NOTICE FOR POSTING

MEETING OF

BOARD OF ADJUSTMENT, PANEL C

MONDAY, APRIL 19, 2021

Briefing*: 11:00 A.M.

Video Conference

Public Hearing*: 1:00 P.M.

*The Board of Adjustment hearing will be held by videoconference. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure, should register online at http://bit.ly/Panel_C_4-19-21_register or contact the Sustainable Development and Construction Department at 214-670-4209 by the close of business Friday, April 16, 2021. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and <u>bit.ly/cityofdallastv</u> or <u>YouTube.com/CityofDallasCityHall</u>, and the WebEx link: <u>http://bit.ly/BDA041921</u>

Purpose: To take action on the attached agenda, which contains the following:

- 1. Board of Adjustment appeals of cases the Building Official has denied.
- 2. And any other business which may come before this body and is listed on the agenda.

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."

Video Conference



CITY OF DALLAS

BOARD OF ADJUSTMENT, PANEL C

MONDAY, APRIL 19, 2021

AGENDA

BRIEFING

Video Conference

11:00 A.M.

PUBLIC HEARING

Video Conference

1:00 P.M.

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

PUBLIC TESTIMONY

Minutes

BDA201-035(JM) 1013 S. Glasgow Drive Application of Melissa Kingston to appeal the decision of an administrative official

MISCELLANEOUS ITEM

Approval of the March 15, 2021 Board of Adjustment M1 Panel C Public Hearing Minutes

UNCONTESTED CASE(S)

None.

REGULAR CASES

BDA201-031(OA)	4000 Stonebridge Drive REQUEST: Application of Baldwin Associates for a variance to the front yard setback regulations.	1
BDA201-035(JM)	1013 S. Glasgow Drive REQUEST: Application of Melissa Kingston to appeal the decision of an administrative official	2

HOLDOVERS

3

BDA201-005(OA) 6804 Lorna Avenue **REQUEST:** Application of Jeff Baron for a variance to the front yard setback regulations.

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:

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

FILE NUMBER: BDA201-031(OA)

BUILDING OFFICIAL'S REPORT: Application of Baldwin Associates for a variance to the front yard setback regulations at 4000 Stonebridge Drive. This property is more fully described as Lot 6, Block 5/2023, and is zoned an R-7.5 Single Family District within Planned Development District No. 193, which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential accessory structure (swimming pool) and provide a 13-foot front yard setback, which will require a 12-foot variance to the front yard setback regulations.

LOCATION: 4000 Stonebridge Drive

APPLICANT: Rob Baldwin of Baldwin Associates

REQUEST:

A request for a variance to the front yard setback regulations of up to 12-feet is made to construct and maintain a residential accessory structure, a swimming pool and a spa structure, with approximately 475 square feet of floor area, part of which is to be located as close as 13 feet from the front property line or as much as 12-feet into the 25-foot front yard setback on a site that is developed with a single family home.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Approval, subject to the following condition:

• Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots zoned and R-7.5 Single Family District within PD No. 193 in that it is somewhat sloped (elevation ranging from 484 feet on the west to 493 feet on the east) and irregular in shape (ranging from about 43 to 103 feet-in-width).
- Staff concluded that the applicant has shown by submitting a document (Attachment A) indicating among other things that that the size of the proposed pool on the subject site with approximately 475 square feet of floor area is conmensurated with other 30 properties in the same zoning district which have an average lot area of 19,217 square feet.

BACKGROUND INFORMATION:

Zoning:

<u>Site</u> :	PD 193 (R-7.5) (Single family district)
North:	PD 193 (R-7.5) (Single family district)
<u>South</u> :	PD 193 (R-7.5) (Single family district)
East:	PD 193 (MF-2) (Multifamily district)
West:	PD 193 (R-7.5) (Single family district)

Land Use:

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

Zoning/BDA History:

1. BDA189-082 Property at 4000 Stonebridge Drive (the subject site) On August 19, 2019, the Board of Adjustment Panel C denied a request for a variance to the front yard setback regulations of ten feet without prejudice.

The case report stated the request was made to construct and maintain a two-story single-family structure with a 2,600 square foot building footprint (and with approximately 4,500 square feet of "conditioned" space), part of which is to be located as close as 15 feet from the front property line or as much as 10 feet into the 25-foot front yard setback on a site that is undeveloped.

GENERAL FACTS /STAFF ANALYSIS:

This request for a variance to the front yard setback regulations of up to 12-feet is made to construct and maintain a residential accessory structure, a swimming pool and a spa structure, with approximately 475 square feet of floor area. The site that is developed with a single family home and located in an R-7.5 Single Family District within PD No. 193 which requires a minimum front yard setback of 25 feet.

The submitted site plan indicates that the proposed structure is located as close as 13 feet from the front property line or as much as 12 feet into the 25-foot front yard setback.

Lots in this district are typically 7,500 square feet in area. The subject site is somewhat sloped, irregular in shape, and, according to the application, is 0.26 acres (or approximately 11,300 square feet) in area.

According to DCAD records, there are no improvements listed for the property addressed at 4000 Stonebridge Drive.

The applicant has submitted a document that represents that the lots average square footage of 30 other properties with a pool in the PD 193 (R-7.5) zoning district is about 19,212 square feet.

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

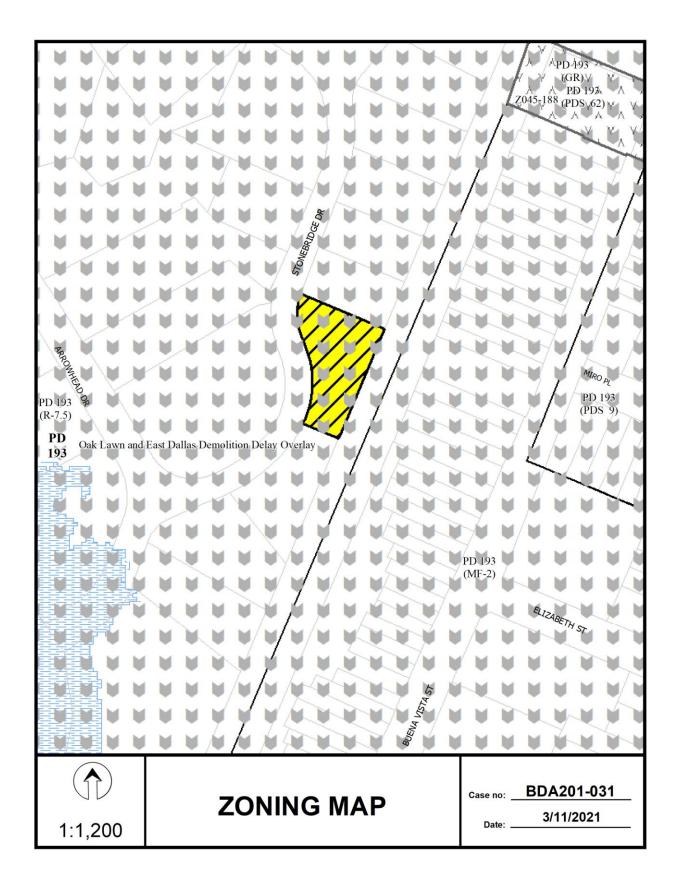
- That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 193 (R-7.5) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 193 (R-7.5) zoning classification.

If the board were to grant the variance request and impose the submitted site plan as a condition, the accessory structure, a swimming pool and a spa structure with approximately 475 square feet of floor area located partially in the front yard setback, would be limited to what is shown on this document.

Timeline:

- February 23, 2021: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 4, 2021: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 8, 2021: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant the following information:
 - a copy of the application materials including the Building Official's report on the application:
 - an attachment that provided the public hearing date and panel that will consider the application; the March 30, 2021 deadline to submit additional evidence for staff to factor into their analysis; and the April 9, 2021 deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- March 28, 2021: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).
- April 2, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

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







APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Location address: 4000 Stonebridge Drive Zoning I Lot No.: 6 Block No.: 5/2023 Acreage: 0.26 acres Censul Street Frontage (in Feet): 1) 174 ft 2) 3) 4) To the Honorable Board of Adjustment : Owner of Property (per Warranty Deed): The Waller Group, LLC Applicant: Rob Baldwin, Baldwin Associates Telephe Mailing Address: 3904 Elm Street Suite B Dallas TX E-mail Address: rob@baldwinplanning.com Represented by: Rob Baldwin, Baldwin Associates Telephe Mailing Address: 3904 Elm Street Suite B Dallas TX E-mail Address: 3904 Elm Street Suite B Dallas TX E-mail Address: rob@baldwinplanning.com Affirm that an appeal has been made for a Variance X, or Special Exception	: BDA 201-031
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Affiant/Appli who on (his/her) oath certifies that the above statements are true and o knowledge and that he/she is the owner/or principal/or authorized repres property. Respectfully submitted:	lot dept ranges from 42'- e. The single family structure the 5' rear yard setback, eeper than it is wide. The Board of Adjustment, a
(Affiant/Appli who on (his/her) oath certifies that the above statements are true and knowledge and that he/she is the owner/or principal/or authorized repres property. Respectfully submitted: (Affiant/Appli	Baldwin
(Affiant/App	icant's name printed) correct to his/her best
	lise the signature)
Subscribed and sworn to before me this 23 day of February MICHELE STOY (Rev 08-01-tt): Notary Public, State of Texas Comm. Expires 07-20-2024 Notary ID 130747076 1-7	2021 Le Stor

Chairman		MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT Appeal wasGranted OR Denied Remarks							
	Building Official's Report								
	I hereby certify that	BÁLDWIN ASSOCIATES							
	did submit a request	for a variance to the front yard setback regulations							

at 4000 Stonebridge Drive

BDA201-031. Application of BALDWIN ASSOCIATES for a variance to the front yard setback regulations at 4000 STONEBRIDGE DR. This property is more fully described as Lot 6, Block 5/2023, and is zoned PD-193 R-7.5, which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential accessory structure (swimming pool) and provide a 13 foot front yard setback, which will require a 12 foot variance to the front yard setback regulations.

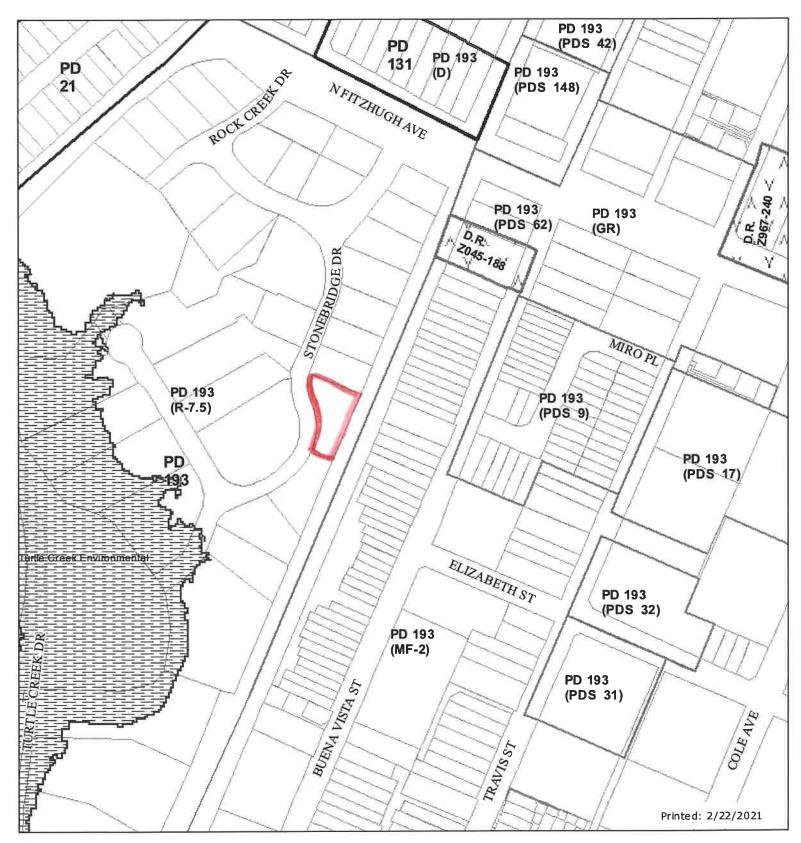
Sincerely,

David Session, Building Offic

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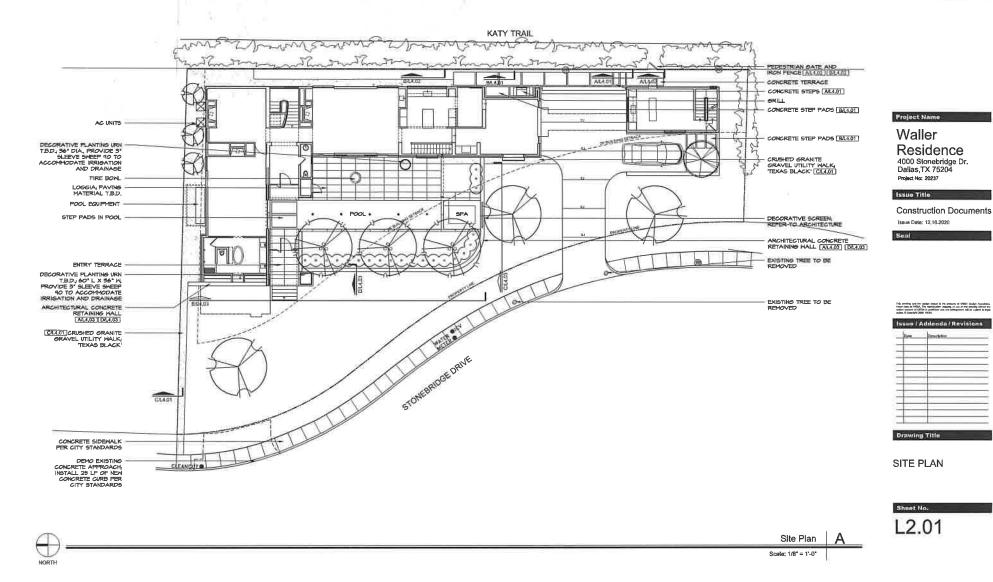




Legend

City Limits	nailroad	Dry Overlay	CD Subdistricts	This data is to be used for graphical
School	Certified Parcels		PD Subdistricts	representation only. The accuracy is not to be taken/used as data produced by a Registered
Roodp lain	Base Zoning	CP CP		Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational
100 Year Flood Zone	Dalas Environmental Corridors	SP SP	NSO Subdistricts	purposes and may not have been prepared for or be suitable for legal, engineering, or surveying
Peak's Branch	SPSD Overlay	Historic Subdistricts	Escarpment Overlay	purposes. It does not represent an on-the-ground survey and represents only the approximate
X Protected by Levee	Deed Restriction s	Historic Overlay	Parking Management Overlay	relative location of property boundaries.' (Texas Government Code § 2051.102)
	SUP	Height Map Overlay	-10 Shop Front Overlay	1:2





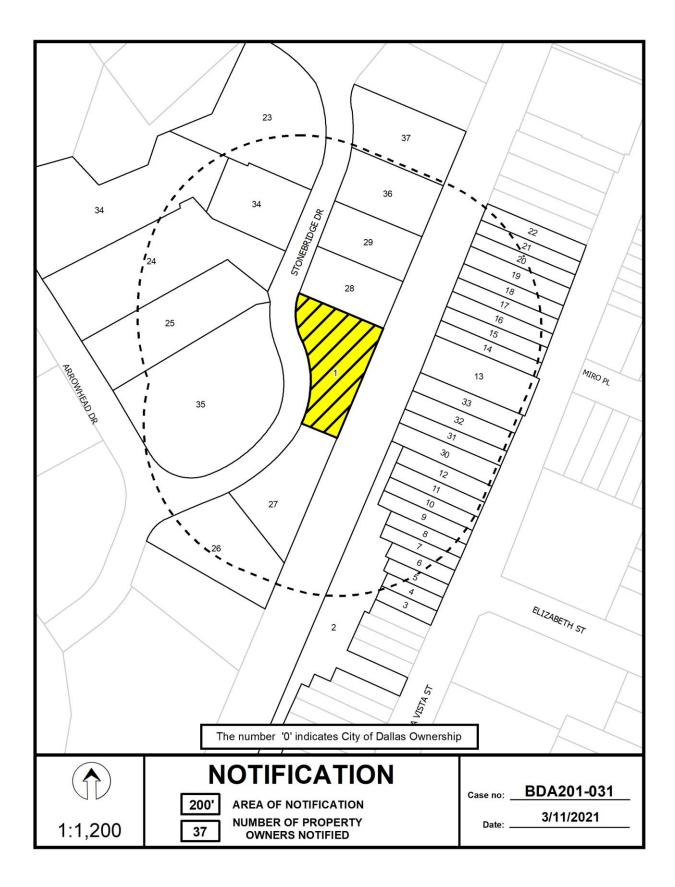
BDA201-031_ATTACHMENT_A

BDA201-0314000 StonebridgeLot Area & Pool Survey per DCAD

Address		DCAD SF	Pool or spa?
3511 Arrowhead		34,925	Pool
3520	Arrowhead	24,641	No
3525	Arrowhead	34,843	No
3526	Arrowhead	26,545	No
3514	Rock Creek	14,127	No
3520	Rock Creek	13,947	Pool
3525	Rock Creek	7,500	Pool
4000	Rock Creek	118,092	Pool
4103	Rock Creek	10,537	Pool
4107	Rock Creek	8,986	No
4115	Rock Creek	10,227	Pool
4119	Rock Creek	8,834	Pool
3900	Stonebridge	40,083	Pool
3909	Stonebridge	25,399	Pool
3910	Stonebridge	13,486	Pool
3916	Stonebridge	15,189	No
3922	Stonebridge	12,401	No
3925	Stonebridge	29,255	No
4000	Stonebridge	13,172	
4007	Stonebridge	17,087	Pool
4014	Stonebridge	8,681	No
4018	Stonebridge	8,986	No
4108	Stonebridge	11,935	No
4111	Stonebridge	8,990	No
4116	Stonebridge	8,990	No
4120	Stonebridge	8,062	No
4015	Stonebridge	9,226	No
3500	Rock Creek	21,544	Pool
4118	Rock Creek	10,384	Pool
3529	Rock Creek	10,846	Pool
3515	Rock Creek	8,800	Spa
			15 pool/spa

Average lot area Area of Request Rate of homes with pools 19,217

31% less than average 52%



Notification List of Property Owners

BDA201-031

37 Property Owners Notified

Label #	Address		Owner
1	4000	STONEBRIDGE DR	WALLER GROUP LLC THE
2	4057	BUENA VISTA ST	PHASE ONE PART II HOA INC
3	4067	BUENA VISTA ST	SEGEL DANIEL
4	4069	BUENA VISTA ST	NEWTON SHERRY E PROPERTIES LLC
5	4071	BUENA VISTA ST	KRISCUNAS STEVEN MICHAEL
6	4073	BUENA VISTA ST	WONG WESLEY
7	4075	BUENA VISTA ST	MCNELLY GORDON JR &
8	4101	BUENA VISTA ST	NASUHOGLU DURIYE
9	4103	BUENA VISTA ST	FLATHERS COLLIN K
10	4105	BUENA VISTA ST	NOTARNICOLA KATHLEEN R & JAMES
11	4107	BUENA VISTA ST	JACKSON JOHN MILLS
12	4109	BUENA VISTA ST	REGESTER JAMES
13	4119	BUENA VISTA ST	AN JADHAVJI INVESTMENST LLC
14	4121	BUENA VISTA ST	BRAY SHELDON
15	4123	BUENA VISTA ST	TRAISTER JENNIFER
16	4125	BUENA VISTA ST	ALLUMS JAMES L & CLAUDIA
17	4127	BUENA VISTA ST	LISCANO MARCELA &
18	4129	BUENA VISTA ST	ESTERLINE BRUCE & DIANA
19	4131	BUENA VISTA ST	US BANK NATIONAL ASSOCIATION
20	4133	BUENA VISTA ST	BROWN RON L &
21	4135	BUENA VISTA ST	RUSCHHAUPT REED
22	4137	BUENA VISTA ST	PYLE MICHAEL SCOTT
23	3500	ROCK CREEK DR	NDMI CREEKVIEW LLC
24	3520	ARROWHEAD DR	RYBURN FRANK S & MARY J
25	4007	STONEBRIDGE DR	CRICHTON THOMAS IV &
26	3916	STONEBRIDGE DR	WYLY ANDREW D

03/11/2021

Label #	Address		Owner
27	3922	STONEBRIDGE DR	GARVIN DIANE COFFMAN
28	4014	STONEBRIDGE DR	ZILBERMANN MARK ANDREW &
29	4018	STONEBRIDGE DR	DOUBLEDAY JOHN E
30	4111	BUENA VISTA ST	JOHNSTON MICHAEL S &
31	4113	BUENA VISTA ST	NAZERIAN MICHAEL
32	4115	BUENA VISTA ST	DESIRE ANDRE & SUKIE
33	4117	BUENA VISTA ST	AFFELDT COLLEEN
34	3526	ARROWHEAD DR	CROW TRAMMELL S
35	3925	STONEBRIDGE DR	Taxpayer at
36	4022	STONEBRIDGE DR	SB 4022 LLC
37	4022	STONEBRIDGE DR	LEATHERWOOD MIKE

FILE NUMBER: BDA201-035(JM)

BUILDING OFFICIAL'S REPORT: Application of Melissa Kingston to appeal the decision of an administrative official at 1013 S. Glasgow Drive. This property is more fully described as Lot 25, Block 7/1614, and is zoned Subarea A within Planned Development District No. 134, which requires compliance with Chapter 51P-134.105 single family dwelling standards. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit.

LOCATION: 1013 S. Glasgow Drive

APPLICANT: Melissa Kingston

REQUEST:

A request is made to appeal the decision of the administrative official, more specifically, the Building Official's authorized representative, the Assistant Building Official in the Building Inspection Division, denial of a building permit for work on property at 1013 S. Glasgow Drive. The site was previously developed with a triplex, but the applicant argues it has nonconforming rights for a fourplex.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

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.

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).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

BACKGROUND INFORMATION:

Zoning:

<u>Site</u> :	Subarea A, PD No. 134
North:	Subarea A, PD No. 134
East:	Subarea A, PD No. 134
South:	Subarea A, PD No. 134
West:	Subarea A, PD No. 134

Land Use:

The subject site is developed with a multifamily structure. The areas to the north, south, east and west are developed with single-family uses. One duplex use is found across Glasgow Drive to the east.

Zoning/BDA History:

There have not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

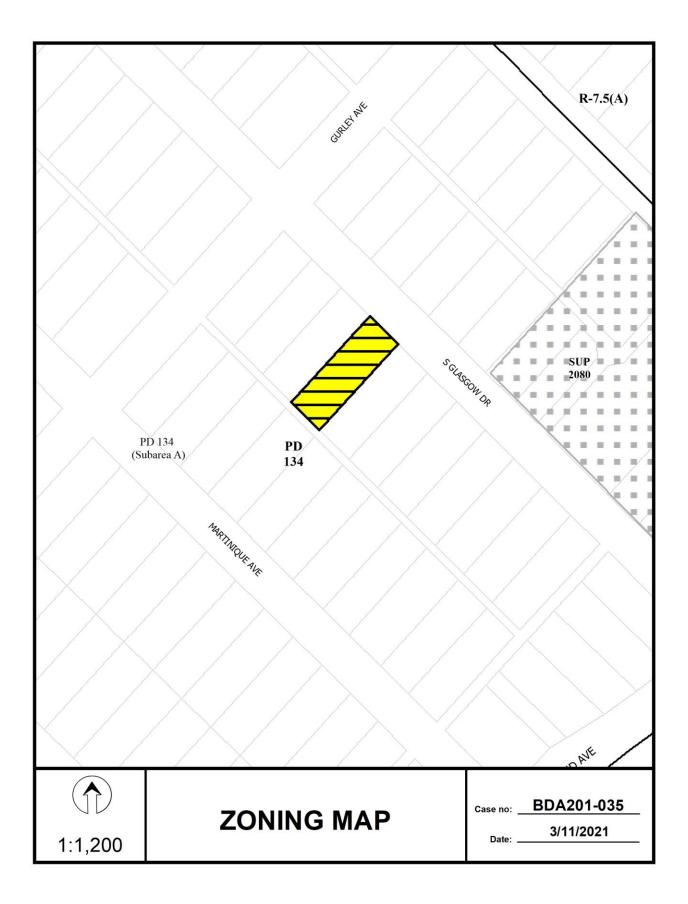
The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

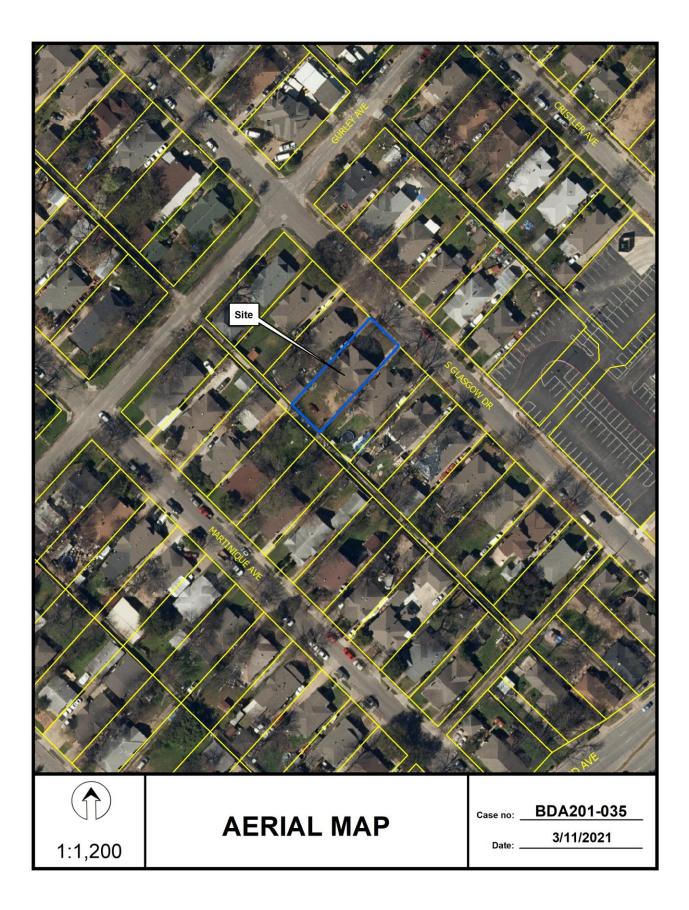
Timeline:

February 22, 2021:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.						
February 11, 2021:	The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.						
March 8, 2021:	The Board of Adjustment Chief Planner/Board Administrator emailed the applicant the following information:						
	 a copy of the application materials including the Building Official's report on the application; 						
	• an attachment that provided the public hearing date and panel that will consider the application; the March 30, 2021 deadline to submit additional evidence for staff to factor into their analysis; and the April 9, 2021 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; 						
	 the appeal of a decision of an administrative official procedure outline; and 						
	 the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence." 						
March 23, 2021:	The administrative official submitted a letter to the board (Attachment A).						

- March 30, 2021: The applicant submitted a letter to the board (Attachment B).
- The Board of Adjustment staff review team meeting was held April 2, 2021: regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

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







Chairman										Remarks	Appeal wasGranted OR Denied	Date of Hearing	MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT
	Building Official's Report												
I hereby certify that Melissa Kingston													
	did submit a re	equest	to appeal the decision of an administrative official										
		at	1013 S. Glasgow Drive										

BDA201-035. Application of Melissa Kingston to appeal the decision of an administrative official at 1013 S GLASGOW DR. This property is more fully described as Lot 25, Block 7/1614, and is zoned PD-134 (Subarea A), which requires compliance with chapter 51P-134.105 single family dwelling standards. The applicant proposes to appeal the decision of an administrative official in the issuance of a building permit.

Sincerely,





February 11, 2021

Philip and Melissa Kingston 5901 Palo Pinto Avenue Dallas, TX 75206

RE: Denial of the request for a four-unit multifamily use at 1013 S. Glasgow Drive associated with Permit No. 2012311057 and Certificate of Occupancy No. 2012311059

Dear Mr. and Mrs. Kingston:

This letter is to inform you that the request for a four-unit multifamily use at 1013 S. Glasgow Drive associated with Permit No. 2012311057 and Certificate of Occupancy No. 2012311059 is hereby denied. The project does not comply with Section 51P-134.105 of the Dallas Development Code.

This decision is final unless appealed to the Board of Adjustment within 15 days after the date of this letter.¹ If you have any questions, please contact me at 214-948-4501.

Sincerely.

Megan Wimer, MCP, CBO Assistant Building Official Building Inspection Division

cc: Kris Sweckard, Director, Sustainable Development and Construction David Cossum, Development Service Administrator David Session, Interim Building Official Tammy Palomino, Executive Assistant City Attorney

¹

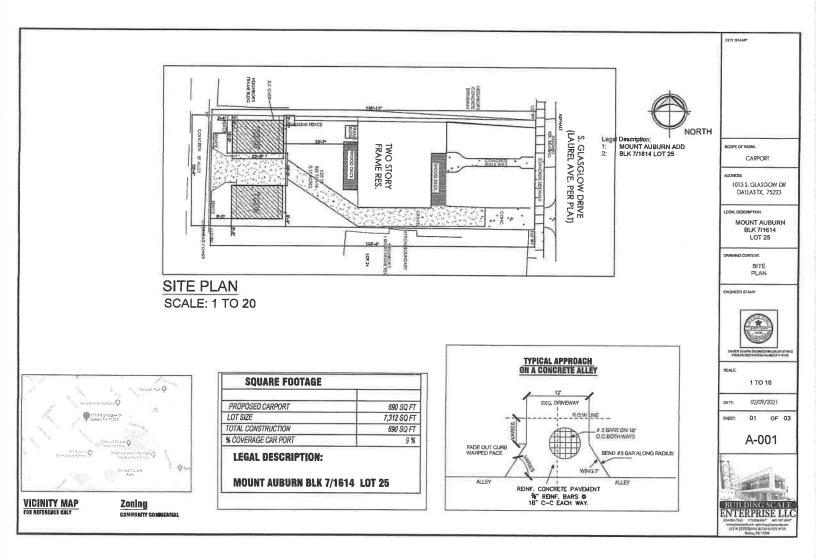
Paragraph (2) of Section 306.15, "Appeals of Actions and Determinations," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; and Section 51A-4.703(a)(2), "Board of Adjustment Hearing Procedures," of Chapter 51A of the Dallas Development Code.

