



Development Services

"TOGETHER WE ARE BUILDING A SAFE AND UNITED DALLAS"

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA

245 029
FOR OFFICE USE ONLY

Data Relative to Subject Property: _____

Date:

FOR OFFICE USE ONLY
RECEIVED
JAN 17 2024
BY: _____

Location address: 7915 S LANCASTER RD

Zoning District: MF-2(A), MU-2, UC-2, CR, LO-1

Lot No.: N/A

Block No.: N/A

Acreage: 273

Census Tract: _____

Street Frontage (in Feet): 1) 2,000 2) 800 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): VM FUND I, LLC

Applicant: DAVID PITCHER, P.E. - KFM ENGINEERING

Telephone: 214-801-4936

Mailing Address: 3501 OLYMPUS BLVD, SUITE 100, DALLAS

Zip Code: 75019

E-mail Address: DPITCHER@KFM-LLC.COM

Represented by: N/A

Telephone: _____

Mailing Address: _____

Zip Code: _____

E-mail Address: _____

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

TREE MITIGATION REQUIREMENTS PER THE ATTACHED LETTER

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:

SEE ATTACHED LETTER FOR DETAILED EXPLANATION

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 _____

DAVID PITCHER

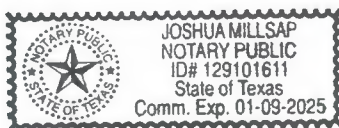
(Affiant/Applicant's name printed)

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 5th day of DECEMBER, 2024



Notary Public in and for Dallas County, Texas



December 24, 2024

Board of Adjustments
City of Dallas
1500 Marilla Street
Dallas, TX 75201

RE: Special Exception for Urban Forestry – University Hills

Dear Board Member,

Section 51A-10.132(4)(B)(i)(bb) states that forest stand delineation excludes areas within 50 feet of a one-percent chance floodplain. We would like to request a special exception of this requirement for a portion of our property that was affected by manmade agricultural channels.

The University Hills property is located at the Northwest corner of Lancaster Road and Interstate-20 and was historically farmland. Aerial photos attached as **Exhibit A** show that most of the property was well maintained farmland with manmade, agricultural channels through the center of the property. After the 1970s, the property was no longer maintained as farmland and was left to be overgrown. As the final photo depicts, the property is currently completely overgrown.

Development of the subject property will require the removal of trees within the historic farmland. A Forest Stand Delineation and Tree Survey was completed by Integrated Environmental Solutions in March of 2024 to assess the current site conditions and found that most of the previous farmland qualifies as an old-field under Section 51A-10.134.

However, there is a significant amount of old-field area within 50 feet of the one-percent chance floodplain, therefore disqualifying these areas from the old-field classification under Section 51A-10.132(4)(B)(i)(bb). The current one-percent chance floodplain was established by a study prepared by Halff Associates for the City of Dallas in 2014. The current floodplain boundary is depicted in **Exhibit B**. Since the manmade channel was only designed for agricultural purposes, it does not contain the one-percent chance floodplain, and therefore encumbers a wide breadth of the property as compared to the natural channels to the north and west.

The hardship to this property occurred because the manmade channel was designed for agricultural purposes, creating a large one-percent chance floodplain. This floodplain does not allow the old farmland to qualify as an old-field and thereby significantly increase the tree mitigation fees required.

Given this hardship, we request that the Board of Adjustments allow a special exception to Section 51A-10.132(4)(B)(i)(bb), and allow area within 50 feet of a one-percent chance of flood to be qualified for a forest-stand delineation and an old-field classification. The area for this Special Exception would be the areas surrounding the manmade channels only and is depicted on **Exhibit B**.

If this request is granted, mitigation for remaining site trees would be provided by onsite canopy and ornamental trees. This re-investment into the community will have long term benefits and will maximize the effectiveness of the shared open spaces throughout the neighborhood. A Proposed Tree Exhibit has been provided as **Exhibit C** that depicts the proposed ornamental and canopy plantings to meet the remaining mitigation requirements.

