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**CITY SECRETARY
DALLAS, TEXAS**

City of Dallas

*1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201*

Public Notice

260809

POSTED CITY SECRETARY
DALLAS, TX



Board of Adjustment

Panel A

SEPTEMBER 15, 2026

Briefing at 10:30 AM

Hearing at 1:00 PM



City of Dallas

1500 Marilla Street
Council Chambers,
6th Floor
Dallas, Texas 75201

Agenda

Board of Adjustment, Panel A

Tuesday, September 15, 2026

10:30 AM

COUNCIL CHAMBERS, 6TH FLOOR

BOARD OF ADJUSTMENT, PANEL A

REGULAR MEETING

TUESDAY, SEPTEMBER 15, 2026

ORDER OF BUSINESS

The Board of Adjustment, Panel A may be briefed on any item on the agenda.

The City of Dallas will make "Reasonable Accommodations" to programs and/or other related activities to ensure all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board Coordinator by calling (214) 670-4127, at least seventy-two (72) hours (3 days) in advance of the scheduled meeting. A video stream of the meeting will be available two business days after adjournment by visiting <https://dallascityhall.com/government/Pages/Live.aspx>.

La Ciudad de Dallas llevará a cabo "Adaptaciones Razonables" a los programas y/u otras actividades relacionadas para garantizar que todos y cada uno de los residentes tengan The Landmark Commission may be briefed on any item on the agenda. The City of Dallas will make "Reasonable Accommodations" to programs and/or other related activities to ensure all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Board Coordinator by calling (214) 670-4127, at least seventy-two (72) hours (3 days) in advance of the scheduled meeting. A video stream of the meeting will be available two business days after adjournment by visiting <https://dallascityhall.com/government/Pages/Live.aspx>.

The public may listen to the meeting as an attendee at the following videoconference link:

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0844cc250bdbf22f5d7772cf32e43dbf>

(NOTE: IF THE LINK ABOVE DOES NOT WORK, COPY AND PASTE THE LINK IN YOUR WEB BROWSER)

Individuals and interested parties wishing to speak must register at: <https://bit.ly/BDA-A-Register>

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 pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

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

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

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

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

CITY OF DALLA!
BOARD OF ADJUSTMENT – PANEL A
TUESDAY, SEPTEMBER 15, 2026
AGENDA

BRIEFINGS: **Videoconference/6EN Council Chambers*** **10:30 a.m.**

(The Board of Adjustment may be briefed on any item on the agenda if it becomes necessary.)

PUBLIC HEARINGS: **Videoconference/6EN Council Chambers*** **1:00 p.m.**
Public hearings will not be heard before 1:00 p.m.

PURPOSE: To consider the attached agendas.

*** All meeting rooms and chambers are located in Dallas City Hall, 1500 Marilla, Dallas, Texas**

The Board of Adjustment meeting will be held by videoconference and in the Council Briefing Room, 6th Floor ES at City Hall. Individuals who wish to listen to the meeting, may participate by video by joining Cisco Webex Link: <https://bit.ly/boa091526> or by calling the following phone number: **Webinar number:** (Webinar 2499 560 1116) password: dallas (325527 from phones)) and by **phone:** +1-469-210-7159 United States Toll (Dallas) or +1-408-418-9388 United States Toll (Access code: 2499 560 1116 **Password (if required)** 325527).

Individuals and interested parties wishing to speak must register with the Board of Adjustment by registering online at <https://dallascityhall.com/government/Boards-and-Commissions/Board-of-Adjustment/Pages/Meetings.aspx> or call (214) 670-4127, by 5:00 p.m., Monday, September 14, 2026.

Las personas y las partes interesadas que desean hablar deben registrarse con en el Departamento de Planificación y Desarrollo registrándose en línea en <https://dallascityhall.com/government/Boards-and-Commissions/Board-of-Adjustment/Pages/Meetings.aspx> o llamando al (214) 670-4127, antes de las 5:00 p.m. del lunes, 14 de Septiembre de 2026.

The public may attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person. The City of Dallas will make "Reasonable Accommodations/Modifications" to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation(interpreter) to fully participate in the meeting should notify the Board of Adjustment by emailing mary.williams1@dallas.gov, calling (214) 670-4127, at least seventy-two (72) hours (3 days) prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting <https://dallastx.new.swagit.com/views/113>.

Se anima al público a asistir a la reunión virtualmente; sin embargo, la audiencia está disponible para aquellos que deseen asistir en persona. La ciudad de Dallas llevará a cabo “Adecuaciones/Modificaciones Razonables” a los programas y/u otras actividades relacionadas para asegurar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para asegurar una reunión equitativa e inclusiva. Cualquier persona que requiera asistencia adicional, servicio, y/o traducción (intérprete) para poder participar de forma íntegra en la reunión debe notificar a Departamento de Planificación y Desarrollo enviando un correo electrónico a mary.williams1@dallas.gov, llamando al (214) 670-4127, por lo menos setenta y dos (72) horas (3 días) antes de la reunión programada. Una transmisión en video de la reunión estará disponible dos días hábiles luego de la finalización de la reunión en <https://dallastx.new.swagit.com/views/113>.

**AGENDA
BOARD OF ADJUSTMENT - PANEL A MEETING
TUESDAY, SEPTEMBER 15, 2026
ORDER OF BUSINESS**

The Board of Adjustment meeting will be held by videoconference and in the Council Chambers 6th Floor EN at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure must sign up with the Planning and Development Department's Office.

The public may attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the Board of Adjustment meeting on Spectrum Cable Channel 96 or 99 and [bit.ly/cityofdallastv](https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0844cc250bdbf22f5d7772cf32e43dbf):

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0844cc250bdbf22f5d7772cf32e43dbf>

Public hearings will not be heard before 1:00 p.m.

BRIEFING ITEMS

APPROVAL OF MINUTES

APPROVAL OF AUGUST 18, 2026, PANEL A HEARING MINUTES

Pg. 12

ACTION ITEMS:

MISCELLANEOUS ZONING ITEMS:

NONE

UNCONTESTED ITEMS:

1- BOA-26-000040 – 4701 MIRON DRIVE

Pg. 28

2- BOA-26-000054 – 10660 STRAIT LANE

Pg. 92

3- BOA-26-000057 – 1937 IRVING BOULEVARD

Pg. 109

HOLDOVER ITEMS

4- BOA-26-000026 – 6632 CHURCHILL WAY

Pg. 145

INDIVIDUAL ITEMS:

5- BOA-26-000058 – 410 HILLBURN DRIVE

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ADJOURMENT

I. Call to Order**II. Staff Presentation/Briefing****III. Public Hearing****IV. Public Testimony****V. Miscellaneous Items**

APPROVAL OF AUGUST 18, 2026, PANEL A HEARING MINUTES

VI. Case Docket**MISCELLANEOUS ITEM(S)**

NONE

UNCONTESTED CASE(S)

[26-2942A](#) Application of Nicholas Lowe for **(1)** a special exception to the fence height regulations at **4701 MIRON DRIVE**. This property is more fully described as Block A/5554, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require **(1)** a 4-foot special exception to the fence height regulations.

Location: **4701 MIRON DRIVE**

Applicant: Nicholas Lowe

Senior Planner: Bryant Thompson

Request(s): **(1)** a special exception to the fence height regulations

Staff Recommendation: No staff recommendation.

BOA-26-000040

Attachments: [Case Report](#)
 [Application Summary](#)
 [Site Plan](#)
 [Elevations](#)
 [Letter of Support](#)
 [Letter of Support](#)
 [Presentation](#)

[26-2943A](#)

Application of Morgun Brown for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **10660 STRAIT LANE**. This property is more fully described as Block F/5518, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches, which will require **(1)** a 9-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

Location: **10660 STRAIT LANE**

Applicant: Morgun Brown

Senior Planner: Bryant Thompson

Request(s): **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations

Staff Recommendation: No staff recommendation.

BOA-26-000054

Attachments:

[Case Report](#)

[Application Summary](#)

[Site Plan & Elevation - 10660 Strait Ln.pdf.pdf](#)

[26-2944A](#) Application of Jennifer Hiromoto for **(1)** a special exception to the off-street parking regulations at **1937 IRVING BOULEVARD**. This property is more fully described as Block 23/7890, Lots 41, 42, 43, and 44, and is zoned PD-621 (Subdistrict 1A), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement (inside) uses, and provide 72 of the required 88 parking spaces, which will require **(1)** a 16-space special exception (18.2 percent reduction) to the off-street parking regulations.

Location: **1937 IRVING BOULEVARD**

Applicant: Jennifer Hiromoto

Senior Planner: Bryant Thompson

Request(s): **(1)** a special exception to the off-street parking regulations

Staff Recommendation: No staff recommendation.

BOA-26-000057

Attachments: [Case Report](#)
 [Application Summary](#)
 [Site Plan](#)
 [PD 621 MUD Parking Chart](#)
 [Floor Plan](#)
 [Documentary Evidence](#)

HOLDOVER CASE(S)**26-2946A**

Application of Scott Clements for (1) a special exception to the fence height regulations, for (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach at **6632 CHURCHILL WAY**. This property is more fully described as Block 2/7459, Lot 3, and is zoned R-16(A), which limits the height of a fence in the front yard to 4-feet, requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires a 20-foot visibility triangle at the driveway approach. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations, to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require (2) a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach along Churchill Way, which will require (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach. **This case was held under advisement on July 14, 2026.**

Location: **6632 CHURCHILL WAY**

Applicant: Scott Clements

Senior Planner: Bryant Thompson

Request(s): (1) a special exception to the fence height regulations, for (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach.

Staff Recommendation: No staff recommendation.

BOA-26-000026

Attachments:

[Case Report](#)

[Fence Elevation](#)

[Documentary Evidence](#)

[Application Summary](#)

[Referral](#)

[Site Plan](#)

[Approved Fence](#)

[Documentary Evidence-Estimate](#)

[Revised-Proposed Fence Elevation](#)

[Survey-Churchill.pdf](#)

INDIVIDUAL CASE(S)

[26-2945A](#) Application of Herschel Bowens for **(1)** a variance to the landscape regulations, for **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for **(3)** a special exception to the fence materials regulations at **410 HILLBURN DRIVE**. This property is more fully described as Lot 3, Block 6269, and is zoned IM, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line, and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require **(1)** a variance to the landscape regulations, to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and to construct and/or maintain a fence using a prohibited material, which will require **(3)** a special exception to the fence material regulations.

Location: **410 HILLBURN DRIVE**

Applicant: Herschel Bowens

Senior Planner: Bryant Thompson

Request(s): for **(1)** a variance to the landscape regulations, for **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for **(3)** a special exception to the fence materials regulations

Staff Recommendation: **(1)** Approval, **(2)** No staff recommendation, **(3)** No staff recommendations.

BOA-26-000058

Attachments: [Case Report](#)
 [Application Summary](#)
 [Referral](#)
 [LandscapePlan](#)

VII. Adjournment

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code § 551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code § 551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code § 551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code § 551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code § 551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code § 551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code § 551.089]
8. deliberating cybersecurity measures, policies, or contracts solely intended to protect a critical infrastructure facility. [Tex. Gov't Code § 551.0761]



BOARD OF ADJUSTMENT

Panel A Meeting Minutes

AUGUST 18, 2026

DRAFT

Council Briefing 6ES

24923176153@dallascityhall.webex.com

David A. Neumann, Chairman

PRESENT: [5]

David A. Neumann, Chairman	
Kathleen Davis	
Michael Hopkovitz	
Kacy Rodgers II	
Michael Dorn	

ABSENT: [0]

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

Chairman David A. Neumann called the hearing to order at **1:00 P.M.** with a quorum of the Board of Adjustment present.

The Chairperson stated that no action of the Board of Adjustment shall set a precedent. Each case must be decided upon its own merits and circumstances, unless otherwise indicated, each use is presumed to be a legal use. Each appeal must necessarily stand upon the facts and testimony presented before the Board of Adjustment at this public hearing, as well as the Board's inspection of the property.

PUBLIC SPEAKERS

The Board of Adjustment provided public testimony opportunities for individuals to comment on matters that were scheduled on the posted meeting agenda.

- No Registered Speakers

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel A, July 14, 2026, Meeting Minutes.

Motion was made to approve Panel A, July 14, 2026, Public Hearing Minutes.

Maker:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 unanimously				Motion to approve
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Kacy Rodgers II, Michael Hopkovitz, Michael Dorn
		Against:	-	0	

MISCELLANEOUS CASES

1. 2615 STEPHENSON STREET

BOA-26-000083_FW2(BT)

BUILDING OFFICIAL'S REPORT: Application of Arthur Terry for a fee waiver for **(1)** a variance to the height regulations, and for **(2)** a variance to the floor area for structures accessory to single family use regulations at **2615 STEPHENSON STREET**. This property is more fully described as Block E/2488, Lot 17, and is zoned PD-595 (R-5(A)).

LOCATION: 2615 Stephenson Drive

APPLICANT: Arthur Terry

REQUEST:

A request for a fee waiver for a variance to the maximum height for structure accessory to single-family use regulations and a variance to the floor area for structures accessory to single-family use regulations.

The applicant is requesting a fee waiver for two separate requests, each with a fee of \$600.00 for a total request waiver amount of \$1,200.00. The request pertains solely to the waiver of fees associated with the proposed deviations from the maximum height for structure accessory to single family use regulations and floor area for structures accessory to single family use regulations

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 303.12.1.6 in Chapter 52 of the Dallas City Code specifies the board of adjustment may waive the filing fee if the board finds **that payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

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

Speakers:

For: Arthur Terry, 2615 Stephenson St, Dallas TX 75215

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BOA-25-000083_FW2, on application of Arthur Terry, **DENY** the request to waive the filing fees to be paid in association with a request for a variance to the height regulations and a variance to the floor area for structures accessory to single family use regulations as requested by this applicant **with prejudice**, because our evaluation of the property and the testimony shows that payment of the fee would NOT result in substantial financial hardship to this applicant.

Maker:	Michael Hopkovitz				
Second:	Kacy Rodgers II				
Results:	5-0 Unanimously				Motion to deny with prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Kacy Rodgers II and Michael Dorn
		Against:	-	0	

A motion was made to reconsider the Board's decision as the applicant's late arrival and reverse the motion.

Maker:	Michael Hopkovitz				
Second:	Kathleen Davis				
Result:	5-0 Unanimously				Motion to reconsider

The Motion to Deny with prejudice was withdrawn

Maker:	Michael Hopkovitz				
Second:	Kacy Rodgers II				

Motion # 2

I move that the Board of Adjustment, in Appeal No. BOA-25-000083_FW2, on application of Arthur Terry, **DENY** the request to waive the filing fees to be paid in association with a request for a variance to the height regulations and a variance to the floor area for structures accessory to single family use regulations as requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that payment of the fee would NOT result in substantial financial hardship to this applicant.

Maker:	David A Neumann				
Second:	Kathleen Davis				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Kacy Rodgers II and Michael Dorn
		Against:	-	0	

UNCONTESTED CASES

2. 1204 REVEREND CBT SMITH STREET

BOA-26-000056(BT)

****This Case was moved to Individual Cases****

BUILDING OFFICIAL'S REPORT: Application of Eleni Papaioannou for **(1)** a special exception to the front yard setback regulations at **1204 REVEREND CBT SMITH STREET**. This property is more fully described as Block 49/3030, part of Lot 5, and is zoned PD-571 (Subdistrict 2), which requires all main buildings to have a front yard setback within five percent of the average front yard setback of the other main buildings on the same blockface, resulting in a minimum allowable setback of 24 feet and a maximum allowable setback of 26 feet 6 inches. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 20-foot front yard setback, which will require **(1)** a 4-foot special exception to the front yard setback regulations.

LOCATION: 1204 Reverend CBT Smith Street

APPLICANT: Eleni Papaioannou

REQUEST:

(1) a special exception to the front yard setback regulations

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO THE FRONT YARD SETBACK REGULATIONS IN PD 571:

Section 51P-571.109(c) provides that the board of adjustment may grant a special exception to the front, side, and rear yard setback requirements if the board finds, after a public hearing, that the special exception will not adversely affect the neighboring properties, the improvement is within the general building patterns of the neighborhood, and the special exception will preserve the character of the neighborhood. In granting a special exception to the setback requirements, the board may impose any other reasonable condition that would further the purpose and intent of the setback requirements of PD 571.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

Zoning:

Site: PD-571 Subdistrict 2 (R-5(A))
North: PD-571 Subdistrict 2
East: PD-571 Subdistrict 2
South: PD-571 Subdistrict 2
West: PD-571 Subdistrict 2

Land Use:

The subject site is undeveloped; north of the subject site is Eloise Lundy Park; to the east and south are residential structures; to the west is Golden Gate Baptist Church.

BDA History:

No BDA history found on this property within the past five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Eleni Papaioannou for the property located at 1204 Reverend CBT Smith focuses on one request relating to the front yard setback.
- The applicant proposes to construct and/or maintain a residential structure and provide a 20-foot front yard setback, which will require a 4-foot special exception to the front yard setback regulations.
- The property is zoned Planned Development District No. 571 (Subdistrict 2). Section 51-P-571.109(a) states: *All main buildings must have a front yard setback that is within five percent of the average front yard setback of other main buildings in the same blockface. In the event the blockface consists of all vacant lots, the lot must be developed in accordance with the front yard setback regulations for an R-5(A) Single Family District.*
- The front yard setback regulation for R-5(A) Single Family District is a minimum setback of 20 feet.
- The average front setback of the existing structures on the blockface is **25.25 feet**. Applying the $\pm 5\%$ standard results in an allowable front setback range of approximately **24.0 feet to 26.5 feet**. The applicant is requesting a **20-foot front setback**, which is below the minimum calculated range.
- The applicant has the burden of proof in establishing the following:
 1. The special exception will not adversely affect the neighboring properties;
 2. The improvement is within the general building patterns of the neighborhood; and
 3. The special exception will preserve the character of the neighborhood.
- Granting the special exception to the front yard setback regulations with the condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200-foot radius link : [BOA-26-000056 at 1204 Rev CBT Smith](#)

Timeline:

July 3, 2026: The applicant submitted an "Application/Appeal to the Board of Adjustment"

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

June 30, 2026: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

July 13, 2026: The Planning and Development Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **July 24, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **August 7, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 28, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers (Applicant arrived late)

Against: Moriah Parker, 1101 Rev. CBT Smith St, Dallas TX 75203

Motion

I move that the Board of Adjustment, in Appeal No. BOA-26-000056, on application of Eleni Papaioannou, **DENY** the special exception to the front yard setback regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that:

- ☐ The special exception would adversely affect neighboring property.
- ☐ The improvement is not within the general building patterns of the neighborhood.
- ☐ The special exception will not preserve the character of the neighborhood.

Maker:	Kathleen Davis				
Second:	Kacy Rodgers II				
Results:	5-0				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Dorn, Kacy Rodgers II & Michael Hopkovitz
		Against:	-	0	

HOLDOVER CASES

3. 5303 BONITA AVENUE

BOA-26-000034(BT)

BUILDING OFFICIAL'S REPORT: Application of Ben Fogler for **(1)** a special exception to the fence height regulations, **(2)** special exception to the fence opacity regulations, and **(3)** a special exception to the 20-foot visibility obstruction regulation at **5303 BONITA AVENUE**. This property is more fully described as Block 22/1942, Part of Lot 28, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4-feet, requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires a 20-foot visibility triangle at the driveway approach. The applicant proposes to construct and/or maintain an 8-foot high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations, to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach along Laneri Avenue, which will require **(3)** a special exception to the 20-foot visibility obstruction regulation.

LOCATION: 5303 Bonita Avenue

APPLICANT: Ben Fogler

REQUEST:

- (1) a special exception to the fence height regulations along Laneri Avenue,
- (2) a special exception to the fence opacity regulations along Laneri Avenue, and
- (3) a special exception to the 20-foot visibility obstruction regulations at the drive approach along Laneri Avenue.

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

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, **the special exception will not constitute a traffic hazard.**

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A)
North: CD-15
East: R-7.5(A)
South: R-7.5(A)
West: R-7.5(A)

Land Use:

The subject site is developed and surrounding properties to the east, west, and south are developed with single-family uses and to the north CD-15 developed with single-family uses.

BDA History:

No BDA history has been found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Ben Fogler for the property located at 5303 Bonita Avenue focuses on three requests relating to the fence height regulations, fence opacity regulations, and visual obstruction regulations all along Laneri Avenue.
- The first request, the applicant is proposing to construct and maintain an 8-foot-high fence in a required front-yard along Laneri Avenue, which will require a 4-foot special exception to the fence height regulations.
- The second request, the applicant is proposing to construct and maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line along Laneri Avenue, which requires a special exception to the fence opacity regulations.
- The last request, the applicant is proposing to construct and maintain a fence in a required 20-foot visibility obstruction triangle at the driveway along Laneri Avenue.
- Per staff site visit, the fencing is proposed.
- Proposed fencing materials vary based on location onsite.
- David Nevarez from Planning and Development Transportation provided the following comments on 06/01/2026:
 - o “Has no objections.”
- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations relating to height and opacity will not adversely affect the neighboring properties.
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations will not constitute a traffic hazard.
- Granting the special exceptions to the fence height and opacity regulations and visual obstruction with a condition that the applicant complies with the submitted site plan and

elevations, would require the proposal to be constructed as shown on the submitted documents.

- 200' Radius Video: [BOA-26-000034 at 5303 Bonita Ave](#)

Timeline:

May 2, 2026:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
May 7, 2026:	The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A .
May 18, 2026:	The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information: • an attachment that provided the public hearing date and panel that will consider the application; the May 22, 2026, deadline to submit additional evidence for staff to factor into their analysis; and June 5, 2026, 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.
May 28, 2026:	The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the June public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.
June 17, 2026:	The Board of Adjustment Panel A , at its public hearing held on Tuesday, June 17, 2026, moved to HELD this request under advisement until August 18, 2026 .
July 06, 2026:	The applicant provided revised plans.
July 13, 2026:	The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information: • an attachment that provided the public hearing date and panel that will consider the application; the 1:00 pm, July 24, 2026, deadline to submit additional evidence for staff to factor into their analysis; and 1:00 pm, August 5, 2026, deadline to submit additional evidence to be incorporated into the board's docket materials.
July 28, 2026:	The Board of Adjustment staff confirm signage properly posted onsite.
July 06, 2026:	Traffic Engineer provided comments.

Speakers:

For: Ben Fogler, 5022 Thrush St., Dallas TX 75209

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Cameron McKee, 5303 Bonita Ave., Dallas TX 75206

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BOA-26-000034, on application of Ben Fogler, **GRANT** the request of this applicant to construct and/or maintain an 8-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

Compliance with the most recent version of the submitted site plan and elevations are required.

Maker:	Kathleen Davis				
Second:	Kacy Rodgers II				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz Kacy Rodgers II & Michael Dorn
		Against:	-	0	

Motion # 2

I move that the Board of Adjustment, in Appeal No. BOA-26-000034, on application of Ben Fogler, **GRANT** the request of this applicant to construct and/or maintain a fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences in the Dallas Development Code, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property.

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

Compliance with the most recent version of the submitted site plan and elevations are required.

Maker:	Kathleen Davis				
Second:	Michael Dorn				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz Kacy Rodgers II & Michael Dorn
		Against:	-	0	

Motion # 3

I move that the Board of Adjustment, in Appeal No. BOA-26-000034, on application of Ben Fogler, **GRANT** the request to maintain items in the 20-foot visibility triangle at the driveway approach along Laneri Avenue, as a special exception to the visual obstruction regulation contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not constitute a traffic hazard.

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

Compliance with the most recent version of the submitted site plan and elevations, in regards to the portion in violation of the visual obstruction triangle, are required.

Maker:	Kathleen Davis				
Second:	Michael Dorn				
Results:	5-0 Unanimously				Motion to grant
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz Kacy Rodgers II & Michael Dorn
		Against:	-	0	

INDIVIDUAL CASES

4. 2919 MAPLE SPRINGS BOULEVARD

BOA-26-000053(KMH)

BUILDING OFFICIAL'S REPORT: Application of JoJo Anaya for **(1)** a variance to the front yard setback regulations at **2919 MAPLE SPRINGS BOULEVARD**. This property is more fully described as Block F/2332, Lot 31, and is zoned PD-193 (R-7.5 Subdistrict), which requires a front yard setback of 25-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 10-foot front yard setback along Bradford Drive, which will require **(1)** a 15-foot variance to the front yard setback regulations.

LOCATION: 2919 Maple Springs Boulevard

APPLICANT: JoJo Anaya

REQUEST:

(4) A request for a variance to the front yard setback regulations.

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-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 for structures accessory to single-family uses, 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.

SECTION 51A-3.102(d)(10)(B):

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Variance to the front yard setback regulations:

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site is:

- A. Not contrary to the public interest.
- B. The subject site is restrictive in buildable area but not shape and slope. Taking into consideration, the subject site is a corner lot with front-yard setbacks facing both Maple Springs Boulevard and Bradford Drive, reducing the buildable area due to the continuity of the established setback along both street frontage. The subject site has a lot size of 7,953 square feet with a buildable area of 2,865 square feet without variance (5,157 square feet with variance request); therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning district.
- C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site: PD-193 (R-7.5)
North: PD-193 (R-7.5)
East: PD-193 (R-7.5)
South: PD-193 (R-7.5)
West: PD-193 (R-7.5)

Land Use:

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

BDA History:

No BDA history was found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of JoJo Anaya for the property located at 2919 Maple Springs Boulevard focuses on one request relating to the front-yard setback regulations.
- The applicant is proposing to construct and maintain a single-family residential structure and provide a 10-foot front-yard setback, which will require a 15-foot variance to the front-yard setback regulations.
- The subject site's front yard setback along Maple Springs Boulevard and Bradford Drive is 25 feet.
- **SECTION. 51P-193.118(b)(1) MINIMUM FRONT YARD.**
 - o Front yard provisions for residential subdistricts.
 - o If a corner lot in a single-family, duplex, multiple-family, or agricultural subdistrict has two street frontages of equal distance, one frontage is governed by the front yard regulations of this section, and the other frontage is governed by the side yard regulations in Section 51P193.119. If the corner lot has two street frontages of unequal distance, the shorter frontage is governed by this section, and the longer frontage is governed by the side yard regulations in Section 51P-193.119. Notwithstanding this provision, the continuity of the established setback along street frontage must be maintained.
- Due to continuity of the blockface along Bradford Drive, the subject site would be reduced significantly when compared with development upon other parcels of land in the same zoning district.
- The subject site lot information:
 - o Lot size: 7,953 square feet
 - o Buildable area without variance: 2,865 square feet
 - o Buildable area with variance: 5,157 square feet

- o Lot coverage: 39 percent proposed
 - o Lot Coverage 45 percent max allowed
- The applicant has the burden of proof in establishing the following:
 - 1) 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.
 - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such 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
 - 3) 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.
- **SECTION 51A-3.102(d)(10)(B):**

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

 - (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
 - (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
 - (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (v) the municipality considers the structure to be a nonconforming structure.
- Granting the variance to the front-yard setback regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BOA-26-000053 at 2919 Maple Springs Blvd](#)

Timeline: _

July 2, 2026: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

BOARD OF ADJUSTMENT
August 18, 2026

July 8, 2026: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

July 13, 2026: The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **1:00 pm, July 24, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **1:00 pm, August 5, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

July 28, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **August** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Jokabet Anaya, 5225 Maple Ave # 5109, Dallas TX 75235

Against: Theresa Badylak, 5032 Stoneleigh Ave., Dallas TX 75235
Logan Monaco (Did not speak)

Motion

I move that the Board of Adjustment, in Appeal No. BOA-26-000053, on application of Jojo Anaya, **DENY** the variance to the front-yard setback regulations requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would NOT result in unnecessary hardship to this applicant.

Maker:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	5-0 Unanimously				Motion to deny without prejudice
		Ayes:	-	5	David A. Neumann, Kathleen Davis, Michael Hopkovitz, Kacy Rodgers II & Michael Dorn
		Against:	-	0	

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann entertained a motion to adjourn at 2:47 p.m.

BOARD OF ADJUSTMENT
August 18, 2026

Maker:	Michael Hopkovitz				
Second:	Michael Dorn				
Result:	5-0 Unanimously				Motion to adjourn

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

Date

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

Date

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

Date



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 26-2942A

Item #:

AGENDA DATE: September 15, 2026
PANEL: A
COUNCIL DISTRICT(S): 13
DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Nicholas Lowe for **(1)** a special exception to the fence height regulations at **4701 MIRON DRIVE**. This property is more fully described as Block A/5554, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require **(1)** a 4-foot special exception to the fence height regulations.

Location: **4701 MIRON DRIVE**

Applicant: Nicholas Lowe

Senior Planner: Bryant Thompson

Request(s): **(1)** a special exception to the fence height regulations

Staff Recommendation: No staff recommendation.

BOA-26-000040

FILE NUMBER: BOA-26-000040(BT)

BUILDING OFFICIAL'S REPORT: Application of Nicholas Lowe for **(1)** a special exception to the fence height regulations at **4701 MIRON DRIVE**. This property is more fully described as Block A/5554, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require **(1)** a 4-foot special exception to the fence height regulations.

LOCATION: 4701 Miron Drive

APPLICANT: Nicholas Lowe

REQUEST:

(1) a special exception to the fence height regulations

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

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

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

BDA History:

No BDA history has been found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

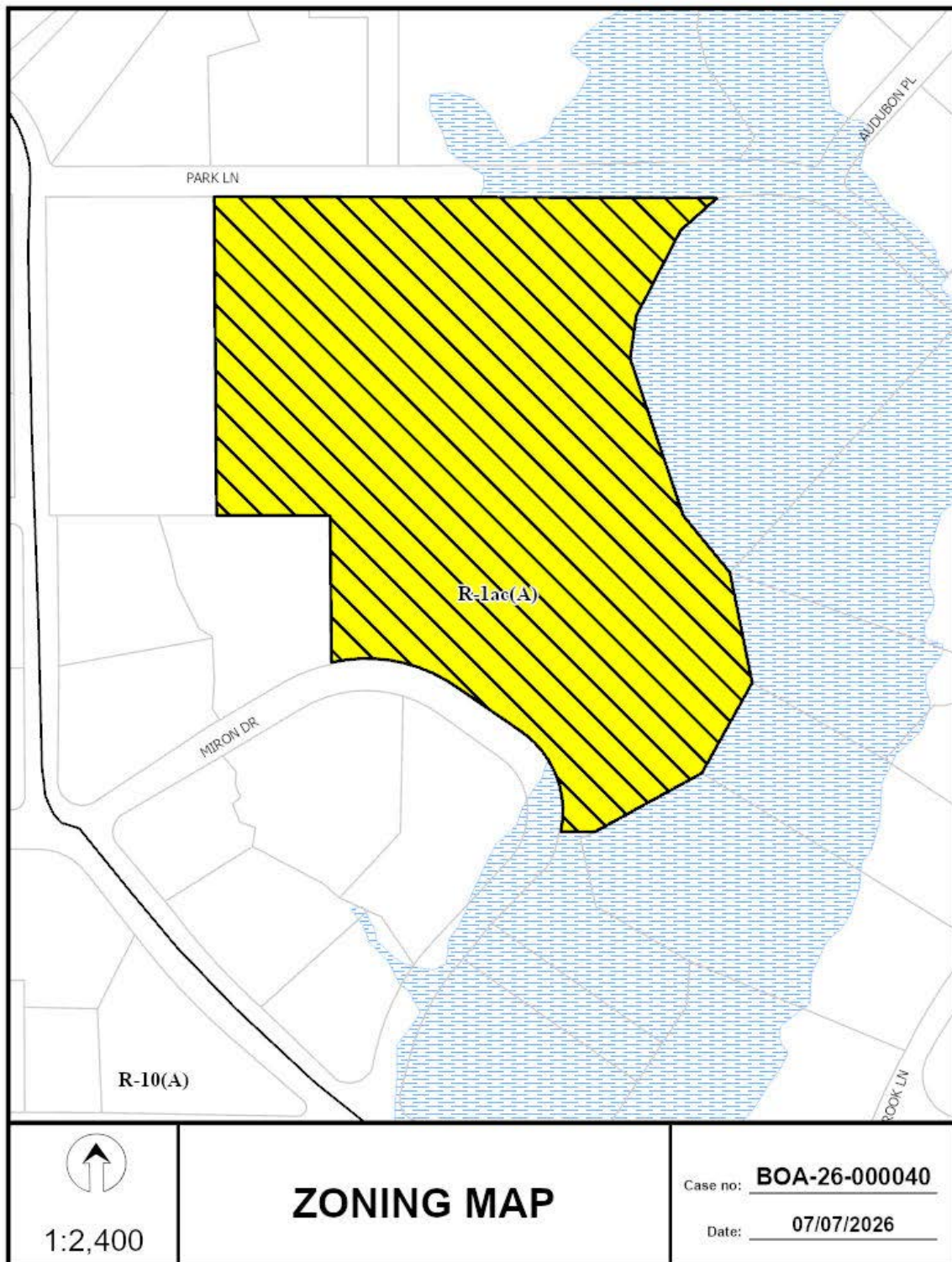
- The application of Nicholas Lowe for the property located at 4701 Miron Drive focuses on one request relating to the fence height regulations.
- The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require a 4-foot special exception to the fence height regulations.
- It is imperative to note neighboring properties provide a mixture of open front yards, fencing at various heights, and vegetation.
- Per staff site visit, the fencing is proposed.
- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations relating to height will not adversely affect the neighboring properties.
- Granting the special exception to the fence height with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

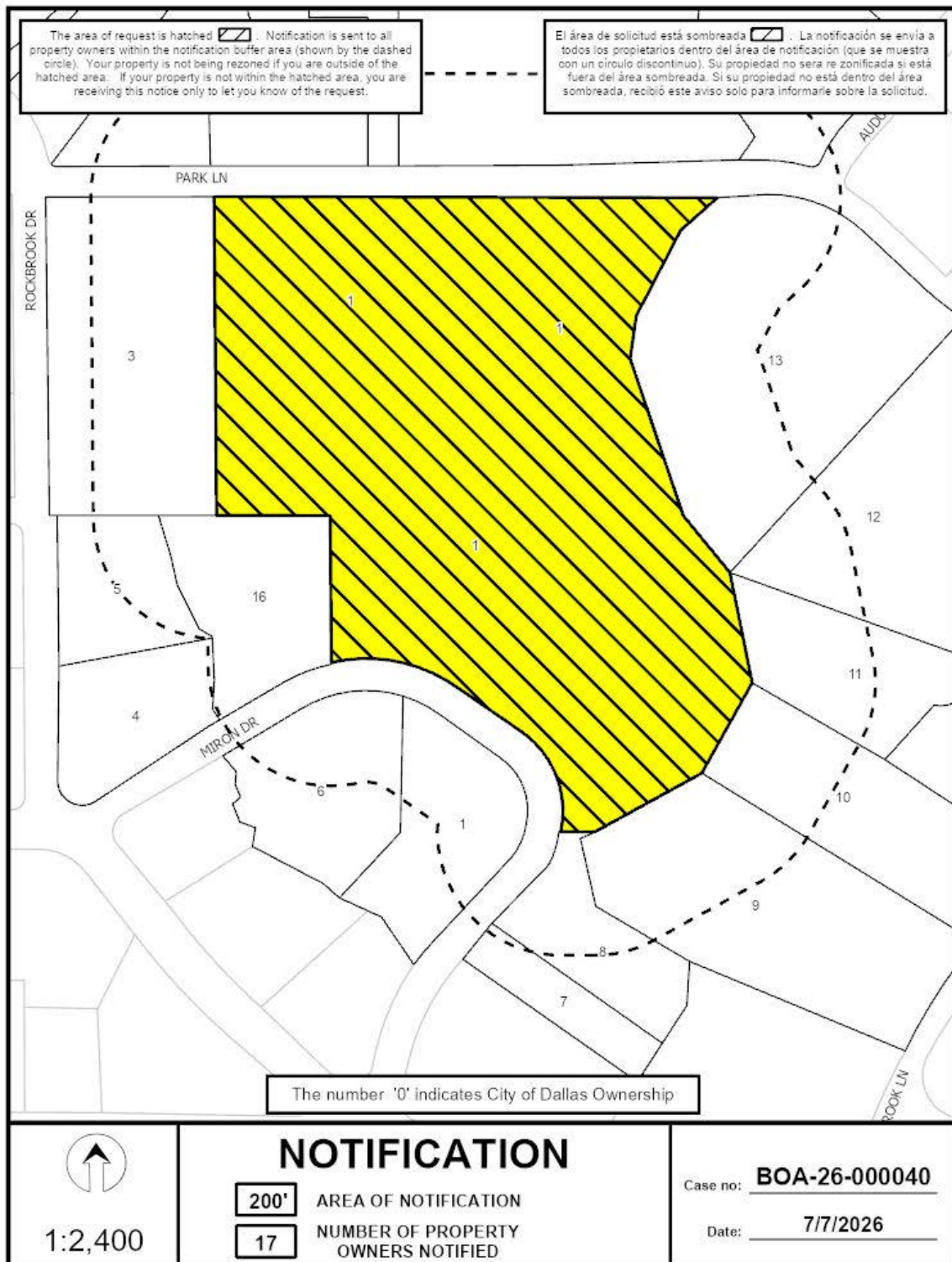
Timeline:

July 1, 2026:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of
July 8, 2026:	The Board of Adjustment Administrator postpone until September.
July 29, 2026:	The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A .
August 13, 2026:	The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information: • an attachment that provided the public hearing date and panel that will consider the application; the 1:00 pm, August 21, 2026, deadline to submit additional evidence for staff to factor into their analysis; and 1:00 pm, September 3, 2026, deadline to submit additional evidence to be incorporated into the board's docket materials. • the criteria/standard that the board will use in their decision to approve or deny the request; and • the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 25, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **September** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.







Notification List of Property Owners

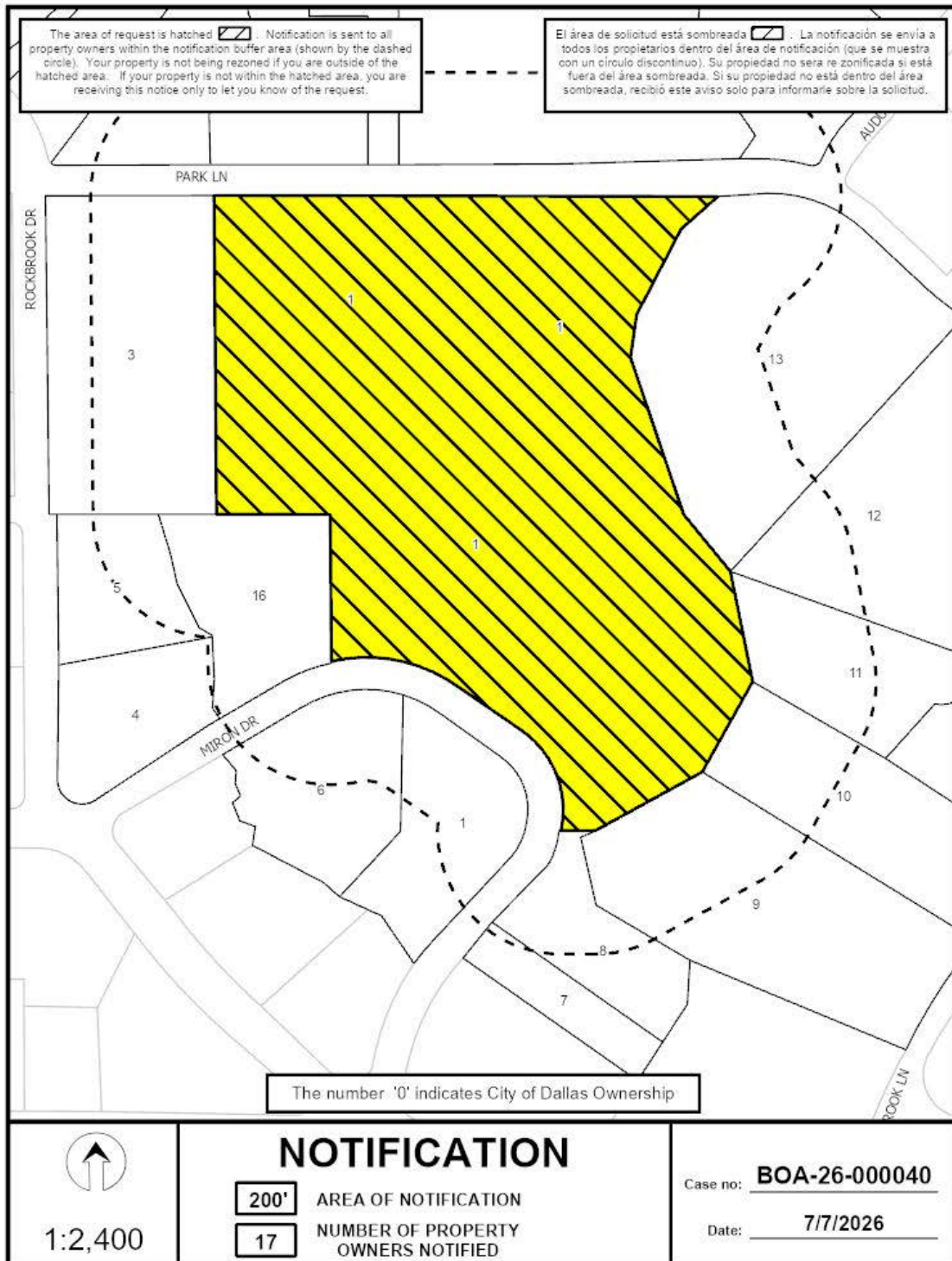
BOA-26-000040

17 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4656 MIRON DR	MIRON PROPERTY LLC
2	4619 PARK LN	YOUNG MICHAEL & SHARON
3	4606 PARK LN	FOUR THOUSAND TRUST THE
4	9612 ROCKBROOK DR	WITTER LYSLE & ANAH HANSON
5	9624 ROCKBROOK DR	STUART BARKLEY &
6	4644 MIRON DR	GEHAN TIMOTHY REVOCABLE
7	4727 MIRON DR	VOSE CHARLES A III &
8	4717 MIRON DR	EASON KENNETH &
9	9323 SUNNY BROOK LN	STOOL GERALD H PRSNL RES TR &
10	9335 SUNNY BROOK LN	LYNCH HARRY H EST OF
11	9355 SUNNY BROOK LN	DESAI NATASHA S & ANTAL R
12	4906 PARK LN	SANDS JOHN CLAYTON &
13	4800 PARK LN	TURNER CHARLES A & SHAREN JESTER
14	4645 PARK LN	FERRER JESSE F &
15	4707 PARK LN	DAL MO REVOCABLE TRUST
16	4627 MIRON DR	MILTENBERGER BAY W &
17	9715 AUDUBON PL	MANANA TRUST

 1:2,400	NOTIFICATION	Case no: BOA-26-000040
	200' AREA OF NOTIFICATION 17 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/7/2026

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **TUESDAY, SEPTEMBER 15, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference** and in **6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

HEARING: **1:00 p.m.** **Videoconference** and in **6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

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

BOA-26-000040(BT) Application of Nicholas Lowe for **(1)** a special exception to the fence height regulations at **4701 MIRON DRIVE**. This property is more fully described as Block A/5554, Lot 2, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require **(1)** a 4-foot special exception to the fence height regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at **6EN Council Chambers**. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure by **joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> by the **5 p.m. on Monday, September 14, 2026. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or [YouTube.com/CityofDallasCityHall](https://www.youtube.com/CityofDallasCityHall).

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

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

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

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

BOA-26-000040

A notice was added to this record on 2026-05-22.
Condition: Severity: Notice
Total conditions: 2 (Notice: 2)

[View notice](#)

Menu Reports Help

File Date: [05/22/2026](#)

Application Status: [Plan Review](#)

Assigned To: [Diana Barkume](#)

Description of Work: [BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS FILE NUMBER: BOA-26-000040 BUILDING OFFICIAL'S REPORT: Application of Nicholas Lowe for \(1\) a special exception to the fence height regulations at 4701 MIRON DRIVE. This property is more fully described as Block A/5554, Lot 2, and is zoned R-1ac\(A\), which limits the height of a fence in the front yard to 4-feet. The applicant proposes to construct and/or maintain a fence/wall ranging from 5-feet to 8-feet in height within a required front-yard along Miron Drive, with the highest point being the fence at the west side of the property at 8-feet and the lowest point being the fence/wall at the west side of the property at 5-feet, which will require \(1\) a 4-foot special exception to the fence height regulations. LOCATION: 4701 MIRON DRIVE APPLICANT: Nicholas Lowe REQUEST: \(1\) Special exception to the fence height regulations](#)

Application Detail: [Detail](#)

Application Name:

Application Type: [Board of Adjustments](#)

Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	4701 Miron - Property ...	BLDG_BDA	Certificate - Tax		application/pdf	Uploaded	05/22/2026
	4701 Miron - Warranty ...	BLDG_BDA	Certificate - W...		application/pdf	Uploaded	05/22/2026
	4701 Miron - Official ...	BLDG_BDA	Plat - Certifie...		application/pdf	Uploaded	05/22/2026
	4701 Miron - Official ...	BLDG_BDA	Legal Descripti...		application/pdf	Uploaded	05/22/2026
	4701 Miron - BOA Affid...	BLDG_BDA	Affidavit - Pro...		application/pdf	Uploaded	05/22/2026
	4701 Miron - COD Lien ...	BLDG_BDA	Statement - Lien		application/pdf	Uploaded	05/22/2026
	4701 Miron - Zoning Ma...	BLDG_BDA	Maps - Zoning L...		application/pdf	Uploaded	05/22/2026
	4701 Miron - Block Map...	BLDG_BDA	Maps - Block		application/pdf	Uploaded	05/22/2026
	Miron Property Authori...	BLDG_BDA	Other Support D...		application/pdf	Uploaded	06/25/2026
	BOA-26-000040_report.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/07/2026
	BOA26000040a.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/07/2026
	BOA26000040mva.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/07/2026
	BOA-26-000040_labels.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/07/2026
	BOA26000040z.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/07/2026
	BOA26000040n.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/07/2026
	4701 Miron - Site Plan...	BLDG_BDA	Plans - Site Plan	Revised per email r...	application/pdf	Uploaded	07/08/2026
	4701 Miron - Site Plan...	BLDG_BDA	Plans - Site Plan	Revised with additi...	application/pdf	Uploaded	07/14/2026
	4701 Miron - Lot 2 Sit...	BLDG_BDA	Plans - Site Plan		application/pdf	Uploaded	08/13/2026

[Show all](#)

Address: [4701 MIRON DR, Dallas, TX 75220](#)

Owner Name: [MIRON PROPERTY LLC](#)

Owner Address: [8080 N CENTRAL EXPY STE 1100, DALLAS, TEXAS 752061807](#)

Parcel No: [005554000A0020000](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Nicholas Lowe	Texas Land Care	Applicant	Mailing_1922 Anson Rd...	Active
	MIRON PROPERTY LLC	MIRON PROPERTY LLC	Property Owner	Mailing_8080 N. Centr...	Active

Licensed Professionals Info:	Primary	Registration Number	License Type	Name	Business Name	Business License #
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Total Fee Assessed: [\\$1,355.00](#)

Total Fee Invoiced: [\\$1,355.00](#)

Balance: [\\$0.00](#)

Custom Fields: Property Details

Existing Zoning	Lot Number	Lot Size (Acres)
R-1ac(A)	2	4.87
Block Number	Lot Size (Sq. Ft)	How many streets abut the property?
A/5554	211879	1
Land Use	Is the property platted?	Status of Project
Residential	Yes	Under Construction
Status of Property	Previous Board of Adjustment case filed on this property	Accommodation for someone with disabilities
Vacant Land	No	No
File Date	Seleccione si necesitara un interprete	Case Number
-	-	-
Are you applying for a fee waiver?	Have the standards for variance and or special exception been discussed?	Has the Notification Sign Acknowledgement Form been discussed?
No	Yes	Yes
Referred by		
Self		

Internal Use Only

Source of Request	Fee Waiver Granted	Number of Parking Spaces
Self		-
Lot Acreage		
4.87		

PDox Information

PDox Number
[blocked](#)

Board of Adjustment Request

Type of Request	Request Description	Application Type	Other	Affirm that an appeal has been made for	Application is made to BOA to grant the described appeal	Outcome
Special Exception	Fence standards	Single Family/Duplex Variance or Special Exception	fence height along Miron	fence/gate ranges from 6-8 ft tall	Special Exception will not adversely affect neighboring property.	

