705	\$315,000	\$185
2119 Thedford Drive	12/28/23	4	2.00	1,561	\$320,000	\$205
Averages				1,636	\$314,974	\$193

Comparable Properties



1323 Thorne Street

Dallas, Texas 75217

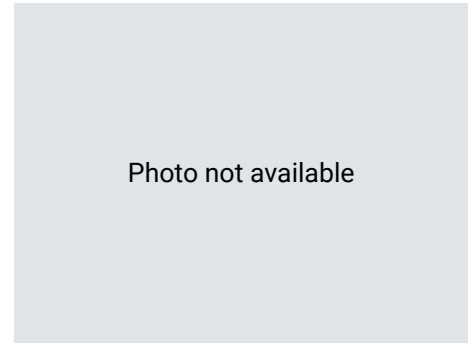
CLOSED 6/28/24



1933 Education Way

Dallas, Texas 75217

CLOSED 4/19/24



10080 Melon Avenue

Dallas, Texas 75217

CLOSED 8/14/24

Details

MLS #	20549572
List Price	\$314,999
Sold Price	\$314,999
Adjusted Price	-
Sold Date	6/28/24
\$/Sqft	\$194
DOM	6
Year Built	2024
Sqft	1,622
Lot Size (sqft)	12,458.16
Area	-
Taxes	918.0
Beds	4
Baths	2.00
Garages	1
Acres	0.286

Dave Perry Miller Real Estate

MLS #	20535127
List Price	\$299,900
Sold Price	\$309,900
Adjusted Price	-
Sold Date	4/19/24
\$/Sqft	\$187
DOM	28
Year Built	2021
Sqft	1,657
Lot Size (sqft)	6,229.08
Area	-
Taxes	5562.0
Beds	4
Baths	2.00
Garages	2
Acres	0.143

Compass RE Texas, LLC.

MLS #	20691926
List Price	\$315,000
Sold Price	\$315,000
Adjusted Price	-
Sold Date	8/14/24
\$/Sqft	\$185
DOM	12
Year Built	2023
Sqft	1,705
Lot Size (sqft)	4,996.33
Area	-
Taxes	-
Beds	3
Baths	2.00
Garages	2
Acres	0.1147

United Real Estate DFW

Comparable Properties



2119 Thedford Drive

Dallas, Texas 75217

CLOSED 12/28/23

Details

MLS #	20475208
List Price	\$320,000
Sold Price	\$320,000
Adjusted Price	-
Sold Date	12/28/23
\$/Sqft	\$205
DOM	24
Year Built	2023
Sqft	1,561
Lot Size (sqft)	9,757.44
Area	-
Taxes	2207.0
Beds	4
Baths	2.00
Garages	-
Acres	0.224

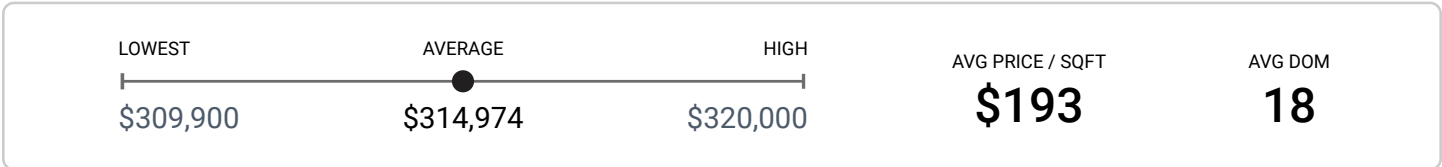
Kile Properties

Alma Davalos

Lugary Llc

Comparable Property Statistics

S 4 Sold Listings



The Value of Your Home

In a neighborhood of similar homes, why is one worth more than another? That's the question that's teased buyers and sellers for ages, but the answer is simple.

Every home is different

When a home is sold, a willing seller and a willing buyer determine the value of that home with the sale price. That price then becomes a benchmark for other similar homes, but other factors come into play. The most important are:

Location

The closer a home is to jobs, parks, transportation, schools, and community services, the more desirable it is.

Size

Square footage impacts home value because a larger home is built using more materials, and gives the homeowner more usable space. And a larger lot size could mean more privacy than a smaller one.

