





**CITY OF DALLAS**  
**BOARD OF ADJUSTMENT, PANEL C**  
**MONDAY, SEPTEMBER 21, 2020**  
**AGENDA**

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BRIEFING	Video Conference	11:00 A.M.
PUBLIC HEARING	Video Conference	1:00 P.M.

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**Neva Dean, Assistant Director**  
**Jennifer Muñoz, Chief Planner/Board Administrator**  
**Oscar Aguilera, Senior Planner**  
**LaTonia Jackson, Board Secretary**

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**PUBLIC TESTIMONY**

Minutes

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**MISCELLANEOUS ITEM**

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Approval of the August 17, 2020 Board of Adjustment Panel C Public Hearing Minutes	M1
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**UNCONTESTED CASES**

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<b>BDA190-079(OA)</b>	4651 Catina Ln. <b>REQUEST:</b> Application of Karl Crawley for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations	1
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<b>BDA190-081(OA)</b>	6738 Briar Cove Dr. <b>REQUEST:</b> Application of Omar Elkady for a special exception to the single-family regulations, and to provide an additional electrical meter	2
<b>BDA190-086(OA)</b>	1920 JB Jackson Blvd. <b>REQUEST:</b> Application of Clegg Wellborn for a variance to the front yard setback regulations	3
<b>BDA190-089(OA)</b>	8810 Boundbrook Ave. <b>REQUEST:</b> Application of Kenneth Zuercher for a special exception to the fence height regulations, and for a special exception to the fence standards regulations	4

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**REGULAR CASES**

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**None**

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**HOLDOVERS**

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**None**

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## EXECUTIVE SESSION NOTICE

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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]

**FILE NUMBER:** BDA190-079(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Karl Crawley for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations at 4651 Catina Lane. This property is more fully described as Lot 3A, Block B/5534, and is zoned an R-1 ac(A) Single Family District, which limits the height of a fence in the front yard to four feet and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct a seven-foot-high fence in a required front yard, which will require a three-foot special exception to the fence regulations, and to construct a single family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulations.

**LOCATION:** 4651 Catina Lane

**APPLICANT:** Karl Crawley

**REQUESTS:**

The following requests have been made on a site that is being developed with a single family home:

1. A request for a special exception to the fence standards regulations related to the fence height of three feet is made to construct and maintain a six-foot six-inch iron fence with seven-foot stone columns and a six-foot six-inch iron gate in the required front yard.
2. A request for special exceptions to the visual obstruction regulations is made to locate and maintain portions of the aforementioned fence with stone columns and an iron gate in the two 20-foot visibility triangles on both sides of the drive approach at the intersection with Catina Lane.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS:**

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

**STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:**

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

**STAFF RECOMMENDATION (fence standards regulations):**

No staff recommendation is made on this or any request for a special exception to the fence standards regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATION (visual obstruction regulations):**

Approval, subject to the following condition:

- Compliance with the submitted site plan and elevation is required.

Rationale:

- The Sustainable Development Department Senior Engineer has no objections to the request.
- Staff concluded that the request for special exceptions to the visual obstruction regulations should be granted with the suggested conditions imposed because the item located in the visibility triangles does not constitute a traffic hazard.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R- 1 ac (A) (Single family district)
- North: R- 1 ac (A) (Single family district)
- East: R- 1 ac (A) (Single family district)
- South: R- 1 ac (A) (Single family district)
- West: R- 1 ac (A) (Single family district)

**Land Use:**

The subject site is being developed with a single-family home. The areas to the north, east, south, and west are developed with single-family uses.

**Zoning/BDA History:**

1. BDA189-141, Property located at 4610 Catina Lane (the lot located at the southeast corner of Catina Lane and Welsh Road)

The Board of Adjustment Panel C, at its public hearing held on Monday, June 22, 2020 approved a request for a special exception to the fence height regulations of four-feet six-inches and imposed the submitted site plan and elevation as a condition.

The case report stated that the request was made to construct a fence with a maximum height of four-feet six-inches high with metal on the top and a stone base, and partly an eight-foot-high stone fence, eight-foot six-inch and five-foot stone columns, and two seven-foot six-inch gates in the required 40-foot front yard on Catina Lane on a site being developed with a single-family home
  
2. BDA189-141, Property located at 4610 Catina Lane (the lot located at the southeast corner of Catina Lane and Welsh Road))

The Board of Adjustment Panel C, at its public hearing held on Monday, December 16, 2019, denied a request for a special exception to the fence height regulations of feet seven inches without prejudice.

The case report stated that the request was made to construct a fence with a maximum height of seven feet seven inches in the required 40-foot front yard on Catina Lane on a site being developed with a single-family home.
  
3. BDA112-039, Property located at 10757 Lennox Lane (the lot at the South corner of Royal Lane and Lennox Lane)

On May 14, 2012, the Board of Adjustment Panel C granted a request for a special exception to the fence height regulations of three feet and imposed the submitted site plan and elevation as a condition. The case report stated that the request was made in conjunction with constructing and maintaining a solid stucco wall ranging in height from six-feet four-inches to six-feet eight-inches (given grade changes on the property) with seven-foot-high stucco columns in the site's Royal Lane 40-foot front yard setback on a site that is developed with a single-family home.
  
4. BDA978-231, Property located at 10757 Lennox Lane (the lot at the South corner of Royal Lane and Lennox Lane)

On October 19, 1998, the Board of Adjustment Panel C denied requests for special exceptions to the fence height and visual obstruction regulations without prejudice. The case report stated that the requests were made to construct and maintain an eight-foot-high solid masonry wall in the front yard setback and in the required 45-foot visibility triangle at Royal Lane and Lennox Lane.

5. BDA 045-172, Property at 4610 Royal Lane (two lots north of the subject site)
- On May 18, 2005, the Board of Adjustment Panel B granted a request for a special exception to the fence height regulations of seven feet imposing the following condition: Compliance with the newly submitted "Preliminary Concept Plan/Site Plan and Elevation" dated May 18, 2005, is required. The case report stated that the request was made in conjunction with constructing a wall in the 40-foot Royal Lane front yard setback on a site developed with a single-family home.

**GENERAL FACTS/STAFF ANALYSIS (fence standards special exceptions):**

The purpose of this request for a special exception to the fence height standards is to construct and maintain a six-foot six-inch iron fence with seven-foot stone columns and a six-foot six-inch iron gate in the required front yard along Catina Lane.

The proposed fence is to be located about one foot-from the front property line. The following additional information was gleaned from the submitted site plan:

- The proposed fence is approximately 165 feet-in-length parallel to Catina Lane and runs approximately 40 feet perpendicular to Catina Lane on both side property lines in the required front yard.
- The minimum distance between the proposed fence and the pavement line is approximately 11 feet.

Section 51A-4.602(a)(2) of the Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The subject site is zoned R-1ac(A) which requires a 40-foot front yard setback.

Staff conducted a field visit of the site and surrounding area and noted several other fences along Catina Lane and Lennox Lane located in front yard setback which appeared to be above four feet-in-height along Catina Lane and Lennox Lane located in the front yard setback, some of which have recorded BDA history (see the Zoning/BDA History section of this case report for details).

As of September 11, 2020, no letters have been received in opposition or support to this request.

The applicant has the burden of proof in establishing that the special exception to the fence height regulation of three feet will not adversely affect neighboring property.

Granting these special exceptions with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding four feet-

in-height in the front yard setback to be constructed in the location and heights as shown on these documents.

**GENERAL FACTS/STAFF ANALYSIS (visual obstruction special exceptions):**

The requests for special exceptions to the fence standards regulations on a site developed with a single family home focus on constructing and maintaining portions of a six-foot six-inch iron fence with seven-foot stone columns and a six-foot six-inch iron gate in the two 20-foot visibility triangles on both sides of the drive approach at the intersection with Catina Lane.

Section 51A-4.602(d) of the Dallas Development Code states the following: 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 as defined in the Code (45-foot visibility triangles at street intersections and 20-foot visibility triangles at drive approaches and at alleys on properties zoned single-family); and
- between two-and-a-half and eight feet-in-height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

The property is located in an R-1ac(A) Single Family District which requires the portion of a lot with a triangular area formed by connecting the point of intersection of the edge of a driveway or alley and the adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge end the street curb line 20 feet from the intersection.

A site plan and elevation have been submitted indicating portions of a six-foot six-inch iron fence with seven-foot stone columns and a six-foot six-inch iron gate will be located in the 20-foot visibility triangle on both sides of the driveway that intersects with Catina Lane.

The Sustainable Development Department Senior Engineer has no objections to the requests.

The applicant has the burden of proof in establishing how granting this request to maintain the proposed items in the two 20-foot visibility triangles on both sides of the driveway that intersect with Catina Lane does not constitute a traffic hazard.

Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items in the two 20-foot visibility triangles formed on each side of the driveway that intersects with Catina Lane to that what is shown on these documents, portions of a six-foot six-inch iron fence with seven-foot stone columns and a six-foot six-inch iron gate located within the two 20-foot visibility triangles on both sides of the drive approach at the intersection with Catina Lane.

## **Timeline:**

July 24, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

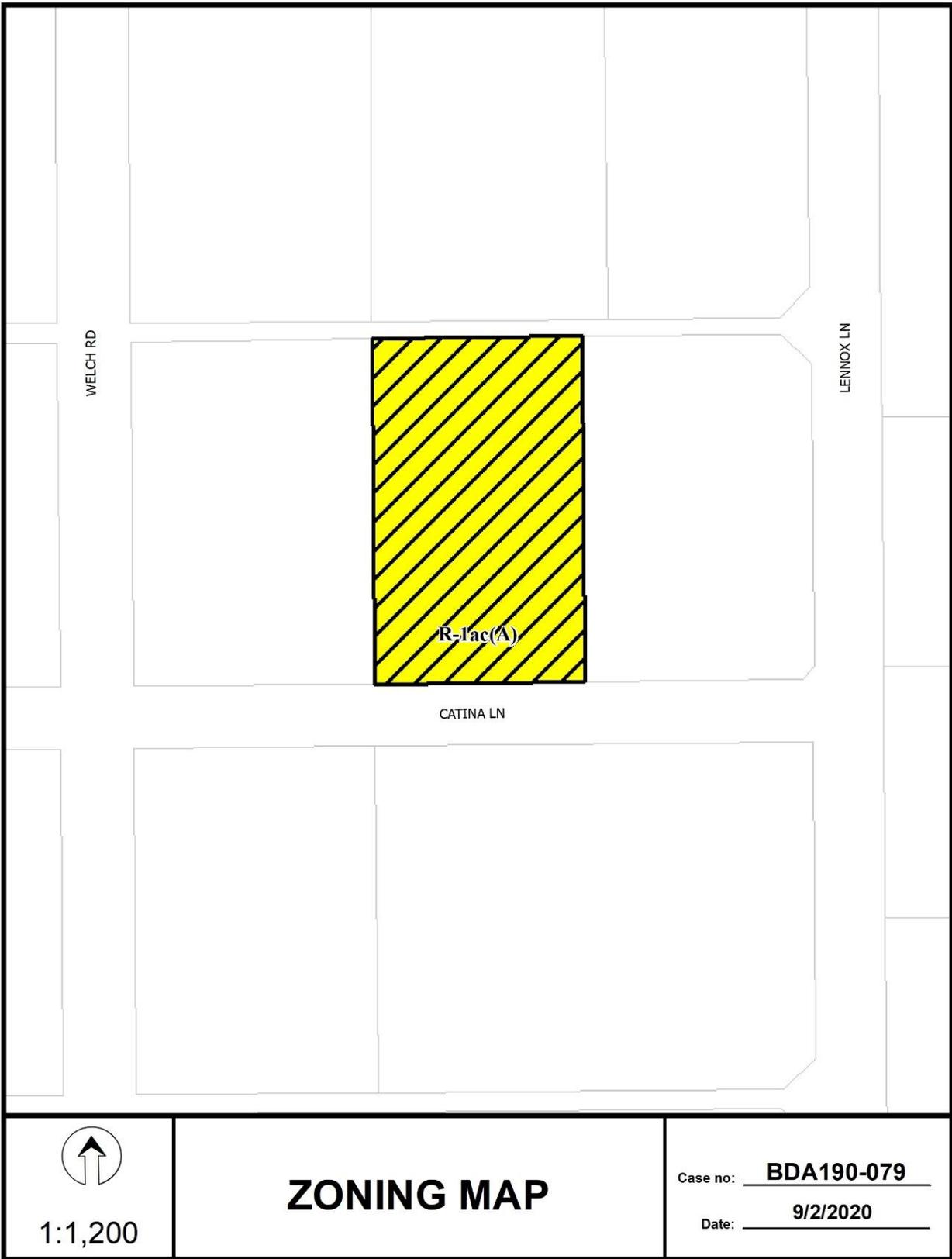
August 18, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

August 19, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the September 2, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the September 11, 2020 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.”

September 4, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September public hearing. The review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Sing Specialist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board.

September 4, 2020: The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked “Has no objections”.





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# AERIAL MAP

Case no: BDA190-079

Date: 9/2/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-079

Date: 7-24-20

Data Relative to Subject Property:

Location address: 4651 Catina Lane Zoning District: R-1ac.(A)

Lot No.: 3A Block No.: B/5534 Acreage: 1.09 Census Tract: 75.01

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Neil Thomson and Bernadette Thomson

Applicant: Karl Crawley/Masterplan Telephone: 214 761 9197

Mailing Address: 2201 Main Street, Suite 1280, Dallas TX Zip Code: 75201

E-mail Address: karl@masterplantexas.com

Represented by: Karl Crawley Telephone: 214 761 9197

Mailing Address: 2201 Main Street, Suite 1280, Dallas TX Zip Code: 75201

E-mail Address: karl@masterplantexas.com

Affirm that an appeal has been made for a Variance \_\_\_\_\_, or Special Exception X, of 3 feet 0 inches for columns and fence in the front yard of Catina Lane and a Special Exception to visibility triangle regulations to allow a fence and columns in the 20'x20' triangle at the driveway.

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: Fence height is commensurate with area and adjacent properties. A fence height greater 4 feet is required to provide privacy and security for the property and residents. The proposed fence and columns will not constitute a traffic hazard.

