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**CITY SECRETARY  
DALLAS, TEXAS**

BOARD OF ADJUSTMENT

Panel C Minutes

February 20, 2025



L1FN AUDITORIUM

[24957316190@dallascityhall.webex.com](mailto:24957316190@dallascityhall.webex.com)

Robert Agnich, Vice-Chair

**PRESENT: [4]**

Robert Agnich, VC	
Judy Pollock	
Jared Slade	
Rodney Milliken	

**ABSENT: [1]**

Roger Sashington	

Vice-Chair Agnich called the briefing to order at **10:40 A.M.** with a quorum of the Board of Adjustment present.

Vice-Chair Agnich called the hearing to order at **1:24 P.M.** with a quorum of the Board of Adjustment present.

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

**PUBLIC SPEAKERS**

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

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

**MISCELLANEOUS ITEMS**

Approval of the Board of Adjustment Panel C, January 23, 2025, Minutes as presented during the briefing.

**A motion was made to approve Panel C, January 23, 2025, Public Hearing minutes.**

Maker:	Judy Pollock				
Second:	Rodney Milliken				
Results:	4-0 unanimously				Motion to approve
		Ayes:	-	4	Robert Agnich, Judy Pollock, Jared Slade and Rodney Milliken
		Against:	-	0	

**1. 2172 Jordan Valley Road**  
BDA245-010\_FR1(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Alejandro Arroyo for fee reimbursements for **(1)** a variance to the floor area for structures accessory to single-family use regulations; **(2)** a variance to the building height regulations; **(3)** a variance to the side-yard setback regulations; **(4)** a variance to the rear-yard setback regulations; and **(5)** a special exception to the single-family use regulations at **2172 Jordan Valley Road**. This property is more fully described as Block G/8800, Lot 5, and is zoned R-7.5(A).

**LOCATION:** 2172 Jordan Valley Road

**APPLICANT:** Alejandro Arroyo

**REQUESTS:**

The applicant is requesting a fee reimbursement of \$2,400.00 for fees paid for the application of the variance to the floor area for structures accessory to single-family use regulations, the variance to the building height regulations, the variance to the side-yard setback regulations, the variance to the rear yard setback regulations and the special exceptions to the single-family use regulations at 2172 Jordan Valley Road.

**STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:**

Section 51A-1.105(b)(6) of the Dallas Development 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. In making this determination, the board may require the production of financial documents.

**STAFF RECOMMENDATION:**

No staff recommendation is made on this request.

Speakers:

For: Alejandro Arroyo, 2172 Jordan Valley Road, Dallas TX

Against: No Speakers

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-010\_FR1, on application of Alejandro Arroyo, **GRANT** the request to the reimbursement of the filing fees paid in association with a request for (1) a variance to the floor area for structures accessory to single-family use regulations; (2) a variance to the building height regulations; (3) a variance to the side-yard setback regulations; (4) a variance to the rear-yard setback regulations; and (5) a special exception to the single-family use regulations as requested by this applicant because our evaluation of the property and testimony shows that the payment of the fee would result in substantial financial hardship to this applicant.

Maker:	Jared Slade				
Second:	Robert Agnich				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	4	Robert Agnich, Judy Pollock, Rodney Milliken & Jared Slade
		Against:	-	0	