Number of bedrooms and baths

Additional bedrooms and bathrooms raise the value of a home compared to similar homes that do not have those rooms.

Features and finishes

Features such as outdoor kitchens and spa baths make a home more luxurious. A home finished with hardwood floors and granite countertops is going to cost more than a home with carpet and laminate countertops.

Condition

The closer a home is to new construction, the more it will retain its value. It's perceived as more modern, up to date, and perhaps safer. Homes that are not updated or in poor repair sell for less as purchasers' factor in the cost of updating and eventually replacing appliances and systems.

Curb appeal

From the street, the home looks clean, fresh, and inviting. Fresh landscaping and flowers won't change the size or location, but they certainly add charm.

When two homes are identical in the same neighborhood, a higher price may come down to something as simple as views, paint colors, or the overall taste of the homeowner.

This represents an estimated sale price for this property. It is not the same as the opinion of value in an appraisal developed by a licensed appraiser under the Uniform Standards of Professional Appraisal Practice.

INVOICE

INV0115

DATE**11/26/2024****BALANCE DUE**

9820 royce dr,
Dallas Tx 75217



Adamant Excavation & Demolition

Dallas tx 75220

2143976553

eric.gutierrez15@gmail.com

BILL TO**Alma Dávalos**

Dcihomessignature77@gmail.com

DESCRIPTION**AMOUNT**

Demolition and trash removal

\$15,000**TOTAL**

172

\$15,000



9820 Royce Dr, Dallas Tx 75217

Fees		
City permits		3,000.00
Architectural fee and plans		8,500.00
Lot cost, city permits		
Imprimir planos		
termitas		
Preparation		
Foundation new		40,350.00
Foundation piers		
Demolition interior		-
Demolition exterior		-
Demolition and removal of entire house		15,000.00
Land site preparation (new build)		
Tree removal / landscape cleaning/Tierra		
Electrical service (temporary)		300.00
Utility (sewer tap)		
Dumpster / Haul off		1,500.00
Other Preparation (surveys)		1,000.00
Subtotal Preparations		
Structural		
Framing (labor and material)		58,136.00
Windows and screens		3,000.00
framing material		
Exterior doors		
Wall Insulation		5,000.00
Stair case		
Fire place		750.00
Subtotal Structural		
Electrical & Fixtures		
Electrical (todo incluido)		12,000.00
security		
energy star permit		
General electrical upgrade/repair		-
Electrical panel		-
Electrical fixtures (switches /plates/ GFCI/ AFCI etc.)		-
Lights fixtures (fans / vanity lights / exterior lights)		1,500.00

x

Exhaust fans & smoke detectors		-
Other Electrical #1		-
Other Electrical #2		-
Subtotal Electrical & Fixtures		
Plumbing & Heating		
Plumbing (todo incluido)		20,000.00
Plumbing Labor		-
Shower pan		
Tub new or resurface		
Toilet		
Valves system for shower		
Sinks		-
Disposal		
Faucets		1,250.00
Shower head		
Water heater		
Heating Materials		
Heating Labor		
Subtotal Plumbing & Heating		
Flooring		
woodflooring material		3,500.00
Woodflooring labor		3,100.00
Tile in Bathroom labor including backsplash		13,300.00
Tile in Bathroom material		1,500.00
Flooring carpet		
labor and material vinyl floor		-
Subtotal Flooring		
Wall Finishes		
sheetrock, tape and bed, texture labor and material		15,000.00
Sheetrock, Tape and bed		
Texture		-
Paint (interior & exterior) labor and material y parches		17,000.00
Trim (baseboards / interior doors, etc.) material		6,500.00
Trim labor		2,500.00
Tile work (shower / tub surround)		
Tile work backsplash		-
Tile/finish out on fire place		
tile material		
Subtotal Wall Finishes		
Appliances, Cabinets, and Hardware		
Appliances (range/microwave/dishwasher/garbage disposal...)		
Kitchen Cabinets + island		5,000.00
Instalar appliances		
Counter tops and granites (material and labor)		4,500.00
Shower glass door		
Bathrooms fixtures, door hardware, stoppers, cabinet handles, toalleros		
Buzon		
Other		

