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DALLAS, TEXAS



City of Dallas
REVISED AGENDA

Public Notice

250591

POSTED CITY SECRETARY
DALLAS, TX

BOARD OF ADJUSTMENT (PANEL C)

**JUNE 16, 2025, BRIEFING AT 10:00 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/boa0616>

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 5 p.m. on Sunday, June 15, 2025. In person speakers can register at the hearing.

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

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en <https://bit.ly/BDA-C-Register> o llamando al (214) 670-4127, antes de las 5 p.m. Domingo, 15 de Junio, 2025. 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/Closed Session | |
| III. | Public Hearing | Board of Adjustment |
| IV. | Public Testimony | |
| V. | Miscellaneous Items | |
| VI. | Case Docket | Board of Adjustment |
| | - Uncontested Items | |
| | - Holdover Items | |
| | - Individual Items | |
| VII. | Adjournment | |

HANDGUN PROHIBITION NOTICE FOR MEETINGS OF GOVERNMENTAL ENTITIES

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

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

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

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

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

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

EXECUTIVE SESSION NOTICE

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

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

CLOSED SESSION

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

MISCELLANEOUS ITEM(S)

- Approval of Panel C Minutes – May 19, 2025

BOA-25-000006_FR1 4803 VICTOR STREET 1
REQUEST: Application of Felicia Edoghotu for a fee reimbursement for fees paid for **(1)** a special exception to the fence height regulations along Prairie Avenue, **(2)** a special exception to the fence opacity regulations along Prairie Avenue, and for **(3)** a special exception to the 45-foot visibility obstruction regulations at the corner of Victor Street and Prairie Avenue.

UNCONTESTED CASE(S)

BDA245-059(CJ) 139 TURTLE CREEK BOULEVARD 2
REQUEST: Application of John Lewis Mckeel for a **(1)** special exception to the off-street parking regulations.

BOA-25-000006(BT) 4803 VICTOR STREET 3
REQUEST: Application of Felicia Edoghotu for **(1)** a special exception to the fence height regulations along Prairie Avenue, for **(2)** a special exception to the fence opacity regulations along Prairie Avenue, and for **(3)** a special exception to the 45-foot visibility obstruction regulations at the corner of Victor Street and Prairie Avenue.

BOA-25-000007(CJ) 2726 GRAFTON AVENUE 4
REQUEST: Application of Juan Pineda for **(1)** a variance to the front-yard setback regulations.

HOLDOVER

NONE

INDIVIDUAL CASES

BDA245-070(BT) 5115 VANDERBILT AVENUE 5
REQUEST: Application of Robert Baldwin to appeal the decision of an administrative official in the denial of CD24071603 work certificate.



BOARD OF ADJUSTMENT

Panel C Minutes

May 19, 2025

DRAFT

6ES Council Briefing

24957316190@dallascityhall.webex.com

Robert Agnich, Vice-Chair

PRESENT: [5]

Robert Agnich, VC	
Jared Slade	
Roger Sashington	
Rodney Milliken	
Michael Dorn	

ABSENT: [1]

Judy Pollock	

Vice-Chair Agnich called the briefing to order at **10:33 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Agnich called the hearing to order at **1:04 P.M.** with a quorum of the Board of Adjustment present.

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

PUBLIC SPEAKERS

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

- No Public Speakers registered.

MISCELLANEOUS ITEMS

- Approval of the Board of Adjustment Panel C, March 17, 2025, Minutes as presented during the briefing.

A motion was made to approve Panel C, March 17, 2025, Public Hearing minutes.

Maker:	Roger Sashington				
Second:	Robert Agnich				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Robert Agnich, Rodney Milliken, Roger Sashington, Jared Slade & Michael Dorn
		Against:	-	0	

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

Maker:	Roger Sashington				
Second:	Rodney Milliken				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	Robert Agnich, Rodney Milliken, Roger Sashington, Jared Slade & Michael Dorn
		Against:	-	0	

UNCONTESTED ITEMS

1. 3516 BOOKER STREET

BDA245-057(BT)

BUILDING OFFICIAL'S REPORT: Application of Sewdat Persaud for **(1)** a variance to the off-street parking regulations, and for **(2)** a variance to the front-yard setback regulations along Atlanta Street at **3516 BOOKER STREET**. This property is more fully described as Block G/1698, Lot 22, and is zoned PD-595 (R-5(A)), which requires 1 off-street parking space to be provided, and located behind the front-yard setback, and a main structure on an interior lot must have a front-yard setback that is within ten feet of the average front yard setback of other structures in the blockface. The applicant proposes to construct and/or maintain a single-family residential structure and provide zero-required parking spaces, which will require **(1)** a 1-space variance to the off-street parking regulations, and to construct and/or maintain a single-family residential structure and provide a 11-foot 8-inch front-yard setback along Atlanta Street, which will require **(2)** a 8-foot 4-inch variance to the front-yard setback regulations.

LOCATION: 3516 Booker Street

APPLICANT: Sewdat Persaud

REQUEST:

1. A request for a variance to the off-street parking regulations.
2. A request for a variance to the front-yard setback regulations.

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

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

STAFF RECOMMENDATION:

Variance to the off-street parking regulations:

Approval

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

- A. Contrary to the public interest, staff received letters of opposition.
- B. Lot is restrictive in **buildable area**, slope and shape, it is a lot with double frontage facing both Booker Street and Atlanta Street; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.

C. Not self-created nor is it a personal hardship.

Variance to the front-yard setback regulations:

Approval

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

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

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Lot Square Footage:

The subject lot size is 4,400 square feet. (0.1010 of an acre). R-5(A) zoning minimum lot size 5,000 square feet (0.1147 of an acre).

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Sewdat Persaud for the property located at 3516 Booker Street focuses on two requests relating to a variance to the off-street parking regulations and a variance to the front yard setback regulations.
- The first request is for a variance to the off-street parking regulations. The applicant is proposing to provide zero-parking spaces, which will require a 1-parking space variance.
- The second request is for a variance to the front-yard setback regulations. The applicant is proposing to construct a single-family residential structure and provide an 11-foot 8-inch front yard setback along Atlanta St., which will require an 8-foot 4- inch variance to front yard setback regulations.
- It is imperative to note that the subject site is subject to the Predesignation Moratorium procedure in Section 51A-4.501(c)(4), initiated on June 3, 2024.

- Proposed restrictions include
 - circular driveways and parking areas are not permitted in a front yard.
 - carports or garages are permitted in the side and rear yards if they are historic in appearance.
 - main structure on an interior lot must have a front-yard setback that is within ten feet of the average front yard setback of other structures in the blockface.
- It is imperative to note the applicant has received a certificate of appropriateness from Historic Preservation.
- Per staff's review of the subject site, it has been confirmed that the single-family structure is proposed on a vacant lot.
- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the off-street parking regulations and front-yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
 - 3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.
- ELEMENT II SUBSTITUTE:

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

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

- Granting the variance to the front-yard setback regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-057 at 3516 Booker St](#)

Timeline:

- March 25, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **C**.
- April 18, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the **April 23, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **May 9, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **May** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Sewdat Persaud, 3516 Booker St., Dallas TX 75215

Against: No Speakers

Motion

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

BDA 245-057 – Application by Sewdat Persaud for a variance to the parking regulations and variance to the front-yard setback regulations 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:	Jared Slade				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	Robert Agnich, Rodney Milliken, Roger Sashington , Jared Slade & Michael Dorn
		Against:	-	0	

2. 5465 E. MOCKINGBIRD LANE

BDA245-069(BT)

This case was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Kevin Hickman represented by Skye Thibodeaux for (1) a special exception to the parking regulations at **5465 E. MOCKINGBIRD LANE**. This property is more fully described as Block A/2940, Lot 2, and is zoned MU-3, which requires parking spaces to be provided. The applicant proposes to construct and/or maintain a residential multifamily structure and provide 453 parking spaces of the required 471 parking space, which will require (1) an 18-space special exception (3.82 percent reduction) to the parking regulations.

LOCATION: 5465 E. Mockingbird Lane

APPLICANT: Kevin Hickman

REPRESENTED BY: Skye Thibodeaux

REQUEST:

3. A request for a special exception to the parking regulations.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

Section 51A-3.111(a)(10) 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**. Except as otherwise provided in this paragraph, the maximum reduction authorized by this section is 25% or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in **SEC 51A-4.704(b)(4)(A)**.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: MU-3

North: MU-3, PD-834, PD-296, SUP 1140 and PD-786
East: MU-3
South: MU-3, PD-28, PD-445 and CR
West: MU-3, SUP 1180, PD-834 and PD-296

Land Use:

The subject site is currently single level parking, surrounding properties are DART rail system, developed primarily with various commercial and multifamily uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Kevin Hickman represented by Skye Thibodeaux for the property located at 5465 E. Mockingbird Lane focuses on one request relating to a special exception to the parking regulations.
- The applicant is proposing to provide 453 parking spaces of the required 471 parking space, which will require an 18-space special exception (3.82 percent reduction).
- It is imperative to note that the subject site is a single level parking surface and site visits were conducted around 10:00 am.
- Proposed multi-level parking garage part of new multifamily development.
- Granting the proposed 18-space special exception (3.82 percent reduction) to the parking regulations with a condition that the applicant complies with the most recently submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-069 at 5465 E Mockingbird Ln](#)

Timeline:

April 3, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **C**.

April 18, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **April 23, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **May 9, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and

- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **May** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Skye Thibodeaux, PO Box 260203, Plano, TX 75026

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-069, on application of Kevin Hickman represented by Skye Thibodeaux, **DENY** the special exception to the parking regulations requested by this applicant **without prejudice** as requested by the applicant.

Maker:	Jared Slade				
Second:	Roger Sashington				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	Robert Agnich, Rodney Milliken, Roger Sashington. Jared Slade & Michael Dorn
		Against:	-	0	

INDIVIDUAL CASES

3. 1255 ANNEX AVENUE

BDA234-119(CJ)

BUILDING OFFICIAL'S REPORT: Application of Dani Golan for **(1)** a variance to the front-yard setback regulations at 1255 Annex Avenue. This property is more fully described as Block 2/0735, Lot 10, and is zoned MF-2(A), which requires a front-yard setback of 25-feet due to block face continuity with the adjacent zoning district. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 20-foot 1-inch front-yard setback, which will require **(1)** a 4-foot 11-inch variance to the front-yard setback regulations.

LOCATION: 1255 Annex Avenue

APPLICANT: Dani Golan

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

- (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 (1) to the **Front-Yard Setback** regulations

Approval

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

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

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 1255 Annex Avenue in the last 5 years.

Square Footage:

- This lot is zoned MF-2(A), the minimum lot area per dwelling unit is as follows:
 - No separate bedroom - 800 square feet.
 - One bedroom - 1,000 square feet
 - Two bedrooms - 1,200 square feet
 - More than two bedrooms - add 150 square feet for each additional room

Zoning:

Site: MF-2(A) Zoning District
North: Planned Development #640
East: R-7.5(A) Zoning District
South: R-7.5(A) Zoning District
West: MF-2(A) Zoning District

Land Use:

The subject site and surrounding properties to the west zoned MF-2(A), areas to the east and south are zoned R-7.5(A) and areas to the south are zoned as Planned Development #640.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Dani Golan for the property located at 1255 Annex Avenue focuses on one request relating to the front yard setback regulations.
- The applicant proposes to construct and/or maintain a single-family residential structure and provide a 20-foot 1-inch front-yard setback, which will require a 4-foot 11- inch variance to the front-yard setback regulations; MF-2(A) zoning district requires a 15-foot front yard setback for all building sites, however because of block face continuity, a 25-feet front-yard setback is imposed on this property.
- Per the applicant, the reason behind the request stems from the alleged restrictive nature of the lot, having two front yards with 25-foot setback requirements.
- The subject site is undeveloped and bordered by a construction fence.
- The subject site is a corner lot and has double street frontage along Annex Avenue and Live Oak Street; the request for the variance is for the front yard along Annex Avenue.
- Per the site plan, the applicant is proposing to construct and maintain a multifamily residential structure that houses four, 3-story units; each unit is proposed to be over the 1200 sq ft minimum set for 2-bedroom multi-family developments.

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

- That granting the variance will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed variance below, with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - 4- foot 11- inch variance to the front yard setback regulations.
 - 200' Radius Video: [BDA234-119 at 1255 Annex Avenue](#)

Timeline:

- March 25, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- April 18, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the April 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and May 9, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the May public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: Dennis Harrison, 1207 Annex Ave, Dallas TX 75204
Susan Harrison, 1207 Annex Ave, Dallas TX 75204
Jim Anderson, 4706 Swiss Ave., Dallas TX 75204

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-119, on application of Dani Golan, **DENY** the variance to the front-yard setback regulations requested by this applicant **with prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Jared Slade				
Second:	Robert Agnich				

Motion withdrawn to amend:

I move that the Board of Adjustment, in Appeal No. BDA 234-119, on application of Dani Golan, **DENY** the variance to the front-yard setback regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Jared Slade				
Second:	Robert Sashington				
Results:	3-2				Motion to denied with prejudice
		Ayes:	-	3	Jared Slade, Roger Sashington, Michael Dorn
		Against:	-	2	Rodney Milliken, Robert Agnich

4. 5930 RICHMOND AVENUE

BDA245-064(CJ)

BUILDING OFFICIAL'S REPORT: Application of Amy Hall for a **(1)** variance to the floor area ratio regulations at 5930 Richmond Avenue. This property is more fully described as Block 22/1913, Lot 8, and is zoned R-7.5(A), which prohibits an accessory structure from exceeding 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain a single family residential accessory structure with 640 square feet of floor area (32% of the 2,020 square foot floor area of the main structure), which will require a **(1)** 135 square foot variance to the floor area ratio regulations.

LOCATION: 5930 Richmond Avenue

APPLICANT: Amy Hall

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

STAFF RECOMMENDATION:

2. **Variance (1)** to the **floor area for structures accessory to single-family use** regulations

Denial

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

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

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 5930 Richmond Avenue within the last 5 years.

Square Footage:

This lot contains 9,147.6 of square feet or .21 acres.

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

Site: R-7.5(A) Zoning District

North: R-7.5(A) Zoning District

East: R-7.5(A) Zoning District

South: R-7.5(A) Zoning District

West: R-7.5(A) Zoning District

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Amy Hall for the property located at 5930 Richmond Avenue focuses on one request relating to the floor area ratio regulations.
- The applicant is proposing to construct and/or maintain a single family residential accessory structure with 640 square feet of floor area (32% of the 2,020 square foot floor area of the main structure), which will require a 135 square foot variance to the floor area ratio regulations.
- Per the applicant, they are hoping to construct and maintain a single family residential accessory structure to accommodate their growing family and in-laws from overseas when they visit.
- The subject site is a mid-block lot and has single street frontage on Richmond Avenue.
- The subject site along with surrounding properties to the north, south, east and west are zoned with uses permissible in the R-7.5(A) zoning district.
- The subject site is currently developed with a residential structure and is located within an established neighborhood.

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

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

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

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

- (g) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (h) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (i) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (j) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed variance 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.
 - 135 square foot variance to the floor area regulations.
 - 200' Radius Video: [BDA245-064 at 5930 Richmond Avenue](#)

Timeline:

- March 28, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- April 18, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the April 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and May 9, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the May public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Amy Hall, 5930 Richmond Ave., Dallas TX 75206
Punit Modi, 5930 Richmond Ave., Dallas TX 75206
Jeff Karr, 6729 Sandra, Dallas TX 75214
Kay Kiermaier, 5931 Richmond Ave., Dallas, TX 75206

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-064, on application of Amy Hall, **GRANT** 135-square-foot variance to the floor area ratio regulations requested by this applicant because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant.

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

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

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

5. 3516 ROSS AVENUE

BDA245-066(CJ)

BUILDING OFFICIAL'S REPORT: Application of Oliver Steinberg, represented by Skye Thibodeaux, for (1) a special exception to the parking regulations at 3516 Ross Avenue. This property is more fully described as Block 513, Tract A, and is zoned as Subarea 1B within PD-298, which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant use and provide 27 of the required 35 parking spaces, which will require (1) an 8-space special exception to the parking regulation.

LOCATION: 3516 Ross Avenue

APPLICANT: Oliver Steinberg

REPRESENTATIVE: Skye Thibodeaux

REQUEST:

5. A request for a special exception to the off-street parking regulations.

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

Section 51A-3.111(a)(10) of the Dallas Development Code specifies that the board may grant a special exception to authorize a reduction in the number of off-street 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 request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 3516 Ross Avenue in the last 5 years.

Square Footage:

- This lot contains 17,424 of square feet or 0.4 acres.

Zoning:

Site: Planned Development #298 Sub Area 1B
North: MF-2(A) (Multi-Family District)
East: Planned Development #298 Sub Area 1C
South: Planned Development #298 Sub Area 1
West: Planned Development #298 Sub Area 1A

Land Use:

The subject site is developed with a non-residential structure ; surrounding properties to the south, east, and west are developed with uses permissible in Planned Development 298. Areas to the north are zoned MF-2(A).

GENERAL FACTS/STAFF ANALYSIS:

- The application of Oliver Steinberg for the property located at 3516 Ross Avenue focuses on one request relating to the off-street parking regulations.
- The applicant proposes to construct a non-residential structure for a restaurant use and provide 27 of the required 35 parking spaces.
- The subject site is developed; properties to the north, south, east, and west are all developed with multi-family residential structures.
- The subject site is a corner lot and has double street frontage along Villars Street and Ross Avenue.
- Granting the special exception to the off-street parking regulations with a condition that the applicant complies with the submitted site plan would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-066 at 3516 Ross Avenue](#)

Timeline:

April 1, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

April 3, 2025: The Board of Adjustment Secretary assigned this case to Board of

Adjustment Panel C.

April 18, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the April 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and May 9, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 24, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the May public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Skye Thibodeaux, PO Box 260203, Plano, TX 75026

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 245-066, on application of Oliver Steinberg represented by Skye Thibodeaux, **DENY** the special exception to the parking regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows this special exception will increase traffic hazards or increase traffic congestion on adjacent or nearby streets, and the parking demand generated by the use warrants the number of required parking spaces.

Maker:	Jared Slade				
Second:	Roger Sashington				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	Robert Agnich, Jared Slade, Rodney Milliken, Roger Sashington & Michael Dorn
		Against:	-	0	

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Vice-Chair Agnich moved to adjourn the meeting at **2:44 P.M.**

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

Date

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

Date

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

Date

FILE NUMBER: BOA-25-000006_FR1(BT)

BUILDING OFFICIAL'S REPORT: Application of Felicia Edoghotu for a fee reimbursement for (1) a special exception to the fence height regulations, (2) a special exception to the fence standard regulations, and for (3) a special exception to the 45-foot visibility obstruction regulations at **4803 VISTOR STREET**. This property is more fully described as Block A/795, 1/2 Part Lot 7, and is zoned PD-98.

LOCATION: 4803 Victor Street

APPLICANT: Felicia Edoghotu

REQUEST:

- (1) The applicant is requesting a fee reimbursement for fees paid for the application submittal for 4803 Victor Street which will appear before Panel C on June 16, 2025.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 303.12.1.6 in Chapter 52 of the Dallas City Code specifies the board of adjustment may waive the filing fee if the board finds **that payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

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

FILE NUMBER: BDA245-059 (CJ)

BUILDING OFFICIAL'S REPORT: Application of John Lewis Mckeel for **(1)** a special exception to the parking regulations at 139 Turtle Creek Boulevard. This property is more fully described as Block 23/7890, Lots 12, 13, 14, and 15, and is zoned PD-621(Subdistrict 1A), 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, an art gallery, and a single-family residential structure (live unit), and commercial amusement (inside) use, and provide 71 of the required 107 parking spaces, which will require **(1)** a 36-space special exception (34 percent reduction) to the parking regulation.

LOCATION: 139 Turtle Creek Boulevard

APPLICANT: John Lewis Mckeel

REQUEST:

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

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

Section 51P-621.110(b)(2) 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 Section 51A-4.311 minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). The board of adjustment may impose conditions on the special exception. Section 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.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 139 Turtle Creek Boulevard 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: PD-621(Subdistrict 1A)
North: PD-621(Subdistrict 1A)
South: PD-621(Subdistrict 1A)
East: PD-621(Subdistrict 1A)
West: PD-621(Subdistrict 1A)

Land Use:

The subject site is developed with a nonresidential structure. The areas to the north, south, east, and west are developed or are being developed with uses permissible in Planned Development 621.

GENERAL FACTS/STAFF ANALYSIS:

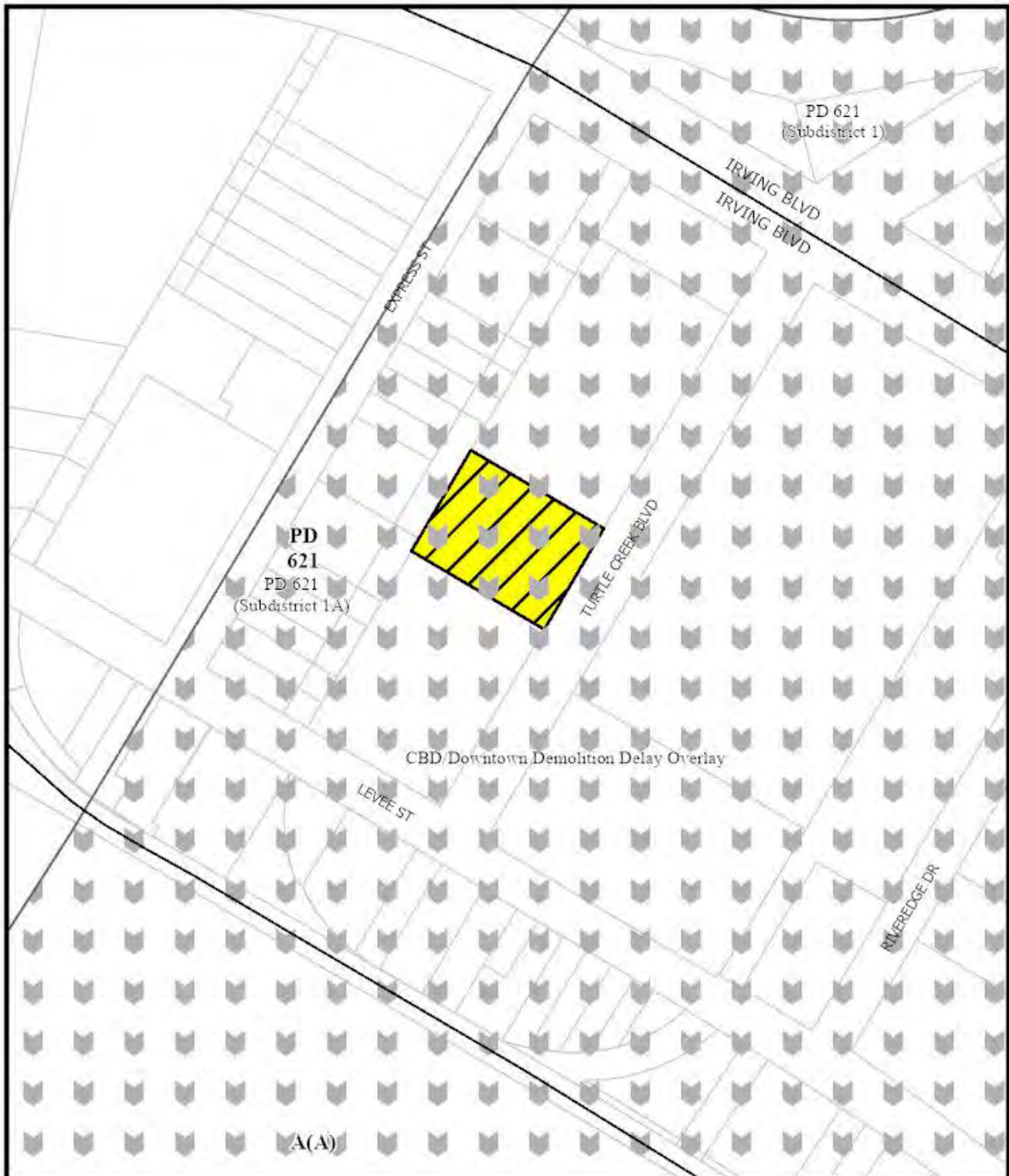
- The application of John Lewis McKeel for the property located at 139 Turtle Creek Boulevard focuses on one request relating to the parking regulations for a nonresidential structure to be used for a restaurant without drive-in or drive-through service use, an art gallery, and a single-family residential structure (live unit), commercial amusement (inside).
- A request for a special exception to the off-street parking regulations of 36 spaces (34 percent) is made to construct and/or maintain a nonresidential structure at 139 Turtle Creek Boulevard.
- The subject site is zoned Planned Development 621, Subdistrict 1A which requires parking to be provided.
- It is imperative to note that the subject site has single street frontage on Turtle Creek Boulevard.
- The submitted site plan shows the applicant plans to provide 71 (66 percent) of the required 107 parking spaces at 139 Turtle Creek Boulevard.
- The subject site is currently developed with a nonresidential structure.
- 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 36 space (34 percent) special exception to the parking regulations with a condition that the applicant complies with the most recently 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 restaurant without drive-in or drive-through service, art gallery, single-family residential structure (live unit), and commercial amusement (inside) uses are changed or discontinued.
- 200' Radius Video: [BDA245-059 at 139 Turtle Creek Boulevard](#)

Timeline:

- March 21, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- May 5, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- May 16, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the May 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and June 6, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- May 29, 2025: 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.



BDA245-059 at 139 Turtle Creek Boulevard





1:2,400

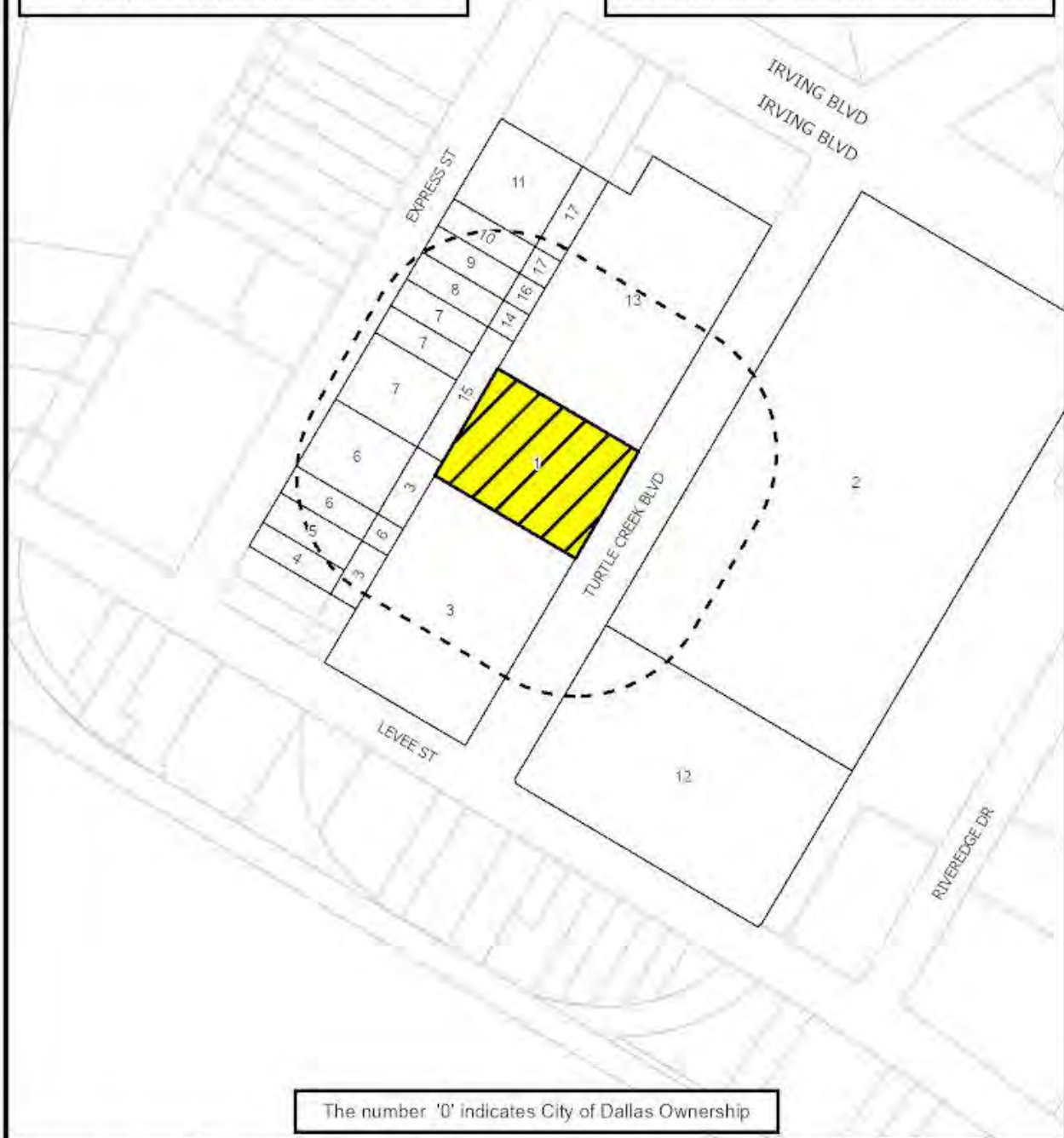
ZONING MAP

Case no: **BDA245-059**

Date: **04/07/2025**

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

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



1:2,400

NOTIFICATION

200'


AREA OF NOTIFICATION


17

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-059**

Date: **4/7/2025**

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

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



The number '0' indicates City of Dallas Ownership



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

17

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-059**

Date: **4/7/2025**

/
04/07/2025

Notification List of Property Owners

BDA245-059

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	139 TURTLE CREEK BLVD	N13 GROUP LLC
2	150 TURTLE CREEK BLVD	150 TURTLE CREEK LP
3	101 TURTLE CREEK BLVD	TRINITY DISTRICT PARTNERS
4	110 EXPRESS ST	BLAKE DOUGLAS WALTER
5	114 EXPRESS ST	HOWARD INDUSTRIAL
6	118 EXPRESS ST	EXPRESS STREET PARTNERS LLC
7	130 EXPRESS ST	ML & NB RAY PARTNERS LTD
8	150 EXPRESS ST	HOWARD INDUSTRIAL PROPERTIES LLC
9	154 EXPRESS ST	ONEFIVEFOUR LLC
10	158 EXPRESS ST	BURRWOOD LLC
11	166 EXPRESS ST	DJMSB PROPERTIES LLC
12	120 TURTLE CREEK BLVD	TURTLE CREEK RES LLC
13	167 TURTLE CREEK BLVD	URBAN PROFESSIONALS GROUP LLC
14	1900 IRVING BLVD	HOWARD INDUSTRIAL PROPERTIES
15	130 EXPRESS ST	RAY MAURY L
16	152 EXPRESS ST	MADDOX WILLIAM PATRICK JR
17	1104 N RIVERFRONT BLVD	IPENEMA INVESTMENTS LTF



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

17

NUMBER OF PROPERTY
OWNERS NOTIFIED

Case no: **BDA245-059**

Date: **4/7/2025**

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:

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

DATE: MONDAY, JUNE 16, 2025

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

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

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

BDA245-059(CJ) Application of John Lewis Mckeel for (1) a special exception to the parking regulations at 139 TURTLE CREEK BOULEVARD. This property is more fully described as Block 23/7890, Lots 12, 13, 14, and 15, and is zoned PD-621(Subdistrict 1A), 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, an art gallery, and a single-family residential structure (live unit), commercial amusement (inside), and provide 71 of the required 107 parking spaces, which will require (1) a 36-space special exception (34 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, June 15, 2025. 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](https://www.youtube.com/CityofDallasCityHall).

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

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner 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.

<https://bit.ly/boa0616>

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>

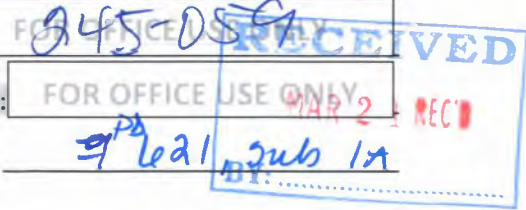


Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA



Data Relative to Subject Property:

Date:

Location address: 139 Turtle creek blvd
~~12-15~~
 Lot No.: ~~12-15~~ Block No.: 23/7810 Acreage: .19

Zoning District: 9th 621 sub 1A

Census Tract: _____

Street Frontage (in Feet): 1) 180' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Faisal Syed - N13 Group LLC

Applicant: John Lewis McKeel

Telephone: (214) 465-6427

Mailing Address: 5224 Parkridge rd.

Zip Code: 75022

E-mail Address: jmckee11963@gmail.com

Represented by: Mark Campos

Telephone: (817) 707-1860

Mailing Address: 3912 Howard st.

Zip Code: 76119

E-mail Address: ibelong@elitedevelopmentgroups.com

Affirm that an appeal has been made for a Variance ☐ or Special Exception ☒ of Exception of up to 50% reduction in parking
Reduction in 8 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:

Not enough parking spaces available

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 _____

John Lewis McKeel

(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

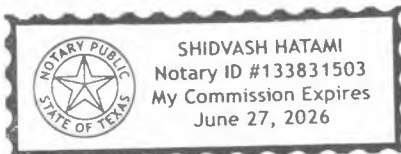
Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 27 day of February, 2025

[Signature]

Notary Public in and for **Dallas County, Texas**
Denton



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

FILE NUMBER: BDA245-059

BUILDING OFFICIAL'S REPORT:

Application of John Lewis McKeel for a special exception to the parking regulations at 139 TURTLE CREEK BOULEVARD. This property is more fully described as Block 23/7890, Lots 12, 13, 14, and 15, and is zoned PD-621 (Subdistrict 1A), 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, an art gallery, and a single-family residential structure (live unit), commercial amusement (inside), and provide 71 of the required 107 parking spaces, which will require (1) a 36-space special exception (34 percent reduction) to the parking regulation.

LOCATION: 139 TURTLE CREEK BLVD

APPLICANT: of JOHN LEWIS McKEEL represented by MARK CAMPOS



March 12, 2025

BUILDING YOUR SUCCESS

PARKING ANALYSIS

Project:

Punk Noir -TEDG Development

In Dallas, Texas

Prepared for:

City of Dallas

On behalf of:

Trinity Elite Development Groups LLC.

Prepared by:

Syed A. Ahmed P.E., PTOE

3912 Howard St.

Fort Worth TX., 76119

(817) 707-1960 <https://www.elitedevelopmentgroups.com/>



PARKING ANALYSIS
Punk Noir -TEDG Development
Dallas, Texas

TABLE OF CONTENTS

INTRODUCTION	1
<i>Purpose</i>	1
<i>Project Description</i>	1
PROPOSED Parking Code ADJUSTMENTS	2
PARKING ANALYSIS	3
<i>Proposed conditions</i>	3
<i>Mixed-Use Chart</i>	4

LIST OF EXHIBITS:

Exhibit Site Location Map

Site page w/ proposed parking changes (count):

Exhibit Proposed Changes to Parking Requirements



INTRODUCTION

The services of **T.E.D.G. LLC.** were retained by **John Mckeel (Punk Noir) Restaurant** to conduct a Parking Analysis for the proposed mixed-use development located at 139 Turtle Creek Blvd. in the design district located in Dallas, Texas. The Project is referred to herein as *Punk Noir - TEDG Development*. A development plan prepared by TEDG and a site location map (**Exhibit 1**) are provided at the end of this report.

John Mckeel and Punk Noir Restaurant is seeking to create a new multi-use art - gallery/ restaurant/ apartment to facilitate development of the Project. This study focuses on the proposed zoning conditions related to parking requirements. Submittal of a Parking Analysis, prepared by a skilled professional with expertise on parking demand, was requested by the City staff to provide a technical evaluation of the request(s).

This study was prepared in accordance with industry and local standards by registered professional engineers employed by Trinity Elite Development Groups LLC.; a licensed design firm based in Fort Worth, Texas, that provides development services in design engineering, transportation planning, parking analysis, and related fields.

Purpose

This Parking Analysis is an evaluation of proposed parking conditions for a specific site with specific land use(s). The analysis is designed to take into consideration site-specific factors and industry research that pertain to the calculated parking requirement for the site. The bases of the results presented in this analysis may not apply to other properties.

Parking demand is theoretically represented by local zoning ordinances. However, in many cases, these ordinances are overly-simplified and/or over-generalized and do not sufficiently reflect actual parking needs. The purpose of this Parking Analysis is to validate the requested adjustments to parking requirements incorporated in the proposed zoning ordinance for the property. Approval of any reduction is a subject to the approval process of the City of Dallas.