**UNCONTESTED ITEMS**

**2. 2172 Jordan Valley Road**  
BDA245-010(CJ)

**BUILDING OFFICIAL’S REPORT:** Application of Alejandro Arroyo for **(1)** a variance to the floor area for structures accessory to single-family use regulations; **(2)** a variance to the building height regulations; **(3)** a variance to the side-yard setback regulations; **(4)** a variance to the rear-yard setback regulations; and **(5)** a special exception to the single-family use regulations at **2172 Jordan Valley Road**. This property is more fully described as Block G/8800, Lot 5, and is zoned R-7.5(A), which prohibits the floor area of an accessory structure to exceed 25 percent of the floor area of the main structure, prohibits the height of an accessory structure to exceed the height of the main building, requires a 5-foot side-yard setback, requires a 5-foot rear-yard setback, and limits the number of dwelling units to one. The applicant proposes to construct and/or maintain a single family residential accessory structure with 498 square feet of floor area (38 percent of the 1,324 square foot floor area of the main structure), which will require **(1)** a 167 square foot variance to the floor area regulations, and the applicant proposes to construct and/or maintain an accessory structure with a building height of 19-feet, which will require **(2)** a 4-foot 9-inch variance to the maximum building height regulations, and the applicant proposes to construct and/or maintain a residential accessory structure and provide a 4-foot side-yard setback, which will require a **(3)** 1-foot variance to the side-yard setback regulations, and the applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 3-foot rear-yard setback, which will require **(4)** a 2-foot variance to the rear-yard setback regulations; and the applicant proposes to construct and/or maintain an additional dwelling unit (not for rent), which will require **(5)** a special exception to the single-family use regulations.

**LOCATION:** 2172 Jordan Valley Road

**APPLICANT:** Alejandro Arroyo

**REQUEST:**

1. A request for variance to the floor area for structures accessory to single-family use regulations;
2. A request for a variance to the building height regulations;
3. A variance to the side-yard setback regulations;
4. A variance to the rear-yard setback regulations; and
5. A special exception to the 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:

- (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.

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

Section 51A-4.209(b)(6)(E)(i) of the Dallas Development Code states that the board of adjustment

may grant a special exception to authorize an additional dwelling unit in any district when, in the opinion of the board, the additional dwelling unit will not:

- (aa) be used as rental accommodations; or
- (bb) adversely affect neighboring properties.

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

**STAFF RECOMMENDATION:**

1. Variance (1) to the **floor area for structures accessory to single-family use** 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. Though the subject site is not sloped or irregularly shaped, it is only 7230.96 sq ft. which is smaller than the minimum lot size for residential use in the R-7.5(A) zoning district (7,500 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.

2. Variance (2) to the **Building Height** 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. Though the subject site is not sloped or irregularly shaped, it is only 7230.96 sq ft. which is smaller than the minimum lot size for residential use in the R-7.5(A) zoning district (7,500 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.

3. Variance (3) to the **Side Yard Setback** regulations

**Approval**

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

- A. Not contrary to the public interest as no letters of opposition were received before case reports were finalized and submitted.
- B. Though the subject site is not sloped or irregularly shaped, it is only 7230.96 sq ft. which is smaller than the minimum lot size for residential use in the R-7.5(A) zoning district (7,500 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.

4. Variance (4) to the **Rear 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.
- D. Though the subject site is not sloped or irregularly shaped, it is only 7230.96 sq ft. which is smaller than the minimum lot size for residential use in the R-7.5(A) zoning district (7,500 sq ft.); therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- E. Is not a self-created or personal hardship.

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

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**BDA History:**

- No BDA history found at 2172 Jordan Valley Road in the last 5 years.

**Square Footage:**

- This lot contains 7,230.96 of square feet.
- This lot is zoned R-7.5(A) which has a minimum lot size of 7,500 square feet.

**Zoning:**

Site: R-7.5(A) (Single Family District)  
North: R-7.5(A) (Single Family District)  
East: 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 and surrounding properties to the north, south, east and west are developed with single-family uses.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Alejandro Arroyo for the property located at 2172 Jordan Valley Road focuses on 5 requests relating to floor area for structures accessory to the single-family use, building height, side yard setback regulations, rear yard setback regulations, and the single-family use regulations.
- The applicant proposes to construct and/or maintain a single family residential accessory structure with 498 square feet of floor area (38 percent of the 1,324 square foot floor area of the main structure), which will require a 167 square foot variance to the floor area regulations.

