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Public Notice
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CITY SECRETARY
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BOARD OF ADJUSTMENT (PANEL A)
FEBRUARY 18, 2025, BRIEFING AT 10:30 A.M. AND
THE PUBLIC HEARING AT 1:00 P.M.
Dallas City Hall, Council Briefing 6ES and Videoconference

Video Conference Link: <https://bit.ly/boa0218>
Telephone: (408) 418-9388, Access Code: 325527

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

Individuals and interested parties wishing to speak must register with the Board of Adjustment at <https://bit.ly/BDA-A-Register> by 5 p.m. on **Monday, February 17, 2025. In Person speakers can register at the hearing.**

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

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en at <https://bit.ly/BDA-A-Register> hasta las 5 p.m. el **Lunes, 17 de Febrero, 2025. Las personas que deseen hablar en persona se pueden registrar en la Audiencia.**

AGENDA

- | | |
|----------------------------------------|----------------------------|
| I. Call to Order | David A. Neumann, Chairman |
| II. Staff Presentation/Briefing | |
| III. Public Hearing | Board of Adjustment |
| IV. Public Testimony | |
| V. Miscellaneous Items | |
| 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 A Minutes – January 21, 2025
-

UNCONTESTED CASE(S)

BDA245-016(BT)	4637 MEADOWOOD ROAD REQUEST: Application of Rob Baldwin for (1) a special exception to the fence height regulations.	1
BDA245-021(CJ)	9450 N. CENTRAL EXPRESSWAY REQUEST: Application of Mike Prezioso for (1) a special exception to the sign regulations.	2
BDA245-022(CJ)	7117 CHURCHILL WAY REQUEST: Application of Monica Hernandez for (1) a special exception to the fence height regulations.	3

HOLDOVER

BDA245-011(CJ)	4511 STIGALL STREET REQUEST: Application of Tracy Jordan for (1) a variance to the maximum building height regulations.	4
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INDIVIDUAL CASES

NONE



BOARD OF ADJUSTMENT

Panel A Minutes

January 21, 2025

DRAFT

Council Chambers 6ES
24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Phil Sahuc	
Rachel Hayden	
Michael Hopkovitz	
Jay Narey	

ABSENT: [1]

Kathleen Davis	

Chairman David A. Neumann called the briefing to order at **10:30 A.M.** with a quorum of the Board of Adjustment present.

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

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

PUBLIC SPEAKERS

The Board of Adjustment provided public testimony opportunities for individuals to comment on matters that were scheduled on the posted meeting agenda.

No Public Speakers

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel A, December 9, 2024, Meeting Minutes.

Motion was made to approve Panel A, December 9, 2024, Public Hearing Minutes.

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

1. BDA245-009_FR1(BT)
607 W. Davis Street

BUILDING OFFICIAL’S REPORT: Application of Sudduha Sham for **(1)** fee reimbursement for a variance to the front-yard setback regulations, at **607 W DAVIS STREET**. This property is more fully described as Block A/3438 Lot 2A, and is zoned PD-830 (Subdistrict 6).

LOCATION: 607 W Davis Street

APPLICANT: Sudduha Sham

REQUEST:

- (1) The applicant is requesting a fee reimbursement for a variance to the front-yard setback regulations at 607 W Davis Street.

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

STAFF RECOMMENDATION:

No staff recommendation is made on this request.

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-143_FR1 on application of Baldwin Associates, **GRANT** the request to the reimbursement of the filing fees paid in association with the request for (1) a variance to the height regulations, (2) variance to the lot coverage regulations, (3) variance to the height regulations, and (4) variance to the height 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:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

CONSENT ITEMS

2. 603 S. Buckner Boulevard

BDA234-100(BT)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Mohanad Albadri for **(1)** a special exception to enlarge a nonconforming use at **630 S BUCKNER BOULEVARD**. This property is more fully described as Block 6340, Lots 1A and parts of Lots 1 and 2, and is zoned PD-366 (Subarea 2A), which limits the legal uses in a zoning district. The applicant proposes to enlarge a nonconforming vehicle, display, sales and service use, which will require **(1)** a special exception to the nonconforming use regulations.

LOCATION: 630 S. Buckner Boulevard

APPLICANT: Mohanad Albadri

REPRESENTED BY: Jennifer Hiromoto

REQUEST:

(2) A special exception to the nonconforming use regulations.

STANDARD FOR A SPECIAL EXCEPTION:

SEC. 51A-4.704(b)(5) Enlargement of a nonconforming use.

(A) In this subsection, enlargement of a nonconforming use means any enlargement of the physical aspects of a nonconforming use, including any increase in height, floor area, number of dwelling units, or the area in which the nonconforming use operates.

(B) The board may allow the enlargement of a nonconforming use when, in the opinion of the board, the enlargement:

- (i) **does not prolong the life of the nonconforming use;**
- (ii) **would have been permitted** under the zoning regulations that existed when the nonconforming use was originally established by right; and
- (iii) **will not have an adverse effect** on the surrounding area.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

- Site: PD-366 (Subarea 2A)
- North: PD-366 (Subarea 2A)
- East: R-7.5(A)
- South: PD-366 (Subarea 2A)
- West: PD-366 (Subarea 2A)

Land Use:

The subject site is vehicle, display, sales and service use and surrounding properties to the north, south, and west are developed with various uses. To the east are undeveloped lots.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Mohanad Albadri represented by Jennifer Hiromoto for the property located at 630 S Buckner Boulevard focuses on 1 request relating to a special exception to enlarge a nonconforming use.
- As illustrated on the submitted site plan, floor plans, and elevations, the applicant is proposing to maintain existing structure located on the subject site.
- No permit on file or replatting number on file referencing rear lot addition, increasing total lot square footage.
- Referred by City of Dallas zoning staff after submitting for a Certificate of Occupancy (CO).
- Based upon staff’s analysis of the surrounding properties, various uses exist including similar vehicle, display, sales and services.
- S Buckner Boulevard is identified as major thoroughfares.
- Granting the special exceptions allowing the enlargement of a nonconforming use when, in the opinion of the board, the enlargement:
 - **does not prolong the life of the nonconforming use;**
 - **would have been permitted** under the zoning regulations that existed when the nonconforming use was originally established by right; and
 - **will not have an adverse effect** on the surrounding area.
- 200’ Radius Video:

Timeline:

- June 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.
- July 9, 2024: The Board of Adjustment staff postpone this case until additional information was provided by the applicant in reference to legal building site

- determination letter or early release letter associated with replat.
- November 20, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- December 24, 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis; and January 10, 2025, 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.
- January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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: Jennifer Hiromoto, 10233 E. N.W Hwy, Dallas TX 75238
Ali Alihadi, 8702 Shiloh Rd., Dallas TX 75217

Against: No Speakers
Representing the City: Jason Pool, Assistant Director (I), Planning & Development

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-100, on application of Mohanad Albadri **GRANT** the request of this applicant to enlarge a nonconforming use because our evaluation of the property and the testimony shows that enlarging the nonconforming use (1) will not prolong the life of the nonconforming use; (2) would have been permitted under the zoning regulations that existed with the nonconforming use was originally established by right; and (3) will not have an adverse effect on the surrounding area.

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

1. Compliance with the most recent version of all submitted plans are required.
2. This property is subject to a replat.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey & Michael Hopkovitz
		Against:	-	0	

3. 607 W. Davis Street
 BDA245-009(BT)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Sudduha Sham for **(1)** a variance to the front-yard setback regulations, at **607 W DAVIS STREET**. This property is more fully described as Block A/3438 Lot 2A, and is zoned PD-830 (Subarea 6), which requires a front-yard setback of 10-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot which will require **(1)** a 10-foot variance to the front-yard setback regulations.

LOCATION: 607 W Davis Street

APPLICANT: Sudduha Sham

REQUEST:

- (3) 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. The subject site has street frontage on both W Davis Street and on Fouraker Street therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning conservation district.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

BDA history found in the last five years BDA234-071

- The Board of Adjustment Panel A, at its public hearing held on Tuesday, August 20th, 2024, moved to **GRANT** the request of this applicant for a special exception to the landscape requirements contained in Article X of the Dallas Development Code, as amended, because our evaluation of the property and testimony shows that (1) strict compliance with the requirements of this article will unreasonably burden the use of the property; (2) the special exception will not adversely affect neighboring properties, and (3) the requirements are not

imposed by a site-specific landscape plan approved by the city plan commission or city council. The following condition be imposed to further the purpose and intent of the Dallas Development Code:

Compliance with the most recent version of all submitted plans are required. In the event of the loss of a large tree on the subject property, as defined by Article X said tree must be replaced on the lot with a small tree from the City of Dallas approved tree list within 30 days of removal.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Sudduha Sham for the property located at 607 W Davis 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 along Fouraker Street. The applicant is proposing to construct and maintain a nonresidential structure and provide a 0-foot 0-inch front-yard setback along Fouraker Street, which will require a 10-foot 0-inch variance to the front-yard setback regulations.
- The applicant plans to build a new convenience store while maintaining the existing gas station locations onsite.
- Fouraker Street is a 45-foot right-of-way formerly platted alley with no other surrounding properties primary facade facing the street.
- Fouraker Street has an additional 5.50 foot right of way dedicated by replat.
- The subject site is developed with a convenience store and gas station, while surroundings properties are all developed with various uses including single-family homes.
- It is imperative to note that Section 51P-830.114(d)(1)(A) states that the following: (A) Except as provided in this paragraph, minimum front yard is 10-feet. (B) For front-yard setbacks for lots fronting on Davis Street, minimum front yard is 0-feet and maximum front yard is 10 feet. A minimum of 75 percent of the street-facing facade must be located within the area between the minimum and maximum front-yard setback. The remaining street-facing facade (25 percent) is not required to comply with the maximum front yard setback.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the front-yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - 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.
- **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.
- Granting the 10-foot 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:

November 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.

December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis; and January 10, 2025, 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.

January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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: Houshang Jahvani, 2121 N. Josey Lane # 200, Carrollton, TX 75006

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-009, on application of Sudduha Sham, **GRANT** the 10-foot variance to the front-yard setback regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

4. 10115 San Lorenzo Avenue
BDA245-002(CJ)

This item was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Monica Hernandez for **(1)** a special exception to the single-family use regulations and for **(2)** a variance to the maximum height regulations at **10115 San Lorenzo Avenue**. This property is more fully described as Block B/7403, Lot 23 and is zoned R-7.5(A), which limits the number of dwelling units to one, and prohibits the height of an accessory structure to exceed the height of the main building. The applicant proposes to construct and/or maintain an additional dwelling unit (not for rent), which will require **(1)** a special exception to the single-family zoning use regulations, and proposes to construct and/or maintain a single-family residential accessory structure with a building height of 13-feet, which will require **(2)** a 1-foot 2-inch variance to the maximum building height regulations.

LOCATION: 10115 San Lorenzo Avenue

APPLICANT: Monica Hernandez

REQUEST:

- (1) A request for special exception to the single-family zoning use regulations; and
- (2) A request for a variance to the maximum building height regulations.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY ZONING USE REGULATIONS:

Section 51A-4.209(b)(6)(E)(i) of the Dallas Development Code states that the board of adjustment may grant a special exception to authorize an additional dwelling unit in any district when, in the opinion of the board, the additional dwelling unit will not:

(aa) be used as rental accommodations; or

(bb) adversely affect neighboring properties.

In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.

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:

- (D) **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.
- (E) **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
- (F) **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. Special Exception (1):

No staff recommendation is made on this request.

2. Variance (1) to the maximum building height 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. Although the subject site is larger (16,988.4 sq ft) than the minimum lot size in the R-7.5(A) zoning district and is not sloped, it is irregularly shaped; 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 10115 San Lorenzo Avenue within the last 5 years.

Square Footage:

This lot contains 16,988.4 of square feet or .39 acres.
This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet.

- Site: R-7.5(A) Zoning District
- North: R-7.5(A) Zoning District
- East: R-7.5(A) Zoning District
- South: R-7.5(A) Zoning District
- West: R-7.5(A) Zoning District

Land Use:

The subject site and areas to the north, south, east, and west are zoned R-7.5(A).

GENERAL FACTS/STAFF ANALYSIS:

- The application of Monica Hernandez for the property located at 10115 San Lorenzo Avenue focuses on two requests relating to the single-family zoning use regulations and the maximum building height regulations.
- The applicant proposes to construct and/or maintain an additional dwelling unit (not for rent), which will require a special exception to the single-family zoning use regulations
- Secondly, the applicant is requesting a variance to the maximum building height regulations of 1-foot 2-inches to construct a 13-foot high (at midpoint) additional dwelling unit (not for rent); the building height is measured from grade to the midpoint of the roof of the building.
- In short, the applicant proposes to construct and/or maintain an additional dwelling unit (not for rent) at 13-feet high at the midpoint, which is 1-foot 2-inches taller than the midpoint of the main structure on the property.
- The subject site has single street frontage on San Lorenzo Avenue.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- The subject site is currently developed with a residential structure and located within an established neighborhood.

- The applicant has the burden of proof in establishing that the special exception to the single-family zoning use regulations will not adversely affect the neighboring properties or be used as rental accommodations.
- The Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.
- The applicant has the burden of proof in establishing that the special exception to the single-family zoning use regulations will not be used as rental accommodations.
- The applicant has the burden of proof for the variance 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, 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.
 - 1-foot 2-inch variance to the maximum building height regulations.
 - 200' Radius Video:

Timeline:

November 22, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 18, 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and January 10, 2025, 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.

January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

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

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in request No. BDA 245-002, on application of Monica Hernandez, **GRANT** the request to construct and maintain an additional dwelling unit on a site developed with a single-family structure as a special exception to the single-family use regulations in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring properties.

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

1. Compliance with the most recent version of all submitted plans are required.
2. The applicant must deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	2-3				Motion to grant fails
		Ayes:	-	2	Rachel Hayden, Jay Narey
		Against:	-	3	David A. Neumann, Phil Sahuc and Michael Hopkovitz

Motion # 2

I move that the Board of Adjustment, in request No. BDA 245-002, on application of Monica Hernandez, **DENY** the special exception to construct and maintain an additional dwelling unit on a site developed with a single-family structure as requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

Motion # 3

I move that the Board of Adjustment, in Appeal No. BDA 245-002, on application of Monica Hernandez, **DENY** the variance to the 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:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

5. 4544 Royal Lane

BDA245-003(CJ)

This item was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Richard Powell for (1) a special exception to the fence height regulations at **4544 Royal Lane**. This property is more fully described as Block A/5534, Lot 3, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations.

LOCATION: 4544 Royal Lane

APPLICANT: Richard Powell

REQUEST:

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARD

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

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 4544 Royal Lane in the last 5 years.

Square Footage:

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

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Richard Powell for the property located at 4544 Royal Lane focuses on 1 request relating to fence height.
- The applicant proposes to maintain an 8-foot fence in a required front yard, which will require a 4-foot special exception to the fence height regulations.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- The subject site is a mid-block lot with single street frontage on Royal Lane.
- It has been confirmed that the fence is proposed and not existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.

- Granting the special exception to the fence standards relating to height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA245-003 at 4544 Royal Lane](#)

Timeline:

November 22, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

December 18, 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and January 10, 2025, 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.

January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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: Richard Powell, 4544 Royal Lane, Dallas TX 75229

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-003, on application of Richard Powell, **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:	Phil Sahuc				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	0	

HOLDOVER CASES

6. 6529 Victoria Avenue
 BDA234-156(BT)

BUILDING OFFICIAL’S REPORT: Application of Daniel Le for **(1)** a variance to the maximum height requirements and for **(2)** a variance to the maximum height requirements at **6529 VICTORIA AVENUE**. This property is more fully described as Block P/2606, Lot 18, and is zoned PD-67 (Tract III), which requires the maximum residential structure height of 25 feet, and requires that no portion of the residential structure may be greater than 30-feet above grade. The applicant proposes to construct and/or maintain a residential structure with a midpoint height of 33-feet 6-inches which will require a **(1)** 8-foot 6-inch variance to the height regulations, and the applicant proposes to construct and/or maintain a residential structure with an overall height of 36-feet 3-inches to grade, which will require **(2)** a 6-foot 3-inch variance to the height regulations.

LOCATION: 6529 Victoria Ave.

APPLICANT: Daniel Le

REQUEST:

- (5) A request for a variance to the height regulations; and
- (6) A request for a variance to the 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:

- (G) **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.
- (H) **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

- (l) **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 height 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.
- E. Subject site does not differ 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 in the same zoning.
- F. Not self-created nor is it a personal hardship.

Variance to 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.
- B. Subject site does not differ 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 in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

- Site: PD-67 (Tract 3)
- North: PD-67 (Tract 3)
- East: PD-67 (Tract 3) and PD-67 (Tract 4)
- South: PD-67 (Tract 3) and CR
- West: PD-67 (Tract 3) and CR

Land Use:

The subject site is developed with a duplex use and surrounding properties are mixture of vacant lots, non-residential uses, duplex uses, and single-family uses.

Square Footage:

This lot contains of 6,250 square feet.

BDA History:

BDA history found in the last five years – BDA234-111

- The Board of Adjustment Panel A, at its public hearing held on Tuesday, November 19, 2024, having evaluated the evidence pertaining to the property and heard all testimony and facts regarding the application, moved to **REVERSE** the decision of the administrative official in regard to lot coverage.
- The Board of Adjustment Panel A, at its public hearing held on Tuesday, November 19, 2024, having evaluated the evidence pertaining to the property and heard all testimony and facts regarding the application, moved to **AFFIRM** the decision of the administrative official in regard to building height.
- The Board of Adjustment Panel A, at its public hearing held on Tuesday, November 19, 2024, having evaluated the evidence pertaining to the property and heard all testimony and facts regarding the application, moved to **AFFIRM** the decision of the administrative official in regard to roof type.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Daniel Le for the property located at 6529 Victoria Avenue focuses on two requests relating to variance height.
- The first request is for a variance to the height regulations. The applicant proposes to construct and/or maintain a residential structure with a midpoint height of 33-feet 6-inches which will require an 8-foot 6-inch variance to the height regulations.
- Secondly, the applicant is requesting a variance to the height regulations. The applicant proposes to construct and/or maintain a residential structure with an overall height of 36-feet 3-inches to grade, which will require a 6-foot 3-inch variance to the height regulation.
- Ashra Ortiz, represented by Pascual Mojica applied for a duplex permit (6529 and 6531 Victoria Ave.) on January 03, 2023.

- Permit #2301031121 (Master Permit #2301041101) was approved on January 04,2023.
- Various green tags received with the last being issued on June 28, 2024.
- Project placed on hold on July 26, 2024.
- Letter via email to revoke permit #2301031121 and permit #2301041101 provided to applicant on August 7, 2024.
- AO appeal accepted on August 7, 2024.
- The subject site along with surroundings properties to the north, south, east, and west are undeveloped and developed with various types of uses allowed by right in PD-67 (Tract 3).
- Per staff's review of the subject site, it has been confirmed that the duplex structure on the property is under construction.
- The applicant has the burden of proof in establishing the following:
 - 4) That granting the variance to the height 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.
 - 5) 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
 - 6) 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.
- 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.
- Granting both variances to the height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BDA234-156 6529 Victoria Ave](#)

Timeline:

- November 20, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- November 21, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- November 21, 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.
- November 22, 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.
- December 9, 2024: The Board of Adjustment Panel **A**, at its public hearing held on Monday, December 9, 2024, moved to **HOLD** this matter under advisement until **January 21, 2025**.
- December 24, 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis; and January 10, 2025, 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.
- January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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: Daniel Le, 108 N. Bernice Dr., Garland, TX

Against: Zac Thompson, 4715 University Blvd, Dallas TX 75209
Gus Perez, 7811 Morton St., Dallas TX 75209
Kemeshia Richardson, 7314 Kenwell St., Dallas TX 75209
Jonathan Maples. 6525 Oriole Dr., Dallas TX 75209

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 234-156, on application of Daniel Le, **GRANT** the 8-foot 6-inch variance to the maximum building height regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	David Neumann				
Second:	Rachel Hayden				
Results:	4-1				Motion to grant
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Jay Narey
		Against:	-	1	Michael Hopkovitz

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 234-156, on application of Daniel Le, **GRANT** the 6-foot 3-inch variance to the overall building height regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	4-1				Motion to grant

		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Jay Narey
		Against:	-	1	Michael Hopkovitz

INDIVIDUAL CASES

7. 4511 Stigall Street

BDA245-011(CJ)

BUILDING OFFICIAL’S REPORT: Application of Tracy Jordan for **(1)** a variance to the maximum building height regulations at **4511 Stigall Street**. This property is more fully described as Block 5/4993, Lot 15, and is zoned PD-67 (Tract IV), which limits the maximum building height to 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require **(1)** a 3 1/4-inch variance to the maximum building height regulations.

LOCATION: 4511 Stigall Street

APPLICANT: Tracy Jordan

REQUEST:

(3) 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:

- (J) **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.
- (K) **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
- (L) **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:

- 3. **Variance** to the maximum building height 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. PD 67 reverts to R-5(A) for Tract IV regarding minimum lot size (5,000 sq ft) and the subject site is 7971.48 sq ft. The site is also not irregularly shaped or sloped; 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 existing residential structure was approved under building permit #2306061010 with plans showing a building height of 25'.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 4511 Stigall Street within the last 5 years.

Square Footage:

This lot contains 7,971.48 of square feet or .39 acres.
This lot is zoned PD 67 (Tract IV) with a R-7.5(A) base layer which has a minimum lot size of 7,500 square feet.

- Site: PD 67 (Tract IV)
- North: PD 67 (Tract IV)
- East: PD 67 (Tract IV)
- South: PD 67 (Tract IV)
- West: PD 67 (Tract IV)

Land Use:

The subject site is developed with a residential structure. The subject site and areas to the north, south, east, and west are zoned PD 67 (Tract IV).

GENERAL FACTS/STAFF ANALYSIS:

- The application of Tracy Jordan for property located at 4511 Stigall Street focuses on one request relating to the maximum building height regulations.

- The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require a 3 1/4-inch variance to the maximum building height regulations
- SEC. 51P-67.108(b)(1). TRACT IV USES AND DEVELOPMENT STANDARDS of the Development Code states that the maximum building height allowed for single family structures in Tract IV of Planned Development 67 is 25 feet
- The subject site has single street frontage on Stigall Street.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- It is important to note that the plans were approved by the Building Inspections permitting office under permit #2306061010 at 25-feet tall; an error was made during construction and the building was built 25-feet 3 ¼ inches (at the midpoint).
- The subject site is currently developed with a residential structure and located within an established neighborhood.

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

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

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

- (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, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - 3 ¼ inch variance to the maximum building height regulations.

- 200' Radius Video: [BDA245-011 at 4511 Stigall Street](#)

Timeline:

December 2, 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.

December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 18, 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 January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and January 10, 2025, 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.

January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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: Tracy Jordan, 3809 Parry Ave., Dallas, TX 75226
Erica Hall. 200 N. Henderson Ave, Apt 205, Dallas TX 75214

Against: Zac Thompson, 4715 University Blvd, Dallas TX 75209
Jonathan Maples, 6525 Oriole Dr, Dallas TX 75209
Gus Perez, 7811 Morton St., Dallas TX 75209

Did not speak - Kemeshia Richardson, 7314 Kenwell St, Dallas TX 75209

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 245-011, **HOLD** this matter under advisement until February 18, 2025.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Motion to hold until February 18, 2025
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Phil Sahuc, Michael Hopkovitz and Jay Narey
		Against:	-	0	

****Recess at 2:16 – 2:21 pm****

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann entertained a motion to adjourn at 5:00 p.m.

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

Date

Required Signature:
Dr. Kameka Miller-Hoskins, Board Coordinator
Planning & Development Department

Date

Required Signature:
David A. Neumann, Chairman
Board of Adjustment

Date

FILE NUMBER: BDA245-016(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations at **4637 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 16B, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

LOCATION: 4637 Meadowood Road

APPLICANT: Rob Baldwin

REPRESENTED BY:

REQUEST:

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

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence 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-1ac(A) (Single Family District)

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

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

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

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

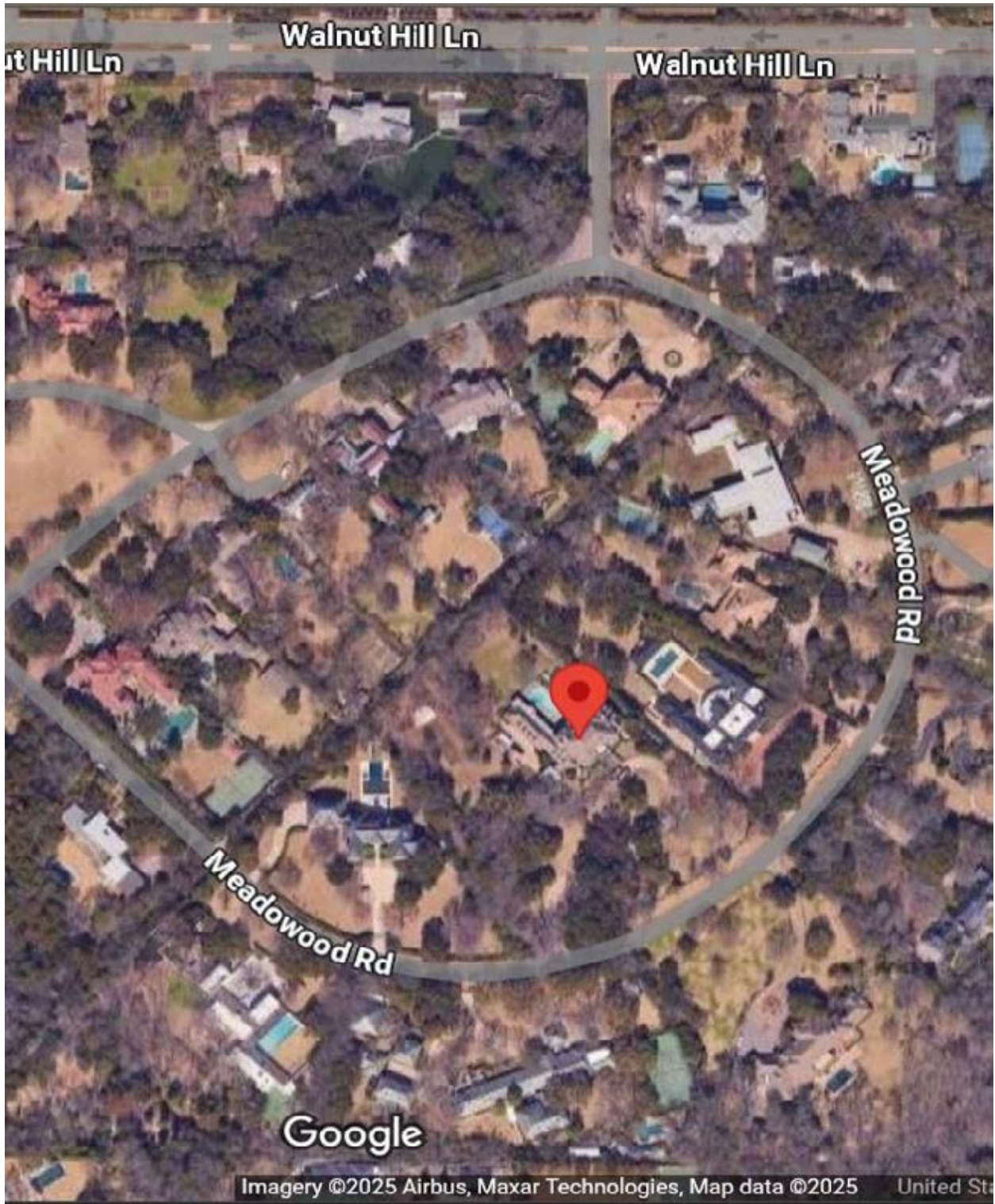
- The application of Rob Baldwin for the property located at 4637 Meadowood Road focuses on one request relating to the fence height.
- The request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing an 8-foot high decorative iron fencing located between the 40-foot front-yard setback and front property line.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a new secondary entry to match existing 6-foot high decorative iron fence and columns.
- The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.
- Based upon staff's analysis of the surrounding properties, the proposed fence is similar to other single-family homes along Meadowood Road.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-016 at 4637 Meadowood Rd](#)

Timeline:

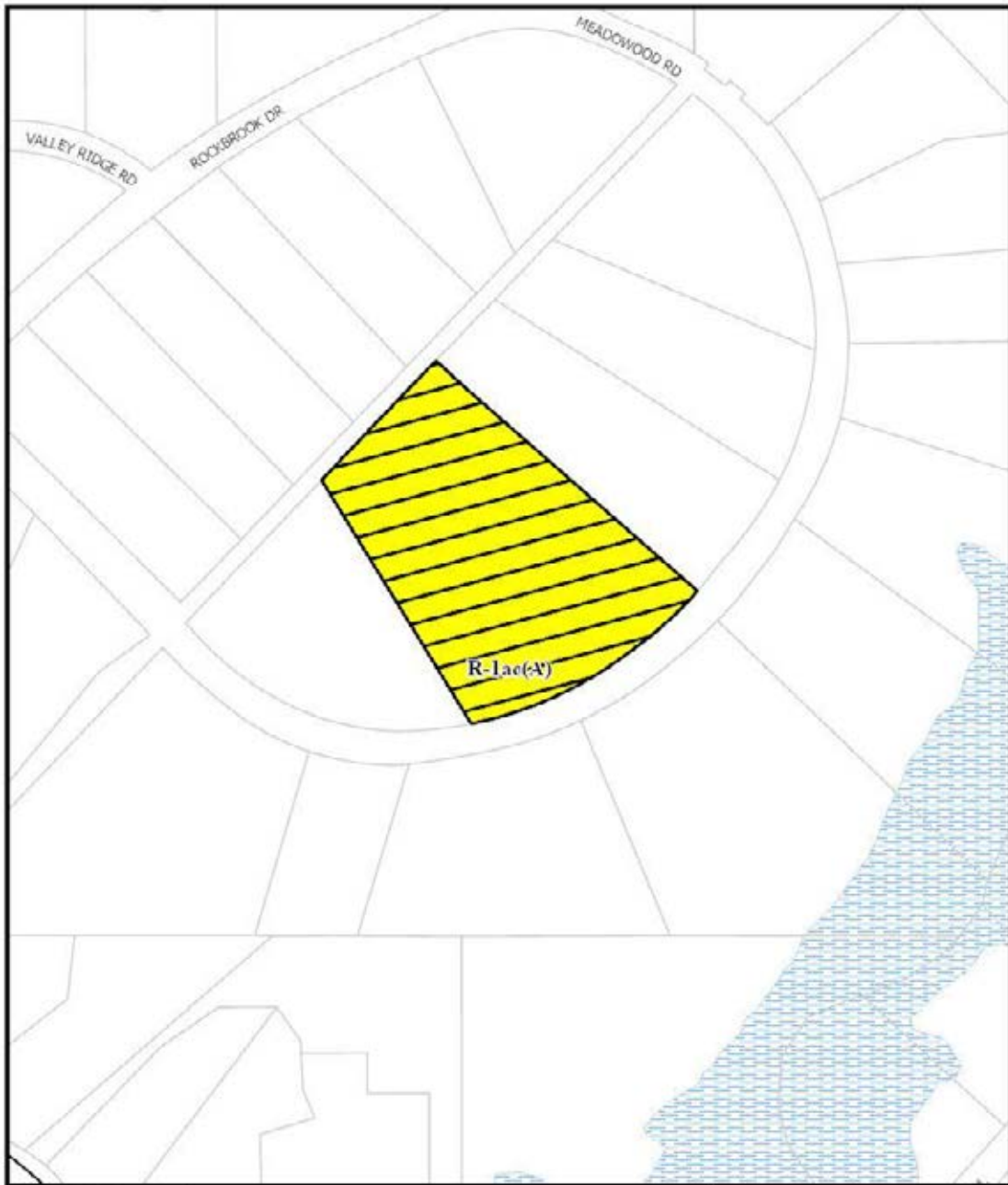
- December 19, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- January 24, 2025: 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 January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis; and February 7, 2025, 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.