Project Description

Located in the design district in Dallas Texas; this .98 Acre property provides ample parking, space and location amenities. As such,



BUILDING YOUR SUCCESS

PROPOSED PARKING CODE ADJUSTMENTS

Under current zoning, the parking requirement for the property is based upon direct application of the rates and criteria provided in the Dallas Development Code §51A. **Table 1** provides a summary of the proposed changes to the parking requirements to be incorporated in the proposed zoning conditions of the new PD Subdistrict.

Table 1. Proposed Changes to Parking Requirements

USE	CURRENT REQUIREMENT	PROPOSED REQUIREMENT
Single Family (1 bed apartment)	51A-4.209: 1 space (R-7.5A; R5A & TH)	51A-4.209: 1 space (R-7.5A;
Punk Noir Restaurant	51A-4.209(b)(5.2)(C): 1/100sf (main use)	47 spaces *56 required
Art Gallery	Library 1/500sf; Art gallery or museum 1/600 sf	3 spaces

March 12, 2025



Other proposed conditions:

- Restaurant uses with very little parking needed.
 - V.I.P. Rideshare program for 20% or more Restaurant clientele
 - Onsite Vallet
 - Possible access to railhead

- No Drive-in traffic:
 - Restaurant is ticket in advance access (Progressive walk-thru dinning experience)
*no more than 26 clients at a time

City of Dallas Mixed Use Development Parking Chart

for properties regulated by Dallas Development Code, Chapter 51A

(for calculating adjusted standard parking requirement)

Address:

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment By Time of Day (Weekday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # units or bedrooms (whichever is greater)		1	0.00	80%	-	60%	-	60%	-	70%	-	100%	-
	Office Uses*		333	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Retail Uses*		200	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 10,000+ SF		220	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 40,000+ SF		250	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Retail 100,000+ SF		300	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Bar, restaurant, & commercial amusement (inside)		100	0.00	20%	-	100%	-	30%	-	30%	-	100%	-
	Health Studio		200	0.00	45%	-	70%	-	55%	-	80%	-	100%	-
	Game court center		n/a		45%	-	70%	-	55%	-	80%	-	100%	-
	Theater (1/28 seating)		28	0.00	0%	-	40%	-	60%	-	80%	-	100%	-
	Any other use		1,000	0	100%	-	100%	-	100%	-	100%	-	100%	-
Total SF (- residential & theater)		0		0		0		0		0		0		0

* See Chapter 51A Definitions

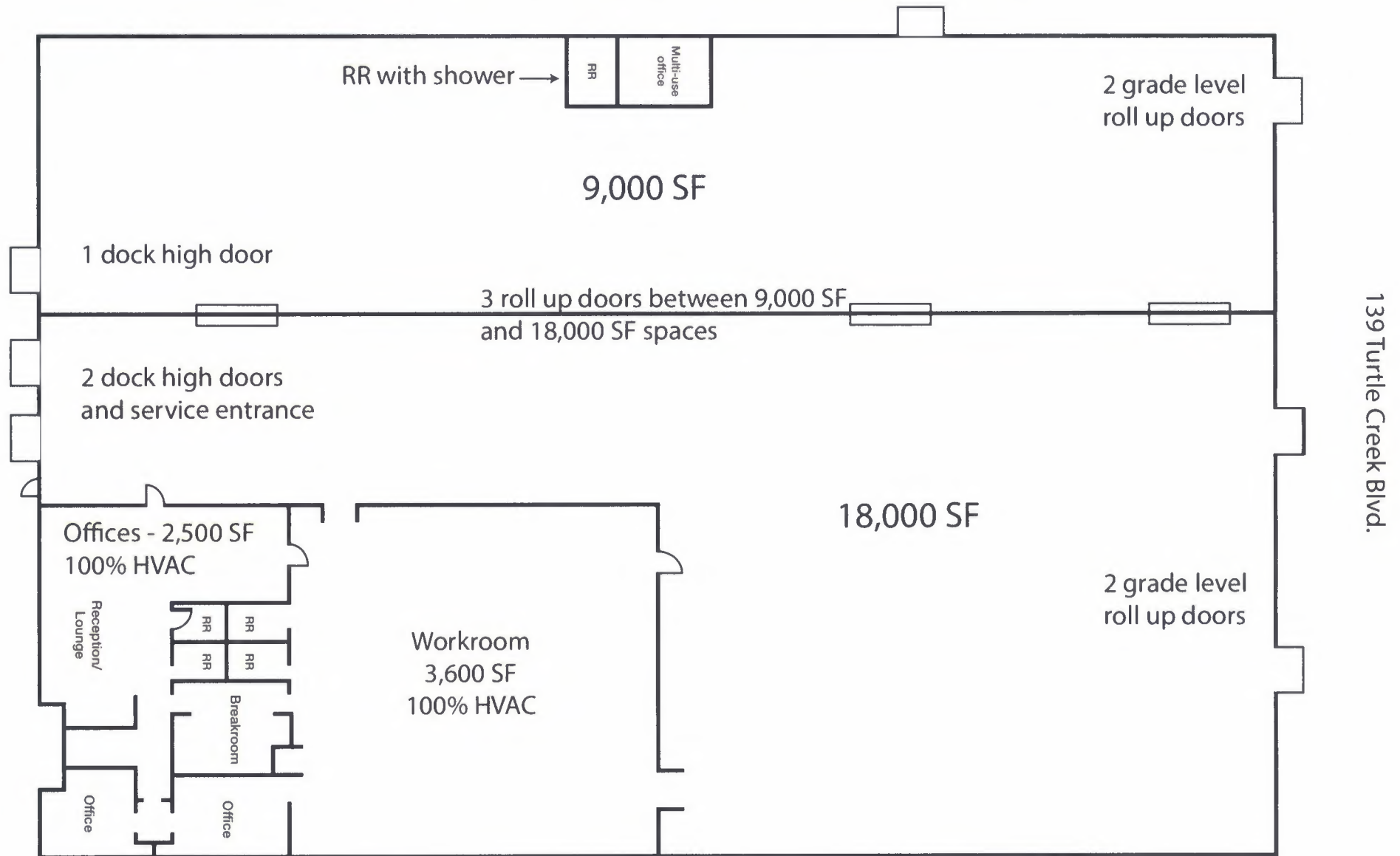
Weekday MUD Parking requirement is 0

Saturday MUD Parking requirement is 0

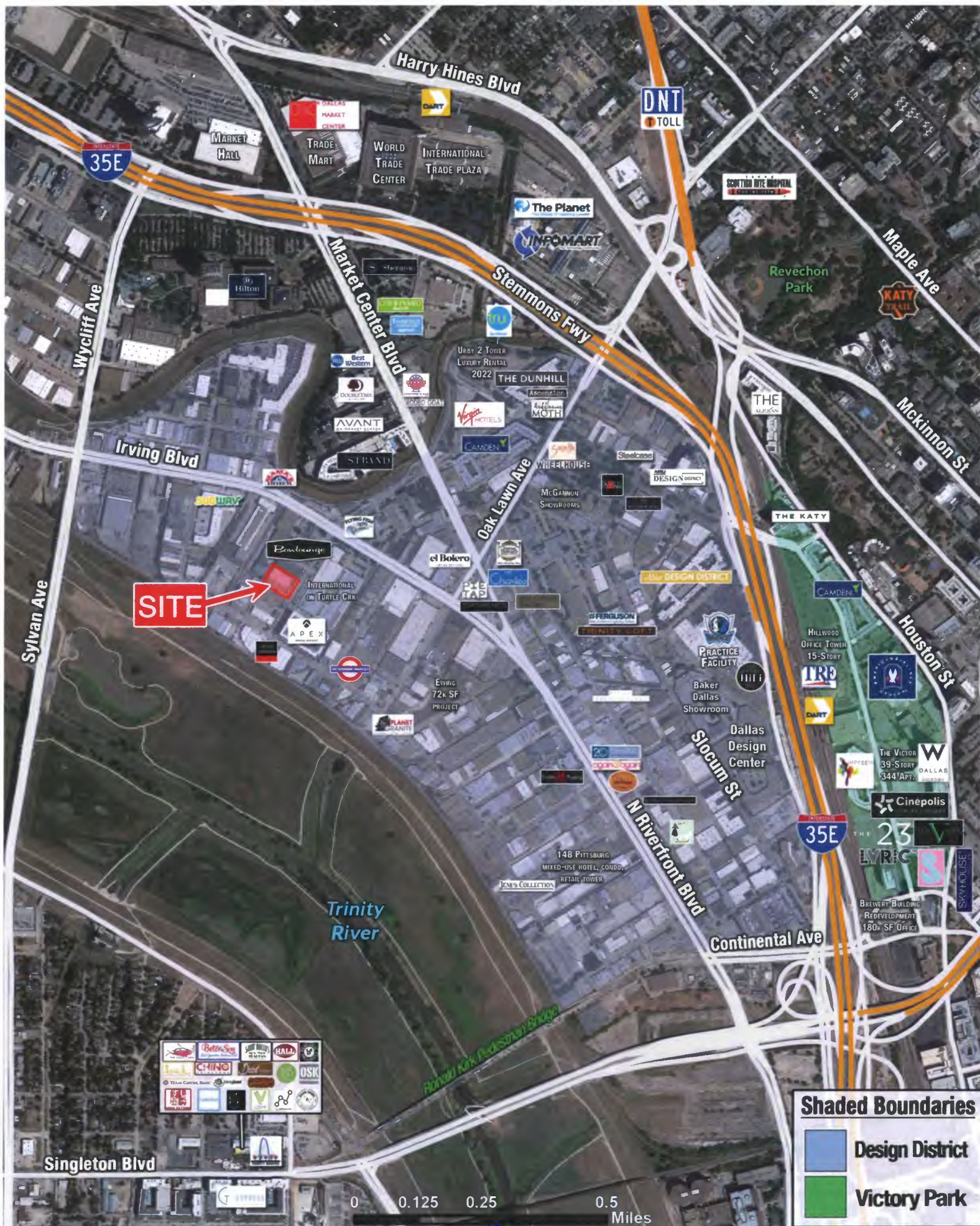
Therefore, 0 is the parking requirement for 0

BDA245-059

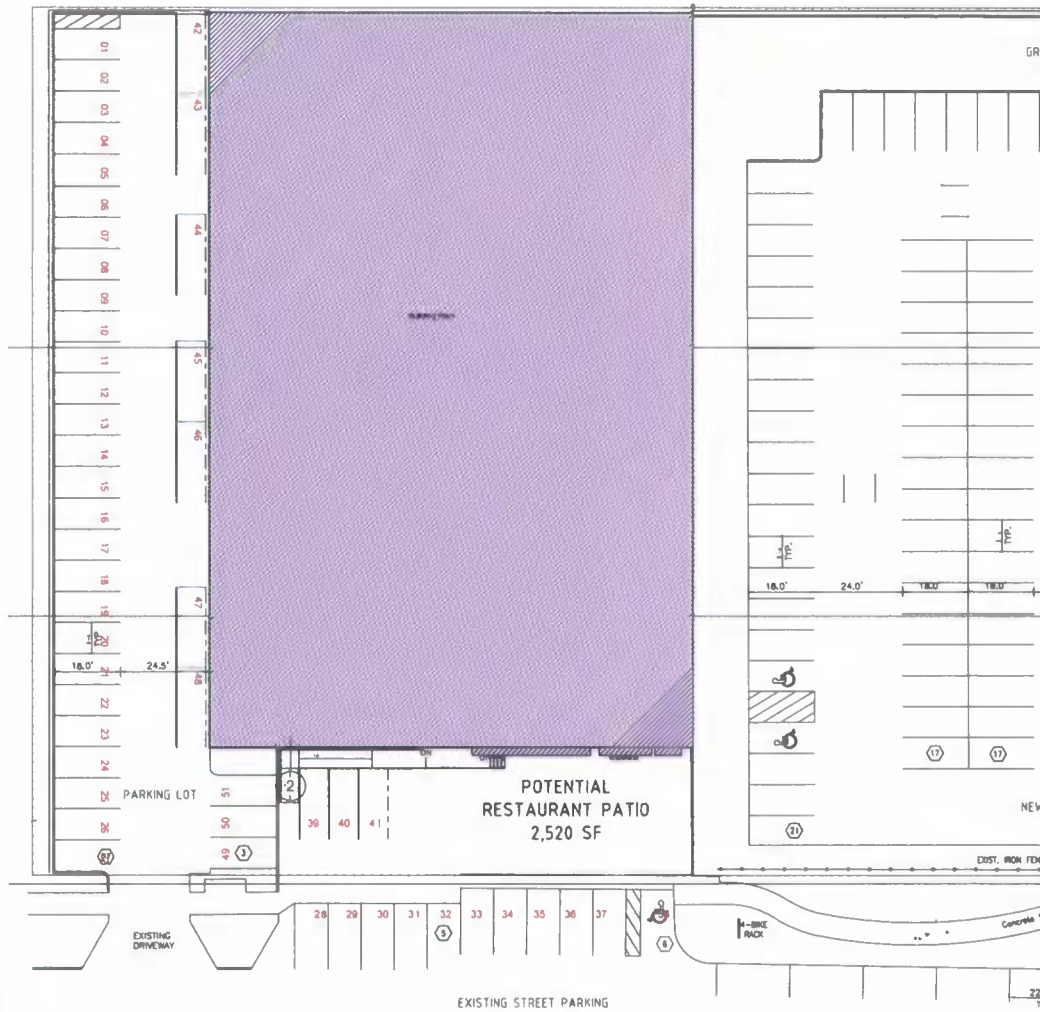
9,000 SF of excess land here with secure gated access for parking or storage



BD4245-059



139 TURTLE CREEK



PARKING ANALYSIS					
Use	Square Footage	Appl. Ratio 1 car per	Parking Required	Parking Provided	Delta Credits
Restaurant	8,888	1100 s.f.	8.0	47	
Art Studio	1,871	600 s.f.	3.1	5	
Apartment	1,387	1 bedroom apartment	1	1	
TOTAL					
			8.1	53	
51 spaces are provided					

1 Parking Analysis
1/16" = 1'-0"

TURTLE CREEK BOULEVARD

 Elite Development Group Phone: 817-707-1990 elitearchitects@gmail.com	Project Address: 139 Turtle Creek Blvd Dallas TX Parking Analysis	Date: 2-14-2025	Project Number: -	14.03.2025 16.3.2025
		Drawn by: Author	Checked by: Checker	02

PROJECT DETAILS

PROJECT ADDRESS:

139 Turtle Creek Blvd
Dallas TX

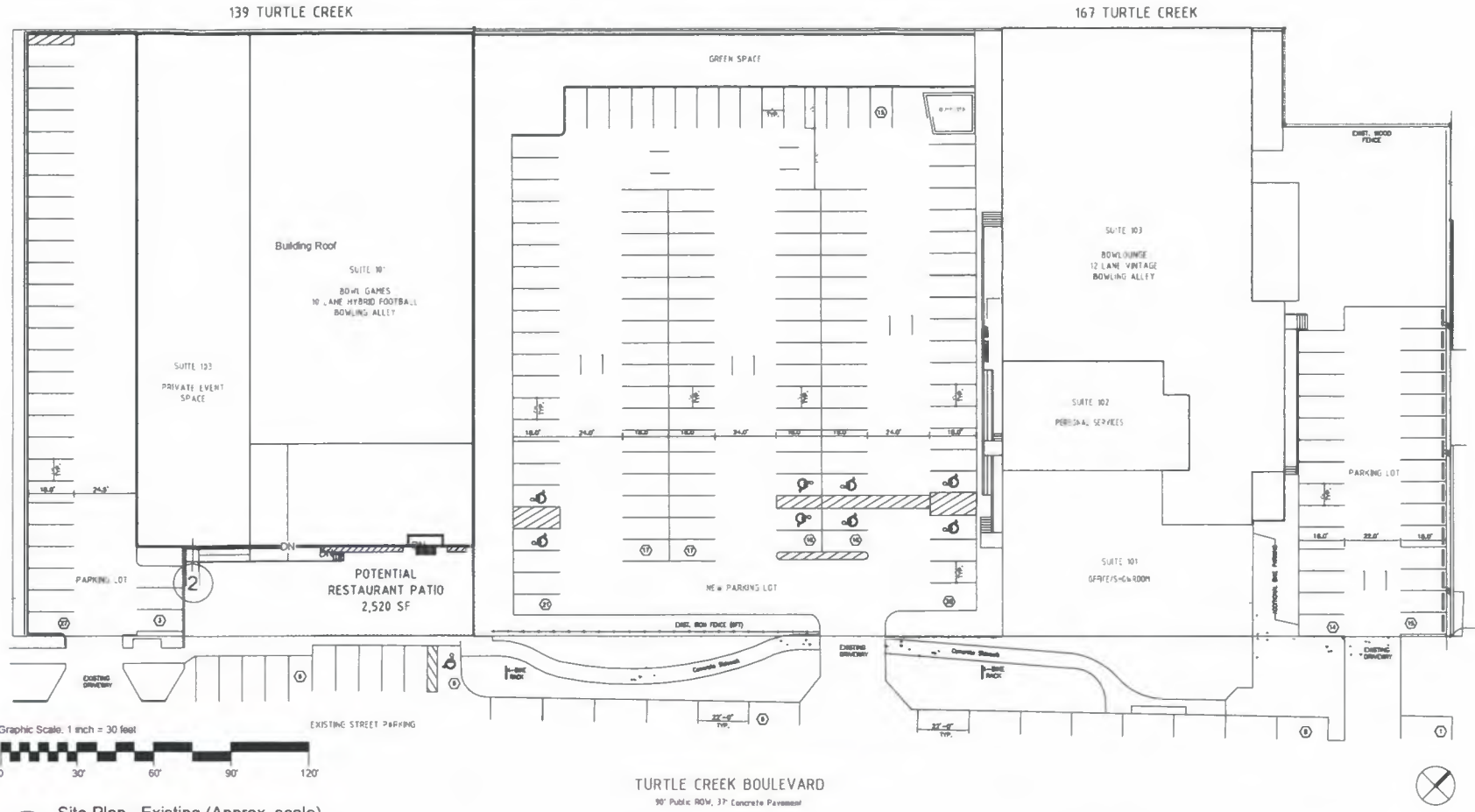
Areas:

Gross building.

Lot Area:
Max Lot Coverage:
Lot Coverage:

CODES

2018 International Building Code
2018 International Mechanical Code
2017 National Electric Code
2018 International Plumbing Code
2018 International Fire Code
2018 International Energy Conservation Code
2018 International Residential Building Code



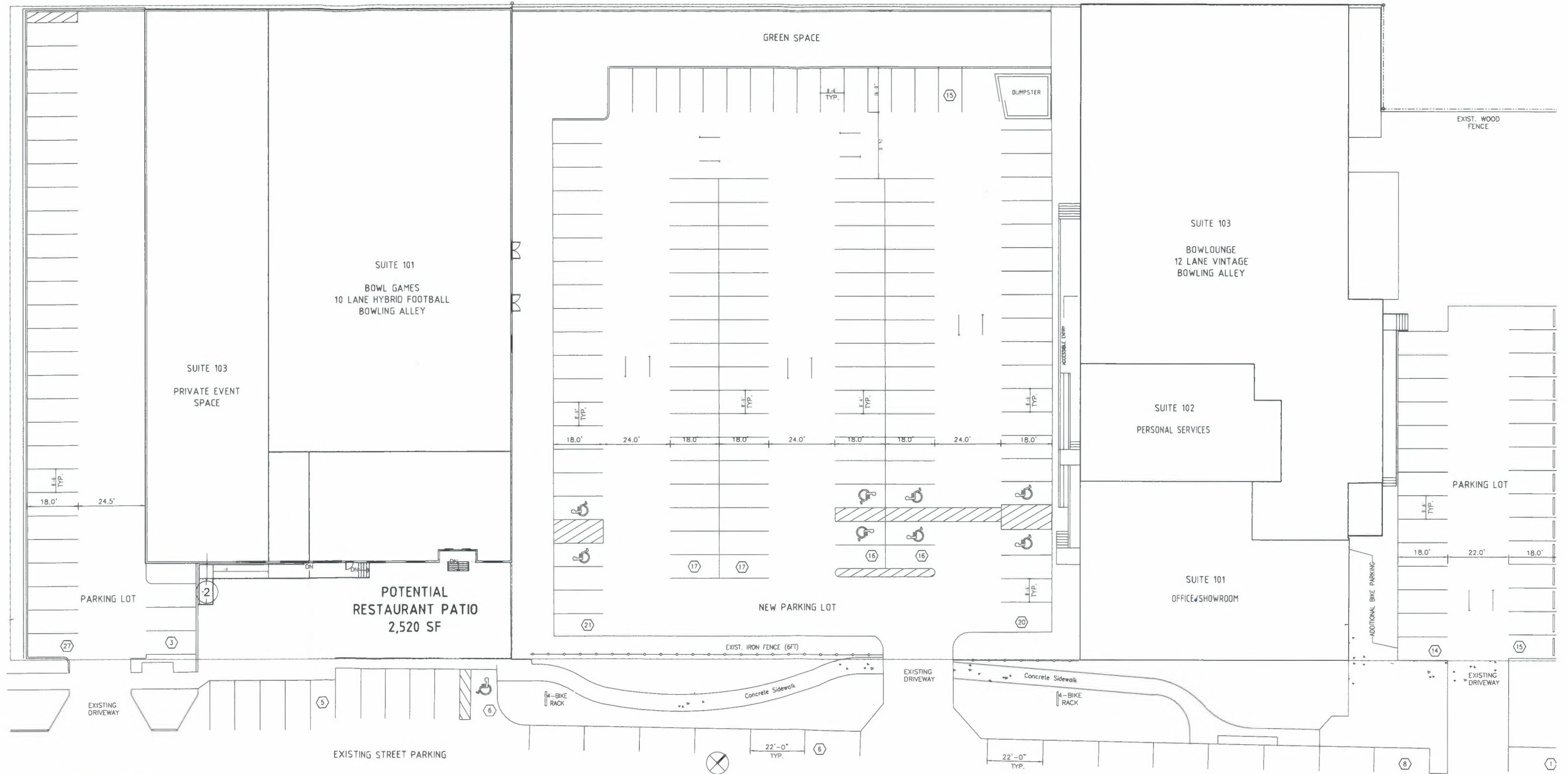
2 Site Plan - Existing (Approx. scale)
1" = 30'-0"



3 Vicinity Map
Not to scale

139 TURTLE CREEK

167 TURTLE CREEK

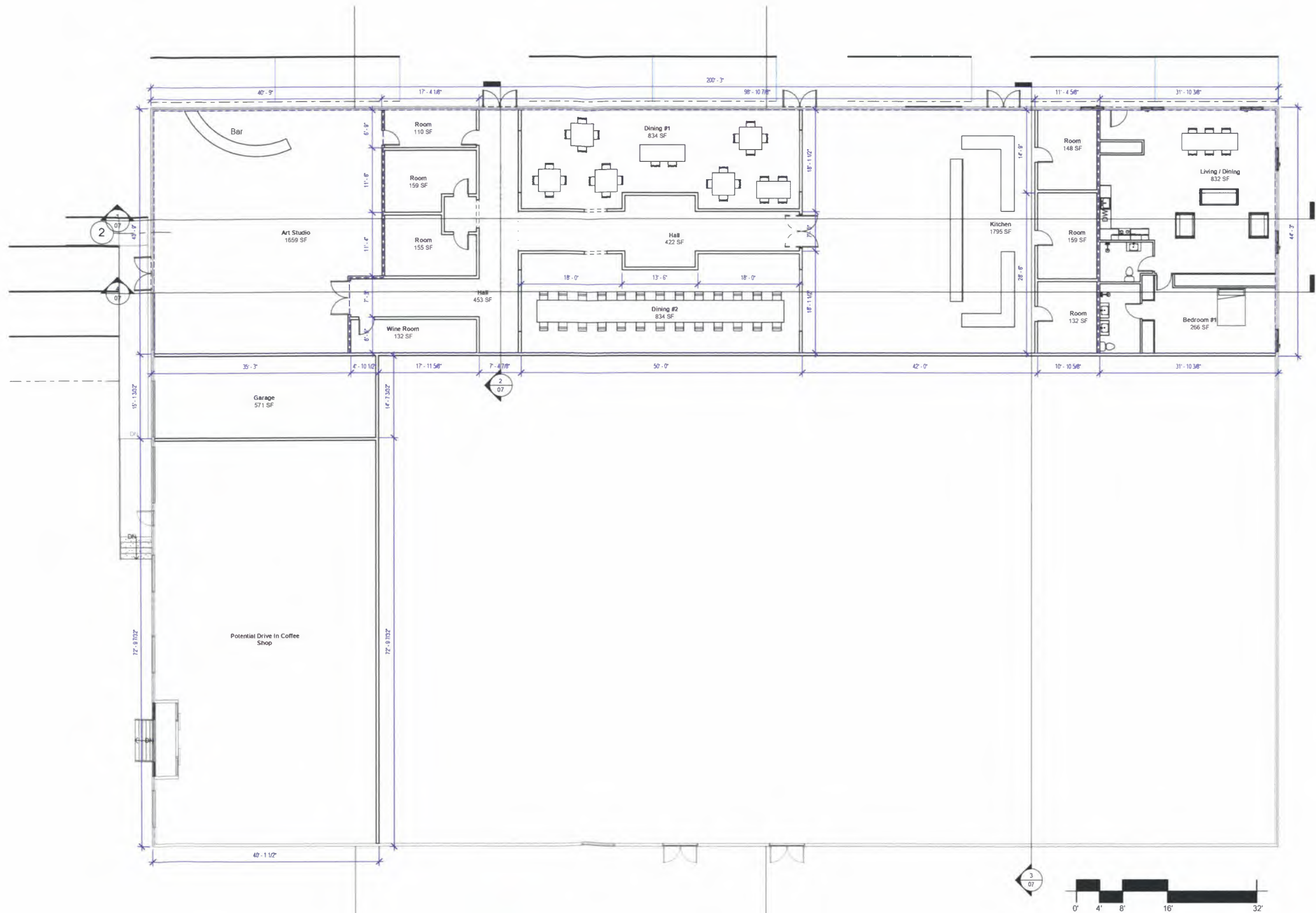


1 1st Floor Plan - Existing
1/16" = 1'-0"

TURTLE CREEK BOULEVARD
90' Public ROW, 37' Concrete Pavement

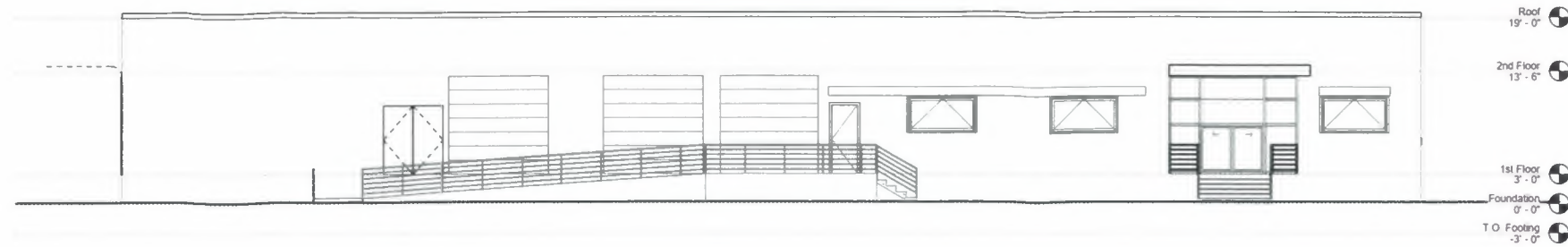
BD0245-059

 Elite Development Group Phone: 817-707-1960 elitearchdesigns@gmail.com	THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THE STRUCTURE. THESE PLANS MUST BE REVIEWED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND REGULATIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.	Project Address 139 Turtle Creek Blvd Dallas TX Floor Plans		Date 2-14-2025	Project number -	14/03/2025 16:59:42
		Drawn by Author	Checked by Checker	01		



1 1st Floor Plan - Proposed / Demo
1/8" = 1'-0"

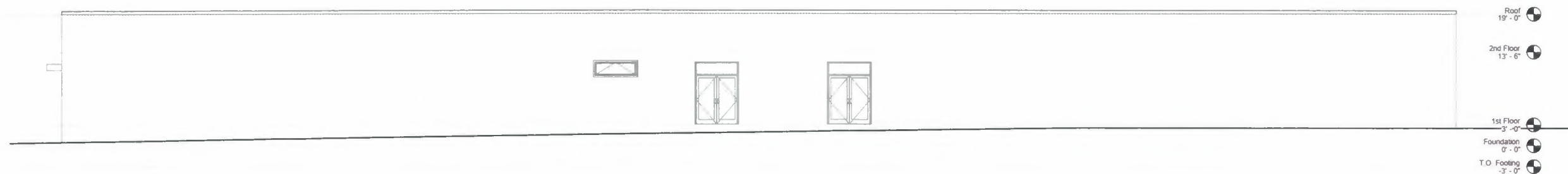
BDA245-059



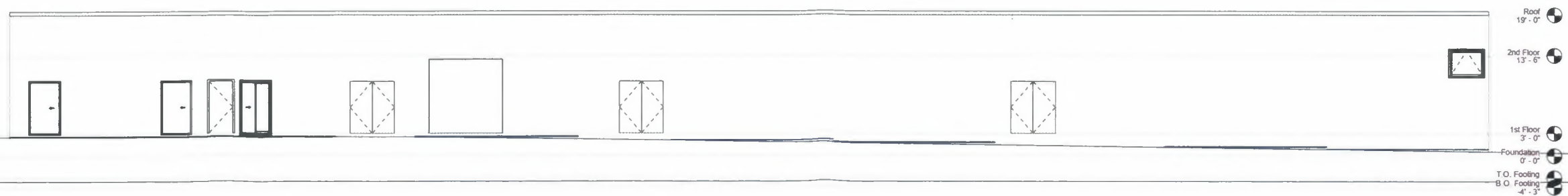
4 Front Elevation
1/8" = 1'-0"



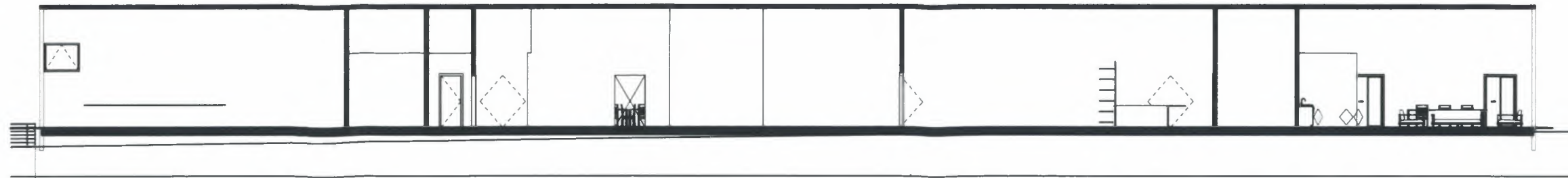
2 Rear Elevation
1/8" = 1'-0"



1 Right Elevation
1/8" = 1'-0"



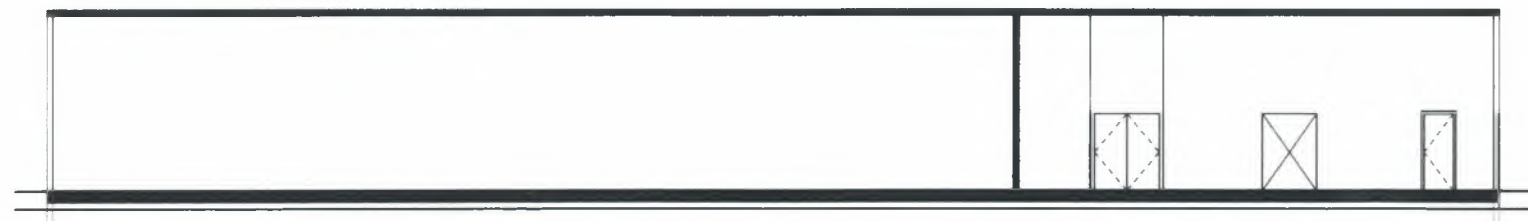
3 Left Elevation
1/8" = 1'-0"



1 Section 1
1/8" = 1'-0"



4 Section 4
1/8" = 1'-0"



2 Section 2
1/8" = 1'-0"



3 Section 3
1/8" = 1'-0"

FILE NUMBER: BOA-25-000006(BT)

BUILDING OFFICIAL'S REPORT: Application of Felicia Edoghotu for **(1)** a special exception to the fence height regulations, **(2)** a special exception to the fence standard regulations, and for **(3)** a special exception to the 45-foot visibility obstruction regulations at **4803 VISTOR STREET**. This property is more fully described as Block A/795, 1/2 Part Lot 7, and is zoned PD-98, which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line, and a person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle. The applicant proposes to construct and/or maintain an 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence height regulations along N. Prairie Avenue, the applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front-lot line, which will require **(2)** a special exception to the fence standard regulations, and to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require **(3)** a special exception to the 45-foot visibility obstruction regulation at the intersection of Victor Street and N. Prairie Avenue.

LOCATION: 4803 Victor Street

APPLICANT: Felicia Edoghotu

REQUEST:

- (1) A request for a special exception to the fence height regulations,
- (2) A request for a special exception to the fence standard regulation relating to opacity, and
- (3) A request for a special exception to the 45-foot visibility obstruction regulations at the intersection of Victor Street and N. Prairie Avenue.

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

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	PD-98
<u>North:</u>	PD-98 and PD-97 (H/11)
<u>East:</u>	PD-98
<u>South:</u>	PD-98
<u>West:</u>	PD-98

Land Use:

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

BDA History:

BDA history found in the last five years BDA223-021

- The Board of The Board of Adjustment Panel C, at its public hearing held on Thursday, February 23rd, 2023, moved to **GRANT** the variance to the front yard setback regulations in the Dallas Development Code, subject to the following condition:
 - Compliance with the submitted site plan is required.

