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DALLAS, TX

BOARD OF ADJUSTMENT (PANEL B)

**AUGUST 20, 2025, BRIEFING AT 10:00 A.M. AND
THE PUBLIC HEARING AT 1:00 P.M.**

Dallas City Hall, Room 6ES Council Briefing and Videoconference

Video Conference Link: <https://bit.ly/boa0820>

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

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

Individuals and interested parties wishing to speak must register with the Board of Adjustment at <https://bit.ly/BDA-B-Register> by 5 PM on Tuesday, August 19, 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 <https://bit.ly/BDA-B-Register> hasta las 5 PM el Martes, 19 de Agosto, 2025. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.

AGENDA

- | | | |
|-------|---------------------------------------|----------------------------|
| I. | Call to Order | Cheri Gambow, Vice-Chair |
| II. | Review of Goals and Objectives | David A. Neumann, Chairman |
| III. | Staff Presentation/Briefing | |
| IV. | Public Hearing | Board of Adjustment |
| V. | Public Testimony | |
| VI. | Miscellaneous Items | |
| VII. | Case Docket | Board of Adjustment |
| | - Uncontested Items | |
| | - Holdover Items | |
| | - Individual Items | |
| VIII. | Adjournment | |

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

- Review of Goals and Objectives David A. Neumann, Chairman Pg. 4

PUBLIC BRIEFING

- Texas Supreme Court decision of May 2, 2025, PDT Holdings, Inc. and Phillip Thompson Homes, Inc. dba Phillip Thompson Custom Homes v. City of Dallas and the Board of Adjustment of the City of Dallas, Case No. 23-0842. Pg. 8

CLOSED SESSION

- **Attorney Briefing (SEC. 551.071 T.O.M.A.) Seeking the advice of the City Attorney regarding** - PDT Holdings, Inc. and Phillip Thompson Homes, Inc. dba Phillip Thompson Custom Homes v. City of Dallas and the Board of Adjustment of the City of Dallas.

MISCELLANEOUS ITEM(S)

- Approval of Panel B Minutes – May 21, 2025 Pg. 28

UNCONTESTED CASE(S)

BOA-25-000017(BT) 899 N. STEMMONS FREEWAY Pg. 46
REQUEST: Application of Philip Kingston for **(1)** a special exception to the landscaping regulations.

BOA-25-000021(BT) 1106 WESTMOUNT AVENUE Pg. 69
REQUEST: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, **(2)** a special exception to the 20-foot visibility obstruction regulations at the driveway approach, and **(3)** a special exception to the fence opacity regulations.

BOA-25-000024(BT) 4000 COOLIDGE STREET Pg. 96
REQUEST: Application of Monique Everett for **(1)** a variance to the front-yard setback regulations.

BOA-25-000031(BT) 9757 LARGA DRIVE Pg. 126
REQUEST: Application of Elio Porras for **(1)** a variance to lot coverage regulations, and **(2)** a special exception to the side-yard setback regulations for a carport.

HOLDOVER

NONE

INDIVIDUAL CASES

BOA-25-000030(BT) 5451 VANDERBILT AVENUE Pg. 157
REQUEST: Application of Troy Stuckey for **(1)** a variance to the side-yard setback regulations.

CITY OF DALLAS
BOARD OF ADJUSTMENT

2024–2025 Goals and Objectives Update

Reporting Period: October 2024 – July 2025

Prepared by:

Mr. David A. Neumann, Chairman

Dr. Kameka Miller-Hoskins, Board Administrator/Chief Planner

Date: August 18, 2025

This report outlines progress made toward the Board of Adjustment's (BOA) adopted goals and objectives for the 2024–2025 fiscal year. It reflects the continued commitment of BOA staff and Board Members to uphold fairness, transparency, and operational excellence when citizens and property owners make application to the Board of Adjustment.

Adopted 2024 - 2025 Goals & Objectives

1. Ensure Fairness to every property owner who appeal to the Board of Adjustment (BOA) through Timeliness and Accuracy for a hearing, and Transparency to the public. Strive to consistently provide a fair and complete evaluation of all relevant facts from the applicant and staff on each appeal as they apply to a predefined standard.

- Application process streamlined via DallasNow
 - DallasNow is the city's new case management and permitting platform designed to streamline application processing, increase transparency, and support interdepartmental collaboration. BOA staff played a key role in tailoring the platform workflows to match the nuances of the variance and special exception submittal processes. This new platform allows for the following
 - Fully digital application submittal and document upload
 - Real-time case tracking accessible to applicants and staff
 - Automatic timestamping to help enforce timeliness
 - Centralized case file management with access to zoning, GIS, notification data, etc.
- Staff have placed greater emphasis on pre-submittal consultations, improving applicant understanding and reducing procedural confusion.
 - Pre-submittal consultations have resulted in more complete applications, fewer delays caused by incorrect or missing documentation, and a more enhanced understanding of BOA requirements by property owners.

2. Staff and Board to provide a public hearing for property owner appeals to BOA within 60 days on average from the taxpayer application. Potentially modify BOA Panel hearing caseload management in extraordinary circumstances. Continue to use a verifiable predefined consistent measurement of days from application to Hearing, (State law requires a hearing within 60 days for an Administrative Official appeal and 30 days for Plats)

- The average number of days from intake to hearing has significantly improved and now stands at just 54 days – well below the 60-day target. This achievement reflects the successful implementation of more efficient workflows, as well as extending application deadlines to minimize time between application and hearing decision. Staff has consistently worked hard to process cases more efficiently and effectively without compromising quality or accuracy.

3. Process Improvement: Review the appeals process for opportunities to streamline processes and remove unnecessary steps. Identify ways to make the application process more accessible to “non-professional” users and applicants. Panel hearings to be 100% attended by Members or Alternates (5 of 5) to ensure a full panel's deliberation for the applicant.

- Applicants can now submit all application materials through the DallasNow portal, significantly improving accessibility for non-professional users.
- The Board Secretary coordinates with the Chairman of the Board each month to anticipate member absences and fill those with available Alternate Members in an attempt to have full 5-member panels.

- From October 2024 to July 2025, there have been a total of 27 meetings. Of those 27 scheduled meetings, there were only four meetings where there was not a full 5-member panel.
- 85% of the meetings held had full five-member panels

4. Staff's comprehensive and technical analysis for appeal hearings utilizes current maps and information with enhanced photos and property comparisons to include the surrounding properties within 200 feet of the appeal location. Supplement with readily available technology for the Board. Staff to proofread all presentations to ensure improved accuracy.

- Staff have incorporated Google Street View, accompanied by zoning maps, notification maps, real-time photographs, and 360-degree videos to provide a more complete context of the property in question and the surrounding 200-foot properties.
- A new standing presentation review meeting is now held before each hearing to ensure accuracy and alignment across all case reports.

5. Website enhancements to include an interactive map and case lookup, adapted from the "pending cases" section of the website for cases current and past that, allows a user to find the case of their interest and immediately see filings, status and contact information about the case. Create a user friendly application flowchart/process to guide a property owner start to finish.

- The BOA webpage is being updated weekly and/or as needed to ensure proper updates are available to the public. Visual clutter has been improved.
 - The Pending Case Log tab on the website is a new feature that allows the public access to all new cases and application materials once it has been accepted and assigned to a Panel and Senior Planner.
- All relevant forms and documents are now updated weekly (or as needed) to ensure applicants have current materials.

6. Quarterly enhanced training of members/alternates on rules, conflicts of interest, criteria for decision making and onboarding of new appointees.

- The goal remains in progress, with a critical focus on new member onboarding. Staff is working to develop a new member orientation training that should be available to new members by September 30th.

CITY OF DALLAS

BOARD OF ADJUSTMENT

Proposed 2025–2026 Goals & Objectives Input Sheet and Recommendations to the
BOA Officers

Please use the space below to suggest new or revised goals and objectives for the
2025–2026 fiscal year. Numbered lines are provided for ease of reference and
discussion.

1.

2.

3.

4.

5.

6.

Supreme Court of Texas

No. 23-0842

PDT Holdings, Inc., and Phillip Thompson Homes, Inc. d/b/a
Phillip Thompson Custom Homes,

Petitioners,

v.

City of Dallas and the Board of Adjustment of the City of Dallas,

Respondents

On Petition for Review from the
Court of Appeals for the Fifth District of Texas

Argued January 15, 2025

JUSTICE BUSBY delivered the opinion of the Court.

Mistaken actions by city officials generally will not equitably estop the city from performing its governmental functions. But we have long recognized that estoppel may be necessary to prevent manifest injustice in exceptional cases where a citizen relies on affirmatively misleading government statements and suffers substantial loss as a result. We agree with the trial court that this is such an exceptional case.

Following a bench trial, the court rendered judgment estopping the City of Dallas from enforcing its residential-proximity-slope ordinance against a builder's completed over-height residential duplex. The court of appeals reversed, concluding this was not an exceptional case because the City simply erred in issuing a building permit for a noncompliant structure.

We agree that a mere mistake in issuing a permit is not sufficient for estoppel, but that is not what happened here. Instead, city officials affirmatively told the builder that 36 feet was the applicable height limit, issued an amended permit for that height after inspecting the construction, and stated that the duplex was "OK TO FINISH" even after they identified the ordinance violation. Accordingly, we hold that legally sufficient evidence supports the disputed elements of estoppel, and the trial court did not abuse its discretion in concluding estoppel is necessary to prevent manifest injustice.

BACKGROUND

PDT Holdings, Inc. and Phillip Thompson Homes, Inc. (collectively, "the Builder") develop property and construct residential homes and other structures across the Dallas–Fort Worth metroplex. One of the Builder's projects was to build a duplex townhome at 5230 Alcott Street in Dallas—an irregularly-shaped, 6000-square-foot residential lot with an existing single-family structure destined for demolition. To the north of the lot is a retail-use development; to its east, south, and west are other residential properties with existing structures.

Before preparing its construction plan, the Builder and its various agents met with city officials several times to verify any applicable restrictions, and the Builder's agent also conducted his own internet searches for restrictions. In response, city officials identified only a 36-foot maximum-building-height limit, and the Builder's internet searches revealed no other height-related restrictions.

With this information in mind, the Builder prepared and submitted a detailed construction plan to the City's planning and zoning department, seeking a permit to construct a three-story duplex with an overall height of around 36 feet. The City approved the Builder's plan and issued a permit shortly thereafter, authorizing the construction of the duplex exactly as shown on the plan. Construction began in October 2017, and the Builder signed a contract to sell a unit in the duplex one month later.

In January 2018, with construction in progress, the City sent an inspector to assess the structure's compliance with the City's Development Code. The inspector measured the structure's height and determined that the top of the parapet wall¹ on the roof slightly exceeded the 36-foot maximum-height limit. The City issued a stop-work order,

¹ Visually, a parapet wall is a vertical barrier atop and along the edge of a structure's roof. "The earliest known representation of a parapet wall comes from Mesopotamia," where its main use was as cover from bows, arrows, and other missiles during battle. M. S. Mate, *Parapet Crestings in Architectural Ornamentation*, 19 BULL. DECCAN COLL. POST-GRADUATE & RSCH. INST. 280, 280-81 (1959). Today, a parapet wall is used, among other things, to conceal equipment on a structure's rooftop, prevent falls, or reduce wind loads. Rose Peterson, *Parapet Roof Design (Explained)*, BETTER THAT HOME (Apr. 20, 2025), <https://betterthathome.com/parapet-roof-design/>.

citing the parapet wall's height and halting construction until the Builder amended its construction plan.

Although the Builder disagreed with the City's citation, it nevertheless amended its existing plan, incurring reconstruction and compliance costs of about \$7,500. The amended plan changed only the parapet height; everything else, including the structure's overall height of 36 feet, remained the same. The City promptly approved the amended plan, issued another permit, and lifted its stop-work order. In turn, the Builder quickly resumed construction.

Six months into construction and with the duplex 90 percent complete, the City issued another stop-work order in April 2018. As before, the City's citation concerned the structure's overall 36-foot height. But this time, the structure's noncompliance was measured against a height restriction that city officials did not originally mention and the Builder's searches did not reveal: the residential-proximity-slope (RPS) ordinance. *See* DALLAS, TEX., CODE § 51A-4.412. This ordinance restricts a structure's maximum height based on, among other things, the property's zoning category and its proximity to residential properties.² The City asserted that under the RPS ordinance, a structure on this property could not exceed a height of

² A "residential proximity slope," as contemplated in the City's Development Code, "is a plane projected upward and outward" at a specified angle depending on the applicable zoning category. *See* DALLAS, TEX., CODE § 51A-4.412(b). The plane begins at the property line of a nearby residential lot and prevents any portion of a planned structure over 26 feet in height from being located above the plane.

26 feet³—10 feet lower than the height shown on the Builder’s approved plans and issued permits.

After receiving the stop-work order, the Builder, confused about the RPS ordinance’s features, contacted city officials to discuss how the structure was noncompliant. Without offering an explanation, city officials advised the Builder to apply for a variance from the Board of Adjustment (BOA).⁴ The Builder filed an application for a ten-foot height variance, arguing that extreme waste would otherwise result from the destruction of a near-complete residential structure.

The BOA set a hearing on the Builder’s variance request for May 2018. Before the scheduled hearing date, the City voluntarily lifted its stop-work order, informing the Builder that it was “OK TO FINISH” constructing the duplex. Yet the hearing still occurred as scheduled. The Builder’s representative testified, as did several neighboring homeowners who protested the structure’s height and blamed the City for permitting a noncompliant structure. The City recommended that

³ Because the area is zoned as MF-2(A), the RPS plane is projected upward at a 45° angle from the property line and terminates at a distance of 50 feet. *See* DALLAS, TEX., CODE § 51A-4.412(c). Given the location of the property line and the position of the Builder’s structure on the lot, the City took the position that the plane intersected the structure, thereby limiting its height to 26 feet.

⁴ TEX. LOC. GOV’T CODE § 211.009(a) (“The board of adjustment may . . . authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done . . .”).

the Builder’s variance request be denied, and the BOA denied it without prejudice.

One week later, the Builder filed a second variance request that received the City’s support. The BOA denied that request too, this time with prejudice. Without the variance, the Builder’s duplex—now 95 percent complete at a cost of over \$1 million—was unusable: a certificate of occupancy would not issue until a final inspection of the structure occurred, which could not be passed absent compliance with the RPS ordinance.

The Builder sued,⁵ seeking to estop the City from enforcing the RPS ordinance under various equitable theories including estoppel, laches, and waiver.⁶ Following a bench trial, the trial court signed the Builder’s proposed judgment, which provided, among other things, that the City was estopped “from enforcing . . . [the RPS ordinance] or any ordinance related to the height of the structure . . . in existence at the time the plans were approved and permits were issued in 2017 and which the City did not raise prior to January 2018.” Without requesting findings of fact or conclusions of law, the City appealed.

The court of appeals reversed. 703 S.W.3d 409 (Tex. App.—Dallas 2023). Applying our decision in *City of White Settlement v. Super Wash*,

⁵ TEX. LOC. GOV’T CODE § 211.011(a)(1) (allowing “a person aggrieved by a decision of the board” to “present to a district court . . . a verified petition stating that the decision of the [BOA] is illegal in whole or in part”).

⁶ While the case was pending, the trial court granted the parties’ joint motion to abate and remand to the BOA. A third hearing was held in May 2020 on the Builder’s same variance request, again with the City’s support. But the BOA again denied the request, leading the Builder to file its live (third amended) petition.

Inc., 198 S.W.3d 770 (Tex. 2006), the court held that justice did not require equitable estoppel against the City. 703 S.W.3d at 419. Even after “imply[ing] all findings necessary to support the judgment” in the Builder’s favor, *id.* at 413 n.3, the court of appeals concluded nothing in the record showed an affirmative misrepresentation by the City or a benefit to the City from the Builder’s reliance on the City’s mistakes, *see id.* at 417, 418. It also found the Builder’s argument that it reasonably relied on the City’s actions “unpersuasive” because the RPS ordinance was a matter of public record. *Id.* Thus, the court concluded this case was not among those “exceptional cases where the circumstances clearly demand [estoppel’s] application to prevent manifest injustice.” *Id.* at 419 (quoting *Super Wash*, 198 S.W.3d at 774). This petition followed.

ANALYSIS

The Builder’s petition presents two issues: one concerning the standard of review and the other regarding whether the law and the record support the trial court’s judgment estopping the City from enforcing its RPS ordinance against the Builder. We conclude that under the correct standards of review, the trial court’s judgment must be reinstated and the court of appeals’ judgment reversed.

I. Standard of review and applicable law

“The purpose of estoppel[] is to prevent inconsistency and fraud resulting in injustice.” *Kuehne v. Denson*, 219 S.W.2d 1006, 1009 (Tex.

1949) (quoting 31 C.J.S., *Estoppel*, § 1).⁷ Equitable estoppel requires proof of five elements:

- (1) a false representation or concealment of material facts;
- (2) made with knowledge, actual or constructive, of those facts;
- (3) with the intention that it should be acted on;
- (4) to a party without knowledge or means of obtaining knowledge of the facts;
- (5) who detrimentally relies on the representations.

Shields Ltd. P'ship v. Bradberry, 526 S.W.3d 471, 486 (Tex. 2017) (internal quotation marks omitted); *see also Gulbenkian v. Penn*, 252 S.W.2d 929, 932 (Tex. 1952). In addition, when equitable estoppel is invoked against a municipality, the case must be an exceptional one in which “justice requires” estoppel and its application would not “interfere[] with the exercise of . . . governmental functions.” *Super Wash*, 198 S.W.3d at 774 (quoting *City of Hutchins v. Prasifka*, 450 S.W.2d 829, 836 (Tex. 1970)).

Whether equitable estoppel applies is a question for a court to decide. *Burrow v. Arce*, 997 S.W.2d 229, 245 (Tex. 1999). Different parts of that question are governed by different standards of review.

If there is a dispute of material fact regarding one or more of the five elements of equitable estoppel, that dispute must be resolved by the finder of fact. *See Huynh v. Blanchard*, 694 S.W.3d 648, 673, 675 (Tex.

⁷ American courts sitting in both law and equity historically rooted estoppel in the principle “that no man may take advantage of his own wrong.” *Glus v. Brooklyn E. Dist. Terminal*, 359 U.S. 231, 232 & n.6 (1959) (collecting cases). Similarly, Texas courts have long recognized that estoppel “is for the protection of those who have been misled by that which upon its face was fair, and whose character as represented parties to the deception will not, in the interest of justice, be heard to deny.” *Davis v. Allison*, 211 S.W. 980, 984 (Tex. 1919).

2024); *State v. Tex. Pet Foods, Inc.*, 591 S.W.2d 800, 803 (Tex. 1979). In this appeal from a judgment following a bench trial where no factual findings were requested, all necessary findings supported by the evidence are implied, and the legal and factual sufficiency standards of review govern appellate challenges to those findings. *See BMC Software Belg., N.V. v. Marchand*, 83 S.W.3d 789, 795 (Tex. 2002); *Roberson v. Robinson*, 768 S.W.2d 280, 281 (Tex. 1989).

In contrast, “[t]he [trial] court, not the [factfinder], determines whether” the case is an exceptional one requiring estoppel against a municipality. *Super Wash*, 198 S.W.3d at 774. Because this part of the question concerns the expediency, necessity, and propriety of equitable relief, *id.*, an appellate court reviews the trial court’s decision for abuse of discretion. *See Huynh*, 694 S.W.3d at 673-74. A court abuses its discretion when it errs in determining what the law is or applying the law to the facts, or when it could reasonably have reached only one decision on the record yet fails to do so. *See Walker v. Packer*, 827 S.W.2d 833, 840 (Tex. 1992).

In Part II of this opinion, we address whether legally sufficient evidence supports the trial court’s implied findings on the challenged elements of equitable estoppel. We then consider in Part III whether the trial court abused its discretion in concluding that this is an exceptional case requiring estoppel against the City.

II. There is legally sufficient evidence of the challenged elements of equitable estoppel.

The City contends that there is legally insufficient evidence of the following elements of equitable estoppel: (1) that the City falsely

represented material facts; (2) that the Builder lacked knowledge or means of obtaining knowledge of those facts falsely represented; and (3) that the Builder detrimentally relied on the false representation. We address each element in turn. The evidence is legally sufficient if there is more than a scintilla of evidence from which a reasonable trier of fact could find the element to be true. *See 4Front Engineered Sols., Inc. v. Rosales*, 505 S.W.3d 905, 908-09 (Tex. 2016).

A. False representation

First, the City argues that its approval of construction plans exceeding the maximum height permitted under the RPS ordinance was not “a false representation or concealment of material facts”; rather, it was an unintentional oversight. But the intent of a misrepresentation is not material to this element: what matters in determining whether the City made a false representation is whether its representation was in fact untrue.⁸ There is more than a scintilla of evidence that the City made false representations to the Builder and its agents.

When the Builder asked city officials about applicable restrictions, they identified only a 36-foot maximum-height limit, not the 26-foot limit imposed under the RPS ordinance. After the Builder amended its construction plan to address the City’s first height-related stop-work order, the City conducted its own inspection and issued a

⁸ *City of Houston v. McDonald*, 946 S.W.2d 419, 421-22 (Tex. App.—Houston [14th Dist.] 1997, writ denied); *False Representation*, BLACK’S LAW DICTIONARY (12th ed. 2024) (directing reader to definition of misrepresentation, which is “a materially incorrect, unfair, or false statement; an assertion that does not accord with the facts”; and it “need not be fraudulent to amount to a misrepresentation”).

second permit, again approving the construction of a 36-foot-high structure. And although the City did eventually issue a stop-work order based on the RPS ordinance, it later lifted that order, stating “OK TO FINISH.”

As the Builder later found out, these representations were false. The applicable height restriction under city ordinances was not in fact 36 feet; it was 26 feet. The Builder was not entitled to an amended permit for the 36-foot-high structure the City inspected. And that structure was not OK to finish under the RPS ordinance.

B. Lack of means to obtain knowledge

Second, the City argues that the RPS ordinance was a matter of public record and therefore easily discoverable through due diligence. “A party claiming an estoppel must have used due diligence to ascertain the truth of the matters upon which he relies in acting to his detriment.” *Barfield v. Howard M. Smith Co. of Amarillo*, 426 S.W.2d 834, 838 (Tex. 1968). If the facts “were known to a person or were open for his convenient ascertainment,” that person cannot “rely[] on [the] representation pertaining thereto and . . . cannot effectively say that he was misled or deceived by [the] representation[].” *Id.*

Here, there is more than a scintilla of evidence that the Builder used due diligence yet did not discover the RPS ordinance. The Builder’s representative testified that his internet searches did not reveal the ordinance.

Moreover, as we explain in more detail later, our cases recognize that a party’s failure to discover a government restriction will not prevent estoppel when that failure is attributable to affirmative

government misdirection. *See Roberts v. Haltom City*, 543 S.W.2d 75, 80 (Tex. 1976) (holding deemed notice of city charter provision did not prevent estoppel where plaintiff’s “ignorance of the charter provision was primarily attributable to the actions of the city officials”); *see also Mosley v. Tex. Health & Hum. Servs. Comm’n*, 593 S.W.3d 250, 263, 267-68 (Tex. 2019) (rejecting argument that plaintiff had obligation to discover and comply with government requirement that was contrary to instructions government provided). Here, the record includes evidence that the City affirmatively told the Builder that the applicable building-height limit was 36 feet—not the 26 feet imposed by the RPS ordinance—and that construction was OK to finish.

C. Detrimental reliance

Third, the City argues that the Builder’s reliance on its issued permits was not reasonable because those permits contained language cautioning that they did not authorize a violation of city ordinances. But as explained above, the City did more than just issue the permits: the evidence shows that the City falsely represented the applicable building height to the Builder, and that the Builder was unaware the City’s guidance was (or even could be) erroneous. *See Mosley*, 593 S.W.3d at 263-64, 268 (holding government misdirection violates due process where plaintiff is “not aware of any problem at all with simply following the instructions given”). In addition, there is evidence that the Builder spent over \$1 million to build the duplex in reliance not only on the original and amended permits but also on the City’s inspection and decisions to lift the stop-work orders.

For these reasons, we conclude there is sufficient evidence of the elements of equitable estoppel challenged by the City.

III. This is an exceptional case requiring estoppel against the City.

In addition to proving each element of equitable estoppel, a party seeking estoppel against the government must also show that its case is among the “exceptional cases where the circumstances clearly demand [estoppel’s] application to prevent manifest injustice.” *Super Wash*, 198 S.W.3d at 773 (quoting *Prasifka*, 450 S.W.2d at 836). *Super Wash* reiterated our long-held general rule “that a city cannot be estopped from exercising its governmental functions.” *Id.*⁹ In *City of San Angelo v. Deutsch*, for example, we refused to estop the city from enforcing its tax lien, reasoning that “a municipality is not estopped by the unauthorized acts of its officer or agent, or by his wrongful act.” 91 S.W.2d 308, 310 (Tex. 1936).¹⁰ Applying the general rule, we have held

⁹ This general rule barring estoppel against cities, as set forth in *Super Wash*, is derived from our general rule barring estoppel against the State. See *Marsalis v. Garrison*, 27 S.W. 929, 932 (Tex. App.—Fort Worth 1894, no writ). Although cities “represent no sovereignty distinct from the [S]tate,” *Payne v. Massey*, 196 S.W.2d 493, 495 (Tex. 1946), no party argues that this distinction counsels overruling *Super Wash* and its progeny. The general bar on estoppel against the State and the limited exception to that general rule in the state-specific estoppel context have long been recognized under Texas law. See *Saunders v. Hart*, 57 Tex. 8, 10 (1882).

¹⁰ See also *City of San Antonio v. Pigeonhole Parking of Tex., Inc.*, 311 S.W.2d 218, 223 (Tex. 1958) (no estoppel against city exercising governmental authority); *Tex. Co. v. State*, 281 S.W.2d 83, 88 (Tex. 1955) (no estoppel against state recovering lands and minerals); *Rolison v. Puckett*, 198 S.W.2d 74, 77 (Tex. 1946) (no estoppel against city asserting tax foreclosure); *Republic Ins. Co. v. Highland Park Indep. Sch. Dist.*, 171 S.W.2d 342, 346 (Tex. [Comm’n Op.] 1943) (no estoppel against city collecting tax assessment).

that a landowner could not estop a city from enforcing its zoning ordinance based on a later city resolution changing the property's zoning classification that proved to be ineffective. *See Prasifka*, 450 S.W.2d at 834-36. We have also held that a purchaser of property could not estop the government from enforcing a judgment favorable to its title based on a later judgment favorable to the purchaser's title that was eventually declared void. *See Tex. Dep't of Transp. v. A.P.I. Pipe & Supply, LLC*, 397 S.W.3d 162, 170 (Tex. 2013).

Our cases have also recognized a limited exception to this general rule: "a municipality may be estopped in those cases where justice requires its application, and there is no interference with the exercise of its governmental functions." *Super Wash*, 198 S.W.3d at 774 (quoting *Prasifka*, 450 S.W.2d at 836). Although "this exception is available only in exceptional cases where the circumstances clearly demand its application to prevent manifest injustice," *id.* (internal quotation marks omitted), we have applied the exception in cases where city officials led the plaintiff to believe that certain legal requirements had been met or waived, *see City of San Antonio v. Schautteet*, 706 S.W.2d 103, 105 (Tex. 1986); *Roberts*, 543 S.W.2d at 78-79.

Whether the exception applies is a two-part inquiry: (1) whether "justice requires [the] application" of estoppel in these circumstances; and (2) whether estoppel will "interfere" with the "future performance of [a] governmental function." *Super Wash*, 198 S.W.3d at 774, 776. We consider each part in turn to determine whether the trial court abused its discretion in concluding that the exception applies here.

A. Justice requires estoppel against the City.

We observed in *Super Wash* that our cases discussing when “justice requires estoppel” have involved “evidence that [(1)] city officials may have affirmatively misled the part[y] seeking to estop the city,” and (2) the party “would [be] completely denied relief” absent estoppel because no “other remedies [are] available . . . that it has yet to pursue.” *Id.* at 775.¹¹ We also noted the relevance of evidence regarding whether (3) “the misleading statements resulted in . . . permanent loss” or estoppel is “necessary for [the party’s] continued operation,” (4) the ordinance “was a matter of public record and discoverable by [the party] before it purchased the [property],” and (5) “the City acted quickly—within days of learning of its error—to notify [the party] of the [o]rdinance.” *Id.*

These considerations support the trial court’s application of equitable estoppel here. First, this is not a case involving a city official’s mere mistaken issuance of a building permit or mistaken acquiescence in an ordinance violation. Instead, there is evidence that city officials affirmatively misled the Builder regarding the overall height limit of the structure and whether it could be completed as permitted. Three months after granting a permit for a 36-foot-high structure, the City issued a stop-work order, citing the violation of a height-related

¹¹ See also *Roberts*, 543 S.W.2d at 78-80; *Krause v. City of El Paso*, 106 S.W. 121, 123 (Tex. 1907) (“Why should a municipal corporation, which has led a citizen into error and caused him to expend large sums of money in the erection of permanent improvements . . . , be permitted to destroy the improvements . . . simply to assert a legal right? A sense of justice common to all civilized people revolts at such a rule of legalized wrong.”).

restriction concerning the structure’s parapet wall. It later conducted a height inspection and approved the Builder’s amended plan, which included the same overall height of 36 feet. Then, six months into construction and with the project about 90 percent complete, the City finally issued a stop-work order identifying the overall height violation of the RPS ordinance. Just a few days later, it rescinded that order as well—stating “OK TO FINISH”—and allowed the Builder to fully complete construction. Considered together, this evidence shows that the City’s actions affirmatively misled the Builder into constructing a noncompliant structure.

Second, there is evidence that the Builder would be completely denied relief absent estoppel. The Builder unsuccessfully sought a variance three times; no other remedies were available that it had yet to pursue. The City argues that the Builder could also have challenged the variance denials in court. But variances involve significant discretion,¹² and there is no indication that the variance denials were faulty for any reason other than the same estoppel-based considerations at issue here.

Third, there is evidence that the City’s affirmative misrepresentation will result in permanent loss. The Builder’s representative testified that the most feasible way to comply with the RPS ordinance at this point would be to raze the structure—which cost over \$1 million to build—and construct a new, shorter one.

¹² See 2 AM. LAW ZONING § 13:26 (5th ed.) (“[T]he board retains significant discretion to evaluate variance applications on a case to case basis . . .”).

Fourth, although the RPS ordinance was a matter of public record, our cases have recognized that affirmative misdirection can overcome constructive notice. We have applied estoppel against a city “demand[ing] strict compliance with [its] charter provisions,” for example, where city officials “so conducted themselves as to lull the claimant into a sense of security, causing him to think they were waiving said charter provision.” *Cawthorn v. City of Houston*, 231 S.W. 701, 706 (Tex. Comm’n App. 1921, holding approved, judgm’t adopted).¹³ And more recently in *Mosley*, we explained that although “parties have an obligation to discover and satisfy” applicable government regulations, that obligation “is in tension with” the government’s obligation not to “publish[] an erroneous regulation” misdirecting a party “and then blam[e] the [party for] fail[ing] to discover the regulation was wrong all along.” 593 S.W.3d at 263-64. Where the party has “no independent knowledge” of a government requirement and is “not aware of any problem at all with simply following the [misleading] instructions given her by the [government],” the government may not hold her to that requirement. *Id.* at 268. As explained above, that is what happened here.¹⁴

¹³ See also *Roberts*, 543 S.W.2d at 78 (“While it is settled law that ignorance of a charter provision does not excuse compliance therewith, this court in exercising its equitable powers under the doctrine of estoppel cannot ignore the practical effect of the conduct of the city officials” that “led [the plaintiff] to believe that the [provision] was waived.”).

¹⁴ The situation would be materially different if there were evidence that a city purposefully or collusively violated the law in order to trigger equitable estoppel. Our precedent does not support the notion that a city can invite estoppel by granting authorization for something it wants but knows to be improper.

Fifth, the City did not act quickly in notifying the Builder of the RPS ordinance. The first time it mentioned the ordinance to the Builder was over six months after issuing the original permit—when the structure was 90 percent complete. And even after notifying the Builder of its noncompliance, the City lifted its stop-work order, allowing construction to continue to completion.

For its part, the City argues that it cannot be estopped absent “[e]vidence that city officials acted deliberately to induce a party to act in a way that benefitted the city but prejudiced the party.” *Super Wash*, 198 S.W.3d at 775. According to the City, it received no benefit from approving a structure that did not comply with the RPS ordinance, so the exception to the general rule barring estoppel should not apply.

We disagree. *Super Wash* said that evidence of a city receiving a benefit “*weighs in favor* of applying the exception,” not that such evidence is required. *Id.* (emphasis added). We similarly noted in a later case that “we have applied estoppel to prevent manifest injustice” in cases of government benefit—concluding, there, that “no evidence suggests . . . that [the city] benefitted.” *A.P.I. Pipe*, 397 S.W.3d at 170. But our decision did not suggest that evidence of the government receiving a benefit was required.

Instead, we went on to explain why that case was different from *Roberts* and *Schautteet*. See *A.P.I. Pipe*, 397 S.W.3d at 170 & n.36. As already explained, those cases applied estoppel against the government in circumstances similar to those here. On this record, the trial court could reasonably have reached only one decision: justice requires

estoppel against the City. Accordingly, we hold the trial court did not abuse its discretion.

B. Estoppel would not interfere with future performance of governmental functions.

Turning to the second part of the inquiry, we took the opportunity in *Super Wash* “to clarify what it means to ‘interfere’ with a governmental function.” 198 S.W.3d at 776. “[T]he relevant inquiry is whether estopping the city in a single instance will bar the future performance of that governmental function or impede the city’s ability to perform its other governmental functions” or “affect public safety.” *Id.* at 776, 777.

Everyone agrees that the functions of municipal government implicated here are zoning and planning.¹⁵ The City contends that applying estoppel here would leave it unable to answer the concerns of neighbors regarding the Builder’s over-height structure, impairing its ability to perform these governmental functions.¹⁶ But “precluding a city from performing a specific governmental function in a single instance is not *per se* interference with its governmental functions.” *Id.*

¹⁵ See TEX. CIV. PRAC. & REM. CODE § 101.0215(a)(29) (including “zoning, planning, and plat approval” among “governmental functions” for which a municipality can be held liable); *Super Wash*, 198 S.W.3d at 776-77 (consulting the Tort Claims Act’s “nonexclusive list of specific, municipal functions” to assess whether certain functions are governmental).

¹⁶ Nothing in this opinion should be construed to affect any remedies that the neighbors may have against either party. Whether a court, in deciding whether justice requires estoppel, should take into consideration the severity of any injustice neighbors will likely face from its application is a question we leave open for a future case where it is raised by the evidence.

at 776. Nothing in the record indicates that allowing this single over-height structure to remain would bar future enforcement of the RPS ordinance in other instances or hinder the City's ability to ensure public safety. The trial court thus did not abuse its discretion in concluding that estoppel would not interfere with a governmental function.

CONCLUSION

Having concluded that the trial court's implied factual findings were supported by legally sufficient evidence and that the trial court did not abuse its discretion by concluding that this is an exceptional case requiring estoppel against the City, we hold that the court of appeals erred in reversing the trial court's judgment. We therefore reverse the court of appeals' judgment and reinstate the trial court's judgment that the City is estopped from enforcing the RPS ordinance against the Builder. *See* TEX. R. APP. P. 60.2(c).

J. Brett Busby
Justice

OPINION DELIVERED: May 2, 2025

BOARD OF ADJUSTMENT

Panel B Minutes

May 21, 2025

DRAFT



6ES Briefing Room

24974849659@dallascityhall.webex.com

Cheri Gambow, Vice-Chair

PRESENT: [5]

Cheri Gambow, Vice-Chair	
Joe Cannon	
Parker Graham	
Phil Sahuc	
Michael Dorn	

ABSENT: [1]

Sarah Lamb	

Vice-Chair Gambow called the briefing to order at **10:49 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Gambow 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 B, April 16, 2025, Meeting Minutes.

Motion was made to approve Panel B, April 16, 2025, Public Hearing Minutes.

Maker:	Joe Cannon				
Second:	Parker Graham				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc & Michael Dorn
		Against:	-	0	

- Approval of the amended Board of Adjustment Rules and Procedures changes.

Maker:	Joe Cannon				
Second:	Phil Sahuc				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc & Michael Dorn
		Against:	-	0	

UNCONTESTED CASES

1. 1 DORSET PLACE

BDA245-062(BT)

BUILDING OFFICIAL'S REPORT: Application of Sardar Sharif for **(1)** a special exception to the fence-height regulations; and **(2)** a special exception to the visibility obstruction regulations at **1 DORSET PLACE**. This property is more fully described as Block D/5532, Lot 8, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a 7-foot 3-inch-high fence in a required front-yard, which will require **(1)** a 3-foot 3-inch special exception to the fence height regulations; and the applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require **(2)** a special exception to the 20-foot visibility obstruction regulations.

LOCATION: 1 Dorset Place

APPLICANT: Sardar Sharif

REQUEST:

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT AND VISUAL OBSTRUCTION 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 nor constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

The subject site along with surroundings properties are developed with single-family homes.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Sardar Sharif for the property located at 1 Dorset Place focuses on two requests relating to the fence height and fence opacity regulations.
- The applicant is proposing to construct and maintain a 7-foot 3-inch high fence and gate within the required front-yard, which will require a 3-foot 3-inch special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the 20-foot visibility obstruction triangle at the drive approach. The applicant seeks to allow a call box to be located within the visibility triangle.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 7-foot 3-inch-high combination of stucco columns and wrought iron fencing.
- The applicant has the burden of proof in establishing that the special exception to both the fence height regulation and the visual obstruction regulations will not adversely affect the neighboring properties nor constitute a traffic hazard.
- Granting the special exception to the fence height regulation and the visual obstruction regulations, with a condition that the applicant complies with the submitted site plan and

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

- 200' Radius Video: [BDA245-062 at 1 Dorset Pl](#)

Timeline:

- March 28, 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.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **B**.
- April 18, 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 **April 23, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **May 9, 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.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **May** 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: Sardar Sharif, 1 Dorset Place, Dallas TX 75229
Mark Rose, 16633 Dallas Pkwy., Dallas TX 75001

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 245-062 – Application by Sardar Sharif for a special exception to the height requirement for fences and a special exception to the visual obstruction regulation in the Dallas Development Code is granted subject to the following condition:

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

Maker:	Joe Cannon				
Second:	Phil Sahuc				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc & Michael Dorn
		Against:	-	0	

HOLDOVER CASES

2. 1427 EASTUS DRIVE

BDA245-017(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for (1) a variance to the front-yard setback regulations at **1427 EASTUS DRIVE**. This property is more fully described as Block 5920, Lot 3, and is zoned R-7.5(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 7-foot 6-inch front-yard setback, which will require **(1)** a 17-foot 6-inch variance to the front-yard setback regulations.

LOCATION: 1427 Eastus Drive

APPLICANT: Rob Baldwin

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

26.01 of the Texas Tax Code.

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

STAFF RECOMMENDATION:

Variance:

Approval

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

- A. Contrary to the public interest, staff received letters of opposition.
- B. Lot is restrictive in **buildable area, and irregularly shaped**, it is a corner lot with front-yard setbacks facing both Eastus Drive and W. Greenbriar Lane; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	R-7.5(A) (Single Family District)
<u>North:</u>	R-7.5(A) (Single Family District)
<u>East:</u>	R-7.5(A) (Single Family District)
<u>South:</u>	R-7.5(A) (Single Family District)
<u>West:</u>	R-7.5(A) (Single Family District)

Land Use:

The subject site is vacant, all surrounding properties are developed with single family uses.

Lot Square Footage:

This lot size is 9,135 square feet. (0.210 of an acre)

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 1437 Eastus Drive focuses on one request relating to a variance to the front-yard setback regulations.

- The applicant is requesting a variance to the front-yard setback regulations along W. Greenbriar Lane.
- The applicant original proposal was to construct and maintain a residential structure and provide a 7-foot 6-inch front-yard setback, which will require a 17-foot 6-inch variance to the front-yard setback regulations along W Greenbriar Lane.
- The applicant provided revised plans, reducing the front-yard setback to 15-foot 10-inch, which will require a 9-foot 2-inch variance to the front-yard setback regulations along W Greenbriar Lane.
- The subject site is vacant, surrounding properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a corner lot, having a 25-foot front-yard setback along Eastus Drive and a 25-foot front-yard setback along W. Greenbriar Lane.
- Subject lot is zoned R-7.5(A) which requires a minimum lot size of 7,500 square feet (0.115 of an acre).
- Subject lot size is 9,135 square feet (0.210 of an acre)
- Buildable area without the variance is 4,236 square feet compared to the maximum buildable area with variance is 5,443 square feet. The applicant is requesting 3,978 square feet.
- Per staff's review of the subject site, it has been confirmed that the single-family structure is proposed on a vacant lot.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the front-yard setback 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 Section 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 7

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 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: [BDA245-017 at 1427 Eastus Dr](#)

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, 2024: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **B**.

January 24, 2024: Planning and Development Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the January 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.

February 19, 2025: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, February 19, 2025, moved to **HOLD** this matter under advisement until **April 16, 2025**.

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

- 1:00 p.m., **April 4, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.

April 16, 2025: The Board of Adjustment Panel **B**, at its public hearing held on Wednesday, April 16, 2025, moved to **HOLD** this matter under advisement until **May 21, 2025**.

April 17, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:

- 1:00 p.m., **May 9, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.

May 7, 2025: Applicant provided revised plans.

May 9, 2025: Applicant provided revised plans.

Speakers:

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

Against: No speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-017, on application of Rob Baldwin, **GRANT** the 17-foot 6-inch variance to the front-yard setback regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	Joe Cannon					
Second:	Phil Sahuc					
Results:	5-0 Unanimously					Motion to grant
		Ayes:	-		5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc and Michael Dorn
		Against:	-		0	

INDIVIDUAL CASES

3. 6442 E. LOVERS LANE

BDA245-060(CJ)

BUILDING OFFICIAL'S REPORT: Application of Kevin Graham for **(1)** a special exception to the single-family use regulations, and for **(2)** a variance to the floor area regulations at 6442 E. Lovers Lane. This property is more fully described as Block 9/5419, Lot 9, and is zoned R-7.5(A), which limits the number of dwelling units to one, and prohibits an accessory structure from exceeding 25 percent of the floor area of the main structure. The applicant proposes to construct and/or maintain an accessory dwelling unit (for rent), which will require **(1)** a special exception to the single-family zoning use regulations, and to construct and/or maintain a single family residential accessory dwelling unit with 542 square feet of floor area (28% of the 1,933 square foot floor area of the main

structure), which will require **(2)** a 59 square foot variance to the floor area ratio regulations.

LOCATION: 6442 E. Lovers Lane

APPLICANT: Kevin Graham

REQUEST:

- (1) A request for a special exception to the single-family use regulations; and
- (2) A request for a variance to the floor area for structures accessory to single-family use regulations.

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

Section 51A-4.209(b)(6)(E)(iii)(aa) of the Dallas Development Code states that the board of adjustment may grant a special exception to authorize a rentable accessory dwelling unit in any district when, in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties:

(bb) If a minimum of one additional off-street parking space is not provided, the board shall determine if that will create a traffic hazard. The board may require an additional off-street parking space be provided as a condition of granting this special exception.

(cc) In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to require owner-occupancy on the premises and to annually register the rental property with the city's single family non-owner-occupied rental program.

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure

as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.

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

STAFF RECOMMENDATION:

1. Special Exceptions (1):
No staff recommendation is made on this request.
2. Variance (1) to the **floor area for structures accessory to single-family use** regulations

Denial

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. The subject site is not restrictive via its size (approx. 8,712 sq ft), shape or slope; therefore, the property can be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 6442 E. Lovers Lane within the last 5 years.

Square Footage:

This lot contains 8,712 of square feet or .2 acres.

This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet per dwelling unit for single-family residential structures.

Site: R-7.5(A) Zoning District

North: PD-652 Zoning District

East: R-7.5(A) Zoning District

South: R-7.5(A) Zoning District

West: R-7.5(A) Zoning District

Land Use:

The subject site and areas to the south, east, and west are zoned R-7.5(A) and areas to the north are zoned with uses permissible in PD-652.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Kevin Graham located at 6442 E. Lovers Lane focuses on two requests relating to the single-family zoning use regulations and the floor area for structures accessory to single-family use regulations.
- The applicant proposes to construct and/or maintain an accessory dwelling unit (for rent), which will require a special exception to the single-family use regulations.
- Secondly, the applicant is proposing to construct and/or maintain a single family residential accessory structure with 542 square feet of floor area (28% of the 1,933 square foot floor area of the main structure), which will require a 59 square foot variance to the floor area ratio regulations.
- The subject site has single street frontage on E. Lovers Lane.
- The subject site along with surrounding properties to the north, south, east and west are zoned with uses permissible in the R-7.5(A) zoning district. Areas to the north are zoned as Planned Development 652.
- The subject site is currently developed with a single-family residential structure and is located within an established neighborhood.
- The applicant has the burden of proof in establishing that granting the special exception to the single-family use regulations will not adversely affect neighboring properties.
- Granting the special exception to the single-family use 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.
- Granting the special exception to the single-family use regulations would also require the applicant to deed restrict the subject property to require owner-occupancy on the premises and to annually register the rental property with the city's single family non-owner-occupied rental program.

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 Section **51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

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

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

- Granting the proposed variance below, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - 59 square foot variance to the floor area regulations.
- 200' Radius Video: [BDA245-060at 6442 E. Lovers Lane](#)

Timeline:

- March 27, 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.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **B**.
- April 18, 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 April 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and May 9, 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.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the May 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: Nicole Rodriguez, 6442 E. Lovers Lane, Dallas TX 75214
Kevin Graham, 8342 Forest Hill, Dallas TX 75218

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in request No. BDA 245-060, on application of Kevin Graham, **GRANT** the request to construct and maintain an accessory dwelling unit on a site developed with a single family structure as a special exception to the single family use regulations requirements in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring properties.

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

- a. Compliance with the submitted site plan is required; and
- b. The property must be deed restricted to require that the property owner reside in the main structure or the accessory dwelling unit if one dwelling unit is used as rental accommodations and annually register the rental property with the city's single family non-owner-occupied rental program.

