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City of Dallas

BOARD OF ADJUSTMENT (PANEL A)

March 19th, 2024, Briefing at 10:30 A.M. and the Public Hearing at 1:00 P.M.
Dallas City Hall, Room 6ES and Videoconference

Video Conference Link: <https://bit.ly/boa0319>

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

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

Individuals and interested parties wishing to speak must register with the Board of Adjustment at <https://bit.ly/BDA-A-Register> by the close of business Monday, March 18th, 2024. In Person speakers can register at the hearing.

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

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse en Junta de Ajustes en at <https://bit.ly/BDA-A-Register> antes de cierre de oficina el Lunes, 18 de Marzo, 2024. Las personas que deseen hablar en persona se pueden registrar en la Audiencia.

AGENDA

- I. **Call to Order** David A. Neumann, Chairman
- II. **Staff Presentation/Briefing**
- III. **Public Hearing** Board of Adjustment
- IV. **Public Testimony**
- V. **Miscellaneous Items –**
 - Approval of Panel A Minutes, February 20th, 2024 Board of Adjustment
- VI. **Case Docket**
 - Uncontested Items
 - Holdover Items
 - Individual Items
- VII. **Adjournment**

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

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

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

EXECUTIVE SESSION NOTICE

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

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

UNCONTESTED CASE(S)

BDA234-029(CJ)	3500 Latimer Street REQUEST: Application of Rick Smith for (1) a variance to the front-yard setback regulations.	1
BDA234-033(CJ)	3216 Peoria Avenue REQUEST: Application of Joel Perales for (1) a special exception to the fence height regulations, and for (2) a for a special exception to the fence standards regulations, and (3) a special exception to the visibility obstruction regulations.	2
BDA234-036(CJ)	2105 W. Northwest Highway REQUEST: Application of Rob Baldwin for (1) a variance to the front-yard setback regulations.	3
BDA234-037(CJ)	6231 Llano Avenue REQUEST: Application of Jordan Heetland for (1) a variance to the floor area regulations, and for (2) a special exception to the single-family regulations.	4
BDA234-050(KMH)	909 S. Corinth Street Road REQUEST: Application of Dejuan Session for (1) a variance to the front yard setback regulations.	5

HOLDOVER

BDA234-016(KMH)	2511 Jordan Valley Road REQUEST: Application of Arturo Munoz for (1) a special exception to the fence height regulations.	6
BDA234-025(CJ)	4625 Walnut Hill Lane. REQUEST: Application of Darian Kaar for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations regarding prohibited material, and for (3) a special exception to the 20-foot visibility obstruction regulations.	7

INDIVIDUAL CASES

BDA234-028(CJ)	4823 Gurley Avenue REQUEST: Application of Brenda Santos for (1) a variance to the front-yard setback regulations.	8
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BOARD OF ADJUSTMENT

Panel A Minutes

February 20, 2024

DRAFT

6ES Council Briefing
24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Rachel Hayden	
Kathleen Davis	
Michael Hopkovitz	
Jay Narey	

ABSENT: [0]

Assisting City Attorney Matthew Sapp called the briefing to order at **10:30 A.M.** with a quorum of the Board of Adjustment present.

It was proposed by City Attorney Matthew Sapp to elect a Temporary Presiding Officer for the briefing and hearing. Ms. Rachel Hayden made a motion to elect Kathleen Davis as a temporary presiding officer, second by Jay Narey.

Presiding Officer Rachel Hayden called the hearing to order at **1:00 P.M.** with a quorum of the Board of Adjustment present.

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

PUBLIC SPEAKERS

The Board of Adjustment provided "public speaker" opportunities for individuals to comment on matters that were scheduled on the agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda.

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

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel A, January 16th, 2024 meeting minutes with changes in Page 15, missing Vote results; Page 19, missing Motion # 2; Page 35, missing Vote results and Chairman name for signature.

Motion was made to approve Panel A, January 16th, 2024 public hearing minutes.

Maker:	David A. Neumann				
Second:	Rachel Hayden				
Results:	5-0 unanimously				Moved to approve
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

CONSENT ITEMS

1. 1717 Jeffries Street

***This case was moved to Individual Cases.**

BDA234-013(CJ)

BUILDING OFFICIAL’S REPORT Application of Baldwin Associates for (1) a special exception to the landscaping and tree mitigation regulations at 1717 Jeffries St. This property is more fully described as Block 5/858, Lot 1, and is zoned PD-346; tract 3, 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 tree preservation regulations.

LOCATION: 1717 Jeffries St.

APPLICANT: Baldwin Associates - Rob Baldwin

REQUEST: Baldwin Associates - Rob Baldwin

(1) A request for a special exception to the landscape and tree regulations

STANDARD FOR A SPECIAL EXCEPTION IN GENERAL AND URBAN FOREST CONSERVATION REGULATIONS:

SEC. 51A-10.110. (b) IN GENERAL, AND URBAN FOREST CONSERVATION.

(b) In general, and urban forest conservation.

(1) The board may grant a special exception to the requirements of Division [51A-10.130](#), other than fee and notice requirements, upon making a special finding from the evidence presented that:

- (A) strict compliance with the requirements of Division [51A-10.130](#) will unreasonably burden the use of the property;
- (B) the special exception will not adversely affect neighboring property; and
- (C) the requirements are not imposed by a site-specific landscape plan or tree mitigation

plan approved by the city plan commission or city council.

(2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors:

- (A) The extent to which there is residential adjacency.
- (B) The topography of the site.
- (C) The extent to which landscaping exists for which no credit is given under this article.
- (D) The ability to plant replacement trees safely on the property.
- (E) 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)

DIVISION. 51A-10.130. URBAN FOREST SONSERVATION.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this or any request for a special exception to the landscape and tree preservation 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: PD 346 (Planned Development)
- North: IM (Industrial Manufacturing District)
- East: IM (Industrial Manufacturing District)
- South: IM (Industrial Manufacturing District)
- West: IM (Industrial Manufacturing District)

Land Use:

The subject site is in Planned Development 346 and all surrounding properties are developed with industrial manufacturing uses.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Rob Baldwin, for the property located at 1717 Jeffries Street focuses on 1 request relating to the landscape and tree preservation regulations.
- 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 tree preservation regulations.
- The applicant is seeking a special exception to the landscaping and tree preservation regulations. The site conditions of the new development include tree mitigation as a result of the development of the facility which caused the removal of protected and unprotected trees that were surveyed and reviewed as a part of the project. All options stated In Article X are currently available to the applicant.

- It is imperative to note that the subject site has four street frontages: Jeffries Street, South Malcolm X Boulevard, Dawson Street and Hickory Street.
- The Dallas Development Code, Article X division for tree conservation, states in Sec. 51A-10.134 how and when tree mitigation is to apply. All replacement for the project must be completed before the final Certificate of Occupancy may be issued for the facility. When mitigation cannot be fully completed on site, Sec. 51A-10.135 provides multiple alternatives to direct replacement on site including planting within 5 miles of the tree removal property, donation of trees to city departments, providing a conservation easement, or making a payment in-lieu of planting into the Dallas Reforestation Fund.
- The arborist division has no recommendation to the proposed alternate landscape plan for the new development.
- The applicant has the burden of proof in establishing that the special exception(s) to the landscape and tree preservation regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the landscape and tree preservation regulations with a condition that the applicant complies with the submitted site plan/landscape plan, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-013 1717 Jeffries St.](#)

Timeline:

December 5, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 11, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and February 9, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

February 2, 2024: The Board of Adjustment staff review team meeting was held regard 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 Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner Code Compliance staff.

February 5, 2024: The Chief Arborist provided staff with Arborist Report; no recommendation.

Speakers:

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

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-013, on application of Baldwin Associates, **GRANT** the request of this applicant for a special exception to the landscape requirements contained in Article X of the Dallas Development Code, as amended, because our evaluation of the property and testimony shows that **(1)** strict compliance with the requirements of this article will unreasonably burden the use of the property; **(2)** the special exception will not adversely affect neighboring properties, and **(3)** the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

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:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 Unanimously				Moved to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Jay Narey, Rachel Hayden and Michael Hopkovitz
		Against:	-	0	

2. 4468 Twin Post Road

***This case was moved to Individual Cases**

BDA234-014(KMH)

BUILDING OFFICIAL’S REPORT Application of BALDWIN ASSOCIATES for (1) a special exception to the 20-foot visibility obstruction regulations at 4468 TWIN POST RD. This property is more fully described as Block 9/8396, Lot 7 and is zoned R-16(A), which requires a 20-foot visibility triangle at the connection of a street and alley. The applicant proposes to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (1) a special exception to the 20-foot visibility obstruction regulation.

LOCATION: 4468 Twin Post Road

APPLICANT: Rob Baldwin/Baldwin Associates

REQUEST:

1. A request for a special exception to the 20-foot visibility obstruction regulations.

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:

No staff recommendation is made on this or any request for a special exception to the visual obstruction regulations since the basis for this type of appeal is when in the opinion of the board, the item will not constitute a traffic hazard.

The Transportation Engineer for Development Services does not have any objections to the proposed encroachment to the visibility triangles at 4468 Twin Post Road.

BACKGROUND INFORMATION:

Zoning:

- Site: R-16(A)
- North: R-16(A)
- East: R-16(A)
- South: R-16(A)
- West: R-16(A)

Land Use:

The subject site and all surrounding properties are developed with single-family uses. The property to the immediate east is developed with a church.

BDA History:

No BDA history in the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin/Baldwin Associates for the property located at 4468 Twin Post Road focuses on one request. The request is for a special exception to the visual obstruction regulations.
- The applicant is proposing to construct and/or maintain a single-family residential structure in a required visibility obstruction triangle, which requires a special exception to the 20-foot visibility obstruction regulation.
- Per the applicant’s application and other pertinent documents, the applicant proposes to install a new wooden fence along Schreiber Drive and along a portion of the alley. The fence will slightly encroach into the driveway and alley visibility triangles.
- As gleaned from the submitted site plan, it appears that the proposed fence encroaches roughly about 5’ into the alley visibility triangle and about 8’ into the drive approach visibility triangle.
- The Dallas Development Code states that, “a person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is in a visibility triangle.”
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations does not constitute a traffic hazard.

- Granting this request for a special exception to the visual obstruction regulations with a condition imposed that the applicant complies with the submitted site plan would limit the proposed fence in the 20-foot visibility triangles at the drive approach and at the alley to what is shown on the submitted documents.
- [BDA234-014 at 4468 Twin Post Rd](#) 200' Radius Video

Timeline:

December 5, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

January 10, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and February 9, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

February 2, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Rob Baldwin, 3904 Elm Street # B, Dallas TX 75226
Lance Currie, 4468 Twin post Rd., Dallas TX 75244

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-014, located at 4468 Twin Post Rd., on application of Baldwin Associates, **GRANT** the request to maintain items in the 20-foot visibility triangle on to Schreiber Drive as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

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

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

Maker:	Kathleen Davis				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Moved to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Rachel Hayden, Michael Hopkovitz and Jay Narey
		Against:	-	0	

3. 2511 Jordan Valley Road

***This case was moved to Individual Cases**

BDA234-016(KMH)

BUILDING OFFICIAL’S REPORT Application of ARTURO MUNOZ for (1) a special exception to the fence height regulations at 2511 JORDAN VALLEY RD. This property is more fully described as Block 2/8788, Lot 2, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard, which will require (1) a 2-foot special exception to the fence regulations.

LOCATION: 2511 Jordan Valley Rd.

APPLICANT: Arturo Munoz

REQUEST:

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) 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 Exception

No staff recommendation is made on this or any request for a special exception to the fence 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-10(A) (Single Family District)
North: A(A) and SUP 799
East: R-10(A) and R-7.5(A)

South: R-10(A)
West: R-10(A)

Land Use:

The subject site and the properties to the east, south, and west are developed with single family homes; the properties to the north are vacant.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Arturo Munoz for the property located at 2711 Jordan Valley Road focuses on one request relating to the fence height regulations.
- The applicant proposes to maintain a 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- It is important to note that the fence itself measures 5-feet, however, the highest point of the gate measures at 6-feet.
- The applicant states that, “due to growing criminal activities in the neighborhood, we would like to make our front gate more secure.”
- It is also imperative to note that the fence is currently existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- [BDA234-016 at 2511 Jordan Valley](#) 200’ Radius Video

Timeline:

December 7, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 10, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and

February 9, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.

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

February 2, 2024: 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 Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.

Speakers:

For: Arturo Munoz, 2511 Jordan Valley Rd., Dallas TX 75253

Against: No Speakers

Motion

I move that the Board of Adjustment in Appeal No. BDA 234-016 **HOLD** this matter under advisement until **March 19, 2024**.

Maker:	David A. Neumann					
Second:	Jay Narey					
Results:	5-0 unanimously					Moved to hold until 3/19/2024
		Ayes:	-		5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-		0	

4. 8343 Douglas Avenue

BDA234-019(CJ)

BUILDING OFFICIAL’S REPORT Application of Jonelle Smith for (1) a special exception to the sign regulations at 8343 Douglas Ave. This property is more fully described as Block 2/5625, Lot 5A, and is zoned PD-314; tract 2, which limits the number of detached signs on a premise to one for each 600 feet, or fraction thereof, of frontage along a public way, other than an alley. The applicant proposes to construct one additional detached premises sign on a nonresidential premise, which will require (1) a special exception to the sign regulations.

LOCATION: 8343 Douglas Ave.

APPLICANT: Jonelle Smith

REQUEST: SSC Signs & Lighting

(3) A request for a special exception to the sign regulations

STANDARD FOR DETACHED SIGN STANDARDS REGULATIONS:

Section 51A-7.403(a)(2) of the Dallas Development Code states that each premise may have one detached sign for each 600 feet, or fraction thereof, of frontage along a public way, other than an alley.

STANDARD FOR A SPECIAL EXCEPTION TO SIGN STANDARD REGULATIONS:

Section 51A-7.703(d)(2) of the Dallas Development Code states that the board may grant a Authorize one additional detached premise sign on a premise in excess of the number permitted by this article.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this or any request for a special exception to the sign 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: PD 314 (Planned Development)
- North: PD 314 (Planned Development)
- East: PD 314 (Planned Development)
- South: PD 314 (Planned Development)
- West: PD 314 (Planned Development)

Land Use:

The subject site and all surrounding properties are developed with uses permitted under PD-314 use regulations.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Jonelle Smith, for the property located at 8343 Douglas Avenue focuses on 1 request relating to the sign regulations.
- The applicant proposes to construct one additional detached premises sign on a nonresidential premise, which will require a special exception to the sign regulations
- The subject site along with properties to the north, east, south, and west are all developed within the Preston Center Special Purpose District/PD 314.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain one additional detached premises sign at 8343 Douglas Avenue, a non-residential premise.

- It is imperative to note that the subject site is a corner lot, and it has double street frontage on Douglas Avenue and Luther Lane.
- The Dallas Development Code limits the number of detached signs on a premise to one for each 600 feet, or fraction thereof, of frontage along a public way, other than an alley
- The applicant has the burden of proof in establishing that the special exception(s) to the sign regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the sign standards relating to sign regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- (200' radius video): [BDA234-019 8343 Douglas Ave.](#)

Timeline:

December 19, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 11, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and February 9, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

February 2, 2024: The Board of Adjustment staff review team meeting was held regard 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 Development Services Senior Plans Examiner, the Assistant City Attorney to the Board and of Adjustments.

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 234-019 - Application of Jonelle Smith for a special exception to the sign-regulation standards in the Dallas Development Code is granted subject to the following condition:

Compliance with all submitted plans are required.

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Moved to grant
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

5. 3110 E. Ledbetter Drive
BDA234-021(CJ)

BUILDING OFFICIAL’S REPORT Application of Jennifer Hiromoto for (1) a special exception to the landscaping regulations at 3110 E Ledbetter Dr. This property is more fully described as Block A/5833, Lot 2, and is zoned CR, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

LOCATION: 3110 E Ledbetter Dr.

APPLICANT: Jennifer Hiromoto

REQUEST: Jennifer Hiromoto

(4) A request for a special exception to the landscape regulations

STANDARD FOR A SPECIAL EXCEPTION TO LANDSCAPE REGULATIONS:

SEC. 51A-10.125. MANDATORY LANDSCAPING REQUIREMENTS.

(b) **Other uses.** Lots containing a use other than single family or duplex must comply with the following requirements:

(1) **Street buffer zone.**

(A) Urban streetscape.

(B) Right-of-way.

- (C) Required planting.
- (D) Buffer zone reduction

(3) Interior zone.

- (A) Surface parking lots in industrial districts.
- (B) Surface parking lots.

(4) Additional provisions.

- (B) Site trees.

SEC. 51A-10.126. LANDSCAPE DESIGN OPTIONS.

(b) Design options.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this or any request for a special exception to the landscape 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: CR (Community Retail Zoning District)
- North: R-5 (A) (Single Family District)
- East: CR (Community Retail Zoning District)
- South: CR (Community Retail Zoning District)
- West: CR (Community Retail Zoning District)

Land Use:

The subject site and surrounding properties to the south, east and west are developed with Community Retail uses. Surrounding Properties to the north are developed with single-family residential uses.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Jennifer Hiromoto, for the property located at 3110 East Ledbetter Drive focuses on 1 request relating to the landscape regulations.

- The applicant proposes to construct and maintain a nonresidential structure and provide an alternate landscape plan which will require a (1) special exception to the landscape regulations.
- The applicant is seeking a special exception to the landscaping requirements of Article X. The site conditions of the development include an existing 8” wastewater line that prohibits the planting of trees along the Ledbetter property boundary. The applicant requests approval of an alternate landscape plan which does not fully conform to Article X requirements.
- Per the Chief Arborist, the proposed alternate landscape plan complies partially with Article X regarding site trees, the street buffer zone (SBZ), street buffer trees, landscape area (10.125(b)), and the full requirement of 15 points for landscape design options (10.126).
- Since Ledbetter Drive is nearly 100 feet across, a residential buffer zone does not apply with the adjacent R-5(A) zoning.
- The arborist division has no objection to the proposed alternate landscape plan for the new development because we believe that strict compliance with the requirements of Article X will unreasonably burden the use of the property and the design will not adversely affect neighboring property.
- It is imperative to note that the subject site has two street frontages: South Great Trinity Forest Way and East Ledbetter Drive.
- The Dallas Development Code states that all lots containing a use other than single-family or duplex must comply with the provisions set forth SEC. 51A-10.125. Mandatory Landscape Requirements and SEC. 51A-10.126. Landscape Design Options
- 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.
- Granting the special exceptions to the landscape regulations with a condition that the applicant complies with the submitted site plan/landscape plan, would require the proposal to be constructed as shown on the submitted documents.
- (200’ Radius Video): [BDA234-021 3110 E. Ledbetter Dr.](#)

Timeline:

December 21, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 11, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and February 9, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.

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

January 24, 2024: The applicant provided staff with Documentary Evidence.

February 2, 2024: The Board of Adjustment staff review team meeting was held regard 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 Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

February 5, 2024: The Chief Arborist provided staff with Arborist Report

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 234-021 - Application of Jennifer Hiromoto for a special exception to the landscaping regulations in the Dallas Development Code is granted subject to the following condition:

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

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Moved to grant
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

6. 4625 Walnut Hill Lane

***This case was moved to Individual Cases**

BDA234-025(CJ)

BUILDING OFFICIAL’S REPORT Application of Darian Kaar for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations regarding prohibited material, and for (3) a special exception to the 20-foot visibility obstruction regulations at 4625 Walnut Hill Ln. This property is more fully described as Block A/5540, Lot 2, and is zoned R-

1ac(A), which limits the height of a fence in the front yard to 4-feet and prohibits the use of certain materials for a fence and requires a 20-foot visibility triangle at the connection of a street and drive approach. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard, which will require (1) a 2-foot special exception to the fence regulations, and to construct a fence using a prohibited material, which will require (2) a special exception to the fence regulations, and to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation.

LOCATION: 4625 Walnut Hill Ln.

APPLICANT: Darian Kaar

REQUEST:

- (5) A request for a special exception to the fence height regulations; and
- (6) A special exception to the fence standards regulations regarding prohibited material,
- (7) A special exception to the 20-foot visibility obstruction regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE OPACITY STANDARD REGULATIONS:

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception to the fence 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-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

GENERAL FACTS/STAFF ANALYSIS:

- The application Darian Kaar, for the property located at 4625 Walnut Hill Lane focuses on 3 requests relating to the fence height, fence standards and visibility obstruction regulations.
- The applicant proposes to construct and maintain and 6-foot-high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding prohibited material,
- Lastly, the applicant is proposing to construct and or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction regulation.
- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 6-foot-high board on board metal frame fence around the circumference of the property at 4625 Walnut Hill Lane.
- It is imperative to note that the subject site is a mid-block lot, and it has single street frontage on Walnut Hill Lane.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The Engineering Division recommends denial of proposed encroachment to the visibility triangle for proposed driveway at 4625 Walnut Hill Lane given the proposed conditions and lack of sight distance from approaching traffic on a major thoroughfare.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height, material and visibility obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

December 2, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 11, 2024: The Sustainable Development and Construction 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 26, 2024, deadline to submit additional evidence for staff to factor into their analysis; and February 9, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

February 2, 2024: The Board of Adjustment staff review team meeting was held regard 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 Development Services Senior Plans Examiner, and the Assistant City Attorney to the Board.

Speakers:

For: Darian Kaar, 4625 Walnut Hill Ln., Dallas, TX 75229

Against: No Speakers

Motion

I move that the Board of Adjustment in Appeal No. BDA 234-025 **HOLD** this matter under advisement until **March 19, 2024**.

Maker:	Michael Hopkovitz				
Second:	Jay Narey				
Results:	5-0 Unanimously				Moved to hold until 3/19/2024
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

HOLDOVER CASES

7. 2764 Catherine Street
BDA223-097(KMH)

BUILDING OFFICIAL’S REPORT: Application of Robert Smith for (1) a special exception to the fence-height regulations, and for (2) a special exception to the 20-foot visibility obstruction regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations at 2764 Catherine St. This property is more fully described as Block 2/3879, Lot 1, and is zoned CD-8;

subarea 1 (R-7.5(A)), which limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet and requires a 20-foot visibility triangle at driveway approaches, and requires a 20-foot visibility triangle at the point of intersection of the edge of an alley and an adjacent street curb line. The applicant proposes to construct a 6-foot 6-inch high fence in a required side-yard, which will require (1) a 2-foot 6-inch special exception to the fence height regulations; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (2) a special exception to the 20-foot visibility obstruction regulation at driveway approaches; and to construct a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation intersection of the edge of an alley and an adjacent street curb line.

LOCATION: 2764 Catherine St.

APPLICANT: Robert Smith

REQUEST:

2. A request for a special exception to the fence height regulations,
3. A request for a special exception to the 20-foot visibility obstruction regulations, and;
4. A request for a special exception to the 20-foot visibility obstruction regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT STANDARDS REGULATIONS:

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STANDARD 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:

No staff recommendation are made on these requests.

The Development Services Engineer recommends approval of visibility encroachment at the driveway; however, he recommends denial of visibility encroachment at the alley.

BACKGROUND INFORMATION:

Zoning:

Site: CD-8; Subarea R-7.5 (A) (Single Family District)
North: CD-8
East: CD-8
South: CD-8
West: CD-8

Land Use:

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

BDA History:

No BDA history in the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Robert Smith for the property located at 2764 Catherine Street focuses on 3 requests. The first request is for a special exception to the fence height regulations of 4-feet. The applicant is proposing to construct and maintain a 6-foot 6-inch high fence in a required front yard, which will require a 2-foot 6-inch special exception to the fence height regulations. The applicant is proposing the fence along Pierce Street and along the alley. It is imperative to note the fence along Pierce Street will include a gate.
- Secondly, the applicant proposes to maintain a single-family fence in a required visibility triangle at the driveway approach along Pierce Street, which will require a special exception to the visual obstruction regulations. The visual obstruction regulations require a 20-foot visibility triangle at all driveway approaches.
- Additionally, the applicant proposes to maintain a single-family fence structure in a required visibility triangle at the intersection of the edge of an alley and an adjacent street curb line, which requires a 20-foot special exception to the visual obstruction regulations.
- The subject site along with the surrounding properties are all developed with single family uses.
- It is imperative to note that the subject site is a corner lot.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to maintain a new 6-foot 6-inch wooden fence. The proposed fence and gate are shown to encroach into the required visibility triangle at the driveway approach along Pierce Street. The proposed fence is also shown to encroach into the visibility triangle at the street intersection and the alley.
- The CD-8 zoning district limits the height of a fence in the 50% of the side-yard and corner side-yard to 4-feet.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring property.
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations does not constitute a traffic hazard.
- If the Board were to grant this special exception request and impose a condition that the applicant complies with the submitted site plan/elevation, the proposal of 6-feet 6-inches in height in the front yard setback would be limited to that what is shown on the submitted documents.
- Additionally, granting this request for a special exception to the visual obstruction regulations with a condition imposed that the applicant complies with the submitted site plan would limit

the proposed fence in the 20-foot visibility triangles at the driveway into the site from Pierce Street and the alley to what is shown on the submitted documents.

- [BDA223-097 2764 Catherine](#)

Timeline:

September 13, 2023: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

October 2, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

October 4, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and November 3, 2023, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 1, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

December 19, 2023: The applicant requested that this case be postponed until February due to unexpected family emergencies that has caused a delay with making revisions to his plans and trying to come into compliance.

January 16, 2024: The Board of Adjustment Panel A moved to hold this matter under advisement until February 20, 2024.

February 2, 2024: 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 Development Services Senior Plans Examiner, the Assistant City Attorney to the Board, the Senior Planner and Code Compliance staff.

Speakers:

For: Robert Smith, 3000 Irving Blvd., Dallas TX 75211
Luis Salcedo, 401 College Station, Grand Prairie, TX 75050

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 223-097, on application of Robert Smith, **DENY** the special exception requested by this applicant to construct and/or maintain a 6-foot 6-inch high fence **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Kathleen Davis					
Second:	David A. Neumann					
Results:	4-0 Unanimously					Moved to deny
		Ayes:	-		5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Rachel Hayden, Jay Narey
		Against:	-		0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 223-097, on application of Robert Smith, **DENY** the special exception requested by this applicant to maintain items in the visibility triangle at the drive approach **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would constitute a traffic hazard.

Maker:	Kathleen Davis					
Second:	Rachel Hayden					
Results:	5-0 Unanimously					Moved to deny
		Ayes:	-		5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Rachel Hayden, Jay Narey
		Against:	-		0	

Motion # 3

I move that the Board of Adjustment, in Appeal No. BDA 223-097, on application of Robert Smith, **DENY** the special exception requested by this applicant to maintain items in the visibility triangle at the drive approach **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would constitute a traffic hazard.

Maker:	Kathleen Davis					
Second:	Rachel Hayden					
Results:	4-1					Moved to deny
		Ayes:	-		4	David A. Neumann, Kathleen Davis, Rachel Hayden, Jay Narey
		Against:	-		1	Michael Hopkovitz

INDIVIDUAL CASES

8. 715 W. Redbird Avenue BDA234-003_FR1(DB)

BUILDING OFFICIAL'S REPORT: Application of Leticia Dorsey for a variance to the side-yard setback regulations at 715 W. RED BIRD LN. This property is more fully described as Block 13/6909, Lot 15, and is zoned R-7.5(A), which requires side-yard setback of 5-feet.

LOCATION: 715 W. Redbird Avenue

APPLICANT: Leticia Dorsey

REQUESTS:

The applicant is requesting a fee reimbursement for fees paid for the application of a variance to the side-yard setback regulations at 715 W. Redbird Avenue.

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.** If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests.

Timeline:

November 9, 2023: **The applicant submitted an "Application/Appeal to the Board of Adjustment"** and related documents which have been included as part of this case report.

November 12, 2023: The applicant submitted an email requesting the fee waiver to be taken into consideration.

December 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

December 6, 2023: The Sustainable Development and Construction 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 December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, deadline to submit additional evidence to be **incorporated into the board's docket materials.**

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

January 4, 2024: Applicant submitted documentary evidence to prove hardship.

January 16, 2024: Application of Leticia Dorsey for a variance to the side-yard setback regulations at 715 W. RED BIRD LN was approved but the fee waiver was not placed on the docket therefore the fee waiver will be heard on February 20, 2024

Email request:

fee waiver



Leticia Dorsey <ledorsey23@gmail.com>

To Barkume, Diana

FOLLOW UP

Follow up. Start by Wednesday, January 17, 2024. Due by Wednesday, January 17, 2024.

External Email!

On this date of November 12, 2023 I Leticia Dorsey am requesting a refund for the case fee of \$610 dollars.

Thank you, Leticia Dorsey

Speakers:

For: Gabriella Dorsey, 715 W. Red Bird Ln., Dallas TX 75232

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-003_FR1, on application of Leticia Dorsey, **DENY** the request to reimburse the filing fees paid in association with a request for a special exception to the fence height regulations and visibility triangle regulations as requested by this applicant (with/without) prejudice, because our evaluation of the property and the testimony shows that payment of the fee would NOT result in substantial financial hardship to this applicant.

Maker:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Moved to deny
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz, and Jay Narey
		Against:	-	0	

9. 909 S. Corinth Street Road
BDA234-009_FR1(DB)

BUILDING OFFICIAL'S REPORT: Application of Dejuan Session for a variance to the front yard setback regulations at 909 S. CORINTH ST. RD. This property is more fully described as Block 27/3588, Lot 4-6 and part of lot 3, and is zoned RR, which requires a front yard setback of 15-feet.

LOCATION: 909 S Corinth St. RD.

APPLICANT: Dejuan Session

REQUESTS:

The applicant is requesting a fee reimbursement for fees paid for the application of a variance to the front-yard setback regulations at 909 S Corinth St. RD.

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.** If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests.

Timeline:

November 27, 2023: **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 1, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

December 6, 2023: The Sustainable Development and Construction 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 December 22, 2023, deadline to submit additional evidence for staff to factor into their analysis; and January 5, 2024, deadline to submit additional evidence to be **incorporated into the board's docket materials.**
- the criteria/standard that the board will use in their decision to approve or deny the request; and

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

January 11, 2024: Applicant requested to withdraw his application; Per working rules of procedure, the applicant did not provide the required number of days to withdraw therefore the case remained on the docket to be heard on January 16, 2024;

January 16, 2024: Applicant decided to request a withdraw during the hearing, therefore, the case was denied without prejudice.

January 24, 2024: Applicant met with city staff to discuss his options; Applicant decided to request a fee waiver prior to reapplying to the board of adjustment.

Email request:

From: d session <d.session2015@yahoo.com>
Sent: Thursday, January 11, 2024 8:18 AM
To: Barkume, Diana <diana.barkume@dallas.gov>; Castaneda, Nora <nora.castaneda@dallas.gov>
Subject: 909 S. Corinth St Rd Dallas, TX 75203

External Email!

Good Morning,

I De Juan Lamar Session request to withdraw my application for D Dawgz & Margz To Go 909 S. Corinth St Rd Dallas, TX 75203. Reason being I decided to go a different route.

Due to unforeseen issues that keep arising to get permits finalize. Secondly, I will not have updated Tax documentation needed by January 16, 2024 hearing date.

Due to Owner of property pays taxes every year on the 31st of January.

Requesting refund please of \$1104.85. Any questions or concerns I can

be reach at email below d.session2015@yahoo or 214-972-8020

Thanks

Always willing to do business with you!!
Mr. Session

Speakers:

For: DeJuan Session, 909 S. Corinth Street Rd. Dallas TX 75203

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-009_FR1, on application of Dejuan Session, **GRANT** the request to reimburse the filing fees paid in association with a request for a special exception to the fence height regulations and visibility triangle 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:	David A. Neumann				
Second:	Michael Hopkovitz				
Results:	5-0 unanimously				Moved to grant
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Kathleen Davis, Michael Hopkovitz and Jay Narey
		Against:	-	0	

*****Recess at 2:55 p.m. – 3:00 p.m.*****

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman moved to adjourn the meeting at 4:31 p.m.

Maker:	Rachel Hayden				
Second:	Jay Narey				
Results:	5-0 unanimously				Moved to adjourn

Required Signature:
Mary Williams, Board Secretary
Development Services Dept.

Date

Required Signature:
Dr. Kameka Miller-Hoskins, Interim Chief Planner
Development Services Dept.

Date

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

Date

FILE NUMBER: BDA234-029 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Rick Smith for **(1)** a variance to the front-yard setback regulations at 3500 Latimer St. This property is more fully described as Block G/1698, part of lots 1 and 2, and is zoned PD-595 (R-5(A), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback facing Lenway St., which will require **(1)** a 15-foot variance to the front-yard setback regulations.

LOCATION: 4823 Gurley Ave.

APPLICANT: Brenda Santos

REPRESENTED BY:

REQUEST:

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

STANDARD FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Is restrictive in area due to the lot size (4996.33 sqft); The minimum lot area for residential use in the R-5(A) zoning district is 5,000 sqft; 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.

BDA HISTORY:

No BDA history found within the last 5 years.

Square Footage:

This lot contains 4,996.33 of square feet.

This lot is zoned R-5(A) which has a minimum lot size of 5,000 square feet.

Zoning:

- Site: R-5(A) (Single-Family Zoning District)
- North: R-5(A) (Single-Family Zoning District)
- South: R-5(A) (Single-Family Zoning District)
- East: R-5(A) (Single-Family Zoning District)
- West: R-5(A) (Single-Family Zoning District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 15-feet is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a single-family dwelling unit.
- Zoning District R-5(A) requires a minimum setback of 20-feet.
- As gleaned from the submitted site plan, the newly constructed home encroaches into the 20-foot required front yard setback.

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

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed 15-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BDA234-029 3500 Latimer St.](#)

Timeline:

January 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.

February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

February 15, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer



1:1,200

AERIAL MAP

Case no: BDA234-029

Date: 2/9/2024

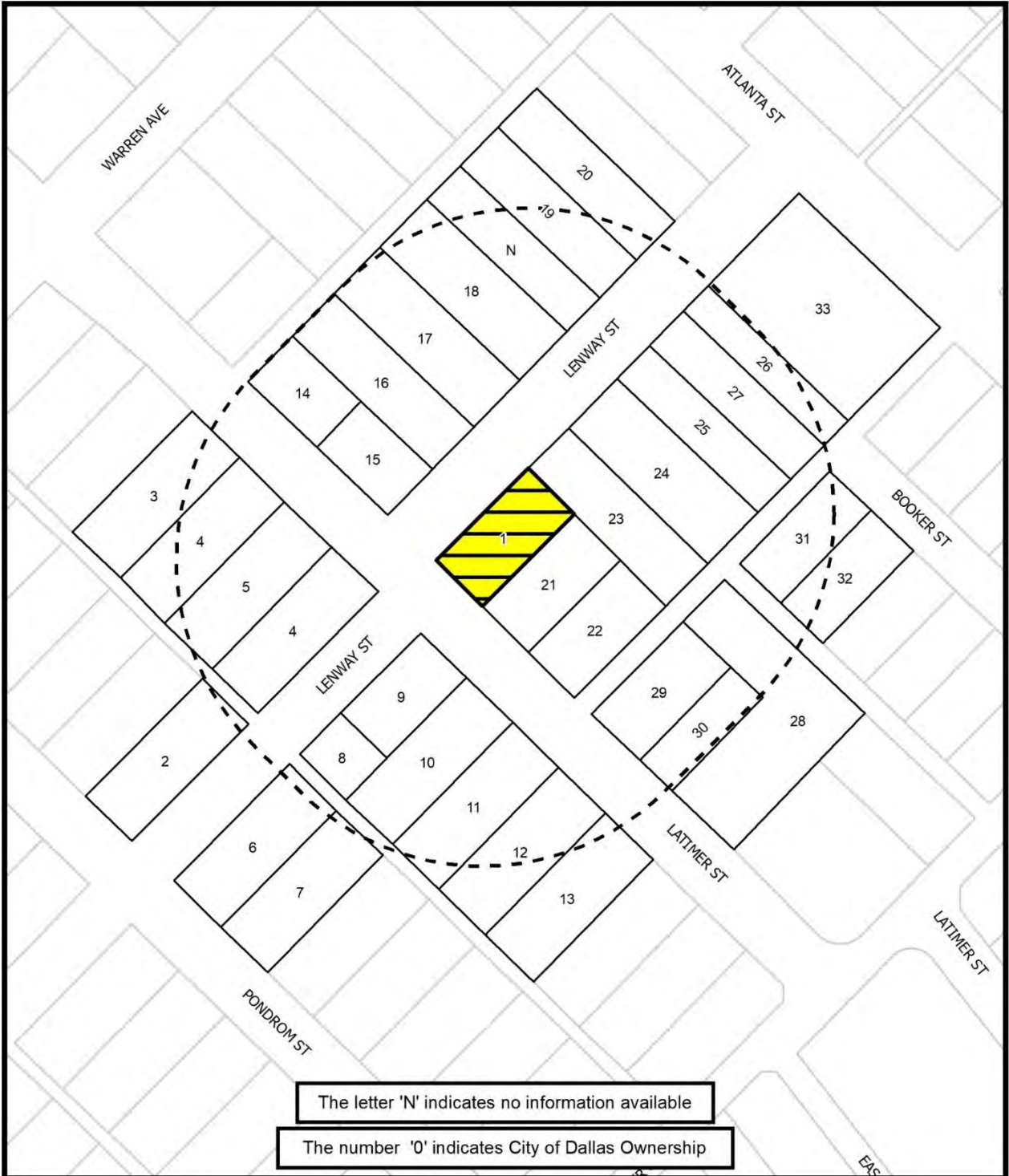


1:1,200

ZONING MAP

Case no: BDA234-029

Date: 2/9/2024



The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

33

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-029**

Date: **2/9/2024**



The letter 'N' indicates no information available
 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;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">33</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	33	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA234-029 Date: 2/9/2024
200'	AREA OF NOTIFICATION					
33	NUMBER OF PROPERTY OWNERS NOTIFIED					

1
02/09/2024

Notification List of Property Owners

BDA234-029

33 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3500 LATIMER ST	NINE FOUR ELEVEN LLC
2	3424 PONDROM ST	THURSBY TAQUERIA
3	3415 LATIMER ST	JOHNSON MELONY FRENCELLE
4	3419 LATIMER ST	DESOTO REAL ESTATE RESOURCE LLC
5	3423 LATIMER ST	ANDERSON CAMERON DESEAN &
6	3500 PONDROM ST	BRYANT BARBARA SANDERS
7	3504 PONDROM ST	WHITAKER ED
8	2412 LENWAY ST	DALLAS SKYFALL LLC
9	3501 LATIMER ST	TRAN JENNY
10	3505 LATIMER ST	MOXIE INVESTMENTS LTD
11	3509 LATIMER ST	SUN LAND RESERVE OF AMERICA INC
12	3513 LATIMER ST	DALLAS SKYFALL LLC SERIES
13	3517 LATIMER ST	DESOTO REAL ESTATE
14	3414 LATIMER ST	EBRAHIMI ALI
15	2501 LENWAY ST	MWOMBEKI THERESIA ROBERT &
16	2505 LENWAY ST	JOMEL MTG LLC
17	2509 LENWAY ST	MURPHY SHARON D
18	2513 LENWAY ST	MURPHY RICHARD &
19	2521 LENWAY ST	MCCOY BRENDA EST OF
20	2523 LENWAY ST	BROWN PEARLINE
21	3504 LATIMER ST	MANUEL BRENDA
22	3510 LATIMER ST	TIMELESS MODERN HOMES DFW LLC
23	2510 LENWAY ST	S&S LENDING
24	2512 LENWAY ST	WAFFORD DONDI
25	2518 LENWAY ST	SAVAGE SHERNETT
26	2524 LENWAY ST	GREATER ST LUKE

2/09/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2520 LENWAY ST	ZALDIVAR WALDINA
28	3522 LATIMER ST	GEBREDINGIL TESFA
29	3512 LATIMER ST	JAMES LOUSHIE ESTATE OF
30	3516 LATIMER ST	WALTON CURLEY & ALMA D
31	3501 BOOKER ST	LEE ELVERETTE D
32	3507 BOOKER ST	JC LEASING LLP
33	2530 LENWAY ST	GREATER ST LUKE BAPTIST



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
33 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-029**

Date: **2/9/2024**



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

JAN 12 REC'D

Case No.: BDA

FO 284-029 REC'D

Data Relative to Subject Property:

Date:

FOR ORANDELUS ONLY

Location address: 3500 Latimer Street

Zoning District:

CA-1(A) PD S95, R-5

Lot No.: 1 & 2 Block No.: G/1698 Acreage: 0.1147

Census Tract:

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Nine Four Eleven, LLC

Applicant: Rick Smith

Telephone: 214-649-3258

Mailing Address: 518 N Hwy 67, Cedar Hill, Texas

Zip Code: 75104

E-mail Address: Nine4Eleven@Gmail.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception of _____

15ft to the front yard setback along Lennox St. Proposing setback at 5ft. (RS)

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 new construction on a corner lot
I would like to provide continuity along Lennox. I am liberal on construction. (RS)

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 Rick Smith

Rick Smith

(Affiant/Applicant's name printed)

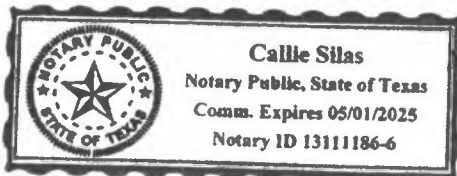
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 30 day of October, 2023

Callie Silas



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 RICK SMITH

did submit a request for (1) a variance to the front-yard setback regulations
at 3500 Latimer St

BDA234-029(CJ) Application of Rick Smith for (1) a variance to the front-yard setback regulations at 3500 LATIMER ST. This property is more fully described as Block G/1698, part of lots 1 and 2, and is zoned PD-595 (R-5(A), which requires a front-yard setback of 20-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 5-foot front-yard setback facing Lenway St., which will require (1) : 15-foot variance to the front-yard setback regulations.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA



Appeal number: BDA 234-029

I, Nine Four Eleven, LLC / Jennifer Smith, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3500 Latimer Street, Dallas, Texas 75215
(Address of property as stated on application)

Authorize: Rick Smith
(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: 15 ft to the front yard setback along Latimer St & proposing setback at 5 ft along Lengway St.

