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CITY SECRETARY
DALLAS, TEXAS



City of Dallas
REVISED

BOARD OF ADJUSTMENT (PANEL A)

Public Notice

23 0457

POSTED CITY SECRETARY
DALLAS, TX

**May 16, 2023, Briefing at 10:30 A.M. and the Public Hearing at 1:00 P.M.
Dallas City Hall, 6EN Council Chambers and Videoconference**

* The Board of Adjustment hearing will be held by videoconference and in 6EN, Council Chambers at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> or contact the Development Services Department at 214-670-4127 **by the close of business Monday, May 15, 2023. All virtual speakers will be required to show their video in order to address the board.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall), and the WebEx link: <https://bit.ly/051623A>

- | | | | |
|------|------------------------------|--|----------------------------|
| I. | Call to Order | <u>AGENDA</u> | David A. Neumann, Chairman |
| II. | Presentation/Briefing | | |
| III. | Public Hearing | | Board of Adjustment |
| IV. | Public Testimony | | |
| V. | Miscellaneous Items - | | |
| | | <ul style="list-style-type: none"> • Approval of Panel A Minutes – April 18, 2023 • Appeal the decision of the Administrative Official at 5519 Morningside Avenue • Appeal the decision of the Administrative Official at 5519 Ridgedale Avenue | |
| VI. | Case Docket | | Board of Adjustment |
| | - Uncontested Items | | |
| | - Holdover Items | | |
| | - Individual Items | | |
| VII. | Adjournment | | |

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

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

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

EXECUTIVE SESSION NOTICE

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

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

UNCONTESTED CASE(S)

BDA223-042(GB)	2602 Kilburn Avenue REQUEST: Application of Johnny Hill for a special exception to utility meter regulations	1
BDA223-043(GB)	8020 Park Lane REQUEST: Application of Will Bohls for a variance to the front yard setback regulations	2
BDA223-044(GB)	1718 S. Good Latimer Expressway REQUEST: Application of Baldwin Associates for a special exception to the landscaping regulations	3

HOLDOVER

None.

INDIVIDUAL CASES

BDA223-046(GB)	5519 Morningside Ave. REQUEST: Application of James Grant to appeal the decision of the administrative official	4
BDA223-055(ND)	5519 Ridgedale Ave. REQUEST: Application of Olivia Acito to appeal the decision of the administrative official	5



BOARD OF ADJUSTMENT

Panel A Minutes

April 18, 2023

DRAFT

6EN Council Chambers
24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Rachel Hayden	
Lawrence Halcomb	
Jay Narey	
Philip Sahuc	

ABSENT: [0]

Kathleen Davis	

Chair Neumann called the briefing to order at **10:28 A.M.** with a quorum of the Board of Adjustment present.

Chair Neumann 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

1- Approval of the Board of Adjustment Panel A March 21, 2023 public hearing minutes.

Motion was made to approve Panel A March 21, 2023 public hearing minutes.

Maker:	Rachel Hayden				
Second:	Phil Sahuc				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Phil Sahuc, Rachel Hayden, Jay Narey, and Lawrence Halcomb
		Against:	-	0	

CONSENT ITEMS

- 1. **8915 Douglas Avenue**
 BDA223-029(GB)

***This Case was moved to Individual Items**

BUILDING OFFICIAL’S REPORT: Application of Jennifer Hiromoto for a special exception to the fence height regulations, and for a special exception to the fence regulations at 8901 and 8915 Douglas Ave. This property is more fully described as Block 8/5598, Lot 1A and is zoned R-1 ac (A) which limits the height of the fence in the front yard to 4 feet; and requires that a fence panel with a surface area that is less than 50 percent open not be located less than 5 feet from the front lot line. The applicant proposes to construct a 6-foot3-inch-high fence in a required front yard, which will require a 2-foot 3-inch special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface located less than 5 feet from the lot line, which will require a special exception to the fence regulations.

LOCATION: 8915 Douglas

APPLICANT: Jennifer Hiromoto

REQUESTS:

A request for a 2-foot 3-inch special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface located less than 5 feet from the lot line, which will require a special exception to the fence regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the fence standards 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-1 ac (A) Single Family District
- North: R-1 ac (A) Single Family District
- South: R-1 ac (A) Single Family District
- East: R-1 ac (A) Single Family District
- West: R-1 ac (A) Single Family District

Land Use:

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

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded for this address or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

A request for a 2-foot 3-inch special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface located less than 5 feet from the lot line, which will require a special exception to the fence regulations.

The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard and states that no fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line.

The subject site is zoned an R-1 ac (A) Single Family District where a 40-foot front yard setback is required.

The applicant has submitted a site plan and elevation of the proposal. The site plan and elevation represent a fence that is over 4' in height in the required front yard.

- The following additional information was gleaned from the submitted site plan:
 - The proposed fence will be 5 feet from the property line and conform to Visibility Triangle Guidelines.
 - Most of the proposed fence will be an open style wrought iron fence with masonry columns.
- The Board of Adjustment Senior Planner conducted a field visit to determine if the fence would adversely affect neighboring properties.
- As of April 03, 2023, no letters have been received in opposition or support of this request.

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

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Granting these special exceptions with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding four-feet-in-height in the front yard setback to be constructed in the location and heights as shown on these documents.

Timeline:

February 07, 2023: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

March 06, 2023: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

March 14, 2023: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the April 19, 2023, deadline to submit additional evidence for staff to factor into their analysis; and the March 28, 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.”

March 30, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the January public hearing. The review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board.

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

Speakers:

For: Jennifer Hiromoto, 10233 E. NW Hwy # 38586, Dallas TX

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 223-029, on application of Jennifer Hiromoto, **GRANT** the request of this applicant to construct and/or maintain a 6-foot 3-inch high fence as a special exceptions to the height requirements for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

Compliance with the submitted site plan and elevation is required.

Maker:	Lawrence Halcomb				
Second:	Jay Narey				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 223-029, on application of Jennifer Hiromoto, **GRANT** the request of this applicant to construct and/or maintain fence panels with a surface area less than 50 percent open located less than 5 feet from the front lot lines as a special exception to the surface area openness requirement for fences in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

Compliance with the submitted site plan and elevation is required.

Maker:	Lawrence Halcomb				
Second:	Phil Sahuc				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

2. 1020 McBroom Street

***This case was moved to Individual Items**
 BDA223-035(ND)

BUILDING OFFICIAL'S REPORT: Application of Brent Jackson for a variance to the side yard setback regulations at 1020 McBroom Street. This property is more fully described as Block A/7104, Lot 1, and is zoned R-5(A), which requires a side yard setback of 5 feet. The applicant proposes to maintain a single-family residential structure and provide a 0-side yard setback, which will require a 5-foot variance to the side yard setback regulations.

LOCATION: 1020 McBroom Street
APPLICANT: Brent Jackson

REQUEST:

A request for a variance to the side yard setback regulations of 0 feet is made to maintain a single-family home. The applicant is proposing to maintain a single-family residential structure and provide a 0-foot side yard setback, which will require a 5-foot variance to the side yard setback regulations.

STANDARD FOR A VARIANCE:

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

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

State Law/HB 1475 effective 9-1-21

- the board may consider the following 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 the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

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- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that granting the variance in this application would not be contrary to public interest in that the variance would allow a structure in one of the site’s two side yard setbacks where the location of this structure would comply with the required 5 foot side yard setback if Winnetka on this corner lot did not have a street easement.
- Staff concluded that the subject site is unique and different from most lots in R-5(A) zoning district in that it is restrictive in area due to having a street easement in the side yard setback on Winnetka.

- **ZONING/BDA HISTORY:**

There has not been any recent related board or zoning cases recorded for this address or in the immediate vicinity of the subject site.

Zoning:

<u>Site:</u>	R-5(A)
<u>North:</u>	R-5(A)
<u>South:</u>	R-5(A)
<u>East:</u>	R-5(A)
<u>West:</u>	R-5(A)

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.

GENERAL FACTS/STAFF ANALYSIS:

- A request for a variance to the side yard setback regulations of 0 feet is made to maintain a single-family home.
- On December 13, 2021, Oaxaca Construction LLC applied for a new construction permit for a single-family residential structure. The permit was issued on February 10, 2022.
- The single-family home as constructed lies within the 5-foot required side yard setback.
- It appears that the home was not built-in compliance to the submitted site plans as the home appears to be also encroaching into the ROW to the west of the property. (Lloyd stated that the home is encroaching into the ROW- was determined during his site visit.)
 - This site is a request request for a variance to the side yard setback regulations of 0 feet is made to maintain a single-family home. The applicant is proposing to maintain a single-family residential structure and provide a 0-foot side yard setback, which will require a 5-foot variance to the side yard setback regulations.
 - The site has a 5 foot street easement of which serves to be the line of which the setback is measured versus the property line.
 - If this site’s side yard did not have a street easement side yard setbacks would be compliant on this site.
- The applicant has the burden of proof in establishing the following:

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- That permitting such a variance of the front yard where the literal enforcement of the provision of this article would result in an unnecessary hardship and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same PD 98 district by being of such restricted area, shape, or slopes that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same PD 98 district.
- A modification of standards established by this article may not be granted to relieve a self-created or personal hardship, not for financial reason only, nor may such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this article to other parcels of land in this district.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the side yard setback would be limited to what is shown on this document– which in this case is a home structure that would be located 0 feet from the site’s side yard easement line (N. Winnetka) or 5 feet into this property’s easement set line.

Timeline:

February 15, 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.

March 06, 2023: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

March 23, 2023: The Board of Adjustment Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application
- an attachment that provided the public hearing date and panel that will consider the application; the January 23rd deadline to submit additional evidence for staff to factor into their analysis; and the February 10th 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 30, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, the Board of Adjustment Development Code Specialist, the Board of Adjustment Consultant, the Chief Arborist, Development Services Senior Engineers, and the Board Attorney.

Speakers:

For: Sam Mallik, 2323 Victory Ave, Suite 700, Dallas TX 75219
Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 223-035, on application by Brent Jackson, **DENY** the variance to the side yard setback regulations requested by this applicant **without** prejudice, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

INDIVIDUAL CASES

3. 4178 Saranac
 BDA223-037(ND)

BUILDING OFFICIAL’S REPORT: Application of Aneesh Kumar, represented by Nick George for a special exception to the fence standards regulations and a special exception to the visual obstruction regulations at 4178 Saranac Drive This property is more fully described as Block 11/6147, Lot 17 and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet and requires 20-foot visibility triangles at driveways. The applicant proposes to construct and/or 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 standards regulations, and to locate and maintain items in 20-foot visibility triangles, which will require special exceptions to the visual obstruction regulations.

LOCATION: 4178 Saranac Drive

APPLICANT: Aneesh Kumar
 Represented by Nick George

REQUESTS:

The following requests have been made on a property developed with a single-family home:

1. A special exception to the fence regulations is made to construct a 6’ 6” high single family residential fence structure in the required front yard; and
2. Special exception to the visual obstruction regulations to locate and maintain portions of a 6’ 6” high single family residential fence with four 20’ visibility triangles.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:

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

STAFF RECOMMENDATION (fence standards regulations):

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

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 (visual obstruction regulations):

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. However, staff does provide a technical opinion to assist in the board's decision-making.

Traffic Engineer reviewed the request and cites no traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site: R-10(A) (Single Family District)
North: R-10(A) (Single Family District)
East: R-10(A) (Single Family District)
South: R-10(A) (Single Family District)
West: R-10 (A) and R-7.5(A) (Single Family District)

Land Use:

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

Zoning/BDA History:

There is no BDA History within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The following requests have been made on a property developed with a single-family home:
 1. A special exception to the fence regulations is made to construct a 6' 6" high single family residential fence structure in the required front yard; and
 2. Special exception to the visual obstruction regulations to construct and maintain portions of a 6' 6" high single family residential fence with two 20' visibility triangles.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The subject site is zoned R-10(A) Single Family District which requires a thirty-foot front yard setback.
- The submitted site plan shows the following information:
 - The proposed fence is located at the lot line along Saranac Drive.

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- 6' 6" high single family residential fence with four 20' visibility triangles.
 - Staff conducted a field visit of the site and surrounding area.
 - As of April 6, 2023, letters of opposition have been submitted
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations will not adversely affect neighboring property.

Section 51A-4.602(d) of the Dallas Development Code states the following: a person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is:

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

As further noted on the site plan, the proposed fence would obstruct:

- Portions of the 6' 6" fence are proposed to be located within the four 20' visibility triangles at the driveway approach. The Development Services Senior Engineer has no objections to the request for the obstructions to visibility triangle encroachment.

The requests for special exceptions to the visual obstruction regulations, the applicant has the burden of proof to establish how granting these requests to maintain the fence and gates in 20-foot visibility triangles on either side of the driveway does not constitute a traffic hazard.

Granting these requests for special exceptions to the fence standards and visual obstruction regulations with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the fence and gate over 4' in height in the front yard setback, and items in the four 20' visibility triangles at the driveway into the site as shown on these documents.

Timeline:

- February 16, 2023: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.
- March 6, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.
- March 23, 2023: 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 March 29, 2023, deadline to submit additional evidence for staff to factor into their analysis; and March 29, 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.

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March 29, 2023: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the January public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Senior Plans Examiner, the Development Services Chief Planner, the Assistant City Attorney to the Board, Code Compliance Director, and the Senior Planner.

Speakers:

For: Aneesh Kumar, 4178 Saranac Dr, Dallas TX 75220
Nick George,

Against: Steve Leary, 4186 Saranac Dr, Dallas TX 75220
Matt Frye, 4182 Saranac Dr, Dallas TX 75220

Motion #1

I move that the Board of Adjustment, in Appeal No. BDA 223-037, on application of Aneesh Kumar, represented by Nick George, **DENY** the special exception requested by this applicant to construct and/or maintain a 6-foot 6-inch high fence **with** prejudice, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Jay Narey				
Second:	Rachel Hayden				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

Motion #2

Motion to withdraw. Subsequent motion was made.

Maker:	Jay Narey				
Second:	Rachel Hayden				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

Motion #3

I move that the Board of Adjustment, in Appeal No. BDA 223-037, Application of Aneesh Kumar, represented by Nick George, **DENY** the special exception requested by this applicant to construct and/or maintain items in the visibility triangle at the driveway approaches **with** prejudice, because our evaluation of the property and the testimony shows that granting the application would constitute a traffic hazard.

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Maker:	Jay Narey				
Second:	Rachel Hayden				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

Motion #4

I move that the Board of Adjustment, in Appeal No. BDA 223-037, on application of Aneesh Kumar, represented by Nick George, **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:	Jay Narey				
Second:	Rachel Hayden				
Results:	5-0 unanimously				
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey, Lawrence Halcomb and Phil Sahuc
		Against:	-	0	

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chair Neumann moved to adjourn the meeting at 2:20 p.m.

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

Date

Required Signature:
Nikki Dunn, Chief Planner/Board Administrator
Development Services Dept.

Date

BOARD OF ADJUSTMENT
April 18, 2023

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

Date



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

RE

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

FEB 28 REC'D

Case No.: BDA

BOA 223-012

BY:

Data Relative to Subject Property:

Date:

2/28/2023

Location address: 2602 KILBURN AVE Zoning District: R-7.5(A)

Lot No.: 1-A Block No: 31/5ISS Acreage: .198 Census Tract: _____

Street Frontage (in Feet): 1) 67 2) 129 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): 13 HILLS LLC / JOHNNY R. HILL

Applicant: JOHNNY R. HILL Telephone: 214-704-1526

Mailing Address: 9310 NORWICH CT Zip Code: 75088

E-mail Address: jrhill43@aol.com

Represented by: JOHNNY R. HILL Telephone: 214-704-1526

Mailing Address: 9310 NORWICH CT Zip Code: 75088

E-mail Address: jrhill43@aol.com

Affirm that an appeal has been made for a Variance or Special Exception of SEPARATE ELECTRICAL METER FOR EXTERNAL GARAGE.

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:

SEPARATE ELECTRICAL METER FOR EXTERNAL GARAGE

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.

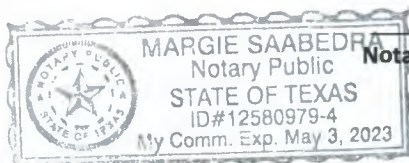
Affidavit

Before me the undersigned on this day personally appeared JOHNNY R. HILL
(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 28th day of February, 2023



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 JOHNNY HILL

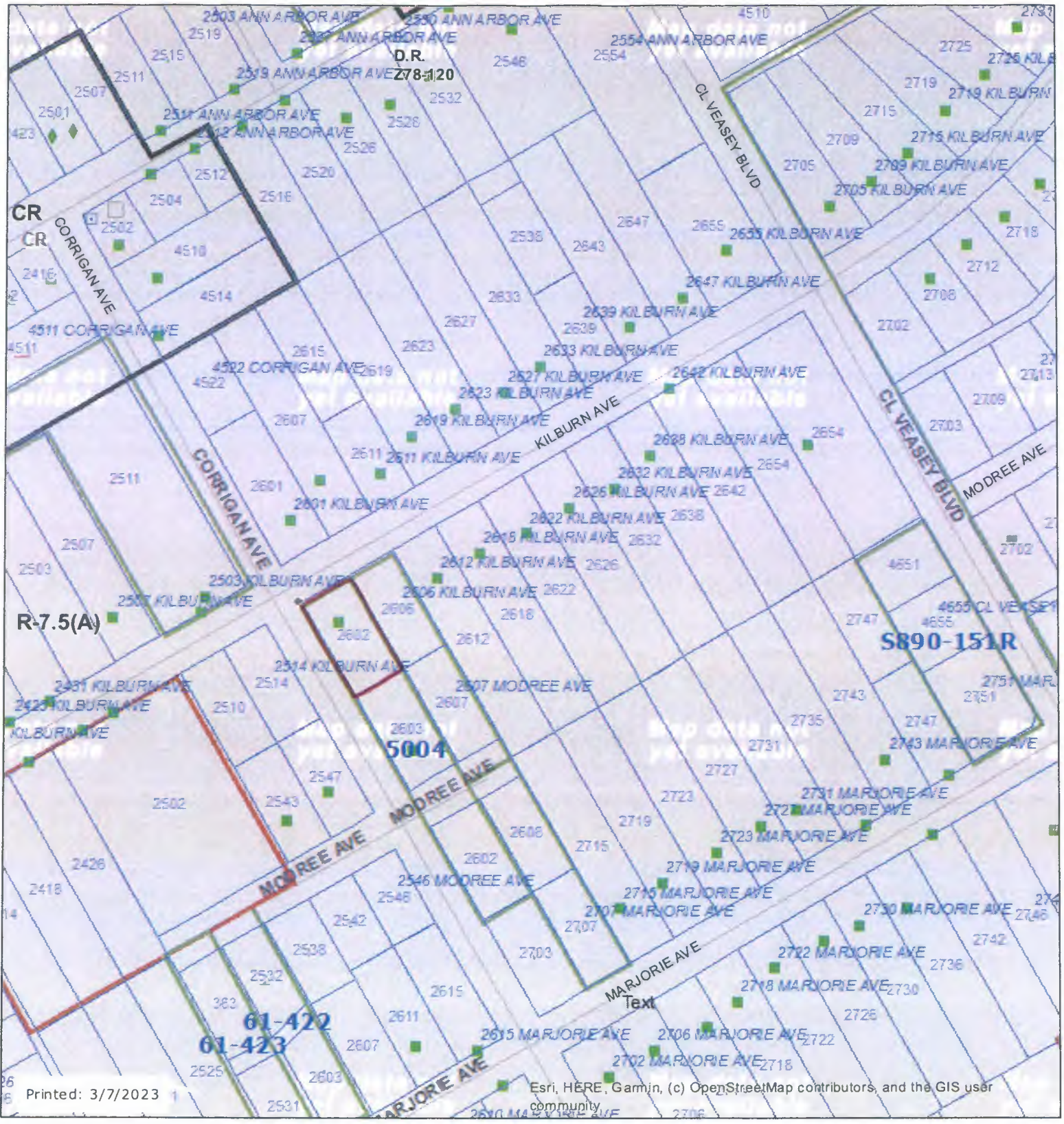
did submit a request provide an additional electrical meter
at 2602 KILBURN

BDA223-042. Application of JOHNNY HILL to provide an additional electrical meter at 2602 KILBURN AVE. This property is more fully described as Block 31/5155, Lot 1A and is zoned R-7.5(A), which requires that a single-family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to maintain a single-family dwelling in a single family district and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single-family zoning use regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



Printed: 3/7/2023 1

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

- City Limits
- Final
- Deleted Tax Parcels
- Current Year Plat Cases
- Base Zoning
- Deed Restrictions
- Main Address
- Building
- Sign
- Plat Parcel
- Tax Parcel
- Sub-Address
- ◆ Site
- Addition Boundaries
- Preliminary

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TOTAL GARAGE
 TOTAL LOT AREA 1285.00
 TOTAL GARAGE 217.14
 COV. COVERAGE 16.9%



2 GARAGE PERSPECTIVE VIEW



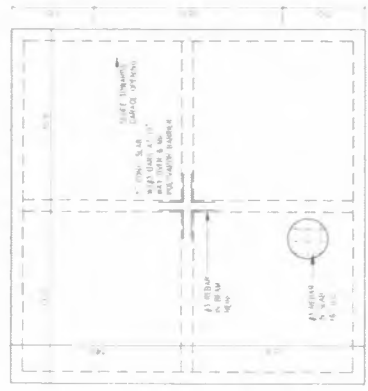
1 SITE PLAN



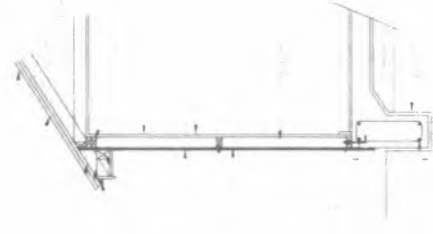
Project Name and Owner:	
Address:	
City:	
State:	
Zip:	
Phone:	
Fax:	
Website:	

NEW CONSTRUCTION
 project name and owner:
 2602 KILBURN AVE,
 DALLAS, TX 75216
 HIGHLAND ACRES RESUB
 BLK 3/5155 LT 1A

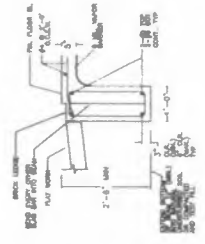
job no: 20110011
 issue date: 04/08/11
 drawn by: JA
 checked by: JJ
 issued for:
 sheet title:
FOUNDATION
 scale:
 1/8" = 1'-0"
 sheet no.: 8



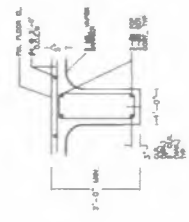
1 FOUNDATION
 SCALE: 1/8" = 1'-0"



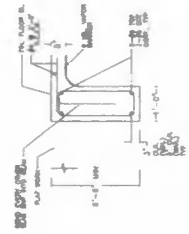
WALL SECTION - SIDING
 not to scale



1 EXT. BEAM SECTION - BRICK/STONE



2 INTERIOR SECTION

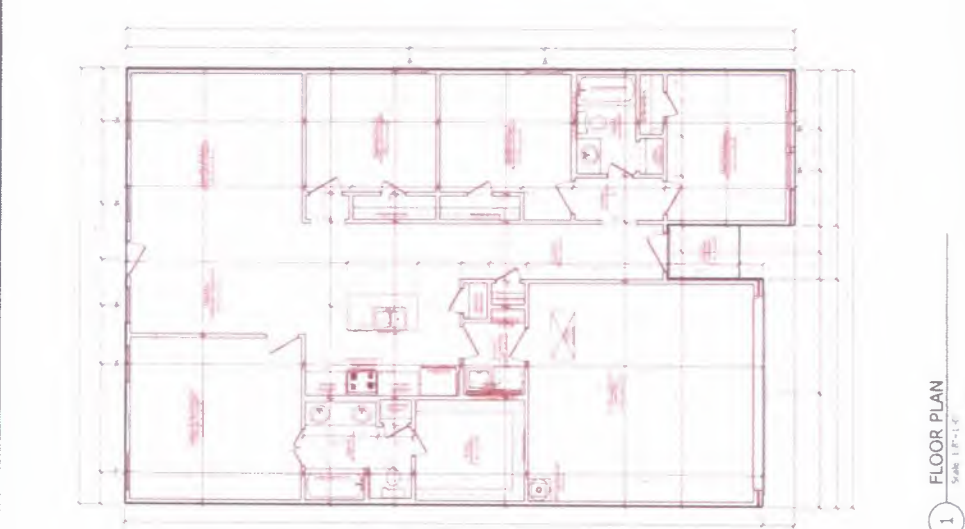
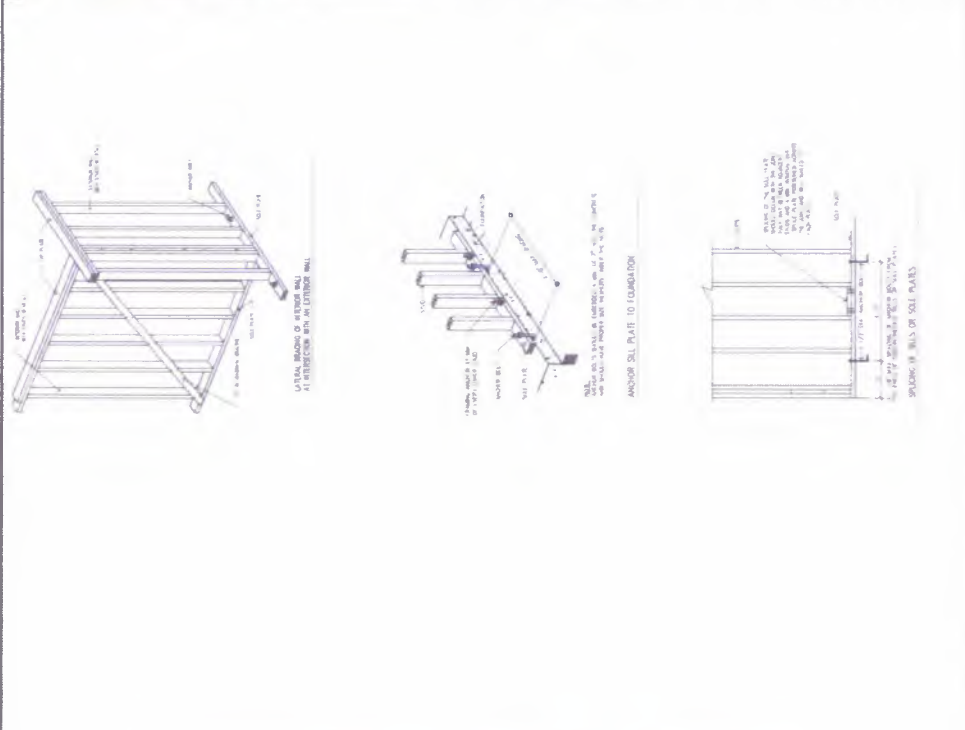


3 EXT. BEAM SECTION - BRICK/STONE

NEW CONSTRUCTION
 Project name and owner:
 Dallas, TX 75216
 2602 Kithburn Ave.
 HOGLAND A0825 R2318
 BUN 2/19/20 LT 1A

Job no. 1-1
 Issue date 1-1
 drawn by
 checked by
 issued for

Sheet 03 of 03



Project name and owner:
 Dallas, TX 75216
 2602 Kithburn Ave.
 HOGLAND A0825 R2318
 BUN 2/19/20 LT 1A

Job no. 1-1
 Issue date 1-1
 drawn by
 checked by
 issued for

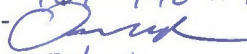
Sheet 03 of 03

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - Omar R.
Address - 2503 Kilburn Ave
Phone# - 469-442-7197
Signature - 
Date - 3/11/23

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - *Louis Perez*
Address - 2510 Kilburn Ave
Phone# - *972 798 8016*
Signature - *[Handwritten Signature]*
Date - *3-11-2023*

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - *Phillys Leadon*

Address - 2514 Kilburn Ave

Phone# - *214 376 7644*

Signature - *Phillys Leadon*

Date *03/11/2023*

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - Arseli

Address - 2611 Kilburn Ave

Phone# - 214-845-2874

Signature - Arseli Sa

Date - 3/11/2023

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526
BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - *Emelia Gonzalez*
Address - 2601 Kilburn Ave
Phone# - *469-779-5387*
Signature - *Emelia Gonzalez*
Date - *03/11/23*

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526
BDA# 223-042


March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - Antonio Medellin

Address - 2606 Kilburn Ave

Phone# - 214405-4410

Signature - 

Date - 3-15-23

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - *Eva Taylor*
Address - 2612 Kilburn Ave
Phone# - *214-374-1593*
Signature - *Eva Taylor*
Date - *3-11-2023*

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - Cynthia Black Parker

Address - 2607 Modree

Phone# - 214 641-3006

Signature - Cynthia Black Parker

Date - 3-11-2023

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name -

Address - 2543 Modree

Phone# - 214 434 6194

Signature - Victor F. Fuchs

Date - 03/11/2023

Johnny Hill
2602 Kilburn Ave
Dallas, TX 75216
214-704-1526

BDA# 223-042

March 04, 2023

A second meter installed at 2602 Kilburn Ave will not affect me.

Name - MARIO ALEJANDRO JIMENEZ GARCIA

Address - 2547 Modree

Phone# - 254 231 2786

Signature - 

Date - 03/11/23



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

REC'D

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

MAR 03 REC'D

Case No.: BDA 2023-043 USE ONLY

BY: [Signature] Data Relative to Subject Property: _____ Date: 3/3/23 USE ONLY

Location address: 8020 Park Lane Zoning District: MU-3 (SAH)

Lot No.: 1C Block No.: A/5456 Acreage: 33.3171 Census Tract: 0078.22

Street Frontage (in Feet): 1) 1,086 2) 1,472 3) 752 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Northwood PL A, LP - James W. Geskey

Applicant: Will Bohls Telephone: 214-922-1182

Mailing Address: 2300 N. Field St., Suite 800 Zip Code: 75201

E-mail Address: wbohls@streetlights.com

Represented by: Tommy Mann Telephone: 214-745-5724

Mailing Address: 2728 Harwood St. Zip Code: 75201

E-mail Address: tman@winstead.com

Affirm that an appeal has been made for a Variance X, or Special Exception _____, of 18'1" of the additional 20' front yard setback for the portion of the structure above 45' in height (urban form setback) set forth in Sec. 51A-4.125(f)(4)(A)(ii) for the west building facade adjacent to U.S. 75 and request permission for an extension of the requirement for building permit to be applied for within 180 days of the date of the final action of the Board, set forth in Sec. 51A-4.703(d)(6), to 18 months

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:

(1) Property has multiple front yards and irregular shape; (2) There is no adverse effect on surrounding property; (3) the hardship is not self-created; and (4) the spirit of the urban form setback is observed

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

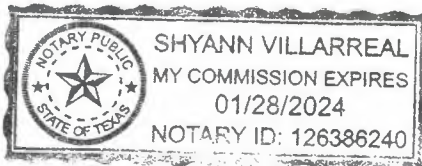
Before me the undersigned on this day personally appeared Will Bohls
(Affiant/Applicant's name printed)

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 March, 2023

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





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-043

I, James W. Geskey, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 8020 Park Lane
(Address of property as stated on application)

Authorize: Will Bohls
(Applicant's name as stated on application)

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

Variance (specify below)

Special Exception (specify below)

Other Appeal (specify below)

Specify: variance of 18'1" of the additional 20' front yard setback for the portion of the structure above 45' in height (urban form setback) set forth in Sec. 51A-4.125 (e)(4)(A)(ii) for the west building facade adjacent to U.S. 75 and request permission for an extension of the requirement for building permit to be applied for within 180 days of the final action of the Board, set forth in Sec. 51A-4.703 (A)(6), to 18 months

James W. Geskey
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date March 1, 2023

Before me, the undersigned, on this day personally appeared James W. Geskey

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 1st day of March, 2023



Commission expires on May 26, 2026
Natasha R. Stetson
[Signature]



Park Lane - Zoning Map

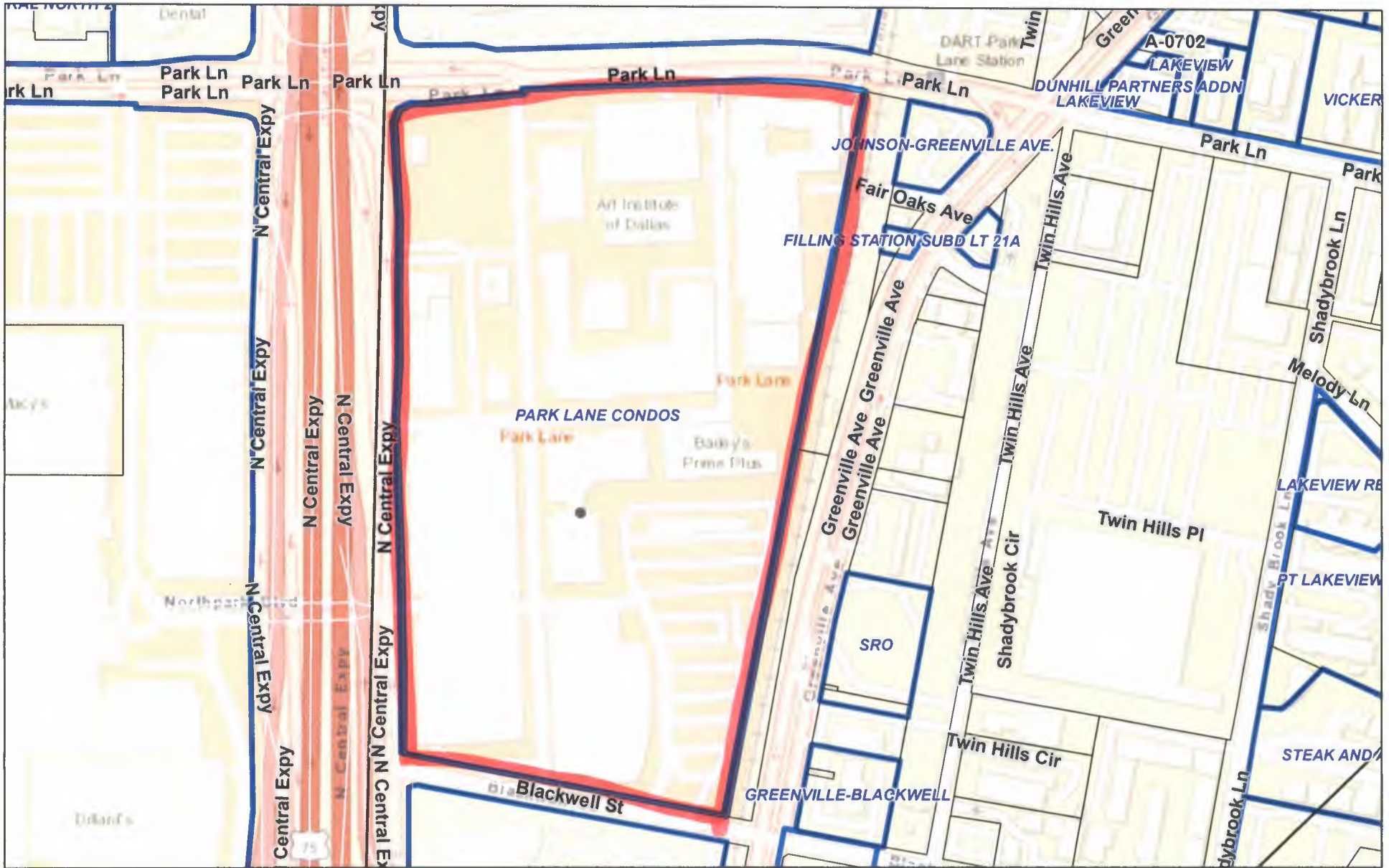
-  City Limits
-  Railroads
-  Certified Parcels
-  Base Zoning
-  Deed Restrictions
-  SUP
-  Dry Overlay
-  D
-  PD Subdistricts
-  PDS Subdistricts

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1:3,600

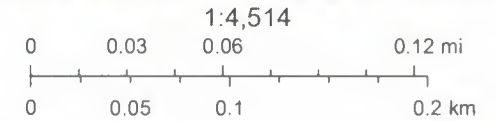
Dallas CAD Web Map



3/3/2023, 8:57:16 AM

- Parcels
- Subdivision
- Dallas County Boundary
- Abstracts
- Street Centerline

WOB



Esri, HERE, Garmin, INCREMENT P, NGA, USGS

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.

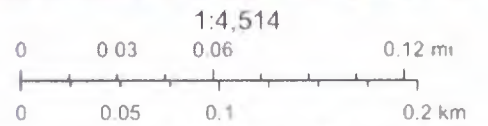
Dallas CAD Web Map



2/28/2023, 3:10:49 PM

- Parcels
- Subdivision
- Dallas County Boundary
- Abstracts
- Street Centerline

WB



Esri Community Maps Contributors Texas Parks & Wildlife © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph

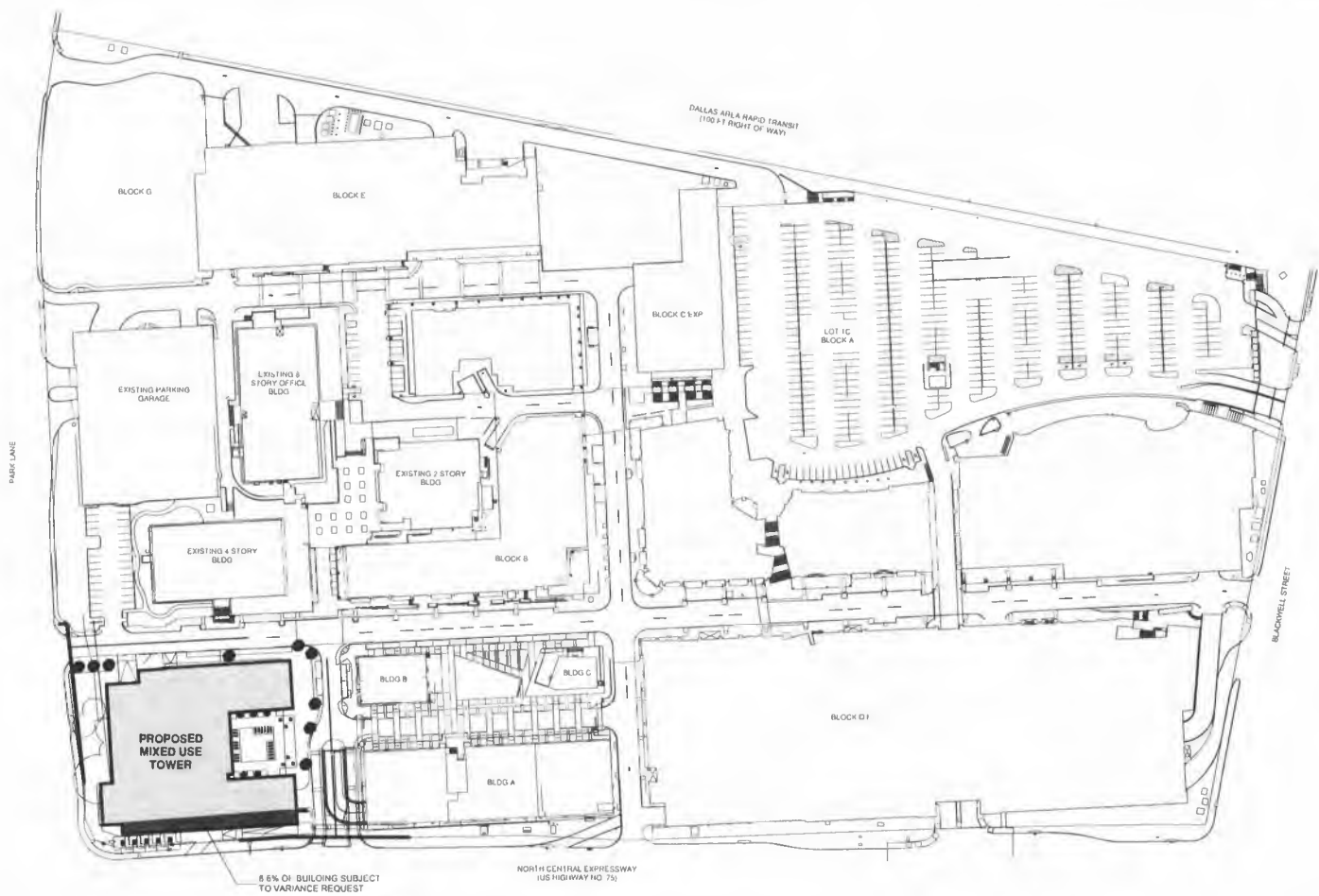
Dallas County Appraisal District, BIS Consulting - www.bisconsulting.com

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.



NOTE: THE VARIANCE REQUEST APPLIES TO THE HIGHLIGHTED PARCEL WHICH IS APPROXIMATELY 1.55 ACRES. BECAUSE THE PROJECT IS PLATTED AS A SINGLE LOT, THE APPLICATION APPEARS TO APPLY TO THE ENTIRE 33 ACRE LOT, THE BALANCE OF WHICH HAS ALREADY BEEN DEVELOPED.





① OVERALL SITE PLAN
1" = 60' 0"

NOTE: THE VARIANCE REQUEST APPLIES TO THE HIGHLIGHTED PARCEL WHICH IS APPROXIMATELY 1.35 ACRES. BECAUSE THE PROJECT IS PLANNED AS A SINGLE LOT THE APPLICATION APPEARS TO APPLY TO THE ENTIRE 33 ACRE LOT. THE BALANCE OF WHICH HAS ALREADY BEEN DEVELOPED



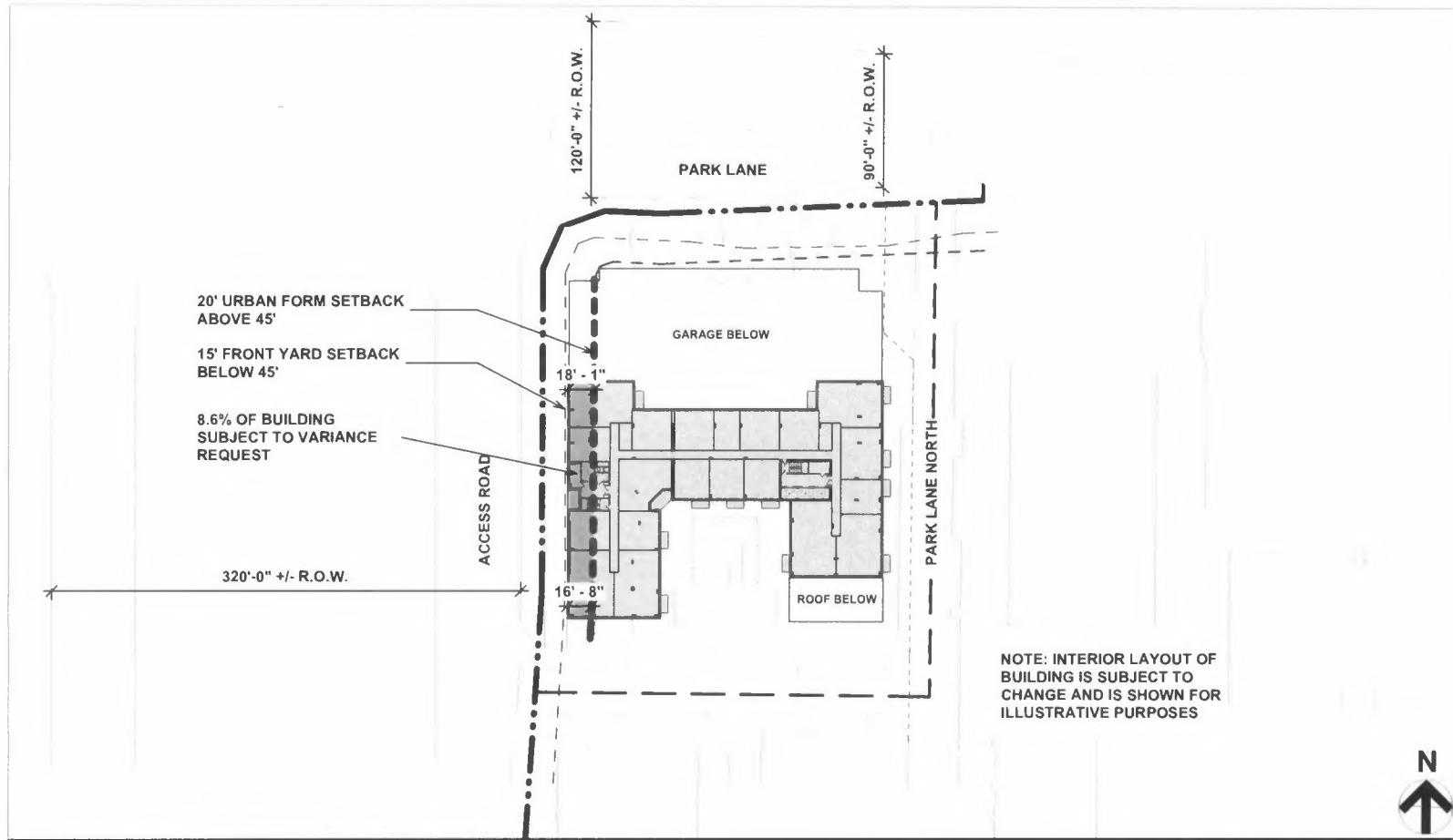
20' URBAN FORM SETBACK

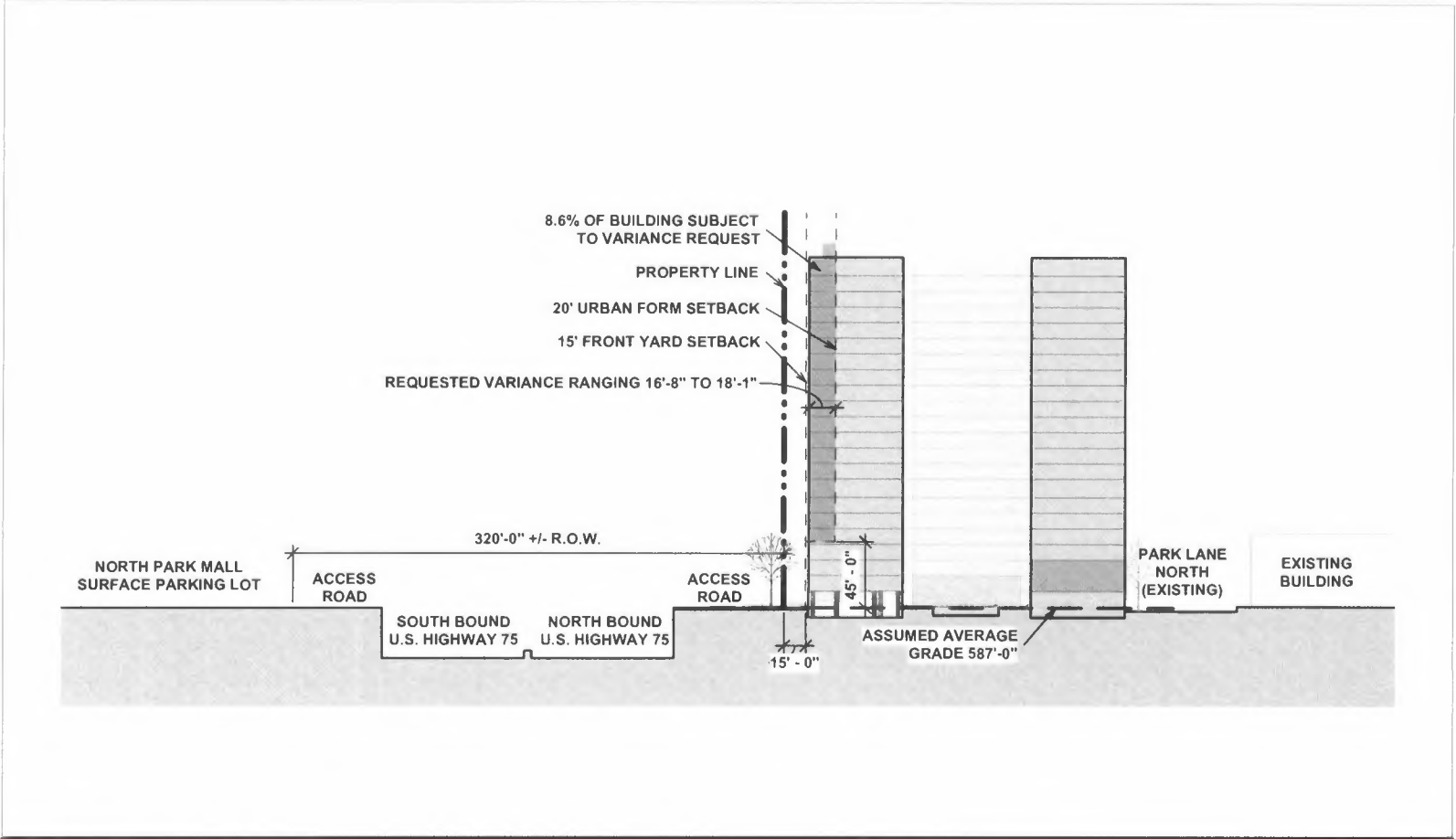
8.6% OF BUILDING SUBJECT
TO VARIANCE REQUEST

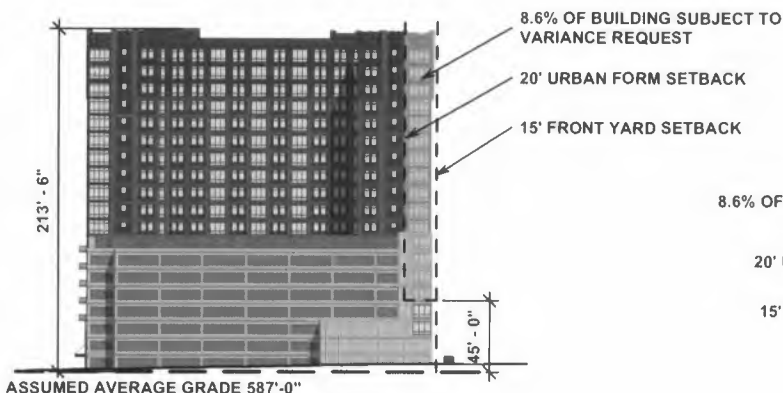
PARK LANE

ACCESS ROAD

N ←

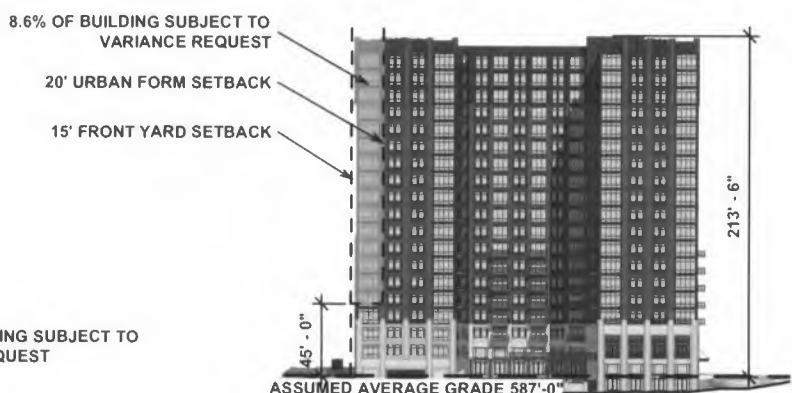






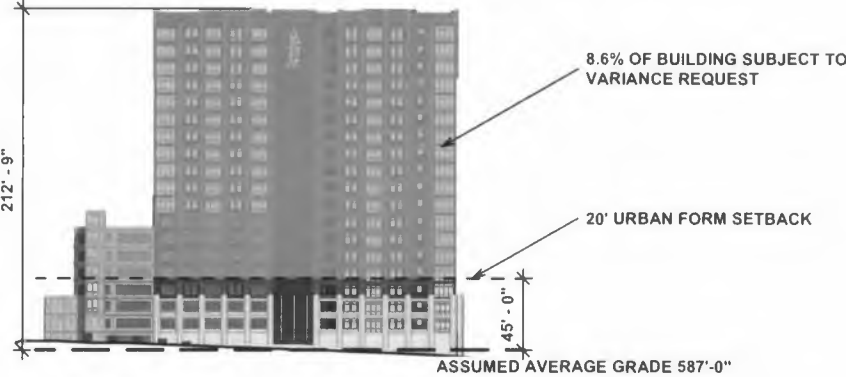
ASSUMED AVERAGE GRADE 587'-0"

1 VARIANCE REQUEST NORTH
1" = 60'-0"



ASSUMED AVERAGE GRADE 587'-0"

2 VARIANCE REQUEST SOUTH
1" = 60'-0"



ASSUMED AVERAGE GRADE 587'-0"

3 VARIANCE REQUEST WEST
1" = 60'-0"

May 5, 2023

direct dial: 214.745.5440
dmartin@winstead.com

direct dial: 214.745.5724
tmann@winstead.com

Via email

Ms. Giahanna Bridges
Senior Planner
Development Services
320 East Jefferson Blvd., Room 210
Dallas, TX 75203
giahanna.bridges@dallas.gov

Re: BDA #223-043 – 8020 Park Lane (the "Property")

Dear Ms. Bridges:

Introduction

The purpose of this letter is to explain in greater detail the reasons in support of the variance request for BDA Case #223-043, scheduled for hearing on May 16, 2023, as described further herein. The Property constitutes approximately 2 acres of the larger 33-acre mixed use development known as The Shops at Park Lane.

The Property is currently zoned MU-3(SAH) and is proposed to be developed with a 20-story multifamily building with structured parking and ground floor retail (the "Project"). Section 51A-4.125(f)(4)(A) of the Dallas Development Code requires a 15-foot front yard setback and an additional 20-foot "urban form" setback (the "Urban Form Setback") for the portion of a building above 45 feet in height (for a total minimum required front yard setback of 35 feet for the portion of the building above 45 feet in height). The Project includes an approximately 16-foot front yard setback for the portion of the building façade facing Central Expressway above 45 feet in height. Thus, the applicant is requesting a 19-foot variance to the Urban Form Setback for that facade. No variance is being sought to the additional front yard setback that applies to the Property along Park Lane. By this request, the applicant is seeking among other things to preserve openness, light, and airflow, and to preserve the streetscape and pedestrian experience adjacent to the area actually travelled by pedestrians (i.e. Park Lane). A similar variance was granted for land adjacent to the south of the Property to allow development of a mixed use building in BDA #123-054 and for a parking garage in BDA #101-019.

Urban Form Setback Variance

A 19-foot variance to the Urban Form Setback is requested (the "Variance Request"). The portion of the Project that triggers this request constitutes approximately just 8.6% of the building and applies only to the building façade facing Central Expressway above 45 feet in height. With respect to the variance standard of Chapter 51A-3.102(d)(10), we offer the following:

(i) *Public Interest:* The Variance Request is not contrary to the public interest because the portion of the building to which it applies is not adjacent to any residential or commercial development, nor is it adjacent to frontage developed or intended to be designed for pedestrians. The spirit and intent of the Urban Form Setback is to prevent a "canyon effect" to preserve: (a) openness, light, and airflow between tower structures; and (b) to enhance the pedestrian experience at the streetscape level, such that pedestrians do not feel suffocated, smothered, or squeezed by buildings towering above. Here, the building façade to which the Variance Request applies is adjacent to Central Expressway which is approximately 300 feet in width across from the western façade of the building and located substantially below grade from the Property. Thus, the Variance Request preserves a large distance separation from other uses and the openness, light, and airflow that the Urban Form Setback is intended to ensure. In addition, there is no public sidewalk along Central Expressway between Park Lane and Northwest Highway. Thus, pedestrians will not experience the western facade of the building to which the Variance Request applies. It is worth noting that the Urban Form Setback will be preserved along the Park Lane frontage which is a city street, has a public sidewalk, and is more often experienced by pedestrians. Because the portion of the building to which the Variance Request applies is adjacent to Central Expressway and above 45 in height, the spirit of the Urban Form Setback is preserved and the request is not contrary to the public interest.

(ii) *Restrictive Shape, and Size:* The Property has two front yards and is thus constrained by the Urban Form Setback on two sides. It is worth noting that the larger 33-acre lot is developed with existing multifamily towers located on parcels which do not have multiple front yards and thus are not constrained by the Urban Form Setback.

The Property is small (+/- 2 acres) and irregularly shaped in part due to the off-set at the corner of Park Lane and the TxDOT right-turn lane of the north-bound Central Expressway frontage road that expands the ROW encroachment further into the property. The TxDOT right-turn lane does not exist on the southern portion of the overall 33-acre lot and narrows the east/west width of the Property which limits the ability to provide a parking garage that meets traditional internal sloping requirements. A structured parking garage oriented in any manner other than as proposed would prevent the applicant from satisfying code-required parking on the building site. The remainder of the 33-acre platted lot is fully developed, including the internal drives to the east and south of the Property, which further constrains the site and prevents the Project from being relocated further to the east to alleviate the hardship imposed by the Urban Form Setback from Central Expressway.

It is also worth noting that the Board of Adjustment granted variances to the Urban Form Setback for other tracts located within the Shops at Park Lane adjacent to Central Expressway in BDA #123-054 and BDA #101-019 for reasons similar to those set forth in this request. The staff

report (Exhibit A) and approval letter (Exhibit B) for BDA #123-054 are attached hereto for convenience. The Variance Request allows the Project to maintain consistency with the dominant building line fronting Central Expressway established by existing buildings in the Shops at Park Lane.

(iii) *Not Self-Created*: The need for this variance is not self-created. It is created by the site's multiple front yards and small and irregular shape.

Conclusion

The Variance Request satisfies the code-required criteria for approval resulting in quality development of a vacant site that preserves the intent of the Urban Form Setback and will not adversely impact neighboring properties.

Please do not hesitate to let us know if we can answer any questions or provide additional information. Thank you for your consideration in this matter.

Sincerely,

David Martin

cc: Tommy Mann

Exhibit A

Staff Report (BDA #123-054)

(Continued on the following pages.)

Exhibit B

BDA Approval Letter (BDA #123-054)

(Continued on the following pages.)

FILE NUMBER: BDA 123-054

BUILDING OFFICIAL'S REPORT: Application of Colesen C. Evans for a variance to the front yard setback regulations at 8000 Park Lane. This property is more fully described as Lot 1C, Block A/5456, and is zoned MU-3 (SAH), which requires a front yard setback of 35 feet for portions of a structure greater than 45 feet in height. The applicant proposes to construct a structure over 45 feet in height and provide a 15 foot 6 inch front yard setback for a portion of a structure over 45 feet in height, which will require a variance to the front yard setback regulations of 19 foot 6 inches.

LOCATION: 8000 Park Lane

APPLICANT: Colesen C. Evans

REQUEST:

A variance to the urban form front yard setback regulations of 19' 6" is requested in conjunction with constructing and maintaining an approximately 80' high mixed use (retail/restaurant/office) structure that would be located within the required 35' front yard setback for the portion of it above 45' in height along the US 75/North Central Expressway service road. The site is developed as a mixed use development (Park Lane).

STANDARD FOR A VARIANCE:

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, 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:

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

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan and site section document is required.