Street Frontage Information

Street Frontage **Linear Feet (Sq. Ft) (Number)**

[Front](#) 521.69

Case Information

Full Request	Brief Request	Zoning Requirements	Relevant History	BOA History	BOA History Details
to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require a 4-foot special exception to the fence regulations along Miron Drive.	for a special exception to the fence height regulations.	limits the height of a fence in the front yard to 4-feet	NA	No	

Board of Adjustment Meeting

Hearing Type	Action Date	Time	Room	Panel	Presiding Officer	BOA Administrator	BOA Secretary	BOA Code Specialist	Case Assigned to	Notes	Outcome	Filing Date
			6ES	A	David A. Neumann	Kameka Miller-Hoskins	Mary Williams	Diana Barkume		fence along Park Lane	Scheduled	
			6ES	A	David A. Neumann	Kameka Miller-Hoskins	Mary Williams	Diana Barkume		fence along Miron Drive	Scheduled	

GIS Information

Parcel Number (Number)	Service	Layer	Attribute Value	Census Tract Number (Number)	Council District	School District	Escarpment	Floodplain
			8.47		13-Gay Donnell Willis			

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Intake	Diana Barkume	Intake Complete	07/01/2026	Accela Administ...
GIS AOR Review	Elham Elbadawi	Review Complete	07/07/2026	Elham Elbadawi
Case Assignment	Bryant Thompson	Case Manager...	07/20/2026	Kameka Miller-H...

Task	Assigned To	Status	Status Date	Action By
Site Inspection		Site Inspect...	07/20/2026	Kameka Miller-H...
Plans Distribution		Accepted - P...	07/20/2026	Kameka Miller-H...
Subdivision Review		Not Required	07/20/2026	Kameka Miller-H...
Q Team Review		Not Required	07/20/2026	Kameka Miller-H...
Arborist Review		Not Required	07/20/2026	Kameka Miller-H...
Building Code Review		Not Required	07/20/2026	Kameka Miller-H...
Zoning Review		Not Required	07/20/2026	Kameka Miller-H...
Electrical Review		Not Required	07/20/2026	Kameka Miller-H...
Eng Water and Wastewat...		Not Required	07/20/2026	Kameka Miller-H...
Historic Preservation ...		Not Required	07/20/2026	Kameka Miller-H...
Eng Paving and Drainag...		Not Required	07/20/2026	Kameka Miller-H...
Eng Flood Plain Review		Not Required	07/20/2026	Kameka Miller-H...
Board of Adjustment Re...		Approved	07/20/2026	Kameka Miller-H...
Conservation Review		Not Required	07/20/2026	Kameka Miller-H...
Traffic Review		Not Required	07/20/2026	Kameka Miller-H...
GIS Review		Not Required	07/20/2026	Kameka Miller-H...
Residential Team Review		Not Required	07/20/2026	Kameka Miller-H...
Signs Review		Not Required	07/20/2026	Kameka Miller-H...
Plans Coordination		Review Complete	07/20/2026	Kameka Miller-H...

[Board of Adjustment He...](#)
Two-Year Waiver Period

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
	BOA History	This will display in t...	Applied	05/22/2026	Notice	
	Flood Zone	Flood Zone	Applied	05/22/2026	Notice	Accela Administr...
	Flood Zone	Flood Zone	Applied	05/22/2026	Notice	Accela Administr...
	General Facts/Staff An...	This will display in t...	Applied	05/22/2026	Notice	
	Land Use	This will display in t...	Applied	05/22/2026	Notice	
	Staff Recommendation	Staff Recommendation	Applied	05/22/2026	Notice	
	Standard of Review	This will display in t...	Applied	05/22/2026	Notice	
	Timeline	This will display in t...	Applied	05/22/2026	Notice	
	Zoning	This will display in t...	Applied	05/22/2026	Notice	

Application Comments:	View ID	Comment	Date
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Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
	Site Visit Inspection	08/03/2026		Scheduled	Scheduled via Script
	Progress Check	06/26/2026		Scheduled	Scheduled via Script

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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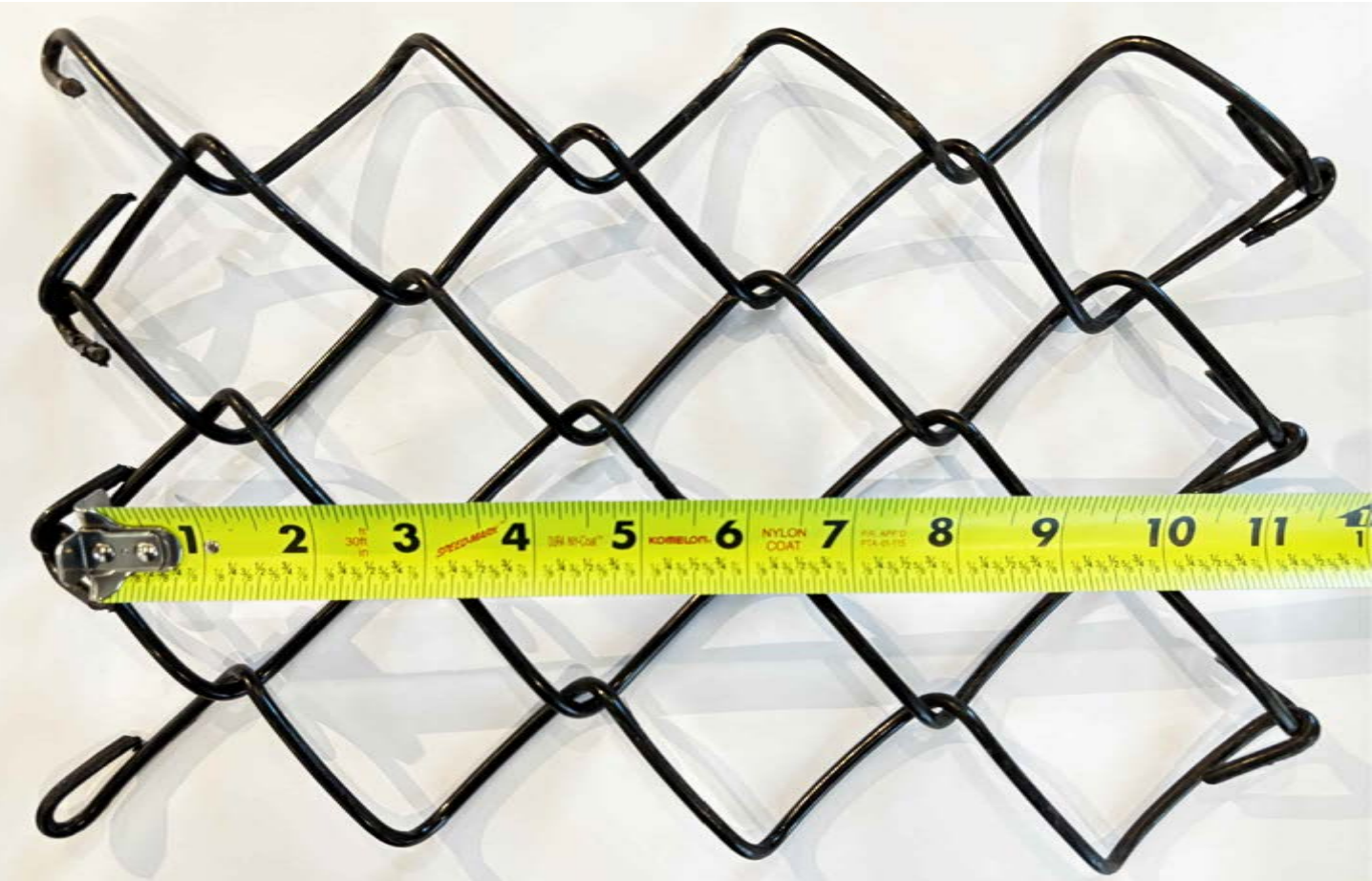


NOTE:
FENCE AND GATE MATERIAL SPECIFICATIONS -

1. CHAINLINK PERIMETER FENCE (SEE SAMPLE PHOTO BELOW):
BLACK, VINYL COATED, 2" OPENING SIZE, 9 GAUGE THICKNESS; HEIGHT VARIES AS NOTED.

2. VEHICULAR GATE AT MIRON DRIVE ENTRY:
STEEL PLATE CLAD GATE, 3" HSS FRAME CLAD W/ 1/4" THICK PLATE STEEL
TOTAL GATE LENGTH: 24'-0" (2 GATES OF 12' LENGTH), MAX. HEIGHT: 6'-0"

GRADING & DRAINAGE LEGEND:	
+ 0.00	EXISTING GRADE
+ [0.00]	PROPOSED SPOT GRADE
FS	TOP OF FINISH SURFACE
TF	TOP OF FENCE LEVEL
TW	TOP OF WALL
FG	FINISH GRADE (TOP OF SOIL)



154 Glass Street Suite 112
Dallas, TX 75207
p 214.915.0910

Design Architect
Thomas Phifer and Partners
180 Varick Street
New York, NY 10014
p 212.337.0334

Architect of Record
Bodron / Fruit
4040 N Central Expressway Ste 1
Dallas, TX 75204
p 214.826.5200
214.826.8500

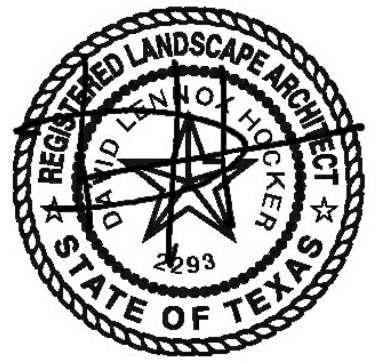
General Contractor
Sebastian Construction Group
3100 Monticello Ave, Suite 750
Dallas, TX 75205
p 214.528.4130

Civil Consultant
Westwood Professional Services
15950 Dallas Parkway, Suite 210
Dallas, TX 75248
p 833.523.2526

Nasher-Haemisegger House Private Residence 4701 Miron Drive, Dallas, TX 75220

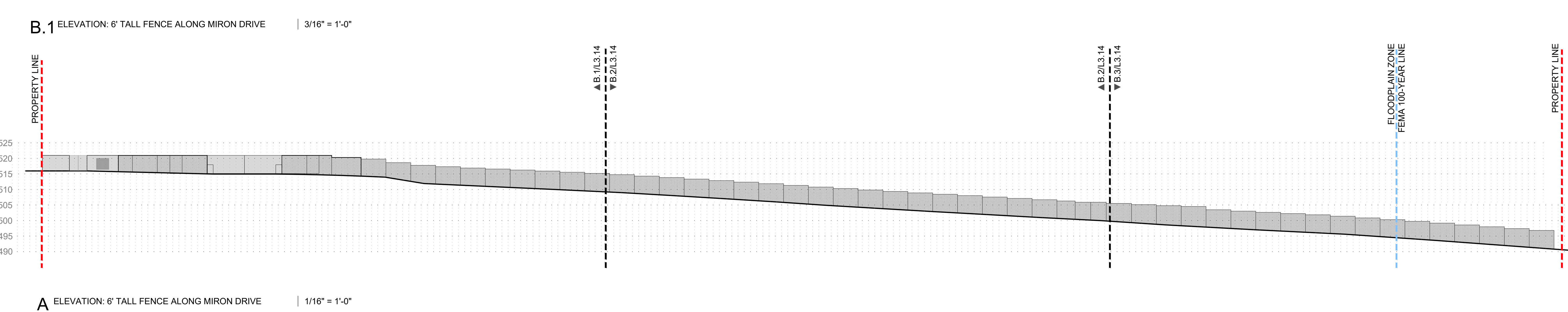
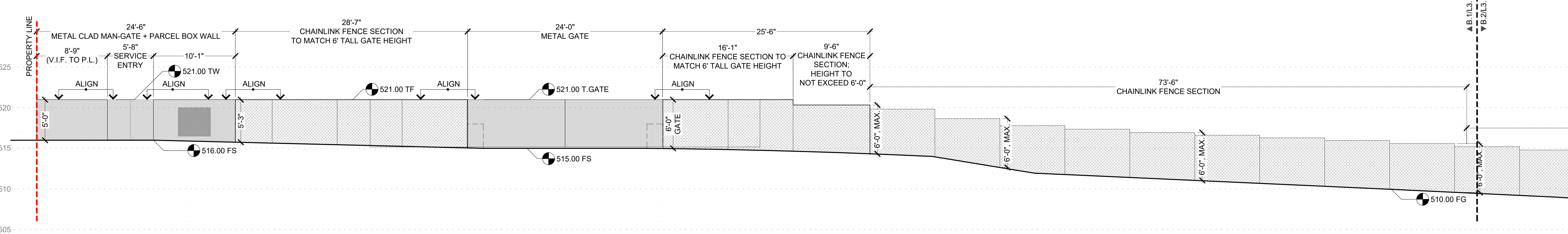
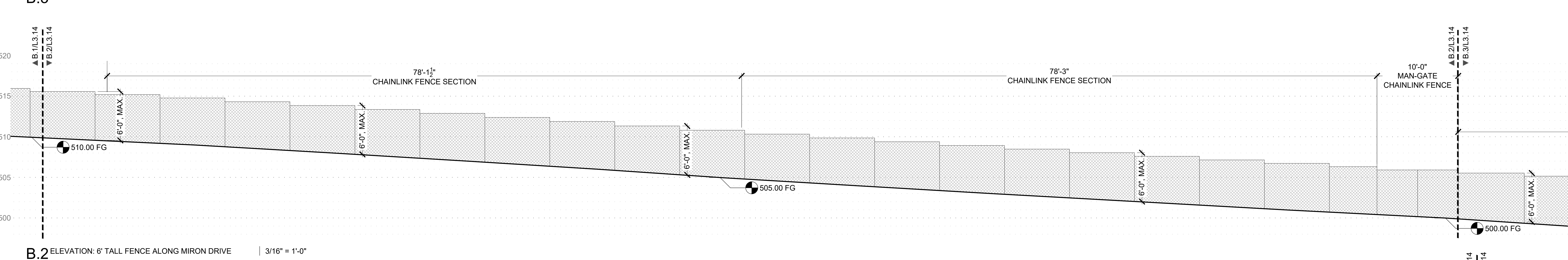
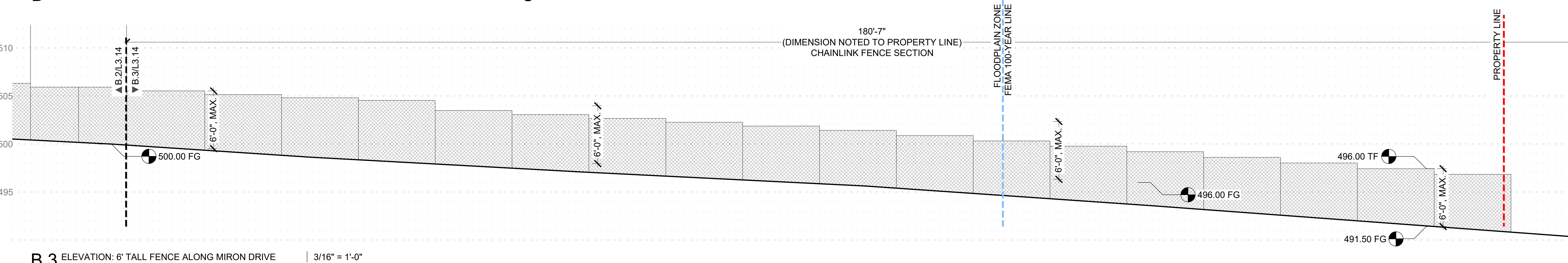
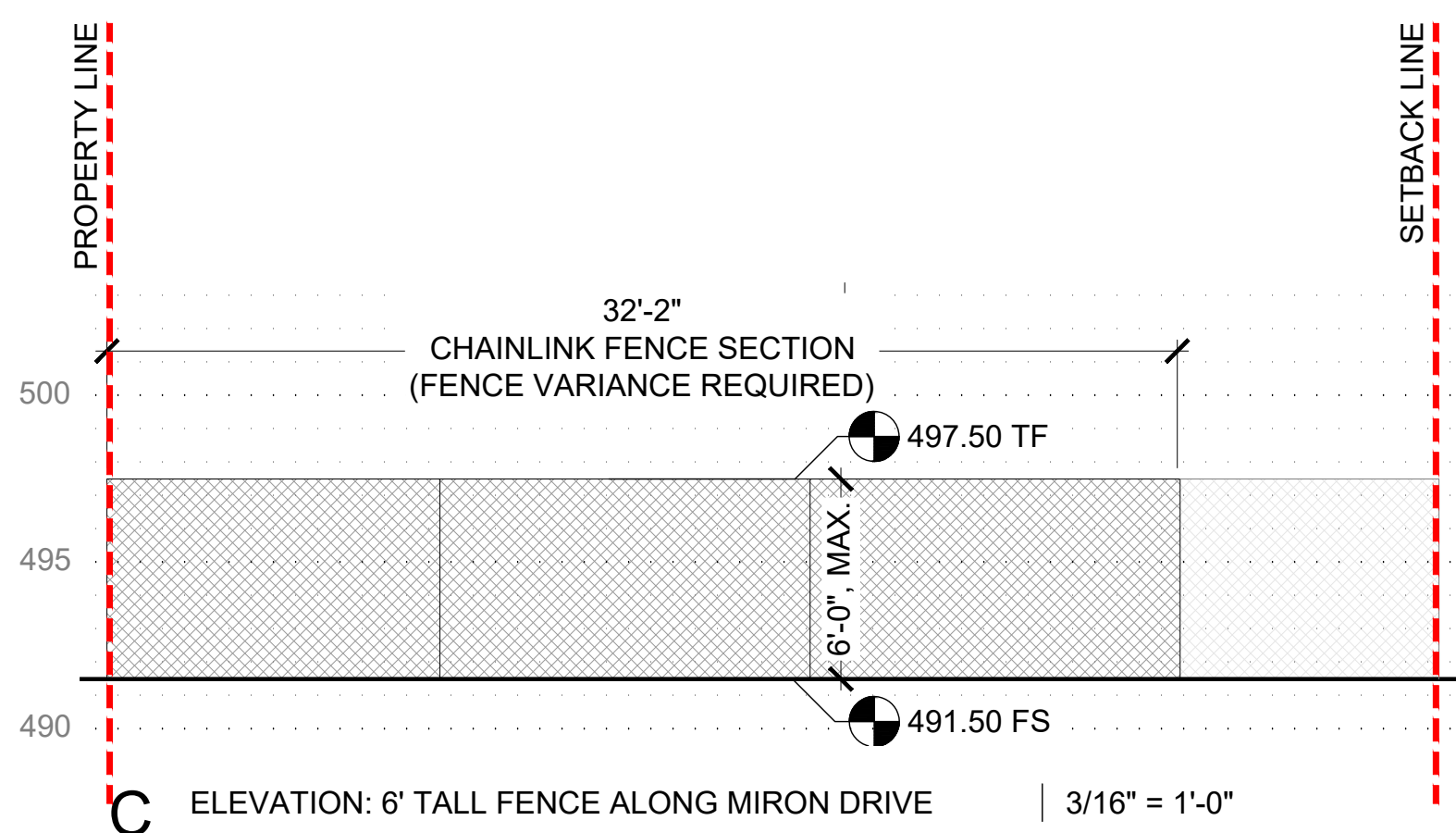
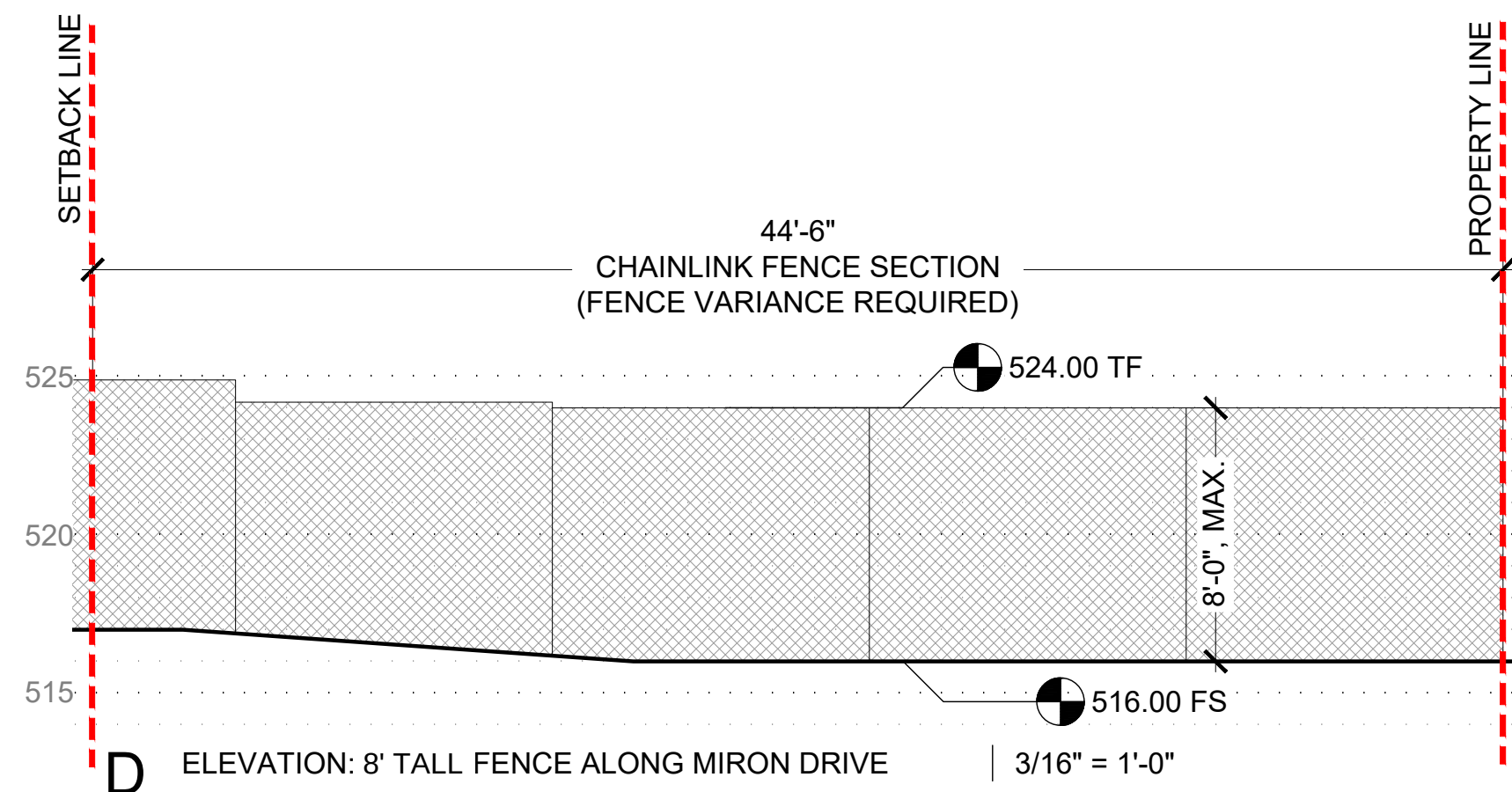
Issue/Revisions:

02 95% CD Package 05.01.2026



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Hardscape Details L3.12



GRADING & DRAINAGE LEGEND:

FS	TOP OF FINISH SURFACE
TW	TOP OF WALL LEVEL
TF	TOP OF FENCE LEVEL
FG	FINISH GRADE (TOP OF SOIL)

NOTE:

FENCE AND GATE MATERIAL SPECIFICATIONS -

- CHAINLINK PERIMETER FENCE (SEE SAMPLE PHOTO BELOW):
BLACK, VINYL COATED, 2" OPENING SIZE, 9 GAUGE THICKNESS; HEIGHT VARIES AS NOTED ON PLAN AND ELEVATIONS
- VEHICULAR GATE AT MIRON DRIVE ENTRY:
STEEL PLATE CLAD GATE, 3" HSS FRAME CLAD W/ 1/4" THICK PLATE STEEL
TOTAL GATE LENGTH: 24'-0" (2 GATE PANELS OF 12' LENGTH EACH), MAX. HEIGHT: 6'-0"
- MAN-GATE AND PARCEL BOX WALL:
2" HSS TUBE FRAME CLAD W/ 1/4" PLATE STEEL



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Issue/Revisions:



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Hardscape Details

L3.14

To the Board of Adjustment:

My name is Jesse FERRER, and I am the owner/tenant of the property located at 4645 & 4635 PARK AVE. 9714 Rockbrook

I am writing in support of the applicant's request for a special exception regarding the fence height and opacity at 4701 Miron Drive/4644 Park Lane.

After reviewing the proposed fence, I believe the request is reasonable and appropriate for the neighborhood. In my opinion, the fence will not adversely affect neighboring properties, traffic visibility, pedestrian safety, or the overall character of the area. The fence is compatible with the surrounding neighborhood and will provide additional privacy, security, and aesthetic value to the property.

I do not believe the proposed fence will create any negative impacts on adjacent property owners or the public. To the contrary, it will enhance the property's appearance while maintaining harmony with nearby homes and existing fencing in the area.

For these reasons, I respectfully support the applicant's request and encourage the Board of Adjustment to approve the special exception for the proposed fence height and opacity.

If you have any questions, please feel free to contact me.

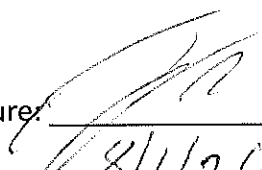
Sincerely,

Full Name: JESSE & CYNTHIA FERRER

Property Address: 4645 & 4635 PARK LANE

Phone Number: 514-893-3442

Email (Optional): JFERRER@FERRER-LLC.COM

Signature: 

Date: 8/1/24

To the Board of Adjustment:

My name is CHARLES TURNEY, and I am the owner/tenant of the property located at 4800 PARK LANE.

I am writing in support of the applicant's request for a special exception regarding the fence height and opacity at 4701 Miron Drive/4644 Park Lane.

After reviewing the proposed fence, I believe the request is reasonable and appropriate for the neighborhood. In my opinion, the fence will not adversely affect neighboring properties, traffic visibility, pedestrian safety, or the overall character of the area. The fence is compatible with the surrounding neighborhood and will provide additional privacy, security, and aesthetic value to the property.

I do not believe the proposed fence will create any negative impacts on adjacent property owners or the public. To the contrary, it will enhance the property's appearance while maintaining harmony with nearby homes and existing fencing in the area.

For these reasons, I respectfully support the applicant's request and encourage the Board of Adjustment to approve the special exception for the proposed fence height and opacity.

If you have any questions, please feel free to contact me.

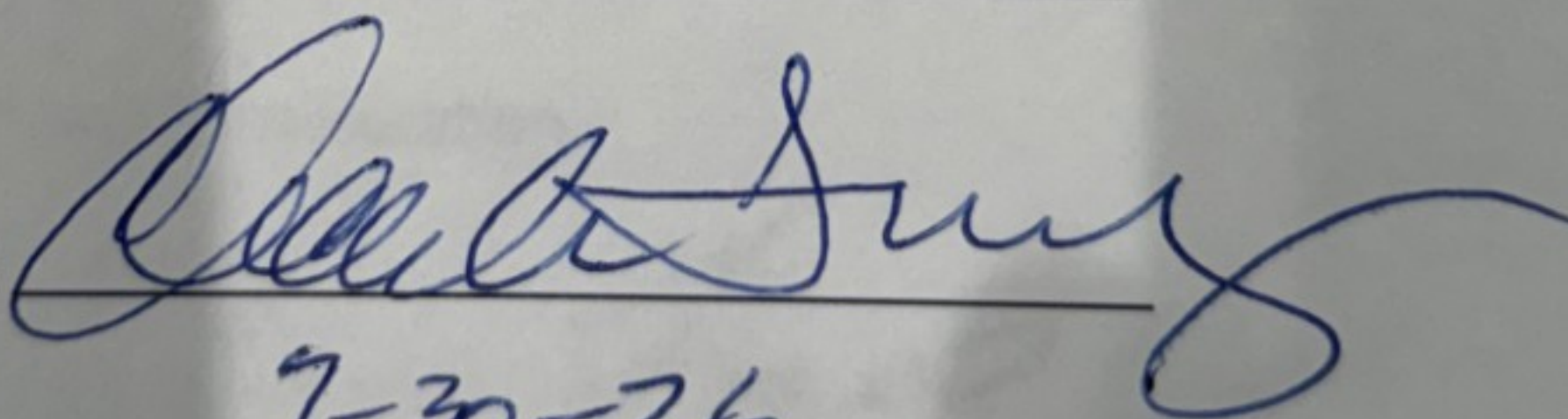
Sincerely,

Full Name: CHARLES TURNEY

Property Address: 4800 PARK LANE

Phone Number: 614-397-3313

Email (Optional): _____

Signature: 

Date: 7-30-26

Texas Land Care

BOA-26-000040

Special Exception for Fence Height exceeding 4' in front yard setback
along Miron Drive

Texas Land Care

BOA-26-000040

Exhibit 1: Site Plan, Elevations, and Concept Renderings

Exhibit 2: Fence Height Photos in surrounding Neighborhood

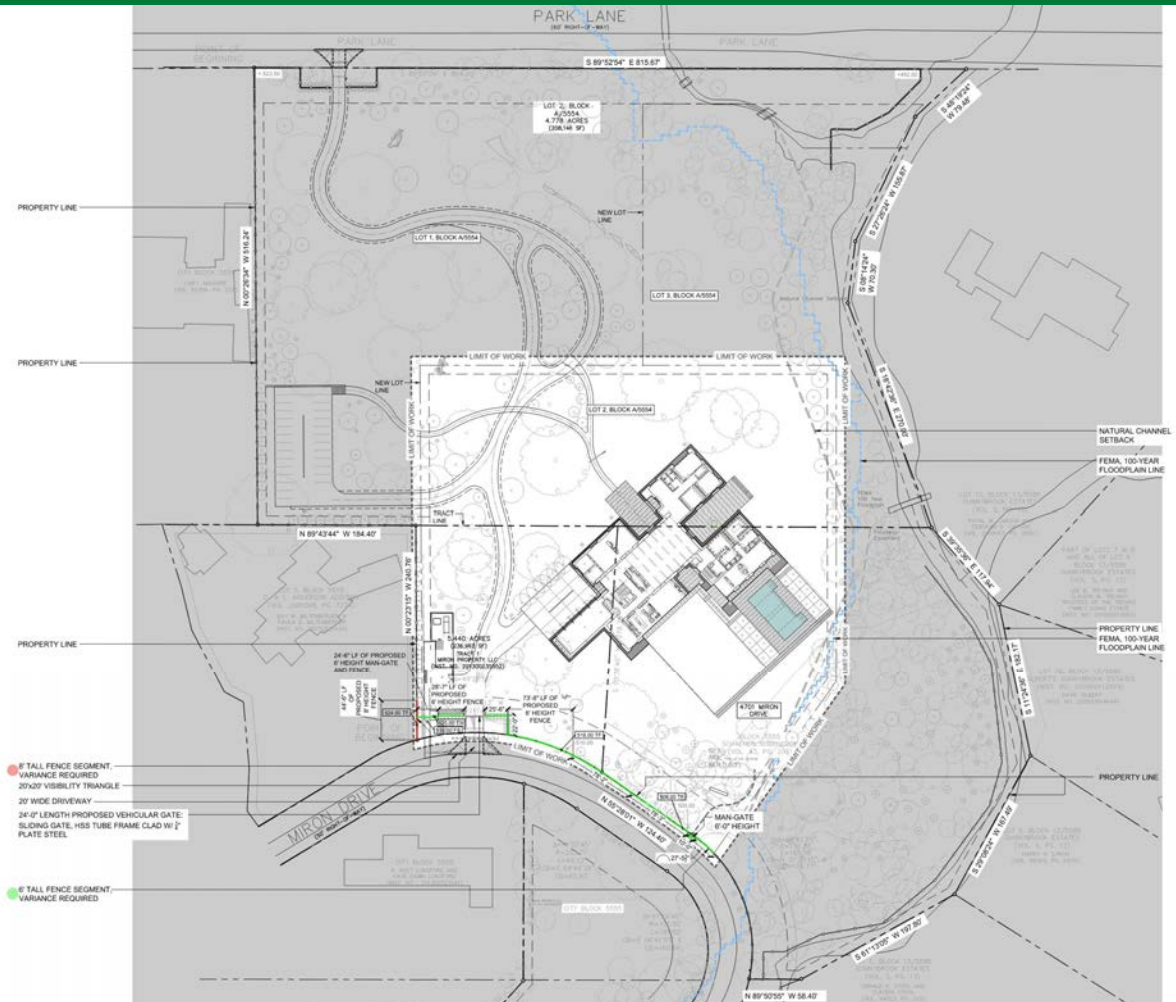
Exhibit 3: Additional Photos from surrounding Neighborhood

Texas Land Care

Exhibit 1

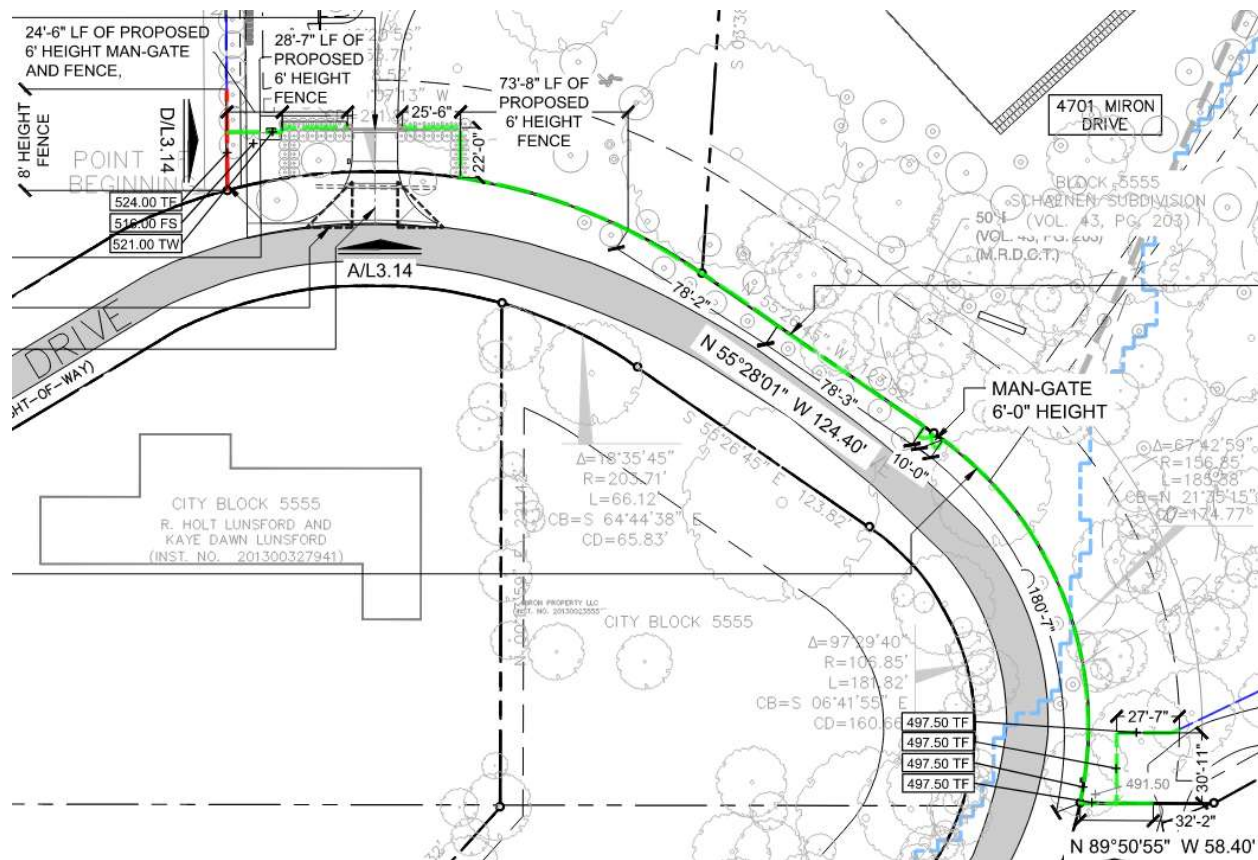
Site Plan and Elevations

Overall Site Plan

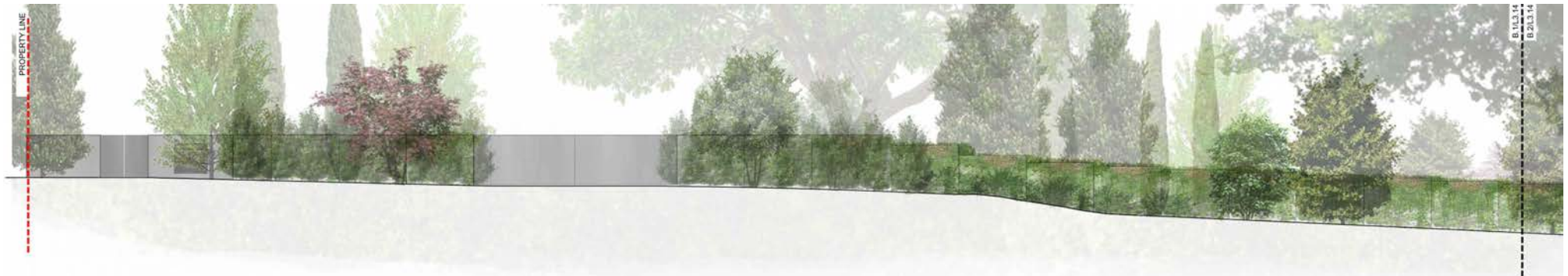


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Site Plan of 4701 Miron Drive-Miron Drive Frontage

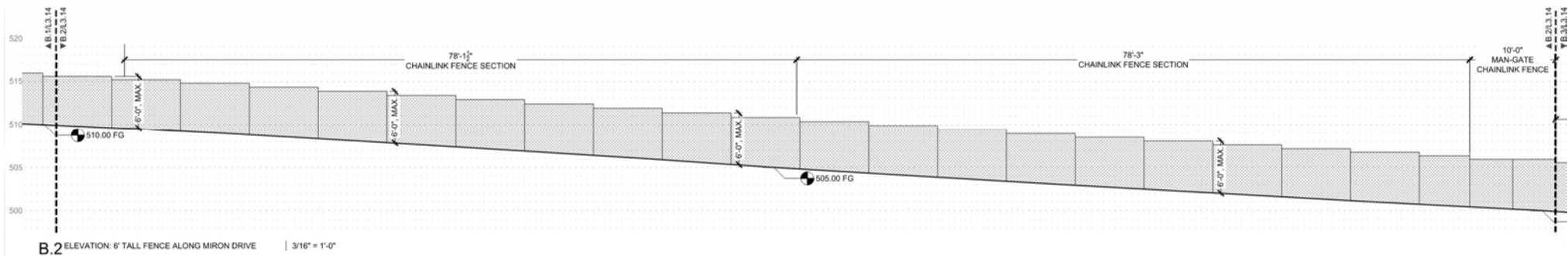


Elevation Drawings Along Miron Drive – 6' Fence Height



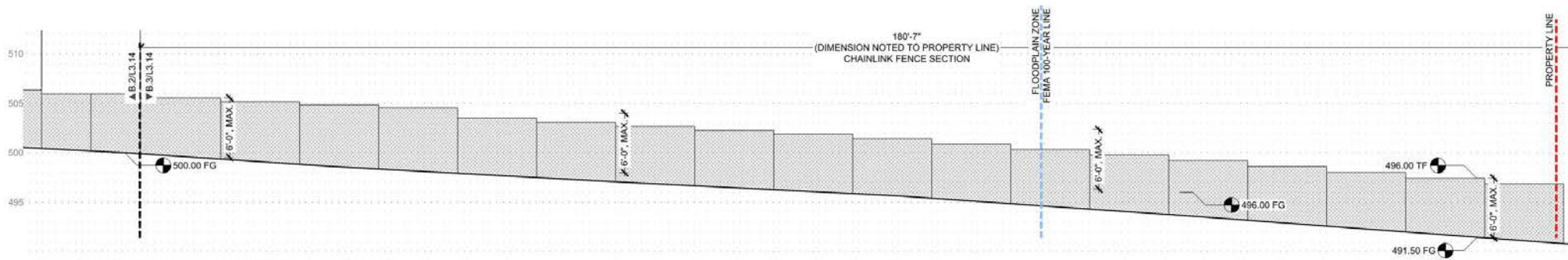
Texas Land Care

Elevation Drawings Along Miron Drive – 6' Fence Height



Texas Land Care

Elevation Drawings Along Miron Drive – 6' Fence Height



B.3 ELEVATION: 6' TALL FENCE ALONG MIRON DRIVE | 3/16" = 1'-0"



Texas Land Care

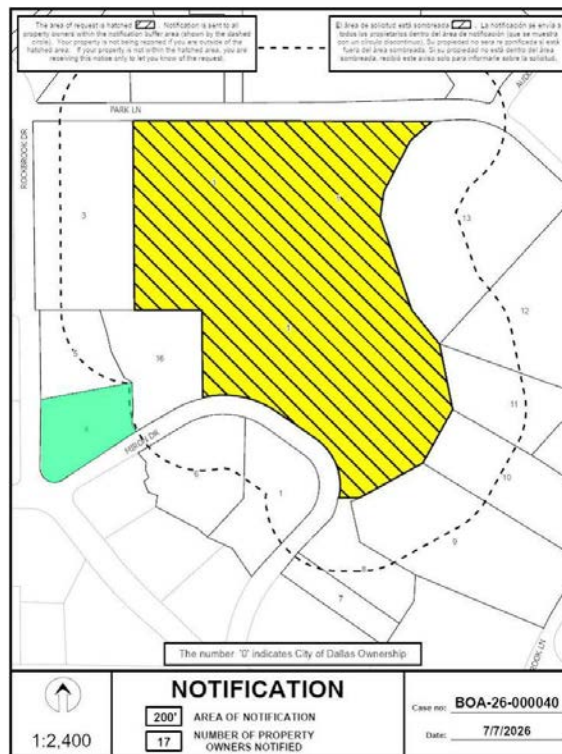
Exhibit 2

Fence Height Photos in surrounding Neighborhood

Texas Land Care

9612 ROCKBROOK DR

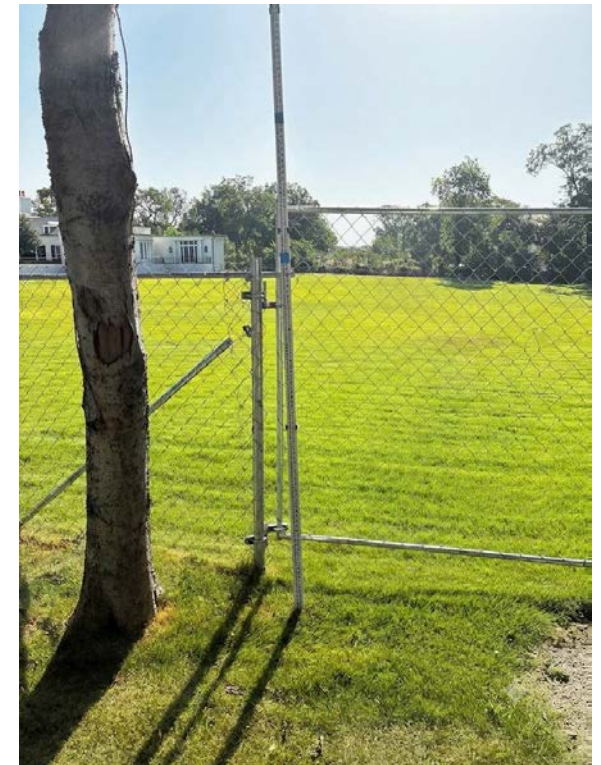
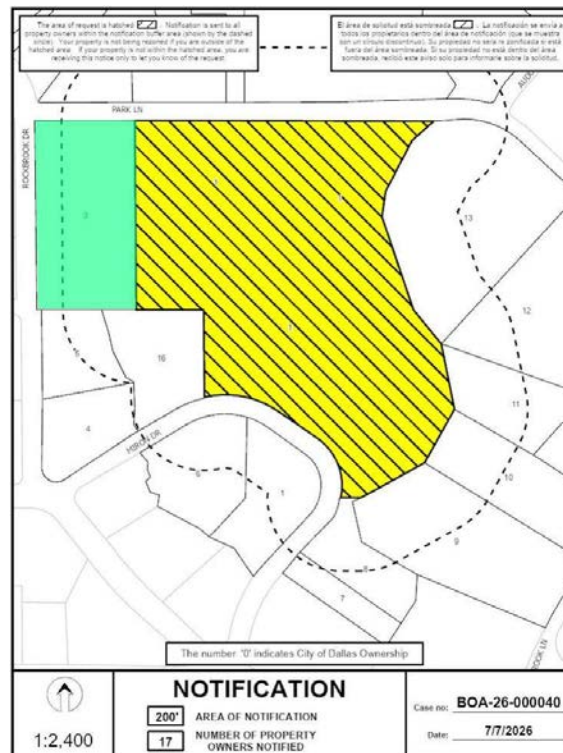
- ~8'-6" Wood Fence



Texas Land Care

4606 Park Lane

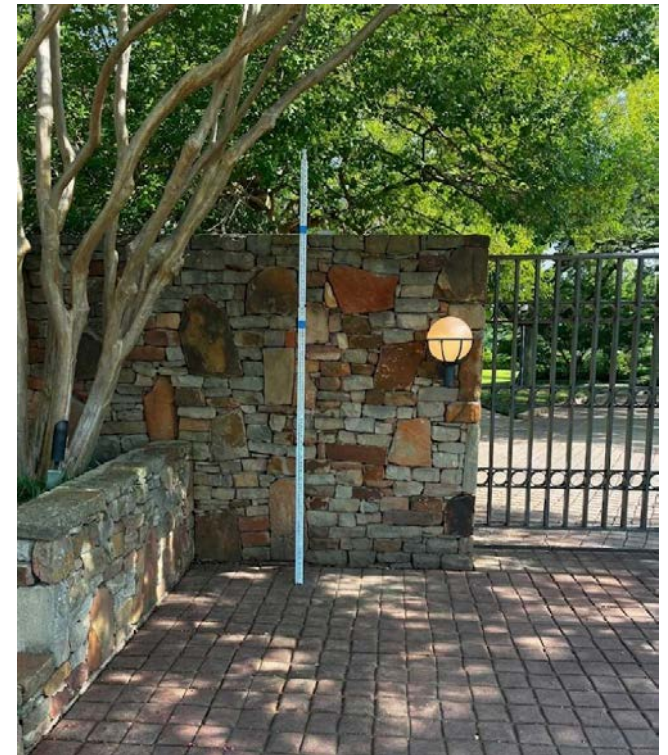
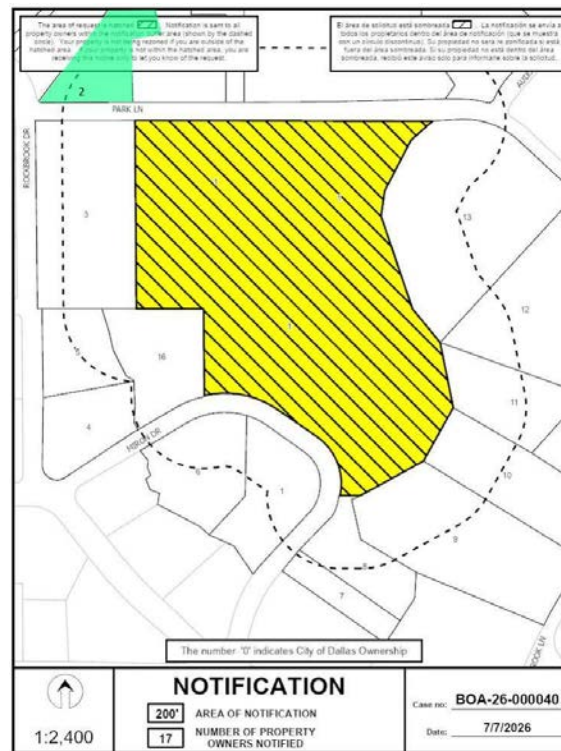
- 6' Chain Link Fence