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 Karl A Crawley (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 23rd day of July, 2020

(Rev. 08-01-11)



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

MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

Building Official's Report

I hereby certify that Karl Crawley

did submit a request for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations at 4651 Catina Lane

BDA190-079. Application of Karl Crawley for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations at 4651 Catina Ln. This property is more fully described as Lot 3A, Block B/5534, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct an 7 foot high fence in a required front yard, which will require a 3 foot special exception to the fence regulations, and to construct a single family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,

*David Session*  
David Session, Building Official





CITY OF DALLAS

AFFIDAVIT

BDA Case # 190-079

I, BERNADETTE THOMSON, Owner of the subject property

at: 4651 CATINA LN, DALLAS, TX 75229

Authorize (applicant) \_\_\_\_\_

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

\_\_\_\_\_ Variance (please specify) \_\_\_\_\_

X Special Exception (please specify) for fence greater than 4' (1' high) and visibility triangle for columns and fence in 20'x20' triangle

\_\_\_\_\_ Other (please specify) \_\_\_\_\_

BERNADETTE THOMSON

B.J. Thomson

6/3/20

Print name of property owner

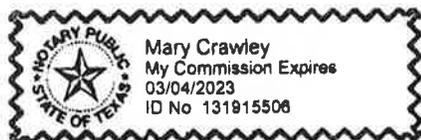
Signature of property owner

Date

Before me the undersigned on the day of personally appeared Bernadette Thomson

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

Subscribed and sworn to before me this 3rd day of June, 2020



Mary Crawley

Notary Public on and for

Dallas County, Texas

Commission expires on 03/04/23



CITY OF DALLAS

AFFIDAVIT

BDA Case # 190-079

I, NEIL THOMSON, Owner of the subject property

at: 4651 CATINA LN, DALLAS TX 75229

Authorize (applicant) \_\_\_\_\_

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

\_\_\_\_\_ Variance (please specify) \_\_\_\_\_

Special Exception (please specify) for fence greater than 4' (7' high) and visibility triangle for columns and fence in 20' x 20' triangle

\_\_\_\_\_ Other (please specify) \_\_\_\_\_

NEIL THOMSON

*Neil Thomson*

6/3/20

Print name of property owner

Signature of property owner

Date

Before me the undersigned on the day of personally appeared Neil Thomson

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 3<sup>rd</sup> day of June, 2020

Mary Crawley

Notary Public on and for

Dallas County, Texas

Commission expires on 03/04/23





Printed: 6/10/2020

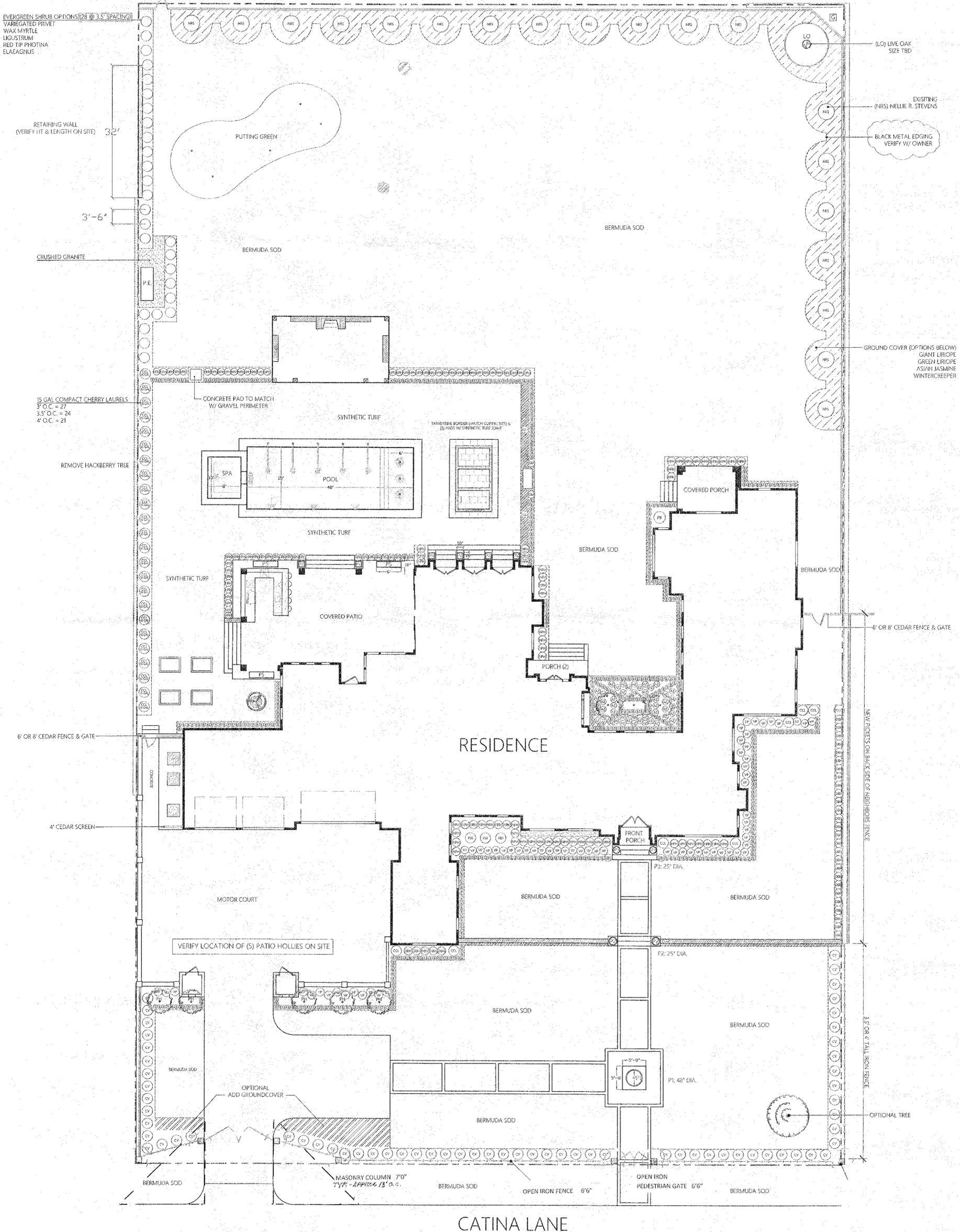
### Legend

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | Railroad                       | Dry Overlay           | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| Floodplain           | Base Zoning                    | D-1                   | PDS Subdistricts           |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts           |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO_Overlay                |
| Peak's Branch        | SPSD Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay         |
|                      |                                | Height Map Overlay    |                            |

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)







ROBERT ELLIOTT CUSTOM HOMES  
 4651 CATINA LANE, DALLAS, TEXAS

DRAWING DATES

FOR REVIEW	12/27/2018
FOR REVIEW	1/8/2019
FOR REVIEW	1/8/2019
FOR REVIEW	3/11/2019
FOR REVIEW	2/24/2020
FOR REVIEW	4/2/2020

JOB: RESIDENTIAL

SCALE: 3/32" = 1'-0"

DRAWING LAYOUT PLAN

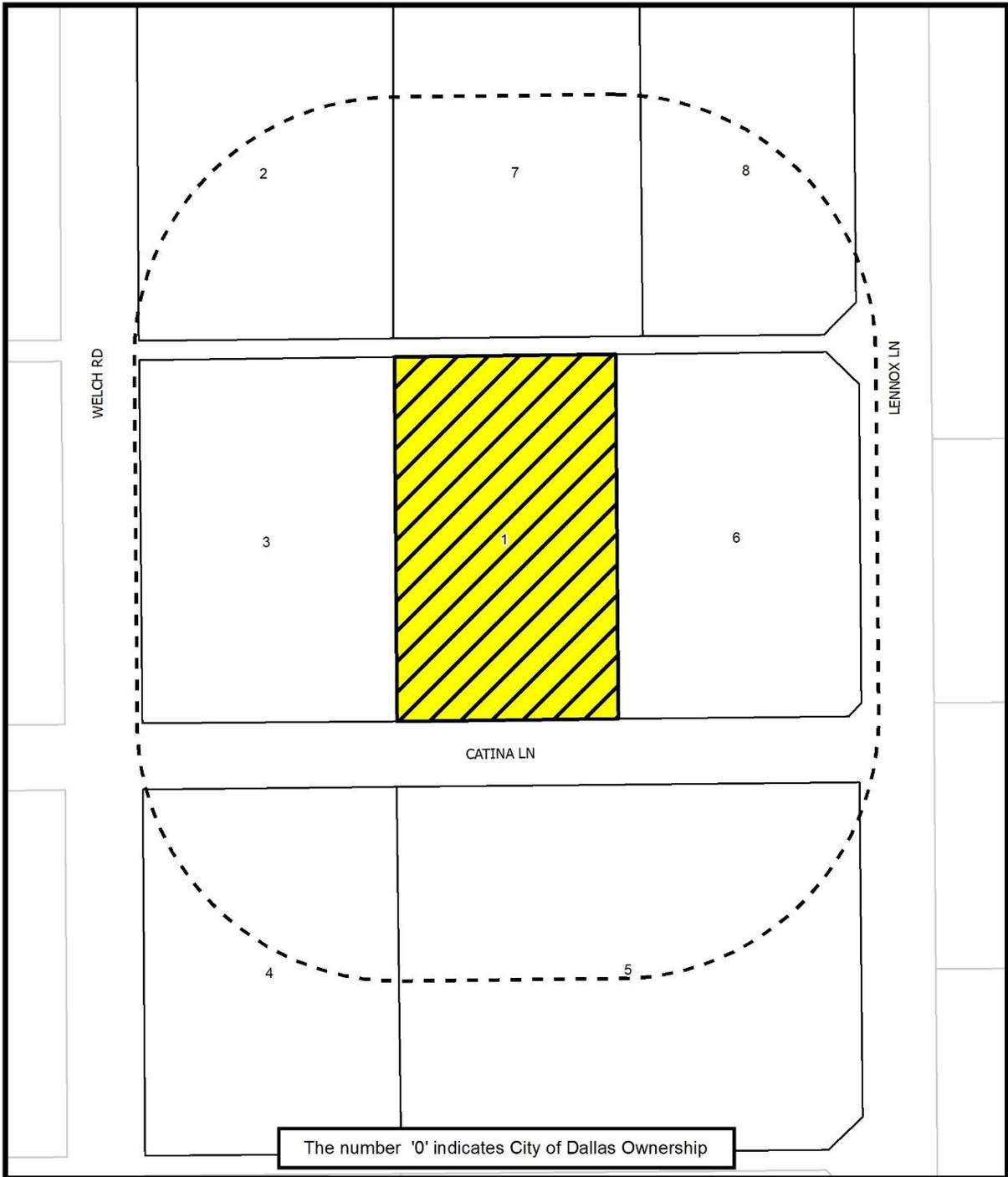
P: 214-666-1887  
 E: bld@blountlandscape.com  
 W: www.blountlandscape.com  
 14407 Sherry Street, Suite 106, Dallas, TX 75244



BLOUNT LANDSCAPE DESIGN  
 214-666-1887  
 E: bld@blountlandscape.com  
 W: www.blountlandscape.com







1:1,200

# NOTIFICATION

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

Case no: **BDA190-079**  
 Date: **9/2/2020**

09/01/2020

## ***Notification List of Property Owners***

***BDA190-079***

### ***8 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	4651 CATINA LN	THOMSON NEIL HAMILTON &
2	4610 ROYAL LN	BANOWSKY BAXTER W & TANYA
3	4609 CATINA LN	LAM SAMUEL M
4	4610 CATINA LN	KREUNEN 2012 REVOCABLE TRUST
5	10645 LENNOX LN	MMM FAMILY TRUST
6	10747 LENNOX LN	SAXTON KELLY & VICKY
7	4620 ROYAL LN	BENAVIDES ANTONIO & CECILIA ARMAS
8	10757 LENNOX LN	NUTH PITHOU &

**FILE NUMBER:** BDA190-081(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Omar Elkady for a special exception to the single family regulations, and provide an additional electrical meter at 6738 Briar Cove Dr. This property is more fully described as Lot 14, Block C/8183, and is zoned an R-16(A) Single Family District, which limits the number of dwelling units to one and requires that a single family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct an additional dwelling unit, which will require a special exception to the single family zoning use regulations, and to construct a single family dwelling in a single family, duplex, or townhouse district and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single family zoning use regulations.

**LOCATION:** 6738 Briar Cove Dr

**APPLICANT:** Omar Elkady

**REQUEST:**

The following requests have been made:

1. A request for a special exception to the single family use regulations is made to construct and maintain a one-story additional dwelling unit structure on a site developed with a one-story single family structure.
2. A request to install and maintain an additional electrical utility service and electrical meter on a site that is currently developed with a single family use.

**STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE FAMILY USE REGULATIONS TO AUTHORIZE AN ADDITIONAL DWELLING UNIT:**

The board may grant a special exception to the single family use regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the additional dwelling unit will not: (1) be used as rental accommodations; or, (2) adversely affect neighboring properties.

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

**STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AUTHORIZE MORE THAN ONE ELECTRICAL UTILITY SERVICE OR MORE THAN ONE ELECTRICAL METER:**

The board may grant a special exception to authorize more than one electrical utility service or more than one electrical meter for single family use on a lot in a single family zoning, duplex, or townhouse district when, in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties, and 3) not be used to conduct a use not permitted in the zoning district.

**STAFF RECOMMENDATION for ADU and Additional Electrical Meter:**

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is when in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The subject site is developed with a single family home. The areas to the north and west are developed with single family uses; the areas to the south and east are developed with multifamily and retail uses.

**Zoning/BDA History:**

There have not been any recent related board or zoning cases recorded either on or near the subject site.

**GENERAL FACTS/STAFF ANALYSIS for ADU and Additional Meter:**

This request for a special exception to the single family use regulations focuses on:

1. Constructing and maintaining a one-story additional dwelling unit structure on a site developed with a one-story single family structure.
2. Installing and maintaining an additional electrical utility service and electrical meter on a site that is currently developed with a single family use.

The site is zoned an R-16(A) Single Family District where the Dallas Development Code permits one dwelling unit per lot.

The single family use regulations of the Dallas Development Code state that only one dwelling unit may be located on a lot and that the Board of Adjustment may grant a special exception to this provision and authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: (1) be used as a rental accommodation; or (2) adversely affect neighboring properties.

Additionally, the Dallas Development Code states that in a single family, duplex, or townhouse district, a lot for single family use may be supplied by not more than one electrical service, and metered by not more than one electrical meter; and that the board of adjustment may grant a special exception to authorize more than one electrical utility service or more than one electrical meter for single family use on a lot in a single family zoning district when in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties, and 3) not be used to conduct a use not permitted in the zoning district

The Dallas Development Code defines:

- a “single family” use as “one dwelling unit located on a lot,” and a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”
- a “kitchen” as “any room or area used for cooking or preparing food and containing one or more ovens, stoves, hot plates, or microwave ovens; one or more refrigerators; and one or more sinks. This definition does not include outdoor cooking facilities.”
- a “bathroom” as “any room used for personal hygiene and containing a shower or bathtub or containing a toilet and sink.”
- a “bedroom” as “any room in a dwelling unit other than a kitchen, dining room, living room, bathroom, or closet. Additional dining rooms and living rooms, and all dens, game rooms, sunrooms, and other similar rooms are considered bedrooms.”

The submitted site plan denotes the locations of two building footprints, the larger of the two with what appears to be the existing single family main structure and the smaller of the two denoted as a “pool house”.

This request centers on the function of what is proposed to be inside the smaller structure on the site – the “pool house” structure, specifically its collection of rooms/features shown on the floor plan. The site plan does not indicate the location of the two electrical meters on the subject site.

According to DCAD records, the “main improvement” for the property at 6738 Briar Cove Dr. is a structure built in 1963 with 3,093 square feet of total living area with the following “additional improvements”: a 550-square-foot detached garage, a 452-square-foot detached carport, a 624-square-foot detached quarter and a pool.

According to the submitted site plan the main structure contains 3,136 square feet of total living area and the proposed additional dwelling unit contains 881 square feet of living area.

The applicant has the burden of proof in establishing that the additional dwelling unit will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.