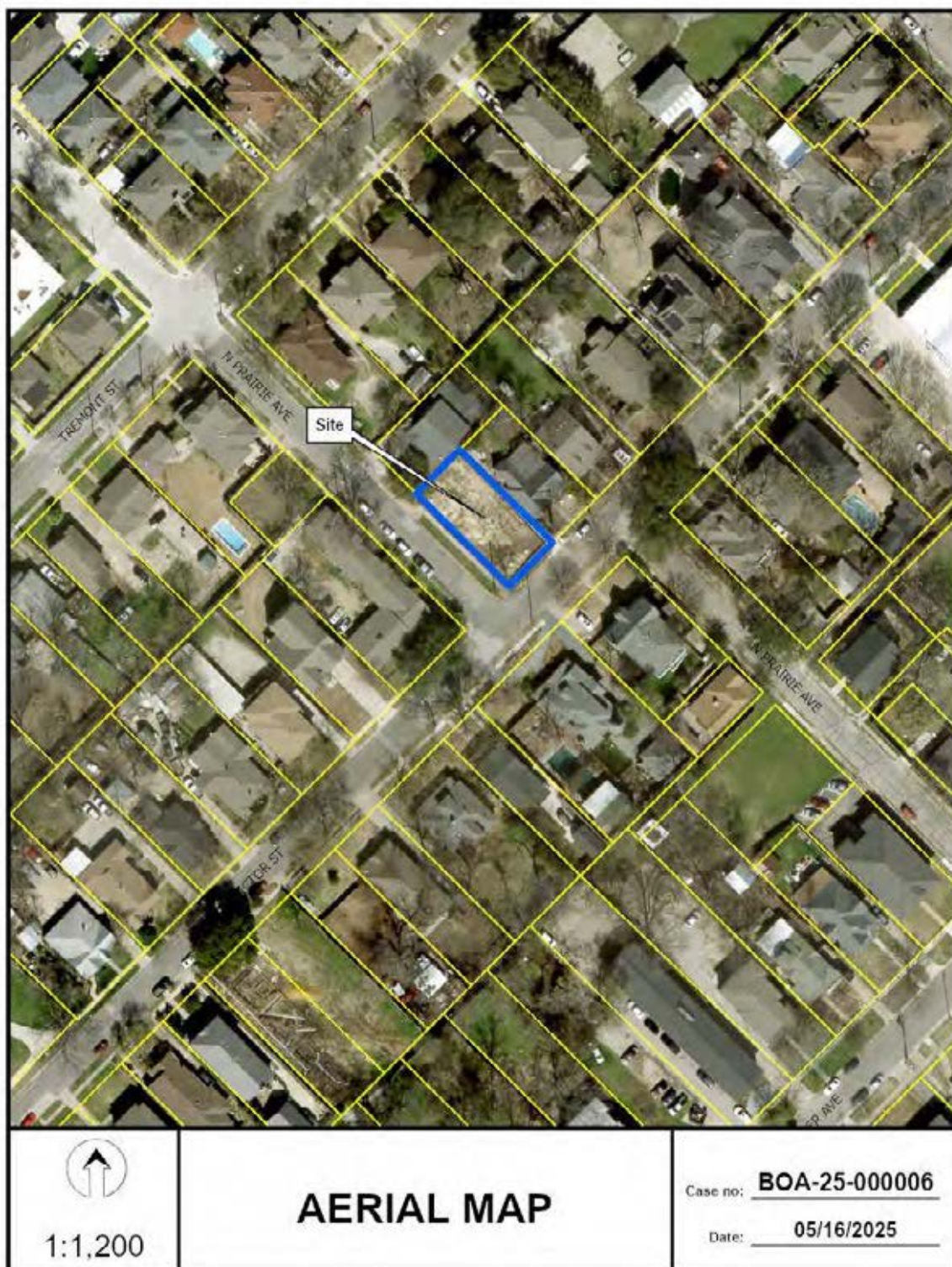
GENERAL FACTS/STAFF ANALYSIS:

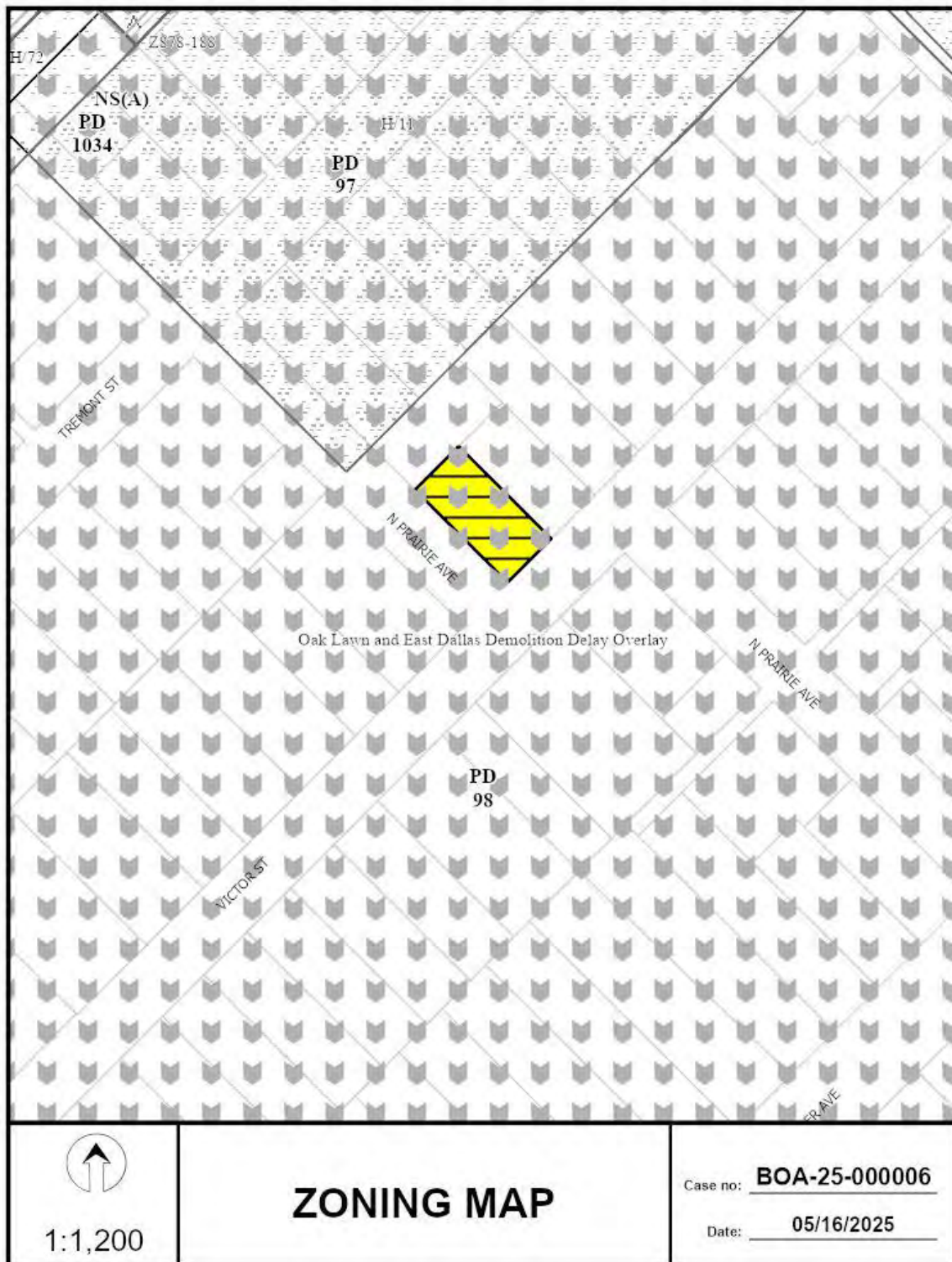
- The application of Felicia Edoghotu for the property located at 4803 Victor Street focuses on three requests relating to the fence height, fence opacity regulations, and visual obstruction regulations.
- The first request, the applicant is proposing to construct and maintain a 6-foot high board on board fence and gate in a required front-yard along N. Prairie Avenue, which will require a 2-foot special exception to the fence height regulations.
- The second request, the applicant is proposing to construct and maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The last request, the applicant is requesting a special exception to the 45-foot visibility obstruction triangle at the corner of Victor Street and N. Prairie Avenue. The proposed 30-foot visibility obstruction triangle with a 4-foot high wrought iron fence.
- Subject site, due to blockface continuity, has a front-yard setback requirements along both Victor Street and N. Prairie Avenue

- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exception to the fence regulations relating to height, opacity, and visual obstruction with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BOA-25-000006 at 4803 Victor St](#)

Timeline:

May 6, 2025:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
May 5, 2025:	The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C .
May 19, 2025:	<p>Planning and Development Department Senior Planner emailed the applicant the following information:</p> <ul style="list-style-type: none"> • an attachment that provided the public hearing date and panel that will consider the application; the May 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and May 30, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials. • the criteria/standard that the board will use in their decision to approve or deny the request; and • the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
May 29, 2025:	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. Engineer.
May 28, 2025:	The applicant provided revised site plan.
May 29, 2025:	The applicant provided revised site plan.







Notification List of Property Owners

BOA-25-000006

25 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4803 VICTOR ST	EDOGHOTU FELICIA
2	4734 TREMONT ST	HEWLETT ELAINE &
3	413 N PRAIRIE AVE	GULLEY REI LLC
4	4726 TREMONT ST	ORTEGA MARIA CLEOFAS
5	4804 TREMONT ST	BUSKIRK SHARON MARIE V
6	4800 TREMONT ST	BUDHABHATTI BIMAL & NEETA SAVLA
7	4810 TREMONT ST	FARRIS MISTY ANN &
8	4814 TREMONT ST	SPITZER DEBORAH ANN
9	4818 TREMONT ST	HUBBARD BRADLEY G
10	4821 VICTOR ST	BERLIN SCOTT ALAN
11	4817 VICTOR ST	KRISHKAV INVESTMENTS LLC
12	4811 VICTOR ST	SCHEXNAYDER SHAWN
13	408 N PRAIRIE AVE	LICHLITER KELLEEN M &
14	4809 VICTOR ST	MORENO JESUS ANTONIO &
15	4731 VICTOR ST	ELOREM INVESTMENT LLC
16	4727 VICTOR ST	KEIDEL DANIEL J &
17	4723 VICTOR ST	SML CAPITAL LLC
18	4726 VICTOR ST	ANDERSON EDWARD M JR
19	4728 VICTOR ST	KAGAN LEAH C
20	321 N PRAIRIE AVE	HEEREN MEAGAN
21	4742 VICTOR ST	HALFORD RANDAL A &
22	4806 VICTOR ST	FORNI SABRINA
23	4800 VICTOR ST	HALK JACLYN
24	4810 VICTOR ST	SUAREZ JUAN A
25	4738 VICTOR ST	BARNES ROBIN L

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">25</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Case no: BOA-25-000006 Date: 5/16/2025
--	---	---

Route Directions:

Start on Victor St.

Left on N. Fitzhugh Ave.

Left on Tremont St.

U-Turn

Right on N Prairie Ave.

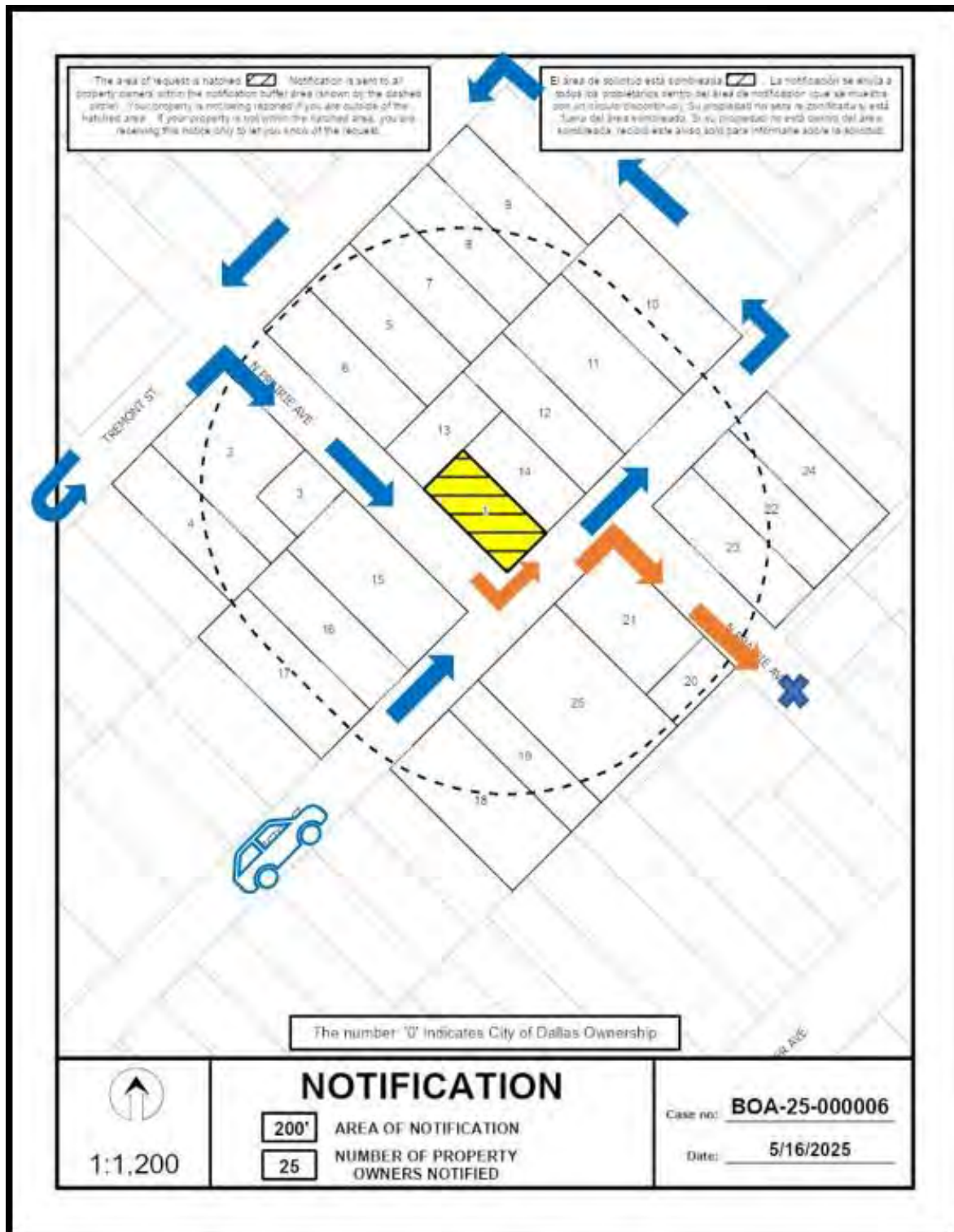
Left on Victor St.

Right on N. Prairie Ave.

***Subject Site from Victor St. at 0:40.**

****Subject Site from N. Prairie Ave. at 3:00.**

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:

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

DATE: MONDAY, JUNE 16, 2025

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

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

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

BOA-25-000006(BT) Application of Felicia Edoghotu for (1) a special exception to the fence height regulations along Prairie Avenue, and for (2) a special exception to the fence opacity regulations along Prairie Avenue, and for (3) a special exception to the 45-foot visibility obstruction regulations at the corner of Victor Street and Prairie Avenue at 4803 VICTOR STREET. This property is more fully described as Block A/795 1/2 PT Lot 7, and is zoned PD-98, 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 45-foot visibility triangle at street intersections. 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 regulation. The applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50-percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations. The applicant proposes to construct and/or maintain a single-family residential fence structure in a required 45-foot visibility obstruction triangle, which will require (3) a special exception to the 45-foot visibility obstruction regulation at street intersections.

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, June 15, 2025. 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](https://www.youtube.com/CityofDallasCityHall).

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

Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner 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.

<https://bit.ly/boa0616>

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

Date: FOR OFFICE USE

Data Relative to Subject Property: 4803 Victor St

Location address: 4803 Victor St. Dallas, Texas 75246

Zoning District: Qzona Addition

Lot No.: 7 Block No.: A/795-1/2 Acreage: 0.12

Census Tract: 15.02

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Felicia Edoghotu

Applicant: Felicia Edoghotu

Telephone: (469) 744-6246

Mailing Address: 7841 Sunset Blvd Rowlett, Texas

Zip Code: 75088

E-mail Address: angcares@yahoo.com

Represented by: Felicia Edoghotu/Anthony Davis/Justin Grubb Telephone: (469) 744-6246

Mailing Address: 7841 Sunset Blvd Rowlett, Texas

Zip Code: 75088

E-mail Address: p31designs@p31builds.com

Affirm that an appeal has been made for a Variance or Special Exception of board on board 8' fence height along N Prairie

20' visibility triangle along N. Prairie

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: privacy and safety for side yard due to small children in the home playing in the yard and neighborhood is known for transient homeless population causing a safety concern for children since main bedroom windows are facing side yard.

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

Felicia Edoghotu

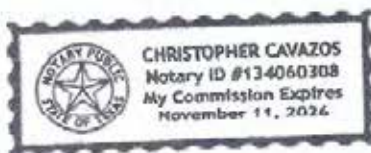
(Affiant/Applicant's name printed)

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:

Felicia Edoghotu
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 26th day of March 2025



Notary Public in and for Dallas County, Texas

REV 05.24.2023

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

FILE NUMBER: BOA-25-000006

BUILDING OFFICIAL'S REPORT: Application of Felicia Edoghotu for (1) a special exception to the fence height regulations along Prairie Avenue, and for (2) a special exception to the fence opacity regulations along Prairie Avenue, and for (3) a special exception to the 45-foot visibility obstruction regulations at the corner of Victor Street and Prairie Avenue at 4803 VICTOR STREET. This property is more fully described as BLOCK A/795 1/2 PT LOT 7, and is zoned PD-98, 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 a person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle. 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 regulation. The applicant proposes to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50-percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations. The applicant proposes to construct and/or maintain a single-family residential fence structure in a required 45-foot visibility obstruction triangle, which will require (3) a special exception to the 45-foot visibility obstruction regulation.

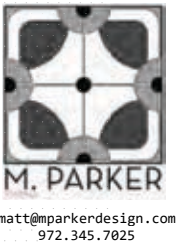
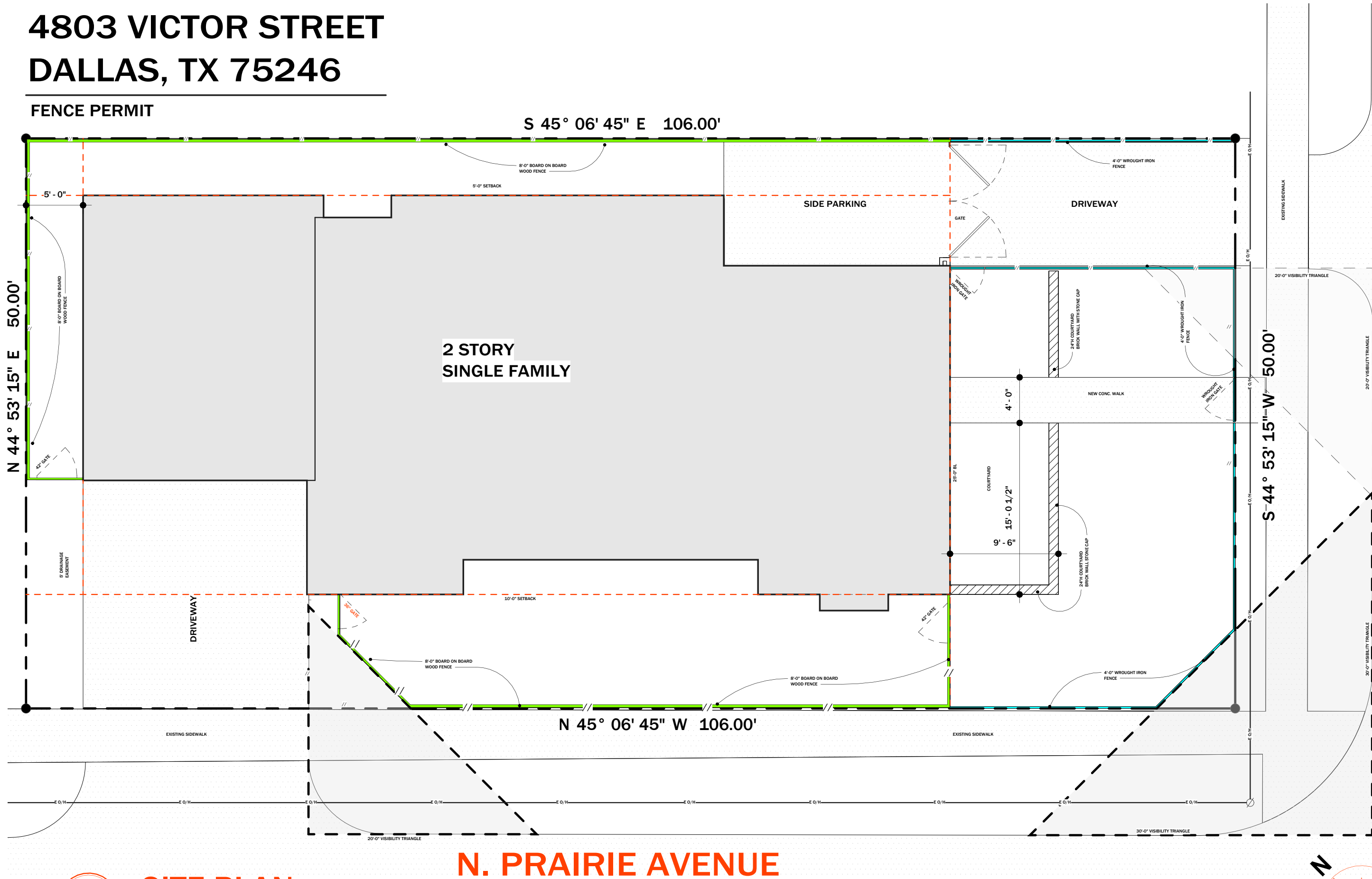
LOCATION: 4803 VICTOR ST

APPLICANT: Felicia Edoghotu

REQUEST: A request for (1) a special exception to the fence height regulations, (2) a special exception to the fence opacity regulations, (3) a special exception to the 45-foot visibility obstruction regulations

4803 VICTOR STREET DALLAS, TX 75246

FENCE PERMIT



VICTOR STREET

N. PRAIRIE AVENUE



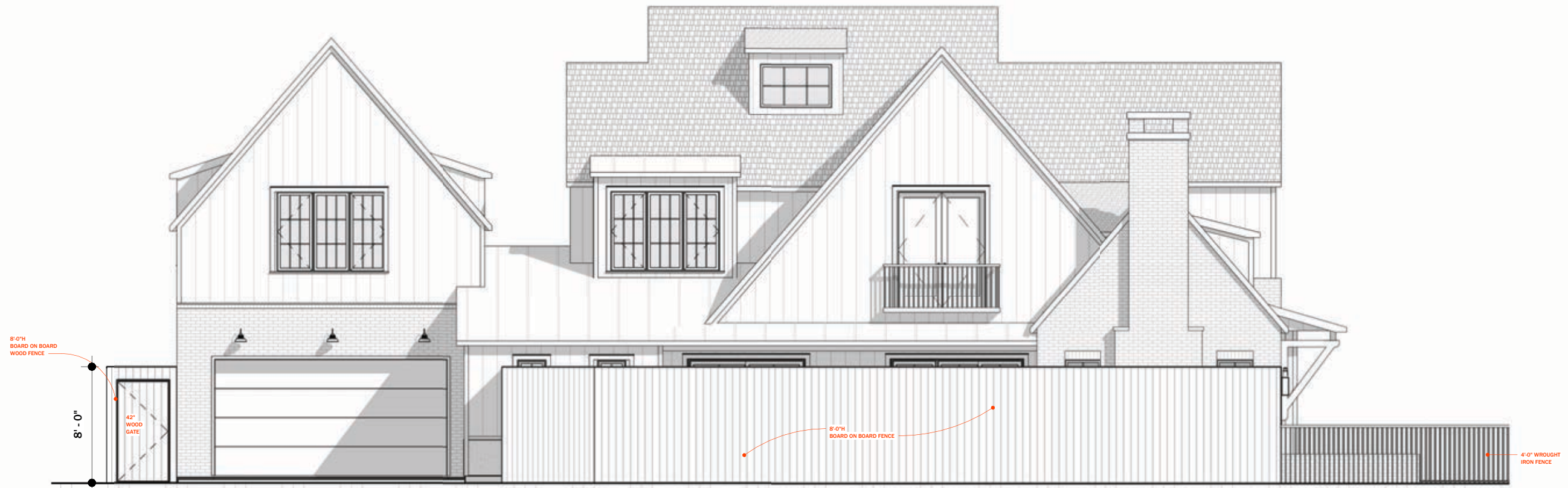


matt@mparkerdesign.com
972.345.7025



1 SOUTH - ELEVATION - FENCE

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



2 WEST - ELEVATION - FENCE

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

FILE NUMBER: BOA-25-000007(CJ)

BUILDING OFFICIAL'S REPORT: Application of Juan Pineda for **(1)** a variance to the front-yard setback regulations at **2726 Grafton Avenue**. This property is more fully described as Block 9/3857, Lot 2, and is zoned R-7.5(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 22-foot front-yard setback, which will require **(1)** a 3-foot variance to the front-yard setback regulation.

LOCATION: 2726 Grafton Avenue

APPLICANT: Juan Pineda

REQUEST:

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

STANDARDS OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE:

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

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

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

STAFF RECOMMENDATION:

1. Variance (1) to the **Front-Yard Setback** regulations

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. The subject site is not restrictive in shape or slope but is restrictive in area (R-7.5(A) min, 7500 sq ft, subject site is 7050 sq ft); therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Is not a self-created or personal hardship.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 2726 Grafton Avenue in the last 5 years.

Square Footage:

- This lot contains 7,050 of square feet.

Zoning:

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

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Juan Pineda for the property located at 2726 Grafton Avenue focuses on one request relating to the front yard setback regulations.

- The applicant proposes to construct and/or maintain a single-family residential structure and provide a 22-foot front-yard setback, which will require a 3-foot variance to the front-yard setback regulations; R-7.5(A) zoning district requires a 25-foot front yard setback.
- Per the applicant, they are requesting the 3-foot variance to the front yard setback to maintain an existing porch that was added as an addition to the home; the addition of the porch is currently under review with the City of Dallas Building Inspections permitting team.
- The subject site is developed with a single-family home.
- The subject site is a mid-block lot and has single street frontage along Grafton Avenue.

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

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed variance below, with a condition that the applicant complies with the most recently submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
 - 3- foot variance to the front yard setback regulations.
 - 200' Radius Video: [BOA-25-000007 at 2726 Grafton Avenue](#)

Timeline:

- March 25, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- May 5, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- May 16, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the May 23, 2025, deadline to submit additional evidence for staff to factor into their analysis; and June 6, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- May 29, 2025: 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.



BOA-25-000007 at 2726 Grafton Avenue





1:1,200

ZONING MAP

Case no: BOA-25-000007

Date: 05/16/2025

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

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



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'


AREA OF NOTIFICATION


31

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000007**

Date: **5/16/2025**

The area of request is outlined  . Notification is given 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 reached area. If your property is not within the reached area, you are receiving this notice only to let you know of the request.

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



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

31

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-25-000007**

Date: **5/16/2025**

Notification List of Property Owners

BOA-25-000007

31 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2726 GRAFTON AVE	PINEDA JOSE G & I SANTIAGA
2	2719 GRAFTON AVE	Taxpayer at
3	2721 GRAFTON AVE	GUERRA MARY ALICE
4	2715 GRAFTON AVE	CEDAR OAK INVESTMENTS LLC
5	2711 GRAFTON AVE	FERNANDEZ ALEJANRINO &
6	2710 GRAFTON AVE	MONTEZ MARTINO &
7	2714 GRAFTON AVE	ZAVALA JOSE & BELINDA
8	2718 GRAFTON AVE	PEREZ GUILLERMO &
9	2720 GRAFTON AVE	PALACIOS LETICIA C
10	2721 SHARON ST	RIOS ISMAEL & FRANCISCA
11	2717 SHARON ST	SALAZAR ANTONIO
12	2711 SHARON ST	CHOATES BETTY J ESTATE OF
13	2743 GRAFTON AVE	RODRIGUEZ MARIO &
14	2739 GRAFTON AVE	GOROSTIETA MISELENA
15	2735 GRAFTON AVE	803 DAVIS LLC
16	2731 GRAFTON AVE	JORDAN GABRIEL
17	2727 GRAFTON AVE	Taxpayer at
18	2723 GRAFTON AVE	RAMIREZ JORGE A
19	2722 GRAFTON AVE	BARRON JOSE
20	2730 GRAFTON AVE	CALISTRO JUAN CARLOS RAMOS &
21	2734 GRAFTON AVE	RAMIREZ CRYSTAL &
22	2738 GRAFTON AVE	GARCIA ISRAEL & IRMA L
23	2742 GRAFTON AVE	HERNANDEZ VIDAL &
24	2743 SHARON ST	GARCIA VICKI
25	2739 SHARON ST	CAZAREZ JUAN O & MARTHA G
26	2735 SHARON ST	ALCOCER JUAN & JUANA

05/16/2025

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2731 SHARON ST	DOWNING JIMMY RAY
28	2727 SHARON ST	GONZALEZ J DOLORES
29	2723 SHARON ST	ZELAYA RAMON & OLIVIA PAYNE
30	2724 SHARON ST	ZUNIGA RITA IBARRA
31	2730 SHARON ST	GARAY ALEJANDRO ADRIAN

 1:1,200	NOTIFICATION	Case no: BOA-25-000007
	<div>200' AREA OF NOTIFICATION</div> <div>31 NUMBER OF PROPERTY OWNERS NOTIFIED</div>	Date: 5/16/2025

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:

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

DATE: MONDAY, JUNE 16, 2025

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

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

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

BOA-25-000007(CJ) Application of Juan Pineda for (1) a variance to the front-yard setback regulations at 2726 GRAFTON AVENUE. This property is more fully described as Block 9/3857 Lo 2, and is zoned R-7.5(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 22-foot front-yard setback, which will require a 3-foot variance to the front-yard setback 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.



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

FOR OFFICE USE ONLY

Data Relative to Subject Property:

Date:

FOR OFFICE USE ONLY

Location address: 2726 Grafton Ave

Zoning District: R 75

Lot No.: 2 Block No.: 9-3857 Acreage: 7,050 sq ft
0.16

Census Tract: 86.24

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Santhaga Pineda + Jose Pineda

Applicant: Juan Pineda

Telephone: 817/308-0953

Mailing Address: 516 Sims Dr

Zip Code: 75104

E-mail Address: Juan.pineda ~ B @ yahoo.com

Represented by: _____

Telephone: _____

Mailing Address: _____

Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance ☒ or Special Exception ☐ of 3' to front yard
Setback

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

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 Juan Pineda

(Affiant/Applicant's name printed)

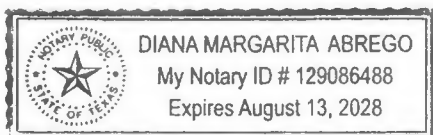
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: [Signature]

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 12th day of March, 2025

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



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

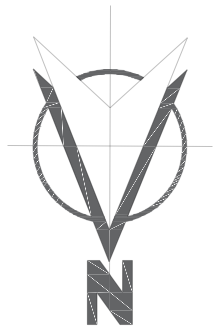
FILE NUMBER: BOA-25-000007

BUILDING OFFICIAL'S REPORT: Application of Juan Pineda for (1) a variance to the front-yard setback regulations at 2726 GRAFTON AVE. This property is more fully described as BLK 9/3857 LT 2, and is zoned R-7.5(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 22-foot front-yard setback, which will require a 3-foot variance to the front- yard setback regulation.

LOCATION: 2726 GRAFTON AVE

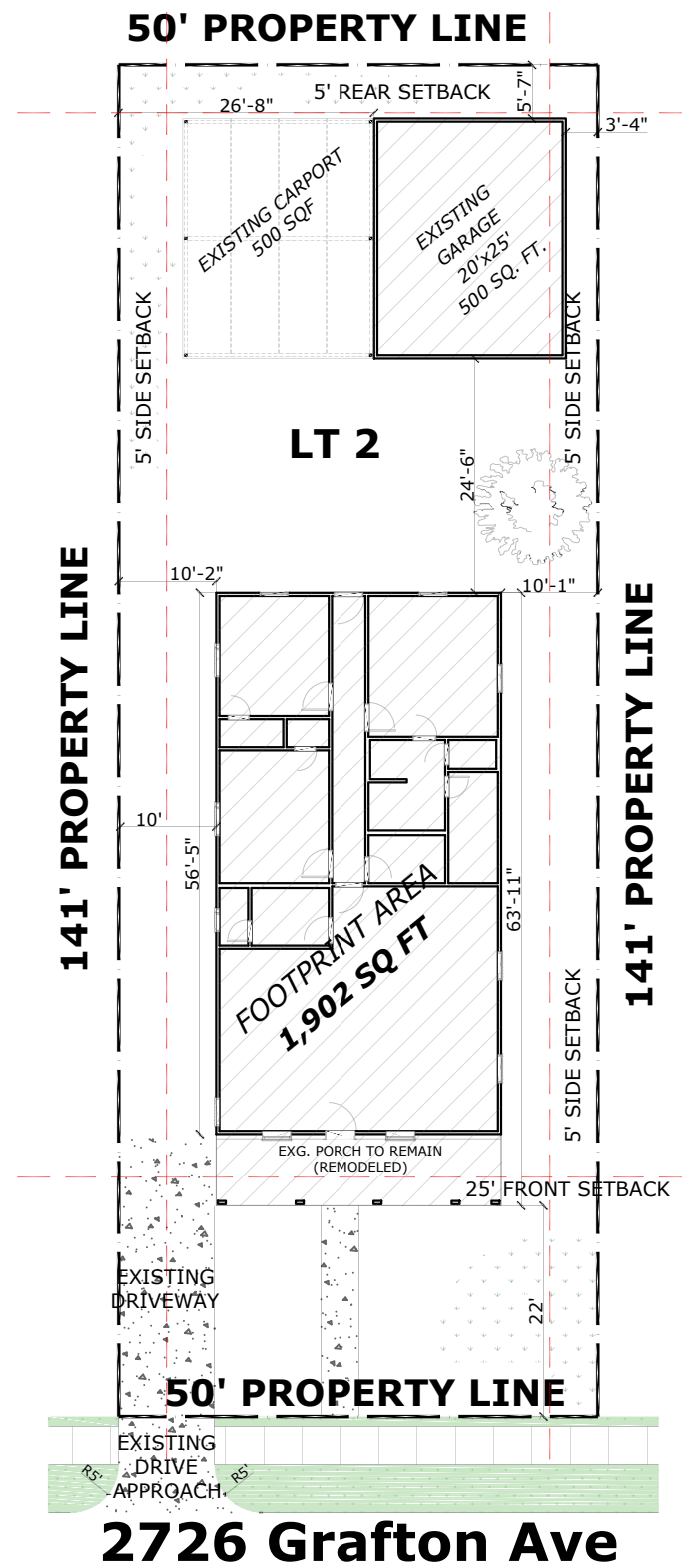
APPLICANT: Juan Pineda

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



Building codes **Dallas:**

- * 2015 INTERNATIONAL BUILDING CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL PLUMBING CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL MECHANICAL CODE WITH DALLAS AMENDMENTS.
- * 2020 NATIONAL ELECTRICAL CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL RESIDENTIAL CODE WITH DALLAS AMENDMENTS.
- * 2021 INTERNATIONAL EXISTING BUILDING CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL ENERGY CONSERVATION CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL FUEL & GAS CODE WITH DALLAS AMENDMENTS.
- * 2015 INTERNATIONAL GREEN CONSTRUCTION CODE WITH DALLAS AMENDMENTS.
- * 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE WITH DALLAS AMENDMENTS.



SITE PLAN

SCALE: 1 TO 20



VICINITY PLAN

FOR REFERENCE ONLINE

LEGAL DESCRIPTION:

- 1: SUNSET CREST
- 2: BLK 9/3857 LT 2

SQUARE FOOTAGE

EXISTING. LIVING AREA	1,584 SQ FT
EXISTING. COVERED PORCH	179 SQ FT
EXISTING. GARAGE	500 SQ FT
EXISTING. CARPORT	500 SQ FT
ADDITION LIVING AREA	110 SQ FT
ADDITION PORCH FRONT	29 SQ FT
TOTAL EXISTING & PROP. LIVING AREA	1,694 SQ FT
TOTAL EXISTING PORCH	208 SQ FT
TOTAL EXISTING REAR PORCH	500 SQ FT
TOTAL FOOTPRINT AREA	2,902 SQ FT
LOT SIZE	7,050 SQ FT
TOTAL COVERED AREA	2,902 SQ FT
% COVERAGE	41 %

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

SCALE: 1 TO 20

DATE: 10-31-24

SQ.FT:

DRAWING No.