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- Secondly, the applicant proposes to construct and/or maintain an accessory structure with a building height of 19-feet, which will require a 4-foot 9-inch variance to the maximum building height regulations.
- Thirdly, the applicant proposes to construct and/or maintain a residential accessory structure and provide a 4-foot side-yard setback, which will require a 1-foot variance to the side-yard setback regulations.
- The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 3-foot rear-yard setback, which will require a 2-foot variance to the rear-yard setback regulations
- Lastly, the applicant proposes to construct and/or maintain an additional dwelling unit (not for rent), which will require a special exception to the single-family use regulations
- The subject site and properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a mid-block lot and has single street frontage along Jordan Valley Road.
- The applicant has the burden of proof in establishing that granting the special exception to the single-family use regulations will not adversely affect neighboring properties.
- The applicant must also prove that, if granted, the additional dwelling unit will not be used as rental accommodations.
- Granting the special exceptions to the single-family use regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents and require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.

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

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

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

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

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- (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(s) 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.
    - 167 square foot variance to the floor area regulations.
    - 4-foot 9-inch variance to the maximum building height regulations.
    - 1-foot variance to the side-yard setback regulations.
    - 2-foot variance to the rear-yard setback regulations.
  - 200' Radius Video: [BDA245-010 at 2172 Jordan Valley Road](#)

**Timeline:**

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

December 17, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.

December 18, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the January 2, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and January 10, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 2, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

January 27, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and



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February 7, 2025, deadline to submit additional evidence to be incorporated into the board’s docket materials.

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

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

**Motion**

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

**BDA 245-010** – Application of Alejandro Arroyo, for a variance to the floor area for structures accessory to single-family use regulations, a variance to the building height regulations, a variance to the side-yard setback regulations, a variance to the rear-yard setback regulations, and a special exception to the single-family use regulations contained in the Dallas Development Code, is granted, subject to the following conditions:

1. The applicant must deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.
2. Compliance with the most recent version of all submitted plans are required.

Maker:	Rodney Milliken				
Second:	Robert Agnich				
Results:	4-0 Unanimously				Motion to grant
		Ayes:	-	4	Robert Agnich, Judy Pollock, Rodney Milliken and Jared Slade
		Against:	-	0	

**3. 11224 Ruswood Circle**  
BDA245-018(CJ)

**BUILDING OFFICIAL'S REPORT:** Application of Marcelo Barron represented by Alan Nino for **(1)** a special exception to the front-yard setback regulations for a carport at 11224 Ruswood Circle. This property is more fully described as Block 1/6389, Lot 16, and is zoned R-1/2ac(A), which requires a front-yard setback of 50-feet, per platted build line. The applicant proposes to construct and/or maintain carport for a single-family residential structure in a required front yard and provide a 26-foot 9-inch front-yard setback, which will require **(1)** a 23-foot 3-inch special exception to the front-yard setback regulations for a carport.

**LOCATION:** 11224 Ruswood Circle

**APPLICANT:** Marcelo Barron

**REPRESENTED BY:** Alan Nino

**REQUEST:**

- (1) A request for a special exception to the front-yard setback regulations to maintain a carport for a single-family residential structure.

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE FRONT YARD SETBACK REGULATIONS FOR CARPORTS:**

**Section 51A-4.401(c)(1)** of the Dallas Development Code specifies that the board may grant a special exception to the minimum front yard requirements in this section for a carport for a single family or duplex use when, in the opinion of the board:

- (A) There is no adequate vehicular access to an area behind the required front building line that would accommodate a parking space; and
- (B) The carport will not have a detrimental impact on surrounding properties.

**Section 51A-4.402(c)(2)** In determining whether to grant this special exception, the board shall consider the following factors:

- (A) Whether the requested special exception is compatible with the character of the neighborhood.
- (B) Whether the value of surrounding properties will be adversely affected.
- (C) The suitability of the size and location of the carport.
- (D) The materials to be used in construction of the carport.

