RECEIVED

2026 JAN 13 AM 10:24

CITY SECRETARY
DALLAS, TEXAS

City of Dallas

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

Public Notice

260040

POSTED CITY SECRETARY DALLAS, TX

Board of Adjustment

Panel A

January 20, 2026

Briefing at 10:30 AM

Hearing at 1:00 PM

CITY OF DALLAS

BOARD OF ADJUSTMENT – PANEL A
TUESDAY, JANUARY 20, 2026
AGENDA

BRIEFINGS: **Videoconference/6ES Council Briefing Room*** **10:30 a.m.**

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

PUBLIC HEARINGS: **Videoconference/6ES Council Briefing Room*** **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/boa012026 or by calling the following phone number: ***Webinar number:*** (Webinar 2492 393 2532) 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: 2492 393 2532* ***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, January 19, 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, 19 de Enero 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, JANUARY 20, 2026
ORDER OF BUSINESS

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 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=m27c1495ae6accc98b833b5d327bb7e4a

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

BRIEFING ITEMS

APPROVAL OF MINUTES

November 18, 2025, Meeting Minutes Page 11

ACTION ITEMS:

MISCELLANEOUS ITEMS:

Consideration and Approval of amended Board of Adjustment's Rules of Procedures Page 34

UNCONTESTED ITEMS: **Items 1-3**

BOA-25-000066 – 4701 BENGAL STREET Page 57
BOA-25-000084 – 4342 BLUFFVIEW BOULEVARD Page 70
BOA-25-000085– 11228 INWOOD ROAD Page 83

HOLDOVER ITEMS: **Items 4-6**

BOA-25-000044 – 1425 N. BUCKNER BOULEVARD Page 93
BOA-25-000059 – 7181 GREENTREE LANE Page 108
BOA- 25-000064 – 4665 MEADOWOOD DRIVE Page 119

INDIVIDUAL ITEMS:

NONE

ADJOURMENT

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 propriedad."

The Board/Commission meeting will be held by videoconference and in Council Briefing 6ES at City Hall. Individuals who wish to listen to the meeting, may participate by video by joining Cisco Webex Link or by calling the following phone number: (408) 418-9388, Access Code: 2486 733 1736 for English.

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."

I. Call to Order

II. Staff Presentation/Briefing

III. Public Hearing

IV. Public Testimony

Approval of Minutes of November 18, 2025, Board of Adjustment Hearing

MISCELLANEOUS ITEM(S)

Consideration and Approval of amended Board of Adjustment's Rules of Procedure

V. Case Docket

UNCONTESTED CASE(S)

1. 25-3625A Application of Robert Baldwin for **(1)** a variance to the front yard setback regulations at **4701 BENGAL STREET**. This property is more fully described as Block 5743, Lot 29, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot front yard setback, which will require **(1)** a 15-foot variance to the front yard setback regulations.
Location: **4701 BENGAL STREET**
Applicant: Robert Baldwin
Representative: Robert Baldwin
Senior Planner: Bryant Thompson
Request: **(1)** A request for a variance to the front yard setback regulations.
Staff Recommendation: Approval.
BOA-25-000066

Attachments: Case Report
Site Plan
Elevations

2. 25-3626A Application of Natalie Rubio for **(1)** a special exception to the fence regulations at **4342 BLUFFVIEW BOULEVARD**. This property is more fully described as Block C/4973, SW PT Lot 3, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4 feet. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front yard, which will require **(1)** a 3-foot special exception to the fence height regulations.
Location: **4342 BLUFFVIEW BOULEVARD**
Applicant: Natalie Rubio
Representative: Alessio Saretto
Senior Planner: Bryant Thompson
Request: **(1)** A request for a special exception to the fence height regulations.
Staff Recommendation: No staff recommendation.
BOA-25-000084

Attachments: Case Report
Site Plan & Elevations

3. 25-3627A Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at **10228 INWOOD ROAD**. This property is more fully described as Block 5517, 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 an 8-foot-high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence height regulations.
Location: **10228 INWOOD ROAD**
Applicant: Jennifer Hiromoto
Representative: Jennifer Hiromoto
Senior Planner: Bryant Thompson
Request: **(1)** A request for a special exception to the fence height regulations.
Staff Recommendation: No staff recommendation.
BOA-25-000085

Attachments: Case Report
Site Plan & Elevations

HOLDOVER

4. 25-3628A Application of Robert Baldwin for a **(1)** special exception to the fence height regulations along N. Buckner Boulevard, **(2)** a special exception to the fence opacity regulations along N. Buckner Boulevard, **(3)** a special exception to the fence height regulations along Hermosa Drive, and **(4)** a special exception to the fence opacity regulations along Hermosa Drive at **1425 N BUCKNER BOULEVARD**. This property is more fully described as Block E/5313, Lots 1 and 2, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50-percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front-yard along N. Buckner Boulevard, which will require **(1)** a 3-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 along N. Buckner Boulevard, which will require **(2)** a special exception to the fence opacity regulations, to construct and/or maintain a 7-foot-high fence in a required front-yard along Hermosa Drive, which will require **(3)** a 3-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 along Hermosa Drive, which will require **(4)** a special exception to the fence opacity regulations.

Location: **1425 N. BUCKNER BOULEVARD**
Applicant: Robert Baldwin
Representative: Robert Baldwin
Senior Planner: Bryant Thompson
Request: **(1)** A request special exception to the fence height regulations
(2) A special exception to the fence opacity regulations
(3) A special exception to the fence height regulations
(4) A special exception to the fence opacity regulations
Staff Recommendation: No staff recommendation.
BOA-25-000044

Attachments: Case Report
Elevation
Letter from Applicant

5. 25-3629A Application of George Ryan Fisher for **(1)** a special exception to the side yard setback regulations to preserve an existing tree at **7181 GREENTREE LANE**. This property is more fully described as Block B/4407, Lot 3, and is zoned R-1/2ac(A), which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 2-foot setback, which will require a **(1)** 8-foot special exception to the side yard setback regulations to preserve an existing tree.
Location: **7181 GREENTREE LANE**
Applicant: George Fisher
Representative: George Fisher
Senior Planner: Bryant Thompson
Request: **(1)** A special exception to the side yard regulations to preserve an existing tree
Staff Recommendation: No Staff Recommendation
BOA-25-000059

Attachments: Case Report
Site Plan & Elevations

6. 25-3630A Application of Randall E Kienast for **(1)** a special exception to the fence height regulations at **4665 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 19, 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 6-foot 11-inch-high fence in a required front yard, which will require **(1)** a 2-foot 11-inch special exception to the fence height regulations.
Location: **4665 MEADOWOOD ROAD**
Applicant: Randall E. Kienast
Representative: Randall Kienast
Senior Planner: Bryant Thompson
Request: **(1)** a special exception to the fence height regulations
Staff Recommendation: No staff recommendation.
BOA-25-000064

Attachments: Case Report
Site Plan & Elevations

INDIVIDUAL CASES

NONE

VI. 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

NOVEMBER 18, 2025

DRAFT

Council Chambers 6ES
24923176153@dallascityhall.webex.com
David A. Neumann, Chairman

PRESENT: [4]

David A. Neumann, Chairman	
Kathleen Davis	
Rachel Hayden	
Michael Hopkovitz	

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 manners that were scheduled on the posted meeting agenda.

- No Registered Speakers

MISCELLANEOUS ITEMS

Approval of the Board of Adjustment Panel A, November 4, 2025, Meeting Minutes.

Motion was made to approve Panel A, November 4, 2025, Public Hearing Minutes.

Maker:	Michael Hopkovitz				
Second:	Rachel Hayden				
Results:	4-0 unanimously				Motion to approve
		Ayes:	-	4	David A. Neumann, Kathleen Davis, Rachel Hayden, Michael Hopkovitz
		Against:	-	0	

Approval of the Board of Adjustment Full Board Meeting, October 28, 2025, Meeting Minutes.

Motion was made to approve Board of Adjustment Full Board, October 28, 2025, Minutes.

Maker:	Kathleen Davis				
Second:	Michael Hopkovitz				
Results:	4-0 unanimously				Motion to approve
		Ayes:	-	4	David A. Neumann, Kathleen Davis, Rachel Hayden, Michael Hopkovitz
		Against:	-	0	

UNCONTESTED ITEMS

1. 7181 GREENTREE LANE
BOA-25-000059(BT)
This Case was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of George Ryan Fisher for **(1)** a special exception to the side yard setback regulations to preserve an existing tree at **7181 GREENTREE LANE**. This property is more fully described as Block B/4407, Lot 3, and is zoned R-1/2ac(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 2-foot side-yard setback, which will require a **(1)** 3-foot special exception to the side yard setback regulations to preserve an existing tree.

LOCATION: 7181 Greentree Lane

APPLICANT: George Ryan Fisher

REQUEST:

(1) A request for a special exception to the side-yard setback regulations to preserve an existing tree.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION TO THE SIDE YARD SETBACK REGULATIONS TO PRESERVE AN EXISTING TREE:

Section 51A-4.402(e) of the Dallas Development Code states that the board may grant a special exception to the minimum side yard to preserve an existing tree when in the opinion of the board, **the requested special exception is compatible with the character of the neighborhood, the value of surrounding properties will not be adversely affected; and the tree is worthy of preservation.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1/2ac(A)
North:	R-1/2ac(A)
East:	R-1/2ac(A)
South:	R-1ac(A)
West:	R-1/2ac(A)

Land Use:

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

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of George Ryan Fisher for the property located at 7181 Greentree Lane focuses on one request relating to the side-yard setback regulations.
- The first request is for a special exception to the minimum side-yard setback regulations to preserve an existing tree. The applicant proposes to construct and maintain a single-family residential accessory structure and provide a 2-foot side-yard setback, which will require a 3-foot special exception to the side-yard setback regulations to preserve an existing tree.
- Chief Arborists Report

  Request
  The applicant is seeking a special exception to the side yard setback regulations to preserve an existing live oak tree. The placement of the accessory structure is limited by the location and the growth habit of the mature tree. The pruning of the large limbs would be detrimental to the tree if necessary for proper placement of a structure.
  The tree is worthy of preservation, and the proposed placement of the structure protects the integrity of the tree.

- The applicant has the burden of proof in establishing whether the requested special exception is compatible with the character of the neighborhood, whether the value of surrounding properties will be adversely affected; and whether the tree is worthy of preservation.
- Granting the special exception for a structure to be located within the required setbacks with a condition that the applicant complies with the submitted site plan and elevations, for which a special exception has been granted under this subsection, and would require the proposal to be permitted, and constructed as shown on the submitted documents.
- 200' Radius Video: BOA-25-000059 at 7181 Greentree Ln

Timeline:

September 26, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: George Fisher, 7181 Greentree Ln., Dallas TX 75214

Against: Pete Marketos, 7189 Greentree Ln, Dallas TX 75214

Motion # 1
I move that the Board of Adjustment in Appeal No. BOA-25-000059, **hold** this matter under advisement until **January 21, 2026**.

Maker:	Rachel Hayden				
Second:	Kathleen				

	Davis				

Motion # 2
I move that the Board of Adjustment in Appeal No. BOA-25-000059, **hold** this matter under advisement until **January 20, 2026**.

Maker:	Rachel Hayden				
Second:	Kathleen Davis				
Results:	4-0 Unanimously				Motion to hold under advisement
		Ayes:	-	4	David A. Neumann, Kathleen Davis, Rachel Hayden, Michael Hopkovitz
		Against:	-	0	

2. 6511 BOB O LINK DRIVE
BOA-25-000060(BT)

BUILDING OFFICIAL'S REPORT: Application of Jacob Brady Bishop for **(1)** a variance to the side-yard setback regulations at **6511 BOB O LINK DRIVE**. This property is more fully described as Block F/4815, Lot 23, and is zoned R-7.5(A), which requires a side-yard setback of 5-feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 2-foot side-yard setback, which will require **(1)** a 3-foot variance to the side-yard setback regulations.

LOCATION: 6511 Bob O Link Drive

APPLICANT: Jacob Brady Bishop

REQUEST:

(2) A request for a variance to the side-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, 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 side-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. Lot is restrictive in buildable **area**, as in typical R-7.5(A) lot size is 7,500, and the applicant lot size is 7,150 square feet; therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning.
C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site:	R-7.5(A)
North:	R-7.5(A)
East:	R-7.5(A) and NSO 3
South:	R-7.5(A) and NSO 3
West:	R-7.5(A)

Land Use:

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

BDA History:

No BDA history found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jacob Brady Bishop for the property located at 6511 Bob O Link Drive focuses on one request relating to the side-yard setback regulations.
- The applicant is proposing to construct and maintain a single-family residential structure and provide a 2-foot side-yard setback, which will require a 3-foot variance to the side-yard setback regulations.
- The applicant proposes enclosing the existing carport with garage doors and exterior walls near the property line.
- The subject site along with surroundings properties to the north, east, south, and west are all developed with single-family homes.
- The subject site is restrictive in size, 7,191 square feet, and R-7.5(A) requires a minimum lot size of 7,500 square feet.
- It is imperative to note, per staff's research, that the carport structure and second floor 3-foot side-yard setback variance were approved under BDA 023-074.
- The applicant has the burden of proof in establishing the following:

  1) That granting the variance to the side-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 side-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-25-000060 at 6511 Bob O Link Dr

Timeline:

September 24, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: No Speakers

Against: No Speakers

Motion
I move that the Board of Adjustment **GRANT** the following applications listed on the uncontested docket because it appears, from our evaluation of the property and all relevant evidence that the applications satisfy all the requirements of the Dallas Development Code and are consistent with the general purpose and intent of the Code, as applicable, to wit:

BOA-25-000060 – Application of Jacob Brady Bishop, for a variance to the side-yard setback regulations contained in the Dallas Development Code, is granted, subject to the following condition:

Compliance with the most recent version of all submitted plans are required.

Maker:	Rachel Hayden				
Second:	Kathleen Davis				
Results:	4-0 Unanimously				Motion to grant
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Michael Hopkovitz, Andrew Finney & Phil Sahuc
		Against:	-	0	

3. 4665 MEADOWOOD ROAD
BOA-25-000064(BT)
This Case was moved to Individual Cases

BUILDING OFFICIAL'S REPORT: Application of Randall Kienast for **(1)** a special exception to the fence height regulations at **4665 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 19, and is zoned R-1ac(A), which limits the height of a fence in the front-yard to 4 feet. The applicant proposes to construct and/or maintain an 8-foot 4-inch high fence in a required front-yard, which will require **(1)** a 4-foot 4-inch special exception to the fence height regulations.

LOCATION: 4665 Meadowood Road

APPLICANT: Randall E Kienast

REQUEST:

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

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence 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-1as(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 Randall E Kienast for the property located at 4665 Meadowood Road focuses on one request relating to the fence height.
- The applicant is proposing to construct and maintain an 8-foot 4-inch high fence and gate in a required front-yard, which will require a 4-foot 4-inch special exception to the fence height regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing an 8-foot 4-inch high decorative wrought iron fencing located between the 40-foot front-yard setback and front property line.
- The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.
- Based upon staff's analysis of the surrounding properties, the proposed fence is similar to other single-family homes along Meadowood Road.
- 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 regulations relating to 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: BOA-25-000064 at 4665 Meadowood Rd

Timeline:

September 26, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and

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

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Randall Kienast. 7122 Wildgrove Ave., Dallas TX 75214

Against: No Speakers

Motion
I move that the Board of Adjustment in Appeal No. BOA-25-000064 **hold** this matter under advisement until **January 20, 2025**.

Maker:	Kathleen Davis				
Second:	Rachel Hayden				
Results:	4-0 Unanimously				Motion to hold under advisement
		Ayes:	-	4	David A. Neumann, Rachel Hayden, Andrew Finney & Phil Sahuc
		Against:	-	0	Michael Hopkovitz

INDIVIDUAL CASES

4. 5900 MERCEDES AVENUE
BOA-25-000049(BT)

BUILDING OFFICIAL'S REPORT: Application of Chris Black for **(1)** a special exception to the 20-foot visibility obstruction triangle regulations and for **(2)** a variance to the rear yard setback regulations at **5900 MERCEDES AVENUE**. This property is more fully described as Block E/2858, Lot 24, and is zoned CD-11, which requires a 20-foot visibility triangle at the driveway approach and requires a rear yard setback of 3 feet when adjacent to an alley. The applicant proposes to construct and/or maintain single-family residential fence structure in a required visibility obstruction triangle, which will require **(1)** a special exception to the 20-foot visibility obstruction regulation at the driveway approach, and to construct and/or maintain a single-family residential accessory structure and provide a 0-foot rear yard setback, which will require **(2)** a 3-foot variance to the rear yard setback regulations.

LOCATION: 5900 Mercedes Avenue

APPLICANT: Chris Black

REQUEST:

(4) A request for a special exception to the 20-foot visibility obstruction regulations at the drive approach, and

(5) A request for a variance to the rear-yard setback regulations.

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 (1):

No staff recommendation is made on this request.

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, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

(D) **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.

(E) **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

(F) **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 rear-yard setback regulations:

Denial

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

D. Not contrary to the public interest.
E. Lot is not restrictive in area, shape, and slope; accessory structures fifteen feet or less in height must have a minimum three-foot rear yard setback. Therefore, this lot can be developed in a manner commensurate with development upon other parcels of land in the same zoning conservation district.
F. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site:	CD-11 (M Streets East Conservation District)
North:	CD-11 (M Streets East Conservation District)
East:	CD-11 (M Streets East Conservation District)
South:	CD-11 (M Streets East Conservation District)
West:	CD-11 (M Streets East Conservation District)

Land Use:

The subject site and all 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 Chris Black for the property located at 5900 Mercedes Avenue focuses on two requests relating to visual obstruction regulations, and rear-yard setback regulations.
- The first request, the applicant is requesting a special exception to the 20-foot visibility obstruction triangle at the driveway approach.
- The applicant is proposing to construct and maintain a single-family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the 20-foot visibility obstruction at the driveway approach.
- The second request, the applicant is requesting a variance to the rear-yard setback regulations.
- The applicant is proposing to construct and maintain a residential addition and provide a 0-foot rear-yard setback, which will require a 3-foot variance to the rear-yard setback regulations.

- It is imperative to note that CD-11 (M Streets East Conservation District) was approved on January 14, 2004 (Ordinance No. 25474) establishing the following setbacks:
    - CD-11 (d)(16) Accessory structures.
      (E) Rear yard setback.

      (ii) Accessory structures 15 feet or less in height must have at a minimum three-foot rear yard setback.

      (iv) A replacement accessory structure may be built in the rear yard in the same location as an original accessory structure, even if it does not comply with the rear yard setback requirements of this subsection, provided it does not project into the public right-of-way.

      (17) Driveways and curbing.

      (B) Driveways and curbing constructed of asphalt, shredded rubber, or similar materials are not allowed. Unimproved dirt driveways are not allowed.

      (C) Ribbon driveways are allowed. Circular driveways are allowed.

      (E) On corner lots, a driveway entry on the side street may be up to 24 feet wide if it is located behind the rearmost corner of the main structure and provides access to a garage.
- The subject site, along with the surrounding properties to the east and west, are all developed with single-family homes within CD-11.
- The majority of interior lots, including the subject site, vary in size, shape, and slope following the street curve and natural topography of the area.
- It is imperative to note that similar conditions, at the alley, in the immediate vicinity of CD 11, appear to meet the minimum 20-foot visibility regulations.
- The applicant has the burden of proof in establishing that the special exception to the visibility obstruction regulations will not constitute a traffic hazard.
- Granting the special exception to the 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.
- The applicant has the burden of proof in establishing the following:

    4) That granting the variance to the rear-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.

    5) 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

6) 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 rear-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-25-000049 at 5900 Mercedes Ave

Timeline:

August 22, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Chris Black, 4849 Greenville Ave Suite 1330, Dallas TX 75206

Against: No Speakers

Motion # 1

I move that the Board of Adjustment, in Appeal No. BOA-25-000049, on application of Chris Black, **GRANT** the 3-foot variance to the rear-yard setback regulations requested by this applicant because our evaluation of the property and 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 result in unnecessary hardship to this applicant.

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 all submitted plans are required

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

Motion # 2

I move that the Board of Adjustment, in Appeal No. BOA-25-000049, on application of Chris Black, **DENY** the special exception requested by this applicant to maintain items in the visibility triangle at the drive approach **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would constitute a traffic hazard.

Maker:	Kathleen Davis					
Second:	Rachel Hayden					
Results:	4-0 Unanimously					Motion to deny without prejudice
		Ayes:	-		4	David A. Neumann, Rachel Hayden, Kathleen Davis & Michael Hopkoviz
		Against:	-		0	

5. 310 AVENUE I
BOA-25-000061(BT)

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for **(1)** a special exception to the single-family zoning use regulations, **(2)** a variance to the floor area for structures accessory to single-family use regulations, and for **(3)** a variance to the building height for structures accessory to single-family use regulations at **310 AVENUE I**. This property is more fully described as Block 6/4655, Lot 22, and is zoned R-5(A), which limits the number of dwelling units to one, states than an accessory structure may not exceed 25 percent of the floor area of the main structure, and limits the maximum building height of an accessory structure to not exceed the height of the main structure. The applicant proposes to construct and/or maintain an accessory dwelling unit (for rent), which will require **(1)** a special exception to the single-family zoning use regulations, and to construct and/or maintain a single family residential accessory structure (for rent) with 792 square feet of floor area (38% of the 2,108 square foot floor area of the main structure), which will require **(2)** a 265 square foot (13 percent) variance to the floor area for structures accessory to singly family use regulations, and to construct a single-family residential structure with a building height of 24-feet 6-inches, which will require **(3)** a 9-foot 6-inch variance to the maximum building height for structures accessory to single family use regulations.

LOCATION: 310 Avenue I

APPLICANT: Jennifer Hiromoto

REQUEST:

(6) A special exception to the single-family use regulations,
(7) A variance to the floor area for structures accessory to single-family use regulations, and
(8) A variance to the building height for structures accessory to single-family use regulations.

STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AUTHORIZE AN ACCESSORY DWELLING UNIT:

Section 51A-4.209(b)(6)(E)(iii) of the Dallas Development Code specifies that the board may grant a special exception to authorize a rentable accessory dwelling unit in any district when, in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties. If a minimum of one additional off-street parking space is not provided, the board shall determine if that will create a traffic hazard. The board may require an additional off-street parking space be provided as a condition of granting this special exception. In granting a special exception under this subparagraph, the board shall require the applicant to:

1. Deed restrict the subject property to require owner-occupancy on the premises; and
2. Annually register the rental property with the city's single family non-owner occupied rental program.

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request for a special exception to authorize an accessory dwelling unit since the basis for this type of appeal is when in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties.

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**, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

(G) **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.

(H) **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

(I) **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 floor area for structures accessory to single-family use regulations:

Denial

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

G. Not contrary to the public interest.

H. The subject site is not restrictive in area, shape, or slope. Subject site is 7,040 square feet compared to minimum 5,000 square feet in R-5(A) zoning; therefore, it can be developed in a manner commensurate with development upon other parcels of land in the same zoning conservation district.

I. Not self-created nor is it a personal hardship.

Variance to the building height for structures accessory to single-family use regulations:

Denial

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 not restrictive in area, shape, or slope. Subject site is 7,040 square feet compared to minimum 5,000 square feet in R-5(A) zoning. The slope on site did not appear to create any challenges for development; therefore, it can be developed in a manner commensurate with development upon other parcels of land in the same zoning conservation district.

C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site:	R-5(A)
North:	R-5(A) and PD-998
East:	R-5(A)
South:	R-5(A)
West:	R-5(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 Jennifer Hiromoto, for the property located at 310 Avenue I, focuses on three requests relating to single-family use regulations, the floor area for structures accessory to single-family use regulations, and the height for structures accessory to single-family use regulations.
- The first request is for a special exception to the single-family use regulations. The applicant is proposing to construct and maintain an accessory dwelling unit (for rent), which will require a special exception to the single-family zoning use regulations
- The second request relates to the floor area for structures accessory to the single-family use regulations. The applicant is proposing to construct and maintain an accessory structure greater than 25 percent of the main floor area.
    - The main structure has a floor area of 2,108 square feet, which limits the allowable size of an accessory structure to 527 square feet.

  - The applicant proposes to construct and/or maintain a single-family residential accessory structure with 792 square feet of floor area (38 percent).
  - This will require a 265 square foot (13 percent) variance to the floor area for structures accessory to single-family use regulations.

- The third request relates to the height for structures accessory to the single-family use regulations. The applicant proposes to construct and maintain an accessory structure with a height exceeding that of the main structure.
  - The main structure has a midpoint (maximum building height) of 15 feet 0 inches.
  - The applicant proposes to construct and/or maintain a single-family residential accessory structure with a height of 24-feet 6-inches.
  - This will require a 9-foot 6-inch variance to the maximum building height for structures accessory to the single family use regulations.
- The Dallas Development Code states that only one dwelling unit may be located on a lot and that the Board of Adjustment may grant a special exception to this provision and authorize an accessory dwelling unit on a lot when, in the opinion of the board, the special exception will not adversely affect neighboring properties.
- The applicant has the burden of proof in establishing that the special exception to the single-family use regulations will not adversely affect the neighboring properties.
- Granting the special exception to the single-family use 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.
- Granting the special exception to the single-family use regulations would also require the applicant to deed restrict the subject property to require owner-occupancy on the premises; and annually register the rental property with the city's single family non-owner occupied rental program.
- The applicant has the burden of proof in establishing the following:

7) That granting the variances to the floor area and height for structures accessory to the single-family use 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.

8) The variances are 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

9) The variances 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 floor area for structures accessory to single-family use regulations and variance to the building height for structures accessory to single-family use 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-25-000061 at 310 Avenue I

Timeline:

September 23, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment

Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

Speakers:

For: Fredrick Terry, 310 Avenue I, Dallas TX 75203
Jennifer Hiromoto, 10233 E. NW Hwy. # 38586, Dallas TX 75238

Against: No Speakers

Motion # 1
I move that the Board of Adjustment, in request No. BOA-25-000061, on application of Jennifer Hiromoto, **DENY** the special exception to construct and maintain an accessory dwelling unit (for rent) on a site developed with a single family structure as requested by this applicant **without prejudice**, because our evaluation of the property and the testimony shows that granting the application would adversely affect neighboring property.

Maker:	Kathleen Davis					
Second:	Michael Hopkovitz					
Results:	3-1					Motion to deny without prejudice
		Ayes:	-		4	David A. Neumann, Kathleen Davis & Michael Hopkovitz
		Against:	-		0	Rachel Hayden

Motion # 2
I move that the Board of Adjustment, in Appeal No. BOA-25-000061, on application of Jennifer Hiromoto, **GRANT** the 265 square foot variance to the floor area for a structure accessory to the single-family use regulations because our evaluation of the property and 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 result in unnecessary hardship to this applicant.

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 all submitted plans are required.