Maker:	Parker Graham				
Second:	Joe Cannon				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc and Michael Dorn
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 245-060, on application of Kevin Graham, **GRANT** 59-square-foot variance to the floor area ratio regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

Maker:	Parker Graham				
Second:	Phil Sahuc				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc and Michael Dorn
		Against:	-	0	

4. 3266 S. EDGEFIELD AVENUE

BDA245-067(BT)

****This Case was heard first****

BUILDING OFFICIAL'S REPORT: Application of Jesus Aguillon for **(1)** a special exception to the fence-height regulations; and **(2)** a special exception to the fence standard regulations at **3266 S. EDGEFIELD AVENUE**. This property is more fully described as Block 4/6025, Lot 3, and is zoned R-7.5(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain an 9-foot 7-inch high fence in a required front-yard, which will require **(1)** a 5-foot 7-inch special exception to the fence height regulations along Grayson Drive; 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 standard regulations.

LOCATION: 3266 S. Edgefield Avenue

APPLICANT: Jesus Aguillon

REQUEST:

- (4) A request for a special exception to the fence height regulations; and
- (5) A request for a special exception to the fence standard regulation relating to opacity.

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

Land Use:

The subject site along with surroundings properties are developed with single-family homes.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jesus Aguillon for the property located at 3266 S. Edgefield Avenue focuses on two requests relating to the fence height and fence opacity regulations.
- The first request, the applicant is proposing to construct and maintain a 9-foot 7-inch high fence and gate in a required front-yard, which will require a 3-foot 3-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.
- As illustrated on the submitted site plan and elevations, the 9-foot 7-inch-high board on board fence was constructed without permit approval.
- The applicant plans to remove all fencing from the 20-foot visual obstruction near the alley along Grayson Drive.
- The applicant has the burden of proof in establishing that the special exception to the fence standard 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: [BDA245-067 at 3266 S Edgefield Ave](#)

Timeline:

- April 2, 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.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **B**.
- April 18, 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 **April 23, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **May 9, 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.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **May** 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: Jesus Aguillon, 3266 S. Edgefield Ave., Dallas TX 75224

Interpreter: Graciela Quintero, 3266 S. Edgefield Ave., Dallas TX 75224
Jesus Palacios, 4821 King Fisher Ln., Mesquite TX 75181

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 245-067, on application of Jesus Aguillon, **GRANT** the request of this applicant to construct and/or maintain a 9-foot 7-inch high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Joe Cannon				
Second:	Phil Sahuc				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc, Michael Dorn
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 245-067, on application of Jesus Aguillon, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Joe Cannon				
Second:	Phil Sahuc				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Cheri Gambow, Joe Cannon, Parker Graham, Phil Sahuc, Michael Dorn
		Against:	-	0	

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice Chair Cheri Gambow moved to adjourn the meeting at 1:39 p.m.

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

Date

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

Date

Required Signature:
Cheri Gambow, Vice Chair
Board of Adjustment

Date

FILE NUMBER: BOA-25-000017(BT)

BUILDING OFFICIAL'S REPORT: Application of Philip Kingston for **(1)** a special exception to the landscaping regulations at **899 N Stemmons Freeway**. This property is more fully described as Blocks 401, 402, 403, 404, 405, 406, 407, 408, 409 and 3/409 and is zoned PD-621 (Subdistrict 1J), which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

LOCATION: 899 N Stemmons Freeway

APPLICANT: Philip Kingston

REQUEST: A special exception to the landscape regulations.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO LANDSCAPING:

Section 51A-10.110 of the Dallas Development Code states the board may grant a special exception to the requirements of this article upon making a special finding from the evidence presented that **strict compliance** with the requirements of this article **will unreasonably burden the use of the property**; the **special exception will not adversely affect neighboring property**; and **the requirements are not imposed by a site-specific landscape plan** approved by the city plan commission or city council. In determining whether to grant this special exception, the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Special Exceptions (1):

No BDA staff recommendation is made on this request for a special exception to the landscape regulations since the basis for this type of request is when in the opinion of the board, strict compliance with the requirements of this article will unreasonably burden the use of the property, it will not adversely affect neighboring properties, and the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

BACKGROUND INFORMATION:

Zoning:

Site: PD-621 (Subdistrict 1J)

North: PD-621 (Subdistrict 1) and PD-193 (I-3)

East: PD-193 (I-2)
South: PD-621 (Subdistrict 1J and Subdistrict 2)
West: PD-621 (Subdistrict 1)

Land Use:

The subject site is currently vacant structure and the surrounding properties consists of various commercial and industrial uses.

BDA History:

No BDA history has been found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Philip Kingston for the property located at 899 N Stemmons Freeway focuses on one request relating to a special exception to the landscape regulations.
- As gleaned from the submitted site plan, the applicant is proposing to construct and/or maintain a structure resulting in the need for a landscape special exception.
- Per Zoning Staff referral on August 6, 2024, the applicant is not meeting the landscaping regulations in PD-621 Section 51P-621.112(b)(1). These general requirements state that except as otherwise provided in this section, landscaping must be provided as required by Article X.
- Section 51A-10.125(b)(1) requires that the landscape area provided along the entire length of the lot adjacent to a public right-of-way, excluding paved surfaces at points of vehicular ingress and egress, must meet the following minimum requirements:
 - A street buffer zone of a 10-foot average width must be provided with a required planting of one large or medium tree for every 40 feet of frontage.
 - When existing conditions prohibit planting large or medium trees, the building official may approve two small trees for each tree.
- The applicant required installation of new public utilities restrict the planting of required trees along much of the perimeter.
- The applicant is seeking a special exception to Article X landscaping regulations with the submittal of an alternate landscaping plan. The property is undertaking a major renovation and floor area addition which affects the landscaping conditions of the site.
- The project is regulated under Article X as amended by PD 621. The major renovation does not trigger PD 621 additional conditions for tree density and landscaping. Some mature existing trees will remain along Stemmons Freeway while the site is planted to conform to the restricted planting conditions.
- The required relocation of public utilities at the perimeter of the property is prohibitive to planting new trees within proximity of the underground lines. This restricts the standard tree planting conditions that would typically apply with the new addition.

- Granting the special exception to the landscape and tree mitigation regulations with a condition that the applicant complies with the submitted site and landscape plan, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

June 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.
July 7, 2025:	The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel B .
August 6, 2025:	<p>The Planning and Development Senior Planner emailed the applicant the following information:</p> <ul style="list-style-type: none"> • an attachment that provided the public hearing date and panel that will consider the application; the July 21, 2025, deadline to submit additional evidence for staff to factor into their analysis; and August 8, 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.
July 30, 2025:	The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August 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.
August 1, 2025:	Chief Arborist provided memorandum.

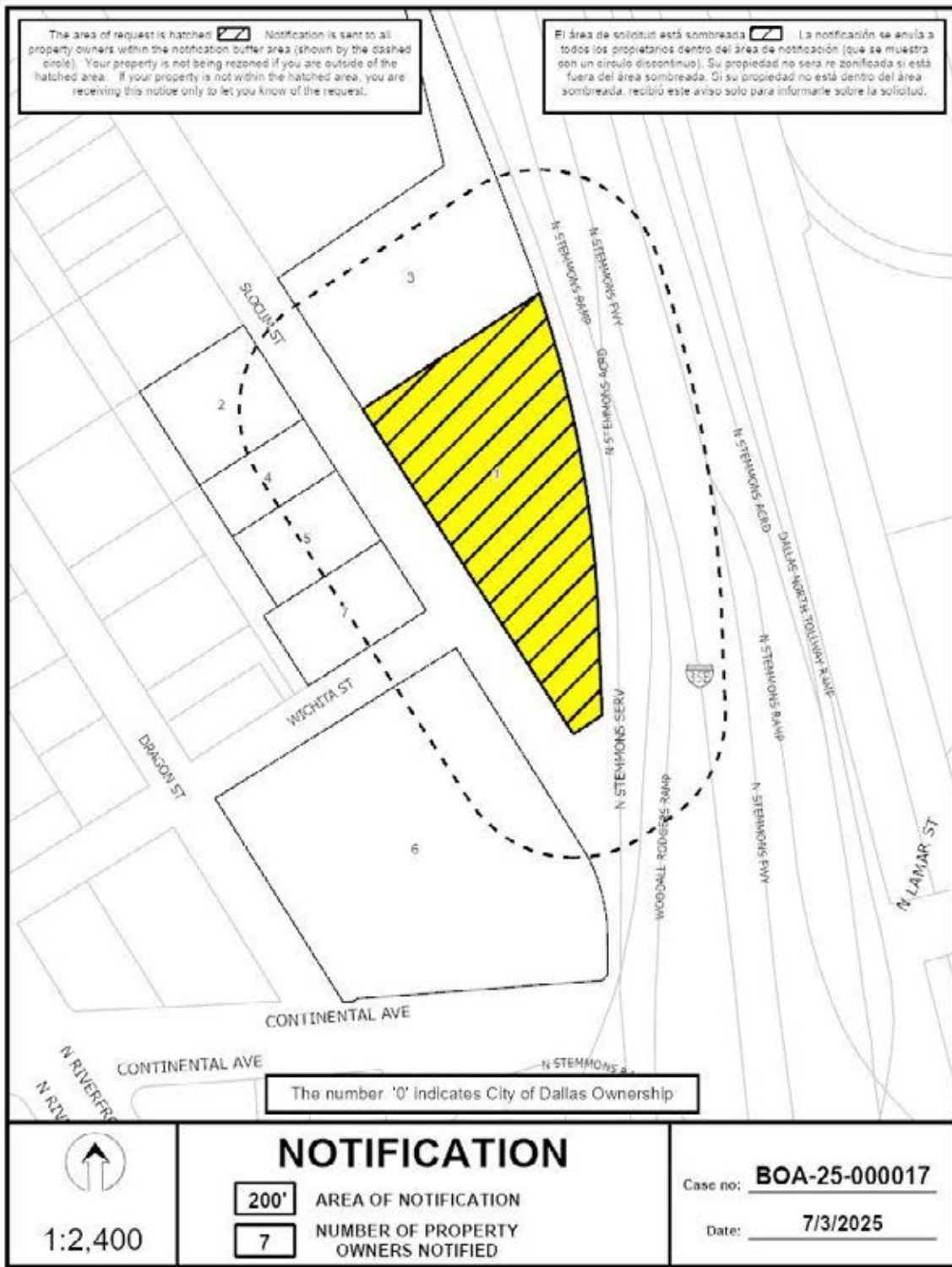


1:2,400

AERIAL MAP

Case no: **BOA-25-000017**

Date: **07/03/2025**



Notification List of Property Owners

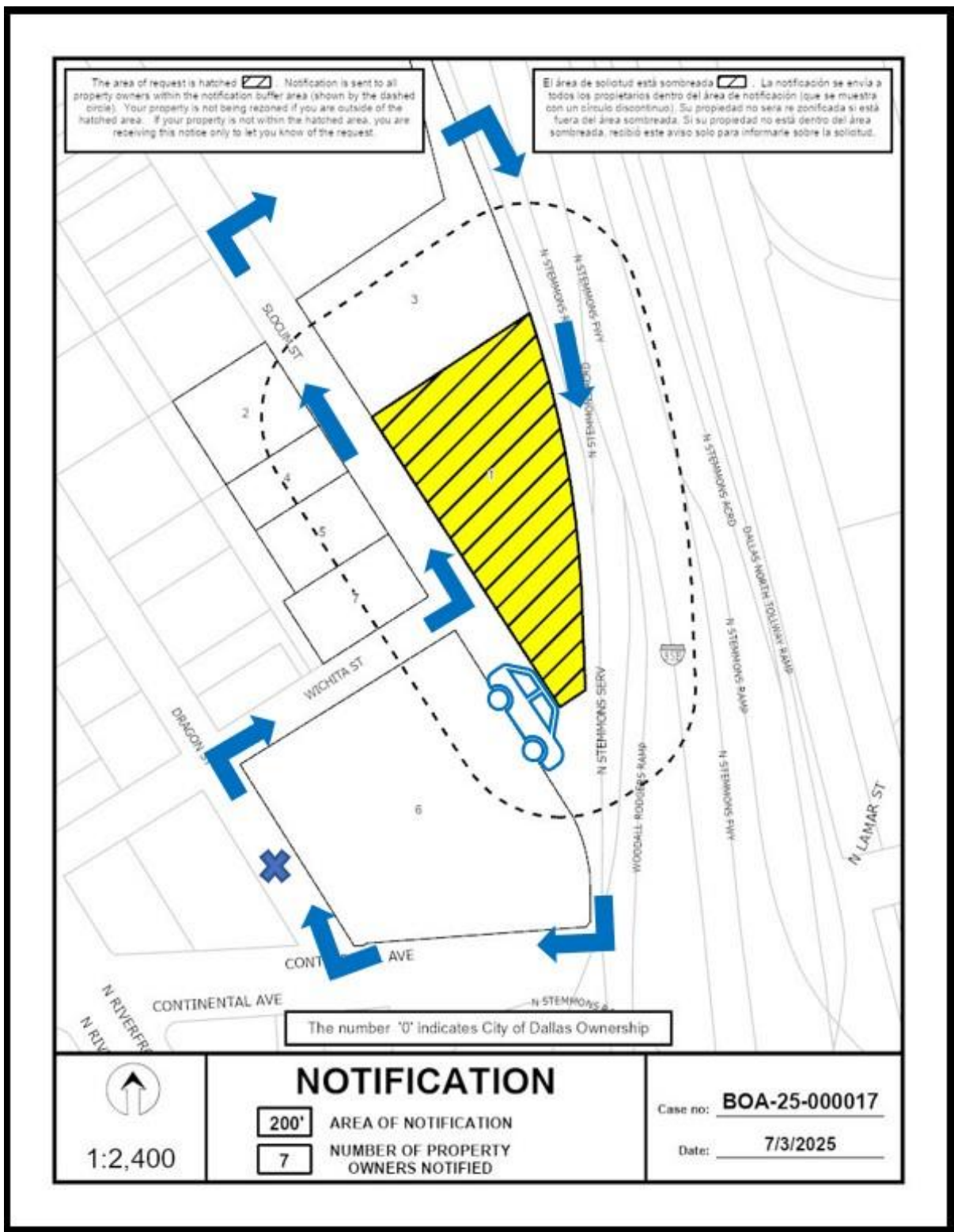
BOA-25-000017

7 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	899 N STEMMONS FWY	CABANA DESIGN DISTRICT LP
2	1025 N STEMMONS FWY	TEXAS UTILITIES ELEC CO
3	1023 N STEMMONS FWY	ONCOR ELEC RIC DELIVERY COMPANY
4	923 SLOCUM ST	FEIZY PROPERTIES LTD
5	915 SLOCUM ST	RBH SLODIP LLC
6	315 CONTINENTAL AVE	GH CONTINENTAL AVE DALLAS TX LLC
7	903 SLOCUM ST	SS SLOCUM STREET LP

 1:2,400	NOTIFICATION <div>200' AREA OF NOTIFICATION</div> <div>7 NUMBER OF PROPERTY OWNERS NOTIFIED</div>	Case no: BOA-25-000017 Date: 7/3/2025
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200' Radius Route Map



Memorandum



CITY OF DALLAS

Date August 1, 2025
To Kameka Miller-Hoskins, PhD Chief Planner/Board Administrator
Bryant Thompson, Senior Planner
Subject BOA-25-000017 899 N Stemmons Arborist report

Request

The applicant is seeking a special exception to Article X landscaping regulations with the submittal of an alternate landscaping plan. The property is undertaking a major renovation and floor area addition which affects the landscaping conditions of the site.

Provision

The project is regulated under Article X as amended by PD 621. The major renovation does not trigger PD 621 additional conditions for tree density and landscaping. Some mature existing trees will remain along Stemmons Freeway while the site is planted to conform to the restricted planting conditions.

Deficiency

The required relocation of public utilities at the perimeter of the property is prohibitive to planting new trees within proximity of the underground lines. This restricts the standard tree planting conditions that would typically apply with the new addition.

Philip Erwin
Chief Arborist
Development Services

NOTICE OF PUBLIC HEARING

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

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

DATE: WEDNESDAY, AUGUST 20, 2025

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

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

BOA-25-000017(BT) Application of Philip Kingston for (1) a special exception to the landscaping regulations at 899 N STEMMONS FREEWAY. This property is more fully described as Blocks 401, 402, 403, 404, 405, 406, 407, 408, 409, and 3/409, and is zoned PD-621 (Subdistrict 1J), which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-B-Register> by the close of business Tuesday, August 19, 2025. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

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

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

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

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

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

Record Summary for Board of Adjustments

Record

Record #	Status	Opened Date
BOA-25-000017	In Review	05/31/2025
Application Name		
Detailed Description		
Application for special exception to the Art. X landscaping street tree requirement as suggested by the Arborist. Site has insufficient space to allow planting of street trees.		
Assigned To Department	Assigned to Staff	
Board of Adjustment	Nora Castaneda	
Record Type		
Board of Adjustments		

Custom Fields

INTERNAL USE ONLY

Source of Request	Arborist
Fee Waiver Granted	-
Number of Parking Spaces	-
Lot Acreage	3.27

PDOX INFORMATION

PDox Number	-
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PROPERTY INFORMATION

Existing Zoning	PD
Lot Number	1
Lot Size (Acres)	3.27
Block Number	B/409
Lot Size (Sq. Ft)	142572
How many streets abut the property?	2
Land Use	MF
Is the property platted?	Yes
Status of Project	Under Construction
Status of Property	Owner Occupied
Previous Board of Adjustment case filed on this property	No
Accommodation for someone with disabilities	No
File Date	-
Seleccione si necesitara un interprete	-
Case Number	-
Are you applying for a fee waiver?	No

Have the standards for variance and or special exception been discussed?	Yes
Has the Notification Sign Acknowledgement Form been discussed?	Yes
Referred by	Phil Erwin

Custom Lists

Board of Adjustment Meeting

1	Room	6ES
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Board of Adjustment Request

1	Type of Request	Special Exception
	Request Description	Landscape
	Application Type	Landscaping Variance or Special Exception
	Affirm that an appeal has been made for	Art. X landscaping
	Application is made to BOA to grant the described appeal	Site has insufficient space to plant street trees

Case Information

1	Full Request	to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations
	Brief Request	for (1) a special exception to the landscaping regulations
	Zoning Requirements	requires mandatory landscaping
	Relevant History	n/a
	BOA History	No

GIS Information

1	Census Tract Number	17.55
	Council District	6

Street Frontage Information

1	Street Frontage	Front
	Linear Feet (Sq. Ft)	701

Street Frontage
Linear Feet (Sq. Ft)

Rear
638

Contact Information

Name	Organization Name	Contact Type	Phone
Philip Kingston Email: philip@sheilswinnubst.com	Kingston Consulting	Applicant	2146421707

Name	Organization Name	Contact Type	Phone
Jess Krochtengel Email: philip@sheilswinnubst.com	Cabana Design District LP	Property Owner	2146421707

Address

899 N STEMMONS FWY, Dallas, TX 75207

Parcel Information

Parcel No:	Land Value	Legal Description	Book	Page	Lot	Block	Subdivision
0000010864600000 0							

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Y	CABANA DESIGN DISTRICT LP	2515 PARK ROW AVE, DALLAS, TEXAS 752152249	

Status History

Status	Comment	Assigned Name	Status Date
Permit About to Expire	Updated via Script	Accela Administrator	06/15/2025
In Review		Nora Castaneda	06/30/2025
Payment Due		Nora Castaneda	06/30/2025
In Review	Updated By Script	Accela Administrator	06/30/2025
In Review		Anna Brickey	07/03/2025

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

FILE NUMBER: BOA-25-000017

BUILDING OFFICIAL'S REPORT: Application of Philip Kingston for a special exception to the landscaping regulations at 899 N STEMMONS FWY. This property is more fully described as Block 401-409 & 3/409, and is zoned PD-621, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 899 N STEMMONS FWY

APPLICANT: Philip Kingston

REQUEST: A request for (1) a special exception to the landscaping regulations

PD
621
district 18

PD-339

PD
621
Subdistrict 1J

PD
621
Subdistrict 2

PD 193
(1-3)

VICTORY
SPSD
Subdistrict B

PD 193
(PDS 164)

PD 193
(PDS 87)

VICTORY
SPSD
Subdistrict C

PD
582
South Subdistrict

VICTORY
SPSD
Subdistrict B

PD 183
(1-2)

PD 193
(1-3)

PB 193
(CA-2)

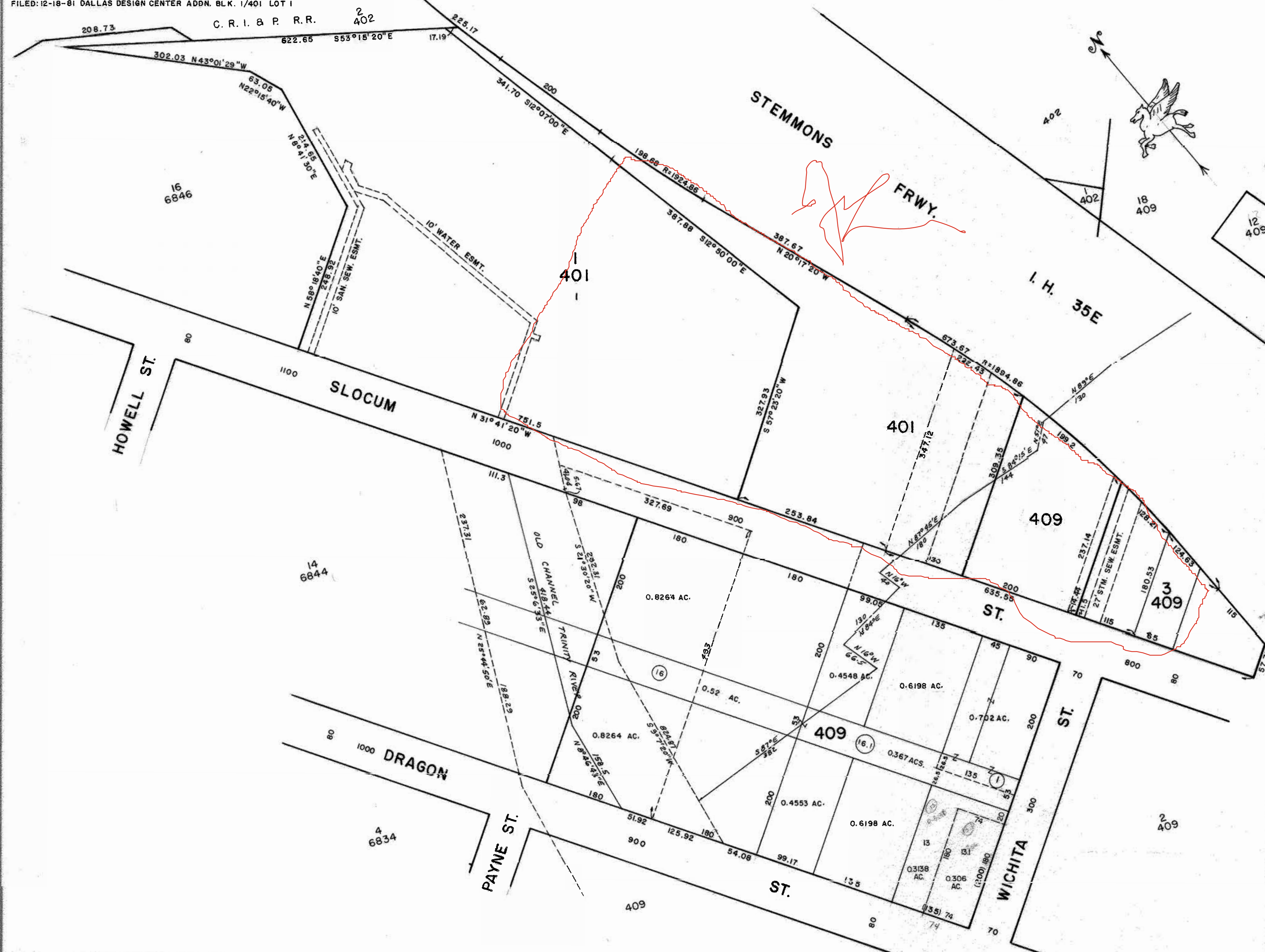
PD 193
(1-2)

PD 193
(I-2)

60

Esri Community Maps C... Baylor University

SUP
1802SUP
1802



899 Stemmons Freeway
Dallas, TX 75207

5005 Greenville Avenue
Dallas, TX 75206
United States

Sycamore Development
17014 Preston Bend Dr
Dallas TX, 75248
USA

CIVIL ENGINEER

Pape-Dawson Engineers, INC.
201 Main Street, Suite 901
Forth Worth, TX 76102
USA
Tel 817.870.3668

Tel 214.273.1500
Fax 214.273.1505

LANDSCAPE ARCHITECT

STRUCTURAL ENGINEER

Thorton Tomasetti
8750 N Central Expressway
Suite 700
Dallas, TX 75231
USA
Tel 972.387.8393

MEP ENGINEER

Summit Consultants
4144 N Central Expressway
Suite 635
Dallas, TX 75226
USA
Tel 214.954.7160

DALLAS, TX

L000 - SHEET INDEX
L001 - MATERIAL LEGEND & GENERAL NOTES
L002 - SITE PLAN

L101 - EXISTING SITE & TREE MITIGATION

L201 - HARDSCAPE PLAN

L202 - HARDSCAPE PLAN AT ENTRY

L202.1 - DIMENSION PLAN AT ENTRY

L203 - HARDSCAPE PLAN AT POOL DECK

L203.1 - DIMENSION PLAN AT POOL DECK

L301 - GRADING AND DRAINAGE PLAN

L302 - GRADING AND DRAINAGE PLAN AT ENTRY

L303 - GRADING AND DRAINAGE PLAN AT POOL DECK

L400 - AMENITY DECK CROSS SECTION DETAILS

L401 - HARDSCAPE DETAILS

L402 - HARDSCAPE DETAILS

L403 - HARDSCAPE DETAILS

L404 - HARDSCAPE DETAILS

L500 - PLANT LEGEND & PLANTING DETAILS

L501 - PLANTING PLAN

L502 - PLANTING PLAN AT ENTRY

L503 - PLANTING PLAN AT POOL DECK

L600 - IRRIGATION NOTES & DETAILS

L601 - IRRIGATION PLAN

L603 - IRRIGATION PLAN AT POOL DECK

[illegible]

Seal / Signature



Project Name

CABANA HOTEL REDEVELOPMENT

Project Number

23136

Description

SHEET INDEX

Scale N.T.S.

L000

899 Stemmons Freeway
Dallas, TX 75207

5005 Greenville Avenue
Dallas, TX 75206
United States

CIVIL ENGINEER LANDSCAPE ARCHITECT

STRUCTURAL ENGINEER MEP ENGI

Thorton Tomasetti	Summit Construction
8750 N Central Expressway,	4144 N Central Expressway
Suite 700	Suite 635
Dallas, TX 75231	Dallas, TX 75231
USA	USA
Tel 972.387.8393	Tel 214.954.1111

Total Inches to Mitigate	130
Transplant Tree Credits:	
100% x Species	0
Transplant Credit Total:	0
Proposed Tree Total:	150
Total Credit & Proposed:	150
Caliber Surplus:	20

Seal / Signature

23136

ID	Description	Status	Priority	Assignee	Due Date	Created At	Updated At
1	Task 1	In Progress	High	John Doe	2023-10-25	2023-10-20 10:30	2023-10-24 15:45
2	Task 2	Not Started	Medium	Jane Smith	2023-10-26	2023-10-21 09:15	2023-10-21 09:15
3	Task 3	Completed	Low	John Doe	2023-10-15	2023-10-10 14:20	2023-10-15 11:00
4	Task 4	On Hold	Medium	Jane Smith	2023-10-27	2023-10-22 16:30	2023-10-22 16:30
5	Task 5	In Progress	High	John Doe	2023-10-28	2023-10-23 12:45	2023-10-27 18:00

Scale 1"=30'

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899 Stemmons Freeway
Dallas, TX 75207

Summit Consultants
4144 N Central Expressway,
Suite 635
Dallas, TX 75226
USA
Tel 214.954.7160

899 Stemmons Freeway
Dallas, TX 75207

5005 Greenville Avenue
Dallas, TX 75206
United States

Sycamore Development
17014 Preston Bend Dr
Dallas TX, 75248
USA

CIVIL ENGINEER

Pape-Dawson Engineers, INC.
201 Main Street, Suite 901
Forth Worth, TX 76102
USA
Tel 817.870.3668

LANDSCAPE ARCHITECT

Studio Outside
824 Exposition Drive, Suite 5
Dallas, TX 75226
USA
Tel 214.954.7160

STRUCTURAL ENGINEER M

Thorton Tomasetti
8750 N Central Expressway,
Suite 700
Dallas, TX 75231
USA
Tel 972.387.8393

MEP ENGINEER

Summit Consultants
4144 N Central Expressway,
Suite 635
Dallas, TX 75226
USA
Tel 214.954.7160

[illegible]

Seal / Signature



Project Name

CABANA HOTEL REDEVELOPMENT

Project Number

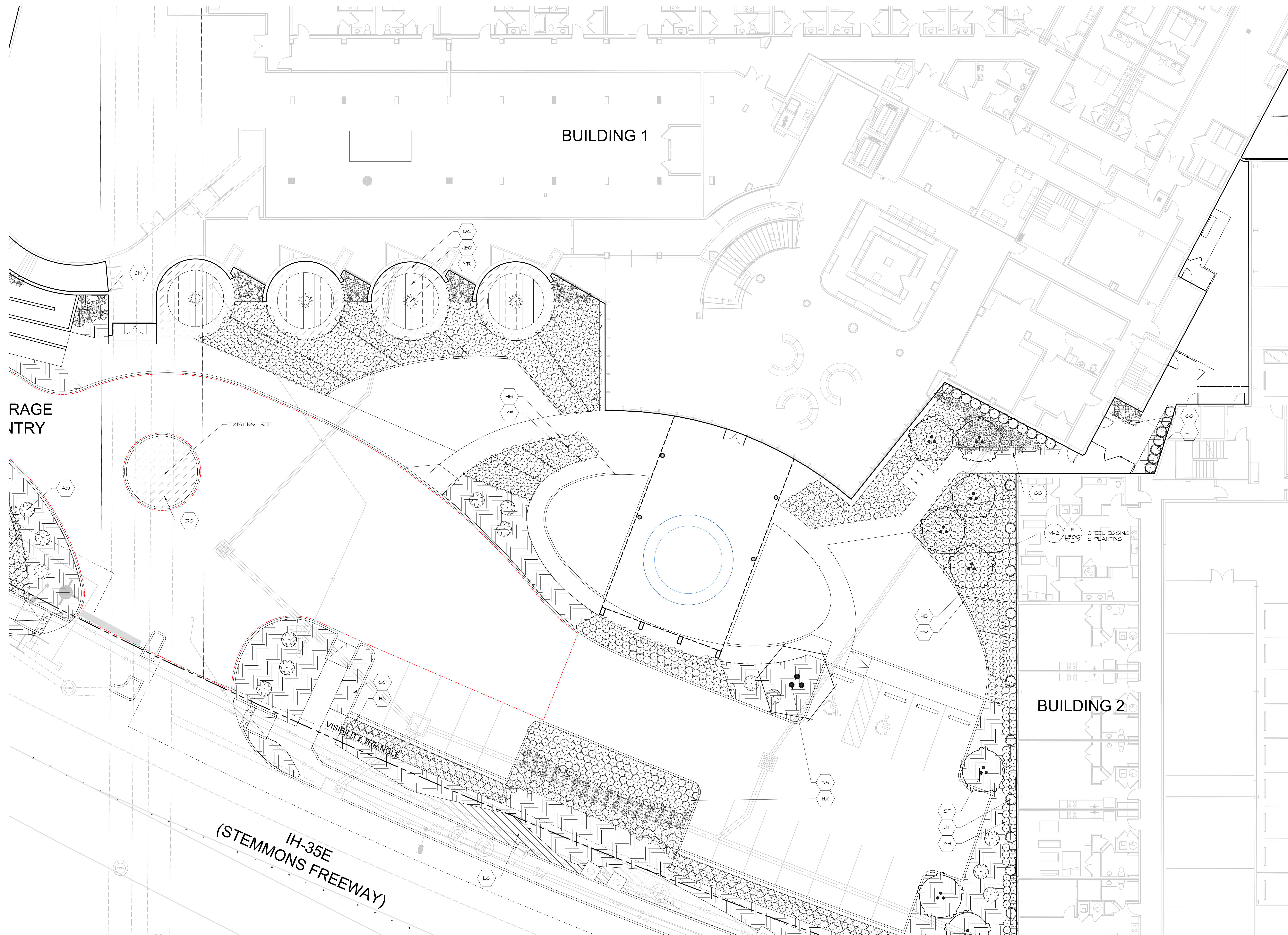
23136

Description

PLANTING PLAN AT ENTRY

Scale 1" = 10'

L502



PLANTING PLAN AT ENTRY

A

Scale: 1"=10'

Memorandum



Date August 1, 2025

To Kameka Miller-Hoskins, PhD Chief Planner/Board Administrator
Bryant Thompson, Senior Planner

Subject BOA-25-000017 899 N Stemmons Arborist report

Request

The applicant is seeking a special exception to Article X landscaping regulations with the submittal of an alternate landscaping plan. The property is undertaking a major renovation and floor area addition which affects the landscaping conditions of the site.

Provision

The project is regulated under Article X as amended by PD 621. The major renovation does not trigger PD 621 additional conditions for tree density and landscaping. Some mature existing trees will remain along Stemmons Freeway while the site is planted to conform to the restricted planting conditions.

Deficiency

The required relocation of public utilities at the perimeter of the property is prohibitive to planting new trees within proximity of the underground lines. This restricts the standard tree planting conditions that would typically apply with the new addition.

Philip Erwin
Chief Arborist
Development Services

FILE NUMBER: BOA-25-000021(BT)

BUILDING OFFICIAL'S REPORT: Application Rob Baldwin for **(1)** a special exception to the fence height regulations, **(2)** a special exception to the 20-foot visibility obstruction regulations at the driveway approach, and **(3)** a special exception to the fence opacity regulations at **1106 WESTMOUNT AVENUE**. This property is more fully described as Block 6073, Tract 1, and is zoned R-7.5(A), which limits the height of a fence in the front- yard to 4-feet, requires a 20-foot visibility triangle at the driveway approach, 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 an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence regulations, the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach, which will require **(2)** a special exception to the visibility obstruction regulation, 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 **(3)** a special exception to the fence opacity regulations.

LOCATION: 1106 Westmount Avenue

APPLICANT: Rob Baldwin

REQUEST:

- (1) A request for a special exception to the fence height regulations,
- (2) A request for a special exception to the 20-foot visibility obstruction regulations at the drive approach, and
- (3) A request for a special exception to the fence standard regulation relating to opacity.

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.**

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

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

STAFF RECOMMENDATION:**Special Exceptions (3):**

No staff recommendation is made on this request.

BACKGROUND INFORMATION:**Zoning:**

Site: R-7.5(A)
North: R-7.5(A), RR and PD-714 (Subdistrict 5)
East: R-7.5(A) and PD-801 (Subdistrict 3)
South: R-7.5(A)
West: R-7.5(A)

Land Use:

The subject site and surrounding properties are developed with single-family and mobile home park.

BDA History:

No BDA history has been found within the last five years.

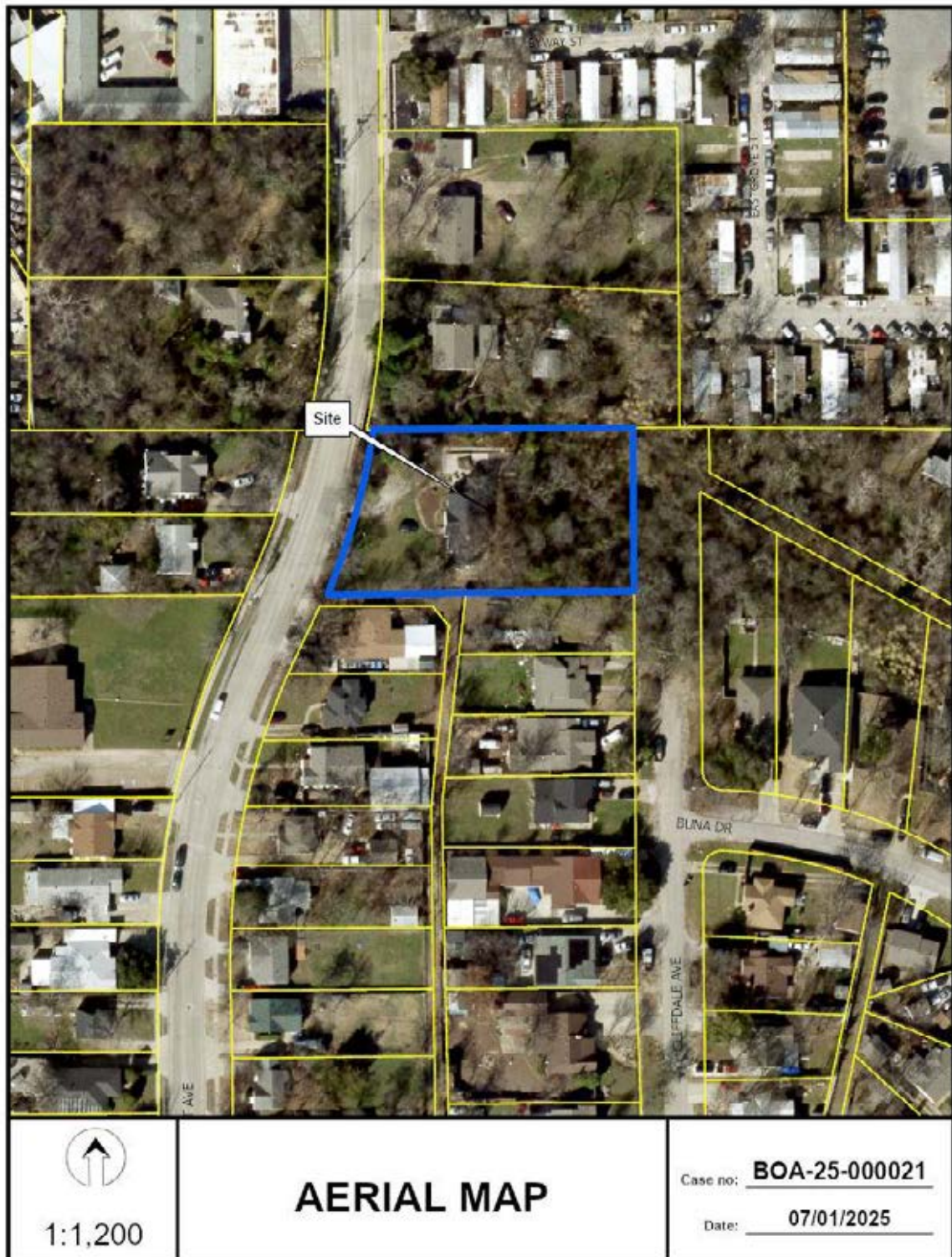
GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin for the property located at 1106 Westmount Avenue focuses on three requests relating to the fence height, visual obstruction regulations, and fence opacity regulations.
- The first request, the applicant is proposing to construct and maintain a 8-foot high board on board fence and gate in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- The second request, the applicant is requesting a special exception to the 20-foot visibility obstruction triangle at the drive-approach.
- The last 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.
- Subject site fence was developed without permits.
- Code Compliance Notice of Violation was issued on November 7, 2024.
- Applicant applied for fence permit on December 18, 2024.
- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations relating to height and opacity will not adversely affect the neighboring properties.

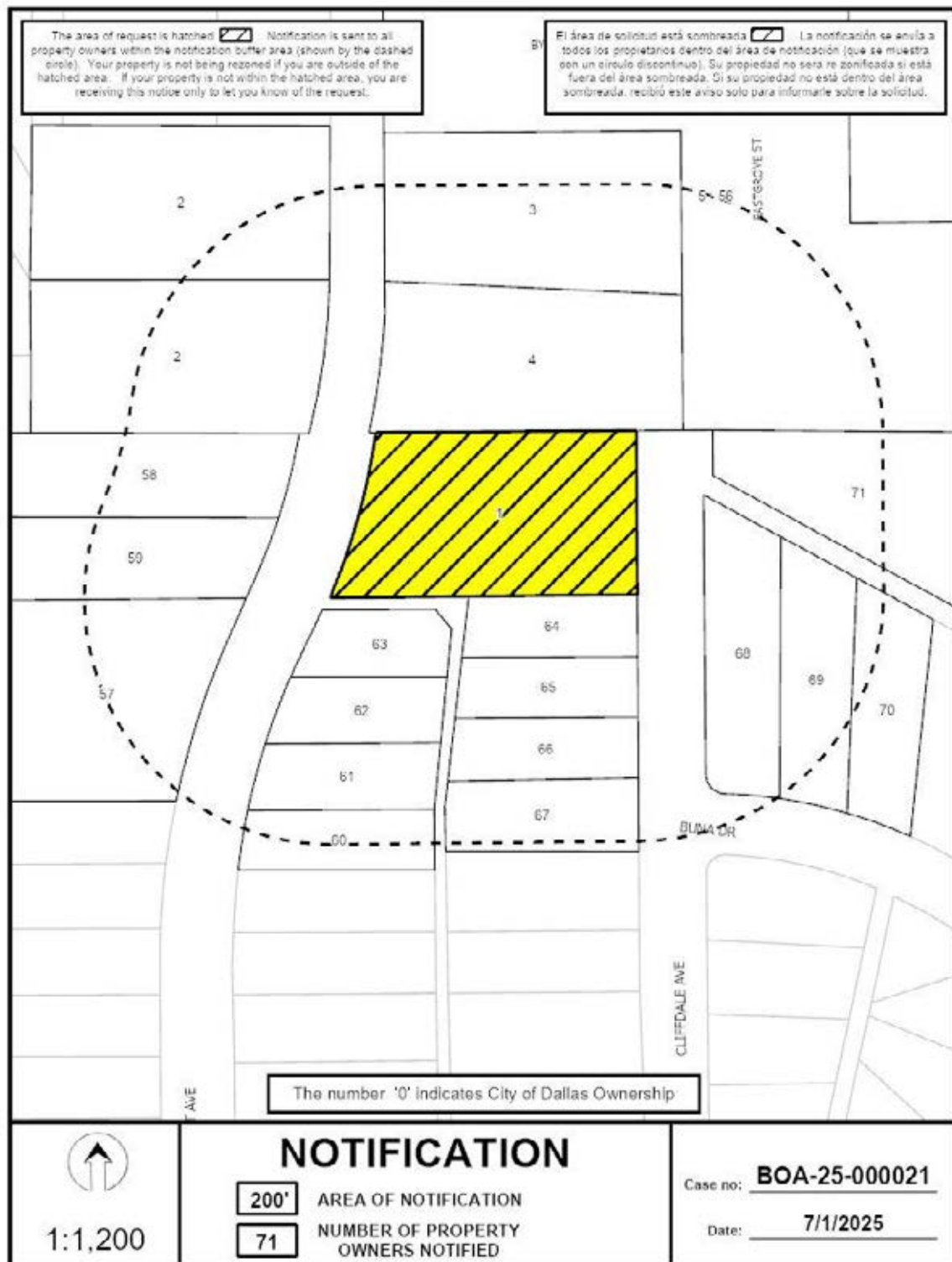
- The applicant has the burden of proof in establishing that the special exception to the visibility obstruction regulations will not constitute a traffic hazard.
- Granting the special exception to the fence regulations relating to height, opacity, and visual obstruction with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BOA-25-000021 1106 Westmount Ave](#)

Timeline:

June 23, 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.
July 7, 2025:	The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B .
August 6, 2025:	<p>Planning and Development Department Senior Planner emailed the applicant the following information:</p> <ul style="list-style-type: none"> • an attachment that provided the public hearing date and panel that will consider the application; the July 21, 2025, deadline to submit additional evidence for staff to factor into their analysis; and August 8, 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.
July 30, 2025:	The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August 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.
August 1, 2025:	Engineering provided comments.







