



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

245020 RECEIVED
DEC 18 REC'D
BY: _____

Data Relative to Subject Property: _____

Date: _____

Location address: 1711 Botham Jean Blvd

Zoning District: PD 317

Lot No.: 9A

Block No.: 1/1089

Acreage: .482

Census Tract: 204.02

Street Frontage (in Feet): 1) 140 2) 150 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Cedar Forest LLC

Applicant: Santos Martinez

Telephone: 214-684-2775

Mailing Address: 2489 Camino Plata Loop NE, Rio Rancho, NM

Zip Code: 87144

E-mail Address: santos@lasierrapg.com

Represented by: Santos Martinez

Telephone: 214-684-2775

Mailing Address: 2489 Camino Plata Loop NE, Rio Rancho, NM

Zip Code: 87144

E-mail Address: santos@lasierrapg.com

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

Reinstatement of non-conforming use _____

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

Please see attached letter.

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 Santos Martinez

(Affiant/Applicant's name printed)

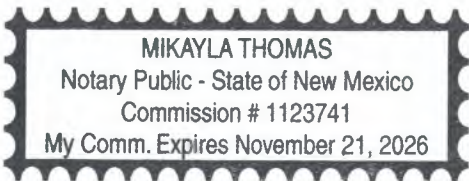
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 8th day of November, 2024

Notary Public in and for Dallas County, Texas
New Mexico Sandoval





Appeal number: BDA 245-020

I, Cedar Forest LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1711 Botham Jean Blvd
(Address of property as stated on application)

Authorize: Santos Martinez
(Applicant's name as stated on application)

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

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

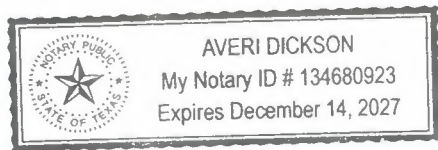
Specify: Reinstatement of non-conforming use

Wilson Roe
Print name of property owner or registered agent
agent Date 11-11-24

[Signature]
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared
Wilson Roe

Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge. Subscribed and sworn to before me this 11th day of November, 2024



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 12/14/2027



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 245-020

I, Cedar Forest LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1711 Botham Jean Blvd
(Address of property as stated on application)

Authorize: Santos Martinez
(Applicant's name as stated on application)

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

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

Specify: Reinstatement of non-conforming use

Wilson Roe

Print name of property owner or registered agent

Signature of property owner or registered agent

agent Date 11-11-24

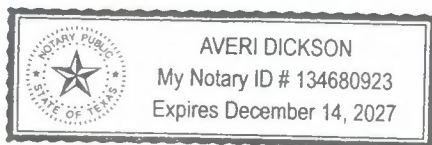
Before me, the undersigned, on this day personally appeared

Wilson Roe

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

knowledge. Subscribed and sworn to before me this 11th day of

NOVEMBER, 2024



Notary Public for Dallas County, Texas

Commission expires on 12/14/2027

OWNER'S DECLARATION

STATE OF TEXAS
COUNTY OF DALLAS
WHEREAS, Daniel Allen Ross, et al., the owners of 3 lots...

OWNER'S DECLARATION
NOW HEREBY, KNOW ALL MEN BY THESE PRESENTS...

OWNER'S DECLARATION
NOW HEREBY, KNOW ALL MEN BY THESE PRESENTS...

OWNER'S DECLARATION
NOW HEREBY, KNOW ALL MEN BY THESE PRESENTS...

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OWNER'S DECLARATION
NOW HEREBY, KNOW ALL MEN BY THESE PRESENTS...



GENERAL NOTES
1) BANKS OF RECORDS IS THE NORTHWEST CORNER OF LAMAR STREET...
2) THE GRASSY AREA BETWEEN LOTS 1 AND 2...
3) THE GRASSY AREA BETWEEN LOTS 1 AND 2...



