

**RECEIVED**

2025 MAR -7 PM 1:12

**CITY SECRETARY  
DALLAS, TEXAS**



**City of Dallas  
AGENDA**

*Public Notice*

250266

**BOARD OF ADJUSTMENT (PANEL A) POSTED** CITY SECRETARY  
DALLAS, TX

**MARCH 18, 2025, BRIEFING AT 10:30 A.M. AND  
THE PUBLIC HEARING AT 1:00 P.M.**

**Dallas City Hall, 6EN COUNCIL CHAMBER and Videoconference**

**Video Conference Link: <https://bit.ly/boa0318-A>  
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, March 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 Marzo, 2025. Las personas que deseen hablar en persona se pueden registrar en la Audiencia.**

**AGENDA**

- |      |                                    |                            |
|------|------------------------------------|----------------------------|
| I.   | <b>Call to Order</b>               | David A. Neumann, Chairman |
| II.  | <b>Staff Presentation/Briefing</b> |                            |
| III. | <b>Public Hearing</b>              | Board of Adjustment        |
| IV.  | <b>Public Testimony</b>            |                            |
| V.   | <b>Miscellaneous Items</b>         |                            |
| VI.  | <b>Case Docket</b>                 | Board of Adjustment        |
|      | - Uncontested Items                |                            |
|      | - Holdover Items                   |                            |
|      | - Individual Items                 |                            |
| VII. | <b>Adjournment</b>                 |                            |

**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 – February 18, 2025
- 

**UNCONTESTED CASE(S)**

---

<b>BDA245-031(CJ)</b>	9411 REDONDO DRIVE <b>REQUEST:</b> Application of Stuart Threadgold for <b>(1)</b> a special exception to the single-family use regulations.	1
<b>BDA245-034(CJ)</b>	11322 E. RICKS CIRCLE <b>REQUEST:</b> Application of Rob Baldwin for <b>(1)</b> a special exception to the fence-height regulations.	2
<b>BDA245-035(BT)</b>	1433 N. WESTMORELAND ROAD <b>REQUEST:</b> Application of Rob Baldwin for <b>(1)</b> a variance to the landscaping regulations, and <b>(2)</b> a variance to the parking setback regulation.	3
<b>BDA245-033(BT)</b>	7403 MIDBURY DRIVE <b>REQUEST:</b> Application of Rob Baldwin for <b>(1)</b> a special exception to the fence-height regulations along Midbury Drive; for <b>(2)</b> a special exception to the fence-opacity regulations along Midbury Drive; and <b>(3)</b> a special exception to the fence height regulations for the portion of the fence within the front yard setback on St. Michael's Drive.	4
<b>BDA245-038(BT)</b>	4463 BROOKVIEW DRIVE <b>REQUEST:</b> Application of Rob Baldwin for <b>(1)</b> a special exception to the fence height regulations, and for <b>(2)</b> a special exception to the fence opacity regulations.	5

---

**HOLDOVER**

---

**NONE**

---

**INDIVIDUAL CASES**

---

<b>BDA245-039(BT)</b>	4343 TRAVIS STREET <b>REQUEST:</b> Application of Mark Giambrone represented by Andrew Simes for <b>(1)</b> a variance to the front-yard setback regulations, and for <b>(2)</b> a variance to the side-yard setback regulations.	6
-----------------------	--	---



BOARD OF ADJUSTMENT

Panel A Minutes

February 18, 2025

**DRAFT**

Council Briefing 6ES

[24923176153@dallascityhall.webex.com](mailto:24923176153@dallascityhall.webex.com)

David A. Neumann, Chairman

**PRESENT: [5]**

David A. Neumann, Chairman	
Kathleen Davis	
Jay Narey - Virtual	
Michael Hopkovitz	
TC Fleming	

**ABSENT: [1]**

Rachel Hayden	

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.

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

**MISCELLANEOUS ITEMS**

Approval of the Board of Adjustment Panel A, January 21, 2025, Meeting Minutes.

**Motion was made to approve Panel A, January 21, 2025, Public Hearing Minutes.**

Maker:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Michael Hopkovitz & TC Fleming
		Against:	-	0	

**CONSENT ITEMS**

**1. 4637 Meadowood Road**

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

**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.

Speakers:

For: No Speakers

Against: No Speakers

**Motion**

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

**BDA 245-016** – Application of Rob Baldwin, for a special exception to fence height regulations contained in the Dallas Development Code, is granted, subject to the following condition:

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

Maker:	Michael Hopkovitz				
Second:	Kathleen Davis				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Michael Hopkovitz & TC Fleming
		Against:	-	0	

**2. 9450 N. Central Expressway**  
BDA245-021(CJ)

**\*This item was moved to Individual Cases\***

**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 4

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:**

(2) 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.

Speakers:

For: Mike Prezioso, 2865 Market Loop, Southlake TX 76092

Against: No Speakers

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-021, on application of Mike Prezioso, **GRANT** the request of this applicant to construct and/or maintain an attached premise sign on a nonresidential building facade with 10 words which contain characters of a height equal to or exceeding four inches, as a special exception to the sign regulations contained in Article VII of the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that strict compliance with the requirements 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.

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:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Michael Hopkovitz & TC Fleming
		Against:	-	0	

**3. 7117 Churchill Way**  
BDA245-022(CJ)

**\*This item was moved to Individual Cases\***

**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:**  
(3) 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.

Speakers:

For: Monica Hernandez, 7821 Pennington Ct., Plano, TX 75025  
Cindy Chadwick, 7117 Churchill Way, Dallas TX 75230

Against: No Speakers

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-022, on application of Monica Hernandez, **DENY** the special exception requested by this applicant to construct and/or maintain a 5-foot 6-inch high fence without prejudice, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Michael Hopkovitz				
Second:	Kathleen Davis				
Results:	4-1				Motion to deny without prejudice
		Ayes:	-	4	David A. Neumann, Kathleen Davis, Jay Narey, Michael Hopkovitz
		Against:	-	1	TC Fleming

## **HOLDOVER CASES**

### **4. 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:**

- (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.

**Speakers:**

For: Tracy Jordan, 3809 Parry Ave., Dallas, TX 75226

Against: Zac Thompson, 4715 University Blvd, Dallas TX 75209  
(Did not Speak)

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-011, on application of Tracy Jordan, **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:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Michael Hopkovitz & TC Fleming
		Against:	-	0	

**ADJOURNMENT**

After all business of the Board of Adjustment had been considered, Chairman Neumann entertained a motion to adjourn at 2:20 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:** BDA245-031(CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Stuart Threadgold for (1) a special exception to the single-family use regulations at **9411 Redondo Drive**. This property is more fully described as Block D/5312, SW 1/2 portion of Lot 2, and is zoned R-10(A) NSO 5 overlay, which limits the number of dwelling units to one. 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 use zoning regulations

**LOCATION:** 9411 Redondo Drive

**APPLICANT:** Stuart Threadgold

**REQUEST:**

(1) A request for special exception to the single-family zoning use 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.

**STAFF RECOMMENDATION:**

**1. Special Exception (1):**

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**BDA History:**

No BDA history found at 9411 Redondo Drive within the last 5 years.

**Square Footage:**

This lot contains 30,099.96 of square feet or .691 acres.

This lot is zoned R-10(A) NSO 5 overlay, which has a minimum lot size of 10,000 square feet.

**Zoning:**

Site: R-10(A) (Single Family District)  
North: Planned Development 197 & Community Retail (CR)  
East: R-10(A) (Single Family District)  
South: R-10(A) (Single Family District)  
West: D(A) (Duplex Zoning District)

**Land Use:**

The subject site and surrounding properties to the south, east and west are developed with residential uses. Areas to the north are developed with uses permissible in Planned Development 197 and Community Retail zoning district.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Stuart Threadgold for the property located at 9411 Redondo Drive focuses on one request relating to the single-family zoning use 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
- In short, the applicant is proposing to convert their existing garage into an additional dwelling unit that will not be used as rental accommodations.
- The subject site is currently developed with a residential structure and located within an established neighborhood.
- The subject site has single street frontage on Redondo Drive.
- 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.
- 200' Radius Video: [BDA245-031 at 9411 Redondo Drive](#)

**Timeline:**

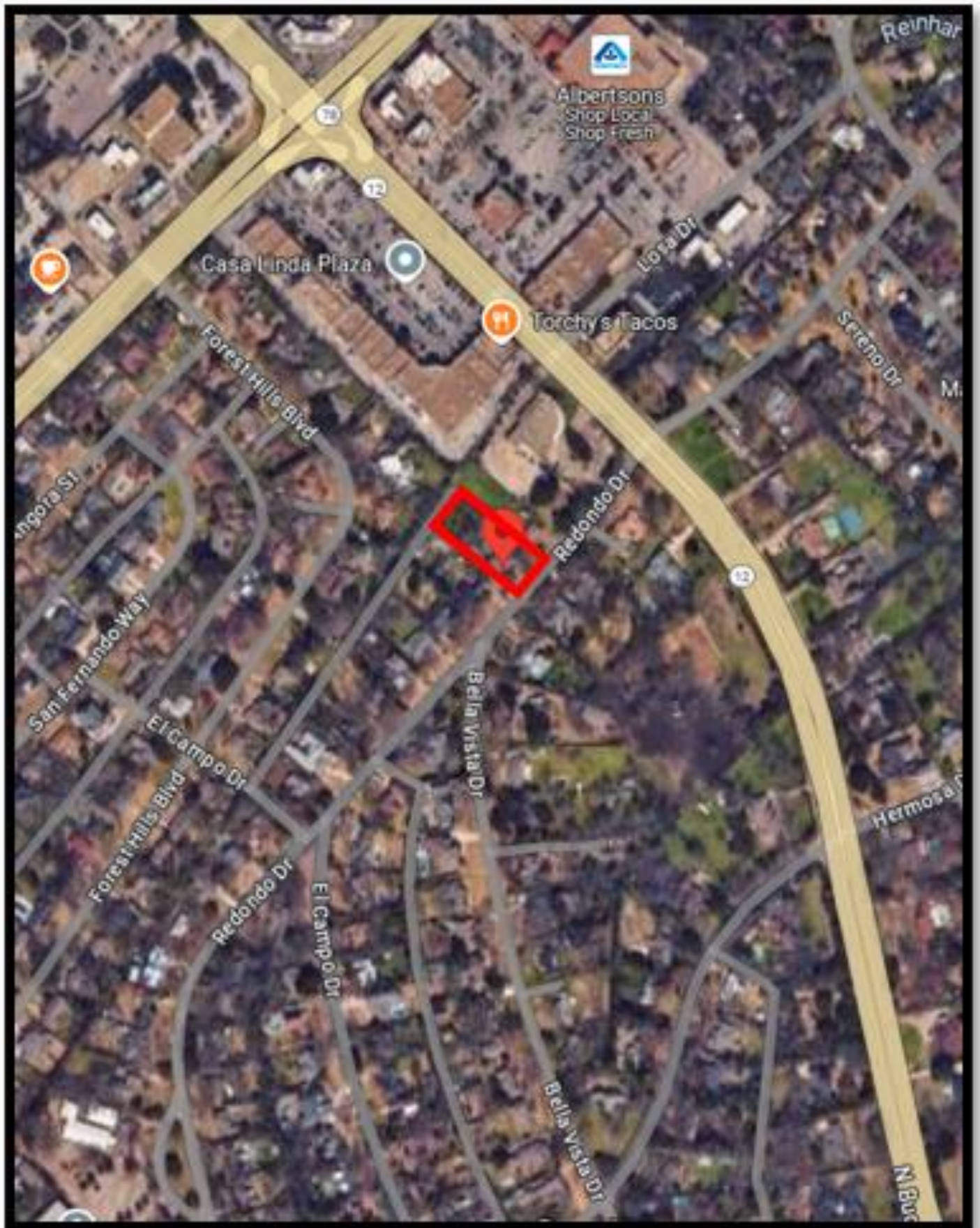
January 16, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

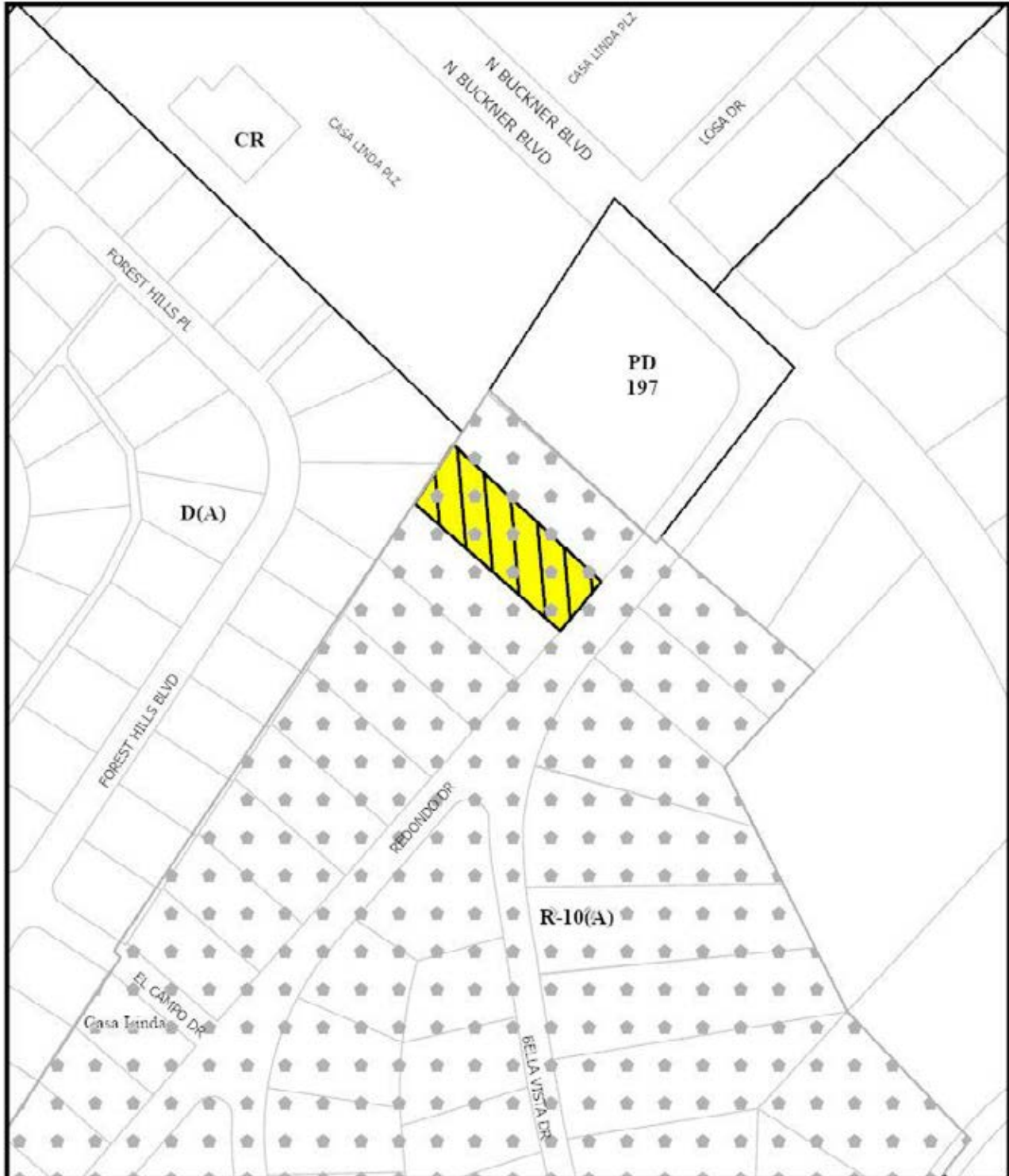
February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

February 21, 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 February 28, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and March 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.

February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.



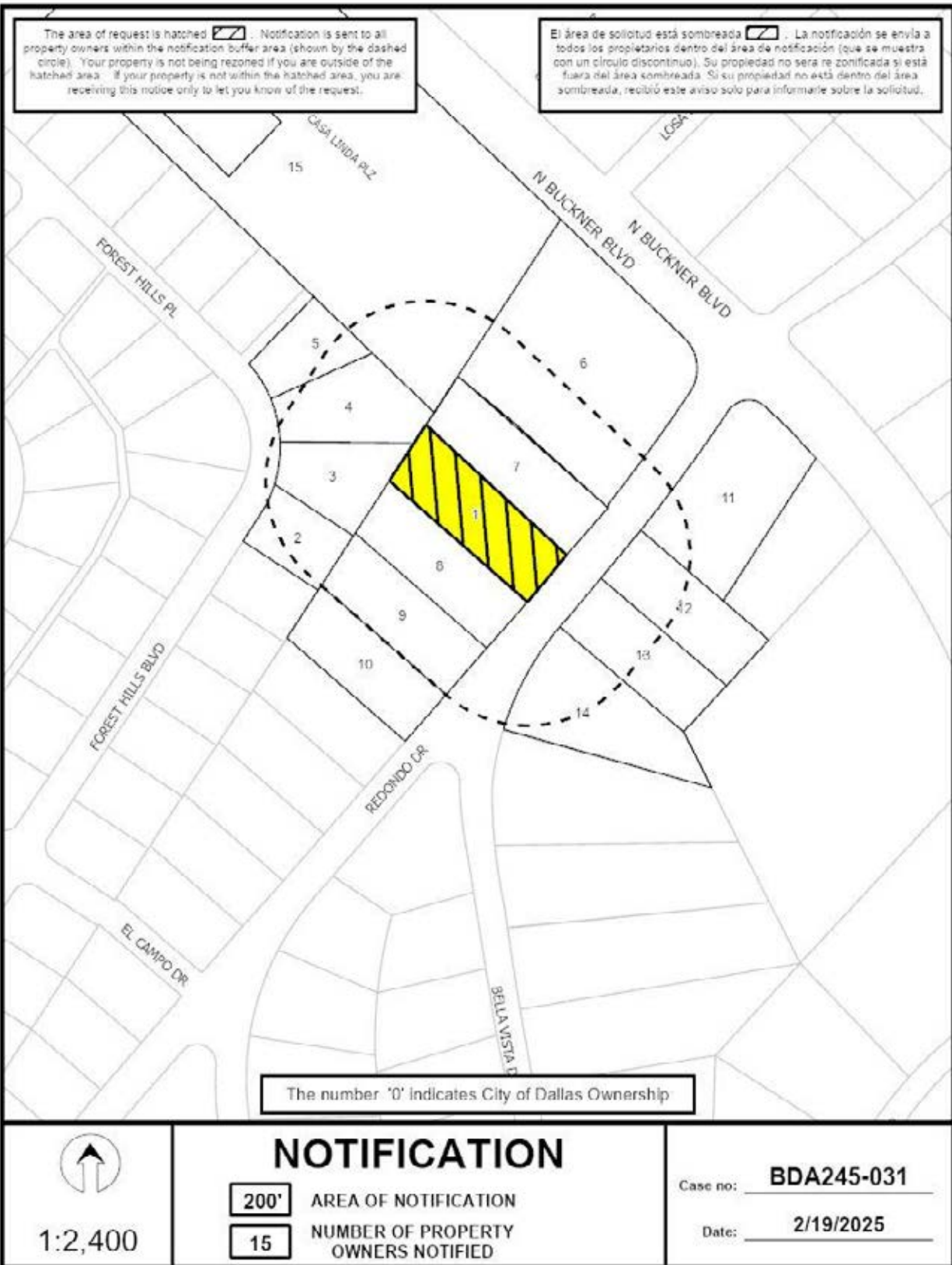


1:2,400


# ZONING MAP


Case no: BDA245-031

Date: 02/19/2025







The area of request is shaded . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being requested if you are outside of the shaded area. If your property is within the shaded 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 está siendo solicitada si está fuera del área sombreada. Si su propiedad está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



 1:2,400	<h2>NOTIFICATION</h2>		Case no: <b>BDA245-031</b>
	 200' AREA OF NOTIFICATION  15 NUMBER OF PROPERTY OWNERS NOTIFIED		

02/19/2025

## Notification List of Property Owners

**BDA245-031**

*15 Property Owners Notified*

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	9411 REDONDO DR	MCCARTY MELISSA ANNE &
2	9354 FOREST HILLS BLVD	KORMAN FRANK & SARA ANN
3	9360 FOREST HILLS BLVD	CARR SUSAN C
4	9364 FOREST HILLS BLVD	SCHOENBAUER TIM
5	9370 FOREST HILLS BLVD	ALECU CRISTINA &
6	1351 N BUCKNER BLVD	U S POSTAL SERVICE
7	9415 REDONDO DR	SHERMAN ROBERT M JR
8	9409 REDONDO DR	EDGMON RICKY EARL & LAURA J
9	9407 REDONDO DR	STIMSON THOMAS R & MARY K
10	9337 REDONDO DR	DYER PHILLIP GRAHAM & HEATHER
11	1405 N BUCKNER BLVD	HOWARD HUBERT JR & MAVIS G
12	9414 REDONDO DR	BARTON DOUGLAS A &
13	9410 REDONDO DR	MILLER JOHN H III &
14	9406 REDONDO DR	COOPER JONATHAN D & CHARLOTTE W
15	9440 GARLAND RD	CASA LINDA (EDENS) LLC

 1:2,400	<b>NOTIFICATION</b>	Case no: <b>BDA245-031</b>
	<input type="text" value="200"/> AREA OF NOTIFICATION <input type="text" value="15"/> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>2/19/2025</b>

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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-031(CJ) Application of Stuart Threadgold for (1) a special exception to the single-family use regulations at 9411 REDONDO DRIVE. This property is more fully described as Block D/5312, SW 1/2 portion of Lot 2, and is zoned R-10(A) NSO 5 overlay, which limits the number of dwelling units to one. 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 use zoning 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](mailto: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 6EN Council Chambers. 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, March 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/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](http://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](mailto: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>



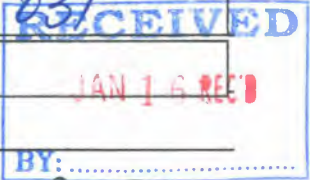
# Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

## APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

245-031



Data Relative to Subject Property: 2412121018 SFD REM Date: \_\_\_\_\_

Location address: SW 1/2 9th Redondo Dr (NO. 4411) Zoning District: R10

Lot No.: SW 1/2 Block No.: D/5312 Acreage: 0.691 Census Tract: 48113008102

Street Frontage (in Feet): 1) 100 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): GUADALUPE VIDAL, EDGAR VIDAL, DAVID NAROUZI

Applicant: Stuart Threadgold  
THREADGOLD ARCHITECTURE + CONSTRUCTION LLC Telephone: 682 666 2016

Mailing Address: PO BOX 2742 WAXAHACHIE Zip Code: 75165

E-mail Address: stuart@threadgold.net.au

Represented by: STUART THREADGOLD Telephone: 682 666 2016

Mailing Address: AS ABOVE Zip Code: \_\_\_\_\_

E-mail Address: AS ABOVE

Affirm that an appeal has been made for a Variance  or Special Exception  of 796 SQ FT  
ACCESSORY DWELLING UNIT, SE TO ADU, VARIANCE  
TO FLOOR AREA ~~SA~~

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

PRE-EXISTING ACCESSORY DWELLING UNIT ON PROPERTY  
PURCHASED ON 15 AUGUST 2024; ADU SPECIAL EXCEPTION  
2. VARIANCE TO ADU FLOOR AREA

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

### Affidavit

Before me the undersigned on this day personally appeared Stuart Threadgold  
(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 7 day of January 2025

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





  
CITY OF DALLAS  
AFFIDAVIT

Appeal number: BDA 245-031

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

at: SW 1/2 LOT 2 (NO. 9411) REDONDO DRIVE, DALLAS  
(Address of property as stated on application)

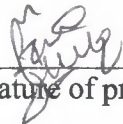
Authorize: \_\_\_\_\_  
(Applicant's name as stated on application)

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: 716 SQ FT ADU AT 9411 REDONDO DRIVE, DALLAS  
SE TO ADU, VARIANCE TO FLOOR AREA

GUADALUPE RUIZ  
Print name of property owner or registered agent

  
Signature of property owner or registered agent

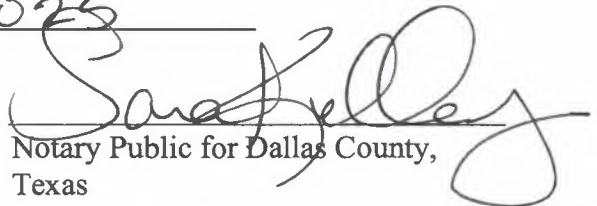
agent Date 1/5/2025

Before me, the undersigned, on this day personally appeared  
Guadalupe Ruiz

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 5<sup>th</sup> day of

January, 2025

  
Notary Public for Dallas County,  
Texas



Commission expires on  
02/03/2025



CITY OF DALLAS  
AFFIDAVIT

Appeal number: BDA 245-031

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

at: SW 1/2 Lot 2 (No. 9411 Redondo Dr. Dallas  
(Address of property as stated on application)

Authorize: THREADGOLD ARCHITECTURE + construction LLC  
(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: 796 SQ FT ADU AT 9411 Redondo Dr. Dallas  
SE TO ADU, VARIANCE TO FLOOR AREA

EDGAR VIDAL  
Print name of property owner or registered agent

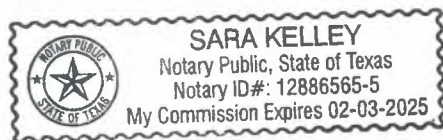
[Signature]  
Signature of property owner or registered agent

agent Date 1/5/2025

Before me, the undersigned, on this day personally appeared  
Edgar Vidal

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 5<sup>th</sup> day of  
January, 2025



[Signature]  
Notary Public for Dallas County,  
Texas

Commission expires on  
02/03/2025





**CALIFORNIA JURAT**

**GOVERNMENT CODE § 8202**



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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 8th day of January, 2025, by  
*Date Month Year*

(1) David Norouzi

(and (2) \_\_\_\_\_),  
*Name(s) of Signer(s)*

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

Signature   
*Signature of Notary Public*



*Place Notary Seal and/or Stamp Above*

**OPTIONAL**

*Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

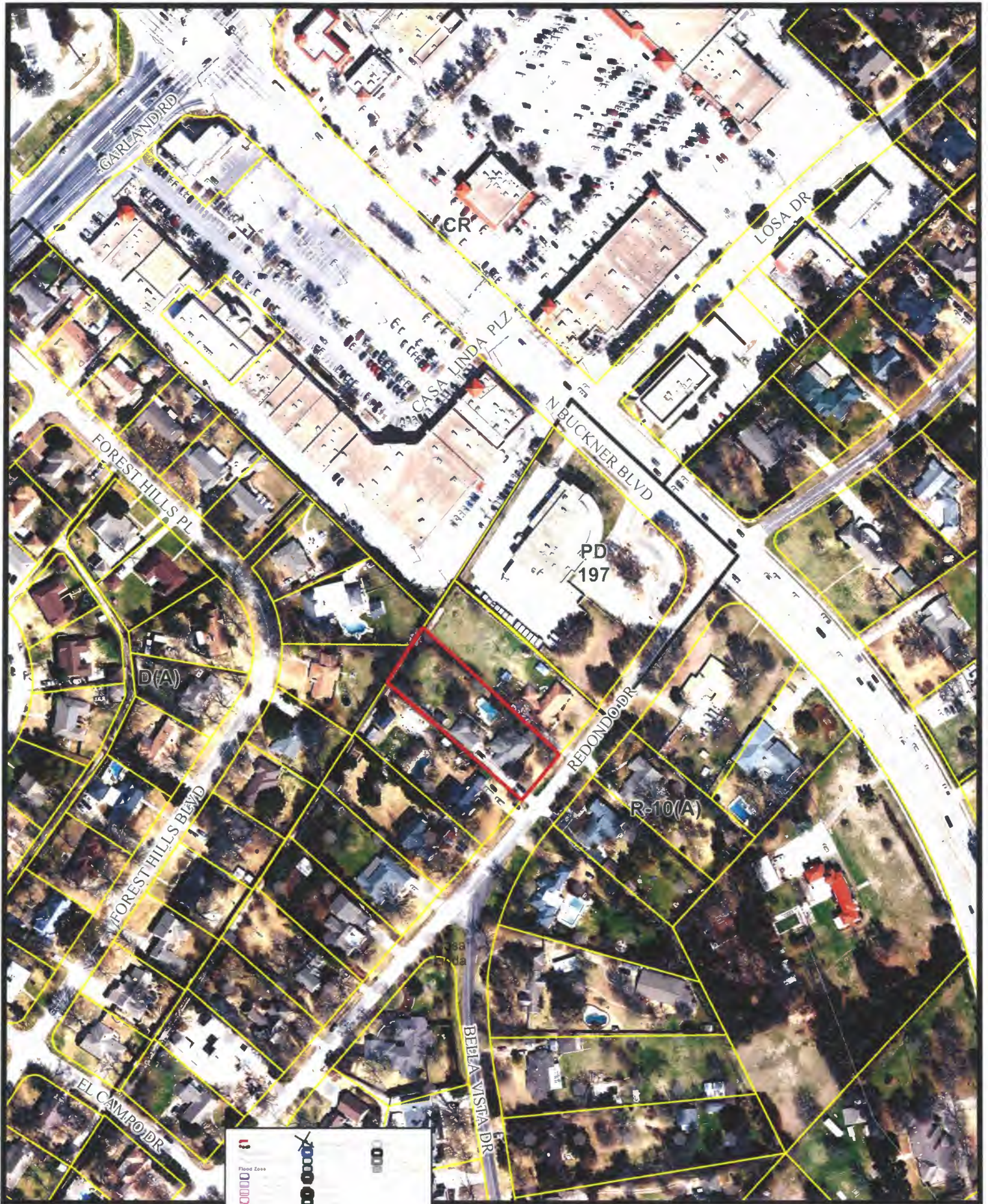
Title or Type of Document: Affidavit for City of Dallas

