

ZONING BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, OCTOBER 22, 2014
AGENDA

BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	11:00 A.M.
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	1:00 P.M.

Donna Moorman, Chief Planner
Steve Long, Board Administrator

MISCELLANEOUS ITEMS

Approval of the September 17, 2014 Board of Adjustment Panel B Public Hearing Minutes	M1
Consideration and approval of Panel B's 2015 Public Hearing Calendar	M2

UNCONTESTED CASES

BDA 134-095	4420 Sycamore Street REQUEST: Application of Farnaz Lak to enlarge a nonconforming use	1
BDA 134-100	5813 Park Lane REQUEST: Application of Karl A. Crawley for a special exception to the fence height regulations at	2

HOLDOVER CASES

BDA 134-070	4820 Northaven Road REQUEST: Application of Abdul Hafeez Khan, represented by Warren Packer, for a special exception to the fence height regulations	3
BDA 134-071	11217 Strait Lane REQUEST: Application of Abdul Hafeez Khan, represented by Warren Packer, for a special exception to the fence height regulations	4

REGULAR CASES

BDA 134-088	5027 Maple Springs Boulevard REQUEST: Application of Parker Williams for a variance to the side yard setback regulations at	5
BDA 134-093	1414 (aka: 1420) Dragon Street REQUEST: Application of Brian Rutt for a variance to the landscape regulations	6

EXECUTIVE SESSION NOTICE

The Commission/Board may hold a closed executive session regarding any item on this agenda when:

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 Commission/Board 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 §551.086]

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel B September 17, 2014 public hearing minutes.

MISCELLANEOUS ITEM NO. 2

To approve the Board of Adjustment Panel B's 2015 public hearing calendar (see Attachment A).

FILE NUMBER: BDA 134-095

BUILDING OFFICIAL'S REPORT: Application of Farnaz Lak to enlarge a nonconforming use at 4420 Sycamore Street. This property is more fully described as Lot 4, Block 9/739, and is zoned PD298 (Subarea 9, R-7.5(A)), which limits the legal uses in a zoning district. The applicant proposes to enlarge or maintain the enlargement of a nonconforming multifamily residential use, which will require a request to enlarge a nonconforming use.

LOCATION: 4420 Sycamore Street

APPLICANT: Farnaz Lak

REQUEST:

A request is made to maintain a nonconforming "multifamily" use that according to the applicant was enlarged from 4 units to 6 units without permit.

STANDARD FOR ENLARGING A NONCONFORMING USE:

The board may allow the enlargement of a nonconforming use when, in the opinion of the Board, the enlargement: 1) does not prolong the life of the nonconforming use; 2) would have been permitted under the zoning regulations that existed when the nonconforming use was originally established by right; and 3) will not have an adverse effect on the surrounding area.

STAFF RECOMMENDATION:

No staff recommendation is made on a request to enlarge a nonconforming use since the basis for this type of appeal is based on when, in the opinion of the Board, the enlargement: 1) does not prolong the life of the nonconforming use; 2) would have been permitted under the zoning regulations that existed when the nonconforming use was originally established by right; and 3) will not have an adverse effect on the surrounding area.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	PD 298 (Subarea 9, R-7.5(A))H/72 (Planned Development, Single family, historic district)
<u>North:</u>	PD 298 (Subarea 9, R-7.5(A))H/72 (Planned Development, Single family, historic district)
<u>South:</u>	PD 298 (Subarea 9, R-7.5(A))H/72 (Planned Development, Single family, historic district)
<u>East:</u>	PD 298 (Subarea 9, MF-1(A)) H/72(Planned Development, Multifamily, historic district)
<u>West:</u>	PD 298 (Subarea 9, R-7.5(A))H/72 (Planned Development, Single family, historic district)

Land Use:

The subject site is developed as a “multifamily” use. The areas to the north, east, and west are developed with residential uses; and the lot immediately south is undeveloped.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on the enlargement of a nonconforming “multifamily” use on the subject site, which in this particular case, involves according to the applicant, increasing the original dwelling from 4 units to 6 units without permit.
- The subject site is zoned PD 298 (Subarea 9, R-7.5(A)).
- A “multifamily” use is not permitted in the PD 298 (Subarea 9, R-7.5(A))
- A “multifamily” use could only become a *conforming* use on this property if/once it has been rezoned by the City Council through a public hearing process.
- The Dallas Development Code defines a nonconforming use as “a use that does not conform to the use regulations of this chapter, but was lawfully established under regulations in force at the beginning of operation and has been in regular use since that time.”
- The Dallas Development Code states that enlargement of a nonconforming use means any enlargement of the physical aspects of a nonconforming use, including any increase in height, floor area, number of dwelling units, or the area in which the nonconforming use operates.
- On September 23, 2014, the Building Inspection Senior Plans Examiner/ Development Code Specialist emailed the Board Administrator that the enlargement of this nonconforming use was with regard to it being transitioned from 4 dwelling units to 6 dwelling units with no record found as to when this enlargement may have occurred.
- A copy of a Certificate of Occupancy is included in the case file for a multifamily use (CO #9504181104) issued on April 18, 1995.

- An email is included in this case file written by the Board Administrator to the Board of Adjustment Chief Planner that provides a record of their findings from a search on September 11, 2014 of the archived zoning maps in the 5BN conference room regarding zoning on the property at 4420 Sycamore Street as it related to this application. The findings included the following:
 1. A 1929 zoning map shows the property was zoned “#2 Apartment District - 3 or more dwellings”
 2. A 1965 zoning map shows the property was zoned “MF-2”
 3. A zoning map that appears to be from the mid 80’s shows the property zoned “R-7.5”.
- The applicant has been informed of the Dallas Development Code provisions pertaining to “Nonconforming Uses and Structures,” and how nonconforming uses can be brought to the Board of Adjustment for amortization where if the board determines that continued operation of the use will have an adverse effect on nearby properties, it shall proceed to establish a compliance date for that nonconforming use - a compliance date that is provided under a plan whereby the owner’s actual investment in the use before the time that the use became nonconforming can be amortized within a definite time period.
- The applicant has submitted a site plan, a floor plan, and elevations. The site plan makes representation of the building footprint on the site; the floor plan makes representation of what appears to be a 6 unit development; and the elevation makes representation of all four sides of the structure on the property.
- The applicant has the burden of proof to establish that the enlargement of the non-conforming use:
 1. does not prolong the life of the nonconforming use;
 2. would have been permitted under the zoning regulations that existed when the nonconforming use was originally established by right; and
 3. will not have an adverse effect on the surrounding area.
- If the Board were to grant this request, they can consider imposing as a condition any or all of the applicant’s submittals (site plan, floor plan, elevations). If the Board were to grant the request and impose any or all of these submittals as conditions, the enlargement of the nonconforming use would be limited to what is shown on any such document.

Timeline:

- August 4, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- September 9, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

September 12, 2014: The Board Administrator emailed the applicant the following information:

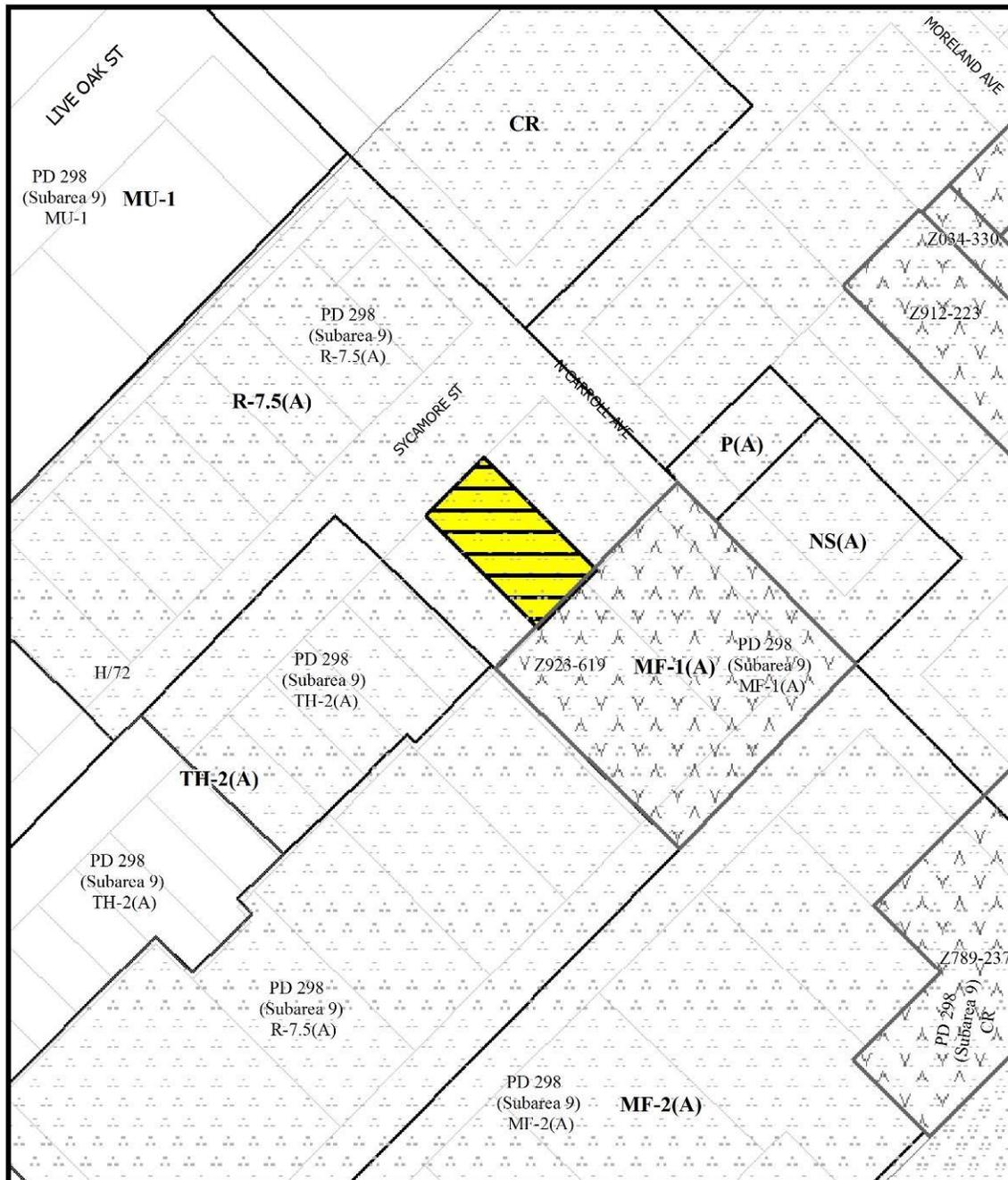
- an attachment that provided the public hearing date and panel that will consider the application; the September 26th deadline to submit additional evidence for staff to factor into their analysis; and the October 19th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request;
- the section from the Dallas Development Code pertaining to nonconforming uses and structures and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

September 23, 2014: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

September 30, 2014: The Sustainable Development and Construction Historic Preservation Senior Planner emailed the Board Administrator the following comment: "I'm not sure why the "H" overlay for this address didn't pop up under zoning, but it is located within the Peak's Suburban Historic District, meaning that any exterior changes, including additions to accommodate an expansion, need to be reviewed by the Landmark Commission." The applicant responded to the email that was forwarded to her on October 1st with the following response: "Further to Mr. Doty's comment I would like to once again emphasize on the fact that this is not an expansion of the building, exterior changes or making an addition to the building to accommodate an expansion. This is an expansion of the use within the current square footage of the building."

October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

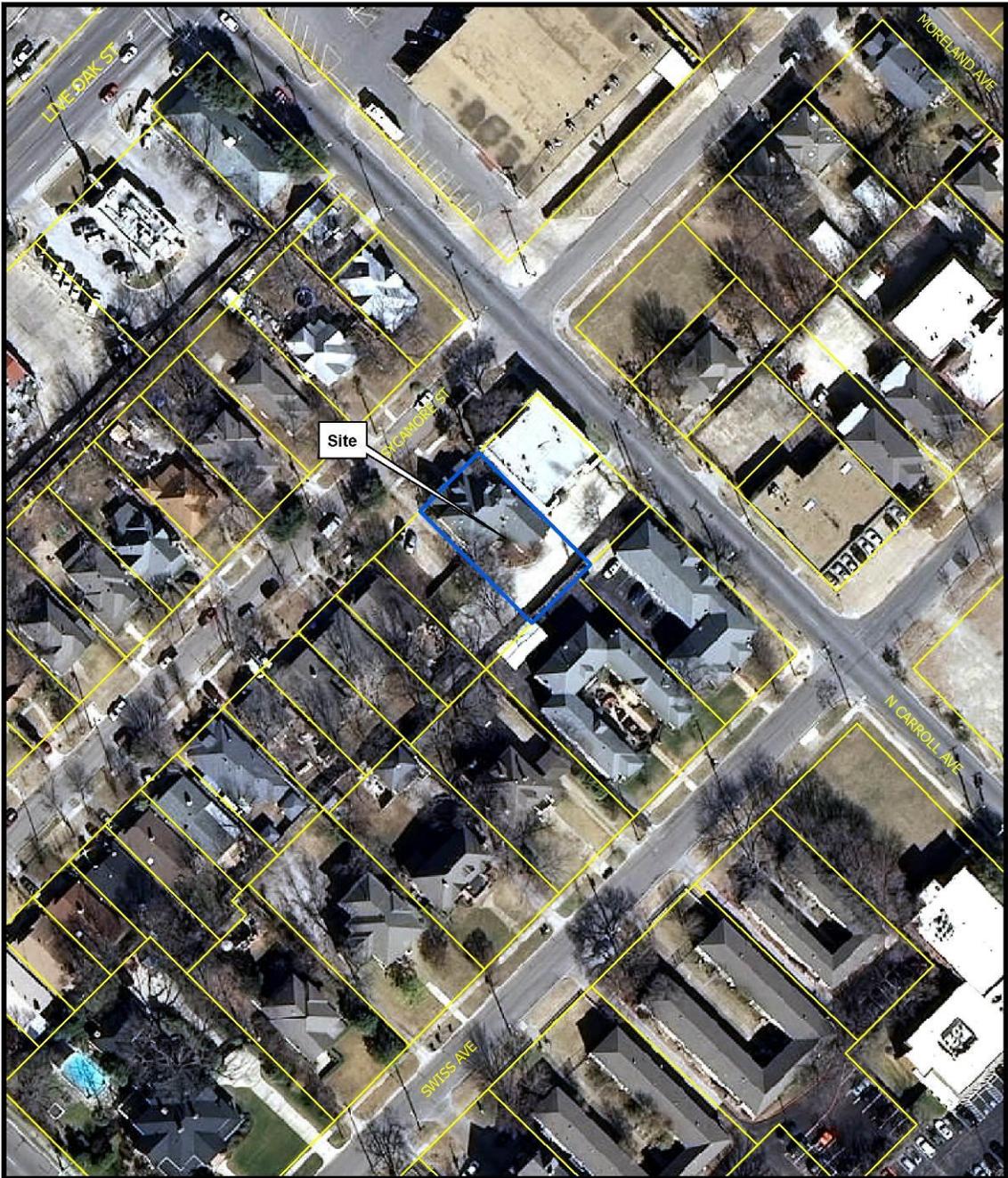


1:1,200

ZONING MAP

Case no: BDA134-095

Date: 9/23/2014



1:1,200

AERIAL MAP

Case no: BDA134-095

Date: 9/23/2014

Long, Steve

From: Fallon Lak <fallon1@earthlink.net>
Sent: Tuesday, September 23, 2014 8:12 PM
To: Long, Steve
Subject: 4420 Sycamore Street, Dallas
Attachments: Letter to city 9.22.14.pdf; ATT00001.txt; Sellers Disclosure2.pdf; ATT00002.txt; Jean Tacker; Joseph Hill.doc; mcCausland.docx; ATT00003.txt; Jill Carpenter.pdf; ATT00004.txt; MLS print 10.30.13.pdf; ATT00005.txt

Dear Mr. Long,

Thank you so much for your time and detailed explanation. Further to our conversation I would like to clarify for the kind attention of the board that this application is for an enlargement of the number of units and not the building. The use of this building was increased on the original dwelling, from 4 units to 6 units, and according to the City of Dallas without permit. Unfortunately I cannot find records as when this enlargement took place. But according to relators that have worked in East Dallas area, this building has had 6 units for as long as they can remember. As I mentioned in my previous letter, even though the city does not have any permits on file for this use enlargement, there are permits on file for separate water, gas, and electric meters for all the 6 units.

Please kindly take into consideration that we became aware of this use enlargement when we filled for the multi-tenant application. According to the previous owner and the disclosure documents she signed all work on the building was done with proper permits, and we were not told that she had increased the use from 4 to 6 units. The property was sold to us as 6 units.

Since this use enlargement has not caused any negative impact on the community, and there are many multifamily buildings in the surrounding area, we kindly like to ask the board to grant us permission to maintain the current use of 6 units, and we will then work with the City of Dallas to obtain all the necessary permits.

Attached please find a letter from the buyer's agent, along with the MLs listing, and the seller's disclosure statement. I have further included a letter from a resident in that area, a letter from the selling agent and two other agents that have worked in that area for many number of years.

Once again I thank you and the board for your kind consideration and time.

Sincerely
Farnaz Lak
214-497-1005

**DARIEN HALL
BROKER | REALTOR**

BDA 134-095
Attach A
Pg 2

Diamond D. Real Estate
1000 E. Belt Line RD
STE 230
Carrollton, Tx. 75006
Phone (972) 836-8384
Fax (972) 499-1980
Darien@diamonddrealestate.com

September 22, 2014

To whom it may concern,

Let me first introduce myself. I am a local real estate broker specializing in commercial and residential real estate. I have facilitated 100's of transactions and known by some as local expert in our community. On behalf of my clients Koorosh Samalizad and Farnaz Lak I would like to offer my findings on the subject property and also supportive documentation attached regarding 4420 Sycamore Street.

On December 13, 2012 my clients agreed to a purchase real estate from seller, Cecilia Yeeda. The properties included:

4418 Sycamore Street Dallas, TX, 75204
4420 Sycamore Street Dallas, TX, 75204 *6 Units
4422 Sycamore Street Dallas, TX, 75204 *8 Units

I am attaching a document titled Agent Full Report. This is the official MLS document that reflects this transaction. It also functions as the marketing piece provided by seller and seller representative Coldwell Banker which discloses detailed information about the properties. This MLS document is crucial as it identifies pertinent information that includes offering amount and units available. Referring to the document you will see the total number of units offered for sale is 14. This includes combined current functioning units located in properties 4420 and 4422 Sycamore Street.

I am also attaching Sellers Disclosure documents for 4420 Sycamore street. This document is required by seller to disclose any knowing material facts about the property. In this document seller discloses the current use of 4420 Sycamore Street as a functional 6 unit property. Also, located under paragraph 23 of this document seller states there has not been any structural modifications or alterations to this property without necessary permits.

I hope this information will be helpful and aid in the resolution of this on going issue. The current operating use of 4420 Sycamore Street as a 6 unit does conform with the area and hopefully that will be able to continue.

Sincerely,



COLDWELL BANKER RESIDENTIAL BROKERAGE
SELLER'S DISCLOSURE NOTICE
 TO BE COMPLETED BY SELLER(S)

BDA 134-095
 Attach A
 Pg 3

CONCERNING THE PROPERTY AT 4420 Sycamore St Dallas Dallas
 (STREET ADDRESS AND CITY) (COUNTY)

Section 5.008 of the Texas Property Code requires a seller of residential real property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of contract. This form complies with and contains additional disclosures that exceed the minimum disclosures required by the Code.

This statement is a disclosure of seller's knowledge of the condition of The Property as of the date of the seller's signature indicated below. This statement is NOT a warranty of any kind by the seller or listing broker and is NOT a substitute for any inspections or warranties the Buyer(s) may wish to obtain. A Buyer is urged to obtain an inspection of The Property by a qualified, licensed inspector. The following statements are representations made by the Seller(s) based upon Seller's knowledge and are not representations of the Listing Broker or any other broker participating in a sales transaction. The Listing Broker has relied upon the following information in disseminating information about the condition of The Property.

GENERAL INFORMATION

- | | |
|---|--|
| <p>1. The Property is currently:
 <input type="checkbox"/> Owner occupied <input type="checkbox"/> Estate
 <input checked="" type="checkbox"/> Leased <input type="checkbox"/> Foreclosure</p> <p>- If owner occupied, for _____ years.
 - If not owner occupied, for _____ years.
 - Owner never occupied _____
 - If leased: Origination Date _____; Expiration Date _____</p> <p>2. Seller is the current owner of the Property and can sell the Property without being joined by any other person:
 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>- If "No", explain: _____</p> <p>3. Year the Property was constructed: _____
 <input type="checkbox"/> Per Owner <input type="checkbox"/> Per Tax Rolls
 (If property built prior to 1978, complete, sign, & attach TAR-1906 form concerning lead-based paint hazards.)</p> <p>4. Is Seller a United States citizen: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>- If "No", the seller is a "foreign person" as defined in the Internal Revenue Code: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5. Check any of the following tax exemptions which Seller claims for the Property:
 <input type="checkbox"/> Homestead <input type="checkbox"/> Senior Citizen <input type="checkbox"/> Disabled
 <input type="checkbox"/> Disabled Veteran <input type="checkbox"/> Wildlife Management
 <input type="checkbox"/> Agricultural <input type="checkbox"/> Other <u>N/A</u></p> <p>6. Is there currently in force for the Property a written Builder's Warranty?
 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>- If "Yes", identify the warranty by stating:
 Name of Company issuing warranty: _____

 Warranty Number: _____</p> | <p>7. Except for manufacturer warranties, if any, on appliances, does there exist any other warranties for the Property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>- If "Yes", identify the warranties: _____</p> <p>8. Are there any pending or threatened condemnation proceedings which affect the Property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>- If "Yes", explain: _____</p> <p>9. Has the Property (or the homeowners' association of which the Property is a part) been the subject of any pending or concluded lawsuit or legal proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>- If "Yes", explain: _____</p> <p>10. Has the Seller asserted any claim under any insurance policy or against any person for any physical condition or damage to the Property?
 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>- If "Yes", explain: _____</p> <p>11. Has the Seller ever collected any insurance payments pursuant to a claim you have made for damage to the Property and then not used the proceeds to make the repairs for which the claim was submitted?
 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>- If "Yes", explain: _____</p> <p>12. Did you (Seller) use a real estate broker when you purchased the property?
 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>- If "Yes", name: _____</p> |
|---|--|

INFORMATION ABOUT EQUIPMENT AND SYSTEMS

13. For items listed below in Section 13, check appropriate box if items are included in the sale of the Property and are presently in "Working Condition" and there are no known defects. Please check if item has been repaired (note date of repair) or if item is in need of repair. Check "N/A" for items that do not apply to the Property or are not included in the sale. **NOTE: THIS NOTICE DOES NOT ESTABLISH WHICH ITEMS ARE TO BE CONVEYED IN A SALE OF THE PROPERTY. THE TERMS OF A CONTRACT OF SALE WILL DETERMINE WHICH ITEMS ARE TO BE CONVEYED.**

SELLER'S DISCLOSURE NOTICE - PAGE 1 OF 7

Seller's Initials Seller's Initials

CBDFW (09/1/00)

Coldwell Banker Residential 2010 Skillman Dallas, TX 75206
 Phone: 214.828.4300 Fax: 214.828.9759

Joseph Hill

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48028

www.ziplogix.com

PROPERTY ADDRESS: 4420 Sycamore St
Dallas, TX 75204

Buyer's Initials F.L Buyer's Initials

4418-22 Sycamore

EQUIPMENT & SYSTEM	WORKING N/A	CONDITION	HAS BEEN REPAIRED	DATE OF REPAIR MONTH/YEAR	IN NEED OF REPAIR	DESCRIPTION OF COMPLETED/NEEDED REPAIRS
Attic Vents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Cable TV/ Computer Wiring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Carbon Monoxide Detector(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Ceiling Fan(s) #Units _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Cooktop	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Cooling (Cent'l Gas _____ / Elec <input checked="" type="checkbox"/> , #Units <u>6</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Cooling (Window _____ / Wall _____ / Evap'r _____, #Units _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Dishwasher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Entry Gate(s) & Control (Auto <input checked="" type="checkbox"/> / Manual _____, #Controls <u>2</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Emergency Escape Ladder(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Exhaust Fan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fire/Smoke Detection Equipment (Elec _____ Battery _____ Hearing Impaired _____)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Garage Door Opener(s) & Controls (Auto _____ / Manual _____ / #Controls _____ 1, _____ 2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Gas Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Gas Lines (Natural <input checked="" type="checkbox"/> / Liquid Propane _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Heating (Cen Gas _____ / Elec _____, #Units <u>6</u>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Heating (Window _____ / Wall _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Heating Other _____, describe _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Hot Tub	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Ice Maker	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Intercom System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Lawn Sprinkler System (Auto <input checked="" type="checkbox"/> / Manual _____ / Partial _____, Full _____)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Lighting Fixtures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Outdoor Cooking Equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Oven (_____ Gas _____ Electric _____ other _____ # of)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Public Sewer & Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Range/Stove	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Refrigerator (Built-In)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Satellite Dish, Receiver, Wiring and Controls (Own _____ / Lease _____ / from _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Sauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Security System(s) (In Use _____ / Abandoned _____)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Septic or other On-Site Sewer System (If Yes, attach TAR-1407 form)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Shower Enclosure & Pan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Spa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Swimming Pool & Equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Swimming Pool Built-In Cleaning Equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Swimming Pool Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Swimming Pool Maintenance Accessories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Trash Compactor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
TV Antenna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Water Heater (Gas <input checked="" type="checkbox"/> / Elec _____ Other _____, #Units <u>6</u>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Water Softener (Own _____ / Lease _____ / from _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Wells	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	

BDA 134-095
Attach A
Pg 4

SELLER'S DISCLOSURE NOTICE - PAGE 2 OF 7

Seller's Initials FL Seller's Initials _____
CBDFW (09/1/07)

4420 Sycamore St
PROPERTY ADDRESS: Dallas, TX 75204

Buyer's Initials FL Buyer's Initials CL

INFORMATION ABOUT STRUCTURE OTHER

STRUCTURAL/OTHER	N/A	WORKING CONDITION	HAS BEEN REPAIRED	DATE OF REPAIR MONTH/YEAR	IN NEED OF REPAIR	DESCRIPTION OF COMPLETED/ NEEDED REPAIRS
Basement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Carport (Attached ___ /Not Attached ___)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Doors (French ___ /Other <input checked="" type="checkbox"/>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Drains	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Electrical Wiring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fences	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fireplace(s)/Chimney (mock), #Units ___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fireplace(s)/Chimney (wood burning) #Units ___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fireplace(s)/with gas logs, #Units ___	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Fireplace(s)/Other/describe _____, #Units ___	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Floor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Foundation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	
Garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Lighting (Outdoor: Landscape, Security)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Patio/Decking	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Plumbing Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Pump: ___ Sump ___ Grinder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Retaining Wall	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Rain Gutters and Down Spouts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Roof	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Skylight(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Walls (Exterior/Interior)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Washer/Dryer Hookups (Gas ___ /Elec <input checked="" type="checkbox"/>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Window Screens	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
Other: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	

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14. The shingles or roof covering is constructed of:
 Wood Composition Tile Other Flat
 - Is there an overlay covering? Yes No Unknown

15. The age of the shingles or roof covering: 1 1/2 years

16. Have there been previous roof leaks? Yes No Unknown
 - If "Yes", complete the following

Date of occurrence	Area of occurrence	Remedy performed

17. The electrical wiring of the Property is: Copper Aluminum
 Other (specify) _____ Unknown

18. Is there a security system? Yes No
 - If "Yes", system is: Owned Leased
 - If leased, is lease transferable? Yes No

Monitor Charge: Mo. Qtr. Yr. \$ _____
 Lease Charge: Mo. Qtr. Yr. \$ _____

19. Please identify other systems, if any, of the Property which are leased and not owned by Seller: N/A

INFORMATION ABOUT FOUNDATION AND INSPECTION REPORTS

20. Have repairs been made to the foundation of the Property since its original construction? Yes No Unknown
 If "Yes", explain what repairs you know or believe to have been made: piers

21. Have you (Seller) obtained any written/ oral inspection and/or foundation report and/or notice from persons who regularly provide inspections (such as engineers, contractors, inspectors, any government agency, appraisers, mortgage lender or repair service) and who are either licensed or otherwise permitted by law to perform inspections? Yes No

SELLER'S DISCLOSURE NOTICE - PAGE 3 OF 7

4420 Sycamore St
PROPERTY ADDRESS: Dallas, TX 75204

Seller's Initials [Signature] Seller's Initials _____
 CBDFW (09/1/07)

Buyer's Initials F.L. Buyer's Initials [Signature]

If yes, attach copies and complete the following:

Report Date	Type of Inspection	Name of Inspector/ Company	No. of Pages

22. Do you (Seller) have a copy of the home inspection report(s) prepared when you purchased the Property? Yes No If yes, attach copies and complete the following.

Report Date	Type of Inspection	Name of Inspector/ Company	No. of Pages

Do you (Seller) have a copy of the Seller's Disclosure you received when you purchased the property? Yes No If yes, attach a copy.

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from licensed inspectors chosen by the buyer.

MISCELLANEOUS INFORMATION ABOUT PROPERTY

23. Is the Seller aware of any of the following conditions?

	YES	NO	UNKNOWN	IF "YES", EXPLAIN
ASBESTOS Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Any personal or business BANKRUPTCY pending which would affect the sale of the Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Located on or near CORP OF ENGINEERS Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Defects in FLOOR COVERING (not visible; i.e. stains)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Any DEATH occurring on Property other than self-inflicted, by natural causes or accident unrelated to the condition of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Unplatted/ Unrecorded EASEMENTS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Encroachments onto the PROPERTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Improvements ENCROACHING ON OTHERS' PROPERTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FAULT Lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous property FIRES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Located in 100-Year FLOOD PLAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Any FORECLOSURES pending or threatened with respect to the Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Urea formaldehyde INSULATION	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
LANDFILL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Any NOTICES of violation of deed restrictions or governmental ordinances affecting the condition or use of the Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Use of Premises for Manufacture of Methamphetamine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Lead-based PAINT (Attach TAR -1906 Form if home build prior to 1978.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Room additions, structural modification, or other alterations or repairs made without necessary PERMITS or not in compliance with building codes in effect at that time	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Above-ground impediment to swimming POOL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Underground impediment to swimming POOL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Any PROPERTY CONDITION which materially affects the physical health or safety of an individual	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RADON gas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
House SETTLING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SOIL Movement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Endangered SPECIES/ HABITAT on property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Subsurface STRUCTURES (i.e. Pits, filled-in swimming pools)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

SELLER'S DISCLOSURE NOTICE - PAGE 4 OF 7

PROPERTY ADDRESS: 4420 Sycamore St
 Dallas, TX 75204

Seller's Initials ay Seller's Initials _____
 CBDFW (09/1/07)

Buyer's Initials F.L Buyer's Initials ke

- Underground STORAGE TANKS _____
- Hazardous or TOXIC WASTE affecting the Property _____
- Diseased TREES (i.e. Oak Wilt) _____
- Holes in WALLS _____
- WETLANDS on Property _____
- WOOD ROT Damage Needing Repair _____

24. Is the Seller aware of any condition that has not been previously addressed in this disclosure statement that, in your opinion, is defective? Yes No

- If "Yes", explain: _____

25. If the Property is part of a group creating a homeowner's association, state the following information:

- Amount of Monthly dues or assessments: \$ N/A
- Name of Association: _____
- Association Manager: _____
- Payment of dues/assessments is: Mandatory Voluntary
- Seller's Percentage Ownership in Common Areas: _____ %
- Amount of Unpaid Dues or Assessments, if any: \$ _____
- Optional Membership: \$ _____
- Is property affiliated with more than one association? Yes No

If "Yes", attach information to this notice.

26. Is the Property in a historic or conservation district that may have special restrictions? Yes No Unknown

- If "Yes", explain: _____

27. The Property is currently serviced by the following utilities or systems (check as applicable):

- Water Sewer Septic
- Electricity Natural Gas Cable
- Local Phone Propane Trash
- Other _____

28. The water service to the Property is provided by (check as applicable): City Well MUD Coop

29. Are there any outstanding mechanics and materialmen's liens or judgments against the Property? Yes No Unknown

INFORMATION ABOUT DRAINAGE

30. Has the Seller ever obtained a written or oral report about any improper drainage condition from any engineer, contractor, inspector, or expert? Yes No

- If "Yes", identify the report by stating the date of the report, the person or company who made the report, and its content: _____

- If "Yes", have you given a copy of each report to the Listing Broker? Yes No

31. Have repairs been made to the drainage of the Property since its original construction? Yes No Unknown

- If "Yes", explain what repairs you know or believe to have been made: _____

32. Does the Seller know of any drainage issue that affects the home or surrounding property? Yes No

- If "Yes", explain: _____

33. Have there been any previous incidents of flooding or other surface water penetration into the house, garage, or accessory buildings of the Property? Yes No Unknown

- If "Yes", when did the incident(s) occur and describe the extent of flooding or water penetration: _____

34. Have there been any previous incidents of flooding onto the Property? Yes No Unknown

- If "Yes", when did the incident(s) occur and describe the extent of flooding or water penetration: _____

35. Is the Property covered by flood insurance? Yes No

If yes, attach "Information About Special Flood Hazard Areas", TAR No. 1414

WOOD DESTROYING INSECTS

36. Has the Seller ever obtained a written report about active termites or other wood destroying insects? Yes No

- If "Yes", identify the report by stating the date of the report, the person or company who made the report, and its content: _____

- If "Yes", have you given a copy of each report to the Listing Broker? Yes No

37. Has the Property been treated for termites or other wood destroying insects? Yes No Unknown

- If "Yes", please state date of treatment: _____

38. Have there been any repairs made to damage caused by termites or other wood destroying insects? Yes No Unknown

- If "Yes", explain what repairs you know or believe to have been made: _____

39. Do active termites or other wood destroying insects currently infest the Property? Yes No Unknown

- If "Yes", explain: _____

40. Is there any existing termite damage in need of repair? Yes No Unknown

- If "Yes", explain: _____

41. Is the Property currently covered by a termite policy? Yes No

- If "Yes", identify the policy by stating:
 Name of Company issuing policy: _____
 Policy Number: _____
 Date of policy renewal: _____

SELLER'S DISCLOSURE NOTICE - PAGE 5 OF 7

PROPERTY ADDRESS: 4420 Sycamore St Dallas, TX 75204

Seller's Initials aj Seller's Initials _____
 CBDFW (09/1/07)

Buyer's Initials FL Buyer's Initials LS

INFORMATION ABOUT ENVIRONMENTAL CONDITIONS

42. Is the Seller aware of any repairs or treatment, other than routine maintenance, for the following environmental hazards:
- | | | | |
|---------------------------|------------------------------|--|----------------------------------|
| Removal of asbestos | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Radon gas | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Treatment of mold | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Lead based paint | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown |
| Contaminated ground water | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Unknown |
- If "Yes", explain: _____

43. If the answer to any part of question #42 is "Yes", has the Seller ever obtained a written report addressing environmental hazards referred to in question #42 above? Yes No
- If "Yes", explain: _____

(Identify any reports by stating the date of the report, the person or company who made the report, and its content.)

INFORMATION ABOUT SMOKE DETECTORS

44. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 or the Health and Safety Code? Yes No Unknown
- If no or unknown, explain: _____

*Chapter 766 of the Health and Safety Code requires one-family or two family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.

ACKNOWLEDGMENT BY SELLER

• Seller _____ has has not attached the property Survey to Seller's Disclosure.

• Seller states that the information in this disclosure is complete and accurate to the best of my knowledge and belief as of the date signed.

• Seller understands information in this statement will be disseminated by Listing Broker to prospective buyers and other brokers.

• The listing agent has not instructed Seller how to answer any question in this disclosure or suggested any answer to Seller or in any way sought to influence Seller to provide or omit any information or answers that are not absolutely true so far as the Seller knows.

• Seller(s) hereby Agree(s) to indemnify Listing Broker in any sale of The Property of and from any claim, loss or damage arising from any false representation of seller(s) contained in this disclosure statement.

• Seller to notify broker in writing if seller believes this seller's disclosure notice needs to be modified.

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Cecilia B. Yeeda 7/18/12
SELLER (SIGN AS NAME APPEARS ON TITLE) / DATE
PRINTED NAME: Cecilia B. Yeeda

SELLER (SIGN AS NAME APPEARS ON TITLE) DATE
PRINTED NAME: _____

SELLER'S DISCLOSURE NOTICE - PAGE 6 OF 7

PROPERTY ADDRESS: 4420 Sycamore St Dallas, TX 75204

Seller's Initials CY Seller's Initials _____
CBDFW (09/1/07)

Buyer's Initials FL Buyer's Initials [Signature]

ADDITIONAL NOTICES TO BUYER

NOTICE: Such written information in this Seller's Disclosure Notice for the Property does not constitute the representations of the Listing Broker and other Broker participating in a sale transaction or their sales associates, employees, or agents.

The Listing Broker and any other Broker and their sales associates, employees, and agents are relying upon the written information provided by the Seller in this Disclosure Notice. THIS IS NOT A WARRANTY. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY PRIOR TO CLOSING.

Buyer is not relying upon any statement or representation by the Listing Broker or any other Broker or the sales associates, employees, and agents of the Brokers concerning the condition of the Property, zoning, the competency of inspectors, fitness of the property for any use, boundary lines, easements, square footage, school boundary lines, existing proposed or contemplated development, roads, airports or landfills near the property.

NOTICES TO BUYER(S): If you are basing your offers on square footage, measurements or boundaries, you should have those items independently measured to verify any reported information.

The Texas Department of Public Safety maintains a database that consumers may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.

Lake Front area property may be subject to local changes and flood plain restrictions. Therefore, Lake Front construction certificate or permits may be required for repairs or improvements. Contact the local government authorities for more information before beginning construction.

The undersigned Buyer(s) hereby acknowledge(s) receipt of this Seller's Disclosure Notice for the Property:

BUYER  DATE 12/13/12
PRINTED NAME: FARNAZ LAK

BUYER  DATE 12/13/12
PRINTED NAME: KOOROSH SAMALIAZAD

SELLER'S DISCLOSURE NOTICE - PAGE 7 OF 7

PROPERTY ADDRESS: 4420 Sycamore St Dallas, TX 75204

Seller's Initials  Seller's Initials _____
CBDFW (09/1/07)

Buyer's Initials F.L. Buyer's Initials 

September 20, 2014

Re: 4420 Sycamore Street
Dallas, Tx 75204

To whom it may concern:

I have been involved in leasing this property for the past 7 to 8 years and have worked As an agent in East Dallas/ Lakewood area for 24 years. This building has always had Six units as long as I can remember, and has not caused any issues for the community or threatened the safety of the public. It has had a positive impact on the neighborhood and Nearby properties. I worked with the previous owner in leasing for approximately 6 years And would go with her to meet inspectors, and there were never complaints about the use Of the building nor holds were ever filed or recorded to state otherwise, to my knowledge. It was always my understanding that Cecilia Yeeda had proper Permits to perform all the work and updates that were made to property. I also was involved in the sale of the property (six units) to current owners, Farnaz Lak and Koorosh Samaliazad and there were no issues that came up regarding the number of units with the title company, nor did Ms Yeeda disclose otherwise. The owners have made many improvements in property and it is maintained beautifully. In my opinion, The new owners have raised the bar for this area and all of the tenants living there are Professional people that absolutely love living there. Pride of ownership shows!!!!

Thank you,



Jean Tacker
Coldwell Banker Res Brokerage
214 828-4300

**COLDWELL
BANKER** 

RESIDENTIAL BROKERAGE
CBDWF.COM

Joseph Hill
REALTOR®

LAKEWOOD / EAST DALLAS
6301 Gaston Ave, Ste 125
DALLAS, TX 75214

OFFICE (214) 828-4300

MOBILE (214) 226-3361

FAX (214)828-9759

email: joseph.hill@cbdfw.com

September 19, 2014

Re: 4420 Sycamore Street, Dallas, TX 75204

To whom it may concern:

I represented the previous owner of the above property, Cecelia Yeeda, when she sold it to Farnaz Lak and Koorosh Samaliazad. I also showed and/or leased many of the units in the building for her over a period of 6 to 8 years. I am aware that the building contained 6 apartment units the entire time I dealt with Ms. Yeeda. There were 4 units available through the front door (2 upstairs and 2 downstairs) and 2 units that could be entered from the parking area in back of the building. I have also shown units for lease by the current owner. The units are well maintained by the owners and are an asset to the neighborhood. It was always my understanding that Ms Yeeda had proper authorization and permits to perform any updates that were needed. The units have always leased quickly following a vacancy because they have features that tenants like such as hardwood floors, granite countertops and nice appliances.

Thank you,



15 September 2014

To whom it May Concern,

I have lived at 4422 Sycamore Street, the property directly next door to the property at 4420 Sycamore, for almost three years. I have known the 4420 property has been comprised of six units for the entire time I have lived at 4422, knowledge I obtained when I looked at an apartment on the 4420 property in 2011. I chose to lease at 4422 for no other reason than I preferred to be on the second floor and only first floor units were available in 4420.

During my time here, I have not known the property at 4420 to have caused any noise, traffic, or other problems out of the norm for the neighborhood. The property is actually much quieter than other privately owned, single-family addresses on the street.

Thank you,
McCausland Havens
4422 Sycamore Street, #7

From: Jill Carpenter <jill@jill-carpenter.com>
Subject: 4420 Sycamore
Date: November 1, 2013 11:44:56 AM CDT
To: fallonlak@gmail.com
Cc: Jean Tacker <jeantacker@sbcglobal.net>

1 Attachment, 28 KB

Fallon,

I have been aware of the above mentioned property since 2005 when I started in real estate. Since September of 2011, I have rented 5 of the apartments to clients, one of those being my son Justin. This building has been a 6-Plex as long as I can remember. Even before I brought tenants to lease there, I saw listings on MLS and showed them since 2005 when I started in Real Estate.

Thank you,



Coldwell Banker-Lakewood
6301 Gaston Ave. Suite 125
Dallas, TX 75214
214.770.5296 cell
214.828.9759 fax
jill@jill-carpenter.com

MLS# 11807601 Sold 4422 Sycamore Street Dallas* 75204-8701* LP: \$1,200,000



Category: Multi-Family
 Area: 12*11*
 Subdv: Peaks Suburban*
 County: Dallas*
 Parcel ID: 0000012329250000*
 Lot: 4*
 Map: DA*/0046*/A*
 Type: Apartment/5Plex+
 Lake Name:
 Plan Dvlpmnt:
 Legal: PEAKS SUBURBAN BLK 9/739 PT LT*
 MUD Dst: No
 Orig LP: \$1,200,000
 Low:
 Lst\$/SqFt: \$ 0.00
 Unexempt Taxes: \$7489

Bldg SqFt: 1 / Tax
 Complex Name: Unknown.
 #Units: 14
 # Parking Spaces: 0
 Acres:
 Media: 20 / 0 / 5
 Document Storage: 0 / 0 / 0
 #Bldgs: 2
 Lot Dimen: 85x125 Each
 Property History: Y
 Accessory Unit:
 Appraiser's Name: Yr Built: 1930* / Preowned
 Stories: 2
 Pool: No
 Occupancy Rate: 93%
 Handicap Amenities: No
 Will Subdivide: No
 HOA: None
 Accessory Unit Type:
 Security System:
 HOA Dues: \$ /

Click on Image for More Options

School District: Dallas ISD*	Name: FANNIN	Living Area:	Unit 1:	Unit 2:	Unit 3:	Unit 4:
Bus: Type: E	Name: SPENCE	Dining Area:	13X19	1X1		
Bus: Type: M	Name: NORTHALLA	Kitchen:	1X1	1X1		
Bus: Type: H	Name:	Master BR:	10X10	1X1		
Bus: Type:		Unit SqFt:	11X11	1X1		
Gross Income: \$1	Insurance: \$1	# Full Baths:	1	1		
Gross Expenses: \$	Gross Multiplier: 1200000.00	# Half Baths:	1	1		
Net Income: \$1	Cap Rate: 0.00%	# Bedrooms:	0	0		
		Avg Lse Rt:	1	1		
		# Like Units:	1	1		

Lot Description	Type of Fence	Perimeter Fencing	Utility in Kitchen	Total Annual Expenses Inc
Corner	Automatic Gate	Tenancy	Flooring	Accounting/Legal
Landscaped	Metal	No Smoking	Other	Common Area
No Backyard Grass	Wood	No Waterbeds	Heating/Cooling	Insurance
Some Trees	Parking/Garage	Over 9 Months	Central Air-Elec	Lawn Care
Subdivision	Rear	Written Application Only	Central Heat-Gas	Maintenance
Construction	Unassigned Spaces	Interior Features	Energy Efficiency	Taxes
Brick	Uncovered	Decorative Lighting	Ceiling Fans	Showing
Frame/Brick Trim	Street/Utilities	High Speed Internet Available	Foam Insulation	Contact Agent
Foundation	City Sewer	Window Coverings	Gas Water Heater	
Pier & Beam	City Water	Kitchen Equipment	Insulated Doors	
Roof	Concrete	Dishwasher	Low E Windows	
Composition	Curbs	Disposal	Thermo Windows	
Alarm/Security Type	Individual Gas Meter	Range/Oven-Electric	Proposed Financing	
Exterior Security Lght(s)	Individual Water Meter	Utility Room	Cash	
Exterior Features	Sidewalk	Dryer Hookup-Elec	Conventional	
Lighting System	Common Features	Fullsize W/D Area	Possession	
Other	Gated Entrance	Utility Closet	Closing/Funding	

Property Description: 4422 Sycamore was totally rebuilt from foundation and walls about 2001 following a major fire. Energy efficient with top-of-the-line Icynene foam insulation in all walls, window frames and attic. Granite counters with ceramic tile backsplash in ll units with hardwood floors and crown moldings. Quality custom Maple or Cherry cabinetry. 4420 Sycamore was totally updated in same time frame with the same updates.

Excludes: No exclusions.

Directions: Live Oak to Carroll South one block to Sycamore.

Private Remarks: 4422 Sycamore=7440 sq.ft.per Tax AND 4420 Sycamore=8085 sq.ft. to Be Verified. Room dimensions for 4422 Sycamore-See unit 1. Room dimensions for 4420 Sycamore-See Unit 2.