01 of 12

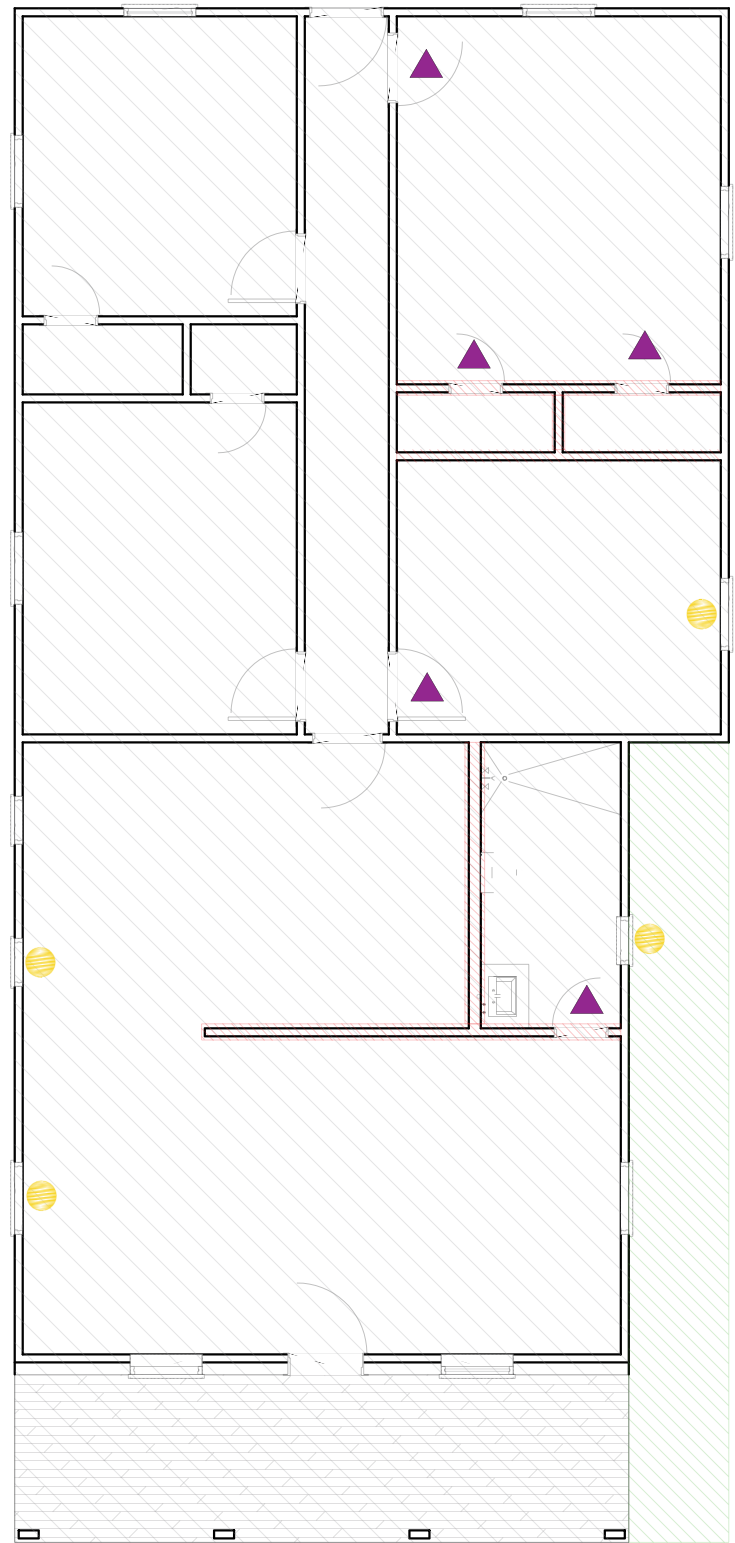
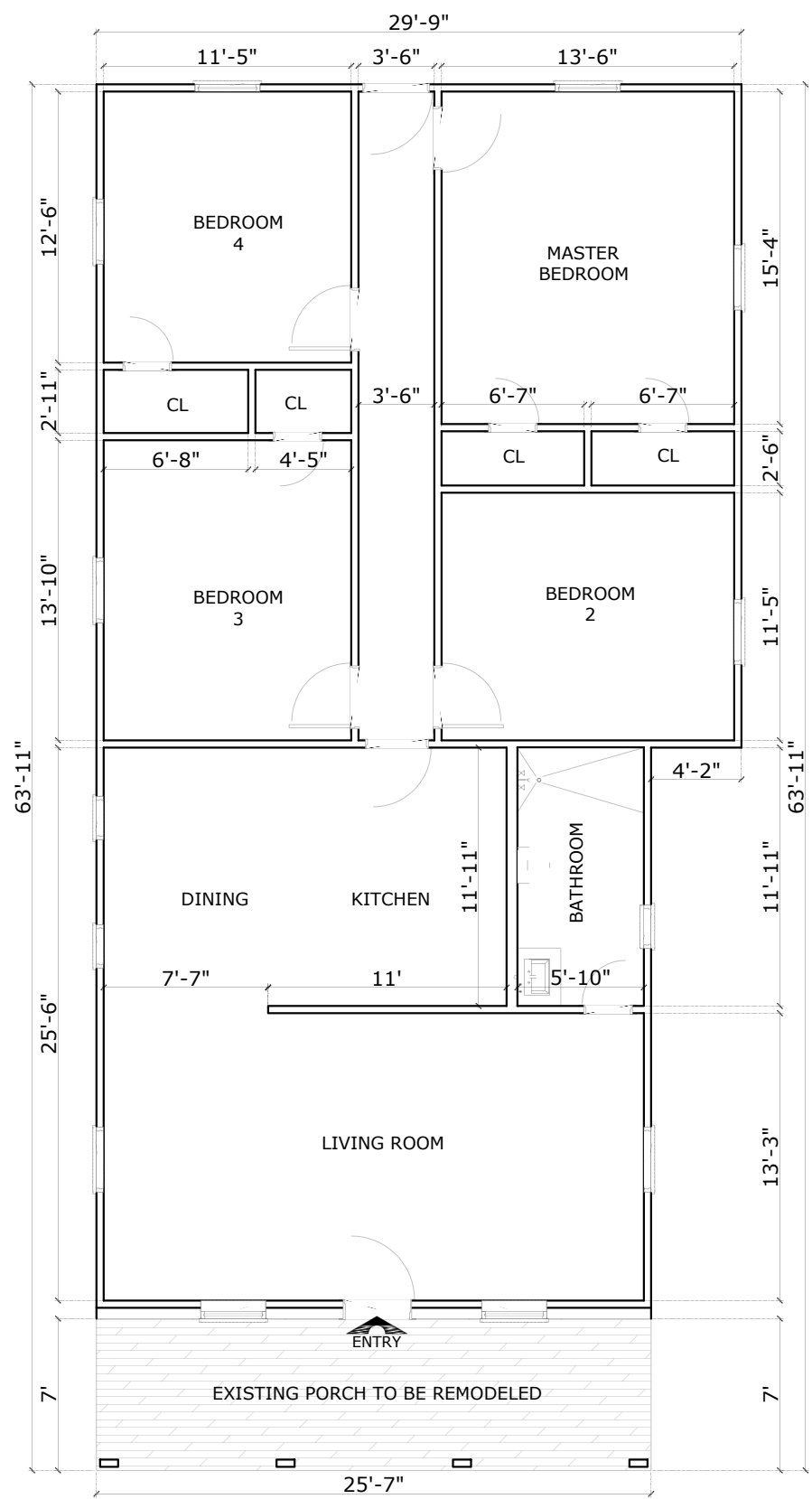
ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM


PLAN: SITE PLAN



• CREATIVO DESIGNS •
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247



LEGEND/SYMBOL	
	REMOVE DOOR
	REMOVE WINDOW
	REMOVE WALL
	REMODEL IN SPACE
	EXISTING AREA
	ADDITION AREA



CREATIVO DESIGNS
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247

ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM

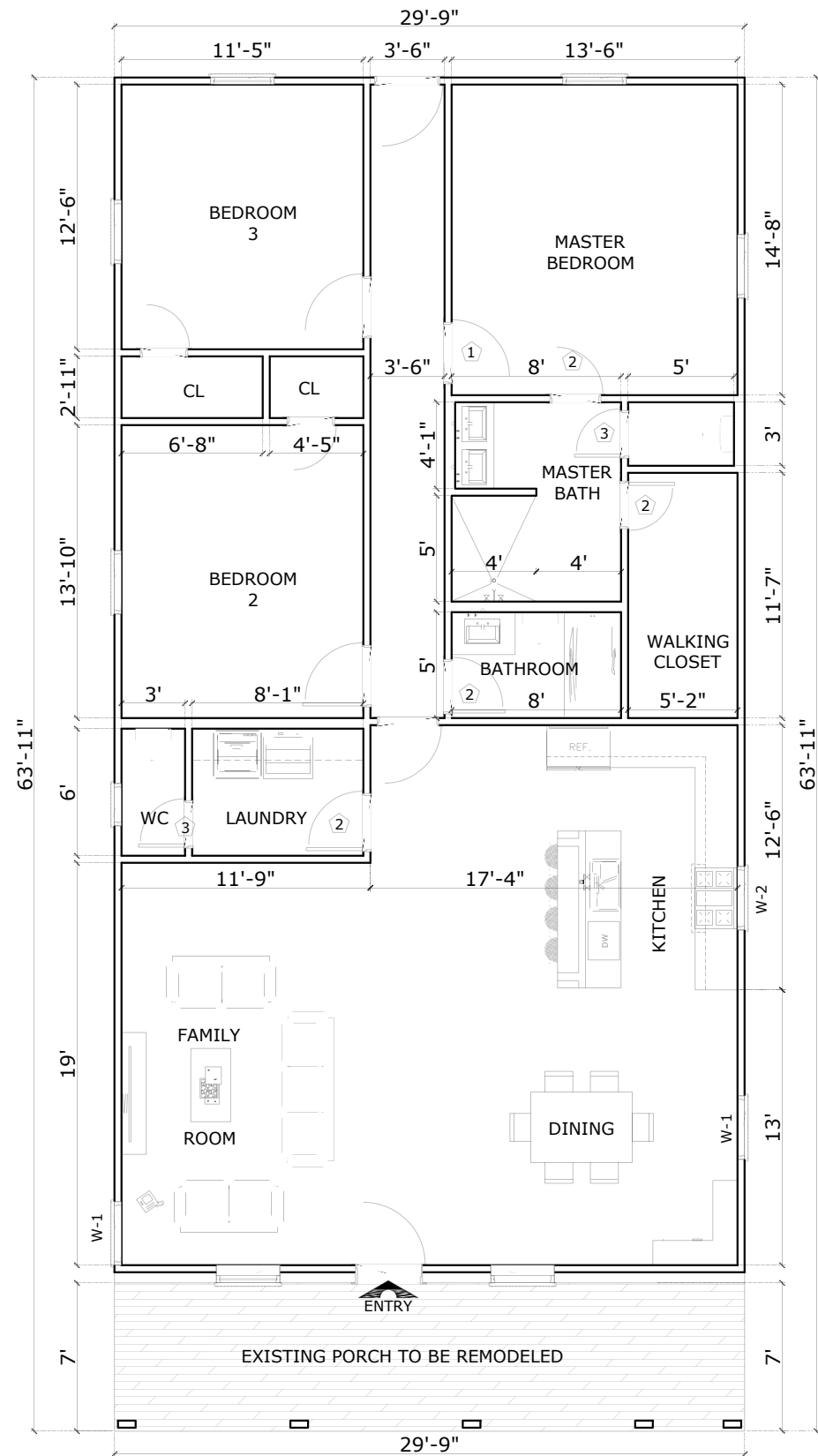
PLAN: EXISTING FLOOR PLAN & DEMO PLAN

DATE: 04-08-25
SCALE: 1/8" = 1'-0"
DATE: 10-31-24
SQ.FT.:
DRAWING No.

02 of 12

CITY STAMP

ENGINEER STAMP



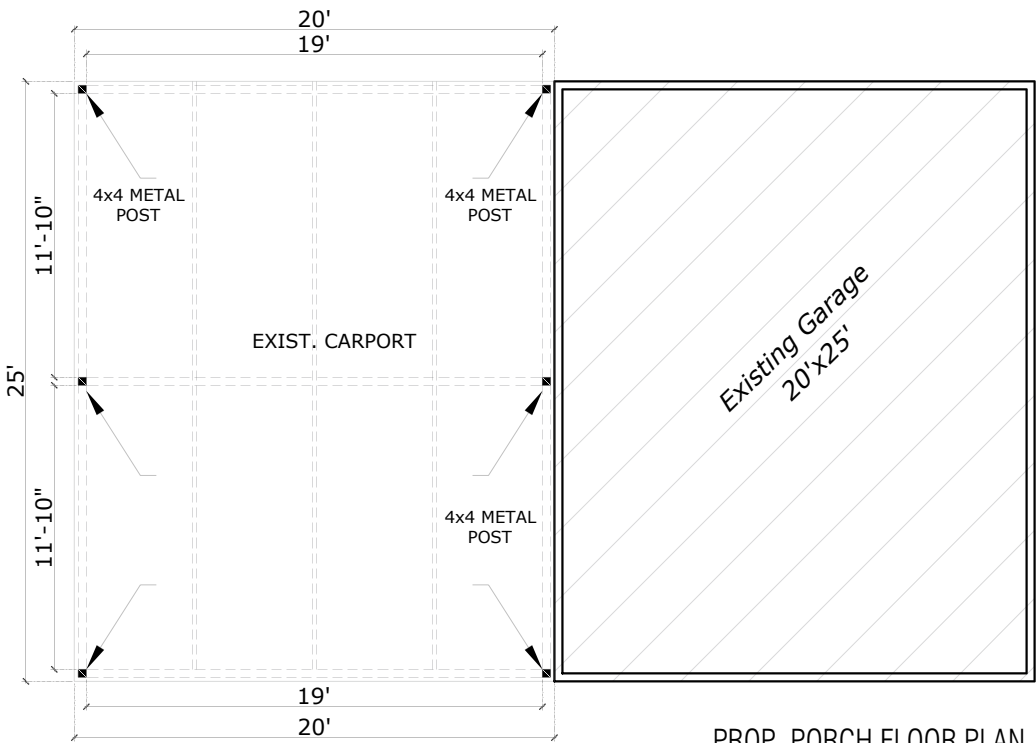
PROP. FLOOR PLAN
SCALE: 1/8" = 1'-0"

WINDOW SCHEDULE			
TAG	SIZE	DESC.	QTY.
W-1	3'-0" x 5'-0"	S.H.	2
W-2	3'-0" x 3'-0"	S.H.	1

S.H. = SINGLE HUNG
FX = FIXED
SL = SLIDING

DOOR SCHEDULE					
TAG	SIZE	FUNC.	DESC.	CORE	QTY.
1	2'-8" x 6'-8"	H.D.	SSW	H.C.	1
2	2'-6" x 6'-8"	H.D.	SSW	H.C.	4
3	2'-0" x 6'-8"	H.D.	SSW	H.C.	2

H.D. = HINGED DOOR
SL = SLIDING
SSW = SINGLE SWING
FD = FRENCH DOOR
PL = PLYABLE
RB = RUSTIC BARN
PD = POCKET DOOR
H.C. = HOLLOW CORE
S.C. = SOLID CORE
W&G = WOOD AND GLASS
V&G = VINYL AND GLASS
M.H. = METALLIC HERMETIC
M&G = METALLIC AND GLASS
ME = METALLIC
W = WOOD



PROP. PORCH FLOOR PLAN
SCALE: 1/8" = 1'-0"

CITY STAMP

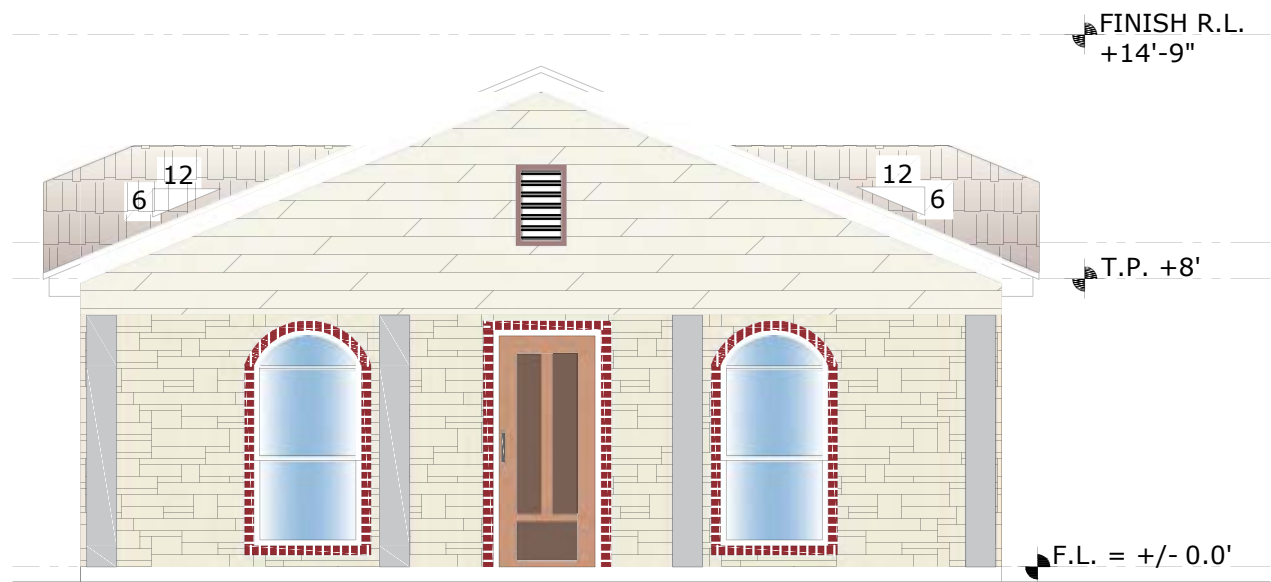
ENGINEER STAMP

DATE: 04-08-25
SCALE: 1/8" = 1'-0"
DATE: 10-31-24
SQ.FT.
DRAWING No.

03 of 12

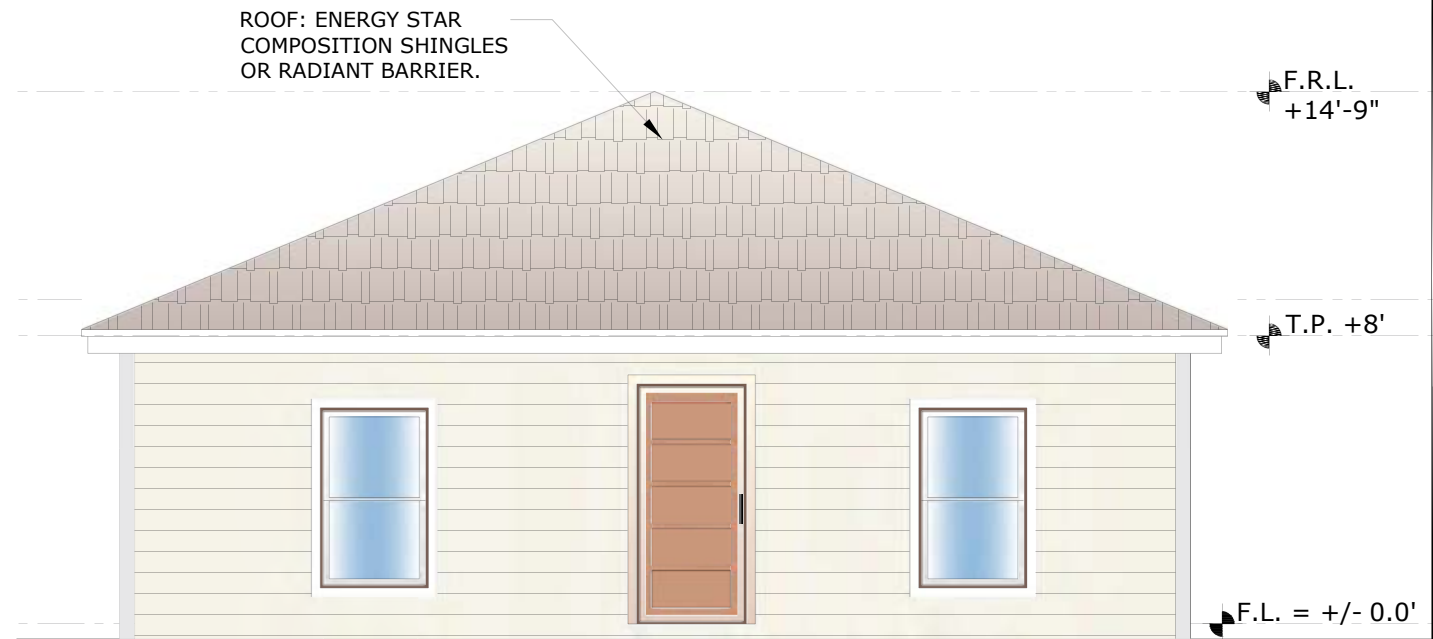
ADDRESS: 2726 Grafton Ave, Dallas, TX 75211
SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM
PLAN: PROP. FLOOR PLAN

CREATIVO DESIGNS
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247



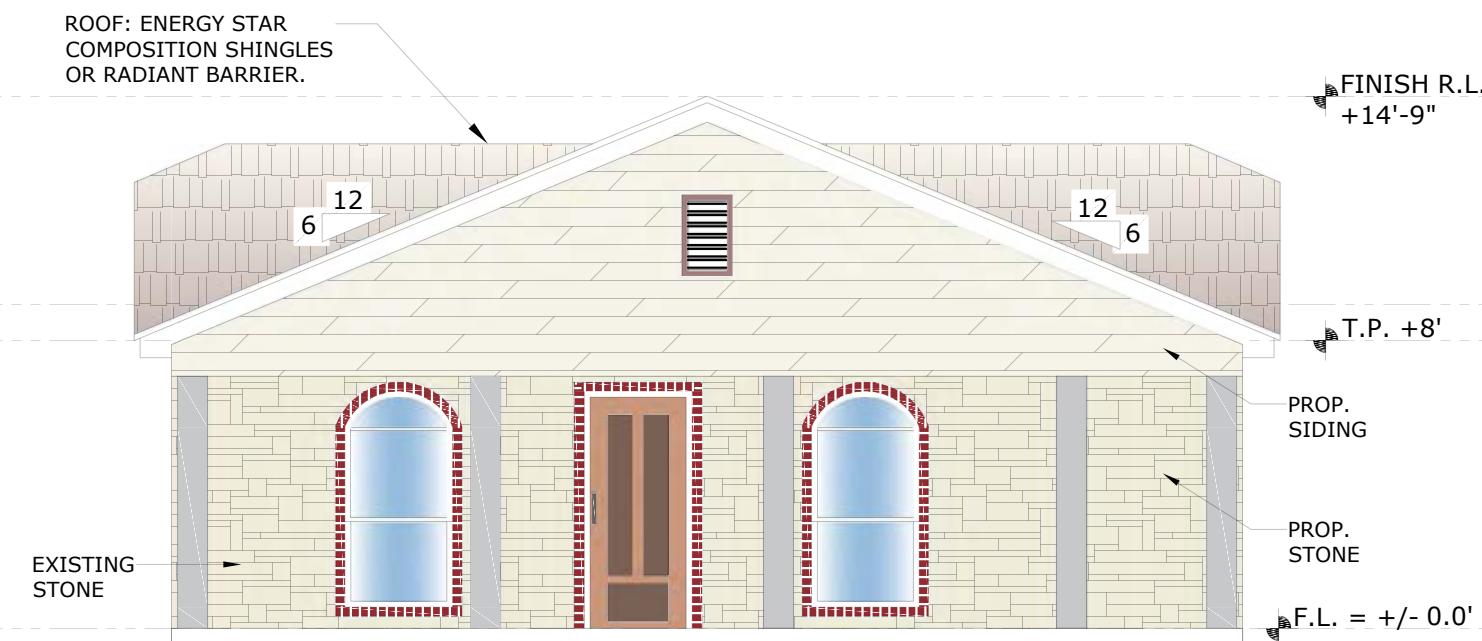
EXISTING FRONT ELEVATION PLAN

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



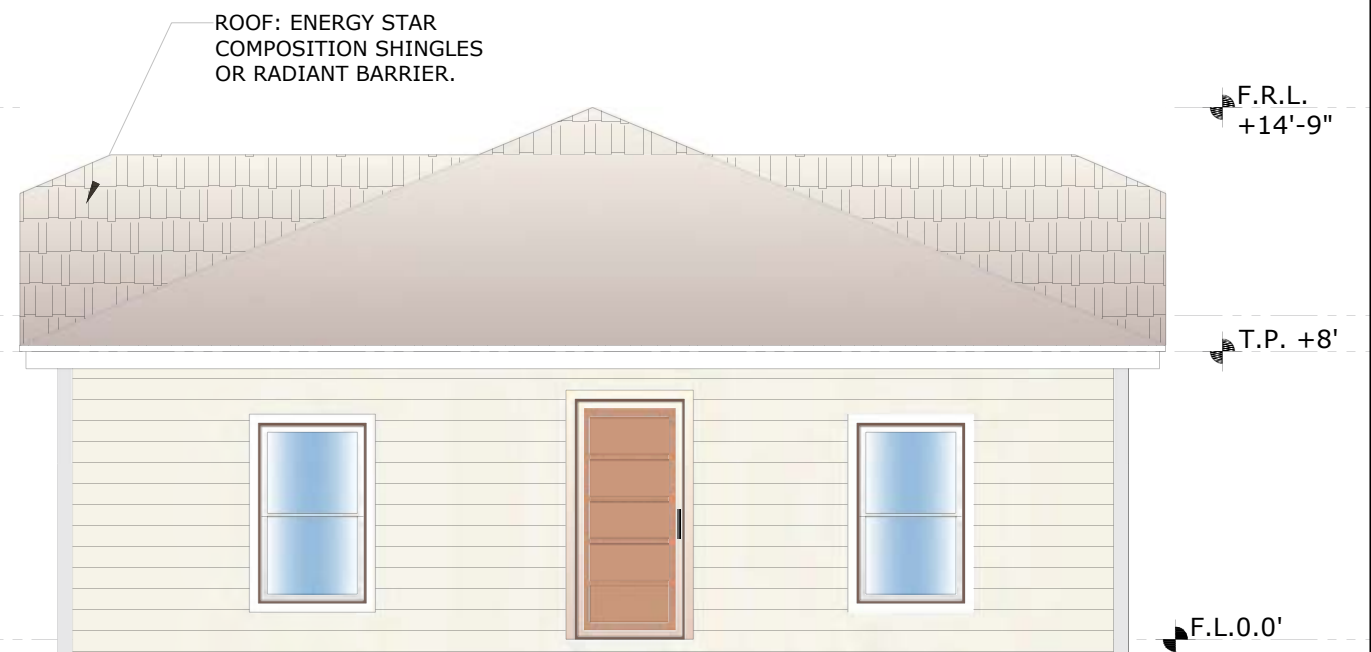
EXISTING REAR ELEVATION PLAN

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



PROP. FRONT ELEVATION PLAN

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



PROP. REAR ELEVATION PLAN

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

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

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

DATE: 10-31-24

SQ.FT:

DRAWING No.

04 of 12

ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

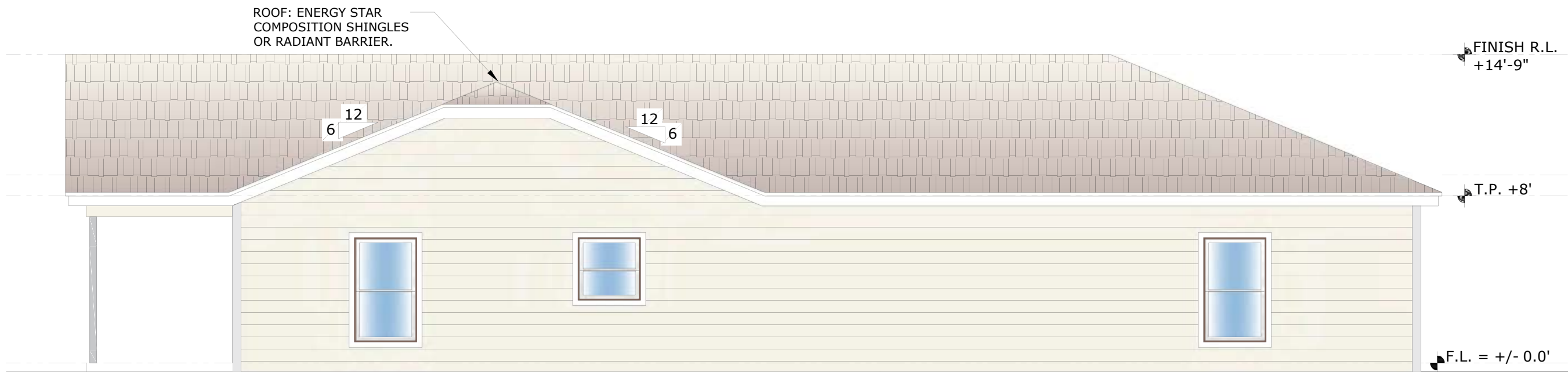
SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM

PLAN: ELEVATIONS PLAN

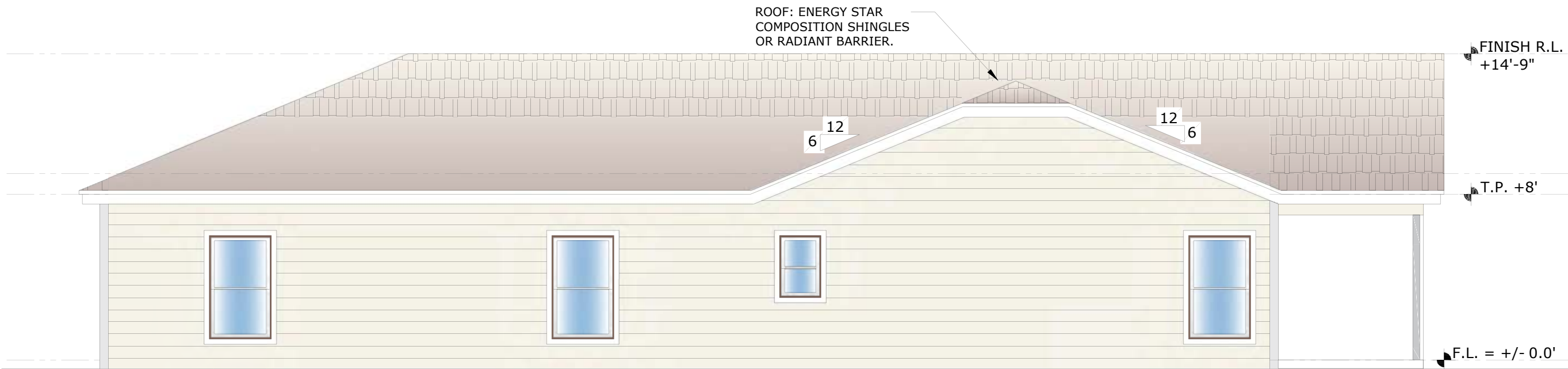


* CREATIVO DESIGNS *

8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247



PROP. RIGHT ELEVATION PLAN
SCALE: 3/16"=1'-0"



PROP. LEFT ELEVATION PLAN
SCALE: 3/16"=1'-0"

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

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

DATE: 10-31-24

SQ.FT:

DRAWING No.

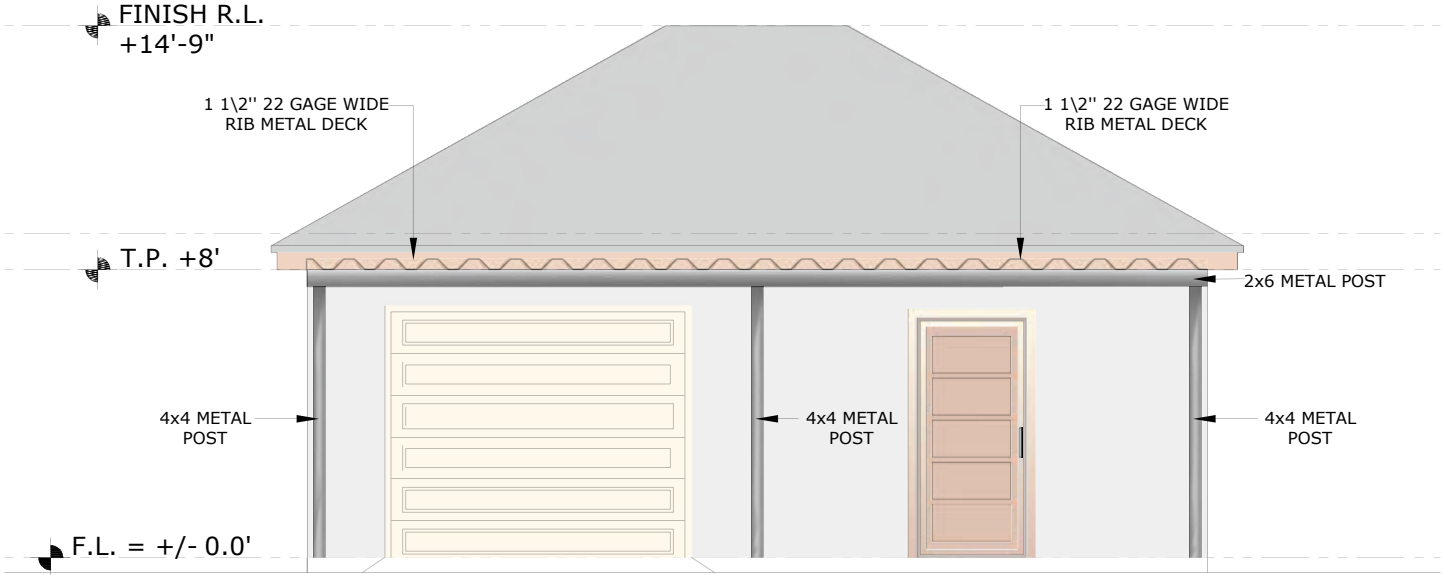
05 of 12

ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM

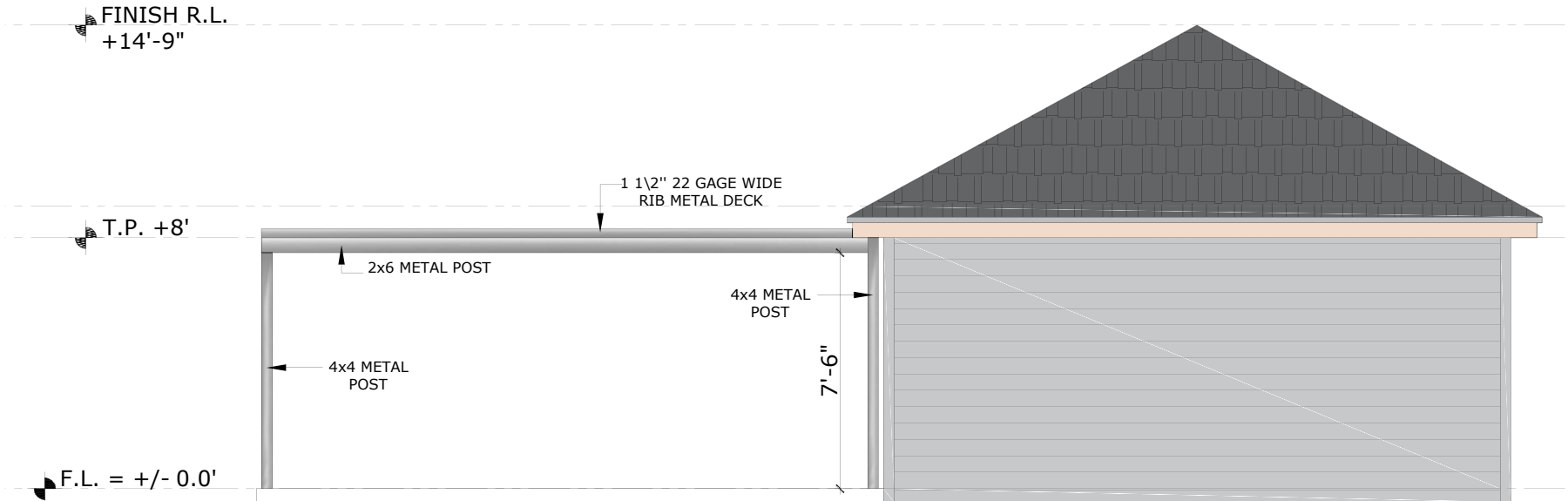
PLAN: ELEVATIONS PLAN






PROP. FRONT ELEVATION PLAN PORCH

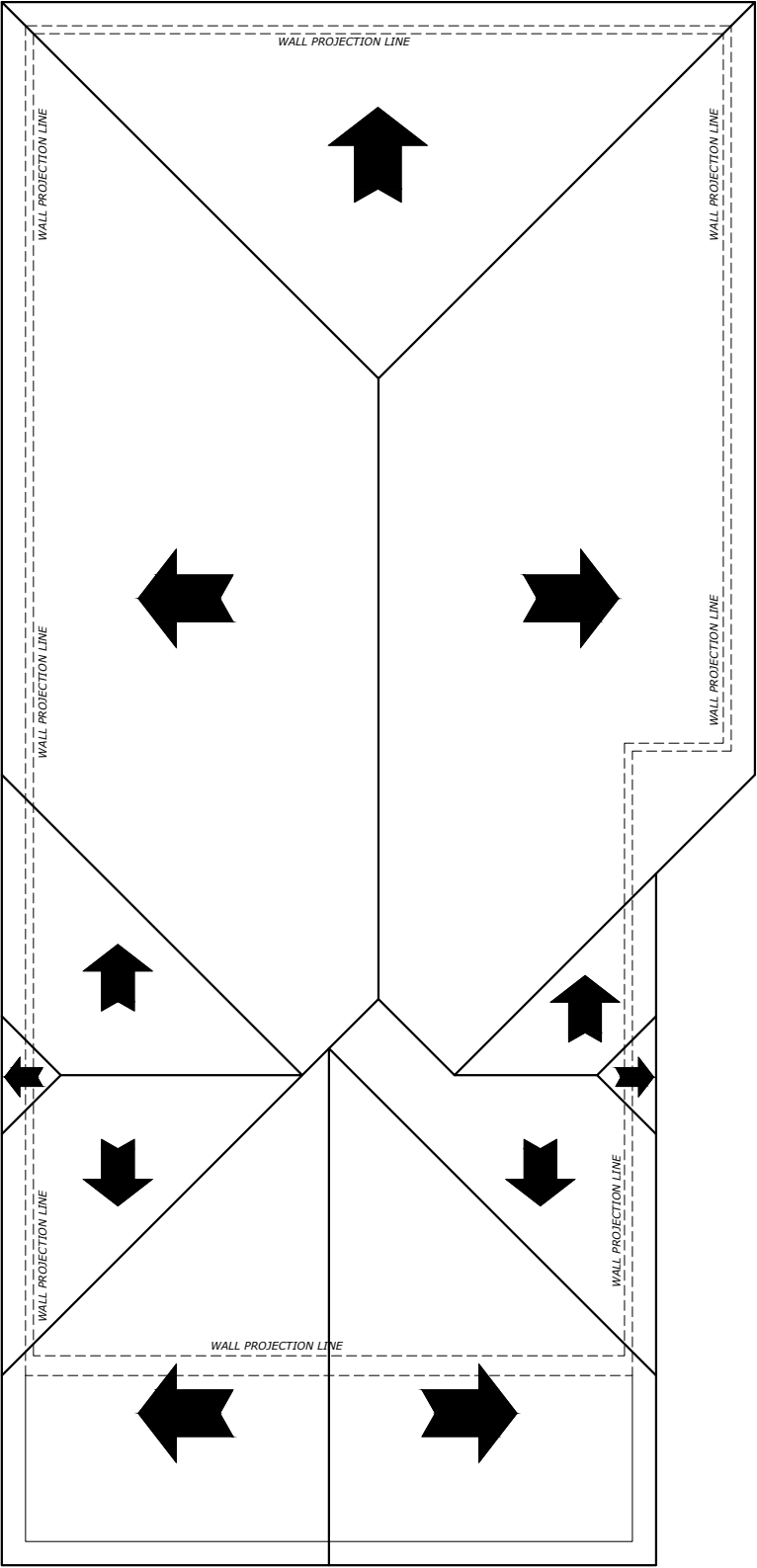
SCALE: 3/16"=1'-0"



