

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, MARCH 17, 2014
AGENDA

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

Neva Dean, Interim Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the February 20, 2014 Board of Adjustment
Panel C Public Hearing Minutes M1

UNCONTESTED CASES

BDA 134-018	6506 Robin Road REQUEST: Application of Lou Olerio, represented by Steven Wood, for a special exception to the fence height regulations	1
BDA 134-023	5203 Stoneleigh Avenue REQUEST: Application of L. Bradley Camp III for special exceptions to the visual obstruction regulations	2
BDA 134-025	10814 Crooked Creek Drive REQUEST: Application of Winfred Tubbs for a special exception to the fence height regulations	3

HOLDOVER CASE

BDA 134-010	4834 S. Lindhurst Avenue REQUEST: Application of Robert Baldwin for a special exception to the fence height regulations	4
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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 C February 20, 2014 public hearing minutes.

FILE NUMBER: BDA 134-018

BUILDING OFFICIAL'S REPORT: Application of Lou Olerio, represented by Steven Wood, for a special exception to the fence height regulations at 6506 Robin Road. This property is more fully described as Lot 7B, Block 3/4916, and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct/maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations.

LOCATION: 6506 Robin Road

APPLICANT: Lou Olerio
Represented by Steven Wood

REQUEST:

A special exception to the fence height regulations of 4' is requested to replace an existing approximately 6' high wood fence with a proposed 7' high solid wood fence with 8' high brick columns in the one of the site's two 30' front yard setbacks (Mockingbird Lane) on a site that is 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-10(A) (Single family district 10,000 square feet)
North: R-10(A) (Single family district 10,000 square feet)
South: R-7.5(A) (Single family district 7,500 square feet)
East: R-10(A) (Single family district 10,000 square feet)
West: R-7.5(A) (Single family district 7,500 square feet)

Land Use:

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

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.

Timeline:

December 23, 2013: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

January 17, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

January 17, 2014: The Board Administrator shared the following information with the applicant’s representative via email:

- an attachment that provided the public hearing date and panel that will consider the application; the January 29th deadline to submit additional evidence for staff to factor into their analysis; and the February 7th 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.”

February 3, 2014: The Board Administrator emailed the applicant’s representative that this application would not be scheduled for Panel C’s February 20th docket as tentatively scheduled given that staff had determined the application to be incomplete, and would be scheduled for the next available hearing date once he had submitted an accurate “to-scale” site plan and “to-scale” elevation to the Building Inspection Senior Plans Examiner/Development Code Specialist.

February 11, 2014: The applicant’s representative and the Building Inspection Senior Plans Examiner/Development Code Specialist submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

February 13, 2014: The Board Administrator shared the following information with the applicant's representative via email:

- an attachment that provided the public hearing date and panel that will consider the application; the February 26th deadline to submit additional evidence for staff to factor into their analysis; and the March 7th 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."