DC&A
DONALD CONNALLY & ASSOCIATES, INC.
20598.98 SQ. FT. / 0.4820 ACRES
LOT 9A, BLOCK 1/1089

STATE OF TEXAS
COUNTY OF DALLAS
BRYAN CONNALLY, Notary Public

STATE OF TEXAS
COUNTY OF DALLAS
BRYAN CONNALLY, Notary Public

STATE OF TEXAS
COUNTY OF DALLAS
BRYAN CONNALLY, Notary Public

STATE OF TEXAS
COUNTY OF DALLAS
BRYAN CONNALLY, Notary Public

STATE OF TEXAS
COUNTY OF DALLAS
BRYAN CONNALLY, Notary Public

Handwritten text: BDA246-020



ORIGINAL
S 078-200 11



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS
JAMES F. MURPHY, County Clerk
Dallas County, Texas
10/14/11 10:25 AM

CERTIFICATE OF APPROVAL
I, the undersigned, County Clerk of Dallas County, Texas, hereby certify that the enclosed and that the information contained therein is true and correct to the best of my knowledge and belief, and that the same are in accordance with the provisions of the Act of the Legislature of the State of Texas, approved on May 11, 1907, and amended on May 11, 1909, and on May 11, 1911, and on May 11, 1913, and on May 11, 1915, and on May 11, 1917, and on May 11, 1919, and on May 11, 1921, and on May 11, 1923, and on May 11, 1925, and on May 11, 1927, and on May 11, 1929, and on May 11, 1931, and on May 11, 1933, and on May 11, 1935, and on May 11, 1937, and on May 11, 1939, and on May 11, 1941, and on May 11, 1943, and on May 11, 1945, and on May 11, 1947, and on May 11, 1949, and on May 11, 1951, and on May 11, 1953, and on May 11, 1955, and on May 11, 1957, and on May 11, 1959, and on May 11, 1961, and on May 11, 1963, and on May 11, 1965, and on May 11, 1967, and on May 11, 1969, and on May 11, 1971, and on May 11, 1973, and on May 11, 1975, and on May 11, 1977, and on May 11, 1979, and on May 11, 1981, and on May 11, 1983, and on May 11, 1985, and on May 11, 1987, and on May 11, 1989, and on May 11, 1991, and on May 11, 1993, and on May 11, 1995, and on May 11, 1997, and on May 11, 1999, and on May 11, 2001, and on May 11, 2003, and on May 11, 2005, and on May 11, 2007, and on May 11, 2009, and on May 11, 2011, and on May 11, 2013, and on May 11, 2015, and on May 11, 2017, and on May 11, 2019, and on May 11, 2021, and on May 11, 2023, and on May 11, 2025.

