

RECEIVED

2024 NOV -8 AM 9:12

CITY SECRETARY
DALLAS, TEXAS



City of Dallas
AGENDA

Public Notice

2 4 1 0 2 7

POSTED CITY SECRETARY
DALLAS, TX

BOARD OF ADJUSTMENT (PANEL A)

**NOVEMBER 19, 2024, BRIEFING AT 10:30 A.M. AND
THE PUBLIC HEARING AT 1:00 P.M.**

Dallas City Hall, Council Chambers 6EN and Videoconference

**Video Conference Link: <https://bit.ly/boa1119A>
Telephone: (408) 418-9388, Access Code: 325527**

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

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

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

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

AGENDA

- | | | |
|------|------------------------------------|----------------------------|
| I. | Call to Order | David A. Neumann, Chairman |
| II. | Staff Presentation/Briefing | |
| III. | Public Hearing | Board of Adjustment |
| IV. | Public Testimony | |
| V. | Miscellaneous Items | |
| 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]

MISCELLANEOUS ITEM(S)

- Approval of Panel A Minutes - October 22, 2024
 - Approval of Full Board Meeting Minutes – October 29, 2024
-

UNCONTESTED CASE(S)

- | | | |
|-----------------------|---|---|
| BDA234-128(BT) | 9410 Alva Court
REQUEST: Application of Fenil Ghodadra for (1) a special exception to the fence height regulations. | 1 |
| BDA234-129(CJ) | 4640 N. Lindhurst Avenue
REQUEST: Application of Alec Lang represented by Jeff Howard for (1) a special exception to the fence height regulations. | 2 |
-

HOLDOVER

- | | | |
|-----------------------|--|---|
| BDA234-111(BT) | 6529 Victoria Avenue
REQUEST: Application of Daniel Le to appeal the decision of the administrative official. | 3 |
| BDA234-118(CJ) | 4336 Lively Lane
REQUEST: Application of Larry Klinghoffer for a special exception to (1) provide an additional electrical meter. | 4 |
-

INDIVIDUAL CASES

None.



BOARD OF ADJUSTMENT

Panel A Minutes

October 22nd, 2024

DRAFT

L1FN Auditorium

24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Phil Sahuc	
Rachel Hayden	
Michael Hopkowitz	
Jay Narey - Virtual	

ABSENT: [1]

Kathleen Davis	

Chairman David A. Neumann called the briefing to order at **10:30 A.M.** with a quorum of the Board of Adjustment present.

Chairman David A. 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 testimony opportunities for individuals to comment on matters that were scheduled on the posted meeting agenda.

1. Gus Perez – 1811 Morton Street, Dallas TX 75209
2. Amelia Perez – 7811 Morton St., Dallas TX 75209
3. Jonathan Maples – 6525 Oriole, Dallas TX 75209
4. Joanna L. Hampton - 5408 Swiss Ave., Dallas TX 75214
5. Robert Voltmann – 7315 Robin Rd., Dallas TX 75209
6. Zac Thompson – 4715 University Blvd., Dallas TX 75209
7. Kemeshia Richardson - 7314 Kenwell St., Dallas TX 75209
8. Larry Offutt – 6038 Bryan Parkway, Dallas TX 75206 - Did not speak

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel A, September 17th, 2024, Meeting Minutes.

Motion was made to approve Panel A, September 17th, 2024, Public Hearing Minutes.

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

CONSENT ITEMS

1. 11717 N. Central Expressway
 BDA234-115(CJ)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Allyn Taylor for (1) a special exception to the landscaping regulations at 11717 N Central Expressway. This property is more fully described as Block A/7742, Lot 5, and is zoned MU-1, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a nonresidential structure and provide an alternate landscape plan, which will require (1) a special exception to the landscape regulations.

LOCATION: 11717 N Central Expressway

APPLICANT: Allyn Taylor

REQUEST:

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

DEVELOPMENT STANDARD FOR A SPECIAL EXCEPTION TO LANDSCAPE REGULATIONS:

SEC. 51A-10.125. MANDATORY LANDSCAPING REQUIREMENTS.

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

(1) Street buffer zone.

- (A) Urban streetscape.
- (B) Right-of-way.
- (C) Required planting.
- (D) Buffer zone reduction

(3) Interior zone.

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

(4) Additional provisions.

- (B) Site trees.

SEC. 51A-10.126. LANDSCAPE DESIGN OPTIONS.

(b) Design options.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REGULATIONS:

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

- The extent to which there is residential adjacency.
- The topography of the site.
- The extent to which landscaping exists for which no credit is given under this article.
- The extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

No BDA history found at 11717 N Central Expressway in the last 5 years.

Square Footage:

- This lot contains 36028.476 of square feet.
- This lot is zoned Mixed Use (MU-1) which has no minimum lot size.

Zoning:

- Site: Mixed Use (MU-1) Zoning District
- North: Mixed Use (MU-3) Zoning District
- East: Mixed Use (MU-3) Zoning District
- South: Community Retail (CR) Zoning District

West: Mixed Use (MU-1) Zoning District

Land Use:

The subject site and surrounding properties to the north, east and west are developed with mixed uses (MU-1 & MU-3). Surrounding properties to the south are developed with uses permissible in the Community Retail (CR) district.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Allyn Taylor, for the property located at 11717 N. Central Expressway focuses on one request relating to the landscape regulations.
- The applicant proposes to construct and maintain a nonresidential structure and provide an alternate landscape plan which will require a (1) special exception to the landscape regulations.
- The applicant is seeking a special exception to the landscaping requirements of Article X. Specifically, the applicant requests an exception to Sec. 51A-10.125(b)(1), Street buffer zone; Sec. 51A-10.125(b)(3), Interior zone; and Sec. 51A-10.126, Landscape design options, while maintaining some existing landscaping conditions.
- The proposed alternate landscape plan complies with Article X site tree requirements. Seven existing small trees will remain on the north and along the western perimeter of the lot with 3 new medium and 4 small trees, and other plant materials, added to the plan.
- It is imperative to note that the subject site has single street frontage on North Central Expressway.
- The subject site is a mid-block lot currently developed with a nonresidential structure.
- Appropriate new landscaping is proposed for available open space areas where they are made available near surface parking areas.
- The arborist division has no objection to the proposed alternate landscape plan for the property because we believe that strict compliance with the requirements of Article X will unreasonably burden the use of the property and the design will not adversely affect neighboring property.
- The Dallas Development Code states that all lots containing a use other than single-family or duplex must comply with the provisions set forth SEC. 51A-10.125. Mandatory Landscape Requirements and SEC. 51A-10.126. Landscape Design Options
- The applicant has the burden of proof in establishing that the special exception to the landscape regulations will not adversely affect the neighboring properties.
- Granting the special exceptions to the landscape regulations with a condition that the applicant complies with the submitted site plan/landscape plan, would require the proposal to be constructed as shown on the submitted documents.
- (200' Radius Video): [BDA234-115 at 11717 N. Central Expressway](#)

Timeline:

August 22, 2024: The applicant submitted an "Application/Appeal to the Board of

Adjustment” and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

October 4, 2024: Chief Arborist provided comment stating no objection.

Speakers:

For: Dean Cardwell – 2600 Network Blvd # 310, Frisco TX 75034
Frank Bullock – 5555 W. University Blvd., Dallas TX 75209

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-115, on application of Allyn Taylor, **GRANT** the request of this applicant for a special exception to the landscape requirements contained in Article X of the Dallas Development Code, as amended, because our evaluation of the property and testimony shows that (1) strict compliance with the requirements of this article will unreasonably burden the use of the property; (2) the special exception will not adversely affect neighboring properties, and (3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

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

1. Compliance with the most recent version of all submitted plans are required.
2. The line of shrubs adjacent to the property along the street frontage must be maintained and restored to the minimum standards for screening of off-street parking under Article X.

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

2. 6218 Walnut Hill Lane

BDA234-117(BT)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Darian Kaar for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **6218 WALNUT HILL LANE**. This property is more fully described as Block B/5479, Lot 2, and is zoned R-10(A), which limits the height of a fence in the front yard to 4-feet and prohibits a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line. The applicant proposes to construct and/or maintain a 6-foot high fence in a required front yard, which will require **(1)** a 2-foot special exception to the fence height regulations, and to construct and/or maintain a fence having less than 50 percent open surface area located less than 5 feet from the front lot line which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 6218 Walnut Hill Ln.

APPLICANT: Darian Kaar

REQUEST:

- (2) A request for a special exception to the fence height regulations; and
- (3) A request for a special exception to the fence standard regulations regarding opacity

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: R-10(A)
North: R-10(A)

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Darian Kaar for the property located at 6218 Walnut Hill Ln. focuses on 2 requests relating to the fence height, and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant is proposing to construct and maintain a 6-foot high fence and gate in a required front-yard, which will require a 2-foot special exception to the fence height regulations.
- Lastly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The subject site along with surroundings properties to the north, south, east and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to construct a 6-foot high fence and gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, the proposed fence is similar to many new construction single family homes along Walnut Hill Ln.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-117 at 6218 Walnut Hill Ln](#)

Timeline:

August 23, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Darian Kaar – 6218 Walnut Hill Ln., Dallas TX 75229

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 234-117, on Application of Darian Kaar, **GRANT** the request of this application to construct and/or maintain a 6-foot high fence as a special exception 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.

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

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

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

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 234-117, on Application of Darian Kaar, **GRANT** the request of this application to construct and/or maintain fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences contained in the Dallas Development Code, 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 opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Rachel Hayden				
Second:	Phil Sahuc				
Results:	4-1				Motion to grant
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc, Jay Narey
		Against:	-	1	Michael Hopkovitz

3. 4336 Lively Lane

BDA234-118(CJ)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Larry Klinghoffer for a special exception to **(1)** provide an additional electrical meter at 4336 Lively Lane. This property is more fully described as Block B/5549, Lot 9, and is zoned R-10(A), which requires that a single-family dwelling use in a single family district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct and/or maintain an accessory structure to 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 **(1)** a special exception to the single-family zoning use regulations.

LOCATION: 4336 Lively Lane

APPLICANT: Larry Klinghoffer

REQUEST:

- (1) A special exception to the single-family zoning use regulations for an electrical utility service or electrical meter.

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

Section 51A-4.112(f)(8)(A) of the Dallas Development Code states that The board may grant a special exception to authorize more than one electrical utility service and more than one electrical

meter on a lot in this district when, in the opinion of the board, the special exception will:

- not be contrary to the public interest; and
- not adversely affect neighboring properties; and
- not be used to conduct a use not permitted in this district.

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 4336 Lively Lane in the last 5 years.

Square Footage:

- This lot contains 28618.92 of square feet.
- This lot is zoned R-10 (A) which has a minimum lot size of 10,000 square feet.

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) (Single Family District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Larry Klinghoffer property located at 4336 Lively Lane focuses on 1 request relating to single-family use regulations.
- The applicant proposes to construct and/or maintain an accessory structure to a single-family dwelling 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.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- The subject site is a mid-block lot with single street frontage on Lively Lane.
- According to the applicant, the requested electrical utility service or electrical meter is required for the new accessory structures HVAC system; the new structure is currently under review as permit #2409161151.

- The applicant has the burden of proof in establishing that the special exception to the single-family use regulations regarding electrical services will not be contrary to the public interest, not adversely affect the neighboring properties and not be used to conduct a use not permitted in the district.
- Granting the special exceptions to the single-family use regulations relating to electrical services with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-118 at 4336 Lively Ln.](#)

Timeline:

- August 26, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Larry Klinghoffer – 3930 Gaspar Drive, Dallas TX 75220

Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. 234-118, on application of Larry Klinghoffer, **DENY** the special exception requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would be contrary to the public interest; (AND/OR) would adversely affect neighboring property; (AND/OR) the additional meter would be used to conduct a use not permitted in the district where the building site is located.

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				

Motion withdrawn.

Motion

I move that the Board of Adjustment in Appeal No. BDA 234-118, **HOLD this matter under advisement until November 19, 2024.**

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	5-0 Unanimously				Motion to hold until November 19, 2024.
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Phil Sahuc, Jay Narey and Michael Hopkovitz
		Against:	-	0	

4. 10225 Daria Drive
 BDA234-123(CJ)

This item was moved to Individual Cases

BUILDING OFFICIAL’S REPORT: Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at 10225 Daria Drive. This property is more fully described as Block A/5514, Lot 15, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard on Meaders Lane, which will require **(1)** a 4-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 10225 Daria Drive

APPLICANT: Jennifer Hiromoto

REQUEST:

- (4) A request for a special exception to the fence height regulations; and
- (5) A special exception to the fence standards regulations regarding opacity.

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence standard regulations when in the opinion of the board, **the special exception**

will not adversely affect neighboring property.

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 10225 Daria Drive in the last 5 years.

Square Footage:

- This lot contains 33,366.96 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 1 acre or 43,560 square feet.

Zoning:

- Site: R-1ac (A) (Single Family District)
- North: R-1ac (A) (Single Family District)
- East: R-1ac (A) (Single Family District)
- South: R-1ac (A) (Single Family District)
- West: R-10 (A) (Single Family District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Jennifer Hiromoto property located at 10225 Daria Drive focuses on 2 requests relating to fence height and opacity regulations.
- The applicant proposes to construct and maintain an 8-foot fence in a required front yard, which will require a 4-foot special exception to the fence height regulations on Meaders Lane.
- Secondly, the applicant is requesting a special exception to the fence standards regulations regarding opacity; the proposed fence material is aluminum with metal posts.
- The subject site along with properties to the north, south, east, and west are all developed with uses permissible in residential zoning districts.
- It is imperative to note that the subject site is a corner lot with double street frontage on Daria Drive and Meaders Lane.
- The street frontage along Daria Drive and Meaders Lane act as two front yards due to block-face continuity.

- Based upon staff’s analysis of the surrounding properties, there are a few homes along Meaders Lane with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- It has been confirmed that the proposed fence on Meaders Drive will replace the existing fence and be placed in a similar location.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The Dallas Development Code also states that no fence panel having less than 50 percent open surface area may be located less than 5-feet from the lot line.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200’ Radius Video: [BDA234-123 at 10225 Daria Dr.](#)

Timeline:

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

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Jennifer Hiromoto – 10233 E. NW Highway # 38586, Dallas TX 75238

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BDA 234-123, on application of Jennifer Hiromoto, **GRANT** the request of this applicant to construct and/or maintain a 8-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

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

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

Motion # 2

I move that the Board of Adjustment, in Appeal No. BDA 234-123, on application of Jennifer Hiromoto, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, 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 opacity and fence location requirements illustrated in the most recent version of all submitted plans are required.

Maker:	Rachel Hayden				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Phil Sahuc, Jay Narey and Michael Hopkovitz

		Against:	-	0	
--	--	----------	---	---	--

HOLDOVER CASES

4. 6801 Tyree Street
BDA234-101(CJ)

BUILDING OFFICIAL’S REPORT: Application of Akber Meghani to appeal the decision of the administrative official at 6801 Tyree St. This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of a building project and the associated master permit for the construction of a new duplex.

LOCATION: 6801 Tyree St.

APPLICANT: Akber Meghani

REQUEST:

A request is made to appeal the decision of an administrative official in the revocation of a building project 2211181039 and the associated master permit 2211181139 for the construction of a new duplex.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Section Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

Section 51A –3.102 of the Dallas Development code states the Board of Adjustment has the following powers and duties: “ reverse an order, requirement, decision, or determination of an administrative official involving the interpretation or enforcement of the zoning ordinance; to hear and decide, appeals from decisions of administrative officials made in the enforcement of a zoning ordinance of the city. (For this purpose of the section administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.); to interpret the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.”

Additionally, **Section 51A-4.703** states that “the board shall decide an appeal of a decision of an administrative official at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the appeal date is filed. The board shall have all the powers of the administrative official on the action appealed from. The board may in whole or in part affirm, reverse, or amend the decision of the official. The board may impose reasonable conditions in its order to be complied with by the applicant in order to further the purpose and intent of this chapter.”

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

BDA History:

No BDA History found at 6801 Tyree Street in the last 5 years.

Zoning:

- Site: Planned Development (PD) 67 Zoning District
- North: Planned Development (PD) 67 Zoning District
- South: Planned Development (PD) 67 Zoning District
- East: Planned Development (PD) 67 Zoning District
- West: Planned Development (PD) 67 Zoning District

Land Use:

The subject site and surrounding properties are developed with a single-family residential use.

GENERAL FACTS/STAFF ANALYSIS:

- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

June 25, 2024: The applicant was sent a denial letter for building permit number 2211181039 and master permit 2211181139 which were incorrectly issued by Development Services Department and invalid.

June 27, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

July 3, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

July 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

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

July 29, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the August public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner,

Chief Arborists, Zoning Senior Planner and Transportation Engineer

August 20, 2024: Panel A, at its regular scheduled hearing on August 20, 2024 voted to hold this matter under advisement until September hearings.

August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

Representing the Applicant: Dallas Cothrum, 2201 Main Street, Dallas TX 75201

Representing the City: Justin Roy, City Attorney Office, 1500 Marilla Street 7DN

Motion # 1

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-101, on application of Akber Meghani, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **REVERSE** the decision of the administrative official which relates to land use.

Maker:	David Neumann				
Second:	Phil Sahuc				

Motion withdrawn.

Maker:	David Neumann				
Second:	Phil Sahuc				

Motion # 2

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-101, on application of Akber Meghani, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **REVERSE** the decision of the administrative official which relates to land use and lot coverage. Chairman withdrew motion for lot coverage.

Maker:	David Neumann				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to reverse the land use.
		Ayes:	-	5	David A. Neumann, Rachel Hayden, Jay Narey and Michael Hopkovitz and Phil Sahuc.
		Against:	-	0	

Motion # 3

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-101, on application of Akber Meghani, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **REVERSE** the decision of the administrative official which relates to lot coverage.

Maker:	David Neumann				
Second:	Michael Hopkovitz				
Results:	4-1				Motion to reverse the lot coverage.
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Jay Narey and Michael Hopkovitz
		Against:	-	1	Phil Sahuc

Motion # 4

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-101, on application of Akber Meghani, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **AFFIRM** the decision of the administrative official which relates to height and roof pitch.

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	4-1				Motion to reverse the height and roof pitch
		Ayes:	-	4	Rachel Hayden, Phil Sahuc, Jay Narey and Michael Hopkovitz
		Against:	-	1	David A. Neumann

5. 6801-6803 Tyree Street
 BDA234-101_FR1(CJ)

BUILDING OFFICIAL’S REPORT: Application of Akber Meghani to appeal the decision of the administrative official at 6801 Tyree St. This property is more fully described as Block C/2595, Lot 18, and is zoned PD-67, which requires compliance with Planned Development No. 67 land use and development standards.

LOCATION: 6801 Tyree St.

APPLICANT: Akber Meghani

REQUESTS:

The applicant is requesting a fee reimbursement for fees paid for the application submitted to appeal the decision of the administrative official at 6801 Tyree Street which will appear before Panel A on September 17, 2024.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that **payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board’s miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

No staff recommendation is made on this request.

Speakers:
For: No Speakers
Against: No Speakers

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-101_FR1, on application of Akber Meghani, **GRANT** the request to reimbursement of the filing fees to be paid in association with a request for an administrative appeal as requested by this applicant because our evaluation of the property and testimony shows that the payment of the fee would result in substantial financial hardship to this applicant.

Maker:	David Neumann			
Second:	Phil Sahuc			
Results:	4-1			Motion to Grant
		Ayes:	- 4	David A. Neumann, Rachel Hayden, Phil Sahuc, and Michael Hopkovitz
		Against:	- 1	Jay Narey

6. 6529 Victoria Avenue
BDA234-111(BT)

BUILDING OFFICIAL’S REPORT: Application of Daniel Le to **(1)** appeal the decision of the administrative official at **6529 VICTORIA AVE**. This property is more fully described as Block P/2606, Lot 18, and is zoned PD-67 (Tract 3), which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to **(1)** appeal the decision of an administrative official in the revocation of a building project and the associated master permit for the construction of a new duplex.

LOCATION: 6529 Victoria Ave.

APPLICANT: Daniel Le

REQUEST:

- (6) A request is made to appeal the decision of the administrative official in building permit 2301031121 and 2301041101 for structure exceeding maximum allowed height, exceeding maximum allowed lot coverage, and non-compliant roof types.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Section Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

Section 51A –3.102 of the Dallas Development code states the Board of Adjustment has the following powers and duties: “reverse an order, requirement, decision, or determination of an administrative official involving the interpretation or enforcement of the zoning ordinance; to hear and decide, appeals from decisions of administrative officials made in the enforcement of a zoning ordinance of the city. (For this purpose of the section administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.); to interpret the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.”

Additionally, **Section 51A-4.703** states that “the board shall decide an appeal of a decision of an administrative official at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the appeal date is filed. The board shall have all the powers of the administrative official on the action appealed from. The board may in whole or in part affirm, reverse, or amend the decision of the official. The board may impose reasonable conditions in its order to be complied with by the applicant in order to further the purpose and intent of this chapter.”

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

BACKGROUND INFORMATION:

Zoning:

- Site: PD-67 (Tract 3)
- North: PD-67 (Tract 3)
- East: PD-67 (Tract 3) and PD-67 (Tract 4)
- South: PD-67 (Tract 3) and CR
- West: PD-67 (Tract 3) and CR

Land Use:

The subject site is developed with a duplex use and surrounding properties to the north, and east are developed with single-family and duplex uses. Surrounding properties to the south and west are developed with single-family, duplex and non-residential uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Ashra Ortiz, represented by Pascual Mojica applied for a duplex permit (6529 and 6531 Victoria Ave.) on January 03, 2023
- Permit #2301031121 (Master Permit #2301041101) was approved on January 04,2023.
- Various green tags received with the last being issued on June 28, 2024.

- Project placed on hold on July 26, 2024.
- Letter via email to revoke permit #2301031121 and permit #2301041101 provided to applicant on August 7, 2024.
- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

- August 7, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- August 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- August 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the August 23, 2024, deadline to submit additional evidence for staff to factor into their analysis; and September 6, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.
- September 17, 2024: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, September 17, 2024, moved to **HOLD** this matter under advisement until **October 22, 2024**.
- September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and

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

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

Speakers:

For: Daniel Le, 6529 Victoria Ave., Dallas TX 75209
 Robert Miklos, 2500 Dallas Prwy # 600, Dallas TX 75093

Representing the City of Dallas: Justin Roy, City Attorney Office, 1500 Marilla Street 7DN

Board member Jay Narey leaves at 6 pm

Motion # 1

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-111, on application of Daniel Le, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **REVERSE** the decision of the administrative official regarding lot coverage.

Maker:	David Neumann				
Second:	Phil Shauc				
Results:	4-0 Unanimously				Motion to reverse the lot coverage
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Michael Hopkovitz
		Against:	-	0	

Motion # 2

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-111, on application of Daniel Le, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **AFFIRM** the decision of the administrative official regarding roof type

Maker:	David Neumann				
Second:	Michael Hopkovitz				
Results:	4-0 Unanimously				Motion to affirm roof type
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Michael Hopkovitz
		Against:	-	0	

Motion # 3

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-111, on application of Daniel Le, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **REVERSE** the decision of the administrative official regarding height.

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	3-1				Motion fails to reverse
		Ayes:	-	3	David A. Neumann, Rachel Hayden, and Phil Sahuc
		Against:	-	1	Michael Hopkovitz

Motion # 4

Having fully reviewed the decision of the administrative official of the City of Dallas in Appeal No. BDA 234-111, on application of Daniel Le, and having evaluated the evidence pertaining to the property and heard all testimony and facts supporting the application, I move that the Board of Adjustment **AFFIRM** the decision of the administrative official.

Maker:	Michael Hopkovitz				
Second:	No Second				

Motion # 5

In the matter of BDA 234-111, it was moved to reconsider the motion to reverse the decision of the building official on lot coverage.

Maker:	David Neumann				
Second:	Michael Hopkovitz				
Results:	4-0 Unanimously				Motion to reconsider the motion
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Michael Hopkovitz
		Against:	-	0	

Motion # 6

In the matter of BDA 234-111, it was moved to reconsider the motion to affirm the decision of the building official on roof type.

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	4-0 Unanimously				Motion to reconsider the motion
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Michael Hopkovitz
		Against:	-	0	

Motion # 7

I move that the Board of Adjustment in Appeal No. BDA234-111, **HOLD** this matter under advisement until **November 19, 2024**.

Maker:	David Neumann				
Second:	Michael Hopkovitz				
Results:	4-0 Unanimously				Motion to hold until November 19, 2024.
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Phil Sahuc and Michael Hopkovitz
		Against:	-	0	

7. 6529 Victoria Avenue
 BDA234-111_FR1(BT)

BUILDING OFFICIAL’S REPORT: BDA234-111(BT) Application of Daniel Le to **(1)** appeal the decision of the administrative official at **6529 VICTORIA AVE**. This property is more fully described as Block P/2606, Lot 18, and is zoned PD-67 (Tract 3), which allows a person who is aggrieved by the decision of an administrative official and is the owner of real property within 200 feet of the subject site related to a specific application, address, or project, may appeal to the board. The applicant proposes to **(1)** appeal the decision of an administrative official in the issuance of a building permit and associated master permit.

LOCATION: 6529 Victoria Ave.

APPLICANT: Daniel Le

REQUEST:

The applicant is requesting a fee reimbursement for the application submitted to appeal the decision of the administrative official at 6529 Victoria Ave. which will appear before Panel B on September 18, 2024.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that **payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board’s miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

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

Speakers:

For: None

Against: None

Motion

I move that the Board of Adjustment, in Appeal No. BDA 234-111_FR1, on application of Daniel Le, **GRANT** the request to reimbursement of the filing fees to be paid in association with a request for an administrative appeal as requested by this applicant because our evaluation of the property and testimony shows that the payment of the fee would result in substantial financial hardship to this applicant.

Maker:	David Neumann				
Second:	Phil Sahuc				
Results:	4-0 Unanimously				Motion to grant
		Ayes:	-	4	David A. Neumann, Rachel Hayden, phil Sahuc and Michael Hopkovitz
		Against:	-	0	

****Recess at 3:16 pm – 3:41 pm****

****Recess at 5:02 pm – 5:18 pm****

****Recess at 5:51 pm – 6:02 pm****

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman moved to adjourn the meeting at 7:40 p.m.

 Required Signature:
 Mary Williams, Board Secretary
 Planning & Development Department

 Date

 Required Signature:
 Dr. Kameka Miller-Hoskins, Board Coordinator
 Planning & Development Department

 Date

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

 Date



BOARD OF ADJUSTMENT

Full Board Meeting Minutes

October 29th, 2024

DRAFT

6EN Council Chambers
24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [13]

David A. Neumann, Chairman	Joe Cannon
Cheri Gambow, Vice Chair	Andrew Finney
Robert Agnich, Vice Chair	Dr. Emmanuel Glover
Rachel Hayden	
Kathleen Davis	
Michael Hopkovitz	
Jay Narey	
Judy Pollock	
Jared Slade	
Roger Sashington	

ABSENT: [5]

Rodney Milliken	Nicholas Brooks
Sarah Lamb	Philip Sahuc
TC Fleming	

Chairman Neumann called the Special Meeting of the Board of Adjustment to order at **9:09 A.M.** with a confirmed quorum of the Board of Adjustment present.

WELCOME:

David A. Neumann

Introduction of Board Members & Alternates

PUBLIC TESTIMONY:

Robert Reeves (Consultant) - 3807 Vinecrest Dr., Dallas TX 75229
Steve Long (Consultant) – 902 Thomasson, Dallas TX 75208

SPEAKERS:

- Emily Liu, Director, Planning & Development Department
- Jason Pool, Assistant Director (I) Customer Excellence
 1. FY 23-24 Strategic Efficiency Plan
 2. FY 23-24 Summary of Progress
 3. FY 22-23 & FY 23-24 Charts & Metrics
 4. FY 24-25 Planning & Goals

CHAIRMAN'S REPORT:

David A. Neumann

October 1, 2023 – September 30, 2024

Focus:

Ensure Fairness for every property owner appeal to the Board of Adjustment through a Transparent process that culminates in Timely hearings where Accurate information is reasonably applied to the Board's preexisting legal standards.

Advocacy

- Met quarterly with City Manager's key staff: Assistant City Managers Majed Al-Ghafry and Robin Bentley; Directors Andrew Espinoza and Emily Liu, to maintain executive level support and awareness of the mission of the Board, its members, staff and property owner/taxpayer.
- Working with Board Attorney and City Attorney's Office to assert the Board's fully interpreted and expressed authority within the Dallas Development Code to determine a just and fair decision for all cases/appeals presented.

Empowerment

- Implemented our updated Rules of Procedure providing greater empowerment of the Board, Chairman, and Vice Chairs to lead the hearings as a citizen appointed board of the City Council.
- Board Officers worked collectively to ensure relative consistency amongst the panels and provide feedback loop to staff to ensure effectiveness of hearings.
- Panel Hearings were fully attended by 5 Members/Alternates 27 of 30 hearings or 90% to ensure a full panel's deliberation for the applicant.

Transition challenges

- Challenged by city staff turnover of Board Administrators, Senior Planners, and resulting learning curves during last 12 months and departmental transitioning from Planning Urban Design to Development Services back to Planning & Development.
- Positive and hopeful leadership now under Dr. Kameka Millers-Hoskins as our Board Administrator. Proofreading all work to be presented is essential.

Progress

- Worked regularly with Jason Pool as Development Services Administrator to support his leadership and obtained more comprehensive staff analysis for hearings, technology to aid in understanding adjacent properties and leverage/utilize the BOA website to provide accurate and timely information to the public regarding all aspects of the BOA appeal process. Reduced days from application to hearing from 74 to 61. Outstanding!