Document Date: \_\_\_\_\_ Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

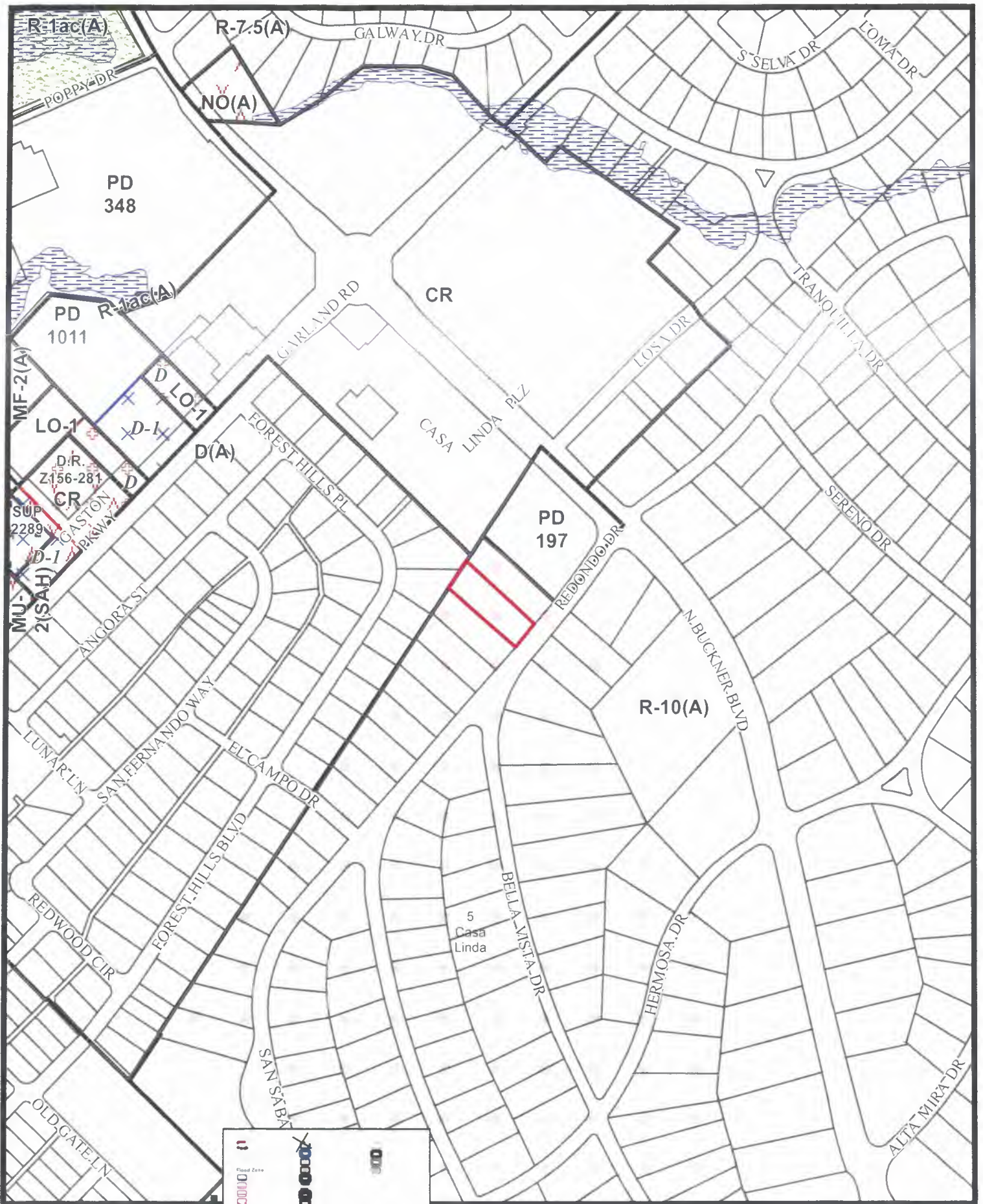


BDA-245-031



1:2,400





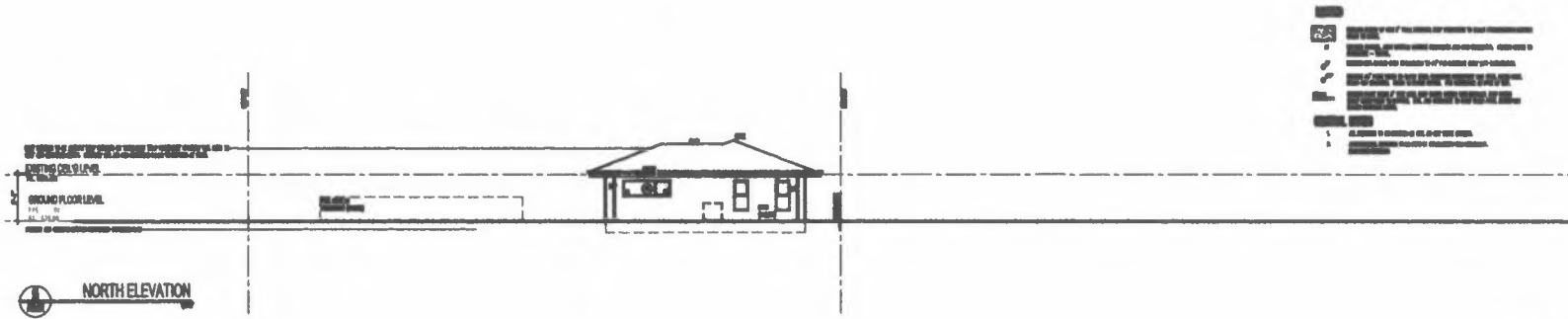
1:4,800



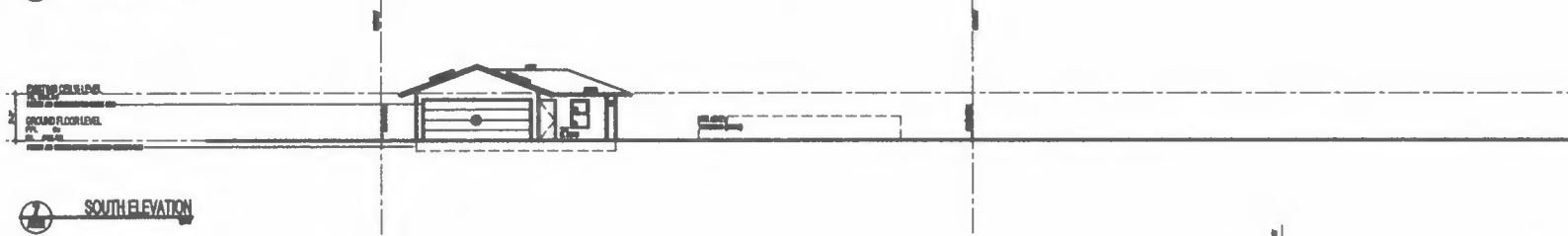
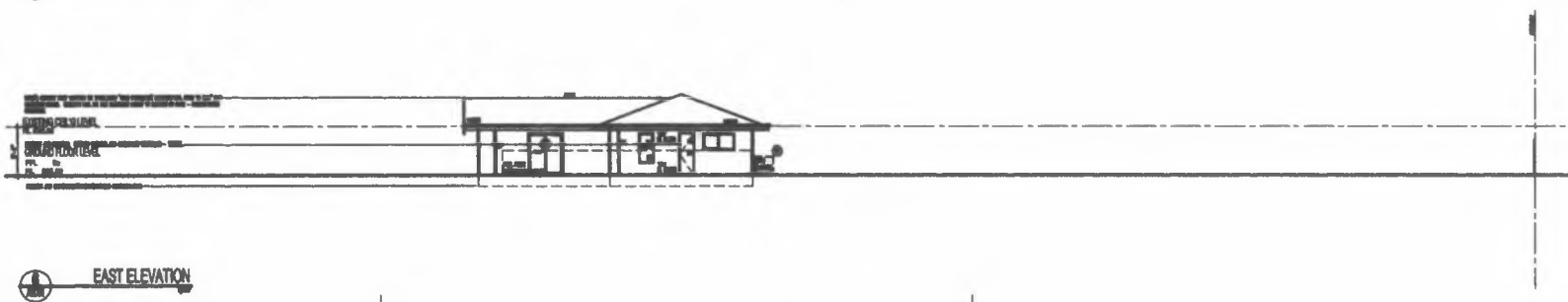
Case ID: 245-031  
 Printed: 12/31/2024







- 1. FINISH
- 2. EXTERIOR WALL
- 3. EXTERIOR WINDOW
- 4. EXTERIOR DOOR
- 5. EXTERIOR ROOF
- 6. EXTERIOR PORCH
- 7. EXTERIOR STAIR
- 8. EXTERIOR FENCE
- 9. EXTERIOR LIGHT
- 10. EXTERIOR PLANT



PROJECT NO.	DATE
DESCRIPTION	SCALE
<b>threshold architecture</b> ARCHITECTS 10101 W. UNIVERSITY BLVD. SUITE 100 DENVER, CO 80202 TEL: 303.733.1111 FAX: 303.733.1112 WWW.THRESHOLDARCHITECTURE.COM	

**FILE NUMBER:** BDA245-032(CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for **(1)** a special exception to the fence-height regulations at **11322 E. Ricks Circle**. This property is more fully described as Block 3/7490, Lot 4, 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:** 11322 East Ricks Circle

**APPLICANT:** Rob Baldwin

**REQUEST:**

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

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

- No BDA history found at 11322 East Ricks Circle in the last 5 years.

**Square Footage:**

- This lot contains 85,813.2 of square feet or 1.97 acres.
- 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 Rob Baldwin for the property located at 11322 East Ricks Circle focuses on 1 request relating to fence height.
- The applicant proposes to construct and 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 East Ricks Circle.
- It has been confirmed that the fence is proposed and not existing.
- Based upon staff’s analysis of the surrounding properties, there are a few homes within the subject sites 200’ radius with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exception to the fence regulations 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: [BDA245-034 at 11322 E. Ricks Circle](#)

**Timeline:**

January 17, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

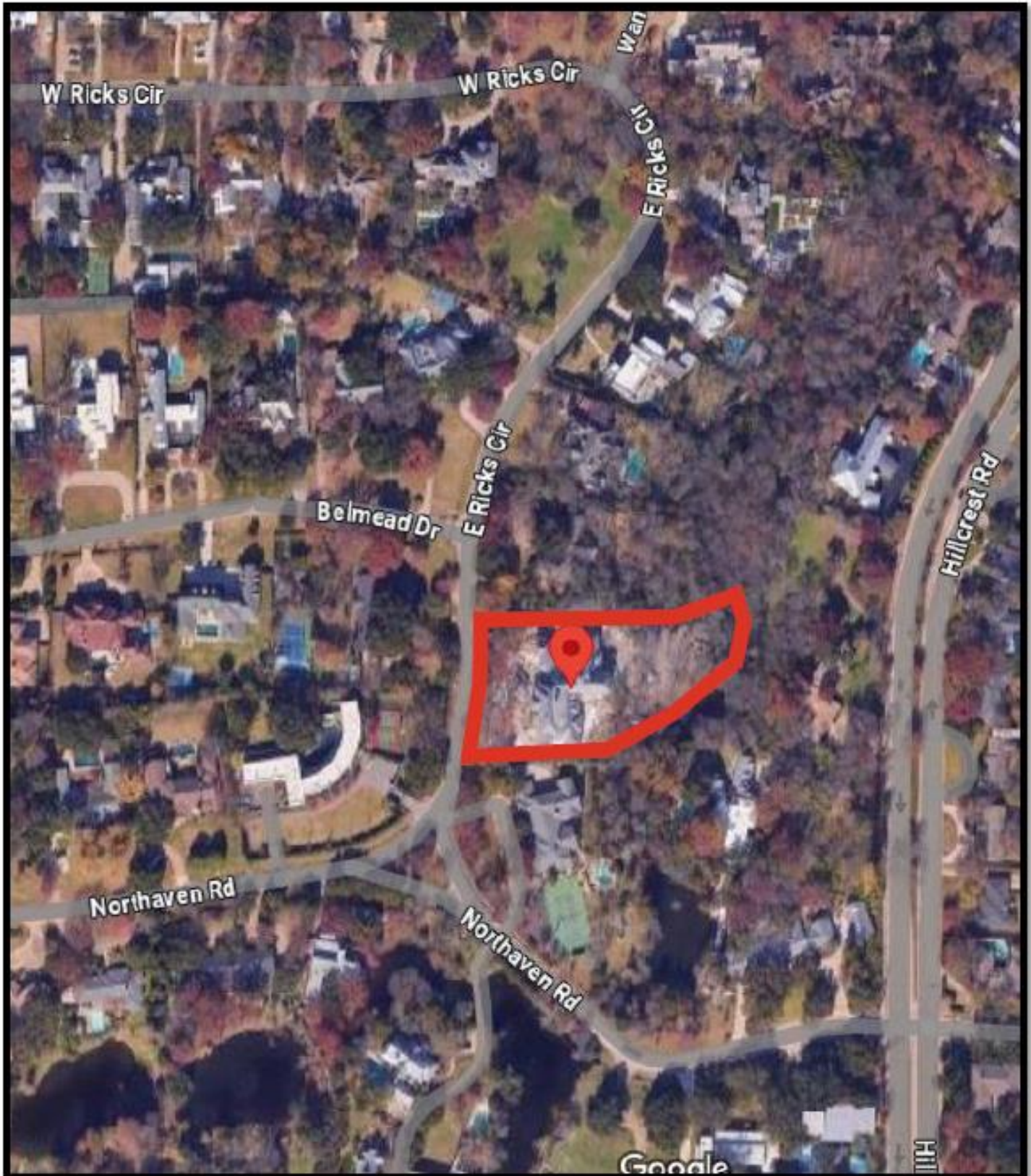
February 21, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

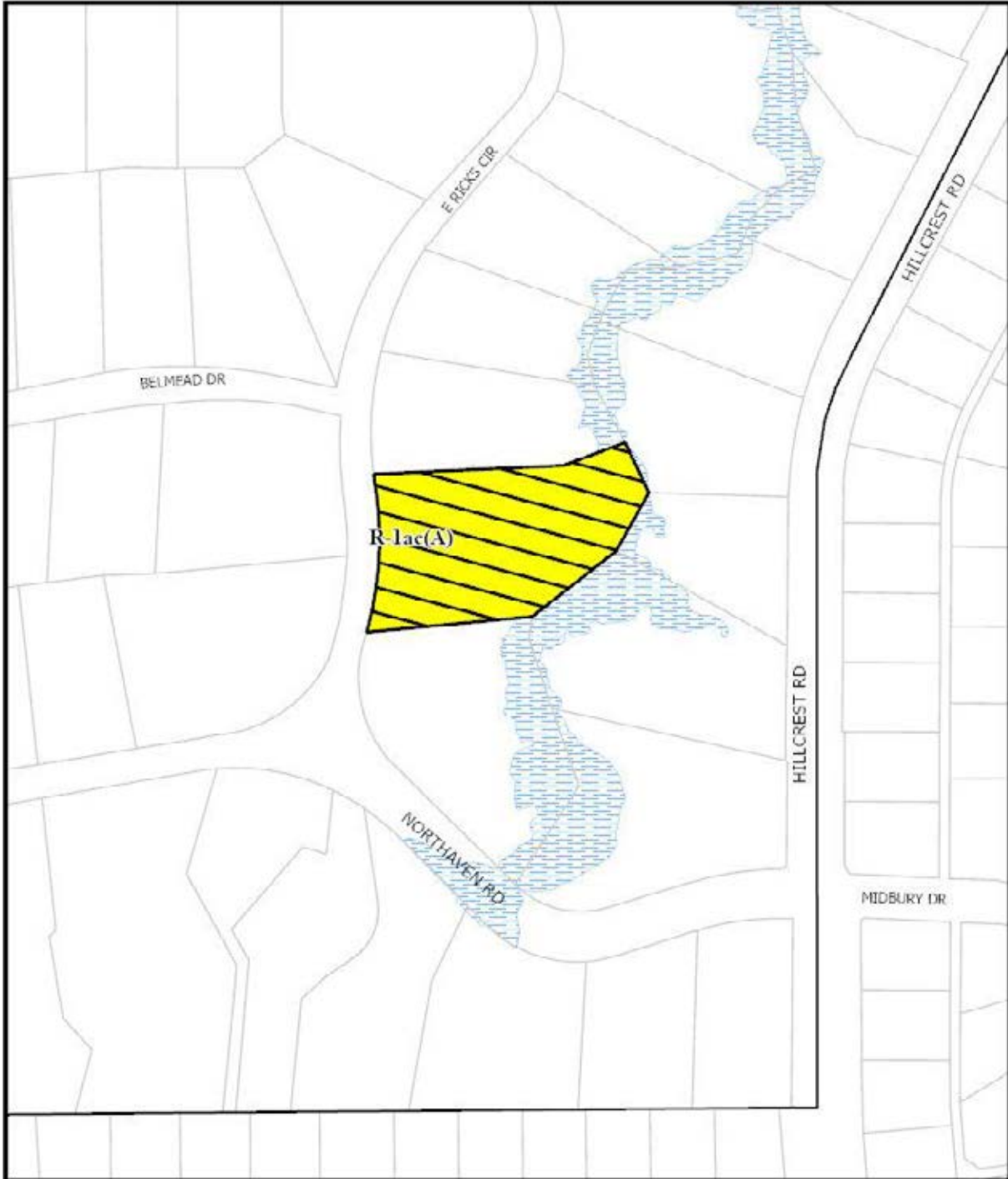
- an attachment that provided the hearing date and panel that will consider the application; the February 28, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and March 7, 2025, deadline to submit additional evidence to be incorporated into the board’s docket materials.



- 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.

February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.







1:2,400

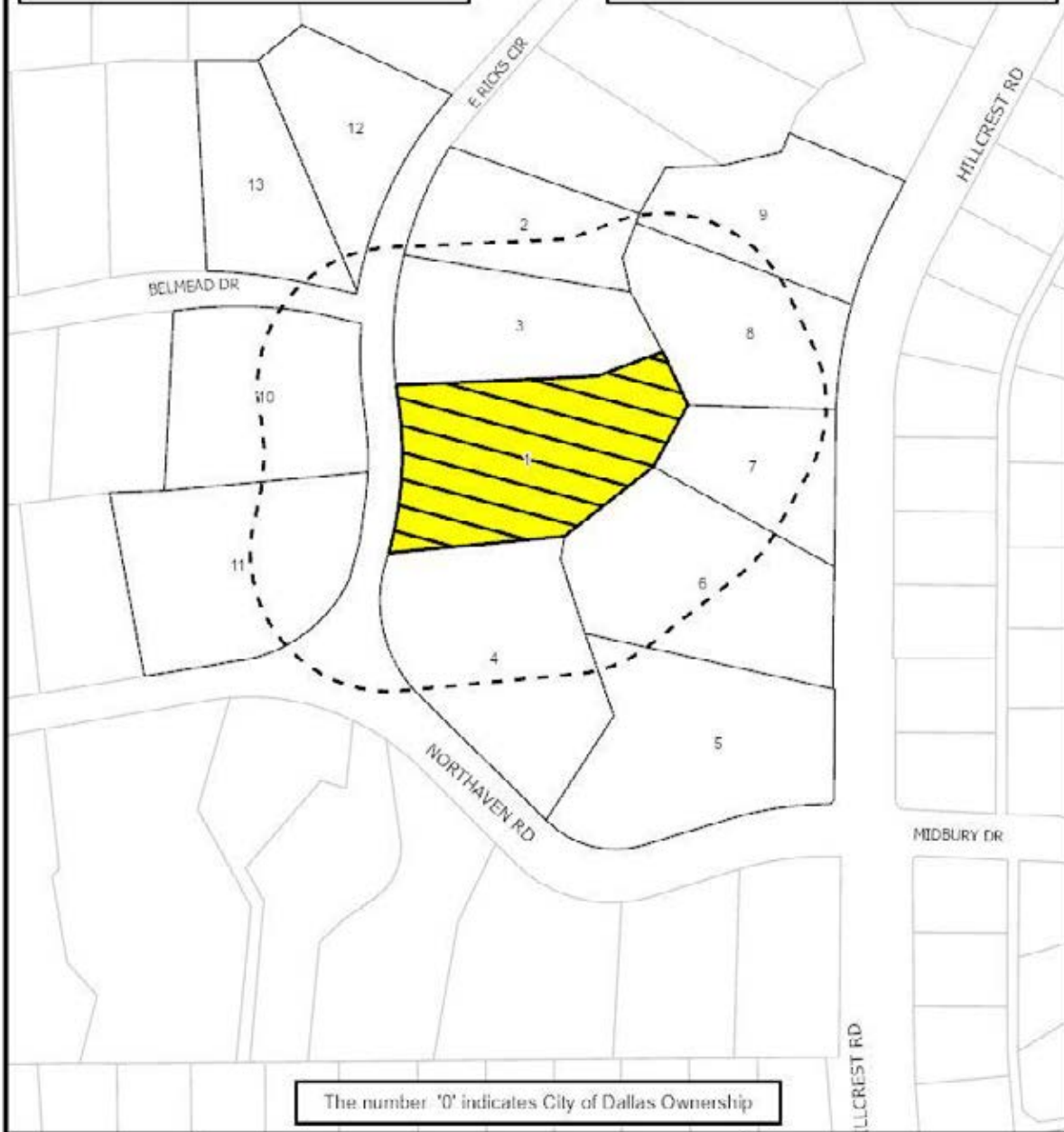
# ZONING MAP

Case no: **BDA245-034**

Date: **02/19/2025**

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 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  
**13** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-034**  
 Date: **2/19/2025**

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). Si su propiedad no está dentro del área sombreada, recibirá este aviso solo para informarse sobre la solicitud.



The number '0' indicates City of Dallas Ownership



1:2,400

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**13** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-034**  
 Date: **2/19/2025**

02/19/2025

## Notification List of Property Owners

**BDA245-034**

*13 Property Owners Notified*

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
1	11322 E RICKS CIR	MARSHALL E PIERCE JR &
2	11400 E RICKS CIR	THACKSTON JESSICA
3	11340 E RICKS CIR	GALLAGHER 2010 REVOCABLE TR
4	6701 NORTHAVEN RD	ERICKSON THOMAS W &
5	6767 NORTHAVEN RD	CRUDUP ROBERT F & CARRIE B
6	11325 HILLCREST RD	GILBERT JOHN C & ELAINE S
7	11341 HILLCREST RD	PULLEY DAVID H &
8	11411 HILLCREST RD	DAKSHINAMOORTHY SURESH &
9	11415 HILLCREST RD	SEIFIKAR SHAHROOZ &
10	11323 E RICKS CIR	BENSON JAMES BRANDON &
11	6645 NORTHAVEN RD	KEITH EDWARD CYPRIAN III
12	11421 E RICKS CIR	LANDIN ROBERT & REBECCA FAMILY
13	6631 BELMEAD DR	WOOD REVOCABLE TRUST THE



1:2,400

## NOTIFICATION

200'

AREA OF NOTIFICATION

13

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-034**

Date: **2/19/2025**

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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-034(CJ) Application of Rob Baldwin for (1) a special exception to the fence-height regulations at 11322 E. RICKS CIRCLE. This property is more fully described as Block 3/7490, Lot 4, 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](mailto: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 6EN Council Chambers. 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, March 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/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](http://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](mailto: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

245-034 RECEIVED

Data Relative to Subject Property:

Date:

FOR OFFICE JAN 07 REC'D

Location address: 11322 E Ricks Circle

Zoning District: R-1ac(A)

Lot No.: 4 Block No.: 3/7490

Acreage: 1.97

Census Tract: 48113013300

Street Frontage (in Feet): 1) 246' 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): E. Pierce Marshall, Jr. and Kristen E. Nevils Marshall

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 and gates in the front yard.

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

We feel this request is reasonable and will not negatively affect 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

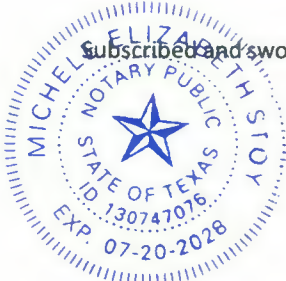
Respectfully submitted: \_\_\_\_\_

(Affiant/Applicant's signature)

Subscribed and sworn to before me this

6 day of September, 2024

Michele Stoy  
Notary Public in and for Dallas County, Texas









AFFIDAVIT

Appeal number: BDA 245-034

I, E. Pierce Marshall, Jr., Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 11322 E. Ricks Circle, Dallas, Texas  
(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

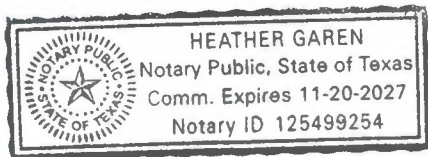
E. Pierce Marshall, Jr.  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

agent Date 9/3/2024

Before me, the undersigned, on this day personally appeared  
E. Pierce Marshall, Jr.

Who on his/her oath certifies that the above statements are true and correct to his/her best  
knowledge. Subscribed and sworn to before me this 3rd day of  
September, 2024



Commission expires on 11-20-2027



AFFIDAVIT

Appeal number: BDA 245-034

I, Kristen E. Nevils Marshall, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 11322 E. Ricks Circle, Dallas, Texas  
(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

KRISTEN NEVILS MARSHALL  
Print name of property owner or registered agent

Kristen Nevils Marshall  
Signature of property owner or registered agent

agent Date 9/3/2024

Before me, the undersigned, on this day personally appeared  
Kristen Nevils - Marshall

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 3rd day of  
September, 2024



Commission expires on 11-20-2027



SHIPPED DATE: 6-20-96 RECEIVED DATE: 9-16-96

ANNEXED NOV. 15, 1954 ORD. NO. 6378

SURVEY M.J. SANCHEZ ABST. 1272

# CITY OF DALLAS PLAT BOOKS

ADDITION HILLCREST ESTATES

BLOCKS 3 7490

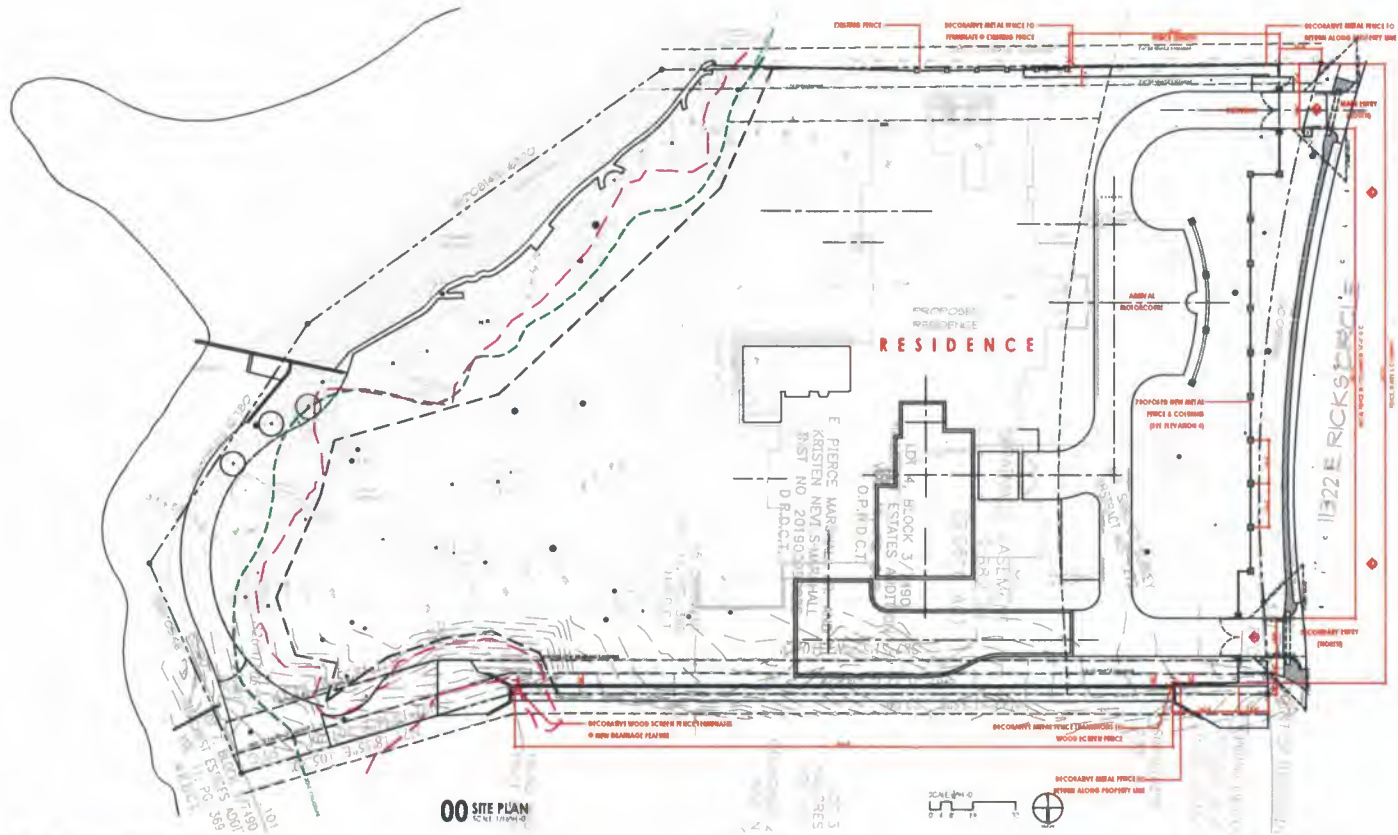
SCALE 100 FT. EQUALS 1 INCH

SCHOOL DIST. DALLAS

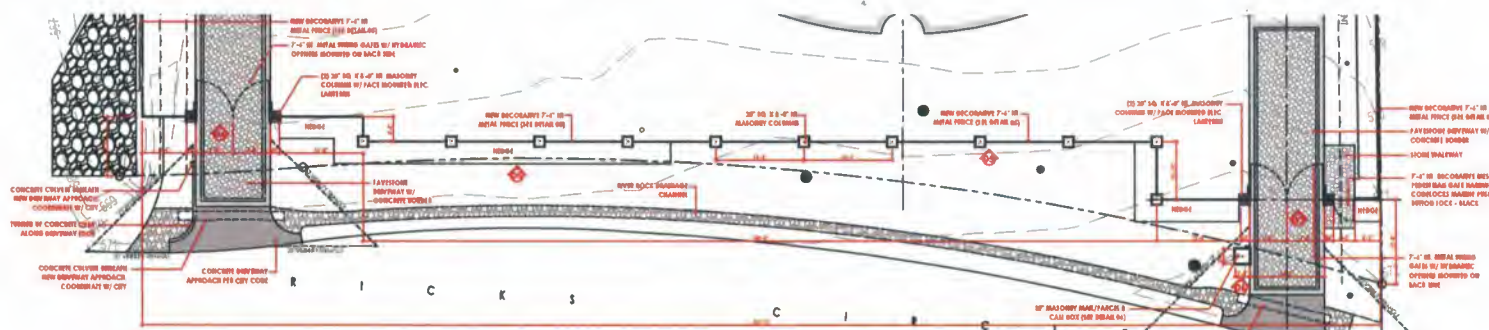
RECORDED 4-1-97  
HILLCREST ESTATES LOT B-A BLK. 3/7490 FILED: 5-10-84  
FILED: 11-1-88 Horawalt's Tara LOT 1A  
FILED: 8-19-94 BLK. 3/7490 LT. 18 HILLCREST ESTATES/PASSMORE



BOA 245-034



**00 SITE PLAN**  
SCALE 1/8" = 1'-0"



**01 ENLARGEMENT PLAN - FRONT ENTRY GATES, COLUMNS & FENCE**  
SCALE 1/8" = 1'-0"



**02 ELEVATION - FRONT ENTRY GATES, COLUMNS & FENCE**  
SCALE 1/8" = 1'-0"

**MARSHALL RESIDENCE**  
11322 RICKS CIRCLE  
DALLAS, TEXAS 75230

SCALE 1/8" = 1'-0"

SITE PLAN  
FENCE, GATES &  
COLUMNS

*BOA245-034*



**FILE NUMBER:** BDA245-035(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for **(1)** a variance to the landscaping regulations, and for **(2)** a variance to the parking setback regulations at **1433 N. WESTMORELAND ROAD**. This property is more fully described as Block 6160, Tract 1, and is zoned IR, PD-811 (Subarea A), which requires mandatory landscaping and requires a parking setback of 10-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require **(1)** a variance to the landscape regulations, and to construct and/or maintain a nonresidential structure with a parking setback of 0-feet, which will require **(2)** a variance of 10-feet to the parking setback regulations.