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



 1:2,400	<h1>AERIAL MAP</h1>	Case no: <u>BDA245-016</u> Date: <u>01/28/2025</u>
------------------------------------------------------------------------------------------------	---------------------	-------------------------------------------------------



1:2,400

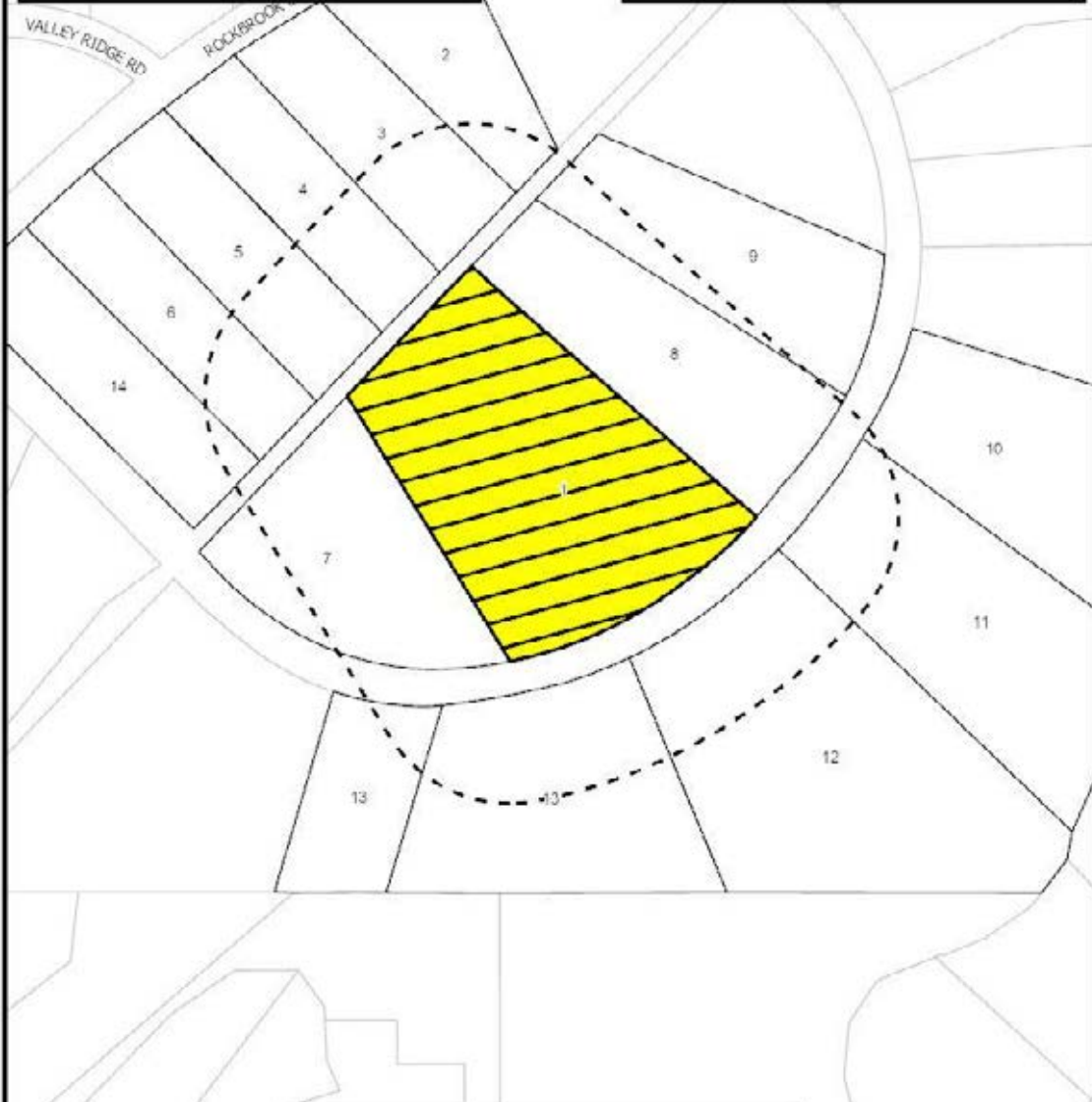
ZONING MAP

Case no: BDA245-016

Date: 01/28/2025

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

 1:2,400	<h2>NOTIFICATION</h2>	Case no: BDA245-016
	<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;">14</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 1/28/2025

Notification List of Property Owners

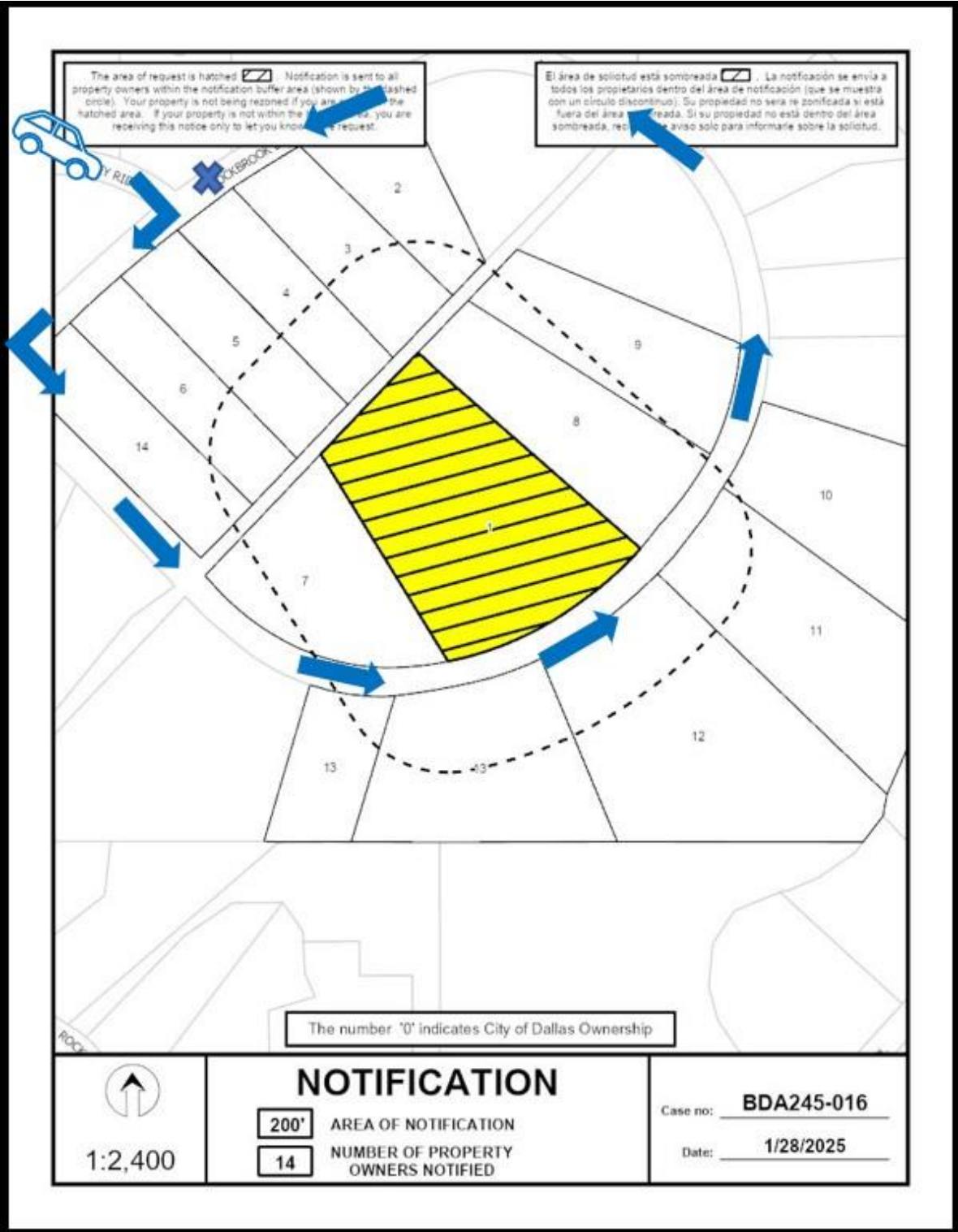
BDA245-016

14 Property Owners Notified

Label #	Address	Owner
1	4637 MEADOWOOD RD	ODONNELL JODY M &
2	9962 ROCKBROOK DR	WILSON JERRY C & BARBARA S
3	9946 ROCKBROOK DR	SANDERS PHILLIP J &
4	9938 ROCKBROOK DR	MOORE FAMILY TRUST
5	9930 ROCKBROOK DR	BRODSKY JAMES W &
6	9922 ROCKBROOK DR	ROONEY TIMOTHY P & MARY M
7	4617 MEADOWOOD RD	HIRSCH LAURENCE E &
8	4645 MEADOWOOD RD	SCHWARZ MARK E
9	4655 MEADOWOOD RD	CATHER JENNIFER CLAY &
10	4650 MEADOWOOD RD	LUNSFORD R HOLT &
11	4642 MEADOWOOD RD	RAYMOND LEE R &
12	4636 MEADOWOOD RD	MCCUTCHIN RONALD &
13	4622 MEADOWOOD RD	MIDWELL EST HOLDING CO
14	9908 ROCKBROOK DR	LIEBERMAN STEVEN A & LISA

 1:2,400	<h2 style="margin: 0;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">14</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: BDA245-016 Date: 1/28/2025
-------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: TUESDAY, FEBRUARY 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

HEARING: 1:00 p.m. Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

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

BDA245-016(BT) Application of Rob Baldwin for (1) a special exception to the fence height regulations at 4637 MEADOWOOD ROAD. This property is more fully described as Block 5543, Lot 16B, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at 6ES Council Briefing. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the 5 p.m. on Monday, February 17, 2025. 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 five (5) minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner (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 and 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-A-Register>



Development Services

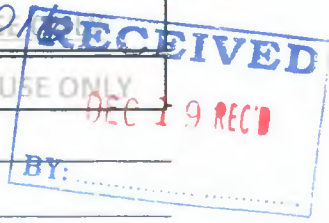
"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

245-01

FOR OFFICE USE ONLY



Data Relative to Subject Property:

Date:

Location address: 4637 Meadowood Road

Zoning District: R-1ac(A)

Lot No.: 16B & pt 16

Block No.: 5543

Acreage: 3.703

Census Tract: 48113020600

Street Frontage (in Feet): 1) 335.55 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Jody M. O'Donnell and Sterling Deason O'Donnell

Applicant: Rob Baldwin, Baldwin Associates

Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas

Zip Code: 75226

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

Represented by: Rob Baldwin, Baldwin Associates

Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas

Zip Code: 75226

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

Affirm that an appeal has been made for a Variance or Special Exception of 4' to the fence height regulations to allow an 8' fence in the side yard and a 6' fence along Meadowbrook.

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 6' fence in the front yard has been there for 30 years. We feel that this request is reasonable and will not negatively impact surrounding properties.

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

Affidavit

Before me the undersigned on this day personally appeared Rob Baldwin

(Affiant/Applicant's name printed)

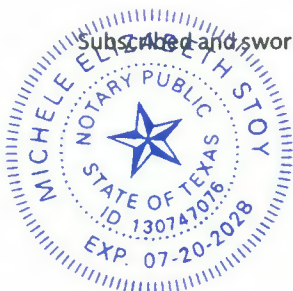
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 11 day of December, 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 Rob Baldwin

did submit a request for (1) a special exception to the fence height regulations
at 4637 Meadowood Rd

BDA245-016(BT) Application of Rob Baldwin for (1) a special exception to the fence height regulations at 4637 MEADOWOOD ROAD. This property is more fully described as Block 5543, Lot 16B, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations.

Sincerely,


M. Samuell Eskander, PE



AFFIDAVIT

Appeal number: BDA 245-016

I, Jody M. O'Donnell, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4637 Meadowood Road
(Address of property as stated on application)

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

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

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

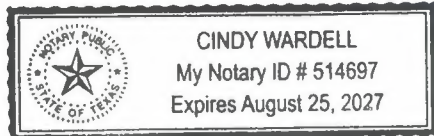
Specify: Special Exception to the fence regulations to allow a fence taller than 4'

Jody M. O'Donnell
Print name of property owner or registered agent
agent Date 11-15-24

[Signature]
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared
Jody M. O'Donnell

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 15th day of
November, 2024



Cindy Wardell
Commission expires on
8-25-2027



AFFIDAVIT

Appeal number: BDA 245-016

I, Sterling Deason O'Donnell, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4637 Meadowood Road
(Address of property as stated on application)

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

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

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

Specify: Special Exception to the fence regulations to allow a fence taller than 4'

Sterling D. O'Donnell
Print name of property owner or registered agent

Sterling D. O'Donnell
Signature of property owner or registered agent

agent Date 11-15-24

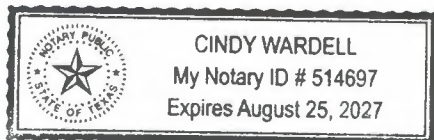
Before me, the undersigned, on this day personally appeared

Sterling D. O'Donnell

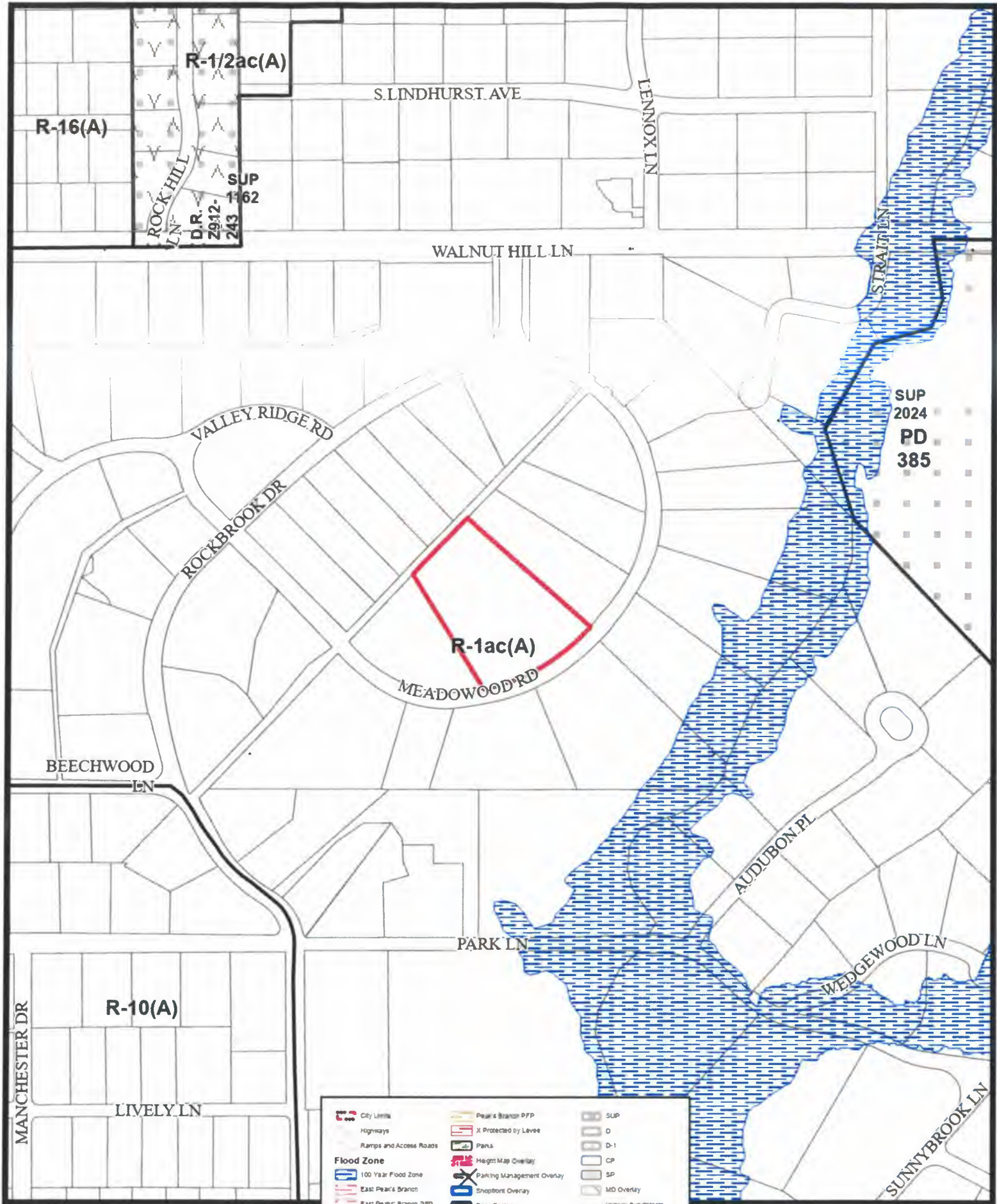
Who on his/her oath certifies that the above statements are true and correct to his/her best

knowledge. Subscribed and sworn to before me this 15th day of

November, 2024



Cindy Wardell
Commission expires on 8-25-2027



R-1/2ac(A)

R-16(A)

S. LINDHURST AVE

LENNOX LN

ROCK HILL LN
D.R. 2912-243

SUP 1162

WALNUT HILL LN

STRAITEN

SUP 2024
PD 385

VALLEY RIDGE RD

ROCKBROOK DR

R-1ac(A)

MEADOWOOD RD

BEECHWOOD LN

AUDUBON PL

PARK LN

WEDGWOOD LN

R-10(A)

LIVELY LN

SUNNYBROOK LN

Flood Zone		



1:4,800

Case ID: **BD245-016**
Printed: 11/18/2024

SHIPPED DATE: 3-28-96 RECEIVED DATE: 6-13-96

CITY OF DALLAS PLAT BOOKS

ANNEXED JULY 11, 1945 ORD. NO. 3553

ADDITION MEADOWOOD ESTATES NO. 1 & 2

BLOCKS 5543

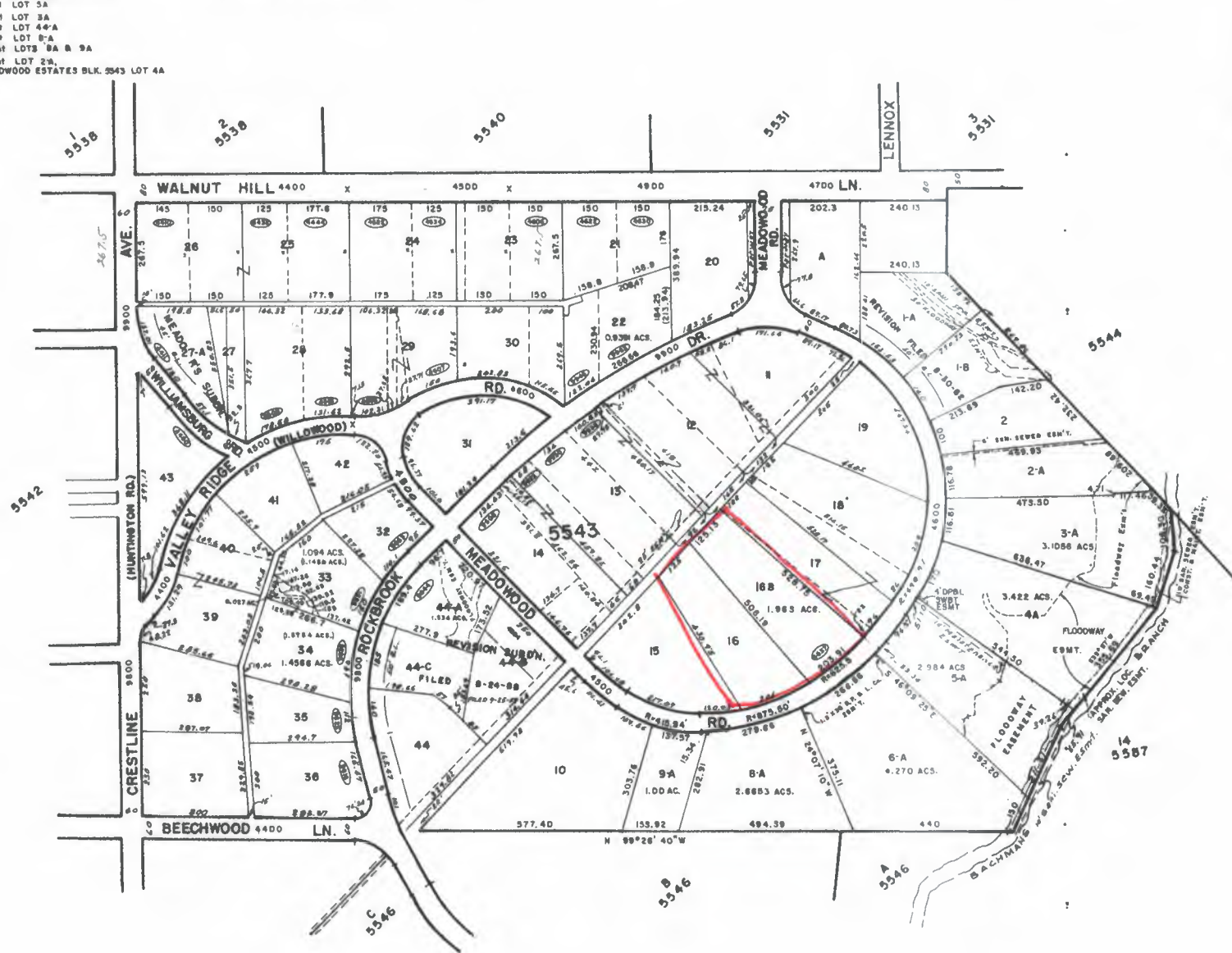
SURVEY JAMES L. FARQUHAR ABST. 455
JESSE MOON 940

SCALE 200 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS

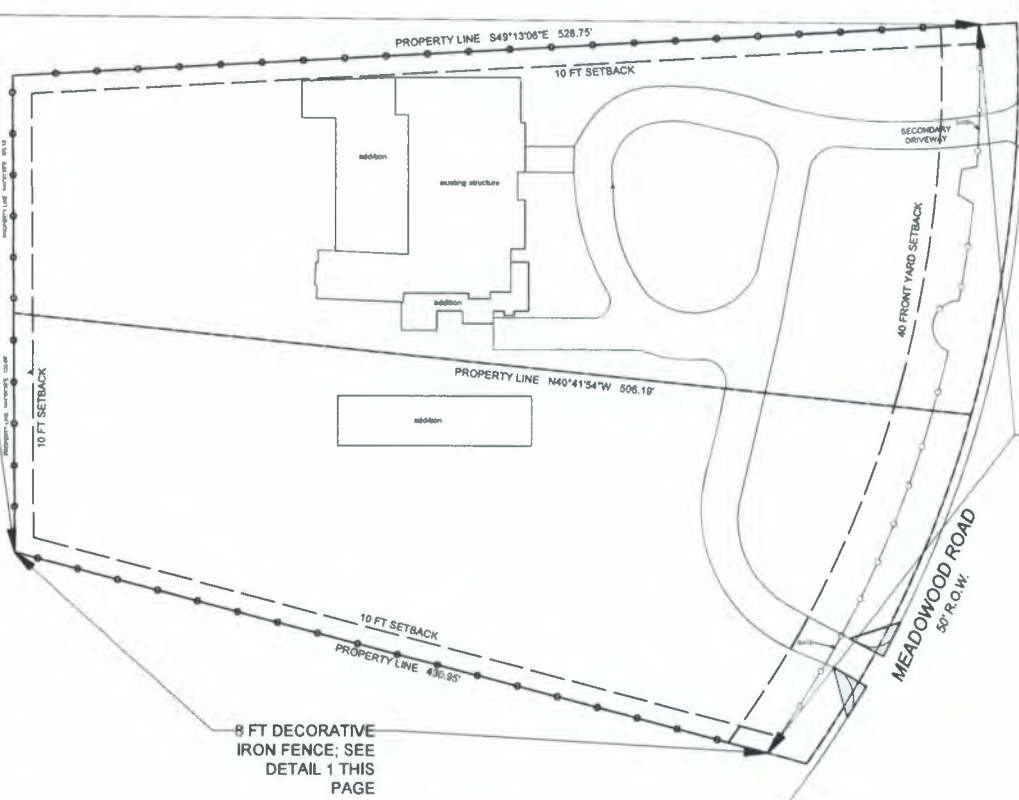
RECORDED: 8-14-80 NO. 1 & 2
 MEADOWS SUBDIV. FILED: 7-27-83
 REVISION MEADOWS SUBDIV. FILED: 9-21-82
 FILED: 2-24-88 Replat LOT 3A
 FILED: 8-25-87 Replat LOT 3A
 FILED: 3-27-87 Replat LOT 4A-A
 FILED: 1-17-88 Replat LOT 8-A
 FILED: 3-8-88 Replat LOTS 8A & 9A
 FILED: 12-14-88 Replat LOT 2A
 FILED: 12-21-92 MEADOWOOD ESTATES BLK. 5543 LOT 4A

FILED: 12-21-92 BLK. 5543 LT. 4A MEADOWOOD ESTATES SECT. 1
 FILED: 10-15-84 BLK. 5543 LT. 18 MEADOWOOD ESTATES / SEANOR



BDA245-016

8 FT
DECORATIVE
IRON FENCE;
SEE DETAIL 1
THIS PAGE

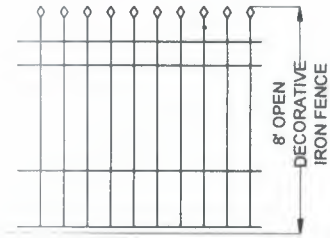


8 FT DECORATIVE
IRON FENCE; SEE
DETAIL 1 THIS
PAGE

SITE PLAN
SCALE: 1" = 30'-0"

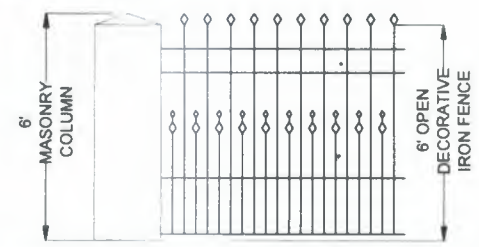


VICINITY MAP
NTS



1 DECORATIVE IRON FENCE ELEVATION
SCALE: NTS

EXISTING
6 FT DECORATIVE
IRON FENCE; SEE
DETAIL 2 THIS
PAGE



**2 EXISTING MEADOWOOD FRONTAGE
DECORATIVE IRON FENCE ELEVATION**
SCALE: NTS

11/14/2024
PROJECT NUMBER
CASE NUMBER

**BALDWIN
ASSOCIATES**
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.728.7949
OFFICE: 214.874.7949

**Baldwin
Associates**

4637 Meadowood Road
CITY OF DALLAS, TEXAS

BD245-016



January 28, 2025

Mr. Bryant Thompson
Senior Planner – Board of Adjustment
Department of Development Services
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: BDA245-015

Dear Mr. Thompson,

This firm represents the owner of the property located at 4637 Meadowood Road in their request for a Special Exception to allow a fence taller than four feet in a required front yard.

Background:

The subject property is located on the north side of Meadowbrook Road in Preston Hollow. There is an existing six-foot tall open decorative iron fence with masonry columns on the property. This request is just for two small sections of fence that will connect the existing fence in the front yard to the proposed side yard fences. These two fence panels will also be made of open decorative iron and will be eight feet tall. We are also proposing to add an additional driveway to the property, but the proposed driveway does not require any approval from the Board of Adjustment. There are no encroachments into the sight visibility triangles. In this part of Preston Hollow, fences taller than four feet in height are common. In fact, there are taller fences on both sides of the subject property and across the street. As mentioned previously, the fence along Meadowood Road is there today. We do not know when it was built, but it has been in place since at least 2012.

Conclusion:

The proposed request is in keeping with other fences in the area and is located in what most people would consider to be a side yard where fences are allowed to be up to nine feet tall.

January 28, 2025
Page 2

Should you require further information or have any questions, please do not hesitate to contact me. Thank you for your time and consideration.

With kind regards,

A handwritten signature in blue ink, consisting of a stylized initial 'A' followed by a long, horizontal, slightly wavy line.