Loan Type:	Treat As Clear	Bel:	\$ Equity:	\$ 1,200,000	Int Rate:		% Prnt Type:	Payment: \$
Lender:		Orig Date:	2nd Mortg:	No	Possible Short Sale:			
SUB: 0%	BAC: 3%	Var: No	List Type: Exclusive Right to Sell/Lease		CDOM: 148	DOM: 148	LD: 7/18/2012	XD: 12/31/2012
LO: CBRB49	Coldwell Banker Residential	(214)828-4300			Fax: (214)828-9759		Brk Lic#: 0420132	
LO Addr: 6301 Gaston Ave. Suite 125 Dallas, TX 75214					Office Supervisor:	Off email:	LO Website:	
LA: 0494054 Joseph Hill (214)228-3361					Fax: (972)381-9602			
LA Call:		LA Voice Mail: (972)381-8902			LA Pager:		Agent Other: 214-226-361	
LA Email: joseph.hill@cbdfw.com					LA Website: http://www.cbdfw.com/johill			
Listing Agent 2: Jean Tacker					Listing Agent 2 Contact: jantacker@cbcolcal.net			
Preferred Title Co: Hexter-Fair First Am					Location: 6301 gaston, #150			

Call: Agent Appt: (214) 828-4300 X: Owner Name: Call Listing Agent
 Keybox #: 0 Keybox Type: Blue iBox Seller Type: Individual(s)
 Show Instr: Call listing agent(s). Occupancy: Tenant

Contract Date: 12/13/2012	Opt Exp Date:	Sold Date: 1/29/2013	Sir Paid: \$ 0	Sid\$/Acre: \$ 0	SP: \$ 930,000
SO: DMRE01 Diamond D Real Estate	(214)984-3600	(214)687-8384			Sid\$/SqFt: \$ 930000.00
SA: 0561194 Darlen Hall					SA Email: darlen@diamonddrealstate.com
Closing Title Co: Universal		Mortgage Co: American National bank			
Third Party AP: No					
1st Fin: Conventional	Yrs:	1st Loan Amt: \$		Int Rt: %	
2nd Fin:	2nd Yrs:	2nd Loan Amt: \$		2nd Int Rt: %	

Prepared By: Darlen Hall / Diamond D Real Estate
 Information herein deemed reliable but not guaranteed.
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City of Dallas

B

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-095

Data Relative to Subject Property:

Date: 8-4-14

Location address: 4420 SYCAMORE ST, DALLAS Zoning District: PD 298 (Sub 9)
Lot No.: 4 Block No.: 9/739 Acreage: .51 Census Tract: 15.04 (R-7.5(A))
Street Frontage (in Feet): 1) 178 2) 125 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): KOOROSH SAMALIAZAD & FARNAZ LAK

Applicant: FARNAZ LAK Telephone: 214-497-1005

Mailing Address: 13381 SORRENTO DR FRISCO Zip Code: 75035

E-mail Address: Fallon1@earthlink.net

Represented by: Telephone:

Mailing Address: Same as above Zip Code:

E-mail Address:

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

ENLARGEMENT OF A NON-CONFORMING USE

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
To enlarge a 4 multi-family dwelling to 6 multi-family dwelling.
This enlargement has been here and in use for many number of years, and in all these years they have not hurt anyone or caused any problems for the neighbors or the community.

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.

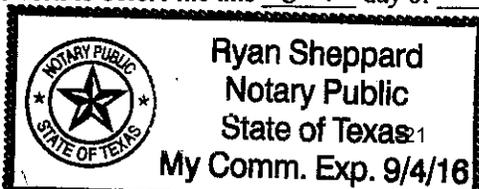
Affidavit

Before me the undersigned on this day personally appeared FARNAZ LAK (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 21 day of July 2014



[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

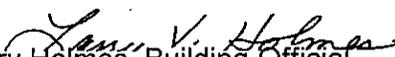
Building Official's Report

I hereby certify that FARNAZ LAK

did submit a request to enlarge a nonconforming use
at 4420 Sycamore Street

BDA134-095. Application of Farnaz Lak to enlarge a nonconforming use at 4420 Sycamore Street. This property is more fully described as Lot 4, Block 9/739, and is zoned PD298 (Subarea 9, R-7.5(A)), which limits the legal uses in a zoning district. The applicant proposes to enlarge a nonconforming multifamily residential use, which will require a special exception to the nonconforming use regulation.

Sincerely,


Larry Holmes, Building Official

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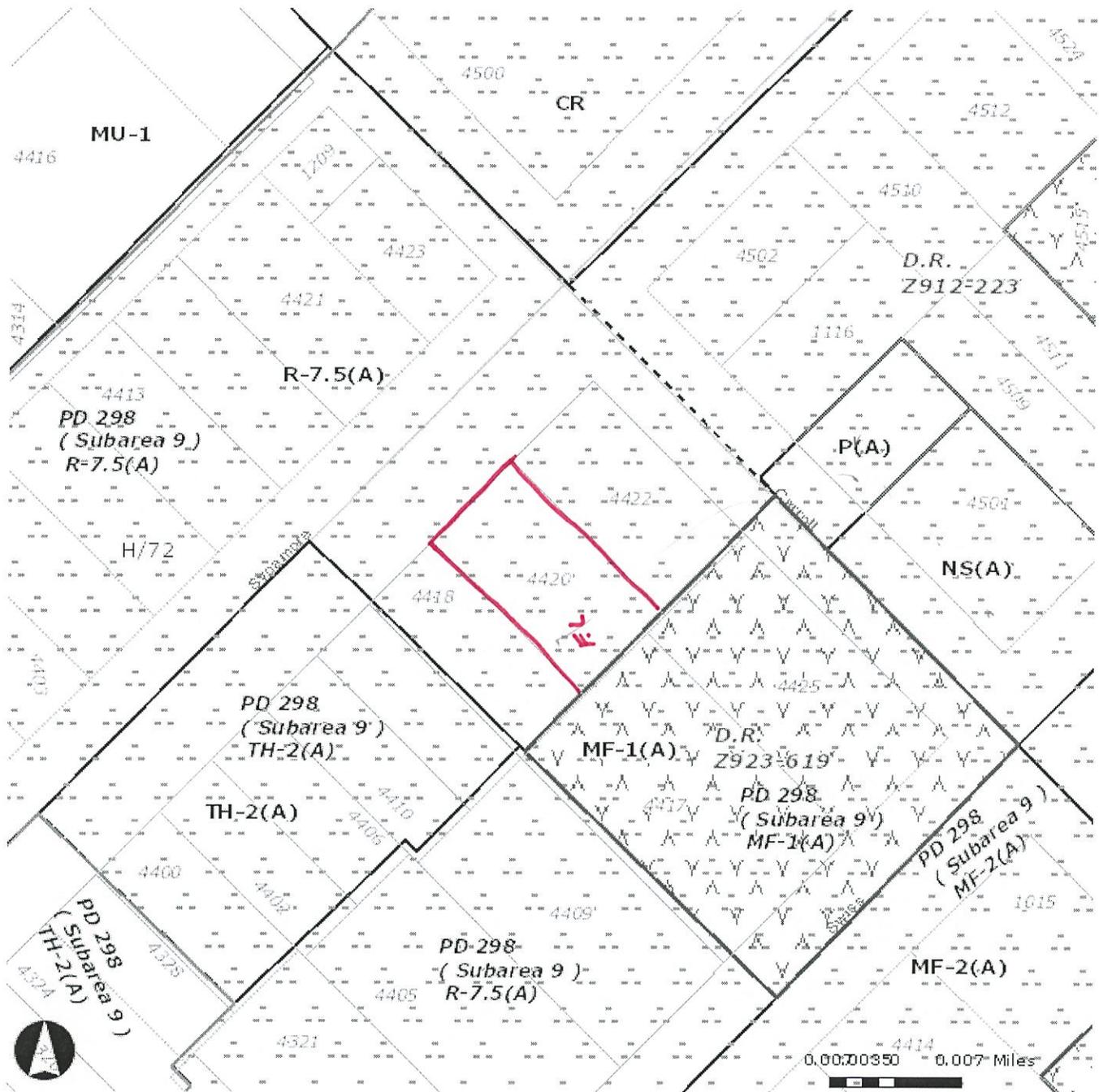
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City of Dallas

Zoning Board of Adjustment

Appeal for a special exception to enlarge a nonconforming use.

Sec. 51A-4.704. Nonconforming uses and structures.

(b) Changes to nonconforming uses.

(5) Enlargement of a nonconforming use.

(A) In this subsection, enlargement of a nonconforming use means any enlargement of the physical aspects of a nonconforming use, including any increase in height, floor area, number of dwelling units, or the area in which the nonconforming use operates.

(B) The board may allow the enlargement of a nonconforming use when, in the opinion of the board, the enlargement:

- (i) does not prolong the life of the nonconforming use;
- (ii) would have been permitted under the zoning regulations that existed when the nonconforming use was originally established by right; and
- (iii) will not have an adverse effect on the surrounding area.

Property address: 4420 Sycamore St.

1. The nonconforming use being appealed: Multifamily
(The land use as stated on the current valid Certificate of Occupancy. Copy of C.O. attached)

2. Reason the use is classified as nonconforming: Creation of PD zoning

(Was there a change in zoning or in the use requirements.)

3. Current zoning of the property on which the use is located: PD298 (Suba 9) R-7.5(A)

4. Previous zoning of the property on which the use is located: ?
(Applies if a zoning district change caused the use to become nonconforming.)

5. Date that the nonconforming use became nonconforming: Aug. 24, 1988
(Date the property zoning or use requirements changed.)

(Rev. 04/04/14)

(PD 298
Created)

Long, Steve

From: Long, Steve
Sent: Thursday, September 11, 2014 12:08 PM
To: Moorman, Donna
Subject: BDA 134-095, Property at 4420 Sycamore Street
Attachments: 095 application materials.pdf

Dear Donna,

This email is a record of our findings from a search today of the archived zoning maps in the 5BN conference room regarding zoning on the property at 4420 Sycamore Street for the application referenced above:

1. A 1929 zoning map shows the property was zoned "#2 Apartment District - 3 or more dwellings"
2. A 1965 zoning map shows the property was zoned "MF-2"
3. A zoning map that appears to be from the mid 80's shows the property zoned "R-7.5"

As you can see in the attached application materials, the zoning map with this application shows the property zoned PD 298 (Subarea 9, R-7.5(A)).

Please let me know if you would like me to print this and include it with the case file.

Thank you,

Steve

Address: 4420 SYCAMORE ST 75204 Issued: 04/18/1995

Owner: YEEDA CECILIA
000000 PO BOX 515821 DALLAS TX 75251

DBA: YEEDA BUILDING

Land Use: (1131) MULTI-FAMILY DWELLING

Occupied Portion:

C.O.#: 9504181104

Lot:	Block:	Zoning:	R75	PDD:	0	SUP:
Historic Dist:	Consrv Dist:	Pro Park:	0	Req Park:	0	Park Agrmt:
Dwlg Units:	Stories:	Occ Code:	R1	Lot Area:	0	Total Area:
Type Const:	Sprinkler:	Occ Load:		Alcohol:	N	Dance Floor:

Remarks: 4 UNITS OWNERSHIP AND NAME CHANGE (LRB, 1/6/05)

Larry V. Holmes

Larry Holmes, Building Official

This certificate shall be displayed on the above premise at all times.

Koorosh Samaliazad & Farnaz Lak
13381 Sorrento Drive,
Frisco, TX 75035
Tel: 214-497-1005

RE: 4420 Sycamore Street, Dallas TX 75204

Dear Sir or Madam:

First and foremost we would like to thank you for your time and for your consideration of this application.

We purchased this property as six units, and throughout the purchasing process, the title company, lender, or the agents involved in this transaction did not find any discrepancy regarding the number of units. According to them no official complaints were ever filed by City of Dallas. As new owners we are devastated to find ourselves in this position.

This building has consisted of six units for many numbers of years; there are numerous permits on file for plumbing, electric, A/C, mechanical, and remodeling for all 6 units. These permits were not only granted to Ms. Cecilia Yeeda, whom we purchased the property from, but also to the previous owner, Leroy Mielke. And in 2000 permits were granted to Ms. Yeeda to place separate water meters & gas meters for all the units: 1.2.3.4.5.6.

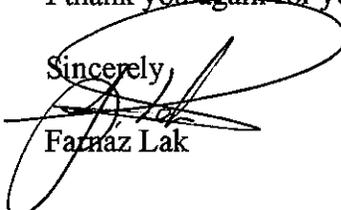
Additionally, the zoning is unclear. On PD298 zoning map, our property is market as MF-1(A). Furthermore some permits are issued under MF-1, and others under R7.5. It is evident, however, that this property has not had any negative impact on the area; no complaints have ever been filed by the neighboring owners, permits were not denied, and most importantly the multifamily routine inspections by the City of Dallas did not result in any action against the previous owners regarding the extra units.

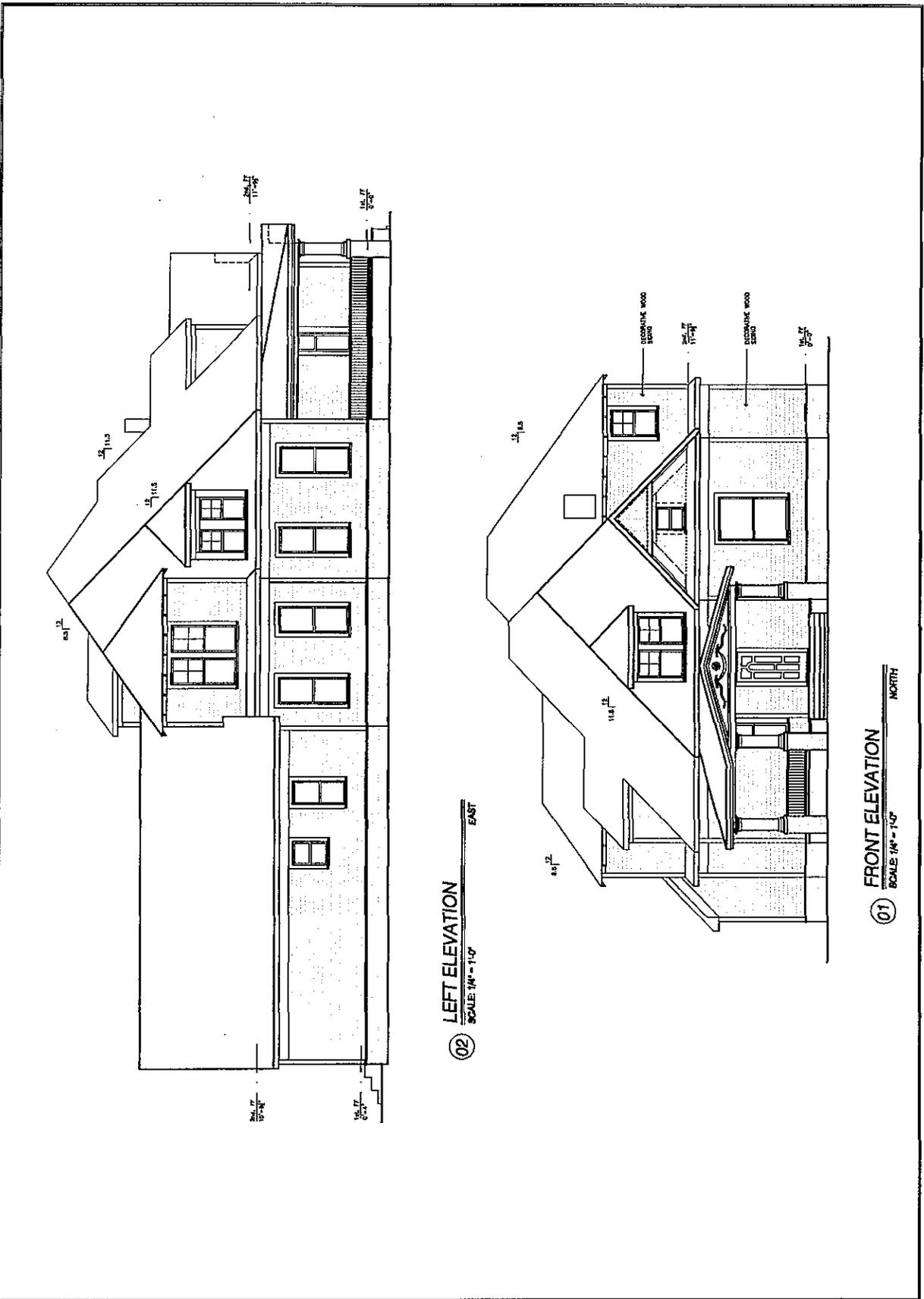
As I am sure you can understand this unforeseen situation has been an emotional burden, and it would be unjust to be penalized for the actions or lack of it caused by others. All we ask is for the board to truly consider the circumstances surrounding this application. We purchased this property with good intentions, hoping to play a small part in preserving this historic district. We have spent considerable amount of money on the property already, and would like to get the chance to improve the property even more.

Once again please kindly take into consideration that this property in its current condition has been part of this community for many number of years without any adverse impact on the community. It is located in PD298 with various usages, and is backing directly to properties located in Swiss Ave., which are zoned multifamily.

I thank you again for your time and for your kind consideration,

Sincerely,


Farnaz Lak



Reference No: 72Y13 G.F. No: 775-56514
 Title Co: UNIVERSAL LAND TITLE
 Purchaser: SAMALJAZAD & LAK

PROPERTY DESCRIPTION

TRACT 1:
 BEING a part of Lot 4, Block 9/739, JEFF PEAK'S SUBDIVISION ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map recorded in Volume 45, Page 56, Map Records, Dallas County, Texas, and being described in Warranty Deed from CBY Enterprises, Inc. to Cecilia Yeeda, dated February 2, 2002, and recorded in Volume 2002047, Page 11605, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a set 5/8 inch capped iron rod for the southwest corner of the herein described Yeeda tract of land, same being North 45 degrees 00 minutes 02 seconds East, 49.95 feet from a found 1/2 inch iron rod for the northwest corner of that certain tract of land described in Warranty Deed from Braden Power to Braden Power Properties, Inc., dated April 24, 1998 and recorded in Volume 99085; Page 4810, Deed Records, Dallas County, Texas, and being in the northwest boundary line of said Braden Power Properties Inc. tract of land;

THENCE North 44 degrees 35 minutes 09 seconds West, a distance of 125.00 feet to a set "X" cut in a concrete drive for corner, same being in the northwest boundary line of said Lot 4, and lying in the southwest right-of-way line of said Sycamore Street (with an 80 foot wide right-of-way) and North 45 degrees 00 minutes 02 seconds East, 50.00 feet from the northwest corner of said Lot 4;

THENCE North 45 degrees 00 minutes 02 seconds East, 50.00 feet to a set 5/8 inch capped iron rod for corner;

THENCE South 44 degrees 33 minutes 13 seconds East, departing the northwest boundary line of said Lot 4, and the southeast right-of-way line of said Sycamore Street, a distance of 125.00 feet to a set 5/8 inch capped iron rod for corner, same being in the northwest right-of-way line of that certain tract of land described in Cash Warranty Deed from Braden Power Properties, Inc. to Braden Power, dated January 14, 2003 and recorded in Volume 2003011, Page 9824, Deed Records, Dallas County, Texas;

THENCE South 45 degrees 00 minutes 00 seconds West, in the common boundary line between said Yeeda and said Braden Power and Braden Power Properties, Inc. tracts of land, a distance of 63.93 feet to the POINT OF BEGINNING and containing 0.1635 acres of land, more or less.

TRACT 2:
 BEING a part of Lot 4, Block 9/739, JEFF PEAK'S SUBDIVISION ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map recorded in Volume 45, Page 56, Map Records, Dallas County, Texas, and being described in Warranty Deed from CBY Enterprises, Inc. to Cecilia B. Yeeda, dated September 26, 2005 and recorded under Instrument No. 200503639401, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 3/8 inch iron rod for the southeast corner of said Yeeda tract of land, same being the northeast corner of that certain tract of land described in Cash Warranty Deed from Braden Power Properties, Inc. to Braden Power, dated January 14, 2003 and recorded in Volume 2003011, Page 9824, Deed Records, Dallas County, Texas, and lying in the southwest right-of-way line of Carroll Avenue (with an 80 foot wide right-of-way);

THENCE South 45 degrees 00 minutes 00 seconds West, departing the southwest right-of-way line of said Carroll Avenue and in the common boundary line between said Yeeda and Power tracts of land, a distance of 63.93 feet to a set 5/8 inch capped iron rod for corner;

THENCE North 44 degrees 33 minutes 13 seconds West, a distance of 125.00 feet to a set 5/8 inch capped iron rod for corner, same being in the northwest boundary line of said Lot 4, in the southeast right-of-way line of Sycamore Street (with an 80 foot wide right-of-way) and North 45 degrees 00 minutes 02 seconds East, 114.00 feet from the northwest corner of said Lot 4;

THENCE North 45 degrees 00 minutes 02 seconds East, in the northwest boundary line of said Lot 4, in the southeast right-of-way line of said Sycamore Street, a distance of 64.00 feet to a set 5/8 inch capped iron rod for corner, same being the intersection of the southeast right-of-way line of said Sycamore Street with the southwest right-of-way line of said Carroll Avenue;

THENCE South 44 degrees 31 minutes 22 seconds East, in the southwest right-of-way line of said Carroll Avenue, a distance of 125.00 feet to the POINT OF BEGINNING and containing 0.1635 acres of land, more or less.

TRACT 3:
 BEING a part of Lot 4, Block 9/739, JEFF PEAK'S SUBDIVISION ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map recorded in Volume 45, Page 56, Map Records, Dallas County, Texas, and being described in Warranty Deed from Leroy and Sharon Mielko to Cecilia B. Yeeda, dated July 14, 2004 and recorded in Volume 2004207, Page 2747, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 1/2 inch iron rod for the southwest corner of the herein described Yeeda tract of land, same being the northwest corner of that certain tract of land described in Warranty Deed from Braden Power to Braden Power Properties, Inc., dated April 24, 1998 and recorded in Volume 99085, Page 4810, Deed Records, Dallas County, Texas, and in the southwest boundary line of said Lot 4;

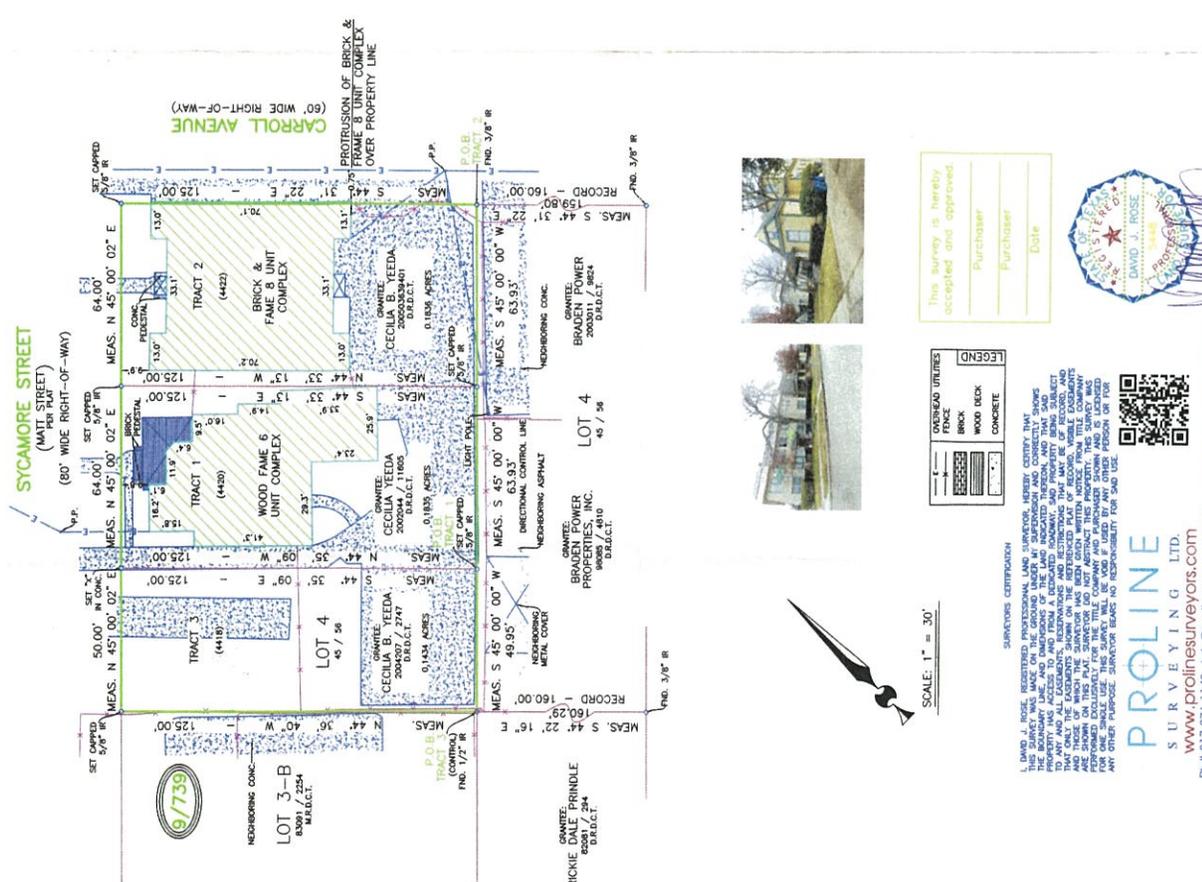
THENCE North 44 degrees 35 minutes 09 seconds West, in the southwest boundary line of said Lot 4, a distance of 125.00 feet to a set 5/8 inch capped iron rod for corner, same being the northwest corner of said Lot 4 and lying in the southeast right-of-way line of Sycamore Street (with an 80 foot wide right-of-way);

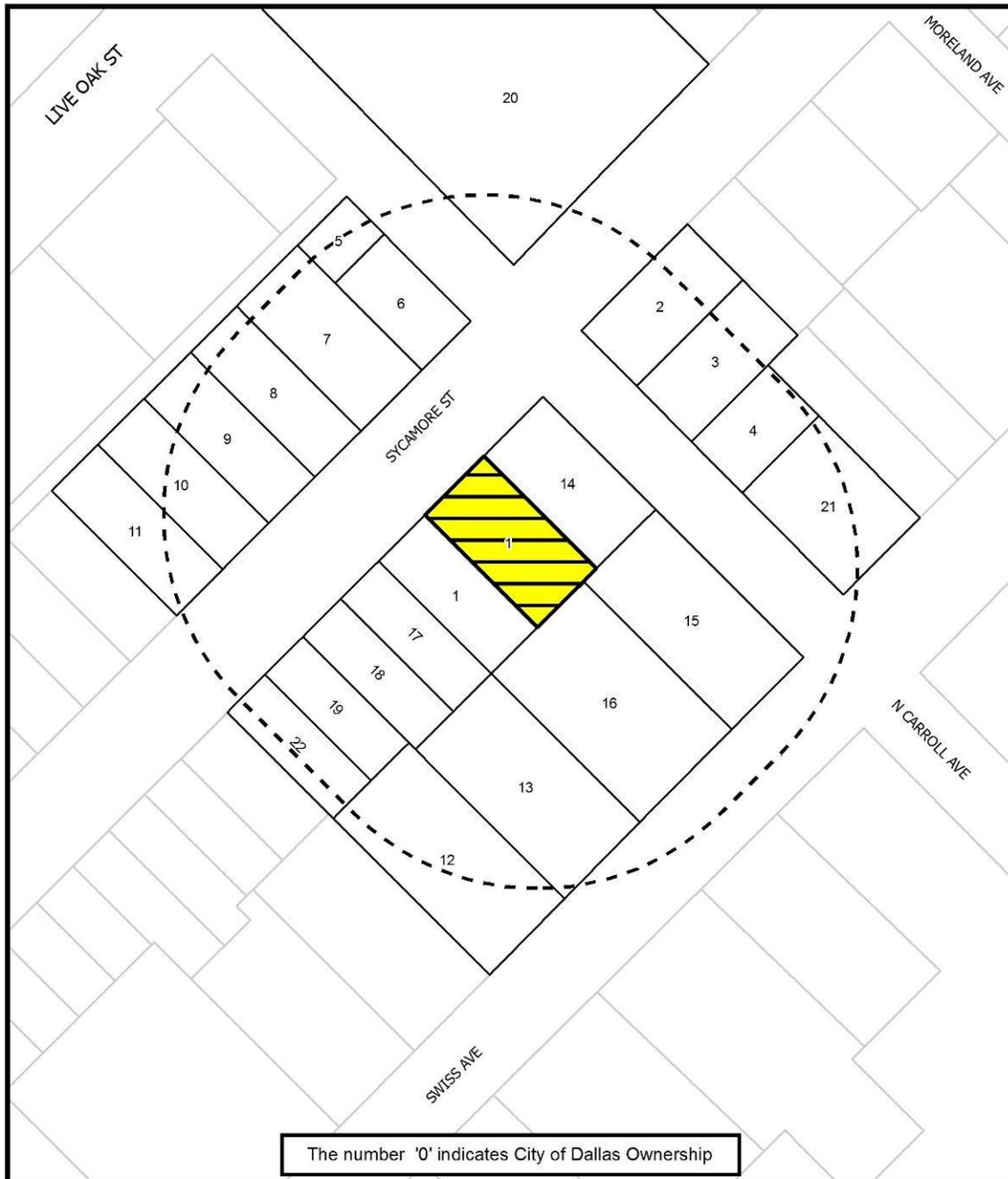
THENCE North 45 degrees 00 minutes 02 seconds East, in the northwest boundary line of said Lot 4, in the southeast right-of-way line of said Sycamore Street, a distance of 50.00 feet to a set "X" cut in a concrete drive;

THENCE South 44 degrees 35 minutes 09 seconds East, departing the northwest boundary line of said Lot 4, and the southeast right-of-way line of said Sycamore Street, a distance of 125.00 feet to a set 5/8 inch capped iron rod for corner, same being in the northwest boundary line of said Braden Power Properties, Inc. tract of land;

THENCE South 45 degrees 00 minutes 00 seconds West, in the common boundary line between said Yeeda and Braden Power Properties, Inc. tract of land, a distance of 49.95 feet to the POINT OF BEGINNING and containing 0.1434 acres of land, more or less.

- Access Easement as set out in deed recorded in 20012293107, DRDCT, provides access from 4420 Sycamore St (Tract 1), across 4422 Sycamore St (Tract 2), to Carroll Ave, a public road.
- Easement recorded in 941601873, DRDCT, does not affect this property.





1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
22 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA134-095**
 Date: **9/23/2014**

Notification List of Property Owners

BDA134-095

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4420 SYCAMORE ST	SAMALIAZAD KOOROSH &
2	4502 SYCAMORE ST	MATTHEWS & OWENS INVESTMENTS LLC
3	1116 CARROLL AVE	MATTHEWS & OWENS INVESTMENTS LLC
4	1110 CARROLL AVE	4501 SWISS AVE INC
5	1209 CARROLL AVE	GARFIAS EVELIA ALVAREZ
6	4423 SYCAMORE ST	GARFIAS EVELIA ALVAREZ
7	4421 SYCAMORE ST	GARFIAS ADRIAN R &
8	4417 SYCAMORE ST	TAXCO INVESTMENTS INC
9	4413 SYCAMORE ST	WITTIG GRETCHEN
10	4409 SYCAMORE ST	GONZALEZ MARGARITA M
11	4405 SYCAMORE ST	GONZALEZ SAMUEL S &
12	4405 SWISS AVE	XAYASENG HIENG
13	4409 SWISS AVE	WALLACE BEN J
14	4422 SYCAMORE ST	SAMALIAZAD KOOROSH &
15	4425 SWISS AVE	CPP 5X5 TRUST
16	4417 SWISS AVE	BRP 5X5 TRUST
17	4414 SYCAMORE ST	AGUILAR JAVIER M &
18	4410 SYCAMORE ST	KATHREE NADIM
19	4406 SYCAMORE ST	AVILA FELIPE & DORA M
20	4500 LIVE OAK ST	99 CENTS ONLY STORES TX
21	4501 SWISS AVE	4501 SWISS AVENUE INC
22	4402 SYCAMORE ST	VOWELL KEVIN

FILE NUMBER: BDA 134-100

BUILDING OFFICIAL'S REPORT: Application of Karl A. Crawley for a special exception to the fence height regulations at 5813 Park Lane. This property is more fully described as Lot 8A, Block G/5614, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain a 6 foot high fence, which will require a 2 foot special exception to the fence height regulations.

LOCATION: 5813 Park Lane

APPLICANT: Karl A. Crawley

REQUESTS:

Requests for special exceptions to the fence height regulations of 2' are made to maintain an approximately 5' 4" high open metal picket fence and gates with 66" (or 5' 6") high columns in the site's two front yard setbacks along Park Lane and Douglas Avenue on property developed with a single family home.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the fence height regulations 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 1 acre)
North: R-1ac(A) (Single family district 1 acre)
South: R-1ac(A) (Single family district 1 acre)
East: R-1ac(A) (Single family district 1 acre)
West: R-1ac(A) (Single family district 1 acre)

Land Use:

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

Zoning/BDA History:

1. BDA 094-004, Property at 5811 Park Lane (the subject site)

On January 11, 1994, the Board of Adjustment granted a request for a special exception to the fence height regulations of 3', and imposed the submitted site plan and elevation as a condition to the request. The case report stated that the request was made in conjunction with constructing an open metal fence and gate on Park Lane no higher than 7' in height, and replacing an existing 4' chain link fence along Douglas Avenue with a 6' high vinyl chain link fence.
2. BDA 045-268, Property at 5810 Park Lane (the lot south of the subject site)

On August 16, 2005, the Board of Adjustment Panel A granted a request for a special exception to fence height regulations of 6', and imposed the following condition: compliance with the submitted site plan, landscape plan, and fence elevation is required. The case report states that the request was made in conjunction with constructing and maintaining an open iron fence (6' 2"), columns (6' 8"), and gates (6'9") along Park Lane and a 10' high tennis court fence along Douglas Avenue.
3. BDA 956-189, Property 5825 Park Lane (the lot east of the subject site)

On April 23, 1996, the Board of Adjustment Panel C granted a request for a special exception to fence height regulations of 4', and imposed the following condition: compliance with the submitted revised site/landscape plan and elevation is required. The case report stated that the original request was made to construct a 6' 8" high solid brick and stone fence with 7' 3" high stone columns and an 8' high entry gate and columns.

- | | |
|--|---|
| <p>4. BDA 989-109, Property at 5834 Park Lane (two lots southeast of the subject site)</p> | <p>On October 20, 1998, the Board of Adjustment Panel B granted a request for a special exception to fence height regulations of 5', and imposed the following condition: compliance with the submitted site plan/elevation is required. The case report stated that the request was made in conjunction with constructing approximately 825 linear feet of a 5.5' – 7.5' high open steel picket fence with 7.5' high solid brick columns and 9' high entry gate columns.</p> |
| <p>5. BDA 056-111, Property 5508 Desco Drive (the lot north of the subject site)</p> | <p>On May 15, 2006, the Board of Adjustment Panel C granted a request for a special exception to fence height regulations of 3', and imposed the following condition: compliance with the submitted site plan and revised elevation is required. The case report stated that the original request was made to construct and maintain an approximately 6' 6" high open picket fence with 7' high columns in the site's Desco Drive and Douglas Avenue front yard setbacks.</p> |

GENERAL FACTS/STAFF ANALYSIS:

- These requests focus on maintain an approximately 5' 4" high open metal picket fence and gate with 66" (or 5' 6") high columns in the site's two front yard setbacks along Park Lane and Douglas Avenue on property developed with a single family home.
- 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 site is located at the northeast corner of Park Lane and Douglas Avenue. The site has a 40' front yard setback along Douglas Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district. The site also has a 40' front yard setback along Park Lane, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a 9' high fence is allowed by right. But the site's Park Lane frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the front yard setback established by the lots developed with single family homes es of the site that front/are oriented southward towards Park Lane.
- The applicant has submitted a site plan that notes "5' iron fencing" and "(7) additional columns (side) 6' HT Stucco w/ cast stone caps."
- The applicant has submitted partial elevations of the proposal in the front yard setbacks denoting that it reaches a maximum height of 66".

- The applicant has written in an email that: 1) some of the posts could be up to six feet; 2) there are no changes to what is existing; and 3) the previous Board case did not mention the pedestrian gate so that is really what is needed for this request.
- Note the in January of 1994, the Board of Adjustment granted a fence height special exception on the subject site (BDA 094-004) to construct an open metal fence and gate on Park Lane no higher than 7' in height, and to replace an existing 4' chain link fence along Douglas Avenue with a 6' high vinyl chain link fence.
- The following additional information was gleaned from the submitted site plan:
 - Along Park Lane: the fence is approximately 145' in length, approximately on the property line.
 - Along Douglas Avenue: the fence is approximately 125' in length, approximately on the property line.

(The distance between the fence and the pavement line could not be detected given that the site plan makes no representation of the pavement lines of either Park Lane or Douglas Avenue).

- There is one single family homes south of the subject site that has direct frontage to the fence on Park Lane, with a fence higher than 4' in its front yard (an approximately 6' high open metal fence behind extensive landscaping) that appears to be a result of an approved fence height special exception request granted by the Board of Adjustment in 2005: BDA 045-268 (see the "Zoning/BDA History" section of this case report for additional details).
- There is one single family homes west of the subject site that have direct frontage to the fence on Douglas Avenue, with a fence higher than 4' in its front yard (an approximately 5' high solid fence) that has no recorded history with the Board of Adjustment.
- The Board Administrator conducted a field visit of the site and surrounding area (approximately 300' in all directions from the subject site) and noted several fences that appeared over 4' in height and in front yard setbacks. Most of these fences noted are mentioned earlier in the "Zoning/BDA History" section of this case report.
- As of October 13, 2014, no letters had been submitted in support of or in opposition to the requests.
- The applicant has the burden of proof in establishing that the special exceptions to the fence height regulations of 2' will not adversely affect neighboring property.
- Granting these special exceptions of 2' with a condition imposed that the applicant complies with the submitted site plan and partial elevations would require the proposal exceeding 4' in height in the front yard setbacks to be maintained in the location and of the heights and materials as shown on these documents.

Timeline:

August 14, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

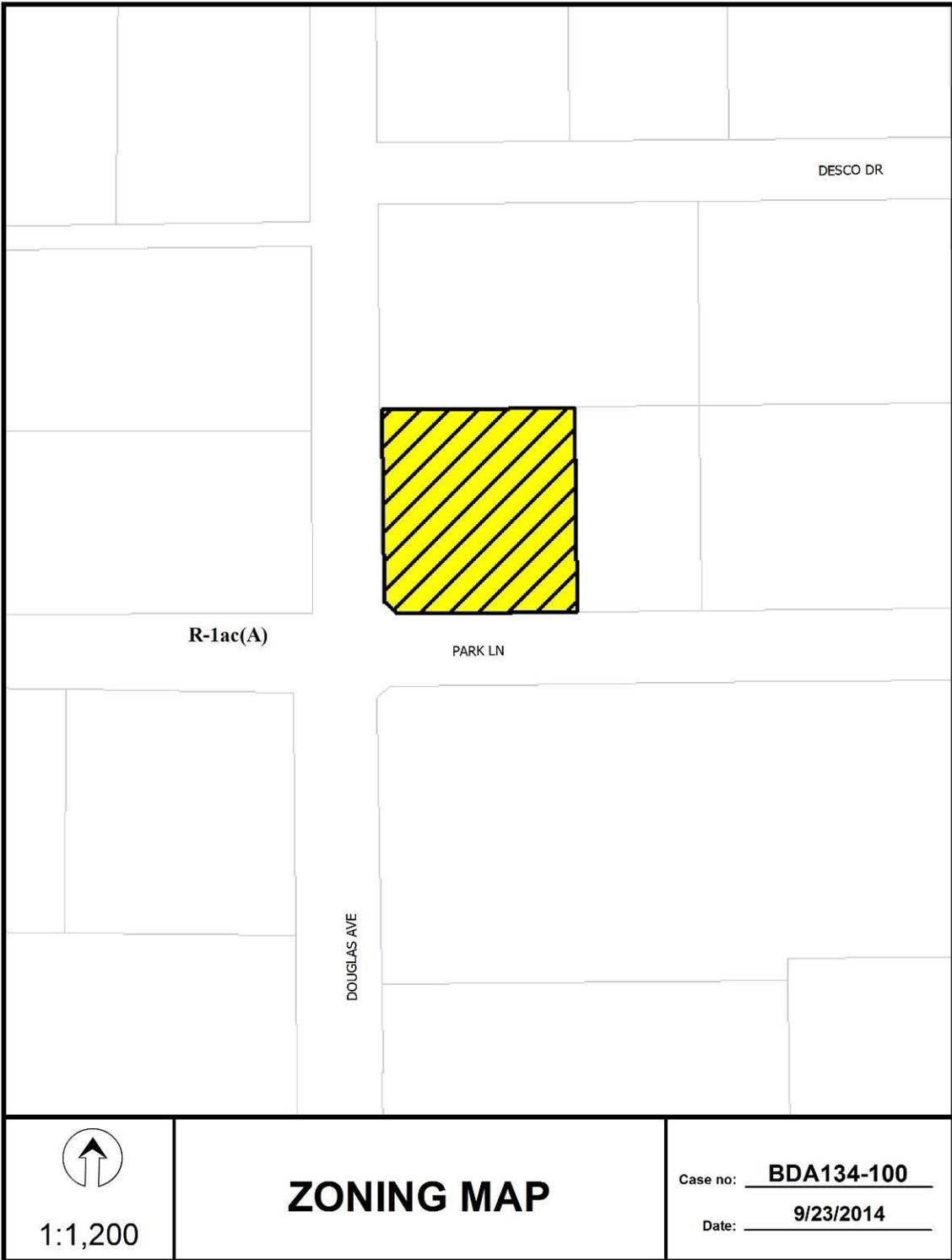
September 9, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

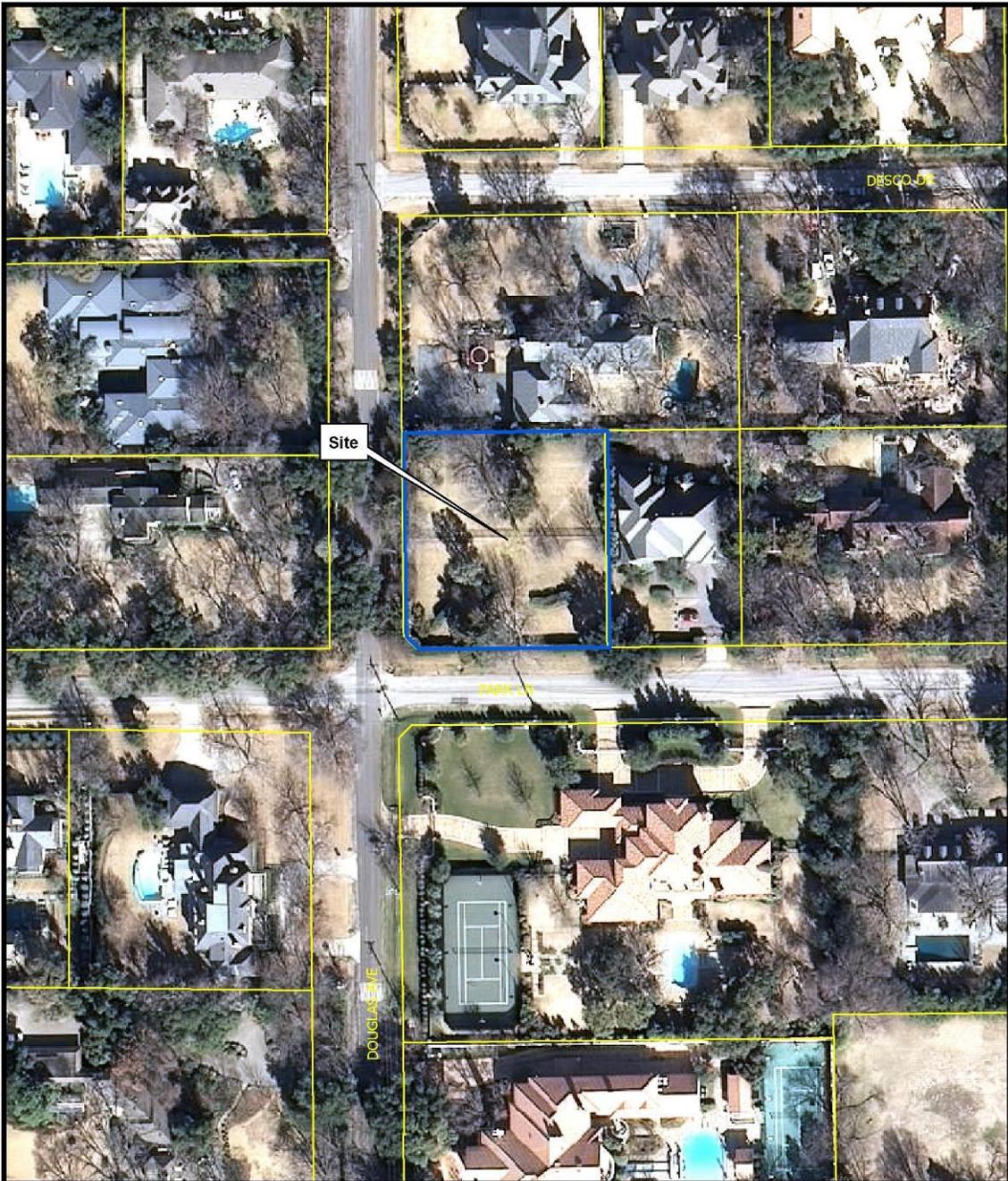
September 10, 2014: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the September 26th deadline to submit additional evidence for staff to factor into their analysis; and the October 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;
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence".

October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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





1:1,200

AERIAL MAP

Case no: BDA134-100

Date: 9/23/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-100

Data Relative to Subject Property:

Date: 08-14-14

Location address: 5813 Park Lane Zoning District: R-1ac (A)

Lot No.: 8A Block No.: G/5614 Acreage: 0.593ac Census Tract: 75-00 206.00

Street Frontage (in Feet): 1 156 2 166 3) _____ 4) _____ 5) _____ NE2S

To the Honorable Board of Adjustment:

Owner of Property/or Principal Brian and Rachel Ladin

Applicant: Karl A Crawley Telephone: 214 761 9197

Mailing Address 900 Jackson St. Ste 640 Dallas TX Zip Code: 75202

Represented by: Karl A Crawley Telephone: 214 761 9197

Mailing Address: 900 Jackson St. Ste 640 Dallas TX Zip Code: 75202

Affirm that a request has been made for a Variance , or Special Exception x, of 2 feet to allow a fence and gate with a height greater than four (4) feet in the required front yard.

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

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: Karl A Crawley Applicant's name printed [Signature] Applicant's signature

Affidavit

Before me the undersigned on this day personally appeared Karl A Crawley who on (his/her) oath certifies that the above statements are true and correct to his best knowledge and that he is the owner/or principal/or authorized representative of the subject property.

