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City of Dallas

AGENDA

Public Notice
241026
POSTED CITY SECRETARY DALLAS, TX

BOARD OF ADJUSTMENT (PANEL C)

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

Dallas City Hall, 6ES Council Briefing, and Videoconference

Video Conference Link: https://bit.ly/boa1118C
Telephone: (408) 418-9388**, Access Code:** 325527

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

Individuals and interested parties wishing to speak must register with the Board of Adjustment at https://bit.ly/BDA-C-Register or call (214) 670-4127, **by the close of business Sunday, November 17, 2024. In person speakers can register at the hearing.**

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

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en https://bit.ly/BDA-C-Register o llamando al (214) 670-4127, **antes de cierre de oficina el Domingo, 17 de Noviembre, 2024. Las Personas que quieran hablar en persona, se pueden registrar en la Audiencia.**

AGENDA

I.	**Call to Order**	Robert Agnich, Vice-Chair
II.	**Staff Presentation/Briefing**	
III.	**Public Hearing**	Board of Adjustment
IV.	**Public Testimony**	
V.	**Miscellaneous Items**	
VI.	**Case Docket** - Uncontested Items - Holdover Items - Individual Items	Board of Adjustment
VII.	**Adjournment**	

HANDGUN PROHIBITION NOTICE FOR MEETINGS OF GOVERNMENTAL ENTITIES

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

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

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

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

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

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

EXECUTIVE SESSION NOTICE

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

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

MISCELLANEOUS ITEM(S)

- Approval of Panel C Minutes - October 21, 2024
- Approval of Full Board Meeting Minutes – October 29, 2024

UNCONTESTED CASE(S)

BDA234-126(CJ)	5251 Ravine Drive **REQUEST:** Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulations at driveway approaches.	1
BDA234-131(CJ)	8151 Military Parkway **REQUEST:** Application of Jackson Walker, LLP represented by Jonathan Vinson for **(1)** a special exception to the fence height regulations.	2
BDA234-132(BT)	1000 N. Riverfront Boulevard **REQUEST:** Application of Andrew Hooper represented by Mike Davis for **(1)** a special exception to the parking regulations.	3
BDA234-136(BT)	6506 Frankford Road **REQUEST:** Application of Moshe Tropper for **(1)** a special exception to the fence height regulations along Davenport Road, for **(2)** a special exception to the fence height regulations along Frankford Road, and for **(3)** a special exception to the fence height regulations along Windpiper Drive.	4

HOLDOVER

None

INDIVIDUAL CASES

None

BOARD OF ADJUSTMENT

Panel C Minutes

October 21st, 2024

DRAFT

6ES – Council Briefing
24957316190@dallascityhall.we
bex.com
Robert Agnich, Vice-Chair

PRESENT: [5]

Robert Agnich, VC	
Judy Pollock	
Rodney Milliken	
Jared Slade	
Roger Sashington	

ABSENT: [0]

Vice-Chair Agnich called the briefing to order at **10:38 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Agnich called the hearing to order at **1:03 P.M.** with a quorum of the Board of Adjustment present.

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

PUBLIC SPEAKERS

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

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

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

Maker:	Robert Agnich				
Second:	Roger Sashington				

Approval of the Board of Adjustment Panel C, August 19th, 2024, Minutes as amended during the briefing.

A motion was made to approve Panel C, August 19th, 2024, Public Hearing minutes.

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

UNCONTESTED ITEMS

1. 2636 Swiss Avenue
BDA234-113(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a variance to the landscaping regulations at **2636 SWISS AVE**. This property is more fully described as Block 7/284, Lot 18 and 5' E of Lot 17, and is zoned PD-298 (Subarea 5), 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 variance to the landscape regulations.

LOCATION: 2636 Swiss Ave.

APPLICANT: Rob Baldwin

REQUEST: A variance to the landscape regulations.

STANDARDS OF REVIEW FOR A VARIANCE:

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

(A) **not contrary to the public interest** when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

(B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a **restrictive area, shape, or slope,** that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE:

Dallas Development Code §51A-3.102(d)(10)(b), formerly known as HB 1475, allows for the BDA to use their discretion and consider Element 2 of the Variance standard to be met, if:
(i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.

(ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.

(iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

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

STAFF RECOMMENDATION:

Variance:

Approval

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

A. Not contrary to the public interest as no letters of opposition were received.
B. Lot is restrictive in **area**, shape, or slope; it is a corner lot, it cann**ot** 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.

The arborist division comment as of October 9, 2024: The chief arborist recommends approval of the variance request from his opinion that literal enforcement of the ordinance to this property will result in unnecessary hardship and the conditions will not be contrary to the public interest. The provision of site trees demonstrates a minimal condition of the ordinance to be maintained on the lot until the property may be subject to future redevelopment and full adherence to the zoning regulations.

BACKGROUND INFORMATION:

Zoning:

Site: PD-298 (Subarea 5)
North: PD-298 (Subarea 11) Tract 1

East: PD-298 (Subarea 5)
South: PD-298 (Subarea 5)
West: PD-298 (Subarea 5) and PD-298 (Subarea 5B)

Land Use:

The subject site is currently developed with a vacant one story structure. The surrounding area mainly consists of retail and commercial structures.

BDA History:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the landscape regulations of PD-298 (Subarea 5) and Article X.
- Specifically, the variance is to the landscaping requirements of Sec. 51P-298.106, Landscaping, pertaining to the general requirements for a) the landscaping provisions of Article X as they apply in the Bryan Area SPD and b) the additional provisions that apply in Subarea 5 for street trees in the tree planting zone and sidewalks.
- The revised alternate landscape plan applies conditions for a landscape area adjacent to Cantegral Street and new sidewalk at or below the district standards along Swiss Avenue and Cantegral Street.
- An existing structure remains on the site where a permit is submitted for a new parking lot use with new impervious coverage requiring compliance with landscaping regulations.
- The existing building location is restrictive to tree planting and full adherence to sidewalk requirements.
- Overhead electric lines limit the ability for planting large canopy trees along the street perimeter or the landscape area.
- The plan provides for the minimum Article X requirement of two small site trees on the small lot.
- Per staff's review of the subject site, it has been confirmed that the single-story structure is existing.
- The property is under site plan review for a catering service use, restaurant without drive-in-service.
- The applicant has the burden of proof in establishing the following:

  1) That granting the variance to the landscape regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

  2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be

developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

- Granting the variance to the landscape regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: **BDA234-113 at 2636 Swiss Ave**

Timeline:

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

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

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

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

Motion
I move that the Board of Adjustment **GRANT** the following applications listed on the uncontested docket because it appears, from our evaluation of the property and all relevant evidence that the

applications satisfy all the requirements of the Dallas Development Code and are consistent with the general purpose and intent of the Code, as applicable, to wit:

BDA234-114 – Application of Rob Baldwin, for a variance to the landscaping regulations contained 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:	Roger Sashington				
Second:	Judy Pollock				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Judy Pollock, Rodney Milliken, Jared Slade and Robert Agnich
		Against:	-	0	

2. 5605 Richard Avenue
BDA234-125(CJ)

BUILDING OFFICIAL'S REPORT: Application of David Turcich for **(1)** variance to the side-yard setback regulations at 5605 Richard Avenue. This property is more fully described as Block 18/1931, Lot 23 and is zoned CD-15, which requires side-yard setback of 10-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot side-yard setback, which will require **(1)** a 5-foot variance to the side-yard setback regulations.

LOCATION: 5605 Richard Avenue

APPLICANT: David Turcich

REQUEST:u

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

(D) **not contrary to the public interest** when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.

(E) **necessary to permit development of a specific parcel of land** that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(F) **not granted to relieve a self-created or personal hardship**, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

1. Variance to the side yard setback regulations

Approval

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

A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
B. The subject site is not sloped or irregularly shaped. The subject site is also 7,797.24 sq ft. which is larger than the minimum lot size for residential use in the Conservation District #15 (R-7.5(A)) zoning district (7,500 sq ft.), however the zoning change, referenced in Ordinance No. 26391, that now requires a 10-foot side yard setback on the east side of the property (rather than the original 5' that the existing structure maintains) further decreases the developable area of the subject site; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:
No BDA history found at 5650 Richard Avenue within the last 5 years.

Square Footage:
This lot contains 7797.24 of square feet.
This lot is zoned Conservation District #15 (R-7.5(A)) which has a minimum lot size of 7,500 square feet.

Zoning:

Site: Conservation District (CD) #15 / R-7.5(A)

North: Conservation District (CD) #15 / R-7.5(A)
South: MF-3(A) (Multifamily District)
East: Conservation District (CD) #15 / R-7.5(A)
West: Conservation District (CD) #15 / R-7.5(A)

Land Use:
The subject site is currently developed with a single-family structure. The areas to the north, east, and west are developed with uses permissible in Conservation District #15. Areas to the south are zoned with Multifamily (MF-3(A)) uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application for the David Turcich property located at 5650 Richard Avenue focuses on 1 request relating to the side yard setback regulations.

- A request for a variance to the side yard setback regulations of 5-feet is made to construct and/or maintain a single-family residential structure.

- Specifically, the applicant is requesting a variance to the side yard setback regulations for the east side of the property at 5650 Richard Avenue; Conservation District #15 (R-7.5(A)) requires a minimum side yard setback of 10-feet on the east side of a property per Ordinance No. 26391.

- It is imperative to note that the existing single-family home was developed before Ordinance No. 26391 was established; the development maintains 5-foot setbacks on the east and west side of the property.

- The subject site is a mid-block lot and has single street frontage on Richard Avenue.

- The subject site along with surrounding properties to the north, south, east and west are zoned with residential uses.

- The subject site is currently developed with a single-family structure and located within an established neighborhood.

- In short, the applicant is requesting that the new addition to the existing single-family residential structure be allowed the same 5-foot setback on the east side of the property that the existing house currently maintains.

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

- That granting the variance(s) 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(s) are 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(s) would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as

HB 1475 as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

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

- Granting the proposed variance below, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
    - 5-foot variance to the side yard setback regulations.

- 200' Radius Video: BDA234-125 at 5605 Richard Ave.

Timeline:

September 5, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

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

BDA234-125 – Application of David Turcich, for a variance to the side-yard setback regulations contained 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:	Roger Sashington				
Second:	Judy Pollock				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Roger Sashington, Judy Pollock, Jared Slade, Rodney Milliken and Robert Agnich
		Against:	-	0	

HOLDOVER CASES

5. 9334 E. R.L.Thornton
BDA234-079(CJ)

BUILDING OFFICIAL'S REPORT: Application of Jordan Corbitt for (1) a special exception to the parking regulations at 9334 East R.L. Thornton Freeway. This property is more fully described as Block A/8039, TR A and Block A/8475, TR 1, and is zoned RR, which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a home improvement center, and provide 422 of the required 512 parking spaces, which will require (1) a 90-space special exception (18 percent reduction) to the parking regulation.

LOCATION: 9334 East R.L. Thornton Freeway

APPLICANT: Jordan Corbitt

REQUEST:

(2) A request for a special exception to the off-street parking regulations.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION TO OFF-STREET PARKING:

SEC. 51A-4.311(a) of the Dallas Development Code states that the board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, **that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.** Except as otherwise provided in this paragraph, the maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A).

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this or any request for a special exception since the basis of this type of appeal is made when, in the opinion of the board, the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets

BACKGROUND INFORMATION:

BDA History:
No BDA history found at 9334 E. R.L. Thornton Freeway within the last 5 years.

Square Footage:
This lot contains 517,492.8 of square feet.
This lot is zoned Regional Retail (RR) which does not have a minimum lot size.

Zoning:

Site:	Regional Retail (RR) Zoning District
North:	Regional Retail (RR) Zoning District
South:	Regional Retail (RR) Zoning District
East:	Regional Retail (RR) Zoning District
West:	Regional Retail (RR) Zoning District

Land Use:
The subject site is developed with a retail building. The areas to the north, south, east, and west are developed or are being developed with regional retail uses.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jordan Corbit for the property located at 9334 E. R.L. Freeway focuses on one request relating to the off-street parking regulations for a nonresidential structure to be used for a home improvement center.

- A request for a special exception to the off-street parking regulations of 90 spaces (18 percent) is made to construct and/or maintain a nonresidential structure for a home improvement center use at 9334 E. R.L. Thornton Freeway

- The subject site is zoned Regional Retail (RR) which requires parking to be provided.

- It is imperative to note that the subject site has double street frontage on East R.L. Thornton Freeway and Buckner Boulevard service street.

- The submitted site plan shows the applicant plans to provide 422 (82 percent) of the required 512 parking spaces at 9334 E. R.L. Thornton Freeway.

- The subject site is currently developed with a nonresidential structure.

- Per the site plan, there are three proposed entries on the subject site; these entries all lead to the parking lot, where the proposed 422 parking spots will be.

- The applicant has the burden of proof in establishing that the parking demand generated by the use does not warrant the number of required off-street parking spaces, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.

- Granting the proposed 90 space (18 percent) special exception to the parking regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents, and the special exception automatically and immediately terminates if and when the particular uses are changed or discontinued.

- 200' Radius Video: BDA234-079 at 9334 E. R.L. Thorton Fwy

Timeline:

May 1, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

May 15, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

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

- an attachment that provided the hearing date and panel that will consider the application; the May 24, 2024, deadline to submit additional evidence for staff to factor into their analysis; and June 7, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

June 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the June 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.

June 5, 2024 The Traffic Engineering Program Administrator provided comments stating that no objection to the special exception request.

June 17, 2024: Panel C, at its regular scheduled hearing on June 17, 2024 voted to hold this matter under advisement until its July hearing.

July 1, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the June 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.

July 9, 2024: Panel C July hearings were rescheduled to Monday, August 19th

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

- an attachment that provided the hearing date and panel that will consider the application; the August 9, 2024, deadline to submit additional evidence for staff to factor into their analysis; and July 26, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 29, 2024: 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 19, 2024: Panel C, at its regular scheduled hearing on August 19, 2024 voted to hold this matter under advisement until its October hearing.

August 22, 2024: The Board Secretary mailed the applicant an outcome letter restating the board outcome and the hearing date/time for October.

Speakers:

For: Jordan Corbitt, 1565 Parkside Drive, Alpharetta, GA 30004
Christian DeLuca, 4411 McKinney Ave, Dallas TX 75205

Against: No Speakers

Motion
I move that the Board of Adjustment, in Appeal No. BDA 234-079, on application of Jordan Corbitt, **GRANT** the request of this applicant to provide 422 off-street parking spaces to the off-street parking regulations contained in the Dallas Development Code, as amended, which requires 512 off-street parking spaces, because our evaluation of the property use and the testimony shows that this special exception will not increase traffic hazards or increase traffic congestion on adjacent or nearby streets, and the parking demand generated by the use does not warrant the number of required parking spaces. This special exception is granted for a home improvement center use only.

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

The special exception of **90 spaces** shall automatically and immediately terminate if and when the home improvement center use is changed or discontinued.

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

INDIVIDUAL CASES

6. 5239 Monticello Ave
BDA234-127(CJ)

BUILDING OFFICIAL'S REPORT: Application of Samuel and Lauren Huffines represented by Karl Crawley to appeal the decision of the administrative official at 5239 MONTICELLO AVENUE. This property is more fully described as Block Q/2185, Lot 9, and is zoned CD-9, which requires compliance with conservation district standards. The applicant proposes to appeal the decision of an administrative official in the denial of a conservation district work review.

LOCATION: 5239 Monticello Avenue

APPLICANT: Samuel and Lauren Huffines

REPRESENTED BY: Karl Crawley

REQUEST:

A request is made to appeal the decision of an administrative official in the official in the denial of a conservation district work review.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

STAFF RECOMMENDATION:

Administrative Official Appeal (1):

No staff recommendation is made on this request.

BDA History:

No BDA History found at 5239 Monticello Avenue in the last 5 years.

Zoning:

Site:	Conservation District (CD) #9
North:	Conservation District (CD) #9
South:	Conservation District (CD) #9
East:	Conservation District (CD) #9
West:	Conservation District (CD) #9

Land Use:

The subject site and surrounding properties are developed with a single-family residential use.

GENERAL FACTS/STAFF ANALYSIS:

- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

September 9, 2024: The applicant was sent a denial letter for CD24060603 application to paint previously unpainted brick.

September 10, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Karl Crawley, 2201 Main Street, Dallas TX 75201
Crysal Lemus, 2201 Main Street, Dallas TX 75201

Representing the City of Dallas: Trevor Brown, Chief Planner, Conservation District
1500 Marilla Street, Dallas TX 75201

Motion

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-127, on application of Samuel and Lauren Huffines, represented by Karl Crawley, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment affirm the decision of the administrative official and **DENY** the relief requested by the applicant.

Maker:	Jared Slade				
Second:	Rodney Milliken				
Results:	3-2				Motion to deny passes
		Ayes:	-	3	Rodney Milliken, Jared Slade and Roger Sashington
		Against:	-	2	Robert Agnich and Judy Pollock

Recess at 1:46 pm – 1:58 pm

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice-Chair Agnich moved to adjourn the meeting at **3:34 P.M.**

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

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

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

BOARD OF ADJUSTMENT

Full Board Meeting Minutes

October 29th, 2024

DRAFT

6EN Council Chambers
24923176153@dallascityhall.webex.com
David A. Neumann, Chairman

PRESENT: [13]

David A. Neumann, Chairman	Joe Cannon
Cheri Gambow, Vice Chair	Andrew Finney
Robert Agnich, Vice Chair	Dr. Emmanuel Glover
Rachel Hayden	
Kathleen Davis	
Michael Hopkovitz	
Jay Narey	
Judy Pollock	
Jared Slade	
Roger Sashington	

ABSENT: [5]

Rodney Milliken	Nicholas Brooks
Sarah Lamb	Philip Sahuc
TC Fleming	

Chairman Neumann called the Special Meeting of the Board of Adjustment to order at **9:09 A.M.** with a confirmed quorum of the Board of Adjustment present.

WELCOME: **David A. Neumann**

Introduction of Board Members & Alternates

PUBLIC TESTIMONY:

Robert Reeves (Consultant) - 3807 Vinecrest Dr., Dallas TX 75229
Steve Long (Consultant) – 902 Thomasson, Dallas TX 75208

SPEAKERS:

- Emily Liu, Director, Planning & Development Department
- Jason Pool, Assistant Director (I) Customer Excellence
    1. FY 23-24 Strategic Efficiency Plan
    2. FY 23-24 Summary of Progress
    3. FY 22-23 & FY 23-24 Charts & Metrics
    4. FY 24-25 Planning & Goals

CHAIRMAN'S REPORT: **David A. Neumann**

October 1, 2023 – September 30, 2024

Focus:

Ensure Fairness for every property owner appeal to the Board of Adjustment through a Transparent process that culminates in Timely hearings where Accurate information is reasonably applied to the Board's preexisting legal standards.

Advocacy

- Met quarterly with City Manager's key staff: Assistant City Managers Majed Al-Ghafry and Robin Bentley; Directors Andrew Espinoza and Emily Liu, to maintain executive level support and awareness of the mission of the Board, its members, staff and property owner/taxpayer.
- Working with Board Attorney and City Attorney's Office to assert the Board's fully interpreted and expressed authority within the Dallas Development Code to determine a just and fair decision for all cases/appeals presented.

Empowerment

- Implemented our updated Rules of Procedure providing greater empowerment of the Board, Chairman, and Vice Chairs to lead the hearings as a citizen appointed board of the City Council.
- Board Officers worked collectively to ensure relative consistency amongst the panels and provide feedback loop to staff to ensure effectiveness of hearings.
- Panel Hearings were fully attended by 5 Members/Alternates 27 of 30 hearings or 90% to ensure a full panel's deliberation for the applicant.

Transition challenges

- Challenged by city staff turnover of Board Administrators, Senior Planners, and resulting learning curves during last 12 months and departmental transitioning from Planning Urban Design to Development Services back to Planning & Development.
- Positive and hopeful leadership now under Dr. Kameka Millers-Hoskins as our Board Administrator. Proofreading all work to be presented is essential.

Progress

- Worked regularly with Jason Pool as Development Services Administrator to support his leadership and obtained more comprehensive staff analysis for hearings, technology to aid in understanding adjacent properties and leverage/utilize the BOA website to provide accurate and timely information to the public regarding all aspects of the BOA appeal process. Reduced days from application to hearing from 74 to 61. Outstanding!

BOARD TRAINING

- **ETHICS AND CONFLICT OF INTEREST** **Baron Eliason, Chief Integrity Officer**
  - Why we have the Code of Ethics
  - The BIG picture of ethics in our city

- Big Picture: Be on our best behavior
- Two types of best behavior rules: 1) All the time rules 2) If/then rules
- All the time rules: 1) Fiduciary duty 2) Civility
- Civility in employee interactions – a two step
- All the time rules: 1) Fiduciary duty 2) Civility 3) Appearances – personal and professional
- If/Then Rules: Code of Ethics Reference Guide
- If/Then Conflicts and Violations Checklist
- Substantial Interests in a Business §12A-13.1
- Substantial Interests in Property §12A-13.1
- Acquisition of Interests §12A-14(a)(1)
- Benefits to Previous Employers §12A-14(a)(3)
- Nepotism
- Polotical Activity and disclosures: §12A-21
- Outside Employment §12A-19
- Gifts Deep Dive
- Gifts and Donations
- Options with Gifts
- When is a Gift prohibited? - §12A-12(a)
- Is there more guidance?
- Analyzing Gifts
- Reporting of Gifts - §12A-42
- What's it worth?
- What counts as a year?
- When are reports due?
- Where do I find the report form?
- Donations
- Reporting Chart – Financial Disclosure
- Reporting Chart – Financial Statement
- Reporting Chart – Short Form
- Reporting Chart – Gifts
- Reporting Chart – Donations
- Reporting Chart – Travel

➢ **<u>PLANNING & DEVELOPMENT DEPARTMENT</u>** **Chief Planner**, **Dr. Kameka Miller-Hoskins**
Bryant Thompson, Senior Planner

- Team Introductions
- Parking Reductions
  - ❖ How is Parking Calculated?
    - ❖ Off-Street Parking reductions
      What is an Off-street parking reduction?
    - ❖ Types of Off-street Parking Reductions
      - Special Exception
        Example
      - Variance
        Example
    - ❖ Summary
    - ❖ Questions
- Blockface Continuity
  - ❖ Blockface
  - ❖ Blockface Continuity
  - ❖ Importance of blockface Continuity

- ❖ When is Blockface Applied?
  Examples
- ❖ Questions

****Lunch: 12:35 p.m.; Resume: 1:18 p.m.****

➢ **CITY ATTORNEY'S OFFICE** **Theresa Carlyle, Board Attorney & Matthew Sapp, Assistant City Attorney**

- Board of Adjustment Authority
  - ❖ The Ultimate Authority: The Constitution of the United States
  - ❖ Authority
  - ❖ Quasi-judicial Land-use Boards
- Roles of Board of Adjustment
  - ❖ How does the Board of Adjustment ensure that the highest and best use of land is accomplished?
  - ❖ Through (VANS): Variances, Administrative Appeals, Non-conforming Uses, and Special Exceptions
- Variances and Special Exceptions Policy Analysis
  - ❖ Variance – Sec. §51A-3.102(a)
    Pre-existing structure
    Sec. §51A-3.102(d)(10)(b)
    Sec. §51A-3.102(d)(10)(b)(i)
    Sec. §51A-3.102(d)(10)(b)
  - ❖ Special Exception Analysis
    S.A.M. – Safety, Aesthetics, Monetary
  - ❖ Administrative Official Appeals
- Appeals of Administrative Decisions
- Case Law Review
  - ❖ City of Dallas v. Vanesco
  - ❖ Texas Card House
- **Texas Open Meetings Act** **Daniel Moore, Assistant City Attorney**
  - The Rule
  - Meeting
  - Walking Quorums
  - Notice Requirements
  - Videoconference
  - Other Rules
  - Close Meeting (Executive Session)
  - Close Meeting: Who may Attend
  - Recordkeeping

➢ **BOARD MEMBER RESPONSE**

- ❖ Suggestions & Feedback

➢ **ACTION ITEMS**

- o Review and approval of Meeting Minutes September 17, 2024
- o Review/Adopt 2025 meeting Calendar.
- o Review/Adopt Annual Report to City Council
  - o 2023-2024 Accomplishments
  - o 2024-2025 Goals and Objectives
  - o Board Recommendations
- o Amendments to Rules of Procedure

❖ BOARD OF ADJUSTMENT ACTIONS:

- Review and approval of Meeting Minutes September 17, 2024

Maker:	Judy Pollock					
Second:	Robert Agnich					
Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- Review/Adopt 2025 Board Meeting Calendar as presented.

Maker:	Robert Agnich					
Second:	Judy Pollock					
Results:	11-1					Moved to approve/adopt
		Ayes:	-		11	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Jay Narey, Judy Pollock, Jared Slade, Michael Hopkovitz
		Against:	-		1	Roger Sashington

- 2023-2024 Accomplishments

Maker:	Cheri Gambow					
Second:	Joe Cannon					
Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- 2024-2025 Goals and Objectives

Maker:	Michael Hopkovitz					
Second:	Andrew Finney					

Results:	12-0 unanimously					Moved to approve/adopt
		Ayes:	-		12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-		0	

- Amendments to Rules of Procedure

Maker:	Robert Agnich					
Second:	Jay Narey					
Results:	12-0 Unanimously					Moved to adopt the changes
		Ayes:	-		12	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Joe Cannon, Andrew Finney and Roger Sahington
		Against:	-		0	

- Board Recommendations to City Council to include metrics on Section 2 relating on source of permitting errors.

Maker:	Cheri Gambow					
Second:	Andrew Finney					
Results:	5-6					Motion fails
		Ayes:	-		5	Joe Cannon, Cheri Gambow, Andrew Finney, Dr. Emmanuel Glover, Jared Slade
		Against:	-		6	David A. Neumann, Michael Hopkovitz, Judy Pollock, Jay Narey, Robert Agnich, Kathleen Davis

- Board Recommendations to City Council Section 1, 2 & 3 and Final Adoption of 2023-2024 Annual Report

Maker:	Robert Agnich					
Second:	Andrew Finney					
Results:	9-2					Moved to adopt as presented
		Ayes:	-		9	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay

						Narey, Judy Pollock, Jared Slade
		Against:	-		2	Joe Cannon and Andrew Finney

Board Member Rachel Hayden left at 2:30 p.m.
Board Member Roger Sashington left at 4:08 p.m.

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann moved to adjourn the meeting at 4:43 p.m. and it was unanimously approved.

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

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

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

FILE NUMBER: BDA234-126(CJ)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulations at **5251 Ravine Dr**. This property is more fully described as Block 5/5595, Lot 8, and is zoned R-1 ac(A), which limits the height of a fence in the front-yard to 4-feet, requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line, and requires a 20-foot visibility triangle at driveway approaches.. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway approaches.

LOCATION: 5251 Ravine Drive

APPLICANT: Rob Baldwin

REQUEST:

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

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

BDA History:

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

Square Footage:

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

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Rob Baldwin property located at 5251 Ravine Drive focuses on 3 requests relating to fence height, fence opacity and visual obstruction regulations.
- The applicant proposes to construct and maintain a 7-foot 6-inch-high fence in a required front yard, which will require a 3-foot 6-inch special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding opacity; the proposed fence material is wrought iron with various sections of brick wall.
- Lastly, the applicant is proposing to maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction regulations at the drive approach on Ravine Drive.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a mid-block lot with single street frontage on Ravine Drive.
- Based upon staff's analysis of the surrounding properties, there are several homes along Ravine Drive with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.

- It has been confirmed that the fence is proposed and not existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations regarding visual obstruction will not constitute a traffic hazard.
- Granting the special exceptions to the fence standards relating to height, opacity and visual obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: BDA234-126 at 5251 Ravine Dr.