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

FILE NUMBER: BDA245-021(CJ)

BUILDING OFFICIAL'S REPORT Application of Mike Prezioso for **(1)** a special exception to the sign regulations at **9450 North Central Expressway**. This property is more fully described as Block D/5457, Lot 2A, and is zoned PD-280, which limits the number of words on a sign. The applicant proposes to construct and/or maintain an attached premise sign on a nonresidential building facade with ten words which contain characters of a height equal to or exceeding four inches, which will require **(1)** a special exception to the sign regulations.

LOCATION: 9450 North Central Expressway

APPLICANT: Mike Prezioso

REQUEST:

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

ATTACHED SIGN REGULATIONS

Section 51A-7.305(c) (ATTACHED SIGNS) of the Dallas Development Code states that on any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

STANDARD FOR SPECIAL EXCEPTION TO SIGN STANDARD REGULATIONS:

Section 51A-7.703(d)(3) of the Dallas Development Code states that except as provided in Section 51A-7.703(c) the board of adjustment may, in specific cases and subject to appropriate conditions, authorize up to two additional large letter words on an attached sign in excess of the number permitted in Article IV of the Code when the board has made a special finding from the evidence presented that strict compliance with the requirement of this article will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 9450 North Central Expressway in the last 5 years.

Square Footage:

This lot contains 223,362.612 of square feet or 5.1277 acres.
This lot is zoned PD 280 which has no minimum lot size.

Zoning:

Site: Planned Development 280
North: MF-1(A) (Multi-Family)
East: MU-2 (Mixed Use)
South: Planned Development 260 (Tract 5)
West: RR & MF-1(A) (Regional Retail & Multi-Family)

Land Use:

The subject site is zoned with uses permissible in PD 280. Properties to the east are zoned with uses permissible in the MU-2 zoning district, areas to the west are zoned Regional Retail and Multi-Family, areas to the North are zoned Multi-Family and properties the south are developed with uses permitted under PD-260 Tract 5 use regulations.

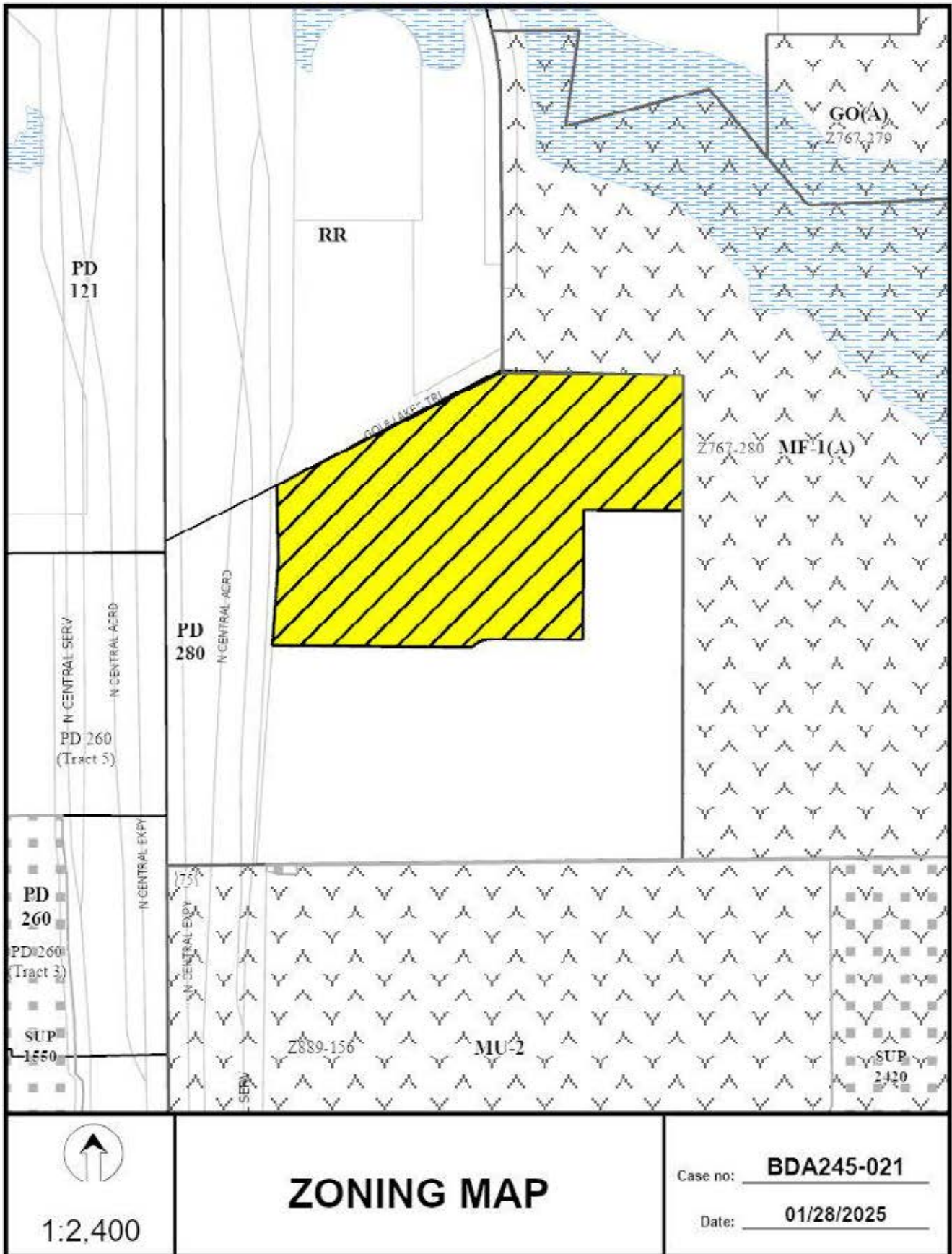
GENERAL FACTS/STAFF ANALYSIS:


- The application of Mike Prezioso for the property located at 9450 North Central Expressway focuses on one request relating to the sign regulations.
- As illustrated from the submitted site plan and elevations, the applicant is proposing to maintain an attached premise sign on a nonresidential building facade with ten words which contain characters of a height equal to or exceeding four inches, which will require a special exception to the sign regulations.
- The Dallas Development Code states that on any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy.
- Per the plans, the west facade of the building proposes 3 signs with a total of 10 words; **Sign A** – “Dave & Busters”, **Sign B** - “Dave & Busters”, and **Sign H** - “Eat, Drink, Play, Watch”;
- Sign H is the focus of the request; the applicant submitted the request so that all 4 words on the sign can display; “Eat, Drink, Play, Watch”.
- The subject site has street frontage along North Central Expressway and Golf Lakes Trail.
- The applicant has the burden of proof in establishing that strict compliance with the requirement of this article will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this article.
- 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): [BDA245-021 at 9450 North Central Expressway](#)


Timeline:

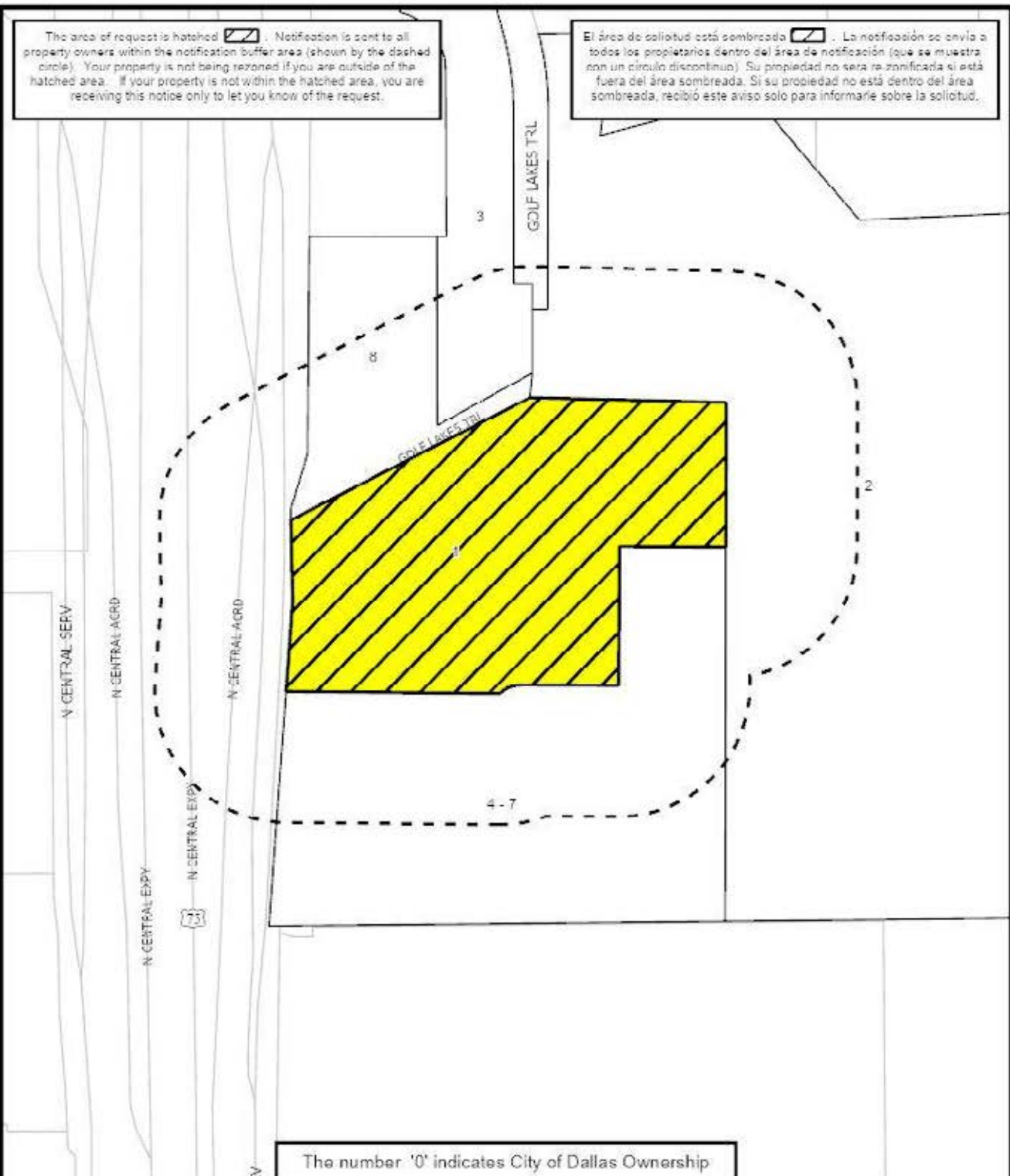
- December 20, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- January 27, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and February 7, 2025, 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.
- January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February 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.





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



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

8

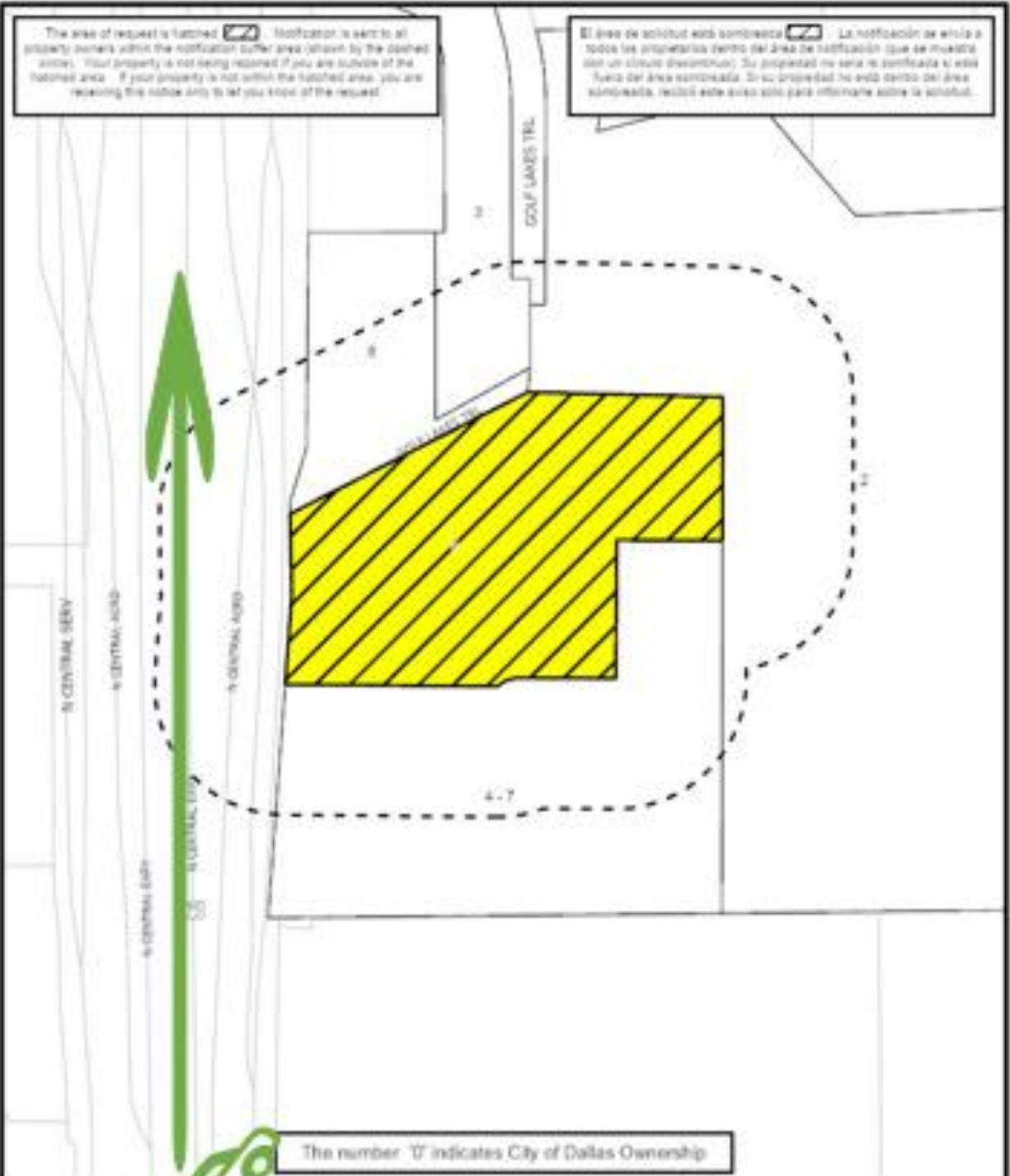
NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-021**


Date: **1/28/2025**

The area of request is hatched [Z]. 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 [Z]. 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 ha estado dentro del área sombreada, recibirá este aviso solo para informarle sobre la solicitud.



The number 'V' indicates City of Dallas Ownership

 1:2,400	<h2>NOTIFICATION</h2>		Case no: BDA245-021
	<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;">8</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 1/28/2025	

1/28/2025

Notification List of Property Owners

BDA245-021

8 Property Owners Notified

Label #	Address	Owner
1	9450 N CENTRAL EXPY	NNN REIT LP
2	9600 GOLF LAKES TRL	9600 GOLF LAKES TRAIL LLC &
3	9500 N CENTRAL EXPY	GMR DALLAS NORTH CENTRAL LLC
4	9400 N CENTRAL EXPY	Dallas ISD
5	9400 N CENTRAL EXPY	ALBERT AMBRIZ DDS
6	9400 N CENTRAL EXPY	TRACIE SALMON
7	9400 N CENTRAL EXPY	SAM SCHLEHUBER
8	9500 N CENTRAL EXPY	WALNUT HILL EQUITY PARTNERS LLC



1:2,400

NOTIFICATION

200'	AREA OF NOTIFICATION
8	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-021**
Date: **1/28/2025**

NOTICE OF PUBLIC HEARING

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

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

DATE: TUESDAY, FEBRUARY 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

HEARING: 1:00 p.m. Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

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

BDA245-021(CJ) Application of Mike Prezioso for (1) a special exception to the sign regulations at 9450 N CENTRAL EXPRESSWAY. This property is more fully described as Block D/5457, Lot 2A, and is zoned PD-280, which limits the number of words on a sign. The applicant proposes to construct and/or maintain an attached premise sign on a nonresidential building facade with ten words which contain characters of a height equal to or exceeding four inches, which will require (1) a special exception to the sign 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 at 6ES Council Briefing. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the 5 p.m. on Monday, February 17, 2025. 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 five (5) minutes to address the Board.

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

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

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

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 245-021

Relative to Subject Property: Dave and Buster's Date: FOR OFFICE USE ONLY

Location address: 9450 N Central Expy Dallas, TX 75231 Zoning District: PD 280

Lot No.: 2A Block No.: D/5457 Acreage: 5.1277 Census Tract: _____

Street Frontage (in Feet): 1) 136' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): NATIONAL RETAIL PROP LP NNN Reit, LP - A.L.

Applicant: Michael Prezioso- Priority Signs and Graphics Telephone: 817-260-0700

Mailing Address: 2865 Market loop Southlake, TX Zip Code: 76092

E-mail Address: permits@psgdfw.com

Represented by: Priority Signs and Graphics- Michael Prezioso Telephone: 817-260-0700

Mailing Address: 2865 Market loop Southlake, TX Zip Code: 76092

E-mail Address: permits@psgdfw.com

Affirm that an appeal has been made for a Variance or Special Exception of Dave and Buster's Exterior signs on the West Elevation

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

We are requesting the special exception to allow 10 words for the west side elevation signage. Per the city ordinance we are allow the 8 word and we are requesting two extra words to keep a consistency of Dave and Buster's Branding.

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.

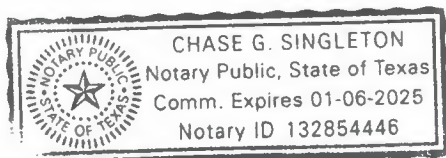
Affidavit

Before me the undersigned on this day personally appeared Mike Prezioso
(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 29 day of December, 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 Mike Prezioso

did submit a request for (1) a special exception to the sign regulations
at 9450 N Central Expwy

BDA245-021(CJ) Application of Mike Prezioso for (1) a special exception to the sign regulations at 9450 N CENTRAL EXPRESSWAY. This property is more fully described as Block D/5457, Lot 2A, and is zoned PD-280, which limits the number of words on a sign. The applicant proposes to construct and/or maintain an attached premise sign on a nonresidential building facade with ten words which contain characters of a height equal to or exceeding four inches, which will require (1) a special exception to the sign regulations.

Sincerely,


M. Samuell Eskander, PE



Appeal number: BDA 245-021

I, NNN REIT, LP, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9450 N CENTRAL EXPY DALLAS, TX 75231
(Address of property as stated on application)

Authorize: Michael Prezioso
(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: Signage on the West elevation exceeds the 8 word total per elevation,
maximum on this facade is 10 words proposed.

Michael Prezioso
Print name of property owner or registered agent

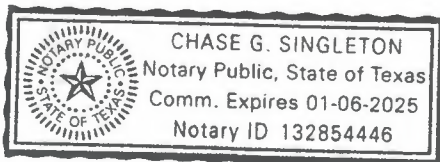
Michael Prezioso
Signature of property owner or registered agent

Date 12/16/24

Before me, the undersigned, on this day personally appeared Mike Prezioso

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 December, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 1/6/25



Appeal number: BDA 245-021

I, NNN REIT, LP, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9450 N CENTRAL EXPY DALLAS, TX 75231
(Address of property as stated on application)

Authorize: Michael Prezioso
(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: Signage on the West elevation exceeds the 8 word total per elevation,
maximum on this facade is 10 words proposed.

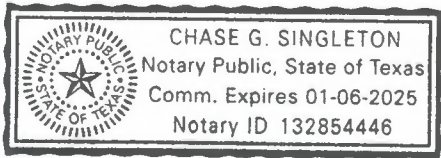
Michael Prezioso
Print name of property owner or registered agent
Date 12/16/24

Michael Prezioso
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared Mike Prezioso

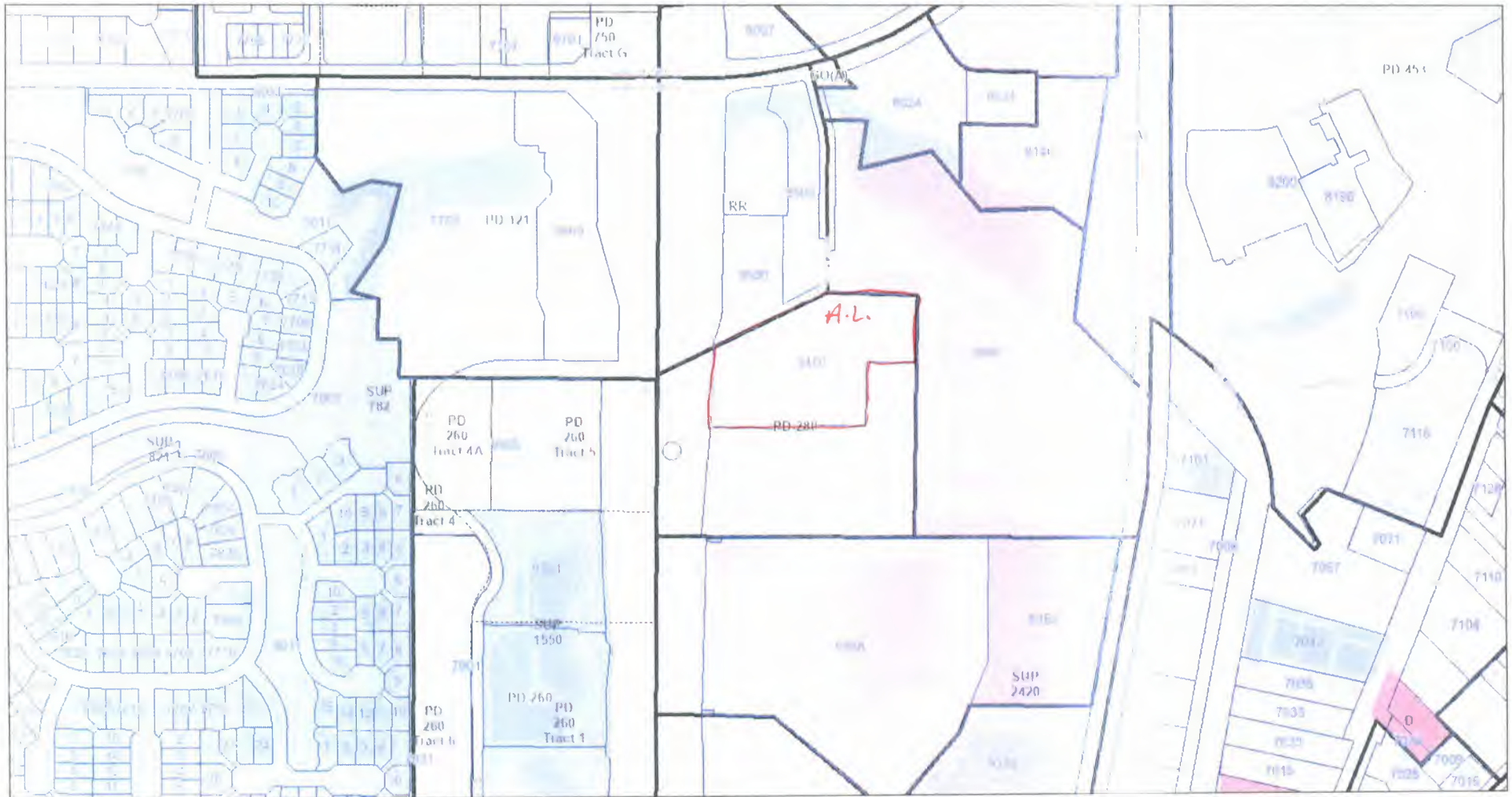
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

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

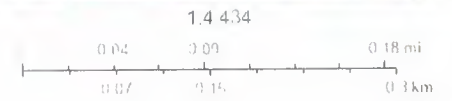


[Signature]
Notary Public for Dallas County, Texas
Commission expires on 1/6/25

ArcGIS Web Map



11/22/2023 9:28:51 AM



Map data by Esri, DeLorme, Garmin, FAO, NOAA, USGS, and other contributors, and the GIS User Community.

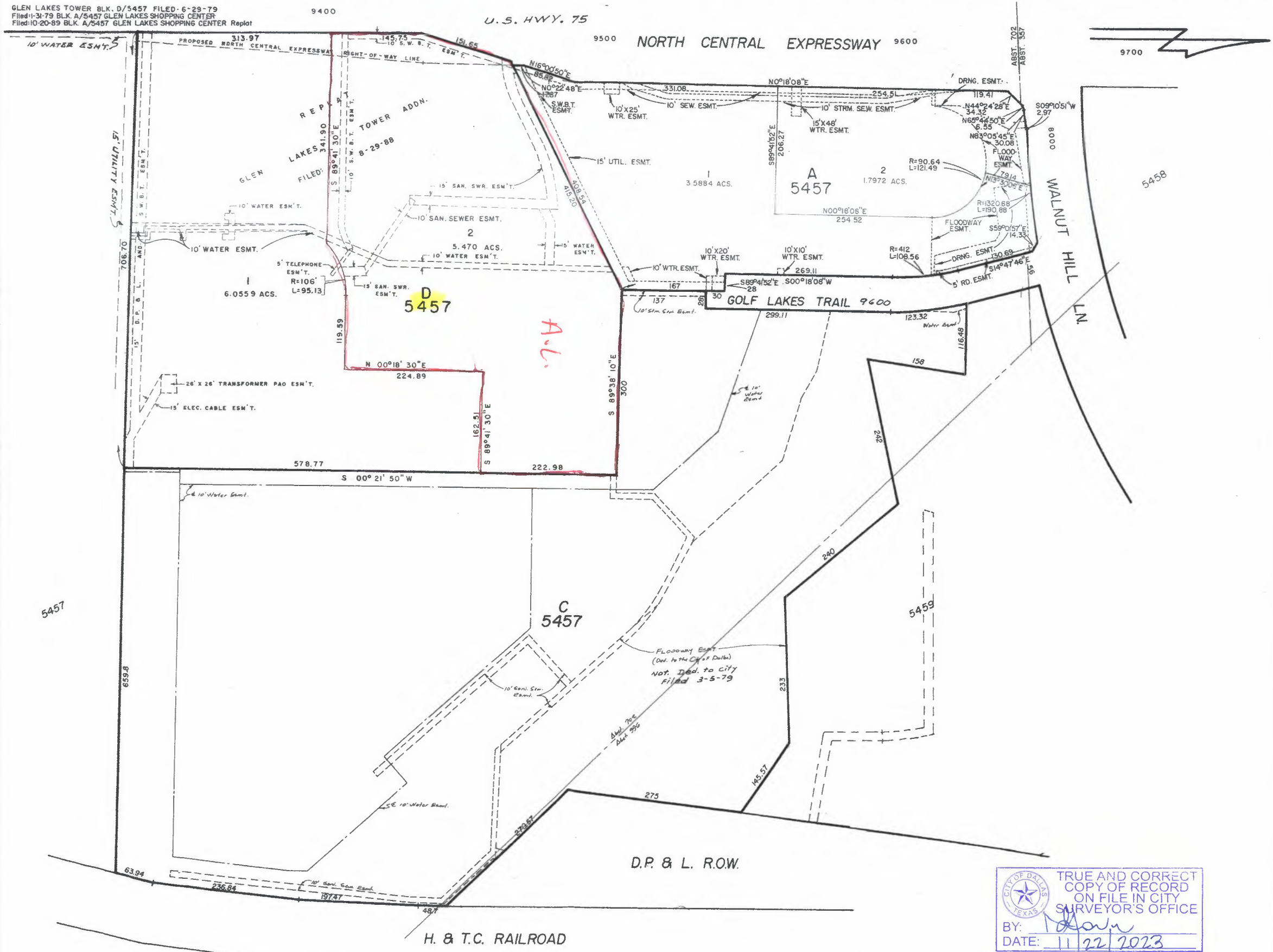
EDDAS-021

SHIPPED DATE: 10-23-96 RECEIVED DATE: 12-18-96
 ANNEXED MAY 16, 1945 ORD. NO. 3626
 SURVEY W. CARUTH & BRO. ABST. 357
 NEAL M. CREARY ABST. 396
 WILLIAM JENKINS ABST. 702

CITY OF DALLAS PLAT BOOKS
 ADDITION GLEN LAKES APARTMENTS

A,C-D
 BLOCKS 5457
 SCHOOL DISTRICT DALLAS

SCALE 100 FT. EQUALS 1 INCH PHA 9-12-88



TRUE AND CORRECT COPY OF RECORD ON FILE IN CITY SURVEYOR'S OFFICE
 BY: [Signature]
 DATE: 11/22/2023

BDA245-021



REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT: Priority Signs & Graphics		OWNER: Dave & Busters
ADDRESS: 9450 N CENTRAL EXPY	STATE: DALLAS	ZIP: 75231
LOT: 2	BLOCK: D-5457	ZONING: PD-280

<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-7.305. (c) ATTACHED SIGNS.

Description: On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy.

see (d) 7.703(13)

Alternative resolutions discussed/offered:
 Discussed possibly removing one sign or removing two words while leaving a logo in it's place. Some compromise has been made by removing one "&" from the proposal. An additional two words will still be needed.

Referred by: Scott Roper, Sr Plans Examiner Contact: scott.roper@dallas.gov Date: 9/29/2023

FOR INTERNAL USE ONLY

| REV 01 16 2023

SEC. 51A-7.305. ATTACHED SIGNS.

Attached signs are permitted in business areas in accordance with the following provisions:

(a) Except as otherwise permitted under Sections 51-4.213(25), 51-4.217(b)(5), 51A-4.206(1), and 51A-4.217(b)(9), all attached signs must be premise signs or convey a noncommercial message.

(b) All signs and their words shall be mounted parallel to the building surface to which they are attached, and shall project no more than 18 inches from that surface except as provided in Subsection (e) below.

(c) On the primary facade, the combined effective area of all attached signs may not exceed 25 percent of the total area of the primary facade. On each secondary facade, the combined effective area of all attached signs may not exceed 15 percent of the total area of that secondary facade. As applied to a building with multiple occupants, the facade area of each use with a separate certificate of occupancy shall be treated as a separate facade. On any building facade, there may be a maximum of eight words which contain any character of a height equal to or exceeding four inches and pertain to any premise or any non-residential occupancy. Words consisting of characters less than four inches high may be used without limit.