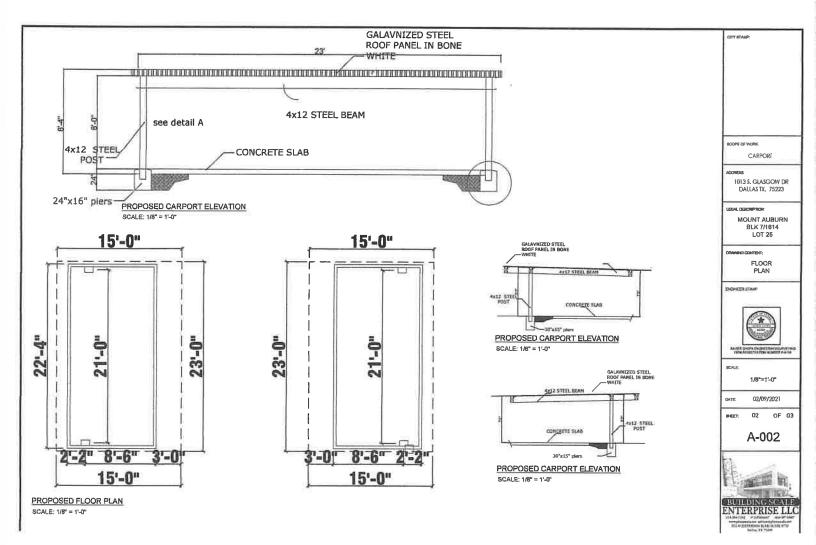


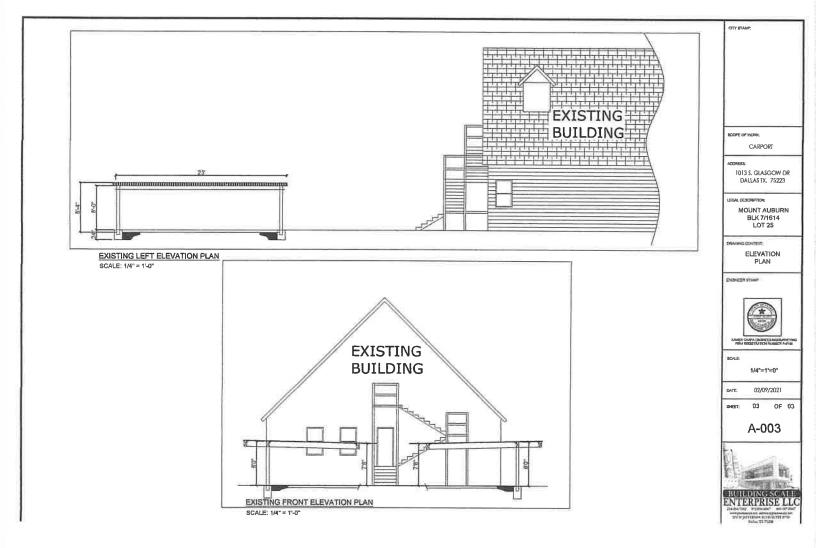
Legend

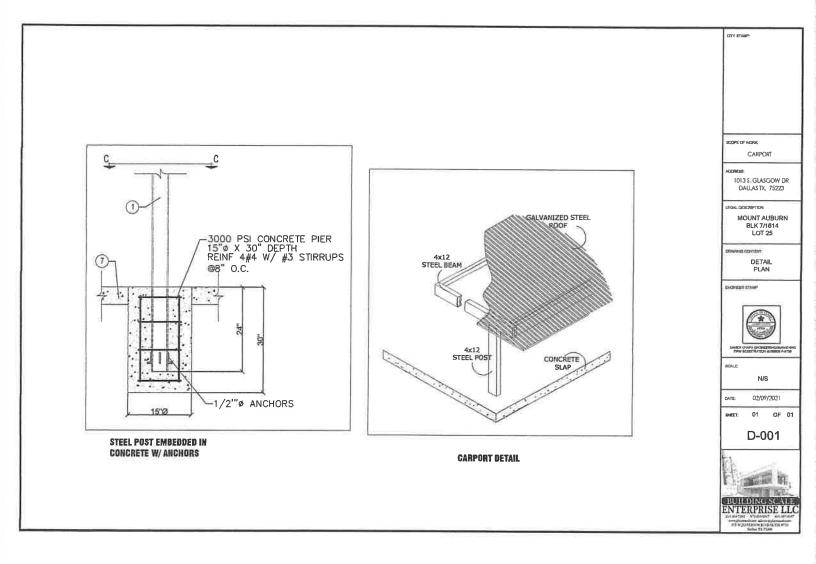
City Limits	∼ railroad	Dry Overlay	CD Subdistricts	This data is to be used for graphical representation only. The accuracy is not to be	1
School	Certřied Parcels		PD Subdistricts	taken/used as data produced by a Registered	
Roodp lain	Base Zon Ing	C CP		Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational	*
100 Year Flood Zone	PD193 Oak Lawn	SP	NSO Subdistricts	purposes and may not have been prepared for or be suitable for legal, engineering, or surveying	
Peak's Branch	Dalas En vironmental Coridors	MD Overlay	Escarpment Overlay	purposes. It does not represent an on-the-ground survey and represents only the approximate	
X Protected by Levee	Deed Restrictions	Historic Subdistricts	Perking Management Overlay	relative location of property boundaries.' (Texas Government Code § 2051.102)	
Parks	SUP	Historic Overlay Height Map Overlay	Shop Front Overlay	Government Code § 2031.102)	1:2,4(

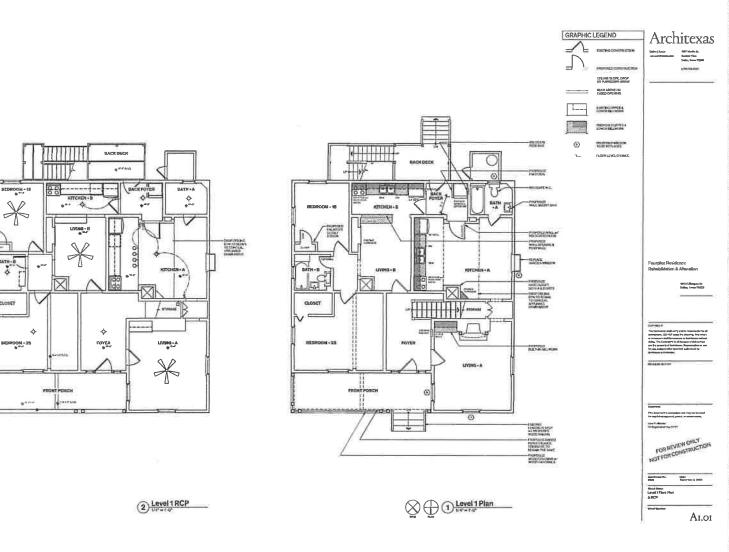






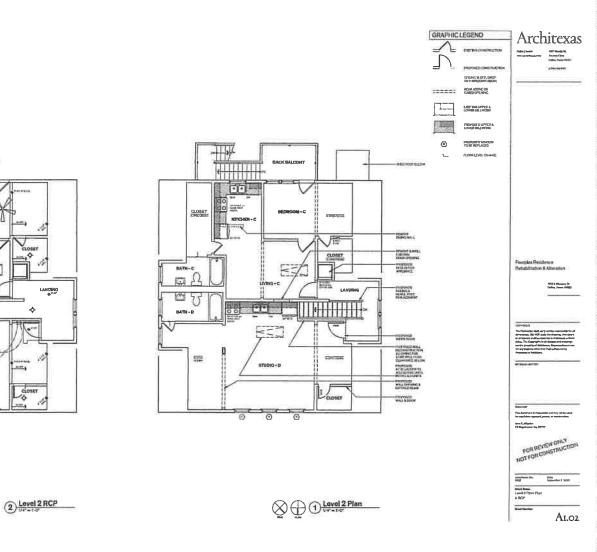






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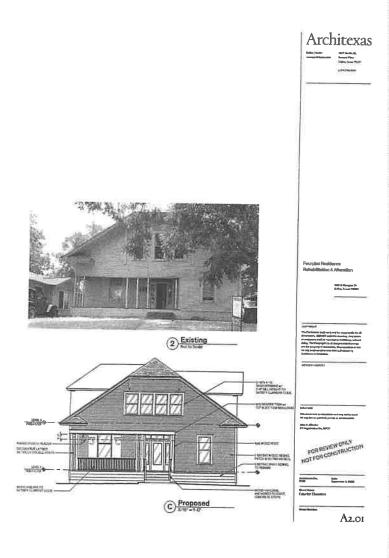
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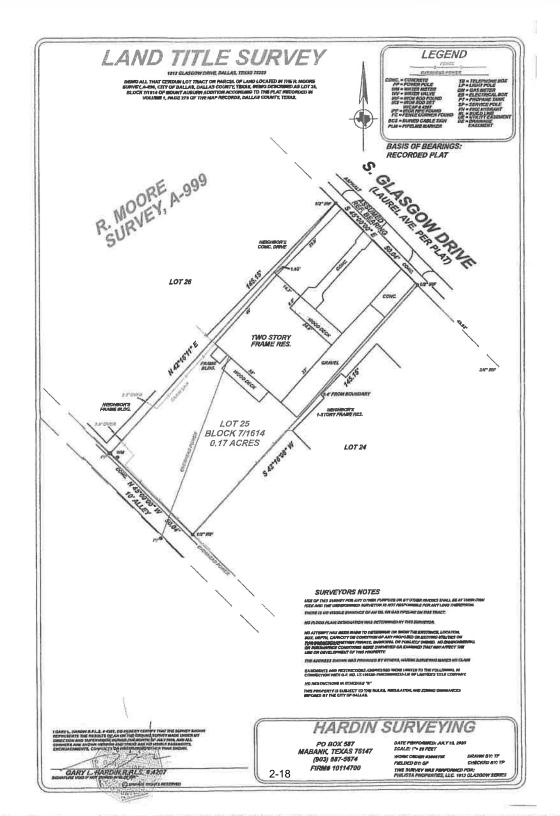
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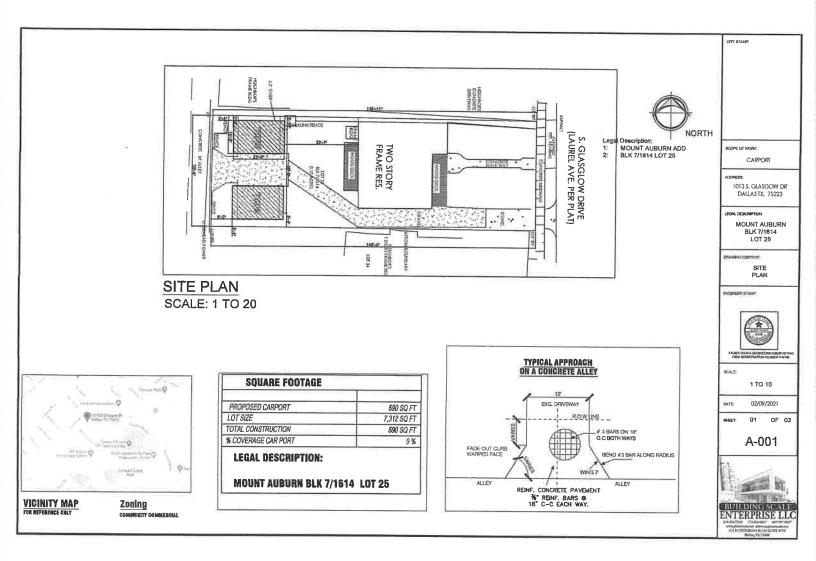
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BDA201-035_ATTACHMENT_A



Home | Find Property | Contact Us

Residential Account #00000165181000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions Estimated Taxes History

Property Location (Current 2021) Address: 1013 S GLASGOW DR

Address: 1013 S GLASGOW E Neighborhood: 1DSI01 Mapsco: 46-D (DALLAS)

DCAD Property Map

2020 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

Owner (Current 2021)

PHILISSA PROPERTIES LLC 5901 PALO PINTO AVE DALLAS, TEXAS 752066831

Multi-Owner (Current 2021)

Owner Name	Ownership %
PHILISSA PROPERTIES LLC	100%

Legal Desc (Current 2021)

- 1: MOUNT AUBURN
- 2: BLK 7/1614 LOT 25
- 3:
- 4: INT202000246381 DD08312020 CO-DC
- **5**: 1614 007 02500 1001614 007
 - Deed Transfer Date: 9/10/2020

Value

2020 Certified Values							
Improvement:		\$59,350					
Land:		+ <u>\$145,000</u>					
Market Value:		=\$204,350					
Revaluation Year:	2020						
Previous Revaluation Year:	2019						

Building Class	13	Construction Type FRAME # Baths (Full/Ha		# Baths (Full/Half)	4/ 0
Year Built	1947	Foundation PIER AND BEAM		# Kitchens	3
Effective Year Built	1947	Roof Type	HIP	# Bedrooms	4
Actual Age	74 years	Roof Material	COMP SHINGLES	# Wet Bars	0
Desirability	POOR	Fence Type	WOOD	# Fireplaces	0
Living Area	2,102 sqft	Ext. Wall Material	FRAME	Sprinkler (Y/N)	Ν
Total Area	2,102 sqft	Basement	NONE	Deck (Y/N)	Ν
% Complete	100%	Heating	GAS HEATERS	Spa (Y/N)	N
# Stories	ONE AND ONE HALF STORIES	Air Condition	WINDOW	Pool (Y/N)	Ν
Depreciation	70%			Sauna (Y/N)	Ν

Main Improvement (Current 2021)

Additional Improvements (Current 2021)

No Additional Improvements.

_											
#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land	
1	MFR - APARTMENTS	PLANNED DEVELOPMENT DISTRICT	50	145	7,250.0000 SQUARE FEET	STANDARD	\$20.00	0%	\$145,000	N	

* All Exemption information reflects 2020 Certified Values. *

Exemptions (2020 Certified Values)

No Exemptions

Estimated Taxes (2020 Certified Values)

	City	School County and School College Hospital		Special District				
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE				
Tax Rate per \$100	\$0.7763	\$1.296735	96735 \$0.24974 \$0.124 \$0.2661		\$0.2661	N/A		
Taxable Value	\$204,350	\$204,350	\$204,350	\$204,350	\$204,350	\$0		
Estimated Taxes	\$1,586.37	\$2,649.88	\$510.34	\$253.39	\$543.78	N/A		
Tax Ceiling					N/A	N/A		
	Total Estimated Taxes: \$5,543.76							

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person <u>Tax Ceiling</u> displayed above, <u>it is NOT reflected</u> in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. **Click Here**

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios, like a tax ceiling, etc.. If you wish to calculate taxes yourself, you may use the Tax Calculator to assist you.

History

History

© 2020 Dallas Central Appraisal District. All Rights Reserved.

CONTRACT OF SALE THE STATE OF TEXAS, $(a_1,a_2)^2=(a_1)^2$ By This Agreement and Contract: COUNTY OF DALLAS 21.22.1.1.2 PONALD BOURGEOUS Seller hereby sells and agrees to convey to WILLIAM GUMPRE Wiccingon Purchaser the following described property lying and being situated in Dallas County, Texas, to-wit: SOUTH GLASCOW - BEING LOT 25 IN BIOCK 7/1614 14 1013 MOUNT HUBURN ADDITION, ON ADDITION TO THE RITY & DALLAS, TETAS \$7,8 MAP RECORDS of DALLAS COUNTY, TEYAS Approv marel The purchase price is \$. has deposited with SOUTHWEST LAND TITLE CO as earnest money and part payment and the balance to be paid as follows: ĽB TO BE PAID IN CASH AT LOSING. 1 1 1 If it is herein provided that note or notes be executed by purchaser herein, said note or notes shall be secured by vendor's lien and Deed of Trust with power of sale and the usual covenants as to taxes, insurance and default. Seller agrees to furnish title policy that the sale as herein provided within 10 days after said Title Of the normed bergin, and Purchaser agrees to complete the sale as herein provided within 10 days after said Title Of the proves title, unless provided otherwise herein. herein provided within 10 days after said Title 00. Approves title, unless provided otherwise herein. If said Title Company makes objections to the title to said property, Seller shall have 15 days time within which to cure such objections, and if Seller is unable to cure the objections, then the above mentioned deposit shall be returned to Purchaser, and this contract shall thereupon terminate, and all parties be released from liability hereunder. If the title is approved and either party hereto fails or refuses to consummate this contract the other may, at his option, enforce specific performance of this contract. In the event Purchaser is the defaulting party, Seller shall have the right to retain said cash deposit as liquidated damages for the breach of this contract. Seller agrees, when the title has been approved by Title Co., to deliver a good and sufficient General Warranty Deed conveying said property to Purchaser, and Purchaser agrees, when said deed is tendered, to pay balance of the cash payment and execute such note or notes and Deed of Trust as may be herein provided for. Purchaser agrees, for purposes of this contract, that any restrictions or conditions imposed in any additions or subdivision of which the herein described property is a part, or easements for utility purposes, shall not be recited as objections to the title or considered as an encumbrance on said property. In the event the improvements on the above described property. KUm "In accordance with the requirements of Section 28 of the Texas Real Estate License Act, you are advised as Purchaser that you should be furnished with or obtain a policy of Title insurance or have the abstract covering the Real Estate which is the subject of this contract examined by an attorney of your own selection." Taxes for the current year, and current rents, insurance, and interest (if any) are to be prorated to date of closing. A SELLER AGREES TO PURCHASER TO HAVE PREMISES INSPECTED BY A CONTRACTOR OF PURCHASER'S CHOICE And THIS CONTRACT IS CONTINGENT ON CONTRACTOR'S Approval of PREMISES -D. 15 2= LIERS LISTED ABOVE MUST BE ASSUMABLE AT CLARENT INTEREST B. POSSESSION UPON CLOSING CLOSING BY 12-1-70 day of NOKEN Executed in triplicate this, billion. William. more Purchaser 69573 Purchaser 9 Socister m Agent 7819

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GF NO. 20 110 P CHASER'S STATEN CLOSER SOUTHWEST LAND TITLE CO. SETTLEMENT DATA ON PROPERTY KNOWN AS 113 1. Jacor PURCHASER the 2/1 TEA CREDITS CHARGES PURCHASE PRICE: 269 G PLUS_Proration of Hazard Insurance Sal Loan Reserves Transferred to Purchasers Account 13.2 n1 11 Attorney Fee Drawing Papers Paid To 10 Filing Fees Paid to County Clerk . Deed ... DT 10 1. 唐代 雄 Title Policy Paid to Southwest Land Title Co. . 朝守礼 Escrow Fee Paid to Southwest Land Title Co. ... 12 1.5 1 AN Restrictions Paid to Southwest Land Title Co Other State & County tof & procition : 12 31-72 1.14 朝 Other this he Other A .6 4 T.Start. Other 1 Survey 14.9 Loan Company Service Fee Connabial Fee 16.7 Loan Origination Fee Titty ATTAL 2 1 Year's Hazard Insurance Premium 141 ____Mo. Hazard Insurance ÷ ۹.,1 __Mo, F.H.A. Insurance . . 1 ·注入 ł .1 1.1 it Mo. Tax Deposit Interest to End of Month 1 2 TOTAL CHARGES . 10 3 14.1 LESS_ Consideration Paid Heretofor f. in September 0-0 120 Ist Lien Note to the forthe 14. water handlyn. 150 .5 ÷91, 2nd Lien Note to : Jean and Ille Atin Salarian Proration of Taxes . a. of . 11ź 47 10 20 37 .75 Proration of Interest from 21-1 ... 33 5? 2YD Deport Provation of Rents tom Ast. 25 Sick to der and 57 6 1.14 T. 4 Other 3 4) Other 8 5 15 TOTAL CREDITS a, ₽ 12.1 1.5 BALANCE PAID BY PURCHASER . above are based on figures obtained from other sources and Southwest Land Title The data she acy thernol. Tax prorations last tax due date or estimates of the current year's taxes, and in any change for the curtent year all necessory ween the undersigned and the Seller. The undersigned hereby acknowledges re 12 3.1-151. lon - 10 PURCHASER Zenincus . Alson e. 15 11-They are Vir Tanife List winter - AFTER CLOSING

P. O. Box 18503 364A Casa Linda Plaza Dallas, Texas 75218 December 8, 1970

Mr. William Gilmore Williams 2935 Lovers Lane Dallas, Texas

Dear Mr. Williams:

I recently received notice from Southwest Land Title that you have purchased the equity in the 3 unit apartment building owned by Ronald Bourgeois at 1013 S. Glasgow. I hold a 2nd lien on this property with a monthly payment of \$49.48 due and payable on the 1st of each month.

Please send this check to my office, P. O. Box 18503, Dallas, or my home address, 2812 Live Oak Drive, Mesquite, Texas. Thank you.

Sincerely,

Oller. James M. Pollan

JMP/w1

12-12 \$49,48

E	D # CO-ORD	icial Form® 1962 MULTIP TING AGREE FEATURES 12 13 14 15 16 17 18 19 20	MENT PRICE BRK #
MLS #	SIZE Triplex ADDRESS	1013 So. 018880W	PRICE 17.500.00
	ADDRESS	Lot 50 X 145	Ext. PRICE_LISTATION
Din. Rm	BR #2	Story	
Brk. INTER	BR #3 APProx size for	Garage	Int. The concernance of the conc
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Den	BR #5	_ Coolg. Water socled	Fence ac
Baths One exch un	Lorg, Kood row Vilson	_ Agelder	Trans
Special Features & Remar	. 2 lover apts and one un	ner ant. All 3 ment ?	or \$90.00 month or \$25.00
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LEGAL DESCRIPTION	FINANCING		P&I
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Bik. No	2nd Lien145 (12/1)@	%Yrs.; Dated	1/19/69 \$ 49.45 /Mo. 29
Addtn	Refinancing@	2nd. Jas.Pollard	session
	101.00	1.240	session feet
Occupant	All TaxesR	rentalPosPosTeleph	10
MLS # To: Multiple Listing Service of the service	ZEADDRESSADDRESS	Addition	
I understand that you ar service. This agreement shall You shall endeavor with property as you may deem a the Multiple Listing Service. I agree to refer to you a property, and to cooperate w You shall have the exclu reasonable time for the purp any kind whatsoever sustaine otherwise, unless caused by The term of this agreem If said property is sold this contract and of whose n days after the termination this contract and of whose n days after the termination of the and while the property is u divide any commission payat notwithstanding any such agr An exchange of said real	Il inquiries which I may receive relating to suc ith you fully in your efforts to sell the propert isive right to place "For Sale" and Multiple Lis ose of showing the same to prospects. You shi d by said property during the period of this ag- your failure to exercise reasonable precaution ment shall commence on prior to the termination of this agreement, wh in of this agreement to anyone with whom you ame you have notified me by written notice d f this agreement, in either such event, I agree selling price, except that no commission shall der an exclusive listing with another membe ble hereunder with other licensed cooperating I estate shall be deemed a sale thereof for the nomissions from both parties. ed by more than one person, it shall constitute	Sell said property at a price of \$ the Dallas Board of Realtors, and you a of execution. aid real estate on the terms set fort g of the property with cooperating b the property, to conduct through you a y. ting Service signs on or about the pr all not be responsible or liable in any greement, whether caused by prospe and shall continue for ether by you, by me, or by any other or any member of Multiple Listing elivered to me personally or mailed to to pay to you in Dallas, Texas, a c be payable to you if the property is r of the Multiple Listing Service of brokers or members of the Multiple fully protected in paying all commis purposes of this agreement. In the	h. You may take such actions to sell the prokers, as well as the other members of all negotiations relating to the sale of the emises and may enter the premises at any y way for vandalism, theft, or damage of tots admitted to the property by you, or days thereafter. person, or if the property is sold within Service negotiated during the period of me at the address stated below within 10 commission in cash equal to sold after this agreement has terminated the Dallas Board of Realtors. You may Listing Service, but, it is agreed that, isions payable hereunder solely to you. avent of an exchange, you are authorized
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DAILAS BOARD OF REALTORS Official Form® 1972 MULTIPLE LISTING SERVICE **EXCLUSIVE LISTING AGREEMENT**

MULTIPLE FAMILY DWELLING

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applicable): Air	conditioning a	nd heating equipment	, venetian bl	inds, window shad	es, light fixtures, i	mail boxes, rad	tio and tele	evision aerials and:
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hereby irrevoo	cably appoint y	ou my exclusive agen	t, with sole	authority to sell sa	aid property at a p	rice of \$		or on such terms as I m
1 understar	nd that you are	a member of the Mul	tiple Listing	Service of the Dall	las Board of Realto	rs, and you ha	ive agreed	to file this listing with s
Vau chall (and anyor with	be considered a Multip all reasonable efforts t	a find a pure	haser for said rea	estate on the ter	ms set forth.	ou may ta	ke such actions to sell
roperty as you	a may deem ad	visable in your discre	tion, includir	ig the listing of th	le property with co	operating brok	ers, as we	i as the other members
Lagree to	refer to you all	inquiries which I may	y receive rela	ating to such prop	erty, to conduct th	rough you all i	negotiations	relating to the sale of
property, and t	o cooperate wit	th you fully in your ef	forts to sell	the property.	rvice signs on or a	about the prem	ises and m	av enter the premises at
accouching time	a far the numpe	co of chowing the con	an to proche	ete You chall not	he reconside or	lable in any w	av for van	lalism, theft, or damage to the property by you,
otherwise, unle	ss caused by y	our failure to exercise	e reasonable	precautions.	in, internet caused	a prospecta	. Jinited	to the property of your
The term (of this agreeme	our failure to exercise	Pebrua	ry 26,1972	and shall	continue for	-99	- 60 days thereaft
If said pro	perty is sold p	rior to the termination	n of this agr	eement, whether b	y you, by me, or b	y any other pe	erson, or if	the property is sold with

If said property is sold prior to the termination of this agreement, whether by you, by me, or by any other person, or if the property is sold within 180 days after the termination of this agreement to anydne with whom you or any member of Multiple Listing Service negotiated during the period of days after the termination of this agreement to anydne with motice delivered for me personally or mailed to me at the address stated below within 10 days after the termination of this agreement, in either such event, I agree to pay to you in Dallas, Texas, a commission in cash equal to the selling price, except that no commission shall be payable to you if the property is sold after this agreement has terminated and while the property is under an exclusive listing with another member of the Multiple Listing Service of the Dallas Board of Realtors. You may divide any commission payable hereunder with other licensed cooperating brokers or members of the Multiple Listing Service, but, it is agreed that, notwithstanding any such agreement to division of commissions, I shall be fully protected in paying all commissions payable hereunder solely to you. An exchange of said real estate shall be deemed a sale thereof for the purposes of this agreement. In the event of an exchange, you are authorized to represent and receive commissions from both parties.

Pohruary 26,1973 DATED ACCEPTED: AUDITOR STATE DAY Realtor, Member of the Dallas Board of Realtors 2935 Lovers Lane 369-1315 Telephone By A2d27ss (This form must be filled out in Triplicate.)

DALE COPUS, REALTOR

Address 1013 3. Glasgow	Price 18, 500,00
StaeITIDLEX	An Alden a
Comments - 1940 7 2 2 2 4 4 4 12 15	Bhome 369-1315
Condition dod	MLS Section A
Living Room S	Heating
Kitchen Ě	Venturiest
Breakfast Room	Planoing
Den	Fisies <u>Carpets</u>
Bedrooms	Red COMD.
Baths 1 each 3	Institution ?
Porches 2-front	Infelation
Garage Zafrant none	Walls Ent, Frame
Dish Washer no	Blinds
Dispinal Do	Foundation
Venta Hood DO	RangeW
Schoels Mr. Auburn, Long, W.	Wash. Con.
Transportation Legal Desc1 25, 3LK. 7/161	Shopping Last Grand
Los 50 x 145	ALL. AUDURN Addition
Lot 50 x 145 Tames \$179.95	Facile _NFence_no
Tames \$179.95	······································
* Present Loan 4247.00 With Stropolitan S. F. I	# \$ 1056 NUX/AH
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George Reeves Company

Real Estate & Investments COMMERCIAL - RESIDENTIAL - FARMS

2601 N. CARROLL

DALLAS, TEXAS

*214,26 75 Ded 11-11-75 821-3280

November 6, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

TENANT	LOCATION	PA ID FROM	PA ID TO	RENT	Comm. Net
Vacant	1013 S. Glasgow-#1	1		None	
Vacant	1013 S. Glasgow#2			None	1.6
Glen Seagraves	1013 S. Glasgow #3	Sept 28	Oct 28	\$80.00	\$8.00 \$72.0

Less:	10/28/75 Plumber put clamp on pipe under house. 1 hr. labor			8.5
	10/29/75 Plumber installed hot water heater. 3 hrs. labor		-	25. 5
	10/30/75 Plumber repair plumbing, gas leak, vent hot water heater. 8 hrs. labor			68. C
	10/31/75 Repaired bathroom faucet upstairs. Could not get in day before. $1\frac{1}{2}$ hrs. labor			12.7
	Bill attached (\$153.57) and \$18.94 materials off truck.	4		171. 5

Total due George Reeves: _\$214.2

Please send a check to cover the above amount.