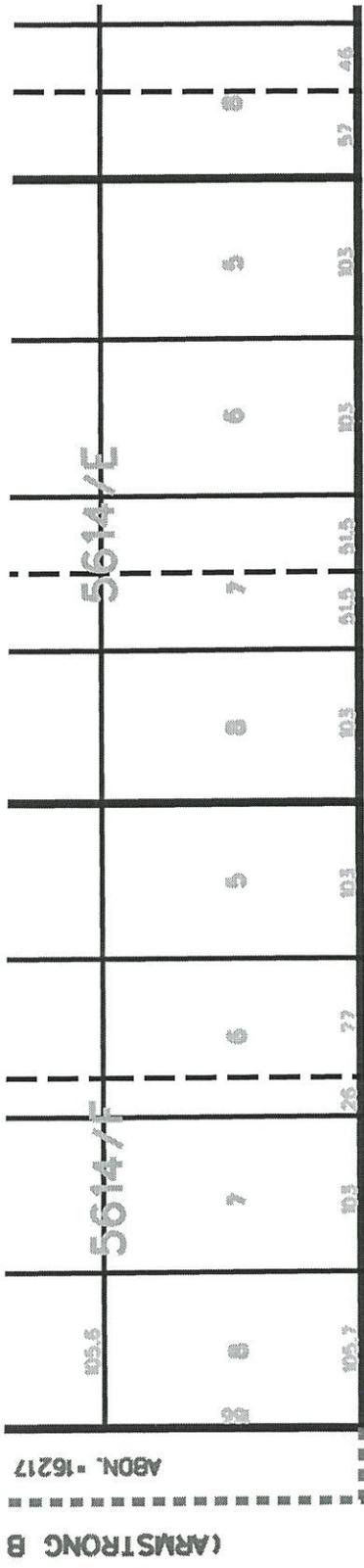
[Signature] Affiant (Applicant's signature)

Subscribed and sworn to before me this 14th day of August, 2014



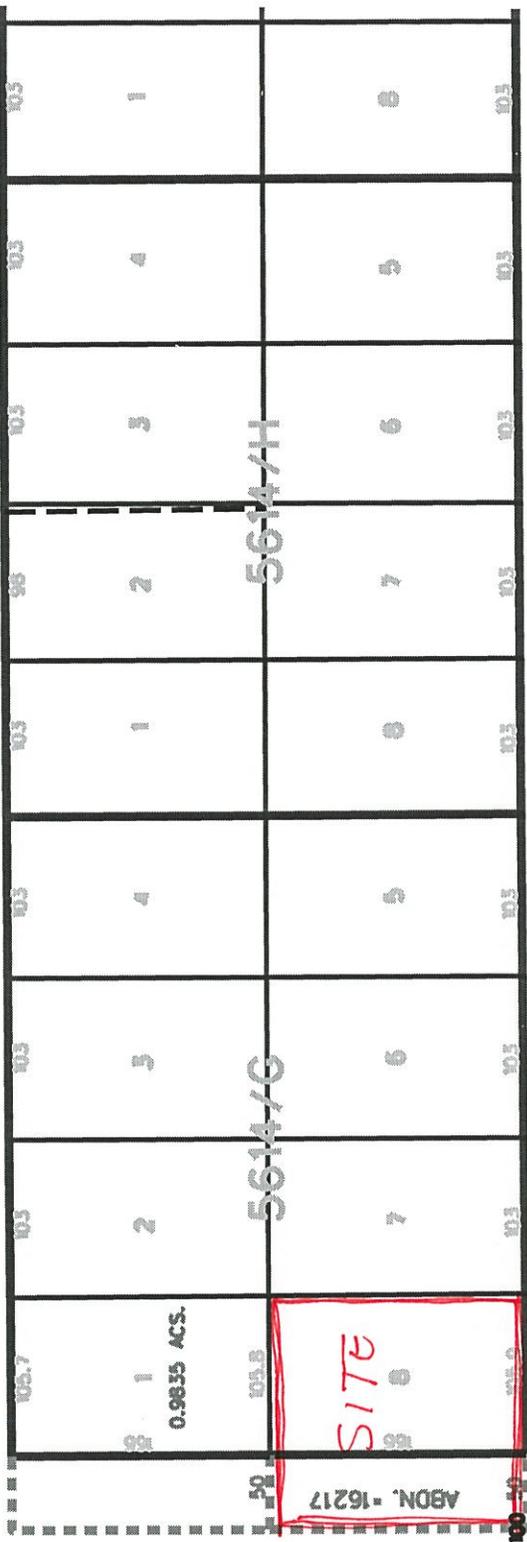
[Signature] Notary Public in and for Dallas County, Texas





5594

DESCO (KINNEY)



DOUGLAS

PARK

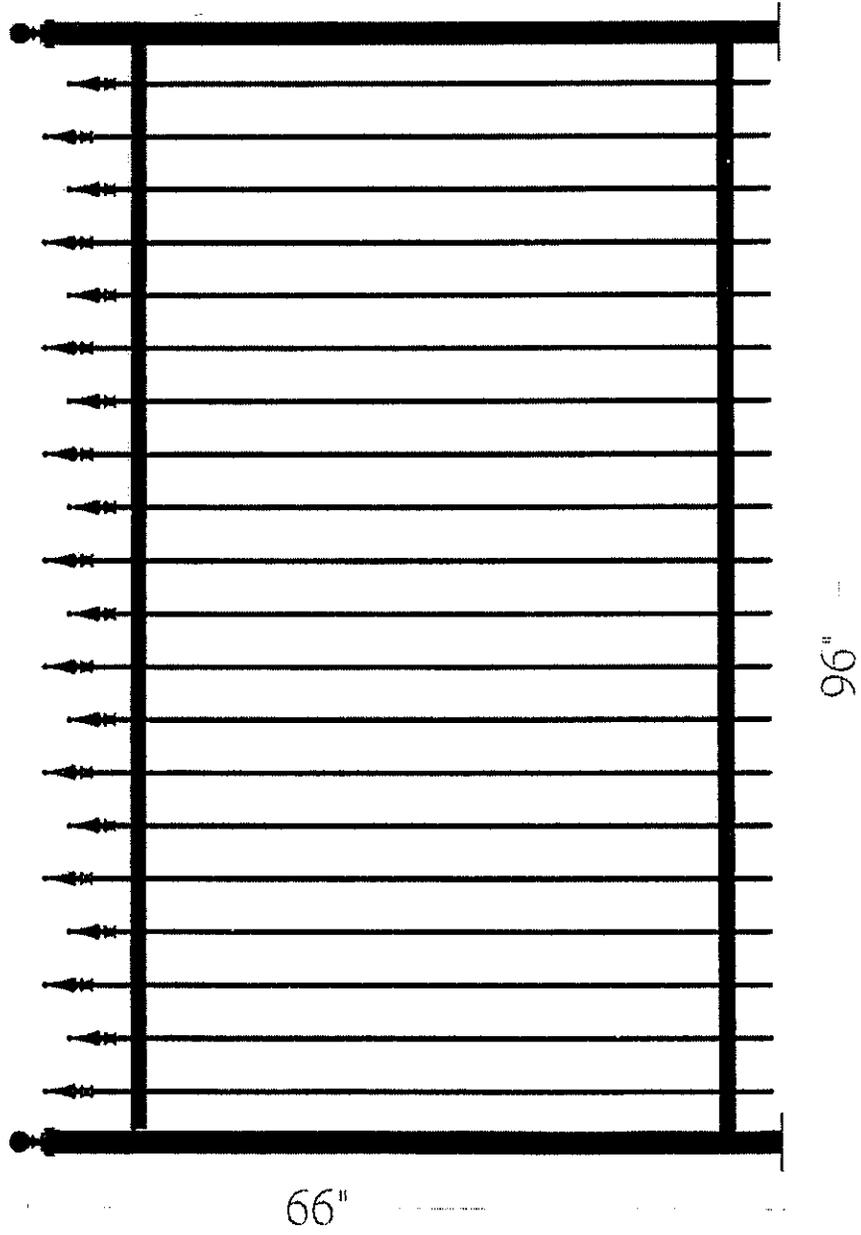
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ABDN. -16217

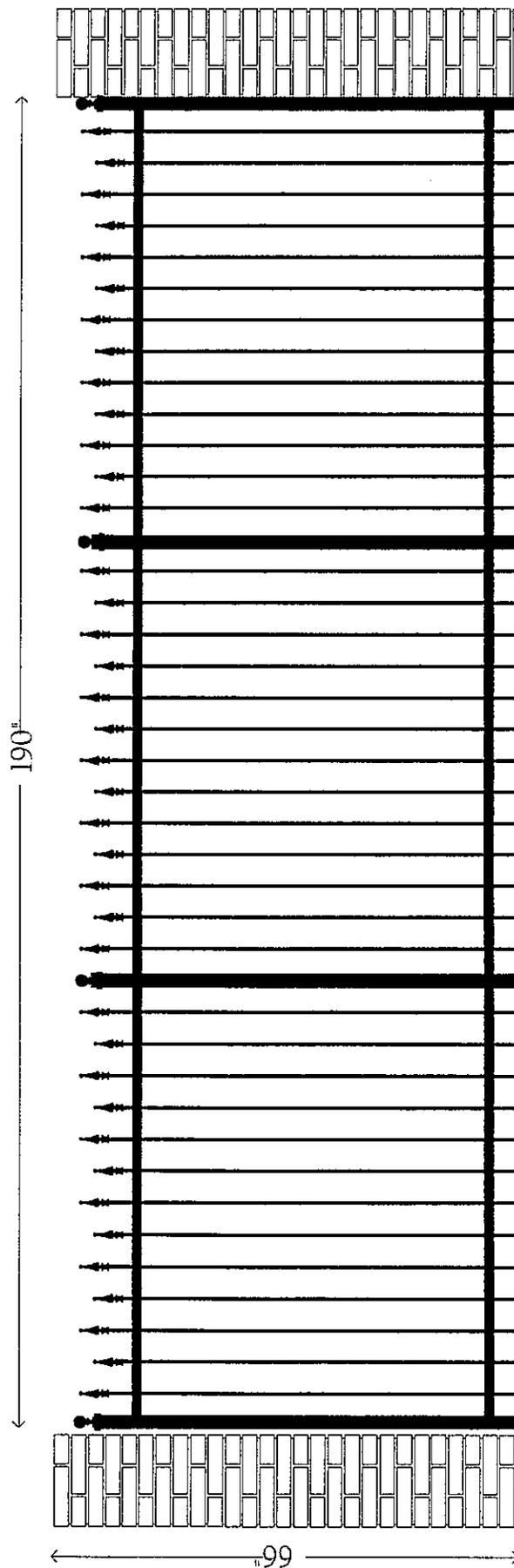
ABDN. -16217

Typical Iron Fence Section

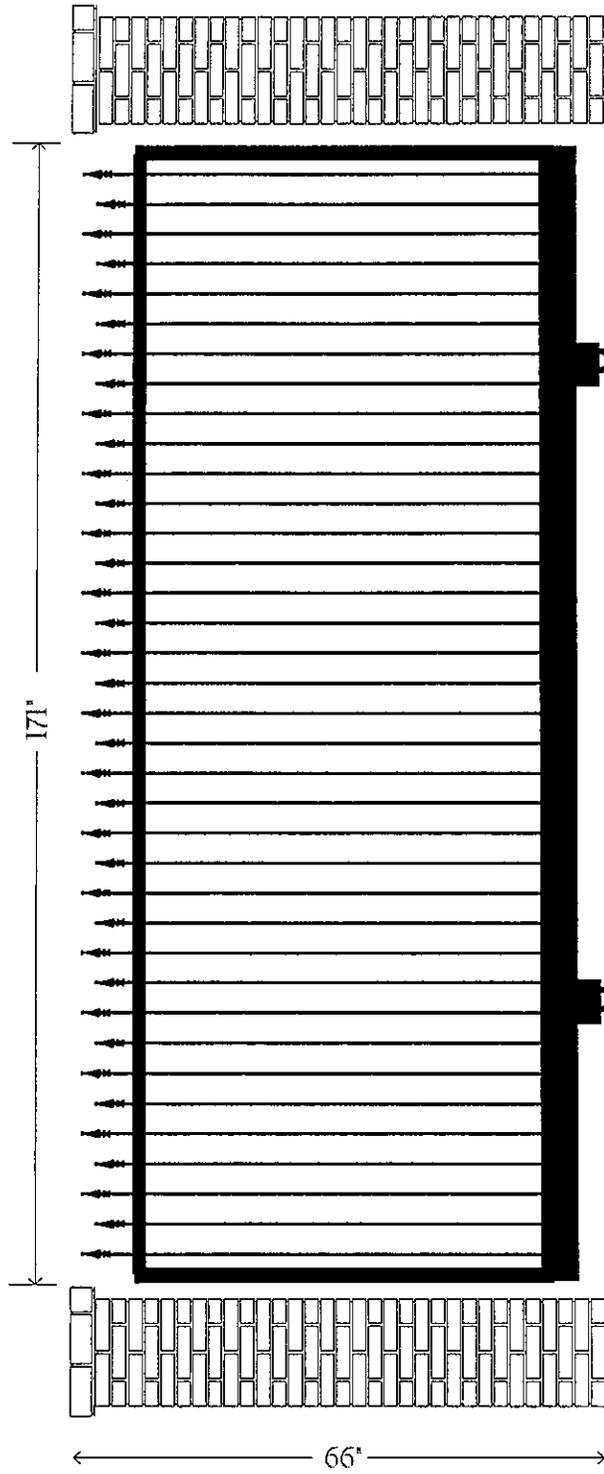


3/4"=1'

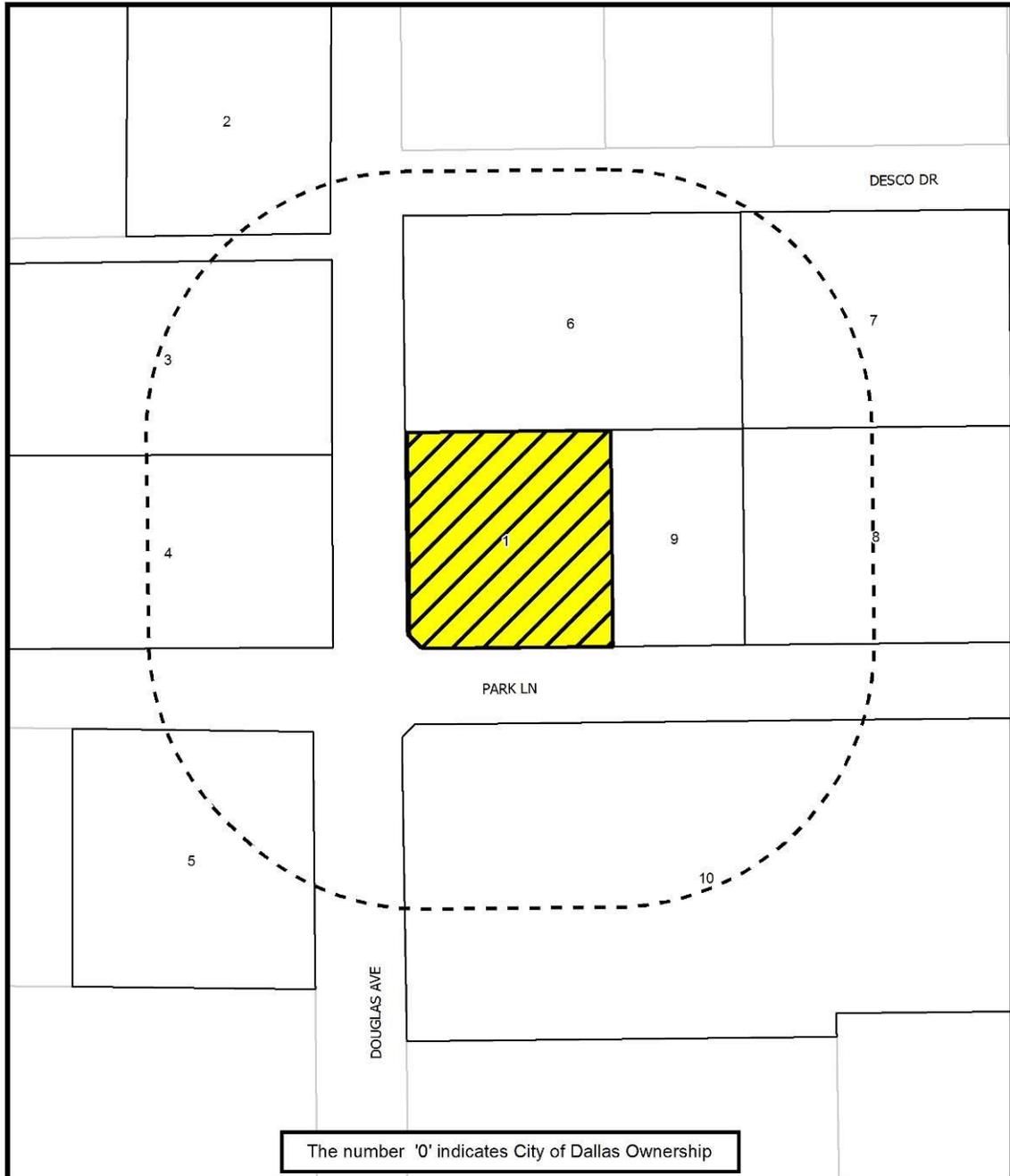
Typical iron fence section with columns



Typical Ornamental Iron Slide Gate



BDA 134-100



The number '0' indicates City of Dallas Ownership

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px;">10</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	10	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA134-100</u> Date: <u>9/23/2014</u>
200'	AREA OF NOTIFICATION					
10	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-100

10 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5813 PARK LN	LADIN BRIAN & RACHEL
2	5730 WATSON CIR	JOHNSTON CARY LAUGHLIN &
3	9111 DOUGLAS AVE	VERBEEK ARNOLDUS &
4	9101 DOUGLAS AVE	LOFTUS JOSEPH RICHARD & TIFFANY
5	9025 DOUGLAS AVE	LANDE SIDNEY &
6	5808 DESCO DR	JOHNSON LEE
7	5830 DESCO DR	JONES JUDSON WADE & TIFFANY WATERS
8	5825 PARK LN	FOBARE TOD M
9	5811 PARK LN	CAIN GARY L & LISA J
10	5810 PARK LN	WEINER CLIFFORD M

FILE NUMBER: BDA 134-070

BUILDING OFFICIAL'S REPORT: Application of Abdul Hafeez Khan, represented by Warren Packer, for a special exception to the fence height regulations at 4820 Northaven Road. This property is more fully described as Lot 7, Block 1/6391, and is zoned R-1/2ac(A)(NSO 1), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 13 foot 1 inch high fence, which will require a 9 foot 1 inch special exception to the fence height regulations.

LOCATION: 4820 Northaven Road

APPLICANT: Abdul Hafeez Khan
Represented by Warren Packer

REQUEST:

A request for a special exception to the fence height regulations of 9' 1" is made to construct and maintain a 7' high fence (4' high open metal fence atop a 3' high solid base) with approximately 8' high columns and an entryway feature that includes a 12' high vehicular and pedestrian gates with 13' 1" high entry column finials in the site's 75' front yard setback on a site being developed with a single family home.

Note the following:

1. this application is adjacent to a property to the west where the same applicant and owner seeks a similar fence height special exception from Board of Adjustment Panel B on August 20th: BDA 134-071; and
2. as of October 13, 2014, the applicant's representative had submitted no additional or new information to staff.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the fence height regulations 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-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
North: R-1/2 ac(A) (Single family district ½ acre)
South: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
East: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
West: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)

Land Use:

The subject site is being developed with a single family home. The areas to the north, south, and west are developed with single family uses; the area to the east (and the subject site of BDA 134-071) is undeveloped.

Zoning/BDA History:

1. BDA 134-071, Property at 11217 Strait Lane (the lot immediately east of the subject site) On August 20, 2014, the Board of Adjustment Panel B will consider requests for special exceptions to the fence height regulations of 9' 1" to construct/maintain a 7' high fence (4' high open metal fence atop a 3' high solid base) with approximately 8' high columns and an entryway feature that includes 12' high vehicular and pedestrian gates with 13' 1" high entry column finials
2. BDA 001-123, Property at 4821 Northaven Road (the lot immediately north of the subject site) On December 12, 2000, the Board of Adjustment Panel A granted a request to the fence height special regulations of 4'. The board imposed the following conditions with the request: compliance with the elevation and a revised site plan that shows the location of the fence behind the shrub is required; and the retention of the approximately 8 foot high Japanese Ligustrum shrubs now existing on the property, (or its replacement with similar species) between the street curb and the proposed fence. The case report states the request was made to construct and maintain a 6' high open wrought iron fence, a 6' chain link fence, 7' high stone columns, and two 8' high wrought iron entry gates.

- | | |
|---|--|
| 3. BDA 85-145, Property at 4719 Northaven Road (two lots northwest of the subject site) | On May 14, 1985, the Board of Adjustment denied a request for a “front yard variance” of 2’ 6” without prejudice. The case report states the request was made to construct a masonry fence with wrought iron gates 6’ 6” in height. |
| 4. BDA 92-001, Property at 11220 Strait Lane (two lots east of the subject site) | On February 11, 1992, the Board of Adjustment granted a request for a fence height special exception of 4’ to maintain a 6’ fence with 8’ columns and gates, and imposed the “submitted Landscape Plan “B”” as a condition to the request. |

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a 7’ high fence (4’ high open metal fence atop a 3’ high solid base) with approximately 8’ high columns and an entryway feature that includes 12’ high vehicular and pedestrian gates with 13’ 1” high entry column finials in the site’s 75’ front yard setback on a site being developed with a single family home.
- 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 applicant has submitted a site plan and elevation of the proposal in the front yard setbacks that reaches a maximum height of 13’ 1”.
- The following additional information was gleaned from the submitted site plan:
 - The fence is approximately 450’ in length, approximately 4’ from the property line, and approximately 12’ from the pavement line; the gate is approximately 12’ from the property line, and approximately 20’ from the pavement line.
- There are two single family homes that have direct frontage to the proposal, one of which appears to have fence in its front yard – a fence that appears to be a result of a granted fence height special exception from 2000: BDA 001-123 (see the “Zoning/BDA History” section of this case report for additional details).
- The Board Administrator conducted a field visit of the site and surrounding area (approximately 300’ east and west of the subject site) and noted no other visible fences higher than 4’ in a front yard setback other than the one previously mentioned directly north of the subject site.
- One letter had been submitted in support of the request and 16 letters had been submitted in opposition by/at the August 20th public hearing.
- As of October 13, 2014, no additional letters had been submitted in support of the request and 3 additional letters had been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exceptions to the fence height regulations of 9’ 1” will not adversely affect neighboring property.

- Granting this special exception of up to 9' 1" with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding 4' in height in the front yard setback to be constructed and maintained in the location and of the heights and materials as shown on these documents.

Timeline:

June 16, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 15, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, "If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case."

July 15, 2014: The Board Administrator emailed the applicant's representative the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the July 30th deadline to submit additional evidence for staff to factor into their analysis; and the August 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 5, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Chief Planner, the Assistant Building Official, the Board Administrator, Building Inspection Senior Plans Examiners/Development Code Specialists, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

- August 4, 2014: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- August 20, 2014: The Board of Adjustment Panel B held a public hearing on this application and delayed action on this application until October 22, 2014 in order for the applicant to meet with neighboring property owners.
- August 28, 2014: The Board Administrator sent a letter to the applicant's representative that noted the decision of the panel, the September 26th deadline to submit additional evidence for staff review and the October 10th deadline to submit additional evidence to be incorporated into the Board's docket materials.
- October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

BOARD OF ADJUSTMENT ACTION: AUGUST 20, 2014

APPEARING IN FAVOR: Warren Packer, 1680 Prince William Lane, Frisco, TX

APPEARING IN OPPOSITION: Shelton Hopkins, 4707 Crooked LN, Dallas, TX
Judy Askew, 4719 Northaven Rd., Dallas, TX
Christopher Center, 4811 Northaven Rd., Dallas, TX
Kevin Bride, 4933 Mangold Cr., Dallas, TX
Bill Woodall, 4821 Northaven, Dallas, TX
Barbara Hannon, 4745 Crooked LN, Dallas, TX
Pat McBride, 4933 Mangold, Dallas, TX 7

MOTION: Gillespie

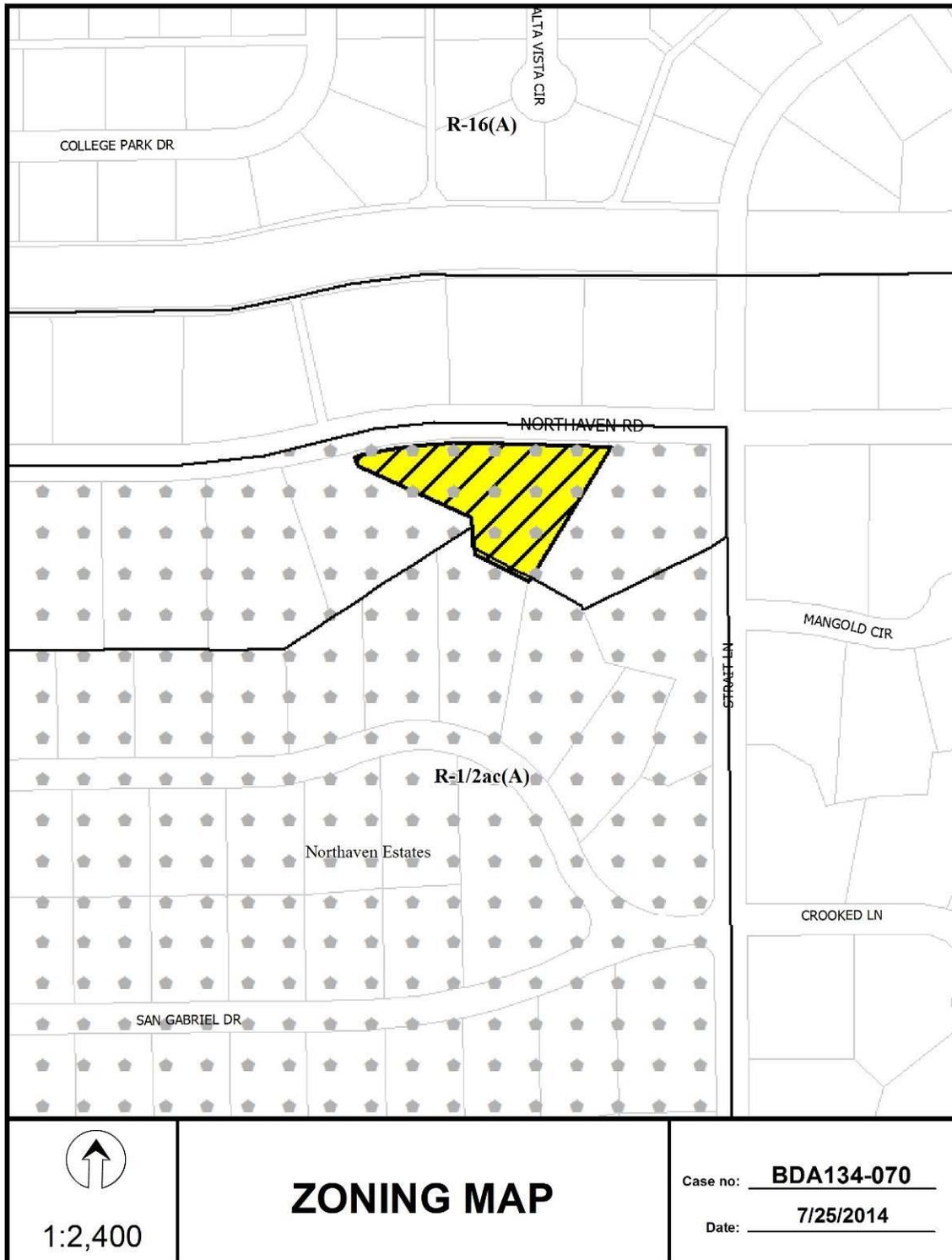
I move that the Board of Adjustment in Appeal No. **BDA 134-070**, hold this matter under advisement until **October 22, 2014**.

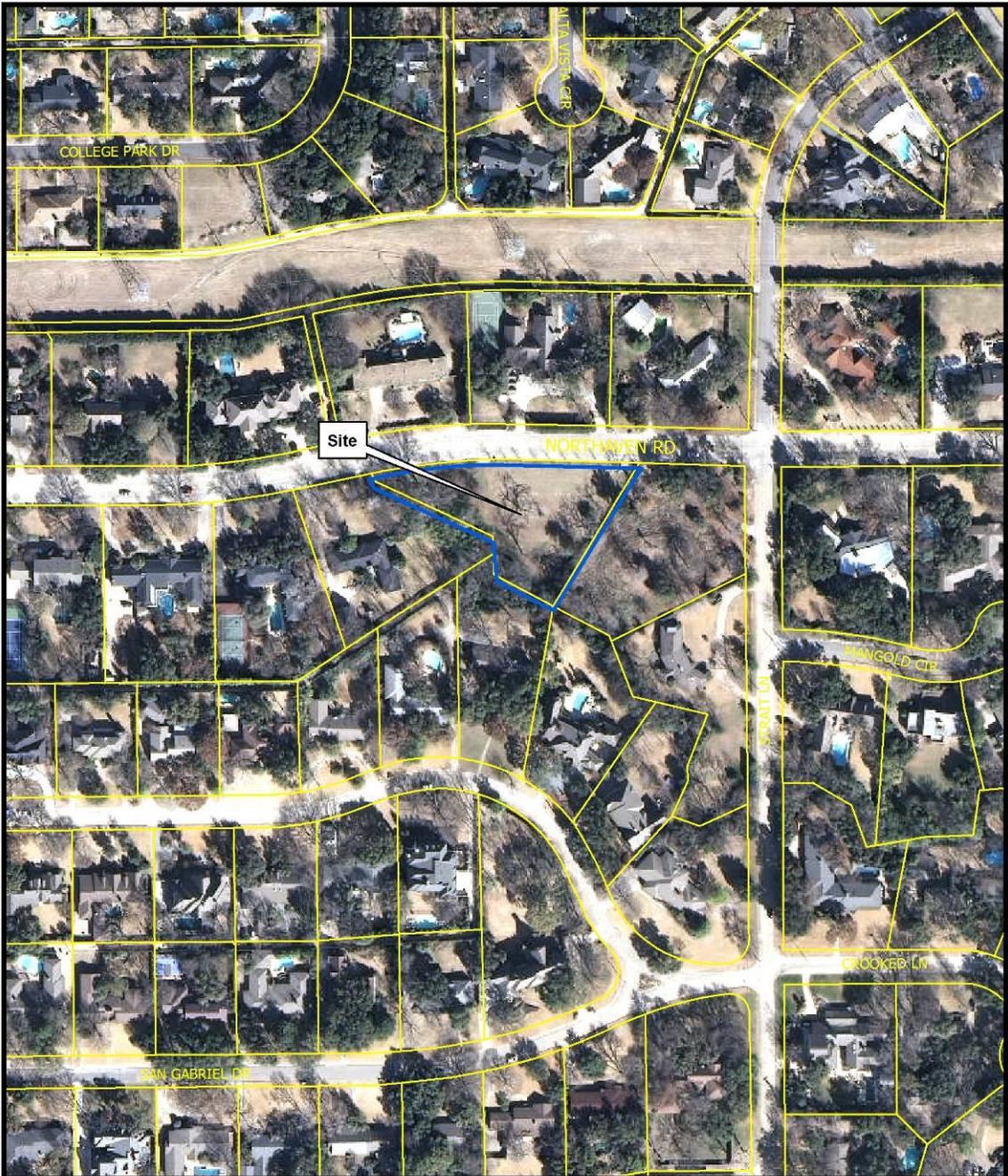
SECONDED: Leone

AYES: 5– Reynolds, Gillespie, Leone, Hounsel, Gaspard

NAYS: 0 –

MOTION PASSED 5 – 0 (unanimously)





1:2,400

AERIAL MAP

Case no: BDA134-070

Date: 7/25/2014

Long, Steve

From: Warren Packer
Sent: Monday, August 04, 2014 6:28 PM
To: Long, Steve
Subject: Fwd: support for proposed fence at 4820 Northaven Road

PS 1

Please see letter of support attached.

Sent from my iPhone

Begin forwarded message:

From: Kelly Warren <kellywarren@comcast.com>
Date: August 4, 2014 at 3:10:20 PM CDT
To: Warren@northavenhomes.com
Cc: Sona Sanchez <sonasanchez@northavenhomes.com>
Subject: support for proposed fence at 4820 Northaven Road

Mr. Khan and Mr. Packer,

My wife and I live at 11301 Strait Lane which is directly across the street from your home which is under construction at 4820 Northaven Road. My wife and I have reviewed the plans for the proposed fence at 4820 Northaven which would extend to the corner of Strait Lane and Northaven Road. We wish to provide you with our complete and total support for the structure as it is portrayed in the plans which you have provided. We believe that the structure will enhance the appearance of the neighborhood. Further, it will certainly complement the dwelling which is being constructed.

As you may know, some years ago a child was struck and killed by a speeding motorist on Northaven Road directly in front of the home under construction. The proposed fence would certainly provide some measure of safety from speeding motorists for any future children who might reside in the home at 4820 Northaven. There has been some discussion in the neighborhood about petitioning the city to install 'speed bumps' on Northaven Road between Welch and Strait Lane as a means of mitigating the danger posed by speeding motorists. However, it is my understanding that such 'speed bumps' would not be allowed due to the presence of the fire station nearby and the fact that the fireman frequently use Northaven Road.

Also, as you know, almost all of the homes which border and are across the street from the house under construction at 4820 Northaven are completely enclosed by fences and walls which exceed 6 feet in height. Specifically these are the existing homes at 11300 Strait Lane and 11220 Strait Lane and 4821 Northaven Road. Also, the home at 11211 Strait Lane which also borders and is contiguous with 4820 Northaven has gate posts which substantially exceed the city mandated height for fences and gates in the neighborhood.

Again, my wife and I completely support the construction of the fence at 4820 Northaven as it is described in the plans which you have provided. Although I am unable to attend the hearing at which your request for a variance is to be considered, my wife Sofia plans on going to speak in support of your request. Please let us know the exact date, place and time of the hearing.

--
Kelly J. Warren, M.D.
Dallas Dermatology LLC
www.dallasdermatology.com

BDA134-070
Attach A
Pg 2



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-070

Data Relative to Subject Property:

Date: 6-16-14

Location address: 4820 Northaven Rd

Zoning District: R-1/2ac(A) N501, Tr 2

Lot No.: 7 Block No.: 1/6391 Acreage: 1

Census Tract: 135.00

Street Frontage (in Feet): 1) 211.06 2) 191.75 3) _____ 4) _____ 5) _____

NE2A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): ABDUL HAKEEZ KHAN

Applicant: ABDUL HAKEEZ KHAN Telephone: _____

Mailing Address: 20 Carter Ct Allen Tx Zip Code: 75002

E-mail Address: Warren@Pcustomhomes.com

Represented by: WARREN PACKER Telephone: 2148372792

Mailing Address: 1680 Prince William Lane Frisco Zip Code: 75034

E-mail Address: Warren@Pcustomhomes.com

Affirm that an appeal has been made for a Variance or Special Exception of 9 feet 1 inch to the fence ht in the front yard

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:

INSTALL: FRONT SCREENING WALL & FENCE ALONG NORTHAVEN ROAD WITH AUTOMATIC GATE ALONG FRONT PROPERTY LINES. The majority of the solid fence is 3 feet with 4 ft of open fence on top. The fence will enhance the value of the neighborhood.

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.

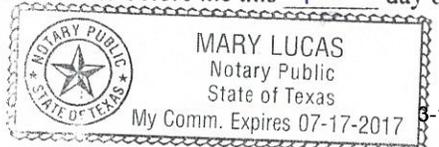
Affidavit

Before me the undersigned on this day personally appeared ABDUL KHAN (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 13th day of MAY 2014



[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

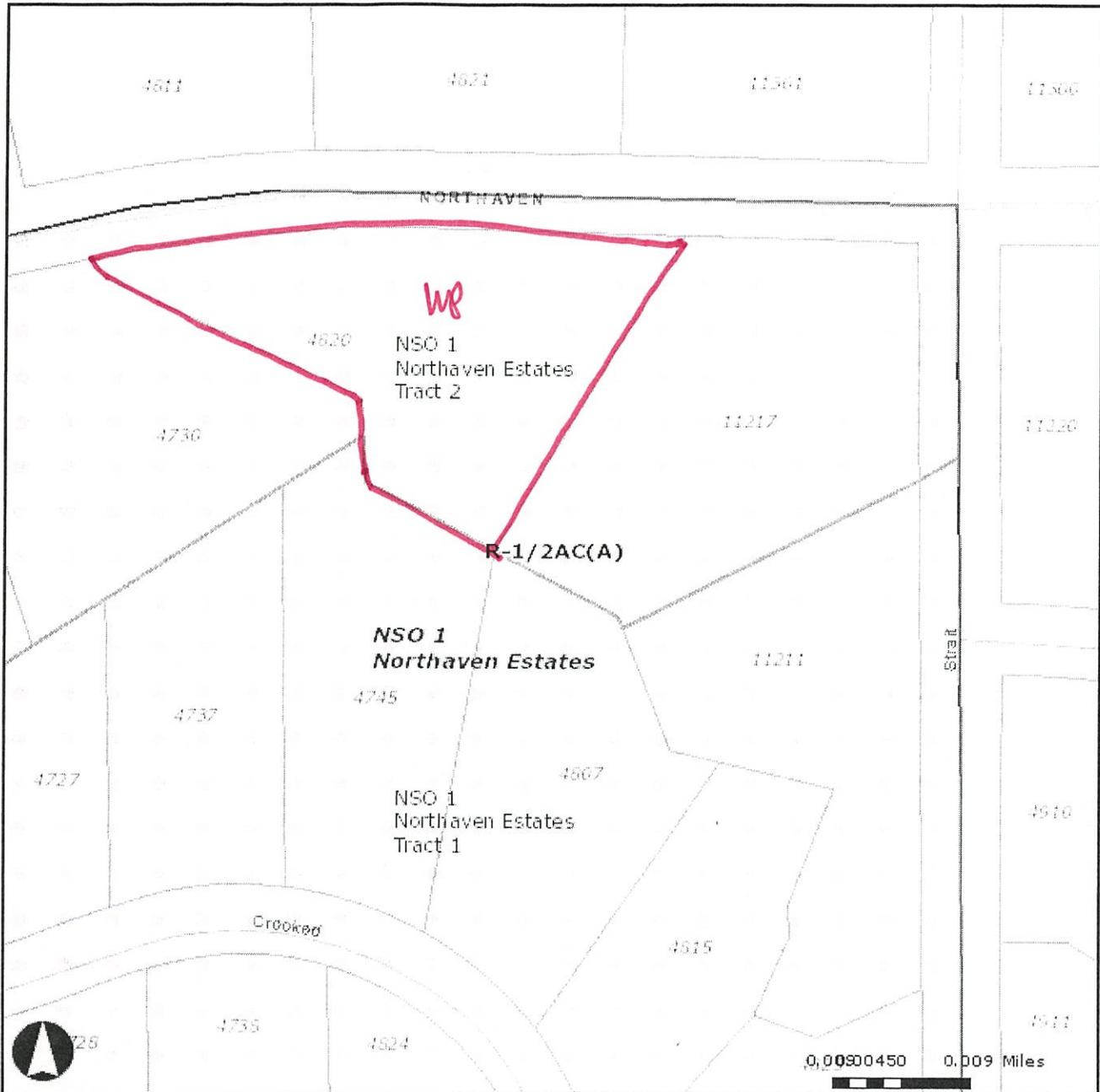
I hereby certify that **ABDUL KHAN**
 represented by **WARREN PACKER**
 did submit a request for a special exception to the fence height regulations
 at **4820 Northaven Road**

BDA134-070. Application of Abdul Khan represented by Warren Packer for a special exception to the fence height regulations at 4820 Northaven Road. This property is more fully described as Lot 7, Block 1/6391, and is zoned R-1/2ac(A), which limits the height of fence in the front yard to 4 feet. The applicant proposes to construct a 13 foot 1 inch high fence in a required front yard, which will require a 9 foot 1 inch special exception to the fence regulation.