Rationale:

- The subject site is restricted in its developable area given its multiple front yards, its narrow width, and an off-set at the corner of Park Lane and the north bound frontage road to accommodate a TXDOT deceleration lane which (according to the applicant) without this required lane, a variance would not be required.
- Granting the variance to the urban form front yard setback regulations (with the suggested condition imposed) would not be contrary to the public interest since the portion of the proposed structure to be “varied” is:
 - A maximum 80’ in height or 35’ above/beyond the 45’ height in which the additional 20’ urban form front yard setback begins; and
 - Located on a portion of the site that abuts the US 75/North Central Expressway service road where the property to the west is separated by over 300’ of public right-of-way.

BACKGROUND INFORMATION:

Site: MU-3(SAH) (Deed restricted)* (Mixed Use, Standard Affordable Housing)
North: RR (Regional Retail)
South: GO(A) (General Office)
East: MU-3 (Mixed Use)
West: RR (Regional Retail)

- * Note that the applicant acknowledged in an email to the Board Administrator on May 16, 2013 of the deed restrictions on the property. The applicant stated that these deed restrictions do not affect this application to the board since they only pertain to overall density.

Land Use:

The subject site is currently developed as a mixed use development (Park Lane). The areas to the north, south, east and west are development with mostly retail and office uses.

Zoning/BDA History:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. BDA 101-019, Property at 8000Park Lane (the subject site) | <p>On February 17, 2011, the Board of Adjustment Panel C granted requests for variances to the urban form front yard setback regulations of up to 10.75’ The board imposed the following condition: compliance with the submitted site plan is required. The case report stated that the requests were made in conjunction with constructing and maintaining an</p> |
|---|---|

approximately 400 square foot 68' high sign "structure" that would not comply with the required 35' front yard setback for the portion of it above 45' in height along Blackwell Street and the I-75/North Central Expressway service road. It was noted that the site was developed as a mixed use development (Park Lane).

2. BDA 089-125, Property at 8070 Park Lane (the subject site)

On December 14, 2009, the Board of Adjustment Panel C granted a request for a special exception to the tree preservation regulations requested in conjunction with not fully mitigating protected trees removed on a site that is currently being developed with a mixed use office/residential/dining/shopping project (Park Lane). The board imposed the following condition: All protected trees, as defined by Article X that remain on the Property following the date of the hearing, are considered to be protected and subject to the Article X tree preservation ordinance. Any protected tree that is determined to be removed, based on conditions as defined in Article X, must be subject to replacement.

3. BDA067-052, Property at 8070 Park Lane (the subject site)

On May 14, 2007, the Board of Adjustment Panel C granted a request for a special exception to the off-street parking regulations of 374 spaces (or 5.67% of the required off-street parking) and imposed the following conditions: The special exception shall automatically and immediately terminate if and when the office uses on the site are changed or discontinued to have less than 125,000 square feet of office use; and the applicant or property owner must submit a parking analysis of the site to the Department of Development Services engineer no later than December 31, 2011. Should the parking analysis show any parking deficiency, the applicant or property owner must immediately mitigate that deficiency as may be agreed between the applicant or property owner and the Department of Development Services. The

case report stated that the request was made in conjunction with developing a 33-acre site with mixed-uses.

Timeline:

March 29, 2013: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 15, 2013: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case.”

May 15, 2013: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the May 29th deadline to submit additional evidence for staff to factor into their analysis; and the June 7th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

June 4, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

June 17, 2013: The Board of Adjustment Panel C conducted a public hearing on this application. The Board held the request under advisement until August 19, 2013 in order for staff to attempt to obtain a five member panel that could hear the application on this date.

- June 25, 2013: The Board Administrator sent a letter to the applicant that noted the decision of the panel, the July 31st deadline to submit any additional evidence for staff to factor into their analysis; and the August 9th deadline to submit additional evidence to be incorporated into the Board's docket materials.
- July 5, 2013: The Board Administrator emailed the applicant the following information:
- an attachment that provided the public hearing date that the panel that will consider the application; the July 31st deadline to submit additional evidence for staff to factor into their analysis; and the August 9th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- August 1, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original application, and beyond the materials that were part of the record at the June 17th public hearing (see Attachment A).
- August 6, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.
- No review comment sheets were submitted in conjunction with this application.
- August 19, 2013: The Board of Adjustment Panel C conducted a public hearing on this application. The Board held the request under advisement until September 16, 2013.
- August 20, 2013: The Board Administrator emailed the applicant the following information:
- an attachment that provided the public hearing date that the panel that will consider the application; the August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th deadline to submit additional

- evidence to be incorporated into the Board's docket materials; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

September 16, 2013: The Board of Adjustment Panel C conducted a public hearing on this application. The Board Administrator circulated a September 12th letter from the applicant requesting that the board continue this application until the Board's October meeting given his client was continuing to work on its plans for the property. The Board held the request under advisement until October 21, 2013.

September 16, 2013: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date that the panel that will consider the application; October 2nd deadline to submit additional evidence for staff to factor into their analysis; and the October 11th deadline to submit additional evidence to be incorporated into the Board's docket materials; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 8, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining an approximately 80' high mixed use (retail/restaurant/office) structure with an approximately 32,000 square foot building footprint that does not comply with the required 35' front yard setback (or additional 20' setback to the required 15' front yard setback) for that portion of the structure above 45' in height along the US 75/North Central Expressway service road. The site is developed as a mixed use development (Park Lane).
- Development on lots zoned MU-3 are required to provide a 15' front yard setback and an additional 20' setback for any portion of a structure above 45' in height.
- The applicant has submitted an overall site plan (that includes a "detail plan" and "site section" document indicating the portion of the proposed structure above 45' in height that is located as close as 15' 6" from the site's front property line along the US 75/North Central Expressway service road but as much as 19' 6" into the 35' front yard setback *for the portion of a structure over 45' in height*.
- The submitted "detail plan" denotes a hatched area that is the building area within the urban form setback; with average grade being about 579' with a new proposed tower height of approximately 658'.
- The applicant has submitted a "site section" document representing how the upper two stories of the proposed 5 story structure encroaches into the additional 20' front yard setback for the portion of the structure above 45' in height.
- The applicant has submitted a document stating that the area that is proposed to encroach into the urban form setback is approximately 4 percent of the building square footage.
- Staff has interpreted that the additional 20' setback provision for structures or portions of structures higher than 45' in height was enacted to discourage a canyon effect that a structure may create once it exceeds a specific height, and that this additional front yard setback was enacted to ensure openness, light, and airflow between tower structures.
- According to the applicant, about 4 percent (or about 6,500 square feet) of the total area of the structure (approximately 160,000 square feet) encroaches into the urban form setback. The applicant states that there are 5 floors at approximately 32,000 each where portions of the 2 upper floors that intrude into the urban form setback.
- The subject site is somewhat sloped, slightly irregular in shape, and, according to the application, 33.32 acres in area. The site is zoned MU-3(SAH). The site encompasses an entire block whereby given this and its zoning, the site has 4 front yard setbacks.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the urban form front yard setback requested to construct and maintain an approximately 80' high structure 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 the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope,

that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same MU-3 zoning classification.

- The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same MU-3 zoning classification.
- If the Board were to grant the urban form front yard variance request of up to 19' 6", imposing a condition whereby the applicant must comply with the submitted site plan and site section document, the structure would be limited to what is shown on these documents – a structure that complies with setbacks 45' in height and below, but where 35' of the structure proposed to exceed 45' in height would be allowed to be located in the additional 20' setback along the US 75/North Central Expressway service road.
- No additional written documentation has been submitted by the applicant beyond what was included in the August 19th docket.

***Member Robert Agnich recused himself and did not hear or vote on this matter.**

BOARD OF ADJUSTMENT ACTION: JUNE 17, 2013

APPEARING IN FAVOR: Barry Knight, 2728N. Harwood, Dallas, TX

APPEARING IN OPPOSITION: No one

MOTION:Maten

I move that the Board of Adjustment, in Appeal No. **BDA 123-054**, hold this matter under advisement until **August 19, 2013**.

SECONDED: Coulter

AYES: 4–Richardson, Maten, Coulter, Lewis

NAYS: 0–

MOTION PASSED: 4– 0 (unanimously)

BOARD OF ADJUSTMENT ACTION: AUGUST 19, 2013

APPEARING IN FAVOR: Tommy Mann, Winstead Bldg., Dallas, TX
Sandy Spurgin, 8080 Park Lane, Dallas, TX

APPEARING IN OPPOSITON: No one

MOTION #1: Richard

I move that the Board of Adjustment, in Appeal No. **BDA 123-054**, on application of Colesen C. Evans, **grant** a 19 foot, 6 inch variance to the urban form front yard setback regulations, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of

the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant. I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

- Compliance with the submitted site plan and site section document is required.

SECONDED: **Coulter**

AYES: 3– Coulter, Richard, Carreon

NAYS: 2 – Richardson, Maten,

MOTION FAILED: 3– 2

MOTION #2: **Maten**

I move that the Board of Adjustment, in Appeal No. **BDA 123-054**, on application of Colesen C. Evans, **deny** the variance to the urban form front yard setback regulations **without prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would not result in unnecessary hardship to this applicant.

SECONDED: **Richardson**

AYES: 2– Richardson, Maten

NAYS: 3 –Coulter, Richard, Carreon

MOTION FAILED: 2– 3

MOTION #3: **Coulter**

I move that the Board of Adjustment, in Appeal No. **BDA 123-054**, on application of Colesen C. Evans, hold this matter under advisement until **September 16, 2013**.

SECONDED: **Richard**

AYES: 5– Richardson, Maten, Coulter, Richard, Carreon

NAYS: 0 –

MOTION PASSED: 5– 0(unanimously)

BOARD OF ADJUSTMENT ACTION: SEPTEMBER 16, 2013

APPEARING IN FAVOR: No one

APPEARING IN OPPOSITON: No one

MOTION: **Richardson**

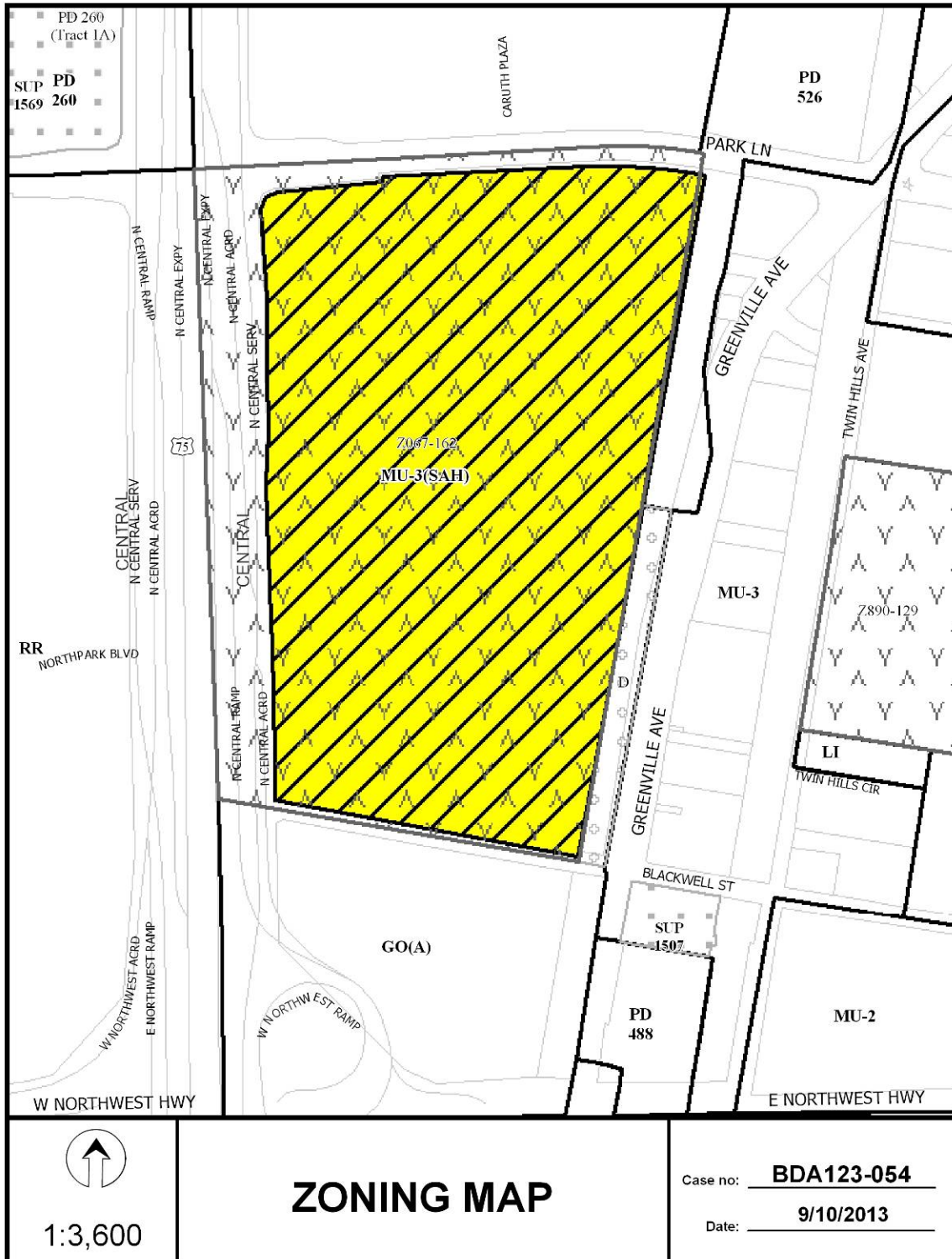
I move that the Board of Adjustment, in Appeal No. **BDA 123-054**, on application of Coleson C. Evans, hold this matter under advisement until **October 21, 2013**.

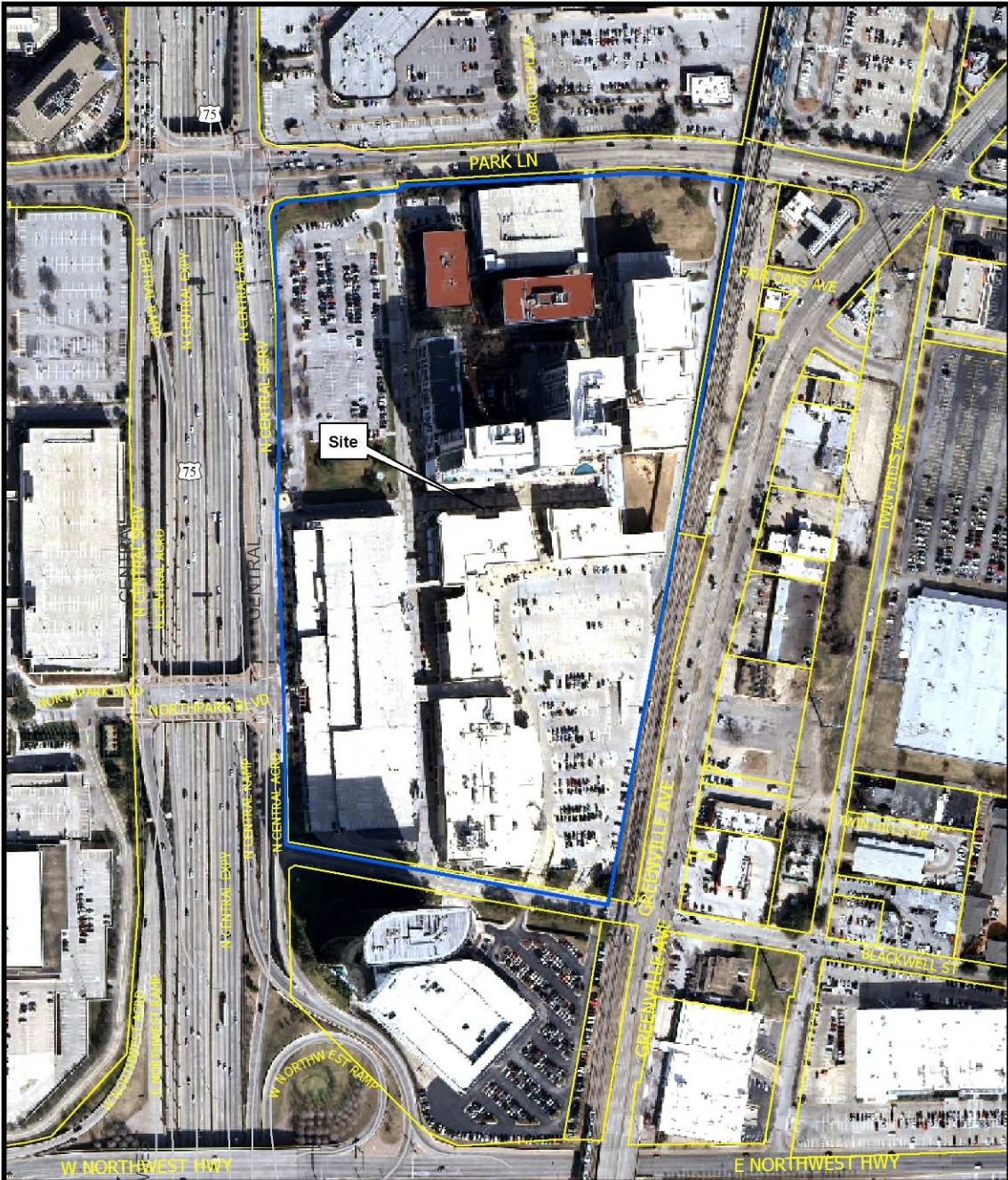
SECONDED: **Maten**

AYES: 5– Richardson, Maten, Coulter, Richard, Carreon

NAYS: 0 –

MOTION PASSED: 5– 0 (unanimously)





 1:3,600	<h1>AERIAL MAP</h1>	Case no: <u> BDA123-054 </u> Date: <u> 9/10/2013 </u>
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VARIANCE REQUEST TO URBAN FORM SETBACK



BDA 123-054
Attach A
Pg 1

THE VISION



8000 Park Lane represents the opportunity to bring a defined and human-scaled entry to the Shops at Park Lane along with much-needed public open space that is currently lacking. The proposed park will bring a vital “heart beat” and sense of place to the project.

Due to the unusually narrow dimension of the block and other constraints outlined on the following pages, a variance to the urban form setback is requested to allow the proposed development to proceed.

VIEW FROM PARK LANE - CURRENT



Current view from Park Lane looking into the Shops at Park Lane

BDA 123-054
Attach A
Pg 3

VIEW FROM PARK LANE – FALL 2014



A new low-scale office building will serve as the project's front door and create a "gateway" entrance into the project

PLANNED GREEN SPACE – FALL 2014



BDA 123-054
Attach A
Pg 5

The proposed park creates a central gathering place and much needed public open space that will serve the entire development and community .

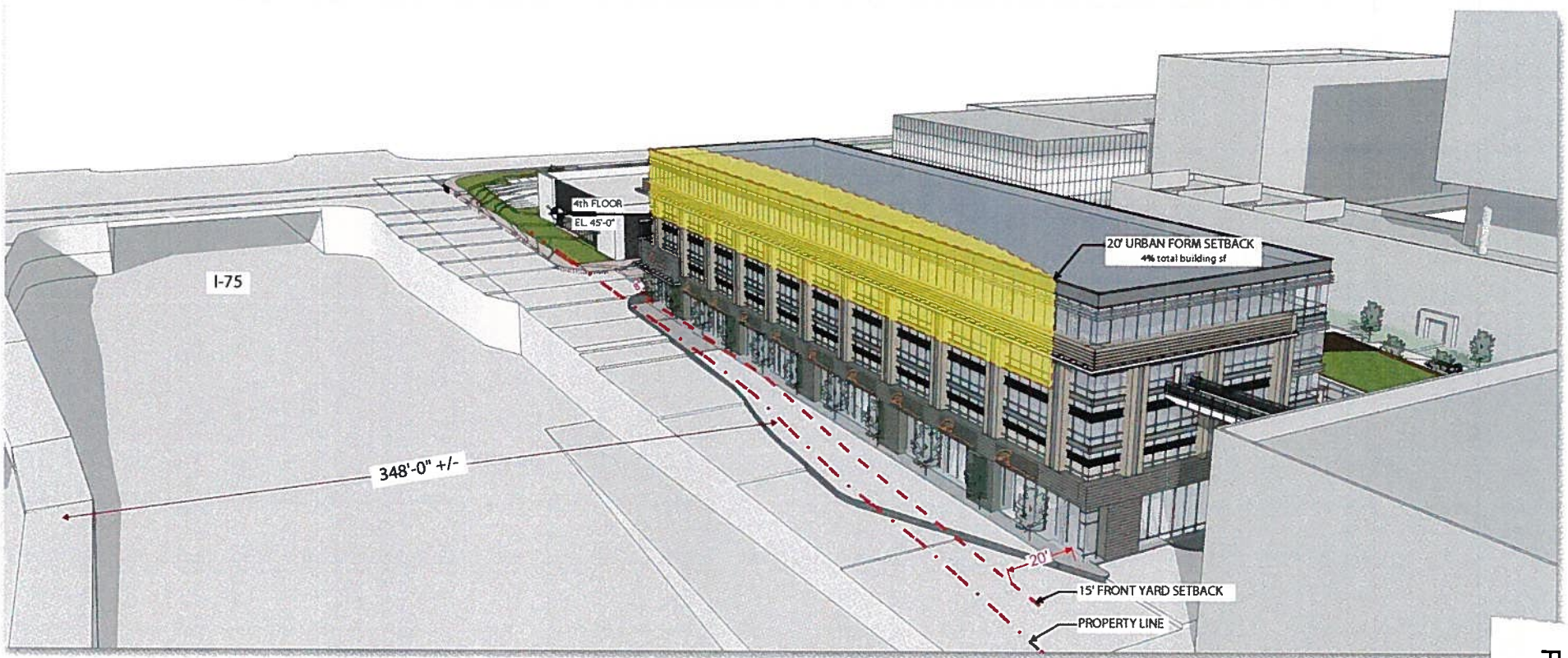
VIEW FROM PARK LANE AND CENTRAL – CURRENT



Current view from the intersection of Park Lane and North Central Expressway

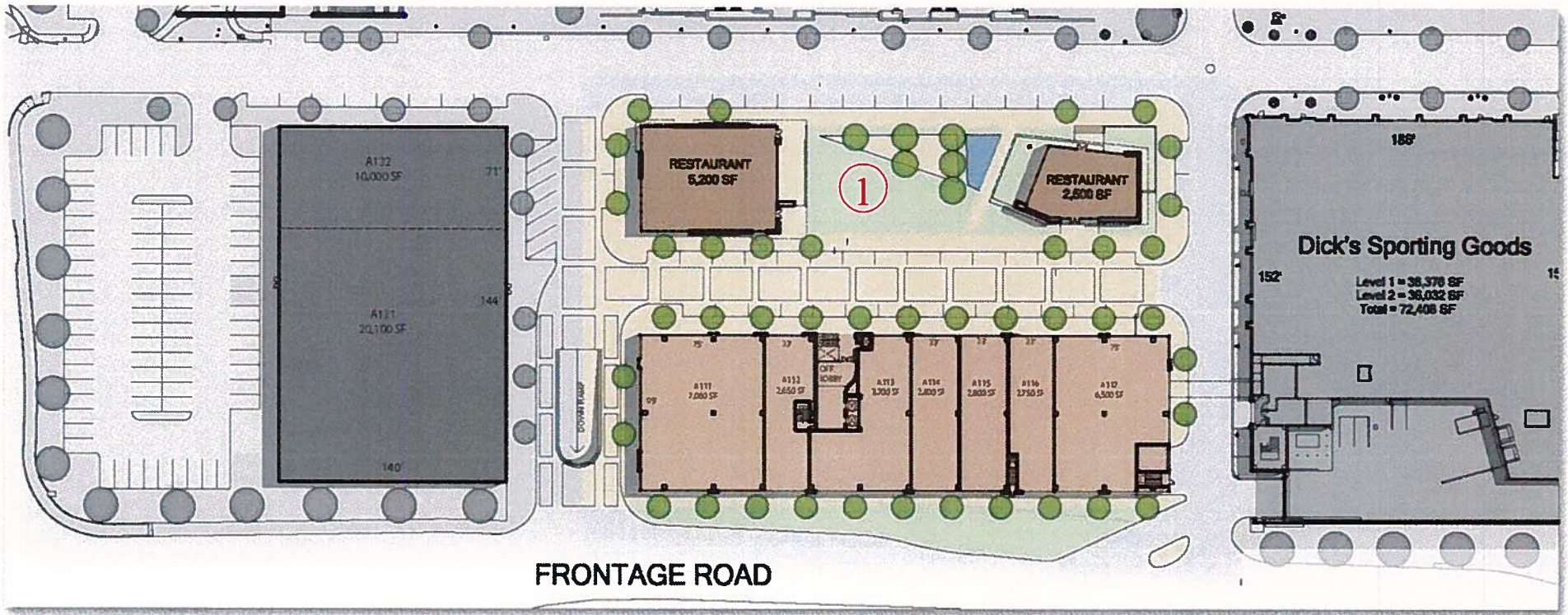
BDA 123-054
Attach A
Pg 7

SUMMARY OF VARIANCE REQUEST



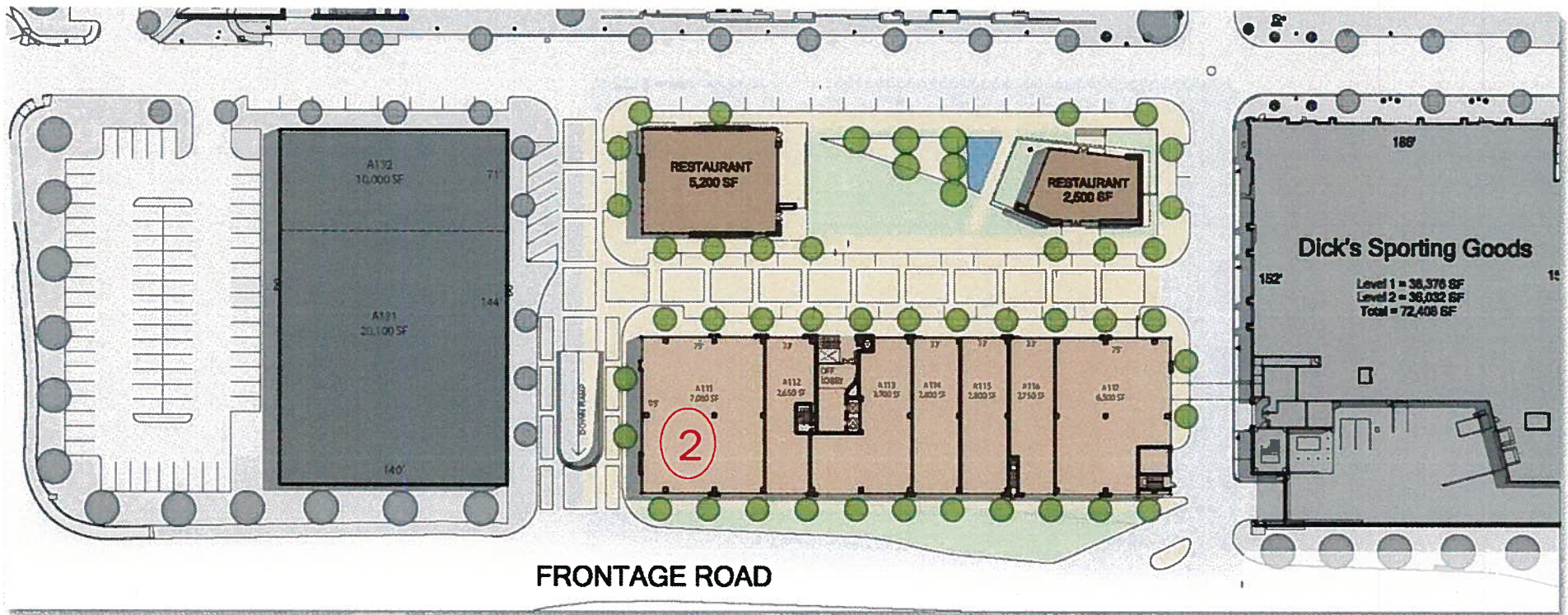
The variance only applies to the highlighted portion of the 4th and 5th floors that varies from 1”- to 19’.
This area represents approximately 4% of the building square footage.

SITE CONSTRAINTS/HARDSHIPS - 1



The park cannot be narrowed and still function as a central gathering space of appropriate size to support a project of this size.

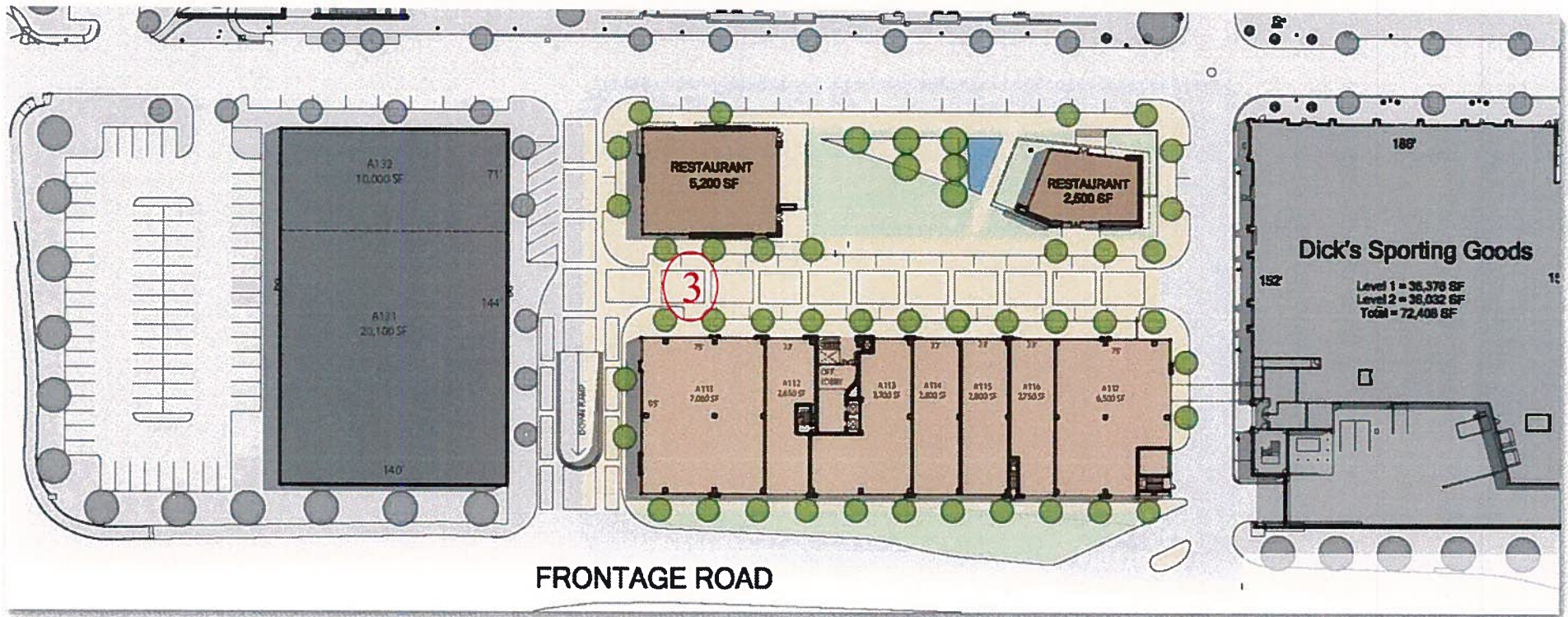
SITE CONSTRAINTS/HARDSHIPS - 2



Minimum building depth shown, cannot be narrowed. This is driven by the column alignment through the retail and subterranean parking as well as the circulation around the central core of the office building.

BDA 123-054
Attach A
Pg 10

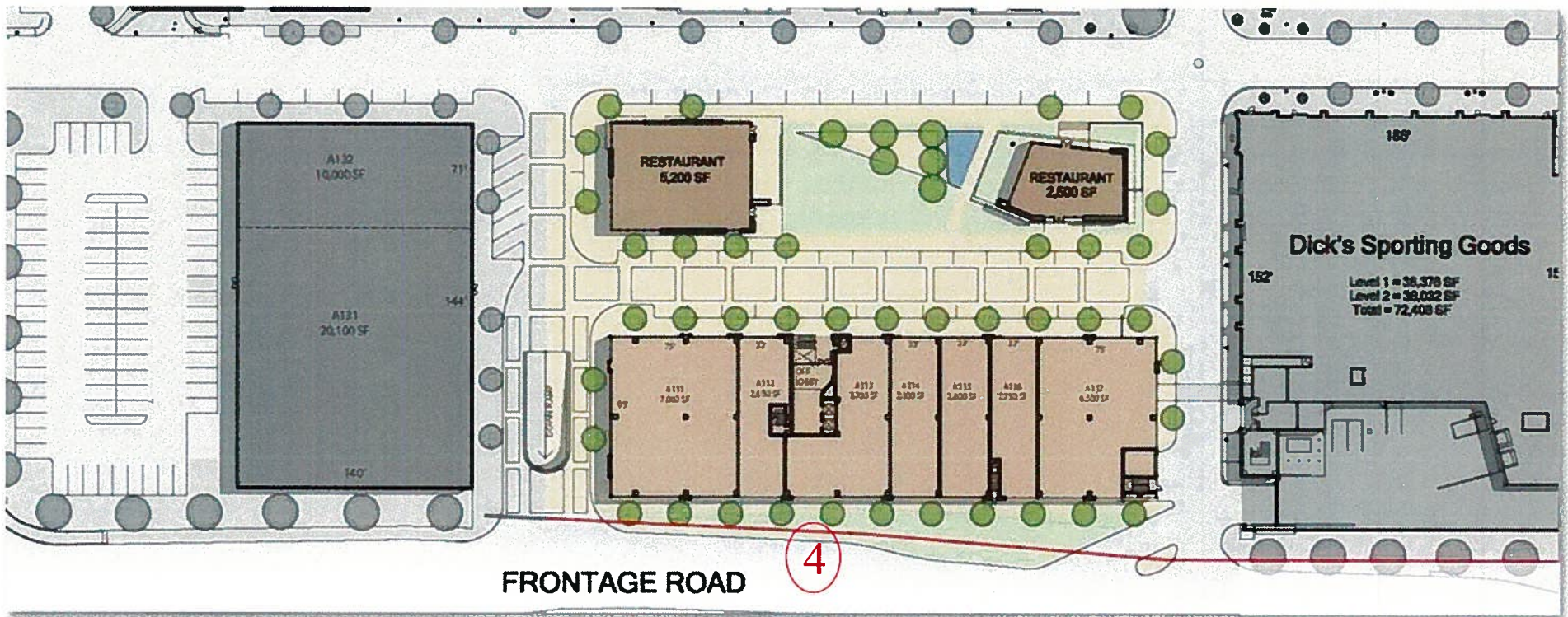
SITE CONSTRAINTS/HARDSHIPS - 3



Ground floor retail and office lobby must front a street to be successful. It will not be leasable if the street was removed. Additionally, the street will become part of the park for large events.

BDA 123-054
Attach A
Pg 11

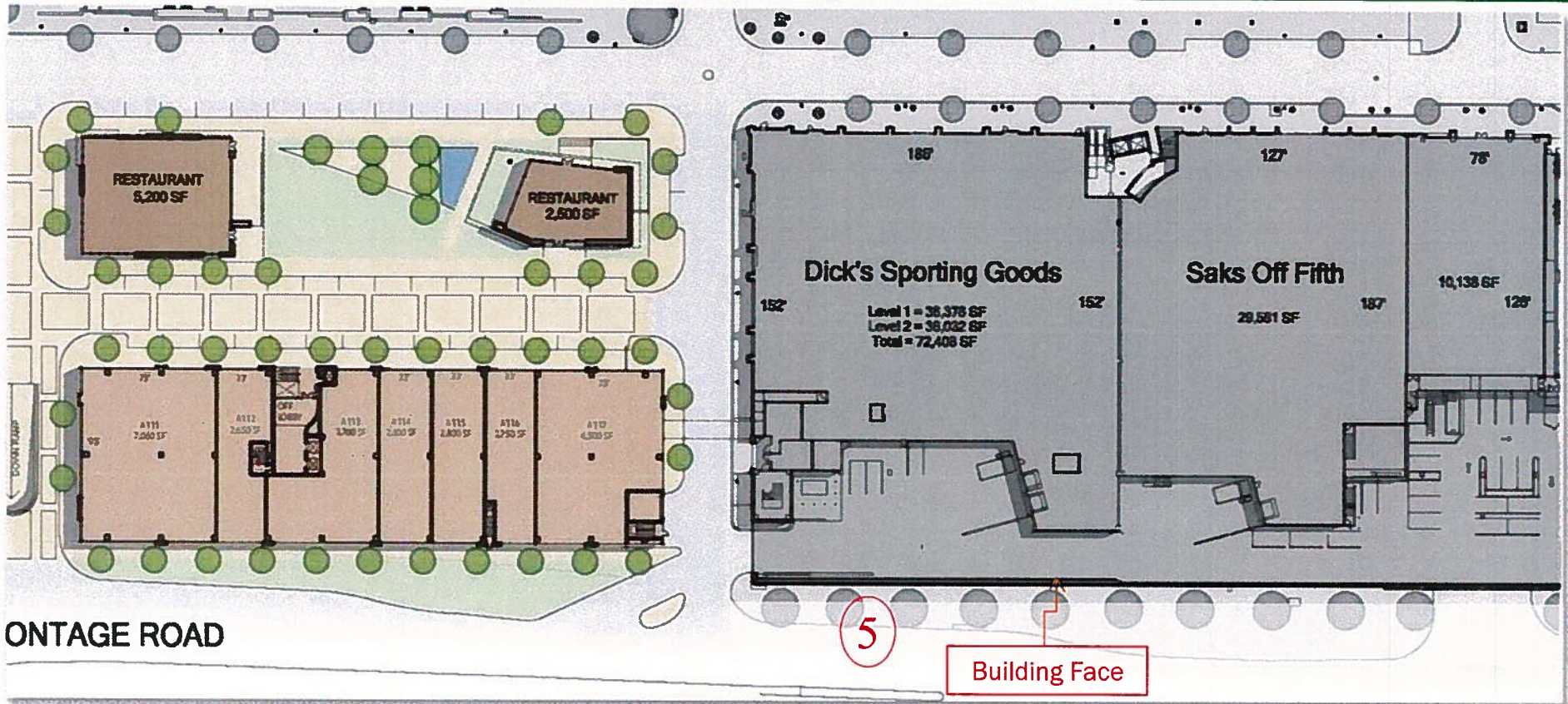
SITE CONSTRAINTS/HARDSHIPS - 4



Right of Way Line moves east into property to accommodate TXDOT required deceleration lane. Without the existence of the required deceleration lane, a variance would not be required.

BDA 123-054
Attach A
Pg 12

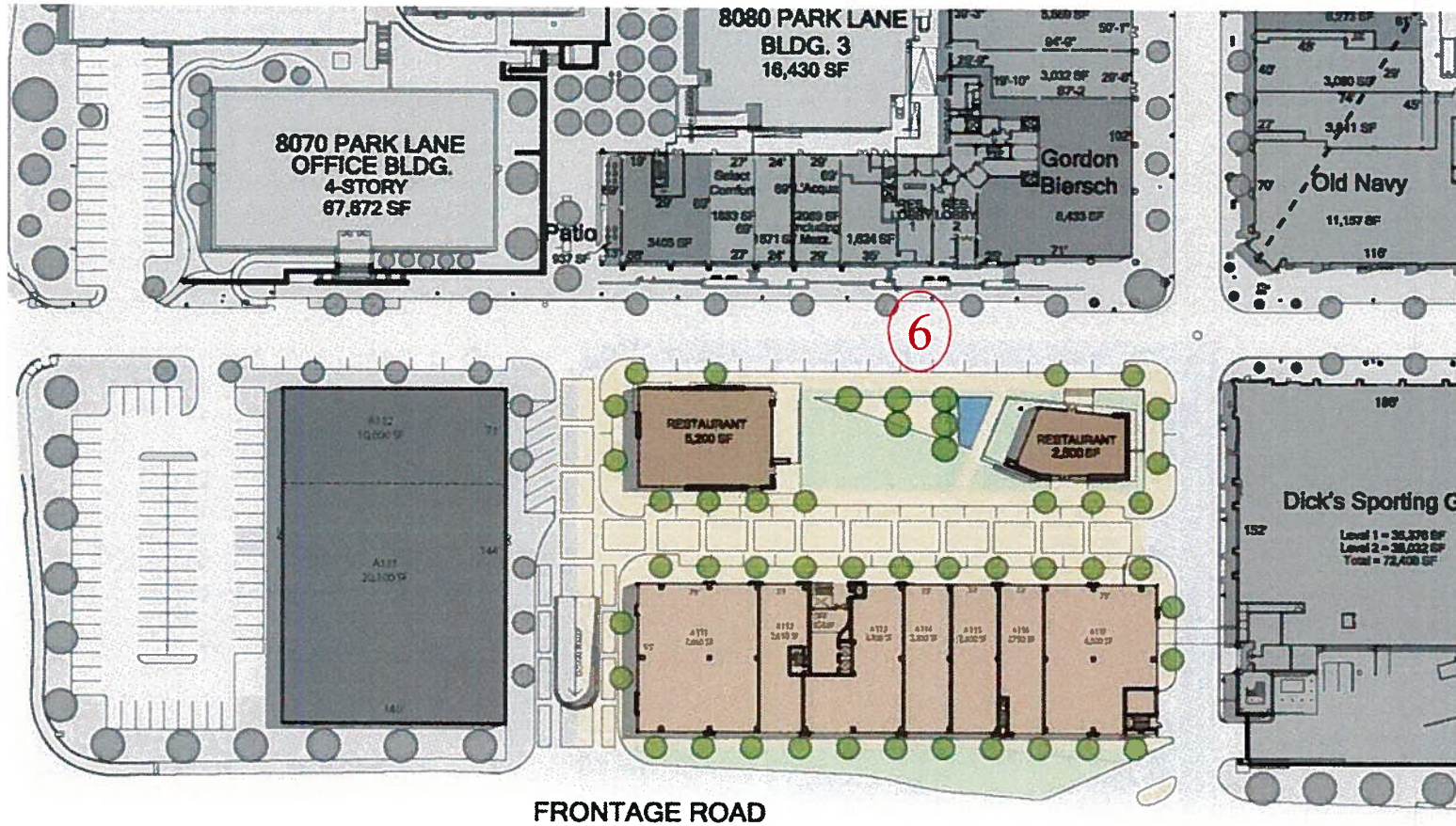
SITE CONSTRAINTS/HARDSHIPS - 5



The dominant building line/face of adjacent structure is closer to the access road than the proposed building.

BDA 123-054
Attach A
Pg 13

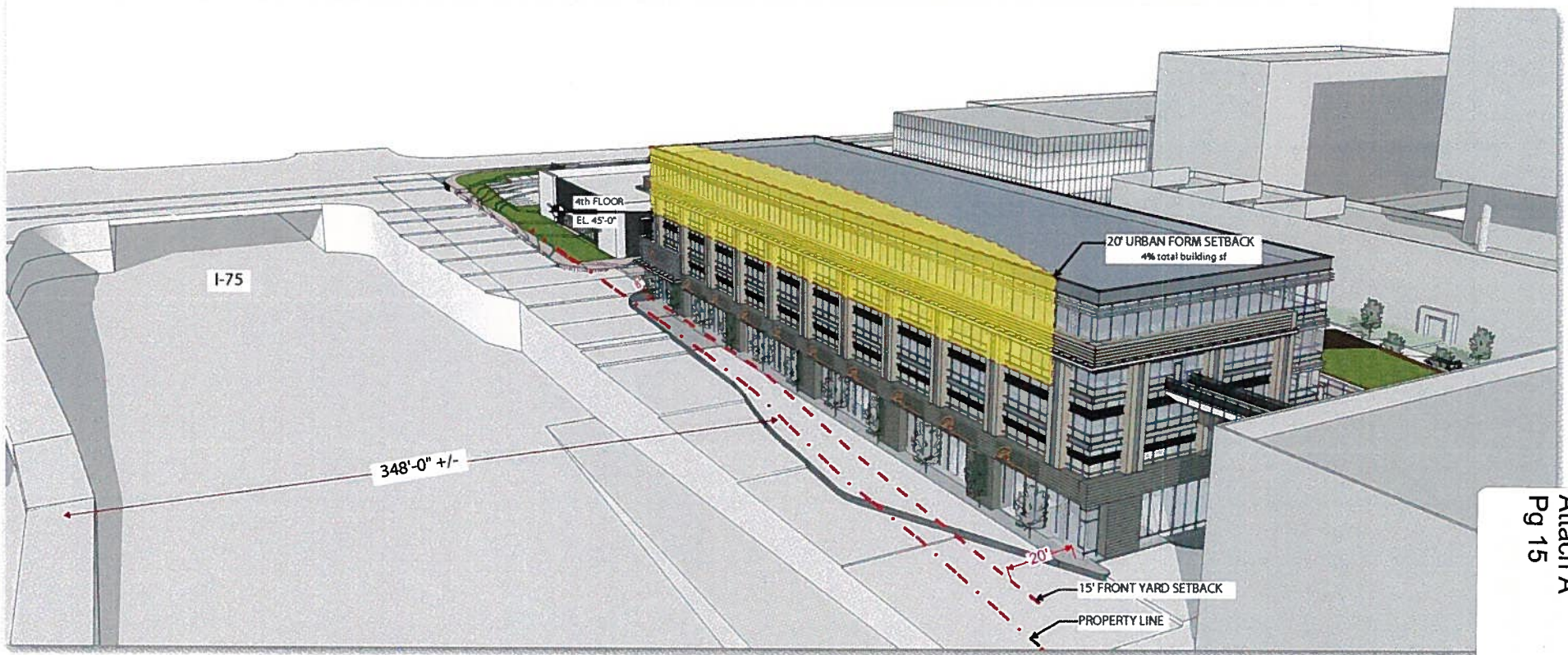
SITE CONSTRAINTS/HARDSHIPS - 6



BDA 123-054
 Attach A
 Pg 14

The streets, infrastructure, and adjacent buildings have been completed and cannot be modified.

SUMMARY OF VARIANCE REQUEST



BDA 123-054
Attach A
Pg 15

The variance request applies to the portion of the building shown above. The variance only applies to the portion of the 4th and 5th floors that varies from 1”- to 19’. This area represents approximately 4% of the building square footage. Please also note the expansive distance (+/- 348 feet) between the properties across Central Expressway.

SUMMARY OF VARIANCE REQUEST



BDA 123-054
Attach A
Pg 16

View looking south from Park Lane illustrating the 348 foot distance to the adjacent property

CONCLUSION



Conclusion –

We are requesting your approval of a variance to the Urban Form Setback based upon the various property hardships previously outlined. The variance will allow for responsible development of a low-impact project much smaller in scale than the existing zoning allows, as well as the simultaneous development of a much-needed green-space amenity. Ultimately, the goal of the Urban Form Setback of preventing a “canyon effect” is still achieved due to the expansive distances between parcels along Central Expressway. Granting this variance is not contrary to the public interest and, owing to special conditions, a literal enforcement of the urban form setback would result in an unnecessary hardship.

BDA 123-054
Attach A
Pg 17



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-054

Data Relative to Subject Property:

Date: 3-29-13

Location address: 8000 Park Lane Zoning District: MU-3 (SAH)

Lot No.: 1C Block No.: A/5456 Acreage: 33.32 Census Tract: 0078.06

Street Frontage (in Feet): 1) 750 2) 1480 3) 1005 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property/or Principal: Northwood PL A LP

Applicant: Winstead PC [Barry Knight, Tommy Mann and Cole Evans] Telephone: (214) 745-5274

Mailing Address: 2728 N. Harwood St., #500 Zip Code: 75201

E-mail Address: bknight@winstead.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

Affirm that a request has been made for a Variance X, or Special Exception , of
19.4 feet from the 35 foot setback required for the portion of the building greater than 45 feet in height
 (urban form setback)

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: (1)Property has multiple front yards, (2) Property slopes, (3) There is no adverse effect on surrounding properties, especially along Central Expressway where the variance is being requested

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: Cole Evans [Signature]
Applicant's name printed Applicant's signature

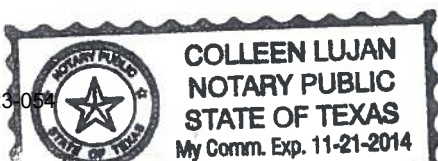
Affidavit

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 and that he/she is the owner/or principal/or authorized representative of the subject property.

Affiant (Applicant's signature)

Subscribed and sworn to before me this 28 day of March 2013

Colleen Lujan
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

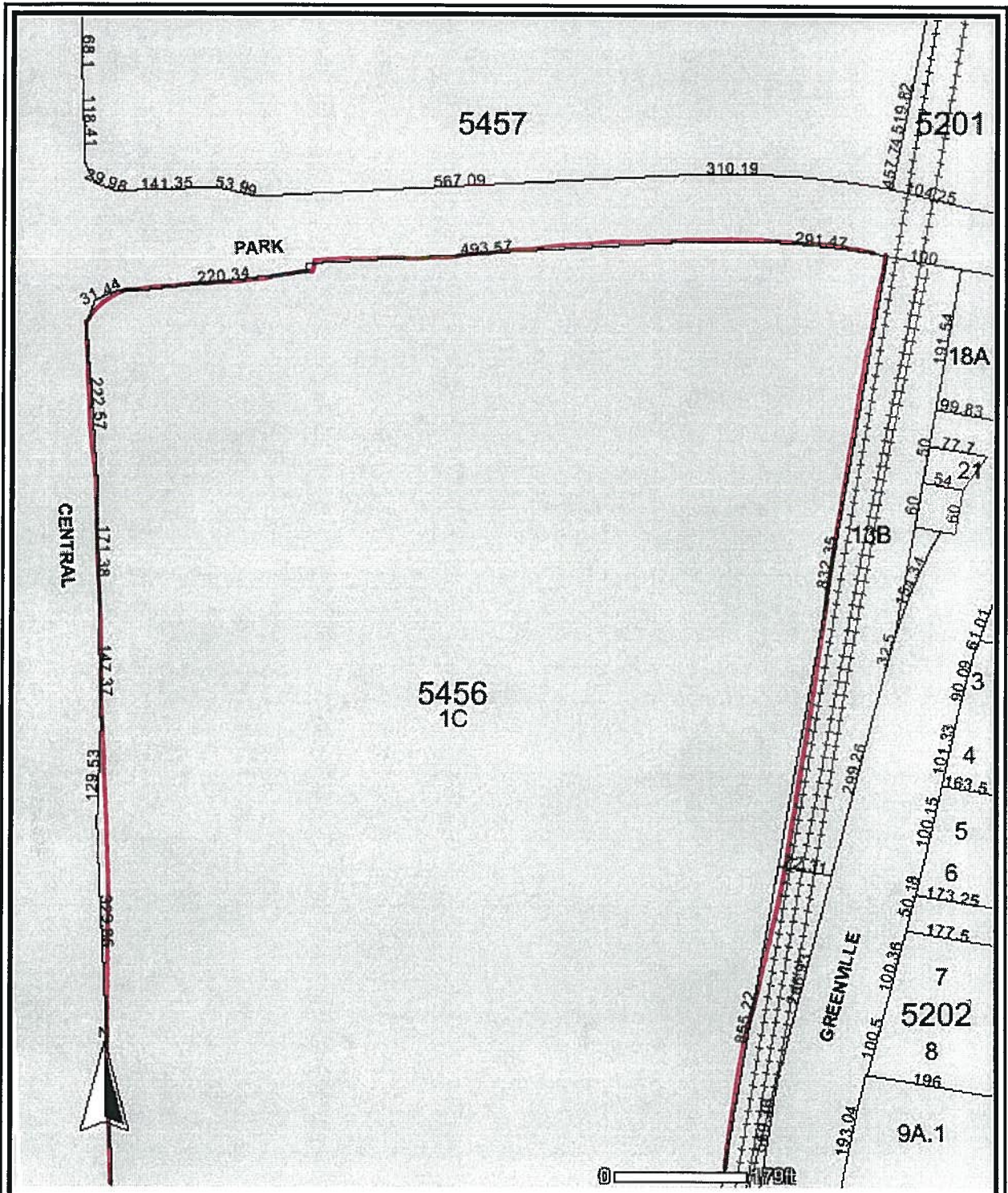
Building Official's Report

I hereby certify that Colesen C. Evans
did submit a request for a variance to the front yard setback regulations
at 8000 Park Lane

BDA123-054. Application of Colesen C. Evans for a variance to the front yard setback regulations at 8000 Park Lane. This property is more fully described as Lot 1C, Block A/5456, and is zoned MU-3 (SAH), which requires a front yard setback of 35 feet for the portion of a 76 foot 6 inch high building greater than 45 feet in height. The applicant proposes to construct a nonresidential structure and provide a 15 foot 6 inch front yard setback, which will require a 19 foot 6 inch variance to the front yard setback regulation due to the urban form setback requirement.

Sincerely,


Larry Holmes, Building Official



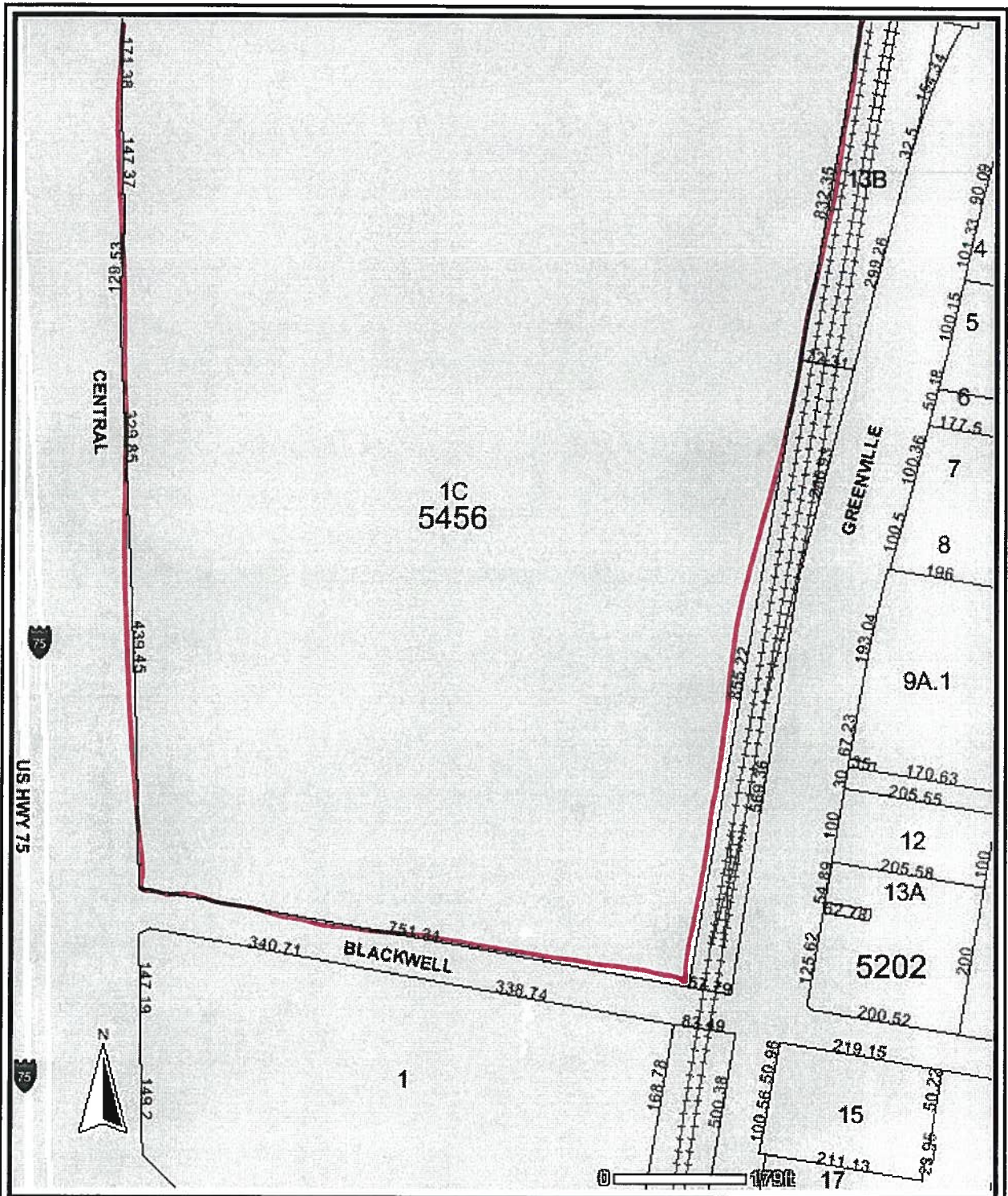
CE



**Dallas Central
Appraisal District**
www.dallascad.org

DISCLAIMER

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.