The reason for the request is to provide continuity of construction on the block & to avoid conflict with neighbors due to unusual aesthetics.

Nine Four Eleven, LLC / Jennifer Smith
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

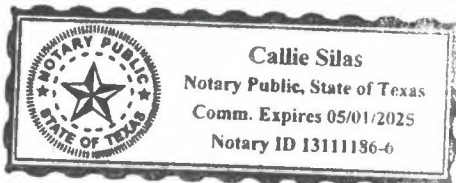
Date 10/30/23

Before me, the undersigned, on this day personally appeared Jennifer Smith

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

Subscribed and sworn to before me this 30 day of October, 2023

[Signature]
Notary Public for Dallas County, Texas



Commission expires on 05/01/2025

SHIPPED DATE 7/76 RECEIVED DATE

CITY OF DALLAS PLAT BOOKS

ANNEXED APRIL 1, 1919

ORD. NO.

ADDITION

BLOCKS 1694 TO 1704

SURVEY A. MCDANIEL

ABST. 983

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS



BDA234-029

Warren's Addn.

DALLAS COUNTY PLAT BOOKS

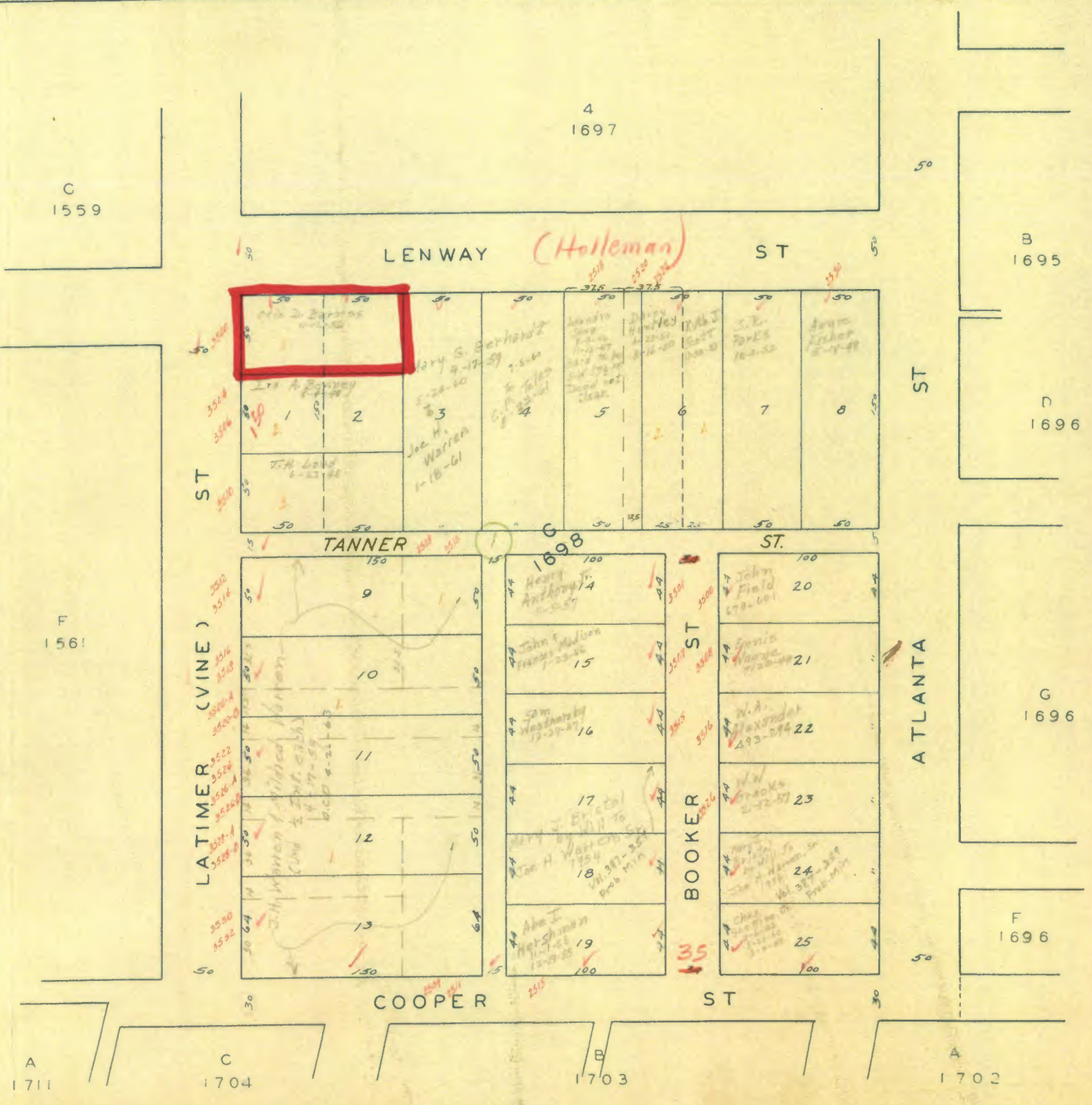
BRISTOLS
Filed 1-18-10

REVISED ADDITION
VOL. 1-250 m.R.

OF THE CITY OF DALLAS
SCALE 5.0 FT EQUAL 1 INCH

555

BLOCKS 1698

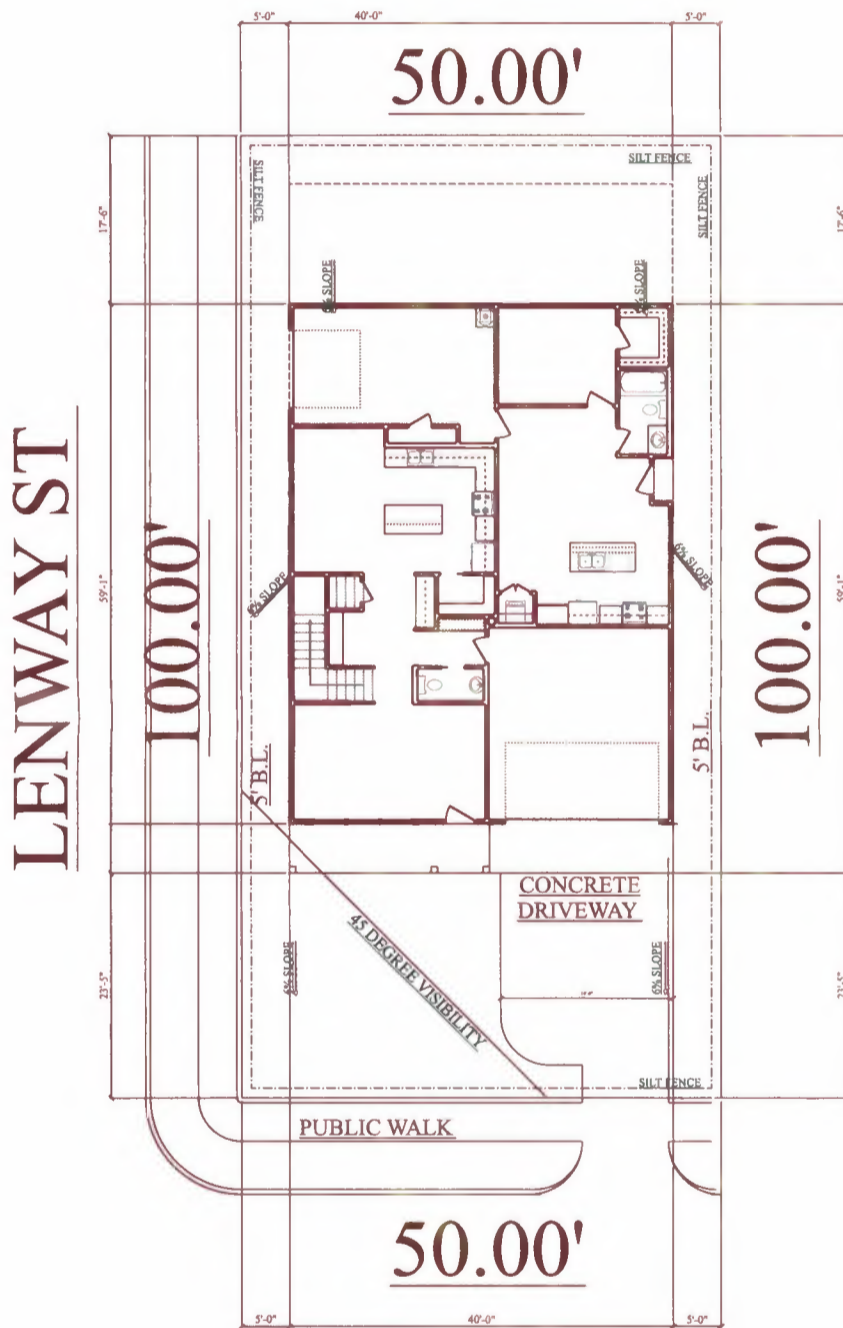


205

BDA234-029



**BLK G/1698 PT 1 & 2
LATIMER & LENWAY
DALLAS, TEXAS
DALLAS COUNTY**



FLOOD CONTOUR
ZONING R-5A
LOT SIZE 9,809
AREA COVERAGE 1,738
COVERAGE AREA 18%

NO UTILITY POLE,
STORM WATER INLETS, ETC.
ARE PRESENT ON PROPERTY

TREE - MIN 2" CALIPER

WATER DRAINAGE
PLAN INDICATED
BY ARROWS

3500 LATIMER STREET **SITE PLAN**
SCALE: 1" = 20'-0"

BDA234-029



Residential Home Designs
(214) 399-0663
DesignsYourWay.RC@gmail.com
18756 Stone Oak Pkwy., Suite 200
San Antonio, TX 75258

JULY 22nd, 2023

PLAN ID
2258

SMITH

A NEW SINGLE FAMILY HOME
TO BE CONSTRUCTED @
3500 LATIMER STREET
LOT PT 1 & 2 BLOCK G/1698
BRISTOLS LL
DALLAS, TEXAS - DALLAS COUNTY



FILE NUMBER: BDA234-033(CJ)

BUILDING OFFICIAL'S REPORT Application of JOEL PERALES for **(1)** a special exception to the fence height regulations, and for **(2)** a for a special exception to the fence opacity regulations, and **(3)** a special exception to the visibility obstruction regulations at 3216 Peoria Ave. This property is more fully described as Block 21/7159, Lot 4 and is zoned both CS(commercial service) and R-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, and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard which will require **(1)** a 2-foot special exception to the fence height regulations, and the applicant proposes to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require **(3)** a special exception to the visibility obstruction regulation.

LOCATION: 3216 Peoria St.

APPLICANT: Joel Perales

REQUEST:

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

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

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

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

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

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this or any request for a special exception to the fence 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-5 (A) (Single Family District)
North: R-5 (A) (Single Family District)
East: R-5 (A) (Single Family District)
South: R-5 (A) (Single Family District)
West: R-5 (A) (Single Family District)

Land Use:

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

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application Darian Kaar, for the property located at 3216 Peoria Street focuses on 3 requests relating to the fence height, fence standards and visibility obstruction regulations.
- The applicant proposes to construct and maintain and 6-foot-high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding prohibited opacity,
- Lastly, the applicant is proposing to construct and or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction regulation.

- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 6-foot-high fence around the circumference of the property at 3216 Peoria Street.
- The fence material is partially wood, wrought iron and concrete.
- It is imperative to note that the subject site is a mid-block lot, and it has single street frontage on Peoria Street.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height, opacity and visibility obstruction regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

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

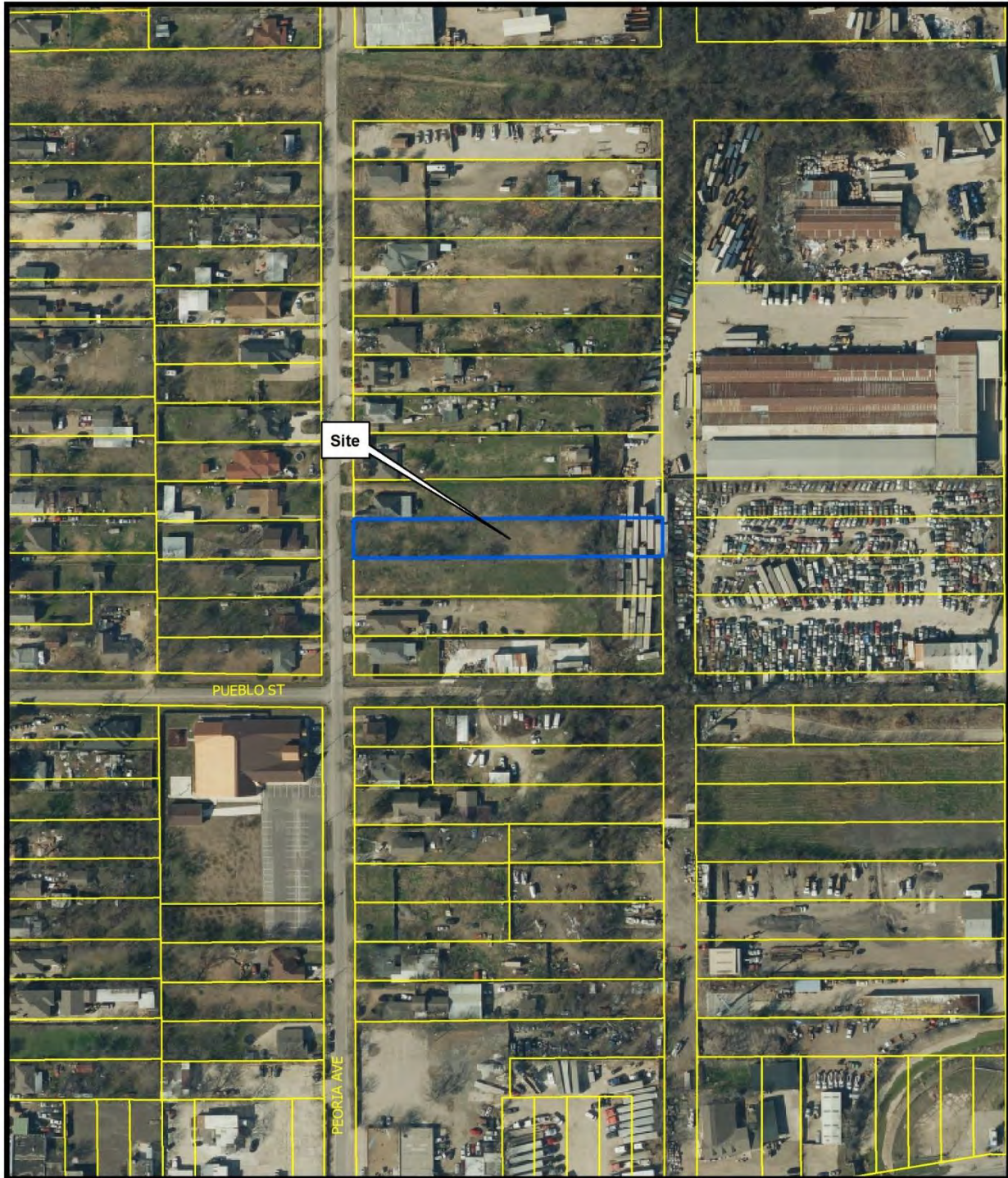
February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

February 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and

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

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March 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

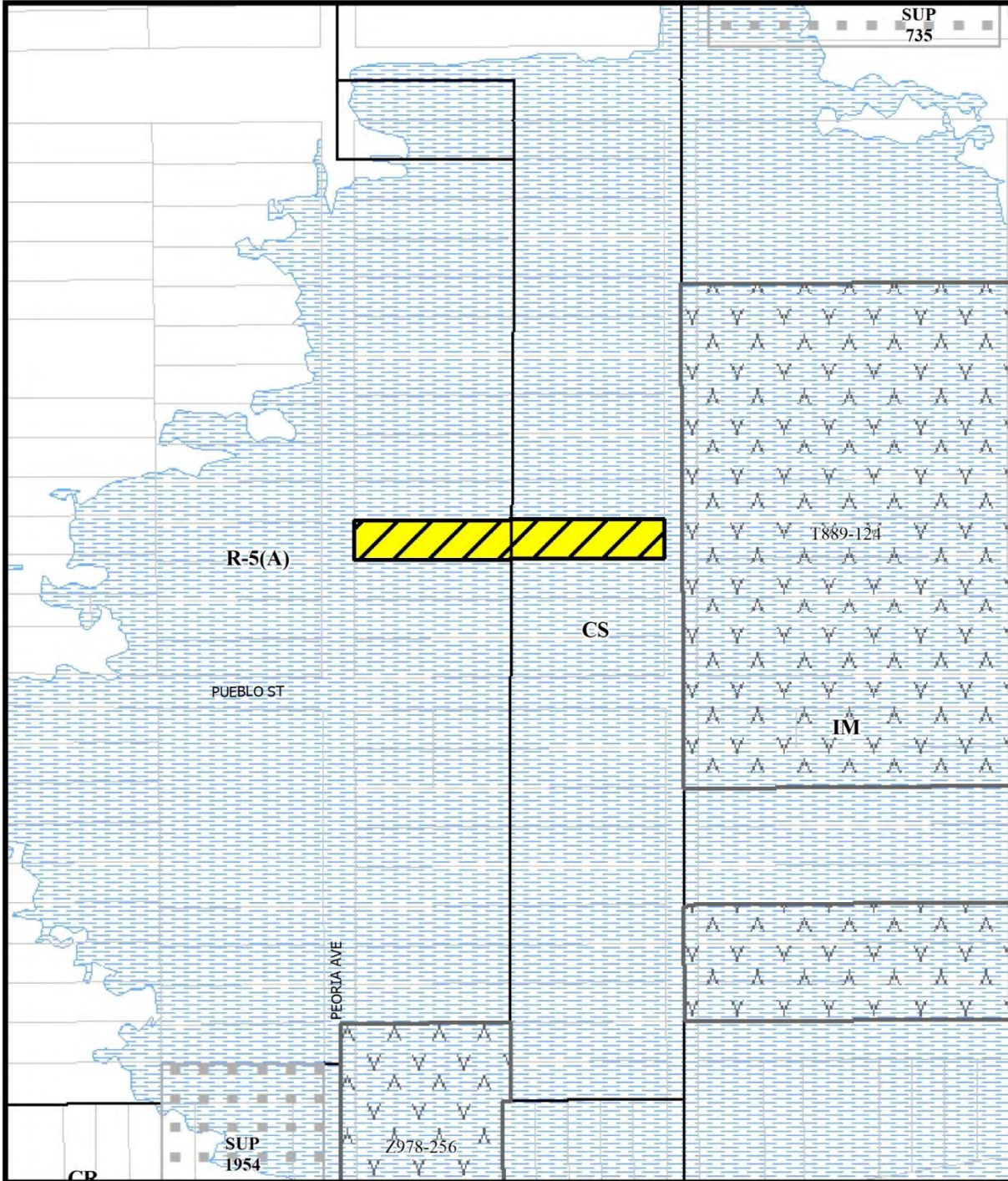


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AERIAL MAP

Case no: BDA234-033

Date: 2/22/2024

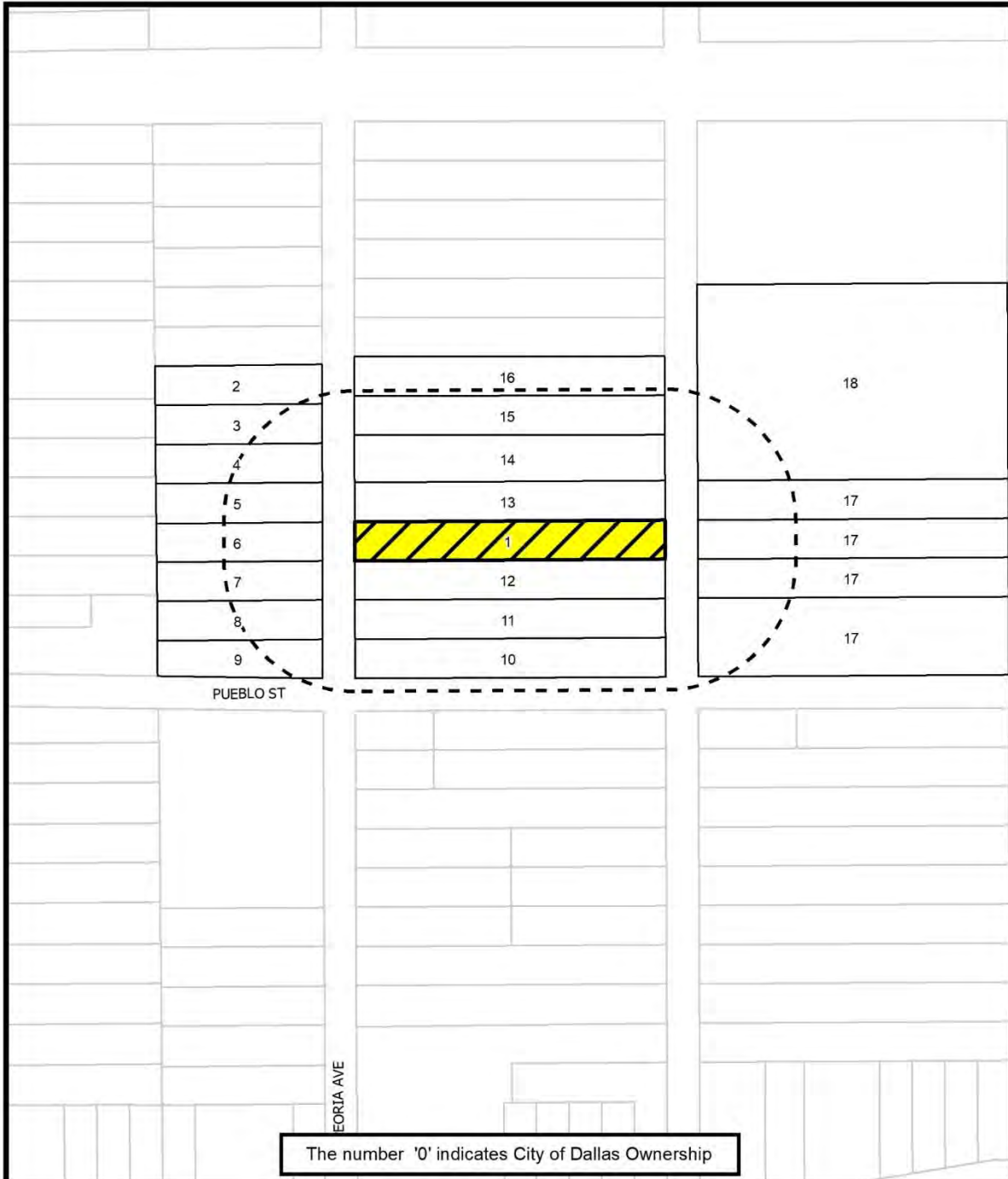


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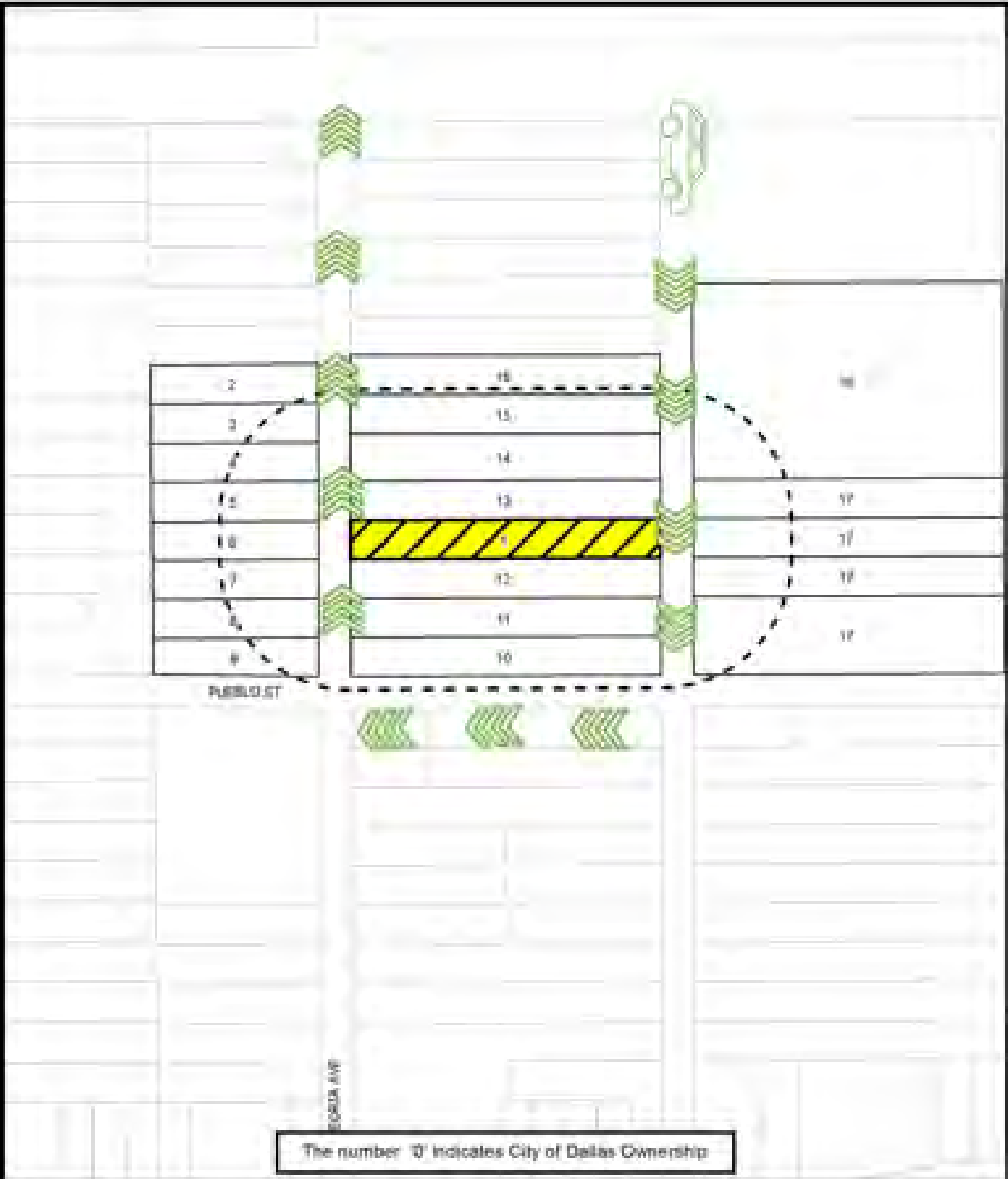
ZONING MAP

Case no: BDA234-033

Date: 2/22/2024



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">18</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	18	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA234-033 Date: 2/22/2024
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18	NUMBER OF PROPERTY OWNERS NOTIFIED					



 1:2,400	NOTIFICATION		Case no: BDA234-033
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">18</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/22/2024	

1
02/22/2024

Notification List of Property Owners

BDA234-033

18 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3216 PEORIA AVE	PERALES JOEL
2	3303 PEORIA AVE	GONZALEZ YOLANDA C
3	3231 PEORIA AVE	CARMONA ANTONIO
4	3227 PEORIA AVE	CORREA ISMAEL &
5	3223 PEORIA AVE	PEREZ JUAN JOSE &
6	3217 PEORIA AVE	VIGIL FLORENCIO ARMIJO &
7	3211 PEORIA AVE	AGUILAR JAIME & LIDIA
8	3205 PEORIA AVE	ACOSTA ROSA O
9	3203 PEORIA AVE	ACOSTA ROSA &
10	3202 PEORIA AVE	FLORES DAVID M SR
11	3206 PEORIA AVE	MARTINEZ BLANCA
12	3212 PEORIA AVE	ORTIZ NANCY A &
13	3222 PEORIA AVE	VIERA CARLOS G &
14	3226 PEORIA AVE	GALINDO JOSE
15	3230 PEORIA AVE	SIERRA SANTOS
16	3302 PEORIA AVE	ROSTRO MARCOS &
17	3203 PLUTO ST	MORADO VICTOR
18	3303 PLUTO ST	SZARKOWSKI RICHARD &



1:2,400

NOTIFICATION

200'	AREA OF NOTIFICATION
18	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-033**

Date: **2/22/2024**



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

234-033
RECEIVED
JAN 22 2024
BY: [initials]

Data Relative to Subject Property:

Date:

Location address: 3216 Peoria Ave Zoning District: R-5(A)

Lot No.: 4 Block No.: 217159 Acreage: 0.65 ac Census Tract: _____

Street Frontage (in Feet): 1) 60 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Joel Perales

Applicant: Joel Perales Telephone: (214) 288-3620

Mailing Address: 3214 Odessa St. Zip Code: 75212

E-mail Address: joelperales1011@gmail.com

Represented by: Blas Garza Telephone: (214) 927-8556

Mailing Address: 1419 Memory Ln. Zip Code: 75217

E-mail Address: garzablas71@yahoo.com

Affirm that an appeal has been made for a Variance or Special Exception of new masonry front fence H = 6'-0" (CMU concrete block) 2'-0" special exception

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:

Home Protection

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 Joel Perales

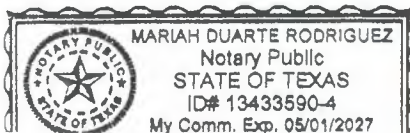
(Affiant/Applicant's name printed)

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 11th day of January, 2024

Mariah D Rodriguez
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 JOEL PERALES

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations, and for (3) a special exception to the visibility obstruction regulations

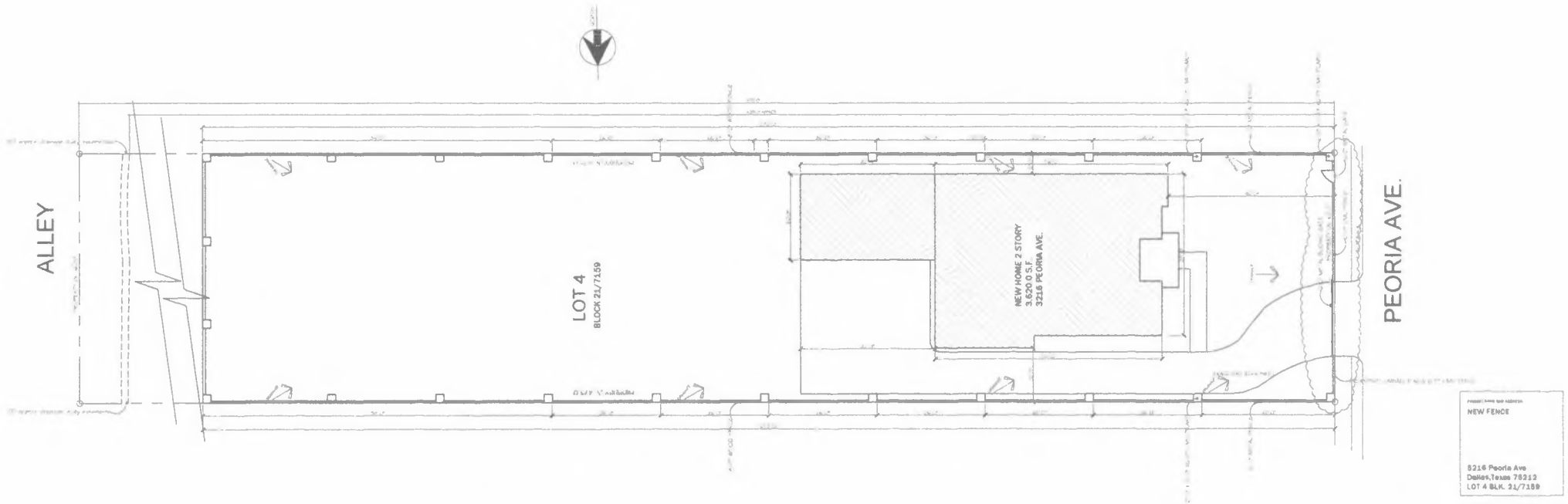
at 3216 Peoria Ave

BDA234-033(CJ) Application of Joel Perales for (1) a special exception to the fence height regulations, and for (2) a for a special exception to the fence standards regulations, and (3) a special exception to the visibility obstruction regulations at 3216 PEORIA AVE. This property is more fully described as Block 21/7159. Lot 4 and is zoned both CS (commercial service) and R-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, and requires a 20-foot visibility triangle at driveway approaches. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard which will require (1) a 2-foot special exception to the fence height regulations, and the applicant proposes to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations, and the applicant proposes to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle, which will require (3) a special exception to the visibility obstruction regulation.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



SITE PLAN
SCALE 3/32" = 1'-0"

PROPOSED HOME AND ADDRESS
NEW FENCE

5216 Peoria Ave
Dallas, Texas 75212
LOT 4 BLK. 21/7159

#	DATE	DESCRIPTION
1	09-28-23	ISSUE FOR PERMIT

GARZA
CONSTRUCTION
CONSULTANTS

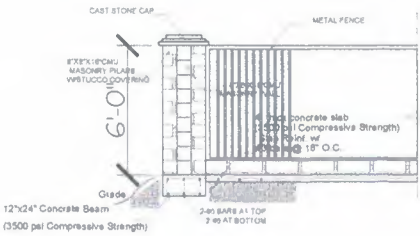
1418 MEMORY LN DALLAS TEXAS
75217
PH: 214 8778888
garza@garza71.com

SITE PLAN

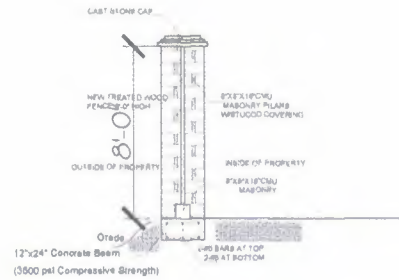
S-1
JOB NO SHEET

BDA234-033

DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE. THE CONTRACTOR AND THE OWNER ARE ULTIMATELY RESPONSIBLE TO CONFIRMING AND CORRELATING DIMENSIONS AT THE JOB SITE. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THIS PROJECT.



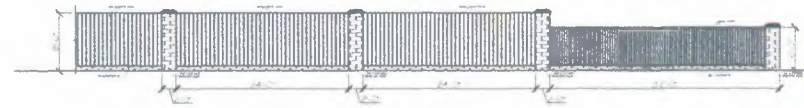
WALL SECTION "A"
Scale : 3/8" = 1'-0"



WALL SECTION "B"
Scale : 3/8" = 1'-0"



RIGHT SECTION VIEW



LEFT SECTION VIEW



FRONT VIEW

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES AND AGENCIES OF THE STATE OF TEXAS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES AND AGENCIES OF THE STATE OF TEXAS.
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NEW FENCE
3216 Peoria Ave.
Dallas, Texas 75212
LOT 4 BLK. 21/7159

4	DATE	SUBMISSION
	09-23-23	Initial Submission

GARZA
CONSTRUCTION
CONSULTANTS
1416 MEMORY LN DALLAS TEXAS
75211
PH 214 9278506
garza@garza71@yahoo.com



Yovana Chapa
09/26/2023

STRUCTURAL WALL
SECTION FRONT AND SIDE
VIEW

A-1
JOB NO. 04017

BDA234-033

FILE NUMBER: BDA234-036 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for **(1)** a variance to the front-yard setback regulations at 2105 W. Northwest Hwy. This property is more fully described as Block A/6485, Lot 1, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 1-foot front-yard setback, which will require **(1)** a 14-foot variance to the front-yard setback regulations.

LOCATION: 2105 W. Northwest Hwy

APPLICANT: Baldwin Associates - Rob Baldwin

REPRESENTED BY: Baldwin Associates - Rob Baldwin

REQUEST:

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

STANDARD OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Restrictive in shape; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning. Is a self-created or personal hardship.
- C. Not a self-created or personal hardship.

BDA HISTORY:

No BDA history found within the last 5 years.

Square Footage:

This lot contains 16165.116 of square feet.

Zoning:

- Site: IR (Industrial District)
- North: IR (Industrial District)
- South: IR (Industrial District)
- East: IR (Industrial District)
- West: IR (Industrial District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations, of 14-feet is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a non-residential structure.
- Zoning District IR requires a minimum setback of 15-feet.
- As gleaned from the submitted site plan, the proposed renovations to the existing subject site encroach into the 15-foot required front yard setback.