The applicant has the burden of proof in establishing that the additional electrical meter to be installed and/or maintained on the site will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties, and 3) not be used to conduct a use not permitted in the zoning

As of September 11, 2020, no letters have been submitted in support of or in opposition to the request.

If the board were to approve the request for an additional dwelling unit, the board may choose to impose a condition that the applicant complies with the site plan if they feel it is necessary to ensure that the special exception will not adversely affect neighboring properties. Furthermore, the Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations. However, granting this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e. development on the site must meet all required code requirements).

If the board were to approve this request to install and maintain a second electrical utility service/electrical meter, this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing a second electrical utility service/electrical meter on the site (i.e. development on the site must meet all required code requirements).

**Timeline:**

July 24, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

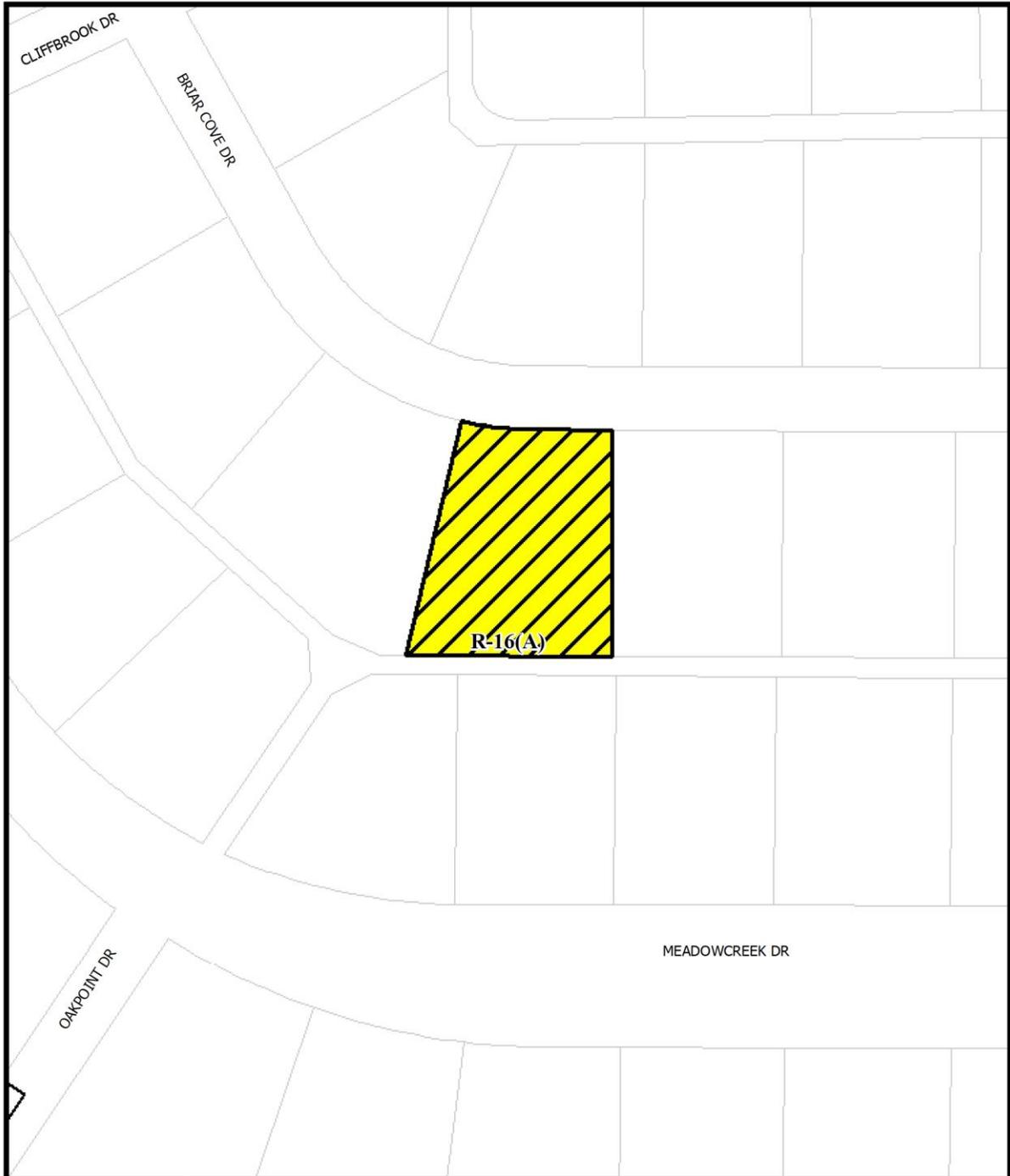
August 18, 2020: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.

August 19, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the September 2, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the September 11, 2020 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."

September 4, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September public hearing. The review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Sing Specialist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

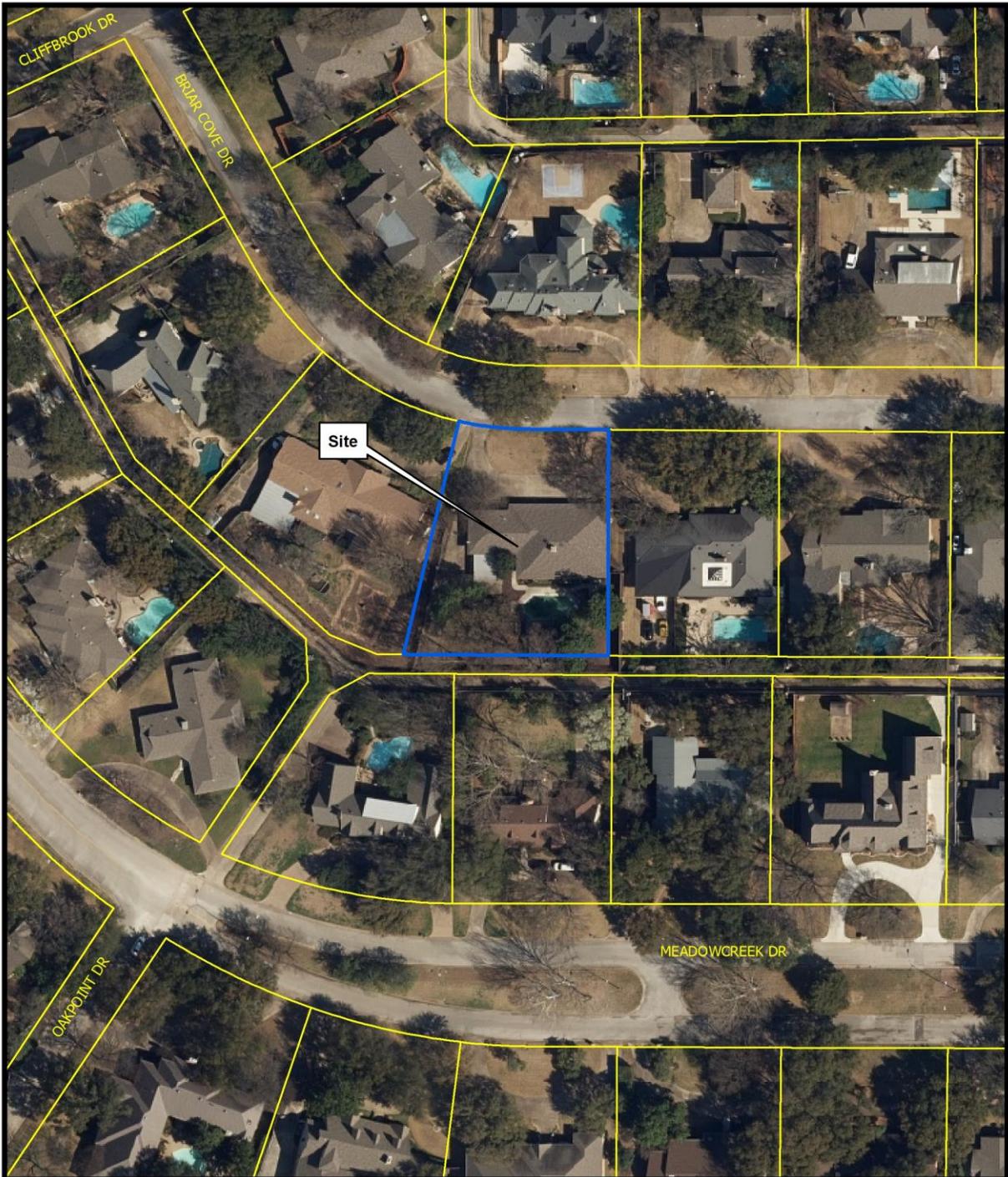


1:1,200

# ZONING MAP

Case no: BDA190-081

Date: 9/2/2020



1:1,200

# AERIAL MAP

Case no: BDA190-081

Date: 9/2/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-081

Date: ~~07/22/2020~~ 7-24-20 *col*

Data Relative to Subject Property:

Location address: 6738 Briar Cove, Dallas, Texas 75254 Zoning District: R-16(A)

Lot No.: 14 Block No.: C/8183 Acreage: 0.55 Census Tract: 136.08

Street Frontage (in Feet): 1) 120 2) N/A 3) N/A 4) N/A 5) N/A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): OMAR ELKADY AND SHEREEN ELDOMEIRI

Applicant: Omar Elkady Telephone: (214) 616-7918

Mailing Address: 6738 Briar Cove Drive Zip Code: 75254

E-mail Address: omar\_elkady@hotmail.com, shereene@gmail.com

Represented by: Omar Elkady Telephone: (214) 616-7918

Mailing Address: 6738 Briar Cove Drive Zip Code: 75254

E-mail Address: omar\_elkady@hotmail.com

Affirm that an appeal has been made for a Variance or Special Exception , of allowing the construction of an additional dwelling unit on the property indicate above. The aforementioned dwelling unit will NOT be used as rental accommodations. And, requesting an exception to authorize more than one electrical meter.

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

The additional dwelling unit will be occupied by an aging parent. A detached unit is needed to accommodate the physical and environmental need of that parent which can not be accommodated within the main house. The current pandemic exasperated the need for a detached unit to facilitate social distancing and isolation from working family members and school age grandchildren to maintain the well being of the aging parent. The property currently has a detached (enclosed and air conditioned) swim pool cabana. The purpose of this appeal is to authorize the remodel and expand of the cabana into an additional dwelling unit for the elderly parent, which was owner's original intent when purchasing the property.

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

Affidavit

Before me the undersigned on this day personally appeared OMAR ELKADY  
(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: *Omar Elkady*  
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 27th day of July, 2020

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



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

**I hereby certify that** OMAR ELKADY

**did submit a request** for a special exception to the single family regulations, and provide an additional electrical meter

**at** 6738 Briar Cove Drive

BDA190-081. Application of OMAR ELKADY for a special exception to the single family regulations, and provide an additional electrical meter at 6738 Briar Cove Dr. This property is more fully described as Lot 14, Block C/8183, and is zoned R-16(A), which limits the number of dwelling units to one and requires that a single family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct an additional dwelling unit, which will require a special exception to the single family zoning use regulations, and to construct a single family dwelling in a single family, duplex, or townhouse district and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single family zoning use regulations.

Sincerely,

  
David Session, Building Official



City of Dallas

AFFIDAVIT

Appeal number: BDA 190-081

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

at: 6738 BRIAR COVE DRIVE, DALLAS, TEXAS 75254  
(Address of property as stated on application)

Authorize: OMAR ELKADY  
(Applicant's name as stated on application)

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

         Variance (specify below)

  X   Special Exception (specify below)

         Other Appeal (specify below)

Specify: of allowing the construction of an additional dwelling unit on the property indicate above. The  
aforementioned dwelling unit will NOT be used as rental accommodations. And, requesting an  
exception to authorize more than on electrical meter.

SHEREEN ELDOMEIRI  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 7-27-2020

Before me, the undersigned, on this day personally appeared SHEREEN A. ELDOMEIRI

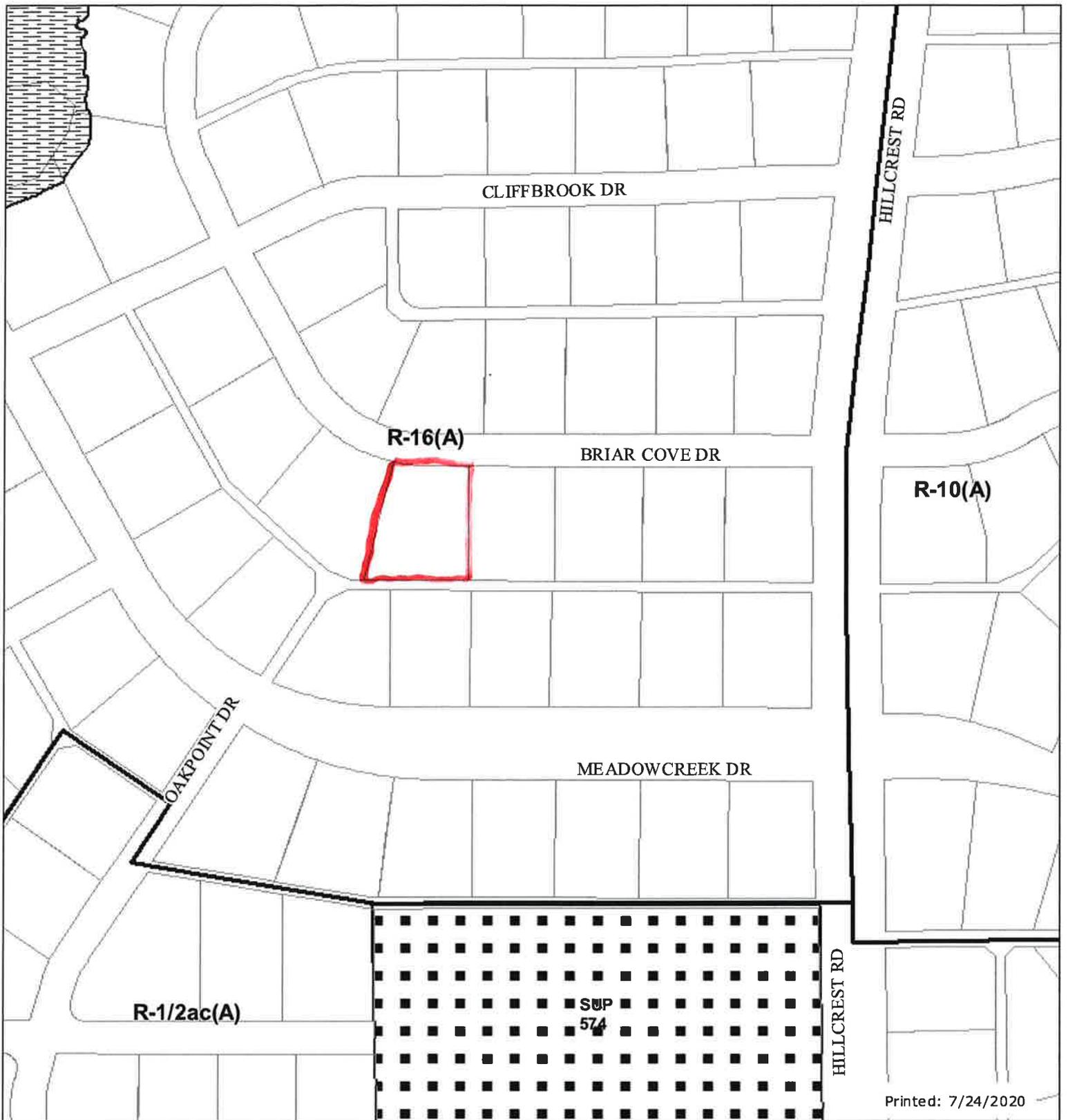
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 27th day of July, 2020