Notification List of Property Owners

BOA-25-000021

71 Property Owners Notified

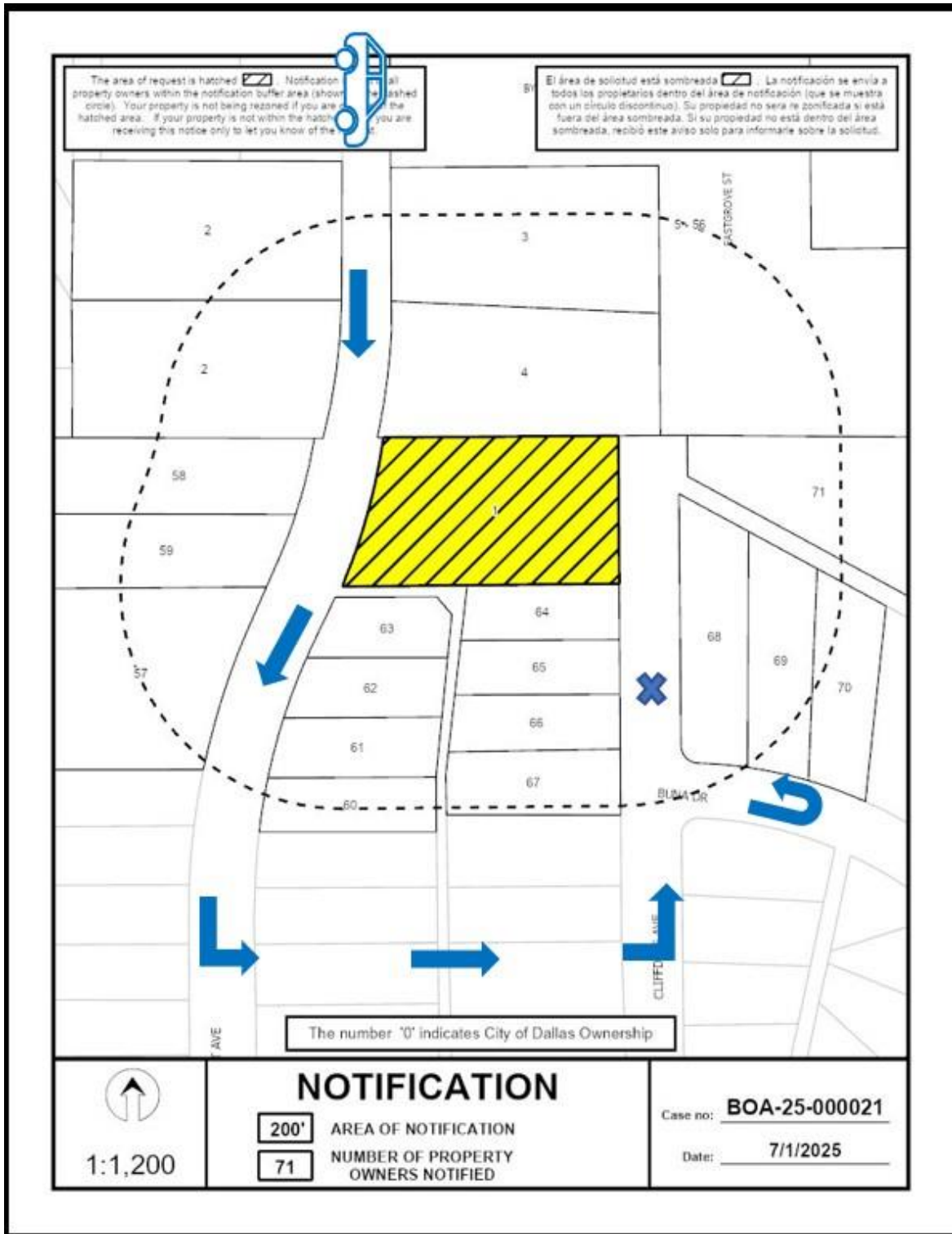
<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1106 WESTMOUNT AVE	ZAHOS MARIA
2	1100 WESTMOUNT AVE	IPINA MARGARITO & IRMA
3	1130 WESTMOUNT AVE	BECERRA ROBERTO &
4	1126 WESTMOUNT AVE	GANS WILLIAM F
5	1140 WESTMOUNT AVE	WYATT JACKSON R JR
6	2838 BYWAY ST	MARTIN RIOS
7	1118 EASTGROVE ST	ROBERTO PENDOLOZA
8	2811 FADEWAY ST	LOZANO ROMANA
9	1001 EASTGROVE ST	ROCHA JOSEPH ANGEL
10	1007 EASTGROVE ST	SALDANA GUSTAVO
11	1015 EASTGROVE ST	ARGUETA SANDRA CAROLINA
12	1035 EASTGROVE ST	FORTUNATO DE ANDA ARANDA JOSE
13	1126 EASTGROVE ST	SANCHEZ JOSE A
14	2816 BYWAY ST	MARIA ISIDERA SUAREZ
15	2820 FADEWAY ST	RAMOS DAVID
16	2839 FADEWAY ST	MARIA GARCIA
17	2850 BYWAY ST	FLORES MARTIN
18	2851 BYWAY ST	GUEL-MERCADO MAXIMA MACIAS
19	2848 BYWAY ST	REAL ISAURO
20	1002 EASTGROVE ST	ESTOR GIA MARTINEZ
21	1004 EASTGROVE ST	REYES ROCHA ASHLEY A
22	1008 EASTGROVE ST	RAMOS DAVID
23	1010 EASTGROVE ST	JOSE MALDDANADA
24	1011 EASTGROVE ST	DECIGA RAMON JR
25	1018 EASTGROVE ST	CAZARES MANUEL
26	1019 EASTGROVE ST	ARMENDARIZ NORA

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1023 EASTGROVE ST	GOMEZ JOSE LUIS
28	1027 EASTGROVE ST	PEREZ GOMEZ OSCAR FRANCISCO
29	1101 EASTGROVE ST	MATAR TEODOLA
30	1110 EASTGROVE ST	SANCHEZ JR SIMON
31	1114 EASTGROVE ST	SALMERON OCIEL DAGOBERTO FLORES
32	1122 EASTGROVE ST	GARCIA MARCO ANTONIO
33	1130 EASTGROVE ST	<u>GUERRA JESUS</u>
34	2803 FADEWAY ST	LOPEZ JULIO
35	2807 FADEWAY ST	GARCIA JOSE
36	2815 BYWAY ST	HERNANDEZ OSWALDO
37	2816 FADEWAY ST	SHELTON LUCIA
38	2817 FADEWAY ST	MIGUEL GARCIA
39	2821 FADEWAY ST	MORALES JACQUELINE
40	2822 BYWAY ST	MARCELO AGUERRO
41	2825 BYWAY ST	<u>LOPEZ EULIA</u>
42	2826 BYWAY ST	CABRALES LUIS ENRIQUE
43	2827 FADEWAY ST	CONTRERAS JOSE
44	2830 BYWAY ST	SUNSET TRAILER PARK
45	2831 BYWAY ST	RODRIGUEZ MOISES
46	2831 FADEWAY ST	PACHECO BLANCA EDITH
47	2833 BYWAY ST	SUAREZ GUADALUPE
48	2834 BYWAY ST	RODRIGUEZ AARON
49	2835 FADEWAY ST	HERNANDEZ ENRIQUE
50	2841 BYWAY ST	MARTIN FELIX
51	2842 BYWAY ST	ALVAREZ RUFINO DIAZ
52	2843 FADEWAY ST	CONTRERRAS, HECTOR
53	2847 BYWAY ST	VASQUEZ, ROSA
54	2849 FADEWAY ST	SANCHEZ AGAPITO G
55	2853 FADEWAY ST	ALVEREZ, MARIA
56	2830 FADEWAY ST	FREDI PARRA
57	1035 WESTMOUNT AVE	NUEVA VIDA NEW LIFE ASSEMBLY INC WESTMOUNT

Label #	Address	Owner
58	1105 WESTMOUNT AVE	MIRANDA WENDY & FLORENCIO R
59	1101 WESTMOUNT AVE	BAKER DALE
60	1030 WESTMOUNT AVE	AF CREDIT CORP EMPLOYEES
61	1034 WESTMOUNT AVE	CONTRERAS JOSE A &
62	1038 WESTMOUNT AVE	MENDOZA GABRIEL
63	1102 WESTMOUNT AVE	HOLMAN FELIPE M
64	1103 CLIFFDALE AVE	BRECEDA MIGUEL
65	1039 CLIFFDALE AVE	BRECEDA MIGUEL A &
66	1035 CLIFFDALE AVE	MARQUEZ JOSUE & LORENA SANTIAGO
67	1031 CLIFFDALE AVE	BARBOSA TERESA EST OF
68	2765 BUNA DR	HERNANDEZ ANTONIO A &
69	2761 BUNA DR	ESPINAL JAIME
70	2757 BUNA DR	LAVERLEY EMILY
71	2450 BAHAMA DR	WAK BG PARTNERS

 1:1,200	NOTIFICATION		Case no: BOA-25-000021
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">71</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/1/2025	

200' Radius Route Map



REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING August 20, 2025 (B)

☐ Has no objections

☐ Has no objections if certain conditions are met
(see comments below or attached)

☒ Recommends denial
(see comments below or attached)

☐ No Comments

☐ Pending

☐ BOA-25-000017

☒ BOA 25-000021

☐ BOA-25-000024

☐ BOA 25-000030

☐ BOA-25-000031

☐

☐

☐

☐

☐

☐

☐

☐

☐

COMMENTS:

Applicant must provide a site plan to scale, showing
location of fence and gate relative to the edge of
pavement and dimensions of the encroachment into
the visibility triangles.

David Nevarez, P.E., PTOE, CFM, Engineering
Name/Title/Department

August 1, 2025
Date

NOTICE OF PUBLIC HEARING

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

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

DATE: WEDNESDAY, AUGUST 20, 2025

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

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

BOA-25-000021(BT) Application of Rob Baldwin for (1) a special exception to the fence height regulations, (2) a special exception to the 20-foot visibility obstruction regulations at the driveway approach, and (3) a special exception to the fence opacity regulations at 1106 WESTMOUNT AVENUE. This property is more fully described as Block 6073, Tract 1, and is zoned R-7.5(A), which limits the height of a fence in the front-yard to 4-feet, requires a 20-foot visibility triangle at the driveway approach, 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 an 8-foot high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence regulations, and the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach, which will require (2) a special exception to the visibility obstruction 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 (3) a special exception to the fence opacity regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-B-Register> by the close of business Tuesday, August 19, 2025. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

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

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

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

PLEASE SEND REPLIES TO:

BDAreply@dallas.gov

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

PLEASE REGISTER AT:

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

Record Summary for Board of Adjustments

Record

Record #	Status	Opened Date
BOA-25-000021	In Review	06/17/2025

Application Name

Detailed Description

Special Exception of:

- An 8-ft fence in the front yard
- A fence located within the 20X20 visibility triangle
- An 8-ft board-on-board fence with less than 50% opacity, located less than 5-ft. from the property line.

Assigned To Department

Board of Adjustment

Assigned to Staff

Bryant Thompson

Record Type

Board of Adjustments

Custom Fields

INTERNAL USE ONLY

Source of Request	-
Fee Waiver Granted	-
Number of Parking Spaces	-
Lot Acreage	0.697

PDOX INFORMATION

PDox Number	-
-------------	---

PROPERTY INFORMATION

Existing Zoning	R-7.5(A)
Lot Number	5
Lot Size (Acres)	0.697
Block Number	6073
Lot Size (Sq. Ft)	30360
How many streets abut the property?	2
Land Use	residential
Is the property platted?	Yes
Status of Project	Existing
Status of Property	Owner Occupied
Previous Board of Adjustment case filed on this property	No
Accommodation for someone with disabilities	No
File Date	06/17/2025
Seleccione si necesitara un interprete	-

Case Number	-
Are you applying for a fee waiver?	No
Have the standards for variance and or special exception been discussed?	Yes
Has the Notification Sign Acknowledgement Form been discussed?	Yes
Referred by	James Bales

Custom Lists

Board of Adjustment Meeting

1		
	Room	6ES
	BOA Administrator	Kameka Miller-Hoskins
	BOA Secretary	Mary Williams
	BOA Code Specialist	Diana Barkume
2		
	Room	6ES
	BOA Administrator	Kameka Miller-Hoskins
	BOA Secretary	Mary Williams
	BOA Code Specialist	Diana Barkume
3		
	Room	6ES
	BOA Administrator	Kameka Miller-Hoskins
	BOA Secretary	Mary Williams
	BOA Code Specialist	Diana Barkume

Board of Adjustment Request

1		
	Type of Request	Special Exception
	Request Description	Fence standards
	Application Type	Single Family/Duplex Variance or Special Exception
	Affirm that an appeal has been made for	An 8-ft fence in the front yard.
	Application is made to BOA to grant the described appeal	Westmount Ave. is a busy thoroughfare and one of the few streets in the area that bisects Fort Worth Avenue with a stop light. The fence is located behind vegetation as will not be detrimental to surrounding properties.
2		
	Type of Request	Special Exception
	Request Description	Fence standards
	Application Type	Single Family/Duplex Variance or Special Exception
	Affirm that an appeal has been made for	A fence located within the 20X20 visibility triangle.

Application is made to BOA to grant the described appeal

Westmount Ave. is a busy thoroughfare and one of the few streets in the area that bisects Fort Worth Avenue with a stop light. The fence is located behind vegetation as will not be detrimental to surrounding properties.

3

Type of Request

Special Exception

Request Description

Fence standards

Application Type

Single Family/Duplex Variance or Special Exception

Affirm that an appeal has been made for

An 8-ft board-on-board fence with less than 50% opacity, located less than 5-ft. from the property line.

Application is made to BOA to grant the described appeal

Westmount Ave. is a busy thoroughfare and one of the few streets in the area that bisects Fort Worth Avenue with a stop light. The fence is located behind vegetation as will not be detrimental to surrounding properties.

Case Information

1

Full Request

to construct an 8-foot high fence in a required front yard, which will require a 4-foot special exception to the fence regulations

Brief Request

special exception to the fence height regulations

Zoning Requirements

limits the height of a fence in the front- yard to 4-feet

Relevant History

NA

BOA History

No

2

Full Request

to construct a single-family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation

Brief Request

a special exception to the 20X20-foot visibility obstruction regulations

Zoning Requirements

A person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle

Relevant History

NA

BOA History

No

3

Full Request

to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5- feet from the front lot line, which will require a special exception to the fence regulations

Brief Request

for a special exception to the fence standards regulations

Zoning Requirements

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

Relevant History

NA

BOA History

No

GIS Information

1

Census Tract Number	71.69
Council District	1
Escarpment	No
Floodplain	No

Street Frontage Information

1

Street Frontage	Front
Linear Feet (Sq. Ft)	145

2

Street Frontage	Rear
Linear Feet (Sq. Ft)	135

Contact Information

Name	Organization Name	Contact Type	Phone
Rob Baldwin	Baldwin Associates	Applicant	2147297949
Email: rob@baldwinplanning.com			

Name	Organization Name	Contact Type	Phone
Rob Baldwin	Baldwin Associates	Authorized Agent	2147297949
Email: rob@baldwinplanning.com			

Name	Organization Name	Contact Type	Phone
Matthew William Criss		Property Owner	2149129926
Email: mcriss1288@gmail.com			

Name	Organization Name	Contact Type	Phone
Erica Ransom		Property Owner	2146827045
Email: ericaransom.er@gmail.com			

Name	Organization Name	Contact Type	Phone
Julie OConnell	Baldwin Associates	Authorized Agent	2145460591
Email: julie@baldwinplanning.com			

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

FILE NUMBER: BOA-25-000021

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for a special exception to the fence height regulations, and a special exception to the 20-foot visibility obstruction regulations, and for a special exception to the fence opacity regulations at 1106 WESTMOUNT AVE. This property is more fully described as Tract 1, and is zoned R-7.5(A), which limits the height of a fence in the front- yard to 4-feet, which requires a 20-foot visibility triangle at the drive approach, 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 an 8-foot high fence in a required front-yard, which will require a 4-foot special exception to the fence regulations, and the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation, 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 a special exception to the fence opacity regulations.

LOCATION: 1106 WESTMOUNT AVE

APPLICANT: Rob Baldwin

REQUEST: A special exception to the fence height regulations, a special exception to the 20-foot visibility obstruction regulations, for a special exception to the fence opacity regulations.

Name	Organization Name	Contact Type	Phone
Michele Stoy Email: michele@baldwinplanning.com	Baldwin Associates	Authorized Agent	2147572680

Address

1106 WESTMOUNT AVE, Dallas, TX 75211

Parcel Information

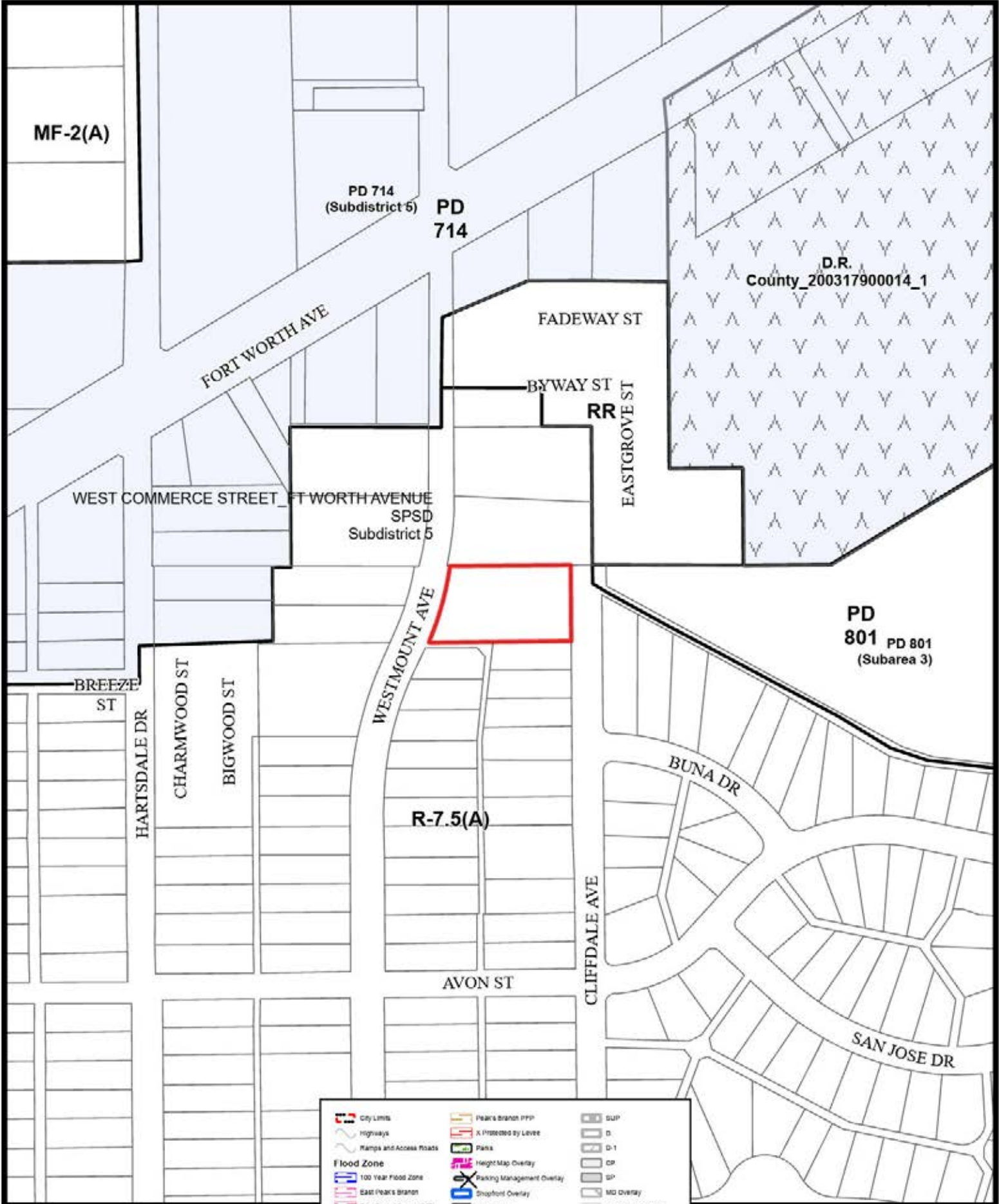
Parcel No:	Land Value	Legal Description	Book	Page	Lot	Block	Subdivision
0000050321200000 0							

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Y	ZAHOS MARIA	1106 WESTMOUNT AVE, DALLAS, TEXAS 752112544	

Status History

Status	Comment	Assigned Name	Status Date
Payment Due		Sara E Jirsaraee	06/22/2025
In Review	Updated By Script	Accela Administrator	06/23/2025
In Review		Anna Brickey	07/01/2025
In Review		Kameka Miller-Hoskins	07/07/2025
In Review	Photos taken, BOA sign properly posted onsite.	Bryant Thompson	07/08/2025



1:2,600

City Limits	Pearl's Branch PFP	SUP
Highways	A Protected by Levee	D
Ramps and Access Roads	Parks	D-1
Flood Zone	Height Map Overlay	CP
100 Year Flood Zone	Parking Management Overlay	GP
East Pearl's Branch	Shopfront Overlay	MO Overlay
East Pearl's Branch PFP	Base Zoning	Historic Subdistricts
Floodway	PD193 Oak Lawn	Historic Overlay
Mill Creek	Dallas Environmental Corridor	CD Subdistricts
Mill Creek PFP	DDO Overlay	PD Subdistricts
Peak's Branch	Deed Restrictions	POS Subdistricts
		NDO Subdistricts

6/15/2025

1106 Westmount Ave. - Legal Description

Lot No. 5, City Block 6073 of the Map of Partition of Estates of Germain Santerre Addition No. 2, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 1822, Page 4. Map Records, Dallas County, Texas.



**CITY OF DALLAS
DEPARTMENT OF CODE COMPLIANCE
NOTICE OF VIOLATION**

Name: CRISS MATTHEW WILLIAM & RANSOM

Case #: 24-00531211

ERICA

CRISS MATTHEW WILLIAM & RANSOM ERICA
1106 WESTMOUNT AVE
Dallas, texas 75211
USA

Your property located at 1106 WESTMOUNT AVE, DALLAS, TX, 75211 is in violation of the Dallas City Code.

Violations of Dallas City Code:

Violation	Comments	Resolve By Date
No Building Permit	Please obtain permit for new fence. City of Dallas requires a permit for fences over 6 foot. New fence is 8ft tall. 301.1 Permits required. 301.1.1 General. A person, firm, or corporation shall not, without first obtaining a permit from the building official: 1. erect, construct, enlarge, add to, alter, repair, replace, move, improve, remove, install, convert, demolish, equip, use, occupy, or maintain a structure or building service equipment; 2. excavate or maintain an excavation; 3. pave or grade on a property; 4. construct, install, alter, or repair a rainwater collection system with a capacity of 5,000 gallons or greater; or 5. cause any work or activity described	November 18, 2024

Violations with an (*) will serve as your Annual Notice

I will reinspect your property on November 19, 2024 to determine if the above described violation(s) have been corrected. If your property is not brought into compliance within the above calendar days, then the City may correct the violation(s) at your expense. All expenses incurred will be billed to you. Failure to pay these expenses will result in a lien being placed on your property. Additionally, if you fail to comply with this notice, the City may issue you a citation for each day a violation is committed. The maximum fine is \$2,000.00 per citation.

Thank you in advance for your cooperation. If you have questions, please call me at Cell 469-515-1125 / Office 214-670-6860.

Inspector: John Granberg

Badge: C2045

Date: November 7, 2024

Signature:

Owner / Occupant / Person in Control of Property

Date: November 7, 2024

NOTICE OF VIOLATIONS FOR WEEDS, LITTER, SOLID WASTE, VEGETATION, OR WATER CONSERVATION

*The Dallas City Code requires only one notice of violation for weeds, litter, solid waste, vegetation, illegally placed garbage and water conservation to be issued per twelve month period. This is the only notice you will receive for the next twelve months relating to the above described violation(s) at this address. If you commit another violation of the same kind and nature that poses a danger to the public health and safety on or before the first anniversary date of this date of this notice, then the City may, without further notice, correct the violation at your expense, place a lien against your property and issue a citation.

1. The owner/agent/occupant/person in control is responsible for having high grass or weeds cut before they exceed 12 inches in height. The cutting must be mulched or removed.
2. Premise must be kept free of unsightly litter. Generally, the occupant is held responsible even though they may be renting. Each owner of the property which has an adjacent alley is responsible for maintaining their half of that alley free of garbage, litter, weeds and other obstructions or nuisances.
3. Solid waste materials illegally dumped or placed on private property must be removed or disposed of by the owner of the property.
4. Vegetation, such as hedges, shrubs and limbs from trees, must be trimmed back to prevent injury or damage to persons or property who may use the right-of-way, sidewalk, easement or alley.
5. Watering Restrictions: A person commits an offense if violations occur on property that he/she owns, leases or manages.
 - Watering of lawns or landscapes with an irrigation system or a sprinkler is prohibited between the hours of 10 a.m. and 6 p.m.; during the period from April 1 – October 31.
 - It is an offense to water a lawn or landscape in a manner that wastes water or causes runoff.
 - Do not cause water to fall on sidewalks, driveways or other areas that are not lawns or landscapes.
 - Do not operate an irrigation system with broken or missing sprinkler heads or one that is poorly maintained and leads to water waste.
 - Do not water or irrigate lawns or landscapes during any form of precipitation.
 - Watering with a hand-held hose or a soaker hose is permitted at any time.

Life Hazard:

If the violation is noted as a life hazard abatement, it must be completed within 24 hours.

Examples of those violations include, but are not limited to:

- No hot water
- Air conditioning not in operating condition
- Heating equipment not in operating condition
- Exposed electrical
- Raw sewage
- Icebox or Refrigerator (31-7)

DEFINITIONS:

Operating Condition: free of leaks, safe, sanitary, structurally sound and in good working order. (27-3(23))

Workmanlike: executed in a skilled manner, for example generally plumb, level, square, in line, undamaged, and without marring adjacent work. (27-3(42))

- All repairs must be performed in a workmanlike manner (27-11(b))

Habitable Space: the space occupied by one or more persons while living, sleeping, eating, and cooking. Bathrooms, toilet rooms, closets, hallways, storage spaces, and utility rooms and other similar rooms are not considered habitable rooms. (27-3(15))

Sanitary Condition: any condition of good order and cleanliness that precludes the probability of disease transmission. (27-3(31))

Single Dwelling Unit: a single family or duplex as defined in the Dallas Development Code, as amended, or a condominium dwelling unit. (27-3(36))

Private Premise: any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure. (7A-2(11))

DALLAS TOMORROW FUND

The Dallas City Code states that the Dallas Tomorrow Fund must be used for the sole purpose of rehabilitating and repairing properties and premises in the city for persons who are found by the Dallas Tomorrow Fund administrator to be financially unable to comply with a notice of violation issued. Dallas City Code Sec. 27-16.23 provides eligibility criteria for a person to receive funds from the Dallas Tomorrow Fund. You may contact 214-670-3644 for more information about the Dallas Tomorrow Fund.

The Department of Code Compliance is committed to promoting and adhering to the City's Code of Ethics, values and conduct including adherence to compliance requirements. The City of Dallas does not accept payments in the field. If an employee requests or accepts payment, please contact the Fraud, Waste and Abuse Hotline at 1-877-860-1061.



**CIUDAD DE DALLAS
DEPARTAMENTO DE CUMPLIMIENTO DEL CÓDIGO
AVISO DE INFRACCIÓN**

Nombre: CRISS MATTHEW WILLIAM & RANSOM
ERICA

Caso #: 24-00531211

CRISS MATTHEW WILLIAM & RANSOM ERICA
1106 WESTMOUNT AVE
Dallas, texas 75211
USA

Su propiedad ubicada en 1106 WESTMOUNT AVE, DALLAS, TX, 75211 infringe el Código de la Ciudad de Dallas.

Violations of Dallas City Code:

Violation	Comments	Resolve By Date
No Building Permit	Please obtain permit for new fence. City of Dallas requires a permit for fences over 6 foot. New fence is 8ft tall. 301.1 Permits required. 301.1.1 General. A person, firm, or corporation shall not, without first obtaining a permit from the building official: 1. erect, construct, enlarge, add to, alter, repair, replace, move, improve, remove, install, convert, demolish, equip, use, occupy, or maintain a structure or building service equipment; 2. excavate or maintain an excavation; 3. pave or grade on a property; 4. construct, install, alter, or repair a rainwater collection system with a capacity of 5,000 gallons or greater; or 5. cause any work or activity described	November 18, 2024

Las infracciones con un (*) servirán como su notificación anual

Volveré a inspeccionar su propiedad el November 19, 2024 para determinar si se han subsanado las infracciones descritas anteriormente. Si su propiedad no cumple con los requisitos dentro de los días calendario establecidos, entonces la Ciudad puede subsanar la(s) infracción(es) a su cargo. Todos los gastos incurridos serán facturados a usted. La falta de pago de estos gastos resultará en un gravamen sobre su propiedad. Además, si no cumple con este aviso, la Ciudad puede emitirle una citación por cada día que se cometa una infracción. La multa máxima es de \$2,000.00 por citación.

Gracias de antemano por su cooperación. En caso de preguntas, por favor comunicarse al Cell 469-515-1125 / Office 214-670-6860.

Inspector: John Granberg

Placa: C2045

Fecha: November 7, 2024

Firma:

Dueño / Ocupante / Persona en Control de la Propiedad

Fecha: November 7, 2024

AVISO DE INFRACCIONES POR HIERBAS, BASURA, RESIDUOS SÓLIDOS, VEGETACIÓN O CONSERVACIÓN DE AGUA

*El Código de la Ciudad de Dallas exige que se emita solo un aviso de infracción por hierbas, basura, residuos sólidos, vegetación, desechos colocados ilegalmente y conservación del agua por período de doce meses. Este es el único aviso que recibirá durante los próximos doce meses en relación con las infracciones descritas anteriormente en esta dirección. Si comete otra infracción del mismo tipo y naturaleza que suponga un peligro para la salud y la seguridad públicas en o antes de la fecha del primer año de este aviso, la Ciudad podrá, sin previo aviso, subsanar la infracción a su cargo, imponer un gravamen sobre su propiedad y emitir una citación.

1. El dueño/agente/ocupante/persona a cargo es responsable de hacer cortar el césped alto o las hierbas antes de que superen las 12 pulgadas de altura. Los restos del césped deben ser triturados o eliminados.
2. La instalación debe mantenerse sin basura antiestética. Generalmente, el ocupante es responsable, aunque pueda estar alquilando. Cada dueño de la propiedad que tiene un callejón adyacente es responsable de mantener su mitad de ese callejón sin desechos, basura, hierbas y otras obstrucciones o molestias.
3. Los materiales de residuos sólidos arrojados o colocados ilegalmente en propiedad privada deben ser retirados o dispuestos por el dueño de la propiedad.
4. La vegetación, como setos, arbustos y ramas de árboles, debe cortarse para evitar lesiones o daños a las personas o la propiedad que puedan utilizar el derecho de paso, la acera, el derecho de acceso a la propiedad o el callejón.
5. Restricciones de Riego: Una persona comete un delito si se producen infracciones en una propiedad que posee, alquila o administra.
 - Está prohibido regar el césped o los jardines con un sistema de riego o un rociador entre las 10 a.m. y las 6 p.m.; durante el período del 1 de abril al 31 de octubre.
 - Es un delito regar el césped o jardín de una manera que desperdicie agua o provoque escorrentía.
 - No haga que caiga agua sobre las aceras, entradas de vehículos u otras áreas que no sean césped o jardines.
 - No utilice un sistema de riego en el que falten aspersores o estén rotos, o en el que el mantenimiento sea deficiente y se desperdicie agua.
 - No riegue ni irrigue el césped ni el jardín durante cualquier forma de lluvia.
 - Se permite regar con una manguera de mano o una manguera de remojo en cualquier momento.

Riesgo de Vida:

Si la infracción se califica como una corrección de un riesgo de vida, debe subsanarse dentro de las 24 horas. Ejemplos de esas infracciones incluyen, pero no se limitan a:

- Sin agua caliente; Aire acondicionado que no está en condiciones de funcionamiento; Equipo de calefacción que no está en condiciones de funcionamiento ; Sistema eléctrico expuesto ; Aguas residuales ; Hielera o Refrigerador (31-7)

DEFINICIONES:

Condición de Funcionamiento: sin fugas, seguro, higiénico, estructuralmente sólido y en buenas condiciones de funcionamiento. (27-3(23))

Competente: realizado de manera hábil, por ejemplo, generalmente verticalmente, nivelado, en escuadra, en línea, sin daños y sin estropear el trabajo adyacente. (27-3(42))

- Todas las reparaciones deben realizarse de manera profesional. (27-11(b))

Espacio Habitable: el espacio ocupado por una o más personas mientras viven, duermen, comen y cocinan. Los baños, sanitarios, armarios, pasillos, espacios de almacenamiento y cuartos de servicio y otras recámaras similares no se consideran recamaras habitables. (27-3(15))

Condición Sanitaria: cualquier condición de buen orden y limpieza que excluya la probabilidad de transmisión de enfermedades. (27-3(31))

Unidad de Vivienda Individual: una vivienda unifamiliar o dúplex según se define en el Código de Desarrollo de Dallas, y sus enmiendas, o una unidad de vivienda en condominio. (27-3(36))

Instalación Privada: cualquier vivienda, hogar, edificio u otra estructura diseñada o utilizada en su totalidad o en parte para fines residenciales privados, ya sea habitada o deshabitada temporal o continuamente o vacía, incluyendo cualquier patio, terreno, sendero, entrada de vehículos, porche, escalones, vestíbulo o buzón perteneciente o adjunto a tal vivienda, hogar, edificio u otra estructura. (7A-2(11))

FONDO DALLAS TOMORROW

El Código de la Ciudad de Dallas establece que el Fondo Dallas Tomorrow debe utilizarse con el único propósito de rehabilitar y reparar propiedades e instalaciones en la ciudad para personas que el Administrador del Fondo Dallas Tomorrow determine que no pueden cumplir financieramente con un aviso de infracción emitido. La Sección 27-16.23 del Código de la Ciudad de Dallas proporciona criterios de elegibilidad para que una persona reciba financiamiento del Fondo Dallas Tomorrow. Puede comunicarse al 214-670-3644 para obtener más información sobre el Fondo Dallas Tomorrow.

El Departamento de Cumplimiento del Código se compromete a promover y adherirse al Código de Ética, los valores y la conducta de la Ciudad, incluyendo el cumplimiento de los requisitos de cumplimiento. La Ciudad de Dallas no acepta pagos en el sitio. Si un empleado solicita o acepta un pago, comuníquese con la Línea Directa de Fraude, Despilfarro y Abuso al 1-877-860-1061.



REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT: JULIE OCONNELL		OWNER: MATT CRISS	
ADDRESS: 1106 WESTMOUNT	STATE: TEXAS	ZIP:	
LOT: 1	BLOCK: 6073	ZONING: R-7.5	

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

Please list the City of Dallas Development Code(s) this project is non-compliant with:

51A-4.602(a)(3) and 51A-4.602(a)(3)

Description: Applicant would like an exception to the fence height in the front yard, as well as the openness of the fence in the front yard

Alternative resolutions discussed/offered: None discussed. Applicant knew this would be a BDA approval situation.

Referred by: James Bales Contact: james.bales@dallas.gov Date: 12/18/24

OVERVIEW
1106 WESTMOUNT AVE
FENCE PERMITTING ISSUES

Owners of the property at 1106 Westmount Ave. hired a contractor to construct an 8-foot solid wooden fence around the front half of their property. They cited problems with the homeless population occupying the creek along the north side of the property. In addition, the property is heavily wooded in both the front and back yards area and the surrounding wildlife presents a safety issue for them, their children and pets.

The fence was completed in mid-November 2024. Subsequently, John Granberg, Inspector II of the Southwest Code District, responded to a 311-request concerning the fence. He discovered that the contractor had not applied for a fence permit. The owners were unaware that a permit was not issued for the fence. John recommended that the owners obtain the permit as soon as possible. In early December, the owners requested that Baldwin Associates apply for a fence permit on their behalf. The request for a fence permit was submitted on 12/10/24, Project# 2412101104.

On 12/18/2024, James Bales City of Dallas zoning examiner sent us a referral to the Board of Adjustment citing that the fence was non-compliant with fence height and standards 51A-4.602(a)(3), see attached referral. The issues are:

- Fence is over 4-ft high in a front yard
- Fence is a solid wood and does not meet the 50% opacity condition for a fence in the front yard that is under 5-ft from the property line.

As a result, we will need to apply for a special exception to the Board of Adjustment for a special exception for both non-compliant issues.

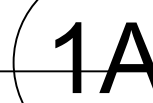
JULIE O'CONNELL
PERMIT APPLICANT
E: julie@baldwinplanning.com
P: 214-546-0591
DRAFTED BY:
E. BROOKE
ASSOCIATES, LLC
06/12/2025
E: erin@ebrooke.com

1C

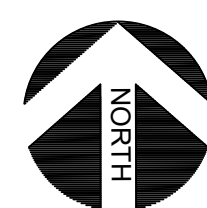
NTS



NTS

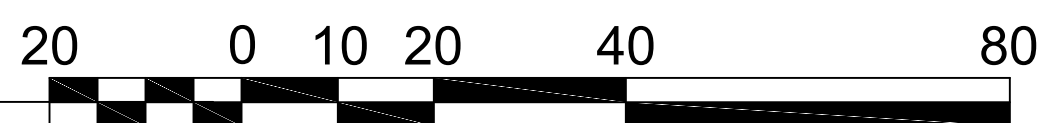


NTS



1

SCALE: 1" = 20'-0"



FILE NUMBER: BOA-25-000024(BT)

BUILDING OFFICIAL'S REPORT: Application of Monique Everett for **(1)** a variance to the front-yard setback regulations at **4000 COOLIDGE STREET**. This property is more fully described as Block 2/1783, Lots 1 & 2 and is zoned PD-595 (R-5(A)), which requires a front-yard setback of 20-feet. The applicant proposes to construct a single-family residential structure and provide a 6-foot 6-inch front-yard setback, which will require **(1)** a 13-foot 6-inch variance to the front-yard setback regulations.

LOCATION: 4000 Coolidge Street

APPLICANT: Monique Everett

REQUEST:

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

STANDARDS OF REVIEW FOR VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.

- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Variance to the front-yard setback regulations:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Lot is restrictive in buildable **area**, as in typical PD-595 (R-5(A)) minimum lot size is 5,000 square feet, and the applicant lot size is 2,800 square feet. The subject site is a corner lot with front-yard setbacks facing both Coolidge Street and Rutledge Street; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

The subject site and all surrounding properties are developed with church, multifamily duplex and single-family uses.

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Monique Everett for the property located at 4000 Coolidge Street focuses on one request relating to a variance to the front-yard setback regulations.
- The request is for a variance to the front-yard setback regulations. The applicant is proposing to construct and maintain a single-family structure and provide a 6-foot 6-inch front yard setback along Rutledge Street.

- Per staff's review of the subject site, it has been confirmed that the single-family structure is proposed on a vacant lot.
- Staff considered the following factors buildable **area**:
 - Typical PD-595 (R-5(A)) minimum lot size is 5,000 square feet, and the applicant lot size is 2,800 square feet.
 - Typical PD-595 (R-5(A)) buildable area is 3,000 square feet, and the applicant is proposing 1,350 square feet.
 - The subject site is a corner lot with front-yard setbacks facing both Coolidge Street and Rutledge Street, reducing the buildable area.
 - Without a variance, the applicant could build by right on 3' x 75' = 225 square feet.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the front yard setback will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
 - 3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.
- Granting the variance to the front yard setback regulations, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

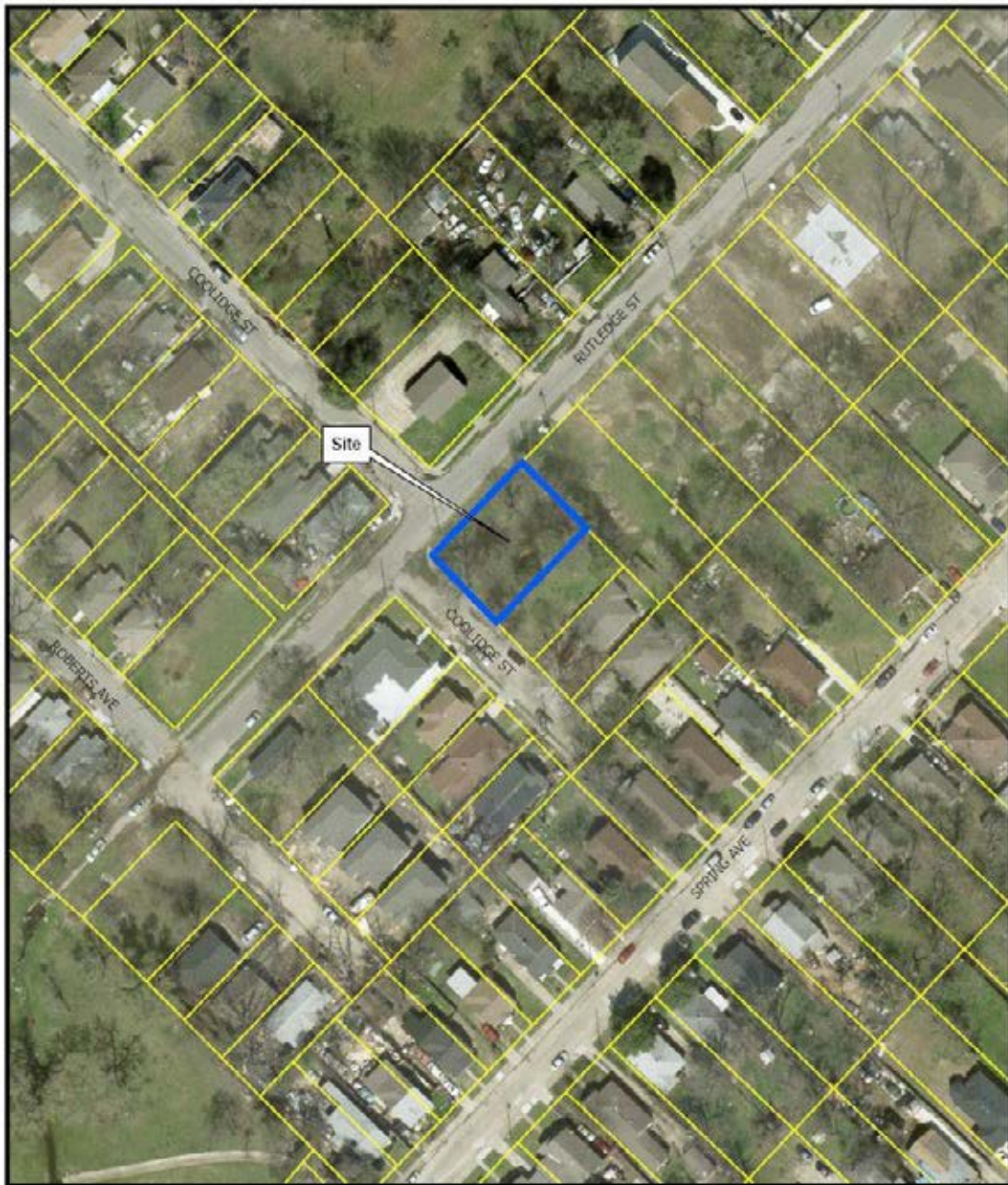
June 23, 2025:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
July 7, 2025:	The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B .
August 6, 2025:	Planning and Development Department Senior Planner emailed the applicant the following information: <ul style="list-style-type: none"> • an attachment that provided the public hearing date and panel that will consider the application; the July 21, 2025, deadline to submit additional evidence for staff to factor into their analysis;

and **August 8, 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.