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

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed 14-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BDA234-036 2105 W. Northwest Hwy](#)

Timeline:

- January 12, 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.
- February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- February 15, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

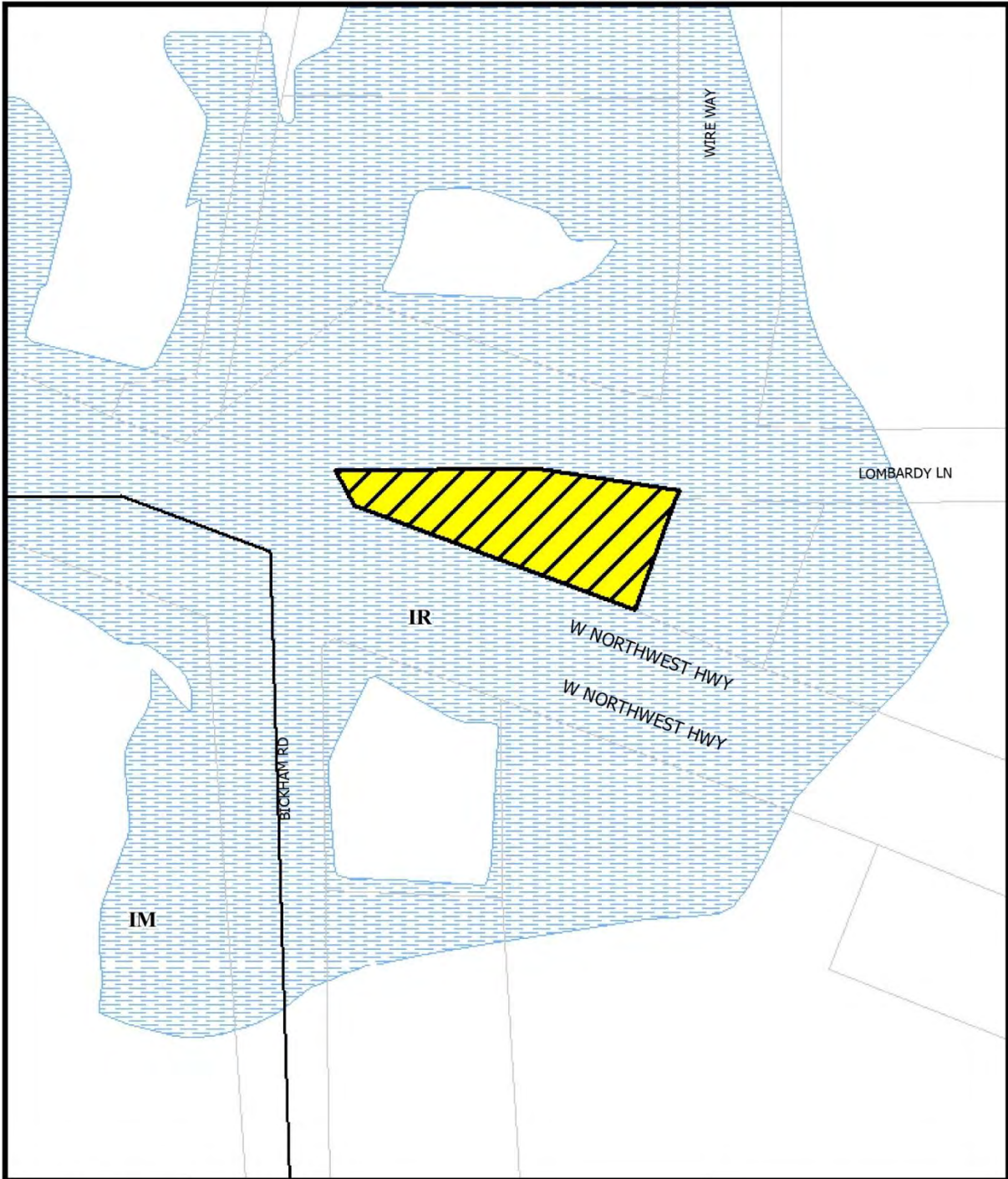


1:1,200

AERIAL MAP

Case no: **BDA234-036**

Date: **2/16/2024**

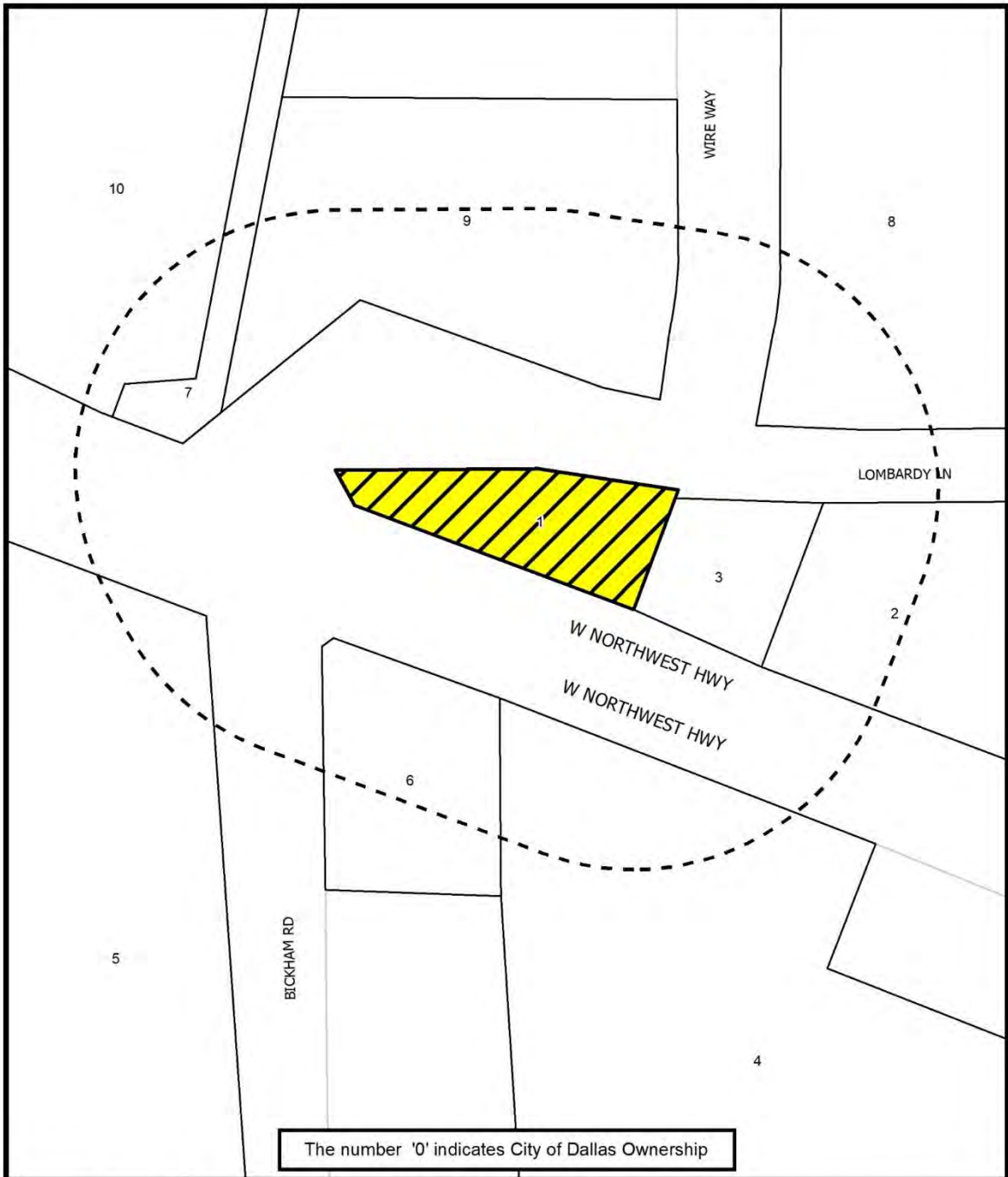


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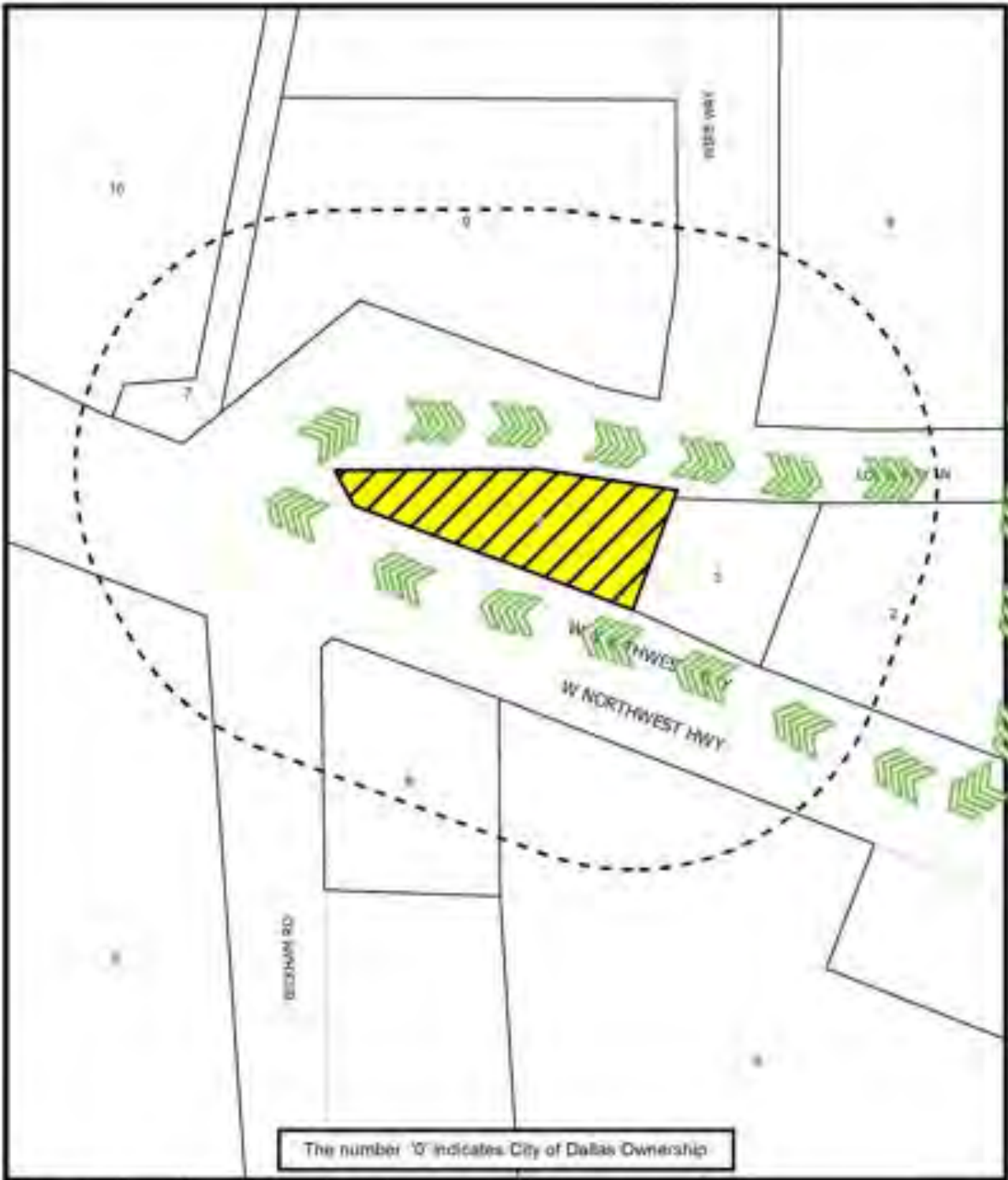
ZONING MAP

Case no: BDA234-036

Date: 2/16/2024



 1:1,200	NOTIFICATION		Case no: BDA234-036
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">10</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/16/2024	



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
10 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-036**

Date: **2/16/2024**

02/16/2024

Notification List of Property Owners

BDA234-036

10 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2105 W NORTHWEST HWY	JSDN REAL ESTATE LTD
2	2117 W NORTHWEST HWY	PAR T ENTERPRISES LP
3	2111 W NORTHWEST HWY	MASHIMZU INCORPORATED
4	2110 W NORTHWEST HWY	ANANI LLC
5	2000 CALIFORNIA CROSSING RD	HARRISON MIKE
6	2102 W NORTHWEST HWY	ANANI LLC
7	10557 WIRE WAY	LIKEITH HOLDINGS LLC
8	2257 LOMBARDY LN	H & G REAL ESTATE PS
9	2223 LOMBARDY LN	EWING IRRIGATION PRODUCTS
10	2051 W NORTHWEST HWY	PORT CITY RETAIL LLC &

 1:1,200	NOTIFICATION	Case no: BDA234-036
	200' AREA OF NOTIFICATION 10 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/16/2024



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-036
Date: JAN 23 REC'D
Zoning District: IR

Data Relative to Subject Property:

Location address: 2105 West Northwest Highway
Lot No.: 1 Block No.: 6485 Acreage: 0.3711 acres Census Tract: 48113009900
Street Frontage (in Feet): 1) 147' 2) 56' 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): JSDN Real Estate, LTD.
Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949
Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226
E-mail Address: rob@baldwinplanning.com
Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949
Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226
E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance X, or Special Exception, of 14 feet into the required front yard setback.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The property is long, narrow and triangular shaped and the variance is required to allow for an expansion to the existing retail building.

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.

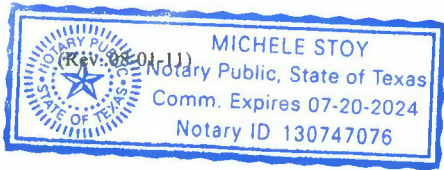
Affidavit

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

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

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

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



[Signature] Notary Public in and for Dallas County Texas



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-036

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

at: 2105 West Northwest Highway
(Address of property as stated on application)

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

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

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: _____

Variance to the front yard setback

DAN FOSTER
Print name of property owner or registered agent

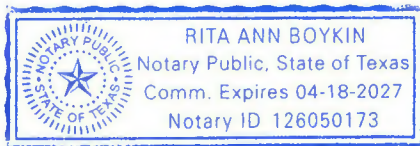
[Signature]
Signature of property owner or registered agent

Date 11-28-2023

Before me, the undersigned, on this day personally appeared _____

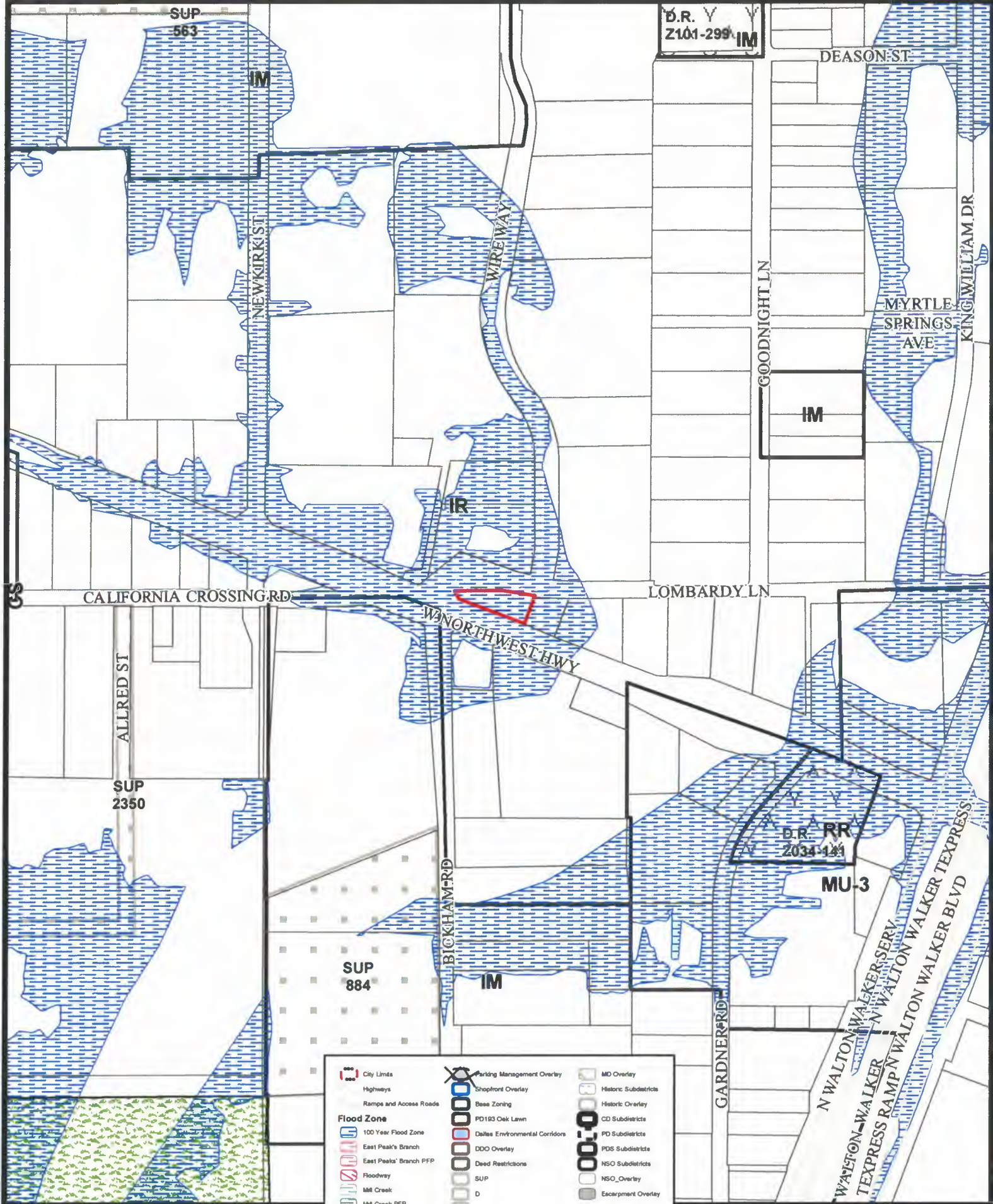
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 29th day of NOVEMBER, 2023



R. Boykin
Notary Public for Dallas County, Texas

Commission expires on 4/18/27



D.R. Y
2101-299 IM

SUP
563

DEASON ST

MYRTLE
SPRINGS
AVE

KING WILLIAM DR

GOODNIGHT LN

IM

IR

LOMBARDY LN

CALIFORNIA CROSSING RD

W NORTHWEST HWY

ALLRED ST

SUP
2350

D.R. RR
2034-141

MU-3

SUP
884

IM

BICKHAM RD

GARDNER RD

N WALTON WALKER TEXPRESS
N WALTON WALKER TEXPRESS
N WALTON WALKER TEXPRESS

	City Limits		Parking Management Overlay		MO Overlay
	Highways		Shopfront Overlay		Historic Subdistricts
	Ramps and Access Roads		Base Zoning		Historic Overlay
Flood Zone					CD Subdistricts
	100 Year Flood Zone		Dallas Environmental Corridors		PD Subdistricts
	East Peak's Branch		DDO Overlay		PDS Subdistricts
	East Peak's Branch PFP		Deed Restrictions		NSO Subdistricts
	Floodway		SUP		NSO_Overlay
	Mill Creek		D		Escarpment Overlay
	Mill Creek PFP		D-1		
	Peak's Branch		CP		
	Peak's Branch PFP		SP		
	X Protected by Levees				
	Parks				
	Height Map Overlay				



1:4,800

2001/07/00031

STATE OF TEXAS:
COUNTY OF DALLAS:

OWNERS CERTIFICATE

Whereas, Doug Ralston, Trustee for ROA Trust is the owner of a tract or parcel of land situated in the City of Dallas, Dallas County, Texas, and being part of Dallas City Block 6465; and being in the Eli Merrell Survey, Abstr. No. 978; and being a part of Tract No. 2 of the purchase of the Eli Merrell Estate, recorded in Volume B, Page 567 of the 14th District Court Minutes and being the same land described by deed recorded in Volume 81210, Page 1841 of the Deed Records of Dallas County, Texas, and being that tract of land conveyed to Doug Ralston recorded in Volume 98183, Page 5683 of the Deed Records of Dallas County, Texas, also including 5,492 square feet of Lombardy Lane ROW purchased from the City of Dallas and returned in Volume 2000184, Page 2671 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a cross found for corner in customs pavement at the intersection of the North line of said Eli Merrell Survey with the northeast line of Northwest Highway;

THENCE North 89° 35' 47" East a distance of 328.08 feet following the north line of the Eli Merrell Survey to a 1/4 inch iron rod found for corner in asphalt paving;

THENCE South 20° 30' 00" West a distance of 317.08 feet following the southeast line of the tract of land conveyed to Abdul B. Jappari and Mohammed H. Jappari by deed recorded in Volume 95179, Page 1808 of the Deed Records of Dallas County, Texas to a 3/4 inch iron rod found for corner in the northeast line of Northwest Highway;

THENCE North 69° 30' 00" West a distance of 306.49 feet following the northeast line of Northwest Highway to the place of beginning and containing 17,959 square feet or 0.412 acres of land.

Basis of Survey:
Bearings based on deed of Abdul B. Jappari and Mohammed H. Jappari as recorded in Volume 95179, Page 1808 of the Deed Records of Dallas County, Texas.

OWNERS DEDICATION:
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That DOUG RALSTON, Trustee for ROA Trust acting by and through its duly authorized agent does hereby adopt this plat, designating the herein described property as RALSTON ADDITION in addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate, ABSTRACT to the public use forever the streets and alleys shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire line easements shall in open to the public, fire and police utility, garbage and rubbish collection agencies, and all public and private utilities for each particular use. The maintenance of paving on the utility and fire line easements is the responsibility of the property owner. No buildings, fences, signs, driveways, or other improvements or growth shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the common use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fence, trees, shrubs, or other improvements or growth which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easement, and all public utilities shall at all times have the full right of ingress and egress to and from said upon the said easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining and adding to or removing all or parts of its respective systems without the necessity in any case of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

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

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

WITNESS, my hand at Dallas, Texas, this 17th day of August, 2001.
By: Doug Ralston
Doug Ralston, Trustee for ROA Trust

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared DOUG RALSTON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 17th day of August, 2001.
Notary Public in and for Dallas County



STATE OF TEXAS
COUNTY OF DALLAS

SURVEYOR'S CERTIFICATE

I, Arthur F. Beck, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from a actual on the ground survey of the land, and the monuments shown thereon were found and/or placed under my personal supervision in accordance with the planning rules and regulations of the City Plan Commission of the City of Dallas, Texas.

Arthur F. Beck
Arthur F. Beck
Texas Registered Professional Land Surveyor No. 2130



STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Arthur F. Beck known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 16th day of August, 2001.
Notary Public in and for Dallas County



FINAL PLAT
RALSTON ADDITION
PART OF CITY BLOCK 6465
ELI MERRELL SURVEY, ABST. NO. 978
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY PLAN FILE NO. 5989-232R
FOR
DOUG RALSTON
P.O. BOX 29183
DALLAS, TX 75229
PHONE: 972-241-6040

BY
BSM ENGINEERS, INC.
4111 EAST U.S. HWY. 80, SUITE 405
MESQUITE, TX 75150

SCALE: 1" = 20' FEB. 2001

BD234-036

THE CITY OF DALLAS, TEXAS
OFFICE OF THE CITY CLERK
1000 MAIN STREET, SUITE 1000
DALLAS, TEXAS 75202
PHONE: 214-670-2000
FAX: 214-670-2001
WWW.CITYOFDALLAS.ORG

OFFICE OF THE CITY CLERK
1000 MAIN STREET, SUITE 1000
DALLAS, TEXAS 75202
PHONE: 214-670-2000
FAX: 214-670-2001
WWW.CITYOFDALLAS.ORG

2001 167 00031

CERTIFICATE OF APPROVAL
I, the undersigned, City Clerk of the City of Dallas, Texas, do hereby certify that the following is a true and correct copy of the original as filed with me on this day of _____, 2001.
FILED
DALLAS COUNTY CLERK
DALLAS, TEXAS

Cheryl R. ...
City Clerk
Dallas, Texas

[Signature]
Attest:
City Clerk

FILED
DALLAS COUNTY CLERK
DALLAS, TEXAS

S 989-232 R

S 989-232 R (70.0k)



BOA234036

AN ADDITION TO AN EXISTING BUILDING
 UNCLE DAN'S PAWN
 2105 W. NORTHWEST HWY.
 DALLAS, TEXAS

SCOPE OF WORK

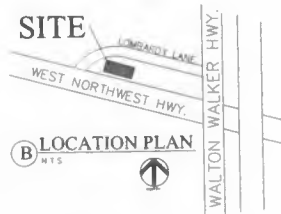
A 700 S.F. STORAGE ADDITION TO AN EXISTING METAL BUILDING CONSISTING OF "T" PANEL, WALLS AND ROOF W/ INSULATION ON STEEL WALL AND ROOF FRAMING W/ CONCRETE SLAB AND GRADE BEAM FOUNDATION. WORK INCLUDES ELECTRICAL FOR POWER AND LIGHTING. SPACE IS NOT AIR-CONDITIONED.

INDEX OF DRAWINGS

- G 0 COVER SHEET / SITE PLAN / FLOOR PLAN
- A1 ADDITION PLAN / SECTIONS
- A2 ELEVATIONS
- S101 STRUCTURAL PLAN
- E1 ELECTRICAL PLAN
- E2 ELECTRICAL NOTES
- M1 HVAC PLAN
- M2 HVAC NOTES



B EXISTING SOUTH ELEVATION
 1/8"=1'-0"

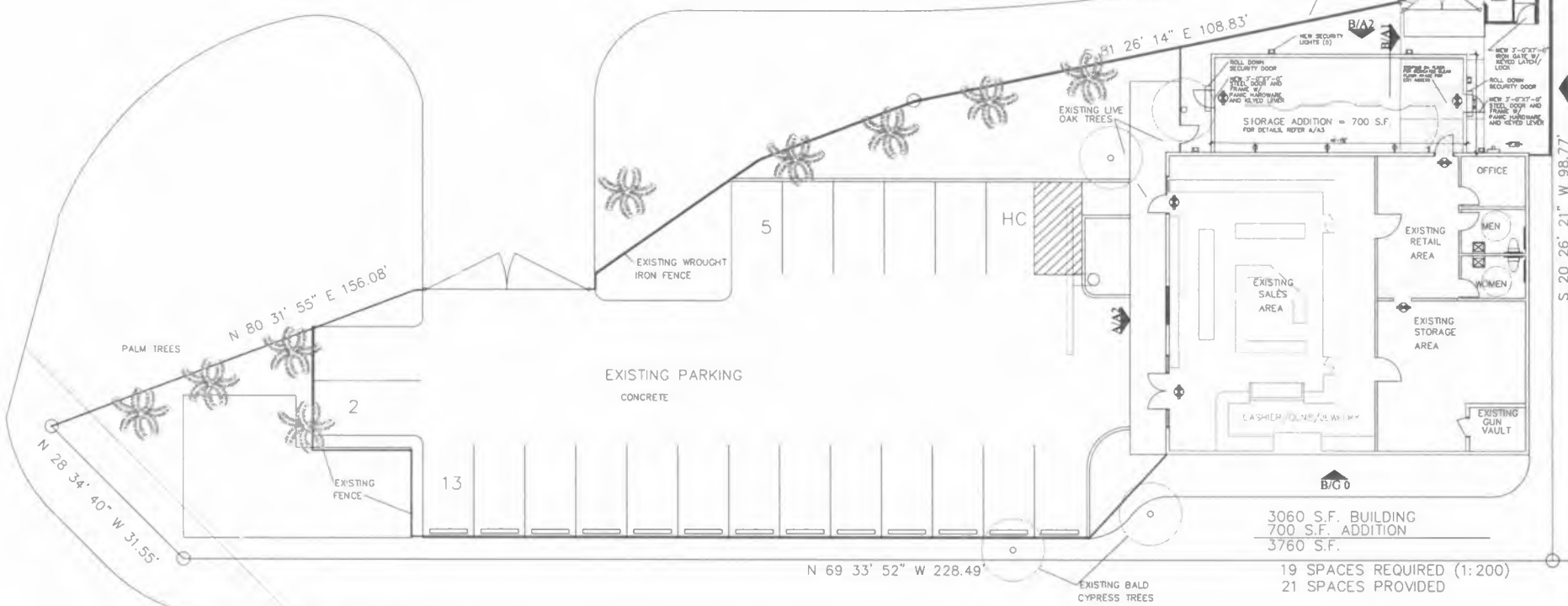


01/21/23

J. BRIAN WHEELER
 ARCHITECT

6723 NORTHPORT
 DALLAS, TEXAS 75230
 jbh@jbrw.com
 214-848-4747

LOMBARDY LANE



AN ADDITION TO AN EXISTING BUILDING
 2105 W. NORTHWEST HWY.
 DALLAS, TEXAS

3060 S.F. BUILDING
 700 S.F. ADDITION
 3760 S.F.

19 SPACES REQUIRED (1:200)
 21 SPACES PROVIDED



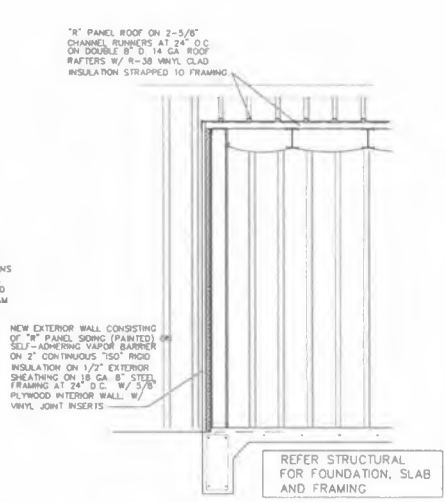
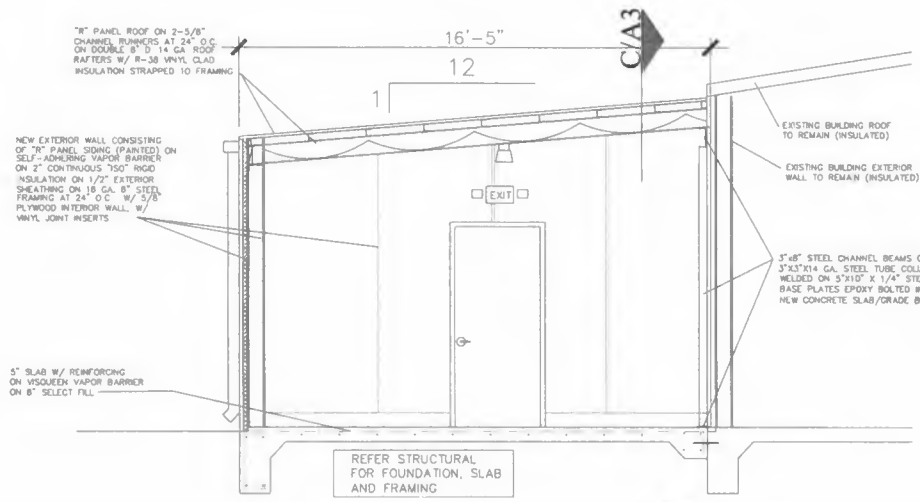
NORTHWEST HIGHWAY

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

PROJECT NUMBER

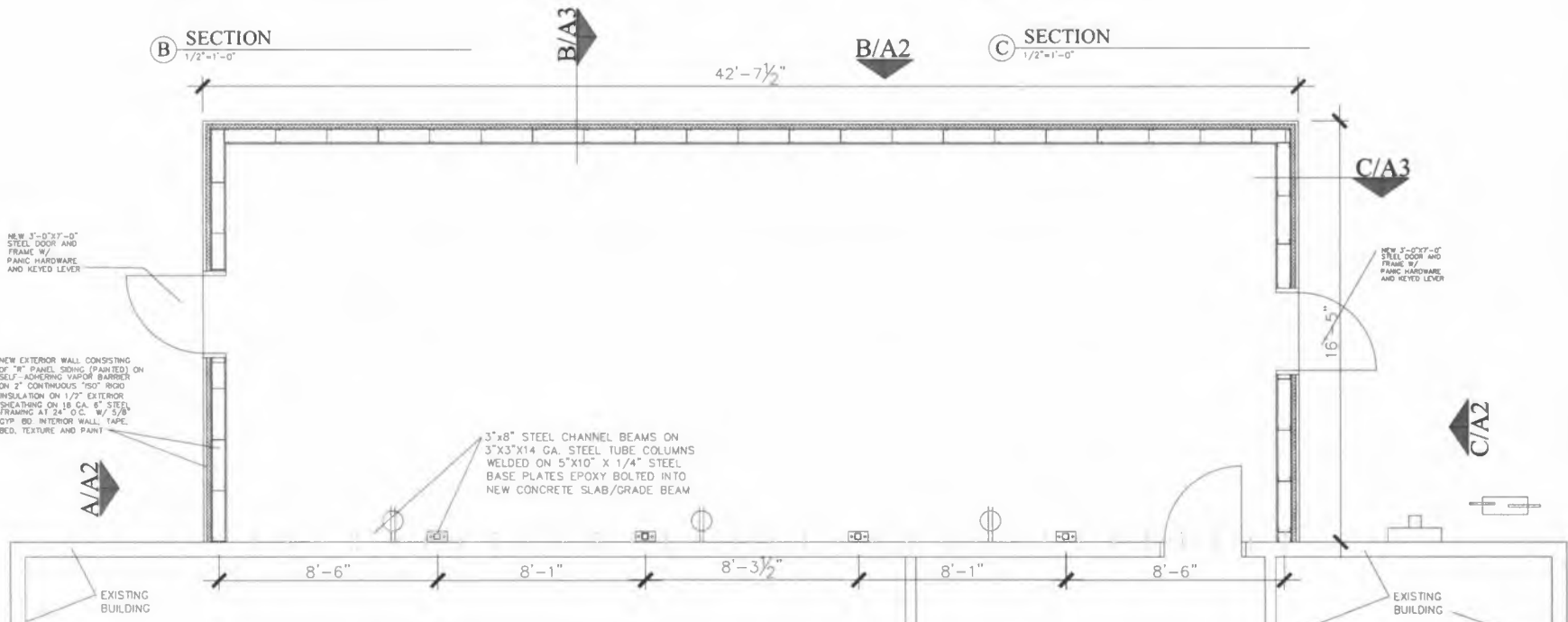
G 0

BDA234-034



B SECTION
1/2"=1'-0"

C SECTION
1/2"=1'-0"



A FOUNDATION / FRAMING PLAN
1/2"=1'-0"

STORAGE ADDITION = 700 S.F.

07/21/23

T. DEAN DRAKE
ARCHITECT

8722 NORTHPORT
DALLAS, TEXAS 75238
214-648-4747

AN ADDITION TO AN EXISTING BUILDING
2105 W. NORTHWEST HWY.
DALLAS, TEXAS

DATE PLOTTED: 08/10/23
SCALE: 1/8"=1'-0"

HEET NUMBER
A1

BDA23A-036

FILE NUMBER: BDA234-037 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Jordan Heetland for **(1)** a variance to the floor area regulations, and for **(2)** a special exception to the single-family regulations at 6231 Llano Ave. This property is more fully described as Block 2/2158, Lot 20, and is zoned R-7.5(A), which an accessory structure may not exceed 25% of the floor area of the main structure and limits the number of dwelling units to one. The applicant proposes to construct and/or maintain a single-family residential accessory structure with 520 square feet of floor area (42.4% of the 1224 square foot floor area of the main structure), which will require **(1)** a 214 square foot variance to the floor area regulations, and to construct and/or maintain an accessory dwelling unit (for rent), which will require **(2)** a special exception to the single-family zoning use regulations.

LOCATION: 6231 Llano Ave.

APPLICANT: Jordan Heetland

REQUEST:

- (1) A variance to the floor area ratio is made to construct and/or maintain an additional dwelling unit, not for rent, on a site developed with a single-family home.
- (2) A special exception to the single-family zoning regulations for a rentable single-family residential accessory dwelling unit.

STANDARD OF REVIEW 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.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AUTHORIZE AN ADDITIONAL DWELLING UNIT (FOR RENT):

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

Section 51A-4.209(b)(6)(E)(iii)(cc) In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to require owner-occupancy on the premises and annually register the rental property with the city's single family non-owner occupied rental program.

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 non-conforming structure.

STAFF RECOMMENDATION:

Variance:

Approval

Based upon the evidence presented and provided to staff, staff concluded that the request is:

- Not contrary to public interest as no opposition was received.
- Restrictive in slope; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.

- Not a self-created/personal hardship.

Special Exception:

No staff recommendation is made.

BDA History

No BDA history found within the last five years.

Square Footage:

The lot contains 7797.24 of square feet.

The lot is zoned R-7.5(A) with 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
South: R-7.5(A) Single Family District
East: R-7.5(A) Single Family District
West: R-7.5(A) Single Family District

Land Use:

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

BDA History:

No BDA history within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Isaiah Spates for the property located at 6231 Llano Avenue focuses on two specific requests. The first request is a variance to the floor area ratio regulations. The second request focuses on a variance to the single-family zoning use regulations for a single-family residential accessory dwelling unit (FR).
- The applicant proposes to construct an accessory dwelling unit (FR), which will require a special exception to the single-family use regulations.
- The Dallas Development code, for single-family zoning, allows one dwelling unit per lot.
- Secondly, the applicant proposes to construct and/or maintain a 520 (42.4% of the square foot floor area of the main structure) square foot single-family residential accessory structure (not for rent) which exceeds 25% of the main structure. The

square footage of the main structure is 1,224. Therefore, a 214 square foot (42.4%) variance is required.

- The Dallas Development Code states that an accessory structure may not exceed 25% of the floor area of the main structure.
- According to the applicant's application, the accessory structure will be utilized as rentable dwelling unit.
- The Dallas Development code, for single-family zoning, allows one dwelling unit per lot.
- The single-family use regulations of the Dallas Development Code state that the board of adjustment may grant a special exception to authorize a rentable accessory dwelling unit in any district when, in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties.
- 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.
- Granting this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing an accessory dwelling unit (FR) on the site (i.e., development on the site must meet all required code requirements).
- 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 require owner-occupancy on the premises and annually register the rental property with the city's single family non-owner occupied rental program.

Moreover, the applicant has the burden of proof in establishing the following:

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

The board may also consider Dallas Development Code **§51A-3.102(d)(10)(b)**, formerly known as **HB 1475** as grounds to determine whether compliance with the ordinance as

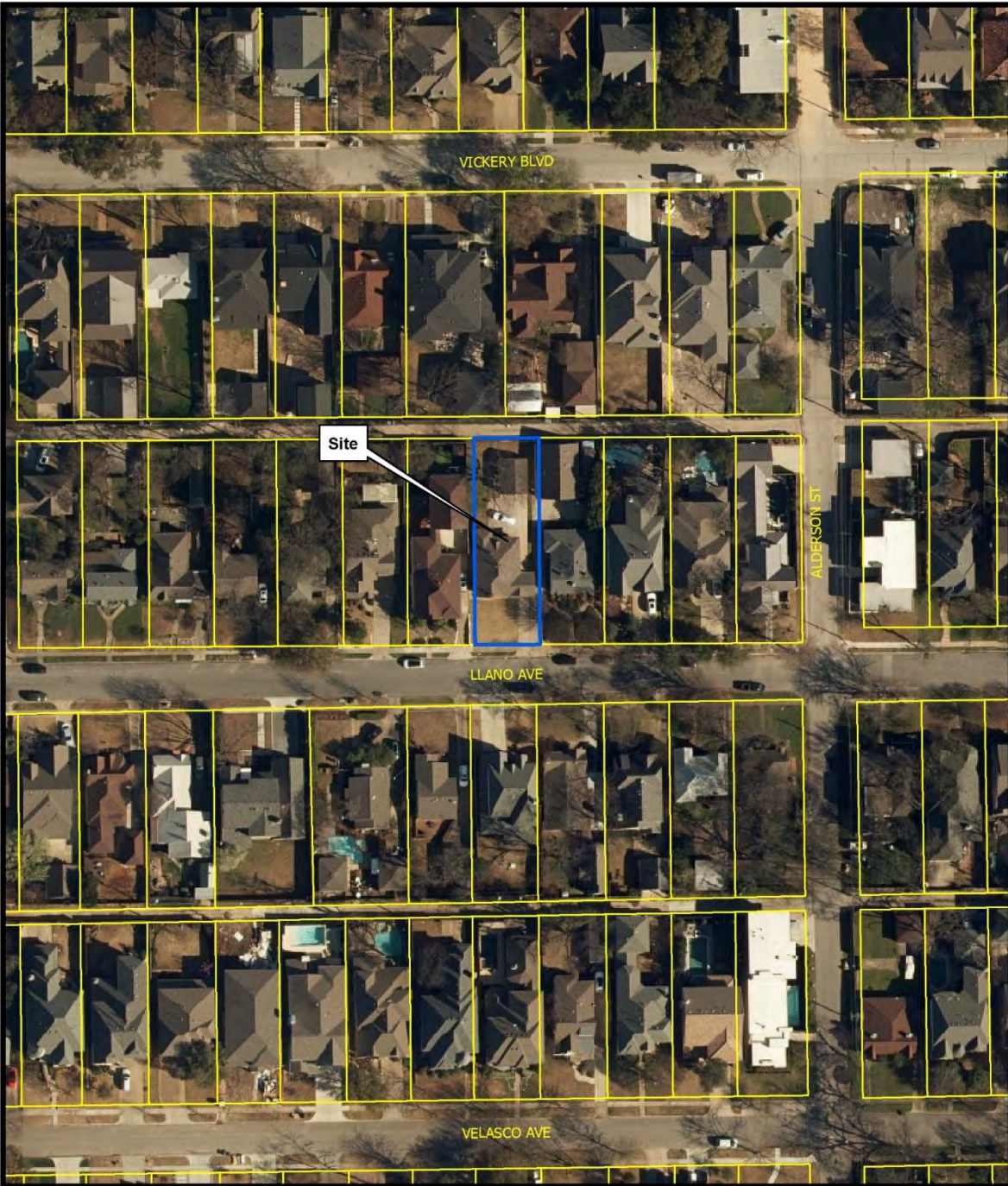
applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- 200' Radius Video: [BDA234-037 6231 Llano Ave.](#)

Timeline:

- January 24, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- February 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- February 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 5, 2024 The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board

of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer

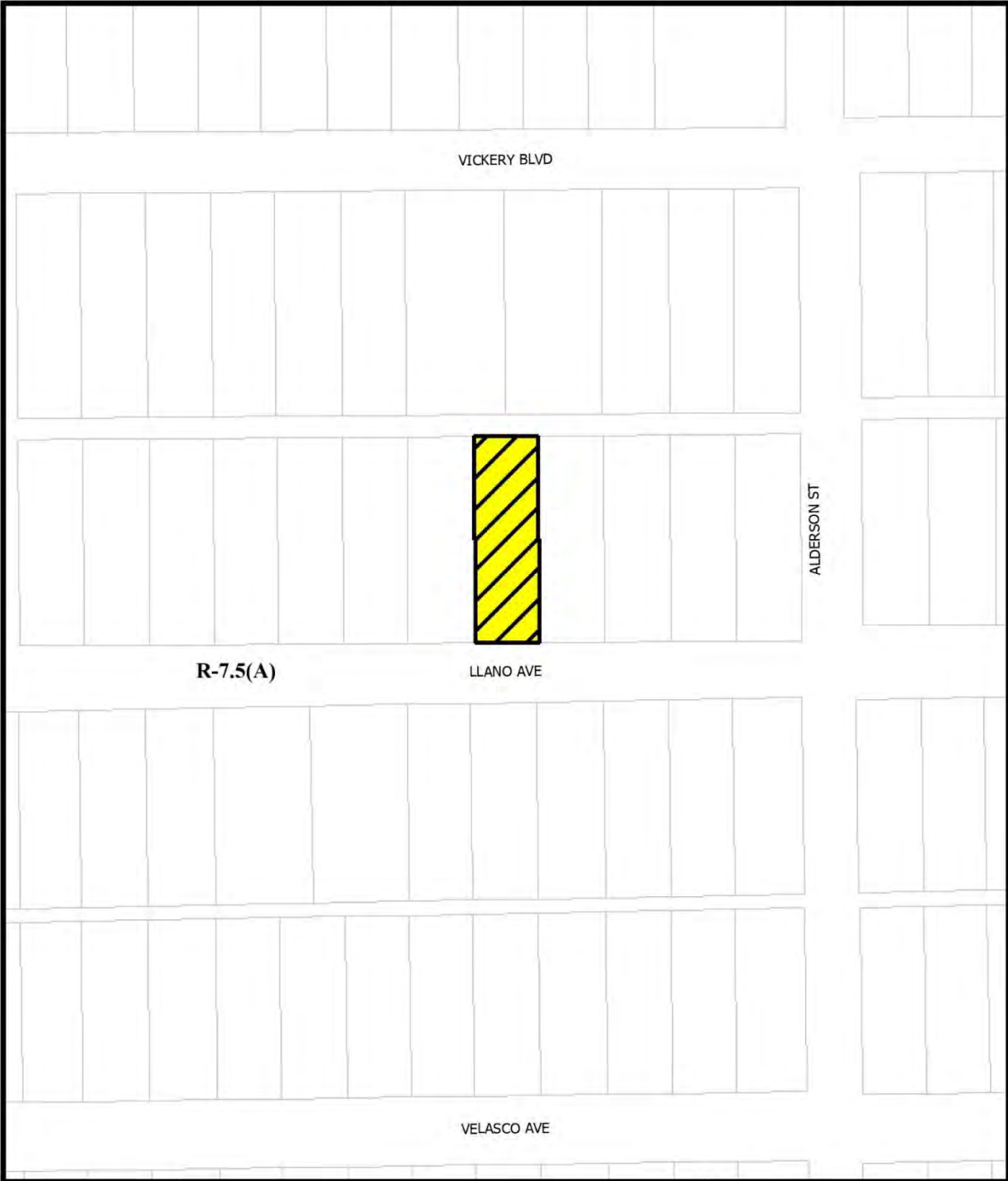



1:1,200

AERIAL MAP

Case no: BDA234-037

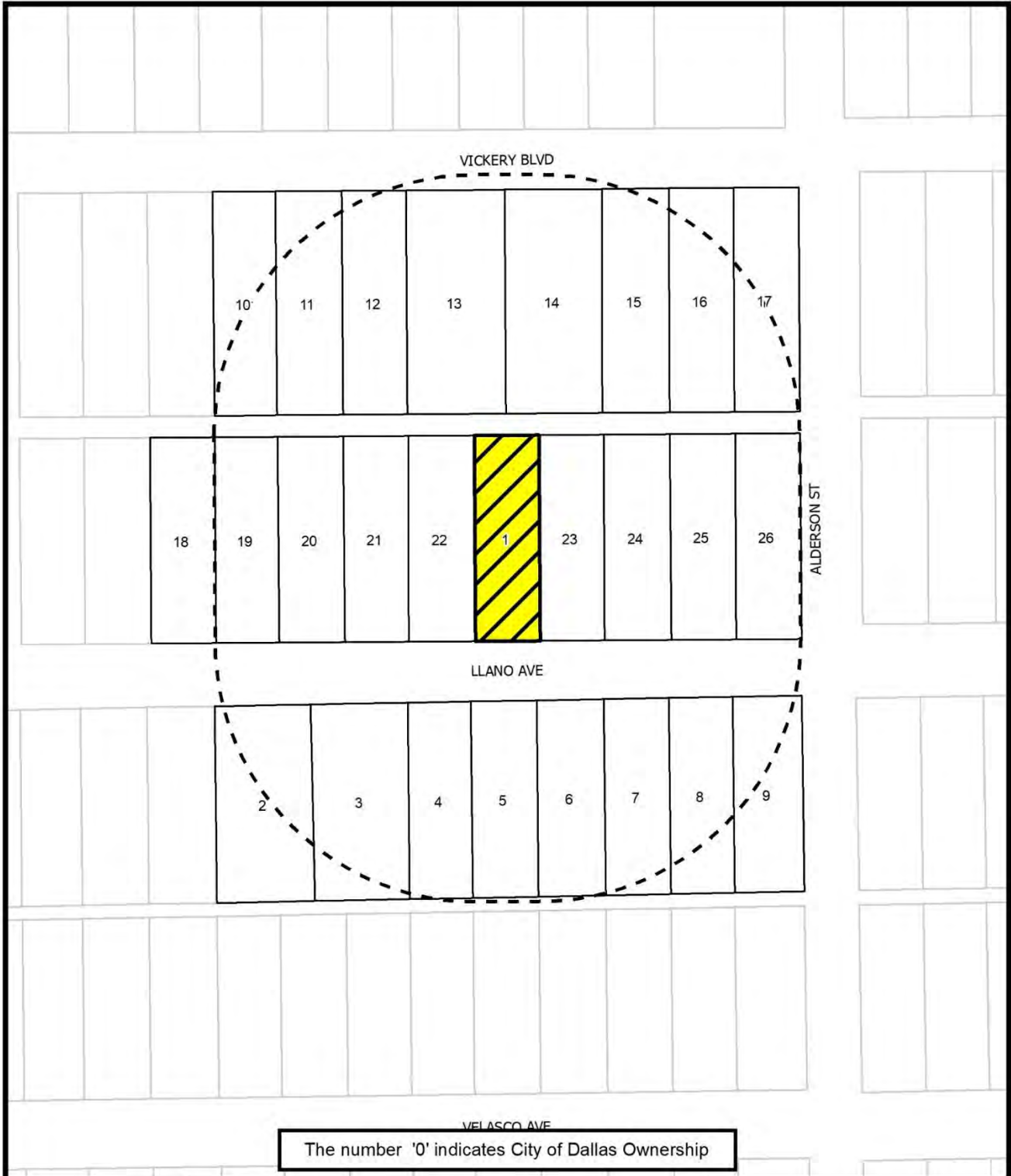
Date: 2/20/2024




1:1,200

ZONING MAP

Case no: BDA234-037
Date: 2/20/2024

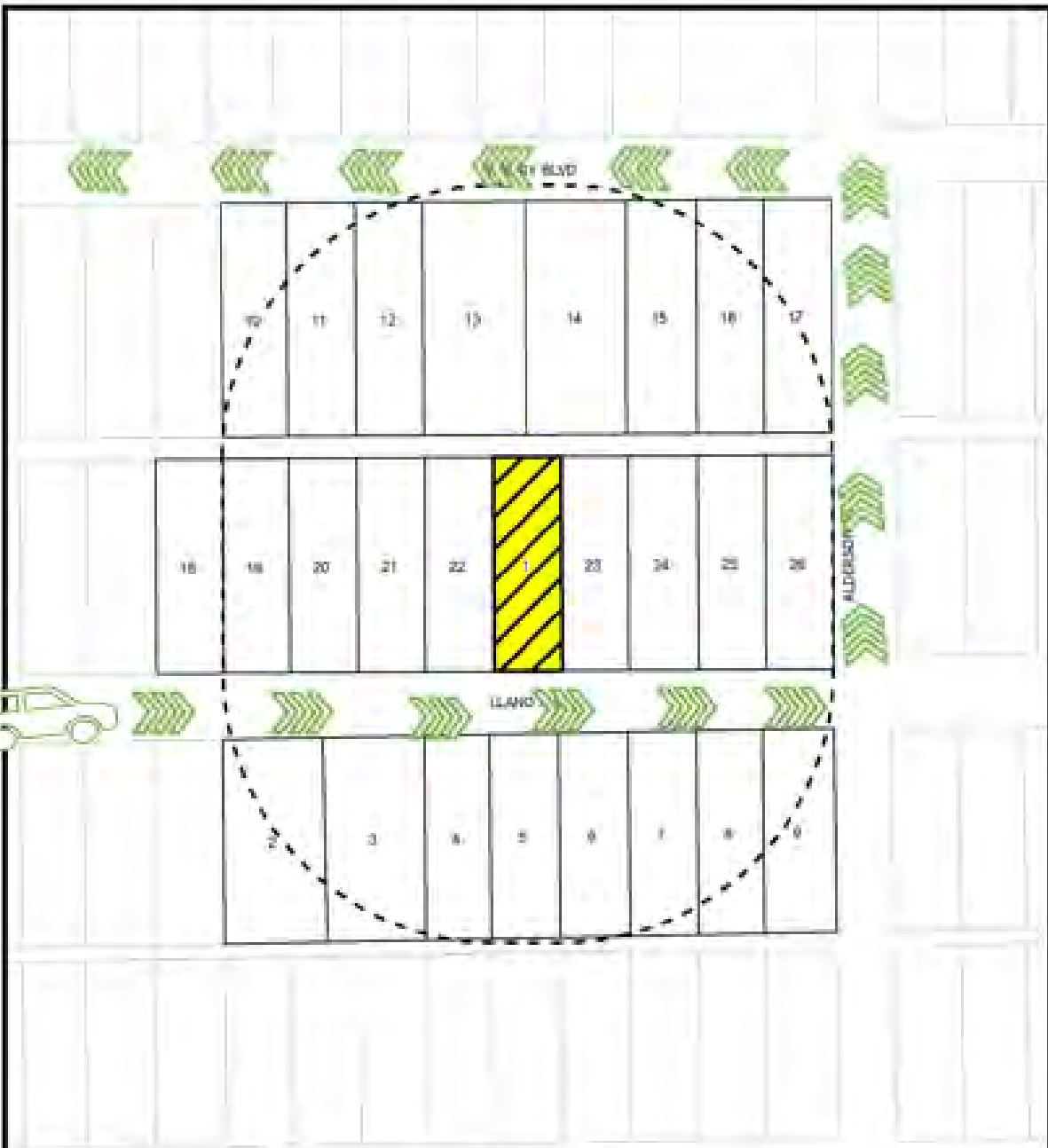


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-037**
 Date: **2/20/2024**



The number '0' indicates City of Dallas Ownership

 1:1,200	NOTIFICATION		Case no: BDA234-037
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">26</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/20/2024	

02/20/2024

Notification List of Property Owners

BDA234-037

26 Property Owners Notified

Label #	Address	Owner
1	6231 LLANO AVE	HEETLAND JORDAN
2	6230 LLANO AVE	CHEN ANDREW D &
3	6238 LLANO AVE	KELLY ROBERT W
4	6242 LLANO AVE	MOBLEY TYLER & GENEVIE
5	6246 LLANO AVE	KATZEN JAMIE T & MEGHAN R
6	6250 LLANO AVE	WALKER MICHAEL &
7	6252 LLANO AVE	GARZA JASON & JULIA
8	6258 LLANO AVE	KELCHER ANGELA M
9	6260 LLANO AVE	HOMENOW LLC
10	6214 VICKERY BLVD	ENGELLAND JAMES & TARA
11	6216 VICKERY BLVD	MACKE JONATHAN JOSEPH &
12	6224 VICKERY BLVD	TILLEY DAVID KYLE
13	6228 VICKERY BLVD	BLEWETT KRISTIN & DAVID
14	6232 VICKERY BLVD	PAINTER EVELYN LEMON
15	6238 VICKERY BLVD	HARTMAN ERIN & STEVEN
16	6242 VICKERY BLVD	PAS & AMB REVOCABLE LIVING
17	6246 VICKERY BLVD	VICKERY HOUSE LLC
18	6211 LLANO AVE	LESTER DARREN TROY
19	6215 LLANO AVE	LEE SKY KING & HILLARY
20	6217 LLANO AVE	Taxpayer at
21	6223 LLANO AVE	MACK KRISTINA ANN
22	6227 LLANO AVE	THOMPSON BRETT W & COURTNEY N
23	6233 LLANO AVE	HALEY GREGORY JACKSON
24	6237 LLANO AVE	THROCKMORTON SCOTT W &
25	6243 LLANO AVE	MORGAN KELLY MIXON
26	6247 LLANO AVE	WHITENER ANNA F &



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-037**

Date: **2/20/2024**



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-037

Data Relative to Subject Property: _____ Date: _____

Location address: 6231 Llano Ave Dallas TX Zoning District: R 7.5(A)

Lot No.: 20 Block No.: 2/2158 Acreage: .179 Census Tract: _____

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Jordan Heetland

Applicant: Jordan Heetland Telephone: 806-382-2235

Mailing Address: 6231 Llano Ave Dallas, TX Zip Code: 75214

E-mail Address: jheetland@gmail.com

Represented by: Jordan Heetland Telephone: 806-382-2235

Mailing Address: 6231 Llano Ave Dallas TX Zip Code: 75214

E-mail Address: jheetland@gmail.com

Affirm that an appeal has been made for a Variance or Special Exception of Exceeding 25% of main structure to 50%. ADU - Rental approved.

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:

To help housing shortage. Local businesses get customers. State, local + federal taxes generated. Not negatively impacting neighbors or parking. Prop values appreciate.

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 Jordan Heetland

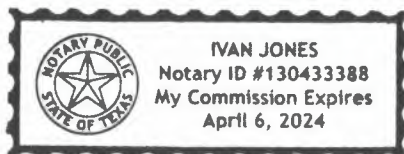
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 12th day of January, 2024

[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 JORDAN HEETLAND

did submit a request for (1) a variance to the floor area ratio regulations
and for (2) a special exception to the single-family regulations
at 6231 Llano Ave

BDA234-037(CJ) Application of Jordan Heetland for (1) a variance to the floor area regulations, and for (2) a special exception to the single-family regulations at 6231 LLANO AVE. This property is more fully described as Block 2/2158, Lot 20, and is zoned R-7.5(A) which an accessory structure may not exceed 25% of the floor area of the main structure and limits the number of dwelling units to one. The applicant proposes to construct and/or maintain a single-family residential accessory structure with 520 square feet of floor area (42.4% of the 1224 square foot floor area of the main structure), which will require (1) a 214 square foot variance to the floor area regulations, and to construct and/or maintain an accessory dwelling unit (for rent), which will require (2) a special exception to the single-family zoning use regulations.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA

City of Dallas
Attn: Zoning
1500 Marilla
Dallas, TX 75201

To Whom It May Concern:

I am applying for an Accessory Dwelling Unit at my Primary Residence at 6231 Llano Ave, Dallas TX 75214. Currently there is a detached garage that I would like to renovate and provide a single bedroom long-term rental ("Conversion Unit" going forward). The design is being submitted with this request and will conform to all of the building codes and regulations. However, due to the square footage of the Conversion Unit being 520 square feet while the main house is 1220 square feet, I am requesting a variance to allow this project. Furthermore, my understanding is that if the Conversion Unit has a kitchen, then a variance is also required.

Variances Requested:

- Over 25% sub structure living dwelling on the lot
- Ability to have a kitchen, bathroom, and bedroom in the sub structure
- Ability to rent the completed Conversion Unit as a single family residence

I believe that this unit will improve my use and enjoyment of my property while also helping alleviate the housing shortage in Dallas. There is ample parking on the lot currently, with space to park 4 vehicles or more with ease, so there should be no street congestion with this approval. I currently have no plans to rent this Conversion Unit through a daily service like AirBNB (currently in court in Dallas to be disallowed) but I will eventually intend to rent this property on a long term basis. Another likely use is I have a disabled brother that will potentially occupy the property in the near-term.

Benefits to Myself, Dallas and neighborhood:

- Increase housing units by one without the need of additional infrastructure
- Local businesses will have another potential buyer of products and services
- Ability to rent the property will earn me income and likely generate additional property taxes and income taxes to the Texas and Dallas state and local governments
- Higher appraisal of the property should help surrounding property values
- No parking congestion created from the allowance

Thank you for your time and help with this matter. Please approve this request.

Sincerely,
Jordan Heetland
6231 Llano Ave
Dallas, TX 75214

Applicant: Jordan Heetland

Date: 1/12/24

Signature:  _____

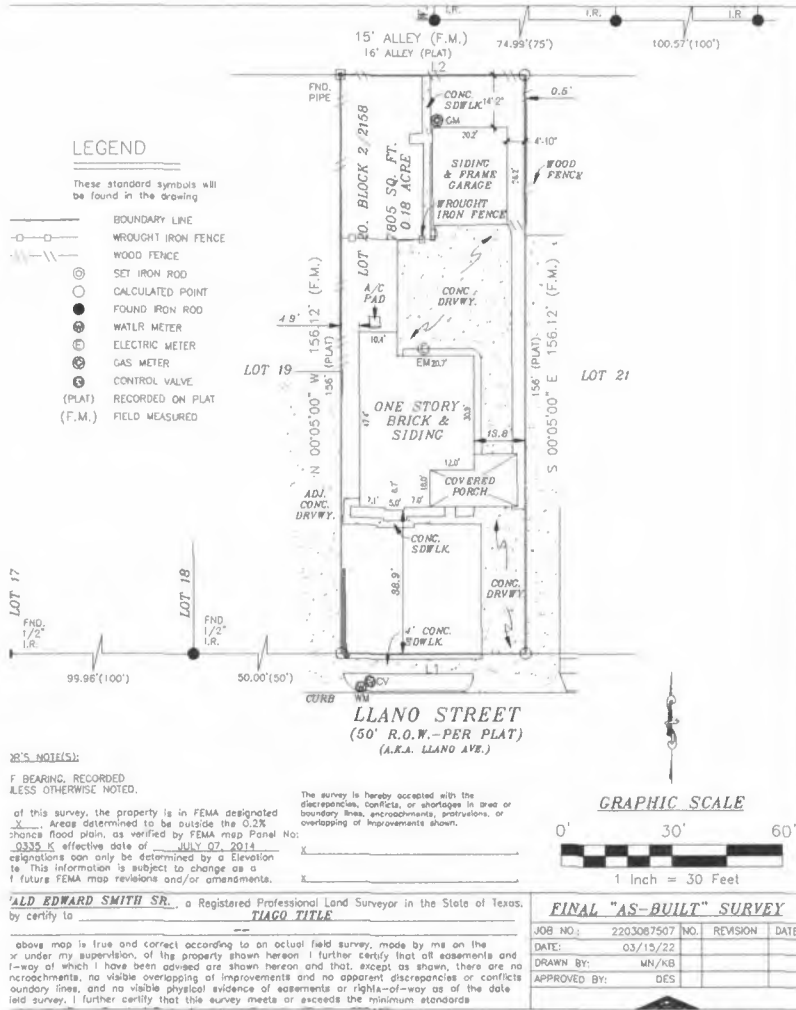
TEXAS NOTARIAL CERTIFICATE

State of Texas
County of _____

Sworn to and subscribed before me on the _____ day of _____, 20____, by
_____ [Name of Principal Signer].

(Seal

Notary Public Signature



- LEGEND**
- These standard symbols will be found in the drawing
- BOUNDARY LINE
 - ||— WROUGHT IRON FENCE
 - ||— WOOD FENCE
 - SET IRON ROD
 - CALCULATED POINT
 - FOUND IRON ROD
 - ⊕ WATER METER
 - ⊖ ELECTRIC METER
 - ⊙ GAS METER
 - ⊗ CONTROL VALVE
 - (PLAT) RECORDED ON PLAT (F.M.) FIELD MEASURED

NOTES:

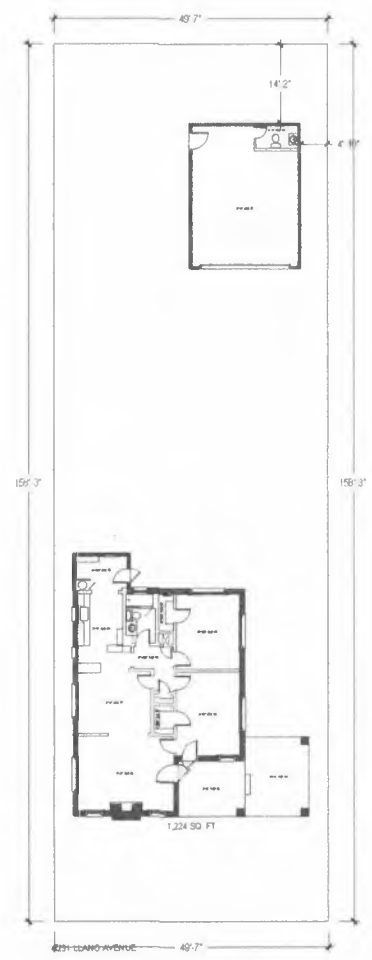
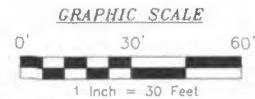
F BEARING, RECORDED LESS OTHERWISE NOTED.

of this survey, the property is in FEMA designated X. Areas determined to be outside the 0.2% chance flood plain, as verified by FEMA map Panel No. 0335-K effective date of July 02, 2014, elevations can only be determined by a Elevation to. This information is subject to change as a future FEMA map revisions and/or amendments.

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of improvements shown.

ALD EDWARD SMITH SR., a Registered Professional Land Surveyor in the State of Texas, by certify to **TIAGO TITTO**

above map is true and correct according to an actual field survey, made by me on the x under my supervision, of this property shown hereon. I further certify that all easements and way-of which I have been advised are shown hereon and that, except as shown, there are no encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts outdry lines, and no visible physical evidence of easements or rights-of-way as of the date held survey. I further certify that this survey meets or exceeds the minimum standards



SHEET INDEX

SHEET NO.	SHEET NAME
A100	COVER PAGE
A200	ENLARGED SITE PLAN/FLOOR PLAN
A300	PROPOSED FLOOR PLAN
A400	ELECTRICAL PLAN
A500	ELEVATIONS
A501	ELEVATIONS
A600	ROOF PLAN
A700	SECTIONS
A800	SHEAR WALLS
A801	SHEAR WALLS
S100	FOUNDATION PLAN
S200	TRUSS CALCULATIONS
G100	GREEN SHEETS
G101	GREEN SHEETS
G102	GREEN SHEETS

GENERAL CODES

THE PLANNING DEPARTMENT OF THE CITY OF DALLAS HAS ADOPTED THE FOLLOWING CODES:

- CHAPTER 16. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 17. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 18. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 19. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 20. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 21. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 22. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 23. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 24. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 25. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 26. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 27. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 28. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
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- CHAPTER 30. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 31. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 32. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 33. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 34. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 35. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
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- CHAPTER 49. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)
- CHAPTER 50. 2021 INTERNATIONAL FIRE CODE WITH DALLAS AMENDMENTS (EFFECTIVE DATE: JULY 15, 2021)

ENERGY EFFICIENCY SPECIAL FEATURES

SPECIFY INDICATED IN FORM

- NO SPECIAL FEATURES REQUIRED

REVISIONS

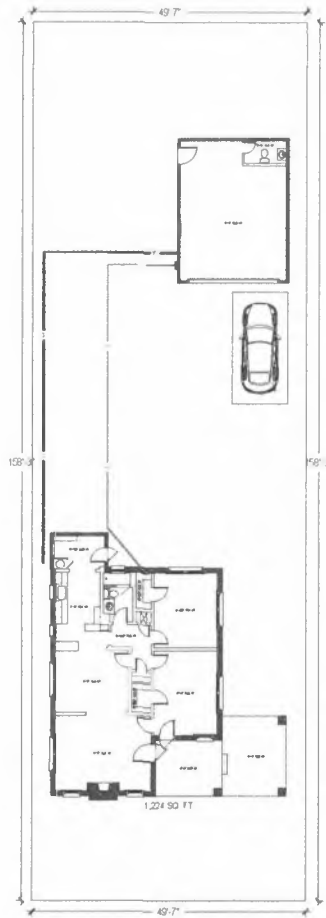
NO.	DESCRIPTION	DATE

T MAP
1" = 15'

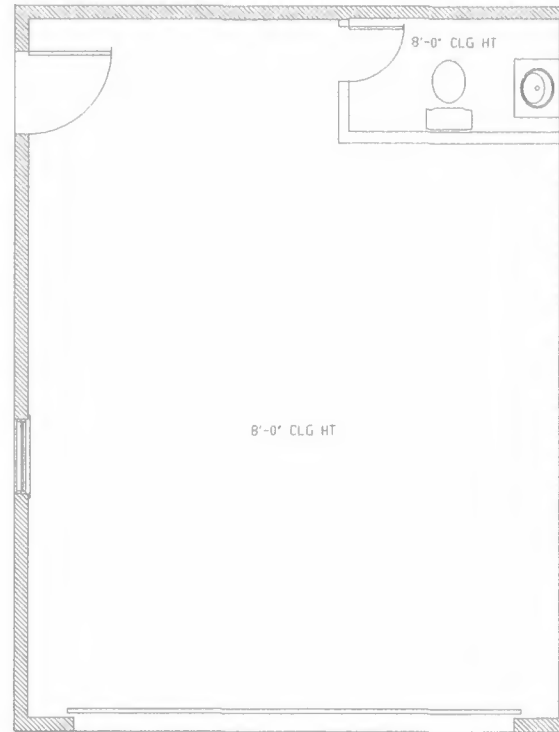
SITE PLAN
SCALE: 1" = 10'

MAP	OWNER INFORMATION	CONTACT INFORMATION	PARCEL INFORMATION / LEGAL DESCRIPTION	PROJECT SCOPE	PERVIOUS AREA INFORMATION	IMPERVIOUS AREA INFORMATION	SHEET TITLE																																																
	<p>NAME: JORDAN HRETLANO</p> <p>ADDRESS: 8371 LLANO AVENUE, DALLAS, TX 75214</p> <p>PHONE:</p> <p>EMAIL:</p>	<p>NAME:</p> <p>ADDRESS:</p> <p>PHONE:</p> <p>EMAIL:</p>	<p>PARCEL ACCOUNT NUMBER: 000020009000000</p> <p>SITE ADDRESS: 8331 LLANO AVENUE, DALLAS, TX 75214</p> <p>BLOCK 32188, LOT 20, INT 202200137520 D005092022 CO-CD 2188 007 02000 1002198 007</p>	DETACHED GARAGE ADU CONVERSION	<table border="1"> <thead> <tr><th colspan="4">PERVIOUS SURFACE AREA TABLE</th></tr> <tr><th>SITE ID</th><th>PERVIOUS ITEM</th><th>DIMENSIONS</th><th>AREA (SQ. FT.)</th></tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p>PERVIOUS ELEMENT MANUFACTURER: _____ PERVIOUS ELEMENT SLOPE AND DIRECTION OF SLOPE: _____ WHITE-BANISH PROGRAM: _____ PERVIOUS ELEMENT CROSS SECTION LOCATED IN SHEET: _____ CONSTRUCTED PERVIOUS SURFACES SHALL NOT BE SEALED</p>	PERVIOUS SURFACE AREA TABLE				SITE ID	PERVIOUS ITEM	DIMENSIONS	AREA (SQ. FT.)																	<table border="1"> <thead> <tr><th colspan="4">IMPERVIOUS SURFACE AREA TABLE</th></tr> <tr><th>SITE ID</th><th>IMPERVIOUS ITEM</th><th>DIMENSIONS</th><th>NEW OR REPLACED AREA (SQ. FT.)</th></tr> </thead> <tbody> <tr><td>1</td><td>ADU - OVERHANGS</td><td> </td><td> </td></tr> <tr><td>2</td><td>DRIVEWAY</td><td> </td><td> </td></tr> <tr><td>3</td><td> </td><td> </td><td> </td></tr> <tr><td>4</td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p>LABOR DIST. NUMBER: _____</p>	IMPERVIOUS SURFACE AREA TABLE				SITE ID	IMPERVIOUS ITEM	DIMENSIONS	NEW OR REPLACED AREA (SQ. FT.)	1	ADU - OVERHANGS			2	DRIVEWAY			3				4				<p>COVER PAGE</p> <p>SHEET NUMBER: A1.00</p> <p>PREPARED BY: _____</p>
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4																																																							

BDA234-037



ELECTRICAL ————
 WATER ————



Jordan

6321 Llano

ISSUE
 12-18-23
 REVISED
 MM DD YY
 REVISED
 MM DD YY

PLOT PLAN/
 (E) FLOOR PLAN

Λ2.00

YT PLAN
 1"=10'

①

EXISTING GARAGE FLOOR PLAN
 SCALE 1/8"=1'-0"

①

DOOR SCHEDULE				
ARK	DIMENSION	TYPE	TEMPERED	NOTES
01	3'-0" x 8'-8"	SWINGING		1-3/8" SOLID CORE
02	5'-0" x 8'-8"	SLIDING	Y	
03	8'-0" x 8'-3"	BIFOLD		4-PANEL
04	2'-8" x 8'-8"	POCKET		
05	2'-8" x 8'-8"	SWINGING		

EXTERIOR DOORS SHALL COMPLY WITH ONE OF THE FOLLOWING (SELECT ONE)
 EXTERIOR SURFACE OR CLADDING OF NON-COMBUSTIBLE OR
 IGNITION-RESISTANT MATERIAL
 SOLID CORE WOOD COMPLYING WITH THE FOLLOWING
 - STILES AND RAILS MINIMUM 1-3/8 INCHES THICK
 - RAISED PANELS MINIMUM 1-1/4 INCHES THICK
EXCEPTION: EXTERIOR PERIMETER OF RAISED PANEL MAY TAPER TO
 A TONGUE MINIMUM 3/8 INCHES THICK
 MINIMUM 20-MIN FIRE RATED WHEN TESTED PER NFPA 252
 MEET PERFORMANCE REQUIREMENTS OF SFM STANDARD 12-7A-2

WINDOW SCHEDULE				
ARK	DIMENSION	TYPE	TEMPERED	NOTES
01	1'-3" x 6'-8"	SIDELITE	Y	
02	1'-10" x 4'-0"	FIXED	Y	
03	6'-0" x 2'-8"	X/GK		
04	2'-0" x 1'-0"	SLIDING		FROSTED
05	2'-8" x 4'-0"	SINGLE HUNG		

EXTERIOR WINDOWS, EXTERIOR GLAZED DOORS, GLAZED OPENINGS WITHIN
 EXTERIOR DOORS, GLAZED OPENINGS WITHIN EXTERIOR GARAGE DOORS, AND
 EXTERIOR STRUCTURAL GLASS VENEER SHALL COMPLY WITH ONE OF THE
 FOLLOWING (SELECT ONE)
 MULTI-PANE GLAZING WITH A MINIMUM OF ONE TEMPERED PANE
 MEETING THE REQUIREMENTS OF SECTION 2408 SAFETY GLAZING, AND
 WHERE ANY GLAZING FRAMES MADE OF VINYL MATERIALS SHALL HAVE
 WELDED CORNERS, METAL REINFORCEMENT IN INTERLOCK AREA, AND
 BE CERTIFIED TO AAMA/NDMA/CSA 1014.5 2/A40
 MINIMUM 20-MIN FIRE-RESISTANCE RATED
 MEET PERFORMANCE REQUIREMENTS OF SFM STANDARD 12-7A-2

DOOR PLAN NOTES

EXTERIOR WALLS WITHIN 3 FEET OF PROPERTY LINE (SPRINKLERS) OR 5
 FEET OF PROPERTY LINE (WITHOUT SPRINKLERS) REQUIRE 1-HOUR FIRE
 RATING FOR EXPOSURE TO BOTH SIDES

PROJECTIONS
 - PROHIBITED WITHIN 2 FEET OF PROPERTY LINE
 - 1-HOUR FIRE RATING ON THE UNDERSIDE WITHIN 3FT OF PROPERTY LINE
 (SPRINKLERS)
 - 1-HOUR FIRE RATING ON THE UNDERSIDE WITHIN 5FT OF PROPERTY LINE
 (WITHOUT SPRINKLERS)

OPENINGS
 - PROHIBITED WITHIN 3FT OF PROPERTY LINE
 - MAXIMUM 25% OF WALL AREA WITHIN 5 FEET OF PROPERTY LINE
 (WITHOUT SPRINKLERS)

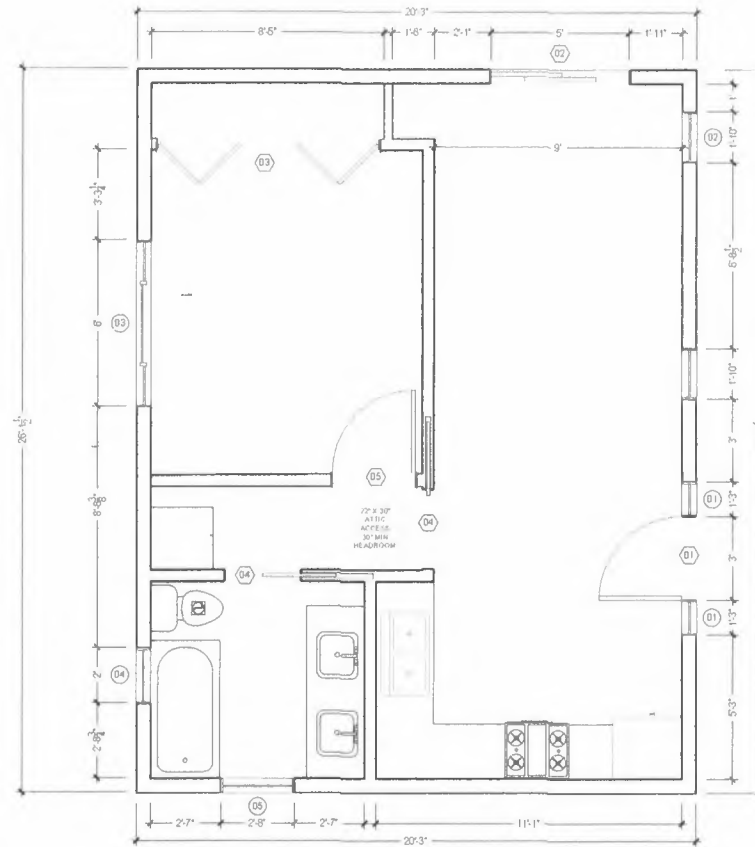
PENETRATIONS
 - 1-HOUR FIRE-RATED PENETRATIONS OF WALLS WITHIN 3FT OF PROPERTY
 LINE (SPRINKLERS)
 - 1-HOUR FIRE-RATED PENETRATIONS OF WALLS WITHIN 5FT OF PROPERTY
 LINE (WITHOUT SPRINKLERS)

CONCRETE LANDING WITH MIN 36" DEPTH AND A MAXIMUM OF 1-1/2" LOWER
 THAN TOP OF DOOR THRESHOLD

WALL LEGEND

2x4 WALL

2x4 WALL DEMO

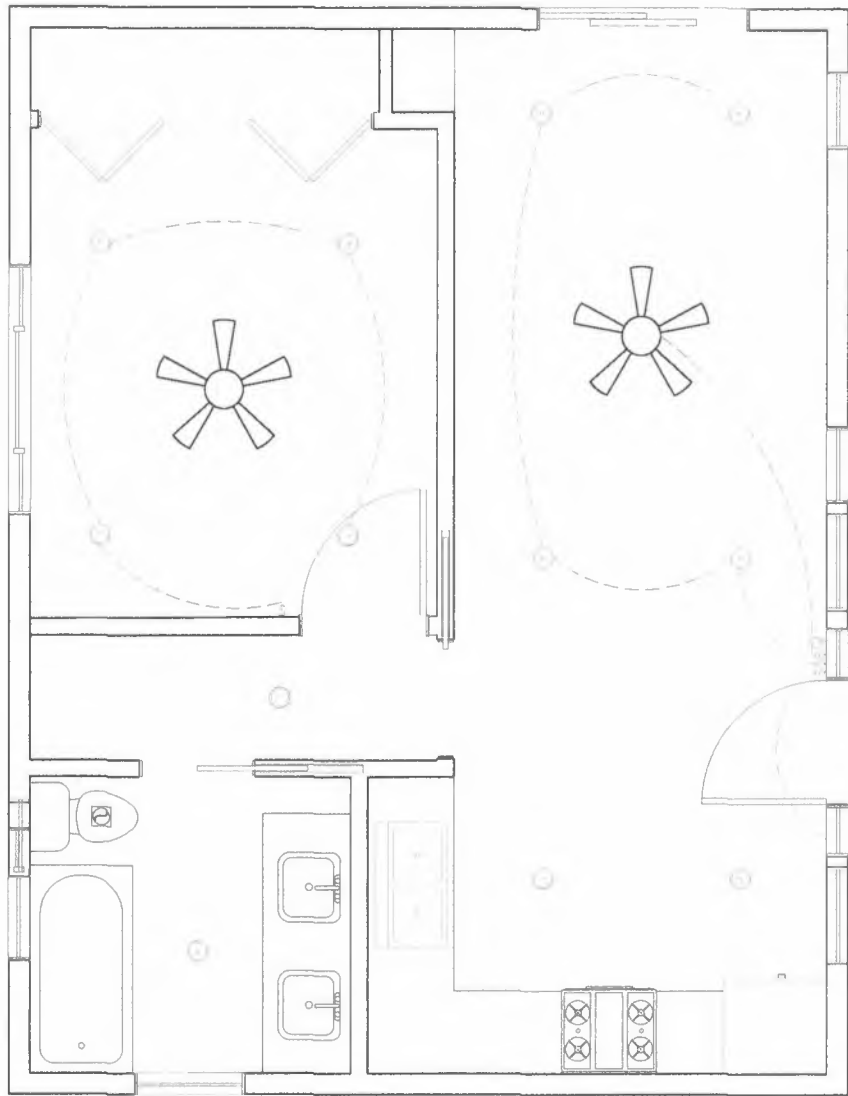


PROPOSED FLOOR PLAN

1/2" = 1' 0"



PROJECT ADDRESS
 CLIENT
 Jordan
 PROJECT ADDRESS
 6321 Liano
 PROJECT ADDRESS
 ISSUE
 17-18-23
 REVISED
 MM DD YY
 REVISED
 MM DD YY
 PROPOSED FLOOR PLAN
 SHEET NUMBER
 A3.00
 REVISIONS



ELECTRICAL LEGEND			
⊙	DUPLEX OUTLET	⊙	HIGH EFFICACY RECESSED LIGHT
⊞	WALL SWITCH	⊙	GARBAGE DISPOSAL
⊞	GARBAGE DISPOSAL SWITCH		
⊞	VACANCY SENSOR		
⊞	4" DIA DRYER VENT		
⊞	SMOKE DETECTOR		
⊞	CARBON MONOXIDE ALARM		
⊞	FAN AND LIGHT COMBINATION	⊞	FAN & LIGHT COMBO
⊞	HIGH EFFICACY LIGHT FIXTURE		

UTILITY PLAN NOTES

1. LOCAL EXHAUST FANS TO EXTERIOR TO PROVIDE MINIMUM 50 CFM INTERMITTENT OR 20 CFM CONTINUOUS VENTILATION.
2. SMOKE DETECTORS TO BE INTERCONNECTED PER CIRC R314.4 AND HARD-WIRED WITH BATTERY BACK-UP PER CIRC R314.6.
3. CARBON MONOXIDE ALARMS TO BE INTERCONNECTED PER CIRC R315.7 AND HARD-WIRED WITH BATTERY BACK-UP PER CIRC R315.5.
4. 4" DIA DRYER VENT WITH MAXIMUM 14 FOOT COMBINED HORIZONTAL AND VERTICAL LENGTH WITH TWO 30 DEGREE ELBOWS.
5. A MECHANICAL EXHAUST VENTILATION SYSTEM, SUPPLY VENTILATION SYSTEM, OR COMBINATION THEREOF SHALL BE INSTALLED FOR EACH DWELLING UNIT TO PROVIDE WHOLE BUILDING VENTILATION WITH OUTDOOR AIR IN COMPLIANCE WITH ASHRAE STANDARD 62.2 AS ADOPTED BY THE CALIFORNIA ENERGY COMMISSION.
6. AN INTERMITTENTLY OR CONTINUOUSLY OPERATING LOCAL MECHANICAL EXHAUST VENTILATION SYSTEM SHALL BE INSTALLED IN EACH BATHROOM WITH A BATHTUB, SHOWER, OR SIMILAR MOISTURE SOURCE AND IN EACH KITCHEN IN COMPLIANCE WITH ASHRAE STANDARD 62.2 AS ADOPTED BY THE CALIFORNIA ENERGY COMMISSION. INTERMITTENT LOCAL EXHAUST VENTILATION AIR FLOW RATES SHALL BE 50 CFM IN BATHROOMS AND 100 CFM IN KITCHENS. CONTINUOUS LOCAL EXHAUST VENTILATION AIR FLOW RATES SHALL BE 30 CFM IN BATHROOMS AND 5 AIR CHANGES PER HOUR IN KITCHENS BASED ON KITCHEN VOLUME.
7. WATER HEATER OR FURNACE SHALL BE A DIRECT VENT APPLIANCE.
8. LISTED GASKETED SELF-CLOSING DOOR REQUIRED FOR GAS FAU

SOLAR READY KEY NOTES

1. THE MAIN ELECTRICAL SERVICE PANEL SHALL NOT BE OF A TYPE WITH A CENTERED MAIN CIRCUIT BREAKER AND SHALL INCLUDE RESERVED SPACE ALLOWING FOR INSTALLATION OF DOUBLE-POLE CIRCUIT BREAKERS FOR A FUTURE SOLAR PHOTOVOLTAIC SYSTEM. SUCH RESERVED SPACE SHALL BE POSITIONED AT THE OPPOSITE (LOAD) END FROM THE INPUT FEEDER OR MAIN CIRCUIT BREAKER LOCATION. THE RESERVED SPACE SHALL BE PERMANENTLY AND VISIBLY MARKED AS "FOR FUTURE SOLAR PHOTOVOLTAIC".
2. APPROVED MINIMUM 4-INCH SQUARE ELECTRICAL JUNCTION BOX LOCATED WITHIN 12 INCHES HORIZONTALLY AND 12 INCHES VERTICALLY OF MAIN ELECTRICAL SERVICE PANEL.
3. MINIMUM 1-INCH DIAMETER LISTED ELECTRICAL METALLIC RACEWAY ORIGINATING AT READILY ACCESSIBLE ATTIC LOCATION WITH PROXIMITY TO SOLAR ZONE AREA AND TERMINATING AT THE REQUIRED ELECTRICAL JUNCTION BOX.
4. MINIMUM 1-INCH DIAMETER LISTED ELECTRICAL METALLIC RACEWAY ORIGINATING AT THE REQUIRED ELECTRICAL JUNCTION BOX AND TERMINATING AT THE MAIN ELECTRICAL SERVICE PANEL.
6. ELECTRICAL JUNCTION BOX AND SEGMENT OF METALLIC RACEWAY IN THE ATTIC SHALL BE PERMANENTLY AND VISIBLY MARKED AS "FOR FUTURE SOLAR PHOTOVOLTAIC".

LIGHTING PLAN NOTES

1. ALL LUMINAIRES SHALL BE HIGH EFFICACY IN ACCORDANCE WITH CECES TABLE 150 D.A.
2. ALL LED LUMINAIRES AND LAMPS SHALL BE MARKED "AB-2016" AND LISTED IN THE CALIFORNIA ENERGY COMMISSION DATABASE AT [HTTPS://ACESR/APPLIANCESEARCH.ASPX](https://acesr.appliancesearch.aspx).
3. ALL RECESSED DOWNLIGHT AND ENCLOSED LUMINAIRES SHALL BE MARKED "AB-2016-E" AND LISTED IN THE CALIFORNIA ENERGY COMMISSION DATABASE AT [HTTPS://ACESR/APPLIANCESEARCH.ASPX](https://acesr.appliancesearch.aspx).
4. RECESSED DOWNLIGHT LUMINAIRES IN CEILINGS SHALL NOT BE SCREW-BASED.
5. BATHROOMS, GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS AT LEAST ONE LUMINAIRE IN EACH SPACE SHALL BE CONTROLLED BY A VACANCY SENSOR.
6. ALL LUMINAIRES REQUIRING "AB-2016" OR "AB-2016-E" MARKING SHALL BE CONTROLLED BY A DIMMER OR VACANCY SENSOR. EXCEPTION: CLOSETS LESS THAN 70 S.F. & HALLWAYS.
7. OUTDOOR LIGHTING PERMANENTLY MOUNTED TO BUILDINGS SHALL BE CONTROLLED BY ONE OF THE FOLLOWING: PHOTOCONTROL AND MOTION SENSOR; PHOTOCONTROL AND AUTOMATIC TIME SWITCH CONTROL; ASTRONOMICAL TIME CLOCK; ENERGY MANAGEMENT CONTROL SYSTEM PER CECES 150.0033.4(C).