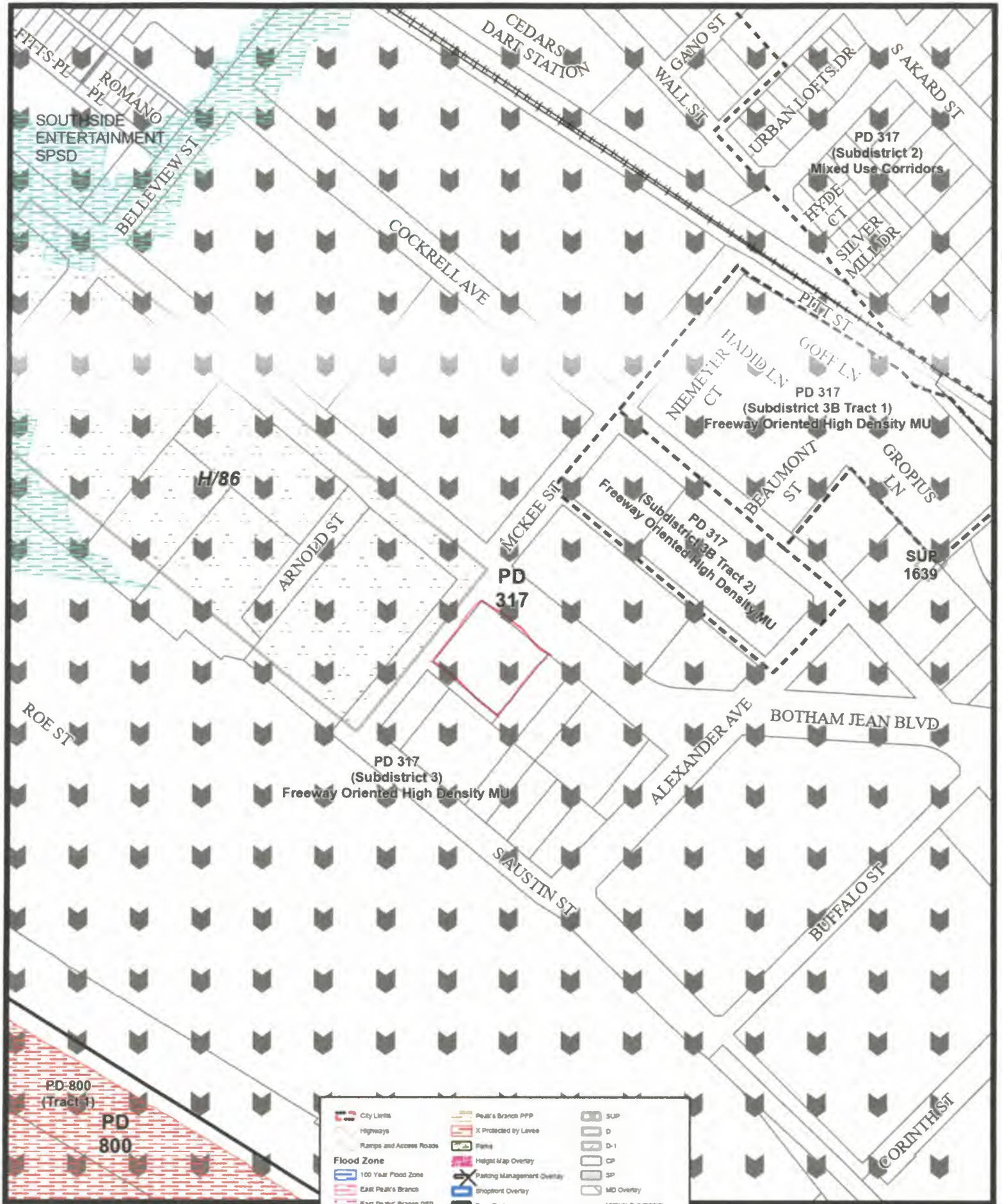
[Signature]
County Clerk



[Signature]
County Clerk

ORIGINAL

orig S 078-200



1:2,600

City Limits	Peak's Branch PPP	SUP
Highways	X Protected by Levee	D
Ramps and Access Roads	Flood	D-1
Flood Zone	Height Map Overlay	CP
100 Year Flood Zone	Parking Management Overlay	SP
East Peak's Branch	Shopfront Overlay	MD Overlay
East Peak's Branch PPP	Base Zoning	Historic Subdistricts
Floodway	PD183 Oak Lawn	Historic Overlay
Mill Creek	Dallas Environmental Corridors	CD Subdistricts
Mill Creek PPP	DDO Overlay	PD Subdistricts
Peak's Branch	Deed Restrictions	PDS Subdistricts
		NSO Subdistricts

Case ID: **PD245-020**

Printed: 11/4/2024



November 8, 2024

Kameka Miller-Hoskins, Ph.D
Chief Planner
City of Dallas, Board of Adjustment
1500 Marilla, 5CN
Dallas, TX 75201

Dear PhD Miller-Hoskins,

The property owner seeks to reinstate nonconforming rights for an alcoholic beverage establishment at 1711 Botham Jean. There has been no clear intention of abandoning this use since the original tenant ceased operation during COVID. The property owner has entered into at least three leases for tenants to operate an alcoholic beverage establishment at this address since 2020. Copies of the executed leases are listed and enclosed as attachments.

The first certificate of occupancy for an alcoholic beverage establishment was obtained on August 5, 2015 for "Industry Alley". This was in conjunction with a remodel permit to create the finish out for this space. This tenant operated this establishment until they suffered an illness. An amended lease demonstrates the tenants request to change management in order to maintain the establishment (Exhibit A). This was coupled with a new certificate of occupancy for an alcoholic beverage establishment on March 2, 2020. This effort was ultimately unsuccessful as alcoholic beverage establishments were ordered to close by a public health order for COVID two weeks later.