Texas Land Care

4619 Park Lane

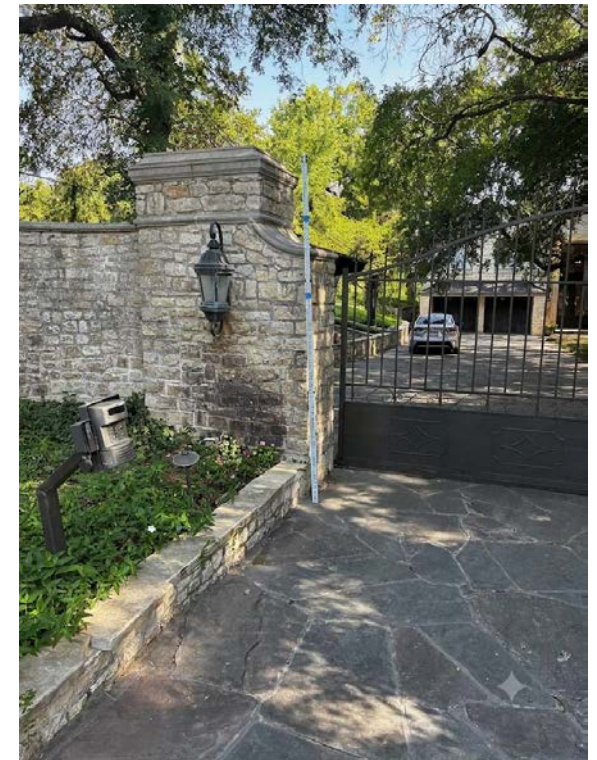
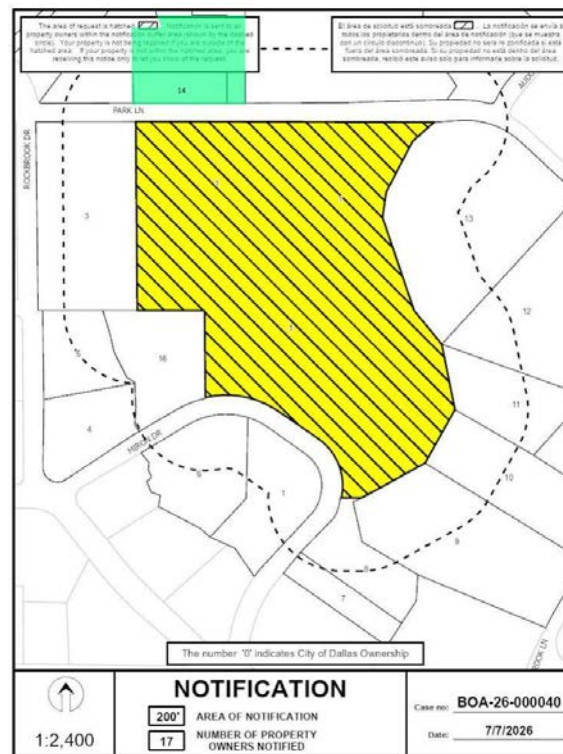
- 8' Masonry Fence



Texas Land Care

4635 Park Lane

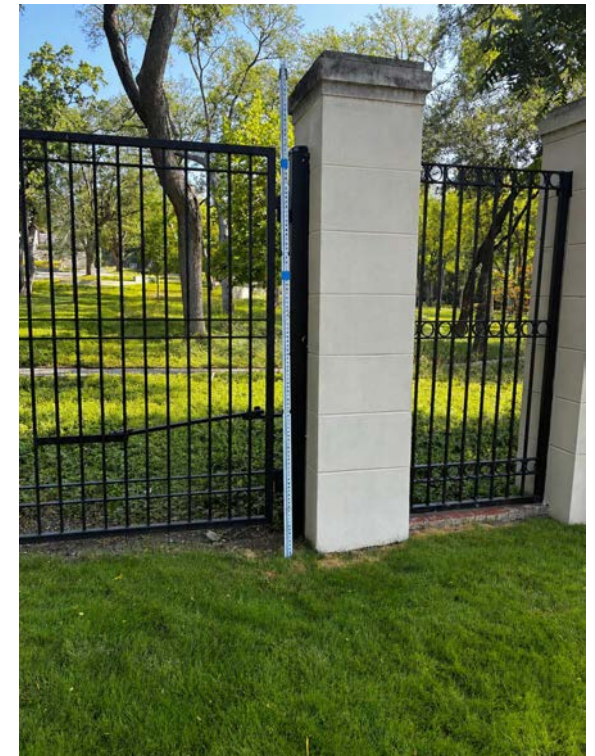
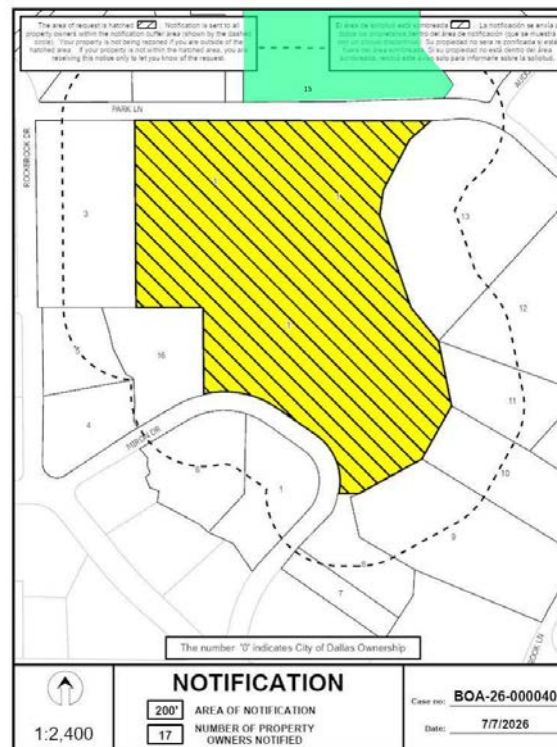
- 8' Masonry Fence



Texas Land Care

4707 Park Lane - A

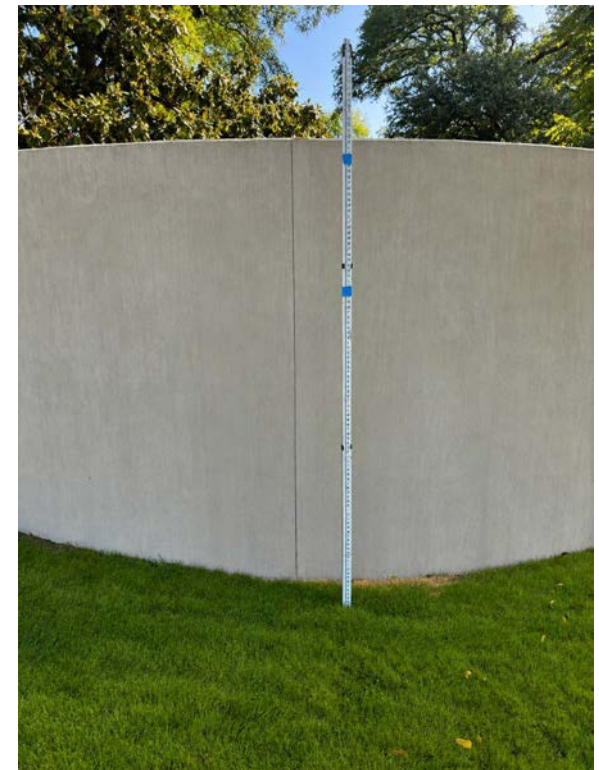
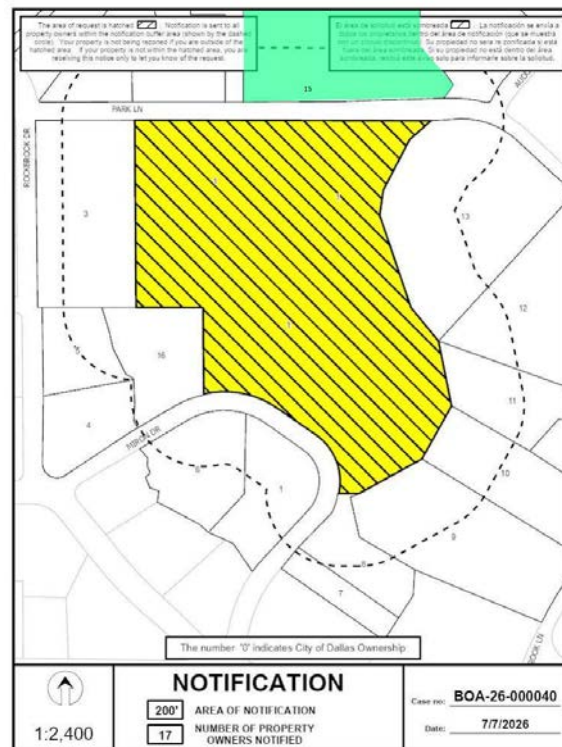
- 8' Metal Fence w/
masonry columns.



Texas Land Care

4707 Park Lane - B

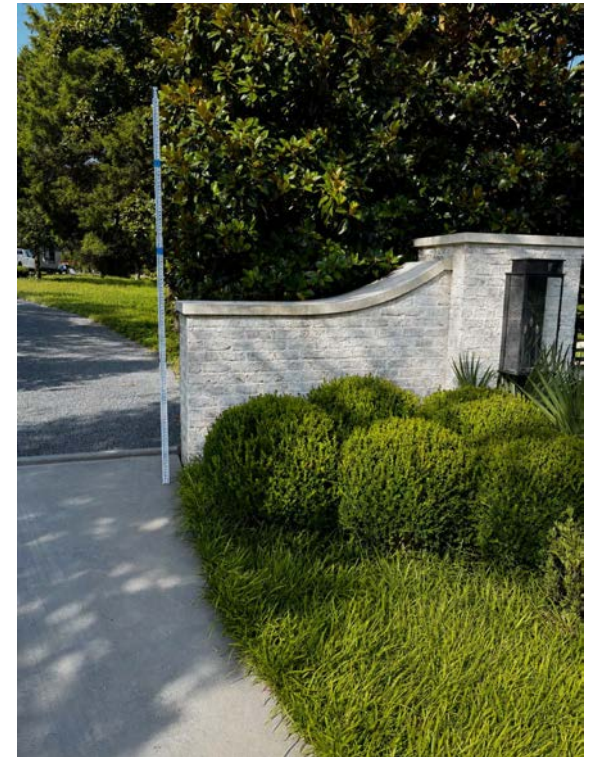
- ~8'-6" Stucco Wall



Texas Land Care

4906 Park Lane

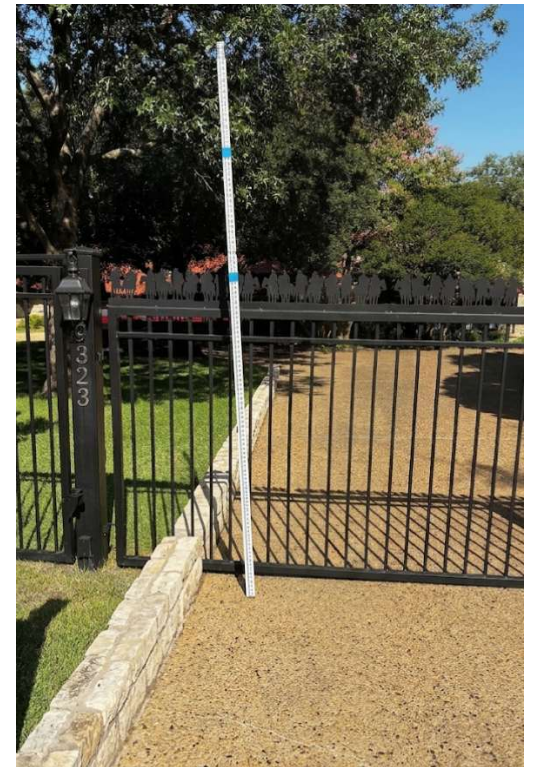
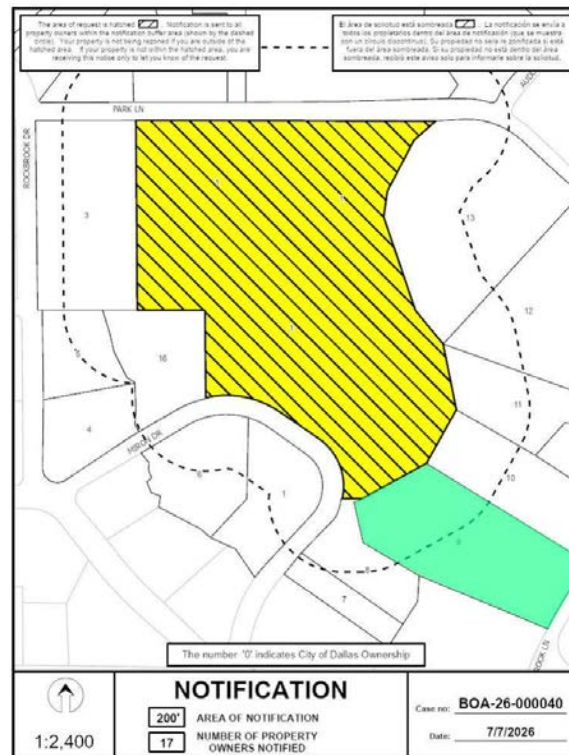
- ~6' Masonry column w/ metal fence beyond.



Texas Land Care

9323 Sunny Brook Lane

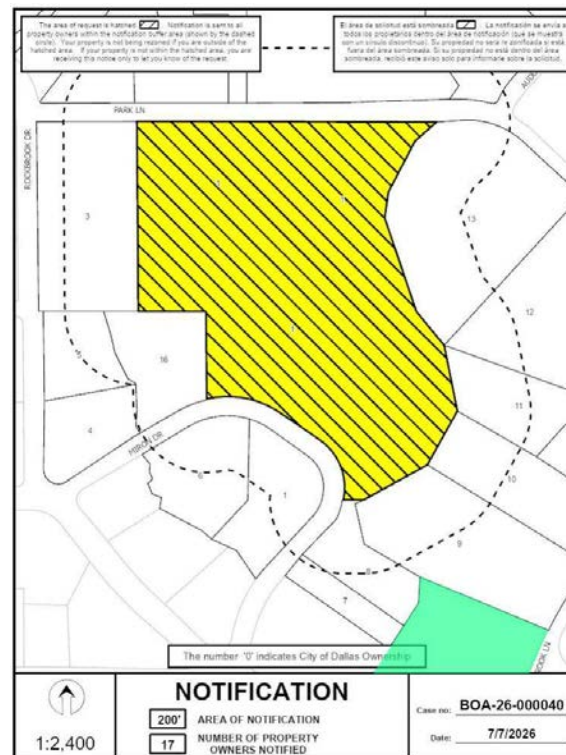
- 6' Metal Fence



Texas Land Care

9301 Sunny Brook Lane

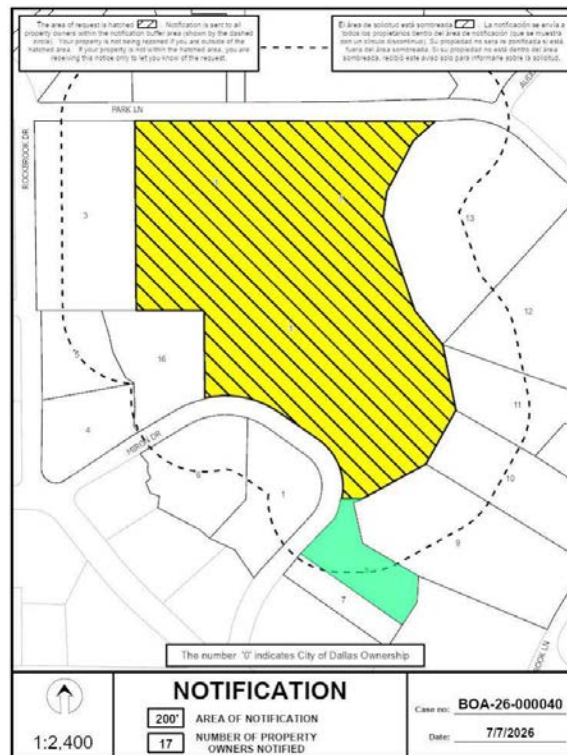
- ~6'-6" Metal Fence w/ masonry columns.



Texas Land Care

4717 Miron Drive

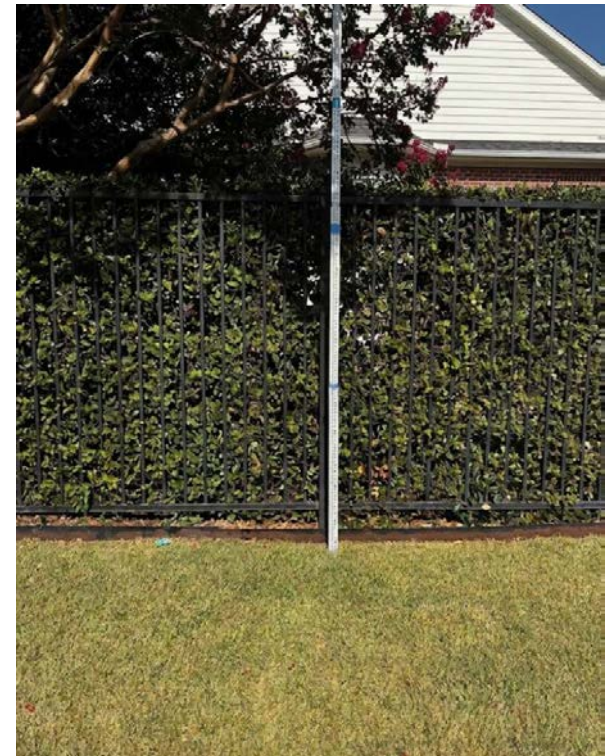
- 6' Metal and masonry fence.



Texas Land Care

4523 Lively Lane

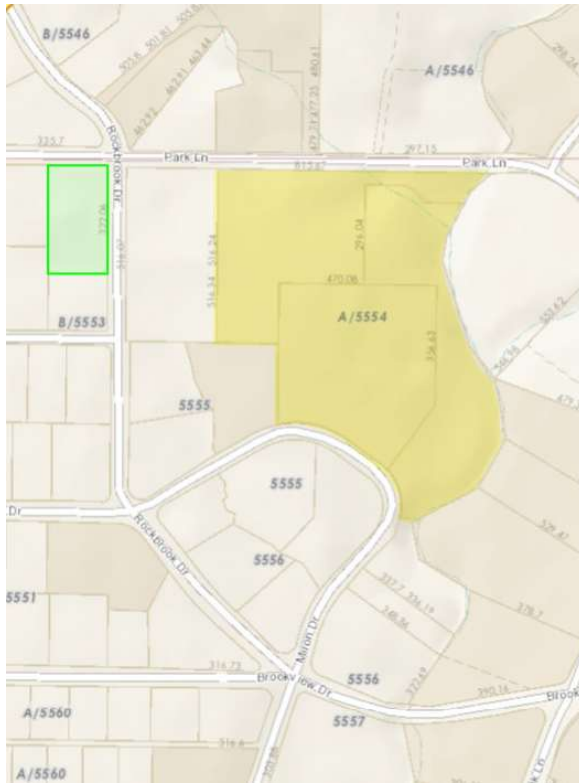
- ~6'-6" Metal Fence



Texas Land Care

4524 Park Lane

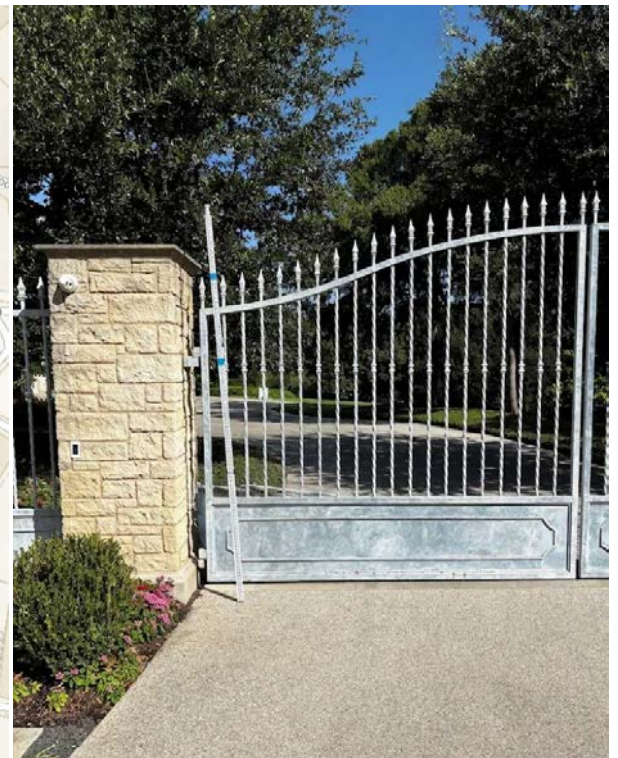
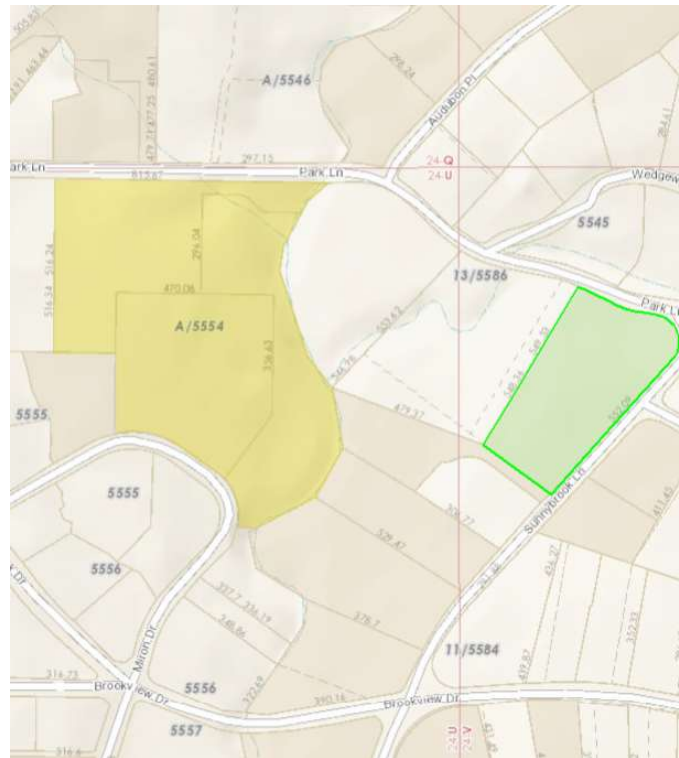
- ~7' Chain Link Fence



Texas Land Care

4930 Park Lane

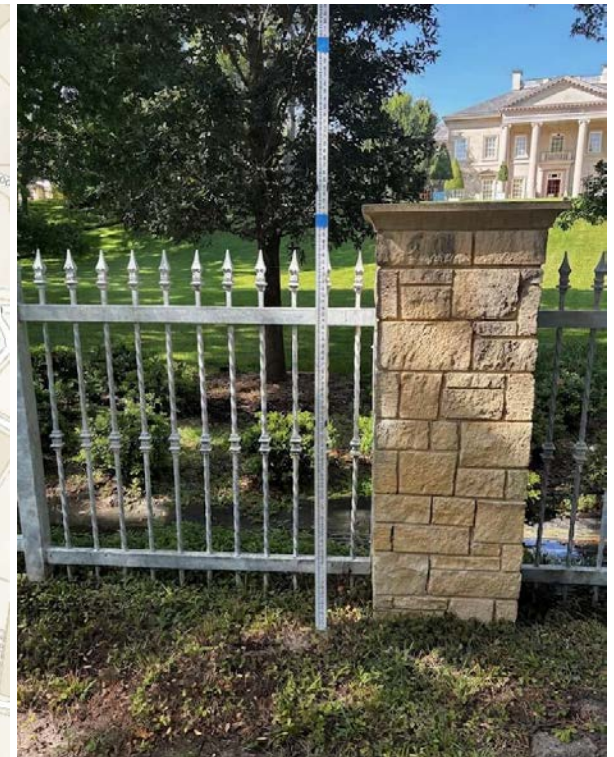
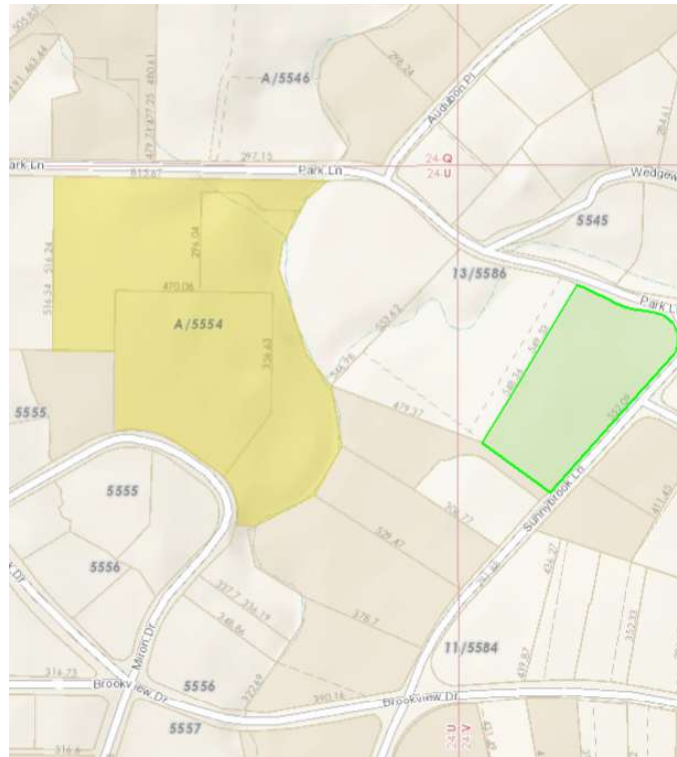
- 8' Masonry Column and 10' Metal Gate.



Texas Land Care

4930 Park Lane

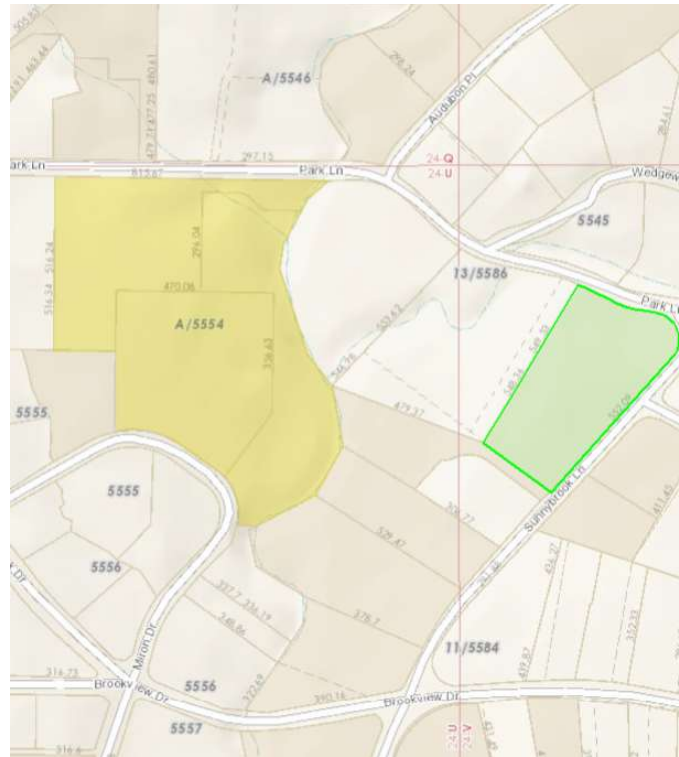
- 5.5" Metal Fence with 6' Masonry Columns.



Texas Land Care

4930 Park Lane

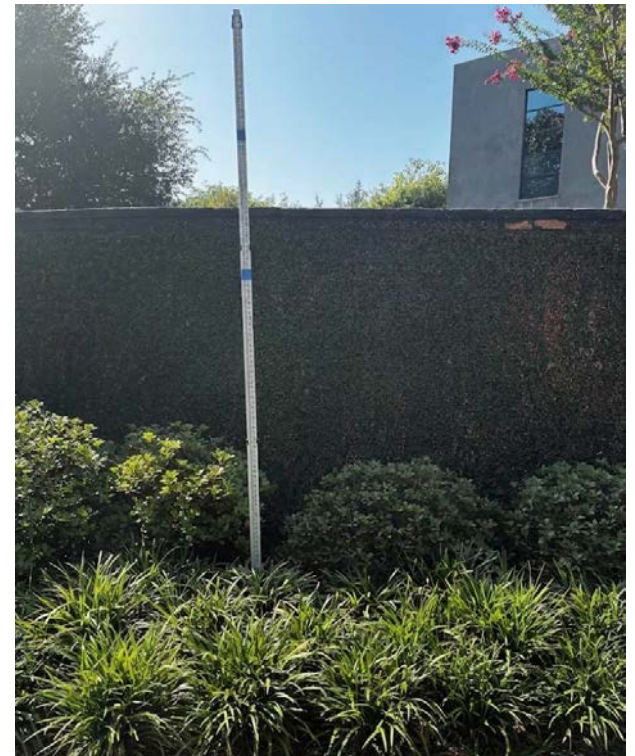
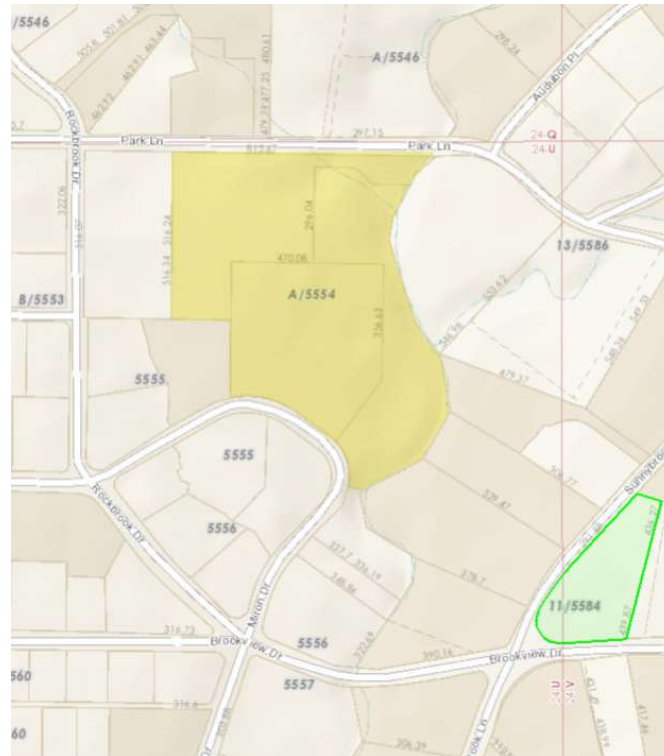
- ~8' Wood Fence and Gate.



Texas Land Care

4815 Brookview Drive

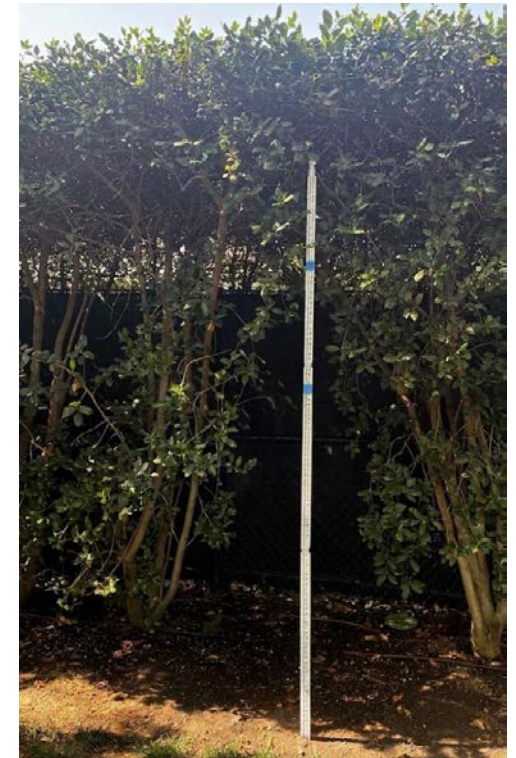
- ~7' Masonry Wall



Texas Land Care

9239 Sunny Brook Lane

- ~7' Chain Link Fence



Texas Land Care

Exhibit 3

Additional Photos from surrounding Neighborhood

Texas Land Care



28

Texas Land Care



29

Texas Land Care



30

Texas Land Care



31

Texas Land Care



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Texas Land Care



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Texas Land Care



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Texas Land Care



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Texas Land Care



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Texas Land Care



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Texas Land Care



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Texas Land Care



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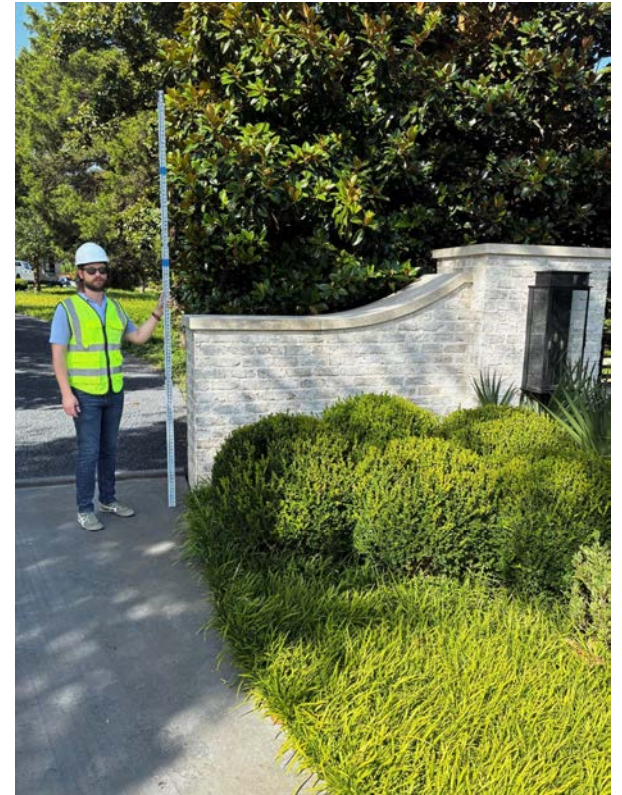
Texas Land Care



Texas Land Care



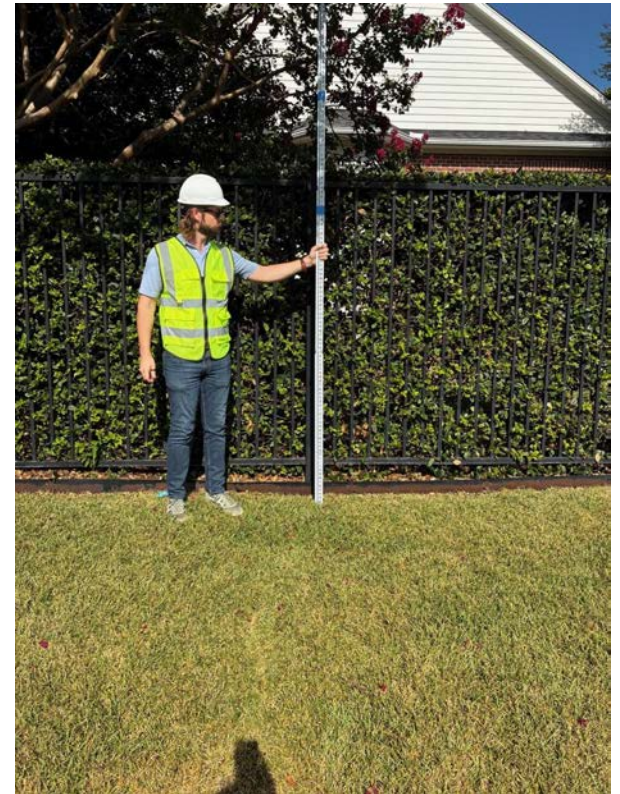
Texas Land Care



Texas Land Care



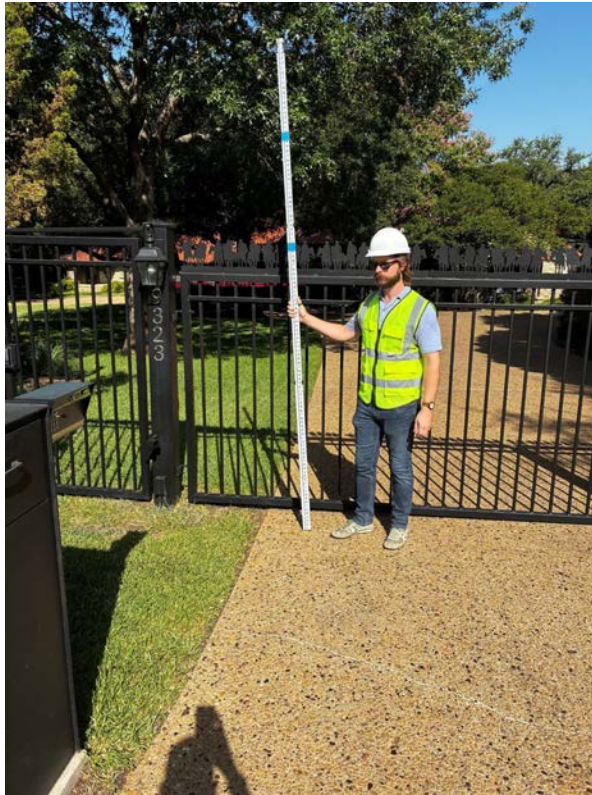
Texas Land Care



Texas Land Care



Texas Land Care





Agenda Information Sheet

File #: 26-2943A

Item #:

AGENDA DATE: September 15, 2026
PANEL: A
COUNCIL DISTRICT(S): 13
DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Morgun Brown for (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations at 10660 STRAIT LANE. This property is more fully described as Block F/5518, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches, which will require (1) a 9-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations.

Location: 10660 STRAIT LANE

Applicant: Morgun Brown

Senior Planner: Bryant Thompson

Request(s): (1) a special exception to the fence height regulations, and for (2) a special exception to the fence opacity regulations

Staff Recommendation: No staff recommendation.

BOA-26-000054

FILE NUMBER: BOA-26-000054(BT)

BUILDING OFFICIAL'S REPORT: Application of Morgun Brown for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **10660 STRAIT LANE**. This property is more fully described as Block F/5518, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches, which will require **(1)** a 9-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

LOCATION: 10660 Strait Lane

APPLICANT: Morgun Brown

REQUEST:

- (1) A request for a special exception to the fence height regulations; and
- (2) A request for a special exception to the fence opacity regulations.

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: R-1ac(A)
North: R-1ac(A)
East: R-1ac(A)/SUP-1622
South: R-1ac(A)
West: R-1ac(A)

Land Use:

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

BDA History:

BOA history found within the last 5 years BDA234-034.

- The Board of Adjustment Panel A, at its public hearing held on Tuesday, July 16, 2024, moved to **GRANT** the request of this applicant to construct and/or maintain a 13-foot high fence as a special exception to the height requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property. It further moved that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

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

- The Board of Adjustment Panel A, at its public hearing held on Tuesday, July 16, 2024, moved to **GRANT** the request of this applicant to construct and/or maintain fence with panel having less than 50 percent open surface area located less than five-feet from the front lot line as a special exception to the surface area openness requirement for fences contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property. It further moved that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

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

- The Board of Adjustment Panel A, at its public hearing held on Tuesday, July 16, 2024, moved to **GRANT** the request of this applicant a special exception to the fence materials standards contained in the Dallas Development Code, as amended, because our evaluation of the property and the testimony shows that this special exception will not adversely affect neighboring property. It further moved that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Morgun Brown for the property located at 10660 Strait Lane focuses on 2 requests relating to the fence height and fence opacity regulations.
- The first request is for a special exception to the fence height regulations. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-

feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches, which will require a 9-foot special exception to the fence height regulations.

- Secondly, the applicant is proposing to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- It is imperative to note; the fence has been constructed.
- The subject site along with surroundings properties to the north, south and west are all developed with single-family homes.
- Based upon staff's analysis of the surrounding properties, some properties provided a fence and gate exceeding 4-feet above grade in the required front yard and/or some provided a form of vegetation serving as a screening mechanism along Strait Lane.
- Directly to east (behind the subject property) is SUP 1622, The Creeks, a gated residential community.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a combination of wrought iron gate with a chopped limestone veneer wall, located on the front property line.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has the burden of proof in establishing that the special exception(s) to the fence regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence standards relating to height and opacity regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

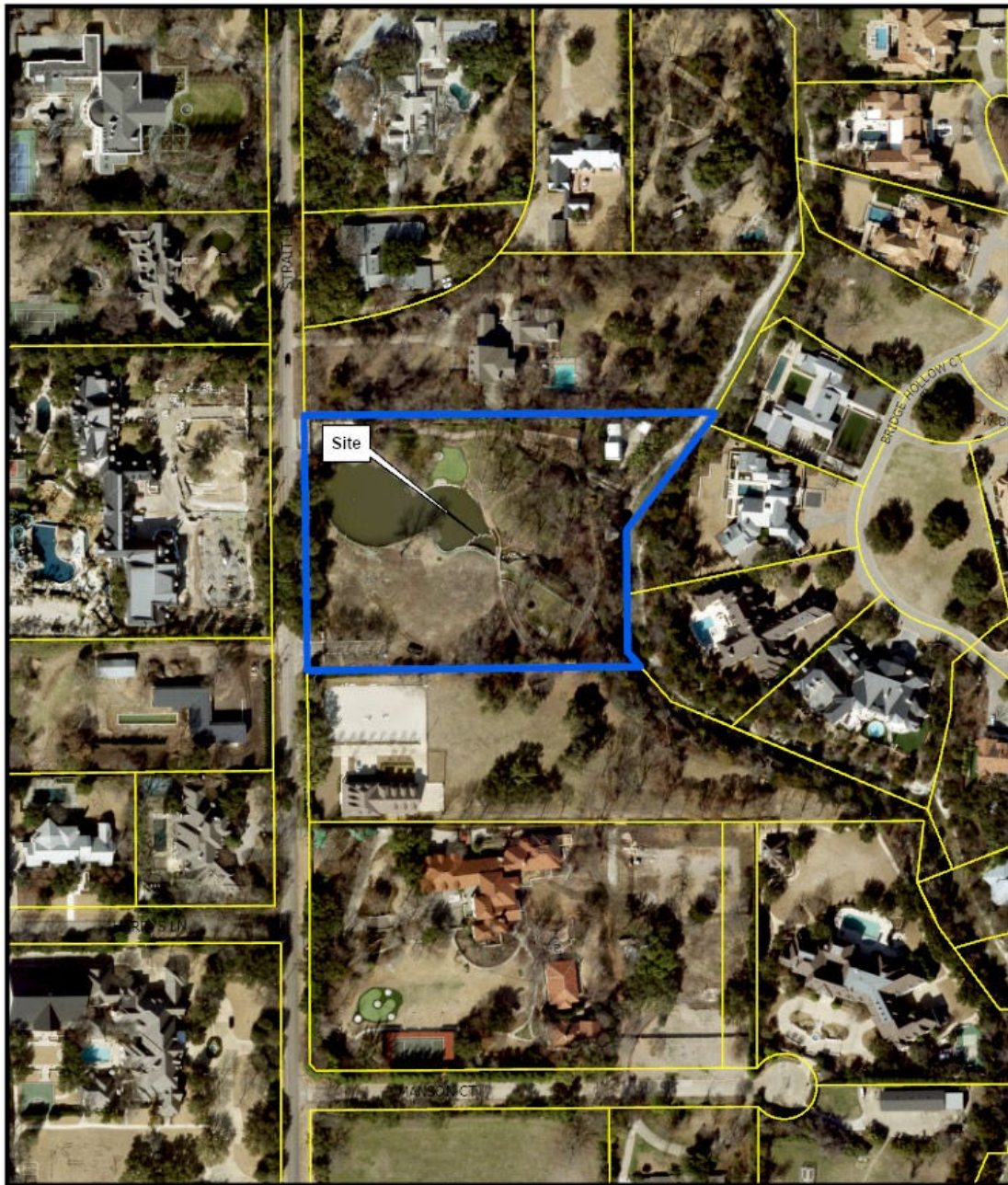
Timeline:

July 29, 2026:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
July 29, 2026:	The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A .
August 13, 2026:	The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **1:00 pm, August 21, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **1:00 pm, September 3, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 25, 2026:

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

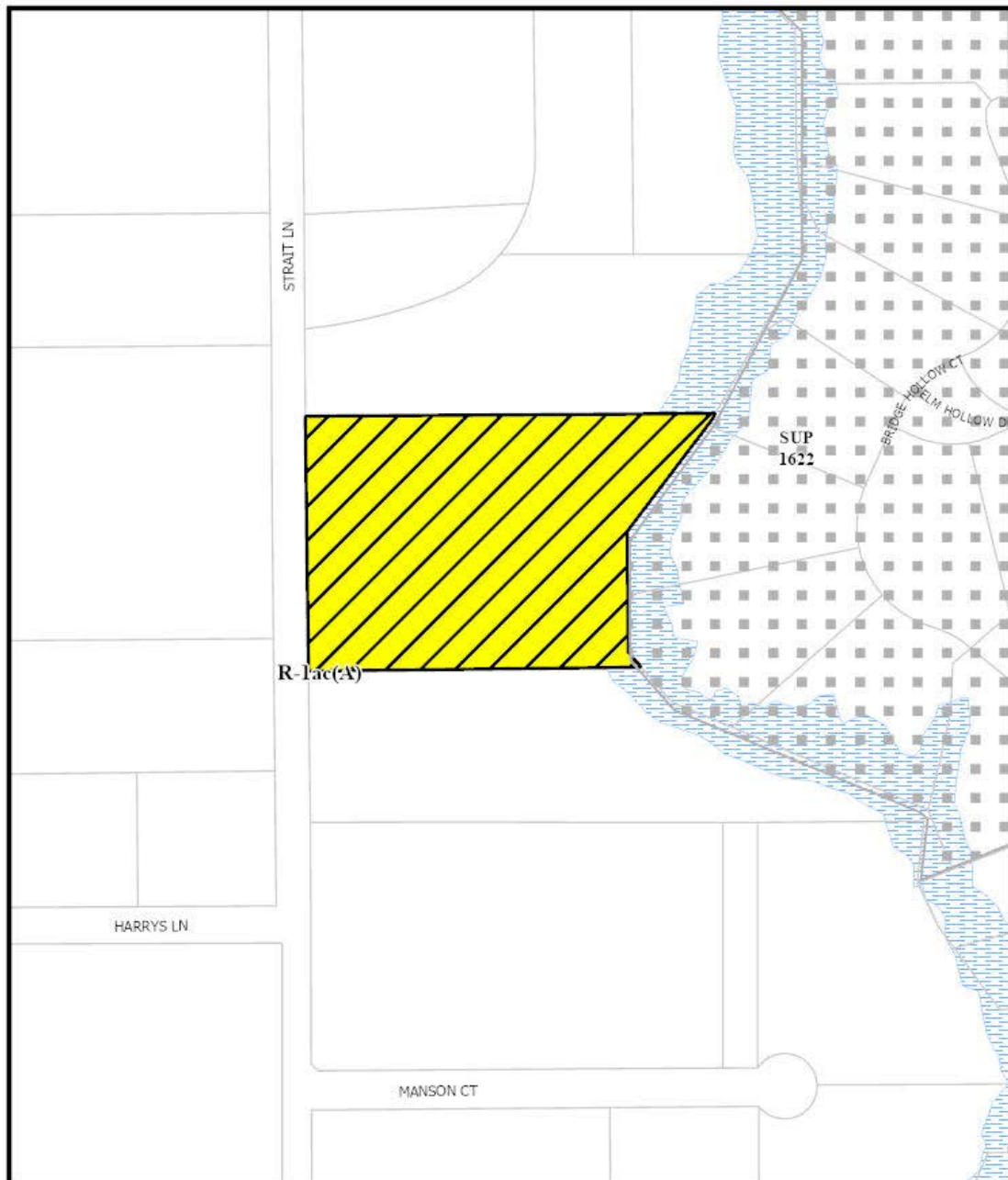


1:2,400

AERIAL MAP

Case no: **BOA-26-000054**

Date: **07/30/2026**



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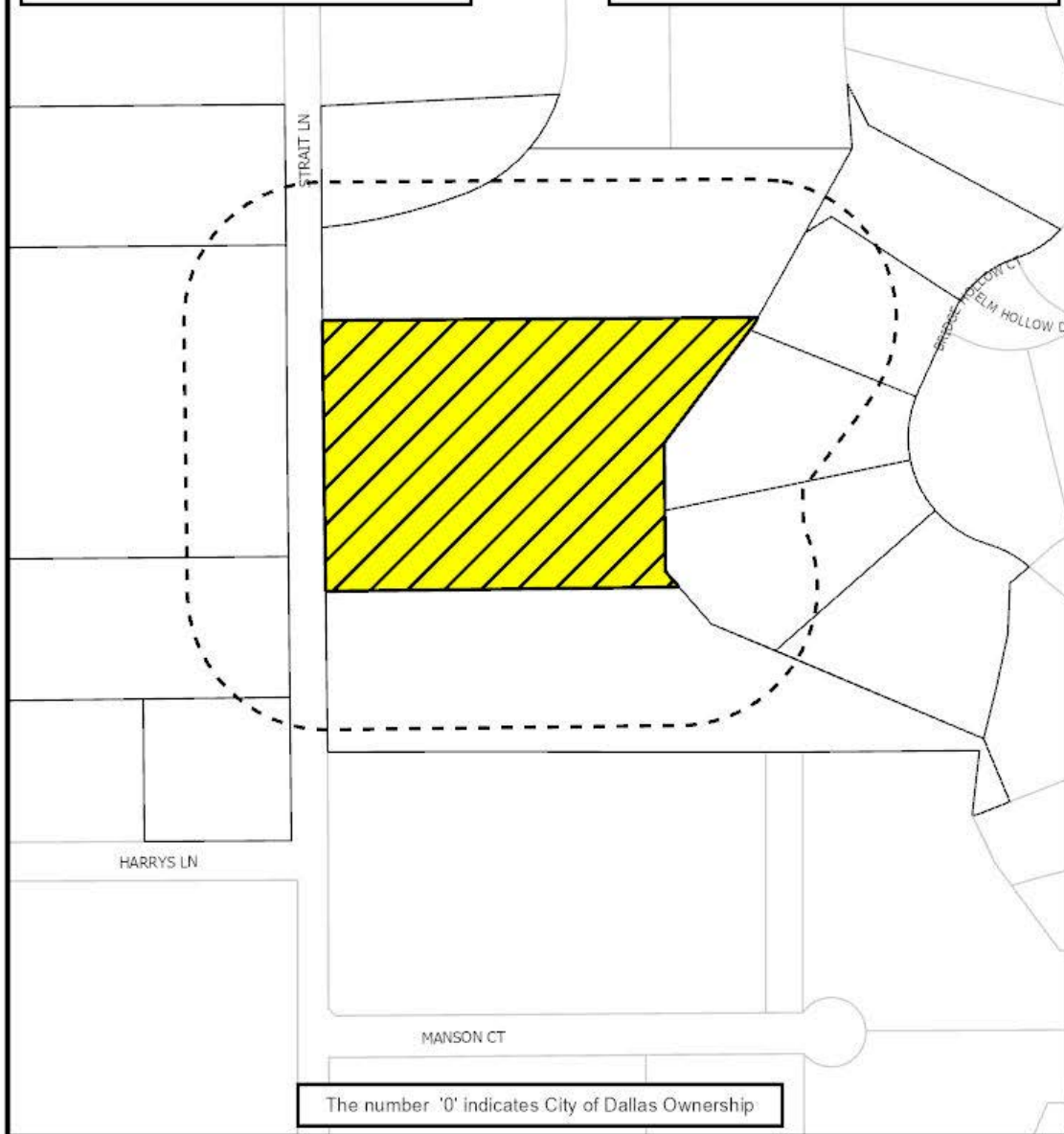
ZONING MAP