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

PROJECT NO. 234-037

CLIENT: JORDAN

PROJECT ADDRESS: 4321 Llano

ISSUE: 12-18-23

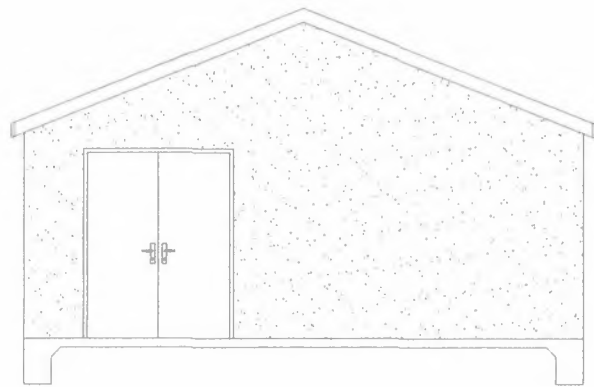
REVISED: MM DD YY

REVISED: MM DD YY

ELECTRICAL PLAN

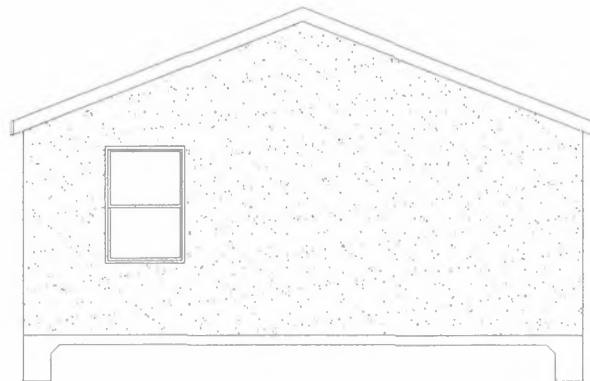
SHEET NUMBER: A4.00

BDA 234-037



RTH ELEVATION
1/8" = 1'-0"

1



LTH ELEVATION
1/8" = 1'-0"

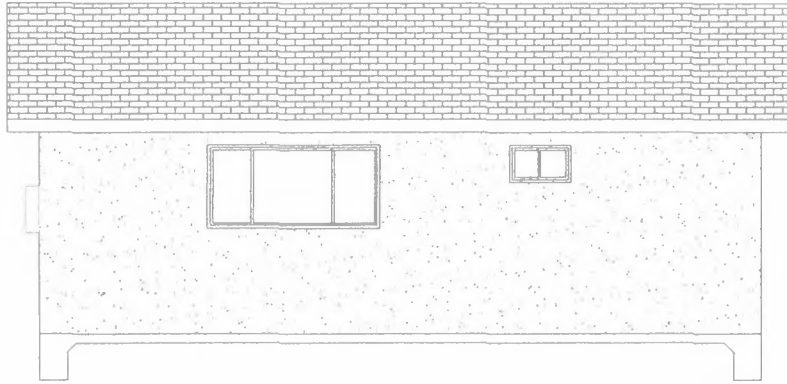
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ELEVATION KEY NOTES

- 1 ROOF CLASS A FIRE RATING
ROOF MATERIAL: SHINGLES
UNDERLAYMENT: PLYWOOD
LISTING REPORT # TBD
- 2 EXTERIOR WALL FINISH: STUCCO
- 3 ROOF PITCH: 4/12
- 4 RADIANT BARRIER IS REQUIRED
- 5 ROOF LOUVER STAFF VENT
MANUFACTURER: MATTHEW FLEW
MODEL: S5880
NFVA MIN 181.28 sf

ARCHITECT
CLIENT Jordan
PROJECT ADDRESS 6321 Liano
ISSUE 12-16-23
REVISED MM DD YY
REVISED MM DD YY
ELEVATIONS
SHEET NUMBER A5.00
PREPARED BY PREPARED BY



RTH ELEVATION
1/8" = 1'-0"

1



LTH ELEVATION
1/8" = 1'-0"

1



ELEVATION KEY NOTES

- 1 ROOF CLASS A FIRE RATING
ROOF MATERIAL SHINGLES
UNDERLAMENT 7 PLY WOOD
LISTING REPORT # TED
- 2 EXTERIOR WALL FINISH STUCCO
- 3 ROOF PITCH 4:12
- 4 RADIANT BARRIER IS REQUIRED
- 5 ROOF LOUVER STATIC VENT
MANUFACTURER MASTER FLOW
MODEL 50890
NFVA MIN 161 28 #"

ARCHITECT

CLIENT

Jordan

PROJECT ADDRESS

4321 Llano

ISSUE

ISSUE

12-16-23

REVISED

MM DD YY

REVISED

MM DD YY

ELEVATIONS

SHEET NUMBER

A5.01

DATE PREPARED

-ALL HANGERS SPECIFIED SIMPSON OR EQUAL
 -ALL BEAMS & CONVENTIONAL ROOF FRAMING BY OTHERS
 -ALL WALLS AT VAULT/CATHEDRAL AREAS BALLOON
 FRAMING TO TRUSS BOTTOM CHORD U N O
 -REFER TO TRUSS ENGINEERING FOR
 LOADING AND REACTION INFORMATION
 -ALL TRUSSES ARE CAMBERED FOR DEAD LOAD DEFLECTION

NOTE ABOVE PLACEMENT PLAN PROVIDED FOR TRUSS PLACEMENT ONLY. REFER TO TRUSS
 CALCULATIONS AND ENGINEERED STRUCTURAL DRAWINGS FOR ALL FURTHER INFORMATION
 BUILDING DESIGNER/ENGINEER OF RECORD IS RESPONSIBLE FOR ALL NON TRUSS TO TRUSS
 CONNECTIONS. BUILDING DESIGNER/ENGINEER OF RECORD TO REVIEW AND APPROVE OF ALL
 DESIGNS PRIOR TO CONSTRUCTION

ALL DESIGNS ARE PROPERTY OF MISSION TRUSS		ISSUE DATE	CHAU
ROOF PITCH 4:12 U N O	HEEL HEIGHT 3'19/16" U N O	4-18-23	ALAN CHAU
CEILING PITCH - U N O	TAIL LENGTH 24" U N O	REVISION 1	ADDITON
	TAIL SIZE 2x4 U N O	REVISION 2	SAN MARCOS
	TRUSS SPACING 24" U N O	REVISION 3	DESIGNED BY JF
			14685-23

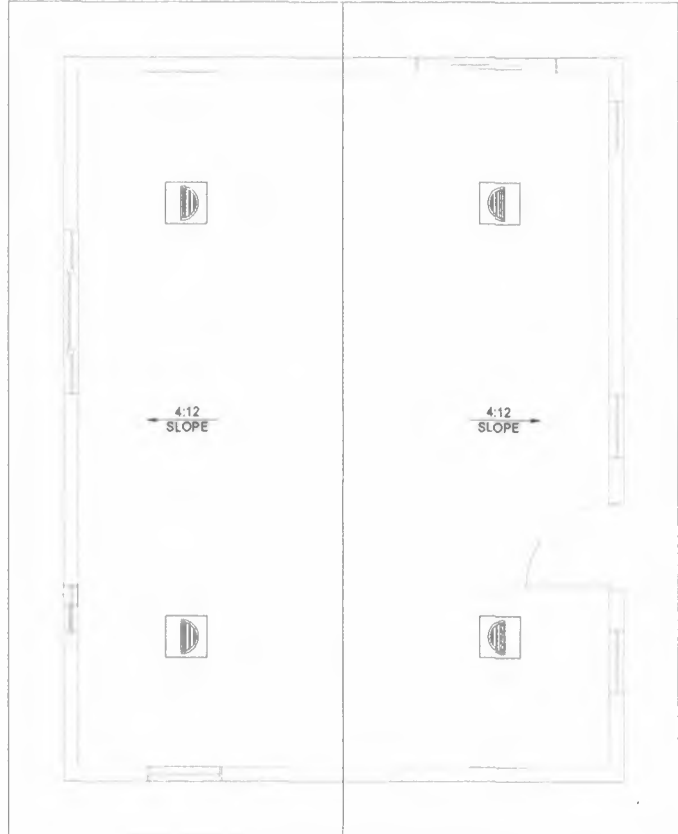
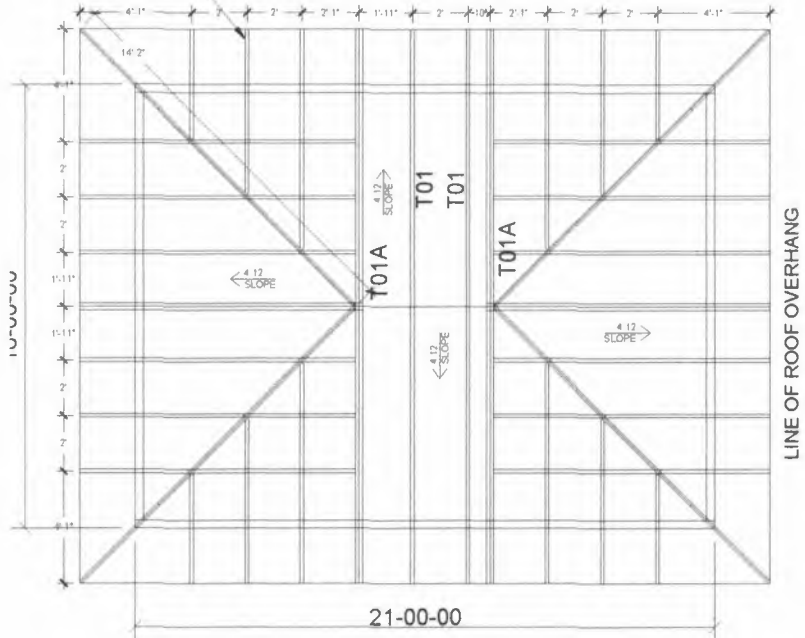
ATTIC VENTILATION REQUIRED

NET FREE CROSS VENTILATION AREA = $\frac{1}{30}$
 VENT AREA REQ'D = $487 \text{ m}^2 / 300 = 1.54 \text{ m}^2 \times 144 = 221.76 \text{ m}^2$

DORMER VENTS
 NPVA = 90 m²
 QTY = 4 VENTS
 VENT AREA PROVIDED = $4 \times 80 \text{ m}^2 = 320 \text{ m}^2$

TOTAL VENT AREA PROVIDED
 $320 \text{ m}^2 > 221.76 \text{ m}^2$

L RAFTERS ARE 2" x 4" /
 3 UNLESS OTHERWISE
 STATED ON SHEET S2



CLIENT	Jordan
PROJECT ALIAS	6321 Liano
ISSUE	12-18-23
REVISED	MM DD YY
REVISED	MM DD YY
ROOF PLAN	
SCALE	A6.00
DESIGNED BY	

OF PLAN
 1/8" = 1' 0"

①

EXTERIOR WALLS

GA FILE NO. WP 8130 PROPRIETARY* 1 HOUR FIRE

GYPSPUM WALLBOARD, GLASS MAT GYPSPUM SUBSTRATE, WOOD STUDS

EXTERIOR SIDE: One layer 5/8" proprietary type X glass mat gypsum substrate (sheathing) applied parallel or at right angles to 2 x 4 wood studs 16" o.c. with galvanized roofing nails, 1 3/4" long, 0.128" shank, 7/16" head, 7" o.c. Exterior surface covered with weather exposed cladding or finish system.

INTERIOR SIDE: One layer 5/8" proprietary type X glass mat gypsum substrate, glass mat water-resistant gypsum backing board, gypsum wallboard, water-resistant gypsum backing board, or gypsum veneer base applied parallel or at right angles to studs with 50 coated nails, 1 3/8" long, 0.0915" shank, 1/4" heads, 7" o.c.

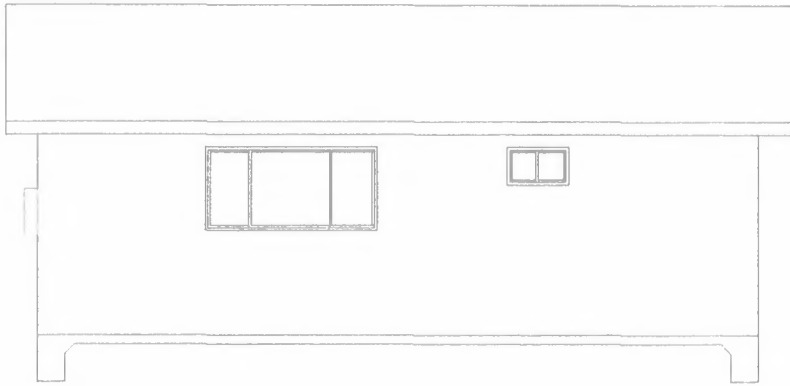
Joints staggered on opposite sides (LOAD-BEARING)



Thickness	4 3/4"
Approx. Weight	7.5 psf
Fire Rating	WHI-490-0702, 8-7-85; WHI-495-0702, 9-8-85; UL R277, 894N-3419; 8-75-89; UL R2851, 07NK17292, 12-12-07; UL R6337, 08NK17692, 9-16-08; UJ, P15187, 02NK31412, 7-17-03; UL FireSign U237 8 U305

PROPRIETARY GYPSPUM PANEL PRODUCTS

American Gypsum Company LLC	5/8" FireBloc® Type X Gypsum Panels
CertainTeed Gypsum Inc.	5/8" ProBloc® Type X Gypsum Panels
Georgia Pacific Gypsum LLC	5/8" DemoGlass Gold® FireGuard® Gypsum Panels
	5/8" DemoArmor Plus® FireGuard®
Lifarge North America Inc.	5/8" FireBloc® Interior Guard
Temple Inland	5/8" FireBloc® Type X
National Gypsum Company	5/8" FireBloc® Fire SHIELD® Gypsum Sheathing
Temple Inland	5/8" Gold Block® Inland FIRE SHIELD® Gypsum Board
	5/8" GreenGlass Type X
	5/8" Type X



ST SHEAR WALL
1/8" = 1'-0"

①



IT SHEAR WALL
1/8" = 1'-0"

②



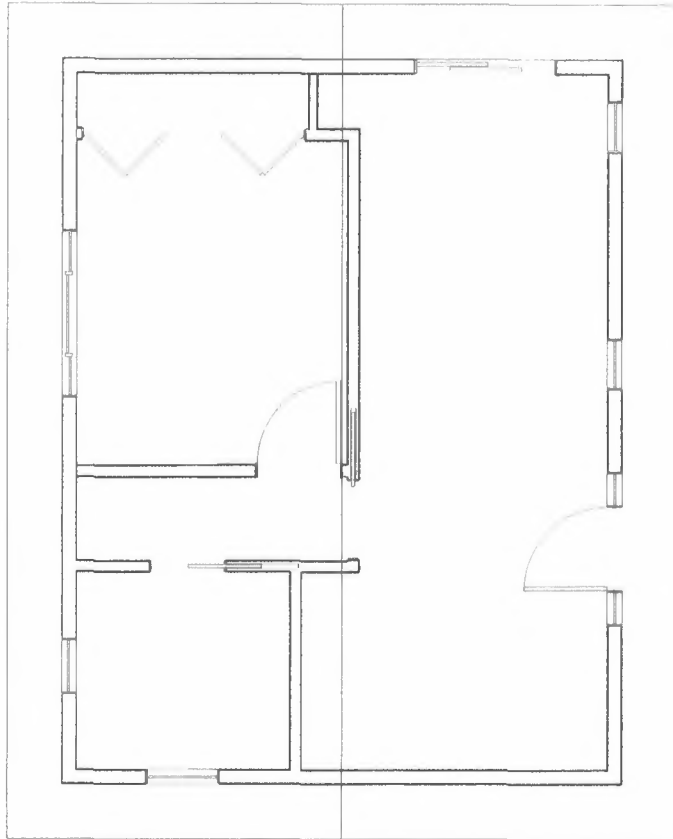
REVISIONS

NO.	DESCRIPTION
1	CLIENT - Jordan
2	PROJECT NUMBER - 6321 Liano
3	ISSUE 12-18-23
4	REVISED MM DD YY
5	REVISED MM DD YY
6	SHEAR WALLS
7	SHEET NUMBER A8.01
8	DATE ISSUED

BOA-234-037

3END

BRACED WALL LINE



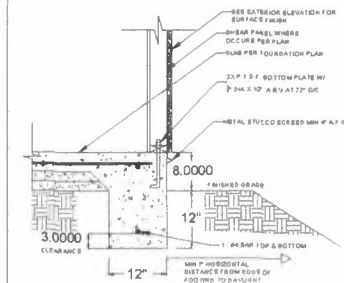
WOOD STRUCTURAL PANEL SHEATHING							
MARK	MINIMUM NAIL		MINIMUM WOOD STRUCTURAL PANEL SPAN RATING	MINIMUM NOMINAL PANEL THICKNESS (in)	MAXIMUM WALL STUD SPACING (in)	PANEL NAIL SPACING	
	SIZE	PENETRATION (in)				EDGES (inches o/c)	FIELD (inches o/c)
▲	6D COMMON	1.5	24:0	5/8"	16	6	12
	6D COMMON	1.75	24:16	7/8"	16	6	12

WOOD STRUCTURAL PANELS SHALL CONFORM TO DOC. PS 1, DOC PS 2 OR ANSI/APA PRP 210, CSA 0437 OR CSA 0325. PANELS SHALL BE IDENTIFIED BY A GRADE MARK OR CERTIFICATE OF INSPECTION ISSUED BY AN APPROVED AGENCY. VERTICAL JOINTS OF PANEL SHEATHINGS SHALL OCCUR OVER AND BE FASTENED TO COMMON STUDS. HORIZONTAL JOINTS IN BRACED WALL PANELS SHALL OCCUR OVER AND BE FASTENED TO COMMON BLOCKING OF A MINIMUM 1 1/2 INCH THICKNESS.

FOUNDATION PLAN NOTES

- ALL ANCHORS BOLTS SHALL BE 1/2" DIAMETER AND HAVE A MINIMUM EMBEDMENT OF 7 INCHES INTO CONCRETE (UNO) AND NOT SPACED MORE THAN 6 FEET APART. ANCHOR BOLTS TO BE WITHIN 12" OF EACH END. MINIMUM OF 2 BOLTS PER WALL.
- 3"x3"x0.229" PLATE WASHERS SHALL BE USED ON EACH SILL PLATE ANCHOR BOLT.
- FOR STANDARD CUT WASHERS PLACED BETWEEN PLATE WASHER AND NUT, HOLE IN PLATE WASHER MAY BE DIAGONALLY SLOTTED WITH MAXIMUM 1/4" LARGER WIDTH THAN BOLT DIAMETER AND MAXIMUM 1-3/4" SLOT LENGTH.
- PROVIDE A MINIMUM OF TWO ANCHOR BOLTS PER SILL PLATE WITH ONE BOLT LOCATED MAXIMUM 12" AND MINIMUM 7 BOLT DIAMETERS FROM EACH END OF EACH SECTION.
- BOLTS LOCATED IN THE MIDDLE THIRD OF THE SILL PLATE WIDTH.
- FASTENERS FOR PRESSURE-PRESERVATIVE TREATED AND FIRE RETARDANT TREATED WOOD SHALL BE HOT-DIPPED ZINC COATED GALVANIZED, STAINLESS STEEL OR COPPER.
- NO LPG PIPING ASSEMBLIES ALLOWED IN OR BENEATH SLABS WITHIN THE STRUCTURE.

DETAIL 1 (NTS)



FOUNDATION PLAN
1/2" = 1'-0"

1

ARCHITECT

CLIENT
Jordan

PROJECT ADDRESS
6321 Liano

ISSUE
12-18-23

REVISED
MM DD YY

REVISED
MM DD YY

FOUNDATION PLAN

DRAWING NUMBER
S1.00

DATE

BY

BDA234-037

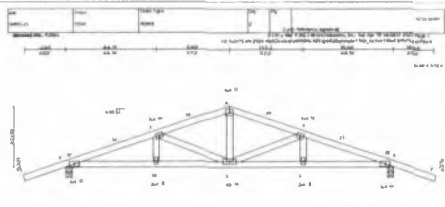
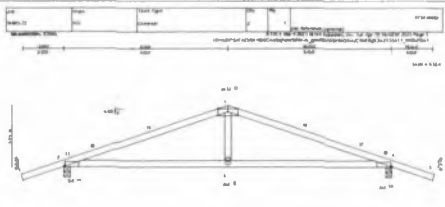
MTI USA, Inc.
 405 Serrano Avenue, Suite 270
 Redwood City, CA 94061
 Telephone 650-750-2571

Re: 14895-23

The truss drawing & information below have been prepared by MTI USA, Inc. under its direct supervision and based on the plans & data provided by Mason Truss Company.

Pages or sheets covered by its seal: RT38 14895 (Rev. 07/31/14)

My license renewal date for the state of California is June 30, 2024



MEMBER	SECTION	SIZE	ORIENT.	GRADE	TYPE	PLACEMENT	NOTES
TOP CHORD	2x8	2x8	0°	1.00	WOOD	TOP	
WEBS	2x4	2x4	45°	1.00	WOOD	WEBS	
BOTTOM CHORD	2x8	2x8	0°	1.00	WOOD	BOTTOM	

MEMBER	SECTION	SIZE	ORIENT.	GRADE	TYPE	PLACEMENT	NOTES
TOP CHORD	2x8	2x8	0°	1.00	WOOD	TOP	
WEBS	2x4	2x4	45°	1.00	WOOD	WEBS	
BOTTOM CHORD	2x8	2x8	0°	1.00	WOOD	BOTTOM	

[Signature]
 April 18, 2023

[Signature]
 April 18, 2023

[Signature]
 April 18, 2023

NOTES:
 1. All dimensions are in feet and inches unless otherwise noted.
 2. Truss members shall be spaced at 16" o.c. unless otherwise noted.
 3. All connections shall be made in accordance with the provisions of the American Institute of Steel Construction, Inc. (AISC) 13th Edition, Part 8, and the provisions of the National Design Specification for Wood Construction (NDS) 2018.
 4. All lumber shall be kiln-dried to a maximum moisture content of 19%.

NOTES:
 1. All dimensions are in feet and inches unless otherwise noted.
 2. Truss members shall be spaced at 16" o.c. unless otherwise noted.
 3. All connections shall be made in accordance with the provisions of the American Institute of Steel Construction, Inc. (AISC) 13th Edition, Part 8, and the provisions of the National Design Specification for Wood Construction (NDS) 2018.
 4. All lumber shall be kiln-dried to a maximum moisture content of 19%.

Symbols and ORIENTATION

PLATE LOCATION AND ORIENTATION
 Center plates on joint unless 1, 7 offset as indicated. Dimensions are in feet and inches. Apply plates to both sides of truss and fully symbolized.

For # 2 orientation, locate plates 1/16" from outside edge of truss.

This symbol indicates the required location of plate in connector plate.

* Plate location details available in MTI 8070 software or upon request.

PLATE SIZE

The first dimension is the plate width measured perpendicular to the truss. The second dimension is the length parallel to the truss.

4 x 4

LATERAL BRACING LOCATION

Indicated by symbol shown above by first in the bracing sequence as indicated.

BEARING

Indicates location where a bearing reaction location indicates joint number where bearing occurs. Min size shown is for 2x4 unless otherwise indicated.

Industry Standards:

1. Truss Connect Wood Truss Construction Design Standard for Bracing Building Component Safety Information, Guide to Good Practice for Handling, Installing & Erecting of Metal Plates Connected Wood Trusses.

Numbering System

1: TOP CHORDS
 2: WEBS
 3: TOP CHORDS
 4: TOP CHORDS
 5: BOTTOM CHORDS
 6: BOTTOM CHORDS
 7: BOTTOM CHORDS
 8: TOP CHORDS

JOINTS ARE GENERAL NUMERICAL LETTERS CLOCKWISE FROM THE TRUSS STARTING AT THE JOINT NEAREST TO THE LEFT.

CHORDS AND WEBS ARE DESIGNATED BY JOINT NUMBERS & LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports
 ESR-1311, ESR-1362, ESR-1908
 ESR-3207, ESR-2967, ESR-1939, ESR-3202

Trusses are designed for wind loads in the plane of the truss unless otherwise shown.

Lumber design values are in accordance with ANSIF 1 SECTION 5. These truss designs rely on lumber values established by others.

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MTI, Engineering Reference Sheet: MB 7473 rev. 5/19/2020

General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

- Additional stability bracing for truss members # 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Truss bracing must be designed for an engineer. For walls bracing, individual label of joints then covers any required bracing, or otherwise 1/2" x 4" or larger should be considered.
- Member adjacent to the bracing location and other deck materials on inadequately braced trusses.
- Provide access of this truss design to the building engineer, architect, engineer, property owner and all other interested parties.
- Cut member A to bear tightly against each other.
- Place plates on each face of truss in each joint and end of truss. Truss and other joint locations are regulated by ANSIF 1.
- Design bracing system will be clearly protected from the atmosphere in accordance with ANSIF 1.
- Unless otherwise noted, measure corners of lumber and end square 1/16" to face of dimension.
- Unless expressly noted, this design is not applicable for use with the truss, as a service bracket, or other function.
- Connect to a non-ferrous construction and is the responsibility of the fabricator. Connector action is to transfer to steel load deviation.
- Plate base, size, orientation and location dimensions - cropped as shown in ESR documents.
- Lumber used shall be in the species and size and all aspects - equal to or better than that specified.
- Top chords must be sheathed in sheathing or other material on design.
- Bottom chord shall require lateral bracing 10' or greater, or face, or no ceiling is indicated, unless otherwise noted.
- Connections not shown are the responsibility of others.
- Do not cut or alter truss member or if do without one approved or approved.
- Install and load truss unless indicated otherwise.
- Use or grant or a loaded truss may pose unacceptable environmental, health or performance risks. Consult with local engineer before use.
- Randomly position of this design truss, truss and all other truss use. Following practice shown in the truss.
- Design all truss members in accordance with ANSIF 1 Quality Criteria.
- The design does not take into account any dynamic or other loads other than those expressly stated.

6321 Llano

ISSUE 12-18-23

REVISED MM DD YY

REVISED MM DD YY

TRUSS CALCULATIONS

\$2.00

BDA234-037

FILE NUMBER: BDA234-050 (KMH)

BUILDING OFFICIAL'S REPORT: Application of Dejuan Session for (1) a variance to the front-yard setback regulations at 909 S. CORINTH ST. RD. This property is more fully described as Block 27/3588, Lot 4-6 and part of lot 3, and is zoned RR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a non-residential structure and provide a 4-foot front-yard setback, which will require (1) an 11-foot variance to the front-yard setback regulations.

LOCATION: 909 S. Corinth St. Rd.

APPLICANT: Dejuan Session

REQUEST:

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

STANDARD OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

Approval

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

- A. Not contrary to the public interest as no letters of opposition were received.
- B. Restrictive in shape as it is an irregularly shaped lot. The lot is also bound by three street frontages, requiring a minimum front yard setback of 15-feet for each frontage; therefore, the property cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
- C. Not a self-created or personal hardship.

BDA HISTORY:

BDA234-009: Variance to front yard setback requirement. Denied without prejudice.

Square Footage:

This lot contains 11,873.55 of square feet.

This lot is zoned RR and does not require a minimum lot size.

Zoning:

Site: RR- Regional Retail
North: SUP 1924
South: RR- Regional Retail and CR Community Retail
East: RR- Regional Retail and CR Community Retail
West: R-5(A)- Single Family District

Land Use:

The subject site is developed with a retail use. The areas to the north, south, east, and west are developed commercial/retail uses and single family uses.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 11-feet is made to construct and/or maintain a non-residential structure.
- The subject site is currently developed with a commercial/retail building. The site also contains a food trailer that is located only 4-feet away from the property line.
- The applicant is proposing to maintain the food trailer providing a 4-foot front yard setback, requiring an 11-foot variance to the front yard setback regulations.
- The subject site is unique in nature as the lot is irregularly shaped and has 3 street frontages, Morrell Ave., S. Corinth St. Rd., and E. Waco Ave.
- The Regional Retail (RR) zoning district requires a minimum front yard setback of 15-feet.

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

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

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

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

- Granting the proposed 11-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- [BDA234-009 at 909 S. Corinth St. Rd.](#) (200' radius video)

Timeline:

February 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.

February 29, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

December 6, 2023: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

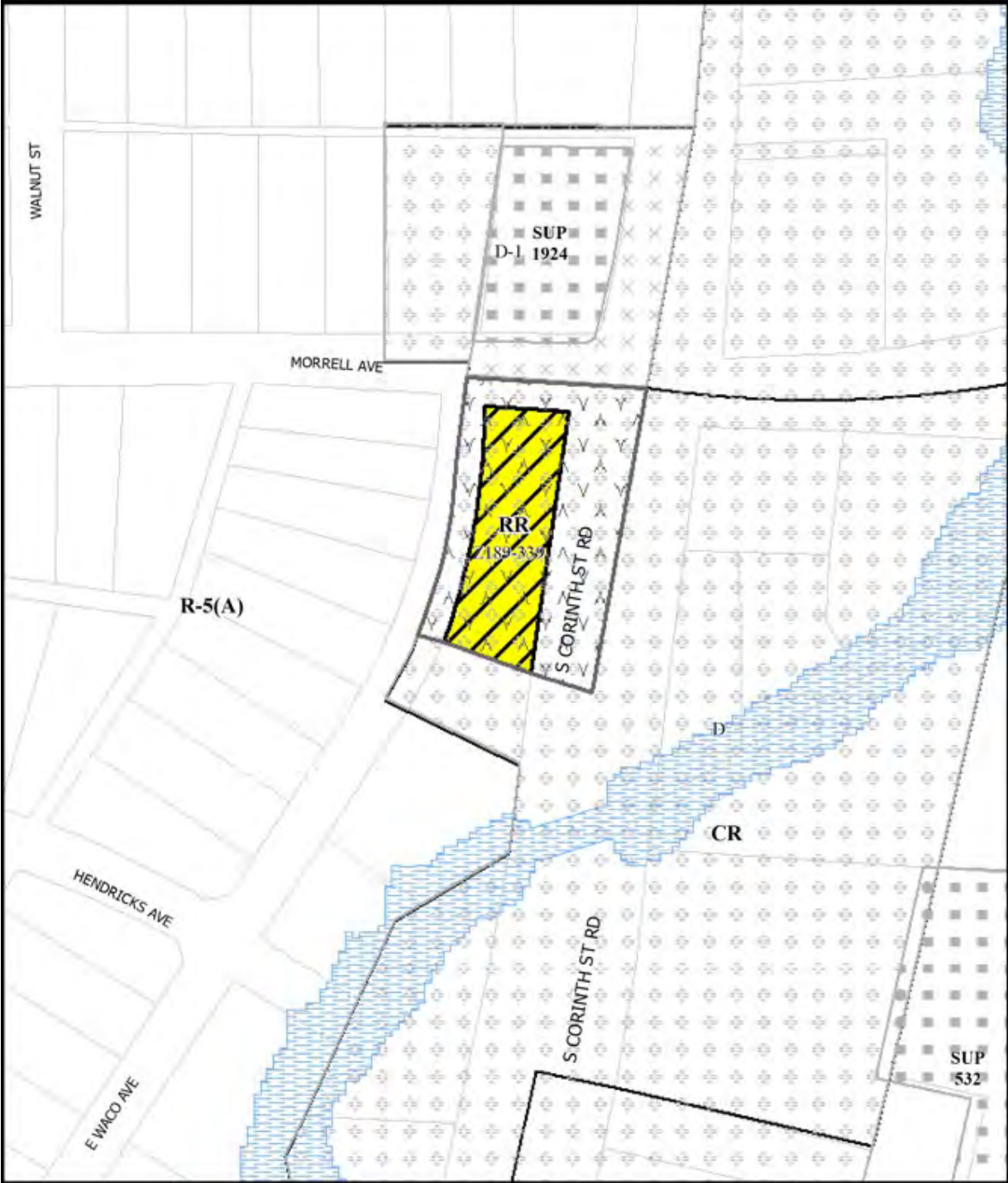


1:1,200

AERIAL MAP

Case no: BDA234-009

Date: 12/7/2023




 1:1,200

ZONING MAP

Case no: BDA234-009
 Date: 12/7/2023




 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
23 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-009**
 Date: **12/7/2023**

12/07/2023

Notification List of Property Owners

BDA234-009

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	909 S CORINTH ST RD	ESTABLISHED INVESTORS INC
2	1514 MORRELL AVE	SHARPE WILLIAM LEE JR &
3	1735 WACO AVE	MIAN RAZA
4	1731 WACO AVE	TRAWICK SHANE M
5	1727 WACO AVE	BIRDA ANTHONY &
6	1723 WACO AVE	SHOFNER JACQUELYN M
7	1719 WACO AVE	GOMEZVILLANUEVA ESTELA DEL CARMEN
8	1715 WACO AVE	ROMERONAVA ANY JANET
9	1711 WACO AVE	SANCHEZ JOSE LUIS RAMIREZ
10	1707 WACO AVE	Taxpayer at
11	1700 WACO AVE	YOUR WAY HOMES & LOTS LLC
12	1718 WACO AVE	ADEWALE HAKEEM
13	900 S CORINTH ST RD	LOPEZ ANDRES &
14	910 S CORINTH ST RD	JJ PROPERTIES INC
15	1511 MORRELL AVE	LEFFALL HALL ESTRELLITA
16	1515 MORRELL AVE	SMITH JOHN A
17	1519 MORRELL AVE	RIOS JEREMIAS &
18	1523 MORRELL AVE	Taxpayer at
19	829 S CORINTH ST RD	BHULLAR ENTERPRISES LLC
20	818 S CORINTH ST RD	CEDAR CLIFF APARTMENTS LLC
21	1710 MORRELL AVE	MORRELL LANDCO LLC
22	938 S CORINTH ST RD	WILLIAMS FRIED CHICKEN
23	945 S CORINTH ST RD	DUKES R C

200' Radius video route





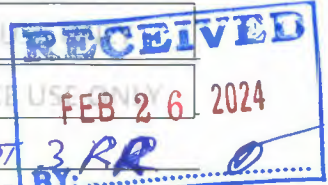
Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

284-050



Data Relative to Subject Property: DAWBZ + MAREZ TO GO Date: FOR OFFICE USE ONLY

Location address: 909 S. Corinth Street RD Zoning District: EDGEMONT 3 RR

Lot No.: 3-6 Block No. 27/3588 Acreage: 0.295 Census Tract: PT LT 3

Street Frontage (in Feet): 1) 202' 2) 65' 3) 134' 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): COREY TONEY

Applicant: DE JUAN SESSION Telephone: 214-972-8020

Mailing Address: 3824 CARVER PL Irving, TX Zip Code: 75061

E-mail Address: D.Session2015@yahoo.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception of 10.5 Feet variance
Front setback.

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

previous app.

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

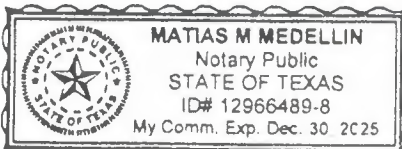
Before me the undersigned on this day personally appeared DE JUAN SESSION

(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 26 day of February, 2024



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 DEJUAN SESSION

did submit a request for (1) a variance to the front yard setback regulations
at 909 S Corinth

BDA234-050. Application of Dejuan Session for (1) a variance to the front yard setback regulations at 909 S. CORINTH ST. RD. This property is more fully described as Block 27/3588, Lot 4-6 and part of lot 3, and is zoned RR, which requires a front yard setback of 15-feet. The applicant proposes to construct and/or maintain a non-residential structure and provide a 4-foot front-yard setback, which will require (1) an 11-foot variance to the front-yard setback regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



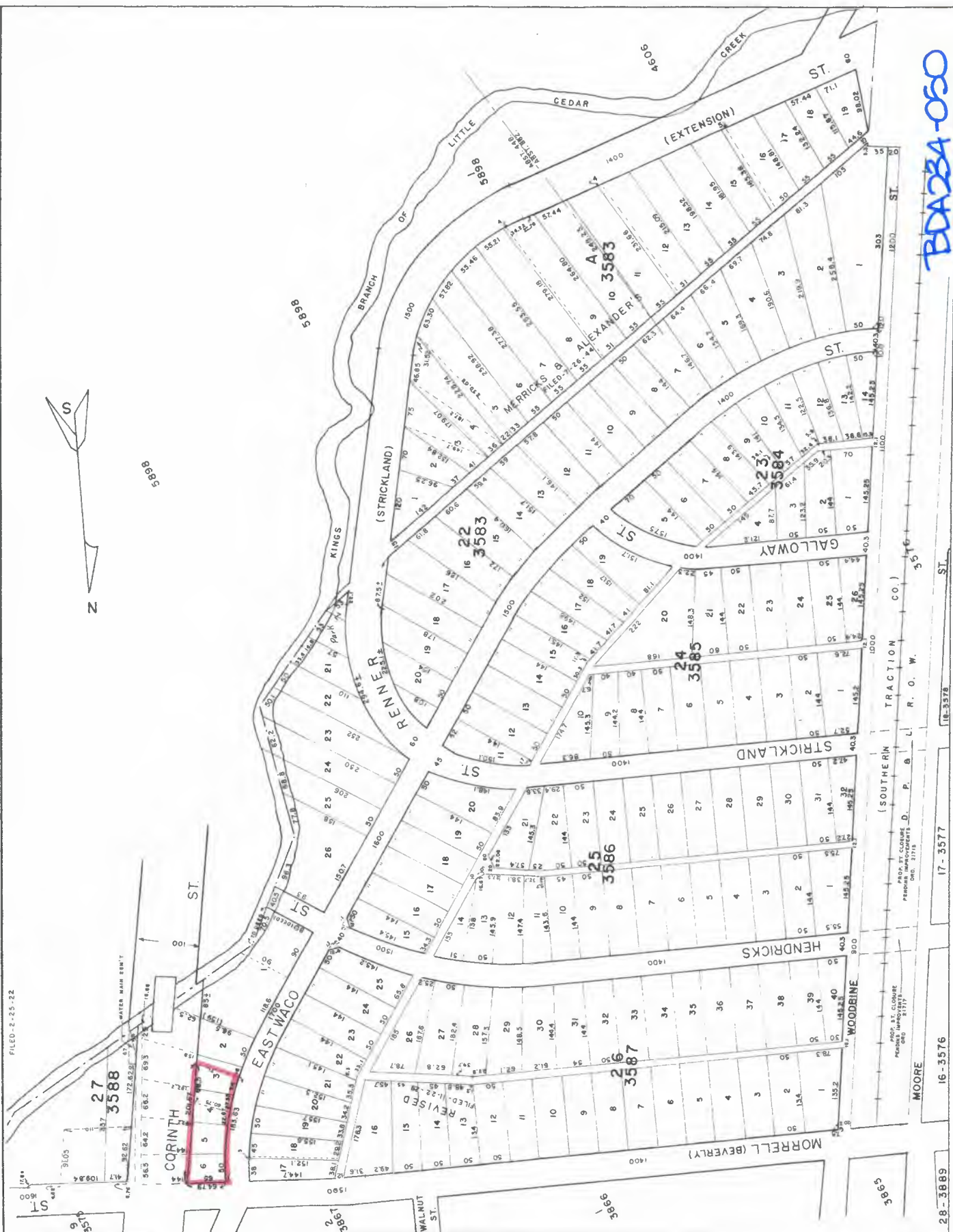
BDA23A-050

CITY OF DALLAS PLAT BOOKS

22 27
BLOCKS 3583 TO 3588
SCHOOL DISTRICT DALLAS

ADDITION, EDMONT ADD. NO. 3
SCALE 100 FT. EQUALS 1 INCH

ANNEXED FEB. 26, 1923 ORD. NO. 11516
SURVEY C. MILLER ABST. 882



BDA234-050

17-3577

16-3576

28-3889

MOORE

16-3576

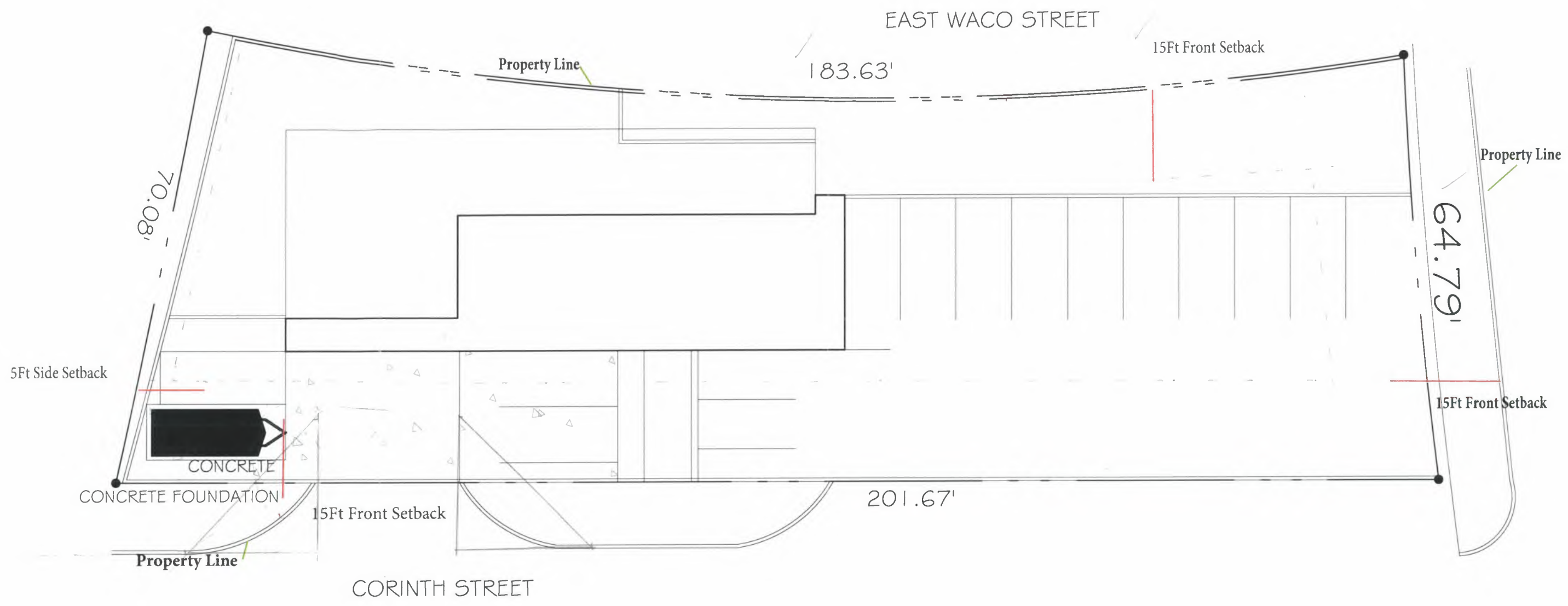


Map navigation controls including zoom in (+), zoom out (-), home, and back arrows.

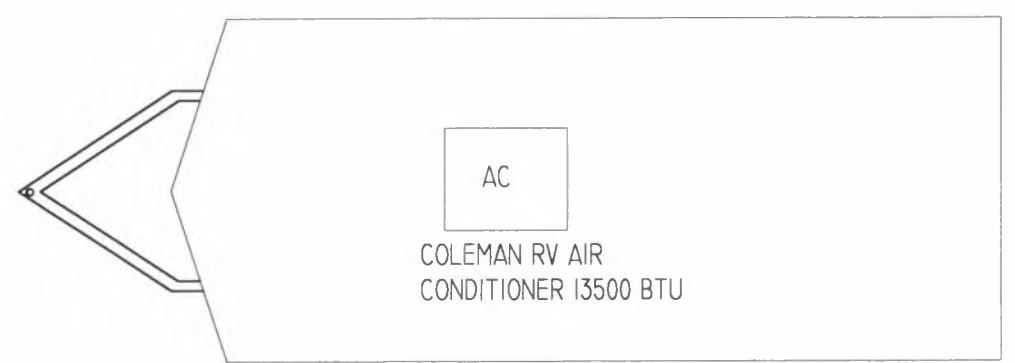
Map navigation icons including search, pan, scale, and print.