Timeline:

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

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

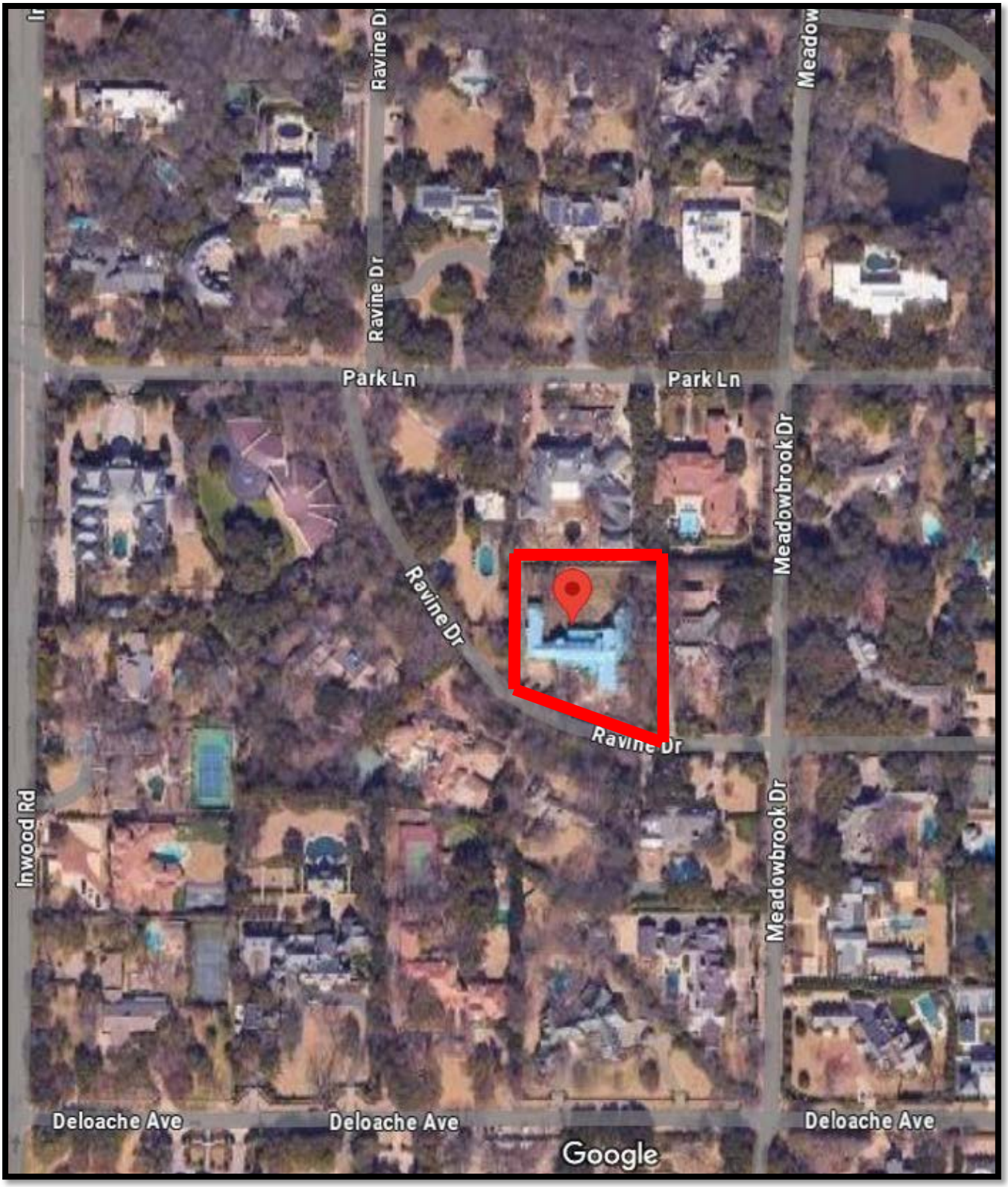
October 16, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

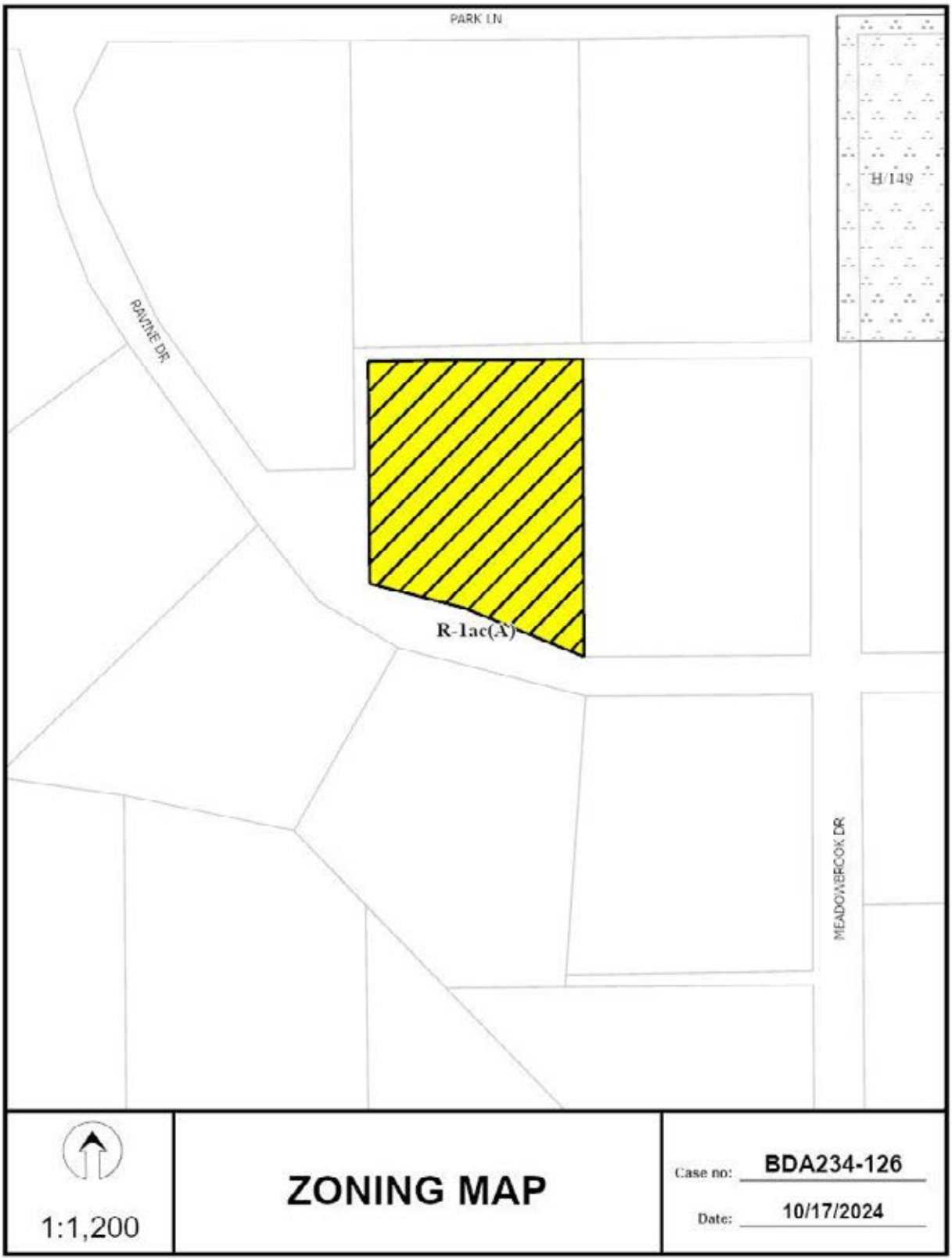
- an attachment that provided the hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

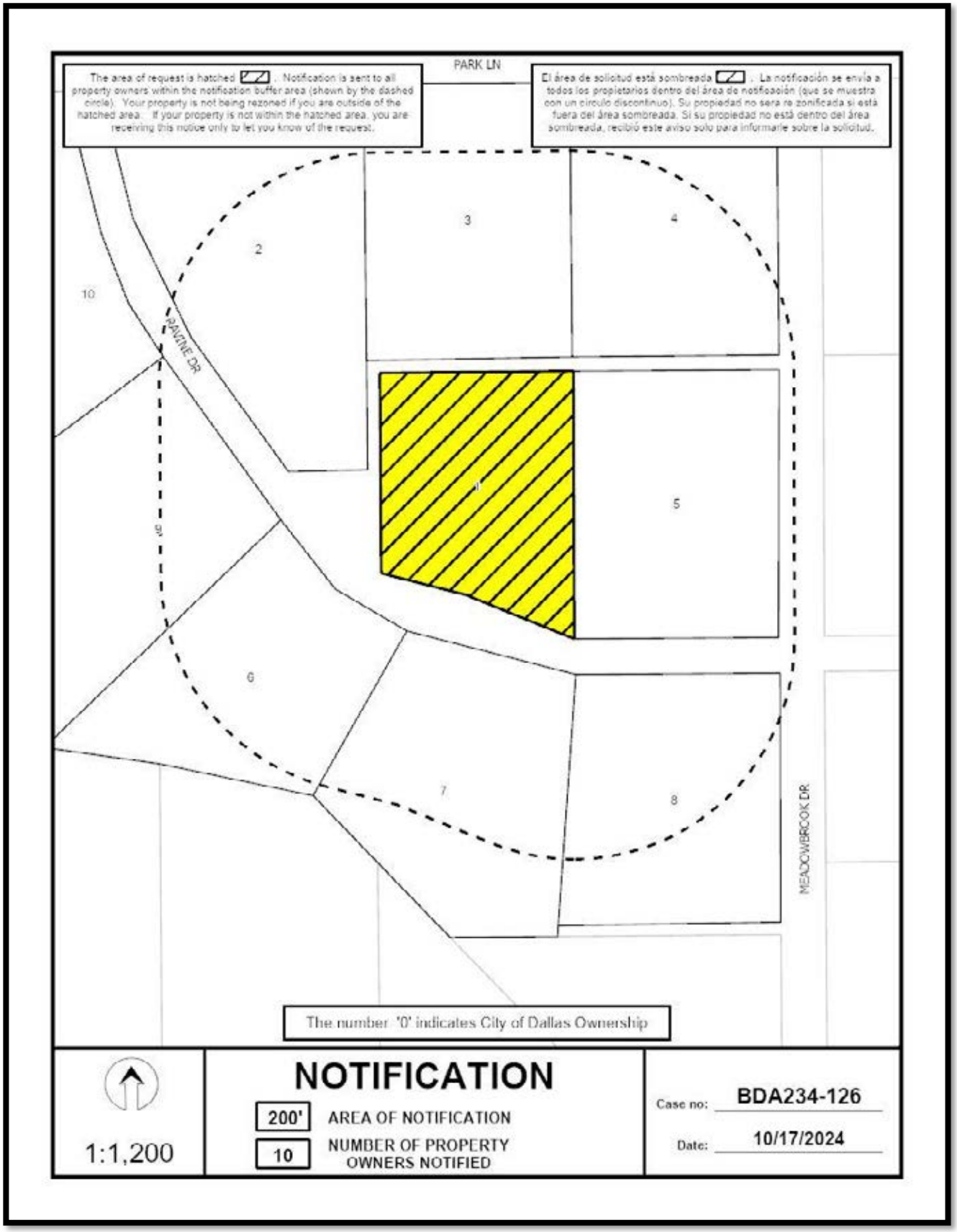
November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner,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

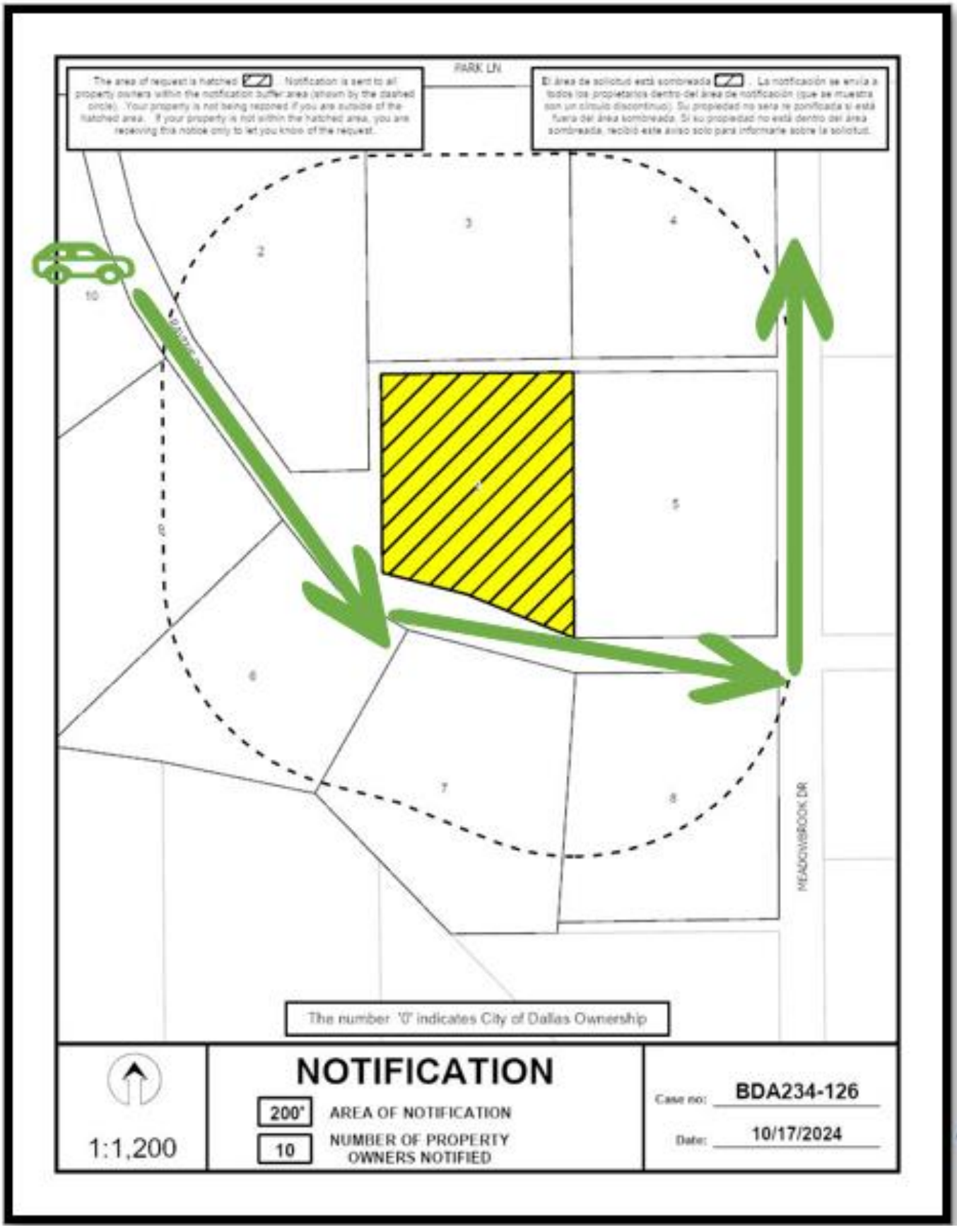
District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

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


Ravine Dr
Ravine Dr
Park Ln
Park Ln
Meadowbrook Dr
Ravine Dr
Ravine Dr
Meadowbrook Dr
Inwood Rd
Deloache Ave
Deloache Ave
Deloache Ave
Google


PARK LN
H/149
RAVINE DR
R-1ac(A)
MEADOWBROOK DR
1:1,200
ZONING MAP
Case no: BDA234-126
Date: 10/17/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
PARK LN
RAVINE DR
MEADOWBROOK DR
1
2
3
4
5
6
7
8
10
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
10
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-126
Date: 10/17/2024


The area of request is hatched. Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
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PARK LN
MEADOWBROOK DR
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
10
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-126
Date: 10/17/2024

/
10/17/2024

Notification List of Property Owners

BDA234-126

10 Property Owners Notified

Label #	*Address*		*Owner*
1	5251	RAVINE DR	STOVER JOHN MATTHEW &
2	5200	PARK LN	SHARP SUSAN F
3	5222	PARK LN	Z & A 2018 IRREVOCABLE TRUST
4	5242	PARK LN	5242 PARK LANE TRUST
5	5271	RAVINE DR	5242 PARK LANE TRUST THE
6	5242	RAVINE DR	STAUBACH ROGER T &
7	5252	RAVINE DR	MAY C THOMAS JR
8	5272	RAVINE DR	SCARDINO FRANK & CHRISTINE
9	5234	RAVINE DR	BENEFIELD DAVID & NATALIE
10	5110	PARK LN	SNYDER ROBERTA M



REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING Monday, November 18, 2024 (C)

- [x] 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

- [x] BDA234- 126(CJ)
- [ ] BDA234- 131(CJ)
- [ ] BDA234- 132(BT)
- [ ] BDA234- 136(BT)
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]

COMMENTS:

_____

_____

_____

_____

_____

_____

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

11/8/2024
Date

Pease respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.

NOTICE OF PUBLIC HEARING

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

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

DATE: **MONDAY, NOVEMBER 18th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

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

BDA234-126(CJ) Application of Rob Baldwin for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulations at **5251 RAVINE DRIVE**. This property is more fully described as Block 5/5595, 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 fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line, and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation at driveway approaches.

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 Council Briefing** 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-C-Register **by the close of business Sunday, November 17th, 2024. All virtual speakers will be required to show their video in order to address the board.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.

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

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

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

PLEASE REGISTER AT:
https://bit.ly/BDA-C-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-120 FOR OFFICE USE ONLY

Date: FOR OFFICE USE ONLY

RECEIVED
SEP 18 REC'D
BY:

Data Relative to Subject Property:

Location address: 5251 Ravine Drive Zoning District: R-1ac(A)

Lot No.: 8 Block No.: 5/5595 Acreage: 0.84 Census Tract: 4813020600

Street Frontage (in Feet): 1) 188' 184' 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): John Matthew Stover and Debra Rogers Stover

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

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

E-mail Address: rob@baldwinplanning.com

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

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

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

Affirm that an appeal has been made for a Variance __, or Special Exception X, of 3'6" to the fence regulations to allow a fence up to 7'6" in the front yard. A special exception to allow a portion of the fence to be constructed of solid materials. A special exception to all the fence to encroach into the sight visibility triangles.

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:
There are similar fences in the neighborhood. We feel that this request is reasonable and will not negatively impact surrounding properties.

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

Affidavit

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

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

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

Subscribed and sworn to before me this 9 day of September, 2024

MICHELE ELIZABETH STOY NOTARY PUBLIC STATE OF TEXAS ID 130747076 EXP. 07-20-2028

Michele Stoy
Notary Public in and for Dallas County, Texas

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-126

I, Debra Rogers Stover, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5251 Ravine Drive
(Address of property as stated on application)

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

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

_____ Variance (specify below)

X Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Special exception to the fence regulations 7'6" fence height, opacity, and 20' vis. triangle

Debra Rogers Stover — Print name of property owner or registered agent

Debra R Stover — Signature of property owner or registered agent

Date _____

Before me, the undersigned, on this day personally appeared Debra Rogers Stover

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 30 day of August, 2024

TAYLOR L COONEY
NOTARY PUBLIC for the
State of Montana
Residing at Lakeside, Montana
My Commission Expires
March 31, 2025

Commission expires on March 31, 2025

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-126

I, John Matthew Stover, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5251 Ravine Drive
(Address of property as stated on application)

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

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

_____Variance (specify below)

X Special Exception (specify below)

_____Other Appeal (specify below)

Specify: Special exception to the fence regulations 7'6" fence height, opacity and 20' vis. triangle

John Matthew Stover
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 8-30-24

Before me, the undersigned, on this day personally appeared John Matthew Stover

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 30 day of August, 2024

TAYLOR L COONEY
NOTARY PUBLIC for the
State of Montana
Residing at Lakeside, Montana
My Commission Expires
March 31, 2025

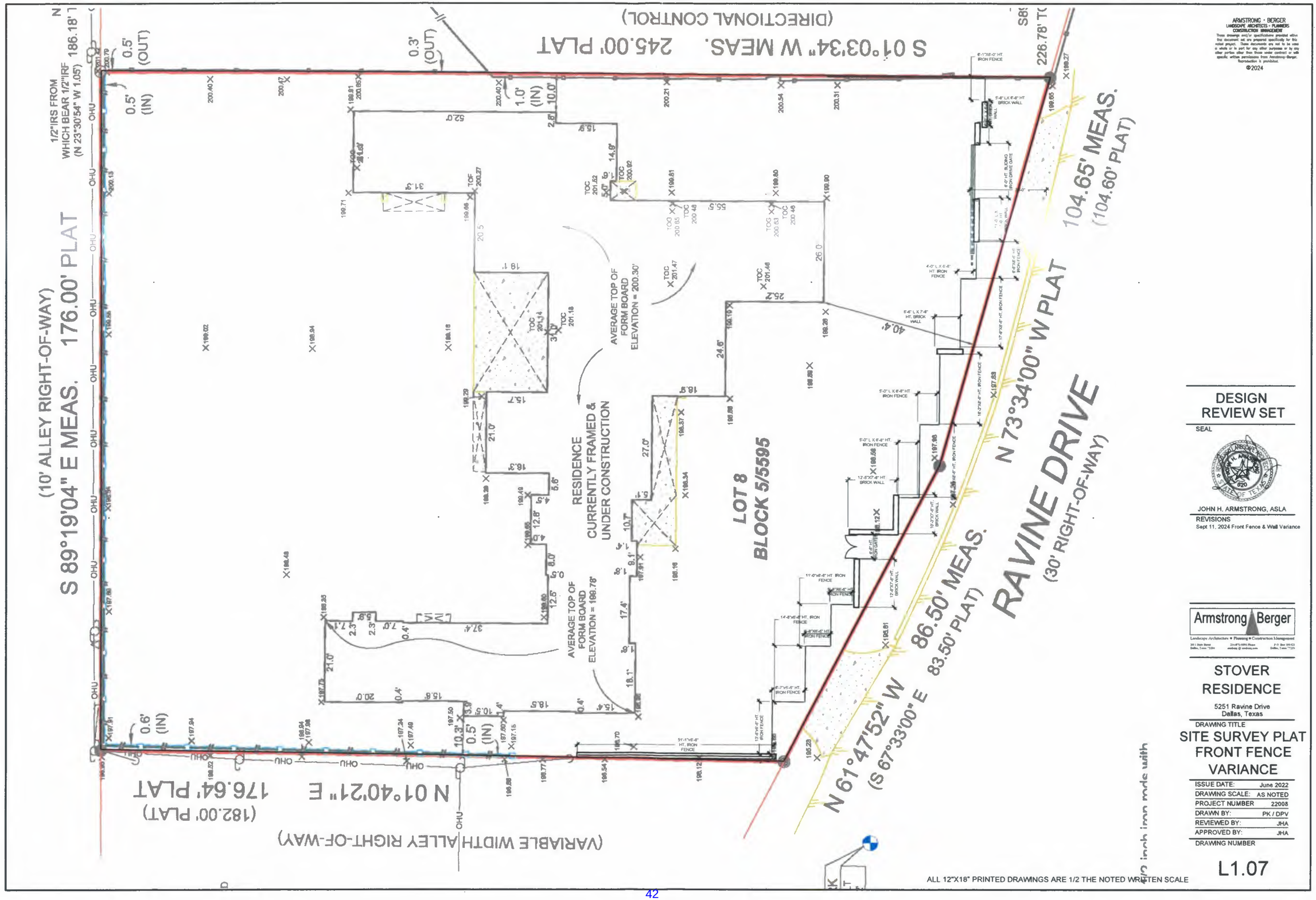
Commission expires on March 31, 2025



1:3,600

Case ID:

Printed: 8/28/2024



ARMSTRONG • BERGER
LANDSCAPE ARCHITECTS • PLANNERS
CONSTRUCTION MANAGEMENT
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DESIGN REVIEW SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS
Sept 11, 2024 Front Fence & Wall Variance

Armstrong Berger
Landscape Architecture • Planning • Construction Management

STOVER RESIDENCE

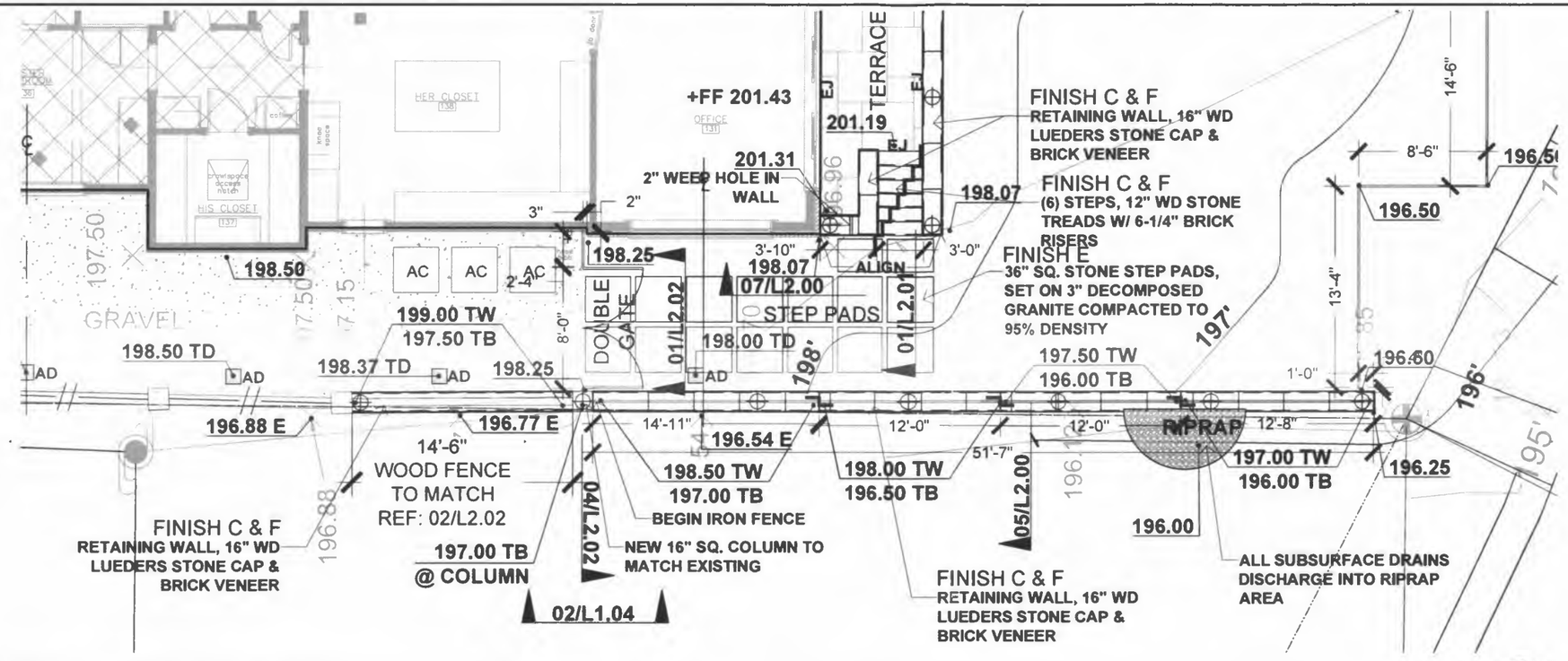
5251 Ravine Drive
Dallas, Texas

DRAWING TITLE
SITE SURVEY PLAT FRONT FENCE VARIANCE

ISSUE DATE:	June 2022
DRAWING SCALE:	AS NOTED
PROJECT NUMBER	22008
DRAWN BY:	PK / DPV
REVIEWED BY:	JHA
APPROVED BY:	JHA

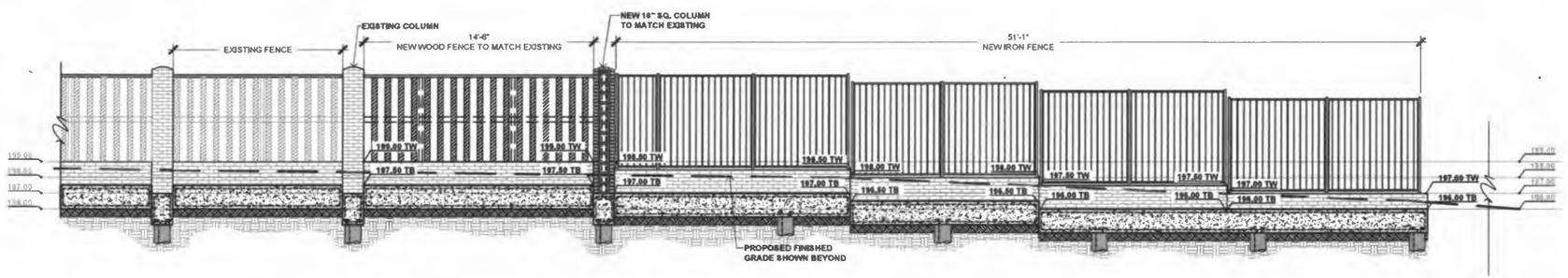
DRAWING NUMBER
L1.07

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE



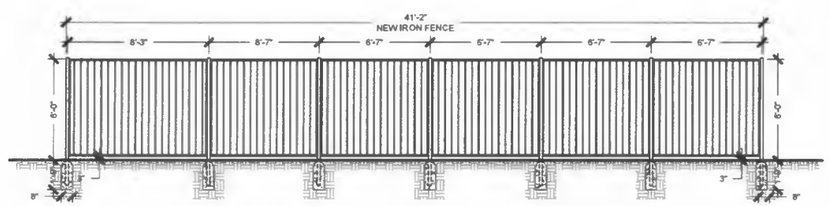
01 SITE PLAN - WEST WALL & FENCE

SCALE: 1/4" = 1'-0"