[Signature]  
Notary Public for Dallas County, Texas

Commission expires on 3/11/2021



Printed: 7/24/2020

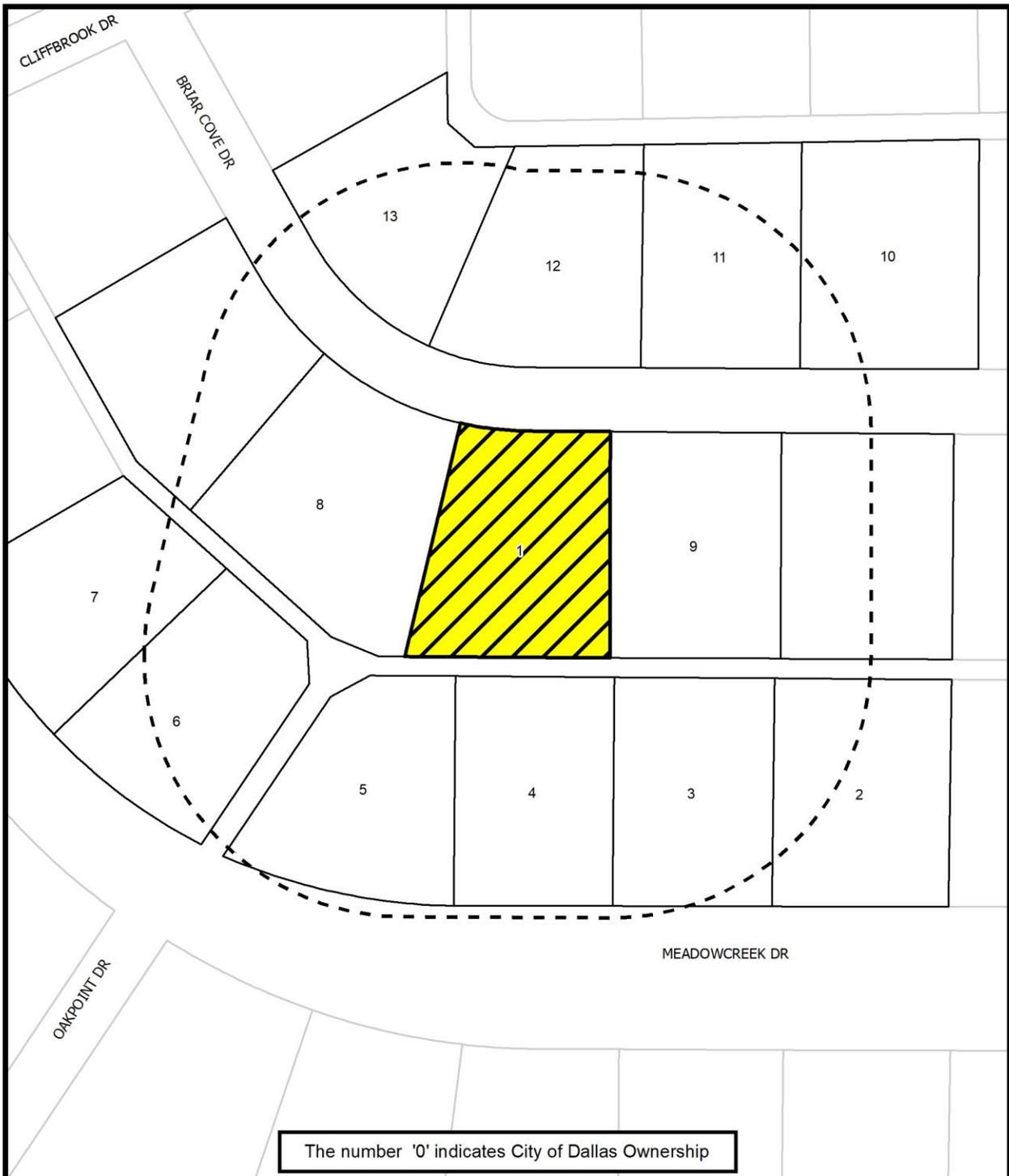
### Legend

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | Railroad                       | Dry Overlay           | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| Floodplain           | Base Zoning                    | D-1                   | PDS Subdistricts           |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts           |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO Overlay                |
| Peak's Branch        | SPSP Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay         |
|                      |                                | Height Map Overlay    |                            |

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. (Texas Government Code § 2051.102)







The number '0' indicates City of Dallas Ownership

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>13</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>13</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA190-081</b> Date: <b>9/2/2020</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>13</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

09/02/2020

## ***Notification List of Property Owners***

***BDA190-081***

### ***13 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6738 BRIAR COVE DR	ELKADY OMAR &
2	6847 MEADOWCREEK DR	BROWN FREDDIE C & SHERRY DARBY
3	6837 MEADOWCREEK DR	DOWDEY MICHAEL S & CYNTHIA P
4	6827 MEADOWCREEK DR	WATSON GLEN B JR &
5	6817 MEADOWCREEK DR	VICKERS RYAN LEE &
6	6721 MEADOWCREEK DR	GREENWOOD JAY ALAN &
7	6711 MEADOWCREEK DR	MARKHOVSKY SARAH LYONS &
8	6728 BRIAR COVE DR	FUNK PAUL DIERCK &
9	6810 BRIAR COVE DR	HENDERSON C CRAIG &
10	6819 BRIAR COVE DR	SIKES BRENT W & JESSICA
11	6809 BRIAR COVE DR	ALDRINE BARON V
12	6737 BRIAR COVE DR	VELARDE TERESA PALOMA SERRANO
13	6727 BRIAR COVE DR	ROOKER ANDREW D & ET UX

**FILE NUMBER:** BDA190-086(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Clegg Wellborn for a variance to the front yard setback regulations at 1920 JB Jackson Jr. Boulevard. This property is more fully described as Lot 12, Block 12/1547, and is zoned Planned Development District No. 595, MF-2(A) Multifamily District, which requires a front yard setback of 15 feet. The applicant proposes to construct a single-family structure and provide a 10-foot front yard setback, which will require a five-foot variance to the front yard setback regulations.

**LOCATION:** 1920 JB Jackson Jr. Boulevard

**APPLICANT:** Clegg Wellborn

**REQUESTS:**

A request for a variance to the front yard setback regulations of five feet is made to construct and maintain a 900-square-foot, one-story, single family structure—part of which is to be located 10 feet from one of the site's three front property lines (Carl Street) or five feet into this 15-foot front yard setback, on a site that is undeveloped.

**STANDARD FOR A VARIANCE:**

Section 51(A)-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.

**STAFF RECOMMENDATION (front yard):**

Approval, subject to the following condition:

Compliance with the submitted site plan is required.

- Rationale:

Staff concluded that the subject site is unique and different from most lots in the PD No. 595 MF-2(A) District by its restrictive area due to having a smaller lot, 6,894 square feet. In addition, the applicant provided a comparable table that stated that most lots in this PD No. 595 MF-2(A) zoning district average 6,930square feet in size. In addition, the lot has three front yards which reduces the developable area. These conditions prevent the lot from being developed in a manner commensurate with the development upon other parcels of land with the same zoning district.

The applicant submitted a document (Attachment A) indicating, among other things, that the proposed single family structure on the subject site is commensurate to 24 other lots located within the same subdivision and in the same PD No. 595 MF-2(A) District.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: PD 595 (MF-2(A)) (Planned Development) (Multi-family)  
North: PD 595 (MF-2(A)) (Planned Development) (Multi-family)  
South: PD 595 (MF-2(A)) (Planned Development) (Multi-family)  
East: PD 595 (MF-2(A)) (Planned Development) (Multi-family)  
West: PD 595 (MF-2(A)) (Planned Development) (Multi-family)

**Land Use:**

The subject site is undeveloped. The areas to the north, south, east and west are developed with single family uses or undeveloped/vacant lots.

**GENERAL FACTS /STAFF ANALYSIS:**

The purpose of this request for a variance to the front yard setback regulations of 15 feet is to construct and maintain a 900-square-foot, one-story, single family structure, part of which is to be located 10 feet from one of the site’s three front property lines (Carl Street) or five feet into this 15-foot front yard setback on a site that is undeveloped.

The property is located in PD No. 595 MF-2(A) Multifamily District which requires a minimum front yard setback of 15 feet. The property is currently vacant.

The subject site is rectangular and flat. According to the applicant's representative the property is a smaller lot, approximately 6,894 square feet in area. The applicant provided a comparable table showing that the average lot is 6,930 square feet within this zoning district.

Furthermore, the evidence submitted indicates that the total home size of the proposed main structure on the subject site will be approximately 900 square feet and that the proposed structure on the subject site is commensurate to 24 other lots located within the same subdivision and in the same zoning district.

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

- (A) That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- (B) The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 595 MF-2(A) zoning district.
- (C) 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 this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 595 MF-2(A) zoning district.

If the board were to grant the variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document— which in this case an 900-square-foot, one-story, single family structure, part of which is to be located 10 feet from the site's front property line or five feet into this 15-foot front yard setback.

**Timeline:**

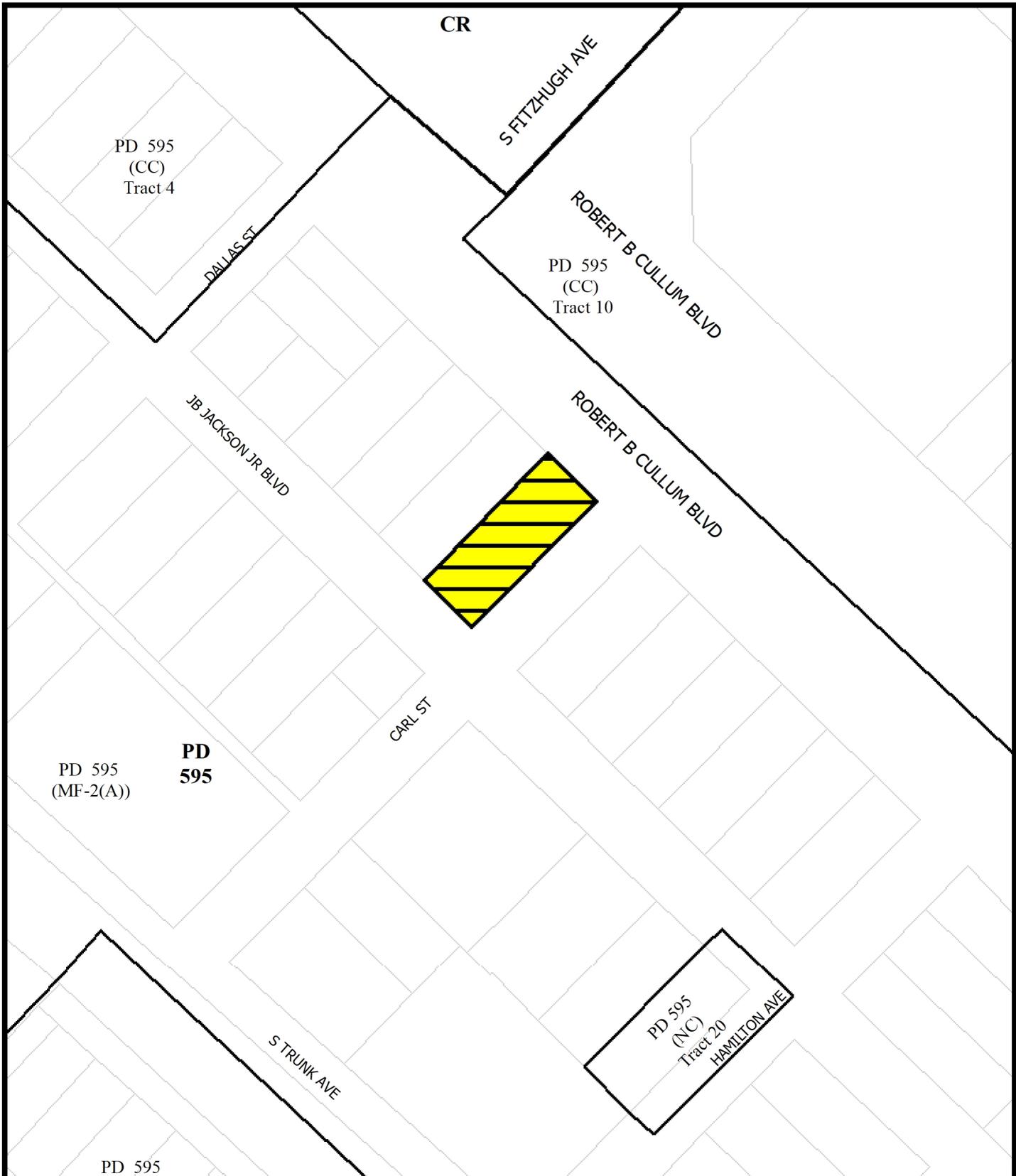
- July 29, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.
- August 18, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- August 19, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the September 2, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the September 11, 2020 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."

September 3, 2020: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

September 4, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September public hearing. The review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Sing Specialist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application



1:1,200

# ZONING MAP

Case no: BDA190-086

Date: 9/2/2020



1:1,200

# AERIAL MAP

Case no: BDA190-086

Date: 9/2/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-086

Date: 7/25/2020 7-29-20

Data Relative to Subject Property:

Location address: 1920 JB Jackson Blvd Zoning District: MF-2A

Lot No.: 12 Block No.: 12/1547 Acreage: .158 Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 50 2) 137 3) 50 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Ameritex Homes, LLC

Applicant: Clegg Wellborn Telephone: 469-859-6399

Mailing Address: 14643 Dallas Parkway, Ste 1050 Zip Code: 75254

E-mail Address: clegg.wellborn@ameritexhomes.com

Represented by: Clegg Wellborn Telephone: 469-859-6399

Mailing Address: 14643 Dallas Parkway, Ste 1050 Zip Code: 75254

E-mail Address: clegg.wellborn@ameritexhomes.com

Affirm that an appeal has been made for a Variance X, or Special Exception \_\_, of \_\_\_\_\_  
Front/Side yard set back on Carl St frontage.

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:  
Building permit issued by City of Dallas approved a 10 foot side yard set back along Carl St. House was placed on lot per approved plot plan. Structural and Zoning passed foundation inspections which included a form board survey locating the foundation. Subsequent to the initial approval Zoning rescinded the approval stating that the lot has 3 front yards and the setback is 15 feet. During this time the foundation was poured and a variance is needed to allow for a 10 foot setback on the Carl St side of the property. The property suffers from being designated a 3 front yard property along JB Jackson, Carl St and Hwy 352. The 3 front yard designation is an extreme burden.