121

BDA23A-050



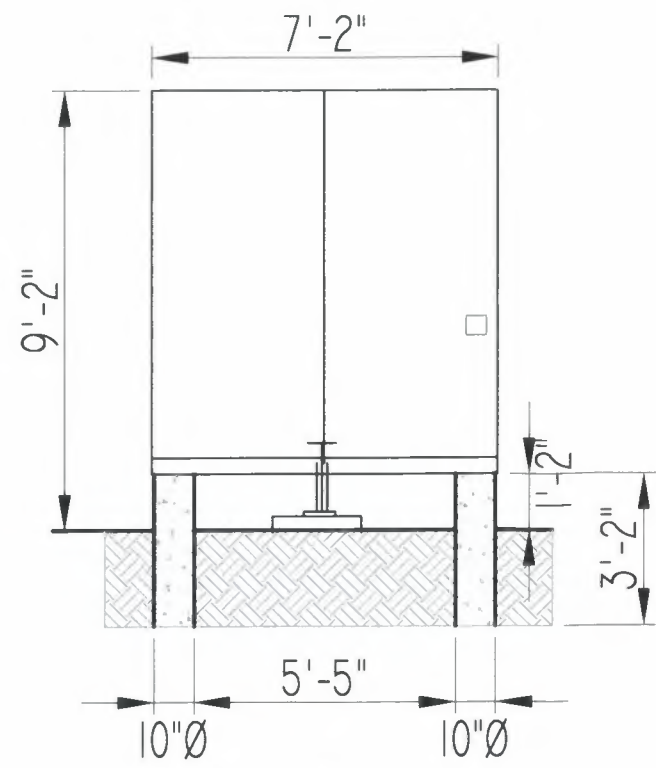
① SITE PLAN & FOUNDATION PLAN
SCALE: 1/16"=1'-0"



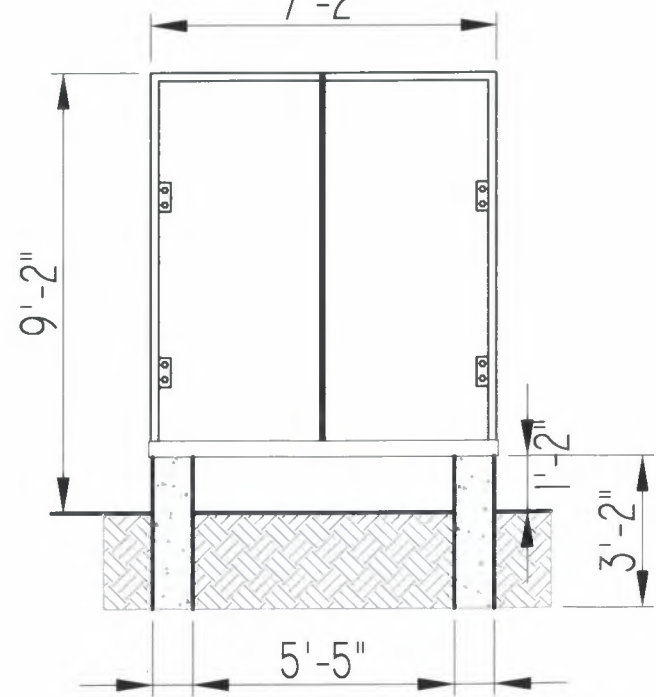
② ROOF PLAN
SCALE: 1/4"=1'-0"

BDA234-050

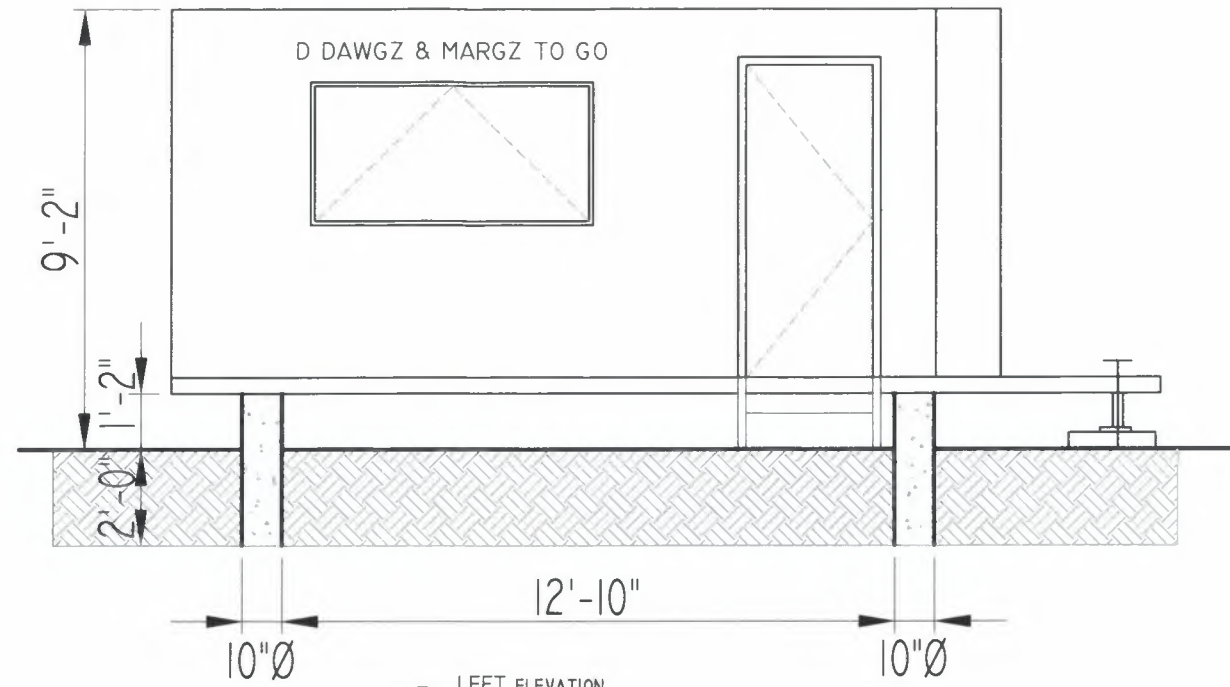
ISSUE RECORD:		ISSUED FOR:	COMMENTS:
DRAWN BY:	DATE:		
Jason S. Pishva			
CHK'D BY:			
DWG FILE:			
Confidential/Copyright (c) DFW CAD DRAFTING 2016			
DRAWN BY: DFW CAD DRAFTING 15950 N. DALLAS PKWY DALLAS TX. 75248 C: 214-235-3713 C: 817-710-5863			
GENERAL CONTRACTOR: D DAWGZ & MARGZ TO GO 909 S. Corinth St Rd Dallas, TX 75203			
SHEET CONTENTS: SITE PLAN AND ROOF PLAN,			
DATE: 08/28/2023			
			1



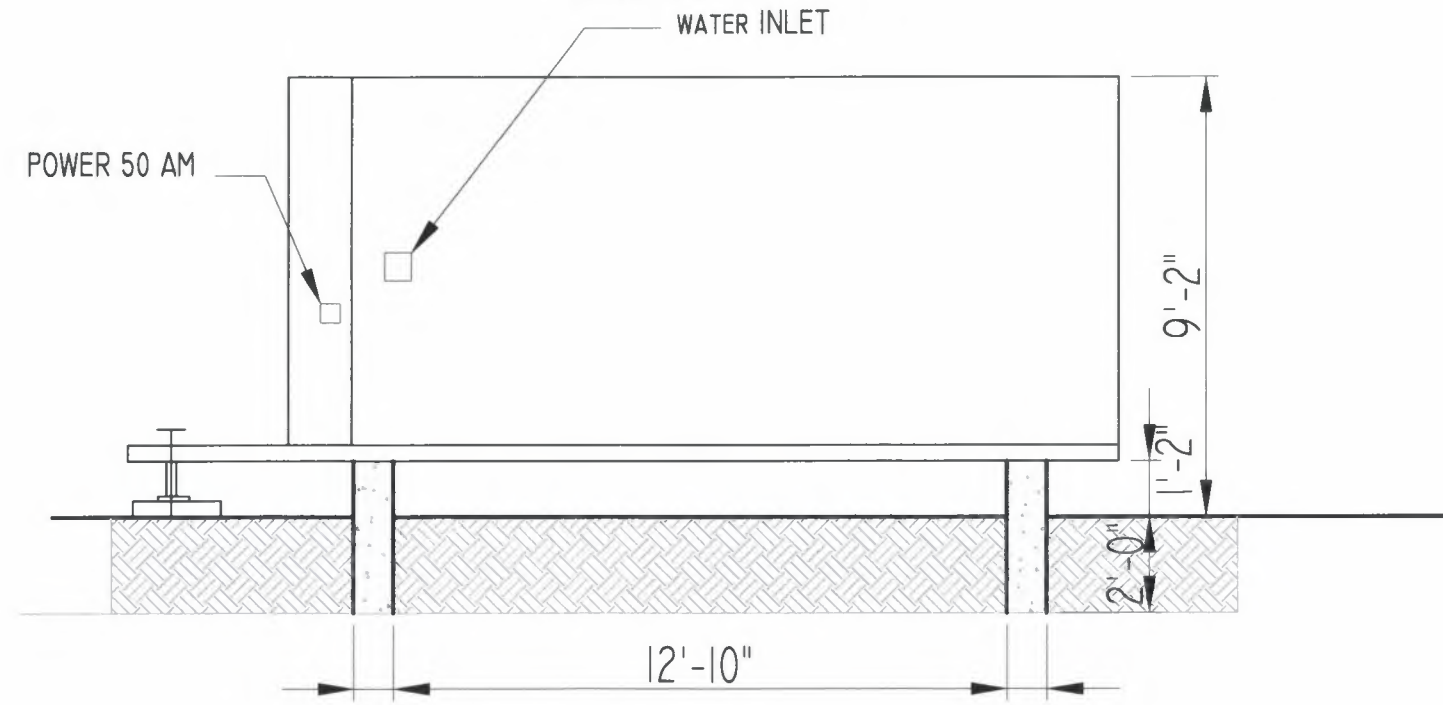
① FRONT ELEVATION
SCALE: 1/4"=1'-0"
7'-2"



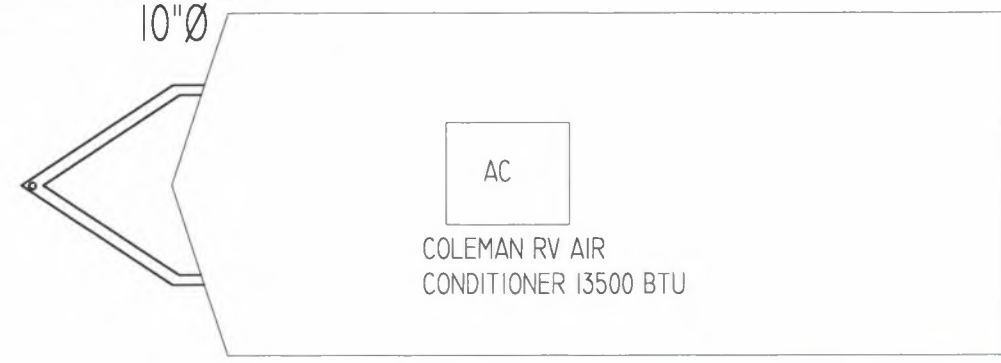
③ BACK ELEVATION
SCALE: 1/4"=1'-0"



② LEFT ELEVATION
SCALE: 1/4"=1'-0"



④ RIGHT ELEVATION
SCALE: 1/4"=1'-0"



⑤ TOP VIEW
SCALE: 1/4"=1'-0"

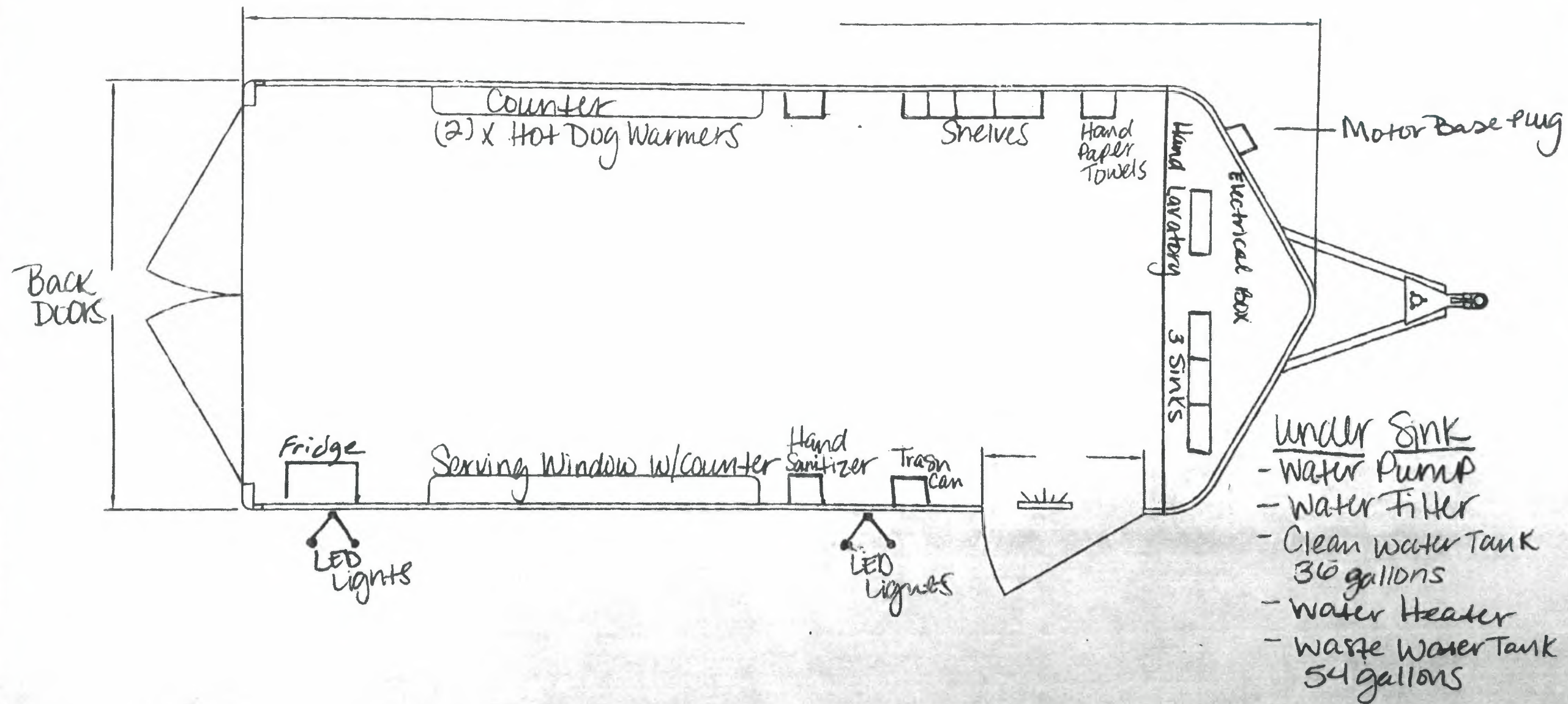
ISSUE RECORD:	
ISSUES FOR:	COMMENTS:

DRAWN BY: Jason S. Pishva
 CHK'D BY: D DAWGZ & MARGZ
 DWG FILE:
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DRAWN BY:
 DFW CAD DRAFTING
 15950 N. DALLAS PKWY
 DALLAS TX. 75248
 C: 214-235-3713
 C: 817-710-5863

GENERAL CONTRACTOR:
D DAWGZ & MARGZ TO GO
 909 S. Corinth St Rd
 Dallas, TX 75203

SHEET CONTENTS:
 ELEVATIONS,
 DATE: 08/28/2023



HOT DAWGZ MENU

DRINKS-
BOTTLE
WATER\$2
CAN SODA\$2

IF YOU WANT BEEF, TURKEY ,OR ORGANIC, PLEASE SPECIFY!!

THE HOT DAWGZ (PLAIN JANE) \$5

Choose your own toppings

TOP DAWGZ (LOADED) \$8

Chili, Cheese, Peppers, Onions

CHILI DAWGZ \$8

Cheese

EASTSIDE DAWGZ \$10

Relish, Sauerkraut, Brown Mustard

THE CHI DAWGZ \$10

Pickles, Tomatoes, Relish, Yellow Mustard, Onion, Poppy Seed Bun

Add'l Toppings .50 cents

ALL DAWGS COME WITH CHIPS
YOUR CHOICE BOTTLE WATER OR
SODA, EXCEPT THE PLAIN JANE



\$2
Popcorn

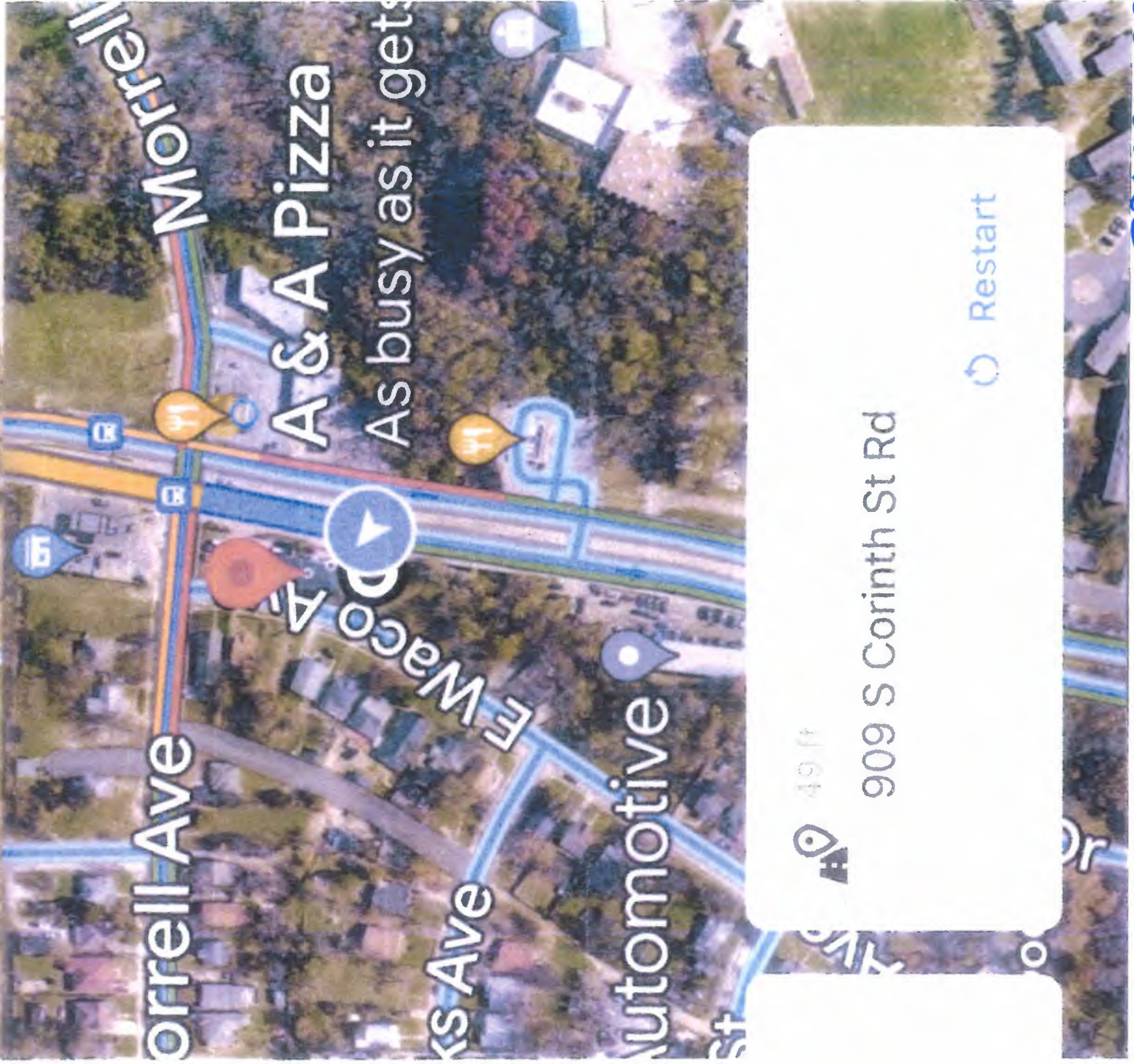
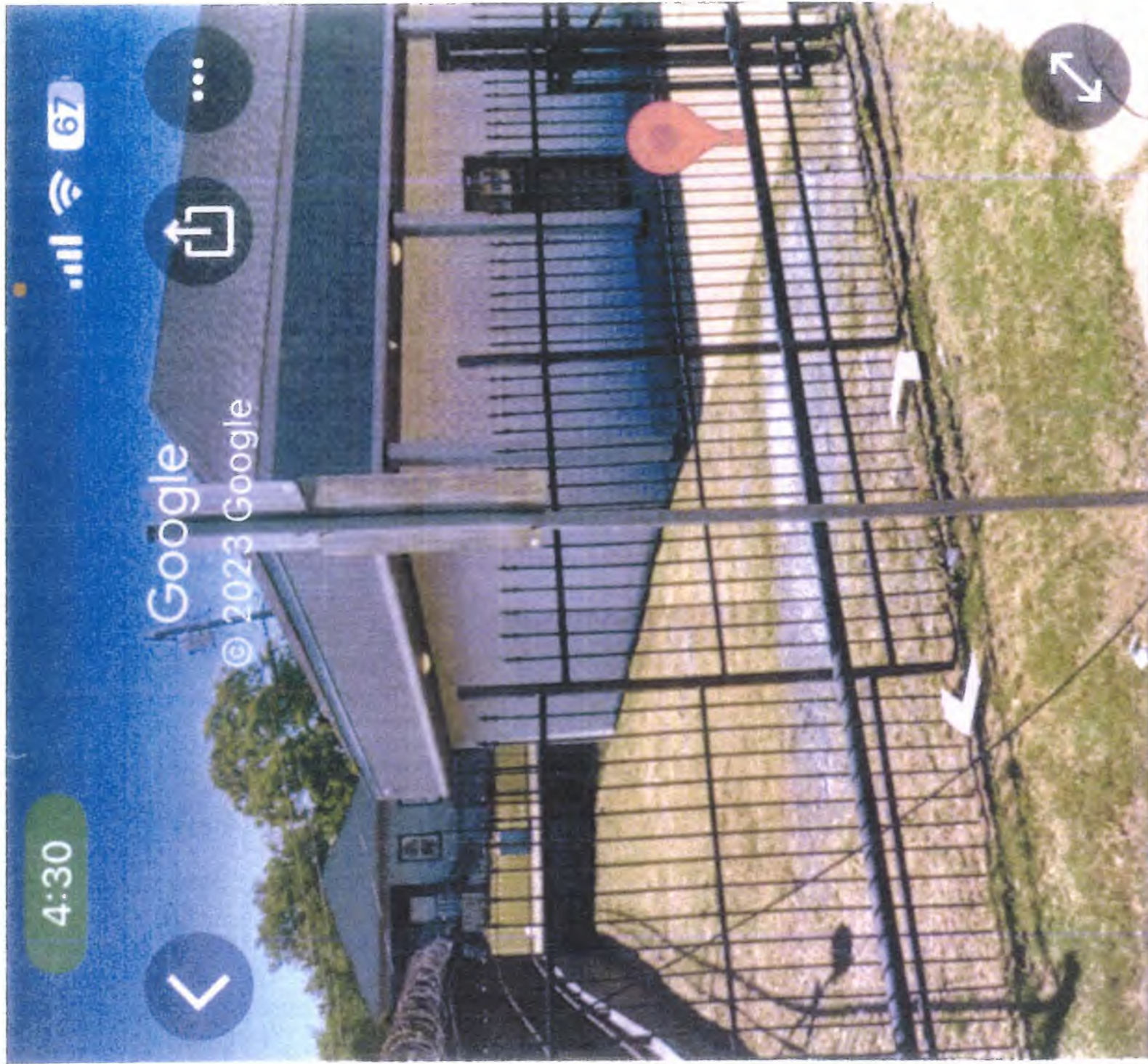
**Open Mon-Sat
11 AM - 9 PM**

909 S. CORINTH ST RD
Dallas, TX 75216

(214-972-8020)



**909 S Corinth
Street Rd**
Cedar Crest, Dallas



BDA23A060



909 S. Corin

651 + 2 divisions. 2 POP

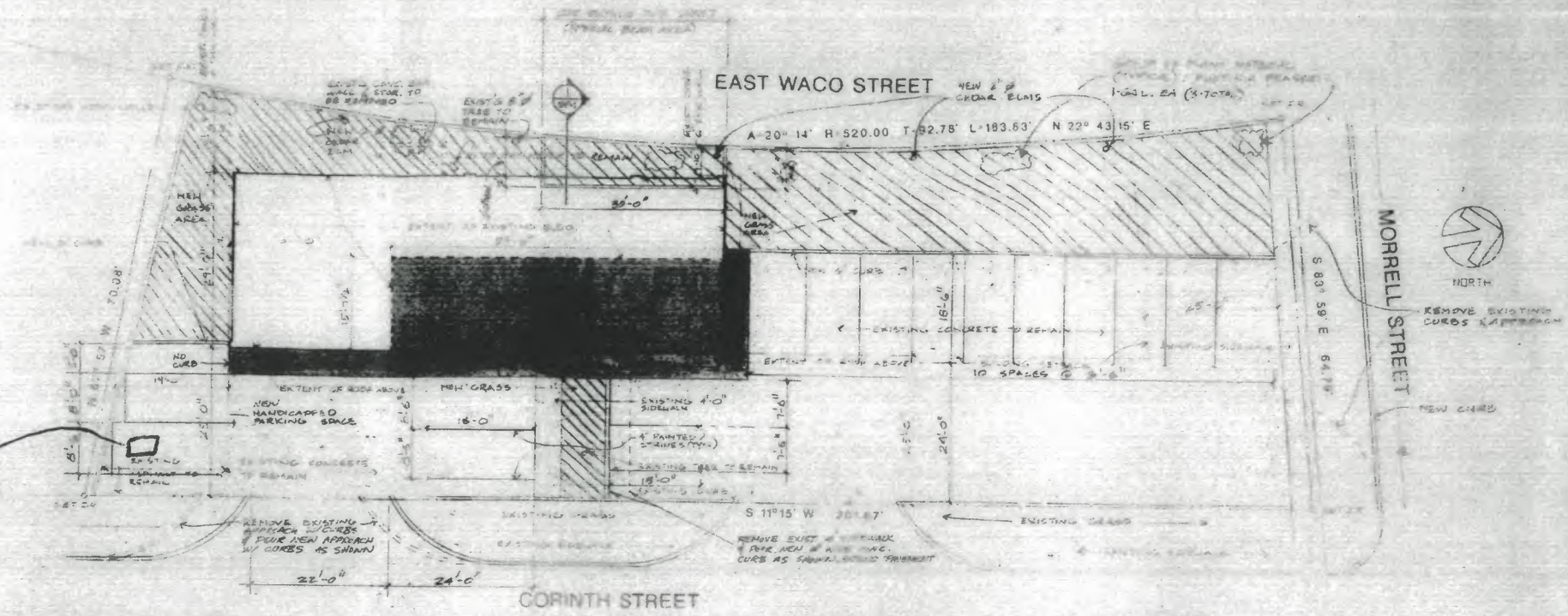
Williams

909 S Corinth St Rd

 Directions
  Start
  Directory

BDA234-050

 2 days ago



Location

SITE PLAN
SCALE: 1"=10'-0"

LANDSCAPE TABULATION OF POINTS

1. Landscaping Parking Lots	10
2. Landscaping Outdoor Strips	15
3. Special Amenities	8
TOTAL	33 points

APPROVED
DALLAS FIRE DEPT
DATE 4/20/87

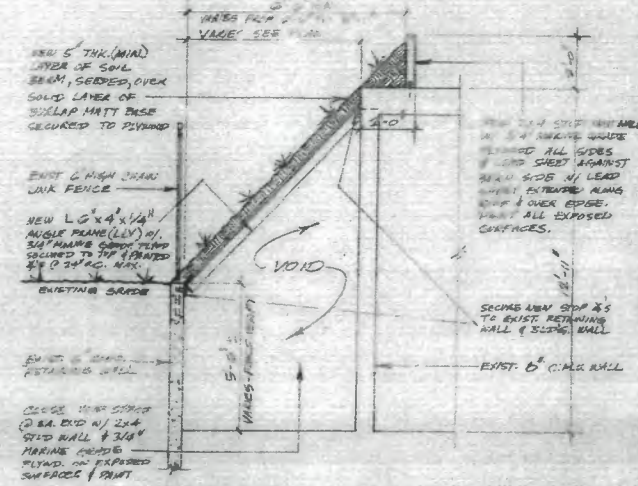
PARKING SPACES:

5'-4" x 8'-0"	= 13 spaces
8'-0" x 10'-0"	= 1 space
4' 5'-0" WID	= 1 space
7'-0" x 15'-0"	= 2 spaces
TOTAL	16 spaces ACTUAL (16 req'd)

Fire Department approval stamp with date 4/20/87.

Department of Public Works stamp regarding non-combustible materials.

Stamp regarding building department approval.



LANDSCAPE BERM DETAIL 1/SP-1
SCALE: 3/8"=1'-0"

ADDENDUM

3 909 S. CORINTH ST
5-1-87 7

DURSETT DESIGN

ADDITION & REMODEL FOR
CORINTH FAMILY CLINIC
909 S. CORINTH ST., DALLAS, TEXAS

SP-1

BDA234-050

FILE NUMBER: BDA234-016 (KMH)

BUILDING OFFICIAL'S REPORT: Application of ARTURO MUNOZ for **(1)** a special exception to the fence height regulations at 2511 JORDAN VALLEY RD. This property is more fully described as Block 2/8788, Lot 2, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front-yard, which will require **(1)** a 2-foot special exception to the fence regulations.

LOCATION: 2511 Jordan Valley Rd.

APPLICANT: Arturo Munoz

REQUEST:

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

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

Section 51A-4.602(b)(2) 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 Exception

No staff recommendation is made on this or any request for a special exception to the fence 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-10(A) (Single Family District)
North: A(A) and SUP 799
East: R-10(A) and R-7.5(A)
South: R-10(A)
West: R-10(A)

Land Use:

The subject site and the properties to the east, south, and west are developed with single family homes; the properties to the north are vacant.

BDA History:

No BDA history

GENERAL FACTS/STAFF ANALYSIS:

- The application of Arturo Munoz for the property located at 2711 Jordan Valley Road focuses on one request relating to the fence height regulations.
- The applicant proposes to maintain a 6-foot high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- It is important to note that the fence itself measures 5-feet, however, the highest point of the gate measures at 6-feet.
- The applicant states that, “due to growing criminal activities in the neighborhood, we would like to make our front gate more secure.”
- It is also imperative to note that the fence is currently existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- [BDA234-016 at 2511 Jordan Valley](#) 200' Radius Video

Timeline:

December 7, 2023: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

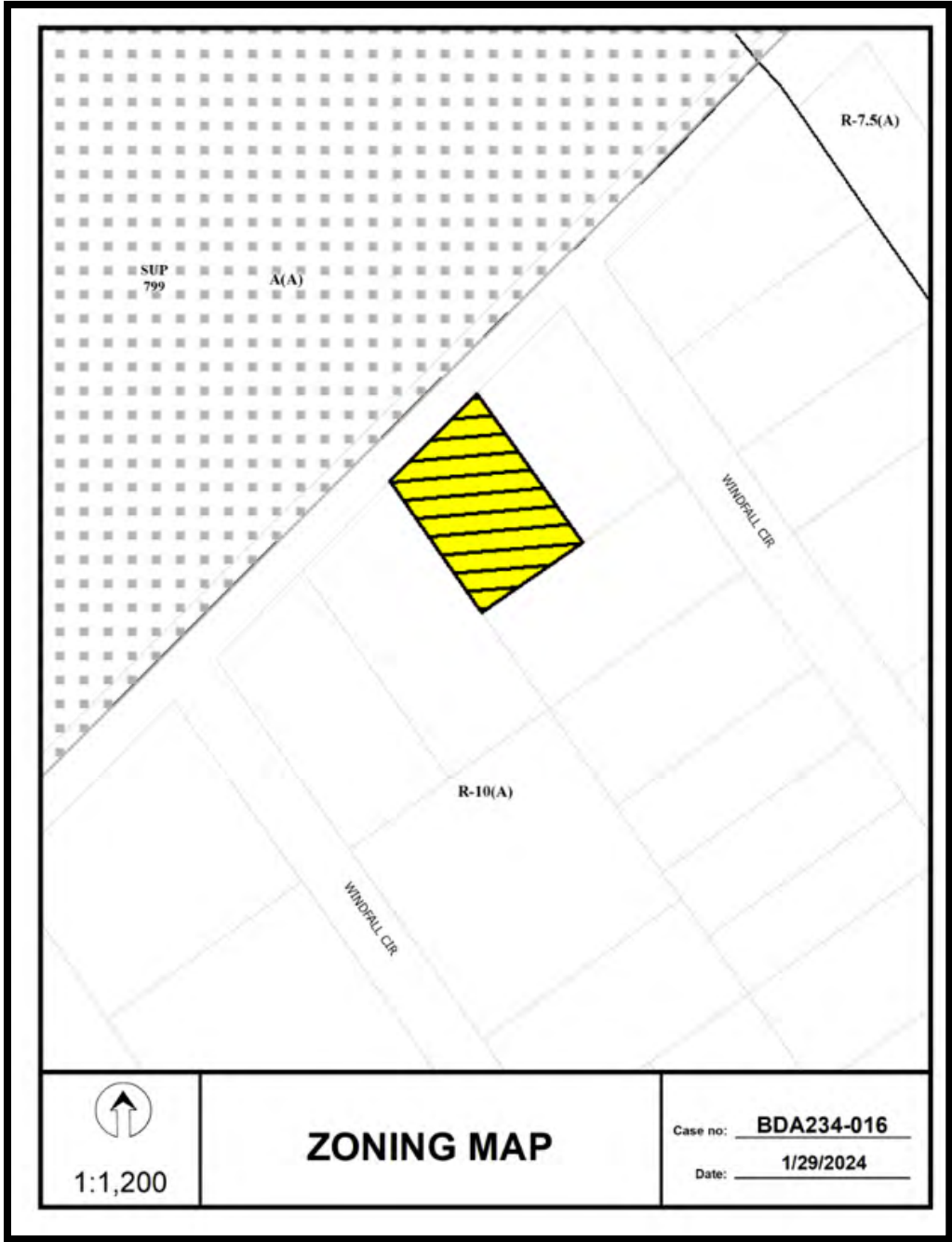
January 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 10, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

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

February 2, 2024: 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 Interim Chief Planner/Board Administrator, the Development Services Senior Plans Examiner and the Senior Planner.





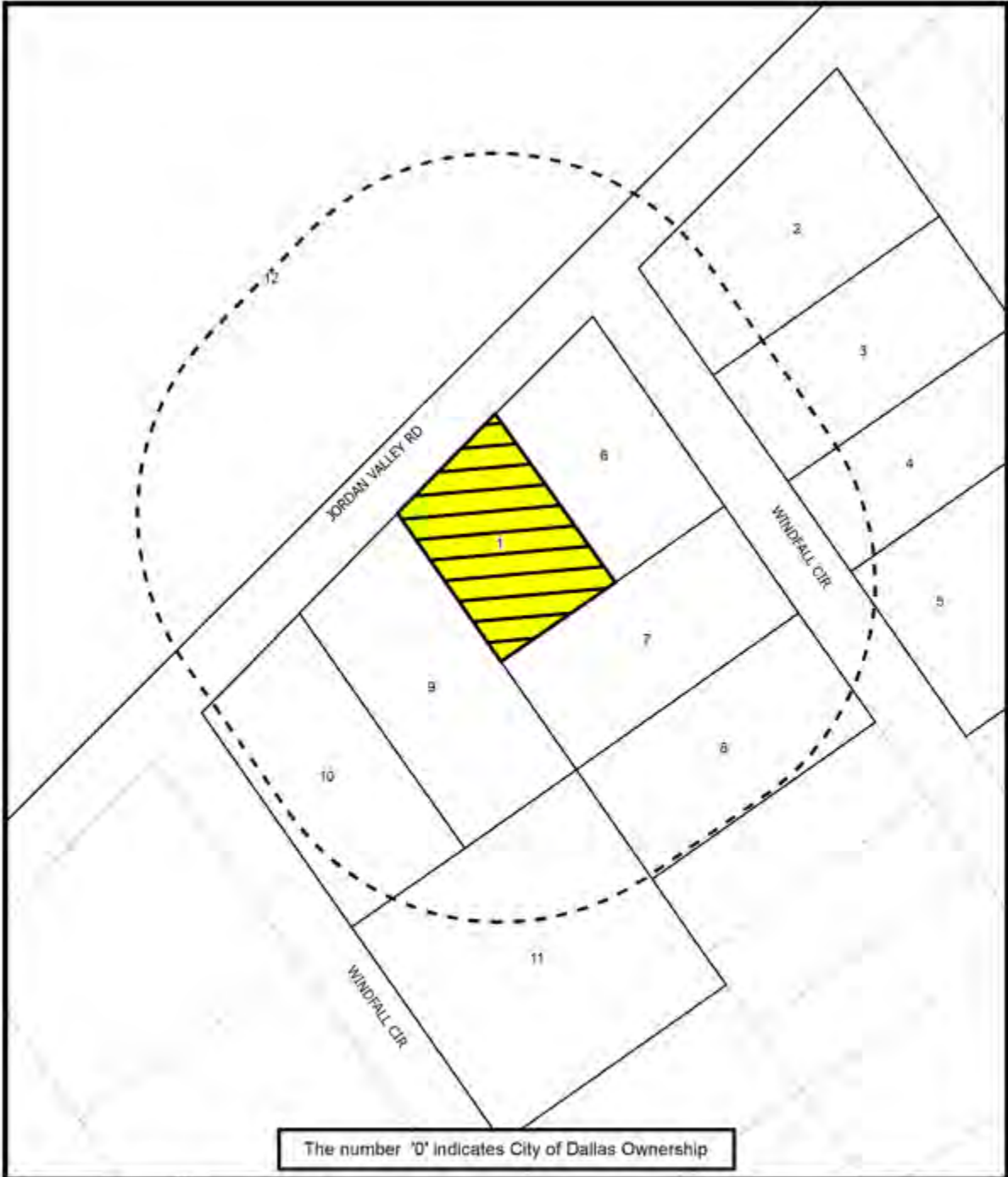
1
01/29/2024

Notification List of Property Owners

BDA234-016

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2511 JORDAN VALLEY RD	RENTERIA IMELDA & ARTURO MUNOZ
2	12503 WINDFALL CIR	MARTINEZ ADRIAN &
3	12509 WINDFALL CIR	AVILA EDUARDO &
4	12515 WINDFALL CIR	SEGOVIA ERNEST JR &
5	12521 WINDFALL CIR	LINWEAVER DANNY L
6	2505 JORDAN VALLEY RD	PINALES YVETTE R & JOSE RESENDIZ
7	12516 WINDFALL CIR	ALLEN DENNIS P
8	12522 WINDFALL CIR	MORALES RODRIGO
9	2517 JORDAN VALLEY RD	BATRES CARLOS
10	12941 WINDFALL CIR	SAUCEDO EDUARDO & DIANA
11	12929 WINDFALL CIR	LOPEZ PATRICIA
12	2430 JORDAN VALLEY RD	MESQUITE LANDFILL TX LP



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">12</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	12	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA234-016 Date: 1/29/2024
200'	AREA OF NOTIFICATION					
12	NUMBER OF PROPERTY OWNERS NOTIFIED					

200' Radius (Route Map)





Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-016 RECEIVED
Date: 11-20-2023 07 REC'D

Data Relative to Subject Property: Code compliance
Location address: 2511 Jordan Valley Rd Dallas TX Zoning District: R-10
Lot No.: 2 Block No.: 218788 Acreage: 0.36 Census Tract: _____
Street Frontage (in Feet): 1) 166 2) 159 3) 139 4) 105 5) _____

To the Honorable Board of Adjustment:
Owner of Property (per Warranty Deed): Imelda Renteriz / Arturo Munoz
Applicant: Arturo Munoz Telephone: 469-258-1536
Mailing Address: 2511 Jordan Valley Rd Dallas TX Zip Code: 75253
E-mail Address: Ay131314@gmail.com
Represented by: _____ Telephone: _____
Mailing Address: _____ Zip Code: _____
E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception of Iron Fence in front yard exceeding 4 feet height. New height is 5 feet. Requesting special exception of 2 foot in height. AM.

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:
Due to growing criminal activities in the neighborhood, we would like to make our front gate a more secure. Previous drunk drivers have damaged our property and we fear our safety.

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.

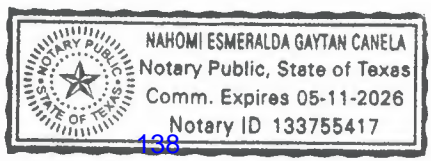
Affidavit

Before me the undersigned on this day personally appeared Arturo Munoz
(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 20 day of November, 2023

Nahomi Esmeralda Gaytan Canela
Notary Public in and for Dallas County, Texas





CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-016

I, Imelda Renteria Mota, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2511 Jordan Valley Rd Dallas TX 75253
(Address of property as stated on application)

Authorize: Arturo Muroz
(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: Iron fence in front yard exceeding 4 feet height.
New height is 5 feet Requesting Special exception of 2 feet in height.
A.M.

