

RECEIVED

2023 FEB 14 AM 9: 41

CITY SECRETARY
DALLAS, TEXAS



City of Dallas

Public Notice

2 3 0 1 5 9

POSTED CITY SECRETARY
DALLAS, TX

BOARD OF ADJUSTMENT (PANEL A)

**February 21, 2023, Briefing at 11:00 A.M. and the Public Hearing at 1:00 P.M.
Dallas City Hall, 6ES Council Briefing Room and Videoconference**

* The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. 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://form.jotform.com/210537186514151> or contact the Development Services Department at 214-670-4545 **by the close of business Friday, February 17, 2023. All virtual speakers will be required to show their video in order to address the board.** 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, and the WebEx link: <https://bit.ly/022123A>

AGENDA

- | | | |
|------|---|----------------------------|
| I. | Call to Order | David A. Neumann, Chairman |
| II. | Staff Presentation/Briefing | |
| III. | Public Hearing | Board of Adjustment |
| IV. | Public Testimony | |
| V. | Miscellaneous Items - | |
| | <ul style="list-style-type: none">• Approval of Panel A Minutes – January 17, 2023 | |
| VI. | Case Docket | Board of Adjustment |
| | <ul style="list-style-type: none">- Uncontested Items- Holdover Items- Individual Items | |
| VII. | Adjournment | |

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

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

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

"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."

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]

UNCONTESTED CASE(S)

BDA223-013(OA)	5415 Yolanda Lane REQUEST: Application of Kirk Perrin for a special exception to the single-family use regulations.	1
BDA223-014(OA)	3318 Knight Street REQUEST: Application of Thomas Sanden for a variance to the side yard setback regulations.	2
BDA223-015OA)	2027 Melbourne Avenue REQUEST: Application of Kristian B. Cole, represented by Lauren E. Compton, for a special exception to the single-family use regulations, and for a variance to the floor area for structures accessory to single family use regulations.	3
BDA223-018(ND)	1801 Mentor Avenue REQUEST: Application of Saro Di Frisco for a variance to the front yard setback regulations.	4
BDA223-019(OA)	5550 Walnut Hill Lane REQUEST: Application of Gary Blum for special exceptions to the fence standards regulations.	5

HOLDOVER

BDA223-006(OA)	10240 Gaywood Road REQUEST: Application of Trenton Robertson for special exceptions to the fence standards and visual obstruction regulations.	6
-----------------------	--	---

INDIVIDUAL CASES

None.

FILE NUMBER: BDA223-013(OA)

BUILDING OFFICIAL'S REPORT: Application of Kirk Perrin for a special exception to the single-family use regulations at 5415 Yolanda Lane. This property is more fully described as Lot 15 Block D/5518 and is zoned an R-1ac(A) Single Family District, which limits the number of dwelling units to one. The applicant proposes to construct and maintain an additional dwelling unit, not for rent, which will require a special exception to the single-family zoning use regulations.

LOCATION: 5415 Yolanda Lane

APPLICANT: Kirk Perrin

REQUEST:

A request for a special exception to the single-family use regulations is made to construct and maintain a 623 square-foot additional dwelling unit structure located on top of the garage on a site being developed with a 13,450 square foot square two-story single-family dwelling unit.

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

Section 51-4.201(b)(1)(E)(i) of the Dallas Development Code specifies that the board may grant a special exception to the single-family use regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is when in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

BACKGROUND INFORMATION

Zoning:

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

Land Use:

The subject site is undeveloped and the surrounding properties are developed for single-family uses.

Zoning/BDA History:

There have not been any related board or zoning cases in the vicinity within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

This request for a special exception to the single-family use regulations focuses on constructing and maintaining a two-story additional dwelling unit structure on a site being developed with a two-story single-family dwelling unit.

The site is zoned an R-1ac(A) Single Family District where the Dallas Development Code permits one dwelling unit per lot.

The single-family use regulations of the Dallas Development Code state 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 additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: (1) be use as rental accommodations; or (2) adversely affect neighboring properties.

The Dallas Development Code defines:

- a “single family” use as “one dwelling unit located on a lot;” and a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”
- a “kitchen” is “any room or area used for cooking or preparing food and containing one or more ovens, stoves, hot plates, or microwave ovens; one or more refrigerators; and one or more sinks. This definition does not include outdoor cooking facilities.”

- a “bathroom” as “any room used for personal hygiene and containing a shower or bathtub or containing a toilet and sink.”
- a “bedroom” is “any room in a dwelling unit other than a kitchen, dining room, living room, bathroom, or closet. Additional dining rooms and living rooms, and all dens, game rooms, sunrooms, and other similar rooms are considered bedrooms.”

The submitted site plan identifies the location of two building footprints, the larger of the two denoted as “Proposed two story home,” which is the proposed single-family residential main structure. The additional dwelling unit is denoted as “Garage with Nanny Suite Above” the smallest of the two structures.

This request centers on the function of what is proposed to be inside the smaller structure on the site – the “Garage with Nanny Suite Above” structure, specifically its collection of rooms/features shown on the floor plan: the first floor includes a closet, a bathroom, a kitchen with dining and living area and a sleeping area next to the living area.

According to DCAD records, the “are no improvements” for the property at 5415 Yolanda Lane. According to the submitted site plan the proposed main structure contains 13,450 square feet of total living area and the proposed additional dwelling unit contains 623 square-feet of living area.

The applicant has the burden of proof in establishing that the additional dwelling unit will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.

As of February 10, 2023, one letter has been submitted in support and and no letters in opposition to this request.

Granting this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e., development on the site must meet all required code requirements).

The Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

Timeline:

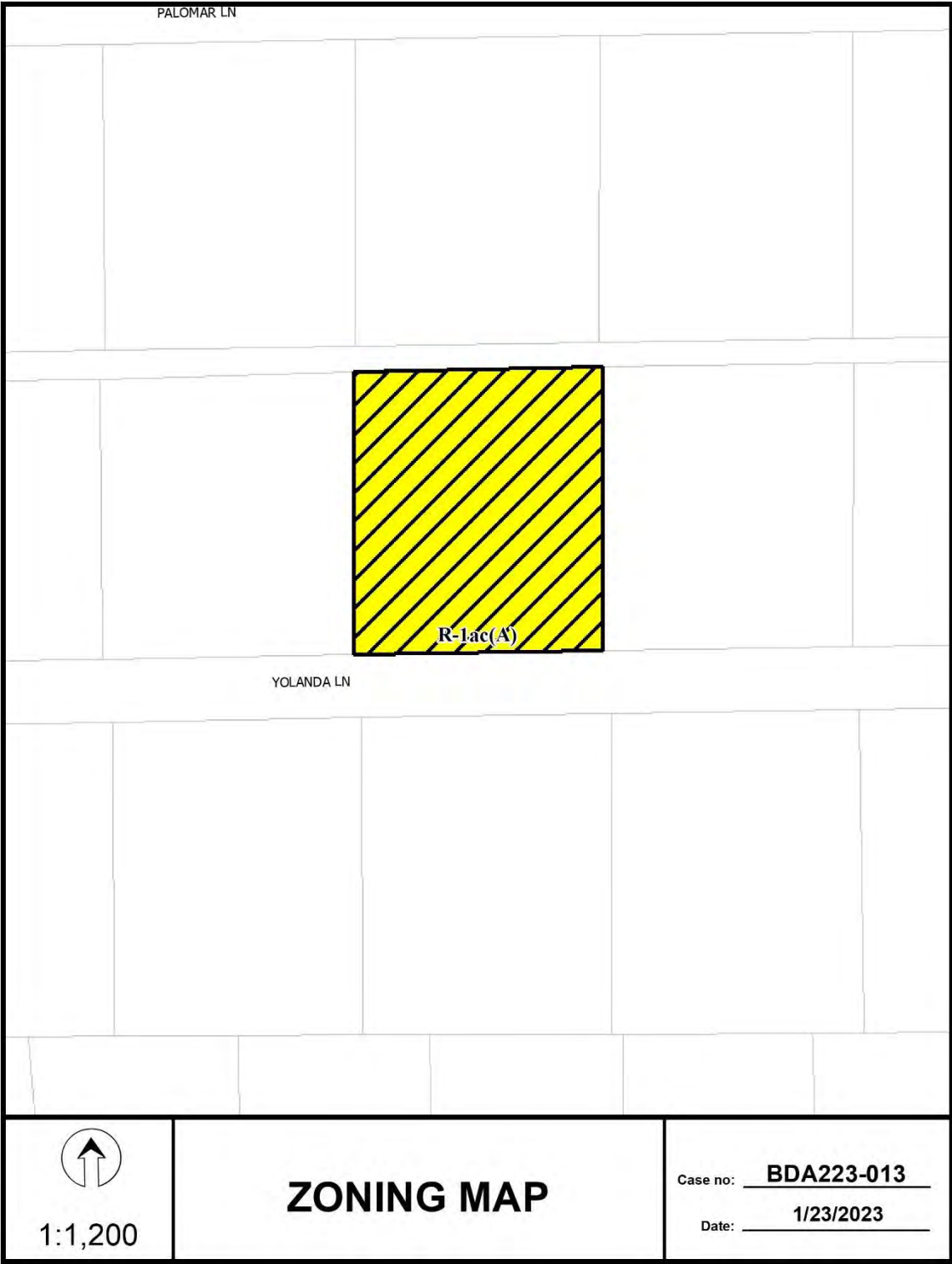
November 14, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

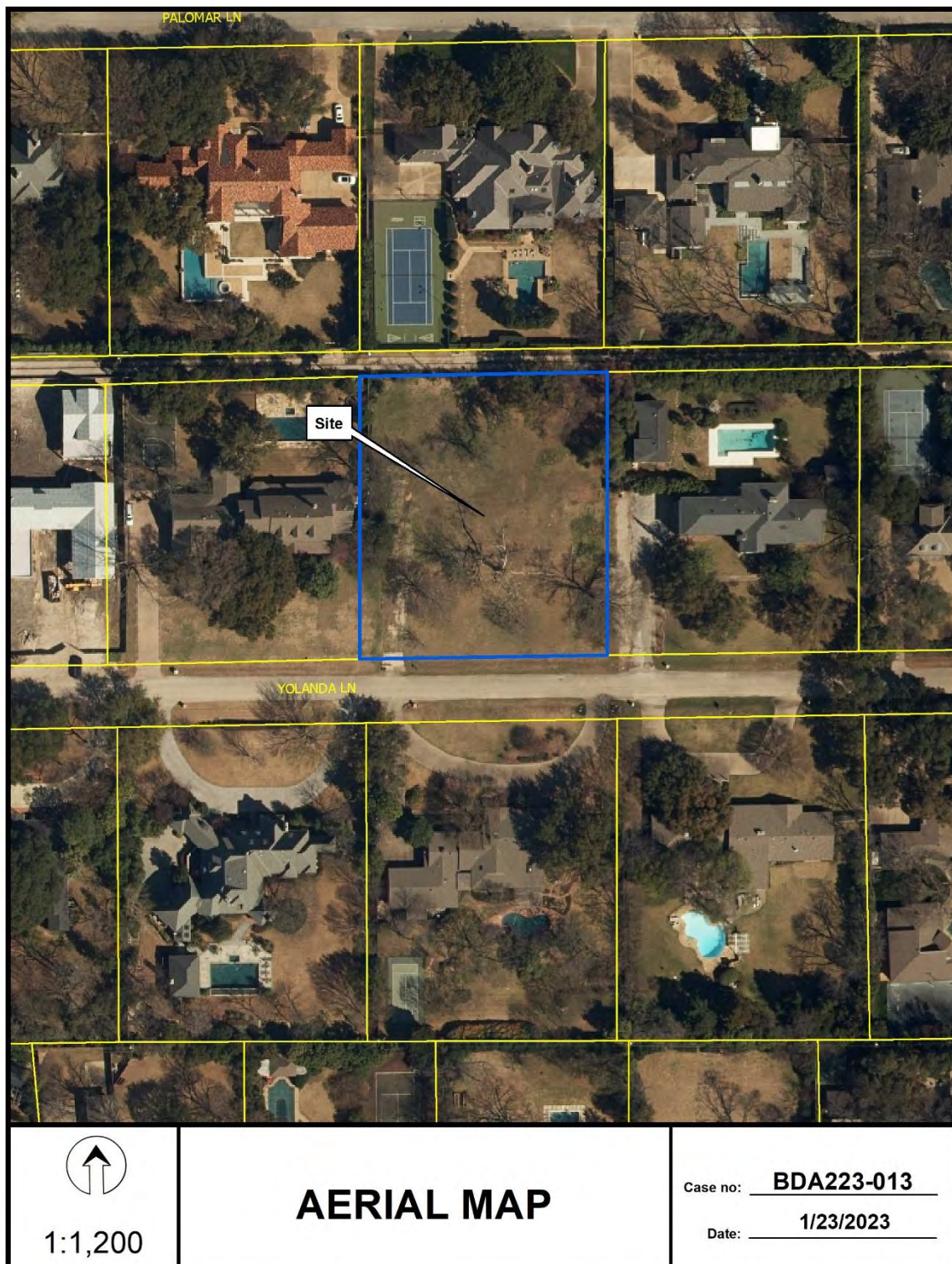
January 16, 2023: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.


January 18, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the January 23, 2023, deadline to submit additional evidence for staff to factor into their analysis; and February 10, 2023, deadline to submit additional evidence to be incorporated into the board's docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included the the Board of Adjustment Chief Planner/Board Administrator, The Development Services Chief Planner, Development Service Chief Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Transportation Development Services Senior Engineer, Development Services Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.





PALOMAR LN		
2	3	4
6	1	5
YOLANDA LN		
7	8	9
<div style="border: 1px solid black; padding: 2px; text-align: center;"> The number '0' indicates City of Dallas Ownership </div>		
<div style="text-align: center;">  1:1,200 </div>	<div style="text-align: center;"> <h2>NOTIFICATION</h2> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">9</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div>Case no: BDA223-013</div> <div>Date: 1/23/2023</div> </div>

01/23/2023

Notification List of Property Owners

BDA223-013

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5415 YOLANDA LN	DEMPSEY JAY & AMANDA
2	5330 PALOMAR LN	FRIEZE MAUREEN G
3	5414 PALOMAR LN	LEVINE NATHAN A
4	5430 PALOMAR LN	BROWN IRWIN J & CANDY S
5	5431 YOLANDA LN	SAVINO DANIEL A & MARTA N
6	5331 YOLANDA LN	HAFERTEPE JOE & MAUREEN
7	5330 YOLANDA LN	BYRNE TIMOTHY W &
8	5414 YOLANDA LN	HOWARD PATRICK E TR &
9	5430 YOLANDA LN	TURNER GARY R &

Aguilera, Oscar

From: Barkume, Diana
Sent: Friday, January 6, 2023 10:26 AM
To: Aguilera, Oscar
Subject: FW: APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas

Please include this to case 013

Thanks,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | [DallasCityNews.net](https://www.dallascitynews.net)
Development Services
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
Diana.barkume@dallas.gov



[Please Take a Moment to Tell Us How We Are Doing](#)

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

From: Alysia Melara <>
Sent: Friday, January 6, 2023 10:16 AM
To: Barkume, Diana <diana.barkume@dallas.gov>
Subject: Fwd: APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas

External Email!

Here's another one. Please reach out should you need anything further.

Sent from my iPhone

Begin forwarded message:

From: Pat Howard <>

Date: January 5, 2023 at 12:46:36 PM CST

To: Alysia Melara <>

Subject: **APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas**

To Whom it may concern:

We have examined the plans and elevations in regards to the approval needed for an additional dwelling unit from the Board of Adjustments for 5415 Yolanda Lane, Dallas, Texas 75205. We find the proposed new build to be acceptable. We approve moving forward with the new home build as it appears on the current elevation being presented to the City of Dallas for permit, and have no issue with the additional dwelling unit.

Patrick E. Howard

Susan S. Howard

Dallas, Texas

[Sent from the all new AOL app for iOS](#)

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



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-013

Date: 11/21/22

Data Relative to Subject Property:

Location address: 5415 Yolanda Ln. Zoning District: R-1A(Ac)
Lot No.: 15 Block No.: D/5518 Acreage: 1.04 Census Tract: _____
Street Frontage (in Feet): 1) 900 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Jay & Amanda Dempsey

Applicant: Faulkner Perrin Custom Homes - Kirk Perrin AM Telephone: (214) 794-3935

Mailing Address: 5837 MISTED BREEZE PLANO, TX Zip Code: 75093

E-mail Address: kirk@faulknerperrin.com

Represented by: Kirk Perrin Telephone: (214) 794-3935

Mailing Address: 5837 MISTED BREEZE Zip Code: 75093

E-mail Address: kirk@faulknerperrin.com

Affirm that an appeal has been made for a Variance __, or Special Exception / of CONSTRUCTION OF AN ADDITIONAL DWELLING UNIT - NANNY SUITE

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
CONSTRUCTION OF AN ADDITIONAL DWELLING UNIT, PLEASE
REFERENCE NANNY SUITE

THE STRUCTURE APPEARS AS ONE BUILDING TOGETHER
AND IS AESTHETICALLY PLEASING

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Kirk Perrin
(Affiant/Applicant's name printed)
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 14th day of NOVEMBER, 2022

Alypie Mearns
Notary Public in and for Dallas County, Texas

Date of Hearing

Appeal was--Granted OR Denied

Remarks

Chairman

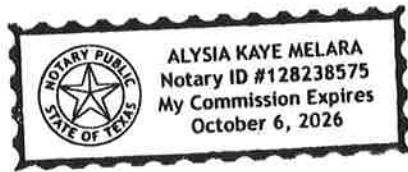
I hereby certify that Kirk Perrin

did submit a request for a special exception to the single family regulations
at 5415 YOLANDA LN.

BDA223-013. Application of Kirk Perrin for a special exception to the single family use regulations at 5415 YOLANDA LN. This property is more fully described as block D/5518, Lot 15, and is zoned R-1ac(A), which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit (NOT FOR RENT), which will require a special exception to the single family zoning use regulations.

Sincerely,

David Session
David Session, Building Official



Commission expires on 10 | 6 | 26

Commission expires on 10/6/2026



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-013

I, Jay Dempsey, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5415 YOLANDA LN
(Address of property as stated on application)

Authorize: KIRK PERRIN, PRESIDENT, FAULKNER PERRIN CUSTOM HOMES
(Applicant's name as stated on application)

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

 Variance (specify below)

☒ Special Exception (specify below)

 Other Appeal (specify below)

Specify: REQUESTING TO CONSTRUCT AN ADDITIONAL DWELLING UNIT.
PLEASE REFERENCE NANNY SUITE

Jay Dempsey
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

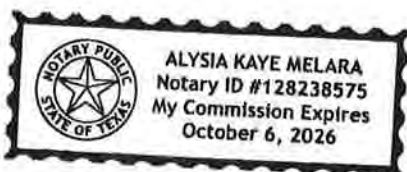
Date 11/14/22

Before me, the undersigned, on this day personally appeared JAY DEMPSEY

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

Subscribed and sworn to before me this 14th day of NOVEMBER, 2022

Alysia Melara
Notary Public for Dallas County, Texas



Commission expires on 10/6/2026



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-03

I, Amanda Dempsey, Owner of the subject property
(Owner or "Grantor" of property as it appears on the Warranty Deed)

at: 5415 Yolanda Ln
(Address of property as stated on application)

Authorize: Kirk Perrin, President, Faulkner Perrin Custom Homes
(Applicant's name as stated on application)

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

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

Specify: REQUESTING TO CONSTRUCT AN ADDITIONAL DWELLING UNIT.
PLEASE REFERENCE NANNY SUITE

Amanda Dempsey
Print name of property owner or registered agent

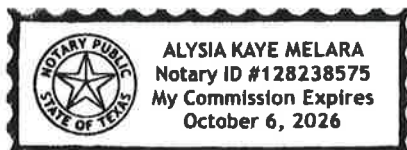
Date 11/08/22

[Signature]
Signature of property owner or registered agent

Before me, the undersigned, on this day personally appeared AMANDA DEMPSEY

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

Subscribed and sworn to before me this 8th day of NOVEMBER, 2022



Alysia Kaye Melara
Notary Public for Dallas County, Texas



URSULA LN

NETHERLAND DR

D.R.
Z73-304

PALOMAR LN

R-1ac(A)

YOLANDA LN

NETHERLAND DR

Text

Printed: 1/3/2023

-  City Limits
-  Certified Parcels
-  Base Zoning
-  Deed Restrictions

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)



1:2,400

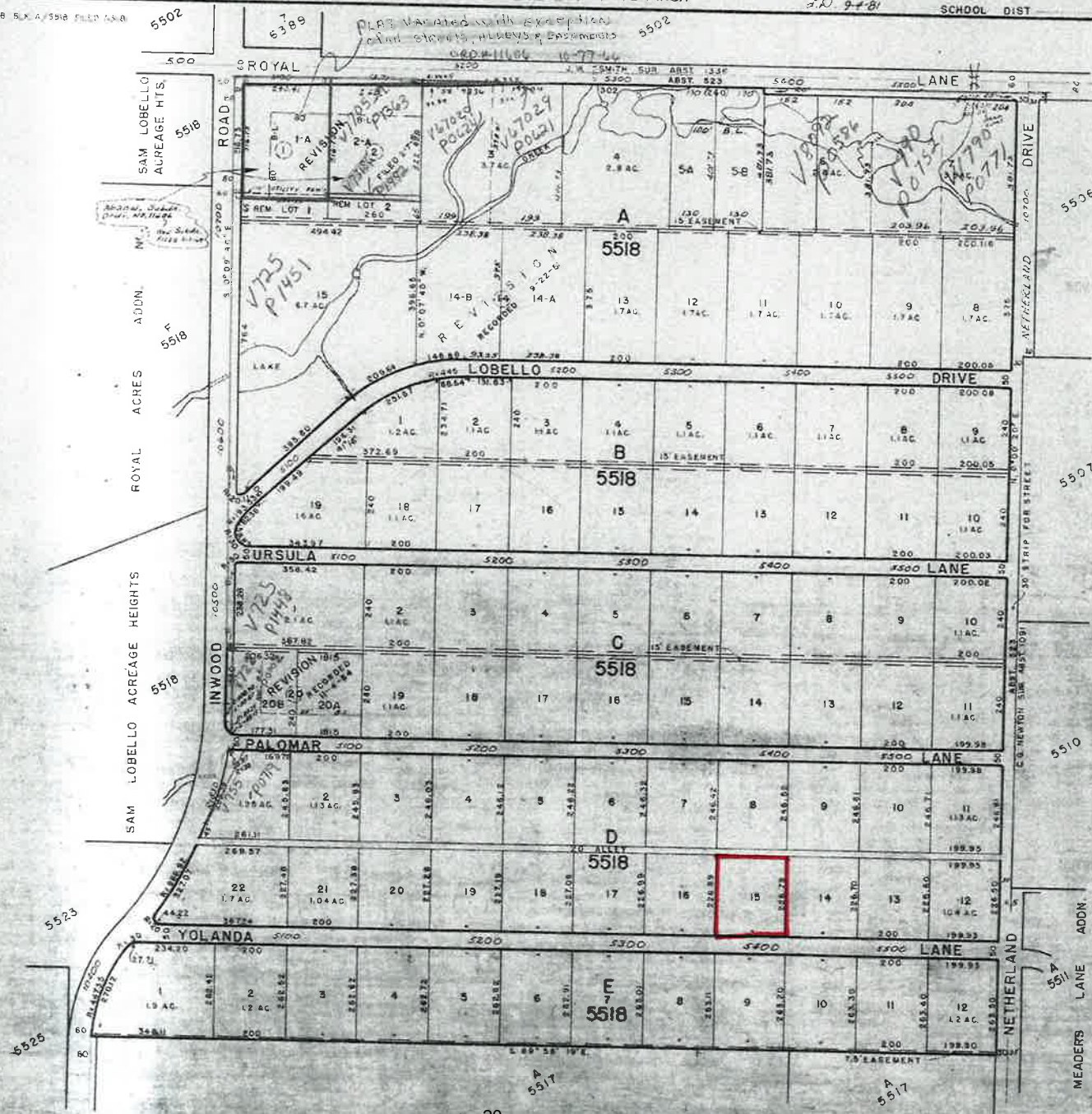
ANNEXED MAY 23, 1945 ORD. NO. 3629
SURVEY D. R. S. C. GALLOWAY ABST. 523

CITY OF DALLAS PLAT BOOKS
ADDITION LOBELLO ESTATES

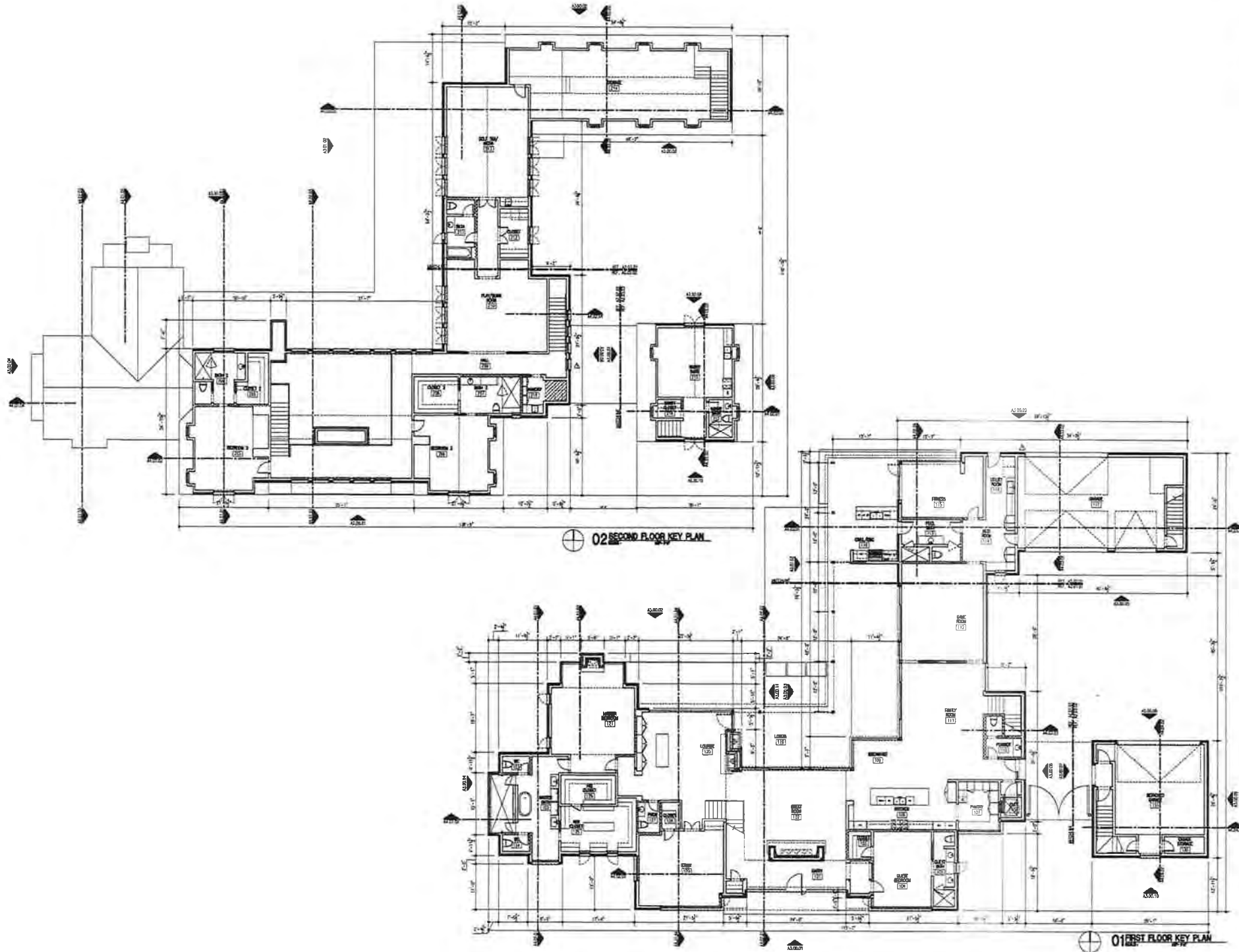
SCALE 200 FT. EQUALS 1 INCH

A-B-C-D-E
BLOCKS 5518
SCHOOL DIST DALLAS

RECORDED 3-25-46
REVISION ON LOTS 5A, 5B, 5L, A, 5518 FILED 15-8







02 SECOND FLOOR KEY PLAN

01 FIRST FLOOR KEY PLAN



shm ARCHITECTS
 4214 Forest Street, Suite 302 • Dallas, Texas 75205
 214.222.2800 • 214.222.2860 Fax • info@shmarch.com

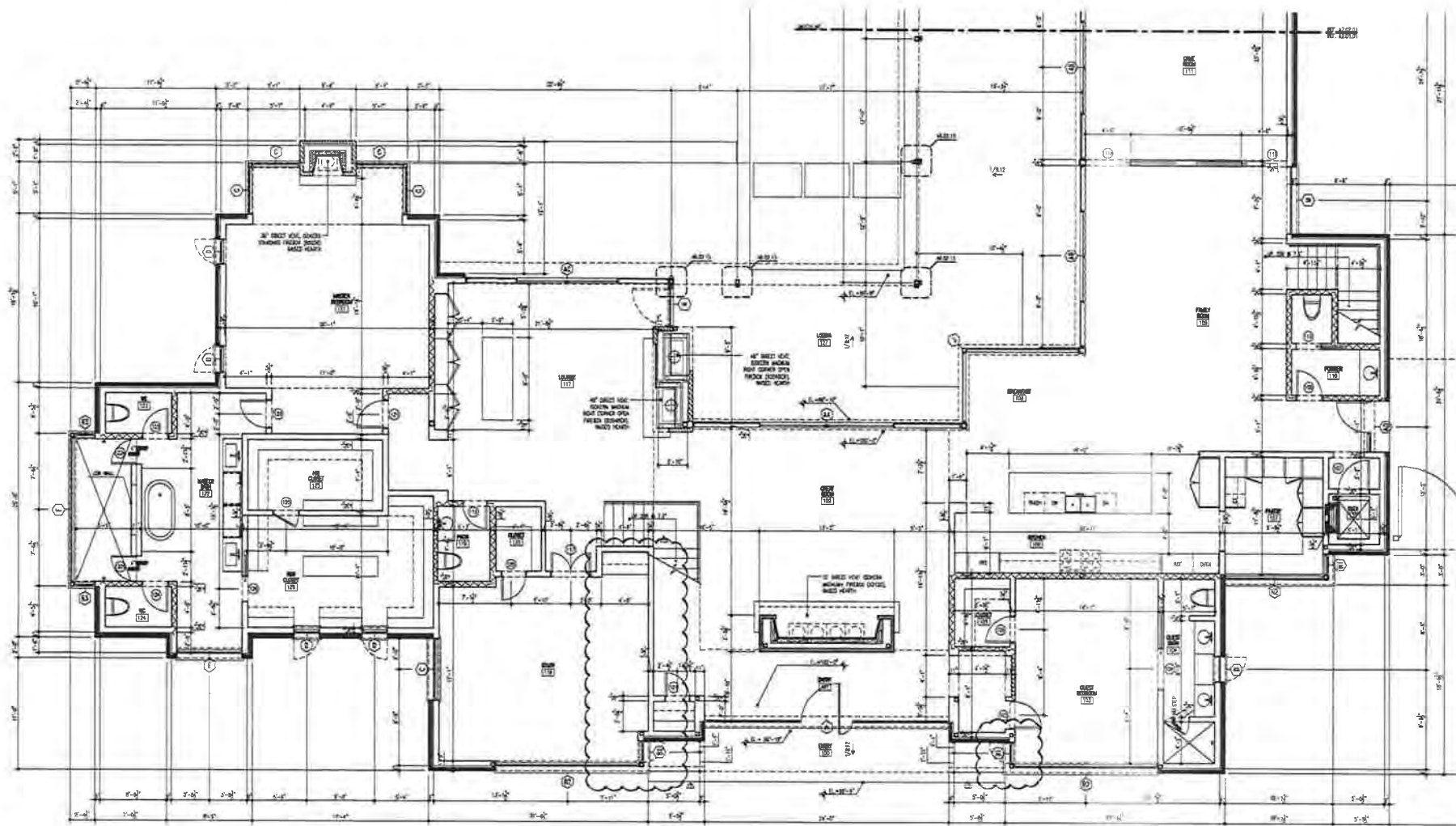
DEMPSEY RESIDENCE
 DALLAS, TX
 Construction Document

SHM PROJECT #
 21-015

ISSUE DATE
 JUNE 24, 2022

KEY FLOOR PLANS

A2.00



LEGEND	KEY
	ROOM NAME & NUMBER
	DOOR
	WALL
	CEILING
	FLOOR
	STAIRS
	ROOF
	FOUNDATION
	LANDSCAPE
	UTILITIES
	MECHANICAL
	ELECTRICAL
	PLUMBING
	PAINT
	FINISHES
	LANDSCAPE
	UTILITIES
	MECHANICAL
	ELECTRICAL
	PLUMBING
	PAINT
	FINISHES

GENERAL NOTES
1. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.
2. FINISHES TO BE DETERMINED BY THE OWNER.
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
5. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TITLE INSURANCE.
6. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS.
7. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ZONING VARIANCES.
8. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL APPROVALS.
9. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC PRESERVATION APPROVALS.
10. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL RECORDS.
11. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL RESEARCH.
12. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL CONSULTANTS.
13. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL SERVICES.
14. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL FEES.
15. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL AGREEMENTS.
16. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL CONTRACTS.
17. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL SCHEDULES.
18. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL BUDGETS.
19. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL REPORTS.
20. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL DOCUMENTS.



shm ARCHITECTS
 4514 South Street, Suite 300 - Dallas, Texas 75226
 214.252.3830 - 214.252.3838 Fax - info@shmarch.com

DEMPSEY RESIDENCE
 DALLAS, TX
 Construction Document

SHM PROJECT #
 21-015

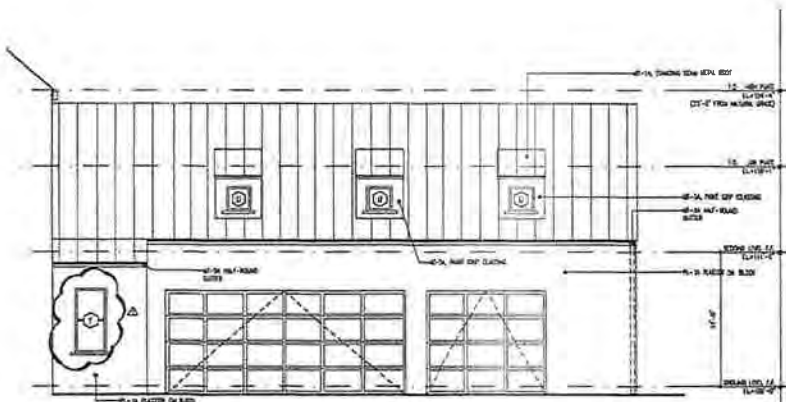
Issue 01/23/2021

ISSUE DATE
 JUNE 24, 2022

FIRST FLOOR PLAN

A2.01

01 FIRST FLOOR PLAN

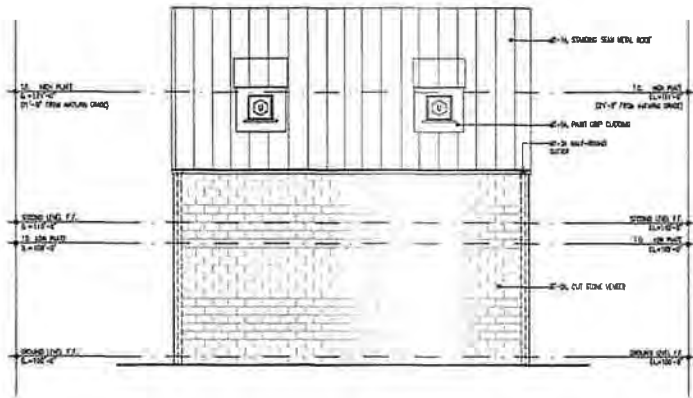


05 SOUTH ELEVATION / GARAGE COURT

DESCRIPTION	FINISH	MANUFACTURER/TYPE	DETAIL	NOTES	LOCATION	STATUS	DATE	BY	REVISION
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14
05-14	ROOF	05-14	05-14	05-14	05-14	05-14	05-14	05-14	05-14



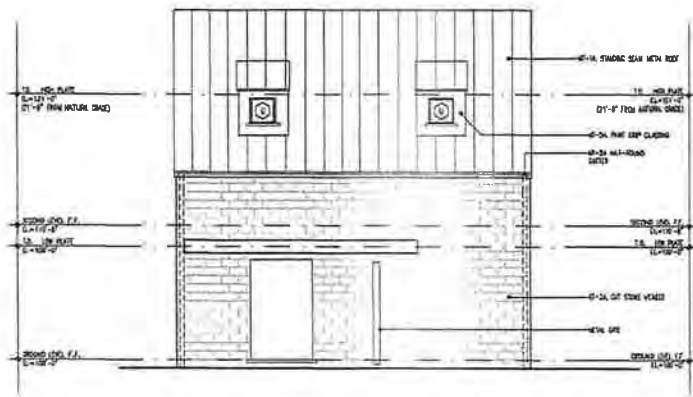
shm ARCHITECTS
 4314 Ford Street, Suite 302, Dallas, Texas 75205
 214.222.3000 • 214.222.3000 Fax • info@shmarch.com



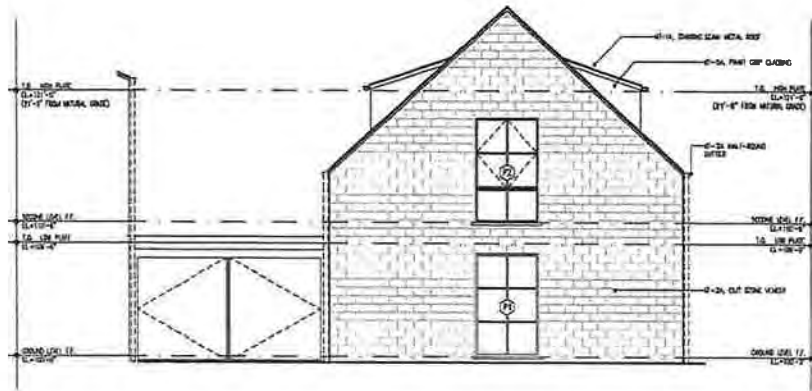
04 EAST ELEVATION



03 NORTH ELEVATION



02 WEST ELEVATION



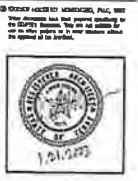
01 SOUTH ELEVATION

DEMPSEY RESIDENCE
 DALLAS, TX
 Construction Document

SHIA PROJECT #	21-015
REVISION	06/23/2022
ISSUE DATE	JUNE 24, 2022
EXTERIOR ELEVATIONS	

A3.04

DESCRIPTION	MATERIAL	FINISH/TYPE	MANUFACTURER/TYPE	TYPE	SEE CHAIRMAN, SECTION	COLOR	TEXTURE	JOINT	REMARKS
CL-1	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-2	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-3	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-4	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-5	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-6	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-7	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-8	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-9	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"
CL-10	CEMENT	SM	1/2"	1/2"	SEE CHAIRMAN FOR DETAILS AND FINISHES	SM	SMOOTH	1/2"	1/2"



shm ARCHITECTS
 4514 Ross Street, Suite 202, Dallas, Texas 75206
 214.322.2222 • 214.322.2222 • 214.322.2222