Case no: **BOA-26-000054**

Date: **07/30/2026**

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

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



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

0

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BOA-26-000054**

Date: **7/30/2026**

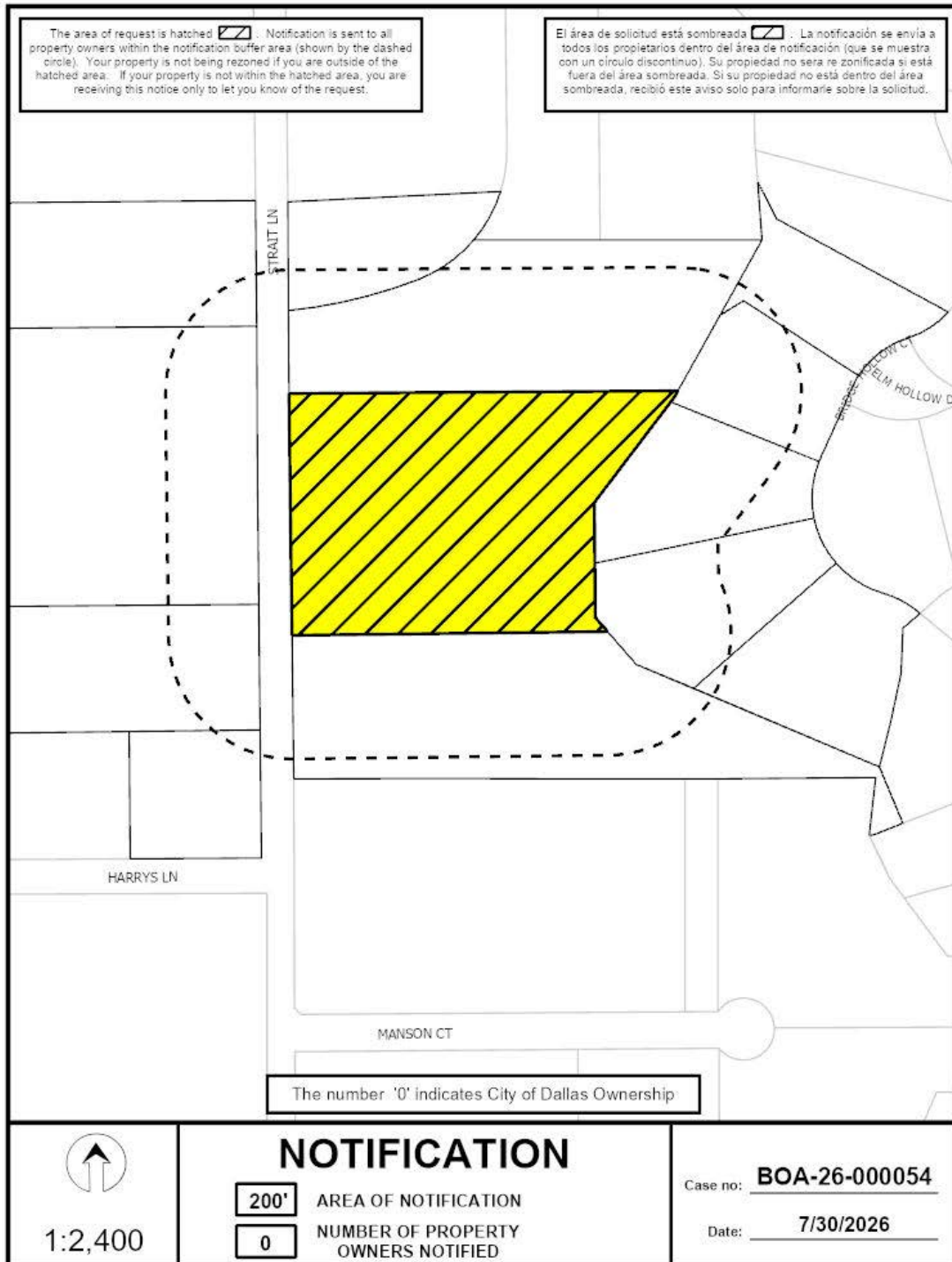
Notification List of Property Owners

BOA-26-000054

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10660 STRAIT LN	10660 STRAIT LANE TRUST
2	10710 STRAIT LN	LITMAN DAVID & MALIA
3	10650 STRAIT LN	WILBURN BRYAN & SHANIN
4	10730 STRAIT LN	HULL JEFF L & GRIFFIN A
5	10621 STRAIT LN	DYKEMA RAMSEY SCOT
6	10735 STRAIT LN	AKRAGAS LLC
7	10617 BRIDGE HOLLOW CT	CARTER ROBERT W &
8	10627 BRIDGE HOLLOW CT	QUINN DAVID W & STEPHANIE
9	10635 BRIDGE HOLLOW CT	SINGER GREGORY Z 2004 TRUST
10	10643 BRIDGE HOLLOW CT	PAYNE WILLIAM G
11	10703 BRIDGE HOLLOW CT	179 REVOCABLE TRUST
12	10611 STRAIT LN	RAJ GANESH &
13	10711 STRAIT LN	Taxpayer at

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **TUESDAY, SEPTEMBER 15, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

HEARING: **1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

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

BOA-26-000054(BT) Application of Morgun Brown for **(1)** a special exception to the fence height regulations, and for **(2)** a special exception to the fence opacity regulations at **10660 STRAIT LANE**. This property is more fully described as Block F/5518, Lot 9, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches, which will require **(1)** a 9-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at **6EN Council Chambers**. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> by the 5 p.m. on **Monday, September 14, 2026**. **All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

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

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

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

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

A notice was added to this record on 2026-06-26.
Condition: Severity: Notice
Total conditions: 2 (Notice: 2)

[View notice](#)

Menu Reports Help

File Date: [06/26/2026](#)

Application Status: [Plan Review](#)

Assigned To: [Diana Barkume](#)

Description of Work: [BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS FILE NUMBER: BOA-26-000054 BUILDING OFFICIAL'S REPORT: Application of Morgun Brown for \(1\) a special exception to the fence height regulations, and for \(2\) a special exception to the fence opacity regulations at 10660 STRAIT LANE. This property is more fully described as Block F/5518, Lot 9, and is zoned R-1ac\(A\), which limits the height of a fence in the front yard to 4-feet, and requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a fence/wall ranging from 7-feet 10-inches to 13-feet in height within a required front yard, with the highest point being the gate at 13-feet and the lowest point being the fence/wall at 7-feet 10-inches. This will require \(1\) a 9-foot special exception to the fence height regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require \(2\) a special exception to the fence opacity regulations. LOCATION: 10660 STRAIT LANE APPLICANT: MORGUN BROWN REQUEST: \(1\) Special exception to the fence height regulations \(2\) Special exception to the fence opacity regulations](#)

Application Detail: [Detail](#)

Application Name:

Application Type: [Board of Adjustments](#)

Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	Tax Certificate - 1066...	BLDG_BDA	Certificate - Tax		application/pdf	Uploaded	06/25/2026
	Certified Warranty Dee...	BLDG_BDA	Certificate - W...		application/pdf	Uploaded	06/25/2026
	Plat Map - 10660 Strai...	BLDG_BDA	Maps - Block		application/pdf	Uploaded	06/25/2026
	Zoning Map - 10660 Str...	BLDG_BDA	Maps - Zoning L...		application/pdf	Uploaded	06/25/2026
	Site Plan & Elevation ...	BLDG_BDA	Plans - Site Plan		application/pdf	Uploaded	06/25/2026
	Certified Plat - 10660...	BLDG_BDA	Plat - Certifie...		application/pdf	Uploaded	06/25/2026
	Signed Application & A...	BLDG_BDA	Affidavit - Pro...		application/pdf	Uploaded	06/25/2026
	Legal Description - 10...	BLDG_BDA	Legal Descripti...		application/pdf	Uploaded	06/25/2026
	BOA Checklist - 10660 ...	BLDG_BDA	Statement - Lien		application/pdf	Uploaded	06/26/2026
	Lien Letter - 10660 St...	BLDG_BDA	Statement - Lien	No Lien Letter	application/pdf	Uploaded	06/26/2026
	BOA26000054n.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/30/2026
	BOA26000054z.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/30/2026
	BOA-26-000054_report.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/30/2026
	BOA-26-000054_labels.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/30/2026
	BOA-26-000054_Submissi...	BLDG_BDA	Other Support D...		application/pdf	Uploaded	07/30/2026
	BOA26000054mva.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/30/2026
	BOA26000054a.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/30/2026
	Show all						

Address: [10660 STRAIT LN, Dallas, TX 75229](#)

Owner Name: [10660 STRAIT LANE TRUST](#)

Owner Address: [100 CRESCENT CT STE 1600, DALLAS, TEXAS 752016915](#)

Parcel No: [005518000F0090000](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Morgun Brown	Sebastian Const...	Applicant	Mailing_3100 Montice...	Active
	Casey Park	10660 Strait La...	Property Owner	Mailing_10660 Strait ...	Active

Licensed Professionals Info:	Primary	Registration Number	License Type	Name	Business Name	Business License #
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Total Fee Assessed: [\\$1,325.00](#)

Total Fee Invoiced: [\\$1,325.00](#)

Balance: [\\$0.00](#)

Custom Fields: Property Details

Existing Zoning	Lot Number	Lot Size (Acres)
R-1ac(A)	9	4.697
Block Number	Lot Size (Sq. Ft)	How many streets abut the property?
F/5518	204601.32	1
Land Use	Is the property platted?	Status of Project
Residential	Yes	Under Construction
Status of Property	Previous Board of Adjustment case filed on this property	Accommodation for someone with disabilities
Owner Occupied	Yes	No
File Date	Seleccione si necesitara un interprete	Case Number
07/16/2024		BDA234-090
Are you applying for a fee waiver?	Have the standards for variance and or special exception been discussed?	Has the Notification Sign Acknowledgement Form been discussed?
No	Yes	Yes
Referred by		
Permitting dept.		

Internal Use Only

Source of Request	Fee Waiver Granted	Number of Parking Spaces
Consultation - Residential		-
Lot Acreage		
4.697		

PDox Information

PDox Number
[BLOCKED](#)

Board of Adjustment Request

Type of Request	Request Description	Application Type	Other	Affirm that an appeal has been made for	Application is made to BOA to grant the described appeal	Outcome
Special Exception	Fence standards	Single Family/Duplex Variance or Special Exception		Fence Special Exception	Sec. 51A-4.602(a)(2) to allow for fence height up to 13 feet	
Special Exception	Fence standards	Single Family/Duplex Variance or Special Exception		Fence Special Exception	Sec.51A-4.602(a)(3) to allow for fence panels with a surface are less than 50 percent open to be located 5 feet or less from the front lot line.	

Street Frontage Information

Street Frontage **Linear Feet (Sq. Ft) (Number)**

[Front](#) 395

Case Information

Full Request	Brief Request	Zoning Requirements	Relevant History	BOA History	BOA History Details
The applicant proposes to construct and/or maintain a 13-foot-high fence in a required front-yard, which will require (1) a 9-foot special exception to the fence height regulations	for (1) a special exception to the fence height regulations	which limits the height of a fence in the front yard to 4-feet	BDA234-090-Filed July 16, 2024 Approved Panel A	Yes	Fence Height, Opacity, and Materials: The applicants did not submit a fence permit within 180 days of the BOA approval. Therefore, the approval automatically changes to a denial without prejudice. The previous approval pertained to the fence material because, at that time, Administration determined that stone was a prohibited material. That determination has since been revised therefore, board action is not required.
construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which will require (2) a special exception to the fence opacity regulations	for (2) a special exception to the fence opacity regulations	requires a fence panel with a surface area that is less than 50 percent open not be located less than 5-feet from the front lot line	BDA234-090-Filed July 16, 2024 Approved Panel A	Yes	Fence Height, Opacity, and Materials: The applicants did not submit a fence permit within 180 days of the BOA approval. Therefore, the approval automatically changes to a denial without prejudice. The previous approval pertained to the fence material because, at that time, Administration determined that stone was a prohibited material. That determination has since been revised therefore, board action is not required.

Board of Adjustment Meeting

Hearing Type	Action Date	Time	Room	Panel	Presiding Officer	BOA Administrator	BOA Secretary	BOA Code Specialist	Case Assigned to	Notes	Outcome	Filing Date
			6ES	A	David A. Neumann	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	special exception to the fence height regulations		
			6ES		David A. Neumann	Jason Pool	Kameka Miller-Hoskins	Diana Barkume	Bryant Thompson	a special exception to the fence opacity regulations		

GIS Information

Parcel Number (Number)	Service	Layer	Attribute Value	Census Tract Number (Number)	Council District	School District	Escarpment	Floodplain
				11.35	13-Gay Donnell Willis			

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Intake	Diana Barkume	Intake Complete	07/29/2026	Accela Administ...
	GIS AOR Review	Elham Elbadawi	Review Complete	07/30/2026	Elham Elbadawi
	Case Assignment	Bryant Thompson	Case Manager...	08/25/2026	Kameka Miller-H...
	Site Inspection		Site Inspect...	08/25/2026	Kameka Miller-H...
	Plans Distribution		Accepted - P...	08/25/2026	Kameka Miller-H...
	Subdivision Review		Not Required	08/25/2026	Kameka Miller-H...
	Q Team Review		Not Required	08/25/2026	Kameka Miller-H...
	Arborist Review		Not Required	08/25/2026	Kameka Miller-H...
	Building Code Review		Not Required	08/25/2026	Kameka Miller-H...
	Zoning Review		Not Required	08/25/2026	Kameka Miller-H...
	Electrical Review		Not Required	08/25/2026	Kameka Miller-H...
	Eng Water and Wastewat...		Not Required	08/25/2026	Kameka Miller-H...
	Historic Preservation ...		Not Required	08/25/2026	Kameka Miller-H...
	Eng Paving and Drainag...		Not Required	08/25/2026	Kameka Miller-H...
	Eng Flood Plain Review		Not Required	08/25/2026	Kameka Miller-H...
	Board of Adjustment Re...		Approved	08/25/2026	Kameka Miller-H...
	Conservation Review		Not Required	08/25/2026	Kameka Miller-H...
	Traffic Review		Not Required	08/25/2026	Kameka Miller-H...
	GIS Review		Not Required	08/25/2026	Kameka Miller-H...
	Residential Team Review		Not Required	08/25/2026	Kameka Miller-H...
	Signs Review		Not Required	08/25/2026	Kameka Miller-H...
	Plans Coordination		Review Complete	08/25/2026	Kameka Miller-H...
	Board of Adjustment He...				
	Two-Year Waiver Period				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
	BOA History	This will display in t...	Applied	06/26/2026	Notice	
	Flood Zone	Flood Zone	Applied	06/26/2026	Notice	Accela Administ...
	Flood Zone	Flood Zone	Applied	06/26/2026	Notice	Accela Administ...
	General Facts/Staff An...	This will display in t...	Applied	06/26/2026	Notice	
	Land Use	This will display in t...	Applied	06/26/2026	Notice	
	Staff Recommendation	Staff Recommendation	Applied	06/26/2026	Notice	
	Standard of Review	This will display in t...	Applied	06/26/2026	Notice	
	Timeline	This will display in t...	Applied	06/26/2026	Notice	
	Zoning	This will display in t...	Applied	06/26/2026	Notice	

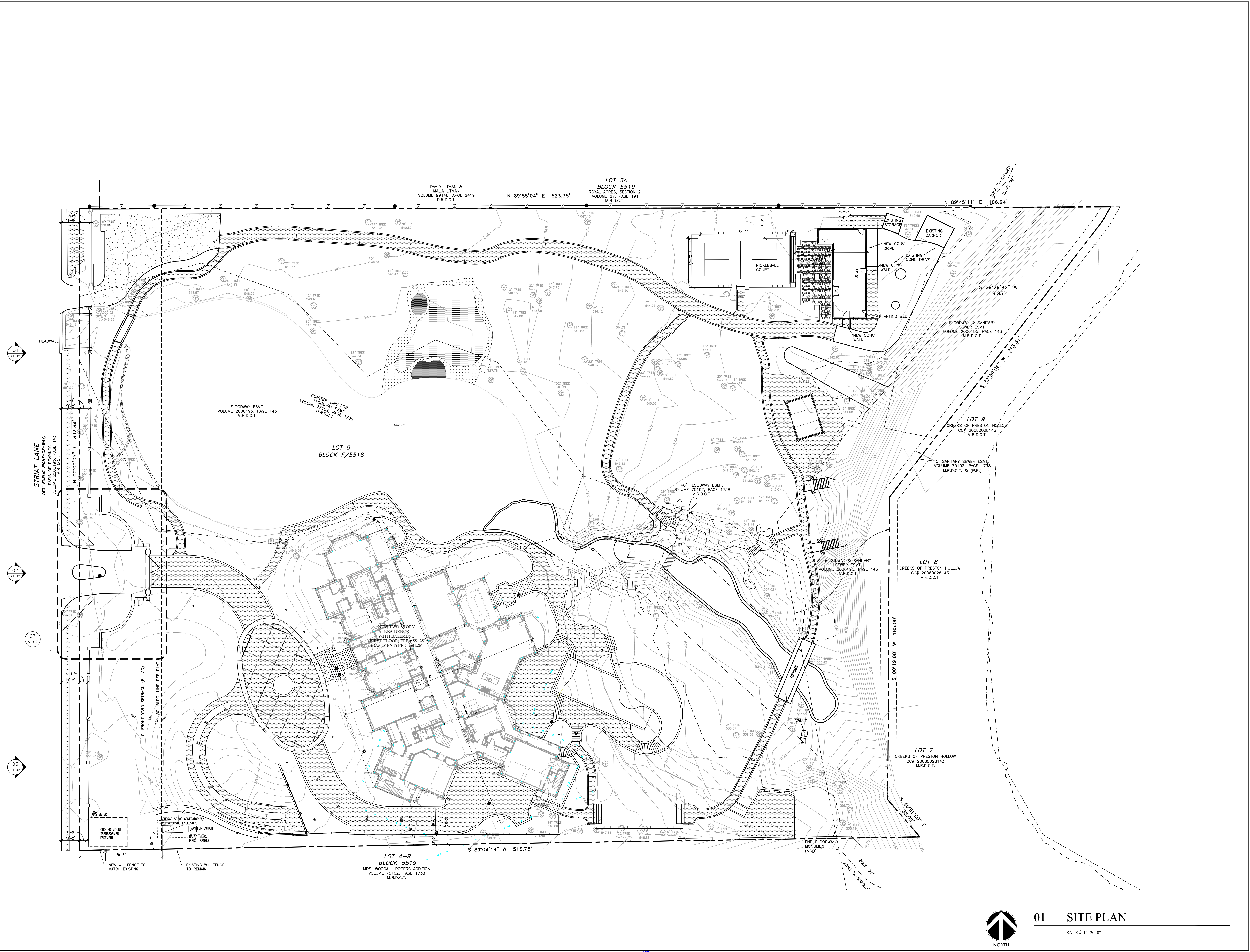
Application Comments:	View ID	Comment	Date
-----------------------	---------	---------	------

Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
	Site Visit Inspection	09/08/2026		Scheduled	Scheduled via Script

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
-----------------------	-----------------	-----------------	-----------	--------	----------

Site Plan
Project No. 222006
Date: 09 MAY 2023
Scale: 1"=20'-0"



10660 STRAIT LANE, DALLAS, TX 75229

FUSCH ARCHITECTS, INC.

4308 AVONDALE AVE #200, DALLAS, TEXAS 75219
TEL 214-696-0152 - WWW.FUSCHARCHITECTS.COM

SEAL

26 APRIL 2024

A RESIDENCE DESIGNED FOR

10660 STRAIT LANE

SITE PLAN

01 SITE PLAN

SALE A 1"=20'-0"

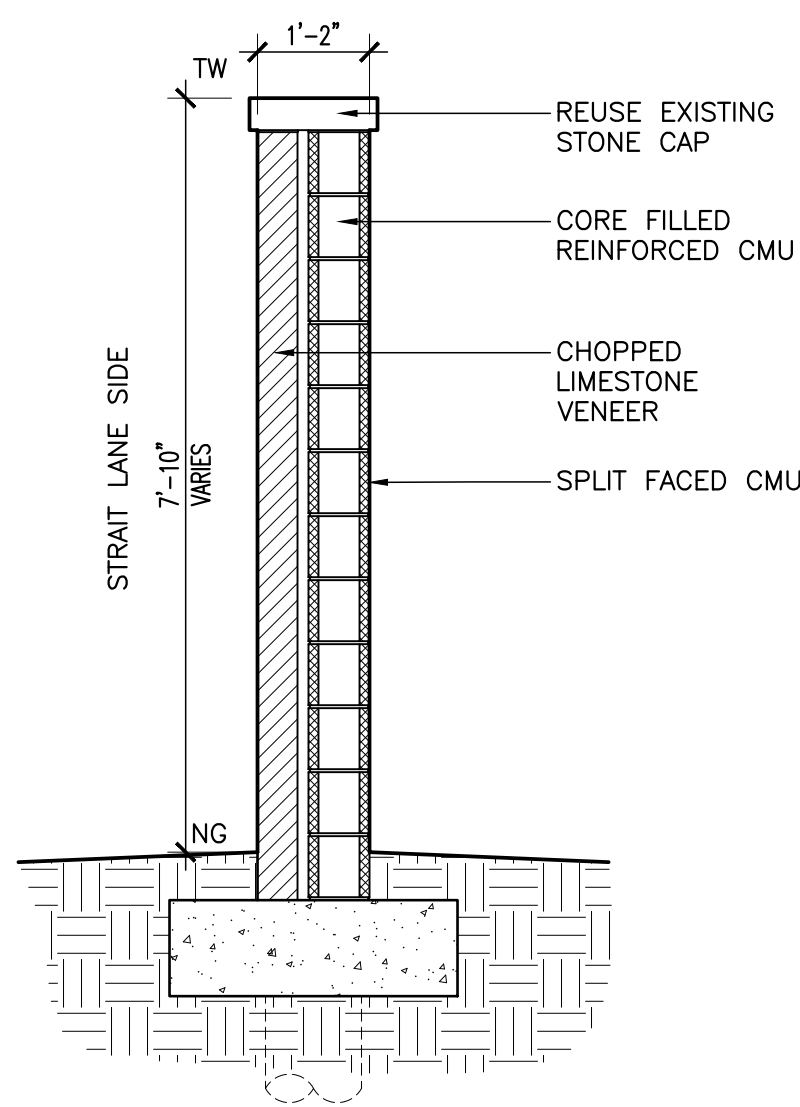
Drawn By: _____

Checked By: _____

Date: 09 MAY 2023

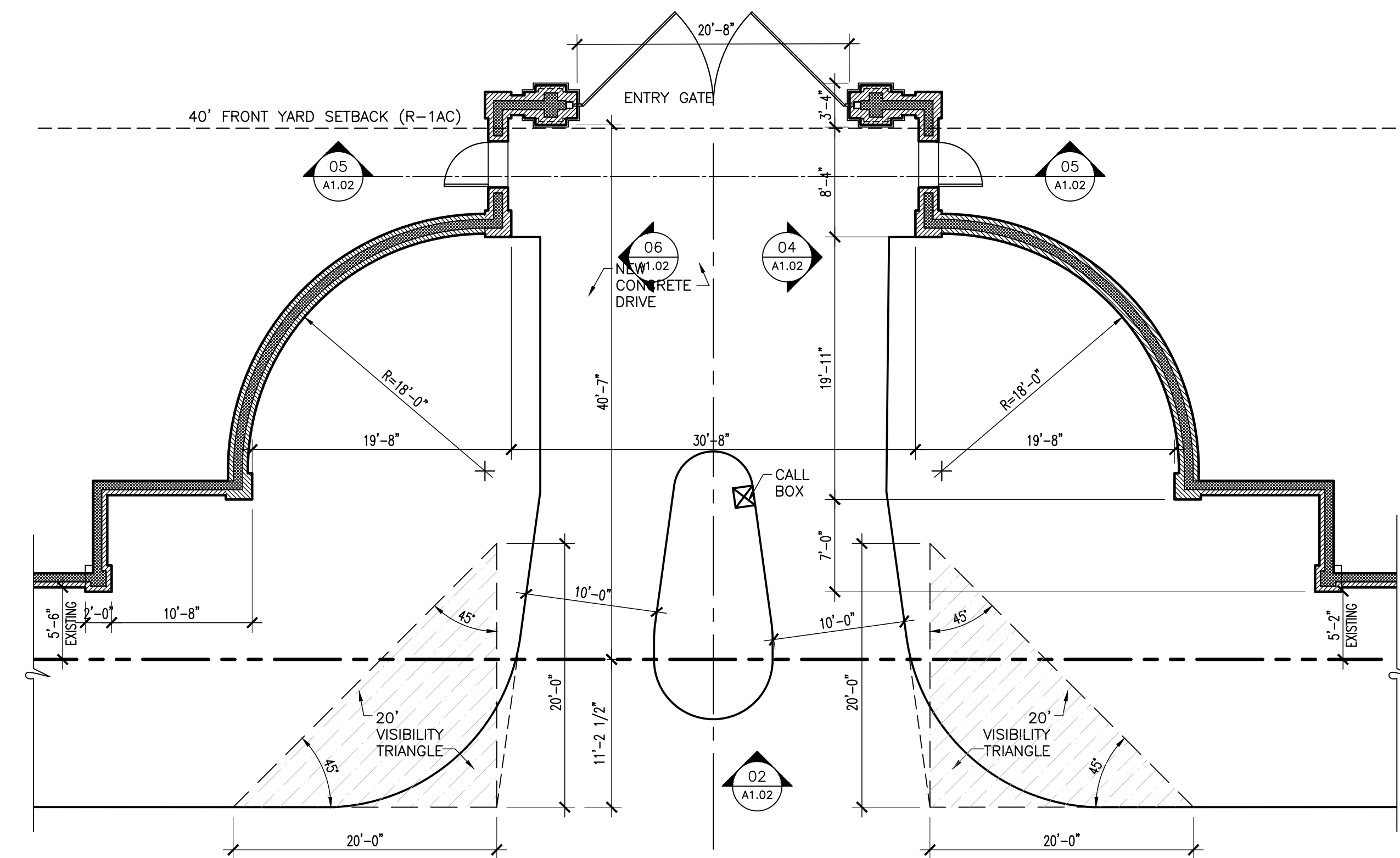
A1.01

Project No. 222006



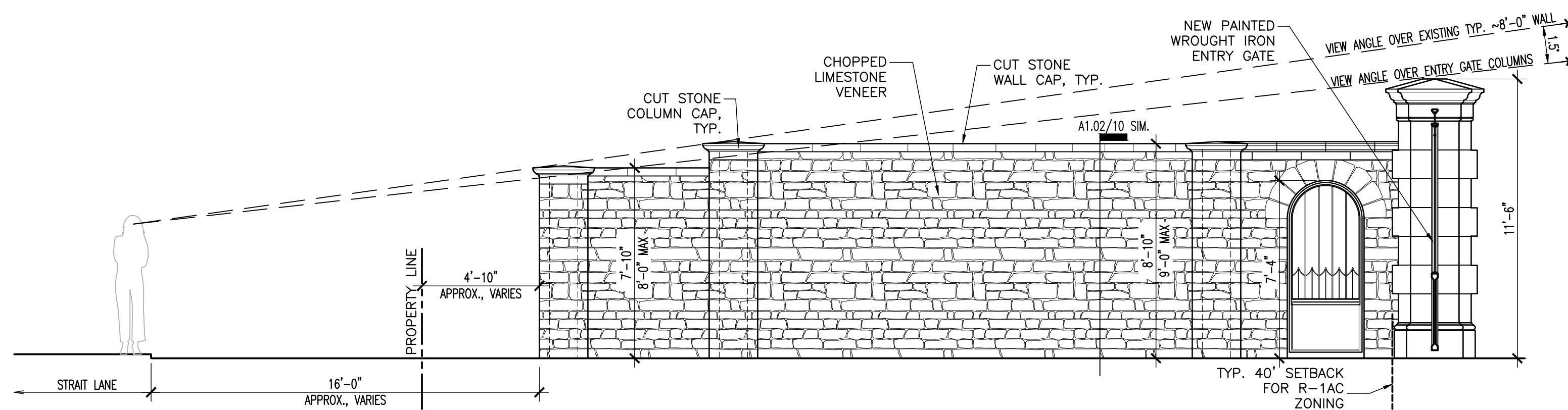
10 TYP. WALL SECTION

SCALE: 1/2" = 1'-0"



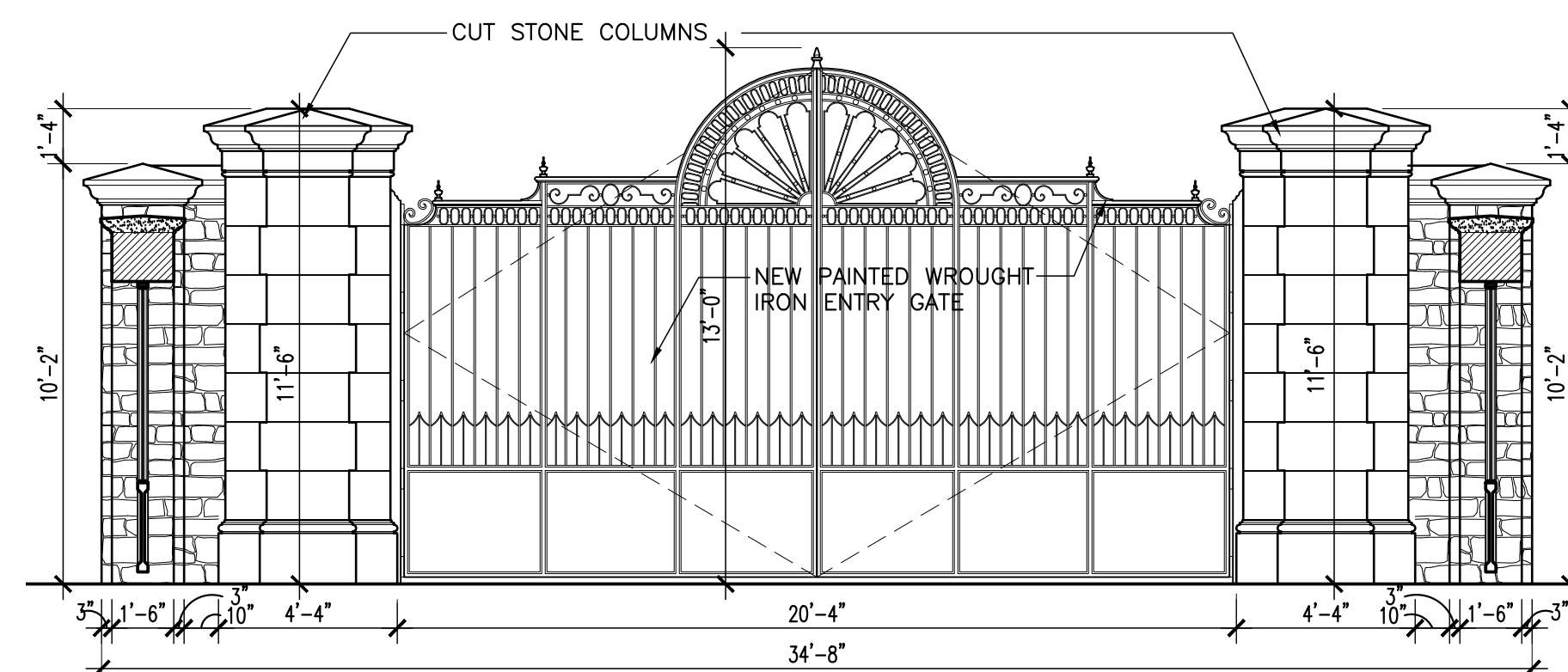
07 ENTRY GATE & GUARD HOUSE PLAN

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



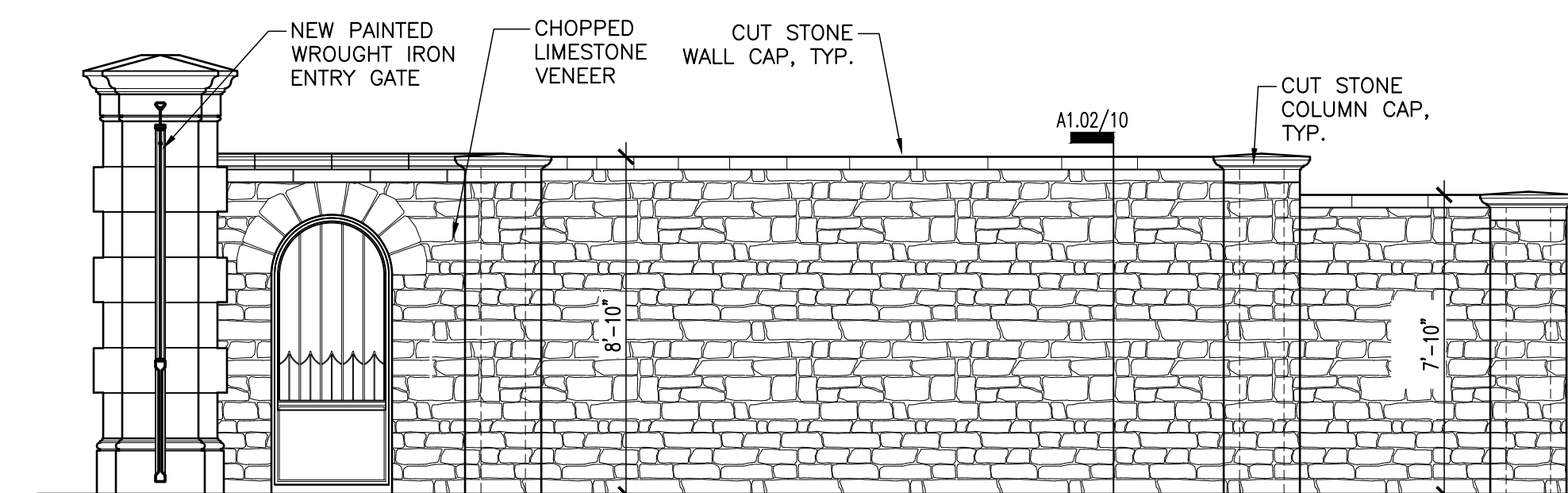
06 ELEVATION @ NORTH PEDESTRIAN GATE

SCALE: 1/4" = 1'-0"



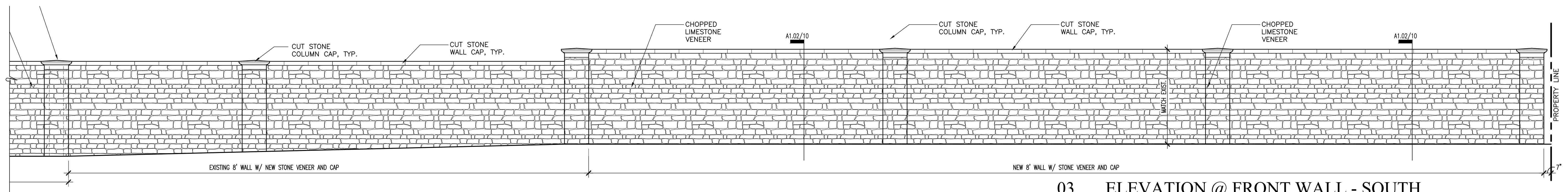
05 ELEVATION @ ENTRY GATE

SCALE: 1/4" = 1'-0"



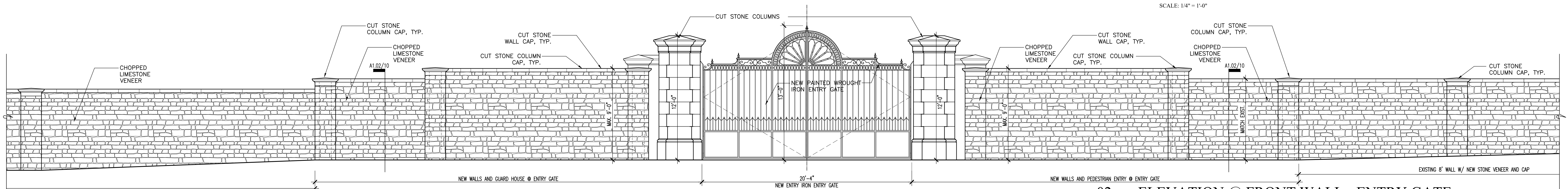
04 ELEVATION @ SOUTH PEDESTRIAN GATE

SCALE: 1/4" = 1'-0"



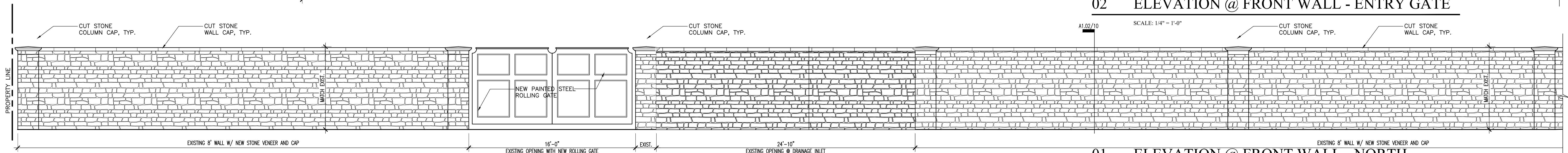
03 ELEVATION @ FRONT WALL - SOUTH

SCALE: 1/4" = 1'-0"



02 ELEVATION @ FRONT WALL - ENTRY GATE

SCALE: 1/4" = 1'-0"



01 ELEVATION @ FRONT WALL - NORTH

SCALE: 1/4" = 1'-0"



Agenda Information Sheet

File #: 26-2944A

Item #:

AGENDA DATE: September 15, 2026
PANEL: A
COUNCIL DISTRICT(S): 6
DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Jennifer Hiromoto for (1) a special exception to the off-street parking regulations at 1937 IRVING BOULEVARD. This property is more fully described as Block 23/7890, Lots 41, 42, 43, and 44, and is zoned PD-621 (Subdistrict 1A), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement (inside) uses, and provide 72 of the required 88 parking spaces, which will require (1) a 16-space special exception (18.2 percent reduction) to the off-street parking regulations.

Location: 1937 IRVING BOULEVARD

Applicant: Jennifer Hiromoto

Senior Planner: Bryant Thompson

Request(s): (1) a special exception to the off-street parking regulations

Staff Recommendation: No staff recommendation.

BOA-26-000057

FILE NUMBER: BOA-26-000057(BT)

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for **(1)** a special exception to the off-street parking regulations at **1937 IRVING BOULEVARD**. This property is more fully described as Block 23/7890, Lots 41, 42, 43, and 44, and is zoned PD-621 (Subdistrict 1A), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service use, personal service, general merchandise and food store greater than 3,500 square feet, office showroom/warehouse, and commercial amusement (inside) uses, and provide 72 of the required 88 off-street parking spaces, which will require **(1)** a 16-space special exception (18.2 percent reduction) to the off-street parking regulation.

LOCATION: 1937 Irving Boulevard

APPLICANT: Jennifer Hiromoto

REQUEST:

(1) A request for a special exception to the off-street parking regulations.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

- (1) **Section 51P-621.110(b)(2)(D)** states that the board may grant a special exception of up to 50 percent of the required off-street parking upon the findings and considerations listed in **Section 51A-4.311** minus the number of parking spaces currently not provided due to delta credits, as defined in **Section 51A-4.704(b)(4)(A)**. The board of adjustment may impose conditions on the special exception. **Section 51A-4.311(a)** of the Dallas Development Code specifies that the board may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, **that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.**
- (2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors:
- (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

- (3) In granting a special exception under Paragraph (1), the board shall specify the use or uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- (4) In granting a special exception under Paragraph (1), the board may:
- (A) establish a termination date for the special exception or otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) impose restrictions on access to or from the subject property; or impose any other reasonable condition that would have the effect of improving traffic safety or lessening congestion on the streets.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site: PD-621 (Subdistrict 1A)
North: PD-621 (Subdistrict 1)
East: PD-621 (Subdistrict 1)
South: PD-621 (Subdistrict 1)
West: PD-621 (Subdistrict 1)

Land Use:

The subject site is developed with restaurant without drive-in or drive-through service use, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement (inside) uses. The surrounding properties are developed with various uses such as but not limited to personal service, office showroom/warehouse, and restaurant without drive-in or drive-through service.

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jennifer Hiromoto for the property located at 1937 Irving Boulevard focuses on one request relating to the off-street parking regulations.
- The proposed request is made to construct and/or maintain a nonresidential structure and provide 72 of the required 88 off-street parking spaces, which will require a 16-space special exception (18.2 percent reduction).
- The subject site lot size is 24,655 square feet or 0.566 acres of land.
- The existing building footprint is 19,955 square feet (80.93 percent lot coverage)

- PD-621 (Subdistrict 1A) requires the following parking ratio per specified use:
 - o 1 parking space per 105 square feet of floor area for restaurant without drive-in or drive-through service use, ($4,999 / 105 = 47.61$).
 - o 1 parking space per 1,100 square feet of floor area for Office/Showroom Warehouse up to 20,000 square feet floor area ($3,583 / 1100 = 3.26$).
 - o 1 parking space per 275 square feet of floor area for General Merchandise or food store greater than 3,500 square feet ($4,990 / 275 = 18.15$).
 - o 1 parking space per 275 square feet of floor area for Personal Service ($3,391 / 275 = 12.33$).
 - o 1 parking space per 200 square feet of floor area for Commercial amusement inside ($2,992 / 200 = 14.96$).
- Additionally, PD621 MUD Parking Chart is used to calculate required parking.
- If the Board were to grant the proposed 16-space special exception (18.2 percent reduction) to the parking regulations with a condition that the special exception automatically and immediately terminates if when the restaurant without drive-in or drive-through service use, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement inside use are changed or discontinued, then the applicant could lease and maintain the existing structure with the uses described above and provide 72 of the required off-street parking spaces.
- 200' Radius Video:

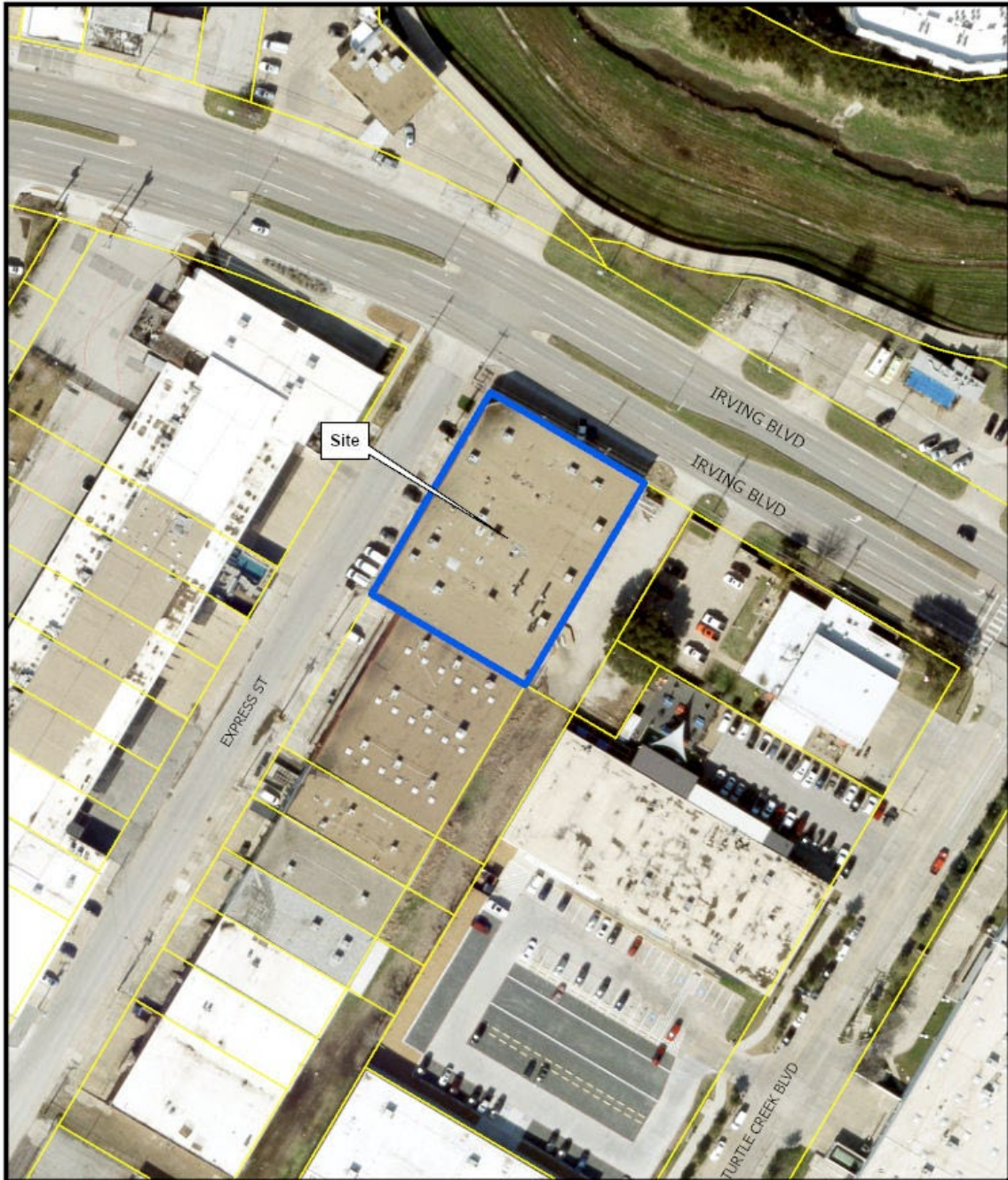
Timeline:

- | | |
|------------------|---|
| July 8, 2026: | The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report. |
| July 8, 2026: | The Board of Adjustment Administrator postpone until September. |
| July 29, 2026: | The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A . |
| August 13, 2026: | <p>The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information:</p> <ul style="list-style-type: none"> • an attachment that provided the public hearing date and panel that will consider the application; the 1:00 pm, August 21, 2026, deadline to submit additional evidence for staff to factor into their analysis; and 1:00 pm, September 3, 2026, deadline to submit additional evidence to be incorporated into the board's docket materials. • the criteria/standard that the board will use in their decision to approve or deny the request; and |

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

August 25, 2026:

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

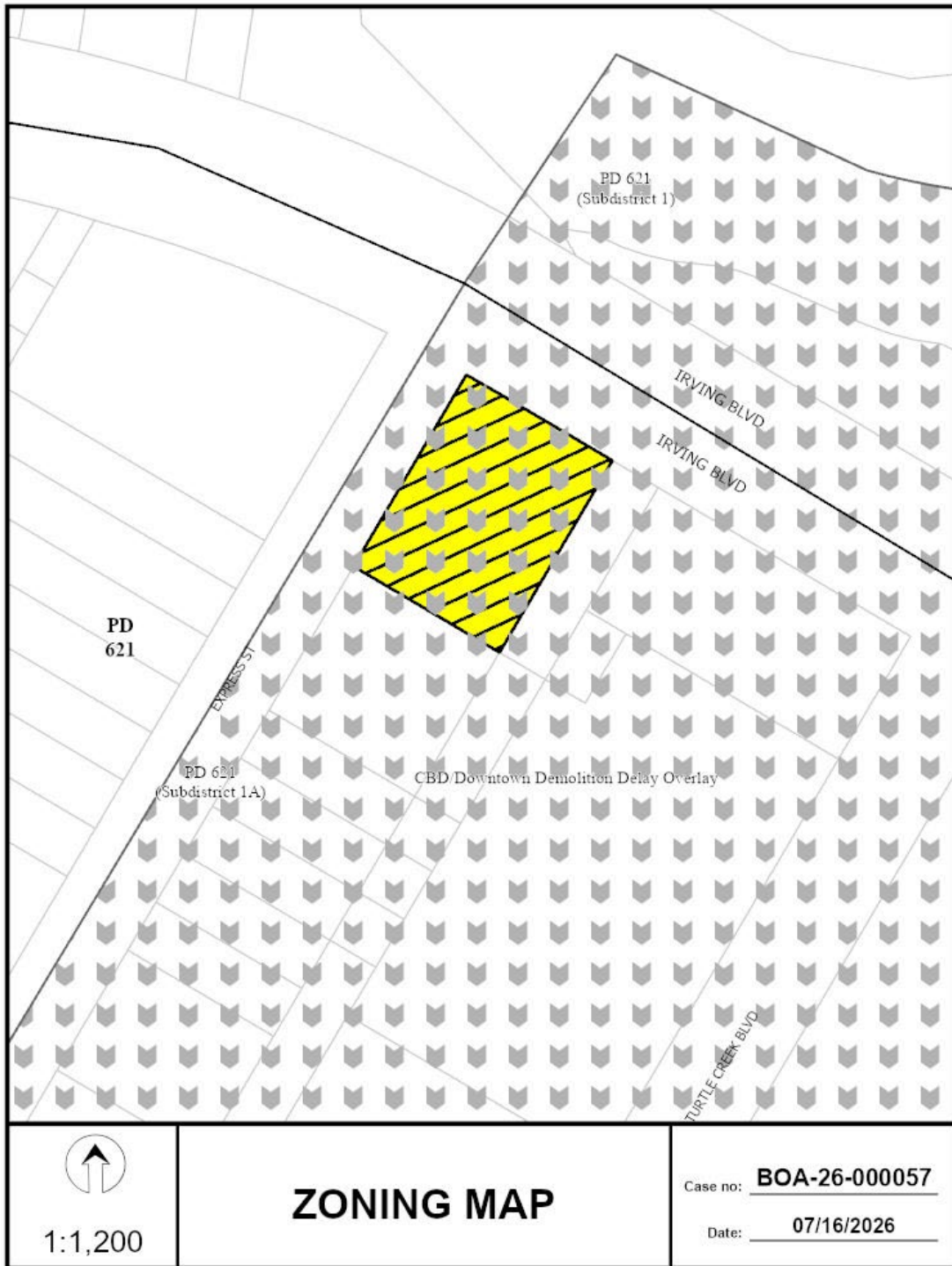


1:1,200

AERIAL MAP

Case no: **BOA-26-000057**

Date: **07/16/2026**





Notification List of Property Owners

BOA-26-000057

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1901 IRVING BLVD	1937 IRVING LLC
2	154 EXPRESS ST	ONEFIVEFOUR LLC
3	158 EXPRESS ST	BURRWOOD LLC
4	166 EXPRESS ST	DJMSB PROPERTIES LLC
5	2014 IRVING BLVD	NANCYS DALLAS PROPERTIES LLC
6	1900 IRVING BLVD	QIP 1201 TURTLE CREEK OWNER LP
7	167 TURTLE CREEK BLVD	URBAN PROFESSIONALS GROUP LLC
8	152 EXPRESS ST	MADDOX WILLIAM PATRICK JR
9	1104 N RIVERFRONT BLVD	IPENEMA INVESTMENTS LTF
10	2001 IRVING BLVD	BRENDAN BASS REAL ESTATE LLC
11	2001 IRVING BLVD	NAVIN THOMAS J & JANE R
12	2001 IRVING BLVD	TANGO PROPERTIES LLC
13	2001 IRVING BLVD	TANGO PROPERTIES LLC

 1:1,200	NOTIFICATION	Case no: BOA-26-000057
	200' AREA OF NOTIFICATION 13 NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/16/2026

Route Directions:

Start on Market Center Blvd.