**Section 51A-4.402(c)(3)** Storage of items other than motor vehicles is prohibited in a carport for which a special exception has been granted under this subsection.

**STAFF RECOMMENDATION:**

**Special Exception (1):**

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

<u>Site:</u>	R-1/2ac (A) (Single Family District)
<u>North:</u>	R-1/2ac (A) (Single Family District)
<u>South:</u>	R-1/2ac (A) (Single Family District)
<u>East:</u>	R-1/2ac (A) (Single Family District)
<u>West:</u>	R-1/2ac (A) (Single Family District)

**Land Use:**

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

**Square Footage:**

This lot contains 21,780 of square feet or .5 acres.

This lot is zoned R-1/2ac(A) which has a minimum lot size of .5 acres or 21,780 square feet.

**BDA History:**

No BDA history found within the last 5 years.

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Marcelo Brown for the property located at 11224 Russwood Circle focuses on one request for a special exception to the front yard setback regulations to maintain a carport for a single-family residential structure in a required front yard.
- The applicant is requesting a special exception of 23-foot 3-inches to construct and/or maintain a carport for single-family residential structure in a required front yard; the applicant instead proposes to maintain a 26-foot 9-inch front yard setback.
- The required setback for the subject site is 50-feet due to a platted build line; the standard required front yard setback for the R-1/2ac(A) zoning district is 40-feet.
- The subject site is currently developed with a single-family residential structure and has single street frontage on Russwood Circle.
- Per the applicant and provided site plan, the carport is proposed and not existing.
- There is an existing port cochere on the subject site; the proposed carport is set to take the place of the port cochere and be in a similar location.

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

- The applicant has the burden of proof in establishing that the special exception to the front yard setback regulations to maintain a carport for a single-family residential structure will not have a detrimental impact on the surrounding properties.
- The applicant also has the burden of proof in establishing that there is no adequate vehicular access to an area behind the required front building line that would accommodate a parking space.
- Granting the special exception to the front yard setback regulations relating to carports for single-family residential structures with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be maintained as shown on the submitted documents.
- 200' Radius Video: [BDA245-018 at 11224 Russwood Circle](#)

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**Timeline:**

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

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

January 27, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis ;and February 7, 2025, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: Lance Josal, 5320 Tanbark Rd, Dallas TX 75229

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-018, on application of Marcelo Barron represented by Alan Nino, **DENY** the special exception to the front-yard setback regulation for a carport, requested by this applicant **with prejudice**, contained in the Dallas Development Code, as amended, because our evaluation of the property and testimony shows that granting the request will have a detrimental impact on surrounding properties (and/or) there is adequate vehicular access to an area behind the required front building line that would accommodate a parking space.

Maker:	Jared Slade			
Second:	Rodney Milliken			
Results:	4-0 Unanimously			Motion to deny with prejudice
		Ayes:	- 4	Robert Agnich, Rodney Milliken, Judy Pollock & Jared Slade.
		Against:	- 0	

**4. 5414 Falls Road**  
BDA245-024(BT)

**BUILDING OFFICIAL'S REPORT:** Application of Chris Bowers for **(1)** a special exception to the fence height regulations at **5414 FALLS ROAD**. This property is more fully described as Block 3/5604, Lot 4, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct a 9-foot high fence in a required front-yard, which will require **(1)** a 5-foot special exception to the fence height regulations.

**LOCATION:** 5414 Falls Road

**APPLICANT:** Chris Bowers

**REPRESENTED BY:**

**REQUEST:**

6. A request for a special exception to the fence height regulations

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

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

**STAFF RECOMMENDATION:**

Special Exceptions (1):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

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

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Chris Bowers for the property located at 5414 Falls Road focuses on one request relating to the fence height.