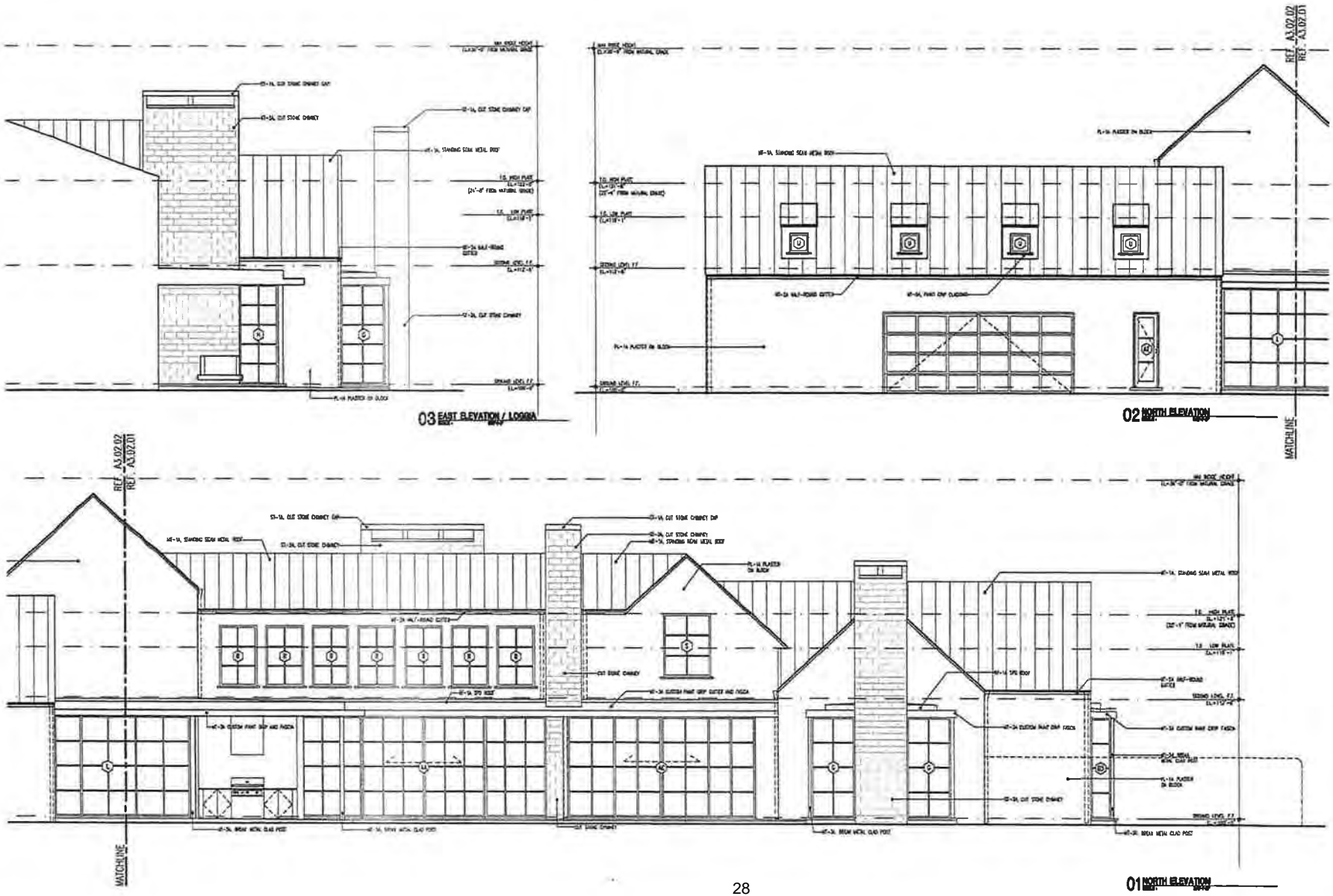
DEMPSEY RESIDENCE
 DALLAS, TX
 Construction Document

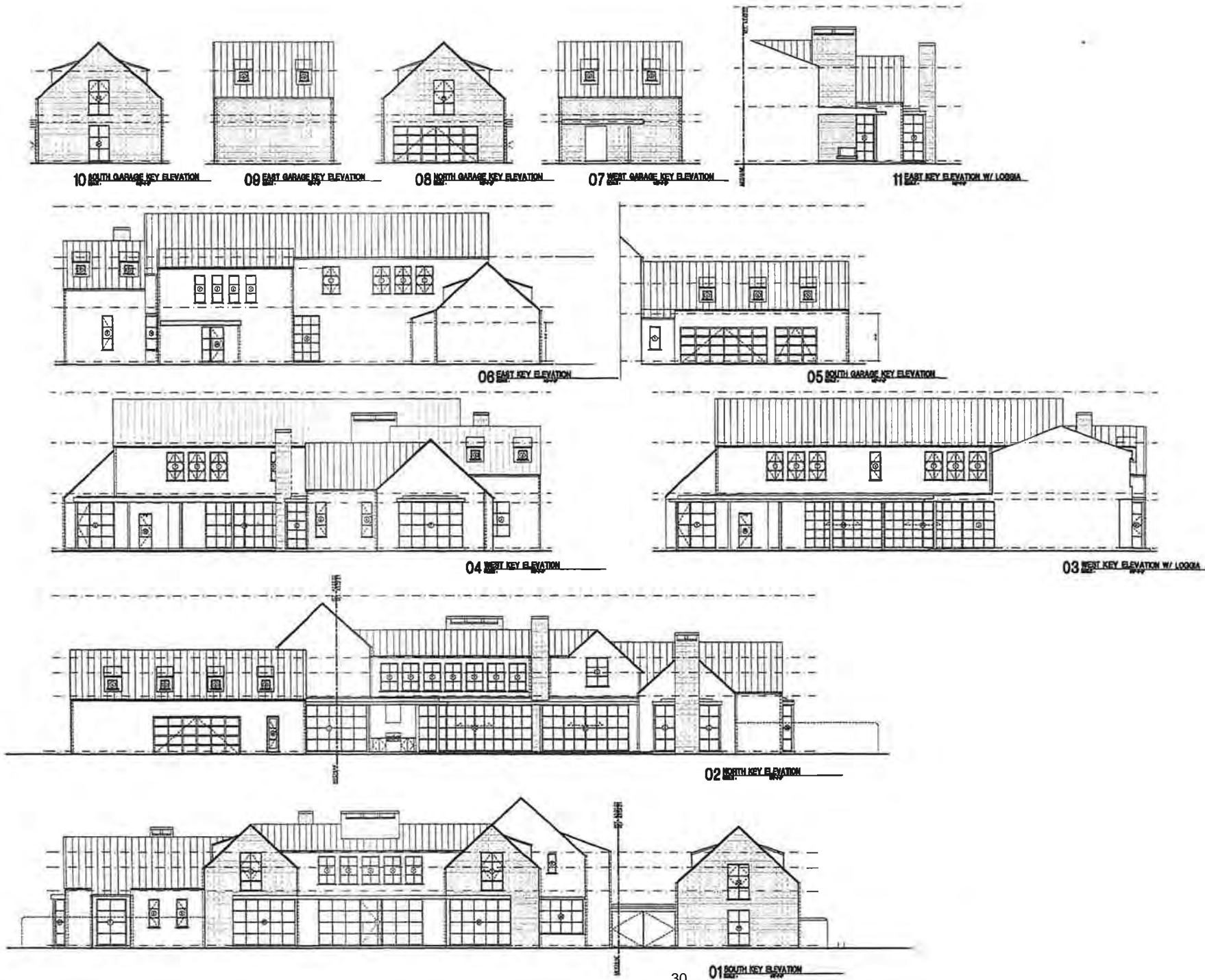
SHM PROJECT #
 21-015

ISSUE DATE
 JUNE 24, 2022

EXTERIOR ELEVATIONS

A3.02





© 2022 SHM ARCHITECTS, P.C. All rights reserved. No part of this document may be reproduced without written permission from SHM ARCHITECTS, P.C.



shm ARCHITECTS
 4511 West Loop, Suite 202, Dallas, Texas 75205
 214.252.5880 • 214.252.5840 Fax • www.shmarch.com

DEMPSEY RESIDENCE
 DALLAS, TX
 Construction Document

SHM PROJECT #
 21-015

ISSUE DATE
 JUNE 24, 2022

EXTERIOR KEY
 ELEVATIONS

A3.00

Aguilera, Oscar

From: Barkume, Diana
Sent: Friday, January 6, 2023 10:26 AM
To: Aguilera, Oscar
Subject: FW: APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas

Please include this to case 013

Thanks,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | [DallasCityNews.net](https://dallascitynews.net)
Development Services
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
Diana.barkume@dallas.gov



[Please Take a Moment to Tell Us How We Are Doing](#)

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

From: Alysia Melara <>
Sent: Friday, January 6, 2023 10:16 AM
To: Barkume, Diana <diana.barkume@dallas.gov>
Subject: Fwd: APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas

External Email!

Here's another one. Please reach out should you need anything further.

Sent from my iPhone

Begin forwarded message:

From: Pat Howard <>

Date: January 5, 2023 at 12:46:36 PM CST

To: Alysia Melara <>

Subject: **APPROVAL LETTER FOR PROPOSED CONSTRUCTION AT 5415 Yolanda Lane, Dallas**

To Whom it may concern:

We have examined the plans and elevations in regards to the approval needed for an additional dwelling unit from the Board of Adjustments for 5415 Yolanda Lane, Dallas, Texas 75205. We find the proposed new build to be acceptable. We approve moving forward with the new home build as it appears on the current elevation being presented to the City of Dallas for permit, and have no issue with the additional dwelling unit.

Patrick E. Howard

Susan S. Howard

Dallas, Texas

[Sent from the all new AOL app for iOS](#)

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

FILE NUMBER: BDA223-014(OA)

BUILDING OFFICIAL'S REPORT: Application of Thomas Sanden for a variance to the side yard setback regulations at 3318 Knight Street. This property is more fully described as Block B/1323, Lot 10A, and is zoned PD-193 subdistrict MF-2(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and/or maintain a structure and provide a 1-foot side yard setback, which will require a 4-foot variance to the side yard setback regulations.

LOCATION: 3318 Knight Street

APPLICANT: Thomas Sanden

REQUESTS:

A request for a variance to the side yard setback regulations of 4 feet is made to remodel and maintain a 3,658 square-foot two-story home part of which is to be located 1-foot from the site's alley side property line on a site that is currently developed with a single-family home.

STANDARD FOR A VARIANCE:

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

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

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
 - (a) 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 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) 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.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or the municipality consider the structure to be a nonconforming structure

STAFF RECOMMENDATION (side yard variance):

Approval, subject to the following condition:

Compliance with the submitted site plan is required.

Rationale:

Staff concluded that the subject site is unique and different from most lots in Plan Development No. 193 subdistrict MF-2(A) given its restrictive area. Whereby that the lot cannot be developed in a manner commensurate with the development upon other parcels of land with the same PD 193 subdistrict MF-2(A) zoning classification.

The applicant submitted a document (**Attachment A**) indicating that the proposed structure on the site is commensurate to seven other lots located in the same zoning district.

Zoning:

Site: Plan Development No. 193 subdistrict MF-2(A)

North: Plan Development No. 193 subdistrict MF-2(A)

East: Plan Development No. 193 subdistrict MF-2(A)

South: Plan Development No. 193 subdistrict MF-2(A)

West: Plan Development No. 193 subdistrict MF-2(A)

Land Use:

The subject site is developed with a single-family use. The areas to the north, east, west, and south are developed with multifamily uses.

Zoning/BDA History:

There have been three zoning cases and no relevant board of adjustment cases recorded in the vicinity of the subject site within the last five years.

Z212-109: On November 15, 2022, The Board of Adjustment Panel A, at its public hearing held on Tuesday, November 15, 2022, denied your requests for a special exception to the single-family use regulations and variances to the floor area ratio regulations, the rear yard setback regulations, and the 2 side yard setback regulations without prejudice.

Z167-149: On July 21, 2016, City Council requested that the City Plan Commission authorize a public hearing to determine the proper zoning on property zoned MF-3 Multifamily District, Office Subdistrict, GR General Retail Subdistrict, and Plan Development Subdistrict Nos. 14, 20, 29, 82, 84, 92 and 97 within Planned Development District No 193 as well as Plan Development District No. 148 and Plan Development District No 374 to establish appropriate to establishing appropriate zoning regulations including use, development standards, and other appropriate regulations in an area generally bounded by Maple Avenue, Oak Lawn Avenue, Cedar Springs Road and Turtle Creek Boulevard. This was a hearing to consider the request to authorize the hearing and not the rezoning of property

Z189-141: On Wednesday, June 12, 2019, the City Council approved an ordinance changing the zoning classification from Planned Development Subdistrict No. 6 within Planned Development District No. 193 (Oak Lawn Special Purpose District) to Planned Development District No. 372 and amendment of Planned Development District No. 372 to reflect the expansion of the planned development district, on property zoned on property zoned Planned Development District No. 372 and Planned Development Subdistrict No. 6 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property generally bounded by McKinney Avenue to the east, Lemmon Avenue East to the north, Oak Grove Avenue to the west, and Lemmon Avenue to the south. According to staff report the purpose of the request was to allow for the redevelopment of a site with a mix of uses to include a large format specialty retail store with more than 100,000 square feet of floor area, office, hotel, and multifamily uses.

GENERAL FACTS/STAFF ANALYSIS (side yard setback regulations):

- The request for variance to the side yard setback regulations focus on remodeling and maintaining a 3,658 square-foot two-story home on a lot developed with a single-family home and zoned Plan Development No. 193 subdistrict MF-2(A). In this Plan Development No. 193 zoning district a minimum side yard setback of 5 feet is required.

- The submitted site plan indicates that the proposed remodeling for a total 3,561 square-foot two-story main single-family structure will be located one-foot from the southwest side property line due to a kitchen and a closet addition.
- The subject site is flat, virtually rectangular (approximately 50 feet by 150 feet), and according to the submitted site plan 7,500-square-foot in area. The site is zoned PD 193 subdistrict MF-2(A) where lots vary significantly in sizes but are traditional larger than 7,500-square feet.
- According to DCAD, the “main improvement” for the property addressed at 3318 Knight Street is a structure built in 1925 with 2,498 square feet of total/living area with the following “additional improvements”: 875 square foot detached quarters, an 875 square foot detached garage and a 140 square foot Porte cochere.
- The applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed additions on the subject site are commensurate to 8 other lots located within the same PD 193 subdistrict MF-2(A). The applicant’s lot is 7,500 square feet in area, and it is proposing 3,561 square feet of total living area for all structures. The applicant provided a table with eight other properties. All eight lots are 2,000 square feet in area compared to other 7 properties’ building size over their lot size. However, all “Gilbert properties” are part of the same development as well as all “the knight properties” and Bowser Avenue. The applicant demonstrated that “The 3550, 3554, 3558 Knight Development” is 6,000 square feet in area and allows 6,507 square feet of total living area. “The Gilbert Avenue Development” is 8,000 square feet with 10,981 square feet of total living area. Furthermore, the applicant provided a list of these properties indicating these properties were all granted variances to setbacks regulations.
- The applicant has the burden of proof in establishing the following:
 - 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.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same Plan Development No. 193 subdistrict MF-2(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels

of land in districts with the same Plan Development No. 193 subdistrict MF-2(A) zoning classification.

- If the board were to grant the variance request and impose the submitted site plan as a condition, the structure would be limited to what is shown on this document and impose the submitted site plan as a condition, the building footprints of the structures on the site would be limited to what is shown on this document.

TIMELINE:

November 29, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

January 16, 2023: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

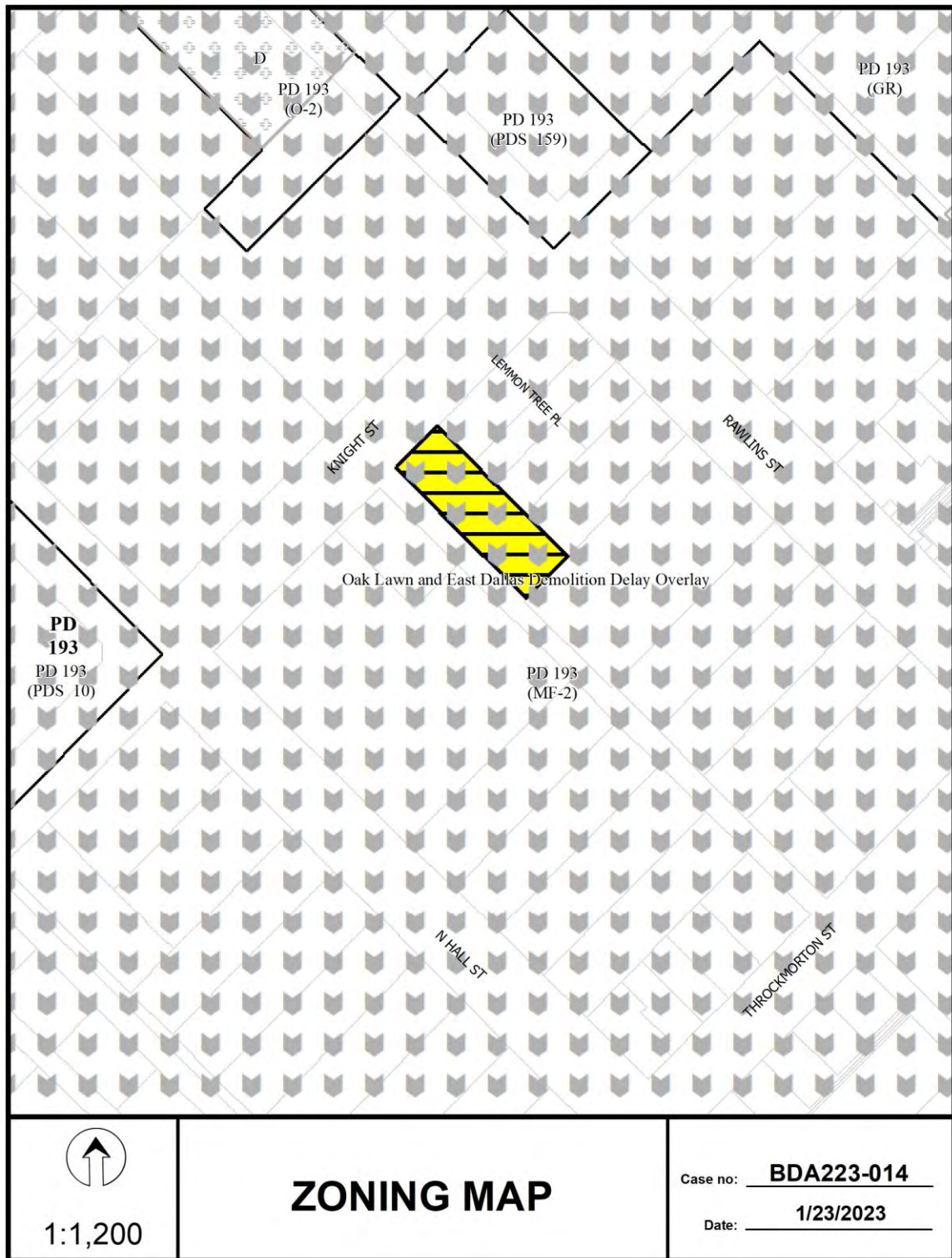
January 18, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

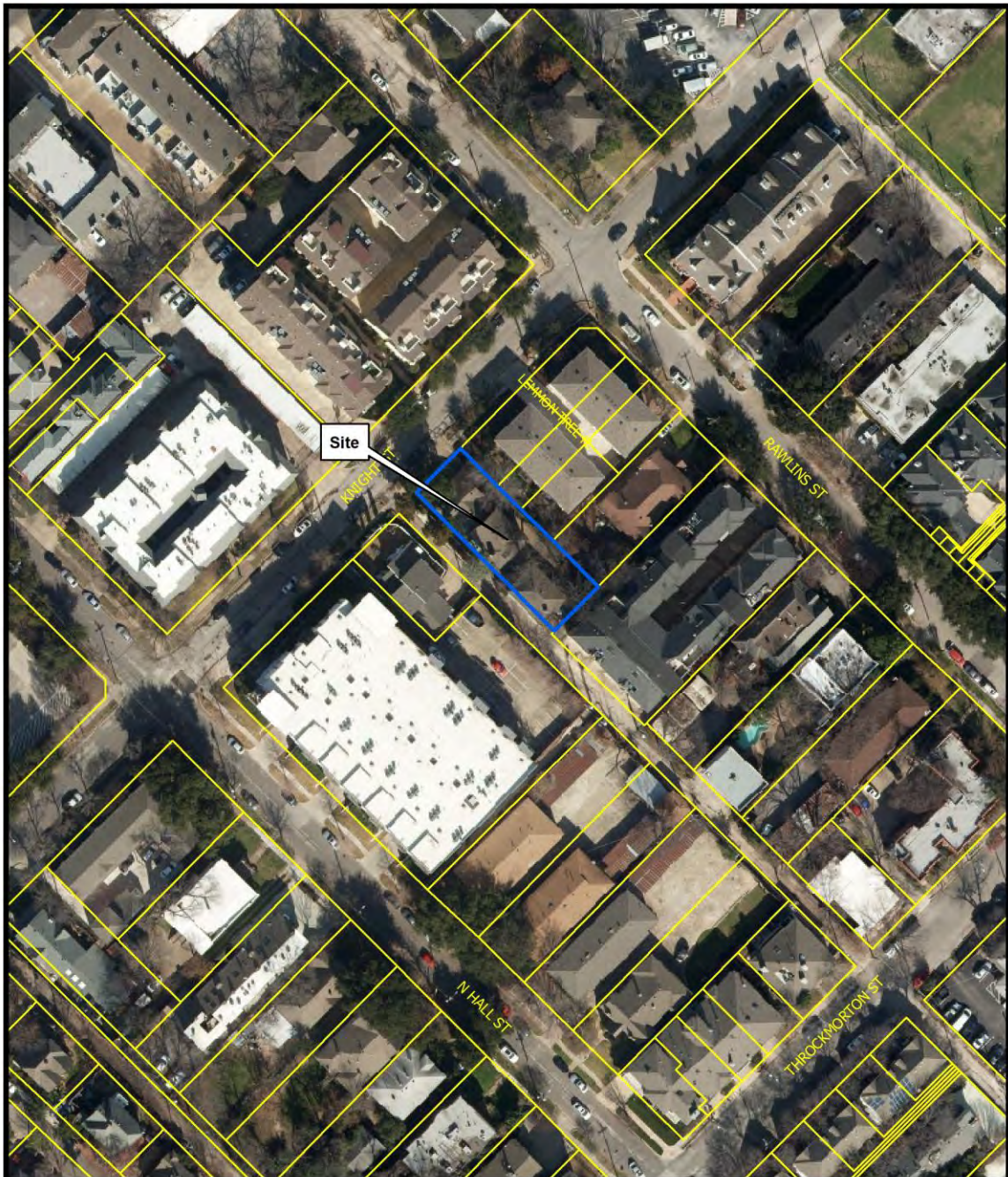
- an attachment that provided the public hearing date and panel that will consider the application; the January 23th deadline to submit additional evidence for staff to factor into their analysis; and the February 10th deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 18, 2023: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the November public hearings. Review team members in attendance included the Development Services Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, The Development Services Chief Planner, Development Service Chief Planner, the Building Inspection

Senior Plans Examiner/Development Code Specialist, the Transportation Development Services Senior Engineer, Development Services Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.



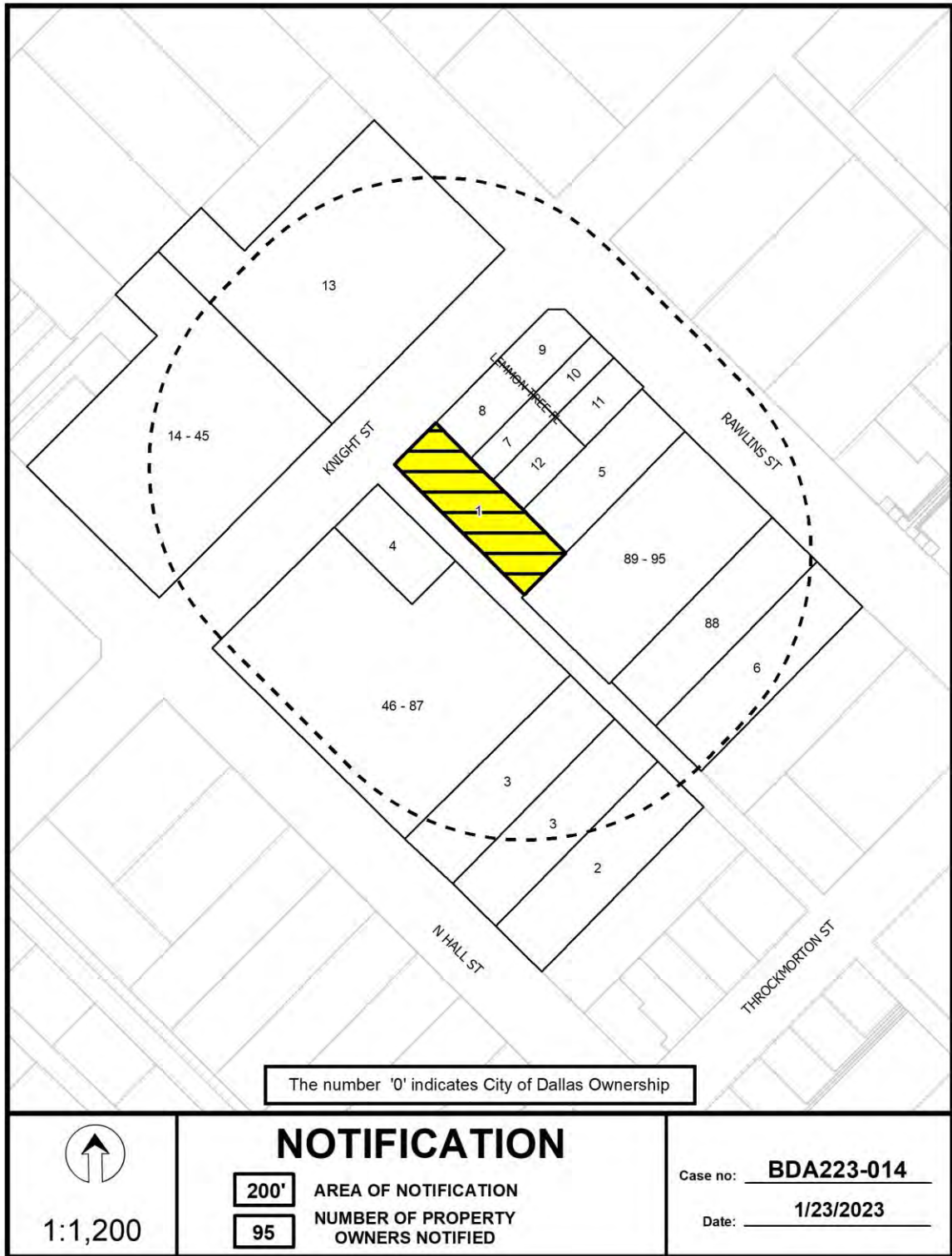


1:1,200

AERIAL MAP

Case no: BDA223-014

Date: 1/23/2023



01/23/2023

Notification List of Property Owners

BDA223-014

95 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3318 KNIGHT ST	SANDEN THOMAS G &
2	4010 N HALL ST	KAHN PATSY C
3	4014 N HALL ST	GLENCOE REAL ESTATE LLC
4	3314 KNIGHT ST	MCCUSKEY RYAN W
5	4031 RAWLINS ST	P & R REAL ESTATE LLC
6	4009 RAWLINS ST	WESTELMAN SAMUEL & JEANNETTE
7	4025 LEMMON TREE PL	HERLIHY JOHN ANDREW
8	4035 LEMMON TREE PL	TEDESCHI MICHELLE & STEVE A &
9	4030 LEMMON TREE PL	JAMESON MARK L
10	4020 LEMMON TREE PL	BENNETT LAWRENCE
11	4010 LEMMON TREE PL	HARRELL MASON
12	4015 LEMMON TREE PL	TSAI JULIANA Y 2015 TRUST THE
13	4111 RAWLINS ST	RYEGRASS RAWLINS LLC
14	4104 N HALL ST	HARRIS BRENT
15	4104 N HALL ST	SAYADI NADER
16	4104 N HALL ST	MCKEE MARK ALLEN
17	4104 N HALL ST	ROBINSON HOLLIE D
18	4104 N HALL ST	COLLINS GARY LEE LIFE EST
19	4104 N HALL ST	SANDERS LISA BARRETT
20	4104 N HALL ST	MORSE WILLIAM C
21	4104 N HALL ST	LOPEZ DOLORES
22	4104 N HALL ST	BELTZ CHRISTINA R & JOE M
23	4104 N HALL ST	NADING KENNETH C
24	4104 N HALL ST	OLIVA LETCIA
25	4104 N HALL ST	LAWRENCE CHARLES M &
26	4104 N HALL ST	MOE MICHAEL H

01/23/2023

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4104 N HALL ST	4104 N HALL ST APT 216 TRUST
28	4104 N HALL ST	BIJANNIA SARA
29	4104 N HALL ST	KLYMOV EUGENE YEVGEN
30	4104 N HALL ST	KINNISON RICKY LYNN &
31	4104 N HALL ST	HATLEY MARSHALL
32	4104 N HALL ST	MOSHTAGHFARD ALI
33	4104 N HALL ST	NADING KENNETH C
34	4104 N HALL ST	ROGERS JAVELETTE K
35	4104 N HALL ST	AGUILLON PHILLIP
36	4104 N HALL ST	WALKER LOUIS R
37	4104 N HALL ST	MA QINYI &
38	4104 N HALL ST	KUMAR MANOJ BIPIN
39	4104 N HALL ST	DOLENUCK MARK J
40	4104 N HALL ST	SRO HOLDING GROUP LLC
41	4104 N HALL ST	MUNRO DIANA
42	4104 N HALL ST	AMES CHRISTOPHER J
43	4104 N HALL ST	ADELEYE OLUWATOBI
44	4104 N HALL ST	PIONTKOWSKY DAVID M
45	4104 N HALL ST	MIRACLE ERIC
46	4040 N HALL ST	RICE SAMUEL L JR
47	4040 N HALL ST	MESSERSMITH SHERYL
48	4040 N HALL ST	RICHARDSON WILLIAM D &
49	4040 N HALL ST	JALEEL MAMBARAMBATH A
50	4040 N HALL ST	ISLAM ROXANNA
51	4040 N HALL ST	WARD ALTONETTE & HENRY SILVAS
52	4040 N HALL ST	LAVI SARA N
53	4040 N HALL ST	LEVITT NICOLE
54	4040 N HALL ST	OLDENBURGH PATRICK L JR
55	4040 N HALL ST	BLOSS RYAN M
56	4040 N HALL ST	CASTILLO JESSE
57	4040 N HALL ST	PORK ELLERSON F &

01/23/2023

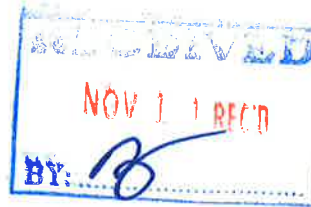
<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4040 N HALL ST	MUKORO ESEOGHENE &
59	4040 N HALL ST	MOYAL OR
60	4040 N HALL ST	MAS BARBARA BELINDA LUCAS &
61	4040 N HALL ST	MORALES CYNDI RAQUEL
62	4040 N HALL ST	ROBLES RICK JAMES
63	4040 N HALL ST	WAFELBAKKER INGRID
64	4040 N HALL ST	THOMPSON WILLIAM R II
65	4040 N HALL ST	BOYER ELIZABETH A
66	4040 N HALL ST	CHONG JENNIFER
67	4040 N HALL ST	SHOGHI SHAHROUZ
68	4040 N HALL ST	CHOWDHURY FARZANA &
69	4040 N HALL ST	JOHN SUJA
70	4040 N HALL ST	TANG GABRIELLE Y &
71	4040 N HALL ST	SHOCKEY LEONARD R
72	4040 N HALL ST	ATHAR ASIMA &
73	4040 N HALL ST	OLDHAM DARRELL D
74	4040 N HALL ST	GOODWIN JAMES M
75	4040 N HALL ST	KOPLYAY PETER & COURTNEY
76	4040 N HALL ST	AENEID HOLDINGS LLC
77	4040 N HALL ST	SIINO BOB PAUL &
78	4040 N HALL ST	NGUYEN MINH HONG & DUY QUOC
79	4040 N HALL ST	KAVALAM MERLYN P
80	4040 N HALL ST	MEEKS SHERRY KORNBLUEH TR &
81	4040 N HALL ST	POURNOROUZ ZAHRA &
82	4040 N HALL ST	OWENS CHRISTOPHER
83	4040 N HALL ST	THOMPSON SUELLEN S
84	4040 N HALL ST	MARCHETTI ELISA DANIELLE &
85	4040 N HALL ST	IGBOJEKWE CHRISTOPHER
86	4040 N HALL ST	ALBRACHT JOSELLE
87	4040 N HALL ST	THOMPSON CHARLES S III &
88	4017 RAWLINS ST	4017 RAWLINS ST LLC

01/23/2023

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4023 RAWLINS ST	BURKE ERIN
90	4023 RAWLINS ST	HOLLIS STEVEN ALEXANDER
91	4023 RAWLINS ST	VERCHER JASON E &
92	4023 RAWLINS ST	FAWCETT BROOKE
93	4023 RAWLINS ST	ALVAREZ EDGAR M
94	4023 RAWLINS ST	PINNER ARCHIE R III
95	4023 RAWLINS ST	CHAUDHRY OMAR



City of Dallas



APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-014

Data Relative to Subject Property:

Date: AUG 29, 2022

Location address: 3318 KNIGHT ST, DALLAS, TX 75219 Zoning District: PD-193, MF-2

Lot No.: 10A Block No.: 1323 Acreage: 0.1721 Census Tract: 6.05

Street Frontage (in Feet): 1) 50 2) 150 3) 50 4) 150 5) —

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): THOMAS G SANDEN & THOMAS E. NEWBERRY

Applicant: THOMAS SANDEN Telephone: 214.769.5360 - CELL

Mailing Address: 3318 KNIGHT ST. DALLAS, TX Zip Code: 75219

E-mail Address: info@artandcommerce.com

Represented by: N/A Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance ✓, or Special Exception _____, of
A 5' MR. CHARLES TRAMER MS. LESTER & MR. VOLNEY VERIFIES IS
DEAD ON EACH SIDE + REAR OF OUR EXISTING LOT REQUESTING
A VARIANCE OF 4' PERASE

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

- ADD ADDITIONAL SPACE TO ALLOW US TO STAY IN
OUR HOME AS WE AGE, FOR IF NEARBY POSSIBLE
CAN BE GIVEN.

THESE ADDITIONS ARE BEHIND 9' FENCE,

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared

Thomas Sanden **THOMAS G. SANDEN**
(Affiant/Applicant's name printed)

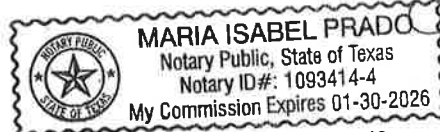
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted:

Thomas Sanden
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 29th day of November, 2022

(Rev. 08-01-11)



Maria Isabel Prado
Notary Public in and for Dallas County, Texas

Date of Hearing

Appeal was--Granted OR Denied

Remarks

Chairman

I hereby certify that THOMAS SANDEN

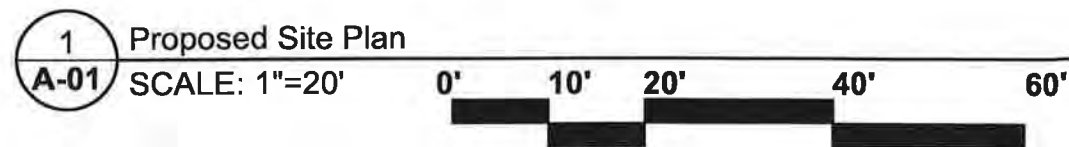
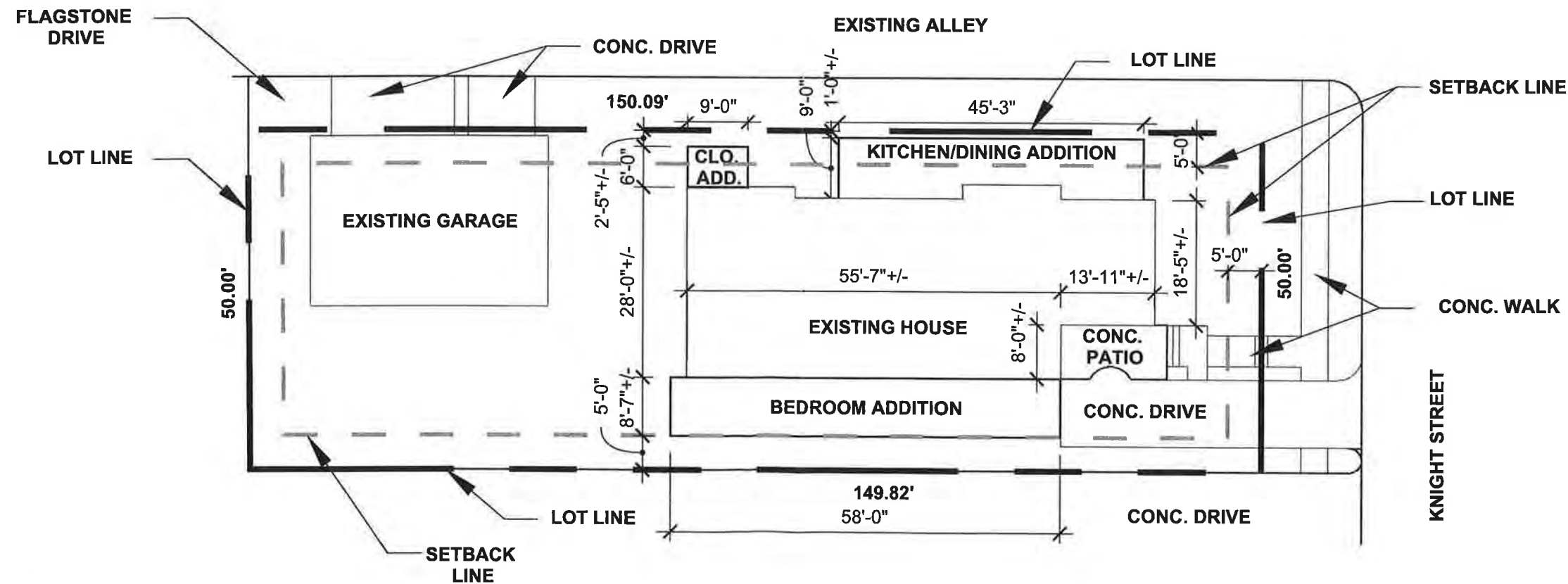
BDA223-014. Application of THOMAS SANDEN for a variance to the side yard setback regulations at 3318 KNIGHT ST. This property is more fully described as Block B/1323, Lot 10A, and is zoned PD-193 subdistrict MF-2(A), which requires a side yard setback of 5 feet where there is residential adjacency for new construction. The applicant proposes to construct and maintain a single-family residential structure and provide a 1 foot side yard setback, which will require a 4 foot variance to the side yard setback regulations.