BOARD TRAINING

➤ **ETHICS AND CONFLICT OF INTEREST**

Baron Eliason, Chief Integrity Officer

- Why we have the Code of Ethics
- The BIG picture of ethics in our city

- Big Picture: Be on our best behavior
- Two types of best behavior rules: 1) All the time rules 2) If/then rules
- All the time rules: 1) Fiduciary duty 2) Civility
- Civility in employee interactions – a two step
- All the time rules: 1) Fiduciary duty 2) Civility 3) Appearances – personal and professional
- If/Then Rules: Code of Ethics Reference Guide
- If/Then Conflicts and Violations Checklist
- Substantial Interests in a Business §12A-13.1
- Substantial Interests in Property §12A-13.1
- Acquisition of Interests §12A-14(a)(1)
- Benefits to Previous Employers §12A-14(a)(3)
- Nepotism
- Political Activity and disclosures: §12A-21
- Outside Employment §12A-19
- Gifts Deep Dive
- Gifts and Donations
- Options with Gifts
- When is a Gift prohibited? - §12A-12(a)
- Is there more guidance?
- Analyzing Gifts
- Reporting of Gifts - §12A-42
- What's it worth?
- What counts as a year?
- When are reports due?
- Where do I find the report form?
- Donations
- Reporting Chart – Financial Disclosure
- Reporting Chart – Financial Statement
- Reporting Chart – Short Form
- Reporting Chart – Gifts
- Reporting Chart – Donations
- Reporting Chart – Travel

➤ **PLANNING & DEVELOPMENT DEPARTMENT** Chief Planner, Dr. Kameka Miller-Hoskins
Bryant Thompson, Senior Planner

- Team Introductions
- Parking Reductions
 - ❖ How is Parking Calculated?
 - ❖ Off-Street Parking reductions
What is an Off-street parking reduction?
 - ❖ Types of Off-street Parking Reductions
 - Special Exception
Example
 - Variance
Example
 - ❖ Summary
 - ❖ Questions
- Blockface Continuity
 - ❖ Blockface
 - ❖ Blockface Continuity
 - ❖ Importance of blockface Continuity

- ❖ When is Blockface Applied?
Examples
- ❖ Questions

****Lunch: 12:35 p.m.; Resume: 1:18 p.m.****

➤ **CITY ATTORNEY'S OFFICE**

**Theresa Carlyle, Board Attorney &
Matthew Sapp, Assistant City Attorney**

- Board of Adjustment Authority
 - ❖ The Ultimate Authority: The Constitution of the United States
 - ❖ Authority
 - ❖ Quasi-judicial Land-use Boards
- Roles of Board of Adjustment
 - ❖ How does the Board of Adjustment ensure that the highest and best use of land is accomplished?
 - ❖ Through (VANS): Variances, Administrative Appeals, Non-conforming Uses, and Special Exceptions
- Variances and Special Exceptions Policy Analysis
 - ❖ Variance – Sec. §51A-3.102(a)
Pre-existing structure
Sec. §51A-3.102(d)(10)(b)
Sec. §51A-3.102(d)(10)(b)(i)
Sec. §51A-3.102(d)(10)(b)
 - ❖ Special Exception Analysis
S.A.M. – Safety, Aesthetics, Monetary
 - ❖ Administrative Official Appeals
- Appeals of Administrative Decisions
- Case Law Review
 - ❖ City of Dallas v. Vanesco
 - ❖ Texas Card House
- **Texas Open Meetings Act**
 - The Rule
 - Meeting
 - Walking Quorums
 - Notice Requirements
 - Videoconference
 - Other Rules
 - Close Meeting (Executive Session)
 - Close Meeting: Who may Attend
 - Recordkeeping

Daniel Moore, Assistant City Attorney

➤ **BOARD MEMBER RESPONSE**

- ❖ Suggestions & Feedback

➤ **ACTION ITEMS**

- Review and approval of Meeting Minutes September 17, 2024
- Review/Adopt 2025 meeting Calendar.
- Review/Adopt Annual Report to City Council
 - 2023-2024 Accomplishments
 - 2024-2025 Goals and Objectives
 - Board Recommendations
- Amendments to Rules of Procedure

❖ **BOARD OF ADJUSTMENT ACTIONS:**

- Review and approval of Meeting Minutes September 17, 2024

Maker:	Judy Pollock				
Second:	Robert Agnich				
Results:	12-0 unanimously				Moved to approve/adopt
		Ayes:	-	12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-	0	

- Review/Adopt 2025 Board Meeting Calendar as presented.

Maker:	Robert Agnich				
Second:	Judy Pollock				
Results:	11-1				Moved to approve/adopt
		Ayes:	-	11	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Jay Narey, Judy Pollock, Jared Slade, Michael Hopkovitz
		Against:	-	1	Roger Sashington

- 2023-2024 Accomplishments

Maker:	Cheri Gambow				
Second:	Joe Cannon				
Results:	12-0 unanimously				Moved to approve/adopt
		Ayes:	-	12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-	0	

- 2024-2025 Goals and Objectives

Maker:	Michael Hopkovitz				
Second:	Andrew Finney				5

Results:	12-0 unanimously				Moved to approve/adopt
		Ayes:	-	12	David A. Neumann, Joe Cannon, Cheri Gambow, Andrew Finney, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Roger Sashington
		Against:	-	0	

- o Amendments to Rules of Procedure

Maker:	Robert Agnich				
Second:	Jay Narey				
Results:	12-0 Unanimously				Moved to adopt the changes
		Ayes:	-	12	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay Narey, Judy Pollock, Jared Slade, Joe Cannon, Andrew Finney and Roger Sahington
		Against:	-	0	

- o Board Recommendations to City Council to include metrics on Section 2 relating on source of permitting errors.

Maker:	Cheri Gambow				
Second:	Andrew Finney				
Results:	5-6				Motion fails
		Ayes:	-	5	Joe Cannon, Cheri Gambow, Andrew Finney, Dr. Emmanuel Glover, Jared Slade
		Against:	-	6	David A. Neumann, Michael Hopkovitz, Judy Pollock, Jay Narey, Robert Agnich, Kathleen Davis

- o Board Recommendations to City Council Section 1, 2 & 3 and Final Adoption of 2023-2024 Annual Report

Maker:	Robert Agnich				
Second:	Andrew Finney				
Results:	9-2				Moved to adopt as presented
		Ayes:	-	9	David A. Neumann, Cheri Gambow, Robert Agnich, Dr. Emmanuel Glover, Kathleen Davis, Michael Hopkovitz, Jay

					Narey, Judy Pollock, Jared Slade
		Against:	-	2	Joe Cannon and Andrew Finney

Board Member Rachel Hayden left at 2:30 p.m.

Board Member Roger Sashington left at 4:08 p.m.

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann moved to adjourn the meeting at 4:43 p.m. and it was unanimously approved.

Required Signature:
Mary Williams, Board Secretary
Planning & Development Department

Date

Required Signature:
Dr. Kameka Miller-Hoskins, Board Administrator
Planning & Development Department

Date

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

Date

FILE NUMBER: BDA234-128 (BT)

BUILDING OFFICIAL'S REPORT: Application of Fenil Ghodadra for (1) a special exception to the fence height regulations at **9410 ALVA CT**. This property is more fully described as Block 6/5596, TR 5 & S 11 feet of TR 4, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

LOCATION: 9410 ALVA CT.

APPLICANT: Fenil Ghodadra

REQUEST:

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

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

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

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

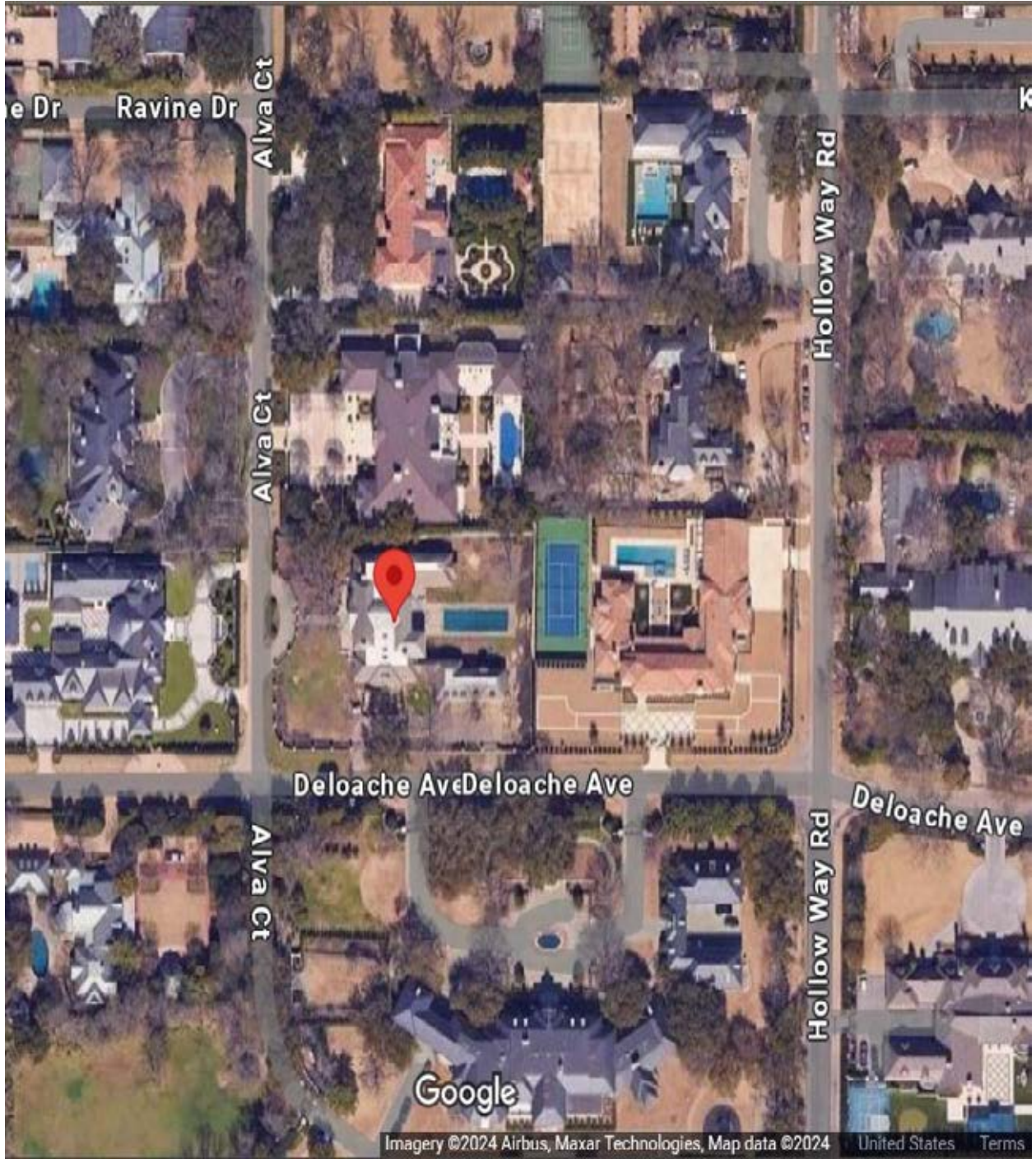
- The application of Fenil Ghodadra for the property located at 9410 Alva Ct. focuses on one request relating to the fence height.
- A request for a special exception to the fence height regulations. The applicant is proposing to construct and maintain an 8-foot high gate in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.
- As illustrated on the submitted site plan and elevations, the applicant is proposing to replace an existing 8-foot high fence and gate, located near the front property line.
- Based upon staff's analysis of the surrounding properties, many provided tall fencing and vegetation serving as a screening mechanism along Alva Ct. and Deloache Ave.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:


Timeline:

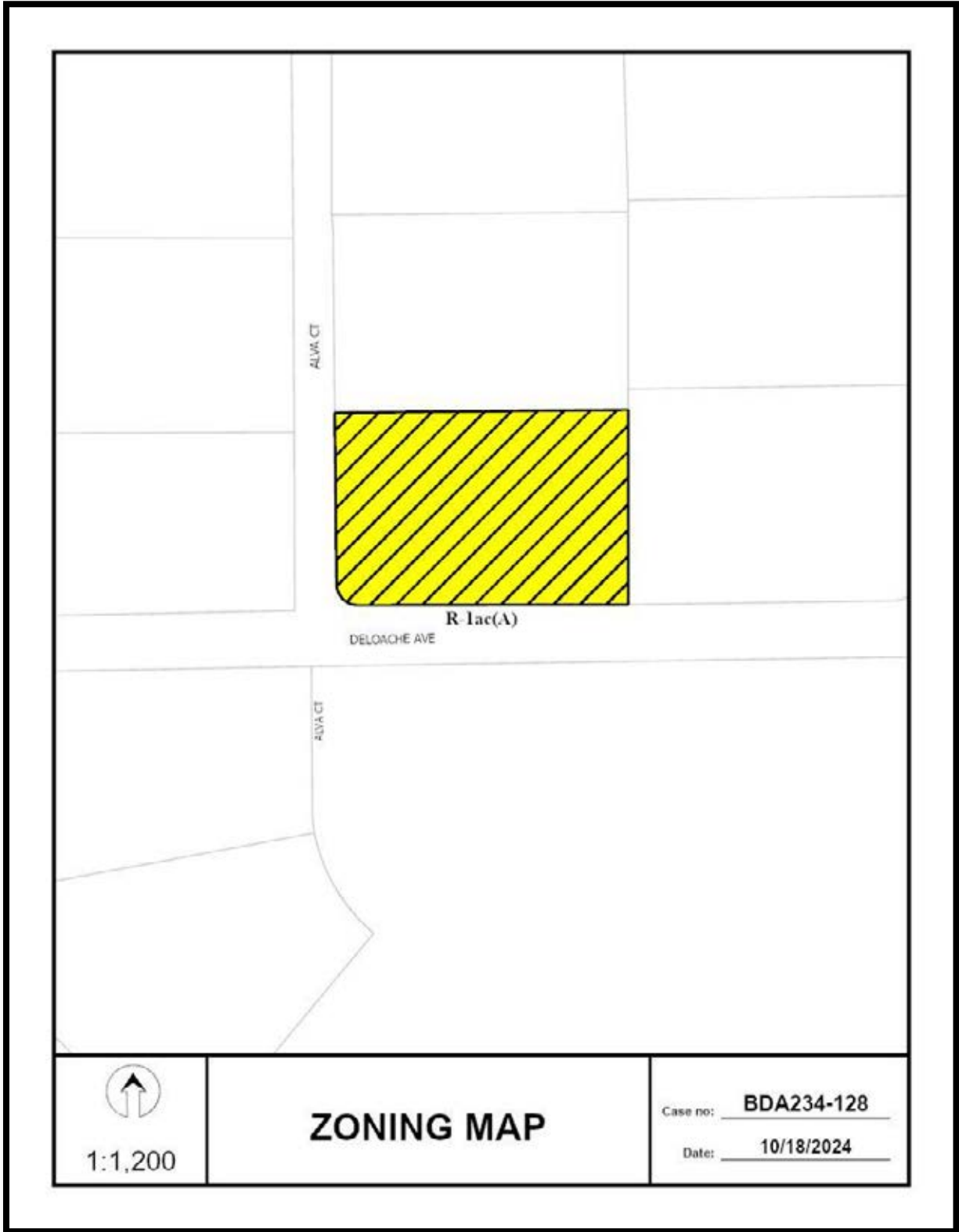
- September 19, 2024: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- October 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and


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


November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

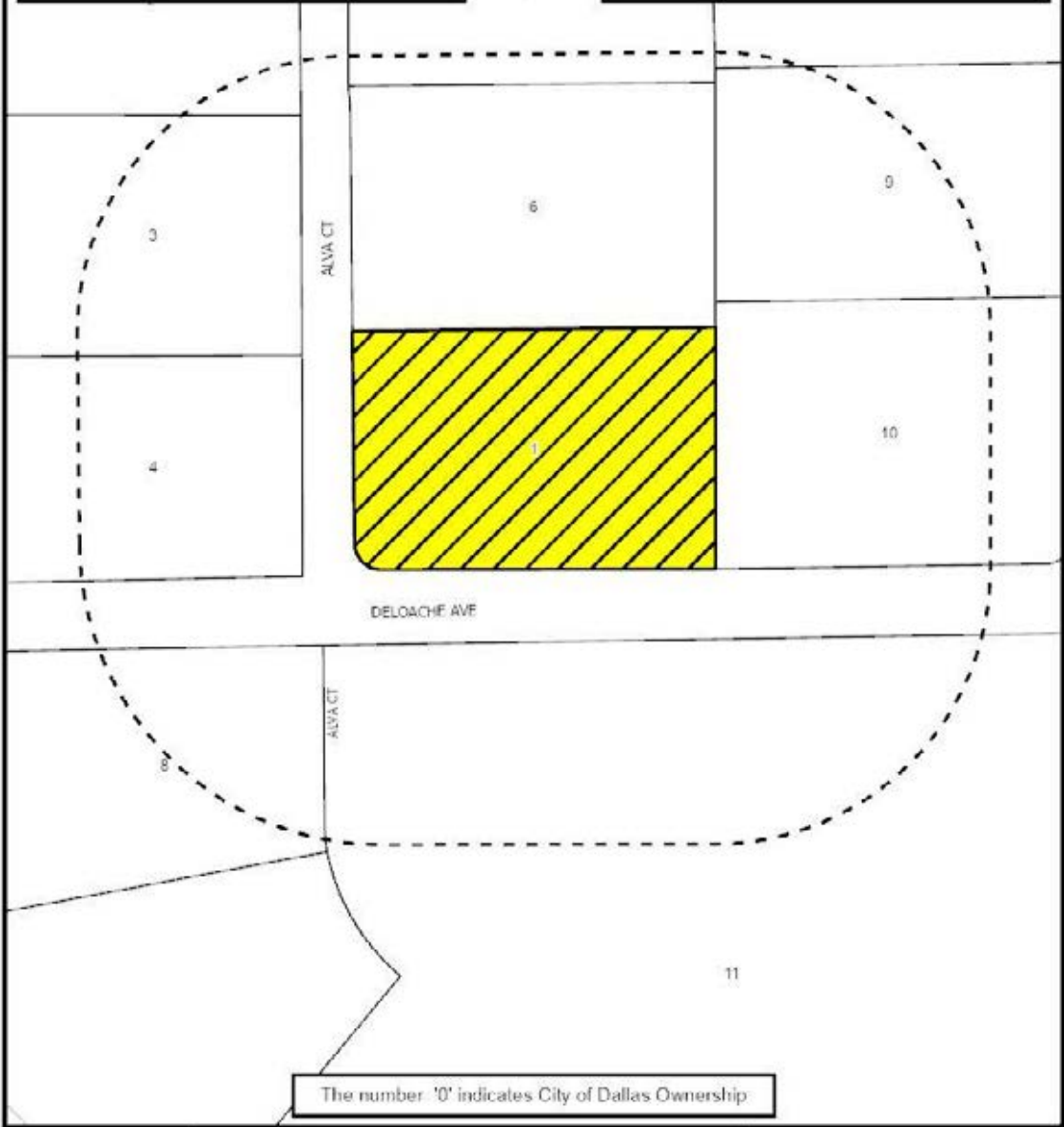


 1:1,200	<h1>AERIAL MAP</h1>	Case no: <u>BDA234-128</u> Date: <u>10/18/2024</u>
--	---------------------	---



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

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



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
11 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-128**
 Date: **10/18/2024**

10/18/2024

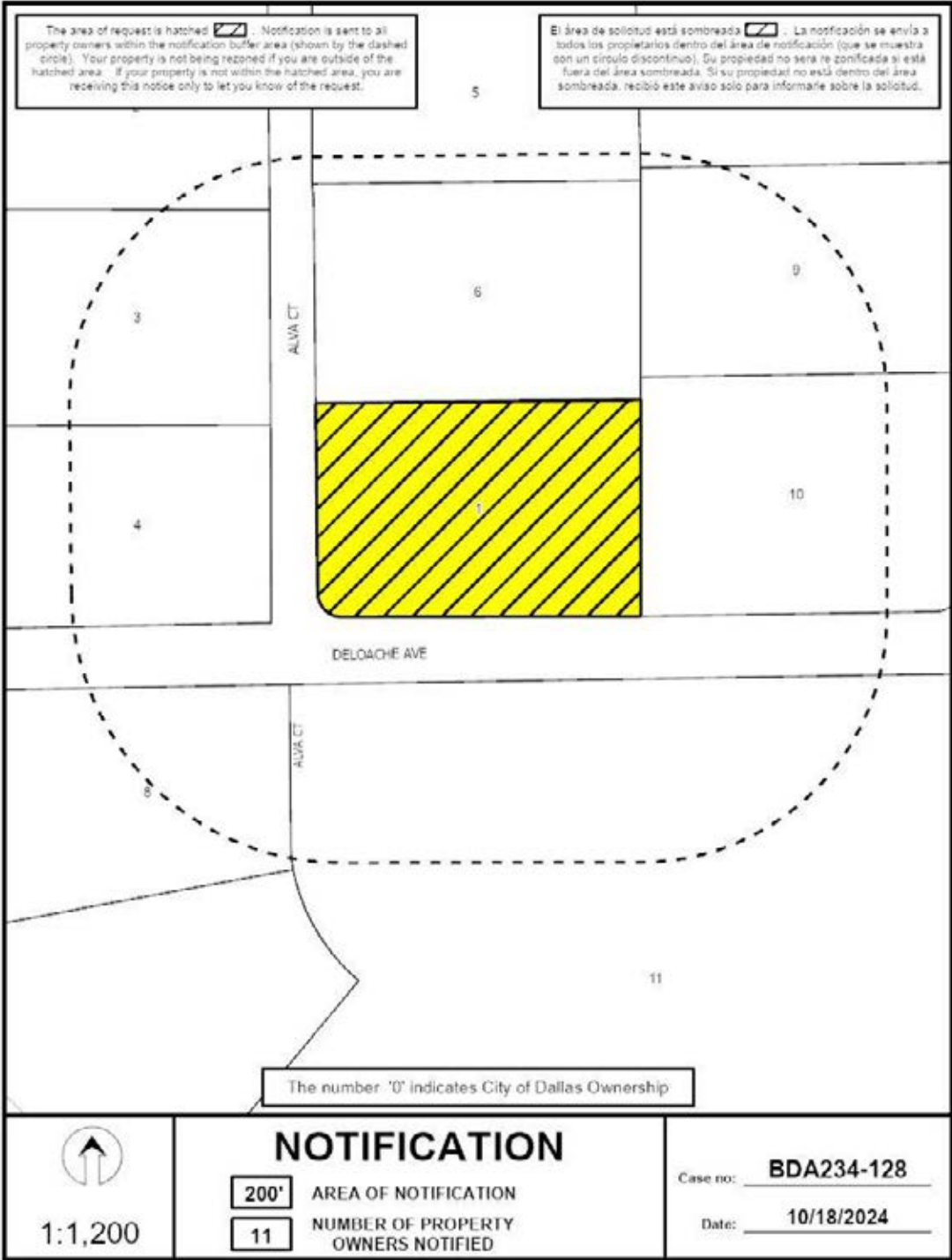
Notification List of Property Owners

BDA234-128

11 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9410 ALVA CT	9410 ALVA COURT TRUST THE
2	5332 RAVINE DR	SAVOLDELLI FAMILY TRUST THE
3	9423 ALVA CT	ALVA TRUST THE
4	5333 DELOACHE AVE	KUMAR PANKAJ &
5	9434 ALVA CT	BBC MANAGEMENT TRUST THE
6	9422 ALVA CT	AARON TODD S & DAWN S
7	9441 HOLLOW WAY RD	WIEGAND CHRISTOPHER DAVID &
8	9398 ALVA CT	LANGDALE MARK
9	9427 HOLLOW WAY RD	FRANKFURT ERIC &
10	5433 DELOACHE AVE	ALLYN ROB & MONICA
11	5424 DELOACHE AVE	CUBAN MARK

200' Radius Route Map



NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

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

- DATE:** TUESDAY, NOVEMBER 19TH, 2024
- BRIEFING:** 10:30 a.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>
- HEARING:** 1:00 p.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

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

BDA234-128(BT) Application of Fenil Ghodadra for **(1)** a special exception to the fence height regulations at **9410 ALVA COURT**. This property is more fully described as Block 6/5596, TR 5 & S 11-feet of TR 4, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAreply@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at Council Chambers 6EN. 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> by the close of **business Monday, November 18th, 2024**. **All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** 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

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

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

Board of Adjustment
Planning and Development Department
1500 Marilla Street 5CN, Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00
am the day of the hearing.

PLEASE REGISTER AT:
<https://bit.ly/BDA-A-Register>

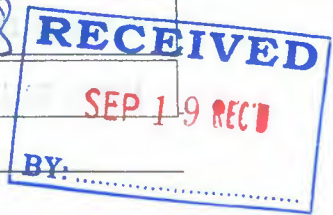


Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-128



Data Relative to Subject Property: _____ Date: _____
Location address: 9410 Alva Court Zoning District: R-1(a)
Lot No.: 4, pt 5 Block No.: 6/5596 Acreage: 1.054 Census Tract: _____
Street Frontage (in Feet): 1) 156 2) 240 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): The 9410 Alva Court Trust (Fenil Ghadra)
Applicant: The 9410 Alva Court Trust ^{Fenil Ghadra} Telephone: 404-668-0764
Mailing Address: 9410 Alva Court, Dallas, TX Zip Code: 75220
E-mail Address: fenilg@gmail.com

Represented by: Peter Kavanagh (Zone Systems) Telephone: 214-941-4440
Mailing Address: 1620 Handley Drive, Suite A Dallas, TX Zip Code: 75208
E-mail Address: peterk@zonesystems.com

Affirm that an appeal has been made for a Variance , or Special Exception X of the front yard fence height requirement of 4 feet. Request is made for ~~5.5~~ 8 feet in height fence to match existing fence per Sec.51A-4.602(a)(11)

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

The property contains an existing ~~5.5~~ ^{eight} feet in height fence and a small section is being replaced.