**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 Clegg Wellborn  
(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 27th day of July, 2020

(Rev. 08-01-11) BETHANY CARLA  
Notary Public, State of Texas  
Comm. Expires 07-17-2023  
Notary ID 128664505

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

MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that Clegg Wellborn  
did submit a request for a variance to the front yard setback regulations  
at 1920 JB Jackson Blvd

BDA190-086. Application of Clegg Wellborn for a variance to the front yard setback regulations at 1920 JB JACKSON JR BLVD. This property is more fully described as Lot 12, Block 12/1547, and is zoned PD-595 (MF2-A), which requires a front yard setback of 15 feet. The applicant proposes to construct a single family structure and provide a 10 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations.

Sincerely,

  
David Session, Building Official



AFFIDAVIT

Appeal number: BDA 190-086

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

at: 1920 JB Jackson Blvd  
(Address of property as stated on application)

Authorize: Clegg Wellborn  
(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: Property has 3 front yards and associated set backs. Requesting variance on the Carl St side of the property for 10 feet.

Richard Dix  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 7/27/2020

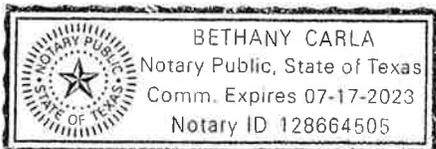
Before me, the undersigned, on this day personally appeared Richard B. Dix

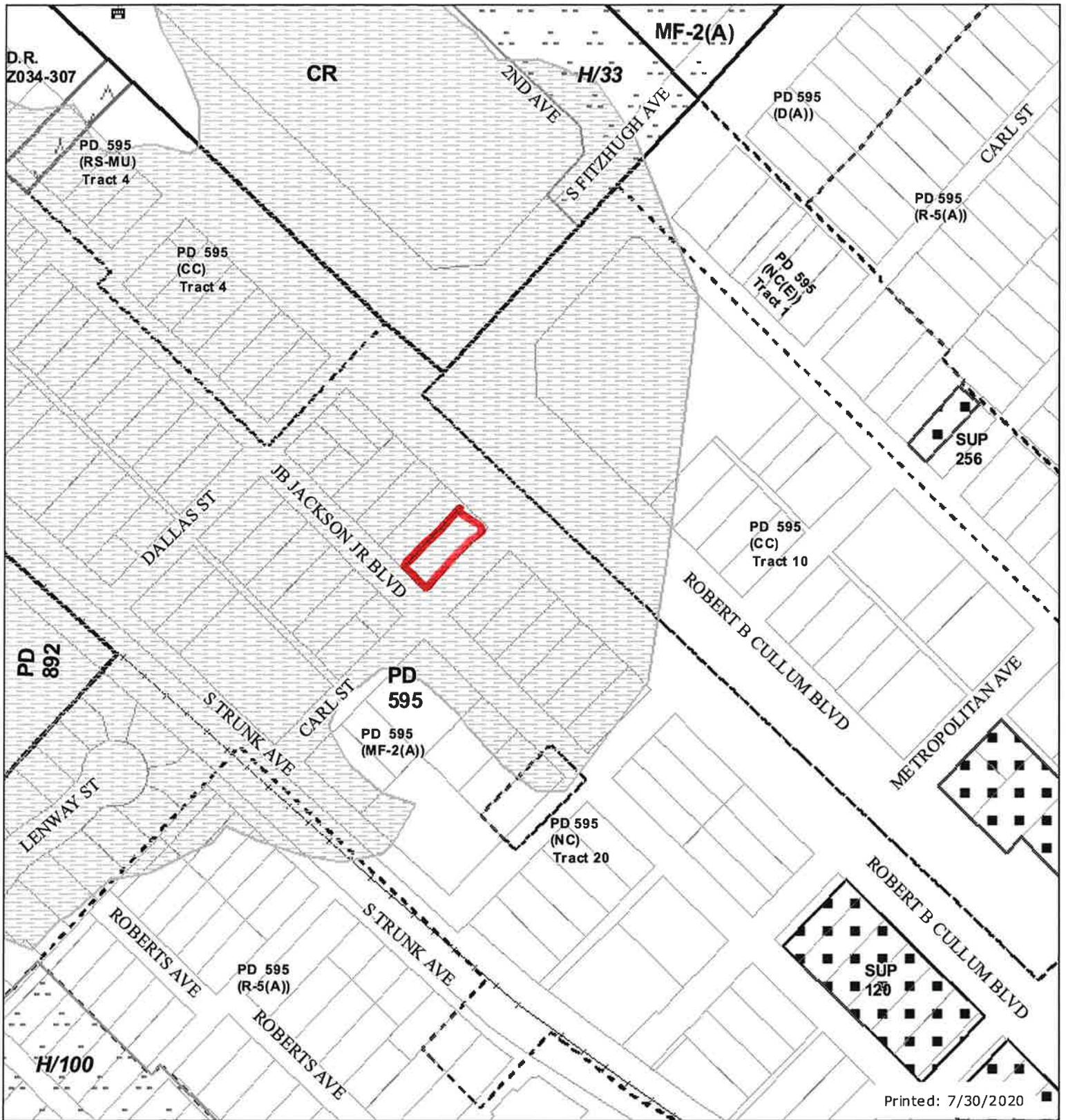
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 27th day of July, 2020

[Signature]  
Notary Public for Dallas County, Texas

Commission expires on 7-17-2023





Printed: 7/30/2020

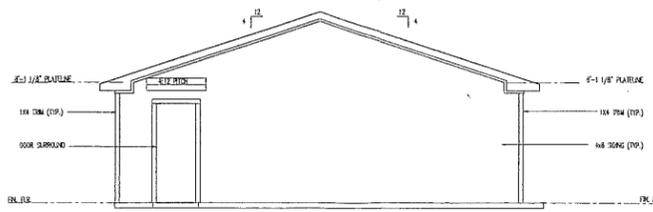
### Legend

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | railroad                       | Dry Overlay           | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| Floodplain           | Base Zoning                    | D-1                   | PDS Subdistricts           |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts           |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO_Overlay                |
| Peak's Branch        | SPSP Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay         |
|                      |                                | Height Map Overlay    |                            |

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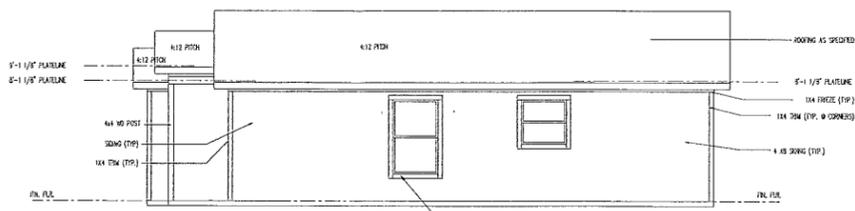


**Rear Elevation**  
SCALE: 1/8" = 1'-0" 1/4" = 1'-0"



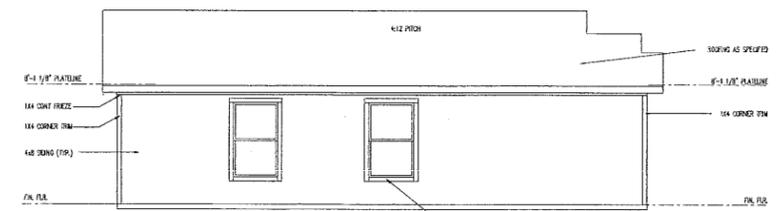
**Front Elevation "C"**  
SCALE: 1/8" = 1'-0" 1/4" = 1'-0"

JB Jackson Blvd

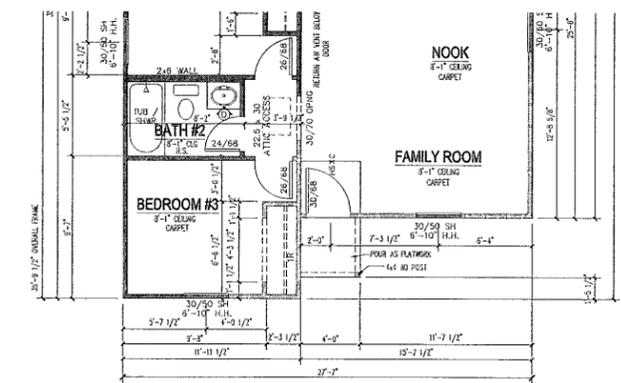


**Right Side Elevation**  
SCALE: 1/8" = 1'-0" 1/4" = 1'-0"

Carl St



**Left Side Elevation**  
SCALE: 1/8" = 1'-0" 1/4" = 1'-0"



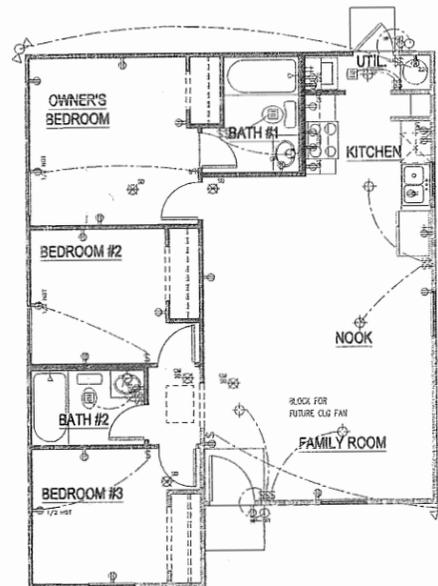
ELEVATION "C"  
PLANS ARE COMPLIANT w/ 2015 IRC

SQUARE FOOTAGES	
FIRST FLOOR	909 S.F.
TOTAL UNDER ROOF	909 S.F.
TOTAL SLAB	909 S.F.
OVERALL WIDTH	27'-7"
OVERALL DEPTH	35'-9 1/2"

909-100719

Ref. only  
Not to Scale.

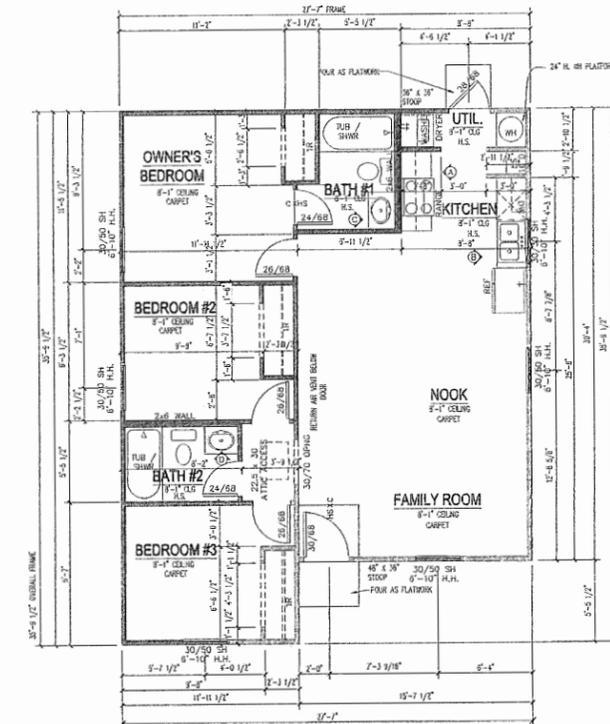
ELECTRICAL LEGEND	
⊞	SWITCH
⊞	THREE-WAY SWITCH
⊞	FOUR-WAY SWITCH
⊞	RHEOSTAT
⊞	DUPLEX
⊞	GFI DUPLEX
⊞	COUNTER TOP DUPLEX
⊞	SPUT WIRE DUPLEX
⊞	220 VOLT OUTLET
⊞	QUADRUPLX
⊞	FLOOR DUPLEX
⊞	JUNCTION
⊞	DOOR BELL
⊞	GARAGE DOOR
⊞	PHONE OUTLET
⊞	TV OUTLET
⊞	SPEAKER
⊞	THERMOSTAT
⊞	SMOKE DETECTOR
⊞	CARBON MONOXIDE DETECTOR
⊞	CEILING LIGHT
⊞	RECESSED CEILING LIGHT
⊞	RECESSED EYEBALL LIGHT
⊞	WALL HUNG LIGHT
⊞	EYEBALL LIGHT
⊞	LANDSCAPING LIGHT
⊞	FLOODLIGHT
⊞	VENT
⊞	VENT AND LIGHT
⊞	HEAT AND LIGHT
⊞	HEAT AND VENT
⊞	HEAT, VENT AND LIGHT



Electrical Plan  
SCALE: 1/4" = 1'-0" 3/4" = 1'-0"

DOOR SCHEDULE					
QUANTITY	WIDTH	HEIGHT	SWING	TYPE	DESCRIPTION
1	36"	80"	Lft	EXTERIOR	SOLID CORE 6-PANEL
1	36"	80"	Lft	EXTERIOR	FLAT PANEL
2	30"	80"	Lft	INTERIOR	HOLLOW CORE
1	30"	80"	Rght	INTERIOR	HOLLOW CORE SAS
1	28"	80"	Lft	INTERIOR	HOLLOW CORE
1	24"	80"	Rght	INTERIOR	HOLLOW CORE

WINDOW SCHEDULE				
QUANTITY	WIDTH	HEIGHT	TYPE	DESCRIPTION
5	36"	80"	SH	DOUBLE PANE VINYL FRAME
1	36"	36"	SH	DOUBLE PANE VINYL FRAME



JB Jackson Blvd  
FLOOR PLAN  
SCALE: 1/4" = 1'-0" 3/4" = 1'-0"

909-100719

Carl St

Ref. ONLY  
NOT to SCALE



Ameritex Homes

Business Operations  
4885 LBJ FREEWAY  
Suite 700  
Dallas, TX 75244

Revisions  
See cover sheet

909-100719 "Violet"  
SUBDIVISION:  
ADDRESS:  
LOT: BLOCK:

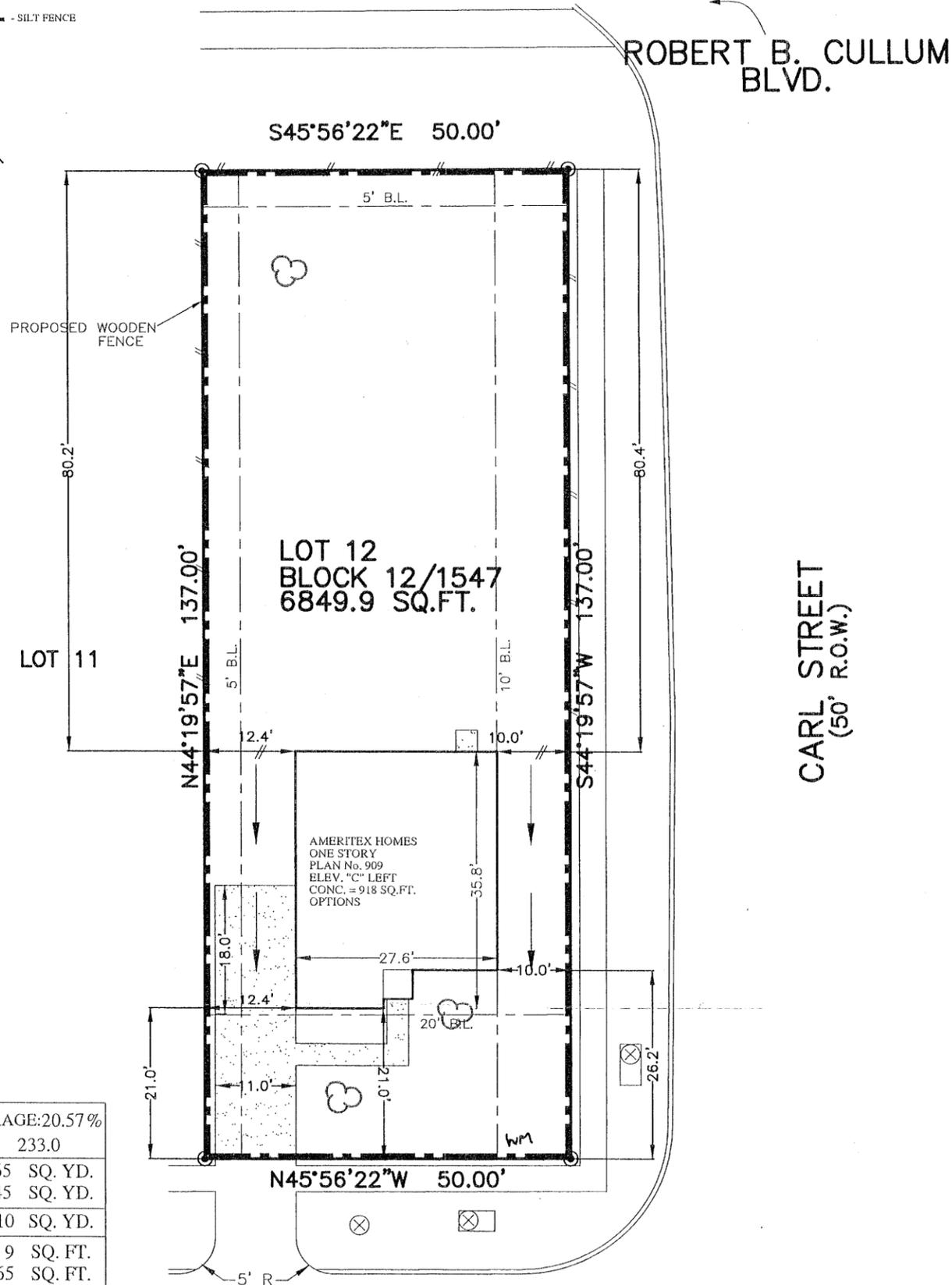
Date: 10-07-19  
Drawn by: NCS-DE  
Job Number:

PLAN# 909

SHEET# A1.1



FLATWORK	B.L. BUILDING LINE	T.O.F. TOP OF FORM	U.V.E. UNOBSTRUCTED VISIBILITY EASEMENT	MANHOLE
PROPERTY LINE	B.L.(FL) FRONT LOAD BUILDING LINE	U.E. UTILITY EASEMENT	M.A.C.C.E. MAINTENANCE & ACCESS EASEMENT	GRATE DRAIN
BUILDING LINE	B.L.(SI) SWING IN BUILDING LINE	W.L.E. WATER LINE EASEMENT	A.C.C.E. ACCESS EASEMENT	ELECTRIC BOX
BUILDING LINE	B.L.(3C) 3 CAR BUILDING LINE	STM.S.E. STORM SEWER EASEMENT	A.E. AERIAL EASEMENT	FIBER OPTIC
EASEMENT	G.B.L. GARAGE BUILDING LINE	S.S.E. SANITARY SEWER EASEMENT	D.E. DRAINAGE EASEMENT	TELEPHONE PEDESTAL
WOODEN FENCE	(B.G.) BUILDER GUIDELINES	R.O.W. RIGHT-OF-WAY	E.E. ELECTRIC EASEMENT	GAS METER
WROUGHT IRON FENCE	F.F. FINISHED FLOOR	P.A.E. PRIVATE ACCESS EASEMENT	WATER VALVE	CABLE PEDESTAL
CHAIN LINK FENCE	EXT. EXTENDED	P.U.E. PRIVATE UTILITY EASEMENT	FIRE HYDRANT	WATER METER
OVERHEAD ELECTRIC	PROP. PROPOSED	P.V.T. PRIVATE	MONUMENT	MANHOLE & INLET
	ELEV. ELEVATION	FND. FOUND	I.P. IRON PIPE	VAULT



1920  
JB JACKSON JUNIOR BLVD  
(50' R.O.W.)  
(PLATTED AS "FOURTH AVENUE")

**PLOT PLAN**  
SCALE: 1" = 20'

NOTES:  
1. ALL BEARINGS SHOWN HEREON ARE ASSUMED.  
2. ALLPOINTS LAND SURVEY, INC. IS NOT LIABLE FOR ANY DAMAGES DUE TO INFORMATION NOT PROVIDED TO SURVEYOR OR BUILDER PLACING ANY IMPROVEMENTS WITHIN A BUILDING LINE OR EASEMENT.  
3. SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS LISTED IN ITEM 1, SCHEDULE "B" OF TITLE COMMITMENT ISSUED BY NATIONAL INVESTORS TITLE INSURANCE Co. UNDER G.F. No GA-1923979.  
4. FLATWORK AND FENCING ARE FOR ILLUSTRATION PURPOSES ONLY. REFER TO MUNICIPALITY, HOA, POA, BUILDER GUIDELINES, DEED RESTRICTIONS OR LOCAL CODE FOR REQUIREMENTS. SPECIFIC INSTALLATION REQUIREMENTS TO BE VERIFIED BY BUILDER.  
5. ALL ELEVATIONS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS.

FOR: AMERITEX HOMES (DFW)  
ADDRESS: 1920 JB JACKSON JUNIOR BLVD  
ALLPOINTS JOB#: AM197465 BY: FM  
G.F.: GA-1923979 SS  
JOB:

FLOOD ZONE: X  
COMMUNITY PANEL:  
48113 C0345J  
EFFECTIVE DATE: 8/23/2001  
LOMR: DATE:

"THIS INFORMATION IS BASED ON GRAPHIC PLOTTING. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION"

LOT 12, BLOCK 12/1547  
EL MOLINO ADDITION  
VOLUME 1, PAGE 29, MAP RECORDS,  
DALLAS COUNTY, TEXAS

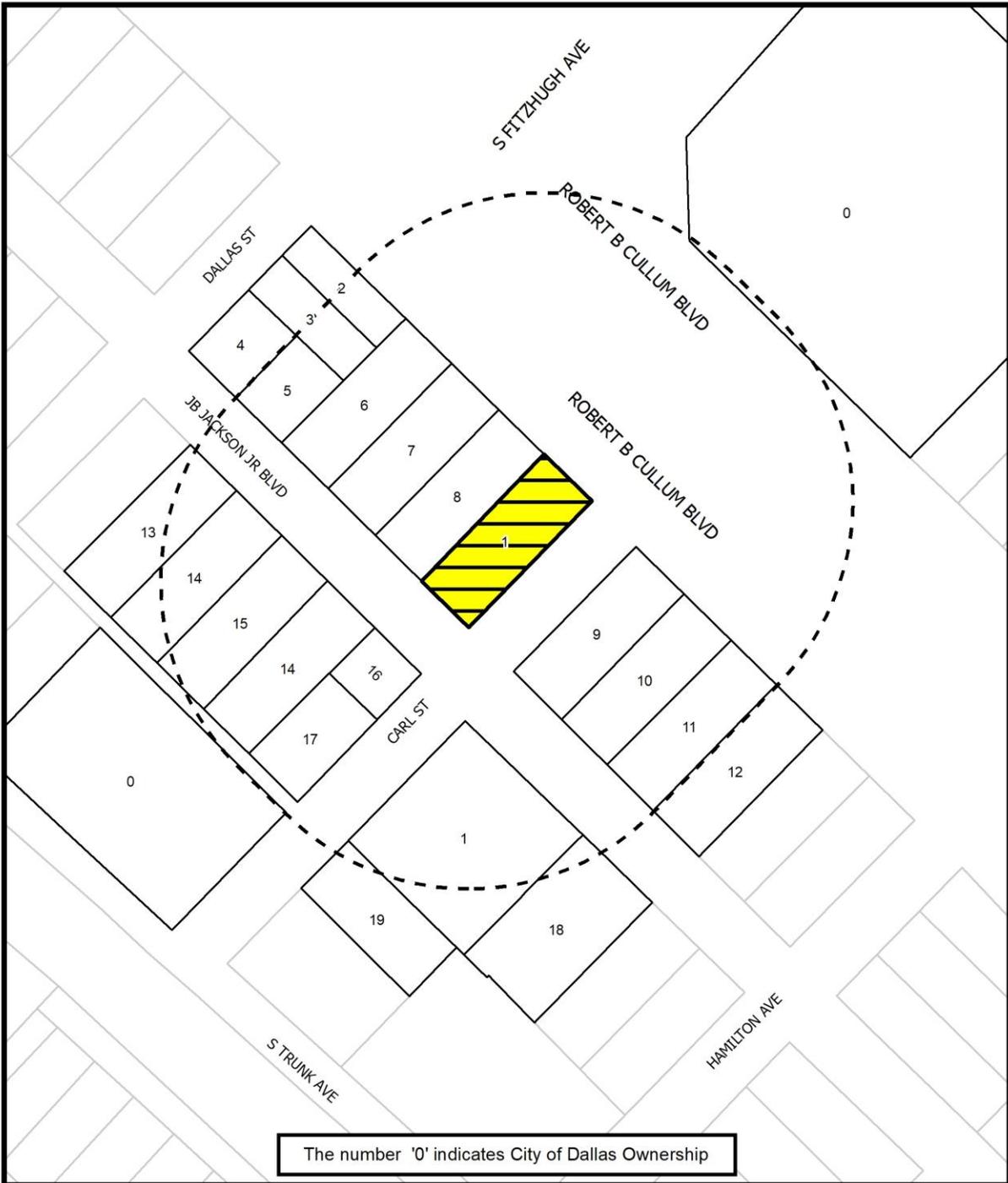
ISSUE DATE: 2/5/2020  
ISSUE DATE: 1/8/2020

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All Rights Reserved.

**BDA190-086  
ATTACHMENT A**

Address	Lot Size Sq Ft	Total Area of Building
1901 JB Jackson	6936	1080
1902 JB Jackson	3298	0
1905 JB Jackson	6845	1177
1906 JB Jackson	3346	0
1909 JB Jackson	6850	0
1910 JB Jackson	6681	1344
1913 JB Jackson	6801	1224
1914 JB Jackson	6806	1041
1916 JB Jackson	6661	0
1917 JB Jackson	6822	0
<b>1920 JB Jackson</b>	<b>6894</b>	909
1921 JB Jackson	2481	0
2001 JB Jackson	6500	909
2002 JB Jackson	6974	0
2005/2007 JB Jackson	6500	1784
2006 JB Jackson	6682	0
2009/2011 JB Jackson	6500	1784
2010 JB Jackson	6626	0
2013/2015 JB Jackson	6500	1784
2014 JB Jackson	6695	864
2017 JB Jackson	6505	777
2018 JB Jackson	6709	1360
3218 Hamilton Ave	6929	730
3201 Hamilton Ave	22800	15708
1801 JB Jackson	1698	6867





 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>19</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA190-086</b> Date: <b>9/2/2020</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

09/02/2020

## ***Notification List of Property Owners***

***BDA190-086***

### ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1920 J B JACKSON JR BLVD	BECKLES R O
2	3310 DALLAS ST	MCGRIF CHARLES
3	3306 DALLAS ST	MCGRIF CHARLES
4	1902 J B JACKSON JR BLVD	HOLMES RONNIE L
5	1906 J B JACKSON JR BLVD	COFFMAN RUDOLPH ETAL
6	1910 J B JACKSON JR BLVD	VASQUEZ MARY
7	1914 J B JACKSON JR BLVD	GARTH ARKIT
8	1916 J B JACKSON JR BLVD	DALLAS CITY OF COUNTY OF
9	2002 J B JACKSON JR BLVD	WEALTHGATES INVESTMENT COMPANY
10	2006 J B JACKSON JR BLVD	COUNTY LAND & WATER LLC SERIES MFP1
11	2010 J B JACKSON JR BLVD	ROMINE AVENUE CHRISTIAN
12	2014 J B JACKSON JR BLVD	WALKER WALTER ESTATE OF
13	1905 J B JACKSON JR BLVD	SMITH RAMON A
14	1909 J B JACKSON JR BLVD	COLTBRIDGE LLC
15	1913 J B JACKSON JR BLVD	HART ARCHIE EST OF
16	1921 J B JACKSON JR BLVD	REALCO INVESTMENTS INC
17	3223 CARL ST	DESOTO REAL ESTATE RESOURCE LLC
18	2009 J B JACKSON JR BLVD	AMERITEX HOMES LLC
19	3208 CARL ST	RAMOS JESSE M

**FILE NUMBER:** BDA190-089(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Kenneth Zuercher for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 8810 Boundbrook Avenue. This property is more fully described as Lot 18, Block 21/7522, and is zoned an R-7.5(A) Single Family District, which limits the height of a fence in the front yard to four feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line. The applicant proposes to construct a six-foot-high fence in a required front yard, which will require a two-foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than five feet from the front lot line, which will require a special exception to the fence regulations.

**LOCATION:** 8810 Boundbrook Avenue

**APPLICANT:** Kenneth Zuercher

**REQUESTS:**

The following requests for special exceptions to the fence standards regulations have been made on a site that is being developed with a single-family home:

1. Related to fence height: a request of two feet is made to construct and maintain a six-foot-high solid wood fence located in one of the site's two front yard setbacks, along Ashcroft Avenue.
2. Related to a fence panels with a surface area that is less than 50 percent open less than five feet from the front lot line: a request is made to construct and maintain the aforementioned six-foot-high solid wood fence along Ashcroft Avenue located less than five feet from this front lot line.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS<sup>1</sup>:**

The applicant has the burden of proof in establishing the following standard has been met: The board may grant a special exception to the fence standards regulations when

<sup>1</sup> Reference Section 51A-4.602(d)(3) of the Dallas Development Code.

in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATIONS:**

No staff recommendation is made on this or any request for a special exception to the fence standards regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The subject site is undeveloped. The areas to the north, south, east, and west are developed with single family uses.

**Zoning/BDA History:**

There have not been any recent related board or zoning cases recorded either on or near the subject site.

**GENERAL FACTS/STAFF ANALYSIS**

The requests for special exceptions to the fence standards focus on:

1. constructing and maintaining a fence higher than six feet in height in the site's front yards along Ashcroft Avenue – a six-foot-high solid wood fence.
2. constructing and maintaining a fence with panels with surface areas less than 50 percent open along Ashcroft Avenue less than 5' from this front lot line – the aforementioned six-foot-high solid wood fence.

The subject site is zoned an R-7.5(A) Single Family District, which requires a 25-foot front yard. Given the single-family zoning and location of the corner lot subject site, it has two required front yards. However, this site has a 30-foot front yard building line required on the recorded plat along Ashcroft Avenue and Boundbrook Avenue.

The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet-in-height above grade when located in the required front yard and that no fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line.

The submitted site plan/elevation denotes a six-foot-high solid wood fence in the Ashcroft Avenue and Boundbrook Avenue front yard setbacks.

The following additional information was gleaned from the submitted site plan and elevation:

- the proposal is represented as being approximately 95 feet-in-length parallel to the street and approximately 30 feet-in-length perpendicular to the street on the southwest side of the site and located approximately 30 feet from the front property line or approximately 38 feet from the pavement line on the northwest of the site.