A new lease was secured for a tenant to operate this establishment in December of 2020 (Exhibit B). The new tenant attempted to obtain a new certificate of occupancy for an alcoholic beverage establishment in 2021. This attempt was also unsuccessful and their application was cancelled.

Another lease was executed with a new tenant in June 2022 (Exhibit C). It was amended in 2023 to accommodate a name change (Exhibit D). This tenant began the process to secure a TABC license (Exhibit E) but was unsuccessful in obtaining a new certificate of occupancy.

A new application for a certificate of occupancy was submitted in October of 2024. This request is for an alcoholic beverage establishment.

This use has not been enlarged or diminished in floor area since it became nonconforming in February of 2021. All permit records and certificate of occupancy applications consistently list the floor area as 2113 square feet.



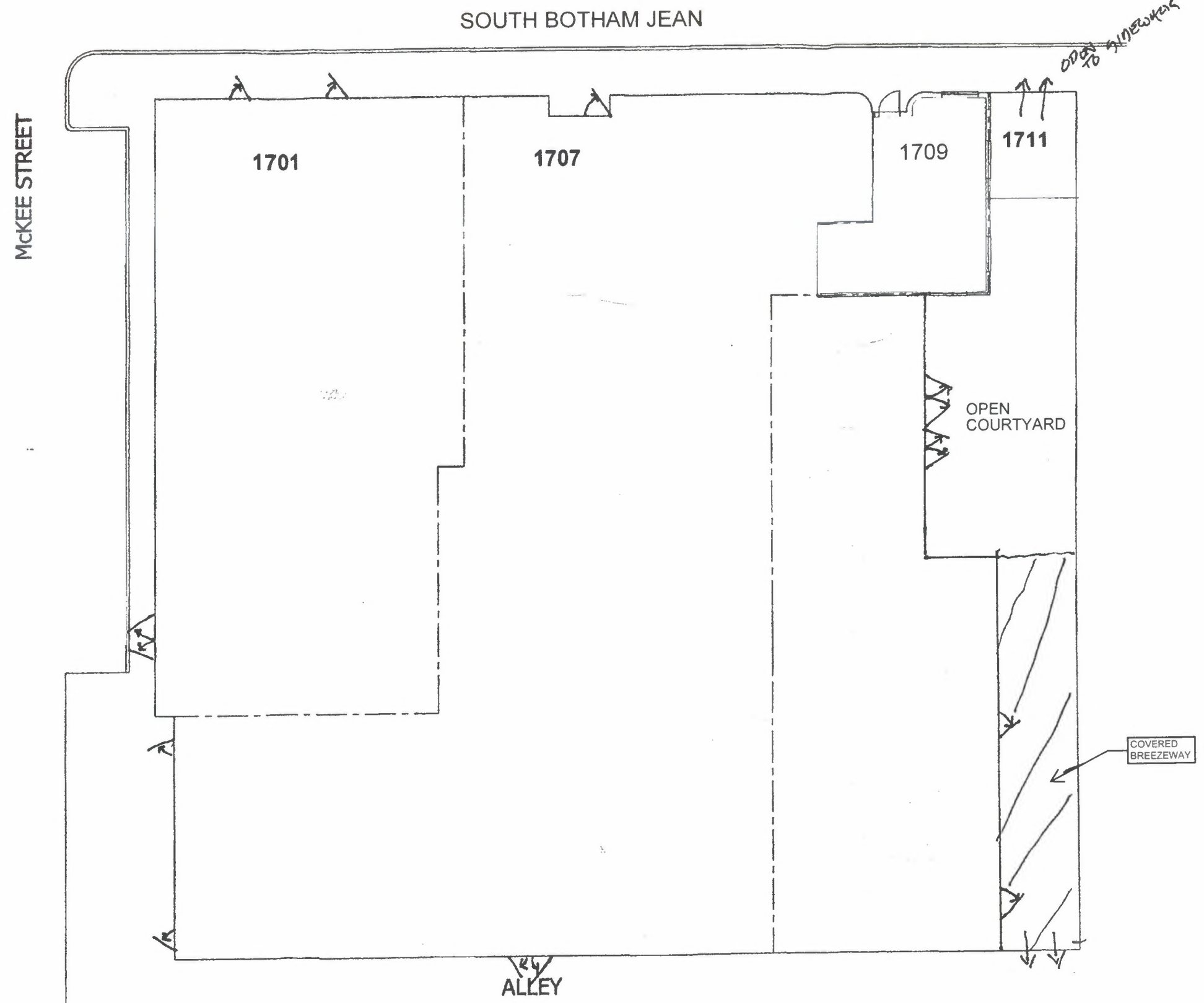
By entering into lease agreements for tenants to operate an alcoholic beverage establishment at this address, there is a clear intention to maintain the operation of this use. At no point has the property owner sought to remodel the space for a different use. No other applications for other uses have ever been submitted for this space since it began operations as an alcoholic beverage establishment.