Thank you. George Reeves

2-29

George Reeves Company

F

Real Estate & Investments COMMERCIAL - RESIDENTIAL - FARMS

2601 N. CARROLL

DALLAS, TEXAS

821-3280

December 11, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

PAID PAID TENANT LOCATION FROM TO RENT 1013 S. Glasgow_#1 Larry Camacho Dec 2 Jan 2 \$105.00 10.50 \$94.50 Deposit 15.00 15.00 James Carroll 1013 S. Glasgow_#2 Nov 6 Dec 11 \$125.00 12.50 \$112.5 15.00 15.0 Glen Seagraves 1013 S. Glasgow-#3 Oct 28 Dec 2 \$125.00 12.50 \$112.5

\$349.5

Less: Locks repaired, duplicate keys, etc. 11/4/75 for 1013 S. Glasgow (Invoice attached) - 14.5

Total: \$334.9

Fhank you, George Reeves

OFFICES OFFICES SIG COMMERCES STREET SIG W. JEFFERSON BLVD. TELEPBONE RI-7-4011 TELEPBONE RI-7-4011 TAPULGABLE.	CHARGES FOR SERVICE ARE ADJUSTED FOR Taxes and fuel if Applicable Explanation of rate will be Furnished on Reduest. When Paying at office Please Bring Entire Bill		0FFICES 1506 COMMERCE STRET 318 W. JEFFRSON 81V0. TELEPHONE R1-7-4011 * STATE AND GITY SALES TAX IS INCENDED IN MET AMOUNT OF THE BILL IF APPLICABLE	CHARGES FOR SERVICE ARE ADUSTED FOR Taxes and fuel if Applicable Explanation of rate will be Furnished on request.
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WHEN PAYING AT OFFICE PLEASE BRING ENTIRE BILL

0 -1	LY WHEN ACCOMPANIED BY Division of Building Inspect	NON MILL
Zoning	PUBLIC WORKS DEPARTMEN	W1 1 14 11111
Fire Limits 3 Occ. 4-1 TC Z-N	CITY OF DALLAS, TEXAS	Lot No. 25 10
1	PERMIT	301145
SMU	For the Erection, Remodeling, Repairing, molition of Buildings or Parts thereof	De-
Util. Held? Yes No	provided in the Dallas Building Ordinar	Plns Sk Sq. Ft.
Location GIJ Co.	allagen in	InspectorS
Use fander	L Gange	Permit No. 2045
Permit for	V3 Att	Darage
- Aung	and alutached	baragel_
	na kana kala mangan dan kana a sang terang kalandan pananan kana kana kana kana kana kana	Q
Range	11 Bauno	FR. C. G M
Owner of Land	le Baurgesia :	70 ft. Unnus
Owner of Improvements	V	6
Contractor Same	<u> </u>	
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Remarks		
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		— TubShr
		WHBir
Sidewalk Required? Yes 📋 N	o 🗍 Septic Tank Use? Yes 🗍 No	Gr. TUrn
	iredLoading Spaces Requ	
		- Sinks. Uti
	\	Bar
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	A	Plbg \$
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		Spkr. Sys. 8
1	e	Elevator \$
		Total Val. \$ 40.0
		New Total Value \$
L		Add Value
		Final Value \$
	asis of information furnished in the applications, provisions of the Building Cade Zar	a one sharp
Ing 15 Budlect to property restrict	alling and in and the southing cour, Lor	how
Ind is subject to property restrict	subject to encould a completed with, when	
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Ind is subject to property restrict Drdinances and all other governing of r not herein specified. This permit is he Building Code. This permit covers a specifically mentioned and does not treet gutters and paving for which a	subject to cancellation upon notice as provide s only work an private property and other w include the installation of signs, gasoline tan scourate permit is required Perroission is bar	ork Frm Insp
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APPLICATION FOR B	UILDING PERMIT AND CERTIFICAT	E OF OCCUPANCY,
Zoning 2 F- 2	1	Block No. 7/16/4
Fire Limits	Carl Carl and	Lot_ 2.5' (10'RA
OC_J= 1 TC_Z=N	Building Inspection Division	50×145
Checked and Approved by	Public Works Department	Plans Sub.
11.1	CITY OF DALLAS, TEXAS	Inspector 25
Date 1- 30-20		Fermit No. 90459
San. Map Page	(Above to be filled in by Permit Clock)	Appl. No.
2749-1224) - 1990 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 -	(Below to he filled in by Applicant)	
995 also 10 11 11 1	SUBMIT PLANS IN DUPLICATE	
To the Building Inspector: Application is hereby made for	1.94	
	building permit to cover the following de	scribed work:
willding of a	durcher garage	A
10/3 5 24-00	Southing faladens	waa a a a aa aa aa aa a
an er	Carry and the second	fam. programmer and
Ter Unde	20 × 20 france det	ached garaget
clear lot of	fall debrie	100 x
U	(Use revorse side if necessary)	
	cover only the work requested by writi	en application.
Property located at (Street and Nu	(mber) / Q / S	afgour Dr.
Lot size		No.
Owner of Land: Name Lange (12 and glow Address 5 90	2 C. Uning # 20]
Owner of Building (if not same as o	wner of Lot)	87
Contractor: Name / Concela	Boungers Address	San .
Plans by	Address	
	allas Independent System	
Gas Butane Pri	vate Well Other	City Sewer
Have lot lines been determined by su	prveyor? NOME Is Septic Tank	to be used? Ar 🔿
	Occupancy, or approval of continued use	e, of the shove promises upon
	it is made WHICH PREMISES WILL	
X MARKEN, A REPORT AND A CONTRACT	3 unit apt	
(Give all uses to	which building is to be put, using reverse sitte if neces	
Cost of Plumbing & Fixtures		· · · · · · · · \$ · · · · · · · · · · · · · · · · · · ·
Cost of Wiring & Fixtures		em \$
Cost of Heating Equipment		ing\$
COST OF ALL WORK TO BE DON	E UNDER THIS PERMIT: Total Valu	e <u>\$ <i>ID</i></u>
and correct and hereby greated that it a permit is a berwin specified or not. I further agree to comply we Permission is hereby granted to enter premises and	Its are required (such as elevators, signs, gesoline tan hpined. I have carefully examined and read the complex sued, all the provisions of the City Ordinances and Si with all property restrictions. I am the owner of the ab- make all inspections.	inte Laws will be complied with, whether
Address STOP I Turner	Food Signed C. M. M.	1 Magler
Phone No. 369-57 3 Date 11	2003 Signed 11 21 30/76 By	

	$\langle \rangle$
TO: CITY OF DALLAS ACTION CENTER OFFICE OF THE CITY MANAGER, DALLAS CITY HALL,	DT AC- Nº 93913 S.D.
	12-I-E-118 10-3-79
PLEASE PROVIDE THE FOLLOWING SERVICE OR INFORMATION:	
Please inspect for plumbing irregularties at below location	A to the second s
odor coming from the house, possibly due to plusing not b	eing property connected. Citizen
states the house is leased by Bill Williams to the East Gr	and Bapt. Church for Vietnamese
refugees. Please respond.	E STATIONAL
· · · · · · · · · · · · · · · · · · ·	SEP 3 3 1979
AN DER RECEIPTER ALTER	unean neusing 1979 2 [1]
	RESPONSE CENTER
LOCATION WHERE SERVICE NEEDED: 1013 Glasgow	MAPSCOL SATA
REQUEST HAS HAS NOT_X_BEEN MADE BEFORE.	
STAFF MEMBER OR DEPARTMENT MAKING REFERRAL:	
ADUTED BY Building Inspection NE Dist 25 Plum	b'. ng Date 9-12-79
ASTON CENTER TO: DICLIMING_INSPECCION	
REPLY TO ACTION CENTER BEFORE: 10-3-79	ATTEN
OTHER COPIES ROUTED TO:	
REPLY FROM INSTRUCTIONS: PLEASE REPORT ONLY FINAL ACT DEPARTMENT: TOP TWO COPIES OF THIS FORM TO FORWARDED TO THE CITIZEN BY	ACTION CENTER. ONE COPY WILL BE
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	Sul Real Contraction
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	SI FOR THE STATES
	SI PILITICE OCT 0 8 1979 E UPAAN MUCCHICS 1979 E RESPONSE CENTROL
	OCTO 8 1979
	OCTO 8 1979
DATE:SIGNED:	DEPARTMENT HEAD/SUPERVISOR
DATE:SIGNED: WAS ORIGINATING CITIZEN: CONTACTED?YESNO; SATISFIED?	
	YESNO.
WAS ORIGINATING CITIZEN: CONTACTED?YESNO; SATISFIED?YESNO; SATISFIED?NO; SATISFIED?_NO; SATISFIED?NO; SATISFIED?NO; SATISFIED?NO; SATISFIED?_NO; S	YESNO. DRIGINATING DEPT.) DEPT. SHOULD CALL THIS
WAS ORIGINATING CITIZEN: CONTACTED?YESNO; SATISFIED?YESNO; SATISFIED?NO; SATISFIED?_	YESNO.

: CITY OF DALLAS AC	LIUN CENTER			93913	S.D.
DT	E OF THE CITY MANAGER, DALL	AS CITY HALL, P	HONE 670-4014 2-I-E-118	10-3-	70
PLEASE PROVIDE THE FOLLOW	NG SERVICE OR INFORMATION:		the officer and the second	10-3-	./9
Please inspect for plum	bing irregularties at be	low location.	Citizen re	ports a horr	ihla
odor coming from the ho	ouse, possibly due to plu	m bing not bei	ng property.	dominected	Citizo
states the house is lea	sed by Bill Williams to	the Fast Gran	d Banty Chun	to for Histor	
refugees. Please respo	nd.		A RIT	MA	amese
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			URBAN REMAD	1979 E	en e
A Car I man Avenue -			URBAN REMASI	UTATION L'IT	
LOCATION WHERE SERVICE NEE	DED: 1013 Glasgow		(c)	NIER SATA	
PROPERTY OWNER				SUDI AIN	
REQUEST HAS HAS NOT X STAFF MEMBER OR DEPARTMEN					
UTED BY			And the second		
TION CENTER TO:Building I	Aspection NE Dist J	15 Plumb.	h99-12-	79	
REPLY TO ACTION CENTER BEFO		70 [°]			
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Statement regarding multifamily use at 1013 S. Glasgow, Dallas, TX

HGTA LTD PS is the current owner of 1013 S. Glasgow, Dallas, TX (the "Property"). The Property was acquired from William Williams in 2000. Mr. Williams acquired the Property in 1970. Mr. Williams is Russell Williams' father, and Russell Williams owns HGTA LTD PS. Therefore, the Property has been owned by the Williams family or their businesses since 1970.

When William Williams acquired the Property in 1970 it was already being used as multifamily, rental housing. Since that acquisition, the Property has always been used as multifamily housing with either three or four units until it was put on the market for sale.

HGTA LTD PS

DocuSigned by:

By Russell Williams (date) HGTA LTD PS

aa 176 A second sec second sec CONTRACT OF SALE THE STATE OF TEXAS, By This Agreement and Contract: COUNTY OF DALLAS TANKING S PONALD BOURGEOUS Seller hereby sells and agrees to convey to WILLIAM GILMORE Williams 14 10 1 Purchaser the following described property lying and being situated in Dallas County, Texas, to-wit: 1013 SOUTH GLASCOW - BEING LOT 25 IN BIOCK 7/1614 IN MOUNT HUBURN ADDITION, ON ADDITION TO THE RITY & DALLAS, TEXAS #57.8 MAP RECORDS of DALLAS COUNTY, TEYAS Anop any mangel Sou THWEST LAND TITLE ď The purchase price is \$. has deposited with SOUTHWEST LAND TITLE CO 3.4 as earnest money and part payment and the balance to be paid as follows: TO BE PAID IN CASH AT LOSING. If it is herein provided that note or notes be executed by purchaser herein, said note or notes shall be secured by vendor's lien and Deed of Trust with power of and and the usual rowenants as to taxes, insurance and default. Seller agrees to furnish title policy that the provide the said property, which shall be conveyed free and clear of any and all encombrances except them named herein, and Purchaser agrees to complete the sale as herein provided within 10 days after said Title On the provided otherwise herein. herein provided within 10 days after said Title Od Opproves title, unless provided otherwise herein. If said Title Company makes objections to the title to said property. Seller shall have 15 days time within which to cure such objections, and if Seller is unable to cure the objections, then the above mentioned deposit shall be returned to Purchaser, and this contract shall thereupon terminate, and all parties be released from liability hereunder. If the title is approved and either party hereto fails or refuses to consumate this contract the other may, at his option, enforce specific performance of this contract. In the event Purchaser is the defaulting party. Seller shall have the right to retain said cash deposit as liquidated damages for the breach of this contract. Seller agrees, when the title has been approved by Title Co., to deliver a good and sufficient General Warranty Deed conveying said property to Purchaser, and Purchaser agrees, when said deed is tendered, to pay balance of the cash payment and execute such note or notes and Deed of Trust as may be herein provided for. Purchaser agrees, for purposes of this contract, that any restrictions irrowed in any additions or subdivision of which the herein described property is a part, or easements for utility purposes, shall not be recited as objections to the title or considered as an encumbrance on said property. In the event the improvements on the above described property are destroyed, or damage beyond repair, by fire, windstorm, hail, explosion, or otherwise, before this contract is consumated, purchaser may, at his option, term-inat this contract and the deposit for earnest money shall be returned to purchaser. Seller agrees to pay the undernieted agrees and be of the sale arise for negotiating the sale here-inste this contract and the deposit for earnest money shall be returned. Seller agrees to pay the undersigned agent a commission of 6% of the sale arrive for nerotiating the sale here. AU roun the deposit for one "In accordance with the requirements of Section 28 of the Texas Real Estate License Act, you are advised as Purchaser that you should be furnished with or obtain a pollcy of Title insurance or have the abstract covering the Real Estate which is the subject of this contract examined by an attorney of your own selection." Taxes for the current year, and current rents, insurance, and interest (if any) are to be prorated to date of closing. ASELLER AGARAS PULCHASER TO HAVE PREMISES TO INSPECTED . BY A PURCHASER'S CHOICE CONTRACTOR or Ano Titis Contract is CONTINGENT ON CONTRACTOR'S Approval & PREMISES -D. 15 + 2= LIER LISTED ABOUE MUST BE Assumance AT CURRENT INTEREST B. POSSESSION UPON CLOSING C. CLOSING BY 12-1-70 Executed in tripljcate this_ day of NOKEMBER Villion Salmore Purchaser Purchaser Seller m Aronester Agent 227 819

2-37

GF NO. 201 司 P' CHASER'S STATEN CLOSER SOUTHWEST LAND TITLE CO. SETTLEMPIT DATA ON PROPERTY KNOWI AS 3. lead PURCHASER of ino Villes CREDITS CHARCE PURCHASE PRICE: 65 ŝ 91 R PLUS_Prototion of Hozard Insurance 15 Loan Reserves Transferred to Purchasers Account 21 Altorney Fee Drawing Papers Paid To 11 Filing Fees Paid to County Clerk ... Deed DT 12. 14 0 1.11.19 Title Policy Paid to Southwest Lond Title Co. 12 1. Not Escrow Fee Paid to Southwest Land Title Co. 12 201 國 Restrictions Paid to Southwest Land Title Co. Other State & Con the tof fur ation is Εđ 13.39 纳的 Other Other sectors 14 in the Sec. alla. Other * * * * * 245 Survey · bat Loan Company Service Fea Servers d. Cher. 16.7 Loon Origination Fee 1 1924.9 4 1.11 185 4.4. the second I Year's Hazard Insurance Premium 1671 144 Mo. Hozord Insurance ÷ $(2)^{1/2}$ ___Mo. F.H.A. Insurance $\psi(z)$ 1. 20 2.2 Mo. Tax Deposit 1.4 10 5 Interest to End of Month . ${\cal F}_{ij}$. TOTAL CHARGES 34 -83. da ⊳ 10 24 3 LESS_ Consideration Paid Heretalore 141 100 00 Ist Lien Note to the best in deal of 240 14. 150 Provide Note to Access of Marine Brin & Schwart and Marine Projection of Toxes and of 11-19. 444 423 7 20 75 ist 53 37 Provotion of Interest from 21-1. 20. ZYD 113 57 23 00 Provation of Rents Som Apt. 25 For dorigand had 6 1.16 E al 4-11 Other (haan) 気 Other 10 45.5 ٠ 17.11 9 14 1 Ę. .-TOTAL CREDITS . 3 臣 2.5 BALANCE PAID BY PURCHASER • 44 above are based on ligures abteined from other sources and Southwest Land Title Co., co The data she above are besed on ligures obtained tem other sources and Southwest Land Little La, cannot use showing on last tax due date or estimates of the current year's taxes, and in the event of be made between the undersigned and the Seller. The undersigned hereby acknowledges and PISAC guarantes the ory thereol. The prototions iments will be made betchange lar the CUTTINNI -10C0 \$ 10ry unt. $\mathbb{T}_{i_1,\ldots,i_k}$ PURAT PURCHASER - BUNESHOW \mathbf{h}^{*}_{i} 41 1. A Vir 16 C -1 DESCLOT

P. O. Box 18503 364A Casa Linda Plaza Dallas, Texas 75218 December 8, 1970

Mr. William Gilmore Williams 2935 Lovers Lane Dallas, Texas

Dear Mr. Williams:

L recently received notice from Southwest Land Title that you have purchased the equity in the 3 unit apartment building owned by Ronald Bourgeois at 1013 S. Glasgow. I hold a 2nd lien on this property with a monthly payment of \$49.48 due and payable on the 1st of each month.

Please send this check to my office, P. O. Box 18503, Dallas, or my home address, 2812 Live Oak Drive, Mesquite, Texas. Thank you.

Sincerely,

James M. Pollan

JMP/w1

12-12 \$49.48

DALLAS BOARD OF REA	LTORS Official Form® 1962 MULTIPLE LISTING SERVICE
	LISTING AGREEMENT
TYPE BR ISD # CO-ORD	FEATURES PRICE BRK#
MLS #SIZE Triplex	ADDRESS 1013 80. 010500 PRICE 17,500.00
LIV. Rm. 15 X 13 EPEPOX BR #1 14	X 10 Lot 50 X 145 Ext. Press
Din. Rm BR #2	Story 2 Int. BP
10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Story Z Int. BR Dx Size for Garage Fndtn. FAB Garage Fndtn. FAB Foots tree units: Goog. Water cooled Fence Extense
	Coold Water sooled Farca Extern
Baths_070 Gaoh unit	
Schools Lingerst, Long, Wood row 141	Ison falmer of
Special Features & Remarks 2 10000 0010	Shops Mixer 200 Shops An Anno 200 Shops An Anno 200 Shops An Anno 200 Shops Anno
per week. All furn shed. Excel	lient velue for income property, wat
Insurance fr. (1).	1110: Lights 223.21 Gas 192.79 Water 99.20
2110002 001000 -116(1)0	
	a
LEGAL DESCRIPTION FINANCING	
Lot No. 25 Unit and 4,710 (1	2/1) 4/7/64 63.07
	2/1) 9 % Yrs. Dated 11/19/60 . 10 19 /Mo.
Blk No 7/1014 2nd Lien 3,145 (1 Addin Refinancing	///////////////////////////////////////
	. Byrd 2nd. Jas. Pollard
All Taxes 193.00	Byrd 2nd. Jas. Pollard //Mo. 2 Rental 3,240 Possession Nege
Occupant Tonanta	Telephone
Owner (Title) W1111ams G. W1111ams	
Special Conditions	63-3225
listing Broker Guion Gregg Healtor	ADDRESS 6910 Snider Plaza Tel 363.1.521
Guion Cregg Fealtors	ADDRESS 1013 80. 01 Regaw PRICE 17, 500.00
o:(Name of Realtor)	In consideration of services to be performed by you and/or other members of the
Aultiple Listing Service of the Dallas Board of Realtors, a	and your acreement to list the following described real estate situated in the County of Dallas,
Aultiple Listing Service of the Dallas Board of Realtors, a State of Texas: Lot Block Block Block	and your accement to list the following described real estate situated in the County of Dallas, AdditionOtherwise
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	and your acreement to list the following described real estate situated in the County of Dallas,
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	AdditionOtherwise les of personal property altached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and:
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texes: Lot Block nown as 11350, Gless W ogether with and including the following fixtures and articl pplicable): Air conditioning and heating equipment, venetic hereby irrevocably appoint you my exclusive agent, with a	Addition. Its of personal property attached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: 17, 500
Aultiple Listing Service of the Dallas Board of Realtors, a tate of Texes: Lot	AdditionOtherwise les of personal property attached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: sole authority to sell said property at a price of \$or on such terms as I may
Autiple Listing Service of the Dallas Board of Realtors, a tate of Texas: Lot	and your exceement to list the following described real estate situated in the County of Dallas, Addition
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot Block nown as 113 50, Clease w ogether with and including the following fixturas and articl pplicable): Air conditioning and heating equipment, venetia hereby irrevocably appoint you my exclusive agent, with a pprove: I understand that you are a member of the Multiple List rvice. This agreement shall be considered a Multiple List ryou shall endeavor with all reasonable efforts to find a roperty as you may deem advisable in your discretion, inc Multiple Listing Service.	AdditionOtherwise les of personal property altached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: sole authority to sell said property at a price of \$or on such terms as I may sting Service of the Dallas Board of Realtors, and you have agreed to file this listing with said purchaser for said real estate on the terms set forth. You may take such actions to sell the chuding the listing of the property with cooperating brokers, as well as the other members of an analytic of the state of the property with cooperating brokers, as well as the other members of an analytic of the state of the property with cooperating brokers, as well as the other members of
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot Block nown as 113 50, Glessw ogether with and including the following fixturas and articl pplicable): Air conditioning and heating equipment, venetic hereby irrevocably appoint you my exclusive agent, with a pprove: I understand that you are a member of the Multiple List ervice. This agreement shall be considered a Multiple List rougerty as you may deem advisable in your discretion, inc to Multiple Listing Service. I agree to refer to you all inquiries which I may receive report.	Addition
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot Block nown as Block agether with and including the following fixturas and article pplicable): Air conditioning and heating equipment, venetic hereby irrevocably appoint you my exclusive egent, with a pprove: I understand that you are a member of the Multiple Listing Service. This agreement shall be considered a Multiple Listing You shall endeavor with all reasonable efforts to find a roperty as you may deem advisable in your discretion, inci- te Multiple Listing Service. I agree to refer to you all inquiries which I may received orgerty, and to cooperate with you fully in your efforts to You shall have the exclusive right to place "For Sale" in asonable lime for the purpose of showing the same to refer to you shall have the exclusive right to place "For Sale" in asonable lime for the purpose of showing the same to refer to you shall have the exclusive right to place "For Sale" in asonable lime for the purpose of showing the same to refer to you shall have the exclusive right to place "For Sale" in asonable lime for the purpose of showing the same to refer you showing the same to refer to you all you for the purpose of showing the same to refer you show the you you for the purpose of showing the same to refer you show the you you show the you you show the same to refer you show the you you have the same to refer you show the you you you show the you you show the you you you you show the you	AdditionOtherwise les of personal property attached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: sole authority to sell said property at a price of \$or on such terms as I may sting Service of the Dallas Board of Realtors, and you have agreed to file this listing with said purchaser for said real estate on the terms set forth. You may take such actions to sell the cluding the listing of the property, to conduct through you all negotiations relating to the sale of the sell the property. and Multiple Listing Service signs on or about the premises and may enter the premises at any
Aultiple Listing Service of the Dallas Board of Realtors, a tate of Texes: Lot	Addition
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	AdditionOtherwise AdditionOtherwise les of personal property attached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: sole authority to sell said property at a price of \$ or on such terms as I may sting Service of the Dallas Board of Realtors, and you have agreed to file this listing with said ng as of the date of execution. purchaser for said real estate on the terms set forth. You may take such actions to sell the cluding the listing of the property, to conduct through you all negotiations relating to the sale of the sell the property. and Multiple Listing Service signs on or about the premises and may enter the premises at any ospects. You shall not be responsible or liable in any way for vandalism, theft, or damage of pariable property. and shall continue for days thereafter.
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot Block nown as Ultimeter Song Character Song	AdditionOtherwise AdditionOtherwise les of personal property altached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and the date of the self such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and the date of the self such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and the date of the self self self self self self self sel
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Aultiple Listing Service of the Dallas Board of Realtors, a State of Texas: Lot	Addition
Aultiple Listing Service of the Dallas Board of Realtors, a State of Texas: Lot	AdditionOtherwise AdditionOtherwise les of personal property attached to such real estate and owned by me (strike any that are not an blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and a blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and a blinds, window shades, light fixtures, mail boxes, radio and television aerials and: and the date of execution. blinds as of the date of the calles Board of Realtors, and you have agreed to file this listing with said a soft as as of the date of execution. burchaser for said real estate on the terms set forth. You may take such actions to sell the cluding the listing of the property with cooperating brokers, as well as the other members of a relating to such property, to conduct through you all negotiations relating to the sale of the sell the property. and Multiple Listing Service signs on or about the premises and may enter the premises at any opercide of this agreement, whether caused by prospects admitted to the property by you, or any and shall continue for
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	Addition
Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	Addition
Aultiple Listing Service of the Dallas Board of Realtors, a tate of Texas: Lot	Addition
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Aultiple Listing Service of the Dallas Board of Realtors, a state of Texas: Lot	Addition
Multiple Listing Service of the Dallas Board of Realtors, a State of Texes: Lot	Addition

2-40



DAILAS BOARD OF REALTORS Official Form® 1972 MULTIPLE LISTING SERVICE **EXCLUSIVE LISTING AGREEMENT**



MULTIPLE FAMILY DWELLING

TYPE ISD#	CO ORD				PRICE	BRK #
MLS # 1	No. Units		So.Clas	300W Ag	older	Price \$16. 400.00
No Units	Sq. Ft.	No. Rent Unfum.	No.	Rent Furn	mo	SLI44 - 00
2 1-1				75.00	1	200.00
3 2.1				95.00		1140.00
						\$3164.00
Existing Financing	Loan Bal. s 4247.00	Annual Payment P&	n77	Interest	hath	Potential Financing
2nd	05 00 00	516.00	69-6 2	%		evoff
3rd						
TOTAL	\$7047.00	1572.00				
Land Area50 x 1	+5	Sq. Ft. Living		Sq. F	. Other	a
Sched. Gross Income	Less Vac.	Gross Oper. Income		pTex Ir 170.95	it. Ot	her Total
let Oper. Income	Deprec	ation		Spendable Inc	ome	4
			\$			
egal Description	5. d. 7/2014	in. Suburn addition				
wner WTUTAT	T G C C C C C C C C C C C C C C C C C C	Address 2015	TETT	Tano	-	Tel. 369-1315
anager Atha	and the second sec	Address				Tel
LULE BOLL DALE (D)	05 100/30H		H.IPCKI			Tel 625-2121
			17 Y		F. 1 . 103	1
ILS #	_ No. Units	Address 2013	11. al Int	14	Age F	Fice 11 . 100.00
ILS #	ROM	Address <u>1015</u>				1.24
ILS # DATE: (1/11)11 7934	Name of Realtor)		services to	ba performed	by you and	i/or other members of

known as 1173 -3. 2000

together with and including the following fixtures and articles of personal property attached to such real estate and owned by me (strike any that are not applicable): Air conditioning and heating equipment, venetian blinds, window shades, light fixtures, mail boxes, radio and television aerials and:

I hereby irrevocably appoint you my exclusive agent, with sole authority to sell said property at a price of \$10,500,00 or on such terms as I may

The term of this agreement shall commence on <u>Performance 26,1972</u> and shall continue for <u>performance 26,000</u> days thereafter. If said property is sold prior to the termination of this agreement to anyone with whom you or any member of Multiple Listing Service negotiated during the period of days after the termination of this agreement, in either such event, I agree to pay to you in Dallas, Texas, a commission in cash equal to <u>BLA</u> and while the property is under an exclusive listing with another member of the Multiple Listing Service of the Dallas Board of Realtors. You may divide any commission payable hereunder with other licensed cooperating brokers or members of the Multiple Listing Service, but, it is agreed that. An exchange of said real estate shall be deemed a sale thereof for the purposes of this agreement. In the event of an exchange, you are authorized to represent and receive commissions from both parties. If this agreement is signed by more than one person, it shall be found several obligations of each.

Pehruszy 26, 1973 DATEC ACCEPTED: TIFT TOTAL PROPERTY OF Resitor, Member of the Dallas Board of Realtors 369-1315 2935 LOvers Lane By Address Telephone (This form must be filled put in Triplicate.)

DALE COPUS, REALTOR

Address_ 1013 3	. Ulasgow Price 18,500.00
Sime Triplex	Age older swy 2
Owner no. all	Lians Phone 369-1315
Condition Jood	MLS Section A
Living Room	MLS Section A
Dining Boson	Heating
Kitchen	Ventileries Unit
Brackfort Room	Pumbing 1
Den	Floors Cardela
Bedrooms	Redf Comp.
Baths 1 each	J.
Proches 2-front	Instation 7
Gauge Zeffamb m	Walls Ent, Frame
Disk Western DO	lope Dirids
er rons an trattion 1	Press and a start
	0 nmha
- COLIGAN VILA	Ma Million City
Transportation	, BLK. 7/1614 Mt. Auburn Addition
Legal Desc	, SLK. 7/1614 Ht. Auburn Addition
LOI X 145	N. N.
Tames \$179.95	
Present Loan 4247.	00
FHA Com.	Valee
Key by appt.	SIT SIY
	PRE NUT CLEC INAM INA
Remarks * 2nd. 28	00.00 with Lloyd R. 11en
-(1) B.F. 9.6 x 1	2 JUNA DO DEVOLTA
L.R. 13.6 x	(2; L.B. 13.6 x 15.6
Xit 11 - 10	15.6 B.R. 11.5 x 14.2
ALCO IL X II.	.B
(3) / 8 12 5	D.R. 5.6 x 8
the hear the 2	(All papeled)
The second secon	
K1t. 7.2 x 1	9.5
1	
Lined by <u>J. Bersen</u>	Date 2-36-73
The later of the later	1 147 0 0
t un tallermation des	we herein is furnished by the owner according to the
A REAL OF MICH AND	and helief has is sublant to maile
chaser and the agent	assumes no susponsibility for the correctness thereof.
	ALL

George Reeves Company

Real Estate & Investments COMMERCIAL - RESIDENTIAL - FARME

2601 N. CARROLL

DALLAS, TEXAS

\$214,26 TS 821-3280

November 6, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

TENANT	LOCATION	PA ID FROM	PA ID TO	RENT	Comm. Net
Vacant	1013 S. Glasgow_#1	e ì		None	
Vacant	1013 S. Glasgow#2			None	ц. — — — — — — — — — — — — — — — — — — —
Glen Seagraves	1013 S. Glasgow #3	Sept 28	Oct 28	\$80.00	\$8,00 \$72.0

Less:	10/28/75 Plumber put clamp on pipe under house. 1 hr. labor		0.5
	10/29/75 Plumber installed hot water heater.	8	8. E
	3 hrs. labor		25. E
	10/30/75 Plumber repair plumbing, gas leak, vent hot water heater. 8 hrs. labor		68. C
	10/31/75 Repaired bathroom faucet upstairs. Could not get in day before. 12 hrs. labor	8	12.7
	Bill attached (\$153.57) and \$18.94 materials off truck.	-	171. E
		entited	

Total due George Reeves: _\$214.2

Please send a check to cover the above amount.