David Session
David Session, Building Official

LOT 10A, Block 1323, Vol. 1403977/108/06256, 7498
SQ FT, 0.1721 Acres, In the Henry C. Lindsey
Subdivision out of the Williams Grisby Survey,
Abstract No.5D1, City of Dallas, Dallas County, Texas

EXISTING HOUSE	
GROUND LEVEL:	1,780 SF
SECOND LEVEL:	850 SF
TOTAL:	2,630 SF

HOUSE ADDITIONS	
BEDROOMS:	498 SF
GALLERY:	379 SF
CLOSET:	54 SF
TOTAL:	931 SF



MALONEY DESIGN
1207 Stonington
Drive
Herrin, IL 62948
Tel: 773-791-7927

CLIENT
Tom Sanden & Tom Newbury
3318 Knight Street
Dallas, TX 75219
Tel: 214-252-9024

ISSUE
08.05.22
RE-ISSUE
09.05.22

PROJECT NO.
21-03
PROJECT
T&T House
Addition

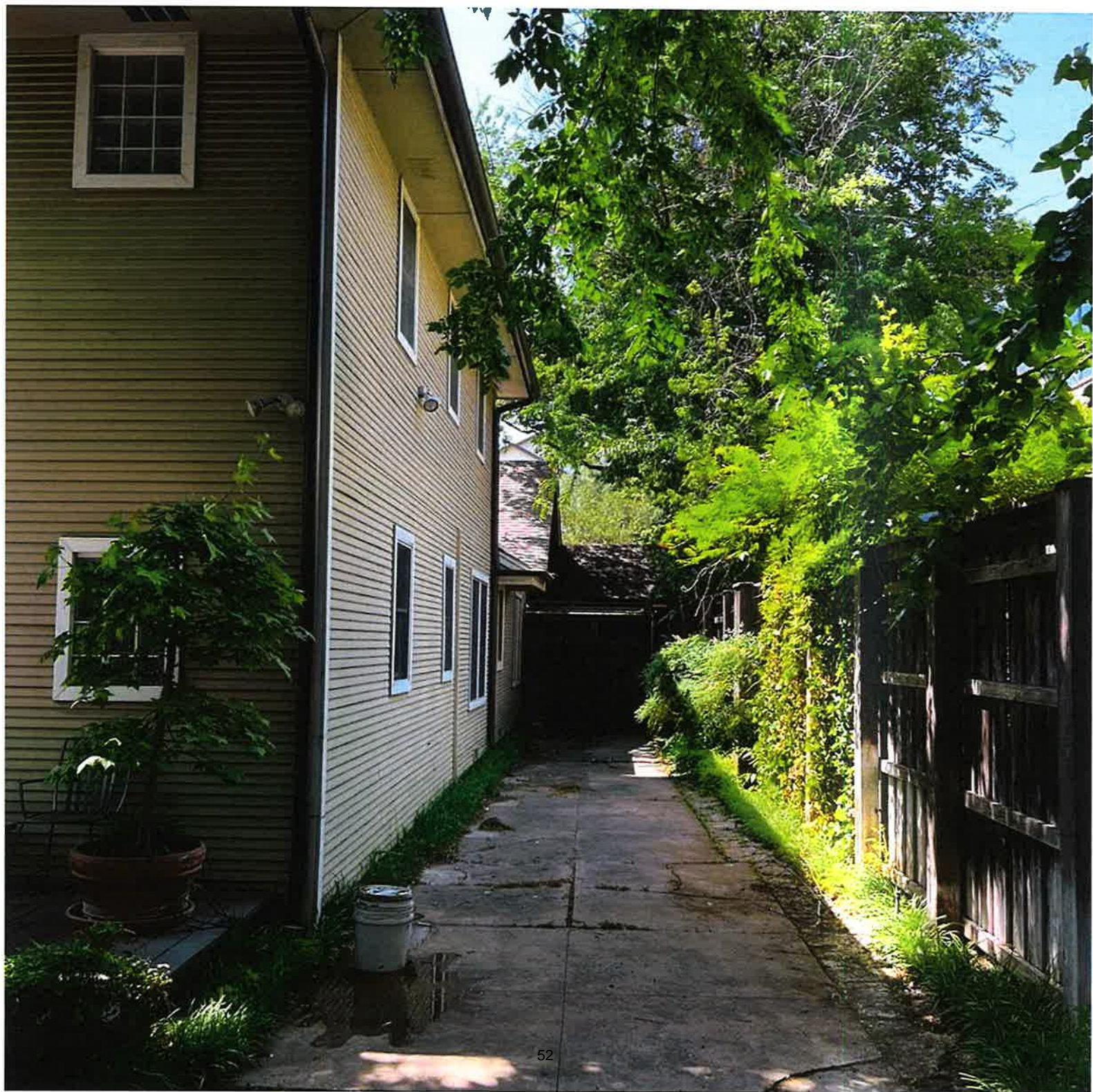
DRAWN BY
MM
DESCRIPTION
Site Plan

A

01









Aguilera, Oscar

From: Art & Commerce <>
Sent: Monday, January 30, 2023 8:11 PM
To: Aguilera, Oscar
Cc: Tom Newbury
Subject: BDA233-014 -- 3318 Knight Street Property Comparable: Lot & Building Sizes/Property Density + Set Backs on Attached Page
Attachments: 3318 Knight Street Listing of Existing Comparable Properties with Set Back Variances.pdf

External Email!

Hi Oscar—

Here are the Listing of Property Comparisons you requested. Hoping that they are in the format your like? We thank you so very much for your time and help! My best—Tom

3318 Knight Street, Dallas, Texas 75219

Listing of Comparable Properties: Lot & Building Sizes/Property Densities + Set Back (on 2nd page)

<u>Property Address</u>	<u>Lot Size</u>	<u>Building Size</u>	<u>Density</u>	<u>Set Back</u>
3318 Knight Street <u>OUR HOME</u>	7500	4380	58%	On Site Plan
With Proposed Additions: (+931 SqFt.)	7500	5311	71%	On Site Plan
3710 Knight Street	3,250	4,150	128%	Attached Page
3630 Knight Street	2000	3863	193%	Attached Page
3634 Knight Street	2000	3219	161%	Attached Page
3638 Knight Street	2000	3413	171%	Attached Page
3550 Knight Street	2000	2169	108%	Attached Page
3554 Knight Street	2000	2169	108%	Attached Page
3558 Knight Street	2000	2169	108%	Attached Page

All of these homes have been permitted, with more Property Density + more lenient Set Backs than we are requesting. We will have more trees, ground cover, grass, bushes and gardens than most all of these homes — Many and several of them combined.

We hope you will please approve our request for our Home expansions.
 Thank you.

Tom Sanden

RE: BDA223-014

Tom Sanden
Dallas, TX 75219

info@artandcommerceco.com

Address	Street	Existing Properties with Set Back Variances	
		Single Family Dwelling Property Comparisons for Set-Back Variances already Approved	
		Or being built on Knight Street and in Neighborhood of	
		3318 Knight Street, Dallas, Texas 75219	
3710	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 10'	
		East Side of Property (Along Alley) built on property line, with 4' from alley	
		West Side of Single Family Dwelling Property built on property line, with 5' to adject property	
		Rear of this Single Family Dwelling built on property line, with 5' to the adject property line	
3630	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'	
		West Side of Property (Along Alley) built on property line, with 3' from alley	
		East Side of Single Family Dwelling Property built on property line, with 0' to adject property	
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property line	
3634	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'	
		East Side of Single Family Dwelling Property built on property line, with 3' to adject property	
		West Side of Single Family Dwelling Property built on property line, with 0' to adject property	
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property line	
3638	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'	
		West Side of Property (Along Alley) built on property line, with 3' to adject Alley	
		East Side of Single Family Dwelling Property built on property line, with 0' to adject property	
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property line	

RE: BDA223-014

Tom Sanden
Dallas, TX 75219

info@artandcommerceco.com

3350	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'
		West Side of Property (Along Alley) built on property line, with 3' from adject alley
		East Side of Single Family Dwelling Property built on property line, with 0' to adject property
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property line
3354	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'
		East Side of Single Family Dwelling Property built on property line, with 0' to adject property
		West Side of Single Family Dwelling Property built on property line, with 0' to adject property
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property
3358	Knight Street	Front of Sidewalk to Front of Single Family Dwelling Property Measures: 12'
		East Side Single Family Dwelling Property built on property line, with 0' to adject property
		West Side of Single Family Dwelling Property build on property line, with 0' to adject property
		Rear of this Single Family Dwelling built on property line, with 0' to the adject property

PROPERTY COMPARISONS FOR SET-BACK

WORKSHEET OF TOM SAUNDERS

JAN. 2023

VARIANCES' APPROVED ALREADY
ON MY STREET & IN MY NEIGHBORHOOD OF
~~3318~~ KNIGHT ST., DALLAS, TX 75219

SINGLE FAMILY REMODELING

ADDRESS	STREET	SET-BACKS: FRONT / EAST SIDE / WEST SIDE / REAR
3710	KNIGHT ST	FRONT - 10' EAST SIDE, ALLEY - BUILT ON PROPERTY LINE 5' FROM ALLEY WEST SIDE - 5' REAR - 5' 4'
3630	KNIGHT ST.	FRONT - 12' EAST SIDE - 3' - FROM ALLEY WEST SIDE - BUILT ON PROPERTY LINE REAR - "
3634	KNIGHT ST.	FRONT - 12' EAST SIDE - 3' WEST SIDE - BUILT ON PROPERTY LINE REAR - "
3638	KNIGHT ST.	FRONT - 12' EAST SIDE - 5' WEST SIDE - BUILT ON PROPERTY LINE REAR - "

✓ 3350	KNIGHT ST.	FRONT - 12' EAST SIDE - BUILT ON PROPERTY LINE WEST SIDE - " " " " 3' FROM ALLEY REAR - " " " "
3354	KNIGHT ST.	FRONT - 12' EAST SIDE - BUILT ON PROPERTY LINE WEST SIDE - " " " " REAR - " " " "
3358	KNIGHT ST.	FRONT - 12' EAST SIDE - " " " " WEST SIDE - BUILT ON PROPERTY LINE REAR - " " " "

TOM SAUNDERS
WORKSHEET
FOR 8 BOARDS MEMBER
THAT NABES THIS.

JAN, 2023

WORKSHEET OF Tom SANDEN

JAN, 18, 2023

3318 KNIGHT ST - LT - = 7'

COMPARABLE PROPERTIES DENSITY + SET BACKS - SET BACKS ON 2ND PAGE

PROPERTY	LOT SIZE SQ. FT.	BUILDING SIZE	DENSITY	SET BACK
3318 KNIGHT ST. (w/ ADDITIONS @ 931 SQ. FT.)	7,500 7,500	4,380 5,311	58% 71%	ON SITE PLAN
3710 KNIGHT ST.	3,250	4,150	128%	ON 2 ND PG
3630 KNIGHT ST.	2,000	3863	193%	↓
3634 KNIGHT ST.	2,000	3219	161%	
3638 KNIGHT ST.	2,000	3413	171%	

Tom SANDEN
WORK SHEET
FOR: BOARO MEMBER
THAT NEEDS THIS.









City of Dallas

Permit # 2010131124

Issue Date: 03/08/2022

Sustainable Communities and Development | Building Inspection Division | 214/764-4480 | www.dallascityhall.com

Address: 3710 KNIGHT ST 75219

Land Use Description: SINGLE FAMILY DWELLING

Work Description: CONSTRUCT NEW SFD

Value Of Work: \$0.00

Owner Or Tenant: Stephane Besson
3710 Knight St
Dallas, TX 75219
Applicant: Devin Wells
Contractor: CREEKVIEW CONSTRUCTION
Business Address: 6060 N Central Expy Suite 125, DALLAS, TX 75206
Telephone: 972/571-2301
Fax: 214/764-8557

Lot: 10	Block: F/1566	Zoning PD-193	PDD:	SUP:
Historic Dist:	Convey Dist: Oak Lawn F	Pro Park: 2	Req Park 2	Park Agmt N
Dwg Units: 1	Stories: 3	New Area: 4092	Lot Area: 3250	Total Area: 4092
Type Const: VB	Sprinkler: None	Occ Code: R3	Occ Load:	
Inches Of Removed Trees:				

ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL. Nothing is to be started until.

This document is based on the facts of information furnished in the application and is subject to the provisions of all governing ordinances, which must be complied with, whether or not herein specified.

THIS DOCUMENT SHALL BE POSTED AT WORK SITE AND IS SUBJECT TO CANCELLATION UPON NOTICE















Aguilera, Oscar

From: Darrell Oldham <[REDACTED]>
Sent: Thursday, January 12, 2023 9:01 AM
To: Aguilera, Oscar
Subject: Zoning for 3318 Knight Street

External Email!

To: City Staff
From: Darrell D Oldham
RE: Support Letter for 3318 Knight Street Neighbors Proposed Improvements

Hi:

I am a resident in Oaklawn, and I pass by 3318 Knight Street daily. It is a wonderful property, and I am always happy to see an original Bungalow-style house still in our neighborhood. And especially this house! It is well very maintained by the Owners, and past work they have done to the property over the years has not only increased property values, but also adds to the character and ambience of our neighborhood.

The proposed improvements they plan will not impact negatively the property, mine or theirs, and will not greatly change the appearance of the front of the house. I believe these improvements will actually increase the property's value and utility. As such, I fully support the zoning variance needed for the improvements planned for 3318 Knight Street and hope the Board of Adjustment Members will approve this proposal.

Please reach out to me with any questions.
Thank you for your time.

Best regards—

Darrell D Oldham
[REDACTED]
[REDACTED]

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

Aguilera, Oscar

From: Mark Jameson <[REDACTED]>
Sent: Friday, January 6, 2023 10:01 PM
To: Aguilera, Oscar; Barkume, Diana
Cc: [REDACTED]
Subject: 3318 Knight Street-Improvements-Support for proposed changes!

External Email!

Greetings to whom it may concern

I live in the Oaklawn area and have since moving to Dallas in 2009 and am the President of the HOA for the Reserve At Rawlins which is adjacent to 3318 Knight Street and am always pleased to see one of the original Bungalow houses still in the neighborhood and especially this house and its a great character for the neighbor we love and our residents love at Reserve At Rawlins love also!

It is well maintained by the Owners. The work that they have done to the property over the years has not only increased property values, but adds character and an ambience to the neighborhood.

The proposed improvements they plan will not impact negatively property, mine or theirs, and won't even greatly change the appearance of the front of the house. I and others in The Reserve At Rawlins on Lemmon Tree Lane support the zoning variance needed for the improvements planned for 3318 Knight Street and hope the Board of Adjustment Members will too.

Please reach out to me with any questions.

Thank you for your time.

Regards,

MLJ

Mark L. Jameson
[REDACTED]

Dallas, TX. 75219

[REDACTED] cell
[REDACTED] office

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

Aguilera, Oscar

From: Archie Pinner <[REDACTED]>
Sent: Monday, January 9, 2023 12:23 PM
To: Aguilera, Oscar; Barkume, Diana
Cc: [REDACTED]
Subject: 3318 Knight Street Improvements

External Email!

Hello

I live in the Oaklawn area and have been neighbors of 3318 Knight Street for over 15 years. I look out onto 3318 Knight Street as I live directly behind and am always pleased to see one of the original Bungalow houses still in the neighborhood. And especially this house! It is well maintained by the Owners. The work that they have done to the property over the years has not only increased property values, but adds character and an ambience to the neighborhood.

The proposed improvements they plan will not impact negatively the property, mine or theirs, and won't even greatly change the appearance of the front of the house. I support the zoning variance needed for the improvements planned for 3318 Knight Street and hope the Board of Adjustment Members will too.

Please reach out to me with any questions.
Thank you for your time.

Best regards—

Archie Pinner
[REDACTED]

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

To: City of Dallas Development Services

3318 Knight Street Proposed Improvements

I live in the Oak Lawn area and I regularly pass by the 3318 Knight Street bungalow as I head to the grocery store or take walks in the neighborhood. The house is a great feature of the neighborhood and adds character and charm amongst the other homes, condos and townhouses in the area. They have improved the value of the property over the years by maintaining it well and through other renovations.

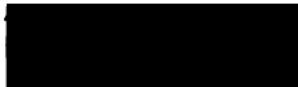
The proposed improvements they plan will not negatively impact their own property value or their neighbors', and from what I understand of their plans, the changes will only moderately change the appearance of the front of the house.

I fully support the zoning variance needed for the improvements planned for 3318 Knight Street.

You are welcome to reach out to me with any questions.



Marc Sullivan



Aguilera, Oscar

From: Erik Bohdan [REDACTED]
Sent: Saturday, January 7, 2023 1:07 PM
To: Aguilera, Oscar; Barkume, Diana
Subject: Support Letter for 3318 Knight Street Neighbors Proposed Improvements

Follow Up Flag: Follow up
Flag Status: Flagged

External Email!

Good Afternoon,

I live in the Oaklawn area and pass by 3318 Knight Street often and am always pleased to see several of the original houses still in the neighborhood. It is well maintained by the Owners who I know take great pride in their property as well as support their neighbors in doing the same. The work that they have done to the property over the years has not only increased property values, but adds character and an ambience to the neighborhood that is difficult to replicate. Another example of this is on Sale St, between Gillespie and Dickason as several of the older homes are standing tall and well maintained across the street from new larger multifamily developments. Architecture, as well as its inhabitants, are integral parts of a community as they function more than just their mere physical existence.. They represent a history and diversity that is so very important...especially in regards to this community and neighborhood.

Mr. Newbury and Mr. Sanden are incredible neighbors that keep the interests of the entire neighborhood at heart. The proposed improvements they plan that I have seen will not impact the property negatively, mine or theirs, and will only enhance the property that is already there. I wholeheartedly support the zoning variance needed for the improvements planned for 3318 Knight Street and hope the Board of Adjustment Members will too.

Please reach out to me with any questions.
Thank you for your time.

Kindest Regards,

Erik Bohdan
[REDACTED]

Erik Bohdan / Sales Experience Manager
[REDACTED]

Park Place | **DEALERSHIPS**
SALES • SERVICE • PARTS • COLLISION



The information contained in this transmission may be privileged and confidential and is intended only for the use of the person(s) named above. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, any review, dissemination, distribution or duplication of this communication is strictly prohibited.

To the City of Dallas –

I met my neighbors, Tom Sanden and Tom Newbery shortly after I moved into my condo at the Haven, 4040 N Hall St in 2008. They have been excellent stewards of not only their property but the surrounding neighborhood.

Recently I noticed your sign on their property at 3318 Knight St and visited with Tom Sanden about the project to expand his house, including the kitchen and enclosing the deck which are both inside the fence by the alley. This is a section of his house which I overlook from my balcony.

I support this remodel project and do not believe it will change the landscape or impact our neighborhood in anyway. This project will enhance their house and continue to be an asset to our neighborhood.

Betty Boyer

[REDACTED]

To: City Staff

1/6/2023

From: Gary Collins

RE: Support Letter for 3318 Knight Street Neighbors Proposed Improvements

Hi:

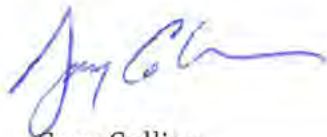
I live in the Oaklawn area. I pass by 3318 Knight Street often and am always pleased to see one of the original Bungalow houses still in the neighborhood. And especially this house! It is well maintained by the Owners. The work that they have done to the property over the years has not only increased property values, but adds character and an ambience to the neighborhood.

The proposed improvements they plan will not impact negatively the property, mine or theirs, and won't even greatly change the appearance of the front of the house. I support the zoning variance needed for the improvements planned for 3318 Knight Street and hope the Board of Adjustment Members will too.

Please reach out to me with any questions.

Thank you for your time.

Best regards,



Gary Collins





To: City Staff
From: Will and Liza Lee
RE: Support Letter for 3318 Knight Street Neighbors Proposed Improvements

Dear Fellow Dallas residents:

We have lived in the Oak Lawn area for the past 16 years. We are grateful for the quality of the vistas and living spaces along Oak Lawn and Lemmon Avenues and just love our neighborhood. The Knight Street neighborhood west of Lemmon is particularly historic and colorful. We pass 3318 Knight Street often, one of the original Bungalow houses still in the neighborhood—it is well maintained and adds to the area's warm community feeling. The owners of 3318 Knight Street have greatly improved the property over the years, increasing neighborhood property values and adding character and ambience.

We understand that they are proposing some further small improvements, none of which would impact negatively their property, or neighboring ones, and won't even change the appearance of the front of the house. We completely support their case that a zoning variance be granted for improvements at 3318 Knight Street and hope that the Board of Adjustment Members agree wholeheartedly that these needed upgrades will ultimately benefit the entire neighborhood.

Don't hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Will", representing William M. Lee.

A handwritten signature in dark ink, appearing to read "Elizabeth M. Lee", representing Elizabeth (Liza) M. Lee.

William M. Lee, MD and Elizabeth (Liza) M. Lee

Ryan McCuskey
Juan Carlos De Avila Gil

19 September 2022

City of Dallas
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Mailstop 5BN
Dallas, TX 75201

RE: BOA Case No. BDA212-109

Hon. Chairperson:

This correspondence serves as a formal declaration of support for the above-referenced Board of Adjustment (hereafter "Board", "BOA") case.

Background

We understand that the owners of the property located at 3318 Knight Street, Dallas, TX 75219, seek an adjustment of the current zoning as applied to 35-W, Block B/1323, LT 10A.

We understand that the property is located within a planned subdistrict. The planned subdistrict, as proposed between August 2016 and December 2018 under case number Z167-149, was approved as Dallas Ordinance 31242, under resolution 190930, on 11 June 2019. The area is generally bounded by Fairmount Street, the alley south of Oak Lawn Avenue, Cedar Springs Road, Sale Street, and Enid Street. Currently, the property is subject to the Oak Lawn planned district 193, as governed by Chapter 51 Development Standards, Dallas City Code.

We own the only remaining single family residence on the 3300 block of Knight Street, with our home located at 3314 Knight Street. The owners of the above-referenced property have, since our acquisition of our home, maintained their property, and collaborated with us and other neighbors to improve the community and sustain the long-term character of our neighborhood. Our properties adjoin the same front street and alleyway subject to the proposed variances.

Proposed Action

We understand the owners of the aforementioned property seek a special exception to the planned district, to include an accessible dwelling unit, with variance to both side and rear yard setbacks to the lot.

We fully support the owner's request for a special exception to the zoning as applied. Maximizing the use of available property, to include reduction of required side and rear setbacks, and for increased applicable density through an accessible dwelling unit is in the common interest and benefit of both the owner and neighborhood.

19 September 2022
Dallas Board of Adjustment
RE: BOA Case No. BDA212-109

Submission

We thank the Board for time and consideration of this matter. Should the Board need further information or clarification, please contact Ryan McCuskey, via email at



Respectfully Submitted,

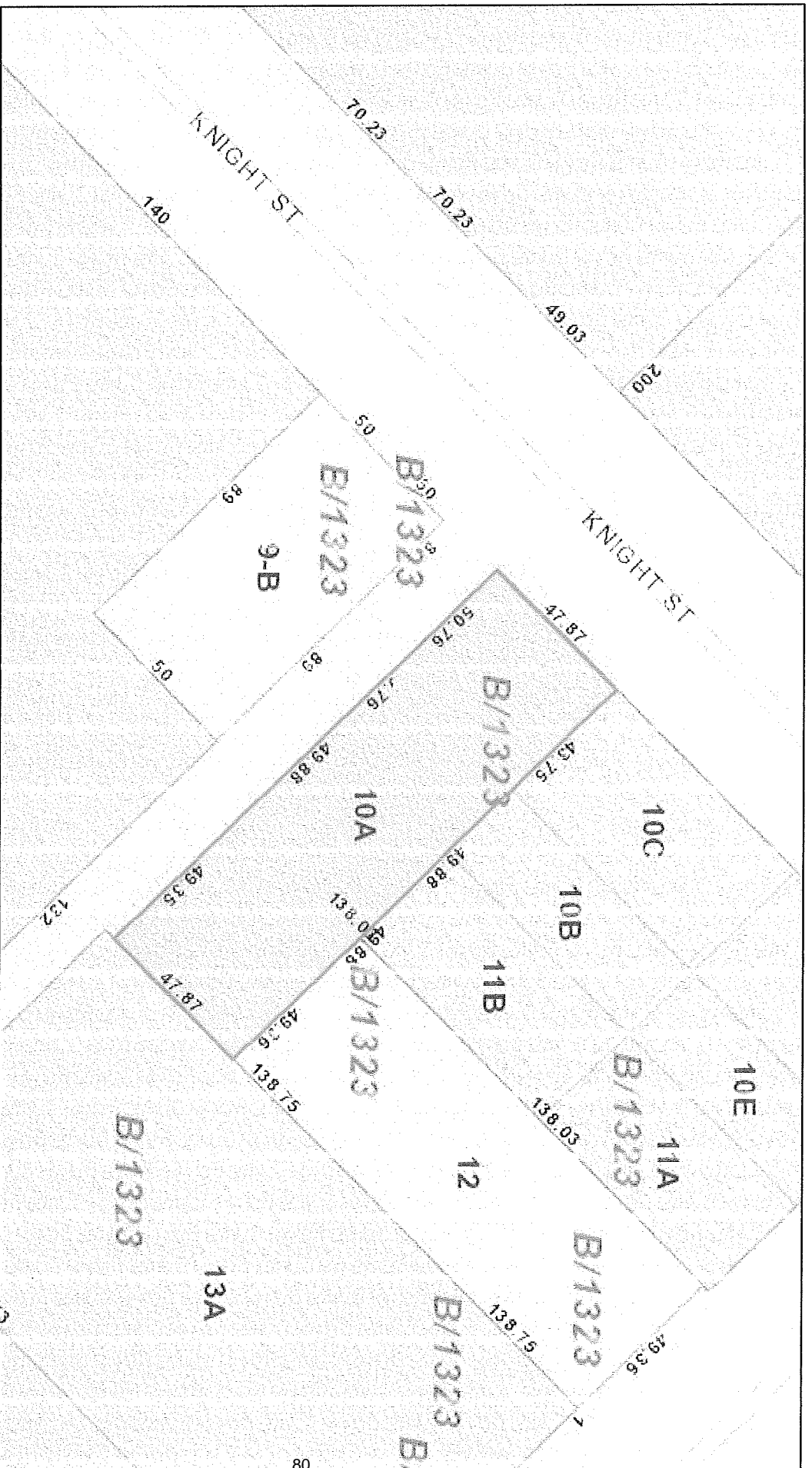

RYAN W. MCCUSKEY, JD, MHA, FACHE, FHFMA


JUAN CARLOS DE AVILA GIL

(Enclosures)

3318 Knight St

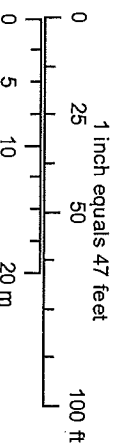
Date of copy: 9/17/2022

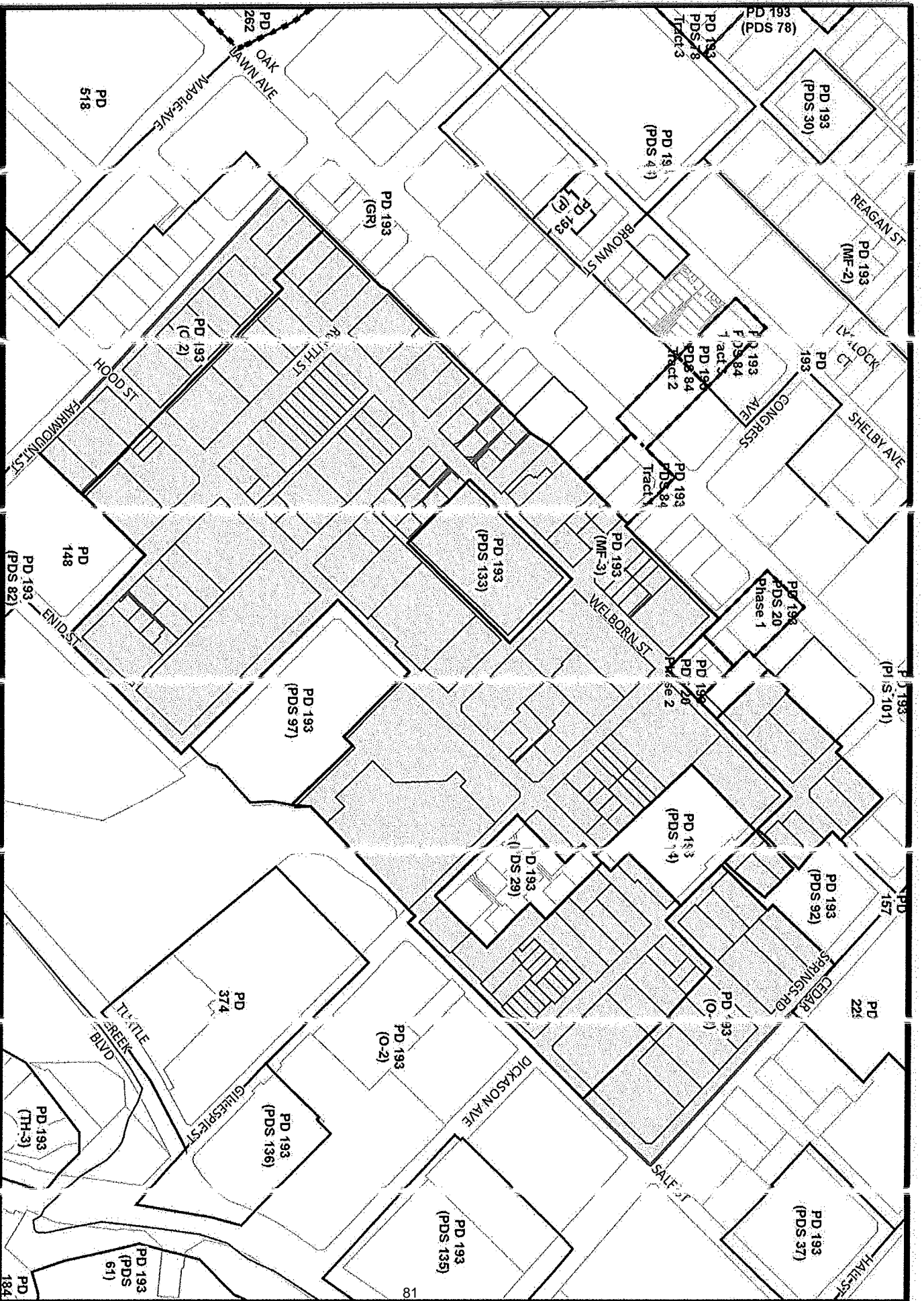


This product is for informational purposes only and may not have been prepared for or be suitable for legal engineering or surveying purposes. It does not represent a ground survey and represents only the approximate relative location of property boundaries.



Dallas Central Appraisal District
2949 N Stemmons Freeway
Dallas, TX 75247-6195
(214) 631-1342
www.dallascad.org





Z167-149 - Revised area of request



1:3,428

FILE NUMBER: BDA223-015(OA)

BUILDING OFFICIAL'S REPORT: Application of Kristian B. Cole, represented by Lauren E. Compton, for a special exception to the single-family use regulations, and for a variance to the floor area for structures accessory to single family uses regulations at **2027 Melbourne Avenue**. This property is more fully described as Block 10/4764, Lot 1 and is zoned R-7.5(A), which limits the number of dwelling units to one, and in which an accessory structure may not exceed 25% of the floor area of the main structure. The applicant proposes to construct and/or maintain an additional dwelling unit, which will require a special exception to the single-family zoning use regulations, and to construct and/or maintain an accessory structure with 400 square feet of floor area (36% of the 1101 square foot floor area of the main structure), which will require a 125 square foot variance to floor area for structures accessory to single family uses regulations.

LOCATION: 2027 Melbourne Avenue

APPLICANT: Kristian Cole
represented by Lauren Compton

REQUESTS:

The following requests have been made on a site that is developed with a one-story main single-family home/dwelling unit structure:

1. A request for a special exception to the single-family use regulations is made to construct and maintain a non-rentable additional dwelling unit.
2. A request for a variance to construct and/or maintain the above additional dwelling unit with 400 square feet proposed floor area (36% of the 1101 square foot floor area of the main structure), which will require a 125 square foot variance to floor area for structures accessory to single family uses regulations.

STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AN ADDITIONAL DWELLING UNIT ON ONE LOT:

(i). The board may grant a special exception to authorize a rentable additional dwelling unit in any district when, in the opinion of the board, the additional dwelling unit will not:

(aa) be used as rental accommodations; or

(bb) adversely affect neighboring properties.

(ii). In granting a special exception under this subparagraph, the board shall require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.

STAFF RECOMMENDATION FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AN ADDITIONAL DWELLING UNIT ON ONE LOT:

No staff recommendation is made on this or any 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 standards described above are met.

STANDARD FOR A VARIANCE:

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

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

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
 - (a) 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 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) 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.

- (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
- (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (e) the municipality consider the structure to be a nonconforming structure.

STAFF RECOMMENDATION (Variance):

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in R-7.5(A) considering its restrictive lot area of 7,100 square feet so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning classification.
- The applicant submitted a document (Attachment A) indicating that the proposed structure on the site is commensurate to 17 other lots located in the same zoning district.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single Family District)
North: R-7.5(A) (Single Family District)
West: R-7.5(A) (Single Family District)
South: R-7.5(A) (Single Family District)
East: R-7.5(A) (Single Family District)

Land Use:

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

Zoning/BDA History:

There have been no related board or zoning cases in the vicinity within the last five years.

GENERAL FACTS/STAFF ANALYSIS (single family regulations):

- This request for a special exception to the single family use regulations focus on maintaining an additional dwelling unit on a site developed with a one-story single-family home.
- The site R-7.5(A) Single Family District where the Dallas Development Code permits one dwelling unit per lot.
- 51-4.201(b)(1)(E)(i) of the Dallas Development Code specifies that the board may grant a special exception to the single-family use regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.
- The submitted site plan denotes the locations of two building footprints, the larger of the two is an existing single family structure and the smaller of the two is denoted as “proposed ADU”.
- This request centers on the function of what is proposed to be inside the smaller structure on the site – the “proposed ADU” structure, specifically its collection of rooms/features shown on the floor plan.
- DCAD records indicate the following improvements for the property located at 2027 Melbourne Avenue: “main improvement: a structure with 1,101 square feet of living area built-in 1951” and “additional improvements: a 200-square-foot detached garage.
- The site plan denotes that the proposed 400-square-foot additional dwelling structure is equal to 36 percent of the existing 1,101-square-foot floor area of the main structure which will require a 125 square-foot variance to the floor area ratio of the main structure.
- The Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.
- If the Board were to grant this request, Building Inspection would view the structure denoted on the submitted site plan as “garage/residence” as an additional dwelling unit.

GENERAL FACTS/STAFF ANALYSIS (Variance):

- A request for a variance to construct and/or maintain the above additional dwelling unit with 400 square feet proposed floor area (36% of the 1101 square foot floor area of the main structure), which will require a 125 square foot variance to floor area for structures accessory to single family uses regulations.

- DCAD records indicate the following improvements for the property located at 2027 Melbourne Avenue: “main improvement: a structure with 1,101 square feet of living area built-in 1951” and “additional improvements: a 200-square-foot detached garage”.
- The site plan denotes that the proposed 400-square-foot additional dwelling structure is equal to 36 percent of the existing 1,101-square-foot floor area of the main structure which will require a 125 square-foot variance to the floor area ratio of the main structure.
- The property is rectangular, slightly sloped, and according to the application, contains 0.176 acres, or approximately 7,657 square feet in area. However, the lot is reduced to 7,100 square feet due to a 10-foot ally easement. In R-7.5(A) Single-Family District the minimum lot size is 7,500 square feet. Hence, the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
- The applicant has submitted a document comparing the lot sizes and improvement of the subject site with 17 other properties in the same zoning. The average lot is 9,460 square feet with about 1,660 square feet in improvements. The proposed 400-square foot with an existing 1,101-square-foot structure on the site is commensurate to 17 other lots located within the same zoning district.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the floor area regulations for structures accessory to single-family uses will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same zoning classification.
- If the board were to grant a variance to the floor area regulations for structures accessory to single-family uses and impose the submitted site plan as a condition,

the building footprints of the structures on the site would be limited to what is shown on this document.

Timeline:

December 1, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

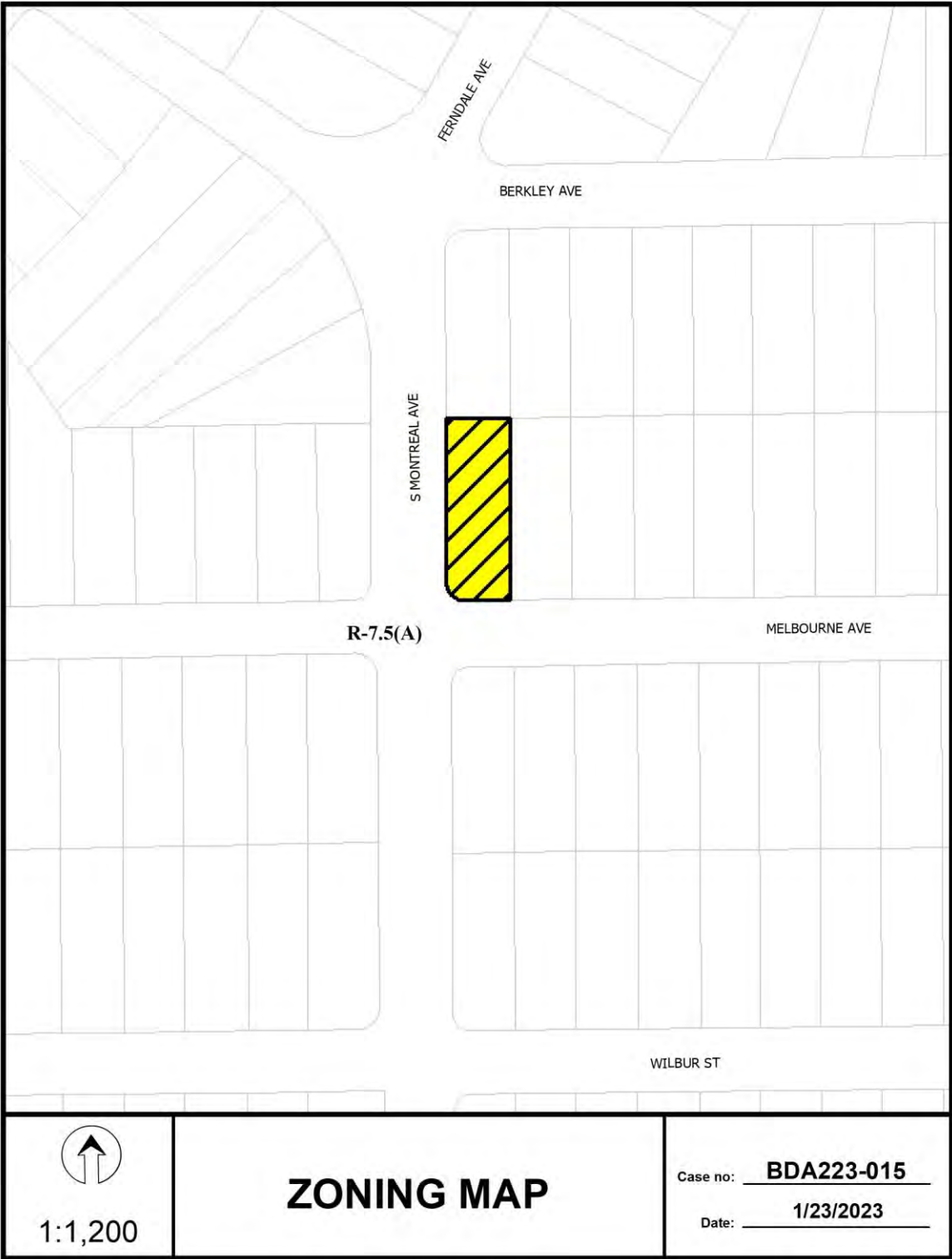
January 16, 2023: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

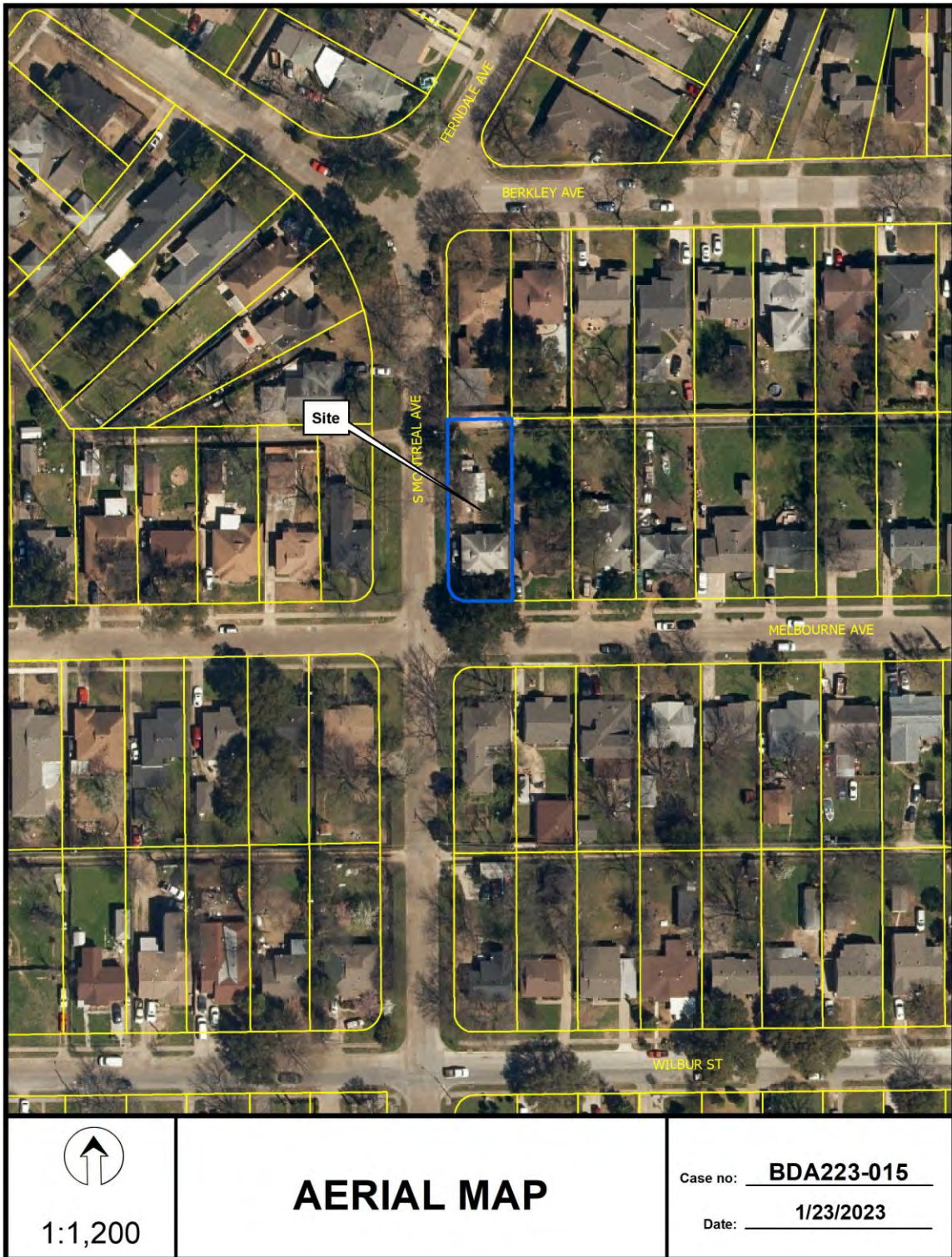
January 18, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the January 23rd deadline to submit additional evidence for staff to factor into their analysis; and the February 10th deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 23, 2023: The applicant submitted additional information to staff beyond what was submitted with the original application (Attachment A).