Imelda Renteria
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

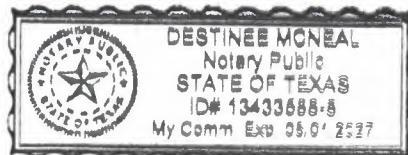
agent Date 11/20/2023

Before me, the undersigned, on this day personally appeared
Imelda Renteria

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 20 day of
November, 2023

[Signature]
Notary Public for Dallas County,
Texas



Commission expires on
05/01/2027

ArcGIS Web Map



11/27/2023 10:18:47 AM

1:2,660



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

AM.

BDA234-016

SHIPPED DATE: 5-15-78 RECEIVED DATE: 2-16-78
CONSOLIDATED 4-1-78 ANNEXED
SURVEY ROBERT KLEBERG ORD. NO. 15 794 ABST. 716

CITY OF DALLAS PLAT BOOKS

ADDITION CHESTER DAVIS

SCALE 100 FT. EQUALS 1 INCH

1-5
BLOCKS 8788
SCHOOL DISTRICT DALLAS

D.C. 4-21-60

FILED 1-13-48
Wm. M. Bradshaw Subd. 5122/8788 Lot 1A/1B Filed: 10-11-63



ABST. 716 SHEET 3-C

ABST. 716 SHEET 3-C

BDA234-016

Am

It is the responsibility of the holder/owner to verify that the plans provided meet all applicable codes and regulations and all applicable laws and regulations. It is the responsibility of the holder/owner to verify the dimensions of all plans and report any discrepancy to the engineer prior to construction. Any discrepancy found after construction is the responsibility of the holder/owner.

DATE: 11/06/23
 PLAN NO. B231106

2511 Jordan Valley Rd.
 Dallas, TX 75253

REVISIONS:
 PRR #
 11/06/23
 11/28/23

Drawn By:
 UD
 Plan Number
 B231106

A1
 1 of 2

S 32° 40'00" E 159.25'

S 57° 20'10" W 105.00'

N 32° 40'00" W 139.50'

N 46° 41'00" E 106.84'

NEW 6'X5' METAL FENCE

NEW 15'X6' ELECTRICAL SLIDING METAL GATE

NEW 6'X5' METAL FENCE

EXISTING DRIVEWAY

2511 JORDAN VALLEY ROAD
 BLK 2/8788 LOT 2
 THE CITY OF DALLAS, DALLAS COUNTY

EXISTING ONE STORY BRICK RESIDENCE

EXISTING CONCRETE



— NEW METAL FENCE

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

BDA234-016

It is the responsibility of the Bidder/Owner to verify that the plans provided meet all State, County, Local or Additional Requirements. Changes and Additions to the Plans and Specifications must be approved by the Bidder/Owner. It is the responsibility of the Bidder/Owner or the Agency (Subcontractor) to verify the dimensions of all plans and report any discrepancies to the Bidder/Owner. Any discrepancies and other omissions shall be the responsibility of the Bidder/Owner.

DATE: 1/06/23
 PLAN NO. B231106

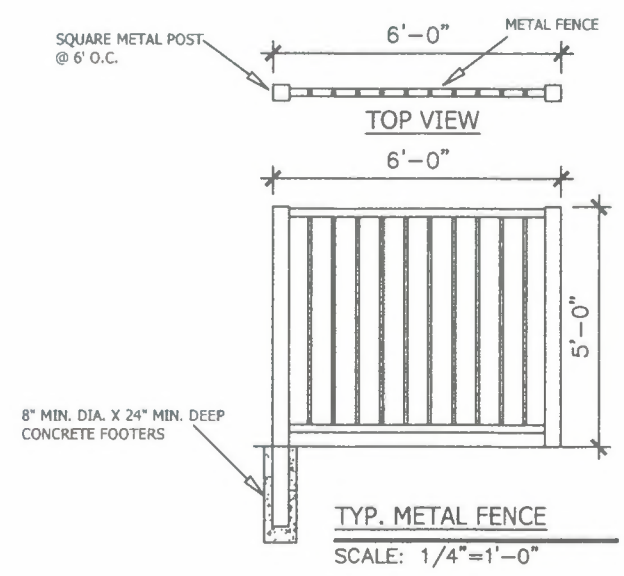
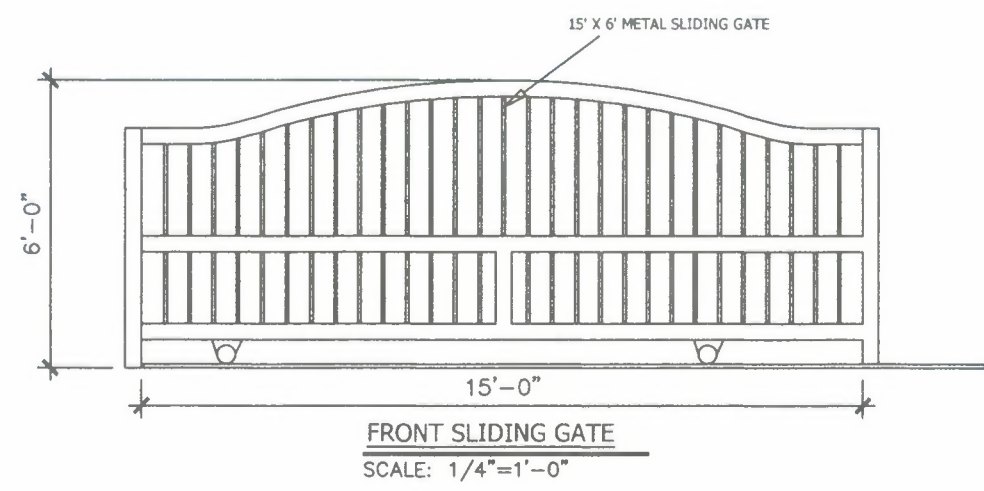
2511 Jordan Valley Rd.
 Dallas, TX 75253

REVISIONS:
 PRR #
 11/06/23
 11/29/23

Drawn By:
 UD
 Plan Number:
 B231106

A2
 2 of 2

Am Open Iron 166 Feet Long



BDA23A-016

2464 Jordan Valley Rd

Dallas, Texas

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2023 Google



BDA23A-016

FILE NUMBER: BDA234-025(CJ)

BUILDING OFFICIAL'S REPORT Application of Darian Kaar for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence regulations regarding prohibited material at 4625 Walnut Hill Ln. This property is more fully described as Block A/5540, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard, which will require **(1)** a 2-foot special exception to the fence regulations, and to construct a fence using a prohibited material, which will require **(2)** a special exception to the fence material regulations.

LOCATION: 4625 Walnut Hill Ln.

APPLICANT: Darian Kaar

REQUEST:

- (1) A request for a special exception to the fence height regulations; and
- (2) A special exception to the fence regulations regarding prohibited material

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

Section 51A-4.602(b)(2) of the Dallas Development Code states that the board may grant a special exception to the fence regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this or any request for a special exception to the fence 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-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

Square Footage:

This lot contains 41817.6 of square feet.

GENERAL FACTS/STAFF ANALYSIS:

- The application Darian Kaar, for the property located at 4625 Walnut Hill Lane focuses on 2 requests relating to the fence height and fence standards.
- The applicant proposes to construct and maintain a 6-foot-high fence in a required front yard, which will require a 2-foot special exception to the fence height regulations.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding prohibited material,
- The subject site along with properties to the north, east, south, and west are all developed with single-family homes.
- As gleaned from the submitted site plan and elevations, the applicant is proposing to construct and maintain a 6-foot-high board on board metal frame fence around the circumference of the property at 4625 Walnut Hill Lane.
- It is imperative to note that the subject site is a mid-block lot, and it has single street frontage on Walnut Hill Lane.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.

- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and material with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.

Timeline:

December 2, 2023: 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 10, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

January 11, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

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

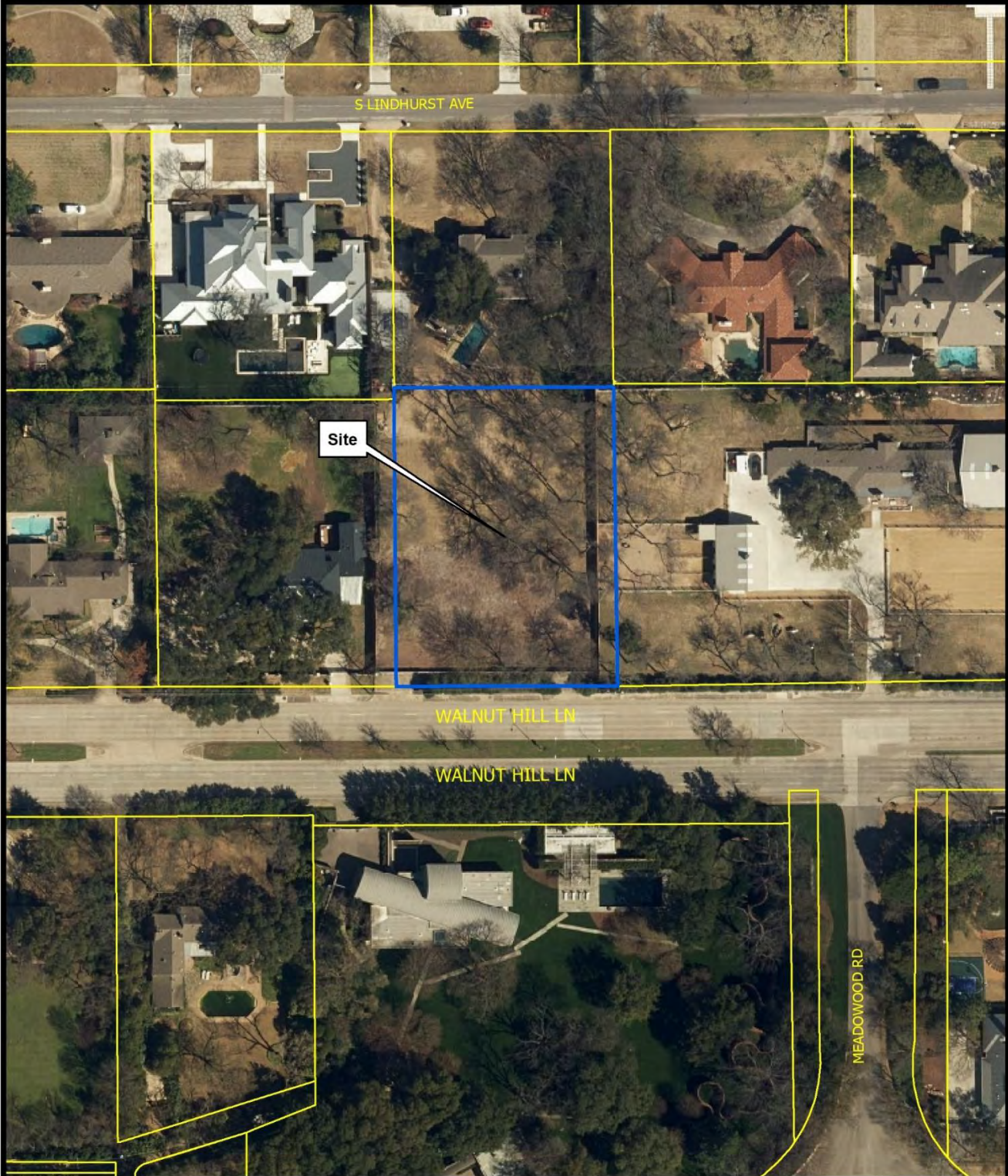
February 2, 2024: The Board of Adjustment staff review team meeting was held regard request and other requests scheduled for the February public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, and the Assistant City Attorney to the Board.

February 20, 2024: The Board of Adjustment Panel **A** moved to hold this matter under advisement until March 19, 2024.

March 4, 2024 The applicant submitted documentary evidence.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March

public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer



1:1,200

AERIAL MAP

Case no: **BDA234-025**

Date: **1/18/2024**

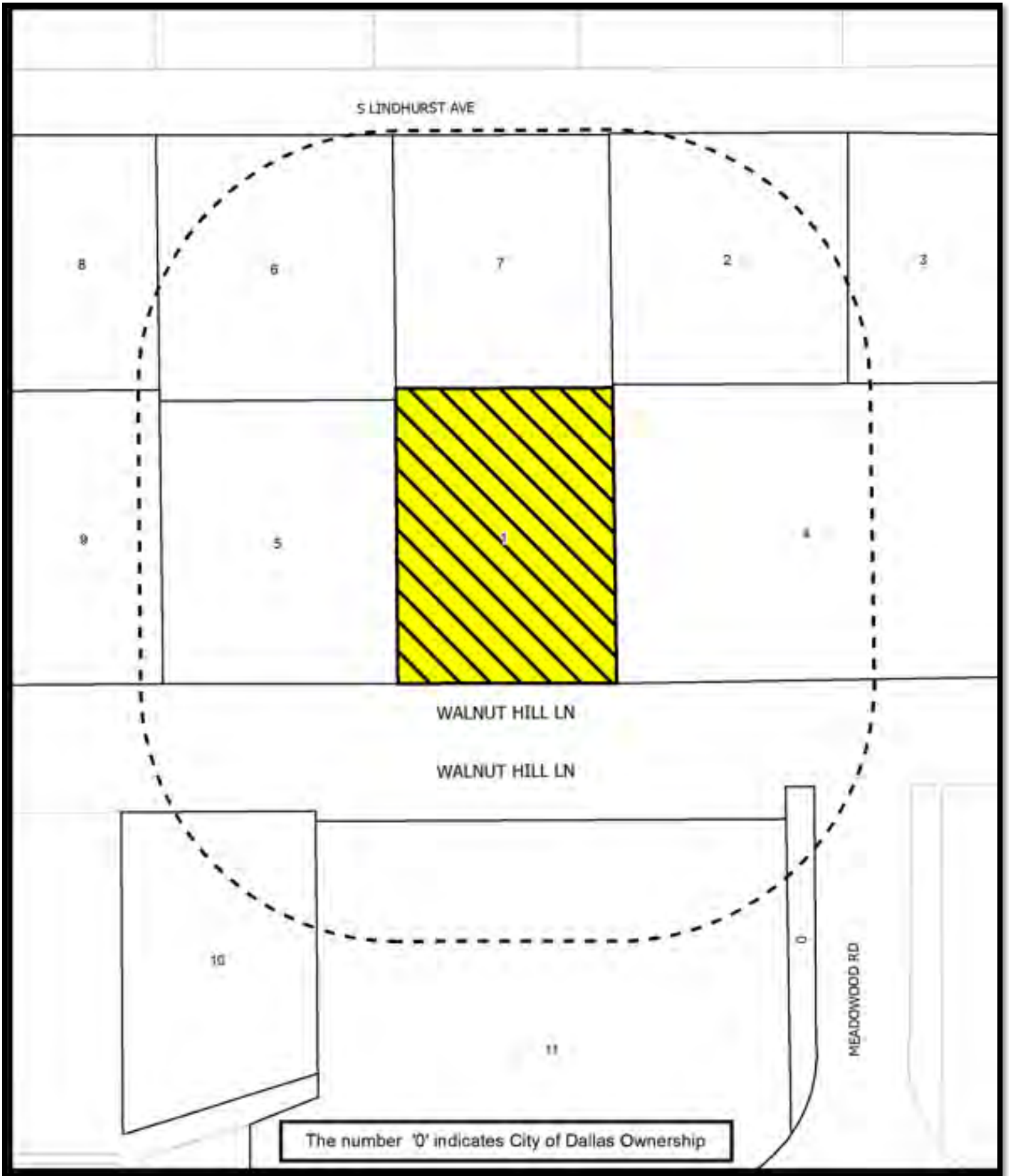


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ZONING MAP

Case no: **BDA234-025**

Date: **1/18/2024**



01/18/2024

Notification List of Property Owners

BDA234-025

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4625 WALNUT HILL LN	DALLAS NEW HOME BUILDERS LLC
2	4630 S LINDHURST AVE	FISHER JOHN GREGORY &
3	4706 S LINDHURST AVE	HELWIG JAMES &
4	4707 WALNUT HILL LN	WALNUT HILL EQUINE RESIDENTIAL
5	4611 WALNUT HILL LN	VALECHA RAMAN & SUMEETA
6	4610 S LINDHURST AVE	4610 SOUTH LINDHURST AVENUE
7	4626 S LINDHURST AVE	ATKINS ORIN B & LESLIE B
8	4548 S LINDHURST AVE	ZHANG LIN &
9	4549 WALNUT HILL LN	BLAKELELOCK DAVID &
10	4622 WALNUT HILL LN	WALNUT HILL LLC
11	9963 ROCKBROOK DR	HOFFMAN MARGUERITE



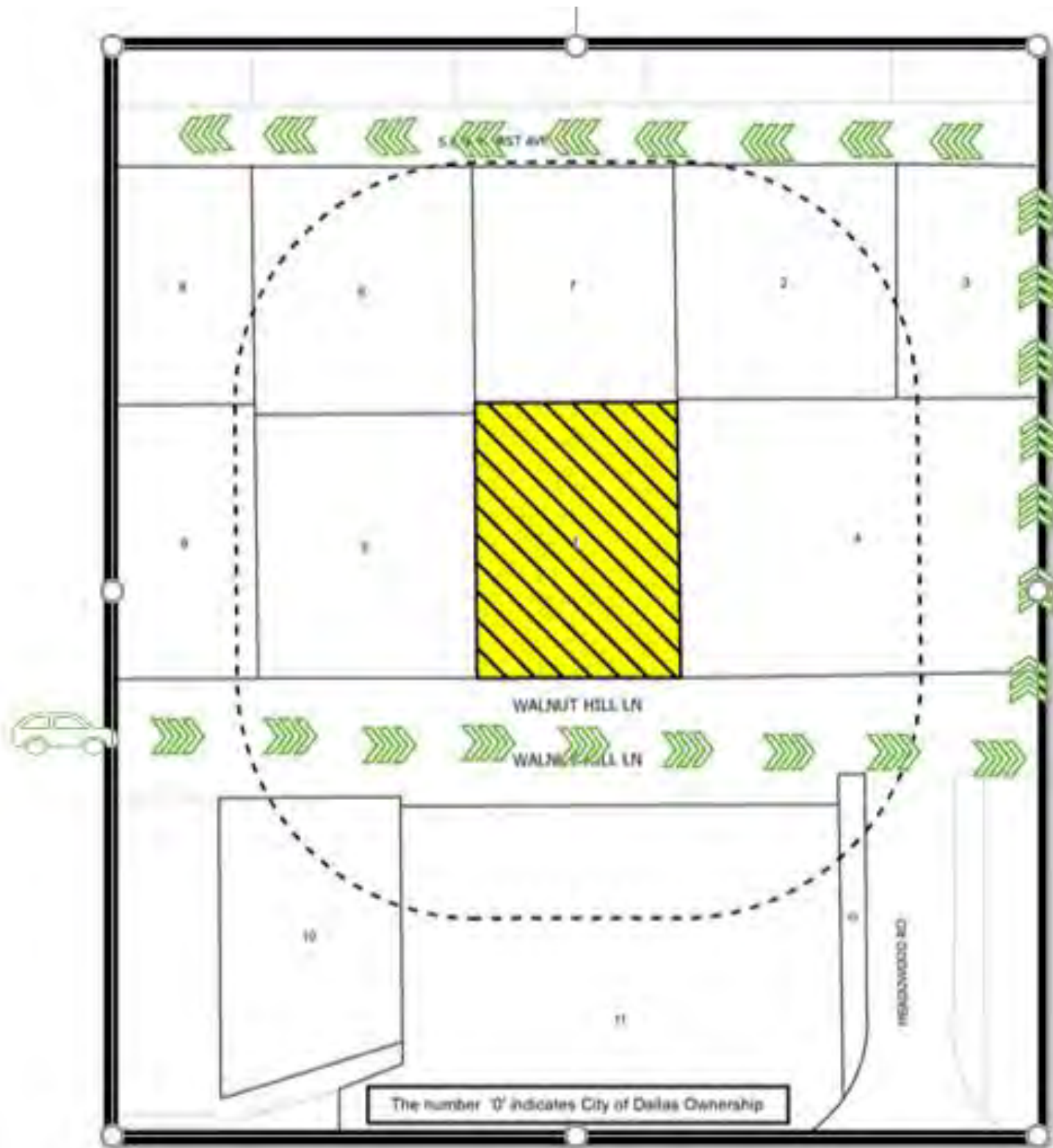
1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
11 NUMBER OF PROPERTY OWNERS NOTIFIED

Case No: **BDA234-025**

Date: **1/18/2024**





Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

234-025
FOR OFFICE USE ONLY

Data Relative to Subject Property: _____

Date:

FOR OFFICE USE ONLY

Location address: 4625 Walnut Hill Ln

Zoning District:

R-1 AC

Lot No.: 2 Block No.: A/5540 Acreage: 0.96

Census Tract: _____

Street Frontage (in Feet): 1) 170.6' 2) - 3) - 4) - 5) -

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Dallas New Home Builders

Applicant: Darian Kaar Dallas New Home Builders Telephone: 310-497-8092

Mailing Address: 301 Silveron, #5345, Flower Mound Zip Code: 75028

E-mail Address: dkd.dd@yahoo.com

Represented by: Darian Kaar Telephone: 310-497-8092

Mailing Address: 301 Silveron, #5345, Flower Mound Zip Code: 75028

E-mail Address: dkd.dd@yahoo.com

Affirm that an appeal has been made for a Variance or Special Exception of fence height @ 6' material and visibility triangle

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

We are told that the permit is approved in error by City staff

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

Darian Kaar

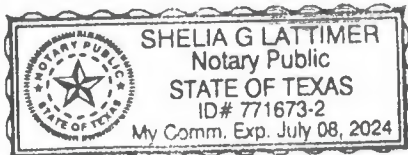
(Affiant/Applicant's name printed)

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

Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 21 day of December, 2023



Shelia G. Lattimer
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 Darian Kaar

did submit a request for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence standards regulations, and for (3) a special exception to the visibility obstruction regulations

at 4625 Walnut Hill Ln

BDA234-025(CJ) Application of Darian Kaar for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence material regulations, and for (3) a special exception to the 20-foot visibility obstruction regulations at 4625 WALNUT HILL LN. This property is more fully described as Block A/5540, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4-feet and prohibits the use of certain materials for a fence and requires a 20-foot visibility triangle at the connection of a street and drive approach. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front-yard, which will require (1) a 2-foot special exception to the fence regulations, and to construct a fence using a prohibited material, which will require (2) a special exception to the fence material regulations, and to construct and/or maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require (3) a special exception to the 20-foot visibility obstruction regulation.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA

4625 WALNUT HILL LN, DALLAS

Search result

S Lindhurst Ave

Rock Hill Ln

Walnut Hill Ln

Walnut Hill Ln

Meadowood Rd

Lennox Ln

50 m

100 ft

Selected features: 0

Esri Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, ... Powered by Esri

BDA 23A-025

To whom it may concern

1. We received fence permit on 4/17/2023 issued by the City of Dallas. Please find a copy attached.
2. We ordered and installed the fence according to the permit at a cost over \$100,000.
3. After the fact now we were told to apply to this Board!
4. The back yard fence is at 9' per permit.
5. The front yard fence is at 6' per permit.
6. The installed front yard fence is shorter than the two adjacent neighbors' front yard fence both east and west side. Please find pictures of both attached.

BDA234-025









Permit # 2304171121

City of Dallas

Issue Date: 04/17/2023

Sustainable Construction and Development | Building Inspection Division | 214/948-4480 | www.dallascityhall.com

Address: **4625 WALNUT HILL LN 75229**

Land Use Description: SINGLE FAMILY DWELLING

Work Description: INSTALL FENCE

Value Of Work: \$0.00

Owner Or Tenant: DARIAN KAAR
5005 W. ROYAL LN #129, IRVING, TX, 75063

Applicant: SEAN ZAKERI

Contractor: DALLAS NEW HOME BUILDERS

Business Address: 2702 LAKE VISTA DRIVE SUITE 2, LEWISVILLE, TX 75067

Telephone: 972/666-1158 Fax:

Lot: 2	Block: A/554C	Zoning: R-1ac(A)	PDD:	SUP:
Historic Dist:	Consv Dist:	Pro Park:	Req Park:	Park Agrmt: N
Dwlg Units:	Stories:	New Area:	Lot Area: 43560	Total Area: 525
Type Const: VB	Sprinkler: None	Occ Code: R3	Occ Load:	
Inches Of Removed Trees:				

ALL SUBJECT TO FIELD INSPECTOR'S APPROVAL

BDA 23A-025

This document is issued on the basis of information furnished in the application and is subject to the provisions of all governing ordinances, which must be complied with, whether or not herein specified.

THIS DOCUMENT SHALL BE POSTED AT WORK SITE AND IS SUBJECT TO CANCELLATION UPON NOTICE.



Contractor's Authorization

City of Dallas

Trade Type: Fence

Sustainable Development and Construction | Building Inspection Division | www.dallascityhall.com

District Office NE

Validation #: 2304171121111

Address: 4625 WALNUT HILL LN 75229

Issue Date: 04/17/2023

Land Use Description: SINGLE FAMILY DWELLING

Work Description: 110-INSTALL FENCE

Authorized Date: 04/17/2023

Owner Or Tenant: DARIAN KAAR
5005 W. ROYAL LN #129, IRVING, TX, 75063

Applicant: SEAN ZAKERI

Contractor: DALLAS NEW HOME BUILDERS

Business Address: 2702 LAKE VISTA DRIVE SUITE 2,

Telephone: 972/666-1158 Fax:

Lot: 2	Block: A/5540	Zoning: R-1ac(A)	PDD:	SUP:
Historic Dist:	Consrv Dist:	Pro Park:	Req Park:	Park Agrmt: N
Dwlg Units:	Stories:	New Area:	Lot Area: 43560	Total Area: 525
Type Const: VB	Sprinkler: None	Occ Code: R3	Occ Load:	

For inspections call 214/670-5313, 24 hours. You will need your validation number 2304171121111 and one of the inspection types from the list below.

140 Final

Your inspector is: Gregg Gunther at (214) 671-1511

Note: 7 AM cut-off for same day inspections!! Reinspection fees will be charged if the work is not ready or property is inaccessible. For partial inspection of area or additional assistance, call (214) 670-7278 from 8 AM to 4:30 PM Monday through Friday.



DISTINCTIVE DEVELOPMENTS LLC
 5005 W. Royal Lane
 Suite 129
 Irving, Texas 75063
 Office: 469-565-2600

Distinctive Developments LLC
 4625 WALNUT HILL LANE
 DALLAS, TX 75230

ARCHITECTURAL SITE PLAN

DATE: 08.31.2022

SP1.0



SITE DATA TABLE

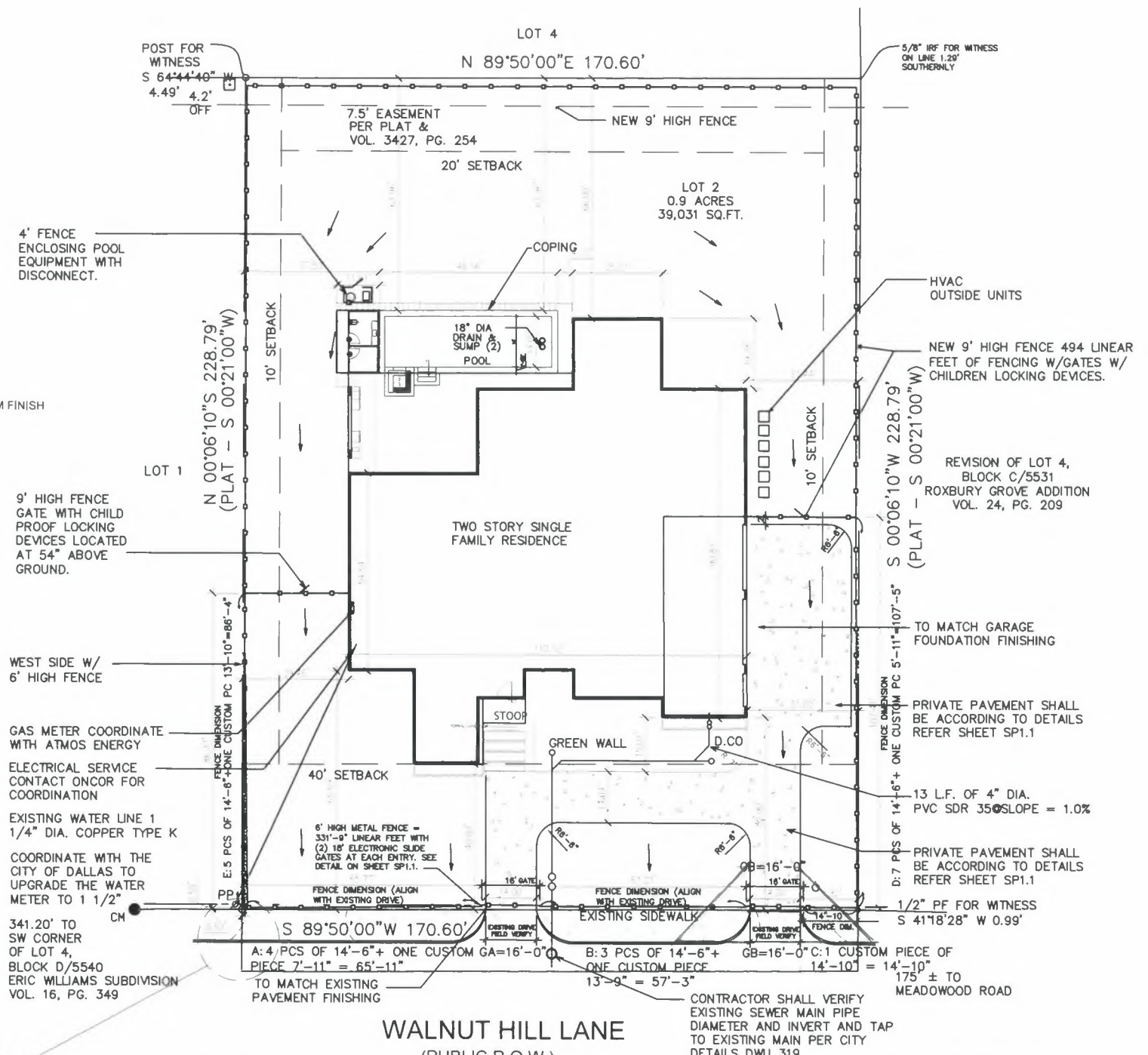
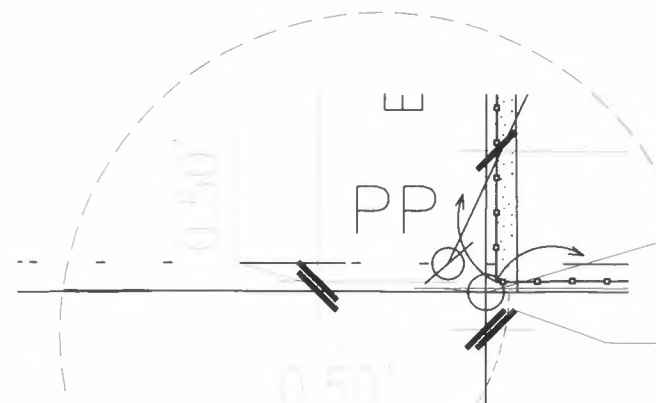
TOTAL SITE AREA	39,031 SQ.FT.
SITE ZONING	R-1ACA
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
FRONT YARD SETBACK	40 FEET
SIDE BUILDING SETBACK	10 FEET
REAR BUILDING SETBACK	20 FEET
EXISTING IMPERVIOUS AREA	0 SQ.FT. (0%)
PROPOSED IMPERVIOUS AREA	14432 SQ.FT. (36.98%)

LEGEND

- LOT BOUNDARY
- SETBACK LINE
- PROPOSED CONCRETE PAVEMENT
- 4" CONCRETE FLATWORK WITH BROOM FINISH
- ASPHALT
- POWER POLE
- OVERHEAD POWER LINE
- CLEAN OUT
- GAS METER

NOTES

- 1 PLEASE CONTACT DIG-TEST TO VERIFY ALL UNDERGROUND UTILITIES 48 HOURS PRIOR TO COMMENSING ANY CONSTRUCTION ACTIVITIES.
- 2 CIVIL DRAWINGS SUPERCEDE THE ARCHITECTURAL SITE PLAN DIMENSIONS AND NOTES.
- 3 ALL CONCRETE WALKS MUST BE 48" CLEAR, MAINTAIN 5% SLOPE MAX. AND CROSS SLOPE OF 1.5% MAX.
- 4 PLEASE ENSURE ALL TREES ARE MAINTAINED CLEAR OVER SIDEWALKS A MIN. OF 6'-8" CLEAR HEIGHT.



ACCORDING TO THE SURVEY THE PUBLIC CONCRETE SIDEWALK IS OFF THE PROPERTY LINE .1'. THE FENCE IS LOCATED AT 6" OFF THE SIDEWALK

THE LENGTH OF THE TYPICAL FRONT YARD FENCE PANEL IS 14'-6" X 6'-0" HIGH.
 A+B+C+D+E = 65'-11"+57'-3"+14'-10"+107'-5"+86'-4" = 331'-9"
 GA AND GB = 2 PIECES OF FENCE GATES WITH 16'-0" X 6'-0" ABOVE GROUND LEVEL
 A: 4 PIECES OF 14'-6"+ ONE CUSTOM PIECE 7'-11" = 65'-11"
 B: 3 PIECES OF 14'-6"+ ONE CUSTOM PIECE 13'-9" = 57'-3"
 C: 1 CUSTOM PIECE OF 14'-10" = 14'-10"
 D: 7 PIECES OF 14'-6"+ ONE CUSTOM PIECE 5'-11" = 107'-5"
 E: 5 PIECES OF 14'-6"+ ONE CUSTOM PIECE 13'-10" = 86'-4"

1 SITE PLAN
 Scale: 1"= 40'-0"

BDA 23A-025



DISTINCTIVE DEVELOPMENTS LLC
5005 W. Royal Lane
Suite 129
Irving, Texas 75063
Office: 469-565-2600

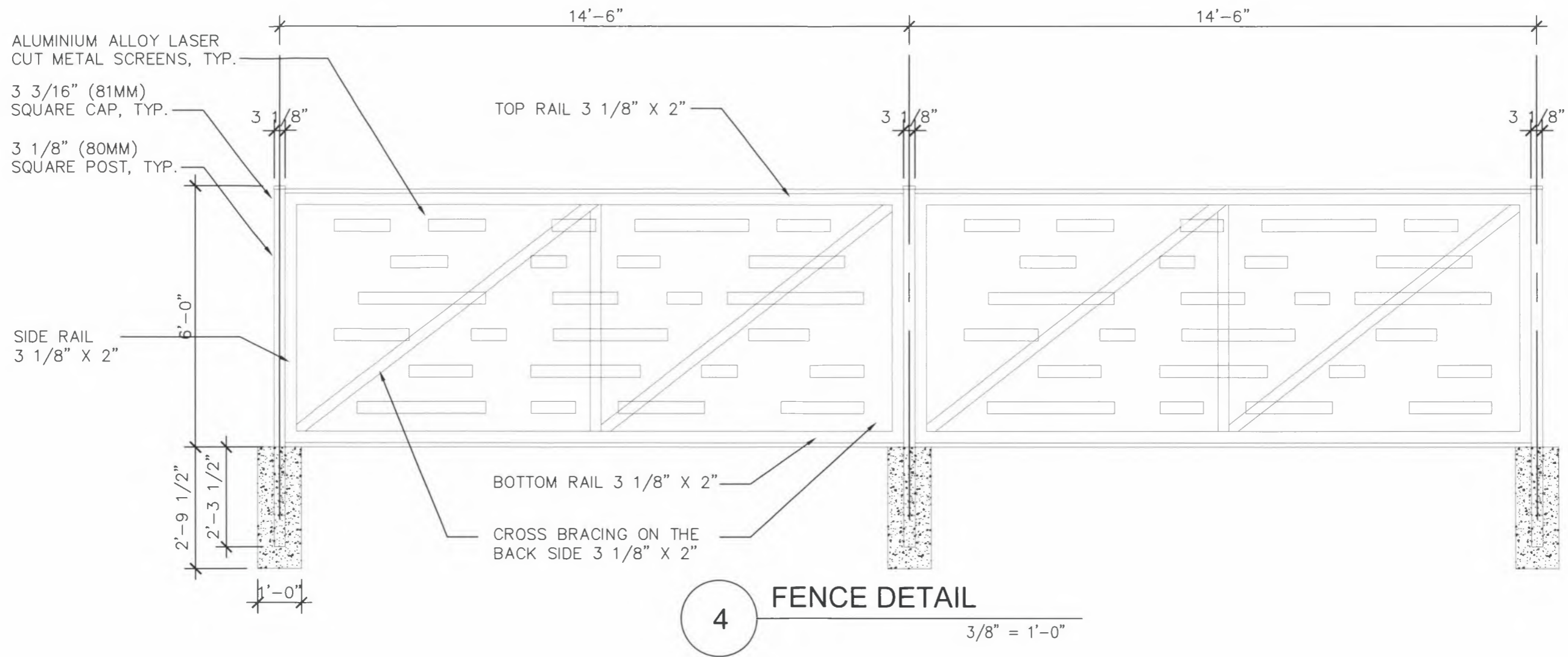
Distinctive Developments LLC

4625 WALNUT HILL LANE
DALLAS, TX 75230

SITE PLAN
DETAILS

DATE: 08.31.2022

SP1.1



BDA23A-025

Applicant's Documentary Evidence

The view of the fence from two different angles







11

12



1

2

3

4

10

9

8

7

6

5

172

Annox Ln

Strait Ln

Strait Ln

Strait Ln

Ln

Walnut Hill Ln

Walnut Hill Ln

Walnut Hill Ln

Walnut Hill Ln

Walnut Hill Ln

Walnut Hill Ln

Walnut Hill Ln

	Address	Height	Distance from the street	material	Note
1	4707 Walnut Hill Ln	6.5'/16'	7	Metal, Wood, Stone, Hedge	
2	10011 Lennox Ln	6'/13'	7	Metal, Hedge	
3	10010 LennoxLn	8.5'	7.5	Brick	
4	4833 Walnut Hill Ln	9'	8.5	Brick, Concrete	
5	9941 Strait Ln	12'	10	Plastic	
6	4722 Walnut Hill Ln	7.5'	11	stucco	
7	4686 Meadowood Rd	7'	16	stucco	
8	9963 Rockbrook Dr	7'/12'	8.5	Brick, Concrete	
9	4622 Walnut Hill Ln	7'	13	Brick	
10	4606 Walnut Hill Ln	N/A	N/A	N/A	empty lot
11	4549 Walnut Hill Ln	N/A	N/A	N/A	No front fence
12	4611 Walnut Hill Ln	9'	17	Stone, Metal, Wood	
	Average	8'/10'	10.5'	Metal, Wood, Stone, Hedge, brick	
				Concrete, Plastic, Stucco	



4833 Walnut Hill Ln





4611 Walnut Hill Ln





10011 Lennox Ln



4622 Walnut Hill Ln



**103" brick wall same side one house over
10010 Lennox Ln**







**Almost 12' plastic fence across the street
9941 Strait Ln**







**Property diagonally across the street with 7' stucco wall
4686 Meadowood Rd**







**House across the street with 12' concrete wall 8'
behind 7' brick wall
9963 Rockbrook Dr**



93 94 95 97 98 99 100

8F 96



**88" stucco wall across the street
4722 Walnut Hill Ln**



3
184
185
186
187
188
1

FILE NUMBER: BDA234-028 (CJ)

BUILDING OFFICIAL'S REPORT: Application of Brenda Santos for **(1)** a variance to the front-yard setback regulations at 4823 GURLEY AVE. This property is more fully described as Block 30/1232, Lot 6, and is zoned D(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 16-foot front-yard setback, which will require **(1)** a 9-foot variance to the front-yard setback regulations.

LOCATION: 4823 Gurley Ave.

APPLICANT: Brenda Santos

REPRESENTED BY:

REQUEST:

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

STANDARD OF REVIEW FOR A VARIANCE:

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

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

ELEMENT II SUBSTITUTE

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

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

STAFF RECOMMENDATION:

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. Not restrictive in area due to the lot size (7230.96 sqft); The minimum lot area for residential use the D(A) zoning district is 6,000 sqft; 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.

BDA HISTORY:

No BDA history found within the last 5 years.

Square Footage:

This lot contains 7,230.96 of square feet.

This lot is zoned D(A) which has a minimum lot size of 6,000 square feet.

Zoning:

- Site: DA) (Duplex Zoning District)
- North: DA) (Duplex Zoning District)
- South: DA) (Duplex Zoning District)
- East: DA) (Duplex Zoning District)
- West: DA) (Duplex Zoning District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the front yard setback regulations of 9-feet is made to construct and/or maintain a single-family residential structure.
- The subject site is currently developed with a single-family dwelling unit.
- Zoning District D(A) requires a minimum setback of 25-feet.
- As gleaned from the submitted site plan, the newly constructed home encroaches into the 25-foot required front yard setback.