The actions described in this letter demonstrate that there was never any intention to abandon this use.

Sincerely,

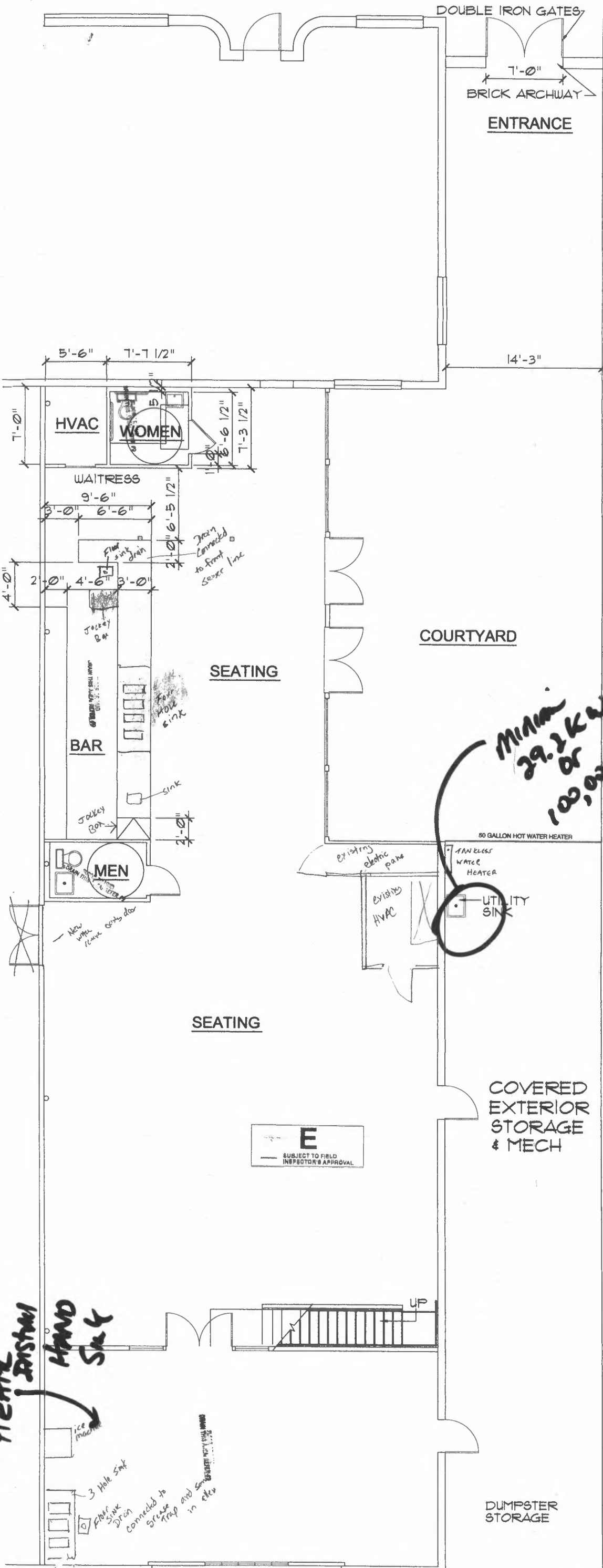
A handwritten signature in black ink, appearing to read "Santos T. Martinez", is written over a light gray horizontal line.