The site plan and elevation of the proposal along Ashcroft Avenue with fence panels having a surface area that is less than 50 percent open and located less than five feet from this front lot line – a six-foot-high wood fence approximately 95 feet-in-length parallel to the street.

Staff conducted a field visit of the site and surrounding area and noted several fences that appeared to be above four feet-in-height and located in a front yard setback.

As of September 11, 2020, no letters had been submitted in support or opposition for this request.

The applicant has the burden of proof in establishing that the special exceptions to the fence standards related to height above two feet and to location and fence panels with surface areas that are less than 50 percent open will not adversely affect neighboring property.

Granting these special exceptions with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding two feet in height in the front yard setback and with fence panels with surface areas less than 50 percent open located less than five feet from the front lot line to be maintained in the location and of the heights and materials as shown on this document.

**TIMELINE:**

July 30, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

August 18, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

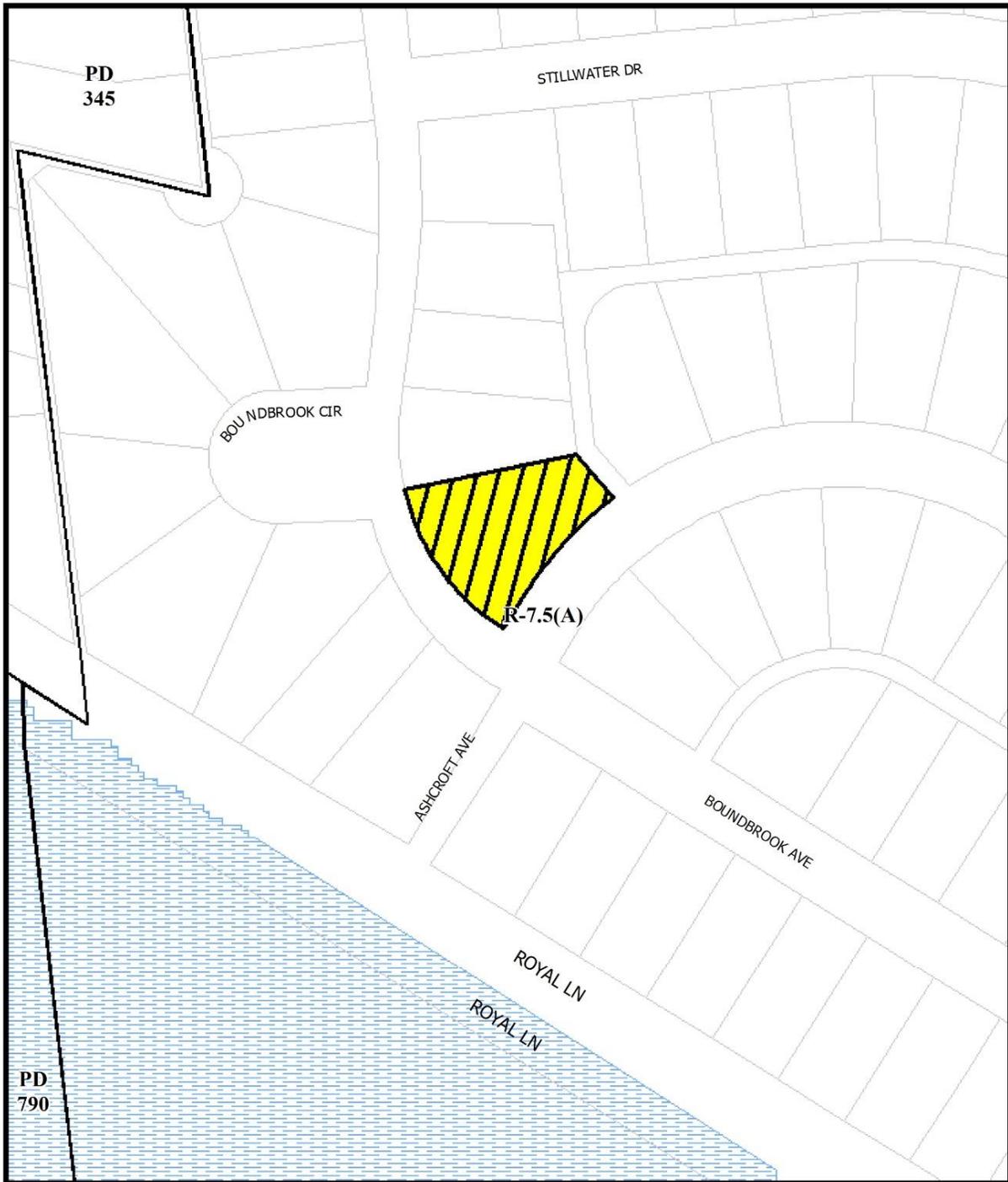
August 19, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the September 2, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the September 11, 2020 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."

August 31, 2020: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

September 4, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September public hearing. The review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Sing Specialist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

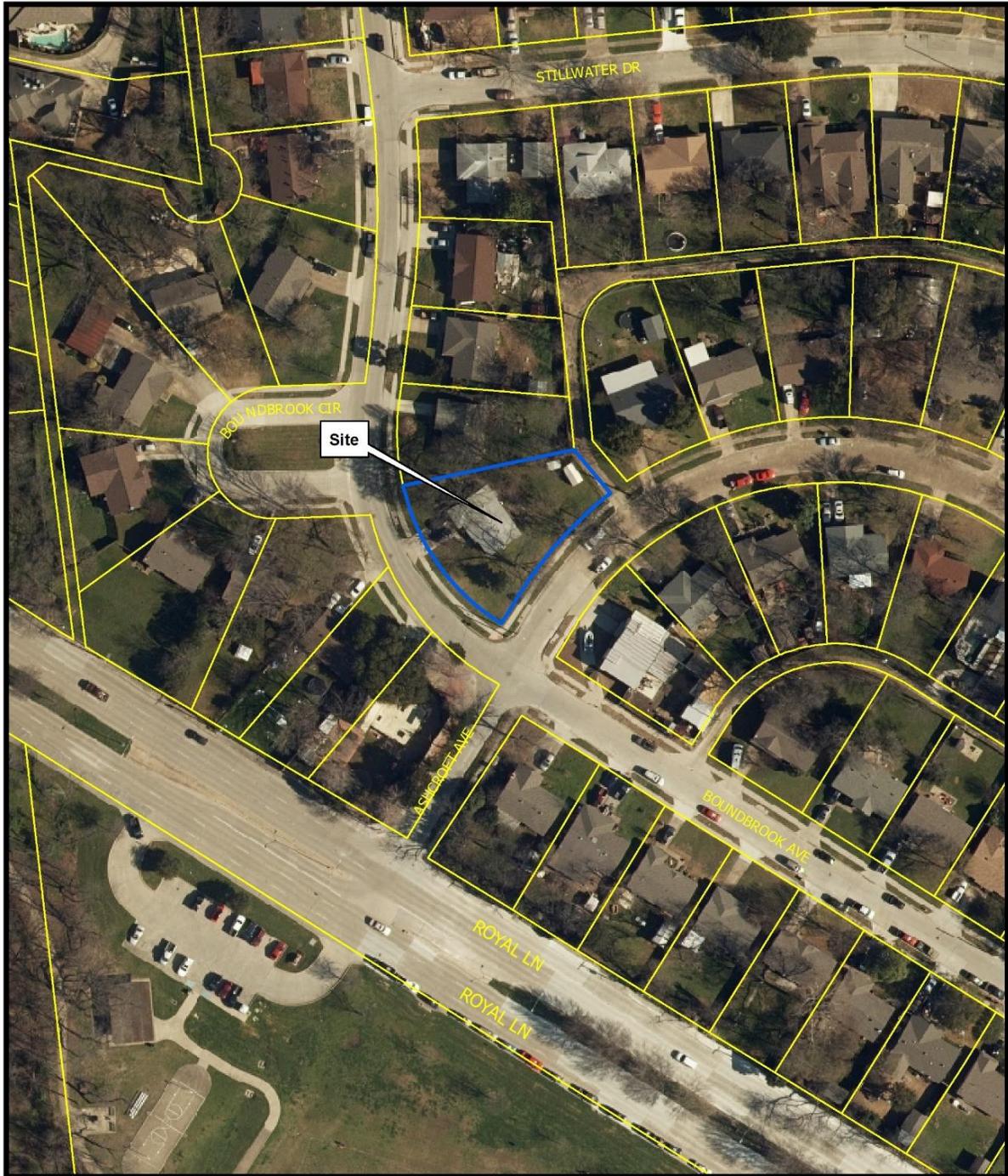


1:1,200

# ZONING MAP

Case no: BDA190-089

Date: 9/2/2020



1:1,200

# AERIAL MAP

Case no: BDA190-089

Date: 9/2/2020



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-089

Data Relative to Subject Property:

Date: 7-30-20

Location address: 8810 Boundbrook Ave Zoning District: R-7.5(A)

Lot No.: 18 Block No.: 21/7522 Acreage: .26 Census Tract: 78.05

Street Frontage (in Feet): 1) 133 - front 2) 130 - side 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Zuercher, Kenneth and Lisbeth

Applicant: Kenneth Zuercher Telephone: 682-241-3906

Mailing Address: 8810 Boundbrook Ave Zip Code: 75243

E-mail Address: kenzuercher@gmail.com

Represented by: n/a Telephone: n/a

Mailing Address: n/a Zip Code: n/a

E-mail Address: n/a

Affirm that an appeal has been made for a Variance X, or Special Exception   , of Front yard restrictions along Ashcroft allowing a 6 foot shadow box style wooden privacy fence to be built.

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: Our house is on the corner of Boundbrook and Ashcroft facing Boundbrook. We are requesting a variance to the front yard restrictions on the Ashcroft side to allow us to build a six foot shadow box style privacy fence along the property line.

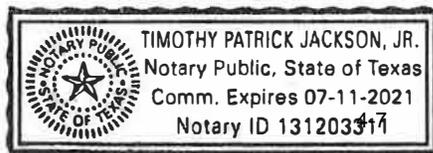
Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Kenneth Zuercher (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 28<sup>th</sup> day of July, 2020



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that Kenneth Zuercher

did submit a request for a special exception to the fence height regulations, and for a special exception to the fence standards regulations  
at 8810 Boundbrook Avenue

BDA190-089. Application of Kenneth Zuercher for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 8810 BOUNDBROOK AVE. This property is more fully described as Lot 18, Block 21/7522, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5 feet from the front lot line. The applicant proposes to construct a 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations.

Sincerely,

  
David Session, Building Official

AFFIDAVIT

Appeal number: BDA 190-089

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

at: 8810 Boundbrook Ave, Dallas, TX 75243  
(Address of property as stated on application)

Authorize: Kenneth Zuercher  
(Applicant's name as stated on application)

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

Variance (specify below)

Special Exception (specify below)

Other Appeal (specify below)

Specify: Variance of Front yard restrictions along Ashcroft allowing a 6 foot shadow box style  
wooden privacy fence to be built

LISBETH ZUERCHER  
Print name of property owner or registered agent

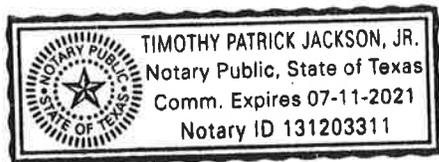
Lisbeth Zuercher  
Signature of property owner or registered agent

Date 7/28/2020

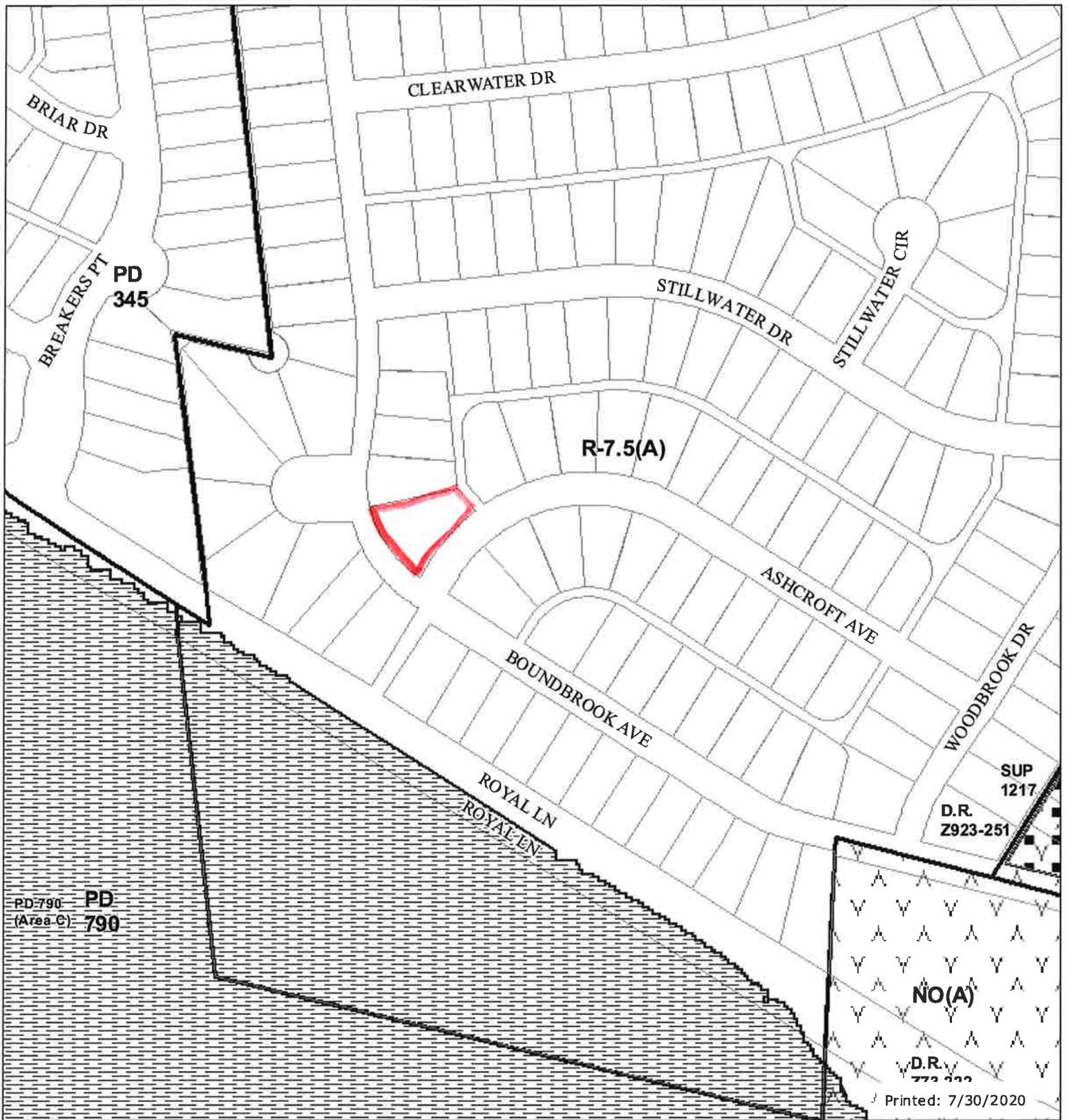
Before me, the undersigned, on this day personally appeared Lisbeth Zuercher