**LOCATION:** 1433 N. Westmoreland Road

**APPLICANT:** Rob Baldwin - Baldwin Associates

**REQUEST:**

- (1) A request for a variance to the landscape regulations; and
- (2) A request for a variance to the parking 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 to the landscape regulations:**

**Approval**

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

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

**Variance to the off-street parking regulations:**

**Approval**

**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. Lot is restrictive in buildable **area, shape, and slope**; it is a corner lot with front-yard setbacks facing both N Westmoreland Road and Remond Drive; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- F. Not self-created nor is it a personal hardship.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: PD-811 Subarea A
- North: PD-811 Subarea B and PD-986
- East: PD-1059
- South: N(A) and PD-986
- West: PD-1059

**Land Use:**

The subject site is developed currently developed with a cell tower use. The surrounding area consist of a mixture of restaurants, hotels, office, gas stations, manufacturing, warehousing developments, and vacant land are the land uses in this immediate area.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Rob Baldwin of Baldwin Associates for the property located at 1433 N Westmoreland Road focuses on two requests relating to the landscape regulations and to the off-street parking regulations.
- The first request, the applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan which will require a variance to the landscape regulations.
- Lastly, the applicant proposes to construct and/or maintain a nonresidential structure with a parking setback of 0-feet, which will require a variance of 10-feet to the parking setback regulations.
- The chief arborist has no objection to the alternate landscape plan provided the variance to the parking setback is approved. The parking setback would provide suitable landscape space along Remond Drive but would presumably conflict with parking demands for the proposed use of the property.
- The applicant has the burden of proof in establishing the following:
  - 1) That granting the variance to the landscape regulations and to the off-street parking regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
  - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
  - 3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.
- 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 the variance to the landscape regulations with a condition that the applicant complies with the submitted alternate landscape plan, would require the proposal to be constructed as shown on the submitted documents.
  - Granting the variance to the off-street parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
  - 200' Radius Video: [BDA245-035 at 1433 N Westmoreland Rd](#)

**Timeline:**

- January 17, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.
- February 21, 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 **February 28, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **March 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.
- February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **March** public hearings. Review team members in attendance included: The Board of Adjustment

Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



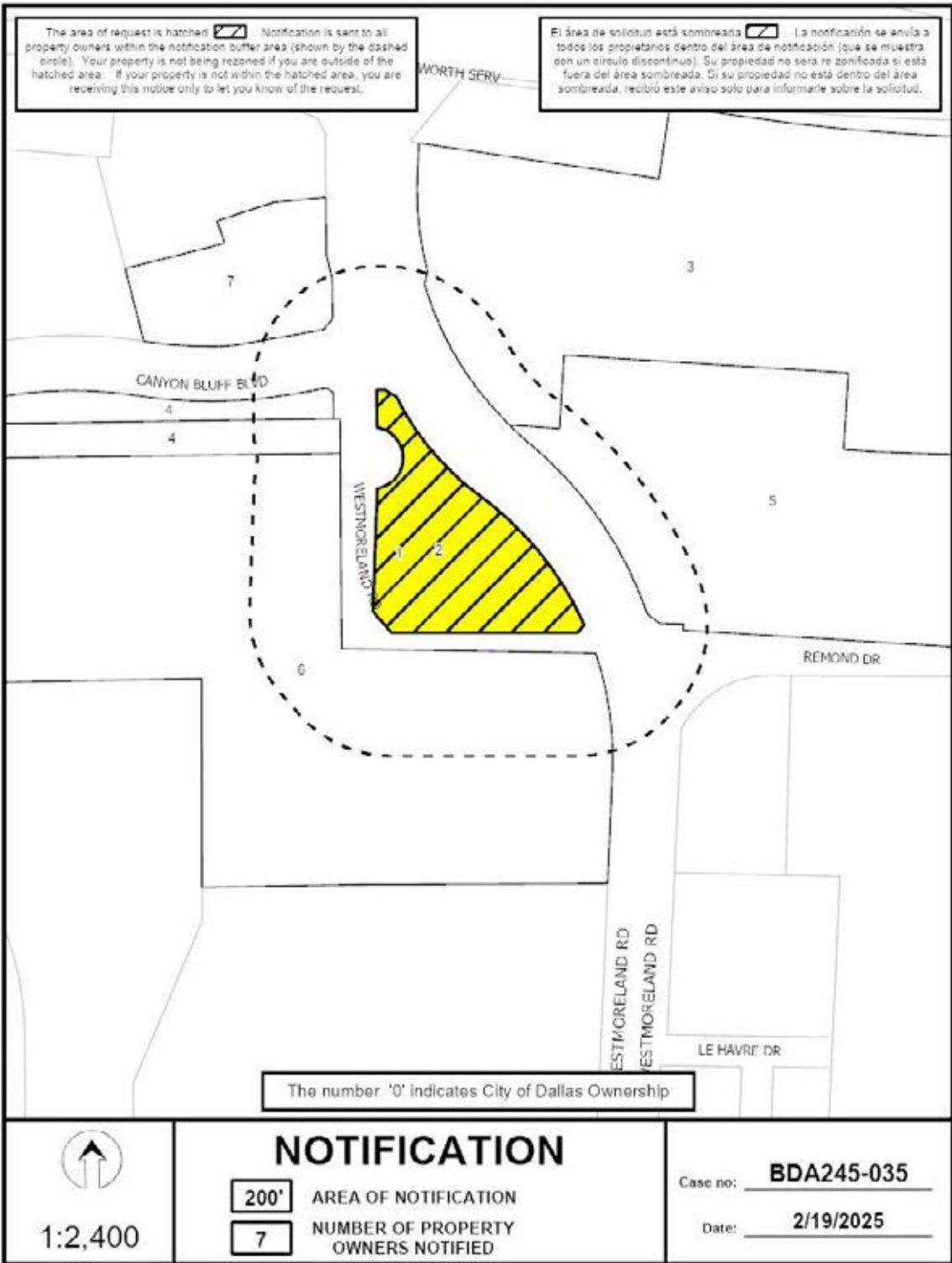
1:2,400

# AERIAL MAP

Case no: BDA245-035

Date: 02/19/2025





# Notification List of Property Owners

BDA245-035

7 Property Owners Notified

Label #	Address	Owner
1	1433 N WESTMORELAND RD	DALLAS COUNTY METROCARE SERVICES
2	1433 N WESTMORELAND RD	CROWN COMMUNICATION INC
3	2841 REMOND DR	QT SOUTH LLC
4	1419 N WESTMORELAND RD	LMC CANYON HOLDINGS LLC
5	1400 N WESTMORELAND RD	DALLAS COUNTY HOSPITAL DISTRICT
6	1353 N WESTMORELAND RD	DALLAS CO MENTAL HEALTH &
7	3333 CANYON BLUFF BLVD	CORINTH CANYON BLUFF LLC

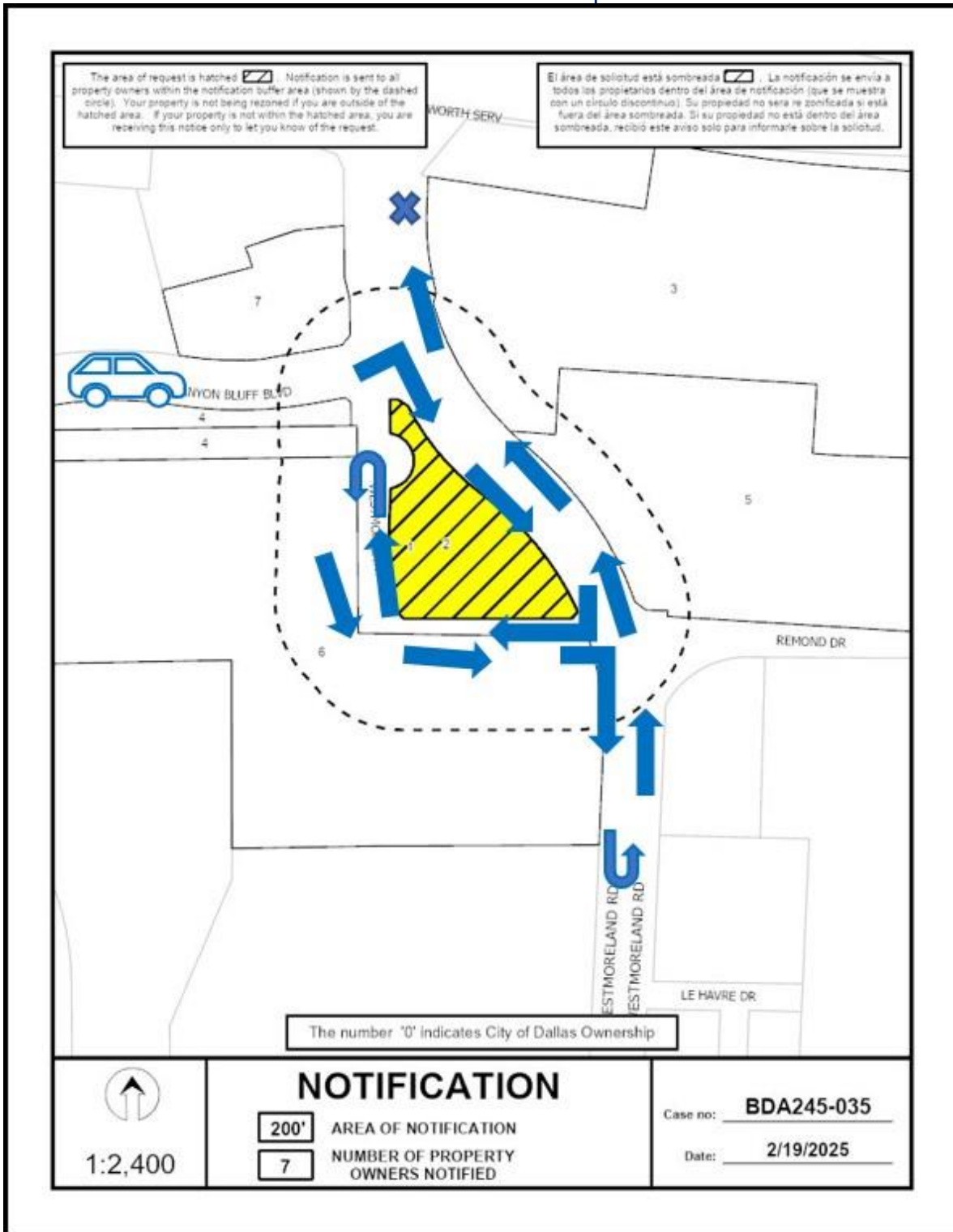
 1:2,400	<b>NOTIFICATION</b>	Case no: <b>BDA245-035</b>
	<b>200'</b> AREA OF NOTIFICATION <b>7</b> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>2/19/2025</b>

**Route Directions:**

- Start on Canyon Bluff Blvd.
- Right on N Westmoreland Rd.
- Right on Remond Dr.
- U-turn on Remond Dr.
- Right on N Westmoreland Rd.
- U-turn on N Westmoreland Rd.
- \*Subject Site at :35



## 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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-035(BT) Application of Rob Baldwin for (1) a variance to the landscaping regulations, and (2) a variance to the parking setback regulation at 1433 N. WESTMORELAND ROAD. This property is more fully described as Block 6160, Tract 1, and is zoned IR, PD-811(subarea A), which requires mandatory landscaping and requires a parking setback of 10-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a variance to the landscape regulations, and to construct and/or maintain a nonresidential structure with a parking setback of 0-feet, which will require (2) a variance of 10-feet to the parking setback regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAreply@dallas.gov](mailto: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 6EN Council Chambers. 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, March 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](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](http://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](mailto: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 245-035  
Date: FOR OFFICE USE ONLY

RECEIVED  
JAN 17 2025  
BY: \_\_\_\_\_

Data Relative to Subject Property: \_\_\_\_\_

Location address: 1433 North Westmoreland Road Zoning District: PD-811 - Subdistrict A

Lot No.: Tract 1 Block No.: 6160 Acreage: 1.2526 acs Census Tract: 48113010701

Street Frontage (in Feet): 1) 203 2) 301 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Dallas County Mental Health and Mental Retardation Center d/b/a Dallas Metrocare Services

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 X, or Special Exception    of A variance to Section 51P-811.119(d) allowing for a parking setback less than 10-feet and a variance to Section 51P-811.122 Tree Planting requirements.

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

The property is triangular in shape and has an existing tall tower in the middle of the lot that severely limits the ability to develop the property.

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

### Affidavit

Before me the undersigned on this day personally appeared Rob Baldwin

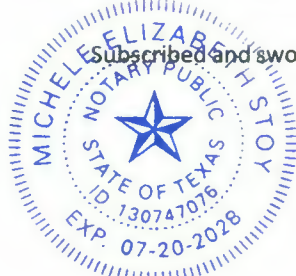
(Affiant/Applicant's name printed)

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 7 day of January, 2025

Michele Stoy  
Notary Public in and for Dallas County, Texas



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

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

**I hereby certify that** Rob Baldwin

**did submit a request** for (1) a variance to the landscaping regulations, and for (2) a variance to the off-street parking regulation

**at** 1433 N. Westmoreland Rd.

BDA245-035. Application of Rob Baldwin for (1) a variance to the landscaping regulations and for (2) a variance to the parking setback regulation at 1433 N WESTMORELAND RD. This property is more fully described as Block 6160, Tract 1, and is zoned IR,PD-811(subarea A), which requires mandatory landscaping and requires a parking setback of 10-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a variance to the landscape regulations, and to construct and/or maintain a nonresidential structure with a parking setback of 0-feet, which will require (2) a variance of 10-feet to the parking setback regulations.

Sincerely,

  
M. Samuell Eskander, PE



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 245-035

I, Dallas County MHMR d/b/a Dallas Metrocare Services, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1433 North Westmoreland Road  
(Address of property as stated on application)

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

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

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

Specify: Variance to landscaping provisions and variance to parking setback

John W. Burruss, MD  
Print name of property owner or registered agent  
agent Date 12/19/2024

[Signature]  
Signature of property owner or registered

Before me, the undersigned, on this day personally appeared  
John W. Burruss

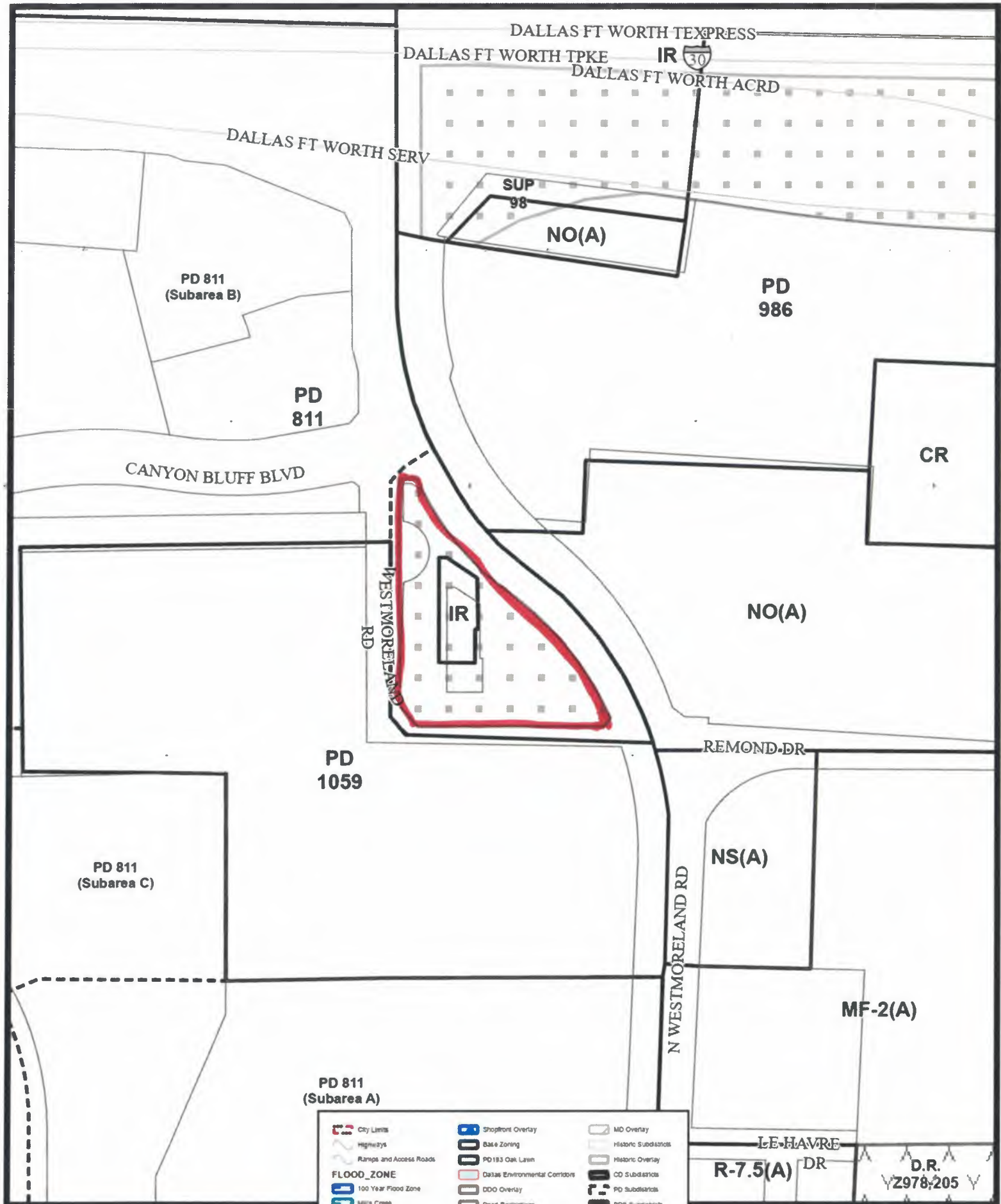
Who on his/her oath certifies that the above statements are true and correct to his/her best  
knowledge. Subscribed and sworn to before me this 19<sup>th</sup> day of  
December, 2024



Martha Lilian Toscano  
Notary Public for the State of Texas

Commission expires on  
June 18, 2028





PD 811  
(Subarea A)

	City Limits		Shopfront Overlay		MO Overlay
	Highways		Base Zoning		Historic Subdistrict
	Ramps and Access Roads		PD183 Oak Lawn		Historic Overlay
<b>FLOOD_ZONE</b>			Dallas Environmental Corridors		CO Subdistricts
	100 Year Flood Zone		DDO Overlay		PD Subdistricts
	Mills Creek		Deed Restrictions		POS Subdistricts
	Peaks Branch		SUP		NSO Subdistricts
	PROTECTED BY LEVEE		D		NSO Overlay
	Parks		D-1		Escarpment Overlay
	Height Map Overlay		CP		
	Parking Management Overlay		SP		



1:2,400

Case ID: 245-035  
Printed: 1/6/2025

# METROCARE HILLSIDE PARKING

DALLAS, TEXAS

Drawings Issued			
DATE	DESCRIPTION	BY	CHKD
10/06/2023	CITY LANDSCAPE PLANS		
01/11/2024	CITY LANDSCAPE PLANS		
11/17/2024	DEVELOPMENT PLANS		
12/17/2024	DEVELOPMENT PLANS		

## SHEET INDEX

NO.	DESCRIPTION	DATE	BY	CHKD
L000	SHEET INDEX			
L001	TREE REMOVAL AND PROTECTION PLAN			
L100	LANDSCAPE SCHEDULE, NOTES, AND CALCS			
L101	LANDSCAPE PLAN			



OWNER  
**METROCARE SERVICES**  
 1339 PROGRESS BLVD. SUITE 600  
 DALLAS, TX 75207  
 (214) 870-0070  
 (214) 743-0179

This drawing and the design shown is the property of RLQ Consulting, Inc. and shall remain confidential. It is to be used only for the project and site for which it was prepared. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of RLQ Consulting, Inc.

**RLQ CONSULTING ENGINEERS**  
 12001 W. CENTRAL EXPRESSWAY 3000 DALLAS, TX 75243  
 6601 BRIDGER STREET 8400 FORT WORTH, TX 76112  
 WWW.RLQENGINEERS.COM TSP# FIRM REG. 7-02

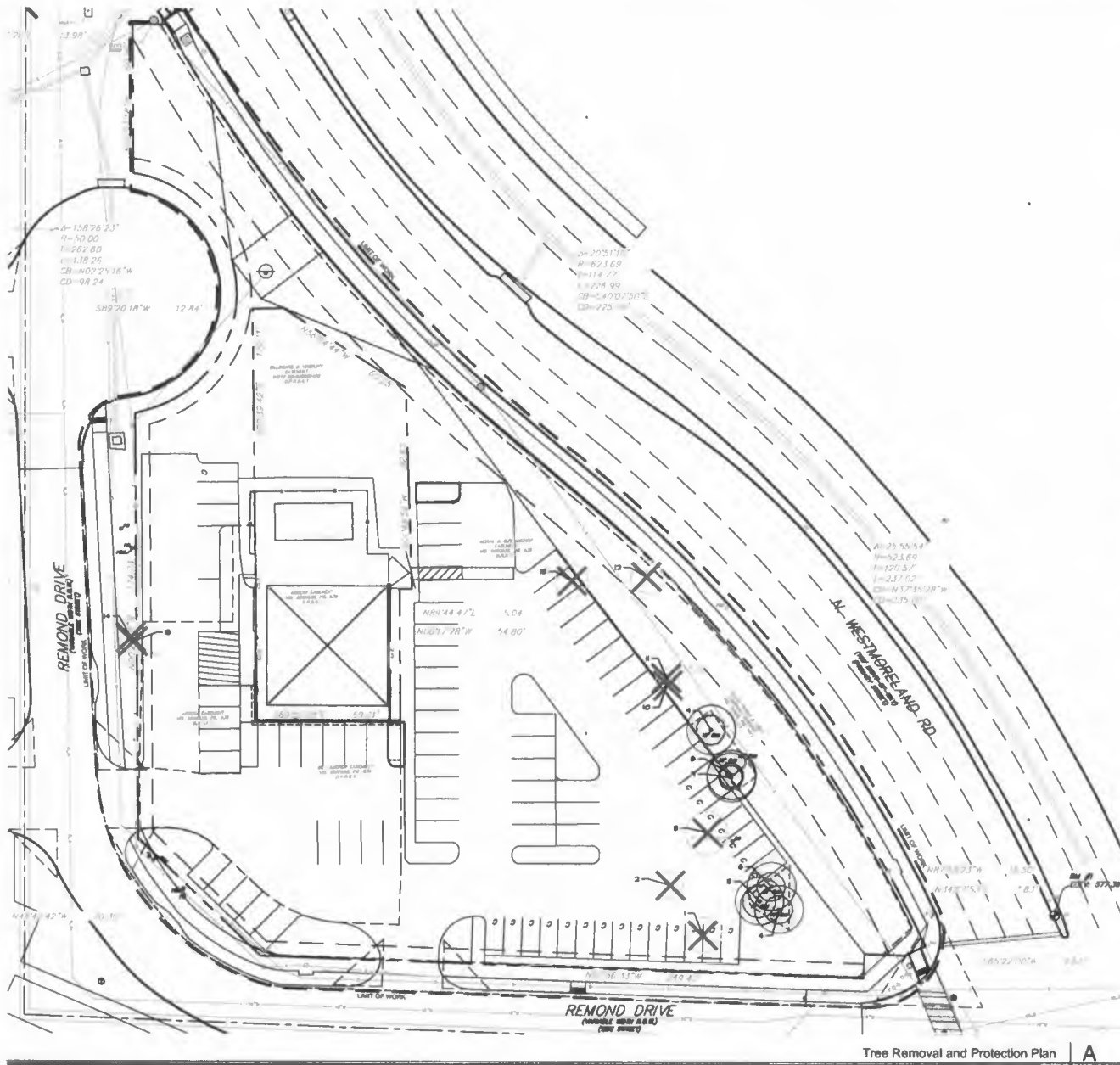
**REVISIONS**

NO.	DESCRIPTION	DATE	BY	CHKD
1	ISSUED FOR PERMITTING			
2	ISSUED FOR PERMITTING			
3	ISSUED FOR PERMITTING			
4	ISSUED FOR PERMITTING			
5	ISSUED FOR PERMITTING			
6	ISSUED FOR PERMITTING			
7	ISSUED FOR PERMITTING			
8	ISSUED FOR PERMITTING			
9	ISSUED FOR PERMITTING			
10	ISSUED FOR PERMITTING			

SHEET INDEX				
<b>METROCARE HILLSIDE PARKING LOT</b>				
1433 N. WESTMORELAND ROAD				
LOT 6, BLOCK A6161				
CITY OF DALLAS, DALLAS COUNTY, TEXAS				
REVIEW	DRAWN	DATE	CASE	SHEET
JC	KG	02/02/2024	D223	009(TB) <b>L000</b>

**BDA 245-035**



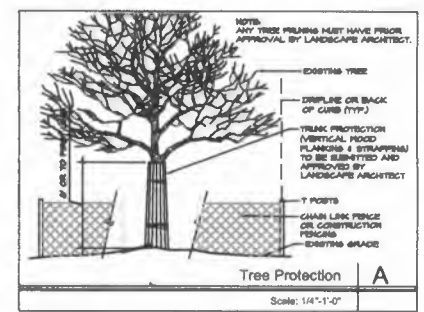


**TREE PROTECTION NOTES:**

1. All trees which are to remain on site shall be protected with a (4") tall brightly colored plastic fence, or silk fence, placed at the drip line of trees.
2. Prior to the obtaining a grading permit, all tree stamplings and protective fencing shall be installed by the owner and shall be inspected by the landscape architect.
3. No equipment shall be cleaned, or harmful liquids deposited within the limits of the root zone of trees which remain on site.
4. No signs, wires, or other attachments shall be attached to any trees to remain on site.
5. Vehicular and construction equipment shall not park or drive within the limits of the drip-line.
6. Grading changes in excess of 3 inches (cut or fill) shall not be allowed within a root zone unless adequate tree preservation methods are approved by the landscape architect.
7. No trenching shall be allowed within the drip-line of a tree unless approved by the city.
8. All removed trees shall be chipped and used for mulch on site of hauled off-site.
9. All tree maintenance techniques shall be in conformance with American national standards for tree care operations, and ASIS industry identified standards. Improper or excessive pruning techniques are strictly prohibited.

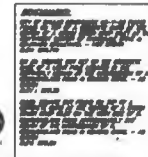
**LEGEND**

- EXISTING TREE TO BE PRESERVED
- ⊗ EXISTING TREE PREVIOUSLY REMOVED OR TO BE REMOVED
- TREE PROTECTION FENCING



GROUP  
METROCORE SERVICES  
1309 W. CENTRAL EXPRESSWAY, SUITE 200  
DALLAS, TX 75204  
(214) 743-8178

**RLG CONSULTING ENGINEERS**  
1309 W. CENTRAL EXPRESSWAY, SUITE 200 DALLAS, TX 75204  
8001 BRIDGES STREET, SUITE 200 FORT WORTH, TX 76112  
WWW.RLG-ENG.COM TYPE PRINT 888-7-363



<b>TREE REMOVAL AND PROTECTION PLAN</b>					
METROCORE HILLSIDE PARKING LOT					
1433 N. WESTMORELAND ROAD					
LOT 6, BLOCK A6161					
CITY OF DALLAS, DALLAS COUNTY, TEXAS					
REVIEW	DRAWN	DATE	CASE	NUMBER	SHEET
JE	KG	02/02/2004	D223	009(TB)	L001

Tree Removal and Protection Plan | A  
Scale: 1" = 20'  
NORTH

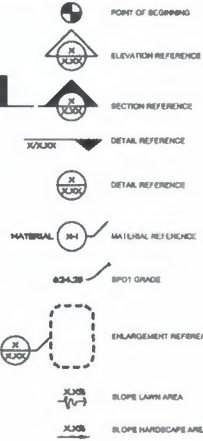
BDA245-035

**GENERAL NOTES:**

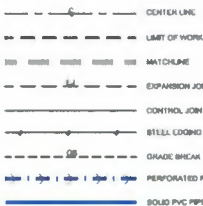
- Work shall be done in accordance with the 2011 Texas State Building Code.
- Written dimensions prevail over smaller dimensions. Notify landscape architect of any discrepancy.
- The contractor bears all responsibility for verifying all underground utilities, pipes, structures, and tree roots in the field prior to construction. Any damage to utilities that are to remain shall be repaired immediately at no expense to the owner. Landscape architect assumes no responsibility for any root shown on plans.
- The location of existing utilities as shown on these plans are approximate. There may be other underground utilities within the project area that are not shown.
- All proposed and retained plants are based on information provided by the owner's survey and field engineer. Any discrepancies in actual field measurements are to be reported to the landscape architect immediately.
- Contractor is responsible for all quantities per drawings and specifications. Any quantities provided by landscape architect are provided for convenience only. Contractor shall assume responsibility for any dimension, adjustments, or measurement resulting from unprofessional construction activities.
- Establishment, watering, building, curb and gutter, underground utilities have been suggested to landscape architect by the project civil engineer. Refer to civil engineer's drawings for additional information.
- Studio Outlets assumes no responsibility for damages, liabilities, or cost resulting from changes or alterations made to the plan without the express written consent of Studio Outlets.
- Prior to commencement of landscape construction, all plans, headings, and notes are to be surveyed, laid out, and marked in field for review by landscape architect. Contractor shall assume responsibility for any dimension, adjustments, or measurement resulting from unprofessional construction activities.
- Design-build team contractor to provide all design & engineering for pool and fountain to include all MEP and structure design.

**SYMBOLS LEGEND:**

**LABELS**



**LINE TYPES**



**ABBREVIATIONS**

- AO = AREA DRAIN
- BB = BOTTOM STEP
- BR = BOTTOM OF RAMP
- BW = BOTTOM OF WALL
- CS = CATCH BASIN
- CA = CONTROL JOINT
- CL = CENTER LINE
- EJ = EXPANSION JOINT
- OB = GRADE BREAK
- HP = HIGH POINT
- LP = LOW POINT
- LOW = LIMIT OF WORK
- CA = CONTROL JOINT
- PA = PLANTING AREA
- PO = AREA DRAIN (PLANTING)
- POB = POINT OF BEGINNING
- TC = TOP OF CURB
- TF = TOP OF FOOTING
- TR = TOP OF RAMP
- IS = TOP BILP
- TH = TOP OF WALL
- WE = WATER SURFACE ELEVATION

**IRRIGATION NOTES:**

- An automatic irrigation system shall be provided for all planting areas.
- Irrigation systems shall be maintained and replaced as necessary.
- All planting areas to be fully irrigated, over spray on streets and walks is prohibited.
- Irrigation systems to have a fully automated control system.
- Any existing planting damaged during construction due to irrigation system "brown flow" is to be replaced at no cost to the owner.
- If the existing irrigation system is damaged or turned off during construction activities, it will be the responsibility of the contractor to hand water all plant material as needed.

**PLANTING NOTES:**

- Landscape contractor shall be responsible for verifying the location of all underground utilities, pipes, structures, and tree roots in the field prior to the installation of any plant material.
- It is the responsibility of the contractor to advise the landscape architect of any condition found on the site which prohibits installation as shown on these drawings.
- All plant material shall be maintained in a healthy and growing condition and must be replaced with plant material of same variety and size if damaged, diseased, or removed.
- All plants shall be grown and harvested in accordance with The American Standard for Nursery Stock (ANSI Z60.1-2004).
- Tree planting shall comply with state laws and the International Society of Arboriculture (ISA) standards.
- Two sets shall be needed for water penetration. Water does not drain out of tree (2) within 24-hours, the tree shall be moved or drainage shall be provided.
- Tree shading materials, if used, shall be removed after (1) growing season and not more than (1) year after installation. Steel tree stakes, wires, and hoses are prohibited.
- Landscape contractor shall be responsible for site grading and removal of debris prior to planting in all areas.
- Final site grading shall be reviewed by the landscape architect. Landscape contractor shall be responsible for any additional topsoil required to create a smooth condition prior to planting.
- All plant quantities listed are for information only. It is the contractor's responsibility to provide full coverage in all planting areas as specified in the plant schedule and verify all quantities.
- Landscape contractor to provide steel edging between all planting beds and lawn areas.
- All plant material shall conform to the specifications and sizes given in the plant list and shall be nursery grown in accordance with the American standards for nursery stock. Label after American association of nurseryman standards. Any plant substitution must be approved by landscape architect prior to purchase.
- Landscape contractor is responsible for any construction on site as required to accommodate all planting conditions.
- All new planting areas to be amended per specifications.
- Any plant material that does not survive shall be replaced with an equivalent size and species within 90 (90) days.
- Plant material shall be pruned as necessary to correct size but not to flatten the natural growth pattern or characteristic form of the plant except as necessary to enhance height clearance for visibility and pedestrian passage or to enhance a continuous opaque hedge if required.
- Landscape areas shall be kept free of trash, weeds, debris, and dead plant material.
- Native site topsoil to be protected from erosion or stockpiled.
- Native site topsoil shall be laboratory tested by accredited laboratory and amended per site laboratory's recommendations.
- All new installed and existing trees for which shall be provided four electric areas and outlined with electric irrigation lines.
  - 1" @ 12" grid areas
  - 2" @ 12" grid & perimeter areas
  - depth of material > 2" installed within 3' trees

**PLANT SCHEDULE**

SYMBOL	CODE	BOTANICAL / COMMON NAME	MIN. SIZE	MIN. HT	MIN. SPED	SPACING	REMARKS
<b>TREES</b>							
TR	EX	DOBTREE TREE	N/A	N/A	N/A	N/A	TO REMAIN AND PROTECT IN PLACE.
TR	EM	ALBICORUS NUBIFLORUS / CHICAGOAN OAK	4" CAL.	14'-0"	6'-0"	REF. PLANS	STANDARD TRUNK, HATCHED, FULL, HELL BRANCHED.
TR	TD	TAXODIUM DISTICHAUM / BALD CYPRESS	4" CAL.	15'-0"	6'-0"	REF. PLANS	STANDARD TRUNK, HATCHED, FULL, HELL BRANCHED.
TR	UC	ULMUS CRASSIFOLIA / CEDAR ELM	4" CAL.	15'	6'-0"	REF. PLANS	STANDARD TRUNK, HATCHED, FULL, HELL BRANCHED.
<b>SHRUBS</b>							
SR	ED	ALIX CORONATA / SHARP BURFORD / SHARP BURFORD HOLLY	8 GAL.	18"	18"	18" O.C.	HURSBY GROWN, HATCHED AND HELL ROOTED.
SR	HN	NELIX X VELLIE IL STEVEN / NELLIE IL STEVEN HOLLY	8 GAL.	18"	18"	18" O.C.	FULL, HURSBY GROWN, HATCHED AND HELL ROOTED.
SR	LB	LEUCOPHYLLON PROTENSUS / GREEN GLOOM	8 GAL.	18"	18"	REF. PLAN	FULL, HURSBY GROWN, HATCHED AND HELL ROOTED.
SR	LR	LOROPETALUM CHINENSIS / RUBIN PEZZAS / PEZZAS CHINESE PRINCE FLOWER	8 GAL.	18"	18"	REF. PLAN	FULL, HURSBY GROWN, HATCHED AND HELL ROOTED.
<b>GROUND COVERS</b>							
GC	BB	BOUTELLOA BOUTELLOI / BOUTELLOI BLUE GRAMA	1 GAL.		18" O.C.		FULL, HURSBY GROWN, HATCHED AND HELL ROOTED.
GC	CD	CYODON DACTYLON / CYODON	800	N/A	N/A	N/A	
GC	BC	BOUTELLOUS PORTENSIS / COLORADO / PURPLE-LEAF HYPERICISPERM	4" POT			12" O.C.	FULL, HURSBY GROWN, HATCHED AND HELL ROOTED.

**EXISTING TREE MITIGATION TABLE**

Tree Number	Common Name	Cal. Inch	Status	Action	Replacement	Retained Cal. Credit	Retained Site Tree Credit
1	Winged Elm	15	Protected	Remove	15	N/A	N/A
2	Winged Elm	11	Protected	Remove	11	N/A	N/A
3	Hackberry	18	Unprotected	Remove	N/A	N/A	N/A
4	Winged Elm	12	Protected	Preserve	N/A	6	3
5	Winged Elm	14	Protected	Preserve	N/A	7	3
6	Winged Elm	12	Protected	Preserve	N/A	6	3
7	Winged Elm	10	Protected	Preserve	N/A	5	2
8	Winged Elm	10	Protected	Preserve	N/A	5	2
9	Winged Elm	12	Protected	Preserve	N/A	6	3
10	Winged Elm	8	Unprotected	Remove	N/A	N/A	N/A
11	Winged Elm	10	Protected	Remove	10	N/A	N/A
12	Winged Elm	14	Protected	Remove	14	N/A	N/A
13	Winged Elm	14	Protected	Remove	14	N/A	N/A
14	Winged Elm	12	Protected	Remove	N/A (Utility conflicts)	N/A	N/A
15	Winged Elm	10	Protected	Remove	N/A (Utility conflicts)	N/A	N/A

**FO-811: Subarea A Existing Trees**

Category	Quantity
Proposed Lot Area	1,260
Total Area (Subarea A) (Acres)	47.78
Parking	26
Total Parking Provided (Subarea A)	26
Building Floor Area	0,000
Total Floor Area (Subarea A)	0,000
Building Open Space Area	0.67
Total Open Space Area (Subarea A) (Acres)	48.11
Dwelling Units	None
Total Dwelling Units Provided (Subarea A)	None
Lodging Guest Rooms	None
Total Guest Rooms Provided (Subarea A)	None

**FO-811: Subarea A Proposed Trees**

Category	Quantity
Proposed Lot Area	1,260
Total Area (Subarea A) (Acres)	47.78
Parking	81
Total Parking Provided (Subarea A)	81
Building Floor Area	None
Total Floor Area (Subarea A)	None
Proposed Open Space Area	0.67
Total Open Space Area (Subarea A) (Acres)	48.07
Dwelling Units	None
Total Dwelling Units Provided (Subarea A)	None
Lodging Guest Rooms	None
Total Guest Rooms (Subarea A)	None

**PROPOSED SITE TREES**

Christoph Oak - 4" cal.	7
Bald Cypress - 4" cal.	6
Cedar Elm - 4" cal.	6
<b>Total Proposed Site Trees</b>	<b>19</b>

**MANDATORY TREES**

N Westmoreland Rd	408 ft
Required Trees (130 ft)	17
Provided Trees	0
Remond Drive	636 ft
Required Trees (130 ft)	21
Provided Trees	3

**\*Variance Request Statement:**

There is a variance with Dallas Power & Light Company easement (Vol. 70039, Pg. 1512) indicated on site (Lot 1, Block 6160 at 1433 N. Westmoreland, which runs along the frontage of N Westmoreland. OMCOR transmission main poles and lines are located within the easement and along the frontage. Following conversations with John Bowers with OMCOR's Transmission group, no trees are allowed within this easement and a variance must be provided to the City of Dallas as landscaping requirements cannot be met. Only sidewalk and shrubs that don't exceed 6 feet in height are allowed. Crepe Myrtles and Red Tip Photinias are not allowed.