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- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 9-foot high gate in a required front-yard, which will require a 5-foot special exception to the fence height regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing 9-foot high stone columns, wrought iron gate, and fencing located between the 40-foot front-yard setback and front property line.
- The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.
- Based upon staff's analysis of the surrounding properties, the proposed columns, gate, and fence is similar to other single family homes along Falls Road.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exception to the fence standards relating to height, 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: [BDA245-024 at 5414 Falls Rd](#)

**Timeline:**

- December 23, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.
- January 24, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis; and February 7, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

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Speakers:

For: Chris Bower, 1316 Village Creek Dr # 500, Dallas TX 75093  
Doak Bishop, 5414 Falls Road, Dallas TX 75220

Against: No Speakers

**Motion**

I move that the Board of Adjustment, in Appeal No. BDA 245-024, on application of Chris Bowers, **GRANT** the request of this applicant to construct and/or maintain a 9-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

Maker:	Rodney Milliken			
Second:	Judy Pollock			
Results:	4-0 Unanimously			Motion to grant
		Ayes:	- 4	Robert Agnich, Rodney Milliken, Judy Pollock & Jared Slade
		Against:	- 0	

**5. 1900 Wheatland Road**

BDA245-028(BT)

**BUILDING OFFICIAL’S REPORT:** Application of David Pitcher for **(1)** a special exception to the landscaping regulations at **1900 WHEATLAND ROAD**. This property is more fully described as Block 7611, 7612, 7605, 6886 and is zoned TH-2(A), MF-2(A), MF-3(A), and CR, which requires mandatory landscaping and tree mitigation. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan for tree mitigation, which will require **(1)** a special exception to the landscape and urban forest conservation regulations.

**LOCATION:** 1900 Wheatland Road

**APPLICANT:** David Pitcher

**REPRESENTED BY:**

**REQUEST:**

7. A request for a special exception to the landscape and urban forest conservation regulations

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE LANDSCAPING AND TREE REGULATIONS:**

Section 51A-10.110(b) of the Dallas Development Code states that the board may grant a special exception to the requirements of Division 51A-10.130, upon making a special finding from the evidence presented that strict compliance with the requirements of Division 51A-10.130 will unreasonably burden the use of the property; the special exception will not adversely affect neighboring property; and the requirements are not imposed by a site-specific landscape plan or tree mitigation plan approved by the city plan commission or city council. In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The ability to plant replacement trees safely on the property.
- The extent to which alternative methods of replacement will compensate for a reduction of tree mitigation or extended time for tree replacement. (Ord. Nos. 22053; 25155; 30929)

**STAFF RECOMMENDATION:**

Special Exceptions (1):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: TH-2(A), MF-2(A) MF-3(A), AND CR  
North: R-7.5(A), R-5(A), PD-624, AND CH  
East: PD-624, AND CR  
South: R-7.5(A), UC-2, MU-2, AND MF-2(A)  
West: R-7.5(A)

**Land Use:**

The subject site and all surrounding properties are primarily undeveloped land with some commercial and single-family uses.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of David Pitcher for the property located at 1900 Wheatland Road focuses on one request relating to the landscape and urban forest conservation regulations.
- The applicant is proposing to provide an alternate landscape plan.
- The City of Dallas Floodplain Management office has affirmed the area designated as 100-year floodplain, according to Article V. Per ordinance, ‘the floodplain administrator regulates according to both the FEMA effective maps and the regulatory floodplain maps, regardless of adoption by FEMA (Sec. 5.102(a)(4)). The City maintains that the ‘agricultural manmade channels’ are floodplain as identified on our city maps. The vegetation is protected under Article X tree conservation regulations and must be managed accordingly.