July 30, 2025:

The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** 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: **BOA-25-000024**

Date: **07/01/2025**





1:1,200

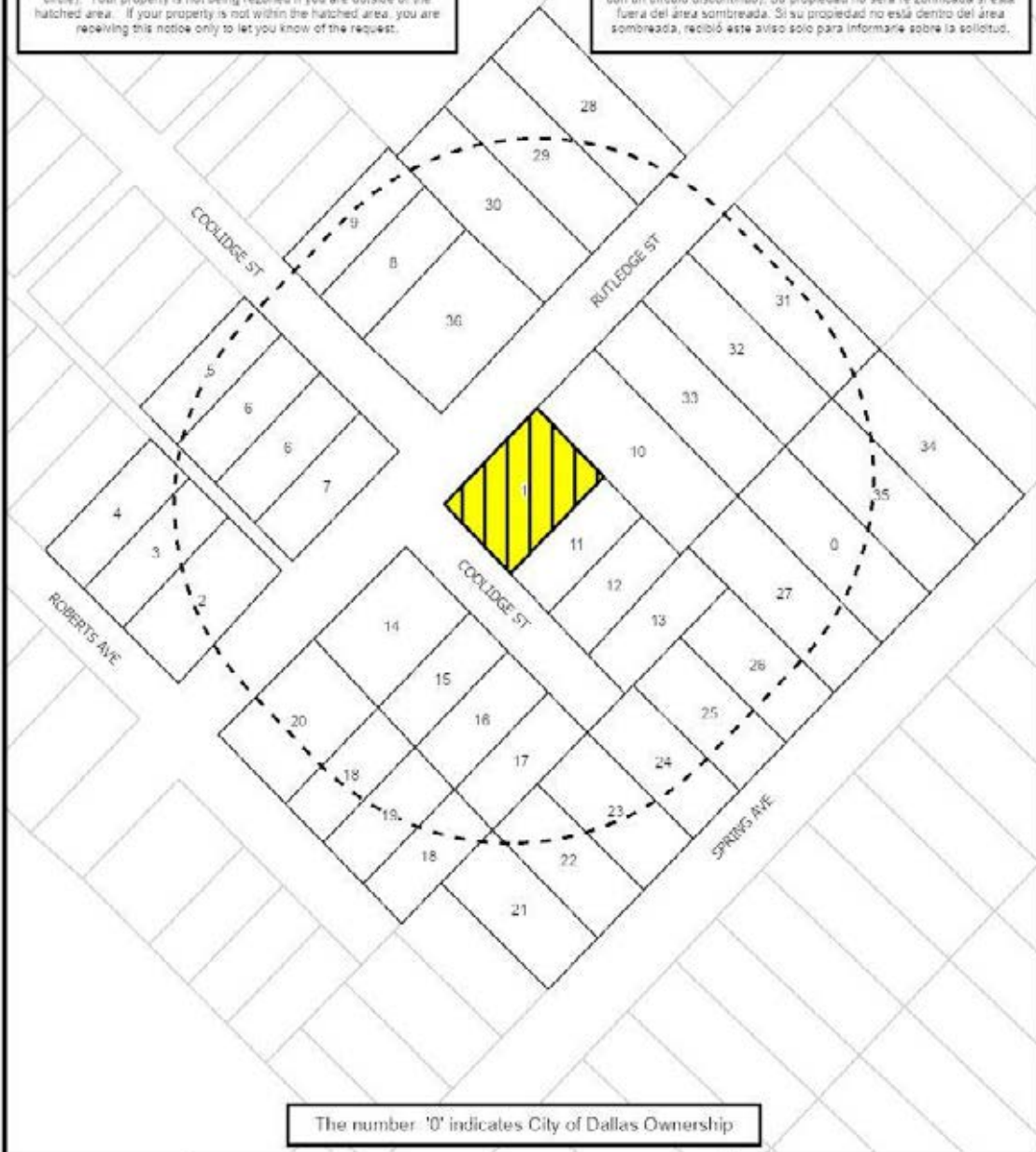
ZONING MAP

Case no: **BOA-25-000024**

Date: **07/01/2025**

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

200' AREA OF NOTIFICATION
36 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000024**

Date: **7/1/2025**

Notification List of Property Owners

BOA-25-000024

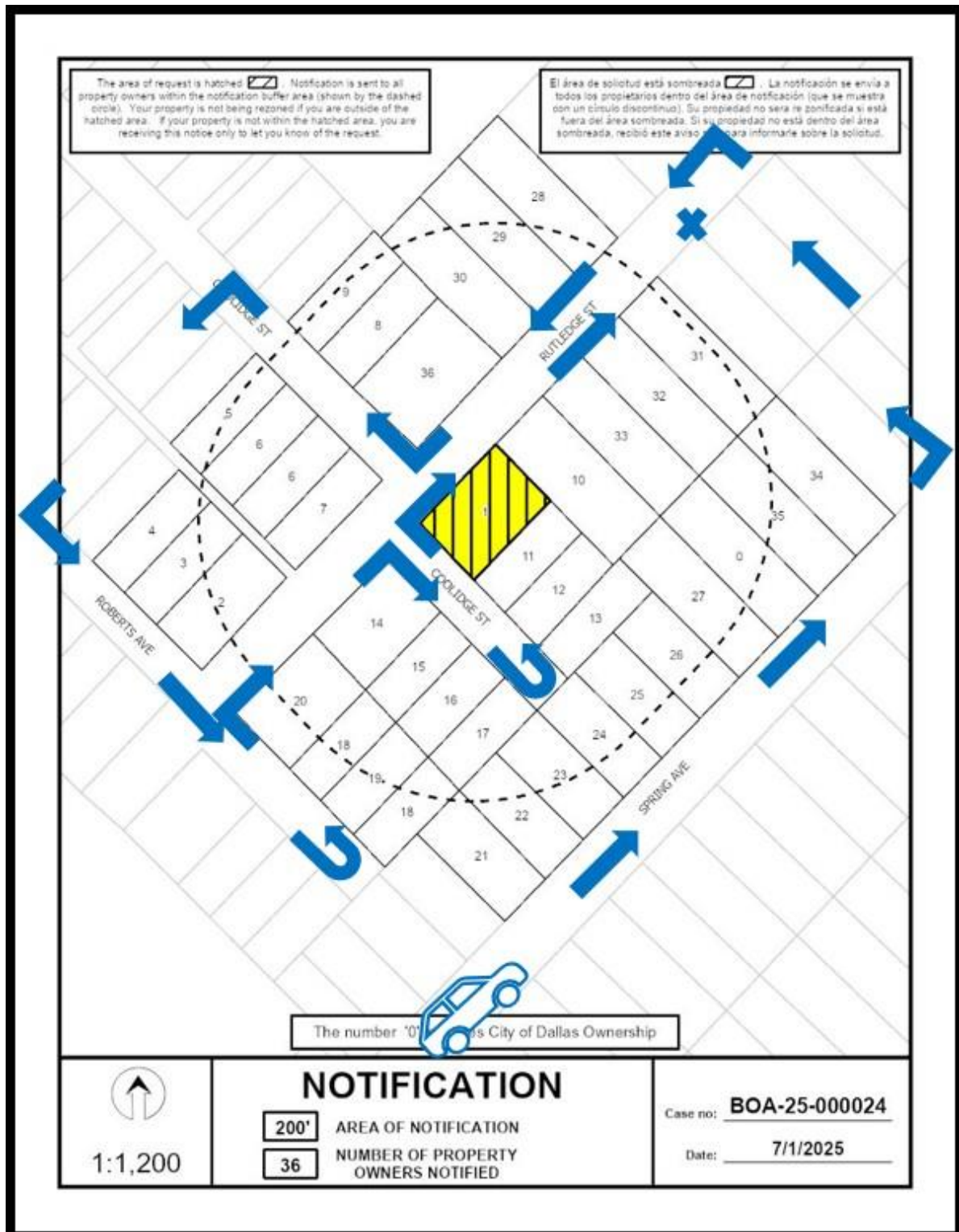
36 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4002 COOLIDGE ST	KINGDOM AT FAIRPARK LLC
2	3950 ROBERTS AVE	MITCHELL CLAUDIA FAYE
3	3946 ROBERTS AVE	RAMIREZ LETICIA
4	3942 ROBERTS AVE	TEKELEMARIYAM YEWUBDAR
5	3939 COOLIDGE ST	GARRETT ALICE
6	3943 COOLIDGE ST	WAKEEL CONSTRUCTION CORP
7	3951 COOLIDGE ST	REYES NELSON &
8	3942 COOLIDGE ST	WILLIAMS TIFFANY J
9	3938 COOLIDGE ST	WATSON APRIL
10	3238 RUTLEDGE ST	NAMO ENTERPRISES LLC
11	4006 COOLIDGE ST	BAIG MANAGEMENT CORP
12	4010 COOLIDGE ST	HERRERA DIEGO &
13	4014 COOLIDGE ST	M5 4014 COOLIDGE LLC
14	4003 COOLIDGE ST	SUFI HOLDINGS LLC
15	4007 COOLIDGE ST	FERGUSON WATLEY ETTA MAE &
16	4011 COOLIDGE ST	NAK FOUNDATION LLC
17	4013 COOLIDGE ST	ENRIQUEZ SAUL VARGAS &
18	4014 ROBERTS AVE	OPEN MINDFRAME VENTURES LLC
19	4010 ROBERTS AVE	SMITH KEVIN M
20	4000 ROBERTS AVE	WORKS GEORGE W JR ET AL
21	3219 SPRING AVE	SAFNA REALTY LLC
22	3223 SPRING AVE	LEWIS CLYDE & DEBORAH
23	3227 SPRING AVE	STROUD ROBERT
24	3231 SPRING AVE	RAMIREZ JOSE
25	3235 SPRING AVE	FARMER CEDRIC A
26	3239 SPRING AVE	MACH TEXAS LLC

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3243 SPRING AVE	HERNANDEZ RODOLFO & LORI LEE
28	3311 RUTLEDGE ST	REVEST PROPERTIES INVESTMENTS
29	3307 RUTLEDGE ST	BROWN OLLIE GENE &
30	3303 RUTLEDGE ST	BROWN BETTY JEAN
31	3310 RUTLEDGE ST	CPT LIMITED ENTERPRISES
32	3306 RUTLEDGE ST	WILLIAMS RICKEY
33	3300 RUTLEDGE ST	FOCIS HOLDING GROUP LLC
34	3311 SPRING AVE	DANIEL GWYNELL EST OF
35	3307 SPRING AVE	CARDOSO CLEMENTE &
36	3950 COOLIDGE ST	TRINITARIAN CHRISTIAN CH

 1:1,200	<h2>NOTIFICATION</h2>		Case no: BOA-25-000024
	<div>200'</div> <div>36</div>	<div>AREA OF NOTIFICATION</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div>	Date: 7/1/2025

200' Radius Route Map



**NOTICE OF PUBLIC HEARING
BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL B)**

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

DATE: **WEDNESDAY, AUGUST 20, 2025**

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.

<https://bit.ly/boa0820>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.

<https://bit.ly/boa0820>

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

BOA-25-000024(BT) Application of Monique Everett for **(1)** a variance to the front-yard setback regulations at **4000 COOLIDGE STREET**. This property is more fully described as Block 2/1783, Lots 1 & 2 and is zoned PD-595 (R-5(A)), which requires a front-yard setback of 20-feet. The applicant proposes to construct a single-family residential structure and provide a 6-foot 6-inch front-yard setback, which will require **(1)** a 13-foot 6-inch variance to the front-yard setback regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-B-Register> by the close of business Tuesday, August 19, 2025. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

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

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

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

PLEASE SEND REPLIES TO:

BDAREPLY@dallas.gov

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

PLEASE REGISTER AT:

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



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

Data Relative to Subject Property: 4002 Coolidge St Date:
Location address: 4000 Coolidge St Zoning District: PD595 / R-5(A)
Lot No.: 1 Block No.: 211-753 Acreage: 2796 Census Tract: 26.03
Street Frontage (in Feet): 1) 78 2) 100 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Kingdom at Fairpark LLC
Applicant: Monique Everett Telephone: 919-523-9908
Mailing Address: 4608 Steel St Dallas TX Zip Code: 75219
E-mail Address: Admin@renuhouses.com
Represented by: Monique Everett Telephone: 919-523-9908
Mailing Address: 4608 Steel St Dallas TX Zip Code: 75219
E-mail Address: Admin@renuhouses.com

Affirm that an appeal has been made for a Variance ☒ or Special Exception ☐ of 13 "6" to Front yard
along Ruthledge proposing setback at 6' 6"

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

Because we have two frontage and need variance from
difference of setback require

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

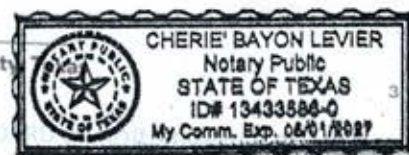
Affidavit

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

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

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

Notary Public in and for Dallas County



**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

FILE NUMBER: BOA-25-000024

BUILDING OFFICIAL'S REPORT: Application of Monquie Everett for a variance to the front-yard setback regulations at 4000 COOLIDGE ST. This property is more fully described as Block 2/1783 Lot 1 & 2 and is zoned PD-595 (R-5(A)), which requires a front-yard setback of 20-foot. The applicant proposes to construct a single-family residential structure and provide a 6-foot 6-inch front-yard setback, which will require a 13-foot 6-inch variance to the front-yard setback regulations.

LOCATION: 4000 COOLIDGE ST

APPLICANT: Monquie Everett

REQUEST: A variance to the front-yard setback regulations

**OPERATING AGREEMENT
OF
KINGDOM AT FAIRPARK, LLC
A Georgia Limited Liability Company**

THIS Limited Liability Company Agreement (this “Agreement”) of **Kingdom AT FAIRARK, LLC**, a Georgia limited liability company (the “**Company**”), is entered into by **Daniel Bressler**, an individual, and **Liel Manoah**, an individual, (collectively the “**Members**”), and is effective as of the 10th day of June, 2023 by the undersigned.

W I T N E S S E T H:

WHEREAS, the Company was formed on June 6, 2023, when the Articles of Organization were filed with the office of Secretary of State pursuant to the statutes governing limited liability companies in the State of Georgia (the “**Statutes**”); and

WHEREAS, the Members desire to enter into a entity for the purpose in accordance with the Business Purpose of the Company pursuant to Article 3 herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby agree as follows:

**ARTICLE I
DEFINITIONS**

The following terms used in this Agreement shall have the following meanings:

“Default Rule.” A rule or provision in the Georgia Act which (i) structures, defines, or regulates the finances, governance, operations or other aspects of a limited liability company organized under the Georgia Act; and (ii) applies except to the extent it is negated or modified through the provisions of a limited liability company's articles of organization or operating agreement.

“Georgia Act.” The Georgia Limited Liability Company Act (O.C.G.A. §14-11-100 et seq.), as amended from time to time.

**ARTICLE II
FORMATION OF THE COMPANY**

2.1 Formation. The Company was formed on August 21, 2023 by filing of Articles of Organization with the Secretary of State of Georgia.

2.2 Principal Place of Business. The principal place of business of the Company within the State of Georgia is located at 4243 Dunwoody Club Drive, Suite 200, Atlanta, Georgia 30350.

The Company may locate its places of business and registered office at any other place or places as the Member may from time to time deem advisable.

2.3 Registered Office and Registered Agent. The Company's registered office shall be at the office of its registered agent at 4243 Dunwoody Club Drive, Ste 200, Atlanta GA, 30350 and the name of its initial registered agent at such address is Liel Manoah. The registered office and registered agent may be changed from time to time by filing the address of the new registered office and/or the name of the new registered agent with the Secretary of State of Georgia pursuant to the Georgia Act and the applicable rules promulgated thereunder.

2.4 Term. The Company shall continue in existence perpetually unless the Company is dissolved and its affairs wound up in accordance with the Georgia Act or this Agreement. The Member may terminate this Agreement and dissolve the Company at any time.

2.5 Fiscal Year. The fiscal year of the Company shall be the calendar year.

ARTICLE III BUSINESS OF COMPANY

The Company is organized to engage in any activity permitted by the Act or otherwise permitted to be engaged in by a limited liability company. In furtherance thereof, the Company may exercise all powers necessary to or reasonably connected with the Company's business which may be legally exercised by limited liability companies under the Georgia Act, and may engage in all activities necessary, customary, convenient, or incident to any of the foregoing.

ARTICLE IV MEMBER

4.1 Name and Address of Member. Liel Manoah, having an address at 4561 Olde Perimeter Way, Unit 710, Atlanta GA, 30346 and Daniel Bressler, having an address at 4608 Steel St, Dallas TX, 75219 shall be the members ("Members") of the Company.

4.2 Power of Members. The Members shall have the power to do any and all acts necessary or convenient to or for the furtherance of the purposes described herein, including, without limitation, all powers, statutory or otherwise, possessed by members of limited liability companies under the laws of the State of Georgia.

ARTICLE V MANAGEMENT

The business and affairs of the Company shall be conducted and managed solely and exclusively by the Manager. The Manager shall have the power to take any action on behalf of the Company including but not limited to exclusive and complete discretion to manage the business and affairs of the Company, to make all decisions affecting the business and affairs of the Company and

to take such actions as they deem necessary or appropriate to accomplish the purpose of the Company; except as provided in the Articles of Organization or the Statutes. The Initial designated Managers are Liel R. Manoah and Daniel Bressler.

The Manager shall not be required to manage the Company as its sole and exclusive function and, it may have other business interests and may engage in other activities (including competing business and activities) in addition to those relating to the Company.

The initial Managers shall be LIEL MANOAH and DANIEL BRESSLER.

ARTICLE VI CAPITAL CONTRIBUTIONS

6.1 Capital contributions shall be made in such amounts and in such form as the Members shall determine. The Members shall not be obligated to make any additional capital contribution to the Company.

6.2 **Return of Capital Contributions.** Except as otherwise provided in this Agreement and subject to applicable law, Capital Contributions shall be returned prior to any distributions of profit.

ARTICLE VII DISTRIBUTIONS

Subject to the requirements of applicable law, distributions shall be made to the Members at such time and in such amount as the Manager may determine in his sole and absolute discretion. Distributions may be in cash or in securities or other instruments held by the Company.

Cash Flow of the Company shall be distributed to the Interest Holders, in the following order of priority, whereby no funds shall be provided to a lower priority until all outstanding amounts in relation to the higher priority have been paid in full (and in relation to outstanding amounts for each priority owing to more than one Person, on a pro rata basis between such Persons as to the relevant amounts outstanding within such priority, to such Persons):

- a) to Interest Holders, their respective accrued but unpaid Preferences on any amount of such Interest Holders' remaining unreturned Initial Capital Contributions, if any;
- b) Second, to Interest Holders, their unreturned Initial Capital Contributions;
- c) Remaining funds shall be distributed (i) fifty percent (50%) to Daniel Bressler, and (ii) fifty percent (50%) to Liel Manoah.

ARTICLE VIII
LIMITED LIABILITY OF MEMBER

The Members or Manager shall not under any circumstances whatsoever be liable for any debts, obligations or liabilities of the Company.

ARTICLE IX
TAXATION

The Members intend that solely for federal and state income tax purposes they will not be treated as a separate entity but, instead, all income tax matters will be reported directly by the Members.

ARTICLE X
MISCELLANEOUS

10.1 Severability. If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

10.2 Captions. All captions used in this Agreement are for convenience only and shall not affect the meaning or construction of any provision hereof.

10.3 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.

10.4 No Third Party Beneficiary. This Agreement is made solely and specifically between and for the benefit of the Members and no other person or party whatsoever shall have any rights, interest or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third party beneficiary.

10.5 Relationship of this Agreement to the Default Rules. Regardless of whether this Agreement specifically refers to a particular Default Rule, in no event shall any Default Rule apply to the Company, it being the intent of the Member that, by virtue of this Section 10.5 all of the Default Rules shall be negated and, to the fullest extent possible, all of the rights and obligations of the Members with respect to the Company shall be as set forth in this Agreement and shall not arise from any provisions of the Act that constitute a Default Rule that is permitted to be made inapplicable, or modified with respect to, a limited liability company pursuant to the articles of organization or operating agreement of a limited liability company.

10.6 Entire Agreement. This Agreement contains all of the understandings and agreements of the Members with respect to its ownership of the Company.

EXHIBIT A: List of Members, Capital and Percentages

Name	Initial Capital Contribution	Capital Percentage
-------------	-------------------------------------	---------------------------

Liel Manoah	\$ 40,000.00	50.00%
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Address:

4561 Olde Perimeter Way, Unit 710
Atlanta, GA 30346

Daniel Bressler	\$40,000.00	50.00%
------------------------	-------------	--------

Address:

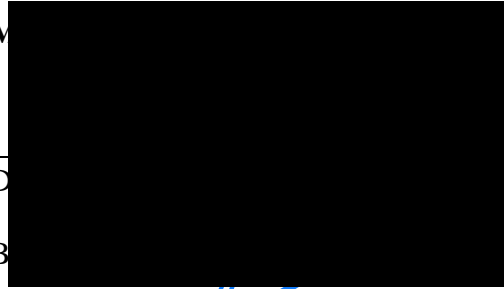
4608 Steel St, Dallas TX, 75219

Total: \$ 80,000.00

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned has executed this Agreement effective as of the date first above written.

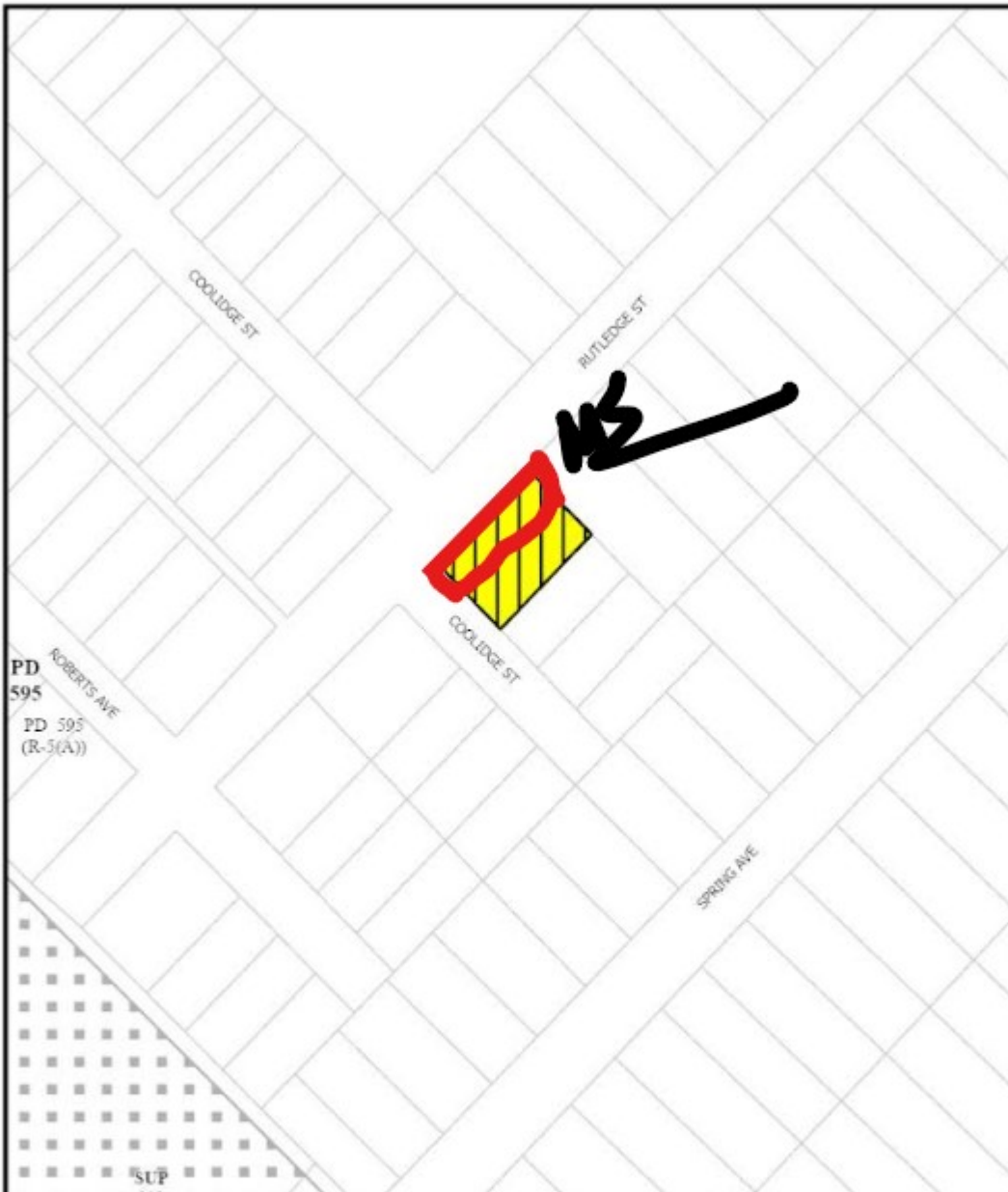
M
D
B





Liel Manoah

By: Liel Manoah, Manager



1:1,200

ZONING MAP

Case no: **BOA-25-000024**
Date: **07/01/2025**



CITY OF DALLAS

Development Services Board of Adjustment Referral Form:

Applicant/Representative: Monique Everett

Owner (if applicable): _____

Property address: 4002 Coolidge St

Lot: 1 & 2 City Block: 2/1783 Zoning: pd 595- R5

Request (check all that apply):

☐ **Variance**

- ☒ Yard setback
- ☐ Lot width
- ☐ Lot Depth
- ☐ Lot Coverage
- ☐ Floor area for accessory structures for single family uses
- ☐ Height
- ☐ Minimum width of sidewalk
- ☐ Off-street parking
- ☐ Off-street loading
- ☐ Landscape regulations
- ☐ Other

☐ **Special Exception**

- ☐ Fence height and standards
- ☐ Visibility triangle obstructions
- ☐ Parking demand
- ☐ Landscaping
- ☐ Additional dwelling unit for a single-family
- ☐ Carport
- ☐ Non-conforming use
- ☐ Other

Referrer

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

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

Property has 2 front yard setback and wants Rutledge st to be considered as side yard instead of front yard

SEC. 51A-3.102

Referred by: Anthony Cisneros Date: 03/26/2025
Printed name

Application forms can be obtained at
<https://dallascityhall.com/government/Boards-and-Commissions/Board-of-Adjustment/Pages/default.aspx> or
320 E. Jefferson Blvd, Rm 118 Dallas TX 75203



Monique Everett <admin@renuhouses.com>

Application Denial for Your Address Assignment-Change ADDR-25-000068

1 message

SVC_Accela_IG1 <SVC_Accela_IG1@dallas.gov>
To: "admin@renuhouses.com" <admin@renuhouses.com>

Fri, Jun 6, 2025 at 2:02 PM

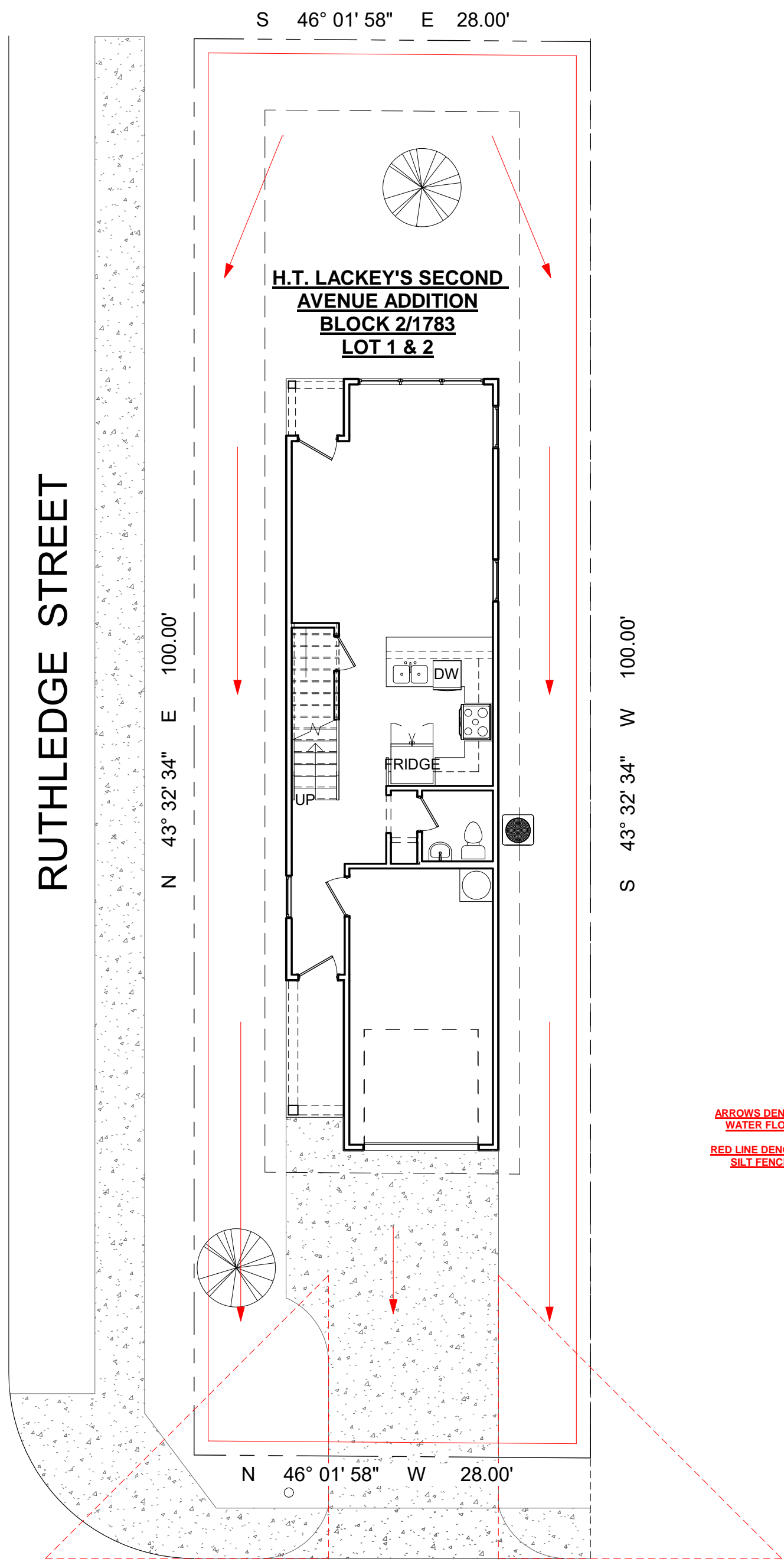
Hello Renu Property Investment - Monquie Everett,

Thank you for submitting your Address Assignment-Change, ADDR-25-000068 We regret to inform you that your application has been denied for the following reason(s):

4000 Coolidge St was assigned for Lot 1 in 2023. No address creation required. Please apply under 4000 Coolidge.

If you have any questions, please feel free to contact us via the contact information below.

Sincerely,
City of Dallas
Addressing
214-948-4480
320 E. Jefferson Blvd. Room LL07, Dallas, TX
pdvaddressing@dallas.gov



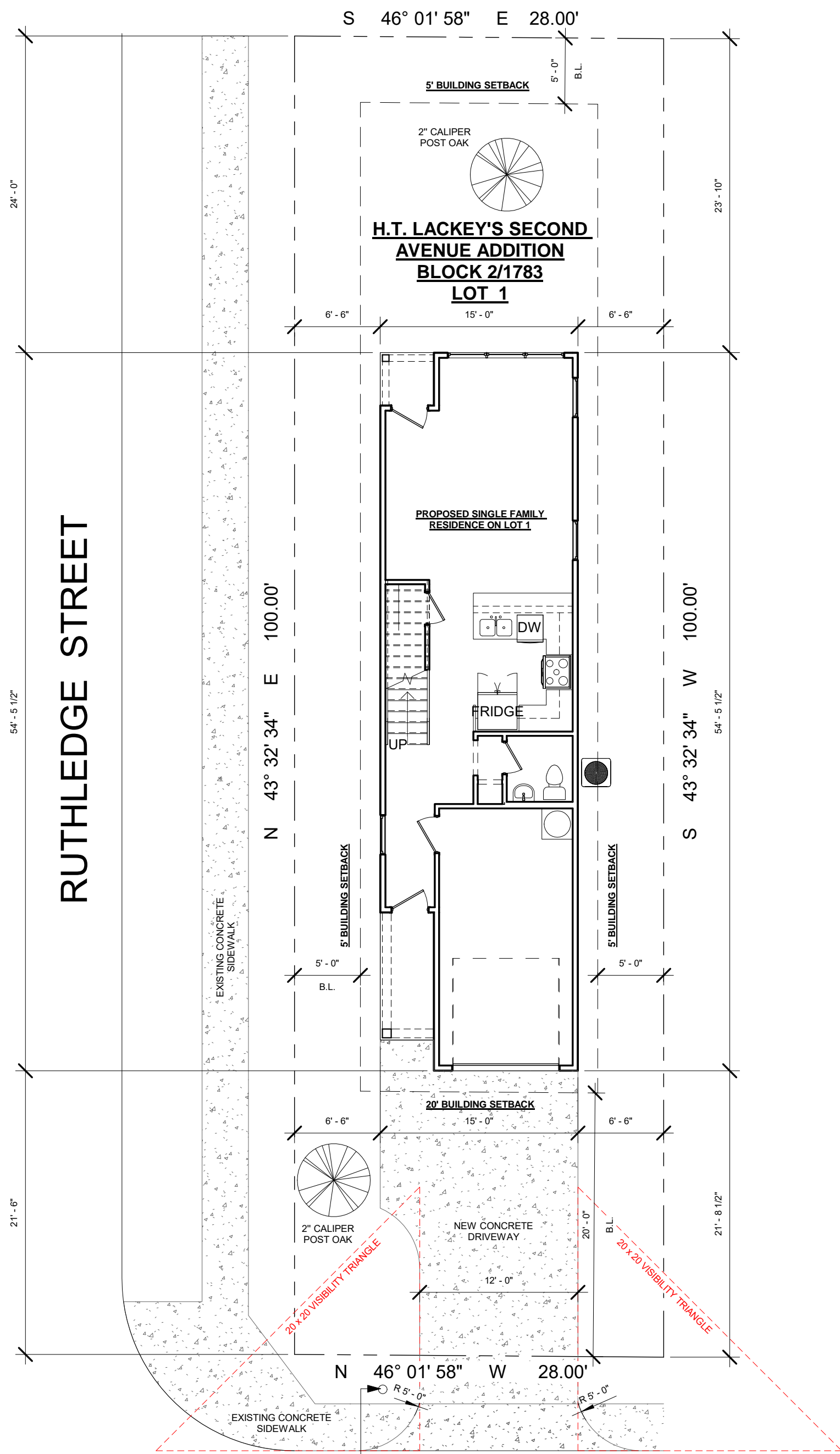
COOLIDGE STREET



2 DRAINAGE PLAN
1/8" = 1'-0"

ZONING: PD 595 R-5(A)
LOT COVERAGE PER ZONING: 45%
LOT AREA: 2,800 SF
HOUSE AREA: 808 SF
LOT COVERAGE: 29%

GENERAL SITE PLAN NOTES:
1.) LOT DRAINAGE TO COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE.
2.) BUILDING AREA TO BE CLEARED OF ALL HUMUS, ROOTS, AND VEGETATION. CUT STUMPS A MINIMUM OF 8" BELOW GRADE AND 4" BELOW BEAMS.



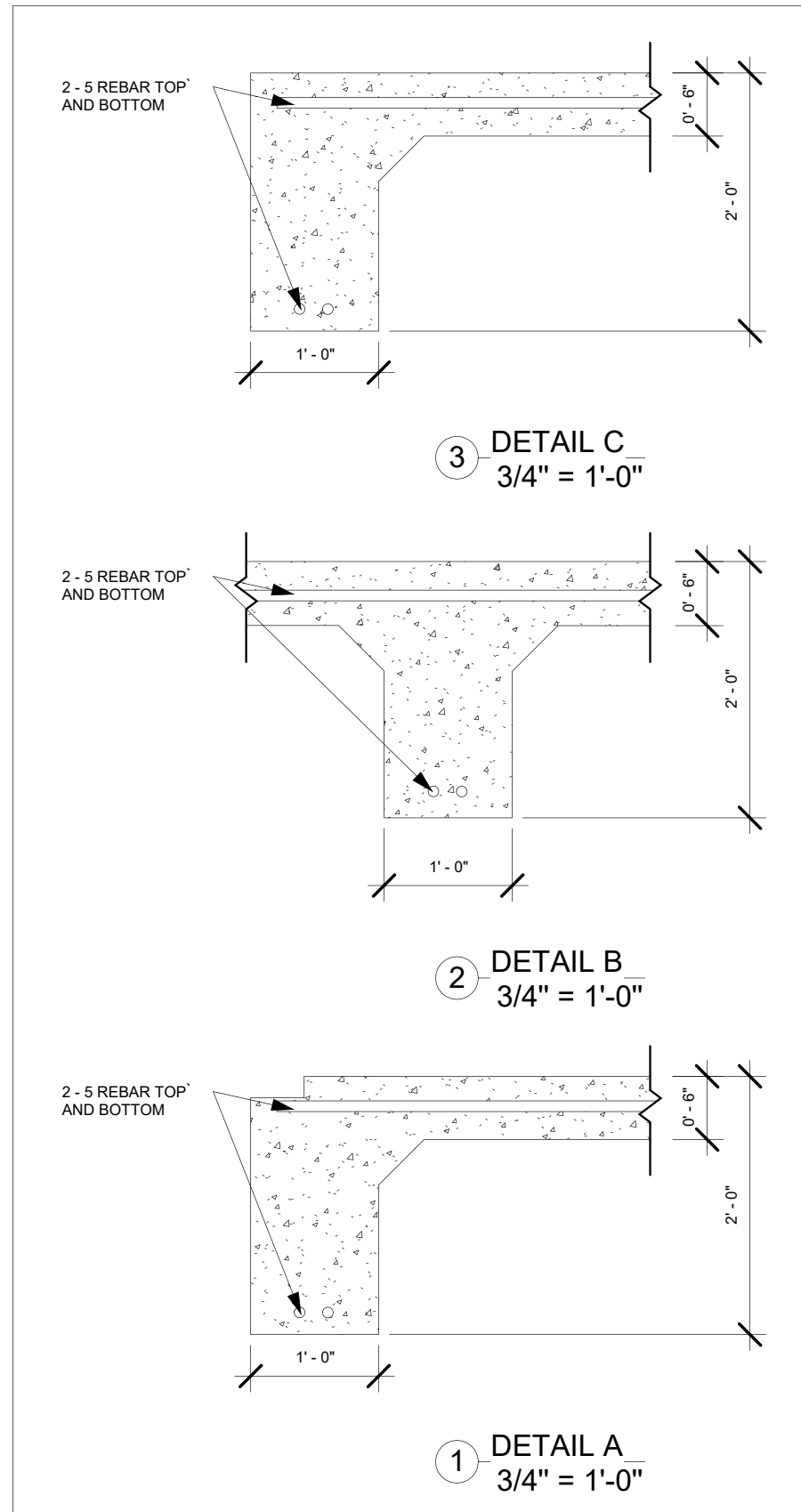
COOLIDGE STREET



1 SITE PLAN
1/8" = 1'-0"

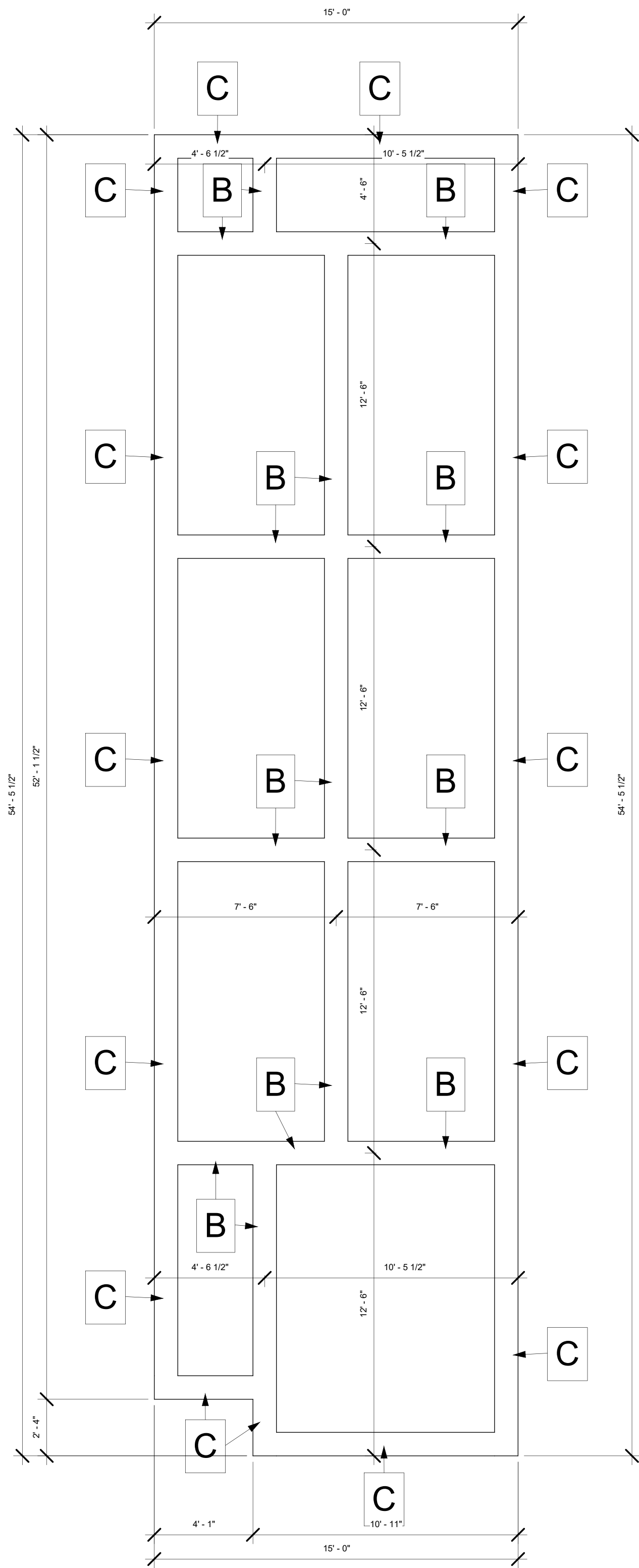
GENERAL NOTES:
1.) These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked completely by the builder. Any discrepancy, error, and/or omission found is to be brought to the attention of the designer before any construction work or purchases have been made.
2.) These plans are designed to be in substantial compliance with current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.
3.) Contractor must verify all dimensions and scale drawings.





- 1.) ALL EXTERIOR BEAMS 12" x 24" W/ 2-#5 REBAR TOP & BOTTOM (INTERIOR 12" x 24").
- 2.) ALL CONCRETE TO BE 3500 P.S.I. MIN.
- 3.) 4" CUSHION SAND UNDER SLAB W/6 MILL POLY COVER BETWEEN SAND & CONCRETE.
- 4.) SEE SECTIONS FOR DETAILS.
- 5.) REBAR IN SLAB TO BE #3 @ 16" O.C. EACH WAY.
- 6.) MINIMUM REBAR OVERLAP 30 x DIA.
- 7.) SLAB THICKNESS 6" MINIMUM.
- 8.) ALL BEAMS MUST BE MINIMUM 14" INTO UNDISTURBED SOIL.

- 1.) These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked completely by the builder. Any discrepancy, error, and/or omission found is to be brought to the attention of the designer before any construction work or purchases have been made.
- 2.) These plans are designed to be in substantial compliance with current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.
- 3.) Contractor must verify all dimensions and scale drawings.

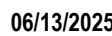


1 ARCHITECTURAL FOUNDATION PLAN
1/4" = 1'-0"



**4000 Coolidge Street
H.T. Lackey's Second
Avenue Addition
Block 2/1783 Lot 1
Dallas, Texas 75215**

June 13, 2025



Title
**ARCHITECTURAL
FOUNDATION
PLAN**

A-002

Copyright © 2025
DC TEXAS ARCHITECTURE

WINDOW SCHEDULE				
WINDOW TYPE	WIDTH	HEIGHT	TYPE	HEAD HEIGHT
A	3'-0"	6'-0"	FIXED	7'-0"
B	3'-0"	6'-0"	SINGLE-HUNG	7'-0"
C	3'-0"	1'-6"	FIXED	7'-0"
D	3'-0"	5'-0"	SINGLE-HUNG	7'-0"

NOTE:
ALL WINDOWS ARE VINYL WITH LOW-E GLASS, DOUBLE GLAZED, R-VALUE TO MEET CODE.

DOOR SCHEDULE				
NUMBER	WIDTH	HEIGHT	HINGE	TYPE
1	2'-8"	6'-8"	LEFT	EXT. FULL LITE
2	2'-4"	6'-8"	RIGHT	HOLLOW CORE
3	2'-4"	6'-8"	RIGHT	HOLLOW CORE
4	2'-8"	6'-8"	RIGHT	EXT. SOLID CORE
5	2'-8"	8'-0"	RIGHT	EXT. FULL LITE
6	8'-0"	7'-0"	OVERHEAD	GARAGE
7	2'-8"	6'-8"	RIGHT	HOLLOW CORE
8	2'-4"	6'-8"	LEFT	HOLLOW CORE
9	2'-4"	6'-8"	RIGHT	HOLLOW CORE
10	2'-4"	6'-8"	LEFT	HOLLOW CORE
11	2'-8"	6'-8"	RIGHT	HOLLOW CORE
12	2'-4"	6'-8"	LEFT	HOLLOW CORE
13	2'-8"	6'-8"	RIGHT	HOLLOW CORE
14	2'-8"	6'-8"	RIGHT	HOLLOW CORE
15	2'-4"	6'-8"	RIGHT	HOLLOW CORE
AA	2'-8"	6'-8"		DW OPENING
BB	1'-10"	6'-8"		CABINET FRONT

ABBREVIATIONS:
DW EB ARCH - DRY WALL EYEBROW ARCH.
EXT - EXTERIOR

GENERAL FLOOR PLAN NOTES:

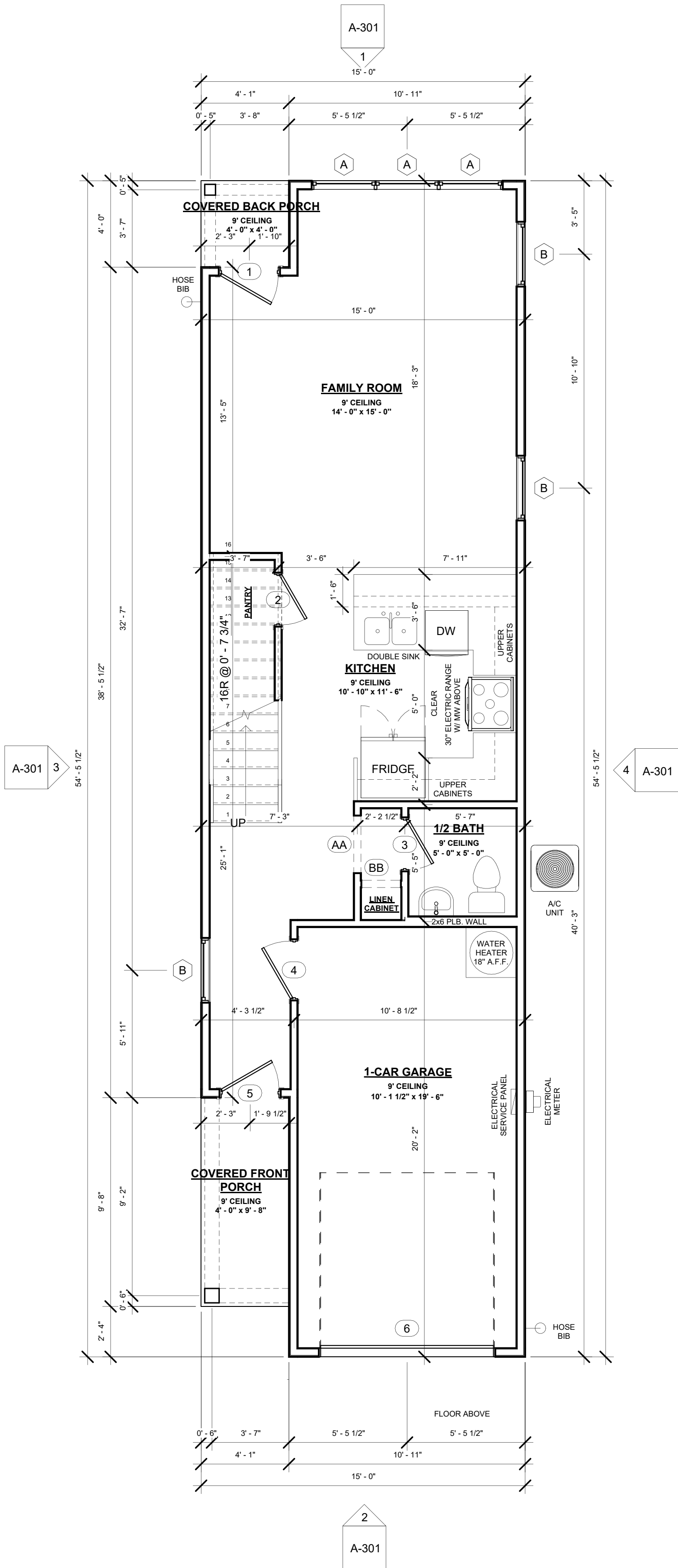
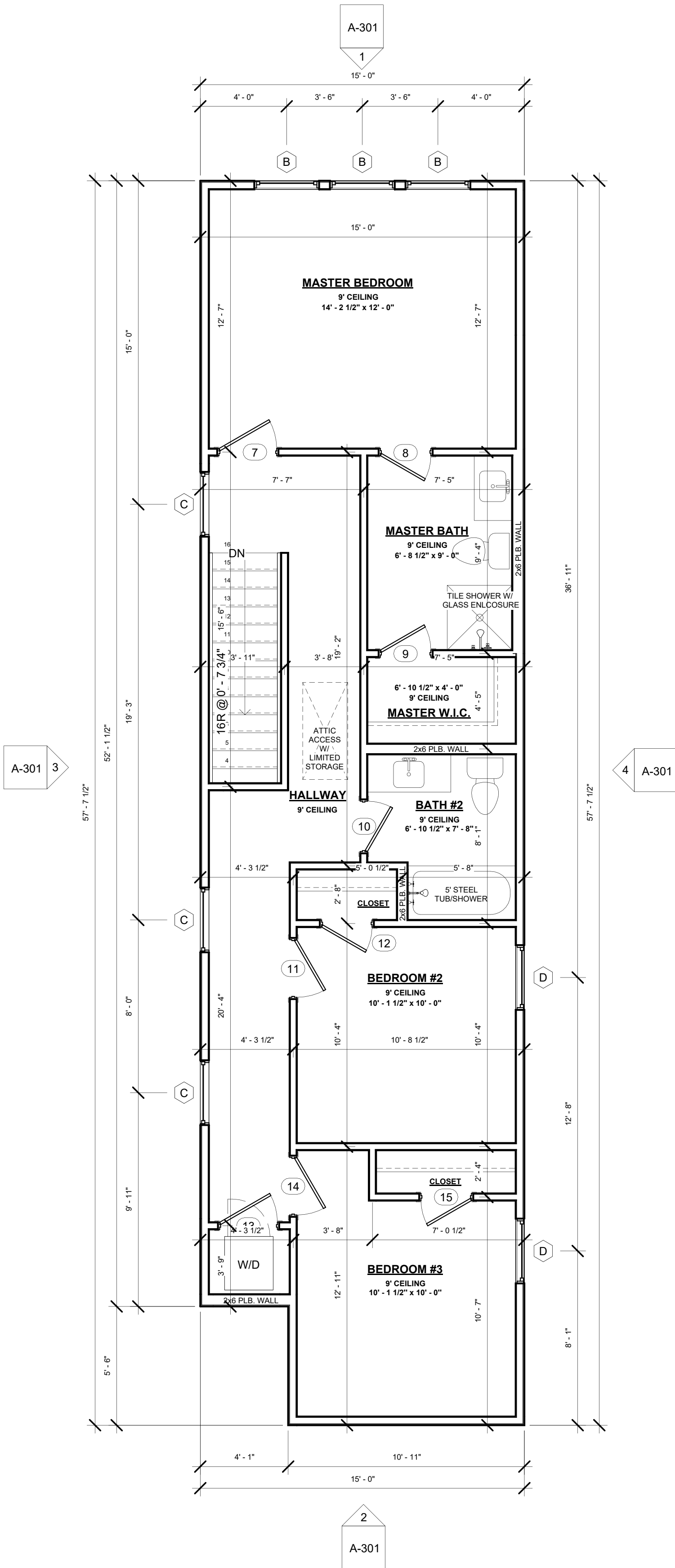
- 1.) GLAZING IN HAZARDOUS LOCATIONS SHALL MEET REQUIREMENT OF IRC CODE SECTION R308.4, WHICH SHALL BE VERIFIED BY INSPECTOR IN FIELD.
- 2.) ALL SLEEPING ROOM EGRESS WINDOWS ARE TO MEET THE REQUIREMENTS OF SECTION R310 AND WILL BE FIELD VERIFIED.
- 3.) CAGED DOOR OPENINGS PER BUILDER SPEC.
- 4.) UPPER CABINETS IN KITCHEN PER OWNER SPEC.
- 5.) UPPER CABINETS IN UTILITY PER OWNER SPEC.
- 6.) TILE SHOWER WITH GLASS SURROUND UNLESS NOTED OTHERWISE.
- 7.) UPPER CABINETS ABOVE TOILETS PER OWNER SPEC.
- 8.) CLOSET SHELVES PER OWNER SPEC.
- 9.) ALL WALLS ARE DIMENSIONED 4" NOMINAL, BRICK 5", NOMINAL.
- 10.) PROVIDE 3/8" WATER LINE TO REFRIGERATOR.
- 11.) ALL WATER HEATERS ARE TO BE 18" A.F.F.
- 12.) AIR CONDITIONER CONDENSER MUST BE 3" ABOVE GRADE.
- 13.) IN ABSENCE OF STRUCTURAL ENGINEER PREPARED BY BUILDER, USE TABLE R602.3 IN THE INTERNATIONAL RESIDENTIAL CODE.
- 14.) CHECK PLANS FOR LEVEL CHANGES, FLOOR OUTLETS, AND PLUMBING FIXTURE LOCATIONS.