Thank you, George Reeves



F

Real Estate & Investments COMMERCIAL - RESIDENTIAL - FARMS

2601 N. CARROLL

DALLAS, TEXAS

821-3280

December 11, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

PAID PAID TENANT LOCATION FROM TO RENT Larry Camacho 1013 S. Glasgow_#1 Dec 2 Jan 2 \$105.00 10.50 \$94.50 Deposit 15.00 15.00 James Carroll Dec 11 \$125.00 12.50 \$112.5 1013 S. Glasgow_#2 Nov 6 15.00 15.0 Glen Seagraves 1013 S. Glasgow-#3 Oct 28 Dec 2 \$125.00 12.50 \$112.5

\$349.5

Less: Locks repaired, duplicate keys, etc. 11/4/75 for 1013 S. Glasgow (Invoice attached)

. 14.5

Total: \$334.9

hank you, George Reeves

	1508 CO 318 V. J Talens State And Citt in Ket Andunt (CHARGES FOR SERVICE ARE ADJUSTED FOR Taxes and fuel if Applicable Explanation of rate will be Fudnisaed on request.	WHEN PAYING AT OFFICE PLEASE BRING ENTIRE BILL		0FFICES 1506 COMMERCE STREFT 315 W. JEFFERSON BLVD. TELEPBONE RI-7-4011 * STATE AND GITY SALES TAX IS INCLODED IN NET ANDOUNT OF THE BILL IF AMALCABLE	CHARGES FOR SERVICE ARE ADIUSTED FOR Taxes and fuel if Applicable Explanation of Rate will be Furnished on Reduest.
P. O. BOX 565 DALLAS, TEXAS 75221 <u>ACTOR MAAPIN WO BALLAS, TEXAS 75221</u> <u>1 1 25 86941 229 8.924 30 RS 30 ACCOUNT MUMBER SERVICE ADDRESS</u>	LL WILLIAMS 935 LOVERS L LLAS, TEXAS	BILLING ENSTAIT KW NRS. USED DESC. GROSS AMOUNT NET AMOUNT DEWAND DO 1 230 7.078 7.039		DALLAS POWER & LIGHT COMPANY P. 0. BOX 565 DALLAS, TEXAS 75221 DALLAS, TEXAS 75221 Ro AV Ro AV I I J S Account Number SERVICE ADDRES	D45 3 3830 71013 GLASGOW BILL WILLIAMS %2935 LOVERS LV APT 2 DALLAS,TEXAS 75225	BILLING CREATER K.K. HIRS. USED DESC. GROSS AMOUNT NET AMOUNT DEMAND 0.01 3.32 9.073 9.025
	1506 COMMENCE STREET 318 W. JEFFELSON BLYD. TBLFPROME RL-7-4011 * STATE AND CITY SALES TAX IS INKLONED III NET AMOUNT OF THE BULL IF APPLICABLE.	CHARGES FOR SERVICE ARE ADJUSTED FOR Taxes and fuel if Applicasie Explanation of Rate Will be Fibricston on devinent				
P. O. BOX 565 DALLAS, TEXAS 75221 BALLAS, TEXAS 75221 Manual and an analysis and	LL WILLIAMS 35 LOVERS LN APT 3 LAS. TEXAS 75225	BILLING COPTIAT KUE 1973. USED DESC. GROSS AMOUNT NET ANOUNT DEMAND DOI 151 5992 563			- 4	

WHEN PAYING AT OFFICE PLEASE BRING ENTIRE BILL

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Proudly Serving North Texas

Phone: (972) 333-9559 Email: inspector@mpointhi.com TREC#21938



INSPECTED FOR Philissa Properties LLC 1013 S. Glasgow Dallas

June 22, 2020

	Lucas.
Multi-Family Development - Customer Requirements	M ONCOR
Please Complete In Full and return to Project Manager Include a copy of plat and water and sewer prints.	Oncor Electric Delivery Company LLC a Delaware limited liability company
	Company Use ONLY WR #:
Complex Name: philissa property Location:	# Units
	Phone: Fax:
Mailing Address: 1013 S Clasgow Dr Dall	City/Stale Zip Code
Civil Engineer:	Phone: Fax:
Project Superintendent: Omar PcA9	Phone: 214 680 0999 Fax:
Electric Only Project Gas Only Project Gas / Electric Project Single Size Apartment Project: Apartment Sq. Footage:	e number of each apartment plan in each building. Elect Heat: Heat Pump: NO Elect Heat: GAS Heat Pump: NO Elect Heat: GAS Heat Pump: NO Elect Heat: MO Elect Heat: MO Elect Heat: MO Elect Heat: MO Elect Heat: MO Heat Pump: NO Elect Heat: MO Heat Pump: NO Heat Pump: NO
Additional Design Charge - This charge is made for preparing iterative designs to provide new at the request of the Retail Customer/CR for the Retail Customer's sole benefit. The initial two or charges; any additional designs will be done at Retail Customer's expense pursuant to this char	designs on a project will be included in the system
It is the responsibility of the developer to clear rights-of-way, establish final grade and provide s Company facilities. Developer is also responsible for staking, exposing or otherwise marking an Company LLC, a Delaware limited liability company, would need to use caution in digging.	taking of property corners prior to the Installation of ny existing facilities where Oncor Electric Delivery
A survey or plat will be required by the Oncor project manager. An easement for the onsite One separate instrument, A copy of the warranty deed will be required if a separate instrument is set	cor facilities will be required either by a final plat or by a cured for the Oncor easement.
All meters shall be located outside the building, cannot be located within an enclosed area, and the Oncor Electric Delivery web site for information concerning electric service guidelines, apprerequirements. http://oncor.com/electricity/construct/guidelines/const_guide.aspx	Philisso Properties ILC Philisso Properties ILC D. and 5901 Pale Pints 75206 12/4/20
Other than Additional Service Design Charges for iterative designs as applicable, no Customer p elurns this document to the Company. Any additional Customer charges, if applicable, will be es and the Customer.	ayment is required at the time Customer completes and tablished through a separate agreement between Company

1

ONCOR

Oncor Electric Delivery Company LLC a Delaware limited liability company

Project / Customer Name: Philissa properity

If a commercial project, please provide the total square footage of building and the square footage of HVAC space.

Requested Voltage (select only one)

Single Phase 120/240:	X 3 Phase 120/208Y:	3Phase 120/240: 3 Phase 277/480Y: 3 Phase 480: Other:
Indicate only one:	New Load	Adding Load to an Electrically Energized Service

ELECTRIC LOAD REQUIREMENTS (Please use an additional page if necessary)

HVAC Load Information:

	Ouantity	Phase 	<u>Volts</u> 240 240	<u>Tons</u> 2 2	<u>SEER</u> _1-(Connected kW – Each	Heat <u>KW - Each</u> 7 KW ND
Motor Load In	oformation:	Phase	Volts	HP Each	Slart Type	Equipmen	t Description
	2		24D 12D	1/12	O.G. Amp	s <u>Conder</u>	ising unit/Air Handler
Lighting & M	iscellaneous	Load Info	rmation:				
	Quantity	Phase_	Volts	Connected I	W-Each Wats	Equipme	nt Description
	5	_1	120	M	diand -	Celing-	Fans
	30		120	101	Wats	Canlight	3 LED
	A2		120	1500 wats		Washer	Matchinge
	2		240	3K	W	Diyer	
	4		120	272	5	SetOF	Appances

Signature Callerde Scriges Gullarde Electricity Signature Printed Name Title Date Date

Commercial & Industrial - Load Requirements Please Complete in Full and return to Project Manager Include a copy of plat and water and sewer prints.



Oncor Electric Delivery Company LLC a Delaware limited liability company

Company Use ONLY - WR #:

Company Project Manager. Allow 10 approximate timeline for construction information concerning electric servi-	processed upon form completion in its entitiention working days for an estimated cost for processed upon after all required documents have guidelines, approved meter-bases and ded within an enclosed area, and must mee (quidelines/const_quide.aspx	oviding electric service, including all applic pave been provided. Please visit the Onco other service installation requirements. All	able charges and r Electric Delivery web site for					
Project / Customer Name:	1150 DEOPENTY	Project Location / Cross Streets:						
Physical Address: 1012 5. Street Address	lisa properity glasgow Dr	Dallas						
Office Phone: Ce	ll Phone: Fax #	E-mail Address:						
General Contractor: Omar	prag	Phone: 214 6801	0444 Fax:					
Electrical Contractor: Sergio Gallardo Phone: \$177680879 Fax:								
Requested Dates fo	r Electric Service: Temporary Service	Permanent Service	1-4-2020					
- If available - Please Provide:		Additional Design Charge						
Temporary Premise Number:	This charge is made for preparing iterative designs to provide new service to a specific location where such iterations are at the request of the Retail Customer/CR for the Retail Customer's sole benefit. The initial two designs on a project will be included in the system charges; any additional							
Permanent Premise Number:	designs will be done at Retall Cu	stomer's expense pursuant to this	charge.					
Designated responsible party for pa be payable to Oncor Electric Deliver	yment of any costs associated with providi y Company prior to any construction schem	ng electrical service. Contribution in Ald c duling. Please check only one:	f Construction ("CIAC") shall					
Customer General Contra	ctor Architect Electric	cal Contractor Other						
Federal Tax ID #:	or Valid Drivers L	Icense #:	State of					
	ELECTRIC	REQUIREMENTS						
A site plan will be required identifying the proposed transformer, meter and other Oncor equipment locations. A survey or plat may be required by the Oncor project manager. An essement for the onsite Oncor facilities will be required either by a final plat or by a separate instrument. A copy of the warranty deed will be required if a separate instrument is secured for the Oncor easement.								
Hours of Operation:A.M. I	P.M, or Other:	Days of Operation:	lhru					
Hours of Operation: A.M. to P.M. or Other: Days of Operation: Inru Number of Electrical Meters Request: 5 and Service in AMPS: 100 100 100 100 100 Number of Conductors per Phase: 2 Wire Size: 3/0 Requested Service Type: Overhead Underground								
Number of Conductors per Phase.								
Transocket Delivery Information:		Required Date:						
Ship to- Attn:	Address:	City:	, TX_Zip:					
 Allow up to 10 business days for preliminary cost estimate and an additional 3 weeks (minimum) for scheduling an Oncor Electric Delivery Crew. Required permits, utility easements and surveying will necessitate additional design time. All three-phase transformers will require a 14 to 16 week lead time – no exceptions. Oncor Electric Delivery will provide the least cost design. This design will be considered Iterative Design #1. Excess facilities at the request of the customer shall result in additional charges ot the customer. It is the customer's responsibility to clear right-of-way for the installation of electric distribution facilities to company specifications. 								
Signature 2 14 642 1707	1 Kingston Dinted Name Kingston DStenton (Cell Phone E-Mail Ad	10 com \$5901 Pick	brito 7520 12/4/20					

Block No. 7-1619 BUILDING INSPECTION DIVISION Zoning PUBLIC WORKS DEPARTMENT Lot No. Fire Limits CITY OF DALLAS, TEXAS AD Y Occupancy. PERMIT For the Erection, Remodeling, Bepairing, De-molition of Buildings or Forts thereof as provided in the Dallas Building Ordinances Plans Sub. Type Const. Inspector San, Map Page Location. Use Permit for Application No. Stys. Bldg. Ht. Found. Bamt. Checked and approved aul Ext. Walls ject to provisions of Build Roof ing Code. Elec.: \$ 100 20 Elevators: \$. JOHN FIES, Supervisor Pibg.: \$ Heating: \$.... Air Cond.: \$ By Le ö Estimated Total Cost \$ Date 1 Per cent good marker for the second Total sq. ft. Sq. ft. add. .. Repr'dn. Val. Total Val. Add, Val. Var. Jac. STRAIN. e sa se contra Street tt. --I all premit it istaed on the basis of information furnished in the coplication noted mercon, and is subject to property restrictions, provisions of the Building my Ordinance and all other governing ardinances which must be complicat her as not herein completed. This present is subject to executions open scielle au native as provided in the Building Cade I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND L STATEME REIN RECORDED BY ME ARE THUE CERTIF TRAT inspector Signad Date. Permit Clerke Br CY IS REQUIRED FOR ALL BUILDINGS OR CH NGE IN LIGE TREES State of the se From BL 7 -Steel 12.20

BDA201-035_ATTACHMENT_B



City of Dallas Board of Adjustment, Panel C c/o Jennifer Muñoz Chief Planner/Board Administrator Sustainable Development and Construction 1500 Marilla Street, 5BN Dallas, TX 75201

Re: BDA201-035, 1013 S. Glasgow Drive, Dallas, Texas

Dear Board Members:

I am a co-owner of Philissa Properties LLC – 1013 Glasgow Series (the "Applicant"), and I am writing to appeal the decision of Megan Wimer, City of Dallas Assistant Building Official, dated February 4, 2021, denying the Applicant's application for a remodeling permit for a 4-plex located at 1013 S. Glasgow Drive, Dallas, Texas (the "Property").

SUMMARY

- Applicant asks the Board to recognize the Property's legal, non-conforming right to be operated as a 4-unit apartment building ("4-plex").
- Staff agrees that the Property has legal, non-conforming rights but only to be operated as a 3-unit apartment building ("3-plex").
- With the only dispute being about the number of units and not the existence of the legal, nonconforming rights, the Board is asked only to evaluate the evidence of the use of the Property as a 4-plex.
- The strong evidence of 4-plex rights includes:
 - Four mailboxes set into a common-area wall that were obviously manufactured decades ago
 - Four separate addresses approved by the City and used by the US Post Office for decades
 - Five Oncor meters (one for each unit and a "house lights" account) in existence for decades
 - Four kitchens and four bathrooms distributed one each to a unit
 - Framing of the fourth unit in roughhewn lumber obviously milled prior to sophisticated milling equipment
 - o Testimony of the 50-year owner of the Property

FACTS

Applicant purchased a 1920's Craftsman style 4-plex located at 1013 S. Glasgow Drive, Dallas, Texas 75223 in the Mount Auburn neighborhood in the Old East Dallas section of Dallas. Mount Auburn was developed as a largely single-family neighborhood in the 1920s with commercial development nearby. For decades, Mount Auburn has been a predominately Latino community that the City has neglected, despite its close location to amenities like the Samuel Grand recreation center/aquatics



center/park complex, Woodrow Wilson High School, the Santa Fe Trail, and downtown Dallas. In recent years, Mount Auburn has experienced a wave of gentrification that is pushing residents out and replacing the existing housing stock, which is largely Craftsman bungalows, with large, modern-style homes at a much higher price point.

Applicant's plan when it purchased the Property was to remodel the 4 units, repair major systems for the building (e.g., foundation, roof, etc.), and revitalize the Property so as to be an asset for the surrounding neighborhood. Applicant's business plan is to offer each of the 4 units as Affordable Housing units in the 80% AMI (average median income) category.





Before

Present

As part of the due diligence prior to purchasing the Property, Applicant set up a video conference held on August 19, 2020, with Megan Wimer, the Assistant Building Official, and Architexas, well known preservation architects, to go over the remodel plan for the Property.

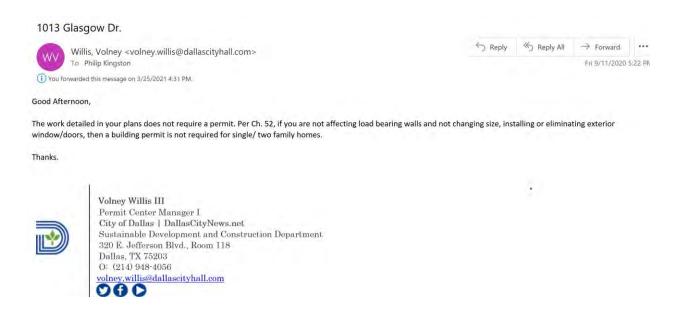
At that time, Wimer was informed that the Property, once a single-family home, had been converted to a 4-plex. While it appears that the 4-plex conversion was done during the Great Depression or following World War II based on the roughhewn wood used, the existence of fabric backed wallpaper used, and other characteristics found on even the remodeled portions of the structure, there is no question that by 1970 the Property was a 4-plex. On that call, Wimer stated that she did not see any issues with proceeding as planned. In reliance on Wimer's review of the project and subsequent green light, Applicant closed on the Property on August 31, 2020.¹

Applicant's general contractor filed an application for a remodeling permit in the first week of September, and he checked on its status multiple times per week for the next five weeks, at which time building inspections ("BI") staff informed him that they were unable to find the permit application. BI staff then told Applicant's contractor to proceed without a remodeling permit, stating at one time that a

¹ See Declaration of Michael Karnowski, Ex. A.



remodeling permit was not necessary and stating at another time that he should treat the project from a permitting standpoint as a single family project.



The "plans" to which Mr. Willis referred were labeled "Fourplex Residence."



BI staff instructed Applicant's general contractor to have trade subcontractors pull permits for their individual work and call for inspections as that work progressed. Applicant's contractor complied and completed approximately 90% of the project, calling for inspections and getting green tags and then "finals" from the work done.²

In December of 2020, BI staff changed its instructions and required a remodeling permit. Applicant's contractor submitted a second application for a remodeling permit for a 4-plex. The building

² See Inspection Tags, Ex. B.



official denied that application on the basis of her belief that the Property had legal non-conforming rights as a 3-plex.³ BI staff encouraged Applicant to submit an application for the remodeling of a 3-plex pending this appeal so that the project could get completed (and so Applicant could get contractors and suppliers paid). A remodeling permit for a 3-plex was issued, but it is the denial of the 4-plex remodeling permit that Applicant appeals here.

ZONING AND THE LEGAL STANDARD

The Mount Auburn neighborhood was largely constructed in the 1920s and 1930s as a residential area with a mix of single-family houses, and duplexes through 4-plexes. When the city's 1940s zoning code was passed, Mount Auburn was put in the Residential zoning category, which allowed for multifamily use.

In the late 1970s, residents became concerned about commercial uses encroaching on the neighborhood, and the city passed PD 134 in 1982.⁴ PD 134 explicitly left each parcel with its existing use continuing under the new zoning as a *conforming use* rather than as a legal, non-conforming use.⁵

(b) \rightarrow <u>Nonconformity and other use regulations</u>.

 $(1) \rightarrow \text{All} \cdot \text{existing} \cdot \text{uses}, \text{as} \cdot \text{shown} \cdot \text{on} \cdot \text{the} \cdot \text{land} \cdot \text{use} \cdot \text{map}, \text{and} \cdot \text{structures} \cdot \text{within} \cdot \text{this} \cdot \text{PD} \cdot \text{are} \cdot \text{legal} \cdot \text{conforming} \cdot \text{uses} \cdot \text{and} \cdot \text{structures} \cdot \text{under} \cdot \text{this} \cdot \text{article} \cdot \cdot \text{With} \cdot \text{the} \cdot \text{exception} \cdot \text{of} \cdot \text{Lot} \cdot 7 \cdot \text{in} \cdot \text{City} \cdot \text{Block} \cdot 6/1614 \cdot \text{at} \cdot \text{Structures} \cdot \text{under} \cdot \text{this} \cdot \text{article} \cdot \cdot \text{With} \cdot \text{the} \cdot \text{exception} \cdot \text{of} \cdot \text{Lot} \cdot 7 \cdot \text{in} \cdot \text{City} \cdot \text{Block} \cdot 6/1614 \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{this} \cdot \text{article} \cdot \text{With} \cdot \text{the} \cdot \text{exception} \cdot \text{of} \cdot \text{Lot} \cdot 7 \cdot \text{in} \cdot \text{City} \cdot \text{Block} \cdot 6/1614 \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{this} \cdot \text{article} \cdot \text{with} \cdot \text{the} \cdot \text{exception} \cdot \text{of} \cdot \text{Lot} \cdot 7 \cdot \text{in} \cdot \text{City} \cdot \text{Block} \cdot 6/1614 \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{this} \cdot \text{article} \cdot \text{with} \cdot \text{the} \cdot \text{exception} \cdot \text{of} \cdot \text{Lot} \cdot 7 \cdot \text{in} \cdot \text{City} \cdot \text{Block} \cdot 6/1614 \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{structures} \cdot \text{under} \cdot \text{structures} \cdot \text{under} \cdot \text{at} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{structures} \cdot \text{at} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{structures} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{at} \cdot \text{structures} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{at} \cdot \text{structures} \cdot \text{under} \cdot \text{structures} \cdot \text{at} \cdot \text{structures} \cdot \text{at} \cdot \text{structures} \cdot \text{at} \cdot \text{structures} \cdot$

Unfortunately, these existing uses were listed in the ordinance according to a crude use map that was attached to the ordinance.⁶ On that map, someone mistakenly labeled the Property as "single family." City staff acknowledges and admits that the use of the Property was multifamily when the PD was adopted and retains any legal, non-conforming use it had on that date.

The zoning of the Property never explicitly made multifamily use a legal, non-conforming use until 1982. Therefore, the Property never lost its legal, non-conforming right to be used as multifamily by ceasing to be used as multifamily. Technically, the PD conferred legal conforming rights on the Property, but irrespective of whether you call it legal conforming or legal non-conforming, the end result remains that use as a 4-plex is legal today.

³ See Denial of Remodeling Permit, Ex C.

⁴ See PD 134, Ex. D.

⁵ *Id*. at pg 2.

⁶ *Id*. at pg 5.



Under Texas law, rezoning cannot reduce the rights of use of a property withing the zoning area without compensating the owner, such as through amortization.⁷

EVIDENCE

Mailboxes and Addresses

The Property has had four residential addresses for a very long time. The four lockable mailboxes built into the wall in the foyer were manufactured by a company that was absorbed into a conglomerate in the early 1970s, demonstrating that the mailboxes have been on site since at least that time (and before the passage of PD 134).



But it is also important to note that the City of Dallas has consented to the use of four addresses at the Property for decades. The United States Postal Service plays no part in designating addresses within local government jurisdictions. Instead, as was done in this case, the City tells the Postal Service what the address of each property is.⁸

In response to a Freedom of Information Act request, the Postal Service confirmed that it keeps no historical records of individual addresses and referred Applicant to the City of Dallas.⁹ In response to a Texas Public Information Act request, the City of Dallas could locate no records of its communications with the Postal Service about residential addresses at the Property.¹⁰ As the only entity entitled to

⁷ See City of University Park v. Benners, 485 S.W.2d 773 (Tex. 1972).

⁸ See Postal Service website, Ex. E.

⁹ See Declaration of Philip Kingston, Ex. F.

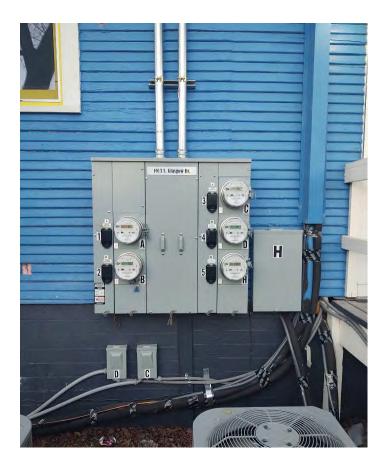
¹⁰ Id.



create new addresses at the Property and the only entity with any records of same, the City should not now be heard to reverse itself on how many units the City approved for use at the Property and that were actually in use at the Property.

<u>Oncor</u>

When Applicant purchased the Property, only three meters were attached to the building and only one was energized. When Applicant called Oncor to request two more meters, Oncor already had five electric service identifiers ("ESIDs") assigned to the Property – Units 1 through 4 and "house lights."¹¹ As with the addresses, Oncor only assigns ESIDs for a property after the City notifies Oncor that the new meters are approved.¹² The City, at one point, approved 5 meters on this Property, which is why Oncor was able to simply update the existing meters and add new meters without additional City approval when Applicant ordered the new meters.



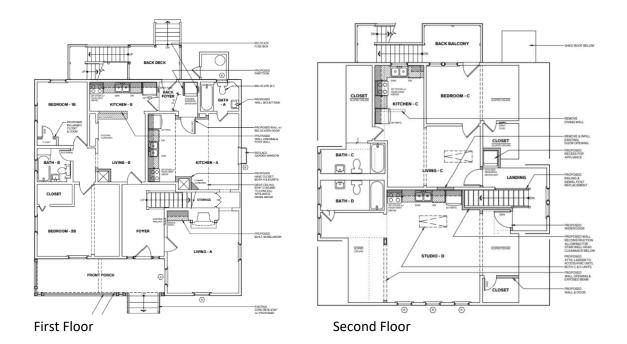
¹¹ Id.

 $^{^{\}rm 12}$ See Oncor Fact Sheet, Ex. G.



Property Configuration

When Applicant purchased the Property, it is undisputed that it was configured as a 4-plex. Each unit had lockable exterior doors, a kitchen, and a bathroom.¹³



What became evident as the remodeling project progressed is that the framing necessary to change the structure from a single-family house to a 4-plex was constructed with the kind of roughhewn lumber typical of Dallas construction before 1940.¹⁴ The fourth unit is a studio apartment that appears to have been a second-story porch prior to being enclosed. This unit particularly utilized roughhewn lumber in the walls constructed to enclose the porch.¹⁵

Previous Ownership

The statement of the previous owner confirms the continuous use of the Property as a four-plex since at least 1970. It is possible that the City's confusion about the use of the Property and the reference in the 1970 sale contract to a "tri-plex" is due to the configuration of the upstairs units. These units could be joined through an interior, lockable door, or they could be inhabited separately as two apartments by simply locking the door. This configuration is similar to hotel rooms that often have the flexibility to be

¹³ See Declaration of Michael Karnowski, Ex. A, and Statement of seller, Ex. H.

¹⁴ See Declaration of Philip Kingston, Ex. G.

¹⁵ Id.



adjoining through a lockable door between the rooms, but the rooms are nonetheless separately rented and maintained as two units. In either case, the Property would not lose its legal, non-conforming right to be operated as 4-plex.

In fact, during the review process, Ms. Wimer initially approved the Property as a 4-plex in August of 2020, after which Applicant remodeled the Property, keeping the 4 units in their original locations and size. When revisiting the decision whether the Property should be considered a 3-plex or a 4-plex, staff acknowledged that the evidence exists to support a 4-plex.

Megan, three units is what our records indicate. Let me know if you feel comfortable with four units based on your conversation with Mr. Kingston and your survey of the information shared with you.

Thanks.



David Session Building Official (I) City of Dallas | DallasCityNews.net Sustainable Development & Construction

From: Wimer, Megan <megan.wimer@dallascityhall.com>
Sent: Wednesday, January 13, 2021 1:08 PM
To: Session, Little <l.sessions@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: 1013 S Glasgow

Since the only permit record we have seen indicates three units, is that what we go with or the affidavit that says "three or four units"?

CONCLUSION

Today, this historic Property has been fully remodeled, adding all new kitchens, bathrooms, LED lighting, HVAC systems, smart thermostats, low-flow water faucets, and energy efficient appliances. What was once an eye sore in the community is now a gem. Importantly, the Property will provide much needed affordable housing in the Mount Auburn neighborhood. As there is abundant evidence to support that the Property has been used as a 4-plex for at least the last 50 years (long before PD 134), as City staff has acknowledged that evidence supports either a 3-plex or a 4-plex, and as the City desperately needs affordable housing, particularly in gentrifying areas like Mount Auburn, Applicant respectfully requests that this Board overturn Ms. Wimer's February 4, 2021, decision denying the remodeling permit for a 4-plex.



Respectfully submitted,

/s/ Melissa Kingston

Melissa Kingston Manager Philissa Properties LLC – 1013 Glasgow Series

Exhibits enclosed.

Declaration of Michael Karnowski

My name is Michael Karnowski. I am over the age of 21, I am of sound mind, I have never been convicted of a felony or crime involving moral turpitude, and I am fully capable to make this Declaration. I have personal knowledge of all the facts stated herein, and all of these facts are true and correct.

In July, 2020, my employer ArchiTexas was retained by Philissa Properties LLC to create plans for 1013 S. Glasgow (the "Property"), a remodeling project of a structure that appears to date from the original development period of the Mt. Auburn neightborhood. ArchiTexas is known for its preservation architecture practice. I was present during the initial building assessment of the four-plex, and it was obvious that the structure had been configured as four units for decades because the framing of the units was quite old.

I also participated in a Teams call in mid-August, 2020, with Assistant Building Official Megan Wimer, Philip Kingston, and a colleague from my office. The point of the call was to clarify whether City of Dallas zoning staff would recognize the Property's legal, non-conforming rights to be operated as a four-plex. Mr. Kingston explained in detail the evidence that the Property had been a four-plex for a long time. Ms. Wimer responded that she did not see a problem with remodeling the Property as a four-plex.

Michael Karnowski

My name is Michael Karnowski, my date of birth is _____, and my address is <u>STZI LORTH</u>_____, Dallas, Dallas County, Texas, USA. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the _____ day of March, 2021.

CITY OF DALLAS BUILDING INSPECTION DIVISION

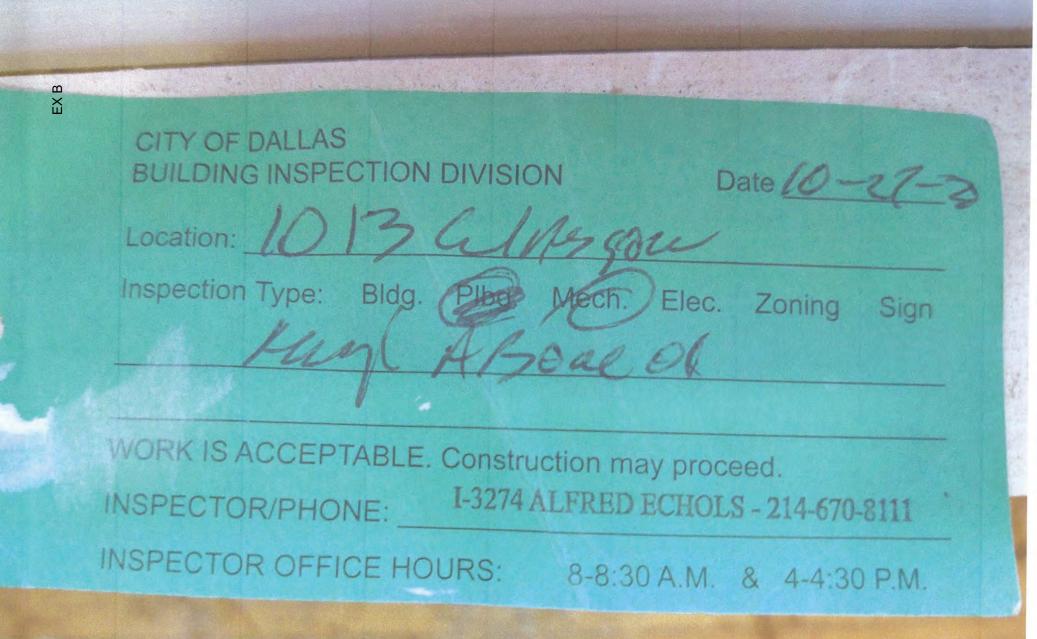
Location: 1013 S. Glasgow d.

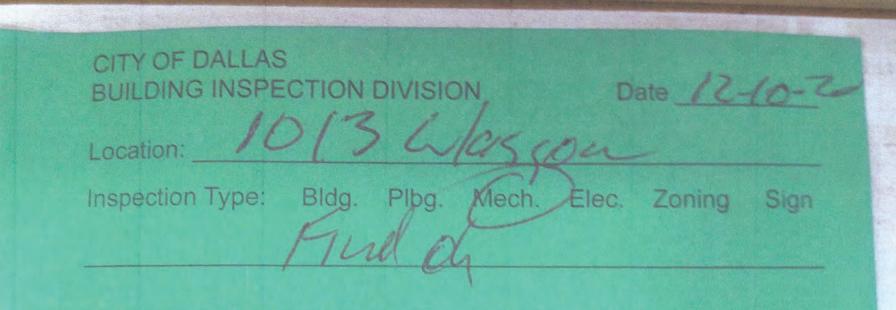
Inspection Type: Bldg. Plbg. Mech. Elec. Zoning Sign

WORK IS ACCEPTABLE. Construction may proceed. INSPECTOR/PHONE: 1-3593 ADRIAN EHRICH - 214-670-8114 INSPECTOR OFFICE HOURS: 8-8:30 A.M. & 4-4:30 P.M.