Right on Oak Lawn Ave.

Right on Irving Blvd.

Right thru alley

Right on Market Center Blvd.

Right on Irving Blvd.

***Subject Site at 1:15 and 2:22.**

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **TUESDAY, SEPTEMBER 15, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference** and in **6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

HEARING: **1:00 p.m. Videoconference** and in **6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

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

BOA-26-000057(BT) Application of Jennifer Hiromoto for **(1)** a special exception to the off-street parking regulations at **1937 IRVING BOULEVARD**. This property is more fully described as Block 23/7890, Lots 41, 42, 43, and 44, and is zoned PD-621 (Subdistrict 1A), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement (inside) uses, and provide 72 of the required 88 parking spaces, which will require **(1)** a 16-space special exception (18.2 percent reduction) to the off-street parking regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at **6EN Council Chambers**. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> **by the 5 p.m. on Monday, September 14, 2026. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

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

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

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

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

A notice was added to this record on 2026-06-30.
Condition: Severity: Notice
Total conditions: 2 (Notice: 2)

[View notice](#)

Menu Reports Help

File Date: [06/30/2026](#)

Application Status: [Plan Review](#)

Assigned To: [Bryant Thompson](#)

Description of Work: [BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS FILE NUMBER: BOA-26-000057 BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for \(1\) a special exception to the off-street parking regulations at 1937 IRVING BOULEVARD. This property is more fully described as Block 23/7890, Lots 41, 42, 43, and 44, and is zoned PD-621 \(Subdistrict 1A\), which requires parking to be provided. The applicant proposes to construct and/or maintain a nonresidential structure for a restaurant without drive-in or drive-through service, personal service, general merchandise and food store greater or less than 3,500 square feet, office showroom/warehouse, and commercial amusement \(inside\) uses, and provide 72 of the required 88 parking spaces, which will require \(1\) a 16-space special exception \(18.2 percent reduction\) to the off-street parking regulations. LOCATION: 1937 IRVING BOULEVARD APPLICANT: Jennifer Hiromoto REQUEST: \(1\) A special exception to the off-street parking regulations.](#)

Application Detail: [Detail](#)

Application Name:

Application Type: [Board of Adjustments](#)

Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	2026_05_31 affidavit o...	BLDG_BDA	Affidavit - Pro...		application/pdf	Uploaded	06/30/2026
	tax cert.pdf	BLDG_BDA	Certificate - Tax		application/pdf	Uploaded	06/30/2026
	cert deed.pdf	BLDG_BDA	Certificate - W...		application/pdf	Uploaded	06/30/2026
	Site Plat Map - BLK 78...	BLDG_BDA	Maps - Block		application/pdf	Uploaded	06/30/2026
	1937 Irving Blvd Zonin...	BLDG_BDA	Maps - Zoning L...		application/pdf	Uploaded	06/30/2026
	cert plat-Trinity Indu...	BLDG_BDA	Plat - Certifie...		application/pdf	Uploaded	06/30/2026
	1937 Irving Blvd No Li...	BLDG_BDA	Statement - Lien		application/pdf	Uploaded	06/30/2026
	x_site plan exhibit 20...	BLDG_BDA	Plans - Site Plan		application/pdf	Uploaded	06/30/2026
	cert deed.pdf	BLDG_BDA	Legal Descripti...		application/pdf	Uploaded	06/30/2026
	cert deed.pdf	BLDG_BDA	Survey - Metes ...		application/pdf	Uploaded	06/30/2026
	Clerk's File No. 20110...	BLDG_BDA	Certificate - W...		application/pdf	Uploaded	07/08/2026
	BOA-26-000057 Submissi...	BLDG_BDA	Other Support D...		application/pdf	Uploaded	07/16/2026
	BOA-26-000057_report.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/16/2026
	BOA-26-000057_labels.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/16/2026
	BOA26000057a.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/16/2026
	BOA26000057n.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/16/2026
	BOA26000057mva.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/16/2026
	BOA26000057z.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/16/2026
	Copy of PD 621 MUD Par...	BLDG_BDA	Reports and Ana...		application/vnd.ms...	Uploaded	08/21/2026
	FLOOR PLAN PROPOSED_RE...	BLDG_BDA	Plans - Floor		application/pdf	Uploaded	08/21/2026
	x_site plan exhibit 20...	BLDG_BDA	Plans - Site Plan		application/pdf	Uploaded	08/21/2026
	1937 Irving Blvd Parki...	BLDG_BDA	Reports and Ana...		application/pdf	Uploaded	08/21/2026
	1937 Irving Blvd Parki...	BLDG_BDA	Reports and Ana...		application/pdf	Uploaded	08/21/2026

[Show all](#)

Address: [1937 IRVING BLVD, A Dallas, TX 75207](#)

Owner Name: [1937 IRVING LLC](#)

Owner Address: [1302 WAUGH DR PMB 226, C/O CHUCK IRWIN, HOUSTON, TEXAS 770193908](#)

Parcel No: [00000775360000000](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Jennifer Hiromoto	Buzz Urban Plan...	Applicant	Mailing, PO Box 38586 ...	Active

	Name	Organization Name	Contact Type	Contact Primary Address	Status
	1937 IRVING LLC	1937 IRVING LLC	Property Owner	Mailing, PO Box 38586 ...	Active

Licensed Professionals Info:

Primary	Registration Number	License Type	Name	Business Name	Business License #
---------	---------------------	--------------	------	---------------	--------------------

Total Fee Assessed: [\\$2,935.00](#)

Total Fee Invoiced: [\\$2,935.00](#)

Balance: [\\$0.00](#)

Custom Fields: Property Details

Existing Zoning	Lot Number	Lot Size (Acres)
PD	41-44	0.56
Block Number	Lot Size (Sq. Ft)	How many streets abut the property?
23/7890	24660	2
Land Use	Is the property platted?	Status of Project
Non-residential	No	Proposed
Status of Property	Previous Board of Adjustment case filed on this property	Accommodation for someone with disabilities
Non-Owner Occupied	No	No
File Date	Seleccione si necesitara un interprete	Case Number
-		-
Are you applying for a fee waiver?	Have the standards for variance and or special exception been discussed?	Has the Notification Sign Acknowledgement Form been discussed?
No	Yes	Yes
Referred by		
Self		

Internal Use Only

Source of Request	Fee Waiver Granted	Number of Parking Spaces
Self		16
Lot Acreage		
.56		

PDox Information

PDox Number

[252758](#)

Board of Adjustment Request

Type of Request	Request Description	Application Type	Other	Affirm that an appeal has been made for	Application is made to BOA to grant the described appeal	Outcome
Special Exception	Parking demand	Variance or Special Exception to Off-Street Parking and Loading Demand	PD 621 (Subarea a special exception in this PD 1A)	parking reduction-allows up to a 50% reduction as The proposed mix of uses will complement and be compatible with surrounding uses and not create a traffic hazard.		

Street Frontage Information

Street Frontage	Linear Feet (Sq. Ft) (Number)
Front	106.99
Front	180

Case Information

Full Request	Brief Request	Zoning Requirements	Relevant History	BOA History	BOA History Details
to construct and/or maintain a nonresidential structure for a restaurant, a restaurant, office, office/showroom warehouse, and "retail-related" uses, and provide 72 of the required 88 parking spaces, which will require a 16-space special exception (18.2% reduction) to the parking regulation.	special exception to the parking regulation.	requires parking to be provided.	NA	No	

Board of Adjustment Meeting

Hearing Type	Action Date	Time	Room	Panel	Presiding Officer	BOA Administrator	BOA Secretary	BOA Code Specialist	Case Assigned to	Notes	Outcome	Filing Date
			6ES	A	David A. Neumann	Jason Pool	Mary Williams	Diana Barkume		Parking reduction	Scheduled	

GIS Information

Parcel Number (Number) Service Layer Attribute Value Census Tract Number (Number) Council District School District Escarpment Floodplain

17.55

6-Laura Cadena

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Intake	Diana Barkume	Intake Complete	07/08/2026	Accela Administ...
	GIS AOR Review	Elham Elbadawi	Review Complete	07/16/2026	Elham Elbadawi
	Case Assignment	Kameka Miller-H...	Case Manager...	07/20/2026	Kameka Miller-H...
	Site Inspection		Site Inspect...	07/20/2026	Kameka Miller-H...
	Plans Distribution		Accepted - P...	07/20/2026	Kameka Miller-H...
	Subdivision Review		Not Required	07/20/2026	Kameka Miller-H...
	Q Team Review		Not Required	07/20/2026	Kameka Miller-H...
	Arborist Review		Not Required	07/20/2026	Kameka Miller-H...
	Building Code Review		Not Required	07/20/2026	Kameka Miller-H...
	Zoning Review		Not Required	07/20/2026	Kameka Miller-H...
	Electrical Review		Not Required	07/20/2026	Kameka Miller-H...
	Eng Water and Wastewat...		Not Required	07/20/2026	Kameka Miller-H...
	Historic Preservation ...		Not Required	07/20/2026	Kameka Miller-H...
	Eng Paving and Drainag...		Not Required	07/20/2026	Kameka Miller-H...
	Eng Flood Plain Review		Not Required	07/20/2026	Kameka Miller-H...
	Board of Adjustment Re...		Approved	07/20/2026	Kameka Miller-H...
	Conservation Review		Not Required	07/20/2026	Kameka Miller-H...
	Traffic Review		Not Required	07/20/2026	Kameka Miller-H...
	GIS Review		Not Required	07/20/2026	Kameka Miller-H...
	Residential Team Review		Not Required	07/20/2026	Kameka Miller-H...
	Signs Review		Not Required	07/20/2026	Kameka Miller-H...
	Plans Coordination		Review Complete	07/20/2026	Kameka Miller-H...
	Board of Adjustment He...				
	Two-Year Waiver Period				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
	BOA History	This will display in t...	Applied	06/30/2026	Notice	
	Flood Zone	Flood Zone	Applied	06/30/2026	Notice	Accela Administ...
	Flood Zone	Flood Zone	Applied	06/30/2026	Notice	Accela Administ...
	General Facts/Staff An...	This will display in t...	Applied	06/30/2026	Notice	
	Land Use	This will display in t...	Applied	06/30/2026	Notice	
	Staff Recommendation	Staff Recommendation	Applied	06/30/2026	Notice	
	Standard of Review	This will display in t...	Applied	06/30/2026	Notice	
	Timeline	This will display in t...	Applied	06/30/2026	Notice	
	Zoning	This will display in t...	Applied	06/30/2026	Notice	

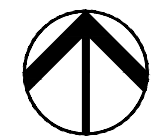
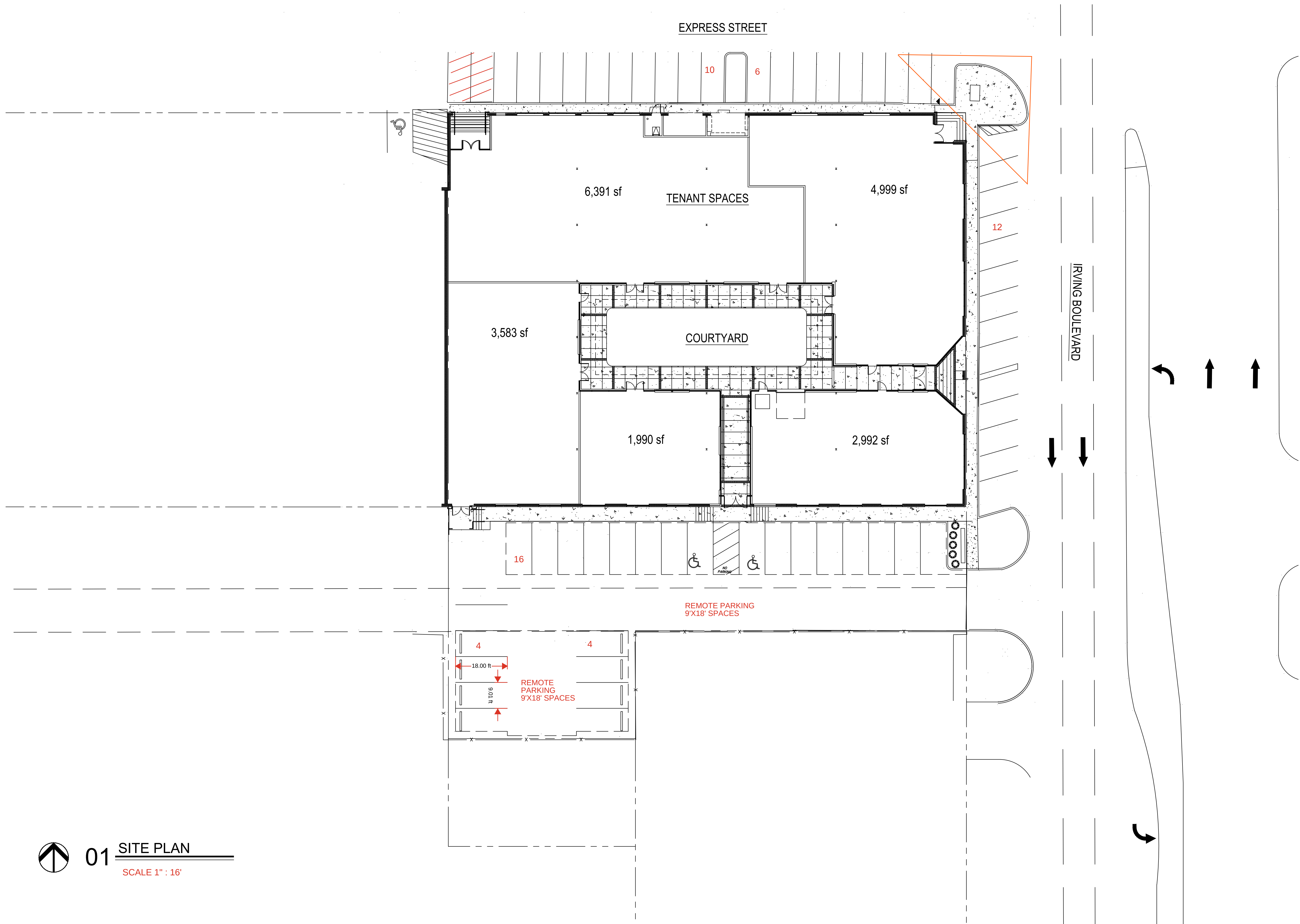
Application Comments:	View ID	Comment	Date
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Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
	Site Visit Inspection	08/03/2026		Scheduled	Scheduled via Script

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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NOTE: ALL PARKING SPACES MUST BE 9'



01 SITE PLAN
SCALE 1" : 16'

City of Dallas PD 621 Shared Parking Chart
for properties regulated by Dallas Development Code, Chapter 51A

Address: 1937 Irving

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment By Time of Day (Weekday)									
					Morning		Noon		Afternoon		Late Afternoon		Evening	
	Multifamily # units	0	1.5	0.00	80%	-	60%	-	60%	-	70%	-	100%	-
	Office-related		358	0.00	100%	-	80%	-	100%	-	85%	-	35%	-
	Retail-related	3,391	275	12.33	60%	7.40	75%	9.25	70%	8.63	65%	8.02	70%	8.63
	General merchandise	4,990	275	18.15	60%	10.89	75%	13.61	70%	12.70	65%	11.79	70%	12.70
	Furniture store	0	1000	0.00	60%	-	75%	-	70%	-	65%	-	70%	-
	Bar & Restaurant (+outside seating)	4,999	105	47.61	20%	9.52	100%	47.61	30%	14.28	30%	14.28	100%	47.61
	Warehouse/Showroom up to 20,000SF floor area	3583	1100	3.26	100%	3.26	75%	2.44	100%	3.26	65%	2.12	35%	1.14
	Warehouse/Showroom above 20,000SF floor area		4100	0.00	100%	-	75%	-	100%	-	65%	-	35%	-
	Any other use	2,992	200	15	100%	14.96	100%	14.96	100%	14.96	100%	14.96	100%	14.96
Total SF (- residential)		19,955		96		46		88		54		51		85

Therefore, **88** is the parking requirement for 1937 Irving

PD 621 Sub 1	Required	Provided	Deficit	Percent reduction
1937 Irving	88	72	-16	18.2%

Provided

Remote - Abutting building	16
Remote - Small lot	8
Delta credits	20
Irving Blvd 137'/9'	12
Express St 180'/ 9'	16

72

PREVIOUS BUILDING USE AND CONFIGURATION
TWO OFFICE/SHOWROOM WAREHOUSE SUITES
FLOOR AREA AFTER COURTYARD

24,660 SF
19,955 SF

PKG REQ
22.4 DELTA CREDITS
18.1

Proposed	Land use	SF	Pkg ratio	Pkg required
Suite A	Restaurant	4999	105	47.6
B1	Personal service	3391	275	12.3
B2	GMFS	3000	275	10.9
Suite C	Office/showroom warehouse	3583	1100	3.3
Suite D	PERSONAL SERVICE	1990	275	7.2
Suite E	Commercial amusement inside	2992	200	15.0
		19955		96.3

51A Parking

12.495

0

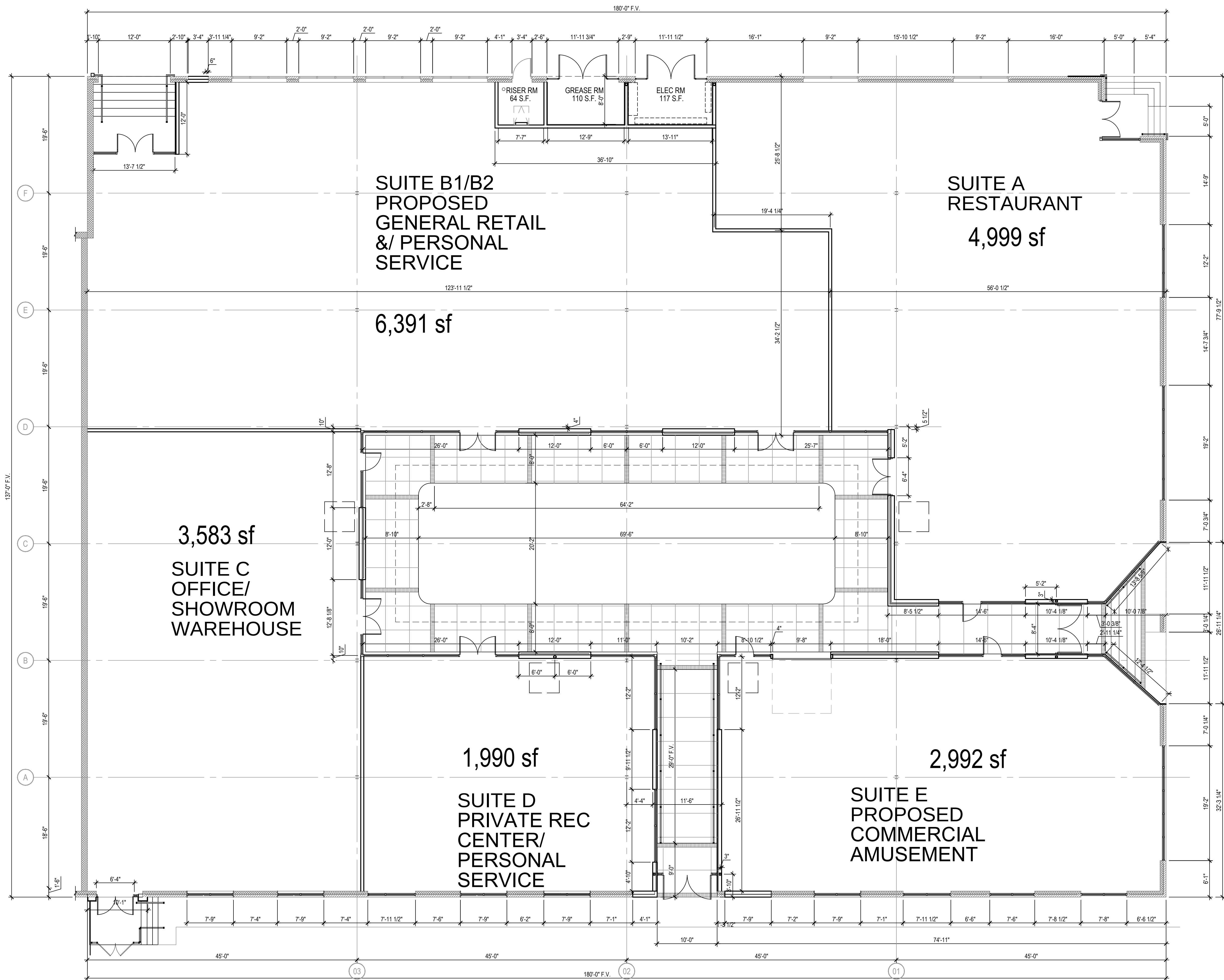
0

0

0

14.96

27.455



PROPOSED FLOOR PLAN FOR PARKING SPECIAL EXCEPTION

NCA Partners
ARCHITECTURE

5646 MILTON ST.
SUITE 610
DALLAS, TX 75206
214.361.9901
214.361.9906 FAX
ncapartners.com

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BUILDING RENOVATION TO:
1937 IRVING BLVD.
DALLAS, TX

△	DATE	DESCRIPTION
	2026-03-23	UPDATE

PRELIMINARY
THIS DOCUMENT SHALL NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION. RELEASED UNDER THE AUTHORITY OF NICHOLAS K. CADE, TBAE LICENSE #9301

NCA JOB #: 22017

LEASE PLAN

LP

126

MEMORANDUM

To: David Nevarez, P.E., PTOE, CFM
Transportation Development Services
City of Dallas

From: Lloyd Denman, P.E., CFM
Consult LD, LLC
Registered Firm F-23598

Date: September 2, 2026



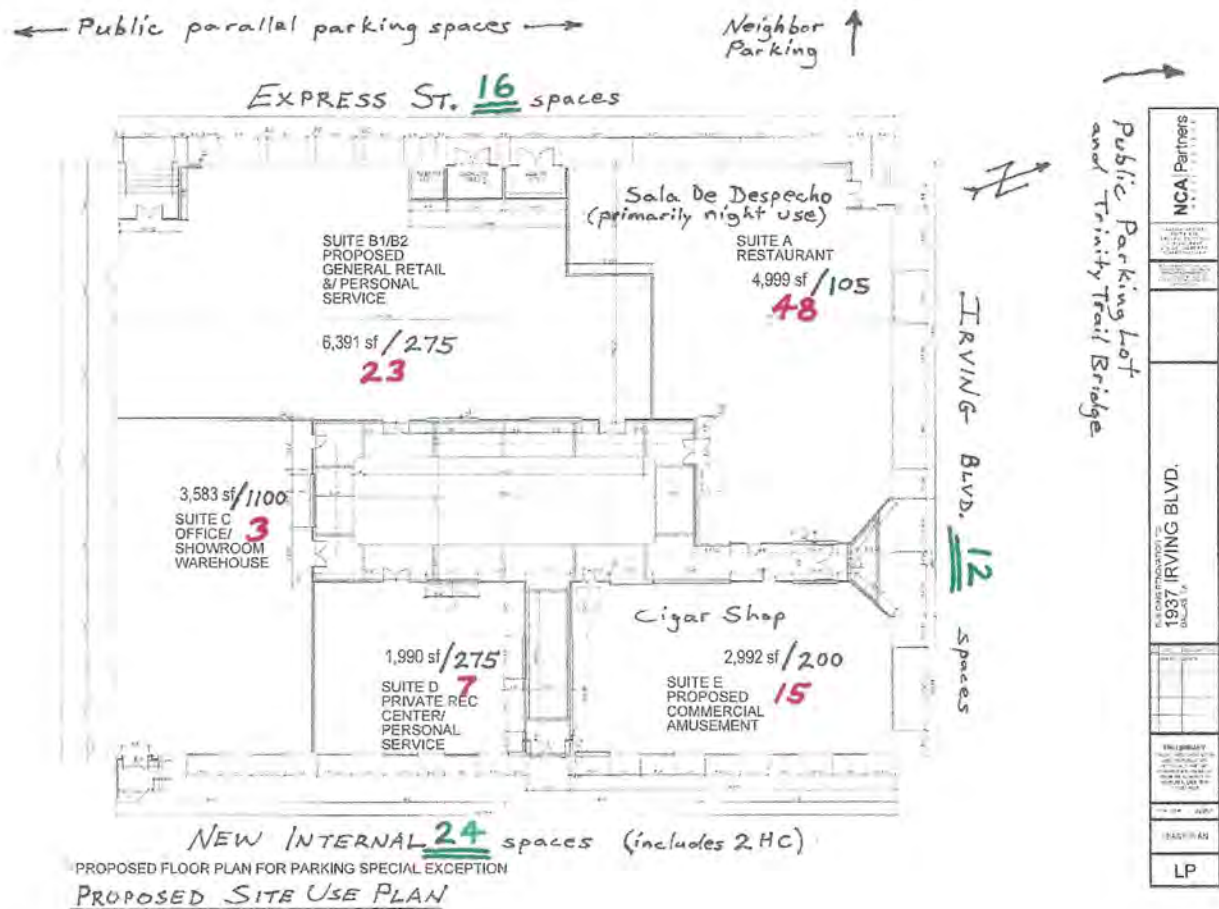
Subject: **Parking Study and Analysis for 1937 Irving Blvd.**
BOA 26-000057 Special Exception

Introduction

1937 Irving Blvd. is located west of Turtle Creek Blvd. within the area known as the Design District. The property is zoned PD 621, Subdistrict 1. The site was originally developed in the 1950s and was historically occupied by the Texas Fastener Company. 1937 Irving, LLC now owns the site and **intends to revitalize it by sub-dividing the space, decreasing the enclosed square footage to add more courtyard area, and add designated parking on the east side of the building** for a net decrease in building square footage and a significant increase in internal parking spaces. **A balanced mix of Restaurant, Retail, and Showroom use is proposed** to better utilize the repurposed and revised building spaces. The new development mix is intended to replicate other new similar mixed-use sites currently developing within the Design District. The original building had a total of 24,000 square feet and no formally marked internal parking spaces. The proposed site will have a total of 19,955 square feet and 24 new internal parking spaces. **The net reduction of the building area is 17% with a gain of 24 parking spaces.** Even so, the PD 621 Code requires more parking than is currently available because of the addition of highly parked restaurant use. The City's newly passed parking regulations would be met by the site and not require Board of Adjustment approval if not for the location within PD 621. 1937 Irving, LLC would like to utilize the allowances provided within PD 621 to reduce the required parking to create an efficient and balanced mix of uses for the site in line with current neighborhood development and transportation trends. (See **EXHIBIT 1 – Proposed Site Use Plan**)

The City of Dallas Development Code requires minimum parking associated with different land use types. PD 621 specifically allows "shared parking" to be considered as a percentage reduction of the required minimum parking for certain mixed uses. Note that the proposed restaurant use for this site would be a full-service nighttime restaurant for the 4999 square foot space in Suite A for which sufficient parking per code exists when the other daytime use suites are closed for business. **The calculated maximum parking for the proposed mix of uses is 88 spaces per City Code.** (See **APPENDIX 1 - PD 621 Shared Parking Chart**) Note that the **proposed parking layout of 72 spaces** is adequate for the morning and afternoon times of day per Code to accommodate the maximum proposed mix of uses when applying the "Shared Parking Reduction" table within PD 621.

EXHIBIT 1 – Proposed Site Use Plan



This proposed site use plan shows the available parking spaces (green#), the proposed uses for the repurposed building, and the non-shared calculated code parking for each Suite and use (red#). Note that the highest parking demand is for the nighttime Restaurant use which typically peaks during weekend evenings. The Suite A nighttime restaurant use will be valet parked. The other Retail, and Showroom uses have plenty of daytime parking and would typically be closed during the evenings. There are 24 newly constructed internal parking spaces, that include two new accessible HC spaces, along the eastern side of the building. Adding the 20 parking space “delta” credit as allowed per code brings the Total Proposed Parking to **72 spaces** (from 52) for the PD 621 overall reduction request calculation.

PD 621 Allowance for Parking Reductions and the Owner's Request

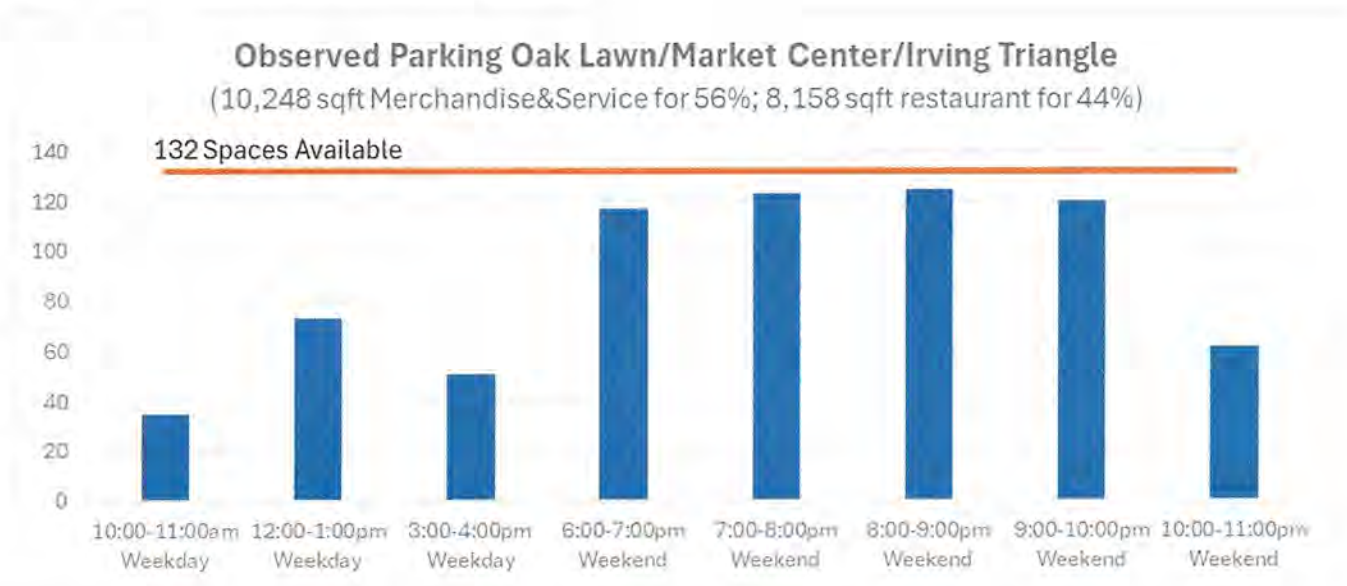
The creators of PD 621 utilized good foresight for the zoning regulations back in 2002 by realizing that the old parking minimums required for certain defined uses are not “one-size fits all”. (See **APPENDIX** Articles on Parking) PD 621 allows for the accommodation of today’s denser urban living that is less “car-centric” and the consideration of alternative modes of transportation that help reduce the need for parking. Specifically, the PD allows for “a special exception of up to 50 percent of the required off-street parking” to help “right-size” parking for dense urban projects. **1937 Irving, LLC would like to follow the PD 621 allowance language and request a reduction of 18% in parking requirements from the calculated requirement of 88 spaces to utilize the proposed layout and delta credit per code of 72 spaces.** Local observed parking data and recent mobility trends support the request as detailed below.

1212 Oak Lawn and 1617 Market Center Blvd (Pie Tap and Town Hearth) Observed Parking Data (Oak Lawn/Market Center/Irving Blvd Triangle)

Exhibit 3, on the next page, illustrates observed parking during peak use times in October of 2024 for 1212 Oak Lawn and 1617 Market Center, a triangular shaped property, which has the Pie Tap and Town Hearth restaurants and is less than one-half mile on Irving Blvd to the east of the subject site. The exhibit is annotated with comments about the observed parking data.

It is evident from the observed data that the adjacent Oak Lawn Triangle property is able to support two restaurants with its available parking and with the use of valet. It was observed while counting, and confirmed by the restaurant valet manager, that employee parking occupied a significant number of the available interior parking spaces (15% or more). It is recommended to consider more efficiently managing employee parking to provide more patron parking for the subject site when needed. The Design District as a whole is encouraging a comprehensive neighborhood approach for all the property owners to work and cooperate together for mutual benefit. There is currently a synergistic goal of common and cumulative benefit of redevelopment and new use mixes throughout the greater Design District. Granting this request would not adversely affect neighboring property since there are at least 15 public parallel parking spaces that currently exist along the west side of Express St adjacent to the site and there is a large public parking lot directly across Irving Blvd. that can easily serve as additional available parking if ever needed. The proposed mix of uses for this site will be able to successfully accommodate the parking demand without adversely impacting neighboring properties or the public streets. Utilizing valet service for the restaurant use will help ensure that parking needs are sufficiently and efficiently met. Note that there is more than adequate street volume capacity on Irving Blvd. and there is more than adequate queue length for valet parking along Express St. so that no traffic congestion or traffic safety hazard due to queue spillover would be introduced by allowing the proposed reduction of required parking as allowed by PD 621.

EXHIBIT 3 – OBSERVED PARKING NEARBY



Note that the very close by Oak Lawn Triangle property with two restaurants, Pie Tap and Town Hearth, makes it work with the 132 parking spaces available. The valet manager said if the parking spaces ever happen to temporarily fill up the restaurant has a “relief agreement” with the property to the south which helps keep the valet parking operation smooth and consistent.

Note that for the 1937 Irving Blvd site there is adequate parking available to satisfy the PD 621 City Code during mornings and afternoons for the proposed mix of uses. The use of professional valet and all of the modern alternative transportation modes will manage and offset the evening restaurant parking. Note that the Miami, FL location of the proposed “Sala De Despecho” restaurant operates successfully with no internal and no dedicated street parking and no specific restaurant valet per a conversation with the restaurant manager on July 20, 2026.

Walkability and Alternative Modes of Transportation

The parking reduction request for 1937 Irving Blvd. is also supported by a walkability analysis of nearby residential units and the current urban trend uses of alternative modes of transportation like walking, bicycling, and Uber/Alto. (See **APPENDIX** Walkability Study.) Note that the City of Dallas recently reduced and eliminated parking requirements for many areas and uses throughout the City. Although the recent reduction and elimination of parking requirements by the City of Dallas does not directly affect the project site since the property is located within PD 621, the Code change is still an indication that the old parking requirement ratios are excessive for dense urban living. And newer alternative modes of transportation are readily available today that require less parking. Examples include Uber/Lyft, E-bikes, Pedestrian Trails (Trinity Strand and new pedestrian bridge to open soon), Hotel Shuttles (Virgin Hotel), Ride shares, Robo-Taxis, and dense urban residential buildings. There are over 1000 residential units in the Factory, the Abstract, and the Camden buildings all within a five-minute walk of 1937 Irving Blvd.

Conclusion

Based on: (1) the observed parking data for similar uses adjacent to the site, (2) the allowances for parking reductions written into PD 621, (3) the utilization of valet to most efficiently park the site, (4) the similar recent introduction of restaurant use mixes to the Design District for its overall benefit, and (5) the current trends of more mobility choices and more dense urban living that together reduce the need for parking; **it is recommended that the proposed 72 parking spaces for the project site will be adequate to serve the proposed mix of Restaurant, Retail, and Showroom uses.** Furthermore, there is public parking available directly across Irving Blvd. within 150' of the site. Also, the owner has proactively negotiated extra nighttime parking area for the valet operators should it ever be needed with the Brendan Bass Showroom, the neighboring property to the west. There are also at least 15 parallel public parking spaces along the west side of Express St. Therefore, there is no risk to the public right-of-way or neighboring businesses by granting the parking request. The greater risk would be loss of new business and uses to the historical but now empty site. The accommodation of shared parking, Uber/Alto and similar ride shares including the Virgin Hotel shuttle service, availability of pedestrian and bicycle trails, availability of the public parking lot directly across Irving Blvd., and the presence of newer dense inner-city residential developments that currently include 1000+ units within a five-minute walk of the subject site have all convened at this time to help reduce the need for parking and support the proposed mix of uses for the subject site. The proposed plan to revitalize, repurpose, and reconstruct the existing building site to decrease the building area and add new parking spaces and park the site within the allowances of PD 621 will provide mutual benefits to the property owner/operator, the neighborhood, and the City of Dallas. "Right-sizing" and "right-mixing" the proposed uses of the existing and reconstructed building to more fully utilize the project site to its potential **will not create a traffic hazard or increase traffic congestion** on adjacent or nearby streets because no spillover effect of queueing or parked cars is expected to occur and the roadways have exceedingly more than adequate traffic capacity.

APPENDIX

- PD 621 Shared Parking Chart and Parking Site Plan
- Walkability Study within a five minute walking distance of 1937 Irving Blvd.
- Annotated Articles: "The Parking Problem – Why Cities Overbuilt Parking Spaces" 9-30-2023
"Parking Generation... Park +" by Kimley-Horn May 2016
- Capacity Charts/Counts for Irving Boulevard

City of Dallas PD 621 Shared Parking Chart
for properties regulated by Dallas Development Code, Chapter 51A

Address: 1937 Irving

Use	Use Categories	Total SF (including vacancies)	Parking Ratio	Standard Parking Requirement	Parking Adjustment By Time of Day (Weekday)						
					Morning	Noon	Afternoon	Late Afternoon	Evening		
	Multifamily # units	0	1.5	0.00	80%	-	60%	-	70%	-	100%
	Office-related		358	0.00	100%	-	100%	-	85%	-	35%
	Retail-related	3,391	275	12.33	60%	7.40	75%	8.63	65%	8.02	70%
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	Furniture store	0	1000	0.00	60%	-	75%	-	65%	-	70%
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	Warehouse/Showroom above 20,000SF floor area		4100	0.00	100%	-	75%	-	65%	-	35%
	Any other use	2,992	200	15	100%	14.96	100%	14.96	100%	14.96	100%
	Total SF (- residential)	19,955		96	46	88		54		51	85

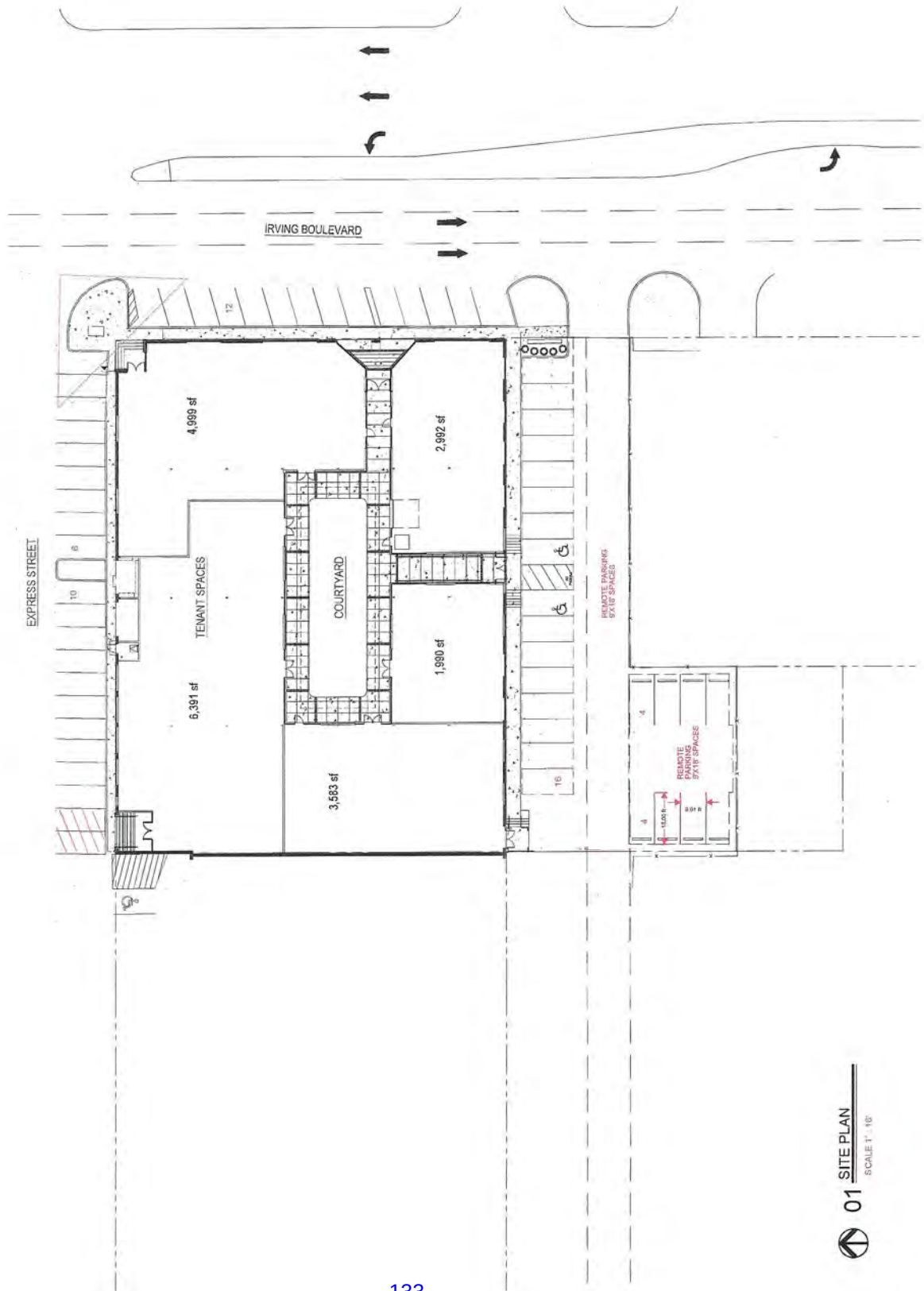
Therefore, **88** is the parking requirement for 1937 Irving

PD 621 Sub 1	Required	Provided	Deficit	Percent reduction
1937 Irving	88	72	-16	18.2%

Provided	
Remote - Abutting building	16
Remote - Small lot	8
Delta credits	20
Irving Blvd 137'9'	12
Express St 180'9'	16
	72

NOTE: ALL PARKING SPACES MUST BE 9'

PARKING- SITE PLAN



WALKABILITY STUDY

According to statistics listed on the Dallas Design District Property Brochure, by “DunhillProperties.com”, there are approximately 20,000 residents that live within one mile, or a 10 to 20 minute walk, of the Dallas Design District. Even closer within the Design District and to **1937 Irving Blvd., within a 5-minute walk or less, are three large multi-family communities that total over 1000 units.** (See annotated map attached) According to the Federal Highway Administration, “Most people are willing to walk for five to ten minutes, or approximately ¼ to ½ mile” to reach a destination. (See FHA Pedestrian Safety Guide attached)

The close proximity within a five to ten-minute walk of so many residential units certainly helps decrease the parking demand for patrons that would frequent the subject site for Restaurant uses. (Walk times were physically verified by Lloyd Denman, P.E. during the parking observations made July 18, 2026.) There is also a free hotel shuttle at the Virgin Hotel (268 rooms) that ferries guests within a 3-mile radius of the hotel to and from restaurants and other attractions.

Note the new Pedestrian Bridge to open soon



1064 Multi-Family Units within a
5 minute walk or less

Safety

Pedestrian Safety Guide for Transit Agencies

[< Previous Table of Content Next >](#)

Chapter 4: Actions to Increase the Safety of Pedestrians Accessing Transit

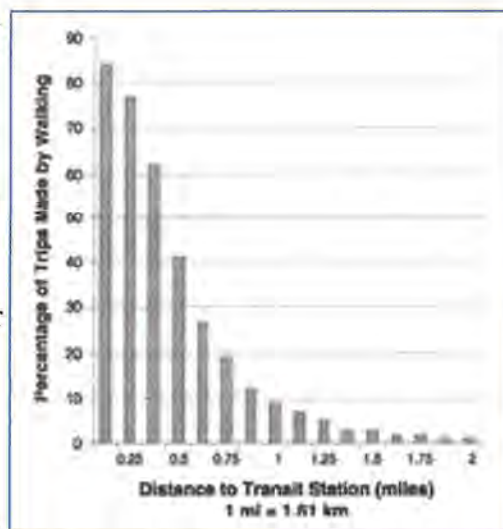
Understanding pedestrian characteristics and facilities (e.g., sidewalks, crosswalks, pedestrian signals, etc.) is an important step in providing safe access to transit systems. This section introduces basic pedestrian safety concepts to help readers understand issues, solutions, and resources that are presented in other parts of this guide. Concepts addressed in this chapter include:

- Typical walking distance to transit.
- Motor vehicle speed and pedestrian safety.
- Pedestrian characteristics and behavior.

A. Typical Walking Distance to Transit

Most people are willing to walk for five to ten minutes, or approximately $\frac{1}{4}$ - to $\frac{1}{2}$ -mile to a transit stop (see figure below). However, recent research has shown that people may be willing to walk considerably longer distances when accessing heavy rail services. Therefore, in order to encourage transit usage, safe and convenient pedestrian facilities should be provided within $\frac{1}{4}$ - to $\frac{1}{2}$ -mile of transit stops and stations, and greater distances near heavy rail stations. Note that bicyclists are often willing to ride significantly further than $\frac{1}{2}$ -mile to access rail transit stations, so safe facilities should be provided for bicycling within a larger catchment area around transit hubs.