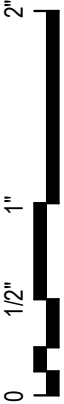
AREA TOTALS	
FIRST FLOOR LIVING	534 SF
SECOND FLOOR LIVING	744 SF
	1278 SF
1-CAR GARAGE	218 SF
	218 SF
COVERED FRONT PORCH	39 SF
COVERED BACK PORCH	16 SF
	55 SF
FOUNDATION	808 SF
	808 SF

TOTAL UNDER ROOF: 1,551 SF

GENERAL NOTES:

- 1.) These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked completely by the builder. Any discrepancy, error, and/or omission found is to be brought to the attention of the designer before any construction work or purchases have been made.
- 2.) These plans are designed to be in substantial compliance with current city adopted International Residential Code. The construction shall conform to all national, state, and local building codes and ordinances. These codes shall take precedence over anything noted in these drawings.
- 3.) Contractor must verify all dimensions and scale drawings.





ROOF LEGEND	
SYMBOL	DESCRIPTION
	30 YEAR ASPHALT COMPOSITION SHINGLE ROOF
	METAL GUTTER
	METAL ROOF

GENERAL ROOF PLAN NOTES:

- 1.) NO VENT STACKS AND PENETRATIONS TO BE LOCATED ON THE FRONT OF THE HOUSE AND VISIBLE FROM THE STREET.
2.) VENT STACKS AND PENETRATION TO BE PAINTED TO MATCH ROOF COLOR.
3.) GUTTERS TO BE PAINTED TO MATCH EXTERIOR TRIM.

GENERAL NOTES:

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3.) Contractor must verify all dimensions and scale drawings.

A-301 3

A-301 1

4" / 12"

A-301 4

A-301 2

1 ROOF PLAN
1/4" = 1'-0"



BRESSLER

4000 Coolidge Street
H.T. Lackey's Second
Avenue Addition
Block 2/1783 Lot 1
Dallas, Texas 75215

ISSUE FOR
PERMIT

June 13, 2025



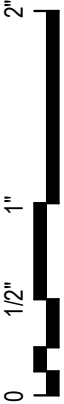
06/13/2025

Title
ROOF PLAN

Sheet

A-102

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GENERAL ELECTRICAL PLAN NOTES:

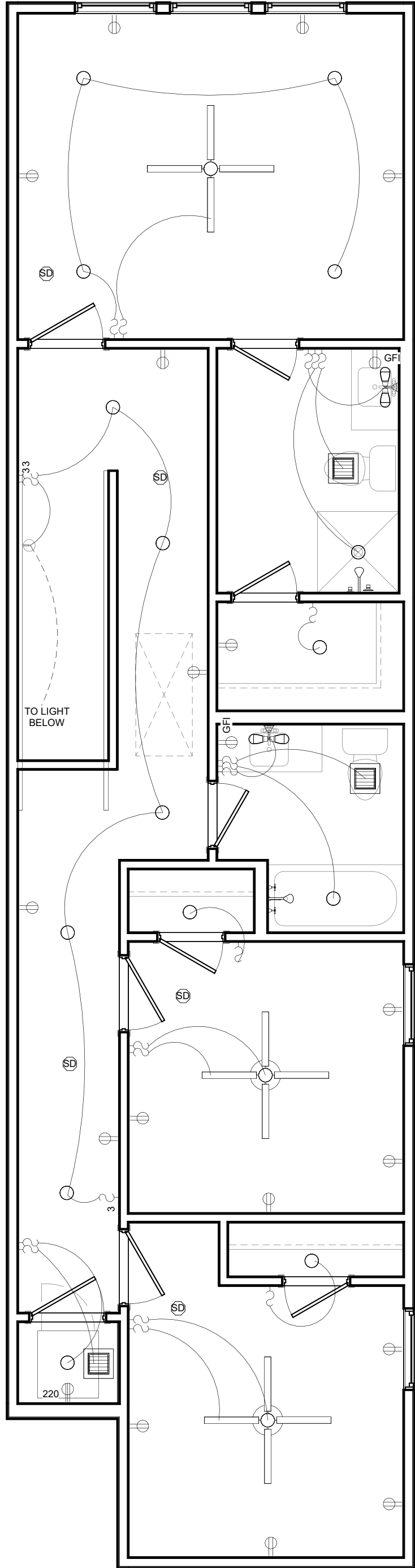
- 1.) VERIFY ALL EXTERIOR ELECTRICAL, FLOOR PLUGS, PHONE & TV JACKS, SECURITY & SOUND SYSTEM WIRING WITH OWNER PRIOR TO CONSTRUCTION PROJECT.
- 2.) INSTALL ARC FAULT CIRCUIT INTERRUPTER PROTECTION FOR ALL SLEEPING ROOMS.
- 3.) DEDICATED CIRCUITS FOR ALL APPLIANCES.
- 4.) PROVIDE SWITCHED LIGHTING. 110 VOLT RECEPTACLE IN ATTIC @ MECHANICAL PLATFORM.
- 5.) PLANS MUST COMPLY WITH CURRENT CITY ADOPTED ELECTRICAL CODE.

ELECTRICAL SYMBOLS

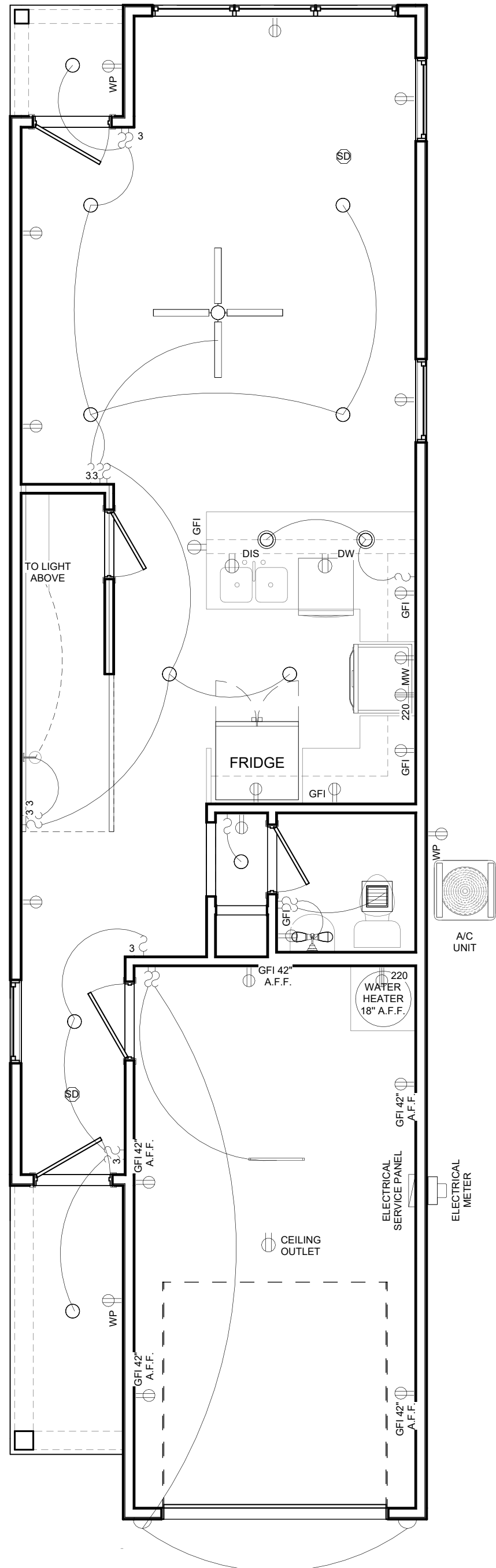
	SWITCH		LED 6" RECESSED CAN LIGHT
	3-WAY SWITCH		SURFACE MOUNT LIGHT
	DUPLEX RECEPTACLE		LED WALL MOUNT SCONCE
	GROUND FAULT CIRCUIT INTERRUPTER DUPLEX RECEPTACLE		SINGLE LED WALL SCONCE
	220 VOLT DUPLEX RECEPTACLE		UNDER CABINET/ROPE LIGHTS
	WEATHER PROOF DUPLEX RECEPTACLE		FLOOD LIGHT
	42" ABOVE FINISH FLOOR		LED UPLIGHT
	FLOOR DUPLEX RECEPTACLE		EXTERIOR LED SCONCES
	ELECTRICAL PANEL		EXTERIOR GOOSENECK LIGHT
	ELECTRICAL METER		LED CHANDELIER
	SMOKE/CARBON MONOXIDE DETECTOR COMBO		CEILING FAN
	EXHAUST FAN		CEILING FAN WITH LIGHT KIT
	LED STRIP LIGHT		
	LED PENDANT LIGHT		

GENERAL NOTES:

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- 3.) Contractor must verify all dimensions and scale drawings.



2 SECOND FLOOR ELECTRICAL PLAN
1/4" = 1'-0"



1 FIRST FLOOR ELECTRICAL PLAN
1/4" = 1'-0"



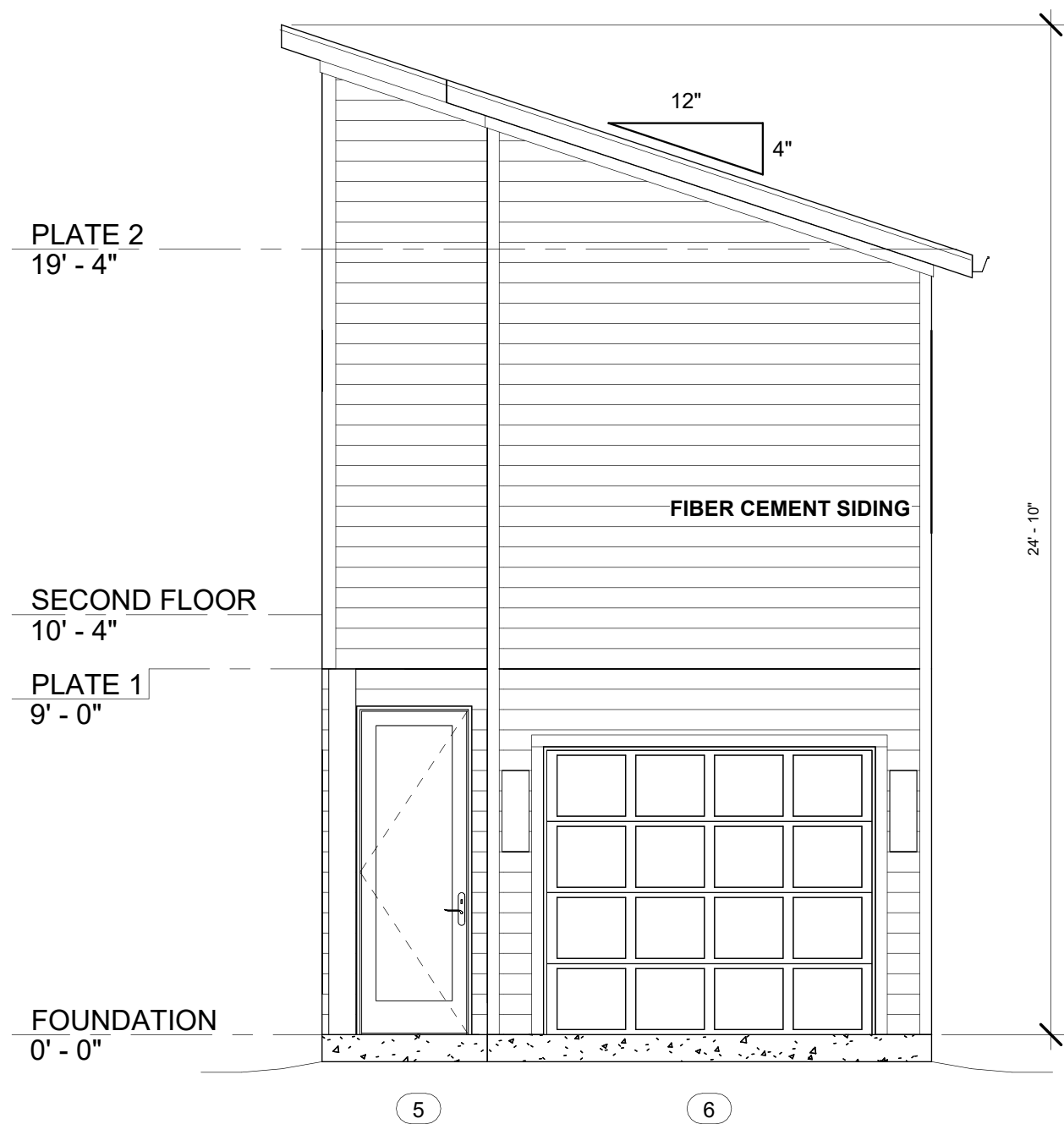
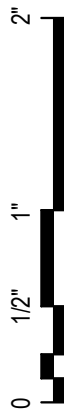
06/13/2025

Title
ELECTRICAL PLAN

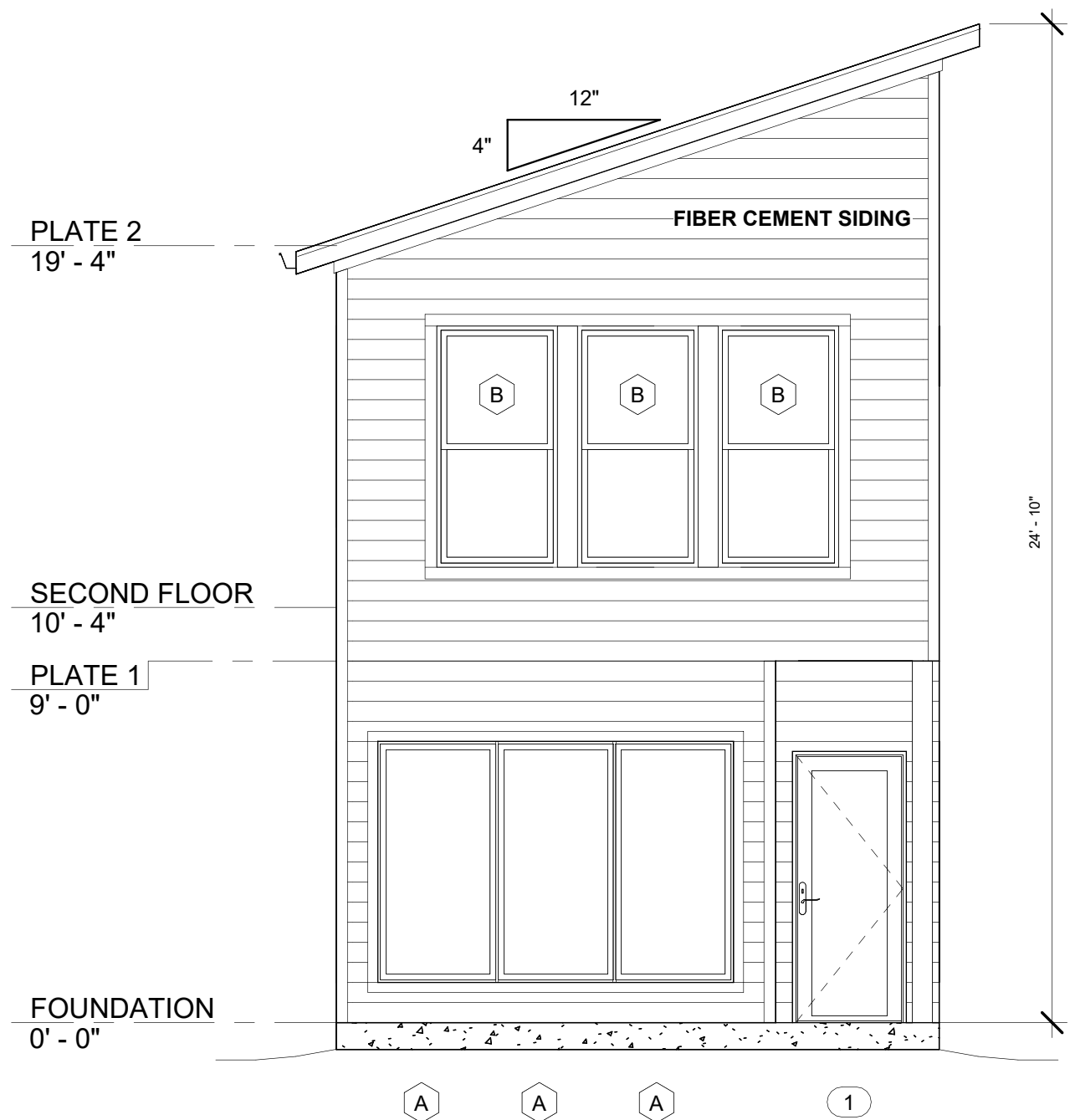
Sheet

A-241

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



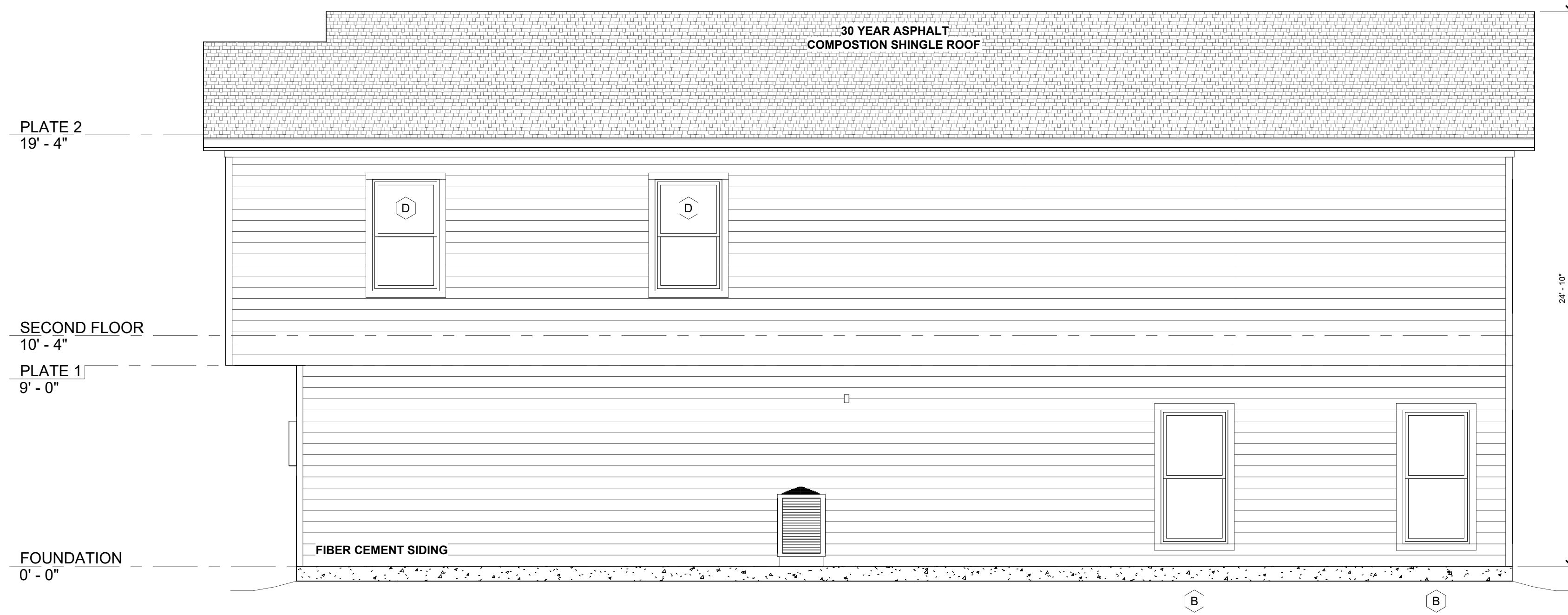
1 REAR ELEVATION
1/4" = 1'-0"

GENERAL NOTES:

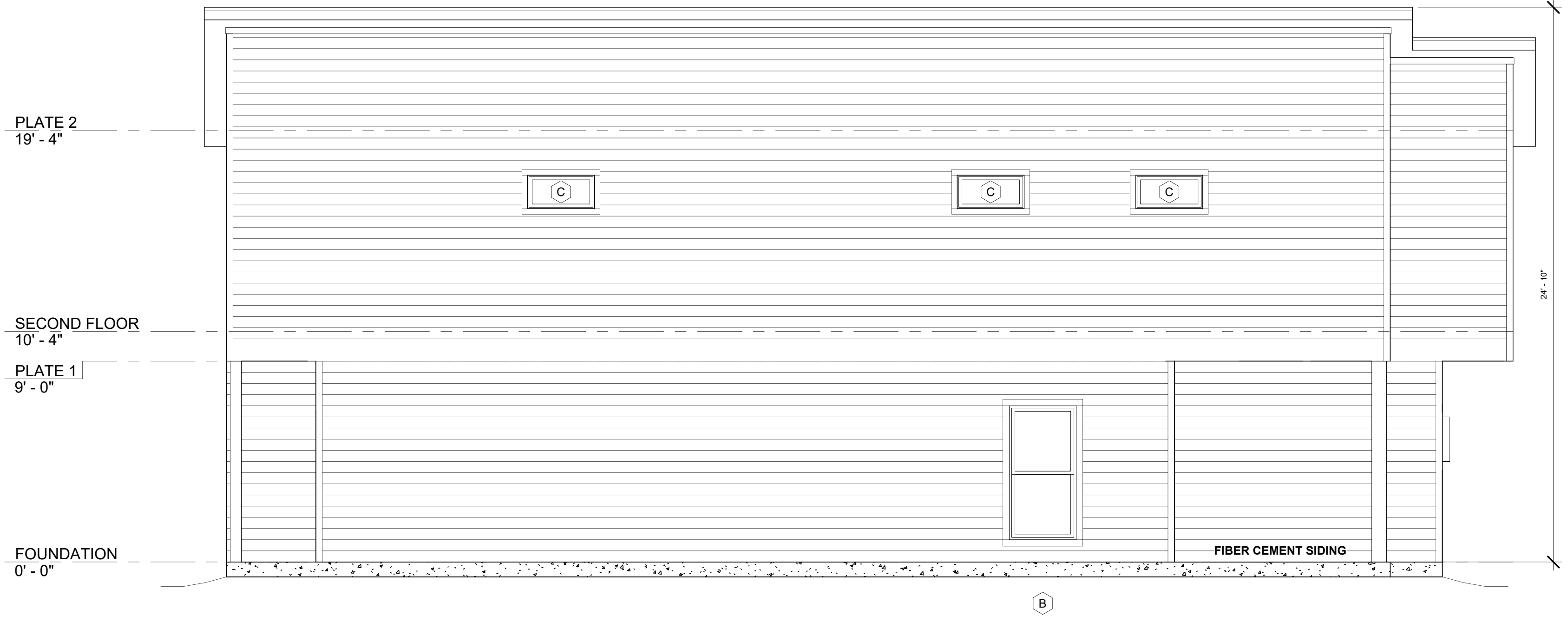
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GENERAL ELEVATION NOTES:

- 1.) REFER TO DOOR AND WINDOW SCHEDULE ON SHEET A-101.



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



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



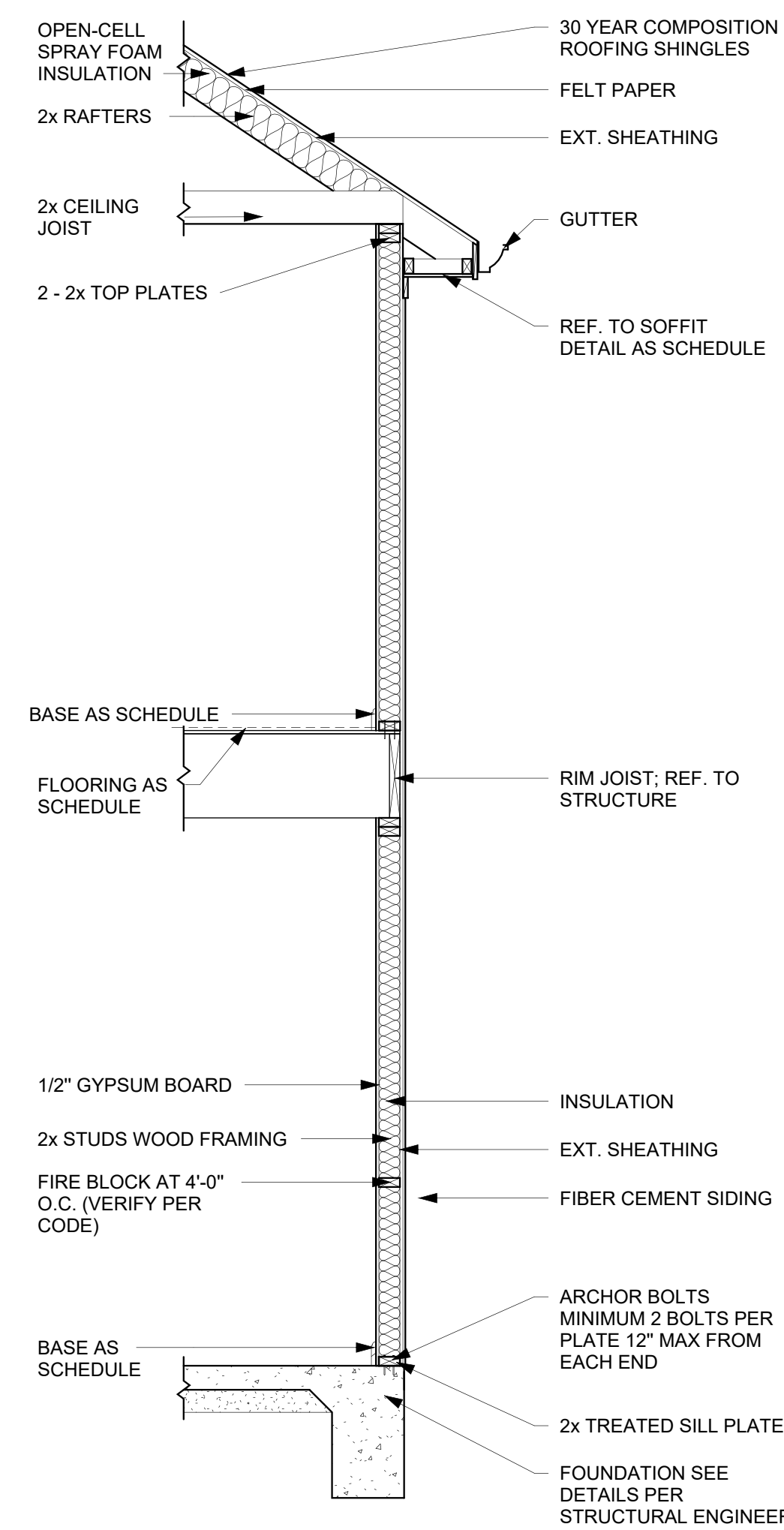
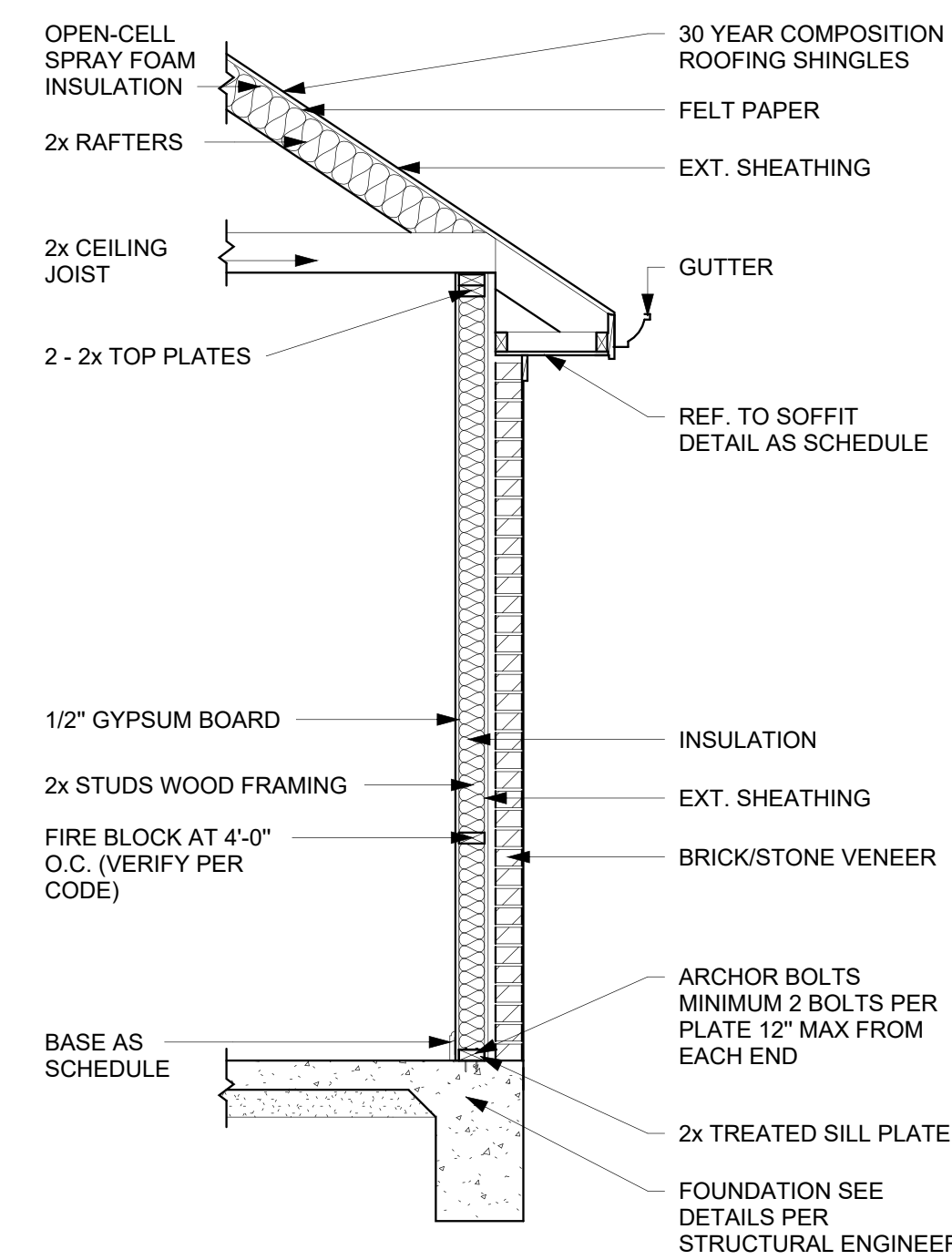
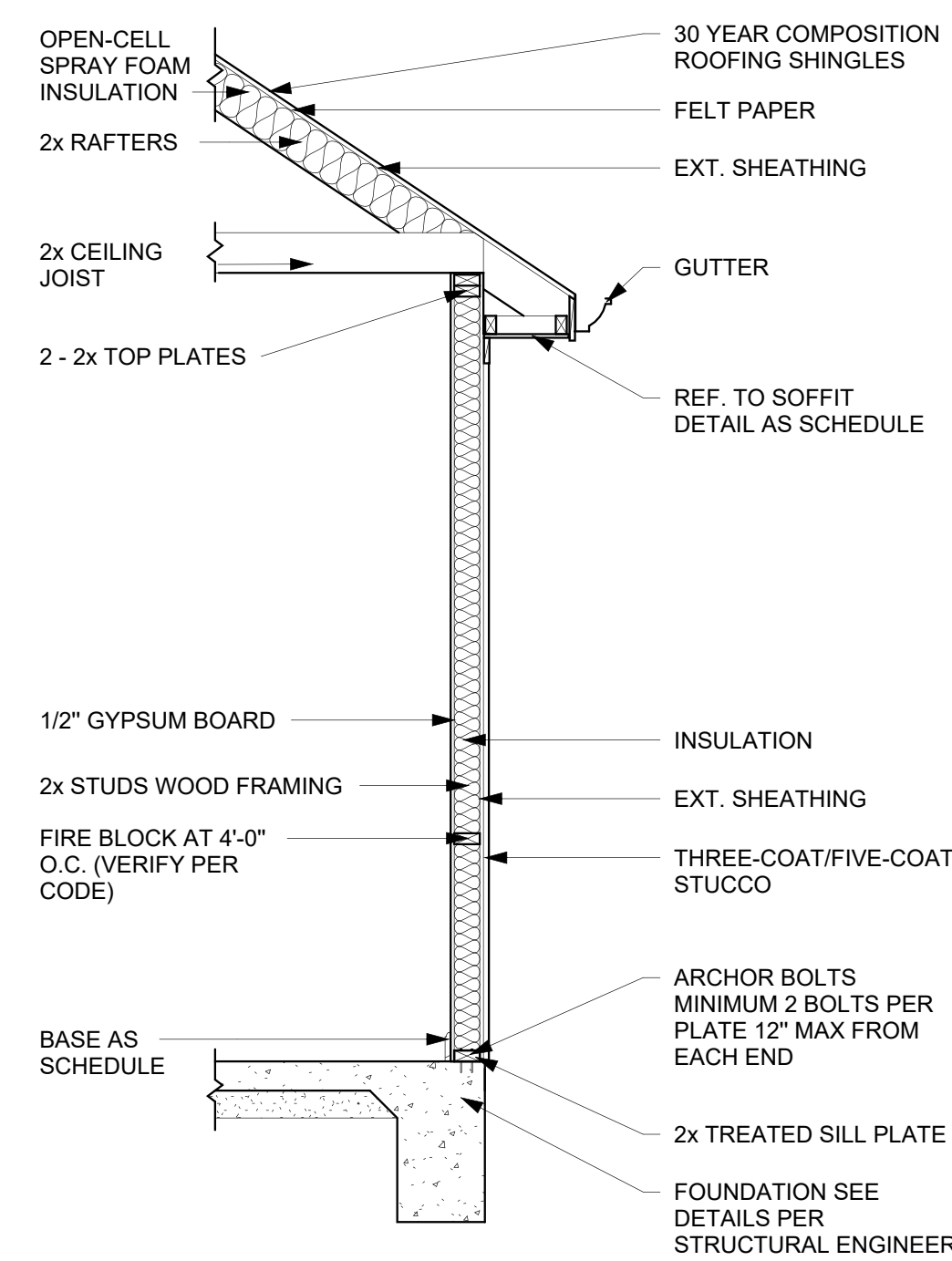
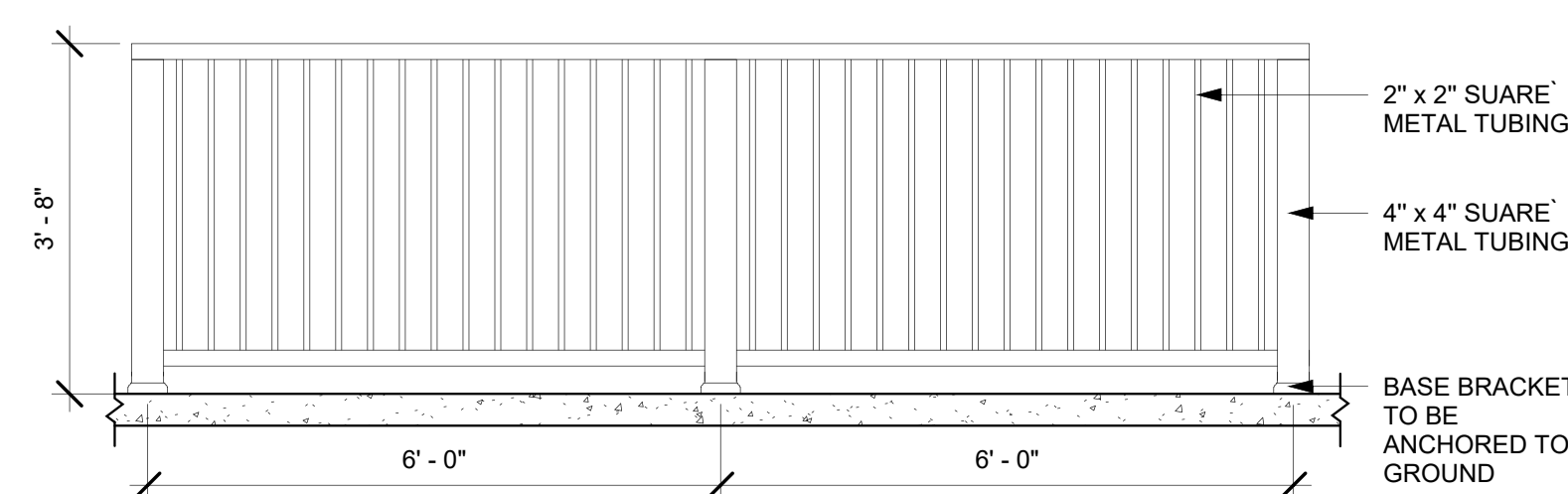
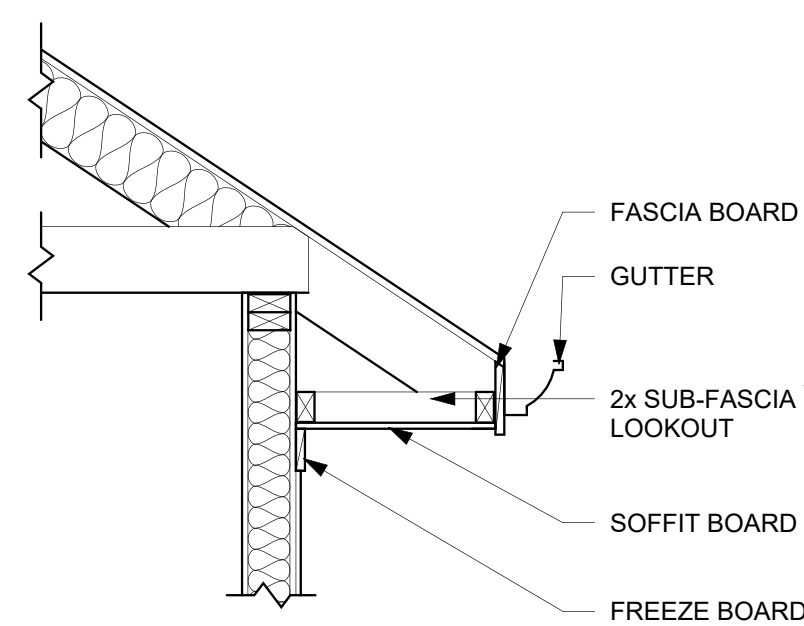
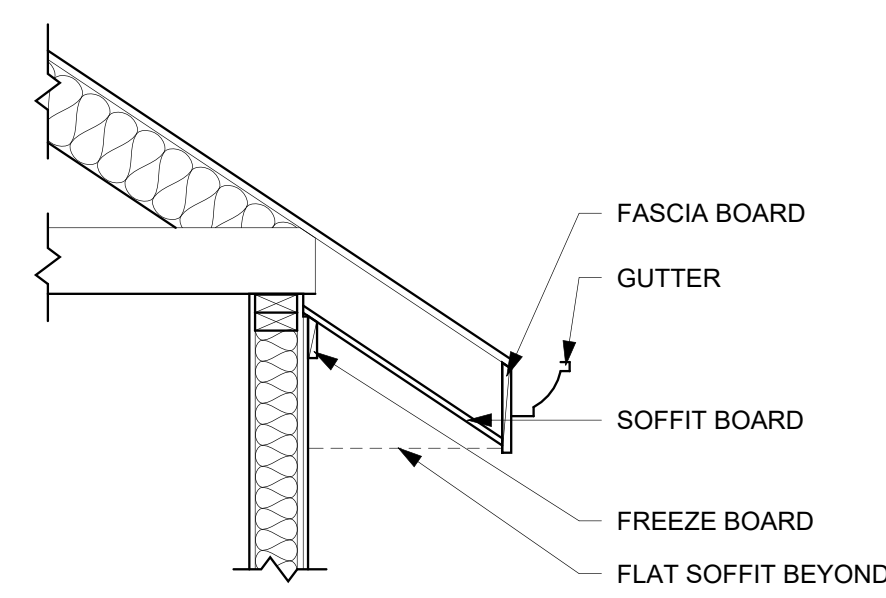
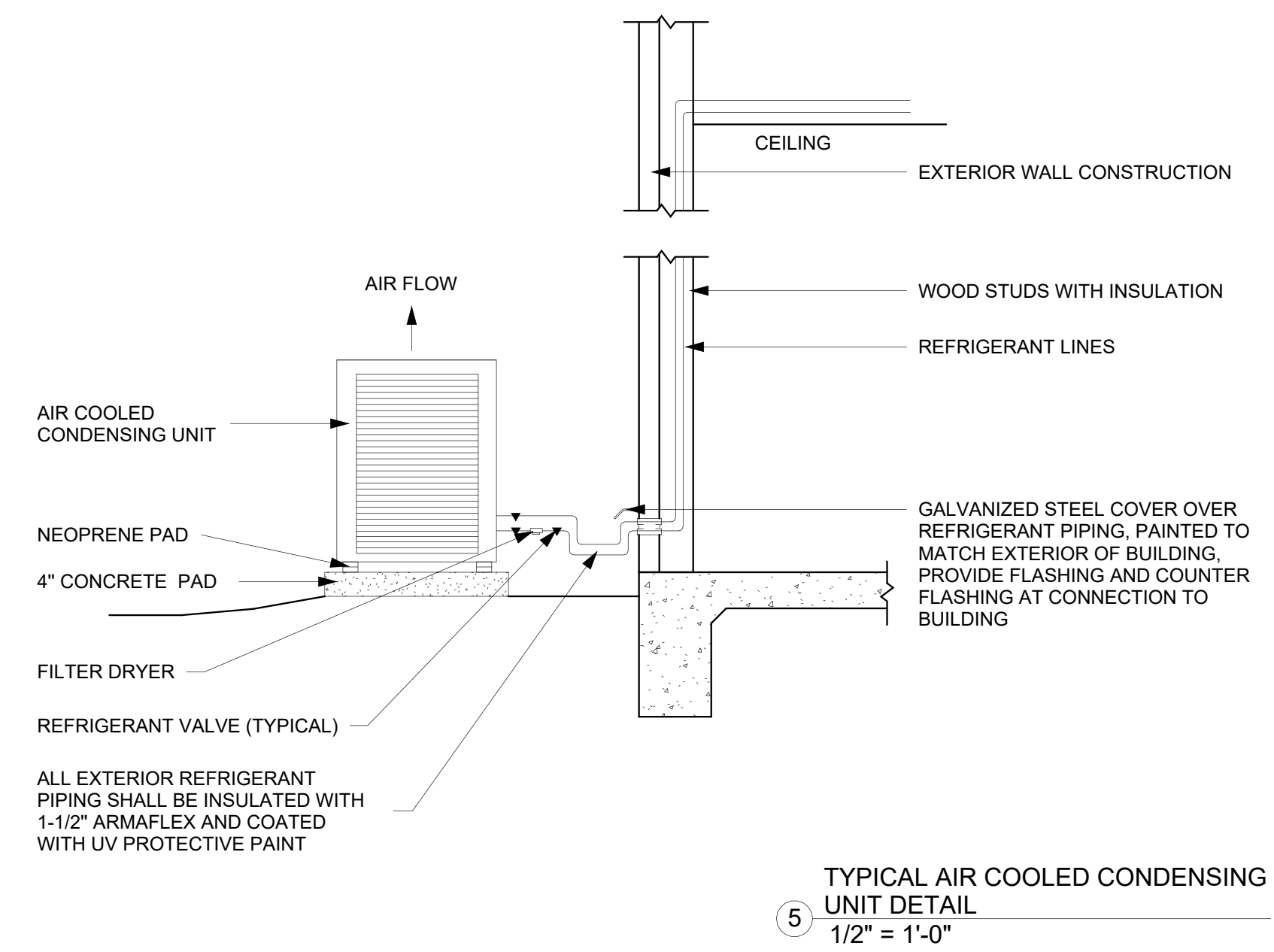
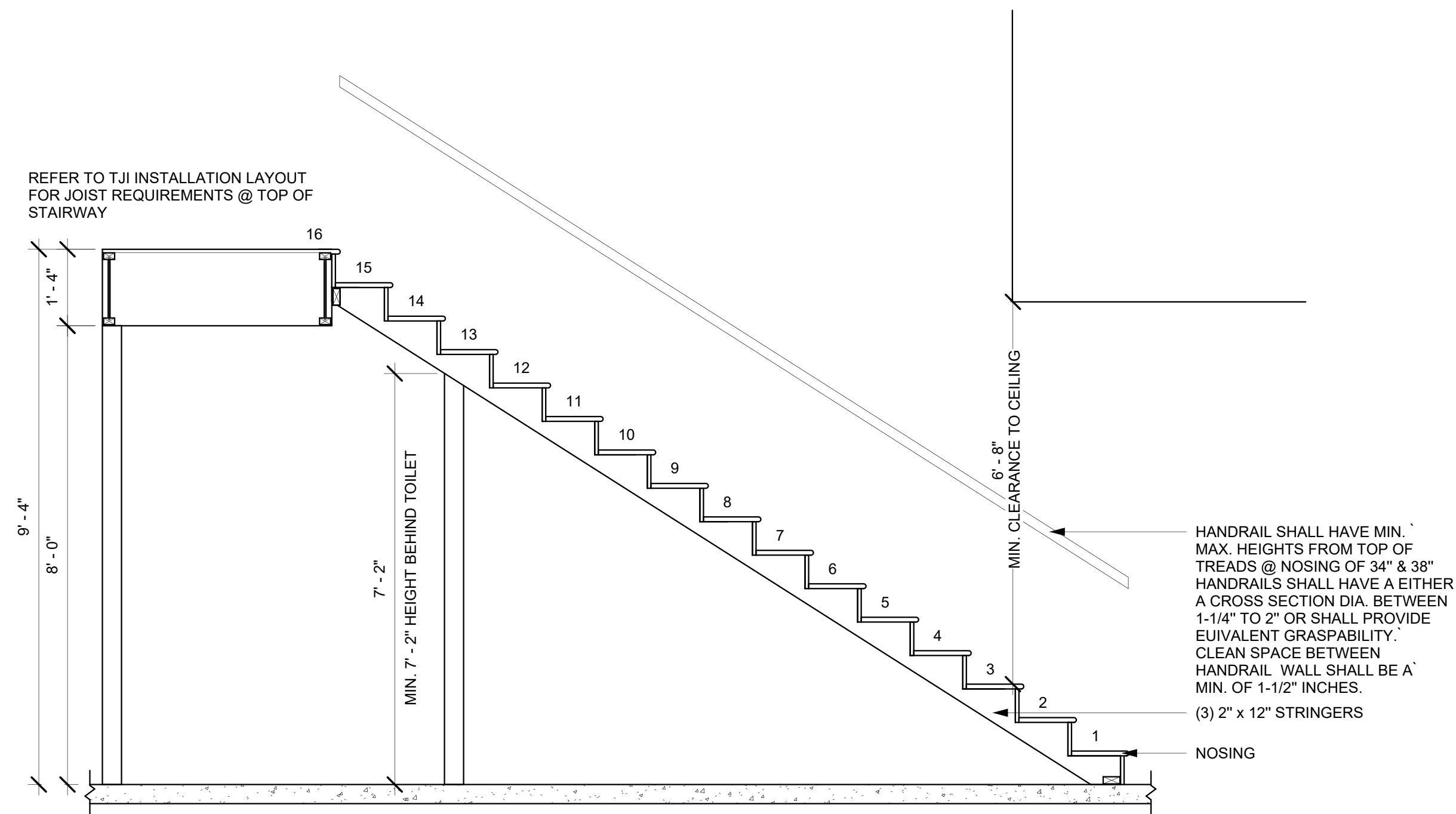
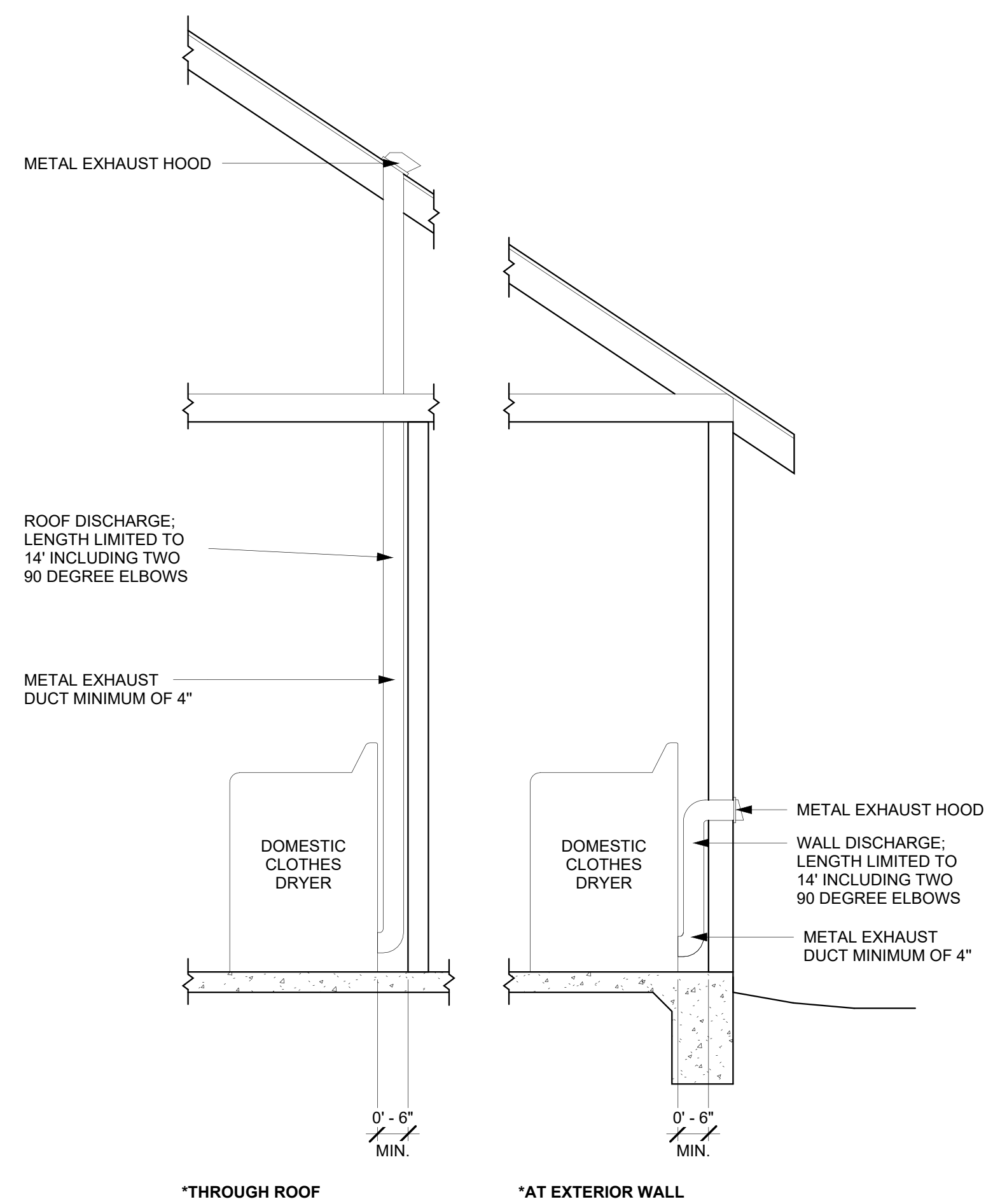
06/13/2025