CE

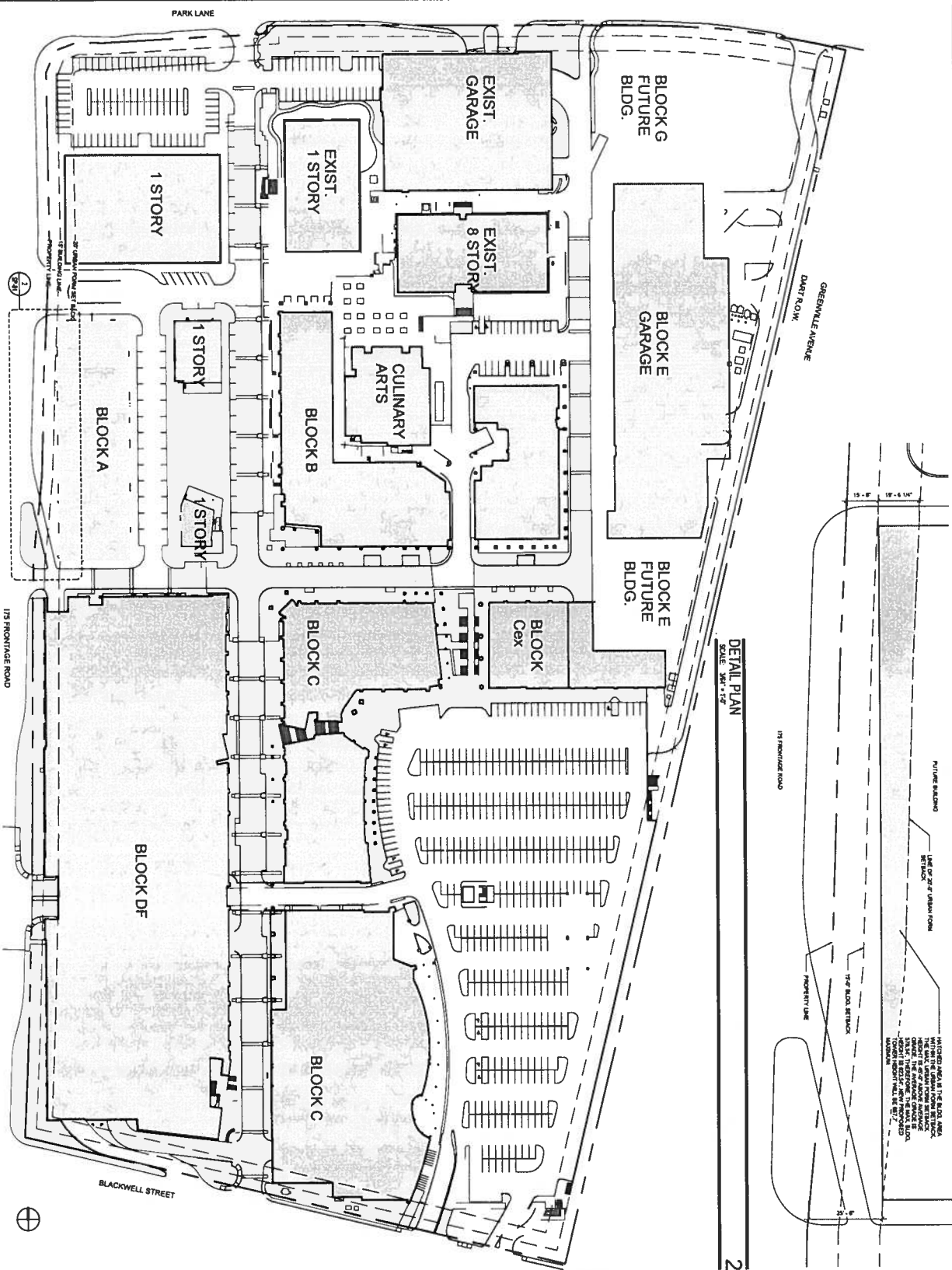


**Dallas Central
Appraisal District**
www.dallascad.org

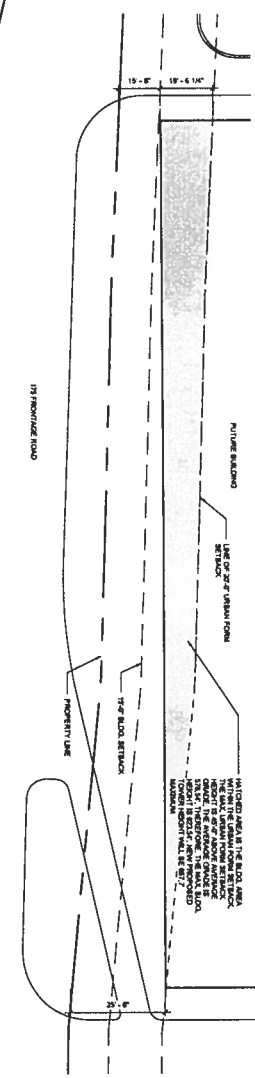
DISCLAIMER

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OVERALL SITE PLAN
SCALE: 1" = 80'-0"



DETAIL PLAN
SCALE: 3/4" = 1'-0"



NOTED: THIS IS THE BLOCK, AREA, TOTAL TO BE EXAMINED FOR THE PURPOSES OF THE ZONING REVIEW. THE ZONING REVIEW IS LIMITED TO THE BLOCK, AREA, TOTAL TO BE EXAMINED FOR THE PURPOSES OF THE ZONING REVIEW. THE ZONING REVIEW IS LIMITED TO THE BLOCK, AREA, TOTAL TO BE EXAMINED FOR THE PURPOSES OF THE ZONING REVIEW.

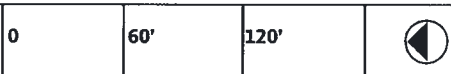
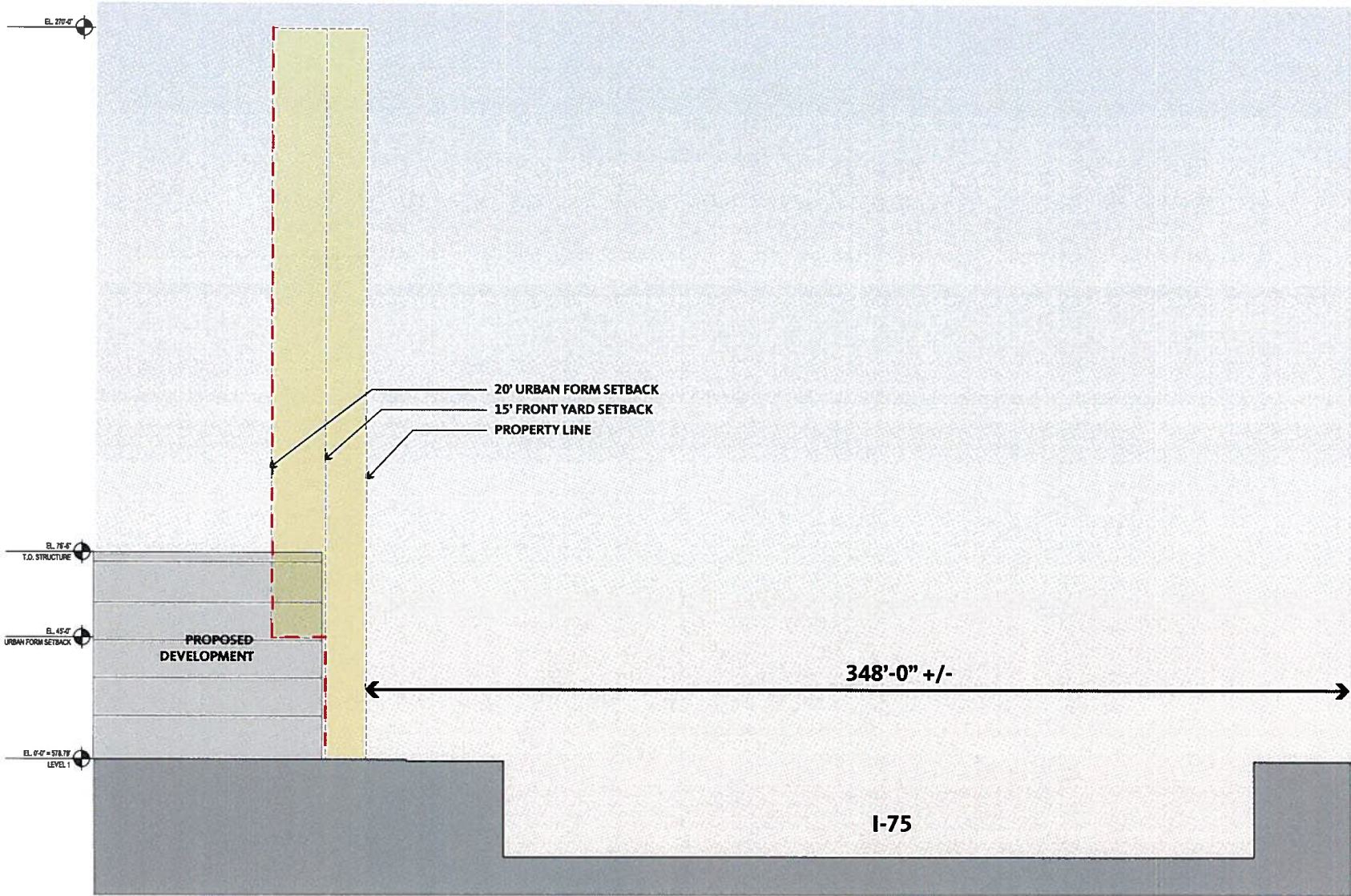
NORTHWOOD RETAIL
8080 PARK LANE, SUITE 770
DALLAS, TX 75225

Gensler
Kenzel Place Street
Suite 300
Houston, TX 77002
Tel: 713.444.0000
Fax: 713.444.5001

Rev #	Date	Description
1	02/27/2013	ISSUE FOR ZONING

Background:
NOT FOR CONSTRUCTION

Project Name: THE SHOP@ PARK LANE
Project Number: 02.7249.000
Site Plan: SP-01
Scale: 1" = 80'-0"

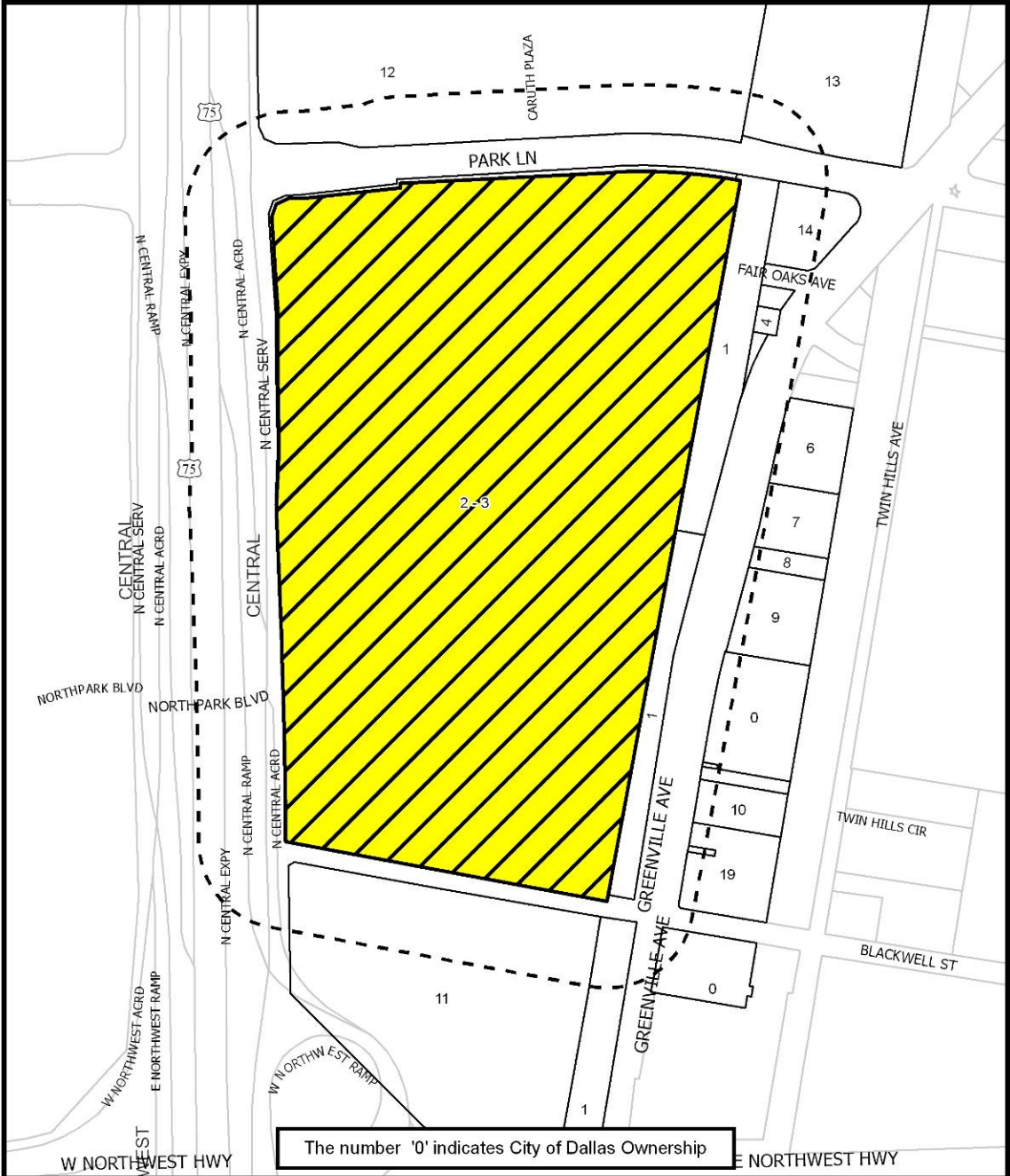


SITE SECTION

NORTHWOOD
INVESTORS



Gensler
05 MAR 2013



 1:3,600	NOTIFICATION		Case no: BDA123-054
	<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;">19</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 9/10/2013

Notification List of Property Owners

BDA123-054

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	555 2ND AVE	DART
2	8000 PARK LN	NORTHWOOD PL HOLDINGS LLC
3	8066 PARK LN	DNCX PARK LANE LP OMNIUM MANAGEMENT COMP
4	6855 GREENVILLE AVE	DORFMAN SAM Y LLC
5	6867 GREENVILLE AVE	UECKERT E HOWARD ET AL
6	6846 GREENVILLE AVE	SLJ CORNERSTONE LTD
7	6826 GREENVILLE AVE	FURRH INC
8	6818 GREENVILLE AVE	BOTANIC LTD CO
9	6810 GREENVILLE AVE	BOGART LYNNE ET AL % TOM SCOTT,LESSEE
10	6770 GREENVILLE AVE	MIEGEL INVESTMENTS LLC
11	8750 CENTRAL EXPY	8750 NCE DALLAS LLC INSURANCE CO
12	9100 CENTRAL EXPY	CARUTH ACQUISITION LP
13	8169 PARK LN	DALLAS AREA RAPID TRANSIT
14	6881 GREENVILLE AVE	JOHNSTON ELLEN STRUBE TAX DEPT. # 33116
15	6857 GREENVILLE AVE	RALSTON DOUGLAS
16	6790 GREENVILLE AVE	6778-6790 GREENVILLE AVE LTD
17	6778 GREENVILLE AVE	6778-6790 GREENVILLE AVE LTD
18	6750 GREENVILLE AVE	ELLER MEDIA COMPANY
19	6750 GREENVILLE AVE	ARMSTRONG GUADALUPE LP



October 28, 2013

Colesen C. Evans
2728 N. Harwood Street, #500
Dallas, TX 75201

Re: BDA 123-054, Property at 8000 Park Lane

Dear Mr. Evans:

The Board of Adjustment Panel C, at its public hearing held on Monday, October 21, 2013 granted your request for a variance of 19 feet, 6 inches to the urban form front yard setback regulations, subject to the following condition:

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

Contact Building Inspection at 320 E. Jefferson, Room 105 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

Should you have any further questions regarding the Board's action, please contact me at (214) 670-4666.


Steve Long, Board Administrator
Board of Adjustment
Sustainable Development and Construction

c: James Martin, Code Enforcement, 3112 Canton, RM 100
Todd Duerksen, Bldg. Inspection, 320 E. Jefferson #105



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-054

Data Relative to Subject Property:

Date: 3-29-13

Location address: 8000 Park Lane Zoning District: MU-3 (SAH)

Lot No.: 1C Block No.: A/5456 Acreage: 33.32 Census Tract: 0078.06

Street Frontage (in Feet): 1) 750 2) 1480 3) 1005 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property/or Principal: Northwood PL A LP

Applicant: Winstead PC [Barry Knight, Tommy Mann and Cole Evans] Telephone: (214) 745-5274

Mailing Address: 2728 N. Harwood St., #500 Zip Code: 75201

E-mail Address: bknight@winstead.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

Affirm that a request has been made for a Variance X, or Special Exception , of 19.4 feet from the 35 foot setback required for the portion of the building greater than 45 feet in height (urban form setback)

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: (1)Property has multiple front yards, (2) Property slopes, (3) There is no adverse effect on surrounding properties, especially along Central Expressway where the variance is being requested

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: COLE EVANS Applicant's name printed [Signature] Applicant's signature

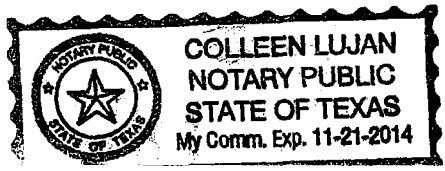
Affidavit

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 and that he/she is the owner/or principal/or authorized representative of the subject property.

Affiant (Applicant's signature)

Subscribed and sworn to before me this 28 day of March 2013

Colleen Lujan
Notary Public in and for Dallas County, Texas



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing Oct. 21, 2013

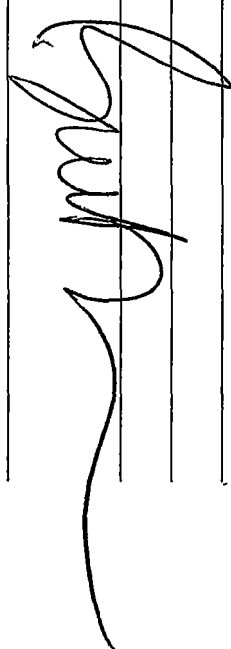
Appeal was--Granted OR Denied

Remarks Granted -

Compliance with the
submitted site plan and
elevation is required.

Lined area for notes or additional remarks, currently blank.

Chairman



Building Official's Report

I hereby certify that Colesen C. Evans

did submit a request for a variance to the front yard setback regulations
at 8000 Park Lane

Hold to Aug. 19, 2013
Hold to Sept. 16, 2013
Hold to Oct. 21, 2013


BDA123-054. Application of Colesen C. Evans for a variance to the front yard setback regulations at 8000 Park Lane. This property is more fully described as Lot 1C, Block A/5456, and is zoned MU-3 (SAH), which requires a front yard setback of 35 feet for the portion of a 76 foot 6 inch high building greater than 45 feet in height. The applicant proposes to construct a nonresidential structure and provide a 15 foot 6 inch front yard setback, which will require a 19 foot 6 inch variance to the front yard setback regulation due to the urban form setback requirement.

BOARD OF ADJUSTMENT DECISION FILED
IN THE OFFICE OF THE BOARD OF ADJUSTMENT
THIS THE 22 DAY OF

October, 2013


ADMINISTRATOR

Sincerely,


Larry Holmes, Building Official

EL. 20'0"

BDA 123-054

**PLANS APPROVED
SUBJECT TO
BOARD ACTION**

10-22-13
DATE

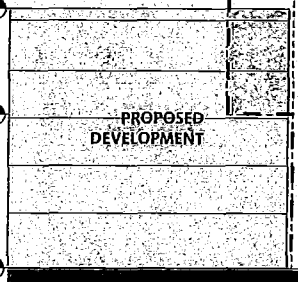
Stuhog
ADMINISTRATOR

20' URBAN FORM SETBACK
15' FRONT YARD SETBACK
PROPERTY LINE

EL. 16'0"
T.O. STRUCTURE

EL. 45'
URBAN FORM SETBACK

EL. 60' = SILL
LEVEL 1



348'-0" +/-

I-75



0

60'

120'

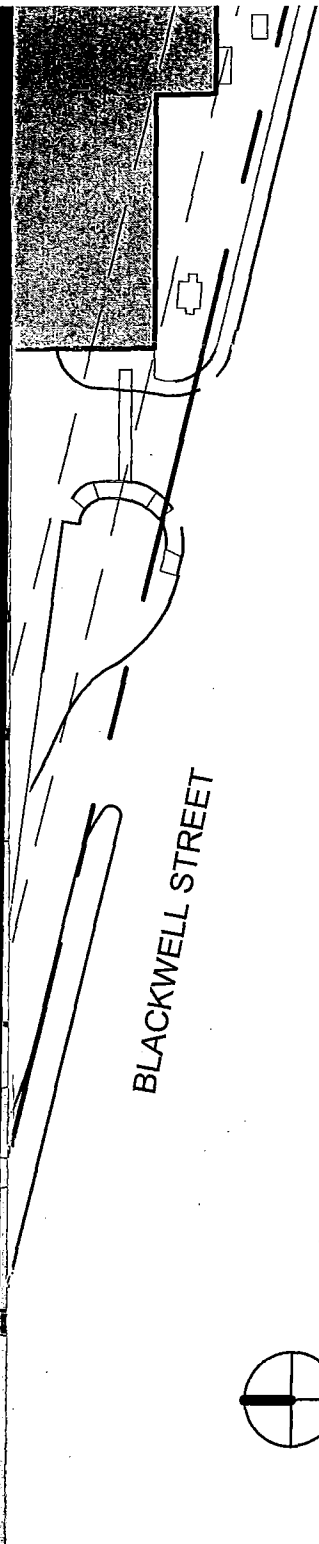


SITE SECTION

NORTHWOOD
INVESTORS



Gensler
05 MAR 2013



Seal/Signature

NOT FOR CONSTRUCTION

Project Name

THE SHOPS @ PARK LANE

SITE PLAN

Project Number

02.7249.000

BDA 123-054

PLANS APPROVED

Description

SITE PLAN

**SUBJECT TO
BOARD ACTION**

Scale

As indicated

10-22-13

DATE

John King
ADMINISTRATOR

SP-01



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-044

Date: 3/3/23

Data Relative to Subject Property:

Location address: 1718 S. Good Latimer Expressway Zoning District: PD-317, Subdistrict 4

Lot No.: 1-8, pt 9 Block No.: 6/862 Acreage: 2.7671 Census Tract: 48113020402

Street Frontage (in Feet): 1) 290 2) 368 3) 392 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): SCP OI Good Latimer OZ Owner

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 __, or Special Exception X, of Alternate Landscaping Plan

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 required street trees do not fit in the required location due to zoning conflicts in the PD.

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

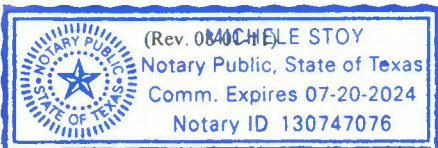
Before me the undersigned on this day personally appeared Robert Baldwin (Affiant/Applicant's name printed)

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 27 day of February, 2023

[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

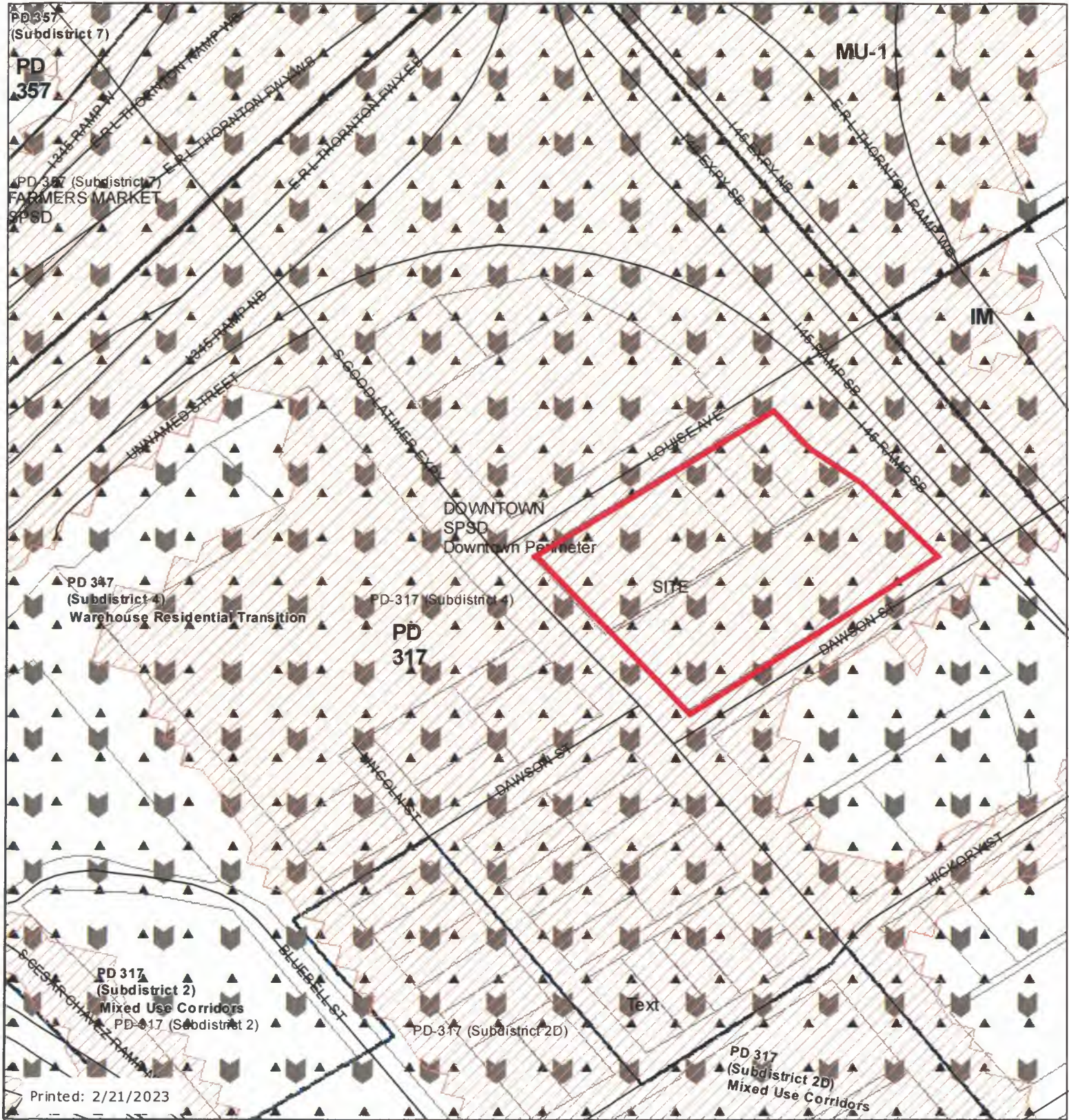
I hereby certify that BALDWIN ASSOCIATES

did submit a request for a special exception to the landscaping regulations
at 1718 S. GOOD LATIMER EXPY










BDA223-044. Application of BALDWIN ASSOCIATES for a special exception to the landscaping regulations at 1718 S. GOOD LATIMER. This property is more fully described as Block 6/862, Part of Lot 1, Lots 2-8 and part of lot 9, and all of Lot 12B, and is zoned PD 317 Subdistrict 4, which requires mandatory landscaping. The applicant proposes to construct and maintain a nonresidential structure and provide an alternate landscape plan which will require a special exception to the landscape regulations.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA



Printed: 2/21/2023

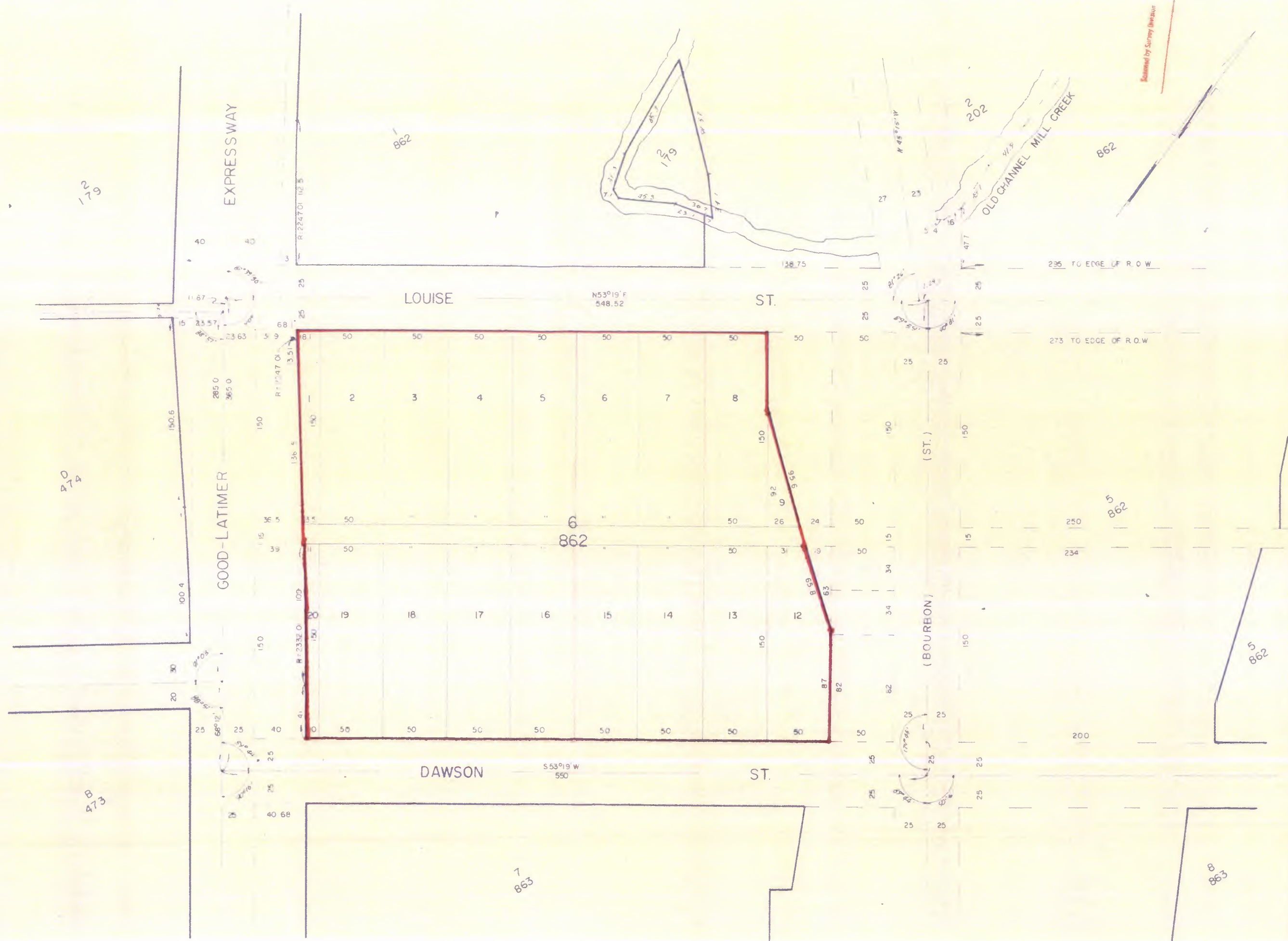
-  City Limits
-  Roodplain
-  Mill Creek
-  Certified Parcels
-  Base Zoning
-  Demolition Delay Overlay
-  SPSD Overlay
-  PD Subdistricts
-  PDS Subdistricts

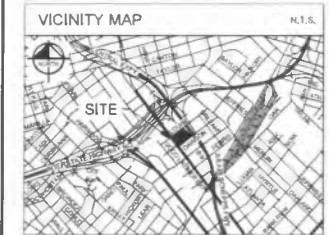
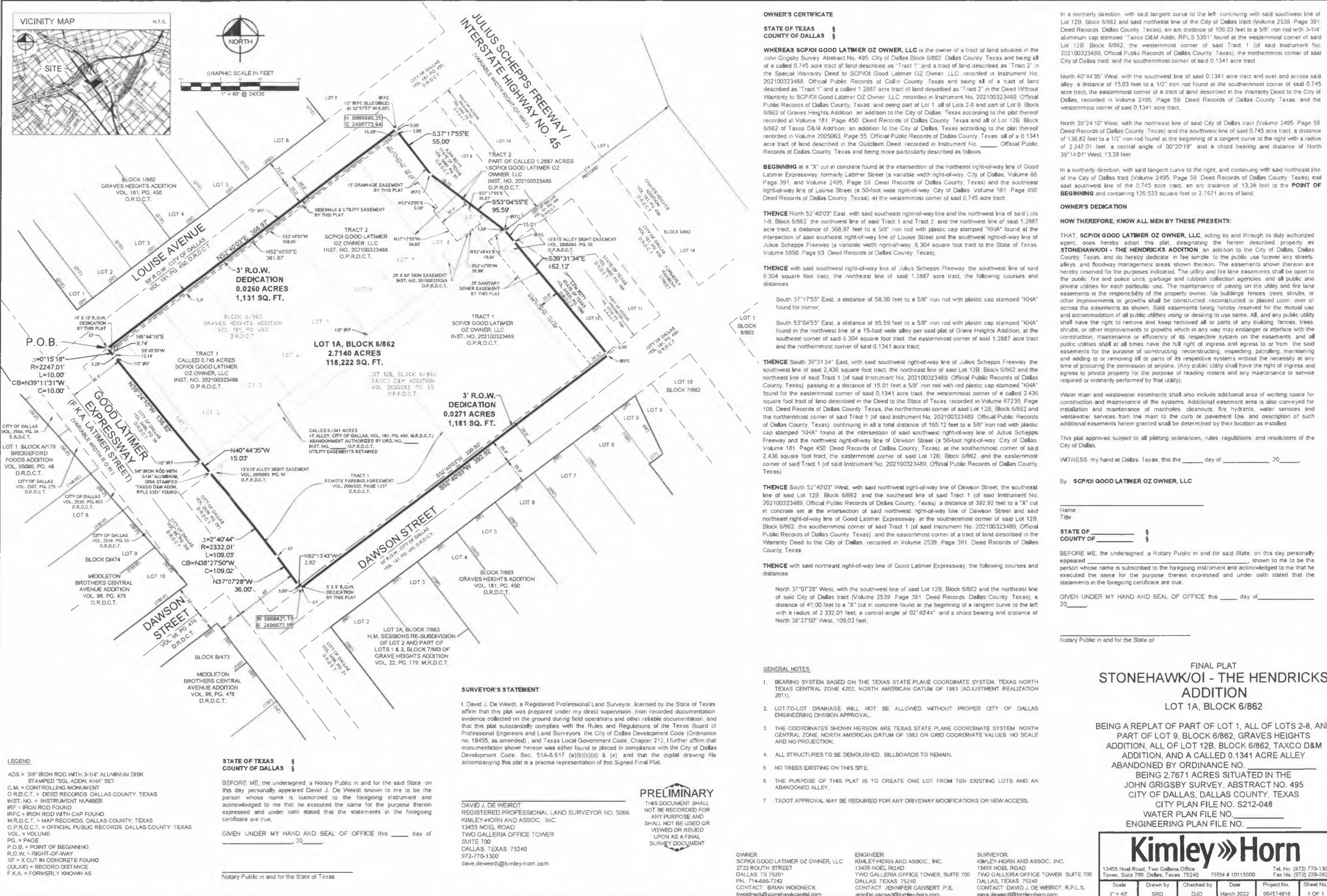
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering,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

FILED 2-9-1895 VOL 124 P-90 J R





LEGEND

ADS = 5/8" IRON ROD WITH 3-1/4" ALUMINUM DISK
 STAMPED "SOL ADDN, KHA" SET
 C.M. = CONTROLLING MONUMENT
 D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS
 INST. NO. = INSTRUMENT NUMBER
 IRF = IRON ROD FOUND
 IRFC = IRON ROD WITH CAP FOUND
 M.R.D.C.T. = MAP RECORDS, DALLAS COUNTY, TEXAS
 O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
 VOL. = VOLUME
 PG. = PAGE
 P.O.B. = POINT OF BEGINNING
 R.O.W. = RIGHT-OF-WAY
 "X" = "X" CUT IN CONCRETE FOUND
 (DXXX) = RECORD DISTANCE
 F.X.A. = FORMERLY KNOWN AS

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said State on this day personally appeared David J. De Weirdt known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20__.

Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, David J. De Weirdt, a Registered Professional Land Surveyor licensed by the State of Texas affirm that this plat was prepared under my direct supervision from recorded documentation evidence collected on the ground during field operations and other reliable documentation, and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors, the City of Dallas Development Code (Ordinance No. 19455, as amended), and Texas Local Government Code, Chapter 212. I further affirm that monumentation shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A-8.617 (a)(b)(c)(d) & (e), and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

DAVID J. DE WEIRDT
 REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 5056
 KIMLEY-HORN AND ASSOC., INC.
 13455 NOEL ROAD
 TWO GALLERIA OFFICE TOWER
 SUITE 700
 DALLAS, TEXAS 75240
 972-770-1300
 dave.deweirdt@kimley-horn.com

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER
 SCPIO GOOD LATIMER OZ OWNER, LLC
 2722 NORTH STREET
 DALLAS, TX 75201
 PH. 714-686-7242
 CONTACT: BRIAN WOKONICK
 bwokonick@scpiogoodlatimer.com

ENGINEER
 KIMLEY-HORN AND ASSOC., INC.
 13455 NOEL ROAD
 TWO GALLERIA OFFICE TOWER, SUITE 700
 DALLAS, TEXAS 75240
 CONTACT: JENNIFER GANBERT P.E.
 jganbert@kimley-horn.com

SURVEYOR
 KIMLEY-HORN AND ASSOC., INC.
 13455 NOEL ROAD
 TWO GALLERIA OFFICE TOWER, SUITE 700
 DALLAS, TEXAS 75240
 CONTACT: DAVID J. DE WEIRDT, R.P.L.S.
 dave.deweirdt@kimley-horn.com

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS SCPIO GOOD LATIMER OZ OWNER, LLC is the owner of a tract of land situated in the John Grigsby Survey Abstract No. 495, City of Dallas Block 6/862, Dallas County, Texas and being all of a called 0.745 acre tract of land described as "Tract 1" and a tract of land described as "Tract 2" in the Special Warranty Deed to SCPIO Good Latimer OZ Owner, LLC recorded in Instrument No. 202100323489, Official Public Records of Dallas County, Texas and being part of Lot 1 all of Lots 2-8 and part of Lot 9, Block 6/862 of Graves Heights Addition an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 181 Page 450 Deed Records of Dallas County, Texas and all of Lot 12B, Block 6/862 of Taxco D&M Addition an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 2005063, Page 55 Official Public Records of Dallas County, Texas all of a 0.1341 acre tract of land described in the Quitclaim Deed recorded in Instrument No. _____ Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a "X" cut in concrete found at the intersection of the northeast right-of-way line of Good Latimer Expressway formerly Latimer Street (a variable width right-of-way, City of Dallas, Volume 88 Page 391, and Volume 2495, Page 59 Deed Records of Dallas County, Texas) and the southeast right-of-way line of Louise Street (a 50-foot wide right-of-way, City of Dallas, Volume 181 Page 450 Deed Records of Dallas County, Texas) at the westernmost corner of said 0.745 acre tract.

THENCE North 52°40'35" East, with said southeast right-of-way line and the northwest line of said Lot 12B, Block 6/862, the northwest line of said Tract 1 and the northwest line of said 1.2887 acre tract, a distance of 368.97 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said southeast right-of-way line of Louise Street and the southwest right-of-way line of Julius Schepps Freeway (a variable width right-of-way, 6.304 square foot tract to the State of Texas, Volume 5855 Page 93 Deed Records of Dallas County, Texas);

THENCE with said southwest right-of-way line of Julius Schepps Freeway, the southwest line of said 6.304 square foot tract, the northeast line of said 1.2887 acre tract, the following courses and distances:

South 37°17'55" East, a distance of 58.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;

South 53°04'55" East, a distance of 95.59 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the northwest line of a 15-foot wide alley per said plat of Grave Heights Addition, at the southeast corner of said 6.304 square foot tract, the easternmost corner of said 1.2887 acre tract and the northernmost corner of said 0.1341 acre tract;

THENCE South 39°31'34" East, with said southwest right-of-way line of Julius Schepps Freeway, the southwest line of said 2.436 square foot tract, the northeast line of said Lot 12B, Block 6/862 and the northeast line of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas) passing at a distance of 15.01 feet a 5/8" iron rod with red plastic cap stamped "KHA" found for the easternmost corner of said 0.1341 acre tract, the westernmost corner of a called 2.436 square foot tract of land described in the Deed to the State of Texas, recorded in Volume 67235, Page 108, Deed Records of Dallas County, Texas, the northernmost corner of said Lot 12B, Block 6/862 and the northernmost corner of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas) continuing in all a total distance of 185.12 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of said southwest right-of-way line of Julius Schepps Freeway and the northwest right-of-way line of Dawson Street (a 50-foot right-of-way, City of Dallas, Volume 181 Page 450 Deed Records of Dallas County, Texas) at the southernmost corner of said 2.436 square foot tract, the easternmost corner of said Lot 12B, Block 6/862 and the easternmost corner of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas);

THENCE South 52°40'35" West, with said northwest right-of-way line of Dawson Street, the southeast line of said Lot 12B, Block 6/862 and the southeast line of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas), a distance of 392.92 feet to a "X" cut in concrete set at the intersection of said northwest right-of-way line of Dawson Street and said northeast right-of-way line of Good Latimer Expressway at the southernmost corner of said Lot 12B, Block 6/862, the southernmost corner of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas) and the easternmost corner of a tract of land described in the Warranty Deed to the City of Dallas, recorded in Volume 2539, Page 391, Deed Records of Dallas County, Texas;

THENCE with said northeast right-of-way line of Good Latimer Expressway, the following courses and distances:

North 37°07'28" West, with the southwest line of said Lot 12B, Block 6/862 and the northeast line of said City of Dallas tract (Volume 2539, Page 391, Deed Records of Dallas County, Texas), a distance of 41.00 feet to a "X" cut in concrete found at the beginning of a tangent curve to the left with a radius of 2,332.01 feet, a central angle of 02°40'44" and a chord bearing and distance of North 38°27'50" West, 109.02 feet.

GENERAL NOTES

- BEARING SYSTEM BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH TEXAS CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983 (ADJUSTMENT REALIZATION 2011).
- LOT-TO-LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT PROPER CITY OF DALLAS ENGINEERING DIVISION APPROVAL.
- THE COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- ALL STRUCTURES TO BE DEMOLISHED, BILLBOARDS TO REMAIN.
- NO TREES EXISTING ON THIS SITE.
- THE PURPOSE OF THIS PLAT IS TO CREATE ONE LOT FROM TEN EXISTING LOTS AND AN ABANDONED ALLEY.
- TxDOT APPROVAL MAY BE REQUIRED FOR ANY DRIVEWAY MODIFICATIONS OR NEW ACCESS.

In a northerly direction, with said tangent curve to the left, continuing with said southwest line of Lot 12B, Block 6/862 and said northeast line of the City of Dallas tract (Volume 2539, Page 391, Deed Records of Dallas County, Texas), an arc distance of 109.03 feet to a 5/8" iron rod with 3-1/4" aluminum cap stamped "Taxco D&M Addn, RPLS 5351" found at the westernmost corner of said Lot 12B, Block 6/862, the westernmost corner of said Tract 1 (of said Instrument No. 202100323489, Official Public Records of Dallas County, Texas), the northernmost corner of said City of Dallas tract, and the southernmost corner of said 0.1341 acre tract.

North 40°44'35" West, with the southwest line of said 0.1341 acre tract and over and across said alley, a distance of 15.03 feet to a 1/2" iron rod found at the southernmost corner of said 0.745 acre tract, the easternmost corner of a tract of land described in the Warranty Deed to the City of Dallas, recorded in Volume 2495, Page 59, Deed Records of Dallas County, Texas, and the westernmost corner of said 0.1341 acre tract.

North 39°24'10" West, with the northeast line of said City of Dallas tract (Volume 2495, Page 59, Deed Records of Dallas County, Texas) and the southwest line of said 0.745 acre tract, a distance of 136.82 feet to a 1/2" iron rod found at the beginning of a tangent curve to the right with a radius of 2,247.01 feet, a central angle of 00°20'19" and a chord bearing and distance of North 39°14'01" West, 13.28 feet.

In a northerly direction, with said tangent curve to the right, and continuing with said northeast line of the City of Dallas tract (Volume 2495, Page 59, Deed Records of Dallas County, Texas) and said southwest line of the 0.745 acre tract, an arc distance of 13.28 feet to the **POINT OF BEGINNING** and containing 120.533 square feet or 2.7671 acres of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SCPIO GOOD LATIMER OZ OWNER, LLC, acting by and through its duly authorized agent, does hereby adopt this plat, designating the herein described property as **STONEHAWK/OI - THE HENDRICKS ADDITION** an addition to the City of Dallas, Dallas County, Texas, and do hereby dedicate in fee simple to the public use forever any streets, alleys and roadway management areas shown thereon. The easements shown thereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public fire and police units, garbage and rubbish collection agencies and all public and private utilities for each particular use. The maintenance of paving on the utility and fire lane easements is the responsibility of the property owner. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All, and any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements and all public utilities shall at all times have the full right of ingress and egress to or from the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (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 main to the curb or pavement line and description of such additional easements herein granted shall be determined by their location as installed.

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

WITNESS my hand at Dallas, Texas, this the ____ day of _____, 20__.

By **SCPIO GOOD LATIMER OZ OWNER, LLC**

Name _____
 Title _____

STATE OF _____ §
COUNTY OF _____ §

BEFORE ME, the undersigned a Notary Public in and for said State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20__.

Notary Public in and for the State of _____

FINAL PLAT
STONEHAWK/OI - THE HENDRICKS ADDITION
 LOT 1A, BLOCK 6/862

BEING A REPLAT OF PART OF LOT 1, ALL OF LOTS 2-8, AND PART OF LOT 9, BLOCK 6/862, GRAVES HEIGHTS ADDITION, ALL OF LOT 12B, BLOCK 6/862, TAXCO D&M ADDITION, AND A CALLED 0.1341 ACRE ALLEY ABANDONED BY ORDINANCE NO. _____ BEING 2.7671 ACRES SITUATED IN THE JOHN GRIGSBY SURVEY, ABSTRACT NO. 495, CITY OF DALLAS, DALLAS COUNTY, TEXAS. CITY PLAN FILE NO. S212-048. WATER PLAN FILE NO. _____. ENGINEERING PLAN FILE NO. _____.

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240. TEL: (972) 770-1300. FAX: (972) 239-3820. FIRM # 10115500.

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	SRD	DJD	March 2022	054514818	1 OF 1

THE HENDRICKS – ALTERNATIVE LANDSCAPE PLAN OVERVIEW

- Meets the design intent of Article X
- Addresses the required street trees.
- Addresses the required site trees.
- Addresses required tree replacement.
- Incorporates additional design options for pedestrian, low impact development, and enhancement to the streetscape.

Existing Conditions – Multiple site constraints

- The zoning ordinance requires the building to be placed 5'-8" from the property line, limiting the area we can place trees.
 - There are 8 trees along Louise that are within 2.5' of the sidewalk.
- PD 317 requires the sidewalk to be 6' wide, limiting the area we can place trees.
- Light pole locations per city of Dallas foot candle requirement (Street Design Manual, Section 6, Table 6.2).
 - There are 12 trees along Good Latimer and Louise Avenue that are within 20' of light poles. We necessarily must accept certain trees within distance of light poles and in other minor situations we don't favor based on existing conditions, including building setback requirements.
- Public and private utility lines - Because of the storm line that runs parallel to the sidewalk along Good Latimer, we cannot place trees within the right of way. Additionally, there are 2 public storm lines that connect into our site that we are maintaining 10' from. In order to place the required number of trees along Good Latimer, we have to use the 2:1 tree ratio (2 small trees per 1 canopy tree). The OHE lines along Louise and Good Latimer will be removed per Civil coordination with Oncor and AT&T as reflected in the attached plans.
- Existing trees to remain.
 - There is 1 tree along Good Latimer that is within 25' of an existing tree.
- Billboard easement along IH-45 – 8 Trees are required to follow the IH-45 street frontage. Due to the billboard easement, sanitary sewer easement, only 2 trees can be located along the IH-45 Frontage. All existing trees offsite will remain.

Tree spacing conflicts, see plan labeled LP 1.01:

Good Latimer:

- In order to place the required number of trees (8) along Good Latimer: (see code chart on LP 3.02)
 - 7 trees are within 20' of light poles.
 - 1 tree is within 25' of an existing tree.

Louise Avenue:

- In order to place the required number of trees (9) along Louise Avenue: (see code chart on LP 3.02)
 - 5 trees are within 20' of light poles.
 - 8 trees are within 2.5' of the sidewalk.

The Alternative Landscape Plan Provides for:

Street Tree Requirement:

- There are 3 street trees required.
- We are providing 38 trees, 11 existing, 7 medium and 20 small trees.

Site Tree Requirement:

- There are 30 site trees required.
- We are providing 2 medium trees and 28 small trees. We have 6 small trees in the courtyard (reference the private landscape plan for tree location).

Tree Replacement Requirements:

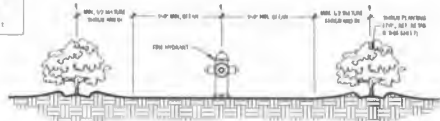
- No more than 11 of the replacement trees can be of the same species (30 required trees X 35%)
- The maximum of 8 of the replacement trees are of the same species.

Landscape Design Options, see plan Landscape Specifications LP 3.02

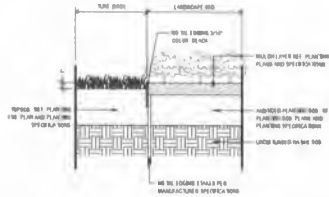
- Pedestrian uses.
 - We are providing streetlamps along Good Latimer, Louise and Dawson. We have added 1 bench along Good Latimer and 1 bench along Dawson Street for pedestrians. 10 points.
- Low impact development
 - We have selected trees from the City of Dallas approved tree list. We are proposing Texas native plant material within the landscape beds but cannot find the parameters that classify water wise plants. 10 points.

Please let us know if there is a specific water wise plant list that we need to follow.
- Providing additional planting to enhance the streetscape.
 - Reference the private landscape plan for enhanced planting design.

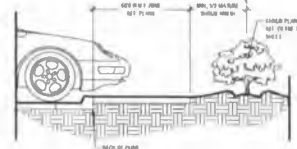
- 1. SET PLANTING AND PLANTING BED TO BE 10% ABOVE FINISHED GRADE.
- 2. SET PLANTING AND PLANTING BED TO BE 10% ABOVE FINISHED GRADE.
- 3. SET PLANTING AND PLANTING BED TO BE 10% ABOVE FINISHED GRADE.



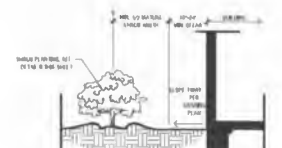
Shrub Planting at Fire Hydrant
Scale: 1/2" = 1'-0"



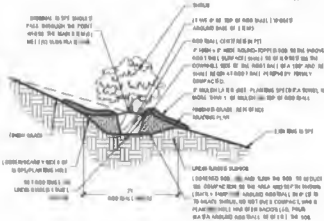
METAL EDGING (AT TURF & LANDSCAPE BED)
Scale: 1/2" = 1'-0"



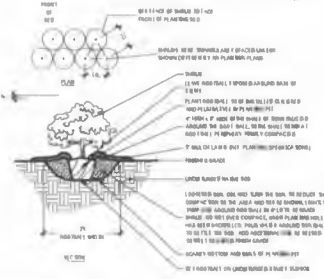
Shrub Planting at Sidewalk
Scale: 1/2" = 1'-0"



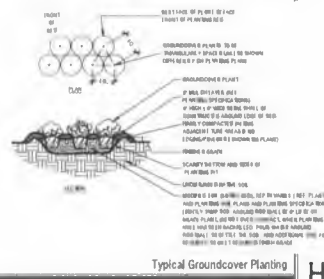
Shrub Planting at Building Edge
Scale: 1/2" = 1'-0"



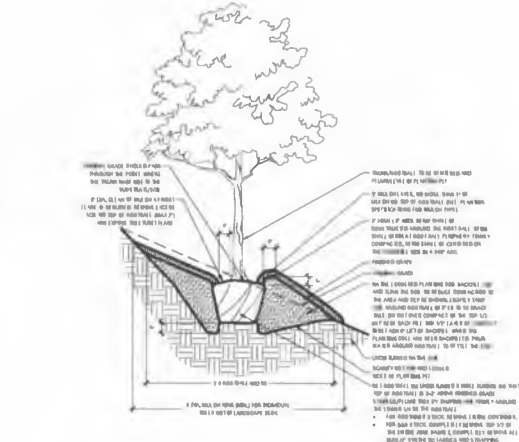
Shrub Planting on 5-20% (20:1 to 2:1) Slope
Scale: 1/2" = 1'-0"



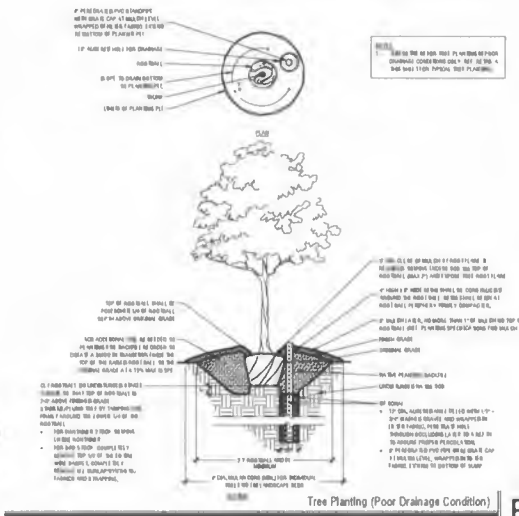
Typical Shrub Planting
Scale: 1/2" = 1'-0"



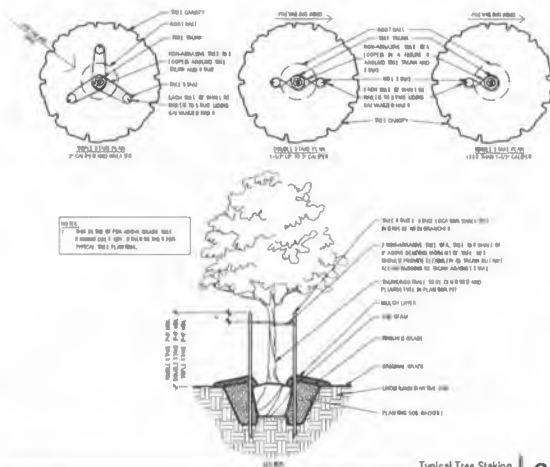
Typical Groundcover Planting
Scale: 1/2" = 1'-0"



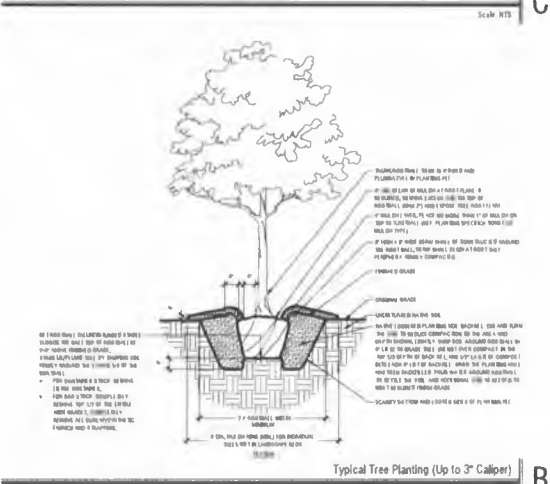
Tree Planting on 5-25% Slopes (20:1 to 4:1 Slopes)
Scale: 1/2" = 1'-0"



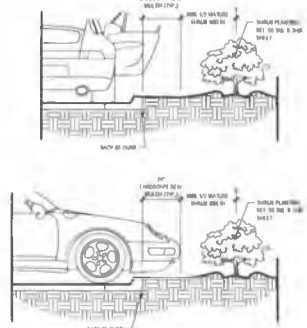
Tree Planting (Poor Drainage Condition)
Scale: 1/2" = 1'-0"



Typical Tree Staking
Scale: 1/2" = 1'-0"



Typical Tree Planting (Up to 3\"/>



Shrub Planting at Curb
Scale: 1/2" = 1'-0"

REVISIONS

REVNO	DATE	DESCRIPTION	BY

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____

CONTRACTOR _____

LANDSCAPE DETAILS

STONEHAWK GOOD LATIMER
LOT 128, BLOCK 6782

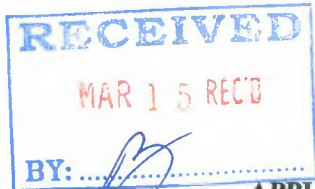
SUSTAINABLE DEVELOPMENT & CONSTRUCTION
CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVISIONS

REVISED BY	DATE	FILE NUMBER	SHEET

LP 3.01

Kimley-Horn and Associates, Inc. 1111 West 19th Street, Suite 100, Dallas, Texas 75221
 Phone: 214.643.8000 Fax: 214.643.8001
 www.kimley-horn.com



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-046

Data Relative to Subject Property:

Date: 3-7-23

Location address: 5519 Morningside Ave, Dallas TX 75206 Zoning District: _____

Lot No.: 20 Block No.: 8 Acreage: .179 Census Tract: _____

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): James and Jennifer Grant

Applicant: James R. Grant Telephone: 6029611378

Mailing Address: 5519 Morningside Ave Dallas TX Zip Code: 75206

E-mail Address: JRBALGRANT@Me.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 Finished painting last less than 10% of brick, strip any walk painted and re-paint as necessary

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:

Non disclosure of rule and lack of access to code. Mis-interpretation for original intent of conservation district.

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

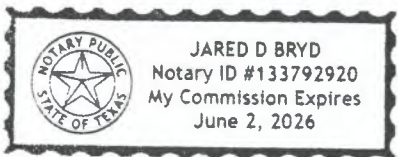
Before me the undersigned on this day personally appeared James Grant (Affiant/Applicant's name printed)

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 7th day of March, 2023

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that James Grant

did submit a request to appeal the decision of the administrative official
at 5519 Morningside Avenue

Application BDA223-046 of James Grant to appeal the decision of the administrative official at 5519 MORNINGSIDE AVE. This property is more fully described as Block 8/220 Lot 20 and is zoned CD-9, which requires compliance with conservation district architectural standards. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA

From: Hunt, Angela ahunt@munsch.com
Subject: M Streets Conservation District
Date: Oct 27, 2022 at 10:49:29 AM
To: JAMES GRANT jjrbaigrant@me.com

Hi, Jim. I have elevated this issue to the councilmember for the area, Paul Ridley, who served as my plan commissioner when I was on council. Below is my email to him. I am hopeful that Paul will intervene and get this matter resolved. Having dealt with city staff for years, that is the most effective path forward to address this issue. I will advise what I hear back from Paul.

Angela

Angela Hunt

Munsch Hardt Kopf & Harr, P.C.
500 N. Akard Street, Suite 3800 / Dallas, Texas 75201-6659
Direct: +1.214.855.7527 / ahunt@munsch.com / munsch.com

From: Hunt, Angela
Sent: Thursday, October 27, 2022 10:47 AM
To: Ridley, Paul <paul.ridley@dallas.gov>
Subject: M Streets Conservation District

Good morning, Paul. There is a matter related to the M Streets Conservation District that I respectfully request your assistance with. (I'm not engaged on this matter.)

I've learned from several M Streets neighbors that their request to the City to paint their brick homes has been denied on the basis that doing so violates the M Streets Conservation District ordinance. Having led the effort to create the M Streets Conservation District, and having been the primary draftsman of that ordinance, I wanted to shed some light on what I believe is an error in the City's interpretation, and ask for your assistance in rectifying it.

In early 2001, our neighborhood had seen dozens of Tudor homes razed in favor of McMansions. The new homes clashed in both style and massing and were destroying the architectural character that made our neighborhood special.

To help guide the development of our CD ordinance, we identified aspects of newly constructed homes that were incompatible with our Tudors: New houses towered over our smaller homes, did not respect the rhythm of our blockfaces, and used materials wholly different from ours. Among other things, we noted that many McMansions used large, pink brick that was very different from our smaller, typically scratch-faced brick found in neutral colors. So we included in our CD ordinance a requirement that the front façade and "wrap-around" of new homes (the front 25 feet on each side of the structure):

...must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. . . . Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. (CD 9, Sec. (e)(3)(A) and (B), *et seq.*)

For existing homes being remodeled, we simply required that “[a]ny remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing.” (*Id.*, Sec. f(2).) The purpose of these provisions was to ensure that the *brick itself* used in either remodels or new builds was similar to the brick on original homes, so that if the brick was left unpainted or if it was painted and subsequently stripped, *the bare brick would still be compatible with our original homes*. However, we specifically did not include a prohibition against painting the brick. In multiple community meetings, we made the point that our conservation district was not as stringent as historic districts because it would not dictate whether or what color we could paint our homes.

During the drafting of our ordinance (which I initially prepared), we discussed this point at length with city staff and confirmed that the final draft of the ordinance reflected this understanding that the painting of brick was not prohibited. That is why there is no provision in the ordinance that addresses the painting of brick.

I have attached a print-out of the “Frequently Asked Questions” page of our M Streets CD website posted right after our conservation district was approved in 2002 where this very question was addressed and refuted:

I've heard we won't be allowed to paint the brick on our houses, Is this true?