Transit route spacing and location are important considerations for pedestrian access to transit. For example, in a city with a regular street grid pattern of streets, appropriate stop spacing can be achieved when transit routes are spaced between $\frac{1}{2}$ - to 1-mile apart. If the stops on these routes are spaced $\frac{1}{8}$ - to $\frac{1}{4}$ - mile apart, then a majority of the people in the neighborhoods served by the transit system will be within $\frac{1}{4}$ - to $\frac{1}{2}$ -mile of a transit stop.⁷⁰



B. The Effect of Motor Vehicle Speed on Pedestrian Safety

Pedestrians accessing transit stops and stations must often walk along or cross roadways that carry motor vehicle traffic. Pedestrians may feel less comfortable and safe as nearby motor vehicle speeds increase. The faster a driver is traveling, the more difficult it is to stop (see figure below).⁷¹ Larger vehicles, such as buses and trucks require even longer stopping distances.

The Parking Problem: Why Cities Overbuilt Parking Spaces

by [Lauren Palmer](#) | Sep 20, 2023 | [Land Use](#), [Transportation](#), [Urban Planning](#) | [0 comments](#)

The [Institute of Transportation Engineers](#) (ITE) was founded in 1930 with the goal “to improve mobility and safety for all transportation system users and help build smart and livable communities.” The idea behind the ITE was to help developers with roadway design, traffic management, and parking requirements. However, the ITE has created more problems, particularly when it comes to parking. For decades, the ITE recommended parking minimum requirements ill-suited for the municipalities implementing them.

The primary issue with parking recommendations from the ITE is that the studies they relied on were based on [selective data](#). For instance, in the 1987, second edition of the ITE’s *Parking Generation*, the ITE created half of their parking generation rates based on just four or fewer studies that were conducted in suburban areas. Researchers conducted these studies during times of peak parking demand and in areas where there was plenty of free parking and little to no use of public transit.

This led urban planners in cities to use suburban rates to set parking requirements that were incompatible with urban environments, resulting in excessive amount of parking in some areas. This created a circular planning process that has only exacerbated issues. It goes something like this:

1. The ITE published their findings in *Parking Generation* using the selective suburban data,
2. City urban planners set parking requirements based on those findings,
3. Developers implemented those parking plans,
4. The resulting ample supply of parking drove the price of parking in specifically designated lots down to zero,
5. Because of the massive amount of land used to create these parking specifications, cities saw decreased walkability and density of facilities,
6. The sprawl, combined with the plethora of free parking options, led to increased vehicle usage,
7. The increased parking demand again validated the ITE’s findings.

And the cycle repeats. This process has, unsurprisingly, resulted in an overabundance of parking. In the United States, surface parking lots alone cover more than five percent of all urban land, representing an area greater than the states of Rhode Island and Delaware combined.

To be clear, the ITE is not solely to blame. As mentioned in *Rethinking A Lot*, urban planners and policymakers frequently rely on the recommendations provided by the ITE for parking requirements without ensuring their accuracy for their respective municipalities. The ITE has an inherent authority that makes planners regard its findings as valid, precluding in planners’ minds the need for further inquiry. The use of ITE’s manuals also allow public officials to avoid responsibility for excessive parking lots.

Due to a lack of planning and engaging the proper parties involved in parking use and development, inaccurate parking demands arise. While [urban planners](#) readily observe this problem, they often fail to take the necessary steps to actually address it. Even municipalities directly contribute to the overabundance of parking by offering free spaces, which inevitably fill up quickly, and then opting to add more parking, which creates an overabundance without addressing the root problem.

Municipalities also look to other authorities, such as the [Urban Land Institute](#) (ULI) for parking guidance. However, the ULI has many of the same problems as the ITE. ULI reports have recommended an excessive amount of parking, with some ULI reports calculating a "need" for more spaces than ITE reports. Municipalities cannot blindly rely on these institutions to supply perfectly accurate data. Municipalities need to measure parking demands with the "ongoing data analysis, community assessment, and demand analysis" that is most relevant to them.

The ITE, recognizing that municipalities still rely on its findings, is also attempting to fix the situation by adapting and changing the new [Parking Generation](#) manuals. The most recent, the 2019 *Parking Generation Manual*, features land use descriptions and data plots of a variety of available land uses, time periods, and independent variables in the ITE database. The parking database is now broken up into settings that include "Multi-Use Urban" and "Center City Core," which work to pinpoint the most relevant studies for specific cities' needs. The goal of this manual is to help describe the relationship between parking demand and the characteristics of the individual development site.

Donald Shoup, Professor in the Department of Urban Planning at UCLA, recommends that the ITE follow in the footsteps of the British counterpart to *Trip Generation*, the "Trip Rate Information Computer System." This system gives information about the characteristics of every surveyed site and its surroundings, which would allow municipalities to use comparable sites before making land use decisions.

Despite the empirical evidence surrounding the overabundance of parking, as well as its deleterious environmental effects, few municipalities are changing parking requirements and financiers still pass on projects that "don't have enough parking," even with the new ITE recommendations.

One successful technique is [shared parking](#), a parking management tool that communities can employ when setting parking requirements. Different types of land uses attract customers, workers, and visitors during different times of the day, which results in differing peak parking demand hours for the related land uses. Shared parking takes advantage of these varying demand patterns and allows adjacent land uses with complementary peak demands to share a parking lot space. This not only encourages centralized parking rather than scattered lots, but also reduces overall construction costs which could greatly benefit both municipalities and developers.

Several municipalities have implemented shared parking, including **Ventura, CA** which has a zoning ordinance that permits different land uses to have shared parking because of opposite peak parking demand periods. The shared parking is allowed to satisfy one hundred percent of the minimum parking requirements for each land use. Similarly, **North Kansas City, MO**, by permit, allows a reduction of the number of parking spaces multi-use developments need to have if they have different peak parking demand periods.

Finally, in **West Hartford, CT**, the zoning code provides an alternative method of meeting parking requirements. So long as the applicant seeking to enter into a shared parking agreement can prove the lot would be convenient for all parties and would not cause traffic congestion, it can get approved. The municipality has since consolidated many parking lots down for shared use.

To truly reverse the detrimental impacts of the old ITE reports on the development of cities, urban planners and lawmakers will need to implement a multi-faceted approach. In addition to conducting their own parking studies based on the proposed uses and characteristics of the community, urban planners and lawmakers should focus on enhancing multi-modal transit and implementing shared parking. Parking minimums need to be eliminated and more parking maximums need to be developed. Focusing on the parking demands of individual development sites will help stop the cycle of creating unnecessary parking and meet parking demands in a smarter and more efficient manner.

Parking Generation—

Replacing Flawed Standards
with the Custom Realities of **Park+**

WHITE PAPER SERIES

May 2016

#3
vol.

Kimley»Horn

Expect More. Experience Better.



Park+

Unlimited Parking Solutions

Introduction

For the longest time, our industry's approach to defining "How much parking?" has been relegated to the use of national parking requirement standards, either from the Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), or local code requirements. Anyone who has read the workings of Donald Shoup, or more recently Richard Willson, knows the fallacy in using these sources when designing downtown or campus parking systems.

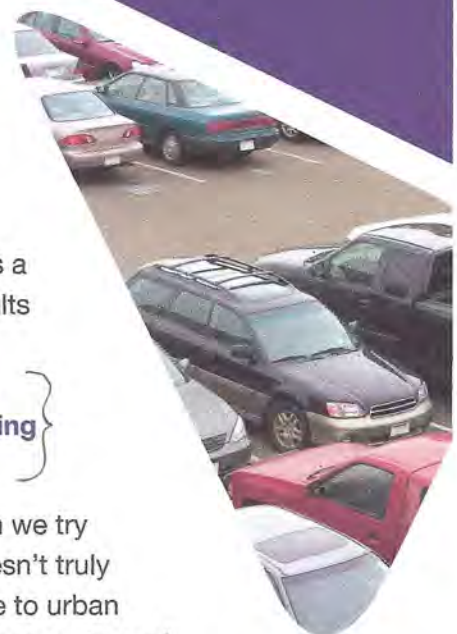
National parking requirement standards are based on outdated and under-represented data, which tend to skew wildly from the actual parking needs of a community. In my years as a parking consultant, I've very rarely completed a single downtown parking study where the peak observed parking demands consumed the majority of the total parking spaces. A study completed in Dallas a few years ago yielded some 30,000 empty parking spaces at peak. Similar results were found in Atlanta, Houston, St. Petersburg, Seattle, and the list goes on.

When communities plan downtowns based on outdated suburban design standards, we achieve the same inevitable results—empty, restricted parking areas that deaden the density, walkability, and vitality of urban areas.

The parking quantity question is always a challenging exercise, especially when we try to solve it using inaccurate data. Most times, we rely on outdated data that doesn't truly represent the real context of our downtowns. As more and more people migrate to urban areas, the dynamics of how they get around and their relationships with cars change. As such, we've seen a drastic downshift in the need to provide parking. But our planning tools have not evolved to better align with this shift.

Equally challenging is deciding how the parking characteristics in one community compares to another community. In reality, it's hard to define how one neighborhood acts compared to another. Here in Phoenix, the Roosevelt neighborhood, home to the area's up-and-coming artists and requisite "hipsters," enjoys a higher amount of transit, walking, and cycling than most other parts of the city. In turn, the overall demand for parking is lessened as area residents and patrons find other ways to access the uses within the area. In my neighborhood, you almost can't survive without the use of a car to work, shop, and play. This variability exists in every city and is the reason it's absurd to continue leaning on archaic, cookie-cutter methods to plan for parking.

This question is the central reason we created Park+ — to find a way to localize the analysis of parking demand and challenge the conventional notion that all parking demand is created the same. Within this white paper we summarize the findings of the first five years of Park+ modeling and define the dynamic nature of each community served. In our time developing, testing, and applying this model, we have encountered an incredible diversity of data and outcomes in each community. In the following sections, we'll walk through those results, as well as the more global movement afoot in our industry.



Unfortunately, those data points are routinely applied in areas they should not be. I've seen exercises where entire swaths of a downtown are planned with these metrics, resulting in over-built facilities. In some cases, it's a lack of understanding of the context the development is occurring in. In other cases, it's a requirement of financial institutions that are backing a development. Whatever the cause, a better understanding of the true dynamics of a development and the area it serves produces better results.

In recent years, urban planners have begun to lean more and more on these decisions as a primary reason that downtowns and communities don't work. One of my favorite terms in the industry is the "parking crater," which was coined by the website Streetsblog and its editor Angie Schmitt. In fact, that website holds an annual March Madness tournament, with a full-on bracket to determine the worst parking crater of that year. The parking crater is a portion of a downtown that has been hollowed out by the presence of large surface parking lots. Whether these are highly or poorly utilized, they deaden a downtown, its walkability, and most importantly its viability.

If asked, many people would say the provision of ample parking makes our cities more desirable. But in fact, ample parking promotes single occupancy vehicle trips and impedes the ability for our communities to develop and grow. Pedestrian walkability, dense design, and connectedness are extremely important for the success of a community. Large areas of parking tend to counter these tenets and disrupt the ability for a community to work properly. This is only exacerbated by the over-provision of parking.

Clearly, something must be done...

Right-Sized Parking

Recently in the planning arm of the parking industry, we've seen a very distinct shift toward finding the right amount of parking for a downtown, campus, study area, development, etc. This movement is aptly dubbed the Right-Sized Parking movement. The name speaks for itself, as the intent is to determine the correct amount of parking to serve an area without over- or under-burdening area patrons.

Too much parking tends to be an expensive endeavor. In today's world where more and more parking is found in consolidated structures, the cost to build a single space can range from \$8,000 to \$40,000, or more. This price is astronomical and is a primary contributing reason that rents are increasing and the cost of living in urban areas is skyrocketing. In King County¹, WA, a recent study searched to find the answer to the right-size for multi-family housing parking. The result of that large-scale effort was...it depends.

¹ Visit rightsizeparking.org to learn more and to play with their awesome right-size parking calculator



That result may seem nebulous, but in reality it's the most accurate response that could have emerged from such a study. The data indicated that a number of factors—location, access to transit, employment density, walkability, population demographics—were responsible for the parking demand characteristics of a multi-family development. In short, people tended to adapt to their environment, and their driving (and car ownership patterns) adapted right along with them.

Unfortunately, in a lot of those instances, the provision of parking did not adapt. Instead, developers continued to provide parking as if every location was the same, and the result was a high amount of underutilized parking. The data showed that in the heart of Seattle (the most urbanized area in the county), the parking demand was at or below 0.5 spaces per unit. In the far reaches of the county, the ratio was closer to 1.5 spaces per unit.

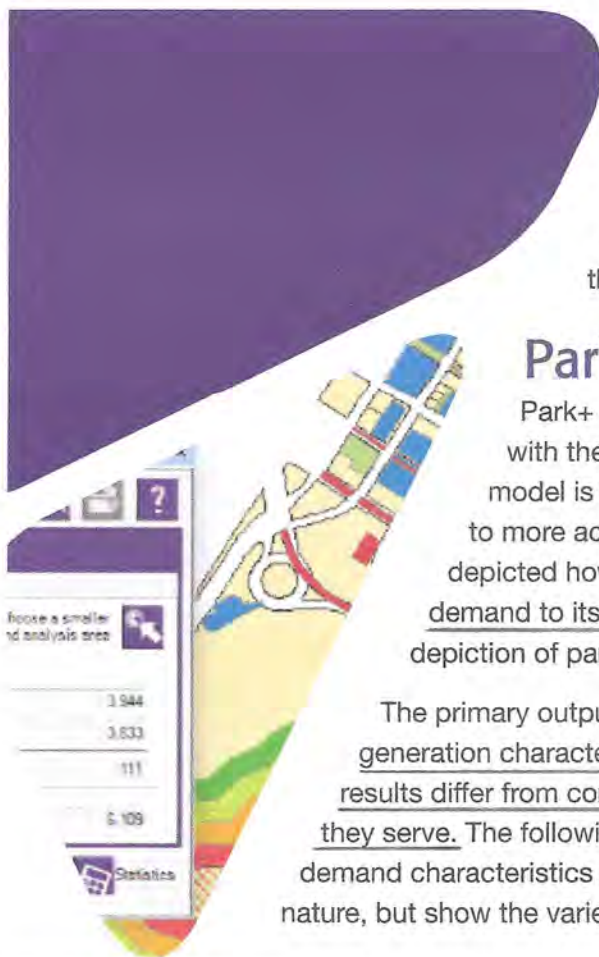
This analysis has borne some incredible outcomes. First, many developers in the King County area have begun to lessen their parking capacity as a result of this analysis, basically “right-sizing” their supply. That in and of itself is a win and would deem the effort a success. However, the study also pushed communities in the King County area to reassess their parking requirements, helping to define right-sized parking at the review level. Even more incredibly, King County transit has now begun to pursue empty parking spaces in multi-family housing complexes to serve as park-and-ride spaces for transit riders.

It's very exciting to see the results coming out of King County. They spent a tremendous amount of time and effort to collect viable data and determine how their community works. The project was well funded by the Federal Highway Administration and led by a brilliant young planner² whose mission is to prove the fallacy of poor parking planning. But how about the communities not funded by FHWA...how do they learn more about the true nature of their parking systems?

Park+ and Right-Sized Parking

Park+ —the Kimley-Horn parking scenario planning tool — was created with the intention of right-sizing parking in the communities we serve. The model is built on an algorithm that matches parking demand with land uses to more accurately depict parking behavior. Previous white papers (xxx) have depicted how this relationship works, but in simplistic terms, we match parking demand to its origin using localized data. The result is a much more accurate depiction of parking demand in the environments our models serve.

The primary output of a calibrated Park+ dataset is a unique set of parking generation characteristics that represent the dynamic nature of a community. These results differ from community to community and are a direct reflection of the areas they serve. The following tables and figures provide a representative sample of parking demand characteristics and geographic demand metrics. These are only representative in nature, but show the varied results that come from Park+ modeling exercises.



² Dan Rowe of King County Metro. If you ever meet him at a conference, engage him about parking...you won't be sorry.

CONGESTION LOOK - IRVING BLVD IS COMMUTER

Note that Irving Blvd is a 6-Lane Divided Thoroughfare with traffic counts at less than 1/2 capacity. The traffic counts show well defined AM and PM peaks which indicate commuter traffic primarily uses the road rather than local traffic. The area needs commuters to stop and patronize businesses like restaurants rather than just passing through.



Irving Blvd – Note afternoon peak wb reflects commuter traffic out from downtown AND traffic drops considerably after 6:00pm when prime dining hours begin.



Irving Blvd – Note morning peak eb reflects commuter traffic towards downtown AND traffic drops considerably after the morning am peak.

1937 IRVING BLVD.

CITY OF DALLAS STREET DESIGN MANUAL ROAD CAPACITIES

2.2.9 Street Volumes and Capacities

A correlation exists between the classification of a street and the volume and capacity of the street. Typically, a local or collector street carries less volume and capacity than that of an arterial street. Arterial streets due to their higher volume and capacities are designed with a wider, divided, multi-lane configuration. Table 2.2 shows typical volumes and capacities for streets of given designs within Dallas and demonstrates the relationship between functional classification, roadway configuration, volume, and capacity.

Table 2.2 Typical Volumes and Capacities for Streets of Given Design

Roadway Functional Classification	Roadway Configuration	Typical 24 Hour Volume	Typical 24 Hour Capacity
Arterial	6 Lane Divided	22,000 vpd ¹	42,000 vpd
Arterial, Collector	4 Lane Divided	18,500 vpd	28,000 vpd
Collector	4 Lane Undivided	10,000 vpd	20,000 vpd
Local, Collector	2 Lane Undivided	4,000 vpd	10,000 vpd

Irving Blvd at Turtle Creek is a 6 Lane Divided **Arterial (17,400 count vs 42,000 capacity)**

Note that Irving Blvd. is less than 1/2 capacity so volume congestion is not a concern. NCTCOG traffic count west of Turtle Creek was 17,404 vpd on May 11, 2006.



Agenda Information Sheet

File #: 26-2946A

Item #:

AGENDA DATE: September 15, 2026
PANEL: A
COUNCIL DISTRICT(S): 11
DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Scott Clements for (1) a special exception to the fence height regulations, for (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach at 6632 CHURCHILL WAY. This property is more fully described as Block 2/7459, Lot 3, and is zoned R-16(A), which limits the height of a fence in the front yard to 4-feet, requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires a 20-foot visibility triangle at the driveway approach. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require (1) a 4-foot special exception to the fence height regulations, to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require (2) a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach along Churchill Way, which will require (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach. **This case was held under advisement on July 14, 2026.**

Location: 6632 CHURCHILL WAY

Applicant: Scott Clements

Senior Planner: Bryant Thompson

Request(s): (1) a special exception to the fence height regulations, for (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 20-foot visibility obstruction regulation at the driveway approach.

Staff Recommendation: No staff recommendation.

BOA-26-000026

FILE NUMBER: BOA-26-000026(BT)

BUILDING OFFICIAL'S REPORT: Application of Scott Clements for **(1)** a special exception to the fence height regulations, for **(2)** a special exception to the fence opacity regulations, and for **(3)** a special exception to the 20-foot visibility obstruction regulation at the driveway approach at **6632 CHURCHILL WAY**. This property is more fully described as Block 2/7459, Lot 3, and is zoned R-16(A), which limits the height of a fence in the front yard to 4-feet, requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires a 20-foot visibility triangle at the driveway approach. The applicant proposes to construct and/or maintain an 8-foot-high fence in a required front-yard, which will require **(1)** a 4-foot special exception to the fence height regulations, to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require **(2)** a special exception to the fence opacity regulations, and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway approach along Churchill Way, which will require **(3)** a special exception to the 20-foot visibility obstruction regulation at the driveway approach.

LOCATION: 6632 Churchill Way

APPLICANT: Scott Clements

REQUEST:

- (1) a special exception to the fence height regulations,
- (2) a special exception to the fence opacity regulations, and
- (3) a special exception to the 20-foot visibility obstruction regulations at the drive approach.

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

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

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, the special exception will not constitute a traffic hazard.

STAFF RECOMMENDATION:

Special Exceptions (3):

No staff recommendation are made on these requests.

BACKGROUND INFORMATION:

Zoning:

Site: R-16(A)
North: PD-218 & R-1ac(A)
East: R-16(A)
South: R-16(A)
West: R-16(A)

Land Use:

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

BDA History:

No BDA history has been found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Scott Clements for the property located at 6632 Churchill Way focuses on three requests relating to the fence height regulations, fence opacity regulations, and visual obstruction regulations.
- The first request, the applicant is proposing to construct and maintain an 8-foot-high fence in a required front-yard, which will require a 4-foot special exception to the fence height regulations.
- The second request, the applicant is proposing to construct and maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5-feet from the front lot line, which requires a special exception to the fence opacity regulations.
- The last request, the applicant is proposing to construct and maintain a fence in a required 20-foot visibility obstruction triangle at the driveway approach along Churchill Way.
- Per staff site visit, fencing exists, with landscaping and multiple cameras.
- Subject site is located at what staff is referring to as a transition point along Churchill Way. The street frontage transitions from 2 lanes divided with curbs and gutters to single lane traffic with no curbs and gutters.
- In addition, sidewalks are only located on the subject site side of Churchill Way.
- Access is prohibited along Churchill Way to the north (PD-218) at the 2-lane divided section; however, access to R-1ac(A) along Churchill Way to the north is allowed.
- It is imperative to note that on the south side of Churchill Way and to the east no fencing; however, to the west fencing and vegetation provided for both R-16(A) and R-1ac(A) sites.
- PD-218 is a gated community.

- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations relating to height and opacity will not adversely affect the neighboring properties.
- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations will not constitute a traffic hazard.
- Granting the special exceptions to the fence height and opacity regulations and visual obstruction regulation with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video: [BOA-26-000026 at 6632 Churchill Way](#)

Timeline:

June 5, 2026:	The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
June 9, 2026:	The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A .
June 22, 2026:	The Planning and Development Senior Planner emailed the applicant the following information: • an attachment that provided the public hearing date and panel that will consider the application; the 1:00 pm, June 26, 2026, deadline to submit additional evidence for staff to factor into their analysis; and 1:00 pm, July 2, 2026, deadline to submit additional evidence to be incorporated into the board's docket materials. • the criteria/standard that the board will use in their decision to approve or deny the request; and • the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
June 30, 2026:	The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the July public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.
July 15, 2026:	The Board of Adjustment Panel A , at its public hearing held on Tuesday, July 15, 2026, moved to HELD this request under advisement until September 15, 2026 .
July 15, 2026:	The Board of Adjustment staff emailed the applicant the following information:

- the **1:00 pm, September 4, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.

July 16, 2026: Email exchange between BOA staff and Northeast District Office.

August 20, 2026: The Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information:

- the **1:00 pm, September 4, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.

August 31, 2026: The applicant, BOA staff and Northeast District Office staff meet onsite.

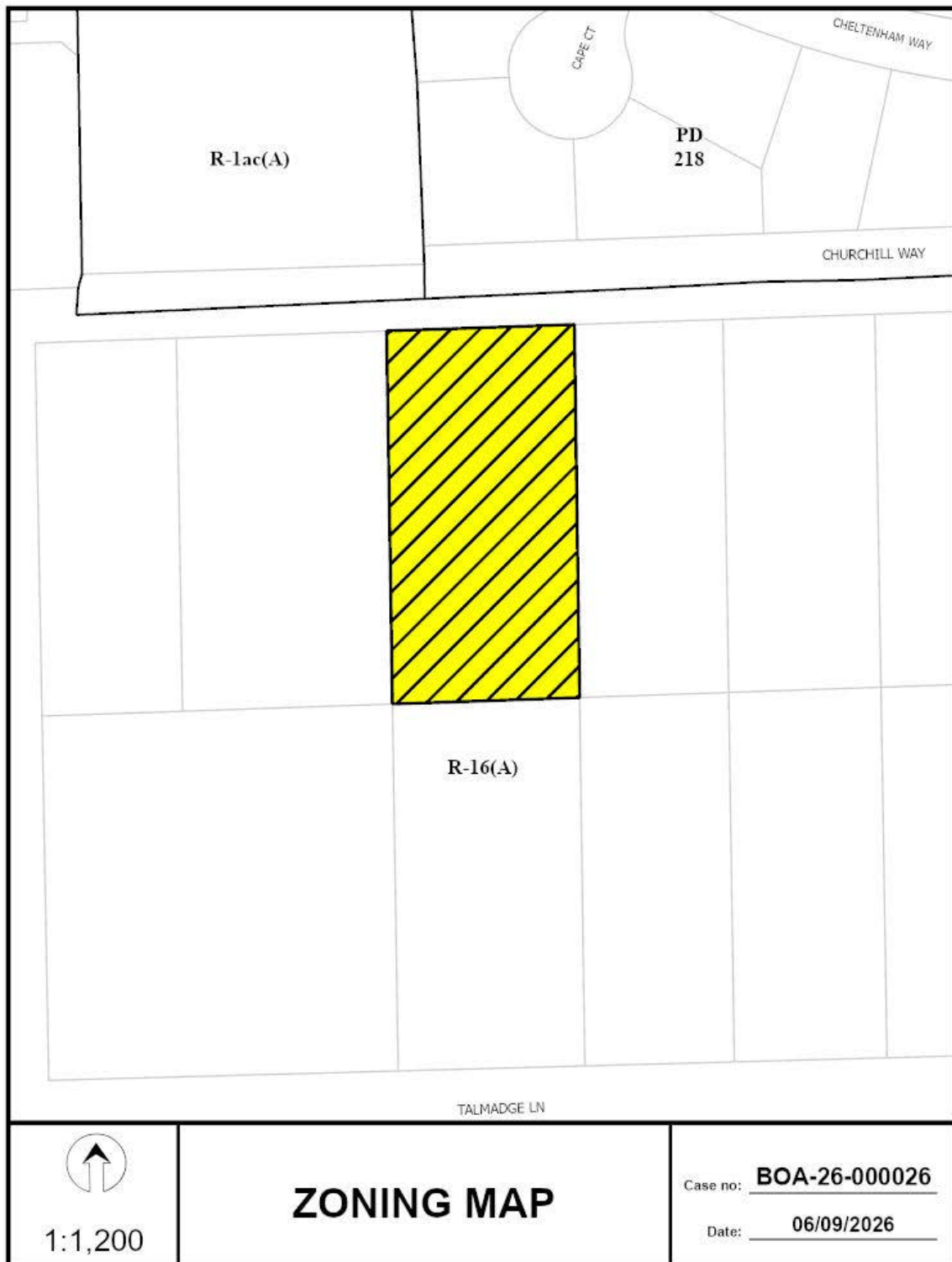


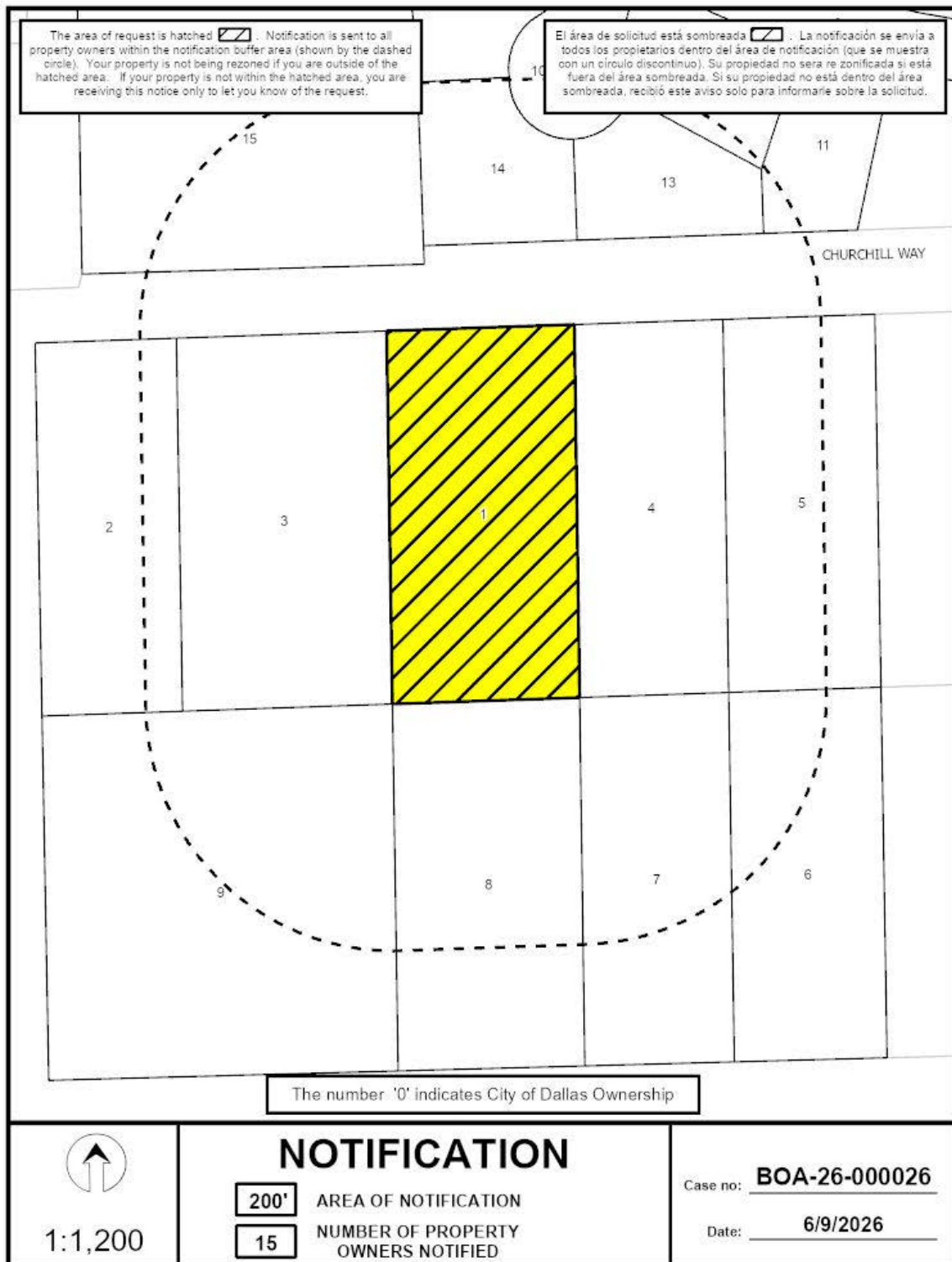
Planning & Development Department

320 E Jefferson Blvd, Dallas TX 75203
(214) 948-4480

BOARD OF ADJUSTMENT REFERRAL FORM	
Referred by: M.GARCIA	Date: 03/02/26
Department: DEVELOPMENT	
Phone/Email: MARLENE.GARCIA@DALLAS.GOV	
Manager signature:	
Consulted with:	
☒ Applicant	
☐ Representative	
☐ Owner	
Name: Brad Nash	
Phone/Email: 940-395-1289 bnash@ratliffhardscape.com	
Property Information Residential	
Address: 6632 Churchill Way	
Lot: 3	
City Block: 2/7459	
Zoning Classification: R-16(A)	
Issues that require Board action	
List the City of Dallas Development Code(s) this project is non-compliant with:	
Check all that apply: ☐ Variance ☐ Special Exception	
☒ Yard setback	
☐ Lot Width	
☐ Lot Depth	
☐ Lot coverage	
☐ Floor area for accessory structures for single-family uses	
☐ Height	
☐ Minimum width of sidewalk	
☐ Off-street parking	
☐ Off-street loading	
☐ Landscape regulations	
☒ fence height and/or standards (	
☐ Visibility triangle obstructions	
☐ Parking demand	
☐ Additional dwelling unit (not for rent) ☐ Accessory dwelling unit (for rent)	
☐ Carport	
☐ Non-conforming use or structure	
☐ Administrative Official Appeal	
☒ Other: fence panel with a surface area that is less than 50 percent open area located less than five feet from the front lot line.(STUCCO)	
Description: Applicant wants a fence over 4ft that is less than 50 percent open(solid) in the front yard setback including a wood fence over 4ft tall on the sides front yard setback.	
Alternative resolutions discussed/offered:	







Notification List of Property Owners

BOA-26-000026

15 Property Owners Notified

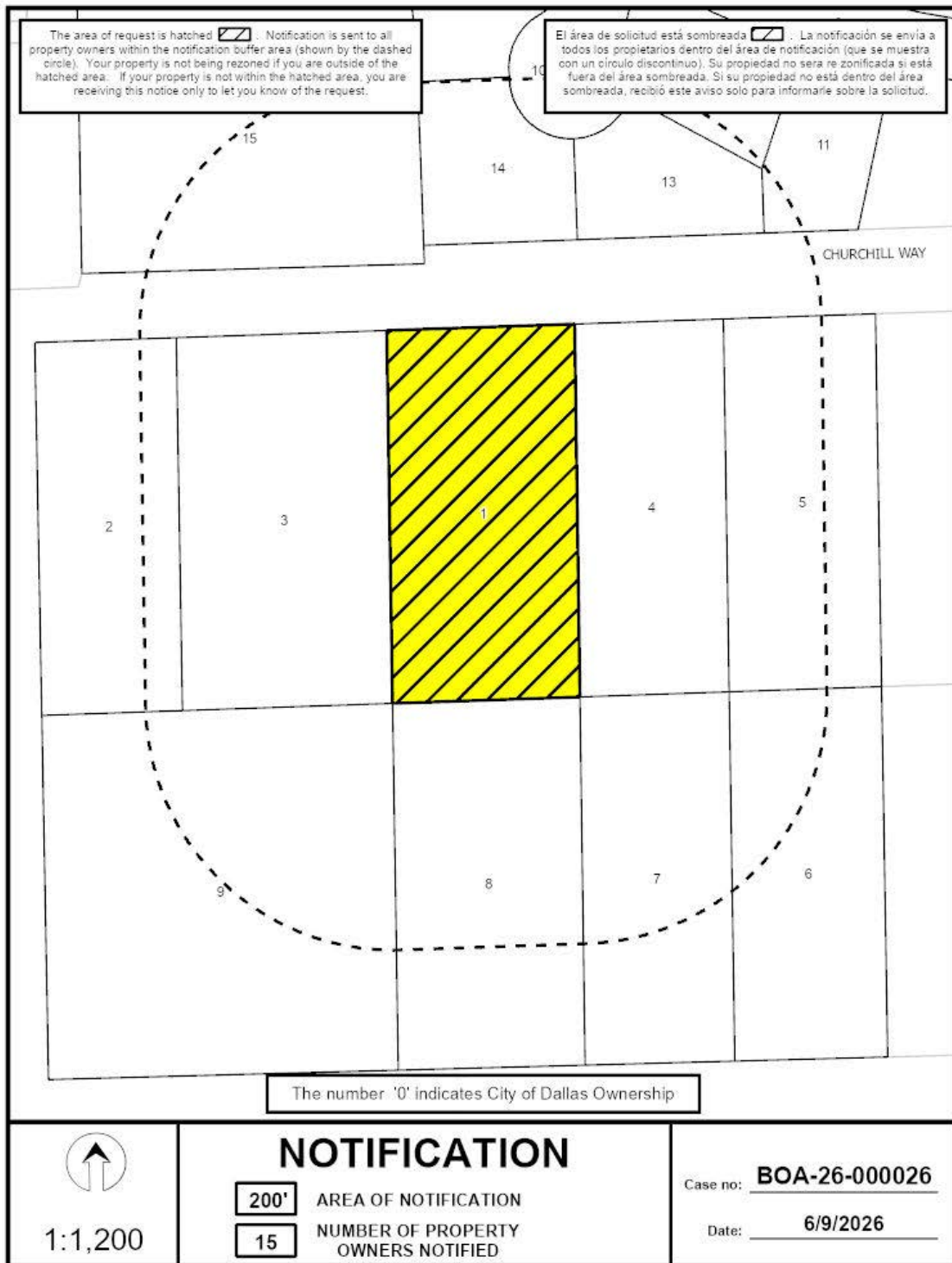
Label #	Address	Owner
1	6632 CHURCHILL WAY	BLACK PEARL LLC
2	6606 CHURCHILL WAY	BUSBOOM DOLORES C
3	6620 CHURCHILL WAY	SCHROEN WALTER HANS PAUL &
4	6706 CHURCHILL WAY	EAGLE JAMES DARREN &
5	6716 CHURCHILL WAY	STREET MARIEL
6	6717 TALMADGE LN	SHAW NEIL & PATRICIA
7	6707 TALMADGE LN	SHAW NEIL & PATRICIA
8	6633 TALMADGE LN	LINDEN TREE TRUST THE
9	6621 TALMADGE LN	ELLIOTT DAVID B
10	6800 CHURCHILL WAY	DOWNS OF HILLCREST
11	8 CHELTENHAM WAY	NZBBD PROPERTY TRUST
12	6 CHELTENHAM WAY	KRAWIETZ THOMAS EDWARD &
13	4 CAPE CT	RAMON JAIME & CARMEN
14	3 CAPE CT	GORROD BARRY G & KRISTI L
15	1 COVENTRY CT	1 COVENTRY CT LLC

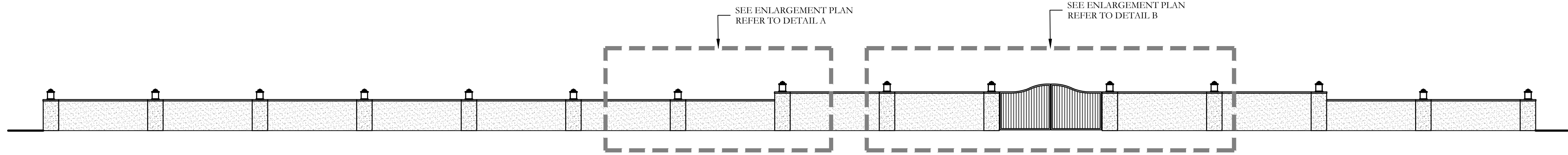
 1:1,200	NOTIFICATION		Case no: BOA-26-000026
	200' AREA OF NOTIFICATION 15 NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 6/9/2026

Route Directions:

**Start on Archdale Dr.
Right on Talmadge Ln.
Right on Prestonridge Rd.
Right on Churchill Way.
*Subject Site at 1:54.**

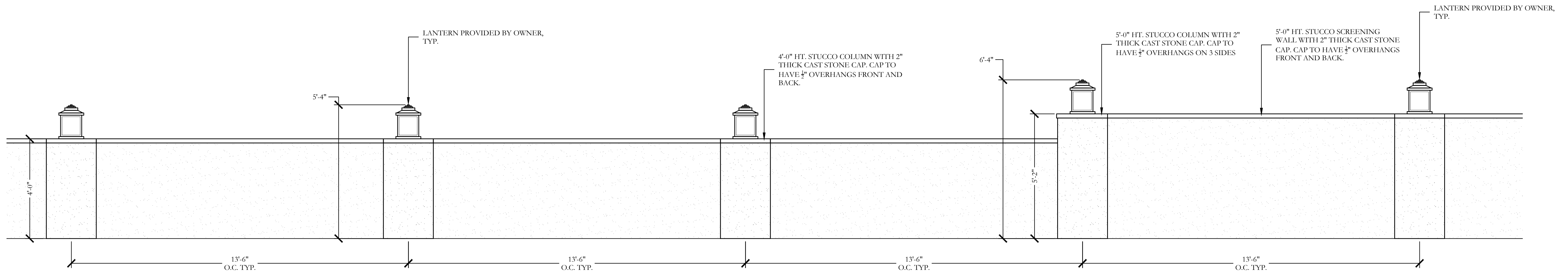
200' Radius Route Map





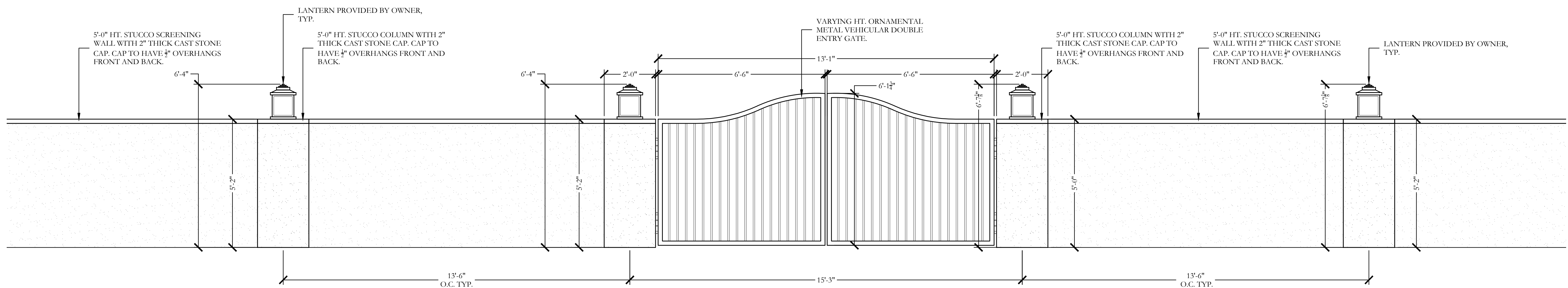
1 VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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



A VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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



B VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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

Revision	Description	Date



File Date: 04/14/2026

Application Status: In Review

Assigned To: Diana Barkume

Description of Work: BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS FILE NUMBER: BOA-26-000026 BUILDING OFFICIAL'S REPORT: Application of Scott Clements for (1) a special (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 20-foot visibility obstruction regulation at 6632 CHURCHILL WAY. This prope lot 3, and is zoned R-16(A), which a person shall not erect or maintain a fence in a required yard more than four feet above grade, requires a fence panel with a surface a not be located less than five feet from the front lot line, and requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line 20 feet from the inters and/or maintain a 6-foot-4-inch-high fence in a required front-yard, which will require (1) a 2-foot-4-inch special exception to the fence regulations, and to construct and/or with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require (2) a special exception to the fence opa maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway or alley edge and the street curb line 20 feet from the exception to the 20-foot visibility obstruction regulation at the driveway or alley edge and the street curb line 20 feet from the intersection. LOCATION: 6632 CHURCHILL REQUEST: (1) A request for a special exception to the fence height regulations (2) A request for a special exception to the fence opacity regulations (3) A request for a sp obstruction regulation.

Application Detail: Detail

Application Name:

Application Type: Board of Adjustments

Documents:	File Name	Document Group	Category	Description	Type	Docur
	6632 warranty deed.pdf	BLDG_BDA	Certificate - W...		application/pdf	Upload
	6632 Lean Waiver.pdf	BLDG_BDA	Statement - Lien		application/pdf	Upload
	6632 tax certificate.pdf	BLDG_BDA	Certificate - Tax		application/pdf	Upload
	6632 affidavit Trish Sh...	BLDG_BDA	Affidavit - Pro...		application/pdf	Upload
	6632 Certified county ...	BLDG_BDA	Plat - Certifie...		application/pdf	Upload
	6632 Site plan.pdf	BLDG_BDA	Plans - Site Plan		application/pdf	Upload
	6632 warranty deed.pdf	BLDG_BDA	Legal Descripti...		application/pdf	Upload
	6632 Certified county ...	BLDG_BDA	Maps - Block		application/pdf	Upload
	6632 wall elevation.pdf	BLDG_BDA	Maps - Zoning L...		application/pdf	Upload
	BOA-26-000026_labels.docx	BLDG_BDA	Other Support D...		application/msword	Upload
	BOA-26-000026_report.docx	BLDG_BDA	Other Support D...		application/msword	Upload
	BOA26000026n.jpg	BLDG_BDA	Other Support D...		image/jpeg	Upload
	BOA26000026z.jpg	BLDG_BDA	Other Support D...		image/jpeg	Upload
	BOA26000026mva.jpg	BLDG_BDA	Other Support D...		image/jpeg	Upload
	BOA26000026a.jpg	BLDG_BDA	Other Support D...		image/jpeg	Upload
	Show all					

Address: 6632 CHURCHILL WAY, Dallas, TX 75230

Owner Name: BLACKE PEARL LLC

Owner Address: 6632 CHURCHILL WAY, DALLAS, TEXAS 752301937

Parcel No: 00000734092000000

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Scott Clements	BLACKE PEARL LLC	Applicant	Mailing_6707 Talmadge...	Active
	Scott Clements	S CLEMENTS HOME...	Authorized Agent	Mailing_PO BOX 609_P...	Active
	BLACKE PEARL LLC	BLACKE PEARL LLC	Property Owner	Mailing_6707 Talmadge...	Active

Licensed Professionals Info:	Primary	Registration Number	License Type	Name	Business Name	Business License #
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Total Fee Assessed: \$1,925.00

Total Fee Invoiced: \$1,925.00

Balance: \$0.00

Custom Fields:	Property Details		
	Existing Zoning	Lot Number	Lot Size (Acres)
	R-16(A)	3	1.03
	Block Number	Lot Size (Sq. Ft)	How many streets abut the property?
	2/7459	48000	1
	Land Use	Is the property platted?	Status of Project
	residential	Yes	Existing
	Status of Property	Previous Board of Adjustment case filed on this property	Accommodation for someone with disabilities
	Owner Occupied	No	No
	File Date	Seleccione si necesitara un interprete	Case Number
	-		-
	Are you applying for a fee waiver?	Have the standards for variance and or special exception been discussed?	Has the Notification Sign Acknowledgement F
	No	Yes	Yes
	Referred by		
	In review-Permitting staff		

Internal Use Only		Fee Waiver Granted	Number of Parking Spaces
Source of Request			-
In Review - Residential			
Lot Acreage			
1.03			

PDox Information

PDox Number

-

Board of Adjustment Request

Type of Request	Request Description	Application Type	Other	Affirm that an appeal has been made for	Application is made to BOA to grant the
Special Exception	Fence standards	Single Family/Duplex Variance or Special Exception	fence height	Allow the wall built to stay as is 1 foot above correct height on the entry	it is an upgrade to the community as well as and to proceed. We weren't told it was an is permit.
Special Exception	Fence standards	Single Family/Duplex Variance or Special Exception	opacity		
Special Exception	Visual obstruction (20-foot visibility triangle)	Single Family/Duplex Variance or Special Exception	20-ft VT		

Street Frontage Information**Street Frontage** **Linear Feet (Sq. Ft) (Number)**

Front	120
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Case Information

Full Request	Brief Request	Zoning Requirements	Relevant History
to construct and/or maintain a 6-foot-4-inch-high fence in a required front-yard, which will require a 2-foot-4-inch special exception to the fence regulations.	for a special exception to the fence height regulations.	A person shall not erect or maintain a fence in a required yard more than four feet above grade.	Referred to board by permitting team RE: ACC-26-000230
and to construct and/or maintain a fence in a required front-yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence opacity regulations, and to	special exception to the fence opacity regulations	requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line.	Referred to board by permitting team RE: ACC-26-000230
and to construct and/or maintain a single-family residential fence structure in a required 20-foot visibility obstruction triangle at the driveway or alley edge and the street curb line 20 feet from the intersection.	a special exception to the 20-foot visibility obstruction regulation at the driveway or alley edge and the street curb line 20 feet from the intersection.	and requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line 20 feet from the intersection.	Referred to board by permitting team RE: ACC-26-000230

Board of Adjustment Meeting

Hearing Type	Action Date	Time	Room	Panel	Presiding Officer	BOA Administrator	BOA Secretary	BOA Code Specialist	Case Assigned to	Notes
			6ES	A	David A. Neumann	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	fence height
			6ES	A	David A. Neumann	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	opacity
			6ES	A	Cheri Gambow	Kameka Miller-Hoskins	Mary Williams	Cambria Jordan	Bryant Thompson	20-ft VT at d

GIS Information**Parcel Number (Number)** **Service** **Layer** **Attribute Value** **Census Tract Number (Number)** **Council District** **School District** **Escarpment** **Floodplain**

				8.93	11				
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Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Intake	Diana Barkume	Intake Complete	06/05/2026	Accela Administ...
	GIS AOR Review	Elham Elbadawi	Review Complete	06/10/2026	Elham Elbadawi
	Case Assignment		Case Manager...		
	Site Inspection				
	Plans Distribution			06/05/2026	
	Subdivision Review				
	Q Team Review				
	Arborist Review				
	Building Code Review				
	Zoning Review				
	Electrical Review				
	Eng Water and Wastewat...				
	Historic Preservation ...				
	Eng Paving and Drainag...				
	Eng Flood Plain Review				
	Board of Adjustment Re...				
	Conservation Review				
	Traffic Review				
	GIS Review				
	Residential Team Review				
	Signs Review				
	Plans Coordination				
	Board of Adjustment He...				
	Two-Year Waiver Period				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
	BOA History	This will display in t...	Applied	04/14/2026	Notice	
	General Facts/Staff An...	This will display in t...	Applied	04/14/2026	Notice	

Name	Short Comments	Status	Apply Date	Severity	Action By
Land Use	This will display in t...	Applied	04/14/2026	Notice	
Staff Recommendation	Staff Recommendation	Applied	04/14/2026	Notice	
Standard of Review	This will display in t...	Applied	04/14/2026	Notice	
Timeline	This will display in t...	Applied	04/14/2026	Notice	
Zoning	This will display in t...	Applied	04/14/2026	Notice	

Application Comments:	View ID	Comment	Date
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Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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BOARD OF ADJUSTMENT REFERRAL FORM

Referred by: M.GARCIA Date: 03/02/26

Department: DEVELOPMENT

Phone/Email: MARLENE.GARCIA@DALLAS.GOV

Manager signature:

Consulted with:

☒ Applicant

☐ Representative

☐ Owner

Name: Brad Nash

Phone/Email: 940-395-1289 bnash@ratliffhardscape.com

Property Information Residential

Address: 6632 Churchill Way

Lot: 3

City Block: 2/7459

Zoning Classification: R-16(A)

Issues that require Board action

List the City of Dallas Development Code(s) this project is non-compliant with:

Check all that apply: ☐ Variance ☐ Special Exception

☒ Yard setback

☐ Lot Width

☐ Lot Depth

☐ Lot coverage

☐ Floor area for accessory structures for single-family uses

☐ Height

☐ Minimum width of sidewalk

☐ Off-street parking

☐ Off-street loading

☐ Landscape regulations

☒ fence height and/or standards (

☐ Visibility triangle obstructions

☐ Parking demand

☐ Additional dwelling unit (not for rent) ☐ Accessory dwelling unit (for rent)

☐ Carport

☐ Non-conforming use or structure

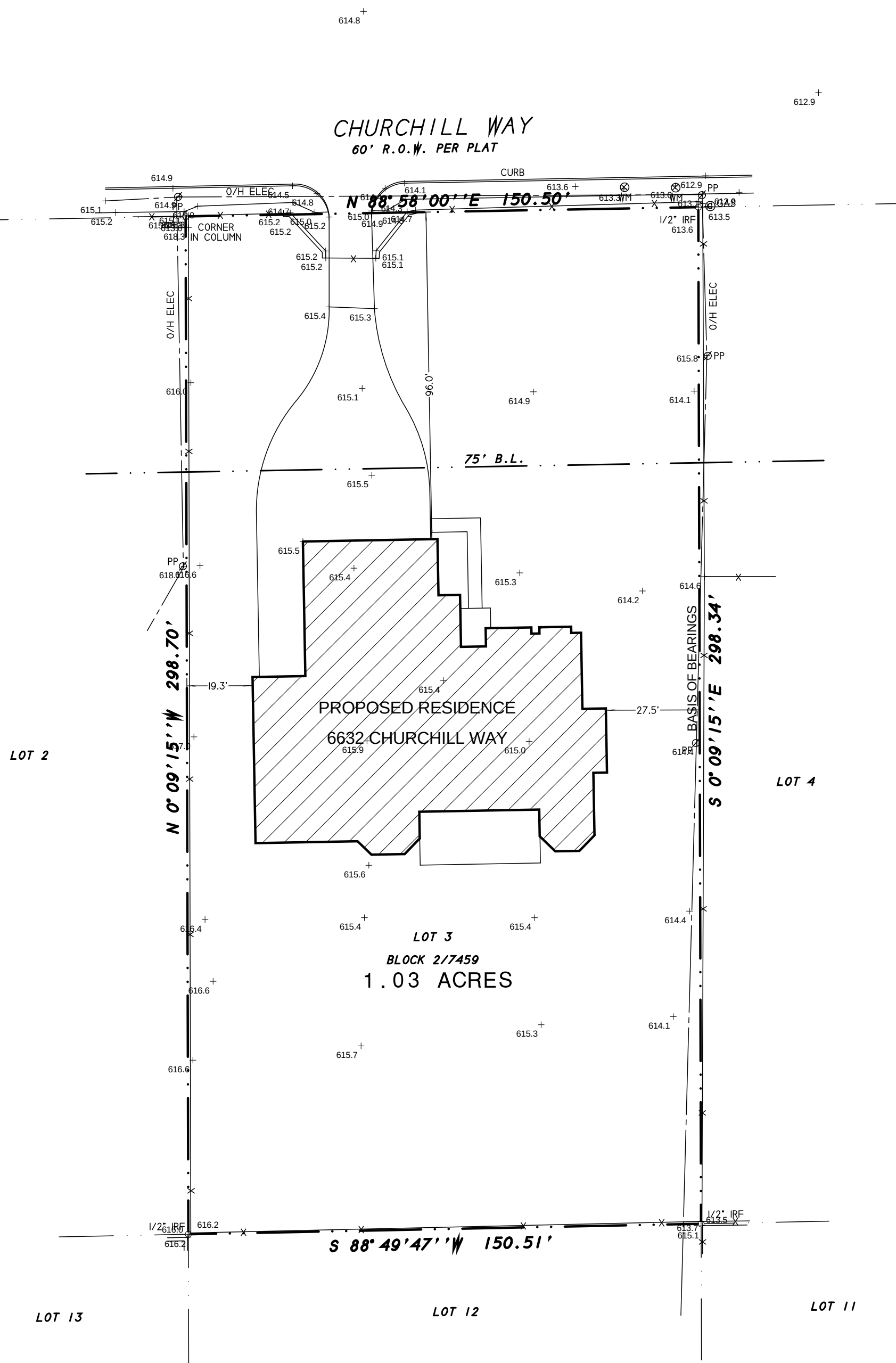
☐ Administrative Official Appeal

☒ Other: fence panel with a surface area that is less than 50 percent open area located less than five feet from the front lot line.(STUCCO)

Description: Applicant wants a fence over 4ft that is less than 50 percent open(solid) in the front yard setback including a wood fence over 4ft tall on the sides front yard setback.