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 Fenil Ghodadra

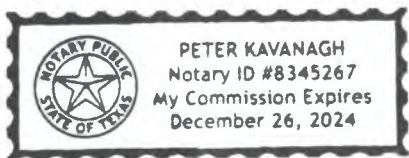
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 26 day of July, 2021

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





AFFIDAVIT

Appeal number: BDA 234128

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

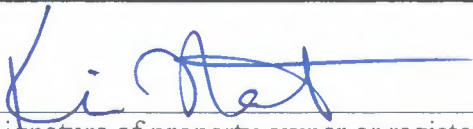
at: 9410 Alva Court
(Address of property as stated on application)

Authorize: Fenil Ghodadra
(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)

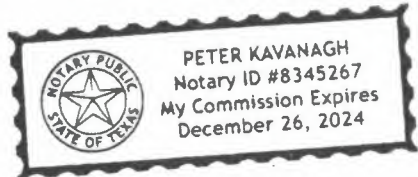
- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

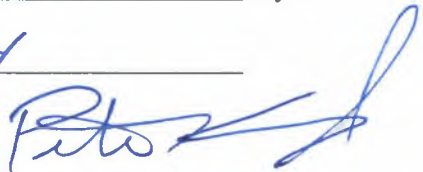
Specify: Fence height request for ^{eight}~~six~~ feet per 51A-4.602(a)(11)

Kira Nasrat 
 Print name of property owner or registered agent Signature of property owner or registered agent
 agent Date July 26, 2024

Before me, the undersigned, on this day personally appeared
Kira Nasrat

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 26th day of July, 2024




Commission expires on 12-26-24

CITY OF DALLAS PLAT BOOKS

ANNEXED APRIL 16, 1945 ORD. NO. PRESTON HOLLOW
SURVEY JOHN HOWELL ABST. 580

ADDITION PRESTON HOLLOW (PART)

BLOCKS 5596 & 5597

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DIST. DALLAS

9-25-46



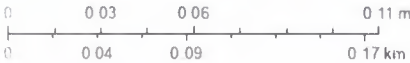
Scanned by Survey Division

ArcGIS Web Map



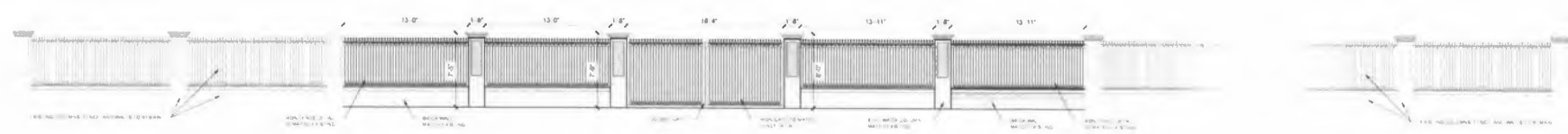
9/5/2024, 3:50:12 PM

1:2,660

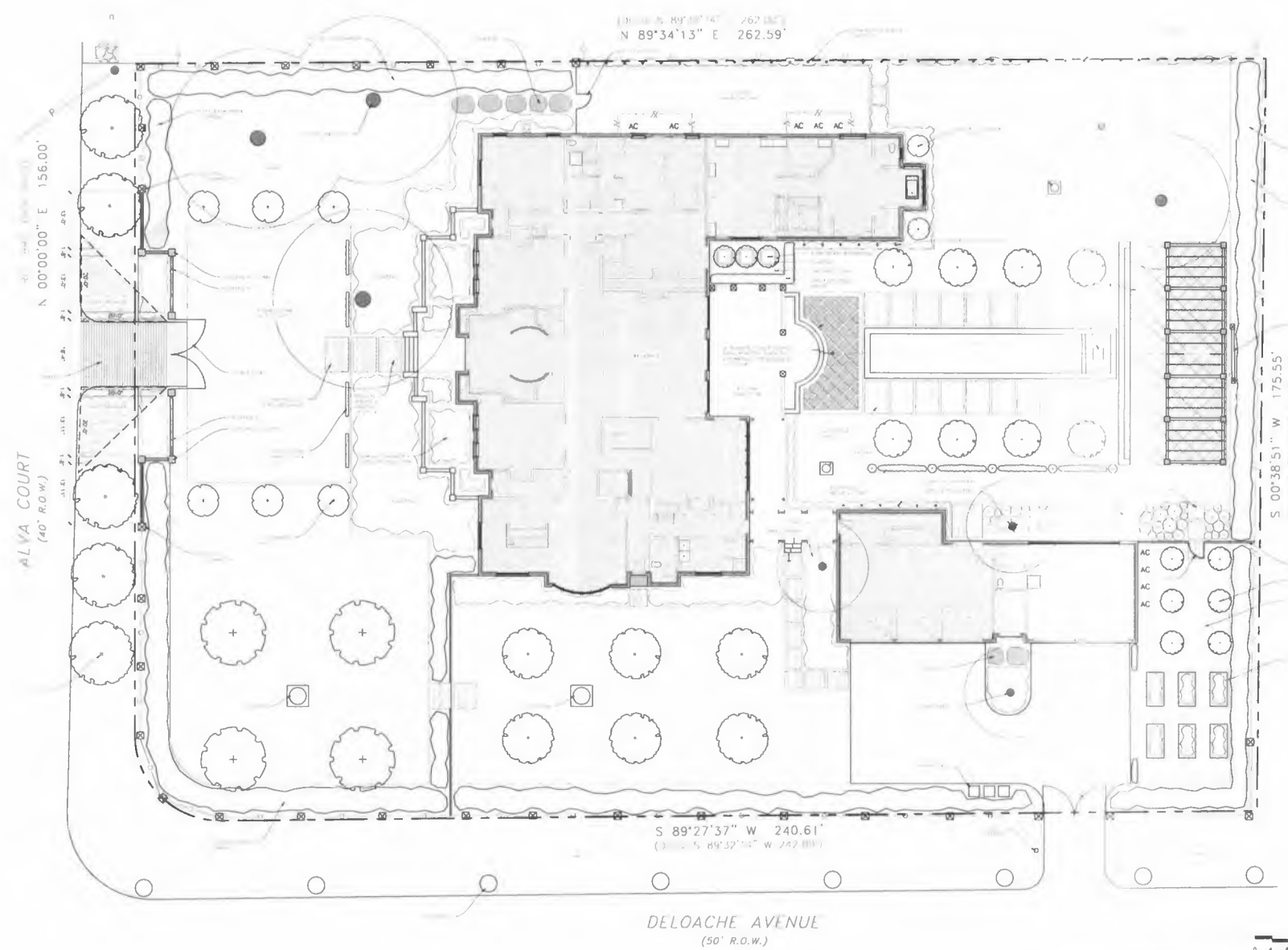


Esri Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METUNASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

REV. 02/18 - B.C. +
 2018/02/18 11:00 AM
 DRAWING NO. 18-001-01
 PROJECT NO. 18-001-01
 SHEET NO. 18-001-01-01
 18-001-01-01-01
 18-001-01-01-01



01 FENCE AND GATE ELEVATION
 SCALE 1/8" = 1'-0"



CONSTRUCTION
 REVIEW SET



Armstrong Berger

GHODADRA
 RESIDENCE

9410 Ave. C1
 Dallas, TX 75270

DRAWING TITLE
 SITE PLAN

ISSUE DATE: 8/18/2024
 DRAWING SCALE: 1/8" = 1'-0"
 PROJECT NUMBER:
 DRAWN BY: AJD
 REVIEWED BY:
 APPROVED BY:
 DRAWING NUMBER:



FILE NUMBER: BDA234-129(CJ)

BUILDING OFFICIAL'S REPORT: Application of Alec Lang represented by Jeff Howard for **(1)** a special exception to the fence height regulations at 4640 N. Lindhurst Ave. This property is more fully described as Block B/5531, Lot 1 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front-yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations.

LOCATION: 4640 N. Lindhurst Avenue

APPLICANT: Alec Lang

REQUEST:

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS: Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence standard regulations when in the opinion of the board, **the special exception will not adversely affect neighboring property.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 4640 N. Lindhurst Avenue in the last 5 years.

Square Footage:

- This lot contains 38,986.2 of square feet.
- This lot is zoned R-1ac(A) which has a minimum lot size of 43,560 square feet or 1 acre.

Zoning:

Site: R-1ac(A) (Single Family District)

North: R-1ac(A) (Single Family District)

East: R-1ac(A) (Single Family District)

South: R-1ac(A) (Single Family District)

West: R-1ac(A) (Single Family District)

Land Use:

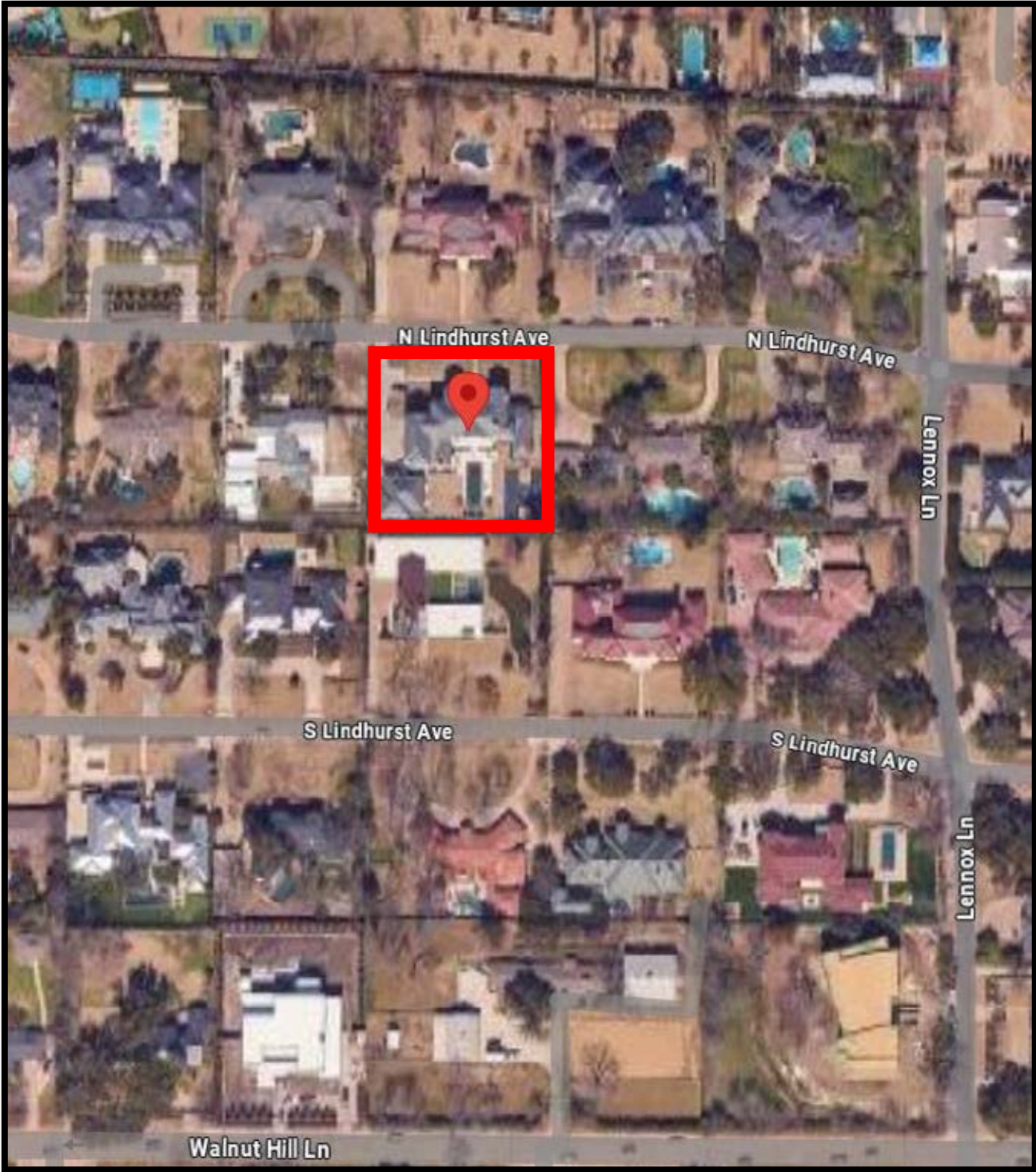
The subject site and surrounding properties to the north, south, east and west are developed with single-family uses.

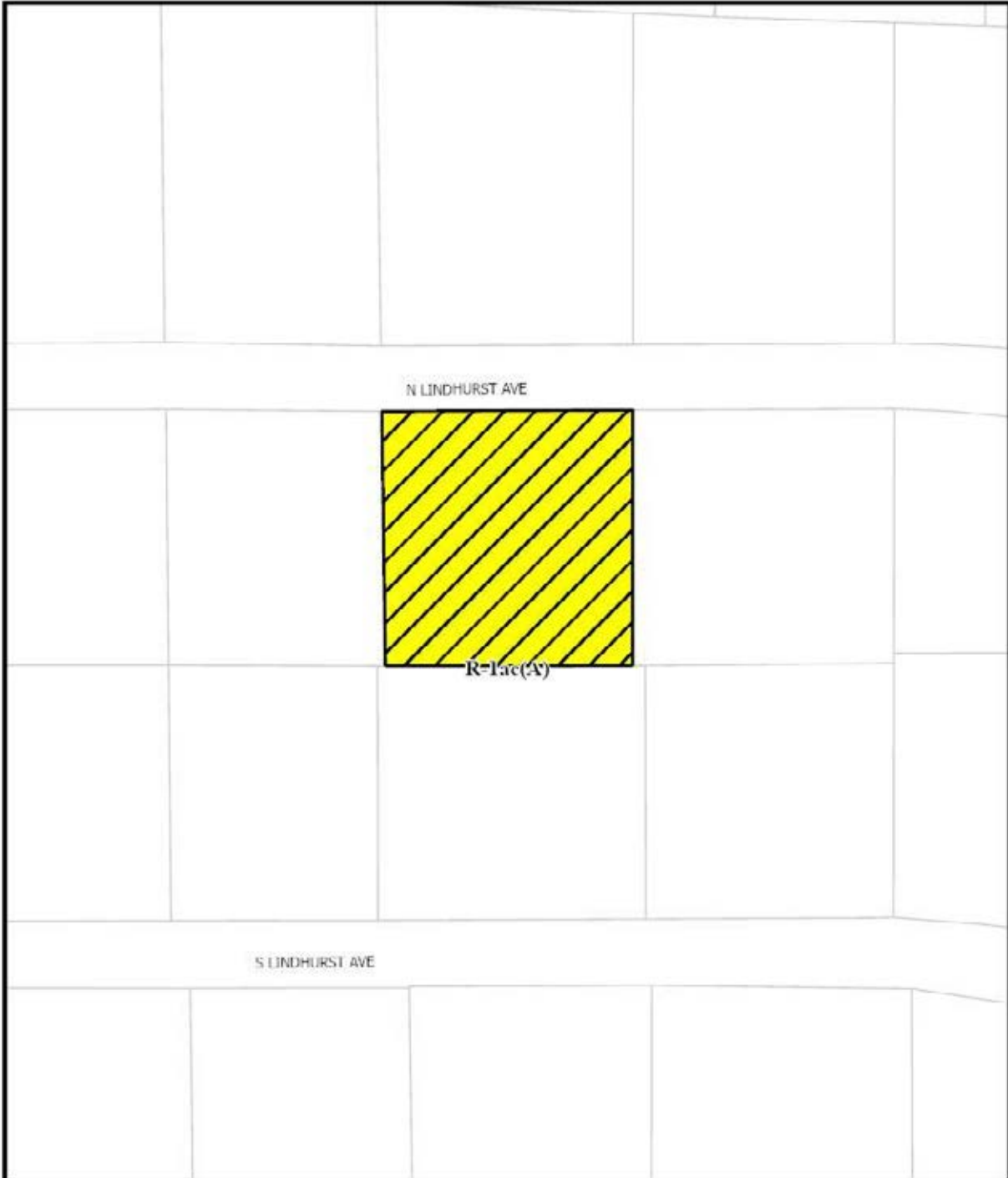
GENERAL FACTS/STAFF ANALYSIS:

- The application for Rob Baldwin property located at 5251 Ravine Drive focuses on one request relating to fence height regulations.
- The applicant proposes to construct and maintain a 7-foot 6-inch-high fence in a required front yard, which will require a 3-foot 6-inch special exception to the fence height regulations.
- Specifically, the applicant is proposing to construct a 5-foot 6-inch fence connected by 7-foot 6-inch stucco columns in a required front yard.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- It is imperative to note that the subject site is a lot mid-block lot with single street frontage on North Lindhurst Avenue.
- Based upon staff's analysis of the surrounding properties, there are a few homes along the full extent of North Lindhurst Avenue with fences and gates in the required front yard and/or some form of vegetation serving as a screening mechanism.
- The applicant has stated that the request for special exception has been made for safety reasons.
- It has been confirmed that the fence is proposed and not existing.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception to the fence regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BDA234-130 at 9820 Royce Dr.](#)

Timeline:

- September 24, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- October 8, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.
- October 16, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
- an attachment that provided the hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and November 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.







1:1,200

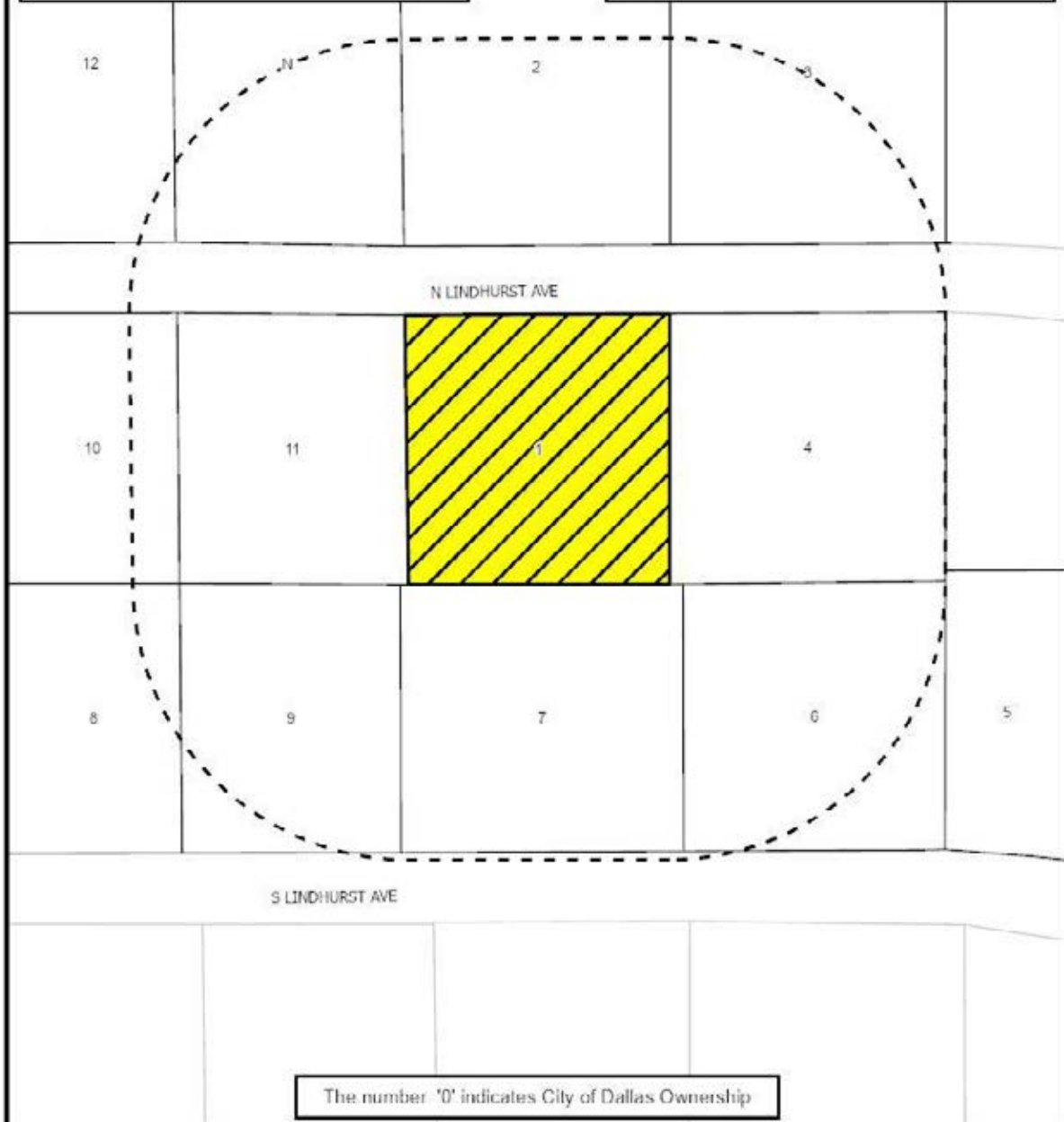
ZONING MAP

Case no: BDA234-129

Date: 10/25/2024

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

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





1:1,200

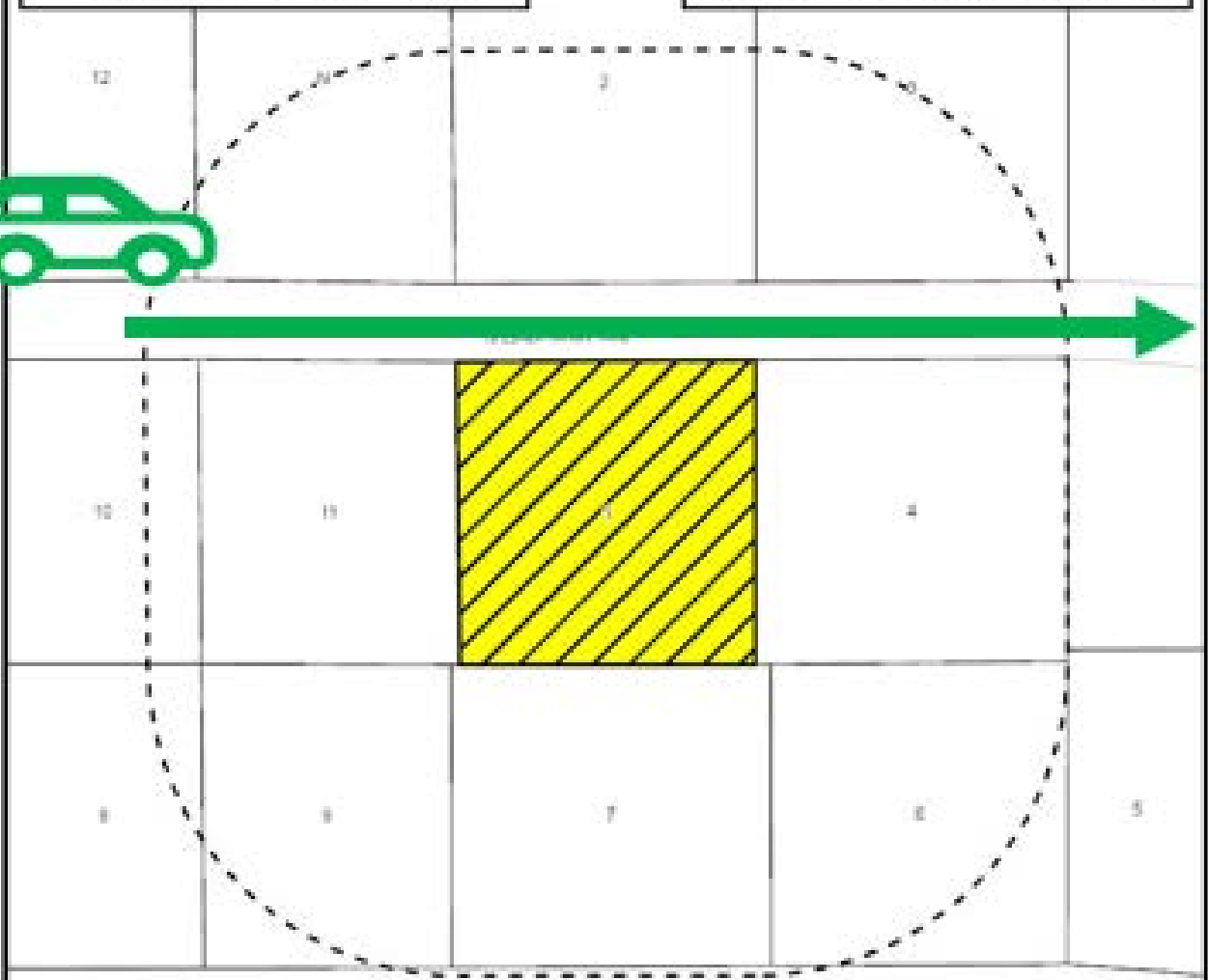
NOTIFICATION

200' AREA OF NOTIFICATION
12 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-129**
 Date: **10/25/2024**

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

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



LINDHURST AVE

The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
12 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA234-129
 Date: 10/25/2024

10/25/2024

Notification List of Property Owners

BDA234-129

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4640 N LINDHURST AVE	LANG ALEC LISUN & YUN YOUNG KIM
2	4639 N LINDHURST AVE	ROSE LYDIA
3	4711 N LINDHURST AVE	AUNG KATIE H & THEIN H
4	4706 N LINDHURST AVE	GEISLER MARY C
5	4731 S LINDHURST AVE	CGS HOLDINGS LP
6	4715 S LINDHURST AVE	ROSE MARK &
7	4639 S LINDHURST AVE	SIMPLE TRUST THE TRUSTEES
8	4609 S LINDHURST AVE	JACKSON ROBERT & MARILYN
9	4625 S LINDHURST AVE	MOORE RODNEY L
10	4610 N LINDHURST AVE	SAMMONS JOHN W & DONNA K
11	4626 N LINDHURST AVE	GULIS MARK
12	4611 N LINDHURST AVE	THOMAS TOM J & DEBORAH S

 1:1,200	NOTIFICATION	Case no: BDA234-129			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">12</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	12	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
12	NUMBER OF PROPERTY OWNERS NOTIFIED				

NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

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

DATE: TUESDAY, NOVEMBER 19TH, 2024

BRIEFING: 10:30 a.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

HEARING: 1:00 p.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

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

BDA234-129(CJ) Application of Alec Lang represented by Jeff Howard for **(1)** a special exception to the fence height regulations at **4640 N LINDHURST AVENUE**. This property is more fully described as Block B/5531, Lot 1 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front-yard, which will require **(1)** a 3-foot 6-inch special exception to the fence height regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAREPLY@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at Council Chambers 6EN. 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> by the close of business Monday, November 18th, 2024. **All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** 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

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

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning and Development Department
1500 Marilla Street 5CN, Dallas TX 75201

PLEASE SEND REPLIES TO:
BDAREPLY@dallas.gov
Letters will be received until 9:00
am the day of the hearing.
PLEASE REGISTER AT:
<https://bit.ly/BDA-A-Register>



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-129 RECEIVED SEP 24 2024 FOR OFFICE USE ONLY BY: _____

Data Relative to Subject Property: _____ Date: _____
Location address: 4640 N LINDURST Zoning District: X

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): ALEC LANG + YUN YOUNG / SIM LANG
Applicant: ~~ALEC LANG~~ JEFF HOWARD Telephone: ~~734-717-7777~~ 214-577-7397

Mailing Address: 4640 N LINDURST AVE Zip Code: 75229
E-mail Address: ALECLANG@YAHOO.COM

Represented by: JEFF HOWARD Telephone: 214-577-7397
Mailing Address: 2221 JUSTIN RD, 119-187 Zip Code: 75028

E-mail Address: JEFF@BLUEMOUNTAINCS.COM 7-6

Affirm that an appeal has been made for a Variance or Special Exception of PROVIDING A 5 FT TALL WROUGHT IRON FENCE IN FRONT YARD SETBACK BUT WILL BE LOCATED BEHIND THE EXISTING SHRUBS SO WILL NOT BE SEEN FROM STREET

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:
EXCEEDS THE HIEGHT OF 4FT AND IS WITHIN 10 FT OF SETBACK

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

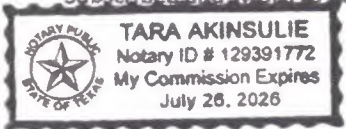
Before me the undersigned on this day personally appeared JEFF HOWARD

(Affiant/Applicant's name printed)

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

Respectfully submitted: _____
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 27th day of August, 2024



Tara Akinsulie
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 ALEC LANG
represented by JEFF HOWARD
did submit a request for (1) a special exception to the fence height regulations
at 4640 N Lindhurst

BDA234-129. Application of ALEC LANG represented by Jeff Howard for (1) a special exception to the fence height regulations at 4640 N LINDHURST AVE. This property is more fully described as Block B/5531, Lot 1 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a 7-foot 6-inch-high fence in a required front-yard, which will require (1) a 3-foot 6-inch special exception to the fence regulations.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-129

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

at: 4640 LINDURST AVE
(Address of property as stated on application)

Authorize: JEFF HOWARD
(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)

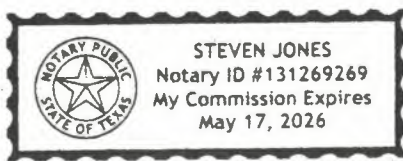
Specify: INSTALLATION OF A ^{1'-0"} 5FT TALL WROUGHT IRON FENCE WITHIN 10FT
OF THE FRONT YARD SETBACK

Alec Lang
Print name of property owner or registered agent
agent Date 8-22-24

[Signature]
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared
Alec Lang

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 22nd day of
August, 2024



[Signature]
Notary Public for Dallas County,
Texas
Commission expires on
May 17th 2026


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-129

I, Yun Young Lang, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4640 LINDURST AVE
(Address of property as stated on application)

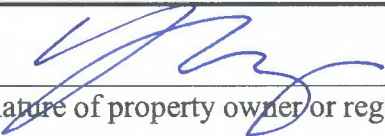
Authorize: JEFF HOWARD
(Applicant's name as stated on application)

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: INSTALLATION OF A 5FT TALL WROUGHT IRON FENCE WITHIN 10FT
OF THE FRONT YARD SETBACK

Yun Young Lang
Print name of property owner or registered agent


Signature of property owner or registered agent

agent Date 9/10/24

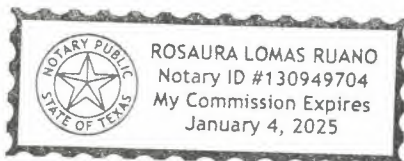
Before me, the undersigned, on this day personally appeared

Yun Young Lang

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

knowledge. Subscribed and sworn to before me this 10th day of

September, 2024



Rosaura Lomas Ruano
Notary Public for Dallas County,
Texas

Commission expires on
January 4, 2025





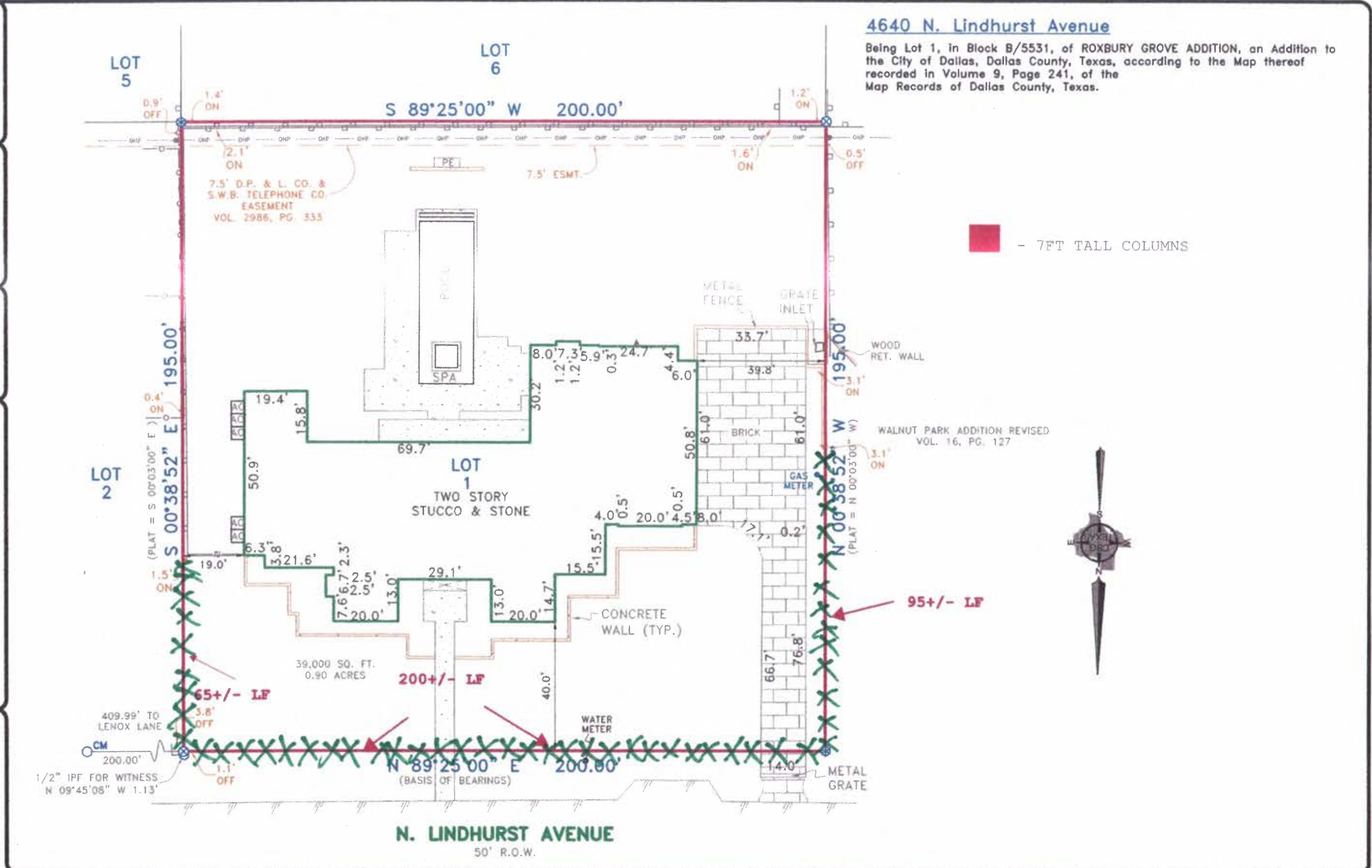
LEGEND

○ 1/2" ROD FOUND	□ FENCE POST FOR CORNER
⊙ 1/2" ROD SET	CM CONTROLLING MONUMENT
⊙ 5/8" ROD FOUND	AC AIR CONDITIONER
⊙ "X" FOUND/SET	PE POOL EQUIPMENT
○ 1/2" PIPE FOUND	● POWER POLE
⊙ TRANSFORMER PAD	△ OVERHEAD ELECTRIC
■ COLUMN	— IRON FENCE
▲ UNDERGROUND ELECTRIC	— X — BARBED WIRE
— OHP — OVERHEAD ELECTRIC POWER	— / — EDGE OF ASPHALT
— OES — OVERHEAD ELECTRIC SERVICE	— [] — BRICK
— [] — CHAIN LINK	— [] — CONCRETE
— [] — WOOD FENCE 0.5' WIDE TYPICAL	— [] — COVERED AREA

EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENTS RECORDED IN VOLUME 9, PAGE 241

EASEMENTS RECORDED IN THE FOLLOWING VOLUMES AND PAGES DO NOT AFFECT THE ABOVE DESCRIBED PROPERTY IN VOLUME 2986, PAGE 333



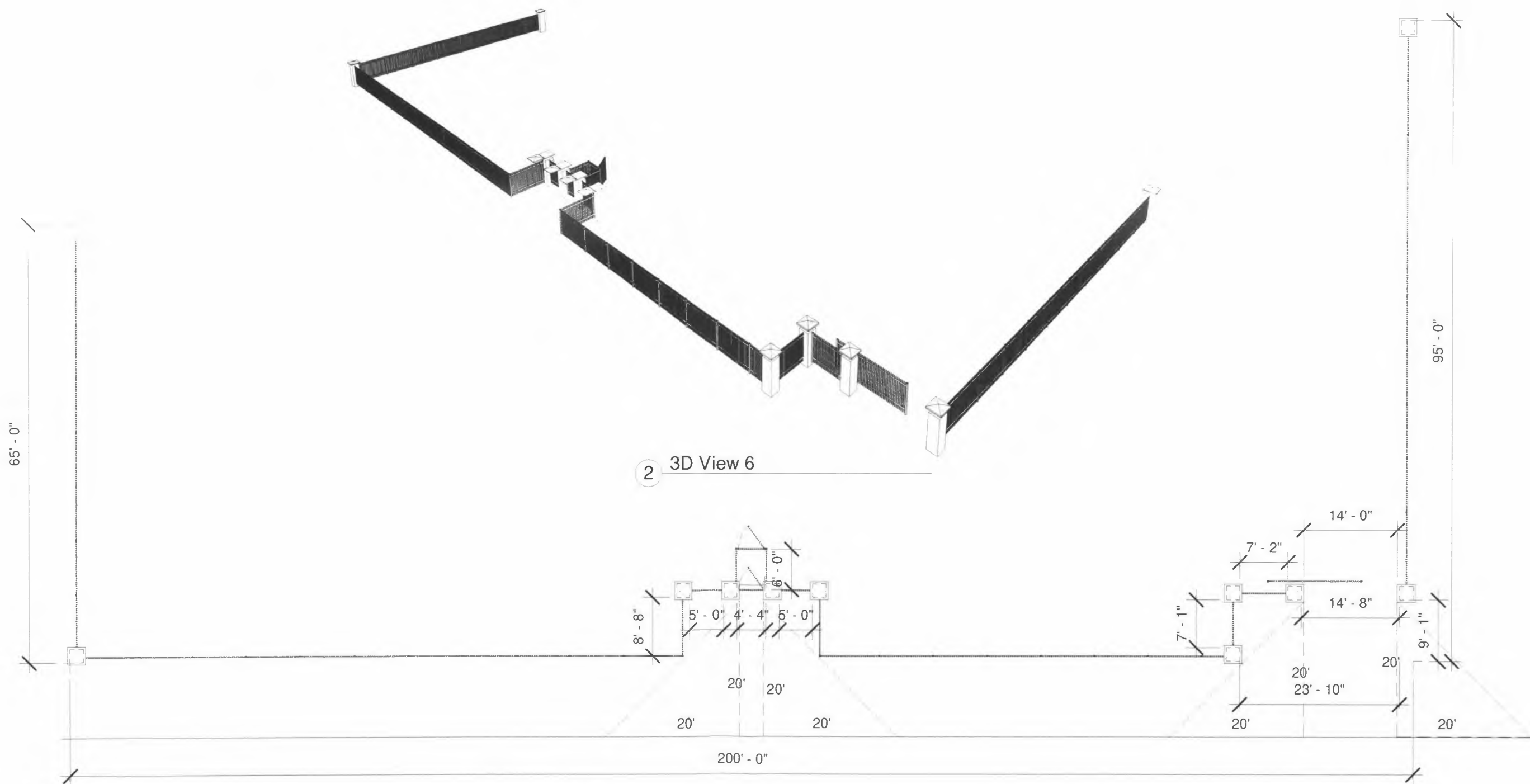
NOTES:
 BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
 FLOOD NOTE: According to the F.I.R.M. No. 48113C0190K, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Republic Title of Texas, Inc. Use of this survey by any other parties and/or for any other purposes will be at user's own risk and any loss resulting from other use will not be the responsibility of the undersigned. This is to certify to Rajeev Malik and Ritu Malik; Republic Title of Texas, Inc.; First American Title Guaranty Company; and BBVA USA Homewood Operations that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and the dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Date: _____ Accepted by: _____
 Purchaser
 Purchaser

Drawn By: JCM
 Scale: 1" = 30'
 Date: 08/26/2020
 GF NO.: 1011-311071-RTT
 Job No. 1518046-03

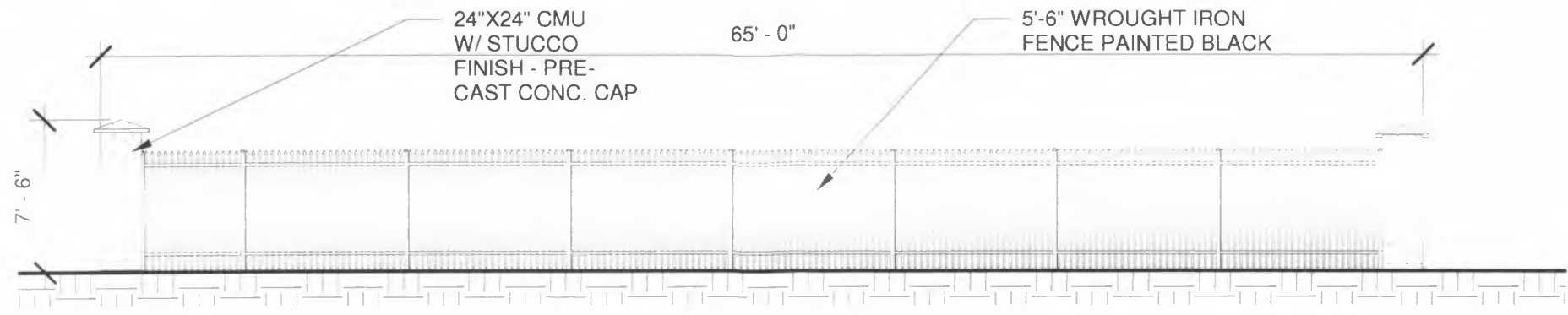
12025 Shiloh Road, Ste. 240
 Dallas, TX 75228
 P 214.349.9485
 F 214.349.2216
 Firm No. 10168800
 www.cbgtxl.com



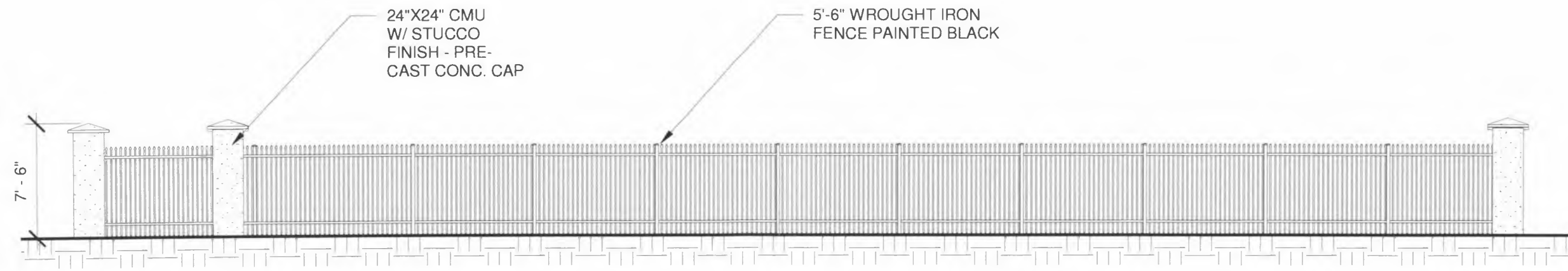
2 3D View 6

1 FIRST FLOOR
1/16" = 1'-0"

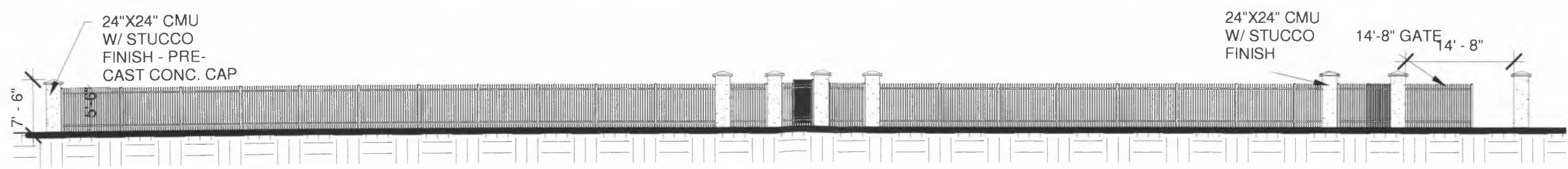
No.	Description	Date
1	Revision 1	07/27/23
2	Revision 2	06/04/24



3 LEFT SIDE ELEVATION
1/8" = 1'-0"



2 RIGHT SIDE ELEVATION
1/8" = 1'-0"



1 STREET ELEVATION
1/16" = 1'-0"

DALLAS PROCTOR ARCHITECT
1602 W. BUSINESS 380, S 800
DECATUR, TEXAS 76234
P 214 244 0506

A NEW FENCE FOR THE LANG RESIDENCE

No.	Description	Date

Unnamed	
Project number	24-026
Date	05/01/24
Drawn by	Author

A2.7

FILE NUMBER: BDA234-111 (BT)

BUILDING OFFICIAL'S REPORT: Application of Daniel Le to **(1)** appeal the decision of the administrative official at **6529 VICTORIA AVE.** This property is more fully described as Block P/2606, Lot 18, and is zoned PD-67 (Tract 3), which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to **(1)** appeal the decision of an administrative official in the revocation of a building project and the associated master permit for the construction of a new duplex.

LOCATION: 6529 Victoria Ave.

APPLICANT: Daniel Le

REQUEST:

- (1) A request is made to appeal the decision of the administrative official in building permit 2301031121 and 2301041101 for structure exceeding maximum allowed height, exceeding maximum allowed lot coverage, and non-compliant roof types.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Section Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

Section 51A–3.102 of the Dallas Development code states the Board of Adjustment has the following powers and duties: “reverse an order, requirement, decision, or determination of an administrative official involving the interpretation or enforcement of the zoning ordinance; to hear and decide, appeals from decisions of administrative officials made in the enforcement of a zoning ordinance of the city. (For this purpose of the section administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue.); to interpret the zoning district map when uncertainty exists because the actual physical features differ from those indicated on the zoning district map and when the rules set forth in the zoning district boundary regulations do not apply.”

Additionally, **Section 51A-4.703** states that “the board shall decide an appeal of a decision of an administrative official at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the appeal date is filed. The board shall have all the powers of the administrative official on the action appealed from. The board may in whole or in part affirm, reverse, or amend the decision of the official. The board may impose reasonable conditions in its order to be complied with by the applicant in order to further the purpose and intent of this chapter.”

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

BACKGROUND INFORMATION:

Zoning:

- Site: PD-67 (Tract 3)
- North: PD-67 (Tract 3)
- East: PD-67 (Tract 3) and PD-67 (Tract 4)
- South: PD-67 (Tract 3) and CR
- West: PD-67 (Tract 3) and CR

Land Use:

The subject site is developed with a duplex use and surrounding properties to the north, and east are developed with single-family and duplex uses. Surrounding properties to the south and west are developed with single-family, duplex and non-residential uses.

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- Ashra Ortiz, represented by Pascual Mojica applied for a duplex permit (6529 and 6531 Victoria Ave.) on January 03, 2023
- Permit #2301031121 (Master Permit #2301041101) was approved on January 04,2023.
- Various green tags received with the last being issued on June 28, 2024.
- Project placed on hold on July 26, 2024.
- Letter via email to revoke permit #2301031121 and permit #2301041101 provided to applicant on August 7, 2024.
- The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

- August 7, 2024: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- August 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **B**.
- August 21, 2024: The Development Services Department Senior Planner emailed the applicant the following information:
 - an attachment that provided the public hearing date and panel that will consider the application; the August 23, 2024, deadline to submit additional evidence for staff to factor into their analysis;

and September 6, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.

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

August 30, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the September public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

September 17, 2024: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, September 17, 2024, moved to **HOLD** this matter under advisement until **October 22, 2024**.

September 17, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis; and October 11, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.

October 22, 2024: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, October 22, 2024, moved to **HOLD** this matter under advisement until **November 19, 2024**.

October 24, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 25, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner and Transportation Engineer.



1:1,200

AERIAL MAP

Case no: BDA234-111

Date: 08/28/2024

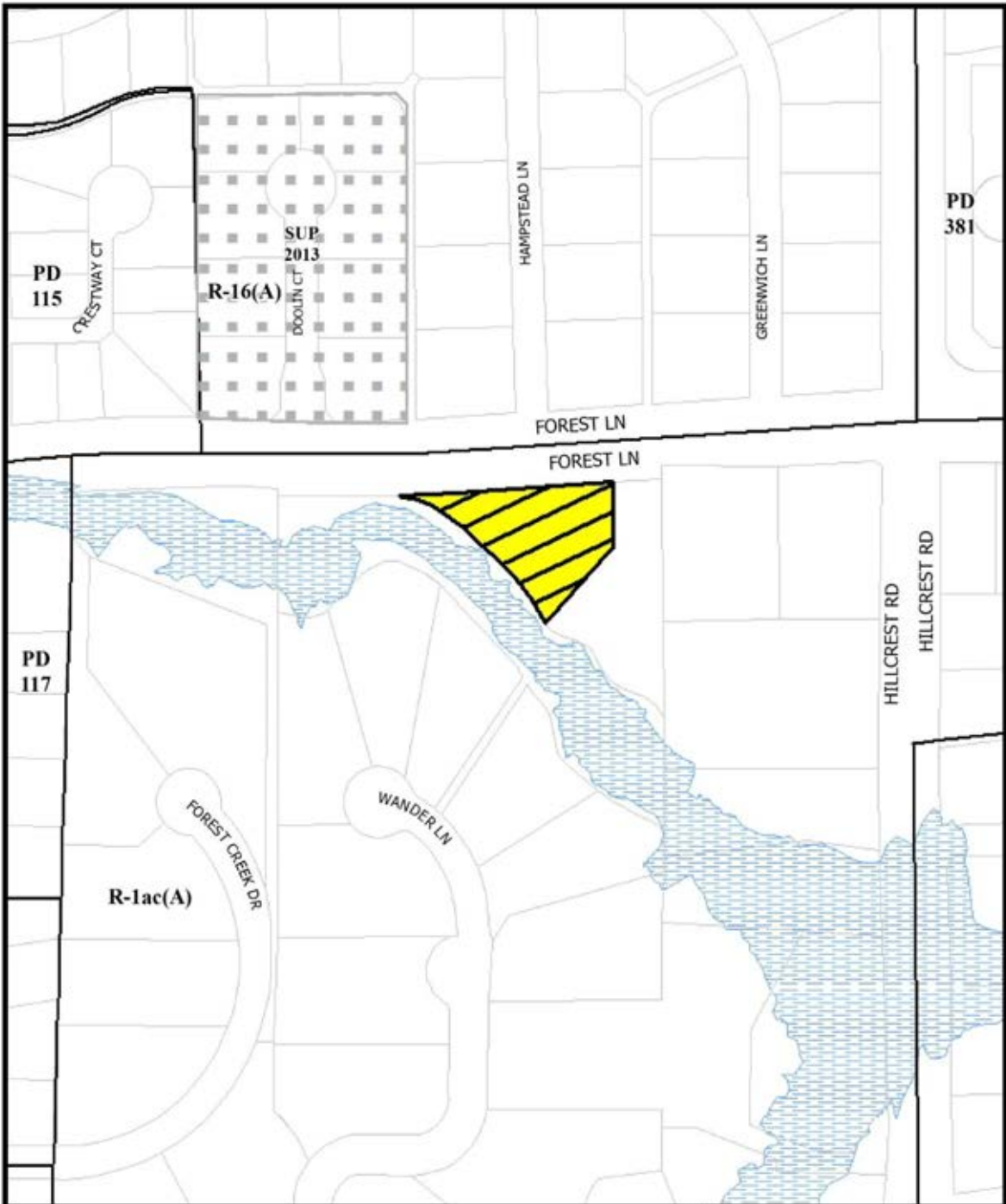


1:1,200

ZONING MAP

Case no: BDA234-111

Date: 08/28/2024





1:2,400

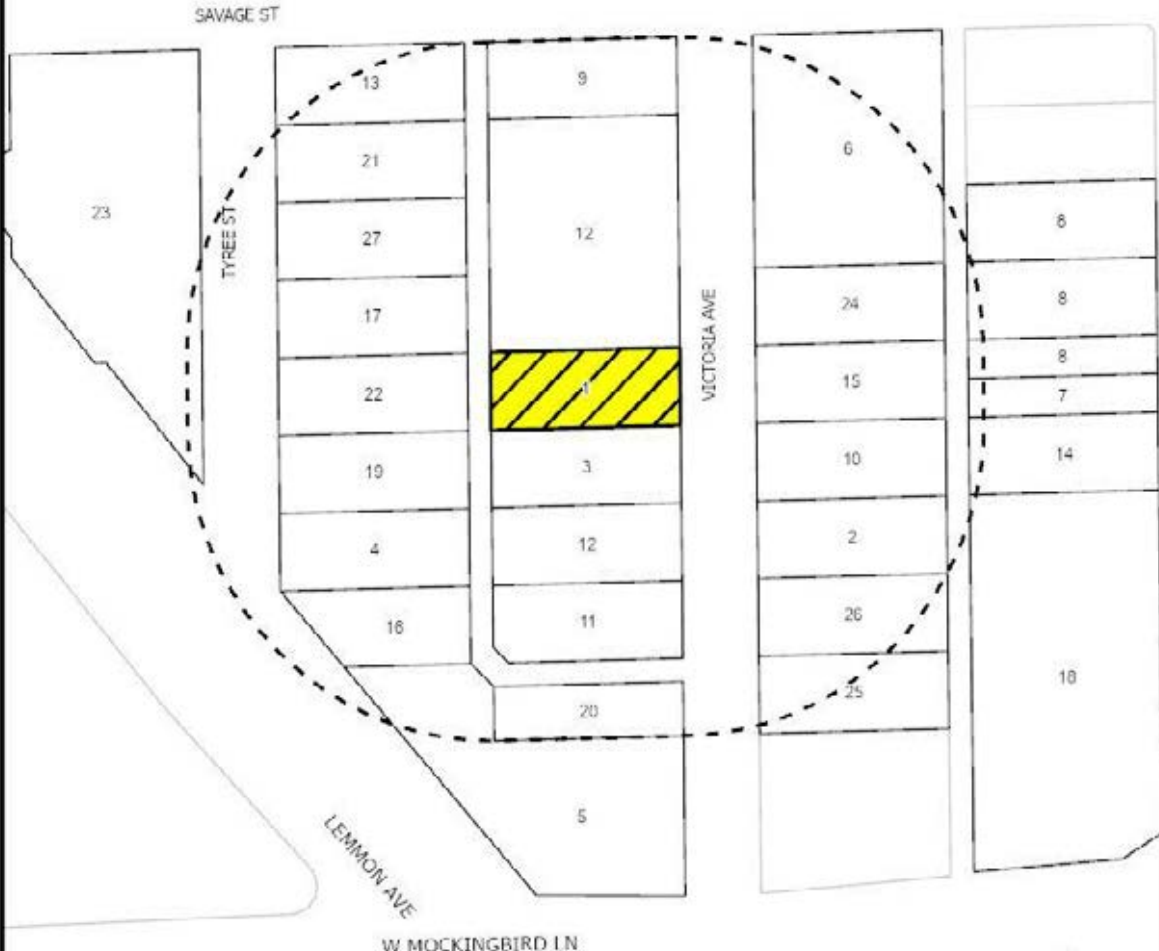
ZONING MAP

Case no: BDA234-075

Date: 5/24/2024

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

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



The number '0' indicates City of Dallas Ownership

 1:1,200	NOTIFICATION	Case no: BDA234-111			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">27</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	27	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
27	NUMBER OF PROPERTY OWNERS NOTIFIED				

08/28/2024

Notification List of Property Owners

BDA234-111

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6529 VICTORIA AVE	TRUTH ENTERPRISES LLC THE
2	6520 VICTORIA AVE	TRINIDAD PABLO
3	6527 VICTORIA AVE	FARLEY LASHANNA R
4	6504 TYREE ST	N & D PREMIER REALTY INC
5	6502 LEMMON AVE	POP HOLDINGS LP
6	6540 VICTORIA AVE	Taxpayer at
7	6527 ROPER ST	HINOJOSA ARNOLD
8	6529 ROPER ST	DOMANETTI DALLAS DUPLEX LLC
9	6545 VICTORIA AVE	TANG LY & VINH TRUONG
10	6524 VICTORIA AVE	BONILLA JUAN PABLO
11	6517 VICTORIA AVE	Taxpayer at
12	6521 VICTORIA AVE	GREATER NORTH PARK
13	6528 TYREE ST	STEWART BEVERLY A
14	6525 ROPER ST	NGUYEN LOC TRONG
15	6528 VICTORIA AVE	TRAN SANG QUANG & HUONG
16	6522 LEMMON AVE	N & D PREMIER REALTY
17	6516 TYREE ST	CABRERA EMMA
18	4415 W MOCKINGBIRD LN	Taxpayer at
19	6508 TYREE ST	CABRERA MARIA LUISA
20	6511 VICTORIA AVE	CHURCH5 FRIED CHICKEN INC
21	6524 TYREE ST	RODRIGUEZ JOSE ANGEL
22	6512 TYREE ST	GROGGS TEREICE LANEL
23	6606 LEMMON AVE	FIEDLER LLOYD
24	6532 VICTORIA AVE	GREATER NORTH PARK CHURCH OF GOD IN CHRIST
25	6512 VICTORIA AVE	4407 CORPORATION
26	6516 VICTORIA AVE	Taxpayer at

08/28/2024

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6520 TYREE ST	KNOX BENJAMIN

 1:1,200	NOTIFICATION <table><tr><td>200'</td><td>AREA OF NOTIFICATION</td></tr><tr><td>27</td><td>NUMBER OF PROPERTY OWNERS NOTIFIED</td></tr></table>	200'	AREA OF NOTIFICATION	27	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA234-111</u> Date: <u>8/28/2024</u>
200'	AREA OF NOTIFICATION					
27	NUMBER OF PROPERTY OWNERS NOTIFIED					

NOTICE OF ADMINISTRATIVE OFFICIAL APPEAL

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

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

DATE: TUESDAY, NOVEMBER 19th, 2024

BRIEFING: 10:30 A.M. in **COUNCIL CHAMBERS 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

HEARING: 1:00 P.M. in **COUNCIL CHAMBERS 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

The purpose of the hearing is to consider the following appeal now pending before the Board of Adjustment. **This case was held under advisement on October 22, 2024.**

BDA234-111(BT) Application of Daniel Le to appeal the decision of the administrative official at **6529 VICTORIA AVENUE**. This property is more fully described as Block P/2606, Lot 18 and is zoned PD-67 (Tract III), which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of building project and associated master permit for the construction of a new duplex.

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

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

Board of Adjustment Office
Planning and Development Department
1500 Marilla Street, 5CN, Dallas, TX 75201

PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until
9:00 am the day of the
hearing.



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

fee waiver

Case No.: BDA 234-111

Data Relative to Subject Property: 6529 VICTORIA AVE Date: 8-7-24

Location address: 6529 VICTORIA AVE Zoning District: PD 67

Lot No.: 18 Block No.: P/2606 Acreage: 0.14 Census Tract: _____

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): 6529 VICTORIA LLC

Applicant: Daniel Le Telephone: 339-674-8008

Mailing Address: 108 N BERNICE DRIVE, GARLAND Zip Code: 75042

E-mail Address: DANNY@FBOCAPITAL.COM

Represented by: ^{DO} SELF Daniel Le Telephone: 339-674-8008

Mailing Address: 108 N BERNICE DRIVE, GARLAND Zip Code: 75042

E-mail Address: DANNY@FBOCAPITAL.COM

Affirm that an appeal has been made for a Variance __, or Special Exception __, of _____
NO APPEAL. SEE REFERRAL FORM

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

WE HAVE BEEN ISSUED A BUILDING PERMIT. ZONING WAS PD 67 TRACT 3/D(A) BUT CHANGED TO SINGLE FAMILY. WE HAVE ALREADY FRAMED.

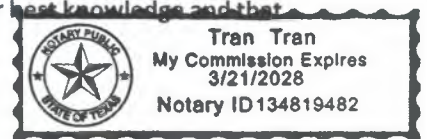
Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

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

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

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



Subscribed and sworn to before me this 28 day of July, 2024

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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that DANIEL LE

did submit a request to appeal the decision of the administrative official
at 6529 Victoria

BDA234-111(BT) Application of Daniel Le to appeal the decision of the administrative official at 6529 VICTORIA AVE. This property is more fully described as Block P/2606, Lot 18 and is zoned PD-67 (tract III), which requires compliance with Planned Development No. 67 land use and development standards. The applicant proposes to appeal the decision of an administrative official in the revocation of building project and associated master permit for the construction of a new duplex.

*This application is attached to a fee waiver request; case report and docket will address this request.

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA



REFERRAL FORM FOR BOARD OF ADJUSTMENT

APPLICANT: Daniel Le OWNER: Daniel Le
ADDRESS: 529 Victoria STATE: Tx CITY: 15207
LOT: 18 BLOCK: P/2606 ZONING: PD 67

<u>Variance</u>	<u>Special Exception</u>
<input type="checkbox"/> Yard setback	<input type="checkbox"/> Fence height and standards
<input type="checkbox"/> Lot width	<input type="checkbox"/> Visibility triangle obstructions
<input type="checkbox"/> Lot Depth	<input type="checkbox"/> Parking demand
<input checked="" type="checkbox"/> Lot Coverage	<input type="checkbox"/> Landscaping
<input type="checkbox"/> Floor area for accessory structures for single family uses	<input type="checkbox"/> Additional dwelling unit for a single-family
<input checked="" type="checkbox"/> Height	<input type="checkbox"/> Carport
<input type="checkbox"/> Minimum width of sidewalk	<input type="checkbox"/> Non-conforming use
<input type="checkbox"/> Off-street parking	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Off-street loading	
<input type="checkbox"/> Landscape regulations	
<input checked="" type="checkbox"/> Other	

Please list the City of Dallas Development Code(s) this project is non-compliant with:
PD 67

Description: ~~A permit for a duplex was issued in error. Duplex use is not an allowed use for this lot.~~ The structure exceeds lot coverage, height and includes an unapproved roof type.

Alternative resolutions discussed/offered: Provide an addendum showing structure complies with PD 67

Referred by: Rene Lewis Contact: 214-948-4327 Date: 07/26/2024

FOR INTERNAL USE ONLY

Permit # 2301041101

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

Address:

6529 VICTORIA AVE 75209

*****DUPLEX 6529-6531VICTORIA AVE*****

NOTE: STRUCTURE MUST BE PLACED AT THE 30' PROPOSED BUILDLINE PER SITEPLAN, IF PLACED AT THE 25' FYSB THE STRUCTURE WILL ENCROACH INTO FRONT YARD SETBACK. TO BE VERIFIED BY FIELD INSPECTOR.

Land Use Description:

TWO FAMILY DWELLING

Work Description:

DUPLEX

Value Of Work:

\$0.00

Owner Or Tenant:

The Truth Enterprises The Truth Enterprises
2865 FM 983
Red Oak
TX
75154
(469) 398-4774
ashra_07@yahoo.com

Applicant:

Ashra Ortiz

Contractor:

THE TRUTH ENTERPRISES

Business Address:

P O Box 1437, RED OAK, TX 75254

Telephone:

469/394-4774

Fax:

Lot:	18	Block:	P/260€	Zoning:	PD-67	PDD:	67	SUP:	
Historic Dist:		Consv Dist:	Chapter 51 PC	Pro Park:	4	Req Park:	4	Park Agrmt:	N
Dwlg Units:	2	Stories:	2	New Area:	2078	Lot Area:	6250	Total Area:	2078
Type Const:	VB	Sprinkler:	None	Occ Code:	R3	Occ Load:			
Inches Of Removed Trees:									

ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.