THIS IS NOT TRUE! The ordinance does NOT prohibit (or even address) painting your brick or stone, nor does it address the color of paint you can use. You can paint your house fluorescent purple if you like, even if you live in a Tudor. What the ordinance requires is that you match your brick as closely as possible if you're doing renovations on the front. So if you've got painted brick, you'd need to paint the new brick the same color. If your brick is not painted, you can paint it and the new brick. Call Jack Guerra at the City at 214-670-3620 if you have any questions about this.

Would you please assist us in ensuring city staff reviewers respect the intentions of our neighborhood – reinforced by assurances from the city staff at the time – and discontinue their prohibition against painting our homes, which is unsupported by the text of the ordinance and the history of our neighborhood effort?

Thank you,
Angela

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pdf

FAQ - M St...District.pdf

167 KB



CITY OF DALLAS

March 13, 2023

CERTIFIED MAIL NO. 70060810000355296051

Mr. James Grant
5519 Morningside Avenue
Dallas, TX 75206

RE: Denial of CD22102002 application to paint previously unpainted brick

Dear Mr. Grant:

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

You have twenty (20) days from the date of the denial to file your appeal with the Board of Adjustment. Any questions related to an appeal should be directed to Nikki Dunn, Chief Planner for the Board of Adjustment, whose contact is (214)948-4366 or sheniqua.dunn@dallas.gov, or Diana Barkume, Senior Plans Examiner, at (214)942-4364 or diana.barkume@dallas.gov.

Respectfully,

A handwritten signature in black ink, appearing to read 'Trevor A. Brown'.

Trevor A. Brown
Chief Planner, Conservation Districts

Enclosure
CD Certificate of Denial

Conservation District Denial



M Streets Conservation District

City of Dallas

Date Applied: 10/20/22

Date Reviewed: 03/13/23

Address: 5519 MORNINGSIDE AVE

Applicant: Grant, James
5519 Morningside Avenue
Dallas, TX 75206
(602) 361-1378
jjrbalgrant@me.com

Architectural Style: High Tudor

Proposed Work: Other - no permit required

Painting the structure to protect aging cracked brick.

Colors were submitted in person this morning.

Permit is required: NO

Work is Denied

1. The application to paint the previously unpainted brick at 5519 Morningside is denied.
2. The structure is classified as High Tudor.
3. Painting of unpainted brick does not meet the standards for remodeling of a High Tudor under Ord. 28946(f)(1) and (2), and applicable sections of Ord. 28946(e).
4. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around. Ord. 28946(f)(1)
5. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing. Ord. 28946(f)(2)
6. All new construction must be built in the High Tudor style and must be compatible with original houses. Ord. 28946(e)(2)
7. Except as otherwise provided in this paragraph, new houses must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. Ord. 28946(e)(3)(A)
8. Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. Ord. 28946(e)(3)(B)

DENIED

Conservation District Denial



M Streets Conservation District

City of Dallas

A handwritten signature in cursive script.

Andrew Espinoza, CBO, MCP, CFM, CCEA

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

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

DENIED

From: Hunt, Angela ahunt@munsch.com
Subject: M Streets Conservation District
Date: Oct 27, 2022 at 10:49:29 AM
To: JAMES GRANT jjrbalgrant@me.com

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Angela

Angela Hunt

Munsch Hardt Kopf & Harr, P.C.
500 N. Akard Street, Suite 3800 / Dallas, Texas 75201-6659
Direct: +1.214.855.7527 / ahunt@munsch.com / munsch.com

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BDA 223-046

...must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. . . . Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. (CD 9, Sec. (e)(3)(A) and (B), *et seq.*)

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BDA 223-046

Thank you,
Angela

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pdf

FAQ - M St...District.pdf

167 KB

BDA223-046



May 12, 2023

*Via Email to BDA Administrator
sheniqua.dunn@dallas.gov*

Board of Adjustment, Panel A
1500 Marilla, 5DN
Dallas, Texas 75201

Re: City Staff's Brief in Response to Appeal of the Building Official's Decision
Regarding 5519 Morningside Avenue, BDA223-046

Dear Board Members:

Below is a summary of the key points that will be addressed by City staff in response to the appeal of the building official's decision in BDA223-046.

1. Facts

This appeal pertains to an application to paint the previously-unpainted exterior brick of a residence at 5519 Morningside Avenue. The residence is located in Conservation District 9 (CD 9). By letter dated March 13, 2023, the Chief Planner for Conservation Districts notified the homeowner that the application had been denied. (Exhibit A.) The conservation district denial form, enclosed with that letter, noted that the architectural style of the home is High Tudor and the basis of the request was to paint the exterior brick to protect aging cracked brick. (Exhibit A.) The homeowner's application was reviewed for compliance with CD 9's development standards and design requirements, and the building official determined that the proposed work did not meet the standards for remodeling of a High Tudor residence under the CD 9 ordinance. (Exhibit A.) The homeowner timely appealed the decision to the Board of Adjustment. (Exhibit B.) The homeowner's appeal requests a special exception to (1) finish painting, (2) strip any rock painted, and (3) re-paint as necessary. (Exhibit B.) The homeowner's cited reasons for the appeal are (1) non-disclosure of the rule, (2) lack of access to the City code, and (3) misinterpretation of the original intent of the CD 9 ordinance. (Exhibit B.)

2. Reasons for Denial of Application

First, with respect to the applicant's arguments about non-disclosure of the rule, and lack of access to the City code, those arguments lack merit and should not be a basis to overturn the building official's decision. In Texas, as elsewhere, courts have confirmed that parties are

presumed to know the law.¹ People residing in, or having dealings with, a city are presumed to know its ordinances.² Thus, any argument that the homeowner did not know the CD 9 rules or ordinance is incorrect. The applicable ordinance could have been obtained through the City's website, an open records request, an inquiry to City staff, or even a Google search. Second, the interpretation of the CD 9 ordinance by the building official is correct.

The CD 9 ordinance, No. 25116, was enacted in 2002. (Exhibit C.) The ordinance was amended, No. 28946, in 2013. (Exhibit D.) The relevant sections of the original and amended ordinance are set forth below:

SECTION 3. Purpose. That this conservation district is established to **conserve** the M Streets neighborhood and to **protect and enhance** its significant architectural and cultural attributes. The conservation district regulations are attached to this ordinance as Exhibit A. The conservation district regulations **ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.** (Exhibit C, emphasis added.)

(a)(2)(C) **COMPATIBLE** means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, **colors**, and materials. (Exhibit C, D, emphasis added.)

(a)(2)(DD) **REMODEL** means improvements or **repairs** that **change the appearance of the main structure** or replace original materials of the main structure with another material. (Exhibit C, D, emphasis added.)

(e) Architectural standards for new construction.

2) Style. All new construction must be built in the High Tudor style and **must be compatible with original houses**.

3) Materials.

A) Except as otherwise provided in this paragraph, new houses **must be constructed of brick** and/or stone using the same **colors, course patterns, material placement, and material combinations found in original houses**.

B) **Brick** must be scratch-face or textured, with at least **three subtle variations in tone**. **Brick colors and textures must be typical of the brick used on original houses**. Brick must be modular or standard size.

¹ *Philadelphia Indemnity Ins. Co. v. White*, 490 S.W.3d 468 (Tex. 2016).

² *Board of Adjustment of City of San Antonio v. Nelson*, 577 S.W.2d 783 (Tex. App.—San Antonio 1979, writ ref'd n.r.e.).

C) Stone must be similar to the stone used on original houses. (Exhibit C, D, emphasis added.)

12) Optional architectural design features.

A) New houses **must incorporate at least four of the following architectural design features** into the front facade (see Exhibit B):

- i) Arched doorway which matches the shape of the front porch arches.
- ii) Turned cast-stone front porch columns.
- iii) Stucco with wood half-timbering in projecting front facing gables.
- iv) Decorative, articulated verge boards.
- v) **Stone accents.**
- vi) Massive chimney located on the front facade.
- vii) **Blond or light-colored brick compatible with original houses.**
- viii) Open air front porch. (Exhibit C, D, emphasis added.)

(f) Architectural standards for remodeling of High Tudor and Tudor Cottage houses.

1) Applicability. **Remodeling** of houses that are identified as High Tudor or Tudor Cottage in Exhibit B **must comply with the standards for new construction and the standards contained in this section.** This section applies to the front facade and wrap-around.

2) Materials. Any **remodeling must match the original brick** and stone in size, **color**, coursing, texture, mortaring, and joint detailing. (Exhibit C, D, emphasis added.)

The building official's interpretation of the CD 9 provisions is that exterior painting of previously-unpainted brick does not meet the standards for remodeling of a High Tudor residence. (Exhibit A.) The conclusion is supported by the department's interpretation manual regarding application of paint to brick and stone in CD 9, dated October 23, 2019. (Exhibit E.) According to the manual, "[b]ecause the ordinance is specific concerning the colors of brick to be used and that any new construction be compatible with original homes, it can be inferred that the brick or stone of new construction homes be unpainted to ensure that new brick and/or stone material match the original colors of brick or stone found on original houses." (Exhibit E.)

Further, the manual states "[b]ecause remodeling must match (not just be compatible) the original brick and stone in color, it can be inferred that the application of paint onto previously unpainted brick or stone would not be allowed." (Exhibit E.)

3. Relief Requested

The building official's decision was proper, and the City requests that the decision be affirmed. The panel should sustain the building official's decision to deny the application to paint the exterior brick of the residence located at 5519 Morningside.

Respectfully submitted,

/s/ Stacy Jordan Rodriguez
STACY JORDAN RODRIGUEZ
Assistant City Attorney
214-670-3476
stacy.rodriquez@dallas.gov

Attachments:

Exhibit A: Denial of Application

Exhibit B: Appeal to Board of Adjustment

Exhibit C: Ordinance 25116

Exhibit D: Ordinance 28946

Exhibit E: Interpretation Manual, Conservation Districts 9 and 11



CITY OF DALLAS

March 13, 2023

CERTIFIED MAIL NO. 70060810000355296051

Mr. James Grant
5519 Morningside Avenue
Dallas, TX 75206

RE: Denial of CD22102002 application to paint previously unpainted brick

Dear Mr. Grant:

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

You have twenty (20) days from the date of the denial to file your appeal with the Board of Adjustment. Any questions related to an appeal should be directed to Nikki Dunn, Chief Planner for the Board of Adjustment, whose contact is (214)948-4366 or sheniqua.dunn@dallas.gov, or Diana Barkume, Senior Plans Examiner, at (214)942-4364 or diana.barkume@dallas.gov.

Respectfully,

Trevor A. Brown
Chief Planner, Conservation Districts

Enclosure
CD Certificate of Denial

Conservation District Denial



M Streets Conservation District

City of Dallas

Date Applied: 10/20/22

Date Reviewed: 03/13/23

Address: 5519 MORNINGSIDE AVE

Applicant: Grant, James
5519 Morningside Avenue
Dallas, TX 75206
(602) 361-1378
jjrbalgrant@me.com

Architectural Style: High Tudor

Proposed Work: Other - no permit required

Painting the structure to protect aging cracked brick.

Colors were submitted in person this morning.

Permit is required: NO

Work is Denied

1. The application to paint the previously unpainted brick at 5519 Morningside is denied.
2. The structure is classified as High Tudor.
3. Painting of unpainted brick does not meet the standards for remodeling of a High Tudor under Ord. 28946(f)(1) and (2), and applicable sections of Ord. 28946(e).
4. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around. Ord. 28946(f)(1)
5. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing. Ord. 28946(f)(2)
6. All new construction must be built in the High Tudor style and must be compatible with original houses. Ord. 28946(e)(2)
7. Except as otherwise provided in this paragraph, new houses must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. Ord. 28946(e)(3)(A)
8. Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. Ord. 28946(e)(3)(B)

DENIED

Page 1 of 2

Conservation District Denial



M Streets Conservation District

City of Dallas

A handwritten signature in black ink, appearing to read 'Andrew Espinoza'.

Andrew Espinoza, CBO, MCP, CFM, CCEA

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

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

DENIED

Page 2 of 2



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-046

Data Relative to Subject Property:

Date: 3-7-23

Location address: 5519 Morningside Ave, Dallas TX 75206 Zoning District: _____

Lot No.: 20 Block No.: 8 Acreage: .179 Census Tract: _____

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): James and Jennifer Grant

Applicant: James R. Grant Telephone: 6029611378

Mailing Address: 5519 Morningside Ave Dallas TX Zip Code: 75206

E-mail Address: JRBALGRANT@me.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 Finished painting last less than 10% of brick, strip any walk paved and re-paint as necessary

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:

Non disclosure of rule and lack of access to code. Mis-interpretation for original intent of conservation district.

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

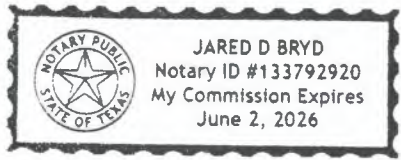
Before me the undersigned on this day personally appeared James Grant (Affiant/Applicant's name printed)

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 7th day of March, 2023

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that James Grant

did submit a request to appeal the decision of the administrative official
at 5519 Morningside Avenue

Application BDA223-046 of James Grant to appeal the decision of the administrative official at 5519 MORNINGSIDE AVE. This property is more fully described as Block 8/220 Lot 20 and is zoned CD-9, which requires compliance with conservation district architectural standards. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit.

Sincerely,


Andrew Espinoza, CBO, MCP, CFM, CCEA

From: Hunt, Angela ahunt@munsch.com
Subject: M Streets Conservation District
Date: Oct 27, 2022 at 10:49:29 AM
To: JAMES GRANT jjrbaigrant@me.com

Hi, Jim. I have elevated this issue to the councilmember for the area, Paul Ridley, who served as my plan commissioner when I was on council. Below is my email to him. I am hopeful that Paul will intervene and get this matter resolved. Having dealt with city staff for years, that is the most effective path forward to address this issue. I will advise what I hear back from Paul.

Angela

Angela Hunt

Munsch Hardt Kopf & Harr, P.C.
500 N. Akard Street, Suite 3800 / Dallas, Texas 75201-6659
Direct: +1.214.855.7527 / ahunt@munsch.com / munch.com

From: Hunt, Angela
Sent: Thursday, October 27, 2022 10:47 AM
To: Ridley, Paul <paul.ridley@dallas.gov>
Subject: M Streets Conservation District

Good morning, Paul. There is a matter related to the M Streets Conservation District that I respectfully request your assistance with. (I'm not engaged on this matter.)

I've learned from several M Streets neighbors that their request to the City to paint their brick homes has been denied on the basis that doing so violates the M Streets Conservation District ordinance. Having led the effort to create the M Streets Conservation District, and having been the primary draftsman of that ordinance, I wanted to shed some light on what I believe is an error in the City's interpretation, and ask for your assistance in rectifying it.

In early 2001, our neighborhood had seen dozens of Tudor homes razed in favor of McMansions. The new homes clashed in both style and massing and were destroying the architectural character that made our neighborhood special.

To help guide the development of our CD ordinance, we identified aspects of newly constructed homes that were incompatible with our Tudors: New houses towered over our smaller homes, did not respect the rhythm of our blockfaces, and used materials wholly different from ours. Among other things, we noted that many McMansions used large, pink brick that was very different from our smaller, typically scratch-faced brick found in neutral colors. So we included in our CD ordinance a requirement that the front façade and "wrap-around" of new homes (the front 25 feet on each side of the structure):

...must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. . . . Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. (CD 9, Sec. (e)(3)(A) and (B), *et seq.*)

For existing homes being remodeled, we simply required that “[a]ny remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing.” (*Id.*, Sec. f(2).) The purpose of these provisions was to ensure that the *brick itself* used in either remodels or new builds was similar to the brick on original homes, so that if the brick was left unpainted or if it was painted and subsequently stripped, *the bare brick would still be compatible with our original homes*. However, we specifically did not include a prohibition against painting the brick. In multiple community meetings, we made the point that our conservation district was not as stringent as historic districts because it would not dictate whether or what color we could paint our homes.

During the drafting of our ordinance (which I initially prepared), we discussed this point at length with city staff and confirmed that the final draft of the ordinance reflected this understanding that the painting of brick was not prohibited. That is why there is no provision in the ordinance that addresses the painting of brick.

I have attached a print-out of the “Frequently Asked Questions” page of our M Streets CD website posted right after our conservation district was approved in 2002 where this very question was addressed and refuted:

I've heard we won't be allowed to paint the brick on our houses, Is this true?

THIS IS NOT TRUE! The ordinance does NOT prohibit (or even address) painting your brick or stone, nor does it address the color of paint you can use. You can paint your house fluorescent purple if you like, even if you live in a Tudor. What the ordinance requires is that you match your brick as closely as possible if you're doing renovations on the front. So if you've got painted brick, you'd need to paint the new brick the same color. If your brick is not painted, you can paint it and the new brick. Call Jack Guerra at the City at 214-670-3620 if you have any questions about this.

Would you please assist us in ensuring city staff reviewers respect the intentions of our neighborhood – reinforced by assurances from the city staff at the time – and discontinue their prohibition against painting our homes, which is unsupported by the text of the ordinance and the history of our neighborhood effort?

Thank you,
Angela

Notice: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. Nothing contained in this message or in any attachment shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.

pdf

FAQ - M St...District.pdf

167 KB

ORDINANCE NO. **25116**

An ordinance changing the zoning classification on the following described property, to wit:

An area being bounded by the center line of the alley between McCommas Boulevard and Longview Street on the north, the center line of Greenville Avenue on the east, the centerline of the alley between Vanderbilt Avenue and Goodwin Avenue on the south, and the centerline of US-75 on the west, but excluding Block 2193, Lots 9 and 10 and Block H2912, Lot 8A, and containing approximately 176 acres of land;

from an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with Modified Delta No. 1 Overlay to Conservation District No. 9 (the M Streets Conservation District) with retention of Modified Delta No. 1 Overlay; providing procedures and regulations for this conservation district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council of the City of Dallas find that the property described in Section 2 of this ordinance is an area of cultural and architectural importance and significance to the citizens of the city; and

WHEREAS, the city plan commission and the city council, in accordance with the provisions of the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this conservation district; Now, Therefore,

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

SECTION 1. Approval of the conceptual plan. That the conceptual plan for the M Streets Conservation District, attached to this ordinance as Exhibit B, is approved.

SECTION 2. Creation of the conservation district. That the zoning ordinances of the City of Dallas, as amended, are amended by changing the zoning classification from an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with Modified Delta No. 1 Overlay to Conservation District No. 9 (the M Streets Conservation District) with retention of Modified Delta No. 1 Overlay on the following described property, to wit:

An area being bounded by the center line of the alley between McCommas Boulevard and Longview Street on the north, the center line of Greenville Avenue on the east, the centerline of the alley between Vanderbilt Avenue and Goodwin Avenue on the south, and the centerline of US-75 on the west, but excluding Block 2193, Lots 9 and 10 and Block H2912, Lot 8A, and containing approximately 176 acres of land.

SECTION 3. Purpose. That this conservation district is established to conserve the M Streets neighborhood and to protect and enhance its significant architectural and cultural attributes. The conservation district regulations are attached to this ordinance as Exhibit A. The conservation district regulations ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.

SECTION 4. Zoning district maps. That the director of the department of development services shall correct Zoning District Map Numbers H-8 in the offices of the city secretary, the building official, and the department of development services, to reflect the changes in zoning made by this ordinance.

SECTION 5. Penalty clause. That a person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which

the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2,000.

SECTION 6. Saving clause. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. Severability clause. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 8. Effective date. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:

MADELEINE B. JOHNSON, City Attorney

By _____
Assistant City Attorney

Passed _____ November 13, 2002 _____

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

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EXHIBIT B: M Streets Conservation District Conceptual Plan			

(a) Interpretations and definitions.

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

- (K) DIRECTOR means the director of the department of development services or the director's representative.
- (L) DISTRICT means the M Streets Conservation District.
- (M) FENCE means a structure or hedgerow that provides a physical barrier.
- (N) FRONT FACADE means the building elevation facing the front street.
- (O) FRONT STREET means Homer Street for houses with Homer Street addresses, McCommas Boulevard, Mercedes Avenue, Merrimac Avenue, Monticello Avenue, Morningside Avenue, Ridgedale Avenue, and Vanderbilt Avenue.
- (P) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. REQUIRED FRONT YARD means the portion of the front yard between the street and the setback line.
- (Q) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, mulch, pavers, or stones.
- (R) HEIGHT means the vertical distance measured from grade to the highest point of the structure as shown in Exhibit B.
- (S) HIGH TUDOR means high tudor architectural style as shown in Exhibit B.
- (T) LARGE CANOPY TREES means those varieties of Maple, Oak, Elm, and Pecan designated as large canopy trees by the city arborist.
- (U) LINE-OF-SIGHT refers to an imaginary line extending from the viewpoint of a six-foot-tall person standing in the middle of the street to the apex of the roof of the main structure's side gable. (See Exhibit B.)
- (V) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.

- (W) MINIMAL TRADITIONAL means minimal traditional architectural style as shown in Exhibit B.
- (X) NEO-COLONIAL means neo-colonial architectural style as shown in Exhibit B.
- (Y) ONE-AND-ONE-HALF STORY STRUCTURE means a main structure in which the space within the roof structure has been converted to livable space.
- (Z) ORIGINAL HOUSE means a house constructed between 1920 and 1940 in the High Tudor style.
- (AA) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.
- (BB) RANCH means ranch architectural style as shown in Exhibit B.
- (CC) REAR YARD means:
- (i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - (ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
- (DD) REMODEL means improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.
- (EE) RETAINING WALL means a wall used to prevent the erosion of land.

- (FF) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.
- (GG) SIDE-STREET means Central Expressway, Glencoe Street, Greenville Avenue, Homer Street for houses with non-Homer addresses, Laneri Avenue, McMillan Avenue, and Worcola Street.
- (HH) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."
- (II) SPANISH REVIVAL means spanish revival architectural style as shown in Exhibit B.
- (JJ) STREET FACADE means any part of a building that faces a public street.
- (KK) TUDOR COTTAGE means tudor cottage architectural style as shown in Exhibit B.
- (LL) WRAP-AROUND means that portion of a side facade of a main structure 25 feet behind the corner of the front facade.

- (b) Conceptual plan. The M Streets Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit B. In the event of a conflict between Exhibit A, the M Streets Conservation District Regulations, and Exhibit B, the conceptual plan, Exhibit A controls.
- (c) Nonconforming structures. Section 51A-4.704(c), "Nonconforming Structures," applies, except that if the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
- (d) Development standards. Except as otherwise provided, the development standards of the R-7.5(A) Single Family District apply.
 - (1) Use. The only use allowed is single-family.
 - (2) Conversions or additions. The number of dwelling units on a lot may not be increased.
 - (3) Lot size. Lots must have a minimum area of 7,500 square feet.

- (4) Lot width. Lots must have a minimum width of 50 feet. Lots may not exceed 60 feet in width.
- (5) Lot coverage. The maximum lot coverage is 45 percent.
- (6) Height. The maximum height for all structures is 30 feet, except that no part of the main structure may exceed the line-of-sight. Height must be calculated by a licensed architect or engineer. (See Exhibit B.)
- (7) Front yard setback for main structures. The minimum front yard setback for main structures is the average of the front yard setback of the two adjacent houses. The maximum front yard setback for main structures is the greater setback of the two adjacent houses. Setback calculations must be prepared by a licensed architect or engineer.
- (8) Side yard setback for main structures. Except for houses located on Homer Street, the minimum side yard setback for main structures is five feet on the west side and 10 feet on the east side. For houses on Homer Street, the minimum side yard setback for main structures is five feet on the north side and 10 feet on the south side.
- (9) Rear yard setback for main structures. The minimum rear yard setback for main structures is 20 feet.
- (10) Stories. The front facade of main structures must have the appearance of a one-and one-half story structure as shown in Exhibit B.
- (11) Accessory structures, garages, and carports.
 - (A) Location. Garages and carports must be located in the rear 30 percent of the lot. On corner lots, accessory structures may not be located closer to the cornerside lot line than the main structure.
 - (B) Access. Garages must have at least one vehicle entrance from the street.
 - (C) Style and materials. The color, style, design, and materials of garages that are visible from the street must be compatible with the main structure.

- (D) Roof slope. If a garage is visible from the street, the slope of the roof must match either the roof slope of the main structure or the roof slope of original garages.
 - (E) Side yard setback. There is no required side yard setback for garages, except that no part of the garage may overhang adjacent property.
 - (F) Rear yard setback for garages.
 - (i) Garages over 15 feet in height must have a minimum five-foot rear yard setback.
 - (ii) Garages 15 feet or less in height must have a three-foot rear yard setback unless the property owner can document the original footprint, in which case the garage may be built on the original footprint.
 - (iii) The minimum rear yard setback for all rear-entry garages is 20 feet.
 - (G) Existing garages. Existing garages that are not located to the rear of the main structure may be repaired or maintained, but may not be enlarged or replaced.
- (12) Roofing materials. No corrugated plastic, standing-seam metal, rolled, or tar-and-gravel roofing is allowed on the front facade, the wrap-around, or any part of a garage that is visible from a street. Copper roofing accents are allowed on dormers and eyebrows.
- (13) Fences and walls.
- (A) Fences are not allowed in the front yard.
 - (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
 - (C) Fences in cornerside yards must be located behind the mid-point of the main structure.

- (D) Fences in non-cornerside yards must be located at least five feet behind the front corner of the house.

(14) Driveways and curbing.

- (A) All houses must have a straight driveway located along the east side (south side for Homer lots) of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
- (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
- (C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brushed concrete.
- (D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
- (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.

(15) Front yards and parkways.

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

(16) Retaining walls.

- (A) Existing retaining walls may be repaired and maintained.
- (B) New retaining walls must be made of stone and may not exceed 30 inches in height as measured from the sidewalk or four inches

above the yard it is retaining, whichever is less; and must match the materials and color of the main structure.

(17) Parkway trees. Prior to final inspection on any new construction or additions over 100 square feet, at least two, two-caliper-inch large canopy trees must be planted in or adjacent to the parkway. This requirement does not apply if there are already two or more large canopy trees located in or adjacent to the parkway. A large canopy tree is considered adjacent to the parkway when the tree, fully grown, will provide a 10-foot-wide shaded area over the parkway and a portion of the street at midday. If trees are planted in the public right-of way, all applicable licensing requirements must be met.

(18) Windows and doors.

(A) The following applies to windows and doors on the front facade and the wrap-around:

(i) Only transparent, stained, or leaded glass is allowed in windows and doors.

(ii) Window height must be greater than the window width.

(iii) All windows must fit the wall opening. Infill surrounding the window is not allowed.

(iv) Metal window frames must have a finish that is indistinguishable from the finish on original wood windows.

(v) Window air conditioner units are not allowed.

(vi) Window muntins and mullions must be expressed by a minimum of one-fourth inch. Window assemblies must have a profile depth of at least three inches.

(e) Architectural standards for new construction.

(1) Applicability. The standards contained in this section apply to construction of new main structures, except Craftsman replacement houses. This section applies to the front facade and the wrap-around.

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

- (iii) Projecting front-facing gables may overlap.
 - (iv) Projecting front-facing gables must have a roof slope between 45 degrees and 70 degrees. The roof slope of each projecting front-facing gable must be the same.
 - (v) The height of the peak of the dominant projecting front-facing gable must be between 20 feet and 24 feet. The height of subordinate projecting front-facing gables must be at least 70 percent to 80 percent of the height of the dominant projecting front-facing gable.
- (B) Eaves. The eaves of all projecting front-facing gables and side gables must have a common height between 9 feet to 11 feet above grade.
- (C) Side gables. Side gables must be true gables, with both front and back roof slopes. At least 30 percent of the back slope must be maintained. The roof ridge of side gables must be flat and uninterrupted.
- (6) Foundation. The foundation must be raised a minimum of 12 inches above grade. The foundation must have a concrete exterior finish.
- (7) Steps.
- (A) Original rolling or waterfall steps leading from the sidewalk to the house must be retained. Where the original rolling or waterfall steps have been removed, they should be replaced to match the original.
 - (B) Front porch steps must lead to building entrances.
 - (C) Steps must be made of concrete.
- (8) Front porches.
- (A) New houses must have a front porch constructed with multiple arched openings compatible with original houses.
 - (B) The front porch must be a minimum of 25 percent of the ground floor front facade width. Front porches must have a minimum

depth of six feet, measured from inside the column to the face of the front facade.

- (C) Front porches may be open-air or enclosed. If front porches are enclosed, at least 95 percent of the material used to enclose the front porch openings must be transparent, stained, or leaded glass.

(9) Front facade windows.

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

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

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

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

(10) Chimneys.

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

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

- (i) Corbel chimney statue ledge.

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

(11) Dormers and eyebrows.

- (A) One gabled dormer is allowed on the front facade. Gabled dormers may not be inset or recessed. The width of gabled dormers may not exceed six feet. The height of the gabled dormer may not exceed the width by more than one foot.
- (B) Up to two eyebrow dormers are allowed on the front facade. Eyebrow dormers must be compatible with original houses.

(12) Optional architectural design features.

- (A) New houses must incorporate at least four of the following architectural design features into the front facade (see Exhibit B):
 - (i) Arched doorway which matches the shape of the front porch arches.
 - (ii) Turned cast-stone front porch columns.
 - (iii) Stucco with wood half-timbering in projecting front-facing gables.
 - (iv) Decorative, articulated verge boards.
 - (v) Stone accents.
 - (vi) Massive chimney located on the front facade.
 - (vii) Blond or light-colored brick compatible with original houses.
 - (viii) Open-air front porch.

(f) Architectural standards for remodeling of High Tudor and Tudor Cottage houses.

- (1) Applicability. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around.
- (2) Materials. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing.
- (3) Porte cocheres. Porte cocheres may not be enclosed.
- (4) Architectural design features.
 - (A) The following architectural design features must be maintained or duplicated. These architectural design features may be relocated within the front facade or wrap-around.
 - (i) Balustrades.
 - (ii) Chimneys.
 - (iii) Dormers.
 - (iv) Exterior stained and leaded glass.
 - (v) Front porches with columns.
 - (vi) Porte cocheres.
 - (vii) Roof eaves.
 - (viii) Turrets.
 - (ix) Window and door openings.
- (g) Demolition of High Tudor houses. Houses identified as High Tudor in Exhibit B may be demolished only if the cost of bringing the house into compliance with all applicable building code requirements using materials similar to the original materials is greater than 80 percent of the structure's value according to the Dallas Central Appraisal District.
- (h) Architectural standards for remodeling and reconstruction of non-Tudor houses. Non-Tudor houses may be remodeled in their own style, or in the High Tudor style, as long as the front facade and wrap-around reflects the chosen

architectural style. Houses completely or partially destroyed due to acts of God may be rebuilt in the original architectural style or in the High Tudor style.

(i) Architectural standards for Craftsman houses.

(1) Applicability.

(A) If a Craftsman house is demolished, it may be replaced by a High Tudor house or a Craftsman house. If the new house is a High Tudor house, it must comply with the architectural standards for new construction. If the new house is a Craftsman house, it must comply with these standards.

(B) Houses that are identified as Craftsman in Exhibit B must be remodeled according to the following standards.

(C) This section applies to the front facade and wrap-around.

(2) Materials. Craftsman houses must be constructed of brick, hardiplank, or wood. Any remodeling must match the original materials in type, size, color, coursing, texture, and joint detailing.

(3) Roof form. Craftsman houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a minimum roof overhang of at least 18 inches. Roof rafters must be exposed. Decorative beams or braces must be added under gables. Gables must have dentils.

(4) Windows. Windows must be double-hung with 1-over-1 lights, or must be mission-styled. Windows must be grouped in clusters of two or three.

(5) Front porches. An unenclosed front porch is required along a minimum of 50 percent of the front facade. The front porch roof must be supported by tapered, square box columns with a brick or stone base. The front porch must be surrounded by a wood balustrade or railing. The entryway must have a Craftsman wood door.

(j) Architectural standards for Spanish Revival houses.

(1) Applicability. Spanish Revival houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.

- (2) Materials. Any renovations or additions must match the original brick, stone, or stucco in color, coursing, mortaring, size, and texture.
 - (3) Roofs. Spanish Revival houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a maximum roof overhang of 8 inches.
 - (4) Windows. Windows must have 6-over-6 or 9-over-9 divided lights.
 - (5) Arches. Arches above doors and windows must be retained.
- (k) Architectural standards for Minimal Traditional houses.
- (1) Applicability. Minimal Traditional houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roofs. Minimal Traditional houses must have a cross-gabled roof with low to moderate roof slope between 30 degrees and 45 degrees, and a single projecting front-facing entryway. The maximum roof overhang is 12 inches.
 - (4) Windows. Windows must have multi-pane sashes.
 - (5) Front porches. A front porch entry feature is required.
- (l) Architectural standards for Neo-Colonial houses.
- (1) Applicability. Neo-Colonial houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roof form. Neo-Colonial houses must have a side-gabled roof with a low to moderate roof slope between 35 degrees and 60 degrees.

- (4) Windows. Windows must be double hung with multi-pane sashes. Windows must be symmetrically balanced on both sides of the center door.
 - (5) Front door. The front door must be accentuated with a decorative pediment with crown, entry porch, slender columns, and pilasters.
- (m) Architectural standards for Ranch houses.
- (1) Applicability. Ranch houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick, stone, or wood in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roof form. Ranch houses must have a hipped roof with a low roof slope between 20 degrees and 35 degrees. The overhang must be a minimum of 12 inches but no more than 24 inches.
 - (4) Windows. Windows must be ribbon or picture style.
- (n) Architectural standards for Contemporary houses.
- (1) Applicability. Contemporary houses must be remodeled according to the following requirements. This section applies to the front facade and wrap-around.
 - (2) Style and materials. Any remodeling must match the original materials, roof slope, and style of the main structure.
- (o) Procedures.
- (1) Review form applications. A review form application must be submitted to the Director for any work covered by the standards contained in this ordinance.
 - (2) Posting of architectural plans.
 - (A) Upon filing a review form application for new construction, the applicant must post a laminated minimum 11-inch-by-17-inch sign in the front yard with the following information, and provide a

copy of the sign to the neighborhood association(s) for the area where the property is located.

(i) A scaled color rendering of the front facade of the completed new construction or remodeling and the two adjacent houses, indicating the dimensions of all structures.

(ii) A scaled site plan showing the front yards, driveways, and footprints of the completed new construction or remodeling and the two adjacent structures. The site plan must be sealed by a licensed architect or engineer.

(3) Work requiring a building permit.

(A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form application to the Director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 30 days after submission of a complete review form application.

(B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.

(C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage

paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.

(4) Work not requiring a building permit.

- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.

(5) Appeals.

- (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures," as amended.
- (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
- (C) Appeal to the board of adjustment is the final administrative remedy.

EXHIBIT B
CONSERVATION DISTRICT NO. 9



M-STREETS
(Greenland Hills)
CONSERVATION DISTRICT
CONCEPTUAL PLAN

October 10, 2002



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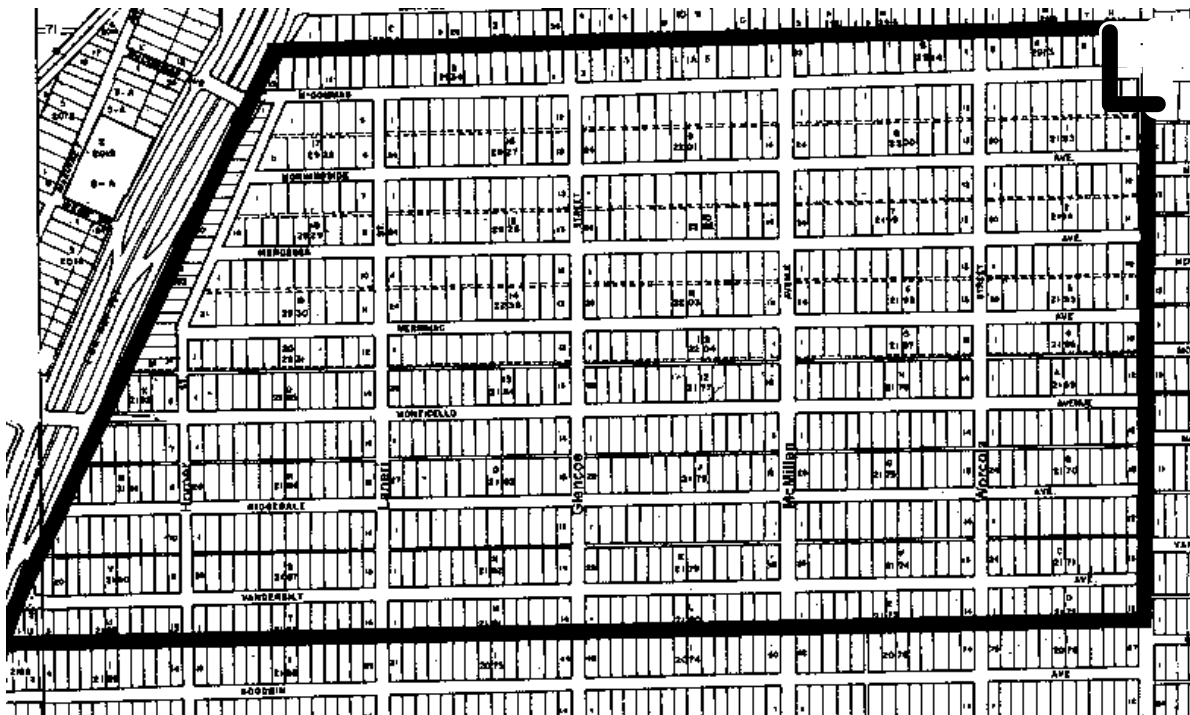
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1.0 INTRODUCTION

The M-Streets / Greenland Hills neighborhood is located to the east of U.S. 75 North approximately 2 miles north of downtown Dallas. Bounded by U.S. 75/Central Expressway on the west, McCommas Boulevard on the north (both sides of street), Greenville Avenue on the east and Vanderbilt on the south (both sides of street) , this neighborhood has over 900 homes.



Popularly known as the M Streets, Greenland Hills was platted and developed as a cohesive neighborhood, designed in the 1920's to appeal to middle-class professionals who wanted to live in the expanding city limits made possible due to the advent of the automobile. The most popular architectural style in this area was the Tudor style. As the demand grew over the next few decades, the area became more populous. This resulted in establishing one of the largest collections of Tudor Revival neighborhoods in Texas with 65% of all structures in the Tudor style. Today, the neighborhood wishes to conserve the look and feel of the neighborhood.

2.0 ZONING AND LAND USE

The area is zoned R-7.5 (A) and R-7.5-MD-1 and is developed with single family residential uses. One lot on Greenville Avenue is a small office within a converted single family structure.

3.0 NEIGHBORHOOD APPLICATION

Members of the neighborhood have realized the value of having such a large concentration of Tudor styled homes and wanted to protect the look and feel of the neighborhood. Demolitions, over sized new construction, remodeling projects and excessive large rear additions were adversely changing the overall look of the neighborhood.

Since the basic zoning of R-7.5(A) does not include architectural standards, it was necessary for the neighborhood to seek a zoning classification that would allow them to address and protect site and architectural characteristics of the neighborhood.

Therefore, the neighborhood submitted an application for a conservation district in the Fall of 2001. The purpose of the proposed conservation district is to ensure compatibility of new construction and work to existing houses, especially along the block face.

Over 75% of the property owners in the neighborhood signed a petition in support of exploring the feasibility of creating a conservation district. The application was submitted in Fall 2001. The City Plan Commission authorized a public hearing, and directed staff to begin the planning process, in December 2001.

4.0 Planning Process Background

The city staff facilitated five community meetings. Property owners were notified each meeting including those 200 feet outside the study area.

The neighborhood had previously conducted an opinion survey that addressed 21 items that were of concern and most important to the majority of the neighborhood. The neighborhood asked to discuss and elaborate on each of these items with guidance from the city staff. After thorough discussion, a draft of the recommended standards was outlined and presented to the neighborhood. Residents were informed that they could find the draft ordinance on the city website at www.dallascityhall.org and that the ordinance would be presented to the City Plan Commission on October 10, 2002.

During the community meetings everyone was given the opportunity to make comments either verbally or written. A vote was taken as each standard was discussed before moving to another standard. Citizens were able to provide written comments on Comment Sheets that were distributed during each meeting. Comment Sheets were either received after the meeting or mailed or faxed to the Department of Development Services. The email addresses and phone numbers of city staff members conducting the study were given out to allow residents to voice their opinions.

The community meetings for the M-Streets / Greenland Hills neighborhood took place on the following dates:

Date	Meeting Objective	Attendance
January 30, 2002	Review survey / identify likely standards	110
March 18, 2002	Site standards	125
April 24, 2002	Site / architectural standards / demolitions	86
June 12, 2002	Architectural standards new/remodeling	56
August 21, 2002	Review of all standards/final endorsement	88

At the end of each meeting, the question was asked “are you still interested in pursuing a conservation district?” The answer was consistently “Yes.”

5.0 STAFF RECOMMENDATION

Based on the Department of Planning and Development's analysis of the built environment and five community meetings, staff recommends that the neighborhood should become a conservation district based on the following criteria specified in the enabling ordinance:

- The proposed neighborhood contains numerous blockfaces with contributing and significant structures of architectural value. The neighborhood contains one of the strongest collections of mid-sized Tudor Revival houses in the State of Texas.
- The neighborhood is stable. The zoning and land use patterns are consistent, as 98 percent of the area is single family.
- The neighborhood has a distinctive atmosphere and character which can be conserved by protecting its 'High Tudor' architectural and cultural attributes.
- There has been strong property owner support. At the end of every meeting approximately 95 percent of the group expressed support in becoming a conservation district and to continue with the planning process.

6.0 CONCEPT PLAN – PROPOSED SITE DEVELOPMENT STANDARDS

Based on the Department of Planning and Development’s analysis of the built environment and citizen input during the five community meetings, staff recommends the following site development standards to serve as a basis for the conservation district ordinance.

ALL HOMES: SITE DEVELOPMENT/ARCHITECTURAL STANDARDS (NOTE: STANDARDS APPLY ONLY AT TIME OF RENOVATIONS, REMODELING OR NEW CONSTRUCTION)	
Lot size	Minimum 7,500 square feet.
Lot width	Minimum 50 feet, maximum 60 feet.
Lot coverage	Maximum 45%
Height	30 feet maximum but cannot exceed the line-of-sight established from middle of street to the top of the ridge of the roof. See Appendix C.
Front yard setback	Minimum: average of two adjacent houses. Maximum: greater setback of two adjacent houses
Side yard setbacks for house	5 feet on west side and 10 feet on east side.
Rear yard setback for main structure / house	20 feet
Stories	Appearance of 1 ½ stories (front 25 ft. of house)
Garages / Carports	Located in rear 30% of the lot. Color/style/design materials must be compatible with house. Side yard setback is 0. Rear yard setback is 5 feet for garages taller than 15 feet Rear yard setback is 3 feet for garages 15 feet or shorter, or 0 feet if constructed in original location. Rear yard setback for rear entry garages is 20 feet. Access at street frontage or side street for corner lots.
Roofing materials	No (standing seam) metal, corrugated plastic, tar and gravel, or rolled roofing. Copper roofing is allowed on dormers and eyebrows
Fences and walls	If visible from street, must be made of wood, wrought iron, or stone or brick that matches house. Side yard fences must return to house 5 feet or more behind the front corner of the house. Corner lot fences to be located behind the mid-point of the main structure. No front yard fences.
Driveways and curbing	Straight, concrete driveway, 8 – 10 ft. wide (24 feet for corner lots on side streets). Must be constructed of brush concrete. Circular drives are

	prohibited.
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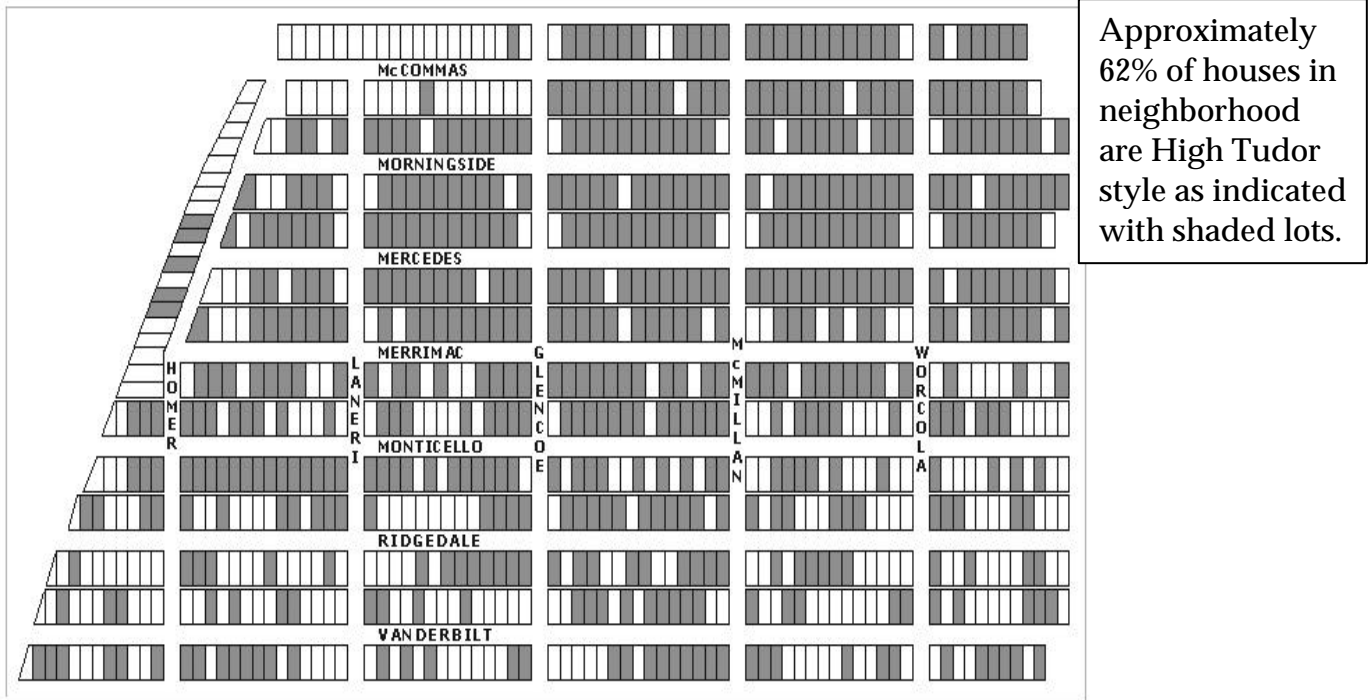
6.0 CONCEPT PLAN – PROPOSED SITE DEVELOPMENT STANDARDS

ALL HOMES: SITE DEVELOPMENT/ARCHITECTURAL STANDARDS (Continued)

Front yards and parkways	No more than 30% of the front yard may be paved or hardscaped. The parkway may not be hardscaped except for curb cuts and sidewalk extensions. Mail boxes, (monuments), pylons, satellite dishes & accessory structures are not allowed in parkway and front yard.
Retaining walls	Maximum 30 inches in height from the sidewalk or 4 inches above yard, whichever is less; and match the materials and color of house
Parkway trees	New construction or additions over 100 sq. ft. must have two or more large canopy trees in or near parkway. Exceptions allowed for existing shade trees.
Windows/Glass	At front façade and wrap-around area: Use transparent, stained, or leaded glass for window and doors. Window wall openings may only be filled with permitted glass. Each window height must exceed its width. Window must express a profile depth a minimum of 3 inches in depth that include jamb, frame, and sills. Sash, mullion and mutin bars must be expressed by a minimum of ¼ inch unless a leaded stained window. Window air conditioner units are prohibited on front façade and wrap-around area.
Demolition	High Tudor houses may be demolished only when the cost of restoration-repair is greater than 80% of the structure’s value according to the Dallas Central Appraisal District. See next page for more details and Appendix A for list of High Tudors.

Demolitions

High Tudor houses may be demolished only when the cost of restoration-repair is greater than 80% of the structure's value according to the Dallas Central Appraisal District. All other architectural styles may be demolished including Tudor Cottages. See Appendix A, Architectural Style Property Index



Example of High Tudor style.



Example of Tudor Cottage style.

7.0 CONCEPT PLAN – PROPOSED ARCHITECTURAL STANDARDS – NEW CONSTRUCTION

Prototype ‘High Tudor’ building form

Side gable Tudor with a massive-chimney, multiple-projecting overlapping front gable, porch and raised foundation. The following are the preliminary minimum standards for new construction in the district:

Gables

Roof form: Steeply pitched at least 45 to 70 degrees and with all eaves (bottom of line) to have same elevation (height) no more than 9-to-11 feet from first floor elevation with maximum overhang of 18 inches.

Projecting front overlapping gables: One dominant gable with one-to-two subordinate gables.

- Dominant gable height to be 20 to 24 feet
- Subordinate gables to be 70 percent to 80 percent the height of dominant gable

Foundation

Construct a raised foundation a minimum of 12 inches (exterior concrete) and provide any front concrete steps leading to building entrances.

Chimney

Massive brick chimney, on side of house or width of chimney facing front elevation (block face).

Porch

Provide porch with multiple arched openings that comprises a minimum of 25% of the front elevation ground floor and that is at least 6 feet deep. Opening(s) may be open-air or enclosed with single-light glass pane(s).

Windows

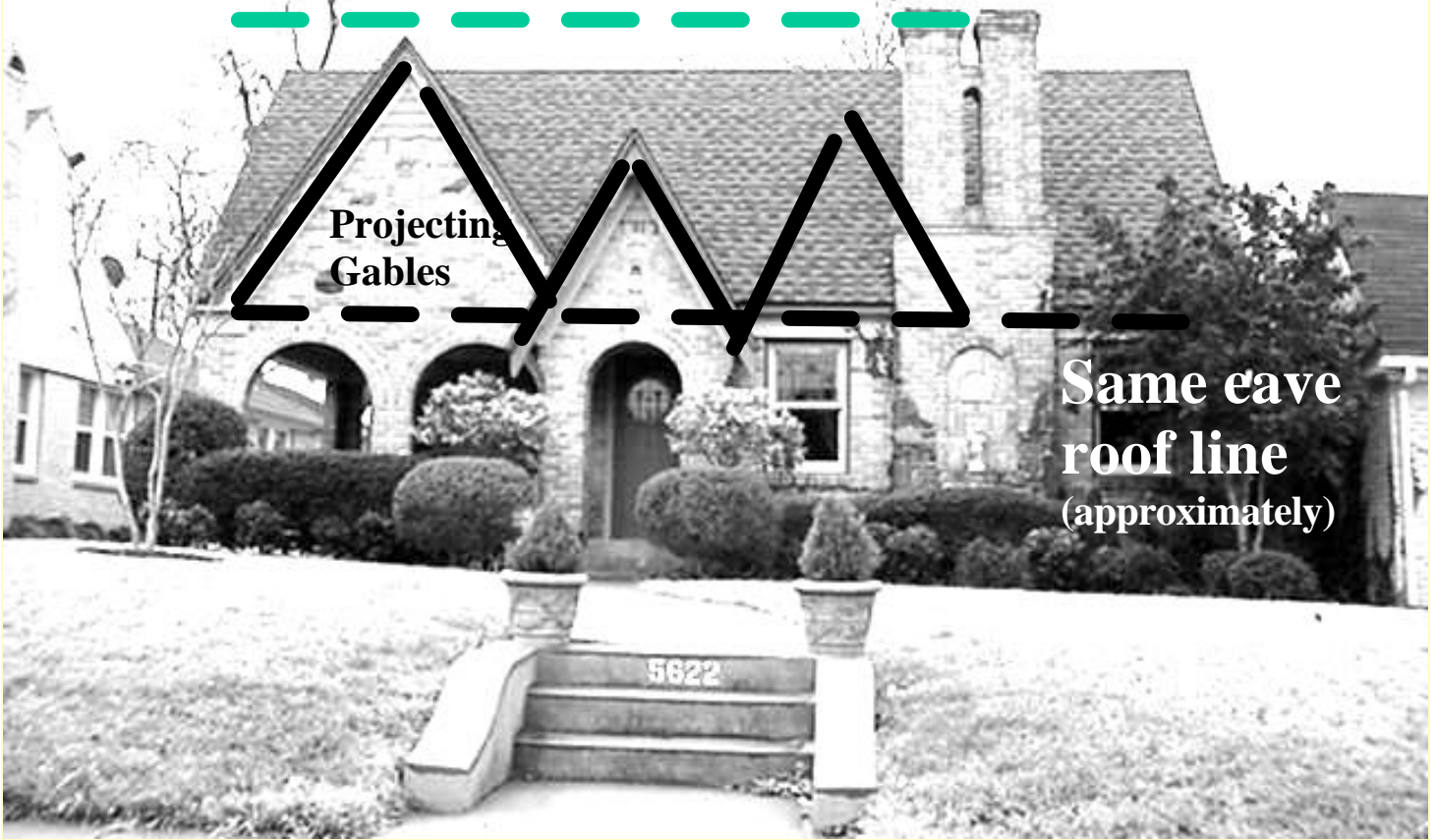
Must provide one pair of narrow casement stained or leaded glass windows
Other windows may be 6-over-6 or 1-over-1

Optional Architectural Design Features

New construction must have at least three of the following elements:

- Turned cast-stone porch columns
- Half timbers and stucco gables
- Corbel chimney statue ledge–Roof verge board
- Stained or leaded glass casement windows
- Rolled concrete steps at sidewalk approach

Predominant Roof Form: side gabled



**Projecting
Gables**

**Same eave
roof line
(approximately)**

Architectural Design Features



Archways/turned columns



Stained glass / corbelled chimney with niche



Stucco gables / half timbers



Stone/brick work/archways/stained glass

8.0 CONCEPT PLAN – PROPOSED ARCHITECTURAL STANDARDS – REMODELING

Work that applies to front façades and (wrap around) back 25 feet from front corner of house ...otherwise build a zen box

Standards apply to remodeling based on the existing style of the house. Owners also have the option to remodel – redesign into High Tudor style if they desire. Standards are for existing houses and the type of architectural style as listed in appendix.