**REPLACEMENT CALCULATIONS**

Total Caliper to Replace	64
Retained Caliper Credit	35
Proposed Caliper Addition	78
<b>Total Retained &amp; Proposed Caliper</b>	<b>111</b>
Caliper Surplus	47.0

**LANDSCAPE DESIGN STANDARDS**

Category	Quantity
N Westmoreland Rd Front Yard (18' min offset from Property Line)	7437 sf
Remond Drive Front Yard (18' min offset from Property Line)	3518 sf
<b>Total Front Yard</b>	<b>10,955 sf</b>
(A) 50 sf min	Yes
(B) Covered w/ grass or other plant material	Yes
Westmoreland Rd	Yes
Remond Drive	Partially
(C) Trees w/in FY - (1 tree = 100 sf)	
Westmoreland Rd: 4 proposed	400 sf
Remond Drive: 4 proposed	400 sf
(C) Three large shrubs - (3 large shrubs = 100 sf)	
Westmoreland Rd: 72 proposed	2400 sf
Remond Drive: 64 proposed	1800 sf
<b>Total sf provided</b>	<b>5000 sf</b>
Front Yard Points (3% of total FY = 328 sf = 1 point)	15 pts
<b>Parking Concurrence for Surface Parking</b>	
(3 points are needed if surface parking is proposed on a street)	
(C) Hedge-like evergreen in 2' wide min. bed	Provided
Parking Concurrence Points	3 pts
<b>Total Points Acquired</b>	<b>18 pts</b>

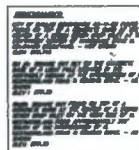


**RLO CONSULTING ENGINEERS**  
 13091 N. CENTRAL EXPRESSWAY #300 BALLAR, TX 75243  
 5005 SHARPE STREET SUITE 1001 FORT WORTH, TX 76116  
 WWW.RLOCONS.COM TSP# P0881886, P-083

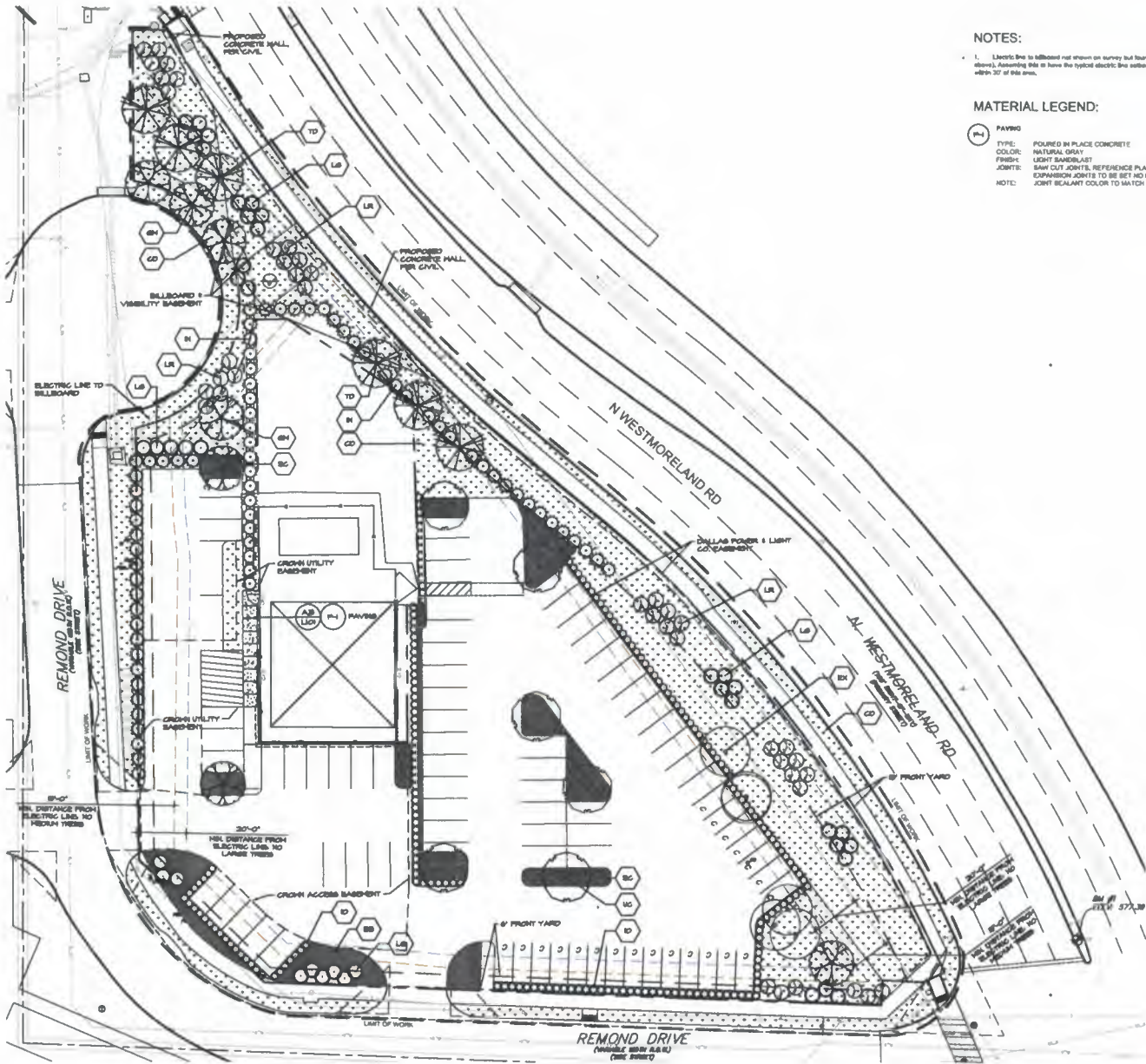
**LANDSCAPE SCHEDULE, NOTES, & CALCS**

METROCORE HILLSIDE PARKING LOT  
 1433 N. WESTMORELAND ROAD  
 LOT 6, BLOCK A#6161  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEW	DRAWN	DATE	CASE	NUMBER	SHEET
JR	KD	02/02/2024	D223	009(TB)	L100



**BODAS-OSS**

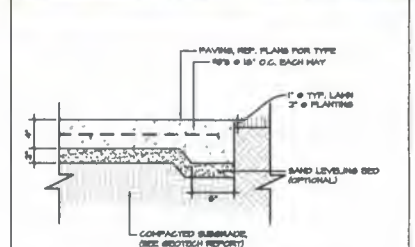


**NOTES:**

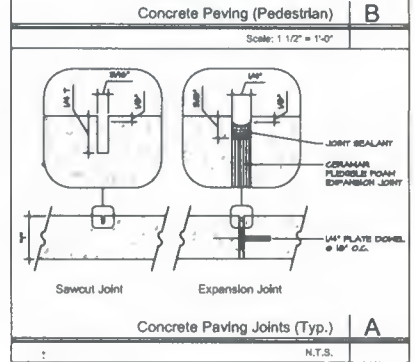
1. Locate line to billboard not shown on survey but located during site visit (see photo above). Assuming this to have the typical electric line setbacks, no trees can be planted within 30' of this area.

**MATERIAL LEGEND:**

(P) PAVING  
 TYPE: POURED IN PLACE CONCRETE  
 COLOR: NATURAL GRAY  
 FINISH: LIGHT SANDBLAST  
 JOINTS: SAW CUT JOINTS, REFERENCE PLANS FOR PATTERN  
 EXPANSION JOINTS TO BE SET NO MORE THAN 30' APART  
 JOINT SEALANT COLOR TO MATCH CONCRETE



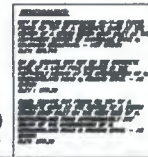
Concrete Paving (Pedestrian) B  
 Scale: 1 1/2" = 1'-0"



Concrete Paving Joints (Typ.) A  
 N.T.S.

OWNER APPROVED  
 LANDSCAPE ARCHITECT  
 1329 N. CENTRAL EXPRESSWAY SUITE 200  
 DALLAS, TEXAS 75204  
 (214) 743-8779

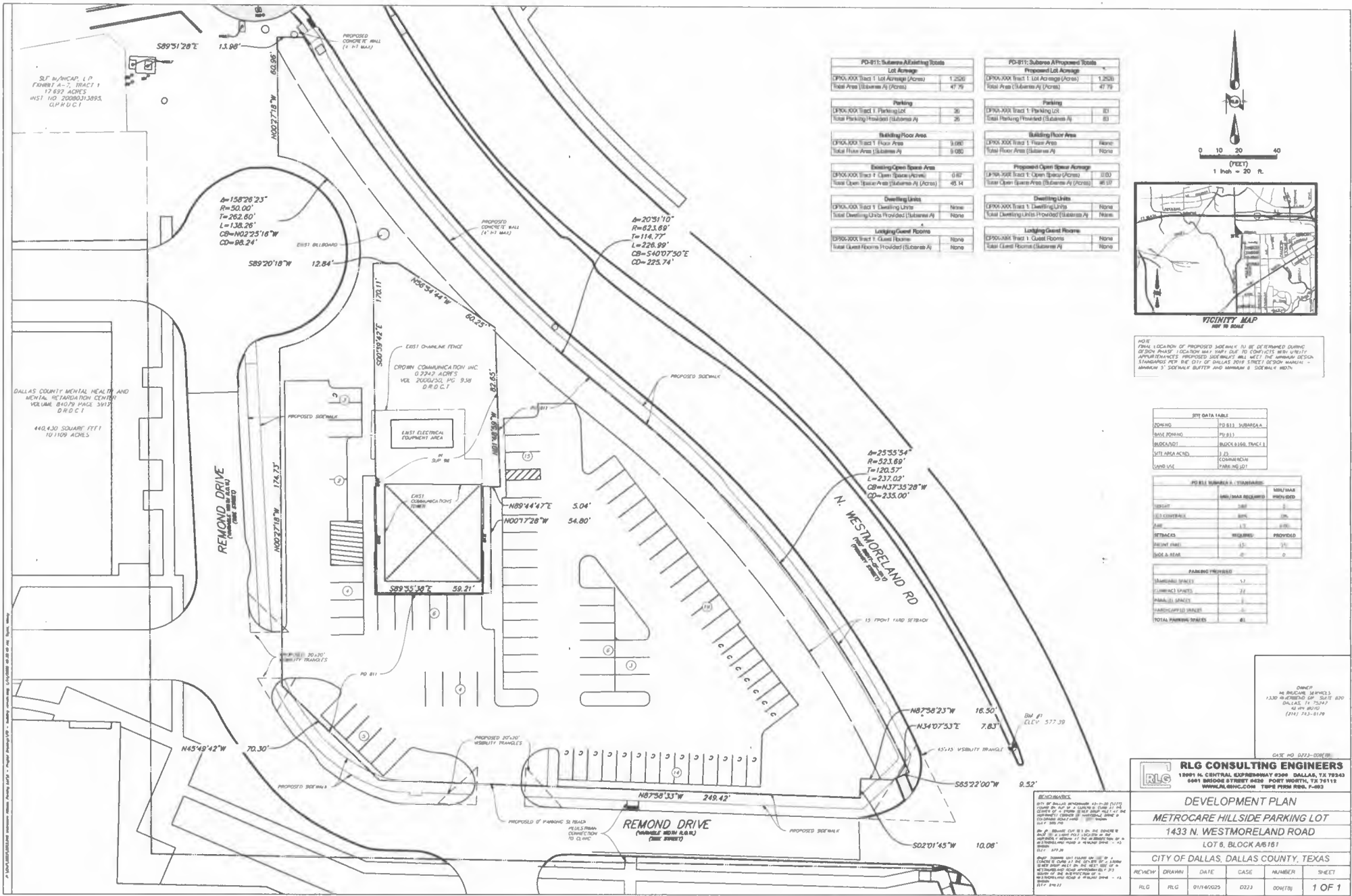
DATE: 02/02/2024  
**RLG CONSULTING ENGINEERS**  
 1329 N. CENTRAL EXPRESSWAY SUITE 200 DALLAS, TX 75204  
 800-1-800-393-6343 FORT WORTH, TX 76112  
 WWW.RLGCONS.COM TYPE: PAVING PLAN 1-103



<b>LANDSCAPE PLAN</b>					
METROCORE HILLSIDE PARKING LOT					
1433 N. WESTMORELAND ROAD					
LOT 6, BLOCK A6161					
CITY OF DALLAS, DALLAS COUNTY, TEXAS					
REVIEW	DRAWN	DATE	CASE	NUMBER	SHEET
JE	KD	02/02/2024	D223	009(TB)	L101

Landscape Plan A  
 Scale: 1" = 20'

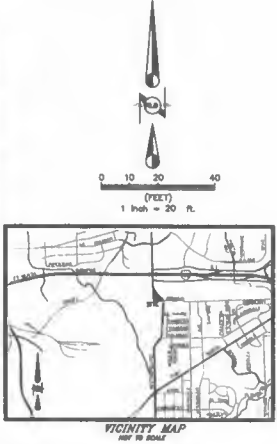
BOA24S-035



SLF B/W/PCAP, L.P.  
 FOWERT #1-7, TRACT 1  
 17.692 ACRES  
 WST 110 20080313893  
 G.P.R.G.C.I.

DALLAS COUNTY MENTAL HEALTH AND  
 MENTAL REHABILITATION CENTER  
 VOLUME 81079 PAGE 3911  
 D.R.C.C.I.  
 440,430 SQUARE FEET  
 10,1109 ACRES

PD-B11: Subarea A Existing Totals		PD-B11: Subarea A Proposed Totals	
Lot Acreage		Proposed Lot Acreage	
DP90-XXX Tract 1 Lot Acreage (Acres)	1.258	DP90-XXX Tract 1 Lot Acreage (Acres)	1.258
Total Area (Subarea A) (Acres)	47.79	Total Area (Subarea A) (Acres)	47.79
Parking		Parking	
DP90-XXX Tract 1 Parking Lot	36	DP90-XXX Tract 1 Parking Lot	81
Total Parking Provided (Subarea A)	36	Total Parking Provided (Subarea A)	81
Building Floor Area		Building Floor Area	
DP90-XXX Tract 1 Floor Area	9,080	DP90-XXX Tract 1 Floor Area	None
Total Floor Area (Subarea A)	9,080	Total Floor Area (Subarea A)	None
Existing Open Space Area		Proposed Open Space Area	
DP90-XXX Tract 1 Open Space (Acres)	0.87	DP90-XXX Tract 1 Open Space (Acres)	0.00
Total Open Space Area (Subarea A) (Acres)	45.14	Total Open Space Area (Subarea A) (Acres)	46.107
Dwelling Units		Dwelling Units	
DP90-XXX Tract 1 Dwelling Units	None	DP90-XXX Tract 1 Dwelling Units	None
Total Dwelling Units Provided (Subarea A)	None	Total Dwelling Units Provided (Subarea A)	None
Lodging/Guest Rooms		Lodging/Guest Rooms	
DP90-XXX Tract 1 Guest Rooms	None	DP90-XXX Tract 1 Guest Rooms	None
Total Guest Rooms Provided (Subarea A)	None	Total Guest Rooms Provided (Subarea A)	None



NOTE: FINAL LOCATION OF PROPOSED SIDEWALK TO BE DETERMINED DURING DESIGN PHASE. LOCATION MAY DIFFER SLIGHT TO COMPLY WITH UTILITY APPLICANCES. PROPOSED SIDEWALKS WILL MEET THE MINIMUM DESIGN STANDARDS PER THE CITY OF DALLAS 2016 STREET DESIGN MANUAL - ANNUAL 3' SIDEWALK BUFFER AND ANNUAL 5' SIDEWALK WIDTH.

SITE DATA TABLE	
ADDRESS	1433 N. WESTMORELAND
BASE ZONING	PD-B11
PRECEDENT	BUCKLE UP, TRUCK I
UTL AREA ACRES	1.21
LAND USE	COMMERCIAL PARKING LOT

PD-B11: SUBAREA A: VISUALIZATION		MINIMUM REQUIREMENTS	PROVIDED
PERMIT	300	300	300
SETBACKS	50%	100%	100%
PAVING	1.0	1.0	1.0
STREETS	PROVIDED	PROVIDED	PROVIDED
SHIELD WALL	1.0	1.0	1.0
SIDE A. REAR	0	0	0

PARKING FINISHES	
ASPHALT DRIVEWAYS	5.7
CONCRETE DRIVEWAYS	2.2
ASPHALT DRIVEWAYS	0
CONCRETE DRIVEWAYS	0
TOTAL PARKING SPACES	81

OWNER:  
 1433 N. WESTMORELAND RD., SUITE 200  
 DALLAS, TX 75247  
 45 W. WYATT  
 (214) 743-8174

**RLG CONSULTING ENGINEERS**  
 18091 AL CENTRAL EXPWAY #200 DALLAS, TX 75243  
 6001 BRIDGE STREET #400 FORT WORTH, TX 76112  
 WWW.RLG-ENG.COM T-800-778-7663

DEVELOPMENT PLAN				
METROCORE HILLSIDE PARKING LOT				
1433 N. WESTMORELAND ROAD				
LOT 8, BLOCK A/6181				
CITY OF DALLAS, DALLAS COUNTY, TEXAS				
REVIEW	DRAWN	DATE	CASE	SHEET
RLG	RLG	01/16/2025	D23	1 OF 1

**REVISIONS**  
 1. 01/16/2025: 1433 N. WESTMORELAND RD. SUITE 200, DALLAS, TX 75247. 45 W. WYATT. (214) 743-8174.  
 2. 01/16/2025: 1433 N. WESTMORELAND RD. SUITE 200, DALLAS, TX 75247. 45 W. WYATT. (214) 743-8174.  
 3. 01/16/2025: 1433 N. WESTMORELAND RD. SUITE 200, DALLAS, TX 75247. 45 W. WYATT. (214) 743-8174.  
 4. 01/16/2025: 1433 N. WESTMORELAND RD. SUITE 200, DALLAS, TX 75247. 45 W. WYATT. (214) 743-8174.  
 5. 01/16/2025: 1433 N. WESTMORELAND RD. SUITE 200, DALLAS, TX 75247. 45 W. WYATT. (214) 743-8174.

BDA245-035



February 28, 2025

Bryant Thompson  
City of Dallas Board of Adjustment  
City of Dallas  
1500 Marilla St., 5BN  
Dallas, TX 75201

Re: BDA245-035 – 1433 North Westmoreland Road

Dear Bryant,

I am writing on behalf of MetroCare Services, the owner of the property at 1433 North Westmoreland Road, to request a special exception to the landscaping provisions and a variance to the required parking setback. These requests are necessary to accommodate an alternate landscaping plan and to optimize the site layout given the unique constraints of the property.

### **Background and Justification**

The subject property is an irregularly shaped lot with a tall telecommunications tower and an older office/warehouse building. The property is split-zoned, with the tower located in an IR industrial district and the building and parking area within Tract A of PD-811. This site serves as the entrance to MetroCare's new campus currently under construction.

To support this development, we propose reconfiguring the existing parking lot to increase capacity. Since PD-811 requires both a Development Plan and a Landscape Plan, any modifications to the Development Plan necessitate corresponding updates to the Landscape Plan. During the approval process, we were informed that our plans must align. However, due to existing constraints—including overhead power lines, a power easement, and a billboard sight visibility easement along North Westmoreland—we cannot fully comply with the required street tree provisions. As a result, we seek approval for an alternate landscape plan and a variance to the parking setback requirements.

### **Unique Characteristics of the Lot and Justification for Variance**

1. **Irregular Lot Shape and Existing Constraints:** The property's triangular shape, coupled with a large, non-removable telecommunications tower, makes it challenging to configure parking while meeting PD-811 requirements.

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

2. **Inability to Develop Commensurate with Neighboring Properties:** This is the only property within PD-811 that faces these unique restrictions. While PD-811 requires a 10-foot parking setback, we propose a 15-foot setback from the curblineline. Given the existing wide parkway, this adjustment maintains the intent of the PD-811 regulations.
3. **Hardship Not Self-Created:** The existing configuration of the site—including the tower and its contractual limitations—was established prior to MetroCare’s ownership, making compliance infeasible without significant hardship.
4. **Public Interest and Zoning Intent:** Approval of this variance would allow for the efficient and responsible development of the property while ensuring compliance with the spirit of PD-811. The proposed modifications will enhance the streetscape along North Westmoreland and Redmond Drive without negatively impacting the surrounding commercial area, which has no adjacent residential uses.

### **Compliance with Board Standards**

The Board of Adjustment may grant a special exception to landscaping requirements upon determining that strict compliance would impose a substantial financial hardship without sufficient corresponding public benefit or that an exception would preserve mature trees or enhance the pedestrian environment. Given the existing overhead power lines, billboard sight easement, and the lot’s irregular shape, strict compliance is not feasible and would require costly and impractical relocation of ONCOR transmission lines.

Similarly, the Board may approve a variance if it finds that:

- The variance is not contrary to the public interest.
- The variance is necessary for reasonable property development given restrictive lot characteristics.
- The hardship was not self-created.

Our request satisfies these criteria, ensuring equitable development while preserving the intent of the zoning regulations.

**Conclusion**

Given the unique constraints of this property, the requested variances are both necessary and reasonable. The proposed landscape plan aligns with the overall intent of PD-811 while accommodating existing site limitations. We appreciate your consideration of this request and welcome any questions or comments.  
Thank you for your time and support.

With kind regards,



Robert Baldwin

**FILE NUMBER:** BDA245-033(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for **(1)** a special exception to the fence-height regulations; for **(2)** a special exception to the fence-opacity regulations; and **(3)** a special exception to the fence height regulations at **7403 MIDBURY DR**. This property is more fully described as Block 1/7347, Lot 3A, and is zoned R-16(A), which limits the height of a fence in the front-yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard along Midbury Drive, which will require **(1)** a 2-foot 6-inch special exception to the fence height regulations; and the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line along Midbury Drive, which will require **(2)** a special exception to the fence opacity regulations, and applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard; which will require **(3)** a 2-foot 6-inch special exception to the fence height regulations for the portion of the fence within the front yard setback on St. Michael's Drive.

**LOCATION:** 7403 Midbury Drive

**APPLICANT:** Rob Baldwin - Baldwin Associates

**REPRESENTED BY:** Rob Baldwin

**REQUEST:**

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

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

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

**STAFF RECOMMENDATION:**

Special Exceptions (3):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-16(A) (Single Family District)



North: R-16(A) (Single Family District)  
East: R-16(A) (Single Family District)  
South: R-16(A) (Single Family District)  
West: R-16(A) (Single Family District)

**Land Use:**

The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.

**BDA History:**

No BDA history found within the last 5 years

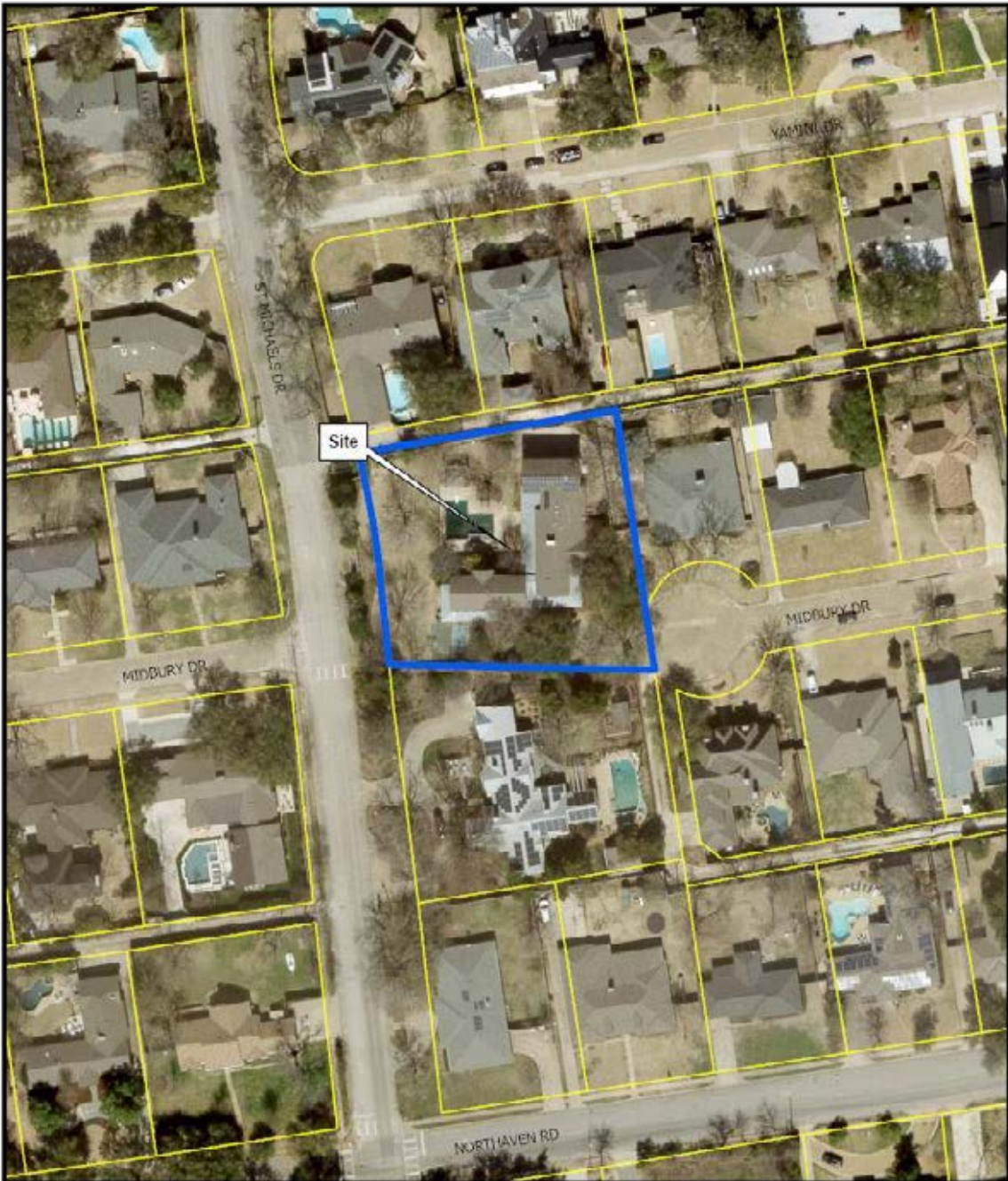
**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Baldwin Associates represented by Rob Baldwin for the property located at 7403 Midbury Drive focuses on three requests relating to the fence height and fence opacity regulations.
- The first request, the applicant is proposing to construct and maintain a 6-foot 6-inch high fence and gate along Midbury Drive in a required front-yard, which will require a 2-foot 6-inch special exception to the fence height regulations.
- The second request, the applicant is proposing to construct and maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The third request, the applicant is proposing to construct and maintain a 6-foot 6-inch high fence along St. Michaels Drive in a required front-yard, which will require a 2-foot 6-inch special exception to the fence height regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot 6-inch high combination of stone columns, wood fence, wrought iron gate, and fencing located between the 35-foot front-yard setback and front property line along Midbury Drive and will be placed behind the existing vegetation.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot 6-inch high combination of stone columns and wood fence located between the 35-foot front-yard setback and front property line along St. Michaels Drive and will be relocated closer to the southern property line.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exception to the fence regulations 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: [BDA245-033 at 7403 Midbury Dr](#)

**Timeline:**

- January 17, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.
- February 21, 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 **February 28, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **March 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.
- February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **March** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

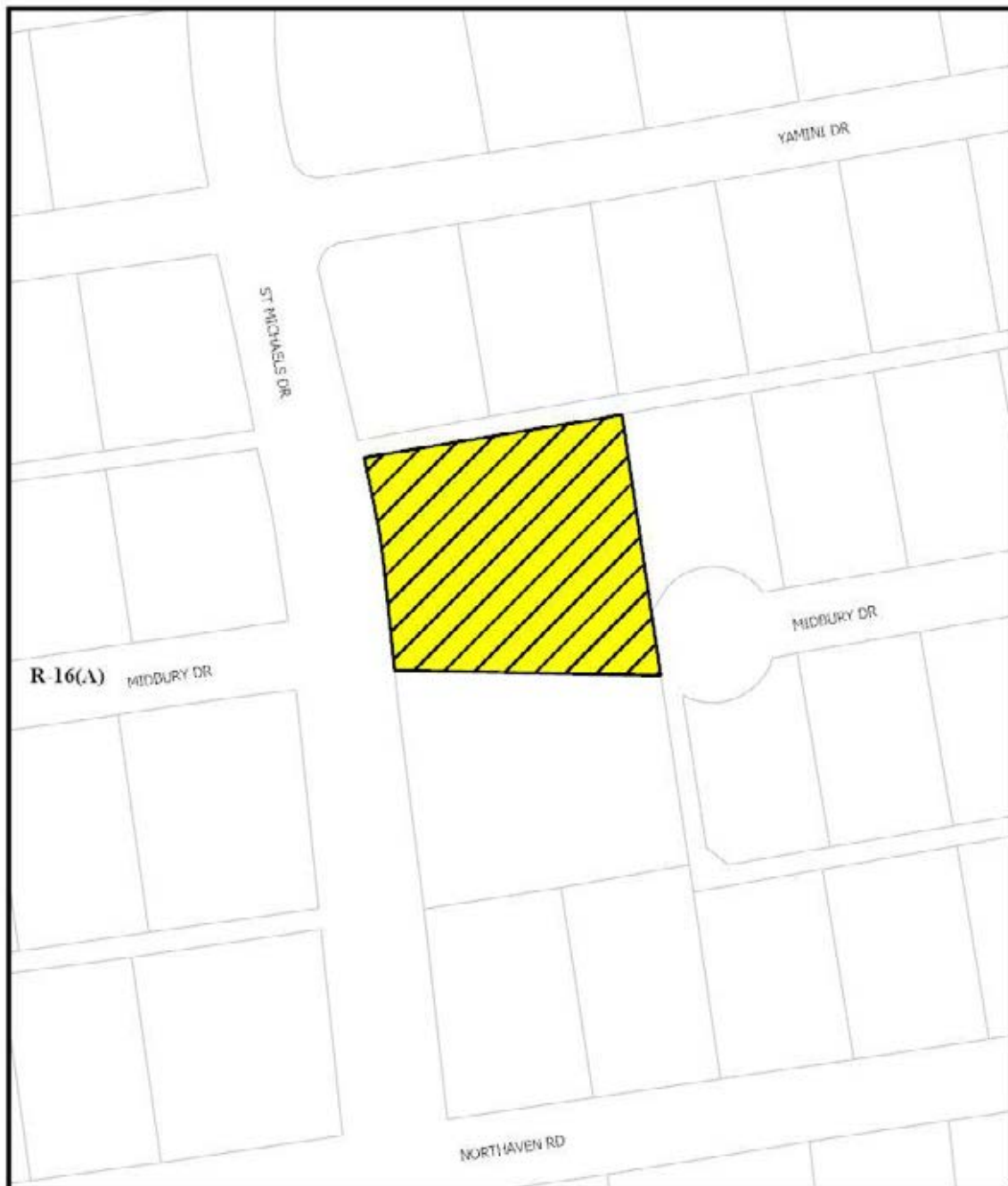


1:1,200

# AERIAL MAP

Case no: BDA245-033

Date: 02/19/2025





1:1,200

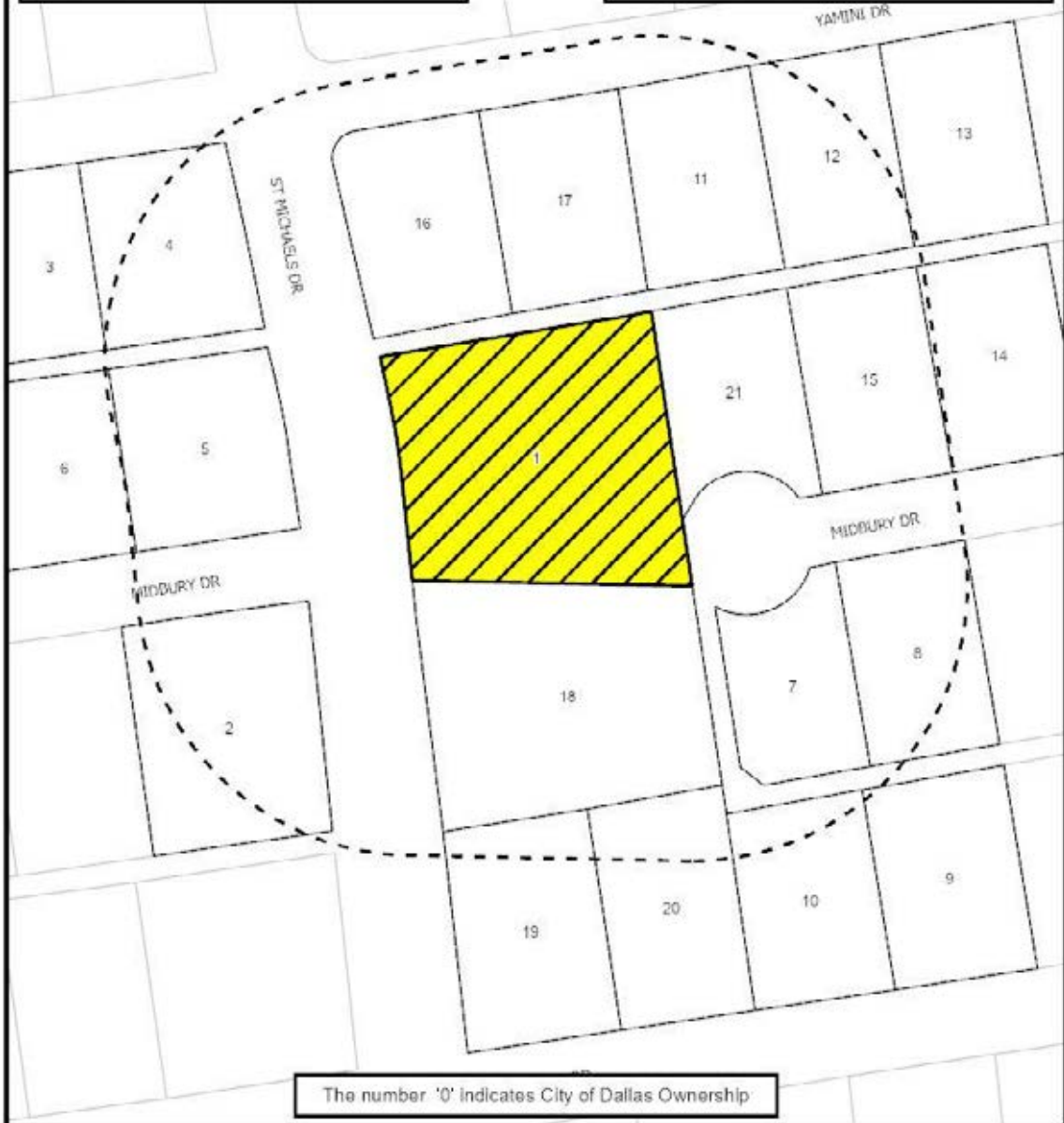
# ZONING MAP

Case no: BDA245-033

Date: 02/19/2025

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

 <b>1:1,200</b>	<b>NOTIFICATION</b>		Case no: <b>BDA245-033</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;"><b>200'</b></div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;"><b>21</b></div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>2/19/2025</b>