Sincerely,


 Larry Holmes, Building Official

City of Dallas Zoning



Address Candidates



City Boundaries



County



Certified Parcels



DISD Sites



SUP



Dry Overlay



Historic Overlay



Historic Subdistricts

PDS Subdistricts



Base Zoning



Floodplain



7692
6392

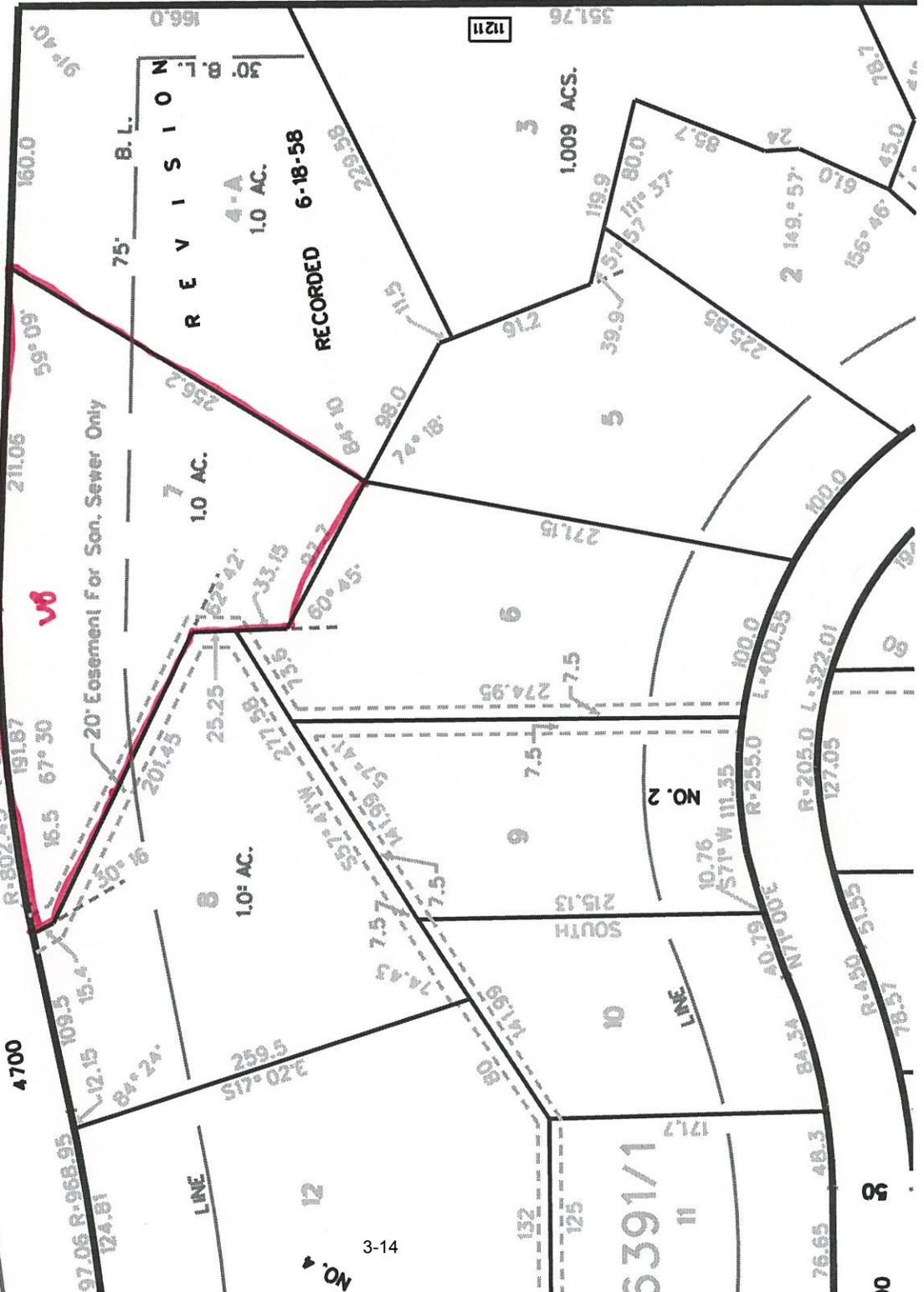
ROAD 39

60

LANE

4800

4700



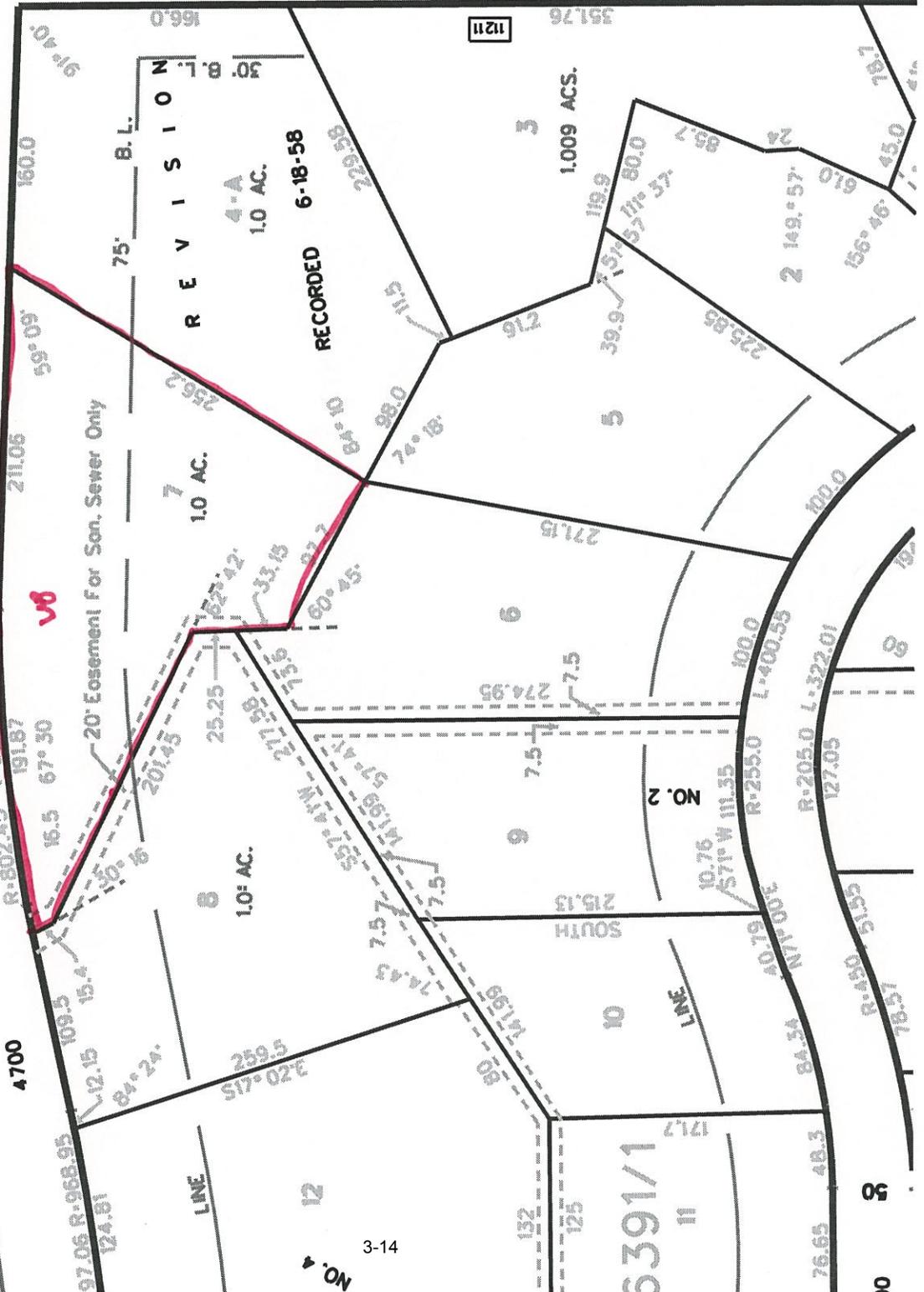
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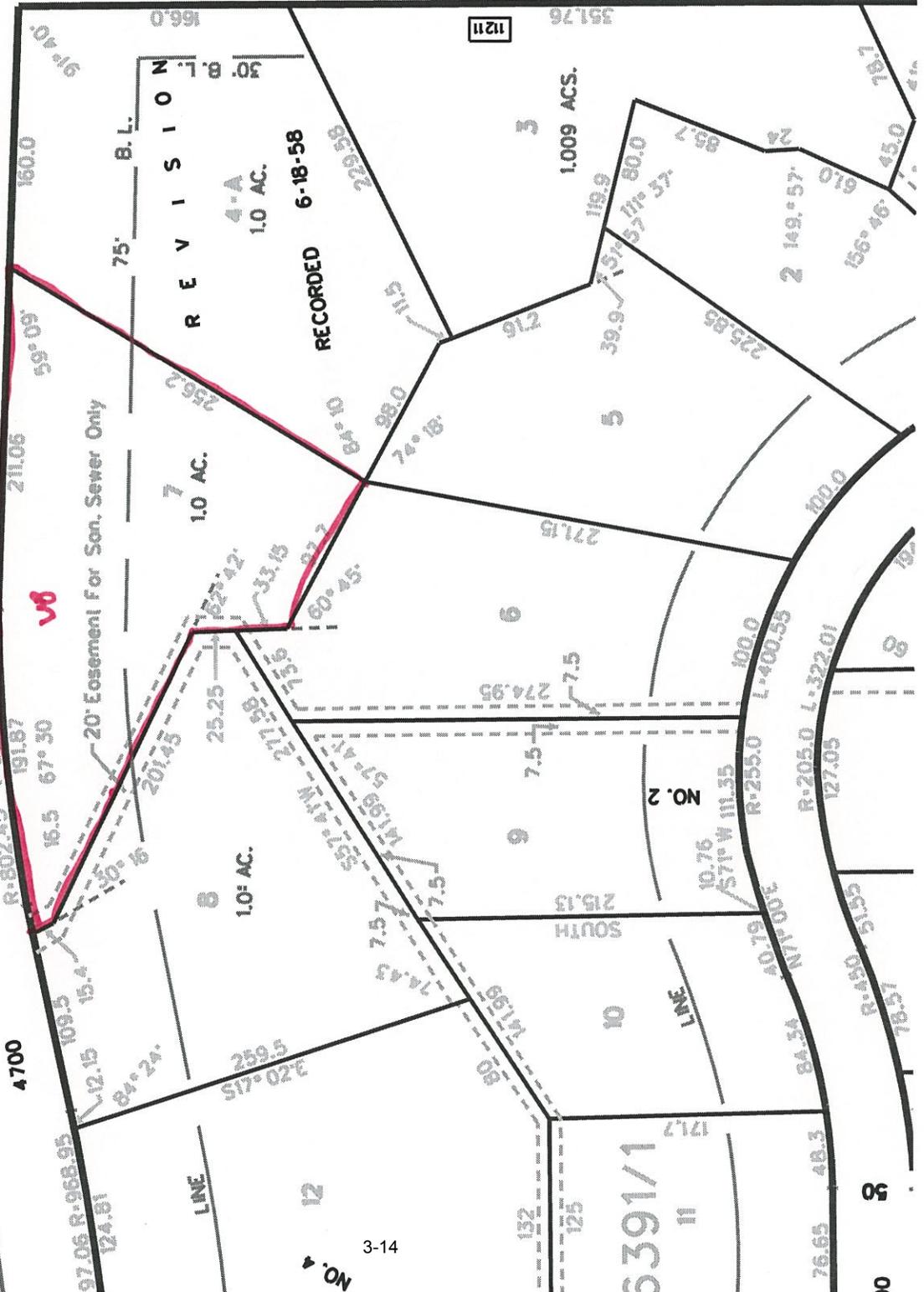
ROAD 39

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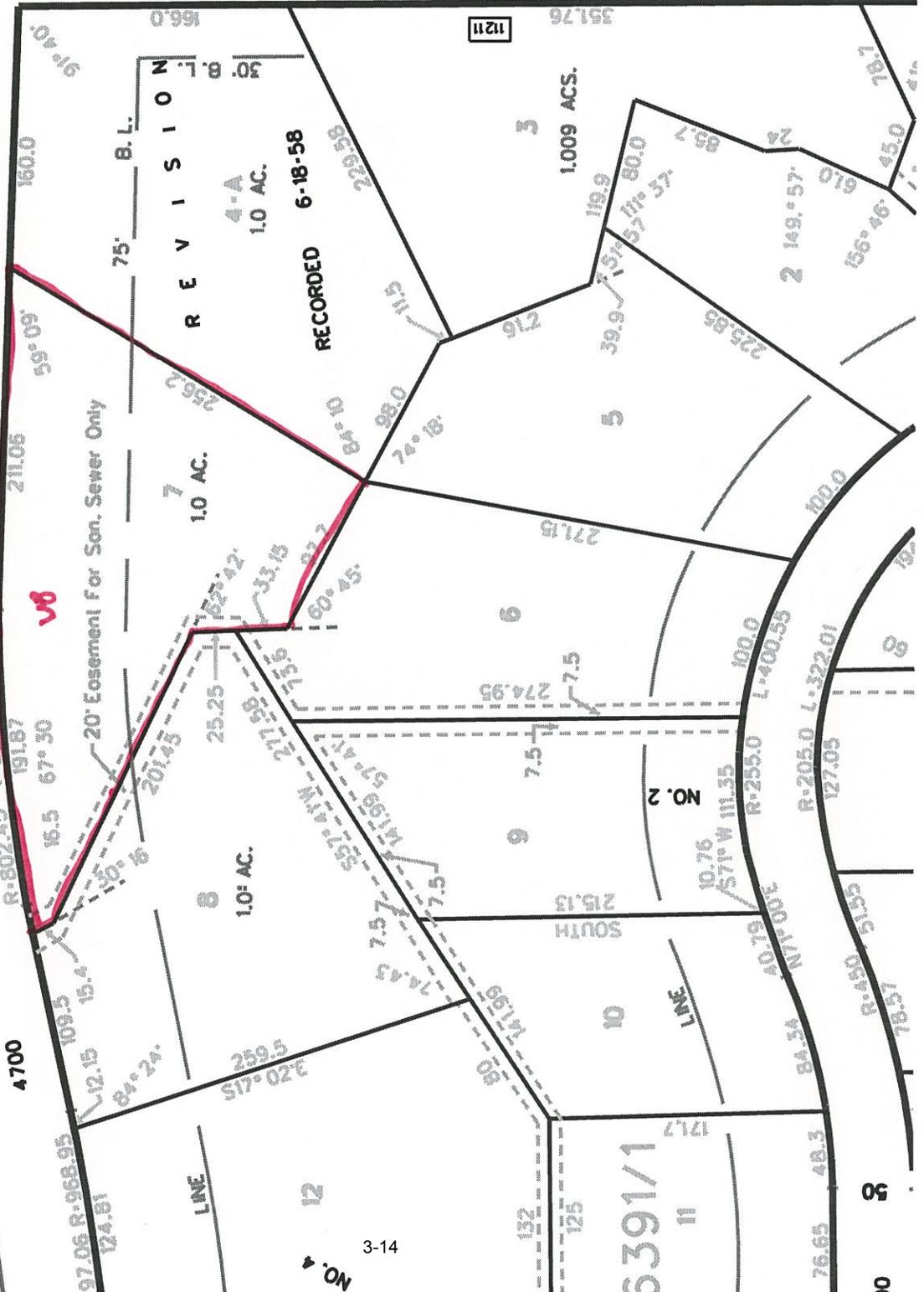
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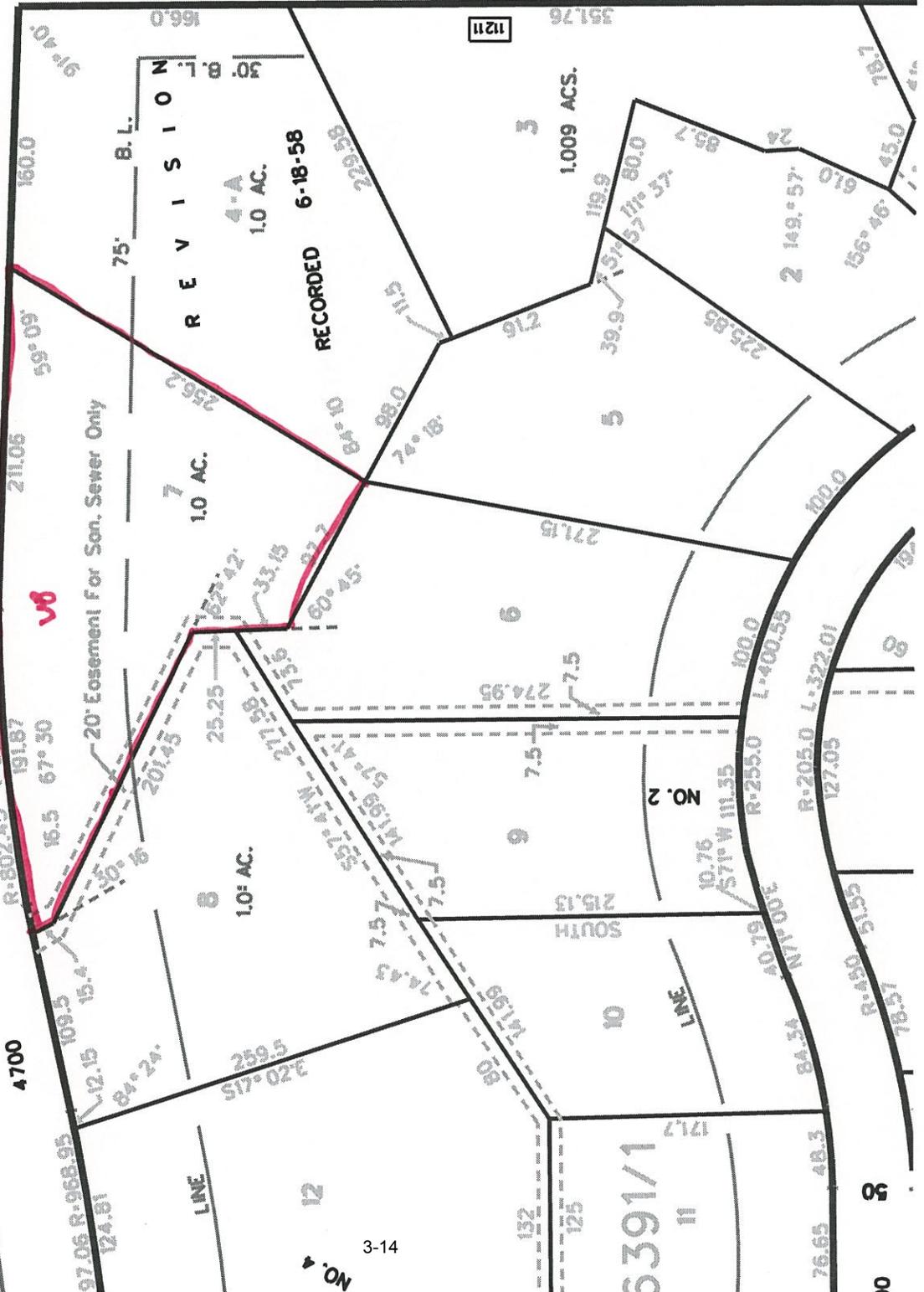
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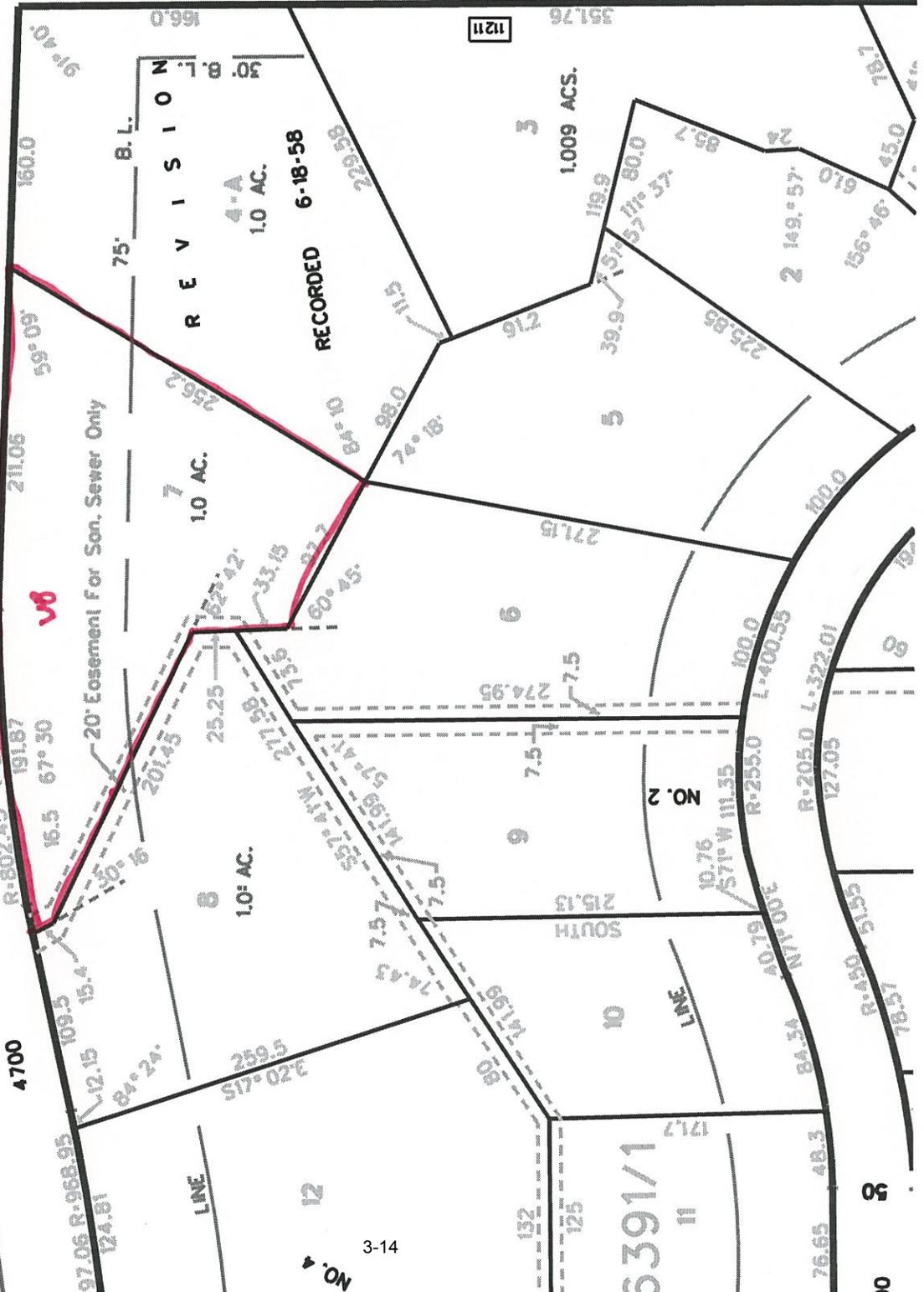
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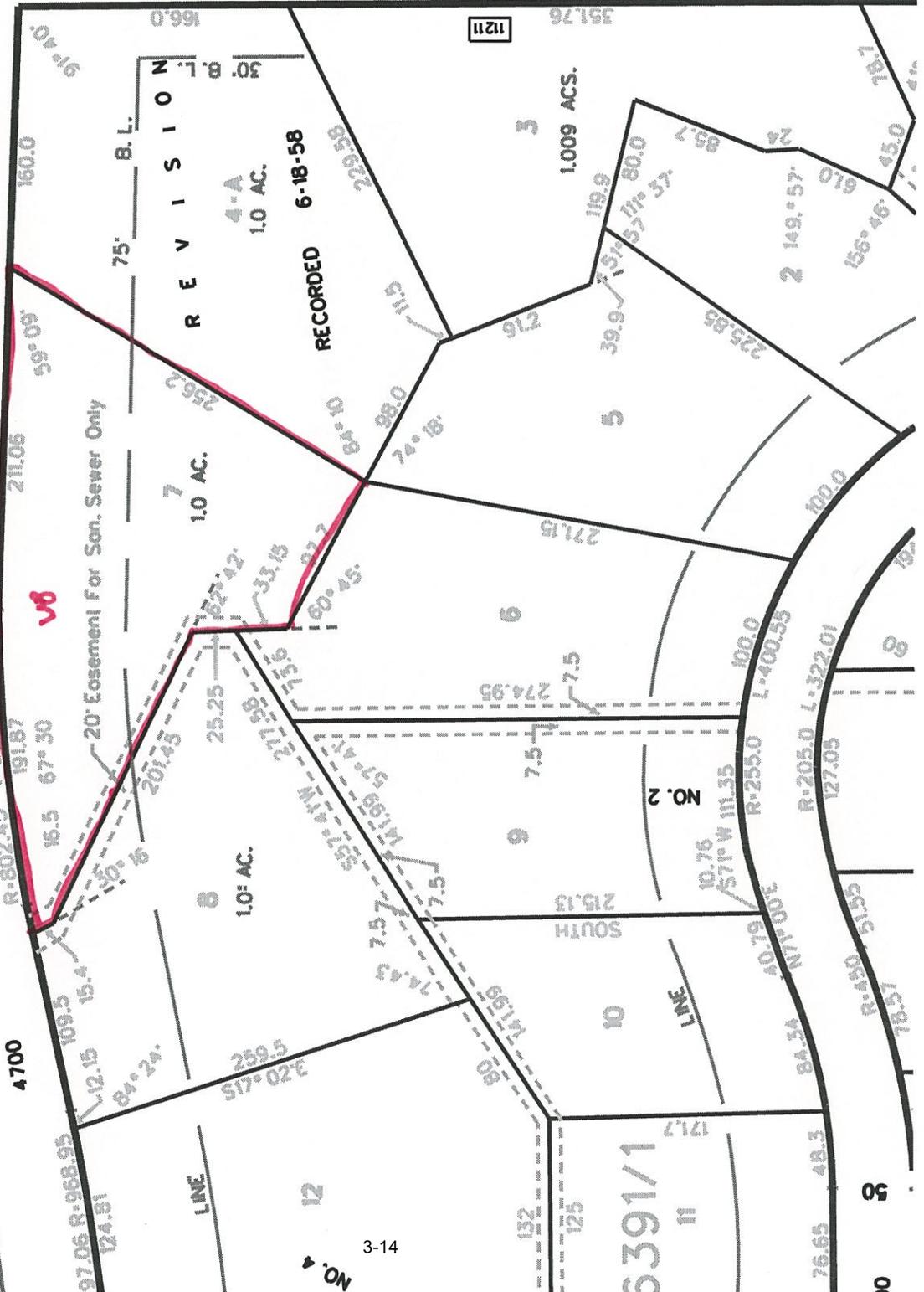
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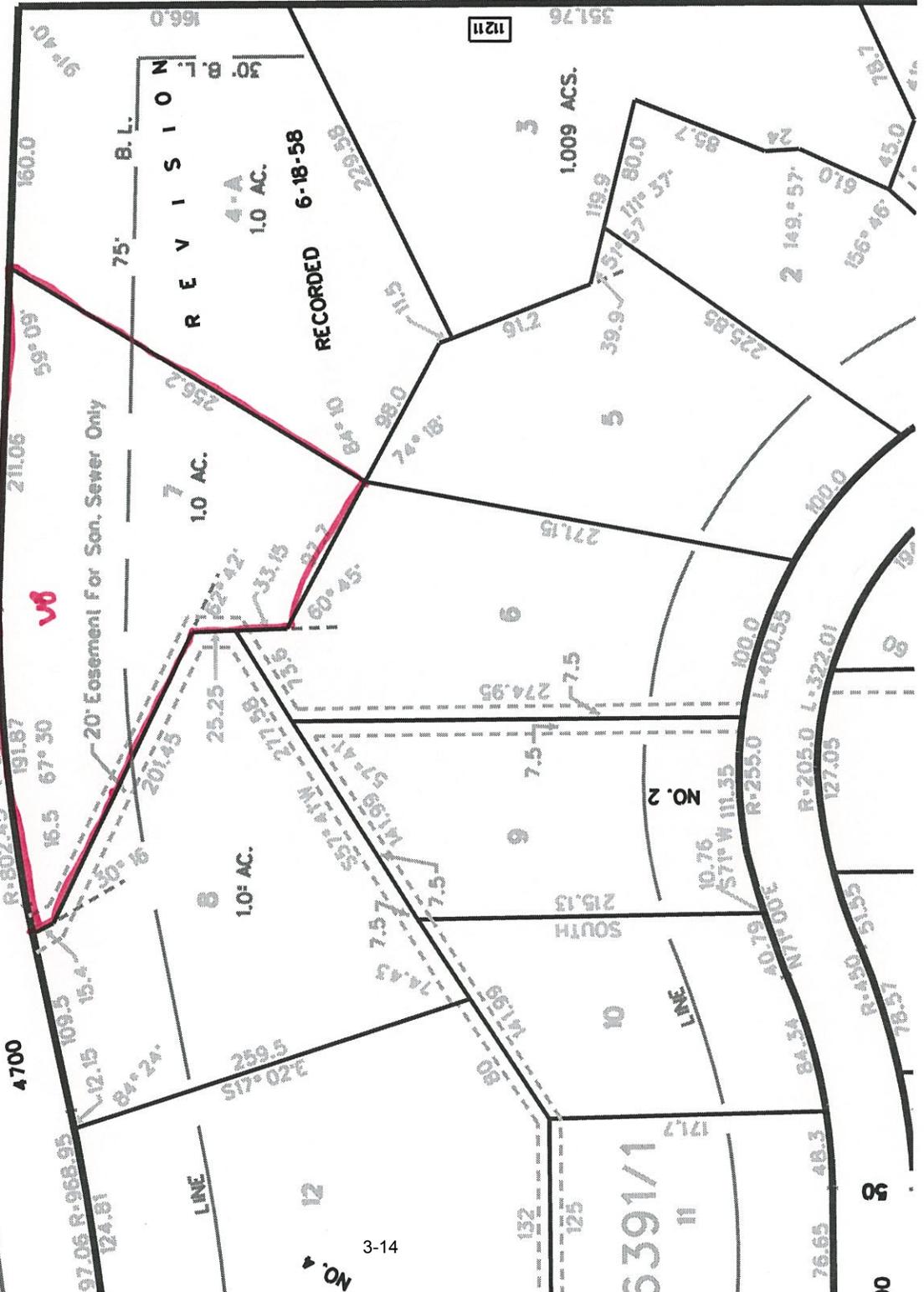
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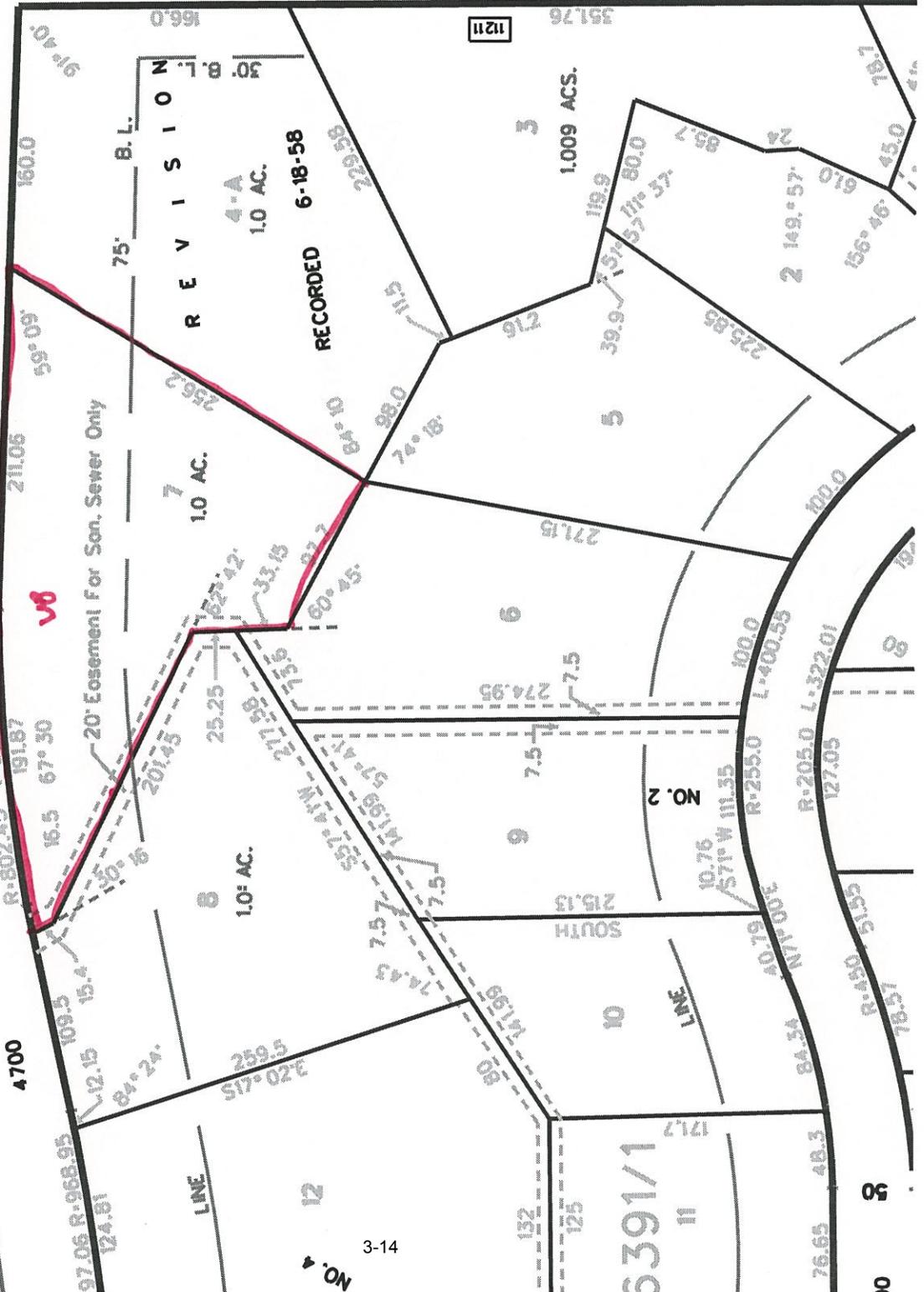
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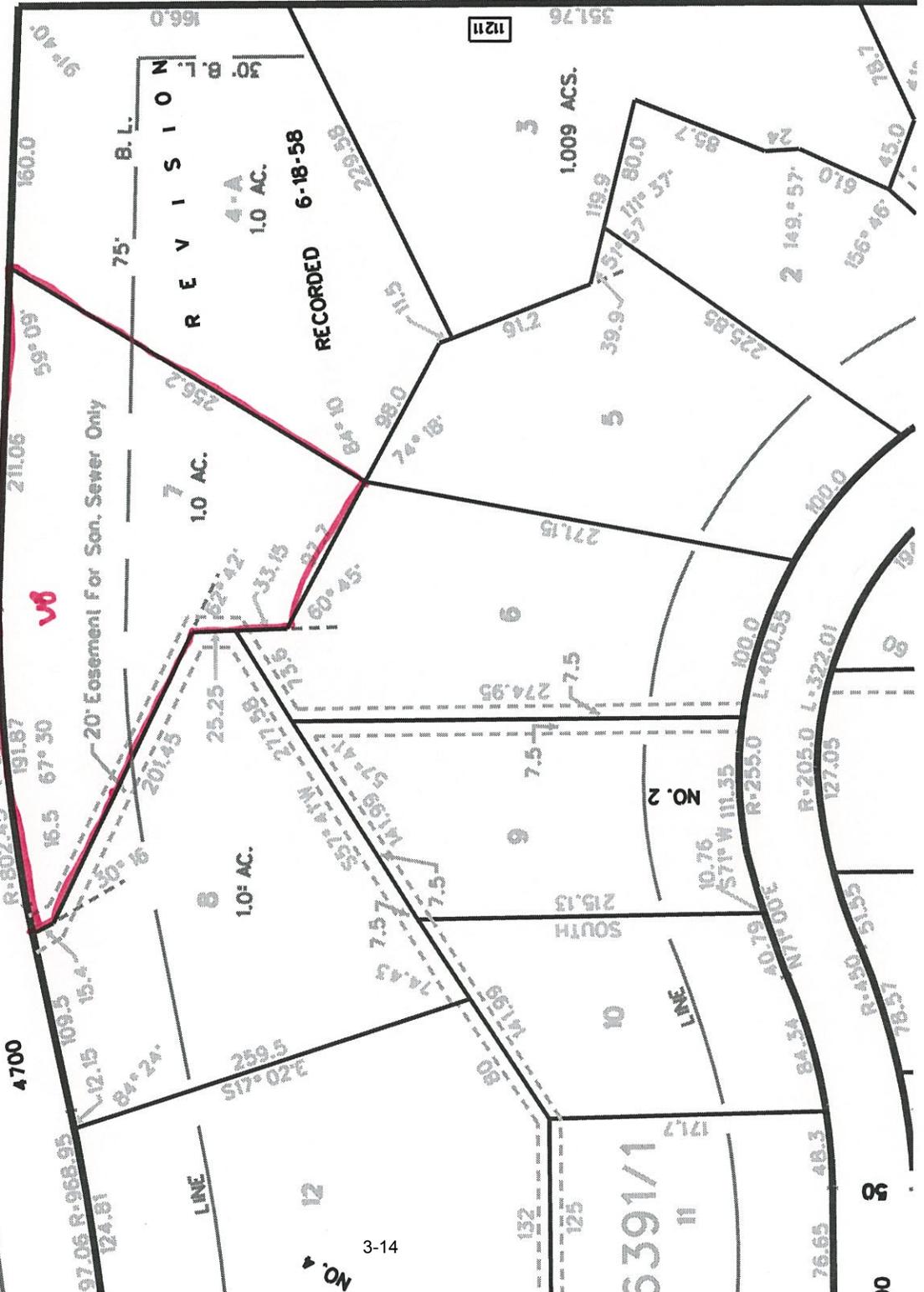
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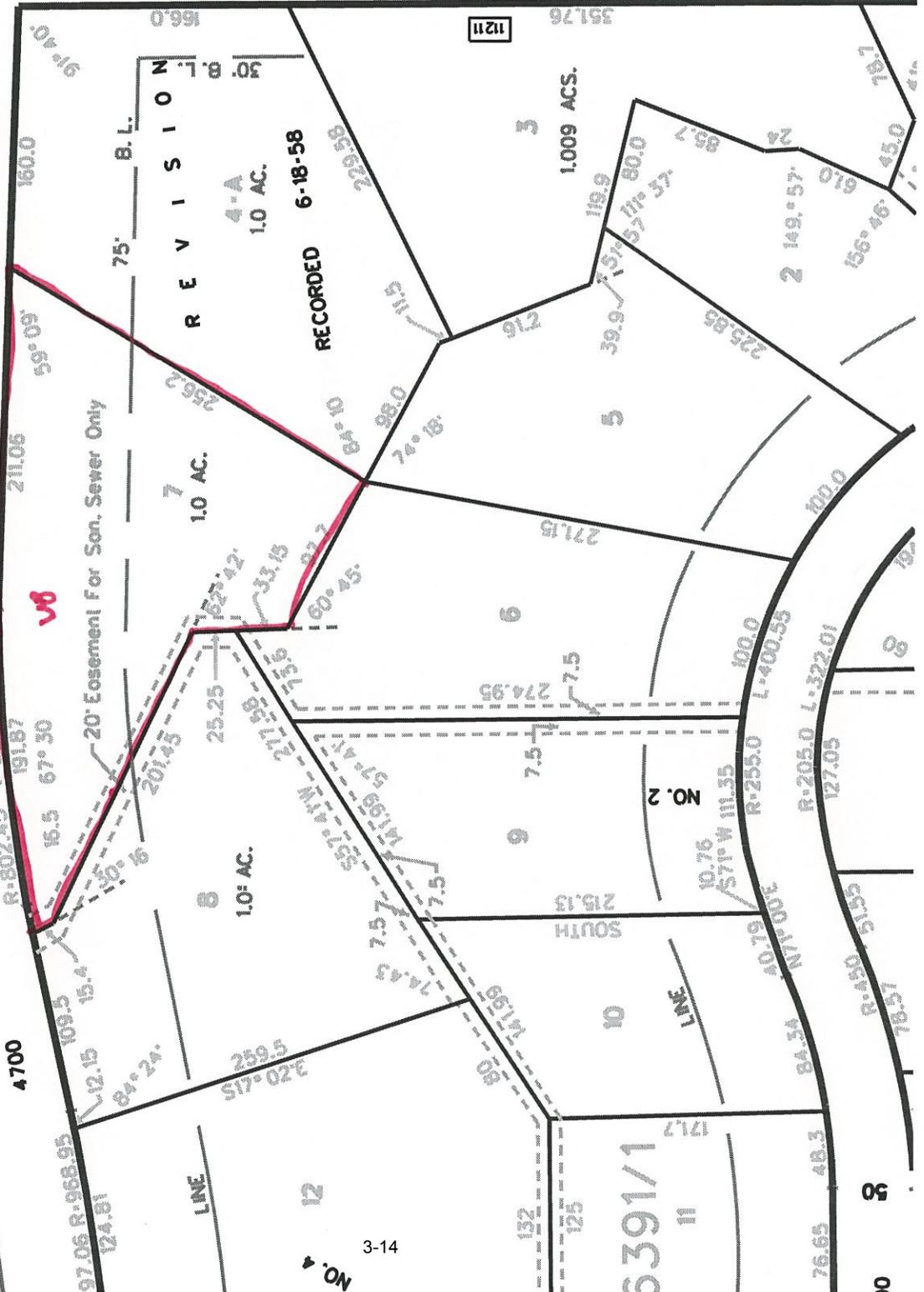
ROAD 39