02 SITE SECTION - FENCE, COLUMN & WALL DETAIL (WEST SIDE)

SCALE: 1/4" = 1'-0"



03 SITE SECTION - IRON FENCE DETAIL (EAST SIDE)

SCALE: 1/4" = 1'-0"

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DESIGN REVIEW SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS
Sept 11, 2024 Site Details Side Fence/ Wall
May 13, 2024 Site Details

Armstrong Berger
Landscape Architecture • Planning • Construction Management

STOVER RESIDENCE

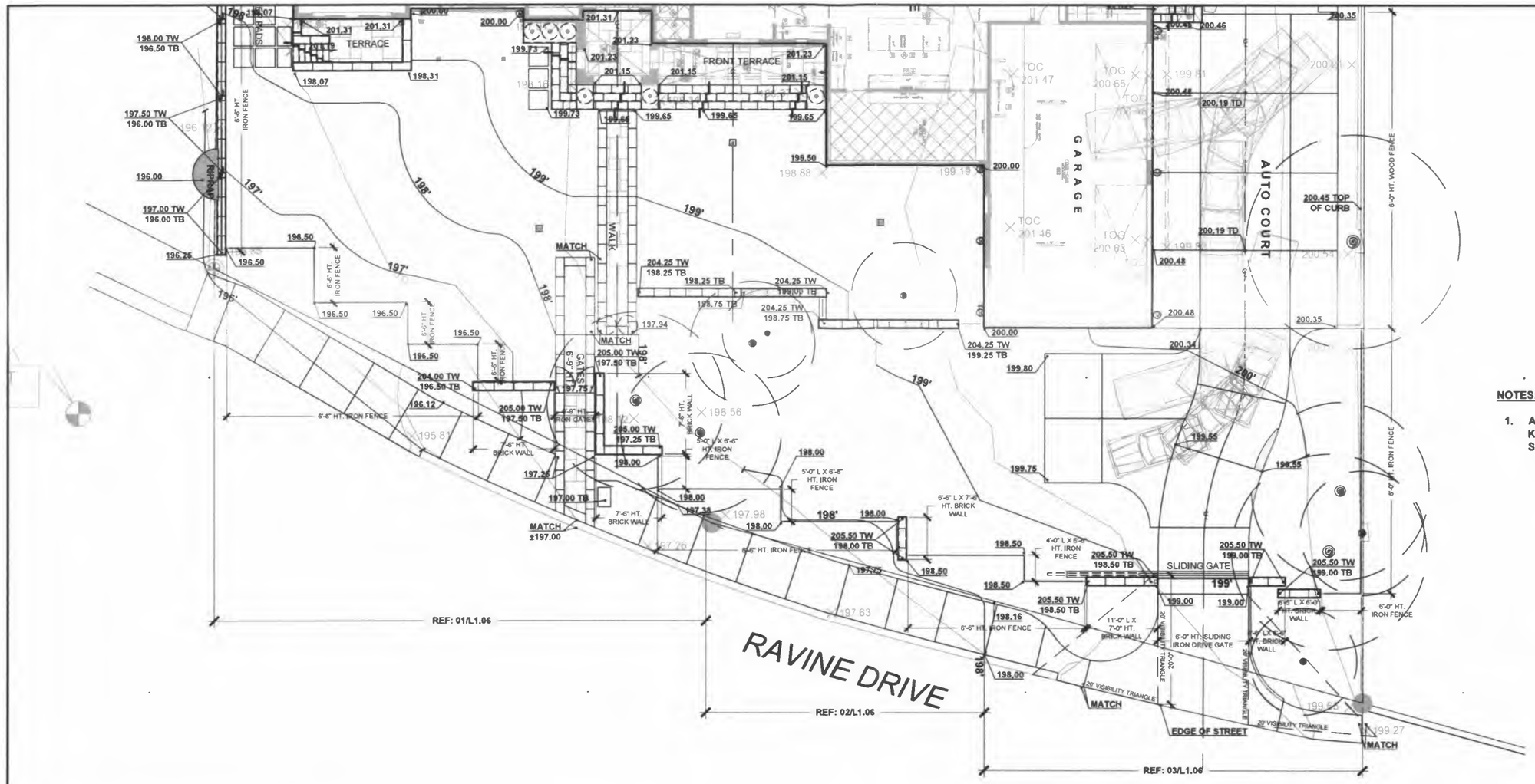
5251 Ravine Drive
Dallas, Texas

DRAWING TITLE
FENCE, COLUMN & WALL ELEVATION DETAIL

ISSUE DATE:	June 2022
DRAWING SCALE:	AS NOTED
PROJECT NUMBER	22008
DRAWN BY:	PK / DPV
REVIEWED BY:	JHA
APPROVED BY:	JHA

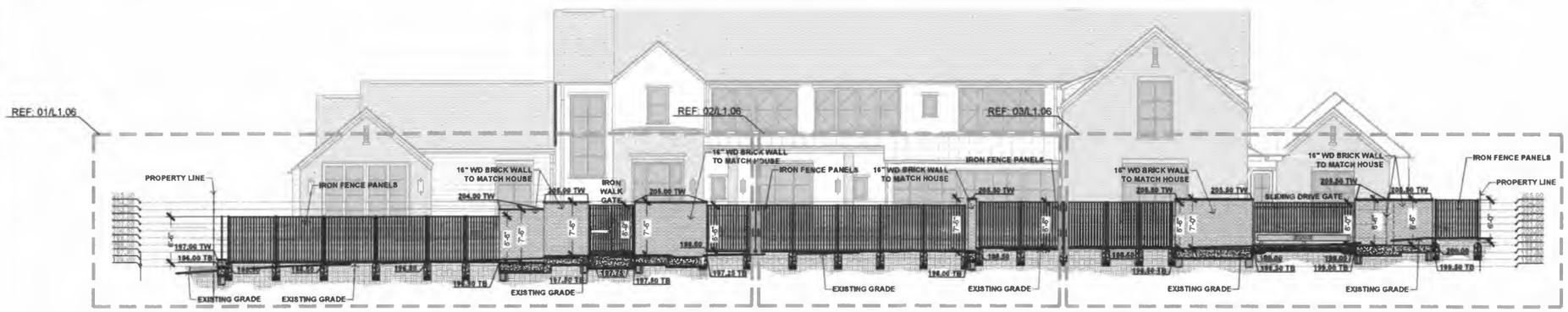
DRAWING NUMBER
L1.04

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE



01 SITE GRADING & LAYOUT PLAN

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



02 SITE SECTION - FRONT FENCE & WALL DETAIL

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

NORTH

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

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NOTES:

1. ALL GRADES NOTED ARE KEYED TO TOPOGRAPHIC SURVEY.

DESIGN REVIEW SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS
Sept.05, 2024 Front Fence & Wall Varience Update
Jul. 24, 2024 Front Fence & Wall Variance

Armstrong Berger
Landscape Architecture ● Planning ● Construction Management
241 I Main Street Dallas, Texas 75204 214-871-0001 Phone emsberg @ emsberg.com P. O. Box 141420 Dallas, Texas 75214

STOVER RESIDENCE

5251 Ravine Drive
Dallas, Texas

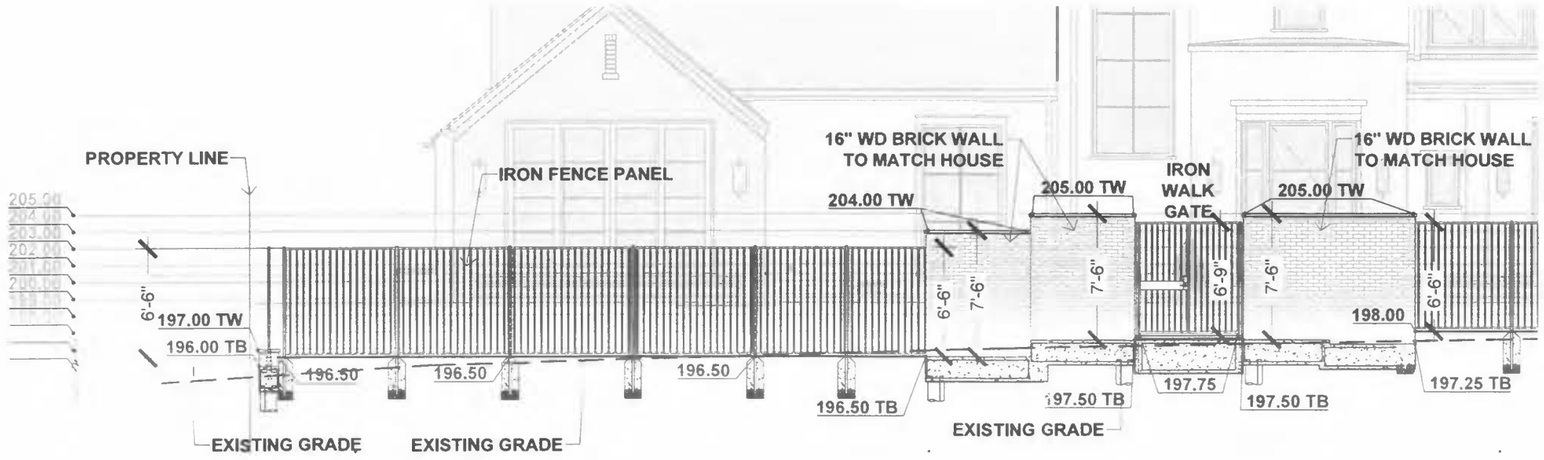
DRAWING TITLE
FRONT FENCE & WALL DETAIL VARIANCE

ISSUE DATE:	June 2022
DRAWING SCALE:	AS NOTED
PROJECT NUMBER	22008
DRAWN BY:	PK / DPV
REVIEWED BY:	JHA
APPROVED BY:	JHA

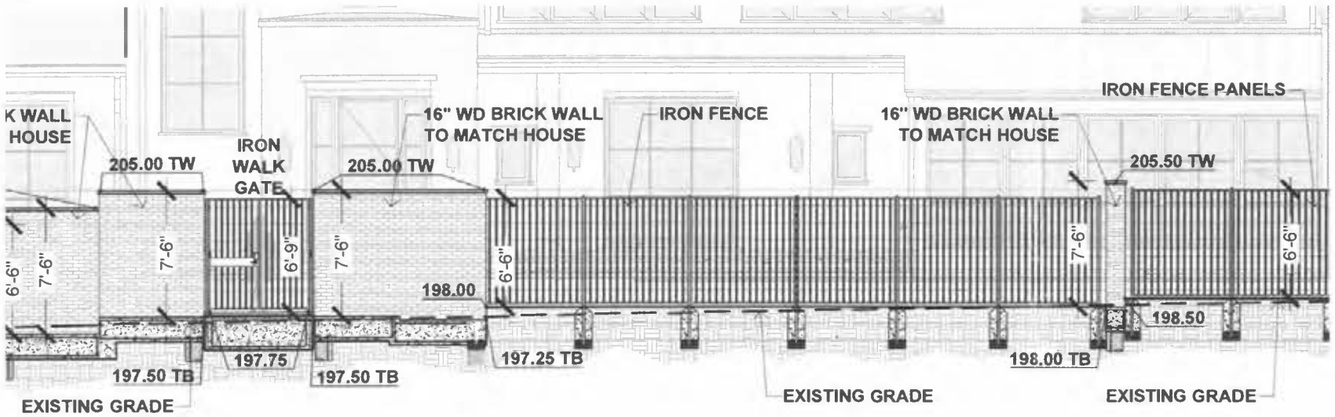
DRAWING NUMBER

L1.05

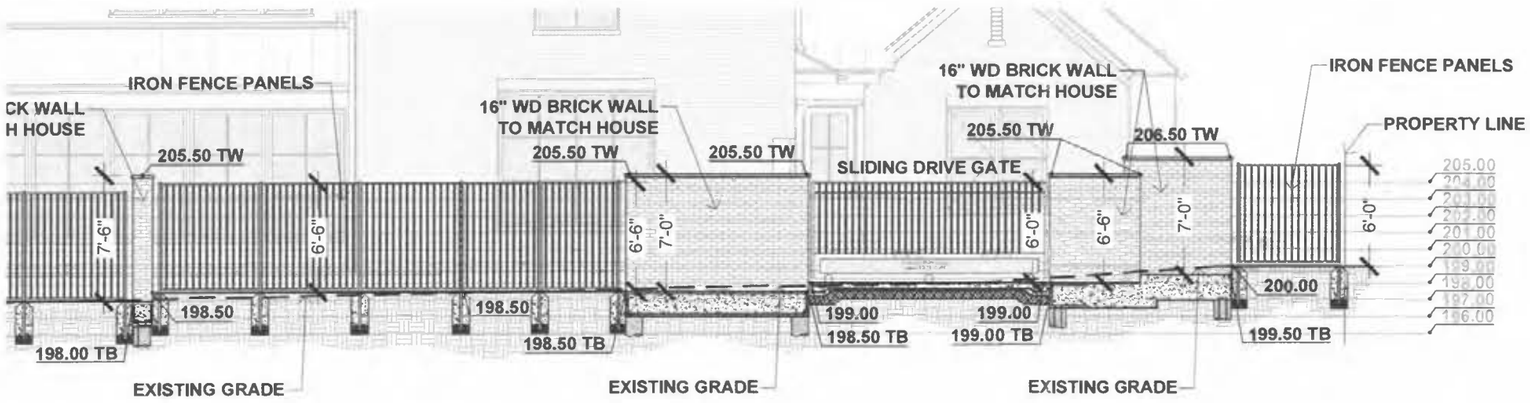
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CONSTRUCTION MANAGEMENT
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01 SITE SECTION - FRONT FENCE & WALL DETAIL
SCALE: 1/4" = 1'-0"



02 SITE SECTION - FRONT FENCE & WALL DETAIL
SCALE: 1/4" = 1'-0"



03 SITE SECTION - FRONT FENCE & WALL DETAIL
SCALE: 1/4" = 1'-0"

NOTES:

1. ALL GRADES NOTED ARE KEYED TO TOPOGRAPHIC SURVEY.

DESIGN REVIEW SET

SEAL

JOHN H. ARMSTRONG, ASLA

REVISIONS
Jul. 24, 2024 Front Fence & Wall Variance

Armstrong Berger
Landscape Architecture • Planning • Construction Management

STOVER RESIDENCE

5251 Ravine Drive
Dallas, Texas

DRAWING TITLE
FRONT FENCE & WALL DETAIL VARIANCE

ISSUE DATE:	June 2022
DRAWING SCALE:	AS NOTED
PROJECT NUMBER	22008
DRAWN BY:	PK / DPV
REVIEWED BY:	JHA
APPROVED BY:	JHA

DRAWING NUMBER
L1.06

ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

Baldwin Associates

November 5, 2024

Cambria Jordan
Senior Planner
City of Dallas Board of Adjustment
Planning & Development Department
1500 Marilla St., 5BN
Dallas, TX 75201

Re: BDA234-126

Dear Ms. Jordan,

We represent Debra and Matthew Stover in their request for a Special Exception to permit a fence taller than four feet within a required front yard at their residence, located at 5251 Ravine Drive. Additionally, we are seeking approval for a portion of the fence to be constructed as solid brick, to aesthetically align with the home's exterior. The proposed design also includes a minor encroachment into one sight visibility triangle, which we believe will not pose a safety concern.

Justification for Height and Design of Proposed Fence
The Stovers' property is situated on the north side of Ravine Drive in the Preston Hollow area of Dallas, a heavily wooded neighborhood where taller fences are customary. Ravine Drive itself is a quiet, low-traffic residential street. The requested fence, with a maximum height of seven feet and six inches (7'6"), has been carefully designed to enhance the visual appeal of the new home while respecting the surrounding environment.

Unlike typical fences in the area, which are often built directly on the property line, the proposed fence is set back and employs a series of staggered steps. This design creates a softer visual effect and preserves a greater amount of open space between the fence and the roadway. Of the 14 panels parallel to Ravine Drive, 10 are open decorative iron, enhancing visibility and lightness in appearance. Only four panels, comprising less than 12% (roughly 30 linear feet) of the street-facing fence, will be solid brick to harmonize with the home's architecture. The total length of the fence is approximately 247 feet.

Addressing Sight Visibility Triangle Encroachment
The fence design includes a slight encroachment of approximately 1.5 feet into the sight visibility triangle on the west side of the driveway. Given the design of Ravine Drive, where vehicles travel slowly due to the roadway's configuration, we do not believe this minor encroachment will adversely impact visibility or pose a hazard to drivers. The low traffic and natural constraints of the area further support that this minor encroachment will not compromise public safety.

Conclusion
We believe that the proposed fence is consistent with other fencing in the area, respects the character of the neighborhood, and thoughtfully balances aesthetic appeal with safety considerations. The open design, use of staggered panels, and limited solid sections ensure minimal visual impact and align well with community standards.

Thank you for considering this request. Please let me know if you have any questions or comments or if I can be of any assistance.

With kind regards,



Robert Baldwin

FILE NUMBER: BDA234-131(CJ)

BUILDING OFFICIAL'S REPORT: Application of Jackson Walker represented by Jonathan Vinson for **(1)** a special exception to the fence height regulations at **8151 MILITARY PKWY**. This property is more fully described as A/6207, Lot 1B, and is zoned R-7.5(A}, which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations.

LOCATION: 8151 Military Parkway

APPLICANT: Jackson Walker

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

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

Square Footage:

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

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

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

Timeline:

September 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

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

October 16, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

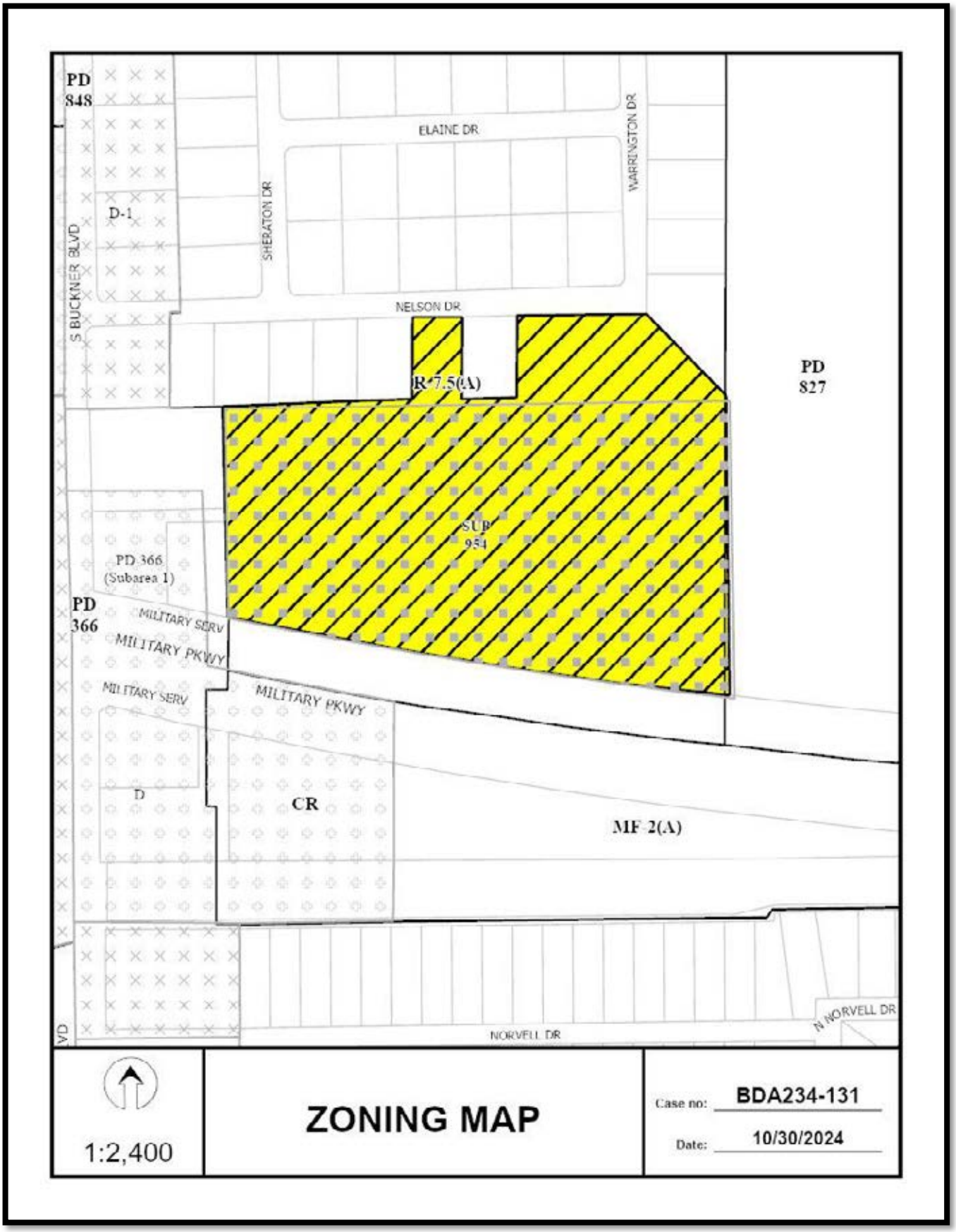
- an attachment that provided the hearing date and panel that will consider the application; the October 25, 2024, deadline to submit

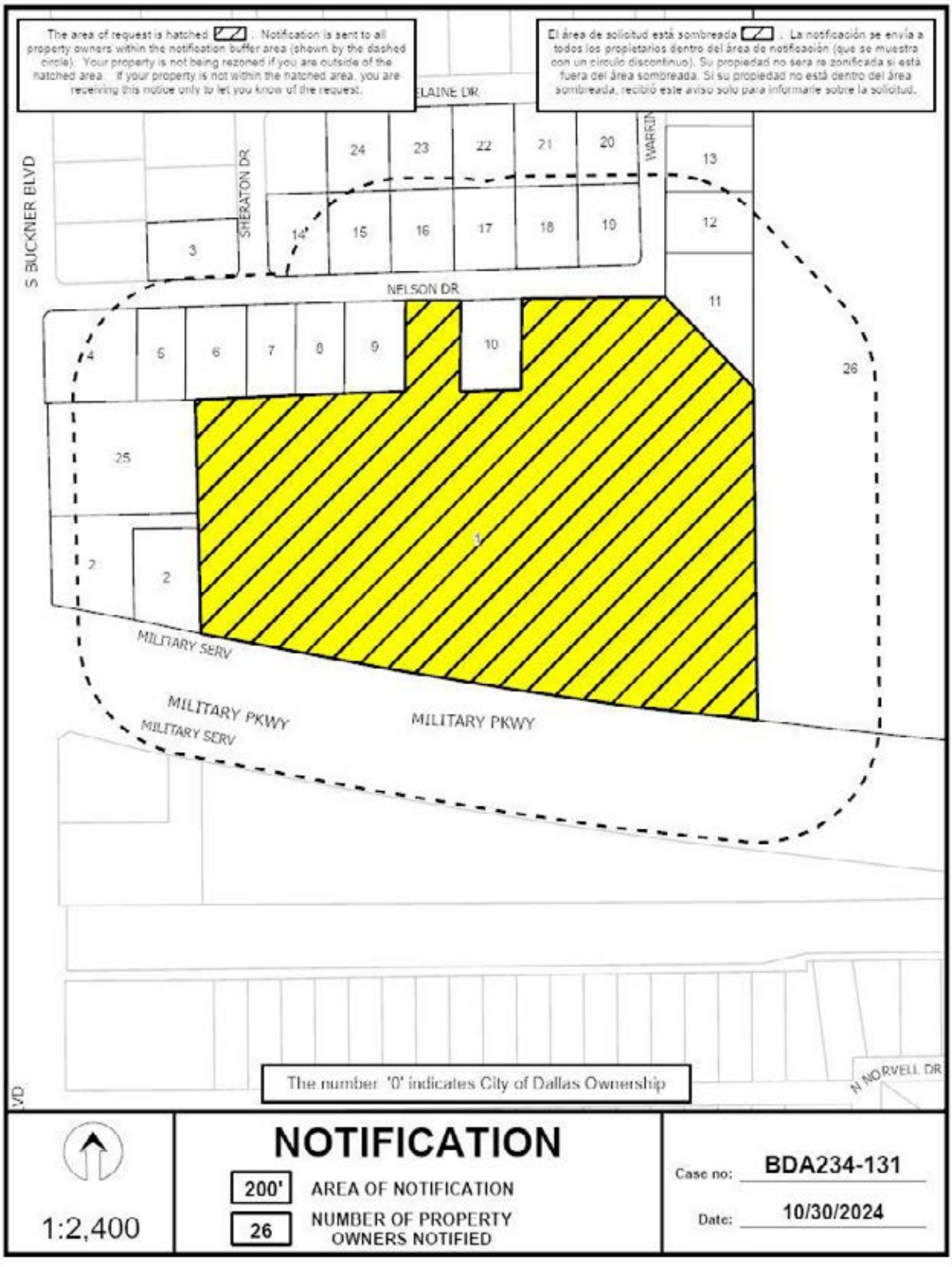
additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

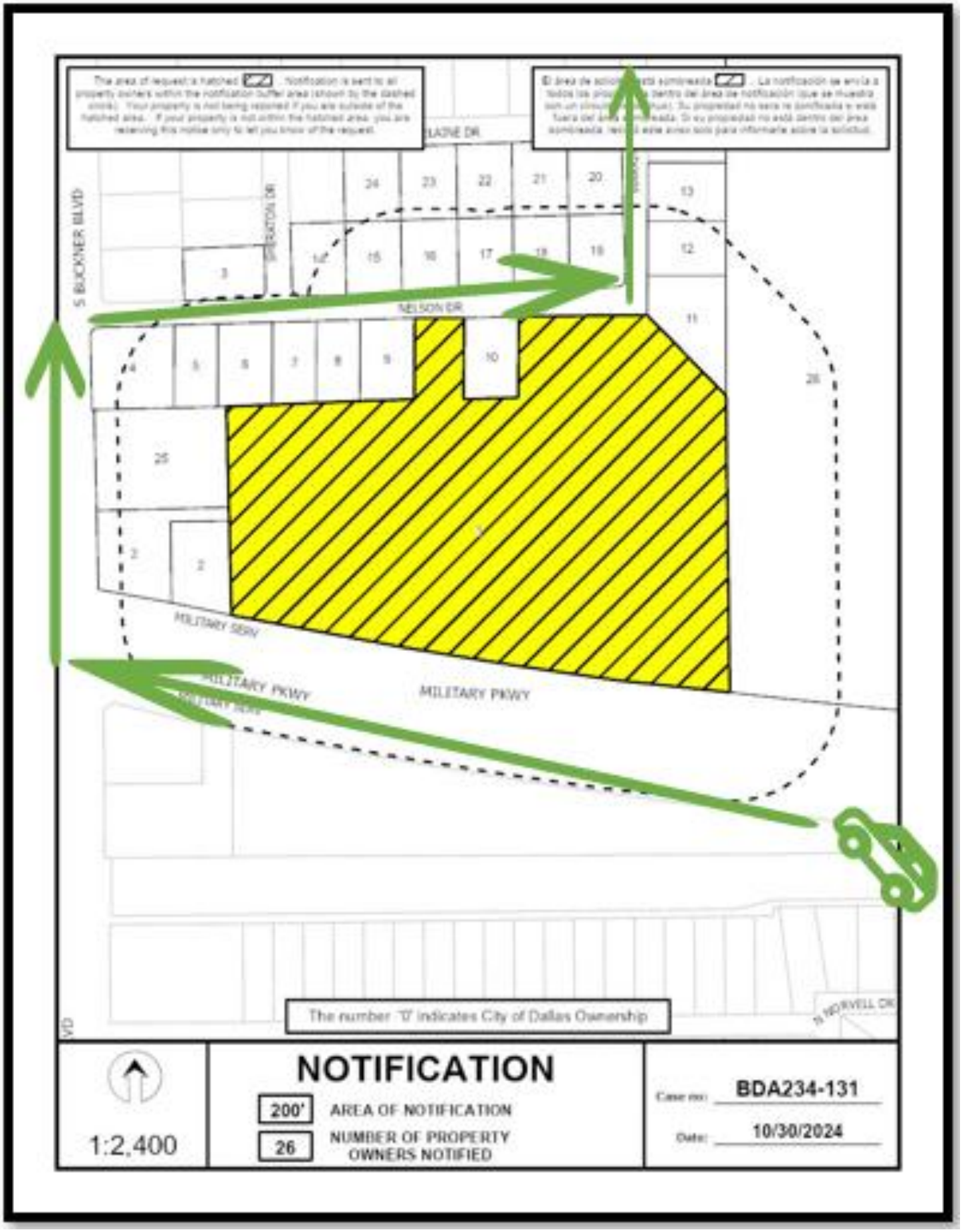
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