Maker:	Kathleen Davis					
Second:	Rachel Hayden					
Results:	4-0 Unanimously					Motion to deny without prejudice
		Ayes:	-		4	David A. Neumann, Rachel Hayden, Kathleen Davis & Michael Hopkovitz
		Against:	-		0	

Motion # 3
I move that the Board of Adjustment, in Appeal No. BOA-25-000061, on application of Jennifer Hiromoto, **DENY** the variance to the building height for structures accessory to single family use

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:	4-0 Unanimously					Motion to deny without prejudice
		Ayes:	-		4	David A. Neumann, Rachel Hayden, Kathleen Davis & Michael Hopkovitz
		Against:	-		0	

Recess 2:55 pm – 3:00 pm

ADJOURNMENT

After all business of the Board of Adjustment had been considered, Chairman Neumann entertained a motion to adjourn at 4:34 p.m.

Maker:	Michael Hopkovitz				
Second:	Kathleen Davis				
Result:	4-0 Unanimously				Motion to adjourn

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

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

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

1-22-26~~10-28-25~~ [~~4-28-25~~]

CITY OF DALLAS

BOARD OF ADJUSTMENT

[~~WORKING~~] RULES OF PROCEDURE

January 22, 2026~~October 28,~~[~~June~~] ~~2025~~]

TABLE OF CONTENTS

		Page
Section 1.	Powers of the Board	3
Section 2.	Composition of the Board	4
Section 3.	Quorum	4
Section 4.	Duties of the Chair	4
Section 5.	Duties of the Presiding Officers	5
Section 6.	Duties of the Board Administrator	6[~~5~~]
Section 7.	Duties of the Secretary	8[~~7~~]
Section 8.	Alternate Members	9[~~8~~]
Section 9.	Attendance and General Rules	9[~~8~~]
Section 10.	Requests for Board Action	10[~~9~~]
Section 11.	Public Testimony and Public Hearings	12[~~11~~]
Section 12.	Appeals of the Decision of Administrative Officials [~~Decisions of a Panel~~]	14[~~16~~]
Section 13.	Compliance Cases	15
Section 14.	Decisions of a Panel	17
Section 15[~~13~~].	Executive Sessions	18[~~17~~]
Section 16[~~14~~].	Two-Year Limitation	19
Section 17[~~15~~].	Amendments to Rules of Procedure	20[~~19~~]

CITY OF DALLAS BOARD OF ADJUSTMENT

RULES OF PROCEDURE

Section 1. Powers of the Board.

(a) The powers of the board of adjustment, referred to as the board conferred upon it in Section 7, Chapter 282, Page 424, 40th Legislature, Acts 1927, and as thereafter amended, being codified in Chapter 211 of the Local Government Code, Chapter 8 of the Dallas City Code, as amended, and in Sections 51A-3.102, 51A-4.703, and 51A-4.704 of the Dallas Development Code, as amended, include, but are not limited to, the following:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of any order or ordinance pertaining to zoning.

(2) To hear and decide special exceptions to the terms of the zoning ordinance in the manner provided.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance will result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice done.

(4) To regulate and discontinue nonconforming uses and structures.

(b) In exercising its powers, the panels of the board may reverse or affirm, wholly or partly, or may modify an order, requirement, decision, or determination appealed from and may make an order, requirement, decision, or determination as ought to be made, and to that end the panels of the board shall have all the powers of the officer from whom an appeal is taken.

Section 2. Composition of the Board.

(a) The board shall consist of fifteen members and six alternate members[~~s~~] appointed by the city council for a term of two years. All members and alternate members by a majority vote of the city council may be replaced prior to the completion of their two-year term. [~~All members shall be removable for cause by the city council upon written charges and after a public hearing.~~]

(b) The officers of the board shall consist of a chair, two vice-chairs, appointed by the mayor, a board administrator, a board secretary, a board attorney, and any other officers the board may elect or the chair may appoint. The board administrator, board secretary, and board attorney shall have no voting rights.

(c) The board shall be divided into three panels of five members by the city secretary to reflect the community served by ~~geographic and ethnic diversity of~~ the city to the greatest extent possible. A board member may serve only on the panel to which the member is assigned. The chair and vice-chairs shall each be the presiding officer of one of the panels.

(d) The board and panels of the board shall be provided the staff employees necessary to conduct its proceedings, as provided by the budget. The services of an accountant and abstract research company may be retained as needed for the preparation of compliance cases.

Section 3. Quorum. At the beginning of each regular or special meeting, the presiding officer shall determine whether a quorum exists. A quorum exists if 75 percent of the fully appointed board (four members minimum for a panel, or 12 members for the fully appointed 15 member board), either regular or alternate, are present. If a quorum exists, the presiding officer shall announce that a quorum is present. If a quorum does not exist 30 minutes after the time the meeting was called, the presiding officer shall adjourn the meeting.

Section 4. Duties of the Chair.

(a) The chair shall preside over all meetings of the entire board. In the absence of the chair, the chair shall appoint a vice-chair to preside and fulfill all of the duties of the chair.

(b) The chair shall approve a rotational schedule for attendance of alternate

members at panel meetings.

(c) The chair, in collaboration with the vice-chairs, shall provide leadership to the board to ensure that the rules of procedure and Chapter 8 of the code are applied consistently across all three panels.

(d) The chair shall serve as liaison between the board and the city council, city officers, the director, staff, and other board and commissions.

(e) The chair may consult with the board administrator to review the prepared board and panel agendas.

(f[~~d~~]) The chair may call and cancel meetings of the full board or of a panel.

(g[~~e~~]) The chair may create ad hoc committees and working groups from time to time to study and make recommendations on specific issues. Ad hoc committees must be made up of only members of the board of adjustment and cannot have more than six members.

Section 5. Duties of the Presiding Officers.

(a) The chair and vice-chairs shall act as presiding officers of their respective panels. The duties of the presiding officers of a panel are to preside at all meetings of the panel to which they are assigned, to maintain order at all times, to administer oaths, and to rule on all points of procedure, and to dispense the business of the panel in a just and orderly manner. The presiding officer may impose a reasonable time limit for speakers in order to dispense the business of the board or panel in a just and orderly manner.

(b) The presiding officer shall question all witnesses and/or staff, and request other members of the panel to ask any questions which may assist the board and panels of the board in arriving at a just and fair decision.

(c) The presiding officer shall sign the minutes of the panel meetings over which he or she presides and decision letters of each case decided upon in accordance with the decision of the panel.

(d) In the absence of the presiding officer, the panel shall elect a temporary presiding offer. This election does not survive the meeting in which it is

had.

(e) The presiding officer shall compel the attendance of witnesses when necessary.

Section 6. Duties of the Board Administrator.

(a) The board administrator shall:

(1) receive all complete applications to the board for processing;

(2) receive all evidence submitted for the board's review;

(3) provide technical assistance to the board;

(4) assist the general public with information, procedures, policies, case status, and site plans;

(5) gather needed information from outside sources and confer with all sections and departments of the city for case analysis;

(6) provide research on cases;

(7) prepare board documents, dockets, notices, and advertisements, and write necessary letters to the property owners;

(8) direct, conduct, and supervise all administrative functions of the board operation as may be deemed necessary;

(9) coordinate the work of the board in support of the chair and vice-chairs in their leadership of the board;

(10) serve as liaison for administrative matters between the board and the city plan commission, city manager, and various other officers of the City of Dallas, including, but not limited to, the building official, the director of transportation, the city attorney, and the director of planning; [~~and~~]

(11) after conferring with the chair, propose and maintain an annual calendar for the board and panel meeting dates, which are subject to initial board approval;[~~.~~]

(12) prepare the board and panel agendas with consultation by the chair and vice-chairs;[.]

(13) initiate a comprehensive review of the request based on the current zoning, conduct a site visit of the subject property and the surrounding 200 feet, and consult relevant city departments;

(14) prepare a staff recommendation or technical review for pending cases when appropriate and state all the staff members and their roles who participated in making the recommendation or technical review;[.]

(15) no later than seven calendar days prior to each board or panel meeting, distribute to each member and make available to the public the complete agenda and case docket materials. The board or panel, by majority vote, can still hear the noticed cases even if the agenda and case docket materials were not disseminated in accordance with this paragraph;[.]

(16) review all forms and intake and handling procedures for board applications for accuracy, equality, and efficiency;[.]

(17) publish all board meeting dates and times, and list all pending cases filed with the board;[.]

(18) conduct an orientation training for new members and alternate members upon appointment; and[.]

(19) sign decision letters addressed to applicants confirming the board's actions.

(b) The board administrator shall also administer oaths and compel the attendance of witnesses when requested by the chair or other presiding officers to do so.

(c) For purposes of this section, BOARD means the full board or panels of the board.

Section 7. Duties of the Board Secretary.

(a) The board secretary shall be generally responsible for the clerical work of the board and panels of the board, under the direction and supervision of the board administrator. The board secretary shall:

(1) keep the minutes of all meetings and proceedings in a substantially bound book showing the vote and motion of each member upon each question, or if absent, or failing to vote, indicating that fact, and attesting the minutes;

(2) compile the required records, log appeals and applications to the board, prepare case folders, type notices and envelopes, prepare route sheets, log favor and opposition letters, prepare certified mail to applicants, type letters and memoranda; [~~and~~]

(3) administer oaths of witnesses and speakers who wish to testify at public hearings;

(4) prepare and issue a decision letter stating the board's action for each case or appeal within two business days following the hearing date;

(5) call board and panel members for meetings, maintain index files, number each case, and furnish each member of the board and each member of panel of the board with a copy of each petition, together with the administrative official's decision;[~~.~~]

(6[~~4~~]) randomly and independently assign and reassign cases to the panels and balance the workloads of the panels except as provided in Subsections 10(k) and 10(l);[~~.~~]

(7[~~5~~]) no later than seven calendar days prior to each board or panel meeting, distribute to each member and make available to the public the complete agenda and case docket materials. The board or panel, by majority vote, can still hear the noticed cases even if the agenda and case docket materials were not disseminated in accordance with this paragraph; and[~~.~~]

(8[~~6~~]) Publish all board meeting dates and times, and list all pending cases filed with the board.

(b) For purposes of this section, BOARD means the full board or panels of the board.

Section 8. Alternate Members.

(a) In the absence of one or more regular members, alternate members shall attend panel and full board meetings when requested to do so by the board chair, the presiding officer of a board panel, or by the city manager. The presiding officer of a panel may dismiss an alternate member when attendance is not necessary to complete a five-member panel.

(b) The alternate members are subject to the same general rules as all other board members.

Section 9. Attendance and General Rules.

(a) The board shall be governed by the rules of procedure and decorum for city boards and commissions contained in Chapter 8 of the Dallas City Code, as amended, and applicable provisions of the City Charter.

(b) All members shall comply with the attendance rules set forth in Chapter XXIV, Section 17, of the City of Dallas Charter and Chapter 8 of the Dallas City Code, as amended. No member may be excused from attendance at a board or panel meeting, except for medical reasons certified to by his or her physician or unless excused by the board and the city council. A member shall forfeit his or her office if the member misses more than three regular meetings in succession or misses more than 25 percent of the regular meetings during any 12-month period.

(c) Only members or alternate members who are physically present at the location specified in the posted meeting notice will be considered to be in attendance at the meeting.

(d) Members and alternate members shall not discuss a pending case with anyone prior to its panel hearing, nor after the hearing or decision of the panel until the 10-day appeal period has expired or while the case remains under appeal in district court. The city attorney's office shall promptly notify the panel if an appeal has been filed.

Section 10. Requests for Board Action.

(a) All requests to the board must be made on the prescribed form provided by the director, which must be signed and acknowledged before a notary public.

(b) The fee as provided by ordinance must accompany each request to defray the cost of advertising the public hearing.

(c) The board or panel of the board may waive the filing fee if the board or panel of 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 or panel's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket for predetermination, the applicant may not file the application until the merits of the request for waiver have been determined by the board or panel of the board.

(d) Evidence submitted for the board's consideration on a request must be submitted to the board administrator or the board secretary. Evidence submitted is part of the public record and will not be returned. The board and panels are quasi-judicial bodies; therefore, no evidence may be submitted to and no contact may be made with individual members regarding a pending request. All communications, oral or written, should be directed to the board administrator. Failure to comply with this rule may result in criminal prosecution for improper influence, which is a Class A misdemeanor under Texas Penal Code Section 36.04.

(e) Unless expressly authorized by the concurring vote of 75 percent of the members of a panel when an extreme hardship is shown, no request may be heard at a regular panel meeting until the expiration of 21 days after it is filed with the administrative official.

(f) The director shall schedule cases within a reasonable time from the receipt of a complete application.

(g) An item may be placed on the board agenda by the director, the board chair, or a written request of at least one-third of the members of the board. An item may be placed on a panel agenda by the director, the

board chair, the vice-chair of that panel, or a written request of at least two members of that panel.

(h) The director may authorize the withdrawal of all applications except those to establish a compliance date, which must be authorized by the panel assigned the case. No request for withdrawal of an application may be considered by the director or a panel unless it is in writing. A request to the director for withdrawal must be received before 5:00 p.m. on the second Friday before the date of the hearing. A request for withdrawal must be received in sufficient time to notify all interested parties before the hearing date. If the director or the panel finds in the consideration of such a request that there is an objection to the withdrawal and that allowing the withdrawal over the objection will unduly prejudice the objector, the director or panel shall deny the request. If the director denies a request for withdrawal, the applicant may appeal the withdrawal request to the panel assigned the case provided the appeal satisfies all of the requirements of this subsection for an application for withdrawal.

(i) The director may authorize the amendment of all applications, except those to establish a compliance date and appeals from the decision of an administrative official, which must be authorized by the panel to which the case is assigned. A request to the director to amend must be received before 5:00 p.m. on the second Friday before the date of the hearing. If the director or panel finds in the consideration of such a request that there is an objection to the amendment, and that allowing the amendment over the objection will unduly prejudice the objector, the director or panel shall deny the request. If the director denies a request for amendment, the applicant may appeal to the panel assigned the case. If an amendment is authorized which requires newspaper advertisement and/or written notice to surrounding property owners, the amendment constitutes a new application and the requesting party must pay an additional filing fee to defray the cost of re-advertising.

(j) A panel may not extend the time period for making application for a building permit or certificate of occupancy beyond 180 days from the date of its favorable action unless it makes a specific finding based on evidence presented at a public hearing that there are no substantially changed conditions or circumstances regarding the property. The person requesting the time extension shall have the burden of establishing that there are no substantially changed conditions or

circumstances regarding the property to the satisfaction of the panel. In no event, however, may the panel extend the time period beyond 18 months from the date of its favorable action.

(k) Only one panel may hear, handle, or render a decision in a particular case. If any preliminary action is required on a case, including but not limited to a fee waiver or waiver of the two-year waiting period, the case must be returned to the panel taking the preliminary action. If any application comes before the board with the same building site (location) within the previous five years, it must be returned to the panel to which it was originally assigned.

(l) In extraordinary circumstances, the board, by a majority vote, may consolidate and assign cases and appeals to a single panel, to promote efficiency, expediency, fairness to affected parties, and economy of case-management.

Section 11. Public Testimony and Public Hearings.

(a) All meetings of the board and panels of the board are open to the public and must be held at a time and place determined by the board.

(b) The chair shall have the authority to call special meetings of the board. The presiding officer of a panel acts as the panel's chair pursuant to Section 8-3 of the Dallas City Code, and shall have the authority to call special meetings of that panel. The officer calling a special meeting shall designate the time and the place of the meeting subject to availability. Special meetings must be called by the chair at the request of at least one-third of the board.

(c) The board secretary shall notify all affected members of the date, time, and place of either a regular or special meeting.

(d) The applicant has the burden of proof to establish the necessary facts to warrant favorable action of the board.

(e) Any interested party may appear in person or by agent or attorney at the public hearing.

(f) Members of the public may offer public testimony at regular and special meetings of the board regarding any item on the board's posted agenda

before or during the board's consideration of the item (e.g. minutes, appeals, compliance cases). Each speaker will have a maximum of three minutes to speak unless the time is shortened or extended by the presiding officer. Any member of the public requiring the use of a translator to relay public comments shall be afforded twice the amount of time as a member of the public who does not require a translator.

(g) After a case is called, the applicant shall have up to five minutes to state his or her case. Anyone in favor shall be heard next for up to five minutes, then anyone in opposition shall be heard for up to five minutes. The applicant shall have up to five minutes to make a reply. Before the applicant begins, the presiding officer can modify[~~limit~~] the applicant's time, equally modify[~~limit~~] the time of the speakers in favor or opposition, or both.

(h) All applicants, members of the public, or witnesses who wish to address the board during a public hearing—except when providing public testimony—shall be sworn in.

(i) The director shall provide sufficient staff at hearings to ensure that the board can make a fair determination.

(j) If a case is called for hearing in due order on the docket and the applicant or anyone on his or her behalf does not appear, the panel may hold the case over to the following hearing at which time it will be called again. The panel may also approve a case or deny a case for lack of appearance at the first call at its discretion. If no one appears the second time, the case must be denied with prejudice.

(k) If, after a public hearing on a request, the presiding officer duly calls for, but does not receive a motion, the request is deemed denied with prejudice.

(l) [~~Notwithstanding subsection (f), the following rules apply to appeals of decision of administrative officials.~~

~~(1) After the case is called, the appellant shall have up to 20 minutes to present his or her case, during which time the appellant may give an opening statement, call witnesses, and offer evidence. If the appellant calls a witness, the administrative official may cross-examine that witness for up to five minutes and that time~~

~~shall not count towards either party's time limit. The appellant can redirect his or her witness for up to five minutes, which shall not count towards the appellant's initial 20-minute time period.~~

~~(2) After the appellant's 20 minutes has expired, the administrative official shall have up to 20 minutes to present his or her case, during which time the administrative official may give an opening statement, call witnesses, and offer evidence. If the administrative official calls a witness, the appellant may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The administrative official can redirect his or her witness for up to five minutes, which shall not count towards the appellant's initial 20-minute time period.~~

~~(3) After the administrative official's 20 minutes have expired, the appellant shall have up to three minutes for a rebuttal and three minutes for a closing statement. The administrative official shall also have up to three minutes for a closing statement.~~

~~(4) The panel may ask questions at any time. The panel members' questions shall not count towards either party's time limitation.~~

~~(m)~~ ~~Compliance cases~~.

~~(1) If the city's chief financial officer determines that sufficient funds are available in the nonconforming use fund, the board of adjustment shall hold a public hearing on a city council request to establish a compliance requirement on a nonconforming use. Prior to the hearing, the owner(s) and/or lessee may supply the board administrator with any additional information or documents that are necessary for the panel to make its decision. At the hearing, the panel shall review the information and documents and determine if continued operations of the nonconforming use will have an adverse effect on nearby properties.~~

~~(2) Notwithstanding subsection (f), the following rules apply to compliance cases.~~

~~(A) After the case is called, the city's representative shall have up to 20 minutes to present his or her case, during which~~

~~time the city's representative may give an opening statement, call witnesses, and offer evidence. If the city's representative calls a witness, the property owner may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The city's representative may redirect his or her witness for up to five minutes, which shall not count towards the city's representative's initial 20-minute time period.~~

~~(B) After the city's representative's 20 minutes has expired, the property owner shall have up to 20 minutes to present his or her case, during which time the property owner may give an opening statement, call witnesses, and offer evidence. If the property owner calls a witness, the city's representative may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The property owner can redirect his or her witness for up to five minutes, which shall not count towards the property owner's initial 20-minute time period.~~

~~(C) After the property owner's 20 minutes has expired, the city's representative shall have up to five minutes for a rebuttal and a closing statement. The property owner shall also have up to five minutes for a closing statement.~~

~~(D) The panel may ask questions at any time. The panel member questions shall not count towards either party's time limitation.~~

~~(3) A decision by the board to grant a request to impose a compliance requirement is not a final decision and cannot be immediately appealed. A decision by the board to deny a request to impose a compliance requirement is final unless appealed to state court within 10 days in accordance with Chapter 211 of the Local Government Code.~~

~~(4) A person entitled to a remedy under Section 51A-4.704 may appeal the director's determination under that Section to the board of adjustment not later than the 20th day after the determination is made. The director has the burden of proof to establish the correctness of the director's determination.~~

~~(A) A person seeking to continue operation of a nonconforming use under Section 51A-4.704 who appeals the decision of the director under that Section may continue to operate the property in the same manner pending the appeal unless the building official shows cause to stay the nonconforming use by certifying in writing to the board facts supporting the building official's opinion that continued operation of the nonconforming use would cause imminent peril to life or property. Upon a showing of cause the board may, after notice to the building official, grant a restraining order to stay continued operation of the nonconforming use.~~

~~(B) If the board of adjustment determines that an owner or lessee is entitled to:~~

~~(i) a payment under Section 51A-4.704 in an amount different than the amount determined by the director under that Section, the board shall order, as applicable:~~

~~(aa) additional payment to the owner or lessee; or~~

~~(bb) the owner or lessee to reimburse the city; or~~

~~(ii) an amount of time to operate the nonconforming use that is different than the amount of time initially received under Section 51A-4.704, the board shall order the director to allow the owner or lessee to operate the nonconforming use for additional or less time.~~

~~(c)~~] The board administrator may place cases which lack any opposition on an uncontested docket. When the presiding officer calls the uncontested docket, he or she shall state the case number, the applicant, the location, the nature of the case and the staff recommendation, and shall ask if there is anyone in favor or opposition. A case on the uncontested docket must be considered individually as a regular docket item if there is any opposition or a panel member so requests. Any cases remaining on the uncontested docket shall be approved as a group without the need for testimony from the applicants.

(m[~~p~~])Documentary evidence.

(1) All printed and typewritten documentary evidence in excess of five pages tendered by a party shall not be considered by the board unless such documentary evidence is submitted to the board administrator no later than 10 days prior to the scheduled hearing date at which the matter is to be considered. Upon oral request made by the party at the scheduled hearing, a panel of the board may, for good cause, suspend the operation of this rule and consider the excluded evidence or postpone the hearing on the application to a date certain to allow the panel sufficient time to consider the tendered evidence prior to the next scheduled hearing date.

(2) For purposes of this subsection, DOCUMENTARY EVIDENCE means anything printed, written on paper, or a digital document and relied upon to record or prove something. This term does not include signed petitions or PowerPoints or slide shows offered during a presentation for purposes of submitted evidence limitations.

(3) For purposes of this subsection, PARTY means the applicant or any person or entity that appears in favor of or against the request.

Section 12. Appeals of the Decision of Administrative Officials.

Notwithstanding Section 11(f), the following rules apply to appeals of decision of administrative officials.

(1) After the case is called, the appellant shall have up to 20 minutes to present his or her case, during which time the appellant may give an opening statement, call witnesses, and offer evidence. If the appellant calls a witness, the administrative official may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The appellant can redirect his or her witness for up to five minutes, which shall not count towards the appellant's initial 20-minute time period.

(2) After the appellant's 20 minutes has expired, the administrative official shall have up to 20 minutes to present his or her case,

during which time the administrative official may give an opening statement, call witnesses, and offer evidence. If the administrative official calls a witness, the appellant may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The administrative official can redirect his or her witness for up to five minutes, which shall not count towards the appellant's initial 20-minute time period.

(3) After the administrative official's 20 minutes have expired, the appellant shall have up to three minutes for a rebuttal and three minutes for a closing statement. The administrative official shall also have up to three minutes for a closing statement.

(4) The panel may ask questions at any time. The panel members' questions shall not count towards either party's time limitation.

(5) The board shall have all the powers of the administrative official on the action appealed from. The board may affirm, reverse, amend, and impose reasonable conditions in order to further the purpose and intent of Chapter 51A of the decision of the administrative official.

Section 13. Compliance cases.

Commented [TC1]: Relocated from Section 11(m). No changes.

(a) If the city's chief financial officer determines that sufficient funds are available in the nonconforming use fund, the board of adjustment shall hold a public hearing on a city council request to establish a compliance requirement on a nonconforming use. Prior to the hearing, the owner(s) and/or lessee may supply the board administrator with any additional information or documents that are necessary for the panel to make its decision. At the hearing, the panel shall review the information and documents and determine if continued operations of the nonconforming use will have an adverse effect on nearby properties.

(b) Notwithstanding Section 11(f), the following rules apply to compliance cases.

(1) After the case is called, the city's representative shall have up to 20 minutes to present his or her case, during which time the city's representative may give an opening statement, call

witnesses, and offer evidence. If the city's representative calls a witness, the property owner may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The city's representative may redirect his or her witness for up to five minutes, which shall not count towards the city's representative's initial 20-minute time period.

(2) After the city's representative's 20 minutes has expired, the property owner shall have up to 20 minutes to present his or her case, during which time the property owner may give an opening statement, call witnesses, and offer evidence. If the property owner calls a witness, the city's representative may cross-examine that witness for up to five minutes and that time shall not count towards either party's time limit. The property owner can redirect his or her witness for up to five minutes, which shall not count towards the property owner's initial 20-minute time period.

(3) After the property owner's 20 minutes has expired, the city's representative shall have up to five minutes for a rebuttal and a closing statement. The property owner shall also have up to five minutes for a closing statement.

(4) The panel may ask questions at any time. The panel member questions shall not count towards either party's time limitation.

(c) A decision by the board to grant a request to impose a compliance requirement is not a final decision and cannot be immediately appealed. A decision by the board to deny a request to impose a compliance requirement is final unless appealed to state court within 10 days in accordance with Chapter 211 of the Local Government Code.

(d) A person entitled to a remedy under Section 51A-4.704 may appeal the director's determination under that Section to the board of adjustment not later than the 20th day after the determination is made. The director has the burden of proof to establish the correctness of the director's determination.

(1) A person seeking to continue operation of a nonconforming use under Section 51A-4.704 who appeals the decision of the director under that Section may continue to operate the property in the

same manner pending the appeal unless the building official shows cause to stay the nonconforming use by certifying in writing to the board facts supporting the building official's opinion that continued operation of the nonconforming use would cause imminent peril to life or property. Upon a showing of cause the board may, after notice to the building official, grant a restraining order to stay continued operation of the nonconforming use.

(2) If the board of adjustment determines that an owner or lessee is entitled to:

(A) a payment under Section 51A-4.704 in an amount different than the amount determined by the director under that Section, the board shall order, as applicable:

(i) additional payment to the owner or lessee; or

(ii) the owner or lessee to reimburse the city; or

(B) an amount of time to operate the nonconforming use that is different than the amount of time initially received under Section 51A-4.704, the board shall order the director to allow the owner or lessee to operate the nonconforming use for additional or less time.

Section 14. Decisions of a Panel.

(a) No action of a panel sets a precedent. Each case must be decided upon its own merits and upon the circumstances of the case.

(b) The concurring vote of 75 percent of the members of a panel (at least four members) is necessary to reverse any decision of an administrative official, or to decide in favor of an applicant on any matter which the board is required to pass under a zoning ordinance. If such an application does not receive the concurring vote of 75 percent of the members of a panel and no subsequent motion is made, the case is construed as denied with prejudice.