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

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

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

- (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality considers the structure to be a nonconforming structure.
- Granting the proposed 9-foot variance to the front yard setback regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BDA234-028 4823 Gurley Ave.](#)

Timeline:

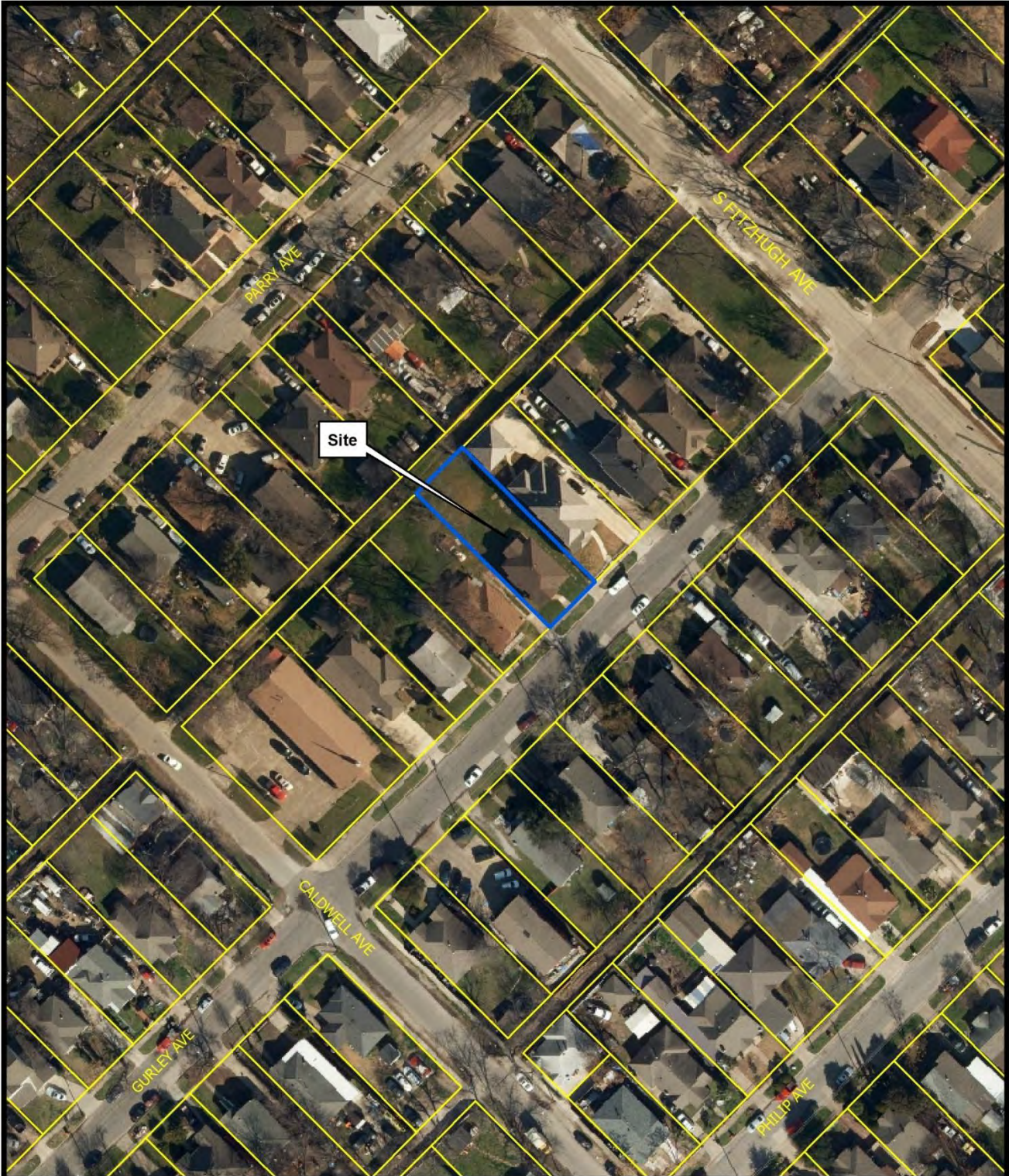
January 12, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

February 12, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

February 15, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and March 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

March 5, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the March 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

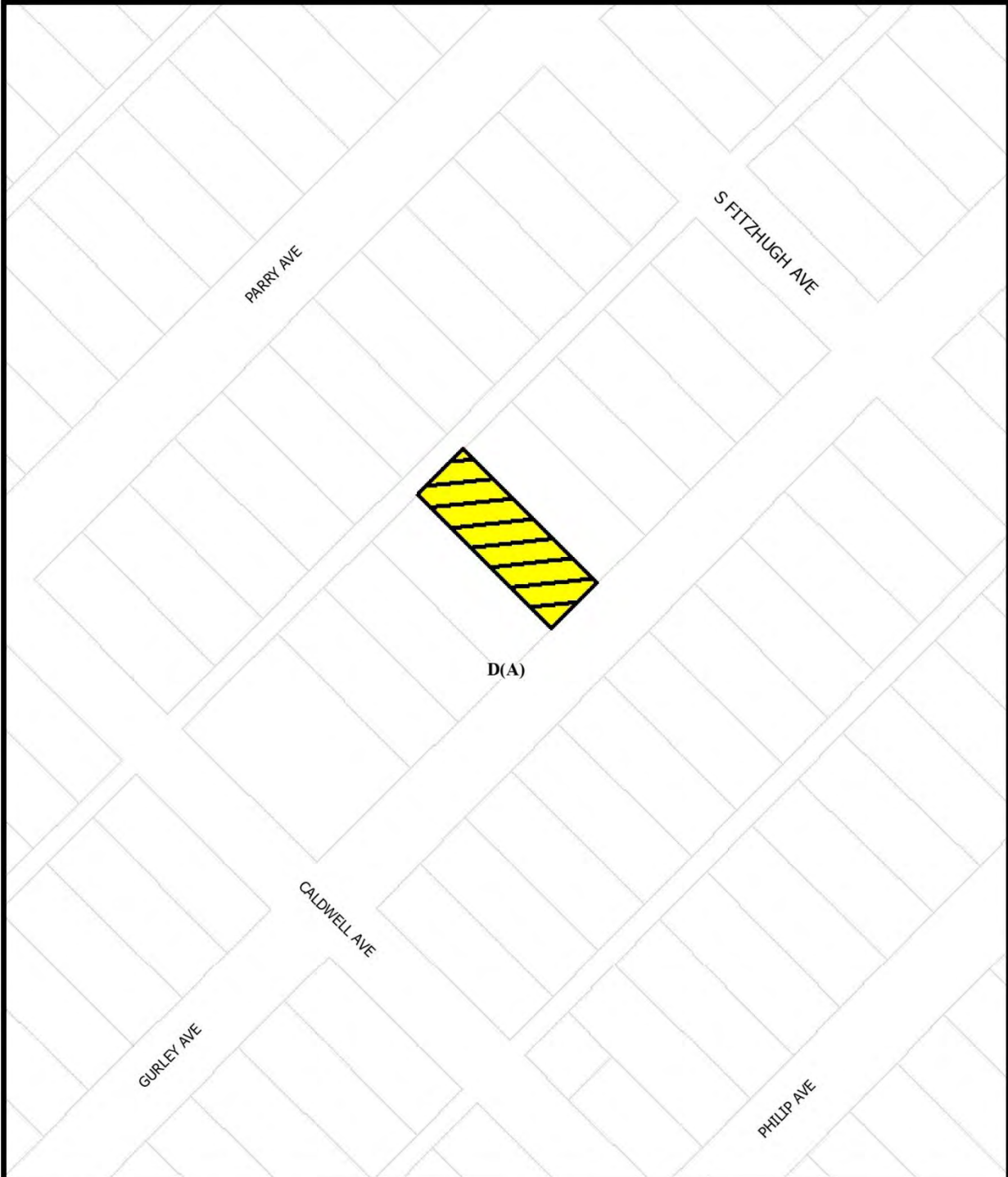


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AERIAL MAP

Case no: BDA234-028

Date: 2/8/2024

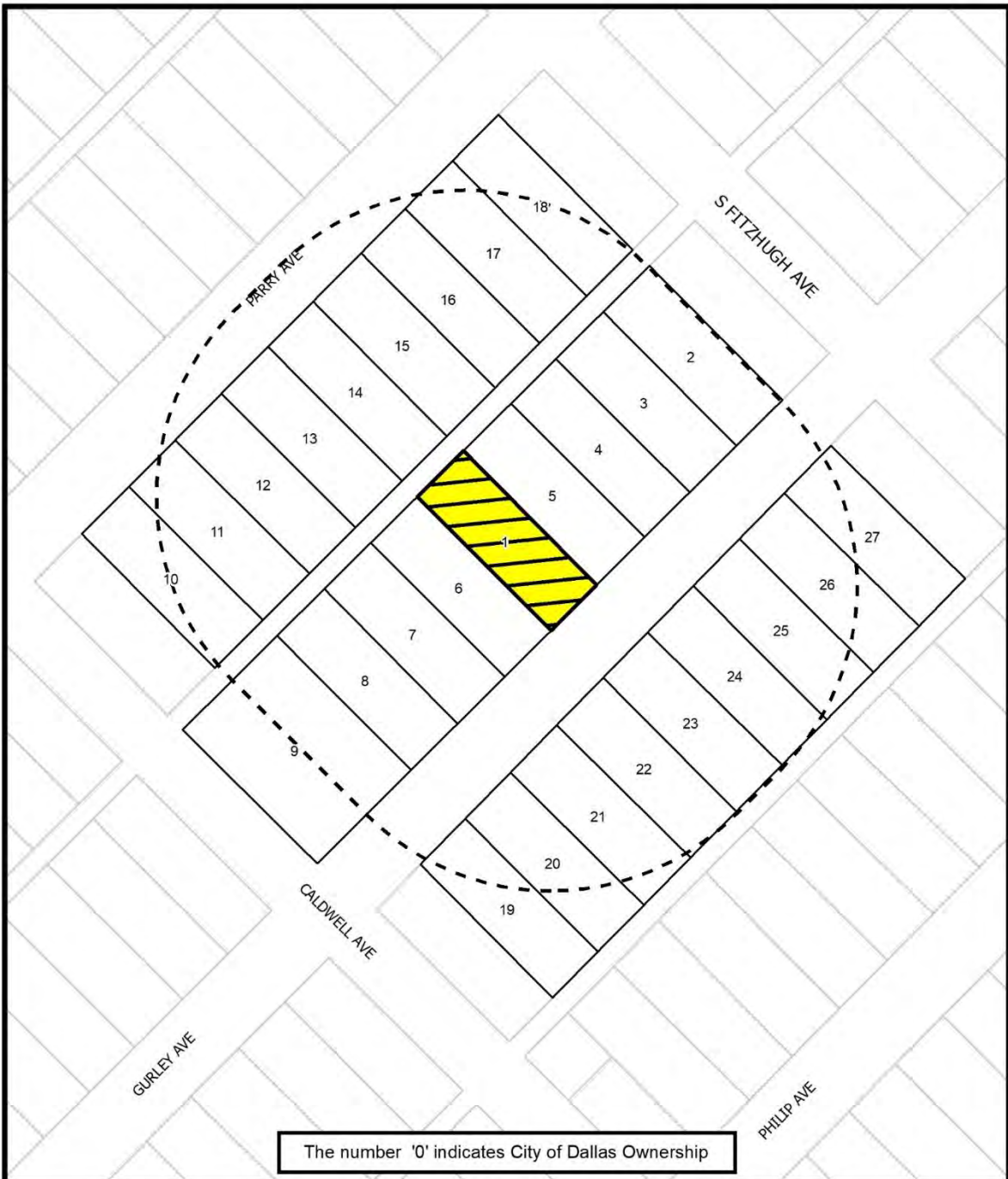


1:1,200

ZONING MAP

Case no: BDA234-028

Date: 2/8/2024



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
27 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-028**
 Date: **2/8/2024**



The number '0' indicates City of Dallas Ownership


 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
27 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-028
 Date: 2/8/2024

02/08/2024

Notification List of Property Owners

BDA234-028

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4823 GURLEY AVE	SANTOS IVAN & BRENDA
2	4839 GURLEY AVE	MENDOZA ESTANISLAO
3	4833 GURLEY AVE	BARCENAS RAUL &
4	4829 GURLEY AVE	SANCHEZ OSCAR JUAREZ
5	4825 GURLEY AVE	JUAREZ BRENDA
6	4819 GURLEY AVE	LOFTIS REVIS
7	4815 GURLEY AVE	LOPEZ GUADALUPE &
8	4811 GURLEY AVE	BANDA JESUS A
9	4801 GURLEY AVE	ROES CHAPEL BAPTIST CHURCH
10	4806 PARRY AVE	PIZANO AUGUSTIN
11	4810 PARRY AVE	GUERRERO OLGA & REGLIO
12	4814 PARRY AVE	TIMMINS CURTIS D
13	4818 PARRY AVE	SANCHEZ CLAUDIO
14	4820 PARRY AVE	SANCHEZ MARTIN G
15	4826 PARRY AVE	CABRERA RICARDO RAZO & MIRIAM
16	4830 PARRY AVE	Taxpayer at
17	4834 PARRY AVE	TAPIA ALEJANDRO &
18	4838 PARRY AVE	SOLIS CLAUDIA
19	4804 GURLEY AVE	VARGAS MIGUEL &
20	4808 GURLEY AVE	RUSSELL IDA BESSIE M
21	4814 GURLEY AVE	LAMB BRITNI
22	4818 GURLEY AVE	BEMRICH YUKIKO
23	4822 GURLEY AVE	LOPEZ DIANA
24	4826 GURLEY AVE	JONES BONNIE
25	4830 GURLEY AVE	TORRES PEDRO GONZALES &
26	4834 GURLEY AVE	LOPEZ JOSE LUIS &

02/08/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4838 GURLEY AVE	RAMIREZ CYNTHIA &



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
 27 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-028**
 Date: **2/8/2024**



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-028
 Date: FOR OFFICE USE ONLY
JAN 12 REC'D
D(A)
BY:

Data Relative to Subject Property: _____ Date: _____
 Location address: 4823 Gurley Ave, Dallas, TX 75223 Zoning District: _____
 Lot No.: 6 Block No.: 30/1232 Acreage: 0.1611 Census Tract: 002500
 Street Frontage (in Feet): 1) 50 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Ivan Santos and Brenda Santos
 Applicant: Brenda Santos/Brenda Juarez Salgado Telephone: 214-448-3387
 Mailing Address: 4825 Gurley Ave Zip Code: 75223
 E-mail Address: brendajuarez214@hotmail.com
 Represented by: _____ Telephone: _____
 Mailing Address: _____ Zip Code: _____
 E-mail Address: _____

Affirm that an appeal has been made for a Variance or Special Exception _____ of to allow a front yard setback of ~~25~~ 15 ft. as opposed to the required 25ft for new construction.
Requesting variance of 10ft. BS

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:

I was approved for a room addition permit, and we discovered the foundation and framing needed repairs due to it being 100 years old. I consulted with the permit office to

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

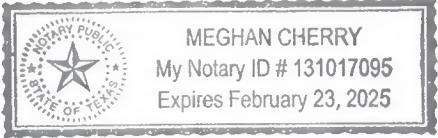
Before me the undersigned on this day personally appeared Brenda Juarez Salgado
 (Affiant/Applicant's name printed)

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 3rd day of November, 2013

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



verify it would not affect the current permit. With their approval, we continued with the repairs and upon inspection were told we needed a new construction permit. We need a granted variance to allow us to be approved for a new construction permit. If it is not granted, the repaired foundation and framing will have to be destroyed and re-done. This will be extremely difficult and detrimental to our budget and time. We only proceeded due to being assured it would not affect the current addition permit. The property is the same floor plan as it was built 100 years ago, with only the new addition added. The foundation repairs caused it to be classified as a new construction per the inspector and Mrs. Ipina.

BA234-028

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 Brenda Santos

did submit a request for (1) a variance to the front-yard setback regulations
at 4823 Gurley Ave

BDA234-028(CJ) Application of Brenda Santos for (1) a variance to the front-yard setback regulations at 4823 GURLEY AVE. This property is more fully described as Block 30/1232 Lot 6, and is zoned D(A), which requires a front-yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 16-foot front-yard setback, which will require (1) a 9-foot variance to the front-yard setback regulations

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 234-028

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

at: 4823 Gurley Ave, Dallas, TX 75223
(Address of property as stated on application)

Authorize: Brenda Santos
(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: To allow a front yard setback of ~~25~~¹⁵ feet as opposed to the 25 feet required for new construction. Requesting variance of 10 ft. BS

Ivan Santos
Print name of property owner or registered agent

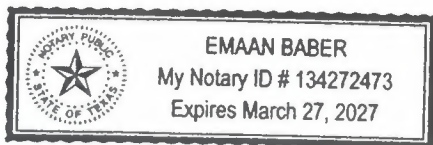
[Signature]
Signature of property owner or registered agent

agent Date 1-10-2024

Before me, the undersigned, on this day personally appeared Ivan Santos

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 10th day of January, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 03/27/2027



BDA234-028

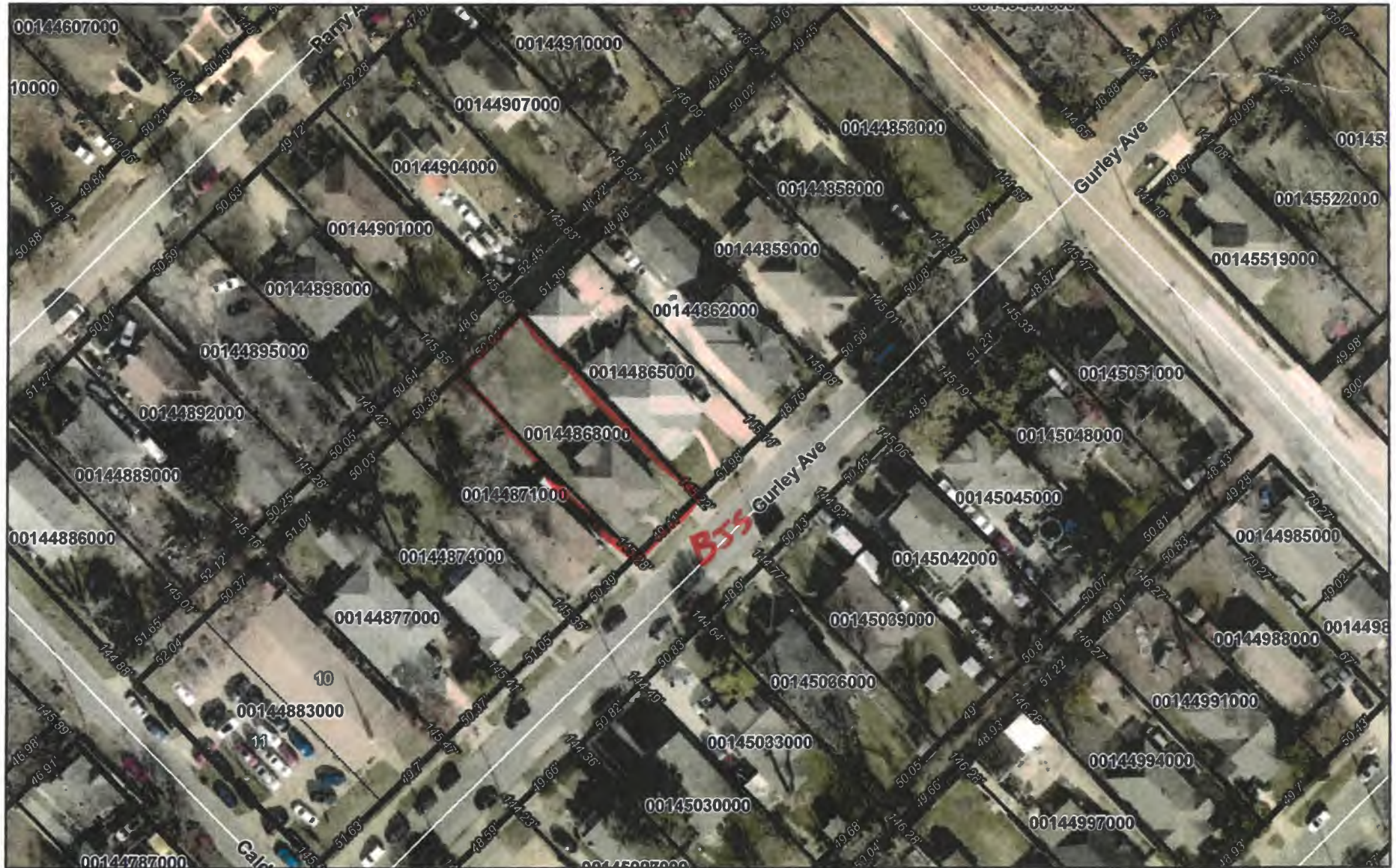
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, 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)



1:2,400

- City Limits
- Roadplan
- East Peak's Branch
- Certified Parcels
- Base Zoning
- PD Subdistricts
- PDS Subdistricts

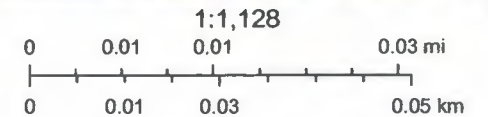
Dallas CAD Web Map



4/5/2023, 7:16:16 PM

- Parcels
- City Limits
- City Block
- Flood Hazard Area
- Abstracts
- Parcel Dimension
- Street Centerline
- X - Area of minimal flood hazard
- School Boundary
- Lot
- FEMA FIRM Panel

BDA234-02B

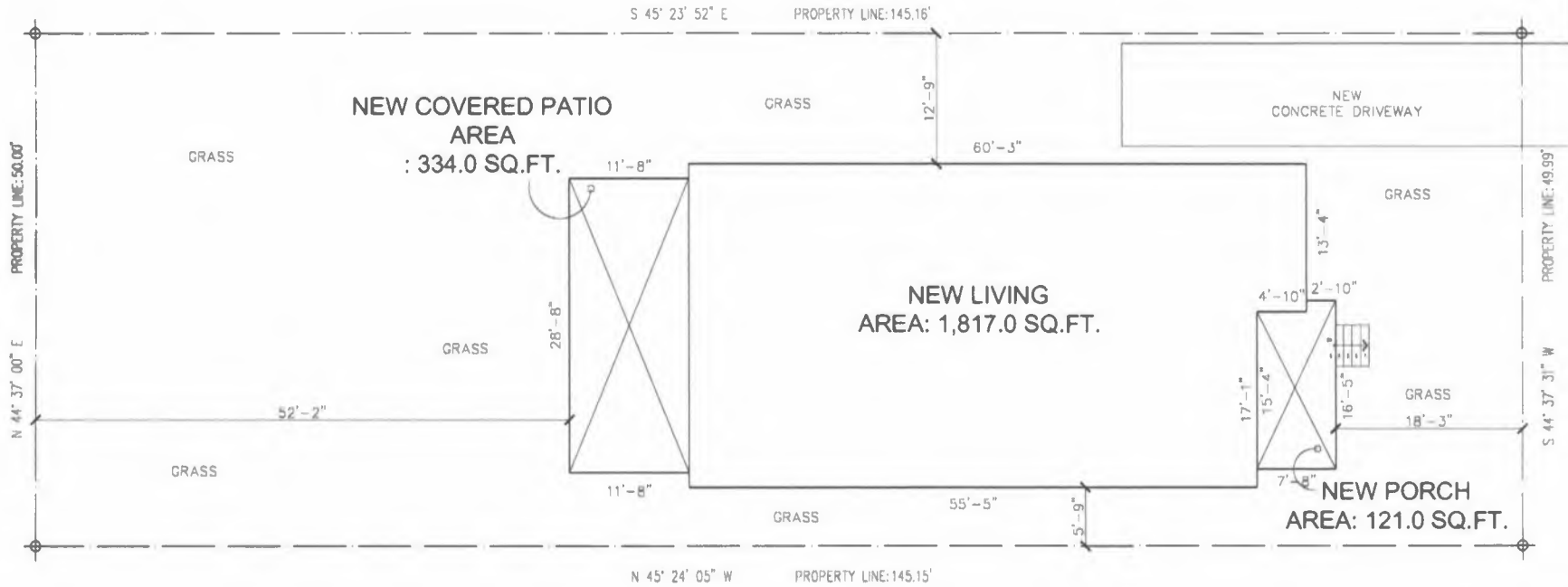


Texas Parks & Wildlife, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

Dallas County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not 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 boundaries.

15' ALLEY



4823 GURLEY AVE.

ENERGY CODE COMPLIANCE OUTLINE 2021 IECC

POLY SEAL :

- 1.- WINDOWS AND DOORS MUST BE SEALED WITH FOAM OR CAULK
- 2.- SILL PLATE MUST BE SEALED ON THE INSIDE WITH FOAM OR CAULK
- 3.- ALL PENETRATIONS OF TOP PLATE/CEILING INTO ATTIC, MUST BE SEALED WITH FOAM OR CAULK.
- 4.- ALL WALL PENETRATIONS TO THE EXTERIOR MUST BE SEALED WITH FOAM OR CAULK
- 5.- LOWER DOOR TESTING IS MANDATORY, NOT TO EXCEED 3 AIR CHANGES PER HOUR AT 50 PASCALS
- 6.- DUCT TIGHTNESS TESTING IS MANDATORY, TESTED AT 25 PASCALS . TOTAL LEAKAGE, LESS THAN OR EQUAL TO 4 CUBIC FEET PER MINUTE PER SQUARE FOOT OF CONDITIONED FLOOR AREA
EXCEPTION : WHEN THE DUCTS AND AIR HANDLERS ARE ENTIRELY WITHIN THE BUILDING THERMAL ENVELOPE.

HVAC / SERVICE WATER :

- 1.- ALL DUCTS IN UNCONDITIONED SPACE (ATTIC) MUST USE R-8 DUCTING
- 2.- MECHANICAL SYSTEM PIPING CARRYING FLUID OVER 104° OR BELOW 60° MUST BE INSULATED WITH R-3 INSULATION.

INSULATION :

- 1.- ALL PIER AND BEAM / RAISED FLOORS MUST BE INSULATED WITH R-19 INSULATION OR HIGHER,
OR 1 UNVENTED CRAWL SPACE WALLS MUST BE INSULATED R-5 CONTINUOUS OR R-13 CAVITY INSULATION, WITH VAPOR BARRIER OVER EXPOSED EARTH.
- 2.- ALL EXTERIOR WALL MUST BE INSULATED WITH R-20 CAVITY OR WITH R-13 CAVITY WITH R-5 CONTINUOUS INSULATION, OR HIGER.
- 3.- CEILING MUST BE INSULATED WITH R-38 IF THERE IS ATTIC SPACE AND R-30 IF NO ATTIC SPACE (CATHEDRAL) AND THAT IS LIMITED TO 500 SQ. FT. TOTAL PER 20% OF CEILING WHICHEVER IS LESS.
- 4.- ATTIC ACCESS LADDERS AND OR HATCHES , MUST BE INSULATED THE SAME AS THE ATTIC AND HAVE A WEATHER SEAL.

WINDOWS AND DOORS :

- 1.- MUST HAVE A U-FACTOR OF .35 OR LESS.
- 2.- MUST HAVE A SHOC OF .25 OR LESS

LIGHTING :

- 1.- ALL CAN LIGHTS MUST BE AIR-TIGHT TYPE
- 2.- MINIMUM OF 75% OF LIGHTING MUST BE HIGH EFFICIENCY (ANYTHING BUT INCANDESCENT)

SITE PLAN

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

PROJECT DATA

PROJECT NAME: NEW HOUSE
 ADDRESS: 4823 GURLEY AVE.
 LOT No: 6
 BLOCK No: 30/1252

AREAS IN SQUARE FEET

NEW LIVING AREA 1,817.0 sqft.
 NEW PORCH AREA 121.0 sqft
 NEW COVERED PATIO AREA 334.0 sqft.

Martinez Design, LLC
REGISTERED PROFESSIONAL ARCHITECT

Project Name:
NEW HOUSE

Project Address:
**4823 GURLEY AVENUE
 DALLAS, TX 75223**

GENERAL NOTES

1. THE SEVERAL CONTRACTORS SHALL EXAMINE AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS AND THE CONTRACTOR SHALL ALSO VERIFY THE DIMENSIONS, THESE ARE AND RESPONSIBILITY WHICH EXIST FROM THE BEGINNING OF THE CONSTRUCTION

2. THESE PLANS ARE SPECIFIC FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND ARE NOT DESIGNED FOR SPECIAL OR HIGH SPEEDING

3. THE SEVERAL CONTRACTORS SHALL SUPERVISE THE CONSTRUCTION AND SHALL BE RESPONSIBLE TO VERIFY, VERIFY PERIODICALLY AND METALLICALLY EQUIPMENT AND MATERIALS AS WELL AS TO CONTROL THE QUALITY OF THE PROJECT

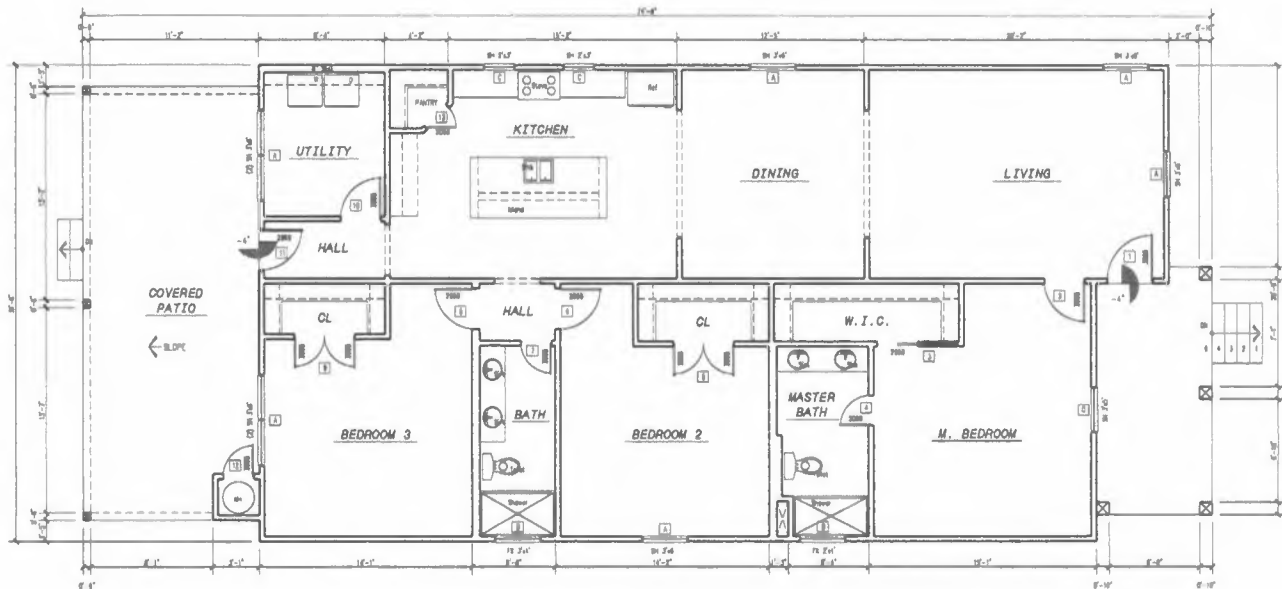
4. ALL ARCHITECTURAL CHANGES ON THE PROJECT SHALL BE MADE BY THE ARCHITECT BEFORE THE WORK BEGINS. ANY CHANGES MADE AFTER THE WORK BEGINS SHALL BE AT THE CONTRACTOR'S RISK AND LOCAL CODES AND REGULATIONS SHALL APPLY.

5. IF AT THE RESPONSIBILITY OF THE SEVERAL CONTRACTOR TO PROVIDE ANY NECESSARY INFORMATION TO THE ARCHITECT BEFORE THE WORK BEGINS. ANY CHANGES MADE AFTER THE WORK BEGINS SHALL BE AT THE CONTRACTOR'S RISK AND LOCAL CODES AND REGULATIONS SHALL APPLY.

SITE PLAN

Project #: 120620 Drawn By: JAM
 Date: 12-08-2020 Scale: 3/32" = 1'-0"
 Sheet #: 1 of 13

BDA234-028



NEW FLOOR PLAN

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

DOOR SCHEDULE						
DOOR NO.	SIZE			DOOR MATERIAL	FRAME MATERIAL	REMARKS
	WIDTH	HEIGHT	THICK.			
1	3'-0"	6'-8"	1-3/4"	S.C. WOOD		
2	2'-8"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
3	2'-8"	6'-8"	1-3/4"	H.C. WOOD	WOOD	SLIDING DOOR
4	2'-0"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
5	2'-2'-0"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
6	2'-8"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
7	2'-0"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
8	2'-8"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
8	2'-2'-0"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
10	2'-8"	6'-8"	1-3/4"	H.C. WOOD	WOOD	
11	2'-8"	6'-8"	1-3/4"	S.C. WOOD	WOOD	
12	2'-0"	6'-8"	1-3/4"	S.C. WOOD	WOOD	
13	2'-0"	6'-8"	1-3/4"	H.C. WOOD	WOOD	

- NOTE : 1.- PROVIDE WEATHER STRIPPING AND THRESHOLD AT ALL EXTERIOR DOORS. SET THRESHOLDS IN SEALANT BED.
 2.- ALL DOOR UNITS TO BE PRE-HUNG TYPE - PAINT GRADE.
 3.- DOOR/TRIM PAINT COLOR AS SELECTED BY OWNER.

WINDOW SCHEDULE						
WINDOW TYPE	QUANTITY	SIZE		WINDOW ELEVATION	FRAME MATERIAL	REMARKS
		WIDTH	HEIGHT			
A	8	3'-0"	6'-0"	A (B.H.)	VINYL	U-FACTOR 0.35 SOLAR HEAT GAIN COEF.0.25
B	2	3'-0"	1'-0"	A (F.X.)	VINYL	U-FACTOR 0.35 SOLAR HEAT GAIN COEF.0.25
C	2	2'-0"	3'-0"	A (S.H.)	VINYL	U-FACTOR 0.35 SOLAR HEAT GAIN COEF.0.25
D	1	3'-0"	5'-0"	A (B.H.)	VINYL	U-FACTOR 0.35 SOLAR HEAT GAIN COEF.0.25



GENERAL NOTES

1. THE GENERAL CONTRACTOR/OWNER SHALL VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS/WORK. THE CONTRACTOR SHALL ACCEPT THE DATA AS SHOWN AND SHALL BE RESPONSIBLE FOR THE QUALITY OF THE CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL RESIDENTIAL CONSTRUCTION PURPOSES ONLY AND NOT SPECIFICALLY DESIGNED OR BUILT THEREFOR.
3. THE GENERAL CONTRACTOR SHALL SUPERVISE THE CONSTRUCTION AND SHALL BE RESPONSIBLE TO SELECT, VERIFY, TEST, AND INSTALL ALL EQUIPMENT AND MATERIALS AS WELL AS TO CONTROL THE QUALITY OF THE PROJECT.
4. ALL WORK PERFORMED ON THIS PROJECT SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE AMERICAN BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES, AND REGULATIONS.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY NECESSARY REVISIONS TO THE STABILITY OF THE STRUCTURE OF THE PROJECT. FURTHERMORE, IF REVISIONS TO THESE PLANS SHALL BE REQUIRED BY A QUALIFIED PROFESSIONAL ENGINEER AND ARCHITECT.

SQUARE FOOTAGE



Project Name:

NEW HOUSE

Project Address:

**4923 GURLEY AVENUE
DALLAS, TX 75223**

Plan Name:

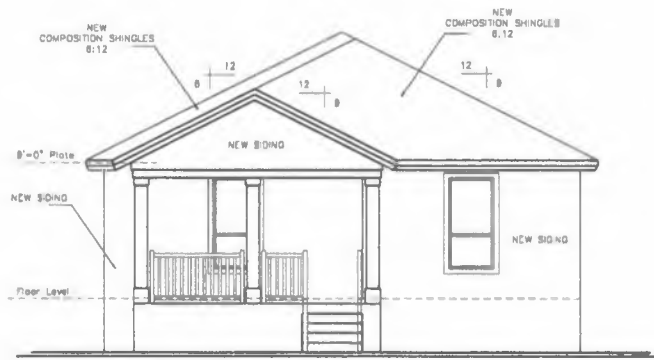
NEW FLOOR PLAN

Project #: **120828** Drawn By: **JAM**

Date: **12-08-2028** Scale: **1/8" = 1'-0"**

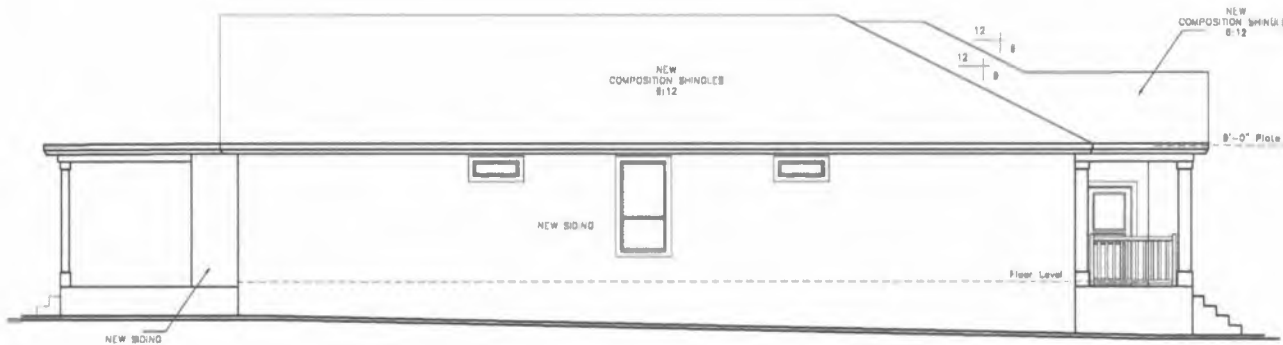
Sheet #: **2** OF: **13**

BDA234-028



FRONT ELEVATION

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



LEFT ELEVATION

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



Martinez Design, LLC
 Tel.: 972-271-2512
 www.martinezdesign.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL OBTAIN AND VERIFY THE QUALITY OF ALL MATERIALS AND CONDITIONS OF THIS PROJECT. THE CONTRACTOR SHALL ALSO VERIFY THE CORRECTNESS AND ANY ENCUMBRANCES BEFORE PROCEEDING WITH THE SCOPE OF THE CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL INFORMATION PURPOSES ONLY AND ARE NOT NEARLY TO BE USED OR RENTED.
3. THE GENERAL CONTRACTOR SHALL SUPERVISE THE CONSTRUCTION AND SHALL BE HELD RESPONSIBLE TO OBTAIN NECESSARY PERMITS, ALL EQUIPMENT AND MATERIALS AS WELL AS TO GUARANTEE THE QUALITY OF THE PROJECT.
4. ALL WORK PERFORMED BY THE PROJECT SHALL BE SUBJECT TO THE CURRENT CODES OF THE APPLICABLE BUILDING CODE AND ALL APPLICABLE STATE AND LOCAL ORDINANCES, CODES AND REGULATIONS.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY NECESSARY INFORMATION TO THE QUALITY OF THE STRUCTURE OF THE PROJECT. NECESSARY INFORMATION MUST BE PROVIDED BY THE ARCHITECT BY A QUALIFIED PROFESSIONAL ENGINEER AND ARCHITECT.

SQUARE FOOTAGE



Project Name

NEW HOUSE

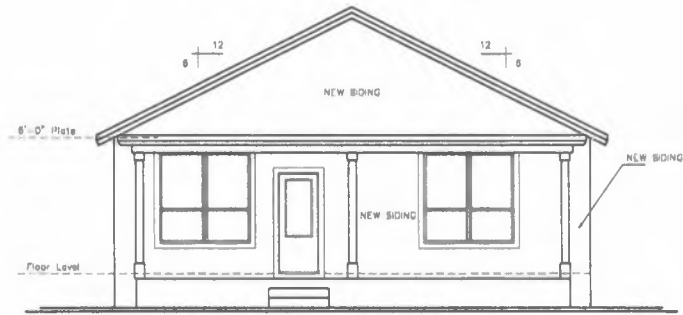
Project Address

**4823 GURLEY AVENUE
 DALLAS, TX 75223**

Page No.

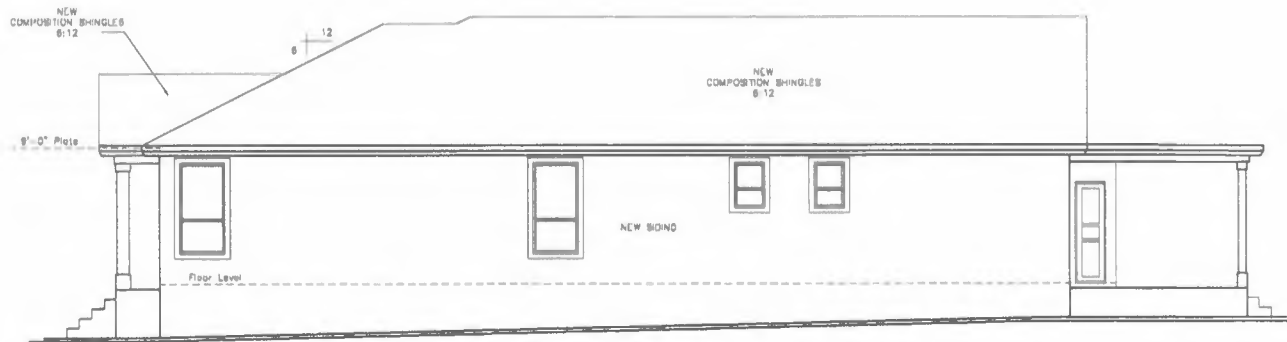
ELEVATIONS

Project #: 120828 Drawn By: JAM
 Date: 10-06-2020 Scale: 1/8" = 1'-0"
 Sheet #: 12 of 13



REAR ELEVATION

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



RIGHT ELEVATION

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



Martinez Design, LLC
 Tel.: 972-371-2572
 martinezdesign7@gmail.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR/CONTRACTOR SHALL OBTAIN AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS OF THESE PLANS/PROJECTIONS. THE CONTRACTOR SHALL VERIFY THE CORRECTNESS OF THESE AND ANY DISCREPANCIES, AND/OR OMISSIONS FROM THE BEGINNING OF THE CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL CONTRACTOR/CONTRACTOR PURPOSES ONLY AND NOT SPECIFICALLY FOR THE USE OF ANY OTHER PARTY.
3. THE GENERAL CONTRACTOR/CONTRACTOR SHALL OBTAIN THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ALL APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.
4. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR/CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ALL APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR/CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ALL APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.

SQUARE FOOTAGE



Project Name

NEW HOUSE

Project Address

4823 GURLEY AVENUE
 DALLAS, TX 75223

Plan Date:

ELEVATIONS

Project #: 190828 Drawn By: JAM
 Date: 12-08-2026 Scale: 1/8" = 1'-0"
 Sheet #: 13 Of: 13

BDA234-028