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the November public hearings. Review team members in attendance included the Development Services Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, The Development Services Chief Planner, Development Service Chief Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Transportation Development Services Senior Engineer, Development Services Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.



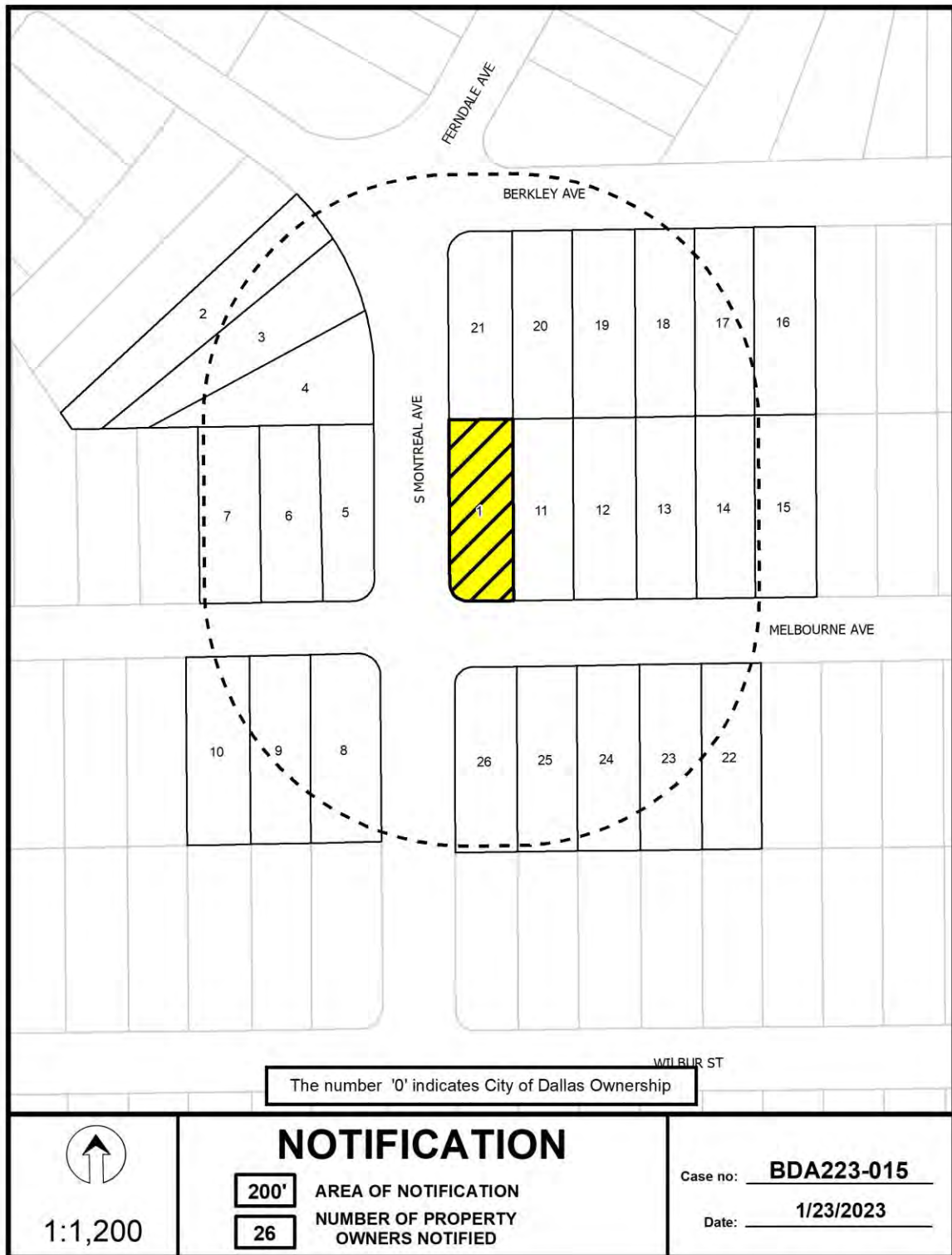


1:1,200

AERIAL MAP

Case no: BDA223-015

Date: 1/23/2023



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

26

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA223-015**

Date: **1/23/2023**

Notification List of Property Owners

BDA223-015

26 Property Owners Notified

Label #	Address	Owner
1	2027 MELBOURNE AVE	COLE KRISTIAN B &
2	2102 BERKLEY AVE	GALVAN MARIA AMPARO &
3	2217 S MONTREAL AVE	VILLALOBOS ERNESTO &
4	2211 S MONTREAL AVE	DOMINGUEZ ESTEBAN
5	2103 MELBOURNE AVE	COYNE KAREN
6	2107 MELBOURNE AVE	MCMILLION MURIEL
7	2111 MELBOURNE AVE	ORTIZ ARTURO R
8	2102 MELBOURNE AVE	Taxpayer at
9	2106 MELBOURNE AVE	DAY BENJAMIN C & RACHEL L
10	2110 MELBOURNE AVE	Taxpayer at
11	2023 MELBOURNE AVE	JANSSEN LONNA
12	2019 MELBOURNE AVE	WRISTON BRENNAN
13	2015 MELBOURNE AVE	BECERRA JOSE &
14	2011 MELBOURNE AVE	RODARTE LINO
15	2007 MELBOURNE AVE	COOPER CYRUS SHARUKH &
16	2006 BERKLEY AVE	YOUNG CATHY
17	2010 BERKLEY AVE	GARCIA ADRIAN & RACHEL GRACE
18	2014 BERKLEY AVE	Taxpayer at
19	2018 BERKLEY AVE	BURNS CHRISTINA MARIE
20	2022 BERKLEY AVE	THOMPSON CHARLSIE
21	2026 BERKLEY AVE	KENDALL KERI K
22	2010 MELBOURNE AVE	SMITH MELODY & KRISTEN &
23	2014 MELBOURNE AVE	MOJICA JOSE & YMELDA
24	2018 MELBOURNE AVE	OLIVAS JOSE R &
25	2022 MELBOURNE AVE	BUSTAMANTE OSCAR G SANTANA
26	2026 MELBOURNE AVE	FAZ ANGELA M



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-015

Data Relative to Subject Property:

Date: 12/1/22

Location address: 2027 Melbourne Av Dallas, TX 75224 Zoning District: 1

Lot No.: 1 Block No.: 104764 Acreage: .774 Census Tract: _____

Street Frontage (in Feet): 1) 50 2) 151.9 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Kristian B. Cole : Lauren E Compton

Applicant: Kristian B. Cole Telephone: (469) 514 4078

Mailing Address: 2027 Melbourne Ave. Dallas, TX Zip Code: 75224

E-mail Address: Kristian@Tailwatersflyfishing.com

Represented by: Lauren E Compton Telephone: (469) 406 8207

Mailing Address: 2027 Melbourne Ave. Dallas, TX Zip Code: 75224

E-mail Address: Lauren.compton@rocketmail.com

Affirm that an appeal has been made for a Variance X, or Special Exception X, of an additional dwelling unit and exceeding 25% of the main house.

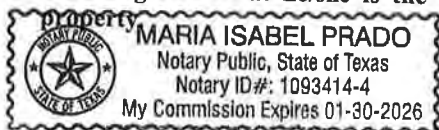
Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:

We want to improve the usability of our home to the neighborhood with our backyard unit. The additional dwelling will not be for rent and will only be for personal use.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Kristian Cole
(Affiant/Applicant's name printed)
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject

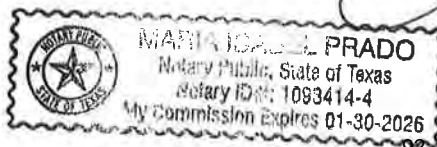


Respectfully submitted: [Signature]

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 1st day of December, 2022

(Rev. 08-01-11)



[Signature]
Notary Public in and for Dallas County, Texas

**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that KRISTIAN COLE
 represented by LAUREN COMPTON
 did submit a request for a special exception to the single family regulations, and for a variance to the floor area ratio regulations
 at 2027 Melbourne Avenue

BDA223-015. Application of KRISTIAN COLE represented by LAUREN COMPTON for a special exception to the single family regulations, and for a variance to the floor area ratio regulations at 2027 MELBOURNE AVE. This property is more fully described as Block 10/4764, Lot 1 and is zoned R-7.5(A), which limits the number of dwelling units to one and an accessory structure may not exceed 25% of the floor area of the main structure. The applicant proposes to construct and maintain an additional dwelling unit, which will require a special exception to the single-family zoning use regulations, and to construct and maintain a single family residential accessory structure with 400 square feet of floor area (36% of the 1101 square foot floor area of the main structure), which will require a 125 square foot variance to the floor area ratio regulations.

Sincerely,


 David Session, Building Official

Commission expires on _____



AFFIDAVIT

Appeal number: BDA 223-015

I, Lauren E. Compton, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 2027 Melbourne Ave. Dallas, TX 75224
(Address of property as stated on application)

Authorize: Kristian B. Cole
(Applicant's name as stated on application)

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

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

Specify: Additional dwelling unit/improvement of
existing structure and exceeding 25% of main home.

Lauren Compton
Print name of property owner or registered agent

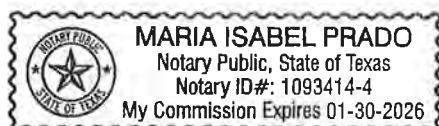
Lauren Compton
Signature of property owner or registered agent

Date 12-1-22

Before me, the undersigned, on this day personally appeared Lauren Compton

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







Subscribed and sworn to before me this 1st day of December, 2022



Maria Isabel Prado
Notary Public for Dallas County, Texas



Printed: 1/3/2023

-  City Limits
-  Floodplain
-  0.2 Pct Annual Flood Hazard
-  1 Pct Annual Chance Flood Hazard
-  Certified Parcels
-  Base Zoning

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)



ANNEXED MAY 29, 1940
SURVEY J. H. COLE

APPROX. N.E.

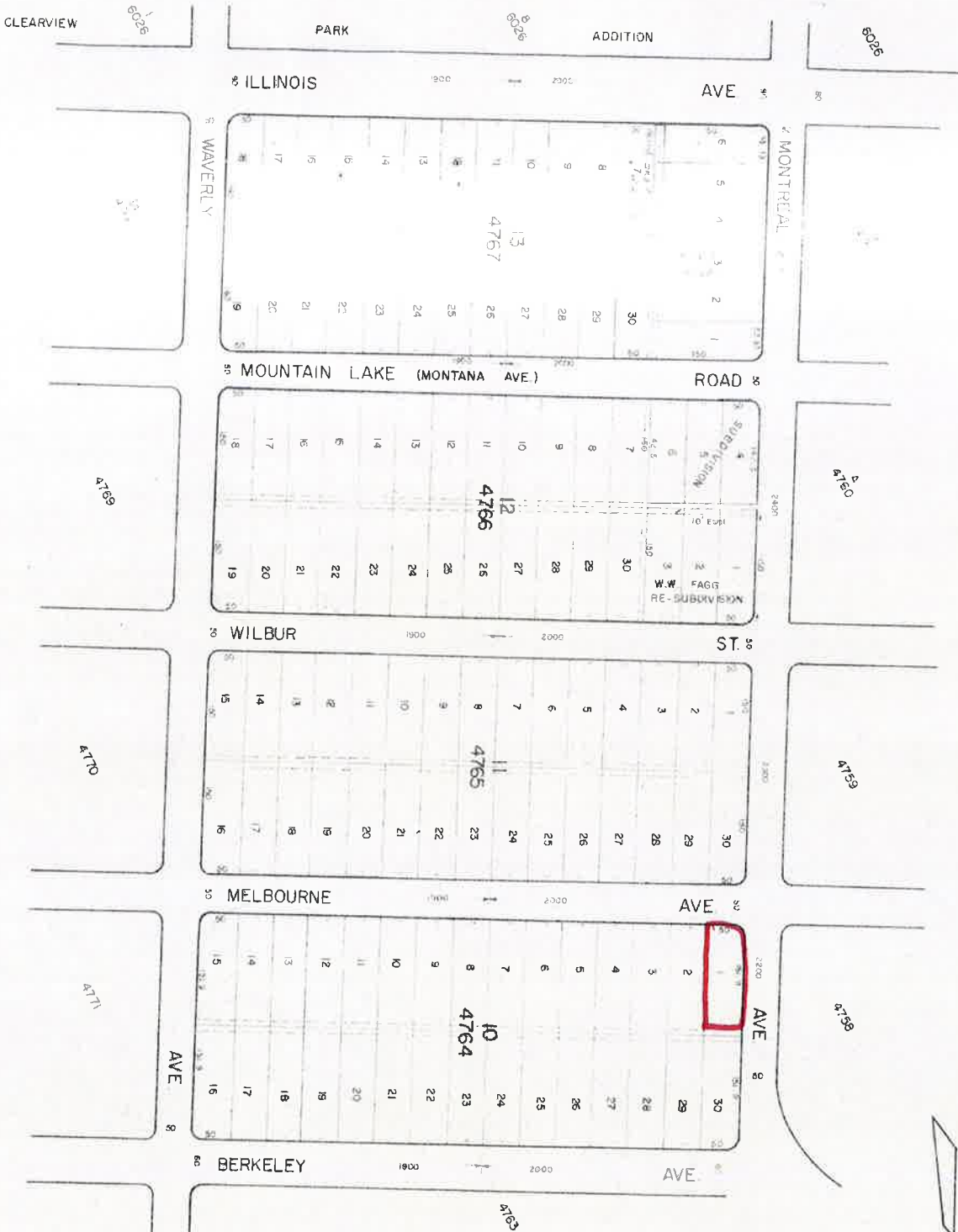
AREAS 253

CITY OF DALLAS PLAT BOOKS

ADDITION AVALON HEIGHTS

SCALE 100 FT. EQUALS 1 INCH

BLOCKS 10, 11, 12, 13
4764, 4765, 4766, 4767
SCHOOL DISTRICT DALLAS





VICINITY MAP

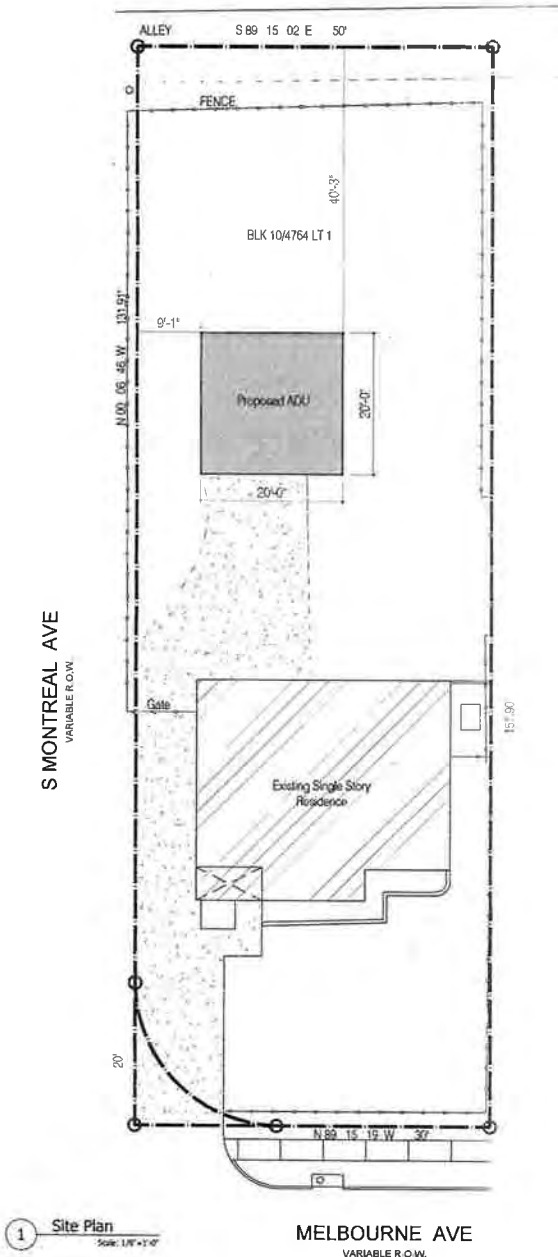
SQUARE FOOTAGE	
Existing House	1,061 Sq.ft.
Proposed ADU	400 Sq.ft.
Lot size	7,595 Sq.ft.
Lot Coverage	19.23%

Proposed ADU to be 37.7% of the main dwelling floor area

LEGEND	
	New structures
	Existing structures



LEGAL DESCRIPTION:
ELMWOOD ADDN NO 4
BLK 10/4764 LT 1



1 Site Plan
Scale: 1/8" = 1'-0"

MELBOURNE AVE
VARIABLE R.O.W.



COLE KRISTIAN D C
2027 MERGOURNE AVE
DALLAS, TEXAS 75226

1000

5. THE CONTRACT (FEDERAL RESERVE) 1963

1. THE COMPANY SHALL REPORT TO THE GROUP
MANAGEMENT, MANAGEMENT OF THE COMPANY OF ALL
SUBSIDIARIES, DIVISIONS, AND OTHERS, THE FOLLOWING:

8. *Chironomus* had reproduced with greatest

6. NO. [REDACTED] SHALL CRAFT AND/OR
FURNISH AND/OR HAVE CRAFTED AND/OR
FURNISHED AT A PLACE SUBJECT TO INSPECTION

© 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 103–110

සමස්ත ප්‍රතිචාරය සඳහා වූ ප්‍රතිචාරය

8. THE CAPABILITY OF THE RECOMMENDED
FOR THE QUALITY OF THE CONSTRUCTION.
9. THE QUALITY OF THE CONSTRUCTION.

is the 1984 version of the program.

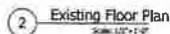
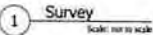
00000000 00000000 00000000 00000000 00000000 00000000 00000000 00000000
 00000000 00000000 00000000 00000000 00000000 00000000 00000000 00000000
 00000000 00000000 00000000 00000000 00000000 00000000 00000000 00000000

800.475.2222 / 800.475.2222
 800.475.2222 / 800.475.2222
 800.475.2222 / 800.475.2222

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

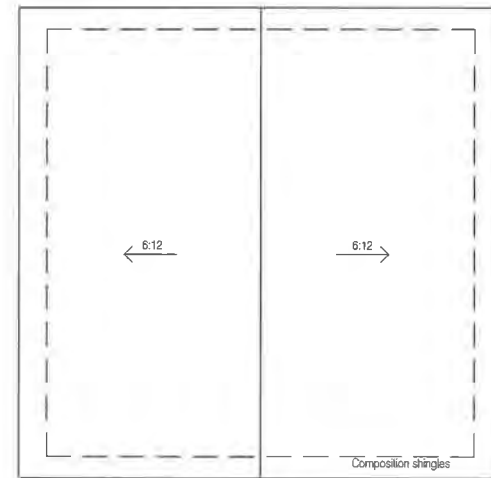
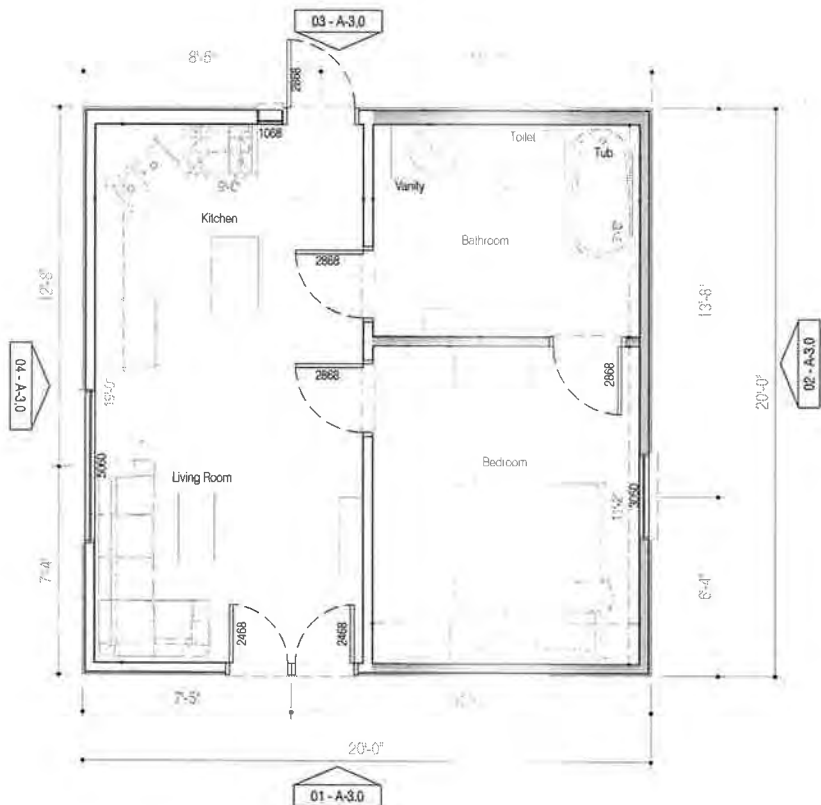
1997年12月，在党的十五大上，江泽民同志在报告中指出：“依法治国，是党领导人民治理国家的基本方略，是发展社会主义市场经济的客观需要，是社会文明进步的重要标志，是国家长治久安的重要保障。”

A=1.1



LEGAL DESCRIPTION:
ELMWOOD ADDN NO 4
BLK 10/4764 LT 1

A-1.1



PROPOSED NOTES:

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL GOVERN. LARGE SCALE DETAILS SHALL GOVERN OVER SMALLER DETAILS.

DIMENSIONS NOTED ON PLANS, ELEVATIONS AND DETAILS ARE FROM FINISHED FACE TO FINISHED FACE.

NEW CONSTRUCTION MATERIALS UNLESS AGREE TO OTHERWISE.

IT SHALL BE NOTED BY THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS THAT THIS SET OF DOCUMENTS AND THE INFORMATION CONTAINED HEREIN IN ANY WAY RELEASES ARCHITECTS OF THEIR RESPONSIBILITY TO INSPECT, AND COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES AND TO SUPERVISE ALL WORK TO THE HIGHEST STANDARDS.

LEGEND

	New construction
	Existing construction

LEGAL DESCRIPTION:
ELMWOOD ADDN NO 4
BLK 10/4764 LT 1

Sheet number

A-2.0

No. 2027

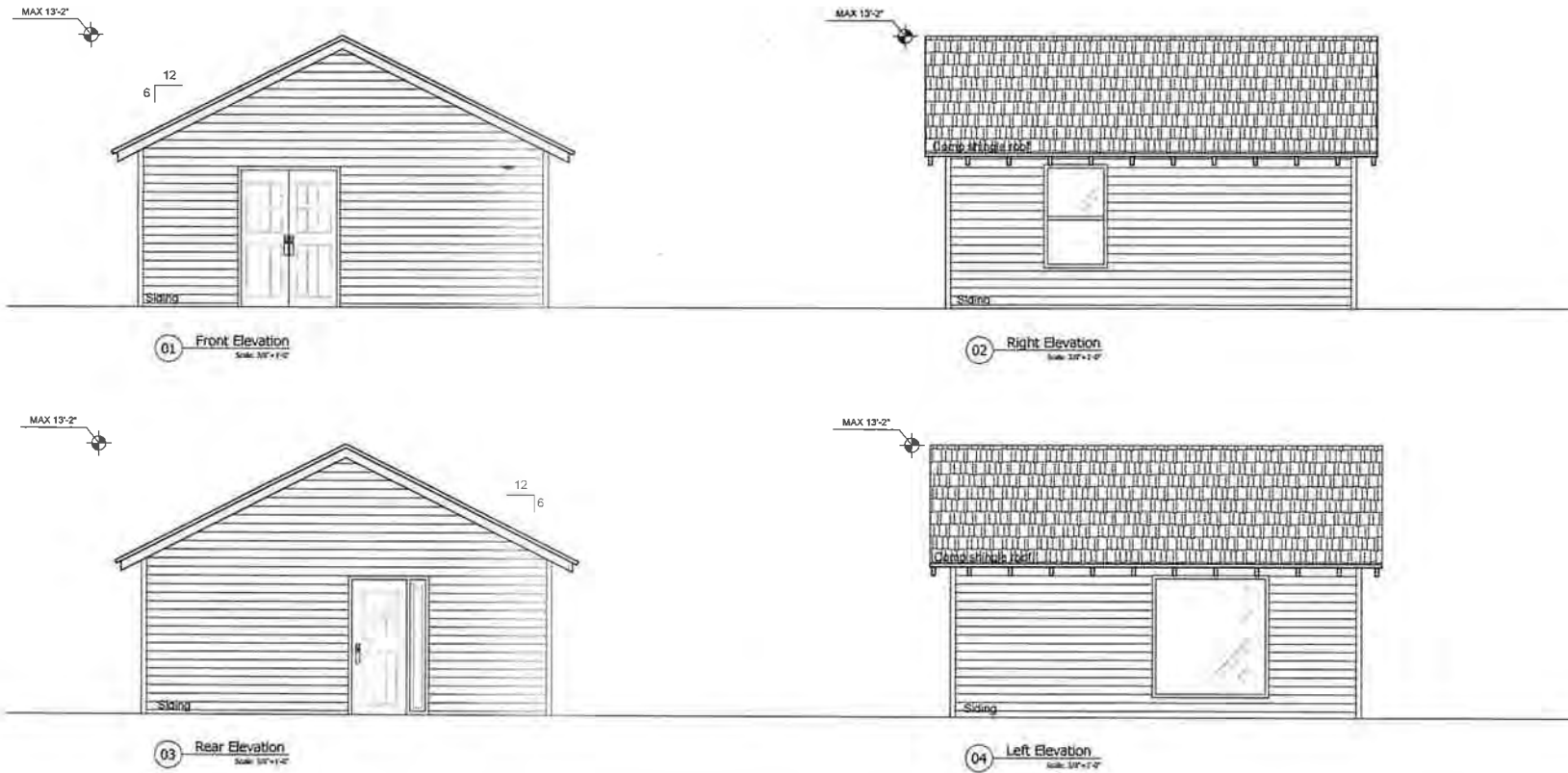


TABLE 2

 **Review design per lesson**

line: number

2007



Dear Friends and Neighbors,

We are your neighbors at property 2027 Melbourne Avenue, where we are proposing an upgrade to be built. The purpose of this letter is to let the neighborhood know of our project, and the reasons for it. We are communicating with you, because we are concerned about the unity of the neighborhood and harmony among its residents, and believe that this project deserves to be supported.

With your support, we would love to improve our backyard with an additional dwelling unit. During this project, our goal is to not only improve our visible yard space, but to also add a functional addition to our home. This dwelling will not only be an addition to the home but also a livable space for our elderly grandmother.

We are currently in the process of requesting permission from the City of Dallas to start this project. With your signature of approval, we can begin our project to better the visibility of our home to the neighborhood with our new backyard dwelling. We are requesting an additional 135 sqft to be added to our garage during the construction. Again, this additional dwelling will not be for rent and is only my grandmother's personal use.

Pending approval, the construction should be completed no later than July 1st. We want to be as courteous as possible and want you to know there will be no issues in regards to your home. As good neighbors and members of this community we hope to continue to care and improve the neighborhood with the support of neighbors of a shared appreciation.

Thank you,

Lauren Compton and Kristian Cole

2027melbourne@gmail.com

(469) 406 8207 / (469) 514 4078

Lonna Janssen Lonna Janssen 11-29-22
(Print First and Last Name) (Signature/Date)

2023 Melbourne Ave, Dallas, Tx 75224
(Address)

BDA223-015 - EXHIBIT A

Board Of Adjustment - BDA223-015

2027 Melbourne Avenue Dallas Texas 75224

- 1) Zoning R-7.5(A) (dd) states that the floor area of any individual accessory structure on a lot, excluding floor area used for parking, may not exceed 25 percent of the floor area of the main building. Our home is limited in total square footage 1,101 sqft of livable space compared to other homes in the same district that are for signal family use. The total square footage requested is 36 percent of the main structure, therefore we are asking for an additional 11 percent of space to be approved.
- 2) The purposed secondary dwelling (ADU) is for our grandmother to reside in all while dramatically improving the appearance of our home in the neighborhood. Because we are a corner lot, the existing structure (unrenovated garage) and backyard are extremely visible, and this renovation will bring our home up to the standard of surrounding properties. Before purchasing our home, debris and improper upkeep negatively affected our neighbors, now that the home itself has been completely renovated, the last improvement would be our visible standing structure in the backyard.
- 3) Average lot size from the homes below is 9,460 sqft. The average square footage of the home sizes below is 1,660. Our lot size is 7,100 sqft taking into account a 10ft (from the property) ally easement, meaning my total lot size is below the required 7,500 sqft minimum. The total square footage of our home is 1,101 sqft, and if you use the average home size figure above - 1,660 sqft minus the 25% maximum size of an approved addition dwelling unit, average homes in our area would be allotted 415 sqft for an additional dwelling unit and we are seeking approval for 400 total sqft. The majority of homes surrounding ours are significantly larger, some in lot size, and others in main structure square footage. The liveable space we currently have is perfect for us but would make being a caretaker very difficult under the same roof.

Below you will find comparable homes including addresses, lot size, main structure square footage, and additions residing on the properties.

Address	Street	Lot Size (SQ FT)	Home size (SQ FT)	Additions
---------	--------	------------------	-------------------	-----------

2023	Melbourne	7,277	1,412	Room addition; attached garage
2019	Melbourne	7,580	1,811	Attached garage
2018	Melbourne	7,733	2,302	Room Addition
2026	Berkley	7,921	1,383	Attached garage
2211	S. Montreal	8,750	1,384	Attached garage
2026	Melbourne	7,566	1,405	Attached garage
2118	Melbourne	7,848	1,236	Attached garage
2202	Melbourne	7,318	1,567	Enclosed patio; attached garage
2106	Berkley	11,606	1,674	Attached garage
2110	Berkley	13,843	1,678	Attached garage
2134	Elmwood	9,235	1,447	Attached garage
2023	Ferndale	7,546	1,611	Attached garage; attached carport
2014	Berkley	7,457	1,553	Detached garage
2010	Berkley	7,382	1,438	(2) storage building; attached garage
2122	Elmwood	7,880	1,508	Attached garage; pool
2135	Elmwood	12,466	3,476	Detached carport; pool
2123	Elmwood	9,002	1,650	Attached garage
1731	Elmwood	22,608	1,903	Storage building; detached carport

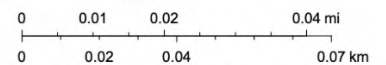
Dallas CAD Web Map



1/22/2023, 2:34:56 PM

- Parcels
- Abstracts
- Subdivision
- Parcel Dimension
- Lot
- City Block
- Street Centerline
- Dallas County Boundary

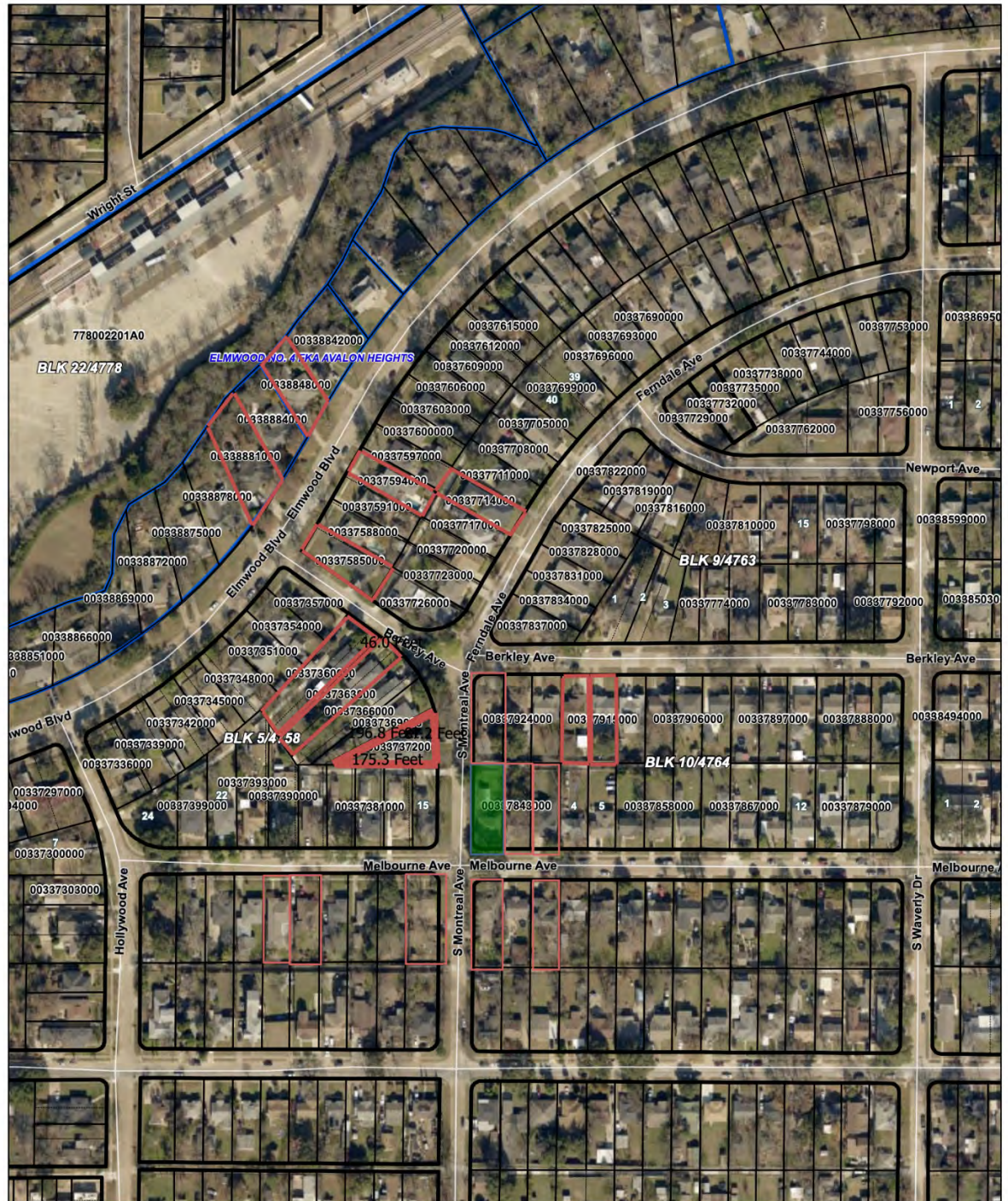
1:1,128



Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

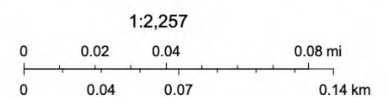
Dallas County Appraisal District, BIS Consulting -
Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only

Dallas CAD Web Map



1/22/2023, 3:02:27 PM

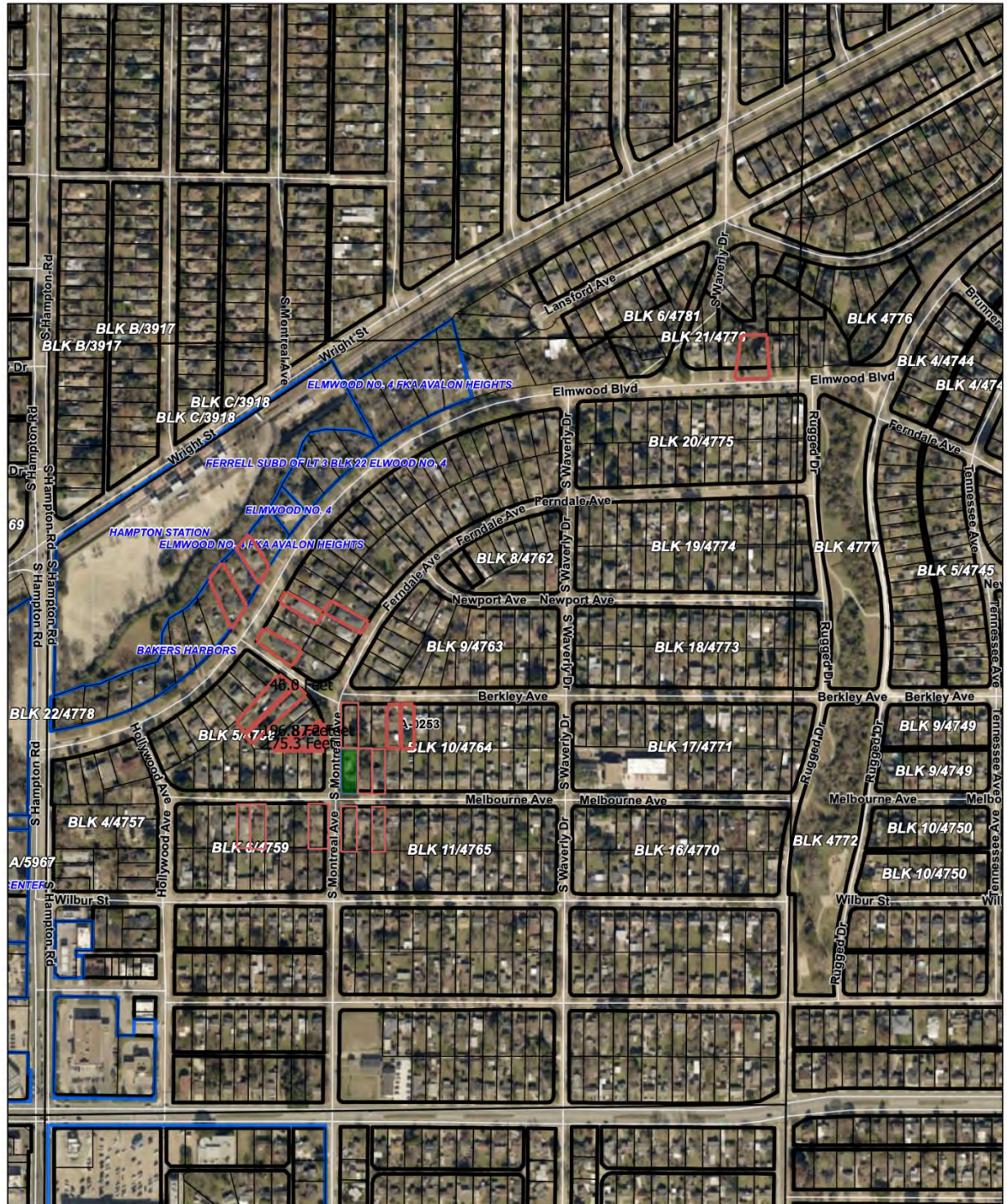
- Parcels
- Abstracts
- Subdivision
- Parcel Dimension
- Lot
- City Block
- Street Centerline
- Dallas County Boundary



Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only

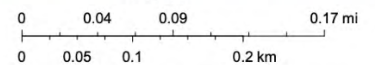
Dallas CAD Web Map



1/22/2023, 3:01:13 PM

- Parcels
- City Block
- Abstracts
- Street Centerline
- Subdivision
- Dallas County Boundary

1:4,514



Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

Dallas County Appraisal District, BIS Consulting - Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only

FILE NUMBER: BDA223-018(ND)

BUILDING OFFICIAL'S REPORT: Application of Saro Di Frisco for a variance to the front yard setback regulations at 1801 Mentor Avenue. This property is more fully described as Block 29/4327, Lot 1, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a one-story single-family residential structure and provide a 15 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations.