If this request is not granted, the tree mitigation fee would be well above the current budget for open space landscaping, forcing the development to only provide minimum landscaping requirements for the open spaces. A Required Trees Exhibit has been provided as **Exhibit D** which depicts the required tree plantings.

We greatly appreciate your time and understanding of this matter and ask for your consideration and approval of this Special Exception.

Sincerely,



David Pitcher
Vice President
KFM Engineering & Design
TBPE #: F-20821



Posting of Notification Sign

PER SEC 51A-1.106 Notification signs required to be obtained and posted

Address: 7915 S LANCASTER RD

Appeal Number: BDA 245-029

All required notification signs must be posted on the property within fourteen (14) days after an application has been made, prior to the Board of Adjustment Hearing, and not be removed until the hearing ends.


The sign must be posted at a prominent location adjacent to the public street, evenly spaced along each frontage, and easily visible from the street. Failure to properly post the sign(s) may result in either a postponement or denial of the appeal.

All required notification signs have been received. One sign is required for each 500 feet or less of frontage, or every tract of five (5) acres or less, with a maximum of five (5) signs required. The cost of each sign is \$10.00.

Footage of each street frontage: 2,000 & 800

Number of acres: 102.5

Number of signs received: 5


Signature of applicant or person receiving signs

01/17/2025
Date

EXHIBIT A



INQUIRY #: 7509290.1

YEAR: 1950

_____ = 750'





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 245-027

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

at: 7915 S. Lancaster Rd.
(Address of property as stated on application)

Authorize: David Pitcher, P.E. - KFM Engineering & Design
(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: FOR TREE MITIGATION REQUIREMENTS AS STATED IN THE LETTER ATTACHED

WITH THIS APPLICATION

Roy Magno
Print name of property owner or registered agent
agent Date 12/30/24

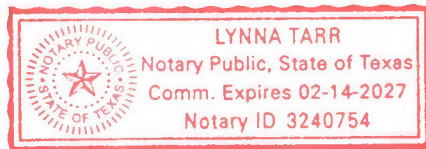
[Signature]
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared

Roy Magno

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

knowledge. Subscribed and sworn to before me this 30 day of December, 2024



Lynna Tarr
Notary Public for Dallas County,
Texas

Commission expires on 2-14-2027



CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 245-029

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

at: 7915 S. Lancaster Rd
(Address of property as stated on application)

Authorize: David Pitcher, P.E. - KFM Engineering & Design
(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)

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

Specify: FOR TREE MITIGATION REQUIREMENTS AS STATED IN THE LETTER ATTACHED

WITH THIS APPLICATION

Roy Magno
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

agent Date 12/30/24

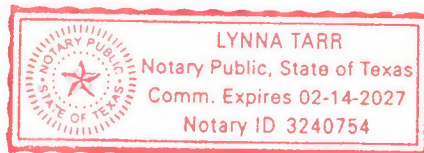
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Roy Magno