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

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

PD 67 TRACT3/D(A)
 F-25'
 S-5'
 R-5'
 HT-30'
 LOT COV-45%
 P-1

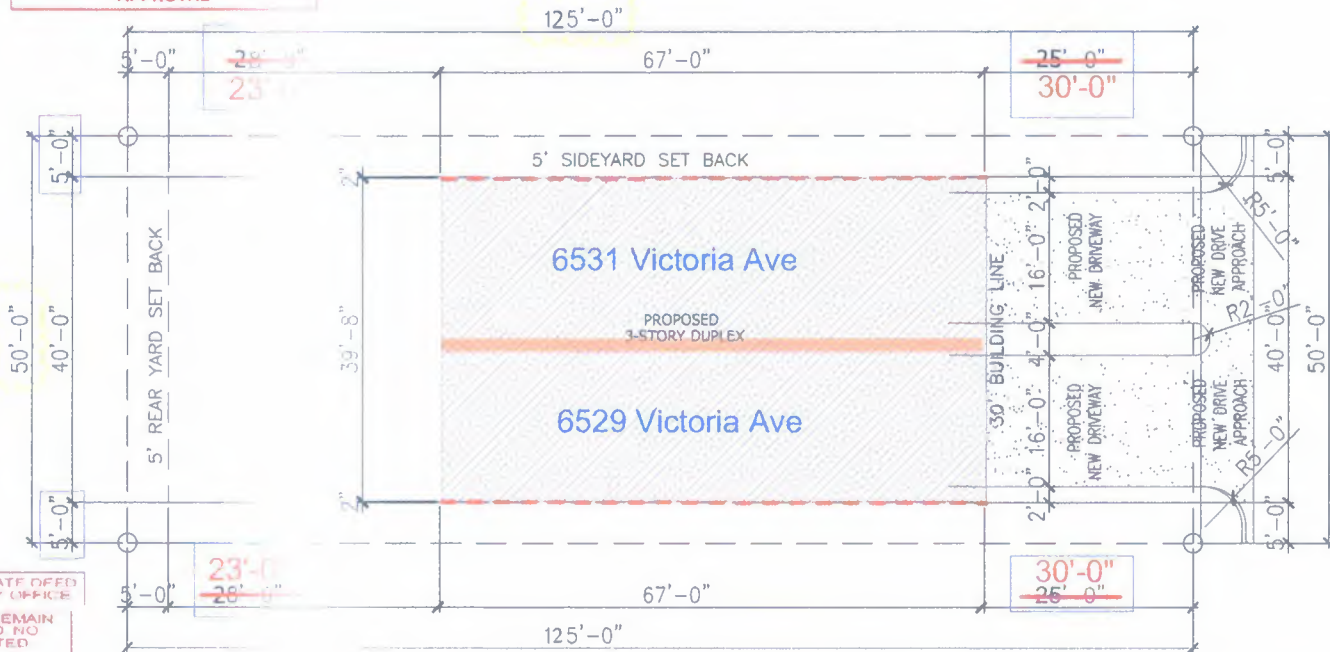
THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING OFFICIAL.

20 DATE 3/24/2023
 BY Edmon Lachica

THIS APPROVAL DOES NOT PREVENT THE VIOLATION OF ANY CITY ORDINANCE OR STATE LAW.

ALL CONSTRUCTION SHALL CONFORM TO THE 2015 IRC DALLAS ONE-AND TWO-FAMILY DWELLING CODE

SUBJECT TO FIELD INSPECTOR'S APPROVAL



WATER METER BOX MAY NOT BE PLACED ON DRIVEWAY NOR DRIVE APPROACH

KEEP 20FT X 20FT SOFT VISIBILITY TRIANGLES CLEAR

NOTICE: CHECK FOR PRIVATE DEED RESTRICTIONS AT COUNTY OFFICE

UTILITY EASEMENT MUST REMAIN OPEN AND UNOCCUPIED. NO ENCROACHMENTS PERMITTED

WATER SHALL NOT BE REDIRECTED TO DRAIN ONTO ADJOINING PRIVATE PROPERTY

FENCES/RETAINING WALL REQUIRE SEPARATE PERMIT

SMOKE DETECTORS REQUIRED IMMEDIATELY OUTSIDE ALL SLEEPING AREAS AND AT ALL FLOOR LEVELS

SILT FENCE REQUIRED FOR EROSION CONTROL

A PERMIT IS BEING ISSUED FOR WATER/WASTEWATER UTILITIES. YOU ARE RESPONSIBLE TO VERIFY THAT UTILITIES ARE AVAILABLE FOR THIS PROPERTY. IF UTILITIES ARE NOT AVAILABLE FOR THIS SITE, THE CITY OF DALLAS IS NOT RESPONSIBLE

LOTS OF 4,000 SQFT TO 7,499 SQFT IN AREA REQUIRE A MINIMUM OF TWO (2) LARGE OR MEDIUM TREES. MUST HAVE A MINIMUM OF ONE (1) TREE IN THE FRONT YARD. AN EXISTING TREE MAY BE USED FOR THE TREE REQUIREMENT. CONTACT THE CITY ARBORIST FOR CONFIRMATION.

NOTE: STRUCTURE MUST BE PLACED AT THE 30' PROPOSED BUILDLINE, IF PLACED AT THE 25' FYSB THE STRUCTURE WILL ENCROACH INTO FRONT YARD SETBACK. TO BE VERIFIED BY FIELD INSPECTOR.

ZONING PD 67
LEGAL DESCRIPTION WEBSTER & WOODS NORTH PARK BLK P/2606 LT 18



1 SITE PLAN
 C1 SCALE 1" = 15'



SEAL

Project Consulting & Construction
 DESIGN • BUILD • CONSULTANCY

Ennis, TX 75119
 TEL. (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
△		

ADDRESS
 6529 VICTORIA AVENUE
 DALLAS, TEXAS 75209

DATE
 03/07/2023

DRAWN BY
 MACM/JARC

CHECKED BY

DESCRIPTION
 NEW CONSTRUCTION

SCALE
 1" = 15'

SHEET TITLE
 SITE PLAN

SHEET #
 C1.01

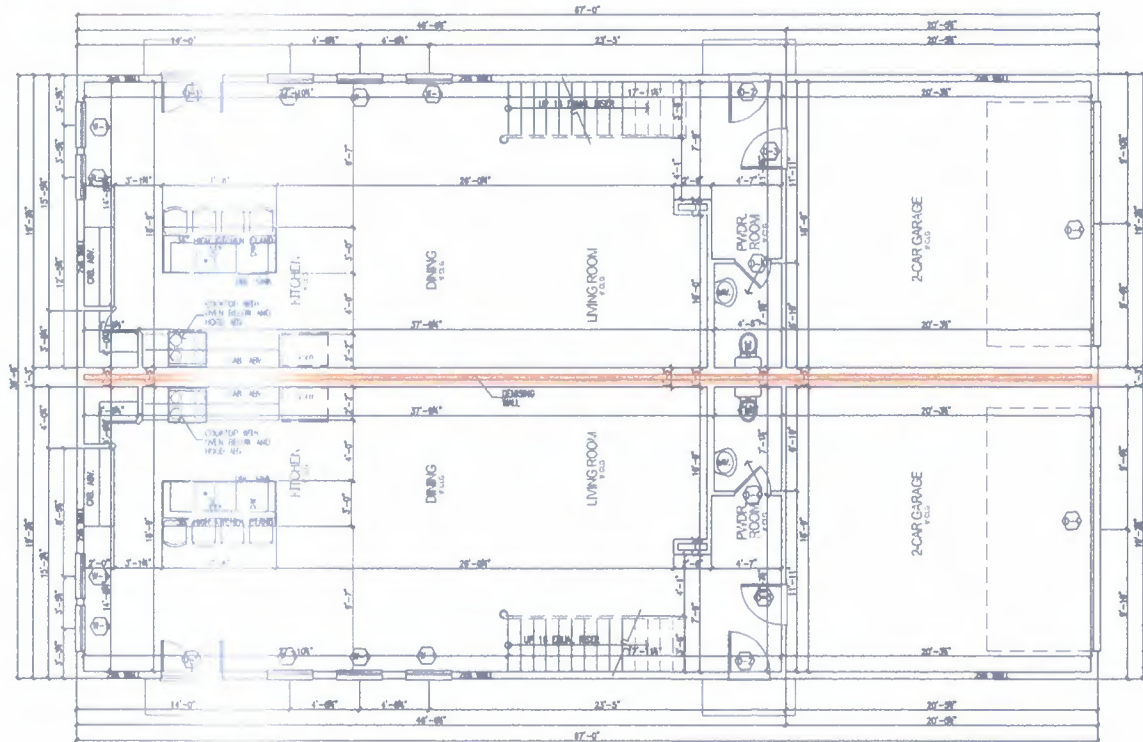
ALL CONSTRUCTION SHALL CONFORM TO THE 2015 IRC DALLAS ONE-AND TWO-FAMILY DWELLING CODE

SUBJECT TO FIELD INSPECTOR'S APPROVAL

KEEPING ROOM EGRESS WE ARE TO MEET THE REQUIREMENTS OF SECTION R310 SHALL BE FIELD VERIFIED

SMOKE DETECTORS REQUIRED INSIDE & IMMEDIATELY OUTSIDE ALL BEDROOMS & ALL LEVELS OF THE DWELLING
CARBON MONOXIDE DETECTORS REQUIRED IMMEDIATELY OUTSIDE ALL BEDROOMS
R314 & R315 - 2015 IRC

THE PROTECTION REQUIREMENTS OF SECTIONS R302.3 SHALL BE MET



1 PROPOSED FIRST FLOOR PLAN
A1 SCALE: 1/8" = 1'-0"



SEAL

Project Consulting & Construction
DESIGN • BUILD • CONSULTANCY

Ennis, TX, 75119
TEL. (214) 399-3662

REVISIONS

NO	DESCRIPTION	DATE
△		

ADDRESS

6529 VICTORIA AVENUE
DALLAS, TEXAS 75209

DATE

03/07/2023

DRAWN BY

MACM/JARC

CHECKED BY

DESCRIPTION

ADDITION

SCALE

1/8" = 1'-0"

SHEET TITLE

PROPOSED
FLOOR PLAN

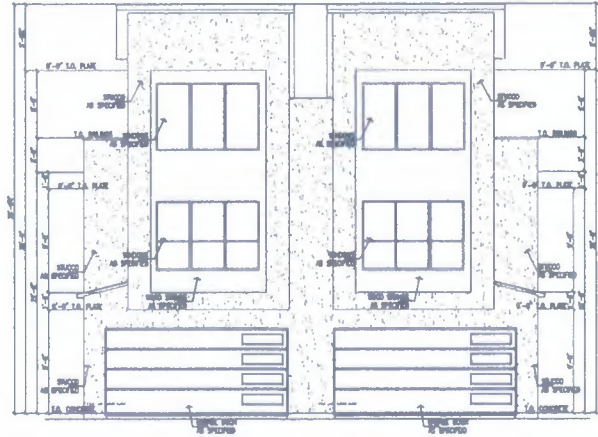
SHEET #

A1.01

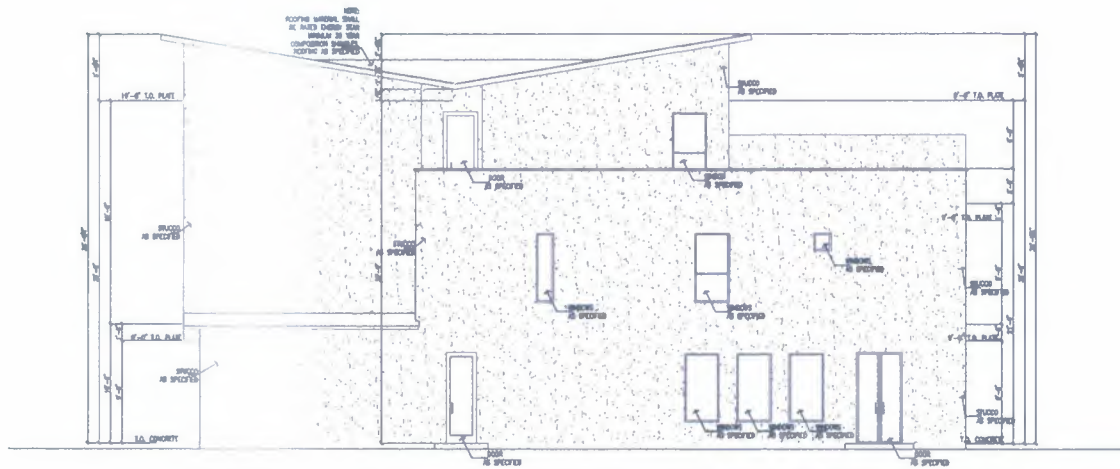
ALL CONSTRUCTION SHALL CONFORM TO THE 2015 IRC DALLAS ORDINANCE TWO-FAMILY DWELLING CODE

SUBJECT TO FIELD INSPECTOR'S APPROVAL

WATER SHALL NOT BE REDIRECTED TO DRAIN ONTO ADJOINING PRIVATE PROPERTY.



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



2 RIGHT SIDE ELEVATION
SCALE: 3/32" = 1'-0"



SEAL

Project Consulting & Construction

DESIGN • BUILD • CONSULTANCY

Ennis, TX 75119
TEL (214) 399-3662

REVISIONS

NO.	DESCRIPTION	DATE
△		

ADDRESS

6529 VICTORIA AVENUE
DALLAS, TEXAS 75209

DATE

03/07/2023

DRAWN BY

MACM/JARC

CHECKED BY

DESCRIPTION NEW
CONSTRUCTION

SCALE

3/32" = 1'-0"

SHEET TITLE

ELEVATION

SHEET #

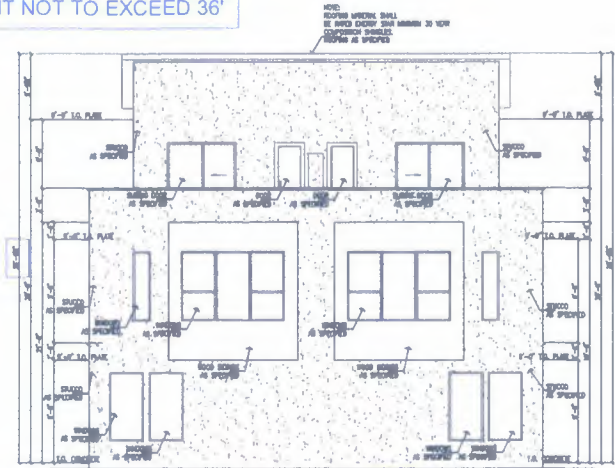
A1.07

ALL CONSTRUCTION SHALL CONFORM TO THE 2011 IRC DALLAS ONE- AND TWO-FAMILY DWELLING CODE

SUBJECT TO FIELD INSPECTOR'S APPROVAL

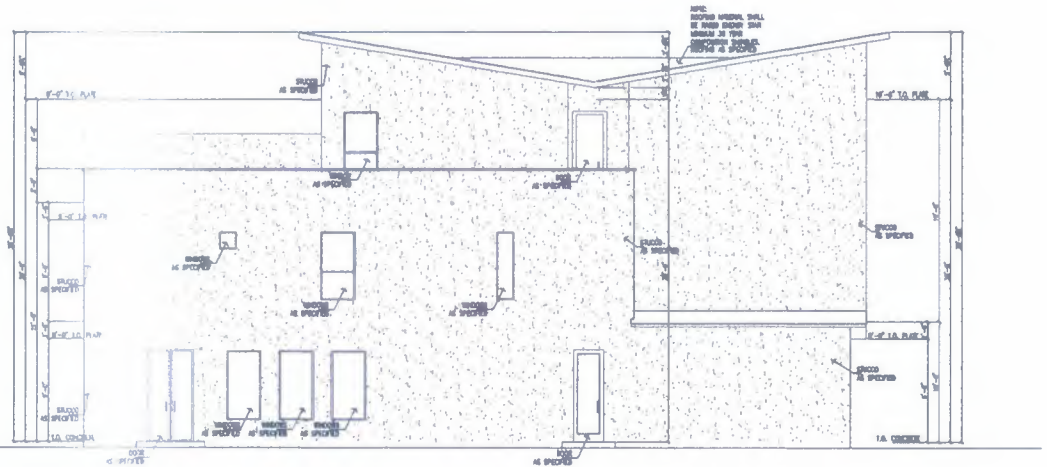
WATER SHALL NOT BE REDIRECTED TO DRAIN ONTO ADJOINING PRIVATE PROPERTY.

MAX HEIGHT NOT TO EXCEED 36'



3 REAR ELEVATION
A8 SCALE 3/32" = 1'-0"

ASSUMED LEVEL GRADE



4 LEFT SIDE ELEVATION
A8 SCALE 3/32" = 1'-0"



SEAL

Project Consulting & Construction
DESIGN • BUILD • CONSULTANCY

Ennis, TX 75119
TEL. (214) 399-3652

REVISIONS		
NO.	DESCRIPTION	DATE
△		

ADDRESS
6529 VICTORIA AVENUE
DALLAS, TEXAS 75209

DATE
03/07/2023

DRAWN BY
MACM/JARC

CHECKED BY

DESCRIPTION
NEW CONSTRUCTION

SCALE
3/32" = 1'-0"

SHEET TITLE
ELEVATION

SHEET #
A1.08



CITY OF DALLAS

August 7, 2024

DANIEL LE
F80 CONSTRUCTION, INC
4804 PIER NINE DRIVE
ARLINGTON, TX 76016
danny@f80capital.com

Via Email

RE: Project/Permit # 2301031121 and 2301041101

This letter serves as official notification that project 2301031121 and master permit 2301041101, for the construction of a new duplex at 6529 Victoria Ave, Texas 75209, were issued in error by the Planning and Development Department (PDV) and are hereby revoked for the following reasons:

- Structure exceeds the maximum allowed height for the district per Dallas Development Code § 51P-67.107(c)(1).
- Structure exceeds the maximum allowed lot coverage of 40 percent for the district per Dallas Development code § 51P-67.107(c)(2).
- Non-compliant roof type per the design standards for Planned Development No. 67 per Dallas Development Code § 51P-67.107(c)(3).

Next Steps:

Please reach out to Planning and Development to discuss any of the following options:

- **Option 1 – Board of Adjustment Administrative Official Appeal:** The Board of Adjustment is charged with the duty to hear and decide appeals from decisions of administrative officials made in the enforcement of the zoning ordinance of the city as listed in 51A-3.102(d)(1) & 51A-4.703(a)(2).
- **Option 2 – Submit New Permit:** Submit new plans and permit application for a structure compliant with all Planned Development No. 67 standards and conditions.



CITY OF DALLAS

Please note, these options are provided as a means toward potential compliance and are not intended to constitute legal advice. Please do not hesitate to reach out to Jason Pool, Assistant Director (I), should you have any questions or require additional information.

Should the property owner choose not to take any of the above actions, this matter will be referred to the City's Department of Code Compliance for enforcement.

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703(a)(2) of the Dallas City Code within 20 days after written notice of the above action.

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Jason Pool', with a large, loopy flourish underneath.

Jason Pool
Assistant Director (I)
Customer Experience
214-948-4392
Jason.Pool@Dallas.gov

c: Emily Liu, Director
M. Samuel Eskander, Deputy Director/Building Official (I)
Vernon Young, Deputy Director
Michael Herron, Zoning Inspections Supervisor
Jill Haning, Assistant City Attorney

Christopher Christian, Director
Jeremy Reed, Assistant Director
Alfred Beecham, Manager
Stormy Gonzalez, Manager
Charlotta Riley, Assistant City Attorney

(E) The issuance of a right-of-way landscape permit under this subsection does not excuse the property owner, his agents, or employees, from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

(e) Skybridges. Skybridges as defined in Chapter 51A are prohibited on Tract II.

(f) Signs. Signs located on the Property must comply with the provisions for non-business zoning districts contained in Article VII. (Ord. Nos. 23873; 25219; 25423; 32324)

SEC. 51P-67.107.

TRACT III USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section, land use must remain as indicated on the "Existing Land Use" map with single-family uses and other permitted uses regulated by the requirements of the R-5(A) Single[-]Family District and with duplex uses and other permitted uses regulated by the requirements of the D(A) Duplex District and with the development of vacant property and the redevelopment of property governed by the provisions of Section 51P-67.110 below. Lots 27 through 31 of City Block M/2603 may be used for P(A) Parking District uses subject to the approved Tract III parking district site plan (Exhibit 67C).

(b) Duplex uses. Duplex use is permitted on property fronting Roper Street and Mabel Avenue.

(c) Single family and duplex structures.

(1) Height. Maximum structure height is 25 feet. No portion of the structure may be greater than 30 feet above grade.

(2) Lot coverage. Maximum lot coverage is 40 percent for residential structures.

(3) Roofs. When the height of a roof is above 20 feet, 90 percent of the roof of the main structure must be hip and gable. (Ord. Nos. 25219; 25423; 29890; 32324)

SEC. 51P-67.108.

TRACT IV USES AND DEVELOPMENT STANDARDS.

(a) In general. Except as provided in this section, land use must remain as indicated on the "Existing Land Use" map with single family uses and other permitted uses regulated by the requirements of the R-7.5(A) Single Family District and with duplex uses and other permitted uses regulated by the requirements of the D(A) Duplex District, with the development of vacant property and the redevelopment of property governed by the provisions of Section 51P-67.110 below.

(b) Single family and duplex structures.

(1) Height. Maximum structure height is 25 feet. No portion of the structure may be greater than 30 feet above grade.

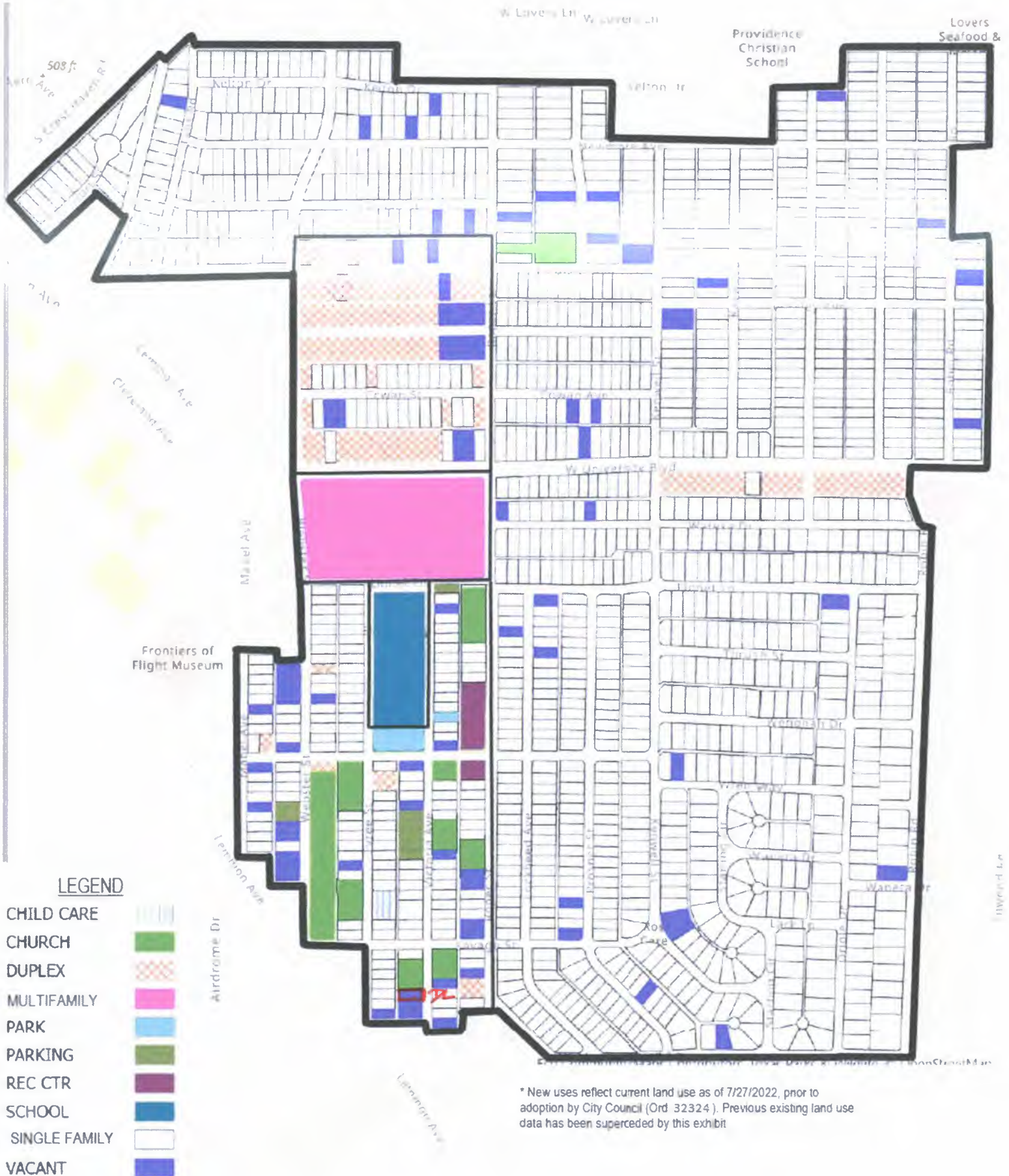
(2) Maximum lot coverage. Maximum lot coverage is 40 percent for residential structures.

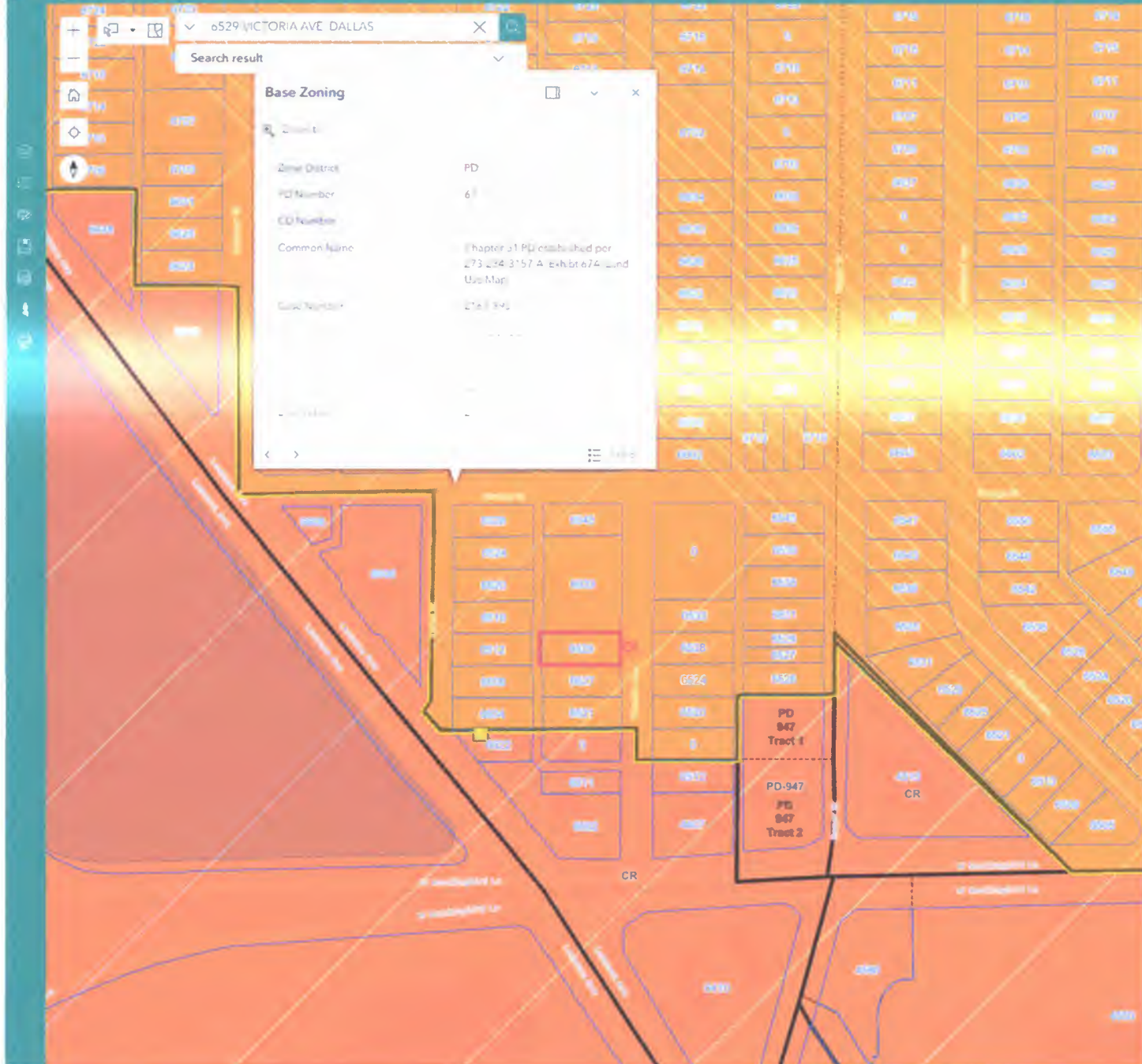
(3) Roofs. When the height of a roof is above 20 feet, 90 percent of the roof of the main structure must be hip and gable. (Ord. Nos. 23873; 25219; 25423; 32324)

32324

Exhibit 67A – Land Use Map

22 1 5 6 6







Harmony Bank

Better Happens Together

To whom it may concern,

Harmony Bank approved and began funding a loan for 4901-4903 Newmore, LLP (Akber Meghani) to construct a duplex located at 6803 Tyree Street, Dallas, Texas 75209. Any attempt to alter the structure to accommodate a single-family home, without prior written consent of Harmony Bank, would be a violation of the loan documents and result an immediate event of default.