EX B

Date 0-29-20





EXB

WORK IS ACCEPTABLE. Construction may proceed. INSPECTOR/PHONE: I-3274 ALFRED ECHOLS - 214-670-8111 INSPECTOR OFFICE HOURS: 8-8:30 A.M. & 4-4:30 P.M.

EX B CITY OF DALLAS Date/ BUILDING INSPECTION DIVISION 3 6 Jasgow Bldg. Plbg. Mech. Elec Location: Inspection Type: Zoning WORK IS ACCEPTABLE. Construction may proceed INSPECTOR/PHONE: INSPECTOR OFFICE HOURS: 8-8:30 A.M. & 4-4:30 P.M.

CITY OF DALLAS BUILDING INSPECTION DIVISION

Mint

EX B

Location: 1013 0. 010-840W

Inspection Type: Bldg. Plbg. Mech. Elec. Zoning Sign

Date

WORK IS ACCEPTABLE. Construction may proceed. INSPECTOR/PHONE: 06 - 214-670-8 INSPECTOR OFFICE HOURS: 8-8:30 A.M. & 4-4:30 P.M.



February 11, 2021

Philip and Melissa Kingston 5901 Palo Pinto Avenue Dallas, TX 75206

RE: Denial of the request for a four-unit multifamily use at 1013 S. Glasgow Drive associated with Permit No. 2012311057 and Certificate of Occupancy No. 2012311059

Dear Mr. and Mrs. Kingston:

This letter is to inform you that the request for a four-unit multifamily use at 1013 S. Glasgow Drive associated with Permit No. 2012311057 and Certificate of Occupancy No. 2012311059 is hereby denied. The project does not comply with Section 51P-134.105 of the Dallas Development Code.

This decision is final unless appealed to the Board of Adjustment within 15 days after the date of this letter.¹ If you have any questions, please contact me at 214-948-4501.

Sincerely.

Megan Wimer, MCP, CBO Assistant Building Official Building Inspection Division

cc: Kris Sweckard, Director, Sustainable Development and Construction David Cossum, Development Service Administrator David Session, Interim Building Official Tammy Palomino, Executive Assistant City Attorney

Paragraph (2) of Section 306.15, "Appeals of Actions and Determinations," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; and Section 51A-4.703(a)(2), "Board of Adjustment Hearing Procedures," of Chapter 51A of the Dallas Development Code.

PD 134.

SEC. 51P-134.101. LEGISLATIVE HISTORY.

PD 134 was established by Ordinance No. 17271, passed by the Dallas City Council on January 27, 1982. Ordinance No. 17271 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17271 was amended by Ordinance No. 17424, passed by the Dallas City Council on May 26, 1982; Ordinance No. 17704, passed by the Dallas City Council on February 16, 1983; Ordinance No. 18054, passed by the Dallas City Council on November 23, 1983; Ordinance No. 19745, passed by the Dallas City Council on October 28, 1987; Ordinance No. 21815, passed by the Dallas City Council on September 22, 1993; and Ordinance Nos. 23256 and 23257, passed by the Dallas City Council on September 10, 1997. Ordinance No. 21815 changed the zoning on a portion of the Property from PD 134 to a CR Community Retail District. Ordinance No. 23256 changed the zoning on a portion of the Property from PD 134 to a CS Commercial Service District. (Ord. Nos. 10962; 17271; 17424; 17704; 18054; 19745; 21815; 23256; 23257; 25508; 28462)

SEC. 51P-134.102. PROPERTY LOCATION AND SIZE.

PD 134 is established on property generally bounded by G.C. & S.F. Railroad, Cristler Avenue, East Grand Avenue, Philip Avenue, Fairview Avenue, Gurley Avenue, East R.L. Thornton Freeway, and Carroll Avenue. The size of PD 134 is approximately 313.7504 acres. (Ord. Nos. 17271; 23257; 25508; 28462; 28851)

SEC. 51P-134.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. Nos. 25508; 28462)

SEC. 51P-134.103.1. CREATION OF SUBAREAS.

This district is divided into Subareas A, A-1, B, B-1, and C, as shown on the subarea map (Exhibit 134C). (Ord. Nos. 28462; 29192)

SEC. 51P-134.103.2. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 134A: land use map.
- Exhibit 134B: development plan for Subarea A-1.
- (3) Exhibit 134C: subarea map. (Ord. 28462)

SEC. 51P-134.103.3. DEVELOPMENT PLAN.

(a) For Subarea A-1, development and use of the Property must comply with the development plan (Exhibit 134B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For Subareas A, B, B-1, and C, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 28462; 29192)

SEC. 51P-134.104. LAND USE MAP.

A map defining existing land uses within the boundaries of this PD is labelled Exhibit 134A. (Ord. Nos. 17271; 23257; 25508; 28462)

SEC. 51P-134.105. USES.

(a) <u>In general</u>.

(1) Uses in Subarea A are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection(b).

(2) Uses in Subarea B are limited to all uses permitted in the GR-D General Retail-Dry District. Residential uses are limited to the uses permitted in Paragraph(1).

(3) Uses in Subarea B-1 are limited to all uses permitted in the GR-D-1 General Retail District with a D-1 Liquor Control Overlay. Residential uses are limited to the uses permitted in Paragraph (1).

(4) Uses in Subarea C are limited to all uses permitted in the NS Neighborhood Service District. Residential uses are limited to the uses permitted in Paragraph (1).

(5) Except as provided in this paragraph, uses in Subarea A-1 are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b). The surface parking use shown on the development plan is only permitted in conjunction with the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(b) Nonconformity and other use regulations.

(1) All existing uses, as shown on the land use map, and structures within this PD are legal conforming uses and structures under this article. With the exception of Lot 7 in City Block 6/1614 at 1110 Mt. Auburn Avenue, which may contain a duplex dwelling unit, no residentially developed lot in this PD may contain more dwelling units than the number indicated on the land use map. Any structure now being used as a single-family dwelling which was originally built as a duplex or which has been used as a duplex at any time may be converted back to a duplex.

(2) Nonresidential uses, which were existing as of July 1, 1981, and not identified on the land use map, that are conducted on the same lot with a residential use will be considered as legal conforming uses, so long as the nonresidential use is conducted by an occupant of the residence and the scale of operation of such use is not enlarged in any way. No advertisement, sign, or display is permitted on the premises. The use may not generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(3) All signs must comply with the provisions of Article VII.

(4) All uses in Tract 1-B that sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises on January 27, 1982, will be considered as legal nonconforming uses.

(c) Lots in Subarea A. Any lot in Subarea A on which a nonresidential structure has been officially condemned by the city or has been intentionally removed or demolished may be redeveloped with the use and structure standards (including off-street parking provided) existing on the lot on January 27, 1982, or with the residential standards defined in Section 51P-134.106.

(d) <u>Application of Section 51P-134.106(a)</u>. The development standards defined in Section 51P-134.106(a) apply to the following uses:

(1) All lots in Subarea A that are vacant on January 27, 1982.

(2) Any residential structure in the PD that is to be enlarged as long as the number of dwelling units does not increase.

(3) Any lot in Subareas B, B-1, or C that are to be developed or redeveloped with a residential use. (Ord. Nos. 17271; 17424; 17704; 25508; 26102; 28462; 29192)

SEC. 51P-134.106. DEVELOPMENT STANDARDS.

(a) <u>The following development standards apply to single-family detached and duplex</u> dwellings.

(1) Minimum lot area per structure is 7,250 square feet.

(2) Minimum front yard setback for all lots is 10 feet beginning from the front property line. Except in Subarea A-1, any setbacks on interior lots are the same as, or between, the setbacks of the closest adjacent structures. Except in Subarea A-1, any structure to be located on a vacant corner lot must conform to a setback that is within five percent of the setback of the closest adjacent structure within the same block.

(3) Minimum lot width is 50 feet.

(4) Standards for development must be in accordance with all other provisions of the R-7.5 Single-Fmaily District.

(b) The following development standards apply in Subarea A-1.

(1) Light fixtures including base, pole, and fixture may not exceed eight feet in height. All lighting must be directed downward and away from residential uses.

(2) Off-street parking must comply with the development plan.

(3) The off-street parking spaces shown on the development plan may only be used by the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

- (c) The following development standards apply in Subarea B.
 - (1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D General Retail-Dry District.

- (d) The following development standards apply to Subarea B-1.
 - (1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D-1 General Retail District with a D-1 Liquor Overlay.

(e) The following development standards apply in Subarea C.

(1) Standards for development must be in accordance with all other provisions of the NS Neighborhood Service District Regulations. (Ord. Nos. 17271; 17424; 25508; 28462; 29192)

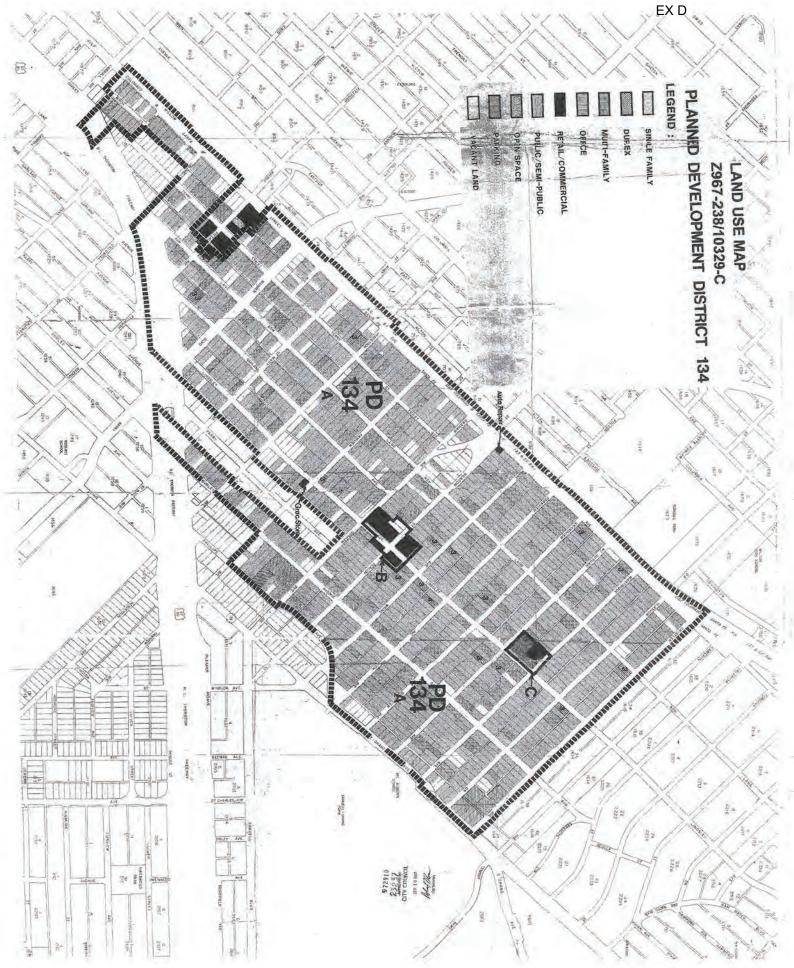
SEC. 51P-134.107. GENERAL REQUIREMENTS.

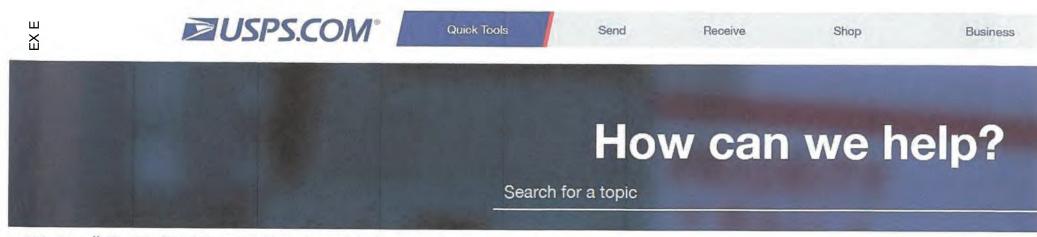
(a) The filing fee and area of notification for any amendment to this PD must be based on the amount of land area involved in the proposed amendment in accordance with the fee schedule and area of notification established for zoning change requests under the heading "All Other Applications."

(b) The board of adjustment shall have the authority to hear appeals and grant variances from the terms of Ordinance No. 17271, as amended, in accordance with regulations and procedures specified in Section 51-3.102.

(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(d) The building official shall not issue a certificate of occupancy until there has been full compliance with this article together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17271; 25508; 26102; 28462)





Where Can I Find New Construction and Street Address Information?

New construction street addresses are created by the local government office that has jurisdiction over the area where streets are located.

@ Mar 31, 2020 . FAQ

Article Number 000003167

Customer Information

The Postal Service neither assigns addresses nor designates an address as Residential or Commercial. Land use and zoning information can be found at your local government office.

Street addresses are created by the local government office that has jurisdiction over the area where the streets are located. There is usually an office located in each unit of local government. However, there are instances of combined local government offices such as a joint county - city municipal building.

The most common forms of local governments are:

- 1. City
- 2. County
- 3. Town

A

- 4. Township
- 5. Borough

My name is Philip Kingston. I am over the age of 21, I am of sound mind, I have never been convicted of a felony or crime involving moral turpitude, and I am fully capable to make this Declaration. I have personal knowledge of all the facts stated herein, and all of these facts are true and correct.

I am a part owner and manager of Applicant.

I saw the framing of the Property that was added to convert it to a 4-plex and that is accurately depicted in the attached pictures. The lumber used was roughhewn and consistent with lumber used in Dallas construction before 1940. Unit D in particular used this lumber for the framing necessary to convert it from its previous use as a second-story porch to a studio apartment.

I also filed the attached FOIA request to the Postal Service seeking historical address records. The Postal Service confirmed it had none and referred me to the City of Dallas because the city determines what addresses are assigned to a property.

I also filed the attached PIA request to the City of Dallas seeking historical records of the addresses used at the Property, among other items. The city produced dozens of e-mails and records from Code Compliance but no historical address records.

I also participated in a Teams call in mid-August, 2020, with Assistant Building Official Megan Wimer and Architexas architects. The point of the call was to clarify whether City of Dallas zoning staff would recognize the Property's legal, non-conforming rights to be operated as a four-plex. I explained in detail the evidence that the Property had been a four-plex for a long time. Ms. Wimer responded that she did not see a problem with remodeling the Property as a four-plex.

Philip Kingston

My name is Philip Kingston, my date of birth is October 28th, 1972, and my address is 5901 Palo Pinto, Dallas, Dallas County, Texas, USA. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 29th day of March, 2021.





POSTAL SERVICE

November 2, 2020

VIA ELECTRONIC MAIL pkingston@stantonllp.com

Philip Kingston Stanton LLP 1717 Main St., Suite 3800 Dallas, TX 75201

RE: FOIA Case No. 2021-FPRO-00236

Dear Mr. Kingston:

This is an acknowledgement to your Freedom of Information Act (FOIA) request of October 30, 2020, in which you seek access to Postal Service records. Your request was received by this office on November 2, 2020, and assigned FOIA Tracking Number 2021-FPRO-00236.

If you have any questions regarding your request, please contact the Postal Service FOIA Requester Service Center at (202) 268-2608 between the hours of 8:30 a.m. – 4:30 p.m., Eastern Standard Time.

Sincerely,

Brenda Or

Brenda L. Rahe Sr. Government Information Specialist

475 L'Enfant Plaza SW, Rm. 1P830 Washington DC 20260-1101 (202) 268-2608 FAX: (202) 268-5353



Open Records Center

A HOME	My Open Records Requests	
SUBMIT A REQUEST	Search Criteria Please Select Equals Q Go	
Q VIEW FAQS		
VIEW MY REQUESTS	Unrecognized Email 9 days ago U171848-032021	0
OPEN RECORDS SEARCH	Unrecognized Email Completed Status : Not ORR	
TRENDING TOPICS	1 Philip Kingston	
	View File(s) Details	
AQS Q See All FAQs		
hat will the charges be?	Open Records Request about a month ago Co01210-020721	0
ow long will a Public Information ct Request take?	1. Any and all communications, documents, and records referring to the property located at 5747 Richmond Ave., Dallas, Texas (the "Property"). Please specifically include, without limitation: - Communications with the United States Postal Service regarding address assignment for apartments at the Property - Permits and permit	
ow do I make a request?	applications and materials - Zoning records, decisions, and communications including, without limitation, material related to Article X - Communications and records sent to or received from Dallas Central Appraisal District - Internal communications regarding zoning and permit applications - Zoning applications and permit applications,	
he daas tha fite Attaunade	including amendments to same - Inspection records, including green tags, red tags, stop work orders, and	
	GovQA	
ow do I request Lien Pay-Off atements?	2 Philip Kingston	
	View File(s) Details	
	Open Records Request about a month ago	
	C001209-020721 1. Any and all communications, documents, and records referring to the property located at 1013 S. Glasgow Dr., Dallas, Texas (the "Property"). Please specifically include, without limitation: - Communications with the United States Postal Service regarding address assignment for apartments at the Property - Permits and permit applications and materials - Zoning records and communications including, without limitation, communications with ownership of the Property regarding PD 134 - Communications and records sent to or received from Dallas Central Appraisal District - Internal communications regarding zoning and permit applications - Zoning applications and permit applications, including amendments to same - Inspection records, including green tags, red tags, stop work orders, and communications regarding same - Notes and records of previous of the property regarding to the property of the property regarding to the same - Inspection records, including green tags, red tags, stop	
	Property - Recordings of any telephone and video conference calls related to the Property 2. City of Dallas Building Official decisions defining how non-conforming use designation is determined or granted and internal policies and	

1 Philip Kingston

Status : Full Release

1, 1920, to the present. This request excludes utility bills.

communications regarding same 3. Sustainable Development and Construction (and all prior iterations of this department) guidelines for permit application processing, zoning application processing, and non-conforming use determination criteria in use for the last 2 years. Unless otherwise stated, the time frame for this request is January



Starting New Single Family Residential Service

To start construction and / or permanent service with Oncor, the customer will call the contact center (888.222.8045) or select "Start New Service" online (<u>www.oncor.com</u>). The Project Manager assigned to the project will require: Name, Contact Information, Load, Site Plan, and Timeline. These items help determine the size of facilities Oncor will need to install, where they might be installed on the site, and when service is expected by the customer. The project will then follow the basic process below.



Customer Prerequisites

Oncor must have the following to schedule a crew for installation of facilities:

- Signed service agreement
- Easement *
- Site ready
- Payment received *
- Permits obtained *

* If applicable

Construction

During the construction phase, it is important to keep the area clear of debris for our crews to perform the work necessary to provide service. Customer installed civil work must be inspected by an Oncor Inspector and follow Oncor's Construction Specifications (<u>Oncor- Construction Guidelines</u>). Construction timeframes will vary based on the scope of the project.

Meter Installation

When it is time for the meter to be installed, it is important to make sure the following items are completed and coordinated:

- Oncor will provide an ESID number to the customer. City must send in a confirmed city inspection to Oncor's New Construction Management Center (NCMC) at <u>c3ncmc@oncor.com</u> or Fax: 888.222.9716 on the previously provided ESID account.*
- Customer must then apply for service with their selected Retail Electric Provider (<u>www.powertochoose.org</u>) on the same ESID Account provided previously.
- Once the inspection and the application for service have been received, Oncor will schedule the work to set the meter.
- * Note: In areas where City inspections are not required, meter base installations will still need to follow Oncor's service guidelines (Oncor- Electric Service Guidelines).

HGTA LTD PS is the current owner of 1013 S. Glasgow, Dallas, TX (the "Property"). The Property was acquired from William Williams in 2000. Mr. Williams acquired the Property in 1970. Mr. Williams is Russell Williams' father, and Russell Williams owns HGTA LTD PS. Therefore, the Property has been owned by the Williams family or their businesses since 1970.

During the entire period of ownership since 1970 no conveyance of mineral interests or any other interests in the Property has been made. The sale to Philissa Properties LLC – 1013 Glasgow Series when closed will be of all of interests in the Property currently owned by HGTA LTD PS and owned by William Williams when he acquired the Property in 1970.

HGTA LTD PS

DocuSigned by:

By Russell Williams (date)

HGTA LTD PS

BDA201-035_ATTACHMENT_C

No. BDA 201-035

The State of Texas	§	City of Dallas
	§	
Dallas County	§	Board of Adjustment
	§	
	Ş	Philissa Properties, LLC
	§	(1013 S. Glasgow, Dallas.)

CITY OF DALLAS' POSITION STATEMENT WITH SUPPORTING EVIDENCE AND AUTHORITY

To the Honorable Board of Adjustment;

The City of Dallas ("the City") submits this position statement for consideration by the Board.

I. INTRODUCTION

Philissa Properties LLC ("Applicant") is the current owner of real property located at 1013 S. Glasgow Drive ("the Property"). It acquired the Property on or about September 10, 2020. It sought permits to redevelop and renovate the Property. It later became apparent that the proposed work was to develop the Property as a four dwelling unit structure ("4-plex"). The City researched the applicable zoning and the past use and could not locate information supporting Applicant's claim that the Property had a prior lawful use as a 4-plex. The City located information supporting a historical use as a three dwelling unit structure ("3-plex"). The City has issued permits to allow the renovations as 3-plex but denied Applicant's request for permits to develop the Property as a 4-plex. Applicant now appeals that decision. The evidence supports the decision not to allow redevelopment as a 4-plex.

To be clear, the current zoning limits the use of the property to a single-family dwelling. The City was able to locate information of historical use as a 3-plex and agrees to that use as a non-conforming use.

II. THE APPLICABLE ZONING

The Property is located in a planned development district, PD-134. PD-134 was established on January 27, 1982. See Dallas, Tex. Code § 51P-134.101. PD-134 was divided into various sub-areas and the Property was located within Sub-area A. The uses in Sub-area A are limited to "single-family detached and duplex building and other uses as permitted in the R-7.5 Single-Family District Except as provided in Subsection (b)." Subsection (b) is titled "Nonconformity and other use regulations" and provides in pertinent part:

(1) All existing uses, *as shown on the land use map*, and structures within this PD are legal conforming uses and structures under this article. With the exception [of a specified lot], no residentially developed lot may contain more dwelling units than the number indicated on the land use map. Any structure now being used as a single-family dwelling which was originally built as a duplex or which has been used as a duplex at any time may be converted back to a duplex.

(Ex. 10) (emphasis added). A land use map, Exhibit 134A, was attached as part of the ordinance. (Ex. 11). As Applicant concedes, the land use map reflects that the Property was designated as a single-family residential use. (Applicant's Brief, p. 4). For the block on which the Property is located, all the properties on the same side of the street were listed as single-family dwellings. Throughout all of Sub-area A there are 15 properties designated as multifamily with 3 units and only one multifamily with 4 units. (Ex. 11).

In its brief, without any support, Applicant claims the land use map was a mistake as to the Property being designated a single-family use. (Applicant's Brief, p. 4). The zoning has been in place for nearly forty years and there was no mistake. It was adopted after notice and City Council meeting. The zoning never designated the Property as multifamily and a multifamily use was not and is not a conforming use. When PD-134 was adopted, the multifamily use at 1013 S. Glasgow became a non-conforming use. *See City of University Park v.* *Benners*, 485 S.W. 2d 773, 777 (Tex. 1972). Respectfully, the Board has neither the authority to change the zoning nor the discretion to ignore the existing zoning. *See* Tex. Loc. Gov't Code §§ 211.006, .009. The only issue presented is whether the Building Official correctly concluded there was a nonconforming use and that it was for use as a 3-plex.

A nonconforming use means a use that does not conform to the use regulations of the Dallas ordinances but was lawfully established under regulations in force at the beginning of operation and has been in regular use since that time. Dallas, Tex. Code § 51A-2.102(90). A person may remodel a structure with a nonconforming use "if the work does not enlarge the nonconforming use." Dallas, Tex. Code § 51A-4.704(b)(2). The party claiming a privilege to continue a nonconforming use bears the burden of proving its preexisting status. *Anderton v. City of Cedar Hill*, 447 S.W. 3d 84, 89 (Tex. App.-Dallas 2014, pet. denied).

The City agrees that there was a nonconforming use as a 3-plex but not as a 4-plex.

III. HISTORY OF THE PROPERTY AND ITS USE

A. The Historical Records Support Use Only As a 3-Plex.

In searching records, the City was unable to locate the initial permit for the structure. However, a permit for repairs to the structure was issued in 1941. It reflects that the permit was for a 3-plex. (Ex. 1). On January 30, 1970, a permit was sought to build a detached garage. The permit states the property is a 3-unit apartment. (Ex. 2). In December 1970, the property was sold to Bill Williams. The sale documents refer to the property as a 3-unit apartment. (Exs. 3, 4). In 1972, in an exclusive listing agreement, the Property was listed as a triplex. (Ex. 5). In 1973, in an exclusive listing agreement, the Property was listed as a triplex. (Ex. 6). Applicant also produced invoices for repairs dated November 6 and December 11, 1975. (Exs. 7, 8). The repairs were to only three units on the Property. There had been no application for permits or permits issued for any type of construction at the Property since 1970 until Applicant submitted its applications. (Ex. 18.) No records show use as a 4-plex.

B. DCAD Records Support Use Only As a 3-Plex.

The Dallas County Appraisal District on-line records currently indicate the structure was built in 1947 and has 3 kitchens. (Ex. 15, 17, 19). Dallas City Code defines a dwelling unit as "one or more rooms designed to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms." Dallas, Tex. Code § 51A-2.102 (34). The DCAD records indicate only three kitchens and therefore only three dwelling units.

C. Prior Utility Service Supports Use Only As a 3-Plex.

As for utilities, there has only been one meter from Dallas Water Utilities. (Ex. 16). As for electricity, Applicant concedes there were only three meters from Oncor at the time it acquired the Property. (Applicant's Brief, p. 6) ("when Applicant purchased the Property, only three meters were attached to the building ..."). Prior invoices from Dallas Power and Light Company only reflect three units. (Ex. 9). The City's investigation revealed that three electric meters were activated in 1983 and a fourth was not activated until after Applicant had purchased the Property. (Ex. 17.) The prior utility usage supports that the prior use of the Property was limited to a 3-plex.

D. Prior Communication with City Supports Use Only As a 3-Plex.

In its brief, Applicant states that its representatives had a teleconference call with Megan Wimer on August 19, 2020, that she was shown plans for remodeling as a 4-plex and "she did not see any issues with proceeding as planned." (Applicant's Brief at 2, 8). The statement is

inaccurate. Ms. Wimer never agreed to or approved proceeding with a 4-plex. (Ex. 18). Indeed, in an email from Applicant to Ms. Wimer, Applicant summarized the call and that Ms. Wimer said she believed it was "only be supportable as a 3-plex" and adding Applicant "either agree and remodel it as such or challenge that decision." (Ex. 14).

E. The Number of Mailboxes Is Not Indicative of Nonconforming Use.

Applicant claims there were four mailbox slots at the Property when it acquired the Property and argues there must have been four dwelling units. (Applicant's Brief at 1, 5). This is no indicator of the units. It is equally possible that the then owner installed it because it was readily available, less expensive, or for some other reason and only intended it for three units. Also, even the date of manufacture of the mailbox, which is not provided, is no indicator of when it was actually installed.

Applicant argues that the City designates street addresses and leaps to the conclusion that the City consented to the number of mailboxes at the Property. (Applicant's Brief at 5-6). While street numbers are created as part of the development process such as platting, the City has no role in deciding the number of mailboxes at a particular location. (Ex. 18). Like all aspects of United States mail, it is a matter of exclusive and heavy regulation by the United States Postal Service. *See* 39 U.S.C. § 101, *et al*; 39 C.F.R § 1.1, *et seq*. For example, the USPS domestic mail manual states "[c]ustomers must provide authorized mail receptacles or door slots, except for mail receptacles authorized by the USPS to be owned and maintained by the USPS," and "[a]partment house mail receptacles must be approved by the USPS."¹ The USPS National Delivery Planning Standards adds "[p]urchase, installation, maintenance, repair, and replacement

¹ <u>https://pe.usps.com/cpim/ftp/manuals/dmm300/508.pdf</u> §§ 2.1.3, 2.17, last visited April 6, 2021.

of mail receptacles are the responsibility of the customer."² The City has no role in the number of mailboxes.

The number of mailboxes is not indicative of prior nonconforming uses.

F. The Recent Listing for Sale Support Use as a 3-Plex.

When the prior owner listed the Property for sale in 2019, it included the listing in the MLS system as MLS No. 14218394. The description for the Property was "great opportunity to flip as two units or convert into one large single family." It listed the structure as having four bathrooms and four bedrooms and three living areas. Dwelling type was listed as "Attached or ¹/₂ Duplex." Property type was listed as "Residential-Single Family." (Ex. 20). The photographs provided with the listing reveal an abandoned structure. (Ex. 20). Communications with the Untied States Postal Service mailman indicate that no mail was delivered for the last two years because the structure was vacant. (Ex. 19). The prior owner never registered the Property as a multifamily rental property as required by Chapter 27 of the Dallas City Code. (Ex. 18.)

Applicant states that the prior owner had confirmed continuous use as a 4-plex since at least 1970. (Applicant's Brief, pp. 1, 7). The statement attached to Applicant's brief from the prior owner concerns mineral rights, not the number of dwelling units in the structure. (*See* Applicant's Brief, Ex. H).

G. Any Expansion from a 3-Plex to a 4-Plex Would Have Been Illegal.

As noted above, a nonconforming use means a use *lawfully* established and maintained. Dallas, Tex. Code § 51A-2.102(90). The documents provided by Applicant and found by the City establish that the structure was built and maintained as a 3-plex for decades. To the extent the Applicant argues there was an expansion to a 4-plex at some later date, such an expansion would have been illegal and not lawfully established. There were no applications and no permits

² <u>https://about.usps.com/handbooks/po632/po632_08_001.htm#ep1001360</u> § 8-1, last visited April 6, 2021.

issued for such an expansion. (Ex. 18). A nonconforming use as a 4-plex would not have been lawfully established.

IV. SUMMARY

The evidence establishes prior use as a 3-plex. The historical documents establish the use as only a 3-plex. DCAD records and the number of utility meters support that conclusion. Applicant's argument of use as a 4-plex is limited to the number of mailboxes and that simply is not indicative of a lawful use. Applicant has failed in its burden to establish the Building Official's decision was in error.

VII. CONCLUSION

The City requests that the Board of Adjustment affirm the Building Official's decision that use as a four dwelling unit structure is not allowed by the current zoning for the structure at 1013 S. Glasgow Drive.