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LANE

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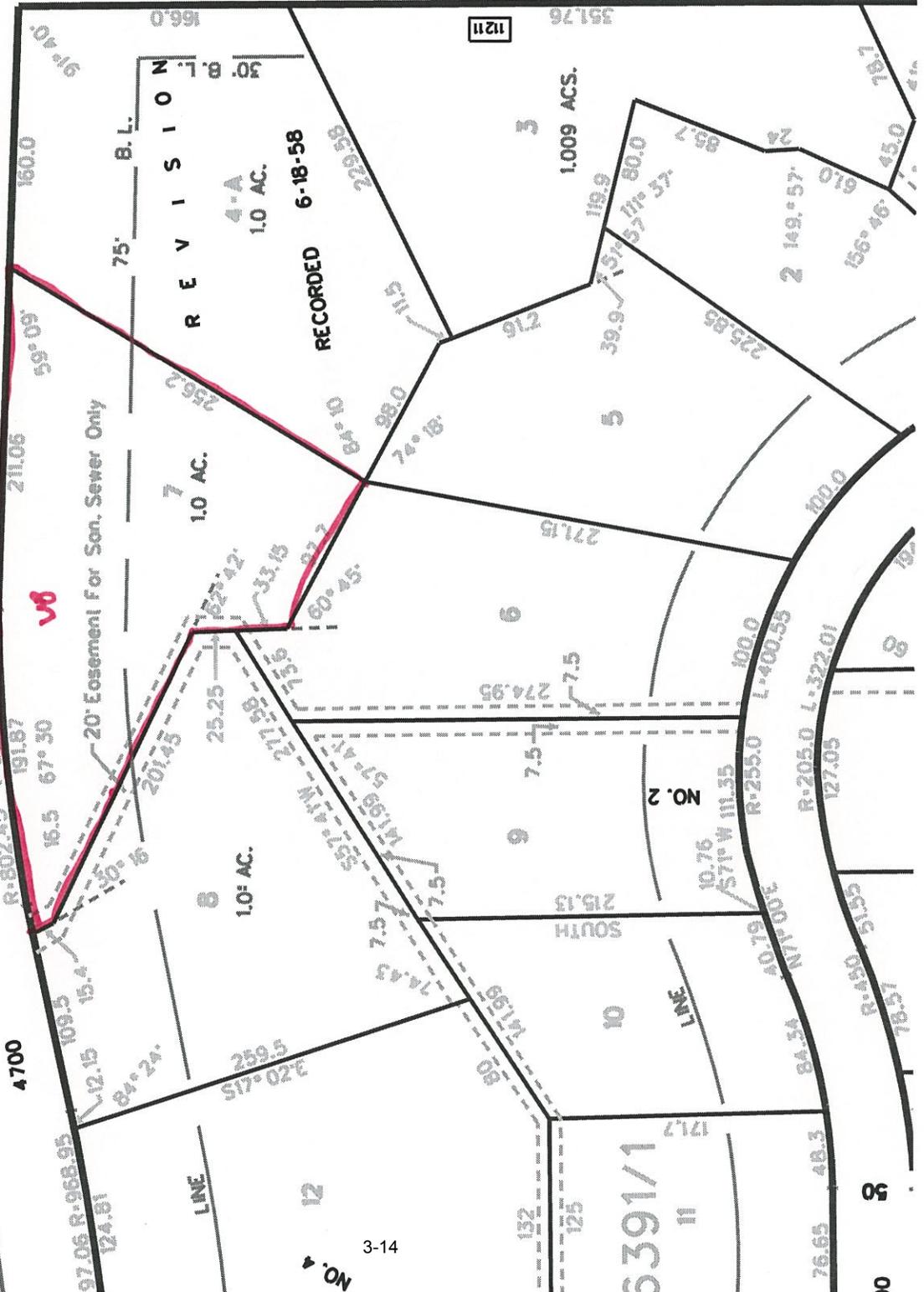
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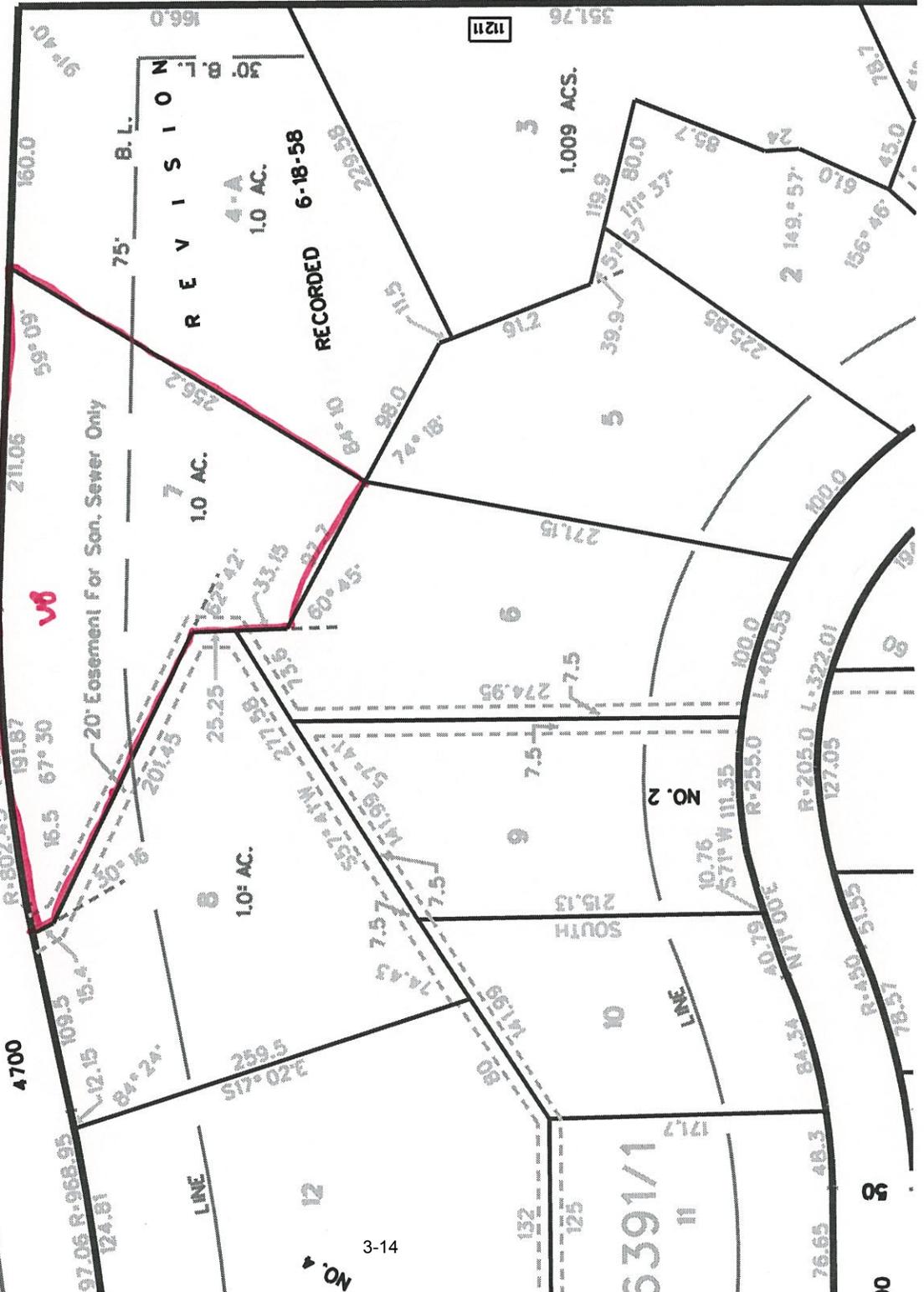
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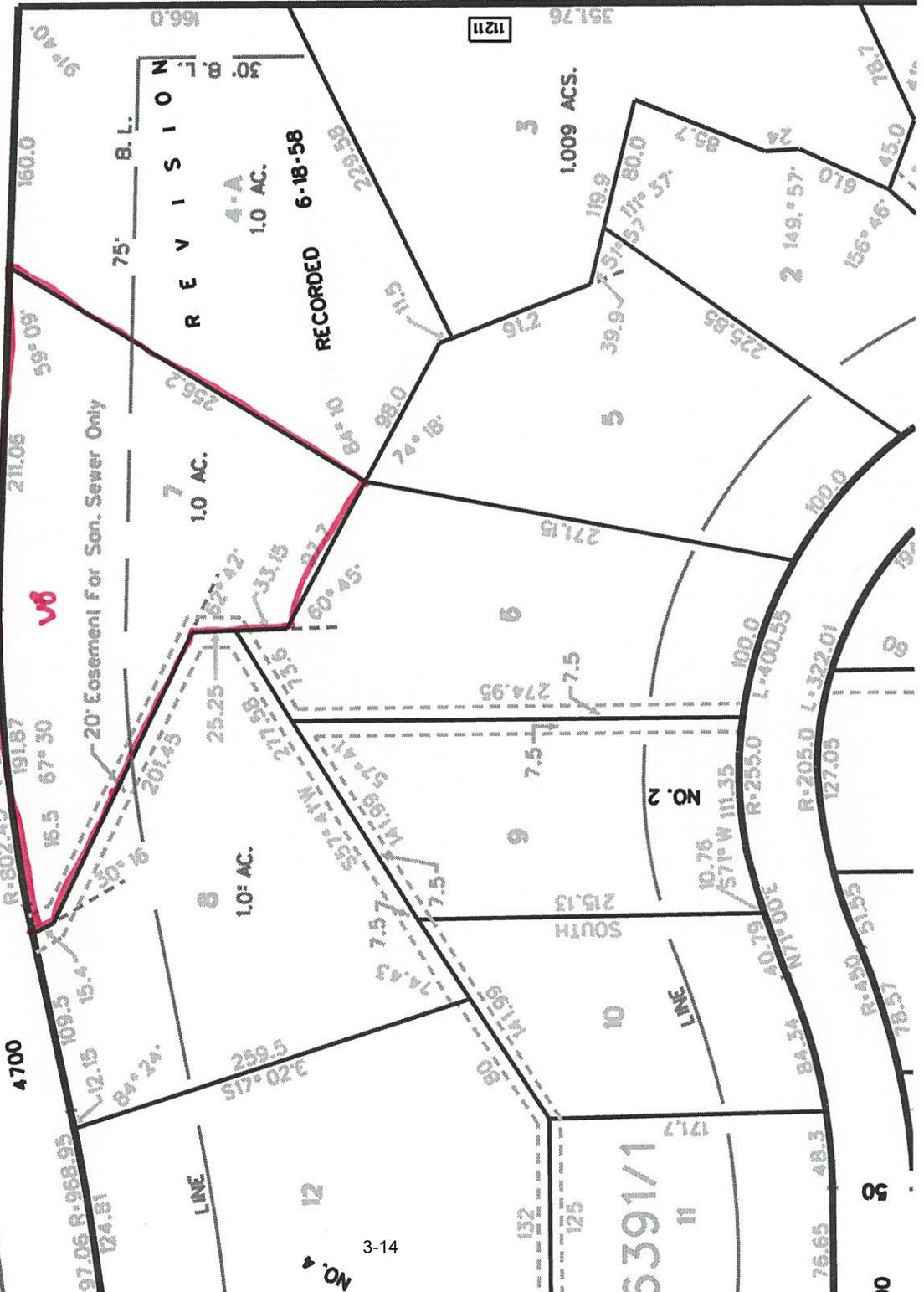
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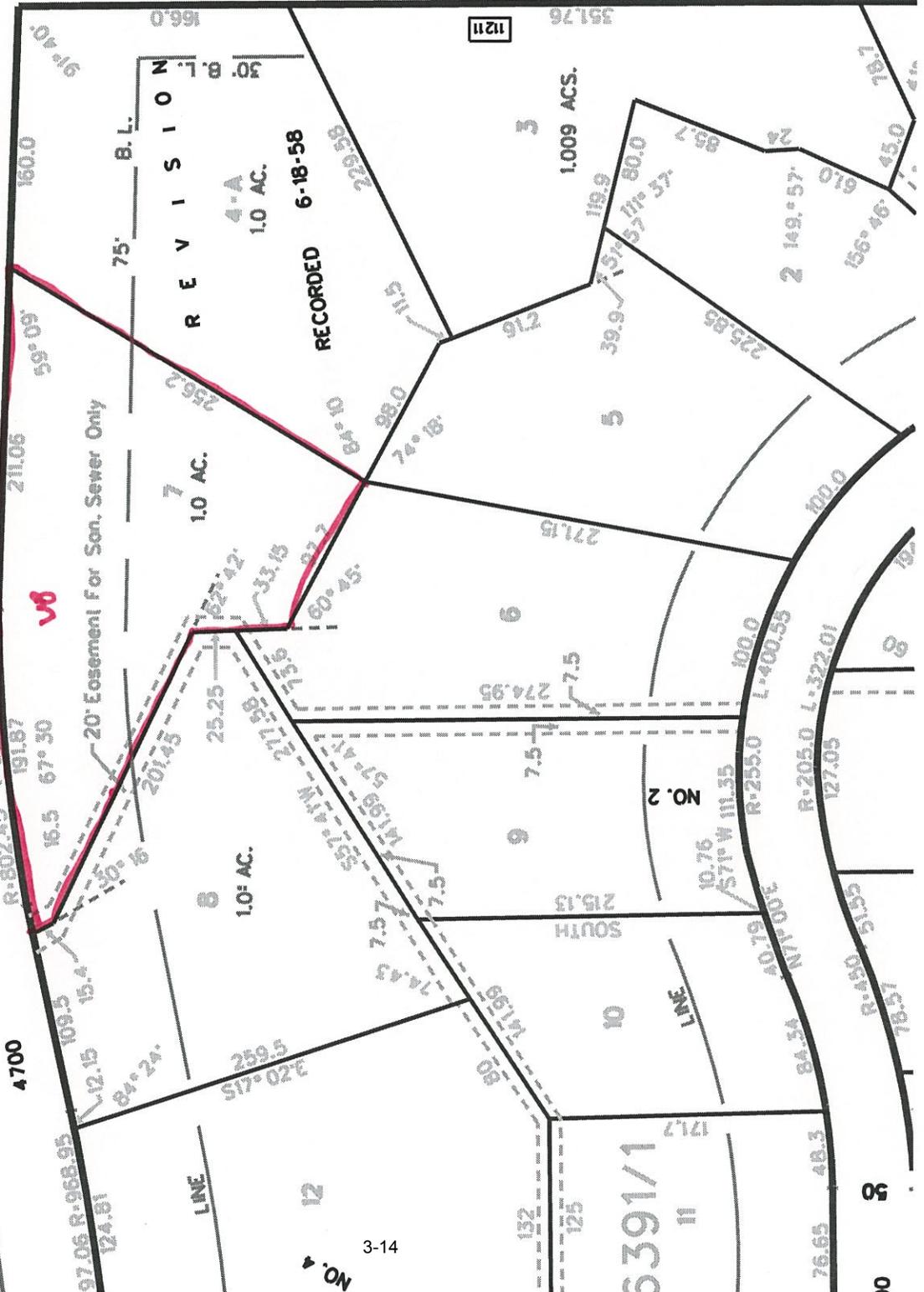
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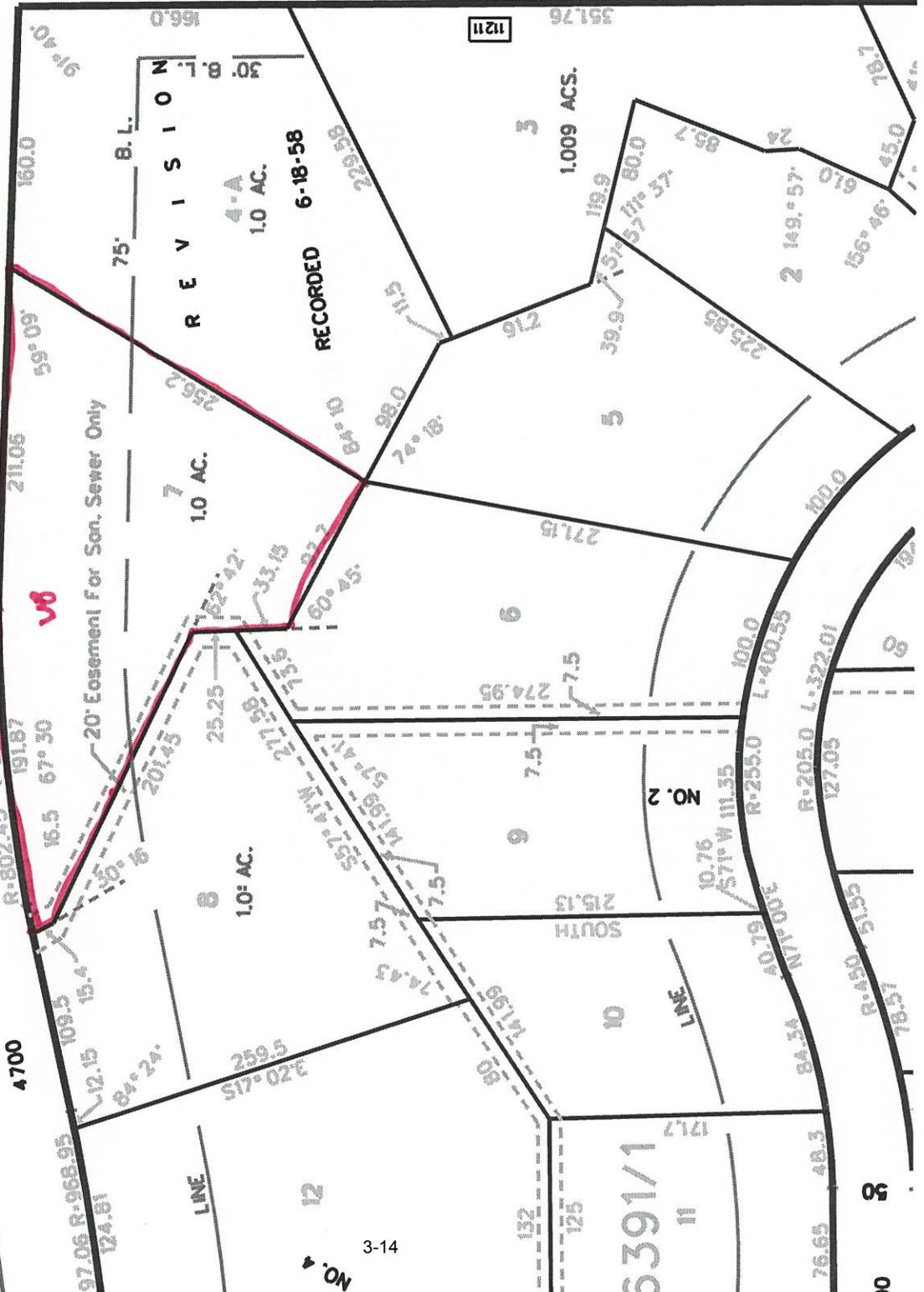
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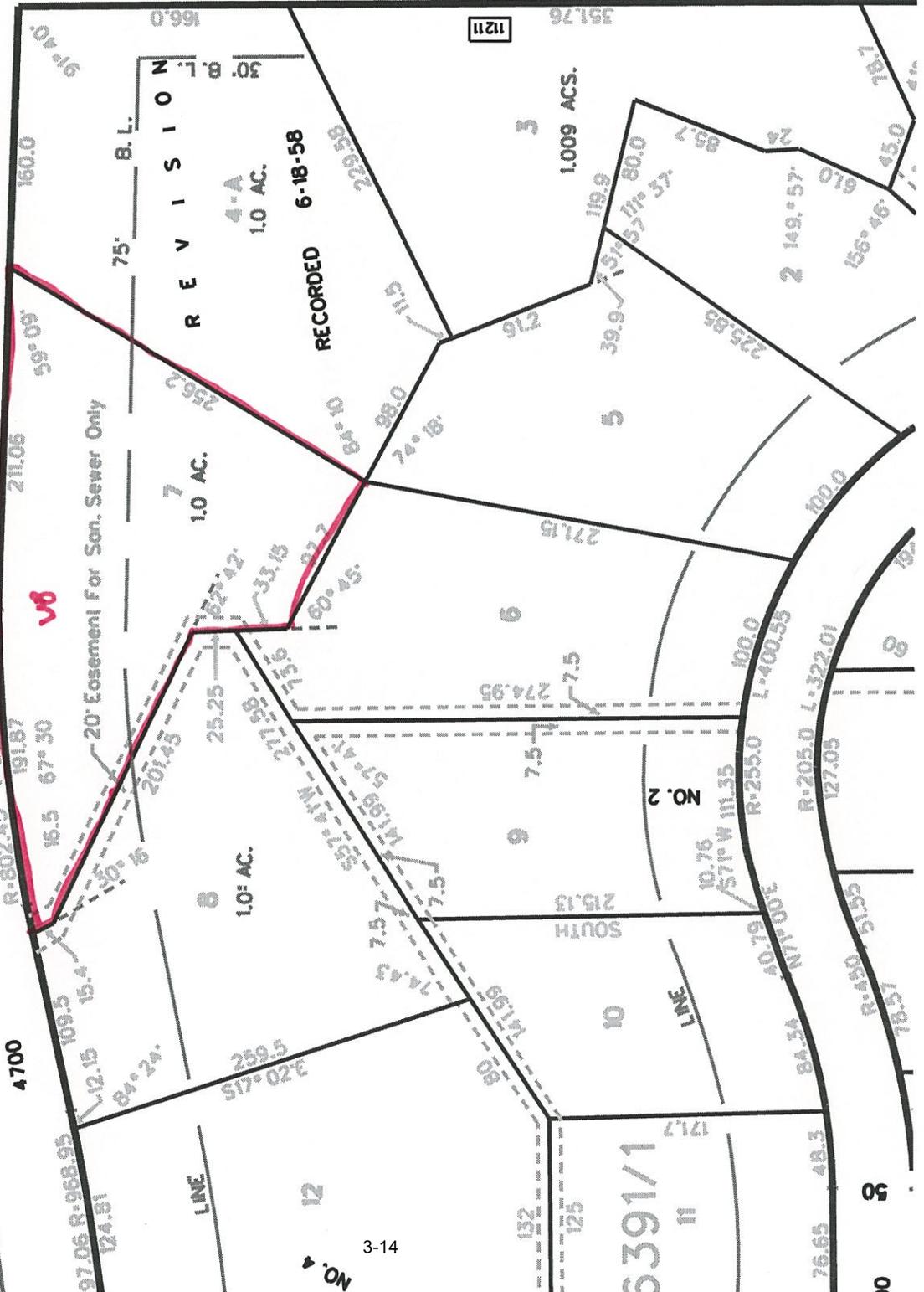
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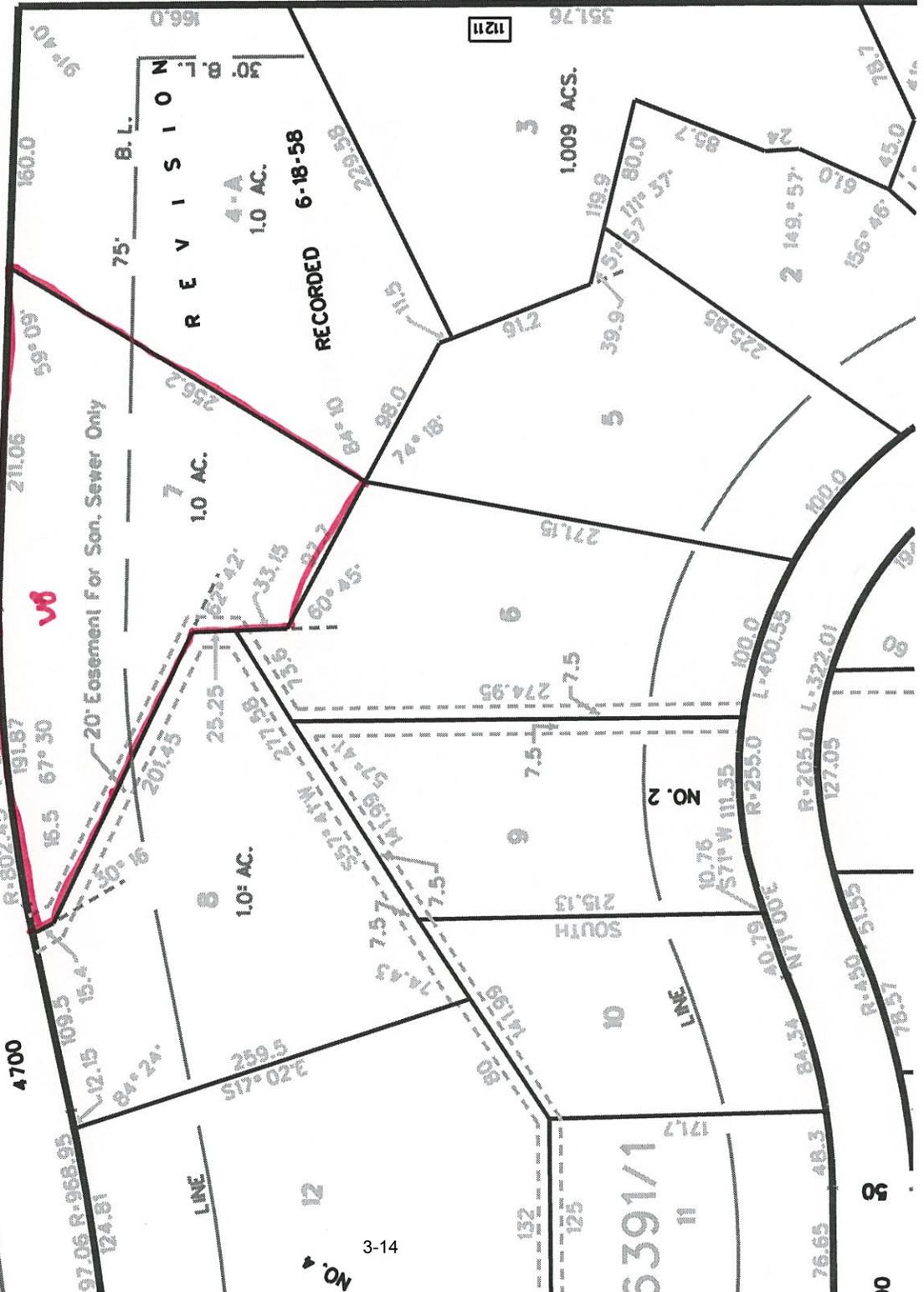
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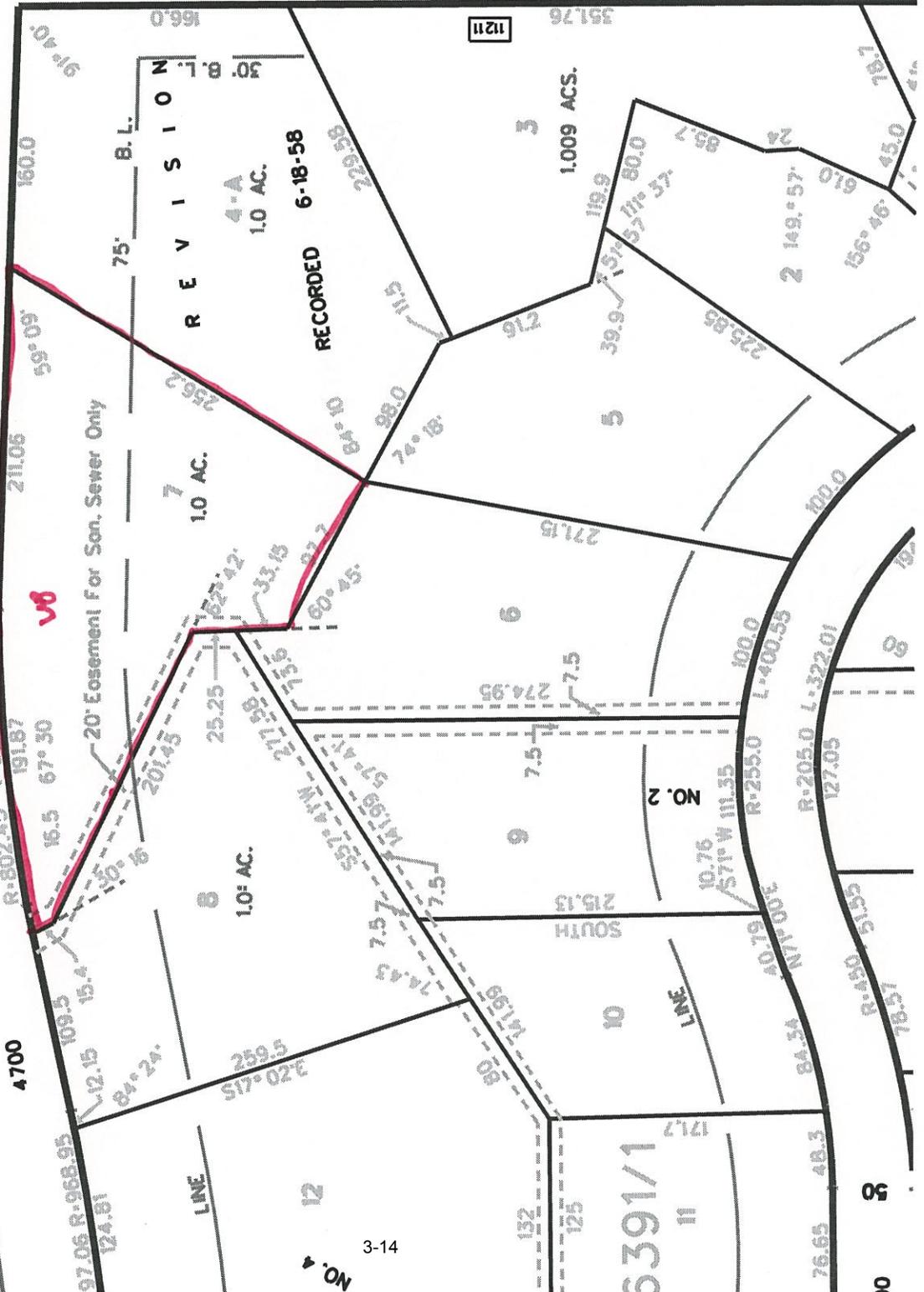
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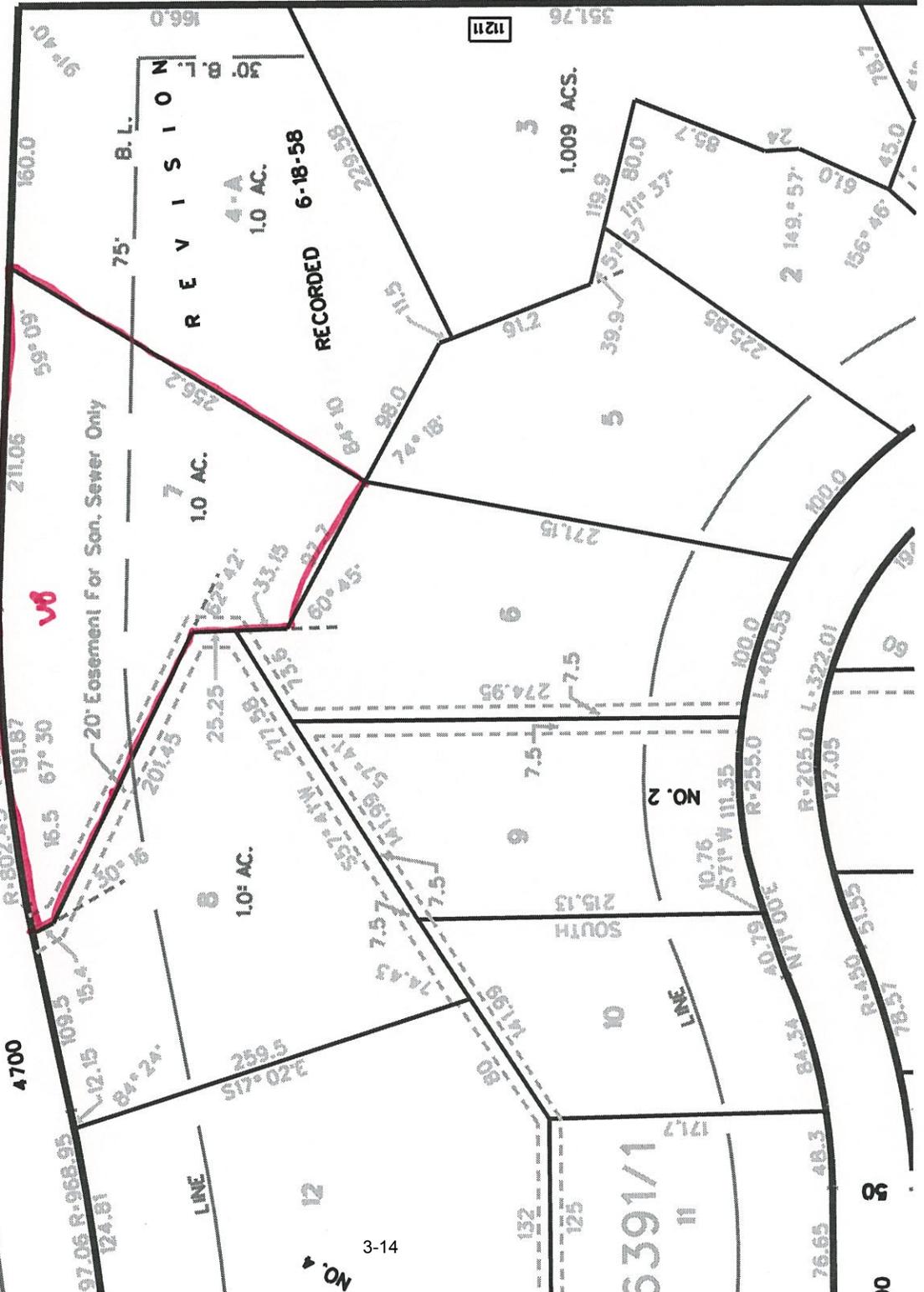
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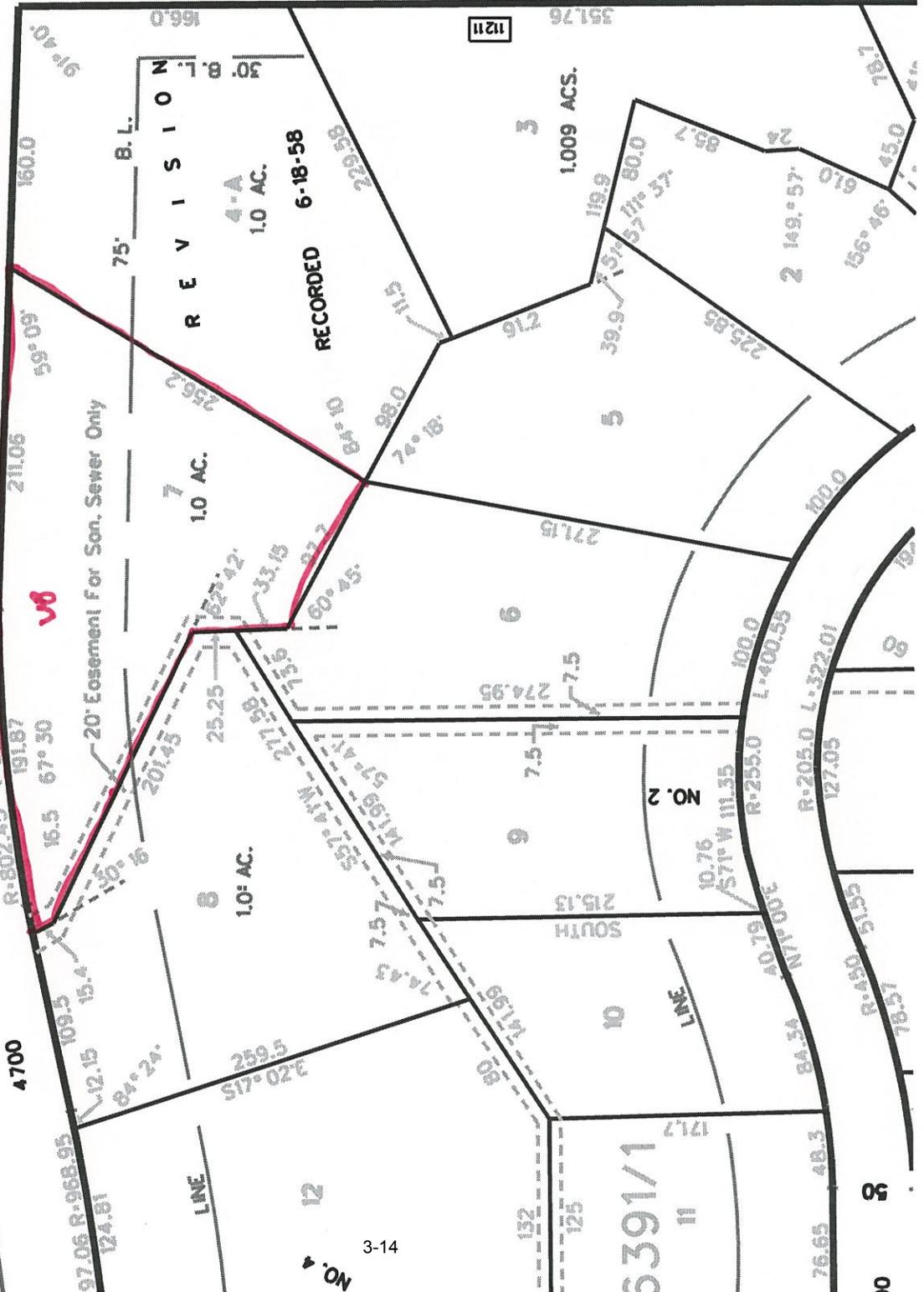
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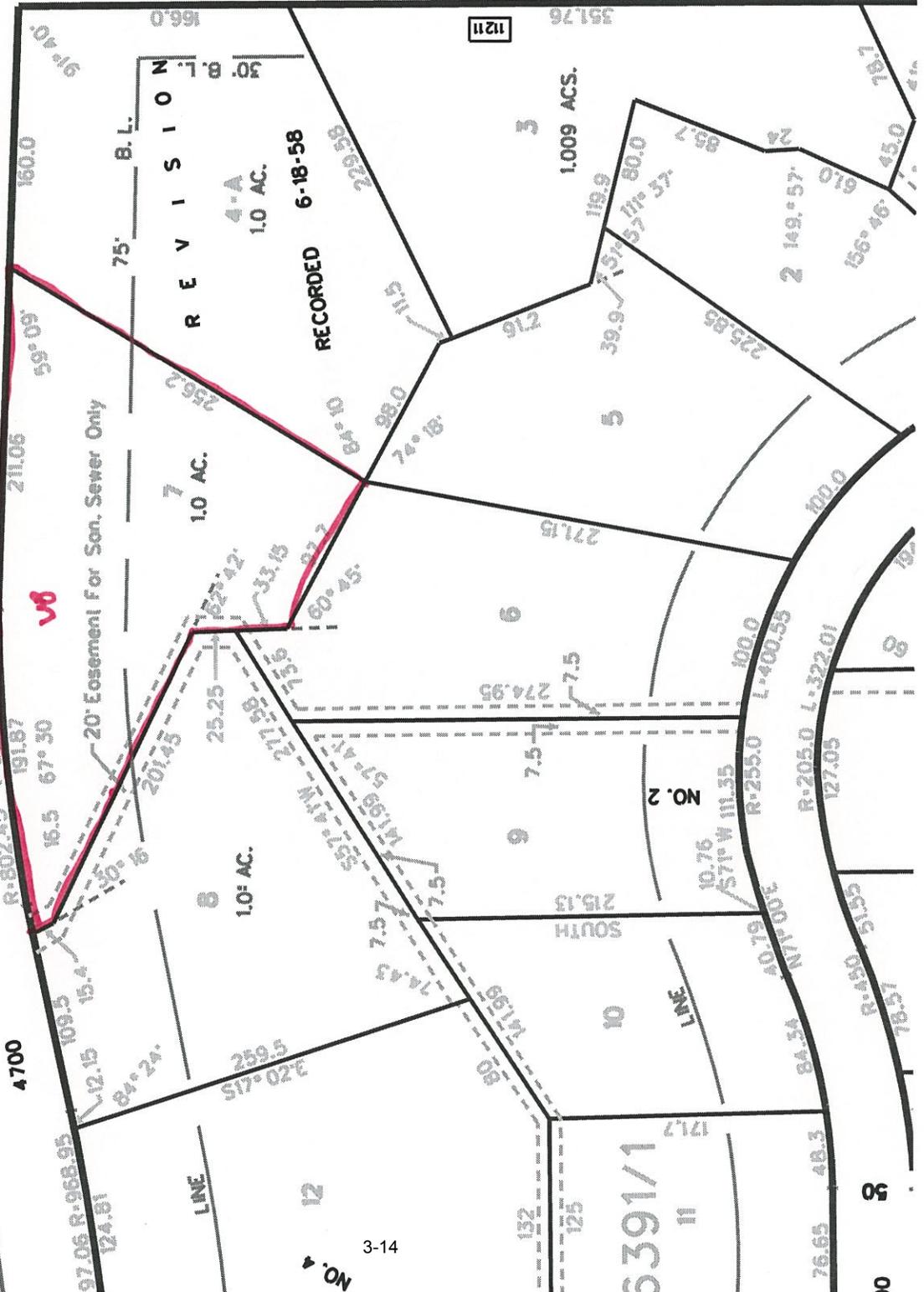
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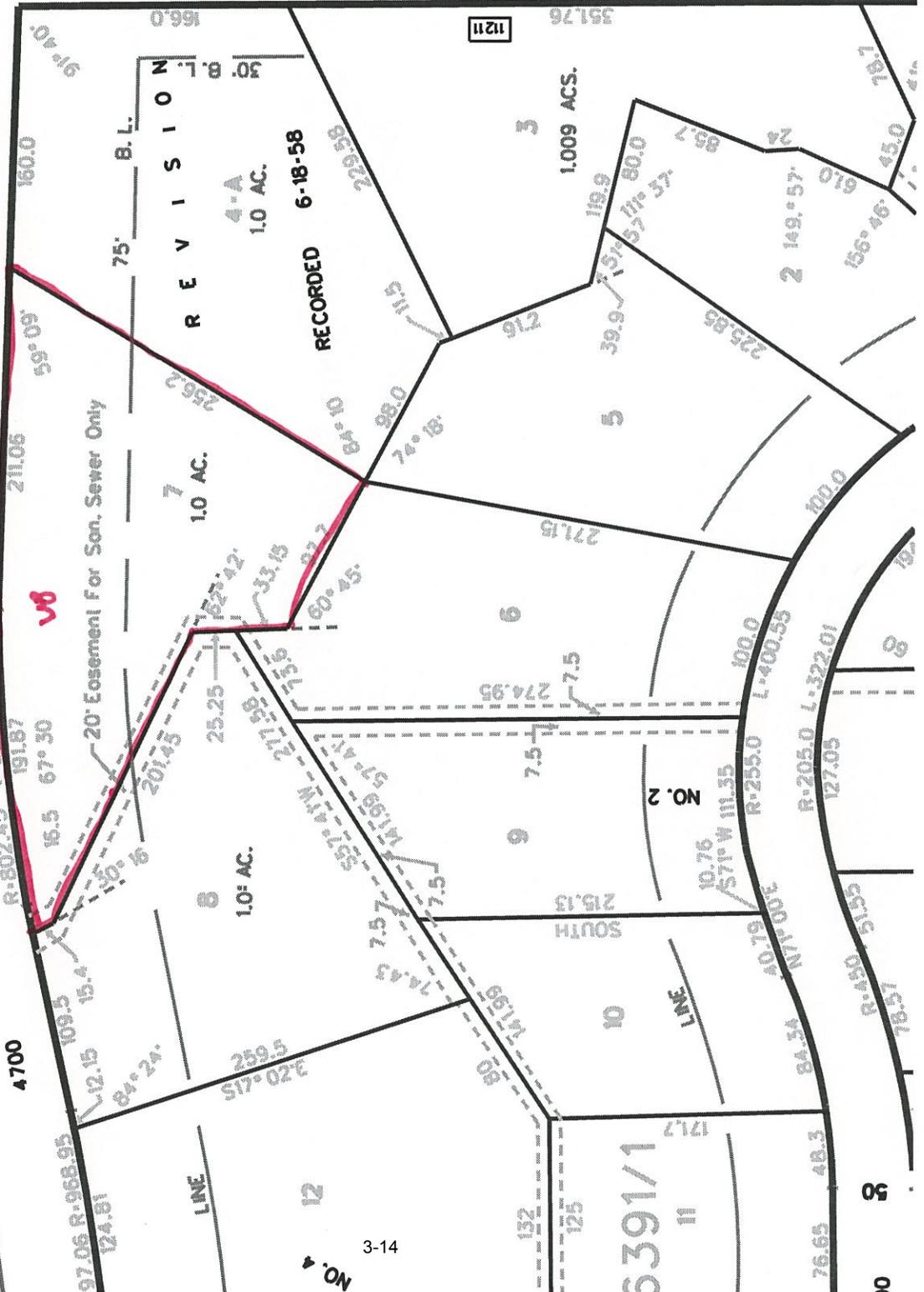
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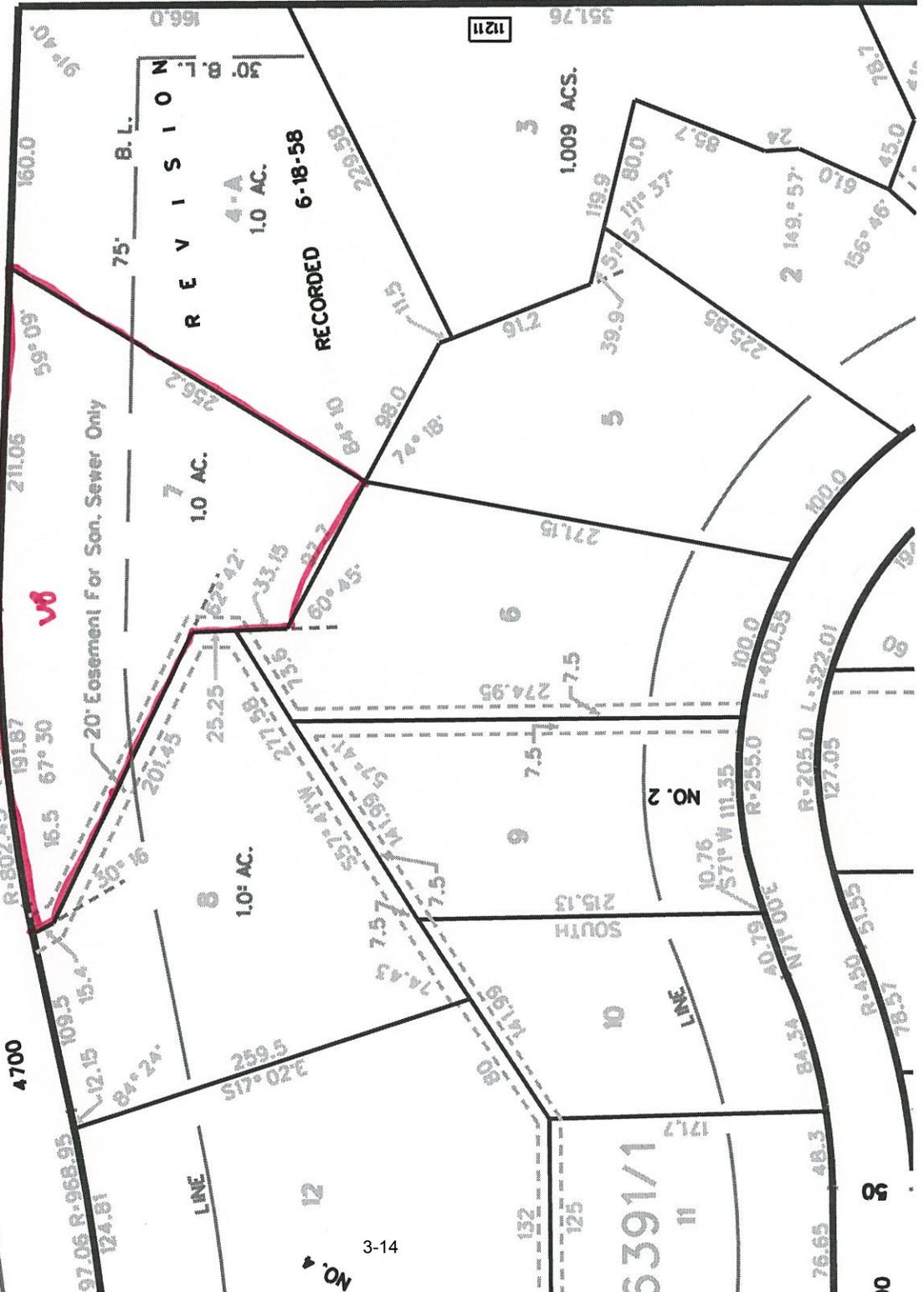
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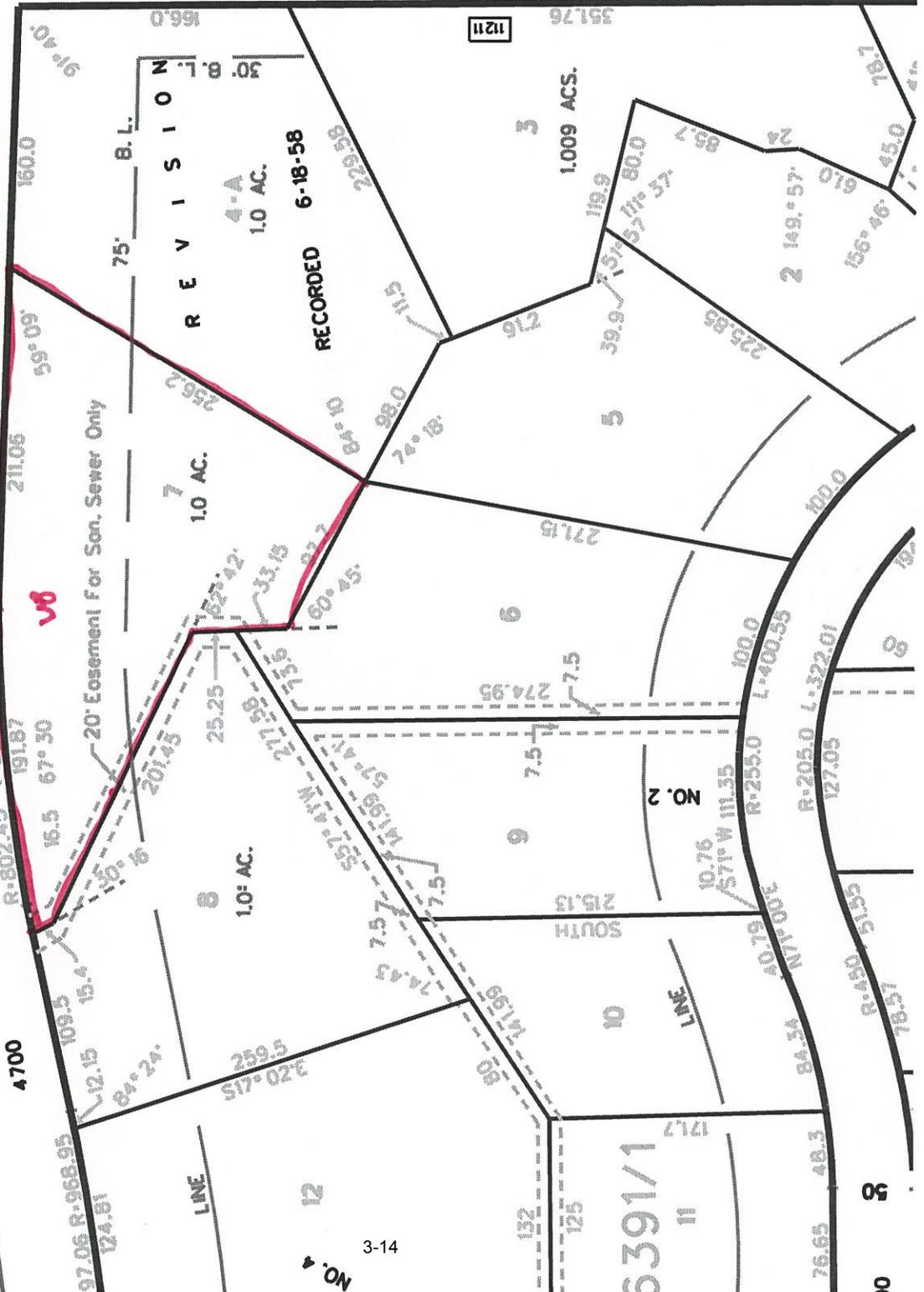
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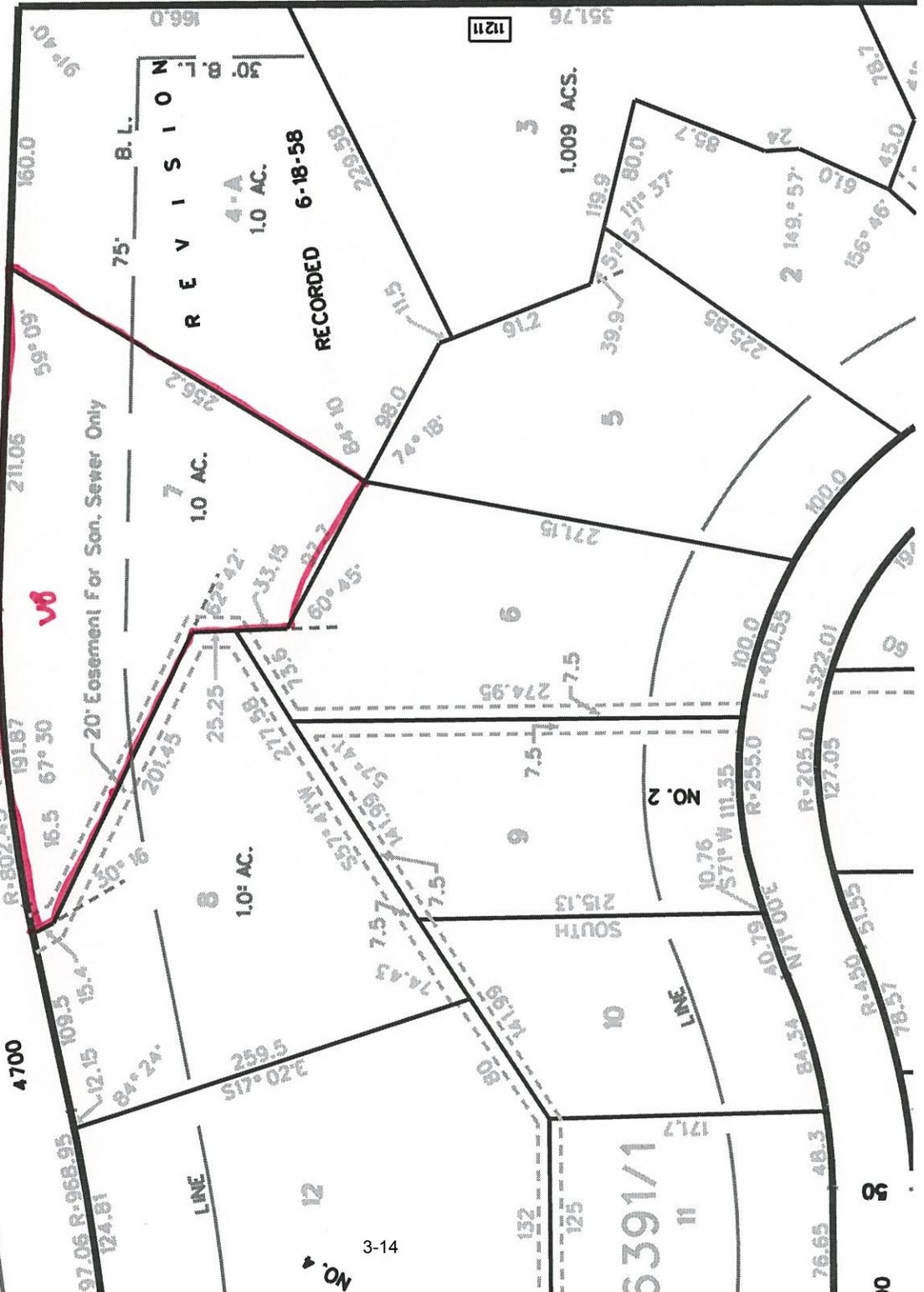
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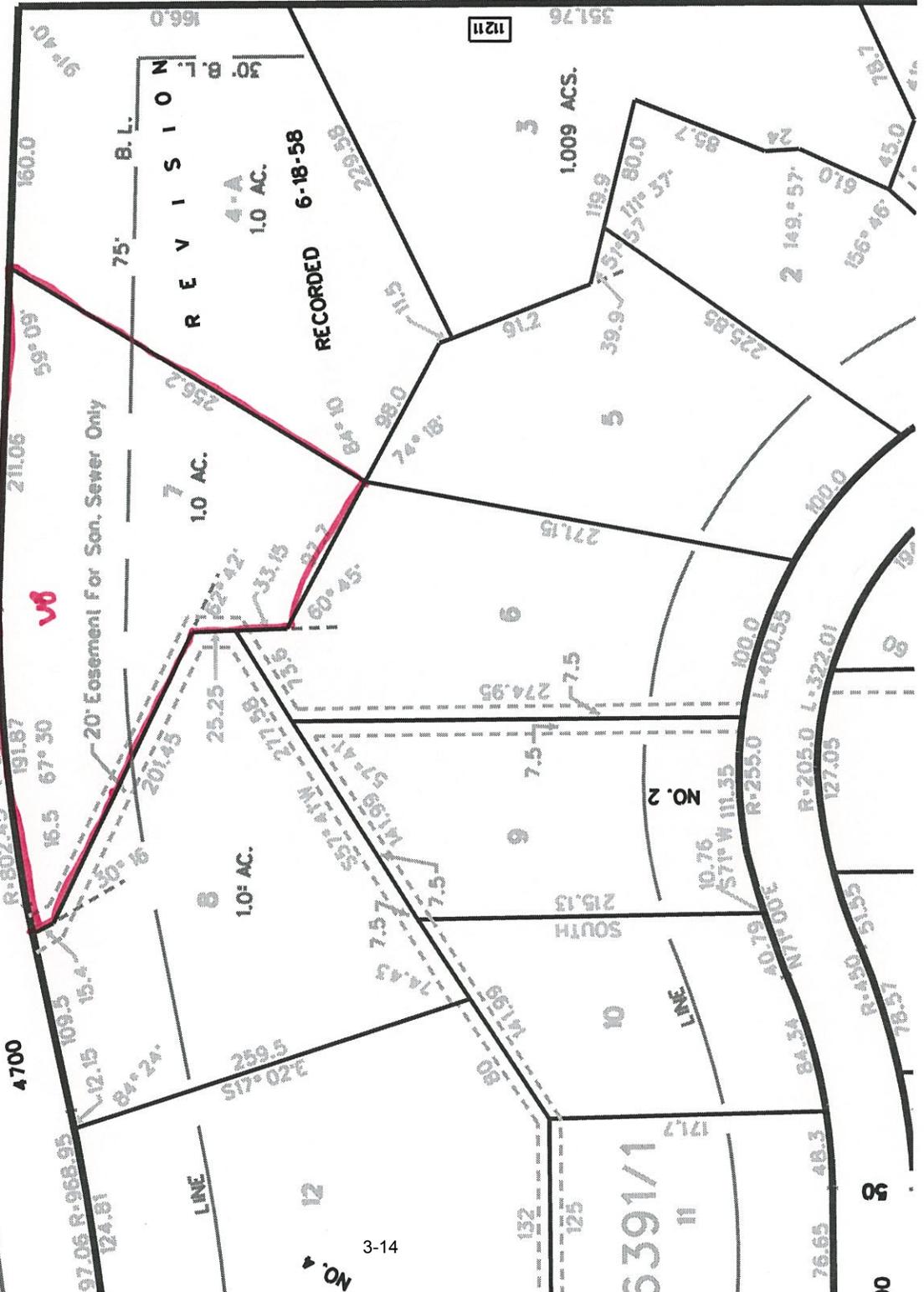
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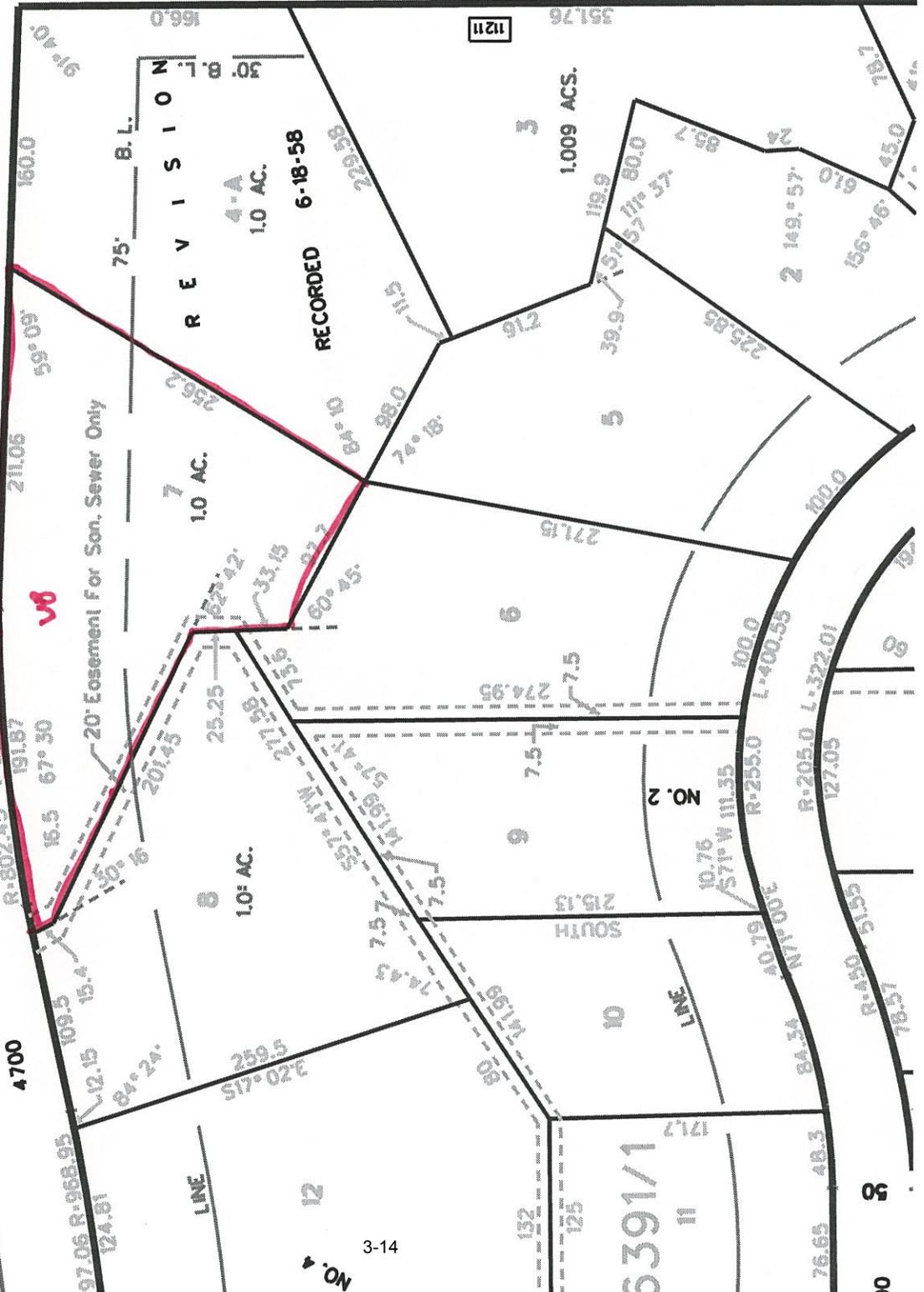
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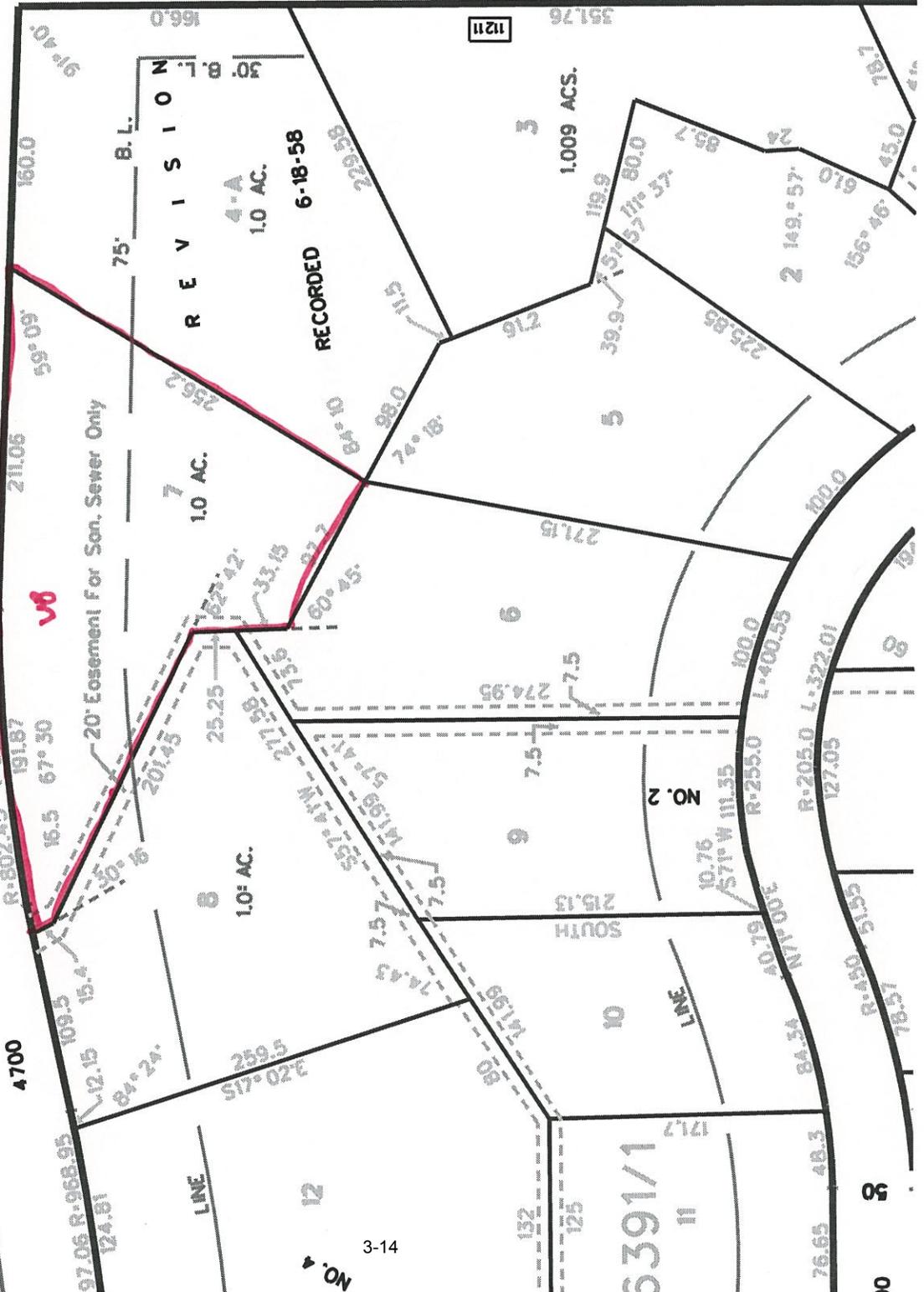
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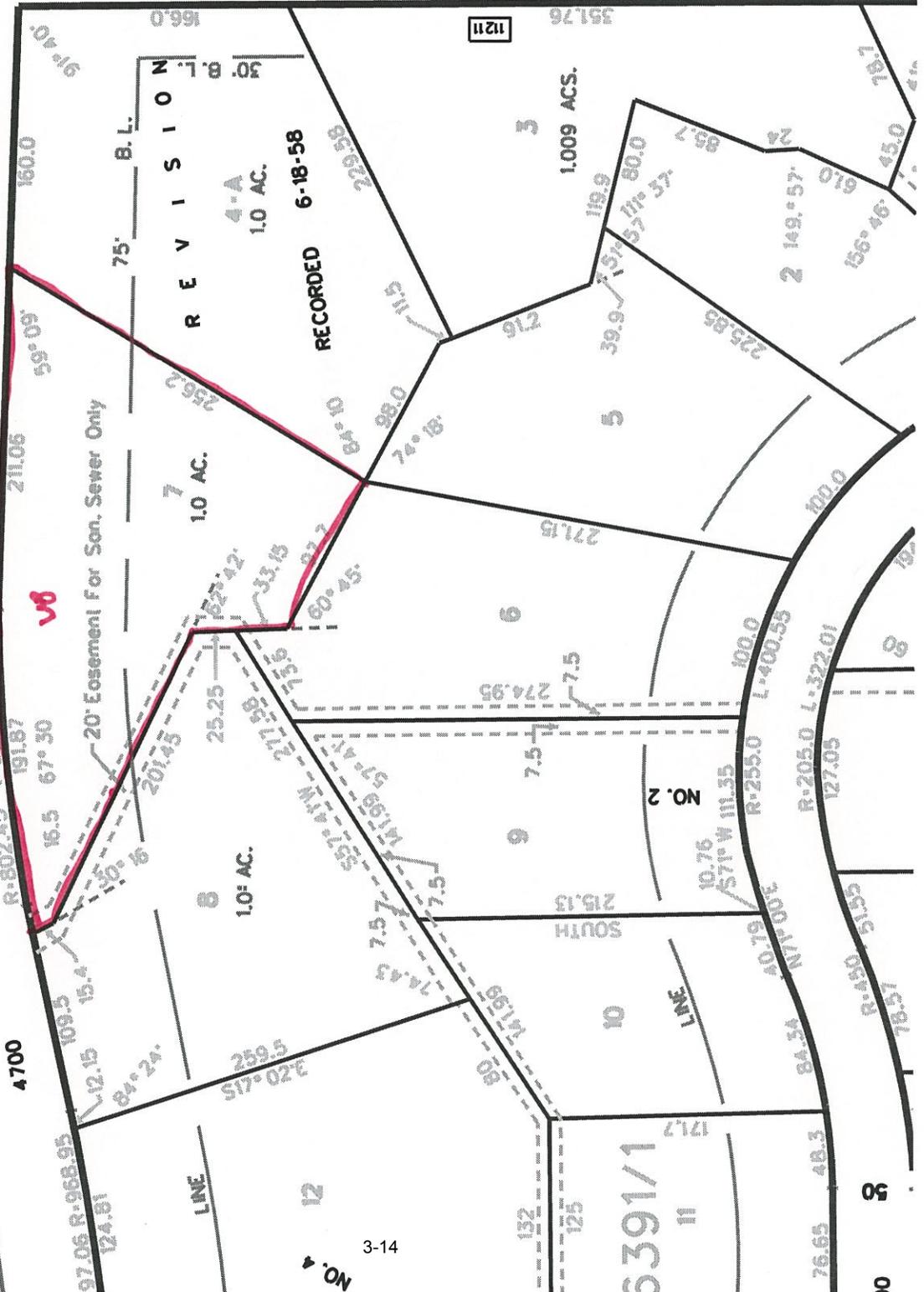
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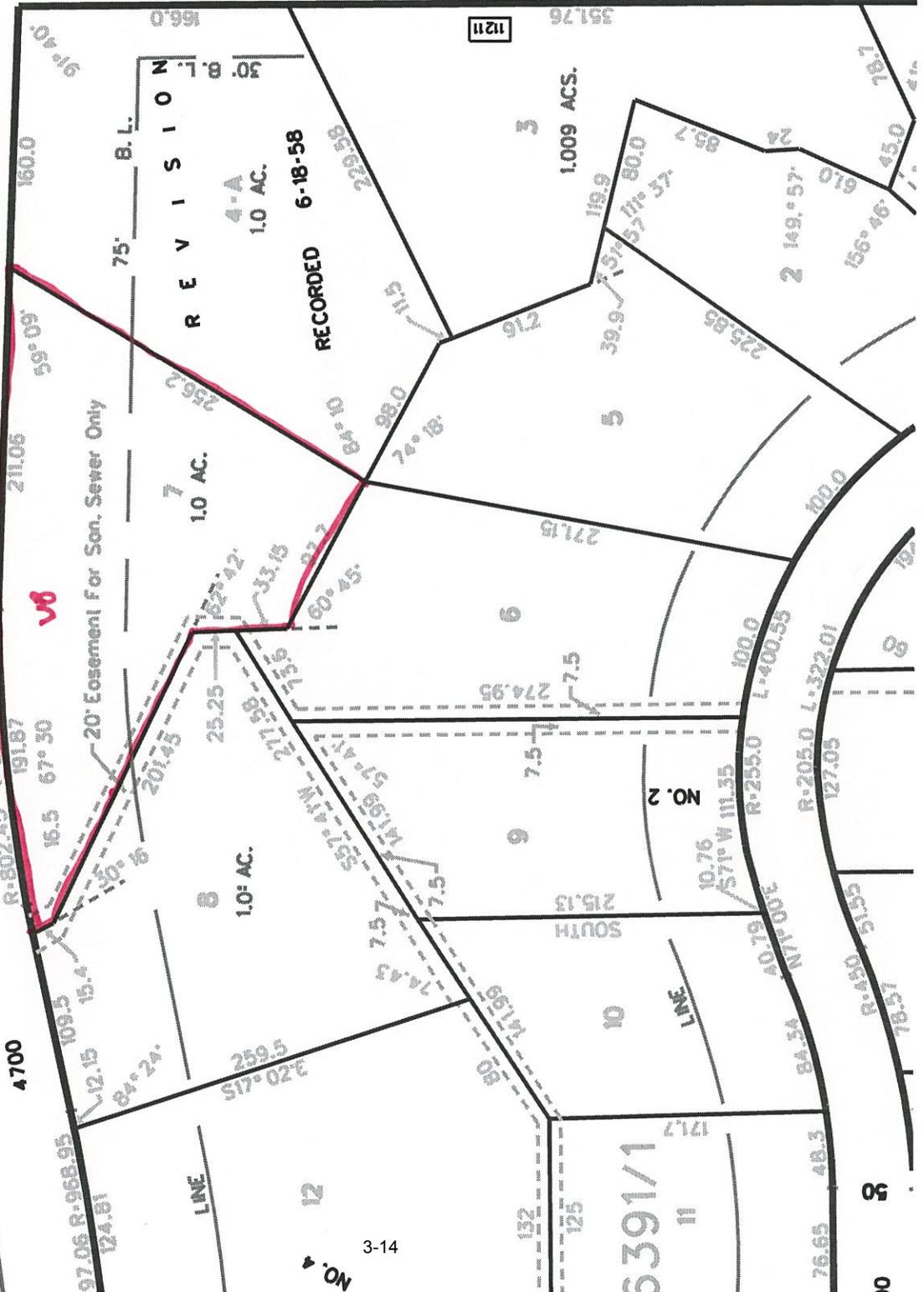
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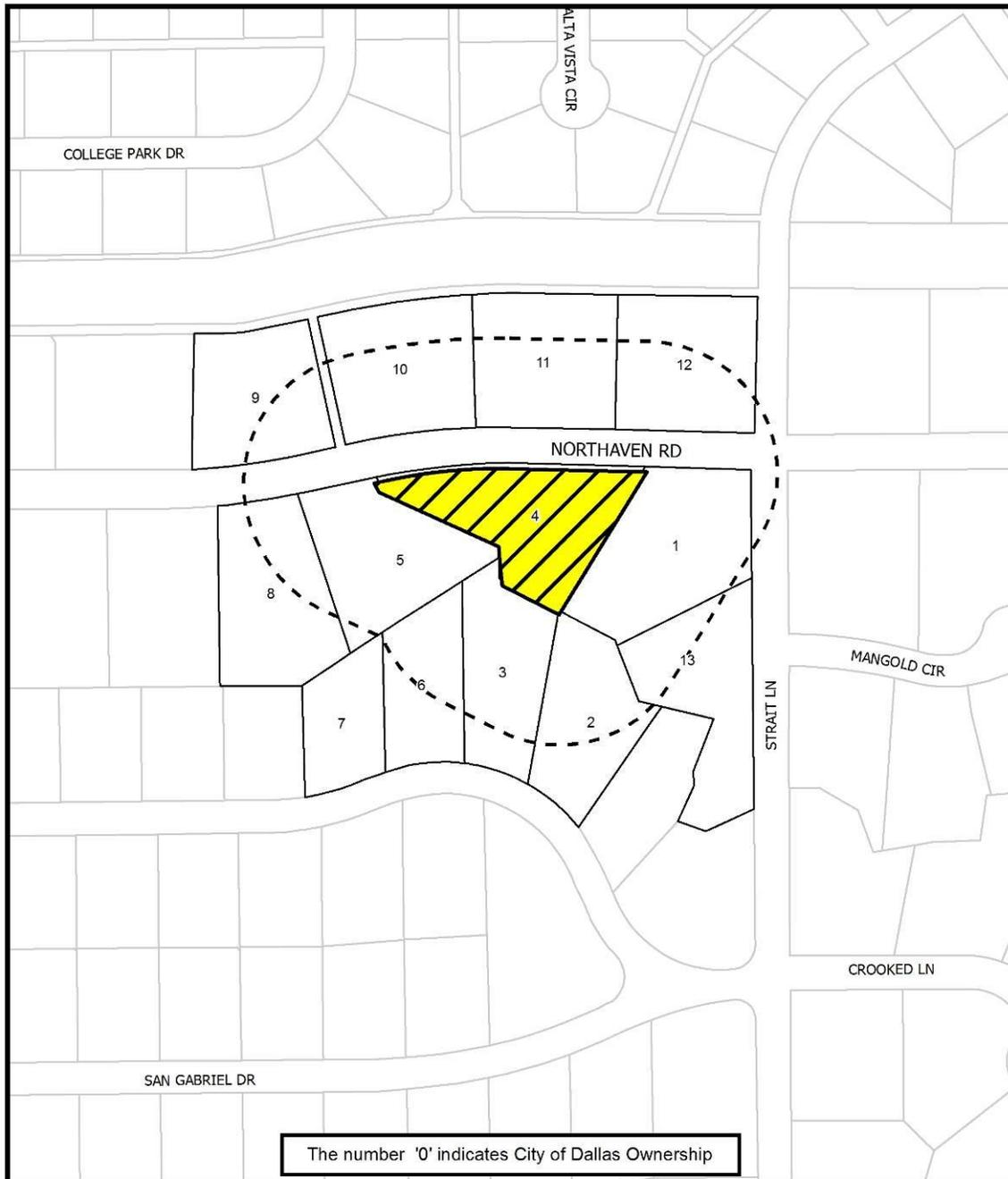
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 1:2,400	NOTIFICATION		Case no: BDA134-070
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">13</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/25/2014	