# *Notification List of Property Owners*

**BDA245-033**

## *21 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7403 MIDBURY DR	STANLEY FAMILY TRUST
2	7242 MIDBURY DR	LEE TOBIAS & EILEEN
3	7230 YAMINI DR	HRIPKO THOMAS &
4	7240 YAMINI DR	TREADWAY BRANDY L &
5	7241 MIDBURY DR	WANG PING
6	7229 MIDBURY DR	PRESCOTT JORDAN BENJAMIN &
7	7406 MIDBURY DR	MERSKY CHARLES & LORRI
8	7414 MIDBURY DR	CORNELIA SARAH B & MATTHEW W
9	7415 NORTHAVEN RD	WAGERS LANCE LEE& CAROL POJEZNY
10	7407 NORTHAVEN RD	Taxpayer at
11	7406 YAMINI DR	HOITSMA THOMAS K
12	7414 YAMINI DR	DORN JAMES EDWARD &
13	7422 YAMINI DR	KEEPIN ARJA
14	7423 MIDBURY DR	TITENS MICHAEL & STACEY
15	7415 MIDBURY DR	FRAUMAN FAMILY LIV TRUST
16	7308 YAMINI DR	HIGGINS KEVIN EUGENE &
17	7318 YAMINI DR	WEATHERALL PAUL T &
18	11222 ST MICHAELS DR	ROMANER JAYNIE SCHULTZ &
19	11110 ST MICHAELS DR	BUTBUL AVRAHAM &
20	7317 NORTHAVEN RD	REGAS JASON & TORI
21	7407 MIDBURY DR	MILLS RICHARD A

 1:1,200	<h2 style="margin: 0;">NOTIFICATION</h2> <table style="margin: 0 auto; border: none;"> <tr> <td style="border: 1px solid black; padding: 2px; margin-right: 5px;">200'</td> <td style="padding: 2px;">AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px; margin-right: 5px;">21</td> <td style="padding: 2px;">NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	21	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>          BDA245-033          </u>  Date: <u>          2/19/2025          </u>
200'	AREA OF NOTIFICATION					
21	NUMBER OF PROPERTY OWNERS NOTIFIED					

**Route Directions:**

**Start on Yamini Dr.**

**Right on Pebbledowne Dr.**

**Right on Midbury Dr.**

**Right on Pebbledowne Dr.**

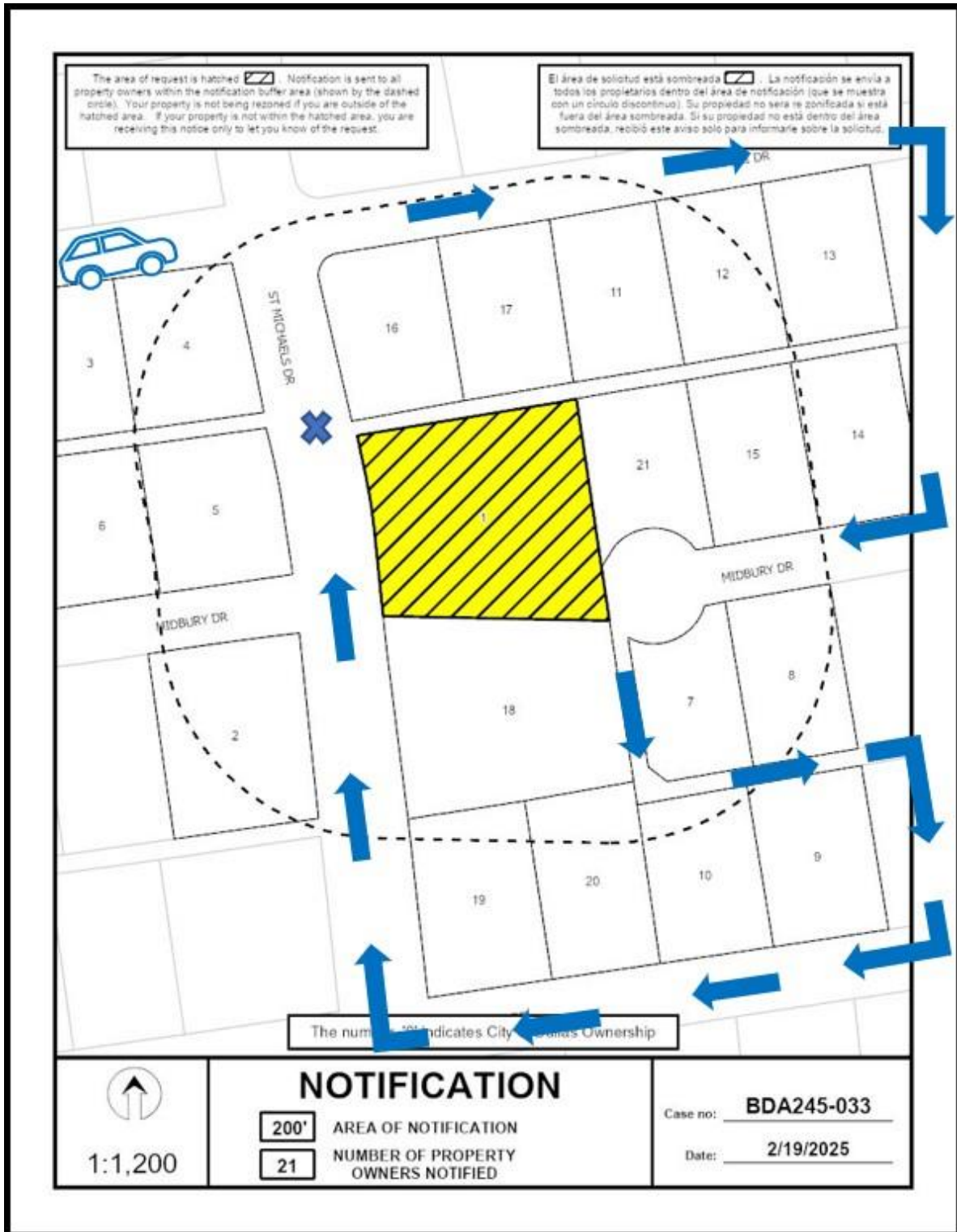
**Right on Northaven Rd.**

**Right on St. Michaels Dr.**

**\*Subject Site at 1:30 from Midbury Dr.**

**\*Subject Site at 3:05 from St. Michaels Dr.**

## 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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-033(BT) Application of Rob Baldwin for (1) a special exception to the fence-height regulations along Midbury Drive; for (2) a special exception to the fence-opacity regulations along Midbury Drive; and (3) a special exception to the fence height regulations for the portion of the fence within the front yard setback on St. Michael's Drive at 7403 MIDBURY DRIVE. This property is more fully described as Block 1/7347, Lot 3A, and is zoned R-16(A), which limits the height of a fence in the front-yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard along Midbury Drive, which will require (1) a 2-foot 6-inch special exception to the fence height regulations, and the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line along Midbury Drive, which will require (2) a special exception to the fence opacity regulations, and applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard, which will require (3) a 2-foot 6-inch special exception to the fence height regulations for the portion of the fence within the front yard setback on St. Michael's Drive.

---

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](mailto: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 6EN Council Chambers. 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, March 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](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](http://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](mailto: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

245-033

Date:

FOR OFFICE USE ONLY

JAN 17 2025

Data Relative to Subject Property:

Location address: 7403 Midbury Drive

Zoning District: R-16(A)

Lot No.: 3A Block No.: 1/7347 Acreage: 0.843 Census Tract: 48113013101

Street Frontage (in Feet): 1) 204' 2) 49' 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Marc Robert Stanley and Wendy Ann Hillebrand Stanley, Trustees of the Stanley Family Trust

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 Special exception to the fence regulations to allow a fence and columns up to 6'6" tall 2) to allow a portion of the fence to be solid

3) to allow slight encroachment into the visibility triangles. MS - special exception

To allow a 6' fence with 6'6" columns at St. at St. Michael's MS

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to

Grant the described appeal for the following reason:

The property has two street frontages and therefore has two front yards. The proposed fence is consistent with the surrounding properties and neighborhood as a whole.

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: [Signature]

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 16 day of January, 2025

[Signature: Michelle Stoy]

Notary Public in and for Dallas County, Texas



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

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

**I hereby certify that** Rob Baldwin

**did submit a request** for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations, and for (3) a special exception to the fence height regulations

**at** 7403 Midbury Dr

BDA245-033. Application of Rob Baldwin for (1) a special exception to the fence height regulations along Midbury Drive, and for (2) a special exception to the fence opacity regulations along Midbury Drive and (3) a special exception to the fence height regulation along St. Michael's Drive at 7403 MIDBURY DR. This property is more fully described as Block 1/7347, Lot 3A, and is zoned R-16(A), which limits the height of a fence in the front-yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard along Midbury Drive , which will require (1) a 2-foot 6-inch special exception to the fence height regulations, and the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line along Midbury Drive, which will require (2) a special exception to the fence opacity regulations, and applicant proposes to construct and/or maintain a 6-foot 6-inch-high fence in a required front-yard along St. Michael's Drive, which will require (3) a 2-foot 6-inch special exception to the fence height regulations.

Sincerely,

  
M. Samuell Eskander, PE



AFFIDAVIT

Appeal number: BDA 245 033

I, Marc Robert Stanley, Trustee of the Stanley Family Trust, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7403 Midbury Drive  
(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 height and opacity requirements

Marc R. Stanley  
Print name of property owner or registered agent  
agent Date 11/22/2024

[Signature]  
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared  
Marc R. Stanley

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 22nd day of  
November, 2024



[Signature]  
**Sarah E. Devine**  
Vice Consul

Commission expires on \_\_\_\_\_ **INDEFINITE**

REPUBLIC OF ARGENTINA)  
CITY OF BUENOS AIRES) SS  
EMBASSY OF THE UNITED)  
STATES OF AMERICA)



AFFIDAVIT

Appeal number: BDA 245-033

I, Wendy Ann Hillebrand Stanley, Trustee of the Stanley Family Trust, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7403 Midbury Drive  
(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 height and opacity requirements

Wendy H. Stanley  
Print name of property owner or registered agent  
agent Date 11/22/2024

Wendy H. Stanley  
Signature of property owner or registered agent

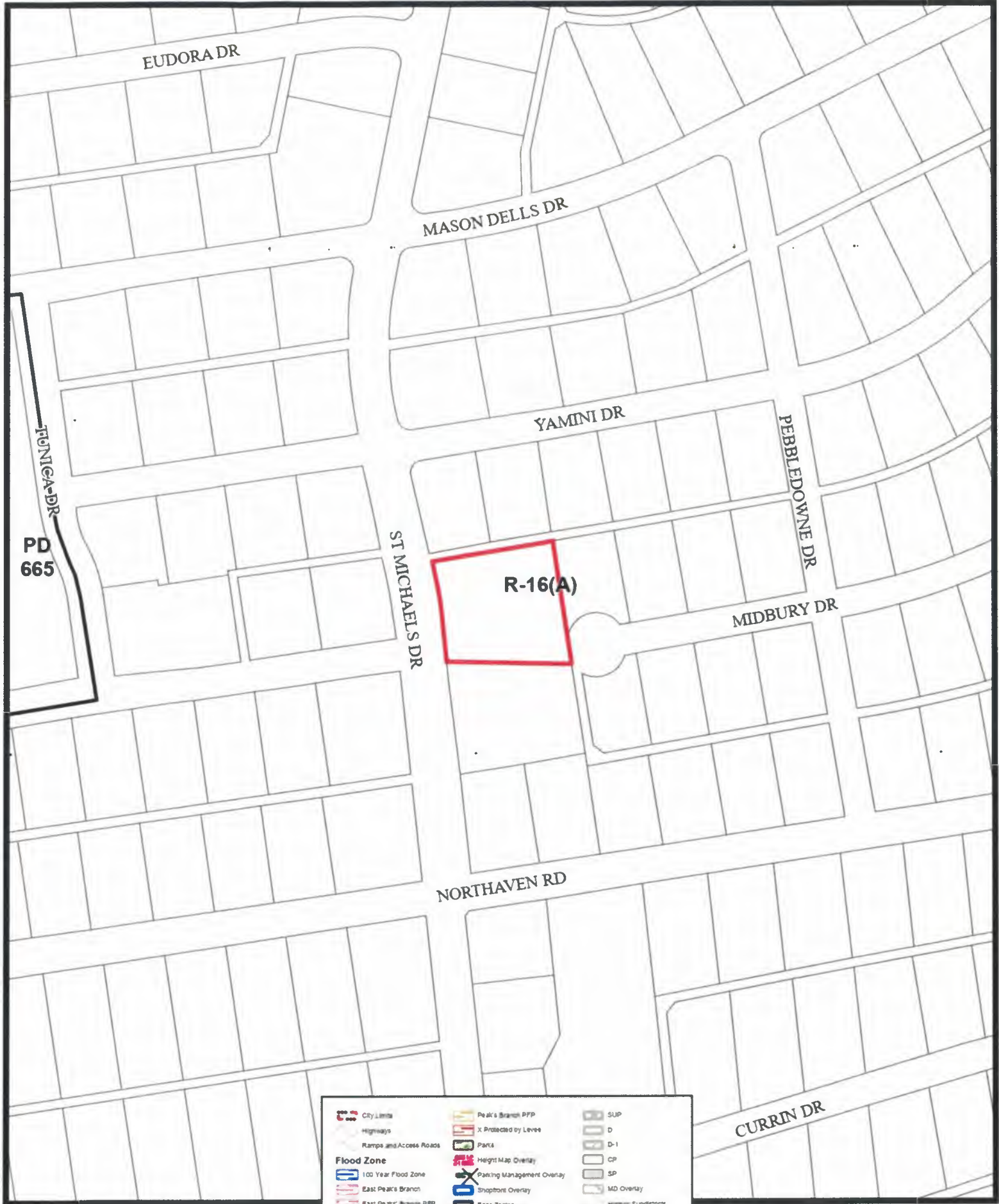
Before me, the undersigned, on this day personally appeared  
Wendy H. Stanley

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 22nd day of  
November, 2024



SE Devine  
**Sarah E. Devine**  
Vice Consul

Commission expires on \_\_\_\_\_ **INDEFINITE**



1:2,400

City Limits	Peak's Branch PPP	SUP
Highways	X Protected by Levee	D
Ramps and Access Roads	Parks	D-1
<b>Flood Zone</b>	Height Map Overlay	CP
100 Year Flood Zone	Parking Management Overlay	SP
East Peak's Branch	Shopfront Overlay	MD Overlay
East Peak's Branch PPP	Base Zoning	Historic Subdistrict
Floodway	PO 193 Oak Lane	Historic Overlay
Mill Creek	Datal Environmental Corridors	CD Subdistricts
Mill Creek PPP	DOO Overlay	PO Subdistricts
Peak's Branch	Deed Restrictions	POS Subdistricts
		NSO Subdistricts

Case ID: 245-033

Printed: 11/8/2024









**FILE NUMBER:** BDA245-038(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **4463 BROOKVIEW DRIVE**. This property is more fully described as Block N/5551, Lot 6, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

**LOCATION:** 4463 Brookview Drive

**APPLICANT:** Rob Baldwin - Baldwin Associates

**REQUEST:**

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

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

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

**STAFF RECOMMENDATION:**

Special Exceptions (2):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Rob Baldwin of Baldwin Associates for the property located at 4463 Brookview Drive focuses on two requests relating to the fence height and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high fence and gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot high fence with a combination of stucco columns w/cut stone caps, terracotta tile inserts and corten gate and fence panels located between the front-yard setback and front property line.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exception to the fence regulations relating to height and opacity, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-038 at 4463 Brookview Dr](#)

**Timeline:**

January 29, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

February 21, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:

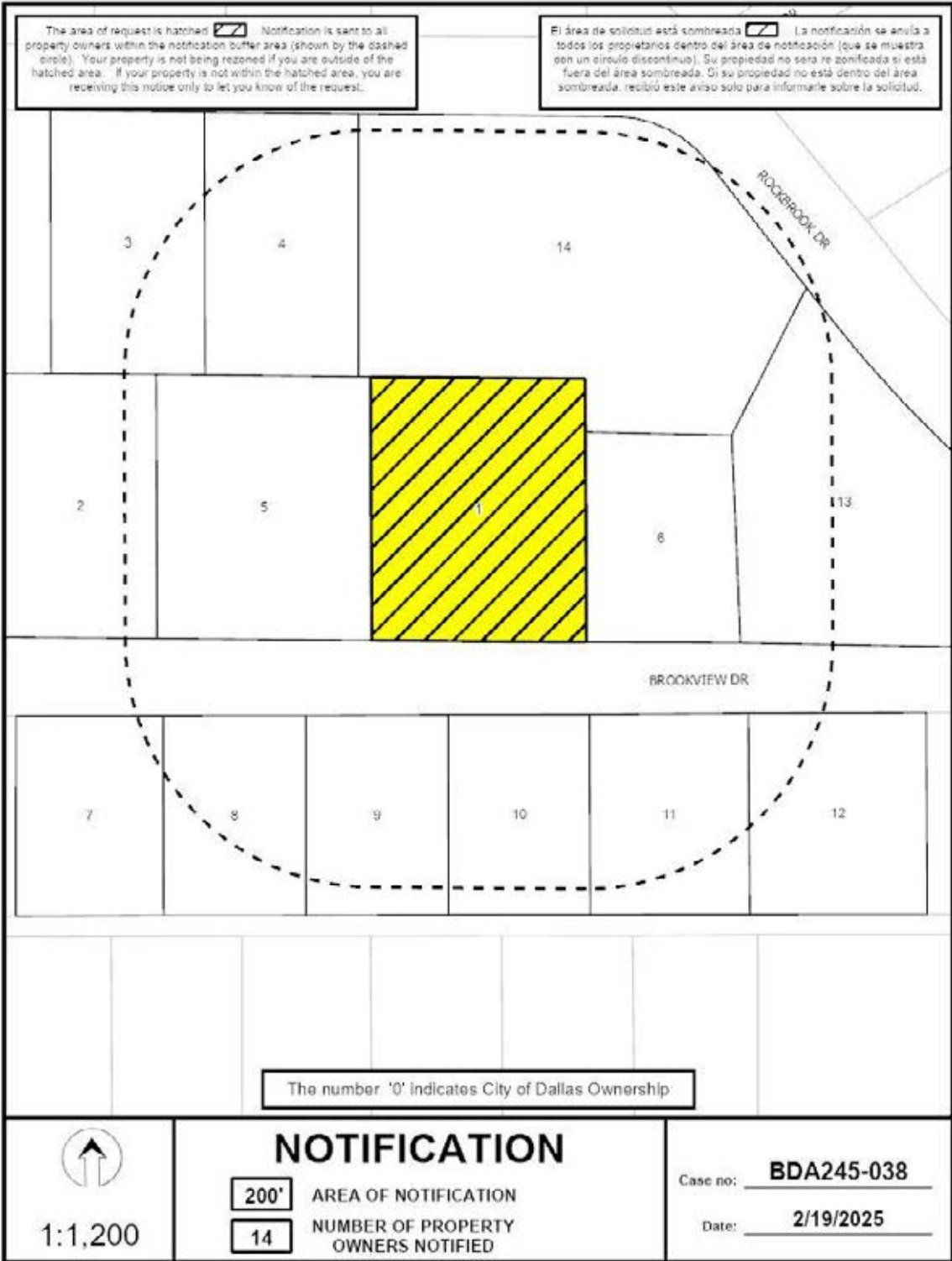
- an attachment that provided the public hearing date and panel that will consider the application; the **February 28, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **March 7, 2025**, deadline to submit additional evidence to be incorporated into the board's 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.

February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **March** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.







# *Notification List of Property Owners*

**BDA245-038**

*14 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4463 BROOKVIEW DR	KLEIN JERRY & TIANA FAMILY
2	4431 BROOKVIEW DR	TALBOT REVOCABLE TRUST
3	4506 WOODFIN DR	MURRAY MICHAEL E
4	4514 WOODFIN DR	SMITH ROBERT P & JUDITH
5	4447 BROOKVIEW DR	AFRIDI IMRAN & ANADIL
6	4507 BROOKVIEW DR	CONIFER HOMES LLC
7	4436 BROOKVIEW DR	ERWIN SANDRA L
8	4446 BROOKVIEW DR	WILLIAMS REVOCABLE TRUST
9	4506 BROOKVIEW DR	GRECO CORRINE ELIZABETH &
10	4516 BROOKVIEW DR	PLUMLEE RANDY &
11	4526 BROOKVIEW DR	KEBRLE JOHN MICHAEL
12	4538 BROOKVIEW DR	FOSDICK DAVID A & DEBORAH
13	9503 ROCKBROOK DR	HOUSTON JOHN & BEA K
14	4530 WOODFIN DR	GREEN ERIC C & DEBRA J

 <b>1:1,200</b>	<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: 10px;"> <div style="border: 1px solid black; padding: 2px 5px; font-weight: bold;">14</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: <b>BDA245-038</b> Date: <b>2/19/2025</b>
---	--	--

**Route Directions:**

**Start on Woodfin Dr.**

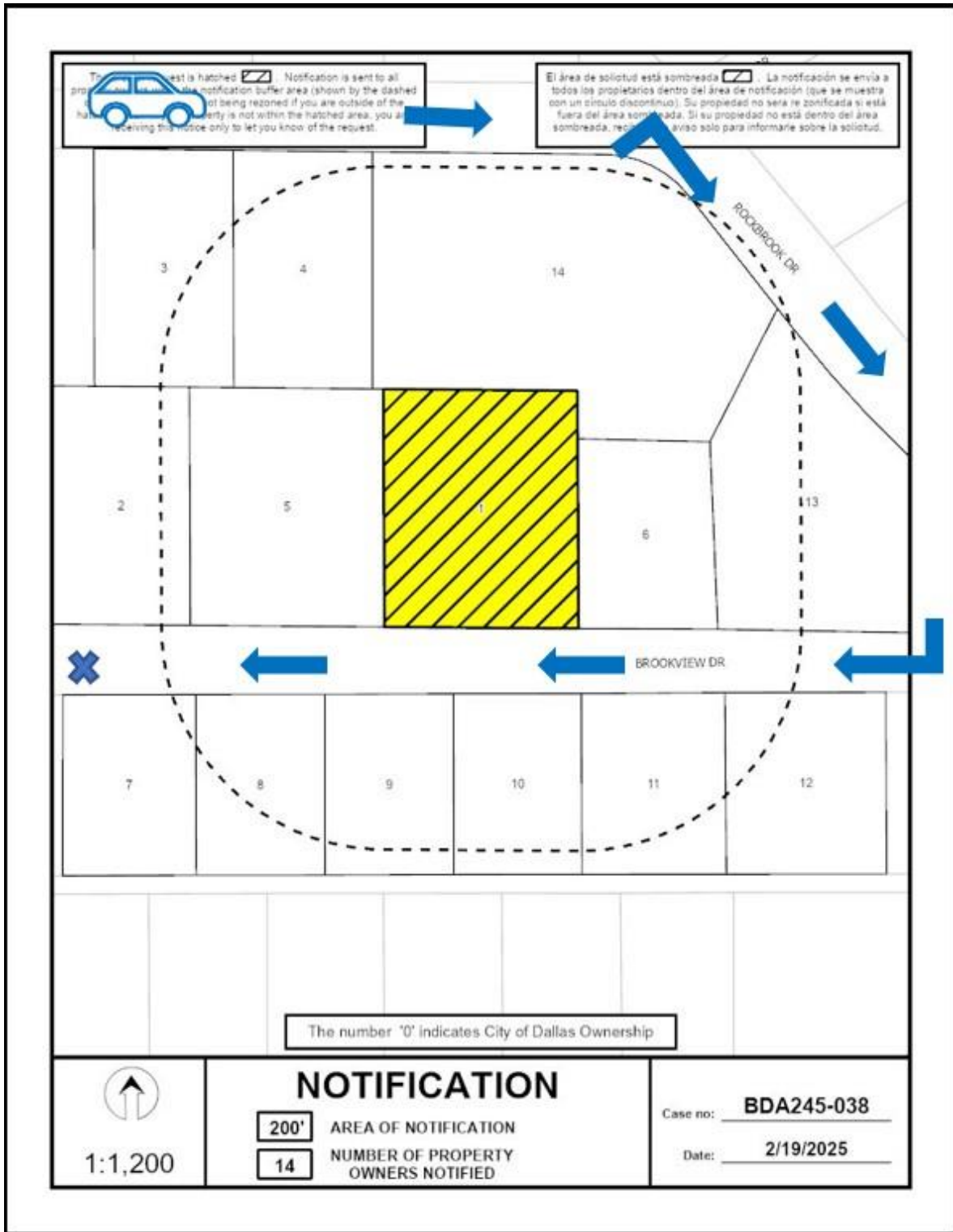
**Right on Rockbrook Dr.**

**Right on Brookview Dr.**

**\*Subject Site at 1:28**



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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-038(BT) Application of Rob Baldwin for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations at 4463 BROOKVIEW DRIVE. This property is more fully described as Block N/ 5551, Lot 6, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front-lot line. The applicant proposes to construct and/or maintain a 6-foot -high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations; and to construct a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence-opacity regulations.

---

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](mailto: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 6EN Council Chambers. 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, March 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](http://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 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](mailto: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 245-038 **USE ONLY**  
**JAN 29 2025**  
 Date: **FOR OFFICE USE ONLY**  
 BY: \_\_\_\_\_

Data Relative to Subject Property: \_\_\_\_\_ Date: \_\_\_\_\_

Location address: 4463 Brookview Drive Zoning District: R-10(A)

Lot No.: 6 Block No.: B/5551 Acreage: 38,076 sf Census Tract: 48113020600

Street Frontage (in Feet): 1) 174 2) \_\_\_\_\_ 3) 0.85 ac 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Jerry and Tiana Klein Family Trust

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 \_\_\_\_\_

Special Exception to fence height and opacity requirements. Requesting a two-foot exception to the fence height for a maximum height of six feet and to allow solid fence.

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

The proposed fence is in keeping with other fences in the immediate area.

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

### Affidavit

Before me the undersigned on this day personally appeared Rob Baldwin

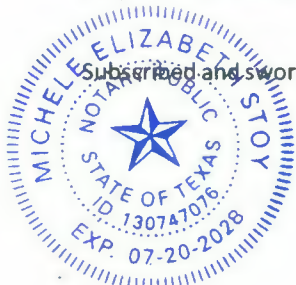
(Affiant/Applicant's name printed)

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 9 day of December, 2024

Michele Stoy  
Notary Public in and for Dallas County, Texas



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

**I hereby certify that** Rob Baldwin

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

**at** 4463 Brookview Dr.

BDA245-038. Application of Rob Baldwin for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations at 4463 BROOKVIEW DRIVE. This property is more fully described as Block N/ 5551, Lot 6, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot -high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence height regulations, and to construct a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations.