Respectfully submitted,

<u>Charles S. Estee</u> Charles Estee Assistant City Attorney

City Attorney's Office 1500 Marilla Street, Room 7B North Dallas, Texas 75201 Telephone: 214-670-3519 Telecopier: 214-670-0622

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument was served on this the 9th day of April 2021, to the following persons:

Email

jennifer.munoz@dallascityhall.com Jennifer Munoz Board of Adjustment Administrator 1500 Marilla, Suite 5BN Dallas, Texas, 75201

<u>mkingston@fflawoffice.com</u> Melissa Kingston Manager, Philissa Properties LLC

Charles S. Estee

CHARLES S. ESTEE

EXHIBITS

- 1. Building permit dated Aug. 4, 1941
- 2. Building permit, dated Jan. 30, 1970
- 3. Purchase agreement dated Nov. 11, 1970
- 4. Letter dated Dec. 8, 1970 re sale of the Property
- 5. Exclusive listing agreement dated March 12, 1972
- 6. Exclusive listing agreement dated February 26, 1973
- 7. Invoice from George Reeves Company dated Nov. 6, 1975
- 8. Invoice from George Reeves Company dated Dec. 11, 1975
- 9. Invoices from Dallas Power & Light Co.
- 10. PD-134 of the Dallas City Code
- 11. Exhibit 134A of PD-134
- 12. Exhibit 134B of PD-134
- 13. Exhibit 134C of PD-134
- 14. Excerpt of February 21, 2021 email
- 15. Dallas County Appraisal District summary re 1013 S. Glasgow
- 16. Affidavit of Show Bowers
- 17. Affidavit of Richard Russell
- 18. Affidavit of Megan Wimer
- 19. Affidavit of Lisa Penney
- 20. Real Estate Listing for 1013 S. Glasgow

WE AT SALE TO A SALE OF A PAR PAR CAMPANE AND S WHEN Y BUILDING INSPECTION DIVISION Block No. D-161 Zoning ... PUBLIC WORKS DEPARTMENT-Lot No. Fire Limits CITY OF DALLAS, TEXAS SOXI Occupancy PERMIT Plans Sub. For the Erection, Remodeling, Repairing, De-molition of Buildings or Parts Unreal as provided in the Dallas Building Ordinances Type Const. Inspector San, Map Page Location. Use Permit for Application No. Bidg. Ht. Stys. Found. Bamt. Checked and approved sub-ject to provisions of Build-ing Code; Ext. Walls Int. Fin. and some the allowed are and Floors Roof Elec.: 5 / 00 2 Elevators: \$. JOHN FIES Supervisor of Bidg Pibg.: \$ Heating: Air Cond.: \$.. Spkr. Sys. W-D.: By R. Estimated Total Cost \$ Date 12 Per cent good participants participants 21 militar Total sq. ft. Sq. ft. add. Repr'dn. Val. Total Val. Add, Val, . Vic Jac. 191 "福安派 Street I all permit it istated on the basis of information furnished in the application noted nerven, and is subject to property restrictions, providing of the Building my Ordinance and all other governing ordinances which must be compliant for us have been speaked. This formula is subject to conversion open notice as permided in the Building Cade I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND RTIFIC THAT ALL STATEMENTS HEREIN BROOKDED BY ME ARE THUE. CEATH f mapa Date Signad Permit Clerke 135 IS REQUIRED FOR ALL BUILDINGS OF CHANGE IN USE THESE From BL 7 -5986 12.0

VALID ONLY WHEN ACCOMPANIED BY FEE RECEIPT DIVISION OF BUILDING INSPECTION 2 Block No. Zoning PUBLIC WORKS DEPARTMENT Fire Limits Lot No. CITY OF DALLAS, TEXAS Occ PERMIT tion, Remodeling, Repairing, De-Buildings or Parts thereof as the Dallas Building Ordinances SME For the Erection, molition of Built provided in the of Util. Held? Yes No Pins C Sk Sq. F 17 10 Location. Inspector. ermit No Use. Permit fo Owner of Land Owner of Improvement Contractor. O Plans by Kemarks Plbg. Fixt. Included WC. Lav Tub. Shr WH Bir Sidewalk Required? Yes 🗋 No 🗍 Septic Tank Use? Yes 🗍 No 🗍 Gr. T. Urn. Parking Spaces Required ____ _Loading Spaces Required Kit Sinks. Uti Bar Plbg Elec Htg AC Spkr. Sys Elevator Total Val New Total Value Add Value Final Value Note A: This permit issued on the basis of information furnished in the application and is subject to property restrictions, provisions of the Building Code, Zoning Ordinances and all other governing ordinances which must be complied with, whether or not here in specified. This permit is subject to cancellation upon notice as provided in the Building Code. This permit covers only work on private property and other work as specifically mentioned and does not include the installation of signs, gasoline tanks, street gutters and paying for which a separate permit is required. Permission is hereby granted to enter premises and make all inspections. Fdn Insp. Frm Insp. Final Insp 1 HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND CERTIFY THAT/ALL STATEMENTS HEREIN RECORDED BY ME ARE TRUE. 22 Signed_ Permit Clerk. 1 -30 70 By. Date_ 1 CERTIFICATE OF OCCUPANCY IS REQUIRED FOR ALL BUILDINGS OR CHANGE IN USE THEREOF

Zoning 2 F- 2	1	Block No. 7/16/4
Fire Limits	1 × 1 × 1 × 1	Lot_25 (10 PA
OC J- 1 TC Z-N	Building Inspection Division	50×143
Checked and Approved by	Public Works Department	Plans Sub.
11.1	CITY OF DALLAS, TEXAS	Inspector 20
Date 1-30-70		Permit No. 90459
San. Map Page	(Above to be filled in by Permit Clerk)	Appl. No.
	(Below to be filled in by Applicant)	
To the Building Inspector:	SUBMIT PLANS IN DUPLICATE	
	a building permit to cover the following de	escribed work;
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NOTE: Permit wi	ll cover only the work requested by writ	ten application.
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writings, etc.) to be done until such permits an and correct and hereby agree that if a permit iersin specified or not. I further agree to comp "ermission is hereby granted to enter premises	ermits are required isuch as elevators, signs, genoline ta re obtained. I have carefully examined and read the compl is issued, all the provisions of the City Ordinances and i ly with all property restrictions. I am the owner of the a and make all inspections.	State Laws will be complied with, whether hove property or his duly authorized agent.
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CONTRACT OF SALE THE STATE OF TEXAS, man of By This Agreement and Contract: COUNTY OF DALLAS 2 . W. PONALD BOURGEOUS Seller iccions hereby sells and agrees to convey to UILLIAM GILMPRE a 21 1 Purchaser the following described property lying and being situated in Dallas County, Texas, to-wit: 1013 SOUTH GLASCOW - BEING LOT 25 IN BIOCK 7/16412 MOUNT HUBURN ADDITION, ON ADDITION TO THE RITY of DALLAS, TEXAS, #57.8 MICORDING TO THE MAP THERE OF RECORDEDIN VOL. 1, PAGE 2761 MAP RECORDS of DALLAS COUNTY, TEYAS Prop por maneel Sou THWEST LAND TITLE OD The purchase price is \$_ has deposited with SOUTHWEST LAND TITLE co 21 as earnest money and part payment and the balance to be paid as follows: KB 1016 TO BE PAID IN CASH AT LOSING. 1 2 2 If it is herein provided that note or notes be executed by purchaser herein, said note or notes shall be secured by indor's lien and Deed of Trust with power of sale and the usual covenants as to taxes, insurance and default. Seller agrees to furnish title policy that the secure transmission of property, which shall be conveyed ea and clear of any and all encoundrances except base named berein, and Purchaser agrees to complete the sale as rein provided within 10 days after said Title Of proves title, unless provided otherwise herein. free and Erree and crear of any and all encombrances except brace named herein, and Purchaser agrees to complete the sale as herein provided within 10 days after said Title Company makes objections to the title to said property. Seller shall have 15 days time within which to cure such objections, and if Seller is unable to cure the objections, then the above mentioned ceposit shall be returned to Purchaser, and this contract shall thereupon terminate, and all parties be released from liability hereunder. If the title is approved and either party hereto fails or refuses to consummate this contract. The the report of this contract. In the event Purchaser is the defaulting party, Seller shall have the right to retain said cash deposit as liquidated damages for the breach of this contract. Between the title has been approved by Title Co., to deliver a good and sufficient General Warranty Deed conveying said property to Purchaser, and Purchaser agrees, when said deed is tendered, to pay balance of the cash payment and execute such note or notes and Deed of Trust as may be herein provided for.
Purchaser agrees, for purposes of this contract, that any restrictions or conditions imposed in any additions or subliviation of which the herein described property is a part, or easements for utility purposes, shall not be recited as objections to the title or considered as an encumbrance on said property.
In the event the improvements on the above described property are destroyed, or damaged beyond repair, by fire, windstorm, hall, explosion, or otherwise, before this contract for purchaser.
Seller agrees to pay the undersigned acent a commission of 6% of the sale price for nereotiating the sale here: this contract and the deposit for earnest money shall be returned to purchaser.
Within the indeposit of the propenses of this contract is consumated, purchaser may, at his option, terminate this contract and the deposit of earnest money shall be returned to purchaser. from the deposit for assessed monay. "In accordance with the requirements of Section 28 of the Texas Real Estate License Act, you are advised as Purchaser that you should be furnished with or obtain a policy of Title insurance or have the abstract covering the Real Estate which is the subject of this contract examined by an attorney of your own selection." Taxes for the current year, and current rents, insurance, and interest (if any) are to be prorated to date of closing. ASELLER AGREES TO PURCHASER TO HAVE PREMISES INSPECTED BY CONTRACTOR OF PURCHASER'S (HOICE Ano This Contract is CONTINGENT ON CONTRACTOR'S Approval of PREMISES -D. 12 + 2= LIERS LISTED ABOVE MUST BE Desumance at CURRENT INTERST B. POSSESSION UPON CLOSING C. CLOSING BY 12-1-70 Executed in triplicate this, day of _NO A.D. 19 70. billion Admore William. Purchaser Purchaser Selle m Apolstein Agent 2278191

2-92

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based on	i figures showing on last tax due date or estimates of the current year's taxes, and in will be made between the undersigned and the Seller. The undersigned hereby acknow	the event of any change for th	e cuttent year all nocess
	MG. A.	PURCHASTR	Cultury ptc

P. O. Box 18503 364A Casa Linda Plaza Dallas, Texas 75218 December 8, 1970

Mr. William Gilmore Williams 2935 Lovers Lane Dallas, Texas

Dear Mr. Williams:

I recently received notice from Southwest Land Title that you have purchased the equity in the 3 unit apartment building owned by Ronald Bourgeois at 1013 S. Glasgow. I hold a 2nd lien on this property with a monthly payment of \$49.48 due and payable on the 1st of each month.

Please send this check to my office, P. O. Box 18503, Dallas, or my home address, 2812 Live Oak Drive, Mesquite, Texas. Thank you.

Sincerely,

James M. Pollan

JMP/wl

12-12 \$49,48

DALLAS BOARD OF REALTORS Official Form @ 1962 MULTIPLE LISTING SERVICE



BRK #

PRICE

TYPE

BR

ISD #

CO-ORD

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FEATURES

Triplex 1013 So. Classov MLS # SIZE ADDRESS. PRICE 17.500.00 The EDITOR BR 50 X 145 Liv. Rm. 15 % 13 30 Treas Ext. correct 3 Din. Rm BR Story Int Approx size for State of the second P&带 Brk BR #3 Gara Fndtn all three units igned 10 X 43 Comp Kit lota BR #4 water gooled 主主学的命令 Den BR #5 Owner one each unit older corner Baths Tran Lineousb, Lorg, Kood rov Vilson Schools to Lakewood Shops_ man 2 lover apts and one upper apt. Special Features & Remarks 3 rent for \$90.00 month or \$25 A11 per week. All furm abed. Excellent value for income property. For best Utilties paid by owner, 1972 billes Lights 223.21 Cas 192.79 Water 89. of hi Insuranes 39.00. the information LEGAL DESCRIPTION FINANCING edge 12/61 710 (12/1 Unpd. Lot No Bal rs.: Dated Mo. 7/1614 BIK. No and 15 (12 樹 Yrs: Dated Refinancing be tereinatter Yrs.; Type Ist Mtge Holder Don N. Hyrd Pend Jas.Pollard 3,240 Neg Tonents Occupant set Telephone William G. Williams Owner (Title) Telephone forth Special Conditions 277 Jana Zapfre 167-127 6910 Snider Plaza ū. Listing Broke 363.7521 ADDRESS Triplez 1013 So. Masgaw true 17,500.00 MLS ADDRESS Guion Grogg Pealtors To: In consideration of services to be performed by you and/or other members of the (Name of Realtor) of the Dallas Board of Realtors, and your agreement to list the following described real estate situated in the County of Dallas, Right Addition Multiple Listing Service State of Texas: Lot. Block Otherwise 1 13 So. Glasgow known as A A A wave tracking on together with and including the following fixtures and articles of personal property attached to such real estate and owned by me (strike any that are not applicable): Air conditioning and heating equipment, venetian blinds, window shades, light fixtures, mail boxes, radio and television aerials and:

17,500

I hereby irrevocably appoint you my exclusive agent, with sole authority to sell said property at a price of \$. or on such terms as I may

I hereby irrevocably appoint you my exclusive agent, with sole authority to sell said property at a price or such terms as they approve: I understand that you are a member of the Multiple Listing Service of the Dallas Board of Realtors, and you have agreed to file this listing with said service. This agreement shall be considered a Multiple Listing as of the date of execution. You shall endeavor with all reasonable efforts to find a purchaser for said real estate on the terms set forth. You may take such actions to sell the property as you may deem advisable in your discretion, including the listing of the property with cooperating brokers, as well as the other members of the Multiple Listing service. I agree to refer to you all inquiries which I may receive relating to such property, to conduct through you all negotiations relating to the sale of the sale of the sale of the exclusive right to place "For Sale" and Multiple Listing Service signs on or about the premises and may enter the premises at any erasonable time for the purpose of showing the same to prospects. You shall not be responsible or liable in any way for vandalism, theft, or damage of any kind whatsoever sustained by said property during the period of this agreement, whether caused by prospects admitted to the property by you, or otherwise, unless caused by your failure to exercise reasonable preavious.

The term of this agreement shall commence on _______ and shall continue for ______ days thereafter. If said property is sold prior to the termination of this agreement, whether by you, by me, or by any other person, or if the property is sold within 180 days after the termination of this agreement to anyone with whom you or any member of Multiple Listing Service negotiated during the period of days after the termination of this agreement, in either such event, I agree to pay to you in Dallas. Texas, a commission in cash equal to _______ per cent (_________%) of the selling price, except that no commission shall be payable to you if the property is sold after this agreement has terminated and while the property is under an exclusive listing with another member of the Multiple Listing Service of the Dallas Board of Realtors. You may divide any commission payable hereunder with other licensed cooperating brokers or members of the Multiple Listing Service but, it is agreed that, An exchange of said real estate shall be demed a sale thereof for the purposes of this agreement. In the event of an exchange, you are authorized to represent and receive commissions from both parties. If this agreement is signed by more than one person, it shall constitute the joint and several obligations of each. 2 - /2 - /2 - /2 - /2 -

ACCEPTED:

Realtor, Member of the Dallas Board of Realtors

Telephone

By

Address

(This form must be filled out in Triplicate.)

DALLAS BOARD OF REALTORS Official Form® 1972 MULTIPLE LISTING SERVICE **EXCLUSIVE LISTING AGREEMENT**

MULTIPLE FAMILY DWELLING

TYPE ISD#	CO ORD					PRICE	BRK #	
MLS # A	No. Units		Address 1013	So.Gla	SCOW_Age	older	Price \$16, 500	.00
No Units Type	Sq. Ft.	No.	Rent Unfurn.	No.	Rent Eurn		Total Rent	
2]=1					75.00/		900.00	
3 1-1					95.00/	mo	1140.00	1
							\$3184.00	1
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3rd							es neur gunacas	
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Owner WILLIAM .	trai en i		Address 2035	Term	Tano		те. 369-131	5
Manager ANNA			Address				Tel	
Listing Broker DATE (D)	na duanaon) IL MOR	UNTITAL		Tel P23-2121	
wls #	No. Units		Address 1013	Sto ob suis		Age P	Fice 31, 100	.00
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Multiple Listing Service of t		tors and your as		e following de	escribed real es	tate situate		

known as 1173 -3- 2000

ACCEPT TYPE Realton By

known as the state and including the following fixtures and articles of personal property attached to such real estate and owned by me (strike any that are not applicable): Air conditioning and heating equipment, venetian blinds, window shades, light fixtures, mail boxes, radio and television aerials and:

I hereby irrevocably appoint you my exclusive agent, with sole authority to sell said property at a price of \$10,500.00 or on such terms as I may

I hereby irrevocably appoint you my exclusive agent, with sole autionity to sen satu property at a price of the approve. I understand that you are a member of the Multiple Listing Service of the Dallas Board of Realtors, and you have agreed to file this listing with said service. This agreement shall be considered a Multiple Listing as of the date of execution. You shall endeavor with all reasonable efforts to find a purchaser for said real estate on the terms set forth. You may take such actions to sell the property as you may deem advisable in your discretion, including the listing of the property with cooperating brokers, as well as the other members of the Multiple Listing Service. I agree to refer to you all inquiries which I may receive relating to such property, to conduct through you all negotiations relating to the sale of the property, and to cooperate with you fully in your efforts to sell the property. You shall have the exclusive right to place "For Sale" and Multiple Listing Service signs on or about the premises and may enter the premises at any reasonable time for the purpose of showing the same to prospects. You shall not be responsible or liable in any way for vandalism, theff, or damage of otherwise, unless caused by your failure to exercise reasonable precautions.

The term of this agreement shall commence on If said property is sold prior to the termination of this agreement, whether by you, by me, or by any other person, or if the property is sold within 180 days after the termination of this agreement to anyone with whom you or, any member of Multiple Listing Service negotiated during the period of this contract and of whose name you have notified me by written notice delivered to me personally or mailed to me at the address stated below within 10 days after the termination of this agreement, in either such event, I agree to pay to you in Dallas, Texas, a commission in cash equal to per cent (%) of the selling price, except that no commission shall be payable to you if the property is sold after this agreement has terminated and while the property is under an exclusive listing with another member of the Multiple Listing Service, but, it is agreed that, notwithstanding any such agreement to division of commissions, I shall be fully protected in paying all commissions payable hereunder solely to you. An exchange of said real estate shall be demed a sale thereof for the purposes of this agreement. In the event of an exchange, you are authorized to represent and receive commissions from both parties.
If this agreement is signed by more than one person, it shall constitute the joint and several obligations of each.
DATED PODTURTY 26,1973

ED:	windre	iolioni
THE PROPERTY OF THE CONTRACT OF THE CONTRACT.		
Member of the Dallas Board of Realtors	2935 Lovers Lane	369-1315
	Address	Telephone
(This for	n must be filled out in Triplicate.)	

DALE COPUS, REALTON

Address 1013 3. Glasgow	Price 18, 500,00
StaeITIDLEX	An older
Comments - 1940 7 2 2 2 4 4 4 12 15	Bhome 369-1315
Condition dod	MLS Section A
Living Room S	Heating
Kitchen Ě	VentBerienUzit Plumbing?
Breakfast Room	
Den	Fisiers <u>Carpets</u>
Bedrooms	Red COMD.
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Porches 2-front	Appelation
Garage Zafrant none	Walls Ent, Frame
Dish Washer no	BI irids
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Venta Hood DO	RangeW
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Transportation Legal Desc1 25, 3LK. 7/161	ShoppingEast Grand
Los 50 x 145	ALL. AUDURN Addition
Lot 50 x 145	Facile Fence _DO
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(3) L.R. 12.5 x 19.5	(All paneled)
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George Reeves Company

Reci Estate & Investments COMMERCIAL - RESIDENTIAL - FARMS

2601 N. CARROLL

DALLAS, TEXAS

+214,26 15 - ∩ 11-11-15 821-3280

November 6, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

TENANT	LOCATION	PA ID FROM	PA ID TO	RENT	Comm.	Net
Vacant	1013 S. Glasgow_#1	J		None		
Vacant	1013 S. Glasgow#2			None	1.,	
	2 2 2 2					

Glen Seagraves 1013 S. Glasgow #3 Sept 28 Oct 28 \$80.00 \$8.00 \$72.0

Less: 10/28/75 Plumber put clamp on pipe under house. 1 hr. labor - 8.5 10/29/75 Plumber installed hot water heater. 3 hrs. labor - 25.5 10/30/75 Plumber repair plumbing, gas leak, vent hot water heater. 8 hrs. labor - 68.0 10/31/75 Repaired bathroom faucet upstairs. Could not get in day before. 1½ hrs. labor - 12.7 Bill attached (\$153.57) and \$18.94 materials off truck. - 171.5

Total due George Reeves: _\$214.2

Please send a check to cover the above amount.

Thank you. George Reeves

George Reeves Company

Real Estate & Investments COMMERCIAL - RESIDENTIAL - FARMS

2601 N. CARROLL

DALLAS, TEXAS

821-3280

December 11, 1975

William G. Williams P. O. Box 5403 Dallas, Texas 75222

PAID PAID TENANT LOCATION FROM TO RENT Larry Camacho 1013 S. Glasgow_#1 Dec 2 Jan 2 \$105.00 10.50 \$94.50 15.00 15.00 Deposit James Carroll 1013 S. Glasgow_#2 Dec 11 \$125.00 12.50 \$112.5 Nov 6 15.00 15.0 Glen Seagraves 1013 S. Glasgow_#3 Oct 28 Dec 2 \$125.00 12.50 \$112.5

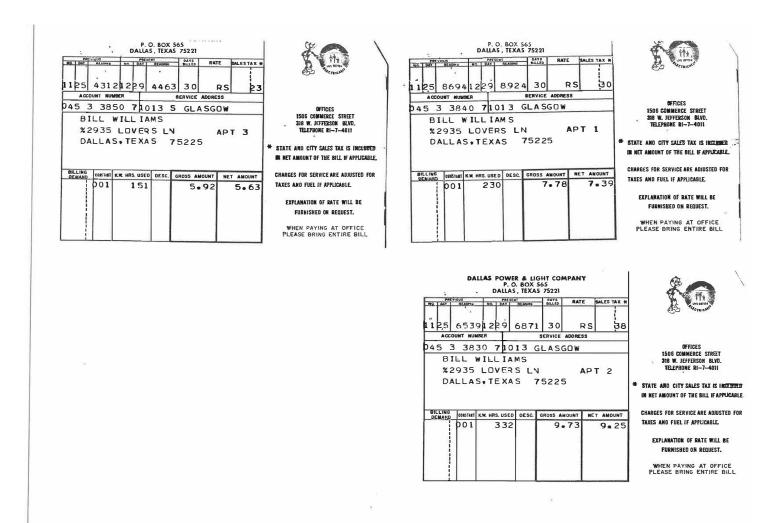
\$349.5

Less: Locks repaired, duplicate keys, etc. 11/4/75 for 1013 S. Glasgow (Invoice attached)

- 14.5

Total: \$334.9

Thank you, George Reeves



ARTICLE 134.

PD 134.

SEC. 51P-134.101. LEGISLATIVE HISTORY.

PD 134 was established by Ordinance No. 17271, passed by the Dallas City Council on January 27, 1982. Ordinance No. 17271 amended Ordinance No. 10962, Chapter 51 of the Dallas City Code, as amended. Ordinance No. 17271 was amended by Ordinance No. 17424, passed by the Dallas City Council on May 26, 1982; Ordinance No. 17704, passed by the Dallas City Council on February 16, 1983; Ordinance No. 18054, passed by the Dallas City Council on November 23, 1983; Ordinance No. 19745, passed by the Dallas City Council on October 28, 1987; Ordinance No. 21815, passed by the Dallas City Council on September 22, 1993; and Ordinance Nos. 23256 and 23257, passed by the Dallas City Council on September 10, 1997. Ordinance No. 21815 changed the zoning on a portion of the Property from PD 134 to a CR Community Retail District. Ordinance No. 23256 changed the zoning on a portion of the Property from PD 134 to a CS Commercial Service District. (Ord. Nos. 10962; 17271; 17424; 17704; 18054; 19745; 21815; 23256; 23257; 25508; 28462)

SEC. 51P-134.102. PROPERTY LOCATION AND SIZE.

PD 134 is established on property generally bounded by G.C. & S.F. Railroad, Cristler Avenue, East Grand Avenue, Philip Avenue, Fairview Avenue, Gurley Avenue, East R.L. Thornton Freeway, and Carroll Avenue. The size of PD 134 is approximately 313.7504 acres. (Ord. Nos. 17271; 23257; 25508; 28462; 28851)

SEC. 51P-134.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51. (Ord. Nos. 25508; 28462)

SEC. 51P-134.103.1. CREATION OF SUBAREAS.

This district is divided into Subareas A, A-1, B, B-1, and C, as shown on the subarea map (Exhibit 134C). (Ord. Nos. 28462; 29192)

SEC. 51P-134.103.2. EXHIBITS.

The following exhibits are incorporated into this article:

- (1) Exhibit 134A: land use map.
- (2) Exhibit 134B: development plan for Subarea A-1.
- (3) Exhibit 134C: subarea map. (Ord. 28462)

SEC. 51P-134.103.3. DEVELOPMENT PLAN.

(a) For Subarea A-1, development and use of the Property must comply with the development plan (Exhibit 134B). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For Subareas A, B, B-1, and C, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. Nos. 28462; 29192)

SEC. 51P-134.104. LAND USE MAP.

A map defining existing land uses within the boundaries of this PD is labelled Exhibit 134A. (Ord. Nos. 17271; 23257; 25508; 28462)

SEC. 51P-134.105. USES.

(a) <u>In general</u>.

(1) Uses in Subarea A are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b).

(2) Uses in Subarea B are limited to all uses permitted in the GR-D General Retail-Dry District. Residential uses are limited to the uses permitted in Paragraph (1).

(3) Uses in Subarea B-1 are limited to all uses permitted in the GR-D-1 General Retail District with a D-1 Liquor Control Overlay. Residential uses are limited to the uses permitted in Paragraph (1).

(4) Uses in Subarea C are limited to all uses permitted in the NS Neighborhood Service District. Residential uses are limited to the uses permitted in Paragraph (1).

(5) Except as provided in this paragraph, uses in Subarea A-1 are limited to single-family detached and duplex dwellings, and other uses as permitted in the R-7.5 Single-Family District except as provided in Subsection (b). The surface parking use shown on the development plan is only permitted in conjunction with the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

(b) <u>Nonconformity and other use regulations</u>.

(1) All existing uses, as shown on the land use map, and structures within this PD are legal conforming uses and structures under this article. With the exception of Lot 7 in City Block 6/1614 at 1110 Mt. Auburn Avenue, which may contain a duplex dwelling unit, no residentially developed lot in this PD may contain more dwelling units than the number indicated on the land use map. Any structure now being used as a single-family dwelling which was originally built as a duplex or which has been used as a duplex at any time may be converted back to a duplex.

(2) Nonresidential uses, which were existing as of July 1, 1981, and not identified on the land use map, that are conducted on the same lot with a residential use will be considered as legal conforming uses, so long as the nonresidential use is conducted by an occupant of the residence and the scale of operation of such use is not enlarged in any way. No advertisement, sign, or display is permitted on the premises. The use may not generate loud and raucous noise that renders the enjoyment of life or property uncomfortable or interferes with public peace and comfort.

(3) All signs must comply with the provisions of Article VII.

(4) All uses in Tract 1-B that sell or serve alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises on January 27, 1982, will be considered as legal nonconforming uses.

(c) <u>Lots in Subarea A</u>. Any lot in Subarea A on which a nonresidential structure has been officially condemned by the city or has been intentionally removed or demolished may be redeveloped with the use and structure standards (including off-street parking provided) existing on the lot on January 27, 1982, or with the residential standards defined in Section 51P-134.106.

(d) <u>Application of Section 51P-134.106(a)</u>. The development standards defined in Section 51P-134.106(a) apply to the following uses:

(1) All lots in Subarea A that are vacant on January 27, 1982.

(2) Any residential structure in the PD that is to be enlarged as long as the number of dwelling units does not increase.

(3) Any lot in Subareas B, B-1, or C that are to be developed or redeveloped with a residential use. (Ord. Nos. 17271; 17424; 17704; 25508; 26102; 28462; 29192)

SEC. 51P-134.106. DEVELOPMENT STANDARDS.

(a) <u>The following development standards apply to single-family detached and duplex</u> <u>dwellings</u>.

(1) Minimum lot area per structure is 7,250 square feet.

(2) Minimum front yard setback for all lots is 10 feet beginning from the front property line. Except in Subarea A-1, any setbacks on interior lots are the same as, or between, the setbacks of the closest adjacent structures. Except in Subarea A-1, any structure to be located on a vacant corner lot must conform to a setback that is within five percent of the setback of the closest adjacent structure within the same block.

(3) Minimum lot width is 50 feet.

(4) Standards for development must be in accordance with all other provisions of the R -7.5 Single-Fmaily District.

(b) <u>The following development standards apply in Subarea A-1.</u>

(1) Light fixtures including base, pole, and fixture may not exceed eight feet in height. All lighting must be directed downward and away from residential uses.

(2) Off-street parking must comply with the development plan.

(3) The off-street parking spaces shown on the development plan may only be used by the institutional use located in Subarea A on part of Lot 1 and all of Lot 2 in City Block 19/1613.

- (c) <u>The following development standards apply in Subarea B.</u>
 - (1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D General Retail-Dry District.

(d) <u>The following development standards apply to Subarea B-1</u>.

(1) Maximum height is 24 feet.

(2) Standards for development must be in accordance with all other yard, lot, and space regulations of the GR-D-1 General Retail District with a D-1 Liquor Overlay.

(e) <u>The following development standards apply in Subarea C</u>.