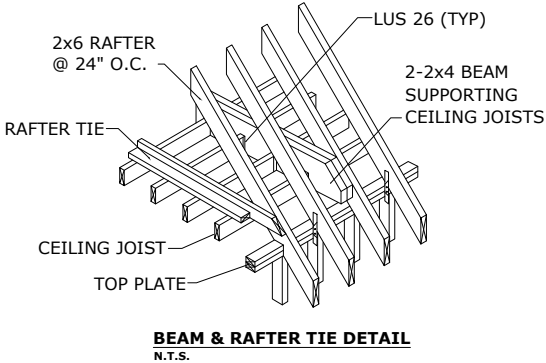
EXISTING ELEVATION CARPORT

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

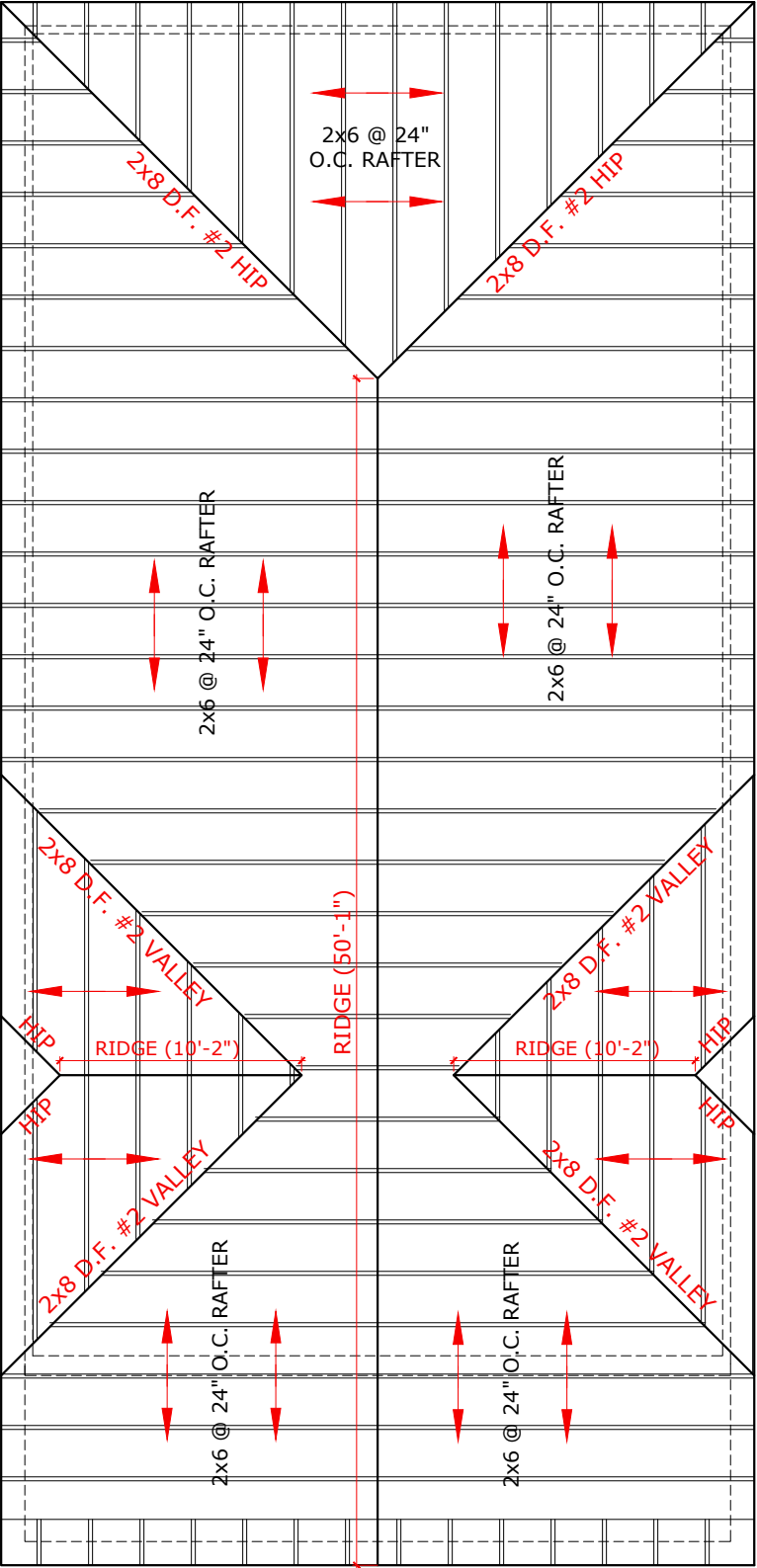
CITY STAMP			
ENGINEER STAMP			
DATE: 04-08-25	SCALE: 3/16"=1'-0"	DATE: 10-31-24	SQ.FT: 06 of 12
DRAWING No.			
ADDRESS: 2726 Grafton Ave, Dallas, TX 75211			
SCOPE OF WORK: REMODEL & ADDITION			
DRAWN: FM			
PLAN: ELEVATIONS PLAN PORCH			
 * CREATIVO DESIGNS * 8500 N STEMMONS FWY SUITE#2045 DALLAS, TX 75247			



EXISTING ROOF PLAN
SCALE: 1/8"=1'-0"



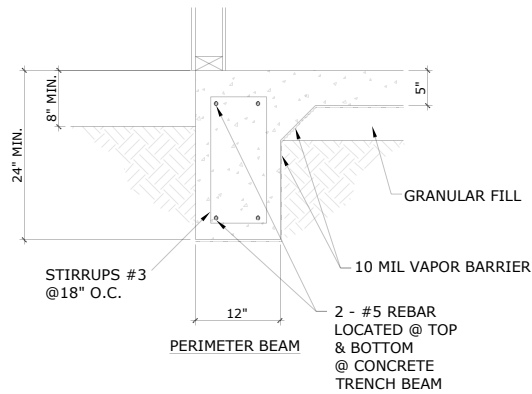
- FRAMING NOTES:**
1. RAFTERS TO BE SUPPORTED BY CONT BRACING FOR HORIZONTAL SPANS OF 16'-0" OR GREATER.
 2. SUPPORT ALL HIP, VALLEYS AND RIDGES @ 8'-0" O.C. MAX.
 3. ALL RAFTERS TO BEAR ON SECOND FLOOR WALLS WHERE APPLICABLE.
 4. RAFTERS MAY BE SPLICED ONLY @ CONT. BRACING OR SECOND FLOOR WALLS.
 5. RAFTERS TO BE PLACED IN COMPLIANCE WITH ALL LOCAL CODES.
- EXAMPLE:**
- A- 2x10 RAFTERS @ 16" O.C. MAX. WITH 1/2" P.W. DECKING.
 - B- 2x10 RAFTERS @ 24" O.C. MAX. WITH 5/8" P.W. DECKING.
 - C- 2x10 RAFTERS @ 24" O.C. MAX. WITH 5/8" P.W. DECKING.
6. FASCIA OVERHANG TO BE 12" (TYP.) UNLESS NOTED ON ELEVATIONS.
 7. ALL HIP/ VALLEY RAFTERS TO BE 2x8 UNLESS NOTED.
 8. RAFTER SIZE: 2" x 6" @ 24" O.C.



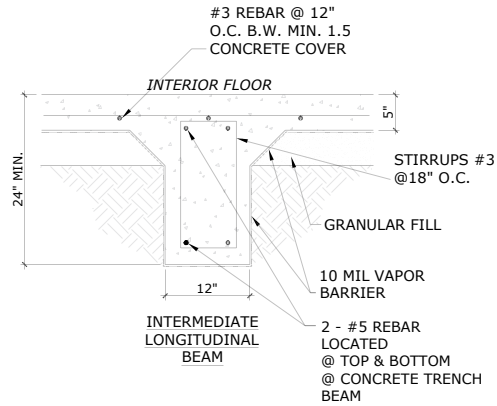
PROP. FRAMING PLAN
SCALE: 1/8"=1'-0"

CITY STAMP	
ENGINEER STAMP	
DATE: 04-08-25	SCALE: 1/8"=1'-0"
DATE: 10-31-24	SCALE: 10-31-24
SQ.FT:	DRAWING No.
07 of 12	
ADDRESS: 2726 Grafton Ave, Dallas, TX 75211	SCOPE OF WORK: REMODEL & ADDITION
	DRAWN: FM
	PLAN: ROOF PLAN

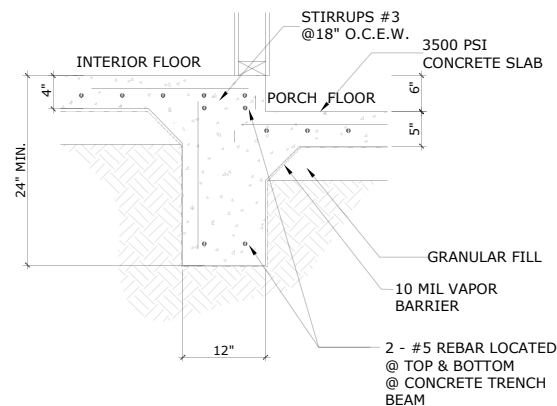




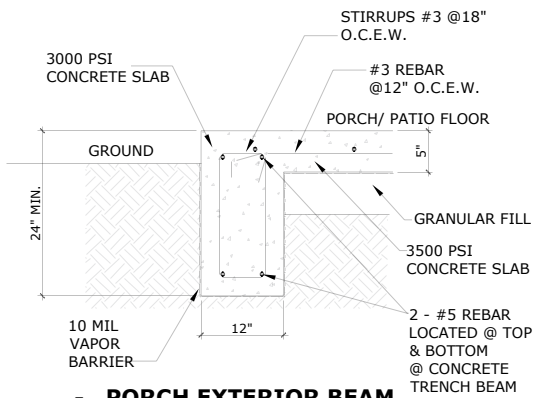
1 TYP. EXT. BEAM SECTION SIDING/STUCCO
N.T.S



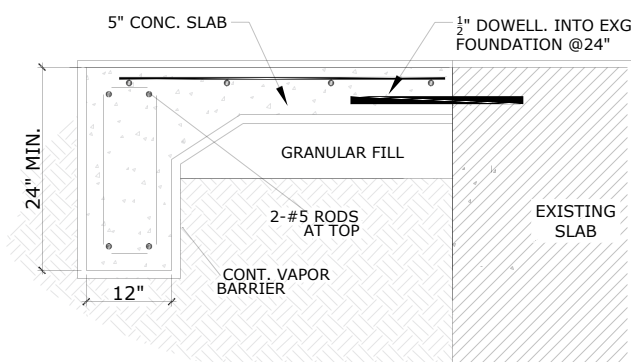
2 TYP. INTERIOR BEAM SECTION
N.T.S



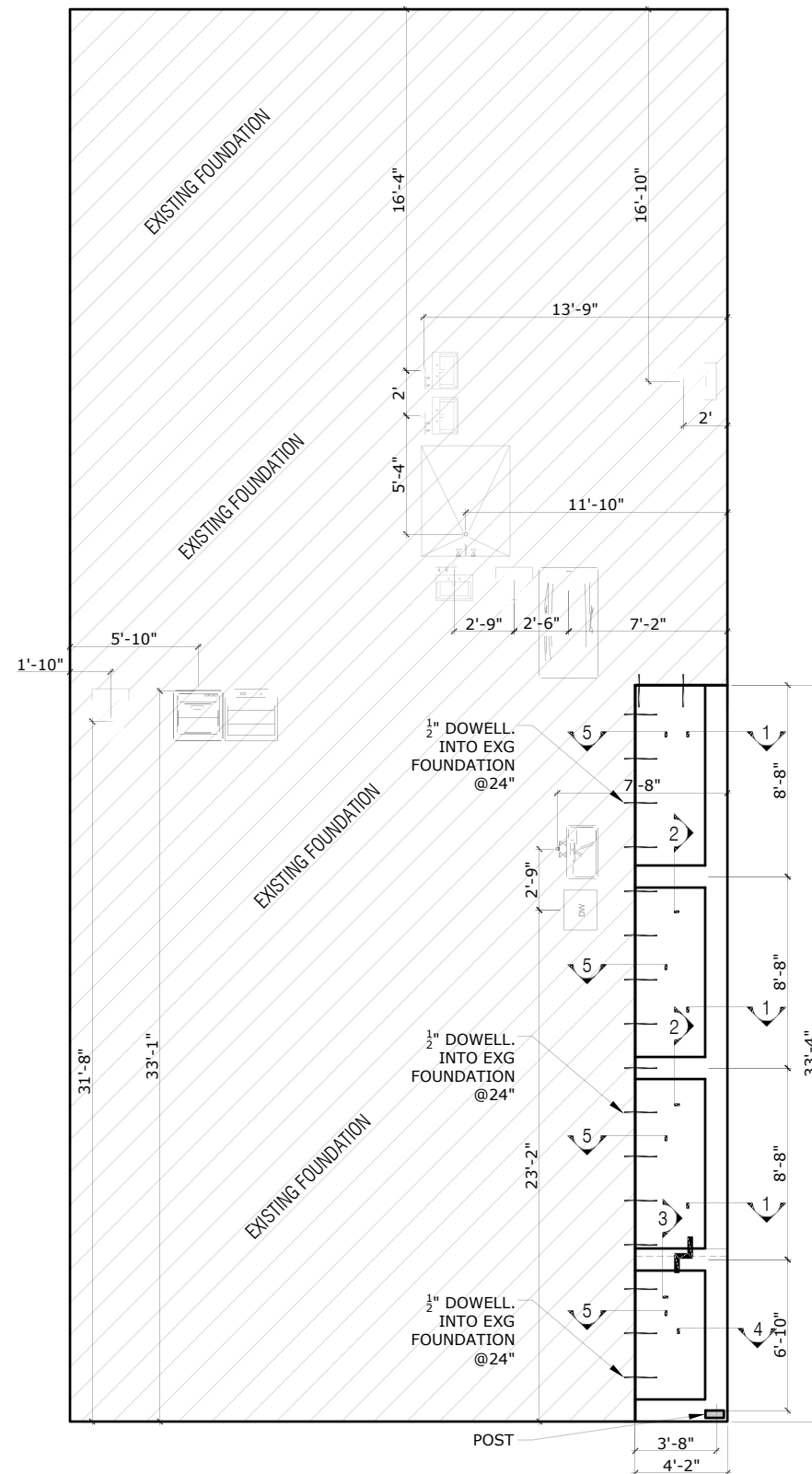
3 PORCH INTERMEDIATE BEAM W/SLOPE
N.T.S



4 PORCH EXTERIOR BEAM
N.T.S



5 FOUNDATION BOARD WITH EXISTING SLAB
N.T.S



PROP. FOUNDATION PLAN

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

LEGAL DESCRIPTION:

- 1: SUNSET CREST
- 2: BLK 9/3857 LT 2

LEGEND/SYMBOL

	#5 REBAR BEAM REINF. (TYP)
	5" CONC. SLAB/W #3 BAR'S AT 12" WAY OVER 10 MIL POLYVAPOR BARRIER (TYP)

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

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

DATE: 10-31-24

SQ.FT:

DRAWING No.

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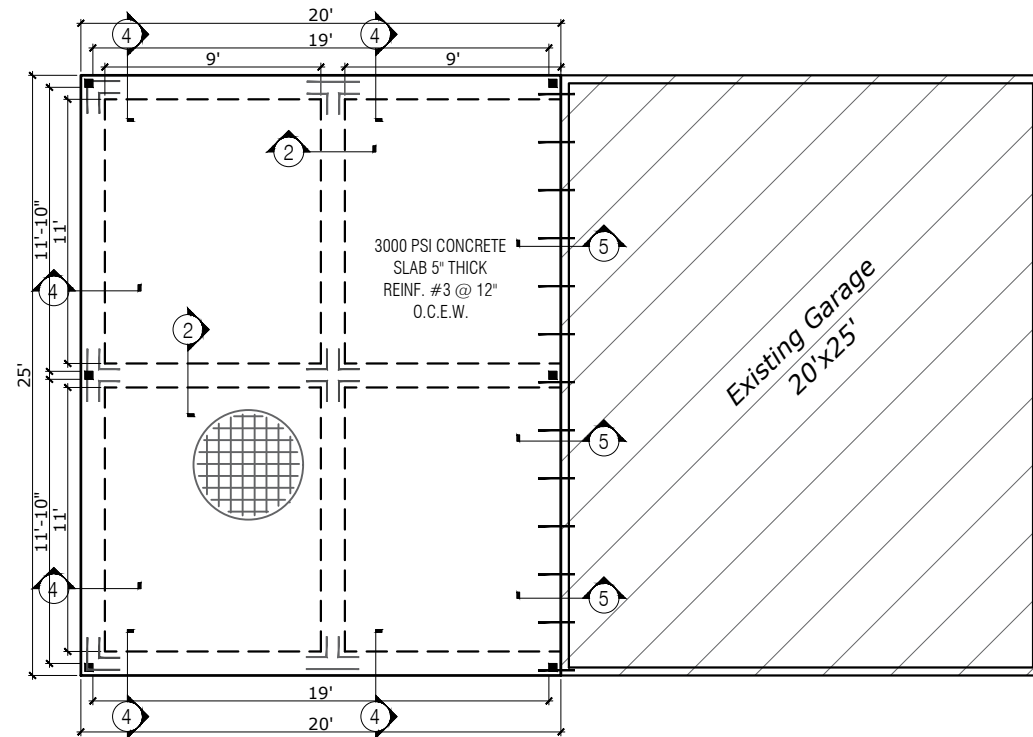
ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

SCOPE OF WORK: REMODEL & ADDITION
FM

PLAN: FOUNDATION PLAN



CREATIVO DESIGNS
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247

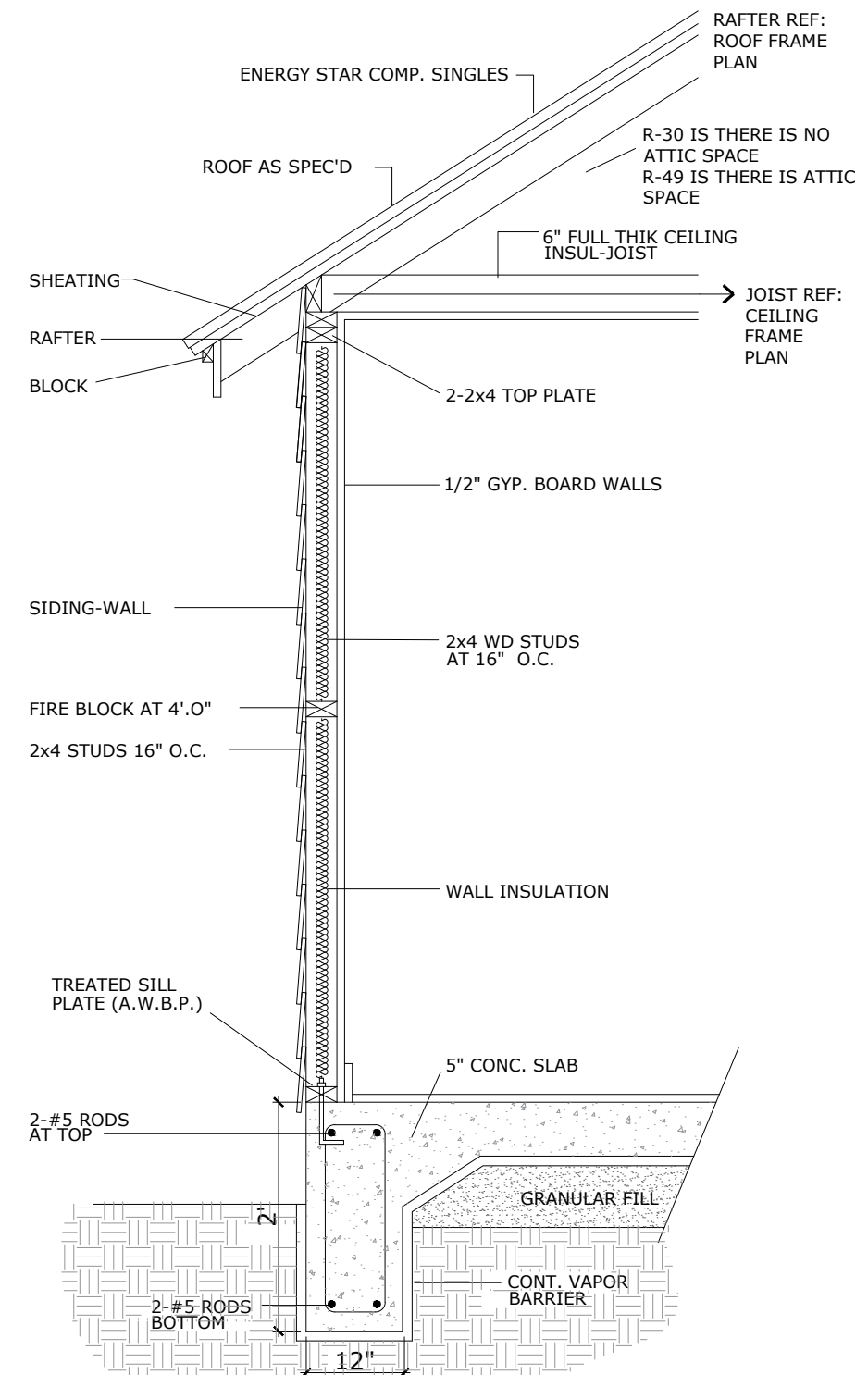


EXIST. FOUNDATION PLAN

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

FOUNDATION NOTES:

1. PLACE 10 MIL. POLYETHYLENE UNDER SLAB.
2. REINFORCING SHALL BE PLACED ON PLASTIC OR METAL CHAIRS TO MAINTAIN PROPER CLEARANCE ABOVE GRADE.
3. CONCRETE TRUCKS SHALL NOT RUN OVER PLACED REINFORCING STEEL TO EXTENT THAT THE REINFORCING STEEL BECOMES BENT OR DAMAGED.
4. FLAT WORK CONCRETE SHALL BE FINISHED BY SCREEDING AND FIRST TRAWLED TO LEVEL WITH AS LITTLE SURFACE WORK AND MANIPULATION AS POSSIBLE TO PREVENT THE DRAWING OF FINE AGGREGATE AND WATER TO THE SURFACE. SCREEDS MUST BE SUFFICIENTLY RIGID TO RESIST DISTORTION AS THE CONCRETE IS SPREAD. EXCESS WATER IS TO BE REMOVED BY DRAINING OR BLOTING WITH MATS.
5. AFTER ANY WATER SHEEN HAS DISAPPEARED AND THE CONCRETE SURFACE HAS HARDENED TO BEAR A PERSON'S WIGHT WITHOUT LEAVING AN INDENTATION, FINAL FINISHING MAY PROCEED. BUILDING FLOORS SHALL RECEIVE A POWER STEEL FLOAT, BUT NO TO A SLICK FINISH AND SHALL HAVE A SLIGHTLY ROUGH FINISH THAT IS NOT SLICK WHEN WETTED AFTER CURING. EXTERIOR SLABS SUBJECT TO WEATHER SHALL HAVE A BROOM FINISH AND SLOPED TO DRAIN.



WALL SECTION - SIDING/STUCCO
N.T.S

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

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

DATE: 10-31-24

SQ.FT.

DRAWING No.

10 of 12

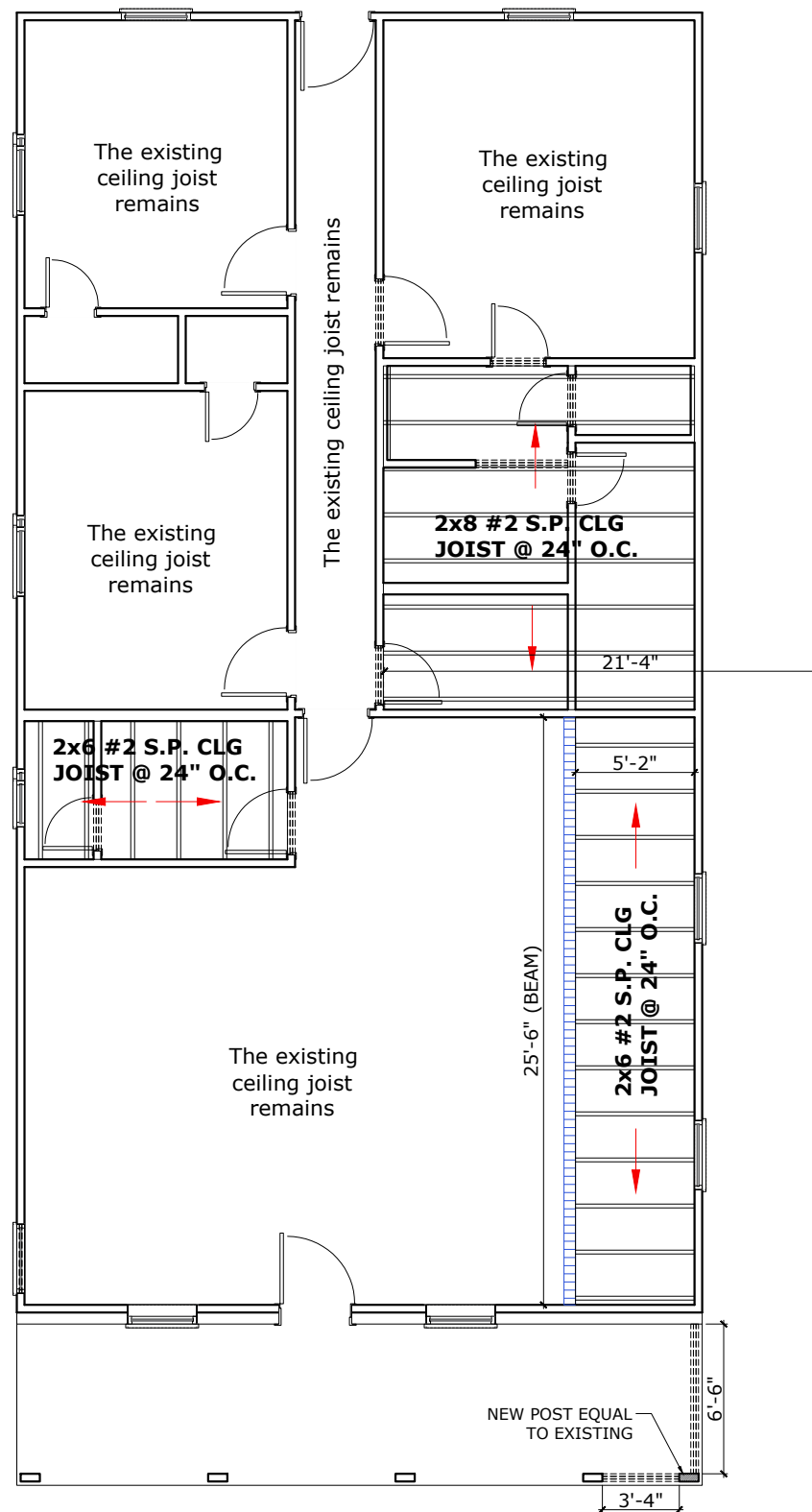
ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

SCOPE OF WORK: REMODEL & ADDITION
FM

PLAN: FOUNDATION PLAN



• CREATIVO DESIGNS •
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247

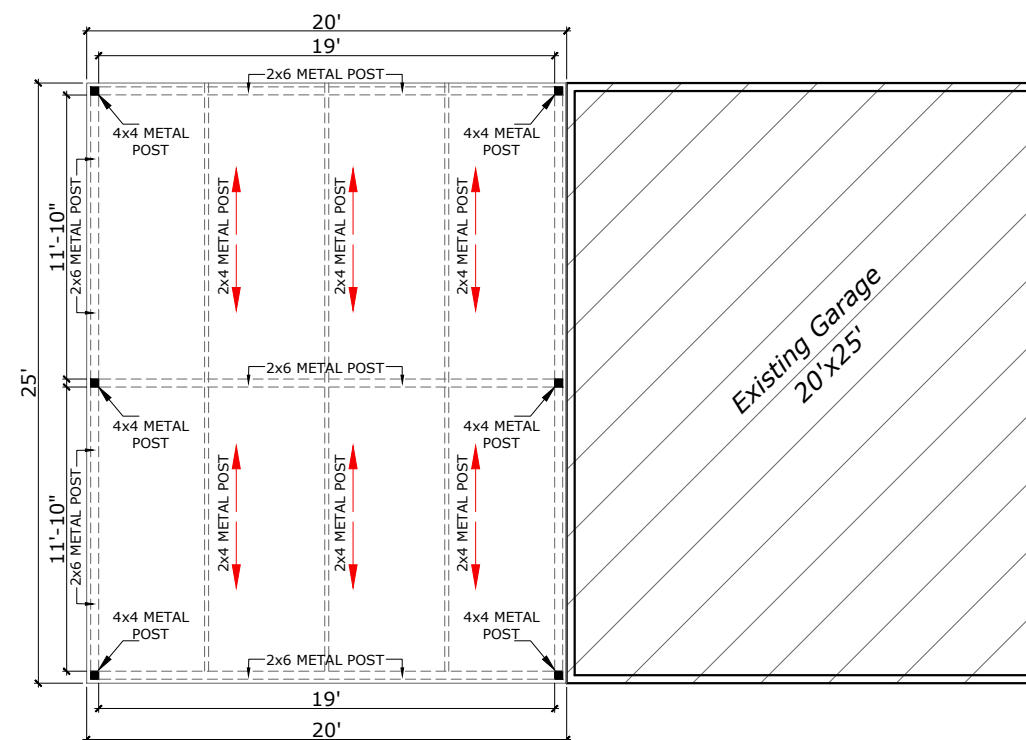
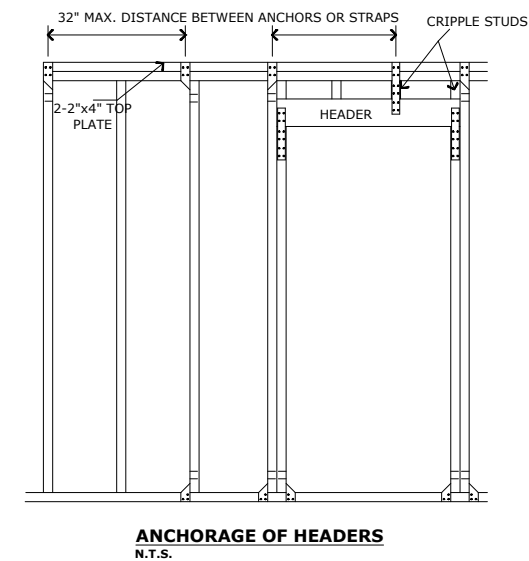
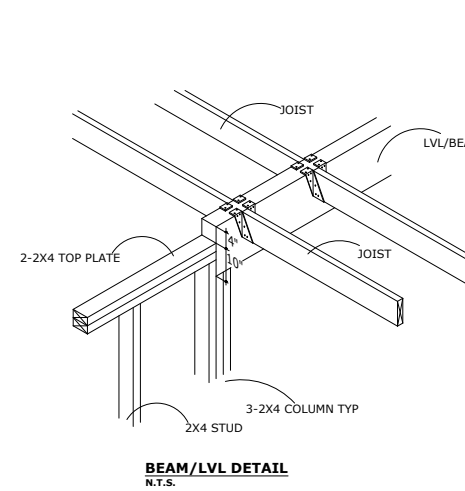


PROP. CEILING PLAN
SCALE: 1/8" = 1'-0"

LEGEND/SYMBOL	
	HEADER
	BEAM
	POST

TYPICAL WALL FRAMING ELEMENTS:

- * 2-2x4 TOP PLATE.
- * 2x4 STUDS.
- * 2-2x8 HEADERS NOT LONGER THAN 5 FT.
- * 2-2x10 HEADERS NOT LONGER THAN 8 FT.
- * 2-2x12 HEADERS NOT LONGER 10 FT.
- * 4-2x12 HEADERS NOT LONGER 12FT.
- * CEILING HEIGHT = 9'



EXIST. CEILING PLAN PORCH
SCALE: 1/8" = 1'-0"

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25

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

DATE: 10-31-24

SQ.FT:

DRAWING No.