(c) Reconsideration. The following rules apply for a motion to reconsider.

(1) A motion to reconsider may only be made at the same meeting the vote was taken and only by the same makeup of the panel that made the decision.

(2) A motion to reconsider may be made and seconded by any member of the panel regardless of their initial vote on the item and requires a simple majority vote. If the time for reconsideration of a case has expired, the panel may not change or modify its decision unless a new application is filed or the case is referred back to the panel.

(3) An item may not be twice reconsidered, except by unanimous consent.

(d) The decision of the board is final unless appealed to district court within 10 days of the date the decision is filed in the board's office in accordance with Chapter 211 of the Texas Local Government Code.

(e) Once a decision of a panel is appealed to district court, it may not be reconsidered or rescinded, unless the case is remanded by the district court.

(f[~~e~~]) The decisions and official records of the board and panels are public records.

Section 15[~~13~~]. Executive Sessions.

(a) The board or a panel may remove itself from an open meeting by moving to go into an executive session. Only matters authorized under the Texas Open Meetings Act to be discussed in executive session may be addressed in the executive session. All communication in an executive session is privileged information. The privilege can only be waived by a member by formal waiver. Members are cautioned that discussing the privileged communication with a member of the public, the media, or any other person not privy to the executive session may damage the privilege. The board or a panel shall not hold an executive session except when discussing complaints about or evaluations of individual staff members, or seeking the advice of its attorney on the following matters:

(1) Pending or contemplated litigation.

(2) Settlement offers.

(3) Risk or liability of the board, a panel or individual members thereof for taking an action.

(4) Any matter where the duty of the board's counsel to his client, pursuant to the Code of Professional Responsibility of the State Bar of Texas, conflicts with the Open Meetings Law.

(b) A motion to go into an executive session must be seconded and requires a majority vote. If the motion passes, the board or panel shall follow the following procedure:

(1) The presiding officer shall announce that the board or panel is going into an executive session, stating the category under the Texas Open Meetings Act that permits the executive session.

(2) The presiding officer shall announce the time.

(3) Members shall move quickly to the location of the executive session with no discussion among themselves or with members of the public or media.

(4) The executive session must be tape recorded.

(5) At the end of the executive session, members shall return quickly to the meeting room with no discussion among themselves or with members of the public or media.

(6) The presiding officer shall announce the time when the board or panel resumes the open meeting.

Section 16[~~14~~]. Two-Year Limitation.

(a) Except as provided in Subsections (b) and (c), after a final decision is reached by a panel, no further applications may be considered on the matter decided for that property for two years from the date of the final decision.

(b) If a panel renders a final decision of denial without prejudice, the two-year limitation is waived.

(c) A property owner may apply for a waiver of the two-year limitation in the following manner:

(1) The applicant shall submit his request in writing to the board administrator. The board administrator shall inform the applicant of the date on which his request shall be considered and shall advise the applicant of his right to appear before the panel to which the matter has been assigned.

(2) A panel may waive the time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote is required to grant the request. If a rehearing is granted, the applicant shall follow the appeal procedure.

Section 17[~~15~~]. Amendments to Rules of Procedure.

These rules may be amended by a simple majority vote of the members present at a meeting of the entire board, or by a majority vote of the members of all three panels at separate meetings Amendments approved by the entire board or by the panels sitting separately become effective once approved by the city council.

City of Dallas

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

Agenda Information Sheet

File #: 25-3625A **Item #:** 1.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Robert Baldwin for **(1)** a variance to the front yard setback regulations at **4701 BENGAL STREET**. This property is more fully described as Block 5743, Lot 29, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot front yard setback, which will require **(1)** a 15-foot variance to the front yard setback regulations.

Location: **4701 BENGAL STREET**
Applicant: Robert Baldwin
Representative: Robert Baldwin
Senior Planner: Bryant Thompson
Request: **(1)** A request for a variance to the front yard setback regulations.
Staff Recommendation: Approval.
BOA-25-000066

FILE NUMBER: BOA-25-000066(BT)

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin for **(1)** a variance to the front yard setback regulations at **4701 BENGAL STREET**. This property is more fully described as Block 5743, Lot 29, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot front yard setback, which will require **(1)** a 15-foot variance to the front yard setback regulations.

LOCATION: 4701 Bengal Street

APPLICANT: Rob Baldwin

REQUEST:

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

STANDARDS OF REVIEW FOR 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, 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. Lot is restrictive in buildable area as a result of the floodplain located to the rear of the property, irregular shape, and slope near the rear property line. Therefore, it cannot be developed in a manner commensurate with development upon other parcels of land in the same zoning. Subject site previously approved for similar requests with BDA101-040 and BDA167-069, however in both cases the owner failed to apply for a building permit within the allowed 180 days.
C. Not self-created nor is it a personal hardship.

BACKGROUND INFORMATION:

Zoning:

Site:	IR
North:	PD-712 (Tract 2)
East:	PD-193 (PDS 104)
South:	IR
West:	PD-663 (Area 2)

Land Use:

The subject site is developed as a commercial use, to the north multifamily and vacant lots, to the east a new townhouse community, to the south warehouse use and to the east Ronald McDonald.

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of Rob Baldwin for the property located at 4701 Bengal Street focuses on one request relating to a variance to the front-yard setback regulations.

- The applicant is proposing to construct and/or maintain a residential structure and provide a 0-foot front yard setback along, which requires a 15-foot variance to the front-yard setback regulations.
- Per staff's review of the subject site, it has been confirmed that the commercial structure is complete.
- Staff considered the following factors in reference to the buildable area:
    - Applicant lot size is 43,627.99 square feet.
    - Industrial/research (IR) district.
        - Front yard. Minimum front yard is 15 feet.
        - Lot coverage. Maximum lot coverage is 80 percent.
    - Previous approval BDA167-069.
- It is imperative to note that a previous BDA application with a similar proposed layout was granted on June 20, 2017 (BDA167-069); however, permit applications were not submitted within 180 days.
- It is imperative to note original BDA application with a similar proposed layout that was granted on May 17, 2011 (BDA101-040); however, permit applications were not submitted within 180 days.
- The applicant has the burden of proof in establishing the following:

1) That granting the variance to the front yard setback 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-25-000066 at 4701 Bengal St

Timeline:

December 3, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 4, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

December 16, 2025: 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 **December 26, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **January 9, 2025**, 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.

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

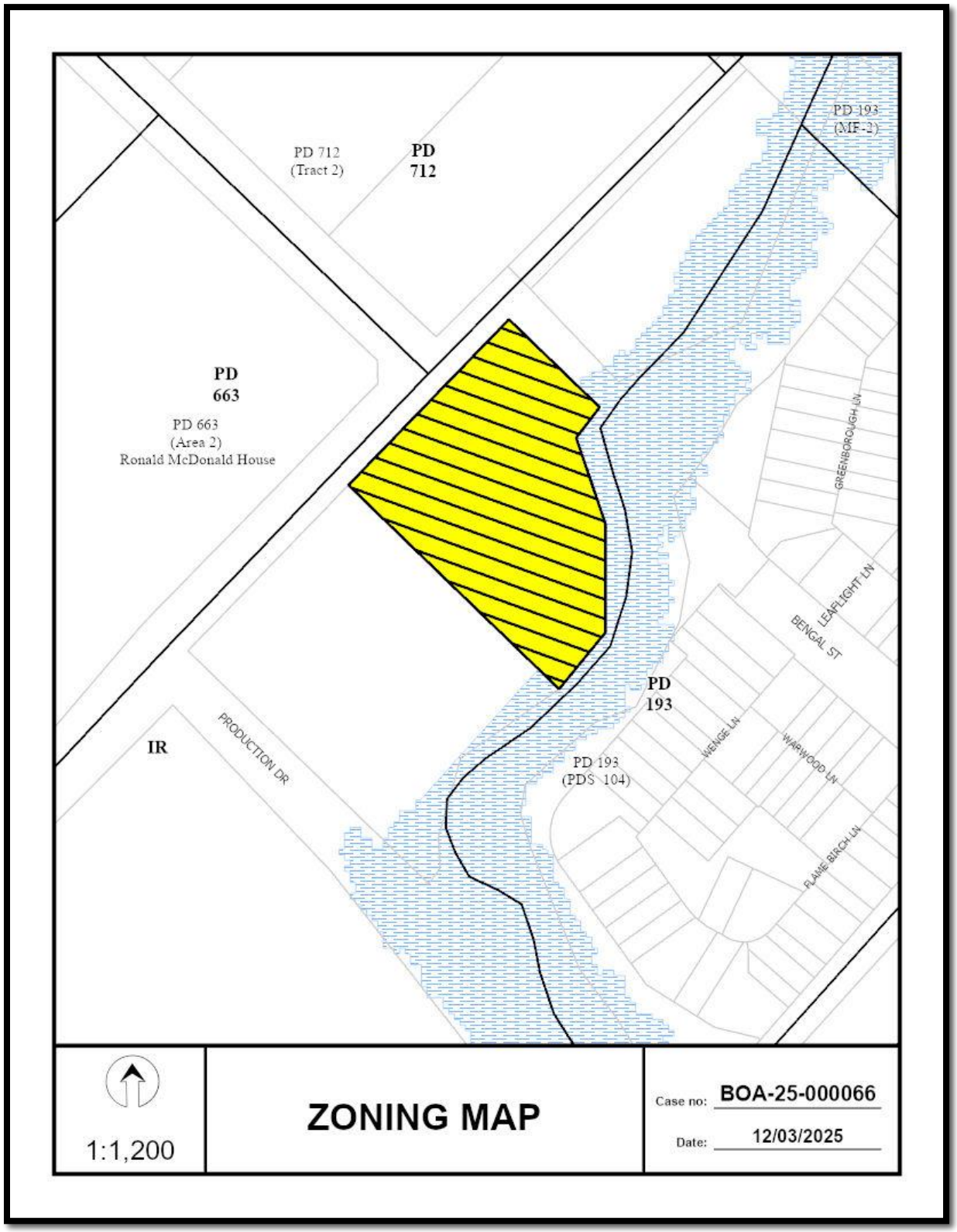


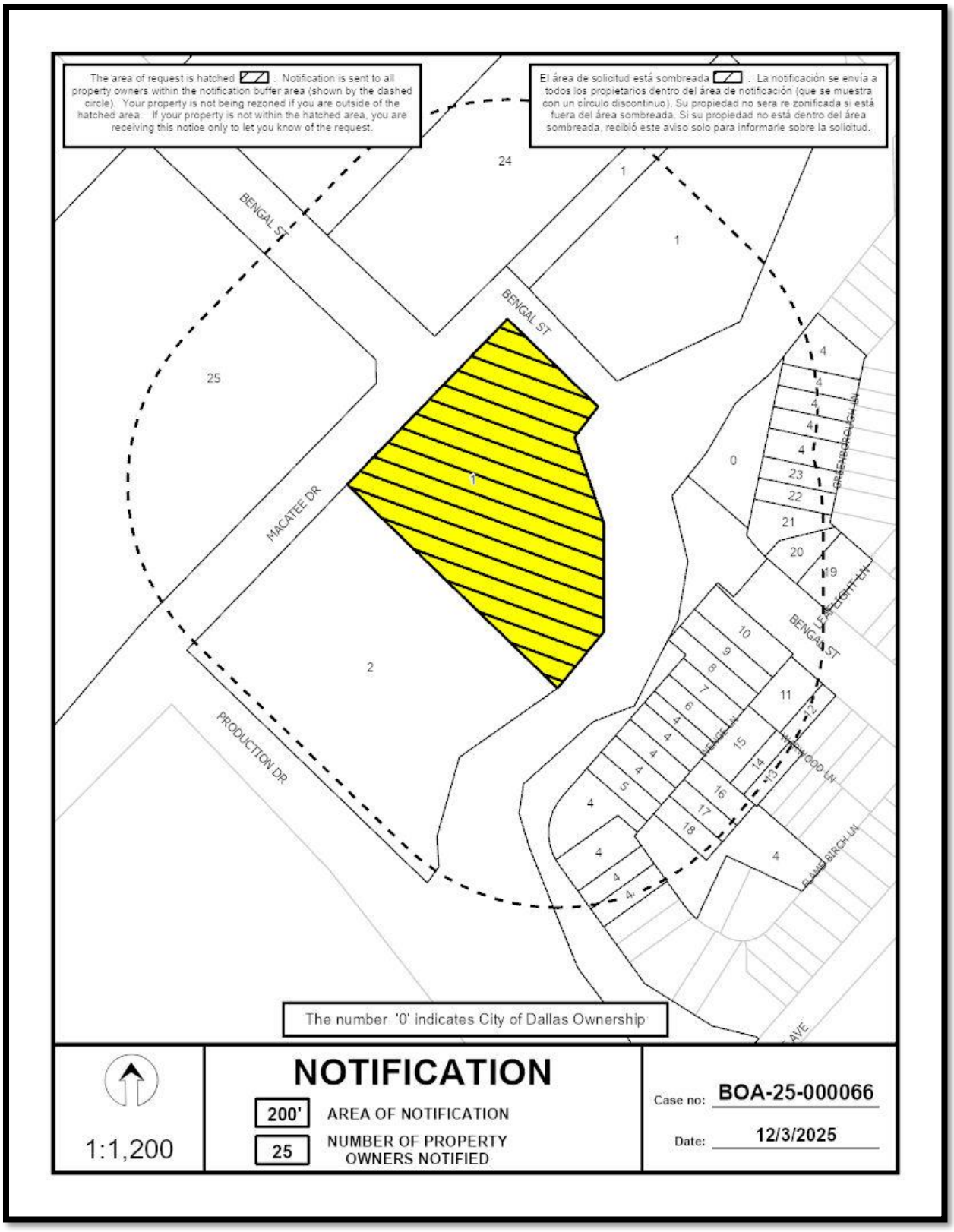
1:1,200

AERIAL MAP

Case no: BOA-25-000066

Date: 12/03/2025


PD 712
(Tract 2)
PD
712
PD 193
(MF-2)
PD
663
PD 663
(Area 2)
Ronald McDonald House
GREENBOROUGH LN
LEAFLIGHT LN
BENGAL ST
PD
193
IR
PRODUCTION DR
WENGE LN
WARWOOD LN
PD 193
(PDS 104)
FLAME BIRCH LN
1:1,200
ZONING MAP
Case no: BOA-25-000066
Date: 12/03/2025


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.
BENGAL ST
MACATEE DR
PRODUCTION DR
GREENBRIAR LN
DAYLIGHT LN
PLANO BIRCH LN
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
25
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BOA-25-000066
Date: 12/3/2025

Notification List of Property Owners

BOA-25-000066

25 Property Owners Notified

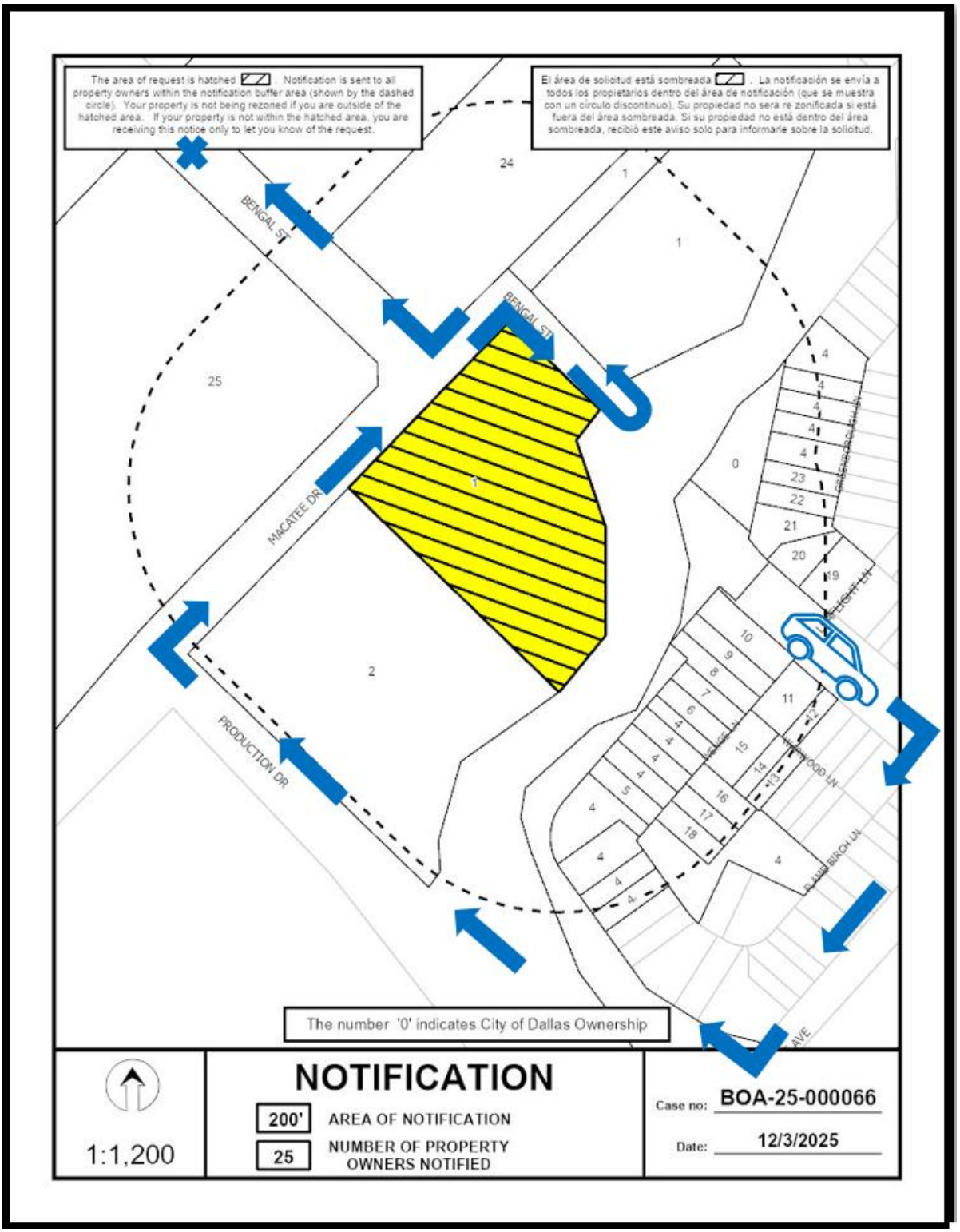
Label #	*Address*		*Owner*
1	2201	KINGS RD	CRASH INC
2	4699	PRODUCTION DR	FORENSIC ACCIDENT RESEARCH STUDIES
3	4722	BENGAL ST	FOSTER M POOLE JR
4	2141	WENGE LN	TEXAS INTOWNHOMES LLC
5	2109	WENGE LN	TEXAS INTOWNHOMES LLC
6	2149	WENGE LN	HARTSOUGH ROBERT ANTHONY &
7	2157	WENGE LN	WOODS DREWNARD JAVAN
8	2165	WENGE LN	KWON JEANNIE & YONG &
9	2173	WENGE LN	KRAFT KATHRYN
10	2181	WENGE LN	GAO FAMILY LIVING TRUST THE
11	4644	WARWOOD LN	IDICULA CHRISTI
12	4636	WARWOOD LN	INTOWNHOMES LTD
13	4635	WARWOOD LN	CLARKE EMILY
14	4643	WARWOOD LN	RIDEAU ALPHONSE T
15	4651	WARWOOD LN	MCGRATH KELLEY ANNE
16	2130	WENGE LN	LIMON LUIS REY TAMEZ
17	2122	WENGE LN	NASINI KIM S &
18	2114	WENGE LN	SNODDON ELIZABETH
19	4625	GREENBOROUGH LN	MEHTA ANKETTA
20	4629	GREENBOROUGH LN	YAMADA MERICK
21	4633	GREENBOROUGH LN	DIGGS DIVINE NASSIR
22	4637	GREENBOROUGH LN	LI ALLEN &
23	4641	GREENBOROUGH LN	HAUGHN MARION WAYNE
24	4700	BENGAL ST	TCF INTERESTS PARTNERSHIP LTD
25	4707	BENGAL ST	RONALD MCDONALD HOUSE OF



Route Directions:

Start on Bengal St.
Right through Townhouse area.
Right on Hawthorne Ave.
Right on Production Dr.
Right on Macafee Dr.
Right on Bengal St.
U-Turn
Right on Bengal St.
***Subject Site at 3:02**

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, JANUARY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

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

BOA-25-000066(BT) Application of Robert Baldwin for **(1)** a variance to the front yard setback regulations at **4701 BENGAL STREET**. This property is more fully described as Block 5743, Lot 29, and is zoned IR, which requires a front-yard setback of 15-feet. The applicant proposes to construct and/or maintain a nonresidential structure and provide a 0-foot front yard setback, which will require **(1)** a 15-foot variance to the front yard setback 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.

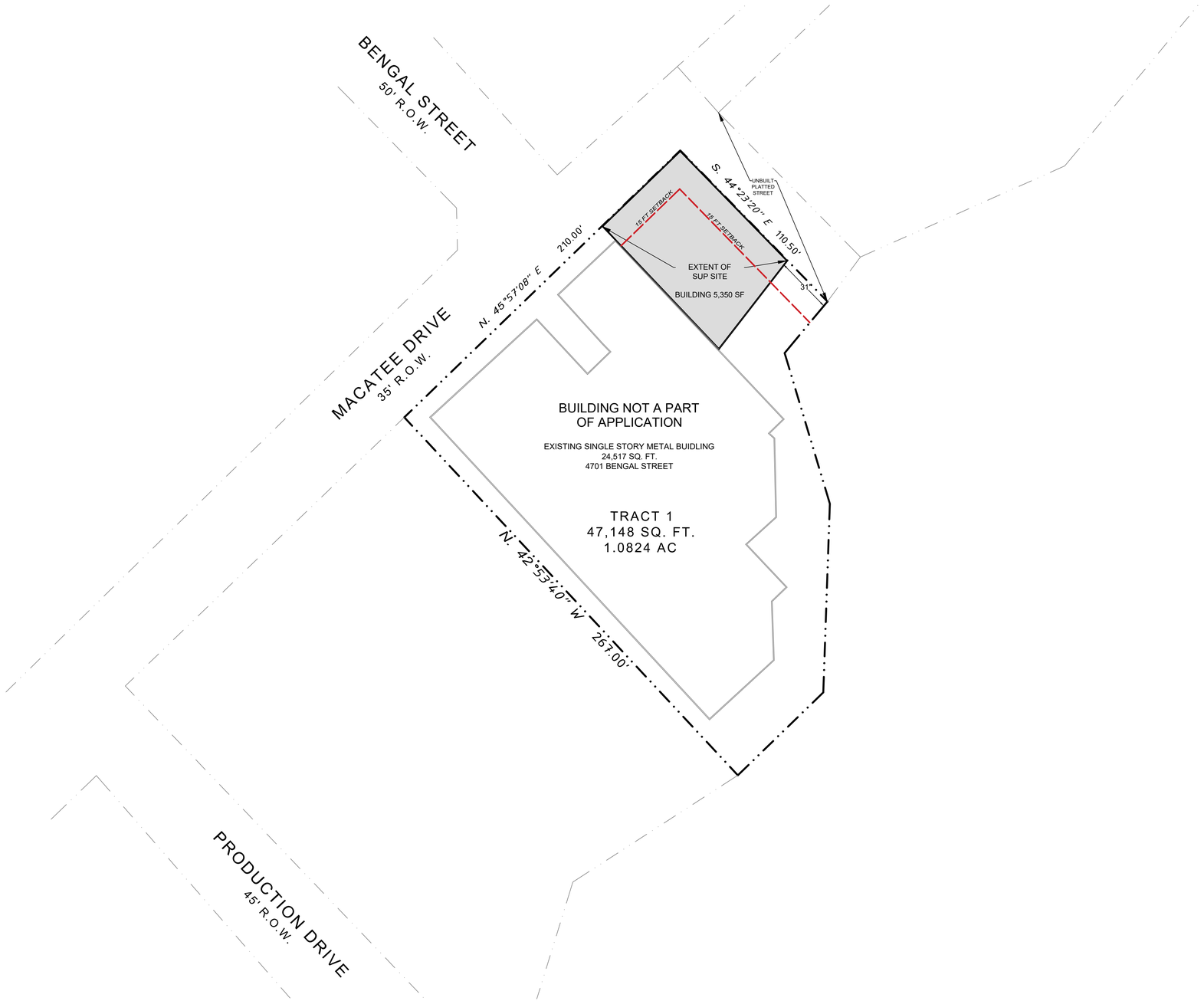
The Board of Adjustment hearing will be held by videoconference and at **6ES Council Briefing.** Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-A-Register **by the 5 p.m. on Monday, January 19, 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



N

1 SITE PLAN
SCALE: 1"=40'-0"

40 0 20 40 80 160

SITE INFORMATION

TOTAL LOT COVERAGE: 65%

REQUIRED SETBACKS:

FRONT (Macatee)	15 FT
FRONT (Unbuilt/Platted Street)	15 FT
REAR	0 FT

PROVIDED SETBACKS:

FRONT (Macatee)	0 FT
FRONT (Unbuilt/Platted Street)	0 FT
REAR	31 FT

10/01/2025

BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

Baldwin Associates

4701 BENGAL
CITY OF DALLAS, TEXAS

City of Dallas

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

Agenda Information Sheet

File #: 25-3626A **Item #:** 2.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Natalie Rubio for **(1)** a special exception to the fence regulations at **4342 BLUFFVIEW BOULEVARD**. This property is more fully described as Block C/4973, SW PT Lot 3, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4 feet. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front yard, which will require **(1)** a 3-foot special exception to the fence height regulations.

Location: **4342 BLUFFVIEW BOULEVARD**
Applicant: Natalie Rubio
Representative: Alessio Saretto
Senior Planner: Bryant Thompson
Request: **(1)** A request for a special exception to the fence height regulations.
Staff Recommendation: No staff recommendation.

BOA-25-000084

FILE NUMBER: BOA-25-000084(BT)

BUILDING OFFICIAL'S REPORT: Application of Natalie Rubio for **(1)** a special exception to the fence regulations at **4342 BLUFFVIEW BOULEVARD**. This property is more fully described as Block C/4973, SW PT Lot 3, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4 feet. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front yard, which will require **(1)** a 3-foot special exception to the fence height regulations.

LOCATION: 4342 Bluffview Boulevard

APPLICANT: Natalie Rubio

REQUEST:

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

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence 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-10(A)
North:	R-10(A)
East:	R-10(A)
South:	R-10(A)
West:	R-10(A)

Land Use:

The subject site and surrounding properties are developed with single-family uses allowed in R-10(A).

BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Natalie Rubio for the property located at 4342 Bluffview Boulevard focuses on one request relating to the fence height regulations.
- The applicant is proposing to construct and maintain a 7-foot-high fence in a required front-yard, which will require a 3-foot special exception to the fence height regulations.
- It is imperative to note per staff site visit, a board-on-board fence has been constructed.
- Surrounding properties provide a mixture of open space, vegetation, or fencing similar requests along Bluffview Boulevard.
- 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 regulations relating to 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: BOA-25-000084 at 4342 Bluffview Blvd

Timeline:

December 4, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 4, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

December 16, 2025: 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 **December 26, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **January 9, 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.

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

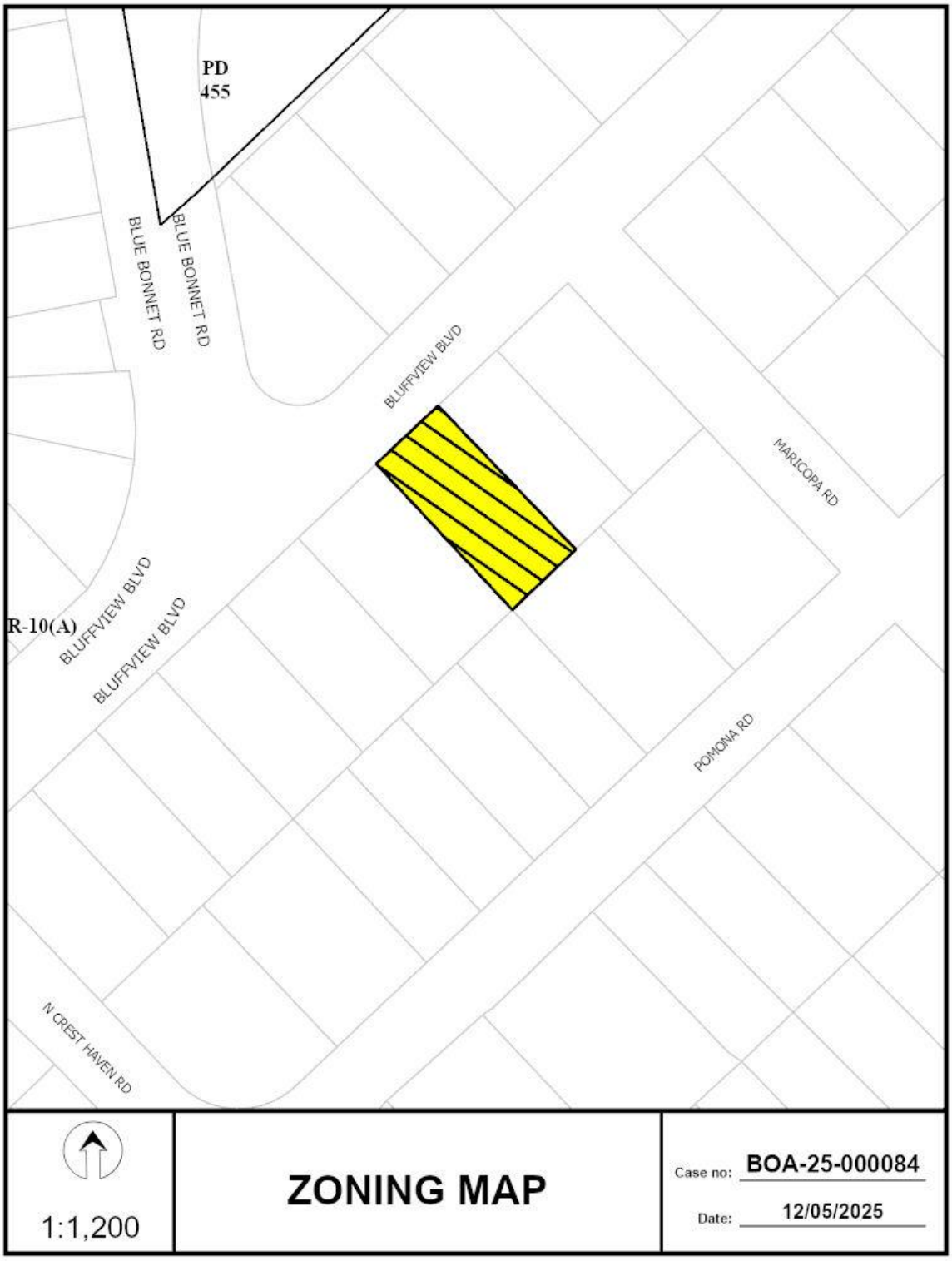


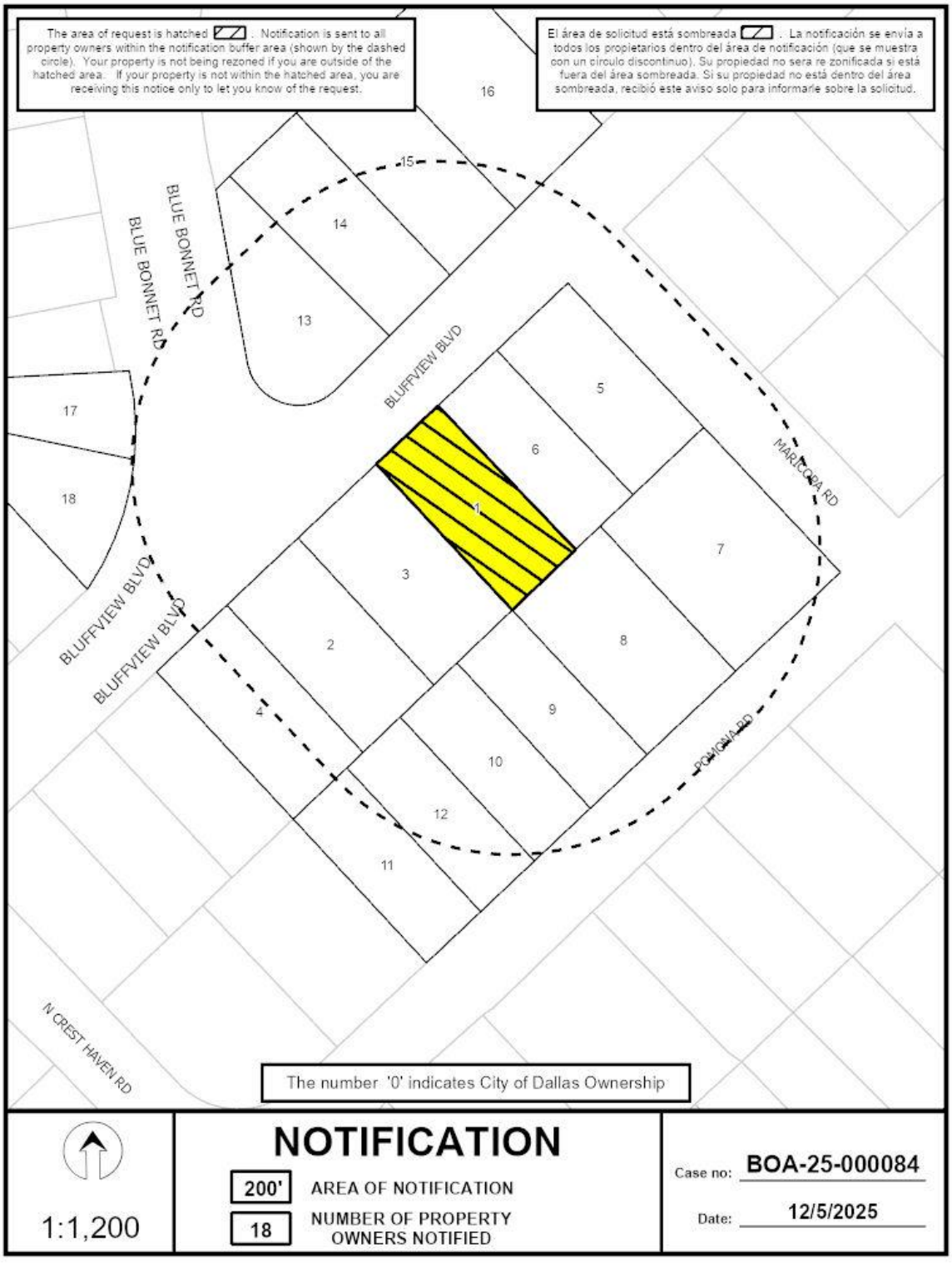
1:1,200

AERIAL MAP

Case no: BOA-25-000084

Date: 12/05/2025


PD
455
BLUE BONNET RD
BLUE BONNET RD
BLUFFVIEW BLVD
MARICOPA RD
R-10(A)
BLUFFVIEW BLVD
BLUFFVIEW BLVD
POMONA RD
N CREST HAVEN RD
1:1,200
ZONING MAP
Case no: BOA-25-000084
Date: 12/05/2025


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.
BLUE BONNET RD
BLUFFVIEW BLVD
MARICOPA RD
POMONA RD
N CREST HAVEN RD
The number '0' indicates City of Dallas Ownership
1:1,200
NOTIFICATION
200'
AREA OF NOTIFICATION
18
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BOA-25-000084
Date: 12/5/2025

Notification List of Property Owners

BOA-25-000084

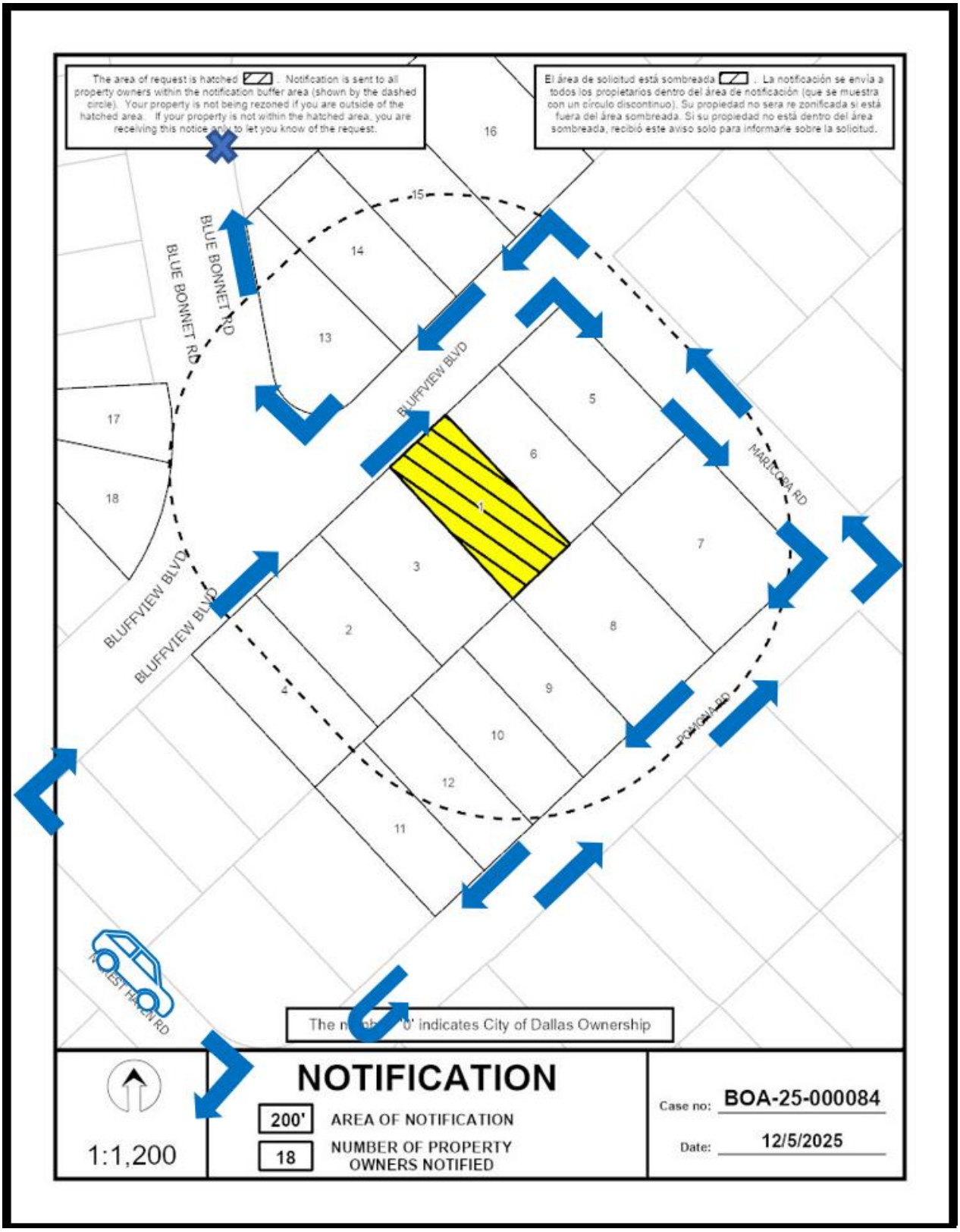
18 Property Owners Notified

Label #	*Address*		*Owner*
1	4342	BLUFFVIEW BLVD	SARETTO ALESSIO
2	4328	BLUFFVIEW BLVD	RICHARD STEVEN R SR & KIM C
3	4334	BLUFFVIEW BLVD	HOUSE ROBERT D & CAROLYN
4	4322	BLUFFVIEW BLVD	OREILLY JACQUELINE & GEORGE E
5	4352	BLUFFVIEW BLVD	LAYNE DON R
6	4346	BLUFFVIEW BLVD	BLUFF CAPITAL LLC
7	4325	POMONA RD	PICCIRILLO DOMINIC &
8	4319	POMONA RD	ROME RAYMOND L III & JENNIFER T
9	4317	POMONA RD	MCCULLOUGH KIMBERLY E
10	4315	POMONA RD	POMONA PARTNERS LLC
11	4309	POMONA RD	MCLAIN LIVING TRUST THE
12	4311	POMONA RD	CLARKSON JOHN E &
13	4323	BLUFFVIEW BLVD	LUECKEMEYER DOUGLAS E &
14	4325	BLUFFVIEW BLVD	WARDNER JULIE A
15	4327	BLUFFVIEW BLVD	SHARMA HARTFORD FAMILY TRUST
16	4403	BLUFFVIEW BLVD	BENEFIELD JOHN
17	8403	BLUEBONNET RD	SWINTON HAYLEE & SAMUEL
18	8401	BLUEBONNET RD	HAVERTY TREY MICHAEL &



Route Directions:
Start on N Cresthaven Rd.
Right on W Lovers Ln.
Right on Bluffview Blvd.
Right on Maricopa St.
Right on Pomona Rd.
U-Turn on Pomona Rd.
Left on Maricopa St.
Left on Bluffview Blvd.
Right on Blue Bonnet Rd.
***Subject Site at 1:52 from Bluffview Blvd.**
****Subject Site at 4:02 from Bluffview Blvd.**

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, JANUARY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

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

BOA-25-000084(BT) Application of Natalie Rubio for **(1)** a special exception to the fence regulations at **4342 BLUFFVIEW BOULEVARD**. This property is more fully described as Block C/4973, SW PT Lot 3, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4 feet. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front yard, which will require **(1)** a 3-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.

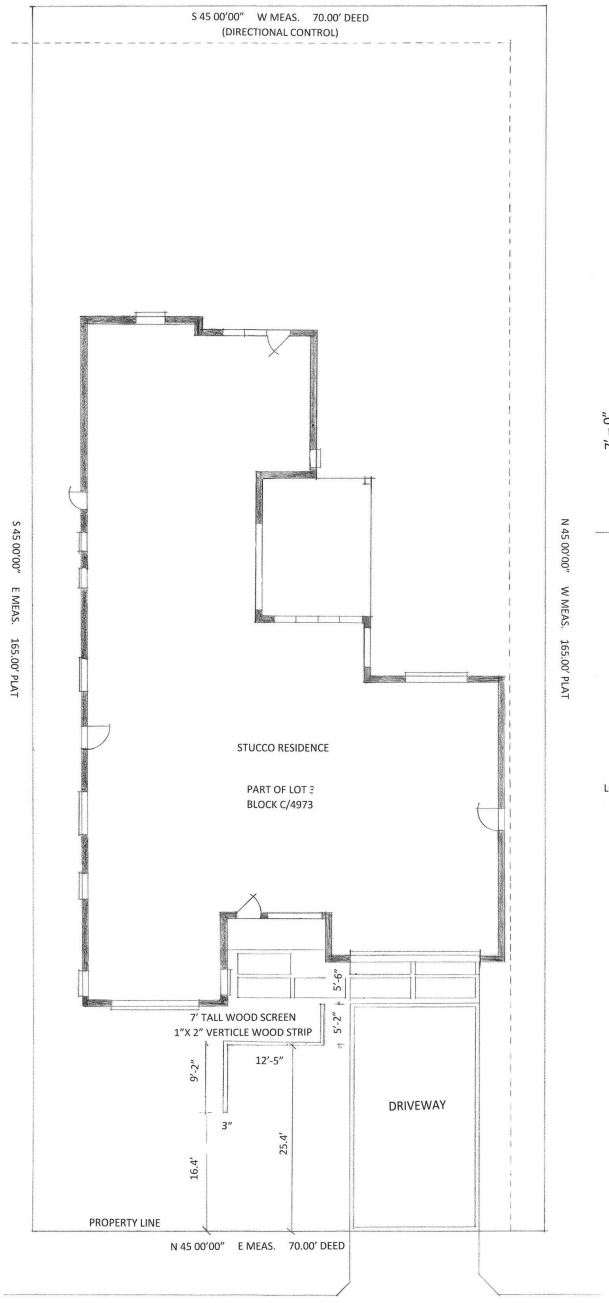
Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

The Board of Adjustment hearing will be held by videoconference and at **6ES Council Briefing.** 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, January 19, 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.

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

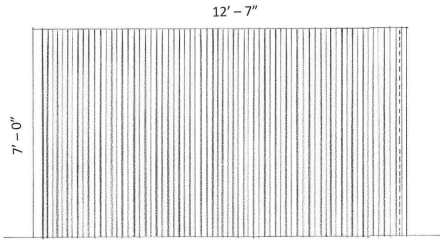
Board of Adjustment
Planning and Development Department
1500 Marilla Street 5CN, Dallas TX 75201



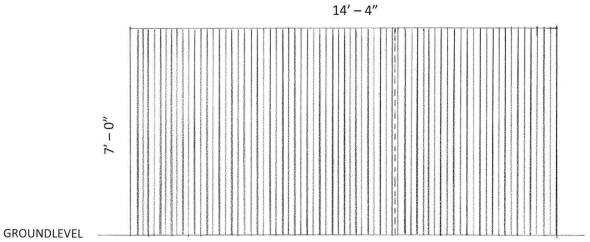


SCALE 1/8" = 1' – 0"

LOT A. BLOCK C/4973
LOT 2, BLOCK C/4973 BLUFFVIEW
ESTATES ADDITION
VOL. 9, PAGE 203
M.R.D.C.T.



VIEW SOUTH
View from Street



VIEW EAST
View from Driveway

Wood Screen Elevations
Scale ½" = 1' – 0"

ALESSIO SARETTO RESIDENCE
4342 BLUFFVIEW BLVD.
DALLAS, TEXAS 75209

Agenda Information Sheet

File #: 25-3627A **Item #:** 3.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at **10228 INWOOD ROAD**. This property is more fully described as Block 5517, 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 an 8-foot-high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

Location: **10228 INWOOD ROAD**
Applicant: Jennifer Hiromoto
Representative: Jennifer Hiromoto
Senior Planner: Bryant Thompson
Request: **(1)** A request for a special exception to the fence height regulations.
Staff Recommendation: No staff recommendation.

BOA-25-000085

FILE NUMBER: BOA-25-000085(BT)

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at **10228 INWOOD ROAD**. This property is more fully described as Block 5517, 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 an 8-foot-high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

LOCATION: 10228 Inwood Road

APPLICANT: Jennifer Hiromoto

REQUEST:

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

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence 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 allowed in R-1ac(A).

BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Jennifer Hiromoto for the property located at 10228 Inwood Road focuses on one request relating to the fence height regulations.
- 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.
- It is imperative to note Inwood Road is considered a PA – Principal Arterial per City of Dallas thoroughfare plan.
- Surrounding properties provide a mixture of open space, vegetation, or tall fencing of some sort along Inwood Road.
- 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 regulations relating to 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: BOA-25-000085 at 10228 Inwood Rd

Timeline:

November 28, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

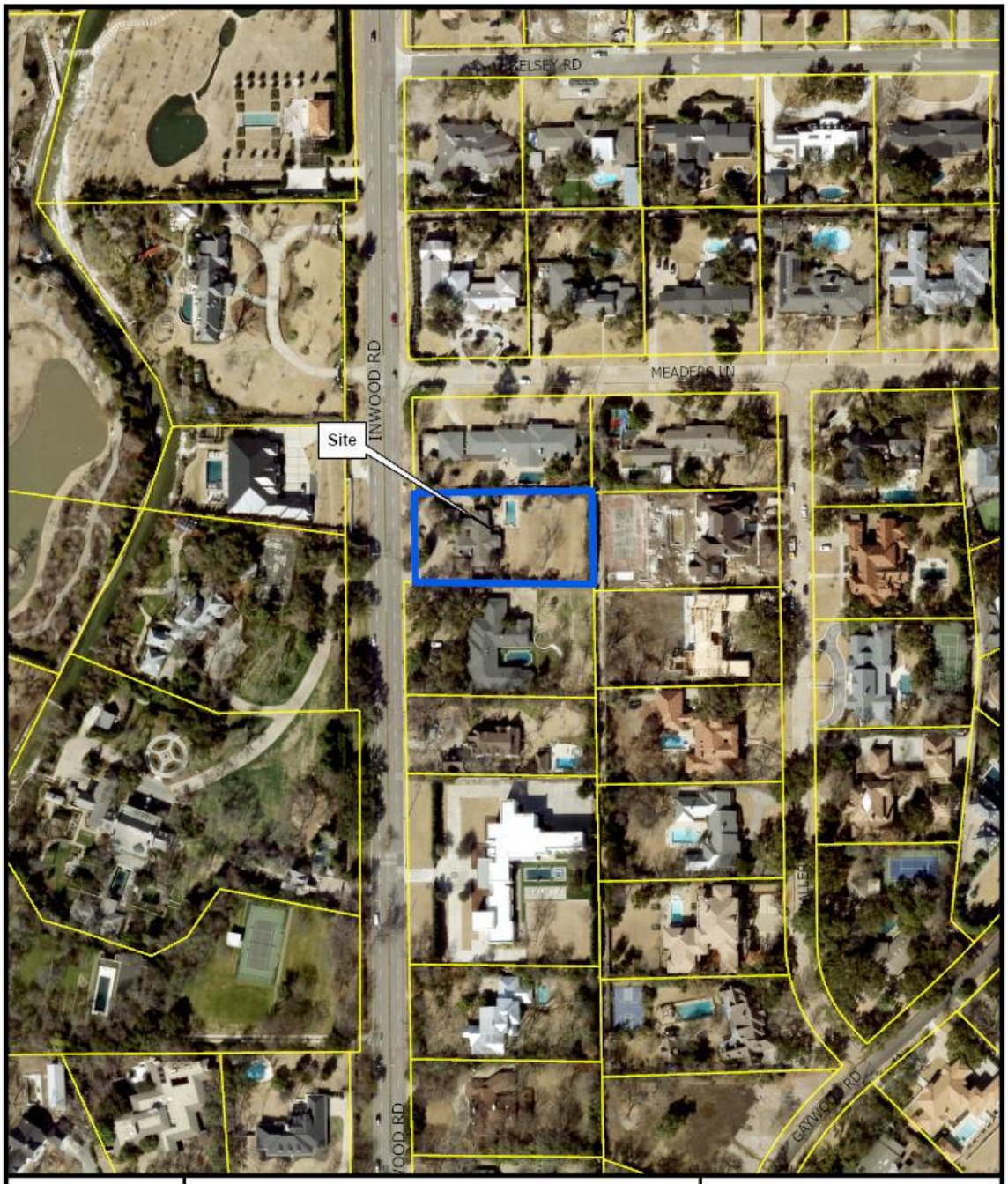
December 4, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

December 16, 2025: 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 **December 26, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **January 9, 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.