Arts and Crafts

- Craftsman Bungalow

Revival Styles

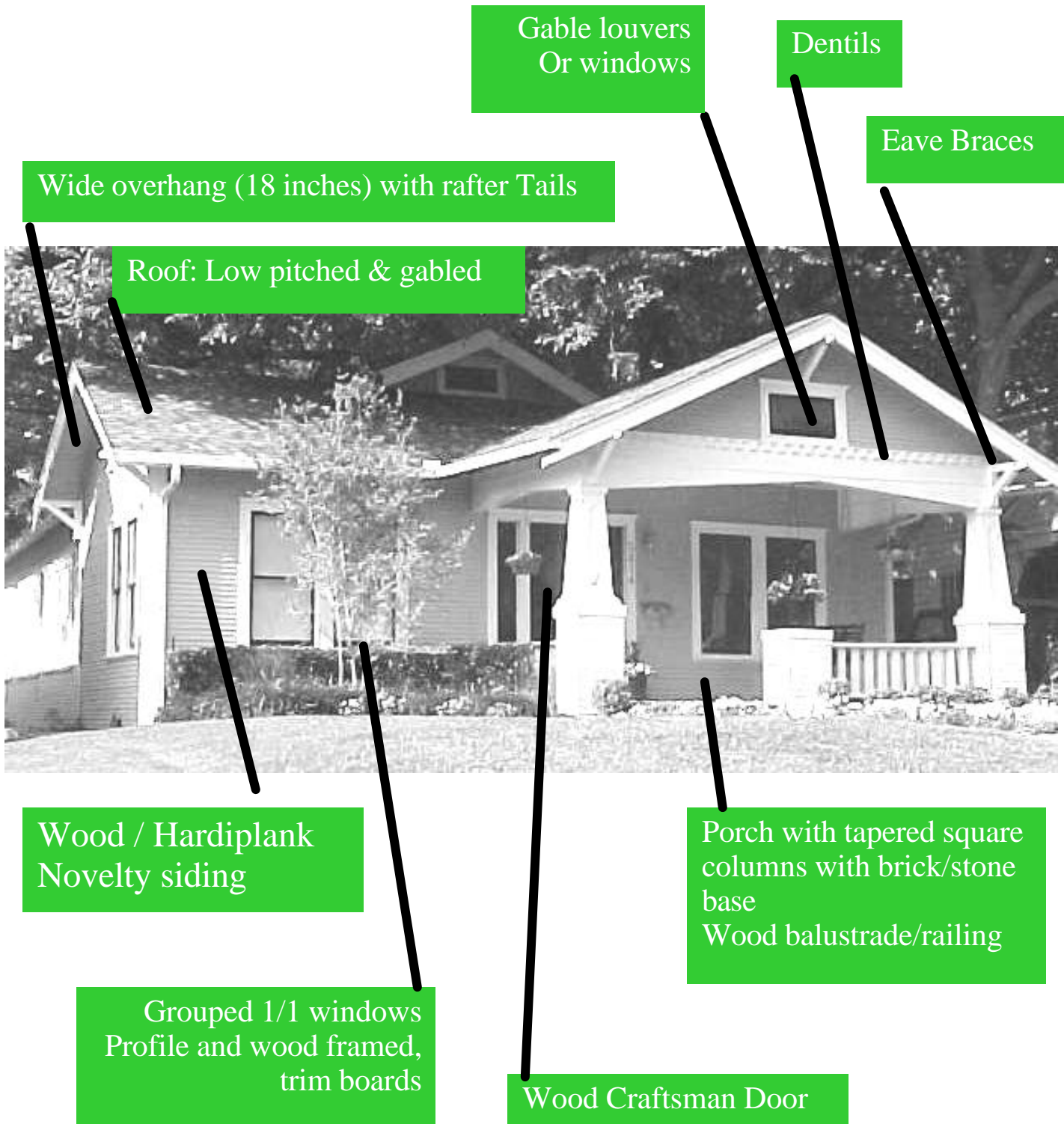
- ‘High’ Tudor (see new construction standards) and Tudor Cottage
- Spanish Revival
- Neo Colonial

Post War

- Minimal Traditional
- Ranch
- Contemporary (hybrid)

**8.0 CONCEPT PLAN -
PROPOSED ARCHITECTURAL STANDARDS**

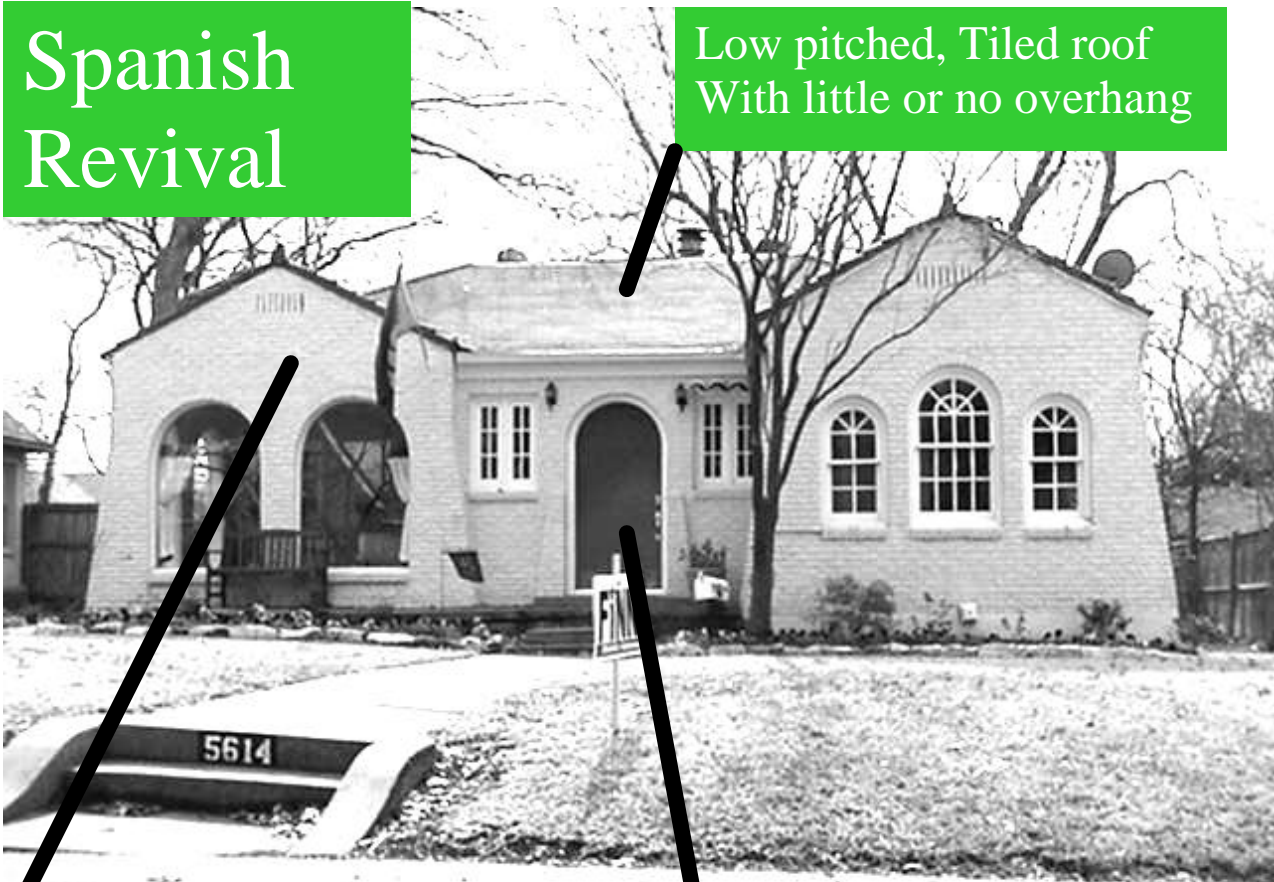
Arts and Crafts -- Craftsman (Bungalow)



**8.0 CONCEPT PLAN –
PROPOSED ARCHITECTURAL STANDARDS – REMODELING**

**Spanish
Revival**

Low pitched, Tiled roof
With little or no overhang



Wall surface usually stucco or brick

Arches above doors and windows

Side gabled roof
With minimal overhang

**Neo
Colonial**



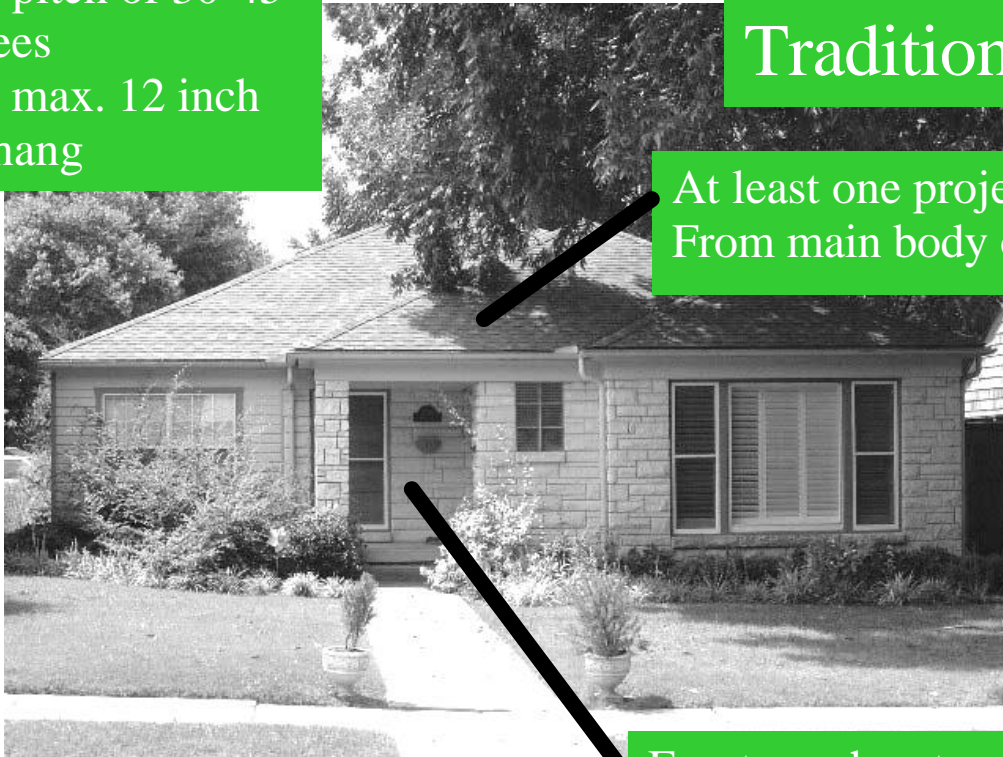
Accentuated / pediment
Front entrance with
Slender columns, Doric.

PROPOSED ARCHITECTURAL A

Roof pitch of 30-45 degrees
With max. 12 inch overhang

Minimal Traditional

At least one projection
From main body of house



Front porch entry
feature



RANCH

- Ribbon windows
- Picture windows
- Brick and wood facades
- Low pitch roof with moderate eave overhang
- Use matching materials of house

**8.0 CONCEPT PLAN –
PROPOSED ARCHITECTURAL STANDARDS – REMODELING**



**Contemporary
Builder Style
(hybrid)**

Any addition and remodeling to match the style,
materials, roof slope of the main structure

9.0 ANALYSIS OF THE BUILT ENVIRONMENT

Front Yard Set Back:



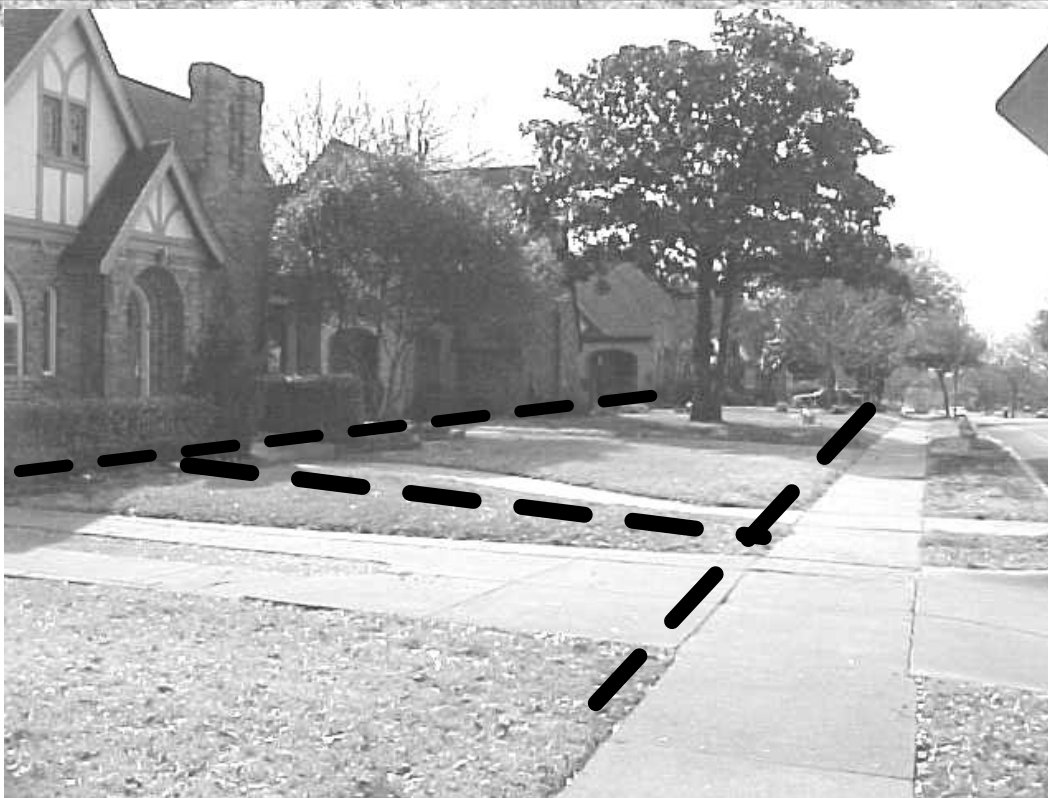
Existing is 25 foot under R-7.5(A).

Required front yard setback will be the average of the two immediate adjacent structures

- New construction structures to be located on front setback line

- Average calculation is to be submitted by registered engineer / architect.

Most of the houses in the area align with each other.

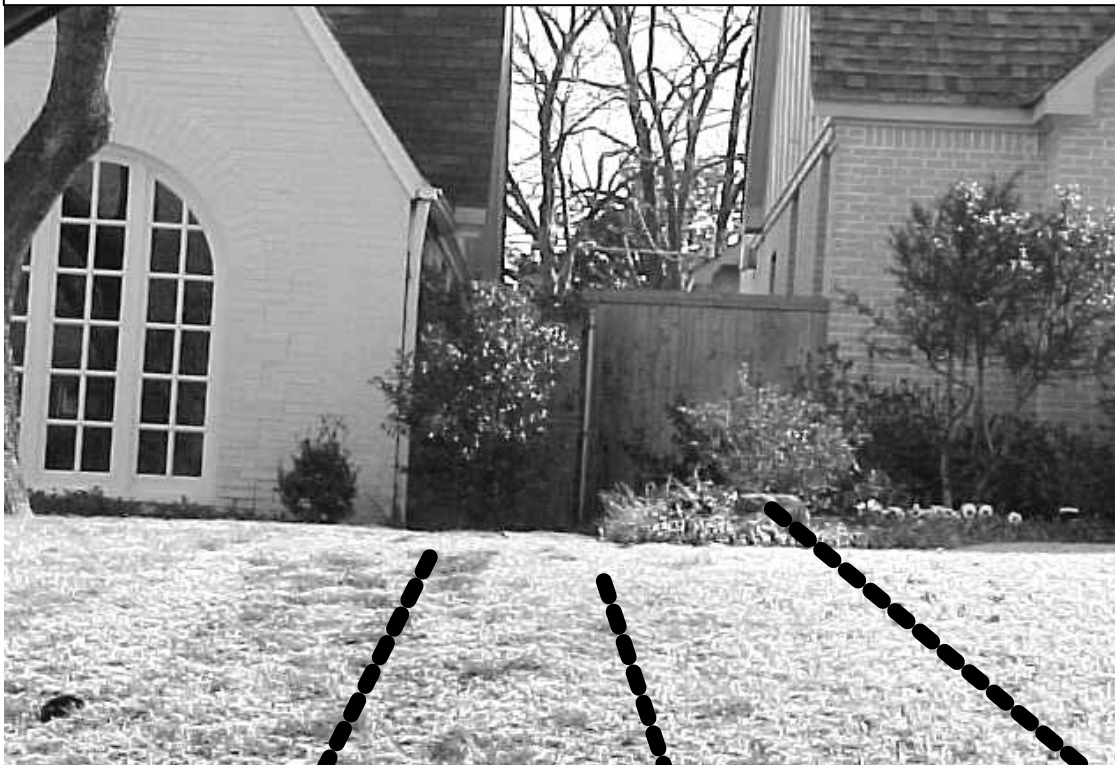


9.0 ANALYSIS OF THE BUILT ENVIRONMENT

Side Yard Set Back:



Typically in the neighborhood, the driveways are 10 feet wide next to a 5 foot side yard set back, allowing for light and air between houses.



There were some infrequent cases of 5 foot set backs next to each other.

9.0 ANALYSIS OF THE BUILT ENVIRONMENT



Corner side yard fences May be erected up to 9' feet in height can go up to the mid point of the house in order to show the architectural features of the house.



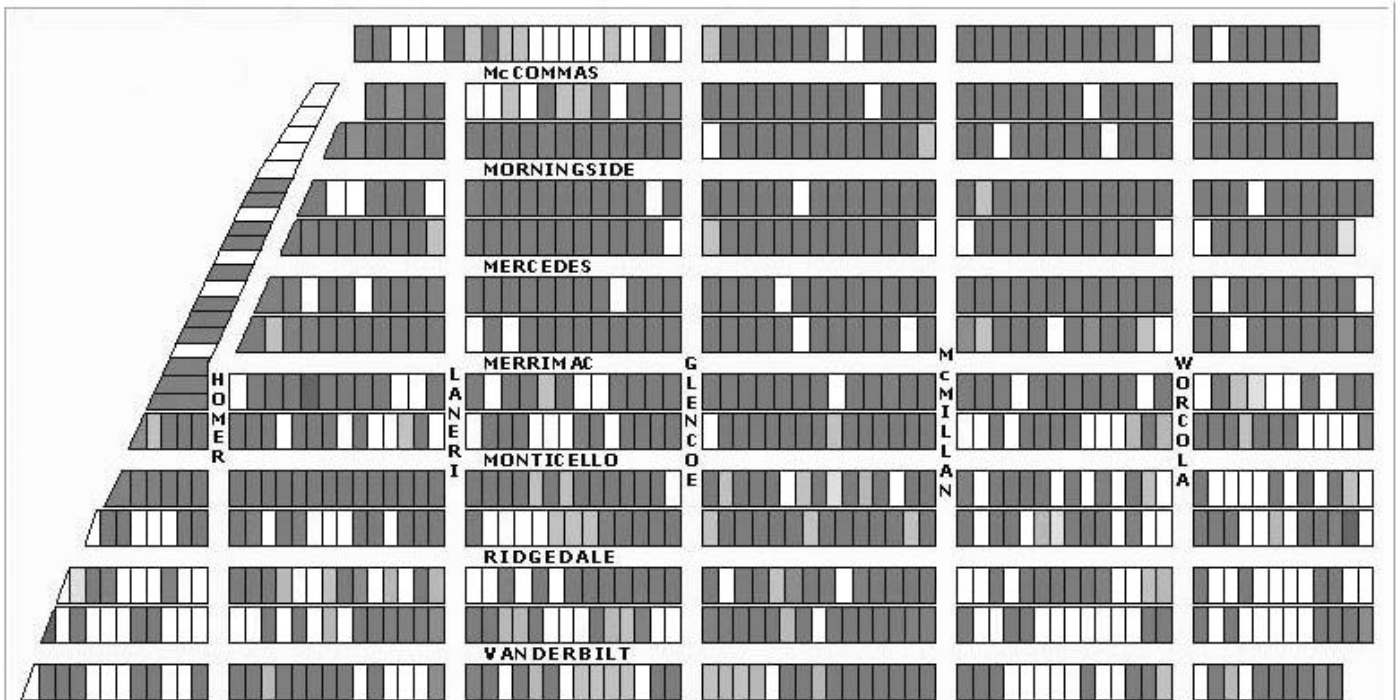
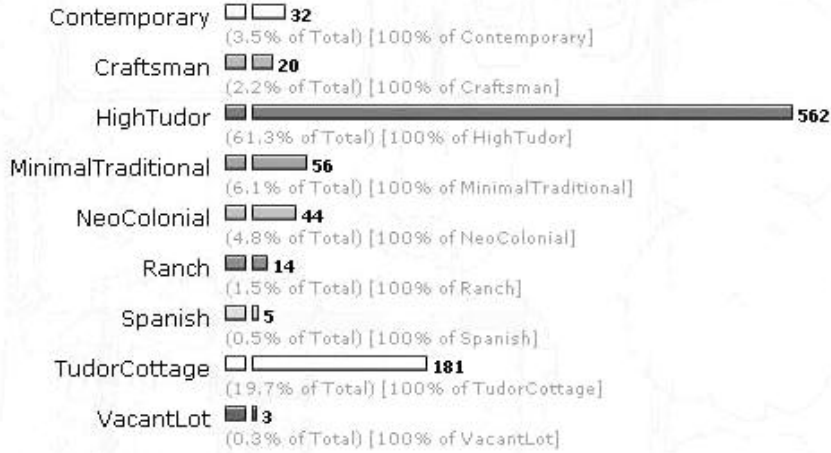
Interior side yard fences may be erected up to 9' feet in height and can go up to five feet from the front corner of the front façade.

APPENDIX

Appendix A:	Architectural Style Property Index
Appendix B:	History of Greenland Hills
Appendix C	Height Measurement Illustration
Appendix D	Appearance of 1-1/2 Stories

Appendix A: Architectural Style Property Index

Map of Architectural Styles



Appendix A: Architectural Style Property Index

5203	McCommas	MinimalTraditional	1946	5401	McCommas	Neo Colonial	1945
5206	McCommas	MinimalTraditional	1948	5402	McCommas	High Tudor	1927
5207	McCommas	MinimalTraditional	1946	5405	McCommas	High Tudor	1934
5210	McCommas	Ranch	1950	5408	McCommas	High Tudor	1927
5211	McCommas	TudorCottage	1948	5410	McCommas	High Tudor	1927
5214	McCommas	MinimalTraditional	1950	5411	McCommas	High Tudor	1934
5215	McCommas	TudorCottage	1948	5414	McCommas	High Tudor	1932
5218	McCommas	MinimalTraditional	1950	5415	McCommas	High Tudor	1928
5219	McCommas	TudorCottage	1940	5418	McCommas	High Tudor	1930
5223	McCommas	NeoColonial	1940	5419	McCommas	High Tudor	1925
				5422	McCommas	High Tudor	1930
5302	McCommas	Contemporary	1940	5423	McCommas	High Tudor	1928
5303	McCommas	NeoColonial	1939	5426	McCommas	High Tudor	1927
5306	McCommas	MinimalTraditional	1939	5430	McCommas	High Tudor	1927
5307	McCommas	MinimalTraditional	1938	5431	McCommas	High Tudor	1929
5310	McCommas	NeoColonial	1939	5433	McCommas	Contemporary	1994
5311	McCommas	NeoColonial	1939	5434	McCommas	High Tudor	1930
5314	McCommas	TudorCottage	1938	5435	McCommas	Tudor Cottage	1937
5315	McCommas	NeoColonial	1938	5438	McCommas	Tudor Cottage	1941
5317	McCommas	TudorCottage	1935	5439	McCommas	High Tudor	1928
5318	McCommas	HighTudor	1926	5440	McCommas	High Tudor	1929
5321	McCommas	TudorCottage	1935	5443	McCommas	High Tudor	1928
5322	McCommas	NeoColonial	1935	5446	McCommas	High Tudor	1929
5326	McCommas	NeoColonial	1936	5447	McCommas	High Tudor	1928
5327	McCommas	TudorCottage	1935	5450	McCommas	High Tudor	1928
5330	McCommas	MinimalTraditional	1936	5451	McCommas	High Tudor	1928
5331	McCommas	TudorCottage	1935				
5334	McCommas	TudorCottage	1935	5502	McCommas	High Tudor	1931
5335	McCommas	TudorCottage	1935	5503	McCommas	High Tudor	1928
5338	McCommas	MinimalTraditional	1950	5506	McCommas	High Tudor	1925
5339	McCommas	NeoColonial	1935	5507	McCommas	Tudor Cottage	1928
5342	McCommas	MinimalTraditional	1937	5510	McCommas	High Tudor	1928
5343	McCommas	TudorCottage	1935	5511	McCommas	High Tudor	1928
5346	McCommas	Ranch	1949	5514	McCommas	High Tudor	1925
5347	McCommas	TudorCottage	1935	5515	McCommas	High Tudor	1928
5351	McCommas	HighTudor	1935	5518	McCommas	High Tudor	1928
5355	McCommas	TudorCottage	1946	5519	McCommas	High Tudor	1928
				5522	McCommas	High Tudor	1926
				5523	McCommas	High Tudor	1928
				5526	McCommas	High Tudor	1932
				5527	McCommas	TudorCottage	1928
				5530	McCommas	TudorCottage	1937
				5531	McCommas	HighTudor	1928
				5534	McCommas	HighTudor	1930
				5535	McCommas	HighTudor	1928
				5538	McCommas	HighTudor	1930
				5539	McCommas	HighTudor	1935
				5542	McCommas	HighTudor	1932
5546	McCommas	HighTudor	1932	5543	McCommas	HighTudor	1936

5549	McCommas	Contemporary	1975		
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5602	McCommas	HighTudor	1929	5202	Morningside	HighTudor	1933
5603	McCommas	HighTudor	1928	5203	Morningside	MinimalTraditional	1936
5605	McCommas	TudorCottage	1928	5206	Morningside	TudorCottage	1940
5606	McCommas	HighTudor	1930	5210	Morningside	NeoColonial	1937
5610	McCommas	HighTudor	1930	5211	Morningside	MinimalTraditional	1987
5614	McCommas	HighTudor	1930	5214	Morningside	TudorCottage	1936
5618	McCommas	HighTudor	1929	5215	Morningside	HighTudor	1927
5619	McCommas	HighTudor	1928	5218	Morningside	HighTudor	1938
5621	McCommas	HighTudor	1928	5219	Morningside	HighTudor	1927
5622	McCommas	HighTudor	1930	5222	Morningside	HighTudor	1938
5623	McCommas	TudorCottage	1949	5223	Morningside	MinimalTraditional	1948
5625	McCommas	HighTudor	1928	5226	Morningside	TudorCottage	1938
5626	McCommas	HighTudor	1926	5227	Morningside	HighTudor	1929
5629	McCommas	HighTudor	1928				
5630	McCommas	NeoColonial	1926	5302	Morningside	MinimalTraditional	1940
5634	McCommas	Contemporary	1930	5303	Morningside	HighTudor	1926
				5306	Morningside	HighTudor	1927
				5307	Morningside	HighTudor	1926
				5310	Morningside	HighTudor	1927
				5311	Morningside	HighTudor	1926
				5314	Morningside	HighTudor	1927
				5315	Morningside	HighTudor	1927
				5318	Morningside	HighTudor	1927
				5319	Morningside	MinimalTraditional	1947
				5322	Morningside	HighTudor	1925
				5323	Morningside	TudorCottage	1926
				5326	Morningside	HighTudor	1925
				5327	Morningside	HighTudor	1926
				5330	Morningside	HighTudor	1925
				5331	Morningside	HighTudor	1926
				5334	Morningside	HighTudor	1929
				5335	Morningside	HighTudor	1926
				5338	Morningside	HighTudor	1926
				5339	Morningside	HighTudor	1925
				5342	Morningside	Contemporary	1977
				5343	Morningside	HighTudor	1926
				5346	Morningside	HighTudor	1926
				5347	Morningside	HighTudor	1926

5402	Morningside	HighTudor	1929	5500	Morningside	TudorCottage	1927
5403	Morningside	TudorCottage	1928	5503	Morningside	HighTudor	1929

5403Morningside	TudorCottage	1928	5503Morningside	HighTudor	1929
5406Morningside	HighTudor	1929	5506Morningside	NeoColonial	1939
5407Morningside	HighTudor	1929	5507Morningside	HighTudor	1930
5411Morningside	HighTudor	1929	5510Morningside	HighTudor	1928
5412Morningside	HighTudor	1928	5511Morningside	Contemporary	1987
5415Morningside	HighTudor	1929	5514Morningside	HighTudor	1928
5416Morningside	HighTudor	1929	5515Morningside	HighTudor	1928
5418Morningside	HighTudor	1946	5518Morningside	HighTudor	1929
5419Morningside	HighTudor	1928	5519Morningside	HighTudor	1928
5422Morningside	TudorCottage	1938	5522Morningside	HighTudor	1929
5423Morningside	HighTudor	1929	5523Morningside	HighTudor	1927
5426Morningside	HighTudor	1927	5526Morningside	HighTudor	1929
5427Morningside	HighTudor	1928	5527Morningside	HighTudor	1928
5430Morningside	HighTudor	1934	5530Morningside	HighTudor	1927
5431Morningside	HighTudor	1927	5531Morningside	HighTudor	1928
5434Morningside	HighTudor	1927	5534Morningside	HighTudor	1927
5435Morningside	HighTudor	1930	5535Morningside	Contemporary	1927
5438Morningside	HighTudor	1927	5538Morningside	HighTudor	1927
5439Morningside	HighTudor	1927	5539Morningside	HighTudor	1927
5442Morningside	HighTudor	1927	5542Morningside	HighTudor	1927
5443Morningside	HighTudor	1927	5543Morningside	HighTudor	1928
5446Morningside	HighTudor	1928	5546Morningside	HighTudor	1927
5447Morningside	HighTudor	1927	5547Morningside	HighTudor	1932
5450Morningside	HighTudor	1929			
5451Morningside	NeoColonial	1928	5601 Morningside	TudorCottage	1930
			5602 Morningside	HighTudor	1931
			5606 Morningside	HighTudor	1927
			5607 Morningside	HighTudor	1927
			5609 Morningside	HighTudor	1927
			5610 Morningside	HighTudor	1926
			5614 Morningside	TudorCottage	1926
			5615 Morningside	HighTudor	1930
			5617 Morningside	HighTudor	1927
			5618 Morningside	HighTudor	1926
			5622 Morningside	HighTudor	1926
			5623 Morningside	HighTudor	1927
			5626 Morningside	HighTudor	1926
			5627 Morningside	HighTudor	1926
			5630 Morningside	HighTudor	1925
			5631 Morningside	HighTudor	1927
			5634 Morningside	HighTudor	1925
			5635 Morningside	MinimalTraditional	1945
			5638 Morningside	HighTudor	1929
			5639 Morningside	HighTudor	1927
5202 Mercedes	MinimalTraditional	1937	5402 Mercedes	High Tudor	1929
5203 Mercedes	HighTudor	1938	5403 Mercedes	NeoColonial	1941
5206 Mercedes	MinimalTraditional	1930	5406 Mercedes	High Tudor	1929
5207 Mercedes	MinimalTraditional	1938	5407 Mercedes	High Tudor	1928
5210 Mercedes	NeoColonial	1930	5410 Mercedes	High Tudor	1928
5211 Mercedes	HighTudor	1929			

5211	Mercedes	HighTudor	1929	5410	Mercedes	High Tudor	1928
5215	Mercedes	HighTudor	1929	5411	Mercedes	High Tudor	1928
5216	Mercedes	HighTudor	1929	5414	Mercedes	High Tudor	1927
5219	Mercedes	HighTudor	1929	5415	Mercedes	High Tudor	1928
5220	Mercedes	HighTudor	1930	5418	Mercedes	High Tudor	1927
5223	Mercedes	HighTudor	1929	5419	Mercedes	High Tudor	1930
5224	Mercedes	TudorCottage	1930	5422	Mercedes	High Tudor	1927
5227	Mercedes	HighTudor	1929	5423	Mercedes	High Tudor	1930
5228	Mercedes	HighTudor	1928	5426	Mercedes	High Tudor	1918
5231	Mercedes	HighTudor	1929	5427	Mercedes	High Tudor	1930
5232	Mercedes	HighTudor	1925	5430	Mercedes	High Tudor	1923
5235	Mercedes	NeoColonial	1939	5431	Mercedes	High Tudor	1929
5236	Mercedes	HighTudor	1930	5434	Mercedes	High Tudor	1928
5240	Mercedes	MinimalTraditional	1929	5435	Mercedes	High Tudor	1928
5300	Mercedes	High Tudor	1926	5437	Mercedes	High Tudor	1928
5303	Mercedes	High Tudor	1929	5438	Mercedes	High Tudor	1929
5306	Mercedes	High Tudor	1926	5442	Mercedes	High Tudor	1928
5307	Mercedes	High Tudor	1927	5443	Mercedes	High Tudor	1928
5310	Mercedes	High Tudor	1925	5446	Mercedes	High Tudor	1929
5311	Mercedes	High Tudor	1927	5447	Mercedes	High Tudor	1928
5314	Mercedes	High Tudor	1927	5450	Mercedes	High Tudor	1929
5315	Mercedes	High Tudor	1926	5451	Mercedes	Tudor Cottage	1929
5317	Mercedes	High Tudor	1926	5502	Mercedes	HighTudor	1926
5318	Mercedes	High Tudor	1925	5503	Mercedes	TudorCottage	1926
5322	Mercedes	High Tudor	1926	5506	Mercedes	HighTudor	1927
5323	Mercedes	High Tudor	1925	5507	Mercedes	HighTudor	1927
5326	Mercedes	High Tudor	1925	5510	Mercedes	HighTudor	1927
5327	Mercedes	High Tudor	1925	5511	Mercedes	HighTudor	1927
5330	Mercedes	High Tudor	1926	5514	Mercedes	HighTudor	1927
5331	Mercedes	High Tudor	1925	5515	Mercedes	HighTudor	1920
5334	Mercedes	Contemporary	1987	5518	Mercedes	HighTudor	1926
5335	Mercedes	High Tudor	1933	5519	Mercedes	HighTudor	1927
5337	Mercedes	High Tudor	1927	5522	Mercedes	HighTudor	1926
5338	Mercedes	High Tudor	1925	5523	Mercedes	HighTudor	1926
5341	Mercedes	High Tudor	1927	5526	Mercedes	HighTudor	1930
5342	Mercedes	High Tudor	1925	5527	Mercedes	HighTudor	1930
5345	Mercedes	Tudor Cottage	1926	5530	Mercedes	HighTudor	1926
5346	Mercedes	High Tudor	1925	5531	Mercedes	HighTudor	1927
				5534	Mercedes	HighTudor	1926
				5535	Mercedes	HighTudor	1926
				5538	Mercedes	HighTudor	1926
				5539	Mercedes	HighTudor	1926
5547	Mercedes	TudorCottage	1927	5540	Mercedes	HighTudor	1927
				5543	Mercedes	HighTudor	1926
				5546	Mercedes	HighTudor	1930

5602	Mercedes	HighTudor	1925	5200	Merrimac	Tudor Cottage	1930
5603	Mercedes	TudorCottage	1940	5203	Merrimac	High Tudor	1930

5603	Mercedes	TudorCottage	1940	5203	Merrimac	High Tudor	1930
5606	Mercedes	TudorCottage	1926	5206	Merrimac	High Tudor	1930
5607	Mercedes	HighTudor	1929	5210	Merrimac	High Tudor	1930
5610	Mercedes	HighTudor	1926	5211	Merrimac	NeoColonial	1938
5611	Mercedes	HighTudor	1929	5214	Merrimac	High Tudor	1930
5614	Mercedes	HighTudor	1926	5215	Merrimac	Minimal Traditional	1938
5615	Mercedes	HighTudor	1929	5218	Merrimac	Vacant Lot	2002
5618	Mercedes	HighTudor	1925	5219	Merrimac	Minimal Traditional	1938
5619	Mercedes	HighTudor	1925	5222	Merrimac	High Tudor	1930
5622	Mercedes	HighTudor	1926	5223	Merrimac	High Tudor	1928
5623	Mercedes	HighTudor	1929	5226	Merrimac	High Tudor	1935
5626	Mercedes	HighTudor	1926	5227	Merrimac	High Tudor	1927
5627	Mercedes	HighTudor	1930	5230	Merrimac	High Tudor	1992
5630	Mercedes	HighTudor	1926	5231	Merrimac	High Tudor	1953
5631	Mercedes	HighTudor	1926	5235	Merrimac	High Tudor	1927
5634	Mercedes	TudorCottage	1929	5238	Merrimac	High Tudor	1930
5635	Mercedes	Spanish	1926	5241	Merrimac	High Tudor	1927
5638	Mercedes	Contemporary	1978	5242	Merrimac	Tudor Cottage	1930
				5245	Merrimac	High Tudor	1927
				5246	Merrimac	Tudor Cottage	1930
				5247	Merrimac	High Tudor	1927
				5248	Merrimac	Tudor Cottage	1926
				5301	Merrimac	Contemporary	1999
				5302	Merrimac	High Tudor	1929
				5306	Merrimac	Tudor Cottage	1930
				5307	Merrimac	High Tudor	1926
				5310	Merrimac	High Tudor	1930
				5311	Merrimac	Tudor Cottage	1930
				5314	Merrimac	High Tudor	1930
				5315	Merrimac	High Tudor	1926
				5318	Merrimac	NeoColonial	1932
				5319	Merrimac	High Tudor	1926
				5322	Merrimac	High Tudor	1928
				5323	Merrimac	High Tudor	1926
				5326	Merrimac	Tudor Cottage	1927
				5327	Merrimac	High Tudor	1926
				5330	Merrimac	Tudor Cottage	1927
				5331	Merrimac	High Tudor	1926
				5334	Merrimac	High Tudor	1926
				5335	Merrimac	High Tudor	1926
				5337	Merrimac	High Tudor	1926
				5338	Merrimac	High Tudor	1930
				5342	Merrimac	High Tudor	1929
				5343	Merrimac	High Tudor	1926
				5346	Merrimac	High Tudor	1934
				5347	Merrimac	High Tudor	1926
5402	Merrimac	HighTudor	1932	5546	Merrimac	HighTudor	1926
5403	Merrimac	HighTudor	1928	5547	Merrimac	TudorCottage	1927
5404	Merrimac	HighTudor	1927				
5407	Merrimac	HighTudor	1928				

5407Merrimac	HighTudor	1928			
5410Merrimac	HighTudor	1927		5601Merrimac	HighTudor 1926
5411Merrimac	HighTudor	1929		5602Merrimac	TudorCottage 1926
5414Merrimac	HighTudor	1928		5606Merrimac	HighTudor 1926
5415Merrimac	HighTudor	1929		5607Merrimac	HighTudor 1928
5418Merrimac	HighTudor	1927		5610Merrimac	NeoColonial 1926
5419Merrimac	HighTudor	1927		5611Merrimac	TudorCottage 1926
5422Merrimac	HighTudor	1927		5614Merrimac	Spanish 1925
5423Merrimac	HighTudor	1927		5615Merrimac	HighTudor 1928
5426Merrimac	HighTudor	1928		5618Merrimac	TudorCottage 1927
5427Merrimac	HighTudor	1929		5619Merrimac	HighTudor 1926
5430Merrimac	HighTudor	1927		5622Merrimac	TudorCottage 1926
5431Merrimac	HighTudor	1927		5623Merrimac	HighTudor 1926
5434Merrimac	HighTudor	1999		5626Merrimac	HighTudor 1926
5435Merrimac	HighTudor	1928		5627Merrimac	HighTudor 1926
5438Merrimac	HighTudor	1965		5630Merrimac	TudorCottage 1925
5439Merrimac	HighTudor	1927		5631Merrimac	HighTudor 1928
5442Merrimac	MinimalTraditional	1927		5634Merrimac	MinimalTraditional 1948
5443Merrimac	HighTudor	1929		5635Merrimac	Ranch 1949
5446Merrimac	HighTudor	1927		5638Merrimac	HighTudor 1929
5447Merrimac	TudorCottage	1927		5639Merrimac	HighTudor 1929
5450Merrimac	HighTudor	1927			
5451Merrimac	HighTudor	1927			
5501Merrimac	Ranch	1956			
5502Merrimac	HighTudor	1939		5130Monticello	MinimalTraditional 1936
5505Merrimac	NeoColonial	1925		5134Monticello	MinimalTraditional 1935
5506Merrimac	HighTudor	1929		5135Monticello	Ranch 1954
5510Merrimac	HighTudor	1926		5138Monticello	MinimalTraditional 1936
5511Merrimac	HighTudor	1929		5139Monticello	NeoColonial 1935
5514Merrimac	TudorCottage	1926		5142Monticello	HighTudor 1928
5515Merrimac	HighTudor	1926		5143Monticello	HighTudor 1934
5517Merrimac	HighTudor	1929		5146Monticello	HighTudor 1926
5518Merrimac	HighTudor	1925		5147Monticello	HighTudor 1933
5522Merrimac	HighTudor	1926		5150Monticello	HighTudor 1926
5523Merrimac	TudorCottage	1925		5151Monticello	HighTudor 1930
5526Merrimac	HighTudor	1926			
5527Merrimac	HighTudor	1925			
5530Merrimac	HighTudor	1926			
5531Merrimac	Ranch	1941			
5534Merrimac	HighTudor	1926			
5535Merrimac	HighTudor	1927			
5538Merrimac	HighTudor	1925			
5539Merrimac	HighTudor	1925			
5542Merrimac	Contemporary	1998			
5543Merrimac	NeoColonial	1979			

5200Monticello	TudorCottage	1930		5330Monticello	HighTudor 1930
5203Monticello	HighTudor	1930		5331Monticello	MinimalTraditional 1938

5203Monticello	HighTudor	1930	5331Monticello	MinimalTraditional	1938
5206Monticello	HighTudor	1930	5334Monticello	HighTudor	1925
5207Monticello	HighTudor	1933	5335Monticello	HighTudor	1926
5210Monticello	HighTudor	1930	5338Monticello	HighTudor	1928
5211Monticello	HighTudor	1934	5339Monticello	TudorCottage	1927
5214Monticello	HighTudor	1930	5342Monticello	HighTudor	1929
5215Monticello	TudorCottage	1930	5343Monticello	HighTudor	1933
5218Monticello	HighTudor	1930	5346Monticello	HighTudor	1928
5219Monticello	HighTudor	1933	5347Monticello	HighTudor	1928
5222Monticello	HighTudor	1930	5350Monticello	HighTudor	1928
5223Monticello	HighTudor	1930	5351Monticello	HighTudor	1930
5226Monticello	HighTudor	1930	5354Monticello	Contemporary	1997
5227Monticello	HighTudor	1930	5355Monticello	HighTudor	1930
5230Monticello	HighTudor	1930			
5231Monticello	Contemporary	1997	5402Monticello	HighTudor	1926
5234Monticello	HighTudor	1930	5403Monticello	TudorCottage	1926
5235Monticello	HighTudor	1930	5406Monticello	NeoColonial	1923
5238Monticello	HighTudor	1930	5407Monticello	HighTudor	1922
5239Monticello	TudorCottage	1930	5410Monticello	HighTudor	1930
5242Monticello	TudorCottage	1930	5411Monticello	HighTudor	1928
5243Monticello	Contemporary	2000	5414Monticello	HighTudor	1926
5246Monticello	HighTudor	1928	5415Monticello	HighTudor	1926
5247Monticello	NeoColonial	1930	5418Monticello	HighTudor	1946
5250Monticello	HighTudor	1930	5419Monticello	HighTudor	1928
5251Monticello	HighTudor	1951	5422Monticello	TudorCottage	1946
5252Monticello	HighTudor	1930	5423Monticello	HighTudor	1926
5253Monticello	TudorCottage	1930	5426Monticello	NeoColonial	1926
			5427Monticello	TudorCottage	1920
			5430Monticello	HighTudor	1928
5301Monticello	Ranch	1979	5431Monticello	TudorCottage	1926
5302Monticello	HighTudor	1930	5435Monticello	NeoColonial	1926
5306Monticello	HighTudor	1925	5436Monticello	Spanish	1926
5307Monticello	HighTudor	1930	5439Monticello	TudorCottage	1926
5310Monticello	HighTudor	1930	5440Monticello	HighTudor	1925
5311Monticello	HighTudor	1930			
5314Monticello	HighTudor	1930			
5315Monticello	HighTudor	1927			
5318Monticello	NeoColonial	1930			
5319Monticello	TudorCottage	1927			
5322Monticello	HighTudor	1930			
5323Monticello	Contemporary	1996			
5326Monticello	NeoColonial	1935			
5327Monticello	TudorCottage	1925			

5442Monticello	Craftsman	1926	5602Monticello	HighTudor	1926
5443Monticello	HighTudor	1925	5603Monticello	HighTudor	1926
5446Monticello	HighTudor	1928	5606Monticello	TudorCottage	1926
5447Monticello	HighTudor	1925	5607Monticello	HighTudor	1926
5450Monticello	TudorCottage	1926	5610Monticello	TudorCottage	1926
5451Monticello	HighTudor	1930	5611Monticello	HighTudor	1926
5454Monticello	HighTudor	1926	5614Monticello	HighTudor	1926
5455Monticello	HighTudor	1931	5615Monticello	NeoColonial	1926
5458Monticello	HighTudor	1926	5618Monticello	TudorCottage	1924
5459Monticello	HighTudor	1929	5619Monticello	HighTudor	1926
			5622Monticello	HighTudor	1926
5502Monticello	MinimalTraditional	1939	5623Monticello	HighTudor	1926
5503Monticello	Contemporary	2000	5626Monticello	TudorCottage	1925
5506Monticello	TudorCottage	1926	5627Monticello	TudorCottage	1926
5507Monticello	TudorCottage	1926	5630Monticello	HighTudor	1926
5510Monticello	HighTudor	1926	5631Monticello	TudorCottage	1926
5511Monticello	HighTudor	1935	5634Monticello	TudorCottage	1931
5514Monticello	HighTudor	1926	5635Monticello	TudorCottage	1926
5515Monticello	MinimalTraditional	1926	5638Monticello	HighTudor	1926
5518Monticello	HighTudor	1926	5641Monticello	TudorCottage	1926
5519Monticello	HighTudor	1926	5642Monticello	NeoColonial	1926
5522Monticello	HighTudor	1929	5643Monticello	TudorCottage	1926
5523Monticello	HighTudor	1996	5646Monticello	TudorCottage	1926
5526Monticello	TudorCottage	1924	5647Monticello	Ranch	1926
5527Monticello	HighTudor	1926			
5530Monticello	HighTudor	1926	5102Ridgedale	Contemporary	2002
5531Monticello	HighTudor	1926	5106Ridgedale	Spanish	2001
5534Monticello	TudorCottage	1926	5122Ridgedale	HighTudor	1924
5535Monticello	TudorCottage	1926	5123Ridgedale	TudorCottage	1926
5538Monticello	MinimalTraditional	1926	5125Ridgedale	HighTudor	1926
5539Monticello	TudorCottage	1926	5126Ridgedale	MinimalTraditional	1924
5542Monticello	TudorCottage	1926	5130Ridgedale	TudorCottage	1926
5543Monticello	TudorCottage	1926	5131Ridgedale	HighTudor	1924
5546Monticello	HighTudor	1926	5134Ridgedale	TudorCottage	1924
5549Monticello	Craftsman	1935	5135Ridgedale	TudorCottage	1926
5550Monticello	NeoColonial	1926	5138Ridgedale	TudorCottage	1926
5551Monticello	HighTudor	1988	5139Ridgedale	TudorCottage	1924
5554Monticello	TudorCottage	1926	5142Ridgedale	MinimalTraditional	1926
5555Monticello	Craftsman	1926	5143Ridgedale	TudorCottage	1926
			5146Ridgedale	Contemporary	1999
			5147Ridgedale	HighTudor	1926
			5150Ridgedale	TudorCottage	1920
			5151Ridgedale	HighTudor	1924

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5202Ridgedale	TudorCottage	1926	5331Ridgedale	NeoColonial	1938
5203Ridgedale	HighTudor	1930	5334Ridgedale	HighTudor	1924
5206Ridgedale	HighTudor	1926	5335Ridgedale	MinimalTraditional	1940
5207Ridgedale	MinimalTraditional	1930	5338Ridgedale	HighTudor	1929
5210Ridgedale	HighTudor	1926	5339Ridgedale	HighTudor	1928
5211Ridgedale	TudorCottage	1930	5342Ridgedale	HighTudor	1926
5214Ridgedale	Craftsman	1926	5343Ridgedale	HighTudor	1929
5215Ridgedale	HighTudor	1930	5346Ridgedale	HighTudor	1924
5218Ridgedale	Contemporary	1998	5347Ridgedale	HighTudor	1929
5219Ridgedale	MinimalTraditional	1930	5350Ridgedale	HighTudor	1924
5222Ridgedale	TudorCottage	1926	5351Ridgedale	HighTudor	1930
5223Ridgedale	Contemporary	1998			
5226Ridgedale	NeoColonial	1926	5402Ridgedale	HighTudor	1926
5227Ridgedale	TudorCottage	1930	5403Ridgedale	NeoColonial	1926
5230Ridgedale	HighTudor	1926	5406Ridgedale	TudorCottage	1926
5231Ridgedale	TudorCottage	1930	5407Ridgedale	HighTudor	1926
5234Ridgedale	NeoColonial	2002	5410Ridgedale	HighTudor	1930
5235Ridgedale	HighTudor	1928	5411Ridgedale	HighTudor	1926
5238Ridgedale	TudorCottage	1926	5414Ridgedale	HighTudor	1926
5239Ridgedale	HighTudor	1928	5415Ridgedale	HighTudor	1926
5242Ridgedale	Craftsman	1926	5418Ridgedale	NeoColonial	1930
5243Ridgedale	TudorCottage	1925	5419Ridgedale	HighTudor	1926
5246Ridgedale	TudorCottage	1926	5422Ridgedale	Ranch	1930
5247Ridgedale	HighTudor	1924	5423Ridgedale	HighTudor	1940
5250Ridgedale	HighTudor	1928	5426Ridgedale	HighTudor	1926
5251Ridgedale	HighTudor	1931	5427Ridgedale	NeoColonial	1930
5254Ridgedale	Craftsman	1930	5430Ridgedale	HighTudor	1926
5255Ridgedale	HighTudor	1939	5431Ridgedale	HighTudor	1926
			5434Ridgedale	TudorCottage	1926
5302Ridgedale	TudorCottage	1923	5435Ridgedale	HighTudor	1924
5303Ridgedale	HighTudor	1931	5438Ridgedale	MinimalTraditional	1926
5306Ridgedale	TudorCottage	1923	5439Ridgedale	TudorCottage	1926
5307Ridgedale	TudorCottage	1923	5442Ridgedale	HighTudor	1926
5310Ridgedale	MinimalTraditional	1923	5443Ridgedale	HighTudor	1926
5311Ridgedale	Contemporary	2000	5446Ridgedale	HighTudor	1926
5313Ridgedale	TudorCottage	1930	5447Ridgedale	HighTudor	1926
5314Ridgedale	TudorCottage	1923	5451Ridgedale	NeoColonial	1926
5318Ridgedale	HighTudor	1925	5454Ridgedale	HighTudor	1926
5319Ridgedale	TudorCottage	1925	5455Ridgedale	HighTudor	1926
5322Ridgedale	TudorCottage	1924	5458Ridgedale	HighTudor	1926
5323Ridgedale	NeoColonial	1925			
5326Ridgedale	TudorCottage	1924			
5327Ridgedale	NeoColonial	1938			
5330Ridgedale	HighTudor	1924			

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5501Ridgedale	HighTudor	1926	5631Ridgedale	TudorCottage	1926
5502Ridgedale	TudorCottage	1926	5634Ridgedale	HighTudor	1926
5506Ridgedale	TudorCottage	1926	5635Ridgedale	HighTudor	1926
5507Ridgedale	TudorCottage	1926	5639Ridgedale	MinimalTraditional	1941
5510Ridgedale	HighTudor	1930	5640Ridgedale	HighTudor	1926
5511Ridgedale	HighTudor	1926	5642Ridgedale	TudorCottage	1926
5514Ridgedale	TudorCottage	1924	5643Ridgedale	Contemporary	2002
5515Ridgedale	HighTudor	1926	5644Ridgedale	TudorCottage	1926
5518Ridgedale	HighTudor	1926	5647Ridgedale	TudorCottage	1928
5519Ridgedale	TudorCottage	1926			
5523Ridgedale	Craftsman	1926	5106Vanderbilt	Contemporary	2001
5524Ridgedale	HighTudor	1926	5110Vanderbilt	HighTudor	1926
5525Ridgedale	Spanish	1926	5111Vanderbilt	VacantLot	2002
5526Ridgedale	HighTudor	1930	5114Vanderbilt	HighTudor	1926
5530Ridgedale	HighTudor	1926	5115Vanderbilt	TudorCottage	1930
5531Ridgedale	HighTudor	1926	5118Vanderbilt	HighTudor	1926
5534Ridgedale	HighTudor	1935	5119Vanderbilt	HighTudor	1934
5535Ridgedale	HighTudor	1926	5122Vanderbilt	TudorCottage	1926
5538Ridgedale	Ranch	1926	5123Vanderbilt	TudorCottage	1928
5539Ridgedale	HighTudor	1926	5126Vanderbilt	TudorCottage	1926
5542Ridgedale	TudorCottage	1924	5127Vanderbilt	TudorCottage	1924
5543Ridgedale	TudorCottage	1926	5130Vanderbilt	TudorCottage	1924
5546Ridgedale	TudorCottage	1926	5131Vanderbilt	TudorCottage	1928
5547Ridgedale	MinimalTraditional	1926	5134Vanderbilt	TudorCottage	1926
5550Ridgedale	NeoColonial	1924	5135Vanderbilt	HighTudor	1924
5551Ridgedale	TudorCottage	1925	5138Vanderbilt	HighTudor	1926
5554Ridgedale	Craftsman	1926	5139Vanderbilt	HighTudor	1926
5555Ridgedale	TudorCottage	1926	5141Vanderbilt	TudorCottage	1924
			5142Vanderbilt	Contemporary	2000
5602Ridgedale	HighTudor	1926	5145Vanderbilt	TudorCottage	1925
5603Ridgedale	HighTudor	1926	5146Vanderbilt	TudorCottage	1926
5604Ridgedale	TudorCottage	1926	5150Vanderbilt	HighTudor	1928
5605Ridgedale	HighTudor	1926	5151Vanderbilt	TudorCottage	1927
5609Ridgedale	HighTudor	1926			
5610Ridgedale	HighTudor	1926			
5614Ridgedale	HighTudor	1923			
5615Ridgedale	HighTudor	1926			
5618Ridgedale	HighTudor	1926			
5619Ridgedale	HighTudor	1926			
5622Ridgedale	TudorCottage	1926			
5623Ridgedale	MinimalTraditional	1926			
5625Ridgedale	TudorCottage	1927			
5626Ridgedale	TudorCottage	1926			
5630Ridgedale	TudorCottage	1926			

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5202Vanderbilt	HighTudor	1926	5338Vanderbilt	NeoColonial	1924
5203Vanderbilt	TudorCottage	1926	5339Vanderbilt	Craftsman	1924
5206Vanderbilt	HighTudor	1924	5342Vanderbilt	NeoColonial	1924
5207Vanderbilt	Contemporary	1999	5343Vanderbilt	NeoColonial	1925
5210Vanderbilt	Craftsman	1926	5346Vanderbilt	TudorCottage	1924
5211Vanderbilt	HighTudor	1926	5347Vanderbilt	MinimalTraditional	1925
5214Vanderbilt	HighTudor	1926	5350Vanderbilt	HighTudor	1936
5215Vanderbilt	TudorCottage	1926	5351Vanderbilt	MinimalTraditional	1938
5218Vanderbilt	HighTudor	1924	5354Vanderbilt	HighTudor	1929
5219Vanderbilt	HighTudor	1928	5355Vanderbilt	TudorCottage	1950
5222Vanderbilt	HighTudor	1924			
5223Vanderbilt	TudorCottage	1928	5402 Vanderbilt	NeoColonial	1948
5226Vanderbilt	HighTudor	1926	5403 Vanderbilt	MinimalTraditional	1938
5227Vanderbilt	Craftsman	1924	5406 Vanderbilt	Craftsman	1922
5230Vanderbilt	HighTudor	1924	5407 Vanderbilt	MinimalTraditional	1937
5231Vanderbilt	TudorCottage	1924	5410 Vanderbilt	NeoColonial	1925
5233Vanderbilt	HighTudor	1926	5411 Vanderbilt	HighTudor	1935
5234Vanderbilt	TudorCottage	1936	5414 Vanderbilt	Craftsman	1923
5239Vanderbilt	TudorCottage	1926	5415 Vanderbilt	HighTudor	1933
5240Vanderbilt	TudorCottage	1924	5418 Vanderbilt	TudorCottage	1926
5242Vanderbilt	TudorCottage	1928	5419 Vanderbilt	TudorCottage	1930
5243Vanderbilt	Ranch	1926	5422 Vanderbilt	HighTudor	1926
5247Vanderbilt	Ranch	1930	5423 Vanderbilt	Craftsman	1930
5248Vanderbilt	TudorCottage	1924	5426 Vanderbilt	HighTudor	1925
5251Vanderbilt	MinimalTraditional	1942	5427 Vanderbilt	HighTudor	1926
5252Vanderbilt	TudorCottage	1926	5430 Vanderbilt	Craftsman	1926
5254Vanderbilt	Ranch	1946	5431 Vanderbilt	TudorCottage	1930
5255Vanderbilt	Ranch	1954	5434 Vanderbilt	HighTudor	1925
			5435 Vanderbilt	HighTudor	1924
			5438 Vanderbilt	HighTudor	1926
			5439 Vanderbilt	HighTudor	1926
			5440 Vanderbilt	HighTudor	1926
			5443 Vanderbilt	HighTudor	1933
			5446 Vanderbilt	HighTudor	1931
			5447 Vanderbilt	HighTudor	1933
			5450 Vanderbilt	HighTudor	1930
			5451 Vanderbilt	HighTudor	1930
			5454 Vanderbilt	HighTudor	1924
			5455 Vanderbilt	MinimalTraditional	1950
			5458 Vanderbilt	HighTudor	1926
			5459 Vanderbilt	MinimalTraditional	1950

5331	Vanderbilt	Contemporary	2000		
5334	Vanderbilt	NeoColonial	1924		
5335	Vanderbilt	TudorCottage	1924		

5502	Vanderbilt	Tudor Cottage	1938		
5503	Vanderbilt	High Tudor	1926	5639	Vanderbilt High Tudor 1928
5506	Vanderbilt	High Tudor	1933	5640	Vanderbilt High Tudor 1926
5507	Vanderbilt	Tudor Cottage	1926	5643	Vanderbilt High Tudor 1925
5510	Vanderbilt	High Tudor	1928	5647	Vanderbilt Ranch 1926
5511	Vanderbilt	Contemporary	2000		
5514	Vanderbilt	Tudor Cottage	1926	3215	Homer Minimal Traditional 1942
5515	Vanderbilt	High Tudor	1926	3219	Homer Minimal Traditional 1942
5518	Vanderbilt	Tudor Cottage	1926	3223	Homer Minimal Traditional 1939
5519	Vanderbilt	High Tudor	1911	3227	Homer Tudor Cottage 1925
5522	Vanderbilt	Tudor Cottage	1928	3231	Homer Minimal Traditional 1937
5523	Vanderbilt	Tudor Cottage	1926	3235	Homer Tudor Cottage 1935
5526	Vanderbilt	Tudor Cottage	1924	3239	Homer High Tudor 1925
5527	Vanderbilt	Tudor Cottage	1926	3243	Homer Tudor Cottage 1925
5530	Vanderbilt	Contemporary	2001	3247	Homer High Tudor 1925
5531	Vanderbilt	Tudor Cottage	1926	3251	Homer Tudor Cottage 1927
5534	Vanderbilt	Tudor Cottage	1928		
5535	Vanderbilt	Contemporary	2001	3303	Homer High Tudor 1929
5538	Vanderbilt	Tudor Cottage	1924	3307	Homer High Tudor 1926
5539	Vanderbilt	Contemporary	2002	3311	Homer Tudor Cottage 1936
5542	Vanderbilt	Tudor Cottage	1926	3315	Homer Neo Colonial 1936
5543	Vanderbilt	Minimal Traditional	1926	3319	Homer Minimal Traditional 1936
5546	Vanderbilt	High Tudor	1928	3323	Homer Tudor Cottage 2000
5547	Vanderbilt	Tudor Cottage	1926		
5550	Vanderbilt	High Tudor	1928	3403	Homer Tudor Cottage 1936
5551	Vanderbilt	High Tudor	1926	3407	Homer Minimal Traditional 1936
5554	Vanderbilt	Neo Colonial	1939	3411	Homer Contemporary 1998
5555	Vanderbilt	High Tudor	1926	3415	Homer Contemporary 1996
				3301	Greenville TudorCottage 1940

5627	Vanderbilt	Neo Colonial	1928	
5630	Vanderbilt	Tudor Cottage	1930	
5631	Vanderbilt	Tudor Cottage	1924	
5634	Vanderbilt	Ranch	1985	
5635	Vanderbilt	High Tudor	1928	

Appendix B

History of Greenland Hills

By Neighborhood Historian Suzanne Cabral

Riding on the wave of suburban development, brothers Frank and Fletcher McNeny subdivided and platted 98 acres of the Bennett farm on the eastern fringes of the city in 1923, creating the Greenland Hills development. Located between the Houston & Texas Central railroad tracks (later the route of Central Expressway) and the Interurban rail line on nearby Matilda Street, Greenland Hills was well served with transportation options to carry residents downtown to work.

Though public transportation was plentiful, more than any other single factor, the automobile dictated the layout and appearance of Greenland Hills. In 1925, the opportunity to build homes on bigger lots (yes, 60' lots were large for the time!) was made possible by the automobile. Homes could be built farther away from the city center, as no longer were neighborhoods dependent on being walking distance from public transportation. Garages also became part of the landscape, first detached and at the rear of the lot as early cars were considered a fire hazard.

A local builder, C.L. Sowell, had developed and sold houses all over Dallas since 1921. Sowell purchased lots in various emerging neighborhoods on the eastern and northern edges of the booming city in the late 1920s, and Greenland Hills was obviously a particularly fertile area in which to build speculative houses, for at one point he bought and sold more than 20 lots in the area in the span of a year. Interestingly, Greenland Hills was the farthest north development in Dallas at the time. Despite the Great Depression, the area became a highly successful, fast-selling subdivision. The architectural style of the neighborhood was influenced by the development of brick veneering -- a layer of brick used as the outside skin of a frame house as opposed to using a load-bearing brick wall -- which was developed after World War I. This went hand-in-hand with the demand for new styles reflecting the diversity of European and English styles seen by servicemen during the WWI. French Eclectic, Mediterranean and especially Tudor styles became extremely popular.

In like fashion, Calvin Sowell, the Messerole Brothers and other Greenland Hills builders were most often choosing historical revival styles for their brick, stone and stucco veneer houses, reinforcing the romantic imaginations of homebuyers who were being exposed to exotic locales and interesting architecture in the movies and other forms of popular entertainment.

In fact, Dallas has some of the most distinctive concentrations of Tudor homes in the nation, scattered throughout Oak Cliff, Greenland Hills, the Park Cities and Old East Dallas. Some of these neighborhoods, including Greenland Hills, show the results of strict Z012-287/11780 (JG) -

architectural guidelines and a strong landscaping plan, with block after block of rhythmic variations upon an architectural theme.