(d) The combined effective area of all signs attached to any window or any glass door may not exceed 15 percent of the area of that window or that glass door. Signs in the upper two-thirds of a window or glass door are prohibited. Signs attached to a window or a glass door must be brought into compliance with this provision by September 25, 2008.

(e) Attached signs may project more than 18 inches from vertical building planes as follows:

(1) Any premise or any non-residential occupancy may erect not more than one attached sign projecting up to a maximum of four feet from a vertical building plane, but not above the roof, provided that the premise or occupancy maintains no detached sign on the premise, and that the sign does not exceed 20 square feet in effective area, and that no part of the sign descends closer to grade than 10 feet, nor projects into or over any public right-of-way.

(2) On any premise or non-residential occupancy, a sign may be erected at the eaves or edge of the roof or on a parapet or edge of a canopy; provided, that the sign is parallel to the vertical building plane, and does not project more than four feet above the surface to which it is attached.

(3) Any premise or non-residential occupancy may erect one attached sign projecting up to a maximum of four feet from a vertical building plane if:

- (A) the sign does not exceed 60 square feet in effective area;
- (B) no single face of a three-dimensional sign exceeds 60 square feet;
- (C) the attached sign is not above the highest point of a facade;
- (D) no part of the sign descends closer to grade than 10 feet;
- (E) the sign does not project into or over any public right-of-way; and

(F) the contents of the sign are limited to a registered trademark or logo that contains no word or character.

(f) Words may be attached to machinery or equipment which is necessary or customary to the business, including but not limited to devices such as gasoline pumps, vending machines, ice machines, etc., provided that words so attached refer exclusively to products or services dispensed by the device, consist of characters no more than four inches in height, and project no more than one inch from the surface of the device. (Ord. Nos. 19455; 20927; 21978; 24232; 27244; 27253; 29024)

ARTICLE 280.

PD 280.

SEC. 51P-280.101. LEGISLATIVE HISTORY.

PD 280 was established by Ordinance No. 19744, passed by the Dallas City Council on October 28, 1987. Ordinance No. 19744 amended Ordinance Nos. 10962 and 19455, Chapters 51 and 51A of the Dallas City Code, as amended. (Ord. Nos. 10962; 19455; 19744; 25711; 28533)

SEC. 51P-280.102. PROPERTY LOCATION AND SIZE.

PD 280 is established on property generally located along the east line of North Central Expressway, south of [~~the south line of~~] Walnut Hill Lane. The size of PD 280 is approximately 11.555 [~~12.02~~] acres. (Ord. Nos. 19744; 25711; 28533)

SEC. 51P-280.103. DEFINITIONS AND INTERPRETATIONS.

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

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

(c) This district is considered to be a nonresidential zoning district. (Ord. Nos. 25711; 28533)

SEC. 51P-280.104. EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 280A: development plan. (Ord. Nos. 19744; 25711; 28533)

SEC. 51P-280.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 280A). If there is a conflict between the text of this article and the development plan, the text of this article controls. (Ord. Nos. 19744; 25711; 28533)

SEC. 51P-280.106. LANDSCAPING.

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

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. Nos. 19744; 25711; 28533)

SEC. 51P-280.112. NO PARKING SIGNS.

The owner(s) must provide “no-parking” signs on all dedicated streets traversing and bordering the Property, as required by the director of public works and transportation. (Ord. Nos. 19744; 25711; 28553)

SEC. 51P-280.113. TRANSPORTATION SYSTEMS MANAGEMENT.

(a) In general. Prior to the issuance of a permit for construction of new floor area for office uses to exceed 396,000 square feet, the owner(s) shall establish and operate a Transportation Systems Management (TSM) program to encourage carpool, vanpool, and other transit alternatives. A specific TSM action program must be submitted to the director. An annual report on the TSM must be furnished to the director of public works and transportation.

(b) Reports. The first report must be submitted within two years after the issuance of the first certificate of occupancy for office uses exceeding 396,000 square feet on the Property and must be submitted annually thereafter until directed otherwise by the director of public works and transportation. The final report must be submitted two years after the issuance of the certificate of occupancy permitting occupancy of 90 percent of the final building shown on the development plan.

(c) Alternatives. In lieu of the requirements in Subsection (a), the owner(s) may participate in and fund, in cooperation with other local area property owners, an area-wide Transportation Management Organization (TMO) that is approved by the city. (Ord. Nos. 19744; 25711; 28553)

SEC. 51P-280.114. SIGNS.

All signs must comply with the provisions for business zoning districts in Article VII. (Ord. Nos. 19744; 25711; 28553)

SEC. 51P-280.115. ADDITIONAL PROVISIONS.

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

(b) Development of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city. (Ord. Nos. 19744; 25711; 28553)

SEC. 51P-280.116. COMPLIANCE WITH CONDITIONS.

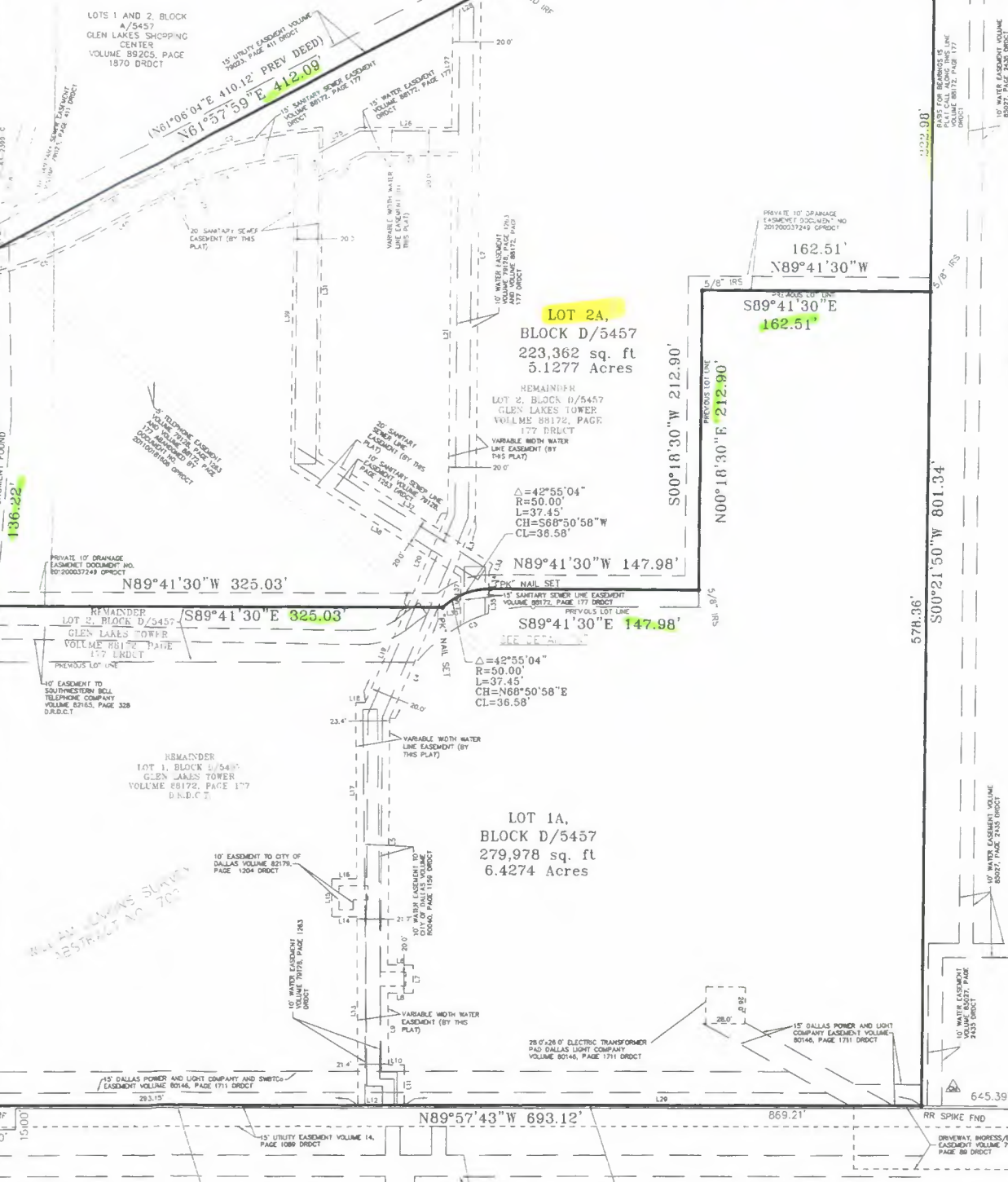
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. Nos. 19744; 25711; 28553)



LEGEND
 IRON ROD FOUND
 3/8" IRON ROD SET
 MARKED "A-WARD"
 5/8" IRON ROD RECOVERED
 MARKED "A-WARD"
 CONTROLLING MONUMENT
 DEED RECORDS DALLAS COUNTY TEXAS
 OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

NUMBER	DIRECTION	DISTANCE
1	S89°41'30"W	174.23
2	S89°41'30"W	174.24
3	S89°41'30"W	174.25
4	S89°41'30"W	174.26
5	S89°41'30"W	174.27
6	S89°41'30"W	174.28
7	S89°41'30"W	174.29
8	S89°41'30"W	174.30
9	S89°41'30"W	174.31
10	S89°41'30"W	174.32
11	S89°41'30"W	174.33
12	S89°41'30"W	174.34
13	S89°41'30"W	174.35
14	S89°41'30"W	174.36
15	S89°41'30"W	174.37
16	S89°41'30"W	174.38
17	S89°41'30"W	174.39
18	S89°41'30"W	174.40
19	S89°41'30"W	174.41
20	S89°41'30"W	174.42
21	S89°41'30"W	174.43
22	S89°41'30"W	174.44
23	S89°41'30"W	174.45
24	S89°41'30"W	174.46
25	S89°41'30"W	174.47
26	S89°41'30"W	174.48
27	S89°41'30"W	174.49
28	S89°41'30"W	174.50
29	S89°41'30"W	174.51
30	S89°41'30"W	174.52
31	S89°41'30"W	174.53
32	S89°41'30"W	174.54
33	S89°41'30"W	174.55
34	S89°41'30"W	174.56
35	S89°41'30"W	174.57
36	S89°41'30"W	174.58
37	S89°41'30"W	174.59
38	S89°41'30"W	174.60
39	S89°41'30"W	174.61
40	S89°41'30"W	174.62
41	S89°41'30"W	174.63
42	S89°41'30"W	174.64
43	S89°41'30"W	174.65
44	S89°41'30"W	174.66
45	S89°41'30"W	174.67
46	S89°41'30"W	174.68
47	S89°41'30"W	174.69
48	S89°41'30"W	174.70
49	S89°41'30"W	174.71
50	S89°41'30"W	174.72
51	S89°41'30"W	174.73
52	S89°41'30"W	174.74
53	S89°41'30"W	174.75
54	S89°41'30"W	174.76
55	S89°41'30"W	174.77
56	S89°41'30"W	174.78
57	S89°41'30"W	174.79
58	S89°41'30"W	174.80
59	S89°41'30"W	174.81
60	S89°41'30"W	174.82
61	S89°41'30"W	174.83
62	S89°41'30"W	174.84
63	S89°41'30"W	174.85
64	S89°41'30"W	174.86
65	S89°41'30"W	174.87
66	S89°41'30"W	174.88
67	S89°41'30"W	174.89
68	S89°41'30"W	174.90
69	S89°41'30"W	174.91
70	S89°41'30"W	174.92
71	S89°41'30"W	174.93
72	S89°41'30"W	174.94
73	S89°41'30"W	174.95
74	S89°41'30"W	174.96
75	S89°41'30"W	174.97
76	S89°41'30"W	174.98
77	S89°41'30"W	174.99
78	S89°41'30"W	175.00
79	S89°41'30"W	175.01
80	S89°41'30"W	175.02
81	S89°41'30"W	175.03
82	S89°41'30"W	175.04
83	S89°41'30"W	175.05
84	S89°41'30"W	175.06
85	S89°41'30"W	175.07
86	S89°41'30"W	175.08
87	S89°41'30"W	175.09
88	S89°41'30"W	175.10
89	S89°41'30"W	175.11
90	S89°41'30"W	175.12
91	S89°41'30"W	175.13
92	S89°41'30"W	175.14
93	S89°41'30"W	175.15
94	S89°41'30"W	175.16
95	S89°41'30"W	175.17
96	S89°41'30"W	175.18
97	S89°41'30"W	175.19
98	S89°41'30"W	175.20
99	S89°41'30"W	175.21
100	S89°41'30"W	175.22



NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	290.00	49.52	N66°58'49"E	49.46
C2	370.00	132.78	N74°21'33"E	131.77
C3	106.00	21.88	S66°44'55"W	21.84
C4	290.00	102.78	S72°14'32"W	102.24
C5	310.00	70.99	S68°38'59"W	70.84

OWNERS CERTIFICATE

COUNTY OF DALLAS (X)
 STATE OF TEXAS (X)

That, DALLAS NCX PROPERTIES LLC is the owner of a portion of Lots 1 and 2 in Block D/5457, of a Replat of GLEN LAKES TOWER, an addition to the City of Dallas, Dallas County, Texas as recorded in volume 88772, page 177 of the Deed Records of Dallas County, Texas embracing a portion of the WILLIAM JENKINS SURVEY, Abstract No. 702, City of Dallas, Dallas County, Texas and being all of Tract 2, Parcel A and Tract 2, Parcel B described in the Special Warranty Deed to DALLAS NCX PROPERTIES LLC, recorded in Clerks Document No. 2010088332 of the Official Public Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

Beginning of a capped iron rod found for the southeast corner of the 17,599 square foot tract described in the deed to the State of Texas recorded in volume 82240, page 2968 of the Deed Records of Dallas County, Texas and being on the south line of said Lot 1, the north line of Lot 2B Block E/5457 of NORTH-PARK INN PROPERTY, an addition to the City of Dallas, Dallas County, Texas as said Lot 2B appears upon the map thereof recorded in volume 92081, page 711 of the said Deed Records and being in the east line of North Central Expressway (U.S. Highway No. 75).

Thence north 04 degrees 11 minutes 20 seconds east, along the east line of said 17,599 square foot tract for the southeast line of North Central Expressway, a distance of 492.35 feet in a Texas Department of Transportation found.

Thence north 20 degrees 08 minutes 35 seconds west, a distance of 177.56 feet to a mark "X" on concrete found for the northwest corner of said 17,599 square foot tract and being on the north line of said Lot 1, the south line of Lot 2B Block E/5457 of NORTH-PARK INN PROPERTY, an addition to the City of Dallas, Dallas County, Texas as said Lot 2B appears upon the map thereof recorded in volume 92081, page 711 of the said Deed Records.

Thence north 41 degrees 30 minutes 59 seconds west, the common line of said Lots 1 and 2, a distance of 693.12 feet to a capped iron rod found for a northwesterly corner of said Lot 2, the southeast corner of said Lot 1, and the westerly southwest corner of GLEN LAKES APARTMENTS ADDITION, an addition to the City of Dallas, Dallas County, Texas as said GLEN LAKES APARTMENTS ADDITION, appears upon the map thereof recorded in volume 78247, page 1 of the said Deed Records.

Thence south 89 degrees 43 minutes 24 seconds east, along the common line of said Lot 2 and said GLEN LAKES APARTMENTS ADDITION, a distance of 300.51 feet to a capped iron rod found (control monument) for the northeast corner of said Lot 2, and a re-entrant corner of said GLEN LAKES APARTMENTS ADDITION.

Thence south 00 degrees 21 minutes 50 seconds west, along the common line of said Lots 2 and 1 and said GLEN LAKES APARTMENTS ADDITION, a distance of 801.34 feet to a capped iron rod found for the southeast corner of first mentioned Lot 1 and southwest corner of GLEN LAKES APARTMENTS ADDITION and being in the north line of said Lot 2B.

Thence north 89 degrees 57 minutes 43 seconds west, along the common line of said Lots 1 and 2B, a distance of 693.12 feet to the point of beginning and containing 503,339 square feet or 11,552 acres as surveyed by James Paul Ward, Texas Registered Professional Land Surveyor No. 5606 on June 5, 2010.

DALLAS NCX PROPERTIES LLC,
 a Delaware limited liability company

By: Dallas NCX Member LLC,
 a Delaware limited liability company,
 its sole member

By: Rosemont Realty, LLC,
 a Delaware limited liability company,
 its manager

By: *[Signature]*
 Name: Michael Mahony
 Title: Chief Operating Officer of Rosemont Realty

STATE OF NEW MEXICO §
 COUNTY OF SANTA FE §

This instrument was acknowledged before me on the 16th day of February, 2012, by Michael Mahony, Chief Operating Officer of Rosemont Realty, LLC, a Delaware limited liability company, member of Dallas NCX Member LLC, a Delaware limited liability company, sole member of Dallas NCX Properties LLC, a Delaware limited liability company, and its manager, and James Paul Ward, Texas Registered Professional Land Surveyor No. 5606, in their respective capacities.



My Commission Expires: 3-24-12

SURVEYORS STATEMENT

I, James Paul Ward, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation, and that this plat substantially complies with the Rules and Regulation of the Texas Board of Professional Land Surveying, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212, further affirm that monumentation shown herein was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d)(e); and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the 13th day of Feb, 2012

[Signature]
 JAMES PAUL WARD
 Texas Registered Professional Land Surveyor No. 5606

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DALLAS NCX PROPERTIES LLC, acting by and through its sole member, Dallas NCX Member LLC, by Rosemont Realty, LLC, its manager, by its duly authorized agent, Michael Mahony, Chief Operating Officer, does hereby adopt this plat, designating the herein described property as NCX-ROSEMONT, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, in fee simple, to the public use forever any streets, alleys, and roadway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the multiple use and accommodation of all public utility using or desiring to use same. All, and any public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way may encroach or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to and from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and ceding to or removing all or parts of its respective systems without the necessity of any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement area is also conveyed for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the man to the curb or pavements line, and installation of such additional easements herein granted shall be determined by their location as installed.

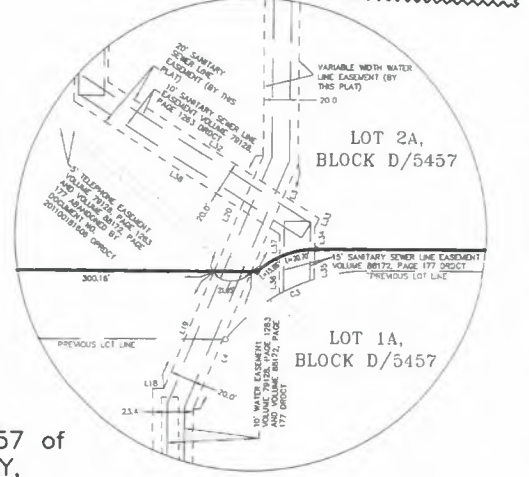
This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Dallas.

- GENERAL NOTES:
1. LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.
 2. BASIS FOR BEARING IS SCD21°50'W PLAT CALL, ALONG THE EAST LINE OF LOT 1, BLOCK D/5457 RECORDED IN VOLUME 88172, PAGE 177 D.R.D.C.T.
 3. THE PURPOSE OF THE REPLAT IS TO RELOCATE THE LOT LINE BETWEEN LOTS 1 AND 2 TO THE NORTH APPROXIMATELY 39.65 FEET
 4. ALL STRUCTURES ON THE LOT TO REMAIN
 5. ACCESS OR MODIFICATION TO NORTH CENTRAL EXPRESSWAY REQUIRES TxDOT APPROVAL

FINAL PLAT

NCX-ROSEMONT,
 Lots 1A AND 2A, Block D/5457,
 being a replat of Lots 1 and 2 in Block D/5457 of
 GLEN LAKES TOWER, WILLIAM JENKINS SURVEY,
 Abstract No. 702.
 City of Dallas, Dallas County, Texas.

[Signature]
 Christina Marie Williams
 Notary Public, Texas



GRAPHIC SCALE SCALE IN FEET = 50' AWARD PROJECT NO. 2010.1564

CITY PLAN NO. S101-099
 FEBRUARY 13, 2012

BDA245-021


WARD SURVEYING COMPANY
 PO Box 137431, LAKE WORTH, TX 76136
 817-33A-WARD (332-9273) FAX 817-33A-WARD (332-9273)
 survey@wardsurveying.com


Prepared for:
DAVE & BUSTER'S


9450 N. Central Expy
Dallas, TX 75231



PAUL GAMBILL

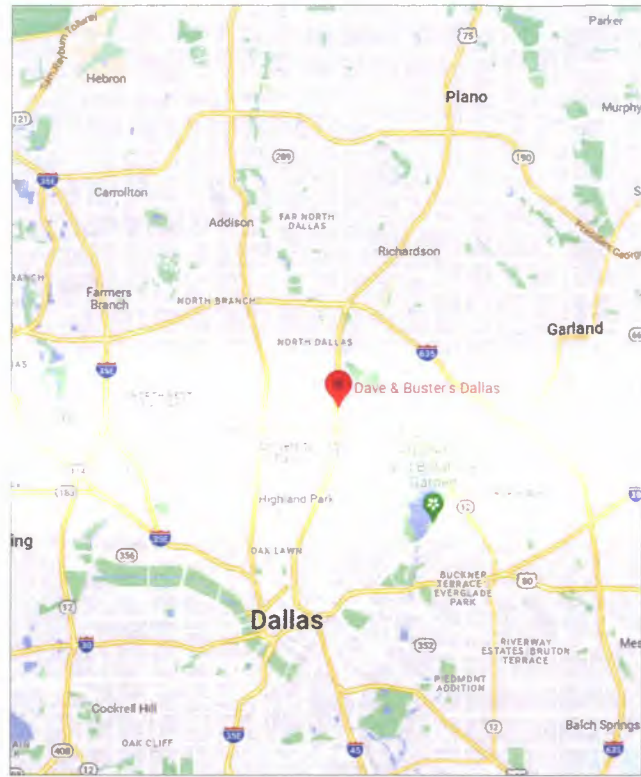
 p.gambill@firstandmain.com

 234.458.0990

 Ohio California Colorado Indiana Oklahoma

EASE | INTEGRITY | PERFORMANCE

#23-2274-R09 (PROD)



1 VICINITY MAP
SCALE: NTS



2 AERIAL VIEW
SCALE: NTS

Location:

DAVE & BUSTER'S

9450 N Central Expy

Revision:

- 1)MG-7/27/23-Rem Sgn G frm pkg
- 2)MG-8/2/23-Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
- 3)MG-8/4/23-Add new artwork (frm client) for Sign J
- 4)MG-8/15/23-Rev drwg per redlines & email from client
- 5)MG-8/26/23-Show vinyl wall graphic G&L to wrap other side of wal
- 6)MG-9/15/23-Del Signs G and J, per Elsa's email
- 7)KB 10/13/23-Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels
- 8)MG-11/10/23-Add Survey Drms for H & L
- 9)MG-12/6/23-Fix scale for West elev.

Approved

Approved as Noted

Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No: SP.00

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Location:

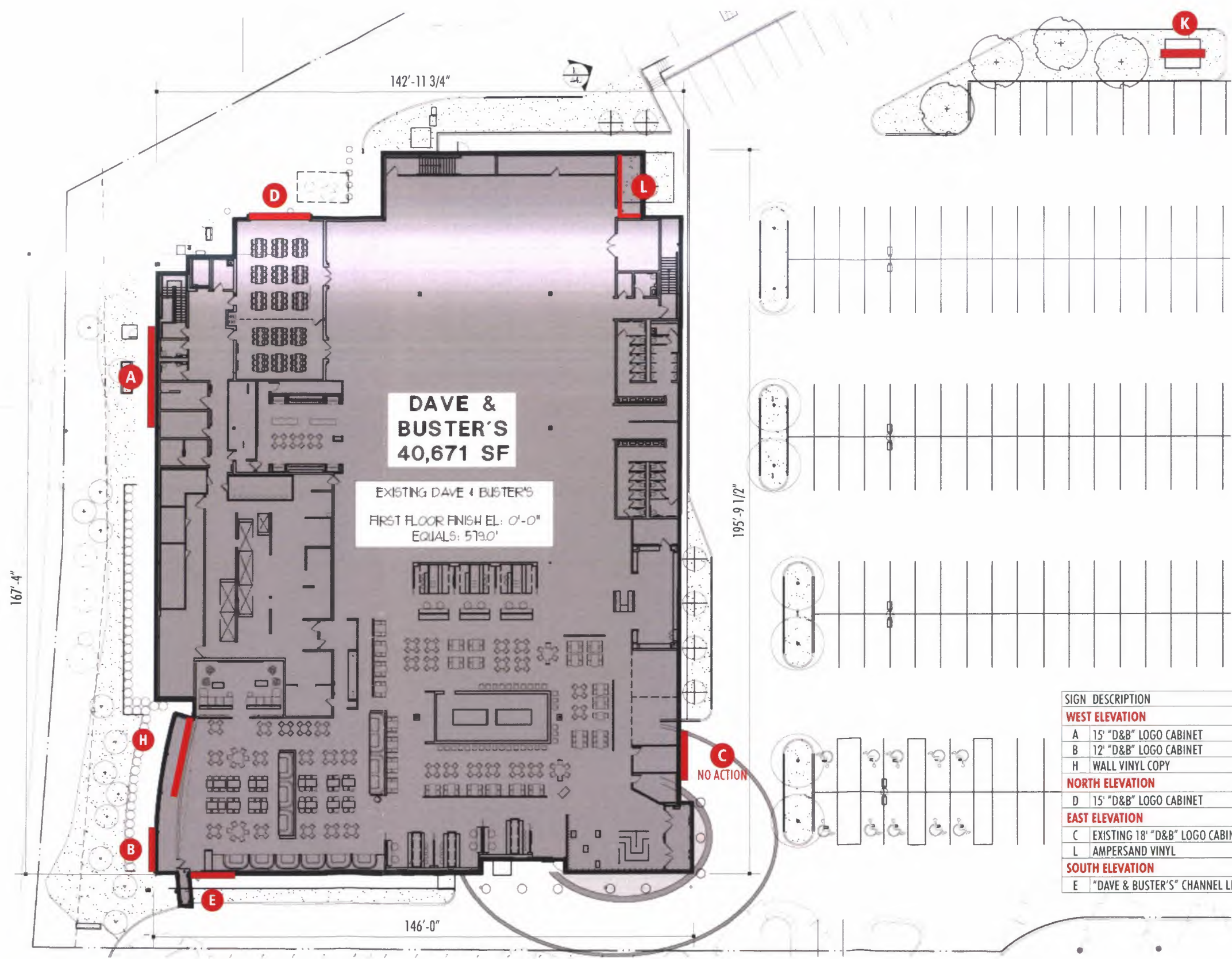
DAVE & BUSTER'S

9450 N. Central Exp

Call: 714.755.0777

Revision:

- 1)MG 7/27/23 Rem Sign G from pkg
- 2)MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
- 3)MG 8/4/23: Add new artwork (from client) for Sign J
- 4)MG 8/15/23 Rev drwg per redlines & email from client
- 5)MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal
- 6)MG 9/15/23 Del Signs G and J, per Elsa's email
- 7)KB 10/13/23: Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels
- 8)MG 11/10/23 Add Survey Dims for H & L
- 9)MG 12/6/23 Fix scale for West elev.