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

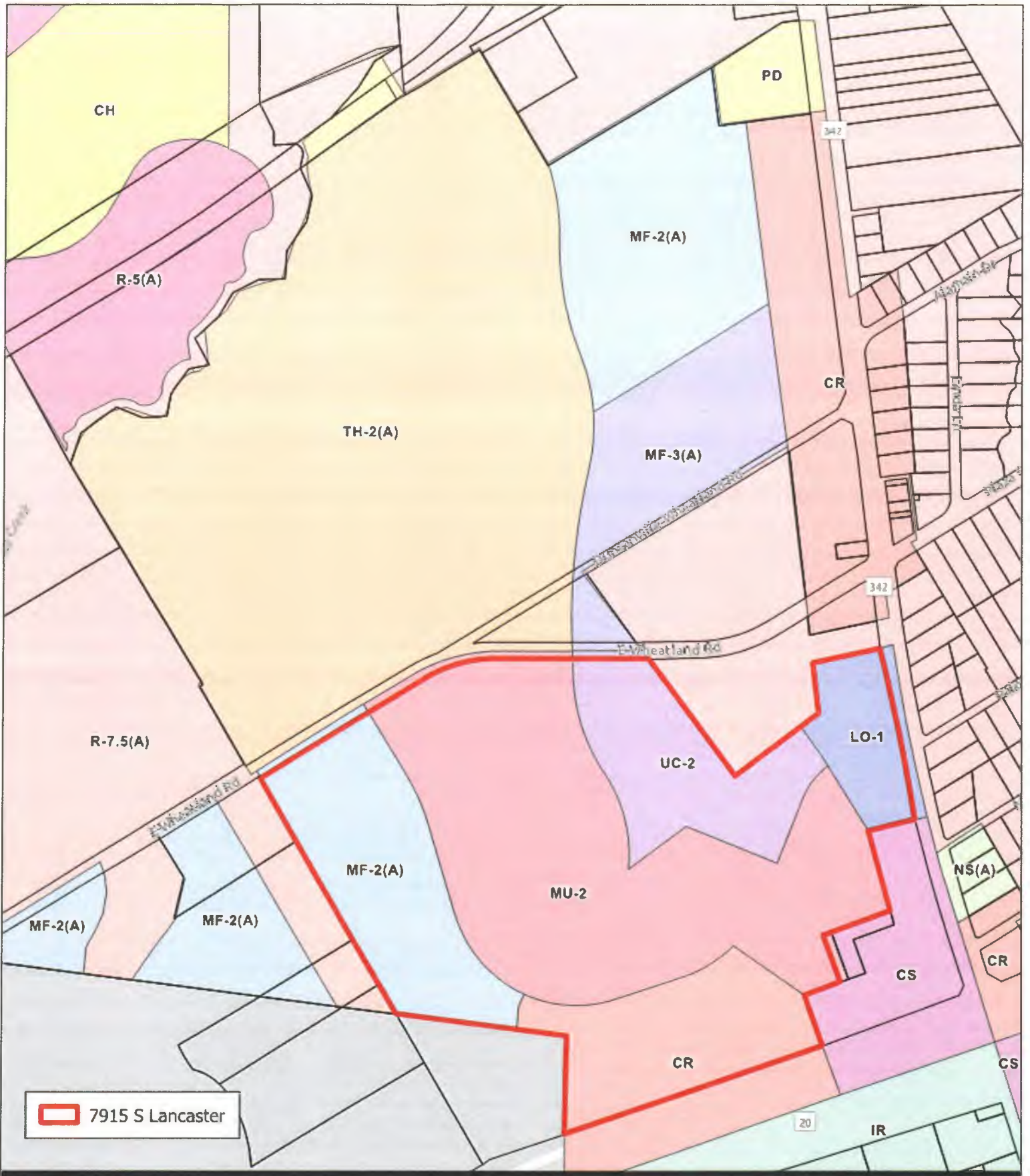
knowledge. Subscribed and sworn to before me this 30 day of