Thank you,

Craig Walters

Craig Walters
Senior Vice President
Harmony Bank
214-838-9333

Page Two Inspection Services
CONSULTING ENGINEERS, STRUCTURAL, MECHANICAL
315 Farrar Road, Waxahachie, Texas 75165
Tel: (469) 716-3536 Fax: (972) 935-0184

Concrete Details
Grand Development
Mr. Akber Meghani
Tel: 214-395-3622
Email: Akber@granddevelopment.net
Akber@AM.homes

October 20, 2024

Referenced Foundation:

Re: Details regarding permitting issue for under-construction townhomes located at **6801 & 6803 Tyree Street, Dallas, Texas 75209.**

Per your request, my representative or I have made a visual inspection of the under-construction townhomes at the referenced addresses. The purpose of this inspection was to verify the lay-out and to provide details regarding the consequences of downsizing the townhomes after construction has already begun. The following are my on-site observations:

ON-SITE OBSERVATIONS: The slab on grade foundation is 74' x 39'11". The foundation slab is a minimum of 4" (U.N.O.) thick with thickened perimeter and interior beams. #4 rebar has been installed at 18" on centers in each direction within the slab.

The perimeter grade beam and the interior grade beams are a minimum of 28" deep and 10" wide (U.N.O.). The grade beams have two continuous #4 rebar at both the top and the bottom of the beam.

The required vapor barrier is a minimum of 6 mil poly black plastic. All concrete is a minimum of **3000 PSI** and the rebar is to be a minimum of **60 KSI**.

The City of Dallas only allows a residence to take up 40% of the lot they are on, these townhomes take up 45.7% of the lot. The foundation and framing for this project has already been completed. In order to accommodate the City, the property owner would need to remove roughly 300 square feet of the slab from the back of the homes. In order to do this, the framing would have to be removed and any members that are damaged during process will need to be replaced with new, treated members. The portion of the slab that covers the additional 5.7% of the property will have to be excavated, doing this will remove the back perimeter grade beam. If construction were to resume, the framing would be being placed on the 4" slab and not the 28" deep perimeter grade beam causing significant risks. In my professional opinion, removing the perimeter grade beam could inherently affect the structural integrity of the engineered foundation and could consequently make these homes unsafe to be inhabited in the future. In order for the homes to be structurally sound, there would have to be additional excavation work done on the remaining slab in order to tie in the new rebar and create a new perimeter grade beam to support the weight of these homes. This would be a very costly process as the property owner would have to not only deconstruct the framing and excavate part of the existing slab, they would have to have new engineered plans drawn up and start re-constructing.

All work is to meet or exceed the intent of the **2021 IRC building code.**

All means and methods of installation and construction are 100% the responsibility of the contractor. The engineer assumes no responsibility or accountability for installation and completion of all engineering and construction. The contractor is fully liable for all aspects of this project during and after construction. The engineer is not responsible for inspections during or after completion, quality, completeness, or warranty/guarantee. The contractor is to verify all dimensions and existing site conditions.

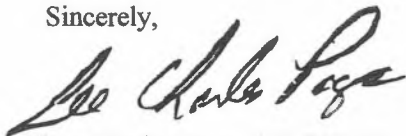
I am pleased to perform this inspection for you. Should you need additional services, please do not hesitate to call.

I recommend the homeowner follow the enclosed Foundation Maintenance Program.

Disclaimer: This inspection consisted of visual observations only. This inspection excludes the main house and any currently existing structure at the residence. The inspection also excluded electrical, architectural, framing, mechanical, termites, wood destroying insects, wood, sidewalk, driveway, and all detached structures. No performance warranty of any kind is expressed or implied. Due to the soil type in the area, the foundation may experience movement/settlement in the future. If the local, city, county, state, federal, or any applicable code is more stringent than this report and sketch, then the code requirement overrules and takes precedent.

The limit of liability shall be the fee paid for this report.

Sincerely,



Lee Charles Page, P.E. #61555
Page Two Inspection Services #F-20584



Foundation Maintenance Program

Highly plastic clay soils, as are typically found in the Dallas/Fort Worth area, exhibit a great amount of expansion and contraction caused by seasonal moisture changes and varying weather conditions. Clay soils that become too dry will shrink and not be able to maintain the physical elevation of a structure's foundation. High ambient temperatures and long periods of inadequate rainfall can cause moisture loss several feet below the surface and take a devastating toll on foundations. Conversely, clay soils that become overly saturated can lose their load bearing capacity.

Guidelines regarding residential foundations and soil moisture changes:

- ❑ The key to maintaining foundation elevations is proper drainage. Water should always run away from the house with no pooling of water near the foundation. Soil should be about 2" below the top of the perimeter grade beams, and slope about 1"-2" per foot for a minimum of 18" away from the perimeter. It is recommended to place fill dirt at perimeter grade beams, gutters, and splash blocks under downspouts. Only clay-like soils should be added around the perimeter, NOT porous or sandy soils.
- ❑ Keep an eye on the soil conditions around your house by looking at the "soil line," which is where the soil meets the concrete beam wall. If the soil line has pulled away from the foundation more than 1/2", it is time to water. Ideally, the soil should be snug against the wall. If you see that the soil has pulled away, it is recommended to **not** add water directly into the separation because it may settle under the beam and make the soil in that area too wet. Instead use a sprinkler or a soaker hose. The separation should close by itself in a few days.
- ❑ The moisture content of the soil at the perimeter of the foundation should be slowly increased and maintained during all seasons. Water the foundation in a uniform and systematic manner with an automatic system or soaker hoses placed 12"-18" from the perimeter beam wall. The key is to keep the soil moist but not muddy. Watering every other day for about twenty minutes is usually sufficient, but should be increased during very hot, dry periods when drying cracks occur. During hotter seasons, the South and West sides of the house might require more watering because of exposure to more direct sun than the North and East sides.
- ❑ It is recommended to not plant trees or shrubs next to the foundation because their roots sap moisture from the soil, both at the foundation and under the slab. This then lowers the moisture content of the active supporting soil at various places, which can cause differential settlement of the foundation. Trees, in particular, should be planted no closer than their expected growth height (i.e. if a tree is anticipated to grow 30' tall, it should be planted at least 30' away from the house.) Also, certain fast-growing bushes (like red-tipped Photinias) should be avoided completely, if possible, because they consume large amounts of water, hence fast-growing.

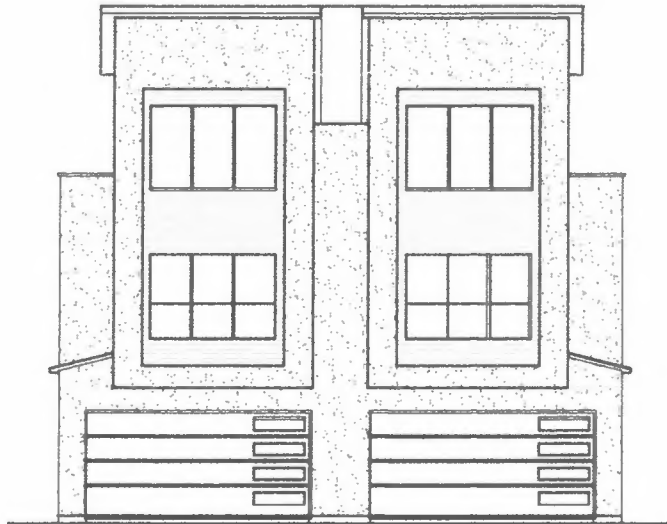
Most major foundation movements can be prevented if the active supporting soil is well maintained. The extent of distress will be lessened, and the service life of the residence will be considerably increased.

Lee Charles Page, P.E. #61555 – (972) 268-4140

PROPOSED ROOF CHANGE

(KEEP HEIGHT AND LOT COVERAGE)

BEFORE



AFTER



COST TO CURE ROOF ONLY

Architect Plans	\$	1,500.00
Lumber & Materials	\$	3,323.57
Framing Labor	\$	14,000.00
Dumpster Rental	\$	550.00
Total	\$	19,373.57

COST TO CURE ROOF, HEIGHT, AND LOT COVERAGE (COMPLETE REBUILD)

Architect Plans	\$	12,230.00
Demolition and Haul Off	\$	15,000.00
Underground Plumbing	\$	11,200.00
Underground Utility Excavation & Tie-in	\$	5,000.00
Foundation	\$	36,690.00
Lumber & Materials	\$	55,879.94
Framing Labor	\$	39,136.00
Dumpster Rental	\$	2,200.00
Total	\$	177,335.94



PROJECT INFORMATION

ZONING	PD 67 - TRACT 3 - D(A)
LEGAL DESCRIPTION	WEBSTER & WOODS NORTH PARK BLK P/2606 LT 18
CONSTR TYPE	V-B
CLIMATE ZONE	ZONE 3A (MOIST)
HOUSE DESCRIPTION	THREE STORY DUPLEX RESIDENCE 4 BEDROOMS, 3.5 BATHROOMS TWO CAR ATTACHED GARAGE

SHEET INDEX

G0.00	COVER SHEET
A1.05	ROOF PLAN
A1.01	1ST LEVEL - FLOOR PLAN
A1.02	2ND LEVEL - FLOOR PLAN
A1.03	3RD LEVEL - FLOOR PLAN
A2.01	ELEVATIONS
A2.02	ELEVATIONS

DANNY LE
NEW CONSTRUCTION

6529/6531 VICTORIA AVE
DALLAS, TEXAS 75209
OCTOBER 17TH, 2024



PROJECT AREA CALCULATIONS			
PRPSD. LIVING AREA - UNIT 1 (AC)		PRPSD. LIVING AREA - UNIT 2 (AC)	
1ST LEVEL FLOOR PLAN	916 S.F.	1ST LEVEL FLOOR PLAN	916 S.F.
2ND LVL FLOOR PLAN	1,210 S.F.	2ND LVL FLOOR PLAN	1,210 S.F.
3RD LVL FLOOR PLAN	233 S.F.	3RD LVL FLOOR PLAN	233 S.F.
TOTAL LIVING AREA (AC)	2359 S.F.	TOTAL LIVING AREA (AC)	2359 S.F.
PRPSD. NON CONDITIONED AREA - UNIT 1		PRPSD. NON CONDITIONED AREA - UNIT 2	
GARAGE	403 S.F.	GARAGE	403 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	4,718 S.F.	LOT SIZE	6,250 S.F.
PERIMETER (AC)	132 F.	NON ROOF AREA	3,612 S.F.
TTL UNDER ROOF	5,524 S.F.	% OF LOT	42.21 %
FOOTPRINT	2,638 S.F.		

DISCLAIMER

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

DISCLAIMER

GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, CCI HOUSEPLANS WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS. IT IS THE BUILDER/OWNER RESPONSIBILITY TO VERIFY ANY EASEMENTS OR DEED RESTRICTIONS THAT MAY IMPACT THIS PROJECT PRIOR TO CONSTRUCTION.

BUILDING CODE

01 IRC 2021 INTERNATIONAL RESIDENTIAL CODE

SEAL

SEAL

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
THREE STORY
DUPLEX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

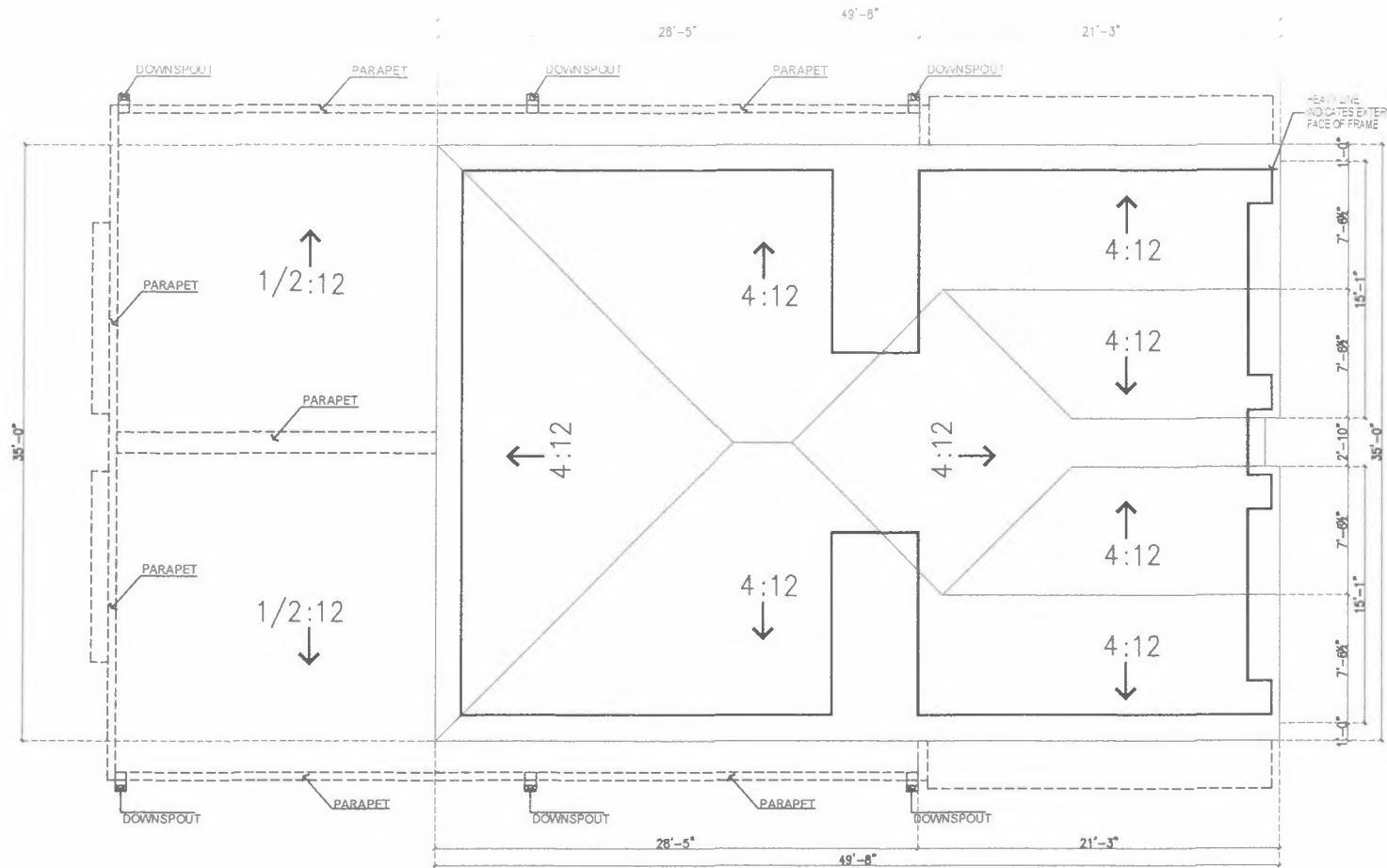
SCALE
NTS

SHEET TITLE
COVER PAGE

SHEET #
G0.00

FILE NAME
G0.00_COVER_SHEET

SEAL



REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
THREE STORY
DUPLIX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

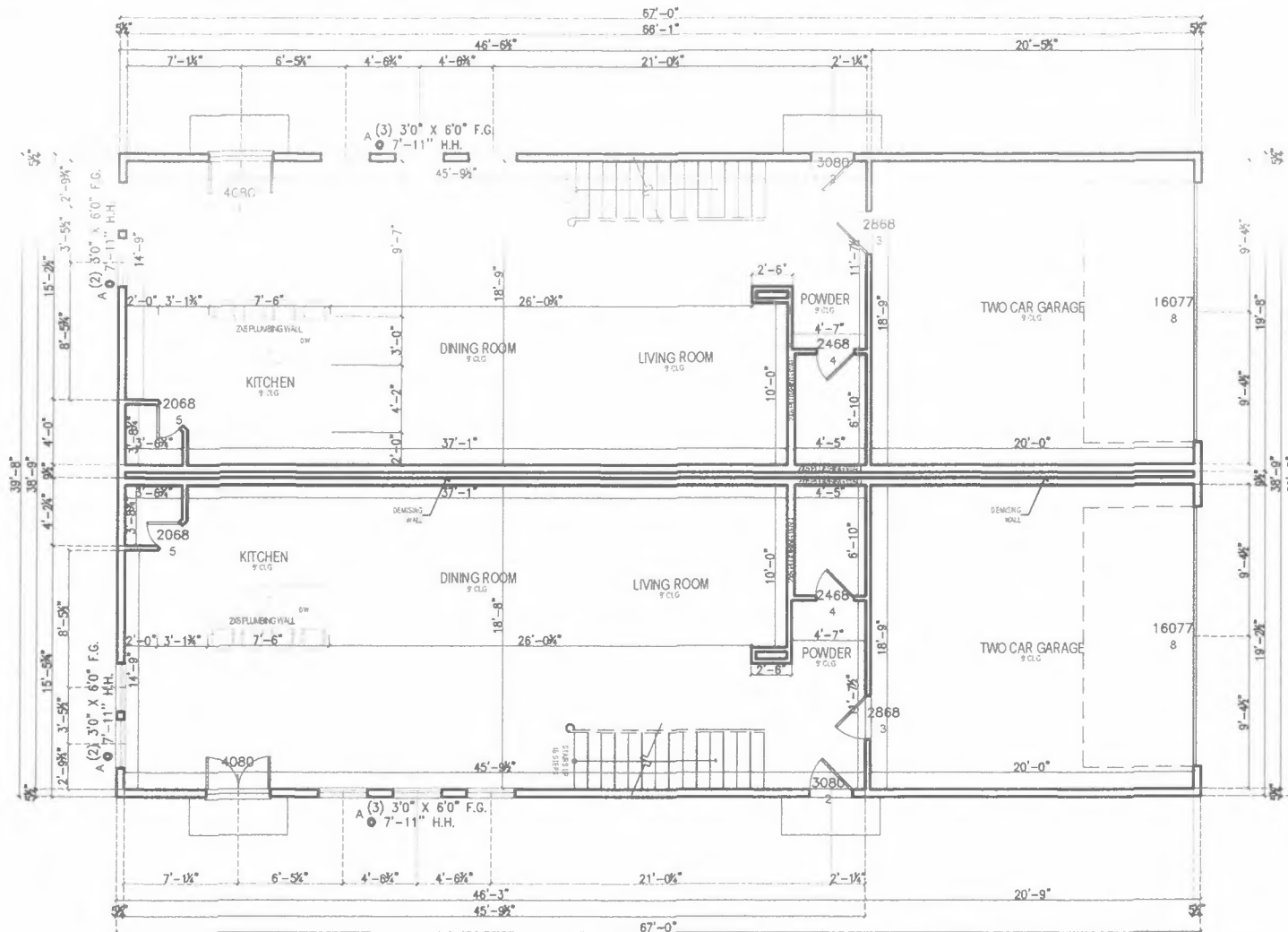
SCALE
1/8" = 1'-0"

SHEET TITLE
ROOF PLAN

SHEET #
A1.05

FILE NAME
A1.05_ROOF_PLAN

1 ROOF PLAN
A1.05 1/8" = 1'-0"



1 1ST LEVEL - FLOOR PLAN
A1.01 1/8" = 1'-0"

PROJECT AREA CALCULATIONS			
PRPSD. LIVING AREA - UNIT 1 (AC)		PRPSD. LIVING AREA - UNIT 2 (AC)	
1ST LEVEL FLOOR PLAN	916 S.F.	1ST LEVEL FLOOR PLAN	916 S.F.
2ND LVL FLOOR PLAN	1,210 S.F.	2ND LVL FLOOR PLAN	1,210 S.F.
3RD LVL FLOOR PLAN	233 S.F.	3RD LVL FLOOR PLAN	233 S.F.
TOTAL LIVING AREA (AC)	2359 S.F.	TOTAL LIVING AREA (AC)	2359 S.F.
PRPSD. NON CONDITIONED AREA - UNIT 1		PRPSD. NON CONDITIONED AREA - UNIT 2	
GARAGE	403 S.F.	GARAGE	403 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	4,718 S.F.	LOT SIZE	6,250 S.F.
PERIMETER (AC)	132 F.	NON ROOF AREA	3,612 S.F.
TTL UNDER ROOF	5,524 S.F.	% OF LOT	42.21 %
FOOTPRINT	2,638 S.F.		

SEAL

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
THREE STORY
DUPLEX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

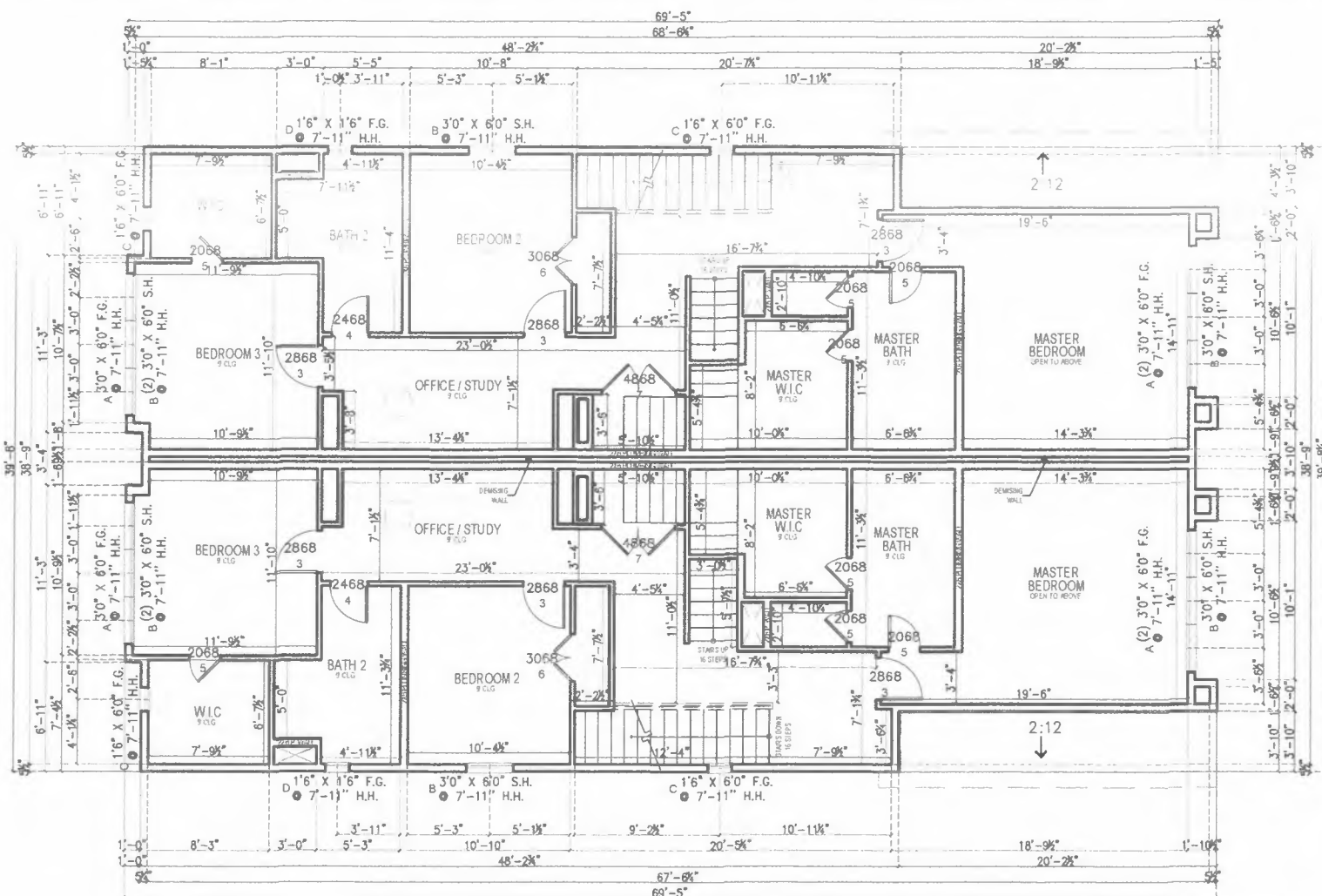
SCALE
1/8" = 1'-0"

SHEET TITLE
FLOOR PLAN

SHEET #
A1.01

FILE NAME
A1.01_FLR1_PLAN

All Rights Reserved



SEAL

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
THREE STORY
DUPLIX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

SCALE
1/8" = 1'-0"

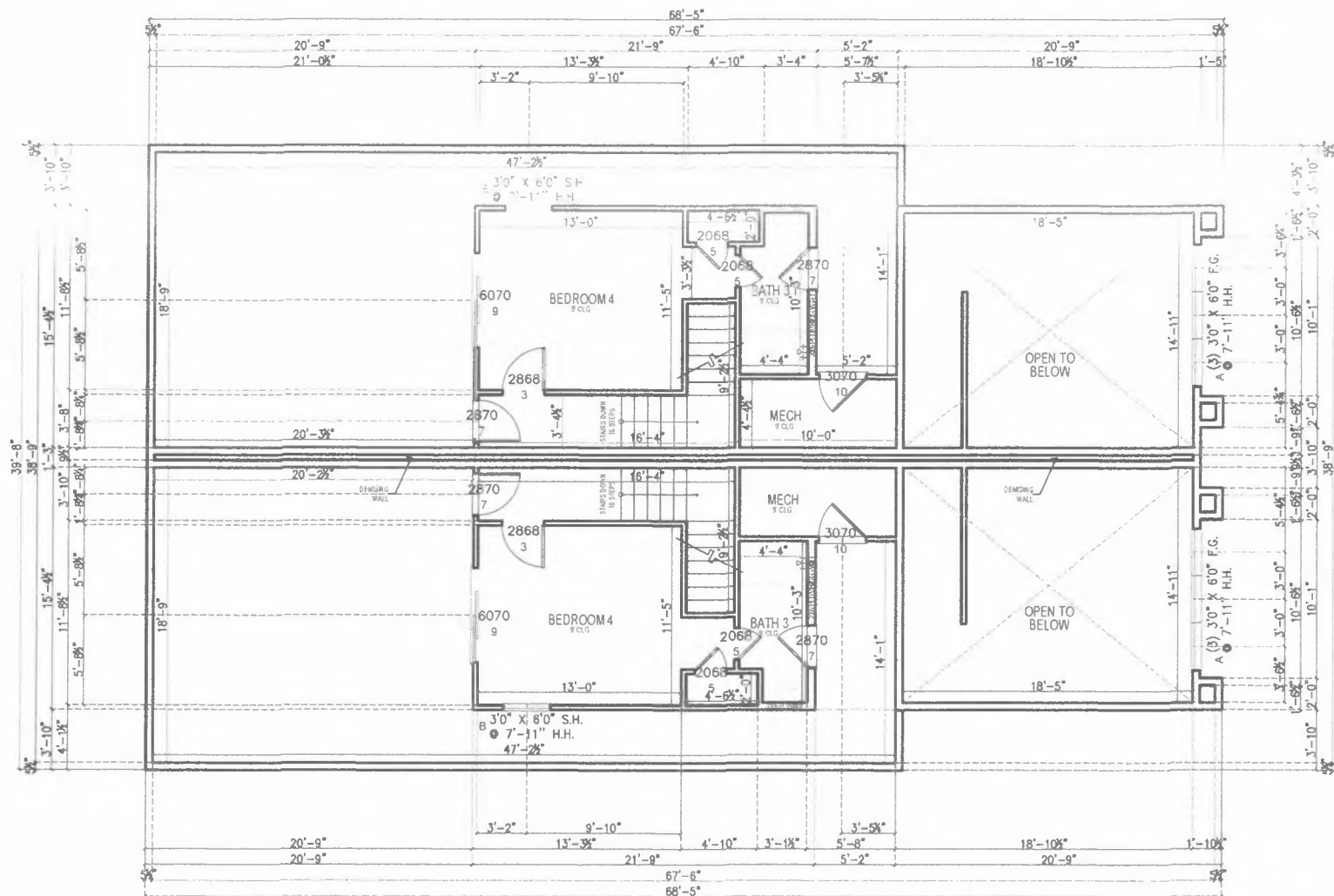
SHEET TITLE
FLOOR PLAN

SHEET #
A1.02

FILE NAME
A1.02_FLR2_PLAN

PROJECT AREA CALCULATIONS			
PRPSD. LIVING AREA - UNIT 1 (AC)		PRPSD. LIVING AREA - UNIT 2 (AC)	
1ST LEVEL FLOOR PLAN	916 S.F.	1ST LEVEL FLOOR PLAN	916 S.F.
2ND LVL FLOOR PLAN	1,210 S.F.	2ND LVL FLOOR PLAN	1,210 S.F.
3RD LVL FLOOR PLAN	233 S.F.	3RD LVL FLOOR PLAN	233 S.F.
TOTAL LIVING AREA (AC)	2359 S.F.	TOTAL LIVING AREA (AC)	2359 S.F.
PRPSD. NON CONDITIONED AREA - UNIT 1		PRPSD. NON CONDITIONED AREA - UNIT 2	
GARAGE	403 S.F.	GARAGE	403 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	4,718 S.F.	LOT SIZE	6,250 S.F.
PERIMETER (AC)	132 F.	NON ROOF AREA	3,612 S.F.
TTL UNDER ROOF	5,524 S.F.	% OF LOT	42.21 %
FOOTPRINT	2,638 S.F.		