SIGN DESCRIPTION		SQ. FT.
WEST ELEVATION		
A	15' "D&B" LOGO CABINET	225.00
B	12' "D&B" LOGO CABINET	144.00
H	WALL VINYL COPY	451.67
NORTH ELEVATION		
D	15' "D&B" LOGO CABINET	225.00
EAST ELEVATION		
C	EXISTING 18' "D&B" LOGO CABINET - NO ACTION	324.00
L	AMPERSAND VINYL	428.39
SOUTH ELEVATION		
E	"DAVE & BUSTER'S" CHANNEL LETTERS	150.28

1 SITE PLAN
SCALE: 1" = 30'

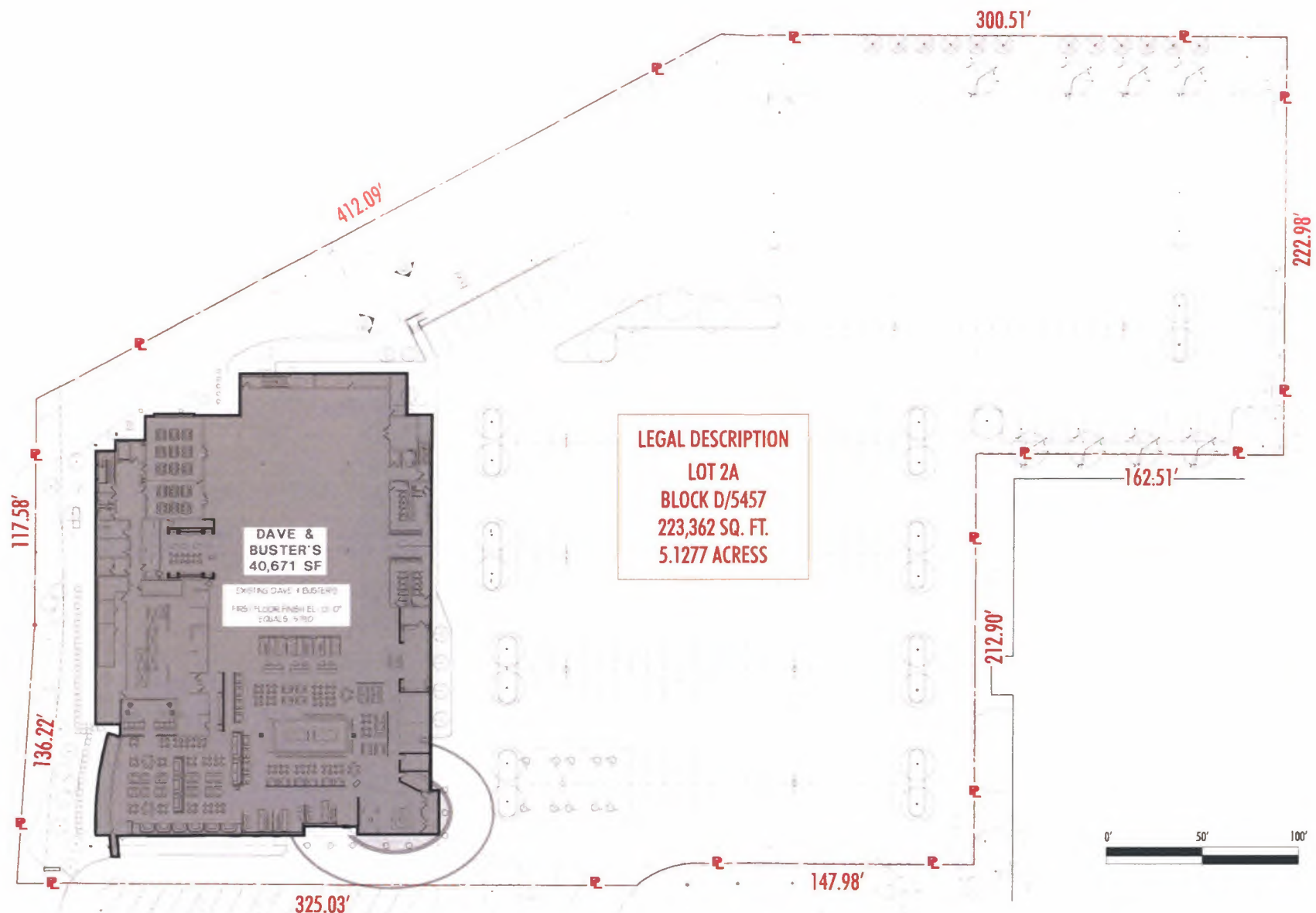
- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No. SP.02

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1 SITE / PLOT PLAN
Scale: 50' = 1" - 0"

FIRST MAIN
 2340 Shepler Church Ave SW
 Canton, OH 44706
 330.458.2880
 2000 EAST 10TH AVE
 SUITE 2000
 OKLAHOMA

Location:
DAVE & BUSTER'S
 9450 N. Central Expy
 Dallas, TX 75231

- Revisions:
- 2)MG-8/2/23 Del F, chg A to 15 ft retrace logo, chg J to All vinyl graphic (graphic 1BD)
 - 3)MG-8/4/23 Add new artwork (firm client) for Sign J
 - 4)MG-8/15/23 Rev down set retrace & email from client
 - 5)MG-8/26/23 Show vinyl wall graphic G&L to wrap other side of wall
 - 6)MG-9/15/23 Del Sign G and J, per Eja's email
 - 7)MG-10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to L, update logo specs to match old, from other remodels
 - 8)MG-11/10/23 Add Survey Dims for H & L
 - 9)MG-12/6/23 Fix scale for West elev.
 - 10)MG-11/20/24 Show plot plan dims and legal descrip

- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No: 23-2274-R10(PROD)

Date: 06.28.2023 PM

Page No: SP.01

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- Revision:
- 1) MG 7/27/23 Rem Sign G from pkg
 - 2) MG 8/2/23 Del F, chg A to 15' ft reface logo, chg J to All vinyl graphic (graphic TBD)
 - 3) MG 8/4/23 Add new artwork (from client) for Sign J
 - 4) MG 8/15/23 Rev drwa per redlines & email from client
 - 5) MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wall
 - 6) MG 9/15/23 Del Signs G and J, per Elsa's email
 - 7) KB 10/13/23 Chg sign H & J to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels
 - 8) MG 11/10/23 Add Survey Dims for H & L
 - 9) MG 12/6/23 Fix scale for West elev

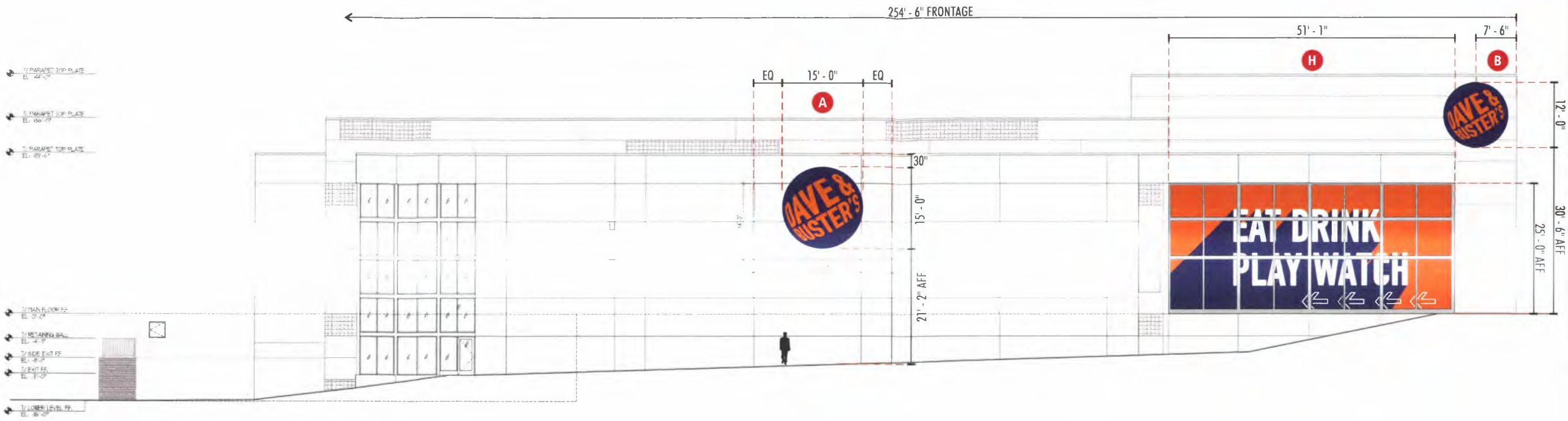
- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

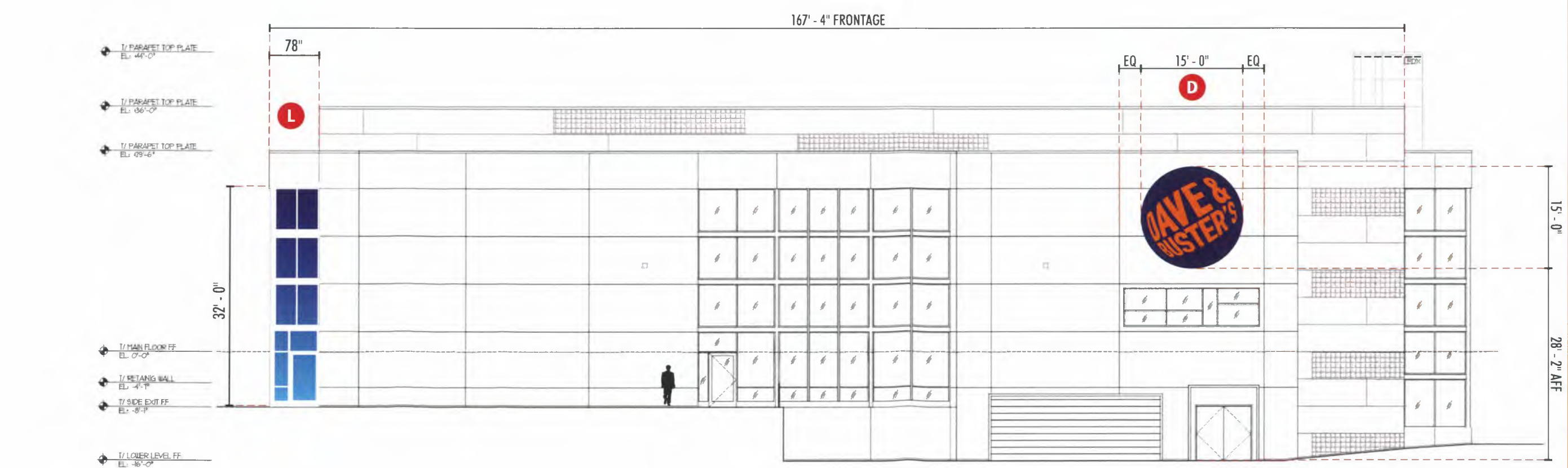
Date 06.28.2023 PM

Page No 1.00

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1 WEST ELEVATION
SCALE: 1" = 20' - 0"



2 NORTH ELEVATION
SCALE: 1/16" = 1' - 0"

Location

DAVE & BUSTER'S

9450 N Central Expy

Walla, TX 75086

Revision:

- 1) MG 7/27/23 Rem Sign G from pkg
- 2) MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
- 3) MG 8/4/23 Add new artwork (from client) for Sign J
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- 8) MG 11/10/23 Add Survey Dims for H & L
- 9) MG 12/6/23 Fix scale for West elev

- Approved
- Approved as Noted
- Revise & Resubmit

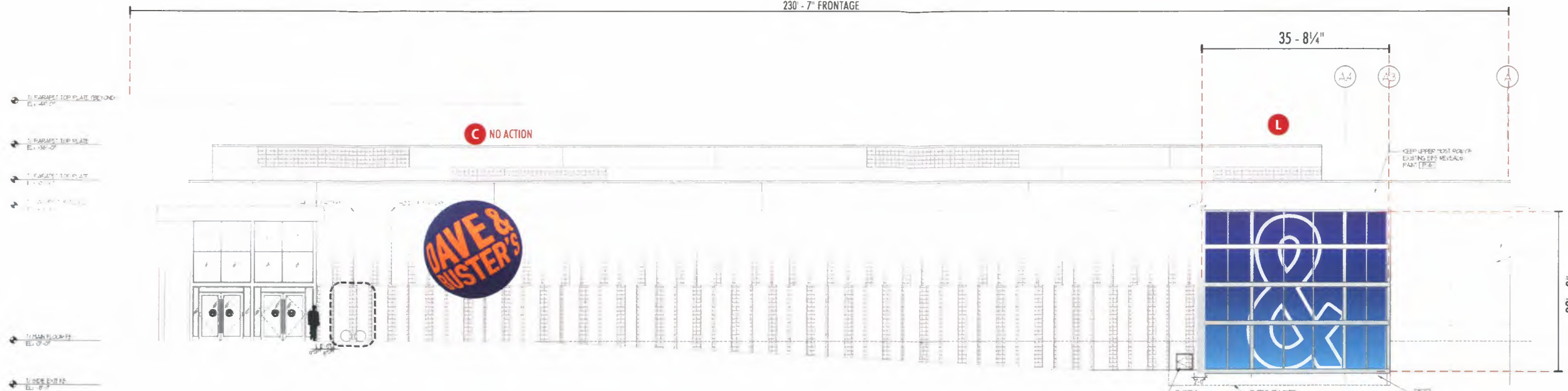
Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No. 1.01

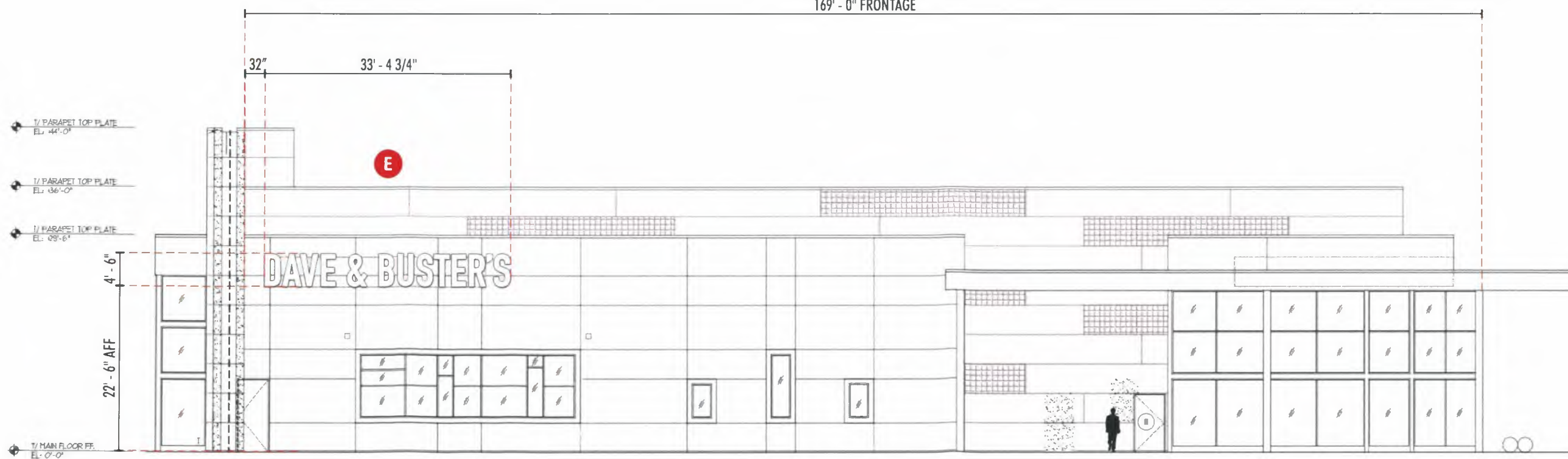
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230' - 7" FRONTAGE



1 EAST ELEVATION - NO ACTION, SIGN HAS BEEN REPLACED
SCALE: 1" = 20' - 0"

169' - 0" FRONTAGE



2 SOUTH ELEVATION
SCALE: 1/16" = 1' - 0"

15'-0" (Per Survey)



Existing bleed face sign.
Paint to match P1 (satin finish)

12" 2"

Fascia

END VIEW

NOTE: LED REPLACEMENT LAYOUT FOR SIGN
TO BE PROVIDED BY MANUFACTURING

Bleed face



EXISTING LOGO



NIGHT VERSION

Location

DAVE & BUSTER'S

0450 N Central Expy

Canton, OH 44706

Revision:

1)MG-7/27/23 Rem Sgn G frm pkg

2)MG-8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)

3)MG-8/4/23 Add new artwork (frm client) for Sign J

4)MG-8/15/23 Rev drwg per redlines & email from client

5)MG-8/26/23 Show vinyl wall graphic G&L to wrap other side of wall

6)MG-9/15/23 Del Signs G and J, per Elsa's email

7)KB-10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels

8)MG-11/10/23 Add Survey Dims for H & L

9)MG-12/6/23 Fix scale for West elev

Approved

Approved as Noted

Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date 06.28.2023 PM

Page No. 2.00

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A

REFACE EXISTING S/F INTERNALLY ILLUMINATED LOGO CABINET

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

QTY: One (1)

SQ. FT. = 225

SCOPE OF WORK

- Remove existing face from existing logo
- Repaint return to match P1-PMS 072C (satin finish)
- Face - White 3M FS1, w/matte laminate face. Background and copy to be UV digitally printed on 1st surface to match P1 and P2.
- Replace with white (6500k) LED's, dense spacing to avoid dark spots, must be evenly illuminated.
LED power supplies to be located within cabinet



P1-PMS Blue
072C



PMS 1505C
Orange

Location
DAVE & BUSTER'S
9450 N. Central Expy

- Revision:
- 1) MG 7/27/23 Rem Sgn G frm pkg
 - 2) MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
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 - 6) MG 9/15/23 Del Signs G and J, per Elsa's email
 - 7) KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels
 - 8) MG 11/10/23 Add Survey Dims for H & L
 - 9) MG 12/6/23 Fix scale for West elev

- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No 3.00

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NOTE: LED REPLACEMENT LAYOUT FOR SIGN TO BE PROVIDED BY MANUFACTURING

Retro frame cover on face



EXISTING LOGO

END VIEW

B REFACE EXISTING S/F INTERNALLY ILLUMINATED LOGO CABINET QTY: One (1)
SCALE: 3/8" = 1'-0" SQ FT. = 144

SCOPE OF WORK

- Remove existing face from existing logo
- Repaint return and retro frame cover to match P1-PMS 072C (satin finish)
- Face - White 3M FS1, w/matte laminate face. Background and copy to be UV digitally printed on 1st surface to match P1 and P2.
- Replace with white (6500k) LED's, dense spacing to avoid dark spots, must be evenly illuminated.
LED power supplies to be located within cabinet



NIGHT VERSION

Location
DAVE & BUSTER'S
9450 N. Central Exp.

- Revision:
- 1)MG 7/27/23 Rem Sgn G frm pkg
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 - 3)MG 8/4/23 Add new artwork (frm client) for Sign J
 - 4)MG 8/15/23 Rev drwg per redlines & email from client
 - 5)MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal
 - 6)MG 9/15/23 Del Signs G and J, per Elso's email
 - 7)KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect. detail to E, update logo specs to match sld. from other remodels
 - 8)MG 11/10/23 Add Survey Dims for H & L
 - 9)MG 12/6/23 Fix scale for West elev



C EXISTING REFACE - NO ACTION QTY: One (1)
SCALE: 1/4" = 1'-0" SQ FT. = 324

- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No: 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No: 4.00

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Location:

DAVE & BUSTER'S

9450 N. Central Expy

CANTON, OHIO

Revision:

1)MG 7/27/23 Rem Sgn G frm pkg

2)MG 8/2/23 Del F, chg A to 15 ft; reface logo, chg J to All vinyl graphic (graphic TBD)

3)MG 8/4/23 Add new artwork (frm client) for Sign J

4)MG 8/15/23 Rev drwg per redlines & email from client

5)MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal

6)MG 9/15/23 Del Signs G and J, per Elsa's email

7)KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect. detail to E, update logo specs to match std. from other remodels

8)MG 11/10/23 Add Survey Dims for H & L

9)MG 12/6/23 Fix scale for West elev

Approved

Approved as Noted

Revise & Resubmit

Drawing No: 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No: 5.00

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15'-0" (Per Survey)



Existing retainer.
Paint to match P1 (satin finish)



Fascia

END VIEW

NOTE: LED REPLACEMENT LAYOUT FOR SIGN TO BE PROVIDED BY MANUFACTURING

Retro frame cover on face



EXISTING LOGO



NIGHT VERSION

D

REFACE EXISTING S/F INTERNALLY ILLUMINATED LOGO CABINET

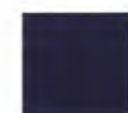
SCALE: 3/8" = 1'-0"

QTY: One (1)

SQ FT. = 225

SCOPE OF WORK

- Remove existing face from existing logo
- Repaint return and retro frame cover to match P1-PMS 072C (satin finish)
- Face - White 3M FS1, w/matte laminate face. Background and copy to be UV digitally printed on 1st surface to match P1 and P2.
- Replace with white (6500k) LED's, dense spacing to avoid dark spots, must be evenly illuminated.
LED power supplies to be located within cabinet



P1-PMS Blue
072C



PMS 1505C
Orange

Location:

DAVE & BUSTER'S
9450 N. Central Exp.
Columbus, OH 43240

Revision:

- 1)MG 7/27/23 Rem Sign G frm pkg
- 2)MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
- 3)MG 8/4/23 Add new artwork (frm client) for Sign J
- 4)MG 8/15/23 Rev drwa per redlines & email from client
- 5)MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal
- 6)MG 9/15/23 Del Signs G and J, per Elsa's email
- 7)KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to E; update logo specs to match std. from other remodels
- 8)MG 11/10/23 Add Survey Dims for H & L
- 9)MG 12/6/23 Fix scale for West elev

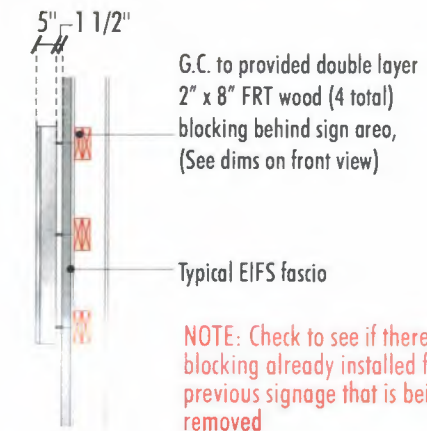
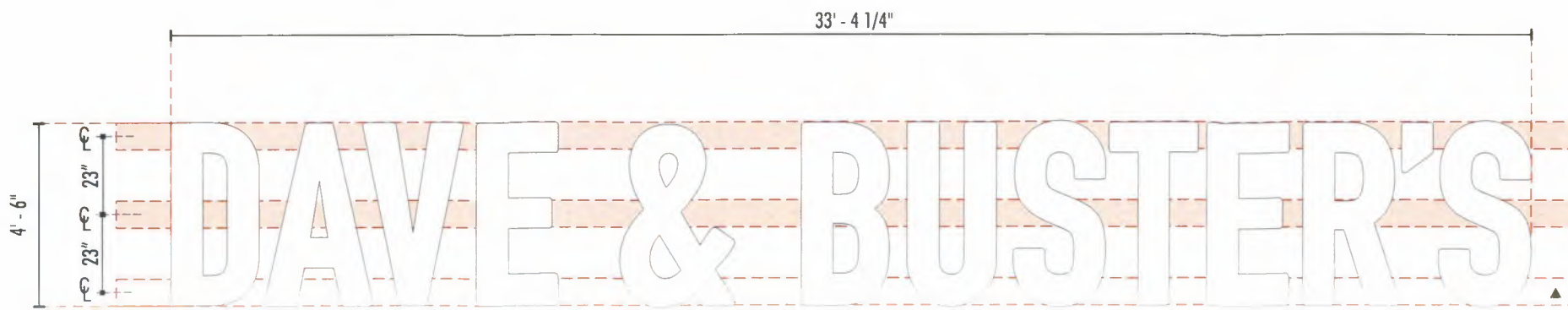
- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No. 6.00

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END VIEW

QTY: One (1)
SQ FT. = 150.28

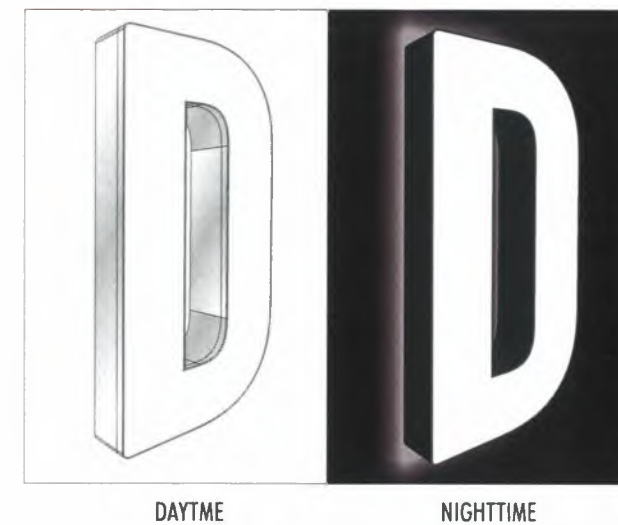
G.C. to provided double layer 2" x 10" FRT wood (3 total) blocking behind sign area

NOTE: Check to see if there is blocking already installed from previous signage that is being removed

E INTERNALLY ILLUMINATED DUAL-LIT CHANNEL LETTERS
SCALE: 1/4" = 1'-0"

SPECIFICATIONS

- Fabricated aluminum, 5" deep, internally illuminated dual-lit, channel letters.
- Returns - Brushed Aluminum.
- Trimcap - Silver Metallic.
- Face - White (7328) acrylic
- Backs - Clear polycarbonate
- Letters to be internally illuminated with 7100k white LED's. Power supply to be remotely located in wireway behind wall. Use existing primary power from previous sign that is being removed.
- Letters mounted 1 1/2" off of building fascia.

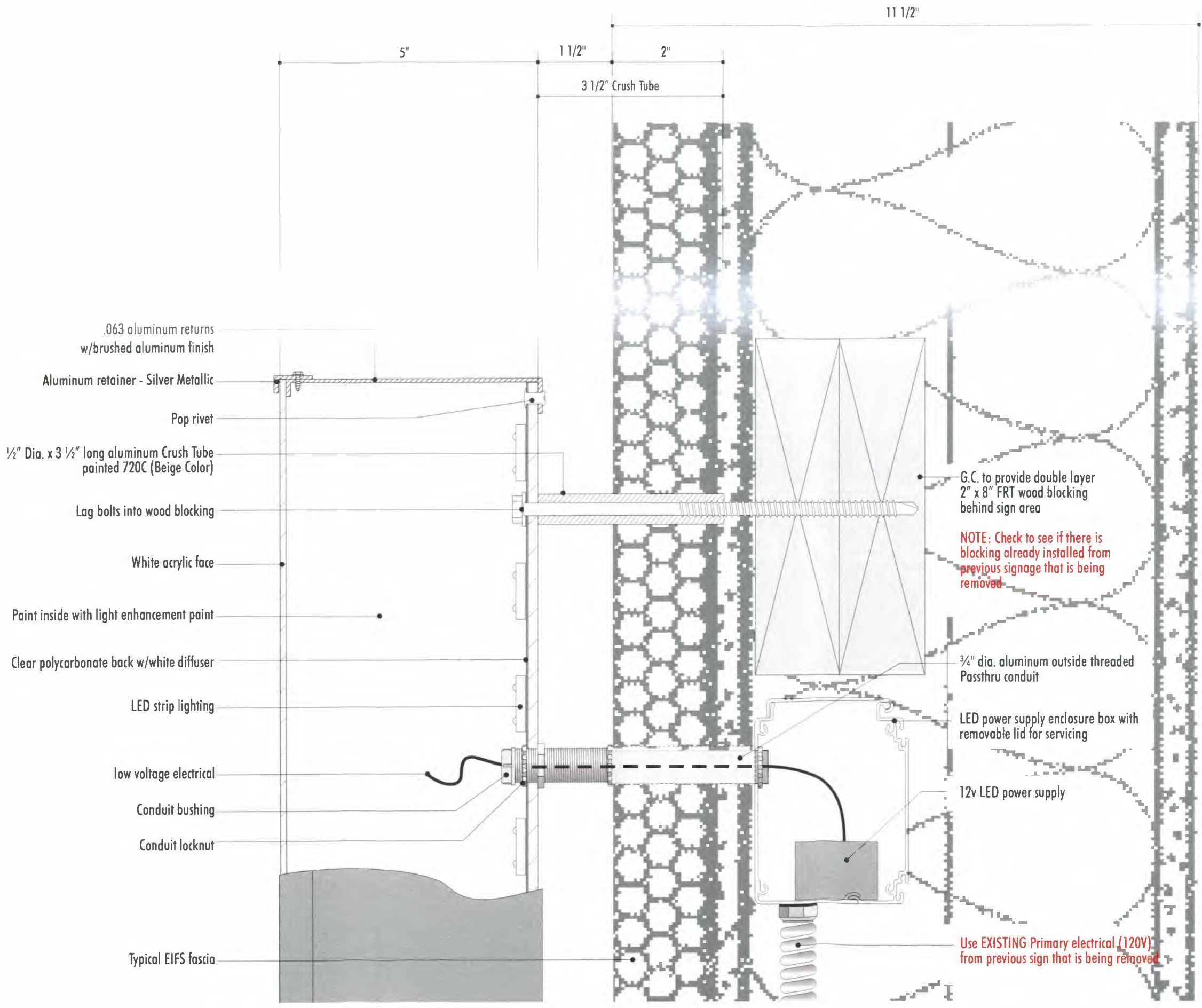


DAYTIME

NIGHTTIME



NIGHT VIEW



ELECTRICAL ILLUMINATION REQUIREMENTS

1 Dedicated 20 Amp Circuit at 120 Volts

NOTE: All primary electrical to sign location to be provided by others. A dedicated circuit with NO shared neutrals and a ground returning to the panel is required for installation.

This sign is intended to be installed in accordance with Article 600 or the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

All power supplies to be Ground-Fault Interrupted (GFI)

Signage to have a dedicated branch circuit, three (3) wires (Line, Neutral and Ground)

Wire sizes to be a minimum of 12 Ga. THHN copper wire. Gauge of wire is determined by the length of run and amperage as per NEC Article 300

Voltage should read no more than 3 volts between ground and neutral

Conduit can not be used as ground path

Power to sign to be done by a electrical contractor or licensed electrician

Ground wire must be continuous and go from sign to panel board ground bus.

ALL COMPONENTS TO BE APPROVED

FIRST & MAIN
SIGNAGE FOR MODERN SPACES

2340 Shepler Church Ave SW
Canton, OH 44706
234.458.0990

OHIO • CALIFORNIA
COLORADO • INDIANA
OKLAHOMA

Location
DAVE & BUSTER'S
2450 N. Central Expy
Columbus, OH 43202

- Revision:
- 1) MG 7/27/23 Rem Sign G firm pkg
 - 2) MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
 - 3) MG 8/4/23 Add new artwork (firm client) for Sign J
 - 4) MG 8/15/23 Rev drwg per redlines & email from client
 - 5) MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal
 - 6) MG 9/15/23 Del Signs G and J, per Elsa's email
 - 7) KB 10/13/23 Chg sign H & L to wallcovering, add blocking & set detail to E, update logo spers to match std. from other remodels
 - 8) MG 11/10/23 Add Survey Dims for H & L
 - 9) MG 12/6/23 Fix scale for West elev

- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)
Date 06.28.2023 PM

Page No.

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51' - 1" (Per Survey)



2340 Shepler Church Ave SW
Canton, OH 44706
234.458.0990

OHIO • CALIFORNIA
COLORADO • INDIANA
OKLAHOMA

Location:

DAVE & BUSTER'S

9450 N. Central Exp

Canton, OH 44705

Revision:

1)MG 7/27/23 Rem Sign G frm pkg

2)MG 8/2/23-Del F, chg A to 15 ft replace logo, chg J to All vinyl graphic (graphic TBD)

3)MG 8/4/23-Add new artwork (frm client) for Sign J

4)MG 8/15/23-Rev drwg per redlines & email from client

5)MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wal

6)MG 9/15/23 Del Signs G and J, per Elsa's email

7)KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match std. from other remodels

8)MG 11/10/23 Add Survey Dims for H & L

9)MG 12/6/23 Fix scale for West elev.