December, 2024



Lynna Tarr
Notary Public for Dallas County,
Texas

Commission expires on
2-14-2027



3501 OLYMPUS BLVD STE 100
 DALLAS, TX 75019
 469.899.0536
 WWW.KFM.LLC.COM

TBPE: F-20821

TITLE
DALLAS ZONING
 EXHIBIT

PROJECT
UNIVERSITY HILLS

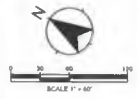
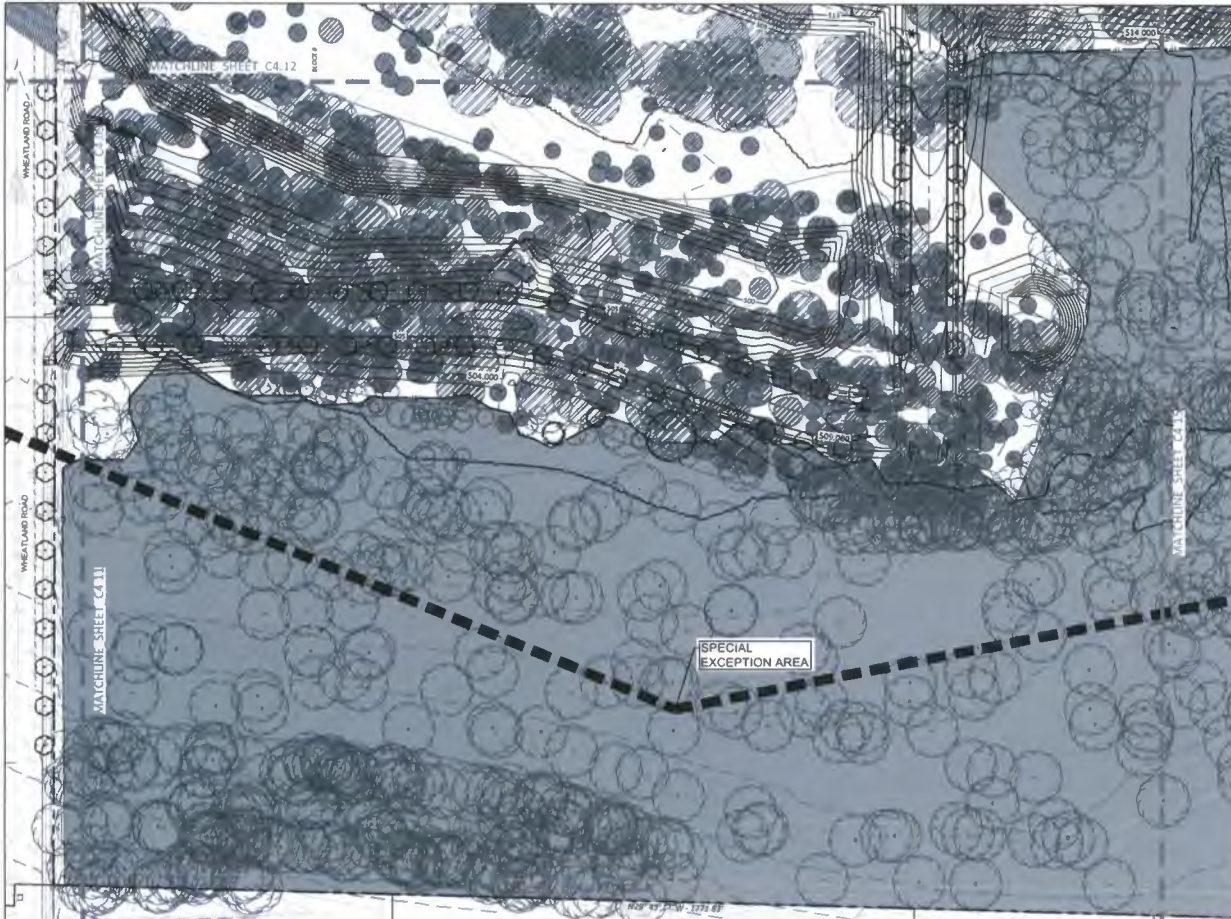
CLIENT
HOQUE GLOBAL



1 in = 600 ft

PROJECT NUMBER
 010195001

DECEMBER 31, 2024



**PRELIMINARY
NOT FOR CONSTRUCTION**

KFM
ENGINEERING & DESIGN

PROJECT NO. _____ DATE: _____

- DEMOLITION LEGEND**
- EXISTING TREE TO BE MAINT
 - EXISTING TREE TO BE REMOVED
 - REPLACEMENT TREES
 - EXISTING OR NEW STANDS
 - OR FRIED JOINS
 - AREA TO BE CLEAR OF UNDERBRUSH, PROTECT TREES TO REMAIN
 - SPECIAL EXCEPTION AREA

NOTES

- REFER TO SHEET C0.03 FOR GENERAL CONSTRUCTION NOTES.