Santos T. Martinez
Authorized representative



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 TRANSMITTED IN ANY FORM OR BY ANY MEANS
 WITHOUT WRITTEN PERMISSION.

01 $\frac{1}{8"} = 1'-0"$



"Environmental Area" shall be defined to cover food processing and service areas. Utensil washing areas, waitress stations, and/or bart. Requirements are as follows:

1. Floors shall be sealed concrete, ceramic tile or other approved impervious material graded to a floor drain.
2. Walls up to 8 feet minimum height shall be covered with an impervious and rigid material, minimum being fiberglass reinforced polyester, or finished and painted a light color enamel.
3. Approved cove base at floor-wall junction shall be provided and shall be tight fitting.
4. Ceilings are required in all Environmental Areas. (See Stamp) They should be smooth easily cleanable surface, light in color or may be in lay in type metal grid acoustical tile. Painted ceilings should have little or no texturing on the surface.
5. All building, utility, and service window entrances to be insect and rodent proof with automatic closures.
6. All lights shall be shielded in work areas and provide 50 foot candles at work surfaces.
7. All lighting shall extend floor up behind all beverage dispensers, ice machines, or bag in box systems to reach 18 inches above highest work surface.

1. Hand sinks shall be in all food and dish handling areas within 25 linear feet with no obstructions. Metered faucets are not allowed.
2. At least a three-compartment stainless steel sink with drain board for manual washing is required, or a NSF approved commercial dishwasher.
3. All equipment for food handling shall be fabricated for durability and meet or exceed N.S.F. standards.
4. Any wood surface not used for food handling shall be covered with plastic laminate.
5. Separate storage cabinets shall be provided for non-food items.
6. Stainless utility sink, minimum 14" deep or curb cleaning facility shall be provided with a minimum 6" curb. Wrap with FRP.
7. All mounted equipment shall have a minimum two-inch spacing or be spaced to wall.

- Walk-in coolers, floors, walls, and ceilings must be constructed of nonabsorbent material. Wood surfaces are not permitted. Drains must be located outside of coolers in accordance with the plumbing code.
1. Floor drains required at this area.
 2. All equipment must be hard plumbed to a sanitary sewer.
 3. Seal all kitchen equipment that is less than 18" from ceiling or wall.
 4. Walk-in coverage area to be FRP or better floor up to 18" above top and sides of highest equipment.
 5. Floor-mounted equipment must be on six-inch high "bullet" legs, rollers, seated to the floor or on a smooth concrete or masonry platform. Space must be provided between walls, fixtures and other equipment to permit free access for cleaning. Gaps between equipment must be sealed.
 6. Exposed wood or particleboard is not permitted in food preparation areas, utensil washing areas or walk-in refrigerators.

FLOOR PLAN

1/4" = 1'-0"

SUBJECT TO FIELD INSPECTOR'S APPROVAL
Plumbing

These electrical plans have been reviewed by the Building Inspection Division and are approved for the start of construction. The installation shall comply with 2011 NEC & Chapter 55 of the city code. Any deviation from these plans shall be approved by the building official. Date: 1/25/15. This approval does not admit to a violation of any city ordinance or state law.

E
SUBJECT TO FIELD INSPECTOR'S APPROVAL
ELECTRICAL ROUGH INSPECTION REQUIRED BEFORE COVERING.

REFERENCE ARTICLE 210.0 (B) FOR GFCI PROTECTION.



An Approved set of plans shall remain on construction site until work inspected and permit granted by the health authority.

UPPER LEVEL

CITY OF DALLAS
Sustainable Development & Construction Department
SUBJECT TO INSPECTION AND APPROVAL
By: [Signature] Date: 1/25/15
Approval of plans and/or specifications shall not be construed to sanction any violation of code.

BDA 245-020