11 of 12

ADDRESS:
2726 Grafton Ave, Dallas, TX 75211

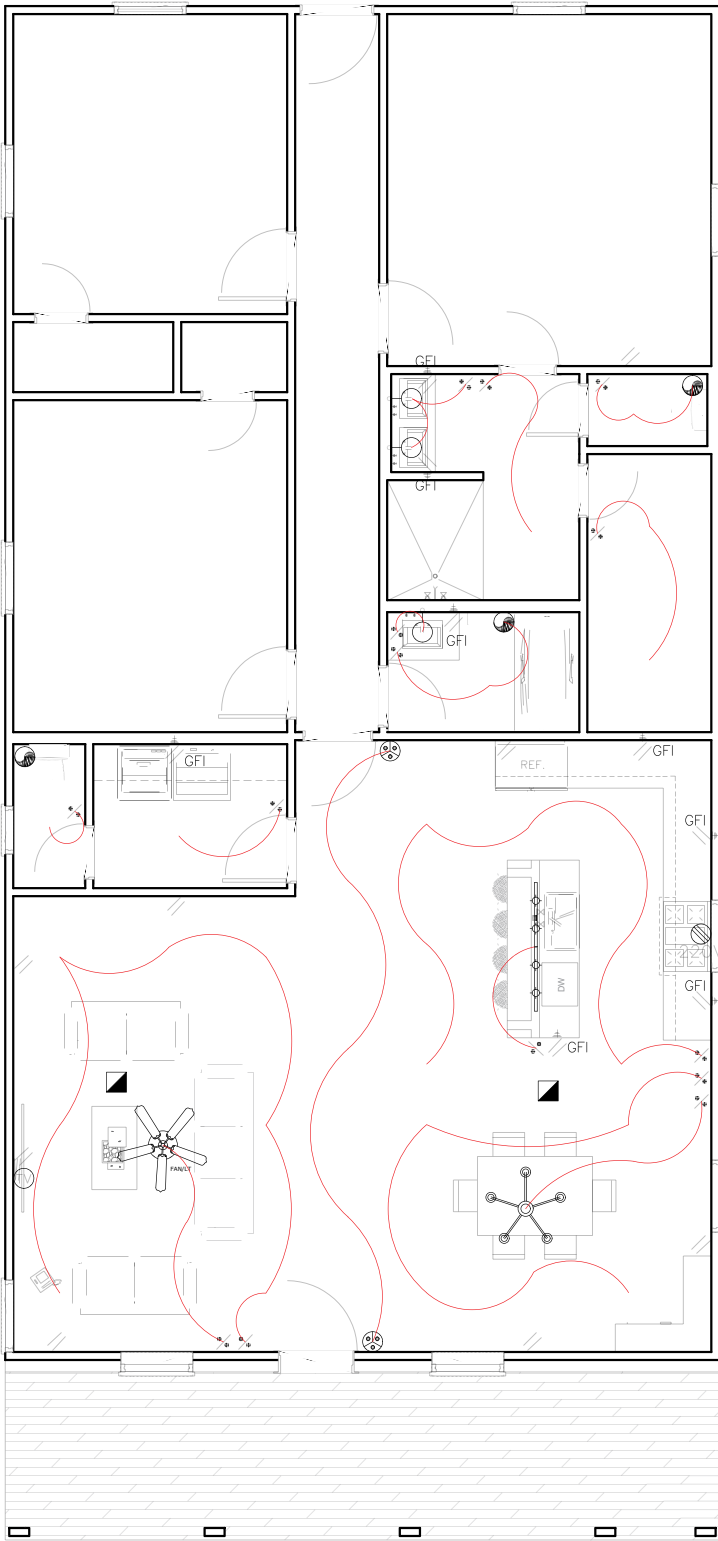
SCOPE OF WORK: REMODEL & ADDITION

DRAWN: FM

PLAN: CEILING PLAN



• CREATIVO DESIGNS •
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247

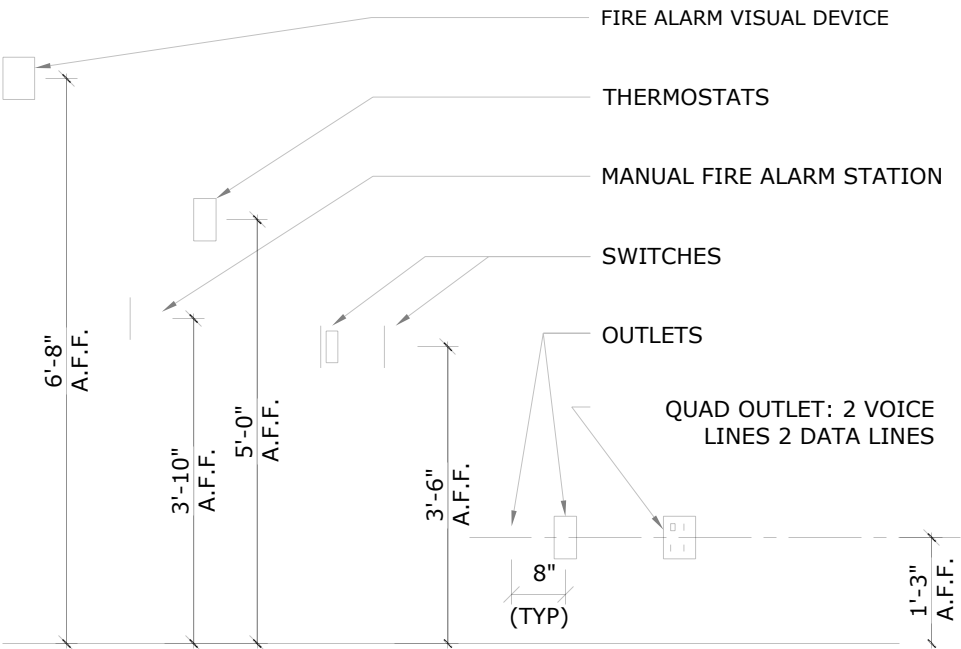


PROP.ELECTRICAL PLAN
SCALE: 1/8"=1'-0"

ELECTRICAL LEGEND	
	RECEPTACLE OUTLET
	WALL MOUNTED LIGHT
	RECESSED, ADJUSTABLE CAN LIGHT
	110 VOLT with GROUND FAULT INTERRUPTER
	220 VOLT RECEPTACLE
	SMOKE DETECTOR W/ CARBON MONOXIDE DETECTION (HARD WIRE WITH BATTERY BACKUP)
	TV ANTENNA/CABLE/SATELITE/ETC. (VERIFY WITH OWNER)
	TRACK LIGHTING (LENGTH PER PLAN)
	CHANDELIER
	CEILING FAN W/OPT. LIGHT
	EXHAUST FAN (50 cfm MIN.)
	SWITCH

ELECTRICAL PLAN GENERAL NOTES:

- COORDINATE EXACT LOCATIONS AND MOUNTING HEIGHT OF ALL ELECTRICAL DEVICES WITH ARCHITECT PRIOR TO BEGINNING CONSTRUCTION.
- ALL RECEPTACLES WITHIN WET AREAS SHALL BE GFI PROTECTED.
- PROVIDE # 10 AWG NEUTRAL CONDUCTOR FOR MULTI-CONDUCTOR HOME RUNS.
- FIRE ALARM SYSTEM AND FIRE PROTECTION SYSTEM IS NOT IN SCOPE OF THE ELECTRICAL DESIGN WORK AND SHALL BE DESIGNED BY CERTIFIED FIRE ALARM CONTRACTOR/ENGINEER. PROVIDE NEW FIRE ALARM PANEL AND DEVICES PER NFPA AND LOCAL CODES.



TYPICAL SWITCH AND OUTLET LOCATIONS
SCALE: N.T.S.

CITY STAMP

ENGINEER STAMP

DATE: 04-08-25
SCALE: 1/8"=1'-0"
DATE: 10-31-24
SQ.FT.:
DRAWING No. 12 of 12

ADDRESS: 2726 Grafton Ave, Dallas, TX 75211
SCOPE OF WORK: REMODEL & ADDITION
DRAWN: FM
PLAN: ELECTRICAL PLAN

CREATIVO DESIGNS
8500 N STEMMONS FWY
SUITE#2045 DALLAS, TX 75247

FILE NUMBER: BDA245-070(BT)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin to **(1)** appeal the decision of the administrative official at **5115 VANDERBILT AVE.** This property is more fully described as Block V/2190, Lot 20, and is zoned CD-9 (R-7.5(A)), which requires that the building official shall deny a Conservation District review if the building official determines that the proposed construction would be in violation of the Dallas Development Code, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations. The applicant proposes to **(1)** appeal the decision of an administrative official in the denial of a Conservation District review CD24071603.

LOCATION: 5115 Vanderbilt Ave.

APPLICANT: Rob Baldwin

REQUEST:

- (1) A request is made to **appeal the decision of the administrative official in Conservation District 9 application CD24071603.**
- **ORD 28946(d)(14)(A)** All houses must have a straight driveway located along the east side of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
 - **ORD 28946(d)(14)(B)** Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
 - **ORD 28946(d)(14)(C)** All driveways and curbing located in a front yard or cornerside yard must be constructed of brush finished concrete.
 - **ORD 28946(d)(14)(D)** The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Section 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.

Section 51A-3.102 of the Dallas Development code states the Board of Adjustment has the following powers and duties: To hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city. For purposes of this section, "administrative official" means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.

Additionally, **Section 51A-4.703** states that "the board shall decide an appeal of a decision of an administrative official at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the appeal date is filed. The board shall have all the powers of the administrative official on the action appealed from. The board may in whole or in

part affirm, reverse, or amend the decision of the official. The board may impose reasonable conditions in its order to be complied with by the applicant in order to further the purpose and intent of this chapter.”

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).

BACKGROUND INFORMATION:

Zoning:

Site: CD-9
North: CD-9
East: CD-9
South: CD-9 and CD-15
West: CD-9 and PD-193 (O-2)

Land Use:

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

BDA History:

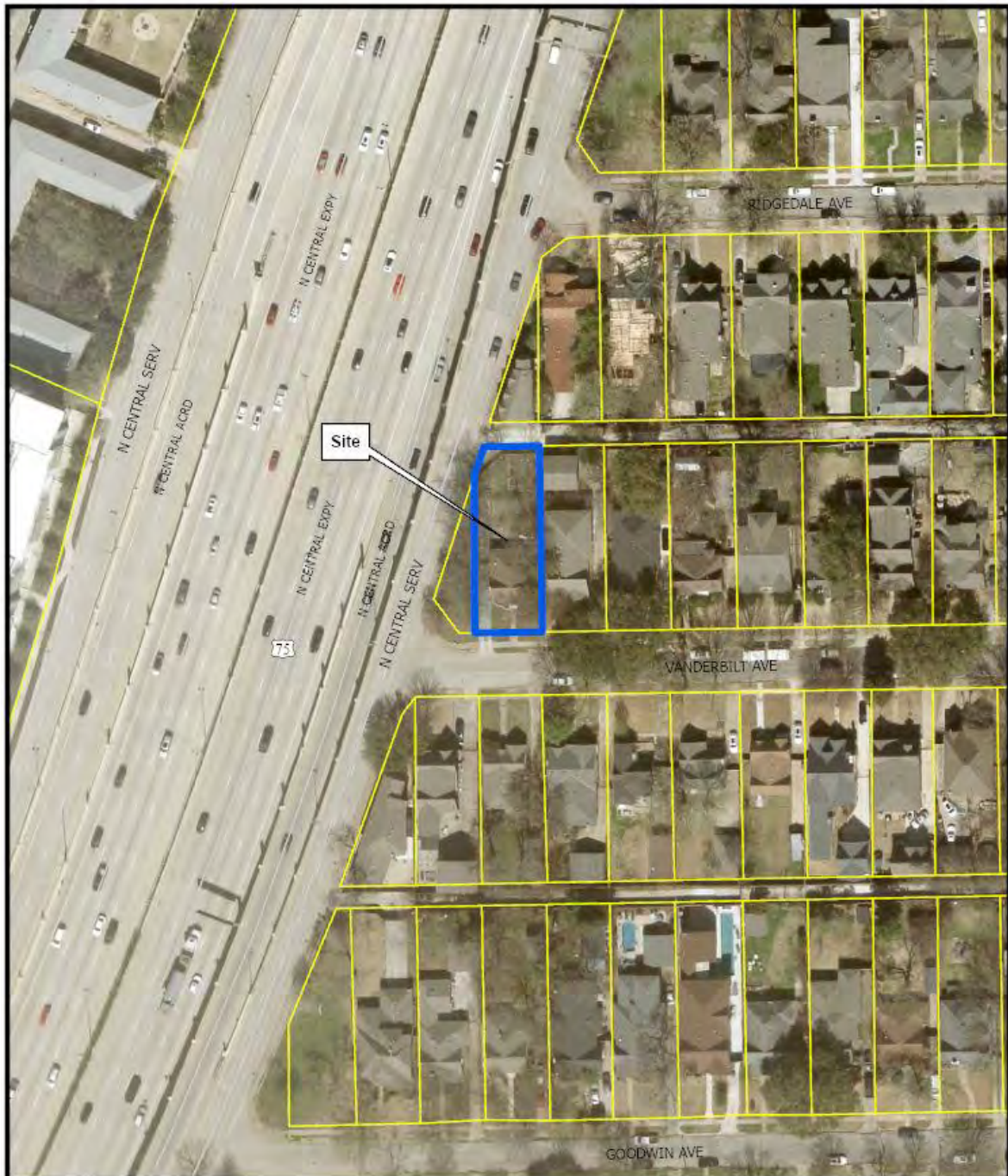
No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Rob Baldwin, represented by Baldwin Associates applied for a CD work review on July 16, 2024.
- Total of four CD work review cycles, July 19, 2024, October 30, 2024, January 27, 2025, and April 14, 2025.
- Denial letter issued via email in reference to CD-9 work review #CD24071603 on April 14, 2025, for the following conditions:
 - **ORD 28946(d)(14)(A)** All houses must have a straight driveway located along the east side of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
 - **ORD 28946(d)(14)(B)** Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
 - **ORD 28946(d)(14)(C)** All driveways and curbing located in a front yard or cornerside yard must be constructed of brush finished concrete.
 - **ORD 28946(d)(14)(D)** The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
- 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:

- April 21, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 5, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.
- May 19, 2025: The Planning and Development Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the **May 23, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **May 30, 2025**, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- May 29, 2025: 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.

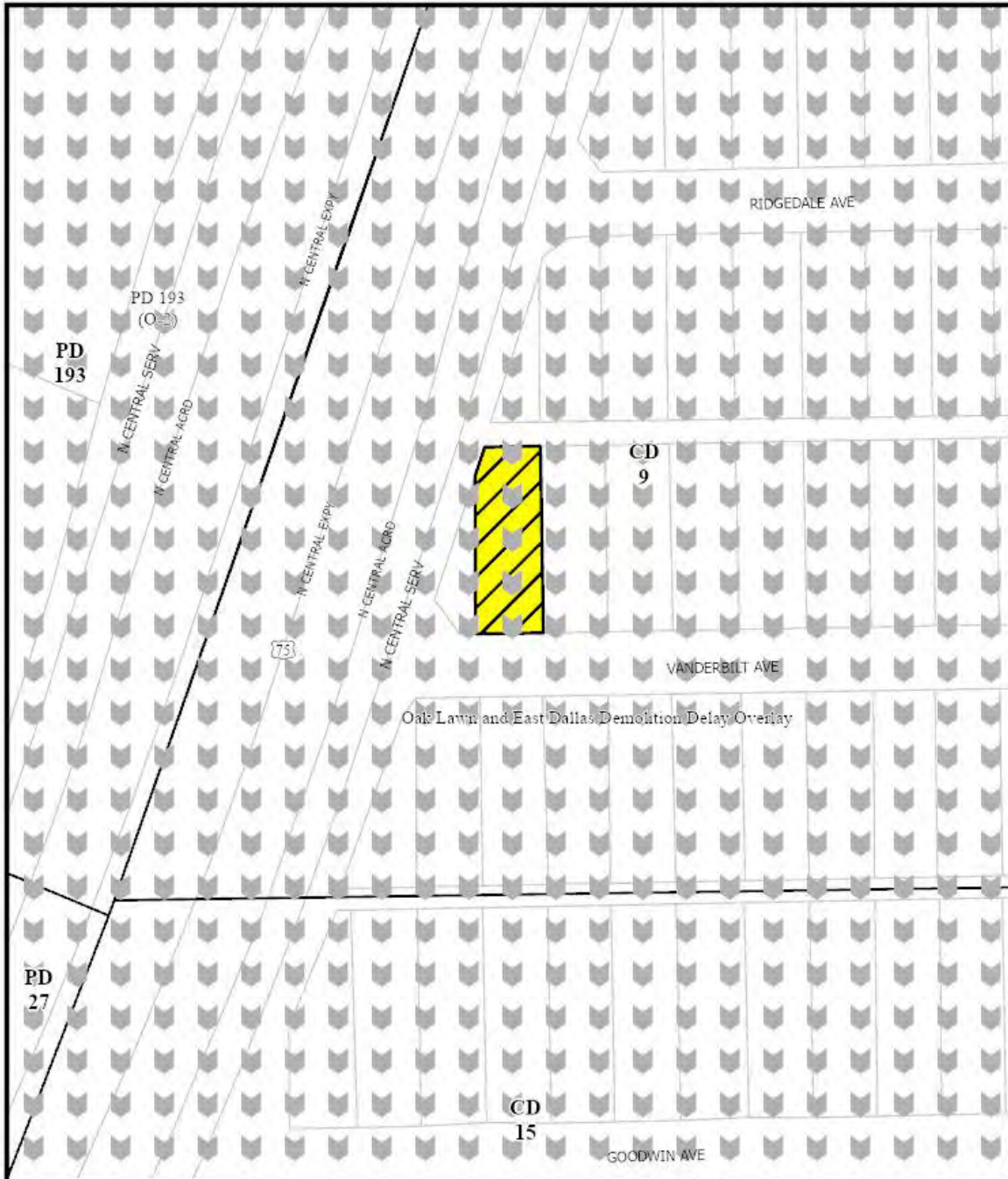


1:1,200


AERIAL MAP


Case no: **BDA245-070**

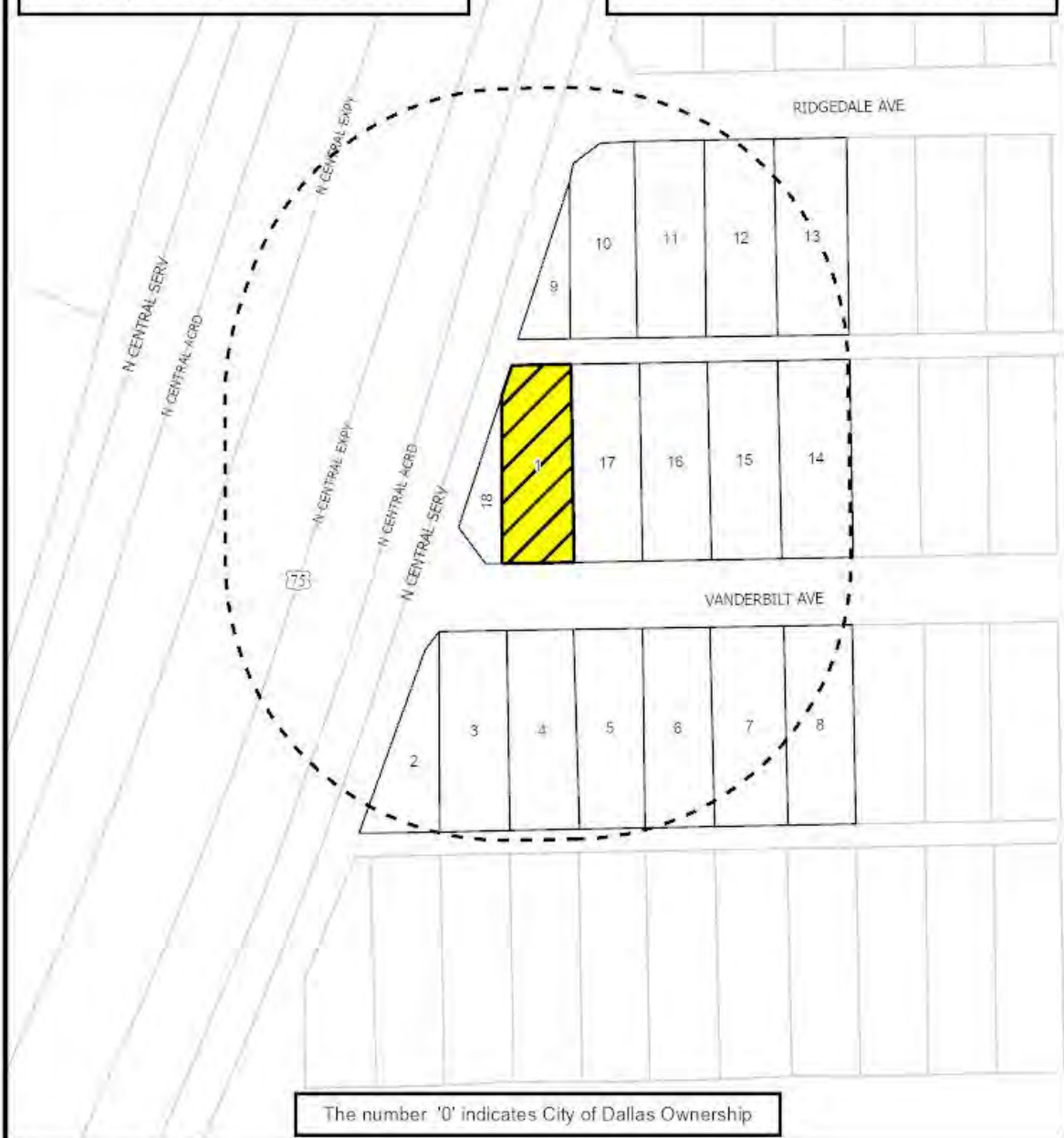
Date: **05/16/2025**



 1:1,200	<h2>ZONING MAP</h2>	Case no: <u>BDA245-070</u> Date: <u>05/16/2025</u>
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The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

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



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

18

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA245-070**

Date: **5/16/2025**

Notification List of Property Owners

BDA245-070

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5115 VANDERBILT AVE	SBRJWM LTD
2	5106 VANDERBILT AVE	JOHNSTON BRIAN JEFFREY
3	5110 VANDERBILT AVE	KUMARI SIMRAN &
4	5114 VANDERBILT AVE	WALL JEFF S
5	5118 VANDERBILT AVE	DESKINS HEATHER U
6	5122 VANDERBILT AVE	BOXTON SABRINA MARIA &
7	5126 VANDERBILT AVE	MCINERNEY MICHAEL
8	5130 VANDERBILT AVE	LEUCH MARIA
9	5102 RIDGEDALE AVE	KUMAR JONNI
10	5106 RIDGEDALE AVE	SEITZ JOE C &
11	5122 RIDGEDALE AVE	A & R TEXAS PROPERTIES LLC
12	5126 RIDGEDALE AVE	EUBANKS DAVID ROBERT &
13	5130 RIDGEDALE AVE	BROOKS CARROLL K &
14	5131 VANDERBILT AVE	KASSING MICHAEL E &
15	5127 VANDERBILT AVE	KEE KEITH TICK
16	5123 VANDERBILT AVE	SANDONE MICHAEL JOSEPH
17	5119 VANDERBILT AVE	PEARCE KAY H
18	5111 VANDERBILT AVE	GREENLAND HILLS

 1:1,200	NOTIFICATION	Case no: BDA245-070
	<div>200' AREA OF NOTIFICATION</div> <div>18 NUMBER OF PROPERTY OWNERS NOTIFIED</div>	Date: 5/16/2025

NOTICE OF ADMINISTRATIVE OFFICIAL APPEAL

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 A)** will hold a hearing as follows:

DATE: **MONDAY, JUNE 16, 2025**

BRIEFING: **10:00 A.M.** in **COUNCIL CHAMBERS 6EN**, Dallas City Hall,
1500 Marilla Street <https://bit.ly/boa0616>

HEARING: **1:00 P.M.** in **COUNCIL CHAMBERS 6EN**, Dallas City Hall,
1500 Marilla Street <https://bit.ly/boa0616>

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

BDA245-070(BT) Application of Robert Baldwin to appeal the decision of an administrative official in the denial of CD24071603 work certificate at 5115 **VANDERBILT AVENUE**. This property is more fully described as Block V/2190, Lot 20, and is zoned CD-9 (R-7.5(A)), which requires compliance with Conservation District 9 regulations. The applicant proposes to appeal the decision of an administrative official in the denial of a Conservation District work certificate.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Administrative Official Appeal during the public hearing of the Board of Adjustment to hear both the applicant's and the administrative official's cases and testimony. Although the Administrative Official Appeal item is not open as a public hearing, you may speak during the public testimony portion of the Board of Adjustment's Public Hearing at 1:00pm. Additionally, you may submit letters expressing your opinion on the subject of the appeal at BDAREPLY@dallas.gov.

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

Board of Adjustment Office
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.



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

FOR OFFICE USE ONLY

Data Relative to Subject Property:

Date:

FOR OFFICE USE ONLY

Location address: 5115 Vanderbilt Avenue

Zoning District: Conservation District #9

Lot No.: 20 Block No.: V/2190 Acreage: 7,215 sf

Census Tract: _____

Street Frontage (in Feet): 1) 51.9' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): SBRJWM LTD

Applicant: Rob Baldwin, Baldwin Associates

Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas

Zip Code: 75226

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

Represented by: Rob Baldwin, Baldwin Associates

Telephone: 214-824-7949

Mailing Address: 3904 Elm Street, Suite B - Dallas

Zip Code: 75226

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

Affirm that an appeal has been made for a Variance ☒ or Special Exception ☐ of Appeal to the Conservation District requirements that a garage be accessed from the east side of the house.

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:

It is impossible to construct a driveway on the east side of the house due to a large storm sewer inlet

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 15 day of April, 2025

Michele Stoy
Notary Public In and for Dallas County, Texas



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

FILE NUMBER: BDA245-070_199667835-001

BDA245-070. Application of Robert Baldwin to appeal the decision of the administrative official in the denial of CD24071603 work certificate review at 5115 VANDERBILT AVE. This property is more fully described as Block V/2190 Lot 20 and is zoned CD-9 (R-7.5(A)), which requires to comply with Conservation District 9 regulations. The applicant proposes to appeal the decision of an administrative official in the denial of a Conservation Work Certificate.

LOCATION: 5115 VANDERBILT AVE

APPLICANT: Robert Baldwin

REQUEST: A request appeal the decision of an administrative official



AFFIDAVIT

Appeal number: BDA _____

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

at: 5115 Vanderbilt Avenue
(Address of property as stated on application)

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

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

_____ Variance (specify below)

_____ Special Exception (specify below)

X Other Appeal (specify below)

Specify: Appeal to the Conservation District requirement that a garage be accessed from
the east side of the house.

Matthew Baldwin

Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

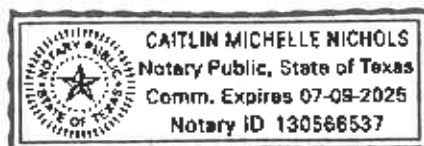
agent Date 04/15/2025

Before me, the undersigned, on this day personally appeared
Matthew Baldwin

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

April, 2025



Caitlin Nichols

Commission expires on
7/9/2025



AFFIDAVIT

Appeal number: BDA _____

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

at: 5115 Vanderbilt Avenue
(Address of property as stated on application)

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

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


_____ Variance (specify below)

_____ Special Exception (specify below)

☒ Other Appeal (specify below)

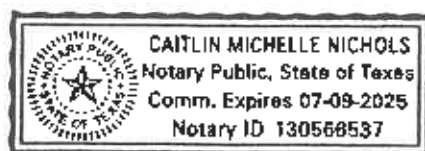
Specify: Appeal to the Conservation District requirement that a garage be accessed from
the east side of the house.

Matthew Baldwin
Print name of property owner or registered agent
agent Date 04/15/2025


Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared
Matthew Baldwin

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
April, 2025



Caitlin Nichols

Commission expires on 7/9/2025



201608133499

DEED 1/2

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

SPECIAL WARRANTY DEED

JOHN HOLMES (herein referred to as "Grantor"), for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL and CONVEY unto SBRJWM Ltd. (herein referred to as "Grantee"), whose address is P.O. Box 308, 107 W. Lufkin Ave., Suite 318, Lufkin, TX 75902, the following described property:

Lot 20, in Block "V"/2190, as shown on the Map of "GREENLAND HILLS," an Addition to the City of Dallas, filed June 6, 1923, and recorded in Volume2, Page 382, Map Records, Dallas County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and taxes for 2014, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the above-described Property, subject to the Permitted Encumbrances, together with all and singular the rights and appurtenances thereto in any wise belonging to Grantor, unto the said Grantee, its successors and assigns FOREVER, and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED effective as of the 12 day of Nov, 2015.

GRANTOR:

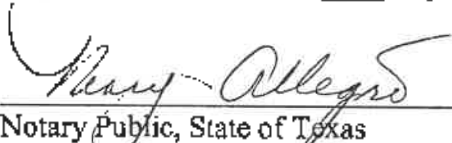

John Holmes



STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 12th day of November, 2015, by John Holmes.


Notary Public, State of Texas



Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
05/18/2016 16:29:37 AM
\$30.00





201600133499



THE STATE OF TEXAS
COUNTY OF DALLAS.

I hereby certify that the above and foregoing is a full, true, and correct photographic copy of the original record now in my lawful custody and possession, filed on the date blanked thereon and as the same is recorded on the Recorder's Records in my office under the volume and page or instrument # stamped thereon.
I hereby certify on

NOV 15 2024



COUNTY CLERK, Dallas County, Texas

By _____ Deputy



TAX CERTIFICATE



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

Issued To:

SBRIWM LTD
PO BOX 308
LUFKIN, TX 75902-0000

Legal Description

GREENLAND HILLS HILL TOP SECTION
BLK V/2190 LOT 20 LESS ROW
INT201600133499 DD11122015 CO-DC
2190 00V 02000 1002190 00V

Parcel Address: 5115 VANDERBILT AVE DA

Legal Acres: .0000

Account Number: 000-002-049-61000000

Certificate No: 120399

Certificate Fee: \$10.00

CHECK NO. 3960

Print Date: 04/15/2025 11:44:44 AM

Paid Date: 04/15/2025

Issue Date: 04/15/2025

Operator ID: ANGEL_ARAIZA PUB

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

Exemptions:

Certified Owner:

SBRIWM LTD
PO BOX 308
LUFKIN, TX 75902-0000

Certified Tax Unit(s):

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

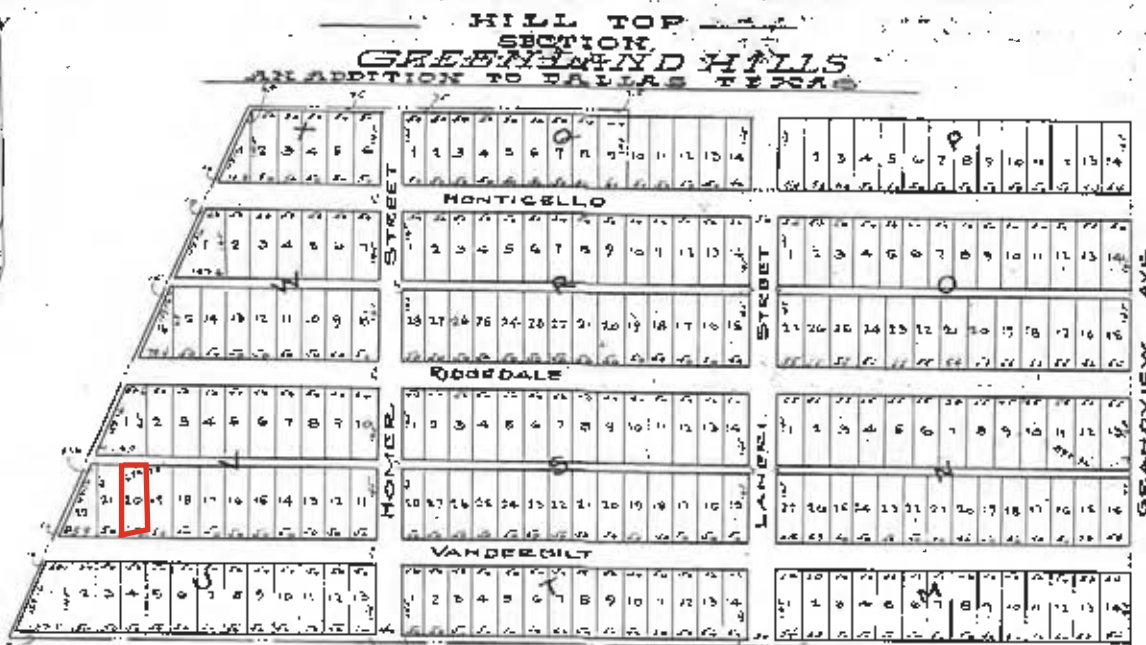
2024 Value:	479,790
2024 Levy:	\$10,723.44
2024 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (GF) No: N/A

Issued By: ANGEL_ARAIZA

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





SCALE 1/2" = 100'
JUNE 2, 1923.

45.85 ACRES

McKENY & McKENY
SOLD OWNERS

54111

GREENLAND HILLS REALTY COMPANY

STATE OF TEXAS

TO DEDICATION

COUNTY OF DALLAS : KNOW ALL MEN BY THESE PRESENTS:

That Greenland Hills Realty Company, a private Corporation, duly incorporated and existing under and by virtue of the laws of the State of Texas, the principal office whereof being in the City and County of Dallas, State of Texas, by and through its proper officers, hereunto duly authorized and empowered, for itself, its successors and assigns does hereby designate as "Hill Top Section of Greenland Hills," an addition to the City of Dallas, State of Texas, the area shown on and by the attached plat, prepared by Myers and Myers, engineers, to which reference is hereby made.

"HILLTOP SECTION OF GREENLAND HILLS," as above described is a part of a tract of 99.75 acres of land out of J.W. Smith, Survey, in Dallas County, Texas, conveyed, by Ellis M. Sargent, Guardian of the Estate, of Isle E. Bennett, a minor, to Fletcher B. McKeny and Frank L. McKeny by deed dated February 20, A.D. 1923, and by them, conveyed to the undersigned Greenland Hills Realty Company, a corporation by deed dated March 16, A.D. 1923, both of said deeds being recorded in the Deed Records of Dallas County, Texas, to which reference is hereby made. GREENLAND HILLS REALTY COMPANY for itself, its successors and assigns does hereby dedicate the streets and alleys as shown on said plat, to the use of the public forever, except that it reserves to itself, its successors and assigns, the right to build and operate and permit the extension and operation of a street railway line upon the streets and thoroughfares, shown on such plat; 11. All water, storm sewers, sanitary sewers, gas pipes and mains laid in said streets and alleys.

In Testimony whereof, said Greenland Hills Realty Company a corporation, has caused this instrument, to be signed by Frank L. McKeny, its President, attested by Howard D. McElroy, its secretary, and its corporate seal hereto affixed at Dallas, Texas, this day of May A.D. 1923.

ATTEST: HOWARD D. McELROY, SECRETARY.
STATE OF TEXAS: Before me, the undersigned authority, on this day personally appeared, Frank L. McKeny, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as President and deac of Greenland Hills Realty Company, a Corporation, and as the president thereof, for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 28th day of May, A.D. 1923.

L. S.

George E. Meriwether,

Notary Public, Dallas County, Texas,

By, L. P. Rosen, Deputy,

Recorded June 18th, 1923, W. S. SKILES, COUNTY CLERK, Dallas County, Texas.

BY:

[Signature]
Deputy.





CITY OF DALLAS

April 15, 2025

ADDRESS: 5115 Vanderbilt Ave

RE: **CAD # 00000204961000000**

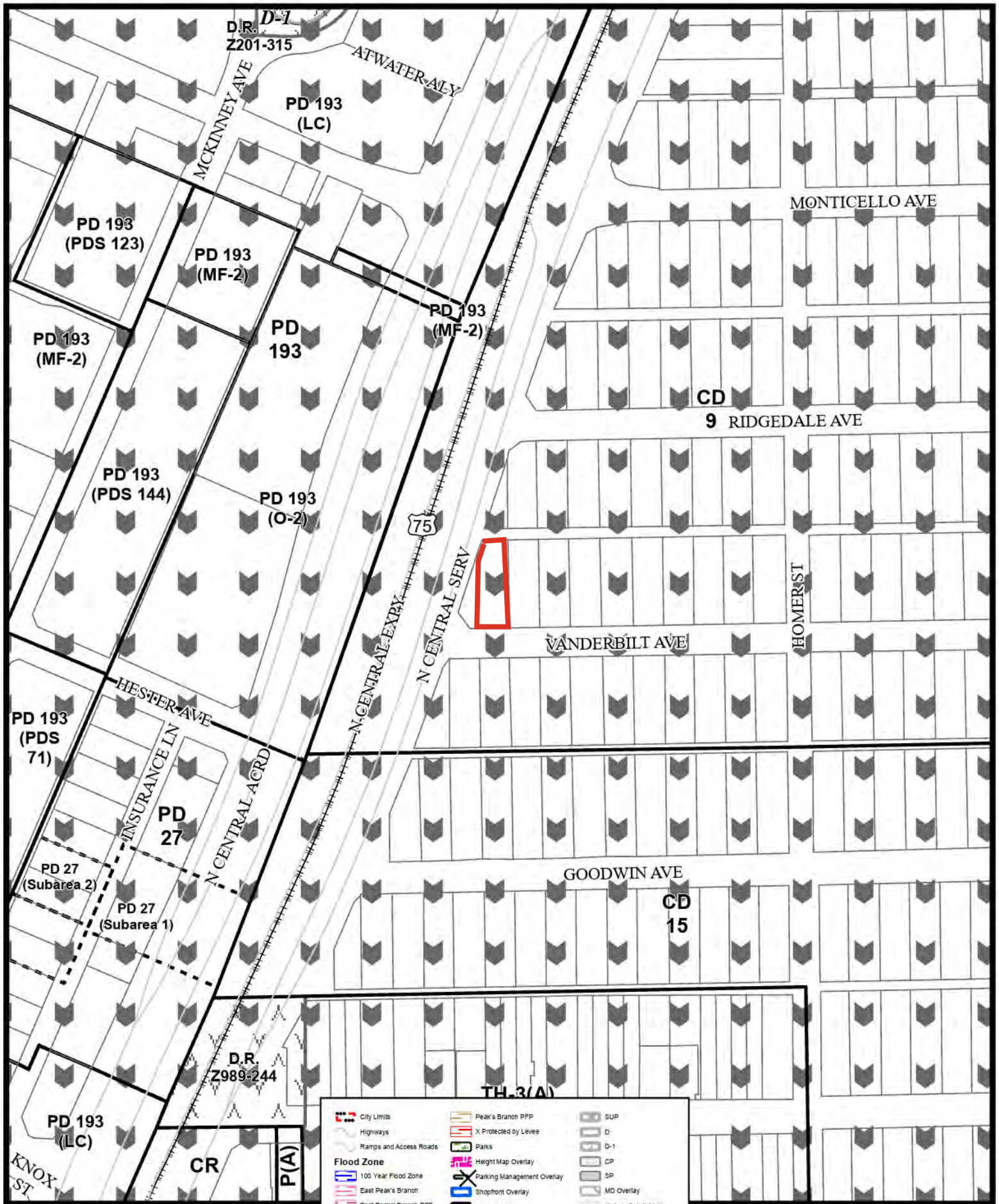
DEAR SIR/MADAM,

No information was found responsive to your request for identification of City liens in the records of Special Collections. This response does not constitute legal advice regarding the status of the real property at **5115 Vanderbilt Ave**. There may be additional liens of record in the County Clerk's office. This response is made to your request for public information and constitutes neither estoppel against the City of Dallas nor relinquishment, waiver, release, or other change in any lien interest of record.