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- The board may consider a special exception for tree mitigation based on if strict compliance of the code will unreasonably burden the use of the Property, the special exception will not adversely affect neighboring property, and when there is no site-specific tree mitigation plan by council or the CPC. They may consider residential adjacency, topography, landscaping, suitable planting locations, and the extent to which alternative methods of replacement will compensate for the overall removal (Sec. 51A-10.110(b)).
- The old-filed succession review was added as one component to the tree conservation ordinance in 2018 to help provide a reasonable means of reducing costs and burden for tree survey assessments and the high amount of mitigation for young (early succession) tree stands while providing incentive for the protection of more sensitive and critical woodland areas. Additional reading on this process can be found in the Landscape and Tree Manual, Appendix G.
- Final calculations for the amount of tree mitigation of a building project are confirmed in the permit review process unless the amount of tree mitigation is previously determined by board or council. The request before the board is for the allowance of the use of the forest stand delineation to define old-field succession mitigation reductions within an area encumbered by a primary natural area currently restricting its use on the portion of the stand in the floodplain area. The board may select criteria to determine a suitable level of mitigation reduction.
- If a special exception is approved, the timing of tree mitigation completion will be defined as per Sec. 51A-10.134(c)(5). The intent is to grade in both Properties to adjust the site in Phase 1 for development. If approved, a special condition for completion of the mitigation to be tied to the timing of the completion of the development is recommended.
- An additional allowance may be needed for the placement of tree mitigation in streets
- The applicant has the burden of proof in establishing that the special exception(s) to the landscape regulations will not adversely affect the neighboring properties and strict compliance with the code will unreasonably burden the use of the property.
- 200' Radius Video: [BDA245-028 at 1900 E Wheatland Rd](#)

**Timeline:**

- January 17, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.
- January 24, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis; and February 7, 2025, deadline to submit additional evidence to be incorporated into the board's docket materials.

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

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: David Pitcher, 3501 Olympus Blvd # 100, Dallas TX 75002  
Arthur Santa-Maria, 1717 Main St., Ste 5630, Dallas TX 75201

Against: No Speakers

**Motion**

I move that the Board of Adjustment in Appeal No. BDA 245-028 **HOLD** this matter under advisement until **March 17, 2025**.

Maker:	Robert Agnich				
Second:	Judy Pollock				
Results:	4-0 Unanimously				Motion to hold until March 17, 2025
		Ayes:	-	4	Robert Agnich, Rodney Milliken, Judy Pollock & Jared Slade
		Against:	-	0	

**6. 7915 S. Lancaster Road**  
BDA245-029(BT)

**BUILDING OFFICIAL’S REPORT:** Application of David Pitcher for **(1)** a special exception to the landscaping regulations at **7915 S LANCASTER ROAD**. This property is more fully described as Block 7609 and is zoned CR, LO-1, MF-2(A), MU-2, and UC-2, which requires mandatory landscaping and tree mitigation. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan for tree mitigation, which will require **(1)** a special exception to the landscape and urban forest conservation regulations.

**LOCATION:** 7915 S Lancaster Road

**APPLICANT:** David Pitcher

**REPRESENTED BY:**

**REQUEST:**

8. A request for a special exception to the landscape and urban forest conservation regulations

**STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE LANDSCAPING AND TREE REGULATIONS:**

Section 51A-10.110(b) of the Dallas Development Code states that the board may grant a special exception to the requirements of Division 51A-10.130, upon making a special finding from the evidence presented that strict compliance with the requirements of Division 51A-10.130 will unreasonably burden the use of the property; the special exception will not adversely affect neighboring property; and the requirements are not imposed by a site-specific landscape plan or tree mitigation plan approved by the city plan commission or city council. In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The ability to plant replacement trees safely on the property.
- The extent to which alternative methods of replacement will compensate for a reduction of tree mitigation or extended time for tree replacement. (Ord. Nos. 22053; 25155; 30929)

**STAFF RECOMMENDATION:**

Special Exceptions (1):

No staff recommendation is made on this request.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: MF-2(A) MU-2, UC-2, LO-1, AND CR  
North: TH-2(A), MF-3(A), R-7.5(A), AND CR  
East: R-7.5(A), NS, CS, AND CR  
South: IR  
West: MF-2(A), R-7.5(A) and City Limits

**Land Use:**

The subject site and all surrounding properties are primarily undeveloped land with some commercial and single-family uses.