Title
ELEVATIONS

Sheet

A-301

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- 3.) Contractor must verify all dimensions and scale drawings.

BRESSLER

**4000 Coolidge Street
H.T. Lackey's Second
Avenue Addition
Block 2/1783 Lot 1
Dallas, Texas 75215**

**ISSUE FOR
PERMIT**
June 13, 2025



06/13/2025

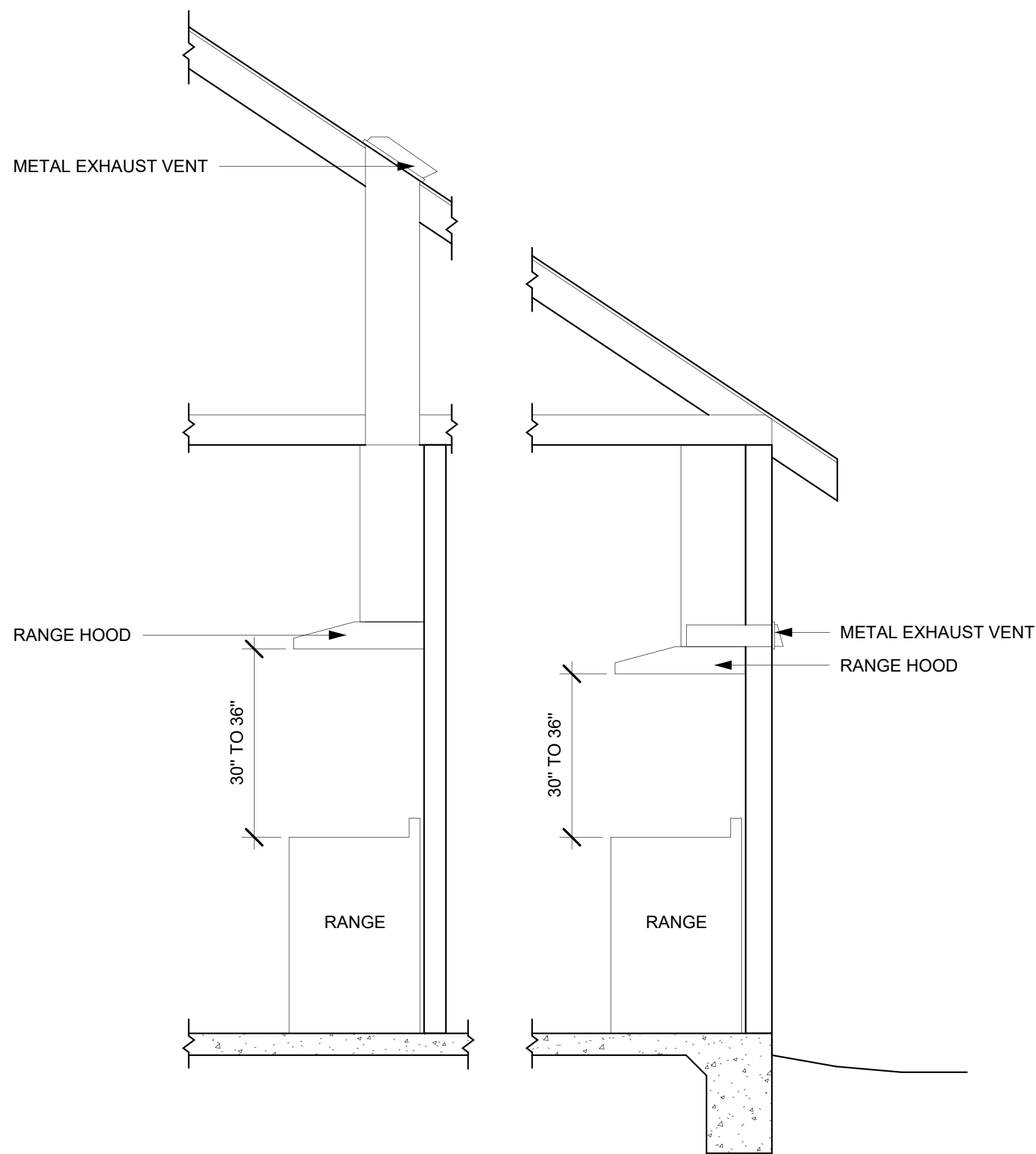
Title

TYPICAL DETAILS

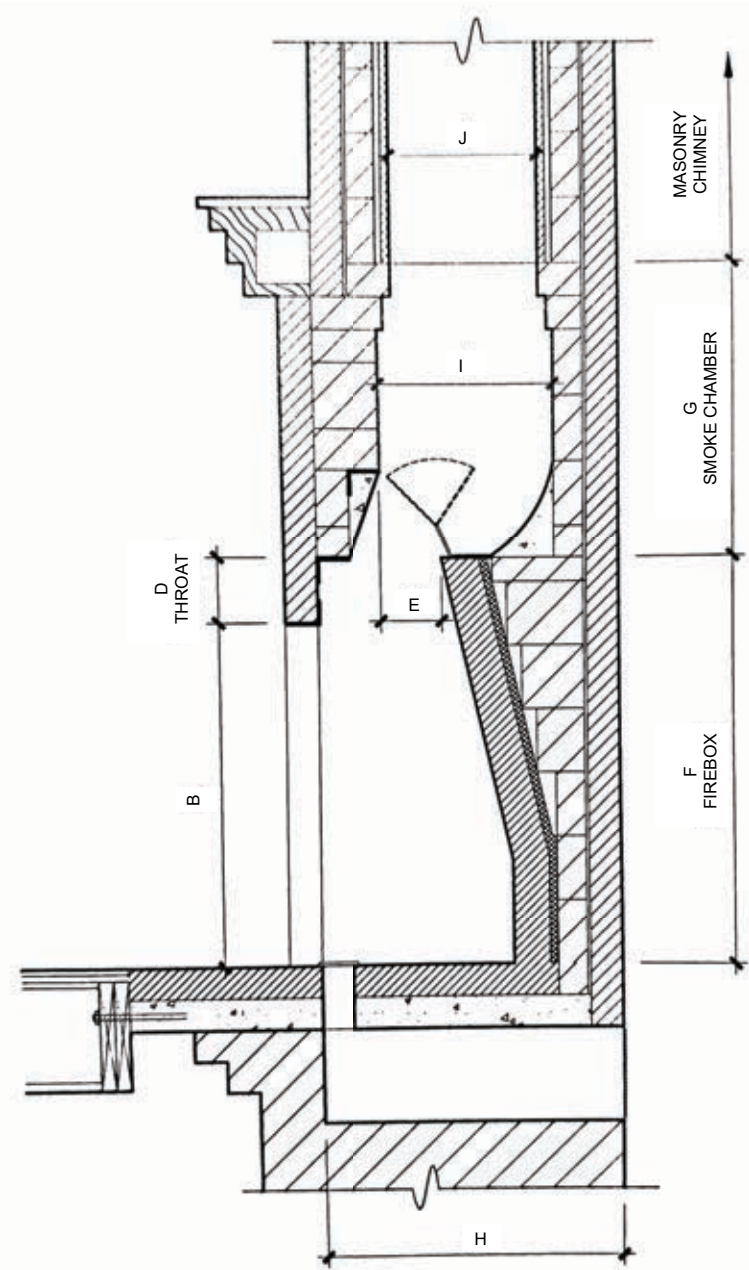
Sheet

A-401

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5 TYPICAL KITCHEN VENT
1/2" = 1'-0"



4 TYPICAL MASONRY FIREPLACE
SECTION
1/2" = 1'-0"

GENERAL NOTES:

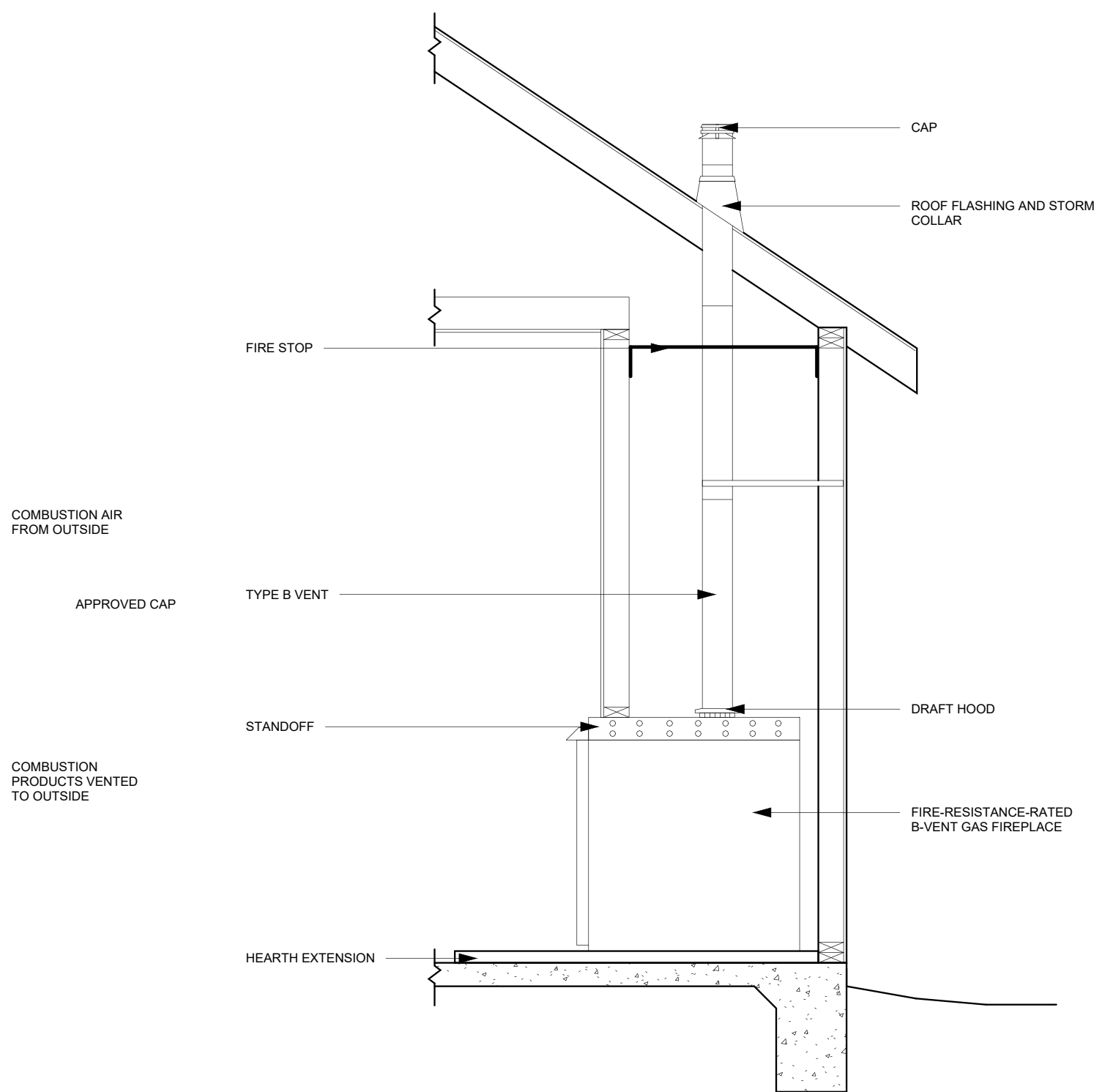
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*ARCHITECTURAL GRAPHIC STANDARDS
AUTHORED BY THE AMERICAN INSTITUTE OF ARCHITECTS
TWELFTH EDITION

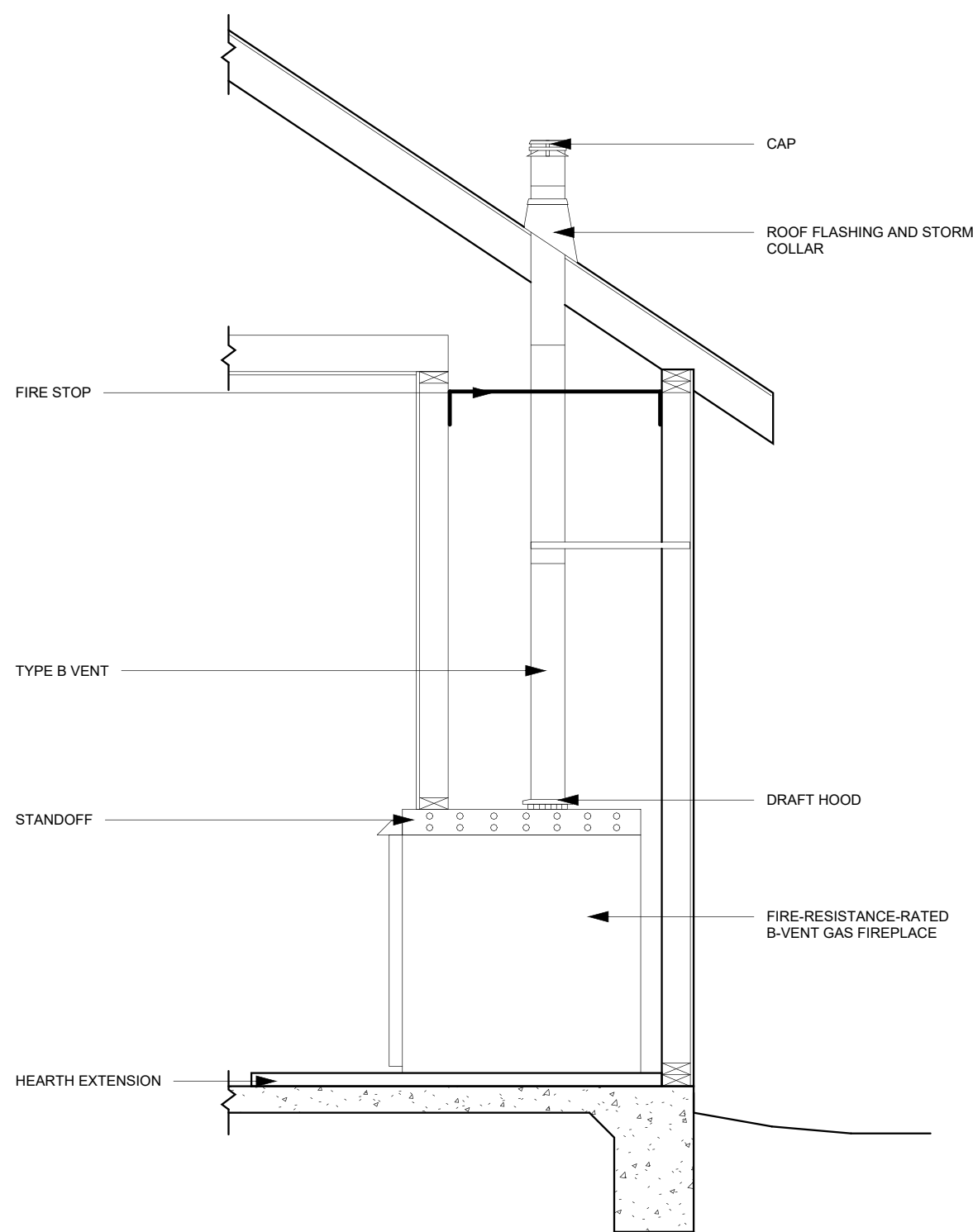
SOLID-FUEL APPLIANCES

Unlisted appliances should be installed according to the provisions of NFPA 211. Acceptable floor protection materials and minimum size for these stoves are generally specified by the manufacturers; if they are not follow NFPA 211 or local code requirements.

*ARCHITECTURAL GRAPHIC STANDARDS
AUTHORED BY THE AMERICAN INSTITUTE OF ARCHITECTS
TWELFTH EDITION

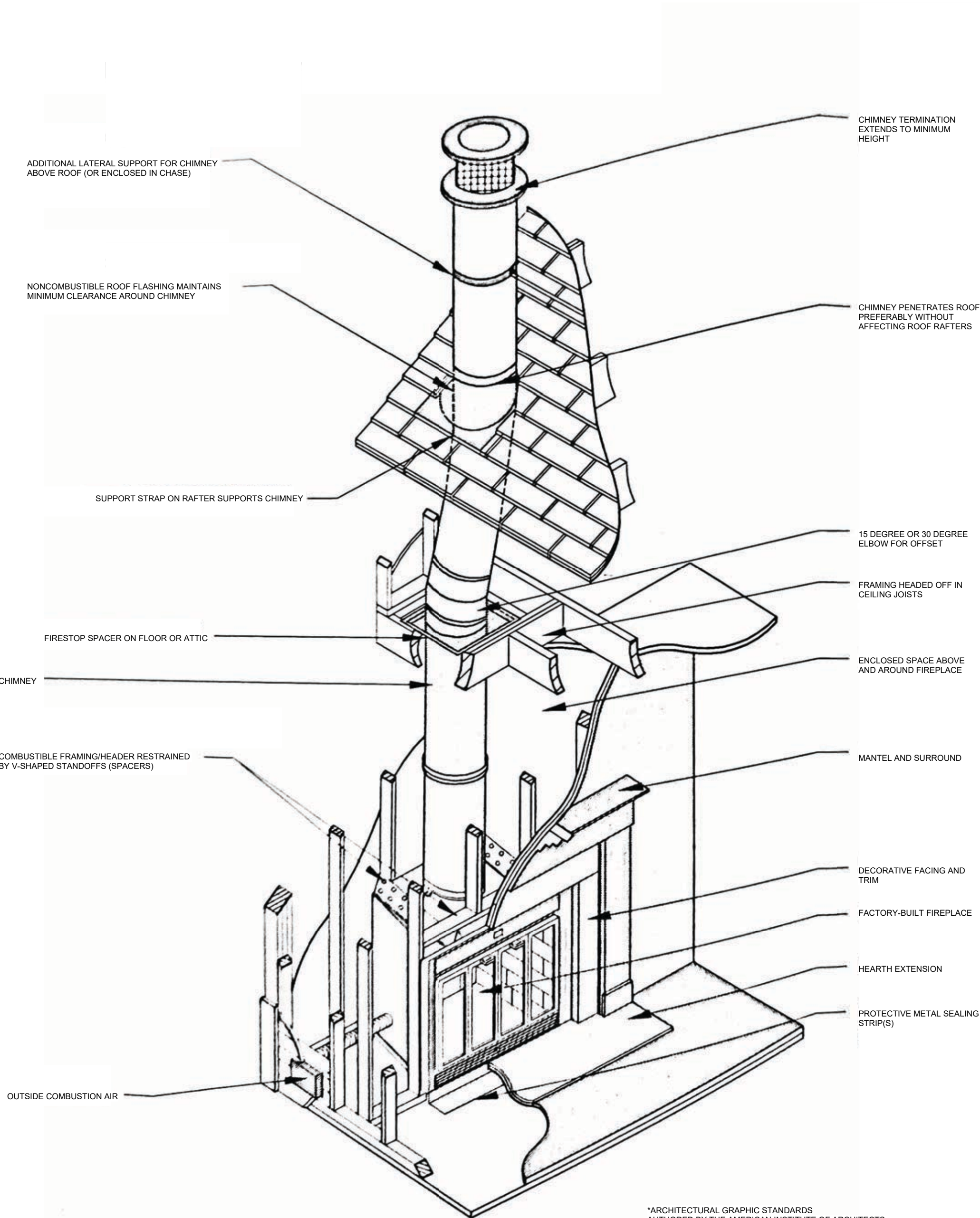


3 TYPICAL GAS FIREPLACE HORIZONTAL
1/2" = 1'-0"



2 TYPICAL GAS VERTICAL FIREPLACE
1/2" = 1'-0"

*ARCHITECTURAL GRAPHIC STANDARDS
AUTHORED BY THE AMERICAN INSTITUTE OF ARCHITECTS
TWELFTH EDITION



1 TYPICAL WOOD FIREPLACE
1/2" = 1'-0"

*ARCHITECTURAL GRAPHIC STANDARDS
AUTHORED BY THE AMERICAN INSTITUTE OF ARCHITECTS
TWELFTH EDITION

FILE NUMBER: BOA-25-000031(BT)

BUILDING OFFICIAL'S REPORT: Application of Elio Porras for **(1)** a variance to the lot coverage regulations, and **(2)** a special exception to the side-yard setback regulations for a carport at **9757 LARGA DRIVE**. This property is more fully described as Block 7/6144, Lot 51, and is zoned R-7.5(A), which limits the lot coverage to 45 percent for residential structures and requires a side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure with 3547 square feet of covered area (49.6 percent), which will require **(1)** a 329.5 square foot variance (10 percent) to the lot coverage regulations, and to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide a 10-inch setback, which will require **(2)** a 4-foot 2-inch special exception to the side-yard setback regulations for a carport.

LOCATION: 9757 Larga Drive.

APPLICANT: Elio Porras

REQUEST:

- (1) A request for a variance to lot coverage; and
- (2) A request for a special exception for a carport 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: RECOMMENDATION:

Variance to lot coverage:

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**, as in typical R-7.5(A) lot size is 7,500, and the applicant lot size is 7,150 sq. ft.; 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.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION FOR CARPORTS IN A REQUIRED SIDE YARD SETBACK REGULATIONS:

Section 51A-4.402(c) of the Dallas Development Code states that the board may grant a special exception for a carport located within the side yard setback regulations when in the opinion of the board, **the carport will not have a detrimental impact on surrounding properties.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

- Site: R-7.5(A) (Single Family District)
- North: R-7.5(A) (Single Family District)
- East: R-7.5(A) (Single Family District)
- South: R-7.5(A) (Single Family District) and D(A) (Duplex District)
- West: R-7.5(A) (Single Family District) and D(A) (Duplex 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 Elio Porras for the property located at 9757 Larga Drive focuses on two requests relating to the side-yard setback regulations for a carport and lot coverage.
- The first request is for a special exception to the side-yard setback regulations for a carport. The applicant is proposing to provide a 10-inch side-yard setback, which will require a 4-foot 2-inch special exception to the side-yard setback regulations.
- The second request is for a variance to the lot coverage regulations. The applicant proposes to exceed the maximum lot coverage of 45 percent, which will require a 10 percent variance to the maximum allowed lot coverage.
- The subject site along with surroundings properties to the north, east, south, and west are all developed with single-family and duplex homes.
- The subject site is restrictive in size, 7,150 square feet, R-7.5(A) which requires a minimum lot size of 7,500 square feet.
- It is imperative to note, per staff's site visit, it has been confirmed that the carport structure is complete on the northern property line.
- The applicant proposes to provide a one-hour fire-rated wall that will meet building code requirements while keeping the carport location near the property line.
- The applicant has the burden of proof in establishing that the special exception for a carport located within the side-yard setback, that the carport will not have a detrimental impact on surrounding properties.
- In determining whether to grant this special exception, the board shall consider the following factors: whether the carport is compatible with the character of the neighborhood, whether the value of surrounding properties will be adversely affected, the suitability of the size and location of the carport, the materials to be used in construction of the carport.
- Granting the special exceptions for a carport located within the required side-yard setbacks with a condition that the applicant complies with the submitted site plan and elevations, storage of items other than motor vehicles is prohibited in a carport for which a special exception has been granted under this subsection, and would require the proposal to be constructed as shown on the submitted documents.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the lot coverage 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 lot coverage regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

- | | |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| July 3, 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. |
| July 7, 2025: | The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel B . |
| August 6, 2025: | The Planning and Development Senior Planner emailed the applicant the following information: <ul style="list-style-type: none">• an attachment that provided the public hearing date and panel that will consider the application; the July 21, 2025, deadline to submit additional evidence for staff to factor into their analysis; |

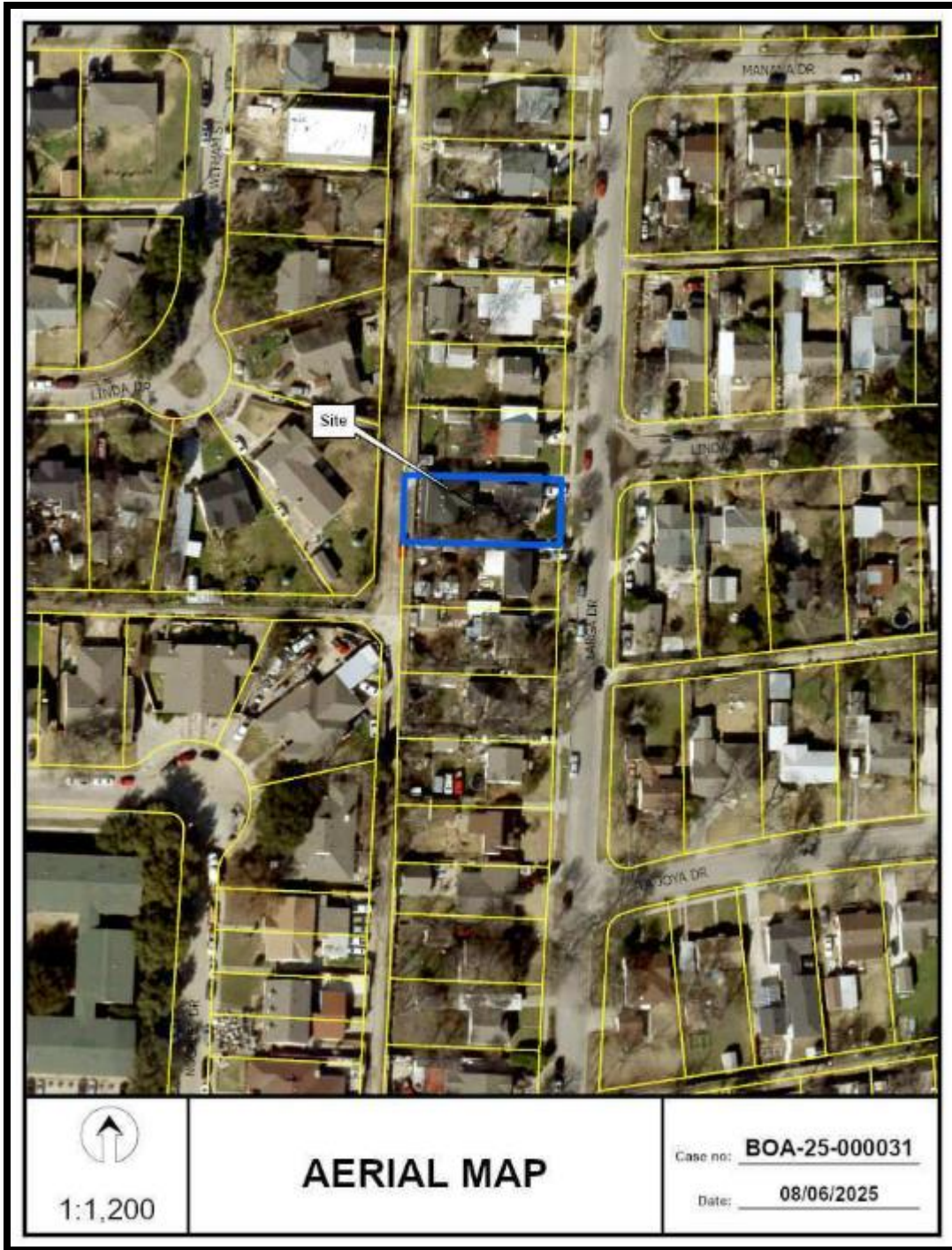
and **August 8, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.

- 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.

July 30, 2025:

The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** 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

BOA-25-000031

28 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9757 LARGA DR	PESCADOR CARLOS B &
2	3462 LINDA DR	MIRAVALLE GROUP LLC
3	3466 LINDA DR	MIRANDA ERNESTO V &
4	9802 WITHAM ST	LANDIN TOMAS & GIRON JAIME GABRIELA &
5	9806 WITHAM ST	TAPIA CELIA
6	9810 WITHAM ST	MOLINA PAUL
7	9814 WITHAM ST	HUANG MICHAEL
8	9739 LARGA DR	D AVIGNON R JOSEPH
9	9743 LARGA DR	OROZCO CARLOS &
10	9747 LARGA DR	GARCIA FRANCISCO GARCIA &
11	9751 LARGA DR	VELASQUEZ ALEJANDRO
12	9761 LARGA DR	DELGADO JUANA MARIA
13	9767 LARGA DR	HERNANDEZ URIEL
14	9773 LARGA DR	RAMIREZ VERONICA &
15	9777 LARGA DR	PAZ AMALIA LOPEZ &
16	3502 LINDA DR	TAFOLLA CLAUDIO
17	3508 LINDA DR	LEDESMA JESUS
18	3514 LINDA DR	IVAN CARRANZA
19	3515 LA JOYA DR	GONZALEZ JESUS LEDESMA JR
20	3511 LA JOYA DR	LEDESMA JESUS
21	3503 LA JOYA DR	MORAN JARED L & DEBRA L
22	3502 MANANA DR	BRIONES PEDRO LUJANO &
23	3515 LINDA DR	ROJAS FRANCISCO &
24	3509 LINDA DR	PACHECORODRIGUEZ OSCAR &
25	3503 LINDA DR	ESPINOZA BENITO & SARA
26	3469 NOGALES DR	NUNNALLY CRYSTAL C &

08/06/2025

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3505 NOGALES DR	DILLER DOUGLAS JAMES
28	3511 NOGALES DR	PATEL ROHANKUMAR &

NOTICE OF PUBLIC HEARING

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

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

DATE: WEDNESDAY, AUGUST 20, 2025

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

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

BOA-25-000031(BT) Application of Elio Porras for (1) a variance to lot coverage regulations, and (2) a special exception to the side-yard setback regulations for a carport at 9757 LARGA DRIVE. This property is more fully described as Block 7/6144, Lot 51, and is zoned R-7.5(A), which limits the lot coverage to 45 percent for residential structures and requires a side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure with 3,547 square feet of floor area (49.6 percent), which will require (1) a 329.5 square foot variance (10 percent) to the lot coverage regulations, and to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide a 10-inch setback, which will require (2) a 4-foot 2-inch special exception to the side-yard setback regulations for a carport.

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

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

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-B-Register> by the close of business Tuesday, August 19, 2025. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

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

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

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

PLEASE SEND REPLIES TO:
BDAREPLY@dallas.gov

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

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



Planning & Development Department

320 E. Jefferson Blvd,
Dallas TX 75203
(214) 948-4480

Board of Adjustment:
1500 Marilla Street, 5CN
Dallas Tx 75201
(214) 948-4480

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

OFFICE USE ONLY

Case no. _____
Date _____

Data Relative to Subject Property:

Location address: 9757 LARGA DRIVE Zoning District: R-7.5

Lot No.: 51 Block No.: 7-6144 Acreage: 0.169 Census Tract: 91-58

Street Frontage (in Ft.): 1) 55' 2) _____ 3) _____ 4) _____ (5) _____

To the Honorable Board of Adjustment: CARLOS B. PESCADOR and
Owner of Property (per Warranty Deed): MARIA CRISTINA PESCADOR

Applicant: ELIO PORRAS Telephone: 214-274-5002

Mailing Address: 5477 PRESTON HAVEN Zip Code: 75229

E-mail Address: ELIO.PORRAS@YAHOO.COM

Represented by: ELIO PORRAS Telephone: 214-274-5002

Mailing Address: 5417 PRESTON HAVEN Zip Code: 75229

E-mail Address: ELIO.PORRAS@YAHOO.COM

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

VARIANCE TO LOT COVERAGE, CARPORT IN SIDE 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:

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 ELIO PORRAS
(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: EL. Porras
(Affiant/ Applicant's signature)



Subscribed and sworn to before me this 01 day of July, 2020

Notary Public in and for Dallas County, Texas Sandra Echeverria

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

FILE NUMBER: BOA-25-000031

BUILDING OFFICIAL'S REPORT: Application of Elio Porras for a variance to the maximum allowed lot coverage, and a special exception to the side-yard setback regulations for a carport at 9757 LARGA DR. This property is more fully described as Block 7/6144 Lot 51, and is zoned R-7.5(A), which cannot exceed 45% of the maximum lot coverage, and requires a side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure with 3547 square feet of covered area (49.6%), which will require a 329.5 square foot variance (10%) to the maximum allowed lot coverage, and proposes to construct and/or maintain a carport for a single-family residential dwelling in a required side-yard and provide a 10-inch setback, which will require (1) a 4- foot 2- inch special exception to the side-yard setback regulations.

LOCATION: 9757 LARGA DR

APPLICANT: Elio Porras

REQUEST: A variance to lot coverage, a special exception to the side-yard setback for a carport.

AFFIDAVIT

Appeal number: _____

I, Carlos B. Pescador, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9757 - LARGA DR. DALLAS, TEXAS 75220
(Address of property as stated on application)

Authorize: Elio Porras
(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 LOT COVERAGE, CARPORT
SIDE YARD

CARLOS PESCADOR
Print name of property owner or registered agent

Carlos Pescador
Signature of property owner or registered agent

Date 7/01/2025

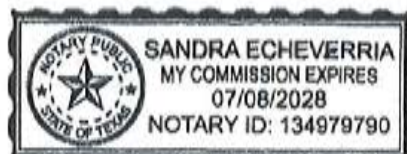
Before me, the undersigned, on this day personally appeared Carlos Pescador

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 01 day of

July, 2025

Sandra Echeverria
Notary Public for Dallas County,
Texas



Commission expires on 07/08/2028



201500305491
DEED 1/3

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: November 6, 2015

Grantor: Jim L. Chappell and Genie W. Chappell, each owning, occupying and claiming other property as homestead

Grantor's Mailing Address:

Jim L. and Genie W. Chappell
9226 Rockbrook Drive
Dallas, Texas 75220

Grantee: Carlos B. Pescador and spouse Maria Cristina Pescador

Grantee's Mailing Address:

Carlos B. and Maria Cristina Pescador
9757 Larga
Dallas, Texas 75220



Consideration: Pursuant to the Contract of Sale dated September 26, 1997 and filed of record in Volume 97188, Page 04921, et seq, of the Real Property Records of Dallas County, Texas, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Lot 51, Block 7/6144, Dudley M. Hughes Addition to Dallas, Dallas County, Texas, also known as 9757 Larga, Dallas, Texas 75220

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2015 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utility easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or

C

community property or survivorship rights, if any, of any spouse of Grantee; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.



Grantors, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grant, sell, and convey to Grantees the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantees' heirs, successors, and assigns forever. Grantors bind Grantors and Grantors' heirs and successors to warrant and forever defend all and singular the Property to Grantees and Grantees' heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantors but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEES ARE TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEES HAVE NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEES' INSPECTION.

GRANTEES RELEASE GRANTORS FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY.

When the context requires, singular nouns and pronouns include the plural.

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

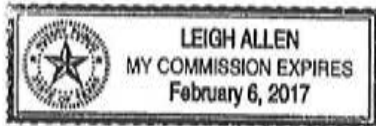

Jim L. Chappell

Genie W. Chappell



STATE OF TEXAS)

COUNTY OF DALLAS)

This instrument was acknowledged before me on Nov. 6, 2015, by
Jim L. Chappell.

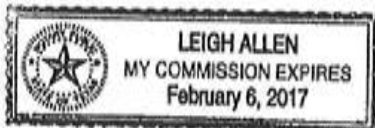



Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS)

COUNTY OF DALLAS)

This instrument was acknowledged before me on Nov. 6, 2015, by
Genie W. Chappell.




Notary Public, State of Texas
My commission expires: _____

AFTER RECORDING RETURN TO:
Carlos B. and Maria Cristina Pescador
9757 Larga
Dallas, Texas 75220

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
11/17/2015 08:04:28 AM
\$34.00







201500305491

TAX CERTIFICATE



JOHN R. AMES, CTA
DALLAS COUNTY TAX ASSESSOR/COLLECTOR
500 Elm Street, Suite 3300
Dallas, Texas 75202

Issued To:

PESCADOR CARLOS B &
MARIA CRISTINA PESCADOR
9757 LARGA DR
DALLAS, TX 75220-0000

Legal Description

WALNUT HILL ESTATES
BLK 7/6144 LT 51
VOL97188/4921 DD092697 CO-DALLAS
6144 007 05100 1006144 007

Parcel Address: 9757 LARGA DR, DA

Legal Acres: .0000

Account Number: 000-005-227-15000000

Certificate No: 121278

Certificate Fee: \$10.00 CASH

Print Date: 06/11/2025 01:02:06 PM

Paid Date: 06/11/2025

Issue Date: 06/11/2025

Operator ID: YAMILET_LONGINOS PUB

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2024, AND THERE ARE NO TAXES DUE ON THIS PROPERTY.

Exemptions:

CAPPED HOMESTEAD

Certified Owner:

PESCADOR CARLOS B &
MARIA CRISTINA PESCADOR
9757 LARGA DR
DALLAS, TX 75220-0000

Certified Tax Unit(s):

1002 DALLAS COUNTY
1021 PARKLAND HOSPITAL
1031 DALLAS COLLEGE
1102 DALLAS ISD
1208 CITY OF DALLAS

2024 Value:	284,250
2024 Levy:	\$1,751.42
2024 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (GF) No: N/A

Issued By: YAMILET_LONGINOS

JOHN R. AMES, CTA
DALLAS COUNTY TAX ASSESSOR/COLLECTOR



DUPLICATE TAX RECEIPT



JOHN R. AMES, CTA
DALLAS COUNTY TAX ASSESSOR/COLLECTOR
500 Elm Street, Suite 3300
Dallas, Texas 75202

Certified Owner:

PESCADOR CARLOS B &
MARIA CRISTINA PESCADOR
9757 LARGA DR
DALLAS, TX 75220-0000

Legal Description:

WALNUT HILL ESTATES
BLK 7/6144 LT 51
VOL97188/4921 DD092697 CO-DALLAS
6144 007 05100 1006144 007
Parcel Address: 9757 LARGA DR, DA
Legal Acres: 0.0000

Deposit No: P0241567
Validation No: 900002047881836
Account No: **000-005-227-15000000**
Operator Code: YAMILET_LONGINO

Remit Seq No: 2024094506
Receipt Date: 06/11/2025
Deposit Date: 06/11/2025
Print Date: 06/11/2025 01:02 PM
Printed By: YAMILET_LONGINOSPUB

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2024	Tax Certificates	TL	0	0.000000	10.00	0.00	0.00	10.00
					\$10.00	\$0.00	\$0.00	\$10.00

Check Number(s):

Exemptions on this property:

CAPPED
HOMESTEAD

PAYMENT TYPE:

Cash: \$10.00

Total Applied: \$10.00

Change Paid: \$0.00

Account No: 000-005-227-15000000
PAYER
PESCADOR CARLOS B &
MARIA CRISTINA PESCADOR
9757 LARGA DR
DALLAS, TX 75220-0000

CURRENT YEAR TOTAL IS \$0.00
ACCOUNT PAID IN FULL



CITY OF DALLAS

June 11, 2025

ADDRESS: 9757 LARGA

RE: DCAD #**00000522715000000**

DEAR SIR/MADAM,

No information was found responsive to your request for identification of City liens in the records of Special Collections. This response does not constitute legal advice regarding the status of the real property at **9757 LARGA**. There may be additional liens of record in the County Clerk's office. This response is made to your request for public information and constitutes neither estoppel against the City of Dallas nor relinquishment, waiver, release, or other change in any lien interest of record.