LOCATION: 1801 Mentor Avenue

APPLICANT: Saro Di Frisco

REQUEST:

A request for a variance to the front yard setback regulations of 10 feet is made to construct and/or maintain a one-story single family home structure with an approximately 1,600 square foot building footprint, part of which is to be located 15 feet from one of the site's two front property lines (Fernwood Avenue) or 10 feet into this 25 foot front yard setback on a site that is undeveloped.

STANDARD 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.

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
 - (a) 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 (Submission of Rolls to Taxing Units), Tax Code.
 - (b) 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.
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or the municipality considers the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-7.5(A) zoning district in that it is restrictive in area due to having two, 25' front yard setbacks when most lots in this zoning district have one 25' front yard setback. The 9,700 square foot site has 20' of developable width available once a 25' front yard setback is accounted for on Fernwood Avenue and a 5' side yard setback is accounted for on the parallel yard. If the lot were more typical to others in the zoning district with only one front yard setback, the 50' wide site would have 40' of developable width.
- Staff concluded that the applicant has shown by submitting a document indicating among other things that the square footage of the proposed home on the subject site at approximately 1,600 square feet is commensurate to twenty-eight other homes in the same R-7.5(A) zoning district that have average home size of approximately 1,500 square feet.
- Staff concluded that granting the variance in this application would not be contrary to public interest in that the variance would allow a structure in one of the site's two front yard setbacks where the location of this structure would comply with the

required 5' side yard setback if the Fernwood Avenue (longer street frontage) on this corner lot were able to be recognized at it is proposed to function as a side yard.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single family district 9,700 square-feet)
North: R-7.5(A) (Single family district 7,500 square-feet)
South: R-7.5(A) (Single family district 7,500 square-feet)
East: R-7.5(A) (Single family district 7,500 square-feet)
West: R-7.5(A) (Single family district 7,500 square-feet)

Land Use:

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

Zoning/BDA History:

There is no BDA History found within the past five years.

GENERAL FACTS /STAFF ANALYSIS:

- This request for variance to the front yard setback regulations of 10 feet focuses on constructing and maintaining a one-story single family home structure with an approximately 1,600 square foot building footprint, part of which is to be located 15 feet from one of the site's two front property lines (Fernwood Avenue) or 10 feet into this 25 foot front yard setback on an undeveloped site.
- The property is located in an R-7.5(A) zoning district which requires a minimum front yard setback of 25 feet.
- The subject site is located at the southwest corner of Mentor Avenue and Fernwood Avenue. The subject site has 25' front yard setbacks along both street frontages. The site has a 25' front yard setback along Mentor Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in this zoning district. The site also has a 25' front yard setback along Fernwood Ave., the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a 5' side yard setback is required. However, the site's Fernwood Avenue. frontage that would function as a side yard on the property is treated as a front yard setback nonetheless, to maintain the continuity of the established front yard setback established by lots that front/are oriented northward towards Fernwood Avenue.
- The submitted site plan indicates that the proposed structure is located 15 feet from the Fernwood Ave. front property line or 10 feet into this 25' front yard setback.
- According to DCAD records there are no improvements listed for property addressed at 1801 Mentor Avenue.

- The subject site is flat, rectangular in shape (194' x 50') and is 9,700 square feet in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- The site plan represents that about 1/3 of the structure is located in the 25' Fernwood Avenue front yard setback.
- The 50' wide subject site has 20' of developable width available once a 25' front yard setback is accounted for on Fernwood Ave. and a 5' side yard setback is accounted for on the parallel yard. If the lot were more typical to others in the zoning district with only one front yard setback, the 50' wide site would have 40' of developable width.
- No variance would be necessary if the Fernwood Avenue frontage were a side yard since the site plan represents that the proposed home is 5' from the Fernwood Ave. property line and the side yard setback for properties zoned R-7.5(A) is 5'.
- A submitted floor plan represents that the "total under roof" area of the proposed home is about 1,60 square feet. The applicant has submitted a document indicating that the average square footage of twenty-eight other homes in R-7.5(A) is approximately 1,500 square feet.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that would be located 15 feet from the site's Fernwood Avenue front property line or (10 feet into this 25 foot front yard setback).

Timeline:

December 14, 2022: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

January 5, 2023: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

January 20, 2023: The Board of Adjustment Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application
- an attachment that provided the public hearing date and panel that will consider the application; the January 23rd deadline to submit additional evidence for staff to factor into their analysis; and the February 10th deadline to submit additional evidence to be incorporated into the Board's docket materials
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, the Board of Adjustment Development Code Specialist, the Board of Adjustment Consultant, the Chief Arborist, Development Services Senior Engineers, and the Board Attorney.

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

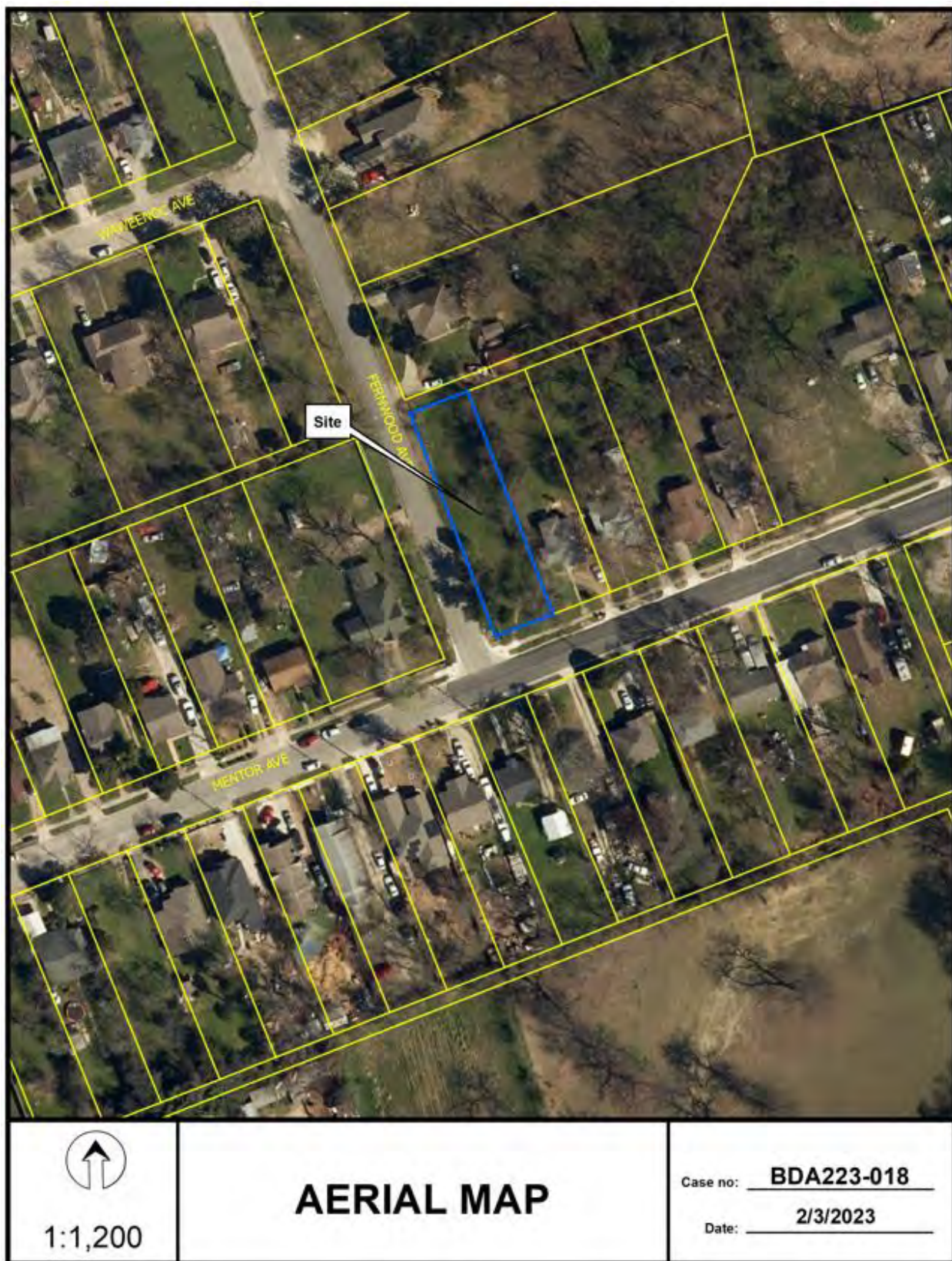


1:1,200

ZONING MAP

Case no: BDA223-018

Date: 1/23/2023





01/23/2023

Notification List of Property Owners

BDA223-018

24 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1801 MENTOR AVE	MITCHELL VERA
2	1730 MENTOR AVE	VICTORY MISSIONARY
3	1734 MENTOR AVE	GUERRERO TOMAS PONCE &
4	1738 MENTOR AVE	AVILA OCTAVIA E
5	1742 MENTOR AVE	PINSON PAUL
6	1802 MENTOR AVE	REAGOR SHERYL
7	1806 MENTOR AVE	MITCHELL BILLIE
8	1810 MENTOR AVE	KERLEY CLEOPATRA
9	1814 MENTOR AVE	HARRIS LARRY DONNELL &
10	1818 MENTOR AVE	ZAVALA RODRIGUEZ J CRUZ &
11	1727 MENTOR AVE	DARDEN BETTY JEAN LIFE ESTATE
12	1731 MENTOR AVE	FREEMAN CARRIE
13	1739 MENTOR AVE	SHAMIDDEEN HAFEEZAH
14	1638 WAWEENOC AVE	CORIA CORPORATION
15	1634 WAWEENOC AVE	HERNANDEZ ROCIO OCOTLAN VALENCIA & OSCAR FERMAN
16	1626 WAWEENOC AVE	Taxpayer at
17	1807 MENTOR AVE	IKUJENYO MOBOLAJI
18	1811 MENTOR AVE	HOWARD MARCUS
19	1815 MENTOR AVE	BIRDOW LINDA C
20	1819 MENTOR AVE	SEGURARUIZ RAMON
21	1827 MENTOR AVE	TEMPLE OF GOD MINISTRIES
22	4406 FERNWOOD AVE	SANCHEZ JORGE LUIS MATA
23	4410 FERNWOOD AVE	CORIA RITA
24	4414 FERNWOOD AVE	HORSLEY VENTRY &



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-018

Date: 12/14/12

Data Relative to Subject Property:

Location address: 1801 Mentor Ave Dallas TX 75216 Zoning District: R-7.5 (A)

Lot No.: 1 Block No.: 29/4327 Acreage: 0.22 Census Tract: _____

Street Frontage (in Feet): 1) 50 2) 199 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Di Frisco & Rivero Properties LLC

Applicant: SARO DI FRISCO Telephone: 2147186256

Mailing Address: 550 S Watters Rd. Suite 300, Allen, TX Zip Code: 75013

E-mail Address: jdriveroprojects@gmail.com

Represented by: JD RIVERO Telephone: 2147186256

Mailing Address: 550 S Watters Rd. Suite 300, Allen, TX Zip Code: 75013

E-mail Address: jdriveroprojects@gmail.com

Affirm that an appeal has been made for a Variance X, or Special Exception _____, of 10 foot SD.
Variance front yard. 10 foot setback variance SD.

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

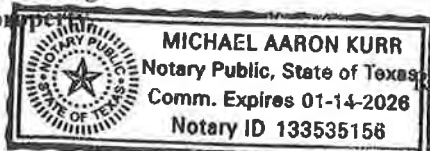
We are requesting to modify the Side Setback to 10'-0" for this project in relation to Fernwood Ave, as this will allow us to build a house in accordance with the surroundings, based on the average square footage of the existing houses between Mentor Ave and Fernwood Av, for the addresses at (1807-1811-1815-1819-1822-1818-1818-1814-1806 Mentor Ave Dallas TX 75216, 1802-1742-1738-1734-1734 Mentor Ave Dallas TX 75216), which generate an average of: Average Area: 1331 SQ.FT APPROX / Average Width: 32'3" / Average Length: 45'4". Because of this average, we will have to build a house with these characteristics, as our lot is too small to meet the 25' side setback requirement.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Saro Di Frisco
(Affiant/Applicant's name printed)

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



Respectfully submitted:

[Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 13 day of December, 2022

[Signature]
Notary Public in and for Dallas County, Texas

**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that SARO DI FRISCO

did submit a request for a variance to the front yard setback regulations
at 1801 Mentor Avenue

BDA223-018. Application of SARO DI FRISCO for a variance to the front yard setback regulations at 1801 MENTOR AVE. This property is more fully described as Block 29/4327, Lot 1, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a single-family residential structure and provide a 15 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations.

Sincerely,


David Session, Building Official

CITY OF DALLAS PLAT BOOKS

ANNEXED JULY 24, 1928 ORD NO
SURVEY JAMES RAY RAY COLE

ABST 214
232

ADDITION

SCALE 100 FT EQUALS 1 INCH

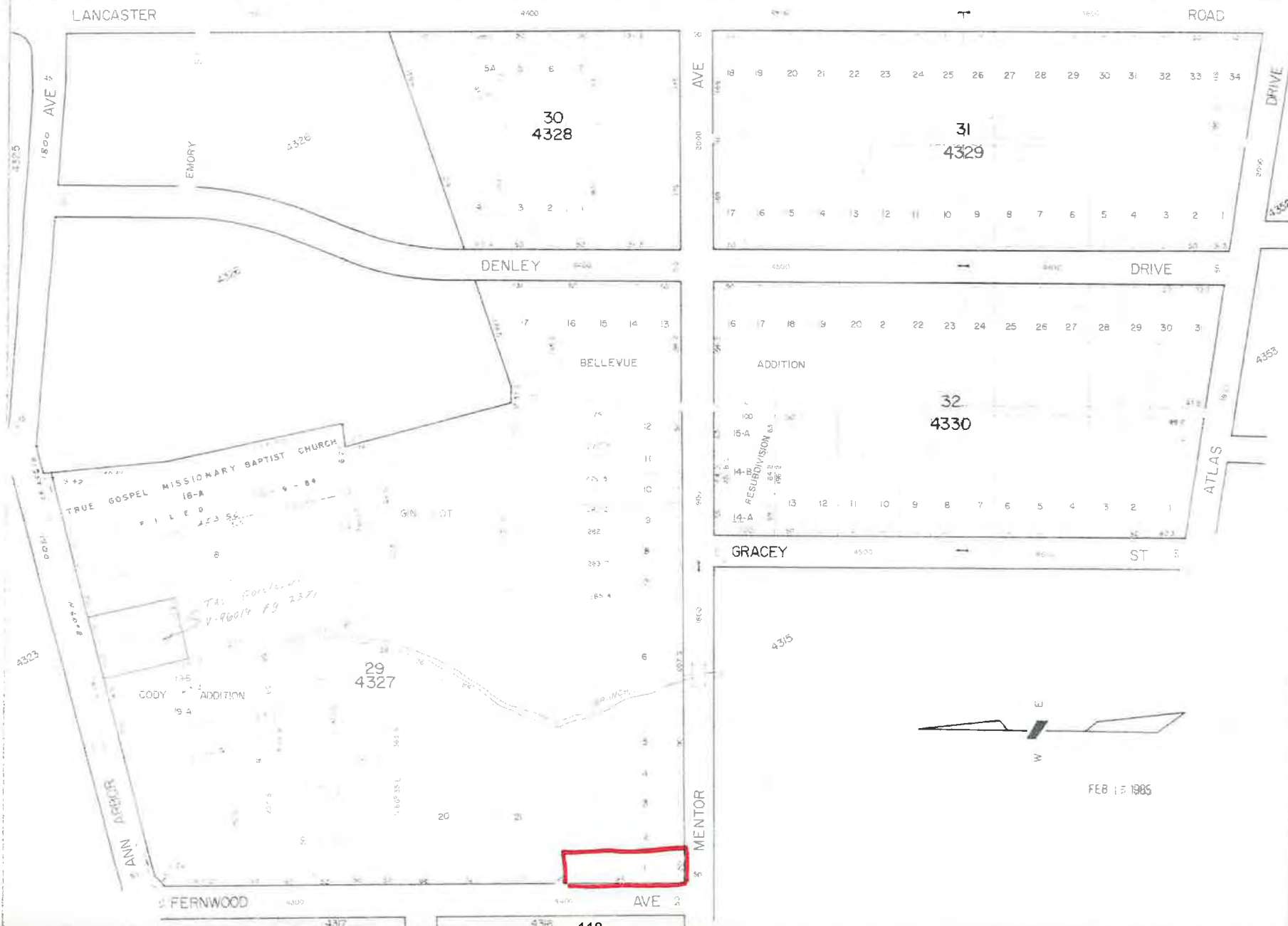
2-28-85

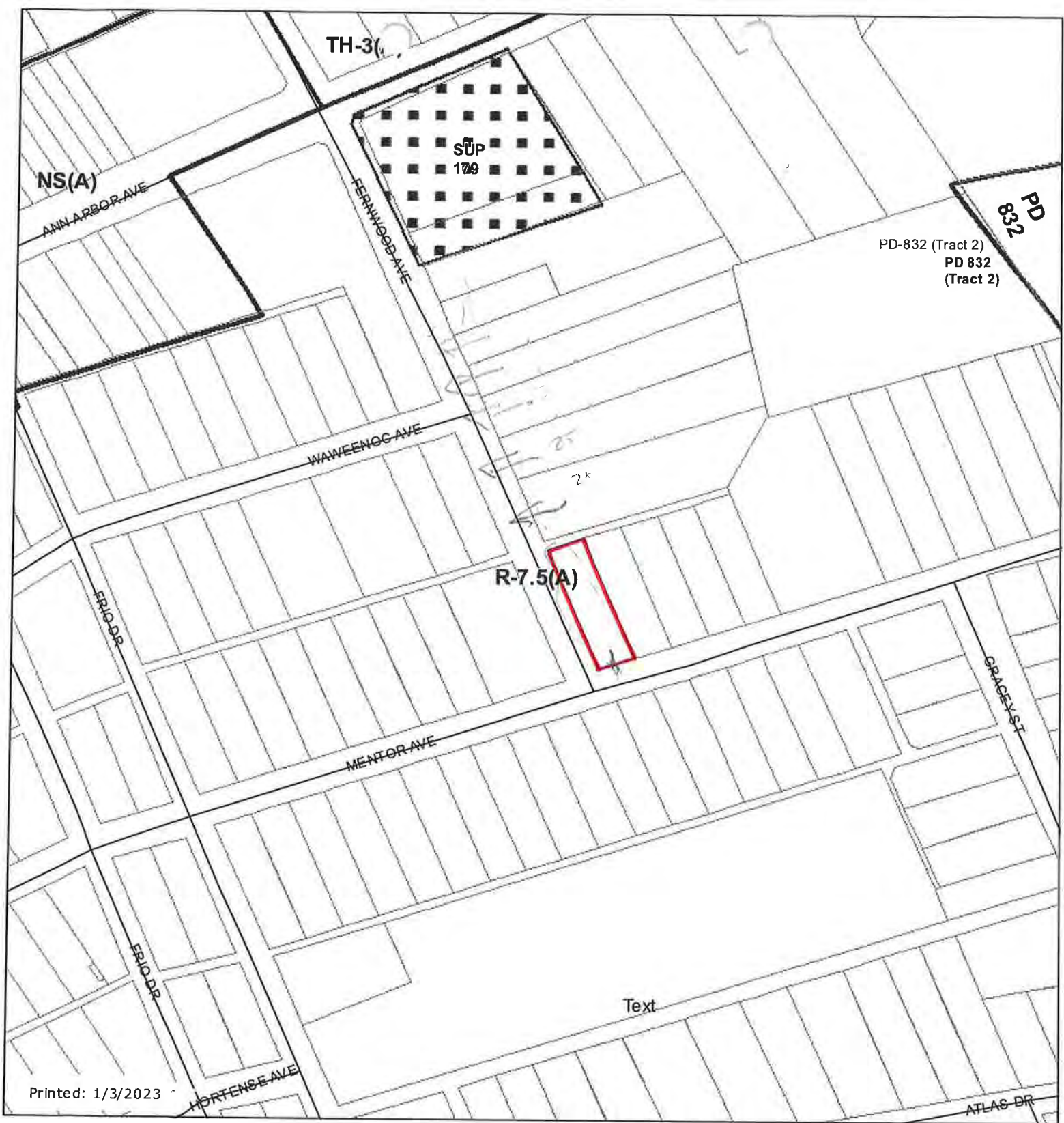
BLOCKS 29 30 31 32
4327, 4328, 4329, 4330
SCHOOL DISTRICT DALLAS

U. S. VETERANS

4893

HOSPITAL



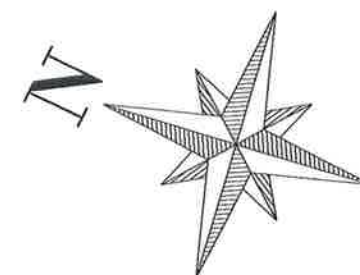


-  City Limits
-  Certified Parcels
-  Base Zoning
-  SUP
-  PD Subdistricts
-  PDS Subdistricts

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)




1:2,400

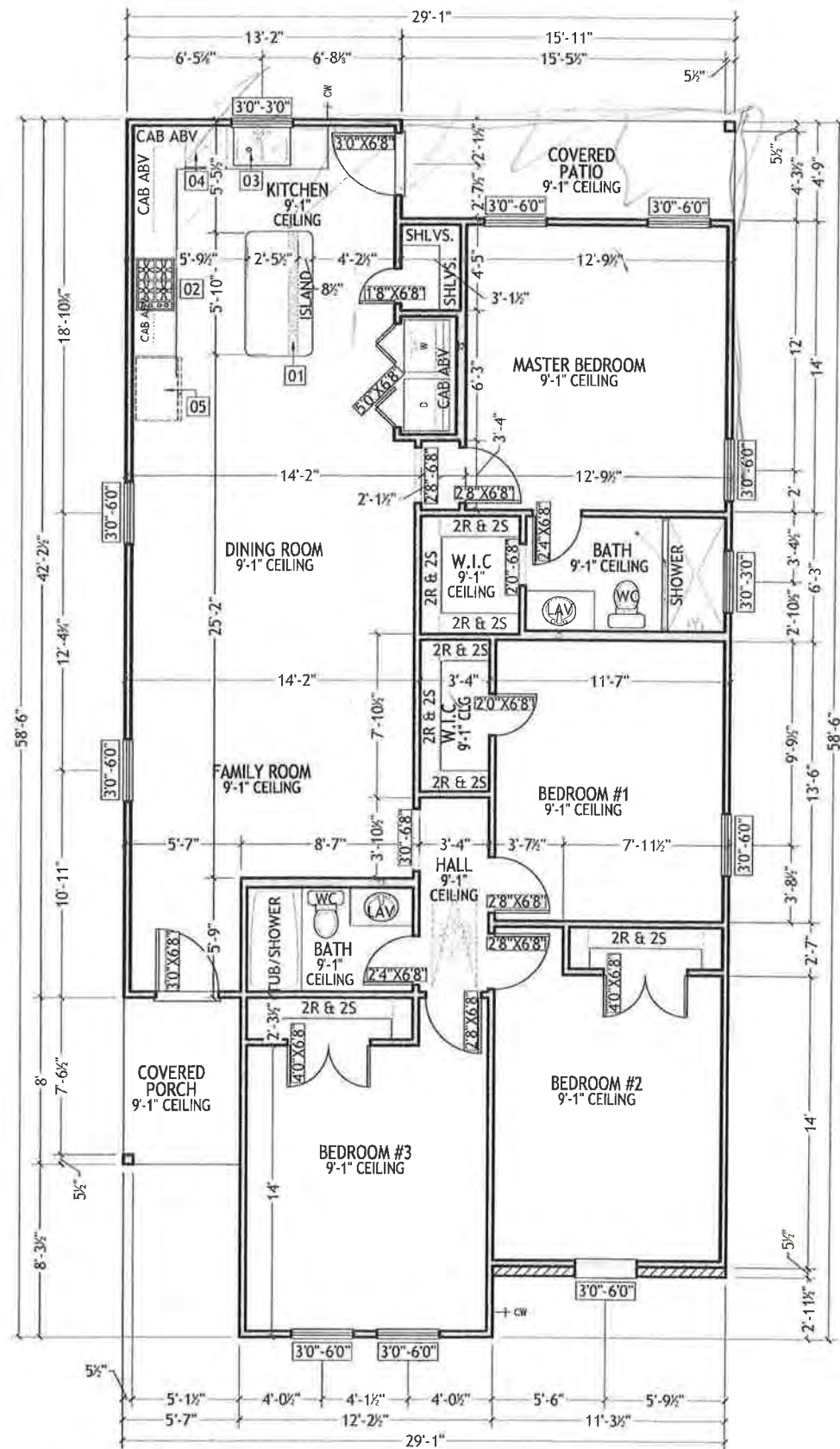


1
C1.01

-
- 194' PROPERTY LINE
- 5' REAR SETBACK
- 5' SIDEYARD SETBACK
- CURRENT 25' SIDE SETBACK
- 25' SIDEYARD SETBACK
- 25' BUILDING LINE
- 50' PROPERTY LINE
- 15' SIDEYARD SETBACK
- PROPOSED 15' SIDE SETBACK
- VARIANCE REQUEST: ALLOW RESIDENCE TO ENCROACH INTO 25' SIDEYARD SETBACK BY 15'
- 194' PROPERTY LINE
- FERNWOOD AVE.
- MENTOR AVE.

2
C1.01

 <div style="display: inline-block; vertical-align: middle;"> JD RIVERO DALLAS 1 LLC <small>WE BRING YOUR BLUEPRINTS TO CONSTRUCTION</small> </div>			
550 S WATTERS RD., SUITE 300, DALLAS, TX 75013 TEL.: +1 (214) 462 0683 www.jdrivero.com			
CLIENT: GECONTRAC LLC (JOSE RIVERO)			
CLIENT ADDRESS: 9304 FOREST LN SUITE N274 DALLAS, TX 75240			
No	DATE	REVISION	APPROVED
REVISIONS NAME SHEET: VARIANCE REQUEST SITE PLANS			
PROPERTY ADDRESS: 1801 MENTOR AVE, DALLAS, 75216			
PROJECT: NEW CONSTRUCTION			
SHEET: C1.01			
SCALE: 1" = 20'		DATE: 10/17/2022	
PROJECT NUMBER		DRAWING NUMBER	
THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS BUILDING PROJECT. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY OF THESE PLANS. GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS, HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, JD RIVERO INC., WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS BUILDING ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.			



1 FLOOR PLAN
A1.00 SCALE: 1/8" = 1'-0"

FLOOR PLAN NOTES:

1. ALL STRUCTURAL ELEMENTS SUCH AS, FRAMING WALLS, BEAMS, COLUMNS, CONNECTIONS, HEADERS, JOISTS AND RAFTERS ARE DESIGNED FOR THE CONDITIONS SHOWN ON THE PLANS. SHOULD THE CONTRACTOR CHANGE OR MODIFY ANY STRUCTURAL ELEMENT OR NEED FURTHER CLARIFICATION, THE CONTRACTOR SHALL CONTACT THE ENGINEER-OF-RECORD OR HAVE A LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN THE PROPOSED CHANGE OR MODIFICATION..
2. ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUDS UNLESS NOTED OTHERWISE.
3. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY APPROXIMATE ROUGH OPENING SIZE, REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
4. COORDINATE LOCATION OF UTILITY METERS WITH SITE PLAN AND LOCATE AWAY FROM PUBLIC VIEW. VISUAL IMPACT SHALL BE MINIMIZED, I.E. MOUNT AS LOW AS POSSIBLE.
5. CONTRACTOR SHALL COORDINATE ALL CLOSET SHELVING REQUIREMENTS.
6. DO NOT SCALE DRAWINGS, FOLLOW DIMENSIONS ONLY.
7. CONTRACTOR SHALL FIELD VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.
8. ALL GLASS LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 60" OF FLOOR AT BATHTUBS, WHIRLPOLLS, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED TO COMELY W/ IRC SECTION R308.4.8.
9. ALL EXPOSED INSULATION SHALL HAVE A FLAME SPREAD RATING OF LESS THAN 25 AND A SMOKE DENSITY RATING OF LESS THAN 450.
10. PROVIDE COMBUSTION AIR VENTS, WITH SCREEN AND BACK DAMPER, FOR FIREPLACES, WOOD STOVES AND ANY APPLIANCE WITH AN OPEN FLAME.
11. BATHROOMS AND UTILITY ROOMS SHALL BE VENTED TO THE OUTSIDE WITH A MINIMUM OF A 90 CFM FAN. RANGE HOODS SHALL ALSO BE VENTED TO OUTSIDE.
12. ALL INTERIOR WALLS SHALL BE COVERED WITH 1/2" GYPSUM BOARD, WITH METAL CORNER REINFORCING. TAPE FLOAT AND SAND. (3 COATS) USE 5/8" GYPSUM BOARD ON CEILING WHEN SUPPORTING MEMBERS ARE 24" O.C. OR GREATER USE 1/2" GYP. BOARD ON CEILING MEMBERS LESS THAN 24" O.C.
13. ALL BATH AND TOILET AREA WALLS AND CEILINGS SHALL HAVE WATER RESISTANT GYPSUM BOARD.

DOOR SCHEDULE

DOOR SCHEDULE								
SIZE	DESCRIPTION	TYPE	DOOR	N°	PANEL	HEADER HEIGHT	STATUS	QTY.
3'-0" X 6'-8"	SC	SWING	DOOR	01	@	6'-8" H.H.	NEW	02
2'-8" X 6'-8"	HC	SWING	DOOR	01	@	6'-8" H.H.	NEW	04
2'-4" X 6'-8"	HC	SWING	DOOR	01	@	6'-8" H.H.	NEW	02
2'-0" X 6'-8"	HC	SWING	DOOR	01	@	6'-8" H.H.	NEW	02
1'-8" X 6'-8"	HC	SWING	DOOR	01	@	6'-8" H.H.	NEW	01
5'-0" X 6'-8"	HC	SWING	DOOR	04	@	6'-8" H.H.	NEW	01
4'-0" X 6'-8"	HC	SWING	DOOR	02	@	6'-8" H.H.	NEW	02

H.C. = HOLLOW CORE S.C. = SOLID CORE

WINDOW SCHEDULE

SIZE	DESCRIPTION	HEADER HEIGHT	STATUS	QTY.	SRO SCHEDULE
3'-0" X 6'-0"	SH/DL	@ 6'-8" H.H.	NEW	09	3'-0" X 6'-8"
3'-0" X 3'-0"	SH/DL	@ 6'-8" H.H.	NEW	01	2'-8" X 6'-8"
3'-0" X 3'-0"	FX	@ 6'-8" H.H.	NEW	01	2'-0" X 6'-8"

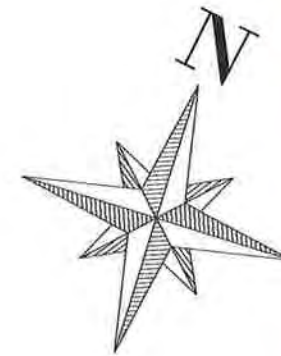
F.X. = FIXED WINDOW S.G. = SINGLE HUNG GLASS

ARCHITECTURAL PLAN NOTES

TAG	DESCRIPTION
01	2X6 COUNTERTOP W/LOW WALL @36" A.F.F.
02	COOKTOP
03	DBL. SINK
04	DISHWASHER
05	36" REFRIGERATOR

SQUARE FOOTAGE

FLOOR LIVING AREA	APPROX.	1501	S.F.
COVERED PORCH	APPROX.	45	S.F.
COVERED PATIO	APPROX.	76	S.F.
TOTAL COVERED AREA	APPROX.	1622	S.F.
FOUNDATION AREA	APPROX.	1622	S.F.
TOTAL AREA	APPROX.	1622	S.F.
IMPERVIOUS AREA	APPROX.	2087	S.F.
LOT SIZE	APPROX.	9700	S.F.
% OF COVERED AREA	APPROX.	17	%
% OF IMPERVIOUS AREA	APPROX.	21	%



550 S WATTERS RD, SUITE 300,
DALLAS, TX 75013
TEL. +1(214) 462 0683
www.jdrivero.com

CLIENT:
GECONTRAC LLC (JOSE RIVERO)

CLIENT ADDRESS:
9304 FOREST LN SUITE N274 DALLAS, TX 75240

REVISIONS

NAME SHEET:

FLOOR PLAN

PROPERTY ADDRESS:

1801 MENTOR AVE, DALLAS, 75216

PROJECT:

NEW CONSTRUCTION

SHEET:

A1.00

SCALE:

1/8" = 1'-0"

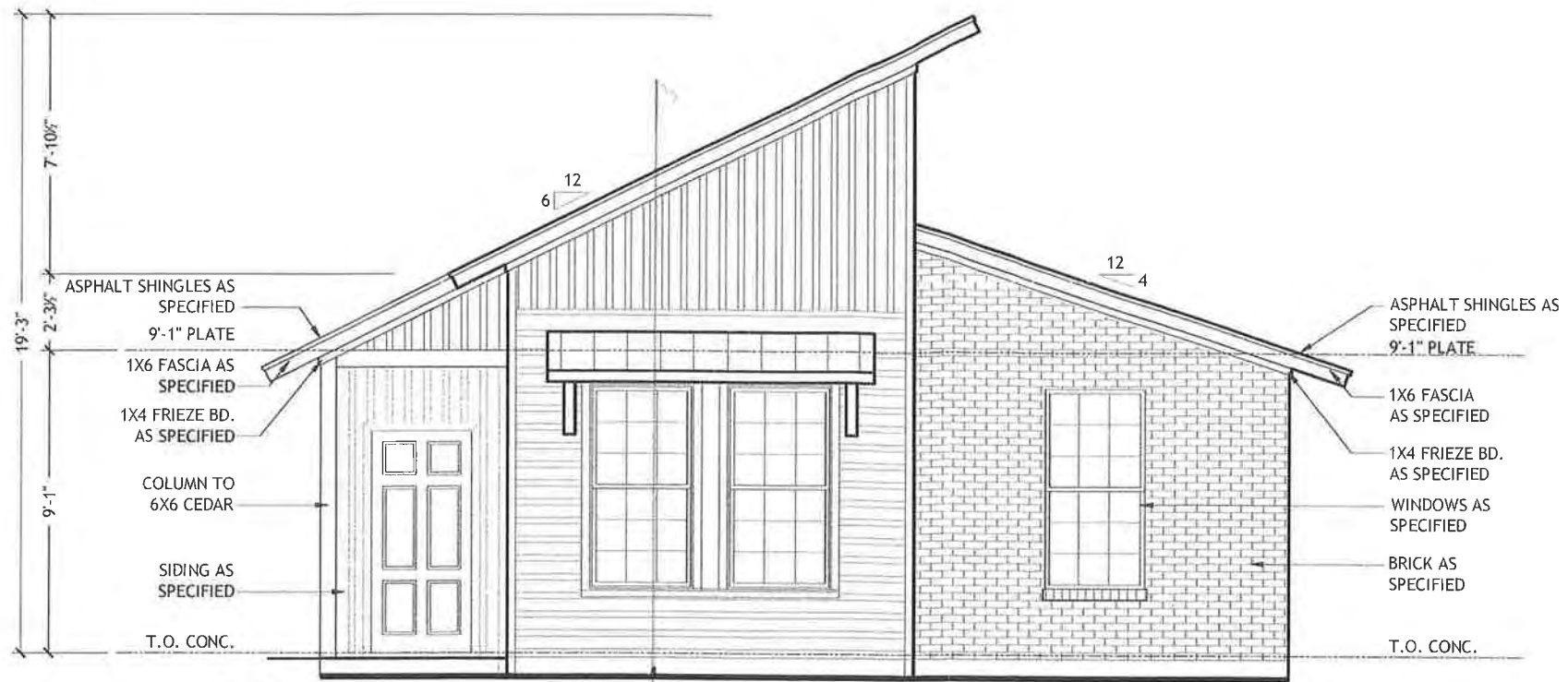
DATE:

10/17/2022

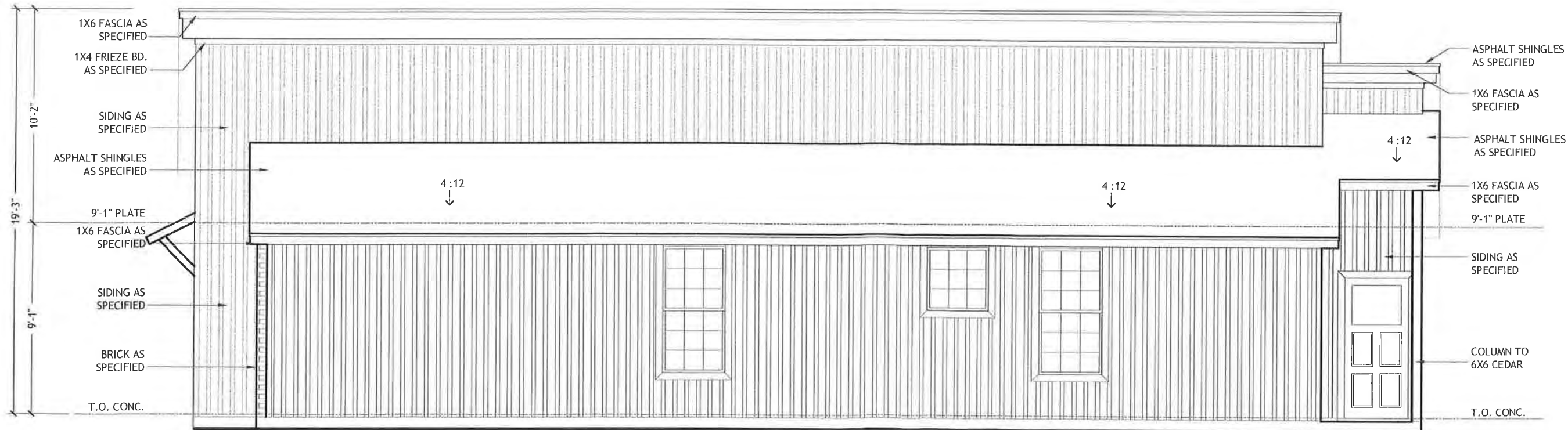
PROJECT NUMBER

PERMIT NUMBER

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS BUILDING PROJECT. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HYAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY OF THESE PLANS. GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS, HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, JD RIVERO INC. WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS BUILDING ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.



1
A2.00
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



2
A2.00
RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



550 S WAITERS RD, SUITE 300,
DALLAS, TX 75013
TEL. +1(214) 462 0683
www.jdrivero.com

CLIENT:
GECONTRAC LLC (JOSE
RIVERO)

CLIENT ADDRESS:
9304 FOREST LN SUITE N274 DALLAS, TX
75248

REVISIONS

NAME SHEET:

FRONT & RIGHT SIDE ELEVATION

PROPERTY ADDRESS:

1801 MENTOR AVE, DALLAS, 75216

PROJECT:

NEW CONSTRUCTION

SHEET:

A2.00

SCALE:

3/16" = 1'-0"

DATE:

10/17/2022

PROJECT NUMBER: DRAWING NUMBER:

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS BUILDING PROJECT. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY OF THESE PLANS. GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS, HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, JD RIVERO INC. WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS BUILDING ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

FILE NUMBER: BDA223-019(OA)

BUILDING OFFICIAL'S REPORT: Application of Gary Blum for special exceptions to the fence standards regulations, at 5550 Walnut Hill Lane. This property is more fully described as Block 4/5605, Lot 6 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet, and requires that 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 an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence standards regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence standards regulations.

LOCATION: 5550 Walnut Hill Lane

APPLICANT: Gary Blum

REQUESTS:

The following requests have been made on a site that is being developed with a single-family home:

1. A request for a special exception to the fence standards regulations of 4' is made to construct and maintain a 6' high concrete fence, with 6'4" concrete columns and two 8' high wrought iron motorized swing gates in the required 40-foot front yard.
2. A request for a special exception to the fence standards regulations related to fence panels with a surface area that is less than 50 percent open and less than five feet from the front lot line is made to construct and maintain portions of 6' high concrete fence panels less than five feet from the front lot line.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS:

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the fence standards since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

There have been four related board cases in the vicinity within the last five years.