H WALL COVERING (WC-8)

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

QTY: ONE (1)

SQ FT. = 451.67

SPECIFICATIONS

- 1st surface UV digitally printed graphic on beads (WC-8), applied to wall.
(Manufacture by F&M, install by Eckinger)



PMS 1505C
Orange



P1-PMS Blue
072C

Approved

Approved as Noted

Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

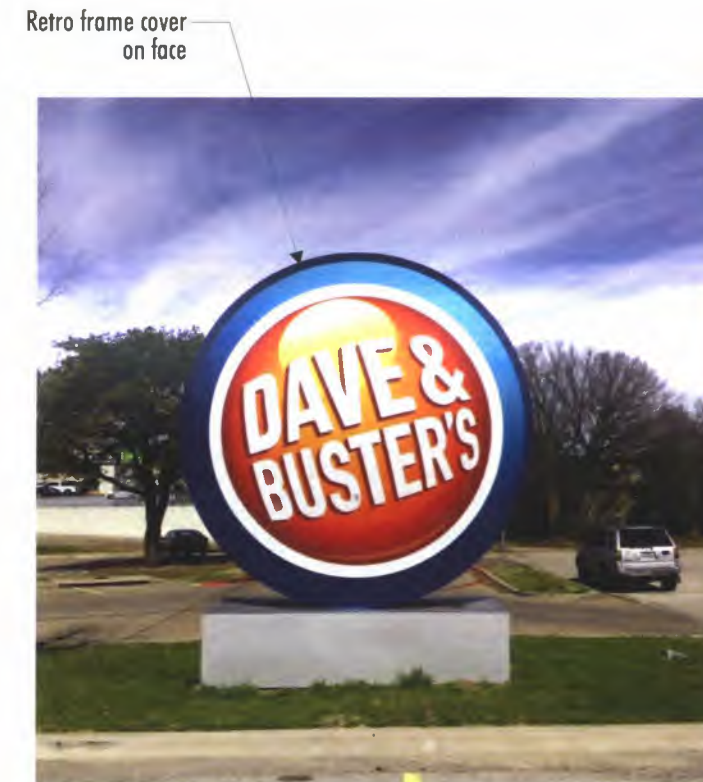
Date: 06.28.2023 PM

Page No. 9.00

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END VIEW



EXISTING LOGO

K REFACE EXISTING D/F INTERNALLY ILLUMINATED LOGO CABINET (MONUMENT) QTY: One (1)
 SCALE: 1/4" = 1'-0" SQ. FT. = 144

SCOPE OF WORK

- Remove existing face from existing logo
- Repaint return and retro frame cover to match P1-PMS 072C (satin finish)
- Face - White 3M FS1, w/matte laminate face. Background and copy to be UV digitally printed on 1st surface to match P1 and P2.
- Replace with white (6500k) LED's, dense spacing to avoid dark spots, must be evenly illuminated.
 LED power supplies to be located within cabinet



P1-PMS Blue 072C



PMS 1505C Orange



NIGHT VERSION



PROPOSED INTENT

Location:

DAVE & BUSTER'S

6450 N. Canton, Ohio

Revision:

1)MG 7/27/23 Rem Sgn G frm pkg

2)MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)

3)MG 8/4/23 Add new artwork (frm client) for Sign J

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7)KB 10/13/23 Chg sign H & L to wallcovering, add blocking & sect detail to E, update logo specs to match sld. from other remodels

8)MG 11/10/23 Add Survey Dims for H & L

9)MG 12/6/23 Fix scale for West elev

Approved

Approved as Noted

Revise & Resubmit

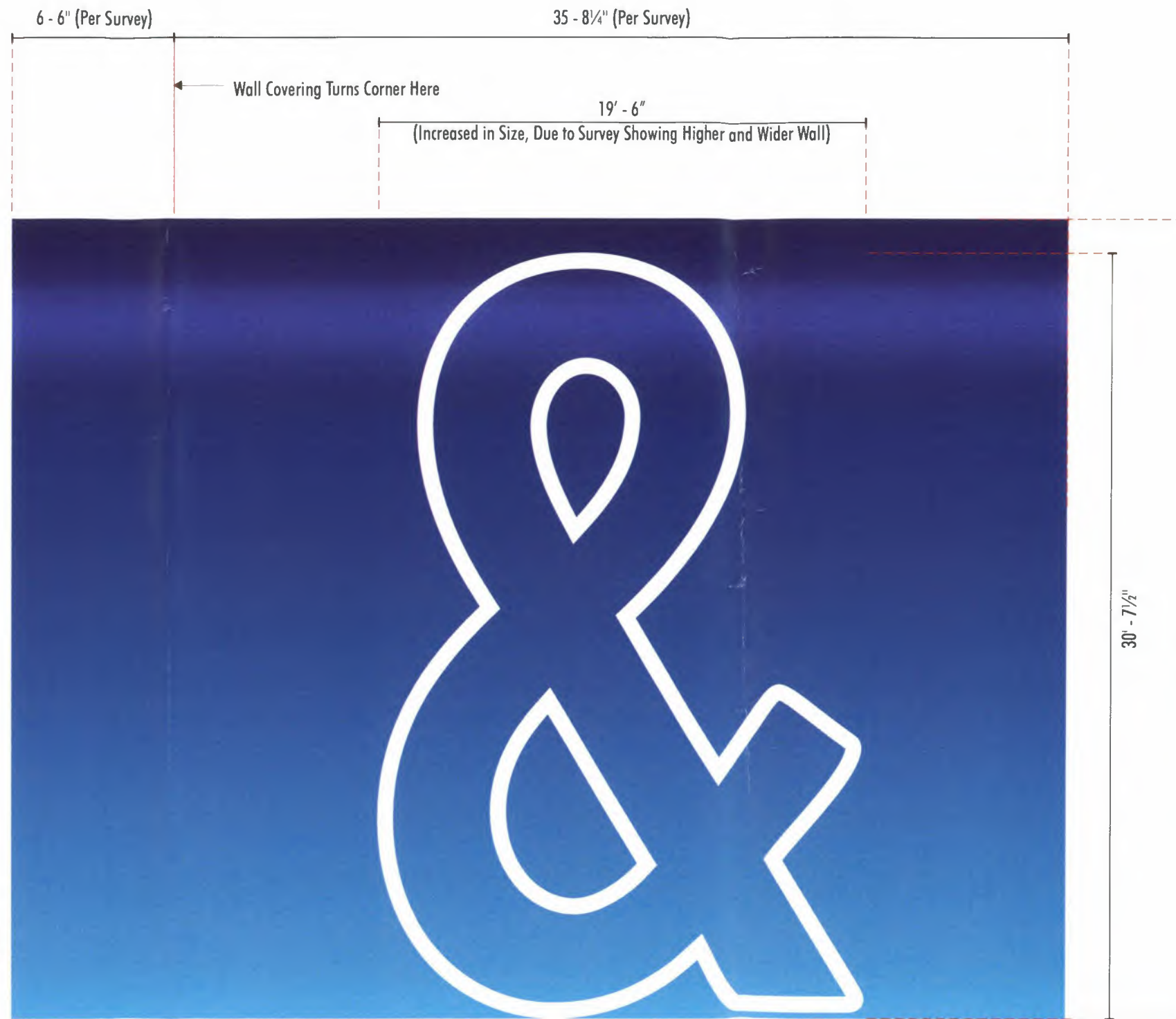
Drawing No: 23-2274-R09(PROD)

Date: 06.28.2023

PM

Page No: 11.00

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L WALL COVERING (WC-8)
SCALE: 3/16" = 1'-0"

SPECIFICATIONS

- 1st surface UV digitally printed graphic on beads (WC-8), applied to wall.
(Manufacture by F&M, install by Eckinger)
- Gradient background to be approved by client

QTY: One (1)
SQ FT. = 428.39



Location

DAVE & BUSTER'S
9450 N. Central Expressway
Bloomington, IN 47404

Revision:

- 1) MG 7/27/23 Rem Sign G from pkg
- 2) MG 8/2/23 Del F, chg A to 15 ft reface logo, chg J to All vinyl graphic (graphic TBD)
- 3) MG 8/4/23 Add new artwork (from client) for Sign J
- 4) MG 8/15/23 Rev drwg per redlines & email from client
- 5) MG 8/26/23 Show vinyl wall graphic G&L to wrap other side of wall
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- 9) MG 12/6/23 Fix scale for West elev.

- Approved
- Approved as Noted
- Revise & Resubmit

Drawing No. 23-2274-R09(PROD)

Date: 06.28.2023 PM

Page No. 12.00

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FILE NUMBER: BDA245-022(CJ)

BUILDING OFFICIAL'S REPORT: Application of Monica Hernandez for **(1)** a special exception to the fence height regulations at **7117 Churchill Way**. This property is more fully described as Block A/7463, Lot 2 and is zoned R-1/2ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 5-foot 6-inch-high fence in a required front-yard, which will require **(1)** a 1-foot 6-inch special exception to the fence height regulations.

LOCATION: 7117 Churchill Way

APPLICANT: Monica Hernandez

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

BDA history found at 7117 Churchill Way in the last 5 years:

BDA234-082 – A request for Special Exception to the fence height regulations.

The applicant proposed to construct and/or maintain a 7-foot 6-inch-high fence in a required front-yard, which will require (1) a 3-foot 6-inch special exception to the fence height regulations on Churchill Way.

Request denied without prejudice by Panel A on July 16, 2024.

Square Footage:

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

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

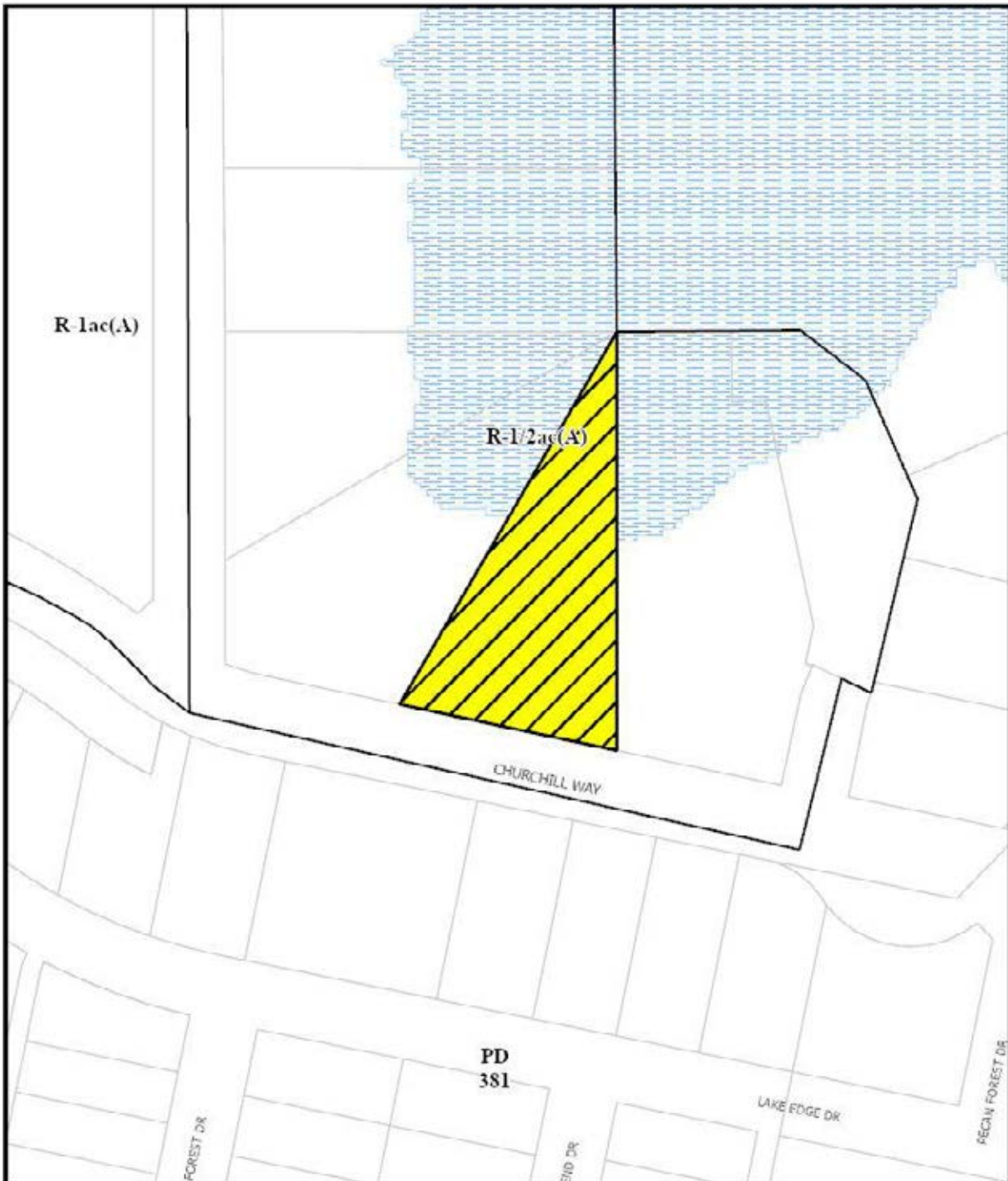
- The application of Monica Hernandez for the property located at 7117 Churchill Way focuses on one request relating to fence height regulations.
- The applicant proposes to construct and 5-foot-6-inch high fence in a required front yard, which will require a 1-foot 6-inch special exception to the fence height regulations.
- The required front yard setback in R-1/2ac (A) Zoning District is 40 feet.
- The subject site along with properties to the north, south, east and west are all developed with single-family homes and a park.
- The submitted site plan and elevations shows the applicant is proposing to construct a 5-foot 6-inch high fence in the required front yard of the property at 7117 Churchill Way.
- The proposed fence material is wrought iron connected by stone columns.
- The subject site is a mid-block lot, and it has single street frontage on Churchill Way.
- Per staff's review of the subject site, it has been confirmed that the fence is proposed and not existing.
- The subject site sits directly across the street from The Estates of Lake Forest gated community which is surrounded by a brick HOA/community fence.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.

- Granting the special exception to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-022 at 7117 Churchill Way](#)

Timeline:

- December 20, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.
- January 27, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and February 7, 2025, 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.
- January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February 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.







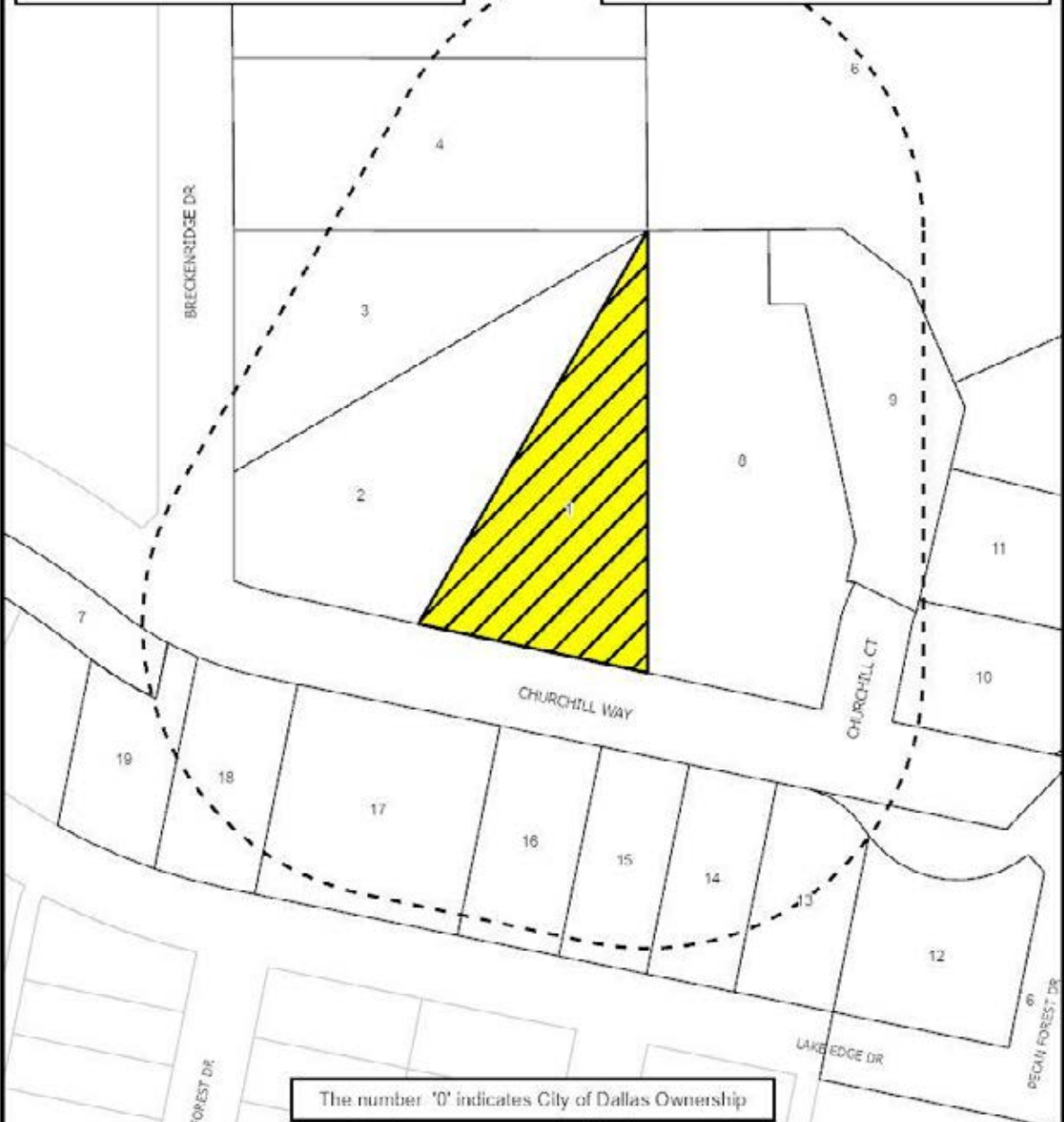
1:1,200

ZONING MAP

Case no: **BDA245-022**
Date: **01/28/2025**

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

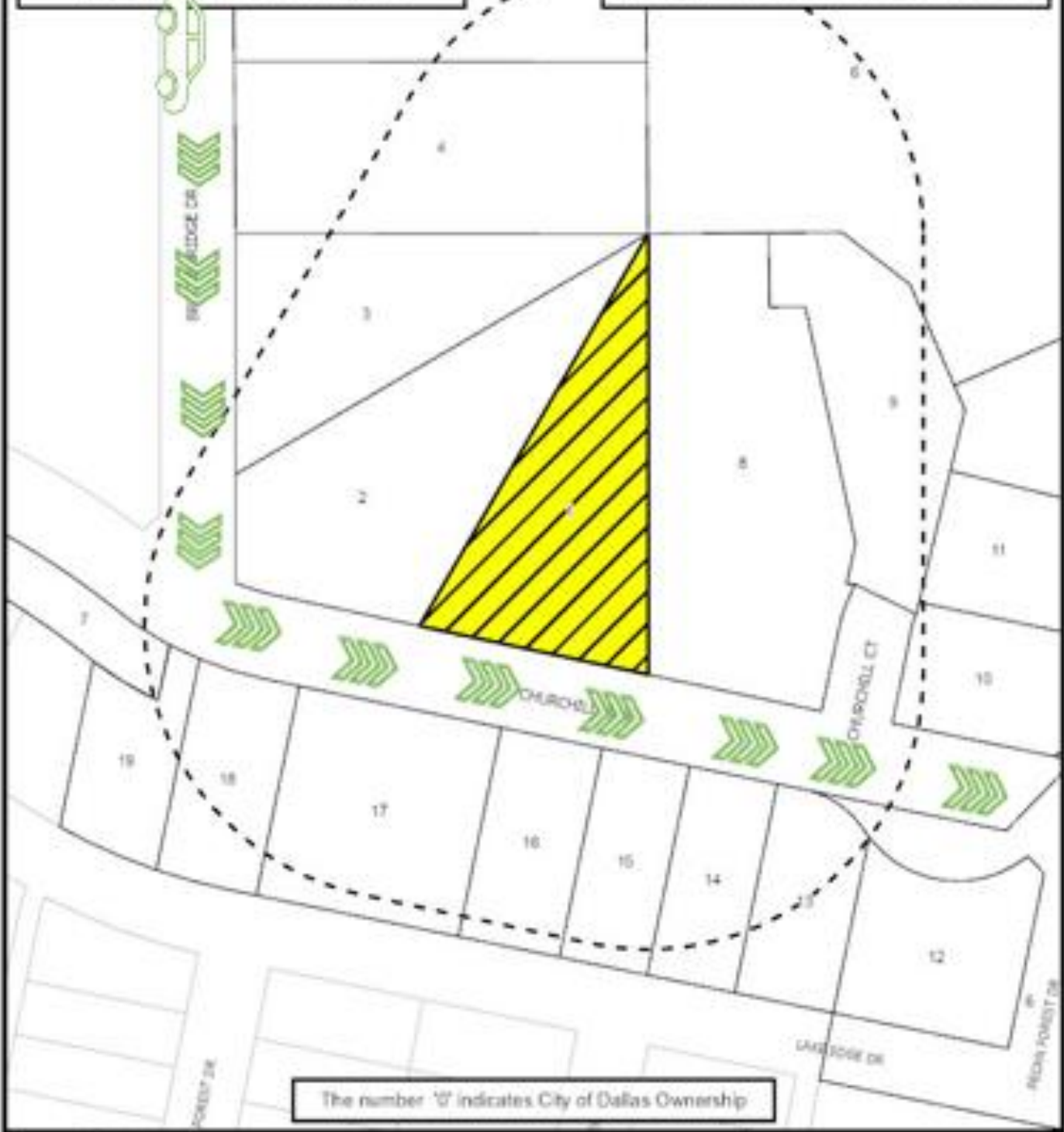
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso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



 1:1,200	<h2>NOTIFICATION</h2>		Case no: BDA245-022
	200' AREA OF NOTIFICATION	19 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 1/28/2025

The area of request is hatched [diagonal lines symbol]. 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 symbol]. 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 informarse sobre la solicitud.



 1:1,200	<h2>NOTIFICATION</h2>		Case no: BDA245-022
	200' AREA OF NOTIFICATION 19 NUMBER OF PROPERTY OWNERS NOTIFIED		

1/28/2025

Notification List of Property Owners

BDA245-022

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7117 CHURCHILL WAY	CHADWICK WILLIAM S III &
2	7107 CHURCHILL WAY	PAK CHARLES Y C &
3	12414 BRECKENRIDGE DR	CHANG FREDERIC &
4	12424 BRECKENRIDGE DR	REEDER STEVEN F &
5	12434 BRECKENRIDGE DR	REUBEN TAMMY M
6	12200 PECAN FOREST DR	LAKE FOREST COMMUNITY
7	7000 CHURCHILL WAY	LAKE FOREST COMM ASSO INC
8	7127 CHURCHILL WAY	KOHLI RAJAN SINGH
9	12400 CHURCHILL CT	PACKER BARRY D & DIANE S
10	12219 PECAN FOREST DR	LANDE SIDNEY
11	12229 PECAN FOREST DR	PAINE WAID & CHRISTINA
12	12209 PECAN FOREST DR	BARKER JERRY LEE &
13	7125 LAKE EDGE DR	KEMPLE GLENDA
14	7121 LAKE EDGE DR	ALVARADO PEREZ AIDA AMELIA
15	7117 LAKE EDGE DR	AUSTIN MICHAEL A & CARLA
16	7113 LAKE EDGE DR	GARTON BARB & DAN FAMILY
17	7107 LAKE EDGE DR	BROWN REVOCABLE TRUST
18	7039 LAKE EDGE DR	BLAN LIVING TRUST
19	7035 LAKE EDGE DR	DIFIORE BERNARD P & ANNE M



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

19

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-022**

Date: **1/28/2025**

NOTICE OF PUBLIC HEARING

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

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

DATE: TUESDAY, FEBRUARY 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

HEARING: 1:00 p.m. Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

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

BDA245-022(CJ) Application of Monica Hernandez for (1) a special exception to the fence height regulations at 7117 CHURCHILL WAY. This property is more fully described as Block A/7463, Lot 2 and is zoned R-1/2ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 5-foot 6-inch-high fence in a required front-yard, which will require (1) a 1-foot 6-inch special exception to the fence height regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at 6ES Council Briefing. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the 5 p.m. on Monday, February 17, 2025. 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 five (5) minutes to address the Board.

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

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

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

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

245-022

Data Relative to Subject Property:

SHITZA BDA 234 082

Date:

FOR OFFICE USE ONLY

Location address: 7117 Churchill Way

Zoning District: R-1/2ac(A)

Lot No.: 2 Block No.: A/7463 Acreage: 1.2488522 Census Tract: _____

Street Frontage (in Feet): 1) 170' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Cindy & William Chadwick

Applicant: Monica Hernandez

Telephone: 469-756-7868

Mailing Address: 7821 Pennington Ct

Zip Code: 75025

E-mail Address: monica@americapermits.com

Represented by: Monica Hernandez

Telephone: 469-756-7868

Mailing Address: 7821 Pennington Ct

Zip Code: 75025

E-mail Address: monica@americapermits.com

Affirm that an appeal has been made for a Variance or Special Exception of 1'-6" MH ~~4'-0"~~ for a fence on the front yard of the property

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:

Property owner has a son with special needs that requires outside time to help him with his creativity. They want to be able to allow their son to freely roam the front yard and not worry about him accessing the road, therefore they would like to build the front yard fence a bit more taller than allowed to prevent their son to jump over it.

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 Monica Hernandez

(Affiant/Applicant's name printed)

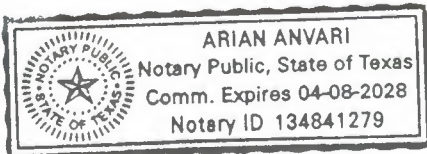
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

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

Subscribed and sworn to before me this 8th day of October, 2024

[Signature]

Notary Public In and for Dallas County, Texas





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 245-022

I, CINDY A CHADWICK, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7117 CHURCHILL WAY
(Address of property as stated on application)

Authorize: Monica Hernandez
(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: For fence height of 5'-6"

Cindy Chadwick
Print name of property owner or registered agent

C. Chadwick
Signature of property owner or registered agent

Date 9/20/2024

Before me, the undersigned, on this day personally appeared Cindy Chadwick

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 24 day of September, 2024



Melissa Frank
Notary Public for Dallas County, Texas



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 245-022

I, CINDY A CHADWICK, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7117 CHURCHILL WAY
(Address of property as stated on application)

Authorize: Monica Hernandez
(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: For fence height of 5'-6"

Cindy Chadwick
Print name of property owner or registered agent

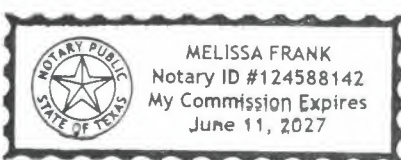
C. Chadwick
Signature of property owner or registered agent

Date 9/20/2024

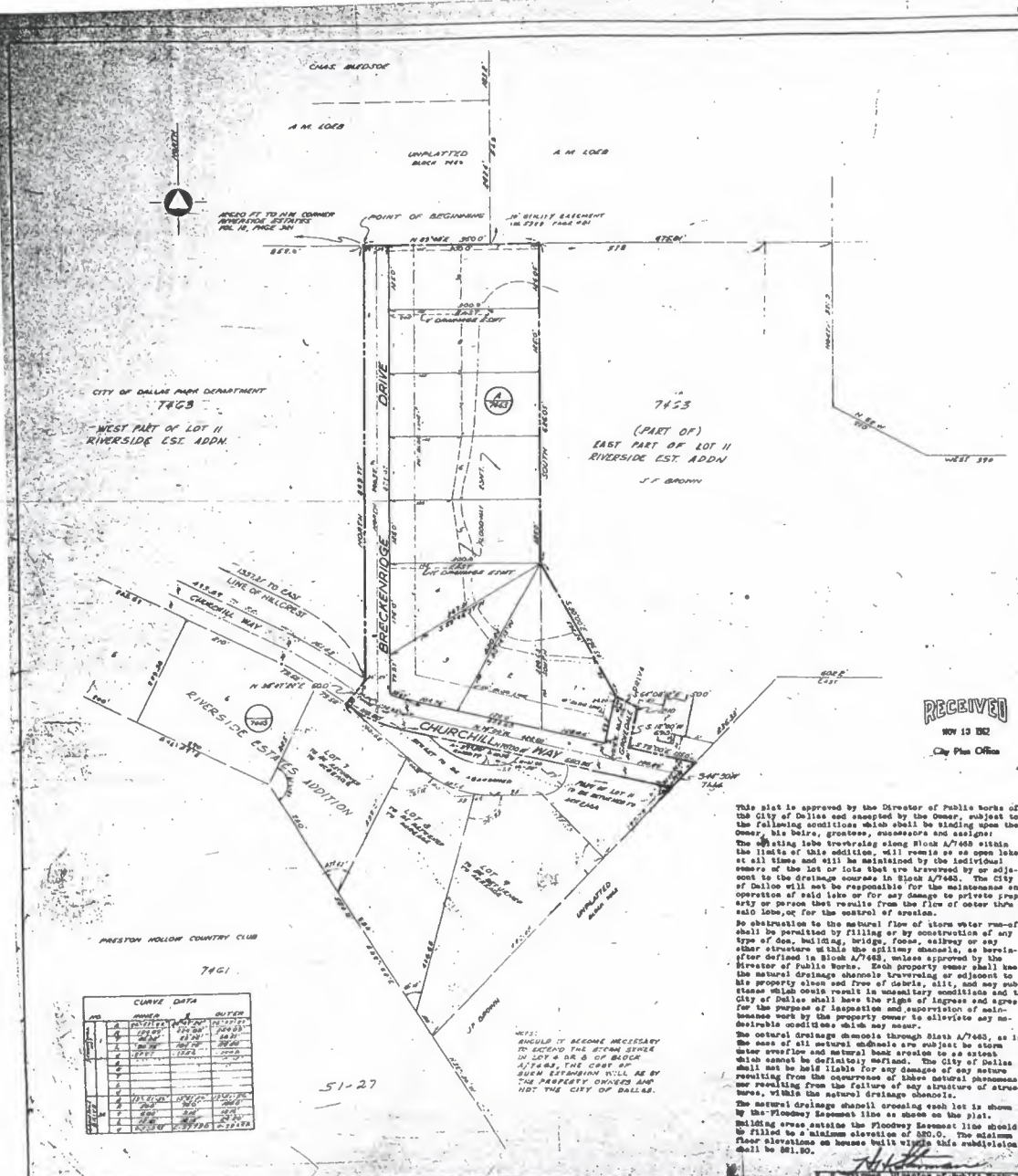
Before me, the undersigned, on this day personally appeared Cindy Chadwick

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 24 day of September, 2024



Melissa Frank
Notary Public for Dallas County, Texas



CURVE DATA

NO.	ANGLE	CHORD	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
1	120° 31' 28"	200.00	200.00	S 120° 31' 28" E	200.00
2	100° 00' 00"	100.00	100.00	S 100° 00' 00" E	100.00
3	120° 31' 28"	200.00	200.00	S 120° 31' 28" E	200.00
4	100° 00' 00"	100.00	100.00	S 100° 00' 00" E	100.00
5	120° 31' 28"	200.00	200.00	S 120° 31' 28" E	200.00
6	100° 00' 00"	100.00	100.00	S 100° 00' 00" E	100.00
7	120° 31' 28"	200.00	200.00	S 120° 31' 28" E	200.00
8	100° 00' 00"	100.00	100.00	S 100° 00' 00" E	100.00

51-27

ORIGINAL CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

I, J. Frank Brown, as the owner of a tract of land located in the Third Hill Survey, District No. 10, of 1856, Dallas County, Texas, and being more particularly described as follows:

WHEREAS it is on from state in the south line of Riverside Estates, a subdivision in the City of Dallas, Texas, and recorded in Volume 18, Page 381 of the Map Records of Dallas County, Texas, said tract being East a distance of 1920.0 feet from the Northwest corner of Riverside Estates;

THENCE North 89° 48' East a distance of 350.0 ft. to a point for a corner;

THENCE South a distance of 80.0 ft. to a point for a corner;

THENCE South 34° 00' East a distance of 260.00 ft. to a point for a corner;

THENCE South 64° 00' 15" East a distance of 200.0 ft. to a point for a corner in a circular curve;

THENCE with a circular curve to the left having a central angle of 120° 31' 28", a Radius of 200.0 ft. and a tangent of 6.00 ft., a distance of 150.0 ft. to a point of tangency;

THENCE South 100° 00' East a distance of 80.0 ft. to a point for a corner;

THENCE South 40° 00' East a distance of 130.0 ft. to a point for a corner;

THENCE South 40° 00' East a distance of 170.0 ft. to a point for a corner;

THENCE North 10° 00' East a distance of 600.00 ft. to a point of tangency in a circular curve to the right;

THENCE with said curve having a central angle of 20° 00', a radius of 600.0 ft., and a tangent of 60.0 ft., a distance of 1100.0 ft. to a point of tangency.