Alternative resolutions discussed/offered:

SITE PLAN



DESCRIPTION
BEING Lot 3, Block 2/7459, of CHURCHILL WAY ESTATES, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 18, Page 327, Map Records of Dallas County, Texas.

- NOTES
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48113C0195 K dated July 7, 2014, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: RECORDED PLAT.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE
I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for S. CLEMENTS HOMES at 6632 Churchill Way, Dallas, Dallas County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 21st day of May, 2024.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND											
TV TELEVISION CABLE RISER	⊗ GAS METER	TEL PHONE RISER	⊕ FIRE HYDRANT	⊕ PP POWER POLE	⊕ LP LIGHT POLE	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER	⊕ 1/2" IRF IRON ROD FOUND 1" CORNER
ELEC ELECTRIC METER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER	⊕ ELEC SUBMETER
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SURVEY DATE MAY 21, 2024
SCALE 1" = 40' FILE # 20240067
CLIENT CLEMENTS GF # NONE

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE trac@hdfetty.com

1529 E I-30, STE. 103
GARLAND, TEXAS 75043
FIRM REGISTRATION NO. 10194366

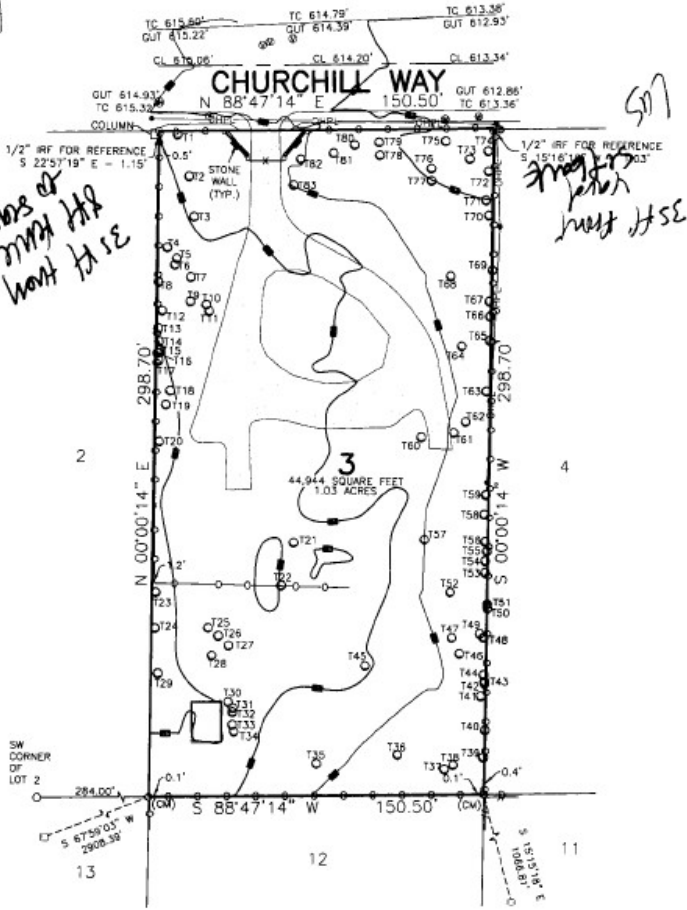
TREE & TOPO SURVEY



BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at
6632 CHURCHILL WAY in the City of DALLAS Texas.
Being Lot 3, Block 2/7459, Churchill Way Estates, an Addition to the City of Dallas, Dallas County, Texas, according to
the Map thereof recorded in Volume 18, Page 327, Map Records, Dallas County, Texas.

BY *[Signature]*
(subject to corrections noted)
ZONING ONLY APPROVED
APPROVAL
BUILDING OFFICIAL
[Signature]

TREE #	SIZE	TYPE
T11	7"	CHINESE PHOTINA
T12	30"	BLACK OAK
T13	12"	BLUE CANAL WOOD
T14	9"	CHINESE PHOTINA
T15	8"	AMERICAN BASSWOOD
T16	30"	BLACK OAK
T17	16"	CREPE MYRTLE
T18	16"	BOX ELDER
T19	8"	CREPE MYRTLE
T110	17"	SOUTHERN LIVE OAK
T111	16"	SOUTHERN LIVE OAK
T112	14"	GLOSSY PRIVET
T113	12"	SUGARBERRY
T114	8"	SUGARBERRY
T115	9"	SUGARBERRY
T116	24"	SUGARBERRY
T117	24"	SUGARBERRY
T118	8"	CREPE MYRTLE
T119	14"	CREPE MYRTLE
T120	10"	CHINESE PHOTINA
T121	28"	ARIZONA WALNUT
T122	12"	CHINESE HOLLY
T123	16"	SUGARBERRY
T124	14"	SUGARBERRY
T125	16"	CHINESE PHOTINA
T126	10"	CHINESE PHOTINA
T127	10"	CHINESE PHOTINA
T128	14"	CREPE MYRTLE
T129	10"	CHINESE PHOTINA
T130	12"	FARKLEBERRY
T131	11"	TRIDENT MAPLE
T132	16"	TRIDENT MAPLE
T133	16"	TRIDENT MAPLE
T134	14"	TRIDENT MAPLE
T135	14"	SILVER MAPLE
T136	28"	SUGARBERRY
T137	16"	SUGARBERRY
T138	16"	CHINESE PHOTINA
T139	12"	SUGARBERRY
T140	15"	SUGARBERRY
T141	15"	CHINESE PHOTINA
T142	12"	SUGARBERRY
T143	10"	SUGARBERRY
T144	8"	SUGARBERRY
T145	16"	YALPON HOLLY
T146	24"	PINE
T147	16"	PINE
T148	10"	CEDAR ELM
T149	14"	SUGARBERRY
T150	10"	SUGARBERRY
T151	8"	SUGARBERRY
T152	22"	WILLOW OAK
T153	18"	SUGARBERRY
T154	18"	SUGARBERRY
T155	14"	SUGARBERRY
T156	12"	SUGARBERRY
T157	32"	ARIZONA WALNUT
T158	16"	SUGARBERRY
T159	12"	SUGARBERRY
T160	16"	CREPE MYRTLE
T161	34"	SWEETGUM
T162	14"	CREPE MYRTLE
T163	8"	LIVE OAK
T164	46"	SOUTHERN LIVE OAK
T165	16"	SUGARBERRY
T166	18"	SUGARBERRY
T167	14"	SUGARBERRY
T168	28"	PINE
T169	10"	SUGARBERRY
T170	32"	SUGARBERRY
T171	40"	SUGARBERRY
T172	40"	SUGARBERRY
T173	28"	NARROW LEAVED ASH
T174	10"	THORNY OLIVE
T175	22"	INCENSE CEDAR
T176	12"	EASTERN RED CEDAR
T177	22"	SILVER MAPLE



- 8'ft tall Board on board cedar fence
- Metal posts
- Stained medium brown

THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

Barry Heath
6632 Churchill Way



PROPOSAL

DATE: 8/3/26

PROPOSAL NO:

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project. All bid items and quantities included in the scope of work were based on plans dated, _____, by _____

[illegible]

TERMS AND CONDITIONS

THIS PROPOSAL IS VALID FOR **THIRTY (30) DAYS** FROM THE DATE OF THIS PROPOSAL. THIS PROPOSAL AND ITS TERMS AND CONDITIONS OR ANY OTHER SPECIAL CONDITIONS (EXHIBIT "B") SHALL BECOME PART OF THE CONTRACT AS EXHIBIT "A". A CONTRACT SHALL BE PROVIDED BY THE OWNER, GENERAL CONTRACTOR, OR RATLIFF HARDSCAPE, LTD. AND EXECUTED PRIOR TO COMMENCEMENT OF ANY WORK. THE ABOVE QUANTITIES HAVE BEEN ESTIMATED; HOWEVER, THIS PROPOSAL IS A **UNIT PRICE** BASIS WITH PAYMENTS TO BE MADE BY THE HIRING OWNER OR GENERAL CONTRACTOR BY USING FIELD MEASURED QUANTITIES OF WORK COMPLETED. RATLIFF HARDSCAPE, LTD. SHALL SUBMIT BY THE **25th OF EACH MONTH**, PARTIAL ESTIMATES, TO THE OWNER OR GENERAL CONTRACTOR WHICH INCLUDE ALL OF THE COMPLETED WORK PLUS ANY MATERIAL ON HAND FOR THE UNCOMPLETED PORTION. THE RETAINAGE AMOUNT TO BE WITHHELD FROM EACH MONTHLY INVOICE SHALL BE SPECIFIED BY THE HIRING OWNER OR GENERAL CONTRACTOR. IF NOT SPECIFIED, NO RETAINAGE WILL BE WITHHELD. PAYMENT TERMS ARE **NET FIFTEEN (15) DAYS** FROM THE DATE OF THE INVOICE. ALL INVOICES NOT RECEIVED IN FULL BY THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE UNTIL THE DATE FULL PAYMENT IS RECEIVED AT RATE OF **15% PER ANNUM**. SALES TAX MUST BE APPLIED UNLESS MATERIAL USED FOR REALTY IMPROVEMENTS OF A TAX EXEMPT ENTITY OR BY RECEIPT OF A **"SALES TAX EXEMPT"** CERTIFICATE. **PLEASE REVIEW ALL THE SPECIAL CONDITIONS PROVIDED HEREIN AS EXHIBIT "B".**

PLEASE SIGN THIS PROPOSAL AND RETURN ONE (1) ORIGINAL TO OUR OFFICE. YOUR ACCEPTANCE OF THIS PROPOSAL SHALL CONSTITUTE THE INTENT TO ENGAGE INTO A CONTRACT WITH RATLIFF HARDSCAPE, LTD. TO PERFORM THE ABOVE REFERENCED WORK.

ACCEPTED:

(OWNER / GENERAL CONTRACTOR)

By: _____
Signature

Print Name _____

RESPECTFULLY SUBMITTED:

Ratliff Hardscape, Ltd.

(CONTRACTOR / SUB-CONTRACTOR)

By: Paul M. White
Signature

Signature
Booder McWhorter

Print Name _____

Barry Heath
6632 Churchill Way



EXHIBIT "A"
PROPOSAL

PROJECT: Churchill Way Fence Correction

DATE: 8/3/26

LOCATION: Dallas

PROPOSAL NO:

*Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project.
All bid items and quantities included in the scope of work were based on plans dated, , by*

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
----------	------------------	----------	------	------------	-------------

Its':

Title

Its': President & C.O.O.

Title

Barry Heath
6632 Churchill Way
0
0
0



EXHIBIT "B"
**SPECIAL
CONDITIONS**

PROJECT: Churchill Way Fence Correction

DATE: 8/3/26

LOCATION: Dallas

PROPOSAL NO: 0

THIS FOLLOWING SPECIAL CONDITIONS PROVIDED BY RATLIFF HARDSCAPE, LTD. ARE SET FORTH TO ENSURE OUR SCOPE OF WORK HAS BEEN PROPERLY COMMUNICATED AND UNDERSTOOD BY THE OWNER, GENERAL CONTRACTOR, OTHER SUB-CONTRACTORS, ENGINEERS, MUNICIPALITY, OR OTHER GOVERNMENT ENTITIES. IT IS OUR FULL INTENT TO PROVIDE QUALITY WORKMANSHIP, JOB-SITE SAFETY, AND A LONG-LASTING WORKING RELATIONSHIP THROUGHOUT THE PROJECT. PLEASE REVIEW IN ITS' ENTIRETY ALL CONDITIONS SO THAT ANY DISCREPANCIES MAY BE RESOLVED PRIOR TO COMMENCEMENT OF WORK. IF THE "YES" BOX IS CHECKED THEN THE CONDITION DESCRIBED IS INCLUDED IN THE SCOPE OF WORK. IF CHECKED "NO", THEN THE CONDITION IS NOT INCLUDED IN THE SCOPE OF WORK. INITIAL BELOW THAT YOU HAVE READ AND FULLY UNDERSTAND THESE CONDITIONS.

	YES	NO	
01	☒	☐	STAKING (BY OWNER)
02	☒	☐	GEOTECHNICAL MATERIALS TESTING (BY OWNER)
03	☒	☐	IMPACT FEES, CONNECTION FEES, METER FEES OR DEPOSITS
04	☒	☐	STRUCTURAL ENGINEERING (FOR HARDSCAPE ONLY)
05	☒	☐	ENGINEERING (BY OWNER)
06	☒	☐	PERMIT FEES (FOR HARDSCAPE ONLY)
07	☒	☐	PAYMENT & PERFORMANCE BOND
08	☒	☐	MAINTENANCE BONDS
09	☒	☐	INSPECTION FEES
10	☒	☐	SALES TAX
11	☒	☐	INSURANCE REQUIREMENTS
12	☒	☐	TRAFFIC CONTROL
13	☒	☐	MOBILIZATION (1 TIME ONLY)
14	☒	☐	SWPPP DESIGN
15	☒	☐	SWPPP INSPECTIONS
16	☒	☐	BUFF MORTAR (HARDSCAPE SCREENWALLS, COLUMN, & MONUMENTS)
17	☒	☐	BUFF MORTAR (RETAINING WALLS)
18	☒	☐	TREE REMOVAL; ALL TREES TO BE TAGGED AND MARKED BY OWNER & CITY (CHIPPED AND HAULED OFFSITE)
19	☒	☐	ROCK & BOULDER REMOVAL
20	☒	☐	SEEDING, SODDING, OR HYDROMULCH
21	☒	☐	EROSION CONTROL AS NOTED IN PLANS
22	☒	☐	STAGING AREA (TO BE PROVIDED BY OWNER ON OR CONTIGUOUS TO SITE)
23	☒	☐	BACKFILL (ALL SCOPE OF WORK)
24	☒	☐	HAUL OFF OF EXISTING TRASH OR DEBRIS FOUND BURIED OR OTHERWISE HIDDEN FROM SITE OR NOT IN PLANS
25	☒	☐	HAUL OFF OF ANY UNSUITABLE MATERIAL
26	☒	☐	UNDERCUTTING, SELECT FILL, MOISTURE CONDITIONING
27	☒	☐	UNDERGROUND UTILITY CONFLICTS (TO BE RELOCATED BY OTHERS)
28	☒	☐	UTILITY INSTALLATION (BASED ON UTILITY WORK INSTALLED PRIOR TO GAS, ELECTRIC, PHONE, CABLE, OR OTHERS)
29	☒	☐	SPOILS TO BE STOCKED ON-SITE (APPROVED BY OWNER)
30	☒	☐	ROADWAY SUB-GRADE MUST BE +/- 0.20 FEET PRIOR TO UTILITY CONSTRUCTION AND WILL BE RETURNED TO GRADE
31	☒	☐	PAVING & PAD SUBGRADE SHALL NOT EXCEED +/- 0.10 FEET. FINE GRADING OR TRIMMING BY PAVING CREW
32	☒	☐	EXPORT OF ANY DIRT ON-SITE
33	☒	☐	DEWATERING OF SCOPE OF WORK
34	☒	☐	IF VACUUM TRUCK IS NEEDED FOR PIERS; ADD \$1500 PER PIER
35	☒	☐	ELECTRICAL POWER SOURCE FOR ENTRY LIGHTING
36	☒	☐	ELECTRICAL POWER SOURCE FOR IRRIGATION
37	☒	☐	FINAL CLEANUP
38	☒	☐	SUBJECT TO RATLIFF'S LIMITED WARRANTY (ATTACHED AS EXHIBIT "C")

NOTES:

01
02
03
04

IF THIS IS A REPAIR BID PROPOSAL OF WHICH RATLIFF DID NOT PERFORM THE CONCRETE UNDERGROUND PIER OR FOOTINGS, RATLIFF WILL NOT BE RESPONSIBLE FOR ANY SURFACE CRACKING AND WILL PROVIDE A ONE (1) YEAR LIMITED WARRANTY FROM THE COMPLETION DATE. SEE ATTACHED EXHIBIT "C".

I HAVE READ AND UNDERSTAND THE ABOVE CONDITIONS:

Initials Initials

EXHIBIT "C"

RATLIFF HARDSCAPE, LTD. ONE YEAR LIMITED WARRANTY

RATLIFF HARDSCAPE, LTD.'S WARRANTY OBLIGATIONS ARE LIMITED TO THE TERMS SET FORTH BELOW

THIS LIMITED WARRANTY: This Ratliff Hardscape, Ltd. One Year Limited Warranty shall be referred to as the "**Limited Warranty**" in this document.

WHAT IS COVERED: Ratliff Hardscape, Ltd.'s ("**Ratliff**") Work. "**Work**" shall mean that certain work and those services further described between Ratliff and Owner (the "**Agreement**") and this Limited Warranty is an exhibit to such Agreement.

WARRANTY: Ratliff warrants that the Work furnished will: (i) be provided in a professional manner; (ii) be performed by appropriately knowledgeable and skilled personnel; (iii) conform to the requirements of the Agreement; (iv) conform to standards generally observed in the industry for similar services and work; and (v) will meet all applicable municipal or other jurisdictional requirements and other applicable laws pertaining to the Work.

Ratliff warrants that except for any Shrink Cracks, any cracking, in excess of one-quarter inch and longer than 20% of all the joints and edges of the concrete flatwork, occurring during the curing process and resulting from poor workmanship or use of substandard materials shall be repaired or replaced, at the sole election of Ratliff. Ratliff makes no claim that hairline cracks might not develop, but insures that reasonable precautions are taken to minimize their occurrences by using industry tested methods and quality materials. It is acknowledged that color differences may result for repairs. Please see the section entitled "Shrink Cracks and Control Joints" for a further explanation of shrink crack and control joints.

EXCLUSIONS FROM COVERAGE: Ratliff's Limited Warranty for the Work excludes loss, damages and defects caused by any of the following:

1. Any work performed, services provided or material supplied in accordance with any plans or specifications supplied, prepared or requested by the Owner, or by anyone on behalf of the Owner other than Ratliff, or Ratliff's employees, agents, contractors or subcontractors acting under Ratliff's direction (collectively "**Ratliff's Employees**").
2. Any defects caused or made worse by the negligence, gross negligence, willful conduct, abusive use, improper maintenance, lack of regular maintenance or other action of anyone other than Ratliff, or Ratliff's Employees.
3. Defects in driveways, walkways, patios, boundary walls, retaining walls, bulkheads, fences, landscaping, including without limitation sodding, seeding, shrubs, trees and plantings, off-site improvements, or any other improvements not part of the Work itself.
4. Any damage to the extent it is caused or made worse by failure of the Owner or by anyone other than Ratliff's Employees, to comply with the warranty requirements, including without limitation the Manufacturer Warranties, of manufacturers of items used in accordance with the Work; or failure by the Owner to give notice to Ratliff of any defects within a reasonable time; or changes of the grading of the ground by anyone other than Ratliff, or Ratliff's Employees; or changes, alterations or additions made to the Work by anyone after the Effective Date; dryness, cracking, dampness, condensation or soil movements, due to the failure of the Owner to maintain adequate irrigation; seepage of water; or insect damage.
5. Loss or damage which the Owner has not taken timely action to minimize.
6. Any defect in, caused by, or resulting from, materials or work supplied by anyone other than Ratliff or Ratliff's Employees, including without limitations defects covered under any of the Manufacturer Warranties.
7. Normal wear and tear or normal deterioration.

8. Loss or damage not specifically covered under this Limited Warranty.
9. Loss or damage not caused by a defect in the Work completed by Ratliff or Ratliff's Employees.
10. Loss or damage caused by, or resulting from, accidents, riot and civil commotion, fire, explosion, smoke, water escape, falling objects, aircraft, vehicles, acts of God, adverse environmental conditions, lightning, windstorms, hail, flood, mudslide, earthquake, wind-driven water and changes in the underground water table which were not reasonably foreseeable.
11. Defects, which are the result of characteristics common to the materials used (such as but not limited to fading and minor cracking).
12. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage related to any Shrink Cracks.
13. Notwithstanding any provisions in this Limited Warranty to the contrary, this Limited Warranty shall not apply to any loss or damage caused directly or indirectly by any underground movement, including without limitation any surface cracking, unless Ratliff performed repairs to the concrete underground pier or footings as part of the Work.
14. Loss or damage caused or made worse pursuant to the provisions specified in the section entitled "Notice of Claim".
15. Loss or damage to any third party manufactured products.

TERM: The terms of the coverage of this Limited Warranty begin on the date of substantial completion of the Work (the "**Effective Date**") and continue until the one (1) year anniversary of the Effective Date (the "**Expiration Date**"). The Effective Date of the warranty period for all incomplete punch list items identified in writing as "punch list items" as of the date of substantial completion of the Work shall begin when the Owner and Ratliff have mutually and reasonably agreed that such incomplete punch list items are 100% complete, in which case the Expiration Date for the warranty period for such incomplete punch list items shall be one (1) year following the Effective Date assigned to such incomplete punch list items.

MANUFACTURERS' WARRANTIES: Ratliff assigns and passes through to Owner the manufacturers' warranties on all manufactured products (including, but not limited to, bricks, cinder blocks, and manufactured stone) and equipment (collectively, the "**Manufacturer Warranties**").

RATLIFF DOES NOT WARRANTY ANY THIRD PARTY MANUFACTURED PRODUCTS.

LIMITATIONS ON WARRANTY: RATLIFF'S LIABILITY TO THE OWNER OR ANY OTHER THIRD PARTY, FOR A CLAIM OF ANY KIND ARISING AS A RESULT OF, OR RELATED TO THE GOODS OR SERVICES PROVIDED HEREUNDER, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), UNDER ANY WARRANTY, OR OTHERWISE, SHALL BE LIMITED TO MONETARY DAMAGES AND THE AGGREGATE AMOUNT THEREOF FOR ALL CLAIMS SHALL IN NO EVENT EXCEED AN AMOUNT EQUAL TO THE AMOUNT PAID OR PAYABLE BY THE OWNER TO RATLIFF UNDER THE AGREEMENT. UNDER NO CIRCUMSTANCES SHALL RATLIFF BE LIABLE TO THE OWNER OR ANY THIRD PARTY FOR INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING

LOST PROFITS), EVEN IF OWNER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, OR FOR WARRANTIES GRANTED BY THE OWNER TO ANY THIRD PARTY. THE OWNER ACKNOWLEDGES AND AGREES THAT THESE LIMITATIONS SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY. NO ACTION, REGARDLESS OF FORM, ARISING UNDER THE AGREEMENT OR THIS LIMITED WARRANTY MAY BE BROUGHT BY THE OWNER AFTER THE EXPIRATION DATE.

DISCLAIMER OF WARRANTIES

EXCEPT AS EXPRESSLY SET FORTH IN THIS LIMITED WARRANTY AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE WARRANTY AND REMEDIES SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, REMEDIES AND CONDITIONS, WHETHER ORAL OR WRITTEN, EXPRESS OR IMPLIED AND RATLIFF EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, CONDITIONS OR REPRESENTATIONS, EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE, REGARDING THE GOODS OR OTHER SERVICES PROVIDED BY RATLIFF HEREUNDER, INCLUDING ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, SATISFACTORY OR MERCHANTABLE QUALITY OR MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFAULTS OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT), FITNESS FOR A PARTICULAR PURPOSE, OR THOSE ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE OR ANY OTHER MATTER AFFECTING THE WORK.

WARRANTY CLAIMS

NOTICE OF CLAIM: If the Owner believes a defect in the Work that is covered by this Limited Warranty arises, then Owner shall provide written notice to Ratliff, and Ratliff must receive such written notice, at Ratliff's current address of record, and such written notice shall include a detailed description of such defect (the "**Defect Notice**"). Ratliff must receive the Defect Notice on or before the *earlier of* the Expiration Date or thirty (30) days after the date Owner or any of Owner's shareholders, members, partners, owners, directors, managers, officers, employees, contractors, agents, or representatives discover the defect specified in such Defect Notice. Ratliff is not responsible for any loss or damage covered by this Limited Warranty if such loss or damage is caused or made worse by failure to give written notice to Ratliff of such defect within the time periods required pursuant to this paragraph.

RATLIFF'S PERFORMANCE: If a defect occurs in an item which is covered by this Limited Warranty, Ratliff, within 60 days after receipt of the related Defect Notice, will repair, replace, or pay Owner the reasonable cost of repairing or replacing the defective item. Ratliff's total liability under this Limited Warranty is limited pursuant to the provisions of the section entitled "Limitations on Warranty". Ratliff, in Ratliff's sole and absolute discretion, may choose among the repair, replacement or payment options specified in this paragraph. Steps taken by Ratliff to correct defects shall not act to extend the terms of this Limited Warranty.

INSURANCE: If Ratliff repairs, replaces, or pays the cost of repairing, any defect covered by this Limited Warranty for which Owner is covered by insurance, Owner must, upon request by Ratliff,

assign the proceeds of such insurance to Ratliff to the extent of the cost to Ratliff of such repair or replacement.

SETTLEMENT OF DISPUTES: All disputes between the parties may be resolved by litigation, in a court of competent jurisdiction, except that Ratliff may, at its sole option, require that any dispute be submitted to binding arbitration pursuant to the Construction Industry Rules of the American Arbitration Association. Each arbitrator selected by the American Arbitration Association shall be a licensed construction attorney with at least seven (7) years of experience. If the dispute is arbitrated, the award rendered by the arbitrator(s) shall be final, and the judgment may be entered upon it in accordance with the application law in any court having jurisdiction thereof. The arbitration election by Ratliff shall be made no later than thirty (30) days following receipt of service of process of any litigation from Owner or, if the claim is asserted by Ratliff, shall be made upon the filing of demand for arbitration by Ratliff. Notwithstanding the above, Ratliff shall not be deemed to have waived any right it may have to arbitrate its dispute with Owner by the filing of litigation against Owner and its surety. The demand for arbitration in no event shall be made after the date within institution of legal or equitable proceedings based upon such claim, dispute or other matter in question would be barred by the applicable statute of limitations. In the event of litigation or arbitration of any dispute between Ratliff and Owner, Ratliff (if it prevails in prosecution or defense) shall be awarded attorneys' fees, costs of court and such other damages as may be permitted by this Limited Warranty and applicable law. In the event of litigation or arbitration of any claim brought by Owner against Ratliff, the Owner (if it prevails) shall be awarded attorneys' fees and costs of court. Except as specifically provided in this Limited Warranty, Owner shall have no claim against Ratliff for any cause related to any defect in the Work whatsoever.

MISCELLANEOUS

GENERAL PROVISIONS: Should any provision of this Limited Warranty be deemed by a court of competent jurisdiction to be unenforceable, that determination will not affect the enforceability of the remaining provisions. Use of one gender in this Limited Warranty includes all other genders, and use of the plural includes the singular, all as may be appropriate. The section and subsection headings contained in this Limited Warranty are for reference purposes only and shall not effect in any way the meaning or interpretation of this Limited Warranty. This Limited Warranty is to be governed by and construed in accordance with the laws of the State of Texas. Capitalized terms not defined herein shall have the meaning set forth in the Agreement.

No Ratliff Employee is authorized to make any modification, extension, or addition to this Limited Warranty.

SHRINK CRACKS AND CONTROL JOINTS: Newly placed concrete can be expected to crack within the first few days of placement during the curing process. These cracks are often referred to as "**Shrink Cracks**". Shrink Cracks are, typically, narrow stress cracks in the surface of the concrete. Reinforcing steel and/or fiber will minimize the number and width of Shrink Cracks. "**Control Joints**" are saw cut or hand grooved joints in the concrete. Control Joints encourage the concrete to crack (there by relieving the natural stress of the curing process) along these predetermined cuts and grooves. Control Joints do not prevent Shrink Crack; however, they may assist in reducing and/or hiding the crack when they occur.

[The Remainder of this Page is Left Intentionally Blank]

EXHIBIT "A"

PROPOSAL

Contact Name
COMPANY
Address
City, State Zip
Email or Fax

PROJECT:

DATE:

LOCATION:

PROPOSAL NO:

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project. All bid items and quantities included in the scope of work were based on plans dated, _____, by _____

[illegible]

EXHIBIT "A"

PROPOSAL

Contact Name
COMPANY
Address
City, State Zip
Email or Fax

PROJECT:

DATE:

LOCATION:

PROPOSAL NO:

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project. All bid items and quantities included in the scope of work were based on plans dated, _____, by _____.

[illegible]

TERMS AND CONDITIONS

THIS PROPOSAL IS VALID FOR **THIRTY (30) DAYS** FROM THE DATE OF THIS PROPOSAL. THIS PROPOSAL AND ITS TERMS AND CONDITIONS OR ANY OTHER SPECIAL CONDITIONS (EXHIBIT "B") SHALL BECOME PART OF THE CONTRACT AS EXHIBIT "A". A CONTRACT SHALL BE PROVIDED BY THE OWNER, GENERAL CONTRACTOR, OR RATLIFF HARDSCAPE, LTD. AND EXECUTED PRIOR TO COMMENCEMENT OF ANY WORK. THE ABOVE QUANTITIES HAVE BEEN ESTIMATED; HOWEVER, THIS PROPOSAL IS A **UNIT PRICE** BASIS WITH PAYMENTS TO BE MADE BY THE HIRING OWNER OR GENERAL CONTRACTOR BY USING FIELD MEASURED QUANTITIES OF WORK COMPLETED. RATLIFF HARDSCAPE, LTD. SHALL SUBMIT BY THE **25th of EACH MONTH**, PARTIAL ESTIMATES, TO THE OWNER OR GENERAL CONTRACTOR WHICH INCLUDE ALL OF THE COMPLETED WORK PLUS ANY MATERIAL ON HAND FOR THE UNCOMPLETED PORTION. THE RETAINAGE AMOUNT TO BE WITHHELD FROM EACH MONTHLY INVOICE SHALL BE SPECIFIED BY THE HIRING OWNER OR GENERAL CONTRACTOR. IF NOT SPECIFIED, NO RETAINAGE WILL BE WITHHELD. PAYMENT TERMS ARE **NET FIFTEEN (15) DAYS** FROM THE DATE OF THE INVOICE. ALL INVOICES NOT RECEIVED IN FULL BY THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE UNTIL THE DATE FULL PAYMENT IS RECEIVED AT RATE OF **15% PER ANNUM**. SALES TAX MUST BE APPLIED UNLESS MATERIAL USED FOR REALTY IMPROVEMENTS OF A TAX EXEMPT ENTITY OR BY RECEIPT OF A "**SALES TAX EXEMPT**" CERTIFICATE. **PLEASE REVIEW ALL THE SPECIAL CONDITIONS PROVIDED HEREIN AS EXHIBIT "B".**

PLEASE SIGN THIS PROPOSAL AND RETURN ONE (1) ORIGINAL TO OUR OFFICE. YOUR ACCEPTANCE OF THIS PROPOSAL SHALL CONSTITUTE THE INTENT TO ENGAGE INTO A CONTRACT WITH RATLIFF HARDSCAPE, LTD. TO PERFORM THE ABOVE REFERENCED WORK.

ACCEPTED:

(OWNER / GENERAL CONTRACTOR)

By:

Signature _____

Print Name _____

Its':

Title

RESPECTFULLY SUBMITTED:

Ratliff Hardscape, Ltd.

(CONTRACTOR / SUB-CONTRACTOR)

By:

Signature

Booder McWhorter

Print Name _____

Its':

President & C.O.O.

Title

EXHIBIT "A"

PROPOSAL

Contact Name
COMPANY
Address
City, State Zip
Email or Fax

PROJECT:

DATE:

LOCATION:**PROPOSAL NO:**

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project. All bid items and quantities included in the scope of work were based on plans dated, _____, by _____

[illegible]

EXHIBIT "A"

PROPOSAL

Contact Name
COMPANY
Address
City, State Zip
Email or Fax

PROJECT:

DATE:

LOCATION:**PROPOSAL NO:**

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project. All bid items and quantities included in the scope of work were based on plans dated, _____, by _____

[illegible]

EXHIBIT "A"

PROPOSAL

Contact Name
COMPANY
Address
City, State Zip
Email or Fax

PROJECT:

DATE:

LOCATION:

PROPOSAL NO:

Ratliff Hardscape, Ltd. proposes to furnish equipment, materials, and labor to perform the following work for the referenced project.
All bid items and quantities included in the scope of work were based on plans dated, _____, by _____

[illegible]

TERMS AND CONDITIONS

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ACCEPTED:

(OWNER / GENERAL CONTRACTOR)

By:

Signature

Print Name _____

Its':

Title

RESPECTFULLY SUBMITTED:

Ratliff Hardscape, Ltd.

(CONTRACTOR / SUB-CONTRACTOR)

By:

Signature

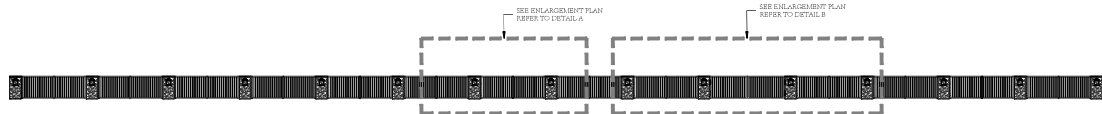
Booder McWhorter

Print Name _____

Its':

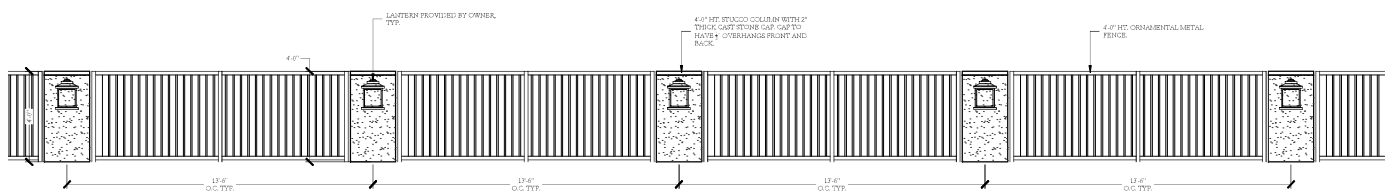
President & C.O.O

Title



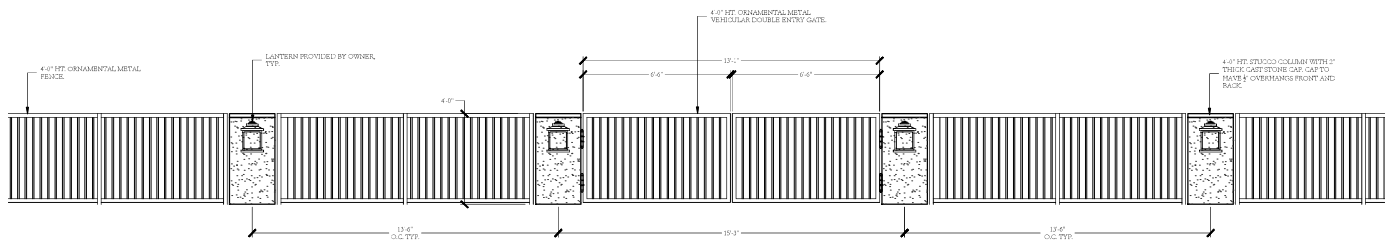
1 VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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



A VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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

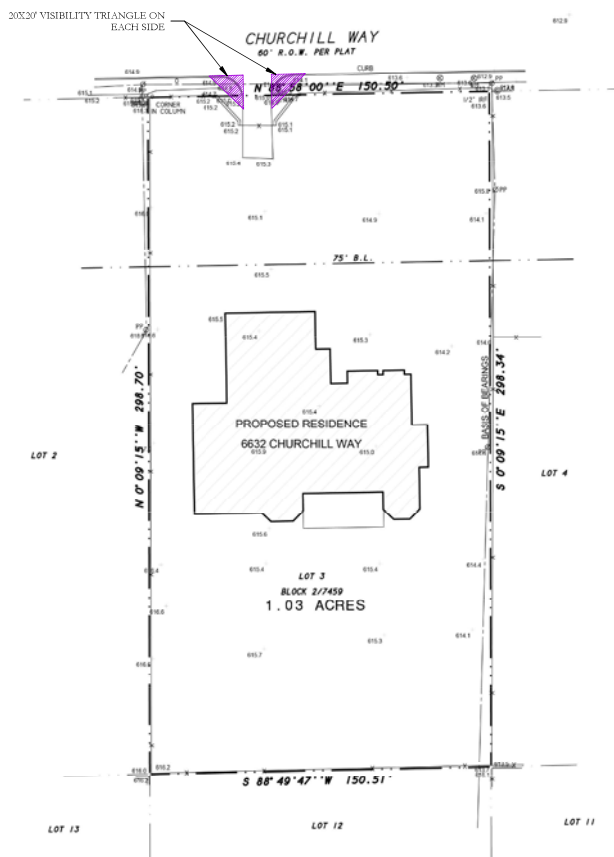


B VARYING HT. STUCCO SCREENING WALL WITH VEHICULAR ENTRY GATE
ELONGATED ELEVATION

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

Revised Dimensions:	DATE:

SITE PLAN



DESCRIPTION

BEING Lot 3, Block 2/7459, of CHURCHILL WAY ESTATES, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 18, Page 327, Map Records of Dallas County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48113C0106 K dated July 7, 2014, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for S. CLEMENTS HOMES at 6632 Churchill Way, Dallas, Dallas County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 21st day of May, 2024.



Harold D. Fetty III, R.P.L.S. No. 5034

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

OTHER LEGEND	
▲	Survey Point
○	Iron Pin
×	Iron Nail
□	Iron Pipe
△	Iron Rod
▽	Iron Stake
◇	Iron Bolt
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TREE & TOPO SURVEY



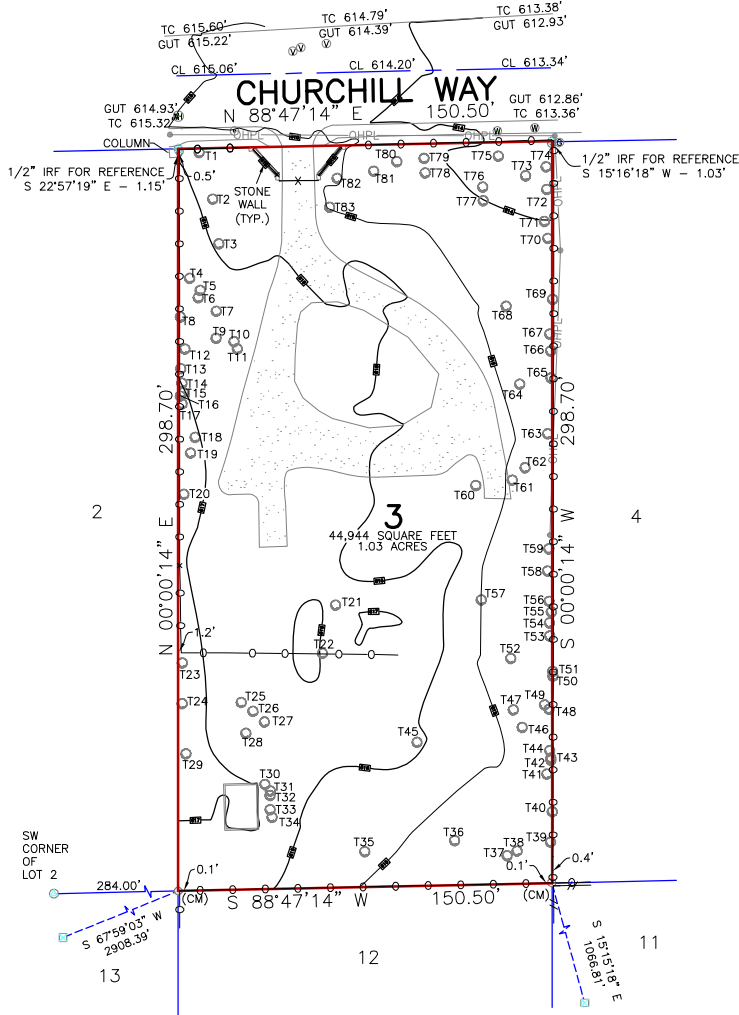
BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 6632 CHURCHILL WAY in the City of DALLAS, Texas.

Being Lot 3, Block 2/7459, Churchill Way Estates, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 18, Page 327, Map Records, Dallas County, Texas.



TREE TABLE		
TREE #	SIZE	TYPE
T1	7"	CHINESE PHOTINA
T2	30"	BLACK OAK
T3	12"	BLUE SANDALWOOD
T4	9"	CHINESE PHOTINA
T5	8"	AMERICAN BASSWOOD
T6	30"	BLACK OAK
T7	16"	CREPE MYRTLE
T8	16"	BOX ELDER
T9	8"	CREPE MYRTLE
T10	17"	SOUTHERN LIVE OAK
T11	16"	SOUTHERN LIVE OAK
T12	14"	GLOSSY PRIVET
T13	12"	SUGARBERRY
T14	9"	SUGARBERRY
T15	8"	SUGARBERRY
T16	24"	SUGARBERRY
T17	24"	SUGARBERRY
T18	8"	CREPE MYRTLE
T19	14"	CREPE MYRTLE
T20	10"	CHINESE PHOTINA
T21	28"	ARIZONA WALNUT
T22	12"	CHINESE HOLLY
T23	18"	SUGARBERRY
T24	14"	SUGARBERRY
T25	19"	CHINESE PHOTINA
T26	10"	CHINESE PHOTINA
T27	10"	CHINESE PHOTINA
T28	14"	CREPE MYRTLE
T29	10"	CHINESE PHOTINA
T30	12"	FARKLEBERRY
T31	11"	TRIDENT MAPLE
T32	16"	TRIDENT MAPLE
T33	16"	TRIDENT MAPLE
T34	14"	TRIDENT MAPLE
T35	14"	SILVER MAPLE
T36	28"	SUGARBERRY
T37	16"	SUGARBERRY
T38	16"	CHINESE PHOTINA
T39	12"	SUGARBERRY
T40	15"	SUGARBERRY
T41	16"	CHINESE PHOTINA
T42	12"	SUGARBERRY
T43	10"	SUGARBERRY
T44	8"	SUGARBERRY
T45	16"	YAUPON HOLLY
T46	24"	PINE
T47	16"	PINE
T48	10"	CEDAR ELM
T49	14"	SUGARBERRY
T50	10"	SUGARBERRY
T51	6"	SUGARBERRY
T52	52"	WILLOW OAK
T53	18"	SUGARBERRY
T54	18"	SUGARBERRY
T55	14"	SUGARBERRY
T56	12"	SUGARBERRY
T57	32"	ARIZONA WALNUT
T58	16"	SUGARBERRY
T59	12"	SUGARBERRY
T60	16"	CREPE MYRTLE
T61	34"	SWEETGUM
T62	14"	CREPE MYRTLE
T63	8"	LIVE OAK
T64	46"	SOUTHERN LIVE OAK
T65	16"	SUGARBERRY
T66	18"	SUGARBERRY
T67	14"	SUGARBERRY
T68	28"	PINE
T69	10"	SUGARBERRY
T70	32"	SUGARBERRY
T71	40"	SUGARBERRY
T72	40"	SUGARBERRY
T73	28"	NARROW LEAVED ASH
T74	10"	THORNY OLIVE
T75	22"	INCENSE CEDAR
T76	12"	EASTERN RED CEDAR
T77	22"	SILVER MAPLE
T78	18"	TEXAS LIVE OAK
T79	8"	CREPE MYRTLE
T80	8"	CREPE MYRTLE
T81	46"	BOX ELDER
T82	10"	CREPE MYRTLE
T83	24"	SHORTLEAF PINE



THIS CERTIFICATION DOES NOT
TAKE INTO CONSIDERATION
ADDITIONAL FACTS THAT AN
ACCURATE TITLE SEARCH AND OR
EXAMINATION MIGHT DISCLOSE.
BEARINGS ARE BASED ON NAD 83
DATUM, TEXAS STATE PLANE
COORDINATE SYSTEM, NORTH
CENTRAL ZONE

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY N/A
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.
Scale: 1" = 50'
Date: 09-11-2023
G. F. No.: N/A
Job no.: 202307690
Drawn by: BM



LEGEND	
WOOD FENCE	---
CHAIN LINK	---
WIRE FENCE	---
BOUNDARY LINE	---
EASEMENT SETBACK	---
CM - CONTROLLING MONUMENT	
WRO - MONUMENTS OF RECORD DIGNITY	
1/2" IRON ROD FOUND	○
1/2" YELLOW-CAPPED IRON ROD SET	○
BENCHMARK	□
FENCE POST FOUND	○
5/8" IRON ROD FOUND	○
POINT FOR CORNER EM - ELECTRIC METER	○
C - CABLE	---
CL - CLEAN OUT	---
OS - GAS METER	---
PE - POWER POLE	---
PE - FIRE HYDRANT	---
PE - LIGHT POLE	---
PE - MANHOLE	---
PE - WATER METER	---
PE - WATER VALVE	---
(UNLESS OTHERWISE NOTED)	



Barry S. Rhodes



Agenda Information Sheet

File #: 26-2945A

Item #:

AGENDA DATE: September 15, 2026
PANEL: A
COUNCIL DISTRICT(S): 5
DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Herschel Bowens for (1) a variance to the landscape regulations, for (2) a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for (3) a special exception to the fence materials regulations at 410 HILLBURN DRIVE. This property is more fully described as Lot 3, Block 6269, and is zoned IM, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line, and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require (1) a variance to the landscape regulations, to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require (2) a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and to construct and/or maintain a fence using a prohibited material, which will require (3) a special exception to the fence material regulations.