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


Rawlins Printing Co
& Office Supply
Astoria Dr
Buckner Blvd
Sheraton Dr
Warrington Dr
Elaine Dr
Nelson Dr
St Philip the
Apostle Church
Military Pkwy
Military Pkwy


PD 848
ELAINE DR
WARRINGTON DR
SHERATON DR
D-1
S BUCKNER BLVD
NELSON DR
R-7.5(A)
PD 827
SUP 954
PD 366 (Subarea 1)
PD 366
MILITARY SERV
MILITARY PKWY
MILITARY SERV
MILITARY PKWY
D
CR
MF-2(A)
N NORVELL DR
NORVELL DR
VD
1:2,400
ZONING MAP
Case no: BDA234-131
Date: 10/30/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
S BUCKNER BLVD
SHERATON DR
NELSON DR
MILITARY SERV
MILITARY PKWY
MILITARY PKWY
MILITARY SERV
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
26
NUMBER OF PROPERTY OWNERS NOTIFIED
1:2,400
Case no: BDA234-131
Date: 10/30/2024


The area of request is hatched. Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada. La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo punteado). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibirá este aviso solo para informarle sobre la solicitud.
S BUCKNER BLVD
NELSON DR
MILITARY PKWY
MILITARY PKWY
The number "0" indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
26
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-131
Date: 10/30/2024

10/30/2024

Notification List of Property Owners

BDA234-131

26 Property Owners Notified

Label #	Address		Owner
1	8151	MILITARY PKWY	SPHACP RC
2	3806	S BUCKNER BLVD	BARAKAT MAHMOUND
3	3907	SHERATON DR	MORAN FRANCISCO &
4	3824	S BUCKNER BLVD	BUCKNER GROUP
5	8116	NELSON DR	KRL MANAGEMENT LLC
6	8124	NELSON DR	TREJO JOSE & ROSA
7	8130	NELSON DR	TREJO MARIA E
8	8136	NELSON DR	ORTIZ ROBERTO D
9	8144	NELSON DR	STEPHENS RONNIE &
10	8160	NELSON DR	CARRIZALES V R & ALICIA
11	3902	WARRINGTON DR	PERALTA MARIA C &
12	3910	WARRINGTON DR	RUNNELL JACQUELINE
13	3920	WARRINGTON DR	AMAYA ROMUALDO
14	8135	NELSON DR	RODRIGUEZ EDUARDO &
15	8143	NELSON DR	CONTRERAS MARIA
16	8151	NELSON DR	GALLEGOS PERLA G & JUAN GOMEZ
17	8159	NELSON DR	TAYLOR CYNTHIA DENISE
18	8167	NELSON DR	DEAVILA RUBEN
19	8175	NELSON DR	MATA RUBEN L & DIANE V
20	8174	ELAINE DR	BOUILLION MITIZ LEIGH
21	8166	ELAINE DR	NUNO ISMAEL
22	8158	ELAINE DR	CERDA BRAULIO
23	8150	ELAINE DR	BROWN FREDERICK M JR &
24	8142	ELAINE DR	CERDA DANIEL
25	3814	S BUCKNER BLVD	ALAN AHMAD
26	8233	MILITARY PKWY	Dallas ISD



1:2,400

NOTIFICATION

200' AREA OF NOTIFICATION

26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-131

Date: 10/30/2024

AVISO DE AUDIENCIA PÚBLICA

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

POR LA PRESENTE SE NOTIFICA que la **JUNTA DE AJUSTE DE LA CIUDAD DE DALLAS (PANEL C)** llevará a cabo una audiencia de la siguiente manera:

FECHA: **LUNES, 18 DE NOVIEMBRE DE 2024**

SESIÓN INFORMATIVA: **10:30 a.m.** Vía **Videoconferencia y** en **SESIÓN INFORMATIVA DEL CONSEJO DE LAS 6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. **https://bit.ly/boa1118C**

AUDIENCIA: 1:00 p.m. Vía **Videoconferencia** y en **SESIÓN INFORMATIVA DEL CONSEJO DE LAS 6ES**, Ayuntamiento de Dallas, 1500 Marilla Street. https://bit.ly/boa1118C

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

BDA234-131 (CJ) Solicitud de Jackson Walker, LLP representada por Jonathan Vinson para **(1)** una excepción especial a las regulaciones de altura de la cerca en **8151 MILITARY PARKWAY.** Esta propiedad se describe más ampliamente como A/6207, Lote 1B, y está zonificada como R-7.5 (A), que limita la altura de una cerca en el patio delantero a 4 pies. El solicitante propone construir y/o mantener una cerca de 6 pies de altura en un patio delantero requerido, lo que requerirá **(1)** una excepción especial de 2 pies a las regulaciones de altura de la cerca.

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

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

La audiencia de la Junta de Ajuste se llevará a cabo por videoconferencia y en **una sesión informativa del Concejo de 6ES** en el Ayuntamiento. Las personas que deseen hablar de acuerdo con las Reglas de Procedimiento de la Junta de Ajuste uniéndose a la reunión virtualmente, deben registrarse en línea en https://bit.ly/BDA-C-Register o comunicarse con el Departamento de Planificación y Desarrollo al 214-670-4127 antes del cierre de operaciones el **domingo 17 de noviembre de 2024**. **Todos los oradores virtuales deberán mostrar su video para dirigirse a la junta**. Asuntos Públicos y Divulgación también transmitirá la audiencia pública en el canal 96 o 99 de Spectrum Cable; y bit.ly/cityofdallastv o YouTube.com/CityofDallasCityHall.

Los oradores en la reunión tienen un máximo de cinco (5) minutos para dirigirse a la Junta Directiva.

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

POR FAVOR, ENVÍE SUS RESPUESTAS A:
BDAreply@dallas.gov
Las cartas se recibirán hasta las 9:00 a.m. del día de la audiencia.

POR FAVOR REGÍSTRESE EN:
https://bit.ly/BDA-C-Register

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

NOTICE OF PUBLIC HEARING

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

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

DATE: **MONDAY, NOVEMBER 18th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

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

BDA234-131(CJ) Application of Jackson Walker, LLP represented by Jonathan Vinson for **(1)** a special exception to the fence height regulations at **8151 MILITARY PARKWAY**. This property is more fully described as A/6207, Lot 1B, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations.

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 Council Briefing** 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-C-Register or contact the Planning & Development Department at 214-670-4127 by the close of business **Sunday, November 17th, 2024**. **All virtual speakers will be required to show their video in order to address the board**. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.

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

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

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

PLEASE REGISTER AT:
https://bit.ly/BDA-C-Register



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

RECEIVED
SEP 26 2024
BY:

Case No.: BDA 234-131 FOR OFFICE USE ONLY

Date: FOR OFFICE USE ONLY

Data Relative to Subject Property:

Location address: 8151 Military Parkway Zoning District: R-7.5(A), with SUP 954

Lot No.: 1B Block No.: A/6207 Acreage: 11.174 Census Tract: 90.01

Street Frontage (in Feet): 1) 912 2) 3) 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): SPHACP RC

Applicant: Jonathan Vinson/Victoria Morris/Jackson Walker, L.L.P. Telephone: (214) 953-5941

Mailing Address: 2323 Ross Avenue, Suite 600, Dallas, Texas Zip Code: 75201

E-mail Address: jvinson@jw.com

Represented by: Jonathan Vinson/Victoria Morris/Jackson Walker, L.L.P. Telephone: (214) 953-5941

Mailing Address: 2323 Ross Avenue, Suite 600, Dallas, Texas Zip Code: 75201

E-mail Address: jvinson@jw.com

Affirm that an appeal has been made for a Variance ☐ or Special Exception ☑ of 2' to the fence height regulations of Sec. 51A-4.602 (a)(2) to allow a 6' open fence in the required front yard.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:
The requested special exception will in no way adversely affect neighboring property, as will be demonstrated with supplemental information.

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 Jonathan G. Vinson
(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: Jonathan G. Vinson
(Affiant/Applicant's signature)

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

Tammy C. Turcotte
Notary Public in and for Dallas County, Texas

TAMMY C. TURCOTTE
Notary Public, State of Texas
Comm. Expires 02-12-2025
Notary ID 12241317

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-131

I, SPHACP RC, a Texas nonprofit corporation, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1851 Military Parkway
(Address of property as stated on application)

Authorize: Jonathan Vinson, Jackson Walker LLP
(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)

__X__Special Exception (specify below)

_____Other Appeal (specify below)

Specify: We request a Special Exception of 2' to the fence height regulations of Section 51A-4.602 (a)(2) to allow a 6' open fence in the required front yard.

SPHACP RC, a Texas nonprofit corporation — By: _____, Director
Print name of property owner or registered agent — Signature of property owner or registered agent

Date 8-15-2024

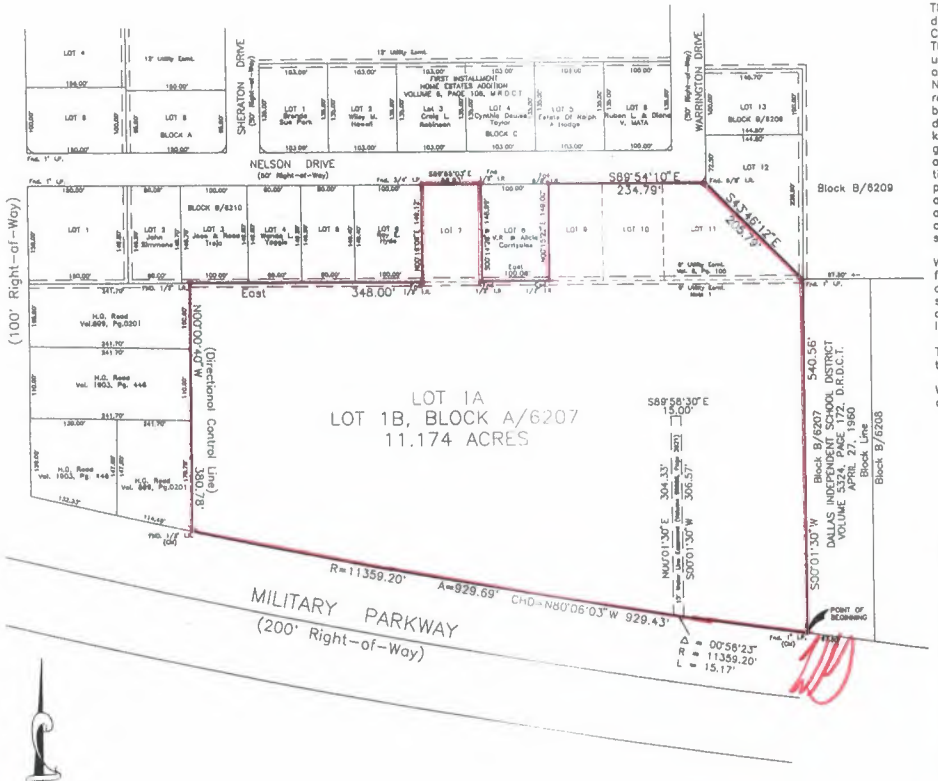
Before me, the undersigned, on this day personally appeared
J. EDUARDO GONZALEZ, Director of SPHACP RC, a Texas nonprofit corporation,

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 15th day of August, 2024

Yenefa V. Nino
Notary Public for Dallas County, Texas

Yenefa Verenis Nino
NOTARY PUBLIC - STATE OF TEXAS
ID# 134110594
COMM. EXP. 12-19-2026

Commission expires on 12/19/2024



Notes:

1. Apparent Easement By Use – No Instrument Of Formal Dedication Found
2. Per City, No Access To Nelson Drive.
3. No Lot To Lot Drainage Allowed
4. Source Bearing Is Based Upon St. Philip Church Addition Vol. 95147 Pg. 3168
5. CM=Controlling Monument

RAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



LOCATION MAP
N.T.S.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Roman Catholic Diocese of Dallas, acting by and through its duly Authorized Agent does hereby adopt this plat designating the herein described property as St. PHILIP CHURCH ADDITION PHASE TWO, an addition to the City of Dallas, Dallas County, Texas. The easements shown thereon are hereby reserved for the purpose indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all private and public utilities for each particular use. No buildings, fences, trees, shrubs, or other improvements or growth shall be constructed, reconstructed, or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual and accommodation of all public utilities using or desiring to use the same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements and all public utilities shall at all times have the full right of ingresss and egress to or from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing from all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

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

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

WITNESS MY HAND AT Dallas, TEXAS, this 19th day of April, 2001.

SHEILA ANDERSON
Notary Public, State of Texas
My Commission Expires
March 06, 2003

ROMAN CATHOLIC DIOCESE OF DALLAS

Most Reverend Bishop
Charles V. Grahmann, D.D.

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS
CITY OF DALLAS

WHEREAS Roman Catholic Diocese of Dallas is the owner of a 10.901 acre tract of land in A.D. Brown Survey, Abstract No. 154, and being Lot 1A, Block A/6207, St. Philip Church Addition recorded in Volume 95147, Page 3168, Dallas County Deed Records, and Lot 9, Block B/6210, First Installment Home Estates Addition recorded in Volume 6, Page 108 of the Dallas County Map Records, and being more particularly described as follows:

BEGINNING at 1-inch iron pipe found in the curving north right-of-way line of Military Parkway (200' right-of-way) marking the southeast corner of said Lot 1,Block A/8207 ,St. Philip Catholic School Addition, being the southwest corner of a Dallas Independent School District tract recorded in Volume 5324,Page 172 , Dallas County Deed Records;

THENCE with the nontangent curve to the right along the north right-of-way line of Military Parkway and the south line of Lot 1A, having central angle of 04°41'22", a radius of 11,359.20 feet, for an arc distance of 929.69 feet, (chord =North 80°06'03" West, 929.43 feet) to a 1/2-inch iron found marking the southwest corner of said lot 1A and southeast corner of H.G. Read's tract recorded in Volume 899, Page 0201, Dallas County Deed Records;

THENCE with the west line of Lot 1A and the east line of H.G. Read's tract, North 00°00'40"West, 380.78 feet to a 1/2-inch iron rod found marking the northeast corner of H.G. Read's tract, the northwest corner of Lot 1A, and being in the south line of Lot 3, Block B/6210 of First Installment Home Estates Addition recorded in Volume 6, Page 108, Dallas County Deed Records;

THENCE with the north line of Lot 1A and the south line of said Home Estates Addition, East, 348.00 feet to 1/2-inch iron rod found marking the southwest corner of Lot 7 of said addition;

THENCE with the west line of Lot 1A, North 00°16'09" East, 149.12 feet to a 3/4-inch iron pipe found in the south right-of-way line of Nelson Drive, (a 50 foot right-of-way);

THENCE with the south right-of-way line of Nelson Drive and the north line of Lot 1A, South 89°55'03" East, 89.93 feet to a 1/2-iron rod found marking its northeast corner;

THENCE with the east line of Lot 1A, South 00°14'28" West, 148.99 feet to a 1/2-inch iron rod found marking its southeast corner and being in the north line of Lot 1A, St. Philip Catholic School Addition;

THENCE with the north line of Lot 1A and the south line of Home Estates Addition, East, 100.08 feet to a 1/2-inch Capped iron rod marking the southwest corner of Lot 9 of said Home Estates Addition;

THENCE with the west line of said Lot 9, North 00°15'22" East, 149.00 feet to a 5/8-inch iron rod found marking its northwest corner and being in the south right-of-way line of Nelson Drive;

THENCE with the south right-of-way line Nelson Drive, the north line of Lot 9 and 1A, South 89°54'10" East, 234.79 feet to a 5/8-inch iron rod found marking the northeast corner of Lot 11;

THENCE with the east line of Lot 1A, South 43°46'12" East, 205.79 feet to a 1-inch iron pipe found marking its southeast corner, the northeast corner of Lot 1A, and being in the west line of the aforementioned Dallas Independent School District Tract;

THENCE with the east line of Lot 1A and the west line of said School District tract, South 00°01'30" West, 540.56 feet to the place of beginning containing 486,739.44 Sq. Feet or 11.174 acres of land.

Roman Catholic Diocese of Dallas
3725 Blackburn Street
P.O. Box 190507
Dallas, Texas 75219
(214) 528-2240

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

I Joel Wilhite, a Registered Professional Land Surveyor in the State of Tex certify that I have prepared this plat from a actual on the ground survey and the monuments shown hereon were found and/or placed under my p in accordance with the platting rules and regulations of the City Plan Com City of Dallas

STATE OF REGISTERED JOEL WILHITE No. 5190 PROFESSIONAL LAND SURVEYOR

Joel Wilhite
Registered Professional
Land Surveyor, No. 5190

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the Sta on this day personally appeared Joel Wilhite known to me to be the pers whose name is subscribed to the foregoing instrument and acknowledged executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 12th day of April, 2001.

Notary Public for the Stat

Final Plat
ST. PHILIP CHURCH ADDITION PHASE TWO
LOT 1B, BLOCK A/6207
Being a replat of
St. Philip Church Addition
And
Lots 9 Block B (Block B/6210)
First Installment Home Estates Addition
A.D. BROWN SURVEY, ABSTRACT NO. 154
CITY OF DALLAS, DALLAS COUNTY, TEXAS

CITY PLAN NO. S990-326

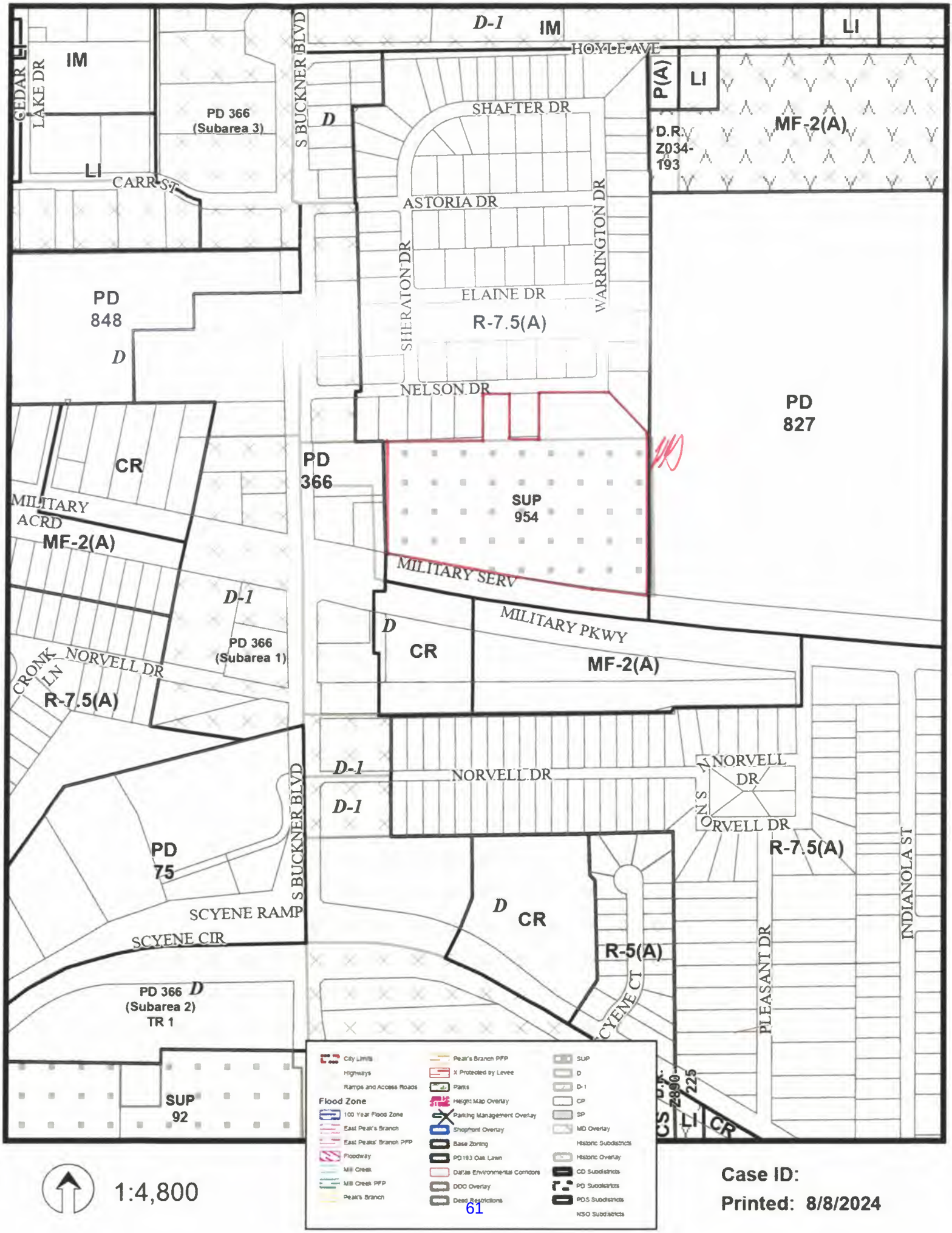
JULY 10, 2000

Mapsco 48 U Revised 3

ROOME SURVEYING,IN
2000 AVE. O., SUITE 804 PLANO, TEXAS

F:/2000/000241

0740-13998



1:4,800

Case ID:

Printed: 8/8/2024

SURVEY PLAT

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 8151 Military Parkway in the City of Dallas, Texas, being LOT 1B, BLOCK A/6207, of ST. PHILIP CHURCH ADDITION PHASE TWO, an addition to the City of Dallas, Dallas County Texas according to the Map thereof recorded in Volume 2001183, Page 3, of the Map Records of Dallas County, Texas

Certified To: St. Philip Catholic Church

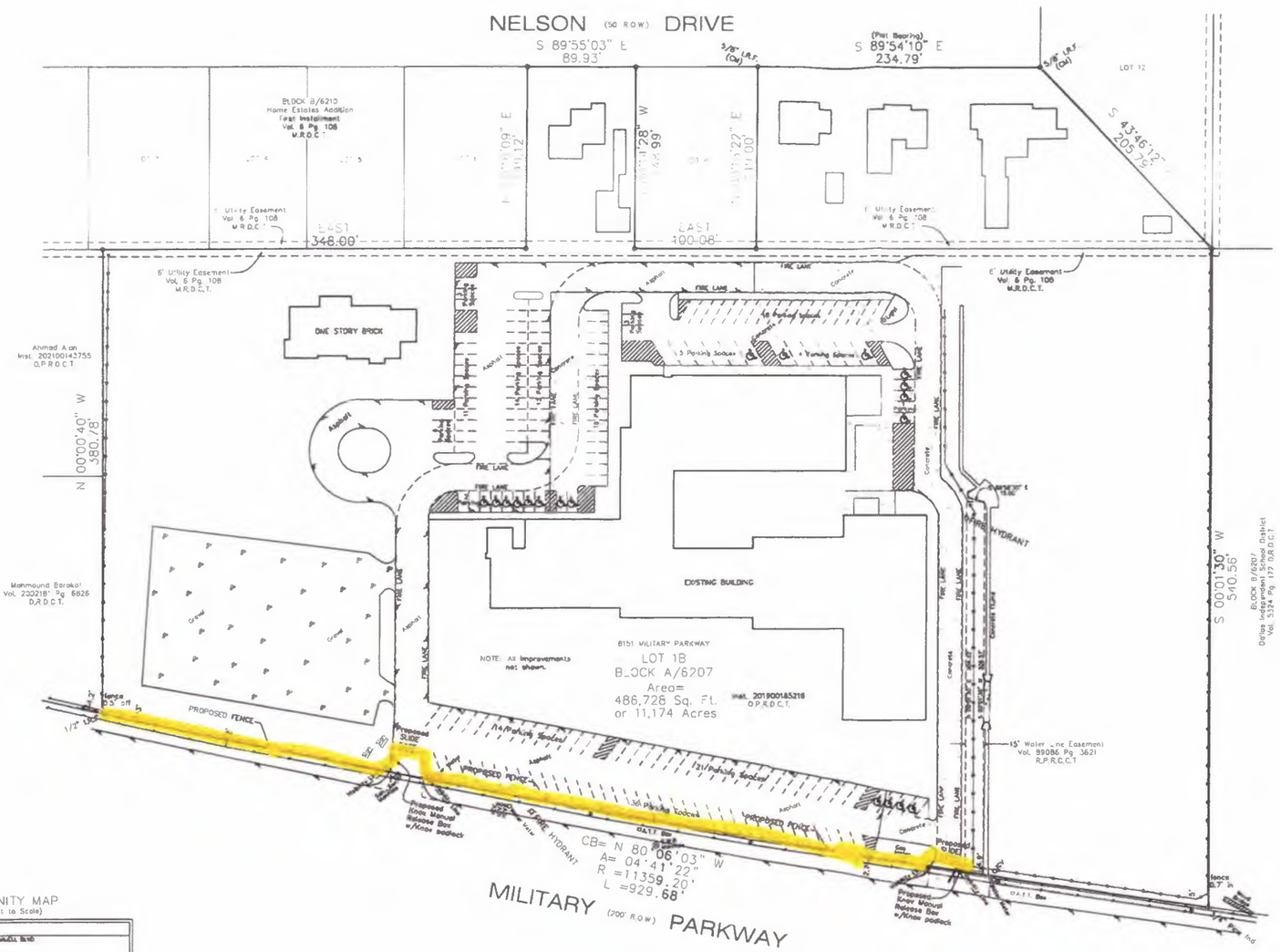
Note: Client has not provided title work for this survey of which boundary and/or easements may be affected.

Note: CM = Control Monument

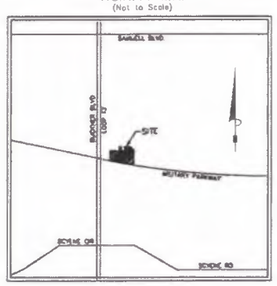
Scale: 1" = 50'
Date: 6/17/2024
Job No.: 24-308-L
Drawn By: Lynn L

Ben D. Brychlik
Registered Professional Land Surveyor #5639

SURVEYING ASSOCIATES
1018 South Beckley Ave.
Dallas, Texas 75203
Phone (214) 948-3324
Firm Registration / License No. 10040200
Email: BRYCHLIK@SWBELL.NET



VICINITY MAP
(Not to Scale)





LEGEND

- CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- COVERED AREA
- I.R.F. — IRON ROD FOUND
- C.I.R.S. — CAPPED IRON ROD SET Stamped "Surveying Assoc"
- (C.M.) — CONTROL MONUMENT
- D.R.D.C.T. — Deed Records Dallas County, Texas
- M.R.D.C.T. — Map Records Dallas County, Texas
- O.P.R.D.C.T. — Official Property Records Dallas County, Texas
- FENCE LINE
- POWER LINE
- GUY ANCHOR
- POWER POLE W/8' CROSS ARM

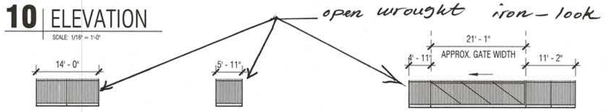
TENTHS to INCHES
0.08'=1" 0.58'=7"
0.17'=2" 0.67'=8"
0.25'=3" 0.75'=9"
0.33'=4" 0.83'=10"
0.42'=5" 0.92'=11"
0.50'=6" 1.0'=12"

SURVEYING ASSOCIATES
1018 SOUTH BECKLEY AVE.
DALLAS, TEXAS 75203
FIRM Registration / License No. 10040200
PHONE (214) 948-3324
Email: Brychlik@SWBell.net

DRAWN BY: Lynn L.
24-308-L
JOB NO.