[CAUTION]

CONTRACTOR TO CONTACT THE TEXAS ONE-CALL SYSTEM (1-800-348-8377) AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION. WHEN NOT RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITIES IN THE PROJECT AREA, FIELD CONDITIONS OR THE EXISTING PLANS, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

REVISIONS

REV NO.	DATE	DESCRIPTION	BY

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TX 75019 8F-20821

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.
S234-108	YYYYMMDDXXXX	WW24-534 DP24-200
S234-109		
S234-110		

TREE MITIGATION PLAN
UNIVERSITY HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE NUMBER	SHEET
DMP	KF	11/20/2016	24 200	C04.14

CAUTION - FIBER OPTIC
UNDO REGROUNDING FOR FIBER OPTIC CABLES IN AREA. CONTACT FIBER OPTIC CO. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

CAUTION - GAS
UNDO REGROUNDING GAS MAIN IN AREA. CONTACT AT&M'S READY COMP TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

CAUTION - TELEPHONE
UNDO REGROUNDING TELEPHONE CABLES IN AREA. CONTACT S & B C. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

CAUTION - POWER
UNDO REGROUNDING ELECTRICAL CABLES IN AREA. CONTACT T&E TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1 800 344 8377

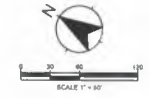
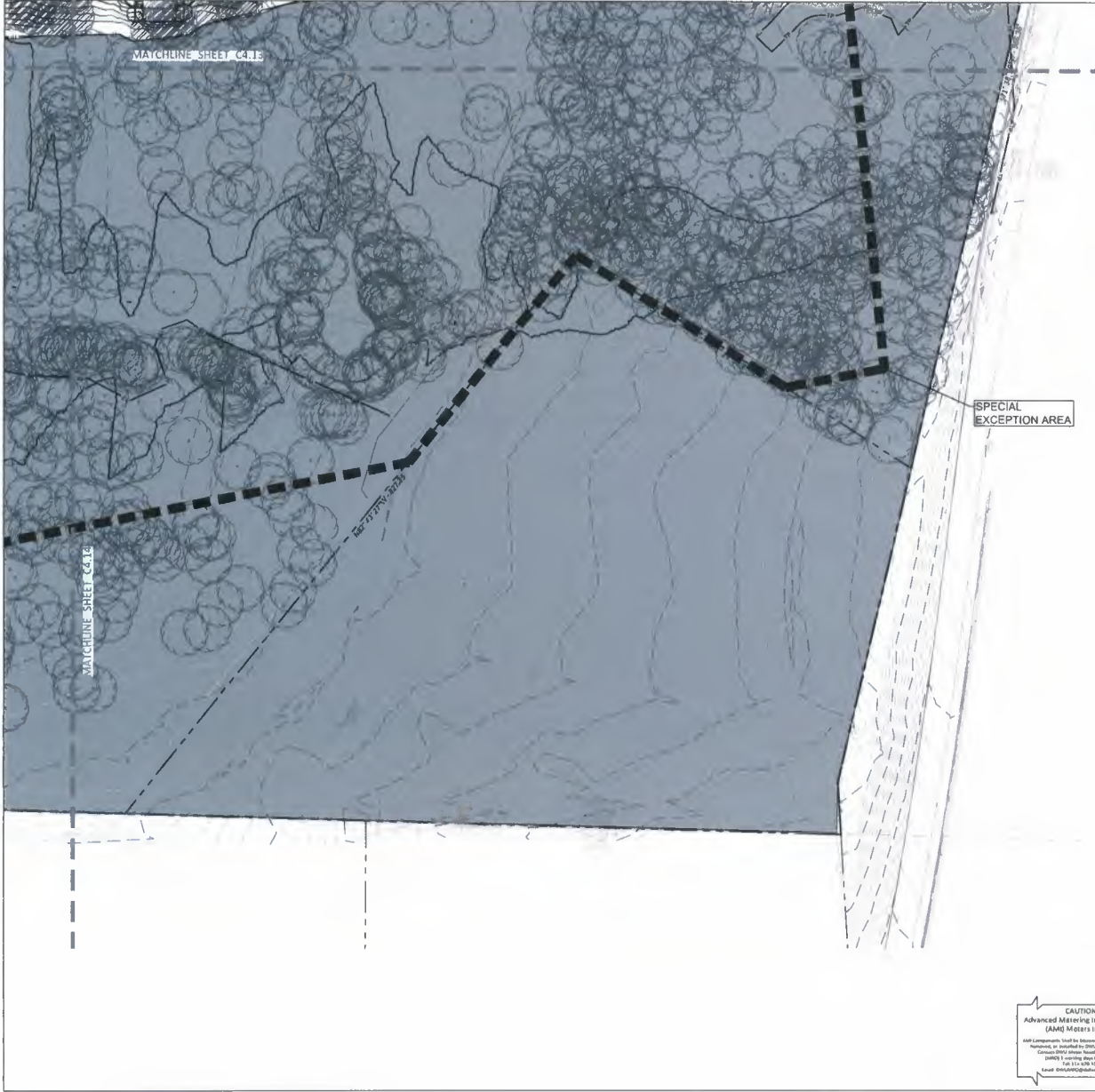
CAUTION
Advanced Metering Infrastructure (AMI) Meters in Area