March 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

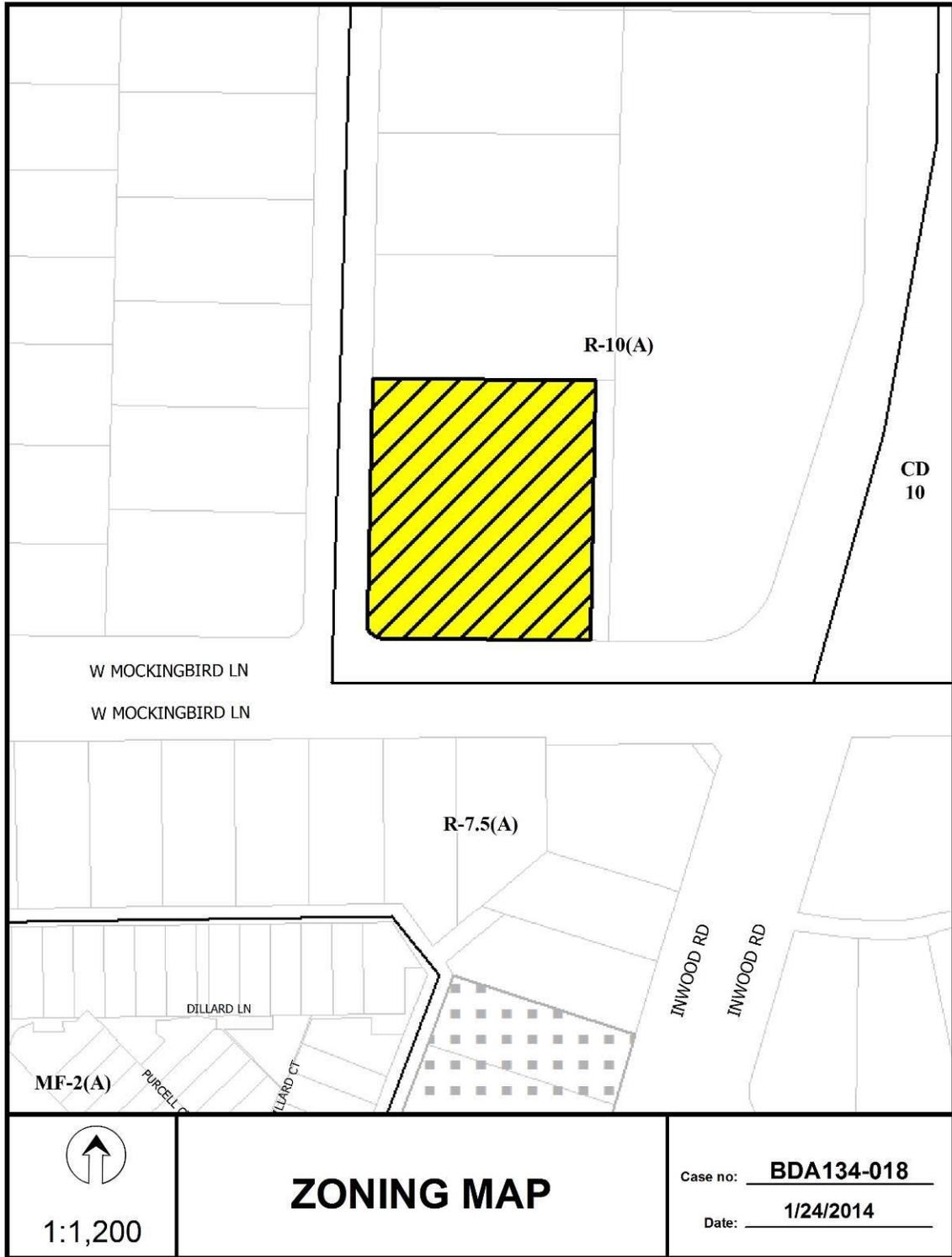
No review comment sheets with comments were submitted in conjunction with this application.

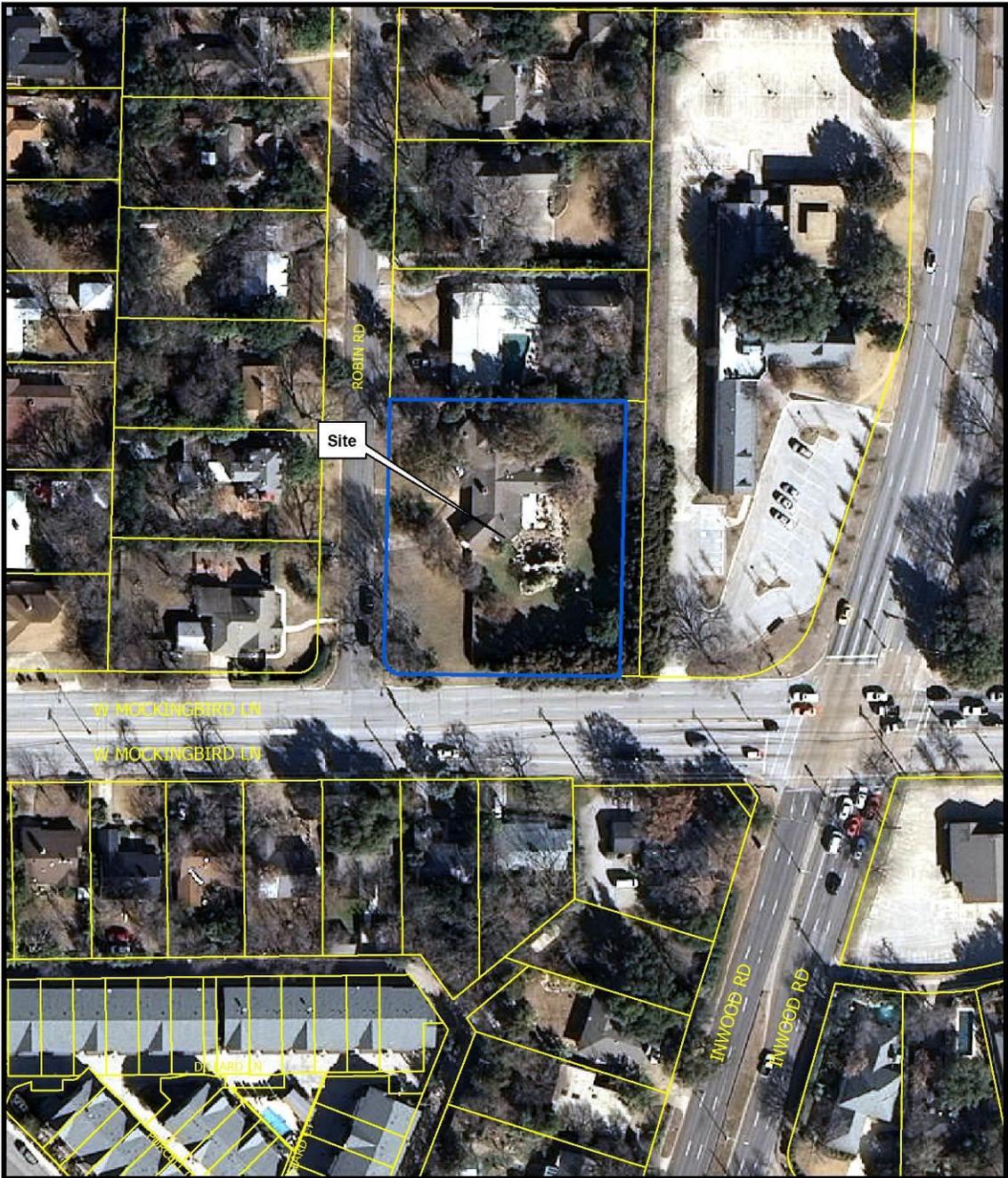
GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on replacing an existing approximately 6' high wood fence with a proposed 7' high solid wood fence with 8' high brick columns in the one of the site's two 30' front yard setbacks (Mockingbird Lane) on a site that is 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 Mockingbird Lane and Robin Road. The site has a 30' front yard setback along Mockingbird Lane, 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 30' front yard setback along Robin Road, 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 Robin Road frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the established front yard setback established by the lots developed with single family homes north of the site that front/are oriented westward towards Robin Road. Regardless of how the home is oriented to front onto Robin Road (and "side" to Mockingbird Lane), the site has two 30' front yard setbacks where the focus of the applicant's request in this application is only to replace and maintain a fence higher