Subtotal Appliances, Cabinets & Hardware		
HVAC		
HVAC new - All included (furnace / ducts / condenser/ air vents)	_____	9,000.00
Furnace replacement	_____	-
Condenser replacement	_____	-
Duct replacement	_____	-
HVAC service / Tune up	_____	-
Air vents	_____	-
Attic Access (new)	_____	-
Attic insulation / radiant barrier	_____	
Other _____	_____	
Subtotal HVAC		
EXTERIOR WORK		
Roof (material)	_____	4,500.00
Roof labor	_____	3,000.00
Gutters	_____	
Soffit / Fascia	_____	-
brick annd stone	_____	3,500.00
Stucco	_____	15,000.00
Shutters	_____	-
INTERIOR AND EXTERIOR DOORS		
Porch / metal	_____	
Balcon Railing	_____	
Fence	_____	
Pool	_____	
\$	_____	
Landscaping improvement/ plantas incluidas	_____	8,000.00
Drive way (concrete / rebar etc...)	_____	12,500.00
Walkway	_____	
Sauna	_____	
Subtotal Exterior Work		
Garage		
Garage doors New	_____	
Garage doors new	_____	-
Garage opener new	_____	-
Coating garage floor	_____	
Garage walls repairs and paint (if not including in interior work)	_____	
Other _____	_____	
Miscellaneous		
Misc 1: Cleaning (final)	_____	1,000.00
Extra garage in the back, material and labor.	_____	
Misc 3: builder fees	_____	

Misc 4: cloaing cost (title compay, lenders fees, taxes)		
Subtotal Miscellaneous		-
Subtotal Budget		299,686.00
Contingency Required (Unexpected Expenses)	3.00%	
Total Budget		299,686.00

1933 Education Way, Dallas, Texas 75217

MLS#: 20535127 Closed
Property Type: Residential

1933 Education Way Dallas, TX 75217-8614
SubType: Single Family

LP: \$299,900
OLP: \$315,000



Also For Lease: N
Subdivision:
County: Dallas
Country: United States
Parcel ID: [008503000D0230000](#)
Lot: 23 **Block:** B/850
Legal: TEAGARDEN BLK D/8503 LT 23 ACS 0.1430
Unexempt Tx: \$5,562
Spcl Tax Auth: No

Lst \$/SqFt: \$180.99

Lake Name:
Lse MLS#:
Plan Dvlpm:
MultiPrcl: No **MUD Dst:** No
PID:

Beds: 4 **Tot Bth:** 2 **Liv Area:** 1
Fireplc: 0 **Full Bath:** 2 **Din Area:** 1 **Pool:** No
Half Bath: 0 **Adult Community:** No
Smart Home App/Pwd: No

SqFt: 1,657/Public Records
Appraiser:
Yr Built: 2021/Preowned
Lot Dimen:
Subdivide?: No
HOA: Mandatory
HOA Dues: \$420/Annually
HOA Mgmt Email:
Access Unit: No

Hdcp Am: No
Horses?:
Prop Attached: No
Acres: 0.143
HOA Co: Proper HOA Management
Phone: (214) 378-1112
HOA Website:
AccUnit SF:
Garage: Yes/2
Attch Gar: Yes
Carport: 0
Cov Prk: 2
Gar Size: 18x18
Unit Type:

School Information

School Dist: Dallas ISD
Elementary: Ebby Halliday **Middle:** Seagoville **High:** Seagoville

Rooms

Room	Dimen / Lvl	Features	Room	Dimen / Lvl	Features
Living Room	20 x 16 / 1		Kitchen	14 x 8 / 1	Breakfast Bar, Galley Kitchen, Granite/Granite Type Countertop, Kitchen Island
Dining Room	9 x 8 / 1		Utility Room	5 x 6 / 1	
Bedroom	11 x 9 / 1		Bedroom	11 x 12 / 1	
Bedroom	10 x 11 / 1		Bedroom-Primary	18 x 13 / 1	

General Information

Housing Type: Single Detached
Style of House: Traditional
Lot Size/Acres: Less Than .5 Acre (not Zero)
Alarm/Security: Burglar, Fire Alarm
Soil:
Heating: Central
Roof: Composition, Shingle
Construction: Brick
Foundation: Slab
Basement: No
Possession: Negotiable