(1) Standards for development must be in accordance with all other provisions of the NS Neighborhood Service District Regulations. (Ord. Nos. 17271; 17424; 25508; 28462; 29192)

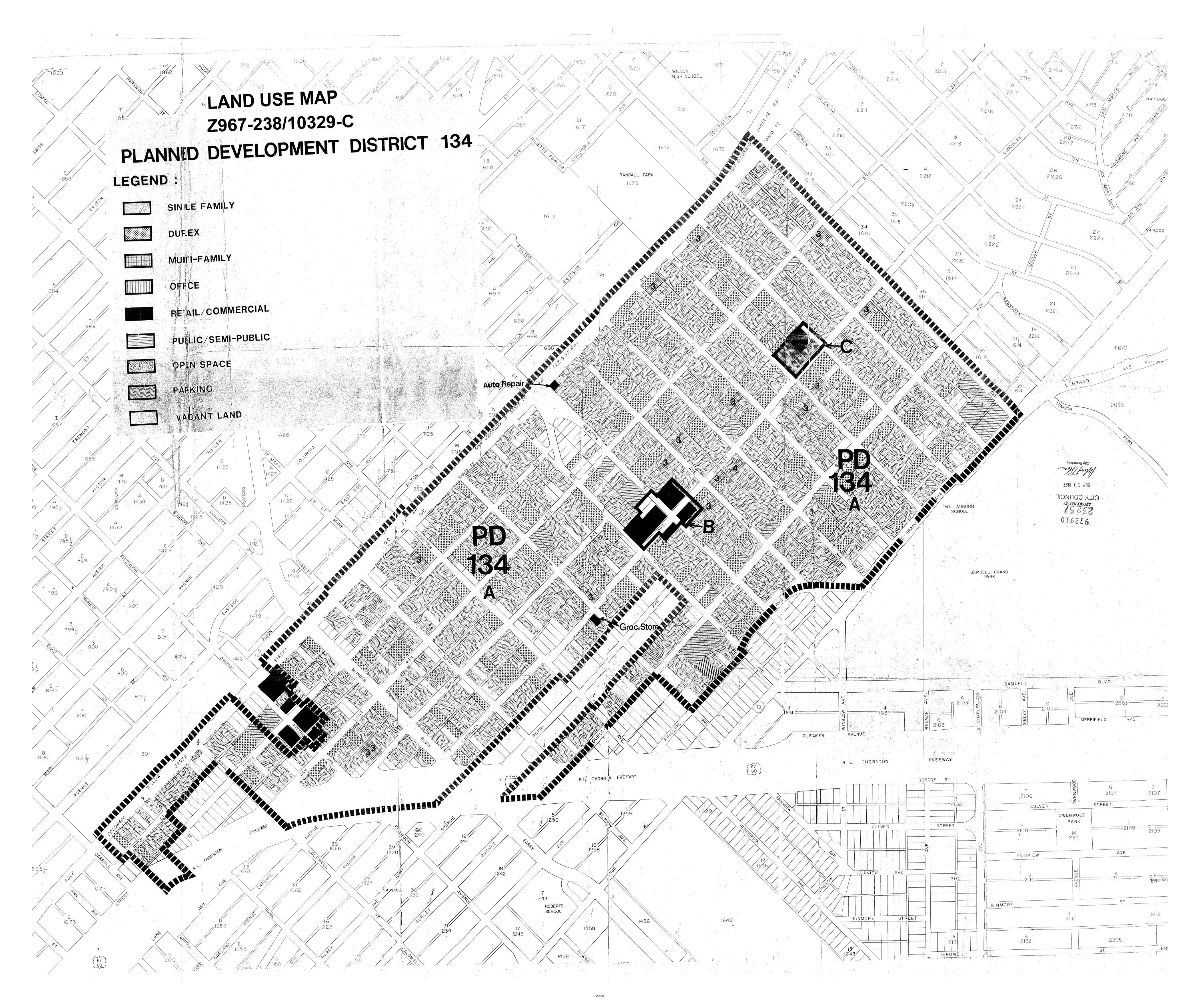
SEC. 51P-134.107. GENERAL REQUIREMENTS.

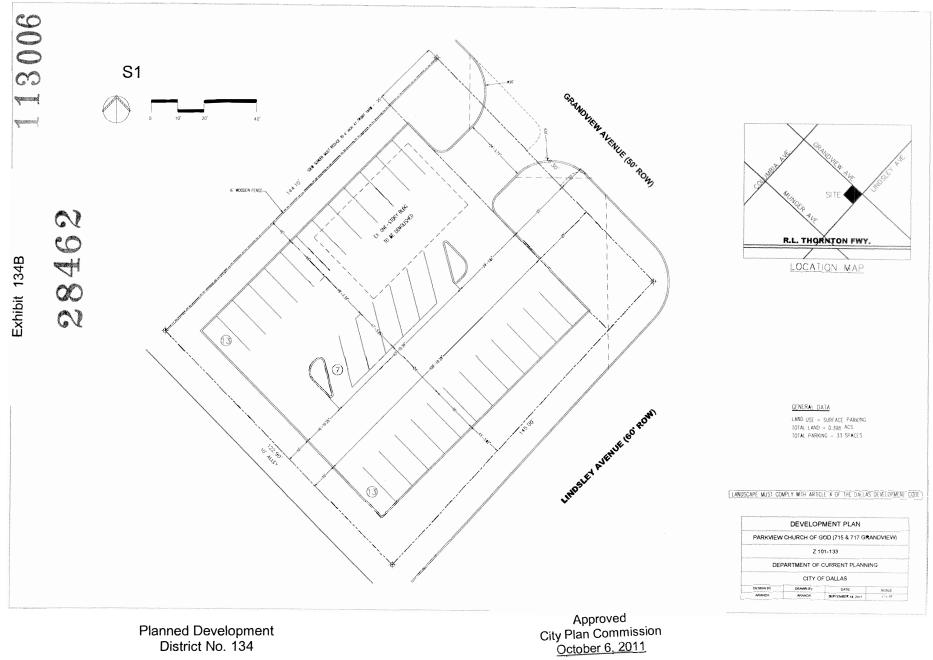
(a) The filing fee and area of notification for any amendment to this PD must be based on the amount of land area involved in the proposed amendment in accordance with the fee schedule and area of notification established for zoning change requests under the heading "All Other Applications."

(b) The board of adjustment shall have the authority to hear appeals and grant variances from the terms of Ordinance No. 17271, as amended, in accordance with regulations and procedures specified in Section 51-3.102.

(c) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(d) The building official shall not issue a certificate of occupancy until there has been full compliance with this article together with all applicable provisions of the Dallas City Code, as amended. (Ord. Nos. 17271; 25508; 26102; 28462)



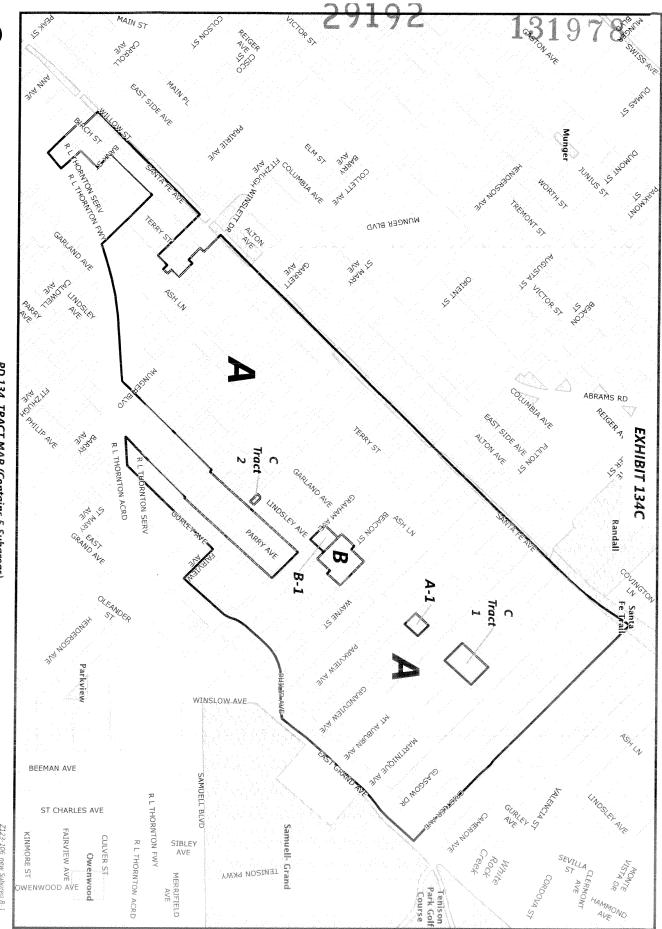


District No. 134



PD 134 TRACT MAP (Contains 5 Subareas) Subarea C contains 2 separate tracts Subareas A, A-1, B, B-1, C

Z123-106_new Subarea 8-1



From: Melissa Kingston <<u>mkingston@fflawoffice.com</u>> Sent: Thursday, February 4, 2021 6:03 PM To: Wimer, Megan <<u>megan.wimer@dallascityhall.com</u>> Cc: 'Rob@baldwinplanning.com' <<u>Rob@baldwinplanning.com</u>>; Cossum, David <<u>david.cossum@dallascityhall.com</u>>; Session, Little <<u>l.sessions@dallascityhall.com</u>>; Philip Kingston <<u>pkingston@stantonllp.com</u>>; Sweckard, Kris <<u>Kris.Sweckard@dallascityhall.com</u>>; Hogue, Warren <<u>warren.hogue@dallascityhall.com</u>>; Medrano, Adam <<u>adam.medrano@dallascityhall.com</u>>; Omar Peña <<u>mvaremodeling@icloud.com</u>>; Melissa Kingston <<u>mkingston@fflawoffice.com</u>> Subject: RE: 1013 S. Glasgow

External Email!

Megan –

Let's revisit how this project has gone.

1. Before we even closed on the property on August 31, 2020, we set up a video conference held on August 19, 2020 with you and our architects, Architexas, to go over the remodel plan. At that time, we informed you that the property had been developed as a 4-plex and from we could see, that appears to have been done during the Great Depression based on the rough sewn, fabric backed wall paper used, etc. used on even the remodeled portions of the structure. On that call, we specifically discussed the fact that we considered the property a legal non-conforming use. We had done our research, and presented it to you. On that call, you said that you did not see any issues. At that time, had you stated that you believed this would only be supportable as a 3-plex, we had the ability to either agree and remodel it as such or challenge that decision. Avoidance of the situation we now find ourselves in where the project is all but complete was the entire point of talking to you at the onset of this project.

DCAD: Residential Acct Detail





Residential Account #00000165181000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions Estimated Taxes History

Property Location (Current 2021) Address: 1013 S GLASGOW DR Neighborhood: 1DSI01 Mapsco: 46-D (DALLAS)

DCAD Property Map

2020 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

Owner (Current 2021) PHILISSA PROPERTIES LLC 5901 PALO PINTO AVE DALLAS, TEXAS 752066831

Multi-Owner (Current 2021)

Owner Name	Ownership %
HILISSA PROPERTIES LLC	100%

Legal Desc (Current 2021)

- 1: MOUNT AUBURN
- 2: BLK 7/1614 LOT 25
- 3:
- 4: INT202000246381 DD08312020 CO-DC
- **5:** 1614 007 02500 1001614 007
 - Deed Transfer Date: 9/10/2020

Value

2020 Certified Values	
Improvement: Land: Market Value:	+ \$145,000
Revaluation Year:	2020
Previous Revaluation Year:	2019

Main Improvement (Current 2021)

Building Class	13	Construction Type FRAME		# Baths (Full/Half)	4/ 0	
Year Built	1947	Foundation	PIER AND BEAM	# Kitchens	3	
Effective Year Built	1947	Roof Type	HIP	# Bedrooms	4	
Actual Age	74 years	Roof Material	COMP SHINGLES	# Wet Bars	о	
Desirability	POOR	Fence Type	WOOD	# Fireplaces	0	
Living Area	2,102 sqft	Ext. Wall Material	FRAME	Sprinkler (Y/N)	N	
Total Area	2,102 sqft	Basement	NONE	Deck (Y/N)	N	
% Complete	100%	Heating	GAS HEATERS	Spa (Y/N)	N	
# Stories	ONE AND ONE HALF STORIES	Air Condition	WINDOW	Pool (Y/N)	N	
Depreciation	70%			Sauna (Y/N)	N	

THE STATE OF TEXAS COUNTY OF DALLAS

"My name is Shon Bowers. I am a Senior Program Manager with the City of Dallas, Dallas Water Utilities Department – Meter Services Division ("Dallas DWU") As an employee of Dallas DWU, I have personal knowledge of the matters stated herein and they are true and correct.

As part of my duties and responsibilities as a manager with Dallas DWU, I have access to the records pertaining to water meters that are assigned to both commercial and residential accounts in the City of Dallas.

I researched the address of 1013 S. Glasgow Dr., Dallas, Texas 75223 ("1013 Glasgow") and found that from the period of January 21, 2007 to August 5, 2020, there was only one meter assigned to 1013 Glasgow. It was replaced in August, 2020 and a new meter was assigned to 1013 Glasgow. There was a tenant change in the September, 2020. There is only one meter currently present at 1013 Glasgow and there has only been one meter at that address since at least 2007.

I declare under the penalty of perjury that the foregoing is true and correct.

Shon Bowers

Date: Q day of April 2021

AFFIDAVIT-Shon Bowers Page 1 of 1

THE STATE OF TEXAS COUNTY OF DALLAS

"My name is Richard Russell. I am the Southwest District Manager for the City of Dallas's Department of Sustainable Development and Construction. I have been the District Manager during the relevant time period for this matter. I am of sound mind, capable of making this affidavit, have personal knowledge of the matters stated herein, and they are true and correct.

As part of my duties and responsibilities as a manager, I was asked to investigate the land use of the property located at 1013 Glasgow, Dallas, Texas 75223 ("1013 Glasgow"). I visited the Dallas County Appraisal District public website and researched the property. The DCAD records state the structure at 1013 Glasgow was built in 1947 and three kitchens, indicating there were three dwelling units in this structure. Attached as Exhibit 15 is a true and correct copy of the DCAD records.

I also contacted a representative of Oncor and was told by its representative that their records show meters for units 1, 2, and 3 were activated in 1983 and a panel for unit 4 was not activated until January 2021.

I declare under the penalty of perjury that the foregoing is true and correct.

Richard Russ

Date: day of April 2021

AFFIDAVIT-Richard Russell Page 1 of 1

THE STATE OF TEXAS § COUNTY OF DALLAS §

My name is Megan Wimer. I am an Assistant Building Official for the City of Dallas, employed with the Building Inspection Division of the Department of Sustainable Development and Construction. I have served as an Assistant Building Official during the relevant time period for this matter. I am of sound mind, capable of making this affidavit, have personal knowledge of the matters stated herein, and they are true and correct.

In the late fall of 2020, the City received an application for a building permit to make renovations to the structure located at 1013 Glasgow Drive, Dallas, Texas (hereafter referred to as the Property) from Philissa Properties, LLC (hereafter referred to as Applicant). The permit was for an interior remodel and window replacement. Building Inspection began review of the application and the governing zoning for the Property. The Property is located in Planned Development District No 134 ("PD 134"), which was adopted on January 27, 1982. This district is primarily a residential district. A copy of the PD-134 and its exhibits are attached as Exhibits 10 through 13.

As shown on the land use map, which is Exhibit 134-A of the ordinance, the Property is located in Subarea A. Uses in this subarea are limited to single family and duplex dwellings and other uses as permitted in the R-7.5 Single Family District. However, PD 134 includes an exception that uses appearing on the land use map were considered conforming uses as of the date of adoption of PD 134. The land use map depicts 15 multifamily structures. Of those, 14 contained three units and one contained four units. According to the land use map, the Property is identified as a single-family use and not as multifamily.

Although the Property is depicted as a single family dwelling, my staff and I researched the history of the Property to determine if the existing multifamily use could be considered nonconforming. Representatives of the Applicant provided various documents to the City to attempt to prove nonconforming status. This included a building permit from 1941 to make repairs after a fire (attached as Exhibit 1). While less than clear, the permit indicates the structure had three dwelling units. Also included was a building permit from 1970 for a garage (attached as Exhibit 2); the application refers to the Property as a 3-unit apartment. Another document was a purchase agreement and related correspondence from 1970 which refers to the Property as a 3-unit apartment (attached as Exhibits 3 and 4). Other documents were listing agreements from 1972 and 1973 (attached as Exhibits 5 and 6). These also refer to the Property as a triplex. Additional documentation included invoices from 1975 for repairs to three units (attached as Exhibits 7 and 8). Also provided were utility invoices from Dallas Power and Light Company for just three units (attached as Exhibit 9). Other than a letter from the seller which stated that the Property had "always been used for multifamily housing with either three or four units until it had been put on the market for sale" the Applicant's representatives did not provide any documentation as to past use that suggested the Property was used as anything other than a three dwelling unit structure.

Staff searched for any other permits or records that would indicate an expansion of the Property from three dwelling units to four dwelling units. An application and permit from 1975 for the address at 1013-1015 Glasgow identified the location as a duplex. No other applications and no permits from 1970 to 2020 were located. Since 1975, the only applications and permits regarding the Property are those recently submitted and issued to the Applicant.

I also requested staff to determine if the Property had ever been registered as a multi-tenant rental property with the Department of Code Compliance as required by Chapter 27 of the Dallas City Code. No records were located.

Representatives of the Applicant advised me that the Property had four mailboxes. The United States Postal Service ("USPS") does not contact the City about the number of mailboxes to be installed at a property. The USPS' decisions are not based on the City and the City's land use decisions are not based on the USPS. The City does not review, authorize, or consent to the number of mailboxes at the Property or other properties.

Representative of the Applicant also referenced that the Property had multiple utility meters. Based on research of City staff, I am aware that the Dallas Water Utilities has had only one water meter at the Property since 2007. I am also aware that Oncor only had three active meters at the Property since 1983 and only activated a unit-4 meter and a house panel in January 2021 at the request of the Applicant. Also, based on my experience, neither Atmos nor Oncor always contact or keep the City informed as to the number of meters at any property.

I advised the Applicant that based on our research and the documentation provided, the City could authorize permits to remodel three dwelling units as a nonconforming use since evidence did not support four dwelling units. A permit was issued to allow the renovation of a three dwelling unit structure to continue. During my conversations with the Applicant's representatives I did not ever approve of the development of the Property as a four dwelling unit structure. I deny ever saying that I did not see any issues with proceeding with development as a four dwelling unit structure in a video call with the Applicant on August 19, 2020. To the contrary, the representative of the Applicant sent me an email in which she summarized my statement that the project was only supportable as a 3-plex. Attached as Exhibit 14 is a true and correct copy of an excerpt of that email.

Also, I am one of the custodian of records for the City of Dallas's Department of Sustainable Development and Construction. It was the regular course of business for the Department to maintain records regarding any application for any building permit and any certificate of occupancy and regarding the issuance of any permit or certificate of occupancy for any property located in the City of Dallas. It was the regular course of business for the Department for a Department employee with knowledge of the act, event, or condition to make a record or to transmit information thereof to be included in such record, and that such records be made at or near the time, or reasonably soon thereafter. The attached Exhibits are true and correct copies of City records. I have searched and/or directed others under my direction to search the Department's records for building permits and other documents related to 1013 Glasgow Drive. Attached as Exhibits 1-9 are true and correct copies of the records provided to the City by Applicant. Attached as Exhibits 10 to 13 are to true and correct copies of excerpts of the Dallas City Code. Attached as Exhibits 14 is an except of an email. The attached copies are exact duplicates of the originals.

I am an employee of the City of Dallas and I am executing this declaration as part of my assigned duties and responsibilities. I declare under the penalty of perjury that the foregoing is true and correct.

mentin

MEGAN WIMER, AICP, CBO

Date: 4/8/21

THE STATE OF TEXAS COUNTY OF DALLAS

My name is Lisa Penney. I am employed by the City of Dallas as a paralegal for the Dallas City Attorney's Office.

On April 1, 2021 and on April 5, 2021, I had telephone conversations with Marvin Jefferson ("Mr. Jefferson") who is employed by the United States Postal Service. Mr. Jefferson informed me that he is a mail carrier for the Juanita Craft Post Office ("Post Office") located at 3055 Al Lipscomb Way, Dallas, Texas 75215. I discussed the following matters with Mr. Jefferson who has personal knowledge of them, and I believe them to be true and correct.

Mr. Jefferson began working at the Juanita Craft Post Office approximately two years ago. As part of his duties and responsibilities as a mail carrier at this Post Office, he was assigned Route number 2337, which encompasses the address of 1013 S. Glasgow Dr., Dallas, Texas 75223("1013 Glasgow"). For the past approximate two years that he has delivered mail for this route, he has never delivered any mail to the address of 1013 Glasgow because it appeared to be vacant.

I also visited the Dallas County Appraisal District public website and researched 1013 Glasgow. The DCAD records state the structure at 1013 Glasgow was built in 1947 and had only three kitchens. Attached as Exhibit 15 is a true and correct copy of the DCAD records.

I also performed research on the internet as to 1013 Glasgow. I observed multiple websites from various real estate companies that listed the property for sale under MLS No. 14218394. The listing information was the same for the property was the same on the real estate companies' website and indicate the property was first listed for sale in 2019. Attached Exhibit 20 is a true and correct copy of excerpts from two of those website listings. The first portion of the exhibit is

AFFIDAVIT-Lisa Penney Page 1 of 2 a written description of the property and the second portion is photographs that appeared on these websites.

The written portion comes from Compass available at:

https://www.compass.com/listing/1013-south-glasgow-drive-dallas-tx-

<u>75223/386942139033026849/</u> and the photographs from vylla available at:

https://www.vyllahome.com/homes-for-sale/1013-S-Glasgow-Drive-Dallas-TX-75223-

285373922.

I am an employee of the City of Dallas and I am executing this declaration as part of my assigned duties and responsibilities. I declare under the penalty of perjury that the foregoing is true and correct.

joi Penneg Lisa Penney

Date: <u>8</u> day of April 2021

AFFIDAVIT-Lisa Penney Page 2 of 2

COMPASS1013 South Glasgow Drive\$295,00044Dallas, TX 75223Price
PriceBeds
Baths

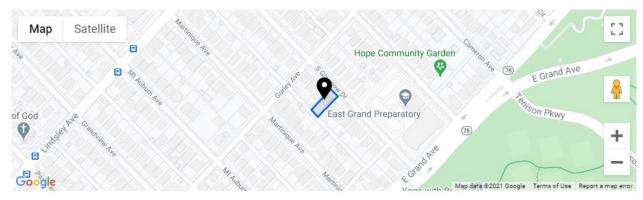
Property Details for 1013 South Glasgow Drive

Subdivision Name Mount Auburn MLS Area Major DALLAS EAST (12) School District Dallas ISD Structural Style Attached or 1/2 Duplex Pool No Garage Spaces 0

Location

- <u>Dallas</u>
- <u>75223</u>
- <u>Mount Auborn</u>
- 1013 South Glasgow Drive

Dallas + 75223 + Mount Auborn + 1013 South Glasgow Drive



Listing Courtesy of JR Premier Properties, James Riley
Property Details for 1013 South Glasgow Drive

Status Pending **MLS #** 14218394

Listing Courtesy of JR Premier Properties, James Riley

Building Information for 1013 South Glasgow Drive

Stories-Year Built1947Building Size-Lot Size0.17 AC / 7,230 SF

Property Information for 1013 South Glasgow Drive

Summary

Location and General Information

- Block: 71614
- MLS Area Minor: EAST DALLAS (12)
- Directions: East on I30 to East Grand exit, go Northeast on East Grand turn left on Glasgow.
- Elementary School: Mountaubur
- High School Name: Wilson
- Middle School: Long
- Year Built Details: Preowned

Parking

- Parking Features: On Street, Open
- Carport Spaces: 0
- Parking Spaces Covered Total: 0

Taxes and HOA Information

- Taxes: \$5,031
- Tax Legal Description: MOUNT AUBURN BLK 7/1614 LOT 25 VOL2000174/110
- Association Type: None

Virtual Tour

 Virtual Tour URL Unbranded: <u>https://www.propertypanorama.com/instaview/ntreis/14218394</u>

Agent Information Showing and Remarks

• Public Remarks: Great opportunity to flip as two units or convert into one large single family. Buyer would have the opportunity to live in one unit and lease the other as well.

Interior and Exterior Features Interior Features

- Fireplace Features: Decorative
- Fireplaces Total: 2
- Heating: Additional Water Heater(s), Window Unit
- Interior Features: Cable TV Available
- Number Of Dining Areas: 1

- Number Of Living Areas: 3
- Other Equipment: None

Exterior Features

- Building Area Source: Tax
- Construction Materials: Wood
- Exterior Features: Patio Covered, Patio Open
- Fencing: Chain Link
- Foundation Details: Pier & Beam
- Number Of Stories: 2
- Roof: Composition
- Waterfront: No

Property

Utilities

• Utilities: City Sewer, City Water

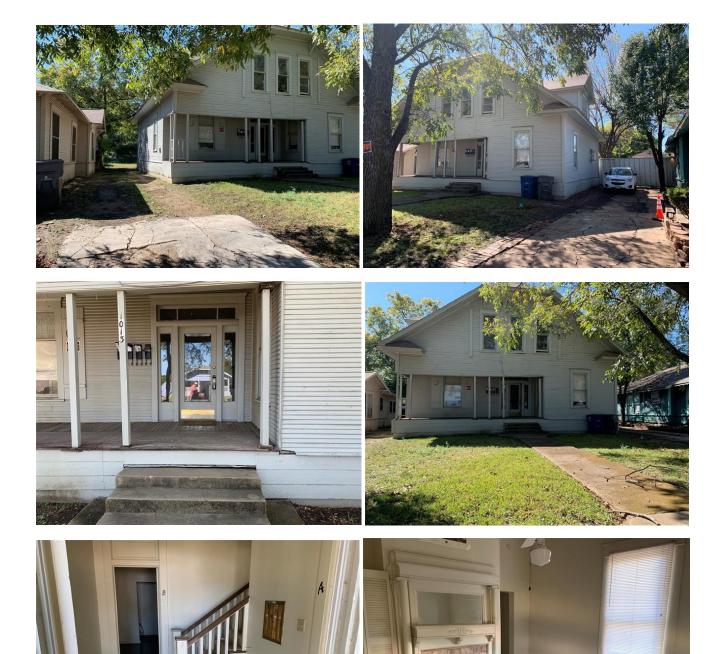
Property and Assessments

- Financing Proposed: Cash, Conventional, FHA, Owner Carry First, Owner Carry Second, VA
- Handicap: No
- Loan Balance: \$0
- Loan Type: Treat As Clear
- Restrictions: Unknown Encumbrance(s)
- Security Features: Fire/Smoke
- Security System: No

Lot Information

- Lot Features: Interior Lot
- Lot Number: 25
- Lot Size: Less Than .5 Acre (not Zero)
- Lot Size Area: 0.166
- Lot Size Units: Acres
- Multi Parcel ID: No
- Parcel Number: 00000165181000000
- Soil Type: Unknown

Copied from https://www.compass.com/listing/1013-south-glasgow-drive-dallas-tx-75223/386942139033026849/

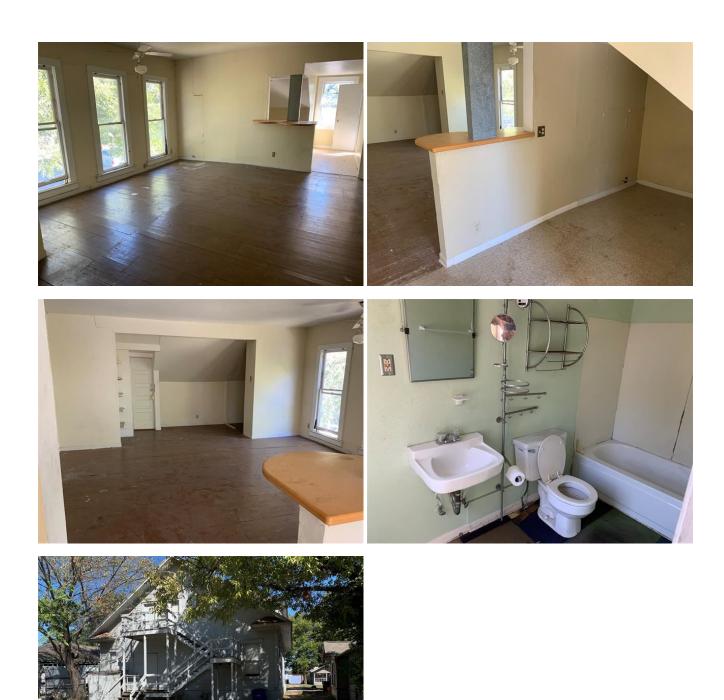




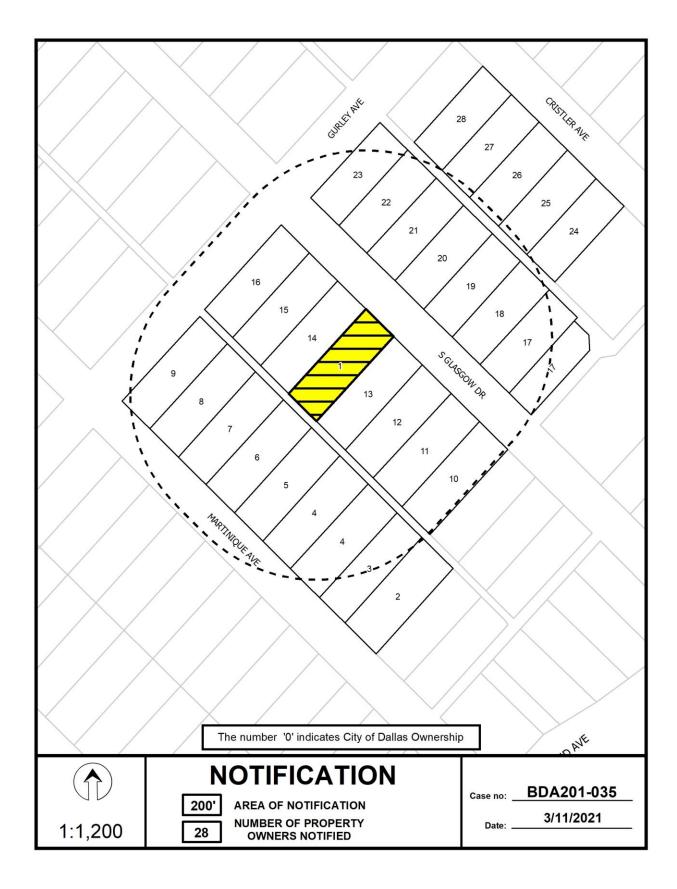








Copied from <u>https://www.compass.com/listing/1013-south-glasgow-drive-dallas-tx-75223/386942139033026849/#propertyInfo</u>



BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS

FILE NUMBER: BDA201-005(OA)

BUILDING OFFICIAL'S REPORT: Application of James Jeanes, represented by Jeff Baron, for a variance to the front yard setback regulations at 6804 Lorna Lane. This property is more fully described as Part of Lot A-1, Block A/2805, and is zoned an R-10(A) Single Family District, which requires a front yard setback of 30 feet. The applicant proposes to construct a single-family residential structure and provide a 25-foot front yard setback, which will require a five-foot variance to the front yard setback regulations to the front yard regulations and to maintain a residential accessory pool and provide a seven-foot front yard setback along Brendenwood Drive, which will require a 23-foot variance to the front yard setback regulations.