THENCE North 50° 42' 30" East a distance of 80.0 ft. to a point for a corner in the North Line of Churchill Way;

THENCE with a distance of 110.00 ft. to the point of BEGINNING and containing 2336 sq. ft. of land.

SUB TOWN-SHIP AND ALL ARE BY THESE PRESENTS:

That I, J. Frank Brown, do hereby adopt this plat designating the heretofore described property as RIVERSIDE ESTATES NO. 2, an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate to the public use for the purposes, a ways, and streets shown thereon.

So do hereby reserve the easements herein shown on this plat for the actual use and enjoyment of gas, electric, telephone, water, and all public utilities described hereon or using same. Any public utility shall have the right to locate and keep, and may use all or parts of any buildings, fences, trees, shrubs or other improvements or growth which in any way may interfere with the construction, maintenance or attachment to its respective system on any of those easements; and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining and wholly or in part, all or part of its respective system, without the necessity at any time of procuring the permission of anyone.

This plat approved subject to all existing ordinances, rules, regulations and resolutions of the City of Dallas.

Witness my hand, Dallas, this 10 day of Oct. A.D. 1962

J. Frank Brown

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared J. Frank Brown 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 10 day of October, 1962.

Dorothy Brown
Notary Public in and for Dallas County, Texas

BY THESE PRESENTS:

That I, J. Frank Brown, do hereby certify that I prepared this plat from an actual and correct survey of the land and that the contents herein shown were properly placed upon said plat and that I am a Notary Public in and for the State of Texas, and that I am duly qualified to execute the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10 day of October, 1962.

J. Frank Brown
Notary Public in and for Dallas County, Texas

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for Dallas County, Texas, on this day personally appeared Robert B. Acree 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 10 day of October, 1962.

Robert B. Acree
Notary Public in and for Dallas County, Texas

RIVERSIDE ESTATES NO. 2
A RESUBDIVISION OF PART OF
RIVERSIDE ESTATES
ARABIA HOLLOW - JUNE 1960
DALLAS, TEXAS

J. FRANK BROWN - 1117 CHURCHILL WAY, DALLAS
JUNE 1962 CITY PLAN FILE NO. 100-1011-11-101

ACREE & STEPHENSON
CONSULTING ENGINEERS
1015 E. THOMAS ST.
DALLAS, TEXAS 75206



BDA245-022

CITY OF DALLAS PLAT BOOKS

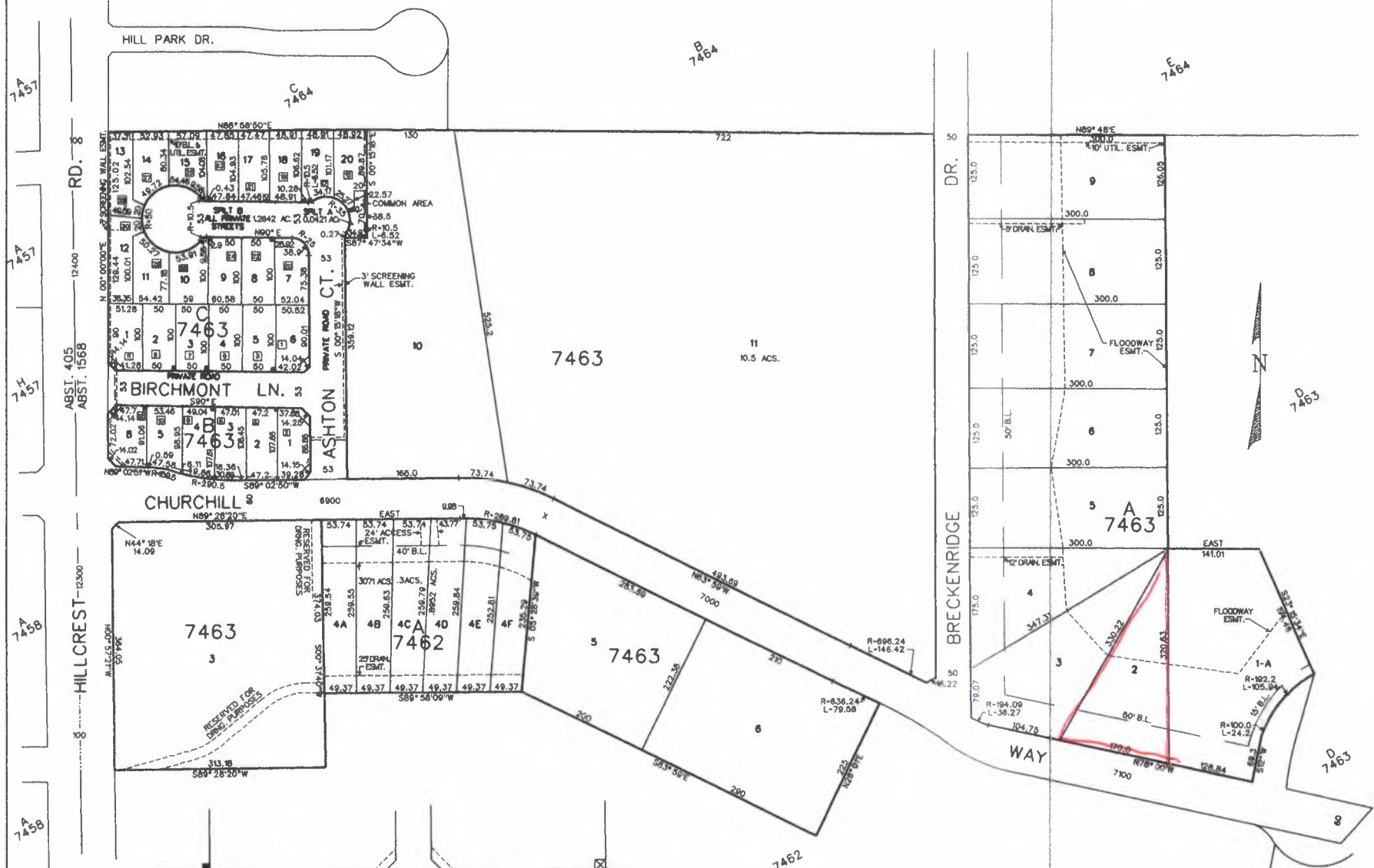
ANNEXED APRIL 26, 1954 ORD. NO. 6183
 SURVEY HIRAM WILBURN ABST. 1568

ADDITION _____
 SCALE 100 FT. EQUALS 1 INCH

BLOCKS A 7462, 7463, 7463 A,B,C
 SCHOOL DISTRICT DALLAS

BRS 4-28-98

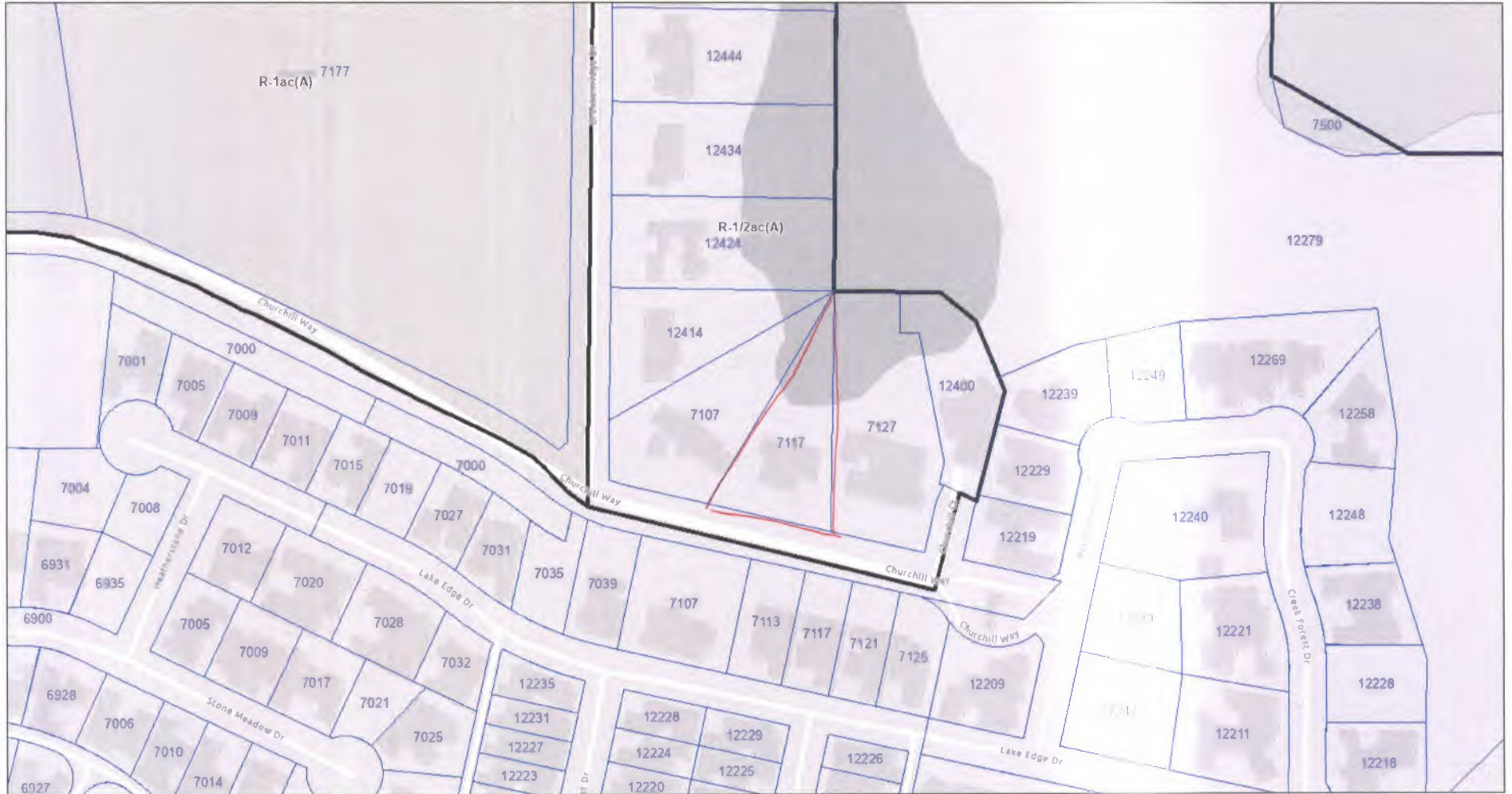
FILED 5-27-48 BLK. 7463 RIVERSIDE ESTATES 1 & 2
 FILED 11-20-82 BLK. A/7463 RIVERSIDE ESTATES No. 2
 FILED 8-25-70 BLK. A/7463 RIVERSIDE ESTATES REV.
 FILED 11-11-84 BLK. A/7462 LT. 4A-4F DAVID D. BULLER ESTATES
 FILED 3-24-88 BLK. B,C/7463 CHURCHILL PONTE
 FILED 5-5-88 BLK. B,C/7463 CHURCHILL PONTE Corr. Plat
 FILED 11-5-97 BLK. 7463 LOT 3 CHURCHILL RECREATION CENTER



INDICATES 31X3 SUBSURFACE SERVICE BOX ESMT.
 INDICATES VISIBILITY TRIANGLE
 INDICATES 7X8 TRANSFORMER PAD ESMT.

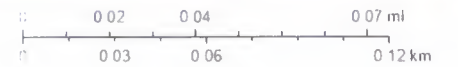
BDA 245-022

ArcGIS Web Map



12/9/2024, 8:50:48 AM

1:1,822



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

BDA245-022





Neighbor's Approval for Fence Variance

I support the project and provide my approval for the variance request.

Name: Charles M. Kelly

Property Address: 7107 Churchill Way

Phone Number (Optional): 972-922-7898

Date: Sept 7, 2024

Neighbor's Approval for Fence Variance

I support the project and provide my approval for the variance request.

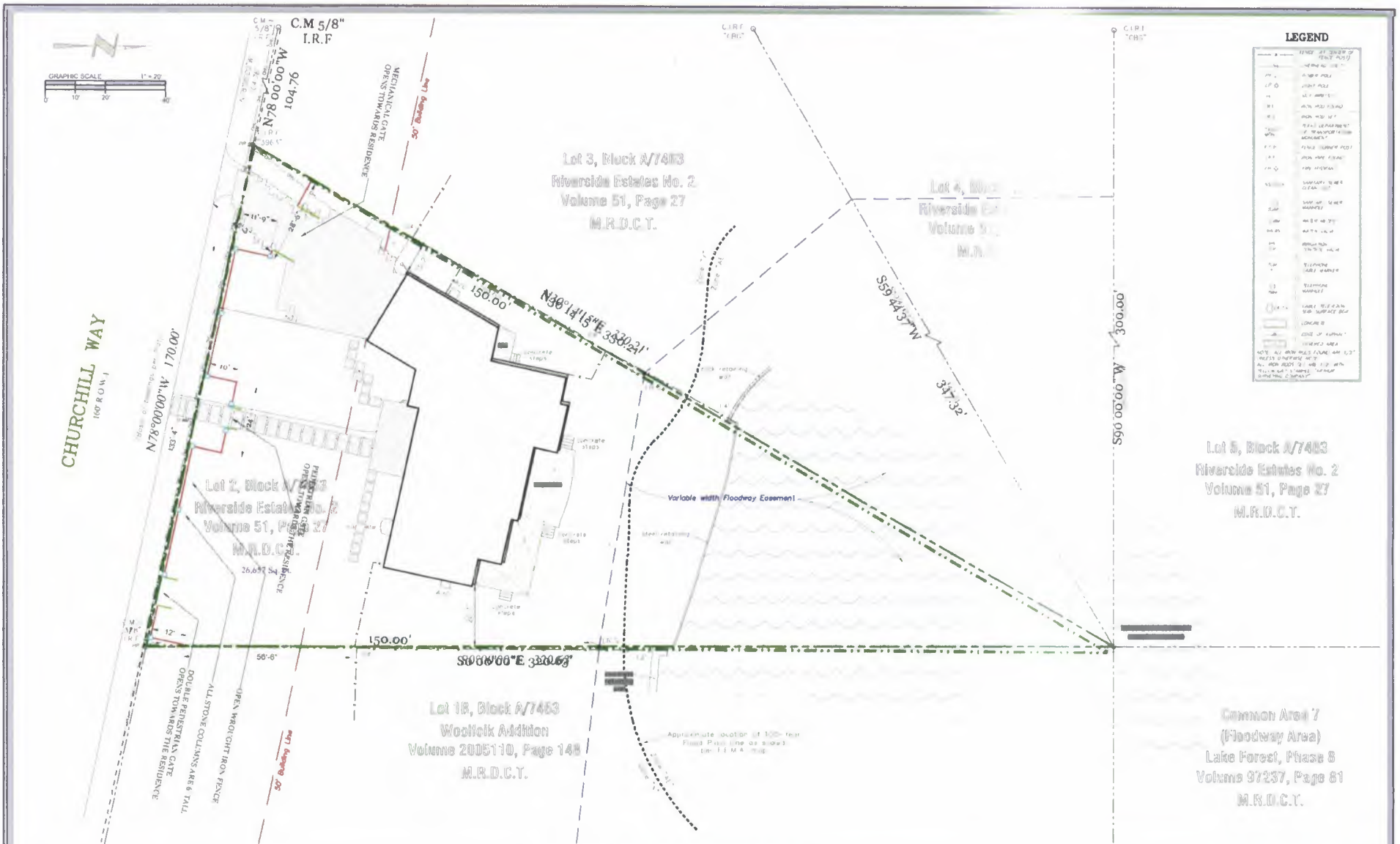
Name: Fajar KMI

Property Address: 7117 Churchill Way

Phone Number (Optional): 903806-897

Date: 9/12/24

BDA246-022



BOUNDARY SURVEY

<p>7117 Churchill Way Dallas, Texas</p>	<p>The undersigned have been furnished and received a copy of this survey.</p> <p>Date: _____</p>	<p>PROPERTY DESCRIPTION:</p> <p>Lot 2, Block A/7463, Riverside Estates No. 2, an addition to the City of Dallas, Dallas County, Texas according to the plat thereof recorded in Volume 51, Page 27, Map Records, Dallas County, Texas.</p>	<p>SURVEYOR'S CERTIFICATION: The undersigned does hereby certify to Robert Leh, Aurora Teh and Jasper Little (C.F. # 180655A) that this survey was this day made on the ground of the property legally described hereon and is correct and to the best of my knowledge there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, or overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. The bearings shown hereon are based on the above referenced reworked map or plan unless otherwise noted. Corners marked as set will be set at a later date.</p> <p>FLOOD NOTE: It is my opinion that the property described hereon partially lies within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community Panel No. 880817 0195 N, previous effective date of map, July 7, 2014, having property situated within Zone "B" (Shaded and Unshaded) and Zone "AE".</p>	<p>Lot 2, Block A/7463 Riverside Estates No. 2 City of Dallas, Dallas County, Texas</p>	<p>TCH CW/SHIM DATE 03/01/18 SCALE 1"=20' ASC NO A-0427181253</p>
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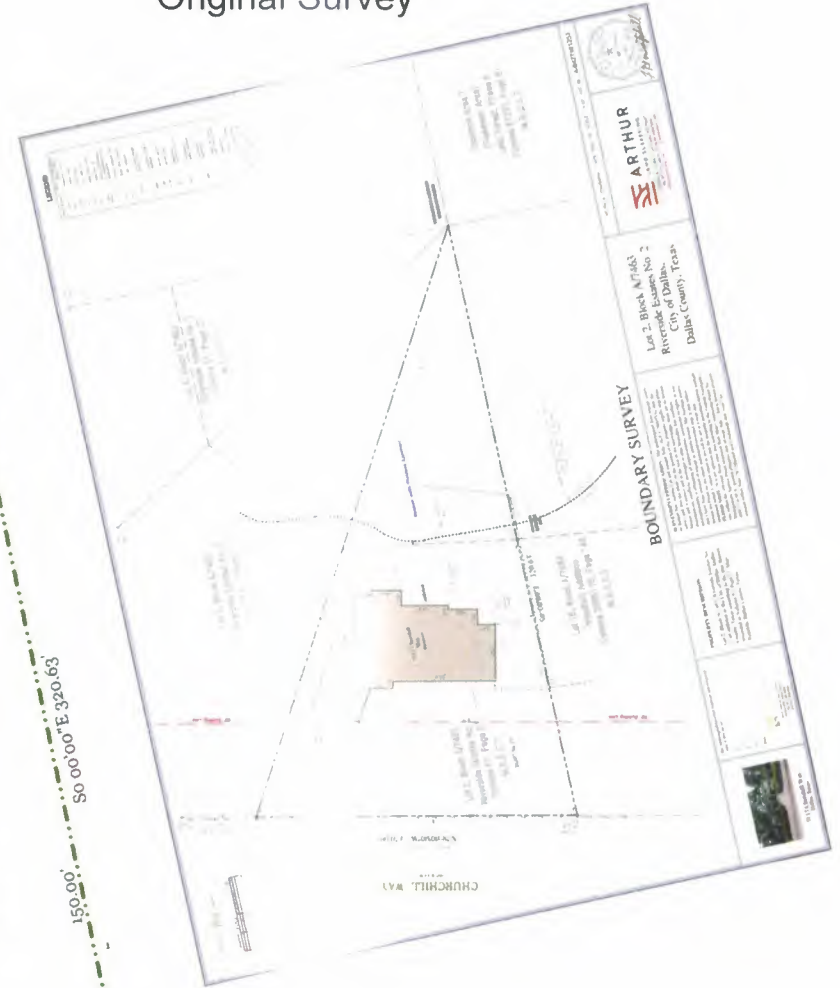
PDA246-022

300.00' W 00.00' 06S

S59°44'37"W 347.32'

N30°14'15"E 330.21'

Original Survey



Proposed Plan



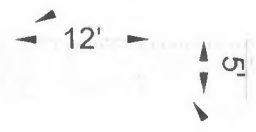
1 SURVEY PLAN
1" = 30'-0"



- ▶ LEUDERS STONE CAP ON ALL COLUMNS
- ▶ ALL STONE COLUMNS ARE 5'-6" TALL
- ▶ CMU BLOCK COLUMN CONSTRUCTION WITH STONE FACADE
- ▶ 20" DEEP CONCRETE FOOTING WITH #4 REBAR

CLOSE UP ELEVATION

3'
ALL STONE COLUMNS ARE 5'-6" TALL



EAST ELEVATION

OPEN WROUGHT IRON FENCE

DOUBLE PEDESTRIAN GATE
OPENS TOWARDS RESIDENCE

MECHANICAL GATE
OPENS TOWARDS RESIDENCE

DOUBLE PEDESTRIAN GATE
OPENS TOWARDS RESIDENCE

134'-4"

WEST ELEVATION

SOUTH ELEVATION

OPEN WROUGHT IRON FENCE
ALL STONE COLUMNS ARE 5'-6" TALL

FILE NUMBER: BDA245-011 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Tracy Jordan for **(1)** a variance to the maximum building height regulations at **4511 Stigall Street**. This property is more fully described as Block 5/4993, Lot 15, and is zoned PD-67 (Tract IV), which limits the maximum building height to 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require **(1)** a 3 1/4-inch variance to the maximum building height regulations.

LOCATION: 4511 Stigall Street

APPLICANT: Tracy Jordan

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:

- (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 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. PD 67 reverts to R-5(A) for Tract IV regarding minimum lot size (5,000 sq ft) and the subject site is 7971.48 sq ft. The site is also not irregularly shaped or sloped; 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 existing residential structure was approved under building permit #2306061010 with plans showing a building height of 25'.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 4511 Stigall Street within the last 5 years.

Square Footage:

This lot contains 7,971.48 of square feet or .39 acres.

This lot is zoned PD 67 (Tract IV) with a R-7.5(A) base layer which has a minimum lot size of 7,500 square feet.

Site: PD 67 (Tract IV)

North: PD 67 (Tract IV)

East: PD 67 (Tract IV)

South: PD 67 (Tract IV)

West: PD 67 (Tract IV)

Land Use:

The subject site is developed with a residential structure. The subject site and areas to the north, south, east, and west are zoned PD 67 (Tract IV).

GENERAL FACTS/STAFF ANALYSIS:

- The application of Tracy Jordan for property located at 4511 Stigall Street focuses on one request relating to the maximum building height regulations.

- The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require a 3 1/4-inch variance to the maximum building height regulations
- SEC. 51P-67.108(b)(1). TRACT IV USES AND DEVELOPMENT STANDARDS of the Development Code states that the maximum building height allowed for single family structures in Tract IV of Planned Development 67 is 25 feet
- The subject site has single street frontage on Stigall Street.
- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.
- It is important to note that the plans were approved by the Building Inspections permitting office under permit #2306061010 at 25-feet tall; an error was made during construction and the building was built 25-feet 3 ¼ inches (at the midpoint).
- The subject site is currently developed with a residential structure and located within an established neighborhood.

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

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed variance, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - 3 ¼ inch variance to the maximum building height regulations.

- 200' Radius Video: [BDA245-011 at 4511 Stigall Street](#)

Timeline:

- December 2, 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.
- December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- December 18, 2024: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and January 10, 2025, 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.
- January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January 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.
- January 21, 2025: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, January 21, 2025, moved to HOLD this matter under advisement until February 18, 2025.
- January 27, 2025: 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 January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and February 7, 2025, 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.


January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February 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.

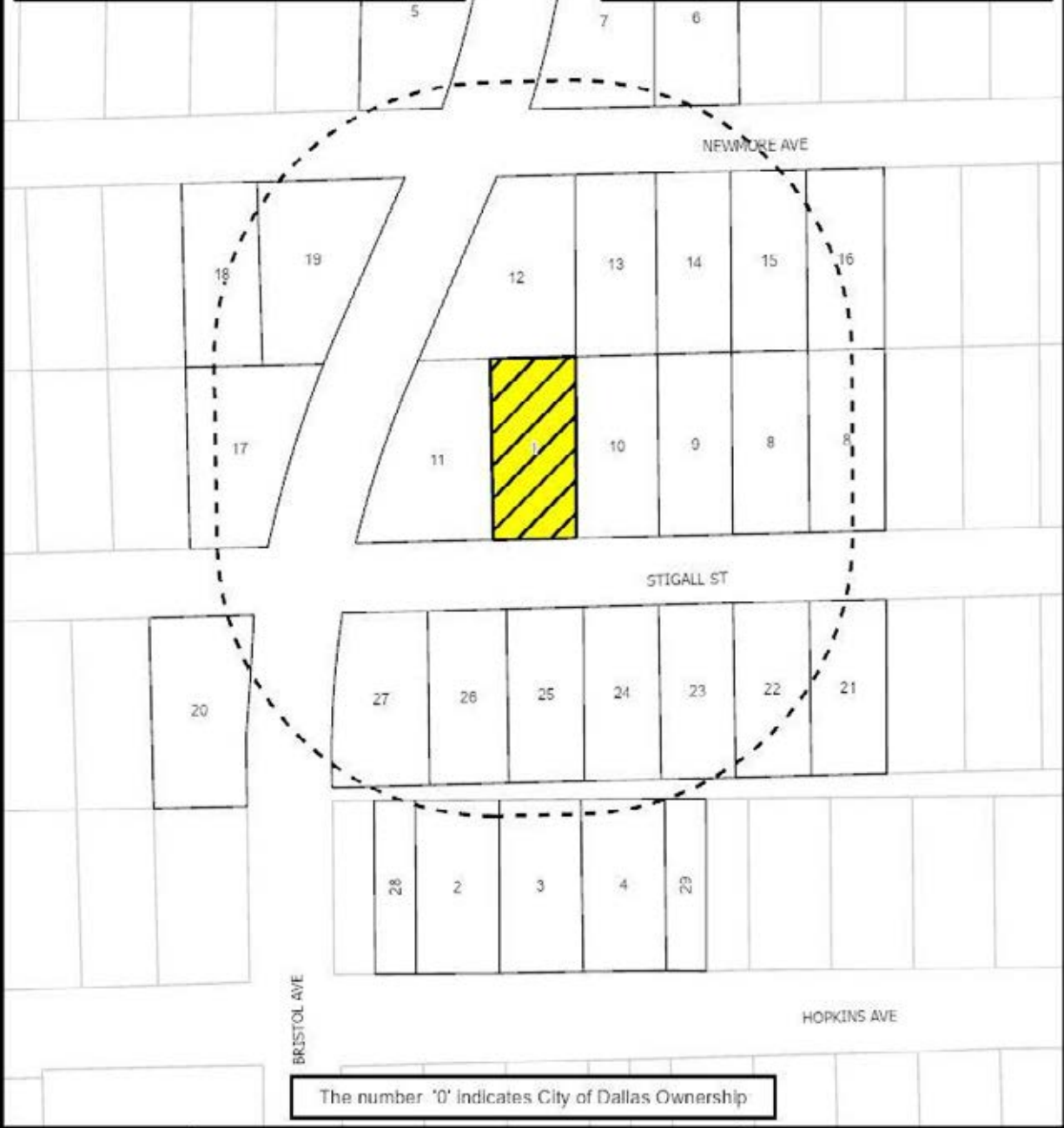




 1:1,200	<h1>ZONING MAP</h1>	Case no: <u> BDA245-011 </u> Date: <u> 12/20/2024 </u>
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The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