Fireplace Type:
Flooring: Carpet, Laminate
Levels: 1
Type of Fence: Wood
Cooling: Ceiling Fan(s), Central Air
Accessible Ft:
Patio/Porch:
Special Notes:
Listing Terms: Cash, Conventional, FHA, Texas Vet, USDA Loan, VA Loan

Features

Appliances: Dishwasher, Electric Range, Refrigerator
Laundry Feat: Dryer - Electric Hookup, In Utility Room, Washer Hookup
Interior Feat: Decorative Lighting, Double Vanity, Flat Screen Wiring, Kitchen Island, Open Floorplan, Walk-In Closet(s)
Park/Garage: Garage Double Door, Driveway, Garage Faces Front
Street/Utilities: City Sewer, City Water, Electricity Connected, Individual Gas Meter, Individual Water Meter, Sewer Available
HOA Includes: Maintenance Grounds, Management Fees
Dock Permitted:

Lake Pump: No

Remarks

Property Description: Welcome to 1933 Education Way, this carefully maintained 4-bedroom, 2-bathroom home has been thoughtfully updated to enhance functionality and style. The open-concept living and dining areas are perfect for entertaining, while the sleek kitchen boasts a beautiful eat-in island and ample storage. Step inside to discover a spacious primary

bedroom with an expansive walk-in closet and a en-suite bathroom featuring dual sinks and a large spa-like shower. Updates since 2021 including shelving in laundry room, closets, kitchen & garage, Ring system featuring doorbell, cameras and sensors, attic lighting & flooring and more. Outside, a backyard with plenty of space for kids or pets. Within a beautifully new built community, this home is a true gem.

Public Driving Directions:

GPS for best directions. From Downtown Dallas - Hwy 75 to Hwy175 S. Exit Haymarket.

Private Rmks:

Keypad on door for showing - instructions provided when appointment confirmed in BrokerBay.

Financial Information

Loan Type: Treat As Clear

Bal:

Payment:

Pmt Type:

Lender:

Orig Date:

2nd Mortg: No

Seller Concessions:

Agent/Office Information

CDOM: 28

DOM: 28

LD: 02/13/2024 **XD:**

List Type: Exclusive Right To Sell

List Off: [Compass RE Texas, LLC. \(CMPS01\) 214-814-8100](#)

LO Fax: **Brk Lic:** 9006927

LO Addr: 5960 Berkshire Lane #700 Dallas, Texas 75225

LO Email: keith.newman@compass.com

List Agt: [Betsy Weber Hurst \(0278795\) 214-546-9007](#)

LA Cell: 214-546-9007 **LA Fax:** 214-546-9007

LA Email: betsyweberhurst@gmail.com

LA Othr: 214-546-9007 **LA/LA2 Texting:** Yes/Yes

List Agt 2: [Emily Schultz \(0812599\) 214-478-4847](#)

LA2 Email: emily.schultz@compass.com

LA Website:

LO Sprvs: Keith Newman (0484652) 214-814-8100

Pref Title Co: Lawyers Title-J. Ramsey

Location: 8343 Douglas Ave., Suite 175 D 214-647-9748

Showing Information

Call: Showing Service

Appt: (800) 257-1242

Owner Name:

Keybox #:

Keybox Type: See Remarks

Seller Type: Standard/Individual

Show Instr:

Show Srvc: BrokerBay

Occupancy: Owner

Open House:

Showing: Appointment Only, Occupied, Showing Service

Sold Information

Contract Date: 03/14/2024

Opt Exp Date: 03/21/2024

Closed Date: 04/19/2024

Close Price: \$309,900

Slr Paid: \$500

Cls\$/Acre: \$2,167,132.87

Cls\$/Lot SF: \$49.75

Buyer Off: [Keller Williams Central \(KELL06\) 469-467-7755](#)

Cls\$/SqFt: \$187.02

Buyer Agt: [Veronica Warwick \(0649831\) 469-939-9624](#)

BA Email: vwarwick@verizon.net

Buyer Team:

Closing Title Co: Lawyers Title

Mortgage Co:

Third Party AP: No

Buyer Financing: VA

Prepared By: Alma Davalos Lugary, LLC on 12/05/2024 21:51

Information Deemed Reliable, but not Guaranteed. Copyright: 2024 NTREIS.