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

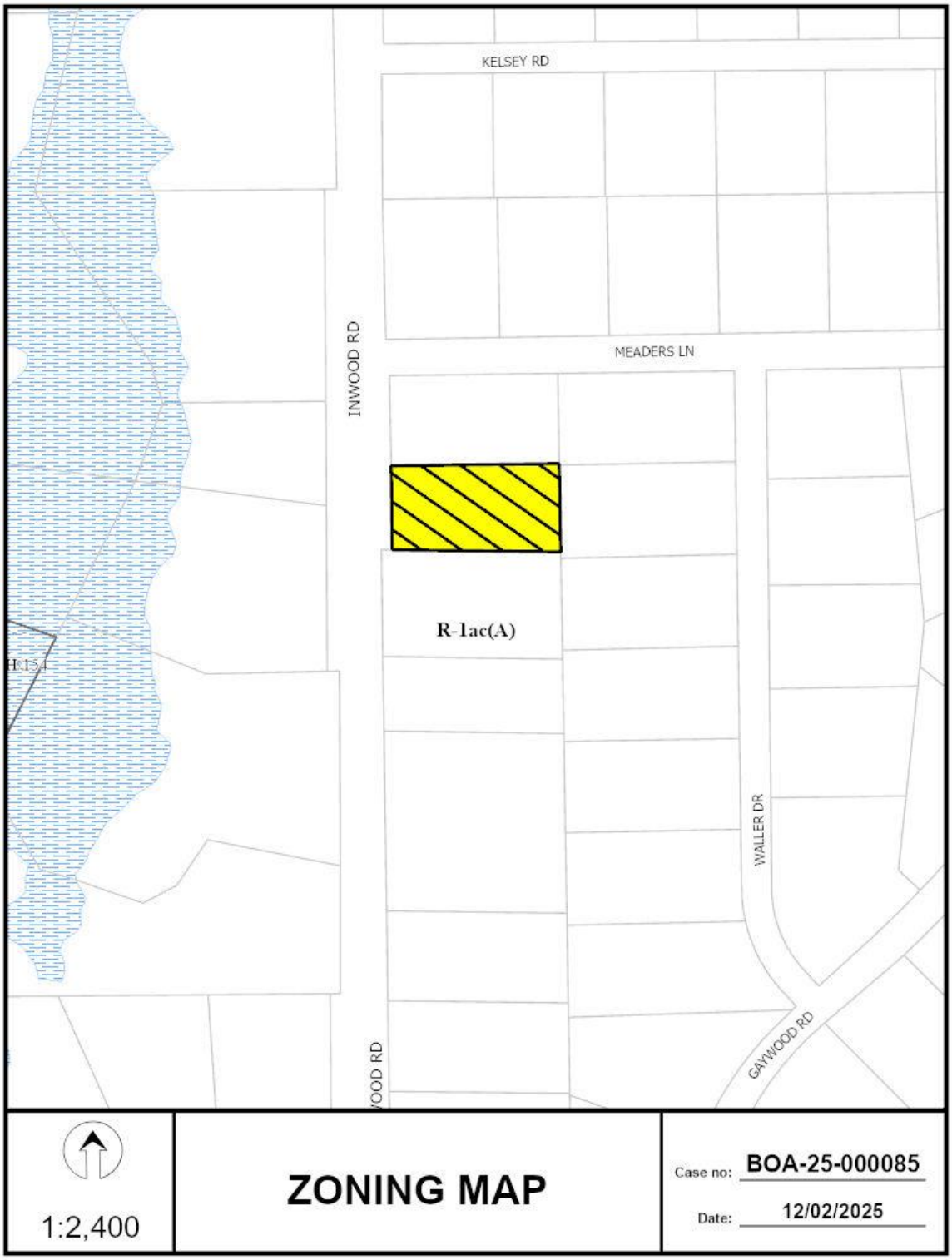


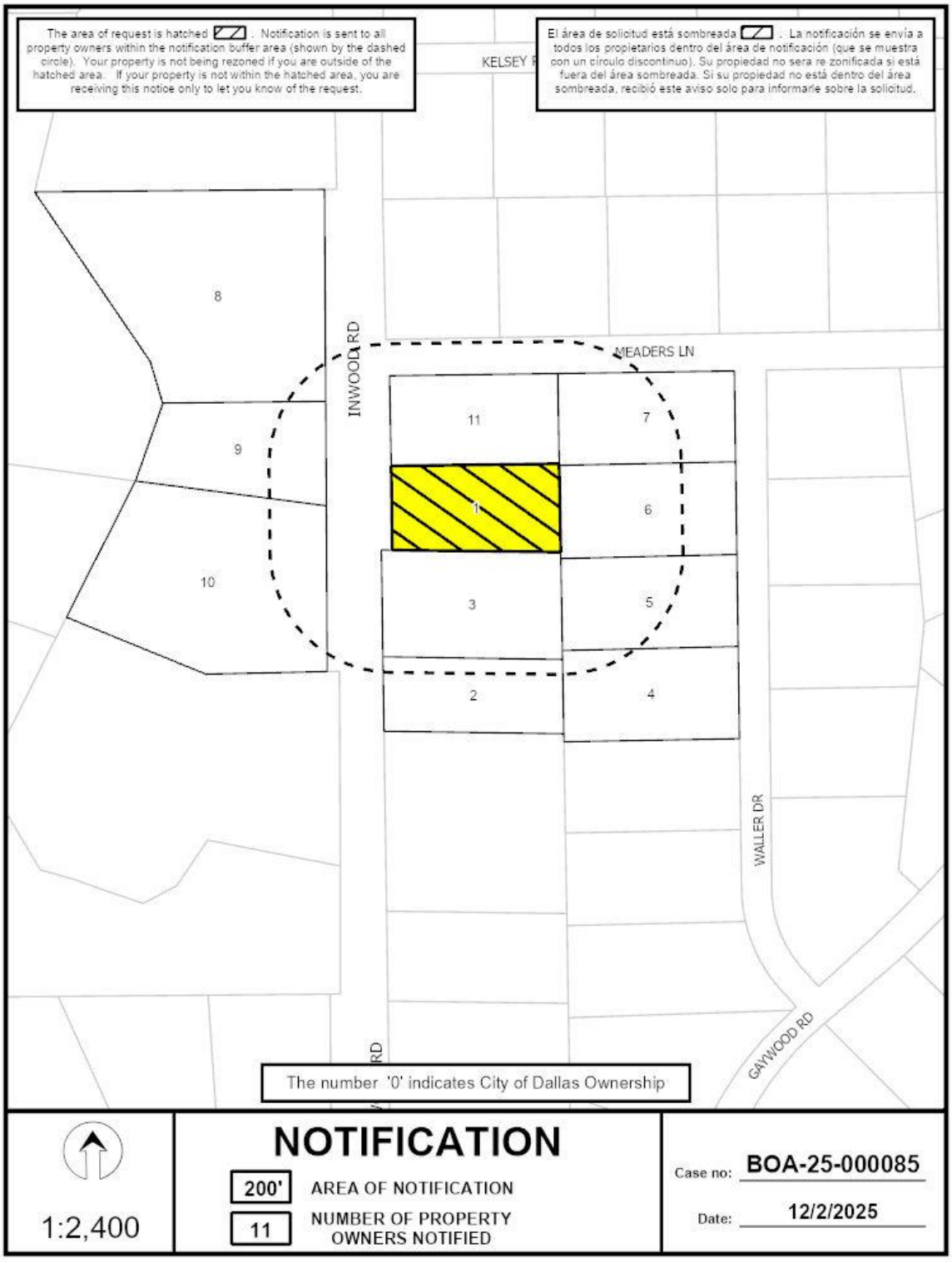
1:2,400

AERIAL MAP

Case no: BOA-25-000085

Date: 12/02/2025


KELSEY RD
INWOOD RD
MEADERS LN
R-1ac(A)
WALLER DR
GAYWOOD RD
1:2,400
ZONING MAP
Case no: BOA-25-000085
Date: 12/02/2025


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 sera 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.
KELSEY
INWOOD RD
MEADERS LN
WALLER DR
GAYWOOD RD
8
9
10
11
7
1
6
3
5
2
4
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
11
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BOA-25-000085
Date: 12/2/2025

Notification List of Property Owners

BOA-25-000085

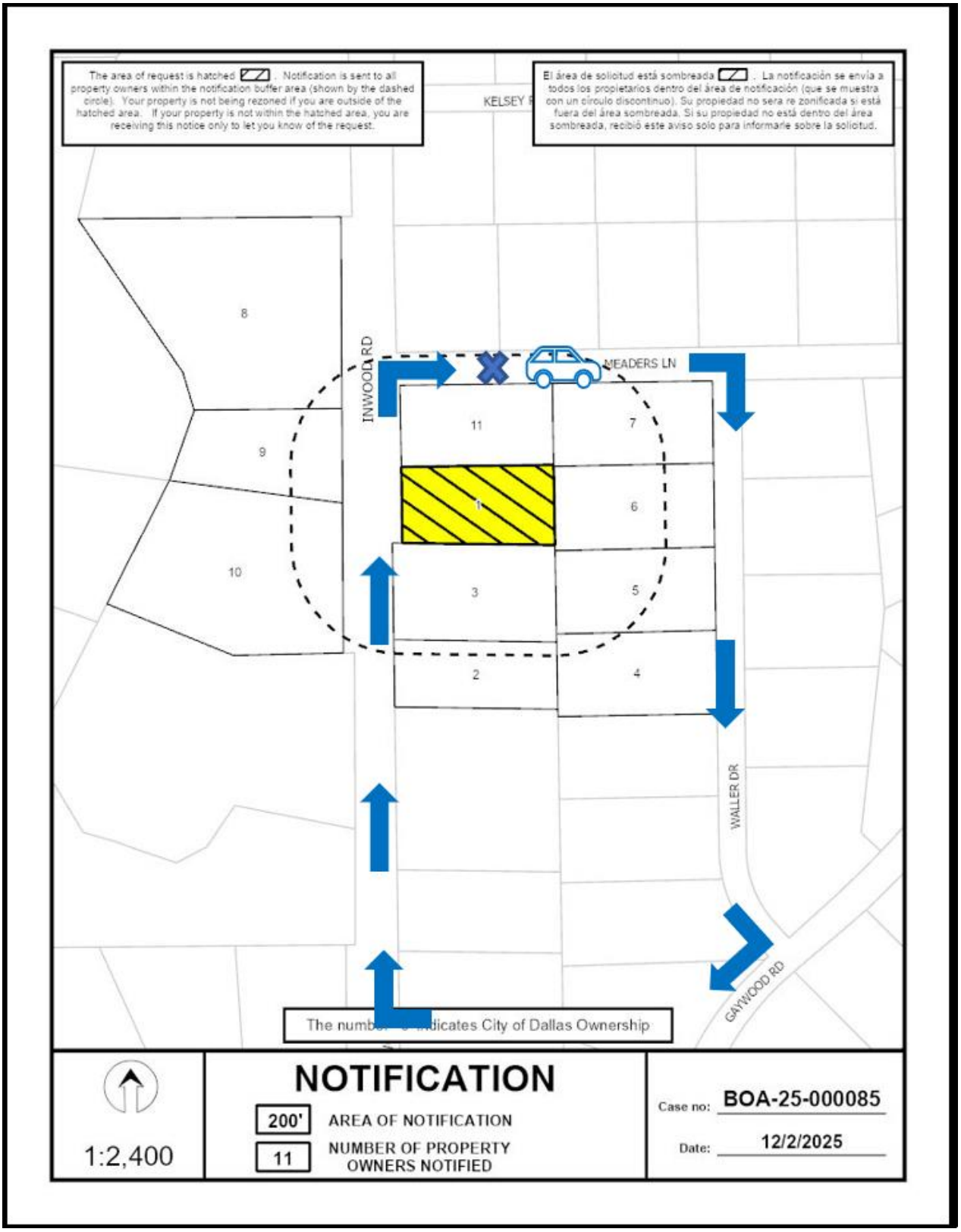
11 Property Owners Notified

Label #	*Address*		*Owner*
1	10228	INWOOD RD	OLIVEIRA MARCELLE HAYNES
2	10112	INWOOD RD	KOZLOW PHILIP & ANN
3	10214	INWOOD RD	VU BRIAN &
4	10211	WALLER DR	SHANAHAN DAVID M
5	10221	WALLER DR	BROWNE SPENCER & ALEXANDRA M
6	10235	WALLER DR	FARLEY HATCHER LLC
7	5144	MEADERS LN	OCHS ROGER
8	10265	INWOOD RD	TOPLETZ DENNIS &
9	10233	INWOOD RD	CHRISTENSEN WILLIAM C III &
10	10211	INWOOD RD	SINGH LEKHA
11	5110	MEADERS LN	SWAYDEN LIVING TRUST



Route Directions:
Start on Meaders Ln.
Right on Waller Dr.
Right on Gaywood Rd.
Right on Walnut Hill Ln.
Right on Inwood Rd.
***Subject Site at 3:24.**

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, JANUARY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

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

BOA-25-000085(BT) Application of Jennifer Hiromoto for **(1)** a special exception to the fence height regulations at **10228 INWOOD ROAD**. This property is more fully described as Block 5517, 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 an 8-foot-high fence in a required front yard, which will require **(1)** a 4-foot special exception to the fence height regulations.

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

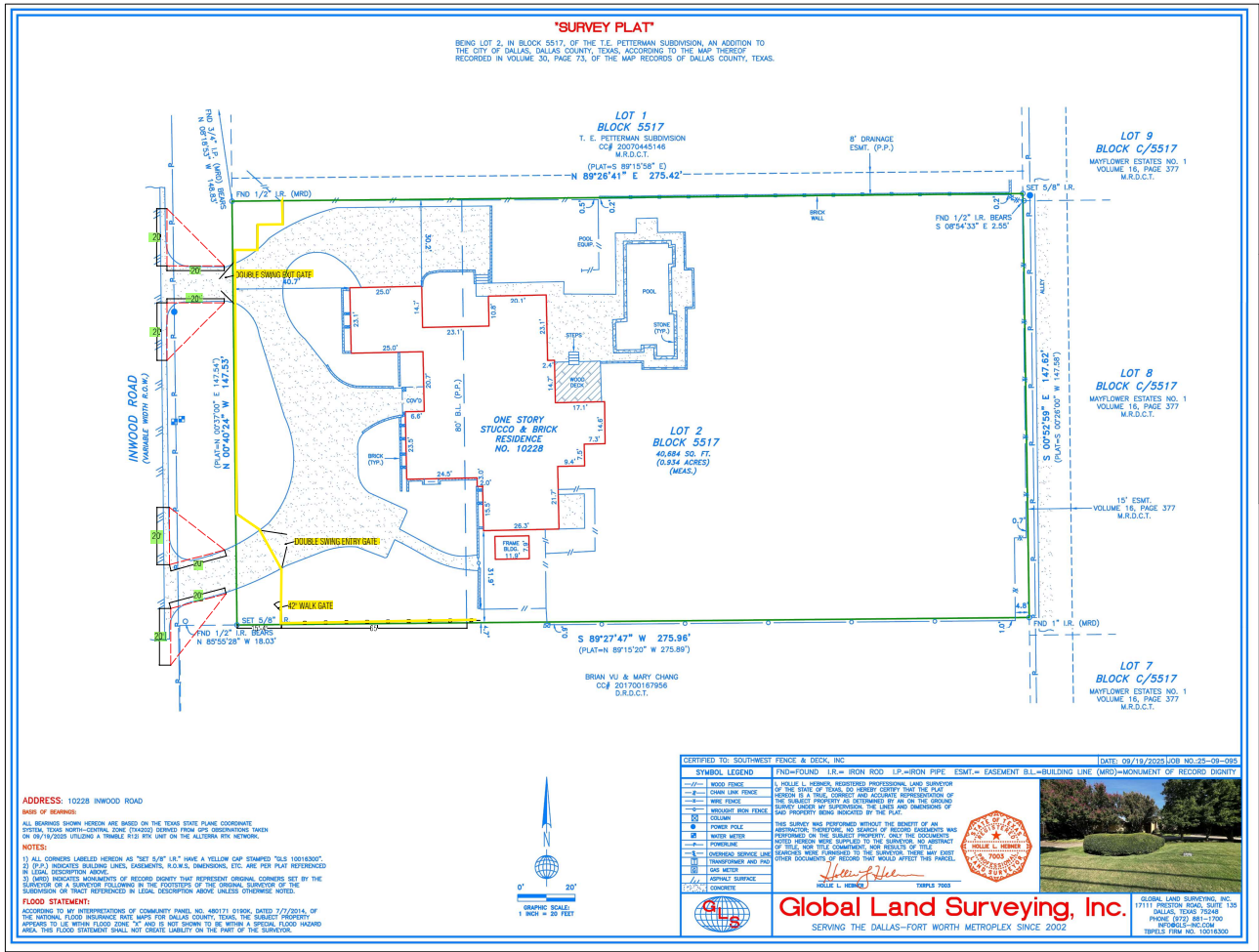
Note: Any materials (such as plans, elevations, etc.) included within this notice may be subject to change.

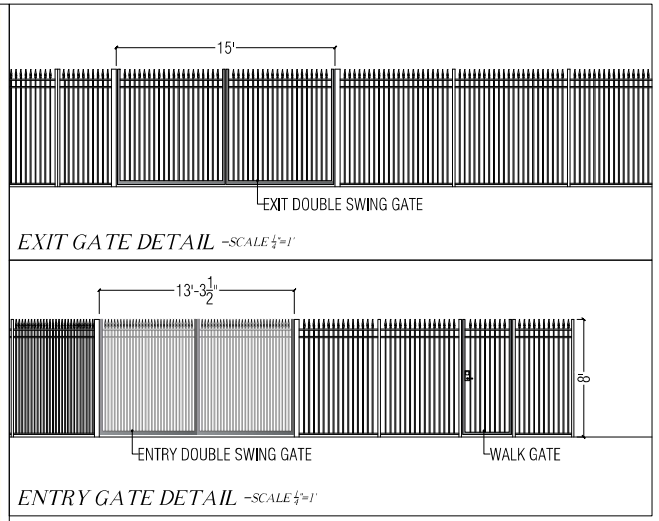
The Board of Adjustment hearing will be held by videoconference and at **6ES Council Briefing.** Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-A-Register **by the 5 p.m. on Monday, January 19, 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.

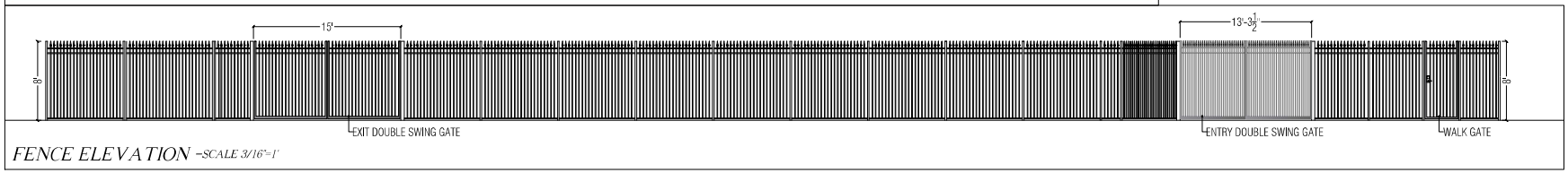
Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

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

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







CONCEPTUAL DRAWING All measurements to be field verified

CLIENT:

10228 INWOOD RD.
DALLAS, TX

DATE 10.21.25
Revised

SCALE 1/4" = 1'-0"

Southwest Fence & Deck, Inc.
Custom Outdoor Enhancements
4523 Pecan Blvd.
Carrollton, Texas 75010
469-499-7419
972-458-0028 fax
www.SouthWestFence.com

NOT FOR CONSTRUCTION WITHOUT WRITTEN PERMISSION OF SOUTHWEST FENCE & DECK
© COPYRIGHT 2025 SOUTHWEST FENCE & DECK ALL RIGHTS RESERVED

City of Dallas

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

Agenda Information Sheet

File #: 25-3628A **Item #:** 4.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Robert Baldwin for a **(1)** special exception to the fence height regulations along N. Buckner Boulevard, **(2)** a special exception to the fence opacity regulations along N. Buckner Boulevard, **(3)** a special exception to the fence height regulations along Hermosa Drive, and **(4)** a special exception to the fence opacity regulations along Hermosa Drive at **1425 N BUCKNER BOULEVARD**. This property is more fully described as Block E/5313, Lots 1 and 2, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50-percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front-yard along N. Buckner Boulevard, which will require **(1)** a 3-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 along N. Buckner Boulevard, which will require **(2)** a special exception to the fence opacity regulations, to construct and/or maintain a 7-foot-high fence in a required front-yard along Hermosa Drive, which will require **(3)** a 3-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 along Hermosa Drive, which will require **(4)** a special exception to the fence opacity regulations.

Location: **1425 N. BUCKNER BOULEVARD**
Applicant: Robert Baldwin
Representative: Robert Baldwin
Senior Planner: Bryant Thompson
Request: **(1)** A request special exception to the fence height regulations
(2) A special exception to the fence opacity regulations
(3) A special exception to the fence height regulations
(4) A special exception to the fence opacity regulations
Staff Recommendation: No staff recommendation.
BOA-25-000044

FILE NUMBER: BOA-25-000044(BT)

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin for a **(1)** special exception to the fence height regulations along N. Buckner Boulevard, **(2)** a special exception to the fence opacity regulations along N. Buckner Boulevard, **(3)** a special exception to the fence height regulations along Hermosa Drive, and **(4)** a special exception to the fence opacity regulations along Hermosa Drive at **1425 N BUCKNER BOULEVARD**. This property is more fully described as Block E/5313, Lots 1 and 2, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50-percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front-yard along N. Buckner Boulevard, which will require **(1)** a 3-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 along N. Buckner Boulevard, which will require **(2)** a special exception to the fence opacity regulations, to construct and/or maintain a 7-foot-high fence in a required front-yard along Hermosa Drive, which will require **(3)** a 3-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 along Hermosa Drive, which will require **(4)** a special exception to the fence opacity regulations.

LOCATION: 1425 N Buckner Boulevard

APPLICANT: Robert Baldwin

REQUEST:

(1) A request for a special exception to the fence height regulations along N Buckner Boulevard,
(2) A request for a special exception to the fence opacity regulations relating to opacity along N Buckner Boulevard,
(3) A request for a special exception to the fence height regulations along Hermosa Drive, and
(4) A request for a special exception to the fence opacity regulations relating to opacity along Hermosa Drive.

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 (4):

No staff recommendation is made on these requests.

BACKGROUND INFORMATION:

Zoning:

Site:	R-10(A)
North:	R-10(A), PD-197, and CR
East:	R-10(A)
South:	R-10(A)
West:	R-10(A)

Land Use:

The subject site and surrounding properties are developed with single-family uses allowed in R-10(A).

BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

- The application of Robert Baldwin for the property located at 1425 N Buckner Boulevard focuses on four requests relating to the fence height and fence opacity regulations.
- The first request, the applicant is proposing to construct and maintain a 7-foot-high fence and gate in a required front-yard along N Buckner Boulevard, which will require a 3-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 N Buckner Boulevard, which requires a special exception to the fence opacity regulations.
- The third request, the applicant is proposing to construct and maintain a 7-foot-high fence and gate in a required front-yard along Hermosa Drive, which will require a 3-foot special exception to the fence height regulations.
- The last 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 Hermosa Drive, which requires a special exception to the fence opacity regulations.
- The subject site, due to blockface continuity, has front-yard setback requirements along both N Buckner Boulevard and Hermosa Drive.

- It is imperative to note that the proposed masonry wall is part of a new 15-lot subdivision with an approved preliminary plat for La Jolla Addition (S234-073R) at the corner of N Buckner Boulevard and Hermosa Drive.
- Surrounding properties to the south along Hermosa Drive have vegetation and/or tall fencing of some sort.
- N Buckner Boulevard is considered a PA – Principal Arterial per City of Dallas thoroughfare plan
- The applicant has the burden of proof in establishing that the special exceptions to the fence standard regulations relating to height and opacity will not adversely affect the neighboring properties.
- Granting the special exceptions to the fence regulations relating to height and opacity 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-25-000044 at 1425 N Buckner Blvd

Timeline:

July 29, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

August 14, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

August 25, 2025: 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 **August 21, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **September 5, 2025**, 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 27, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **September** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

September 16, 2025: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, September 16, 2025, moved to **HOLD** this matter under advisement until **October 21, 2025.**

September 18, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- the **October 6, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **October 10, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the hearing date and time reminder of Tuesday, **October 21, 2025,** Briefing at 10:00 am and Hearing at 1:00 pm.

October 21, 2025: The Board of Adjustment Panel **A**, rescheduled until **November 4, 2025.**

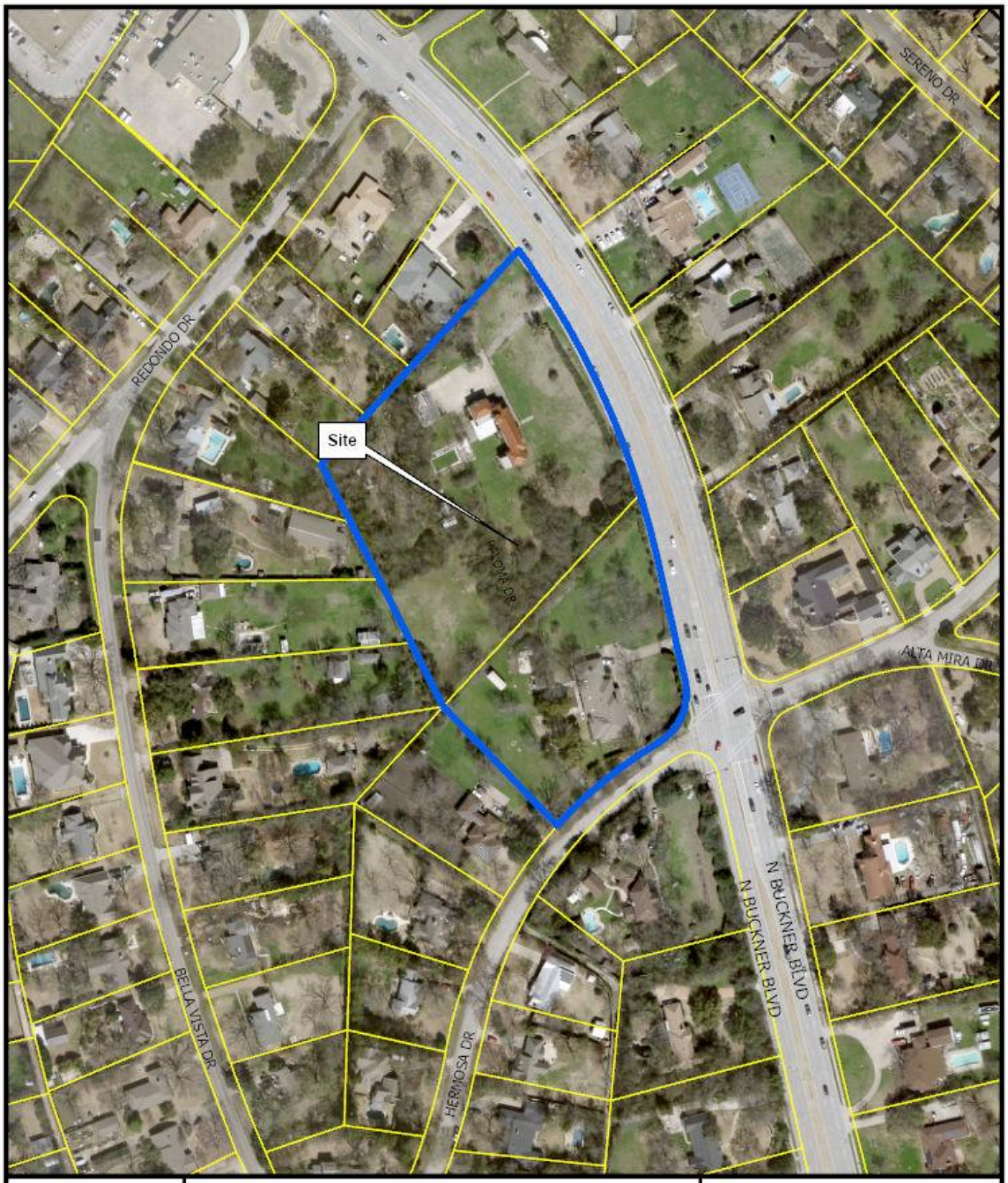
November 4, 2025: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, November 4, 2025, moved to **HOLD** this matter under advisement until **January 20, 2026.**

November 4, 2025: The Planning and Development Senior Planner emailed the applicant the following information:

- The hearing date and time reminder of Tuesday, January 20, 2026, Briefing at 10:30 am and Hearing at 1:00 pm. pm.