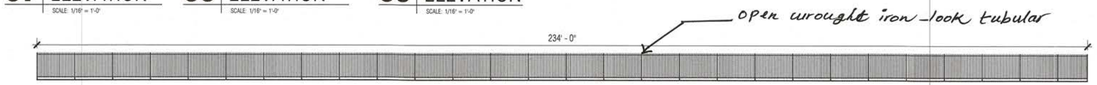
10 | ELEVATION
SCALE: 1/16" = 1'-0"



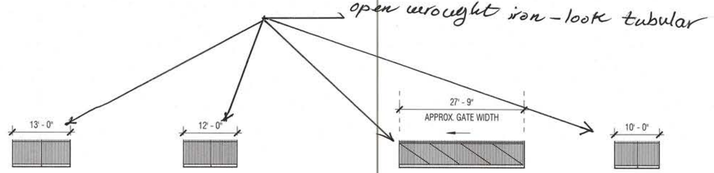
07 | ELEVATION
SCALE: 1/16" = 1'-0"

08 | ELEVATION
SCALE: 1/16" = 1'-0"

09 | ELEVATION
SCALE: 1/16" = 1'-0"



02 | ELEVATION
SCALE: 1/16" = 1'-0"

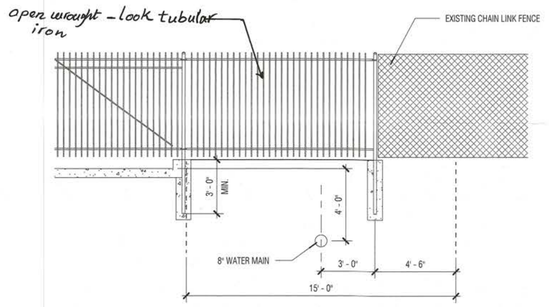


03 | ELEVATION
SCALE: 1/16" = 1'-0"

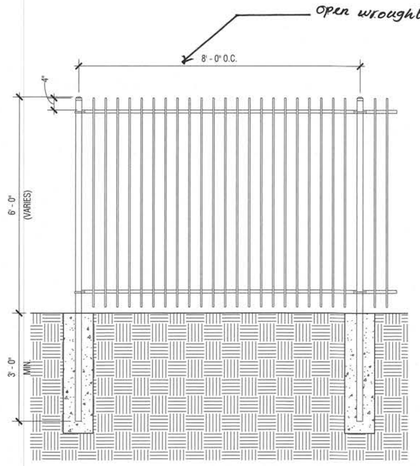
04 | ELEVATION
SCALE: 1/16" = 1'-0"

05 | ELEVATION
SCALE: 1/16" = 1'-0"

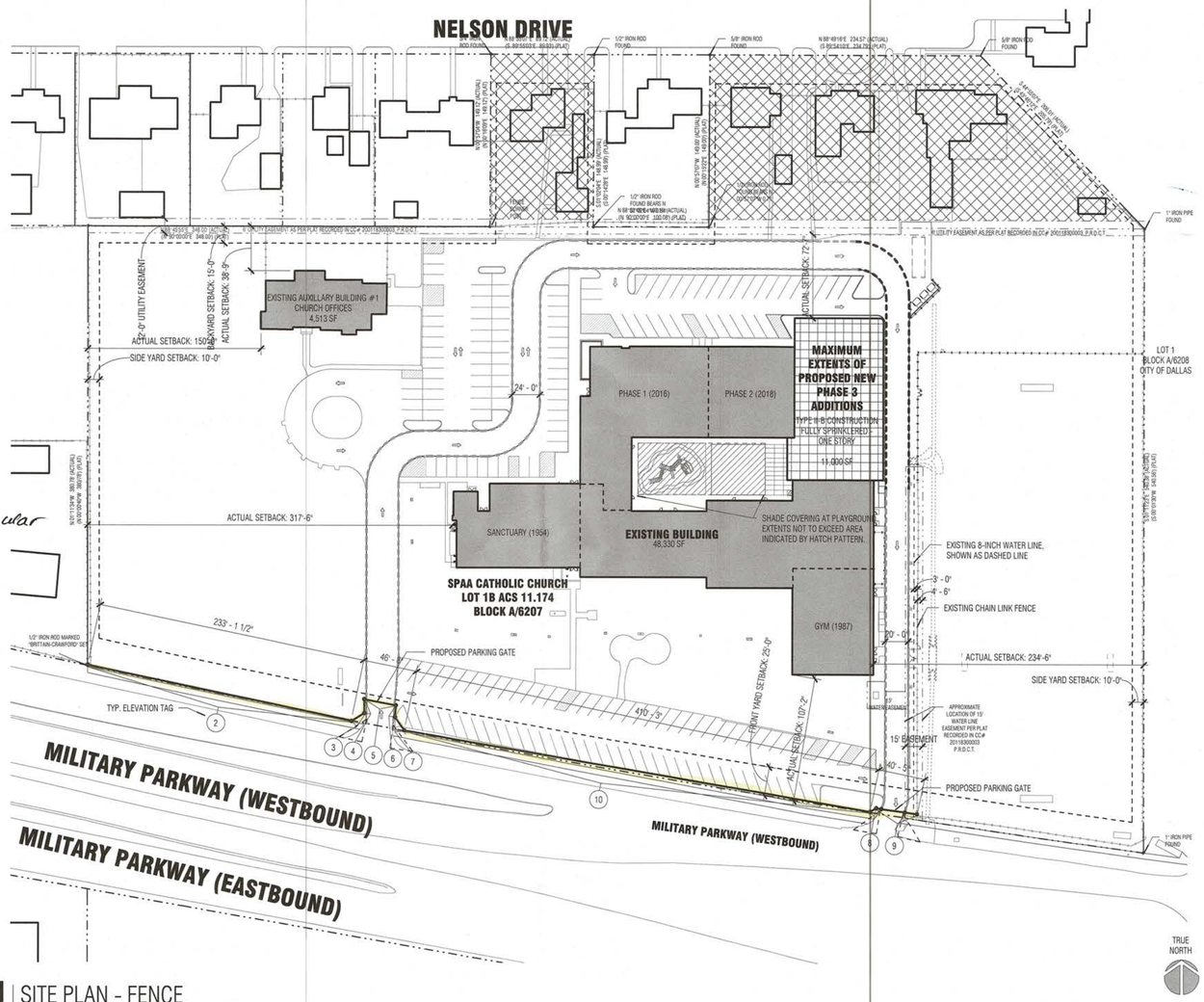
06 | ELEVATION
SCALE: 1/16" = 1'-0"



12 | EASEMENT SECTION
SCALE: 1/4" = 1'-0"



11 | TYP. FENCE SECTION DETAIL
SCALE: 1/2" = 1'-0"



01 | SITE PLAN - FENCE
SCALE: 1" = 60'-0"

SITE MAP



OVERALL AERIAL MAP



SITE PLAN LEGEND

- EXISTING BUILDINGS TO REMAIN
- PROPOSED NEW CONSTRUCTION
- RESIDENTIAL USE ONLY (NOT INCLUDED IN SUP)
- PROPERTY LINE
- EXISTING UTILITY EASEMENT
- BUILDING SETBACK
- NEW PROPOSED FIRE LANE
- PROPOSED FENCE
- EXISTING PARKING COUNT
- 20' x 20' VISIBILITY TRIANGLE

g|p
5646 MILTON STREET, SUITE 426
DALLAS, TEXAS 75206
WWW.GLENN-PARTNERS.COM

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SPSA - PHASE 3

SPAA CATHOLIC CHURCH

8151 MILITARY PARKWAY
DALLAS, TX 75227

NO	REVISION	DATE

GLENN | PARTNERS PROJECT NO. 21-018

A01-01
FENCE SITE PLAN

M212-015
09.11.2024

9/18/2024 3:38:47 PM
C:\Users\bgleim\Documents\M212-015PSA-Phase3_R22_detached_bgleim.rvt

Jackson Walker LLP

Jonathan G. Vinson
(214) 953-5941 (Direct Dial)
(214) 661-6809 (Direct Fax)
jvinson@jw.com

October 24, 2024

By Email

Ms. Cambria Jordan, CFM, MBA, PMP, Senior Planner
Zoning Board of Adjustment
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: BDA234-131; 8151 Military Parkway.

Dear Ms. Jordan:

We represent the applicant and property owner, SPHACP RC, on this application for a fence height special exception for the Owner's property addressed as 8151 Military Parkway. The subject property is the site of the St. Philip and St. Augustine Catholic Academy ("SPSA"), on the same Lot as the St. Philip the Apostle Roman Catholic Church. The original St. Philip School opened in 1955, and the original St. Augustine School opened in 1957. Beginning in 2015, the two Schools were combined into a new academy-model school serving elementary and middle school students in Pleasant Grove.

SPSA largely faces Military Parkway on the south with about 900 feet of frontage. Military Parkway is classified M-6-D(A) on the City's Thoroughfare Plan, which means a minimum 100 foot right of way. In addition, Military Parkway at this location essentially is constructed as, and functions as, a divided highway with two lanes in each direction, with an "entrance ramp" directly in front of SPSA. Consequently, this is a high traffic volume street with relatively high speeds.

This special exception is requested to allow the construction of a maximum 6 foot tall open metal fence, that is, for a 2 foot special exception, in the required front yard on Military Parkway, as depicted on our submitted site plan on file as part of our application. The purpose of the proposed fence is to enhance security for the SPSA campus. The proposed fence will be constructed of high quality "wrought iron look" open metal fence panels, so this fence will be very attractive visually when completed, being respectful of our neighbors and visually and aesthetically pleasing.

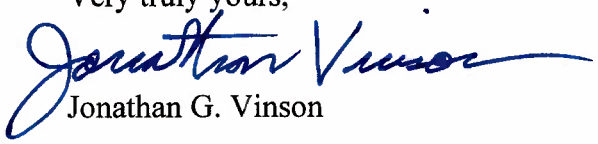
As regards surrounding properties, the large DISD Forester Stadium athletic complex and surface parking is on the east (separated by about 200 feet of open space on the SPSA site). To the west, at the corner of Buckner Boulevard, is the Dallas Car Audio business. The SPSA site includes some of the property fronting Nelson Drive on the north, and the remaining five residential lots

adjacent to the SPSA property all face away, towards Nelson Drive, and are separated by a wide buffer consisting of open space and some landscape screening.

This request clearly meets the standard in Sec. 51A-4.602(a)(11) for the granting of a fence height special exception, that being that there will be no adverse effect at all on any neighboring properties. I am aware that the Current Planning Staff does not make recommendations on fence height special exception cases, but I wanted to give you this additional information just to present some background on the request.

Of course, as is my normal practice, I will provide a more detailed explanatory letter and additional information, including site photos, for the Board Panel's packet by November 8. Thank you very much for your consideration of this information, and please let me know if you have any questions.

Very truly yours,



Jonathan G. Vinson

cc: Dr. Kameka Miller-Hoskins
Diana Barkume
Sara Etebari Jirsaraee
Nancy Poinsette
Stephanie Maupin
Briar Glenn
Bill Dahlstrom

Jackson Walker LLP

Jonathan G. Vinson
(214) 953-5941 (Direct Dial)
(214) 661-6809 (Direct Fax)
jvinson@jw.com

November 8, 2024

Via email to cambria.jordan@dallas.gov
and diana.barkume@dallas.gov

Hon. Chair and Members, Panel C
Zoning Board of Adjustment
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: BDA234-131; 8151 Military Parkway.

Dear Members of Panel C:

I. Introduction. We represent the applicant and property owner, SPHACP RC, on this application for a fence height special exception of two feet (for a maximum six-foot fence height) for property addressed as 8151 Military Parkway. This letter is for the purpose of providing to the Board Staff an explanatory letter and attachments, prior to the November 8 submittal deadline, for inclusion in your Board Panel docket, with detailed information for your benefit in explaining our request.

The subject property is the site of the St. Philip and St. Augustine Catholic Academy ("SPSA"), on the same Lot as the St. Philip the Apostle Roman Catholic Church. The original St. Philip School opened in 1955, and the original St. Augustine School opened in 1957. Beginning in 2015, the two Schools were combined into a new academy-model school serving elementary and middle school students in Pleasant Grove in newly-renovated and expanded facilities on the existing St. Philip campus at this location. SPSA enrolls students from Kindergarten through 8th Grade.

II. Our Request. As stated above and in the Building Official's Report, our request is to "construct and/or maintain a 6-foot high fence in a required front yard", that is, for a two foot special exception, within the required front yard on Military Parkway, as depicted on our submitted Site Plan on file as part of our application. Our proposed Site Plan, showing the proposed new open metal fence, fence elevations keyed to the new fence in plan view, and the existing chain link fence around the playing fields, is attached as **Attachment A** (and will also appear in your case report from City Staff), and an excerpt showing the typical fence elevation is attached as **Attachment B**.

III. Primary Reason for our Request. The purpose of the proposed fence is to enhance security for the SPSA campus. The proposed fence will be constructed of high quality "wrought iron look" open metal fence panels, so this fence will be very attractive visually when completed, being respectful of our neighbors and visually and aesthetically pleasing.

The reasons for needing enhanced security are several-fold. First, there are the obvious security concerns regarding the safety and security of SPSA's students, as well as faculty, staff, and parents who are on the SPSA campus from time to time, both to prevent unauthorized persons from entering the SPSA campus as well as to prevent younger students from approaching to close to the traffic on Military Parkway. Second, the fence is needed to enhance security for the SPSA building and property to try to deter theft and vandalism.

I also suggest to you that not only should the physical safety of SPSA'a students, teachers, parents, and others of paramount importance, but that by enhancing security for SPSA, the security of the surrounding neighborhood will also be enhanced.

IV. Current Site and Area Conditions. I have appended an aerial photograph and a series of captioned site photos which will illustrate for you the current conditions on and around the property, as well as the orientation of surrounding properties. You will see that SPSA largely faces Military Parkway on the south with about 900 feet of frontage. Military Parkway is classified M-6-D(A) on the City's Thoroughfare Plan, which means a minimum 100 foot right of way. In addition, Military Parkway at this location essentially is constructed as, and functions as, a divided highway with two lanes in each direction, with an "entrance ramp" directly in front of SPSA. Consequently, this is a high traffic volume street with relatively high speeds.

In addition, SPSA, and St. Philip the Apostle Church on the same property, have a very good relationship with our surrounding neighbors, and we are aware of no objections at all. As regards surrounding properties, the large DISD Forester Stadium athletic complex and surface parking is on the east (separated by about 200 feet of open space on the SPSA site). To the west, at the corner of Buckner Boulevard, is the Dallas Car Audio business. **Attachment C** is an aerial photo showing the area, with the SPSA campus in the center.

As you can see from the Lot lines shown in yellow on **Attachment D**, the SPSA site includes some of the property fronting Nelson Drive on the north, and the remaining five residential lots adjacent to the SPSA property all face away, towards Nelson Drive, and are separated by a wide buffer consisting of open space and some landscape screening. None of these properties would in any way be affected by the proposed fence. **Attachment E** includes a series of site and area photos showing very wide, high-speed and high-traffic

Military Parkway adjacent to the proposed fence location, and also showing the very wide separation from properties on the south side of Military Parkway.

V. Fence Height Special Exception Standard. The applicable fence height regulations (Sec. 51A-4.602(a)(2)) normally limit fences to 4 feet when in the required front yard (setback) in a single family zoning district, in this instance the R-7.5(A) district. Specifically, the *Dallas Development Code* provides the following:

> ***SEC. 51A-4.602. FENCE, SCREENING AND VISUAL OBSTRUCTION REGULATIONS.***
>
> *(a) Fence standards. Unless otherwise specifically provided for in this chapter, fences must be constructed and maintained in accordance with the following regulations.*
>
> *(2) A person shall not erect or maintain a fence in a required yard more than nine feet above grade.* ***In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard****, except when the required front yard is governed by the side or rear yard regulations pursuant to Section 51A-4.401.*
>
> ...
>
> *(11) The board may grant a special exception to the fence standards in this subsection when,* ***in the opinion of the board****, the special exception* ***will not adversely affect neighboring property.***

In our view, this request clearly meets the standard for the granting of a fence height special exception, that being that there will be no adverse effect at all on any neighboring properties. As you know, the Current Planning Staff does not make recommendations on fence height special exception cases, due to the nature of the standard specified in Subsection 51A-4.602(a)(11) above.

VI. Nearby Properties; Area Photos. SPSA, and St. Philip the Apostle Church on the same property, have a very good relationship with our surrounding neighbors, and we are aware of no objections at all. As regards surrounding properties, the large DISD Forester Stadium athletic complex and surface parking is on the east (separated by about 200 feet of open space on the SPSA site). To the west, at the corner of Buckner Boulevard, is the Dallas Car Audio business.

As you can see from the Lot lines shown in yellow on Attachment C, the SPSA site includes some of the property fronting Nelson Drive on the north, and the remaining five residential lots adjacent to the SPSA property all face away, towards Nelson Drive, and are separated by a wide buffer consisting of open space and some landscape screening. None

of these properties would in any way be affected by the proposed fence. There is also very wide separation from properties on the south side of Military Parkway.

VII. Conclusion. I want to conclude by emphasizing that the proposed open wrought iron-look fence materials, along with the proposed location of the fence facing Military Parkway, very clearly meets the *Development Code* standard for the requested fence height special exception, that is, that *"... when, in the opinion of the board, the special exception will not adversely affect neighboring property"*.

We believe that our thoughtful and considerate design proposal, along with the fact that the requested special exception is on the very busy Military Parkway side of the property and has no visual impact on any residential neighbors, clearly supports that conclusion.

We would ask you to consider all of the foregoing factors in your deliberations, and we will respectfully be asking you for your approval of our request at our November 18 hearing, based on the submitted site plan and fence elevation. Thank you very much, and we look forward to appearing before you.

Very truly yours,

Jonathan G. Vinson

cc: Dr. Kameka Miller-Hoskins
Sara Etebari Jirsaraee
Nancy Poinsette
Stephanie Maupin
Briar Glenn
Bill Dahlstrom

BDA 234-131; LIST OF ATTACHMENTS

ATTACHMENT A:	**PROPOSED SITE PLAN (WITH ENLARGEMENT SHOWING NUMBERED KEYS TO ELEVATION SECTIONS).**
ATTACHMENT B:	**SITE PLAN EXCERPT "TYPICAL FENCE SECTION DETAIL"; SPECIFIES OPEN MATERIALS AND SIX FOOT HEIGHT.**
ATTACHMENT C:	**AERIAL PHOTO OF CAMPUS AND VICINITY.**
ATTACHMENT D:	**DALLAS CENTRAL APPRAISAL DISTRICT MAP/AERIAL PHOTO, ALSO SHOWING LOT LINES.**
ATTACHMENT E:	**SERIES OF AREA PHOTOS:**
PHOTO 1:	**View west on Military Parkway; SPSA campus in center and right.**
PHOTO 2:	**View from Military Parkway towards SPSA campus showing very wide right-of-way and high-speed conditions.**
PHOTO 3:	**Another view from Military Parkway towards SPSA campus.**
PHOTO 4:	**View from SPSA campus towards south side of Military Parkway showing extremely wide separation and no visual impact whatsoever.**



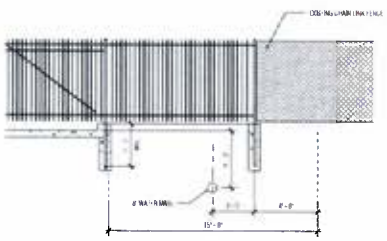
10 | ELEVATION



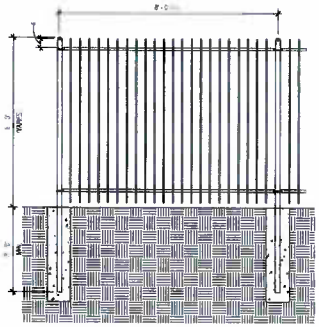
07 | ELEVATION 08 | ELEVATION 09 | ELEVATION



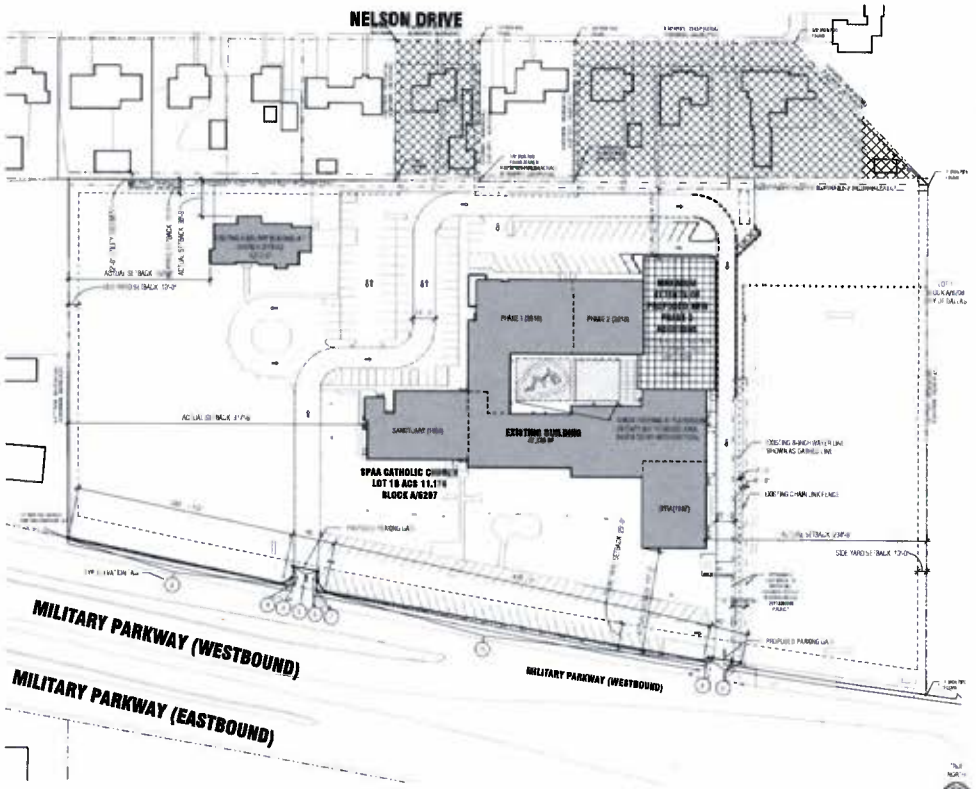
02 | ELEVATION 03 | ELEVATION 04 | ELEVATION 05 | ELEVATION 06 | ELEVATION



12 | EASEMENT SECTION



11 | TYP. FENCE SECTION DETAIL



01 | SITE PLAN - FENCE

SITE MAP



OVERALL AERIAL MAP



SITE PLAN LEGEND



g|p
5648 MILTON STREET, SUITE 426
DALLAS TEXAS 75206

COPYRIGHT © 2018 GLEASON PARTNERS

SPSA - PHASE 3
SPAA CATHOLIC CHURCH
8151 MILITARY PARKWAY
DALLAS, TX 75227

NO. REVISION DATE

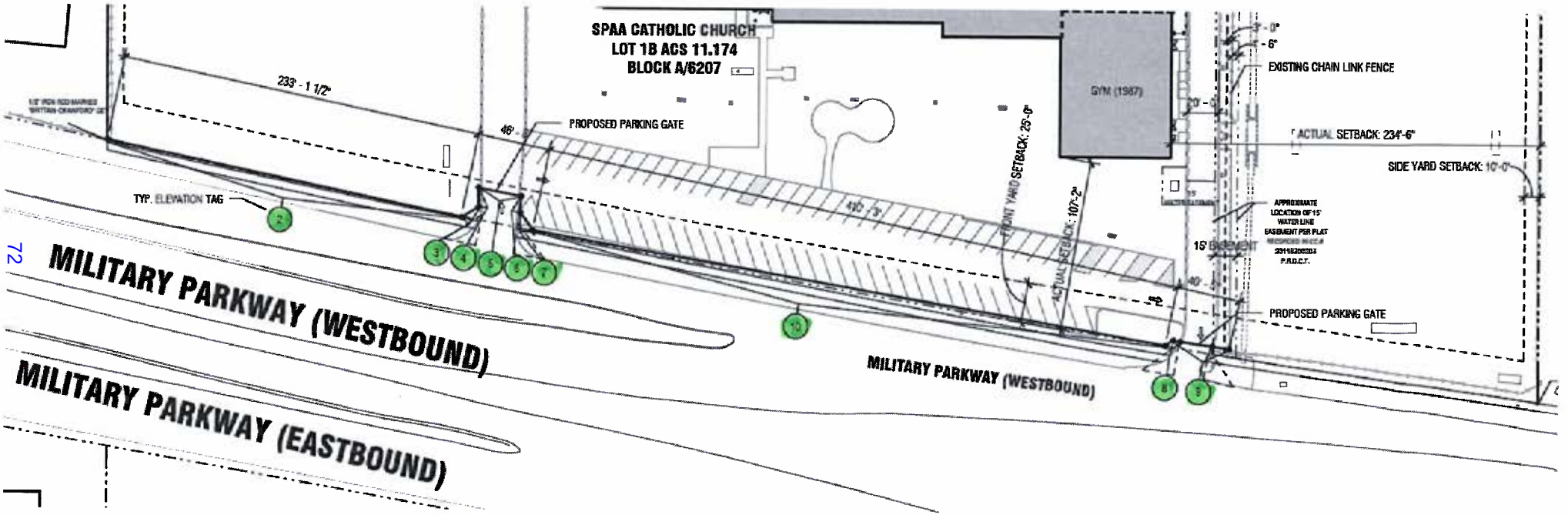
GLEASON PARTNERS PROJECT NO. 21-018

A01-01
FENCE SITE PLAN

M212-015
08.11.2024

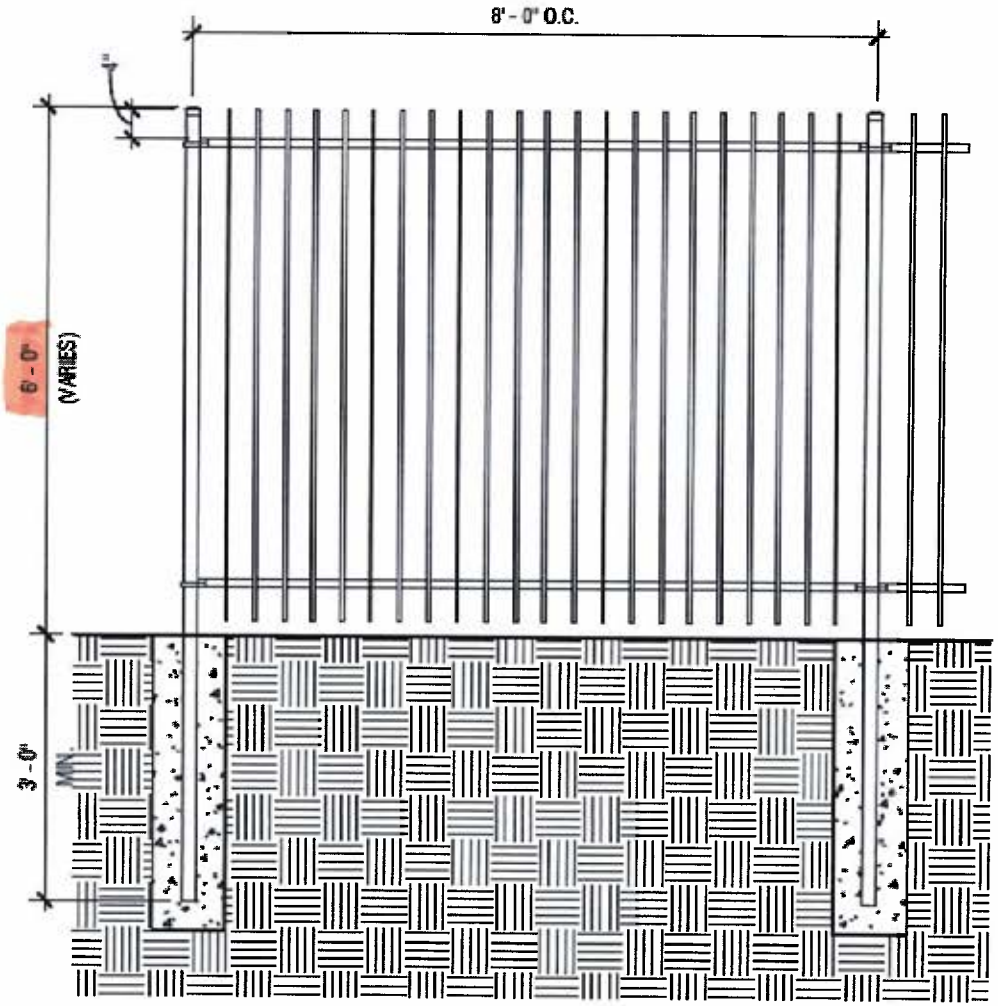
71

Attachment A



72

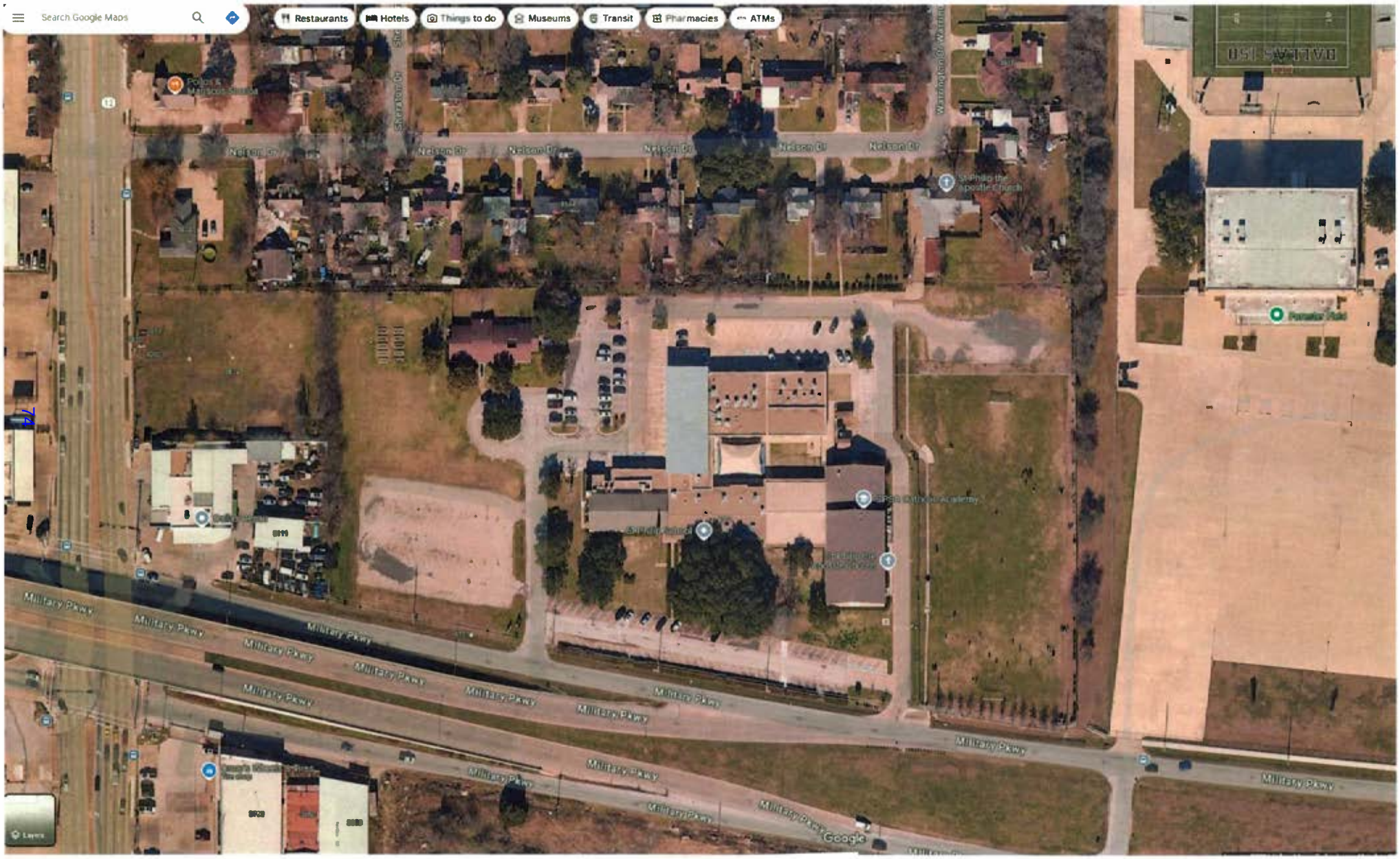
NUMBERED CIRCLES CORRESPOND WITH ELEVATION SECTIONS AT TOP OF OVERALL SITE PLAN



11 | TYP. FENCE SECTION DETAIL

SCALE: 1/2" = 1'-0"

Attachment B



Attachment C

Attachment D



Attachment E
(E-1 through E-4)

77


78
Military Pkwy


79
Google

FILE NUMBER: BDA234-132 (BT)

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

LOCATION: 1000 N. Riverfront Blvd.