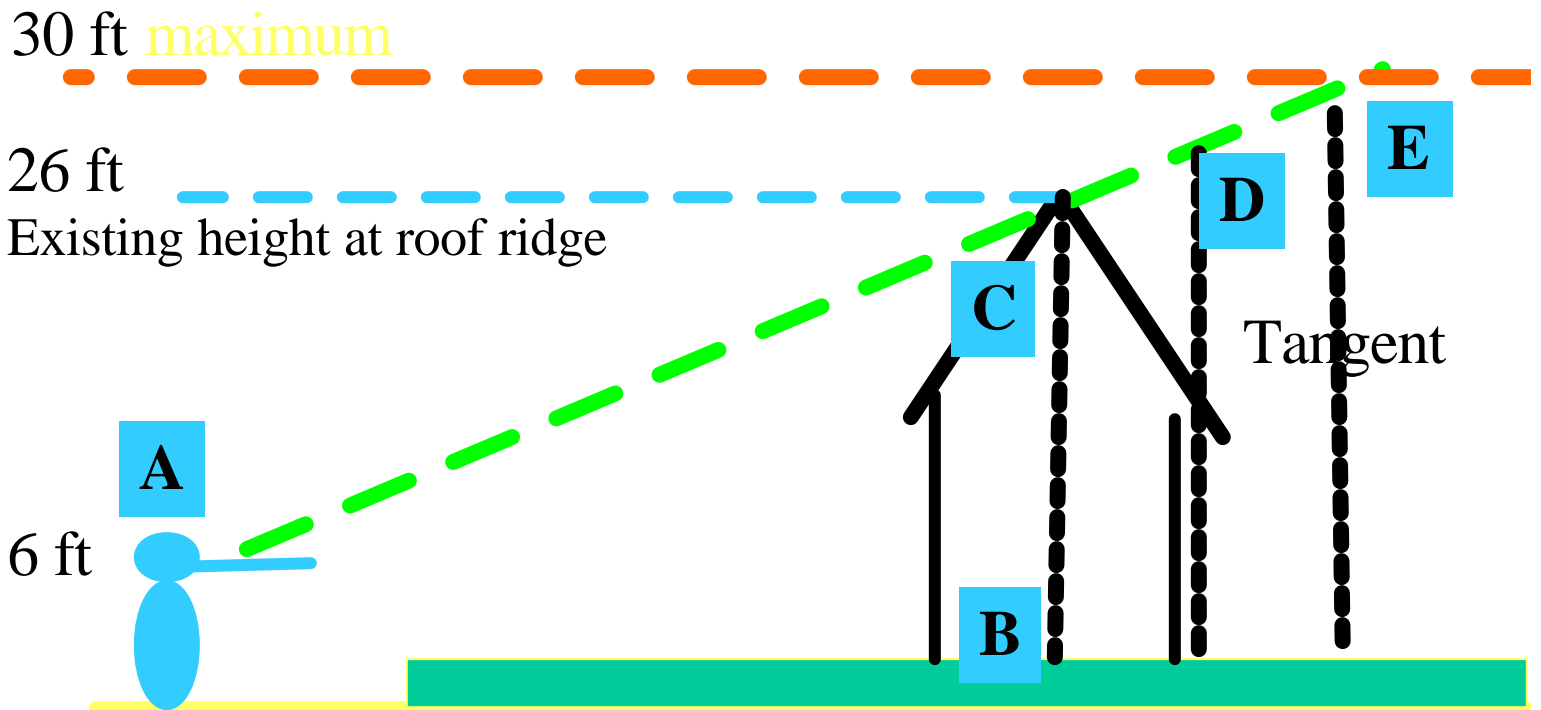
Appendix C

Height Measurement Illustration

EXAMPLE

The maximum height of new construction / additions is calculated based on this standard:

- 30 foot height limit (absolute)
- Line of Site

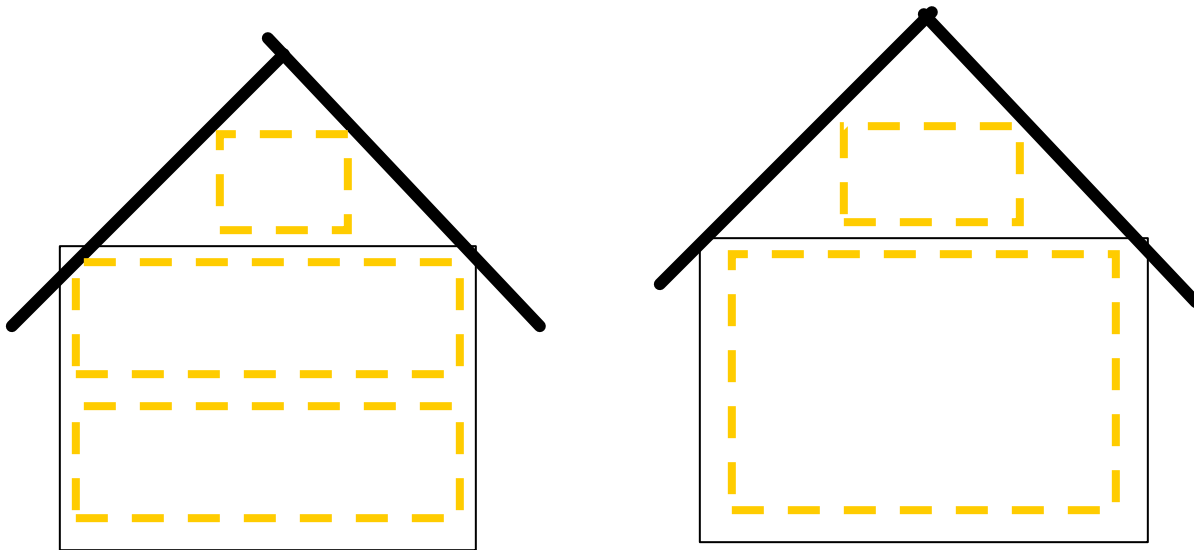


Line of site

1. established at midpoint of street at 6 foot 'eye' height
2. calculate tangent slope of line to establish height of point "D" using known elevation values of A (6ft), B (grade elevation), C (26ft) and E (30 ft).

Appendix D

Appearance of 1-1/2 Stories



Intent of 1-1/2 story standard is to have the front of the house to ‘appear’ to have only 1-1/2 stories such as shown in the photo above.

It is possible to construct and design a house that has two- stories-and-a-half in the front façade as long as the window fenestration pattern depicts a 1-1/2 story structure. It is also possible to have a double-height one story house.

3-27-13

ORDINANCE NO. 28946

An ordinance changing the zoning classification on the following property:

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  Assistant City Attorney

Passed MAR 27 2013

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

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(a) Interpretations and definitions.

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

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

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- (AA) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.
- (BB) RANCH means ranch architectural style as shown in Exhibit B.
- (CC) REAR YARD means:
- (i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - (ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
- (DD) REMODEL means improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.
- (EE) RETAINING WALL means a wall used to prevent the erosion of land.
- (FF) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.
- (GG) SIDE-STREET means Central Expressway, Glencoe Street, Greenville Avenue, Homer Street for houses with non-Homer addresses, Laneri Avenue, McMillan Avenue, and Worcola Street.
- (HH) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."
- (II) SPANISH REVIVAL means spanish revival architectural style as shown in Exhibit B.
- (JJ) STREET FACADE means any part of a building that faces a public street.
- (KK) TUDOR COTTAGE means tudor cottage architectural style as shown in Exhibit B.
- (LL) WRAP-AROUND means that portion of a side facade of a main structure 25 feet behind the corner of the front facade.

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

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

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- (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
 - (C) Fences in cornerside yards must be located behind the mid-point of the main structure.
 - (D) Fences in non-cornerside yards must be located at least five feet behind the front corner of the house.
- (14) Driveways and curbing.
- (A) All houses must have a straight driveway located along the east side (south side for Homer lots) of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
 - (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
 - (C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brushed concrete.
 - (D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
 - (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.
- (15) Front yards and parkways.
- (A) No more than 30 percent of the front yard may be paved or hardscaped. The parkway may not be paved or hardscaped except for curb cuts and sidewalk extensions.
 - (B) Mailboxes, pylons, satellite dishes, and other accessory structures are not allowed in the front yard or parkway.
- (16) Retaining walls.
- (A) Existing retaining walls may be repaired and maintained.

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

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

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

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(9) Front facade windows.

- (A) The following standards apply to front facade windows located below the eaves:
- (i) New houses must have at least one pair of narrow, stained or leaded glass windows with a height-to-width ratio of at least 2-to-1.
 - (ii) All other windows must be clear glass configured as 9-over-9, 6-over-6, or 1-over-1 lights; leaded glass; or stained glass.
 - (iii) Windows must be asymmetrically positioned in groups along the front facade.
- (B) The following standards apply to front facade windows located above the eaves:
- (i) Windows may only be located in front projecting gables, dormers, or eyebrows.
 - (ii) Casement and awning dimensions must be compatible with original houses.
 - (iii) Windows must be stained or leaded glass.

(10) Chimneys.

- (A) New houses must incorporate a brick and/or stone chimney into the front facade or the front 15 feet of a side facade. The chimney must be at least five feet in width.
- (B) New houses must incorporate at least one of the following elements into the chimney:
- (i) Corbel chimney statue ledge.
 - (ii) Twin chimney flues with expressed masonry openings.
 - (iii) Complex brick or stone patterns.

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

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

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

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

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(o) Development standards for Subarea 1.(1) Permitted uses.(A) Agricultural uses.None.(B) Commercial and business service uses.-- Catering service. [No on-premise consumption of food or beverages.]-- Custom business services.(C) Industrial uses.None(D) Institutional and community service uses.None(E) Lodging uses.None(F) Miscellaneous uses.None(G) Office uses. [The combined floor area of all office uses may not exceed 2,400 square feet.]-- Office.-- Medical clinic or ambulatory surgical center(H) Recreation uses.None(I) Residential uses.None

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- (J) Retail and personal service uses.
- Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Liquor store.
 - Nursery, garden shop, or plant sales. *[Inside a building only, with accessory outside display allowed.]*
 - Personal service uses.
 - Temporary retail use.
- (K) Transportation uses.
- Transit passenger shelter.
- (L) Utility and public service uses.
- Local utilities.
- (M) Wholesale, distribution, and storage uses.
- None
- (2) Prohibited uses.
- (A) Alcoholic beverage establishments.
 - (B) Dance hall as defined in Chapter 14 of the Dallas City Code, as amended.
 - (C) Restaurant.
 - (D) Any use not specifically listed as a permitted use is prohibited.
- (3) Accessory uses.
- (A) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.
 - (B) The following accessory uses are not permitted:
 - (i) Any use of rooftops for customers or the public.
 - (ii) Drive-in and drive through lanes, windows, or services.

Exhibit A

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(iii) Gasoline or fuel sales.

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

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

(B) Yard, lot, and space regulations.

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

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

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

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

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

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

(5) Development standards for new construction.

(A) Yard, lot, and space regulations.

(i) Front yard.

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

Exhibit A

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

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

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

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

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

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

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

(vii) Lot size. No minimum lot size.

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

(B) Off-street parking and loading.

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

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

(C) Environmental performance standards. See Article VI.

(D) Landscaping.

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

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

Exhibit A

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

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

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

(bb) be at least 10 feet wide; and

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

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

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

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

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

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

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

(E) Screening and visibility obstruction.

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

28946

(ii) Except as provided in this paragraph, the visual obstruction regulations in Section 51A-4.602(d) apply. For purposes of this section, the visibility triangle at street corners is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(F) Signs.

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

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

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

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

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

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

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

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

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

(6) Additional provisions.

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

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

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

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

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

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

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

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

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

(7) Street-facing facades.

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

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

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

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

Exhibit A
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(q) Architectural standards for new construction in Subarea 1.

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

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

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

(4) Fenestration.

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

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

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

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

(5) Street-facing facades.

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

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

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

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

(r) Procedures.

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

Exhibit A
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- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.
- (4) Work not requiring a building permit.
- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.
- (5) Appeals.
- (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures," as amended.
- (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
- (C) Appeal to the board of adjustment is the final administrative remedy.

Exhibit B-1

Conceptual plan for Subarea 1

BACKGROUND:

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

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

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

PURPOSE FOR SUBAREA 1 REGULATIONS:

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



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

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

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



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

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

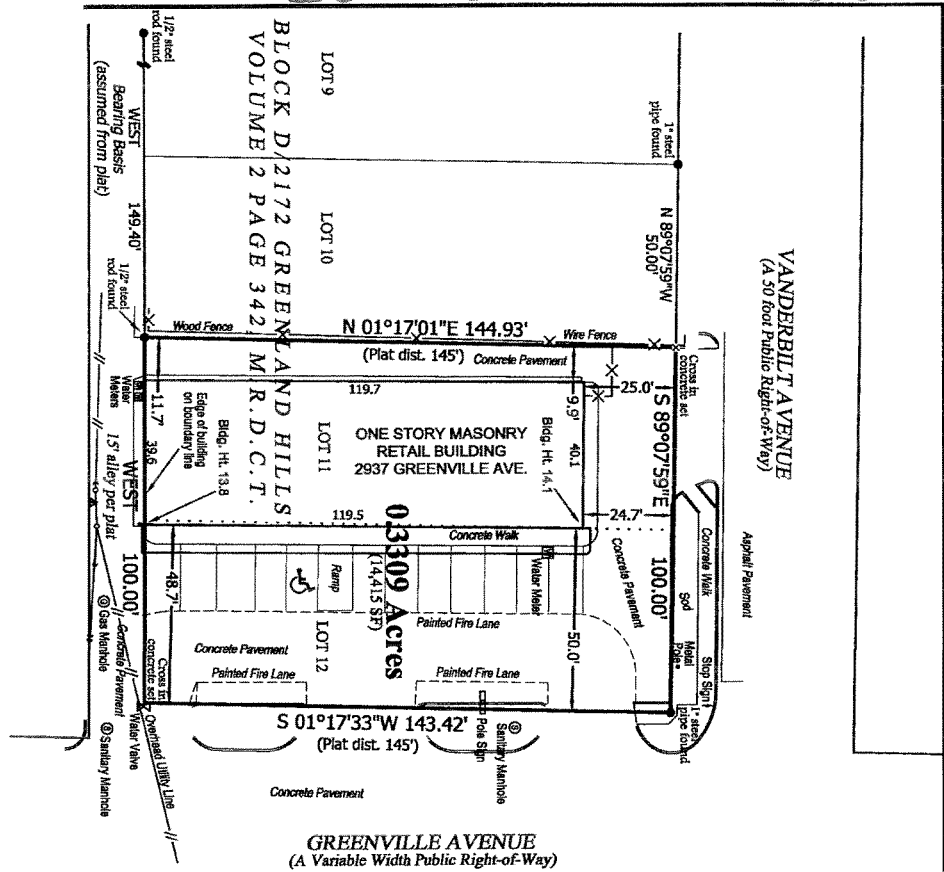
- Recessed customer entrances
- Painted brick is prohibited
- Paneling required under windows
- Building must contain two to four bays
- Greenville Avenue-facing façade and wrap around to have base, middle, and top with decorative cornices on each bay
- Minimum 60% windows or doors on Greenville Avenue-facing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

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



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

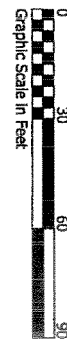
Exhibit C



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

MILLER SURVEYING
 EST. 1985

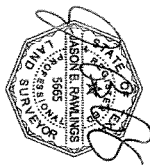
NORTH



NTS

FLOOD NOTE: Based on scaling the surveyed lot shown hereon onto the FEMA Flood Insurance Rate Map No. 4813AC0395 J (EF1, 8-23-01), said lot lies within FEMA Zone X and does not lie within the FEMA designated 100-year flood plain. Miller Surveying, Inc. makes no statement as to the likelihood of the actual flooding of said surveyed lot.

In reference to the Commitment for Title Insurance issued on September 19, 2012 by Fidelity National Title Insurance Company, GF No. R812641195, J. Jason B. Rawlings, Registered Professional Land Surveyor No. 5665 in the State of Texas, certify to Centric Capital Partners, Inc., and Fidelity National Title Insurance Company that this plat represents an accurate survey of Lots 11 and 12, Block D/2172, Greenland Hills, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 2, Page 342, Map Records, Dallas County, Texas, that survey being made on the ground under my supervision on September 25, 2012, and the boundary lines, corners and dimensions shown herein are as indicated; the size, type and location of all buildings and improvements shown are as indicated; said improvements are within the boundaries of said tract, except as shown, and set back from the boundary lines the distances as indicated; said tract adjoins and has vehicular access to Vanderbilt Avenue and Greenville Avenue, both public rights-of-way; there are no apparent encroachments, protrusions, boundary line conflicts, visible easements or easements of record as furnished to me, except as shown or noted otherwise. This survey substantially conforms to the current Texas Society of Professional Land Surveyor Standards and Specifications for a Category 1A Condition II Survey.



MILLER
 Surveying, Inc.

Residential · Commercial · Municipal
 430 Mid Cities Blvd.
 Hurst, Texas 76054
 817.577.1052 Fax 817.577.0972
 www.MillerSurveying-Inc.com

Job No. 12097 • Plat File 12097



INTERPRETATION MANUAL

CODE: City of Dallas Conservation Districts	DATE:
CODE SECTION: Applies to Conservation Districts Nos. nine (M-Streets – Ord. 25116) and eleven (M-Streets East – Ord. 25474)	10/23/19
SUBJECT: Application of Paint to Brick and Stone in Conservation Districts Nos. 9 and 11	
<p>This interpretation is to state the practice and interpretation concerning the application of paint on unpainted brick and/or stone within these two Conservation Districts (CDs). Brick and stone painted prior to the date of this interpretation may be repainted with colors that are compatible with colors found on original homes within the district.</p> <p><u>M-Streets Conservation District (#9):</u> The purpose statement for this CD addresses the compatibility of any work that takes place within the district. Per Ord. 25116(3), “The conservation district regulations ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.” The term “compatible” is defined in the ordinance under Ord. 25116(a)(2)(C), “COMPATIBLE means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, <u>colors</u>, and materials.”</p> <p>In addition, for new construction in this CD and Per Ord. 25116(e)(3)(A), “Except as otherwise provided in this paragraph, new houses must be constructed of brick and stone using the same colors, course patterns, material placement, and material combinations found in original houses.” The ordinance goes on further to describe the exact colors to be used for new construction homes in Ord. 25116(e)(3)(B), “Brick must be scratch-faced or textured, with at least three subtle variations in tone. Brick colors must be typical of the brick used on original houses.”</p> <p>Because the ordinance is specific concerning the colors of brick to be used and that any new construction be compatible with original houses, it can be inferred that the brick or stone of new construction homes be unpainted to ensure that new brick and/or stone material match the original colors of brick or stone found on original houses.</p> <p>For remodeling projects, and per Ord. 25116(f)(2), “Any remodeling must match the original brick and stone in size, <u>color</u>, coursing, texture, mortaring, and joint detailing.” Remodeling is defined in Ord. 25116(a)(2)(DD) as, “...improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.”</p> <p>Because remodeling must match (not just be compatible) the original brick and stone</p>	

in color, it can be inferred that the application of paint onto previously unpainted brick or stone would not be allowed.

M-Street East Conservation District (# 11):

The purpose statement for this CD addresses the compatibility of any work that takes place within this CD. Per Ord. 25474(4), “The conservation district regulations ensure that new construction, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.” The term “compatible” is defined in the ordinance under Ord. 25474(a)(2)(B), “COMPATIBLE means consistent with the architecture found within the district, including architectural style, scale, massing, setbacks, colors, and materials.”

In addition, per Ord. 25474, Conceptual Plan, Page 7, “Required Elements for New Construction, the ordinance states, “Certain elements are required for each architectural style. They are materials, roofing, and windows. These elements ensure that each style is represented as adequately as possible to maintain the true characteristics of the architecture. Materials must be compatible to those that exist in in the neighborhood today to ensure that new construction will seamlessly transition into the neighborhood.”

Because the ordinance is clear that materials used for new construction must be compatible with the materials of the district that existed as of 1/13/04 (the date of establishment for this CD), it can be inferred that the brick of new construction homes be unpainted to ensure that new brick material match the original colors of the bricks found on original houses.

For remodeling projects, and per Ords. 25474(h)(4)(B); (i)(4)(B); (j)(5)(B); and (k)(5)(B), “Any remodeling must match the materials in type, color, coursing, joint detailing, mortaring, size, and texture.” Remodeling is defined in Ord. 25474(a)(2)(Y) as, “...improvements or repairs that change the exterior materials or appearance of the front façade or wrap-around of the main structure.”

Because remodeling must match (not just be compatible) the original brick and stone in color, it can be inferred that the application of paint onto previously unpainted brick would not be allowed.

**SIGNATURE: William Hersch, LEED, AP.
Chief Planner**

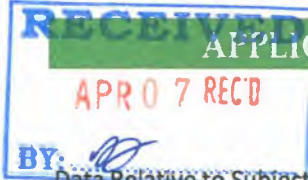




Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

City of Dallas



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

223-055 ONLY

Data Relative to Subject Property:

Date:

4/7/23

Location address:

5519 Ridgedale Ave

Zoning District:

029

Lot No.:

24

Block No.:

6/2175

Acreage:

.166

Census Tract:

Street Frontage (in Feet): 1)

50

2)

3)

4)

5)

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed):

Simon Choi

Applicant:

Olivia Acito

Telephone:

972 841 1887

Mailing Address:

5519 Ridgedale Ave

Zip Code:

75206

E-mail Address:

olivia.acito@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

external paint violation appeal.

external paint

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:

external paint violation appeal

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

Olivia J. Acito

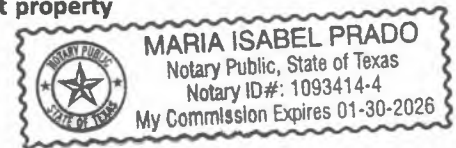
(Affiant/Applicant's name printed)

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)



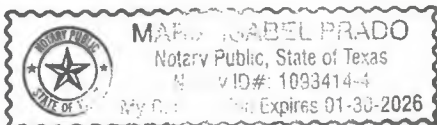
Subscribed and sworn to before me this

7th day of April

2023

[Signature]

Notary Public in and for Dallas County, Texas





Appeal number: BDA 223-055

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

at: 5519 Ridgedale Ave Dallas TX 75206
(Address of property as stated on application)

Authorize: Olivia Acito
(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: External paint violation appeal

Simon Choi
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

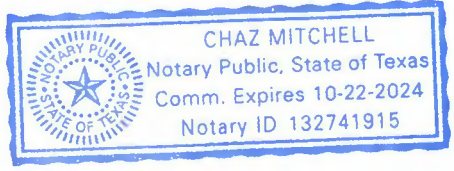
Date 03/23/2023

Before me, the undersigned, on this day personally appeared Simon Choi

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 23rd day of March, 2023

[Signature]
Notary Public for Dallas County, Texas



Commission expires on 10-22-2024



CITY OF DALLAS

April 6, 2023

CERTIFIED MAIL NO. 70060810000355296013

Ms. Olivia Acito
5519 Ridgedale Avenue
Dallas, TX 75206

RE: Denial of CD23040402 application to paint previously unpainted brick

Dear Ms. Acito:

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

You have twenty (20) days from the date of the denial to file your appeal with the Board of Adjustment. Any questions related to an appeal should be directed to Nikki Dunn, Chief Planner for the Board of Adjustment, whose contact is (214)948-4366 or sheniqua.dunn@dallas.gov, or Diana Barkume, Senior Plans Examiner, at (214)942-4364 or diana.barkume@dallas.gov.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Trevor A. Brown'.

Trevor A. Brown
Chief Planner, Conservation Districts

Enclosure
CD Certificate of Denial

Conservation District Denial



M Streets Conservation District

City of Dallas

Date Applied: 04/04/23

Date Reviewed: 04/06/23

Address: 5519 RIDGEDALE AVE

Applicant: Acito, Olivia
5519 Ridgedale Ave
Dallas, TX 75206
(972) 841-1887
olivia.acito@gmail.com

Architectural Style: Tudor Cottage

Proposed Work: Other - no permit required

Exterior paint

Permit is required: NO

Work is Denied

1. The application to paint the previously unpainted brick at 5519 Ridgedale is denied.
2. The structure is classified as Tudor Cottage.
3. Painting of unpainted brick does not meet the standards for remodeling of a High Tudor under Ord. 28946(f)(1) and (2), and applicable sections of Ord. 28946(e).
4. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around. Ord. 28946(f)(1)
5. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing. Ord. 28946(f)(2)
6. All new construction must be built in the High Tudor style and must be compatible with original houses. Ord. 28946(e)(2)
7. Except as otherwise provided in this paragraph, new houses must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. Ord. 28946(e)(3)(A)
8. Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. Ord. 28946(e)(3)(B)

Andrew Espinoza, CBO, MCP, CFM, CCEA

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

DENIED

Conservation District Denial



M Streets Conservation District

City of Dallas

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

DENIED



May 12, 2023

*Via Email to BDA Administrator
sheniqua.dunn@dallas.gov*

Board of Adjustment, Panel A
1500 Marilla, 5DN
Dallas, Texas 75201

Re: City Staff's Brief in Response to Appeal of the Building Official's Decision
Regarding 5519 Ridgedale Avenue, BDA223-055

Dear Board Members:

Below is a summary of the key points that will be addressed by City staff in response to the appeal of the building official's decision in BDA223-055.

1. Facts

This appeal pertains to an application to paint the previously-unpainted exterior brick of a residence at 5519 Ridgedale Avenue. The residence is located in Conservation District 9 (CD 9). By letter dated April 6, 2023, the Chief Planner for Conservation Districts notified the homeowner that the application had been denied. (Exhibit A.) The conservation district denial form, enclosed with that letter, noted that the architectural style of the home is Tudor Cottage and the basis of the request was to paint the exterior brick. (Exhibit A.) The homeowner's application was reviewed for compliance with CD 9's development standards and design requirements, and the building official determined that the proposed work did not meet the standards for remodeling of a High Tudor or Tudor Cottage residence under the CD 9 ordinance. (Exhibit A.) The homeowner timely appealed the decision to the Board of Adjustment. (Exhibit B.) The homeowner's appeal requests a special exception due to an exterior paint violation. (Exhibit B.)

2. Reasons for Denial of Application

The interpretation of the CD 9 ordinance by the building official is correct and should be affirmed. The CD 9 ordinance, No. 25116, was enacted in 2002. (Exhibit C.) The ordinance was amended, No. 28946, in 2013. (Exhibit D.) The relevant sections of the original and amended ordinance are set forth below:

SECTION 3. Purpose. That this conservation district is established to **conserve** the M Streets neighborhood and to **protect and enhance** its significant architectural and cultural attributes. The conservation district regulations are attached to this

ordinance as Exhibit A. The conservation district regulations **ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.** (Exhibit C, emphasis added.)

(a)(2)(C) **COMPATIBLE** means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, **colors**, and materials. (Exhibit C, D, emphasis added.)

(a)(2)(DD) **REMODEL** means improvements or **repairs** that **change the appearance of the main structure** or replace original materials of the main structure with another material. (Exhibit C, D, emphasis added.)

(e) Architectural standards for new construction.

2) Style. All new construction must be built in the High Tudor style and **must be compatible with original houses.**

3) Materials.

A) Except as otherwise provided in this paragraph, new houses **must be constructed of brick** and/or stone using the same **colors, course patterns, material placement, and material combinations found in original houses.**

B) **Brick** must be scratch-face or textured, with at least **three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses.** Brick must be modular or standard size.

C) Stone must be similar to the stone used on original houses. (Exhibit C, D, emphasis added.)

12) Optional architectural design features.

A) New houses **must incorporate at least four of the following architectural design features** into the front facade (see Exhibit B):

i) Arched doorway which matches the shape of the front porch arches.

ii) Turned cast-stone front porch columns.

iii) Stucco with wood half-timbering in projecting front facing gables.

iv) Decorative, articulated verge boards.

v) **Stone accents.**

vi) Massive chimney located on the front facade.

vii) **Blond or light-colored brick compatible with original houses.**

viii) Open air front porch. (Exhibit C, D, emphasis added.)

(f) Architectural standards for remodeling of High Tudor and Tudor Cottage houses.

1) Applicability. **Remodeling** of houses that are identified as High Tudor or Tudor Cottage in Exhibit B **must comply with the standards for new construction and the standards contained in this section.** This section applies to the front facade and wrap-around.

2) Materials. Any **remodeling must match the original brick** and stone in size, **color**, coursing, texture, mortaring, and joint detailing. (Exhibit C, D, emphasis added.)

The building official's interpretation of the CD 9 provisions is that exterior painting of previously-unpainted brick does not meet the standards for remodeling of a High Tudor residence. (Exhibit A.) The conclusion is supported by the department's interpretation manual regarding application of paint to brick and stone in CD 9, dated October 23, 2019. (Exhibit E.) According to the manual, "[b]ecause the ordinance is specific concerning the colors of brick to be used and that any new construction be compatible with original homes, it can be inferred that the brick or stone of new construction homes be unpainted to ensure that new brick and/or stone material match the original colors of brick or stone found on original houses." (Exhibit E.)

Further, the manual states "[b]ecause remodeling must match (not just be compatible) the original brick and stone in color, it can be inferred that the application of paint onto previously unpainted brick or stone would not be allowed." (Exhibit E.)

3. Relief Requested

The building official's decision was proper, and the City requests that the decision be affirmed. The panel should sustain the building official's decision to deny the application to paint the exterior brick of the residence located at 5519 Ridgedale.

Respectfully submitted,

/s/ Stacy Jordan Rodriguez

STACY JORDAN RODRIGUEZ

Assistant City Attorney

214-670-3476

stacy.rodriquez@dallas.gov

Board of Adjustment, Panel A

May 12, 2023

Page 4

Attachments:

Exhibit A: Denial of Application

Exhibit B: Appeal to Board of Adjustment

Exhibit C: Ordinance 25116

Exhibit D: Ordinance 28946

Exhibit E: Interpretation Manual, Conservation Districts 9 and 11



CITY OF DALLAS

April 6, 2023

CERTIFIED MAIL NO. 70060810000355296013

Ms. Olivia Acito
5519 Ridgedale Avenue
Dallas, TX 75206

RE: Denial of CD23040402 application to paint previously unpainted brick

Dear Ms. Acito:

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

You have twenty (20) days from the date of the denial to file your appeal with the Board of Adjustment. Any questions related to an appeal should be directed to Nikki Dunn, Chief Planner for the Board of Adjustment, whose contact is (214)948-4366 or sheniqua.dunn@dallas.gov, or Diana Barkume, Senior Plans Examiner, at (214)942-4364 or diana.barkume@dallas.gov.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Trevor A. Brown'.

Trevor A. Brown
Chief Planner, Conservation Districts

Enclosure
CD Certificate of Denial

Conservation District Denial



M Streets Conservation District

City of Dallas

Date Applied: 04/04/23

Date Reviewed: 04/06/23

Address: 5519 RIDGEDALE AVE

Applicant: Acito, Olivia
5519 Ridgedale Ave
Dallas, TX 75206
(972) 841-1887
olivia.acito@gmail.com

Architectural Style: Tudor Cottage

Proposed Work: Other - no permit required

Exterior paint

Permit is required: NO

Work is Denied

1. The application to paint the previously unpainted brick at 5519 Ridgedale is denied.
2. The structure is classified as Tudor Cottage.
3. Painting of unpainted brick does not meet the standards for remodeling of a High Tudor under Ord. 28946(f)(1) and (2), and applicable sections of Ord. 28946(e).
4. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around. Ord. 28946(f)(1).
5. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing. Ord. 28946(f)(2)
6. All new construction must be built in the High Tudor style and must be compatible with original houses. Ord. 28946(e)(2)
7. Except as otherwise provided in this paragraph, new houses must be constructed of brick and/or stone using the same colors, course patterns, material placement, and material combinations found in original houses. Ord. 28946(e)(3)(A)
8. Brick must be scratch-face or textured, with at least three subtle variations in tone. Brick colors and textures must be typical of the brick used on original houses. Brick must be modular or standard size. Ord. 28946(e)(3)(B)

Andrew Espinoza, CBO, MCP, CFM, CCEA

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

DENIED

Conservation District Denial



M Streets Conservation District

City of Dallas

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

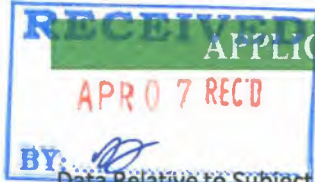
DENIED



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

City of Dallas



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

283-055

Data Relative to Subject Property:

Date:

4/7/23

Location address: 5519 Ridgedale Ave

Zoning District: C29

Lot No.: 24 Block No.: 6/2175 Acreage: .106

Census Tract:

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Simon Choi

Applicant: Olivia Acito

Telephone: 972 841 1887

Mailing Address: 5519 Ridgedale Ave

Zip Code: 75206

E-mail Address: olivia.acito@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 external paint violation appeal.

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:

external paint violation appeal

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

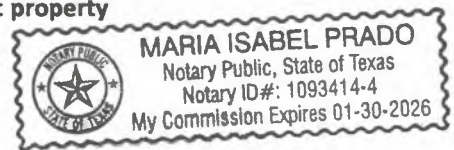
Before me the undersigned on this day personally appeared Olivia J. Acito

(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

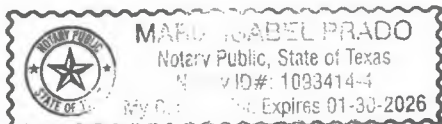
Respectfully submitted:

[Signature of Olivia J. Acito]
(Affiant/Applicant's signature)



Subscribed and sworn to before me this 7th day of April, 2023

[Signature of Maria Isabel Prado]
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 Olivia Acito

did submit a request to appeal the decision of the administrative official
at 5519 Ridgedale Ave

BDA223-055. Application of Olivia Acito to appeal the decision of the administrative official at 5519 RIDGEDALE AVE. This property is more fully described as Block G/2175, Lot 24 and is zoned CD-9. Which requires compliance with conservation district architectural standards. The applicant proposes to appeal the decision of an administrative official in the denial of a conservation district work review.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



Appeal number: BDA 223-055

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

at: 5519 Ridgedale Ave Dallas tx 75206
(Address of property as stated on application)

Authorize: Olivia Acito
(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: External paint violation appeal

Simon Choi _____
Print name of property owner or registered agent Signature of property owner or registered agent

Date 03/23/2023

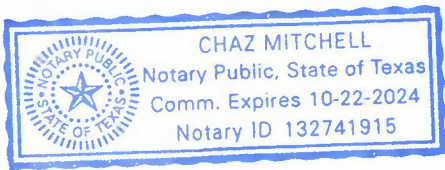
Before me, the undersigned, on this day personally appeared simon choi

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 23rd day of March, 2023

Olivia Acito
Notary Public for Dallas County, Texas

Commission expires on 10-22-2024



ORDINANCE NO. **25116**

An ordinance changing the zoning classification on the following described property, to wit:

An area being bounded by the center line of the alley between McCommas Boulevard and Longview Street on the north, the center line of Greenville Avenue on the east, the centerline of the alley between Vanderbilt Avenue and Goodwin Avenue on the south, and the centerline of US-75 on the west, but excluding Block 2193, Lots 9 and 10 and Block H2912, Lot 8A, and containing approximately 176 acres of land;

from an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with Modified Delta No. 1 Overlay to Conservation District No. 9 (the M Streets Conservation District) with retention of Modified Delta No. 1 Overlay; providing procedures and regulations for this conservation district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council of the City of Dallas find that the property described in Section 2 of this ordinance is an area of cultural and architectural importance and significance to the citizens of the city; and

WHEREAS, the city plan commission and the city council, in accordance with the provisions of the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the property hereinafter described; and

WHEREAS, the city council finds that it is in the public interest to establish this conservation district; Now, Therefore,

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

SECTION 1. Approval of the conceptual plan. That the conceptual plan for the M Streets Conservation District, attached to this ordinance as Exhibit B, is approved.

SECTION 2. Creation of the conservation district. That the zoning ordinances of the City of Dallas, as amended, are amended by changing the zoning classification from an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with Modified Delta No. 1 Overlay to Conservation District No. 9 (the M Streets Conservation District) with retention of Modified Delta No. 1 Overlay on the following described property, to wit:

An area being bounded by the center line of the alley between McCommas Boulevard and Longview Street on the north, the center line of Greenville Avenue on the east, the centerline of the alley between Vanderbilt Avenue and Goodwin Avenue on the south, and the centerline of US-75 on the west, but excluding Block 2193, Lots 9 and 10 and Block H2912, Lot 8A, and containing approximately 176 acres of land.

SECTION 3. Purpose. That this conservation district is established to conserve the M Streets neighborhood and to protect and enhance its significant architectural and cultural attributes. The conservation district regulations are attached to this ordinance as Exhibit A. The conservation district regulations ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.

SECTION 4. Zoning district maps. That the director of the department of development services shall correct Zoning District Map Numbers H-8 in the offices of the city secretary, the building official, and the department of development services, to reflect the changes in zoning made by this ordinance.

SECTION 5. Penalty clause. That a person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which

the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2,000.

SECTION 6. Saving clause. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. Severability clause. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 8. Effective date. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:

MADELEINE B. JOHNSON, City Attorney

By _____
Assistant City Attorney

Passed _____ November 13, 2002 _____

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

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EXHIBIT B: M Streets Conservation District Conceptual Plan			

(a) Interpretations and definitions.

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

- (K) DIRECTOR means the director of the department of development services or the director's representative.
- (L) DISTRICT means the M Streets Conservation District.
- (M) FENCE means a structure or hedgerow that provides a physical barrier.
- (N) FRONT FACADE means the building elevation facing the front street.
- (O) FRONT STREET means Homer Street for houses with Homer Street addresses, McCommas Boulevard, Mercedes Avenue, Merrimac Avenue, Monticello Avenue, Morningside Avenue, Ridgedale Avenue, and Vanderbilt Avenue.
- (P) FRONT YARD means the portion of a lot that abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. REQUIRED FRONT YARD means the portion of the front yard between the street and the setback line.
- (Q) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, mulch, pavers, or stones.
- (R) HEIGHT means the vertical distance measured from grade to the highest point of the structure as shown in Exhibit B.
- (S) HIGH TUDOR means high tudor architectural style as shown in Exhibit B.
- (T) LARGE CANOPY TREES means those varieties of Maple, Oak, Elm, and Pecan designated as large canopy trees by the city arborist.
- (U) LINE-OF-SIGHT refers to an imaginary line extending from the viewpoint of a six-foot-tall person standing in the middle of the street to the apex of the roof of the main structure's side gable. (See Exhibit B.)
- (V) MAIN STRUCTURE means the building on a lot intended for occupancy by the main use.

- (W) MINIMAL TRADITIONAL means minimal traditional architectural style as shown in Exhibit B.
- (X) NEO-COLONIAL means neo-colonial architectural style as shown in Exhibit B.
- (Y) ONE-AND-ONE-HALF STORY STRUCTURE means a main structure in which the space within the roof structure has been converted to livable space.
- (Z) ORIGINAL HOUSE means a house constructed between 1920 and 1940 in the High Tudor style.
- (AA) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.
- (BB) RANCH means ranch architectural style as shown in Exhibit B.
- (CC) REAR YARD means:
- (i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - (ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
- (DD) REMODEL means improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.
- (EE) RETAINING WALL means a wall used to prevent the erosion of land.

- (FF) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.
- (GG) SIDE-STREET means Central Expressway, Glencoe Street, Greenville Avenue, Homer Street for houses with non-Homer addresses, Laneri Avenue, McMillan Avenue, and Worcola Street.
- (HH) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."
- (II) SPANISH REVIVAL means spanish revival architectural style as shown in Exhibit B.
- (JJ) STREET FACADE means any part of a building that faces a public street.
- (KK) TUDOR COTTAGE means tudor cottage architectural style as shown in Exhibit B.
- (LL) WRAP-AROUND means that portion of a side facade of a main structure 25 feet behind the corner of the front facade.

- (b) Conceptual plan. The M Streets Conservation District Conceptual Plan is attached to and made a part of this ordinance as Exhibit B. In the event of a conflict between Exhibit A, the M Streets Conservation District Regulations, and Exhibit B, the conceptual plan, Exhibit A controls.
- (c) Nonconforming structures. Section 51A-4.704(c), "Nonconforming Structures," applies, except that if the degree of nonconformity is voluntarily reduced, all rights to the previous degree of nonconformity are lost.
- (d) Development standards. Except as otherwise provided, the development standards of the R-7.5(A) Single Family District apply.
 - (1) Use. The only use allowed is single-family.
 - (2) Conversions or additions. The number of dwelling units on a lot may not be increased.
 - (3) Lot size. Lots must have a minimum area of 7,500 square feet.

- (4) Lot width. Lots must have a minimum width of 50 feet. Lots may not exceed 60 feet in width.
- (5) Lot coverage. The maximum lot coverage is 45 percent.
- (6) Height. The maximum height for all structures is 30 feet, except that no part of the main structure may exceed the line-of-sight. Height must be calculated by a licensed architect or engineer. (See Exhibit B.)
- (7) Front yard setback for main structures. The minimum front yard setback for main structures is the average of the front yard setback of the two adjacent houses. The maximum front yard setback for main structures is the greater setback of the two adjacent houses. Setback calculations must be prepared by a licensed architect or engineer.
- (8) Side yard setback for main structures. Except for houses located on Homer Street, the minimum side yard setback for main structures is five feet on the west side and 10 feet on the east side. For houses on Homer Street, the minimum side yard setback for main structures is five feet on the north side and 10 feet on the south side.
- (9) Rear yard setback for main structures. The minimum rear yard setback for main structures is 20 feet.
- (10) Stories. The front facade of main structures must have the appearance of a one-and one-half story structure as shown in Exhibit B.
- (11) Accessory structures, garages, and carports.
 - (A) Location. Garages and carports must be located in the rear 30 percent of the lot. On corner lots, accessory structures may not be located closer to the cornerside lot line than the main structure.
 - (B) Access. Garages must have at least one vehicle entrance from the street.
 - (C) Style and materials. The color, style, design, and materials of garages that are visible from the street must be compatible with the main structure.

- (D) Roof slope. If a garage is visible from the street, the slope of the roof must match either the roof slope of the main structure or the roof slope of original garages.
 - (E) Side yard setback. There is no required side yard setback for garages, except that no part of the garage may overhang adjacent property.
 - (F) Rear yard setback for garages.
 - (i) Garages over 15 feet in height must have a minimum five-foot rear yard setback.
 - (ii) Garages 15 feet or less in height must have a three-foot rear yard setback unless the property owner can document the original footprint, in which case the garage may be built on the original footprint.
 - (iii) The minimum rear yard setback for all rear-entry garages is 20 feet.
 - (G) Existing garages. Existing garages that are not located to the rear of the main structure may be repaired or maintained, but may not be enlarged or replaced.
- (12) Roofing materials. No corrugated plastic, standing-seam metal, rolled, or tar-and-gravel roofing is allowed on the front facade, the wrap-around, or any part of a garage that is visible from a street. Copper roofing accents are allowed on dormers and eyebrows.
- (13) Fences and walls.
- (A) Fences are not allowed in the front yard.
 - (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
 - (C) Fences in cornerside yards must be located behind the mid-point of the main structure.

- (D) Fences in non-cornerside yards must be located at least five feet behind the front corner of the house.

(14) Driveways and curbing.

- (A) All houses must have a straight driveway located along the east side (south side for Homer lots) of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
- (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
- (C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brushed concrete.
- (D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
- (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.

(15) Front yards and parkways.

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

(16) Retaining walls.

- (A) Existing retaining walls may be repaired and maintained.
- (B) New retaining walls must be made of stone and may not exceed 30 inches in height as measured from the sidewalk or four inches

above the yard it is retaining, whichever is less; and must match the materials and color of the main structure.

(17) Parkway trees. Prior to final inspection on any new construction or additions over 100 square feet, at least two, two-caliper-inch large canopy trees must be planted in or adjacent to the parkway. This requirement does not apply if there are already two or more large canopy trees located in or adjacent to the parkway. A large canopy tree is considered adjacent to the parkway when the tree, fully grown, will provide a 10-foot-wide shaded area over the parkway and a portion of the street at midday. If trees are planted in the public right-of way, all applicable licensing requirements must be met.

(18) Windows and doors.

(A) The following applies to windows and doors on the front facade and the wrap-around:

(i) Only transparent, stained, or leaded glass is allowed in windows and doors.

(ii) Window height must be greater than the window width.

(iii) All windows must fit the wall opening. Infill surrounding the window is not allowed.

(iv) Metal window frames must have a finish that is indistinguishable from the finish on original wood windows.

(v) Window air conditioner units are not allowed.

(vi) Window muntins and mullions must be expressed by a minimum of one-fourth inch. Window assemblies must have a profile depth of at least three inches.

(e) Architectural standards for new construction.

(1) Applicability. The standards contained in this section apply to construction of new main structures, except Craftsman replacement houses. This section applies to the front facade and the wrap-around.

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

- (iii) Projecting front-facing gables may overlap.
 - (iv) Projecting front-facing gables must have a roof slope between 45 degrees and 70 degrees. The roof slope of each projecting front-facing gable must be the same.
 - (v) The height of the peak of the dominant projecting front-facing gable must be between 20 feet and 24 feet. The height of subordinate projecting front-facing gables must be at least 70 percent to 80 percent of the height of the dominant projecting front-facing gable.
- (B) Eaves. The eaves of all projecting front-facing gables and side gables must have a common height between 9 feet to 11 feet above grade.
- (C) Side gables. Side gables must be true gables, with both front and back roof slopes. At least 30 percent of the back slope must be maintained. The roof ridge of side gables must be flat and uninterrupted.
- (6) Foundation. The foundation must be raised a minimum of 12 inches above grade. The foundation must have a concrete exterior finish.
- (7) Steps.
- (A) Original rolling or waterfall steps leading from the sidewalk to the house must be retained. Where the original rolling or waterfall steps have been removed, they should be replaced to match the original.
 - (B) Front porch steps must lead to building entrances.
 - (C) Steps must be made of concrete.
- (8) Front porches.
- (A) New houses must have a front porch constructed with multiple arched openings compatible with original houses.
 - (B) The front porch must be a minimum of 25 percent of the ground floor front facade width. Front porches must have a minimum

depth of six feet, measured from inside the column to the face of the front facade.

- (C) Front porches may be open-air or enclosed. If front porches are enclosed, at least 95 percent of the material used to enclose the front porch openings must be transparent, stained, or leaded glass.

(9) Front facade windows.

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

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

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

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

(10) Chimneys.

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

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

- (i) Corbel chimney statue ledge.

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

(11) Dormers and eyebrows.

- (A) One gabled dormer is allowed on the front facade. Gabled dormers may not be inset or recessed. The width of gabled dormers may not exceed six feet. The height of the gabled dormer may not exceed the width by more than one foot.
- (B) Up to two eyebrow dormers are allowed on the front facade. Eyebrow dormers must be compatible with original houses.

(12) Optional architectural design features.

- (A) New houses must incorporate at least four of the following architectural design features into the front facade (see Exhibit B):
 - (i) Arched doorway which matches the shape of the front porch arches.
 - (ii) Turned cast-stone front porch columns.
 - (iii) Stucco with wood half-timbering in projecting front-facing gables.
 - (iv) Decorative, articulated verge boards.
 - (v) Stone accents.
 - (vi) Massive chimney located on the front facade.
 - (vii) Blond or light-colored brick compatible with original houses.
 - (viii) Open-air front porch.

(f) Architectural standards for remodeling of High Tudor and Tudor Cottage houses.

- (1) Applicability. Remodeling of houses that are identified as High Tudor or Tudor Cottage in Exhibit B must comply with the standards for new construction and the standards contained in this section. This section applies to the front facade and wrap-around.
- (2) Materials. Any remodeling must match the original brick and stone in size, color, coursing, texture, mortaring, and joint detailing.
- (3) Porte cocheres. Porte cocheres may not be enclosed.
- (4) Architectural design features.
 - (A) The following architectural design features must be maintained or duplicated. These architectural design features may be relocated within the front facade or wrap-around.
 - (i) Balustrades.
 - (ii) Chimneys.
 - (iii) Dormers.
 - (iv) Exterior stained and leaded glass.
 - (v) Front porches with columns.
 - (vi) Porte cocheres.
 - (vii) Roof eaves.
 - (viii) Turrets.
 - (ix) Window and door openings.
- (g) Demolition of High Tudor houses. Houses identified as High Tudor in Exhibit B may be demolished only if the cost of bringing the house into compliance with all applicable building code requirements using materials similar to the original materials is greater than 80 percent of the structure's value according to the Dallas Central Appraisal District.
- (h) Architectural standards for remodeling and reconstruction of non-Tudor houses. Non-Tudor houses may be remodeled in their own style, or in the High Tudor style, as long as the front facade and wrap-around reflects the chosen

architectural style. Houses completely or partially destroyed due to acts of God may be rebuilt in the original architectural style or in the High Tudor style.

(i) Architectural standards for Craftsman houses.

(1) Applicability.

(A) If a Craftsman house is demolished, it may be replaced by a High Tudor house or a Craftsman house. If the new house is a High Tudor house, it must comply with the architectural standards for new construction. If the new house is a Craftsman house, it must comply with these standards.

(B) Houses that are identified as Craftsman in Exhibit B must be remodeled according to the following standards.

(C) This section applies to the front facade and wrap-around.

(2) Materials. Craftsman houses must be constructed of brick, hardiplank, or wood. Any remodeling must match the original materials in type, size, color, coursing, texture, and joint detailing.

(3) Roof form. Craftsman houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a minimum roof overhang of at least 18 inches. Roof rafters must be exposed. Decorative beams or braces must be added under gables. Gables must have dentils.

(4) Windows. Windows must be double-hung with 1-over-1 lights, or must be mission-styled. Windows must be grouped in clusters of two or three.

(5) Front porches. An unenclosed front porch is required along a minimum of 50 percent of the front facade. The front porch roof must be supported by tapered, square box columns with a brick or stone base. The front porch must be surrounded by a wood balustrade or railing. The entryway must have a Craftsman wood door.

(j) Architectural standards for Spanish Revival houses.

(1) Applicability. Spanish Revival houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.

- (2) Materials. Any renovations or additions must match the original brick, stone, or stucco in color, coursing, mortaring, size, and texture.
 - (3) Roofs. Spanish Revival houses must have a front-gabled roof with a shallow roof slope between 20 degrees and 40 degrees, with a maximum roof overhang of 8 inches.
 - (4) Windows. Windows must have 6-over-6 or 9-over-9 divided lights.
 - (5) Arches. Arches above doors and windows must be retained.
- (k) Architectural standards for Minimal Traditional houses.
- (1) Applicability. Minimal Traditional houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roofs. Minimal Traditional houses must have a cross-gabled roof with low to moderate roof slope between 30 degrees and 45 degrees, and a single projecting front-facing entryway. The maximum roof overhang is 12 inches.
 - (4) Windows. Windows must have multi-pane sashes.
 - (5) Front porches. A front porch entry feature is required.
- (l) Architectural standards for Neo-Colonial houses.
- (1) Applicability. Neo-Colonial houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick or stone in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roof form. Neo-Colonial houses must have a side-gabled roof with a low to moderate roof slope between 35 degrees and 60 degrees.

- (4) Windows. Windows must be double hung with multi-pane sashes. Windows must be symmetrically balanced on both sides of the center door.
 - (5) Front door. The front door must be accentuated with a decorative pediment with crown, entry porch, slender columns, and pilasters.
- (m) Architectural standards for Ranch houses.
- (1) Applicability. Ranch houses must be remodeled according to the following standards. This section applies to the front facade and wrap-around.
 - (2) Materials. Any remodeling must match the original brick, stone, or wood in color, coursing, joint detailing, mortaring, size, and texture.
 - (3) Roof form. Ranch houses must have a hipped roof with a low roof slope between 20 degrees and 35 degrees. The overhang must be a minimum of 12 inches but no more than 24 inches.
 - (4) Windows. Windows must be ribbon or picture style.
- (n) Architectural standards for Contemporary houses.
- (1) Applicability. Contemporary houses must be remodeled according to the following requirements. This section applies to the front facade and wrap-around.
 - (2) Style and materials. Any remodeling must match the original materials, roof slope, and style of the main structure.
- (o) Procedures.
- (1) Review form applications. A review form application must be submitted to the Director for any work covered by the standards contained in this ordinance.
 - (2) Posting of architectural plans.
 - (A) Upon filing a review form application for new construction, the applicant must post a laminated minimum 11-inch-by-17-inch sign in the front yard with the following information, and provide a

copy of the sign to the neighborhood association(s) for the area where the property is located.

(i) A scaled color rendering of the front facade of the completed new construction or remodeling and the two adjacent houses, indicating the dimensions of all structures.

(ii) A scaled site plan showing the front yards, driveways, and footprints of the completed new construction or remodeling and the two adjacent structures. The site plan must be sealed by a licensed architect or engineer.

(3) Work requiring a building permit.

(A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form application to the Director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 30 days after submission of a complete review form application.

(B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.

(C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage

paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.

(4) Work not requiring a building permit.

- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.

(5) Appeals.

- (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures," as amended.
- (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
- (C) Appeal to the board of adjustment is the final administrative remedy.

EXHIBIT B
CONSERVATION DISTRICT NO. 9



M-STREETS
(Greenland Hills)
CONSERVATION DISTRICT
CONCEPTUAL PLAN

October 10, 2002



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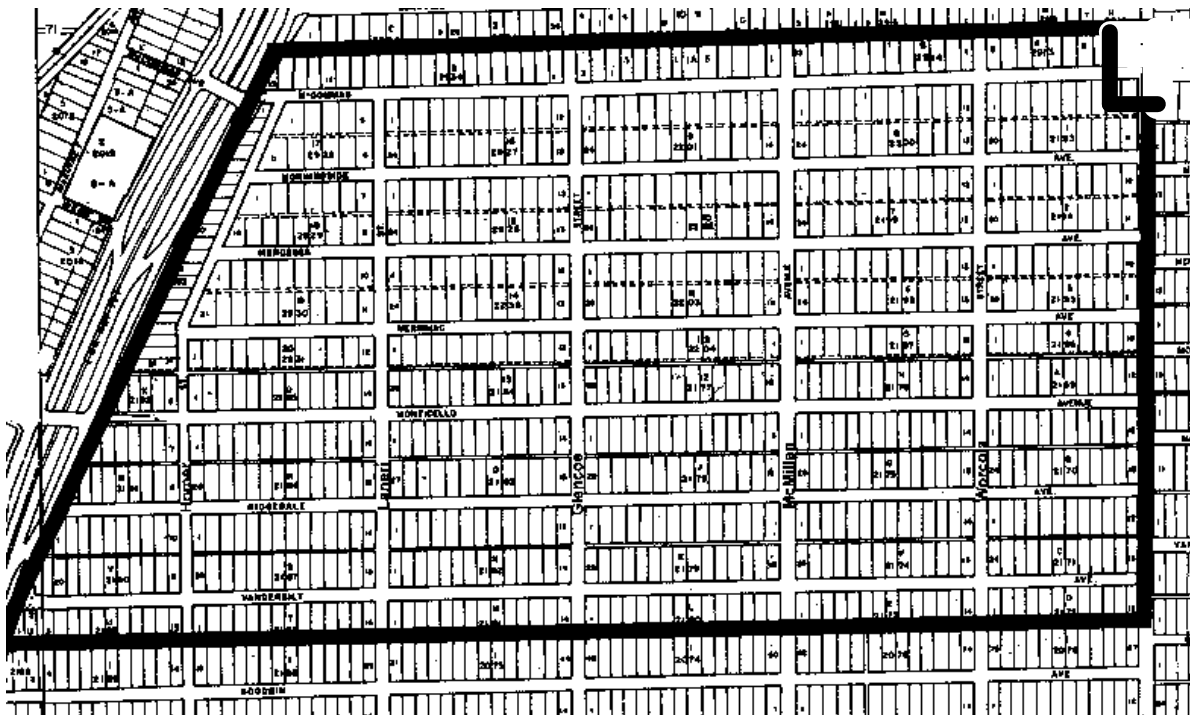
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1.0 INTRODUCTION

The M-Streets / Greenland Hills neighborhood is located to the east of U.S. 75 North approximately 2 miles north of downtown Dallas. Bounded by U.S. 75/Central Expressway on the west, McCommas Boulevard on the north (both sides of street), Greenville Avenue on the east and Vanderbilt on the south (both sides of street) , this neighborhood has over 900 homes.



Popularly known as the M Streets, Greenland Hills was platted and developed as a cohesive neighborhood, designed in the 1920's to appeal to middle-class professionals who wanted to live in the expanding city limits made possible due to the advent of the automobile. The most popular architectural style in this area was the Tudor style. As the demand grew over the next few decades, the area became more populous. This resulted in establishing one of the largest collections of Tudor Revival neighborhoods in Texas with 65% of all structures in the Tudor style. Today, the neighborhood wishes to conserve the look and feel of the neighborhood.

2.0 ZONING AND LAND USE

The area is zoned R-7.5 (A) and R-7.5-MD-1 and is developed with single family residential uses. One lot on Greenville Avenue is a small office within a converted single family structure.

3.0 NEIGHBORHOOD APPLICATION

Members of the neighborhood have realized the value of having such a large concentration of Tudor styled homes and wanted to protect the look and feel of the neighborhood. Demolitions, over sized new construction, remodeling projects and excessive large rear additions were adversely changing the overall look of the neighborhood.

Since the basic zoning of R-7.5(A) does not include architectural standards, it was necessary for the neighborhood to seek a zoning classification that would allow them to address and protect site and architectural characteristics of the neighborhood.

Therefore, the neighborhood submitted an application for a conservation district in the Fall of 2001. The purpose of the proposed conservation district is to ensure compatibility of new construction and work to existing houses, especially along the block face.

Over 75% of the property owners in the neighborhood signed a petition in support of exploring the feasibility of creating a conservation district. The application was submitted in Fall 2001. The City Plan Commission authorized a public hearing, and directed staff to begin the planning process, in December 2001.

4.0 Planning Process Background

The city staff facilitated five community meetings. Property owners were notified each meeting including those 200 feet outside the study area.

The neighborhood had previously conducted an opinion survey that addressed 21 items that were of concern and most important to the majority of the neighborhood. The neighborhood asked to discuss and elaborate on each of these items with guidance from the city staff. After thorough discussion, a draft of the recommended standards was outlined and presented to the neighborhood. Residents were informed that they could find the draft ordinance on the city website at www.dallascityhall.org and that the ordinance would be presented to the City Plan Commission on October 10, 2002.

During the community meetings everyone was given the opportunity to make comments either verbally or written. A vote was taken as each standard was discussed before moving to another standard. Citizens were able to provide written comments on Comment Sheets that were distributed during each meeting. Comment Sheets were either received after the meeting or mailed or faxed to the Department of Development Services. The email addresses and phone numbers of city staff members conducting the study were given out to allow residents to voice their opinions.

The community meetings for the M-Streets / Greenland Hills neighborhood took place on the following dates:

Date	Meeting Objective	Attendance
January 30, 2002	Review survey / identify likely standards	110
March 18, 2002	Site standards	125
April 24, 2002	Site / architectural standards / demolitions	86
June 12, 2002	Architectural standards new/remodeling	56
August 21, 2002	Review of all standards/final endorsement	88

At the end of each meeting, the question was asked “are you still interested in pursuing a conservation district?” The answer was consistently “Yes.”