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

Sincerely,
Naomi Garcia

Special Collections Division
Dallas Water Utilities



Case ID:

Printed: 11/12/2024

ANNEXED _____ ORD. NO. _____
SURVEY J. W. SMITH _____ ABST. 1334

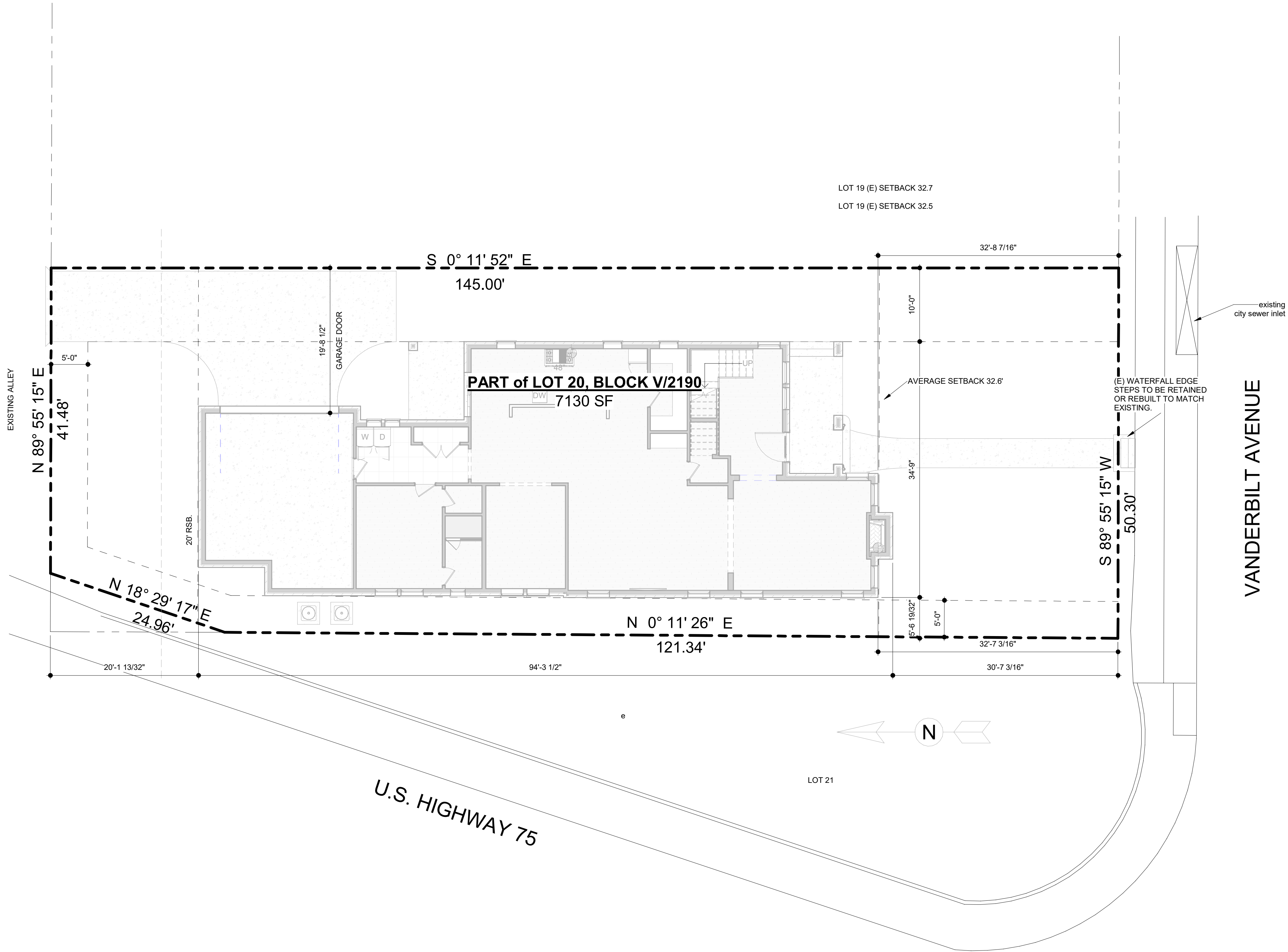
ADDITION _____

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS

FILED: 1/2188 & 1/2189 - JUNE 8, 1911



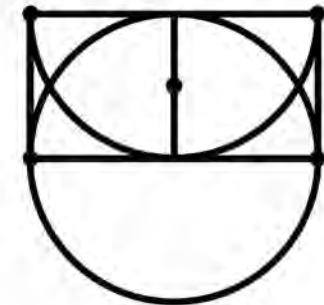


SITE CALCULATION		
NAME	CALCULATIONS	
LOT AREA	7,130 SQFT	
ZONING	CD-9	
BUILDING COVERAGE		
BUILDING FOOTPRINT	2,833 SQFT	
MAX LOT COVERAGE ALLOWED	45%	3,208.5 SQFT
LOT COVERAGE PROVIDED	40%	2,833 SQFT

01 PLOT PLAN

SCALE 1/8" = 1'-0"
5115 VANDERBILT AVENUE
LOT 20 BLOCK V/2190
HILLTOP SECTION OF GREENLAND HILLS ADDITION
CITY OF DALLAS
ZONING CD-9 - M STREETS CONSERVATION DISTRICT

PERMIT SET



SLOCUM
DESIGN
GROUP

WWW.SLOCUMDESIGNGROUP.COM

PLANS FOR:
MATT BALDWIN

5115 VANDERBILT AVENUE, DALLAS, TEXAS

PLAN NUMBER
22-026-mst4

FINAL PLANS
02-11-25

SHEET NUMBER
A100

Copyright: SLOCUM DESIGN GROUP LLC. 2024
These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked by the builder or the person in authority of this project. Any discrepancy, error, and/or omission, if found, is to be brought to the immediate attention of the designer before any construction is commenced or purchases made. It is recommended that the owner or builder obtain complete engineering services; Foundation, HVAC, and Structural, before beginning construction of any kind. Note: all Federal, State, and local codes, ordinances, and restrictions take precedence over any part of these plans which may conflict with same, and must be strictly obeyed and followed before and during construction. These plans are copyrighted and are subject to copyright protection under Sec. 112 of the Copyright Act, 17 U.S.C. as amended December 1980 and known as Architectural Works Copyright Protection Act of 1990. The protection includes but is not limited to the overall form as well as the arrangement and composition of spaces and elements of the design. Under such protection, unauthorized use of these plans, work or home represented, can legally result in the cessation of construction or buildings being seized and/or monetary compensation to Slocum Design Group LLC.



June 6, 2025

Via Email to BDA Secretary

Board of Adjustment, Panel C
320 E. Jefferson Blvd., Rm. 210
Dallas, Texas 75203

Re: BDA245-070 – 5115 Vanderbilt; Building Official’s Brief in the appeal of the decision of an administrative official in the denial of a Conservation District review CD24071603.

Dear Board Members:

This is the administrative official’s response to the appeal of Robert Baldwin (“Baldwin” or the “Applicant”) from the denial of Conservation District review No. CD24071603, which was an application for new construction at 5115 Vanderbilt Ave. in Dallas (the “Property”), located in the M Streets Conservation District.

I. BACKGROUND

On March 27, 2013, City Council established Conservation District No. 9 (the M Streets Conservation District) (“CD-9”) (Ord. No. 28946) for the area bounded by McCommas Ave. to the north; Vanderbilt Ave. to the south; Greenville Ave. to the east; and Central Expwy to the west. See Exhibit A.

On July 16, 2024, Applicant submitted a review application (No. CD24071603) to construct a new single-family dwelling at the Property. The proposed work in the application included a rear entry access driveway from the alley behind the proposed structure and no other driveway.

On April 14, 2025, in accordance with Ord. 28946(r)(3)(C), Chief Planner, Trevor Brown, and Chief Building Official, Sam Eskander, informed Applicant in writing that his application was denied because the proposed work violated the regulations pertaining to driveways in CD-9, citing specifically the provisions under Ord. 28946(d)(14), which require a straight driveway on the east side of the main structure with entry from the front street. See Exhibit B.

On April 15, 2025, Applicant timely filed this appeal to the Board, in order to seek a variance from the driveway requirements, stating as the reason for the request, “It is impossible to construct a driveway on the east side of the house due to a large storm sewer inlet.” Exhibit C.

II. LEGAL STANDARDS

An applicant to the Board seeking a variance and has “the burden of proof to establish the necessary facts to warrant favorable action of the board.” Dallas, Tex., Code §51A-4.703(d)(1).

The Board has discretion to grant a variance from the terms of a zoning ordinance upon a concurring vote of 75 percent of the members of a panel (Dallas, Tex., Code §51A-4.703(d)(2)(C)) in specific cases if: (1) “the variance is not contrary to the public interest,” and (2) “due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship . . .” Tex. Loc. Gov't Code § 211.009.

III. DISCUSSION AND ARGUMENT

A. The building official’s denial of Applicant’s Conservation District review CD24071603 was proper.

It is undisputed that the denial which is the subject of this appeal was proper. Applicant does not claim the decision was made in error but rather seeks a variance from the driveway requirements for CD-9. In pertinent part, the enabling ordinance for CD-9 provides:

- (A) All houses must have a straight driveway located along the east side of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
- (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.

ORD 28946(d)(14)(A)&(B).

The Property is a “corner lot” with frontage on two different streets. *See* Ord. 28946(a)(2)(E). The Property’s “front street” is Vanderbilt Ave, and its “side street” is Central Expressway. *See* Ord. 28946(a)(2)(O)&(GG). Applicant’s proposed site plan included rear access to the Property from an alley behind the lot, but no driveway along the east side of the main structure with entry from the front street, as required. Nor did the site plan include a driveway entry from the side street, as allowed by 28946(d)(14)(A). Because the proposed work did not comply with the requirements under 28946(d)(14), the building official properly denied the application.

B. Given special conditions at the Property, the building official does not oppose the Applicant’s requested variance.

Notably, there is existing access to the Property from a front street driveway entry along the west side of the main structure, which like the proposed access in the new site plan, also does not comply with the driveway requirements for CD-9. The reason of this non-compliance is ostensibly due to a large storm drain positioned in the curb on the east side of the property, blocking installation of a curb cut and driveway entry along the east side of the structure. Likewise, entry from the side street at the Property is not ideal for two reasons. First, the side street frontage at the

Property is the service road of US-75, with heavy, high-speed traffic, which is not well-suited for driveway entry. Second, and more importantly, there is also a second large storm drain and a utility access box along the side road frontage, making installation of a side entry driveway impossible without moving existing utility infrastructure. See Exhibit D.

Pursuant to this Board's discretion to grant a variance under Local Government Code 211.009, the building official respectfully recommends that Applicant's appeal for a variance be granted. The requested variance from the required driveway in this instance is not contrary to the public interest and, due to the special conditions on the Property, a literal enforcement of the ordinance would result in unnecessary hardship to the homeowner. See Section 211.009(3). Accordingly, and such that the spirit of the Ordinance and substantial justice is done, the administrative official respectfully recommends that the Board grant applicant's requested variance. Alternatively, the denial must be affirmed.

IV. CONCLUSION

Applicant's application for Conservation District review was properly denied because the proposed work was not in full compliance with the driveway requirements found in Ord. 28946(d)(14). However, the Building Official is not opposed to the Board granting the variance requested by Applicant in this appeal given the various physical barriers at the Property, which make compliance with the driveway requirements impractical without inordinate expense and undue hardship.

Very truly yours,

/s/ Ryan T. Crocker

Ryan T. Crocker
Assistant City Attorney
ryan.crocker@dallas.gov

APPENDIX

Below is the building official's exhibit list. These exhibits are incorporated into the building official's brief for the record.

Exhibit A, Ordinance No. 28946	page 1
Exhibit B, Denial Letter and Certificate of Denial	page 34
Exhibit C, Board of Adjustment Appeal, BDA-234-097.....	page 36
Exhibit D, Photographs of the Property	page 50

3-27-13

ORDINANCE NO. 28946

An ordinance changing the zoning classification on the following property:

BEING Lots 11 and 12 in City Block D/2172; fronting approximately 145 feet on the west side of Greenville Avenue; fronting approximately 100 feet on the south side of Vanderbilt Avenue; and containing approximately .33 acres,

from Conservation District No. 9 (the M Streets Conservation District) with Modified Delta No. 1 Overlay to Subarea 1 within Conservation District No. 9 with retention of the Modified Delta No. 1 Overlay; amending Ordinance No. 25116, passed by the Dallas City Council on November 13, 2002, which established Conservation District No. 9; creating a new Subarea 1; providing a new Exhibit A (M Street Conservation District Regulations) to reflect the creation of Subarea 1; providing a new Exhibit B-1 (conceptual plan for Subarea 1); providing a new Exhibit C (Subarea 1 existing conditions site plan); providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; and

WHEREAS, the city council finds that it is in the public interest to amend Conservation District No. 9 as specified in this ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

28946

SECTION 1. That the zoning classification is changed from Conservation District No. 9 with Modified Delta No. 1 Overlay to Subarea 1 within Conservation District No. 9 with retention of the Modified Delta No. 1 Overlay on the following property ("the Property");

BEING Lots 11 and 12 in City Block D-2172; fronting approximately 145 feet on the west side of Greenville Avenue; fronting approximately 100 feet on the south side of Vanderbilt Avenue; and containing approximately .33 acres.

SECTION 2. That the Exhibit A (M Streets Conservation District Regulations) attached to Ordinance No. 25116 is replaced by the Exhibit A (M Streets Conservation District Regulations) attached to this ordinance.

SECTION 3. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

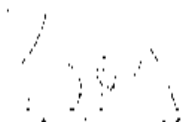
SECTION 4. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  Assistant City Attorney

Passed **MAR 27 2013**

28946

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

Table of Contents

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(a) Interpretations and definitions	4
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EXHIBIT B: M Streets Conservation District Conceptual plan

EXHIBIT B-1: Conceptual Plan for Subarea 1

EXHIBIT C: Subarea 1 Existing Conditions Site Plan

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(a) Interpretations and definitions.

- (1) Unless otherwise stated, all references to articles, divisions, or sections in this ordinance are to articles, divisions, or sections in Chapter 51A.
- (2) Unless otherwise stated, the definitions in Chapter 51A apply to this ordinance. In this ordinance:
 - (A) ARCHITECTURAL DESIGN FEATURES include chimneys; roof style, slope, and overhang; materials; window style; vent style; balconies; towers; wing walls; eave overhangs; window sashes; front porches; crowns; pilasters; and other exterior architectural features.
 - (B) CIRCULAR DRIVEWAY means a non-permeable surface located in a front yard or cornerside yard, used to access off-street parking or for off-street parking, and that has two curb cuts onto the same street or perpendicular streets.
 - (C) COMPATIBLE means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, colors, and materials.
 - (D) CONTEMPORARY means contemporary architectural style as shown in exhibit B.
 - (E) [REDACTED]
 - (F) CORNERSIDE FACADE means a main building facade facing a side street.
 - (G) CORNERSIDE LOT LINE means the lot line on a side street.
 - (H) CORNERSIDE YARD means a side yard that abuts a street. A NON-CORNERSIDE YARD means a side yard that is not a cornerside yard.
 - (I) CRAFTSMAN means craftsman architectural style as shown in Exhibit B.
 - (J) DEMOLITION means the razing of the entire building or structure.
 - (K) DIRECTOR means the director of the department of development services or the director's representative.
 - (L) DISTRICT means the M Streets Conservation District.
 - (M) FENCE means a structure or hedge/crow that provides a physical barrier

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- (N) FRONT FACADE means the building elevation facing the front street.
- (O) FRONT SETBACK means the distance from the front facade of a main building to the front setback line. The front facade is the facade of a main building that faces Morningside Avenue, Ridgedale Avenue, and Vanderbilt Avenue.
- (P) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. REQUIRED FRONT YARD means the portion of the front yard between the street and the setback line.
- (Q) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, mulch, pavers, or stones.
- (R) HEIGHT means the vertical distance measured from grade to the highest point of the structure as shown in Exhibit B.
- (S) HIGH TUDOR means high tudor architectural style as shown in Exhibit B.
- (T) LARGE CANOPY TREES means those varieties of Maple, Oak, Elm, and Pecan designated as large canopy trees by the city arborist.
- (U) LINE-OF-SIGHT refers to an imaginary line extending from the viewpoint of a six foot tall person standing in the middle of the street to the apex of the roof of the main structure's side gable. (See Exhibit B.)
- (V) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.
- (W) MINIMAL TRADITIONAL means minimal traditional architectural style as shown in Exhibit B.
- (X) NEO COLONIAL means neo colonial architectural style as shown in Exhibit B.
- (Y) ONE-AND-ONE-HALF STORY STRUCTURE means a main structure in which the space within the roof structure has been converted to livable space.
- (Z) ORIGINAL HOUSE means a house constructed between 1920 and 1940 in the High Tudor style.

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- (b) Conceptual plan. The M Streets Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit B. The M Streets Conservation District Conceptual Plan for Subarea 1 is attached to and made a part of this ordinance as Exhibit B-1. In the event of a conflict between Exhibit A, the M Streets Conservation District Regulations, and Exhibit B, the conceptual plan, or Exhibit B-1, the conceptual plan for Subarea 1, Exhibit A controls.
- (c) Nonconforming structures. Section 51A-4.704(c), "Nonconforming Structures," applies, except that if the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
- (d) Development standards. Except as [otherwise] provided in this Exhibit A, the development standards of the R-7.5(A) Single Family District apply. See Subsection (e) for development standards for Subarea 1.
 - (1) Use. The only use allowed is single-family.
 - (2) Conversions or additions. The number of dwelling units on a lot may not be increased.
 - (3) Lot size. Lots must have a minimum area of 7,500 square feet.
 - (4) Lot width. Lots must have a minimum width of 50 feet. Lots may not exceed 60 feet in width.
 - (5) Lot coverage. The maximum lot coverage is 45 percent.
 - (6) Height. The maximum height for all structures is 30 feet, except that no part of the main structure may exceed the line of sight. Height must be calculated by a licensed architect or engineer. (See Exhibit B.)
 - (7) Front yard setback for main structures. The minimum front yard setback for main structures is the average of the front yard setback of the two adjacent houses. The maximum front yard setback for main structures is the greater setback of the two adjacent houses. Setback calculations must be prepared by a licensed architect or engineer.
 - (8) Side yard setback for main structures. Except for houses located on Homer Street, the minimum side yard setback for main structures is five feet on the west side and 10 feet on the east side. For houses on Homer Street, the minimum side yard setback for main structures is five feet on the north side and 10 feet on the south side.
 - (9) Rear yard setback for main structures. The minimum rear yard setback for main structures is 20 feet.

- (10) Stories. The front facade of main structures must have the appearance of a one- and one-half story structure as shown in Exhibit B.
- (11) Accessory structures, garages, and carports.
 - (A) Location. Garages and carports must be located in the rear 30 percent of the lot. On corner lots, accessory structures may not be located closer to the cornerside lot line than the main structure.
 - (B) Access. Garages must have at least one vehicle entrance from the street.
 - (C) Style and materials. The color, style, design, and materials of garages that are visible from the street must be compatible with the main structure.
 - (D) Roof slope. If a garage is visible from the street, the slope of the roof must match either the roof slope of the main structure or the roof slope of original garages.
 - (E) Side yard setback. There is no required side yard setback for garages, except that no part of the garage may overhang adjacent property.
 - (F) Rear yard setback for garages.
 - (i) Garages over 15 feet in height must have a minimum five-foot rear yard setback.
 - (ii) Garages 15 feet or less in height must have a three foot rear yard setback unless the property owner can document the original footprint, in which case the garage may be built on the original footprint.
 - (iii) The minimum rear yard setback for all rear-entry garages is 20 feet.
 - (G) Existing garages. Existing garages that are not located to the rear of the main structure may be repaired or maintained, but may not be enlarged or replaced.
- (12) Roofing materials. No corrugated plastic, standing seam metal, rolled, or tar and gravel roofing is allowed on the front facade, the wrap around, or any part of a garage that is visible from a street. Copper roofing accents are allowed on dormers and eyebrows.
- (13) Fences and walls.
 - (A) Fences are not allowed in the front yard.

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- (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
- (C) Fences in cornerside yards must be located behind the mid-point of the main structure.
- (D) Fences in non cornerside yards must be located at least five feet behind the front corner of the house.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.

(15) Front yards and parkways.

- (A) No more than 30 percent of the front yard may be paved or landscaped. The parkway may not be paved or landscaped except for curb cuts and sidewalk extensions.
- (B) Mailboxes, pylons, satellite dishes, and other accessory structures are not allowed in the front yard or parkway.

(16) Retaining walls.

- (A) Existing retaining walls may be repaired and maintained.

- (13) New retaining walls must be made of stone and may not exceed 30 inches in height as measured from the sidewalk or four inches above the yard it is retaining, whichever is less; and must match the materials and color of the main structure.
- (17) Parkway trees. Prior to final inspection on any new construction or additions over 100 square feet, at least two, two-caliper-inch large canopy trees must be planted in or adjacent to the parkway. This requirement does not apply if there are already two or more large canopy trees located in or adjacent to the parkway. A large canopy tree is considered adjacent to the parkway when the tree, fully grown, will provide a 10-foot-wide shaded area over the parkway and a portion of the street at midday. If trees are planted in the public right-of way, all applicable licensing requirements must be met.
- (18) Windows and doors.
 - (A) The following applies to windows and doors on the front facade and the wrap-around:
 - (i) Only transparent, stained, or leaded glass is allowed in windows and doors.
 - (ii) Window height must be greater than the window width.
 - (iii) All windows must fit the wall opening. Infill surrounding the window is not allowed.
 - (iv) Metal window frames must have a finish that is indistinguishable from the finish on original wood windows.
 - (v) Window air conditioner units are not allowed.
 - (vi) Window muntins and mullions must be expressed by a minimum of one-fourth inch. Window assemblies must have a profile depth of at least three inches.
- (c) Architectural standards for new construction.
 - (1) Applicability. The standards contained in this section apply to construction of new main structures, except Craftsman replacement houses. This section applies to the front facade and the wrap-around.
 - (2) Style. All new construction must be built in the High Tudor style and must be compatible with original houses.

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- (3) **Materials.**
- (A) Except as otherwise provided in this paragraph, new houses must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses.
 - (B) Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size.
 - (C) Stone must be similar to the stone used on original houses.
 - (D) Projecting front-facing gables and side gables must be constructed of brick, stone, or stucco with wood half-timbering. All decorative wood elements must be painted.
 - (E) Non-gabled areas above the eaves on the sides of the house must be constructed of brick, hardiplank, siding that has the appearance of wood, stone, stucco with wood half-timbering, or wood.
- (4) **Front facade dimensions.** The width of the front facade of the new house must be at least 75 percent of available buildable lot width. The front facade may vary no more than six feet in depth along the front plane. The front facade may not face a side street.
- (5) **Roof form.** The roof of new houses must be side-gabled with a roof slope between 45 degrees and 70 degrees. Hipped roofs are not allowed. The maximum overhang for eaves is 18 inches. (See Exhibit B.)
- (A) **Projecting front-facing gables.**
- (i) The front facade of new houses must have one dominant projecting front-facing gable, and one or two smaller subordinate projecting front-facing gable(s).
 - (ii) Projecting front-facing gables must be placed asymmetrically along the front facade.
 - (iii) Projecting front-facing gables may overlap.
 - (iv) Projecting front-facing gables must have a roof slope between 45 degrees and 70 degrees. The roof slope of each projecting front-facing gable must be the same.

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- (v) The height of the peak of the dominant projecting front-facing gable must be between 20 feet and 24 feet. The height of subordinate projecting front-facing gables must be at least 70 percent to 80 percent of the height of the dominant projecting front-facing gable.
- (B) Eaves. The eaves of all projecting front-facing gables and side gables must have a common height between 9 feet to 11 feet above grade.
- (C) Side gables. Side gables must be true gables, with both front and back roof slopes. At least 30 percent of the back slope must be maintained. The roof ridge of side gables must be flat and uninterrupted.
- (6) Foundation. The foundation must be raised a minimum of 12 inches above grade. The foundation must have a concrete exterior finish.
- (7) Steps.
 - (A) Original rolling or waterfall steps leading from the sidewalk to the house must be retained. Where the original rolling or waterfall steps have been removed, they should be replaced to match the original.
 - (B) Front porch steps must lead to building entrances.
 - (C) Steps must be made of concrete.
- (8) Front porches
 - (A) New houses must have a front porch constructed with multiple arched openings compatible with original houses.
 - (B) The front porch must be a minimum of 25 percent of the ground floor front facade width. Front porches must have a minimum depth of six feet, measured from inside the column to the face of the front facade.
 - (C) Front porches may be open air or enclosed. If front porches are enclosed, at least 95 percent of the material used to enclose the front porch openings must be transparent, stained, or leaded glass.

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(9) Front facade windows.

(A) The following standards apply to front facade windows located below the eaves:

- (i) New houses must have at least one pair of narrow, stained or leaded glass windows with a height-to-width ratio of at least 2-to-1.
- (ii) All other windows must be clear glass configured as 9-over-9, 6-over-6, or 1-over-1 lights; leaded glass; or stained glass.
- (iii) Windows must be asymmetrically positioned in groups along the front facade.

(B) The following standards apply to front facade windows located above the eaves:

- (i) Windows may only be located in front projecting gables, dormers, or eyebrows.
- (ii) Casement and awning dimensions must be compatible with original houses.
- (iii) Windows must be stained or leaded glass.

(10) Chimneys.

(A) New houses must incorporate a brick and/or stone chimney into the front facade or the front 15 feet of a side facade. The chimney must be at least five feet in width.

(B) New houses must incorporate at least one of the following elements into the chimney:

- (i) Corbel chimney statue ledge.
- (ii) Twin chimney flues with expressed masonry openings.
- (iii) Complex brick or stone patterns.

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- (11) Dormers and eyebrows.
 - (A) One gabled dormer is allowed on the front facade. Gabled dormers may not be inset or recessed. The width of gabled dormers may not exceed six feet. The height of the gabled dormer may not exceed the width by more than one foot.
 - (B) Up to two eyebrow dormers are allowed on the front facade. Eyebrow dormers must be compatible with original houses.
- (12) Optional architectural design features.
 - (A) New houses must incorporate at least four of the following architectural design features into the front facade (see Exhibit B):
 - (i) Arched doorway which matches the shape of the front porch arches.
 - (ii) Turned cast-stone front porch columns.
 - (iii) Stucco with wood half timbering in projecting front-facing gables.
 - (iv) Decorative, articulated verge boards.
 - (v) Stone accents.
 - (vi) Massive chimney located on the front facade.
 - (vii) Blond or light-colored brick compatible with original houses.
 - (viii) Open-air front porch.
- (13) Architectural standards for remodeling of High Tudor and Tudor Cottage houses.
 - (1) Applicability. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap around.
 - (2) Materials. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing.
 - (3) Porte cochères. Porte cochères may not be enclosed.

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- (4) Architectural design features.
 - (A) The following architectural design features must be maintained or duplicated. These architectural design features may be relocated within the front facade or wrap-around.
 - (i) Balustrades.
 - (ii) Chimneys.
 - (iii) Dormers.
 - (iv) Exterior stained and leaded glass.
 - (v) Front porches with columns.
 - (vi) Porte cocheres.
 - (vii) Roof eaves.
 - (viii) Turrets.
 - (ix) Window and door openings.
 - (g) Demolition of High Tudor houses. Houses identified as High Tudor in Exhibit B may be demolished only if the cost of bringing the house into compliance with all applicable building code requirements using materials similar to the original materials is greater than 80 percent of the structure's value according to the Dallas Central Appraisal District.
 - (h) Architectural standards for remodeling and reconstruction of non-Tudor houses. Non-Tudor houses may be remodeled in their own style, or in the High Tudor style, as long as the front facade and wrap around reflects the chosen architectural style. Houses completely or partially destroyed due to acts of God may be rebuilt in the original architectural style or in the High Tudor style.
 - (i) Architectural standards for Craftsman houses.
 - (1) Applicability.
 - (A) If a Craftsman house is demolished, it may be replaced by a High Tudor house or a Craftsman house. If the new house is a High Tudor house, it must comply with the architectural standards for new construction. If the new house is a Craftsman house, it must comply with these standards.
 - (B) Houses that are identified as Craftsman in Exhibit B must be remodeled according to the following standards.

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- (C) This section applies to the front facade and wrap-around.
- (2) **Materials.** Craftsman houses must be constructed of brick, hardiplank, or wood. Any remodeling must match the original materials in type, size, color, coursing, texture, and joint detailing.
 - (3) **Roof form.** Craftsman houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a minimum roof overhang of at least 18 inches. Roof rafters must be exposed. Decorative beams or braces must be added under gables. Gables must have dentils.
 - (4) **Windows.** Windows must be double-hung with 1-over-1 lights, or must be mission-styled. Windows must be grouped in clusters of two or three.
 - (5) **Front porches.** An unenclosed front porch is required along a minimum of 50 percent of the front facade. The front porch roof must be supported by tapered, square box columns with a brick or stone base. The front porch must be surrounded by a wood balustrade or railing. The entryway must have a Craftsman wood door.
- (j) Architectural standards for Spanish Revival houses.
- (1) **Applicability.** Spanish Revival houses must be remodeled according to the following standards. This section applies to the front facade and wrap around.
 - (2) **Materials.** Any renovations or additions must match the original brick, stone, or stucco in color, coursing, mortaring, size, and texture.
 - (3) **Roofs.** Spanish Revival houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a maximum roof overhang of 8 inches.
 - (4) **Windows.** Windows must have 6 over-6 or 9 over-9 divided lights.
 - (5) **Arches.** Arches above doors and windows must be retained.
- (k) Architectural standards for Minimal Traditional houses.
- (1) **Applicability.** Minimal Traditional houses must be remodeled according to the following standards. This section applies to the front facade and wrap around.
 - (2) **Materials.** Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.

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- (3) **Roofs.** Minimal Traditional houses must have a cross-gabled roof with low to moderate roof slope between 30 degrees and 45 degrees, and a single projecting front-facing entryway. The maximum roof overhang is 12 inches.
- (4) **Windows.** Windows must have multi-pane sashes.
- (5) **Front porches.** A front porch entry feature is required.
- (l) **Architectural standards for Neo-Colonial houses.**
 - (1) **Applicability.** Neo-Colonial houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) **Materials.** Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) **Roof form.** Neo-Colonial houses must have a side-gabled roof with a low to moderate roof slope between 35 degrees and 60 degrees.
 - (4) **Windows.** Windows must be double hung with multi-pane sashes. Windows must be symmetrically balanced on both sides of the center door.
 - (5) **Front door.** The front door must be accentuated with a decorative pediment with crown, entry porch, slender columns, and pilasters.
- (m) **Architectural standards for Ranch houses.**
 - (1) **Applicability.** Ranch houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) **Materials.** Any remodeling must match the original brick, stone, or wood in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) **Roof form.** Ranch houses must have a hipped roof with a low roof slope between 20 degrees and 35 degrees. The overhang must be a minimum of 12 inches but no more than 24 inches.
 - (4) **Windows.** Windows must be ribbon or picture style.
- (n) **Architectural standards for Contemporary houses.**
 - (1) **Applicability.** Contemporary houses must be remodeled according to the following requirements. This section applies to the front facade and wrap-around.
 - (2) **Style and materials.** Any remodeling must match the original materials, roof slope, and style of the rem structure.

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(a) Development standards for Subarea 1.

(1) Permitted uses.

(A) Agricultural uses.

None.

(B) Commercial and business service uses.

-- Catering service. [No on-premise consumption of food or beverages.]

-- Custom business services.

(C) Industrial uses.

None

(D) Institutional and community service uses.

None

(E) Lodging uses.

None

(F) Miscellaneous uses.

None

(G) Office uses. *[The combined floor area of all office uses may not exceed 2,400 square feet.]*

Office.

Medical clinic or ambulatory surgical center

(H) Recreation uses.

None

(I) Residential uses.

None

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(J) Retail and personal service uses.

- Dry cleaning or laundry store.
- Furniture store.
- General merchandise or food store, 3,500 square feet or less.
- General merchandise or food store greater than 3,500 square feet.
- Liquor store.
- Nursery, garden shop, or plant sales. *[Inside a building only, with accessory outside display allowed.]*
- Personal service uses.
- Temporary retail use.

(K) Transportation uses.

- Transit passenger shelter.

(L) Utility and public service uses.

- Local utilities.

(M) Wholesale, distribution, and storage uses.

None

(2) Prohibited uses.

- (A) Alcoholic beverage establishments.
- (B) Dance hall as defined in Chapter 14 of the Dallas City Code, as amended.
- (C) Restaurant.
- (D) Any use not specifically listed as a permitted use is prohibited.

(3) Accessory uses.

(A) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-1.217. For more information regarding accessory uses, consult Section 51A-1.217.

(B) The following accessory uses are not permitted:

- (i) Any use of rooftops for customers or the public.
- (ii) Drive-in and drive-through lanes, windows, or services.

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(iii) Gasoline or fuel sales.

(4) Development standards for the building existing as of March 27, 2013.

(A) In general, Except as provided in this subsection, the environmental performance standards, landscaping regulations, sign regulations, and additional provisions for the CR Community Retail District apply.

(B) Yard, lot, and space regulations.

(i) The structure existing as of March 27, 2013 must comply with the site plan attached as Exhibit C.

(ii) The structure existing as of March 27, 2013 is a conforming structure, but may not be enlarged, except:

(aa) awnings may encroach up to five feet from the Greenville Avenue-facing facade; and

(bb) the building height may not be raised other than to improve the architectural compatibility of the structure. This may only be decorative in nature (for example, a parapet) and may not add usable square footage to the structure existing as of March 27, 2013. The maximum additional height allowed is five feet. Additional height may be added on the east facade. Additional height added on the north and south facades may only be in the first 25 percent of the structure measured from the east facade in order to create an architectural wraparound to the east facade. Additional height may not be added on the west facade.

(cc) Enlargement of the structure's awnings or height must comply with the architectural standards for remodeling for awnings, equipment screening, height, and roofs.

(C) Off street parking and loading. Consult the use regulations in Division 51A-4, 200 for the specific off street parking loading requirements for each use.

(5) Development standards for new construction.

(A) Yard, lot, and space regulations.

(i) Front yard.

(aa) Greenville Avenue. Minimum front yard is five feet. Maximum front yard is 15 feet. The minimum building frontage requirement between the minimum and maximum front yard is a minimum of 70 percent of the lot length.

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(bb) Vanderbilt Avenue. Minimum front yard must be no less than the front yard setback of the adjacent property to the west at 5640 Vanderbilt Avenue.

(cc) Encroachments. Awnings may encroach up to five feet into the required front yard.

(ii) Interior side yard. Minimum interior side yard (side yard on the western property line) is 15 feet.

(iii) Alley side yard. No minimum side yard along the alley to the south is required.

(iv) Floor area ratio. Maximum floor area ratio is 1.

(v) Height. Minimum height of the first floor is 14 feet, measured from floor plate to floor plate. Maximum height is 20 feet.

(vi) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(vii) Lot size. No minimum lot size

(viii) Stories. Maximum number of stories is one and one-half.

(B) Off-street parking and loading.

(i) Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(ii) Ingress/egress for off-street parking and loading shall not be allowed from Vanderbilt Avenue. Any off-street parking ingress/egress from Vanderbilt Avenue existing as of March 27, 2013 shall be discontinued at the time of any remodeling, reconstruction, or new construction.

(C) Environmental performance standards. See Article VI

(D) Landscaping.