APPLICANT: Andrew Hooper

REPRESENTED BY: Mike Davis

REQUEST:

(1) Special Exception to the parking regulations

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:
SEC 51P-621.110.(2) Parking reduction (D) Special exception of the Dallas Development Code states that The board may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in **SEC 51A-4.311.** minus the number of parking spaces currently not provided due to delta credits, as defined in **SEC 51A-4.704(b)(4)(A).** The board of adjustment may impose conditions on the special exception.
Section 51A-3.111(a) of the Dallas Development Code specifies that the board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, **that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets**.

STAFF RECOMMENDATION:

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

Square Footage:
This lot size is 7,352.81 sq. ft.
Building Footprint is 4,465 sq. ft. (63.69 percent lot coverage)
Total Floor Area 7,562 sq. ft. (2-story structure)

Zoning:

Site:	PD-621 (Subdistrict 1)
North:	PD-621 (Subdistrict 1)
South:	PD-621 (Subdistrict 1)
East:	PD-621 (Subdistrict 1)
West:	PD-621 (Subdistrict 1A) & PD-621 (Subdistrict 1D)

Land Use:

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

BDA HISTORY:

No BDA history found within the last 5 years.

GENERAL FACTS/STAFF ANALYSIS:

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

- 200' Radius Video:

Timeline:

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

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

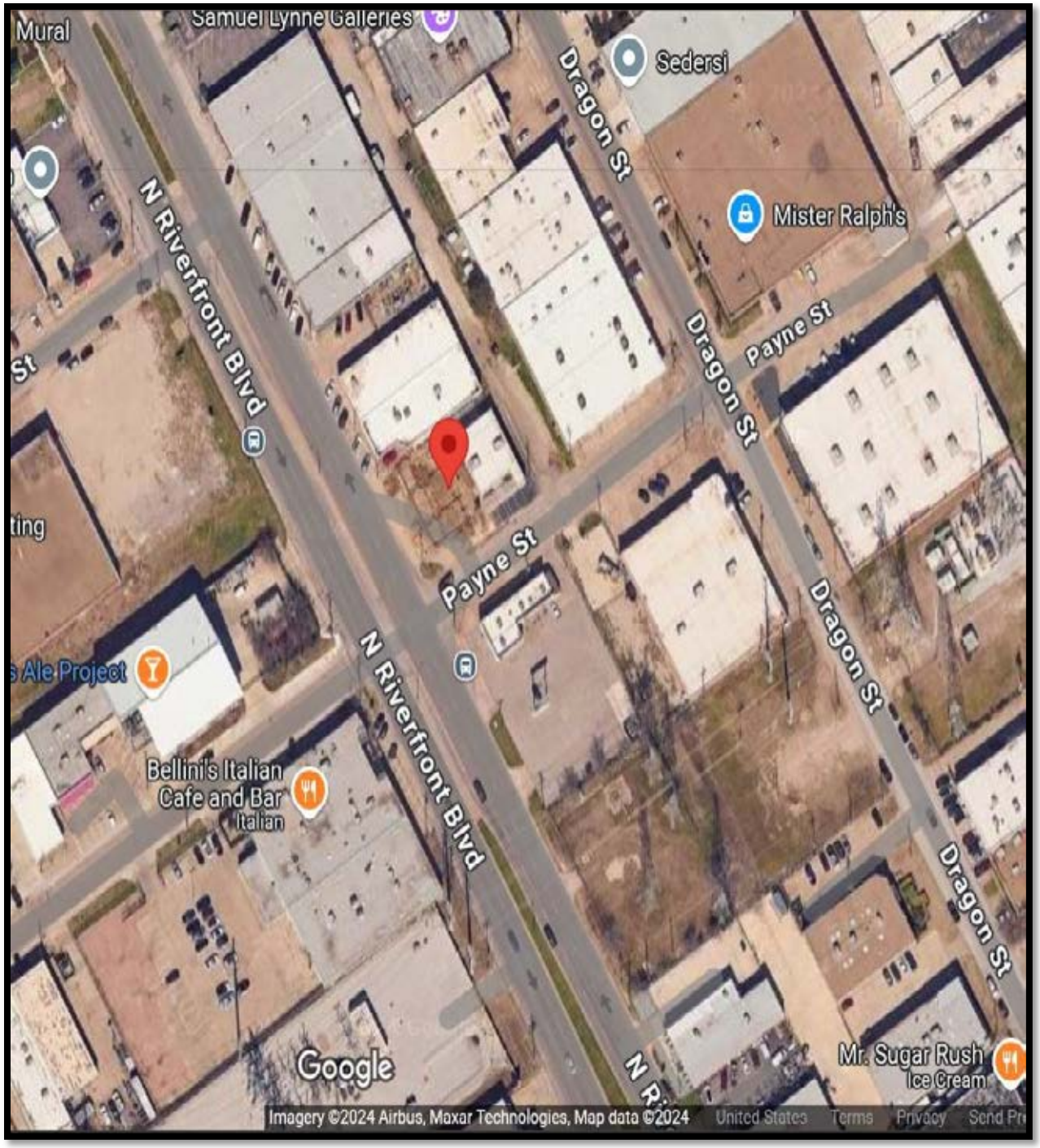
October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline

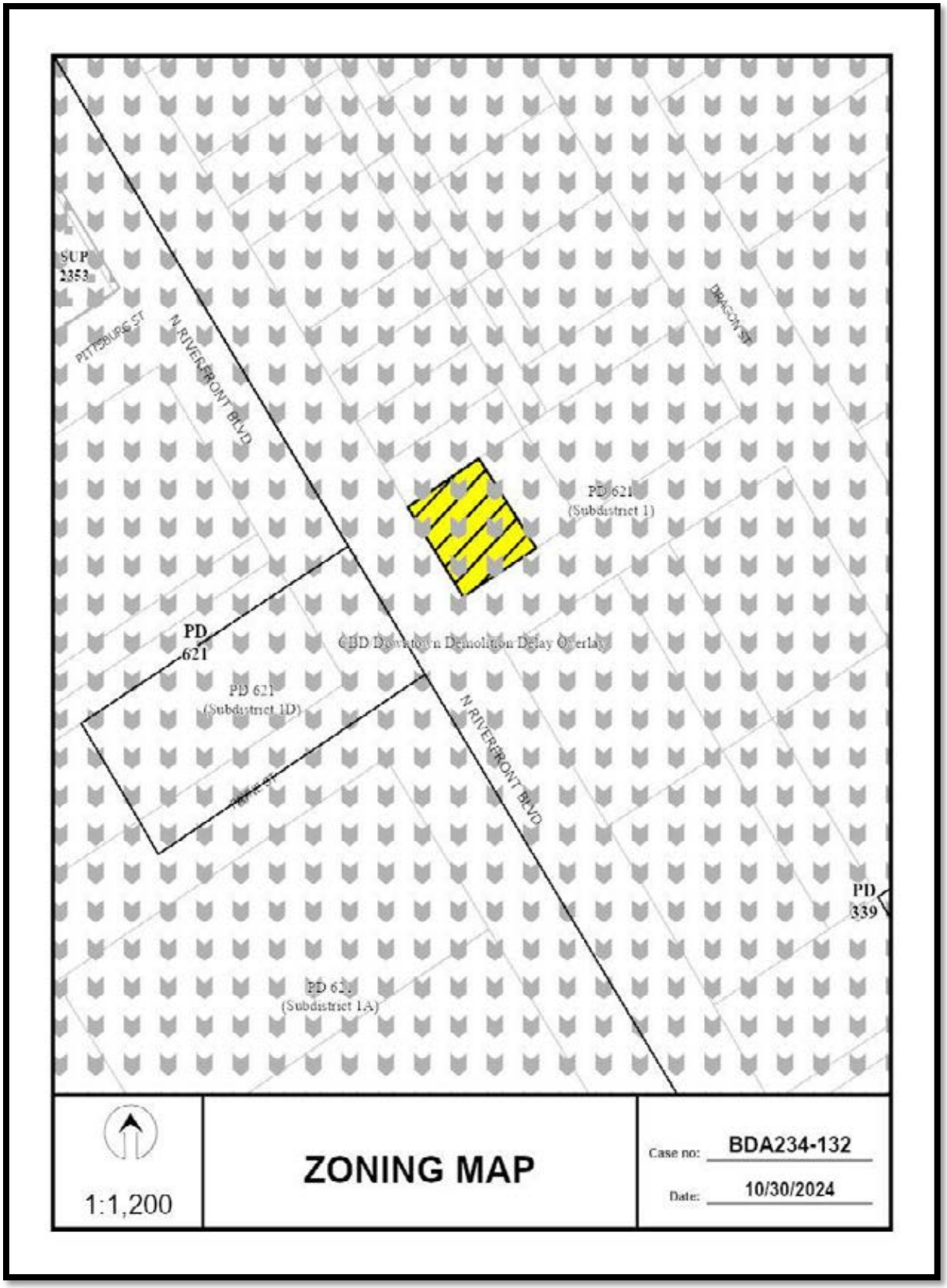
to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

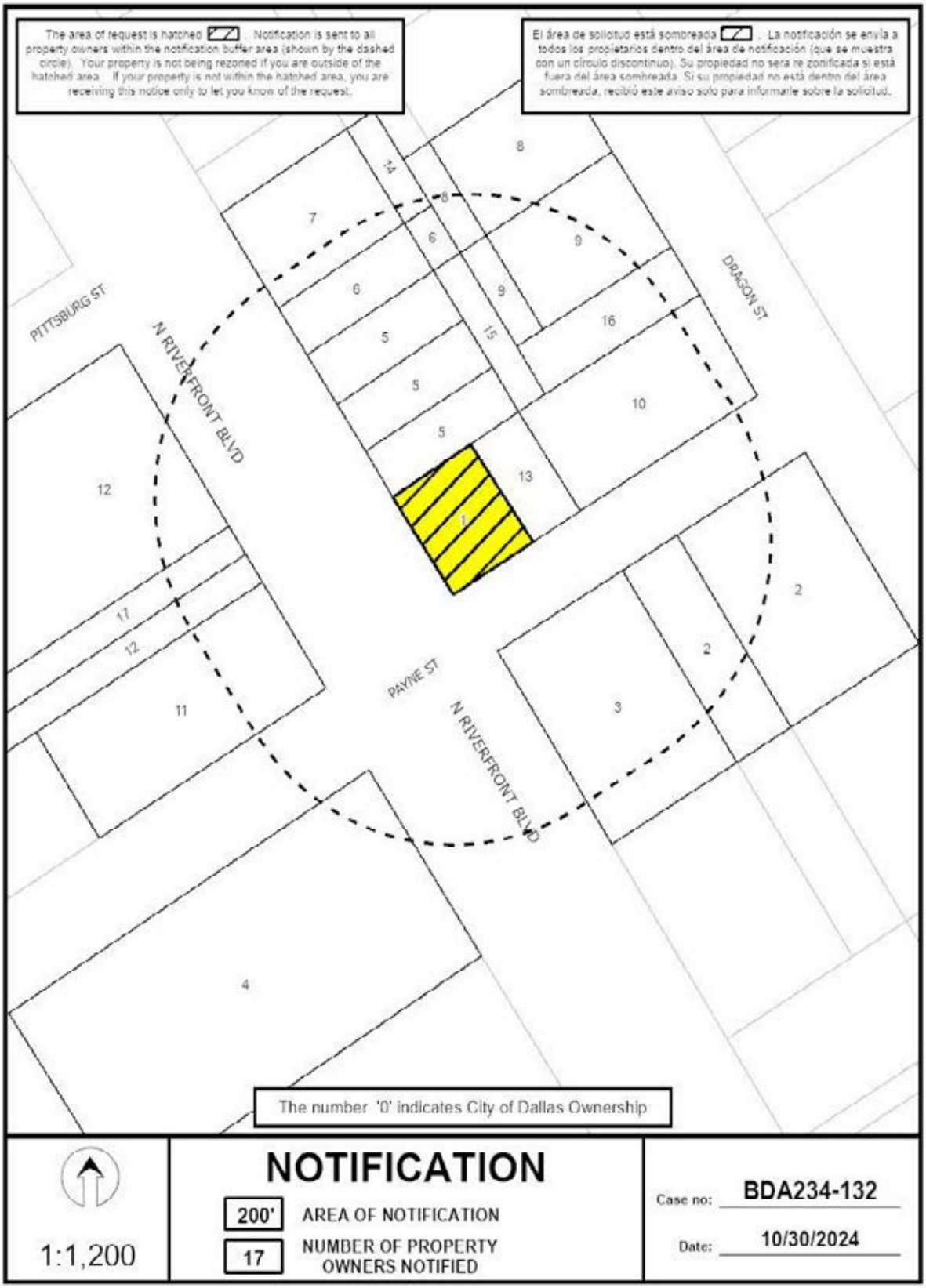
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

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



1:1,200	**AERIAL MAP**	Case no: BDA234-132 Date: 10/30/2024


SUP
2353
PITTSBURG ST
N RIVERFRONT BLVD
DRAGON ST
PD 621
(Subdistrict 1)
PD
621
CBD Downtown Demolition Delay Overlay
PD 621
(Subdistrict 1D)
N RIVERFRONT BLVD
PD
339
PD 621
(Subdistrict 1A)
1:1,200
ZONING MAP
Case no: BDA234-132
Date: 10/30/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
PITTSBURG ST
N RIVERFRONT BLVD
DRAGON ST
PAYNE ST
N RIVERFRONT BLVD
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
17
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BDA234-132
Date: 10/30/2024

10/30/2024

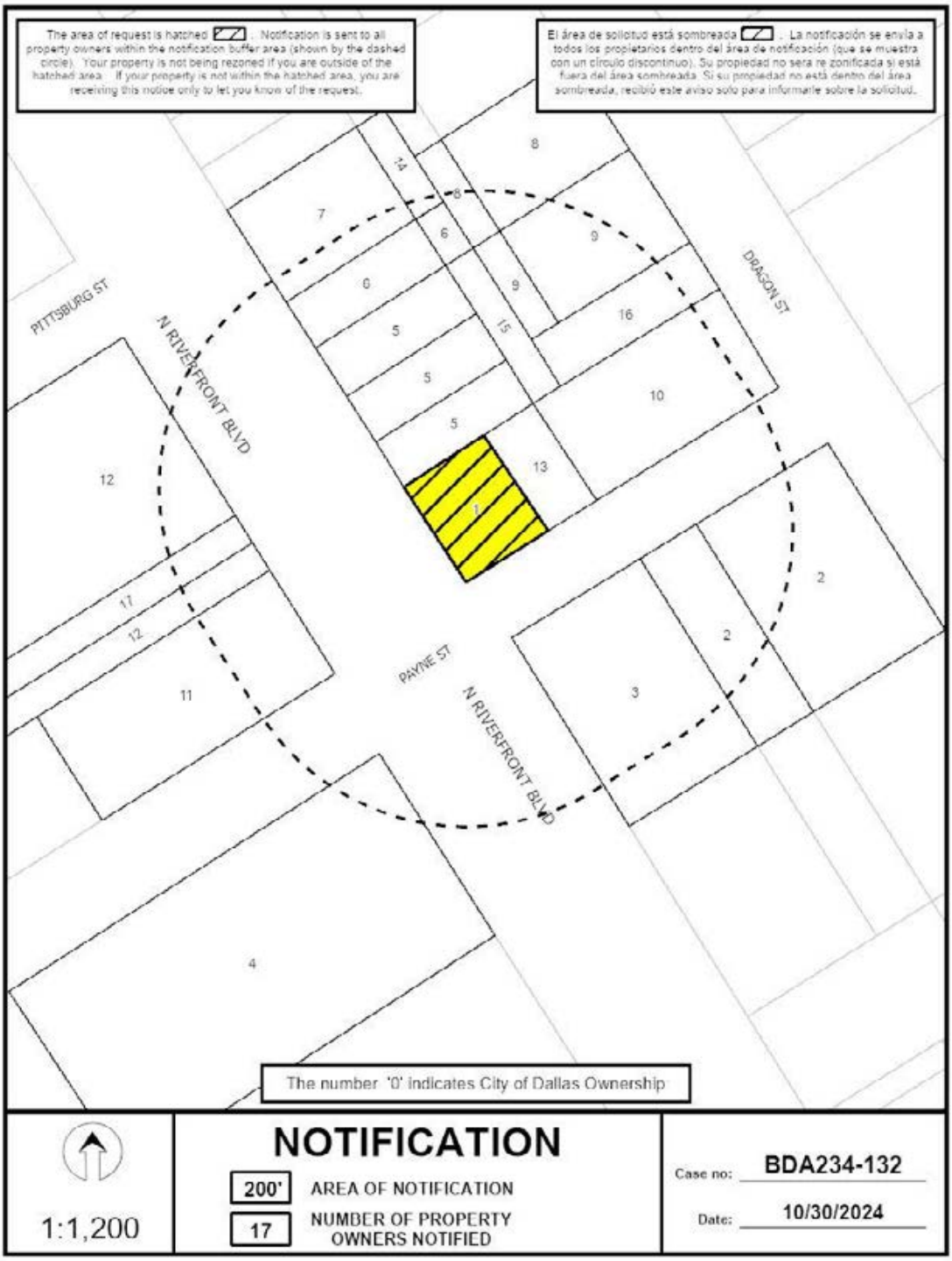
Notification List of Property Owners

BDA234-132

17 Property Owners Notified

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

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **MONDAY, NOVEMBER 18th, 2024**

BRIEFING: **10:30 a.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

HEARING: **1:00 p.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**

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

BDA234-132(BT) Application of Andrew Hooper represented by Mike Davis for **(1)** a special exception to the parking regulations at **1000 N RIVERFRONT BOULEVARD**. This property is more fully described as Block 4/6834, Lot 1A and is zoned PD-621 (Subdistrict 1), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service use and provide 50 of the required 72 parking spaces, which will require **(1)** a 22-space special exception (31 percent reduction) to the parking regulation.

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 Council Briefing** 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-C-Register or contact the Planning & Development Department at 214-670-4127 by the close of business **Sunday, November 17th, 2024**. **All virtual speakers will be required to show their video in order to address the board.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner 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 and Development Department
1500 Marilla Street 5CN, Dallas TX 75201

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

PLEASE REGISTER AT:
https://bit.ly/BDA-C-Register

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-132

Data Relative to Subject Property: Date: 9/24/24

Location address: 1000 N. Riverfront Blvd. Zoning District: PD621

Lot No.: 1A Block No.: 4/6834 Acreage: 0.161 Census Tract: CT100.3

Street Frontage (in Feet): 1) 90.04 2) 78..74 3) ~~90.08~~ 4) ~~77.92~~ 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Woodmont Riverfront Design District Dallas LLC

Applicant: Andrew Hooper Telephone: (615) 542-4627

Mailing Address: 2100 W. 7th Street, Forth Worth, TX Zip Code: 76107

E-mail Address: andy@hooperhc.com

Represented by: Mike Davis Telephone: (469) 386-0847

Mailing Address: PO Box 151434, Dallas, TX Zip Code: 75215

E-mail Address:

Affirm that an appeal has been made for a Variance ~~X~~ or Special Exception X, of minimum parking space requirements from 72 to ~~38~~ 22 spaces

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to Grant the described appeal for the following reason:
unnecessary hardship is resulting from the strict application of the zoning regulations

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

Affidavit

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

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

Respectfully submitted:
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 5th day of OCTOBER, 2023

ROBERT CONDRA
Notary ID #132139292
My Commission Expires
August 21, 2027

Notary Public in and for Dallas County, Texas

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-132

I, WOODMONT RIVERFRONT DESIGN DISTRICT DALLAS LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1000 N. RIVERFRONT
(Address of property as stated on application)

Authorize: ANDY HOOPER / MIKE DAVIS (REPRESENTATIVE)
(Applicant's name as stated on application)

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

_____Variance (specify below)

__✓__Special Exception (specify below)

_____Other Appeal (specify below)

Specify: PKG REDUCTION OF 22 SPACES

GRANT GARY
Print name of property owner or registered agent

Signature of property owner or registered agent

Date 9/26/2024

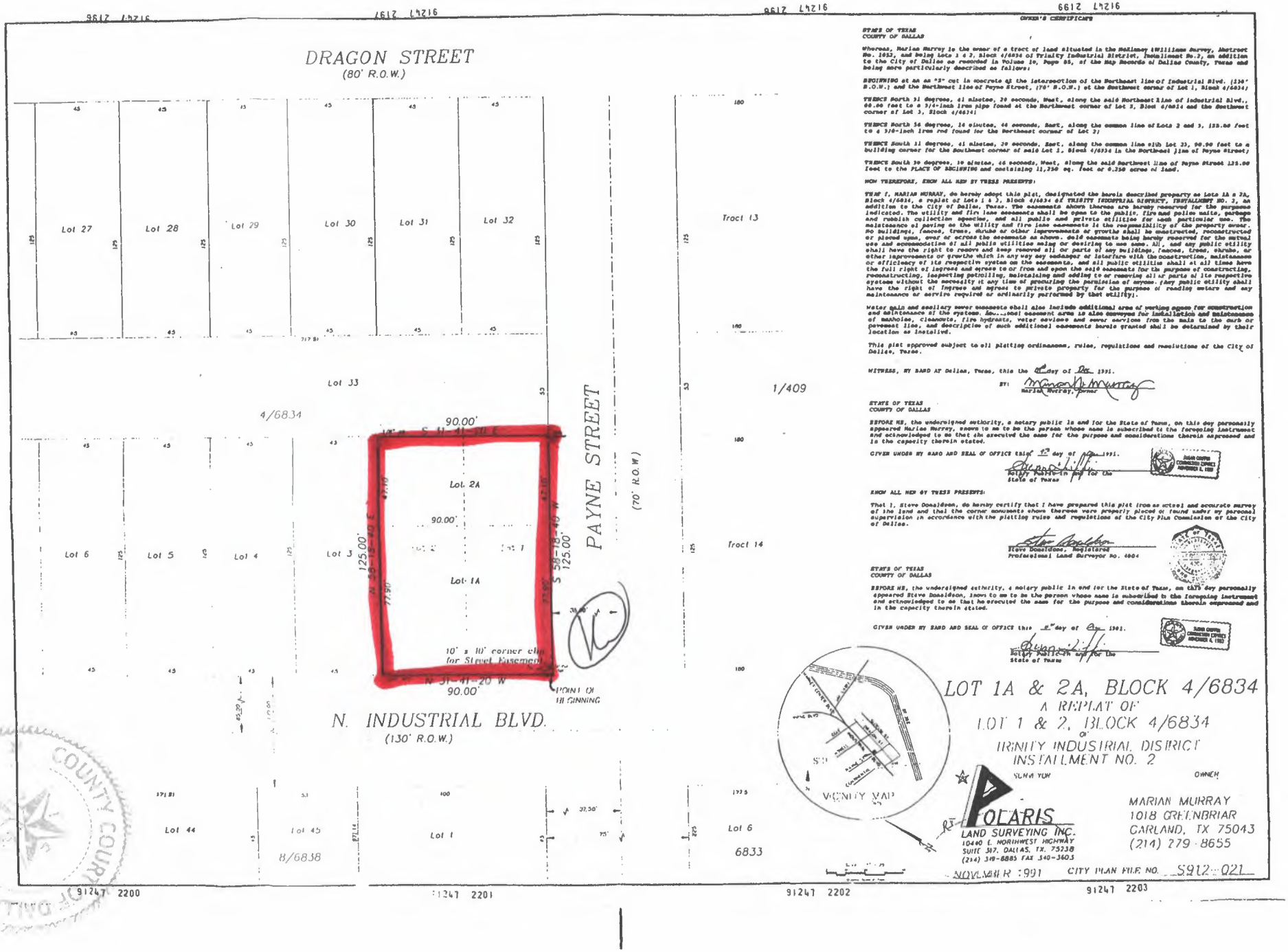
Before me, the undersigned, on this day personally appeared

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 26TH day of SEPTEMBER, 2024

MADELINE GARY
Notary ID #133526157
My Commission Expires
January 10, 2026

Notary Public for Dallas County, Texas

Commission expires on
JANUARY 10 2026



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

Whereas, Marian Murray is the owner of a tract of land situated in the McKinney &Williams Survey, Abstract No. 1052, and being Lots 1 & 2, Block 4/6834 of Trinity Industrial District, Installment No.2, an addition to the City of Dallas as recorded in Volume 1r, Page 84, of the Map Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at an an "X" cut in concrete at the intersection of the Northeast line of Industrial Blvd. (130' R.O.W.) and the Northwest line of Payne Street, (70' R.O.W.) at the Southeast corner of Lot 1, Block 4/6834;

THENCE North 31 degrees, 41 minutes, 20 seconds, West, along the said Northeast line of Industrial Blvd., 90.00 feet to a 3/4-inch iron pipe found at the Northeast corner of Lot 2, Block 4/6834 and the Southeast corner of Lot 3, Block 4/6834;

THENCE North 58 degrees, 18 minutes, 40 seconds, East, along the common line of Lots 2 and 3, 125.00 feet to a 3/8-inch iron rod found for the Northeast corner of Lot 2;

THENCE South 31 degrees, 41 minutes, 20 seconds, East, along the common line with Lot 33, 90.00 feet to a building corner for the Southeast corner of said Lot 2, Block 4/6834 in the Northwest line of Payne Street;

THENCE South 58 degrees, 18 minutes, 40 seconds, West, along the said Northwest line of Payne Street 125.00 feet to the PLACE OF BEGINNING and containing 11,250 sq. feet or 0.258 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARIAN MURRAY, do hereby adopt this plat, designated the herein described property as Lots 1A & 2A, Block 4/6834, a replat of Lots 1 & 2, Block 4/6834 of TRINITY INDUSTRIAL DISTRICT, INSTALLMENT NO. 2, an addition to the City of Dallas, Texas. The easements shown thereon are hereby reserved for the purpose indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Every public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility.