1. BDA212-022: April 20, 2022, granted, your request to construct and/or maintain a nine-foot-six-inch-high fence as a special exception to the height requirement for fences and to construct and/or maintain fence panels with a surface area less than 50 percent open located less than five feet from the front lot lines as a special exception to the surface area openness requirement for fences in the Dallas Development Code, subject to the following condition.
2. BDA212-033: On April 20, 2022, Panel B, Board of Adjustment will hear a request for a variance to the front yard setback along two front yards (Walnut Hill and Meadowbrook Drive) at 10001 Meadowbrook Drive.
3. BDA201-089: On October 20, 2021, Panel B, Board of Adjustment granted a request for a special exception to the fence regulations, a special exception to the fence standards regulations, and two special exceptions to the visual obstruction regulations at 9646 Douglas Avenue.
4. BDA189-058: On May 20, 2019, the Panel C, Board of Adjustment granted a request for a special exception to the minimum front yard setback requirements to preserve an existing tree at 10040 Hollow Way Road.
5. BDA178-139: On January 16, 2019, the Panel B, Board of Adjustment granted a request for a variance to the front yard setback and a variance to the side yard setback at 10221 Hollow Way Road.

GENERAL FACTS/STAFF ANALYSIS:

- The following requests are made on a site developed with a single-family home:

1. A request for a special exception to the fence standards regulations of 4' is made to construct and maintain a 6' high concrete fence, with 6'4" concrete columns and two 8' high wrought iron motorized swing gates in the required 40-foot front yard.
2. A request for a special exception to the fence standards regulations related to fence panels with a surface area that is less than 50 percent open and less than five feet from the front lot line is made to construct and maintain the 6' high concrete fence panels less than five feet from the front lot line.
 - The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard. The subject site is zoned an R-1ac(A) Single Family District which requires a 40-foot front yard setback. The site has a 40' required front yard along Gaywood Road.
 - Section 51A-4.602(a) (2) of the Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
 - Additionally, the Dallas Development Code states that in single family districts, a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line.
 - The following information is shown on the submitted site plan:
 - the proposal is represented as being approximately 115' in length fronting Walnut Hill Lane. The site plan shows the proposed concrete fence is located between 2' 4" and 19' 8" from the property line along the street. Furthermore, the fence is proposed to be located 14' from the pavement line. Note that 41' of fence is located 2'4" from the property line along the street with fence panels with a surface area that is less than 50 percent open and less and located within the front yard setback.
 - Staff conducted a field visit of the site and surrounding area, approximately 1000 feet around the subject site, and noticed several other fences that appear to be above four feet in height and located in a front yard setback.
 - As of February 10, 2023, 2 letters have been submitted in support and no letters in opposition to this request.
 - With regard to the requests for special exceptions to the fence standards regulations, the applicant has the burden of proof in establishing that the special exceptions will not adversely affect the neighboring property.
 - If the board was to grant these special exceptions with a condition imposed that the applicant complies with the submitted site plan and fence elevation, it would require the portions of the fences which exceed four feet in height in the front yard setbacks and the portions with fence panels with surface area that is less than 50 percent open and within five feet of the front lot line to be constructed and

maintained in the locations and of the heights and materials as shown on these documents.

Timeline:

December 14, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 29, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

January 16, 2023: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

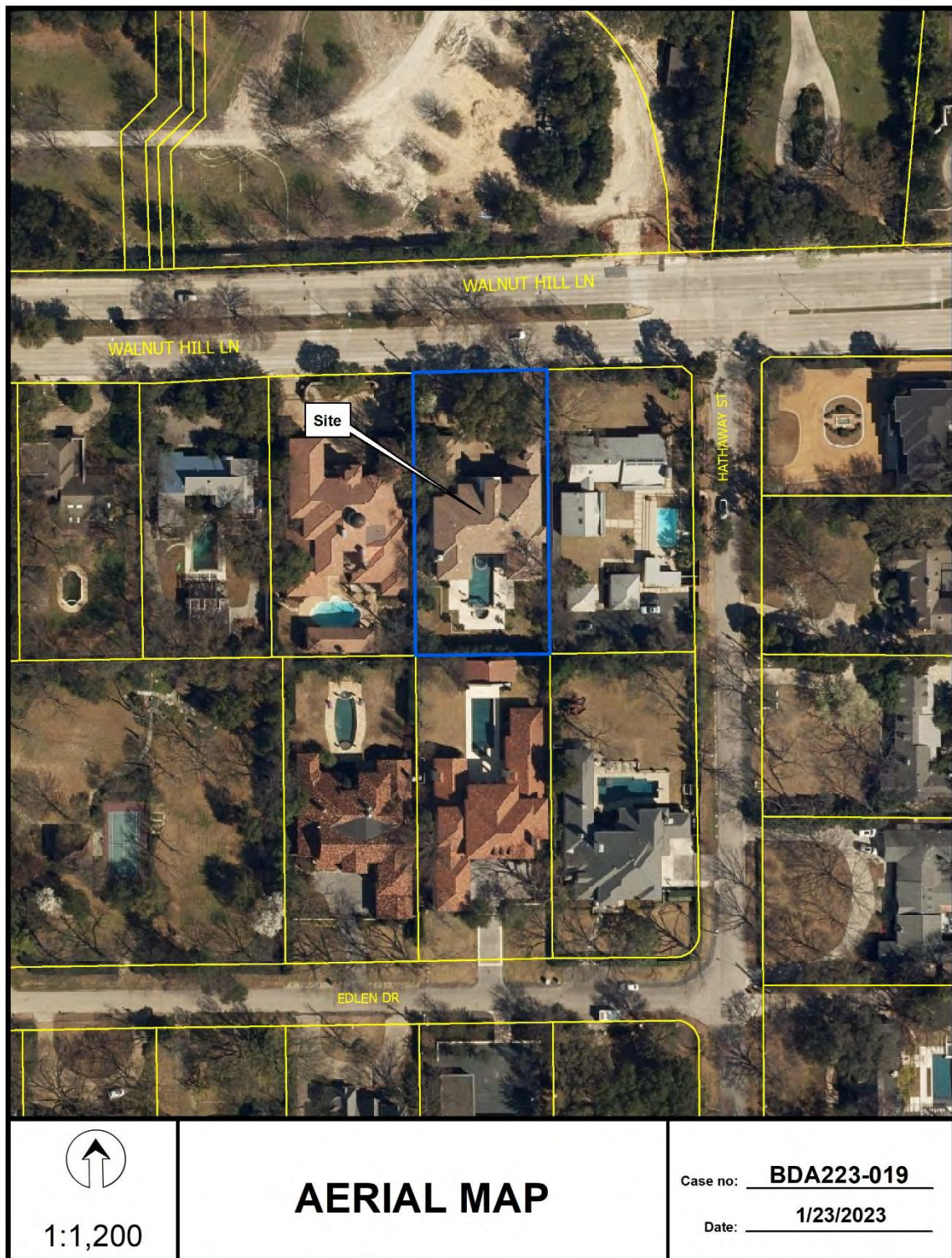
January 18, 2023: The Sustainable Development and Construction Department Senior Planner emailed the applicant the following information:

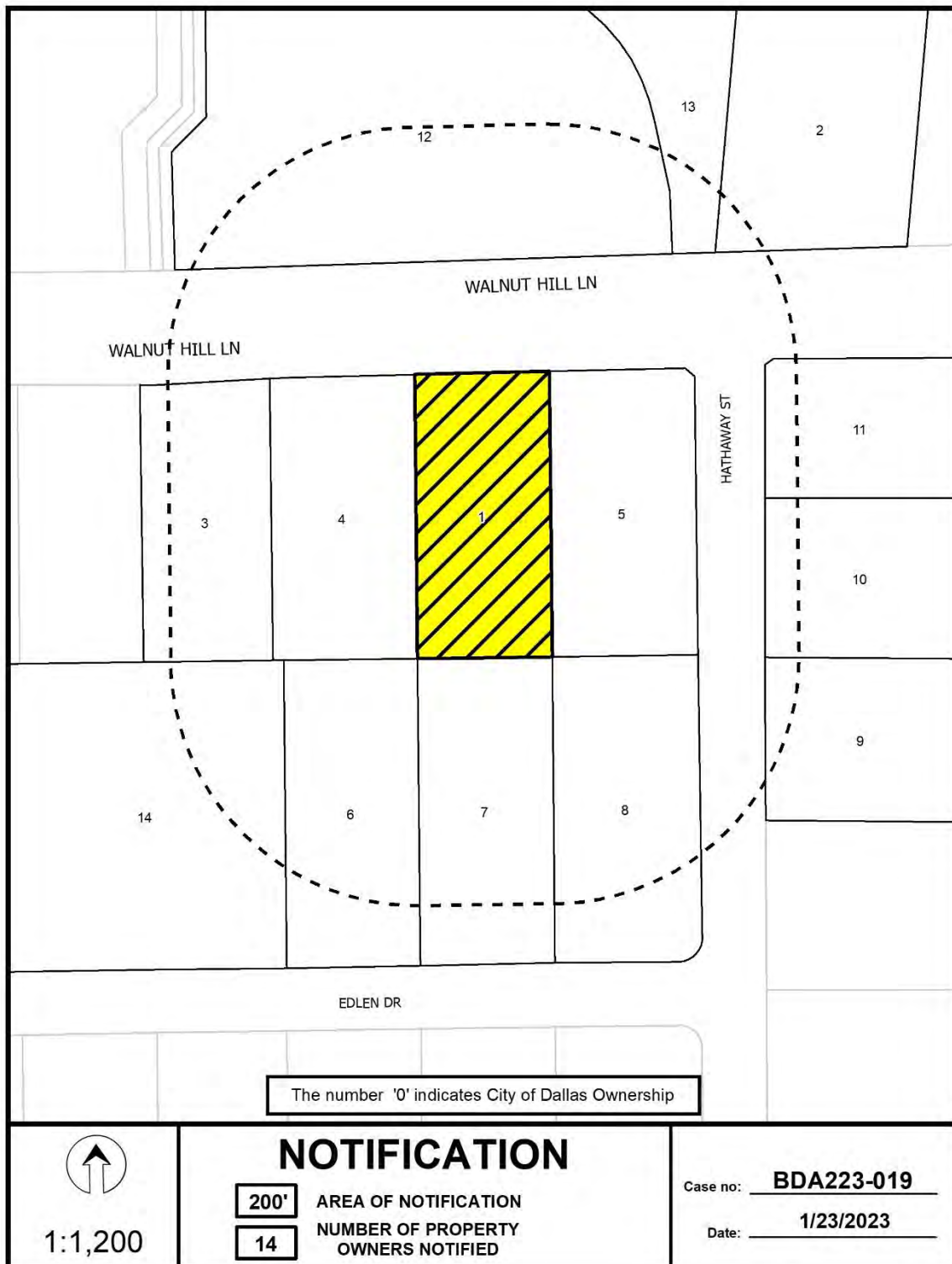
- an attachment that provided the public hearing date and panel that will consider the application; the January 23th deadline to submit additional evidence for staff to factor into their analysis; and the February 10th deadline to submit additional evidence to be incorporated into the board’s docket materials.
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the November public hearings. Review team members in attendance included the Development Services Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, The Development Services Chief Planner, Development Service Chief Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Transportation Development Services Senior Engineer, Development Services Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

February 7, 2023: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).







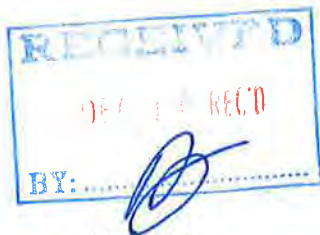
01/23/2023

Notification List of Property Owners

BDA223-019

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5550 WALNUT HILL LN	BLUM GARY L &
2	5611 WALNUT HILL LN	GUPTA SATISH & YASMIN
3	5534 WALNUT HILL LN	MALONEY ROBERT B &
4	5542 WALNUT HILL LN	MARTINEZ DEE L
5	9925 HATHAWAY ST	JAMES TODD E & MARISSA G
6	5543 EDLEN DR	Taxpayer at
7	5551 EDLEN DR	HELWIG JAMES S JR & TARA F
8	5559 EDLEN DR	WISENBAKER MICHAEL B JR &
9	9914 HATHAWAY ST	POPE BRANDON K & MARIA P
10	9924 HATHAWAY ST	LESTER NORMAN E JR &
11	9934 HATHAWAY ST	GAMBREL WILLIAM CROCKETT
12	5523 WALNUT HILL LN	BINKLEY RYAN L & ELLIE P
13	5531 WALNUT HILL LN	CRESCENT ESTATES CUSTOM
14	5515 EDLEN DR	KECHEJIAN SARKIS J



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-019

Data Relative to Subject Property:

Date: 12/14/2022

Location address: 5550 Walnut Hill Lane, Dallas, TX 75229 Zoning District: R-1A(A)

Lot No.: 6 Block No.: 4/5605 Acreage: _____ Census Tract: _____

Street Frontage (in Feet): 1) 108' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Gary Blum

Applicant: Gary Blum

Telephone: 214-476-5551

Mailing Address: 5550 Walnut Hill Lane, Dallas, TX Zip Code: 75229

E-mail Address: gblum@hotmail.com

Represented by: Self

Telephone: 214-476-5551

Mailing Address: 5550 Walnut Hill Lane, Dallas, TX Zip Code: 75229

E-mail Address: gblum@hotmail.com

Affirm that an appeal has been made for a Variance _____, or Special Exception ☒, of fence
standards 1) fence height 2) fence opacity

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

The fence & gates will not adversely affect neighboring properties.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared _____

Gary Blum
(Affiant/Applicant's name printed)

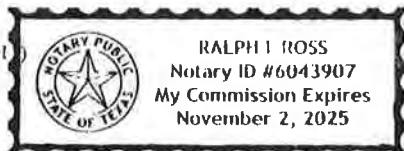
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: _____

Gary Blum
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 14th day of December, 2022

(Rev. 08-01-1)



Ralph I Ross
Notary Public in and for Dallas County, Texas

**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that GARY BLUM

did submit a request for a special exception to the fence height regulations, and for a special exception to the fence standards regulations

at 5550 WALNUT HILL LN.

BDA223-019. Application of GARY BLUM for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 5550 WALNUT HILL LN. This property is more fully described as Block 4/5605, Lot 6 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet and requires 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 an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-019

I, Valerie Blum, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5550 Walnut Hill Lane, Dallas, TX 75229
(Address of property as stated on application)

Authorize: Gary Blum
(Applicant's name as stated on application)

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

 Variance (specify below)

☒ Special Exception (specify below)

 Other Appeal (specify below)

Specify: Fence standards 1) fence height 2) fence opacity

VALERIA BLUM
Print name of property owner or registered agent

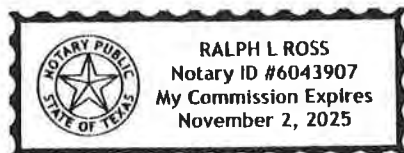
Valerie Blum
Signature of property owner or registered agent

Date December 19, 2022

Before me, the undersigned, on this day personally appeared Valeria Blum

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

Subscribed and sworn to before me this 19th day of December, 2022



Ralph L. Ross
Notary Public for Dallas County, Texas

Commission expires on 11-2-2025



CITY OF DALLAS PLAT BOOKS

ANNEXED JULY 11, 1945. ORD. NO. 3653
SURVEY JOHN HOWELL ABST 580

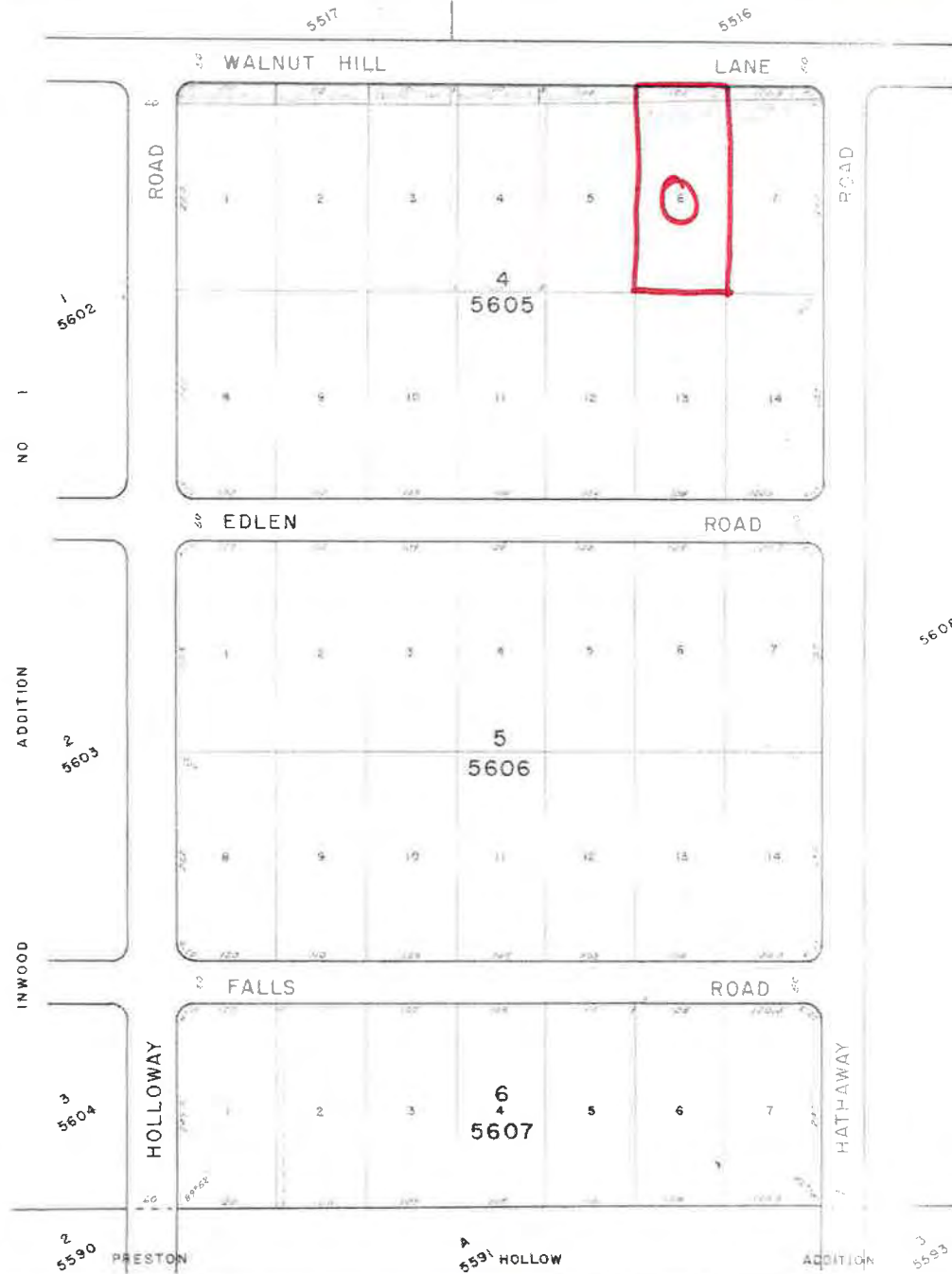
ADDITION INWOOD NO. 2

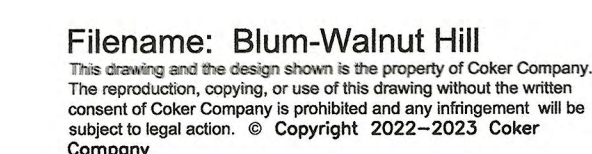
BLOCKS 4 5 6
5605-5606-5607

SCALE 100 FT EQUALS 1 INCH

SCHOOL DIST. DALLAS

9-25-46





DOCUMENTARY EVIDENCE FOR BDA 223-119 AT 5550 WALNUT HILL LANE

HEARING BEFORE BOARD OF ADJUSTMENT, FEBRUARY 21, 2023

Photo of our house

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:36 AM

To: Gary Blum <gblum@hotmail.com>



Sent from my iPhone

Photo of next door neighbor wall

Gary Blum <glblum@hotmail.com>

Fri 2/3/2023 10:32 AM

To: Gary Blum <glblum@hotmail.com>



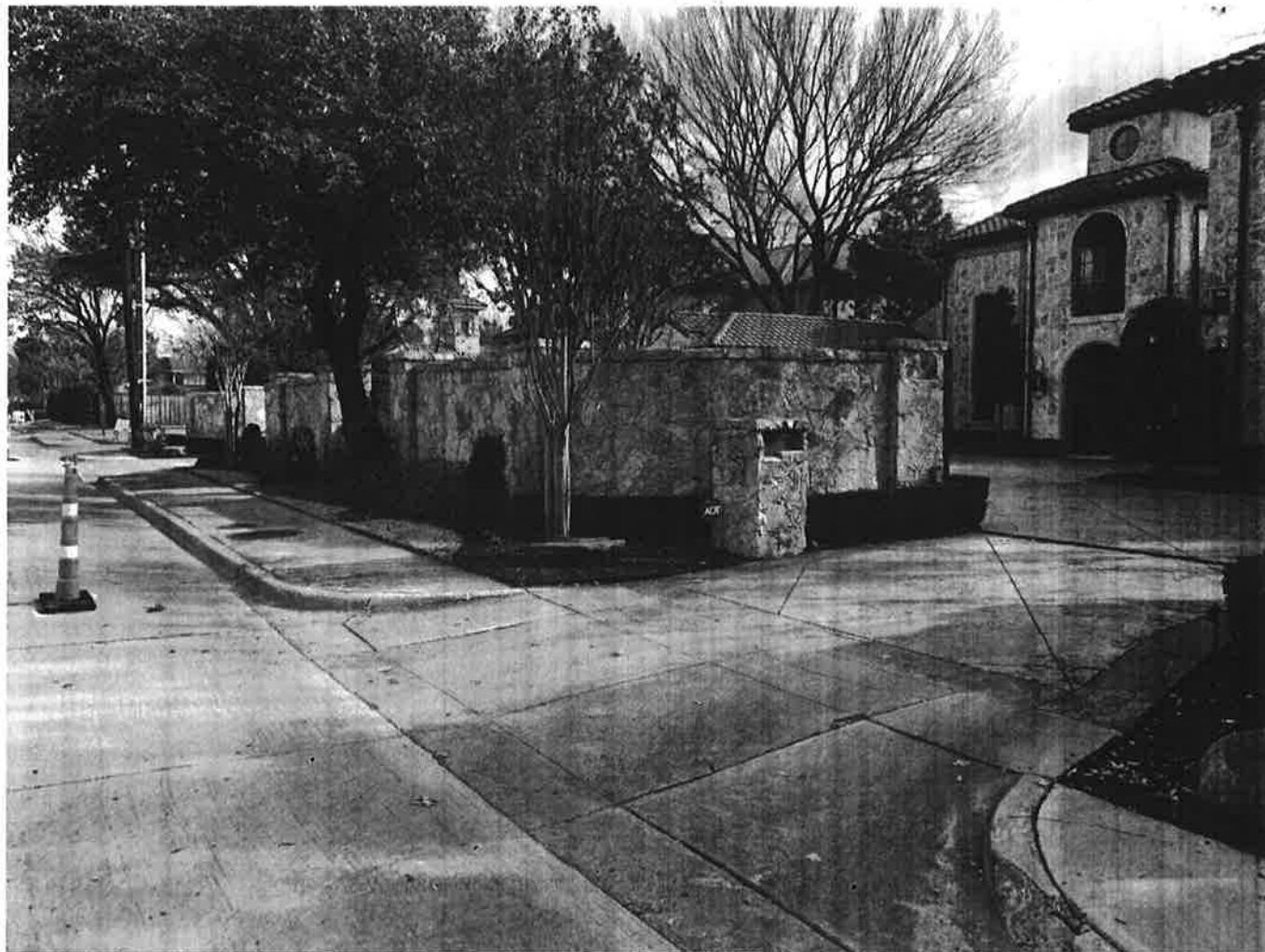
Sent from my iPhone

Photo of next door neighbor wall

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:33 AM

To: Gary Blum <gblum@hotmail.com>



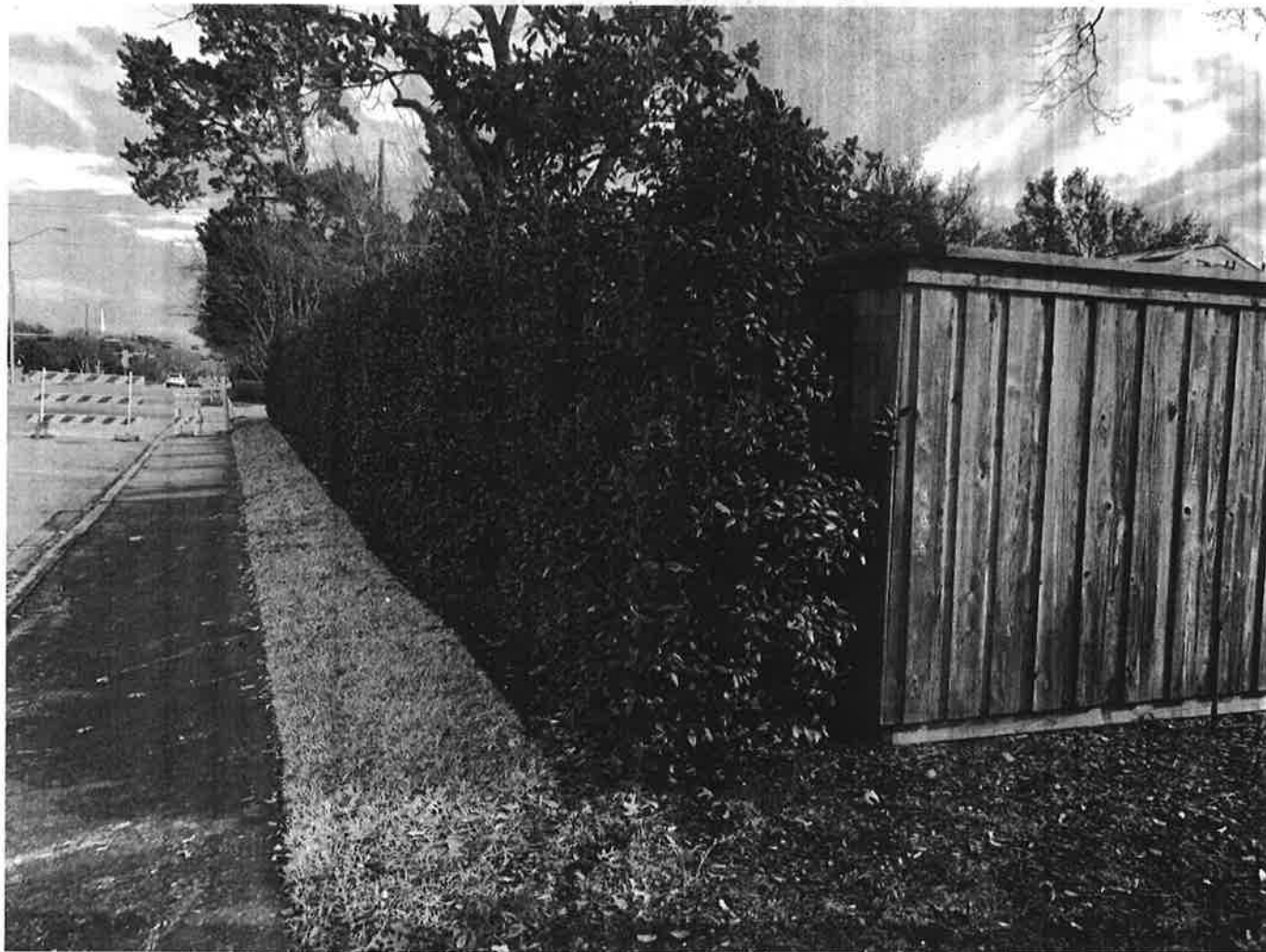
Sent from my iPhone

Photo of next door neighbor fence

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:32 AM

To: Gary Blum <gblum@hotmail.com>



Sent from my iPhone

Photo of neighbor's wall 2 houses away

Gary Blum <glblum@hotmail.com>

Fri 2/3/2023 10:34 AM

To: Gary Blum <glblum@hotmail.com>



Sent from my iPhone

Photo of neighbor's wall 2 houses away

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:34 AM

To: Gary Blum <gblum@hotmail.com>



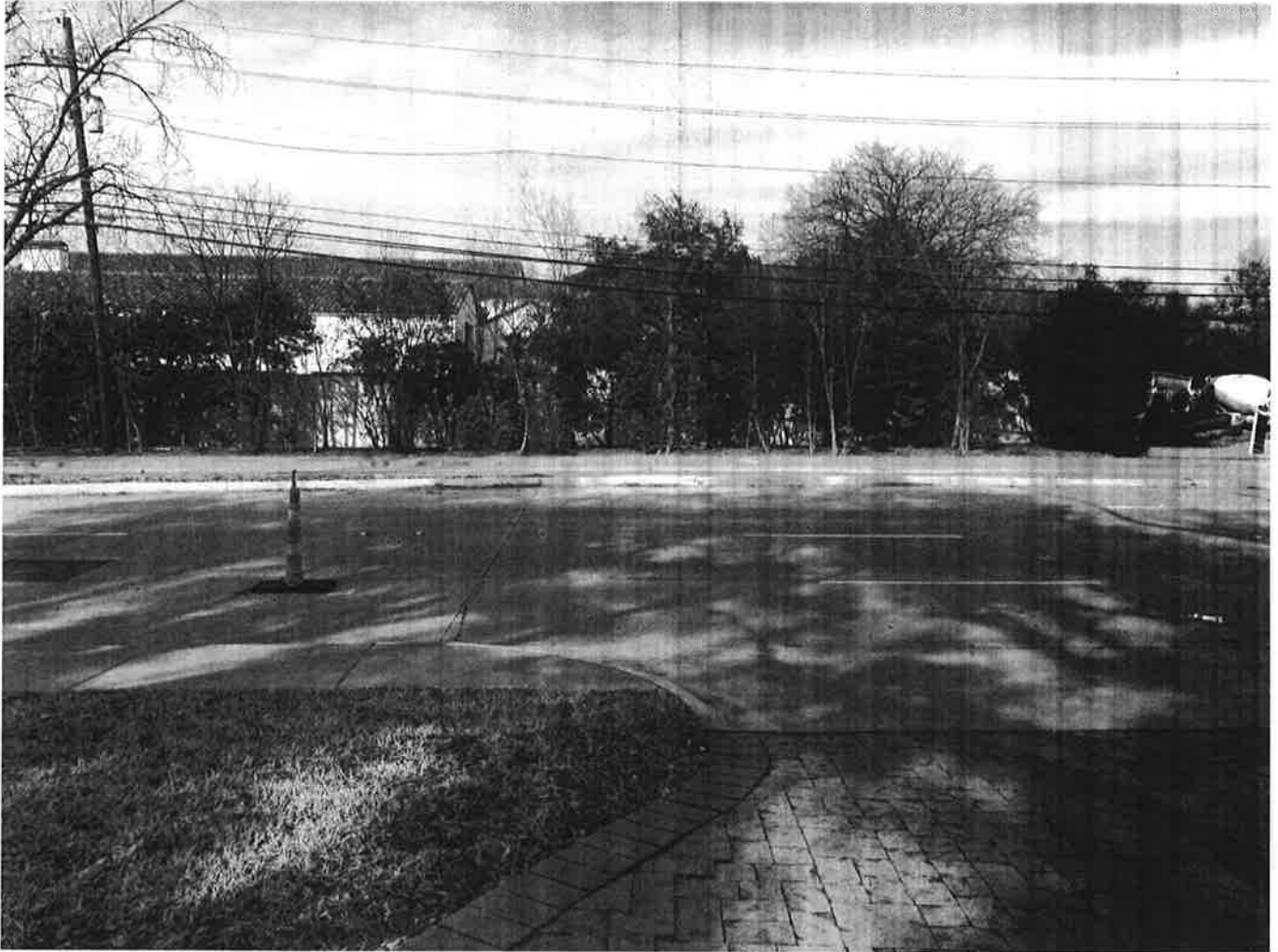
Sent from my iPhone

Photo of wall across the street(Crespi)

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:35 AM

To: Gary Blum <gblum@hotmail.com>



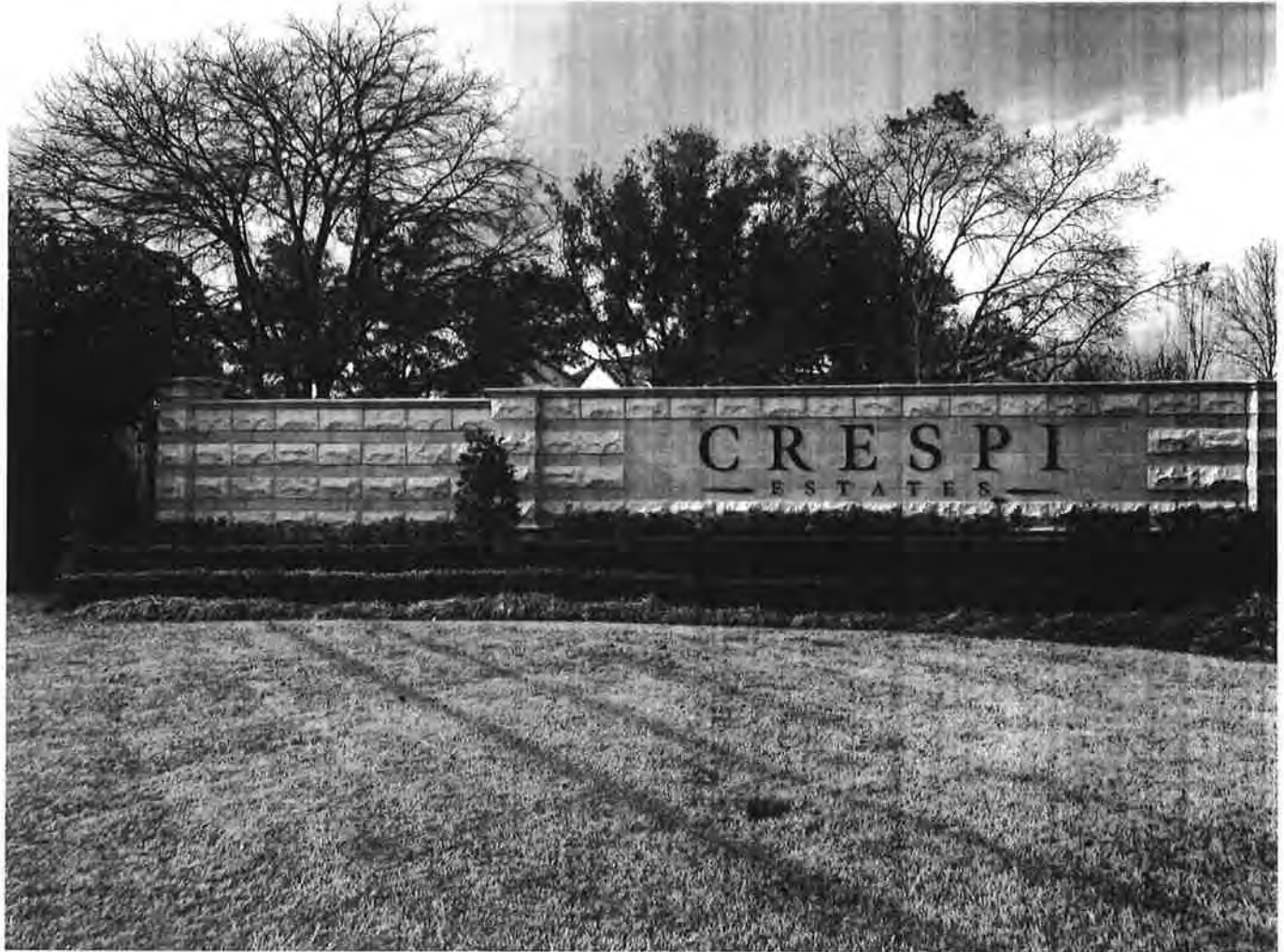
Sent from my iPhone

Photo

Gary Blum <gblum@hotmail.com>

Fri 2/3/2023 10:06 AM

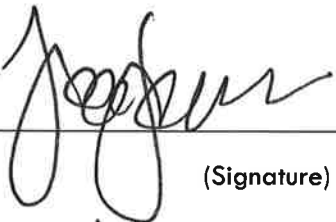
To: Gary Blum <gblum@hotmail.com>



Sent from my iPhone

To the Board of Adjustment, City of Dallas,

I/We Todd James (names) who reside at
9925 Hathaway (address) am/are immediate neighbors of Gary and Valeria Blum,
who reside at 5550 Walnut Hill Lane. After receiving notice of their plans to construct a wall at the front
of their property, I/we have no objections to the issuance of a permit that allows variances with respect to
the height and opacity restrictions of the City of Dallas building code, and the planned construction.


(Signature)
Todd James
(Printed name)

9925 Hathaway st
(Address)

Dated: 3 of February, 2023

To the Board of Adjustment, City of Dallas,

I/We KERRY KENNEDY (names) who reside at
5542 WALNUT HILL LANE (address) am/are immediate neighbors of Gary and Valeria Blum,
who reside at 5550 Walnut Hill Lane. After receiving notice of their plans to construct a wall at the front
of their property, I/we have no objections to the issuance of a permit that allows variances with respect to
the height and opacity restrictions of the City of Dallas building code, and the planned construction.


(Signature)

KERRY KENNEDY
(Printed name)

5542 WALNUT HILL LN, DALLAS, TX
(Address)

Dated: 2 of February, 2023

FILE NUMBER: BDA223-006(OA)

BUILDING OFFICIAL'S REPORT: Application of Trenton Robertson for a special exception to the fence standards regulations and a special exception to the visual obstruction regulations at 10240 Gaywood Road. This property is more fully described as block G/5517, Lot 3D and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet, requires that a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires a 20 foot visibility triangle at driveways. The applicant proposes to construct and/or maintain a 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence standards regulations, and to construct and/or maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence standards regulations, and to locate and maintain items in a required 20 foot visibility triangles, which will require special exceptions to the visual obstruction regulations.

LOCATION: 10240 Gaywood Road

APPLICANT: Trenton Robertson

REQUEST:

The following requests have been made on a site that is being developed with a single-family home:

1. A request for a special exception to the fence standards regulations of 2' is made to construct and maintain a 6' high limestone fence, a 6' high steel picket pedestrian gate, and two 6' high sliding steel picket gates in the required 40-foot front yard on Gaywood Road.
2. A request for a special exception to the fence standards regulations related to fence panels with a surface area that is less than 50 percent open and less than five feet from the front lot line is made to construct and maintain the 6' high limestone panel fence with 6' high steel picket pedestrian gate, and two 6' tall sliding steel picket gates less than five feet from the front lot line.
3. A request for a special exception to the visual obstruction regulations is made to locate and maintain portions of a 6' high solid limestone fence and portions of two metal gates located in the four, 20' visibility triangles at the driveway approach into the site from Gaywood Road.

UPDATE (2-23-23):

On January 7, 2023, the Board of Adjustment Panel A held this case to the February 21, 2023, public hearing date. On February 9, 2023, the applicant submitted a revised site plan and elevations. The applicant modified the fence location at the driveway approaches to comply with the visual obstruction regulations. Hence, this application no longer needs a special exception to the visual obstruction regulations.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS (fence standards regulations):

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

STAFF RECOMMENDATION (fence standards regulations):

No staff recommendation is made on this or any request for a special exception to the fence standards since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

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

STAFF RECOMMENDATION (visual obstruction regulations):

No staff recommendation is made on this or any request for a special exception to the visual obstruction regulations since the basis for this type of appeal is when in the opinion of the board, the item will not constitute a traffic hazard. However, staff does provide a technical opinion to assist in the board's decision-making.

The Sustainable Development and Construction Senior Engineer reviewed the requests and has no objections.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

There have been six related board cases in the vicinity within the last five years.