LOCATION: 6804 Lorna Lane

APPLICANT: James Jeanes, represented by Jeff Baron

REQUESTS:

The following requests have been made on a site developed with a single-family structure:

- 1. A request for a variance to the front yard setback regulations of five feet has been made to demolish an existing structure and to construct and maintain a two-story single-family structure with approximately 4,500 square feet of floor area part of which is to be located 25 feet from one of the site's two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback; and
- 2. A variance to the front yard setback regulations of 23 feet is made to maintain an existing 900-square-foot pool which is located seven-feet from one of the site's two front property lines (Brendenwood Drive) or 23 feet into this 30-foot front yard setback.

STANDARD FOR A VARIANCE:

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

(A) not contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

• Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-10(A) single family zoning district considering its restrictive lot area of 10,530 square feet so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-10(A) single family zoning district.
- The applicant submitted a document **(Attachment A)** indicating, among other things, that the proposed structure on the subject site is commensurate to 10 other lots located in the same R-10(A) District.

BACKGROUND INFORMATION:

Zoning:

<u>Site</u> :	R-10(A) (Single family district)
<u>North</u> :	R-10(A) (Single family district)
South:	R-10(A) (Single family district)
East:	Conservation District No. 2
West:	R-10(A) (Single family district)

Land Use:

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

Zoning/BDA History:

1. BDA190-112, Property at 6804 Lorna Lane (the subject site) On November 16, 2020, the Board of Adjustment Panel A denied a request for a variance to the front yard setback regulations of five feet without prejudice.

The case report stated the request was made to construct and maintain a two-story singlefamily structure with approximately 4,500 square feet of floor area, part of which is to be located 25 feet from one of the site's two front property lines on Lorna Lane or five feet into the 30-foot front yard setback on a site developed with a single-family structure.

GENERAL FACTS/STAFF ANALYSIS:

The following requests have been made on a site developed with a single-family structure focuses on:

- 1. Demolishing, constructing, and maintaining a two-story single-family structure with approximately 4,500 square feet of floor area, part of which is to be located 25 feet from one of the site's two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback; and
- maintaining an existing and nonconforming 900-square-foot pool which is located seven-feet from one of the site's two front property lines (Brendenwood Drive) or 23 feet into this 30-foot front yard setback.

Please note that this request includes the previous BDA190-112 request (#1) but now includes the existing nonconforming pool structure as part of the current request.

The subject site is zoned an R-10(A) Single Family District which requires a minimum front yard setback of 30 feet. The property is located at the southeast corner of Lorna Lane and Brendenwood Drive. Regardless of how the structures are proposed to be oriented to front Lorna Lane for the proposed single-family stricture and on Brentwood Avenue for the existing pool structure, the lot has a 30-foot front yard setback along both street frontages to maintain the continuity of the established front yard setback established by the lots to the south that front and are oriented towards Lorna Lane. There is no continuity of the established front yard setback established by the lots on Brendenwood Drive. However, staff determined that Brendenwood Drive is a front yard since this property has two frontages of unequal distance and Brendenwood Drive is the shorter frontage.

The submitted site plan indicates the proposed single-family structure is to be located 25 feet from the front property line along Lorna Lane or five feet into this 30-foot front yard setback. Also, this document indicates that the existing pool structure is located seven feet from the front property line along Brendenwood Drive or 23-feet into this 30-foot front yard setback.

The subject site is flat, rectangular in shape, and according to the application, it is 0.24 acres (or approximately 10,500 square feet) in area. In an R-10(A) District, the minimum lot size is 10,000 square feet.

The applicant submitted a document with this application, indicating among other things that that the total home size of the proposed home on the subject site is 4,500 square feet, and the average of 10 other properties in the same zoning is approximately 5,540 square feet.

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

- That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-10(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-10(A) zoning classification.

If the board were to grant the variance request and impose the submitted site plan as a condition, the single-family structure in the front yard setback would be limited to what is shown on this document– which in this case is a two-story single family structure with approximately 4,500 square feet of floor area part of which is to be located 25 feet from one of the site's two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback and a 900-square-foot pool which is located seven feet from one of the site's two front property lines (Brendenwood Avenue) or 23 feet into this 30-foot front yard setback.

Timeline:

- November 19, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.
- January 6, 2021: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.
- January 8, 2021: The Board Administrator emailed the applicant's representative the following information:
 - an attachment that provided the public hearing date and panel that will consider the application; the January 26, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the February 5, 2020 deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

BOARD OF ADJUSTMENT ACTION: MARCH 15, 2021

APPEARING IN FAVOR: Jeff Baron 8600 Forest Hills Dallas, TX

APPEARING IN OPPOSITION: None

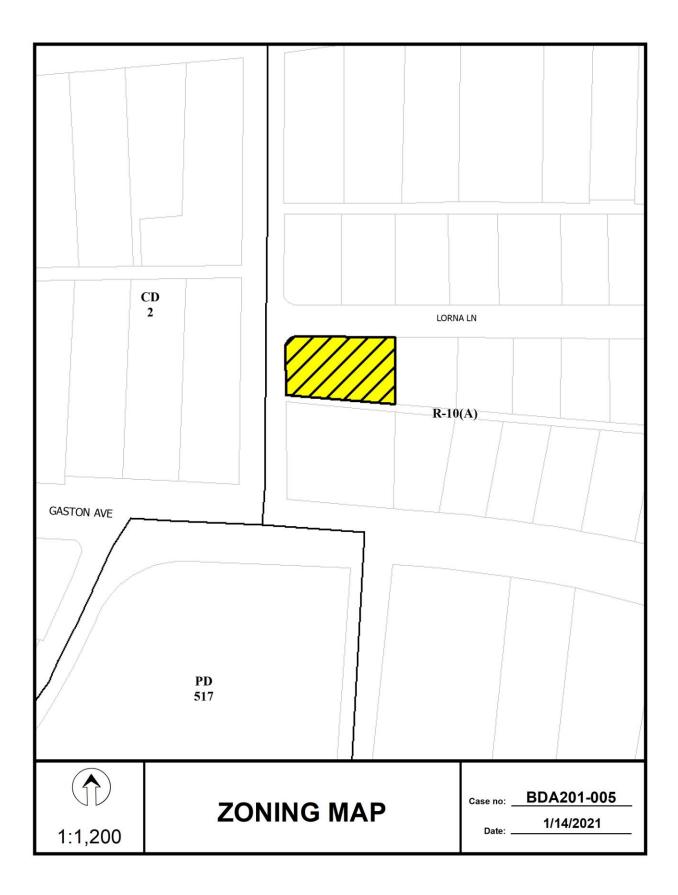
MOTION: Pollock

I move that the Board of Adjustment, in Appeal No. BDA 201-005, hold this matter under advisement until April 19, 2021.

SECONDED: Medina

AYES: 4 - Hounsel, Medina, Brooks, Pollock

<u>NAYS</u>: 0 -<u>MOTION PASSED (unanimously): 4</u> - 0







APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

		Case No.: BDA	201-005
Data Relative to Subject Property:		Date:9/	/24/2020
Location address:6804 Lorn	a Ln. Dallas, Tx 75214	Zoning Distric	t:R-10
Lot No.: <u>N Pt Lt A1</u> Block No.:A	2805 Acreage:	.24 Census Trac	t:
Street Frontage (in Feet): 1) 75	2)3)	82.69 4) 135.73	_ 5)
To the Honorable Board of Adjustm	ent :		
Owner of Property (per Warranty Deed	l): Jeff Baron Homes		
Applicant: Jeff Baron		Telephone:	817-307-4356
Mailing Address: 8600	Forest Hills	Zip C	Code: 75218
E-mail Address:jeff@jeffb	aronhomes.com		
Represented by: Jeff Bo	ron	Telephone:	817-307-4356
Mailing Address: 8600	Forest Hills Blvd	Zip C	Code:75218
E-mail Address: jeff@jeff	baronhomes.com		
Application is made to the Board of A Development Code, to grant the descri Undue hardship created by the res property commensurate with other of	nt yard along lorna and prov t yard along brendenwood fo or the equivalent of a side so djustment, in accordance w bed appeal for the followin trictive size and shape of the	ide a 25' setback along La r an existing pool to have etback ith the provisions of the g reason: e lot preventing development ng. Maintain Facade align	a setback Dallas ent of the

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 BARON (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. Leigh J Hahn My Commission Expires Respectfully s	submitted:
01/27/2023 ID No. 128503902	(Affiant/Applicant's signature)
Subscribed and sworn to before me this day	of November , 2020
	Lich Hahn
(Rev. 08-01-11)	Notary Public in and for Dallas County, Texas

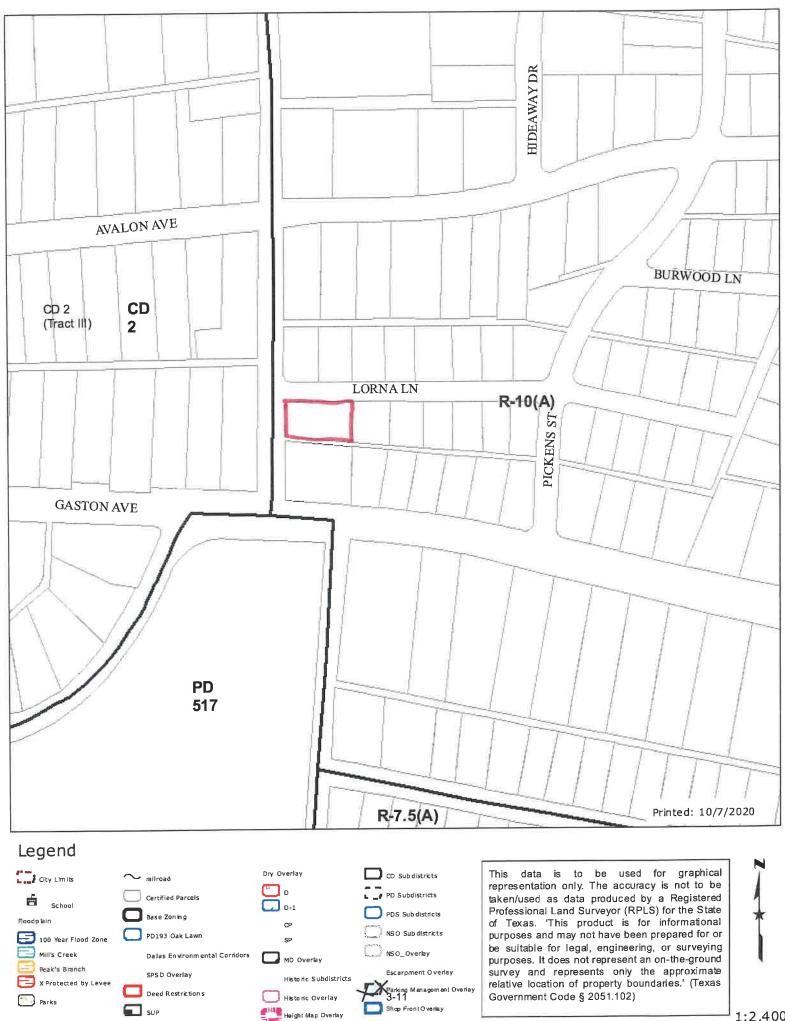
Chairman		MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT Appeal was-Granted OR Denied Remarks		
Building Official's Report				
	I hereby certify that Jeff Baron			
	did submit a request	for a variance to the front yard setback regulations		
	at	6804 Lorna Lane		

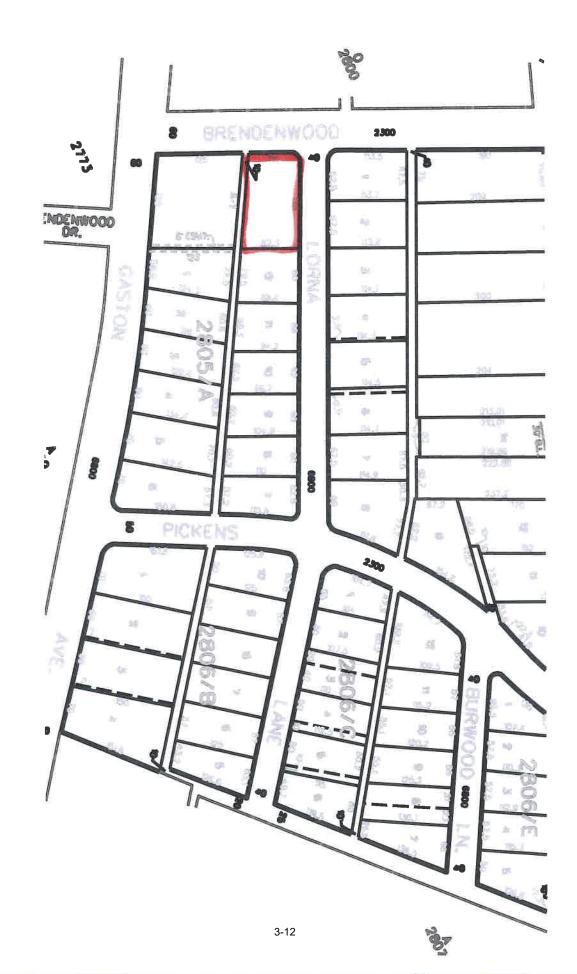
BDA201-005. Application of Jeff Baron for a variance to the front yard setback regulations at 6804 LORNA LN. This property is more fully described as North part of Lot A1, Block A/2805, and is zoned R-10(A), which requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure and provide a 25 foot front yard setback along Lorna Ln, which will require a 5 foot variance to the front yard setback regulations and to maintain a residential accessory pool and provide a 7 foot front yard setback along Brendenwood Dr, which will require a 23 foot variance to the front yarc setback regulations.

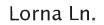
Sincerely,

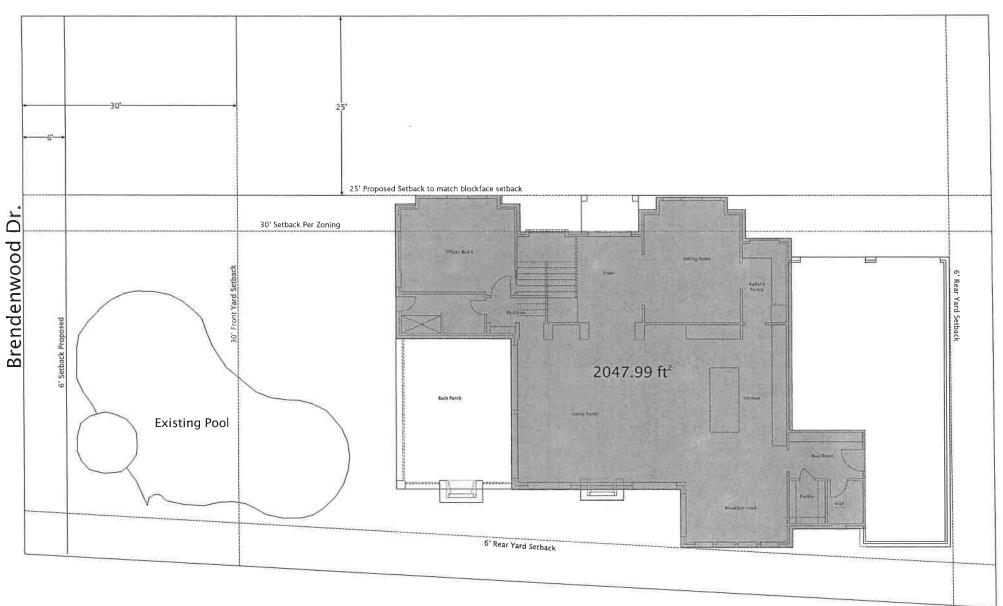
David Session, Building Offic

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1/4" = 1'

R10 Lot and Home Sizes

Address	Lot Size	House Size
6909 Tokalon	31668	6760
6800 Lakewood	109335	5716
6837 Avalon	17675	4912
6945 Tokalon	23348	5130
6827 Avalon	16399	4739
6858 Tokalon	30330	6876
6870 Tokalon	32055	5291
6968 Tokalon	18731	5819
6957 Tokalon	44585	5029
6935 Tokalon	23348	5130
Average	34747.4	5540.2
6804 Lorna	10530	4500

Summary:

The above table shows 10- R-10 Properties in the same Neighborhood. The average lot size is 34,747 sq. ft as compared to the subject property which has 10,530 sq. ft. The average house size is 5540 sq. ft compared to the 4500 sq. ft. we are proposing to build. The above table clearly shows that our lot is encumbered in having a severly restrictive size, which prevents development commensurate with the development upon other parcels of land within the same R-10(a) zoning district.

Aguilera, Oscar

From:	Jeff Baron <jeff@jeffbaronhomes.com></jeff@jeffbaronhomes.com>
Sent:	Thursday, January 21, 2021 9:18 PM
То:	Aguilera, Oscar
Cc:	Munoz, Jennifer; Trammell, Charles
Subject:	Re: (Correction)BDA190-112, Property at 6804 Lorna Avenue
Attachments:	Microsoft Word - Lorna Neighbor Letters.pdf.pdf

External Email!

Oscar,

Please include the below letter that was delivered to all neighbors in the 6800 block of Lorna as well as the neighbors behind the subject property on Gaston. To date I have not received any negative feedback or opposition regarding the case. I have noticed a few emails of support being emailed to you if you don't mind including those in the presentation to staff. Those emails in combination with the attached letter I offer as evidence that the request is not contrary to the public interest.

I believe the previous supplied table clearly shows that our property has a highly restrictive size and shape that prevents it from being developed in a manner commensurate with the development upon other parcels of land with the same zoning.

Finally, granting the variance will not relieve a self created or personal hardship as no construction has commenced on the property.

Thank you for including the above information in your presentation to staff.

Jeff Baron

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

On Jan 14, 2021, at 10:10 AM, Aguilera, Oscar <<u>oscar.aguilera@dallascityhall.com</u>> wrote:

Dear Jeff,

Please remember that you must make sure you demonstrate to the board that you meet the variance standards below:

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

Therefore, if you feel additional documentation will help demonstrate your request meets the above variance standards, I will recommend that you use any documentation that helps you achieve your goal.

Please let me know if you have any questions.

Sincerely,

<image001.png> Oscar Aguilera Senior Planner City of Dallas | www.dallascityhall.com Current Planning Division Sustainable Development and Construction 1500 Marilla Street, 5BN Dallas, TX 75201 O: 214-671-5099 oscar.aguilera@dallascityhall.com <image002.png> <image003.png> <image004.png>

******OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly. ******

From: Jeff Baron <Jeff@jeffbaronhomes.com>
Sent: Wednesday, January 13, 2021 4:57 PM
To: Aguilera, Oscar <<u>oscar.aguilera@dallascityhall.com</u>>
Cc: Munoz, Jennifer <<u>jennifer.munoz@dallascityhall.com</u>>; Trammell, Charles
<<u>charles.trammell@dallascityhall.com</u>>
Subject: Re: (Correction)BDA190-112, Property at 6804 Lorna Avenue

External Email!

Oscar,

Thank you for your email. In reviewing the documentation do you feel I have made a compelling case, or do you see any holes in my documentation where additional information would be beneficial?

Thanks,

Jeff

On Jan 8, 2021, at 6:56 PM, Aguilera, Oscar <<u>oscar.aguilera@dallascityhall.com</u>> wrote:

Dear Jeff Baron,

Attached is information regarding your board of adjustment application referenced above:

- 1. The submitted application materials all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled Board of Adjustment public hearing noted below.
- 2. The provision from the Dallas Development Code allowing the board to grant a variance to the front yard setback regulations (51A-3.102(d)(10)).
- 3. The board's rule pertaining to documentary evidence.

This application is scheduled for the following hearing date. The below deadlines for providing revisions cannot be changed or altered and therefore, I encourage you to aim to provide revisions before the last minute to allow staff an opportunity to review and comment before the deadline passes.

Board of Adjustment Panel C Hearing date/time: 1 p.m. February 18, 2021. Deadline to submit information for staff recommendation: 1 p.m., January 28, 2021. Deadline to submit documentary evidence for the board's docket: 1 p.m., February 5, 2021. Please carefully review the attached application materials to make sure they are complete, especially the Building Official's Report/second page of the application (page 2 of the application materials document). Please contact Charles Trammell at 214/948-4618 or <u>charles.trammell@dallascityhall.com</u> no later than noon, January 28, 2021, with regard to any information you feel is missing from your submittal or with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his Building Official's report on the second page of the submitted application materials, or any other part of this email is incorrect. (Note that the discovery of any additional appeal needed beyond your request stated in the application will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

If there is anything that you want to submit to the Board beyond what you have included in your attached application materials, please feel free to email it to <u>oscar.aguilera@dallascityhall.com</u> or mail it to me at the following address by the deadlines referenced above in this email.

Please write or call me at 214-671-5099 if I can be of any additional assistance to you on this application

Sincerely,

<image009.png></image009.png>	Oscar Aguilera
	Senior Planner
	City of Dallas www.dallascityhall.com
	Current Planning Division
	Sustainable Development and Construction
	1500 Marilla Street, 5BN
	Dallas, TX 75201
	O: 214-671-5099
	oscar.aguilera@dallascityhall.com
	<image010.png> <image011.png> <image012.png></image012.png></image011.png></image010.png>
**OPEN RECORDS NOT	FICE: This email and responses may be subject to the Texas Open Records
Act and may be disclos	ed to the public upon request. Please respond accordingly.**

<Variance Standard.pdf><documentary evidence.pdf><BDA201-005 application materials.pdf>

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lorna Neighbors,

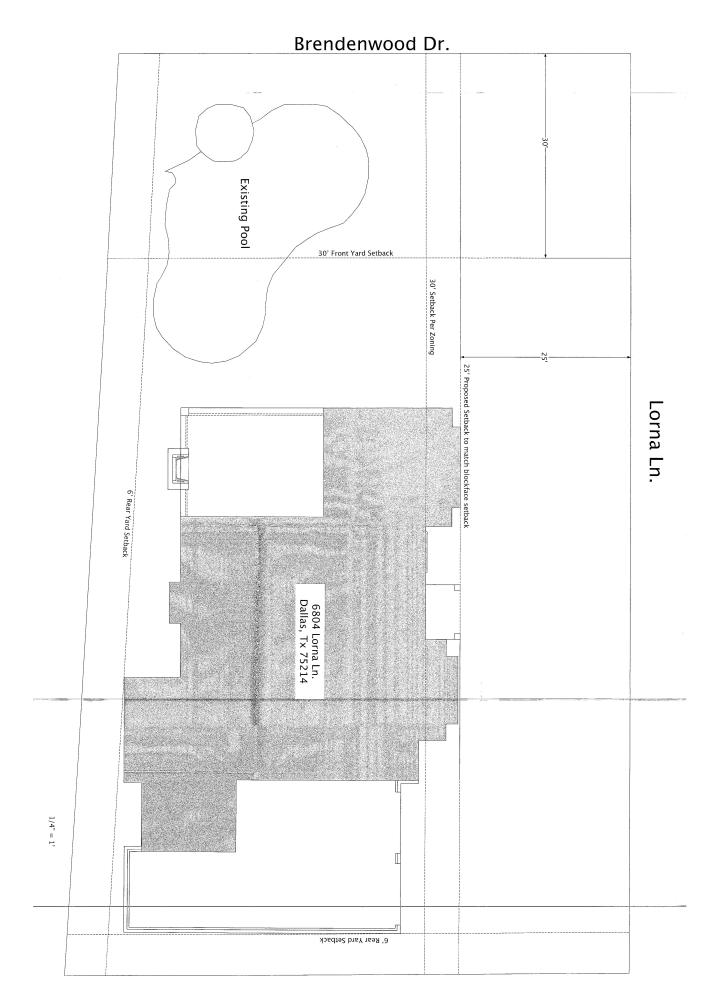
I am in the process of building a new home at 6804 Lorna. When researching the property, I discovered that all the properties on Lorna have a Platted 25' front yard setback. For some reason this property was not platted at the same time and does not have the documented front setback. All of our properties are zoned R-10 which require a 30' front yard setback. Being that smallest side of the pie I only have 63' of lot depth on the west property line and 84' of depth on the east property line. The additionally 5' makes it very difficult to build on the property. Additionally, I believe with all of the other homes on the block face constructed along the 25' front setback, it would not be consistent for this home to be setback an additional 5' and not in line with the rest of the block face. Additionally, the existing pool is currently located in a second front yard setback along Brendenwood. We would like to remodel the existing pool and to accomplish this we will need a variance to the 30' front setback along Brendenwood. I wanted to share a rendering of the new home that I will be building and would like to ask for your support with our variance request. If you have no objection or support our request would you mind writing a simple email to Oscar.aguilera@dallascityhall.com and copy myself jeff@jeffbaronhomes.com. If you have any objections or questions, I am happy to provide further information or discuss any concerns you may have. I am including a map from dcad showing the limited depth of the property, a rendering of the new home, the existing survey and proposed site plan so you can see that the setback of the new home we are proposing is consistent with the existing home.

Thank you,

Jeff Baron jeff@jeffbaronhomes.com 817-307-4356









BOUNDARY SURVEY



STATE OF TEXAS:

COUNTY OF DALLAS:

BEING a tract of land situated in JAMES A. HOBBS SURVEY, ABSTRACT NUMBER 571, also being a tract of land conveyed to James Lee Jeanes, as recorded in Volume 97156, Page 1224, of the deed records of Dallas County, Texas, as shown on this survey, and being more particularly described by metes and bounds as follows:

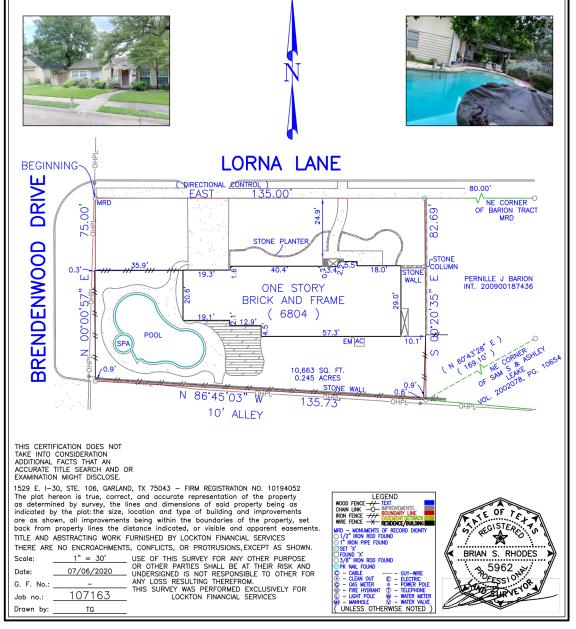
BEGINNING at a 1/2 inch iron rod found for corner being the Northwest corner of said Jeanes tract, and being on the East right-of-way line of Brendenwood Drive, and being on the South right-of-way line of Lorna Lane;

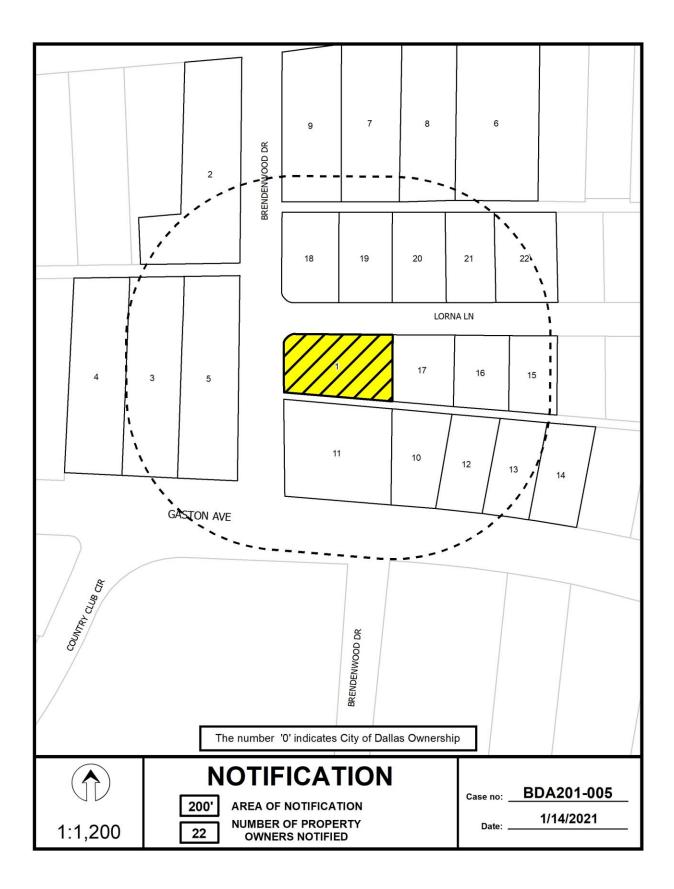
THENCE East, a distance of 135.00 feet, to a 1 inch iron pipe found for corner being the Northwest corner of a tract of land conveyed to Pernille J. Barion, as recorded in Instrument Number 200900187436, of the official public records of Dallas County, Texas;

THENCE South 00 degrees 20 minutes 35 seconds East, a distance of 82.69 feet, to a 1/2 iron rod found for corner being on the North right-of-way line of a 10 foot alley;

THENCE North 86 degrees 45 minutes 03 seconds West, a distance of 135.73, feet to a 1/2 inch iron pipe found for corner being on the East right-of-way line of said Brendenwood Drive;

THENCE North 00 degrees 00 minutes 57 seconds East, a distance of 75.00 feet, to the PLACE OF BEGINNING and containing 10,663 square feet, or 0.245 of an acre of land.





Notification List of Property Owners

BDA201-005

22 Property Owners Notified

Label #	Address		Owner
1	6804	LORNA LN	JEANES JAMES LEE
2	6758	AVALON AVE	COURTWRIGHT JEFFRY T &
3	6757	GASTON AVE	GUAJARDO DONNA
4	6751	GASTON AVE	KLEIN ERIC & CLAIRE
5	2301	BRENDENWOOD DR	BARON JEFFREY R & ELIZABETH A
6	6820	AVALON AVE	BARBER ELIZABETH A &
7	6808	AVALON AVE	BARTON MICHAEL
8	6814	AVALON AVE	FITZSIMMONS A GERALDINE REV TRUST
9	6802	AVALON AVE	CERVIN MARGARET EUGENIA
10	6815	GASTON AVE	COKER KELLY
11	6807	GASTON AVE	KARWELIS ERVIN
12	6819	GASTON AVE	HOARD ZACHARY & CAROLINE
13	6823	GASTON AVE	WEAVER PETER F &
14	6827	GASTON AVE	ROEPKE STEVEN &
15	6826	LORNA LN	EVERT ELISABETH A
16	6818	LORNA LN	LEAKE SAM S & ASHLEY
17	6814	LORNA LN	BARION PERNILLE J
18	6805	LORNA LN	CAMERON CHRISTOPHER M &
19	6811	LORNA LN	BARNICOAT SUSAN B
20	6815	LORNA LN	SKIPWORTH LIVING TRUST
21	6819	LORNA LN	MEYERSON CAROL C
22	6827	LORNA LN	GARD JOHN &