Water main and sanitary sewer easements shall also include additional area of varying space for construction and maintenance of the systems. An....onal easement area is also dedicated for installation and maintenance of manholes, cleanouts, fire hydrants, water services and sewer services from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

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

WITNESS, MY HAND AT Dallas, Texas, this the 4th day of Dec 1991.

BY: Marian Murray, Owner

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Marian Murray, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 4th day of Dec 1991.

Notary Public in and for the State of Texas

KNOW ALL MEN BY THESE PRESENTS:

That I, Steve Donaldson, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed or found under my personal supervision in accordance with the platting rules and regulations of the City Plan Commission of the City of Dallas.

Steve Donaldson, Registered
Professional Land Surveyor No. 4804

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared Steve Donaldson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 2nd day of Dec 1991.

Notary Public in and for the State of Texas

LOT 1A & 2A, BLOCK 4/6834

A REPLAT OF
LOT 1 & 2, BLOCK 4/6834
OF
TRINITY INDUSTRIAL DISTRICT
INSTALLMENT NO. 2

SURVEYOR

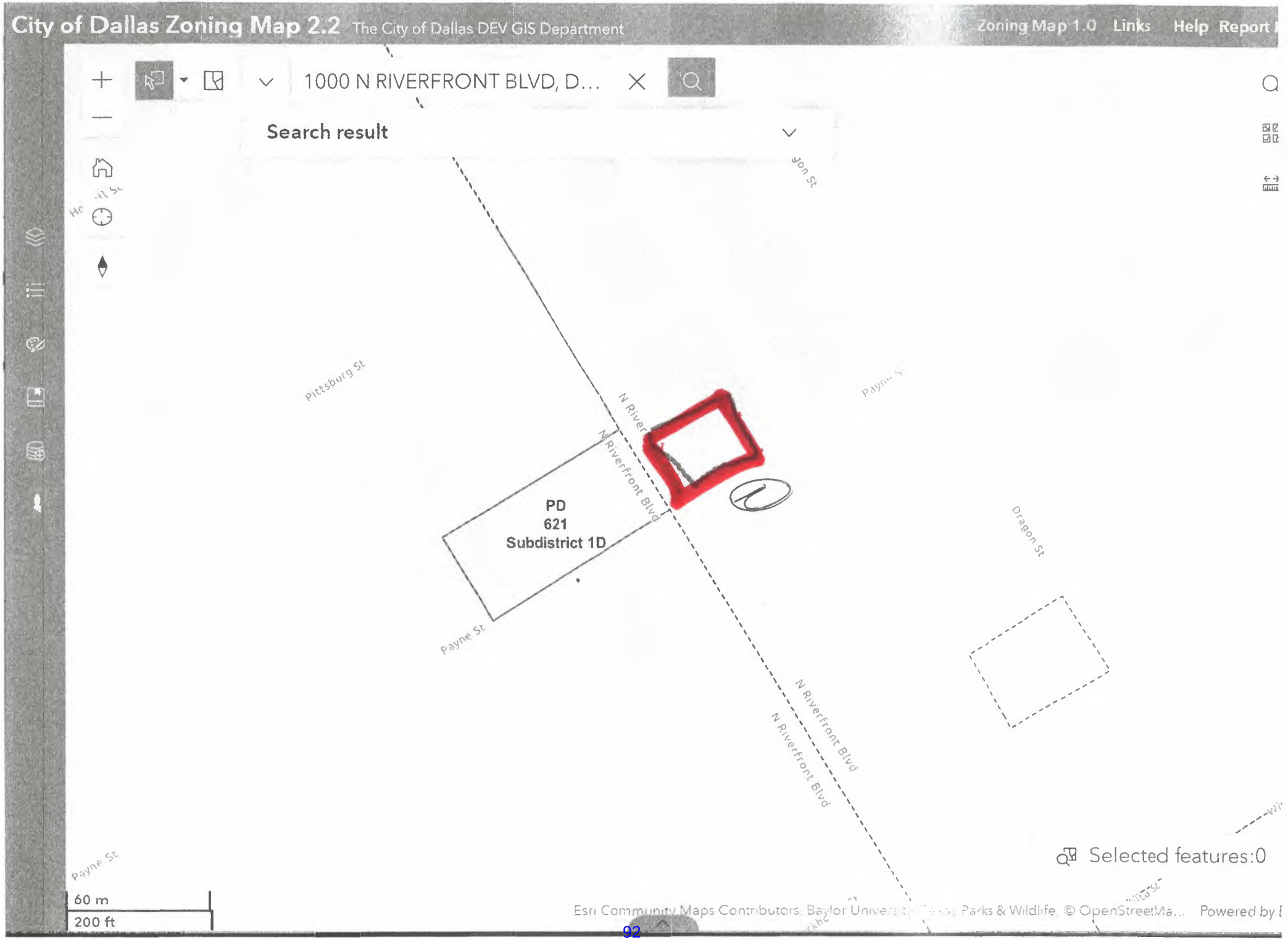
POLARIS
LAND SURVEYING INC.
10440 E. NORTHWEST HIGHWAY
SUITE 367, DALLAS, TX. 75238
(214) 349-8885 FAX 340-3603

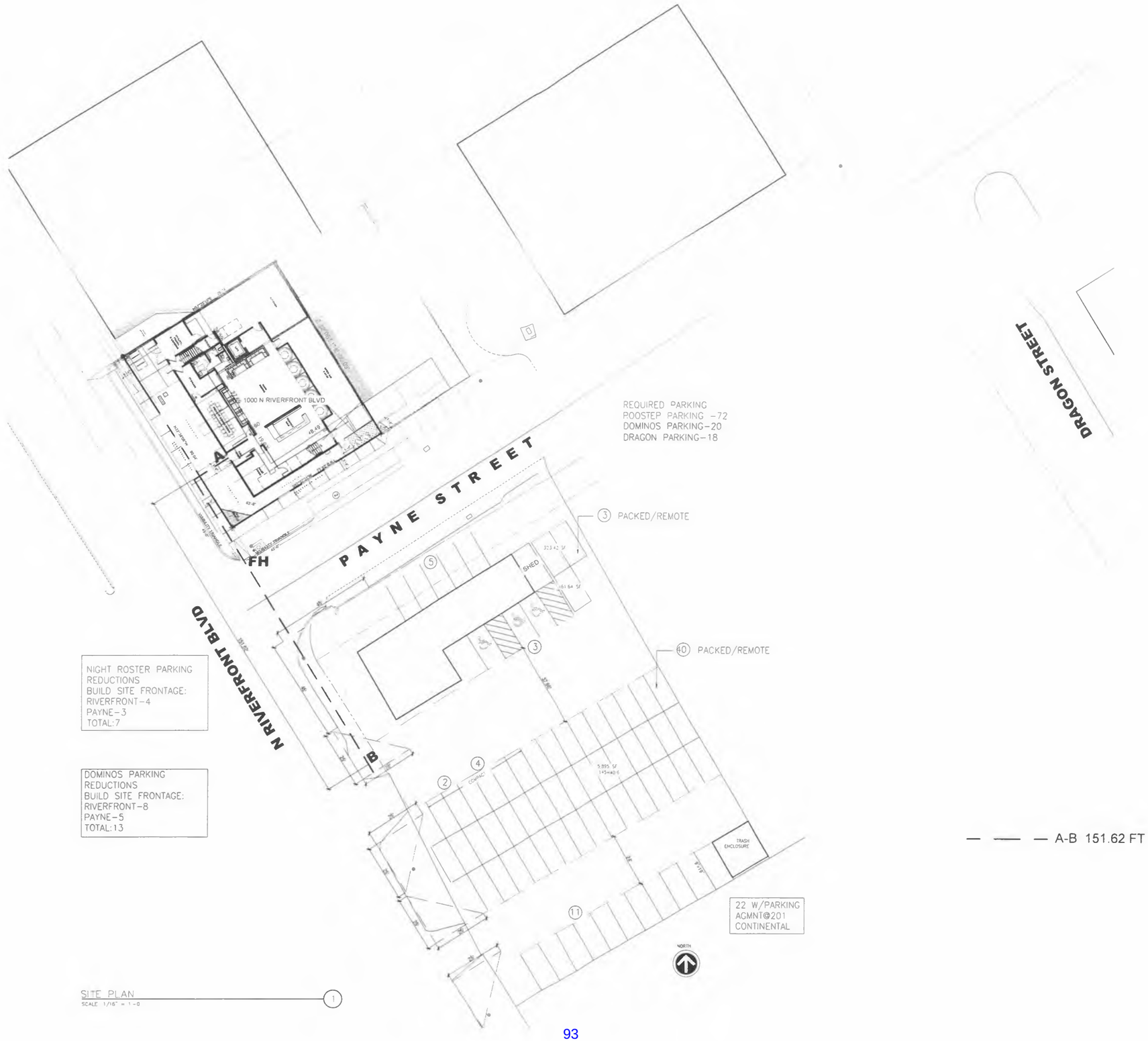
OWNER

MARIAN MURRAY
1018 GREENBRIAR
GARLAND, TX 75043
(214) 279-8655

NOVEMBER 1991

CITY PLAN FILE NO. S912-021


City of Dallas Zoning Map 2.2
The City of Dallas DEV GIS Department
Zoning Map 1.0
Links
Help
Report
1000 N RIVERFRONT BLVD, D...
Search result
Pittsburg St
N Riverfront Blvd
PD
621
Subdistrict 1D
Payne St
Dragon St
Selected features:0
60 m
200 ft
Esri Community Maps Contributors, Baylor Univers, Texas Parks & Wildlife, © OpenStreetMa...
Powered by



SITE PLAN
SCALE 1/16" = 1'-0

NO	ISSUES REVISIONS	DATE

ENGINEER

PROJECT

NIGHT ROOSTER STACK
PARKING PLAN
1000 N RIVER FRONT, DALLAS

PROJECT NO

DATE JUNE 06, 2024

SCALE AS NOTED

DRAWN BY HY

SHEET TITLE SITE PLAN

SHEET NO A-1.0

FILE NUMBER: BDA234-136 (BT)

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

LOCATION: 6506 Frankford Rd.

APPLICANT: Moshe Tropper

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Moshe Tropper for the property located at 6506 Frankford Rd. focuses on three requests relating to the fence height.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Davenport Road, which will require a 4-foot special exception to the fence height regulations.
- The second request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Frankford Road, which will require a 4-foot special exception to the fence height regulations.
- The third request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, along Windpiper Drive, which will require a 4-foot special exception to the fence height regulations.
- The subject site is a private school with majority of the surroundings properties to the north, south, east, and west all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace existing fencing and gates surrounding the street frontage of the property.
- Based upon staff's analysis of the surrounding properties, many provided tall fencing serving as a screening mechanism along Frankford Road and Davenport Road
- Both Davenport Road and Frankford Road, are identified as major thoroughfares.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height, with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

Timeline:

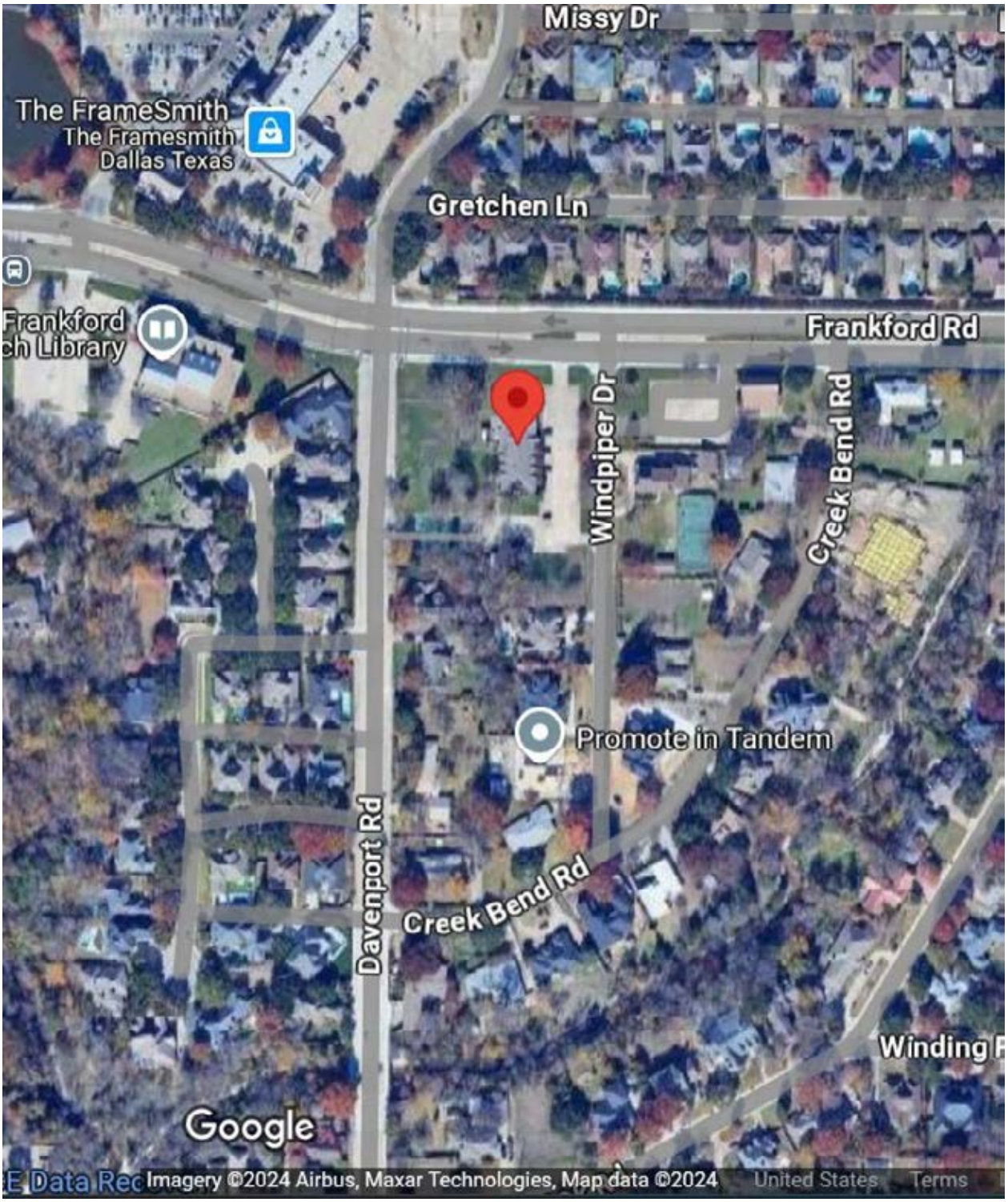
September 30, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

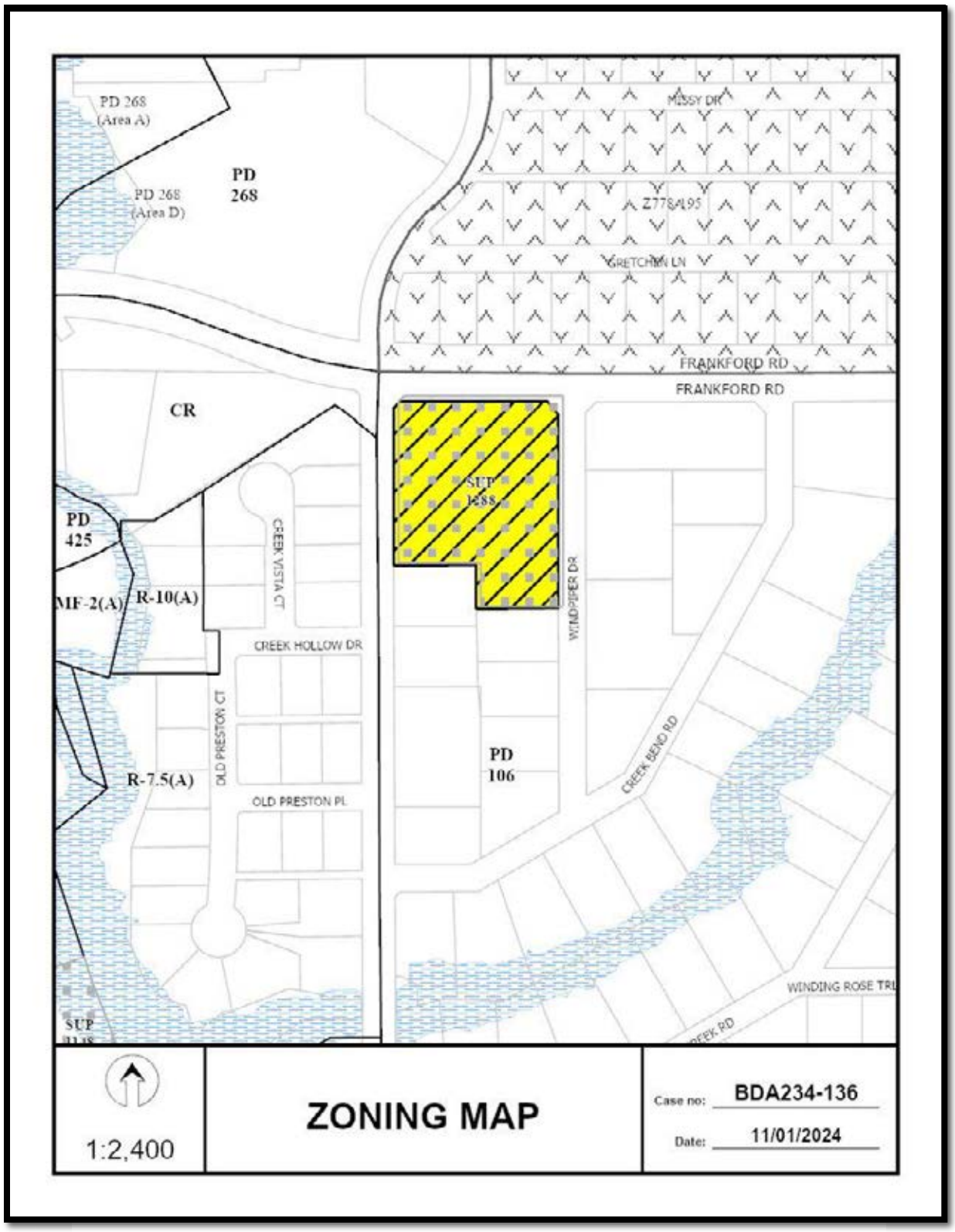
October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

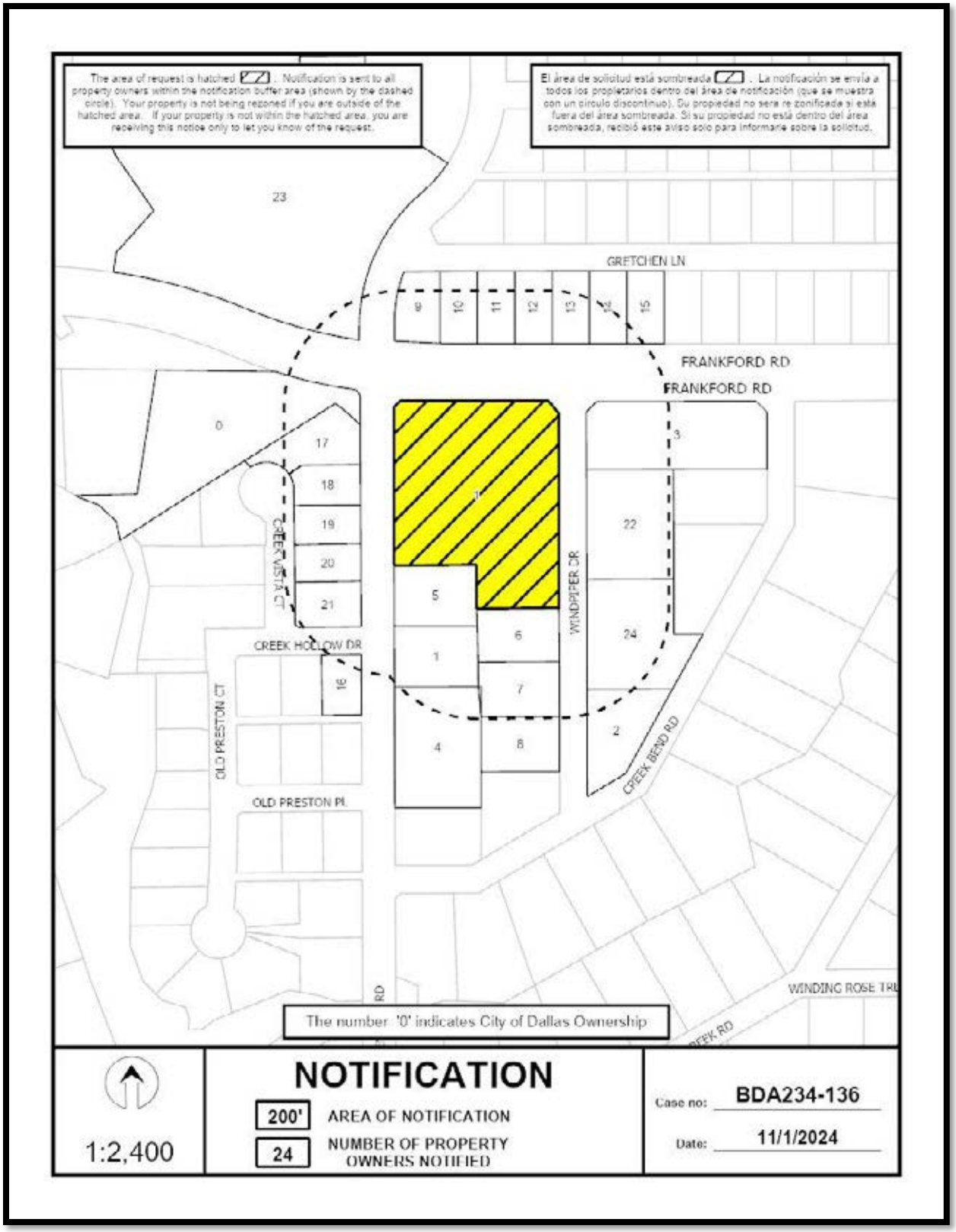
October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

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


Missy Dr
The FrameSmith
The Framesmith
Dallas Texas
Gretchen Ln
Frankford
ch Library
Frankford Rd
Windpiper Dr
Creek Bend Rd
Promote in Tandem
Davenport Rd
Creek Bend Rd
Winding
Google
Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024
United States
Terms


PD 268
(Area A)
PD 268
(Area D)
PD
268
MISSY DR
Z778-195
GRETCHEN LN
FRANKFORD RD
FRANKFORD RD
CR
SUP
1288
PD
425
MF-2(A)
R-10(A)
CREEK VISTA CT
CREEK HOLLOW DR
OLD PRESTON CT
OLD PRESTON PL
R-7.5(A)
WINDPIPER DR
PD
106
CREEK BEND RD
WINDING ROSE TRL
SUP
1118
1:2,400
ZONING MAP
Case no: BDA234-136
Date: 11/01/2024


The area of request is hatched . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.
GRETCHEN LN
FRANKFORD RD
FRANKFORD RD
CREEK VISTA CT
CREEK HOLLOW DR
OLD PRESTON CT
OLD PRESTON PL
WINDPIPER DR
CREEK BEND RD
WINDING ROSE TRL
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200' AREA OF NOTIFICATION
24 NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BDA234-136
Date: 11/1/2024

11/01/2024

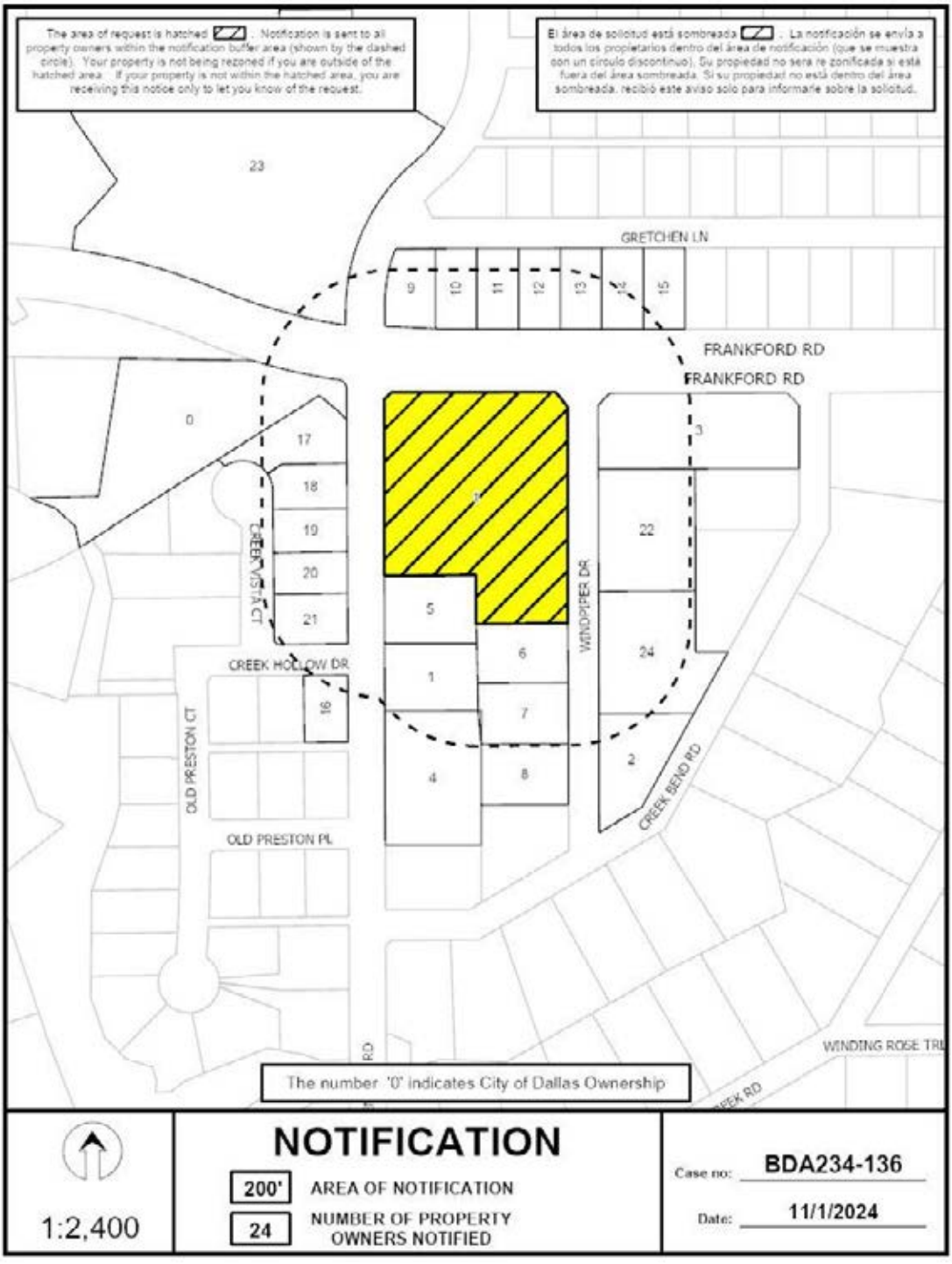
Notification List of Property Owners

BDA234-136

24 Property Owners Notified

Label #	*Address*		*Owner*
1	6506	FRANKFORD RD	TEXAS TORAH INSTITUTE
2	7021	CREEK BEND RD	CRANE NEIL & KARA
3	6510	FRANKFORD RD	CHURCH OF THE LUTHERAN CO
4	18004	DAVENPORT RD	DODS PAUL E W
5	18016	DAVENPORT RD	LEE YOON K & KIANG KWEE S
6	17815	WINDPIPER DR	Taxpayer at
7	17809	WINDPIPER DR	SHIVER JOHN D JR & SHIELA M
8	17805	WINDPIPER DR	MEYEROVITZ D AND A REVOCABLE TRUST THE
9	6400	GRETCHEN LN	HAMMOND ROBERT D & LESLIE A
10	6404	GRETCHEN LN	Taxpayer at
11	6408	GRETCHEN LN	SAPIR MOSHE
12	6412	GRETCHEN LN	Taxpayer at
13	6416	GRETCHEN LN	BELLANI MURLI & SAJU
14	6420	GRETCHEN LN	LUNA DANIEL L
15	6424	GRETCHEN LN	RIESZ JACLYN NICOLE
16	6910	CREEK HOLLOW DR	POT JOHANNES W & LARRIET E THOMAS
17	18020	CREEK VISTA CT	DAFTARY GAUTAM & SHWETA
18	18016	CREEK VISTA CT	Taxpayer at
19	18012	CREEK VISTA CT	SARFATI ENTERPRISES LLC
20	18008	CREEK VISTA CT	CHEN TONGQIAN & LINGXIA ZHU
21	18004	CREEK VISTA CT	MINER ADAM S & HELAINE
22	17818	WINDPIPER DR	FAIR GEORGE W & MARGARET R
23	18208	PRESTON RD	PRESTON ROAD ASSOCIATES I LLC
24	7025	CREEK BEND RD	THIBODEAUX BONNIE YOUNG

200’ Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE:	**MONDAY, NOVEMBER 18th, 2024**
BRIEFING:	**10:30 a.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. **https://bit.ly/boa1118C**
HEARING:	**1:00 p.m.** via **Videoconference and** in **6ES COUNCIL BRIEFING**, Dallas City Hall, 1500 Marilla Street. https://bit.ly/boa1118C

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

BDA234-136(BT) Application of Moshe Tropper for **(1)** a special exception to the fence height regulations along Davenport Road, and for **(2)** a special exception to the fence height regulations along Frankford Road, and for **(3)** a special exception to the fence height regulations along Windpiper Drive at **6506 FRANKFORD ROAD**. This property is more fully described as Block Q/8727, Lot 6A, and is zoned PD-106, which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard at all three street frontages, which will require **(1)** a 4-foot special exception to the fence height regulations along Davenport Road, and to construct and/or maintain an 8-foot high fence in a required front-yard along Frankford Road, which will require **(2)** a 4-foot special exception to the fence height regulations, and to construct and/or maintain an 8-foot high fence in a required front-yard along Windpiper Drive, which will require **(3)** a 4-foot special exception to the fence height regulations.