Sincerely,

  
M. Samuell Eskander, PE



AFFIDAVIT

Appeal number: BDA 245-038

I, Jerome S. Klein, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4463 Brookview Drive  
(Address of property as stated on application)

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

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

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

Specify: Special Exception to fence height and opacity requirements

Jerome S. Klein Print name of property owner or registered agent  
 [Signature] Signature of property owner or registered agent  
 agent Date Jan. 17, 2025

Before me, the undersigned, on this day personally appeared Jerome Klein

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 17 day of January, 2025



Michele Stoy

Commission expires on 7-20-2028



AFFIDAVIT

Appeal number: BDA 245 038

I, Tiana G. Klein (aka Tiana Gayling Hong), Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4463 Brookview Drive  
(Address of property as stated on application)

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

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

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

Specify: Special Exception to fence height and opacity requirements

Tiana G. Klein  
 Print name of property owner or registered agent  
 agent Date Jan. 17, 2025

[Signature]  
 Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared Tiana Klein

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 17 day of January, 2025



Michele Stoy

Commission expires on 7-20-2028



D.R.  
Z73-218



1:3,600

	City Limits		Peak's Branch PFP		SUP
	Highways		X Protected by Levee		D
	Ramps and Access Roads		Parks		D-1
<b>Flood Zone</b>			Height Map Overlay		CP
	100 Year Flood Zone		Parking Management Overlay		CP
	East Peak's Branch		Snapfront Overlay		MD Overlay
	East Peak's Branch PFP		Base Zoning		Historic Subdistricts
	Roadway		PD 193 Oak Lawn		Historic Overlay
	Mill Creek		Dallas Environmental Corridor		CD Subdistricts
	Mill Creek PFP		DDO Overlay		PD Subdistricts
	Peak's Branch		Deed Restrictions		PDS Subdistricts
					MCO Subdistricts

Case ID: 245-038  
Printed: 12/4/2024

CITY OF DALLAS PLAT BOOKS

MAY 23, 1945 3629  
ANNEXED JULY 11, 1945 ORD. NO. 3653  
SURVEY BY JESSE MOON ABST. 940  
" JAMES L. FARQUHAR " 455

ADDITION

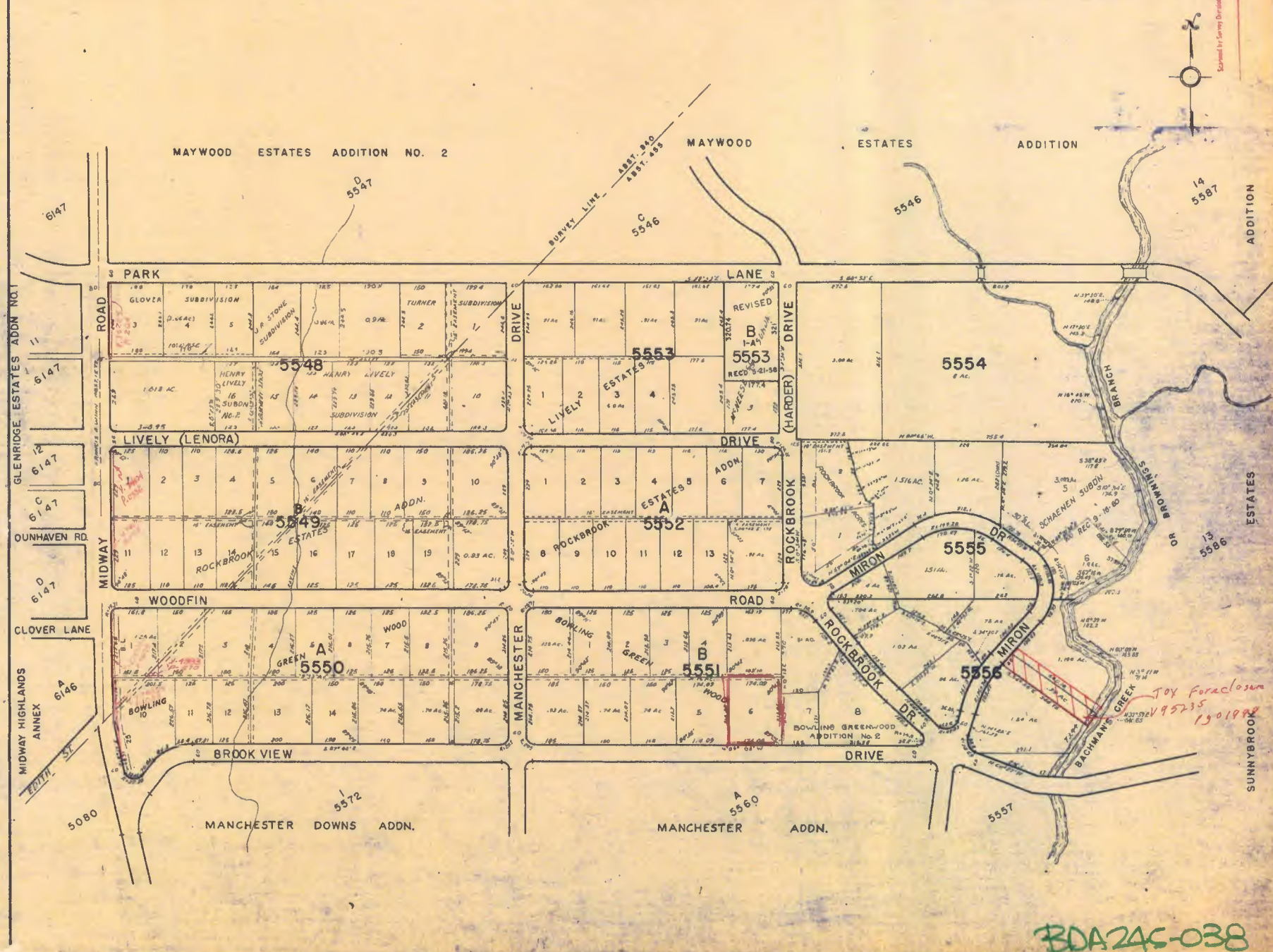
BLOCKS 5548 TO 5556

SCALE 200 FT. EQUALS 1 INCH

SCHOOL DIST. DALLAS

MCNEESE SUBDN. RECORDED 6-5-56

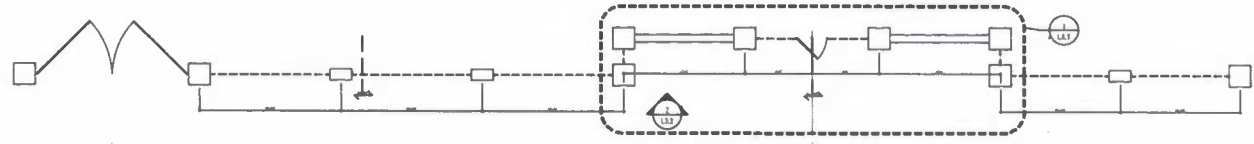
6-24-48



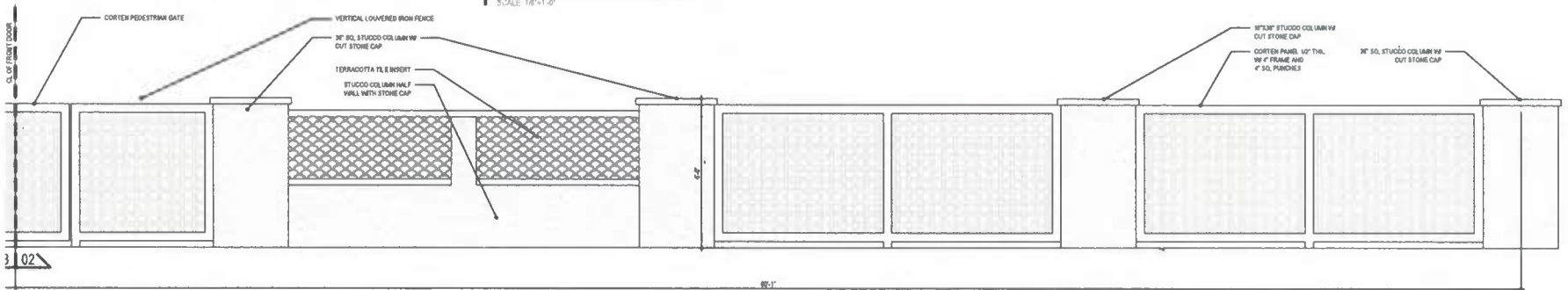
BDA24C-038



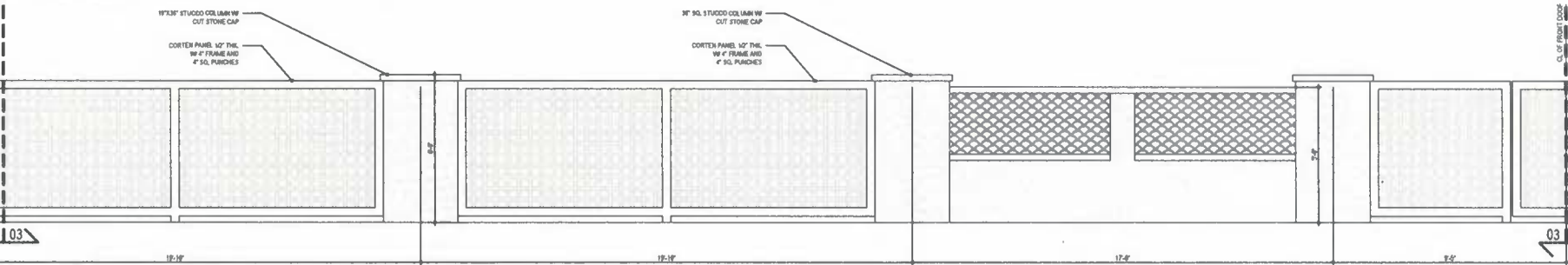




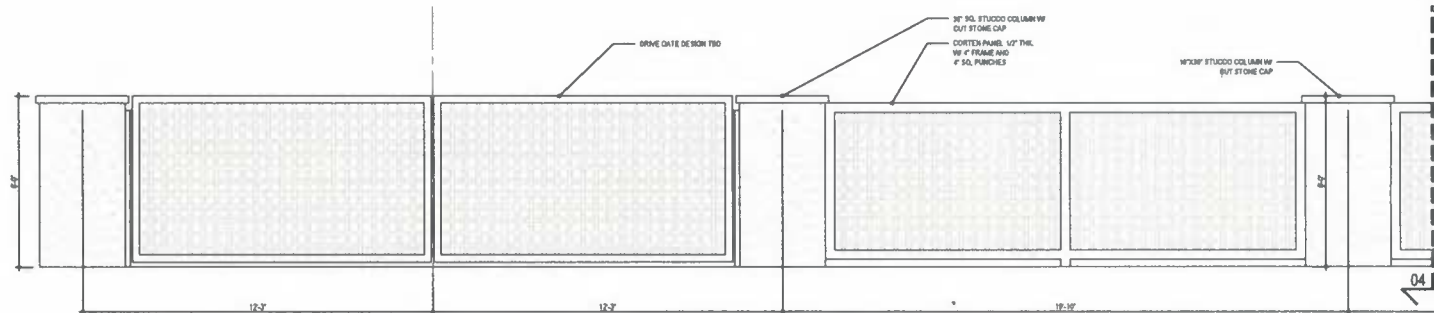
**1 FRONT SCREEN WALL LAYOUT**  
SCALE: 1/8"=1'-0"



**2 SCREEN WALL ELEVATION**  
SCALE: 1/2"=1'-0"



**3 SCREEN WALL ELEVATION**  
SCALE: 1/2"=1'-0"



**4 SCREEN WALL ELEVATION**  
SCALE: 1/2"=1'-0"

**HAROLD LEIDNER**  
1801 Surveyor  
Baylorwood Carrollton,  
Texas 75008  
872-418-5344  
hleidner.com

**KLEIN RESIDENCE**  
4463 BROOKVIEW DRIVE  
DALLAS, TX

SCALE VARIES  
N  
E  
S  
W

NO.	DATE	DESCRIPTION

DATE: OCTOBER 21, 2024  
SHEET NO: CONSTRUCTION DETAILS  
SHEET NO: **L3.3**

**BDA245-038**





**FILE NUMBER:** BDA245-039(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Mark Giambrone represented by Andrew Simes for (1) a variance to the front-yard setback regulations, and for (2) a variance to the side-yard setback regulations at **4343 TRAVIS STREET**. This property is more fully described as Block 2/1529, Lot 22A, and is zoned PD-193 (MF-2), which requires a 15-foot front-yard setback and requires a 10-foot side-yard setback. The applicant proposes to construct and/or maintain a multifamily residential structure and provide an 10-foot front-yard setback along Oliver Street, which will require (1) a 5-foot variance to the front-yard setback regulations along Oliver Street; and the applicant proposes to construct and/or maintain a multifamily residential structure and provide an 0-foot side-yard setback, which will require (2) a 10-foot variance to the side-yard setback regulations.

**LOCATION:** 4343 Travis Street

**APPLICANT:** Mark Giambrone

**REPRESENTED BY:** Andrew Simes

**REQUEST:**

- (1) A request for a variance to the front-yard setback regulations along Oliver Street; and
- (2) A request for a variance to the side-yard setback regulations.

**STANDARDS OF REVIEW FOR A VARIANCE:**

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

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

**ELEMENT II SUBSTITUTE:**

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

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

**STAFF RECOMMENDATION:**

**Variance front-yard setback regulations:**

**Denial**

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Subject site does not differ from other parcels of land by being of such a restrictive area, shape, or slope; it is a corner lot with front-yard setbacks facing both Travis Street and Oliver Street and the proposed building site combines two existing sites. Therefore, it can 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.

**Variance side-yard setback regulations:**

**Denial**

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Subject site does not differ from other parcels of land by being of such a restrictive area, shape, or slope; it is a corner lot with front-yard setbacks facing both Travis Street and Oliver Street and the proposed building site combines two existing sites. Therefore, it can 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:**

<u>Site:</u>	PD-193 (MF-2)
<u>North:</u>	PD-193 (MF-2)
<u>East:</u>	PD-193 (MF-2) and PD-193 (PDS 132)
<u>South:</u>	PD-193 (MF-2)
<u>West:</u>	PD-193 (MF-2) and PD-193 (PDS 38)

### **Land Use:**

The subject site is developed currently developed with multifamily use.

### **BDA History:**

No BDA history found within the last 5 years

## **GENERAL FACTS/STAFF ANALYSIS:**

- The application of Mark Giambrone represented by Andrew Simes for the property located at 4343 Travis Street focuses on two requests relating to the front-yard setback regulations, and to the side-yard setback regulations.
- The first request, the applicant proposes to construct and/or maintain a multifamily residential structure and provide a 10-foot front-yard setback along Oliver Street, which will require a 5-foot variance to the front-yard setback regulations along Oliver Street.
- Lastly, the applicant proposes to construct and/or maintain a multifamily residential structure and provide a 0-foot side-yard setback, which will require a 10-foot variance to the side-yard setback regulations.
- As gleaned from the submitted site plan, the applicant is proposing to construct and/or maintain a multifamily residential structure.
- It is imperative to note that the subject site is a corner lot, having a 15-foot front-yard setback Oliver Street and a 15-foot front-yard setback along Travis Street.
- It is imperative to note that the applicant has a preliminary plat on file (S245-071) proposing to replat lots 22, 23, and 24 into one lot (22A) with this multifamily development.
- The applicant is aware of potential parking and landscape challenges not addressed with this request.
- The applicant has the burden of proof in establishing the following:
  - 1) That granting the variance to the front and side 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.

(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 the variance to the front-yard and side-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: [BDA245-039 at 4343 Travis St](#)

**Timeline:**

January 30, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

February 6, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

February 21, 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 **February 28, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **March 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.

February 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **March** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

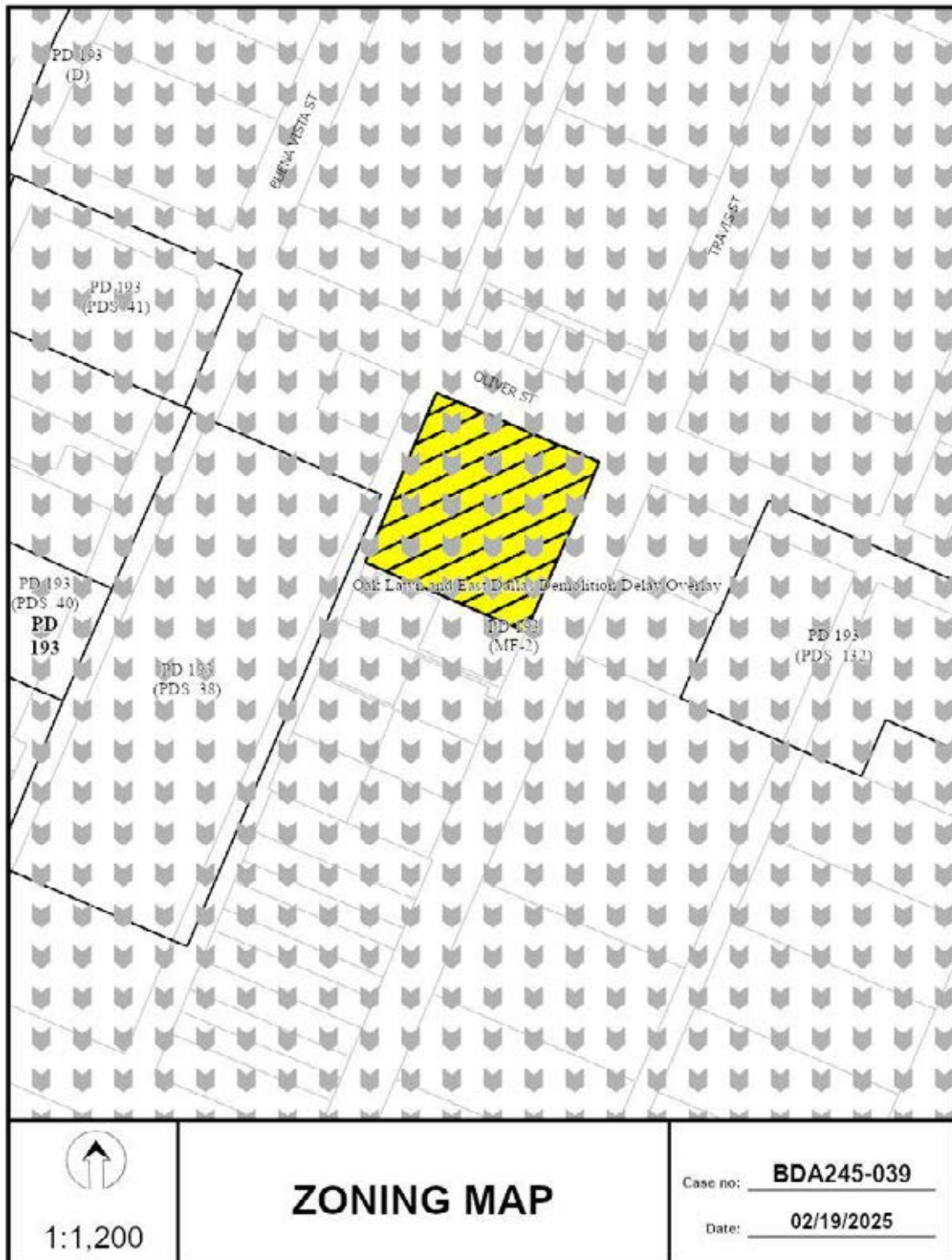



1:1,200


# AERIAL MAP

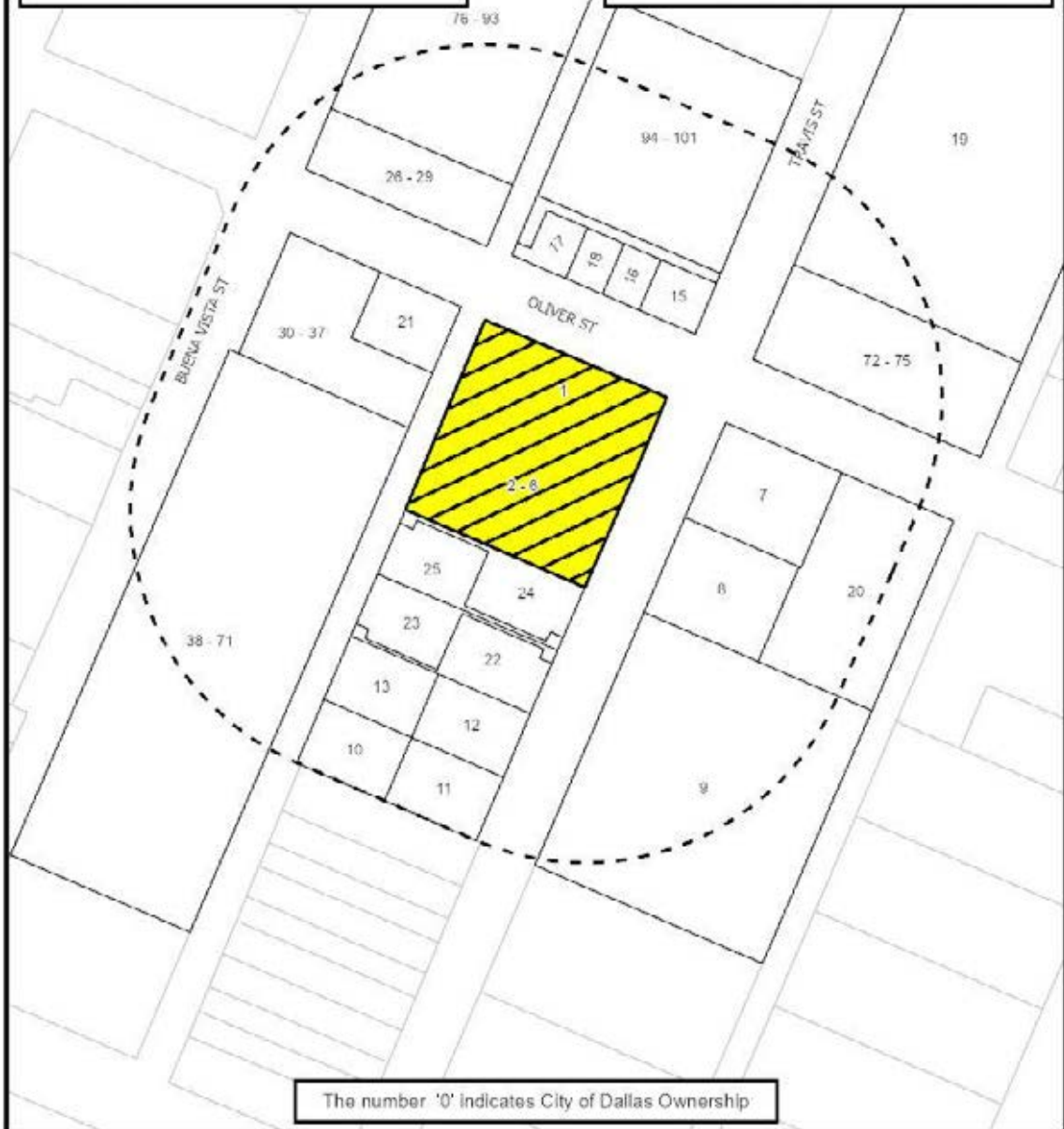
Case no: BDA245-039

Date: 02/19/2025



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



1:1,200

# NOTIFICATION

-  AREA OF NOTIFICATION
-  NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-039**  
 Date: **2/19/2025**

# *Notification List of Property Owners*

*BDA245-039*

*101 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4345 TRAVIS ST	GIAMBRONE DESIGN DISTRICT
2	4343 TRAVIS ST	4409 TRAVIS STREET LLC
3	4343 TRAVIS ST	4409 TRAVIS STREET LLC
4	4343 TRAVIS ST	4409 TRAVIS LLC
5	4343 TRAVIS ST	4409 TRAVIS LLC
6	4343 TRAVIS ST	4409 TRAVIS LLC
7	4344 TRAVIS ST	SMITH SAMUEL SHARLEY
8	4338 TRAVIS ST	TRAVIS KNOX REAL ESTATE LLC
9	4320 TRAVIS ST	KINGS PALACE APARTMENTS LLC
10	4323 TRAVIS ST	MCARDLE PAUL K & MARY A
11	4321 TRAVIS ST	GRIFFITH SCOTT R
12	4327 TRAVIS ST	REIS JAMES R
13	4325 TRAVIS ST	BARONNE EDGAR II
14	4401 TRAVIS ST	4401 TRAVIS HOMEOWNER
15	4401 TRAVIS ST	CLARK ROBERT H
16	4401 TRAVIS ST	KHALIL SAADIA
17	4401 TRAVIS ST	O GRADY BRENDAN M
18	4401 TRAVIS ST	GARCIA MATTHEW
19	4418 TRAVIS ST	BERRYSET II UPTOWN BJO LLC &
20	3217 OLIVER ST	CHAPEL OF THE CROSS INC
21	3315 OLIVER ST	GILBREATH DANNY
22	4331 TRAVIS ST	ASPEN TRUST THE
23	4333 TRAVIS ST	DANDURAND DILLON
24	4337 TRAVIS ST	KLEINMANN TAMMIE &
25	4335 TRAVIS ST	COVINGTON ROBERT & JOSEPHINE
26	4402 BUENA VISTA ST	RUBIO MARTHA SYLVIA

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4402 BUENA VISTA ST	LINDEN SHANNON F
28	4402 BUENA VISTA ST	CHRISTISON DENISE
29	4402 BUENA VISTA ST	WICK NEDA & WILLIAM III
30	4334 BUENA VISTA ST	MEHRAD NAZANIN &
31	4334 BUENA VISTA ST	STABNO MACEY
32	4334 BUENA VISTA ST	MCBAM PROPERTIES LLC
33	4334 BUENA VISTA ST	D & D CAPITAL LLC
34	4334 BUENA VISTA ST	TARKENTON & CO LLC
35	4334 BUENA VISTA ST	CARTER RACHAEL RENEE &
36	4334 BUENA VISTA ST	BRENNAN JAMIE L
37	4334 BUENA VISTA ST	RADHAY CLIFFORD A
38	4310 BUENA VISTA ST	WILLIAMS MEREDITH ANNE
39	4310 BUENA VISTA ST	ROGERS KYLE
40	4310 BUENA VISTA ST	LACKIE MARGARET C &
41	4310 BUENA VISTA ST	MALANOWSKI JOHN
42	4310 BUENA VISTA ST	SANDELIN BROOKE MARIE
43	4310 BUENA VISTA ST	VVR BUENA VISTA LLC
44	4310 BUENA VISTA ST	HIATT JOHN HIGHLAND &
45	4310 BUENA VISTA ST	WILLIAMS BLAKE
46	4310 BUENA VISTA ST	FIGUEIREDO FERNANDO
47	4310 BUENA VISTA ST	DOMINICK BARRY L
48	4310 BUENA VISTA ST	HOPPE WILLIAM E JR & BARBARA
49	4310 BUENA VISTA ST	ECHECOPAR JORGE MANUEL RL &
50	4310 BUENA VISTA ST	NUNLEY CHRISTIAN CODY TRUST
51	4310 BUENA VISTA ST	BUENA VISTA 14 LLC
52	4310 BUENA VISTA ST	FISER JOHN J JR
53	4310 BUENA VISTA ST	
54	4310 BUENA VISTA ST	KENDRICK JULIA & STEPHEN
55	4310 BUENA VISTA ST	CHUMLEY CHRISTOPHER R
56	4310 BUENA VISTA ST	MILLER MIKE C
57	4310 BUENA VISTA ST	SCOTT STEPHANIE E

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4310 BUENA VISTA ST	GIMBEL MICHAEL THOMAS
59	4310 BUENA VISTA ST	PANTANGCO CHARLES M
60	4310 BUENA VISTA ST	DIKE MARSHALL SCOTT &
61	4310 BUENA VISTA ST	HALL SHANNON LEIGH
62	4310 BUENA VISTA ST	PIKE BENJAMIN
63	4310 BUENA VISTA ST	BRADLE LLC
64	4310 BUENA VISTA ST	L & E PROPERTIES LLC
65	4310 BUENA VISTA ST	DOWD MITCHELL THOMAS
66	4310 BUENA VISTA ST	LARSEN CHRISTOPHER ANDREW
67	4310 BUENA VISTA ST	UMAN STEVEN
68	4310 BUENA VISTA ST	COLLINS ROD S
69	4310 BUENA VISTA ST	WHITLOCK KATHERINE
70	4310 BUENA VISTA ST	CHEN JUSTIN R
71	4310 BUENA VISTA ST	ROBERTS RICHARD
72	3226 OLIVER ST	BUNKS SABRINA & AL TAYLOR
73	3224 OLIVER ST	EDGAR FREDERICK JR &
74	3222 OLIVER ST	MATHES DANICA L
75	3220 OLIVER ST	DAVIS RANDY & TRACY
76	4414 BUENA VISTA ST	BOYD CHRISTIE R
77	4414 BUENA VISTA ST	SILVIA BREI
78	4414 BUENA VISTA ST	HIRANI RAIZ
79	4414 BUENA VISTA ST	CARLTON JACOB &
80	4414 BUENA VISTA ST	DAVEY CHARLES WAYNE &
81	4414 BUENA VISTA ST	CARRICK LIVING TRUST
82	4414 BUENA VISTA ST	MOSAEDI PERCIVAL
83	4414 BUENA VISTA ST	HARE JOSHUA
84	4414 BUENA VISTA ST	STRAUSS AMANDA C
85	4414 BUENA VISTA ST	DAVIS JESSICA LYNN
86	4414 BUENA VISTA ST	GARCIA PATRICIA
87	4414 BUENA VISTA ST	HELD SUSAN LYNN LIVING TR
88	4414 BUENA VISTA ST	SMITH STAN

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4414 BUENA VISTA ST	WICKHEM LISA M
90	4414 BUENA VISTA ST	SPROUL CHRISTINA L &
91	4414 BUENA VISTA ST	MILNER RONALD WILLIAM &
92	4414 BUENA VISTA ST	CAGLAGE EVANS
93	4414 BUENA VISTA ST	DANG BANG DAI
94	4409 TRAVIS ST	4409 TRAVIS LLC
95	4409 TRAVIS ST	CUBBAGE DABNEY
96	4409 TRAVIS ST	KNOBLER DAMARIS Y
97	4409 TRAVIS ST	COOPER MARY E
98	4409 TRAVIS ST	IPENEMA INVESTMENTS LTF
99	4409 TRAVIS ST	SIEGEL JACQUELINE
100	4409 TRAVIS ST	ROWELL STEPHEN B & ANN M
101	4409 TRAVIS ST	SCHNALLINGER DOROTHY E

 1:1,200	<b>NOTIFICATION</b>	Case no: <b>BDA245-039</b>
	<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;">101</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: <b>2/19/2025</b>

**Route Directions:**

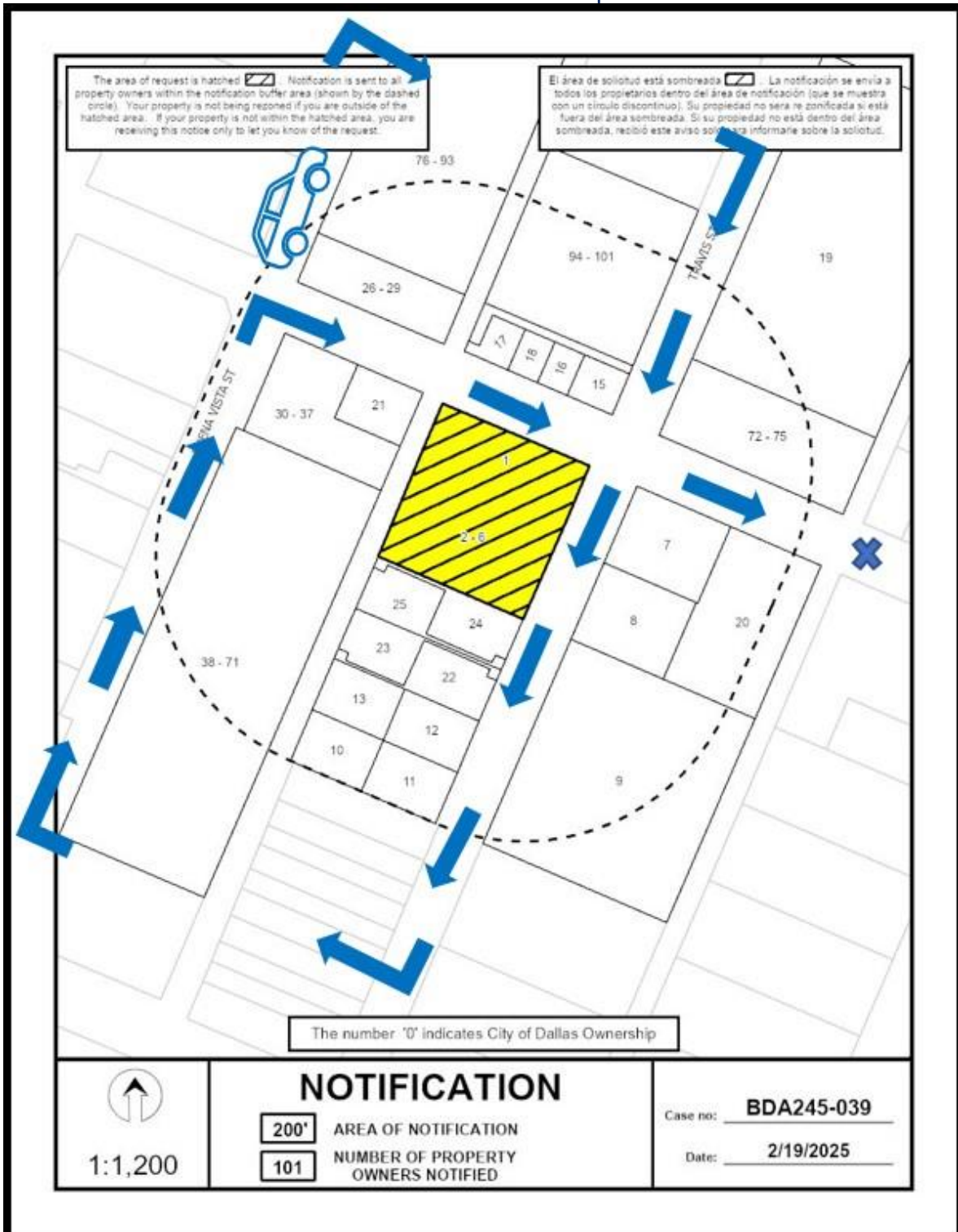
**Start on Buena Vista St.  
Right on Armstrong Ave.  
Right on Travis St.  
Right on Lee St.  
Right on Oliver St.**

**\*Subject Site from Travis St. at 1:36**

**\*Subject Site from Oliver St. at 3:03**



## 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, MARCH 18, 2025

BRIEFING: 10:30 a.m. via Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

HEARING: 1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa0318-A>

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

---

BDA245-039(BT) Application of Mark Giambrone represented by Andrew Simes for (1) a variance to the front-yard setback regulations, and for (2) a variance to the side-yard setback regulations at 4343 TRAVIS STREET. This property is more fully described as Block 2/1529, Lot 22A, and is zoned PD-193 (MF-2), which requires a 15-foot front-yard setback and requires a 10-foot side-yard setback. The applicant proposes to construct and/or maintain a multifamily residential structure and provide a 10-foot front-yard setback along Oliver Street, which will require a (1) 5-foot variance to the front-yard setback regulations along Oliver Street, and to construct and/or maintain a multifamily residential structure and provide a 0-foot side-yard setback, which will require (2) a 10-foot variance to the side-yard setback regulations.