December 12, 2025: The applicant provided revised plans**.**

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

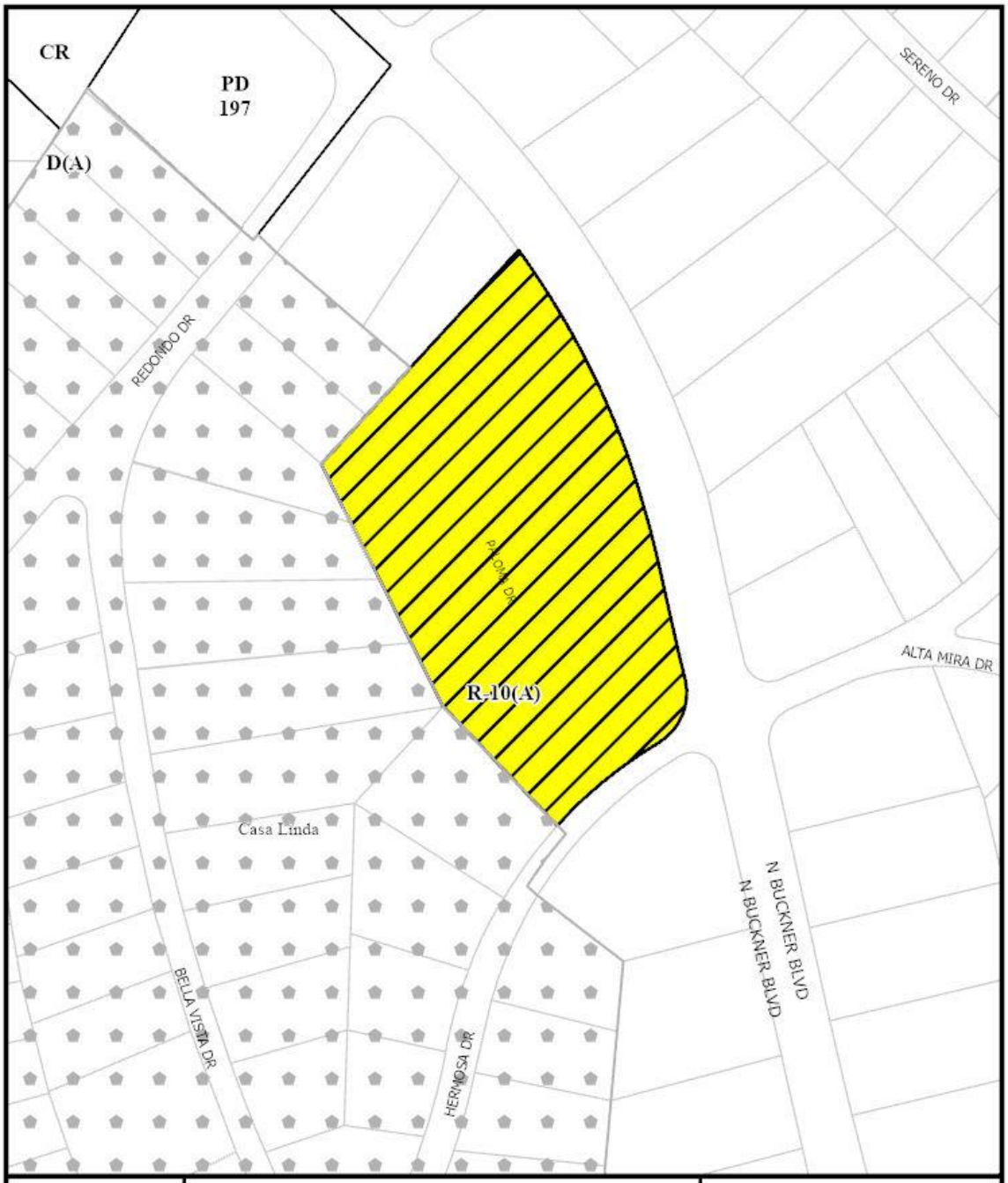


1:2,400

AERIAL MAP

Case no: BOA-25-000044

Date: 08/05/2025

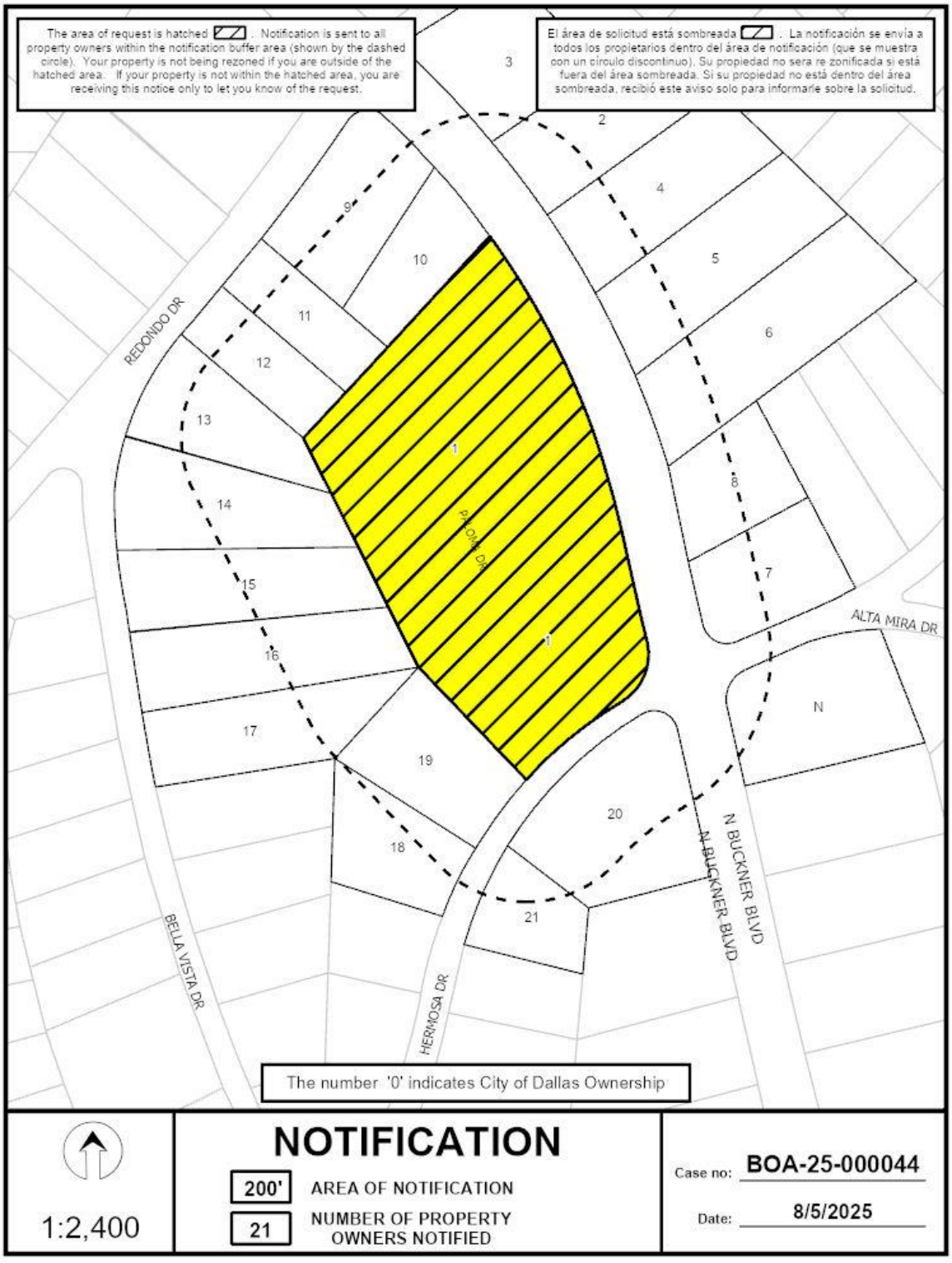


1:2,400

ZONING MAP

Case no: BOA-25-000044

Date: 08/05/2025


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 sera 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.
REDONDO DR
PALOMA DR
ALTA MIRA DR
N BUCKNER BLVD
BELLA VISTA DR
HERMOSA DR
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
21
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BOA-25-000044
Date: 8/5/2025

Notification List of Property Owners

BOA-25-000044

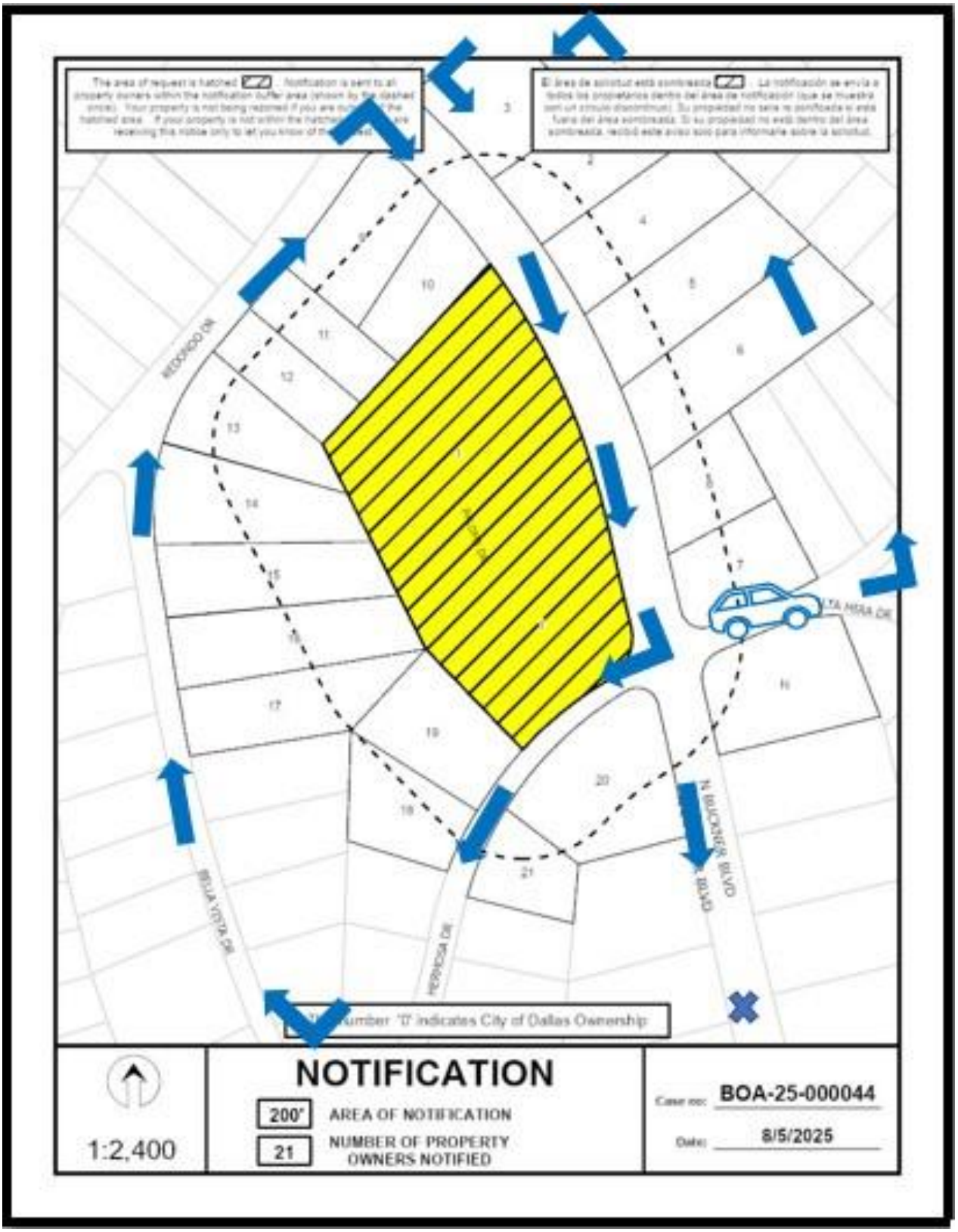
21 Property Owners Notified

Label #	*Address*		*Owner*
1	1435	N BUCKNER BLVD	LA JOLLA DRIVE LLC
2	1410	N BUCKNER BLVD	CARDOSO ORLANDO VIDAL
3	1406	N BUCKNER BLVD	PRATER PAUL ROSS JR &
4	1414	N BUCKNER BLVD	WASSEL JORDAN L &
5	1426	N BUCKNER BLVD	HOWAED JAMES RENDON
6	1438	N BUCKNER BLVD	GANTER KEVIN V &
7	1450	N BUCKNER BLVD	GALLAGHER LISA L REVOCABLE
8	1446	N BUCKNER BLVD	RIDGWAY NANCY E
9	1405	N BUCKNER BLVD	HOWARD HUBERT JR & MAVIS G
10	1411	N BUCKNER BLVD	OWENS JONATHAN ROCKWELL &
11	9414	REDONDO DR	BARTON DOUGLAS A &
12	9410	REDONDO DR	MILLER JOHN H III &
13	9406	REDONDO DR	COOPER JONATHAN D & CHARLOTTE W
14	1406	BELLA VISTA DR	BASS ANGELA M & WILLIAM B
15	1410	BELLA VISTA DR	SHERMAN MARJORY EST OF
16	1414	BELLA VISTA DR	BARDWELL WARNE E & TAMMY J
17	1418	BELLA VISTA DR	FERGUSON CHANEY PITZER &
18	9421	HERMOSA DR	BRONAUGH JOHN E &
19	9425	HERMOSA DR	MENDERSHAUSEN PHILIP B
20	1511	N BUCKNER BLVD	FRAGA JULIA
21	9422	HERMOSA DR	SASS WILLIAM F & JANE E GRIFFIN



Route Directions:
Start on Hermosa Dr.
Left on Sereno Dr.
Left on Redondo Dr.
Left on N. Buckner Blvd.
Right on Hermosa Dr.
Right on Bella Vista Dr.
Right on Redondo Dr.
Right on N. Buckner Blvd.
***Subject Site from N Buckner Blvd. at 2:05 and 4:45.**

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, JANUAY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment: **This case was held under advisement on November 4, 2025.**

BOA-25-000044(BT) Application of Robert Baldwin for a **(1)** special exception to the fence height regulations along N. Buckner Boulevard, **(2)** a special exception to the fence opacity regulations along N. Buckner Boulevard, **(3)** a special exception to the fence height regulations along Hermosa Drive, and **(4)** a special exception to the fence opacity regulations along Hermosa Drive at **1425 N BUCKNER BOULEVARD**. This property is more fully described as Block E/5313, Lots 1 and 2, and is zoned R-10(A), which limits the height of a fence in the front-yard to 4-feet and requires a fence panel with a surface area that is less than 50-percent open may not be located less than 5-feet from the front lot line. The applicant proposes to construct and/or maintain a 7-foot-high fence in a required front-yard along N. Buckner Boulevard, which will require **(1)** a 3-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 along N. Buckner Boulevard, which will require **(2)** a special exception to the fence opacity regulations, to construct and/or maintain a 7-foot-high fence in a required front-yard along Hermosa Drive, which will require **(3)** a 3-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 along Hermosa Drive, which will require **(4)** 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 **6ES Council Briefing.** 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, January 19, 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.

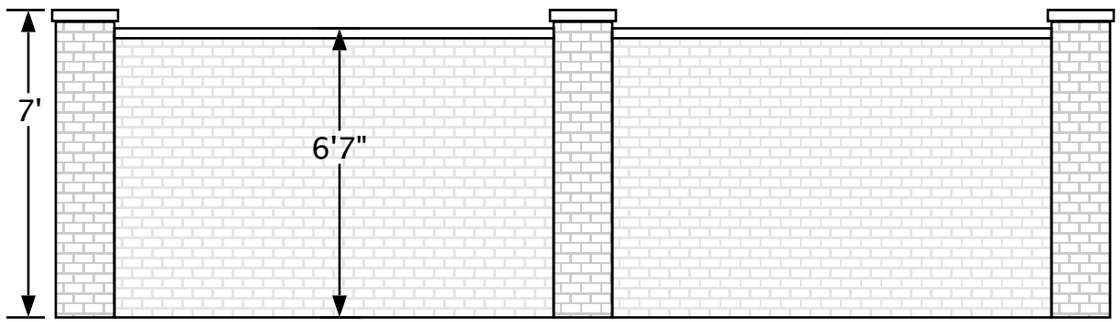
Additional information regarding the application may be obtained by calling Bryant Thompson, Senior Planner (214) 948-4502, or Mary Williams, Board Secretary at (214) 670-4127. Si desea información en español, favor de llamar al teléfono a Mary Williams al (214) 670-4127.

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

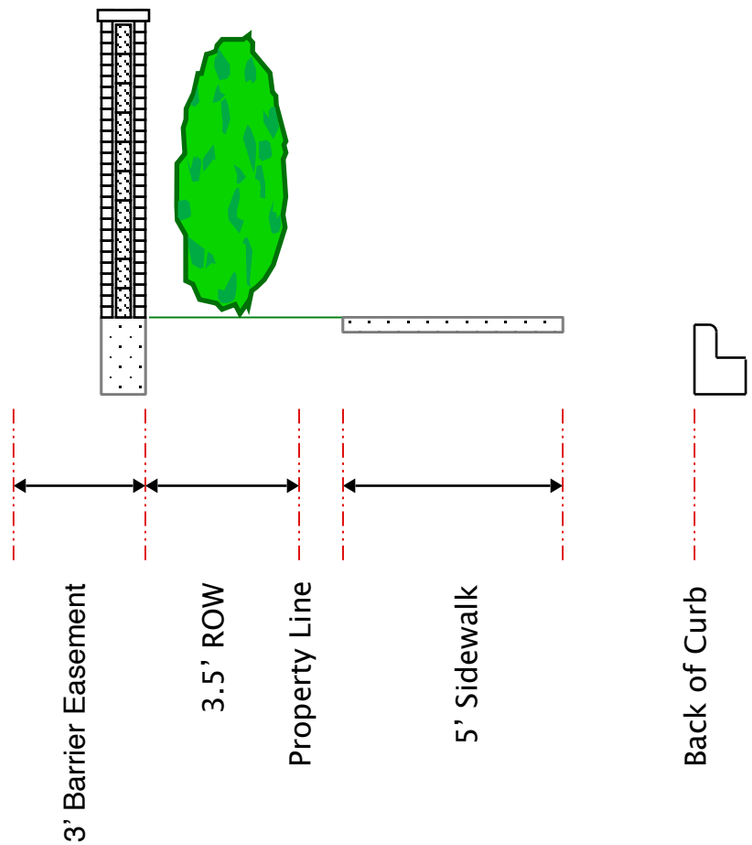
1425 and 1435 N. Buckner
Fence Variance Request
For Traffic Barrier

Straight on view



Brick wall
16” columns every approx. 10’

Section



1/4” = 1’

Baldwin
Associates

January 12, 2026

The Dallas Board of Adjustment – Panel A
c/o Mr. Bryant Thompson
Senior Planner – Board of Adjustment
Department of Development Services
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: BOA-25-000044

Dear Chair Neuman and Members of the Board:

This firm represents the owner of the property located at **1425 North Buckner Boulevard** in connection with their request for two Special Exceptions:

1. To allow a fence taller than four feet within the required front yard setback; and

2. To allow a fence that does not comply with the standard opacity requirements for fences located within five feet of a property line.

Background and Context
The subject property is located on the west side of North Buckner Boulevard, between Redondo Drive and Hermosa Drive. While the property sides to North Buckner Boulevard, the existence of an abutting single-family home that fronts the boulevard creates a projected front yard condition on this tract.

The site consists of approximately **6.44 acres** and has been preliminarily platted for a **pocket neighborhood of 15 homes** in a shared-access development. A final plat has not yet been approved, and the property currently exists as one tax parcel.

Purpose of the Request
This request seeks approval for a **uniform, solid subdivision fence** along the perimeter facing North Buckner Boulevard and Hermosa Drive. The proposed fence would:

- Be constructed to a height of **seven feet**,

- Sit approximately **12 feet back from the curb** and **four feet behind the existing sidewalk**, and

- Be softened with a **landscaped buffer of shrubs** planted between the fence and the sidewalk.

The homes backing onto North Buckner Boulevard and Hermosa Drive would rely on this structure as their **rear fence**, providing security and livability for the future residents.

Justification for the Special Exceptions

- **Safety & Security** – North Buckner Boulevard is a heavily trafficked arterial roadway with significant vehicular and pedestrian activity. A four-foot fence would not provide meaningful protection from traffic hazards or trespass. An eight-foot fence is necessary to create a secure environment for the future homeowners.

- **Noise & Privacy** – Traffic noise and constant activity from North Buckner Boulevard would significantly impact the residential character of this neighborhood. An eight-foot solid fence will help buffer noise, improve privacy, and create a safer, more livable environment.

- **Neighborhood Compatibility** – Many properties along North Buckner Boulevard incorporate taller fences, walls, or dense landscaping to address the same challenges associated with frontage on a major thoroughfare. Approval of these Special Exceptions would not disrupt the neighborhood's character but instead ensure **consistency with existing conditions**.

Conclusion

The proposed Special Exceptions are both reasonable and necessary to mitigate the impacts of a 100-foot-wide, high-traffic roadway on a residential development. The combination of fence setback, height, and landscaping will prevent a "canyon effect" while providing critical safety, security, and noise mitigation benefits.

We respectfully request the Board's approval of these Special Exceptions. Should you have any questions or require additional information, please do not hesitate to contact me.

Thank you for your time and consideration.



3904 Elm Street Suite B · · Dallas, TX 75226 · · 214-824-7949

Agenda Information Sheet

File #: 25-3629A **Item #:** 5.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of George Ryan Fisher for **(1)** a special exception to the side yard setback regulations to preserve an existing tree at **7181 GREENTREE LANE**. This property is more fully described as Block B/4407, Lot 3, and is zoned R-1/2ac(A), which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 2-foot setback, which will require a **(1)** 8-foot special exception to the side yard setback regulations to preserve an existing tree.

Location: **7181 GREENTREE LANE**
Applicant: George Fisher
Representative: George Fisher
Senior Planner: Bryant Thompson
Request: **(1)** A special exception to the side yard regulations to preserve an existing tree
Staff Recommendation: No Staff Recommendation
BOA-25-000059

FILE NUMBER: BOA-25-000059(BT)

BUILDING OFFICIAL'S REPORT: Application of George Ryan Fisher for **(1)** a special exception to the side yard setback regulations to preserve an existing tree at **7181 GREENTREE LANE**. This property is more fully described as Block B/4407, Lot 3, and is zoned R-1/2ac(A), which requires a side yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 2-foot side-yard setback, which will require a **(1)** 8-foot special exception to the side yard setback regulations to preserve an existing tree.

LOCATION: 7181 Greentree Lane

APPLICANT: George Ryan Fisher

REQUEST:

(1) A request for a special exception to the side-yard setback regulations to preserve an existing tree.

STANDARDS OF REVIEW FOR A SPECIAL EXCEPTION TO THE SIDE YARD SETBACK REGULATIONS TO PRESERVE AN EXISTING TREE:

Section 51A-4.402(e) of the Dallas Development Code states that the board may grant a special exception to the minimum side yard to preserve an existing tree when in the opinion of the board, **the requested special exception is compatible with the character of the neighborhood, the value of surrounding properties will not be adversely affected; and the tree is worthy of preservation.**

STAFF RECOMMENDATION:

Special Exceptions (1):

No staff recommendation is made on this request.

BACKGROUND INFORMATION:

Zoning:

Site:	R-1/2ac(A)
North:	R-1/2ac(A)
East:	R-1/2ac(A)
South:	R-1ac(A)
West:	R-1/2ac(A)

Land Use:

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

BDA History:

No BDA history has been found within the last 5 years

GENERAL FACTS/STAFF ANALYSIS:

- The application of George Ryan Fisher for the property located at 7181 Greentree Lane focuses on one request relating to the side-yard setback regulations.
- The request is for a special exception to the minimum side-yard setback regulations to preserve an existing tree. The applicant proposes to construct and maintain a single-family residential accessory structure and provide a 2-foot side-yard setback, which will require a 8-foot special exception to the side-yard setback regulations to preserve an existing tree.
- Chief Arborists Report

  Request
  The applicant is seeking a special exception to the side yard setback regulations to preserve an existing live oak tree. The placement of the accessory structure is limited by the location and the growth habit of the mature tree. The pruning of the large limbs would be detrimental to the tree if necessary for proper placement of a structure.
  The tree is worthy of preservation, and the proposed placement of the structure protects the integrity of the tree.
- The applicant has the burden of proof in establishing whether the requested special exception is compatible with the character of the neighborhood, whether the value of surrounding properties will be adversely affected; and whether the tree is worthy of preservation.
- Granting the special exception for a structure to be located within the required setbacks with a condition that the applicant complies with the submitted site plan and elevations, for which a special exception has been granted under this subsection, and would require the proposal to be permitted, and constructed as shown on the submitted documents.
- 200' Radius Video: BOA-25-000059 at 7181 Greentree Ln

Timeline:

September 26, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.