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 Council Briefing** 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-C-Register or contact the Planning & Development Department at 214-670-4127 by the close of business **Sunday, November 17th, 2024**. **All virtual speakers will be required to show their video in order to address the board**. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall

Speakers at the meeting are allowed a maximum of five (5) minutes to address the Board.

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner 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 and Development Department
1500 Marilla Street 5CN, Dallas TX 75201

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

PLEASE REGISTER AT:
https://bit.ly/BDA-C-Register

Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

RECEIVED
SEP 30 2024
BY:

Case No.: BDA 234-136 FOR OFFICE USE ONLY

Date: FOR OFFICE USE ONLY

Data Relative to Subject Property:

Location address: 6506 Frankford Zoning District: SUP 1788

Lot No.: 6-A Block No.: 2/8777 Acreage: 2.3741 Census Tract: 0[illegible]

Street Frontage (in Feet): 1) 300 2) 300 3) 375 4) 5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Texas Torah Institute

Applicant: Moshe Tropper, Eliyah Kafrissen Telephone: 972 897 8046

Mailing Address: 6506 Frankford Road Dallas TX 75252 Zip Code: 75252

E-mail Address: rabbi.tropper@texastorah.org

Represented by: Self. Moshe Tropper Telephone: 972 897 8046

Mailing Address: 6506 Frankford Road Dallas TX Zip Code: 75252

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception ✓ of extra height, 8' total on our three front yards.

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

We are a religious school seeking to add an important security layer to protect our young students. Neighbors in multiple nearby locations have 8' Fences of no opacity

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 Moshe A. Tropper

(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: M. T.

(Affiant/Applicant's signature)

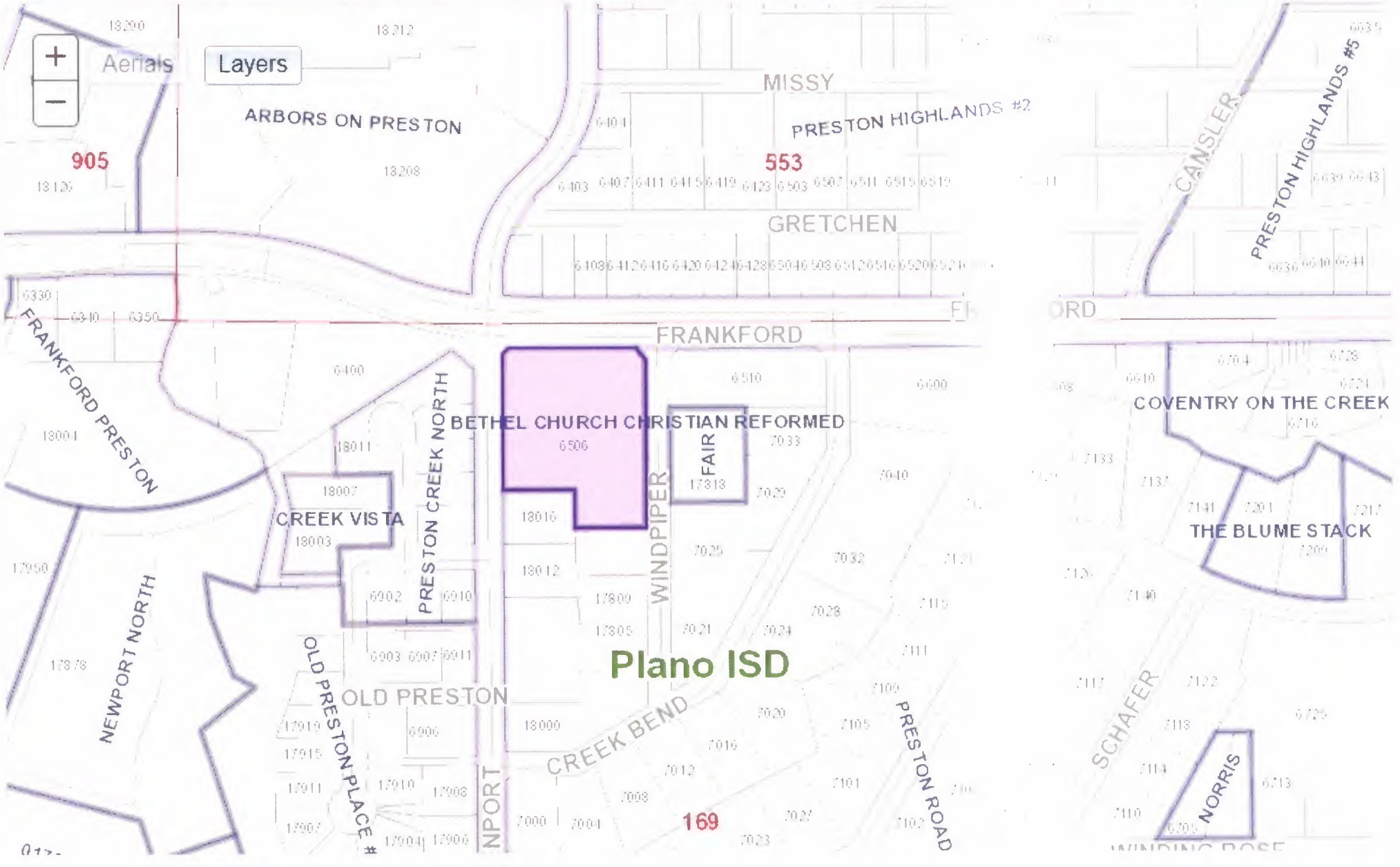
Subscribed and sworn to before me this 23 day of September, 2024

Saajan Patel

Notary Public in and for ~~Dallas~~ Collin County, Texas

SAAJAN PATEL
My Notary ID # 134861185
Expires April 19, 2028

SITE ZONING MAP



SITE PLAT MAP

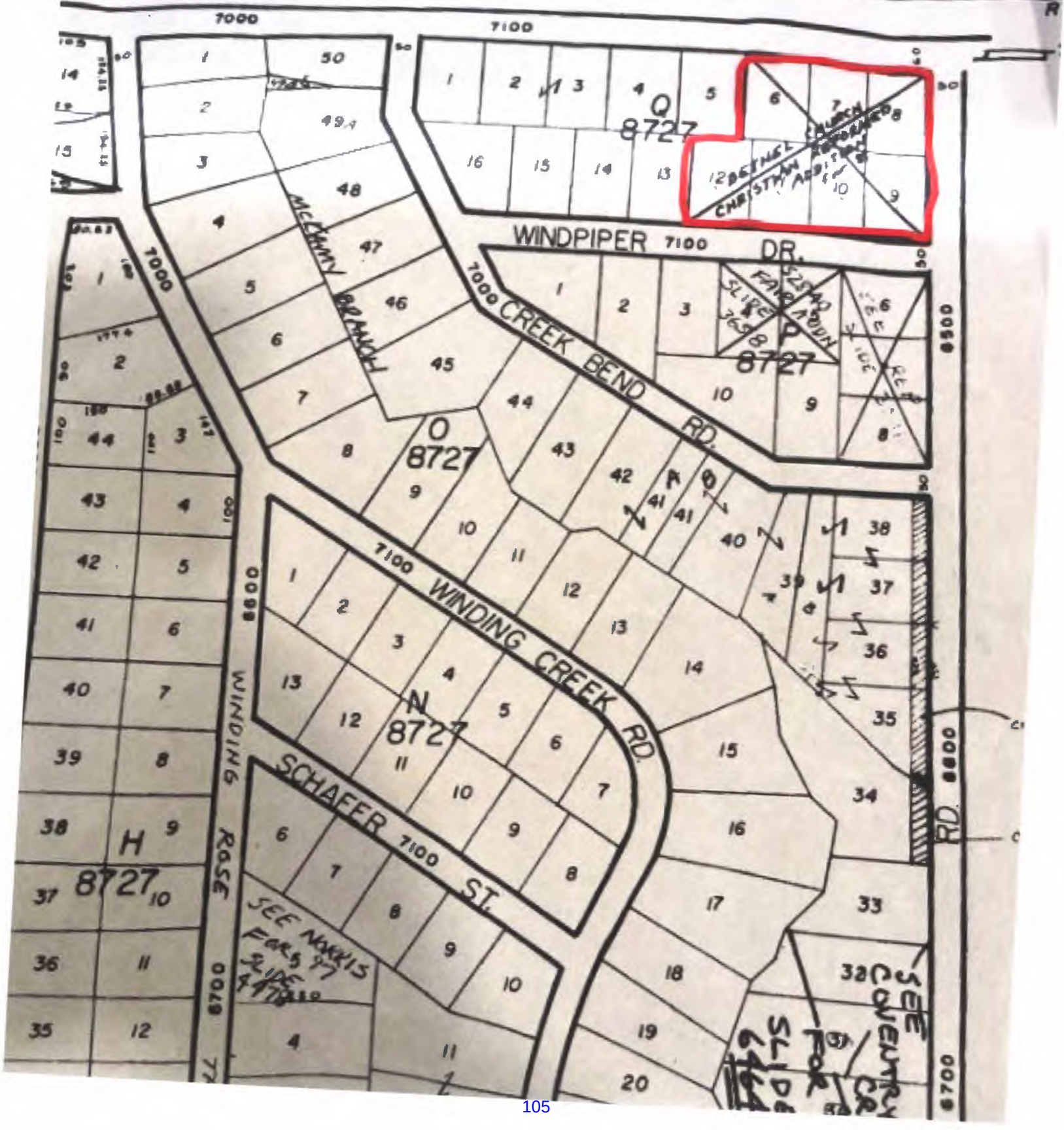
LAT BOOKS

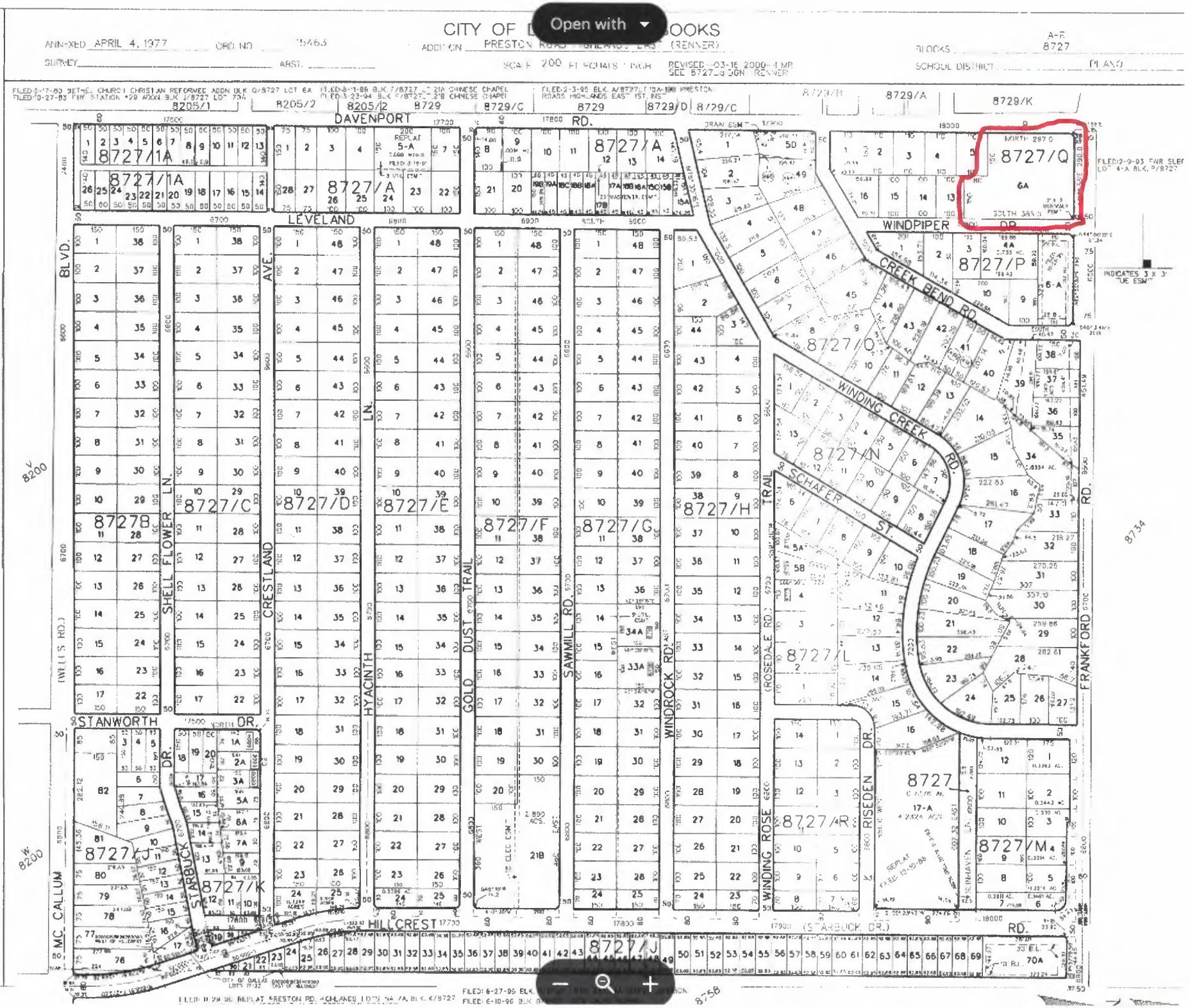
REV (RENNER)

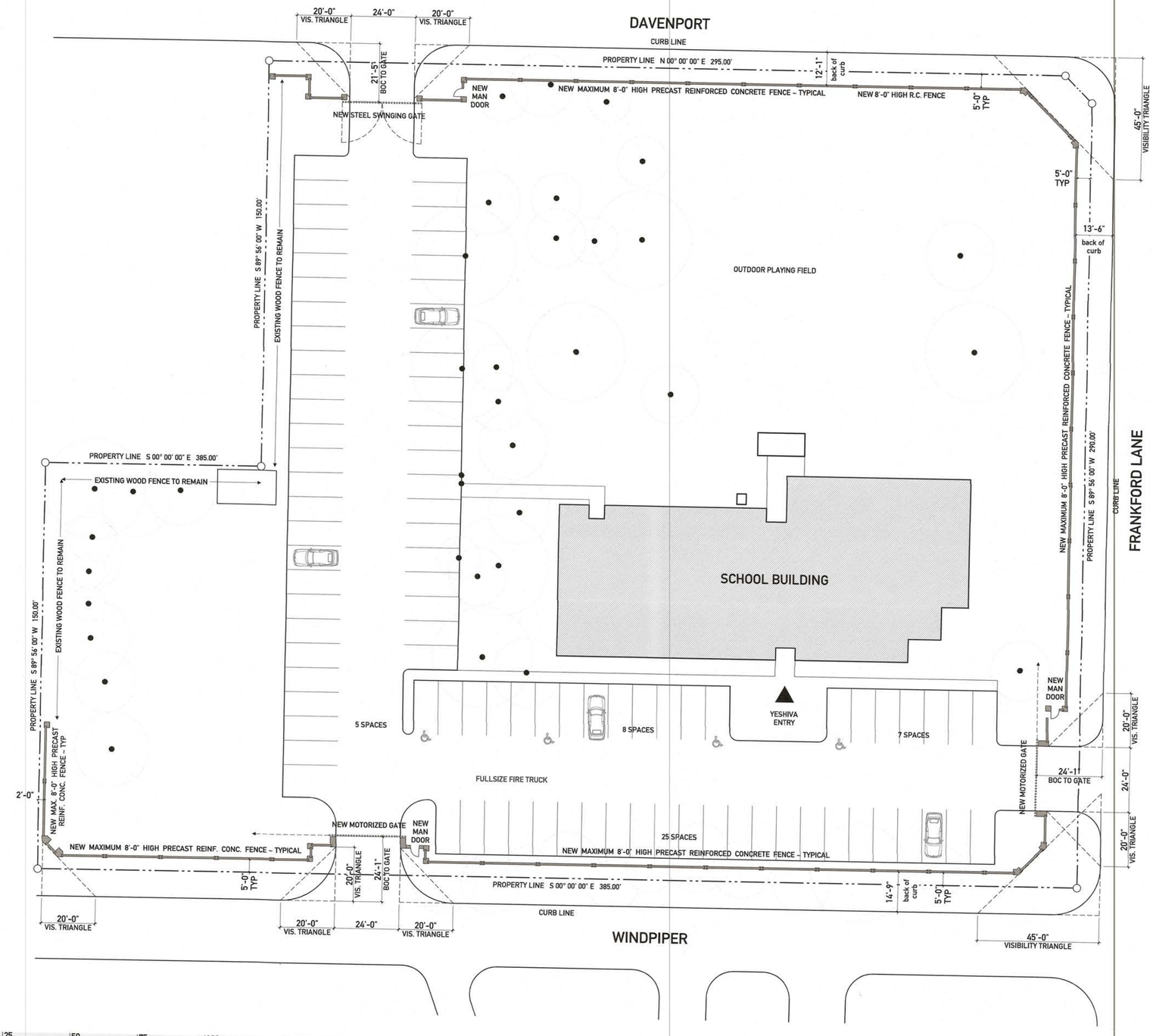
1 INCH

BLOCKS A, 8727

SCHOOL DISTRICT




Open with
CITY OF D OOKS
ANNEXED APRIL 4, 1977
ORD NO 15463
ADDITION PRESTON ROAD HIGHLANDS EAST (RENNER)
SURVEY
ABST
SCALE 200 FT EQUALS 1 INCH
REVISED 03-16-2000 KMP
SEE B727 LOGN RENNER
BLOCKS A-F 8727
SCHOOL DISTRICT PLANO
8205/1
8205/2
8205/2
8729
8729/G
8729
8729/D
8729/C
8729/B
8729/A
8729/K
DAVENPORT RD.
LEVELAND
8727/1A
8727/A
8727/Q
WINDPIPER DR.
8727/P
CREEK BEND RD.
8727/O
WINDING CREEK RD.
8727/N
SCHAFER ST.
8727/H
8727/C
8727/D
8727/E
8727/F
8727/G
8727/L
8727/R
8727
8727/M
8727/J
8727/K
BLVD.
AVE.
LN.
TRAIL
RD.
STANWORTH DR.
HILL CREST RD.
(STARBUCK DR.)
SHELL FLOWER LN.
CRESTLAND
HYACINTH
GOLD DUST TRAIL
SAWMILL RD.
WINDROCK RD.
(ROSEDALE RD.)
WINDING ROSE
RISEDEN DR.
FRANKFORD
MC CALLUM
STARBUCK
(WELLS RD.)
8200
8734
8758
106
SITE PLAT MAP - CITY OF DALLAS SURVEY DEPT



SCALE 1"= 20' (1: 240) in fullsize (22" x 34") sheet format
SCALE 1"= 40' (1: 480) in halfsize (11" x 17") sheet format

CUTSIZE FOR FULLSCALE SHEET – 34" WIDE X 22" HIGH – NOTE: 50% IMAGE REDUCTION WILL FIT ON 17" WIDE X 11" HIGH PAPER STOCK FOR EASY FOLDING AND FILING

BUILDING, ZONING, AND ACCESSIBILITY CODES

Dallas Development Code, Ord. 10962, v.III: Ch. 51A
2015 Int'l Fire Code & Appendix J, w/ Dallas Ch. 16
2015 Int'l Plumbing Code, w/ Dallas Ch. 54
2015 Int'l Mechanical Code, w/ Dallas Ch. 55
2017 Int'l Energy Conservation Code, w/ Dallas Ch. 56
2017 Nat'l Electrical Code, with Dallas amendments
2015 Int'l Residential Code, w/ Dallas Ch. 57
2003 Int'l Existing Bldg Code, w/ Dallas amendments
2015 Int'l Energy Conservation Code, w/ Dallas amend
2015 Int'l Fuel & Gas Code, with Dallas amendments
2015 Int'l Green Constr Code, w/ Dallas amendments
Dallas Zoning Code, Chapter 51A-4.209
Texas Accessibility Standards

PLANNED DEVELOPMENT DISTRICT NR. 106

Established by Ordinance Nr. 22790, dated 07 June 1996 c.e. and passed on 26 June 1996 c.e.; to be used under Specific Use Permit Nr. 1288 as a private school, no expiration date

DALLAS OFF-STREET REGULATIONS

Section 51A-4.602 (d) ~ Fence, Screening, and Visual Obstruction (Zoning) Regulations:

(A) in all zoning districts ..., the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines ***45 feet*** from the intersection

(C) in all zoning districts, the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley edge and the street cuyrb line ***20 feet*** from the intersection.

CONTACTS WITHIN CITY OF DALLAS

Building Inspection Offices
Oak Cliff MUnicipal Center
320 East Jefferson Boulevard
Dallas, Texas 75203 General Phone: 214.948.4511

DRAWING SHEET FILENAME FOR THE ELECTRONIC PLAN REVIEW SYSTEM (EPRS) CITY OF DALLAS PROJECT NR.
220 415 1123

BS"D

NORMAN ARCHITECTS

REVISIONS

1	2024ce.09.19	~ fence layout (version 1)
2	2024ce.09.25	~ added elevation sheet
3	2024ce.09.30	~ added dimensions, notes
4	2024ce.10.27	~ remove dumpster alcove
5	2024ce.10.31	~ added notes & dim's
6	2024ce.10.31+	~ added panel height
7		
8		
9		
10		

AREA MAP

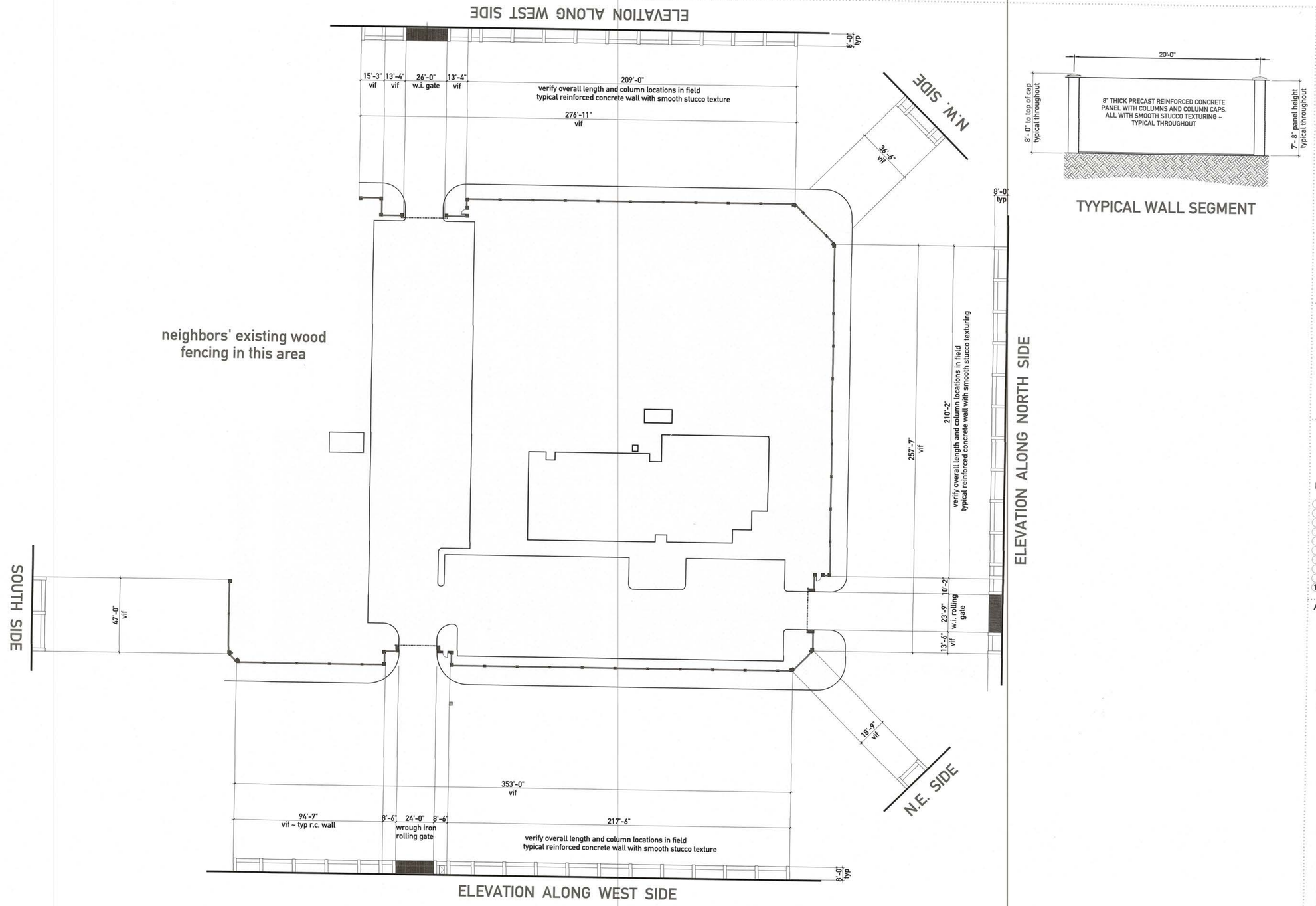
TEXAS TORAH INSTITUTE
6506 FRANKFORD ROAD
DALLAS TEXAS 75230

REGISTERED ARCHITECT STATE OF TEXAS

© norman architects, l.c. 2024ce

Fence Plan C 01

SHEET 1 / 2 A1



TYYPICAL WALL SEGMENT

DRAWING SHEET FILENAME FOR THE ELECTRONIC PLAN REVIEW SYSTEM (EPRS)
CITY OF DALLAS PROJECT NR.
220 415 1123

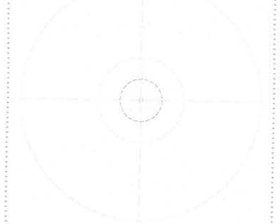
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7		
8		
9		
10		

AREA MAP



REGISTERED ARCHITECT STATE OF TEXAS

© norman architects, l.c. 2024ce

SHEET 2 / 2 A2

10 | 25 | 50 | 75 | 100 | 150 | 200 | 250 | 300 | 350 | 400 | 450 | 500 | 550 | 600 feet

SCALE 1"= 30' (1: 360) in fullsize (22" x 34") sheet format
SCALE 1"= 60' (1: 720) in halfsize (11" x 17") sheet format

Fence Elevations 01

CUTSHEET FOR FULLSCALE SHEET - 34" WIDE X 22" HIGH - NOTE 50% IMAGE REDUCTION WILL FIT ON 17" WIDE X 11" HIGH PAPER STOCK FOR EASY FOLDING AND FILING