5.0 STAFF RECOMMENDATION

Based on the Department of Planning and Development's analysis of the built environment and five community meetings, staff recommends that the neighborhood should become a conservation district based on the following criteria specified in the enabling ordinance:

- The proposed neighborhood contains numerous blockfaces with contributing and significant structures of architectural value. The neighborhood contains one of the strongest collections of mid-sized Tudor Revival houses in the State of Texas.
- The neighborhood is stable. The zoning and land use patterns are consistent, as 98 percent of the area is single family.
- The neighborhood has a distinctive atmosphere and character which can be conserved by protecting its 'High Tudor' architectural and cultural attributes.
- There has been strong property owner support. At the end of every meeting approximately 95 percent of the group expressed support in becoming a conservation district and to continue with the planning process.

6.0 CONCEPT PLAN – PROPOSED SITE DEVELOPMENT STANDARDS

Based on the Department of Planning and Development’s analysis of the built environment and citizen input during the five community meetings, staff recommends the following site development standards to serve as a basis for the conservation district ordinance.

ALL HOMES: SITE DEVELOPMENT/ARCHITECTURAL STANDARDS (NOTE: STANDARDS APPLY ONLY AT TIME OF RENOVATIONS, REMODELING OR NEW CONSTRUCTION)	
Lot size	Minimum 7,500 square feet.
Lot width	Minimum 50 feet, maximum 60 feet.
Lot coverage	Maximum 45%
Height	30 feet maximum but cannot exceed the line-of-sight established from middle of street to the top of the ridge of the roof. See Appendix C.
Front yard setback	Minimum: average of two adjacent houses. Maximum: greater setback of two adjacent houses
Side yard setbacks for house	5 feet on west side and 10 feet on east side.
Rear yard setback for main structure / house	20 feet
Stories	Appearance of 1 ½ stories (front 25 ft. of house)
Garages / Carports	Located in rear 30% of the lot. Color/style/design materials must be compatible with house. Side yard setback is 0. Rear yard setback is 5 feet for garages taller than 15 feet Rear yard setback is 3 feet for garages 15 feet or shorter, or 0 feet if constructed in original location. Rear yard setback for rear entry garages is 20 feet. Access at street frontage or side street for corner lots.
Roofing materials	No (standing seam) metal, corrugated plastic, tar and gravel, or rolled roofing. Copper roofing is allowed on dormers and eyebrows
Fences and walls	If visible from street, must be made of wood, wrought iron, or stone or brick that matches house. Side yard fences must return to house 5 feet or more behind the front corner of the house. Corner lot fences to be located behind the mid-point of the main structure. No front yard fences.
Driveways and curbing	Straight, concrete driveway, 8 – 10 ft. wide (24 feet for corner lots on side streets). Must be constructed of brush concrete. Circular drives are

	prohibited.
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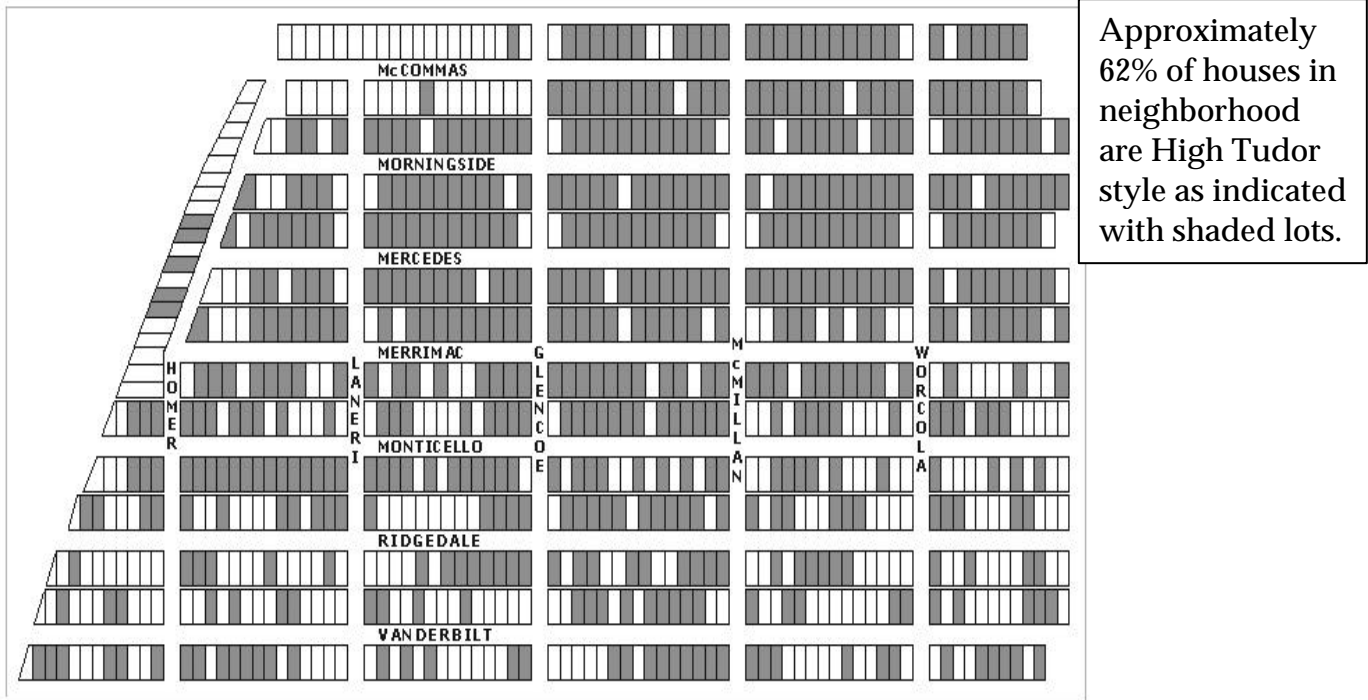
6.0 CONCEPT PLAN – PROPOSED SITE DEVELOPMENT STANDARDS

ALL HOMES: SITE DEVELOPMENT/ARCHITECTURAL STANDARDS (Continued)

Front yards and parkways	No more than 30% of the front yard may be paved or hardscaped. The parkway may not be hardscaped except for curb cuts and sidewalk extensions. Mail boxes, (monuments), pylons, satellite dishes & accessory structures are not allowed in parkway and front yard.
Retaining walls	Maximum 30 inches in height from the sidewalk or 4 inches above yard, whichever is less; and match the materials and color of house
Parkway trees	New construction or additions over 100 sq. ft. must have two or more large canopy trees in or near parkway. Exceptions allowed for existing shade trees.
Windows/Glass	At front façade and wrap-around area: Use transparent, stained, or leaded glass for window and doors. Window wall openings may only be filled with permitted glass. Each window height must exceed its width. Window must express a profile depth a minimum of 3 inches in depth that include jamb, frame, and sills. Sash, mullion and mutin bars must be expressed by a minimum of ¼ inch unless a leaded stained window. Window air conditioner units are prohibited on front façade and wrap-around area.
Demolition	High Tudor houses may be demolished only when the cost of restoration-repair is greater than 80% of the structure’s value according to the Dallas Central Appraisal District. See next page for more details and Appendix A for list of High Tudors.

Demolitions

High Tudor houses may be demolished only when the cost of restoration-repair is greater than 80% of the structure's value according to the Dallas Central Appraisal District. All other architectural styles may be demolished including Tudor Cottages. See Appendix A, Architectural Style Property Index



Example of High Tudor style.



Example of Tudor Cottage style.

7.0 CONCEPT PLAN – PROPOSED ARCHITECTURAL STANDARDS – NEW CONSTRUCTION

Prototype ‘High Tudor’ building form

Side gable Tudor with a massive-chimney, multiple-projecting overlapping front gable, porch and raised foundation. The following are the preliminary minimum standards for new construction in the district:

Gables

Roof form: Steeply pitched at least 45 to 70 degrees and with all eaves (bottom of line) to have same elevation (height) no more than 9-to-11 feet from first floor elevation with maximum overhang of 18 inches.

Projecting front overlapping gables: One dominant gable with one-to-two subordinate gables.

- Dominant gable height to be 20 to 24 feet
- Subordinate gables to be 70 percent to 80 percent the height of dominant gable

Foundation

Construct a raised foundation a minimum of 12 inches (exterior concrete) and provide any front concrete steps leading to building entrances.

Chimney

Massive brick chimney, on side of house or width of chimney facing front elevation (block face).

Porch

Provide porch with multiple arched openings that comprises a minimum of 25% of the front elevation ground floor and that is at least 6 feet deep. Opening(s) may be open-air or enclosed with single-light glass pane(s).

Windows

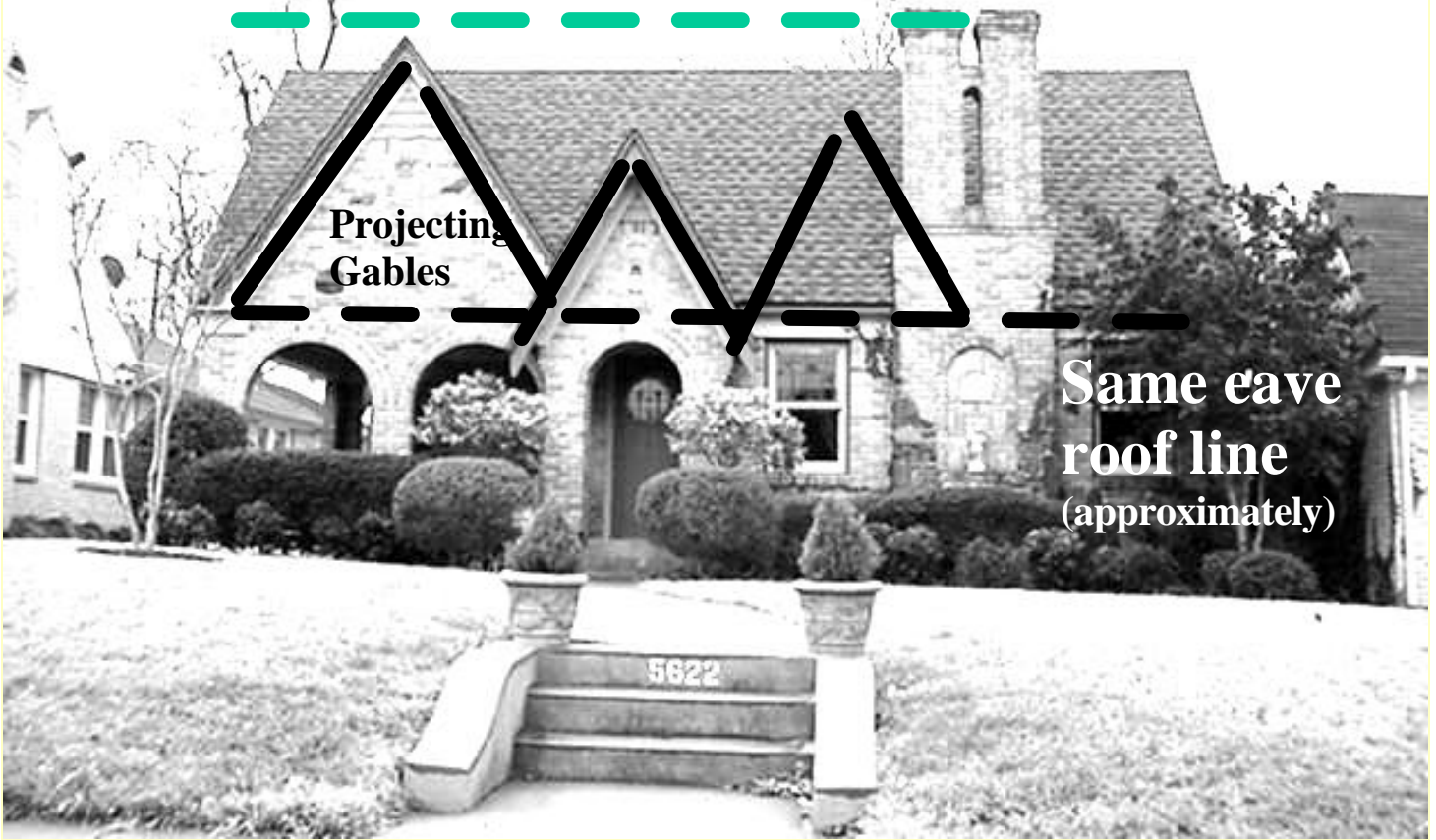
Must provide one pair of narrow casement stained or leaded glass windows
Other windows may be 6-over-6 or 1-over-1

Optional Architectural Design Features

New construction must have at least three of the following elements:

- Turned cast-stone porch columns
- Half timbers and stucco gables
- Corbel chimney statue ledge–Roof verge board
- Stained or leaded glass casement windows
- Rolled concrete steps at sidewalk approach

Predominant Roof Form: side gabled



**Projecting
Gables**

**Same eave
roof line
(approximately)**

Architectural Design Features



Archways/turned columns



Stained glass / corbelled chimney with niche



Stucco gables / half timbers



Stone/brick work/archways/stained glass

8.0 CONCEPT PLAN – PROPOSED ARCHITECTURAL STANDARDS – REMODELING

Work that applies to front façades and (wrap around) back 25 feet from front corner of house ...otherwise build a zen box

Standards apply to remodeling based on the existing style of the house. Owners also have the option to remodel – redesign into High Tudor style if they desire. Standards are for existing houses and the type of architectural style as listed in appendix.

Arts and Crafts

- Craftsman Bungalow

Revival Styles

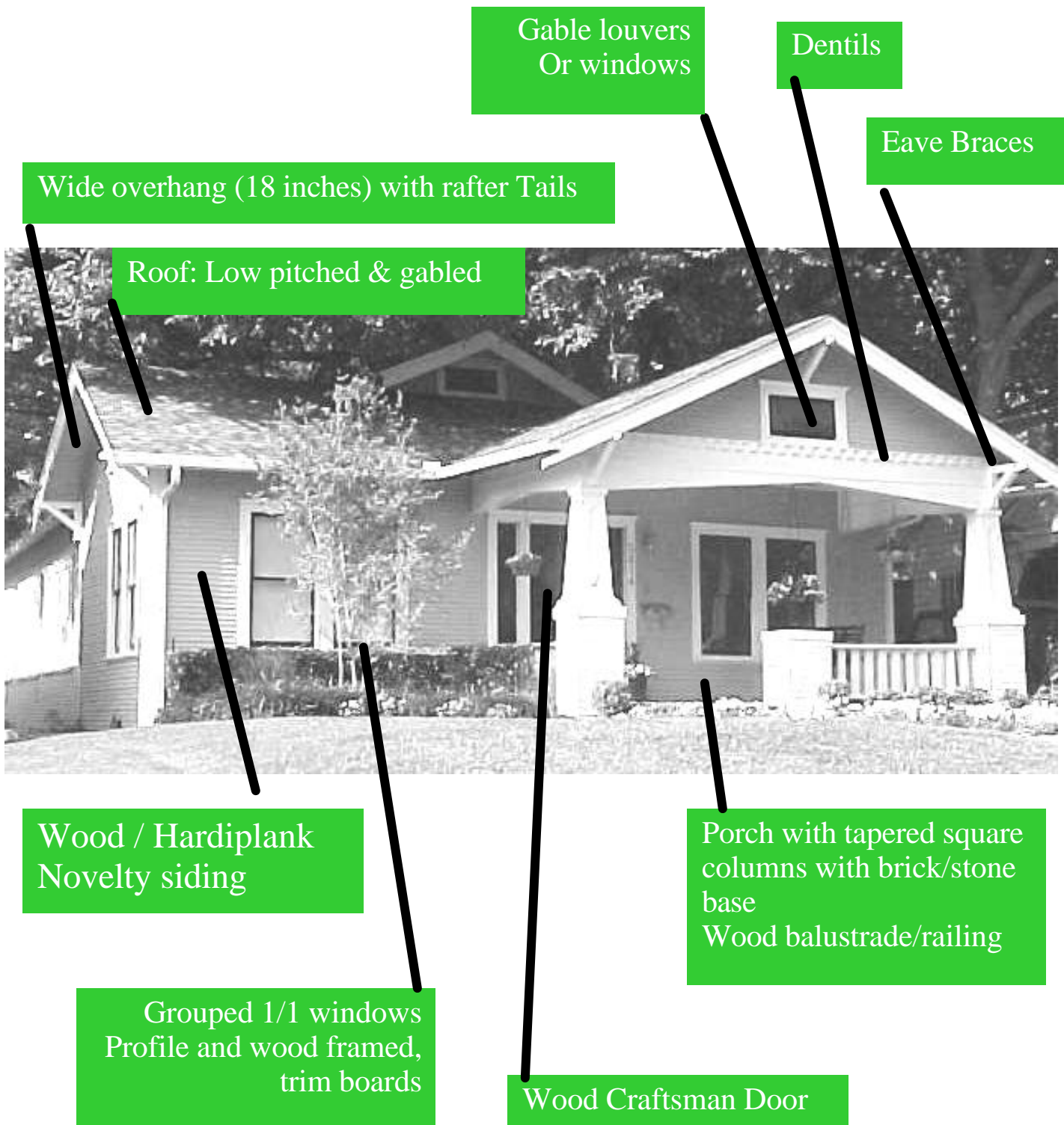
- ‘High’ Tudor (see new construction standards) and Tudor Cottage
- Spanish Revival
- Neo Colonial

Post War

- Minimal Traditional
- Ranch
- Contemporary (hybrid)

**8.0 CONCEPT PLAN –
PROPOSED ARCHITECTURAL STANDARDS**

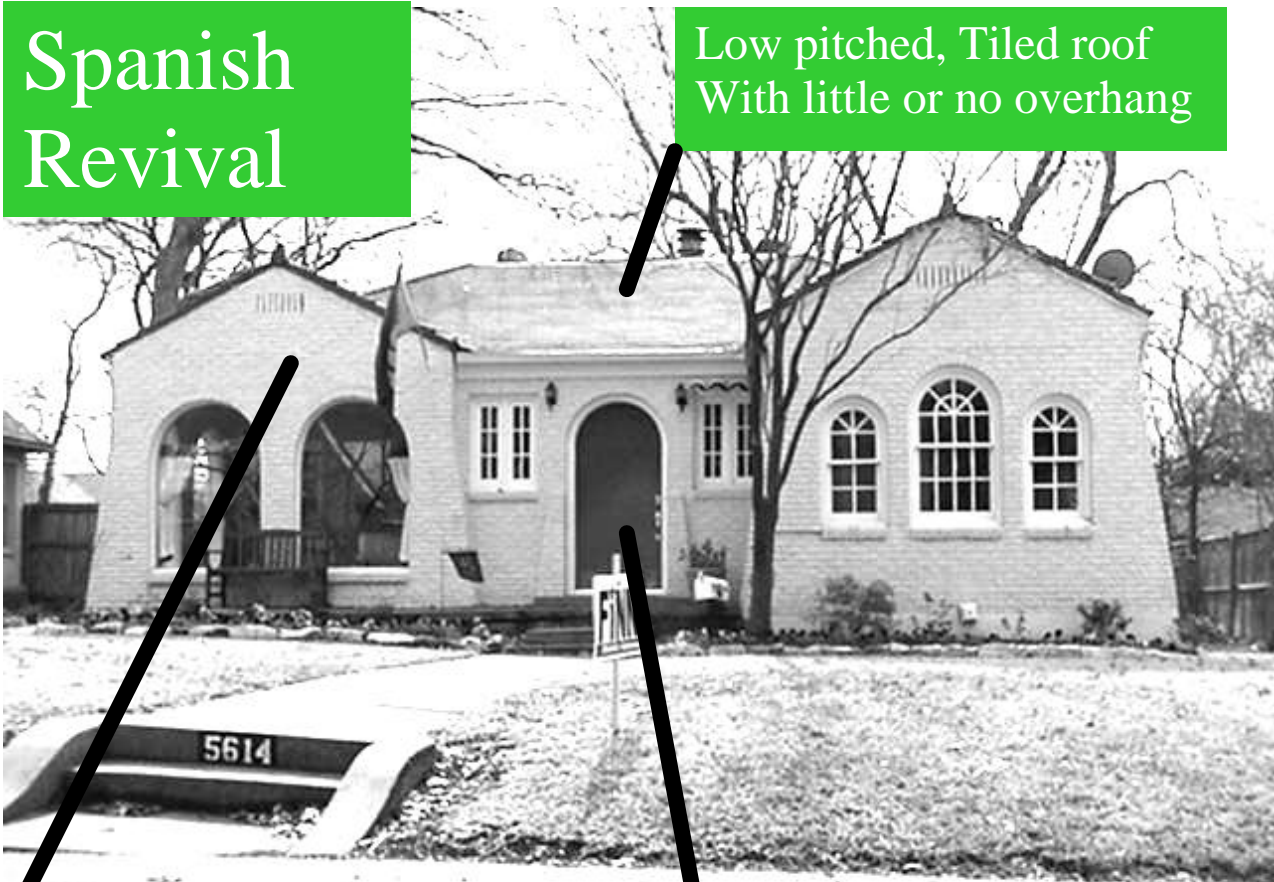
Arts and Crafts -- Craftsman (Bungalow)



**8.0 CONCEPT PLAN –
PROPOSED ARCHITECTURAL STANDARDS – REMODELING**

**Spanish
Revival**

Low pitched, Tiled roof
With little or no overhang



Wall surface usually stucco or brick

Arches above doors and windows

Side gabled roof
With minimal overhang

**Neo
Colonial**



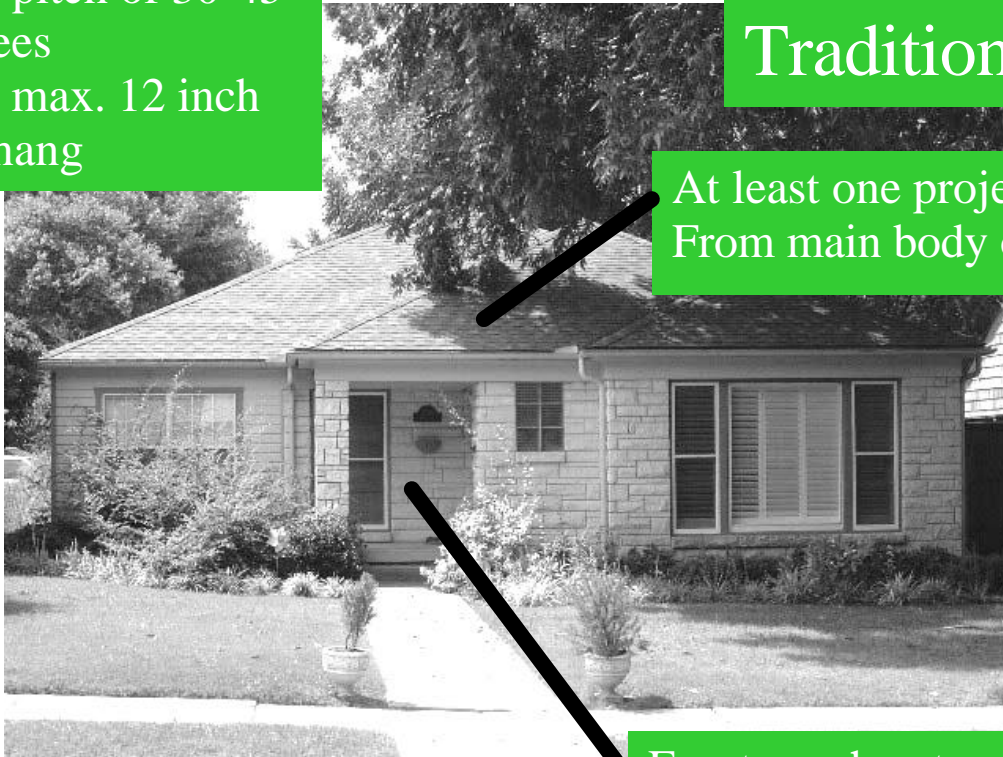
Accentuated / pediment
Front entrance with
Slender columns, Doric.

PROPOSED ARCHITECTURAL A

Roof pitch of 30-45 degrees
With max. 12 inch overhang

Minimal Traditional

At least one projection
From main body of house



Front porch entry
feature



RANCH

- Ribbon windows
- Picture windows
- Brick and wood facades
- Low pitch roof with moderate eave overhang
- Use matching materials of house

**8.0 CONCEPT PLAN –
PROPOSED ARCHITECTURAL STANDARDS – REMODELING**



**Contemporary
Builder Style
(hybrid)**

Any addition and remodeling to match the style,
materials, roof slope of the main structure

9.0 ANALYSIS OF THE BUILT ENVIRONMENT

Front Yard Set Back:



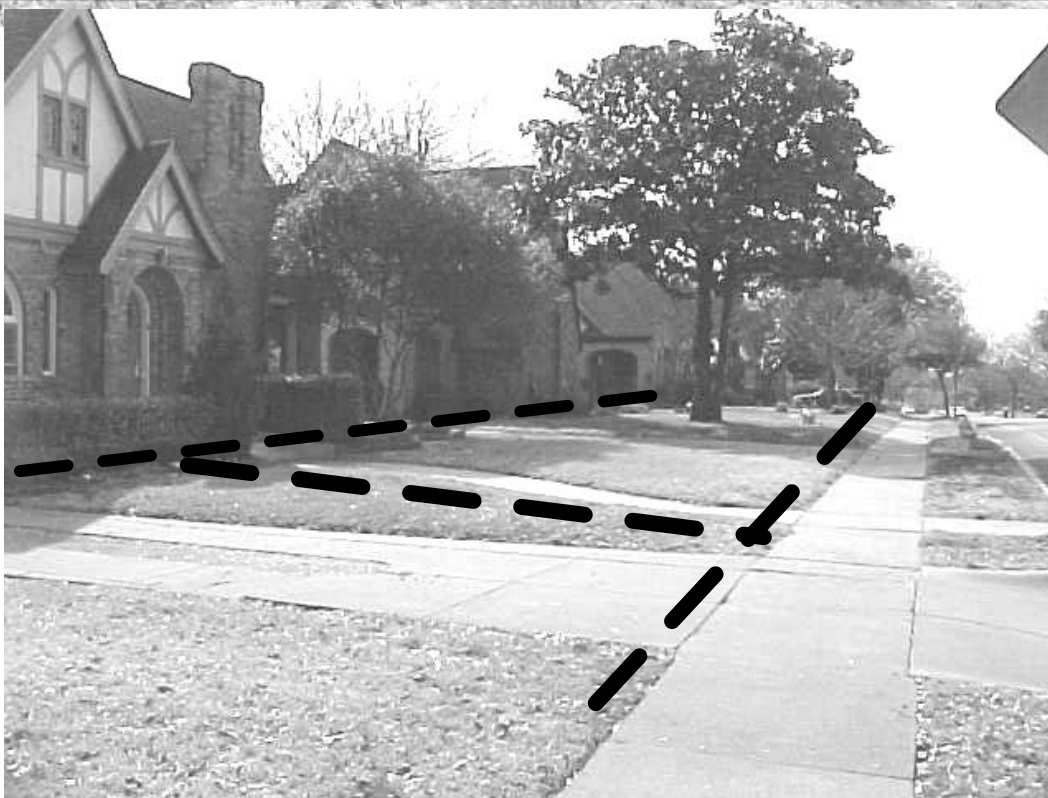
Existing is 25 foot under R-7.5(A).

Required front yard setback will be the average of the two immediate adjacent structures

–New construction structures to be located on front setback line

–Average calculation is to be submitted by registered engineer / architect.

Most of the houses in the area align with each other.

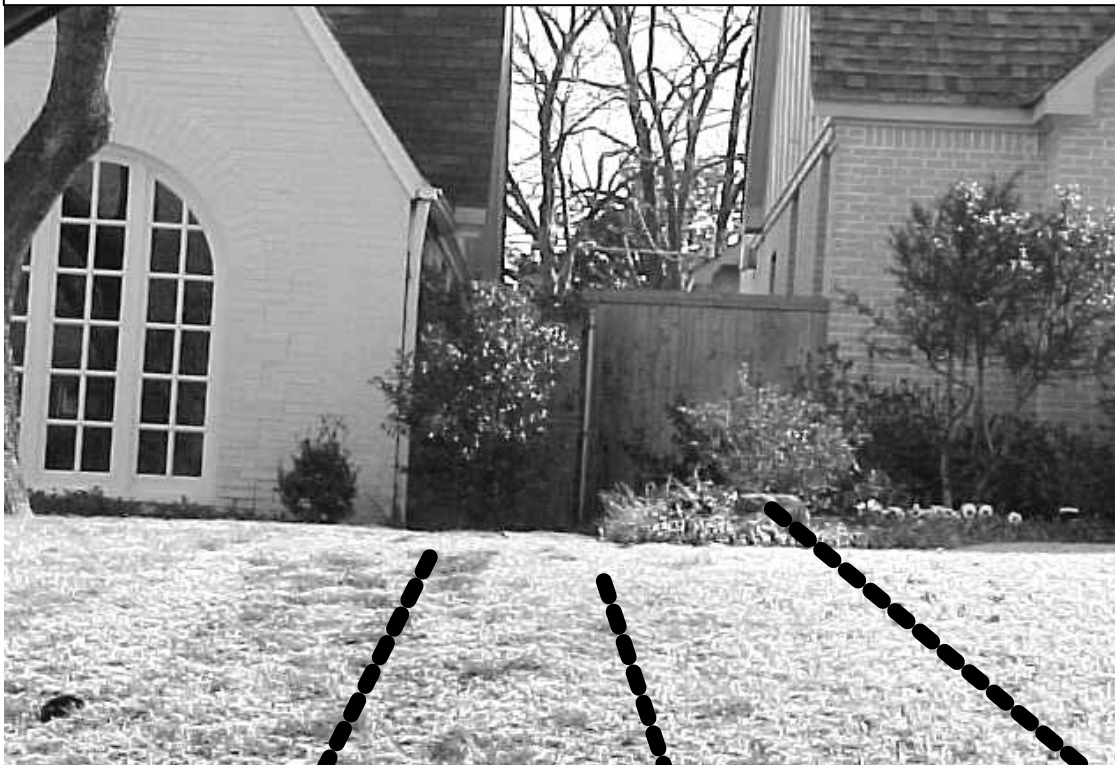


9.0 ANALYSIS OF THE BUILT ENVIRONMENT

Side Yard Set Back:



Typically in the neighborhood, the driveways are 10 feet wide next to a 5 foot side yard set back, allowing for light and air between houses.



There were some infrequent cases of 5 foot set backs next to each other.

9.0 ANALYSIS OF THE BUILT ENVIRONMENT



Corner side yard fences May be erected up to 9' feet in height can go up to the mid point of the house in order to show the architectural features of the house.



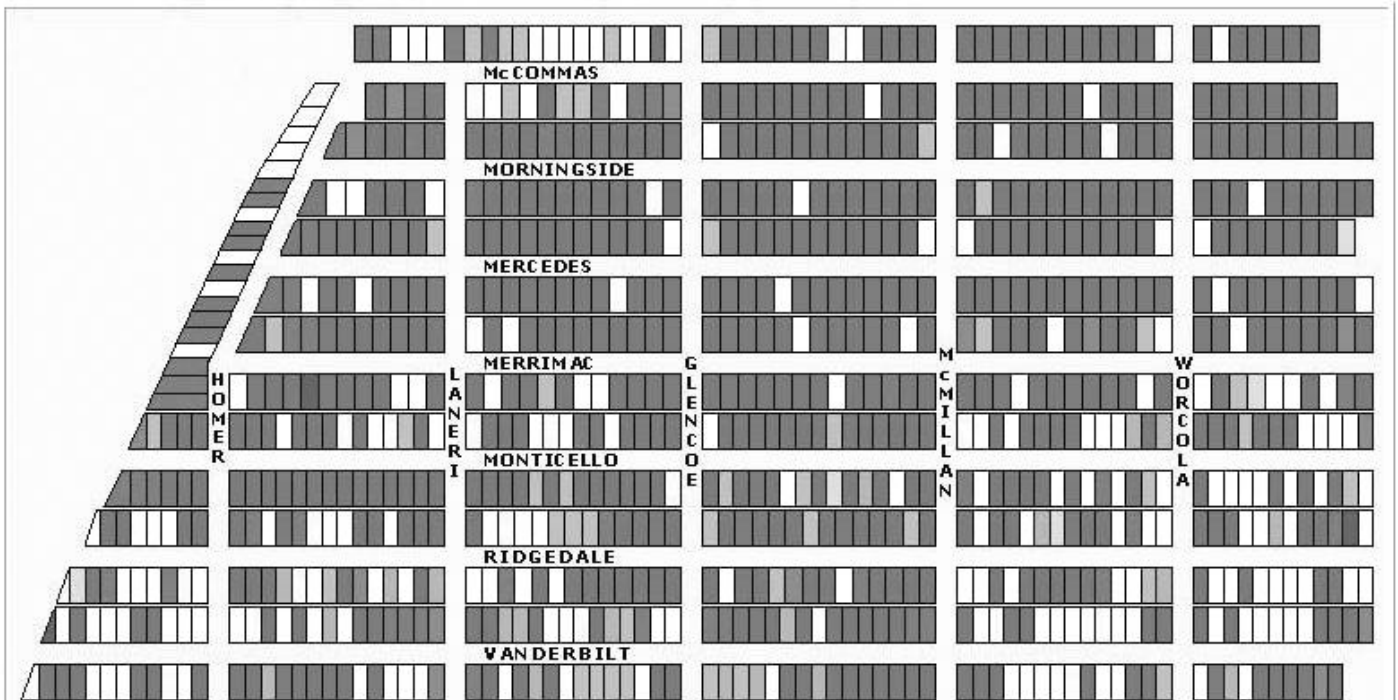
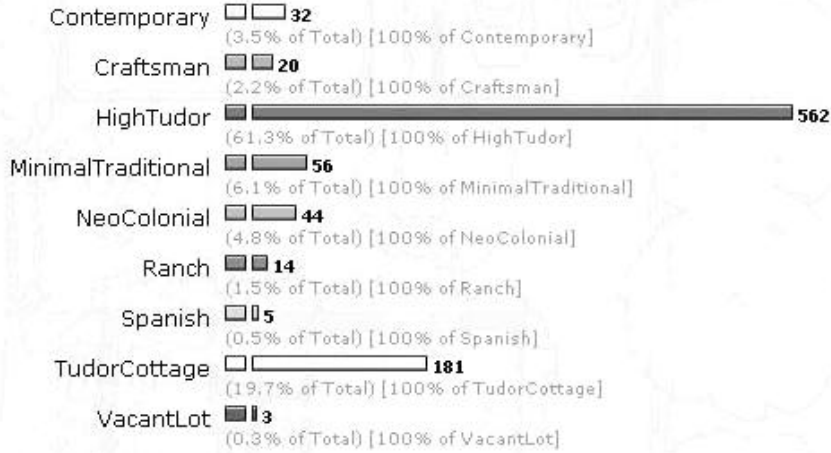
Interior side yard fences may be erected up to 9' feet in height and can go up to five feet from the front corner of the front façade.

APPENDIX

Appendix A:	Architectural Style Property Index
Appendix B:	History of Greenland Hills
Appendix C	Height Measurement Illustration
Appendix D	Appearance of 1-1/2 Stories

Appendix A: Architectural Style Property Index

Map of Architectural Styles



Appendix A: Architectural Style Property Index

5203	McCommas	MinimalTraditional	1946	5401	McCommas	Neo Colonial	1945
5206	McCommas	MinimalTraditional	1948	5402	McCommas	High Tudor	1927
5207	McCommas	MinimalTraditional	1946	5405	McCommas	High Tudor	1934
5210	McCommas	Ranch	1950	5408	McCommas	High Tudor	1927
5211	McCommas	TudorCottage	1948	5410	McCommas	High Tudor	1927
5214	McCommas	MinimalTraditional	1950	5411	McCommas	High Tudor	1934
5215	McCommas	TudorCottage	1948	5414	McCommas	High Tudor	1932
5218	McCommas	MinimalTraditional	1950	5415	McCommas	High Tudor	1928
5219	McCommas	TudorCottage	1940	5418	McCommas	High Tudor	1930
5223	McCommas	NeoColonial	1940	5419	McCommas	High Tudor	1925
				5422	McCommas	High Tudor	1930
5302	McCommas	Contemporary	1940	5423	McCommas	High Tudor	1928
5303	McCommas	NeoColonial	1939	5426	McCommas	High Tudor	1927
5306	McCommas	MinimalTraditional	1939	5430	McCommas	High Tudor	1927
5307	McCommas	MinimalTraditional	1938	5431	McCommas	High Tudor	1929
5310	McCommas	NeoColonial	1939	5433	McCommas	Contemporary	1994
5311	McCommas	NeoColonial	1939	5434	McCommas	High Tudor	1930
5314	McCommas	TudorCottage	1938	5435	McCommas	Tudor Cottage	1937
5315	McCommas	NeoColonial	1938	5438	McCommas	Tudor Cottage	1941
5317	McCommas	TudorCottage	1935	5439	McCommas	High Tudor	1928
5318	McCommas	HighTudor	1926	5440	McCommas	High Tudor	1929
5321	McCommas	TudorCottage	1935	5443	McCommas	High Tudor	1928
5322	McCommas	NeoColonial	1935	5446	McCommas	High Tudor	1929
5326	McCommas	NeoColonial	1936	5447	McCommas	High Tudor	1928
5327	McCommas	TudorCottage	1935	5450	McCommas	High Tudor	1928
5330	McCommas	MinimalTraditional	1936	5451	McCommas	High Tudor	1928
5331	McCommas	TudorCottage	1935				
5334	McCommas	TudorCottage	1935	5502	McCommas	High Tudor	1931
5335	McCommas	TudorCottage	1935	5503	McCommas	High Tudor	1928
5338	McCommas	MinimalTraditional	1950	5506	McCommas	High Tudor	1925
5339	McCommas	NeoColonial	1935	5507	McCommas	Tudor Cottage	1928
5342	McCommas	MinimalTraditional	1937	5510	McCommas	High Tudor	1928
5343	McCommas	TudorCottage	1935	5511	McCommas	High Tudor	1928
5346	McCommas	Ranch	1949	5514	McCommas	High Tudor	1925
5347	McCommas	TudorCottage	1935	5515	McCommas	High Tudor	1928
5351	McCommas	HighTudor	1935	5518	McCommas	High Tudor	1928
5355	McCommas	TudorCottage	1946	5519	McCommas	High Tudor	1928
				5522	McCommas	High Tudor	1926
				5523	McCommas	High Tudor	1928
				5526	McCommas	High Tudor	1932
				5527	McCommas	TudorCottage	1928
				5530	McCommas	TudorCottage	1937
				5531	McCommas	HighTudor	1928
				5534	McCommas	HighTudor	1930
				5535	McCommas	HighTudor	1928
				5538	McCommas	HighTudor	1930
				5539	McCommas	HighTudor	1935
				5542	McCommas	HighTudor	1932
5546	McCommas	HighTudor	1932	5543	McCommas	HighTudor	1936

5549	McCommas	Contemporary	1975		
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5602	McCommas	HighTudor	1929	5202	Morningside	HighTudor	1933
5603	McCommas	HighTudor	1928	5203	Morningside	MinimalTraditional	1936
5605	McCommas	TudorCottage	1928	5206	Morningside	TudorCottage	1940
5606	McCommas	HighTudor	1930	5210	Morningside	NeoColonial	1937
5610	McCommas	HighTudor	1930	5211	Morningside	MinimalTraditional	1987
5614	McCommas	HighTudor	1930	5214	Morningside	TudorCottage	1936
5618	McCommas	HighTudor	1929	5215	Morningside	HighTudor	1927
5619	McCommas	HighTudor	1928	5218	Morningside	HighTudor	1938
5621	McCommas	HighTudor	1928	5219	Morningside	HighTudor	1927
5622	McCommas	HighTudor	1930	5222	Morningside	HighTudor	1938
5623	McCommas	TudorCottage	1949	5223	Morningside	MinimalTraditional	1948
5625	McCommas	HighTudor	1928	5226	Morningside	TudorCottage	1938
5626	McCommas	HighTudor	1926	5227	Morningside	HighTudor	1929
5629	McCommas	HighTudor	1928				
5630	McCommas	NeoColonial	1926	5302	Morningside	MinimalTraditional	1940
5634	McCommas	Contemporary	1930	5303	Morningside	HighTudor	1926
				5306	Morningside	HighTudor	1927
				5307	Morningside	HighTudor	1926
				5310	Morningside	HighTudor	1927
				5311	Morningside	HighTudor	1926
				5314	Morningside	HighTudor	1927
				5315	Morningside	HighTudor	1927
				5318	Morningside	HighTudor	1927
				5319	Morningside	MinimalTraditional	1947
				5322	Morningside	HighTudor	1925
				5323	Morningside	TudorCottage	1926
				5326	Morningside	HighTudor	1925
				5327	Morningside	HighTudor	1926
				5330	Morningside	HighTudor	1925
				5331	Morningside	HighTudor	1926
				5334	Morningside	HighTudor	1929
				5335	Morningside	HighTudor	1926
				5338	Morningside	HighTudor	1926
				5339	Morningside	HighTudor	1925
				5342	Morningside	Contemporary	1977
				5343	Morningside	HighTudor	1926
				5346	Morningside	HighTudor	1926
				5347	Morningside	HighTudor	1926

5402	Morningside	HighTudor	1929	5500	Morningside	TudorCottage	1927
5403	Morningside	TudorCottage	1928	5503	Morningside	HighTudor	1929

5403Morningside	TudorCottage	1928	5503Morningside	HighTudor	1929
5406Morningside	HighTudor	1929	5506Morningside	NeoColonial	1939
5407Morningside	HighTudor	1929	5507Morningside	HighTudor	1930
5411Morningside	HighTudor	1929	5510Morningside	HighTudor	1928
5412Morningside	HighTudor	1928	5511Morningside	Contemporary	1987
5415Morningside	HighTudor	1929	5514Morningside	HighTudor	1928
5416Morningside	HighTudor	1929	5515Morningside	HighTudor	1928
5418Morningside	HighTudor	1946	5518Morningside	HighTudor	1929
5419Morningside	HighTudor	1928	5519Morningside	HighTudor	1928
5422Morningside	TudorCottage	1938	5522Morningside	HighTudor	1929
5423Morningside	HighTudor	1929	5523Morningside	HighTudor	1927
5426Morningside	HighTudor	1927	5526Morningside	HighTudor	1929
5427Morningside	HighTudor	1928	5527Morningside	HighTudor	1928
5430Morningside	HighTudor	1934	5530Morningside	HighTudor	1927
5431Morningside	HighTudor	1927	5531Morningside	HighTudor	1928
5434Morningside	HighTudor	1927	5534Morningside	HighTudor	1927
5435Morningside	HighTudor	1930	5535Morningside	Contemporary	1927
5438Morningside	HighTudor	1927	5538Morningside	HighTudor	1927
5439Morningside	HighTudor	1927	5539Morningside	HighTudor	1927
5442Morningside	HighTudor	1927	5542Morningside	HighTudor	1927
5443Morningside	HighTudor	1927	5543Morningside	HighTudor	1928
5446Morningside	HighTudor	1928	5546Morningside	HighTudor	1927
5447Morningside	HighTudor	1927	5547Morningside	HighTudor	1932
5450Morningside	HighTudor	1929			
5451Morningside	NeoColonial	1928	5601 Morningside	TudorCottage	1930
			5602 Morningside	HighTudor	1931
			5606 Morningside	HighTudor	1927
			5607 Morningside	HighTudor	1927
			5609 Morningside	HighTudor	1927
			5610 Morningside	HighTudor	1926
			5614 Morningside	TudorCottage	1926
			5615 Morningside	HighTudor	1930
			5617 Morningside	HighTudor	1927
			5618 Morningside	HighTudor	1926
			5622 Morningside	HighTudor	1926
			5623 Morningside	HighTudor	1927
			5626 Morningside	HighTudor	1926
			5627 Morningside	HighTudor	1926
			5630 Morningside	HighTudor	1925
			5631 Morningside	HighTudor	1927
			5634 Morningside	HighTudor	1925
			5635 Morningside	MinimalTraditional	1945
			5638 Morningside	HighTudor	1929
			5639 Morningside	HighTudor	1927
5202 Mercedes	MinimalTraditional	1937	5402 Mercedes	High Tudor	1929
5203 Mercedes	HighTudor	1938	5403 Mercedes	NeoColonial	1941
5206 Mercedes	MinimalTraditional	1930	5406 Mercedes	High Tudor	1929
5207 Mercedes	MinimalTraditional	1938	5407 Mercedes	High Tudor	1928
5210 Mercedes	NeoColonial	1930	5410 Mercedes	High Tudor	1928
5211 Mercedes	HighTudor	1929			

5211	Mercedes	HighTudor	1929	5410	Mercedes	High Tudor	1928
5215	Mercedes	HighTudor	1929	5411	Mercedes	High Tudor	1928
5216	Mercedes	HighTudor	1929	5414	Mercedes	High Tudor	1927
5219	Mercedes	HighTudor	1929	5415	Mercedes	High Tudor	1928
5220	Mercedes	HighTudor	1930	5418	Mercedes	High Tudor	1927
5223	Mercedes	HighTudor	1929	5419	Mercedes	High Tudor	1930
5224	Mercedes	TudorCottage	1930	5422	Mercedes	High Tudor	1927
5227	Mercedes	HighTudor	1929	5423	Mercedes	High Tudor	1930
5228	Mercedes	HighTudor	1928	5426	Mercedes	High Tudor	1918
5231	Mercedes	HighTudor	1929	5427	Mercedes	High Tudor	1930
5232	Mercedes	HighTudor	1925	5430	Mercedes	High Tudor	1923
5235	Mercedes	NeoColonial	1939	5431	Mercedes	High Tudor	1929
5236	Mercedes	HighTudor	1930	5434	Mercedes	High Tudor	1928
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5300	Mercedes	High Tudor	1926	5437	Mercedes	High Tudor	1928
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5306	Mercedes	High Tudor	1926	5442	Mercedes	High Tudor	1928
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5311	Mercedes	High Tudor	1927	5447	Mercedes	High Tudor	1928
5314	Mercedes	High Tudor	1927	5450	Mercedes	High Tudor	1929
5315	Mercedes	High Tudor	1926	5451	Mercedes	Tudor Cottage	1929
5317	Mercedes	High Tudor	1926	5502	Mercedes	HighTudor	1926
5318	Mercedes	High Tudor	1925	5503	Mercedes	TudorCottage	1926
5322	Mercedes	High Tudor	1926	5506	Mercedes	HighTudor	1927
5323	Mercedes	High Tudor	1925	5507	Mercedes	HighTudor	1927
5326	Mercedes	High Tudor	1925	5510	Mercedes	HighTudor	1927
5327	Mercedes	High Tudor	1925	5511	Mercedes	HighTudor	1927
5330	Mercedes	High Tudor	1926	5514	Mercedes	HighTudor	1927
5331	Mercedes	High Tudor	1925	5515	Mercedes	HighTudor	1920
5334	Mercedes	Contemporary	1987	5518	Mercedes	HighTudor	1926
5335	Mercedes	High Tudor	1933	5519	Mercedes	HighTudor	1927
5337	Mercedes	High Tudor	1927	5522	Mercedes	HighTudor	1926
5338	Mercedes	High Tudor	1925	5523	Mercedes	HighTudor	1926
5341	Mercedes	High Tudor	1927	5526	Mercedes	HighTudor	1930
5342	Mercedes	High Tudor	1925	5527	Mercedes	HighTudor	1930
5345	Mercedes	Tudor Cottage	1926	5530	Mercedes	HighTudor	1926
5346	Mercedes	High Tudor	1925	5531	Mercedes	HighTudor	1927
				5534	Mercedes	HighTudor	1926
				5535	Mercedes	HighTudor	1926
				5538	Mercedes	HighTudor	1926
				5539	Mercedes	HighTudor	1926
5547	Mercedes	TudorCottage	1927	5540	Mercedes	HighTudor	1927
				5543	Mercedes	HighTudor	1926
				5546	Mercedes	HighTudor	1930

5602	Mercedes	HighTudor	1925	5200	Merrimac	Tudor Cottage	1930
5603	Mercedes	TudorCottage	1940	5203	Merrimac	High Tudor	1930

5603	Mercedes	TudorCottage	1940	5203	Merrimac	High Tudor	1930
5606	Mercedes	TudorCottage	1926	5206	Merrimac	High Tudor	1930
5607	Mercedes	HighTudor	1929	5210	Merrimac	High Tudor	1930
5610	Mercedes	HighTudor	1926	5211	Merrimac	NeoColonial	1938
5611	Mercedes	HighTudor	1929	5214	Merrimac	High Tudor	1930
5614	Mercedes	HighTudor	1926	5215	Merrimac	Minimal Traditional	1938
5615	Mercedes	HighTudor	1929	5218	Merrimac	Vacant Lot	2002
5618	Mercedes	HighTudor	1925	5219	Merrimac	Minimal Traditional	1938
5619	Mercedes	HighTudor	1925	5222	Merrimac	High Tudor	1930
5622	Mercedes	HighTudor	1926	5223	Merrimac	High Tudor	1928
5623	Mercedes	HighTudor	1929	5226	Merrimac	High Tudor	1935
5626	Mercedes	HighTudor	1926	5227	Merrimac	High Tudor	1927
5627	Mercedes	HighTudor	1930	5230	Merrimac	High Tudor	1992
5630	Mercedes	HighTudor	1926	5231	Merrimac	High Tudor	1953
5631	Mercedes	HighTudor	1926	5235	Merrimac	High Tudor	1927
5634	Mercedes	TudorCottage	1929	5238	Merrimac	High Tudor	1930
5635	Mercedes	Spanish	1926	5241	Merrimac	High Tudor	1927
5638	Mercedes	Contemporary	1978	5242	Merrimac	Tudor Cottage	1930
				5245	Merrimac	High Tudor	1927
				5246	Merrimac	Tudor Cottage	1930
				5247	Merrimac	High Tudor	1927
				5248	Merrimac	Tudor Cottage	1926
				5301	Merrimac	Contemporary	1999
				5302	Merrimac	High Tudor	1929
				5306	Merrimac	Tudor Cottage	1930
				5307	Merrimac	High Tudor	1926
				5310	Merrimac	High Tudor	1930
				5311	Merrimac	Tudor Cottage	1930
				5314	Merrimac	High Tudor	1930
				5315	Merrimac	High Tudor	1926
				5318	Merrimac	NeoColonial	1932
				5319	Merrimac	High Tudor	1926
				5322	Merrimac	High Tudor	1928
				5323	Merrimac	High Tudor	1926
				5326	Merrimac	Tudor Cottage	1927
				5327	Merrimac	High Tudor	1926
				5330	Merrimac	Tudor Cottage	1927
				5331	Merrimac	High Tudor	1926
				5334	Merrimac	High Tudor	1926
				5335	Merrimac	High Tudor	1926
				5337	Merrimac	High Tudor	1926
				5338	Merrimac	High Tudor	1930
				5342	Merrimac	High Tudor	1929
				5343	Merrimac	High Tudor	1926
				5346	Merrimac	High Tudor	1934
				5347	Merrimac	High Tudor	1926
5402	Merrimac	HighTudor	1932	5546	Merrimac	HighTudor	1926
5403	Merrimac	HighTudor	1928	5547	Merrimac	TudorCottage	1927
5404	Merrimac	HighTudor	1927				

5407Merrimac	HighTudor	1928			
5410Merrimac	HighTudor	1927		5601Merrimac	HighTudor 1926
5411Merrimac	HighTudor	1929		5602Merrimac	TudorCottage 1926
5414Merrimac	HighTudor	1928		5606Merrimac	HighTudor 1926
5415Merrimac	HighTudor	1929		5607Merrimac	HighTudor 1928
5418Merrimac	HighTudor	1927		5610Merrimac	NeoColonial 1926
5419Merrimac	HighTudor	1927		5611Merrimac	TudorCottage 1926
5422Merrimac	HighTudor	1927		5614Merrimac	Spanish 1925
5423Merrimac	HighTudor	1927		5615Merrimac	HighTudor 1928
5426Merrimac	HighTudor	1928		5618Merrimac	TudorCottage 1927
5427Merrimac	HighTudor	1929		5619Merrimac	HighTudor 1926
5430Merrimac	HighTudor	1927		5622Merrimac	TudorCottage 1926
5431Merrimac	HighTudor	1927		5623Merrimac	HighTudor 1926
5434Merrimac	HighTudor	1999		5626Merrimac	HighTudor 1926
5435Merrimac	HighTudor	1928		5627Merrimac	HighTudor 1926
5438Merrimac	HighTudor	1965		5630Merrimac	TudorCottage 1925
5439Merrimac	HighTudor	1927		5631Merrimac	HighTudor 1928
5442Merrimac	MinimalTraditional	1927		5634Merrimac	MinimalTraditional 1948
5443Merrimac	HighTudor	1929		5635Merrimac	Ranch 1949
5446Merrimac	HighTudor	1927		5638Merrimac	HighTudor 1929
5447Merrimac	TudorCottage	1927		5639Merrimac	HighTudor 1929
5450Merrimac	HighTudor	1927			
5451Merrimac	HighTudor	1927			
5501Merrimac	Ranch	1956			
5502Merrimac	HighTudor	1939		5130Monticello	MinimalTraditional 1936
5505Merrimac	NeoColonial	1925		5134Monticello	MinimalTraditional 1935
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5510Merrimac	HighTudor	1926		5138Monticello	MinimalTraditional 1936
5511Merrimac	HighTudor	1929		5139Monticello	NeoColonial 1935
5514Merrimac	TudorCottage	1926		5142Monticello	HighTudor 1928
5515Merrimac	HighTudor	1926		5143Monticello	HighTudor 1934
5517Merrimac	HighTudor	1929		5146Monticello	HighTudor 1926
5518Merrimac	HighTudor	1925		5147Monticello	HighTudor 1933
5522Merrimac	HighTudor	1926		5150Monticello	HighTudor 1926
5523Merrimac	TudorCottage	1925		5151Monticello	HighTudor 1930
5526Merrimac	HighTudor	1926			
5527Merrimac	HighTudor	1925			
5530Merrimac	HighTudor	1926			
5531Merrimac	Ranch	1941			
5534Merrimac	HighTudor	1926			
5535Merrimac	HighTudor	1927			
5538Merrimac	HighTudor	1925			
5539Merrimac	HighTudor	1925			
5542Merrimac	Contemporary	1998			
5543Merrimac	NeoColonial	1979			

5200Monticello	TudorCottage	1930		5330Monticello	HighTudor 1930
5203Monticello	HighTudor	1930		5331Monticello	MinimalTraditional 1938

5203Monticello	HighTudor	1930	5331Monticello	MinimalTraditional	1938
5206Monticello	HighTudor	1930	5334Monticello	HighTudor	1925
5207Monticello	HighTudor	1933	5335Monticello	HighTudor	1926
5210Monticello	HighTudor	1930	5338Monticello	HighTudor	1928
5211Monticello	HighTudor	1934	5339Monticello	TudorCottage	1927
5214Monticello	HighTudor	1930	5342Monticello	HighTudor	1929
5215Monticello	TudorCottage	1930	5343Monticello	HighTudor	1933
5218Monticello	HighTudor	1930	5346Monticello	HighTudor	1928
5219Monticello	HighTudor	1933	5347Monticello	HighTudor	1928
5222Monticello	HighTudor	1930	5350Monticello	HighTudor	1928
5223Monticello	HighTudor	1930	5351Monticello	HighTudor	1930
5226Monticello	HighTudor	1930	5354Monticello	Contemporary	1997
5227Monticello	HighTudor	1930	5355Monticello	HighTudor	1930
5230Monticello	HighTudor	1930			
5231Monticello	Contemporary	1997	5402Monticello	HighTudor	1926
5234Monticello	HighTudor	1930	5403Monticello	TudorCottage	1926
5235Monticello	HighTudor	1930	5406Monticello	NeoColonial	1923
5238Monticello	HighTudor	1930	5407Monticello	HighTudor	1922
5239Monticello	TudorCottage	1930	5410Monticello	HighTudor	1930
5242Monticello	TudorCottage	1930	5411Monticello	HighTudor	1928
5243Monticello	Contemporary	2000	5414Monticello	HighTudor	1926
5246Monticello	HighTudor	1928	5415Monticello	HighTudor	1926
5247Monticello	NeoColonial	1930	5418Monticello	HighTudor	1946
5250Monticello	HighTudor	1930	5419Monticello	HighTudor	1928
5251Monticello	HighTudor	1951	5422Monticello	TudorCottage	1946
5252Monticello	HighTudor	1930	5423Monticello	HighTudor	1926
5253Monticello	TudorCottage	1930	5426Monticello	NeoColonial	1926
			5427Monticello	TudorCottage	1920
			5430Monticello	HighTudor	1928
5301Monticello	Ranch	1979	5431Monticello	TudorCottage	1926
5302Monticello	HighTudor	1930	5435Monticello	NeoColonial	1926
5306Monticello	HighTudor	1925	5436Monticello	Spanish	1926
5307Monticello	HighTudor	1930	5439Monticello	TudorCottage	1926
5310Monticello	HighTudor	1930	5440Monticello	HighTudor	1925
5311Monticello	HighTudor	1930			
5314Monticello	HighTudor	1930			
5315Monticello	HighTudor	1927			
5318Monticello	NeoColonial	1930			
5319Monticello	TudorCottage	1927			
5322Monticello	HighTudor	1930			
5323Monticello	Contemporary	1996			
5326Monticello	NeoColonial	1935			
5327Monticello	TudorCottage	1925			

5442Monticello	Craftsman	1926	5602Monticello	HighTudor	1926
5443Monticello	HighTudor	1925	5603Monticello	HighTudor	1926
5446Monticello	HighTudor	1928	5606Monticello	TudorCottage	1926
5447Monticello	HighTudor	1925	5607Monticello	HighTudor	1926
5450Monticello	TudorCottage	1926	5610Monticello	TudorCottage	1926
5451Monticello	HighTudor	1930	5611Monticello	HighTudor	1926
5454Monticello	HighTudor	1926	5614Monticello	HighTudor	1926
5455Monticello	HighTudor	1931	5615Monticello	NeoColonial	1926
5458Monticello	HighTudor	1926	5618Monticello	TudorCottage	1924
5459Monticello	HighTudor	1929	5619Monticello	HighTudor	1926
			5622Monticello	HighTudor	1926
5502Monticello	MinimalTraditional	1939	5623Monticello	HighTudor	1926
5503Monticello	Contemporary	2000	5626Monticello	TudorCottage	1925
5506Monticello	TudorCottage	1926	5627Monticello	TudorCottage	1926
5507Monticello	TudorCottage	1926	5630Monticello	HighTudor	1926
5510Monticello	HighTudor	1926	5631Monticello	TudorCottage	1926
5511Monticello	HighTudor	1935	5634Monticello	TudorCottage	1931
5514Monticello	HighTudor	1926	5635Monticello	TudorCottage	1926
5515Monticello	MinimalTraditional	1926	5638Monticello	HighTudor	1926
5518Monticello	HighTudor	1926	5641Monticello	TudorCottage	1926
5519Monticello	HighTudor	1926	5642Monticello	NeoColonial	1926
5522Monticello	HighTudor	1929	5643Monticello	TudorCottage	1926
5523Monticello	HighTudor	1996	5646Monticello	TudorCottage	1926
5526Monticello	TudorCottage	1924	5647Monticello	Ranch	1926
5527Monticello	HighTudor	1926			
5530Monticello	HighTudor	1926	5102Ridgedale	Contemporary	2002
5531Monticello	HighTudor	1926	5106Ridgedale	Spanish	2001
5534Monticello	TudorCottage	1926	5122Ridgedale	HighTudor	1924
5535Monticello	TudorCottage	1926	5123Ridgedale	TudorCottage	1926
5538Monticello	MinimalTraditional	1926	5125Ridgedale	HighTudor	1926
5539Monticello	TudorCottage	1926	5126Ridgedale	MinimalTraditional	1924
5542Monticello	TudorCottage	1926	5130Ridgedale	TudorCottage	1926
5543Monticello	TudorCottage	1926	5131Ridgedale	HighTudor	1924
5546Monticello	HighTudor	1926	5134Ridgedale	TudorCottage	1924
5549Monticello	Craftsman	1935	5135Ridgedale	TudorCottage	1926
5550Monticello	NeoColonial	1926	5138Ridgedale	TudorCottage	1926
5551Monticello	HighTudor	1988	5139Ridgedale	TudorCottage	1924
5554Monticello	TudorCottage	1926	5142Ridgedale	MinimalTraditional	1926
5555Monticello	Craftsman	1926	5143Ridgedale	TudorCottage	1926
			5146Ridgedale	Contemporary	1999
			5147Ridgedale	HighTudor	1926
			5150Ridgedale	TudorCottage	1920
			5151Ridgedale	HighTudor	1924