1323 Thorne Street, Dallas, Texas 75217

MLS#: 20549572 **Closed**
Property Type: Residential

1323 Thorne Street Dallas, TX 75217-8246
SubType: Single Family

LP: \$314,999
OLP: \$314,999



Also For Lease: N
Subdivision: I G Browder Surv Abs #71
County: Dallas
Country: United States
Parcel ID: [00000813241000000](#)
Lot: **Block:** 8483
Legal: BLK 8483 TR 11
Unexempt Tx: \$918
Lst \$/SqFt: \$194.20
Lake Name:
Lse MLS#:
Plan Dvlpm:
MultiPrcl: No **MUD Dst:** No
PID:

Beds: 4 **Tot Bth:** 2 **Liv Area:** 1
Fireplc: 0 **Full Bath:** 2 **Din Area:** 1 **Pool:** No
Half Bath: 0 **Adult Community:**
Smart Home App/Pwd: No

SqFt: 1,622/Builder
Appraiser:
Yr Built: 2024/Builder/New Construction - Complete
Lot Dimen: 0x0
Subdivide?: No
HOA: None
HOA Mgmt Email:

Hdcp Am: No
Horses?:
Prop Attached: No
Acres: 0.286
Garage: Yes/1
Attch Gar: No
Carport: 0
Cov Prk: 1
Gar Size:
HOA Co:
HOA Website:
School Information

School Dist: Dallas ISD
Elementary: Moseley **Middle:** Comstock **High:** Spruce

Rooms

Room	Dimen / Lvl	Features	Room	Dimen / Lvl	Features
Bedroom-Primary	0 x 0 / 1		Living Room	0 x 0 / 1	

General Information

Housing Type: Single Detached
Style of House: Contemporary/Modern
Lot Size/Acres: Less Than .5 Acre (not Zero)
Heating: Central, Electric
Roof: Composition
Construction: Siding
Foundation: Slab
Basement: No
Possession: Closing/Funding
Fireplace Type:
Flooring: Carpet, Ceramic Tile, Laminate
Levels: 1
Cooling: Central Air, Electric
Accessible Ft:
Patio/Porch:
Special Notes:
Listing Terms:

Features

Appliances: Dishwasher, Disposal, Electric Range, Microwave
Interior Feat: Decorative Lighting, Eat-in Kitchen, Flat Screen Wiring
Park/Garage: Garage Single Door
Street/Utilities: City Sewer, City Water

Remarks

Property Description: Experience the sleek design of a brand new modern build boasting a spacious 1600 square feet and an expansive open floor plan. Buyer and buyers agent to verify all information provided.
Public Driving Directions: GPS
Private Rmks: Agent related to the owner of the LLC. Please submit offers on the TREC New Construction Completed contract. See agent for insulations specs. Use preferred title company when submitting offer. Closings will need to be scheduled Monday-Wednesday only. Ac and Appliances will be installed 1-2 days prior to closing no exceptions.

Financial Information

Loan Type: Treat As Clear **Bal:** **Payment:**
Pmt Type: **Lender:** **Orig Date:** **2nd Mortg:** No
Seller Concessions:

Agent/Office Information

CDOM: 6 **DOM:** 6 **LD:** 03/01/2024 **XD:**
List Type: Exclusive Right To Sell
List Off: [Dave Perry Miller Real Estate \(DPMA03\) 214-303-1133](#) **LO Fax:** 214-303-1144 **Brk Lic:** 0257740
LO Addr: 2828 Routh Street, Ste 100 Dallas, Texas 75201 **LO Email:**

List Agt: [Suzie Morris \(0783308\) 972-268-4893](tel:07833089722684893)

LA Email: suziemorris@daveperrymiller.com

LA Website:

Pref Title Co: Lonestar Premier Title

LA Cell:

LA Othr:

LO Sprvs: **Rebecca Connatser (0339990) 214-303-1133**

Location: 310 E I30 Suite M101 Garland 000.000.0000

LA Fax:

LA/LA2 Texting:

Showing Information

Call: Showing Service **Appt:** (800) 257-1242 **Owner Name:** King Home Builders LLC
Keybox #: 0000 **Keybox Type:** Supra **Seller Type:** Builder
Show Instr: Please lock all doors and turn off all lights. No photos or videos without prior consent
Show Srvc: BrokerBay
Showing: Showing Service
Surveillance Devices Present: None
Consent for Visitors to Record:None

Sold Information

Contract Date: 03/07/2024 **Opt Exp Date:** 03/12/2024 **Closed Date:** 06/28/2024 **Close Price:** \$314,999
Slr Paid: \$0 **Cls\$/Acre:** \$1,101,395.10 **Cls\$/Lot SF:** \$25.28
Buyer Off: [Golden Star Real Estate Serv.](#) (GSRE01) 214-608-8142 **Cls\$/SqFt:** \$194.20
Buyer Agt: [Carmen Rios](#) (0505670) 214-608-8142 **BA Email:** rscrmn@yahoo.com
Buyer Team: **Mortgage Co:**
Closing Title Co: Lone Star Premier Title
Third Party AP: No
Buyer Financing: FHA 203(b)

Prepared By: Alma Davalos Lugary, LLC on 12/05/2024 21:51

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MLS#: 20691926 Closed
Property Type: Residential

[10080 Melon Avenue Dallas, TX 75217](#)
SubType: Single Family

LP: \$315,000
OLP: \$315,000



Also For Lease: N
Subdivision: Teagarden Addition
County: Dallas
Country: United States
Parcel ID: [008503000H0090000](#)
Lot: 9 **Block:** H/850
Legal: TEAGARDEN BLK H/8503 LT 9 ACS 0.1147
Unexmpt Tx: **PID:**No

Lst \$/SqFt: \$184.75

Lake Name:
Lse MLS#:
Plan Dvlpm:
MultiPrcl: No **MUD Dst:** No

Beds: 3 **Tot Bth:** 2 **Liv Area:** 1
Fireplc: 1 **Full Bath:** 2 **Din Area:** 1 **Pool:** No
Half Bath: 0 **Adult Community:**

Smart Home App/Pwd: No

SqFt: 1,705/Public Records
Appraisr:
Yr Built: 2023/Public Records/Preowned
Lot Dimen:
Subdivide?: No
HOA: None
HOA Mgmt Email:

Hdcp Am: Yes
Horses?:
Prop Attached: No
Acres: 0.115
HOA Co:
HOA Website:
School Information

School Dist: Dallas ISD
Elementary: Ebby Halliday
Primary:
Middle: Seagoville
Jr High: Howard
High: Seagoville
Sr High:

Rooms

Room	Dimen / Lvl	Features	Room	Dimen / Lvl	Features
Bedroom-Primary	19 x 14 / 1	Dual Sinks, Separate Shower, Walk-in Closet(s)	Bedroom	13 x 13 / 1	
Bedroom	13 x 13 / 1		Living Room	15 x 20 / 1	
Dining Room	13 x 11 / 1		Breakfast Rm	0 x 0 / 1	
Kitchen	0 x 0 / 1		Utility Room	0 x 0 / 1	

General Information

Housing Type: Single Detached
Style of House: Other
Lot Size/Acres: Less Than .5 Acre (not Zero)
Soil:
Heating: Central, Electric
Roof: Composition
Construction: Brick
Foundation: Slab
Basement: No
Possession: Closing/Funding, Negotiable
Fireplace Type: Other
Flooring: Ceramic Tile
Levels: 1
Type of Fence: Fenced
Cooling: Ceiling Fan(s), Central Air, Electric
Accessible Ft: Meets ADA Requirements
Patio/Porch:
Special Notes:
Listing Terms: Cash, Conventional, FHA, VA Loan

Features

Appliances: Dishwasher, Disposal, Electric Oven, Microwave, Washer
Interior Feat: Other
Park/Garage: Garage
Street/Utilities: City Sewer, City Water
Restrictions: None

Environmental Information

Features: Appliances, HVAC, Thermostat, Windows

Remarks

Property Description: Lovely Brick House with Stone Accents in a great location. Home includes high ceilings, arched doorways, and rounded corners. Upgraded master bath with spacious closets. Granite kitchen counter tops with built-in Stove, Dishwasher, and Microwave.
Public Driving Directions: Navigate to 10080 Melon Ave, Dallas, TX 75217
Private Rmks: The home is tenant occupied through 2024.