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

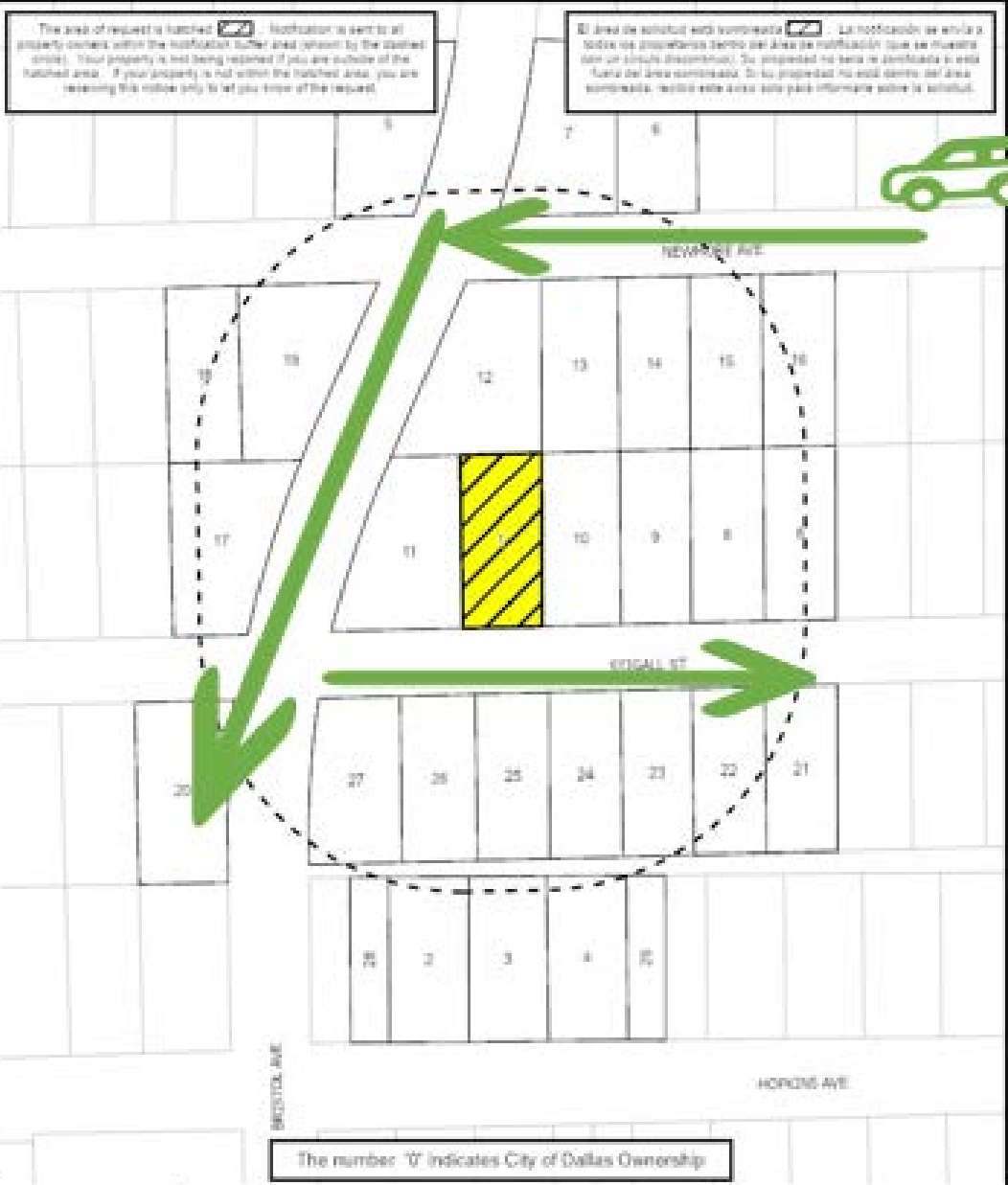



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
29 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-011**
Date: **12/20/2024**



 1:1,200	NOTIFICATION		Case no: BDA245-011
	200' AREA OF NOTIFICATION 29 NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 12/20/2024

1
12/20/2024

Notification List of Property Owners

BDA245-011

29 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4511 STIGALL ST	LAND OF AMERICA INC
2	4505 HOPKINS AVE	TOPLETZ PROPERTIES PARTNERSHIP
3	4511 HOPKINS AVE	ZARAZUA BERNABE & BEATRIS
4	4513 HOPKINS AVE	HINOJOSA MARIO
5	4447 NEWMORE AVE	CADWALLADER PAUL DAVID TRUST
6	4511 NEWMORE AVE	HILL JOEL & HAZEL
7	4507 NEWMORE AVE	WOODS ZETTIE ESTATE OF
8	4527 STIGALL ST	JC LEASING LLP
9	4519 STIGALL ST	DIVINE FORCE I LLC
10	4515 STIGALL ST	MARTINEZ FLORENCIA VARGAS
11	4507 STIGALL ST	FIELDS CLARA M
12	4502 NEWMORE AVE	MCCOY SANDY JR LIFE EST
13	4506 NEWMORE AVE	JIMMERSON SHIRLEY
14	4510 NEWMORE AVE	HUDSON HENLEY PROPERTIES
15	4518 NEWMORE AVE	JAROCHOWSKI OLAF & ASHLEY
16	4522 NEWMORE AVE	SCRIVENER CELIA DIANN 2000 TR
17	4443 STIGALL ST	GARDNER DEBORAH C &
18	4438 NEWMORE AVE	TRAN KAYLA PHOUNG &
19	4446 NEWMORE AVE	PARK PLACE INV AND DEV
20	4444 STIGALL ST	EDWARDS JERRY CLAUDE &
21	4530 STIGALL ST	VILLARREAL PABLO JR
22	4526 STIGALL ST	HARDY JEANETTE
23	4522 STIGALL ST	GRAEME NOAH & ELIZABETH
24	4514 STIGALL ST	HARRISON RONNIE &
25	4510 STIGALL ST	TOPLETZ DENNIS
26	4506 STIGALL ST	SWEET GEORGIA BROWN BBQ &

12/20/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4502 STIGALL ST	THORNTON TAMELA
28	4503 HOPKINS AVE	ALCAZAR IDA
29	4517 HOPKINS AVE	CF REVOCABLE TRUST

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table><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;">29</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	29	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA245-011</u> Date: <u>12/20/2024</u>
200'	AREA OF NOTIFICATION					
29	NUMBER OF PROPERTY OWNERS NOTIFIED					

NOTICE OF PUBLIC HEARING

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

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

DATE: TUESDAY, FEBRUARY 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

HEARING: 1:00 p.m. Videoconference and in 6ES Council Briefing at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0218>

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 January 21, 2025.

BDA245-011(CJ) Application of Tracy Jordan for (1) a variance to the maximum building height regulations at 4511 STIGALL STREET. This property is more fully described as Block 5/4993, Lot 15, and is zoned PD-67 (Tract IV), which limits the maximum building height to 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require (1) a 3 1/4-inch variance to the maximum building height regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at 6ES Council Briefing. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-A-Register> by the 5 p.m. on Monday, February 17, 2025. 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 five (5) minutes to address the Board.

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

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

PLEASE SEND REPLIES TO:

BDAREPLY@dallas.gov

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

PLEASE REGISTER AT:

<https://bit.ly/BDA-A-Register>



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

FOR OFFICE USE ONLY
245-011

RECEIVED

DEC 02 REC'D

Data Relative to Subject Property:

4511 STIGALL

Date:

Location address:

4511 STIGALL

Zoning District:

PD 67

Lot No.:

15

Block No.:

5/493

Acreage:

0.183

Census Tract:

GREENWAY TERRACE ADD No. 2

Street Frontage (in Feet):

1) 60'

2)

3)

4)

5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed):

LAND OF AMERICAN INC

Applicant:

TRACY JORDAN

Telephone:

8329527152

Mailing Address:

8500 N. STEMMONS SE6070

Zip Code:

75247

E-mail Address:

tjordan225@gmail.com

Represented by:

TRACY JORDAN

Telephone:

8329527152

Mailing Address:

8500 N STEMMONS SE6070

Zip Code:

75247

E-mail Address:

tjordan225@gmail.com

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

MID HEIGHT OF 3' 3/4 TJ.

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:

MID HEIGHT OF 3' 3/4 TJ.

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

Yamal Mulid

(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

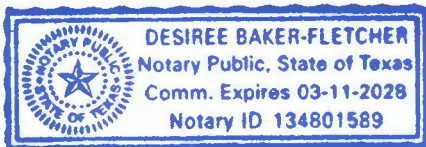
Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 31st day of October, 2024

Desiree Baker Fletcher

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 TRACY JORDAN

did submit a request for (1) a variance to the maximum building height regulations
at 4511 Stigall

BDA245-011(CJ) Application of Tracy Jordan for (1) a variance to the maximum building height regulations at 4511 STIGALL STREET. This property is more fully described as Block 5/4993, Lot 15, and is zoned PD-67 (Tract IV), which limits the maximum building height to 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure with a building height of 25-feet 3 1/4-inches, which will require (1) a 3/4-inch variance to the maximum building height regulations.

Sincerely,


M. Samuell Eskander, PE

SHIPPED DATE: 11-8-92 RECEIVED DATE: 1-20-93
 ANNEXED MAY 16, 1945 ORD. NO. 3626
 SURVEY CALVIN G. COLE ABST. 320
 RECORDED: 2-19-46

CITY OF DALLAS PLAT BOOKS

ADDITION GREENWAY TERRACE NO.2 (PART)

BLOCKS 9-10 1-6
4993 4993 4993

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS



ArcGIS Web Map



11/6/2024, 8 20:12 AM

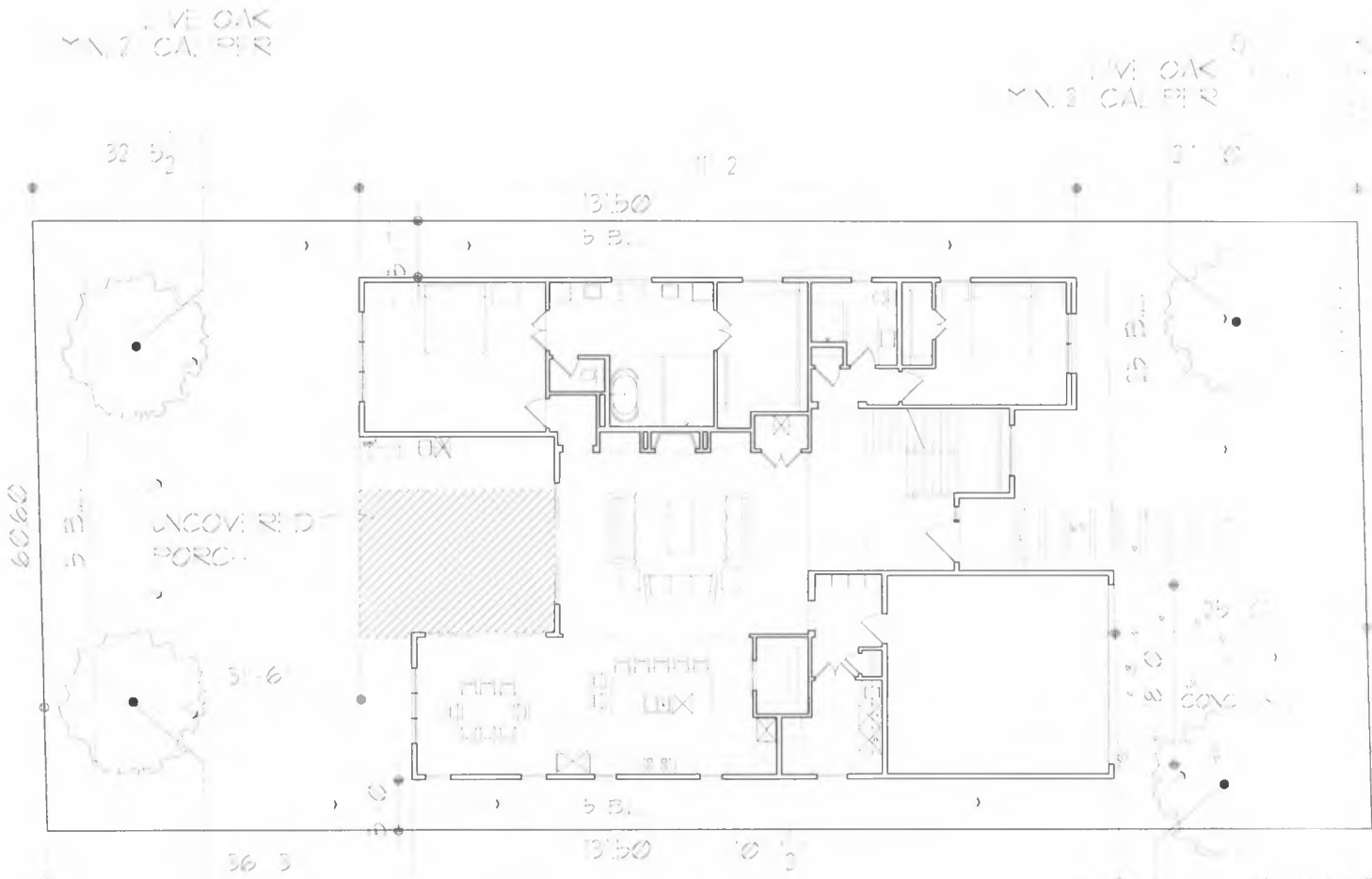
1:1,822



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

BDA245-011

DATE: 11/15/11



1966.80 SQ. FT. LOT SIZE
 40% LOT COVERAGE = 318' SQ. FT.
 3183 SQ. FT. ROOFED SLAB
 40% ACTUAL COVERAGE



45' 6" GALLSBREE, DALLAS, TEXAS

THESE PLANS ARE THE PROPERTY OF DAVID WINCHESTER ARCHITECTS AND SHALL BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF DAVID WINCHESTER ARCHITECTS IS STRICTLY PROHIBITED. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF DAVID WINCHESTER ARCHITECTS IS STRICTLY PROHIBITED. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF DAVID WINCHESTER ARCHITECTS IS STRICTLY PROHIBITED.

45' 6" GALLSBREE, DALLAS, TEXAS
 1015 BLOCK B 4993 GREENWAY TERRACE ADD NO. 1
 AND OF AMERICA INC
 2013-03-09-20

DAVID WINCHESTER
 ARCHITECTS
 1015 BLOCK B 4993 GREENWAY TERRACE ADD NO. 1
 AND OF AMERICA INC
 2013-03-09-20

A0.00

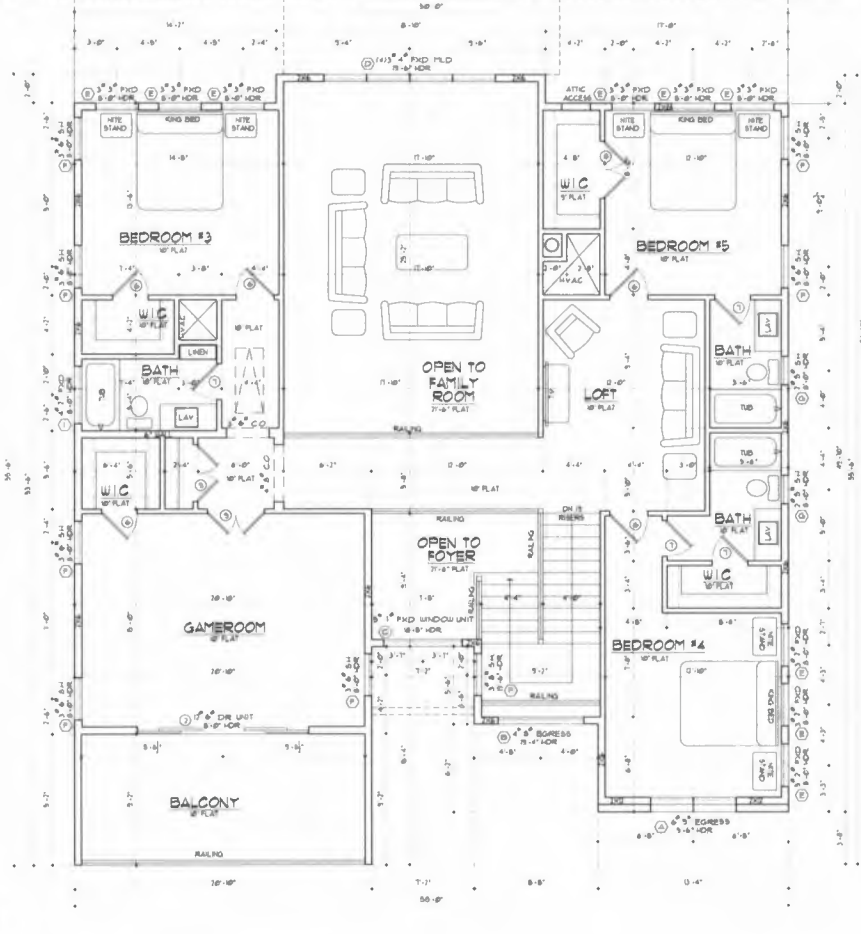
PLAN // 27028

BDA245-011

WINDOW SCHEDULE (X)				
QTY	MARK	SIZE	TYPE	GLAZED/SQ FT
2	(1)	6'-0" EGRESS	FIXED	66.0
7	(2)	4'-0" EGRESS	FIXED	72.0
1	(3)	5'-0" EGRESS	FIXED	38.8
1	(4)	14'-0" PKD PLD	FIXED PULLED	48.0
3	(5)	3'-0" PKD	FIXED	84.4
9	(6)	3'-0" SH	SINGLE HANG	167.4
9	(7)	3'-0" SH	SINGLE HANG	60.0
1	(8)	3'-0" SH	SINGLE HANG	15.0
3	(9)	4'-0" PKD	FIXED	74.4
1	(10)	(13)-0" SH	SINGLE HANG	54.4
1	(11)	(13)-0" PKD	FIXED	10.4
1	(12)	3'-0" PKD	FIXED	18.0
37	TOTAL		TOTAL GLAZED	689.9

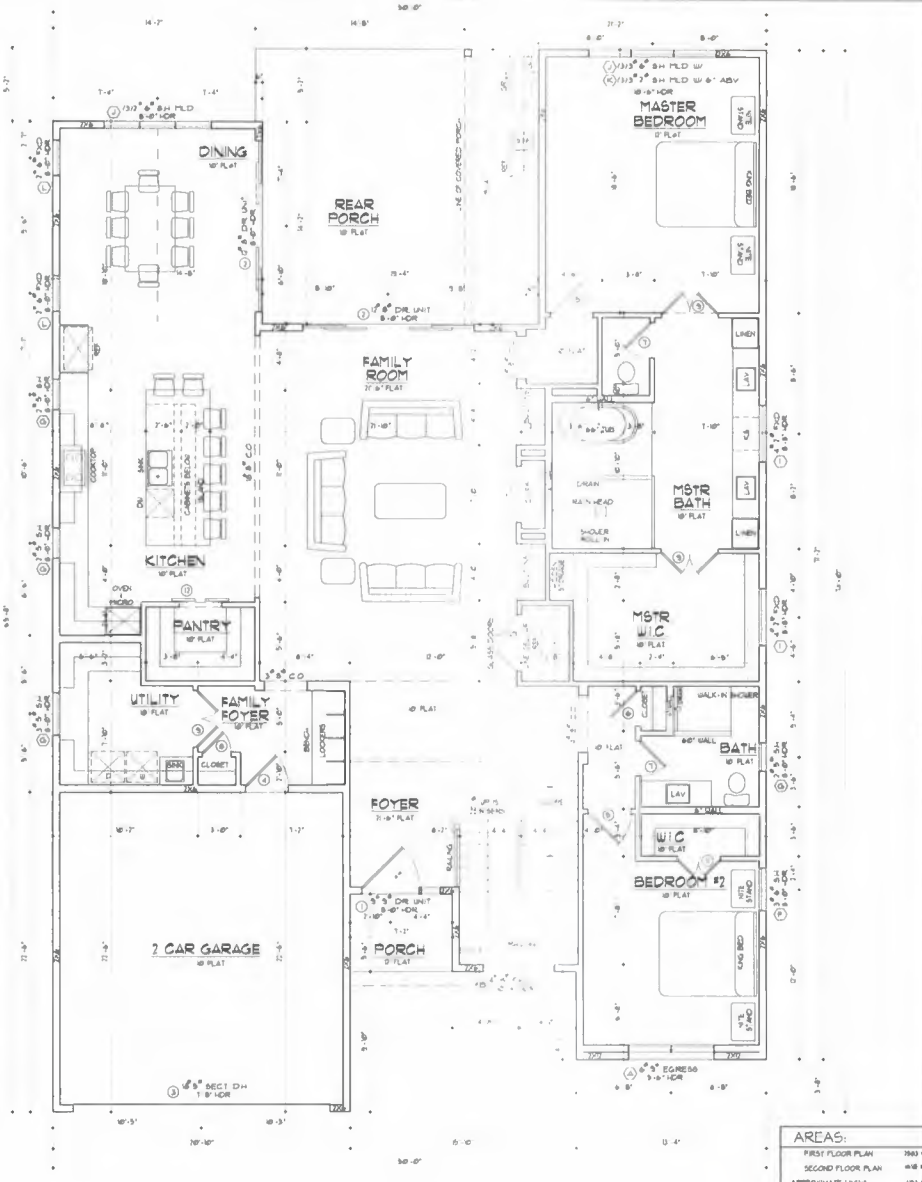
DOOR SCHEDULE (X)				
QTY	MARK	SIZE	TYPE	GLAZED/SQ FT
1	(1)	5'-0" DR UNIT	DOOR UNIT	50.0
3	(2)	7'-0" BLDG DR UNIT	BLDG DR UNIT	56.0
1	(3)	6'-0" SECT DH	SECTIONAL OVERHEAD	N/A
1	(4)	3'-0" DR	B/C INTERIOR	N/A
3	(5)	3'-0" DR	H/C INTERIOR	N/A
6	(6)	3'-0" DR	H/C INTERIOR	N/A
1	(7)	3'-0" DR	H/C INTERIOR	N/A
1	(8)	3'-0" DR	H/C INTERIOR	N/A
1	(9)	(21)-0" DR	H/C INTERIOR	N/A
1	(10)	(21)-0" PRL DR	H/C INTERIOR FRENCH DOOR	N/A
1	(11)	(21)-0" PRL DR	H/C INTERIOR	N/A
1	(12)	3'-0" BARN DR	BARN DOOR	N/A
37	TOTAL		TOTAL GLAZED	146.0

NOTES:
 FLOOR PLAN IS DESIGNER'S INTERPRETATION. REFER TO ALL APPLICABLE CODES PRIOR TO ANY CONSTRUCTION.



SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"

AREAS:	
FIRST FLOOR PLAN	000.1
SECOND FLOOR PLAN	000.2
APPROXIMATE LIVING	000.3
COVERED REAR PORCH	000.4
2 CAR GARAGE	000.5
FRONT PORCH	000.6
BALCONY	000.7
APPROXIMATE 1st FLOOR	000.8
REAR PORCH OPEN	000.9

4511 S GALL STREET DALLAS TEXAS
 LOT 15 BLOCK 5/4003 GREENWAY TERRACE ADD NO 2
 LAND OF AMERICA INC 701-763-9930

DAVID WINCHESTER
 ARCHITECT
 4511 S GALL STREET DALLAS TEXAS 75246
 214-343-1111

DAVID WINCHESTER
 ARCHITECT
 4511 S GALL STREET DALLAS TEXAS 75246
 214-343-1111

A1.00

PLAN # 22028

BA245-01



REAR ELEVATION

SCALE 1/4" = 1'-0"



FRONT ELEVATION

SCALE 1/4" = 1'-0"

NO.	DATE	DESCRIPTION
1	11/11/11	ISSUED FOR PERMITS
2	11/11/11	ISSUED FOR PERMITS
3	11/11/11	ISSUED FOR PERMITS
4	11/11/11	ISSUED FOR PERMITS
5	11/11/11	ISSUED FOR PERMITS
6	11/11/11	ISSUED FOR PERMITS
7	11/11/11	ISSUED FOR PERMITS
8	11/11/11	ISSUED FOR PERMITS
9	11/11/11	ISSUED FOR PERMITS
10	11/11/11	ISSUED FOR PERMITS
11	11/11/11	ISSUED FOR PERMITS
12	11/11/11	ISSUED FOR PERMITS
13	11/11/11	ISSUED FOR PERMITS
14	11/11/11	ISSUED FOR PERMITS
15	11/11/11	ISSUED FOR PERMITS
16	11/11/11	ISSUED FOR PERMITS
17	11/11/11	ISSUED FOR PERMITS
18	11/11/11	ISSUED FOR PERMITS
19	11/11/11	ISSUED FOR PERMITS
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41	11/11/11	ISSUED FOR PERMITS
42	11/11/11	ISSUED FOR PERMITS
43	11/11/11	ISSUED FOR PERMITS
44	11/11/11	ISSUED FOR PERMITS
45	11/11/11	ISSUED FOR PERMITS
46	11/11/11	ISSUED FOR PERMITS
47	11/11/11	ISSUED FOR PERMITS
48	11/11/11	ISSUED FOR PERMITS
49	11/11/11	ISSUED FOR PERMITS
50	11/11/11	ISSUED FOR PERMITS

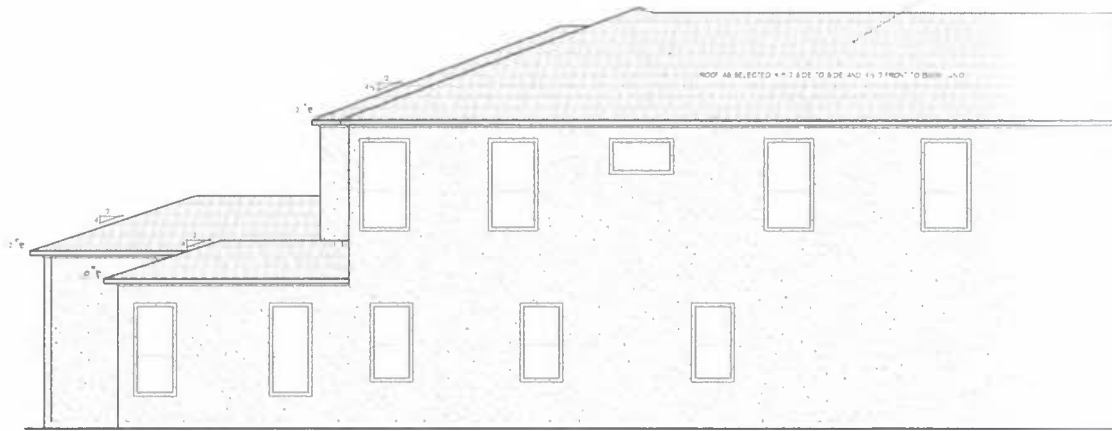
4511 5TH GALE STREET DALLAS TEXAS
 LOT 15 BLOCK 5/4993 GREENWAY TERRACE ADD NO 1
 LAND OF AMERICA INC 201-893-9950

DAVID WINCHESTER

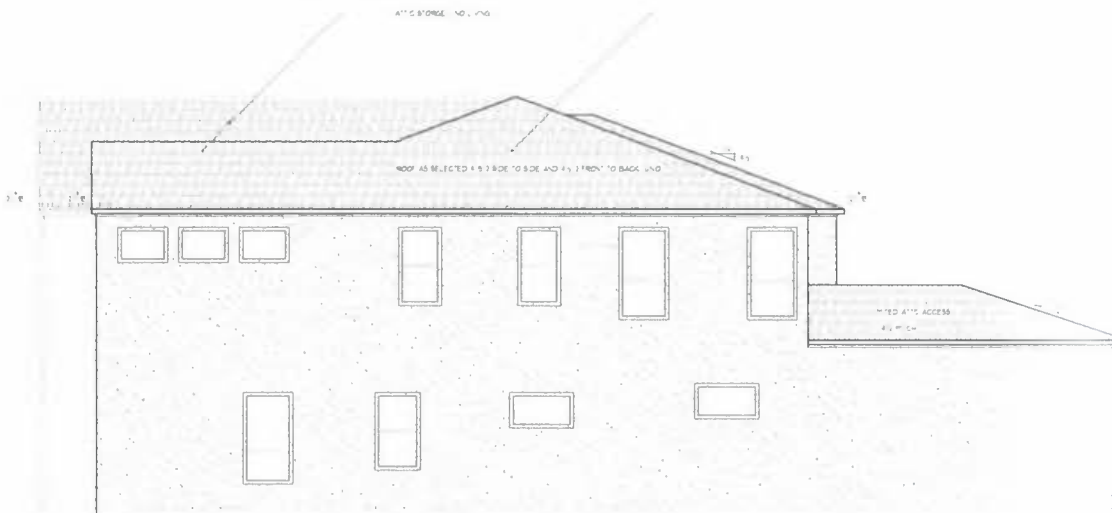
A2.00

PLAN # 22078

BD245-011



LEFT ELEVATION



RIGHT ELEVATION

DATE: 01/11/2024
 TIME: 10:00 AM
 PROJECT: 22028
 SHEET: 01
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

4511 S GALL STREET DALLAS TEXAS
 LOT 15 BLOCK 5 4993 GREENWAY TERRACE ADD NO 2
 LAND OF AMERICA NC 201793-9930

DAVID WINCHESTER

A2.01

PLAN #
22028

BOA245-011

HOME 24 CONCEPTS LLC

QUOTE

8500 N STEMMONS FWY
 214-484-1293 | 832-852-7152
 Tjordan225@gmail.com

INVOICE # 111
Date: 11-3-24

To:
 LAND OF AMERICA INC
 4511 STIGALL
 DALLAS, TX

Expiration Date: 1-30-25

817-995-9559
 Customer ID No. 0549

Salesperson	Job	Payment terms	Due date
TRACY JORDAN	Sales rep	Due on receipt	TBD

Qty	Description	Unit price	Line total
1	DEMOLITION	28,000	28,000
2	DUMPSTERS	1,500	1,500
1	PERMITS	3,500	3,500
1	MATERIALS-STUDS/DRYWALL/JOIST/RAFTERS	21,000	21,000
1	ROOF-75 SQUARES 30 YEAR	18,750	18,750
1	SHEETROCK HANG AND TEXTURE	15,000	15,000
1	A/C UNIT REMOVAL/REPLACE -ATTIC	12,000	12,000
1	ELECTRIC- REWIRE/CEILING	9,500	9,500
1	STUCCO	13,500	13,500
1	CONTRACTOR FEE	35,000	35,000
1	UNFORSEEN COST	17,000	17,000
Subtotal			174,750
Sales Tax			0.00
Total			174,750.00

Quotation prepared by: TRACY JORDAN

This is a quotation on the goods named, subject to the conditions noted below: All sales final, payment due upon receipt.

To accept this quotation, sign here and return: _____

Thank you for your business!