1. **BDA223-011:** On January 18, 2023, The Board of Adjustment Panel B will hear a request for a special exception to the fence height regulations at 10227 Gaywood Road, the property to the north of the subject site.
2. **BDA212-113:** On December 12, 2022, Panel C granted a request for an 8' special exception to the fence height regulations at 10203 Hollow Way Road.
3. **BDA212-082:** On September 19, 2022, Panel C denied without prejudice an eight-foot special exception to the fence height regulations at 10203 Hollow Way Road.
4. **BDA212-022:** On April 20, 2022, Panel B granted a special exception to the height requirement for fences a special exception to the surface area openness requirement subject to compliance with the submitted site plan, and elevation is required at 10007 Hollow Way Rd.
5. **BDA212-033:** On April 20, 2022, Panel B granted a special exception to the height requirement for fences a special exception to the surface area openness requirement subject to compliance with the submitted site plan, and elevation is required at 10007 Hollow Way Rd.
6. **BDA212-089:** On October 20, 2021, Panel B, Board of Adjustment granted a request for a special exception to the fence regulations, a special exception to the fence standards regulations, and two special exceptions to the visual obstruction regulations at 9646 Douglas Avenue.

GENERAL FACTS/STAFF ANALYSIS:

The following requests are made on a site developed with a single-family home:

1. A request for a special exception to the fence standards regulations of 2' is made to construct and maintain a 6' high limestone fence, a 6' high steel picket pedestrian gate, and two 6' high sliding steel picket gates in the required 40-foot front yard on Gaywood Road.
2. A request for a special exception to the fence standards regulations related to fence panels with a surface area that is less than 50 percent open and less than five feet from the front lot line is made to construct and maintain the 6' high limestone panel fence with 6' high steel picket pedestrian gate, and two 6' tall sliding steel picket gates less than five feet from the front lot line.

3. A request for a special exception to the visual obstruction regulations is made to locate and maintain portions of a 6' high solid limestone fence and portions of two metal gates located in the four, 20' visibility triangles at the driveway approach into the site from Gaywood Road.

The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard. The subject site is zoned an R-1ac(A) Single Family District which requires a 40-foot front yard setback. The site has a 40' required front yard along Gaywood Road.

Section 51A-4.602(a) (2) of the Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.

Additionally, the Dallas Development Code states that in single family districts, a fence panel with a surface area that is less than 50 percent open may not be located less than five from the front lot line.

The following information is shown on the submitted site plan:

- the proposal is represented as being approximately 387' in length fronting Gaywood Road. The site plan shows the proposed limestone fence zigzags between the property line and 5' into the property line along the street. The fence extends 40' perpendicular to Gaywood Road on the east and west side of the site. Furthermore, the fence is proposed to be located 13' from the pavement line.

Staff conducted a field visit of the site and surrounding area, approximately 1000 feet around the subject site, and noticed several other fences that appear to be above four feet in height and located in a front yard setback.

As of January 6, 2022, 30 letters have been submitted in support and no letters in opposition to this request.

With regard to the requests for special exceptions to the fence standards regulations, the applicant has the burden of proof in establishing that the special exceptions will not adversely affect the neighboring property.

Additionally, Section 51A-4.602(d) of the Dallas Development Code states the following: a person shall not erect, place, or maintain a structure, berm, plant life, or any other item on a lot if the item is:

- in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections and 20-foot visibility triangles at drive approaches and alleys on properties zoned single-family); and
- between two-and-a-half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

As noted on the site plan, the proposed fence would obstruct:

- Portions of a 6' solid limestone fence and portions of two metal gates located with the 4, 20-foot visibility triangles at the driveway approach into the site from Gaywood Road.

The Sustainable Development Department Senior Engineer has no objections to the requests (**Attachment B**).

With regard to the requests for special exceptions to the visual obstruction regulations, the applicant has the burden of proof to establish how granting these requests to locate and maintain the fence and gates in the two 20' visibility triangles on either side of the driveways does not constitute traffic hazards.

Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items in the two 20-foot visibility triangles on the west and east sides of the driveways into the site from Gaywood Road to that what is shown on these documents.

Timeline:

November 1, 2022: 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 8, 2022: The Board of Adjustment Administrator assigned this case to Board of Adjustment Panel A.

December 14, 2022: The Sustainable Development and Construction Department 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 23, 2022, deadline to submit additional evidence for staff to factor into their analysis; and January 6, 2023, 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 23, 2022: The applicant provided additional evidence (**Attachment A**).

December 23, 2022: 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 Development Services Senior Plans Examiner, the Development Services Chief Planner, the Assistant City Attorney to the Board, and the Senior Planner.

December 27, 2022: The Sustainable Development Department Senior Engineer has no objections to the requests (**Attachment B**).

December 13, 2022: The Senior Planner wrote the applicant a letter of the board's action to hold this meeting to the February 21, 2023, public hearing; the January 23, 2023's deadline to submit additional evidence for staff to factor into their analysis; and the February 10th deadline to submit additional evidence to be incorporated into the Board's docket materials.

January 24, 2023: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included the Board of Adjustment Chief Planner/Board Administrator, The Development Services Chief Planner, Development Service Chief Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Transportation Development Services Senior Engineer, Development Services Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

February 9, 2023: The applicant submitted a revised fence elevation drawing to staff with new materials for the fence (**Attachment C**)

BOARD OF ADJUSTMENT ACTION JANUARY 17, 2023

APPEARING IN FAVOR: Trenton Robertson 2201 Main St. #1280 Dallas
AJ Kumaran 5631 Cazadium Dr. Dallas, TX

APPEARING IN OPPOSITION: No Speakers

MOTION: **Neumann**

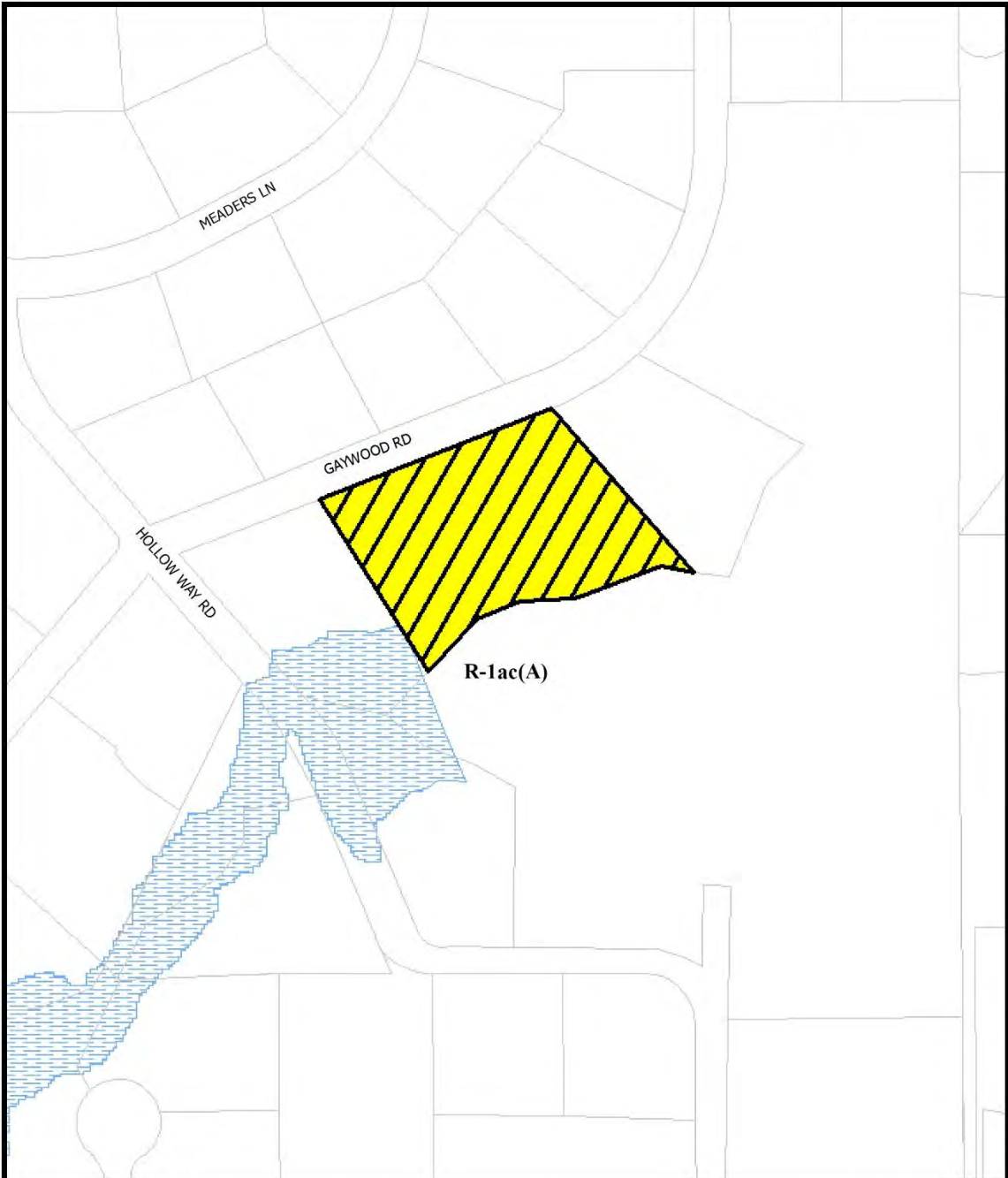
I move that the Board of Adjustment in Appeal No. BDA 223-006 **hold** this matter under advisement until **February 21, 2023**.

SECONDED: **Halcomb**

AYES: 5 – David A. Neumann, Kathleen Davis, Rachel Hayden, Jay Narey, Kathleen Davis and Lawrence Halcomb

NAYS: 0

MOTION PASSED 5-0

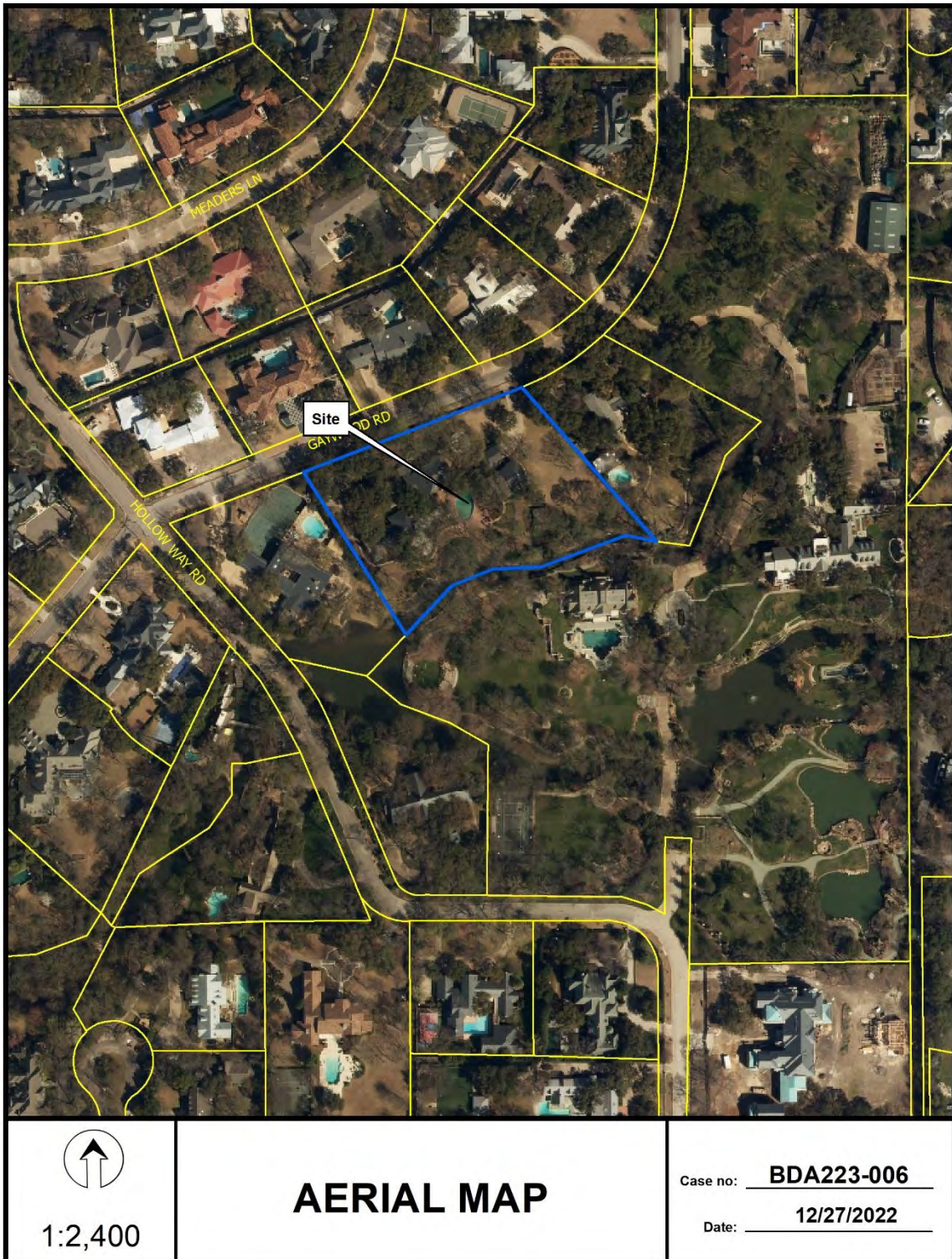


1:2,400

ZONING MAP

Case no: BDA223-006

Date: 12/27/2022





12/19/2022

Notification List of Property Owners

BDA223-006

10 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10240 GAYWOOD RD	AMMAMMA LEGACY TRUST THE
2	10300 GAYWOOD RD	BENEFIT OF THE FGH RESIDENTIAL QUALIFYING TRUST
3	10311 GAYWOOD RD	MAAS ERIC S & SHERYL
4	10257 GAYWOOD RD	J & K REAL ESTATE INVESTMENTS
5	10243 GAYWOOD RD	HARTNETT JAY D & DEBORAH G
6	10210 GAYWOOD RD	SMALL JUSTIN & NICOLE
7	10290 GAYWOOD RD	MOORE KEVIN & AMANDA
8	10200 HOLLOW WAY RD	MAYFLOWER 10200 TRUST
9	10227 GAYWOOD RD	LOTUS TRUST
10	10270 HOLLOW WAY RD	DEVEREUX PAUL H & SHARON



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 223-006

Data Relative to Subject Property:

Date: 9/21/2022 11/1/22

Location address: 10240 Gaywood Road Zoning District: R-1ac(A)

Lot No.: PT LT 3D Block No.: G/5517 Acreage: 2.6318 Census Tract: _____

Street Frontage (in Feet): 1) 381 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Ammamma Legacy Trust (AJ Kumaran)

Applicant: Trenton Robertson (Masterplan) Telephone: 972-561-8732

Mailing Address: 2201 Main Street, STE. 1280 Zip Code: 75201

E-mail Address: trobertson@masterplantexas.com

Represented by: Trenton Robertson (Masterplan) Telephone: 972-561-8732

Mailing Address: 2201 Main Street, STE. 1280 Zip Code: 75201

E-mail Address: trobertson@masterplantexas.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of 2 feet to the maximum permitted fence height of 4 feet being non-opaque in the required front yard along Gaywood Road. Being located w/in 5ft of property line. JA

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

The proposed decorative fence will not negatively impact surrounding properties. Other properties in the vicinity also have front yard fences that exceed 4' in height of similar design and height. The requested 6' non-opaque masonry fence will replace an existing non-opaque 6' masonry fence. The proposed fence will provide additional privacy and safety that has been a precedence throughout the surrounding neighborhoods.

Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Trenton Robertson
(Affiant/Applicant's name printed)

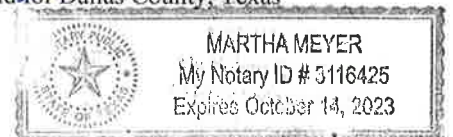
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 21st day of OCTOBER, 2022

(Rev. 08-01-11)

Mark Meyer
Notary Public in and for Dallas County, Texas



**MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT**

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Trenton Robertson

did submit a request for a special exception to the fence height regulations, and for a special exception to the fence standards regulations

, and for a special exception to the visibility obstruction regulations

at 10240 GAYWOOD ROAD

BDA223-006. Application of Trenton Robertson for a special exception to the fence height regulations, and for a special exception to the fence standards regulations and for a special exception to the visibility obstruction regulations at 10240 GAYWOOD RD. This property is more fully described as block G/5517, Lot 3D and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet, which a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct a 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations, and to construct a single-family residential fence structure in a required 20 foot visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 223-006

I, Ammamma Legacy Trust, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10240 Gaywood Road
(Address of property as stated on application)

Authorize: Trenton Robertson (Masterplan)
(Applicant's name as stated on application)

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

 Variance (specify below)

 X Special Exception (specify below)

 Other Appeal (specify below)

Specify: Front yard fence

Ajith Kumaran
Print name of property owner or registered agent

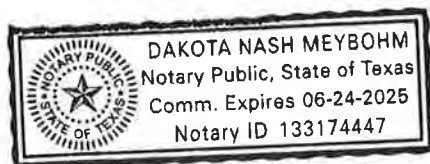
[Signature]
Signature of property owner or registered agent

Date 9/22/2022

Before me, the undersigned, on this day personally appeared Ajith Kumaran

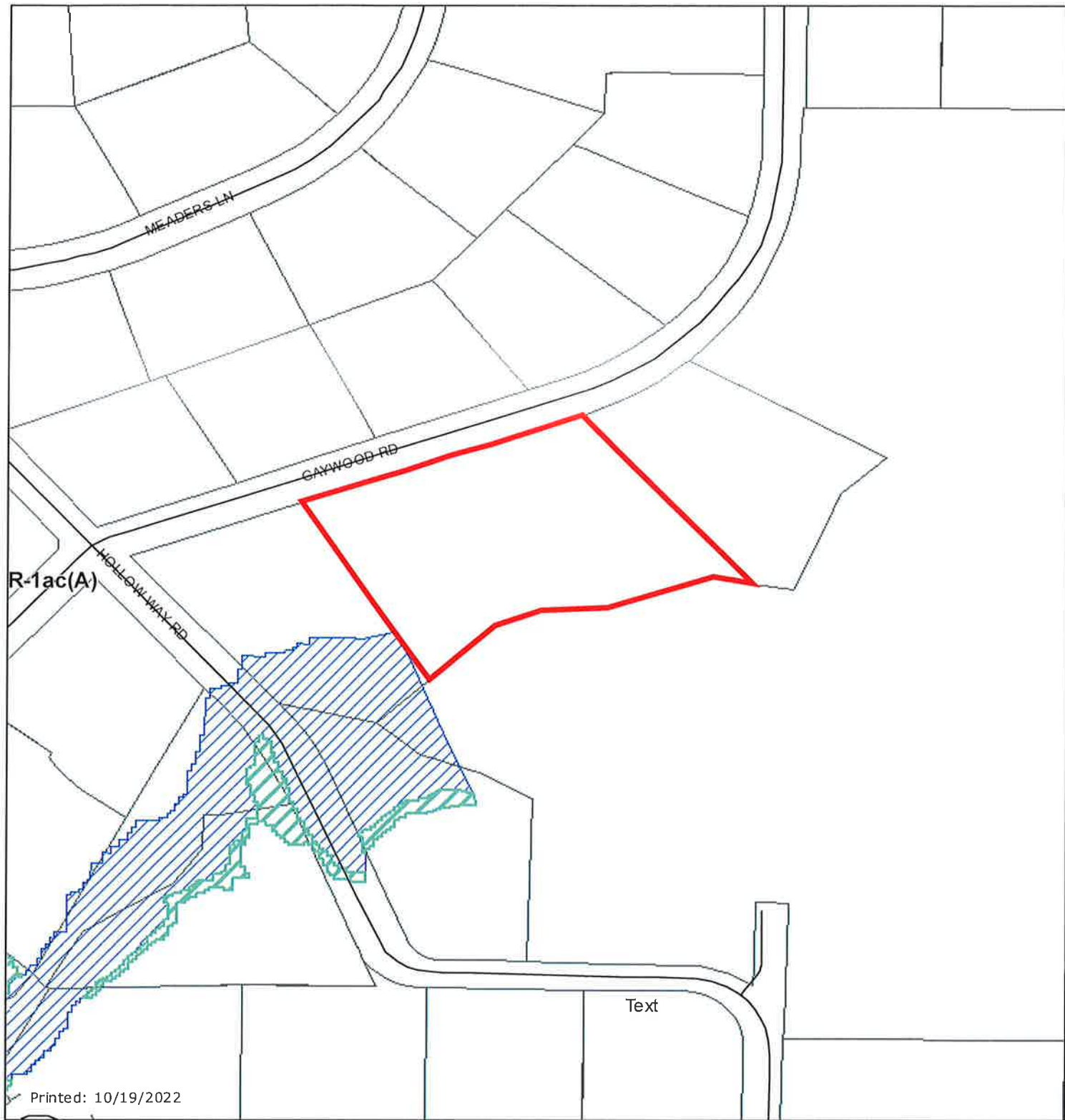
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.







Subscribed and sworn to before me this 22 day of September, 2022



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 6/24/2025



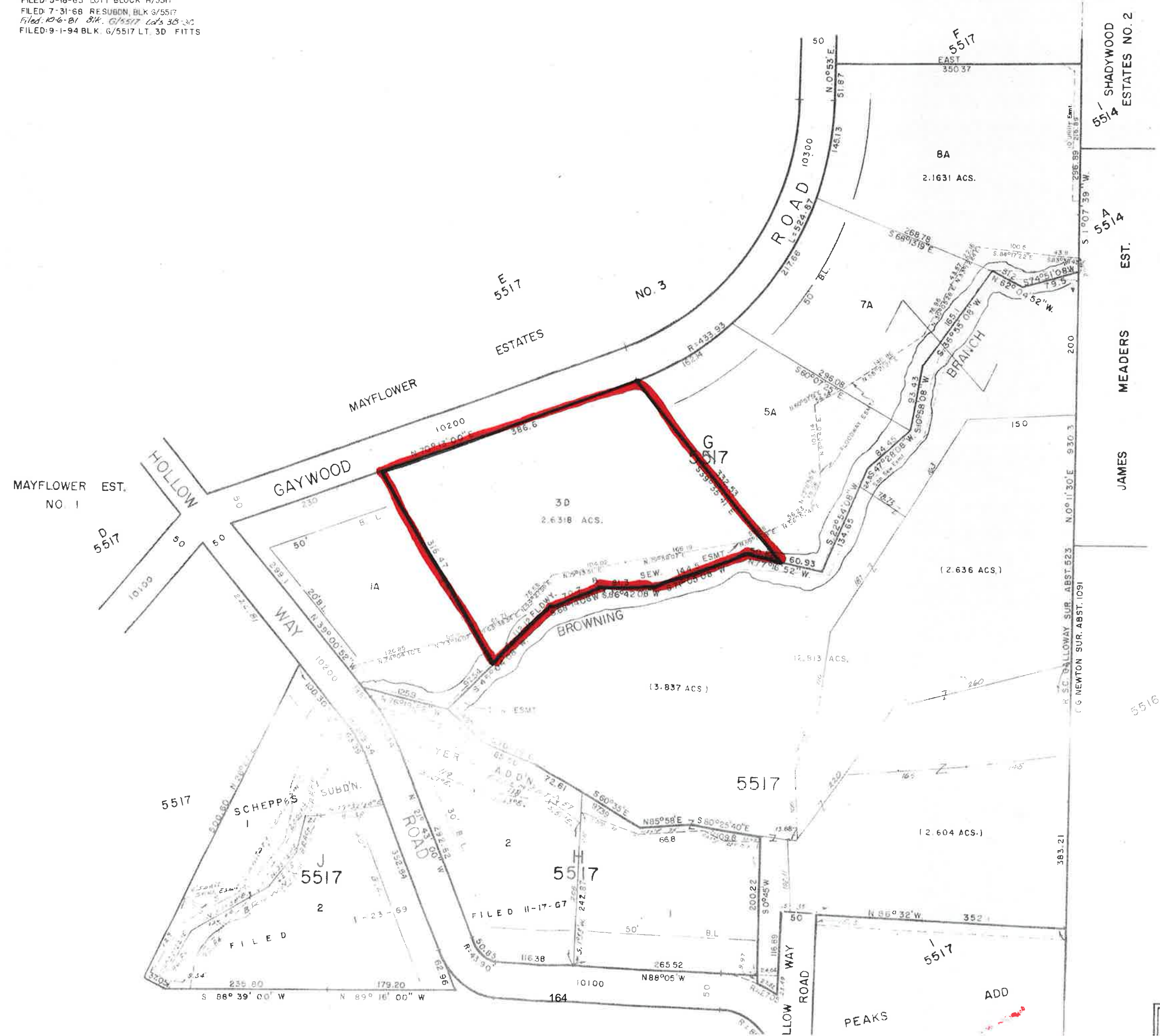
-  City Limits
-  Floodplain
-  0.2 Pct Annual Flood Hazard
-  1 Pct Annual Chance Flood Hazard
-  Certified Parcels
-  Base Zoning

This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.' (Texas Government Code § 2051.102)



1:2,400

REC. 3-20-61 BLOCK G/5517
 FILED: 5-18-65 LOT 1 BLOCK H/5517
 FILED: 7-31-68 RESUBDN. BLK G/5517
 FILED: 10-6-81 BLK. G/5517 LOTS 38-30
 FILED: 9-1-94 BLK. G/5517 LT. 3D FITTS



RECEIVED

NOTE:
FENCE TO FOLLOW
GRADE ACCORDING TO
FIELD CONDITIONS.

PERIMETER WALL,
RE: A,B,C,D E.L-321

1" X 9" STEEL TUBE POCKET
SPACED @ 2' O.C.

LOCKEY 3000 MECHANICAL
KEYLESS LEVER LOCK
LATCH. FINAL PRODUCT TO
BE APPROVED BY OWNER.

SELF-CLOSING HEAVY DUTY
HINGES TO MEET POOL
CODE.

2" X 4" STEEL TUBE GATE
FRAME.

G ELEVATION: PEDESTRIAN GATE | 3/4" = 1'-0"

NOTE:
WALL CONSTRUCTION TO MEET CITY OF
DALLAS POOL CODE.

1" X 9" X 9" CHARCOAL
LEUDERS Limestone BOND
BEAM FOR PRICING
PURPOSES.

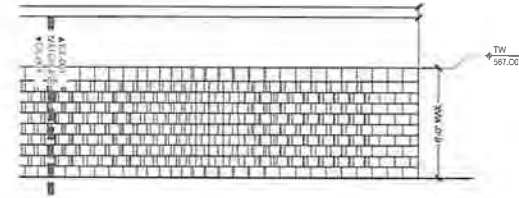
1" X 7 X 7" CHARCOAL
LEUDERS Limestone FOR
PRICING PURPOSES.

PLANTING, RE: L-501

CONTINUOUS CAST-IN-PLACE
CONCRETE FOOTER, RE:
STRUCTURAL/GEOTECH.

HEAVILY COMPACTED
ROADBASE SUB-BASE LAYER

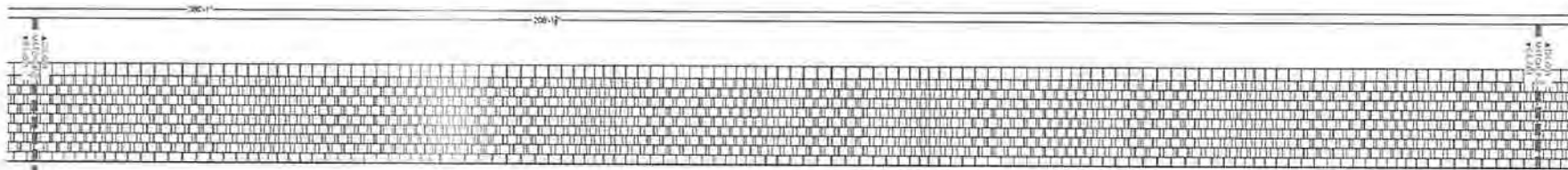
F SECTION: PERIMETER WALL | 1" = 1'-0"



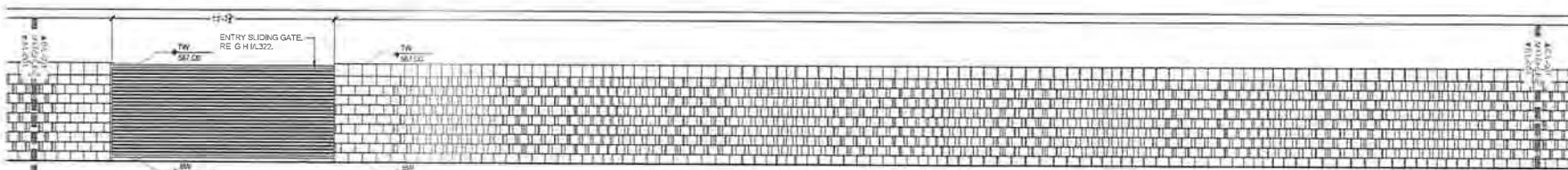
E ELEVATION: PERIMETER WALL | 3/8" = 1'-0"



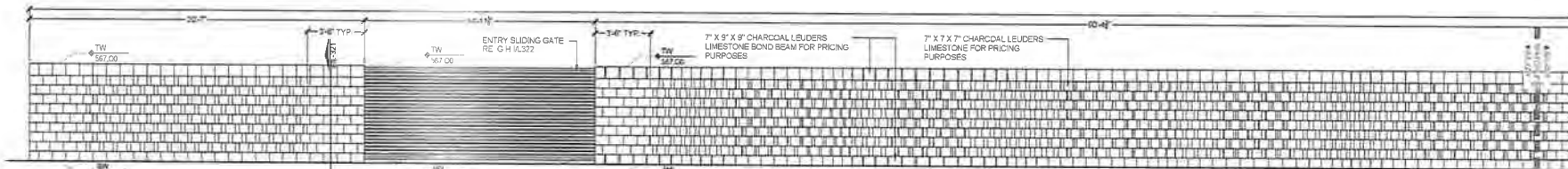
D ELEVATION: PERIMETER WALL | 3/8" = 1'-0"



C ELEVATION: PERIMETER WALL | 3/8" = 1'-0"



B ELEVATION: PERIMETER WALL | 3/8" = 1'-0"



A ELEVATION: PERIMETER WALL | 3/8" = 1'-0"

Specht

3309 W. 14th Street, Suite 100
Dallas, TX 75207
214.343.3333

HOCKER

814 BRADING ST.
DALLAS, TX 75207
HOCKERHOCKER.COM
817.817.8875

Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

03/22/2022

03/22/2022

VARIES

Hardscape Details

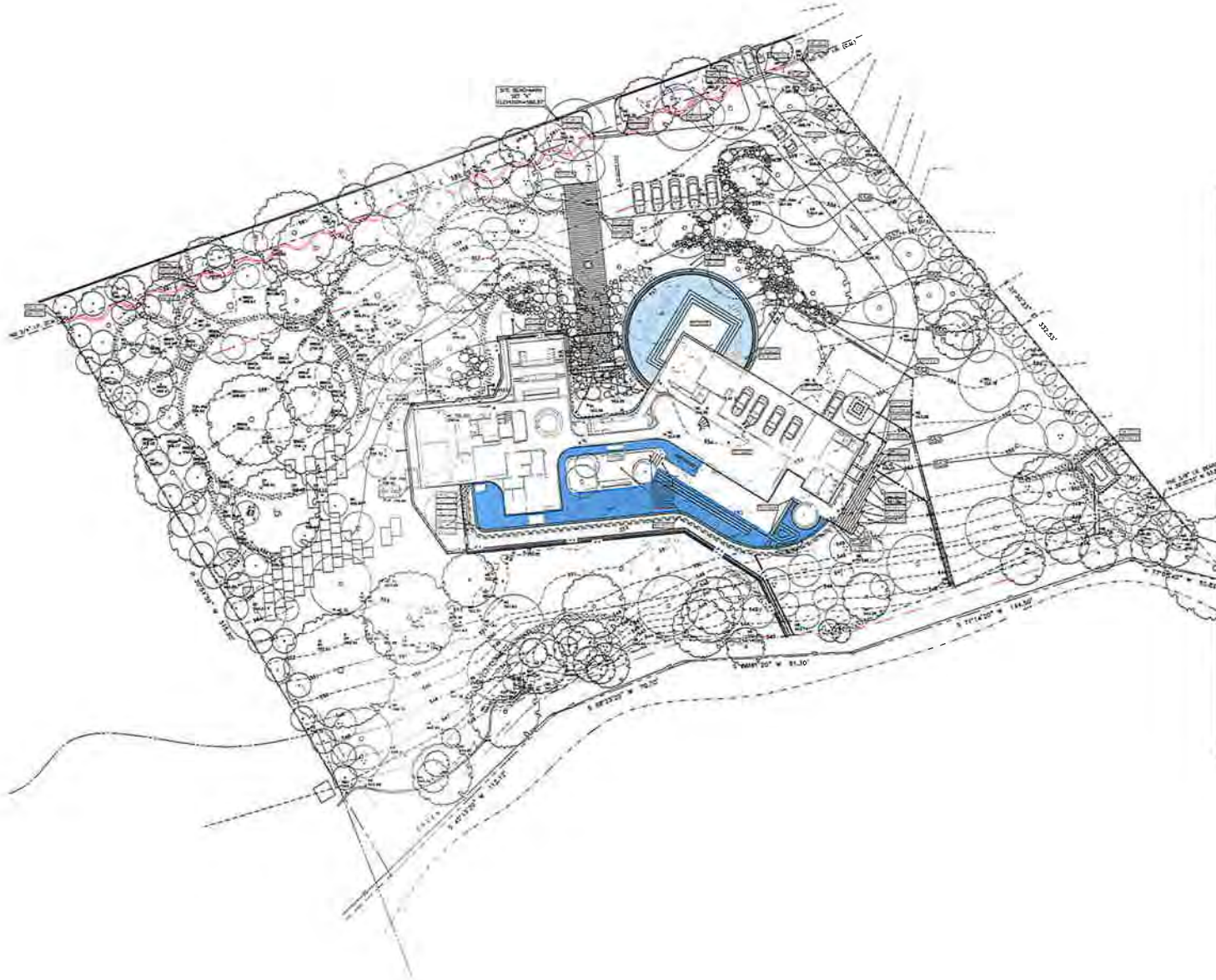
L-321
L-321 HARDSCAPE

Ammamma Legacy Residence

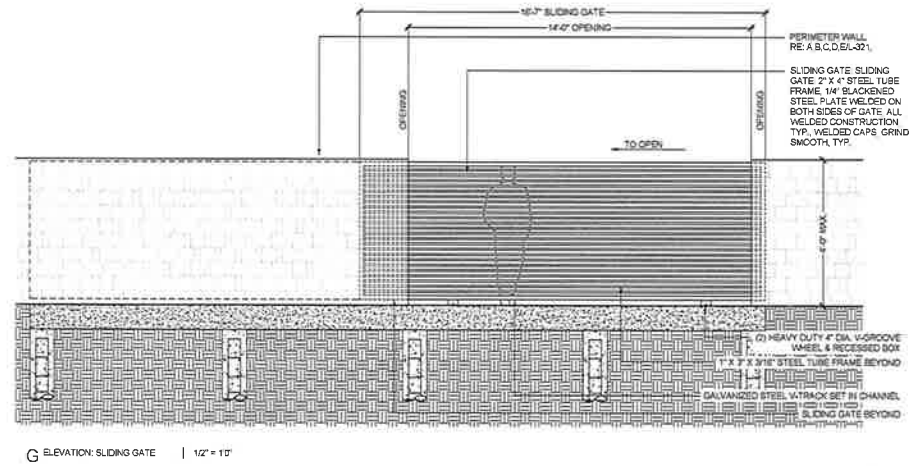
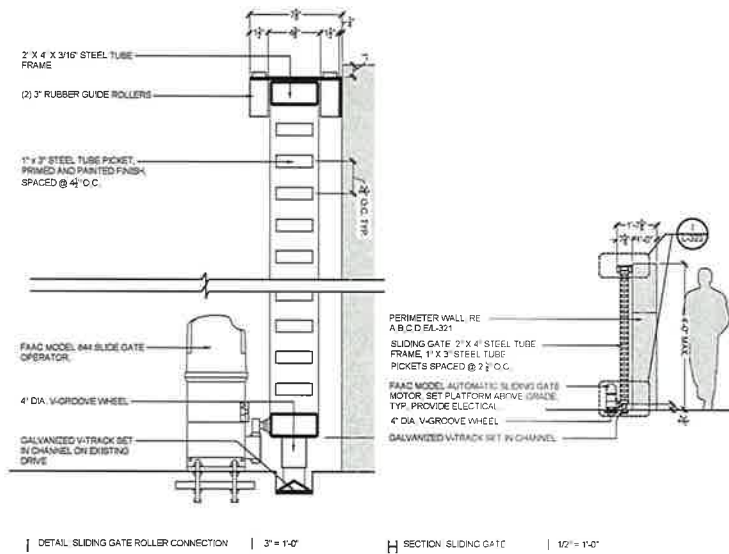
10240 Gaywood Rd, Dallas, Texas 75229

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

05/02/2022
1" = 20'-0"
Grading and Drainage Plan
(Overall)



GRADING LEGEND	
	4" PERFORATED PVC SDR35 PIPE RE AL-210
	CLEAN-OUT LOCATION RE CL-210
	4" SOLID PVC SDR35 PIPE
	6" SOLID PVC SDR35 PIPE
	8" SOLID PVC SDR35 PIPE
	STEP TREAD
	EXISTING CONTOURS
	PROPOSED CONTOURS
	EXISTING GRADE
	PROPOSED SPOT GRADE
	FIRST FLOOR ELEVATION
	TOP OF WALL
	BOTTOM OF WALL
	TOP OF PAVING
	FINISHED GRADE
	TOP OF STEP
	BOTTOM OF STEP
	TOP OF DRAIN INLET
	TOP OF COPING
	WATER LEVEL
	BELOW STRUCTURE
	FINISH SURFACE
	5'x5' AREA DRAIN, NDS 900 SERIES, BLACK ATRIUM GRATE #981 TYP RE SL-210
	36" LEVEL PLANTER DRAIN RE SL-210
	FLOOR DRAIN IN PLANTER WITH SCREENED COVER RE SL-210
	FLOOR DRAIN SET IN STRUCTURAL DECK BELOW PEDESTAL PAVERS RE SL-210 RE ARCHITECTURE FOR LOCATIONS
	6" WIDE VEHICULAR RATED TRENCH DRAIN RE XL-210





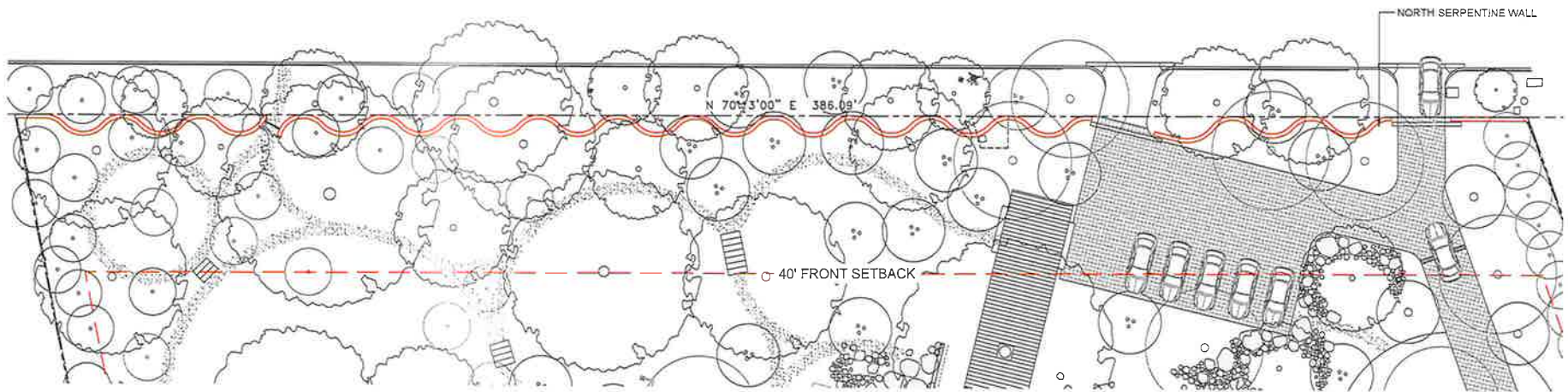
Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

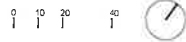


6'-0"
MAX

B GRAPHIC NORTH WALL ELEVATION | NTS



A HARDSCAPE PLAN ENLARGEMENT - NORTH WALL | 3/32\"/>



NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

10/28/2022

10/28/2022

10/28/2022

Hardscape Plan Enlargement

L-323

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

EH Winslow

(Printed Name)

EH Winslow

(Signature)

10/7/22

(Date Signed)

10111 Gaywood Rd Dallas TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a new house on lot. This project will improve the existing property and will be in compliance with all applicable codes and ordinances.