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

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

November 18, 2025 The Board of Adjustment Panel **A,** at its public hearing held on Tuesday, November 18, 2025, moved to **HELD** this request under advisement until **January 20, 2026.**

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

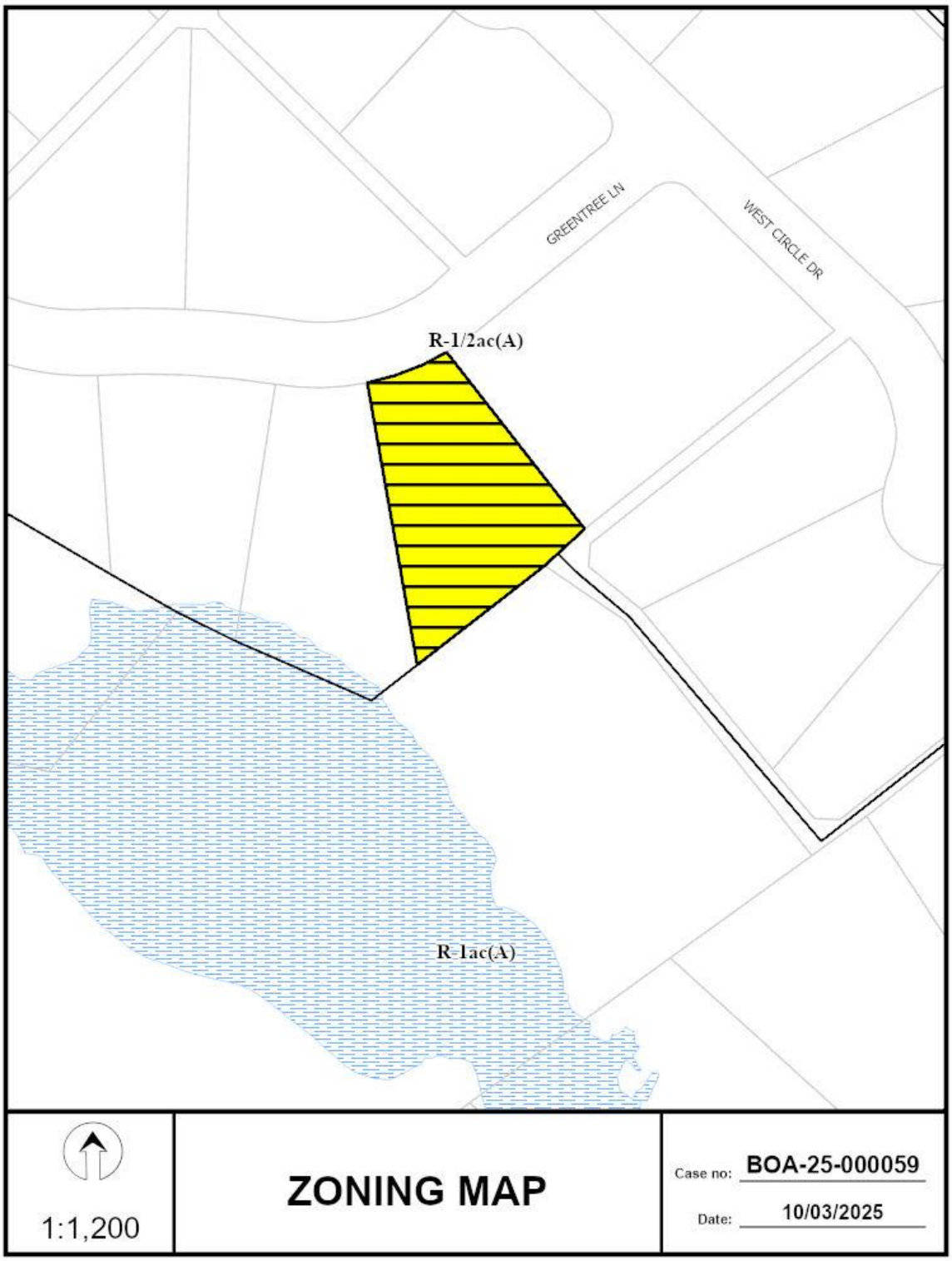


1:1,200

AERIAL MAP

Case no: BOA-25-000059

Date: 10/03/2025

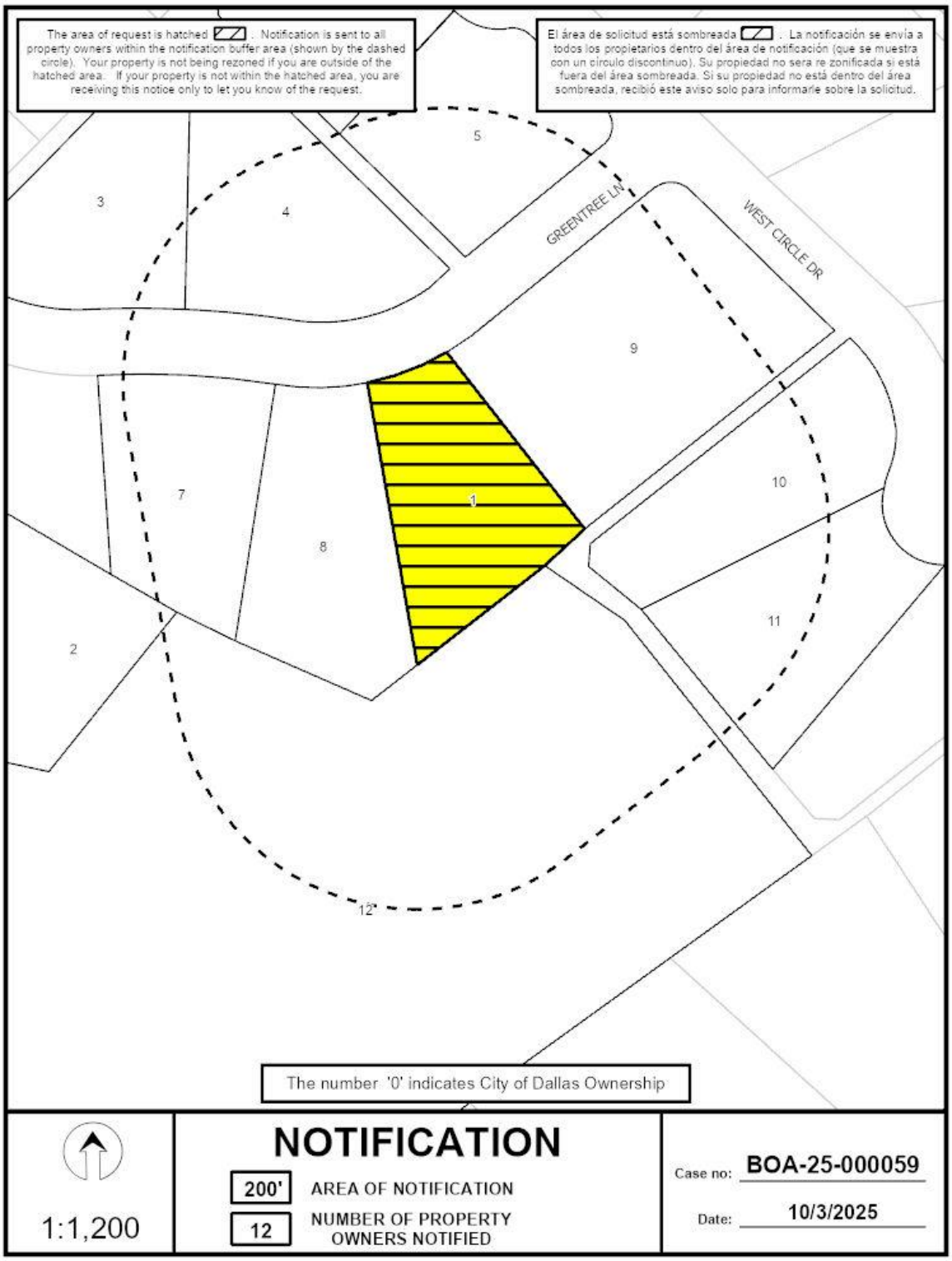


1:1,200

ZONING MAP

Case no: BOA-25-000059

Date: 10/03/2025


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.
GREENTREE LN
WEST CIRCLE DR
1
2
3
4
5
7
8
9
10
11
12
The number '0' indicates City of Dallas Ownership
NOTIFICATION
200'
AREA OF NOTIFICATION
12
NUMBER OF PROPERTY OWNERS NOTIFIED
1:1,200
Case no: BOA-25-000059
Date: 10/3/2025

Notification List of Property Owners

BOA-25-000059

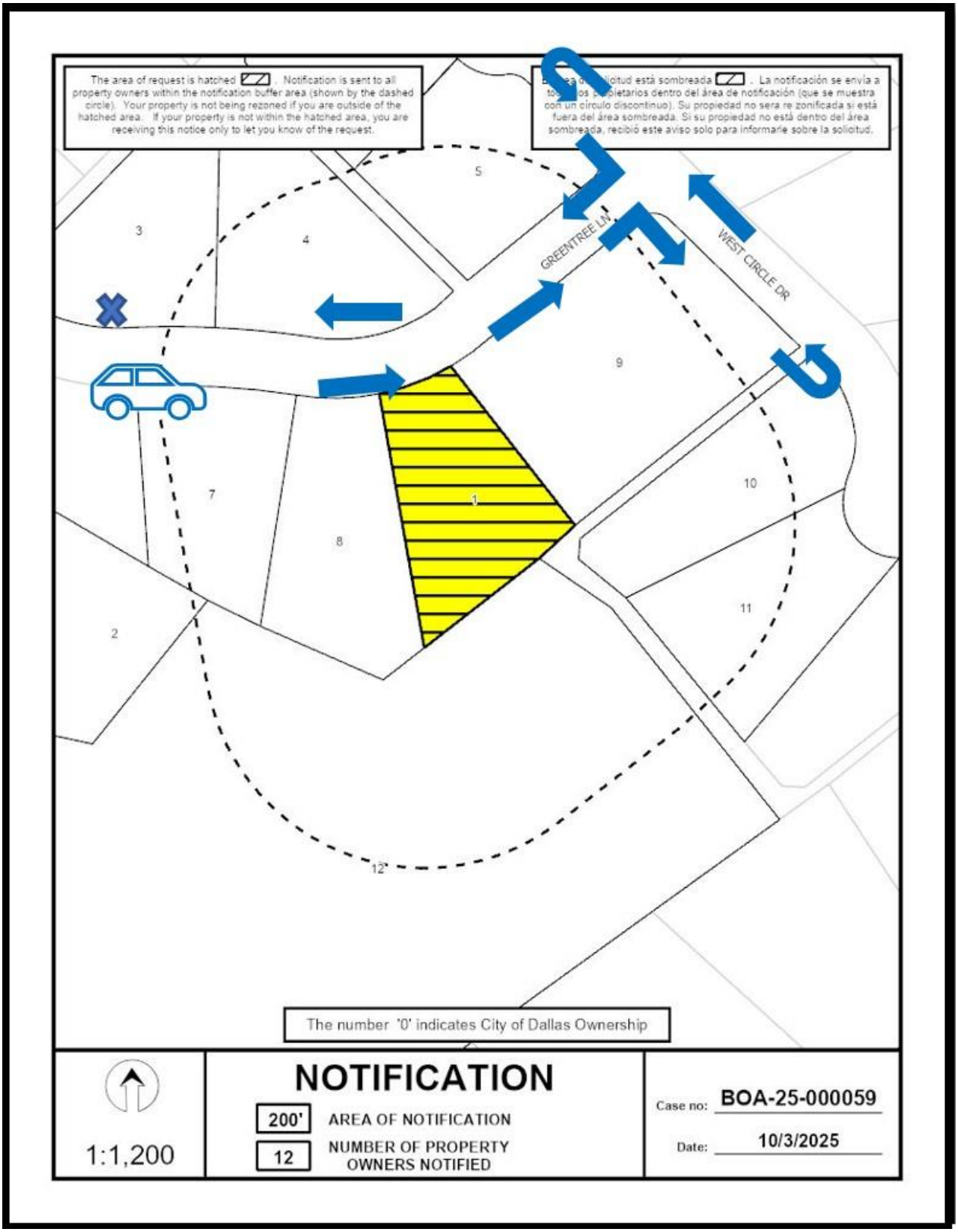
12 Property Owners Notified

Label #	*Address*		*Owner*
1	7181	GREENTREE LN	FISHER GEORGE RYAN &
2	7151	FISHER RD	WHITE ROSCOE F III
3	7160	GREENTREE LN	DENHAM REVOCABLE TRUST UTD
4	7174	GREENTREE LN	ELLISON NOEL
5	7193	WEST CIRCLE DR	HAMER DAVID & MONICA S
6	7199	WEST CIRCLE DR	VARLEY BRENDAN
7	7169	GREENTREE LN	LOSADA NICHOLAS & KATHERINE
8	7175	GREENTREE LN	SIMMONS CHRISTOPHER JOHN &
9	7189	GREENTREE LN	MARKETOS PETE & MICHELLE
10	7171	WEST CIRCLE DR	ORLANDO BRIAN PAUL & KELLY O SHEA
11	7161	WEST CIRCLE DR	WOODCHEK MICHAEL
12	7161	FISHER RD	WHITE ROSCOE F III



Route Directions:
Start on Greentree Ln.
Right on W Circle Dr.
U-Turn
Right on Greentree Ln.
***Subject Site at 1:05 and 2:50.**

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, JANUARY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment: **This case was held under advisement on November 18, 2025.**

BOA-25-000059(BT) Application of George Ryan Fisher for **(1)** a special exception to the side yard setback regulations to preserve an existing tree at **7181 GREENTREE LANE**. This property is more fully described as Block B/4407, Lot 3, and is zoned R-1/2ac(A), which requires a side-yard setback of 10 feet. The applicant proposes to construct and/or maintain a single-family residential accessory structure and provide a 2-foot setback, which will require a **(1)** 8-foot special exception to the side yard setback regulations to preserve an existing tree.

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.

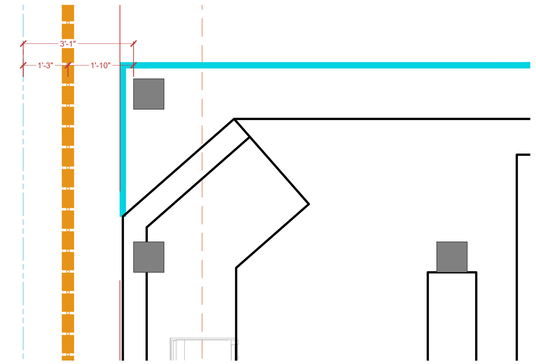
The Board of Adjustment hearing will be held by videoconference and at **6ES Council Briefing.** Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-A-Register **by the 5 p.m. on Monday, January 19, 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.

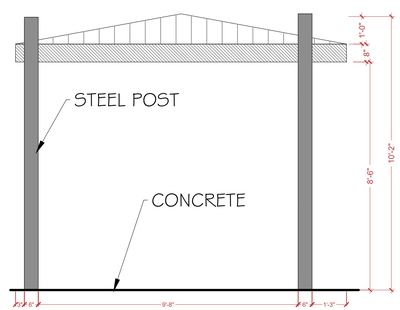
PLEASE SEND REPLIES TO:
BDAreply@dallas.gov
Letters will be received until 9:00 am the day of the hearing.
PLEASE REGISTER AT:
https://bit.ly/BDA-A-Register

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



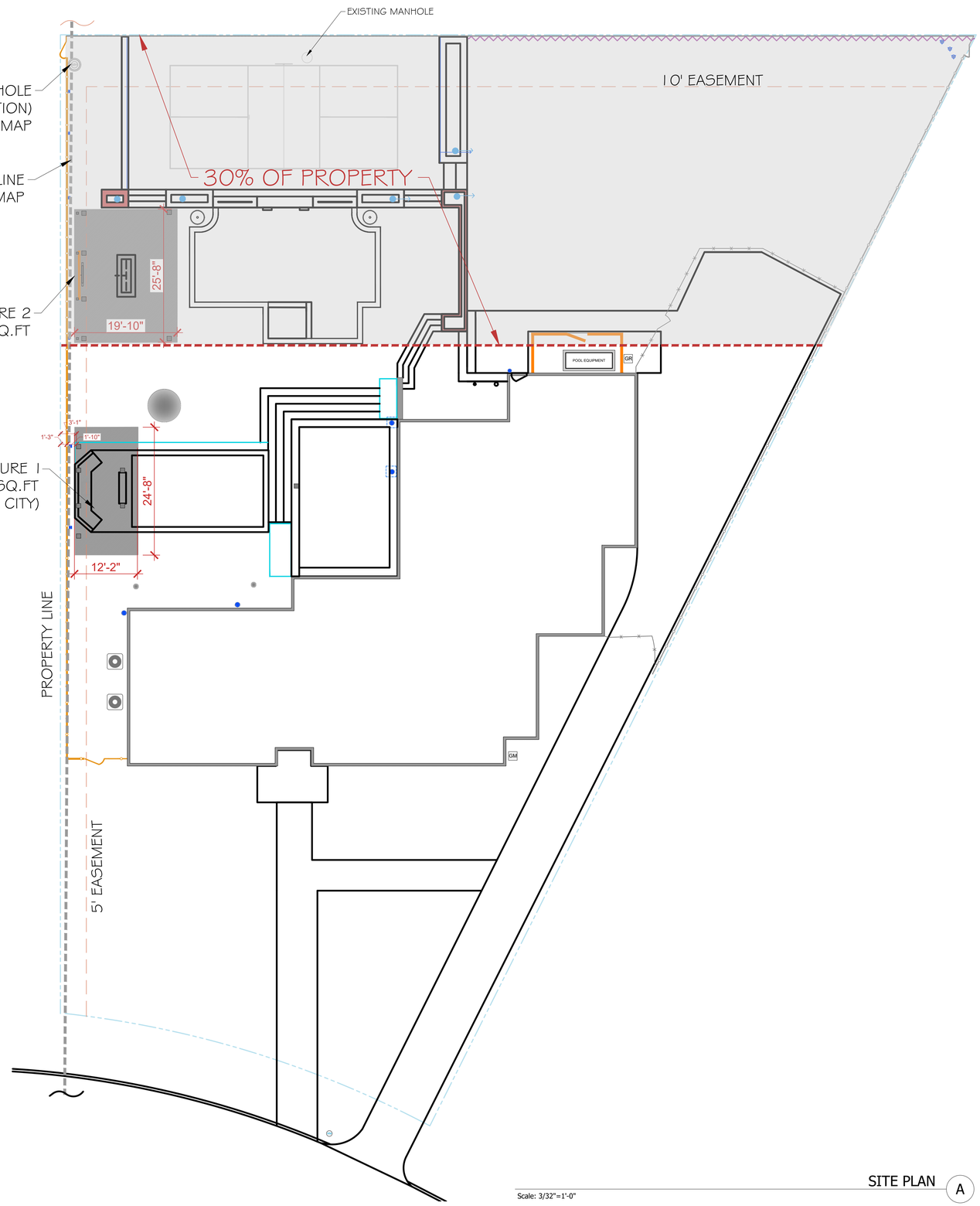
PROPERTY LINE TO POST ENLARGEMENT C

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



STRUCTURE 1_SIDE ELEVATION B

Scale: 3/8" = 1'-0"



SITE PLAN A

Scale: 3/32"=1'-0"

BLOUNT|DESIGNS

214.970.7565

support@blountdesigns.com

5600 Tennyson Pkwy, Suite 335
Plano, Texas 75024

FISHER RESIDENCE

BLOCK B/4407 LOT 37181 GREENTREE LANE,DALLAS, TEXAS 75214

BLOUNT DESIGNS WEBSITE

SHEET TITLE

SITE PLAN
(STRUCTURES)

SHEET NO.

-

BID SET
(NOT FOR CONSTRUCTION)

PROJECT NUMBER: 24068
ISSUE DATE: 08/12/2025
SHEET SIZE: 24" x 36"

City of Dallas

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

Agenda Information Sheet

File #: 25-3630A **Item #:** 6.

AGENDA DATE: January 20, 2026

PANEL: A

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Planning and Development

BUILDING OFFICIAL'S REPORT

Application of Randall E Kienast for **(1)** a special exception to the fence height regulations at **4665 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 19, 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 6-foot 11-inch-high fence in a required front yard, which will require **(1)** a 2-foot 11-inch special exception to the fence height regulations.

Location: **4665 MEADOWOOD ROAD**
Applicant: Randall E. Kienast
Representative: Randall Kienast
Senior Planner: Bryant Thompson
Request: **(1)** a special exception to the fence height regulations
Staff Recommendation: No staff recommendation.

BOA-25-000064

FILE NUMBER: BOA-25-000064(BT)

BUILDING OFFICIAL'S REPORT: Application of Randall Kienast for **(1)** a special exception to the fence height regulations at **4665 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 19, 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 6-foot 11-inch high fence in a required front-yard, which will require **(1)** a 2-foot 11-inch special exception to the fence height regulations.

LOCATION: 4665 Meadowood Road

APPLICANT: Randall E Kienast

REQUEST:

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

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

Section 51A-4.602(a)(11) of the Dallas Development Code states that the board may grant a special exception to the fence 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-1as(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 Randall E Kienast for the property located at 4665 Meadowood Road focuses on one request relating to the fence height.
- The applicant is proposing to construct and maintain a 6-foot 11-inch high fence and gate in a required front-yard, which will require a 2-foot 11-inch special exception to the fence height regulations.
- As illustrated on the submitted site plan and elevations, the applicant is proposing a 6-foot 11-inch high decorative wrought iron fencing located between the 40-foot front-yard setback and front property line.
- The subject site along with surroundings properties to the north, south, east, and west are all developed with single-family homes.
- Based upon staff's analysis of the surrounding properties, the proposed fence is similar to other single-family homes along Meadowood Road.
- 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 regulations relating to 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: BOA-25-000064 at 4665 Meadowood Rd

Timeline:

September 26, 2025: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 7, 2025: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel **A**.

October 15, 2025: 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 **November 3, 2025**, deadline to submit additional evidence for staff to factor into their analysis; and **November 7, 2025**, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

October 29, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **November** public hearings. Review team members in attendance included: The Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, Project Coordinator, Board Secretary, Conservation District Chief Planner, Chief Arborists, Zoning Senior Planner, and Transportation Engineer.

November 18, 2025: The Board of Adjustment Panel **A**, at its public hearing held on Tuesday, November 18, 2025, **HELD** this request under advisement until **January 20, 2026.**

December 31, 2025: The Board of Adjustment staff review team meeting was held regarding this request and other requests scheduled for the **January** 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.

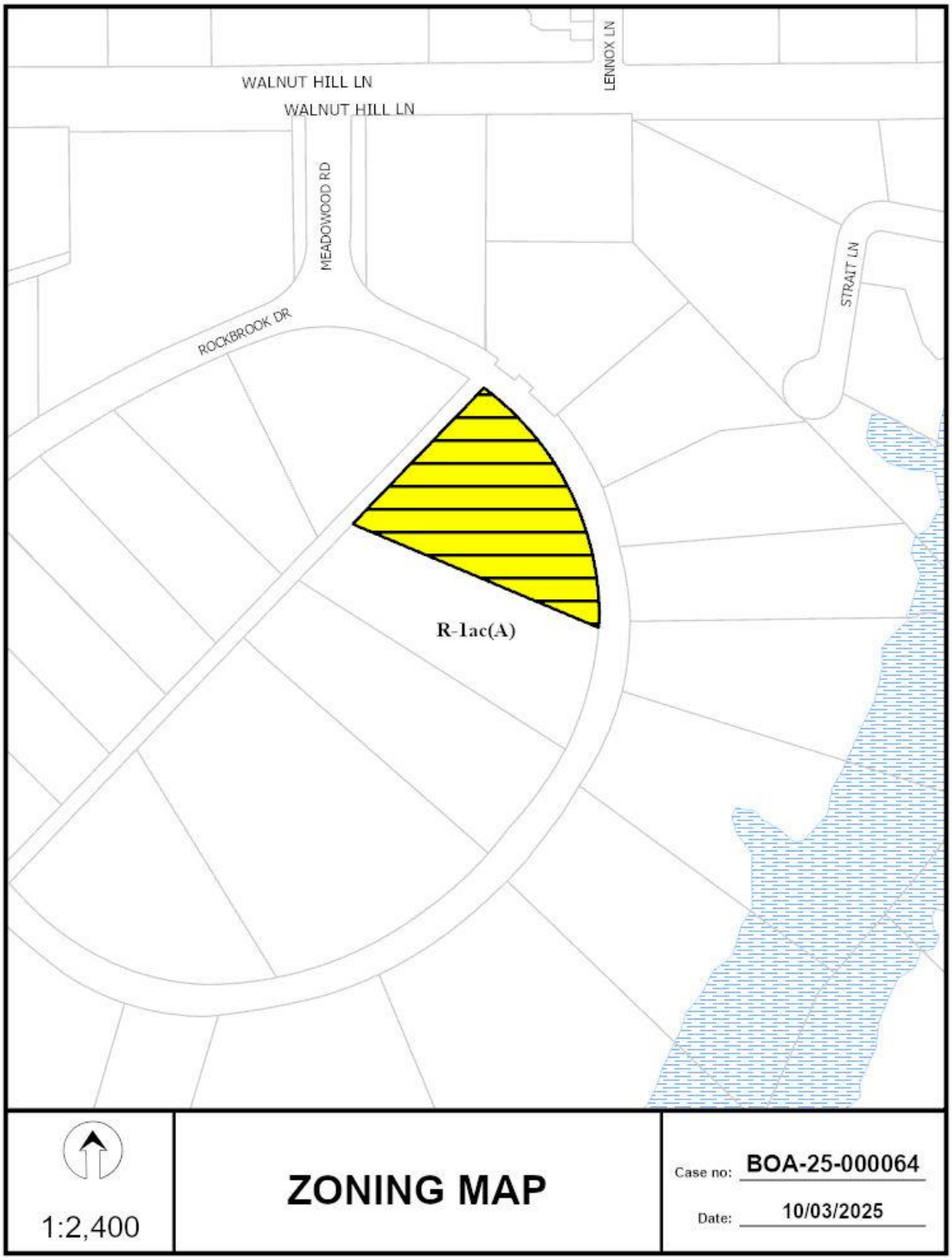


1:2,400

AERIAL MAP

Case no: BOA-25-000064

Date: 10/03/2025

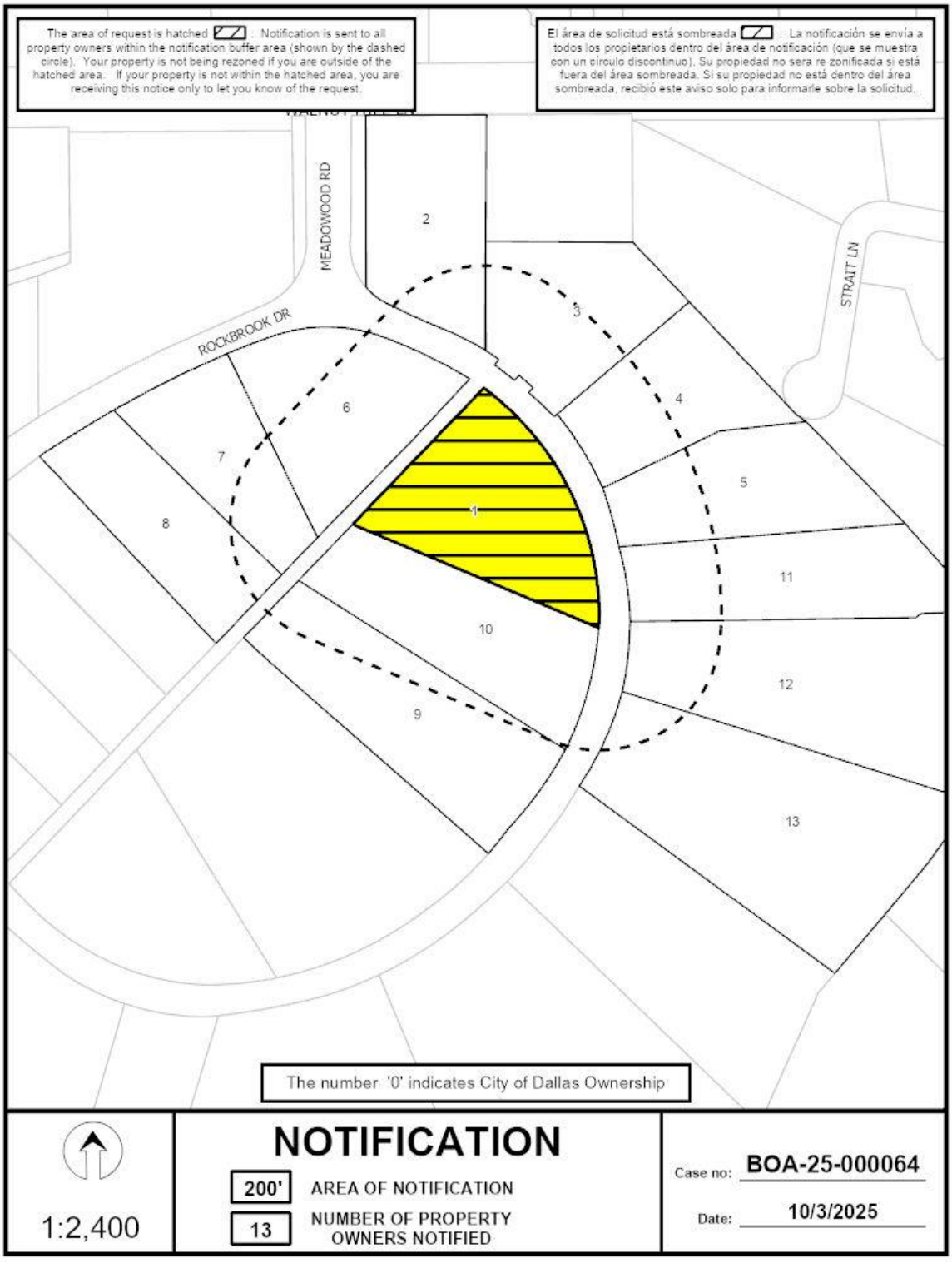


1:2,400

ZONING MAP

Case no: BOA-25-000064

Date: 10/03/2025


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.
MEADOWOOD RD
ROCKBROOK DR
STRAIT LN
1
2
3
4
5
6
7
8
9
10
11
12
13
The number '0' indicates City of Dallas Ownership
1:2,400
NOTIFICATION
200'
AREA OF NOTIFICATION
13
NUMBER OF PROPERTY OWNERS NOTIFIED
Case no: BOA-25-000064
Date: 10/3/2025