---

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to [BDAREPLY@dallas.gov](mailto: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 6EN Council Chambers. 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, March 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/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](http://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](mailto: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 245-039

**RECEIVED**

Date: JAN 30 2025

Data Relative to Subject Property: \_\_\_\_\_

Location address: 4343 Travis Street Dallas TX 75205

Zoning District: PD-193, MF-2

BY: \_\_\_\_\_

Lot No.: 22-24 Block No.: 1529 Acreage: 0.489

Census Tract: 48113000702

Street Frontage (in Feet): 1) 142 2) 150 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

### To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Giambrone Design District

Applicant: Mark Giambrone

Telephone: 214-665-1972

Mailing Address: 2200 Ross Avenue, 31st Floor Dallas TX

Zip Code: 75201

E-mail Address: mgiambrone@barrowhanley.com

Represented by: Brian Court

Telephone: 206-254-2016

Mailing Address: 71 Columbia Street, 6th Floor Seattle WA

Zip Code: 98104

E-mail Address: briancourt@millerhull.com

Affirm that an appeal has been made for a Variance , or Special Exception , of SEC.51P-193.118.b.1

Corner lot front yard setback designation: this lot appears to be unfairly subject to (2) front yard setbacks. SEC.51P-193.119.8, side yard setback reduce to zero to face another parcel with similar reduced setback.

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:

Corner parcel is unfairly subject to two front yard setbacks since frontage facing Travis St. must maintain nearby parcel continuity, requesting reduced setback facing Oliver St. Secondly, the adjacent parcel to the south has a reduced side yard setback facing this property and request similar variance.

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

### Affidavit

Before me the undersigned on this day personally appeared

Mark Giambrone

(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:

Mark Giambrone

(Affiant/Applicant's signature)

Subscribed and sworn to before me this

4th day of February, 2025



Dawn Gochinas  
Notary Public in and for Dallas County, Texas





AFFIDAVIT

Appeal number: BDA 245-039

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

at: 4343 & 4345 Travis Street Dallas TX 75205  
(Address of property as stated on application)

Authorize: Brian Court  
(Applicant's name as stated on application)

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

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

Specify: The site is a corner lot subject to two front setbacks and are seeking the following variances:  
Request #1: Oliver Street front yard setback reduced by 5'. Regulation requires 15'; proposing 10'.  
Request #2: south lot line side yard setback reduced by 10'. The regulation requires 10'; proposing 0'.

Mark Giambrone                      Mark Giambrone  
 Print name of property owner or registered agent      Signature of property owner or registered agent

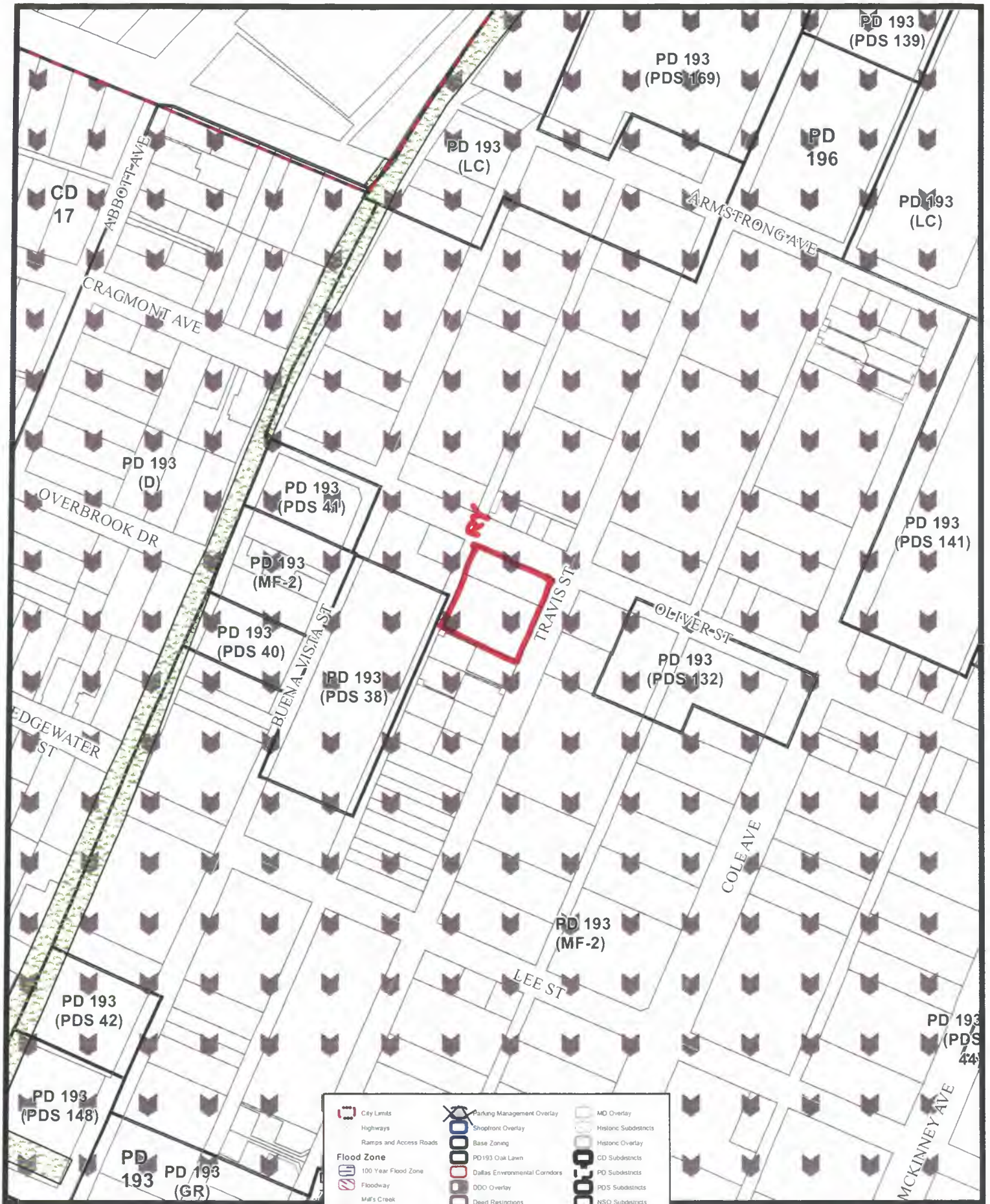
agent Date 2/4/2025

Before me, the undersigned, on this day personally appeared \_\_\_\_\_

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



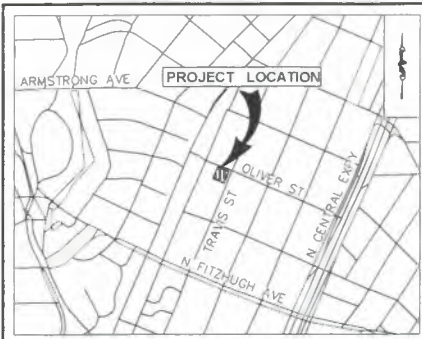
Dawn Gochinas  
Commission expires on \_\_\_\_\_



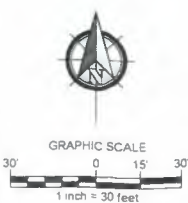
↑ 1:2,400

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Case ID: 245-039  
 Printed: 2/4/2025



VICINITY MAP  
(NOT TO SCALE)

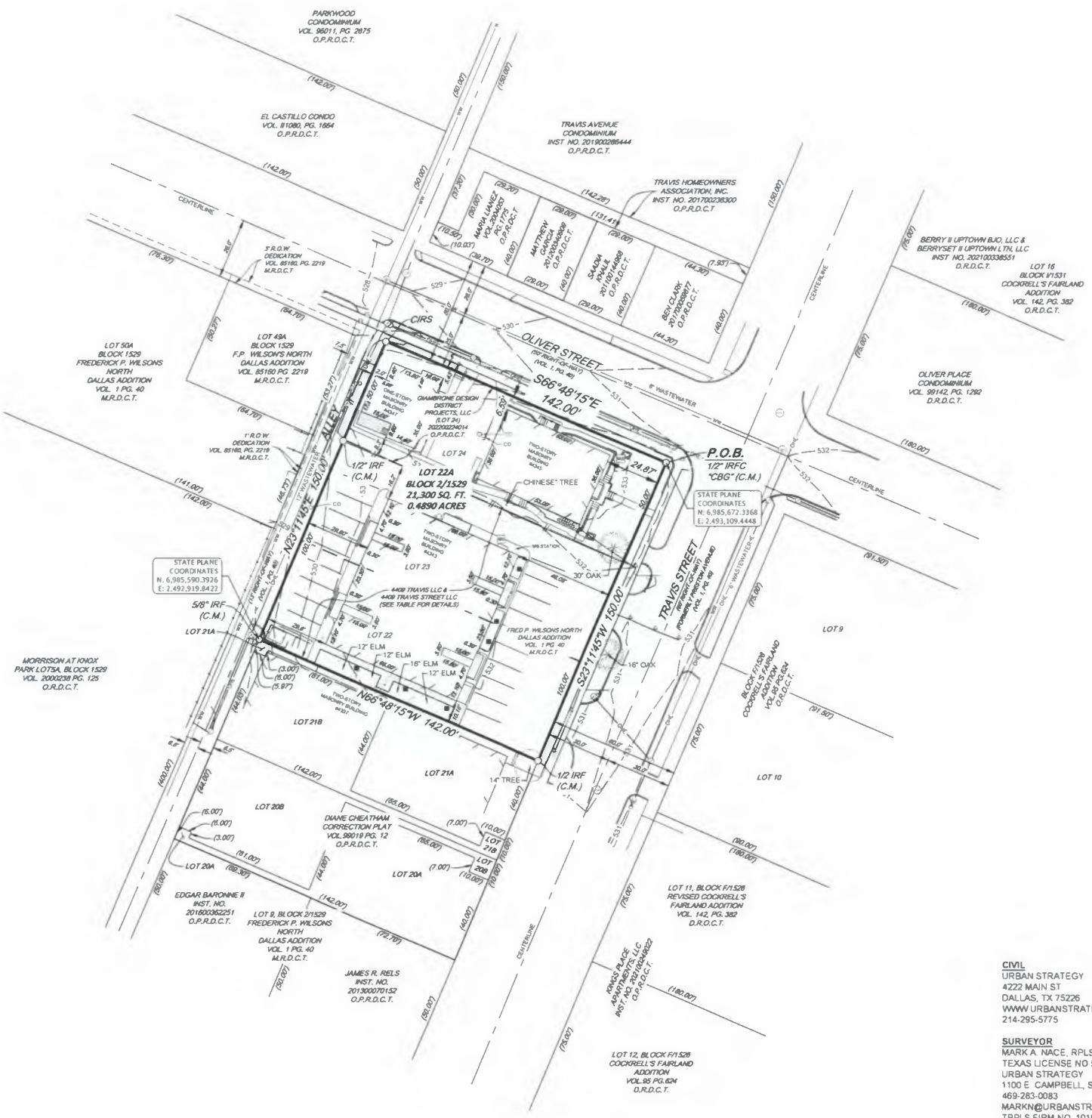


- ABBREVIATIONS**
- INST. NO. INSTRUMENT NUMBER
  - M.R.D.C.T. MAP RECORDS, DALLAS COUNTY, TEXAS
  - D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
  - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
  - VOL. VOLUME
  - PG. PAGE
  - (XX° XX' XX") RECORD BEARING
  - (XX.XX) RECORD DISTANCE
  - P.O.B. POINT OF BEGINNING
  - (C.M.) CONTROLLING MONUMENT
  - CIRS IRON ROD SET w/ ORANGE CAP STAMPED "URBAN STRATEGY"
  - IRF IRON ROD FOUND
  - IRFC IRON ROD FOUND CAPPEO
  - ESMT EASEMENT

- LINETYPES**
- STREET CENTERLINE
  - ASPHALT
  - OVERHEAD ELECTRIC LINE
  - WASTEWATER LINE
  - (SANITARY SEWER)
  - WATER LINE
  - GAS LINE
  - WROUGHT-IRON FENCE
  - WOOD FENCE
  - BUILDING

- LEGEND**
- BOUNDARY/LOT CORNER
  - EASEMENT CORNER
  - LIGHT POLE
  - POWER POLE
  - GUY WIRE
  - ELECTRIC TRANSFORMER
  - GAS METER
  - GAS VALVE
  - GAS MARKER
  - WASTEWATER MANHOLE
  - WASTEWATER CLEANOUT
  - INLET
  - STORM DRAIN MANHOLE
  - WATER METER
  - WATER VALVE
  - MAIL BOX
  - SIGN
  - UNKNOWN MANHOLE
  - TREE

OWNERSHIP INFORMATION		
NAME	INSTRUMENT NO VOLUME/PAGE	RECORDING INFORMATION
4409 TRAVIS LLC	INST. NO. 202000353418	O.P.R.D.C.T.
	INST. NO. 201900069945	O.P.R.D.C.T.
	INST. NO. 201800056050	O.P.R.D.C.T.
	INST. NO. 202000256536	O.P.R.D.C.T.
	INST. NO. 201700018185	O.P.R.D.C.T.
	INST. NO. 202000353421	O.P.R.D.C.T.
	INST. NO. 202000353420	O.P.R.D.C.T.
	INST. NO. 201800176978	O.P.R.D.C.T.
	INST. NO. 201700137717	O.P.R.D.C.T.
	INST. NO. 202000353419	O.P.R.D.C.T.
4409 TRAVIS STREET LLC	INST. NO. 201900045569	O.P.R.D.C.T.
	INST. NO. 201900045547	O.P.R.D.C.T.



**OWNER'S CERTIFICATE**  
STATE OF TEXAS §  
COUNTY OF DALLAS §

WHEREAS Giambrone Design District Projects, LLC, 4409 Travis Street LLC, and 4409 Travis LLC, are the owners of a 21,300 square foot or 0.4890 of an acre tract of land situated in the W.B. Coats Survey, Abstract No. 237, City of Dallas, Dallas County, Texas, being that tract of land described by said Giambrone Design District Projects, LLC by Warranty Deed with Vendor's Lien recorded in Instrument No. 202200224014, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), that tract of land described to said 4409 Travis Street LLC by General Warranty Deed recorded in Instrument No. 201900045569 and 201900045547, O.P.R.D.C.T., said 4409 Travis LLC by General Warranty Deed with vendors lien recorded in Instrument No. 202000256537, 202000353418, 202000256536, 202000353421, 202000353420, and 202000353419, O.P.R.D.C.T., and said 4409 Travis LLC, by General Warranty Deed recorded in Instrument No. 201900069945, 201800056050, 201700018185, 201800176978, and 201700137717, O.P.R.D.C.T., same being Lots 22, 23, and 24, Block 2/1529, Fredrick P. Wilsons North Dallas Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 1, Page 40, Map Records, Dallas County, Texas (M.R.D.C.T.), and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with cap stamped "CBG Surveying" found for the intersection of the southwest Right-of-Way (R.O.W.) line of Oliver Street, a 50 foot R.O.W. according to Volume 1, Page 40, M.R.D.C.T., and the northwest R.O.W. line of Travis Street, a 60 foot R.O.W., formerly known as Preston Avenue according to Volume 1, Page 40, M.R.D.C.T.;

**THENCE** South 23 degrees 11 minutes 45 seconds West, with the northwest R.O.W. line of said Travis Street, a distance of 150.00 feet to a 1/2 inch iron rod found for the east corner of Lot 21A, Block 2/1529, Diane Cheatham Correction Plat, an addition to the City of Dallas, Dallas County, Texas, according to the map thereof recorded in Volume 99019, Page 12, D.R.D.C.T.;

**THENCE** North 66 degrees 48 minutes 15 seconds West, with the northeast line of said Lot 21A, and departing the northwest R.O.W. line of said Travis Street, a distance of 142.00 feet to a 5/8 inch iron rod found for the north corner of said Lot 21A, and being in the southeast R.O.W. line of a 13 foot Alley, according to Volume 1, Page 40, M.R.D.C.T.;

**THENCE** North 23 degrees 11 minutes 45 seconds East, with the southeast R.O.W. line of said Alley, passing a 1/2 inch iron rod found for reference for the north corner of said 4343 Travis Avenue Condominium tract, and the west corner of said Giambrone Design District Projects, LLC tract, a distance of 100.00 feet, and continuing a total distance of 150.00 feet to a 1/2 inch iron rod with plastic orange cap stamped "Urban Strategy" set for the intersection of the southeast R.O.W. line of said Alley, and the southwest R.O.W. of said Oliver Street;

**THENCE** South 66 degrees 48 minutes 15 seconds East, with the southwest R.O.W. line of said Oliver Street, a distance of 142.00 feet to the POINT OF BEGINNING, and containing 21,300 square feet or 0.4890 of an acre tract of land.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

**GENERAL NOTES:**

Bearings are based on State Plane Coordinate System, North Texas Central Zone 4202, North American datum of 1983. Adjustment realization 2011.

Not all lot lines outside of the boundary of the subject property show hereon have been surveyed and are shown as graphical depiction based on recorded information and tax maps.

Lot to lot drainage will not be allowed without City of Dallas paving & drainage engineering section approval.

All existing underground utilities shown are approximate location and/or scaled in graphically according to existing as-builts.

Existing structures to be removed.

**PURPOSE NOTE:**  
The purpose of this plat is to create one (1) lot, from three (3) existing lots of record.

**UDA245-039**

1100 E. Campbell Road, Suite 210, Richardson, Texas 75081  
Firm Registration #2024610, 214-396-1339  
www.urbanstrategy.us

**PRELIMINARY REPLAT**

**TRAVIS STREET TOWNHOMES**  
LOT 22A, BLOCK 2/1529  
0.4890 ACRES / 21,300 SQUARE FEET  
BEING A REPLAT OF  
LOTS 22, 23, AND 24, BLOCK 2/1529  
FREDERICK P. WILSONS NORTH DALLAS ADDITION  
RECORDED IN VOLUME 1, PAGE 40 IN THE  
MAP RECORDS OF DALLAS COUNTY, TEXAS  
OUT OF THE W.B. COATS SURVEY, ABSTRACT NO. 237  
CITY OF DALLAS, DALLAS COUNTY, TEXAS  
CITY PLAN FILE NO. **S245-071**  
ENGINEERING PLAN FILE NO.

**CIVIL**  
URBAN STRATEGY  
4222 MAIN ST  
DALLAS, TX 75226  
WWW.URBANSTRATEGY.US  
214-295-5775

**SURVEYOR**  
MARK A. NACE, RPLS  
TEXAS LICENSE NO 5539  
URBAN STRATEGY  
1100 E. CAMPBELL, STE 210  
469-283-0083  
MARKN@URBANSTRATEGY.US  
TBPLS FIRM NO 10194610

**DEVELOPER/ OWNER**  
GIAMBRONE  
CONTACT MIKE GIAMBRONE  
3610 EDGEWATER ST  
DALLAS, TX 75205  
MGIAMBRONE@BARROWHANLEY.COM

FILE NAME: RPT\_21088\_PRELIMINARY\_PLAT\_DWG  
LAST MODIFIED: 01/08/2025 10:08:08 AM  
CUTTED ON: 06/20/2025 11:31:31 AM

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Giambrone Design District Projects, LLC, 4409 Travis Street LLC, and 4409 Travis LLC, acting by and through their duly authorized agent, Mike Giambrone, do hereby adopt this plat, designating the herein described property as TRAVIS STREET TOWNHOMES, 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 floodway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane 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 lane 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 mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger 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 or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at 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 main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

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

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

Giambrone Design District Projects, LLC

Mike Giambrone, Owner

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Mike Giambrone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2025.

Notary Signature

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

4409 Travis Street LLC  
a Texas limited liability company

Mike Giambrone, Owner

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Mike Giambrone, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2025.

Notary Signature

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

4409 Travis LLC

Mike Giambrone, Owner

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the said County and State, on this day personally appeared Mike Giambrone, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2025.

Notary Signature

The lien holder or mortgagee concurs with the Owner's Certificate and agrees to subordinate its interests to the provisions of the Owner's Dedication.

Lien holder:  
[Bank/mortgagee]

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (date of acknowledgment) by \_\_\_\_\_ (name of person who signed), as \_\_\_\_\_ (title of officer-usually president or secretary, of \_\_\_\_\_ (name of business), a \_\_\_\_\_ (state of business, i.e., LLC, Corp, etc.), on behalf of the \_\_\_\_\_ (LLC, Corp., etc.).

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE  
STATE OF TEXAS §  
COUNTY OF DALLAS §

I, Mark A. Nace, 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 regulations of the Texas board of professional land surveying and the city of Dallas, Texas development codes and ordinances. I further affirm that monumentation shown hereon was either found or set under my direction and supervision.

Dated this the \_\_\_\_ day of \_\_\_\_\_, 2025.

Mark A. Nace  
Registered Professional Land Surveyor no. 5539

STATE OF TEXAS §  
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared Mark A. Nace, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the \_\_\_\_ day of \_\_\_\_\_, 2025.

Notary Public, in and for the State of Texas

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

PLACE COUNTY RECORDING LABEL HERE

CERTIFICATE OF APPROVAL

I, Tony Shidlo, Chairperson or Brent Rubin, Vice Chairperson of the City Plan Commission of the City of Dallas, State of Texas, hereby certify that the attached plat was duly filed for approval with the City Plan Commission of the City of Dallas on the \_\_\_\_ day of \_\_\_\_ A.D. 20\_\_\_\_ and same was duly approved on the \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_ by said Commission

Chairperson or Vice Chairperson  
City Plan Commission  
Dallas, Texas

Attest:

Secretary



1100 E. Campbell Road, Suite 210, Richardson, Texas 75081  
Firm Registration #102294610, 214.396.7399  
www.urbanstrategy.us

PRELIMINARY REPLAT

TRAVIS STREET TOWNHOMES

LOT 22A, BLOCK 2/1529

0.4890 ACRES / 21,300 SQUARE FEET

BEING A REPLAT OF

LOTS 22, 23, AND 24, BLOCK 2/1529

FREDERICK P. WILSONS NORTH DALLAS ADDITION

RECORDED IN VOLUME 1, PAGE 40 IN THE

MAP RECORDS OF DALLAS COUNTY, TEXAS

OUT OF THE W.B. COATS SURVEY, ABSTRACT NO. 237

CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN FILE NO. S245-071

ENGINEERING PLAN FILE NO. \_\_\_\_\_

GENERAL NOTES:

Bearings are based on State Plane Coordinate System, North Texas Central Zone 4202, North American datum of 1983. Adjustment realization 2011.

Not all lot lines outside of the boundary of the subject property show hereon have been surveyed and are shown as graphical depiction based on recorded information and tax maps.

Lot to lot drainage will not be allowed without City of Dallas paving & drainage engineering section approval.

All existing underground utilities shown are approximate location and/or scaled in graphically according to existing as-builts.

Existing structures to be removed.

PURPOSE NOTE:

The purpose of this plat is to create one (1) lot, from three (3) existing lots of record.

CIVIL  
URBAN STRATEGY  
4222 MAIN ST  
DALLAS, TX 75226  
WWW.URBANSTRATEGY.US  
214-295-5775

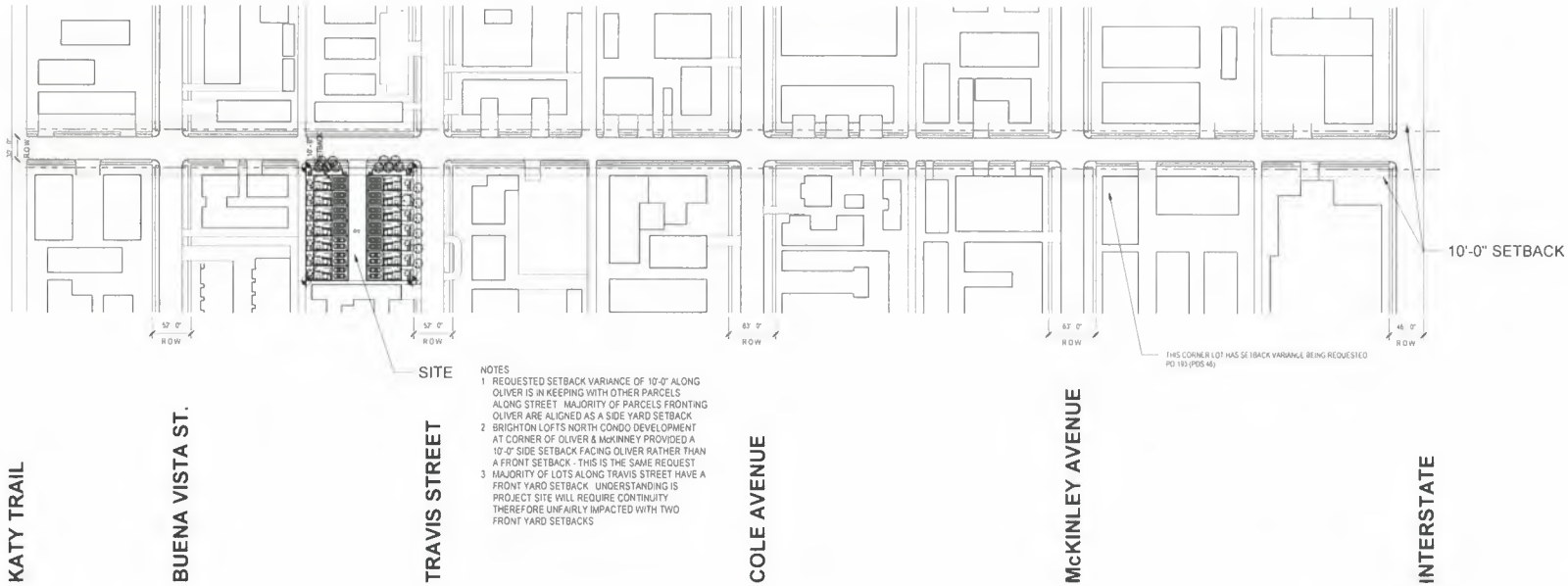
SURVEYOR  
MARK A. NACE, RPLS  
TEXAS LICENSE NO 5539  
URBAN STRATEGY  
1100 E. CAMPBELL, STE 210  
469-283-0083  
MARKN@URBANSTRATEGY.US  
TBPLS FIRM NO 10194610

DEVELOPER/OWNER  
GIAMBRONE DESIGN DISTRICT PROJECTS, LLC  
CONTACT: MIKE GIAMBRONE  
3610 EDGEWATER ST  
DALLAS, TX 75205  
MGIAMBRONE@BARROW-IANLEY.COM





OLIVER STREET



NOTES

1. REQUESTED SETBACK VARIANCE OF 10'-0" ALONG OLIVER IS IN KEEPING WITH OTHER PARCELS ALONG STREET. MAJORITY OF PARCELS FRONTING OLIVER ARE ALIGNED AS A SIDE YARD SETBACK.
2. BRIGHTON LOFTS NORTH CONDO DEVELOPMENT AT CORNER OF OLIVER & MCKINLEY PROVIDED A 10'-0" SIDE SETBACK FACING OLIVER RATHER THAN A FRONT SETBACK. THIS IS THE SAME REQUEST.
3. MAJORITY OF LOTS ALONG TRAVIS STREET HAVE A FRONT YARD SETBACK. UNDERSTANDING IS PROJECT SITE WILL REQUIRE CONTINUITY THEREFORE UNFAIRLY IMPACTED WITH TWO FRONT YARD SETBACKS.

THIS CORNER LOT HAS SETBACK VARIANCE BEING REQUESTED PD 193 (PDS 43)

1  
G002 OLIVER STREET DIAGRAM  
1" = 80' 0"

BDA245-039

**MILLER HULL**  
 The Miller Hull Partnership, LLP  
 Architecture and Planning  
 Polson Building  
 71 Columbia Street  
 Seattle, WA 98104  
 Phone: 206.682.8837  
 Contact: Brian Court

STAMP  
 NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas TX 75205  
 SUBMITTAL

**Concept Design**

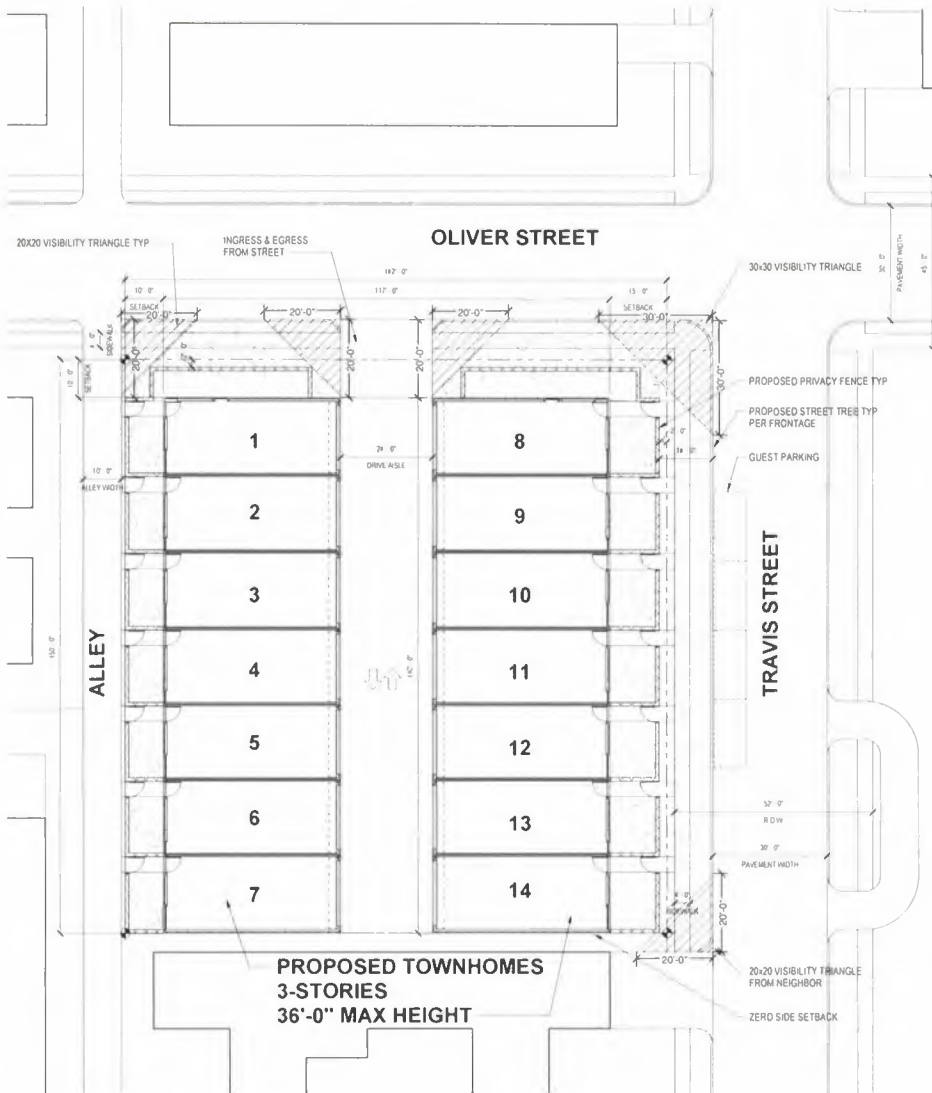
DECEMBER 10, 2024

REVISIONS

No.	Description	Date

Drawn	Author
Checked	Checker
M/H Proj No	A21-0026-00
Issue Date	DECEMBER 10, 2024

SHEET  
**OLIVER STREET DIAGRAM G002**



SITE INFORMATION	
<b>Owner</b>	Customize Design District
<b>Project Address</b>	#343 & #345 Travis Street, Dallas, TX 75205 (preliminary plat forthcoming)
<b>Site Location</b>	The proposed townhomes are located at the intersection of Travis Street and Oliver Street in the Fairview neighborhood
<b>General Project Description</b>	Project includes new construction of 14 townhomes with a common vehicular access to the site. Project will combine existing lots and demolish existing structures on site.
<b>Parcel Numbers</b>	8000058600000 & CONDD000320070000
<b>Total Lot Area</b>	21,375 square feet (0.48 acres)
<b>Existing Legal Description</b>	F.R. Wakelee North Dallas Addition, Block #529, Lots 22, 23, 24
ZONING ANALYSIS	
<b>Zoning</b>	PD 103 (M-F, 2)
<b>Overlay Zoning</b>	City (Lower and East Dallas) Demolition Delay (Vehicle Appear Height Overlay, Line 1) (M-F)
<b>Lot Area</b>	21,375 square feet (0.48 acres)
<b>Lot Coverage</b>	60% Maximum
<b>Lot Coverage</b>	SIP 193.122.4.B
<b>Floor Area Ratio</b>	30 Maximum
<b>Floor Area Ratio</b>	SIP 193.124.4.B
<b>Front Setback</b>	15' 0" (Table SIP 193.125)
<b>SEC 193.183.118.5</b>	3' 0" projections allowed for balcony or sunshade awning
<b>Side Setback</b>	10' 0" (Table SIP 193.125)
<b>SEC 193.183.118.8</b>	3' 0" projections allowed for sunshade awning
<b>Side Setback Reduction</b>	In the lot 2 - a side set setback of either zero or five feet (but not between zero and five feet) may be provided for a side or rear building wall if: <ul style="list-style-type: none"> <li>A. The building is 35 feet or less in height;</li> <li>B. The wall faces to the line of the same building side that is perpendicular contiguous to or perpendicular across an adjoining alley that is nonresidential in character;</li> <li>C. The wall has no openings; and</li> <li>D. The requirements of the building and fire codes and all other applicable ordinances and laws are met.</li> </ul>
<b>South lot line to provide no setback, see Site Plan</b>	
<b>Rear Setback</b>	10' 0"
<b>SEC 193.183.120.3</b>	3' 0" projections allowed for sunshade awning
<b>Internal Setback</b>	10' 0" space between buildings if wall includes window for light and air
<b>SEC 193.183.107.3.E</b>	
<b>Corner Lot</b>	SEC 193.118.8.1
<b>SEC 193.118.8.1</b>	If a corner lot in a single family, duplex, multiple family, or agricultural subdivision has two street frontages of equal distance, one frontage is governed by the lot area regulations of this section, and the other frontage is governed by the side yard regulations in Section SIP 193.118. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by the section and the longer frontage is governed by the side yard regulations in Section SIP 193.118. Acknowledging this provision, the continuity of the established setbacks along street frontage must be maintained.
<b>Lot has two street frontages of unequal length. Variance is requested as follows: Travis Street to be 30 feet and Oliver Street to be 30 feet. Oliver Street has a demonstrated front yard setback noncompliance and Oliver Street has a demonstrated side yard setback noncompliance.</b>	
<b>Maximum Height</b>	36' 0"
<b>SIP 193.123.5</b>	Parade 4' 0" Permitted above 36 feet, 12' 0"
<b>See Elevations for Compliance</b>	