Notification List of Property Owners

BDA134-070

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11217 STRAIT LN	RYAN SEPARATE PS LLP
2	4807 CROOKED LN	JASPERSEN WILLIAM S &
3	4745 CROOKED LN	HANNON LUCIUS
4	4820 NORTHAVEN RD	KHAN ABDUL H & BUSHRA
5	4730 NORTHAVEN RD	COOK KELLY M
6	4737 CROOKED LN	LEWIS JERY M III &
7	4727 CROOKED LN	KASSELMAN CONRAD
8	4720 NORTHAVEN RD	MOORE WILLIAM G JR
9	4719 NORTHAVEN RD	ASKEW JUDITH HOHNE BENEFICIARY TRUST
10	4811 NORTHAVEN RD	CENTER CHRISTOPHER J &
11	4821 NORTHAVEN RD	WOODALL WILLIAM M
12	11301 STRAIT LN	WARREN KELLY &
13	11211 STRAIT LN	FINNEGAN MAUREEN ANN

FILE NUMBER: BDA 134-071

BUILDING OFFICIAL'S REPORT: Application of Abdul Khan, represented by Warren Packer, for a special exception to the fence height regulations at 11217 Strait Lane. This property is more fully described as Lot 4A, Block 1/6391, and is zoned R-1/2ac(A)(NSO 1), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain a 13 foot 1 inch high fence in a required front yard, which will require a 9 foot 1 inch special exception to the fence height regulations.

LOCATION: 11217 Strait Lane

APPLICANT: Abdul Khan
Represented by Warren Packer

REQUESTS:

Requests for special exceptions to the fence height regulations of 9' 1" are made to construct and maintain the following on a site undeveloped site:

- In the Northaven Road front yard setback: a 7' high fence (4' high open metal fence atop a 3' high solid base) with approximately 8' high columns in the site's 75' front yard setback.
- In the Strait Lane front yard setback: a 7' high fence (4' high open metal fence atop a 3' high solid base) with approximately 8' high columns and an entryway feature that includes 12' high vehicular and pedestrian gates with 13' 1" high entry column finials.

Note the following:

1. this application is adjacent to a property to the west where the same applicant and owner seeks a similar fence height special exception from Board of Adjustment Panel B on August 20th: BDA 134-070; and
2. as of October 13, 2014, the applicant's representative had submitted no additional or new information to staff.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the fence height regulations 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.

Zoning:

- Site: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
- North: R-1/2 ac(A) (Single family district ½ acre)
- South: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
- East: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)
- West: R-1/2ac (A)(NSO 1) (Single family district ½ acre, Neighborhood Stabilization Overlay)

Land Use:

The subject site is undeveloped. The areas to the north, south, and east are developed with single family uses; the area to the west (and the subject site of BDA 134-070) is being developed with a single family home.

Zoning/BDA History:

1. BDA 134-070, Property at 4820 Northaven (the lot immediately west of the subject site) On August 20, 2014, the Board of Adjustment Panel B will consider a request for special exception to the fence height regulations of 9' 1" to construct and maintain a 7' high fence (4' high open metal fence atop a 3' high solid base) with approximately 8' high columns and an entryway feature that includes a 12' high vehicular and pedestrian gates with 13' 1" high entry column finials in the site's 75' front yard setback on a site being developed with a single family home

2. BDA 001-123, Property at 4821 Northaven Road (the lot immediately northwest of the subject site) On December 12, 2000, the Board of Adjustment Panel A granted a request to the fence height special regulations of 4'. The board imposed the following conditions with the request: compliance with the elevation and a revised site plan that shows the location of the fence behind the shrub is required; and the retention of the approximately 8 foot high Japanese Ligustrum shrubs now existing on the property, (or its replacement with similar species) between the street curb and the proposed fence. The case report states the request was made to construct and maintain a 6' high open wrought iron fence, a 6' chain link fence, 7' high stone columns, and two 8' high wrought iron entry gates.

3. BDA 85-145, Property at 4719 On May 14, 1985, the Board of Adjustment

Northaven Road (three lots northwest of the subject site)

denied a request for a “front yard variance” of 2’ 6” without prejudice. The case report states the request was made to construct a masonry fence with wrought iron gates 6’ 6” in height.

4. BDA 92-001, Property at 11220 Strait Lane (the lot immediately east of the subject site)

On February 11, 1992, the Board of Adjustment granted a request for a fence height special exception of 4’ to maintain a 6’ fence with 8’ columns and gates, and imposed the “submitted Landscape Plan “B”” as a condition to the request.

GENERAL FACTS/STAFF ANALYSIS:

- These requests focus on constructing and maintaining the following in the two front yard setbacks for the site located at the southwest corner of Northaven Road and Strait Lane on a site being developed with a single family home:
 - in the Northaven Road front yard setback a 7’ high fence (4’ high open metal fence atop a 3’ high solid base) with approximately 8’ high columns; and
 - in the Strait Lane front yard setback: a 7’ high fence (4’ high open metal fence atop a 3’ high solid base) with approximately 8’ high columns and an entryway feature that includes 12’ high vehicular and pedestrian gates with 13’ 1” high entry column finials.
- 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 applicant has submitted a site plan and elevation of the proposal in the front yard setbacks that reaches a maximum height of 13’ 1”.
- The following additional information was gleaned from the submitted site plan:
 - Along Northaven Road: The fence is approximately 150’ in length, approximately 4’ from the property line, and approximately 12’ from the pavement line.
 - Along Strait Lane: the fence is approximately 120’ in length, approximately 4’ from the property line, and approximately 18’ from the pavement line; the gate is approximately 12’ from the property line, and approximately 24’ from the pavement line.
- There is one single family home that has direct frontage to the proposal on Northaven Road and one single family home that has direct frontage to the proposal on Strait Lane, neither of which have visible fences in their front yards.
- The Board Administrator conducted a field visit of the site and surrounding area (approximately 300’ north, south, east, and west of the subject site) and noted one visible fence higher than 4’ in a front yard setback: an approximately 6’ high fence immediately northwest of the subject site that appears to be a result of a granted fence height special exception from 2000: BDA 001-123 (see the “Zoning/BDA History” section of this case report for additional details).
- One letter had been submitted in support of the request and 15 letters had been submitted in opposition by/at the August 20th public hearing.

- As of October 13, 2014, no additional letters had been submitted in support of the request and 3 additional letters had been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exceptions to the fence height regulations of 9' 1" will not adversely affect neighboring property.
- Granting these special exceptions of up to 9' 1" with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding 4' in height in the front yard setbacks to be constructed and maintained in the location and of the heights and materials as shown on these documents.

Timeline:

June 16, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 15, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

July 15, 2014: The Board Administrator emailed the applicant's representative the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the July 30th deadline to submit additional evidence for staff to factor into their analysis; and the August 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 5, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Chief Planner, the Assistant Building Official, the Board Administrator, Building Inspection Senior Plans Examiners/Development Code Specialists, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

August 20, 2014: The Board of Adjustment Panel B held a public hearing on this application and delayed action on this application until October 22, 2014 in order for the applicant to meet with neighboring property owners.

August 28, 2014: The Board Administrator sent a letter to the applicant's representative that noted the decision of the panel, the September 26th deadline to submit additional evidence for staff review and the October 10th deadline to submit additional evidence to be incorporated into the Board's docket materials.

October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

BOARD OF ADJUSTMENT ACTION: AUGUST 20, 2014

APPEARING IN FAVOR: Warren Packer, 1680 Prince William Lane, Frisco, TX

APPEARING IN OPPOSITION: Shelton Hopkins, 4707 Crooked LN, Dallas, TX
Judy Askew, 4719 Northaven Rd., Dallas, TX
Christopher Center, 4811 Northaven Rd., Dallas, TX
Kevin Bride, 4933 Mangold Cr., Dallas, TX
Bill Woodall, 4821 Northaven, Dallas, TX
Barbara Hannon, 4745 Crooked LN, Dallas, TX
Pat McBride, 4933 Mangold, Dallas, TX 7

MOTION: Gillespie

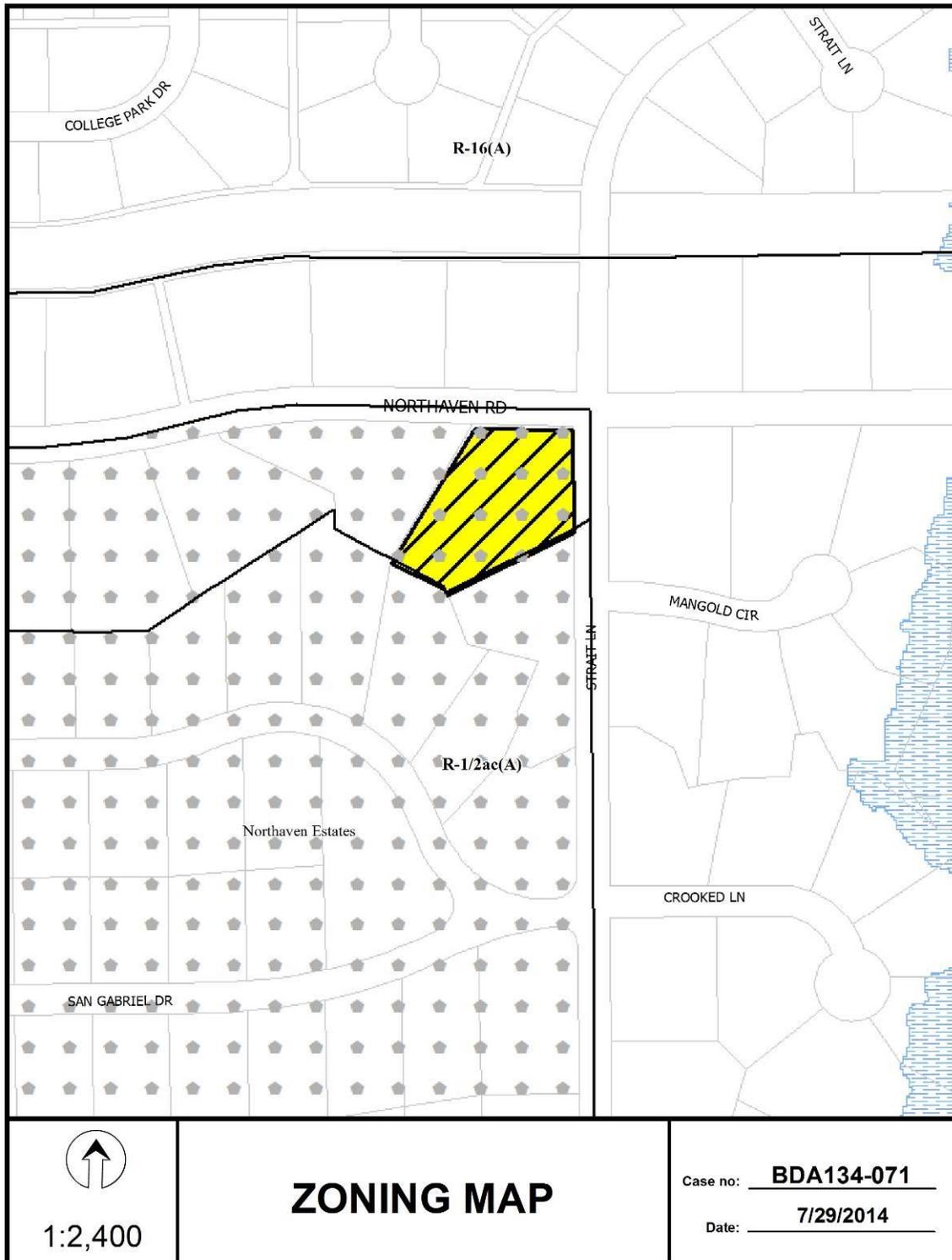
I move that the Board of Adjustment in Appeal No. **BDA 134-071**, hold this matter under advisement until **October 22, 2014**.

SECONDED: Leone

AYES: 5– Reynolds, Gillespie, Leone, Hounsel, Gaspard

NAYS: 0 –

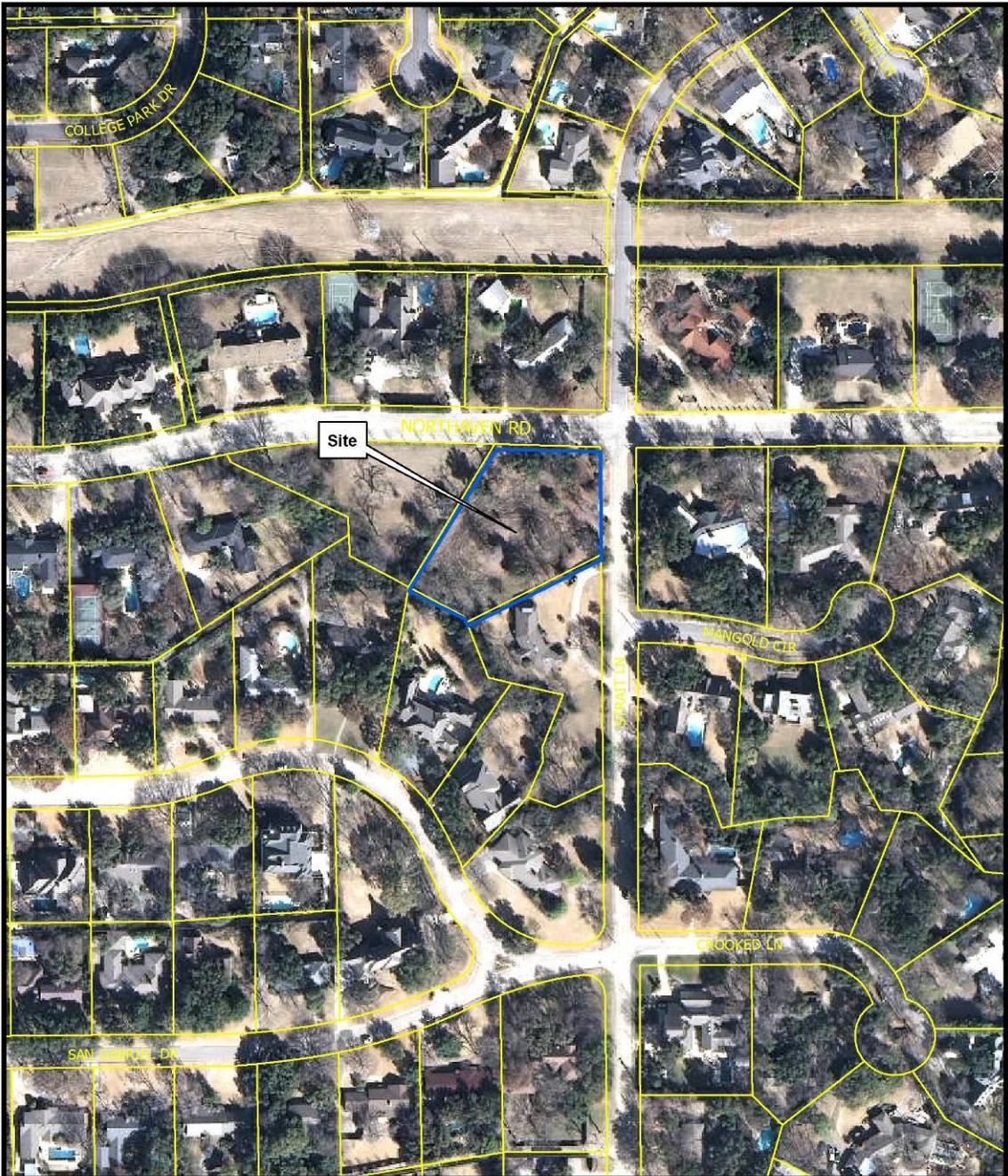
MOTION PASSED 5 – 0 (unanimously)




 1:2,400

ZONING MAP

Case no: BDA134-071
 Date: 7/29/2014



1:2,400

AERIAL MAP

Case no: BDA134-071

Date: 7/29/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-071

Data Relative to Subject Property:

Date: 6-16-14

Location address: 11217 STRAIT LANE

Zoning District: R-1/2 ac(A), NS01, Tr 2

Lot No.: 4A Block No.: 116391 Acreage: 1

Census Tract: 135.00

Street Frontage (in Feet): 1) 160' NORTHAVERN 2) 160' 3) STRAIT LN 4) _____ 5) _____

NE2A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): ABDUL KHAN & BUSHARA KHAN

Applicant: ABDUL KHAN Telephone: 469 879 8806

Mailing Address: 20 CARTER CT ALLEN TX Zip Code: 75002

E-mail Address: Wamen@PcustomHomes.com

Represented by: WARREN PACKER Telephone: 214 837 2792

Mailing Address: 1680 Prince William Lane Frisco Zip Code: 75034

E-mail Address: EWamen@Pcustomhomes.com

Affirm that an appeal has been made for a Variance, or Special Exception, of 9' feet 1" to the fence height in the front yard

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:

INSTALL FRONT SCREENING WALL & FENCE ALONG NORTHAVERN RD AND STRAIT LANE WITH AUTOMATIC GATE ON STRAIT LANE ALONG FRONT PROPERTY LIMBS
The majority of the solid fence is 3 feet with 4 ft of open wrought iron on top. The fence will enhance the value of the neighborhood

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.

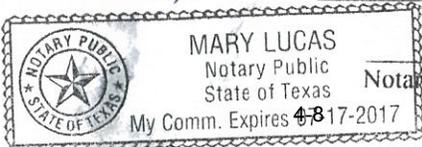
Affidavit

Before me the undersigned on this day personally appeared ABDUL KHAN & BUSHARA KHAN (Affiant/Applicant's name printed)

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

Respectfully submitted: _____ (Affiant/Applicant's signature)

Subscribed and sworn to before me this 15th day of MAY 2014



Mary Lucas
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

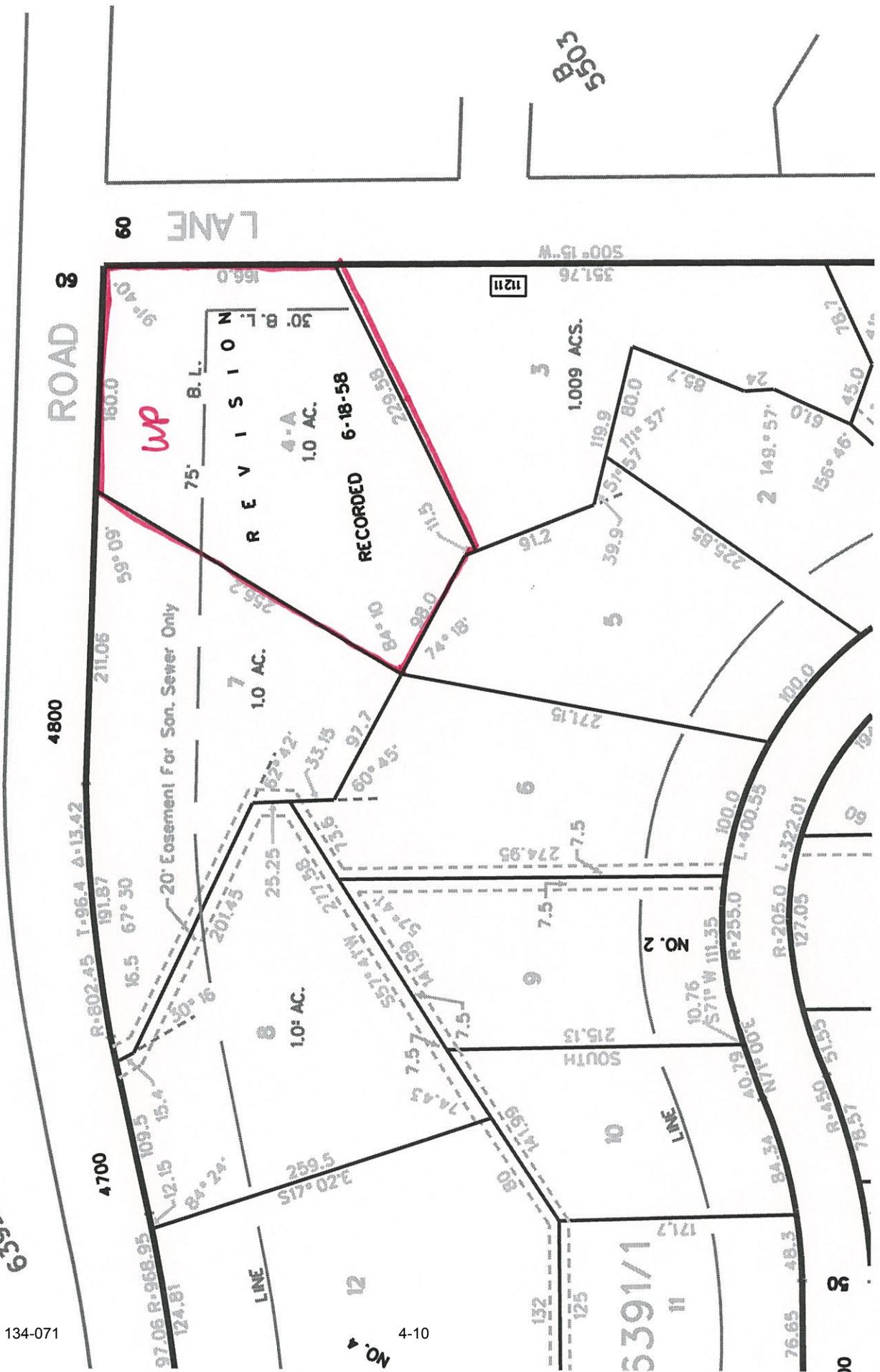
I hereby certify that **ABDUL KHAN**
 represented by **WARREN PACKER**
 did submit a request for a special exception to the fence height regulations
 at **11217 Strait Lane**

BDA134-071. Application of Abdul Khan represented by Warren Packer for a special exception to the fence height regulations at 11217 Strait Lane. This property is more fully described as Lot 4A, Block 1/6391, and is zoned R-1/2ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 13 foot 1 inch high fence in a required front yard, which will require a 9 foot 1 inch special exception to the fence regulation.

Sincerely,


 Larry Holmes, Building Official

76392



ROAD 99

LANE 60

wp

REVISION

4-A
1.0 AC.

RECORDED
6-18-58

4800

4700

1.0 AC.

1.0 AC.

1.009 ACS.

5391/1

NO. 2

NO. 4

4-10

5503

1211

SOUTH

LANE 10

LANE 11

NO. 5

NO. 6

NO. 7

NO. 8

NO. 9

NO. 10

NO. 11

NO. 12

NO. 13

NO. 14

NO. 15

NO. 16

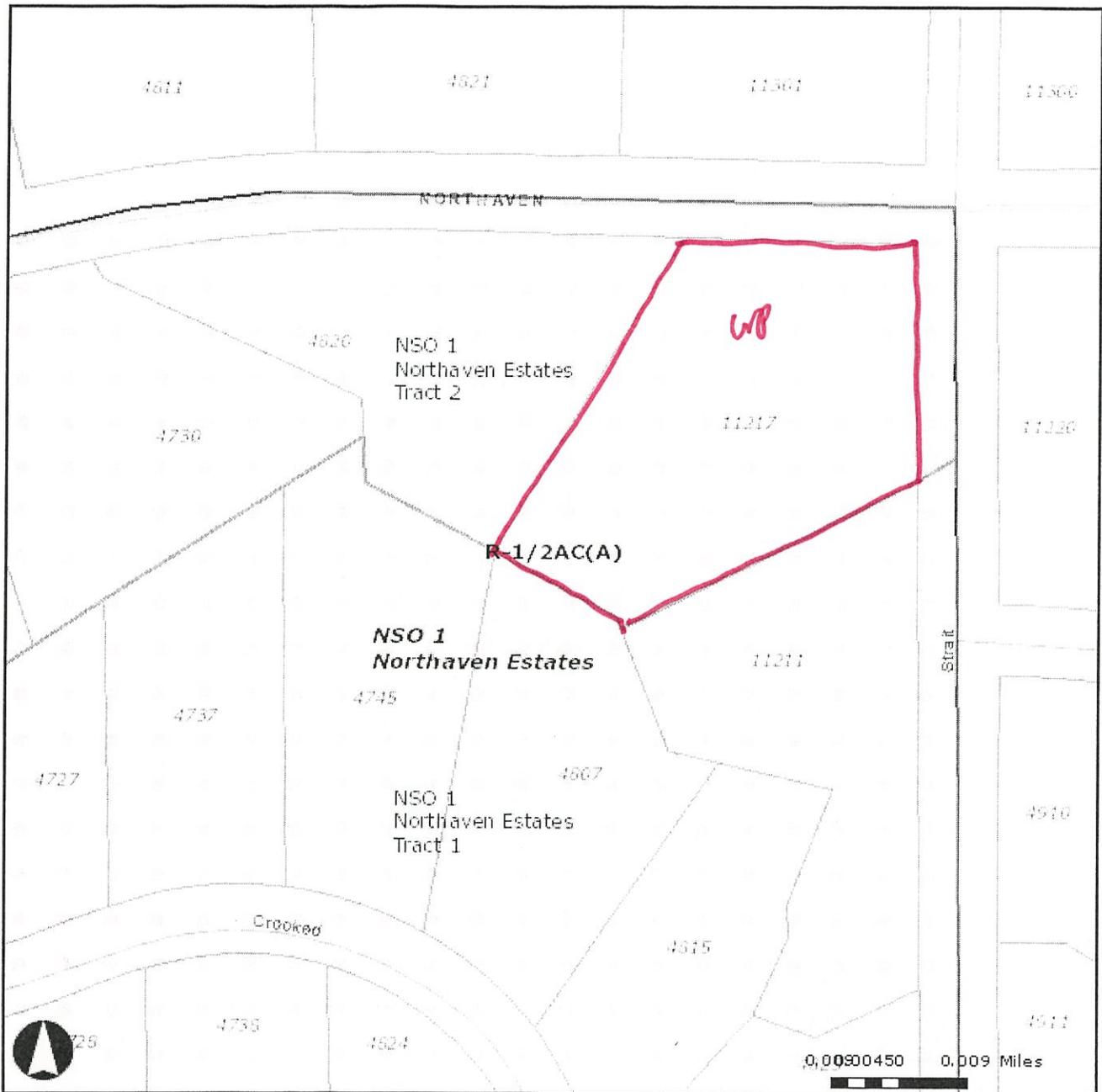
NO. 17

NO. 18

NO. 19

NO. 20

City of Dallas Zoning



Address Candidates

- Address Candidates
- City Boundaries
- County
- Certified Parcels
- DISD Sites

SUP

- SUP
- Dry Overlay
- D
- D-1
- Historic Overlay
- Historic Subdistricts

PDS Subdistricts

- Base Zoning
- Floodplain
- 100 Flood Zone
- Mill's Creek
- Peak's Branch



1:2,400

NOTIFICATION

200' AREA OF NOTIFICATION
13 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA134-071**

Date: **7/29/2014**

Notification List of Property Owners

BDA134-071

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	11217 STRAIT LN	RYAN SEPARATE PS LLP
2	4807 CROOKED LN	JASPERSEN WILLIAM S &
3	11211 STRAIT LN	FINNEGAN MAUREEN ANN
4	11220 STRAIT LN	DAVIS WILLIAM W & CATHY C
5	4910 MANGOLD CIR	MCDOWELL JANET
6	4815 CROOKED LN	NICHOLSON KEVIN PATRICK BONE &
7	4745 CROOKED LN	HANNON LUCIUS
8	4820 NORTHAVEN RD	KHAN ABDUL H & BUSHRA
9	4730 NORTHAVEN RD	COOK KELLY M
10	4737 CROOKED LN	LEWIS JERY M III &
11	4821 NORTHAVEN RD	WOODALL WILLIAM M
12	11301 STRAIT LN	WARREN KELLY &
13	11300 STRAIT LN	SULEMAN AMER

FILE NUMBER: BDA 134-088

BUILDING OFFICIAL'S REPORT: Application of Parker Williams for a variance to the side yard setback regulations at 5027 Maple Springs Boulevard. This property is more fully described as Lot 4, Block E/2331, and is zoned PD193 (R-7.5), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a structure and provide a 0 foot setback, which will require a 5 foot variance to the side yard setback regulations.