2119 Thedford Drive, Dallas, Texas 75217

MLS#: 20475208 Closed
Property Type: Residential

2119 Thedford Drive Dallas, TX 75217-8334
SubType: Single Family

LP: \$320,000
OLP: \$325,000



Also For Lease: N
Subdivision: H Thedforde
County: Dallas
Country: United States
Parcel ID: [00000814052100000](#)
Lot: 7 **Block:** A/850
Legal: E H THEDFORD BLK A/8506 LT 7
Unexempt Tx: \$2,207
Spcl Tax Auth: No

Lst \$/SqFt: \$205.00
Lake Name:
Lse MLS#:
Plan Dvlpn:
MultiPrcl: No **MUD Dst:** No
PID:

Beds: 4 **Tot Bth:** 2 **Liv Area:** 1
Fireplc: 0 **Full Bath:** 2 **Din Area:** 2 **Pool:** No
Half Bath: 0 **Adult Community:**
Smart Home App/Pwd: No

SqFt: 1,561/Builder
Appraiser:
Yr Built: 2023/Builder/Preowned
Lot Dimen:
Subdivide?: No
HOA: None
HOA Mgmt Email:
Access Unit: No

Hdcp Am: No
Horses?:
Prop Attached: No
Acres: 0.224
HOA Co:
HOA Website:
AccUnit SF:
Garage: No/0
Attch Gar: No
Carport: 2
Cov Prk: 2
Gar Size:
Unit Type:

School Information

School Dist: Dallas ISD
Elementary: Ebbby Halliday **Middle:** Seagoville **High:** Seagoville

Rooms

Room	Dimen / Lvl	Features	Room	Dimen / Lvl	Features
Kitchen	12 x 12 / 1	Eat-in Kitchen, Kitchen Island, Solid Surface/Non-Natural Type, Water Line to Refrigerator	Dining Room	10 x 11 / 1	
Living Room	18 x 14 / 1	Ceiling Fan(s)	Bedroom-Primary	15 x 15 / 1	Walk-in Closet(s)
Bedroom	11 x 11 / 1		Bedroom	12 x 12 / 1	
Bedroom	13 x 11 / 1		Bath-Full	11 x 6 / 1	
Bath-Primary	12 x 6 / 1	Dual Sinks, Garden Tub, Solid Surface/Non-Natural Type			

General Information

Housing Type: Single Detached
Style of House: Traditional
Lot Size/Acres: Less Than .5 Acre (not Zero)
Alarm/Security: Prewired, Security System, Smoke Detector(s)
Soil: Clay
Heating: Central, Electric
Roof: Composition
Construction: Board & Batten Siding, Siding
Foundation: Pillar/Post/Pier
Basement: No
Possession: Closing/Funding

Fireplace Type:
Flooring: Laminate
Levels: 1
Type of Fence: Back Yard, Fenced
Cooling: Ceiling Fan(s), Central Air, Electric
Accessible Ft:
Patio/Porch: Covered
Special Notes:
Listing Terms: Cash, Conventional, FHA

Features

Appliances: Dishwasher, Disposal, Gas Range, Gas Water Heater, Microwave, Plumbed For Gas in Kitchen
Interior Feat: Decorative Lighting, Eat-in Kitchen, Kitchen Island, Natural Woodwork, Pantry, Walk-In Closet(s)
Exterior Feat: Covered Patio/Porch, Lighting
Park/Garage: Attached Carport
Street/Utilities: City Sewer, City Water, Individual Gas Meter
Lot Description: Few Trees, Interior Lot, Lrg. Backyard Grass
Restrictions: No Known Restriction(s)
Easements: Utilities