1 2ND LEVEL - FLOOR PLAN
A1.02 1/8" = 1'-0"



SEAL

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
 6529/6531 VICTORIA AVE
 DALLAS, TEXAS
 75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
 THREE STORY
 DUPLEX
 4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
 TWO CAR ATTACHED GARAGE (PER UNIT)

SCALE
1/8" = 1'-0"

SHEET TITLE
FLOOR PLAN

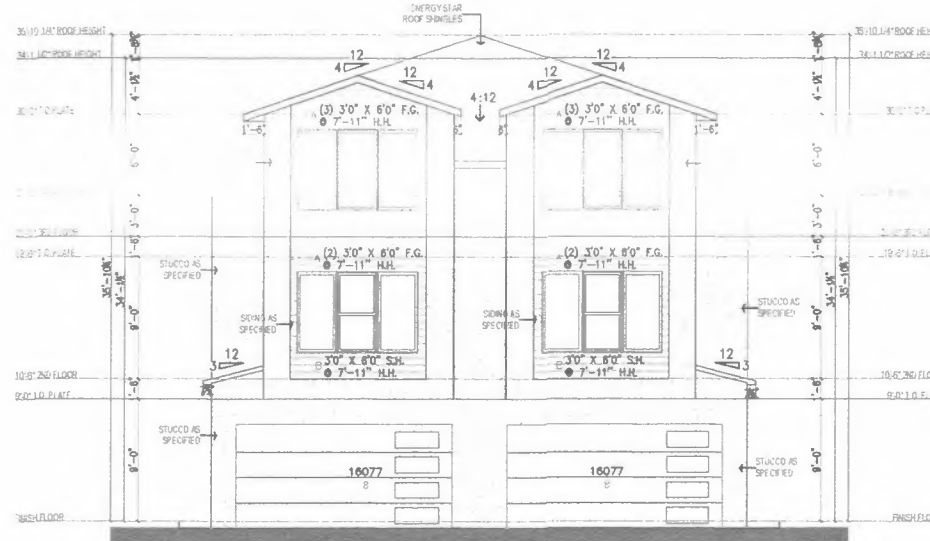
SHEET #
A1.03

FILE NAME
A1.03_FLR3_PLAN

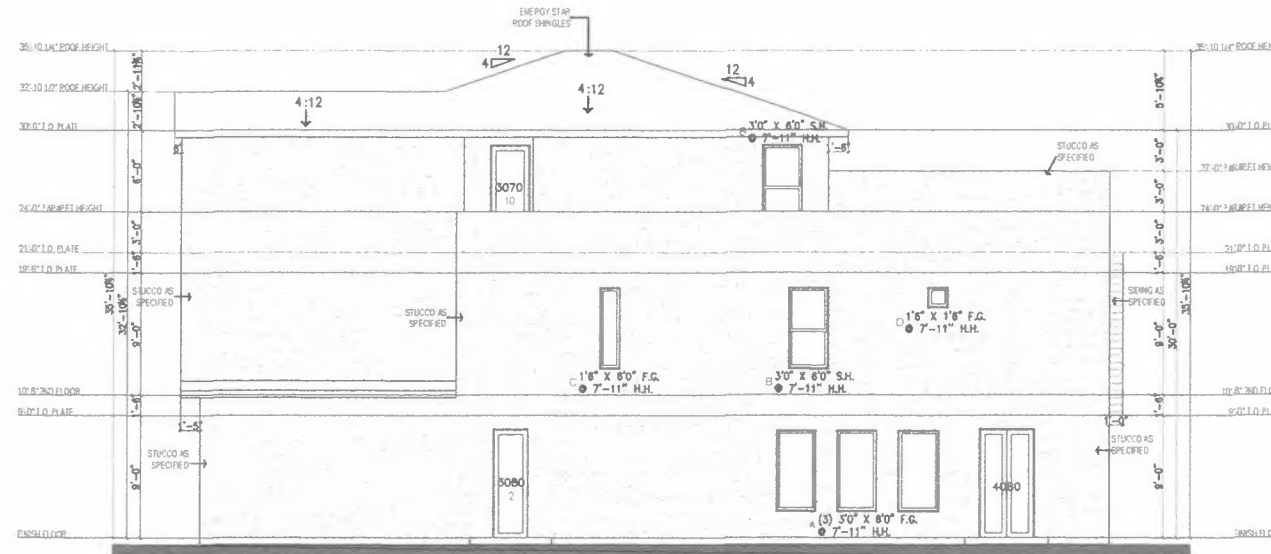
PROJECT AREA CALCULATIONS			
PRPSD. LIVING AREA - UNIT 1 (AC)		PRPSD. LIVING AREA - UNIT 2 (AC)	
1ST LEVEL FLOOR PLAN	916 S.F.	1ST LEVEL FLOOR PLAN	916 S.F.
2ND LVL FLOOR PLAN	1,210 S.F.	2ND LVL FLOOR PLAN	1,210 S.F.
3RD LVL FLOOR PLAN	233 S.F.	3RD LVL FLOOR PLAN	233 S.F.
TOTAL LIVING AREA (AC)	2359 S.F.	TOTAL LIVING AREA (AC)	2359 S.F.
PRPSD. NON CONDITIONED AREA - UNIT 1		PRPSD. NON CONDITIONED AREA - UNIT 2	
GARAGE	403 S.F.	GARAGE	403 S.F.
LOT USAGE			
TTL CONDITIONED AREA (AC)	4,718 S.F.	LOT SIZE	6,250 S.F.
PERIMETER (AC)	132 F.	NON ROOF AREA	3,612 S.F.
TTL UNDER ROOF	5,524 S.F.	% OF LOT	42.21 %
FOOTPRINT	2,638 S.F.		

1 3RD LEVEL - FLOOR PLAN
 A1.03 1/8" = 1'-0"

SEAL



1 FRONT ELEVATION
A2.01 3/32" = 1'-0"



2 RIGHT ELEVATION
A2.01 3/32" = 1'-0"

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

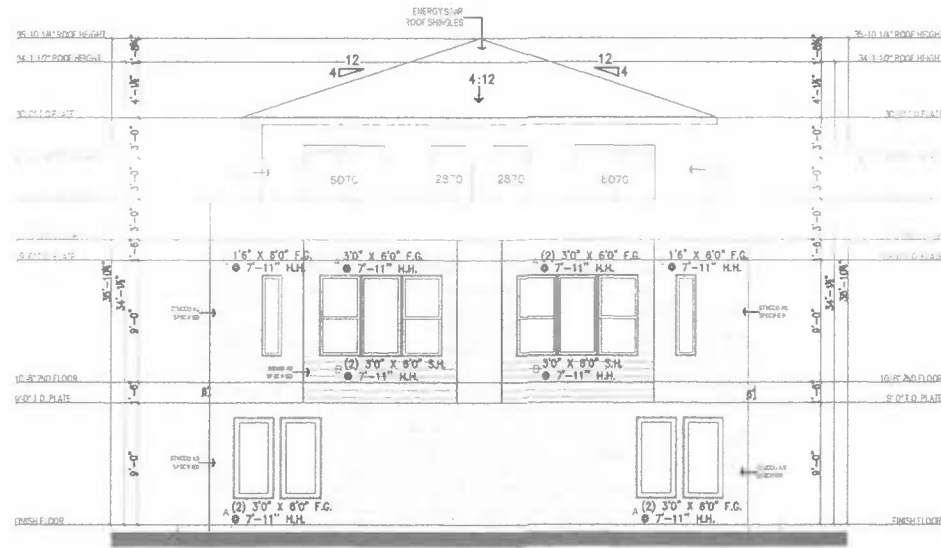
DESCRIPTION
THREE STORY
DUPLEX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

SCALE
3/32" = 1'-0"

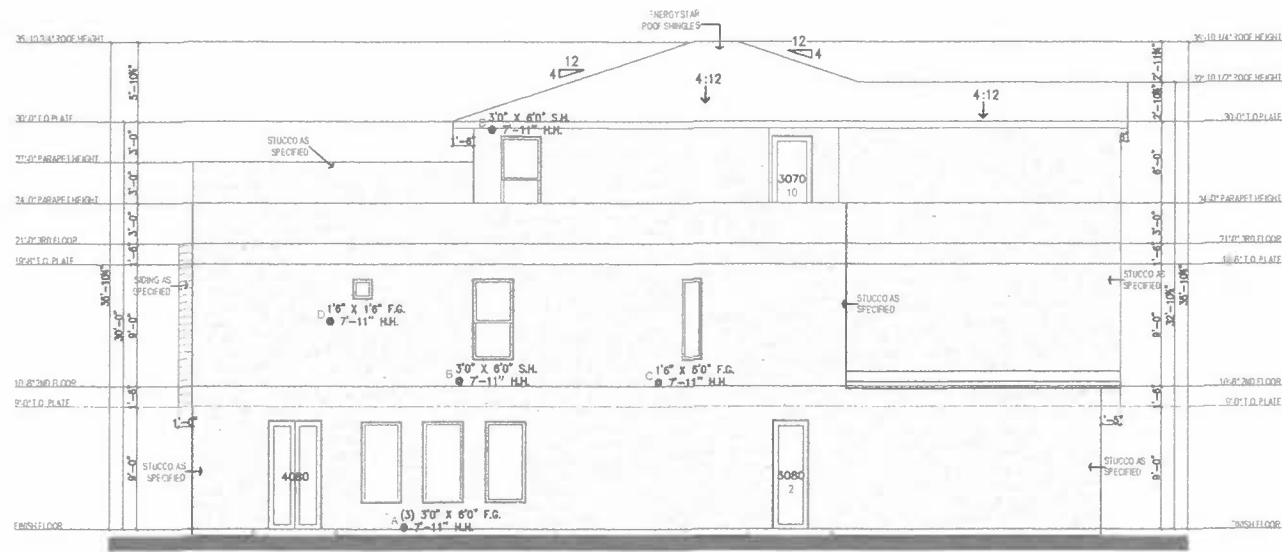
SHEET TITLE
ELEVATIONS

SHEET #
A2.01

FILE NAME
A2.01_ELEVATIONS



1 REAR ELEVATION
A2.02 3/32" = 1'-0"



2 LEFT ELEVATION
A2.02 3/32" = 1'-0"

SEAL

REVISIONS	
DRAFTER	SENT DATE

ADDRESS
6529/6531 VICTORIA AVE
DALLAS, TEXAS
75209

DATE
10/17/24

DRAWN BY
FB

CHECKED BY
ER

DESCRIPTION
THREE STORY
DUPLIX
4 BEDROOMS, 3.5 BATHROOMS (PER UNIT)
TWO CAR ATTACHED GARAGE (PER UNIT)

SCALE
3/32" = 1'-0"

SHEET TITLE
ELEVATIONS

SHEET #
A2.02

FILE NAME
A2.02_ELEVATIONS

SHUPE VENTURA, PLLC

9406 BISCAYNE BLVD.
DALLAS, TX 75218

NOVEMBER 8, 2024

MISTY VENTURA
214.328.1101
MISTY.VENTURA@SVLANDLAW.COM

VIA EMAIL

Dallas Board of Adjustment
Attn: Bryant Thompson, Senior Planner
1500 Marilla Street 5CN
Dallas, Texas 75201

Re: BDA234-111(BT), Property at 6529 Vicotria Avenue

Mr. Thompson:

On behalf of applicant Mr. Daniel Le, and in order to supplement the record in his Board of Adjustment Panel A cases BDA234-111(BT), please find enclosed:

1. Supplemental evidence in a pdf format along with a summary of that evidence updated with additional information since the October 11, 2024 submission.
2. Presentation for the November 19, 2024, public hearing.

The enclosed information is provided for inclusion in the board's docket before 1:00 p.m. Friday, November 8, 2024, deadline referenced in your October 24, 2024, letter to Daniel Le.

Please do not hesitate to contact me with questions about the supplemental evidence or case BDA234-111(BT).

Respectfully,



Misty Ventura

SHUPE VENTURA, PLLC

9406 BISCAYNE BLVD.
DALLAS, TX 75218

CC:

Jason Pool, Development Services Administrator (jason.pool@dallas.gov)

Justin Roy, Assistant City Attorney (justin.roy@dallascityhall.com)

Mary Williams, Board Secretary (mary.williams1@dallas.gov)

Robert Miklos, Esq. (rmiklos@fbk.law)

Daniel Le, Applicant (danny@f80capital.com)

FILE NUMBER: BDA234-118(CJ)

BUILDING OFFICIAL'S REPORT: Application of Larry Klinghoffer for a special exception to (1) provide an additional electrical meter at 4336 Lively Lane. This property is more fully described as Block B/5549, Lot 9, and is zoned R-10(A), which requires that a single-family dwelling use in a single family district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct and/or maintain an accessory structure to 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 (1) a special exception to the single-family zoning use regulations.

LOCATION: 4336 Lively Lane

APPLICANT: Larry Klinghoffer

REQUEST:

- (1) A special exception to the single-family zoning use regulations for an electrical utility service or electrical meter.

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

Section 51A-4.112(f)(8)(A) of the Dallas Development Code states that The board may grant a special exception to authorize more than one electrical utility service and more than one electrical meter on a lot in this district when, in the opinion of the board, the special exception will:

- not be contrary to the public interest; and
- not adversely affect neighboring properties; and
- not be used to conduct a use not permitted in this district.

STAFF RECOMMENDATION:

Special Exception (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

BDA History:

- No BDA history found at 4336 Lively Lane in the last 5 years.

Square Footage:

- This lot contains 28618.92 of square feet.
- This lot is zoned R-10 (A) which has a minimum lot size of 10,000 square feet.

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) (Single Family District)

Land Use:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application for Larry Klinghoffer property located at 4336 Lively Lane focuses on one request relating to single-family use regulations.
- The applicant proposes to construct and/or maintain an accessory structure to a single-family dwelling 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.
- The subject site along with properties to the north, south, east, and west are all developed with single-family homes.
- The subject site is a mid-block lot with single street frontage on Lively Lane.
- According to the applicant, the requested electrical utility service or electrical meter is required for the new accessory structures HVAC system; the new structure is currently under review as permit #2409161151.
- The applicant has the burden of proof in establishing that the special exception to the single-family use regulations regarding electrical services will not be contrary to the public interest, not adversely affect the neighboring properties and not be used to conduct a use 200' Radius Video: [BDA234-118 at 4336 Lively Ln.](#)

Timeline:

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

September 9, 2024: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

September 12, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the September 27, 2024, deadline to submit additional evidence for staff to factor into their analysis ;and October 11, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

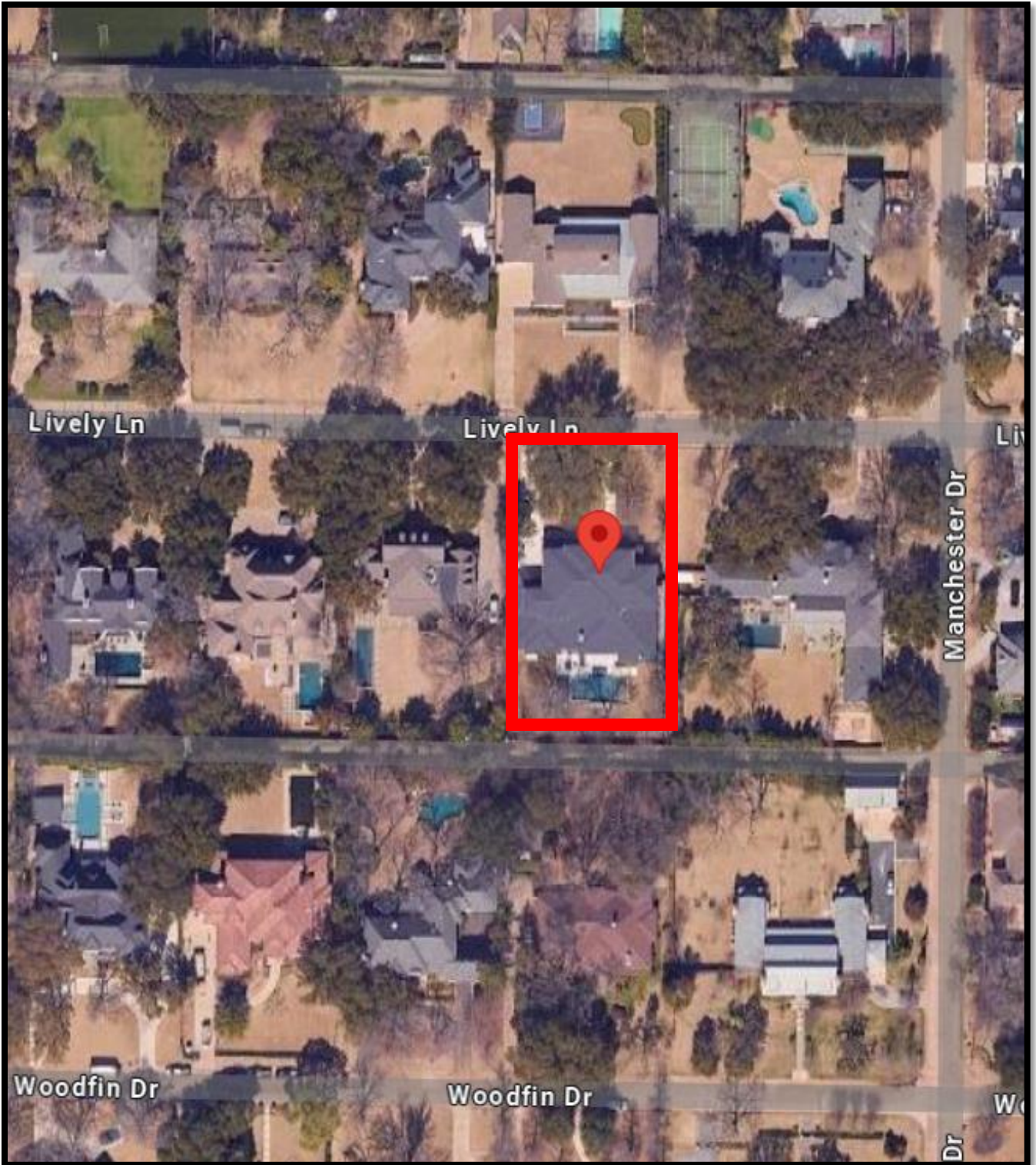
October 3, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the October public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

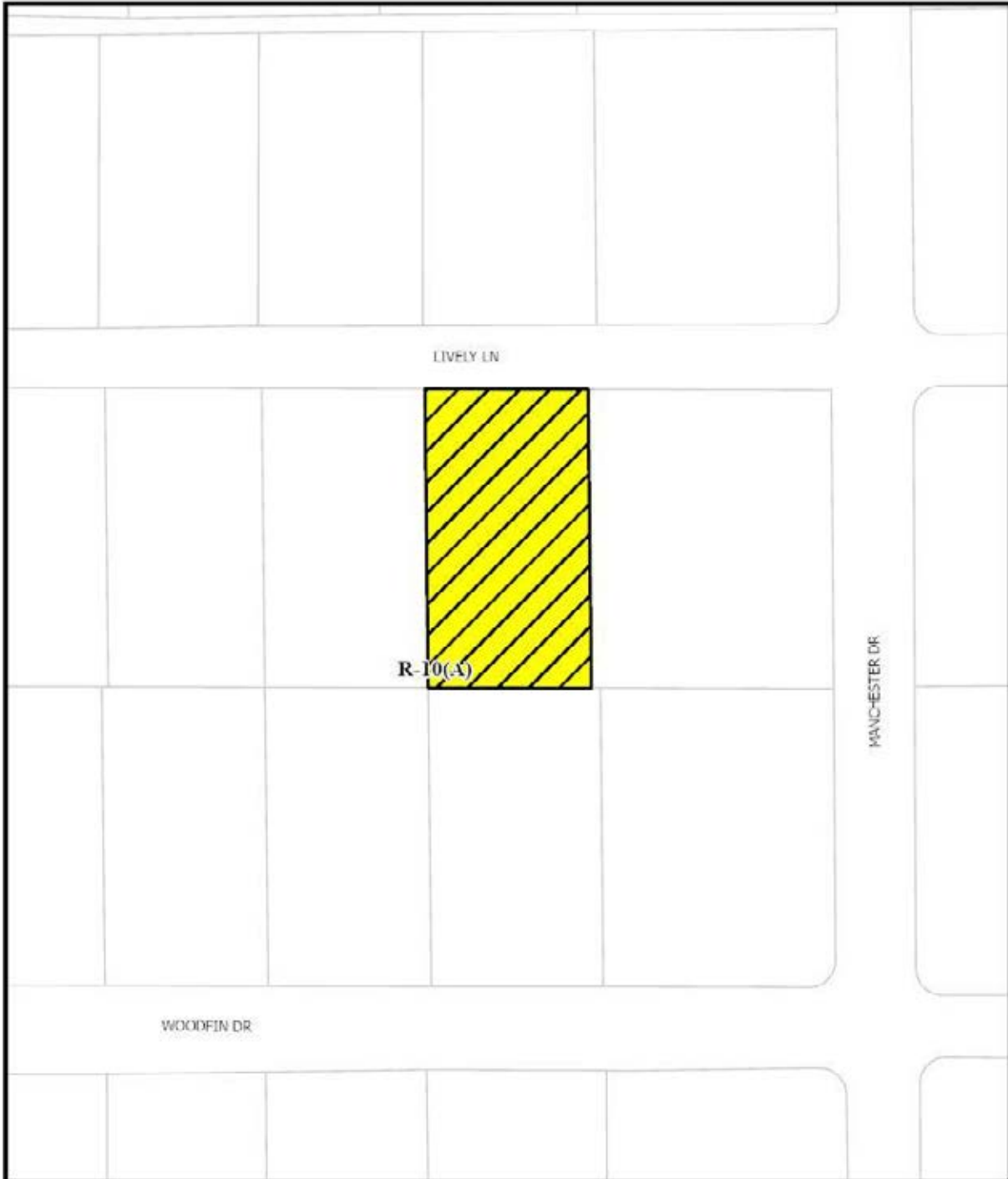
October 22, 2024: Panel A, at its regular scheduled hearing on October 22, 2024 voted to hold this matter under advisement until it’s October hearing.

October 24, 2024: The Development Services Department Senior Planner emailed the applicant the following information:

- an attachment that provided the hearing date and panel that will consider the application; the October 30, 2024, deadline to submit additional evidence for staff to factor into their analysis; and November 8, 2024, deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 6, 2024: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the November public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.







1:1,200

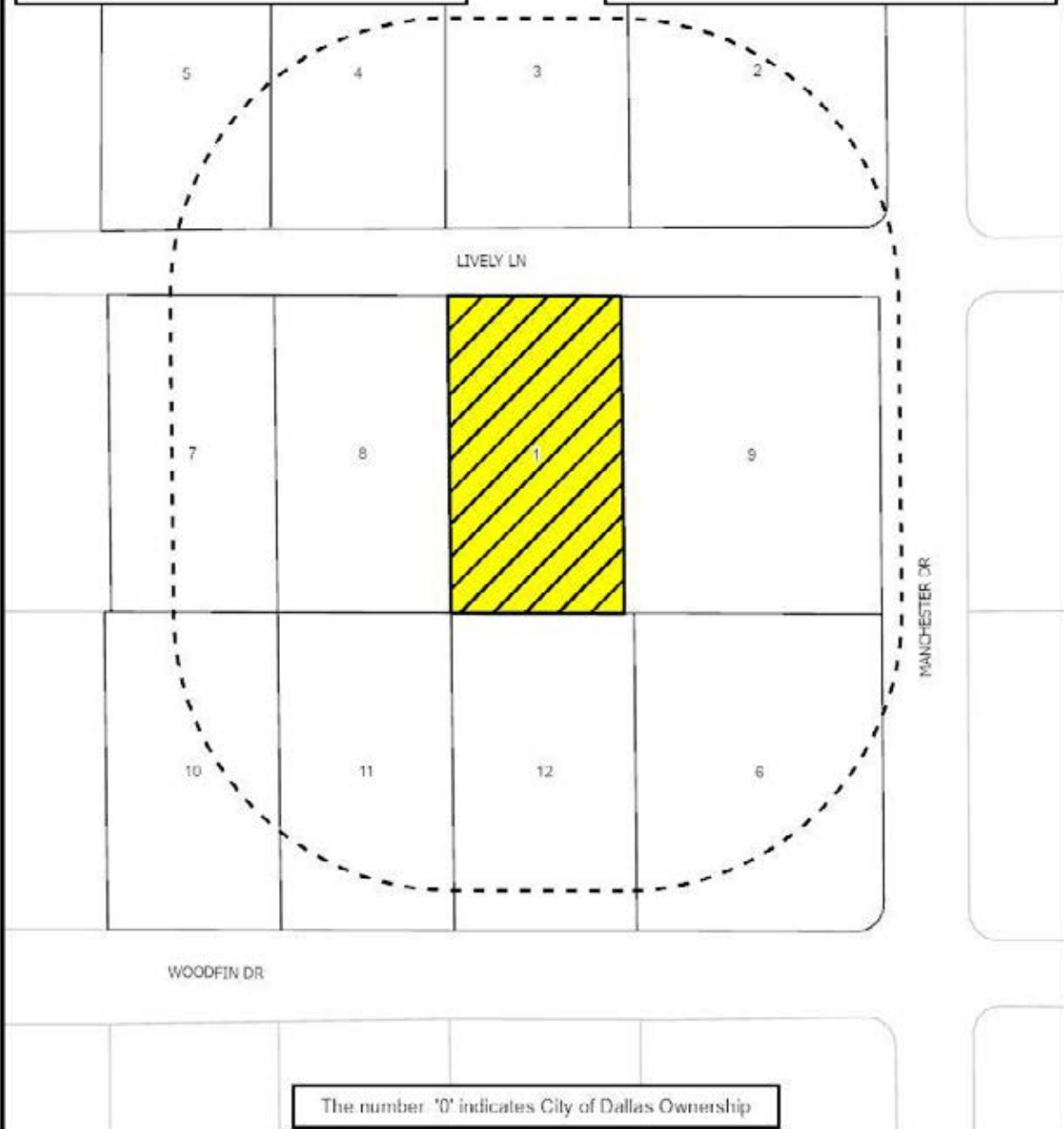
ZONING MAP

Case no: BDA234-118


Date: 09/13/2024


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

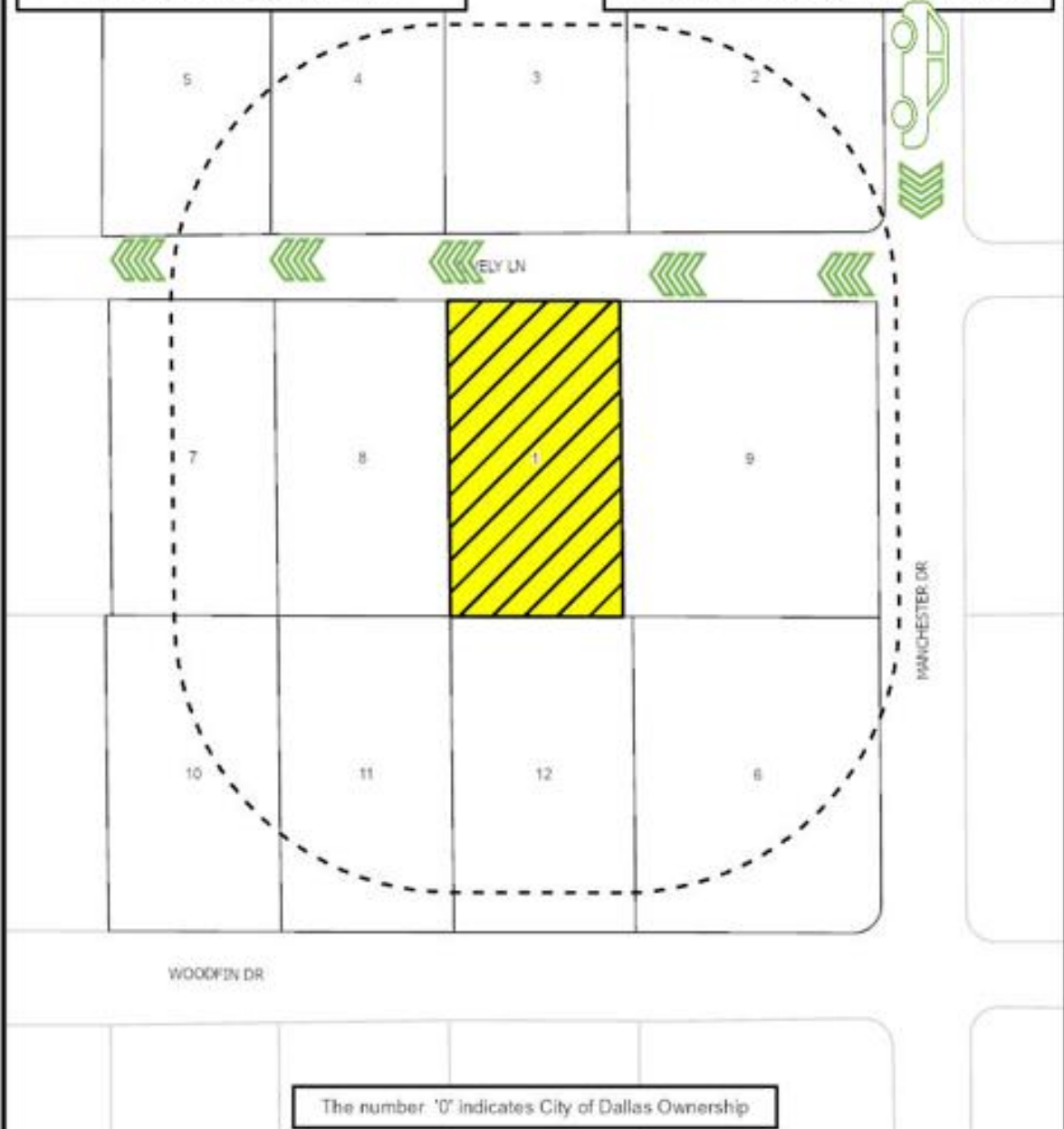
El área de solicitud está sombreada . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso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



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA234-118
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">12</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 9/13/2024

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

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



The number '0' indicates City of Dallas Ownership


1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
12 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-118**
Date: **9/13/2024**

09/13/2024

Notification List of Property Owners

BDA234-118

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4336 LIVELY LN	PALATIAL ESTATE PROPERTIES LLC
2	4351 LIVELY LN	HAGGAR MARIAN
3	4335 LIVELY LN	MANN ANNE A &
4	4325 LIVELY LN	HUSS MICHAEL G &
5	4315 LIVELY LN	DE LA MATA TOMAS
6	4353 WOODFIN DR	HEMINGWAY D SCOTT &
7	4316 LIVELY LN	OLIVE CHRISTOPHER D & KAREN
8	4322 LIVELY LN	KING FRANK PAUL A &
9	4350 LIVELY LN	WENSINGER JOHN A &
10	4319 WOODFIN DR	PICKENS WILLIAM C JR
11	4327 WOODFIN DR	PODOLSKY DANIEL & CAROL
12	4339 WOODFIN DR	FERNANDEZ CHARLES A &



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

12 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA234-118**

Date: **9/13/2024**

NOTICE OF PUBLIC HEARING

BOARD OF ADJUSTMENT OF THE CITY OF DALLAS (PANEL A)

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

DATE: TUESDAY, NOVEMBER 19TH, 2024

BRIEFING: 10:30 a.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

HEARING: 1:00 p.m. via **Videoconference** and in **Council Chambers 6EN**, Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa1119A>

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment. **This case was held under advisement on October 22, 2024.**

BDA234-118(CJ) Application of Larry Klinghoffer for a special exception to (1) provide an additional electrical meter at **4336 LIVELY LANE**. This property is more fully described as Block B/5549, Lot 9, and is zoned R-10(A), which requires that a single-family dwelling use in a single family district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct and/or maintain an accessory structure to 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 (1) a special exception to the single-family zoning use regulations.