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of David Pitcher for the property located at 7915 S Lancaster Road focuses on one request relating to the landscape and urban forest conservation regulations.

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- The applicant is proposing to provide an alternate landscape plan.
- The City of Dallas Floodplain Management office has affirmed the area designated as 100-year floodplain, according to Article V. Per ordinance, ‘the floodplain administrator regulates according to both the FEMA effective maps and the regulatory floodplain maps, regardless of adoption by FEMA (Sec. 5.102(a)(4)). The City maintains that the ‘agricultural manmade channels’ are floodplain as identified on our city maps. The vegetation is protected under Article X tree conservation regulations and must be managed accordingly.
- The board may consider a special exception for tree mitigation based on if strict compliance of the code will unreasonably burden the use of the Property, the special exception will not adversely affect neighboring property, and when there is no site-specific tree mitigation plan by council or the CPC. They may consider residential adjacency, topography, landscaping, suitable planting locations, and the extent to which alternative methods of replacement will compensate for the overall removal (Sec. 51A-10.110(b)).
- The old-filed succession review was added as one component to the tree conservation ordinance in 2018 to help provide a reasonable means of reducing costs and burden for tree survey assessments and the high amount of mitigation for young (early succession) tree stands while providing incentive for the protection of more sensitive and critical woodland areas. Additional reading on this process can be found in the Landscape and Tree Manual, Appendix G.
- Final calculations for the amount of tree mitigation of a building project are confirmed in the permit review process unless the amount of tree mitigation is previously determined by board or council. The request before the board is for the allowance of the use of the forest stand delineation to define old-field succession mitigation reductions within an area encumbered by a primary natural area currently restricting its use on the portion of the stand in the floodplain area. The board may select criteria to determine a suitable level of mitigation reduction.
- If a special exception is approved, the timing of tree mitigation completion will be defined as per Sec. 51A-10.134(c)(5). The intent is to grade in both Properties to adjust the site in Phase 1 for development. If approved, a special condition for completion of the mitigation to be tied to the timing of the completion of the development is recommended.
- An additional allowance may be needed for the placement of tree mitigation in streets
- The applicant has the burden of proof in establishing that the special exception(s) to the landscape regulations will not adversely affect the neighboring properties and strict compliance with the code will unreasonably burden the use of the property.
- 200’ Radius Video: [BDA245-029 at 7915 S Lancaster Rd](#)

**Timeline:**

- January 17, 2025: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- January 3, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **C**.

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January 24, 2025: Planning and Development Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis; and February 7, 2025, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

The subject site and all surrounding properties are primarily undeveloped land with some commercial and single-family uses.

Speakers:

For: David Pitcher, 3501 Olympus Blvd # 100, Dallas TX 75002  
Arthur Santa-Maria, 1717 Main St., Ste 5630, Dallas TX 75201

Against: No Speakers

**Motion**

I move that the Board of Adjustment in Appeal No. BDA 245-029 **HOLD** this matter under advisement until **March 17, 2025**.

Maker:	Robert Agnich				
Second:	Rodney Milliken				
Results:	4-0 Unanimously				Motion to grant
		Ayes:	-	4	Robert Agnich, Judy Pollock, Rodney Milliken & Jared Slade
		Against:	-	0	

**INDIVIDUAL CASES**

**7. 4802 Belmont Avenue**  
BDA245-027(BT)

**BUILDING OFFICIAL’S REPORT:** Application of Rob Baldwin for **(1)** a variance to the maximum height regulations at **4802 BELMONT AVENUE**. This property is more fully described as Block

3/2001, Lot 5, and is zoned MF-2(A), which limits the maximum building height to 26-feet due to a residential proximity slope. The applicant proposes to construct and/or maintain a duplex structure with a building height of 45-feet, which will require **(1)** a 19-foot variance to the maximum building height regulations.