Remarks

Property Description: Beautiful 4 bedroom, 2 bath, completely rebuilt with 933 sf addition on quaint street just 15 minutes from downtown Dallas! Sleek, modern farmhouse design, board and batten exterior, with 467 sf carport, exterior up lighting, mature

trees, and fresh landscaping. Open floorplan with quartz countertops in kitchen, custom wood cabinets, 42 inch upper cabinets, stainless appliances, gas range, tile backsplash, center island with decorator lighting, breakfast bar, recessed lighting, ceiling fans, 6 inch baseboards, laminate flooring, tile flooring in bathrooms, and carpet in bedrooms. Primary suite has oversized tub shower combo, dual sinks, quartz countertops, large walk in closet, and tile wainscoting. Prewired for security system, partially fenced yard. City sewer!

Public Driving

Directions:

Use GPS

Private Rmks:

Original structure was 628sf, taken down to the foundation and 933sf was added. Essentially a new build! Home was converted from septic to city sewer. Existing survey was prior to the addition, so new survey will probably be needed. Buyer and buyer's agent to verify all information contained in this listing to include measurements and schools. Additional documents in transaction desk. Currently no electricity, Oncor is scheduled to put a new electric pole at the property, please consider this when scheduling showing. Comment will be updated when pole has been placed.

Financial Information

Loan Type: Treat As Clear

Bal:

Payment:

Pmt Type:

Lender:

Orig Date:

2nd Mortg: No

Seller Concessions:

Agent/Office Information

CDOM: 24

DOM: 24

LD: 11/13/2023 **XD:**

List Type: Exclusive Right To Sell

List Off: [Kile Properties \(RYKL01\) 469-728-7207](#)

LO Fax:

Brk Lic: 0516773

LO Addr: 110 W. Broad St. Forney, Texas 75126

LO Email:

List Agt: [Jennifer Crim \(0668491\) 469-655-8710](#)

LA Cell:

LA Fax:

LA Email: realtor.jennifer7@gmail.com

LA Othr: 469-655-8710

LA/LA2 Texting: Yes/

LA Website:

LO Sprvs: Ryan Kile (0516773) 469-728-7207

Pref Title Co: Southwestern Land & Title

Location: 315 S Bois D Arc st, Forney 469-634-2634

Showing Information

Call: Showing Service

Appt: (817) 858-0055

Owner Name: of Record

Keybox #: 00000

Keybox Type: Supra

Seller Type: Standard/Individual

Show Instr:

Show Srvc: ShowingTime

Occupancy: Vacant

Open House:

Showing: Go (Appt Svc Only), Showing Service

Surveillance Devices Present: None

Consent for Visitors to Record:None

Sold Information

Contract Date: 12/07/2023

Opt Exp Date: 12/11/2023

Closed Date: 12/28/2023

Close Price: \$320,000

Slr Paid: \$15,000

Cls\$/Acre: \$1,428,571.43

Cls\$/Lot SF: \$32.80

Buyer Off: [Evolve Real Estate LLC \(CYNT01\) 972-806-1742](#)

Cls\$/SqFt: \$205.00

Buyer Agt: [Lucy Enriquez \(0726156\) 214-533-5525](#)

BA Email: Ilovelucyrealtor@gmail.com

Buyer Team:

Third Party AP: No

Buyer Financing: FHA

Prepared By: Alma Davalos Lugary, LLC on 12/05/2024 21:51

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INVOICE

DATE

11/30/3024

EDUARDO CARIAS

Cariase79@gmail.com

469-900-3890

OFFICE TO

Ma R Davalos

Anglas Lemus

469-506-3986

100 Royce Dr,

OR

\$8,000

(FIXTURES NOT INCLUDED)

FIVE START HOME IMPROVEMENTS

HUMBERTO RENTERIA
 (123) 456-7891

INVOICE

INVOICE #100
 DATE: 11/29/2024

Address:
 9820 Royce Dr,
 Dallas TX 75217

BILL TO:
 Alma Rocio Davalos
 almad@lugary.com

	DESCRIPTION	TOTAL
	Sheetrock, tape and bed, texture.	\$15,000
	Paint	\$17,000
	Install trim, base board and doors	\$2500
	Material	\$6500

TOTAL DUE	\$41,000

Thank you for your business!