(i) In general. Except as provided in this paragraph, landscaping must be provided in accordance with Article X.

(ii) Site trees. Site trees must be provided within the interior side yard (side yard on the western property line) landscape buffer and within the Vanderbilt Avenue required front yard. All site trees must be large canopy trees or a species bearing crown foliage no lower than six feet above grade and on wind to 30 feet in height.

Exhibit A

28946

(iii) Interior side yard (side yard on the western property line) and Vanderbilt Avenue landscape buffer. A minimum of 10 feet of landscape buffer is required. The buffer plant materials in the interior side yard must be provided in accordance with 51A-10.125(b)(7)(B) at a density of one group per 40 linear feet.

(iv) Perimeter landscape buffer strip. A perimeter landscape buffer strip must:

(aa) be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists;

(bb) be at least 10 feet wide; and

(cc) contain buffer plant materials, as defined in Sec. 51A-10.125(b)(7).

(v) A screening fence is not required along Vanderbilt Avenue.

(vi) Parking lot trees. Trees within the interior side yard (side yard on the western property line) landscape buffer may be counted to satisfy the parking lot tree requirement.

(vii) Design standards. The following are mandatory design standards:

(aa) Greenville Avenue facade planting area. Foundation planting areas or planters (containers for plants), used alone or in combination, containing a mixture of small shrubs or seasonal plantings and large shrubs or small trees must be provided. If small trees are provided, the minimum planting area must be recommended for small trees. Foundation planting areas must be a minimum of three feet in width and extend for 50 percent of the length of the foundation that faces Greenville Avenue. The large shrubs or small trees must be provided at one plant per every six feet of foundation planting length. If planters are used, the density of required large shrubs or small trees must be maintained

(bb) Enhanced pedestrian walkways. Enhanced pedestrian walkways as defined in Section 51A-10.126(i) must be provided along both street frontages and across driveways.

(vm) Maintenance. All plant materials must be maintained in a healthy, growing condition.

(f) Screening and visibility obstruction.

(i) A solid screening fence with a minimum height of eight feet must be provided on the western property line, exclusive of the area for visibility triangles. The solid screening fence must be wood or brick.

28946

(ii) Except as provided in this paragraph, the visual obstruction regulations in Section 51A-4.602(d) apply. For purposes of this section, the visibility triangle at street corners is 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 street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(F) Signs.

(i) Except as provided in this paragraph, the provisions for non-business zoning districts in Article VII apply.

(ii) Except for A-frame signs and movement control signs for parking, detached signs are prohibited. The detached pole sign existing as of March 27, 2013 is considered a nonconforming sign and may not be expanded, relocated, or enlarged.

(iii) A-frame signs are prohibited with the structure existing as of March 27, 2013. A-frame signs may only be used in connection with new construction, and must comply with the following:

(aa) Only one A-frame sign is permitted for each occupancy.

(bb) A-frame signs may identify an occupancy.

(cc) The maximum size of an A frame sign is 32 inches wide and 36 inches tall.

(dd) An A-frame sign may only be displayed when the occupancy it identifies is open.

(ee) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(ff) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(6) Additional provisions.

(A) No use is allowed to operate between 10:00 p.m. and 7:00 a.m. Monday through Sunday.

(B) No off street parking may be used for another property pursuant to a remote parking agreement.

(p) Architectural standards for remodeling the building in Subarea 1 existing as of March 27, 2013.

(1) In general. Remodeling of the building existing as of March 27, 2013 must be in accordance with this section.

(2) Doors. Each front door must be composed of wood or other material deemed appropriate and have at least one large full-view window. Primary customer entrances must face Greenville Avenue or be corner-facing. Automatic sliding doors are prohibited.

(3) Equipment screening. All rooftop mechanical equipment must be screened with a parapet in order to not be visible from the street.

(4) Façade material. All buildings must have brick façades on all sides. Decorative accent materials are limited to cast stone and tile and may not exceed five percent of the façade area per building façade.

(5) Fenestration. At least 50 percent of the area of the first floor façade facing Greenville Avenue must consist of window or door area. Mirrored, opaque, and translucent glasses are not permitted in any window or door opening. Windows must have a minimum internal transparency depth of three feet. No transparent windows are allowed above eight feet on the west façade facing the adjacent residential property.

(6) Roofs. All roofs must be flat or hidden by parapets. In locations where a parapet is allowed, parapets, if provided, must be a minimum of three feet tall.

(7) Street-facing façades.

(A) Greenville Avenue-facing façades and the wrap-around must be visually divided into a base-middle portion and top portion. The base-middle portion must comply with the door, façade material, and fenestration requirements of this section. The top portion must be distinguished from the base-middle portion by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(B) Awnings may only be used over windows and doors.

(C) Panel as described in Section (q) are not required for remodeling the building existing as of March 27, 2013.

(8) Story setbacks. No story may be setback from another story. (The façade wall facing the street must be vertical.)

Exhibit A
28946

(q) Architectural standards for new construction in Subarea I.

(1) In general, New construction must comply with the following architectural standards and the architectural standards for remodeling the building existing as of March 27, 2013. The purpose of these standards is to make new construction conform to the style for early 20th century commercial non-residential buildings. In the event of a conflict between Section (p) and Section (q), Section (q) controls.

(2) Doors. Primary customer entrances must be recessed a minimum of one foot.

(3) Facade material. All structures must have brick facades. Painted brick is prohibited.

(4) Fenestration.

(A) At least 60 percent of the area of the first floor facade facing Greenville Avenue must consist of window or door area.

(B) Transom windows must be above all first floor windows and doors.

(C) Mirrored, opaque, and translucent glasses are not permitted in any window or door opening. First floor windows must have a minimum internal transparency depth of three feet. No transparent window are allowed above eight feet on the west facade facing the adjacent residential property.

(D) Window frames must be wood, appropriately colored aluminum, or vinyl clad.

(5) Street-facing facades.

(A) The first floor facade must be divided into two, three, or four storefront bays. Each storefront bay must be distinguished by decorative finials or an architecturally detailed stepped parapet.

(B) Greenville Avenue facing facades and the wrap-around must be visually divided into base, middle, and top portions. The base portion must comply with the panel requirements of this section. The middle portion must comply with the fenestration requirements of this section. The top portion must be distinguished from the middle portion by cornice treatments, stepped parapets, corbelling, textured materials, or differently colored materials.

(C) Signage, lighting, and awnings should be integrated into the storefront design.

(D) Panels less than three feet in height must be placed below all first floor windows. Panels must be made of wood, brick, tile, or other material deemed appropriate.

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(f) Procedures.

- (1) Review form applications. A review form application must be submitted to the Director for any work covered by the standards contained in this ordinance.
- (2) Posting of architectural plans.
 - (A) Upon filing a review form application for new construction, the applicant must post a laminated minimum 11-inch-by-17 inch sign in the front yard with the following information, and provide a copy of the sign to the neighborhood association(s) for the area where the property is located.
 - (i) A scaled color rendering of the front facade of the completed new construction or remodeling and the two adjacent houses, indicating the dimensions of all structures.
 - (ii) A scaled site plan showing the front yards, driveways, and footprints of the completed new construction or remodeling and the two adjacent structures. The site plan must be sealed by a licensed architect or engineer.
- (3) Work requiring a building permit.
 - (A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form application to the Director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 30 days after submission of a complete review form application.
 - (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.

Exhibit A
28946

- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.
- (4) Work not requiring a building permit.
 - (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
 - (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
 - (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.
- (5) Appeals.
 - (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A 1.703, "Board of Adjustment Hearing Procedures," as amended.
 - (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
 - (C) Appeal to the board of adjustment is the final administrative remedy.

Exhibit B-1

Conceptual plan for Subarea 1

BACKGROUND:

The creation of Conservation District No. 9, M-Streets / Greenland Hills, included over 900 single family homes and two non-residential properties. One property is mentioned in the original conceptual plan as an office in a converted single family structure but does not receive any special treatment in the use, development standards or architectural requirements of CD No. 9. The other property is not mentioned within the conceptual plan or regulating ordinance. That property consists of Lots 11 and 12 of Block D/2172 and has been occupied with a liquor store use in part or all of the 4,800 square foot structure since 1966.

Review of some historical aerial photographs available online¹ showed the property within Subarea 1 was developed as two single family lots, containing single family structures in 1930 and again visible in 1956. In 1956, commercial development existed to the south and southeast along Greenville Avenue. According to available building permit records, the property was redeveloped for commercial uses in 1966.

On October 17, 2012, the property owner filed an application to change the zoning of this property in order to make the land use and structure conforming. Staff supported the amendment to CD No. 9 because of the opportunity to enhance the architectural style and improve upon the building siting in the event of remodeling or redevelopment.

PURPOSE FOR SUBAREA 1 REGULATIONS:

The development of the property was typical for building siting in 1966 where the building is set back away from the street with off-street parking between the building and the street. The commonality of the automobile made it desirable to have parking as



the prominent feature of a development, in addition to the City having minimum parking requirements. This development pattern is unique in this commercial node along Greenville Avenue. Even new construction of a bank in 2006 at the southern end of the commercial node placed the building closer to the street than the parking.

Remodeling conditions are drafted to be a reasonable improvement in the building's façade and maintain some favorable characteristics of the existing building.

- Flat roof or hidden by parapet
- Brick façade with limited accent materials
- No automatic sliding doors
- Awnings are limited to cover entryways and windows
- Minimum 50% of Greenville Avenue-facing façade be window or door area



The Greenville-Avenue facing facades of Café Brazil and Stan's Blue Note to the southeast of the property are ideal representations of remodeling regulations. Many of the older buildings in Deep Ellum fit the remodeling regulations as well.

The redevelopment regulations for Subarea 1 are intended to allow the property to become a compatible commercial development, matching the architectural detail and siting as other properties in the commercial node as well as the single family neighborhood. By bringing the building up to the street, redevelopment will be pedestrian-friendly and walkable. Increased architectural detail will enhance the sense of place while maintaining the scale and character of the area.

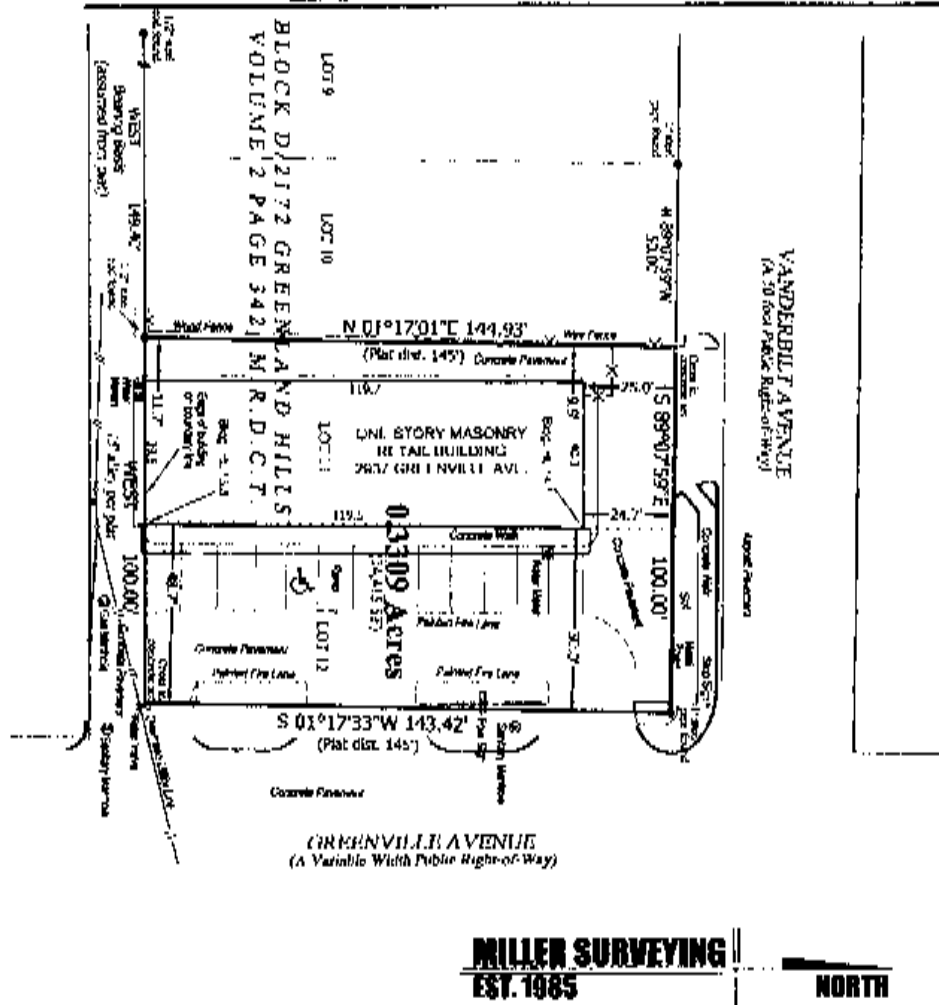
- Recessed customer entrances
- Painted brick is prohibited
- Paneling required under windows
- Building must contain two to four bays
- Greenville Avenue-facing façade and wrap around to have base, middle, and top with decorative cornices on each bay
- Minimum 60% windows or doors on Greenville Avenue-facing façade

Guidance on the Early 20th Century Commercial style include Terilli's (both before and after reconstruction from fire damage in 2009) and retail buildings found along Davis Street in Oak Cliff and Haskell Avenue near Baylor Hospital.



¹ <http://digitalcollections.smu.edu/all/cul/dmp/> and <http://www.historicaerials.com/> visited as recently as December 31, 2012.

A Land Title Survey of
Lots 11 and 12, Block D, 2172,
GREENLAND HILLS
An addition to the City of Dallas, Dallas County, Texas

[illegible]

MILLER

Surveying, Inc.



Robert L. Carmichael, Michael
 425 McGowan Blvd
 Suite 1000
 St. Louis, MO 63107-5772
 314-437-1333 Fax 314-437-1332
 www.vestco.org



CITY OF DALLAS

April 14, 2025

CERTIFIED MAIL NO. 70210950000171957712

Mr. Robert Baldwin
5115 Vanderbilt Avenue
Dallas, TX 75206

RE: Denial of CD24071603 application to construct a new single-family dwelling

Dear Mr. Baldwin:

Your application to construct a new single-family dwelling has been denied. You may appeal this decision to the Board of Adjustment pursuant to Ordinance 28946(r)(5). In considering the appeal, the sole issue before the Board of Adjustment is whether the Director erred in the decision to deny your application. The Board of Adjustment shall consider the standards that were required when the review was done. The enclosed CD work certificate contains sections of the ordinance pertinent to the denial of your application.

You have twenty (20) days from the date of the denial to file your appeal with the Board of Adjustment. Any questions related to an appeal should be directed Kameka Miller-Hoskins, Chief Planner for the Board of Adjustment, whose contact is (214)948-4478 or kameka.mhoskins@dallas.gov, or Diana Barkume, Senior Plans Examiner, at (214)942-4364 or diana.barkume@dallas.gov.

Respectfully,

Trevor A. Brown
Chief Planner, Conservation Districts

Enclosure
CD Certificate of Denial

Conservation District Denial



M Streets Conservation District

City of Dallas

Date Applied: 07/16/24

Date Reviewed: 04/14/25

Address: 5115 VANDERBILT AVE

Applicant: Baldwin, Robert
3904 Elm Street
Suite B
Dallas, TX 75226
(214) 824-7049
rob@baldwinplanning.com

Architectural Style: High Tudor

Proposed Work: Other - requires permit
NSFD

Permit is required: YES

Work is Denied

The application to construct a new single-family dwelling is denied.

1. The structure is classified as High Tudor.
2. Per ORD 28946(d)(14)(A) All houses must have a straight driveway located along the east side of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
3. Per ORD 28946(d)(14)(B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
4. Per ORD 28946(d)(14)(C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brush finished concrete.
5. Per ORD 28946(d)(14)(D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.

M. Samuel Eskander, PE

The application was reviewed for compliance with the development standards and design requirements for this Conservation District Ordinance.

This certificate applies only to the work identified on this document. Additional work will have to be reviewed separately.

DENIED



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

FOR OFFICE USE ONLY

Data Relative to Subject Property:

Date:

FOR OFFICE USE ONLY

Location address: 5115 Vanderbilt Avenue Zoning District: Conservation District #9

Lot No.: 20 Block No.: V/2190 Acreage: 7,215 sf Census Tract: _____

Street Frontage (in Feet): 1) 51.9' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): SBJWM LTD

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

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

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

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

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

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

Affirm that an appeal has been made for a Variance ☒ or Special Exception ☐ of Appeal to the Conservation District requirements that a garage be accessed from the east side of the house.

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:

It is impossible to construct a driveway on the east side of the house due to a large storm sewer inlet

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 15 day of April, 2025

Michele Stoy
Notary Public in and for Dallas County, Texas





Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

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Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 15 day of April, 2025



Michele Stoy
Notary Public in and for Dallas County, Texas



AFFIDAVIT

Appeal number: BDA _____

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

at: 5115 Vanderbilt Avenue
(Address of property as stated on application)

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

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

_____ Variance (specify below)

_____ Special Exception (specify below)

X Other Appeal (specify below)

Specify: Appeal to the Conservation District requirement that a garage be accessed from
the east side of the house.

Matthew Baldwin

Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

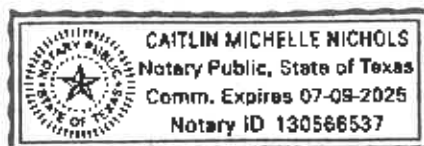
agent Date 04/15/2025

Before me, the undersigned, on this day personally appeared
Matthew Baldwin

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

April, 2025



Caitlin Nichols

Commission expires on
7/9/2025



AFFIDAVIT

Appeal number: BDA _____

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

at: 5115 Vanderbilt Avenue
(Address of property as stated on application)

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

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☒ Other Appeal (specify below)

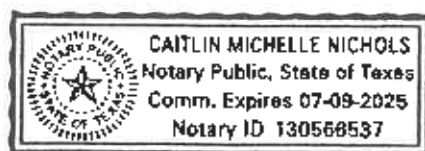
Specify: Appeal to the Conservation District requirement that a garage be accessed from
the east side of the house.

Matthew Baldwin
Print name of property owner or registered agent
agent Date 04/15/2025


Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared
Matthew Baldwin

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
April, 2025



Caitlin Nichols

Commission expires on 7/9/2025



201608133499

DEED 1/2

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

SPECIAL WARRANTY DEED

JOHN HOLMES (herein referred to as "Grantor"), for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL and CONVEY unto SBRJWM Ltd. (herein referred to as "Grantee"), whose address is P.O. Box 308, 107 W. Lufkin Ave., Suite 318, Lufkin, TX 75902, the following described property:

Lot 20, in Block "V"/2190, as shown on the Map of "GREENLAND HILLS," an Addition to the City of Dallas, filed June 6, 1923, and recorded in Volume2, Page 382, Map Records, Dallas County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and taxes for 2014, the payment of which Grantee assumes.

TO HAVE AND TO HOLD the above-described Property, subject to the Permitted Encumbrances, together with all and singular the rights and appurtenances thereto in any wise belonging to Grantor, unto the said Grantee, its successors and assigns FOREVER, and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever, lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED effective as of the 12 day of Nov, 2015.

GRANTOR:


John Holmes



STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 12th day of November, 2015, by John Holmes.

Mary Allegro
Notary Public, State of Texas



Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
05/18/2016 16:29:37 AM
\$30.00



John F. Warren

201600133499



THE STATE OF TEXAS
COUNTY OF DALLAS.

I hereby certify that the above and foregoing is a full, true, and correct photographic copy of the original record now in my lawful custody and possession, filed on the date blanked thereon and as the same is recorded on the Recorder's Records in my office under the volume and page or instrument # stamped thereon.
I hereby certify on

NOV 15 2024



COUNTY CLERK, Dallas County, Texas

By _____ Deputy



TAX CERTIFICATE



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

Issued To:

SBRIWM LTD
PO BOX 308
LUFKIN, TX 75902-0000

Legal Description

GREENLAND HILLS HILL TOP SECTION
BLK V/2190 LOT 20 LESS ROW
INT201600133499 DD11122015 CO-DC
2190 00V 02000 1002190 00V

Parcel Address: 5115 VANDERBILT AVE DA

Legal Acres: .0000

Account Number: 000-002-049-61000000

Certificate No: 120399

Certificate Fee: \$10.00

CHECK NO. 3960

Print Date: 04/15/2025 11:44:44 AM

Paid Date: 04/15/2025

Issue Date: 04/15/2025

Operator ID: ANGEL_ARAIZA PUB

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

Exemptions:

Certified Owner:

SBRIWM LTD
PO BOX 308
LUFKIN, TX 75902-0000

Certified Tax Unit(s):

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

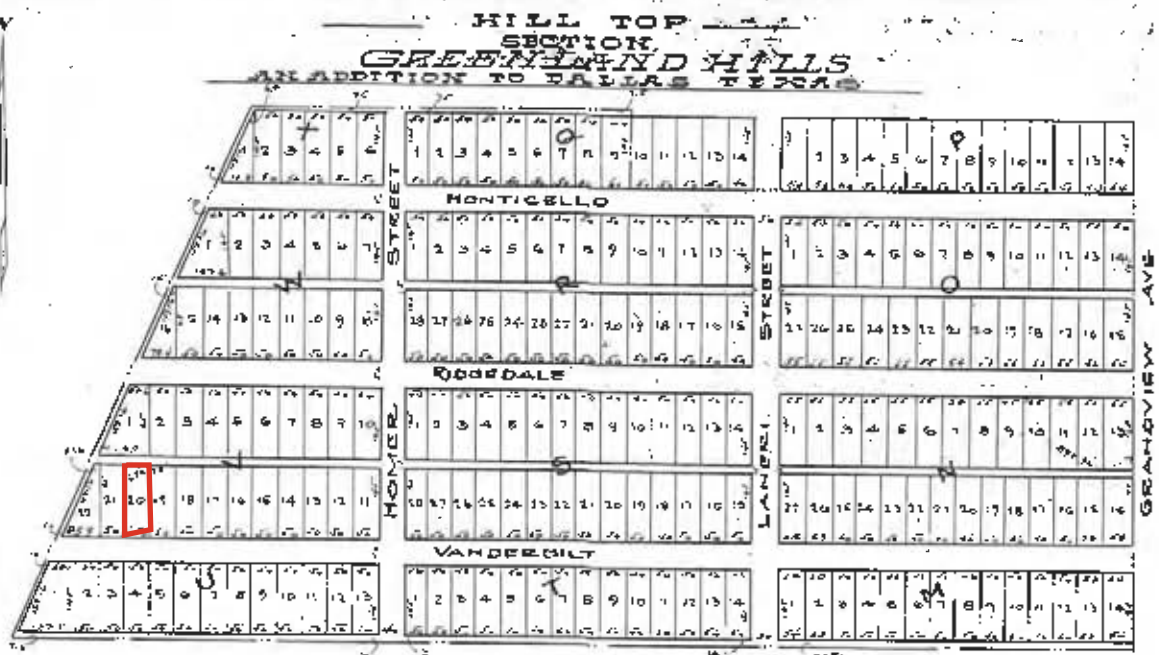
2024 Value:	479,790
2024 Levy:	\$10,723.44
2024 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (GF) No: N/A

Issued By: ANGEL_ARAIZA

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





SCALE 1/2" = 100'
JUNE 2, 1923.

45.85 ACRES

McNERY & McNERY
Sole Owners

54111

GREENLAND HILLS REALTY COMPANY
TO DEDICATION

STATE OF TEXAS
COUNTY OF DALLAS : KNOW ALL MEN BY THESE PRESENTS:

That Greenland Hills Realty Company, a private Corporation, duly incorporated and existing under and by virtue of the laws of the State of Texas, the principal office whereof being in the City and County of Dallas, State of Texas, by and through its proper officers, hereunto duly authorized and empowered, for itself, its successors and assigns does hereby designate as "Hill Top Section of Greenland Hills," an addition to the City of Dallas, State of Texas, the area shown on and by the attached plat, prepared by Myers and Myers, engineers, to which reference is hereby made.

"HILLTOP SECTION OF GREENLAND HILLS," as above described is a part of a tract of 99.75 acres of land out of J.W. Smith, Survey, in Dallas County, Texas, conveyed, by Ellis M. Sargent, Guardian of the Estate, of Isle E. Bennett, a minor, to Fletcher B. McNery and Frank L. McNery by deed dated February 20, A.D. 1923, and by them, conveyed to the undersigned Greenland Hills Realty Company, a corporation by deed dated March 16, A.D. 1923, both of said deeds being recorded in the Deed Records of Dallas County, Texas, to which reference is hereby made. GREENLAND HILLS REALTY COMPANY for itself, its successors and assigns does hereby dedicate the streets and alleys as shown on said plat, to the use of the public forever, except that it reserves to itself, its successors and assigns, the right to build and operate and permit the extension and operation of a street railway line upon the streets and thoroughfares, shown on such plat; 11. All water, storm sewers, sanitary sewers, gas pipes and mains laid in said streets and alleys.

In Testimony whereof, said Greenland Hills Realty Company a corporation, has caused this instrument, to be signed by Frank L. McNery, its President, attested by Howard D. McElroy, its secretary, and its corporate seal hereto affixed at Dallas, Texas, this day of May A.D. 1923.

ATTEST: HOWARD D. McELROY, SECRETARY.
STATE OF TEXAS: Before me, the undersigned authority, on this day personally appeared, Frank L. McNery, known to me to be the President of the County of DALLAS : whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 28th day of May, A.D. 1923.

L. S.

George E. Meriwether,
Notary Public, Dallas County, Texas.

Filed for record June 6th, 1923, at 10:00 A. M. W.S. SKILES, County clerk, Dallas County, Texas.
By, L. P. Rosen, Deputy,
Recorded June 18th, 1923, W. S. SKILES, COUNTY CLERK, Dallas County, Texas.

BY:

[Signature]
Deputy.





CITY OF DALLAS

April 15, 2025

ADDRESS: 5115 Vanderbilt Ave

RE: **CAD # 00000204961000000**

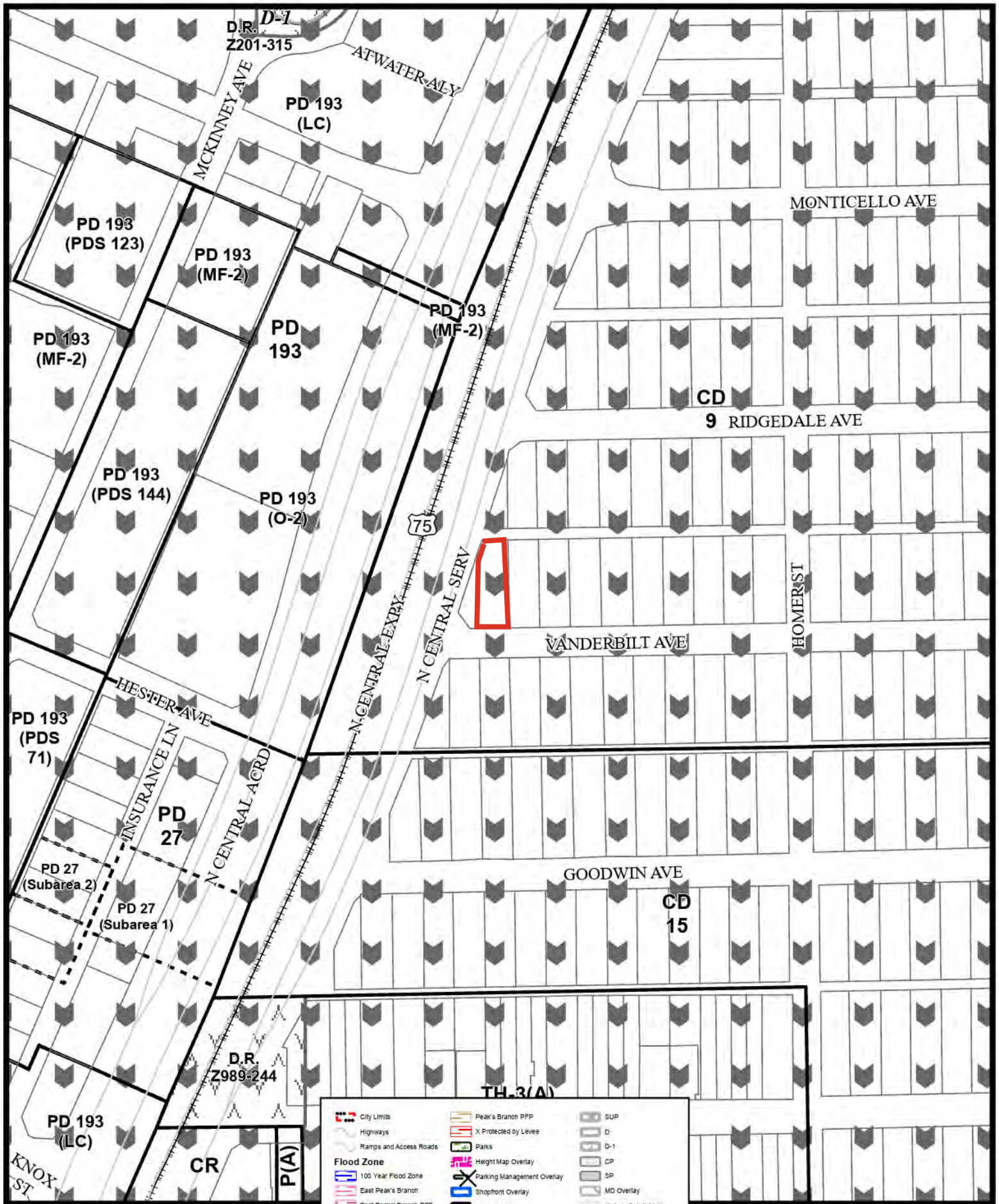
DEAR SIR/MADAM,

No information was found responsive to your request for identification of City liens in the records of Special Collections. This response does not constitute legal advice regarding the status of the real property at **5115 Vanderbilt Ave**. There may be additional liens of record in the County Clerk's office. This response is made to your request for public information and constitutes neither estoppel against the City of Dallas nor relinquishment, waiver, release, or other change in any lien interest of record.

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

Sincerely,
Naomi Garcia

Special Collections Division
Dallas Water Utilities



1:2,400

Case ID:

Printed: 11/12/2024

ANNEXED _____ ORD. NO. _____
SURVEY J. W. SMITH _____ ABST. 1334

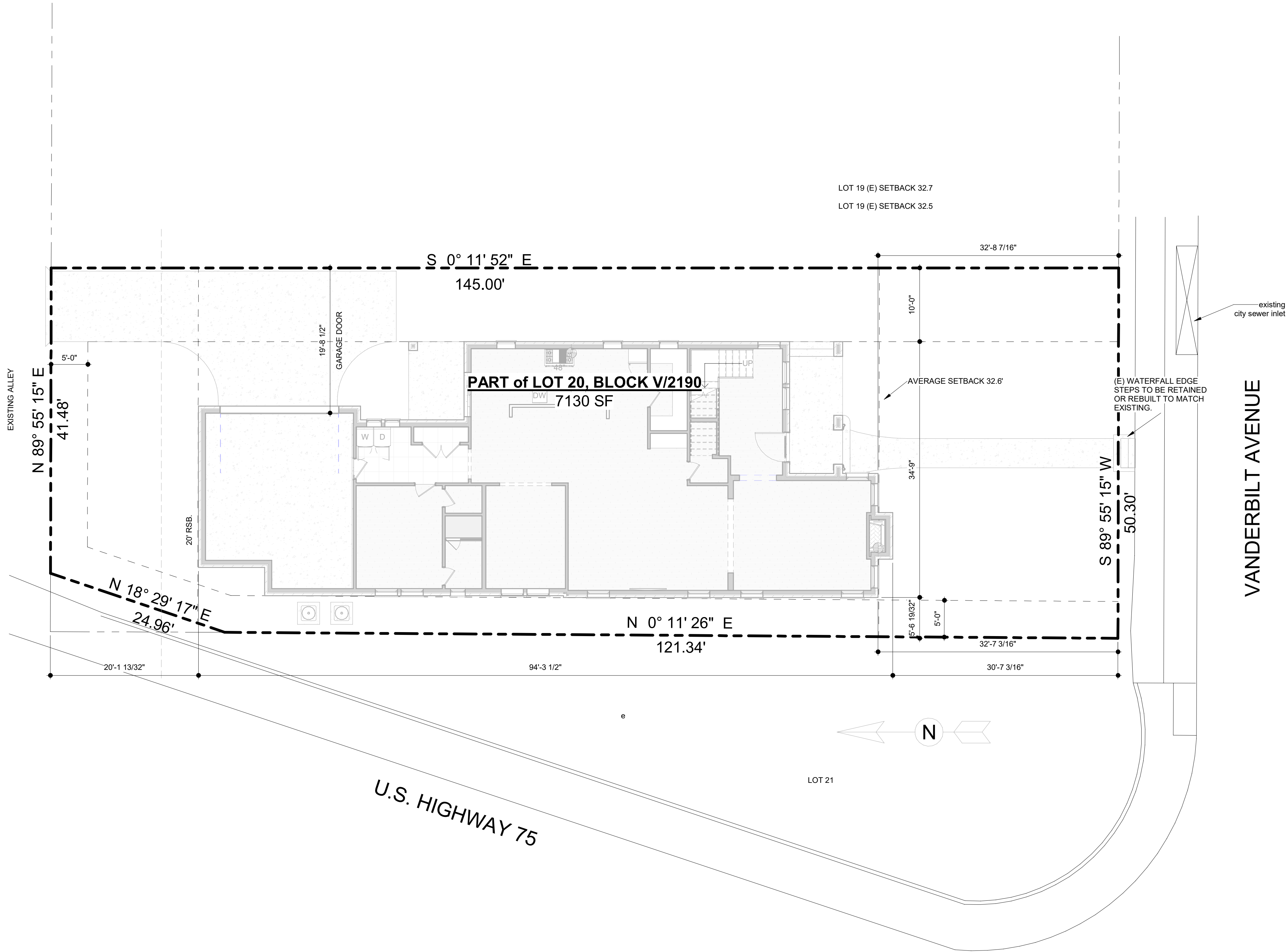
ADDITION _____

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS

FILED: 1/2188 & 1/2189 - JUNE 8, 1911



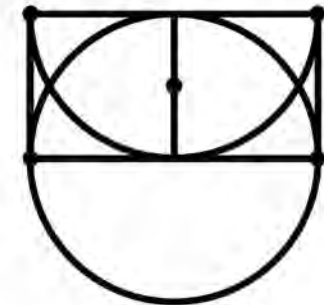


SITE CALCULATION		
NAME	CALCULATIONS	
LOT AREA	7,130 SQFT	
ZONING	CD-9	
BUILDING COVERAGE		
BUILDING FOOTPRINT	2,833 SQFT	
MAX LOT COVERAGE ALLOWED	45%	3,208.5 SQFT
LOT COVERAGE PROVIDED	40%	2,833 SQFT

01 PLOT PLAN

SCALE 1/8" = 1'-0"
5115 VANDERBILT AVENUE
LOT 20 BLOCK V/2190
HILLTOP SECTION OF GREENLAND HILLS ADDITION
CITY OF DALLAS
ZONING CD-9 - M STREETS CONSERVATION DISTRICT

PERMIT SET



PLAN NUMBER
22-026-mst4

FINAL PLANS
02-11-25

SHEET NUMBER
A100

PLANS FOR:
MATT BALDWIN

5115 VANDERBILT AVENUE, DALLAS, TEXAS

Copyright: SLOCUM DESIGN GROUP LLC. 2024
These plans are intended to provide the basic construction information necessary to substantially complete this structure. These plans must be verified and checked by the builder or the person in authority of this project. Any discrepancy, error, and/or omission, if found, is to be brought to the immediate attention of the designer before any construction is commenced or purchases made. It is recommended that the owner or builder obtain complete engineering services; Foundation, HVAC, and Structural, before beginning construction of any kind. Note: all Federal, State, and local codes, ordinances, and restrictions take precedence over any part of these plans which may conflict with same, and must be strictly obeyed and followed before and during construction. These plans are copyrighted and are subject to copyright protection under Sec. 112 of the Copyright Act, 17 U.S.C. as amended December 1980 and known as Architectural Works Copyright Protection Act of 1990. The protection includes but is not limited to the overall form as well as the arrangement and composition of spaces and elements of the design. Under such protection, unauthorized use of these plans, work or home represented, can legally result in the cessation of construction or buildings being seized and/or monetary compensation to Slocum Design Group LLC.