Should you have any further questions please contact Special Collections at 214-670-3438.

Sincerely,

Special Collections Division
Dallas Water Utilities



City of Dallas

LIEN PAYOFF STATEMENT

As of Date: **06/11/2025**

Property Address: .9757 LARGA DRIVE

DCAD #: 00000522715000000

Property Owner: CARLOS B PESCADOR

Contract Account #	Lien Account #	Reference ID	Work Completion Date	Lien Amount	Principal Due	Interest Due	Total Amount Due	Lien Payoff Balance
Total Amount Due(USD)								0.00

Total amount due if paid by 07/02/2025: \$ 0.00

Total amount due if paid by 08/01/2025: \$ 0.00

Please submit payment via mail to: Special Collection Divisions
P.O. Box 139076
Dallas, TX 75313-9076

If submitting payment in person: Special Collections Division
1500 Marilla St., Rm. 2DS
Dallas, TX 75201

If you have any questions, please call Special Collections at 214-670-3438.

F



Residential Account #00000522715000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2025)

Address: 9757 LARGA DR

Neighborhood: 5DSG01

Mapsc: 23-V (DALLAS)

DCAD Property Map

2025 Current Appraisal Notice

Electronic Documents (DCAD ENS*)

Notice Of Estimated Taxes (ENS*)

* Electronic Notification System



Print Homestead Exemption Form

Owner (Current 2025)

PESCADOR CARLOS B &
MARIA CRISTINA PESCADOR
9757 LARGA DR
DALLAS, TEXAS 752201745

Multi-Owner (Current 2025)

Owner Name	Ownership %
PESCADOR CARLOS B &	100%

Legal Desc (Current 2025)

- 1: WALNUT HILL ESTATES
- 2: BLK 7/6144 LT 51
- 3:
- 4: VOL97188/4921 DD092697 CO-DALLAS
- 5: 6144 007 05100 1006144 007

Deed Transfer Date: 9/26/1997

Value

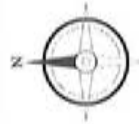
2025 Proposed Values	
Improvement:	\$58,390
Land:	+ \$280,000
Market Value:	= \$338,390
Capped Value: \$160,165	
Revaluation Year:	2025
Previous Revaluation Year:	2024

Chadman, Wendy

[illegible]

1. The first step is to identify the problem. In this case, the problem is that the system is not working properly.

COURSE FOOTAGE



3

EXISTING HOUSE

9757 LARIGA DR.
DALLAS, TX 75246

100

2

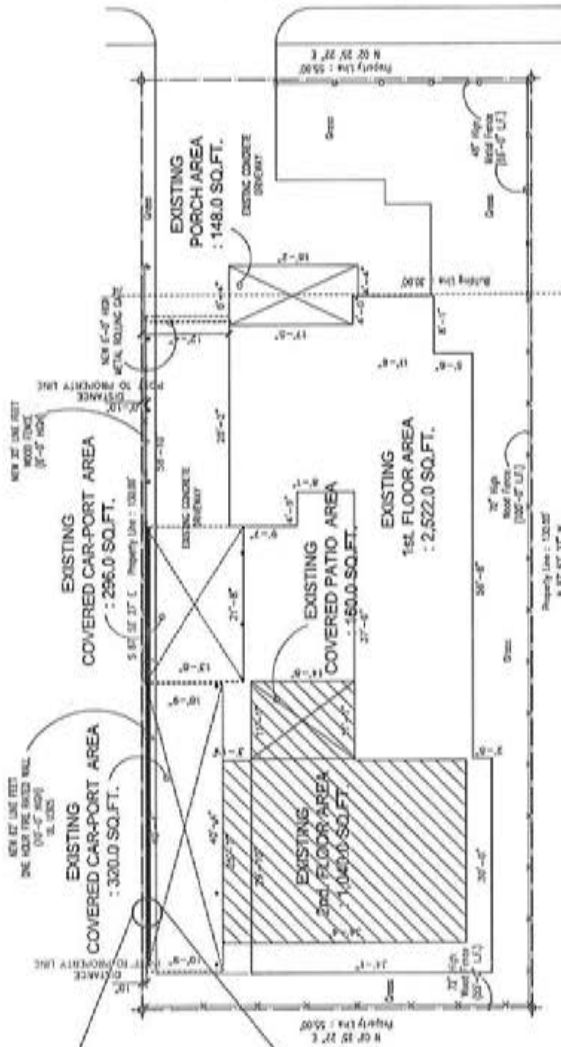
30

2

8

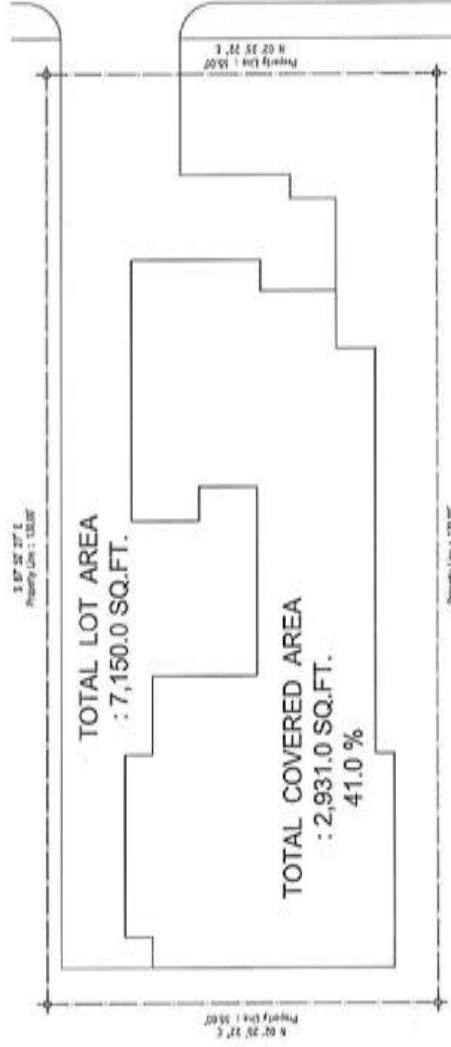
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9757 LARGA DR

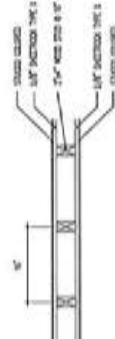
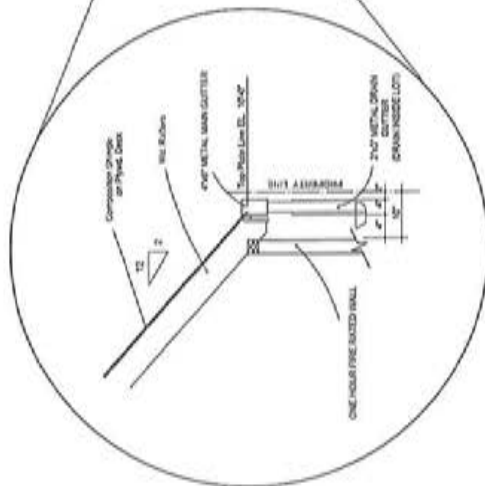


SITE PLAN

SCALE: 1" = 1'-0"



KEY PLAN

$$S^2 = 1.00 \times 10^{-10} \text{ m}^2$$


ONE HOUR FIRE RATED WALL

UL U305

PROJECT DATA

2000-2001

Received 15 July 2003; accepted 15 July 2003

$$\sigma^2 = \frac{1}{n} \sum_{i=1}^n x_i^2 - \bar{x}^2$$

100

AREAS IN SQUARE FEET

[illegible]

Dr. Ulf G. Lundberg, MD, PhD, is Professor and Chairman of the Department of Neurology, University of California, San Francisco, CA.

20050821 - 1480000

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Journal compilation © 2006 Blackwell Publishing Ltd



Planning & Development Department

320 E Jefferson Blvd,
Dallas TX 75203
(214) 948-4480

Board of Adjustment:
1500 Marilla Street, 5CN
Dallas TX 75201
(214) 948-4480

Posting of Notification Sign

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

Address: 9757 LARGA DRIVE

Appeal Number: _____

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

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

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

Footage of each street frontage: 55'

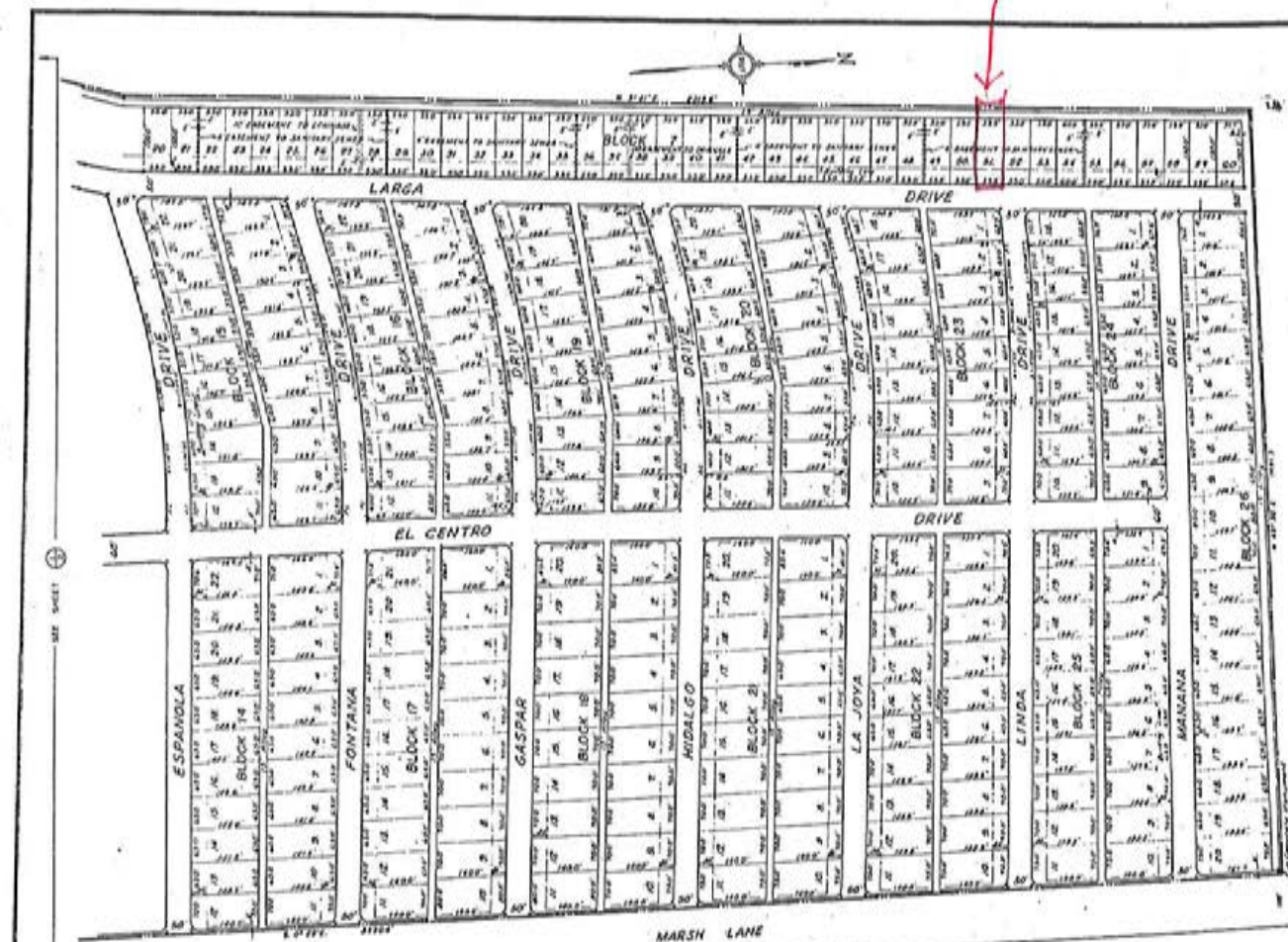
Number of acres: 0.169

Number of signs received: 1

X GL. Pom.
Signature of applicant or person receiving signs

7/01/2025
Date

(L)

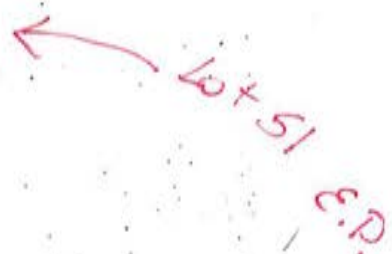


REMARKS: NOTES:

1. EXCEPT AS OTHERWISE NOTED, PROPERTY LINE RADIUS ARE 15 FT. CORNER LOT DIMENSIONS ARE TO BUDEN CORNERS.
2. BUILDING LINE ARE 50 FT. FROM FRONT PROPERTY LINE AND 5 FT. FROM SIDE PROPERTY LINE.



(K)



101158 -----\$2.75 Maps Photostated.
101461----- 2.00

WALNUT HILL CORPORATION | OWNERS' CERTIFICATE AND DEDICATION

TO:.. OWNERS' DEDICATION; COURT ORDER & RESTRICT. | WHEREAS, the undersigned, WALNUT HILL CORPORATION is the owner of a tract of land
WALNUT HILL ESTATES | situated in the County of Dallas, State of Texas, described as follows:

BEING A PARCEL OF LAND situated in the H. Webb Survey, Abstract No. 1586, W. BENNETT SURVEY, ABSTRACT No. 148, and J. WALKER SURVEY, ABSTRACT No. 1585, and being more particularly described as follows:

BEGINNING AT AN IRON PIPE FOR CORNER in the West right-of-way line of MARSH LANE, said corner bearing South 9 degr. 29 Min East, 2903.6 feet from the intersection of said right-of-way line with the North line of the H. Webb Survey, the same being the center^{line} of Walnut Hill Lane;

THENCE SOUTH 0 degr. 29 Min. East, with the West right-of-way of MARSH LANE 2930.6 feet to iron pipe for corner in the same;

THENCE SOUTH 89 degr. 31 min. West 705.8 feet to iron pipe for corner;

THENCE SOUTH 45 degr. 46 Min. West 532.3 feet to iron pipe for corner, said corner being in the Southeast right-of-way line of LEMMON AVE.;

THENCE NORTH 44 degr. 14 min. West, with the Northeast right-of-way line of LEMMON AVE., 584.2 feet to iron pipe for corner;

THENCE NORTH 46 degr. 17 Min. East, 200 feet to iron pipe for corner;

THENCE NORTH 43 degr. 43 Min. West, 400 feet to iron pipe for corner;

THENCE SOUTH 46 degr. 17 Min. West, 200 feet to iron pipe for corner; said corner being in the Northeast right-of-way line of LEMMON AVE.;

THENCE NORTH 43 degr. 43 Min. West, with the Northeast right-of-way line of LEMMON AVE., 294 feet to iron pipe for corner;

THENCE NORTH 16 degr. 28 Min. East, 1107.6 feet to iron pipe for corner;

THENCE NORTH 3 degr. 21 Min. East 2315.6 feet to iron pipe for corner;

THENCE NORTH 89 degr. 30 Min. East 1491.45 feet to THE PLACE OF BEGINNING, and containing 150.45 acres of land.

NOW; THEREFORE; KNOW ALL MEN BY THESE PRESENTS:

THAT, WE, THE WALNUT HILL CORPORATION, do hereby adopt this plat designating the hereinabove described property as
WALNUT HILL ESTATES ADDITION in the County of Dallas, Texas, and we hereby dedicate to the Public Use Forever the streets, alleys and easements as shown thereon; that we, THE WALNUT HILL CORPORATION, as developers of said WALNUT HILL ESTATES ADDITION, do hereby bind ourselves to grade, construct drainage structures satisfactory to the County Engineering Department and pave or gravel (20 feet wide, 6 inches compacted) all streets dedicated in said addition.

WITNESS OUR HANDS AT DALLAS, TEXAS, this the 3rd day of September A.D. 1946.

ROBERT F. THOMPSON, President

WALNUT HILL CORPORATION, Owner.

ATTEST:....C. S.

H. P. KROUGH, Secretary

STATE OF TEXAS |

COUNTY OF DALLAS | BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day personally appeared
ROBERT F. THOMPSON, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Walnut Hill Corporation, a corporation; and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 3 day of Sept. A.D. 1946.

L. S.

ALMA M. WHITEHEAD,
Notary Public, in and for Dallas County, Texas.
(My commission expires June 1, 1947.)

KNOW ALL MEN BY THESE PRESENTS:

SURVEYOR'S

CERTIFICATE

That we, ROLLINS AND FORREST, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments were properly placed under our supervision in accordance with the Platting Rules and Regulations of the City Plan Commission of the City of Dallas, Texas.

ROLLINS AND FORREST

T. C. FORREST, JR., Member of Firm.

STATE OF TEXAS |

COUNTY OF DALLAS | BEFORE ME, the undersigned, a Notary Public, in and for said County and State, on this day personally appeared
T. C. FORREST, JR., known to me to be the person whose name is subscribed to the foregoing instrument; and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28th day of AUGUST A.D. 1946.

A. M. ROBERTS,
Notary Public in and for Dallas County, Texas.



STATE OF TEXAS

COUNTY OF DALLAS | AT A REGULAR MEETING OF THE COMMISSIONERS' COURT of Dallas County, Texas, held on September 5, 1946,
on motion made by LYNN V. LAWTHOR, Commissioner of District No. 1, and seconded by JOHN ROWLAND, Commissioner of District No. 3,
the following order was unanimously adopted;

WHEREAS, on this date came on to be heard the application and petition of THE WALNUT HILL CORPORATION for an order of the Court approving and adopting the plat and dedication of certain lands designated therein as WALNUT HILL ESTATES, situated in Dallas County, Texas, and described as follows:

BEING A PARCEL OF LAND situated in the H. WEBB SURVEY, ABSTRACT No. 1586, W. BENNETT SURVEY ABSTRACT NO. 148, and J. WALKER SURVEY, ABSTRACT No. 1885, and being more particularly described as follows:

BEGINNING at an iron pipe for corner in the West right-of-way line of MARSH LANE, said corner bearing South 0 degr. 29 Min. East, 2203.6 feet from the intersection of said right-of-way line with the North line of the H. Webb Survey, the same being the center line of WALNUT HILL LANE;

THENCE SOUTH 0 degr. 29 Min East, with the West right-of-way of Marsh Lane 3930.6 feet to iron pipe for corner in the same;

THENCE SOUTH 89 degr. 31 Min. West 705.8 feet to iron pipe for corner;

THENCE SOUTH 45 degr. 46 Min. West 532.3 feet to iron pipe for corner, said corner being in the Southeast right-of-way line of LEMMON AVE.;

THENCE NORTH 44 degr. 14 Min. West, with the Northeast right-of-way line of LEMMON AVE. 584.2 feet to iron pipe for corner;

THENCE NORTH 46 degr. 17 Min. East, 200 feet to iron pipe for corner;

THENCE NORTH 43 degr. 43 Min. West, 400 feet to iron pipe for corner;

THENCE SOUTH 46 degr. 17 Min. West, 200^{feet} to iron pipe for corner; said corner being in the Northeast right-of-way line of LEMMON AVE.;

THENCE NORTH 43 degr. 43 Min. West, with the Northeast right-of-way line of LEMMON AVE. 294 feet to iron pipe for corner;

THENCE NORTH 16 degr. 26 Min. East, 1107.6 feet to iron pipe for corner;

THENCE NORTH 3 degr. 21 Min. East 2315.6 feet to iron pipe for corner;

THENCE NORTH 89 degr. 30 Min. East 1491.45 feet TO THE PLACE OF BEGINNING, and containing 150.45 acres of land.

The said Plat and Dedication being shown by and in said application and the Court having heard and considered said application and the arguments for and against the same; and the developers, THE WALNUT HILL CORPORATION, hereby agree and bind themselves to grade streets and construct drainage structures satisfactory to the COUNTY ENGINEERING DEPARTMENT, and to place paving or not less than six (6) inches of gravel, compacted, 20 feet wide, on all dedicated streets, is of the opinion and so finds that said plat and dedication of said subdivision are proper and there is no reasonable objection thereto and that the same should be approved by the Court and authorized to be filed in the Plat Records of Dallas County, Texas. The Court further finds that said streets as dedicated, should be accepted by the County of Dallas for permanent maintenance when paved or graveled, as above set out.

IT IS THEREFORE ORDERED; ADJUDGED AND DECREED that said plat and dedication of WALNUT HILL ESTATES, as more fully set out in said petition and application, ^{be} and the same are hereby in all things approved and adopted by the Court, and the County Clerk of Dallas County, Texas, is hereby authorized and directed to file and record the same in the Map Records of Dallas County, Texas, as provided by law. It is further ordered, adjudged and decreed that the County of Dallas does accept for permanent maintenance, each and all of said streets dedicated on said plat and that the County will take over the maintenance of each of said Streets as the same is graded, paved or graveled.

DONE IN OPEN COURT A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

A L T E M P L E T O N, County Judge.

THE STATE OF TEXAS

COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

THAT WALNUT HILL CORPORATION, being the owner of the property described as that certain tract or parcel of land situated in the H. Webb Survey, Abstract 1586, W. Bennett Survey, Abstract 148 and J. Walker Survey, Abstract 1885, containing 150.45 acres of land and being the same identical tract of land conveyed by C. V. JONES, et al to WALNUT HILL CORPORATION by deed dated March 16, 1946, of record in Volume 2453, Page 50, of the Deed Records of Dallas County, Texas, and being known as WALNUT HILL ESTATES, an addition to the City of Dallas, Texas, do hereby adopt these covenants and restrictions, which are hereby made covenants



running with the land and which shall apply and be binding upon any purchaser of any of the above described property, his heirs, devisees, administrators, successors and assigns, as follows:

Rest. on Walnut Hills Lot

- 1.... All of the lots in said tract shall be residential lots and used for residential purposes only, and no structure shall be erected thereon other than single family dwellings which shall in no event exceed two stories in height.
- 2.... No building shall be erected nearer to the front property line than 30 feet on all lots excepting those facing LEMON AVENUE, and as to such lots facing Lemon Avenue, no building shall be erected nearer to the front property line than 50 feet, and no building shall be erected nearer than 5 feet to the side property line except that garages and outbuildings may be nearer than 5 feet to the side line if located upon the rear one-fourth of the lot. For the purpose of definition, it is agreed that any covered portion of the house shall be the determinant as to the location of the set-back as herein provided.
- 3.... No fence shall be erected closer to the property line than 30 feet.
- 4.... No obnoxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be, or become a nuisance or annoyance to the neighborhood.
- 5.... Only one residence may be erected on any lots as the same is shown and designated on the official plat of said Addition on file and of record in the offices of the County Clerk of Dallas County, Texas. While a residence may not be erected on a fractional part of a lot, nevertheless any lot as the same is shown and designated on said plat may be combined with adjacent and contiguous land to form a building site in such event, the provision of paragraph 2 above providing for set-backs from side property lines shall apply to the side property lines of the combined property composing such building site.
6. No race except Caucasian shall use or occupy any building on any lot except that this covenant shall not prevent occupancy by domestic servants of a different race or nationality employed by the owner or tenant.
- 7.... No Trailer, basement, tent, shack, barn or garage or other outbuilding erected on the tract shall be at any time used as a residence, temporarily, permanently, nor shall any residence of a temporary character be permitted.
- 8.... No livestock or poultry of any kind shall be kept on the premises with the exception of dogs, cats or other small animals which are domestic pets.
- 9.... Each residence as erected on any lot in said Addition shall have a minimum of 796 sq. ft., exclusive of all porches, garages, terraces, lodges, outhouses or unfinished rooms, whether the same are attached, detached or built in.
- 10.... No dwelling shall be erected on said property of material other than frame, brick, brick veneer, stone, stone-veneer, hollow tile or stucco.
- 11.... If the parties hereto or any of them or their heirs or assigns shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real estate situated in said location, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation. In the event of the violation of any of the restrictions affecting said addition, the title to said premises shall ipso facto and immediately revert to the signators hereto or assigns, and the signators shall be entitled to immediate possession, but, such reversion shall not affect any mortgage or lien which may in good faith exist upon such property. The rights hereby granted are specifically made cumulative.
- 12.... No cesspool, septic tank or individual sewage treatment or disposal plant shall be operated or maintained on any lot during all times when said premises are occupied, all plumbing facilities including basins, sinks, commodes and bathtubs shall be connected to and served by a sanitary sewage system which empties into a treatment or disposal plant located away from and off of the addition, and all charges for such sewer service shall be currently and promptly paid and not permitted to become delinquent.
- 13.... These covenants shall run with the land and shall be binding on all parties and all persons claiming under them, until the first day of January A. D. 1971, at which time said covenants shall be automatically extended for successive periods of ten years, unless by a vote of a majority of the then owners of the lots, it is agreed to change said covenants in whole or in part.
- 14.... Invalidation of any of these covenants by a judgment or court order shall in no wise affect any of the provisions which shall remain in full force and effect.

IN TESTIMONY WHEREOF, this instrument is executed this 28th day of AUGUST, 1946.

ATTEST: C. J.
H. P. KEOUGH, Secretary.
THE STATE OF TEXAS
COUNTY OF DALLAS

WALNUT HILL CORPORATION
BY: ROBERT F. THOMPSON, President.

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared ROBERT F. THOMPSON, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WALNUT HILL CORPORATION, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 28th day of AUGUST, A. D. 1946.

ALMA M. WHITEHEAD, Notary Public in and for Dallas County, Texas. My commission expires June 1, 1947.
FILED FOR RECORD SEPTEMBER 6th, A.D. 1946 at 4:17 o'clock P.M. ED. H. STEGER, COUNTY CLERK. BY: T. H. KINSKILL, DEPUTY.
RECORDED DECEMBER 2nd, A.D. 1946. ED. H. STEGER, COUNTY CLERK.

Anne N. Whyte, Deputy.

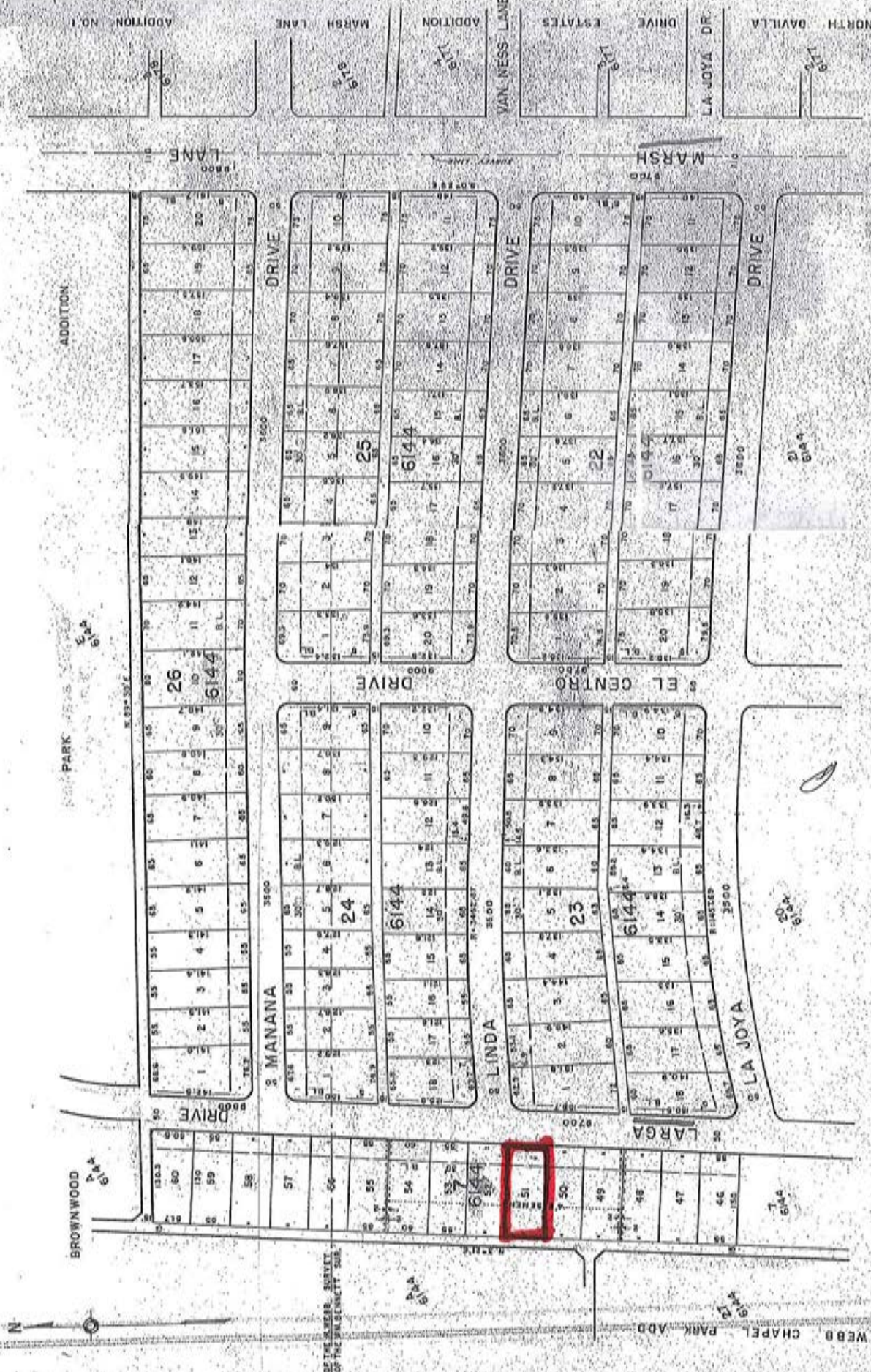


CITY OF DALLAS PLAT BOOKS

SURVEYED 32896
 DATE 6-13-74
 ANNEXED FEB 21 1950
 ORD. NO. 4711
 SURVEY WM BENNETT
 HARRISON WEBB
 ABST 148
 1525

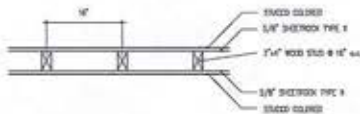
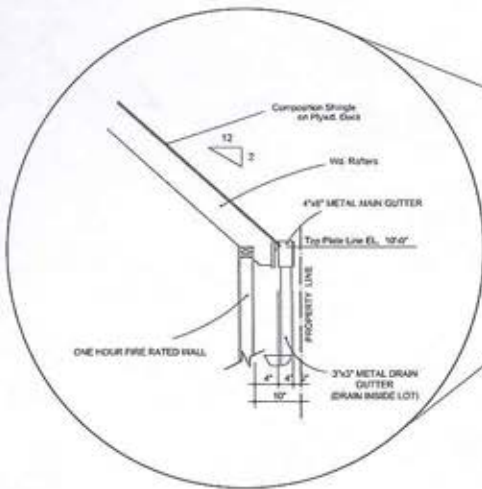
ADDITION WALNUT HILL ESTATES (PART)
 SCALE 100 FT. EQUALS 1 INCH

22 THRU 26
 BLOCKS 5144 B 5144
 DIST. DALLAS



THIS MAP WAS RECORDED
 IN THE CITY OF DALLAS
 COUNTY CLERK'S OFFICE
 DATE 6-11-2025

NOTE:
 UNLESS OTHERWISE NOTED, PROPERTY
 LINES ARE 15 FEET CORNER LOT
 DIMENSIONS ARE TO BLOCK CORNER



ONE HOUR FIRE RATED WALL
UL U305

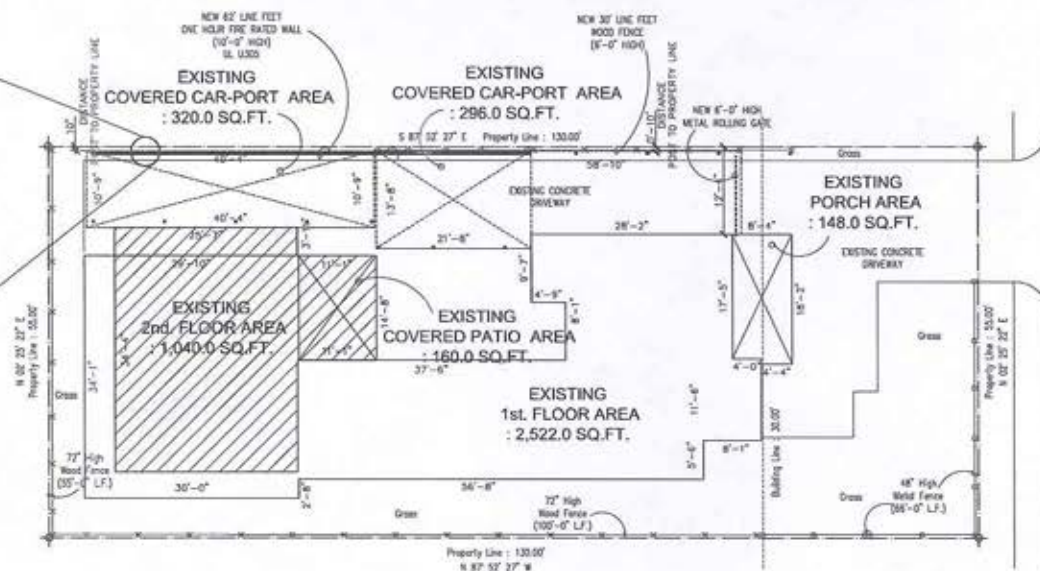
SCALE: 1"=1'-0"

PROJECT DATA

PROJECT NAME: EXISTING HOUSE
ADDRESS: 9757 LARGA DR
LOT No.: 91
BLOCK No.: 7/2444

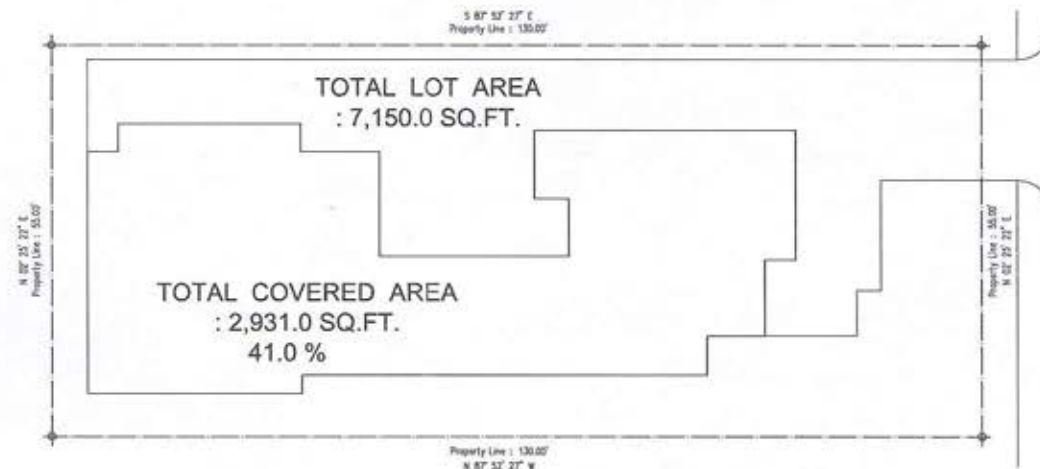
AREAS IN SQUARE FEET

EXISTING 1st FLOOR AREA: 2,522.0 SQ.FT.
EXISTING 2nd FLOOR AREA: 1,040.0 SQ.FT.
EXISTING PORCH AREA: 148.0 SQ.FT.
EXISTING CAR-PORTRATIO AREA: 616.0 SQ.FT.



SITE PLAN

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



KEY PLAN

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



Martinez Design, LLC
Tel: 972-991-4100
Fax: 972-971-2012
martinez@martinezdesign.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES.
2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES.
3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES.
4. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES.
5. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS OF THE EXISTING STRUCTURES AND THE LOCATION OF THE EXISTING STRUCTURES.

SQUARE FOOTAGE



Project Name:

EXISTING HOUSE

Project Address:

9757 LARGA DR,
DALLAS, TX 75220

SITE PLAN

Project No:	012725	Design By:	JAM
Date:	01-27-2025	Scale:	1/8" = 1'-0"
Sheet No:	1	Sheet Total:	4

FILE NUMBER: BOA-25-000030(BT)

BUILDING OFFICIAL'S REPORT: Application of Troy Stuckey for **(1)** a variance to the side-yard setback regulations at **5451 VANDERBILT AVENUE**. This property is more fully described as Block K/2179, Lot 17, and is zoned CD-9, which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 9-foot side-yard setback, which will require **(1)** a 1-foot variance to the side-yard setback regulations.

LOCATION: 5451 Vanderbilt Avenue

APPLICANT: Stuckey Harold Troy

REQUEST:

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

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:

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. Lot is not restrictive in area, shape, or slope; therefore, the approved conservation district regulations to ensure that new construction and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district can be developed on this lot in a manner commensurate with development upon other parcels of land in the same zoning conservation district.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: CD-9 (M Streets - Greenland Hills Conservation District)
North: CD-9 (M Streets - Greenland Hills Conservation District)
East: CD-9 (M Streets - Greenland Hills Conservation District)
South: CD-9 (M Streets - Greenland Hills Conservation District)
West: CD-9 (M Streets - Greenland Hills Conservation District)

Land Use:

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

BDA History:

No BDA history has been found within the last five years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Troy Stuckey for the property located at 5451 Vanderbilt Ave focuses on 1 request relating to a variance to the side-yard setback regulations.
- The applicant is requesting a variance to the side-yard setback regulations. The applicant is proposing to construct and maintain a residential addition and provide a 9-foot 0-inch side-yard setback on the east side, which will require a 1-foot 0-inch variance to the side-yard setback regulations.

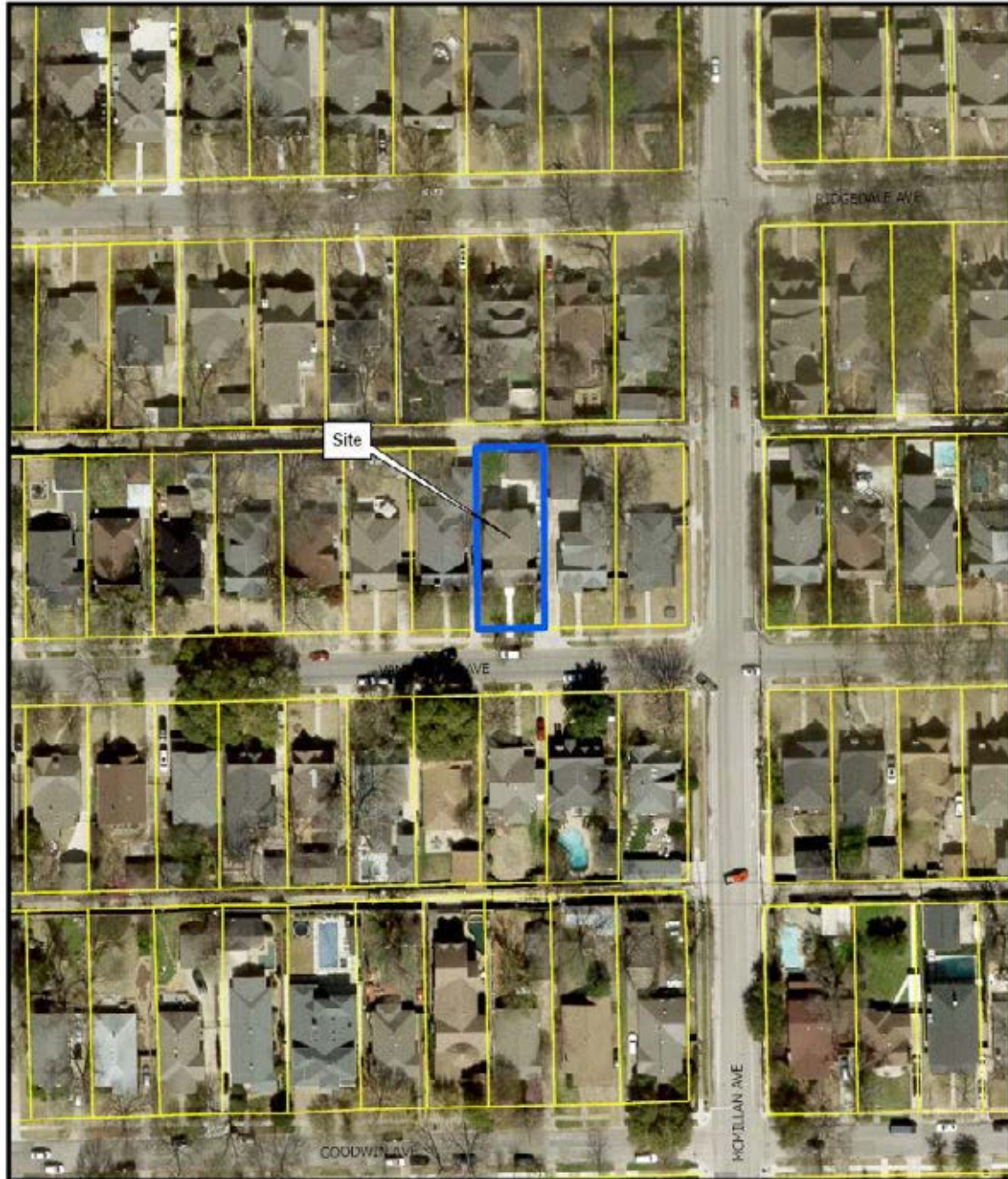
- It is imperative to note that CD-9 (M Streets Greenland Hills Conservation District) was approved on November 13, 2002 establishing the following setbacks:
 - CD-9 (d)(8) Side-yard - Minimum side yard for main structures is five feet on the west side and 10 feet on the east side.
- The subject site along with surroundings properties are all developed with single-family homes.
- The majority of interior lots including the subject site are 50' x 145' (7,250 square feet)
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the 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 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.

Timeline:

- July 1, 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.
- July 7, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- August 6, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the **July 21, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **August 8, 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.
- July 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** 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.