than 4' in the site's front yard setback on Mockingbird Lane. No part of the application is made to address any fence in the site's Robin Road front yard setback.

- The applicant has submitted a revised site plan and revised elevation of the proposal in the front yard setback with notations indicating that the fence reaches a maximum height of 8' which in this case is the height of the proposed brick columns.
- The following additional information was gleaned from the submitted revised site plan:
 - The proposed fence that would replace the existing fence in the front yard setback is represented as being approximately 145 in length parallel to the Mockingbird Lane.
 - The proposal is represented as being located on the Mockingbird Lane front property line or about 17' from the Mockingbird Lane pavement line.
- The proposal is located across from two single family homes neither of which have a fences in their front yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences that appeared to be above 4' in height and located in a front yard setback.
- As of March 10, 2014, no letters have been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.
- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted revised site plan and revised 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.





1:1,200

AERIAL MAP

Case no: BDA134-018

Date: 1/24/2014

To the Board Of Adjustments/Whom It May Concern

Regarding BDA 134-018, property on 6506 Robin Road

We are requesting a Special Exception to the Residential Fence Height Regulation, in this request we are requesting a 4' special exception. Making the fence we are requesting to be a total of 8' high, this fence will run along the Mockingbird Lane. Currently there is already an existing wood picket fence that is existing, in our research we were not able to find out if this fence was constructed legally through the City of Dallas Building Inspections, we would like to replace this fence with a more appealing privacy fence along Mockingbird Lane, if approved. There currently is sorts of landscaping already existing along the side where this fence will be constructed, this actually construction of this fence will occur on the opposite side of the landscaping, leaving the beautiful trees and shrubs visible to the drivers along Mockingbird Lane. There are already several houses down the Mockingbird Lane that have fences, so adding this fence would make a more commiserate look down Mockingbird Lane.

This fence will not be constructed in the Visibility Corner Clip on the corner of Robin and Mockingbird Lane. It will stretch 140' down Mockingbird Lane starting almost at the edge of the house and continuing all the way to the back of the property line.