LOCATION: 5027 Maple Springs Boulevard

APPLICANT: Parker Williams

REQUEST:

A variance to the side yard setback regulations of 5' is requested to modify and maintain an approximately 320 square foot carport structure attached to a single-family home, part of which is located in the site's southeastern 5' side yard setback.

STANDARD FOR A VARIANCE:

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, 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.

STAFF RECOMMENDATION:

Denial

Rationale:

- The applicant has not substantiated how the features of the flat, rectangular shaped, and approximately 7,700 square foot lot precludes him from developing it in a manner commensurate with other developments found on similarly-zoned PD 193 (R-7.5) lots.

BACKGROUND INFORMATION:

Zoning:

Site: PD 193 (R-7.5) (Planned Development District, Single family)
North: PD 193 (R-7.5) (Planned Development District, Single family)
South: PD 193 (R-7.5) (Planned Development District, Single family)
East: PD 193 (R-7.5) (Planned Development District, Single family)
West: PD 193 (R-7.5) (Planned Development District, Single family)

Land Use:

The subject site is developed with a single family home. The area to the north, east, south, and west are developed with single family uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on modifying and maintaining an approximately 324 square foot carport structure attached to a single-family home, part of which is located in the site's southeastern 5' side yard setback.
- A 5' side yard setback is required in the PD 193 (R-7.5) zoning district.
- The applicant has submitted a site plan and an elevation indicating the location of the carport on the site's southeastern side property line of 5' into the required 5' side yard setback.
- The following information was gleaned from the submitted site plan:
 - The carport structure is represented to be 36' in length and 8' 9" in width (approximately 324 square feet in total area) of which approximately 180 square feet (or approximately half) is located in the southeastern side yard setback.
- The following information was gleaned from the submitted elevation:

- The carport structure is represented to be approximately 10.5' in height with steel posts, steel rafters, a metal roof, and a hardi board one hour siding.
- The subject site is flat, rectangular in shape, and approximately 140' x 55' (or 7,700 square feet) in area. The site is zoned PD 193 (R-7.5).
- The Board Administrator conducted a field visit of the area approximately 300 feet north and south of the subject site and noted no other carport structures that appeared to be located in a side yard setback.
- According to DCAD records, the "main improvement" at 5027 Maple Springs Road is a structure with 2,143 square feet of living area/total area in area built in 1948 with the following "additional improvement": pool.
- If this property were in an R-7.5(A) zoning district, the applicant could have made application for a special exception to the side yard setback regulations for a carport where the applicant would have had the burden of proof in establishing that granting this special exception to the side yard setback regulations would not have a detrimental impact on surrounding properties.
- However, because the subject site is zoned PD 193 (R-7.5), the applicant must seek a variance to the side yard setback regulations to maintain the carport structure in the side yard where 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 PD 193 (R-7.5) 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 PD 193 (R-7.5) zoning classification.
- The applicant has submitted information indicating that his total living area and additional improvements at approximately 2,400 square feet is slightly less than the average of 11 other properties he found in the same zoning district with an average of approximately 3,200 square feet.
- Typical conditions that staff suggests for requests for special exceptions to side yard setback regulations for carports are as follows:
 1. Compliance with the submitted site plan and elevation is required.
 2. The carport structure must remain open at all times.
 3. No lot-to-lot drainage is permitted in conjunction with this carport special exception.
 4. All applicable building permits must be obtained.
 5. No item (other than a motor vehicle) may be stored in the carport.

- If the Board were to grant this *variance* request with conditions mentioned above typically imposed with a carport special exception, the structure in the side yard setback would be limited to what is shown on these documents– which is a structure to be modified and located on the site’s southeastern side property line (or 5’ into this 5’ side yard setback).

Timeline:

June 25, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

July 15, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

August 19, 2014: The Board Administrator informed the applicant that his application would be scheduled for the next available hearing once the Building Inspection Senior Plans Examiner/Development Code Specialist had forwarded it to him as complete and amended from what was originally applied for as a special exception to the side yard setback regulations.

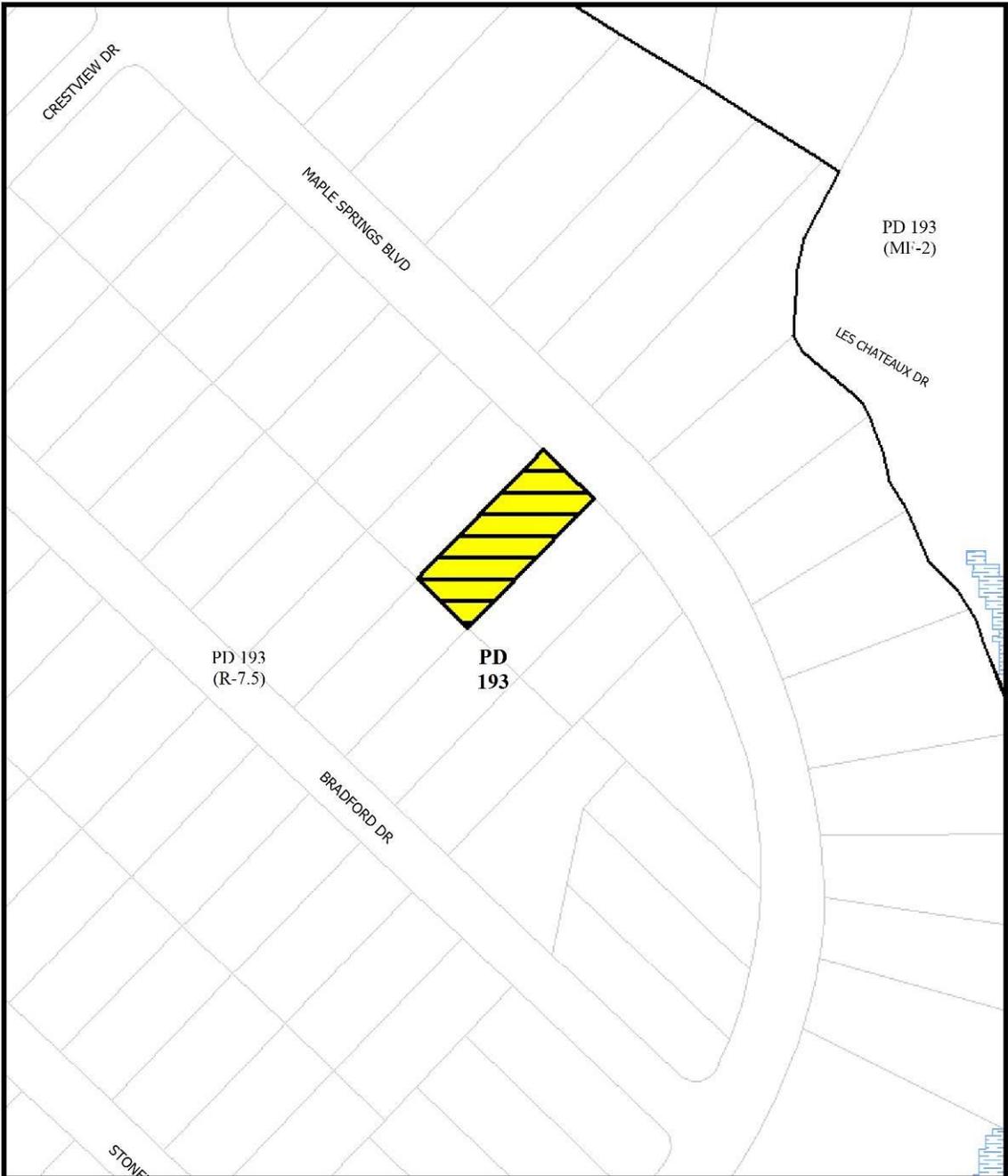
September 10, 2014: The Board Administrator emailed the following information to the applicant:

- an attachment that provided the public hearing date and panel that will consider the application; the September 26th deadline to submit additional evidence for staff to factor into their analysis; and the October 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.”

September 24 & 26, 2014: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachments A and B).

October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

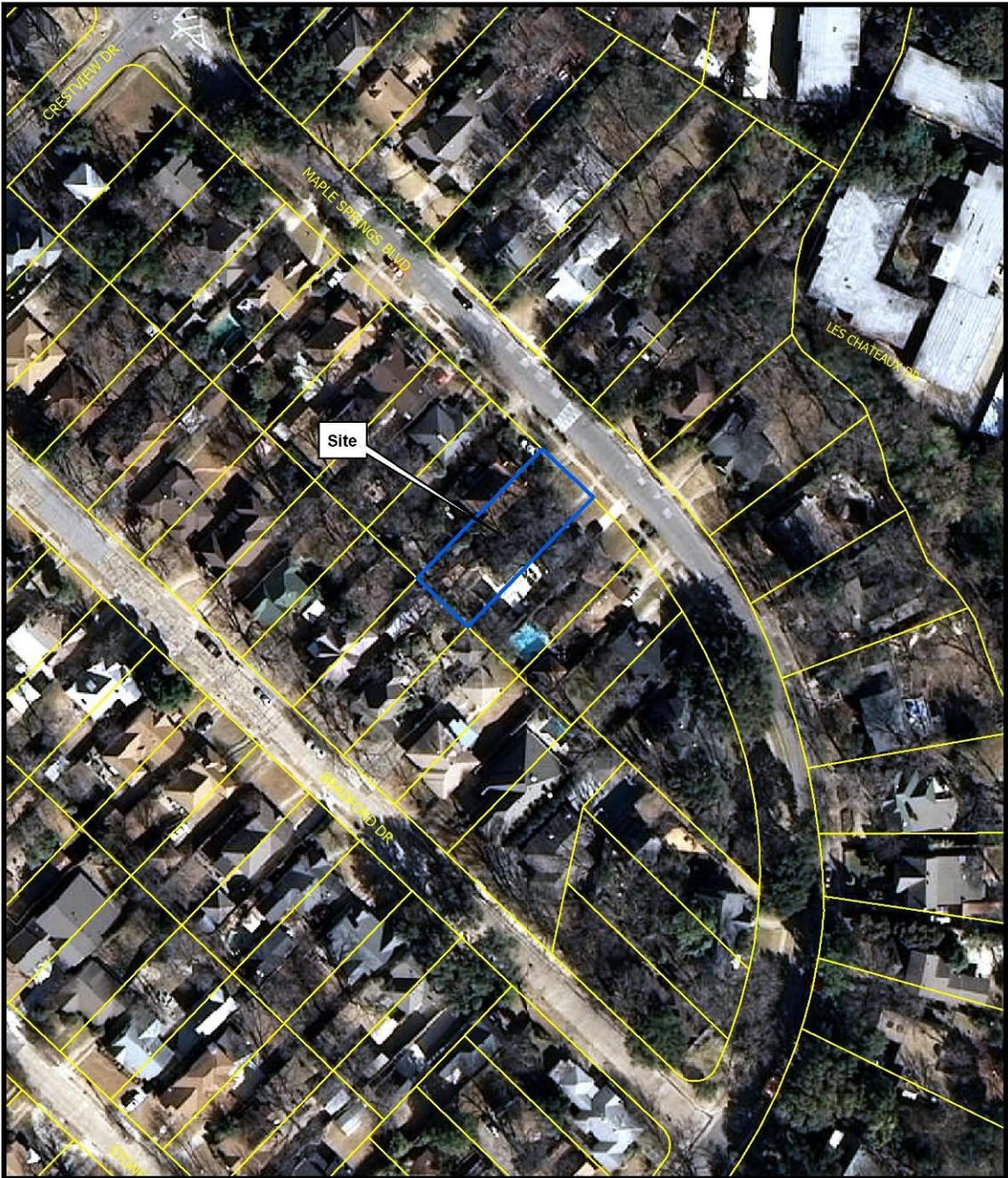


1:1,200

ZONING MAP

Case no: BDA134-088

Date: 8/20/2014



1:1,200

AERIAL MAP

Case no: BDA134-088

Date: 8/20/2014

323-627-1970
parkerwms@gmail.com

5027 Maple Springs Blvd
Dallas, Texas
75235

September 24, 2014

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development and Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Dear Mr. Long,

Thanks for your help is scheduling a Board of Adjustment Hearing on my carport. here is a brief description that should be helpful in answering potential questions.

I purchased the house located at 5027 Maple Springs Blvd., in March when moving from Los Angeles to open a new fitness studio in Dallas. When looking at the home, I asked both the selling and buying agents about the ability to put a carport and they both explained that it should not be a problem since there are many of them in the neighborhood. There is a pool in the back 30% of the property that was built about 15 years ago, so that excludes that area.

Shortly after closing on the home, I contacted a local contractor to who put together a plan. We started to build the carport in early April. While taking measurements, we consulted with the next door neighbor about property line and he pointed out where he felt it was. After the frame/cement was up the next door neighbor was concerned that he was previously wrong about the line and it was determined that there was 4" overlap. We had the structure moved within 4 hours and he was happy so we starting the finish-out.

A few days later, we received notice from the city of Dallas so we stopped construction. We stopped mid-project, so the current structure is not the final product. The final product will include gutters, side-wall finish out and a gate.

In speaking with Dallas city representatives, we were advised to file a request for a side yard setback "special exception" so we could get a September Hearing. We filed that in June. We gathered necessary information and prepared for that hearing. Mid-August, I was contacted that there had been an error in the previous advice and we now needed to file a revised side yard setback "variance" and we had 24 hours to do so to make the September hearing. We opted to delay the hearing so we could research the new requirements. While still confusing, the revised appeal was filed for the October Hearing.

The purpose of the carport is simply to provide a secure protected place for one or two cars, as most of the houses in the neighborhood have. The neighborhood is situated in an amazing collection of 100+ year old Pecan trees. The drawback is that during storms there is often very large branches that can cause damage. Even after having a professional tree trimming service trim trees, during the recent microburst, I had two large tree limbs from a neighbors tree, fall on the top of the carport in question. One of those limbs would have landed right in the middle of the hood/windshield of my car and done significant damage.

The carport, is on the side of the closest neighbors home that is heavily landscaped with bushes and is not accessible or used on a daily basis so I do not believe there would be any negative consequence to him or his property. The look of the carport will blend with the outside of my home to create a unified look and only work to increase the value of the home and those around it.

I previously mentioned the other homes in the neighborhood with similar structures. I have attached photos of 20 homes within 4 blocks of my home that have similar structures. They are various ages from old homes to new construction.

Thanks you so much for your consideration and I look forward tp answering any further questions you may have.

Sincerely yours,

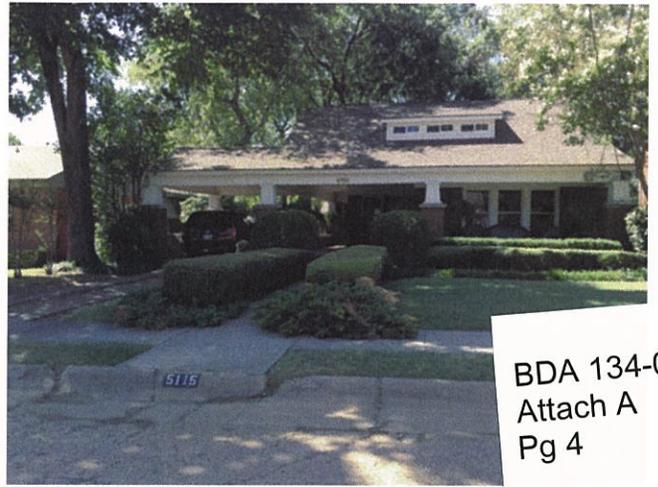
A handwritten signature in black ink, appearing to read 'Parker Williams', with a long horizontal flourish extending to the right.

Parker Williams



BDA 134-088
Attach A
Pg 3





BDA 134-088
Attach A
Pg 4





BDA 134-088
Attach A
Pg 5



Long, Steve

BDA 134-088

Attach B

Pg 1

From: Parker Williams <parkerwms@gmail.com>
Sent: Friday, September 26, 2014 10:16 AM
To: Long, Steve
Subject: 5027 Maple Springs
Attachments: 5034 MS DCAD.pdf; 5017 MS DCAD.pdf; 5002 MS DCAD.pdf; 5116 MS DCAD.pdf; 5125
Bradford DCAD.pdf; 5022 Bradford DCAD.pdf; 5126 Bradford DCAD.pdf; 5024 Denton
DCAD.pdf; 5020 Stoneleigh DCAD.pdf; 5032 Stoneleigh DCAD.pdf

Good Morning Steve,

Attached are some some of the comparable properties, all within 3 blocks of my house. I think it will show that my house is actually on the average size for the area. Here is a list of the attached properties:

5002 Maple Springs Blvd.
5017 Maple Springs Blvd
5034 Maple Springs Blvd.
5116 Maple Springs Blvd
5022 Bradford
5125 Bradford
5126 Bradford
5020 Stoneleigh
5032 Stoneleigh
5024 Denton Dr

Let me know if you have any questions.

Parker Williams
parkerwms@gmail.com

Table 1

Address	Zoning District	Total Living Area (sq ft)	Additional Improvements					
5002 Maple Springs Blvd.	SINGLE FAMILY, DISTRICT 7,500 S	3100	480					
5023 Maple Springs Blvd	SINGLE FAMILY, DISTRICT 7,500 S	1454	400					
5034 Maple Springs Blvd	SINGLE FAMILY, DISTRICT 7,500 S	2073	240					
5107 Maple Springs Blvd	SINGLE FAMILY, DISTRICT 7,500 S	2276	180					
5116 Maple Springs Blvd	SINGLE FAMILY, DISTRICT 7,500 S	2930	636					
5125 Maple Springs	SINGLE FAMILY, DISTRICT 7,500 S	2103	200					
5032 Stoneleigh	SINGLE FAMILY, DISTRICT 7,500 S	1919	552					
5020 Stoneleigh	SINGLE FAMILY, DISTRICT 7,500 S	2256	0					
5022 Bradford	SINGLE FAMILY, DISTRICT 7,500 S	2359	520					
5126 Bradford	SINGLE FAMILY, DISTRICT 7,500 S	4415	995					
5024 Denton	SINGLE FAMILY, DISTRICT 7,500 S	3211	2618					
	AVAERAGE	2554	620					
5027 Maple Springs Blvd		2143	300					

Residential Account #000021178600000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5002 MAPLE SPRINGS BLVD
Neighborhood: 5DSJ13
Mapsco: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

ROBLEDO JOHN
5002 MAPLE SPRINGS BLVD
DALLAS, TEXAS 752358321

Multi-Owner (Current 2015)

Owner Name	Ownership %
ROBLEDO JOHN	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK B/2330 PT LT 18- 50X222X
 - 3: 86.5X240.5 MAPLE SPGS BLVD
 - 4:
 - 5: 2330 00B 01800 1002330 00B
- Deed Transfer Date:** 1/1/1900

Value

2014 Certified Values	
Improvement:	\$164,970
Land:	+ \$172,500
Market Value:	= \$337,470
Revaluation Year:	2013
Previous Revaluation Year:	2010

Main Improvement (Current 2015)

Building Class	09	Construction Type	FRAME	# Baths (Full/Half)	2/ 0
Year Built	1945	Foundation	PIER AND BEAM	# Kitchens	1

Effective Year Built	1945	Roof Type	GABLE	# Bedrooms	5
Actual Age	70 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	GOOD	Fence Type	WOOD	# Fireplaces	1
Living Area	3,100 sqft	Ext. Wall Material	BRICK VENEER, FRAME	Sprinkler (Y/N)	N
Total Area	3,100 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	GAS HEATERS	Spa (Y/N)	N
# Stories	TWO STORIES	Air Condition	WINDOW	Pool (Y/N)	N
Depreciation	45%			Sauna (Y/N)	N

BDA 134-088
Attach B
Pg 4

Additional Improvements (Current 2015)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	STORAGE (OB)		UNASSIGNED	UNASSIGNED	480

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	50	285	14,000.0000 UNASSIGNED	FLAT PRICE	\$150,000.00	15%	\$172,500	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$67,494	\$48,747	\$67,494	\$67,494	\$67,494	\$0
OVER 65 EXEMPTION	\$64,000	\$45,000	\$69,000	\$50,000	\$69,000	\$0
VETERANS EXEMPTION	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$0
Taxable Value	\$193,976	\$231,723	\$188,976	\$207,976	\$188,976	\$0

Other Exemption: OVER 65

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$193,976	\$231,723	\$188,976	\$207,976	\$188,976	\$0
Estimated Taxes	\$1,545.99	\$2,970.89	\$478.30	\$259.35	\$521.57	N/A
Tax Ceiling	N/A	\$354.85	\$364.80	N/A	N/A	N/A
Total Estimated Taxes:						\$5,776.09

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the **official tax bill**. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios.** If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

History

History



Residential Account #000021185500000

Location	Owner	Legal Desc	Value	Main Improvement	Additional Improvements	Land	Exemptions
				Estimated Taxes	History		

Property Location (Current 2015)

Address: 5107 MAPLE SPRINGS BLVD
Neighborhood: 5DSJ13
Mapsc0: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

ALLEN JEFFREY D
 5107 MAPLE SPRINGS BLVD
 DALLAS, TEXAS 752358322

Multi-Owner (Current 2015)

Owner Name	Ownership %
ALLEN JEFFREY D	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK E/2331 LT 7
 - 3: MAPLE SPGS TO ALLEY
 - 4: INT201100152053 DD06032011 CO-DC
 - 5: 2331 00E 00700 1002331 00E
- Deed Transfer Date:** 6/14/2011

Value

2014 Certified Values	
Improvement:	\$128,410
Land:	+ \$150,000
Market Value:	= \$278,410
Revaluation Year:	2013
Previous Revaluation Year:	2010

Main Improvement (Current 2015)

Building Class BDA 134-088	13	Construction Type	FRAME	# Baths (Full/Half)	2/ 0
Year Built	1942	Foundation	PIER AND BEAM	# Kitchens	1

Effective Year Built	1980	Roof Type	GABLE	# Bedrooms	3
Actual Age	73 years	Roof Material	COMP SHINGLES	# Wet Bars	1
CDU (Condition / Desirability / Utility)	VERY GOOD	Fence Type	WOOD	# Fireplaces	2
Living Area	2,276 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N
Total Area	2,276 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	30%			Sauna (Y/N)	N

BDA 134-088
Attach B
Pg 7

Additional Improvements (Current 2015)

BDA 134-088
 Attach B
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#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
2	ATTACHED GARAGE	FR-FRAME	CONCRETE	UNASSIGNED	180

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,491.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$55,682	\$42,841	\$55,682	\$55,682	\$55,682	\$0
Taxable Value	\$222,728	\$235,569	\$222,728	\$222,728	\$222,728	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$222,728	\$235,569	\$222,728	\$222,728	\$222,728	\$0
Estimated Taxes	\$1,775.14	\$3,020.19	\$563.72	\$277.74	\$614.73	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$6,251.53

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History

History

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Residential Account #0000211804000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5034 MAPLE SPRINGS BLVD
Neighborhood: 5DSJ13
Mapsc0: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

SCHERTZ JOHN K
5034 MAPLE SPRINGS BLVD
DALLAS, TEXAS 752358321

Multi-Owner (Current 2015)

Owner Name	Ownership %
SCHERTZ JOHN K	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK B/2330 LT 25
 - 3: MAPLE SPRINGS
 - 4: VOL98147/1329 DD072798 CO-DALLAS
 - 5: 2330 00B 02500 1002330 00B
- Deed Transfer Date:** 7/29/1998

Value

2014 Certified Values	
Improvement:	\$113,010
Land:	+ \$172,500
Market Value:	= \$285,510
Revaluation Year:	2013
Previous Revaluation Year:	2010

Main Improvement (Current 2015)

Building Class		Construction Type		# Baths (Full/Half)	
BDA 134-088	09	5-21	FRAME		2/0

Year Built	1938	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1938	Roof Type	GABLE	# Bedrooms	3
Actual Age	77 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	AVERAGE	Fence Type	WOOD	# Fireplaces	1
Living Area	2,073 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N
Total Area	2,073 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE AND ONE HALF STORIES	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	50%			Sauna (Y/N)	N

BDA 134-088
Attach B
Pg 10

Additional Improvements (Current 2015)

BDA 134-088
Attach B
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#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
2	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	240

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	60	294	14,764.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	15%	\$172,500	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$57,102	\$43,551	\$57,102	\$57,102	\$57,102	\$0
OVER 65 EXEMPTION	\$64,000	\$45,000	\$69,000	\$50,000	\$69,000	\$0
Taxable Value	\$164,408	\$196,959	\$159,408	\$178,408	\$159,408	\$0

Other Exemption: OVER 65

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$164,408	\$196,959	\$159,408	\$178,408	\$159,408	\$0
Estimated Taxes	\$1,310.33	\$2,525.18	\$403.46	\$222.47	\$439.97	N/A
Tax Ceiling	N/A	\$2,525.18	\$387.52	N/A	N/A	N/A
Total Estimated Taxes:						\$4,901.42

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History

History

Residential Account #000021181600000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5116 MAPLE SPRINGS BLVD
Neighborhood: 5DSJ13
Mapsco: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form



Owner (Current 2015)

LAMPKIN JEFF & ELIZABETH
5116 MAPLE SPRINGS BLVD
DALLAS, TEXAS 752358323

Multi-Owner (Current 2015)

Owner Name	Ownership %
LAMPKIN JEFF & ELIZABETH	100%

Legal Desc (Current 2015)

- 1: ALVIS JOHNSON RESUB
 - 2: BLK B/2330 LT 29A
 - 3:
 - 4: INT20080007797 DD01042008 CO-DC
 - 5: 2330 00B 29A00 1002330 00B
- Deed Transfer Date:** 1/9/2008

Value

2014 Certified Values	
Improvement:	\$233,480
Land:	+ \$180,000
Market Value:	= \$413,480
Tax Agent: NORTH TEXAS PROPERTY TAX	
Revaluation Year:	2013
Previous Revaluation Year:	2012

Main Improvement (Current 2015)

BDA 134-088	09	8-24	Construction Type	FRAME	# Baths (Full/Half)	3/0
Building Class						

Year Built	1930	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1970	Roof Type	GABLE	# Bedrooms	3
Actual Age	85 years	Roof Material	COMP SHINGLES	# Wet Bars	1
CDU (Condition / Desirability / Utility)	VERY GOOD	Fence Type	WOOD	# Fireplaces	2
Living Area	2,930 sqft	Ext. Wall Material	STUCCO, BRICK VENEER	Sprinkler (Y/N)	Y
Total Area	2,930 sqft	Basement	NONE	Deck (Y/N)	Y
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	Y
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	Y
Depreciation	35%			Sauna (Y/N)	N

BDA 134-088
Attach B
Pg 13

Additional Improvements (Current 2015)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sq)
1	ATTACHED GARAGE	FR-FRAME	CONCRETE	UNASSIGNED	508
2	POOL		UNASSIGNED	CC-CONCRETE (POOL)	0
3	STORAGE SPACE		UNASSIGNED	FRAME	128

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Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	80	214	16,768.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	20%	\$180,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$82,696	\$56,348	\$82,696	\$82,696	\$82,696	\$0
Taxable Value	\$330,784	\$357,132	\$330,784	\$330,784	\$330,784	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$330,784	\$357,132	\$330,784	\$330,784	\$330,784	\$0
Estimated Taxes	\$2,636.35	\$4,578.74	\$837.21	\$412.49	\$912.96	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$9,377.75

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History

History

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Residential Account #0000211903000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5022 BRADFORD DR
Neighborhood: 5DSJ13
Mapsc0: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

YONICK KEITH A
5022 BRADFORD DR
DALLAS, TEXAS 752358309

Multi-Owner (Current 2015)

Owner Name	Ownership %
YONICK KEITH A	50%
TENNANT SCOTT E	50%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK E/2331 LT 23
 - 3:
 - 4: INT20070121255 DD04032007 CO-DC
 - 5: 2331 00E 02300 1002331 00E
- Deed Transfer Date: 4/5/2007

Value

2014 Certified Values	
Improvement:	\$258,000
Land:	+ \$150,000
Market Value:	= \$408,000
Revaluation Year:	2012
Previous Revaluation Year:	2011

Main Improvement (Current 2015)

BDA 134-088 Building Class	21	Construction Type 5-27 FRAME	# Baths (Full/Half)	2/ 0
-------------------------------	----	------------------------------------	---------------------	------

Year Built	2006	Foundation	SLAB	# Kitchens	1
Effective Year Built	2006	Roof Type	HIP	# Bedrooms	3
Actual Age	9 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	GOOD	Fence Type	NONE	# Fireplaces	1
Living Area	2,359 sqft	Ext. Wall Material	STONE VENEER	Sprinkler (Y/N)	Y
Total Area	2,359 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	Y
Depreciation	10%			Sauna (Y/N)	N

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Additional Improvements (Current 2015)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
3	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	520
4	POOL		UNASSIGNED	CC-CONCRETE (POOL)	0

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,650.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$81,600	\$55,800	\$81,600	\$81,600	\$81,600	\$0
Taxable Value	\$326,400	\$352,200	\$326,400	\$326,400	\$326,400	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$326,400	\$352,200	\$326,400	\$326,400	\$326,400	\$0
Estimated Taxes	\$2,601.41	\$4,515.50	\$826.12	\$407.02	\$900.86	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$9,250.91

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History

History

Residential Account #000021195100000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5125 BRADFORD DR
Neighborhood: 5DSJ13
Mapsc0: 34-U (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

CHAPPELL JIMMY L
9226 ROCKBROOK DR
DALLAS, TEXAS 752203908

Multi-Owner (Current 2015)

Owner Name	Ownership %
CHAPPELL JIMMY L	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK F/2332 LT 12
 - 3:
 - 4:
 - 5: 2332 00F 01200 1002332 00F
- Deed Transfer Date: 1/1/1900

Value

2014 Certified Values	
Improvement:	\$90,750
Land:	+ \$150,000
Market Value:	=\$240,750
Revaluation Year:	2013
Previous Revaluation Year:	2010

Main Improvement (Current 2015)

Building Class	09	Construction Type	FRAME	# Baths (Full/Half)	1/ 0
Year Built	1935	Foundation	PIER AND BEAM	# Kitchens	1

Effective Year Built	1935	Roof Type	GABLE	# Bedrooms	3
Actual Age	80 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	FAIR	Fence Type	CHAIN	# Fireplaces	1
Living Area	2,103 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N
Total Area	2,103 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	GAS HEATERS	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	WINDOW	Pool (Y/N)	N
Depreciation	60%			Sauna (Y/N)	N

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Additional Improvements (Current 2015)

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#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	DETACHED CARPORT		CONCRETE	UNASSIGNED	200

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,620.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

No Exemptions

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$240,750	\$240,750	\$240,750	\$240,750	\$240,750	\$0
Estimated Taxes	\$1,918.78	\$3,086.62	\$609.34	\$300.22	\$664.47	N/A
Tax Ceiling					N/A	N/A
Total Estimated Taxes:						\$6,579.42

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History

History

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Residential Account #0000211873000000

Location	Owner	Legal Desc	Value	Main Improvement	Additional Improvements	Land	Exemptions
				Estimated Taxes	History		

Property Location (Current 2015)

Address: 5126 BRADFORD DR
Neighborhood: 5DSJ13
Mapsco: 34-U (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

BOYCE MICHAEL
 5126 BRADFORD DR
 DALLAS, TEXAS 752358311

Multi-Owner (Current 2015)

Owner Name	Ownership %
BOYCE MICHAEL	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK E/2331 LT 13
 - 3:
 - 4: VOL2002207/10022 DD10022002 CO-DC
 - 5: 2331 00E 01300 1002331 00E
- Deed Transfer Date:** 10/23/2002

Value

2014 Certified Values	
Improvement:	\$325,940
Land:	+ \$150,000
Market Value:	= \$475,940
Revaluation Year:	2012
Previous Revaluation Year:	2010

Main Improvement (Current 2015)

Building Class	18	Construction Type	FRAME	# Baths (Full/Half)	3/ 0
Year Built	2003	Foundation	SLAB	# Kitchens	1

Effective Year Built	2003	Roof Type	HIP	# Bedrooms	3
Actual Age	12 years	Roof Material	COMP SHINGLES	# Wet Bars	1
CDU (Condition / Desirability / Utility)	POOR	Fence Type	UNASSIGNED	# Fireplaces	2
Living Area	4,415 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N
Total Area	4,415 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	Y
# Stories	TWO STORIES	Air Condition	CENTRAL FULL	Pool (Y/N)	Y
Depreciation	25%			Sauna (Y/N)	N

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Additional Improvements (Current 2015)

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#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	995
2	POOL		UNASSIGNED	CC-CONCRETE (POOL)	0

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,464.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$95,188	\$62,594	\$95,188	\$95,188	\$95,188	\$0
Taxable Value	\$380,752	\$413,346	\$380,752	\$380,752	\$380,752	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$380,752	\$413,346	\$380,752	\$380,752	\$380,752	\$0
Estimated Taxes	\$3,034.59	\$5,299.45	\$963.68	\$474.80	\$1,050.88	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$10,823.40

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History

History

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Residential Account #0000211987000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
Estimated Taxes History

Property Location (Current 2015)

Address: 5020 STONELEIGH AVE
Neighborhood: 5DSJ13
Mapsc0: 34-V (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

HEADRICK JASON A &
HEADRICK JOANNA
5020 STONELEIGH AVE
DALLAS, TEXAS 752358329

Multi-Owner (Current 2015)

Owner Name	Ownership %
HEADRICK JASON A &	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK F/2332 LT 24
 - 3:
 - 4: INT201200096831 DD03272012 CO-DC
 - 5: 2332 00F 02400 1002332 00F
- Deed Transfer Date: 4/5/2012

Value

2014 Certified Values	
Improvement:	\$180,280
Land:	+ \$150,000
Market Value:	= \$330,280
Revaluation Year:	2014
Previous Revaluation Year:	2011

Main Improvement (Current 2015)

Building Class	15	Construction Type	FRAME	# Baths (Full/Half)	2/0
----------------	----	-------------------	-------	---------------------	-----

Year Built	1940	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1980	Roof Type	GABLE	# Bedrooms	3
Actual Age	75 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	GOOD	Fence Type	WOOD	# Fireplaces	1
Living Area	2,556 sqft	Ext. Wall Material	FRAME, STONE VENEER	Sprinkler (Y/N)	N
Total Area	2,556 sqft	Basement	NONE	Deck (Y/N)	Y
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	35%			Sauna (Y/N)	N

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Additional Improvements (Current 2015)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	DECK		UNASSIGNED	FRAME	0

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,490.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$66,056	\$48,028	\$66,056	\$66,056	\$66,056	\$0
Taxable Value	\$264,224	\$282,252	\$264,224	\$264,224	\$264,224	\$0

Exemption Details**Estimated Taxes (2014 Certified Values)**

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$264,224	\$282,252	\$264,224	\$264,224	\$264,224	\$0
Estimated Taxes	\$2,105.87	\$3,618.71	\$668.75	\$329.49	\$729.26	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$7,452.07

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History**History**

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Residential Account #0000211978000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions
 Estimated Taxes History

Property Location (Current 2015)

Address: 5032 STONELEIGH AVE
Neighborhood: 5DSJ13
Mapsco: 34-U (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

BADYLAK THERESA L
 5032 STONELEIGH AVE
 DALLAS, TEXAS 752358329

Multi-Owner (Current 2015)

Owner Name	Ownership %
BADYLAK THERESA L	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK F/2332 LT 21
 - 3:
 - 4: VOL86020 PG2562 CO-DALLAS
 - 5: 2332 00F 02100 1002332 00F
- Deed Transfer Date:** 1/30/1986

Value

2014 Certified Values	
Improvement:	\$224,060
Land:	+ \$150,000
Market Value:	= \$374,060
Revaluation Year:	2012
Previous Revaluation Year:	2011

Main Improvement (Current 2015)

Building Class	18	Construction Type	FRAME	# Baths (Full/Half)	2/0
BDA 134-088					

Year Built	2010	Foundation	SLAB	# Kitchens	1
Effective Year Built	2010	Roof Type	GABLE	# Bedrooms	3
Actual Age	5 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	EXCELLENT	Fence Type	WOOD	# Fireplaces	0
Living Area	1,919 sqft	Ext. Wall Material	BRICK VENEER, FRAME, STONE VENEER	Sprinkler (Y/N)	N
Total Area	1,919 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	0%			Sauna (Y/N)	N

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Additional Improvements (Current 2015)

BDA 134-088

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	552

Attach B

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Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	55	140	7,250.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$74,812	\$52,406	\$74,812	\$74,812	\$74,812	\$0
Taxable Value	\$299,248	\$321,654	\$299,248	\$299,248	\$299,248	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$299,248	\$321,654	\$299,248	\$299,248	\$299,248	\$0
Estimated Taxes	\$2,385.01	\$4,123.88	\$757.40	\$373.16	\$825.92	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$8,465.37

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History

History

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Residential Account #0000212089000000

Location	Owner	Legal Desc	Value	Main Improvement	Additional Improvements	Land	Exemptions
				Estimated Taxes	History		

Property Location (Current 2015)

Address: 5024 DENTON DR
Neighborhood: 5DSJ13
Mapsc0: 34-U (DALLAS)

DCAD Property Map

2014 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2015)

TRAN LISA & JIMMY J
 5024 DENTON DR
 DALLAS, TEXAS 752358301

Multi-Owner (Current 2015)

Owner Name	Ownership %
TRAN LISA & JIMMY J	100%

Legal Desc (Current 2015)

- 1: OAK LAWN HEIGHTS
 - 2: BLK I/2333 LT 20 & NW 1/2 LT 21
 - 3:
 - 4: INT200900019211 DD01202009 CO-DC
 - 5: 2333 00I 02000 1002333 00I
- Deed Transfer Date:** 1/21/2009

Value

2014 Certified Values	
Improvement:	\$403,000
Land:	+ \$150,000
Market Value:	= \$553,000
Tax Agent: NORTH TEXAS PROPERTY TAX	
Revaluation Year:	2013
Previous Revaluation Year:	2011

Main Improvement (Current 2015)

BDA 134-088	21	Construction Type	FRAME	# Baths (Full/Half)	4/ 0
-------------	----	-------------------	-------	---------------------	------

Year Built	2009	Foundation	SLAB	# Kitchens	1
Effective Year Built	2009	Roof Type	GABLE	# Bedrooms	5
Actual Age	6 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	VERY GOOD	Fence Type	IRON	# Fireplaces	1
Living Area	3,211 sqft	Ext. Wall Material	BRICK VENEER, FRAME	Sprinkler (Y/N)	N
Total Area	3,887 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	3%			Sauna (Y/N)	N

BDA 134-088
Attach B
Pg 31

Additional Improvements (Current 2015)

BDA 134-088
 Attach B
 Pg 32

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
3	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	676
4	UNFINISHED SPACE		UNASSIGNED	UNASSIGNED	1266
5	ATTACHED SERVANTS QUARTERS		UNASSIGNED	FRAME	676

Land (2014 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	83	140	11,567.0000 SQUARE FEET	FLAT PRICE	\$150,000.00	0%	\$150,000	N

* All Exemption information reflects 2014 Certified Values. *

Exemptions (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$110,600	\$70,300	\$110,600	\$110,600	\$110,600	\$0
Taxable Value	\$442,400	\$482,700	\$442,400	\$442,400	\$442,400	\$0

Exemption Details

Estimated Taxes (2014 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.797	\$1.282085	\$0.2531	\$0.1247	\$0.276	N/A
Taxable Value	\$442,400	\$482,700	\$442,400	\$442,400	\$442,400	\$0
Estimated Taxes	\$3,525.93	\$6,188.62	\$1,119.71	\$551.67	\$1,221.02	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$12,606.96

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the **official tax bill**. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios.** If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

History

History



B

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-088

Data Relative to Subject Property:

Date: 6-25-14

Location address: 5027 MAPLE SPRINGS BLVD Zoning District: PD193 (R-7.5)

Lot No.: 4 Block No.: E/2331 Acreage: .17 Census Tract: 4.04

Street Frontage (in Feet): 1) 33' 2) 55' 3) 4) 5)

To the Honorable Board of Adjustment : SW22

Owner of Property (per Warranty Deed): Parker Williams

Applicant: Parker Williams Telephone: 323-627-1970

Mailing Address: 5027 Maple Springs Blvd Zip Code: 75235

E-mail Address: Parkerwms@gmail.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance X, or Special Exception, of 5' to SIDE YARD SETBACK. REQUESTING SPECIAL AND EXEMPTION VARIANCE OF OPEN STRUCTURE CARPORT UTILIZING THE 5' SETBACK.

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:

TO LEVEL & PROTECT VEHICLES. TO ADD WALL TO NEIGHBORS SIDE YARD VIEW. THE CARPORT WILL ENHANCE THE NEIGHBORHOOD. DIRECT NEIGHBOR HAS AGREED/REGISTERED ACCEPTANCE FOR THE CARPORT. NEIGHBORS HAVE NO OBJECTION AS INDICATED ON PETITION.

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.

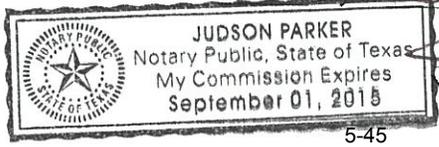
Affidavit

Before me the undersigned on this day personally appeared Parker Williams (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 6th day of JUNE, 2014



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

(Rev. 08-01-11)

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 Parker Williams

did submit a request for a variance to the side yard setback regulations
at 5027 Maple Springs Blvd.

BDA134-088. Application of Parker Williams for a variance to the side yard setback regulations at 5027 Maple Springs Blvd. This property is more fully described as Lot 4, Block E/2331, and is zoned PD193 (R-7.5), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a carport for a single family residential dwelling in a side yard and provide a 0 foot setback, which will require a 5 foot variance to the side yard setback regulation.