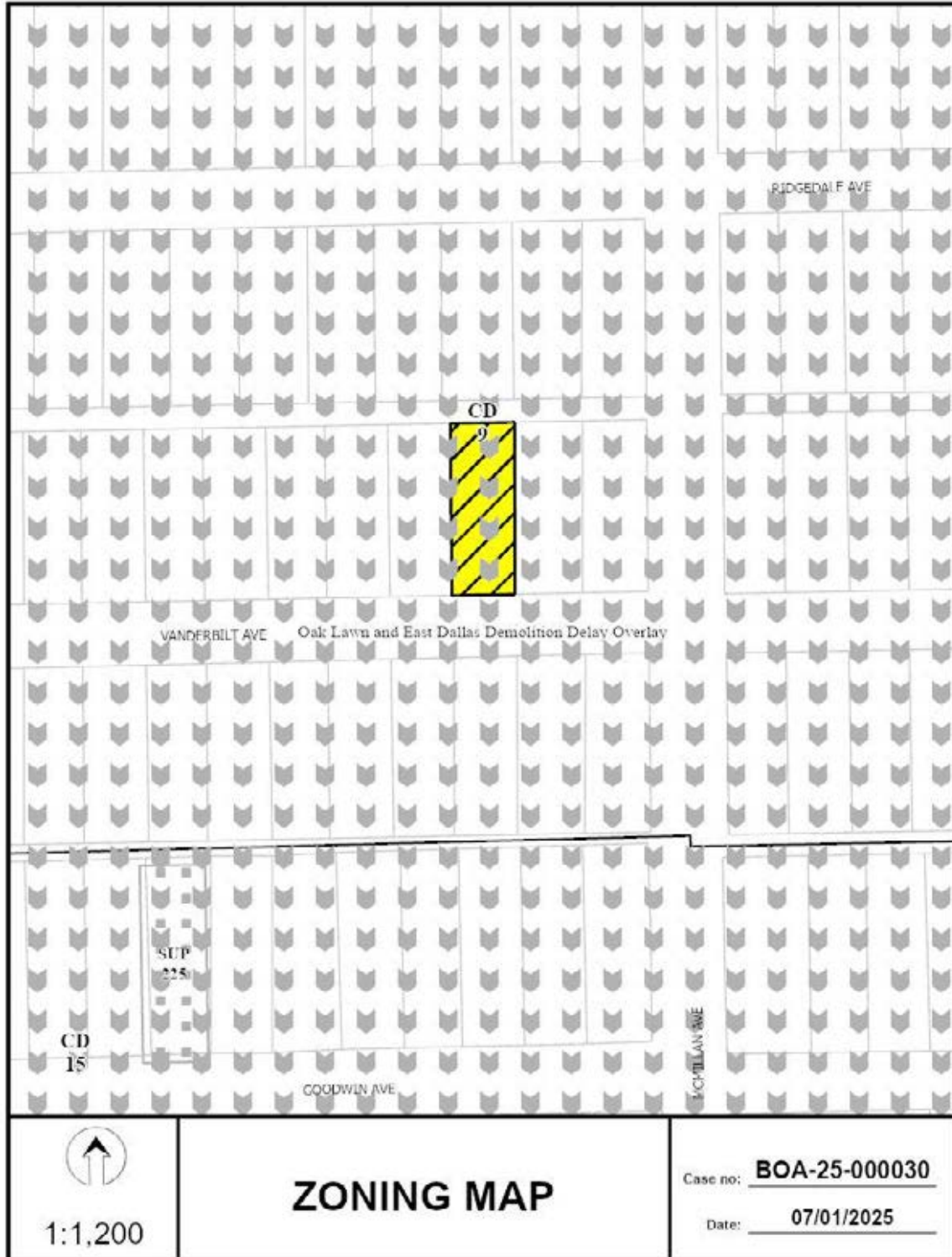



1:1,200


AERIAL MAP

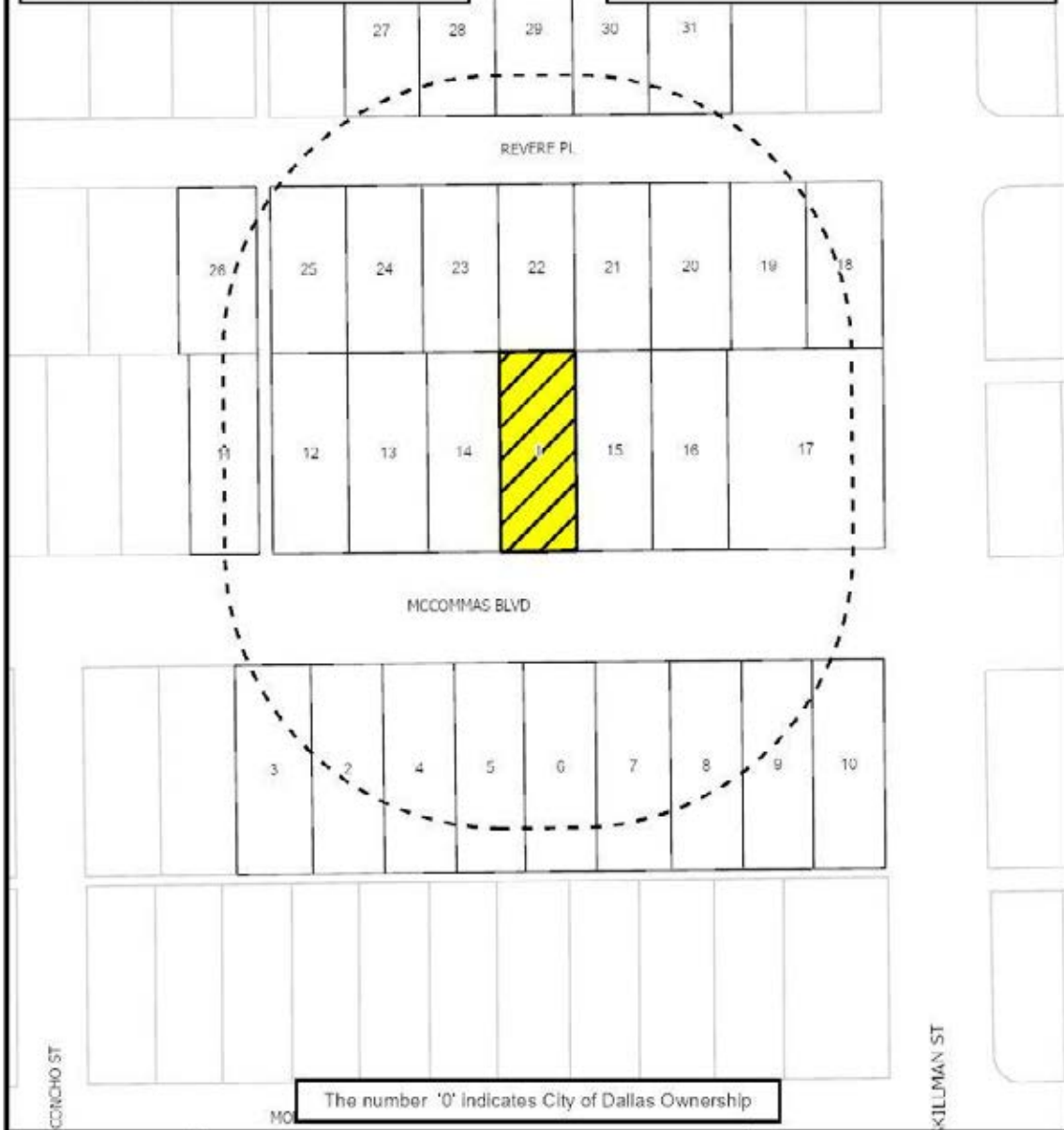
Case no: **BOA-25-000030**

Date: **07/01/2025**



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

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



 1:1,200	<h2>NOTIFICATION</h2>		Case no: BDA245-008
	<div>200'</div> AREA OF NOTIFICATION	<div>31</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 12/20/2024

Notification List of Property Owners

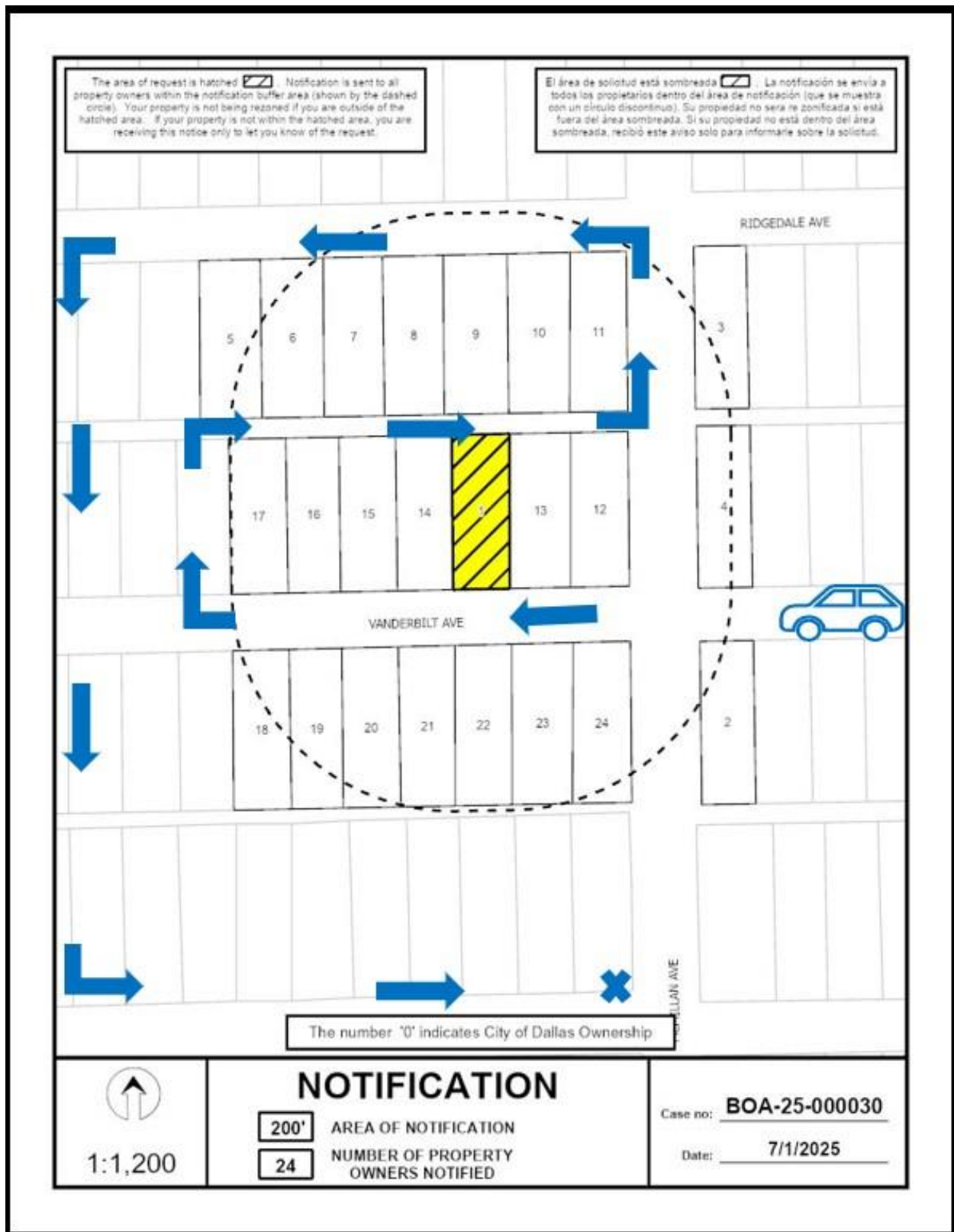
BOA-25-000030

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5451 VANDERBILT AVE	STUCKEY HAROLD TROY
2	5502 VANDERBILT AVE	BEASLEY WILLIAM B III &
3	5502 RIDGEDALE AVE	RALSTON BRIAN
4	5503 VANDERBILT AVE	COOKE TIFFANY MARIE &
5	5430 RIDGEDALE AVE	HUFF CARRIE L
6	5434 RIDGEDALE AVE	HAMILL ROBERT BRENT
7	5438 RIDGEDALE AVE	MCAULEY RONNA &
8	5442 RIDGEDALE AVE	STROMSWOLD JEFF & AMY
9	5446 RIDGEDALE AVE	KALIS MICHAEL & LEAH SACK
10	5454 RIDGEDALE AVE	VILLASANA JEURIDA
11	5458 RIDGEDALE AVE	LEU JORDAN WAYNE & ERIN ELIZABETH
12	5459 VANDERBILT AVE	BRANT ELIZABETH J
13	5455 VANDERBILT AVE	SNYDER THOMAS J &
14	5447 VANDERBILT AVE	IORELLO SARAH JAYNE
15	5443 VANDERBILT AVE	NEWELL PAUL HENRY
16	5439 VANDERBILT AVE	TARSIA THOMAS F & REBECCA
17	5435 VANDERBILT AVE	BUFORD BRYCE A &
18	5434 VANDERBILT AVE	BROWN JOEL A
19	5438 VANDERBILT AVE	SULLIVAN KERI ANN
20	5440 VANDERBILT AVE	BARKER TRAVIS BARRETT &
21	5446 VANDERBILT AVE	BELLINGER STEPHEN S
22	5450 VANDERBILT AVE	JORDAN KARA
23	5454 VANDERBILT AVE	KELLETT KAREN LYNN
24	5458 VANDERBILT AVE	MORGAN ALLISON & JUSTIN SELLMAN

 1:1,200	NOTIFICATION <div>200' AREA OF NOTIFICATION</div> <div>24 NUMBER OF PROPERTY OWNERS NOTIFIED</div>	Case no: BOA-25-000030 Date: 7/1/2025
----------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------	--------------------------------------------------------

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: WEDNESDAY, AUGUST 20, 2025

BRIEFING: 10:00 a.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

HEARING: 1:00 p.m. via Videoconference and in 6ES, Dallas City Hall, 1500 Marilla Street.
<https://bit.ly/boa0820>

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

BOA-25-000030(BT) Application of Troy Stuckey for (1) a variance to the side-yard setback regulations at 5451 VANDERBILT AVENUE. This property is more fully described as Block K/2179, Lot 17, and is zoned CD-9, which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 9-foot side-yard setback, which will require (1) a 1- 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. Letters will be accepted until 9:00 am the day of the hearing, if you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

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

The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by joining the meeting virtually, must register online at <https://bit.ly/BDA-B-Register> by the close of business Tuesday, August 19, 2025. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall)

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

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

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

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

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



Planning & Development Department

320 E Jefferson Blvd,
Dallas TX 75203
(214) 948-4480

Board of Adjustment:
1500 Marilla Street, 5CN
Dallas Tx 75201
(214) 948-4480

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

OFFICE USE ONLY

Case no. _____

Date _____

Data Relative to Subject Property: 6/4/25

Location address: 5451 Vanderbilt Ave., Dallas

Zoning District: Conservation District

Lot No.: 17 Block No.: K2179 Acreage: 0.0000 Census Tract: _____

Street Frontage (in Ft.): 1) 50 2) _____ 3) _____ 4) _____ (5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Harold Troy Stuckey and Laura J. Winkelstein

Applicant: Troy and Laura Stuckey Telephone: 214-566-4462

Mailing Address: 5451 Vanderbilt Ave. Zip Code: 75206

E-mail Address: troystuckey@flash.net

Represented by: We are owners Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a ☒ Variance or ☐ Special Exception, of:
a referral has been made from Conservation District for variance to side yard set back

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

The variance does not have adverse effect: see reasons listed in email.

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 Harold Troy Stuckey and Laura Joan Stuckey

(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: Harold Troy Stuckey Laura Stuckey
(Affiant/ Applicant's signature)

Subscribed and sworn to before me this 6th day of June, 20 25

Notary Public in and for Dallas County, Texas Brandon J. Palomo Barron

Together we are planning and building a better Dallas for all!

4/30/2025

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

FILE NUMBER: BOA-25-000030

BUILDING OFFICIAL'S REPORT: Application of STUCKEY HAROLD TROY for a variance to the side-yard setback regulations at 5451 VANDERBILT AVE. This property is more fully described as Block K/2179 Lot 17, and is zoned CD-9, which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 9-foot side-yard setback, which will require a 1- foot variance to the side-yard setback regulations.

LOCATION: 5451 VANDERBILT AVE

APPLICANT: STUCKEY HAROLD TROY

REQUEST: A variance to the side-yard setback regulations

Jurat Notary Certificate (Only for use in AR, AZ, CO, CT, DC, DE, GA, ID, IA, IL, KS, KY, MA, MD, ME, MN, MO, MT, NH, NJ, NM, NY, NV, NC, OH, OK, OR, PA, RI, SC, TX, UT, VA, WA)

Document Name: Affidavit

STATE OF Texas
COUNTY OF Dallas
(County where notarization occurred)

Subscribed and sworn before me on 6th day of June, 20 25, by
Harold Troy Stuckey + Laura Joan Stuckey (name(s) of signer(s)), who personally appeared before me and
(is personally known to me or whose identity was proved on the basis of satisfactory evidence) to be the person
whose name is subscribed to in this document.



Jaime
(Signature of notary public)
Brandon J. Palomo Barron, Notary Public
(Name of notary public)

My commission expires: 7.23.28

Official Seal

Personally known OR
Produced identification ✓ Type of identification produced: Texas DL

FIRST SECTION
Greenland Hills
 AN ADDITION TO
 CITY OF DALLAS

GREENWICH AVENUE	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	GREENWICH AVENUE
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Scale reduced from 1/4" = 1 foot

McNary & McNary
 Real Estate Owners
 Agents & Brokers
 Dallas, Texas

THE STATE OF TEXAS

26925
 GREENLAND HILLS - FIRST SECTION
 TO DESIGNATION OF PLAT AND DEDICATION OF STREETS : COUNTY OF DALLAS : KNOW ALL MEN BY THESE PRESENTS:

That Greenland Hills Realty Company, a Texas corporation, by and through its proper officers duly authorized and empowered hereunto, for itself, its successors and assigns, does hereby designate as "GREENLAND HILLS," an addition to the City of Dallas Texas, the area shown on and by the attached plat prepared by Myers & Hayes, Engineers, to which reference is hereby made. "GREENLAND HILLS" as above described is part of a tract of 98.75 acres of land out of the J W Smith Survey in Dallas County, Texas, conveyed by Ella M. Argent, Guardian, to Fletcher F. McNary and Frank L. McNary, by deed dated the 20th day of February A D 1923, and recorded in the deeds Records of Dallas County, Texas, to which reference is hereby made. Greenland Hills Realty Company, for itself, its successors and assigns, does hereby dedicate the streets and alleys, as shown on said plat, to the use of the public forever, except that it reserves to itself and to its successors and assigns: (1) The right to build and operate, or permit the extension of, a street railway line upon the streets and thoroughfares shown on said plat; (2) All water, storm sewer, sanitary sewer, and gas pipes and mains laid in all of said streets and alleys. Witness the name of the corporation by its President, and its corporate seal hereto affixed and attested by its Secretary, on this, the 16th day of March, A D 1923.

ATTEST: John E. Warren, its Secretary

THE STATE OF TEXAS, Before me, the Undersigned authority, on this day personally appeared Frank L. McNary, President of Greenland Hills Realty Company, a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.

Witness my hand and seal of office this 16th day of March, A D 1923.

Notary Public, Dallas County, Texas.





STATE OF TEXAS }
COUNTY OF DALLAS }

I, JOHN F. WARREN
County Clerk in and for said County
and State, do hereby certify that the above and foregoing is a
true and correct copy of the instrument filed for record on the
23 day of March 1923 and duly recorded on the
7 day of April 1923 in Volume 2
Page 342 of the Records of Dallas County, Texas

WITNESS my hand and seal of office at Dallas, Texas
this 27 day of May, 2025.

JOHN F. WARREN, COUNTY CLERK
DALLAS COUNTY, TEXAS

By [Signature] Deputy


https://dallas-tx-us.avolvecloud.com/ProjectDoxWebUI/Project/ProjectCorrections?projectID=190473&wflowTaskID=772190

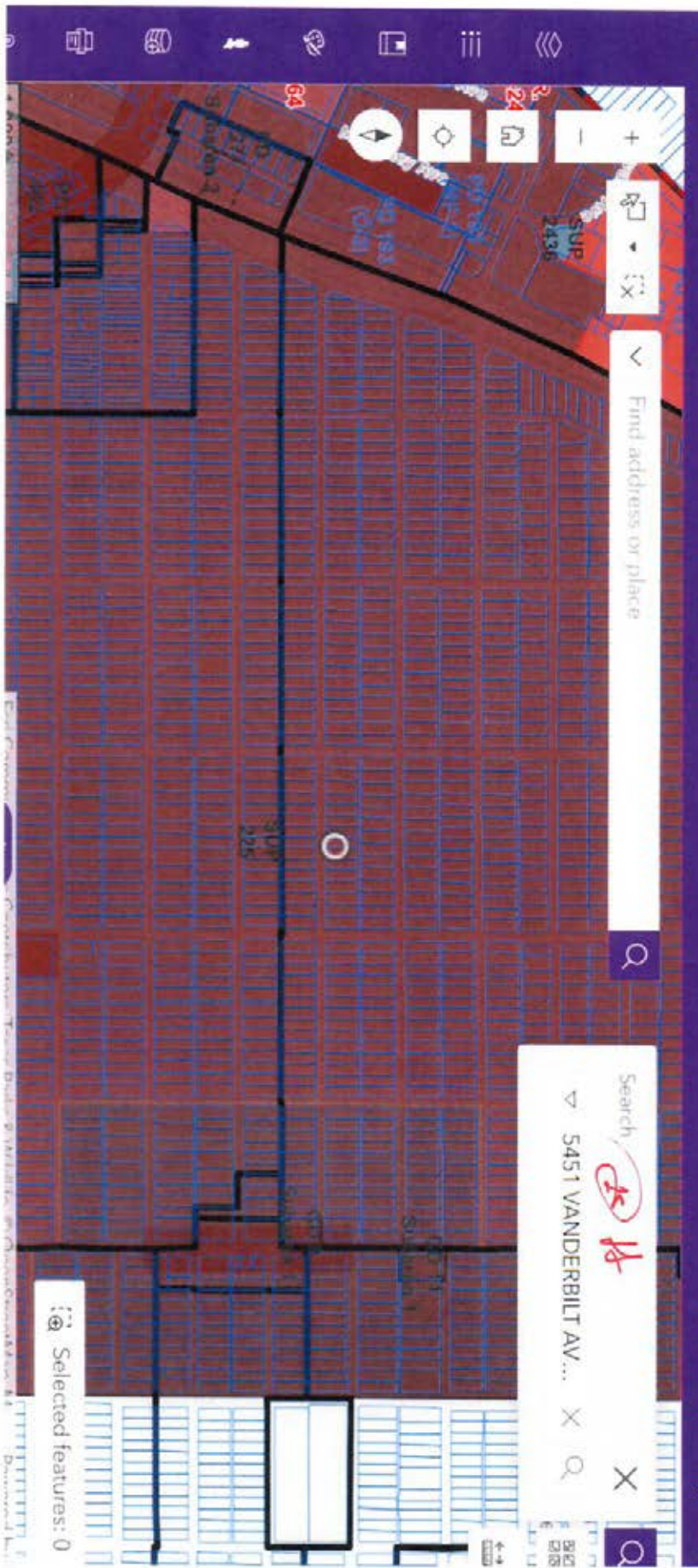
Dept: Status: Response: Search:

Type: Cycle: Time:

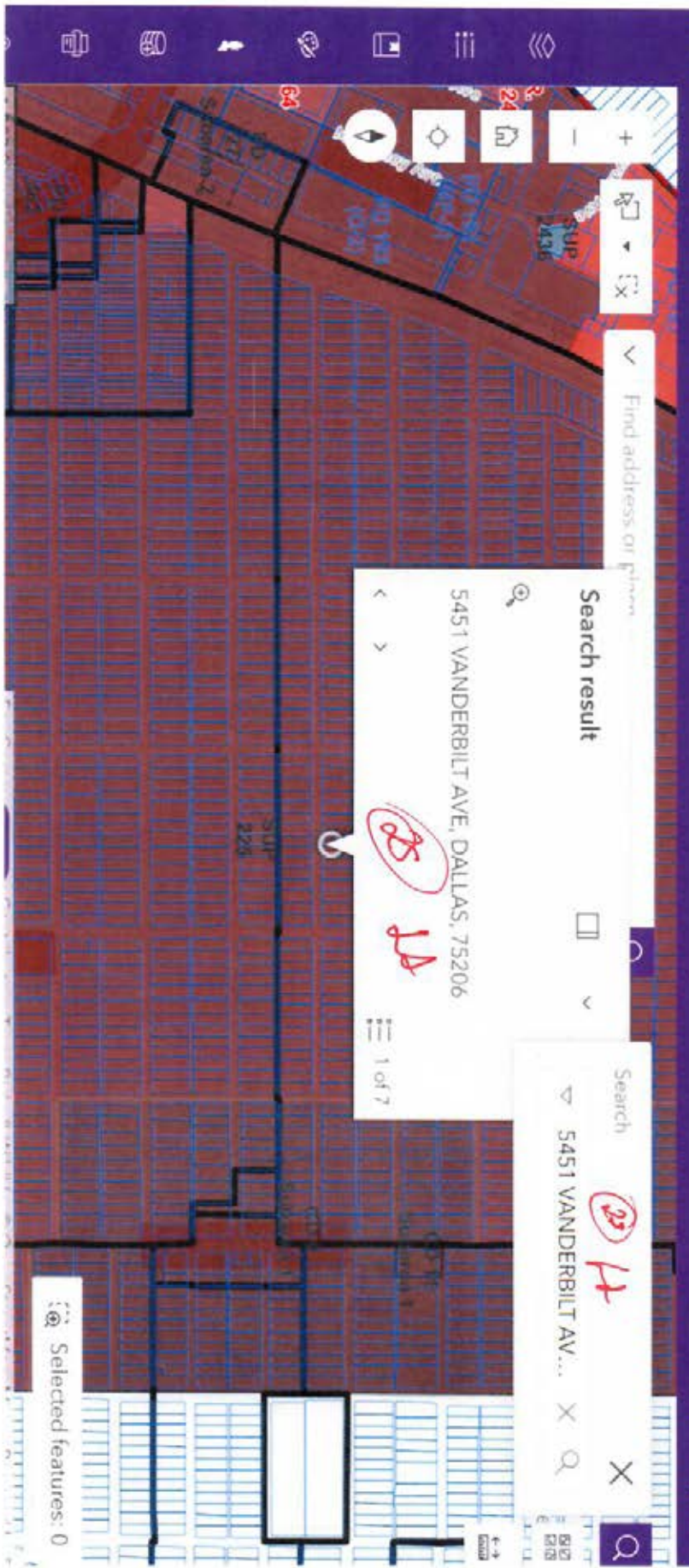
fresh

Add Comment / Ask Question

Ref.# 4	Conservation	Melissa Parent	7/6/23 4:04 PM	Cycle 3
Info Only	For all Board of Adjustment inquiries, please contact Diana Barkume at 214-948-4364 diana.barkume@dallas.gov			
Comment	You will be asking for a variance to the side yard setback.			
	Responded by: Troy Stuckey - 7/16/23 11:39 PM Thank you.			
Ref.# 5	Conservation	Melissa Parent	7/6/23 4:32 PM	Cycle 3
Resolved	Please see the document in the reviewer attachments folder titled "5451 Vanderbilt o be corrected" It highlights the areas that need to be clouded out on revised plans. I will also email a copy.			
Comment	Responded by: Troy Stuckey - 7/16/23 11:40 PM Thank you. We are uploading the revised documents per our discussion on July 6.			
Ref.# 6	Window - stained glass	Conservation	Melissa Parent	8/1/23 10:35 AM
Unresolved	230717_5451Vanderbilt_CityRevisions 5.pdf			
Markup		We will need to see the specification to include the design of the new stained/leaded glass.		



KS
white circle is
5451 Vanderbilt Ave.



VANDERBILT ADDITION

5451 VANDERBILT AVE.
DALLAS, TX 75206

REVISIONS:

REVISION	
#	DATE
1	07/17/2023

PROJECT NUMBER:
#0004
DATE:
07/17/2023
ISSUE:
CITY REVISIONS

DRAWING TYPE:
EXTERIOR
ELEVATIONS
DRAWING NUMBER:
A4.01



2 WEST EXTERIOR ELEVATION
1/4" = 1'-0"



1 EAST EXTERIOR ELEVATIONS
1/4" = 1'-0"

VANDERBILT ADDITION

54451 VANDERBILT AVE.
DALLAS, TX 75206

REVISIONS:

REVISION	
#	DATE
1	07/17/2023

PROJECT NUMBER:
#0004
DATE:
07/17/2023
ISSUE:
CITY REVISIONS

DRAWING TYPE:
EXTERIOR
ELEVATIONS
DRAWING NUMBER:
A4.02



1 NORTH EXTERIOR ELEVATION
1/4" = 1'-0"



2 SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"

VANDERBILT ADDITION

5451 VANDERBILT AVE.
DALLAS, TX 75206

REVISIONS:

REVISION	
#	DATE
1	07/17/2023

PROJECT NUMBER:

#0004

DATE:

07/17/2023

ISSUE:

CITY REVISIONS

DRAWING TYPE:

FLOOR PLAN

DRAWING NUMBER:

A2.01

GENERAL NOTES:

LEVEL 01 FINISH FLOOR EQUALS 100'-0"
UNLESS NOTED OTHERWISEALL WALL DIMENSIONS RELEVANT TO
WOOD FRAMING ARE TO FACE OF
WOOD STUD TYPICAL- UNLESS NOTED
OTHERWISEDOOR INDICATED THUS: ###
REFER SHEET A1.01 FOR DOOR
SCHEDULE

DOORS SWING AS INDICATED (X) PLAN

WINDOWS INDICATED THUS:
REFER SHEET A1.01 FOR WINDOW
SCHEDULE

WALL PARTITION NOTE:

COORDINATE ALL NEW PARTITION
FRAMING LAYOUT PRIOR TO ERECTION
WITH OWNER. NOTIFY ARCHITECT OF
ANY CONFLICTS. STRUCTURAL OR
OTHERWISE, PRECLUDING PLACEMENT

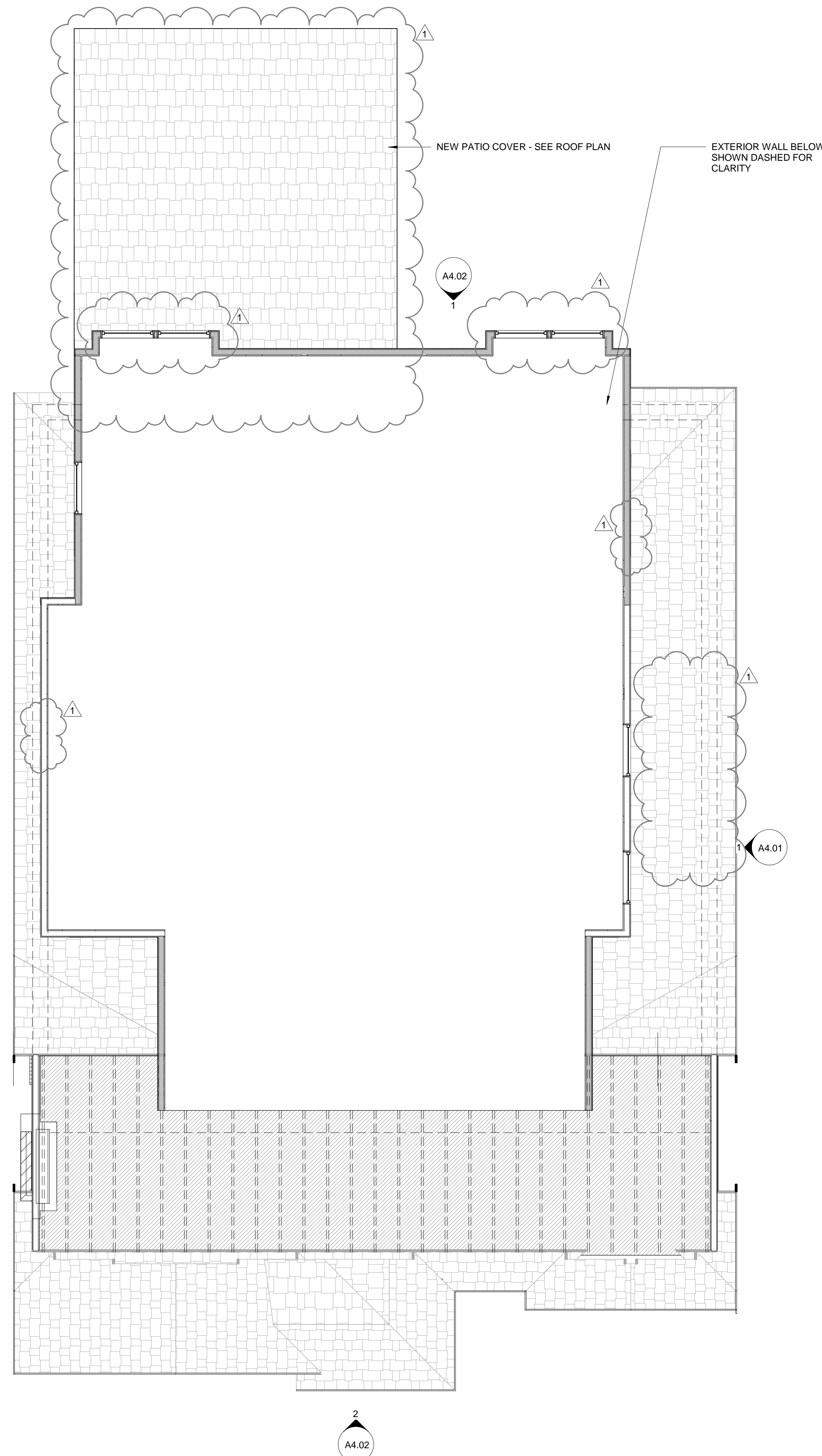
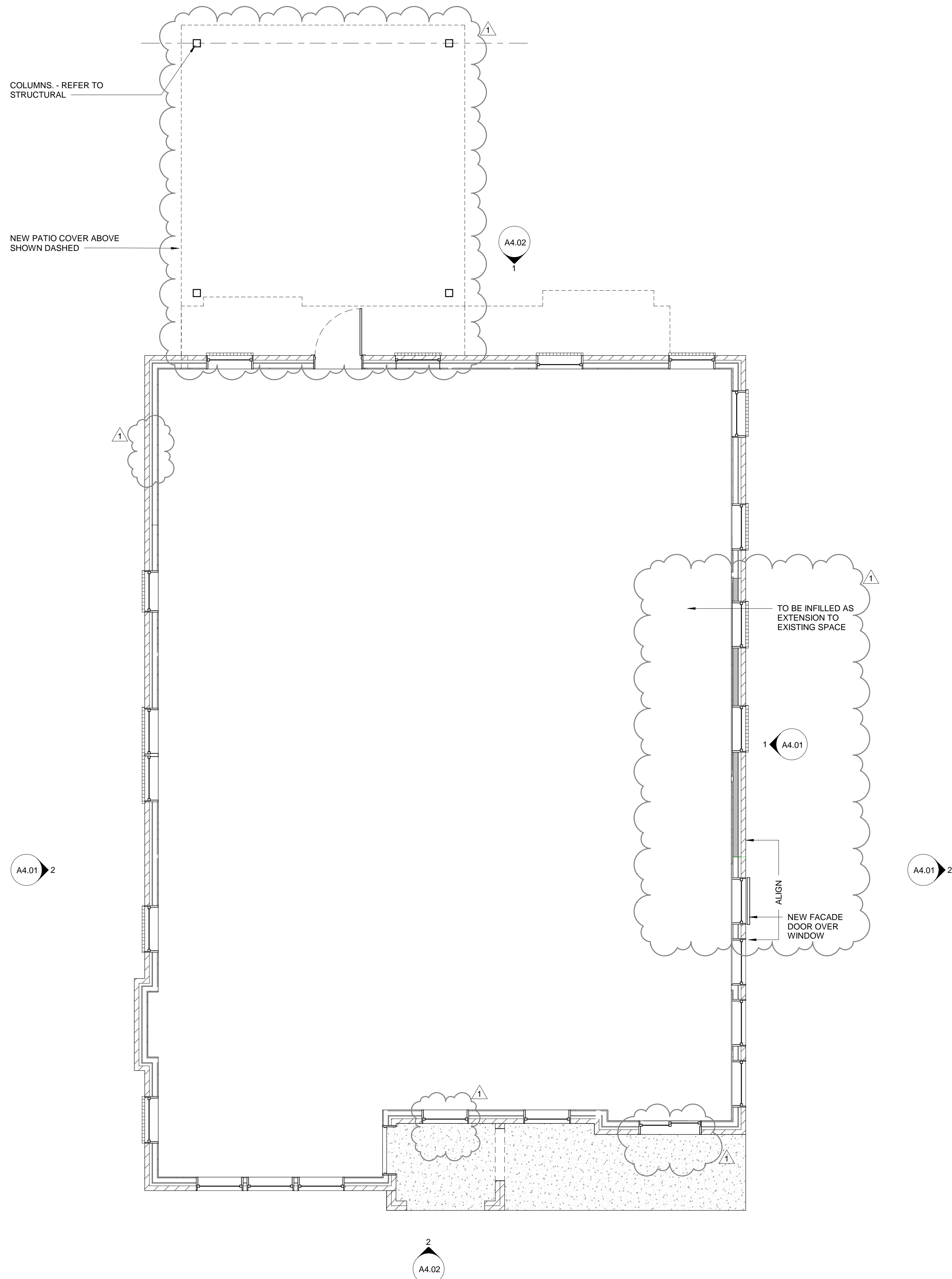
EXTERIOR WALL:

NEW
2X4 FRAMING WITH SPRAYED
INSULATION- STUDS @ 16" O.C.
REFER TO EXTERIOR ELEVATIONS AND
SECTIONS FOR SUBSTRATES AND
FINISHES

INTERIOR WALL:

WALL
ALL INTERIOR WALL PARTITIONS SHALL
BE 2X4 FRAMING W/ 1/2" GYP. BRD. @ EA.(F-1) = WOOD FLOOR FINISH TO MATCH
LEVEL 01

(F-2) = PORCELAIN TILE OVER THIN-SET

1 NEW LEVEL TWO
1/4" = 1'-0"2 NEW GROUND PLAN
1/4" = 1'-0"

VANDERBILT ADDITION

5451 VANDERBILT AVE.
DALLAS, TX 75206

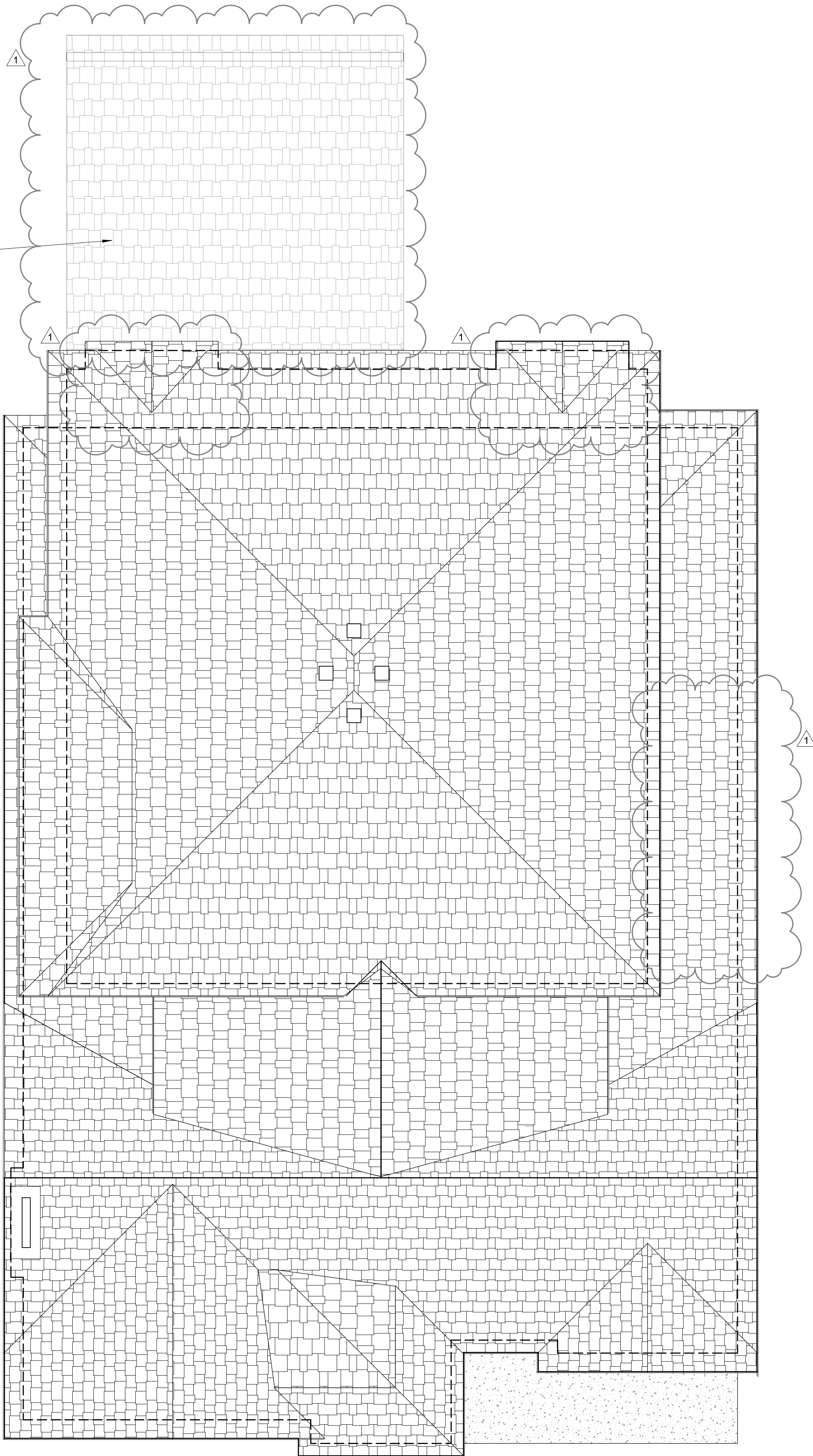
REVISIONS:

REVISION	
#	DATE
1	07/17/2023

PROJECT NUMBER:
#0004
DATE:
07/17/2023
ISSUE:
CITY REVISIONS

DRAWING TYPE:
ROOF
PLAN/RCP
DRAWING NUMBER:
A2.02

SHINGLED PATIO ROOF - GC
TO ENSURE MINIMUM SLOPE
REQUIREMENTS ARE BEING
MET PER ROOFING MATERIAL
MANUFACTURER



1 NEW ROOF PLAN
1/4" = 1'-0"

VANDERBILT ADDITION

5451 VANDERBILT AVE.
DALLAS, TX 75206

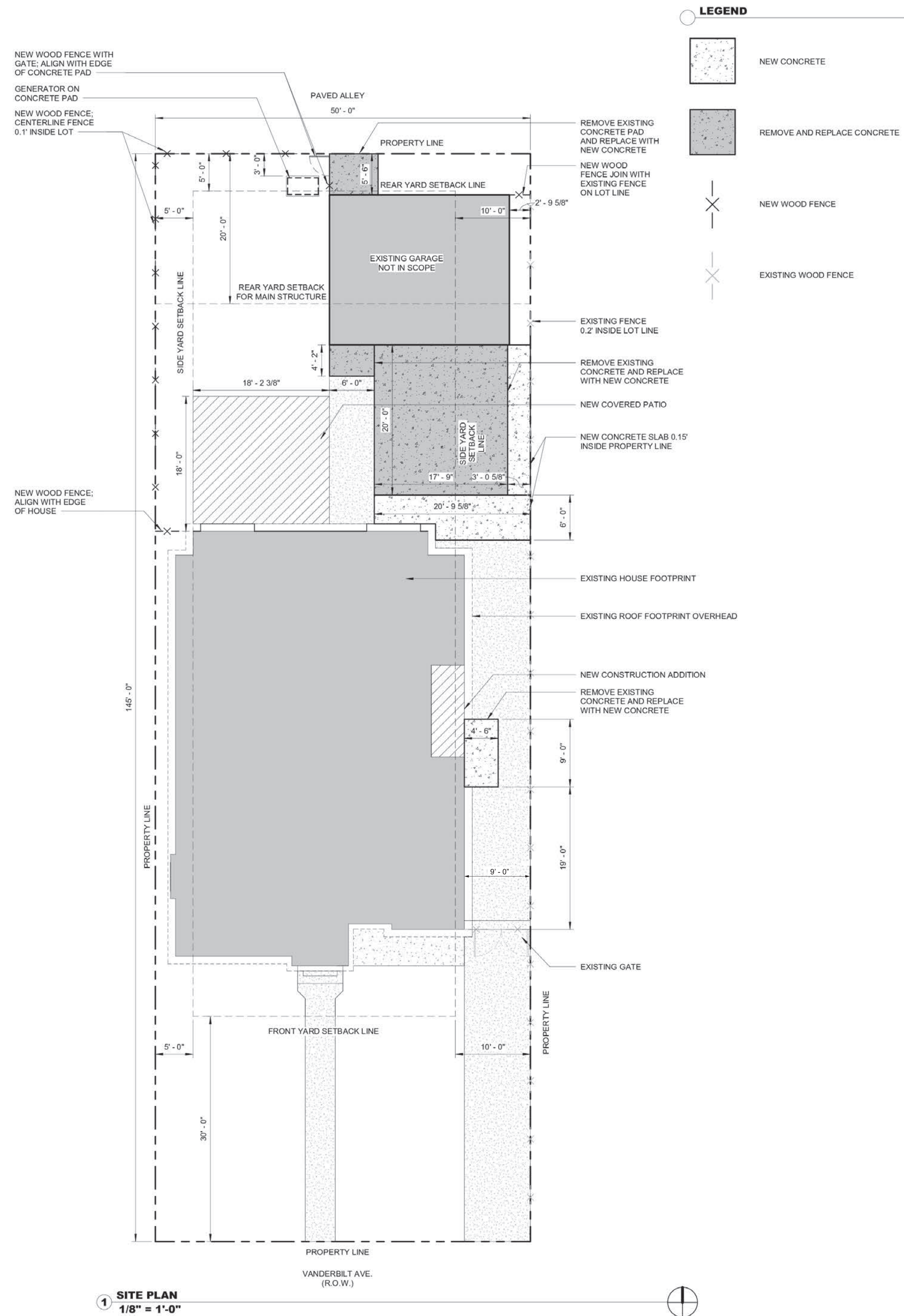
REVISIONS:

REVISION	
#	DATE

PROJECT NUMBER:
#0004
DATE:
07/17/2023
ISSUE:
CITY REVISIONS

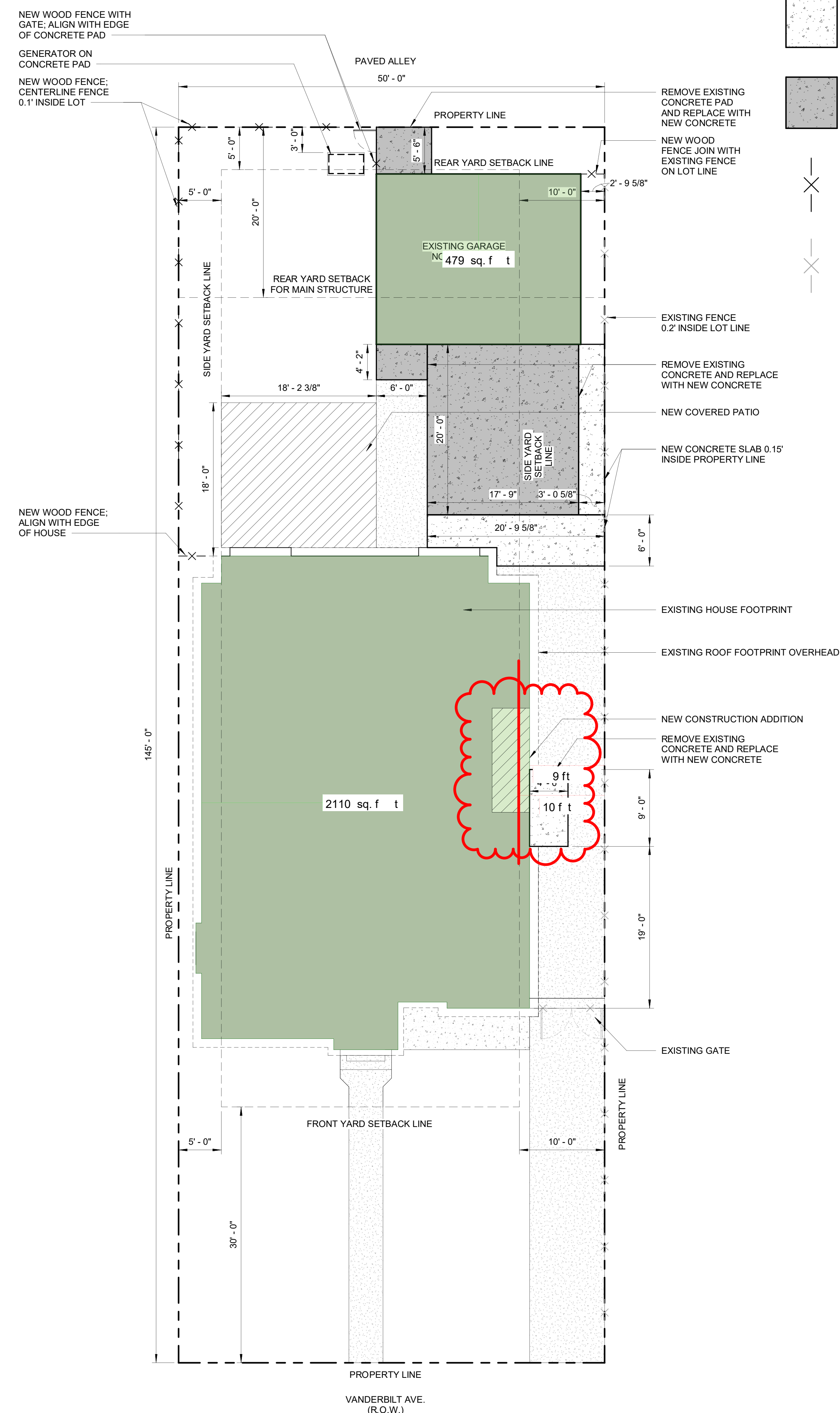
DRAWING TYPE:
SITE PLAN

DRAWING NUMBER:
A1.02



REVISION	
#	DATE

	Proposed	Minimum
Front Yard	<u>maintained</u>	
Side Yard	<u> </u>	5'W, 10'E
Rear Yard	<u>maintained</u>	
Site Parking	<u> </u>	
Delta Credit	<u> </u>	
By Pkg Agrmt	<u> </u>	
	Proposed	Maximum
Height	<u> </u>	30'
FAR	<u> </u>	
Lot Coverage	36%	45%



1 SITE PLAN
1/8" = 1'-0"