HARRIETTE WALLINGTON H. Wallington 10/13/22
(Printed Name) (Signature) (Date Signed)

10122 Gaywood Rd Dallas, TX 75229
(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Nancy Armstrong

(Printed Name)

Nancy Armstrong

(Signature)

10/7/22

(Date Signed)

10635 Gaywood Rd Dallas TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Jane M. Smith

(Printed Name)

Jane M. Smith

(Signature)

10/9/22

(Date Signed)

10140 Gaywood Rd Dallas, Tx, 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in **support** of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Robert + Maggie Marchism  10/9/22

(Printed Name)

(Signature)

(Date Signed)

10131 Gaywood Road Dallas Tx 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

JAMES VANDERVEER James Vandever 10-6-22
(Printed Name) (Signature) (Date Signed)

10056 GAYWOOD Rd DALLAS TX 75229
(Address)



December 23, 2022

Diana Barkume
Senior Plans Examiner
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203

RE: BDA223-006; 10240 Gaywood Road

Dear Mrs. Diana Barkume:

The subject site is located on the south side of Gaywood Road, between Hollow Way Road and Meander Lane (commonly known as 10240 Gaywood Road). In accordance with SEC. 51A-4.602, the subject site must comply with the following fence standard: "In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard."

Along Gaywood Road, the following is proposed:

- A six-foot-tall decorative wall within 5-feet of the property line;
- Vegetation/landscaping;
- Portion of the fence not meeting the visibility triangle requirements; and
- Majority of the fence being non-opaque.

Therefore, a special exception to allow for a front yard fence within 5-feet from the property line that is less than 50% open and taller than 4-feet in height (not to exceed a maximum of 6-feet in height). The proposed fence location does not comply with the visibility triangle regulations but does meet the drive gate requirements per the regulations of the development code (see attached plans).

Existing Wall



Proposed Wall



We are planning to remove an existing 6-ft masonry wall and replacing it with a redesigned 6-ft masonry wall to make it more consistent and more aesthetically pleasing to the surrounding properties. Part of this change will allow us to add additional landscaping to soften the façade. The proposed request is consistent with the surrounding neighborhoods. Over the years similar requests have been approved in the area. Our request would not be out of character or harmful to the surrounding properties. Instead, the replacement of the existing wall with the new one will allow for a cleaner look and better architectural design. Additionally, the new design of the wall, would allow for better implementation of landscaping softening up the street scape and the subject property. The existing regulations in Section 51A-4.602 if literally applied would continue to cause an unnecessary hardship on the owner. The proposed request is in harmony with Section 51A-4.602. The antithesis of this request falls in line with the purpose and goals the City of Dallas has created when allowing for special exceptions pertaining to fences.

As part of our due diligence, we have reached out to the neighboring property owners and have received multiple letters of support of our request (see attached).

Once again, the proposed request is in harmony with Section 51A-4.602 and the surrounding area. The request would allow for our existing 6-feet wall to be replaced with a better designed and more aesthetically valued 6-feet wall to be constructed that is consistent with other properties in not only the immediate neighborhood, but the surrounding area.

Regards,

A handwritten signature in black ink, appearing to read 'Trenton Robertson', with a stylized flourish at the end.

Trenton Robertson, AICP
Senior Consultant
Masterplan Texas

Letters of Support

Name	Address	Verified	On Map	Notes
Nancy Armstrong	10035 Gaywood Road	Yes	Yes	
Jane M Smith	10140 Gaywood Road	Yes	Yes	
Robert and Maggie Murchison	10131 Gaywood Road	Yes	Yes	
James Vandever	10056 Gaywood Road	Yes	Yes	
EH Winslow	10111 Gaywood Road	Yes	Yes	
Harianne Wallenstein	10122 Gaywood Road	Yes	Yes	
Carol Lee Downs	10120 Daria Drive	Yes	Yes	
Mary Smith	10212 Daria Drive	Yes	Yes	
Donna Miller	10203 Hollow Way Road	Yes	Yes	
Lewis LeClair	10023 Hollow Way Road	Yes	Yes	
Vanessa Cain	5688 Meaders Lane	Yes	Yes	
Roger Ochs	5144 Meaders Lane	Yes	Yes	
Micah Smith	10040 Gaywood Road	Yes	Yes	
Marilyn Reed	5615 Meaders Lane	Yes	No	Off map to the north
Blake Woodall	5222 Meaders Lane	Yes	Yes	
Joel Ray	10040 Hollow Way Road	Yes	Yes	
Karen Klaassen	10110 Gaywood Road	Yes	Yes	
Catherine Cox	5619 Walnut Hills Lane	Yes	Yes	
Carrie Teller	10106 Inwood Road	Yes	Yes	
Greg Greenberg	5527 Meaders Lane	Yes	No	Off map to the north
Randy Johnson	10225 Daria Drive	Yes	Yes	
Sheryl Maas	10311 Gaywood Road	Yes	Yes	
Thomas Karol	5370 Meaders Lane	Yes	Yes	
Aliya Khatri	10181 Daria Place	Yes	Yes	
Michelle Chase	5115 Walnut Hill Lane	Yes	Yes	
Glenn W. Marschel	10325 Gaywood Road	Yes	Yes	
Jan Schliem	5353 Meaders Lane	Yes	Yes	
Paul Devereux	10270 Hollow Way Road	Yes	Yes	
Kyle J Mullenix	10111 Daria Drive	Yes	Yes	
Natalie Smith	10040 Gaywood Road	Yes	No	Repeat. Someone in house already resp

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Nancy Armstrong

(Printed Name)

Nancy Armstrong

(Signature)

10/7/22

(Date Signed)

10635 Gaywood Rd Dallas TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Jane M. Smith

(Printed Name)

Jane M. Smith

(Signature)

10/9/22

(Date Signed)

10140 Gaywood Rd Dallas, Tx. 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Robert + Maggie Marchison *Maggie Marchison* 10/9/22
(Printed Name) (Signature) (Date Signed)

10131 Gaywood Road Dallas Tx 75229
(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

JAMES VANDEVEER James Vandever 10-6-22
(Printed Name) (Signature) (Date Signed)

10056 GAYWOOD Rd DALLAS TX 75229
(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

EH Winslow

(Printed Name)

EH Winslow

(Signature)

10/7/22

(Date Signed)

10111 Gaywood Rd Dallas TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

HARRIET WALLERSTEIN Yehobekstein 10/9/22

(Printed Name)

(Signature)

(Date Signed)

10240 Gaywood Rd Dallas, TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Carol Lee Downs

(Printed Name)

Carol Lee Downs

(Signature)

11/7/2022

(Date Signed)

10120 Daria Dr, Dallas, TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

September 27, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Mary Smith

(Printed Name)

Mary M. Smith

(Signature)

10-26-22

(Date Signed)

10212 Daria Drive, Dallas, TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in **support** of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Donna Miller

Donna Miller
[Donna Miller \(Dec 12, 2022 17:28 CST\)](#)

Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

10203 Hollow Way Road

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Lewis LeClair

(Printed Name)

Lewis LeClair

Lewis LeClair (Dec 12, 2022 17:32 CST)

(Signature)

Dec 12, 2022

(Date Signed)

10023 Hollow Way Rd., Dallas, TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Vanessa cain

(Printed Name)


Vanessa Burkman (Dec 12, 2022 17:45 CST)

(Signature)

Dec 12, 2022

(Date Signed)

5688 meaders lane Dallas texas 75229

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Roger Ochs

Roger Ochs

Roger Ochs (Dec 12, 2022 16:49 CST)

Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

5144 Meaders Ln

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Roger Ochs

Roger Ochs

Roger Ochs (Dec 12, 2022 16:49 CST)

Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

5144 Meaders Ln

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Marilyn Reed

(Printed Name)


Marilyn Reed (Dec 12, 2022 16:38 CST)

(Signature)

Dec 12, 2022

(Date Signed)

5615 Meaders Lane

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Blake Woodall

(Printed Name)

Blake Woodall

Blake Woodall (Dec 12, 2022 16:24 CST)

(Signature)

Dec 12, 2022

(Date Signed)

5222 Meaders Ln

(Address)

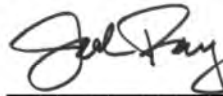
Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Joel Ray



Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

10040 Hollow Way Road

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Karen klaassen

(Printed Name)


Karen Klaassen (Dec 12, 2022 19:00 CST)

(Signature)

Dec 12, 2022

(Date Signed)

10110 Gaywood

(Address)

Fence Request for 10240 Gaywood Rd.


December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Catherine Cox

(Printed Name)


Catherine Cox (Dec 12, 2022 18:59 CST)

(Signature)

Dec 12, 2022

(Date Signed)

5619 Walnut Hill Lane Dallas, TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.


December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Carrie Teller

(Printed Name)


Carrie Teller (Dec 12, 2022 18:27 CST)

(Signature)

Dec 12, 2022

(Date Signed)

10106 Inwood Road Dallas, Texas. 75229

(Address)

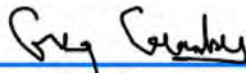
Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Greg Greenberg


Greg Greenberg (Dec 12, 2022 21:48 AST)

Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

5527 Meaders Ln. Dallas, 75229

(Address)

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Randy johnson


Randy Johnson (Dec 12, 2022 20:16 CST)

Dec 12, 2022

(Printed Name)

(Signature)

(Date Signed)

10225 Daria dr

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in **support** of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Sheryl Maas

(Printed Name)


Sheryl Maas (Dec 13, 2022 07:59 CST)

(Signature)

Dec 13, 2022

(Date Signed)

10311 Gaywood Rd, Dallas TX 75229

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Thomas Karol

(Printed Name)

Thomas Karol

Thomas Karol (Dec 13, 2022 09:03 CST)

(Signature)

Dec 13, 2022

(Date Signed)

5370 Meaders Lane

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

aliya khatri

(Printed Name)

aliya khatri

aliya khatri (Dec 13, 2022 09:38 CST)

(Signature)

Dec 13, 2022

(Date Signed)

10181 daria place dallas texas 75229

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Michelle Chase

(Printed Name)

MC.

Michelle Chase (Dec 13, 2022 15:25 CST)

(Signature)

Dec 13, 2022

(Date Signed)

5115 Walnut Hill Lane

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Glenn W. Marschel

(Printed Name)

Glenn Marschel

Glenn Marschel (Dec 13, 2022 16:19 CST)

(Signature)

Dec 13, 2022

(Date Signed)

10325 Gaywood Road

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

JAN SCHLIEM

(Printed Name)

JAN SCHLIEM

JAN SCHLIEM (Dec 13, 2022 16:42 CST)

(Signature)

Dec 13, 2022

(Date Signed)

5353 MEADERS LANE

(Address)


Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Paul Devereux


Paul Devereux (Dec 13, 2022 21:18 CST)

Dec 13, 2022

(Printed Name)

(Signature)

(Date Signed)

10270 Hollow Way

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Kyle J Mullenix

(Printed Name)

Kyle Mullenix
Kyle Mullenix (Dec 14, 2022 19:13 CST)

(Signature)

Dec 14, 2022

(Date Signed)

10111 Daria Dr

(Address)

Fence Request for 10240 Gaywood Rd.

December 12, 2022

Dear City Staff, Board of Appeals:

This letter is in support of the request to allow for 2 feet to be added to the maximum permitted fence height of 4 feet along Gaywood Road for a non-opaque wall. This project will improve the existing property and allow for the same capability as other properties in the surrounding neighborhoods and prevent an unnecessary hardship.

Natalie Smith

(Printed Name)


Natalie Smith (Dec 20, 2022 09:20 CST)

(Signature)

Dec 20, 2022

(Date Signed)

10040 Gaywood Rd Dallas TX 75229

(Address)

REVIEW COMMENT SHEET BOARD OF
ADJUSTMENT HEARING
January 17, 2023 (A)

<input checked="" type="checkbox"/> Has no objections	<input type="checkbox"/> BDA 223-001(OA)
<input type="checkbox"/> Has no objections if certain conditions are met (see comments below or attached)	<input type="checkbox"/> BDA 223-002(OA)
<input type="checkbox"/> Recommends that this be denied (see comments below or attached)	<input type="checkbox"/> BDA 223-003(OA)
<input type="checkbox"/> No comments	<input checked="" type="checkbox"/> BDA 223-006(OA)
	<input type="checkbox"/> BDA 223-008(OA)
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

COMMENTS:

	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

David Nevarez, PE, PTOE, DEV - Engineering12/27/2022**Name/Title/Department****Date**

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



918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

1" = 30'-0"

Title

Hardscape Plan

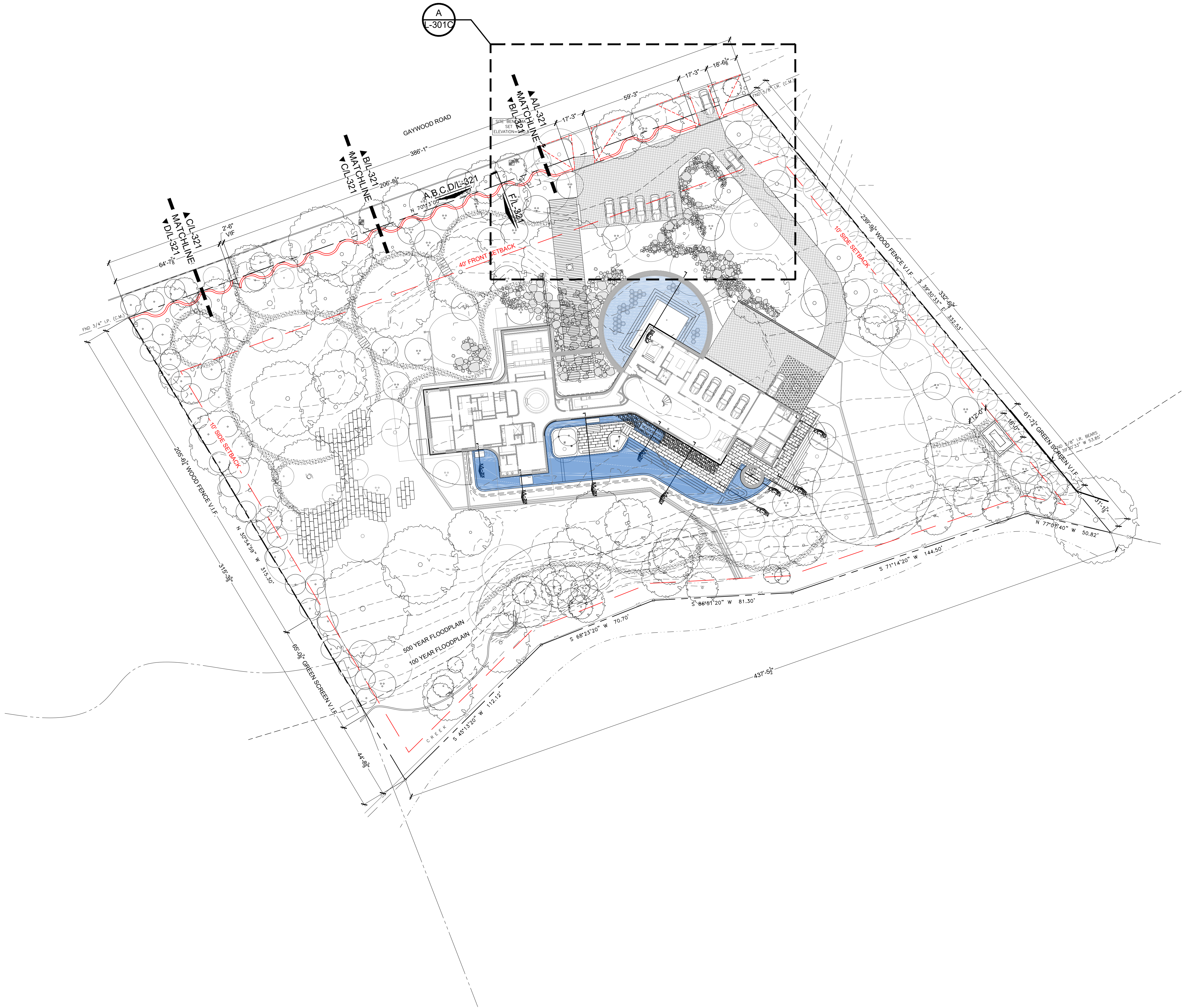
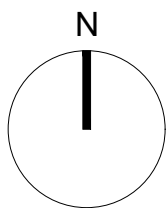
Sheet

L-301A

© 2022 Speck Architects

A HARDSCAPE PLAN (OVERALL) | 1" = 30'-0"

0 15 30 60





Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

Sheet

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

Issue

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

1" = 30'-0"

Title

Hardscape Plan

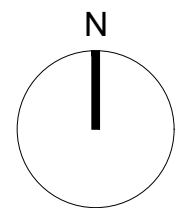
Sheet

L-301B

© 2022 Spent Architects

A HARDSCAPE PLAN (OVERALL) | 1" = 30'-0"

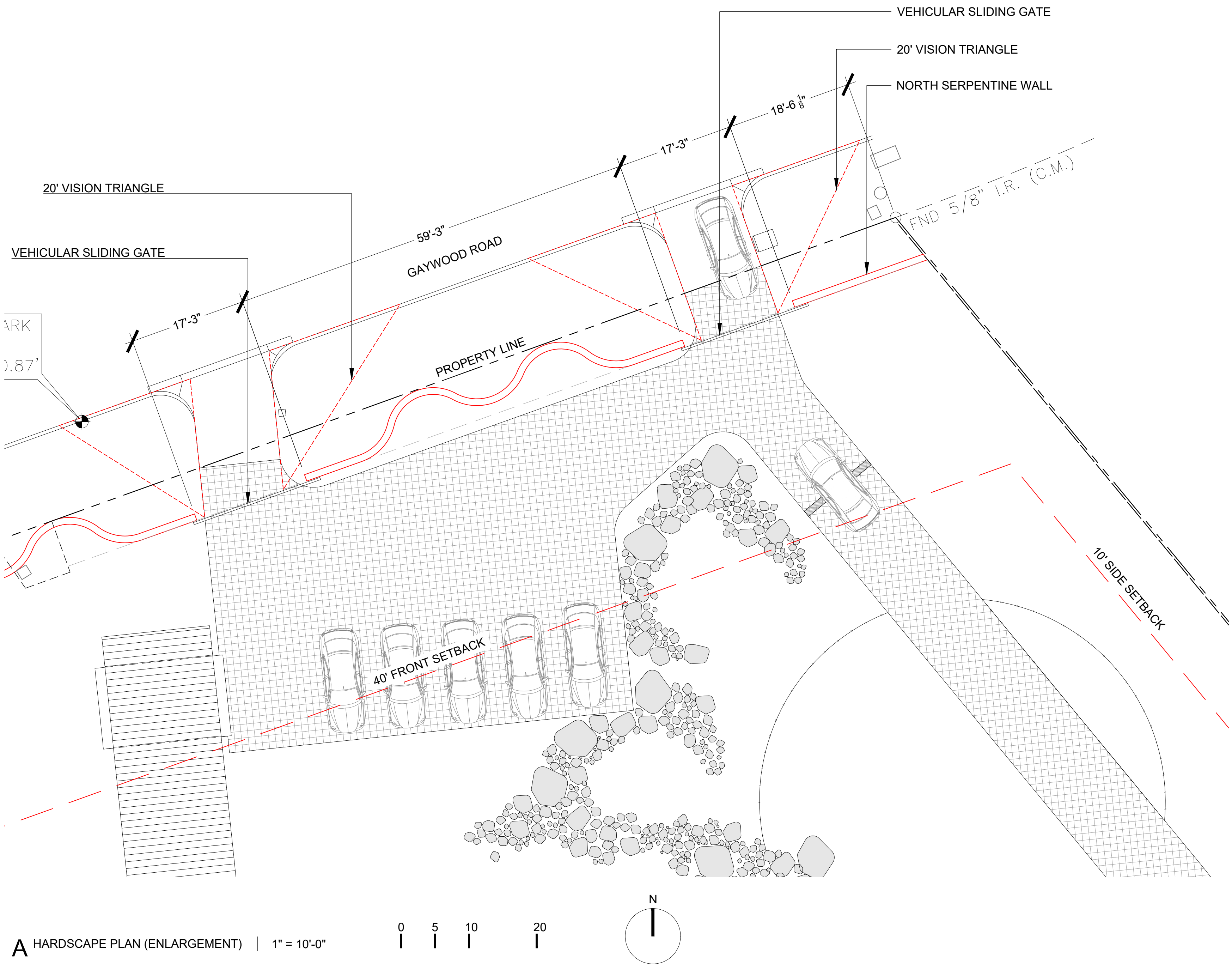
0 15 30 60





Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229



Sheet

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

Issue

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

1" = 10'-0"

Title

Hardscape Plan
Enlargement

Sheet

L-301C

© 2022 Speck Architects

NOTE:
FENCE TO FOLLOW
GRADE ACCORDING TO
FIELD CONDITIONS.

PERIMETER WALL,
RE: A,B,C,D,E/L-321.

1" X 3" STEEL TUBE PICKETS
SPACED @ 2 5/8" O.C.

LOCKEY 2835 MECHANICAL
KEYLESS LEVER LOCK
LATCH. FINAL PRODUCT TO
BE APPROVED BY OWNER.

SELF-CLOSING HEAVY DUTY
HINGES TO MEET POOL
CODE.

2" X 4" STEEL TUBE GATE
FRAME.

NOTE:
WALL CONSTRUCTION TO MEET CITY OF
DALLAS POOL CODE.

7" X 9" X 9" CHARCOAL
LEUDERS LIMESTONE BOND
BEAM FOR PRICING
PURPOSES.

7" X 7 X 7" CHARCOAL
LEUDERS LIMESTONE FOR
PRICING PURPOSES.

PLANTING, RE:L-501

CONTINUOUS, CAST-IN-PLACE
CONCRETE FOOTER. RE:
STRUCTURAL/GEOTECH.

HEAVILY COMPACTED
ROADBASE SUB-BASE LAYER.

F ELEVATION: PEDESTRIAN GATE | 3/4" = 1'-0"

E SECTION: PERIMETER WALL | 1" = 1'-0"

D ELEVATION: PERIMETER WALL | 1/4" = 1'-0"

C ELEVATION: PERIMETER WALL | 1/4" = 1'-0"

B ELEVATION: PERIMETER WALL | 1/4" = 1'-0"

A ELEVATION: PERIMETER WALL | 1/4" = 1'-0"

Architect

5306 Middle Fiskville Rd., Suite A
Austin, TX 78751
Tel: (512) 382-7938



918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

Seed

NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT

Issue

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

VARIES

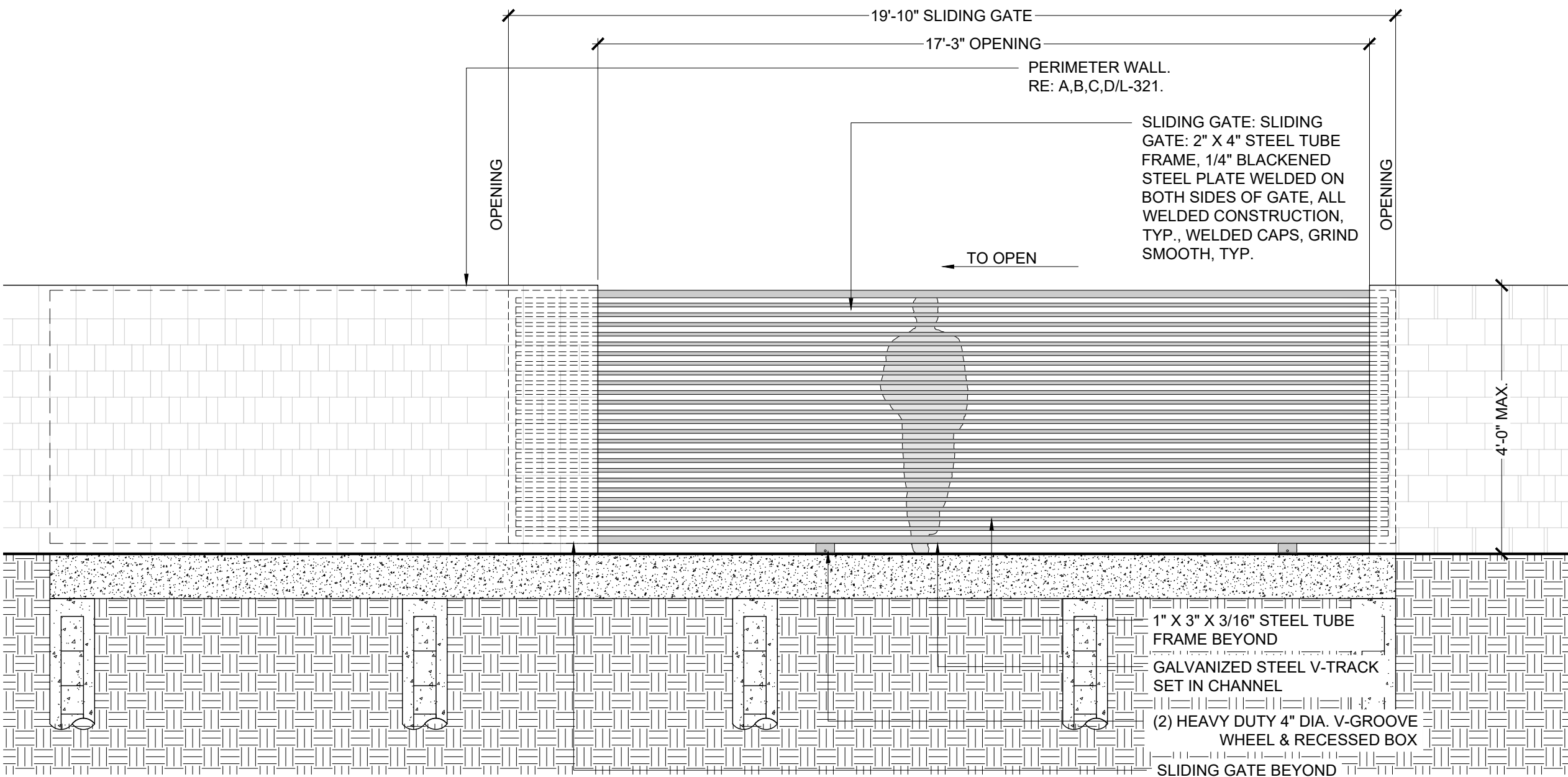
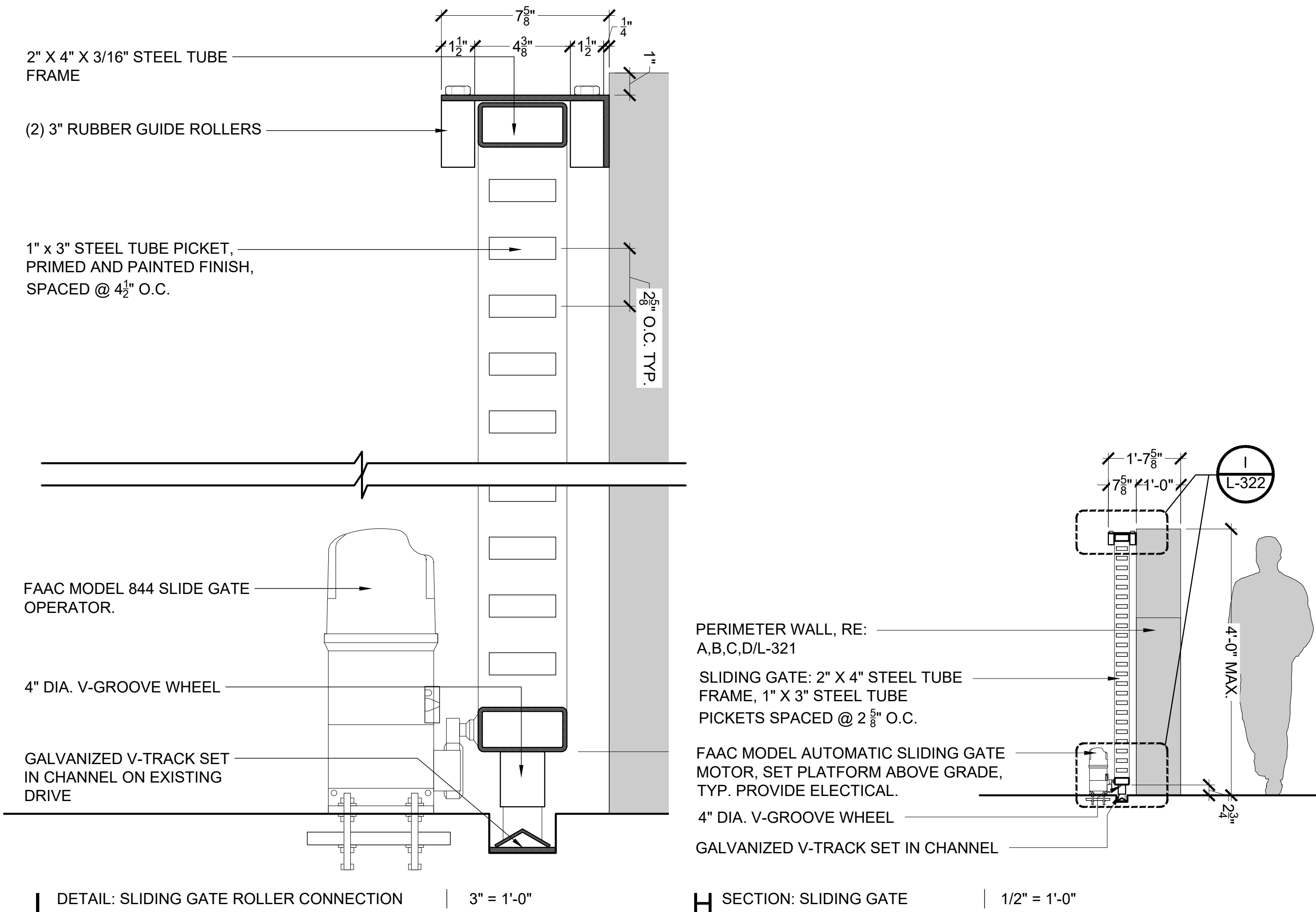
Title

Hardscape Details

Sheet

L-321

© 2022 Specter Architects



Architect

5306 Middle Fiskville Rd., Suite A
Austin, TX 78751
Tel: (512) 382-7938



918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Ammamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

Sheet

**NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT**

Issue

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

VARIES

Title

Hardscape Details

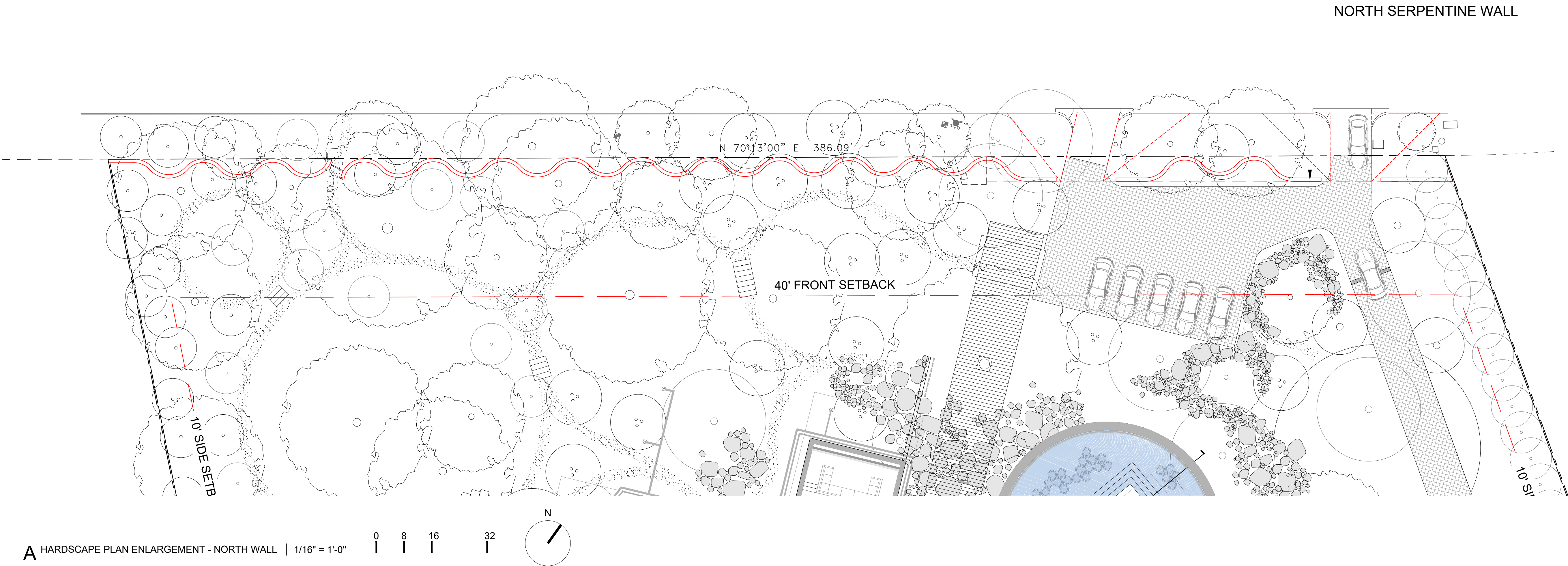
Sheet

L-322

© 2022 Specter Architects

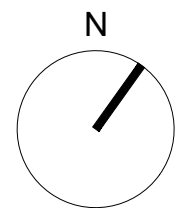


B GRAPHIC: NORTH WALL ELEVATION | NTS



A HARDSCAPE PLAN ENLARGEMENT - NORTH WALL | 1/16" = 1'-0"

0 8 16 32



Architect

5306 Middle Fiskville Rd., Suite A
Austin, TX 78751
Tel: (512) 382-7938



918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Amamma Legacy Residence

10240 Gaywood Rd, Dallas, Texas 75229

Sheet

**NOT FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION
IN PROGRESS - DRAFT**

Issue

BDA Application	09/22/2022
BDA Application (Revised)	01/25/2023
BDA Application (Revised)	02/09/2023

Legend

Date

02/09/2023

Scale

VARIES

Title

Hardscape Plan
Enlargement

Sheet

L-323

© 2022 Spectr Architects

February 10, 2023

RE: BDA223-006; 10240 Gaywood Road

Dear Commissioners and City Staff:

First of all, we would like to say thank you for taking our application into consideration. Since our meeting on January 17, 2023, we reexamined our design and the visibility triangle requirements. We found it important to comply to this regulation in our situation. We have designed the two gate areas accordingly and are now meeting the visibility triangle requirements. It is our request that the Special Exception to not meet the visibility triangle requirements be withdrawn from consideration or denied by the board because it is no longer necessary.

The rest of our wall will remain the same as it was depicted and presented at the last board meeting. Accordingly, all plans have been revised and submitted to city staff showing our changes. Our other two Special Exception requests remain, and we ask that consideration be given to approving each one.

- Allowing for a front yard fence within 5-feet from the property line that is less than 50% open; and
- Allowing a fence/wall taller than 4-feet in height (not to exceed a maximum of 6-feet in height).

To reiterate, we are planning to remove the existing 6-ft masonry wall and replacing it with a redesigned 6-ft masonry wall to make it more consistent and more aesthetically pleasing to the surrounding properties. Part of this change will allow us to add additional landscaping to soften the façade. The proposed request is consistent with the surrounding neighborhoods. Over the years similar requests have been approved in the area. Our request would not be out of character or harmful to the surrounding properties. Instead, the replacement of the existing wall with the new one will allow for a cleaner look and better architectural design. Additionally, the new design of the wall, would allow for better implementation of landscaping softening up the street scape and the subject property. The existing regulations in Section 51A-4.602 if literally applied would continue to cause an unnecessary hardship on the owner. The proposed request is in harmony with Section 51A-4.602. The antithesis of this request falls in line with the purpose and goals the City of Dallas has created when allowing for special exceptions pertaining to fences.

As part of our due diligence, we have reached out to the neighboring property owners and have received multiple letters of support of our request (see attached).

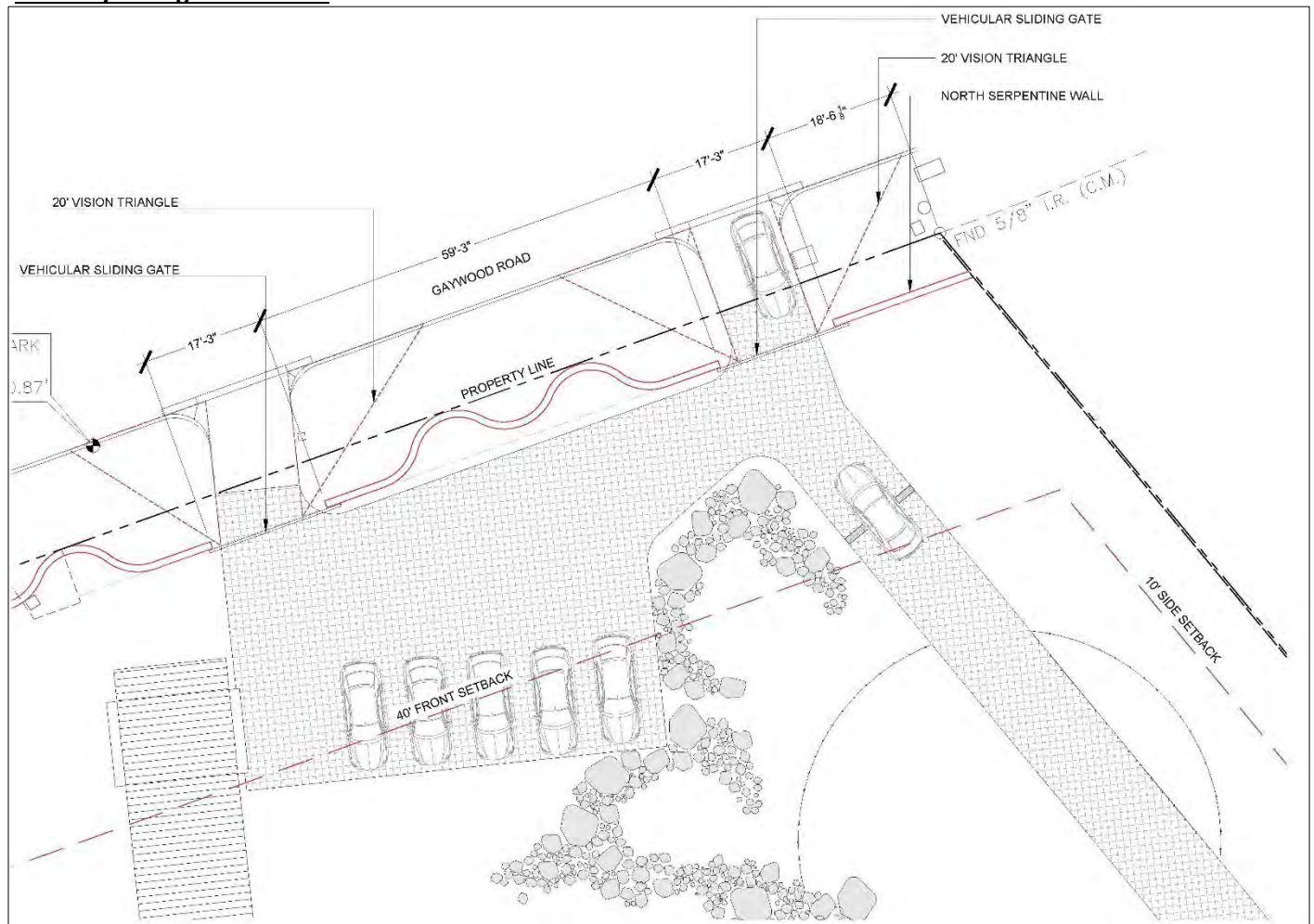
Once again, the proposed request is in harmony with Section 51A-4.602 and the surrounding area. The request would allow for our existing 6-feet wall to be replaced with a better designed and more aesthetically valued 6-feet wall to be constructed that is consistent with other properties in not only the immediate neighborhood, but the surrounding area.

Regards,



Trenton Robertson, AICP
Senior Consultant
Masterplan Texas

Visibility Triangles - Revised



Existing Wall



Proposed Wall