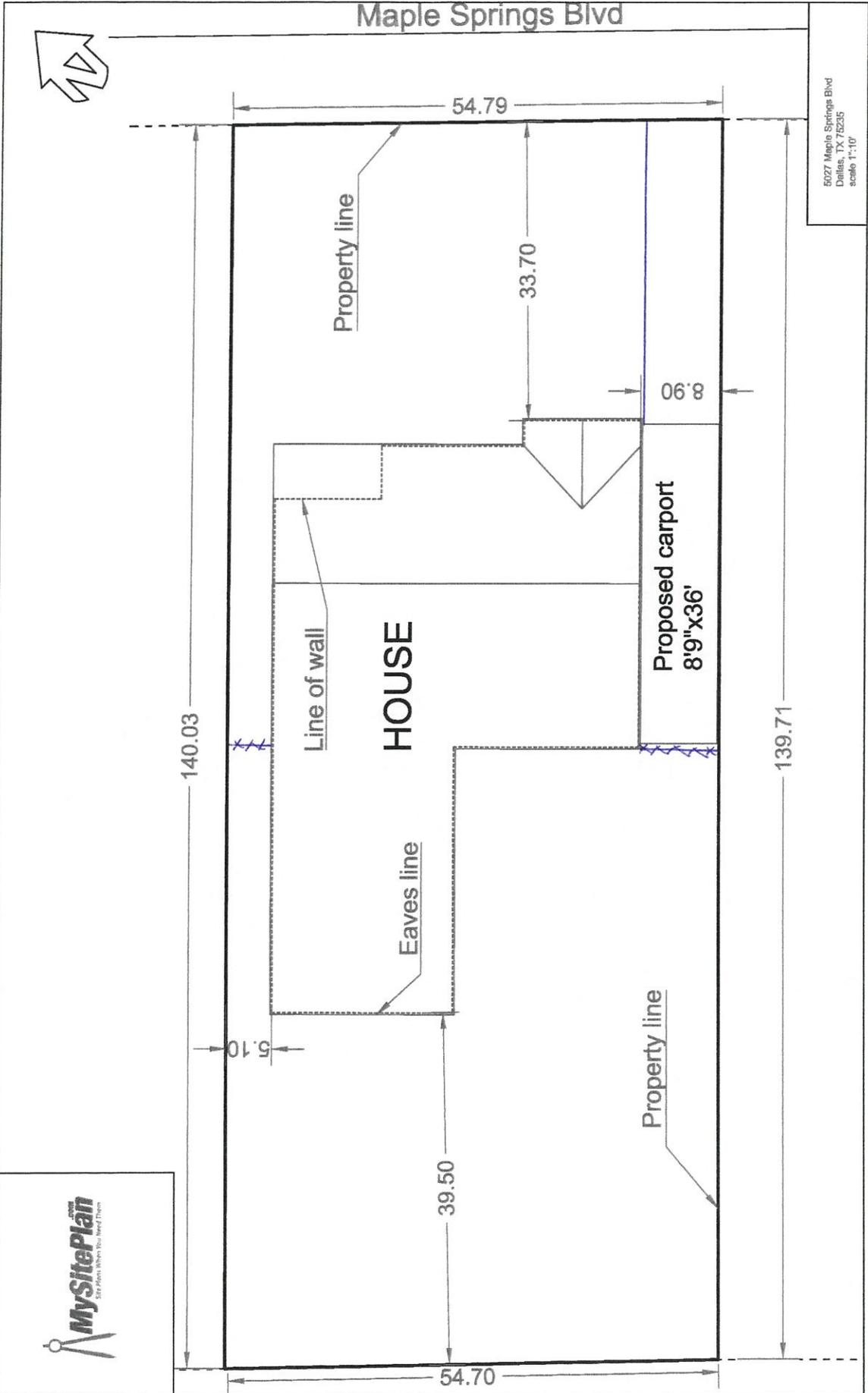
Sincerely,

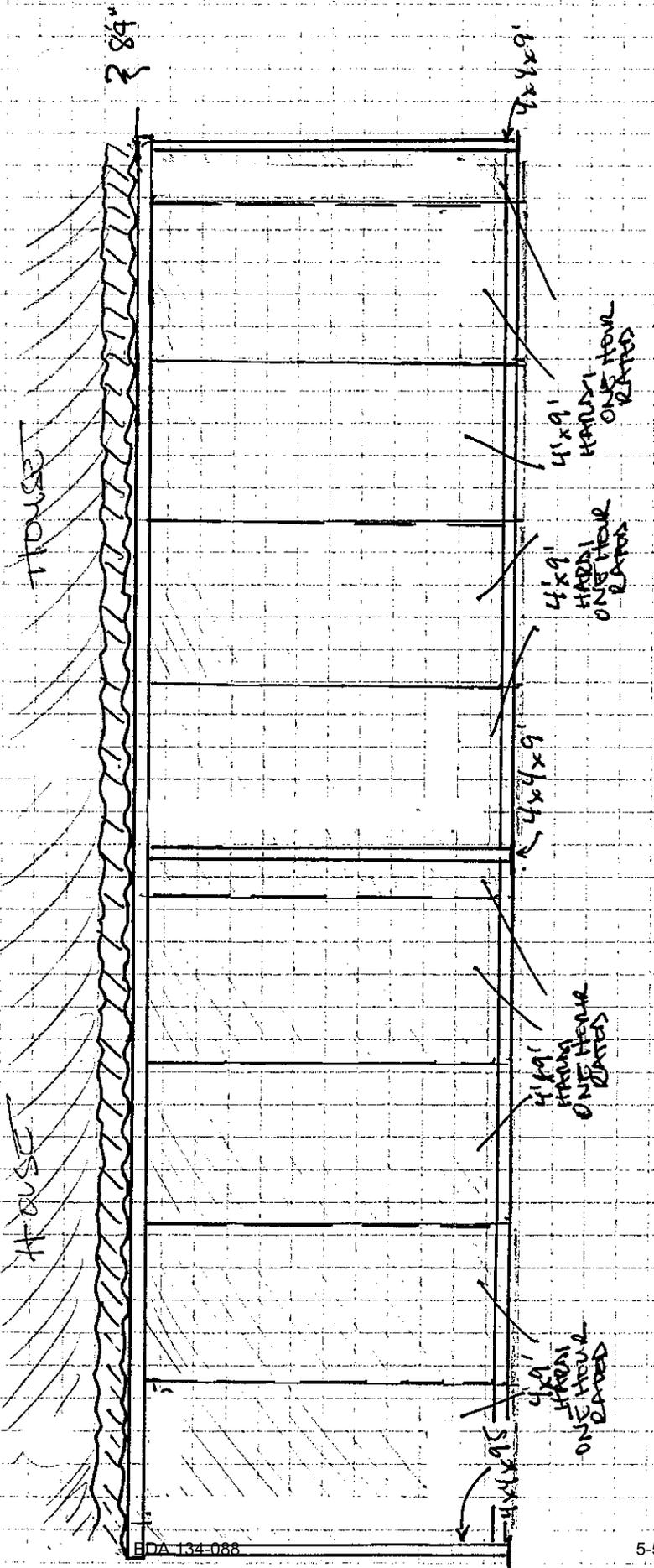

Larry Holmes, Building Official

G
2336

D
2335

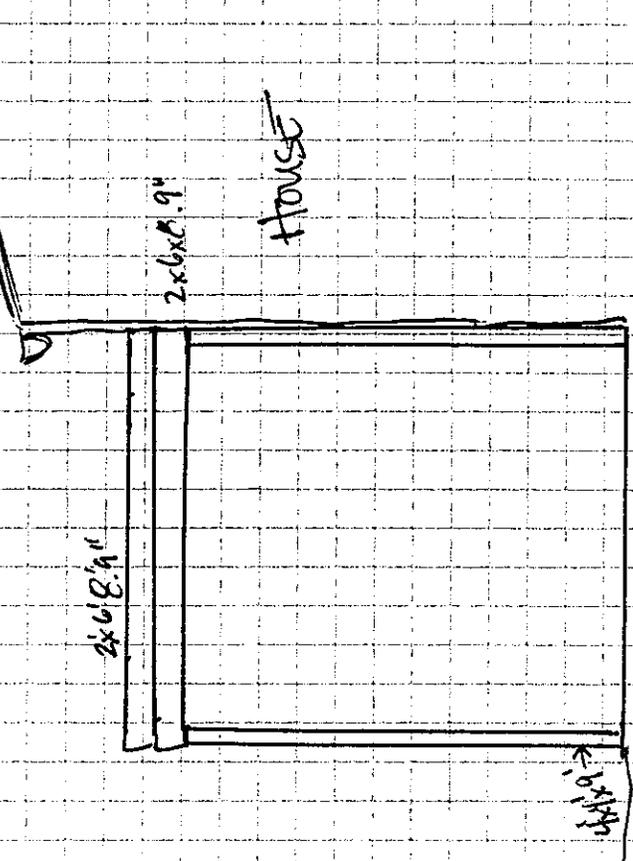






- 4x4" STEEL POSTS
- 2x6" STEEL RAFTERS
- METAL ROOF FLAT
- METAL STUDS
- 4x9' HARDY BOARD ONE HOUR SIDING

Scale: 1/4" = 1'





 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">106</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	106	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA134-088 Date: 8/20/2014
200'	AREA OF NOTIFICATION					
106	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-088

106 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5027	MAPLE SPRINGS BLVD CATLAND JAMES D
2	5016	MAPLE SPRINGS BLVD AUSTIN THOMAS GANE &
3	5020	MAPLE SPRINGS BLVD DORNIC MYRON D
4	5026	MAPLE SPRINGS BLVD DORNIC MYRON DUSAN
5	5030	MAPLE SPRINGS BLVD WALL MARK
6	5034	MAPLE SPRINGS BLVD SCHERTZ JOHN K
7	5104	MAPLE SPRINGS BLVD GROVER JEFFREY TODD
8	5108	MAPLE SPRINGS BLVD NIX HARVARD KETIH
9	5116	MAPLE SPRINGS BLVD LAMPKIN JEFF & ELIZABETH
10	5011	MAPLE SPRINGS BLVD CAMPBELL JULIA ANN
11	5019	MAPLE SPRINGS BLVD DELVAL MARCO
12	5023	MAPLE SPRINGS BLVD LINVILLE STEPHEN G
13	5037	MAPLE SPRINGS BLVD HETHERLY RICHARD SCOTT
14	5103	MAPLE SPRINGS BLVD SANCHEZ MARTIN A &
15	5107	MAPLE SPRINGS BLVD ALLEN JEFFREY D
16	5111	MAPLE SPRINGS BLVD MCKINLEY JAY CORWIN
17	5110	BRADFORD DR LANDIN EVAGELINE
18	5106	BRADFORD DR MCSWEENEY MICHAEL J &
19	5102	BRADFORD DR RAMIREZ MIGUEL A
20	5034	BRADFORD DR RAMIREZ GILBERT
21	5030	BRADFORD DR CRUZ EDWARD SONGCO
22	5026	BRADFORD DR RAINES TERRY M &
23	5022	BRADFORD DR YONICK KEITH A
24	5018	BRADFORD DR KETELSON HOWARD A
25	2931	MAPLE SPRINGS BLVD VETSUYPENS MICHEL R
26	5023	BRADFORD DR RISKEY STEVEN CARL

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5027 BRADFORD DR	GUERRA PETER DAVID
28	5031 BRADFORD DR	VILLANUEVA EVELYN
29	5035 BRADFORD DR	MUNOZ JOSE R
30	5103 BRADFORD DR	NEWBURN JOSHUA N &
31	3030 MAHANNA SPRINGS DR	GONZALEZ RAY L
32	3030 MAHANNA SPRINGS DR	SHARPE ROXANN & HARVEY D
33	4927 CEDAR SPRINGS RD	HINDS JAMES E & NORMA SUE
34	4927 CEDAR SPRINGS RD	FRNKA EVELYN & RONALD A
35	4927 CEDAR SPRINGS RD	LESZINSKI SLAWOMIR
36	4931 CEDAR SPRINGS RD	GONZALEZ GILDA C
37	4931 CEDAR SPRINGS RD	HUTTON JEFFREY B
38	4931 CEDAR SPRINGS RD	FRELS STEPHEN
39	4931 CEDAR SPRINGS RD	GALVAN VIRGINIA
40	3023 MAHANNA SPRINGS DR	FRNKA PATRICK JR
41	3023 MAHANNA SPRINGS DR	HAMILTON JOHN M &
42	3023 MAHANNA SPRINGS DR	ECKERT D SCOTT
43	3023 MAHANNA SPRINGS DR	HAMILTON JOHN M
44	3025 MAHANNA SPRINGS DR	3025B MAHANA SPRINGS A SERIES OF MAX2 INV
45	3025 MAHANNA SPRINGS DR	BROWN EARL RICHARD
46	3025 MAHANNA SPRINGS DR	HUNTER EWEN
47	3031 MAHANNA SPRINGS DR	SISTO GARY L
48	3031 MAHANNA SPRINGS DR	TANGLEWOOD TWNHMS COUNCIL
49	3031 MAHANNA SPRINGS DR	PERRY BILLY EARL
50	3031 MAHANNA SPRINGS DR	SIMPSON JANIS K
51	5005 CEDAR SPRINGS RD	HURLEY ROBERT H
52	5005 CEDAR SPRINGS RD	BURGESS TROY L
53	5005 CEDAR SPRINGS RD	HANSEN JEFFREY S
54	5005 CEDAR SPRINGS RD	REDD DAVID A
55	5007 CEDAR SPRINGS RD	ARGUETA LEO
56	5007 CEDAR SPRINGS RD	HINDS WILLIAM L
57	5007 CEDAR SPRINGS RD	MARTIN MICHAEL J

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	5007 CEDAR SPRINGS RD	FRICK GUY
59	5025 CEDAR SPRINGS RD	HINDS JAMES E & NORMA S
60	5025 CEDAR SPRINGS RD	HARRELL ANN LESTER
61	5025 CEDAR SPRINGS RD	OBIANWU MARTIN N
62	5027 CEDAR SPRINGS RD	GALVAN VIRGINIA
63	5027 CEDAR SPRINGS RD	AKERMAN KIM
64	5027 CEDAR SPRINGS RD	JUAREZ VICTOR
65	3008 MAHANNA SPRINGS DR	CARPENTER CHAD E
66	3008 MAHANNA SPRINGS DR	WESTBROOK RANDALL DAVID
67	3008 MAHANNA SPRINGS DR	PUCKETT RICKY C
68	3008 MAHANNA SPRINGS DR	KIRK LORETTA KAY
69	3012 MAHANNA SPRINGS DR	FISCHER JASON
70	3012 MAHANNA SPRINGS DR	HARRISON NORMA JEAN
71	3012 MAHANNA SPRINGS DR	SPENCER FRANKIE L
72	3016 MAHANNA SPRINGS DR	KRUEGER KAREN &
73	3016 MAHANNA SPRINGS RD	CORONADO RENE B ETUX
74	3016 MAHANNA SPRINGS DR	JENSEN TERENCE JR
75	3016 MAHANNA SPRINGS DR	TAYLOR KENT
76	3020 MAHANNA SPRINGS DR	HORN CHARLES ROBIN
77	3020 MAHANNA SPRINGS DR	SURI PRISCILLA BEAN
78	3020 MAHANNA SPRINGS DR	RUBIO ENRIQUE JR &
79	3024 MAHANNA SPRINGS DR	PINCUS TOBELLE B
80	3026 MAHANNA SPRINGS DR	GARCIA MIGUEL A
81	3026 MAHANNA SPRINGS DR	TAYLOR KENT L
82	3003 MAHANNA SPRINGS DR	BOOTH CYNTHIA
83	3003 MAHANNA SPRINGS DR	BRAMMER AMY
84	3003 MAHANNA SPRINGS DR	RICHTER SUE A
85	3003 MAHANNA SPRINGS DR	GORJIZADEH ELHAM
86	3007 MAHANNA SPRINGS DR	KIRK MERRILL A
87	3007 MAHANNA SPRINGS DR	KIRK MERRILL A
88	3007 MAHANNA SPRINGS DR	LEWIS SAMUEL KAYE

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	3011 MAHANNA SPRINGS DR	PBH INV LLC
90	3011 MAHANNA SPRINGS DR	WHITE STEVEN
91	3011 MAHANNA SPRINGS DR	GAO YANSONG & GONG HE
92	3011 MAHANNA SPRINGS DR	VANBEVEREN PETRONELLA H
93	3011 MAHANNA SPRINGS DR	EVERS MIKE TR
94	3015 MAHANNA SPRINGS DR	GONZALEZ CONSUELO LF EST
95	3015 MAHANNA SPRINGS DR	PATEY BART
96	3015 MAHANNA SPRINGS DR	AVENDANO ANA CECILIA
97	3017 MAHANNA SPRINGS DR	FAULKNER ROD E
98	3017 MAHANNA SPRINGS DR	STEPHENS BILLIE J
99	3017 MAHANNA SPRINGS DR	MORGAN FAYE M
100	3002 MAHANNA SPRINGS DR	DAVIS JOE S
101	3002 MAHANNA SPRINGS DR	TYMCHAK TED A
102	3002 MAHANNA SPRINGS DR	CREAMER JOANNA S &
103	3002 MAHANNA SPRINGS DR	DIEDERICH DAVID
104	3004 MAHANNA SPRINGS DR	DRONET SHERYL A
105	3004 MAHANNA SPRINGS DR	HAGEDORN JANICE E
106	3004 MAHANNA SPRINGS DR	ORTIZ GUSTAVO

FILE NUMBER: BDA 134-093

BUILDING OFFICIAL'S REPORT: Application of Brian Rutt for a variance to the landscape regulations at 1414 (aka: 1420) Dragon Street. This property is more fully described as part of Lot 1, Block 16/6846, and is zoned PD621 (Subdistrict 1), which requires mandatory landscaping. The applicant proposes to construct and maintain a structure and provide an alternate landscape plan, which will require a variance to the landscape regulations.

LOCATION: 1414 (aka: 1420) Dragon Street

APPLICANT: Brian Rutt

REQUEST:

A variance to the landscape regulations is made to complete and maintain a recent 2nd floor addition to an existing circa 1950's structures/suites being redeveloped into restaurant/bar and office uses, and not fully meet the landscape regulations.

STANDARD FOR A VARIANCE:

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, 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.

STAFF RECOMMENDATION:

Denial

Rationale:

- While the subject site is unique and different from most lots in the PD 621 zoning district in that it is of an irregular/virtually triangular shape, the applicant has not substantiated how granting this variance is not needed to relieve a self-created or personal hardship since the applicant's second floor addition is what manifested the landscape requirements to this property.

BACKGROUND INFORMATION:

Zoning:

- Site: PD 621 (Planned Development, Subdistrict1)
- North: PD 621 (Planned Development, Subdistrict1)
- South: PD 621 (Planned Development, Subdistrict1)
- East: PD 621 (Planned Development, Subdistrict1)
- West: PD 621 (Planned Development, Subdistrict1)

Land Use:

The site is currently developed with structures that according to DCAD were built in 1951. According to the applicant, he recently added a 2nd floor atop one of the suites on the site in conjunction with his plans to transition what had been a structure with office and gallery uses to office and restaurant/bar uses. The area to the north is developed with a mixed use development; and the areas to the east, south, and west appear mostly developed as office/warehouse uses.

Zoning/BDA History:

There has not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on completing and maintaining a recent 2nd floor addition to an existing circa 1950's structure/suite being redeveloped into restaurant/bar and office uses, and not fully meeting the landscape regulations. More specifically, according to the City of Dallas Chief Arborist, the proposed plan complies with no required landscape standards of PD 621, Subdistrict 1, for a floor area expansion of less than 50 percent.
- The Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot, or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.
- Given specific provisions of the landscape provisions of PD No. 621, the applicant can only seek these leniencies from the board of adjustment by requesting a

variance to the landscape regulations within this PD as opposed to the more typical *special exception* to the landscape regulations.

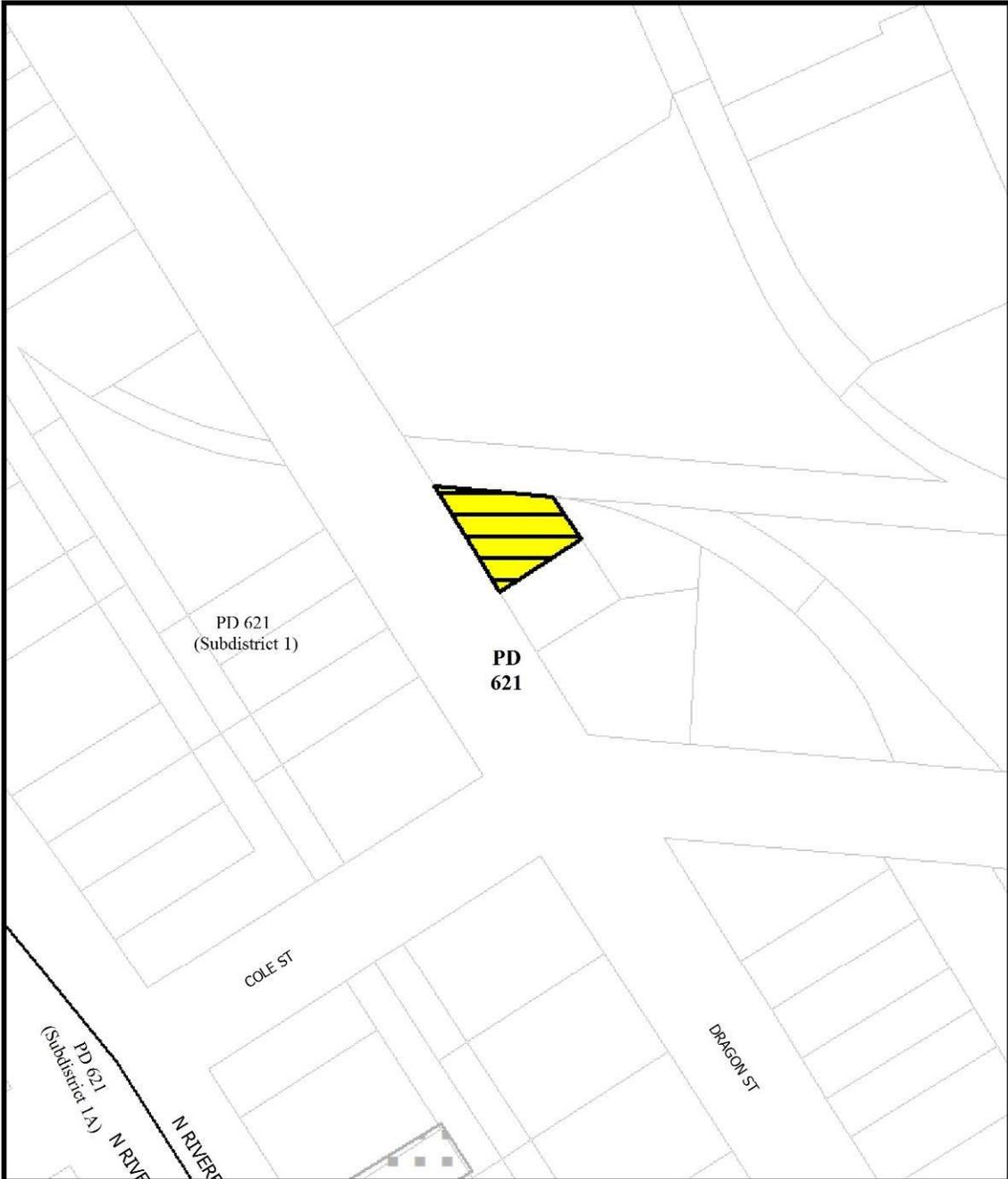
- The City of Dallas Chief Arborist submitted a memo regarding the applicant's request (see Attachment A). The memo states this request is triggered since the owner has increased the story height of a building.
- The Chief Arborist's memo states the deficiencies in this case are that the proposed plan complies with no required landscape standards of PD 621, Subdistrict 1, for a floor area expansion of less than 50 percent.
- The Chief Arborist's memo lists the following factors for consideration:
 1. PD 621 landscape requirements include the following:
 - Street trees: One street tree per 25 feet of street frontage with a minimum of one. (This would require 4 street trees).
 - Subdistrict 1 General Requirements (that are triggered by the story height increase): Site trees (minimum of 4 trees required, none clearly provided); parking lot trees (not applicable); and design standards (two are required, none are provided).
 2. PD 621 additional standards for non-compliance on-site:
 - PD 621 also provides for an "open space fund" for if a property owner cannot plant all of the required trees on the building site – in these situations, the property owner shall comply with this requirement for no more than 50 percent of the required trees. (This measure would only account for only a portion of the overall landscape deficiency for the property).
 - For landscaping in the right-of-way, the City Council has not revoked a right-of-way landscape permit or private license agreement therefor the owner is required to comply with right-of-way landscape requirements if applicable.
 3. Non-required factors to consider in evaluation:
 - Landscaping on the rooftops is considered in this district where applicable. A landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for a non-residential structure. But this case does not required compliance with this additional provision.
 - Landscaping does not account for Architectural Design Guidelines or Site Design Requirements.
 - The variance standards apply for this case due to the non-Article X landscape requirements.
- While the Chief Arborists supports the reduced landscape based on how he feels that the variance is not contrary to public interest when owing to special conditions, a literal enforcement of this chapter results in unnecessary hardship and that the variance would permit developed of a specific parcel of lands by it restrictive area and shape, he recommends denial of the request since the applicant has not substantiated how the variance is not needed to relieve a self-created or personal hardship with the height addition that manifested the landscape requirements to this property.
- The site is flat, irregular in shape, and is approximately 0.117 acres (or approximately 5,100 square feet) in area. The site is zoned PD 621 (Subarea 1).

- According to DCAD records, the “improvements” at 1414 Dragon Street is a 4,291 square foot “restaurant” built in 1951. According to DCAD records, the “improvements” at 1420 Dragon Street is a 1,346 square foot “office/showroom ” built in 1951.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the landscape regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - 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 PD No. 621 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 PD No. 621 zoning classification.

- If the Board were to grant this request and impose a condition that the applicant must comply with the submitted alternate landscape plan, the site would be “varied” from all required landscape standards of PD No. 621, Subdistrict 1, as shown on this submitted alternate landscape plan.

Timeline:

- July 25, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- September 9, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- September 10, 2014: The Board Administrator shared the following information with the applicant via email:
- an attachment that provided the public hearing date and panel that will consider the application; the September 26th deadline to submit additional evidence for staff to factor into their analysis; and the October 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.”
- October 7, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for October public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.
- October 10, 2014: The City of Dallas Chief Arborist submitted a memo regarding the request (see Attachment A).

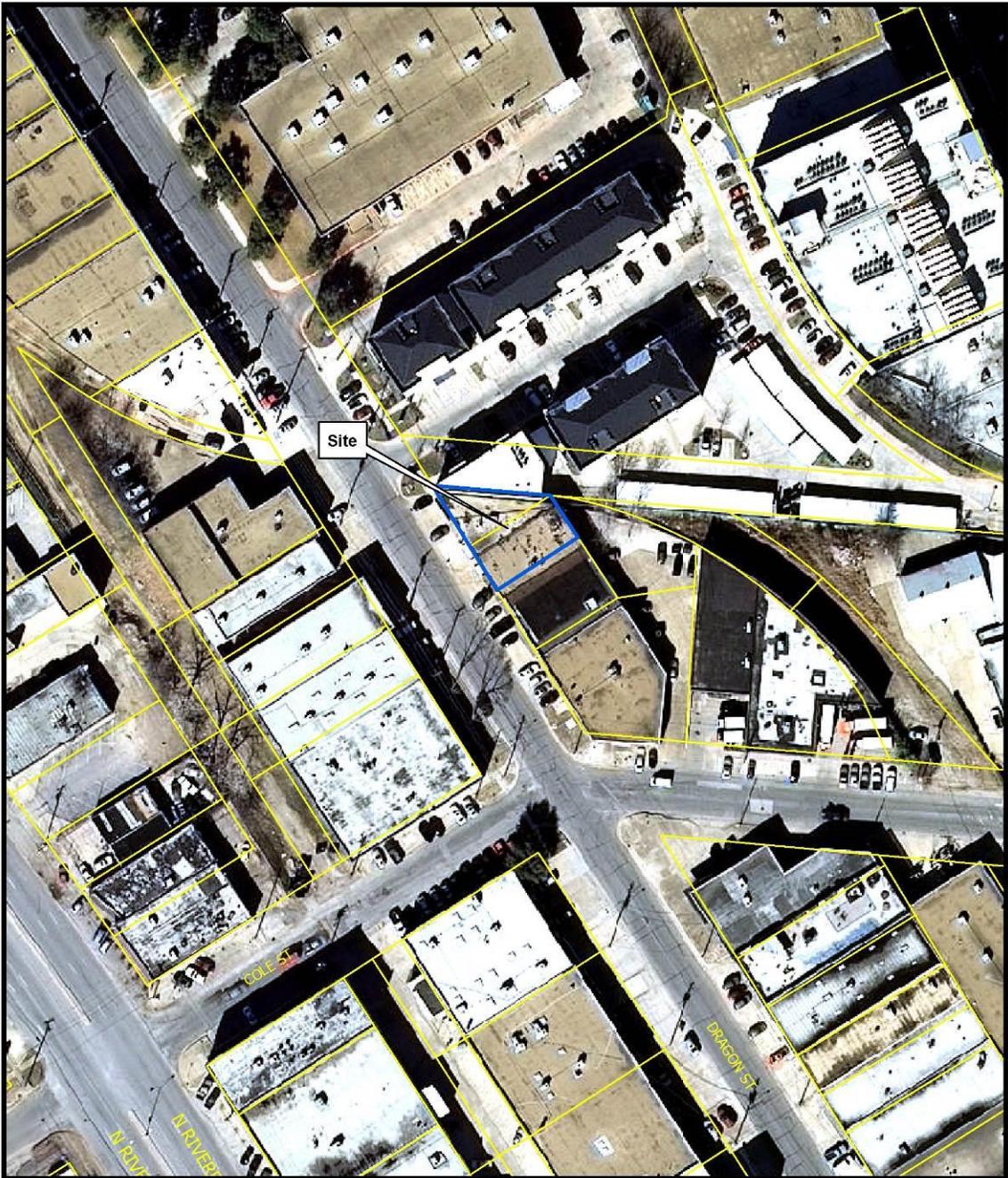


1:1,200

ZONING MAP

Case no: BDA134-093

Date: 9/23/2014



1:1,200

AERIAL MAP

Case no: BDA134-093

Date: 9/23/2014

Memorandum



CITY OF DALLAS

DATE October 10, 2014
TO Steve Long, Board of Adjustment Administrator
SUBJECT # BDA 134 - 093 1414 Dragon Street

The applicant is requesting a variance to the landscape requirements of PD 621.

Trigger

The owner has increased the story height of the building (51A-10.121(c)(1)).

Deficiencies

The proposed plan complies with no required landscape standards of PD 621, Subdistrict 1, for a floor area expansion of less than 50%.

Factors

PD 621 landscape requirements include the following:

Street trees: one street tree per 25 feet of street frontage, with minimum of one. This property would require 4 street trees from species approved in 621.112.

Subdistrict 1 General Requirements

Except as otherwise provided in the section, landscaping must be provided by Article X. The story height increase on the building required these additional regulations to be applied:

Site trees: Minimum of 4 trees required, 3 possible small trees (or shrubs) are to be placed in planters on the roof. Additional bamboo planters will be added on the roof facing the rear of the building. None of the planting is along the Dragon Street frontage.

Parking lot trees: Not applicable

Design Standards: A minimum of two are required, and none are provided.

PD 621 additional standards for non-compliance on-site:

The special purpose district (621.112(b)(6)) also provides a 'open space fund' for if a property owner cannot plant all of the required trees on the building site. In these situations, the property owner shall comply with this requirement for no more than 50 percent of the required trees. The owner must either 1) make a payment into the Old Trinity And Design District Open Space Fund, or 2) plant trees within portals to the Trinity River, along a portion of the Old Trinity Trail within PD 621, or along the

meanders of the Old Trinity River channel. This measure would account for only a portion of the overall landscape deficiency for the property.

For landscaping in the right-of-way, the City Council has not revoked a right-of-way landscape permit or private license granted under 621.112(a)(4). Therefore, the owner is required to comply with right-of-way landscape requirements if applicable.

Non-required factors to consider in evaluation:

Landscaping on the rooftops is considered in this district, where applicable. In 621.112(b)(5), a landscape plan must accompany any application for a building permit to expand floor area if the expansion is over 50 percent for a non-residential project. This case does not require compliance with this additional provision of PD 621. However, if it was applicable, the proposed plan could comply with 30 (of a required minimum of 50) points for the feature of 'landscaping on rooftops and facades.' Additional points may be obtainable, including building facade lighting (for 10 points) or other features that may require site or parking adjustments on the property or parkway.

Landscaping does not account for Architectural Design Guidelines or Site Design Requirements.

The variance standards apply for this case due to the non-Article X landscape requirements.

Recommendation

The chief arborist supports the reduced landscape for the property based on the variance provisions of city code that 1) the variance is not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship; and, 2) the variance is necessary to permit development of a specific parcel of land by its restrictive area and shape. However, it is personally difficult to gauge the variance 3) does not relieve a self-created or personal hardship, with the height addition to the structure that manifested the landscape requirements to this property. Therefore, I must recommend denial of this request pending the opinion of the Board regarding this provision.

Philip Erwin, ISA certified arborist #TX-1284(A)
Chief Arborist



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-093

Data Relative to Subject Property:

Date: 7/25/14

Location address: 1414 (+1420) Dragon St. Zoning District: PD 621 (Subd. 1)

Lot No.: 1 Block No.: 16/6846 Acreage: 0.117 Census Tract: 100.00

Street Frontage (in Feet): 1) 97'-0' 2) 3) 4) 5) SW 20A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Rutt Capital, LLC

Applicant: Rutt Capital, LLC Telephone: 972-333-8187

Mailing Address: 4575 Westgrove Dr, Suite 500 Zip Code: 75001

E-mail Address: Brian@theemblemSource.com

Represented by: Brian Rutt Telephone: 972-333-8187

Mailing Address: 4575 Westgrove Dr, Suite 500 Zip Code: 75001

E-mail Address: Brian@theemblemSource.com

Affirm that an appeal has been made for a Variance [checked], or Special Exception, of The landscaping requirements per PD 621 of the City of Dallas.

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 existing Bldg area encompasses the entire property. No site exists to fulfill the requirements. The parking requirements for the intended use exceed the existing street parking, preventing adding any street trees.

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.

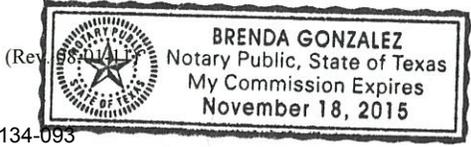
Affidavit

Before me the undersigned on this day personally appeared Rutt Capital, LLC By Brian Rutt (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 25 day of July, 2014



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

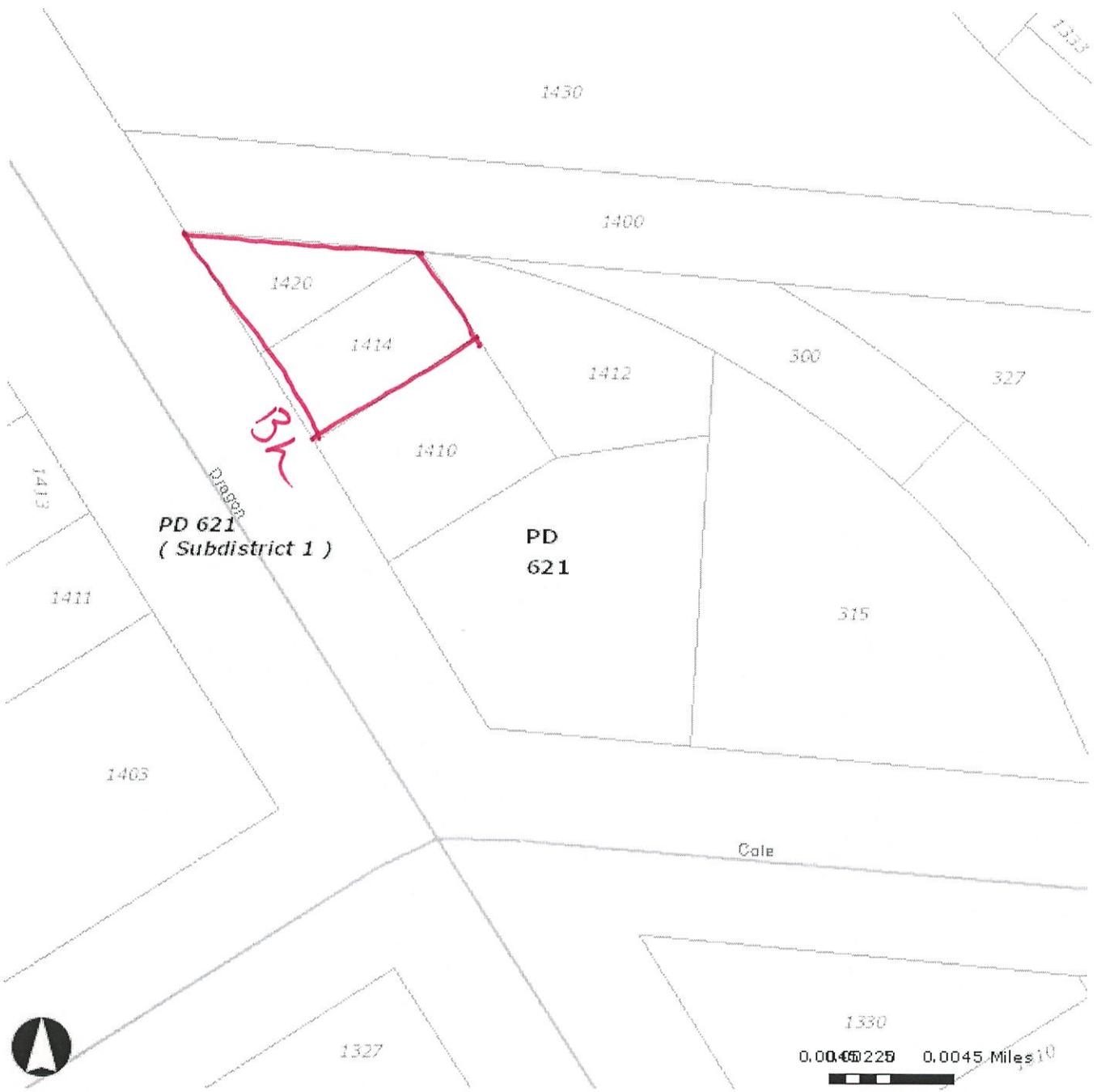
I hereby certify that BRIAN RUTT

did submit a request for a variance to the landscaping regulations
at 1414 Dragon Street

BDA134-093. Application of Brian Rutt for a variance to the landscaping regulations at 1414 (aka: 1420) Dragon Street. This property is more fully described as part of Lot 1, Block 16/6846, and is zoned PD621 (Subdistrict 1), which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a variance to the landscape regulations.

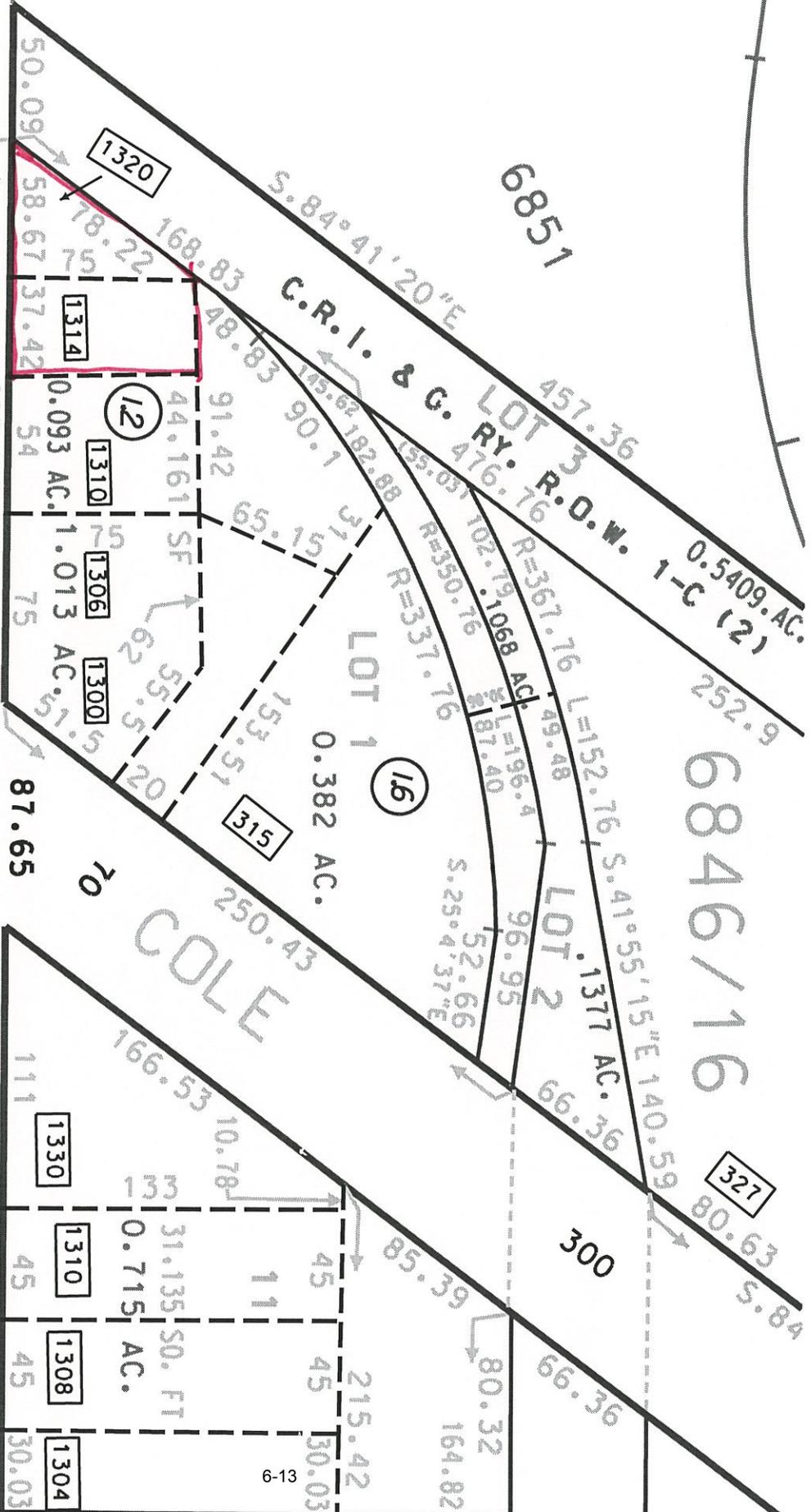
Sincerely,


Larry Holmes, Building Official



80 DRAGON

1300





d.e.c
 1414 DRAGON STREET
 DALLAS, TX 75207
 ISSUE FOR CONSTRUCTION

DATE	05.03.14
SCALE	0.10

LANDSCAPE PLAN

DRAGON STREET

REQUIREMENT #1

REQUIREMENT #2

REQUIREMENT #3

REQUIREMENT #4

REQUIREMENT #5

REQUIREMENT #6

REQUIREMENT #7

REQUIREMENT #8

REQUIREMENT #9

REQUIREMENT #10

REQUIREMENT #11

REQUIREMENT #12

REQUIREMENT #13

REQUIREMENT #14

REQUIREMENT #15

REQUIREMENT #16

REQUIREMENT #17

REQUIREMENT #18

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REQUIREMENT #95

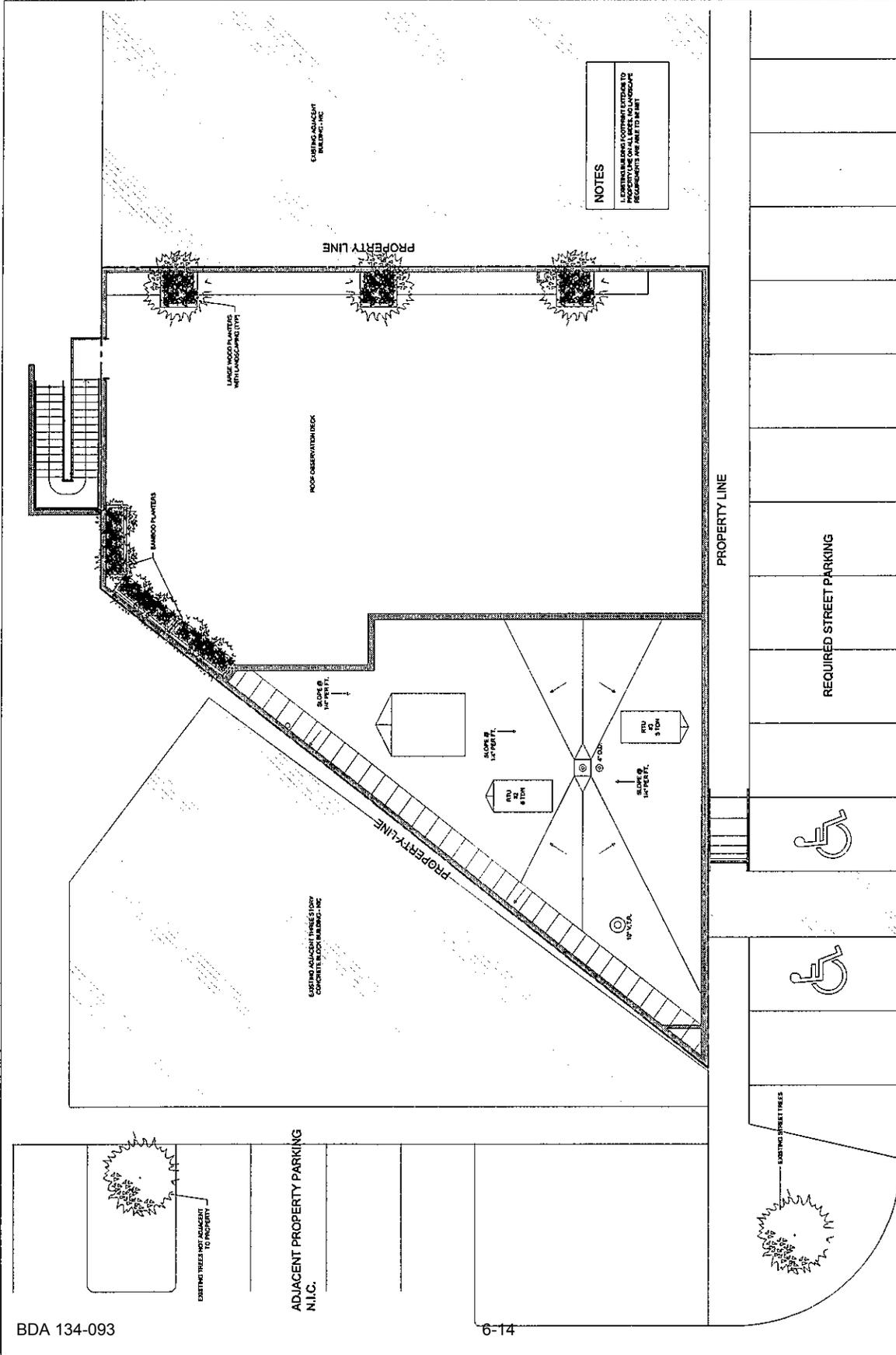
REQUIREMENT #96

REQUIREMENT #97

REQUIREMENT #98

REQUIREMENT #99

REQUIREMENT #100



NOTES

1. EXISTING ADJACENT TREES TO BE PRESERVED TO REMAIN TO PROPERTY LINE ON ALL SIDES. NO LANDSCAPE REQUIREMENTS ARE APPLICABLE TO THEM.

LANDSCAPE PLAN

01

DRAGON STREET

REQUIRED STREET PARKING

EXISTING STREET TREES



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">19</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	19	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA134-093 Date: 9/23/2014
200'	AREA OF NOTIFICATION					
19	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-093

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1414 DRAGON ST	RUTT CAPITAL LLC
2	1420 DRAGON ST	RUTT CAPITAL LLC
3	1425 DRAGON ST	VICHYASTIT KITTICHAJ &
4	1419 DRAGON ST	SCHRAGIN GREGOR
5	1412 DRAGON ST	SWAIN MARY LINDA
6	327 COLE ST	327 COLE STREET PTNRS LLC
7	1431 DRAGON ST	DRAGONFLY ACQUISITIONS LLC
8	300 COLE ST	AZIMI MASOUD ET AL
9	300 COLE ST	STANZEL INVESTMENTS LLC
10	1400 DRAGON ST	DRAGON PROPERTY FUND LTD
11	1435 DRAGON ST	DRAGONFLY ACQUISITIONS LLC
12	1413 DRAGON ST	ARTERIORS NEXT DOOR LLC
13	1411 DRAGON ST	DRAGON STREET PARTNERS
14	1403 DRAGON ST	JAG DRAGON PROPERTIES LLC
15	1400 DRAGON ST	D C ENTERPRISES INC
16	315 COLE ST	STANZEL RICHARD C &
17	1410 DRAGON ST	SWAIN MARY LINDA
18	1500 DRAGON ST	1500 DRAGON ST ASSOC LTD
19	1430 DRAGON ST	DRAGON PROPERTY FUND LTD