You have received this notice because you own property within 200 feet of the above property. You may be interested in attending the Board of Adjustment hearing to express your support for or opposition to the application. You may also contact the Board of Adjustment by email to BDAREPLY@dallas.gov. Letters will be accepted until 9:00 am the day of the hearing. If you are unable to attend the hearing. If you choose to respond, it is important that you let the Board know your reasons for being in favor of or in opposition to the application. The Board members are very interested in your opinion.

Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at Council Chambers 6EN. 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> **by the close of business Monday, November 18th, 2024. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** 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

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

Additional information regarding the application may be obtained by calling Cambria Jordan, Senior Planner at (214) 948-4476, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

Board of Adjustment
Planning and Development Department

PLEASE SEND REPLIES TO:
BDAREPLY@dallas.gov
Letters will be received until 9:00
am the day of the hearing.

PLEASE REGISTER AT:
<https://bit.ly/BDA-A-Register>



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 234-118 **FOR OFFICE USE ONLY**

RECEIVED

Data Relative to Subject Property:

Date: **FOR OFFICE USE ONLY** AUG 26 2024

Location address: 4336 LIVELY LN. DALLAS TX Zoning District: R10A RESIDENTIAL

Lot No.: 09 Block No.: 815449 Acreage: 0.0657 Census Tract: _____

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

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): MATHEW & KAREN MILLS

LARRY KLINGHOFFER

Applicant: PALATIAL PROPERTIES LLLC Telephone: 214-906-5673

Mailing Address: 3930 GASPARD DRIVE, DALLAS TX Zip Code: 75220

E-mail Address: LK 6438 2 ADL.COM

Represented by: LARRY KLINGHOFFER Telephone: 214 906-5673

Mailing Address: 3930 GASPARD DR. DALLAS TX Zip Code: 75220

E-mail Address: LK 6438 2 ADL.COM

Affirm that an appeal has been made for a Variance or Special Exception of SECOND ELECTRICAL METER

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

2ND. METER REQUIRED FOR HVAC SERVICE TO NEW STRUCTURE. ORIGINAL HOME METER IS 200 AMP. NOT ABLE TO SERVICE NEW STRUCTURE REQUIRED AMPERAGE

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

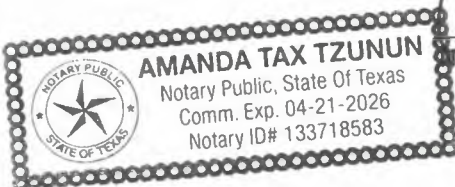
Before me the undersigned on this day personally appeared LARRY KLINGHOFFER
(Affiant/Applicant's name printed)

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 2 day of August, 2024

Manda Tax Tunun
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 Larry Klinghoffer

did submit a request (1) provide an additional electrical meter
at 4336 Lively Ln.

BDA234-118. Application of Larry Klinghoffer for a special exception to (1) provide an additional electrical meter at 4336 LIVELY LN. This property is more fully described as Block B/5549, Lot 9, and is zoned R-10(A), which requires that a single-family dwelling use in a single family district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct and/or maintain an accessory structure to 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 (1) a special exception to the single-family zoning use regulations

Sincerely,



Andrew Espinoza, CBO, MCP, CFM, CCEA


CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 234-118

I, MATTHEW S. MILLS AND/OR KAREN MILLS, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4336 LIVELY LANE, DALLAS, TEXAS 75220
(Address of property as stated on application)

Authorize: PALATIAL PROPERTIES LLC (LARRY KLINGHOFFER)
(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)

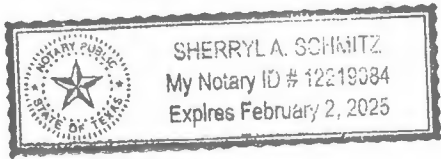
Specify: 2ND. ELECTRIC METER FOR
OWNER WORKOUT/CABANA STRUCTURE

MATTHEW S. MILLS AND/OR KAREN MILLS Karen Mills
Print name of property owner or registered agent Signature of property owner or registered agent

agent Date 08-02-24

Before me, the undersigned, on this day personally appeared Karen Mills

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 August 2 day of August, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 2/2/25

2K

SITE Zoning maps



R-10(A)

City Limits	Parking Management Overlay	MD Overlay
Highways	Shopfront Overlay	Historic Subdistricts
Ramps and Access Roads	Base Zoning	Historic Overlay
Flood Zone	PD 193 Oak Lawn	CD Subdistricts
100 Year Flood Zone	Dallas Environmental Corridors	PD Subdistricts
East Peak's Branch	DDO Overlay	PDS Subdistricts
East Peak's Branch PFP	Deed Restrictions	NSO Subdistricts
Floodway	SUP	NSO_Overlay
Mill Creek	D	Escarpment Overlay
Mill Creek PFP	D-1	
Peak's Branch	CP	
Peak's Branch PFP	SP	
X Protected by Levee		
Parks		
Height Map Overlay		



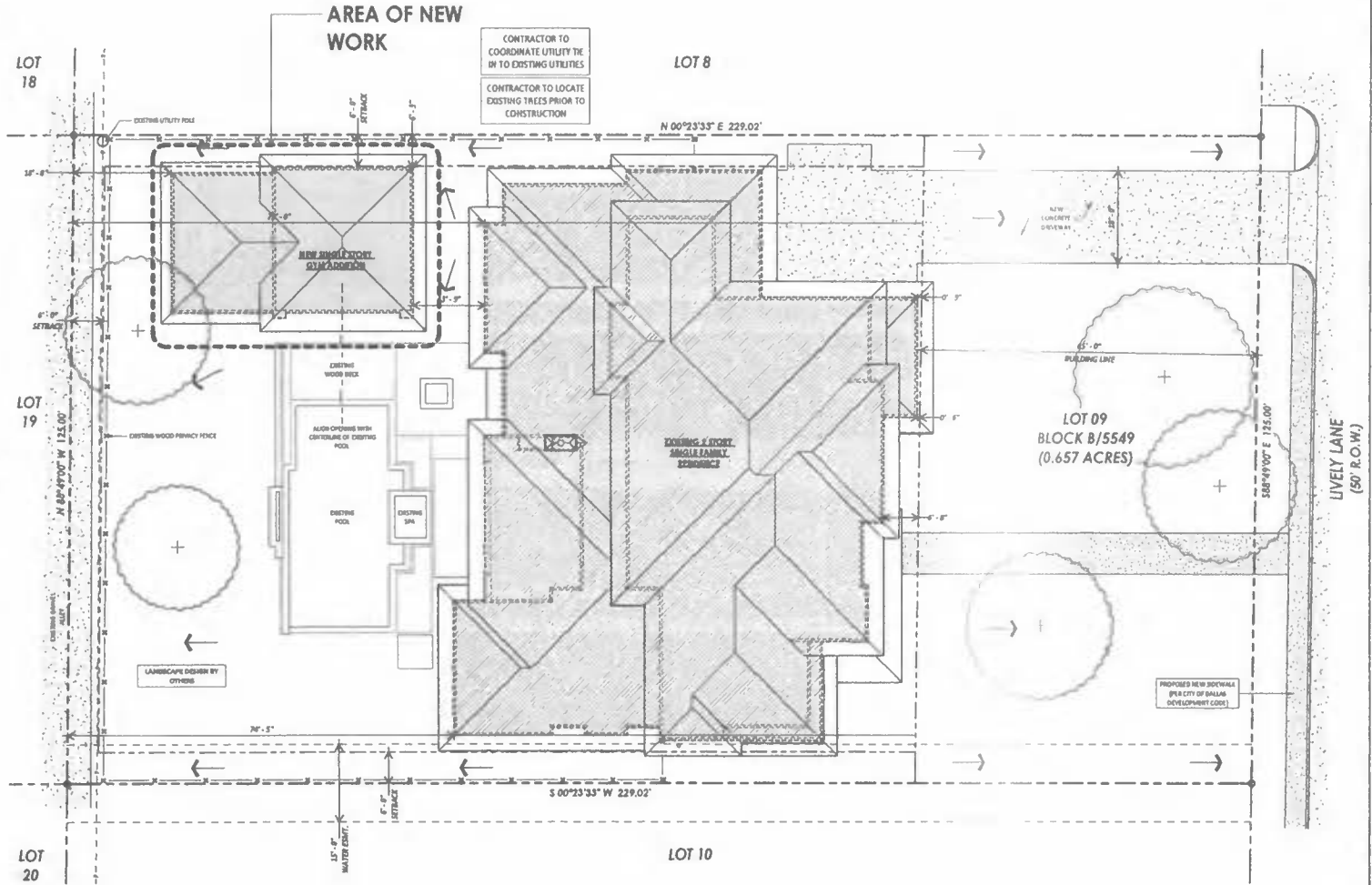
1:2,400

Site Plan

- NOTES: SITE PLAN**
1. VERIFY ALL UTILITY LOCATIONS PRIOR TO ANY WORK. COORDINATE UTILITY ROUTINGS WITH APPLICABLE UTILITY COMPANY. ALL UTILITIES TO BE UNOBSCURED.
 2. SURFACE DRAINAGE SHALL BE DIRECTED TO A STORM SEWER CONDUIT OR OTHER APPROVED POINT OF COLLECTION THAT DOES NOT CREATE A HAZARD. LOTTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL NOT FEWER THAN 3 INCHES WITHIN THE FIRST 10 FEET.
 3. REFER TO FOUNDATION PLAN FOR FOUNDATION BEAR LOCATION AND SLOPE.
 4. FLAG ALL TREES FOR CHAIN & PILE TO THRESHING OR REMOVAL.
 5. PROTECT REMAINING TREES WITH APPROVED BARRIERS DURING CONSTRUCTION.
 6. REMEAL CONTRACTOR SHALL REVIEW AND COMPLY WITH ALL ZONING AND SUBDIVISION CONDITIONS.
 7. FENCED GRASSM SHALL BE A MINIMUM OF 1' BELLOW FOUNDATION REFERENCE ADOPPER ETC.
 8. CONTRACTOR TO TRIM OR REMOVE ANY TREES ADJACENT TO BUILDING FOUNDATION AS REQUIRED, VERIFY WITH OWNER PRIOR TO REMOVAL.

- NOTES: EROSION CONTROL**
1. CONTRACTOR TO INSTALL EROSION CONTROL FENCING DURING CONSTRUCTION AS REQUIRED BY THE CITY OF DALLAS.
 2. SILT FENCE SHALL BE REMOVED WHEN IT HAS SERVED ITS PURPOSE, SO AS NOT TO BLOCK OR IMPED STORM FLOW OR DRAINAGE.
 3. CONTRACTOR TO REMOVE SILT FENCE UPON COMPLETION OF PROJECT DAMAGED AREAS TO BE REHABILITATED INCLUDING RE-GRASSING AND RE-LOCATIONS AS NECESSARY.
 4. ALL EROSION CONTROL DEVICES AND REQUIREMENTS TO BE IN ACCORDANCE WITH THE TEXAS BRAP EROSION CONTROL MANUAL AND PLANS AND SPECIFICATIONS.
- TYPICAL SILT FENCE DETAIL:**
-
- STEEL "T" POST @ 4' O.C. - INSTALL REBAR CAPS OR "T" POST, TOP
- INSTALL 30# 18 X 18 FIBRIC OR APPROVED EQUIV IN STEEL LAPS BACK FOR 18" MIN.
- USE 3/4 INCH WIRE TO FASTEN FABRIC TO POST
- 3" X 6" DIMENSIONS 4" FROM BOTTOM OF TRENCH OR APPROVED EQUIV.
- EXCAVATE 4" TRENCH & FILL IN FABRIC WITH TRENCH SPILL
- 1/2" DIA. DRAIN

- NOTES: SITE DRAINAGE**
1. CONTRACTOR SHALL PROVIDE PROPER SITE GRADING THAT DIRECTS SURFACE WATER AWAY FROM BUILDING FOUNDATIONS, WALLS AND ADJACENT PROPERTIES.
 2. GRASSING AND LANDSCAPING SHOULD BE PLANTED WITH A SURFACE GRADE OF AT LEAST 48 INCHES AND AWAY FROM THE SETBACK STRUCTURE, REFER TO DALLAS DEVELOPMENT CODE FOR SETBACKS REQUIREMENT.
 3. PROPOSED SITE DRAINAGE ORIENTED TO THE SITE PLAN WITH FLOW ARROWS
-



1 SITE PLAN
1" = 10'-0"



PROJECT INFO:

Owner: Mall and Karen Mills
972.338.2378

Architect:
BWSMITH Design
Brandon Smith
brsmith@bwsmithdesign.com
bwsmithdesign.com
469.383.2821

Contractor:
Larry K. Hinkle
Plumber/Proprietor
469.383.2821

Structural Engineer:
LR Engineering
2115 S. Goodson Ln # 450, Plano, TX 75075
972.388.7141

MILLS ADDITION
4336 LIVELY AVE
DALLAS, TEXAS

No.	Date	Revisions

Project No: 21015.01
 Stage: For Construction
 Date: 2024.03.07
 Scale: As Indicated

DRAWING TITLE
SITE PLAN

DRAWING NO.

A0.2

Floor Plan

NOTES: FLOOR PLAN

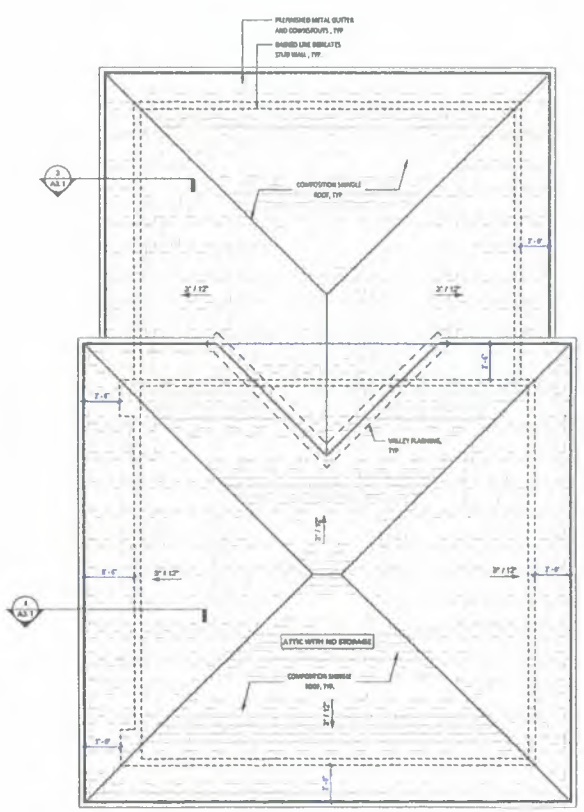
1. DESIGN & DOES NOT ASSUME ANY LIABILITY OF ANY ERRORS OR OMISSIONS ON THESE PLANS. ALL INFORMATION MUST BE CONFIRMED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER AND/OR INDIVIDUAL CONTRACTORS TO SEE THAT ALL ITEMS MEET OR EXCEED CODE REQUIREMENTS.
3. BUILDER SHALL VERIFY ALL DIMENSIONS, INTERIOR & EXTERIOR FINISHES, CONSTRUCTION & FINISHING METHODS PRIOR TO CONSTRUCTION.
4. ALL MATERIALS & WORKMANSHIP INVOLVED IN THE CONSTRUCTION OF THE PROJECT ARE TO CONFORM WITH ALL LOCAL, STATE, NATIONAL, & INTERNATIONAL BUILDING CODES AS DESCRIBED IN THE INTERNATIONAL CODE & THIS JURY'S OVERLAP CODE.
5. DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS ARE FROM FACE OF STUDY UNLESS NOTED OTHERWISE. ALL DIMENSIONS UNLESS NOTED OTHERWISE TO FACE OF FINISH MATERIAL.
6. ALL INTERIOR CEILING BEAMS TO BE 10" MINIMUM. USE WOOD OR STEEL DEPENDENT ON SPACING & ALL SET WALL LOCATIONS.
7. ALL DOORS & WINDOWS TO HAVE RATED GLAZING DEVICES INSTALLED.
8. GARAGE DOORS TO BE CERTIFIED BY MANUFACTURER FOR 100 MPH.
9. ALL WALLS SHALL BE 1/2" MINIMUM AT ALL UNLESS NOTED OTHERWISE. PROVIDE FLOOR JOIST LANDING SUPPORT UNDER FLOORED AREA UNDER INTERIOR PLASTER SIPS, AS ACCORDANCE WITH THE 2015 I.C.C. PROVISIONS & 2015 IBCS 1 THROUGH TO MECH. UNIT, REVISION AIR PIPING, CHASE, & SUPPLY DUCT LOCATIONS TO BE VERIFIED BY CONTRACTOR PRIOR TO START OF CONSTRUCTION.
10. HEAVY DUTY FULL ROWS STAIRS TO BE FIRE RATED. COVER BOTTOM WITH 1/2" MINIMUM.
11. ALL ANGLED WALLS TO BE 4" UNLESS NOTED OTHERWISE.
12. 1/2" SHEET ALL FOR DOOR AND WINDOW SCHEDULE.
13. MILLWORK CONTRACTOR TO PROVIDE MILLWORK SHOP DRAWINGS TO THE BUILDER FOR APPROVAL PRIOR TO COMMENCEMENT OF CONSTRUCTION.

NOTES: AREAS

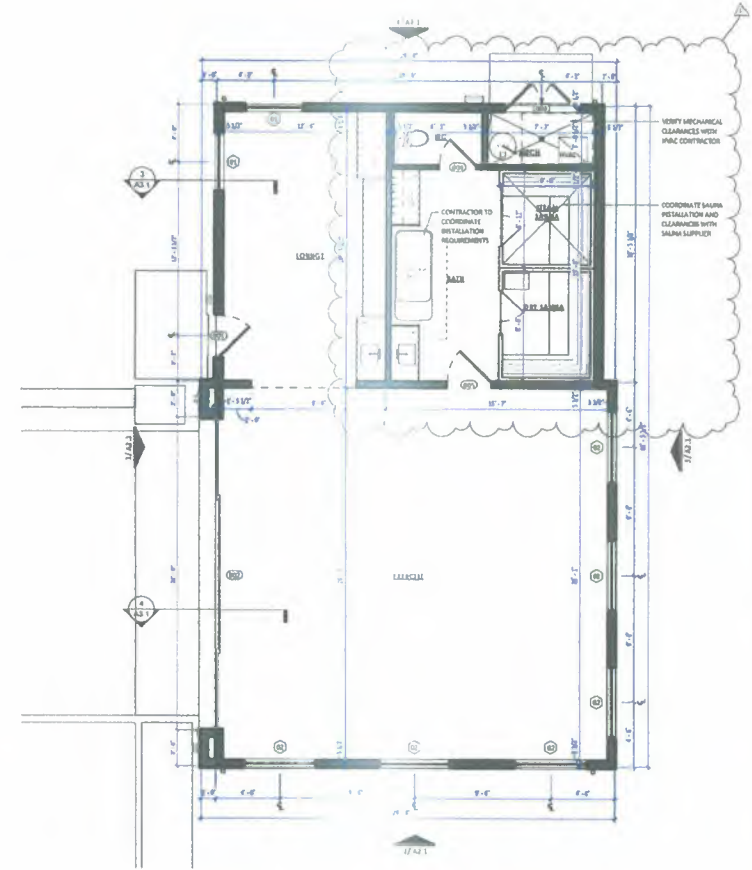
TOTAL CONDITIONED SPACE:	1,230 SF
MECH / STORAGE :	30 SF
COVERED PORCH:	0 SF
TOTAL AREA UNDER ROOF:	1,260 SF

NOTES: ROOF PLAN

1. COORDINATE INSTALLATION OF NEW ROOFS WITH OTHER TRADES & VERIFY ALL COMPLETIONS WITH ITEMS INSTALLED BY OTHER TRADES TO BE COMPLETED.
2. ALL ROOF CURVES FOR NEW ROOFTOP EXHAUST FANS, HVAC UNITS AND CONDENSERS SHALL HAVE CURVE HEIGHTS THAT WILL ALLOW FOR A MINIMUM OF 6" BASE FLASHING HEIGHTS FOR THE ROOF SYSTEM.
3. ALL FLASHING VENTS SHALL LATCH ABOVE THE FINISHED SURFACE OF THE ROOF SYSTEM AS REQUIRED TO PROVIDE FOR A MINIMUM OF 6" BASE FLASHING.
4. PROVIDE 1/2" WOOD WALL PACK @ SERVICE SIDE OF ALL MECH EQUIPMENT & PROVIDE 3/4" WOOD WALL PACK AROUND ALL ROOF HATCHES & AT LADDERS.
5. ALL EXPOSED METAL FLASHING/ TRIM PIECES TO BE FINISHED 24 GA. STL. OR 24 GA. GALV. PER SIPS. PROVIDE FINISHING ON FIELD PARTY FLASHING OVER 60 INCHES.
6. GUTTERS - ALL GUTTERS TO BE PRE-FINISHED 24 GA. STL. PROVIDE PRE-FINISHED GALV. STL. BEST PRACTICE BRACKETS AND HANGERS GALV. STL. SPACERS @ 36" O.C. MAX. - STAIRS @ EACH OTHER @ 36" O.C. PROVIDE PRE-FINISHED BUTTERFLY'S PER SCHEDULE PER SIPS. TRIM @ 3/4" MAX. PROVIDE 1.5. SCHEDULE @ ALL BUTTERS PER SCHEDULE PER SIPS.
7. ALL DOWNPOUTS TO BE PRE-FINISHED 24 GA. GALV. STL. PER SCHEDULE PER SIPS. DOWNPOUTS ARE 7" TO 8" DIA. LOCATED AS NOTED ON ROOF PLAN. TRIM @ GALV. STL. HANGERS @ 48" O.C. MAX. PER SCHEDULE PER SIPS.
8. TANK BE @ 1/8" SLOPE TO BE 1/4" PER FOOT MIN. SLOPE TO DRAIN. ROOF PLAN INDICATED WITH A RED LINE OR BARRING REPRESENTATION DASH. INDICATION TO VERIFY SLOPE REQUIRED TO DRAIN FROM TO A DRAINAGE AREA.
9. PROVIDE 1/8" SLOPE BRACKETS 1/4" PER FOOT MIN. SLOPE @ MIN SIDE OF ALL MECHANICAL UNITS AND ROOF VENTILATORS TO SHEET WALLS AROUND AND MAINTAIN POSITIVE ROOF DRAINAGE.



2 ROOF PLAN
1/4" = 1'-0"



1 FLOOR PLAN
1/4" = 1'-0"



PROJECT INFO:

Owner:
Mills and Logyn Mills
972-238-7278

Architect:
BWSMITH Design
Brandon Smith
brandon@bwsmithdesign.com
bwsmithdesign.com
402-353-2621

Contractor:
Lory O'Grady
Principal Properties
ABC@lory.com

Structural Engineer:
L2 Engineering
2115 Toothwood Ln # 450, Plano, TX 75075
972-984-7811

MILLS ADDITION
4336 LIVELY AVE
DALLAS, TEXAS

No	Date	Revised
1	10/20/23	PER SET
		10/20/23

Project No.: 21015.01
Stage: For Construction
Date: 2024.03.07
Scale: As Indicated

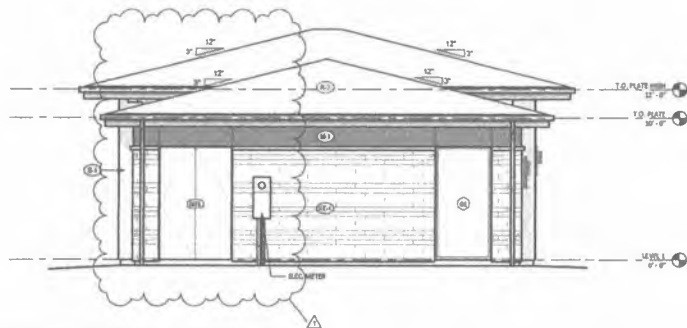
DRAWING TITLE:
FLOOR / ROOF PLANS
DRAWING NO:

A1.1

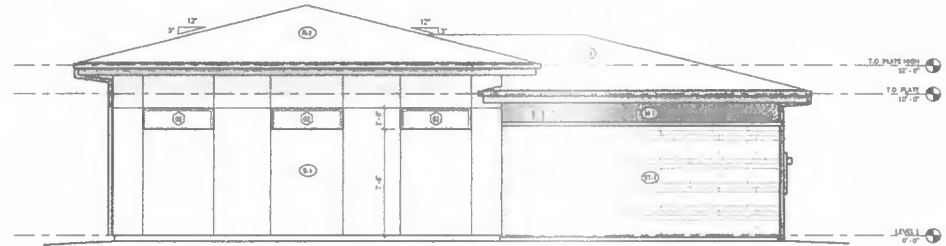
Elevations

MATERIAL SYMBOL	TYPE	NOTES
(M1)	METAL PANEL	AS-13 ARCHITECTURAL METAL PANEL OR EQUAL COORDINATE TO COLOR WITH WINDOW CLADDING (OWNER TO VERIFY COLOR)
(S1)	STONE VENEER	STONE VENEER (OWNER TO VERIFY COLOR)
(S2)	STUCCO VENEER	THREE COAT STUCCO SYSTEM W/ ACRYLIC FINISH COAT (OWNER TO VERIFY TEXTURE AND COLOR)
(S3)	ROOFING	COMPOSITION SINGLE SLOPING (OWNER TO VERIFY PROFILE AND COLOR)

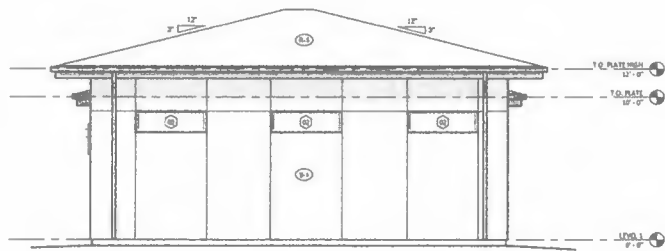
NOTE: MATERIAL QUANTITIES ARE ESTIMATES BASED ON 3D MODELING. CONTRACTOR TO VERIFY MATERIAL QUANTITIES PRIOR TO ORDERING MATERIAL.



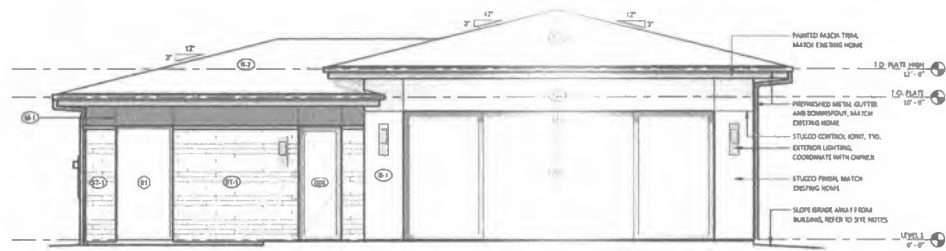
4 SOUTH ELEVATION - ADDITION
1/4" = 1'-0"



3 EAST ELEVATION - ADDITION
1/4" = 1'-0"



2 NORTH ELEVATION - ADDITION
1/4" = 1'-0"



1 WEST ELEVATION - ADDITION
1/4" = 1'-0"



PROFESSIONAL ENGINEER
STATE OF TEXAS
LICENSE NO. 202461907

PROJECT INFO:
Owner: Mill and Karan Mills
977-338-2378

Architect:
BWSMITH Design
Dorcas Smith
bsmith@bwsmithdesign.com
977-338-2378

Contractor:
Larry Kingholder
Plumbing Properties
lking@plumbing.com
977-338-2378

Structural Engineer:
UR Engineering
2115 Trenchwood Ln # 450, Plano,
TX 75075
972.954.2161

MILLS ADDITION
4336 LIVELY AVE
DALLAS, TEXAS

No	Date	Revisions
1	2/24/24	PLAN NUMBER

Project No.: 21015.01
Stage: For Construction
Date: 2024.03.07
Scale: As indicated

DRAWING TITLE:
EXTERIOR ELEVATIONS
DRAWING NO.

A2.1

4/24/2024 7:20:04 AM