Location: 410 HILLBURN DRIVE

Applicant: Herschel Bowens

Senior Planner: Bryant Thompson

Request(s): for (1) a variance to the landscape regulations, for (2) a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for (3) a special exception to the fence materials regulations

Staff Recommendation: (1) Approval, (2) No staff recommendation, (3) No staff recommendations.

BOA-26-000058

FILE NUMBER: BOA-26-000058(BT)

BUILDING OFFICIAL'S REPORT: Application of Herschel Bowens for **(1)** a variance to the landscape regulations, for **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for **(3)** a special exception to the fence materials regulations at **410 HILLBURN DRIVE**. This property is more fully described as Lot 3, Block 6269, and is zoned IM, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line, and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require **(1)** a variance to the landscape regulations, to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and to construct and/or maintain a fence using a prohibited material, which will require **(3)** a special exception to the fence material regulations.

LOCATION: 410 Hillburn Drive

APPLICANT: Herschel Bowens

REQUEST:

- (1) A request for a variance to the landscape regulations.
- (2) A request for a special exception to the 20-foot visibility obstruction regulations at the drive approach along Elam Road.
- (3) A request for a special exception to the fence material regulations .

STANDARDS OF REVIEW FOR A VARIANCE:

Section 51A-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 for structures accessory to single-family uses, 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.

SECTION 51A-3.102(d)(10)(B):

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Variance to the landscape regulations:

Approval

Rationale: Based upon evidence presented and provided by the applicant, staff concluded that the site 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. The subject site is restrictive in area but not shape and slope; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning district.
- 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.

STANDARD OF REVIEW FOR A SPECIAL EXCEPTION TO VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d)(3) of the Dallas Development Code states that the board may grant a special exception to the visual obstruction regulations when in the opinion of the board, the special exception will not constitute a traffic hazard.

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

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

STAFF RECOMMENDATION:

Special Exceptions (2):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	IM (Industrial manufacturing)
<u>North:</u>	NO(A) (Neighborhood office) & R-7.5(A)
<u>East:</u>	NO(A) & PD-1121
<u>South:</u>	IM
<u>West:</u>	NO(A) & PD-533 (Subdistrict 5)

Land Use:

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

BDA History:

No BDA history was found within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

- The application of Herschel Bowens for the property located at 410 Hillburn Drive focuses on three requests relating to the landscape regulations, 20-foot visibility obstruction regulations at the driveway approach , and prohibited fence material.
- The first request is for a variance to the landscape regulations. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require a variance to the landscape regulations.
- The second request is for a special exception to the 20-foot visibility obstruction regulations. The applicant proposes to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb.
- The last request is for a special exception to the fence standard regulations regarding prohibited material. The applicant is requesting a special exception to the fence standards regulations regarding prohibited material, which will require a special exception to the fence material regulations.

- Per staff site visit, the fencing is existing.
- Proposed fencing materials vary based on location onsite.
- Comments from Chief Arborist, per email on August 27, 2026:

The provision for the landscape buffer under Section 51A-4.213(9)(E) does not specify the conditions or parameters of the landscape area. It's function to screen and buffer may be weighed subjectively based on selected plant materials and potential for maintenance. The narrow available grass parkway is suited for the location with the vertical vine plantings due to underground and overhead utilities which would restrict large or small tree plantings in this location. The retention of the old thick foundation further limits planting area for the Elam Road frontage.

I have no objection to the proposed landscape buffer and screening and plant selection.

- Comments from David Nevarez, Planning and Development Transportation provided the following comments on September 2, 2026:

- o "Recommends denial."

- The applicant has the burden of proof in establishing the following:
 - 1) That granting the variance to the landscape 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.
 - 2) The variance is necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such 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
 - 3) 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 a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

- **SECTION 51A-3.102(d)(10)(B):**

Dallas Development Code § 51A-3.102(d)(10)(B), allows for the board to use their discretion and consider the following as grounds to determine whether the portion of the variance standard of compliance with the ordinance as applied to a structure would result in unnecessary hardship:

- (i) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 of the Texas Tax Code.
- (ii) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur.
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

(iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(v) the municipality considers the structure to be a nonconforming structure.

- The applicant has the burden of proof in establishing that the special exception to the visual obstruction regulations will not constitute a traffic hazard.
- The applicant has the burden of proof in establishing that the special exception to the fence standard regulations regarding prohibited material will not adversely affect the neighboring properties.
- Granting the variance to the landscape regulations with a condition that the applicant complies with the submitted site plan, would require the proposal to be constructed as shown on the submitted documents.
- Granting the special exceptions to the visual obstruction and fence material regulations with a condition that the applicant complies with the submitted site plan and elevations, would require the proposal to be constructed as shown on the submitted documents.
- 200' Radius Video:

Timeline:

July 28, 2026: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 29, 2026: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

August 13, 2026: The Planning and Development Senior Project Coordinator on behalf of the Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the **1:00 pm, August 21, 2026**, deadline to submit additional evidence for staff to factor into their analysis; and **1:00 pm, September 3, 2026**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 25, 2026: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **September** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation

District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING Tuesday, September 15, 2026 (A)

- | | |
|--|---|
| ☐ Has no objections | ☐ BOA-26-000040 |
| ☐ Has no objections if certain conditions are met
(see comments below or attached) | ☐ BOA-26-000054 |
| ☒ Recommends denial
(see comments below or attached) | ☐ BOA-26-000057 |
| ☐ No Comments | ☒ BOA-26-000058 |
| ☐ Pending | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |
| | ☐ |

COMMENTS: _____

David Nevarez, P.E., PTOE, CFM, Engineering
Name/Title/Department

September 2, 2026
Date

Pease respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.

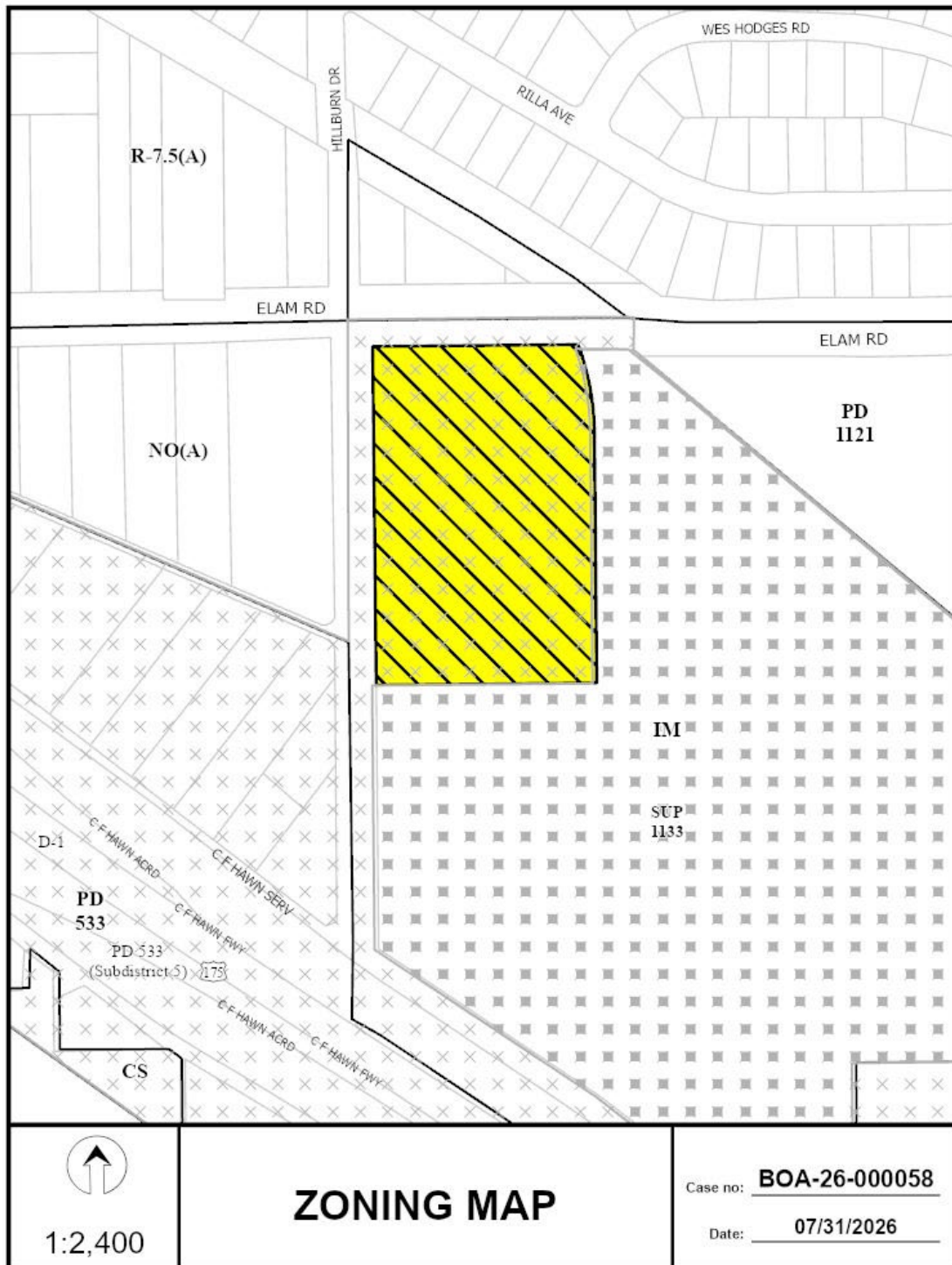


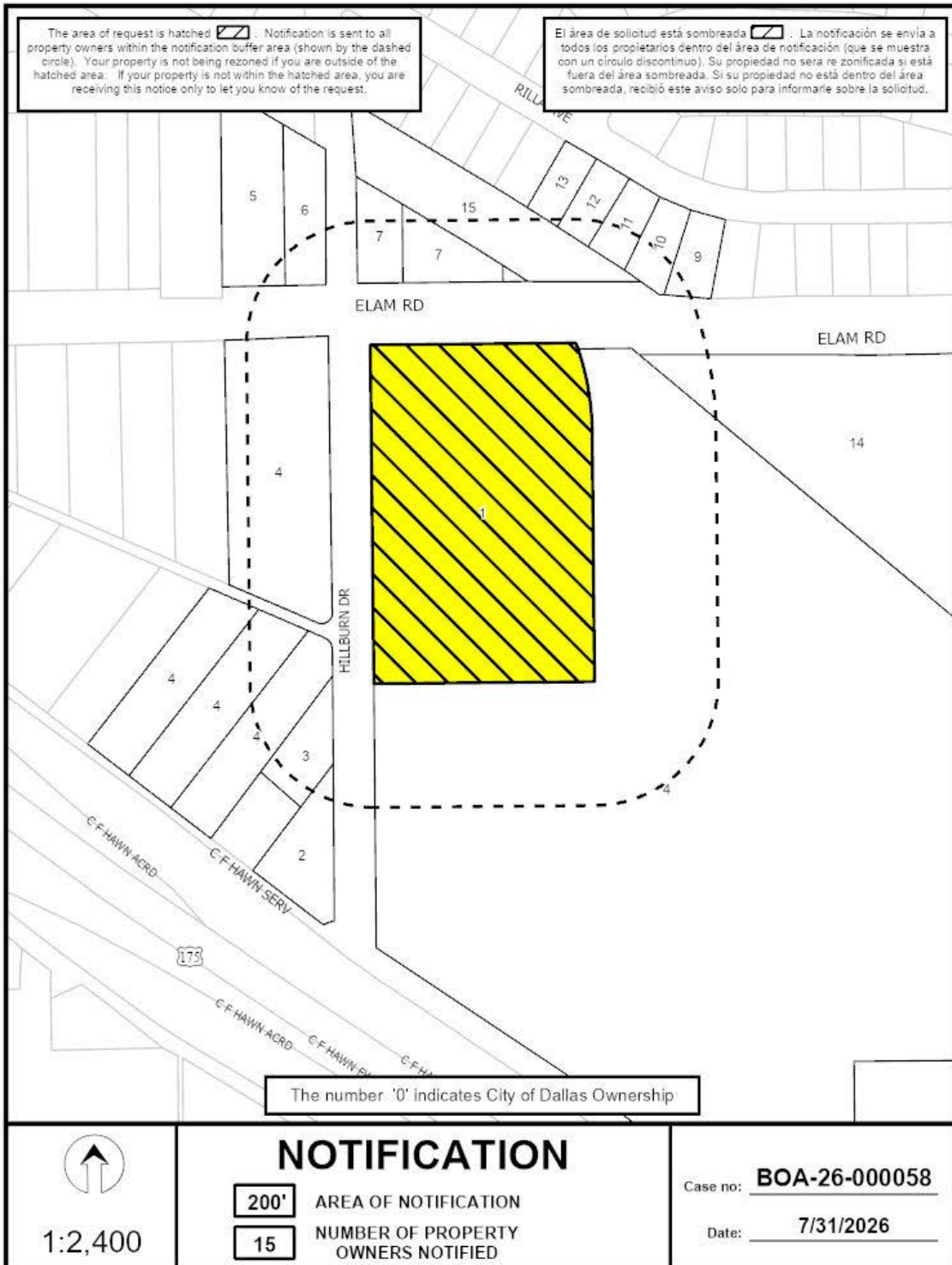
1:2,400

AERIAL MAP

Case no: **BOA-26-000058**

Date: **07/31/2026**





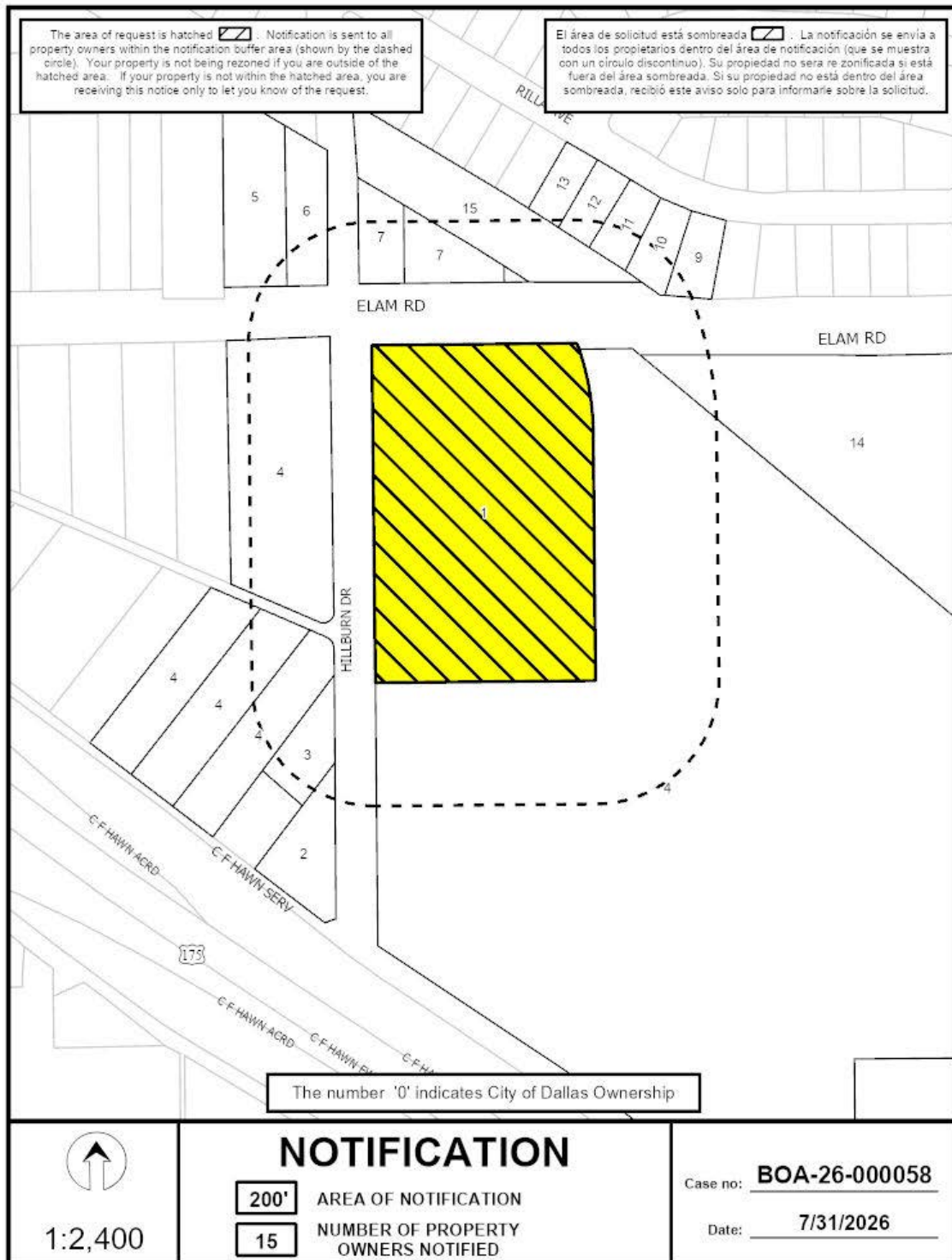
Notification List of Property Owners

BOA-26-000058

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	440 HILLBURN DR	JONA REAL ESTATE LLC
2	7722 C F HAWN FWY	DREH IV LLC
3	325 HILLBURN DR	MENDOZA JUAN
4	7710 C F HAWN FWY	DAL TILE CORP
5	7727 ELAM RD	FOUNDATION FOR HOUSING
6	7733 ELAM RD	VARGAS MARISOL RUVALCABA &
7	7801 ELAM RD	ORTEGA SAMUEL
8	7823 ELAM RD	DALLAS CERAMIC CO
9	7918 RILLA AVE	BONILLA JAVIER & PETRA
10	7912 RILLA AVE	CAMARENA RIGOBERTO &
11	7908 RILLA AVE	CAMARENA DIANA C & RIGOBERTO
12	7902 RILLA AVE	SUMMIT COVE REALTY INC
13	7834 RILLA AVE	LARA VIOLETA LOPEZ
14	8008 ELAM RD	DALLAS AREA RAPID TRANSIT
15	401 S BUCKNER BLVD	DART

200' Radius Route Map



NOTICE OF PUBLIC HEARING

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

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

DATE: **TUESDAY, SEPTEMBER 15, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

HEARING: **1:00 p.m. Videoconference and in 6EN COUNCIL CHAMBERS** at Dallas City Hall, 1500 Marilla Street <https://bit.ly/boa091526>

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

BOA-26-000058(BT) Application of Herschel Bowens for **(1)** a variance to the landscape regulations, for **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for **(3)** a special exception to the fence materials regulations at **410 HILLBURN DRIVE**. This property is more fully described as Lot 3, Block 6269, and is zoned IM, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line, and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require **(1)** a variance to the landscape regulations, to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require **(2)** a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and to construct and/or maintain a fence using a prohibited material, which will require **(3)** a special exception to the fence material regulations.

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

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

The Board of Adjustment hearing will be held by videoconference and at **6EN Council Chambers**. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://bit.ly/BDA-A-Register> **by the 5 p.m. on Monday, September 14, 2026. All virtual speakers will be required to show their video in order to address the board. In Person speakers can register at the hearing.** Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall.

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

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

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

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

File Date: 07/07/2026

Application Status: [Plan Review](#)

Assigned To: [Diana Barkume](#)

Description of Work: [BOARD OF ADJUSTMENT CITY OF DALLAS, TEXAS FILE NUMBER: BOA-26-000058 BUILDING OFFICIAL'S REPORT: Application of Herschel Bowens for \(1\) a variance to the landscape regulations, for \(2\) a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and for \(3\) a special exception to the fence materials regulations at 410 HILLBURN DRIVE. This property is more fully described as Lot 3, Block 6269, and is zoned IM, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, requires a 20-foot visibility triangle at the driveway or alley edge and the street curb line, and prohibits the use of certain materials for a fence. The applicant proposes to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, which will require \(1\) a variance to the landscape regulations, to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require \(2\) a special exception to the visibility obstruction regulations at the driveway approach and adjacent street curb, and to construct and/or maintain a fence using a prohibited material, which will require \(3\) a special exception to the fence material regulations. LOCATION: 410 HILLBURN DRIVE APPLICANT: Herschel Bowens REQUEST: \(1\) Variance to the landscape regulations \(2\) Special exception to the visibility obstruction regulation at the driveway approach and adjacent street curb \(3\) Special exception to the fence material regulations](#)

Application Detail: [Detail](#)

Application Name:

Application Type: [Board of Adjustments](#)

Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	Executed City of Dalla...	BLDG_BDA	Affidavit - Pro...		application/pdf	Uploaded	07/07/2026
	Tax Certificate (410 H...	BLDG_BDA	Certificate - Tax		application/pdf	Uploaded	07/07/2026
	Certified Special Warr...	BLDG_BDA	Certificate - W...		application/pdf	Uploaded	07/07/2026
	Legal description of p...	BLDG_BDA	Legal Descripti...		application/pdf	Uploaded	07/07/2026
	Spot On Zoning map.pdf	BLDG_BDA	Maps - Block		application/pdf	Uploaded	07/07/2026
	Spot On Zoning map.pdf	BLDG_BDA	Maps - Zoning L...		application/pdf	Uploaded	07/07/2026
	6-5-2026 Revised Site ...	BLDG_BDA	Plans - Site Plan		application/pdf	Uploaded	07/07/2026
	410 HILLBURN DR No Lie...	BLDG_BDA	Statement - Lien		application/pdf	Uploaded	07/07/2026
	Certified Special Warr...	BLDG_BDA	Plat - Certifie...		application/pdf	Uploaded	07/07/2026
	001-Survey-070225.pdf	BLDG_BDA	Survey - Metes ...		application/pdf	Uploaded	07/07/2026
	BOA-26-000058_Submissi...	BLDG_BDA	Other Support D...		application/pdf	Uploaded	07/31/2026
	BOA-26-000058_report.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/31/2026
	BOA-26-000058_labels.docx	BLDG_BDA	Other Support D...		application/msword	Uploaded	07/31/2026
	BOA26000058n.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/31/2026
	BOA26000058z.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/31/2026
	BOA26000058a.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/31/2026
	BOA26000058mva.jpg	BLDG_BDA	Other Support D...		image/jpeg	Uploaded	07/31/2026
	Show all						

Address: [410 HILLBURN DR, Dallas, TX 75217](#)

Owner Name: [JONA REAL ESTATE LLC](#)

Owner Address: [220 DAVIS RD, COMBINE, TEXAS 751595857](#)

Parcel No: [00000557725000000](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	Herschel Bowens	Husch Blackwell...	Applicant	Mailing, 1900 N. Pearl...	Active
	JONA REAL ESTATE LLC	JONA REAL ESTAT...	Property Owner	Mailing, 1900 N. Pearl...	Active

Licensed Professionals Info:	Primary	Registration Number	License Type	Name	Business Name	Business License #
------------------------------	---------	---------------------	--------------	------	---------------	--------------------

Total Fee Assessed: [\\$3,820.00](#)

Total Fee Invoiced: [\\$3,820.00](#)

Balance: [\\$0.00](#)

Custom Fields: **Property Details**

Existing Zoning IM	Lot Number 3	Lot Size (Acres) 4.464
Block Number 6269	Lot Size (Sq. Ft) 194451.84	How many streets abut the property? 2
Land Use inside light manufacturing and Outside storage	Is the property platted? No	Status of Project Existing
Status of Property Non-Owner Occupied	Previous Board of Adjustment case filed on this property No	Accommodation for someone with disabilities No
File Date -	Seleccione si necesitara un interprete Yes	Case Number -
Are you applying for a fee waiver? No	Have the standards for variance and or special exception been discussed? Yes	Has the Notification Sign Acknowledgement Form been discussed? Yes
Referred by zoning		

Internal Use Only		
Source of Request Zoning	Fee Waiver Granted	Number of Parking Spaces -
Lot Acreage 4.464		

PDox Information

PDox Number
[BLOCKED](#)

Board of Adjustment Request

Type of Request	Request Description	Application Type	Other	Affirm that an appeal has been made for	Application is made to BOA to grant the described appeal	Outcome
Variance	Landscape	Multifamily or nonresidential variance	Variance to Landscape Buffer		Variance to Landscape requirements under Code Section 51A-4.213(9)(E) to permit existing 3-foot-wide grass parkway as acceptable landscape buffer. Variance is requested because the ability to add trees or landscaping along the Elam Road frontage are limited by underground utilities and other existing site constraints.	
Special Exception	Visual obstruction (20-foot visibility triangle)	Multifamily or nonresidential special exception	at Drive approach along Elam		Special Exception to visibility triangles required under Code Section 51A-4.602(d) to allow for smaller triangles at emergency exit driveway on Elam Road. The existing driveway is only used in cases of emergency and if used traffic can only go one direction. This doesn't create a traffic hazard. Due to the configuration of the property moving the existing gate would create a significant financial hardship for the owner.	
Special Exception	Fence standards	Multifamily or nonresidential special exception	material		Special Exception to screening material required under Code Section 51A-4.602(b) (3) to permit metal as and evergreen plant material as acceptable screening material. The existing metal and evergreen plant material is consistent with the industrial nature of the property and other properties located within the vicinity.	

Street Frontage Information

Street Frontage **Linear Feet (Sq. Ft) (Number)**

Front	552.87
Side	390.17

Case Information

Full Request	Brief Request	Zoning Requirements	Relevant History	BOA History	BOA History Details
to construct and/or maintain an alternative landscape plan in lieu of the required landscape buffer for outside storage, where a landscape buffer must be provided between any required screening fence and an adjacent thoroughfare, which will require a variance to the landscape regulations.	which will require a variance to the landscape regulations.	required screening be provided between any required screening fence and an adjacent thoroughfare.	NA	No	variance to the Landscape requirement for a buffer between required screening and a thoroughfare
to construct and/or maintain a fence structure in a required visibility obstruction triangle on the driveway edge and the street curb line 20 feet from the intersection along Elam Road, which will require a special exception to the visibility obstruction regulations.	special exception to the visibility obstruction regulation at Elam Road	A person shall not erect, place, or maintain a structure, NA berm, plant life, or any other item on a lot if the item is located on the driveway or alley edge and the street curb line 20 feet from the intersection.		No	20-ft VT
to construct and/or maintain a fence using a prohibited material, which will require a special exception to the fence regulations	for a special exception to prohibits the use of certain materials for a fence the fence standards regulations		NA	No	Fence materials

Board of Adjustment Meeting

Hearing Type	Action Date	Time	Room	Panel	Presiding Officer	BOA Administrator	BOA Secretary	BOA Code Specialist	Case Assigned to	Notes	Outcome	Filing Date
			6ES	C	Robert F. Agnich	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	variance to the landscape regulations.		
			6ES	C	Robert F. Agnich	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	special exception to the visibility obstruction regulation at Elam Road		
			6ES	C	Robert F. Agnich	Kameka Miller-Hoskins	Mary Williams	Diana Barkume	Bryant Thompson	special exception to the fence standards regulations		

GIS Information

Parcel Number (Number)	Service	Layer	Attribute Value	Census Tract Number (Number)	Council District	School District	Escarpment	Floodplain
				39.81	5-Jaime Resendez			

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	Application Intake	Diana Barkume	Intake Complete	07/28/2026	Accela Administ...
	GIS AOR Review	Elham Elbadawi	Review Complete	07/31/2026	Elham Elbadawi
	Case Assignment	Bryant Thompson	Case Manager...	08/25/2026	Kameka Miller-H...
	Site Inspection		Site Inspect...	08/25/2026	Kameka Miller-H...
	Plans Distribution		Accepted - P...	08/25/2026	Kameka Miller-H...
	Subdivision Review		Not Required	08/25/2026	Kameka Miller-H...
	Q Team Review		Not Required	08/25/2026	Kameka Miller-H...
	Arborist Review		Not Required	08/25/2026	Kameka Miller-H...
	Building Code Review		Not Required	08/25/2026	Kameka Miller-H...
	Zoning Review		Not Required	08/25/2026	Kameka Miller-H...
	Electrical Review		Not Required	08/25/2026	Kameka Miller-H...
	Eng Water and Wastewat...		Not Required	08/25/2026	Kameka Miller-H...
	Historic Preservation ...		Not Required	08/25/2026	Kameka Miller-H...
	Eng Paving and Drainag...		Not Required	08/25/2026	Kameka Miller-H...
	Eng Flood Plain Review		Not Required	08/25/2026	Kameka Miller-H...
	Board of Adjustment Re...		Approved	08/25/2026	Kameka Miller-H...
	Conservation Review		Not Required	08/25/2026	Kameka Miller-H...
	Traffic Review		Not Required	08/25/2026	Kameka Miller-H...
	GIS Review		Not Required	08/25/2026	Kameka Miller-H...
	Residential Team Review		Not Required	08/25/2026	Kameka Miller-H...
	Signs Review		Not Required	08/25/2026	Kameka Miller-H...
	Plans Coordination		Review Complete	08/25/2026	Kameka Miller-H...
	Board of Adjustment He...				
	Two-Year Waiver Period				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
	BOA History	This will display in t...	Applied	07/07/2026	Notice	
	General Facts/Staff An...	This will display in t...	Applied	07/07/2026	Notice	
	Land Use	This will display in t...	Applied	07/07/2026	Notice	
	Staff Recommendation	Staff Recommendation	Applied	07/07/2026	Notice	
	Standard of Review	This will display in t...	Applied	07/07/2026	Notice	
	Timeline	This will display in t...	Applied	07/07/2026	Notice	
	Zoning	This will display in t...	Applied	07/07/2026	Notice	

Application Comments:	View ID	Comment	Date
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Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
	Site Visit Inspection	09/08/2026		Scheduled	Scheduled via Script

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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Planning & Development Department

320 E Jefferson Blvd, Dallas TX 75203
(214) 948-4480

BOARD OF ADJUSTMENT REFERRAL FORM

Referred by: Audrey Newsome Date: 05/14/2026

Department: Zoning - Planning and Development

Phone/Email: 214-671-9404 audrey.newsome@dallas.gov

Manager signature: *[Signature]*

Consulted with:

☒ Applicant

☐ Representative

☐ Owner

Name: Herschel Bowens

Phone/Email: 214-999-6144 herschel.bowens@huschbackwell.com

Property Information

Address: 410 Hillburn Dr, Dallas, TX 75217

Lot: 3

City Block: 6269

Zoning Classification: IM

Issues that require Board action Landscape regulations, visibility triangle exception, and outdoor storage screening

List the City of Dallas Development Code(s) this project is non-compliant with:

Check all that apply: ☒ Variance ☒ Special Exception

☐ Yard setback

☐ Lot Width

☐ Lot Depth

☐ Lot coverage

☐ Floor area for accessory structures for single-family uses

☐ Height

☐ Minimum width of sidewalk

☐ Off-street parking

☐ Off-street loading

☒ Landscape regulations

☒ Fence height and/or standards

☒ Visibility triangle obstructions

☐ Parking demand

☐ Additional dwelling unit (not for rent) ☐ Accessory dwelling unit (for rent)

☐ Carport

☐ Non-conforming use or structure

☐ Administrative Official Appeal

☐ Other:

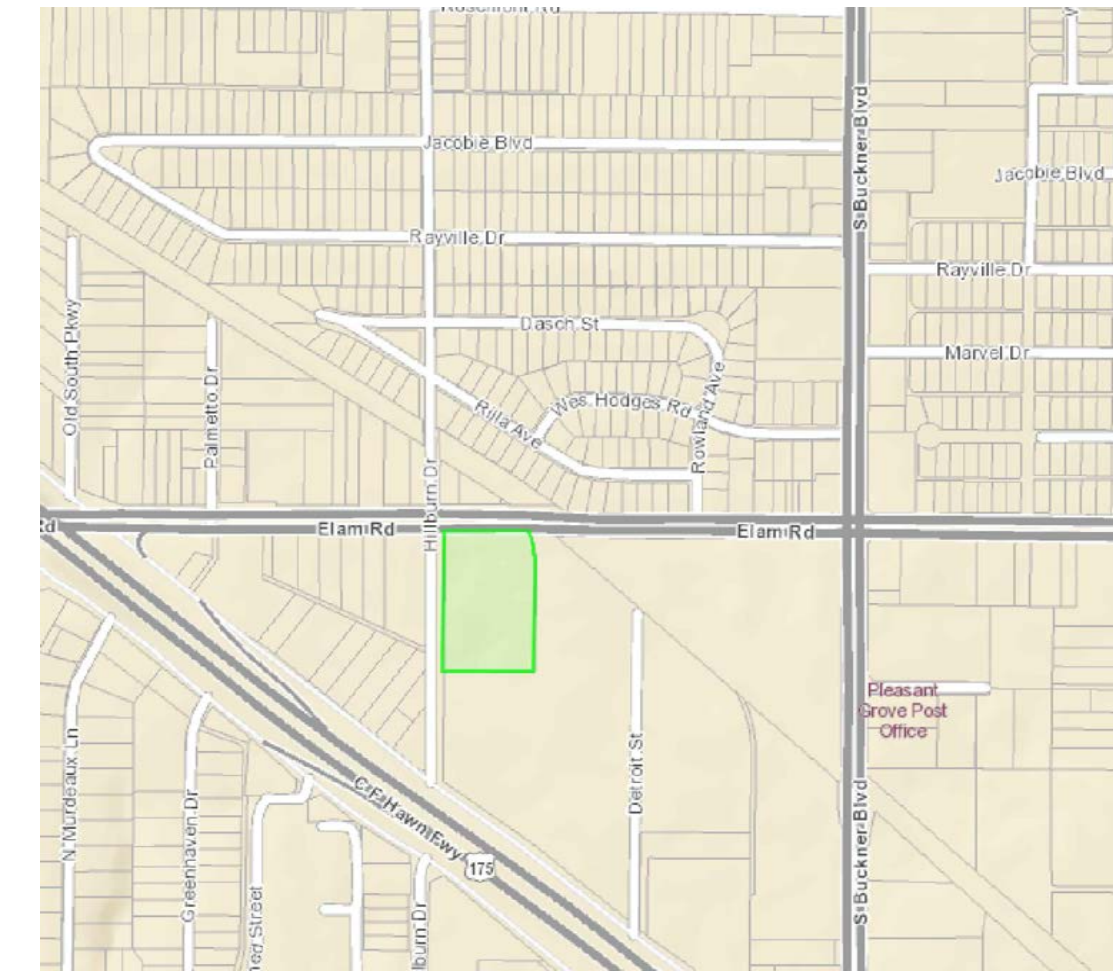
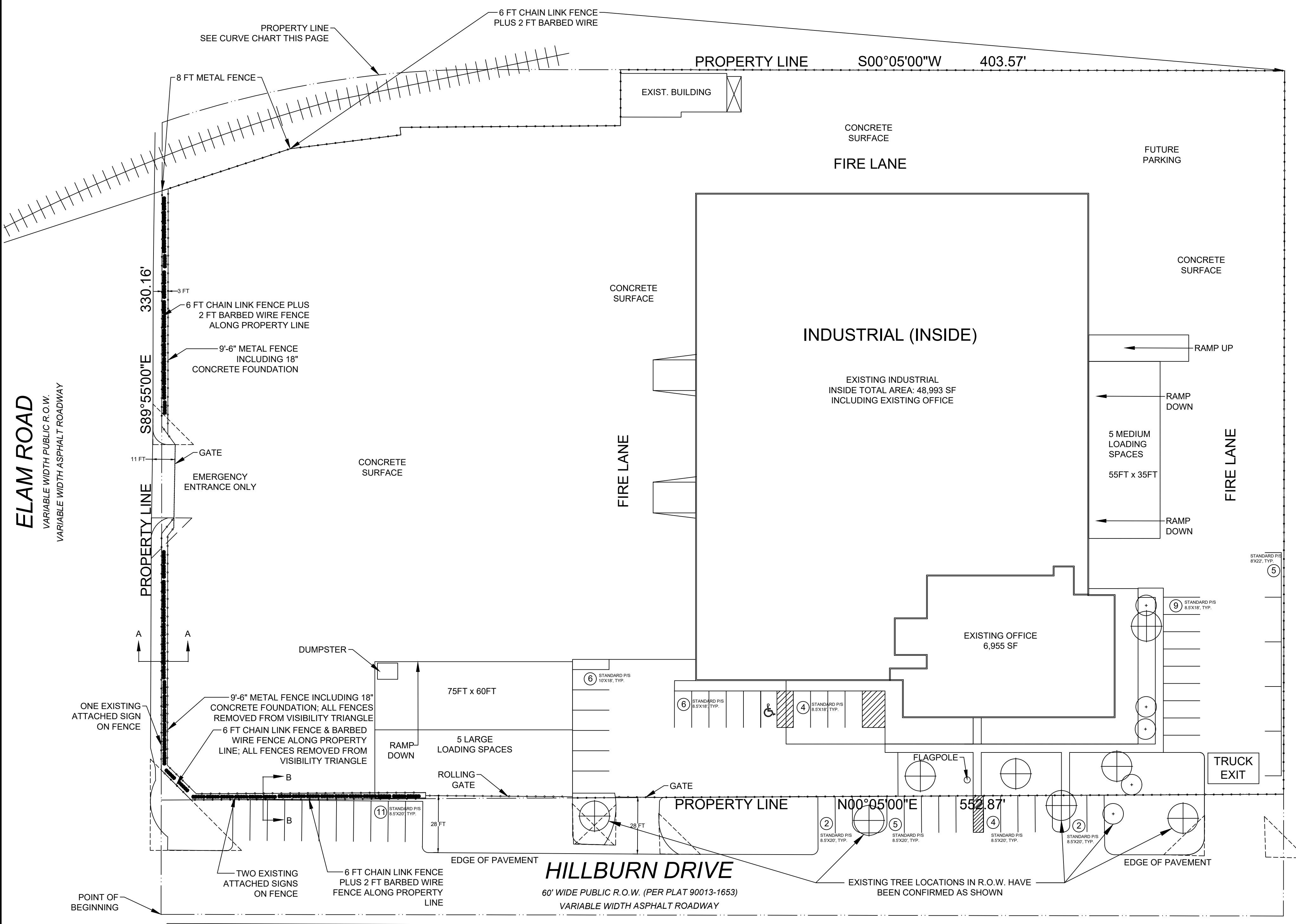
Description:

The applicant is requesting a variance to the landscaping regulations, a special exception to the visibility triangle, and a special exception of the outdoor storage screening materials. *For screening material*

Alternative resolutions discussed/offered:

Applicant must meet requirements because of
Would like the screening to be metal wall w/ chain link fence topped with barbed wire with carolina jazmine vines growing along the outside of the chain link fence, ...attachments go into detail

Thorough screening - 1 TL distance



VICINITY MAP



PARKING REQUIREMENTS

INDUSTRIAL (INSIDE):	82 P/S
(48,993 SF @ 1/600 SF)	
OUTSIDE STORAGE:	MAX OF 5 P/S
(55,000 SF @ 1/5,000 SF)	
REQUIRED SPACES:	87 P/S

ADMINISTRATIVE PARKING REDUCTIONS:

FOR INDUSTRIAL INSIDE; 82 X 50% =	41 P/S
TOTAL PARKING REQUIRED (87-41):	46 P/S

ON-SITE PARKING PROVIDED:	30 P/S
PARKING IN HILLBURN ROW PROVIDED:	24 P/S
TOTAL PROVIDED	54 P/S

LANDSCAPE:

- AN APPROVED VINE SPECIES TO BE PLANTED 7FT O.C. TO BE TRAINED TO CLIMB THE CHAIN-LINKED FENCE ALONG ELAM RD AND HILLBURN DRIVE
- AN AUTOMATIC DRIP IRRIGATION SYSTEM SHALL BE INSTALLED PER CITY REQUIREMENTS.

PLANT SCHEDULE & LEGEND

VINE OPTIONS; 7 FT ON CENTER

Crossvine (*Bignonia capreolata*)
Coral Honeysuckle (*Lonicera sempervirens*)
Passionvine (*Passiflora incarnata*)
Woolly Dutchman's Pipevine (*Aristolochia tomentosa*)
Pearl Milkweed Vine (*Matelea reticulata*)
Carolina Jessamine (*Gelsemium sempervirens*)
Trumpet Vine (*Campsis radicans*)
Star Jasmine (*Trachelospermum jasminoides*)

- EXISTING LARGE CREPE MYRTLE (5)
EXISTING LARGE CANOPY TREE (8)



410 HILLBURN DRIVE
DALLAS, TX 75217

Robert Reeves &
Associates, Inc.

3807 Vinecrest Dr.
Dallas, Texas 75229
214-749-0530 – office
214-749-5605 – fax
214-893-9351 – mobile
rob.reeves@sbcglobal.net

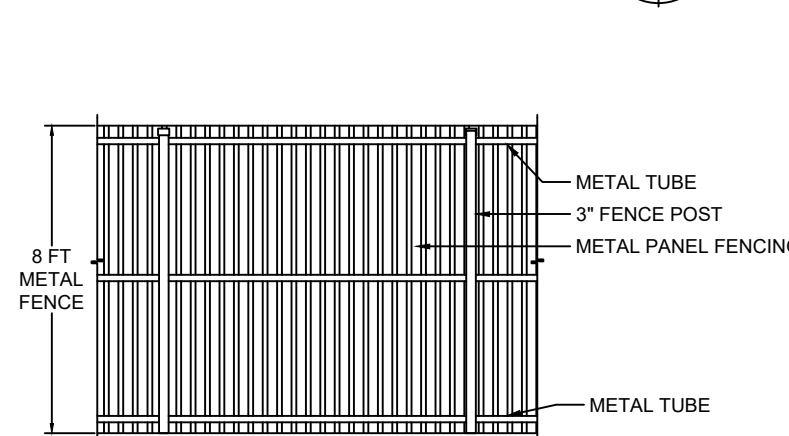
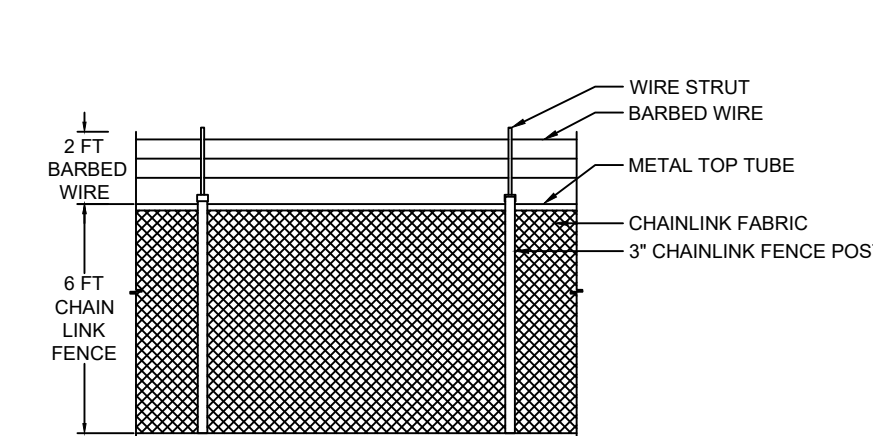
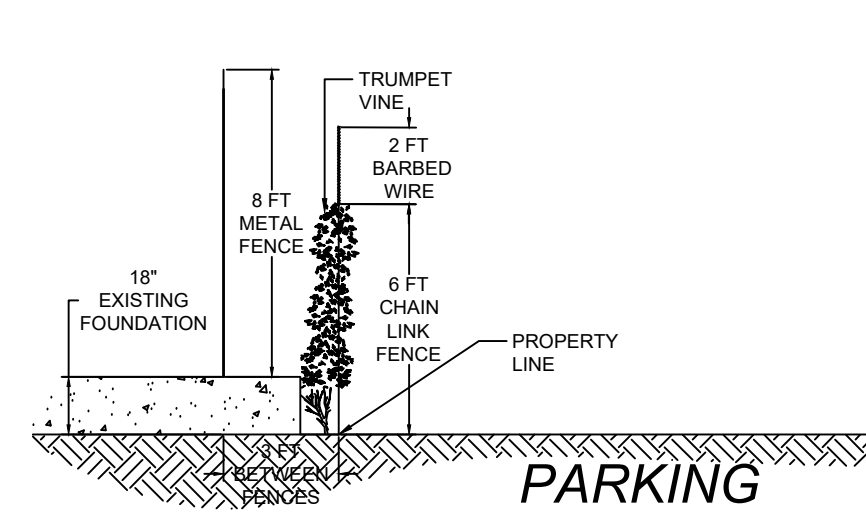
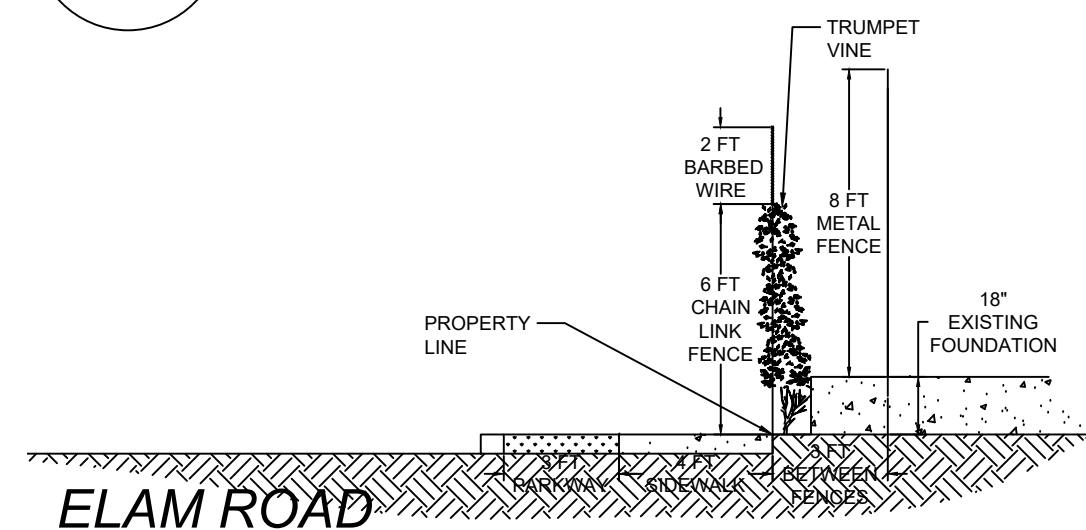
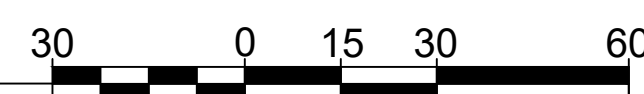
04/21/2026



1A

LANDSCAPE
SITE PLAN

SCALE: 1" = 30'-0"



1B SECTION A-A'
SCALE: 1" = 5'-0"

1C SECTION B-B'
SCALE: 1" = 5'-0"

1D CHAINLINK ELEV.
SCALE: 1" = 5'-0"

1E METAL FENCE ELEV.
SCALE: 1" = 5'-0"

2/2

LANDSCAPE SITE PLAN
SCALE: 1" = 30'-0"