Notification List of Property Owners

BOA-25-000064

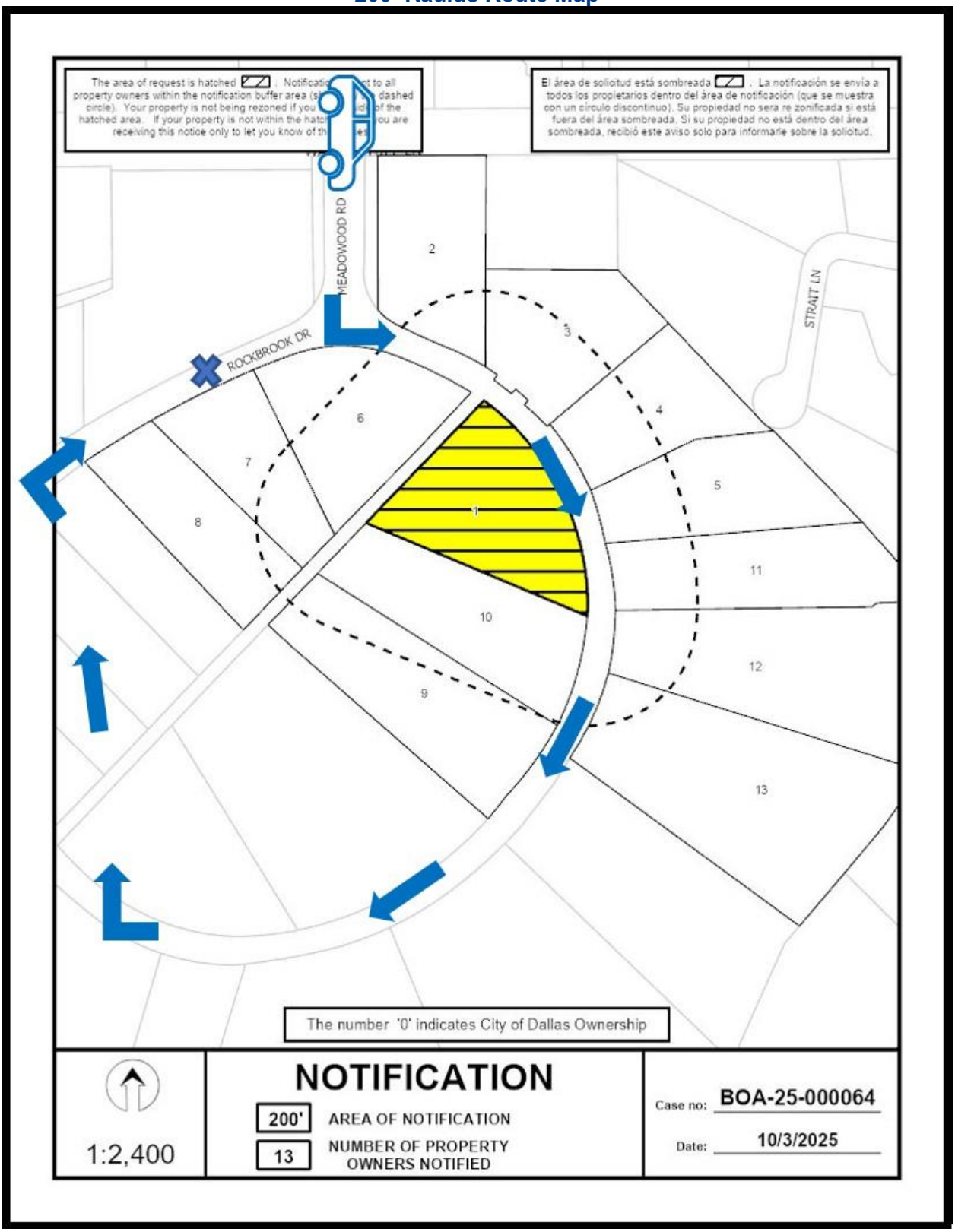
13 Property Owners Notified

Label #	*Address*		*Owner*
1	4665	MEADOWOOD RD	ROYAL LEGACY HOLDINGS TRUST
2	4686	MEADOWOOD RD	MITRA SHANKH
3	4674	MEADOWOOD RD	SPIRITAS STEVEN F
4	4668	MEADOWOOD RD	GLAZER PHYLLIS R
5	4664	MEADOWOOD RD	HAYES COLLEEN A &
6	4669	MEADOWOOD RD	KWUN FAMILY MEADOWOOD RESIDENCE TR
7	9962	ROCKBROOK DR	WILSON JERRY C & BARBARA S
8	9946	ROCKBROOK DR	SANDERS PHILLIP J &
9	4645	MEADOWOOD RD	SCHWARZ MARK E
10	4655	MEADOWOOD RD	CATHER JENNIFER CLAY &
11	4660	MEADOWOOD RD	BLACKIE GARY
12	4656	MEADOWOOD RD	LOBEL JOSH & MICHELLE
13	4650	MEADOWOOD RD	LUNSFORD R HOLT &



Route Directions:
Start on Meadowood Rd.
Right on Rockbrook Rd.
***Subject Site at 0:38.**

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, JANUARY 20, 2026**

BRIEFING: **10:30 a.m.** via **Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

HEARING: **1:00 p.m. Videoconference and in 6ES COUNCIL BRIEFING** at Dallas City Hall, 1500 Marilla Street https://bit.ly/boa012026

The purpose of the hearing is to consider the following appeal(s) now pending before the Board of Adjustment: **This case was held under advisement on November 18, 2025.**

BOA-25-000064(BT) Application of Randall E Kienast for **(1)** a special exception to the fence height regulations at **4665 MEADOWOOD ROAD**. This property is more fully described as Block 5543, Lot 19, 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 6-foot 11-inch-high fence in a required front yard, which will require **(1)** a 2-foot 11-inch special exception to the fence height regulations.

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

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

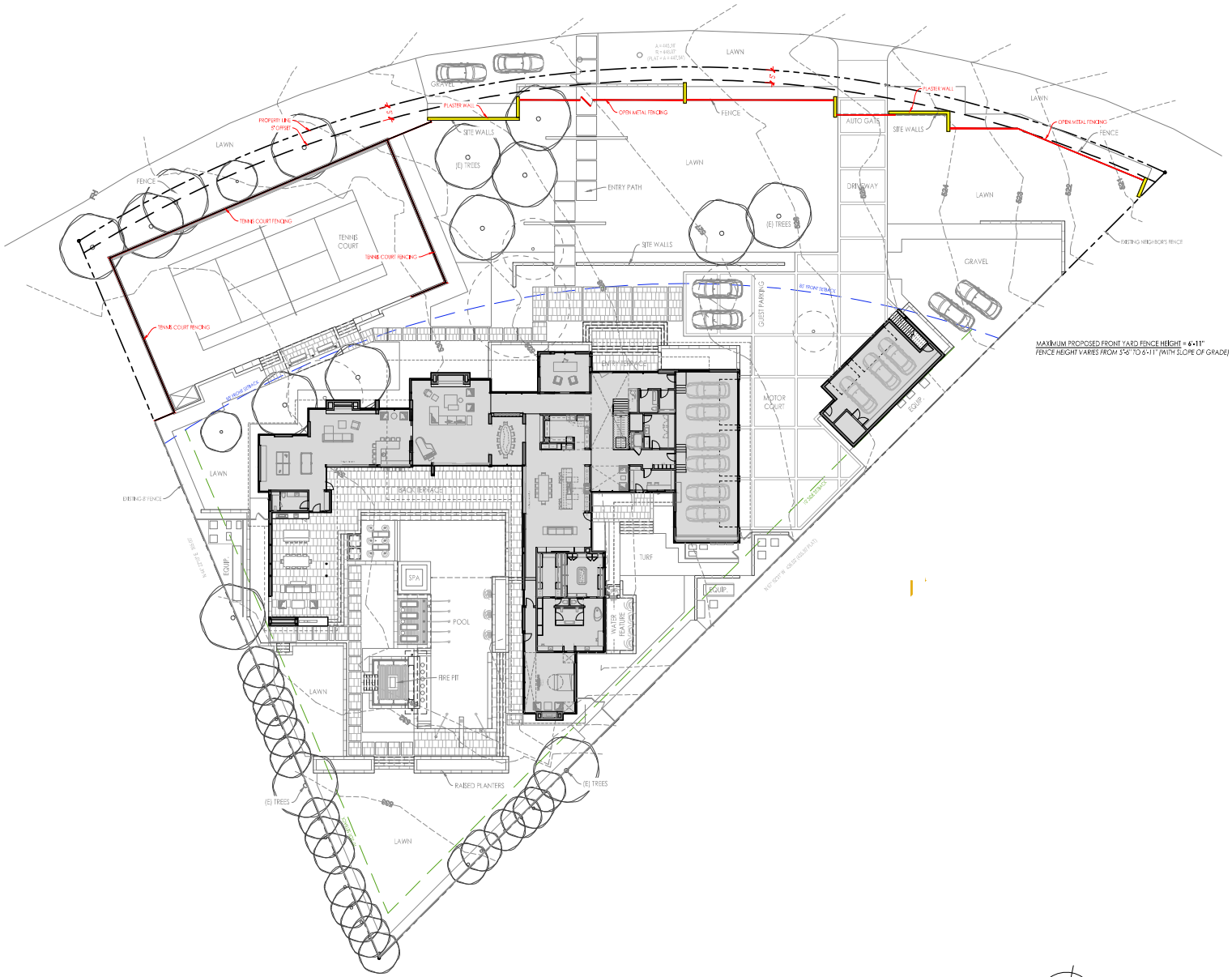
The Board of Adjustment hearing will be held by videoconference and at **6ES Council Briefing.** Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at https://bit.ly/BDA-A-Register **by the 5 p.m. on Monday, January 19, 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.

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

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



1 SITE PLAN - FRONT YARD FENCING
SCALE: 1/16" = 1'-0"

THE GARDEN DESIGN STUDIO
Landscape Architecture, Construction and Maintenance
DALLAS OFFICE
2323 Bryan Street, Suite 1600
Dallas, TX 75201
P: (214) 720-9002
gardendesignstudio.com

WILLIAM P. DAUER
102188
REGISTERED
LANDSCAPE ARCHITECT
STATE OF TEXAS

WEST RESIDENCE

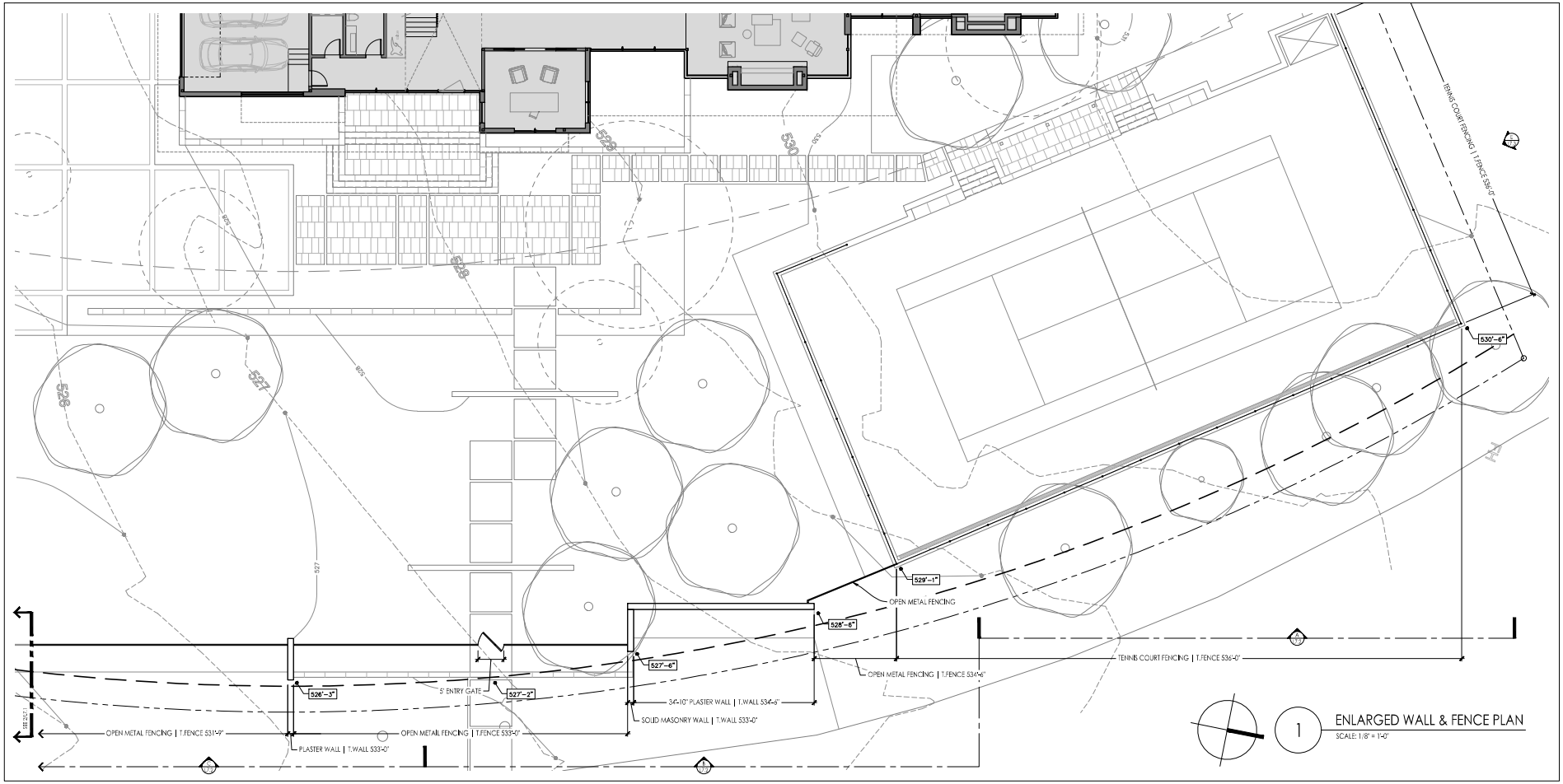
4665 MEADOWOOD ROAD; DALLAS, TX 75220

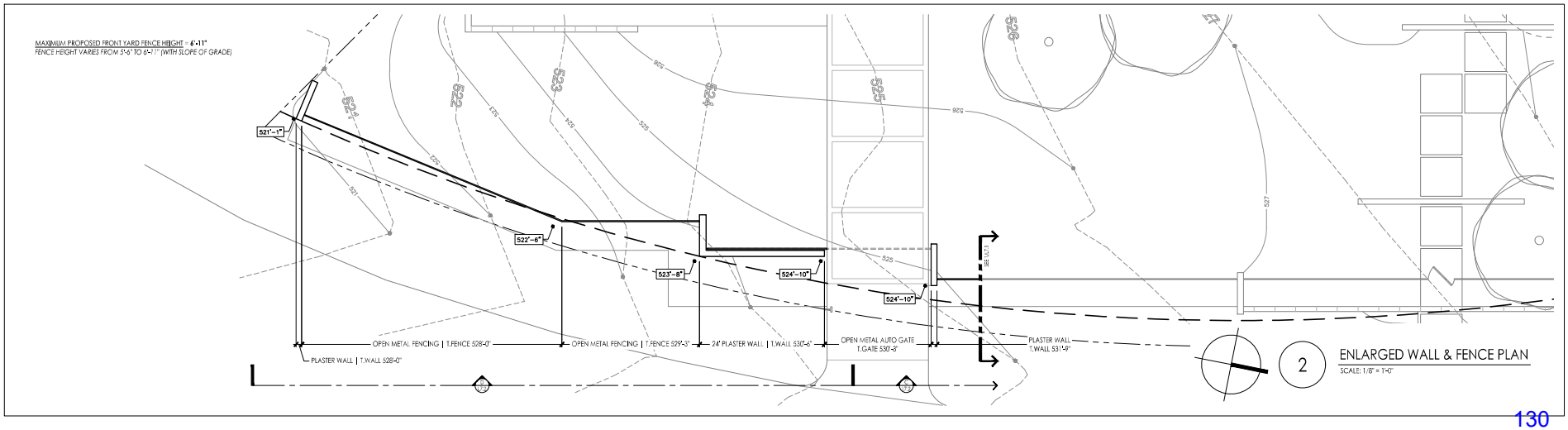
ISSUE DATE 12/5/2025
PLOT DATE 12/18/2025

REVISIONS

ALL NOTED SCALES ARE ACCURATE ONLY WHEN PLANS ARE PRINTED AT FULL/ORIGINAL SIZE (30"x42").

L7.0
FENCE PLAN





THE GARDEN DESIGN STUDIO
Landscape Architecture, Construction and Maintenance
DALLAS OFFICE
2121 Irving Blvd
Dallas, TX 75207
214.741.4663
gardendesignstudio.us

WILLIAM D. SHELBY
102168
LICENSED LANDSCAPE ARCHITECT
STATE OF TEXAS

WEST RESIDENCE

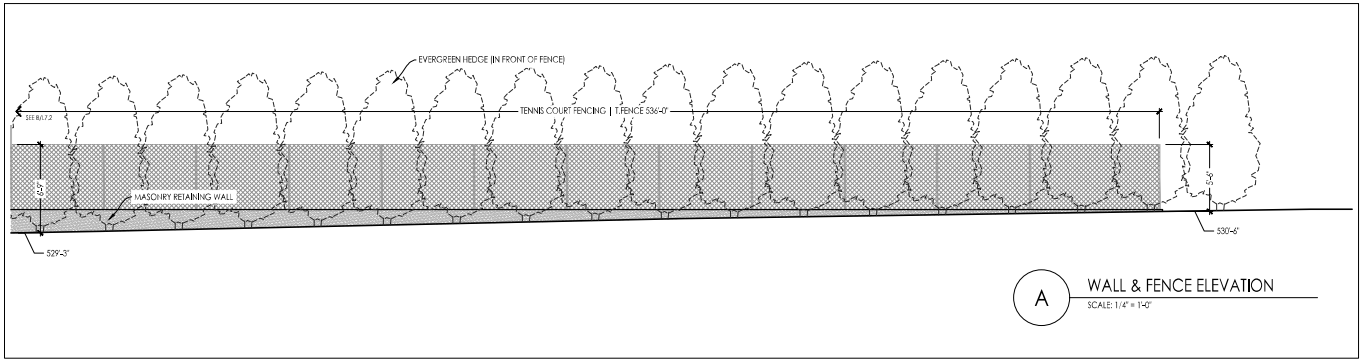
4665 MEADOWOOD ROAD; DALLAS, TX 75220

ISSUE DATE 12/5/2025
PLOT DATE 12/18/2025

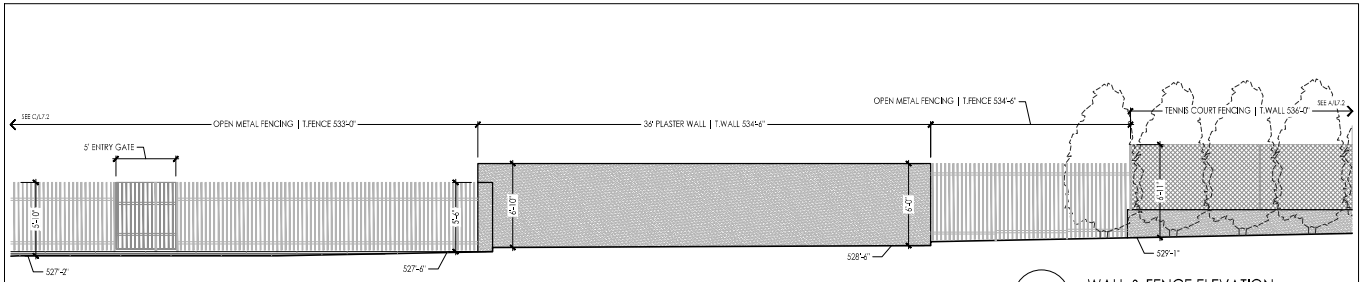
REVISIONS

ALL NOTED SCALES ARE ACCURATE ONLY WHEN PLANS ARE PRINTED AT FULL/ORIGINAL SIZE (30"x42").

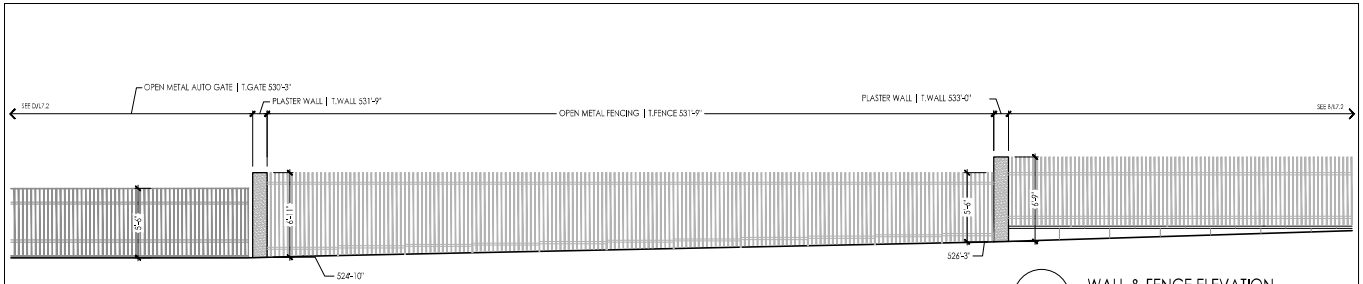
L7.1
FENCE PLAN & DETAILS



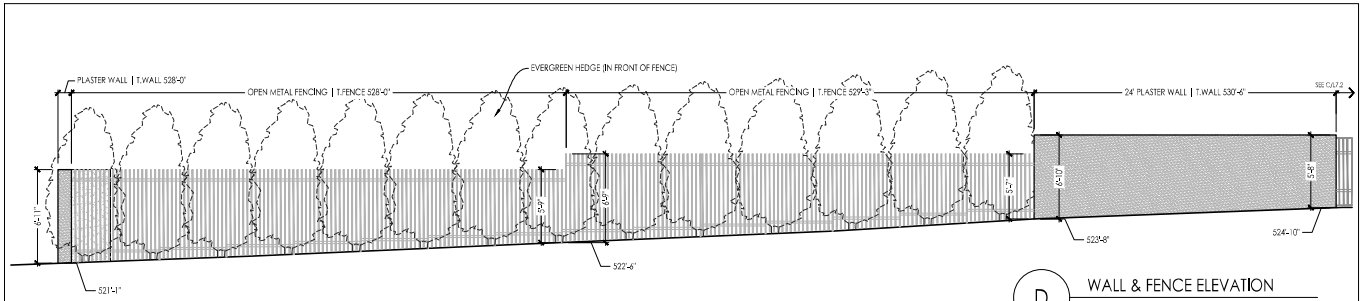
A WALL & FENCE ELEVATION
SCALE: 1/4" = 1'-0"



B WALL & FENCE ELEVATION
SCALE: 1/4" = 1'-0"



C WALL & FENCE ELEVATION
SCALE: 1/4" = 1'-0"



D WALL & FENCE ELEVATION
SCALE: 1/4" = 1'-0"

THE GARDEN DESIGN STUDIO
Landscape Architecture, Construction and Maintenance
DALLAS OFFICE
5215 BELT LINE ROAD
SUITE 120
DALLAS, TX 75254
PHONE 214.739.8100
gardendesignstudio.com

WILLIAM P. SNELL
102188
LICENSED LANDSCAPE ARCHITECT

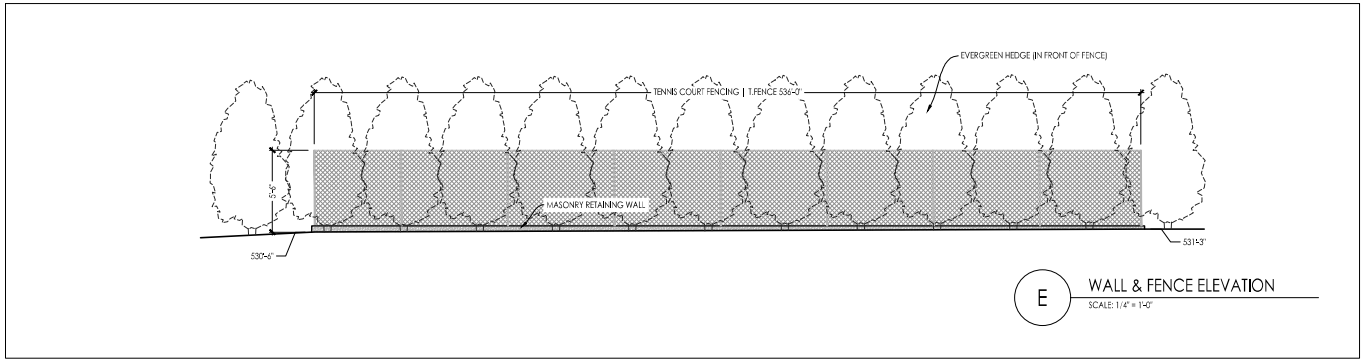
WEST RESIDENCE
4665 MEADOWOOD ROAD; DALLAS, TX 75220

ISSUE DATE 12/5/2025
PLOT DATE 12/18/2025

REVISIONS

ALL NOTED SCALES ARE ACCURATE ONLY WHEN PLANS ARE PRINTED AT FULL/ORIGINAL SIZE (30"x42").

L7.2
FENCE PLAN & DETAILS



E WALL & FENCE ELEVATION
SCALE: 1/4" = 1'-0"





..\..\..\Garden Design Studio Dropbox\01-Active Projects\Andrew\West - 4665 Meadowood\01 Drawings\02 Xref\Images\Enscape_2025-12-05-10-17-44 FNC WIDE (Custom).jpg

THE GARDEN DESIGN STUDIO
Landscape Architecture, Construction and Maintenance
DALLAS OFFICE
3131 McKinney Ave
Suite 600
Dallas, TX 75204
214.871.1000
gardendesignstudio.us

WILLIAM P. FINLEY 126188 REGISTERED LANDSCAPE ARCHITECT

WEST RESIDENCE
4665 MEADOWOOD ROAD; DALLAS, TX 75220

ISSUE DATE 12/5/2025
PLOT DATE 12/18/2025

REVISIONS

ALL NOTED SCALES ARE ACCURATE ONLY WHEN PLANS ARE PRINTED AT FULL/ORIGINAL SIZE (30"x42").

L7.3
FENCE PLAN & DETAILS