**LOCATION:** 4802 Belmont Avenue

**APPLICANT:** Rob Baldwin

**REPRESENTED BY:**

**REQUEST:**

9. A request for a variance to the maximum height regulations

**STANDARDS OF REVIEW FOR A VARIANCE:**

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

- (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:**

**Variance:**

Denial

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Subject site does not differ from other parcels of land by being of such a restrictive area, irregular in shape or slope; therefore, it can be developed in a manner commensurate with the development upon other parcels of land in the same zoning. Residential Proximity Slope (RPS) purpose is to protect towering structures next to residential structures limited to 30-foot maximum building height.
- C. Not self-created nor is it a personal hardship.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: MF-2(A) (Multifamily Use)  
North: MF-2(A) (Multifamily Use)  
East: MF-2(A) (Multifamily Use)  
South: R-7.5(A) (Single Family Use)  
West: MF-2(A) (Multifamily Use)

**Land Use:**

The subject site is vacant and the surrounding properties are a mixture of vacant lots, duplex uses, and single-family uses.

**Lot Square Footage:**

This lot size is 4,538 square feet. (0.104 of an acre)

**BDA History:**

No BDA history found within the last 5 years

**GENERAL FACTS/STAFF ANALYSIS:**

- The application of Rob Baldwin for the property located at 4802 Belmont Avenue focuses on one request relating to a variance to the maximum building height.
- The applicant proposes to construct and/or maintain a residential duplex structure with a maximum building height of 26-feet when adjacent to or directly across the alley from a R(A) zoning district.
- MF-2(A) maximum height is 36-feet.
- The subject site is smaller (4,538 square feet) than minimum 6,000 square feet for a duplex use and irregular shaped lot, however the maximum building height is the focus of the request.

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- Staff recommendation is based on Residential Proximity Slope (RPS) purpose and intent to protect towering structures next to residential structures limited to 30-foot maximum building height.
- Per staff's review of the subject site, it has been confirmed that the site is vacant.
- The applicant has the burden of proof in establishing the following:
  - 1) That granting the variance to the maximum height regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
  - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
  - 3) The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.
- ELEMENT II SUBSTITUTE:

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

  - (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
  - (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
  - (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
  - (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
  - (v) the municipality considers the structure to be a nonconforming structure.
- Granting the variance to the maximum height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA245-027 at 4802 Belmont Ave](#)

**Timeline:**

- December 31, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- January 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel C.



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

- an attachment that provided the public hearing date and panel that will consider the application; the January 31, 2025, deadline to submit additional evidence for staff to factor into their analysis; and February 7, 2025, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 30, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

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

Against: Daniel Bressler, 4608 Steel St., Dallas TX 75226

**Motion # 1**

I move that the Board of Adjustment, in Appeal No. BDA 245-027, on application of Baldwin Associates represented by Rob Baldwin, **GRANT** the 19-foot variance to the maximum building height 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				Fails for lack of Second
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**Motion # 2**

I move that the Board of Adjustment, in Appeal No. BDA 245-027, on application of Baldwin Associates represented by Rob Baldwin, **DENY** the variance to the maximum building height regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Robert Agnich				
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Second:	Judy Pollock				
Results:	3-1				Motion to deny without prejudice
		Ayes:	-	3	Robert Agnich, Judy Pollock, Rodney Milliken
		Against:	-	1	Jared Slade

\*\* Recess 3:10 P.M. – 3:26 P.M.\*\*  
\*\* Recess 4:25 P.M. – 4:32 P.M.\*\*

**ADJOURNMENT**

After all business of the Board of Adjustment had been considered, Vice-Chair Agnich moved to adjourn the meeting at **4:58 P.M.**



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

3/17/25  
Date



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

3/17/25  
Date



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

3/17/2025  
Date