AMI Components shall be Re-grounded, Re-secured, Re-secured, as detailed by Utility Representative's Contact Utility when Re-grounding Operations (RGO) is complete. Please refer to the following: Tel: 110-99-6447 Email: amimaintenance@atandt.com

CONTRACT INFORMATION

CONTRACT NO.	DATE

2016/02/23 10:00 AM C:\Users\jdoyle\OneDrive\Documents\2016\20160223_1000\20160223_1000.dwg



**PRELIMINARY
NOT FOR CONSTRUCTION**
KFM
ENGINEERING & DESIGN
P.O. Box 100000, Dallas, TX 75210

- DEMOLITION LEGEND**
- EXISTING TREE TO BE MAINT.
 - EXISTING TREE TO BE REMOVED
 - REPLACEMENT TREES
 - EXISTING FOREST STANDS
 - DIRT/FIELD JOBS
 - AREA TO BE CLEAR OF UNDERBUSH, PROTECTED TREES TO REMAIN
 - SPECIAL EXCEPTION AREA

NOTES:
• REFER TO SHEET C0.03 FOR GENERAL CONSTRUCTION NOTES.

[CAUTION]

CONTRACTOR TO CONTACT THE TEXAS ONE-CALL SYSTEM 1-800-344-8377 AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION. YOU ARE SOLELY RESPONSIBLE FOR NOTIFYING ALL EXISTING UTILITIES IN THE PROJECT AREA. IF FIELD CONDITIONS DATE IS SHOWN CAN'T FIND THE LOCATION SHOWING ON THE PLANS, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

REV. NO.	DATE	DESCRIPTION	BY

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD. SUITE 100
DALLAS, TX 75019 #F-20821

PLAT NO.	BLDG PERMIT NO.	DEV ENGINEERING TRACKING NOS.
S234-108	YYYYMMDDXXXX	WW24-534 DP24-200
S234-109		
S234-110		

TREE MITIGATION PLAN
SUNSHINE HILLS
NW CORNER OF LANCASTER ROAD AND IH-20
DEVELOPMENT SERVICES
CITY OF DALLAS, DALLAS COUNTY, TEXAS

REV. BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
DMP	KF	11/20/2024	24	200	C04.15

CAUTION - FIBER OPTIC

UNDERGROUND FIBER OPTIC CABLES IN AREA. CONTACT FIBER OPTIC CO. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1-800-344-8377

CAUTION - GAS

UNDERGROUND GAS MAINS IN AREA. CONTACT ATMS ENERGY CORP. TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1-800-344-8377

CAUTION - TELEPHONE

UNDERGROUND TELEPHONE CABLES IN AREA. CONTACT SBC TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1-800-344-8377

CAUTION - POWER

UNDERGROUND ELECTRICAL CABLES IN AREA. CONTACT TCU TWO WORKING DAYS PRIOR TO CONSTRUCTION. PHONE: 1-800-344-8377

CAUTION
Advanced Metering Infrastructure (AMI) Meters in Area

AMM (Advanced Metering Infrastructure) Meters are installed by 2015. For more information, contact AMM at 1-800-344-8377. For more information, contact AMM at 1-800-344-8377. For more information, contact AMM at 1-800-344-8377.

CONTRACT INFORMATION

CONTRACT NO. _____ DATE _____

CONTRACTOR _____