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 28<sup>th</sup> day of July, 2020



[Signature]  
Notary Public for Dallas County, Texas  
Commission expires on 07/11/2021



### Legend

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | railroad                       | Dry Overlay           | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| Floodplain           | Base Zoning                    | D-1                   | PDS Subdistricts           |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts           |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO_Overlay                |
| Peak's Branch        | SPSD Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay 4-10    |
|                      |                                | Height Map Overlay    |                            |

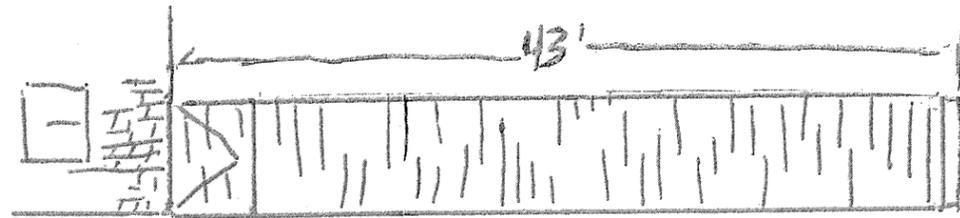
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)



# Fence Line Elevation Drawings

1" = 10'  
Scale

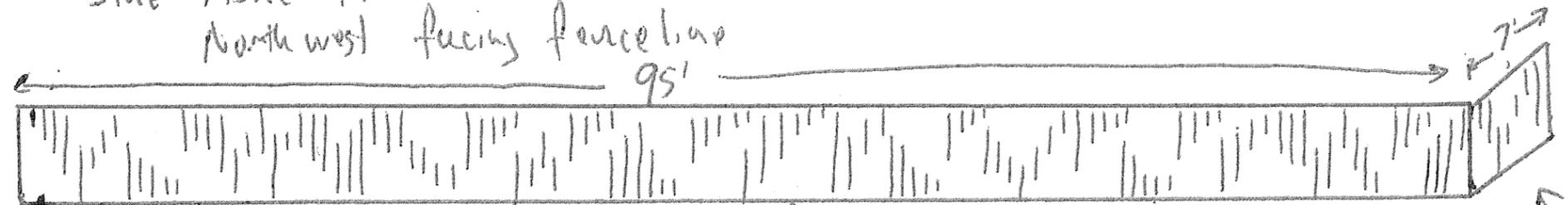
Front: Boundbrook side  
North east facing fence line



Gate by house

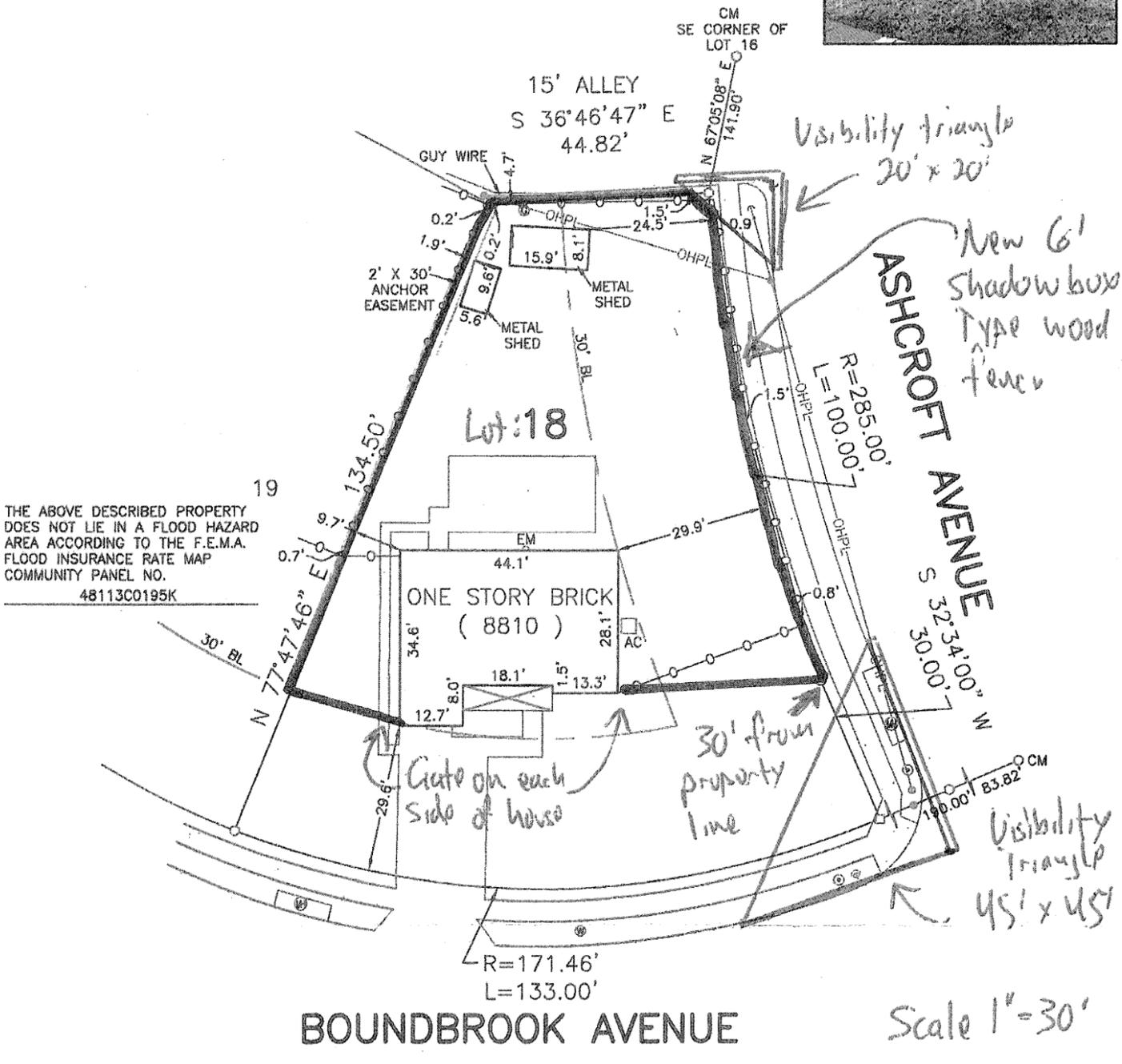
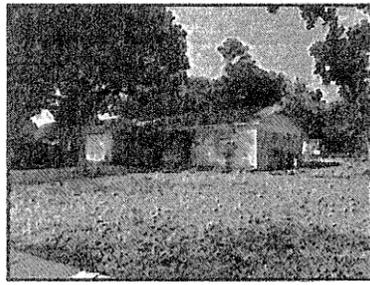
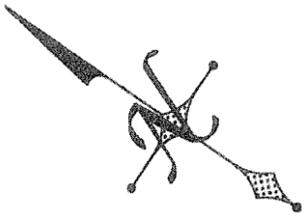
6' shadowbox style wooden fence

Side: Ashcroft side  
North west facing fence line



6' shadowbox style wooden fence

Visibility triangle preserve of alley



THE ABOVE DESCRIBED PROPERTY DOES NOT LIE IN A FLOOD HAZARD AREA ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48113C0195K

# BDA 190-089

## Documentary Evidence

Many houses in the neighborhood  
have similar fences to the one requested at  
8810 Boundbrook Ave

# Boundbrook/Ashcroft Intersection



8805 Boundbrook

Very tall fence at the front and along the Ashcroft side of the property

# Boundbrook/Ashcroft Intersection



8606 Ashcroft

Privacy fence beside the backyard along Boundbrook

# Boundbrook/Ashcroft intersection



8759 Boundbrook

6 foot chain link fence with vines beside the backyard along Ashcroft

# Boundbrook/Stillwater intersection



8503 Stillwater

Tall privacy fence beside the house and backyard along Boundbrook

# Boundbrook/Clearwater intersection



8806 Clearwater

Privacy fence beside the backyard along Boundbrook

# Boundbrook/Clearwater intersection



8805 Clearwater

Privacy fence beside the backyard along Boundbrook

# Boundbrook/Graywood Intersection



8506 Graywood

6 foot chain link fence beside the backyard along Boundbrook

# Boundbrook/Graywood intersection



8505 Graywood

Privacy fence beside the backyard along Boundbrook

# Boundbrook/Westfield intersection



8505 Westfield

Tall privacy fence beside the house and backyard along Boundbrook

# Boundbrook/Woodshore intersection



9045 Boundbrook

Tall privacy fence beside the backyard along Woodshore

# Boundbrook/Woodshore intersection



9105 Boundbrook

Tall privacy fence beside the house and backyard along Woodshore

# Boundbrook/Woodshore intersection



9106 Boundbrook

Privacy fence beside the house and backyard along Woodshore

# Boundbrook/Gladwood intersection



8505 Gladwood

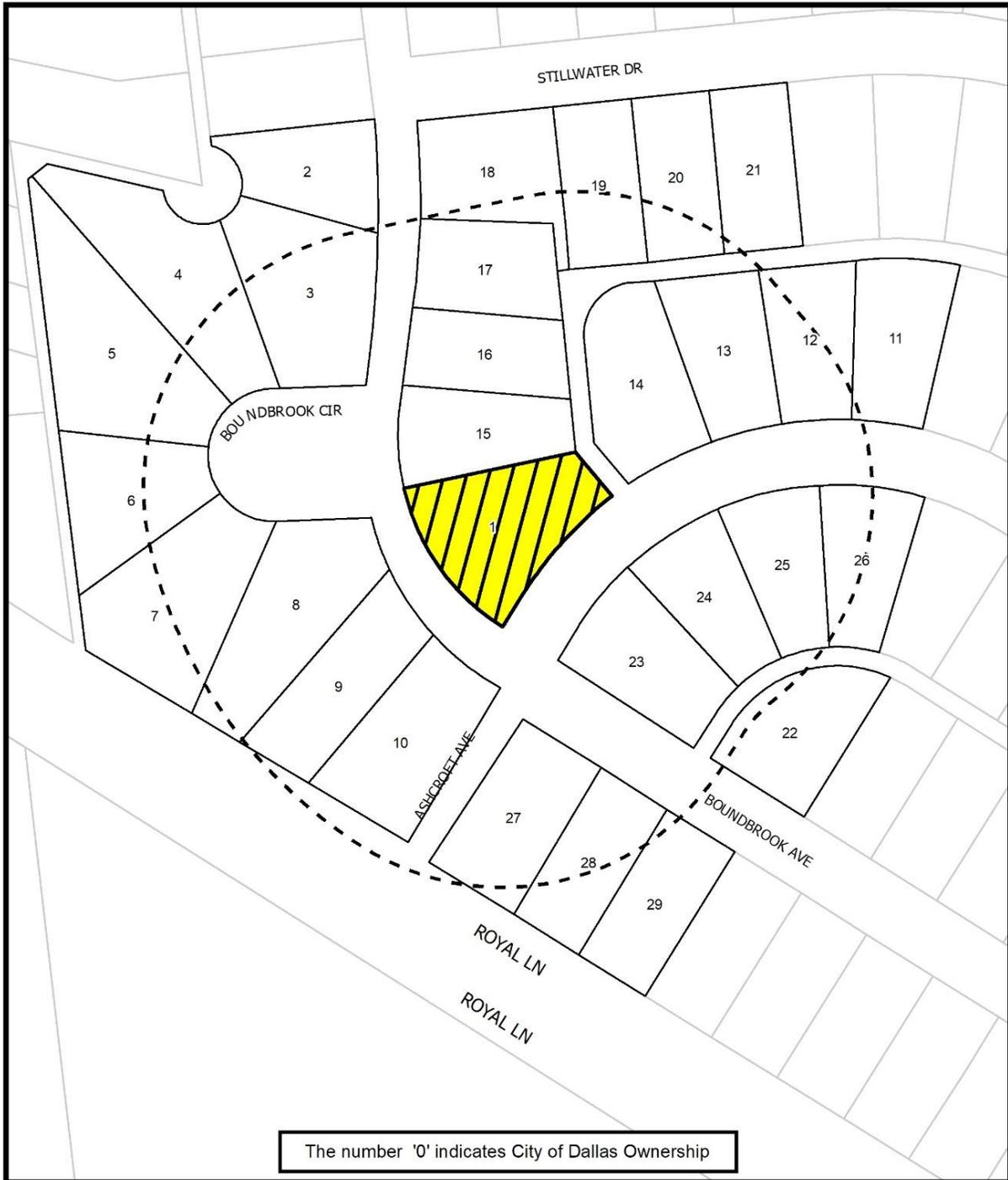
Tall privacy fence beside the house and backyard along Boundbrook

# Boundbrook/Banff intersection



8580 Banff

Tall privacy fence beside the house and backyard along Boundbrook



1:1,200

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**29**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-089**

Date: **9/2/2020**

09/02/2020

## *Notification List of Property Owners*

**BDA190-089**

### *29 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8810 BOUNDBROOK AVE	KLEIN JEFFREY BOWERS
2	8841 BOUNDBROOK AVE	HERNANDEZ TOMASA &
3	8835 BOUNDBROOK AVE	TUTSON S T JR EST OF
4	8831 BOUNDBROOK CIR	COOK SARA LINDSAY
5	8827 BOUNDBROOK CIR	TORRES GARY &
6	8823 BOUNDBROOK CIR	FLUCAS WILMA TEEN
7	8819 BOUNDBROOK CIR	TYLER WILBERT V
8	8815 BOUNDBROOK CIR	ELLIS KIRSTEN
9	8809 BOUNDBROOK AVE	ZBOLON TIKVA
10	8805 BOUNDBROOK AVE	CALDWELL R A
11	8623 ASHCROFT AVE	YOSKHAM YANEE &
12	8619 ASHCROFT AVE	PATINO DAMIAN & MARIA DE LA LUZ
13	8615 ASHCROFT AVE	MARQUEZ IRENE
14	8611 ASHCROFT AVE	HERNANDEZ-GONZALEZ MARIA E &
15	8820 BOUNDBROOK AVE	LUEDKE SCOTT J & KATHY A
16	8830 BOUNDBROOK AVE	MARTINEZ ENRIQUE &
17	8834 BOUNDBROOK AVE	WATSON RICKY LEE
18	8840 BOUNDBROOK AVE	LEE SAUNDRA ELIZABETH
19	8512 STILLWATER DR	MANNING SHERI L
20	8516 STILLWATER DR	MOTARD ANITA E
21	8522 STILLWATER DR	OEPEN MAXIMILIAN R
22	8748 BOUNDBROOK AVE	CAMPAGNA ANTHONY J
23	8606 ASHCROFT AVE	ESPINOZA HECTOR
24	8612 ASHCROFT AVE	MARTINEZ GILBERTO &
25	8616 ASHCROFT AVE	DELARIVA GILBERTO
26	8624 ASHCROFT AVE	GRANADO LISA M

09/02/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	8759 BOUNDBROOK AVE	WALLS SUSAN & MATHEW
28	8755 BOUNDBROOK AVE	VILLALBA JACINTO & MARTHA
29	8751 BOUNDBROOK AVE	MILLER GORDON & BARBARA