<b>Parking Demands</b>	Standard 9.8 x 19' 0" Compact 7.8 x 18' 0" (Max 35% of total)
<b>(SIP 193.123.5 &amp; Citywide Handbook Table 1)</b>	Private garages per townhome, will provide standard parking spaces
<b>Garage Parking</b>	SEC 193.183.113.9
<b>SEC 193.183.113.9</b>	Unless as provided in the paragraph, a parking space in an enclosed structure must be at least 70 feet from the right of way line adjacent to a street or alley if the space below open or can be entered directly from the street or alley. The structure cannot be over any building line adjacent to a rear setback and any other provision of Sections SIP 193.187 through SIP 193.175. A parking space in an enclosed structure must be within 70 feet of the right of way line adjacent to a street or alley if: <ul style="list-style-type: none"> <li>A. The parking space can be entered directly from a street or alley that is not designated as a throughway in the city's thoroughfare plan;</li> <li>B. The parking space is in a side or rear yard of a lot in a residential subdivision;</li> <li>C. The garage door has a remote automatic control installed that is maintained in working condition; and</li> <li>D. No portion of the garage door encroaches into the public right of way when it opens or closes.</li> </ul>
	This paragraph does not authorize the provision of a garage within a required side or rear yard setback. (Code Editor 193.11)
<b>Parking</b>	SEC 193.183.107.3.C & D
<b>SEC 193.183.107.3.C &amp; D</b>	2 spaces per dwelling
<b>Garage Parking</b>	SEC 193.183.107.3.C & D
<b>SEC 193.183.107.3.C &amp; D</b>	Parking located in private garages, see Level 1 Floor Plan
<b>Guest Parking</b>	SEC 193.183.107.3.C & D
<b>SEC 193.183.107.3.C &amp; D</b>	0.75 spaces per dwelling. Spaces adjacent to the lot and on a public street may be counted toward the guest parking requirement if one additional two-inch color line is painted on the lot for each on-street guest space.
<b>Off Street Loading</b>	SEC 193.183.115
<b>SEC 193.183.115</b>	14 dwelling units proposed, therefore a guest space is required. Guest spaces will be lot and adjacent to lot on public street and (4) four additional spaces provided.
<b>Off Street Loading</b>	SEC 193.183.115
<b>SEC 193.183.115</b>	0.50 GSF. None Required
<b>Visibility Triangles</b>	SEC 193.183.124.4B
<b>SEC 193.183.124.4B</b>	(1) where two streets are designated on the city's thoroughfare plan intersect, the portion of a lot used for a triangular area formed by connecting together the points of intersection of adjacent street lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection; and (2) where an alley or driveway intersects with a street, the portion of a lot within a triangular area formed by connecting together the points of intersection at the edge of a driveway or alley and adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.
<b>30' x 30' Intersection</b>	SEC 193.183.124.4C
<b>SEC 193.183.124.4C</b>	In lot 2, a lot or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required lot yard if: <ul style="list-style-type: none"> <li>A. The main building does not exceed 26 feet in height;</li> <li>B. There are no front street curb cuts, front driveways, or front driveways to garages or parking;</li> <li>C. A minimum setback of 12 feet is provided between the lot and the projected street curb; and</li> <li>D. All portions of the fence exceeding four feet in height are set back at least two feet from the lot line.</li> </ul>
<b>Fences</b>	SEC 193.183.126.3
<b>SEC 193.183.126.3</b>	(A) Side fences. One tree must be provided for every 4,000 square feet within the lot. A minimum of 50 percent of these trees must be planted within the rear 50 percent of the lot. Every side fence must have a planting area of at least 75 square feet. The number of any lot tree must be located more than two and one half feet from any pavement. (B) Street trees. One large canopy tree must be provided for every 25 feet of boundary with a minimum of two trees required. These trees must be located within the parking.
AREA CALCULATIONS	
<b>L01 AREA</b>	21,375 SF
<b>GROSS FLOOR AREA</b>	APPROX. 44,000 SF
<b>L01 CURBRAGE</b>	APPROX. 13,000 SF (60%) Complete

**MILLER HULL**  
The Miller Hull Partnership, LLP  
Architecture and Planning  
Piscataway Building  
71 Columbia Street Floor  
Seattle, WA 98104  
Phone: 206.462.6837  
Contact: Brian Court

NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
Dallas TX 75205  
SUBMITTAL

**Concept Design**

DECEMBER 10, 2024

REVISIONS

No.	Description	Date

Drawn: Author  
Checked: Checker  
M/H Proj No: A21 0026 00  
Issue Date: DECEMBER 10, 2024

SHEET

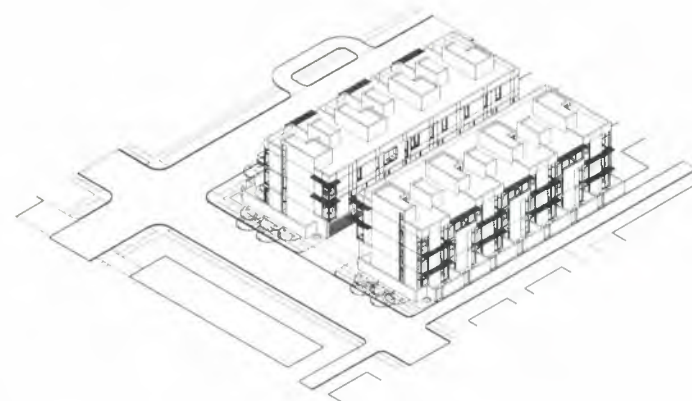
**ARCHITECTURAL SITE PLAN G100**

1 ARCHITECTURAL SITE PLAN  
G100 1/16" = 1' 0"

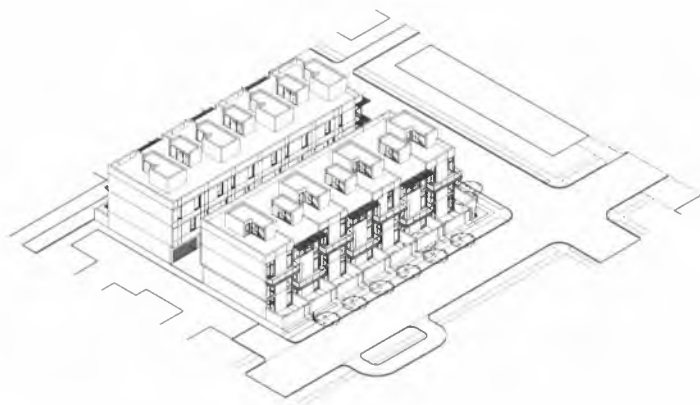
BDA245-039



1  
G120  
OVERALL AXON - SE



2  
G120  
OVERALL AXON - NE



3  
G120  
OVERALL AXON - SW



4  
G120  
OVERALL AXON - NW

**MILLER HULL**  
The Miller Hull Partnership, LLP  
Architecture and Planning  
Polsen Building  
11 Columbia South Floor  
Seattle WA 98104  
Phone 206 467 5537  
Contact Brian Court

STAMP  
**NOT FOR CONSTRUCTION**

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
Dallas TX 75205  
SUBMITTAL

**Concept Design**

DECEMBER 10 2024

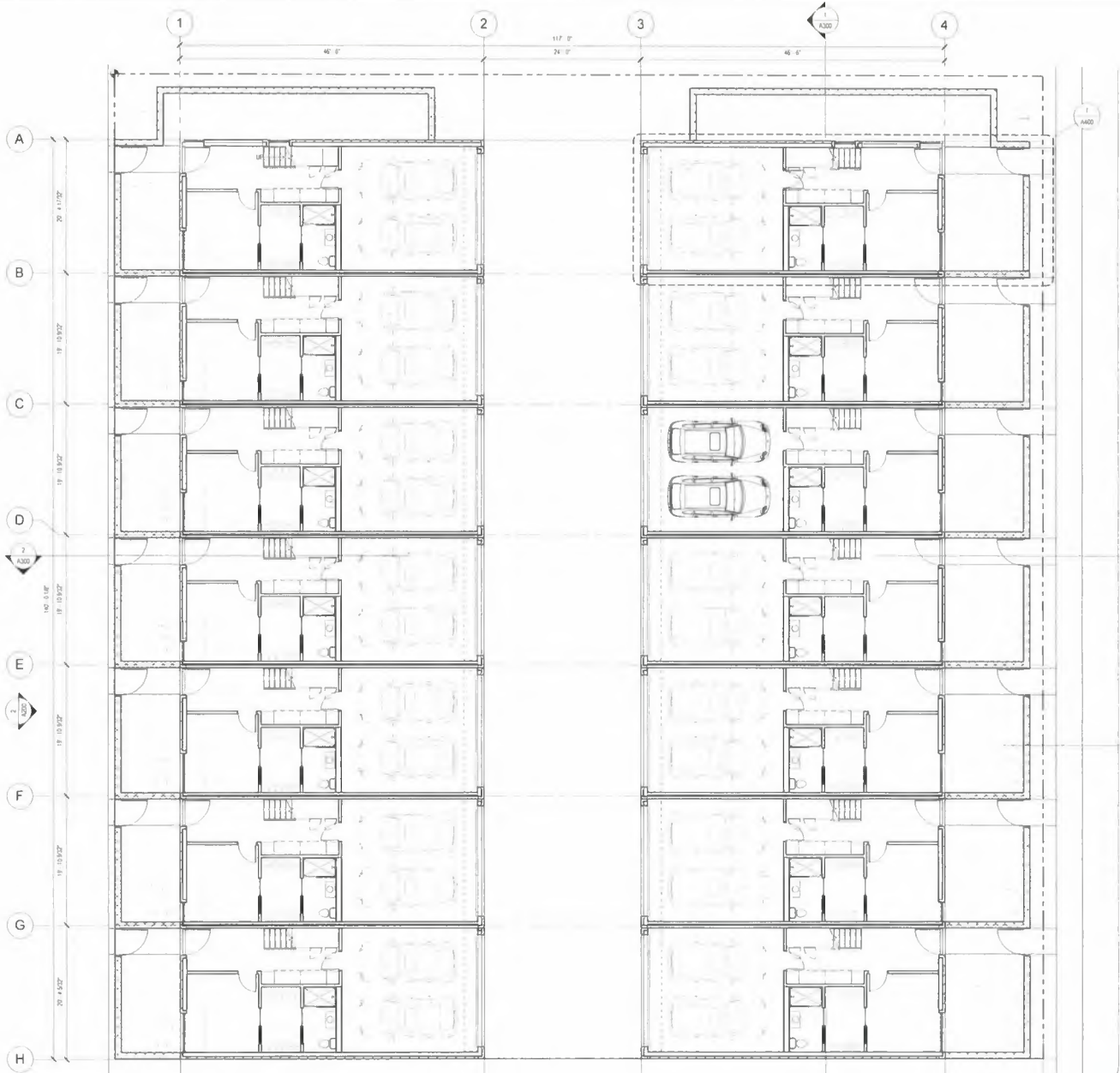
REVISIONS		
No.	Description	Date

Drawn Author  
Checked Checker  
M/H Proj No A21 0026 00  
Issue Date DECEMBER 10 2024

SHEET

**AXONOMETRIC VIEWS  
G120**

*BDA245-039*



**GENERAL FLOOR PLAN NOTES**  
 1 PROJECT W/CONCEPT DESIGN FLOOR PLANS SUBJECT TO CHANGE

**MILLER HULL**  
 The Miller Hull Partnership LLP  
 Architecture and Planning  
 Poisson Building  
 71 Columbia South Floor  
 Seattle WA 98104  
 Phone 206 462 6837  
 Contact Brian Court

STAMP  
 NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas TX 75205  
 SUBMITTAL

**Concept Design**

DECEMBER 10, 2024

REVISIONS	No	Description	Date

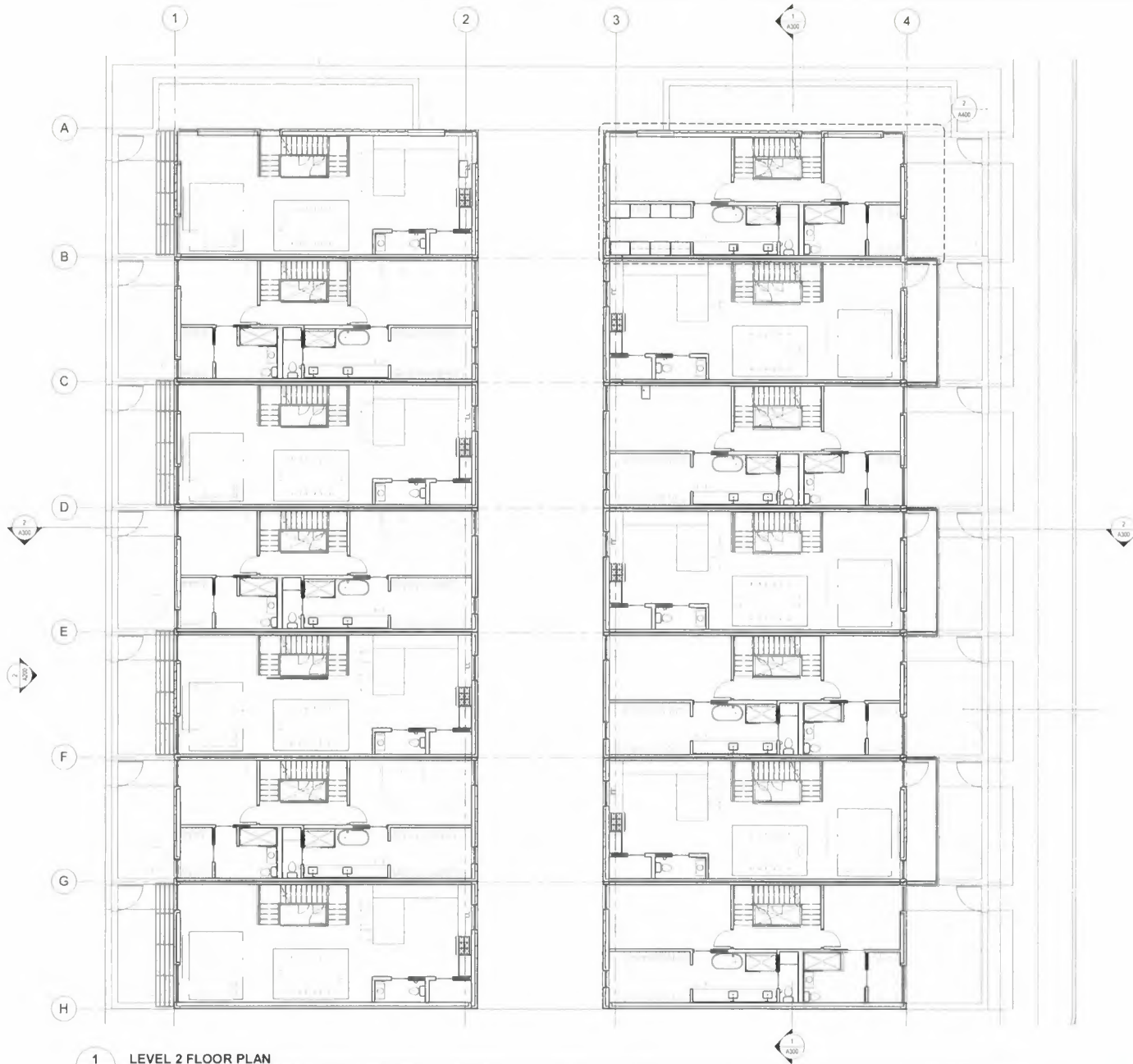
Drawn Author  
 Checked Checker  
 MJH Proj No A21 0026 00  
 Issue Date DECEMBER 10, 2024

SHEET

**LEVEL 1 - FLOOR PLAN A111**

**1 LEVEL 1 FLOOR PLAN**  
 A111 1/8" = 1'-0"

BDA245-039



**GENERAL FLOOR PLAN NOTES**

1. PROJECT IN CONCEPT DESIGN. FLOOR PLANS SUBJECT TO CHANGE.



The Miller Hull Partnership, LLP  
 Architecture and Planning  
 Platoon Building  
 71 Columbia South Floor  
 Seattle, WA 98104  
 Phone: 206.687.6837  
 Contact: Brian Couri

STAMP

**NOT FOR CONSTRUCTION**

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas, TX 75205  
 SUBMITTAL

**Concept Design**

DECEMBER 10 2024

REVISIONS

No.	Description	Date

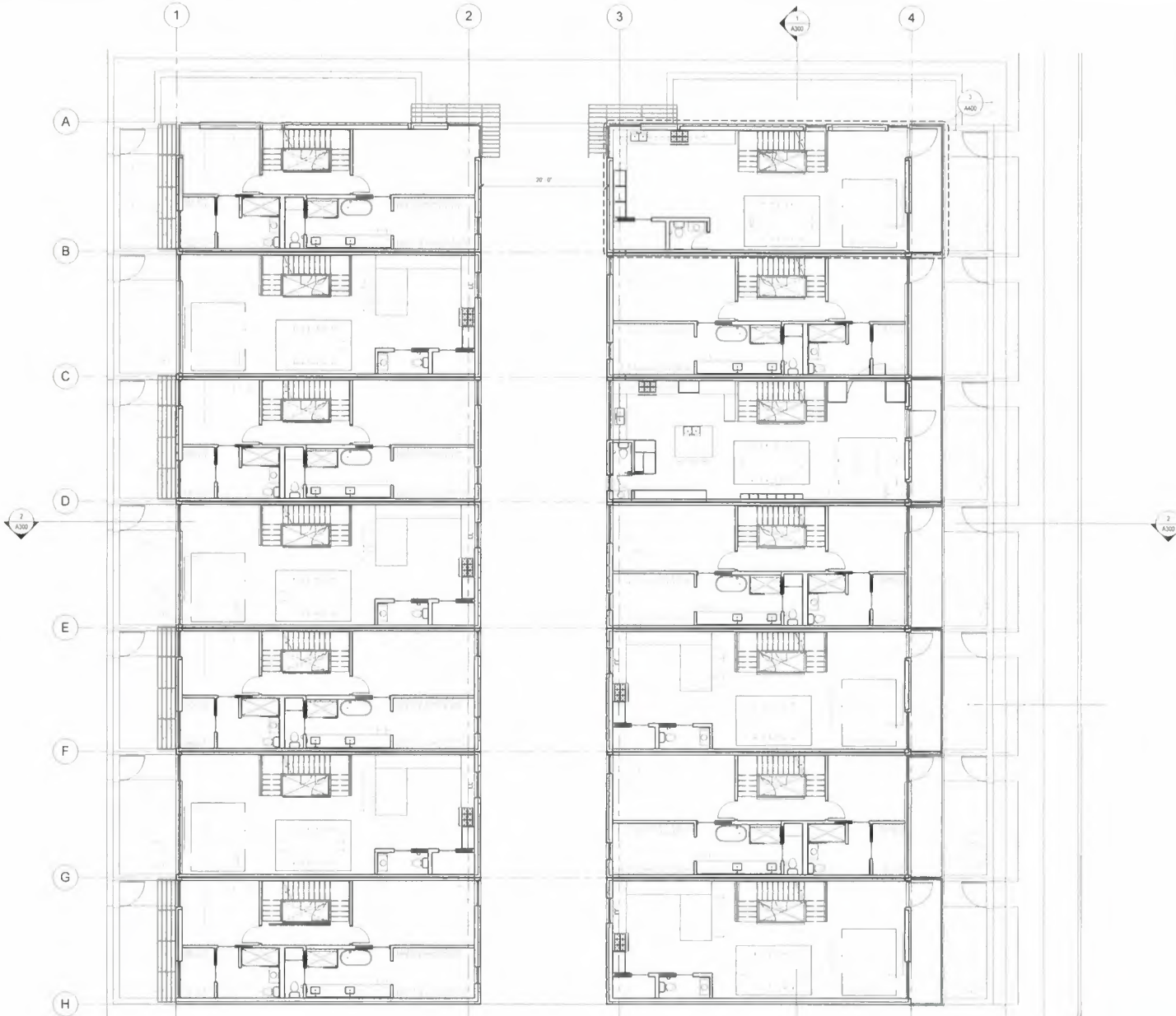
Drawn Author  
 Checked Checker  
 M/H Proj No. A21-0026-00  
 Issue Date DECEMBER 10 2024

SHEET

**LEVEL 2 - FLOOR PLAN A121**

**1 LEVEL 2 FLOOR PLAN**  
 A121 1/8" = 1'-0"

*BDA245-039*



**GENERAL FLOOR PLAN NOTES**  
 1. PROJECT IN CONCEPT DESIGN. FLOOR PLANS SUBJECT TO CHANGE.

**MILLER HULL**  
 The Miller Hull Partnership, LLP  
 Architecture and Planning  
 Polson Building  
 711 Columbia, South Floor  
 Seattle, WA 98104  
 Phone: 206.682.6837  
 Contact: Brian Court

STAMP  
 NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas TX 75205  
 SUBMITTAL

**Concept Design**

DECEMBER 10, 2024

REVISIONS

No.	Description	Date

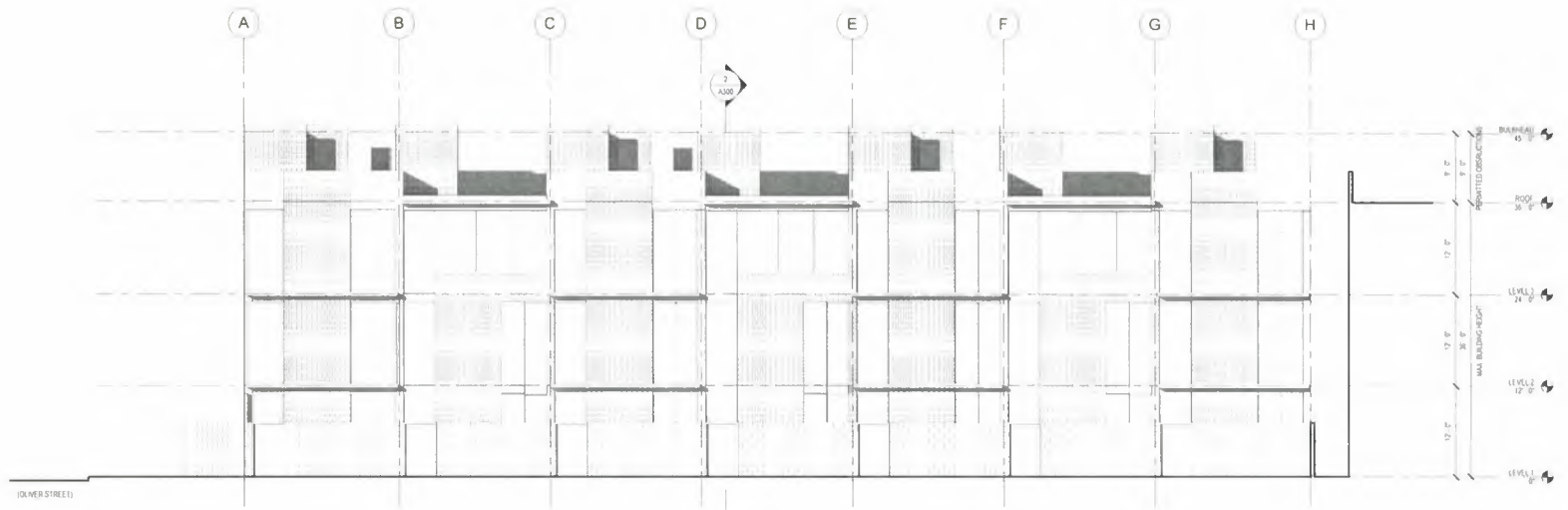
Drawn: Author  
 Checked: Checker  
 MJH Proj No: A21 0026 00  
 Issue Date: DECEMBER 10, 2024

SHEET

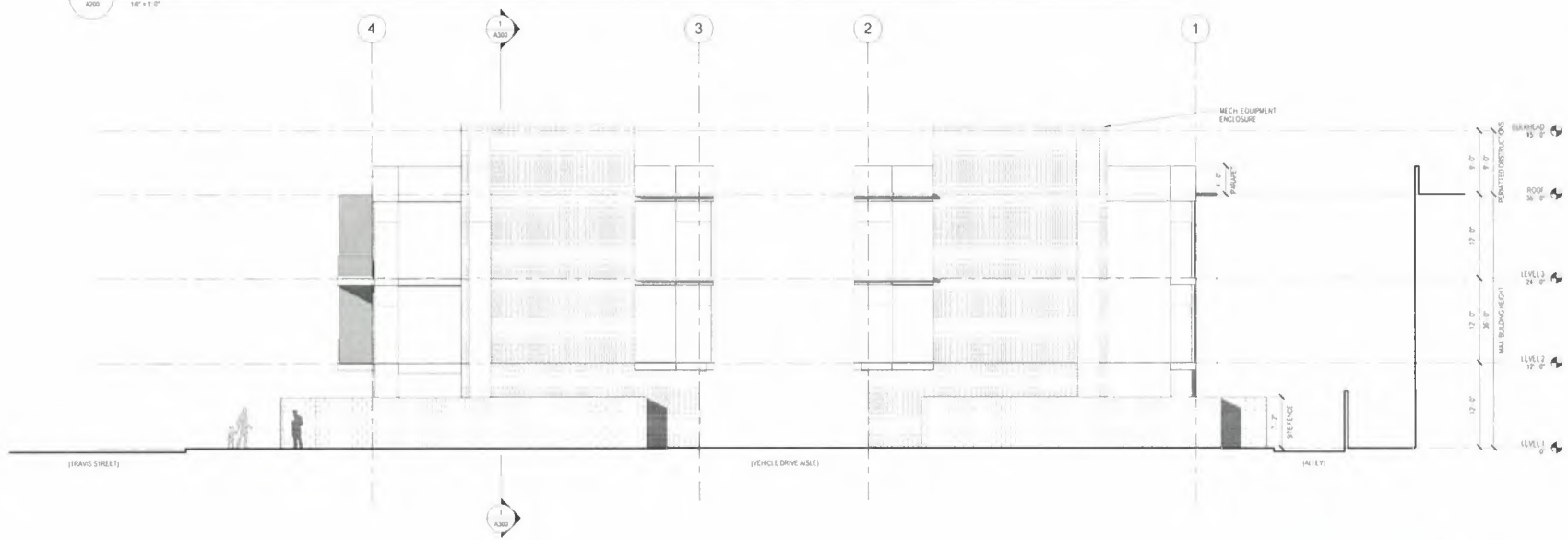
**LEVEL 3 - FLOOR PLAN A131**

1 LEVEL 3 FLOOR PLAN  
 A131 18" x 11"

BDA245-039



**2 NORTH ELEVATION**  
 A200  
 1/8" = 1'-0"



**1 EAST ELEVATION**  
 A200  
 1/8" = 1'-0"

NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas TX 75205  
 SUBMITTAL

**Concept Design**

DECEMBER 10, 2024

REVISIONS		
No.	Description	Date

Drawn: Author  
 Checked: MJK  
 Issue Date: DECEMBER 10, 2024

SHEET

**BUILDING ELEVATIONS A200**

BDA245-039

STAMP

NOT FOR CONSTRUCTION

**TRAVIS STREET TOWNHOMES**

4343 Travis Street  
 Dallas TX 75205

SUBMITTAL

**Concept Design**

DECEMBER 10 2024

REVISIONS

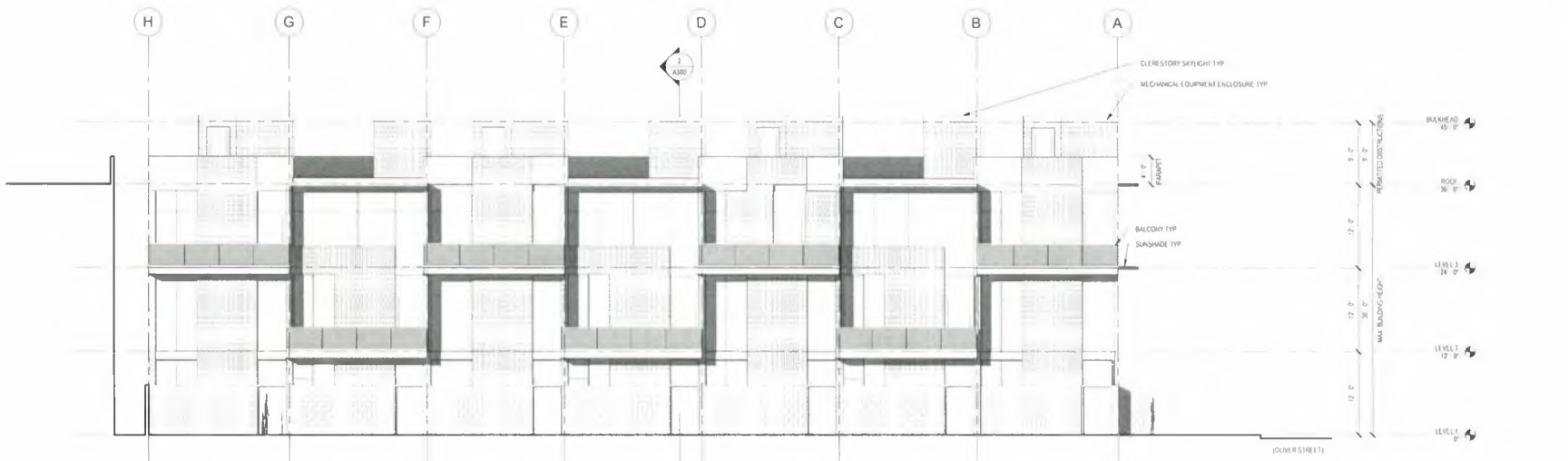
No.	Description	Date

Drawn: Author  
 Checked: MIH Proj No  
 Issue Date: DECEMBER 10 2024

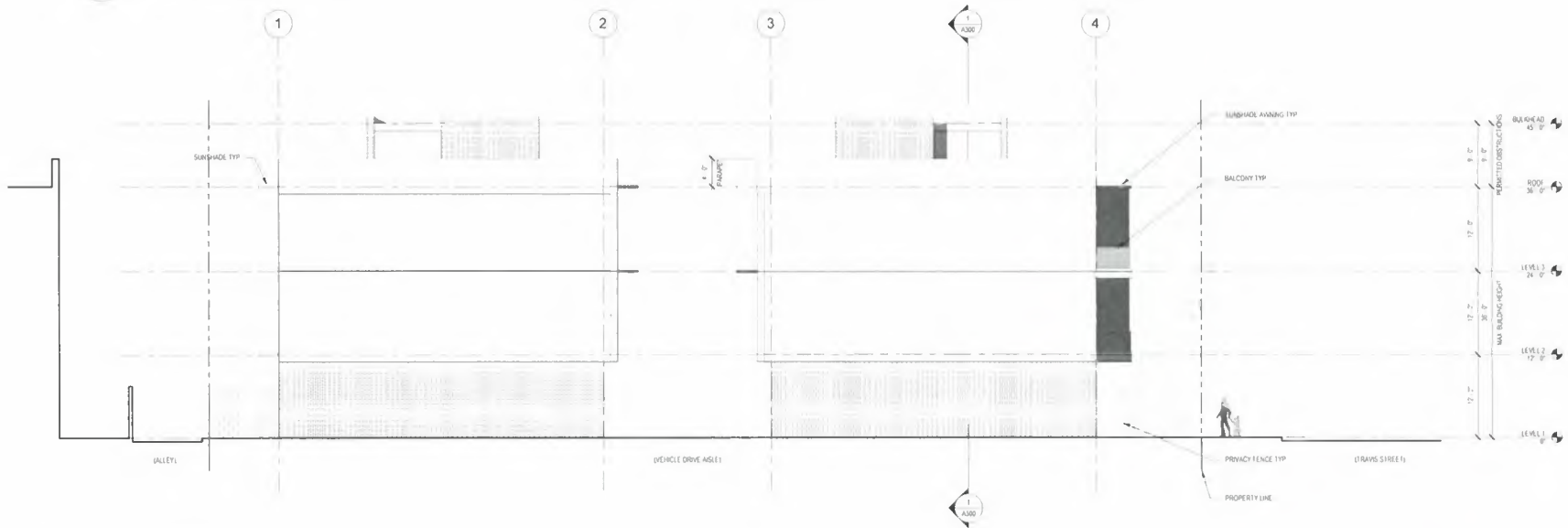
SHEET

**BUILDING ELEVATIONS  
 A201**

BDA245-039



**2 SOUTH ELEVATION**  
 A201 1/8" = 1'-0"



**1 WEST ELEVATION**  
 A201 1/8" = 1'-0"