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5202Ridgedale	TudorCottage	1926	5331Ridgedale	NeoColonial	1938
5203Ridgedale	HighTudor	1930	5334Ridgedale	HighTudor	1924
5206Ridgedale	HighTudor	1926	5335Ridgedale	MinimalTraditional	1940
5207Ridgedale	MinimalTraditional	1930	5338Ridgedale	HighTudor	1929
5210Ridgedale	HighTudor	1926	5339Ridgedale	HighTudor	1928
5211Ridgedale	TudorCottage	1930	5342Ridgedale	HighTudor	1926
5214Ridgedale	Craftsman	1926	5343Ridgedale	HighTudor	1929
5215Ridgedale	HighTudor	1930	5346Ridgedale	HighTudor	1924
5218Ridgedale	Contemporary	1998	5347Ridgedale	HighTudor	1929
5219Ridgedale	MinimalTraditional	1930	5350Ridgedale	HighTudor	1924
5222Ridgedale	TudorCottage	1926	5351Ridgedale	HighTudor	1930
5223Ridgedale	Contemporary	1998			
5226Ridgedale	NeoColonial	1926	5402Ridgedale	HighTudor	1926
5227Ridgedale	TudorCottage	1930	5403Ridgedale	NeoColonial	1926
5230Ridgedale	HighTudor	1926	5406Ridgedale	TudorCottage	1926
5231Ridgedale	TudorCottage	1930	5407Ridgedale	HighTudor	1926
5234Ridgedale	NeoColonial	2002	5410Ridgedale	HighTudor	1930
5235Ridgedale	HighTudor	1928	5411Ridgedale	HighTudor	1926
5238Ridgedale	TudorCottage	1926	5414Ridgedale	HighTudor	1926
5239Ridgedale	HighTudor	1928	5415Ridgedale	HighTudor	1926
5242Ridgedale	Craftsman	1926	5418Ridgedale	NeoColonial	1930
5243Ridgedale	TudorCottage	1925	5419Ridgedale	HighTudor	1926
5246Ridgedale	TudorCottage	1926	5422Ridgedale	Ranch	1930
5247Ridgedale	HighTudor	1924	5423Ridgedale	HighTudor	1940
5250Ridgedale	HighTudor	1928	5426Ridgedale	HighTudor	1926
5251Ridgedale	HighTudor	1931	5427Ridgedale	NeoColonial	1930
5254Ridgedale	Craftsman	1930	5430Ridgedale	HighTudor	1926
5255Ridgedale	HighTudor	1939	5431Ridgedale	HighTudor	1926
			5434Ridgedale	TudorCottage	1926
5302Ridgedale	TudorCottage	1923	5435Ridgedale	HighTudor	1924
5303Ridgedale	HighTudor	1931	5438Ridgedale	MinimalTraditional	1926
5306Ridgedale	TudorCottage	1923	5439Ridgedale	TudorCottage	1926
5307Ridgedale	TudorCottage	1923	5442Ridgedale	HighTudor	1926
5310Ridgedale	MinimalTraditional	1923	5443Ridgedale	HighTudor	1926
5311Ridgedale	Contemporary	2000	5446Ridgedale	HighTudor	1926
5313Ridgedale	TudorCottage	1930	5447Ridgedale	HighTudor	1926
5314Ridgedale	TudorCottage	1923	5451Ridgedale	NeoColonial	1926
5318Ridgedale	HighTudor	1925	5454Ridgedale	HighTudor	1926
5319Ridgedale	TudorCottage	1925	5455Ridgedale	HighTudor	1926
5322Ridgedale	TudorCottage	1924	5458Ridgedale	HighTudor	1926
5323Ridgedale	NeoColonial	1925			
5326Ridgedale	TudorCottage	1924			
5327Ridgedale	NeoColonial	1938			
5330Ridgedale	HighTudor	1924			

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5501Ridgedale	HighTudor	1926	5631Ridgedale	TudorCottage	1926
5502Ridgedale	TudorCottage	1926	5634Ridgedale	HighTudor	1926
5506Ridgedale	TudorCottage	1926	5635Ridgedale	HighTudor	1926
5507Ridgedale	TudorCottage	1926	5639Ridgedale	MinimalTraditional	1941
5510Ridgedale	HighTudor	1930	5640Ridgedale	HighTudor	1926
5511Ridgedale	HighTudor	1926	5642Ridgedale	TudorCottage	1926
5514Ridgedale	TudorCottage	1924	5643Ridgedale	Contemporary	2002
5515Ridgedale	HighTudor	1926	5644Ridgedale	TudorCottage	1926
5518Ridgedale	HighTudor	1926	5647Ridgedale	TudorCottage	1928
5519Ridgedale	TudorCottage	1926			
5523Ridgedale	Craftsman	1926	5106Vanderbilt	Contemporary	2001
5524Ridgedale	HighTudor	1926	5110Vanderbilt	HighTudor	1926
5525Ridgedale	Spanish	1926	5111Vanderbilt	VacantLot	2002
5526Ridgedale	HighTudor	1930	5114Vanderbilt	HighTudor	1926
5530Ridgedale	HighTudor	1926	5115Vanderbilt	TudorCottage	1930
5531Ridgedale	HighTudor	1926	5118Vanderbilt	HighTudor	1926
5534Ridgedale	HighTudor	1935	5119Vanderbilt	HighTudor	1934
5535Ridgedale	HighTudor	1926	5122Vanderbilt	TudorCottage	1926
5538Ridgedale	Ranch	1926	5123Vanderbilt	TudorCottage	1928
5539Ridgedale	HighTudor	1926	5126Vanderbilt	TudorCottage	1926
5542Ridgedale	TudorCottage	1924	5127Vanderbilt	TudorCottage	1924
5543Ridgedale	TudorCottage	1926	5130Vanderbilt	TudorCottage	1924
5546Ridgedale	TudorCottage	1926	5131Vanderbilt	TudorCottage	1928
5547Ridgedale	MinimalTraditional	1926	5134Vanderbilt	TudorCottage	1926
5550Ridgedale	NeoColonial	1924	5135Vanderbilt	HighTudor	1924
5551Ridgedale	TudorCottage	1925	5138Vanderbilt	HighTudor	1926
5554Ridgedale	Craftsman	1926	5139Vanderbilt	HighTudor	1926
5555Ridgedale	TudorCottage	1926	5141Vanderbilt	TudorCottage	1924
			5142Vanderbilt	Contemporary	2000
5602Ridgedale	HighTudor	1926	5145Vanderbilt	TudorCottage	1925
5603Ridgedale	HighTudor	1926	5146Vanderbilt	TudorCottage	1926
5604Ridgedale	TudorCottage	1926	5150Vanderbilt	HighTudor	1928
5605Ridgedale	HighTudor	1926	5151Vanderbilt	TudorCottage	1927
5609Ridgedale	HighTudor	1926			
5610Ridgedale	HighTudor	1926			
5614Ridgedale	HighTudor	1923			
5615Ridgedale	HighTudor	1926			
5618Ridgedale	HighTudor	1926			
5619Ridgedale	HighTudor	1926			
5622Ridgedale	TudorCottage	1926			
5623Ridgedale	MinimalTraditional	1926			
5625Ridgedale	TudorCottage	1927			
5626Ridgedale	TudorCottage	1926			
5630Ridgedale	TudorCottage	1926			

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5202Vanderbilt	HighTudor	1926	5338Vanderbilt	NeoColonial	1924
5203Vanderbilt	TudorCottage	1926	5339Vanderbilt	Craftsman	1924
5206Vanderbilt	HighTudor	1924	5342Vanderbilt	NeoColonial	1924
5207Vanderbilt	Contemporary	1999	5343Vanderbilt	NeoColonial	1925
5210Vanderbilt	Craftsman	1926	5346Vanderbilt	TudorCottage	1924
5211Vanderbilt	HighTudor	1926	5347Vanderbilt	MinimalTraditional	1925
5214Vanderbilt	HighTudor	1926	5350Vanderbilt	HighTudor	1936
5215Vanderbilt	TudorCottage	1926	5351Vanderbilt	MinimalTraditional	1938
5218Vanderbilt	HighTudor	1924	5354Vanderbilt	HighTudor	1929
5219Vanderbilt	HighTudor	1928	5355Vanderbilt	TudorCottage	1950
5222Vanderbilt	HighTudor	1924			
5223Vanderbilt	TudorCottage	1928	5402 Vanderbilt	NeoColonial	1948
5226Vanderbilt	HighTudor	1926	5403 Vanderbilt	MinimalTraditional	1938
5227Vanderbilt	Craftsman	1924	5406 Vanderbilt	Craftsman	1922
5230Vanderbilt	HighTudor	1924	5407 Vanderbilt	MinimalTraditional	1937
5231Vanderbilt	TudorCottage	1924	5410 Vanderbilt	NeoColonial	1925
5233Vanderbilt	HighTudor	1926	5411 Vanderbilt	HighTudor	1935
5234Vanderbilt	TudorCottage	1936	5414 Vanderbilt	Craftsman	1923
5239Vanderbilt	TudorCottage	1926	5415 Vanderbilt	HighTudor	1933
5240Vanderbilt	TudorCottage	1924	5418 Vanderbilt	TudorCottage	1926
5242Vanderbilt	TudorCottage	1928	5419 Vanderbilt	TudorCottage	1930
5243Vanderbilt	Ranch	1926	5422 Vanderbilt	HighTudor	1926
5247Vanderbilt	Ranch	1930	5423 Vanderbilt	Craftsman	1930
5248Vanderbilt	TudorCottage	1924	5426 Vanderbilt	HighTudor	1925
5251Vanderbilt	MinimalTraditional	1942	5427 Vanderbilt	HighTudor	1926
5252Vanderbilt	TudorCottage	1926	5430 Vanderbilt	Craftsman	1926
5254Vanderbilt	Ranch	1946	5431 Vanderbilt	TudorCottage	1930
5255Vanderbilt	Ranch	1954	5434 Vanderbilt	HighTudor	1925
			5435 Vanderbilt	HighTudor	1924
			5438 Vanderbilt	HighTudor	1926
			5439 Vanderbilt	HighTudor	1926
			5440 Vanderbilt	HighTudor	1926
			5443 Vanderbilt	HighTudor	1933
			5446 Vanderbilt	HighTudor	1931
			5447 Vanderbilt	HighTudor	1933
			5450 Vanderbilt	HighTudor	1930
			5451 Vanderbilt	HighTudor	1930
			5454 Vanderbilt	HighTudor	1924
			5455 Vanderbilt	MinimalTraditional	1950
			5458 Vanderbilt	HighTudor	1926
			5459 Vanderbilt	MinimalTraditional	1950

5331	Vanderbilt	Contemporary	2000		
5334	Vanderbilt	NeoColonial	1924		
5335	Vanderbilt	TudorCottage	1924		

5502	Vanderbilt	Tudor Cottage	1938		
5503	Vanderbilt	High Tudor	1926	5639	Vanderbilt High Tudor 1928
5506	Vanderbilt	High Tudor	1933	5640	Vanderbilt High Tudor 1926
5507	Vanderbilt	Tudor Cottage	1926	5643	Vanderbilt High Tudor 1925
5510	Vanderbilt	High Tudor	1928	5647	Vanderbilt Ranch 1926
5511	Vanderbilt	Contemporary	2000		
5514	Vanderbilt	Tudor Cottage	1926	3215	Homer Minimal Traditional 1942
5515	Vanderbilt	High Tudor	1926	3219	Homer Minimal Traditional 1942
5518	Vanderbilt	Tudor Cottage	1926	3223	Homer Minimal Traditional 1939
5519	Vanderbilt	High Tudor	1911	3227	Homer Tudor Cottage 1925
5522	Vanderbilt	Tudor Cottage	1928	3231	Homer Minimal Traditional 1937
5523	Vanderbilt	Tudor Cottage	1926	3235	Homer Tudor Cottage 1935
5526	Vanderbilt	Tudor Cottage	1924	3239	Homer High Tudor 1925
5527	Vanderbilt	Tudor Cottage	1926	3243	Homer Tudor Cottage 1925
5530	Vanderbilt	Contemporary	2001	3247	Homer High Tudor 1925
5531	Vanderbilt	Tudor Cottage	1926	3251	Homer Tudor Cottage 1927
5534	Vanderbilt	Tudor Cottage	1928		
5535	Vanderbilt	Contemporary	2001	3303	Homer High Tudor 1929
5538	Vanderbilt	Tudor Cottage	1924	3307	Homer High Tudor 1926
5539	Vanderbilt	Contemporary	2002	3311	Homer Tudor Cottage 1936
5542	Vanderbilt	Tudor Cottage	1926	3315	Homer Neo Colonial 1936
5543	Vanderbilt	Minimal Traditional	1926	3319	Homer Minimal Traditional 1936
5546	Vanderbilt	High Tudor	1928	3323	Homer Tudor Cottage 2000
5547	Vanderbilt	Tudor Cottage	1926		
5550	Vanderbilt	High Tudor	1928	3403	Homer Tudor Cottage 1936
5551	Vanderbilt	High Tudor	1926	3407	Homer Minimal Traditional 1936
5554	Vanderbilt	Neo Colonial	1939	3411	Homer Contemporary 1998
5555	Vanderbilt	High Tudor	1926	3415	Homer Contemporary 1996
				3301	Greenville TudorCottage 1940

5627	Vanderbilt	Neo Colonial	1928	
5630	Vanderbilt	Tudor Cottage	1930	
5631	Vanderbilt	Tudor Cottage	1924	
5634	Vanderbilt	Ranch	1985	
5635	Vanderbilt	High Tudor	1928	

Appendix B

History of Greenland Hills

By Neighborhood Historian Suzanne Cabral

Riding on the wave of suburban development, brothers Frank and Fletcher McNeny subdivided and platted 98 acres of the Bennett farm on the eastern fringes of the city in 1923, creating the Greenland Hills development. Located between the Houston & Texas Central railroad tracks (later the route of Central Expressway) and the Interurban rail line on nearby Matilda Street, Greenland Hills was well served with transportation options to carry residents downtown to work.

Though public transportation was plentiful, more than any other single factor, the automobile dictated the layout and appearance of Greenland Hills. In 1925, the opportunity to build homes on bigger lots (yes, 60' lots were large for the time!) was made possible by the automobile. Homes could be built farther away from the city center, as no longer were neighborhoods dependent on being walking distance from public transportation. Garages also became part of the landscape, first detached and at the rear of the lot as early cars were considered a fire hazard.

A local builder, C.L. Sowell, had developed and sold houses all over Dallas since 1921. Sowell purchased lots in various emerging neighborhoods on the eastern and northern edges of the booming city in the late 1920s, and Greenland Hills was obviously a particularly fertile area in which to build speculative houses, for at one point he bought and sold more than 20 lots in the area in the span of a year. Interestingly, Greenland Hills was the farthest north development in Dallas at the time. Despite the Great Depression, the area became a highly successful, fast-selling subdivision. The architectural style of the neighborhood was influenced by the development of brick veneering -- a layer of brick used as the outside skin of a frame house as opposed to using a load-bearing brick wall -- which was developed after World War I. This went hand-in-hand with the demand for new styles reflecting the diversity of European and English styles seen by servicemen during the WWI. French Eclectic, Mediterranean and especially Tudor styles became extremely popular.

In like fashion, Calvin Sowell, the Messerole Brothers and other Greenland Hills builders were most often choosing historical revival styles for their brick, stone and stucco veneer houses, reinforcing the romantic imaginations of homebuyers who were being exposed to exotic locales and interesting architecture in the movies and other forms of popular entertainment.

In fact, Dallas has some of the most distinctive concentrations of Tudor homes in the nation, scattered throughout Oak Cliff, Greenland Hills, the Park Cities and Old East Dallas. Some of these neighborhoods, including Greenland Hills, show the results of strict Z012-287/11780 (JG) -

architectural guidelines and a strong landscaping plan, with block after block of rhythmic variations upon an architectural theme.

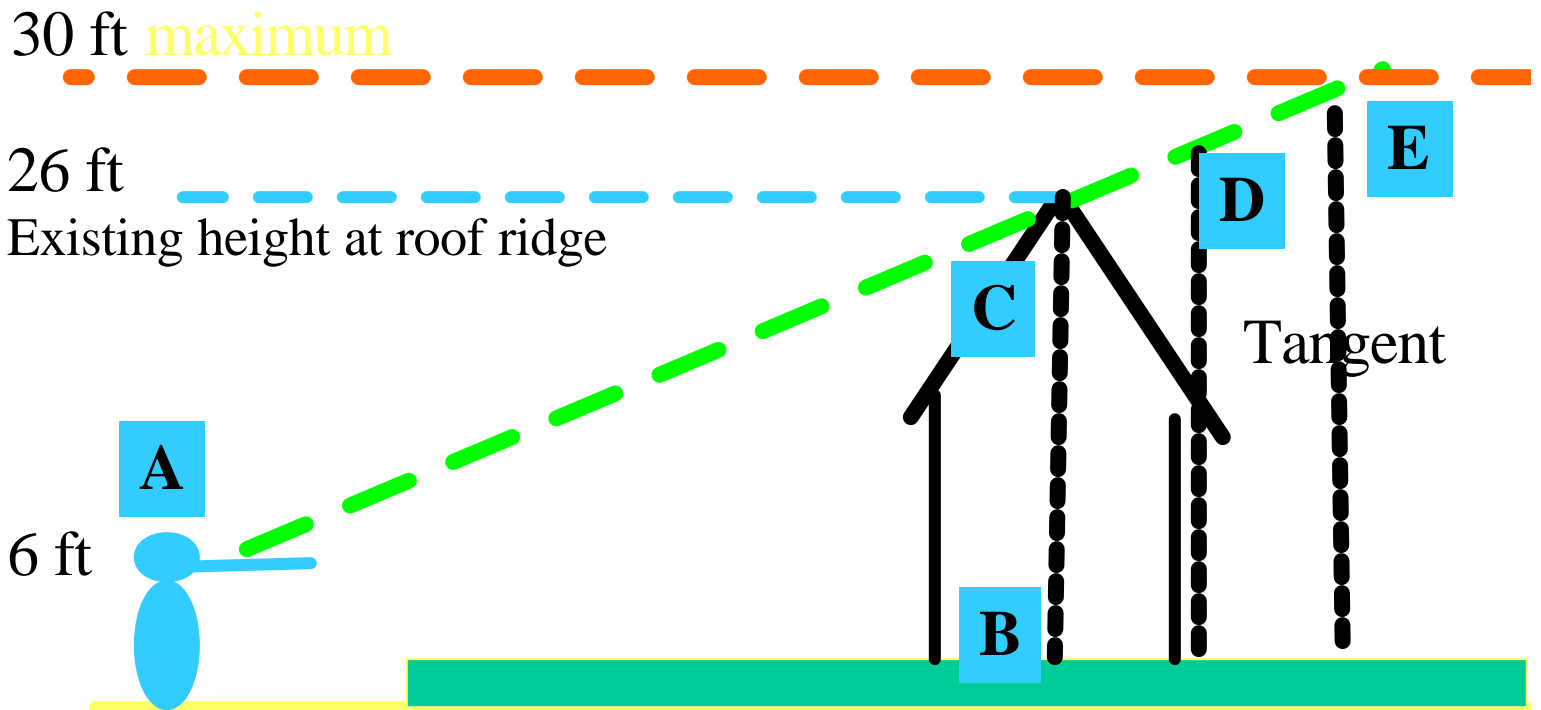
Appendix C

Height Measurement Illustration

EXAMPLE

The maximum height of new construction / additions is calculated based on this standard:

- 30 foot height limit (absolute)
- Line of Site

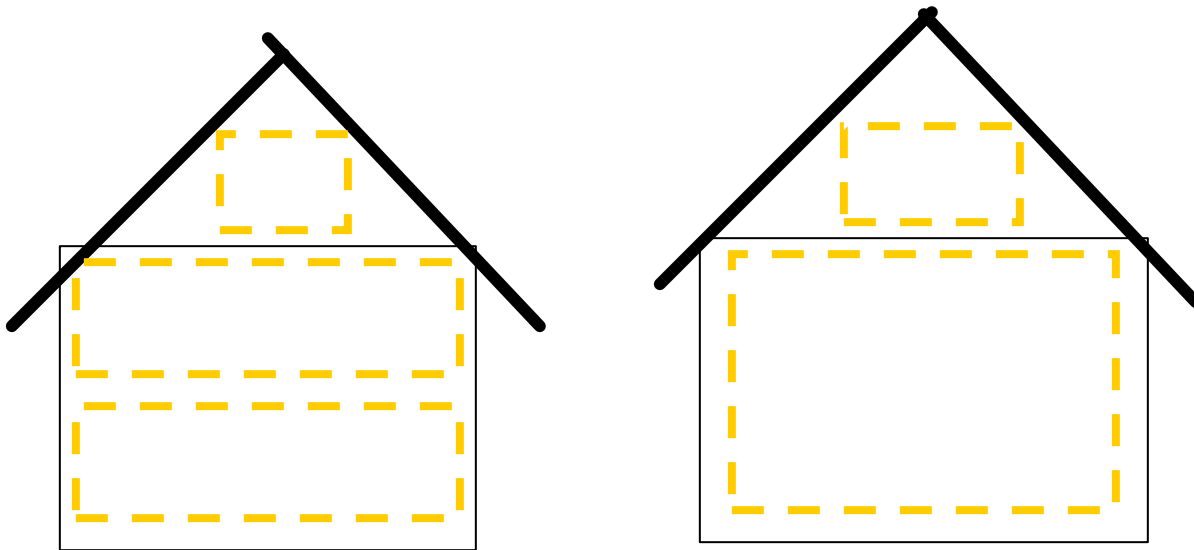


Line of site

1. established at midpoint of street at 6 foot 'eye' height
2. calculate tangent slope of line to establish height of point "D" using known elevation values of A (6ft), B (grade elevation), C (26ft) and E (30 ft).

Appendix D

Appearance of 1-1/2 Stories



Intent of 1-1/2 story standard is to have the front of the house to 'appear' to have only 1-1/2 stories such as shown in the photo above.

It is possible to construct and design a house that has two- stories-and-a-half in the front façade as long as the window fenestration pattern depicts a 1-1/2 story structure. It is also possible to have a double-height one story house.

3-27-13

ORDINANCE NO. 28946

An ordinance changing the zoning classification on the following property:

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  Assistant City Attorney

Passed MAR 27 2013

EXHIBIT A

M STREETS CONSERVATION DISTRICT REGULATIONS

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(a) Interpretations and definitions.

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

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

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- (AA) PARKWAY means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.
- (BB) RANCH means ranch architectural style as shown in Exhibit B.
- (CC) REAR YARD means:
- (i) on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - (ii) on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
- (DD) REMODEL means improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.
- (EE) RETAINING WALL means a wall used to prevent the erosion of land.
- (FF) ROOF RIDGE means the apex of any roof structure, regardless of its style or form.
- (GG) SIDE-STREET means Central Expressway, Glencoe Street, Greenville Avenue, Homer Street for houses with non-Homer addresses, Laneri Avenue, McMillan Avenue, and Worcola Street.
- (HH) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. "Side yard" includes "cornerside yard."
- (II) SPANISH REVIVAL means spanish revival architectural style as shown in Exhibit B.
- (JJ) STREET FACADE means any part of a building that faces a public street.
- (KK) TUDOR COTTAGE means tudor cottage architectural style as shown in Exhibit B.
- (LL) WRAP-AROUND means that portion of a side facade of a main structure 25 feet behind the corner of the front facade.

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

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

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- (B) Fences and walls that can be seen from a street must be constructed of brick that matches the main structure, stone, wood, or wrought iron.
 - (C) Fences in cornerside yards must be located behind the mid-point of the main structure.
 - (D) Fences in non-cornerside yards must be located at least five feet behind the front corner of the house.
- (14) Driveways and curbing.
- (A) All houses must have a straight driveway located along the east side (south side for Homer lots) of the main structure. The driveway entry must be from the front street, except that corner lots may have a driveway entry from the side street.
 - (B) Circular driveways are prohibited. Lots may only have one driveway entry, except that additional access is allowed from the alley.
 - (C) All driveways and curbing located in a front yard or cornerside yard must be constructed of brushed concrete.
 - (D) The driveway entry must be between eight and ten feet wide. On corner lots, a driveway on the side street may be 24 feet wide if it is located behind the rearmost corner of the main structure or provides access to a garage.
 - (E) Existing driveways on cornerside lot lines may be removed if the entire driveway is removed, the curb and parkway is restored, and the driveway is relocated.
- (15) Front yards and parkways.
- (A) No more than 30 percent of the front yard may be paved or hardscaped. The parkway may not be paved or hardscaped except for curb cuts and sidewalk extensions.
 - (B) Mailboxes, pylons, satellite dishes, and other accessory structures are not allowed in the front yard or parkway.
- (16) Retaining walls.
- (A) Existing retaining walls may be repaired and maintained.

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

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

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

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(9) Front facade windows.

- (A) The following standards apply to front facade windows located below the eaves:
- (i) New houses must have at least one pair of narrow, stained or leaded glass windows with a height-to-width ratio of at least 2-to-1.
 - (ii) All other windows must be clear glass configured as 9-over-9, 6-over-6, or 1-over-1 lights; leaded glass; or stained glass.
 - (iii) Windows must be asymmetrically positioned in groups along the front facade.
- (B) The following standards apply to front facade windows located above the eaves:
- (i) Windows may only be located in front projecting gables, dormers, or eyebrows.
 - (ii) Casement and awning dimensions must be compatible with original houses.
 - (iii) Windows must be stained or leaded glass.

(10) Chimneys.

- (A) New houses must incorporate a brick and/or stone chimney into the front facade or the front 15 feet of a side facade. The chimney must be at least five feet in width.
- (B) New houses must incorporate at least one of the following elements into the chimney:
- (i) Corbel chimney statue ledge.
 - (ii) Twin chimney flues with expressed masonry openings.
 - (iii) Complex brick or stone patterns.

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

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

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

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

Exhibit A

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(o) Development standards for Subarea 1.(1) Permitted uses.(A) Agricultural uses.None.(B) Commercial and business service uses.-- Catering service. [No on-premise consumption of food or beverages.]-- Custom business services.(C) Industrial uses.None(D) Institutional and community service uses.None(E) Lodging uses.None(F) Miscellaneous uses.None(G) Office uses. [The combined floor area of all office uses may not exceed 2,400 square feet.]-- Office.-- Medical clinic or ambulatory surgical center(H) Recreation uses.None(I) Residential uses.None

Exhibit A

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- (J) Retail and personal service uses.
- Dry cleaning or laundry store.
 - Furniture store.
 - General merchandise or food store 3,500 square feet or less.
 - General merchandise or food store greater than 3,500 square feet.
 - Liquor store.
 - Nursery, garden shop, or plant sales. *[Inside a building only, with accessory outside display allowed.]*
 - Personal service uses.
 - Temporary retail use.
- (K) Transportation uses.
- Transit passenger shelter.
- (L) Utility and public service uses.
- Local utilities.
- (M) Wholesale, distribution, and storage uses.
- None
- (2) Prohibited uses.
- (A) Alcoholic beverage establishments.
 - (B) Dance hall as defined in Chapter 14 of the Dallas City Code, as amended.
 - (C) Restaurant.
 - (D) Any use not specifically listed as a permitted use is prohibited.
- (3) Accessory uses.
- (A) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.
 - (B) The following accessory uses are not permitted:
 - (i) Any use of rooftops for customers or the public.
 - (ii) Drive-in and drive through lanes, windows, or services.

Exhibit A

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(iii) Gasoline or fuel sales.

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

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

(B) Yard, lot, and space regulations.

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

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

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

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

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

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

(5) Development standards for new construction.

(A) Yard, lot, and space regulations.

(i) Front yard.

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

Exhibit A

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

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

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

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

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

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

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

(vii) Lot size. No minimum lot size.

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

(B) Off-street parking and loading.

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

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

(C) Environmental performance standards. See Article VI.

(D) Landscaping.

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

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

Exhibit A

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

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

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

(bb) be at least 10 feet wide; and

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

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

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

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

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

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

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

(E) Screening and visibility obstruction.

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

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(ii) Except as provided in this paragraph, the visual obstruction regulations in Section 51A-4.602(d) apply. For purposes of this section, the visibility triangle at street corners is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(F) Signs.

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

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

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

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

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

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

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

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

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

(G) Additional provisions.

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

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

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

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

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

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

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

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

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

(7) Street-facing facades.

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

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

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

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

Exhibit A
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(q) Architectural standards for new construction in Subarea 1.

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

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

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

(4) Fenestration.

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

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

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

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

(5) Street-facing facades.

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

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

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

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

(r) Procedures.

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

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- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The Director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.
- (4) Work not requiring a building permit.
- (A) For work not requiring a building permit, the applicant must submit a review form application. The Director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the Director must be completed within 10 days after submission of the review form application.
- (B) If the Director determines that the new construction or remodeling complies with the standards of this ordinance, the Director shall approve the review form application and give written notice to the applicant.
- (C) If the Director determines that the new construction or remodeling does not comply with the standards of this ordinance, the Director shall state in writing the specific requirements to be met before an approval can be granted. The Director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. Notice to the applicant must be sent to the address shown on the review form application.
- (5) Appeals.
- (A) An applicant may appeal any decision made by the Director to the board of adjustment. See Section 51A-4.703, "Board of Adjustment Hearing Procedures," as amended.
- (B) In considering the appeal, the sole issue before the board of adjustment is whether the Director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the Director.
- (C) Appeal to the board of adjustment is the final administrative remedy.

Exhibit B-1

Conceptual plan for Subarea 1

BACKGROUND:

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

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

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

PURPOSE FOR SUBAREA 1 REGULATIONS:

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



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

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

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

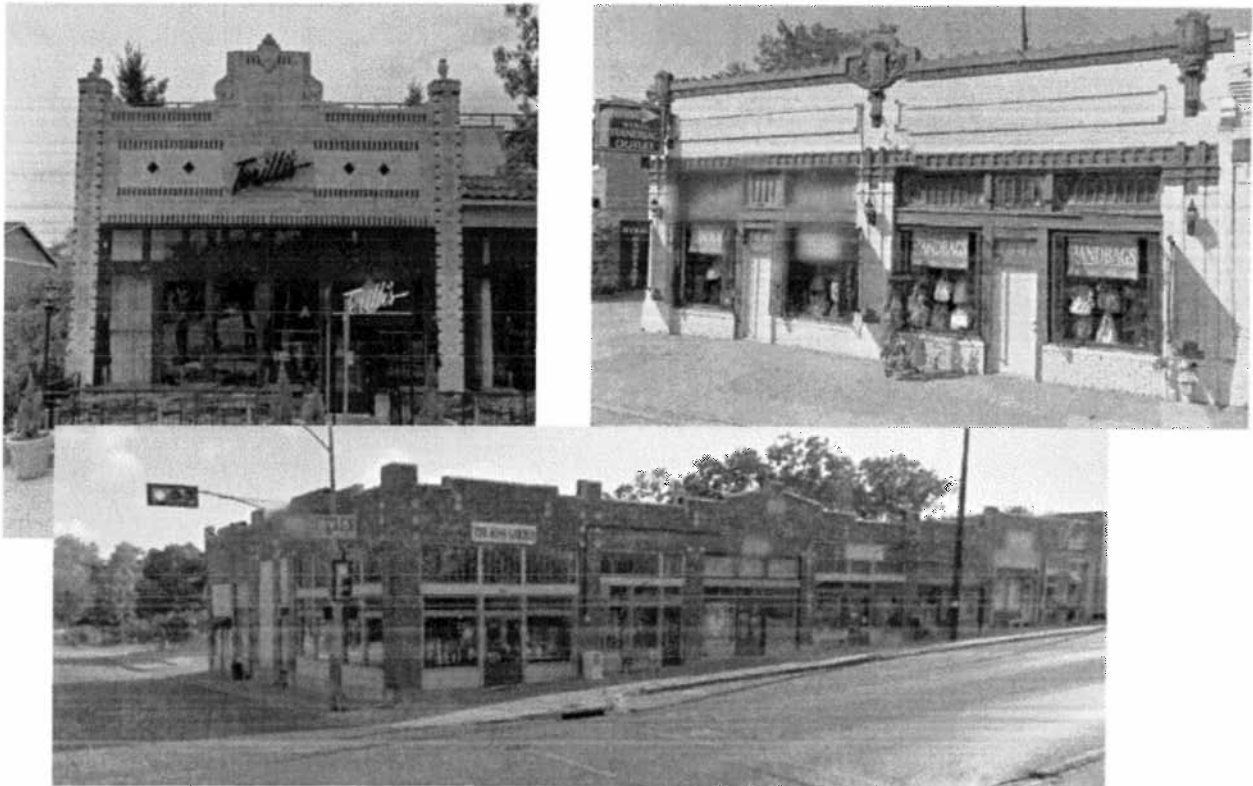


The Greenville-Avenue facing facades of Café Brazil and Stan's Blue Note to the southeast of the property are ideal representations of remodeling regulations. Many of the older buildings in Deep Ellum fit the remodeling regulations as well.

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

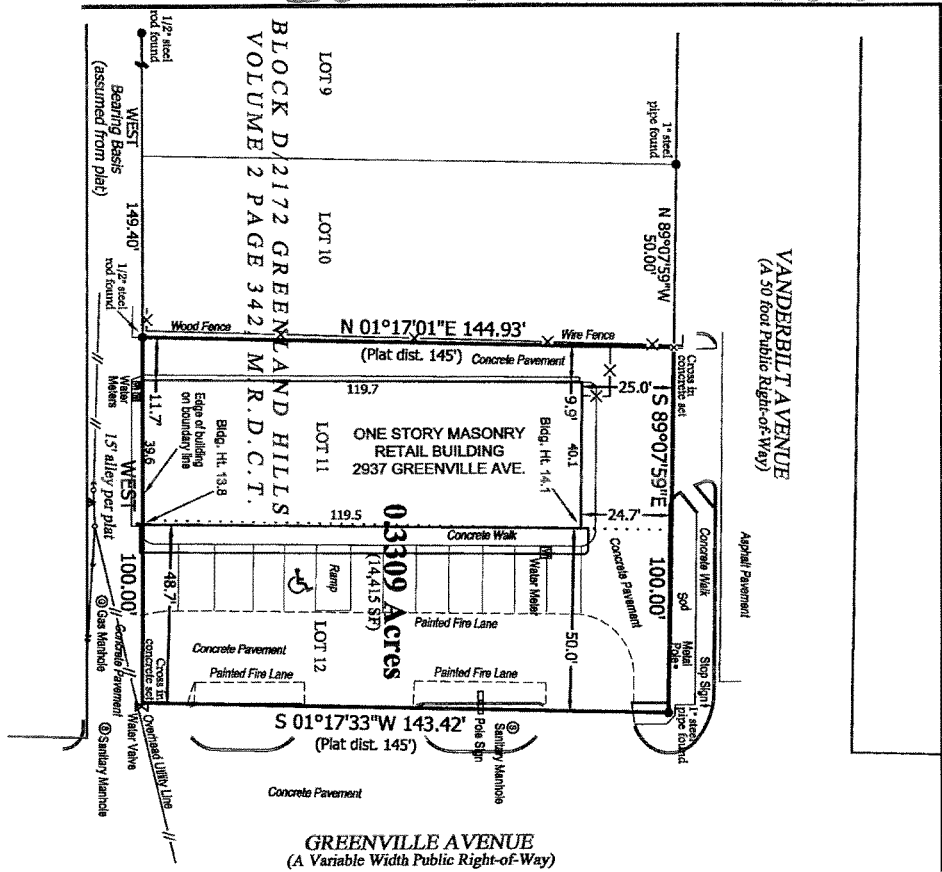
- Recessed customer entrances
- Painted brick is prohibited
- Paneling required under windows
- Building must contain two to four bays
- Greenville Avenue-facing façade and wrap around to have base, middle, and top with decorative cornices on each bay
- Minimum 60% windows or doors on Greenville Avenue-facing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

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



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

Exhibit C



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

MILLER SURVEYING
 EST. 1985

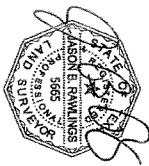
NORTH



NTS

FLOOD NOTE: Based on scaling the surveyed lot shown hereon onto the FEMA Flood Insurance Rate Map No. 4813AC0335 J (EF1, 8-23-01), said lot lies within FEMA Zone X and does not lie within the FEMA designated 100-year flood plain. Miller Surveying, Inc. makes no statement as to the likelihood of the actual flooding of said surveyed lot.

In reference to the Commitment for Title Insurance issued on September 19, 2012 by Fidelity National Title Insurance Company, GF No. R812641195, J, Jason B. Rawlings, Registered Professional Land Surveyor No. 5665 in the State of Texas, certify to Centric Capital Partners, Inc., and Fidelity National Title Insurance Company that this plat represents an accurate survey of Lots 11 and 12, Block D/2172, Greenland Hills, an addition to the City of Dallas, Texas according to the plat thereof recorded in Volume 2, Page 342, Map Records, Dallas County, Texas, that survey being made on the ground under my supervision on September 25, 2012, and the boundary lines, corners and dimensions shown herein are as indicated; the size, type and location of all buildings and improvements shown are as indicated; said improvements are within the boundaries of said tract, except as shown, and set back from the boundary lines the distances as indicated; said tract adjoins and has vehicular access to Vanderbilt Avenue and Greenville Avenue, both public rights-of-way; there are no apparent encroachments, protrusions, boundary line conflicts, visible easements or easements of record as furnished to me, except as shown or noted otherwise. This survey substantially conforms to the current Texas Society of Professional Land Surveyor Standards and Specifications for a Category 1A Condition II Survey.



MILLER
 Surveying, Inc.

Residential · Commercial · Municipal
 430 Mid Cities Blvd.
 Hurst, Texas 76054
 817.577.1052 Fax 817.577.0972
 www.MillerSurveying-Inc.com

Job No. 12097 • Plat File 12097



INTERPRETATION MANUAL

CODE: City of Dallas Conservation Districts	DATE:
CODE SECTION: Applies to Conservation Districts Nos. nine (M-Streets – Ord. 25116) and eleven (M-Streets East – Ord. 25474)	10/23/19
SUBJECT: Application of Paint to Brick and Stone in Conservation Districts Nos. 9 and 11	
<p>This interpretation is to state the practice and interpretation concerning the application of paint on unpainted brick and/or stone within these two Conservation Districts (CDs). Brick and stone painted prior to the date of this interpretation may be repainted with colors that are compatible with colors found on original homes within the district.</p> <p><u>M-Streets Conservation District (#9):</u> The purpose statement for this CD addresses the compatibility of any work that takes place within the district. Per Ord. 25116(3), “The conservation district regulations ensure that new construction, renovation, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.” The term “compatible” is defined in the ordinance under Ord. 25116(a)(2)(C), “COMPATIBLE means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, <u>colors</u>, and materials.”</p> <p>In addition, for new construction in this CD and Per Ord. 25116(e)(3)(A), “Except as otherwise provided in this paragraph, new houses must be constructed of brick and stone using the same colors, course patterns, material placement, and material combinations found in original houses.” The ordinance goes on further to describe the exact colors to be used for new construction homes in Ord. 25116(e)(3)(B), “Brick must be scratch-faced or textured, with at least three subtle variations in tone. Brick colors must be typical of the brick used on original houses.”</p> <p>Because the ordinance is specific concerning the colors of brick to be used and that any new construction be compatible with original houses, it can be inferred that the brick or stone of new construction homes be unpainted to ensure that new brick and/or stone material match the original colors of brick or stone found on original houses.</p> <p>For remodeling projects, and per Ord. 25116(f)(2), “Any remodeling must match the original brick and stone in size, <u>color</u>, coursing, texture, mortaring, and joint detailing.” Remodeling is defined in Ord. 25116(a)(2)(DD) as, “...improvements or repairs that change the appearance of the main structure or replace original materials of the main structure with another material.”</p> <p>Because remodeling must match (not just be compatible) the original brick and stone</p>	

in color, it can be inferred that the application of paint onto previously unpainted brick or stone would not be allowed.

M-Street East Conservation District (# 11):

The purpose statement for this CD addresses the compatibility of any work that takes place within this CD. Per Ord. 25474(4), “The conservation district regulations ensure that new construction, and remodeling is done in a manner that is compatible with the original architectural styles found in the conservation district.” The term “compatible” is defined in the ordinance under Ord. 25474(a)(2)(B), “COMPATIBLE means consistent with the architecture found within the district, including architectural style, scale, massing, setbacks, colors, and materials.”

In addition, per Ord. 25474, Conceptual Plan, Page 7, “Required Elements for New Construction, the ordinance states, “Certain elements are required for each architectural style. They are materials, roofing, and windows. These elements ensure that each style is represented as adequately as possible to maintain the true characteristics of the architecture. Materials must be compatible to those that exist in in the neighborhood today to ensure that new construction will seamlessly transition into the neighborhood.”

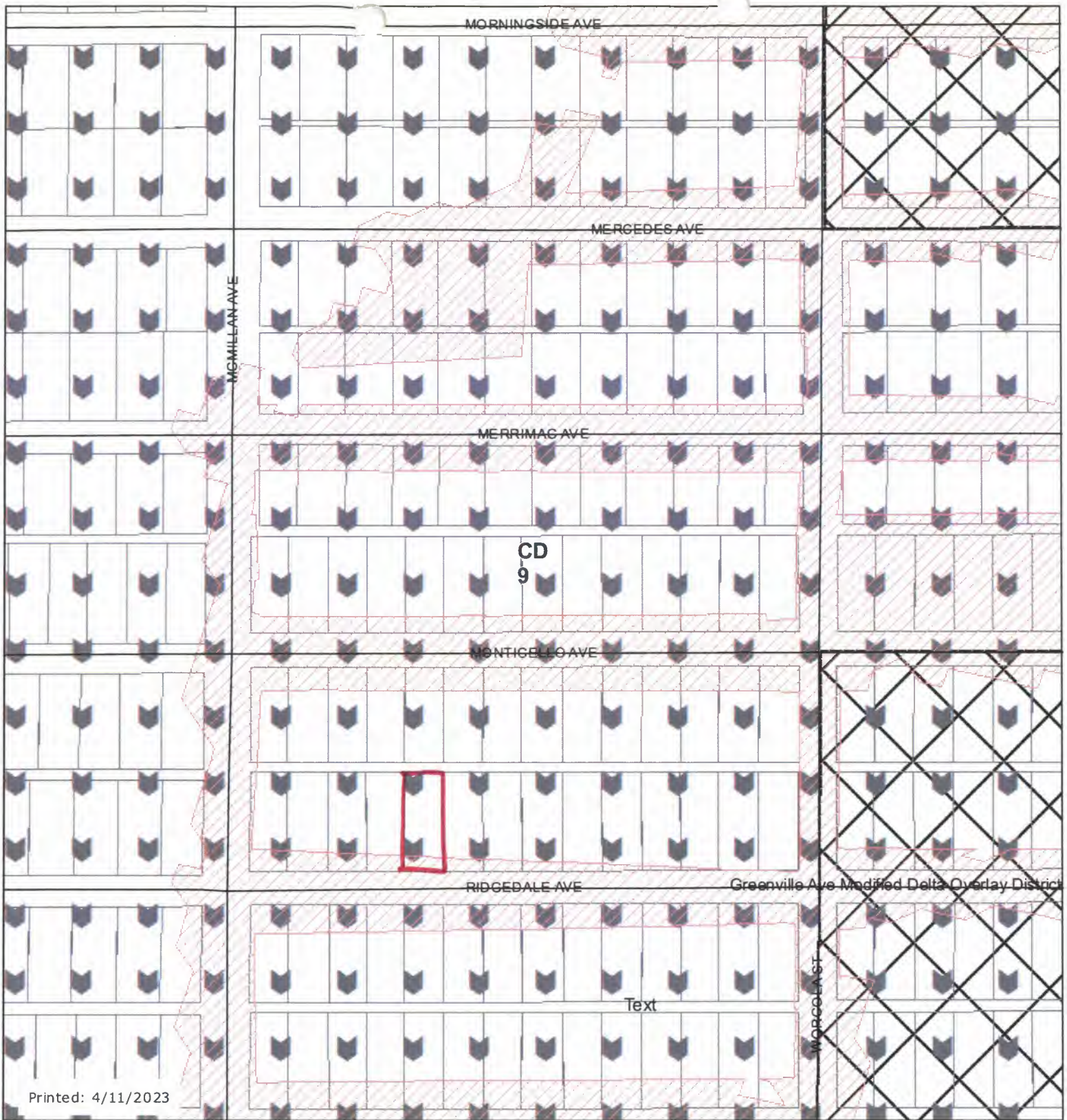
Because the ordinance is clear that materials used for new construction must be compatible with the materials of the district that existed as of 1/13/04 (the date of establishment for this CD), it can be inferred that the brick of new construction homes be unpainted to ensure that new brick material match the original colors of the bricks found on original houses.

For remodeling projects, and per Ords. 25474(h)(4)(B); (i)(4)(B); (j)(5)(B); and (k)(5)(B), “Any remodeling must match the materials in type, color, coursing, joint detailing, mortaring, size, and texture.” Remodeling is defined in Ord. 25474(a)(2)(Y) as, “...improvements or repairs that change the exterior materials or appearance of the front façade or wrap-around of the main structure.”








Because remodeling must match (not just be compatible) the original brick and stone in color, it can be inferred that the application of paint onto previously unpainted brick would not be allowed.

**SIGNATURE: William Hersch, LEED, AP.
Chief Planner**





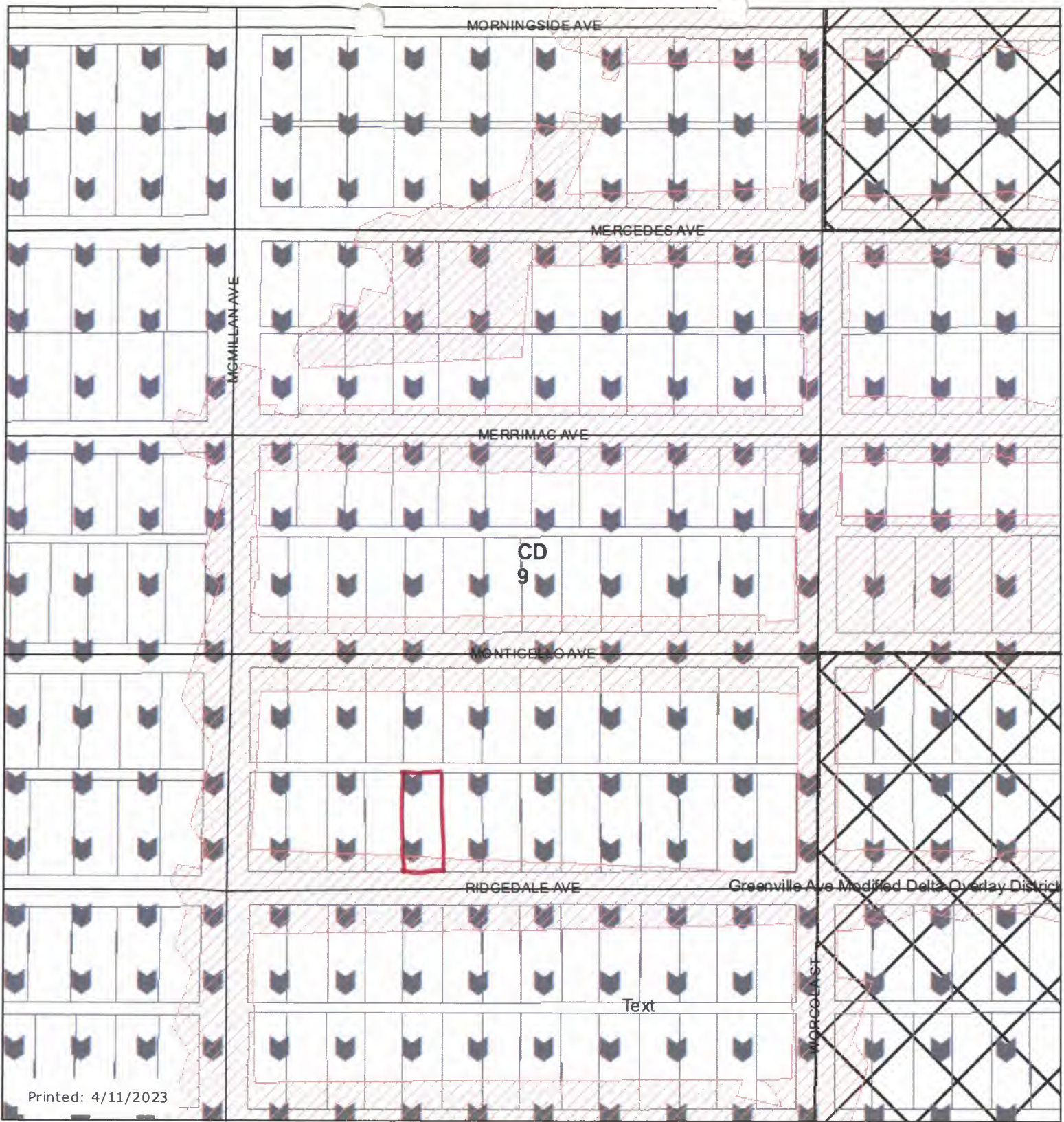
Printed: 4/11/2023

-  City Limits
-  Floodplain
-  Mill Creek
-  Certified Parcels
-  Base Zoning
-  Demolition Delay Overlay
-  MD Overlay








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



1:2,400



Printed: 4/11/2023

-  City Limits
-  Floodplain
-  MHI Creek
-  Certified Parcels
-  Base Zoning
-  Demolition Delay Overlay
-  MD Overlay

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1:2,400

CITY OF DALLAS PLAT BOOKS

ANNEXED JUNE 17, 1925

ORD. NO.

ADDITION PT. OF GREENLAND HILLS

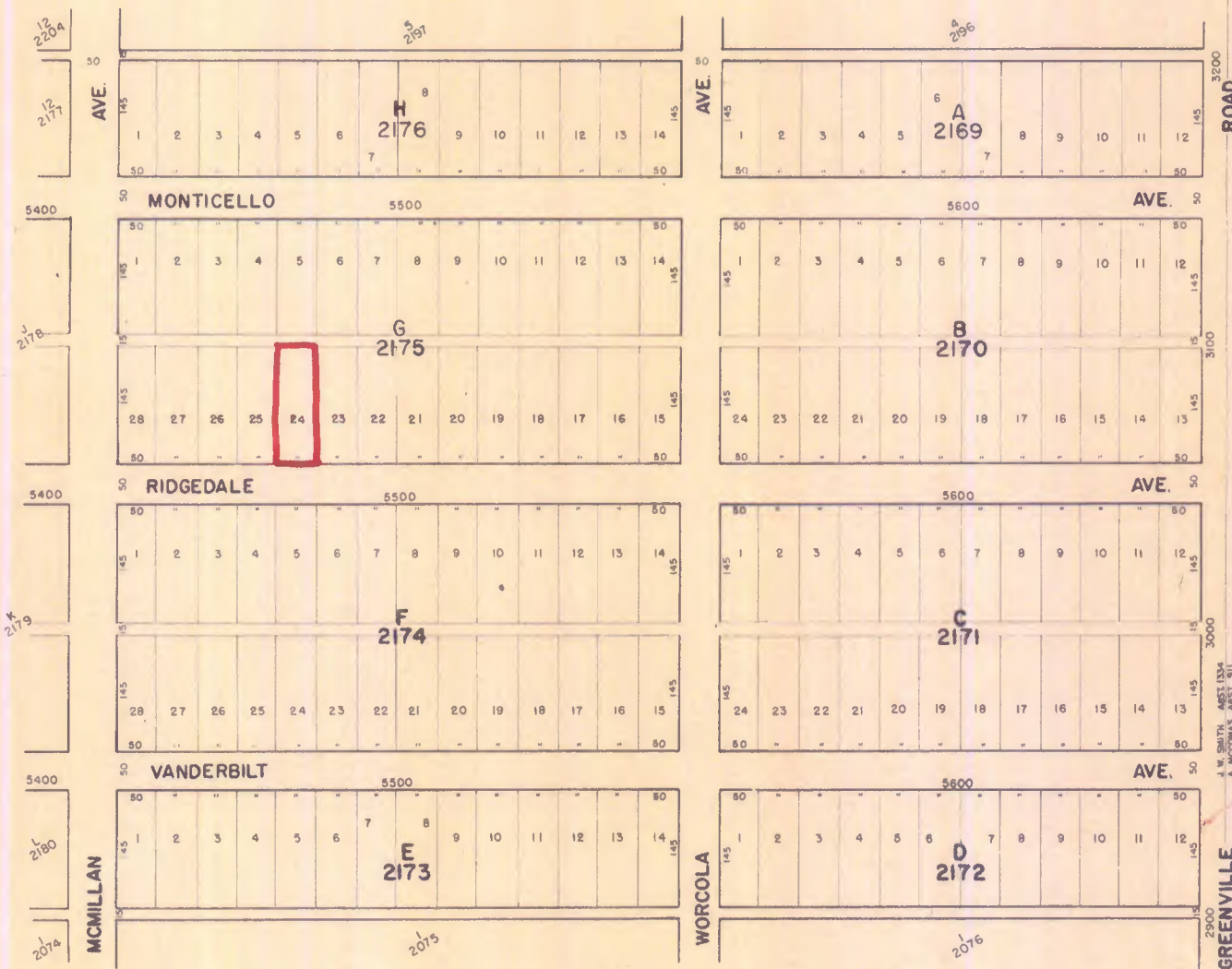
BLOCKS A - H

SURVEY J. W. SMITH

ABST. 1334

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT DALLAS



2171

2146

MARQUITA AVE. 5700

2168

2166

VANDERBILT AVE. 5700

2164

2162

GOODWIN AVE.

198

198B

Handwritten notes:
 2172
 2173
 2174
 2175
 2176
 2177
 2178
 2179

CITY OF DALLAS PLAT BOOKS

ANNEXED JUNE 17, 1925
SURVEY J. W. SMITH

ORD. NO.

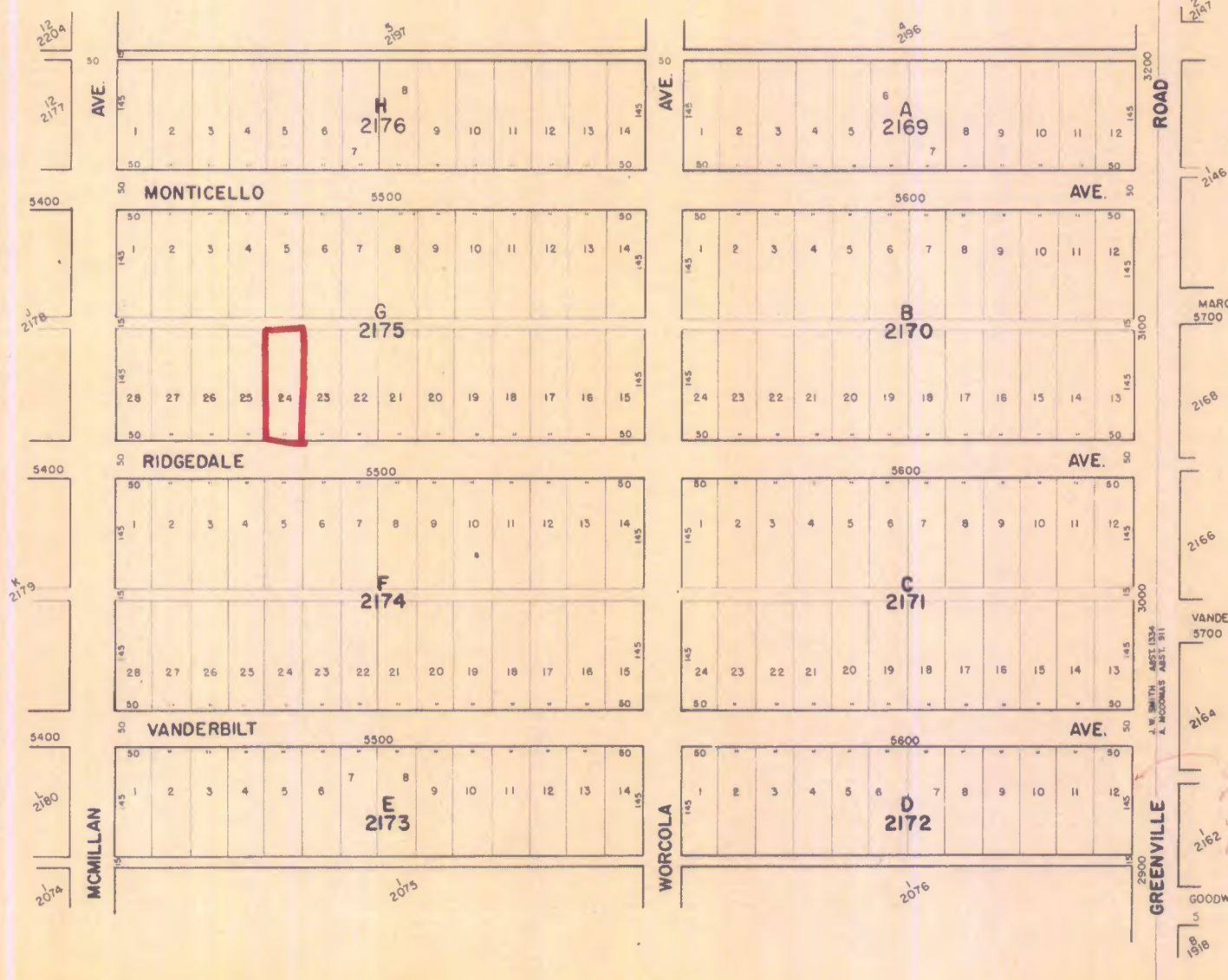
ABST. 1334

ADDITION PT. OF GREENLAND HILLS

SCALE 100 FT. EQUALS 1 INCH

BLOCKS A-H
2169-2176

SCHOOL DISTRICT DALLAS



2177
2176
2175
2174
2173
2172
2169
2168
2166
2164
2162
2160

Handwritten notes:
 2162 v. 209187
 P. 2162
 2162