Thanks for you time and consideration,

Steven Wood

Consultant

Texas Permit and Development

PO Box 3293

Forney, Texas 75126

(c) 817-682-7218

BDA134-018
Attach A
pg 2

2-11-14

BDA 134-018

Attach A

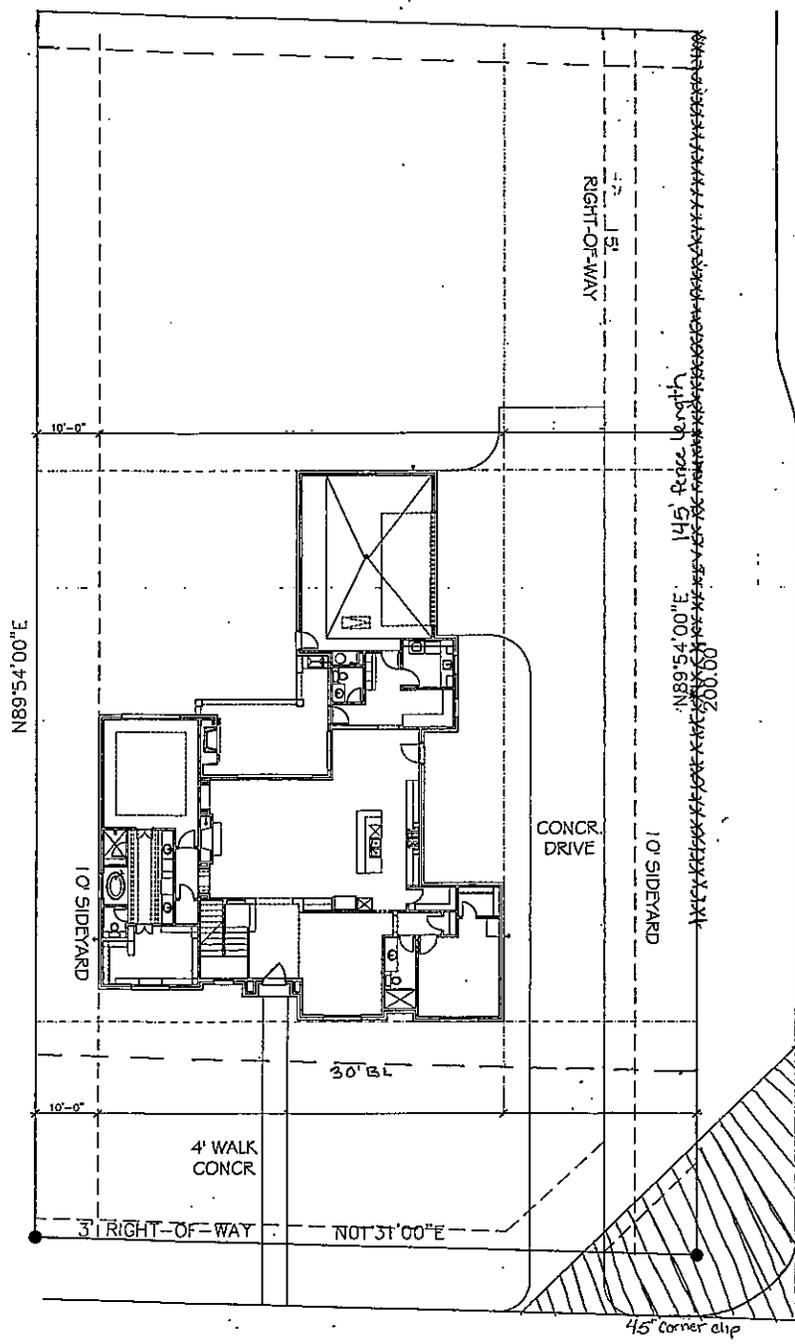
pg 3



SITE PLAN

3/32" = 1'-0"

6506 ROBIN ROAD
LOT 7B, BLOCK 3/4916
OLERIO ADDITION,
DALLAS TEXAS
DALLAS COUNTY



REGENT HOMES
 6506 ROBIN ROAD
 LOT 7B, BLOCK 3/4916
 OLERIO ADDITION,
 DALLAS TEXAS
 DALLAS COUNTY

PLAN NUMBER	5311013
DATE	7/1/2013
SHEET NUMBER	A1

2-11-14

BDA
134-018
Attach A
Pg 4



REGENT CUSTOM HOMES
5025 N CENTRAL EXPRESSWAY, STE. 2020
DALLAS TX 75205
CONTACT: LOU OLERIO - (214) 394-3688

6506 ROBIN RD.
DALLAS, DALLAS COUNTY, TEXAS

AGM ENGINEERING, LLC
1955
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TONY MEDINA, P.E. 59995 ON 2/11/14.

AGTM JOB CODE: EP0114070A

REVISION:
A - 2/7/14; REVISED PER CITY COMMENTS.

DATE: JANUARY 31, 2014

SCALE: AS SPECIFIED

DRAWN BY: T. BOTELLO

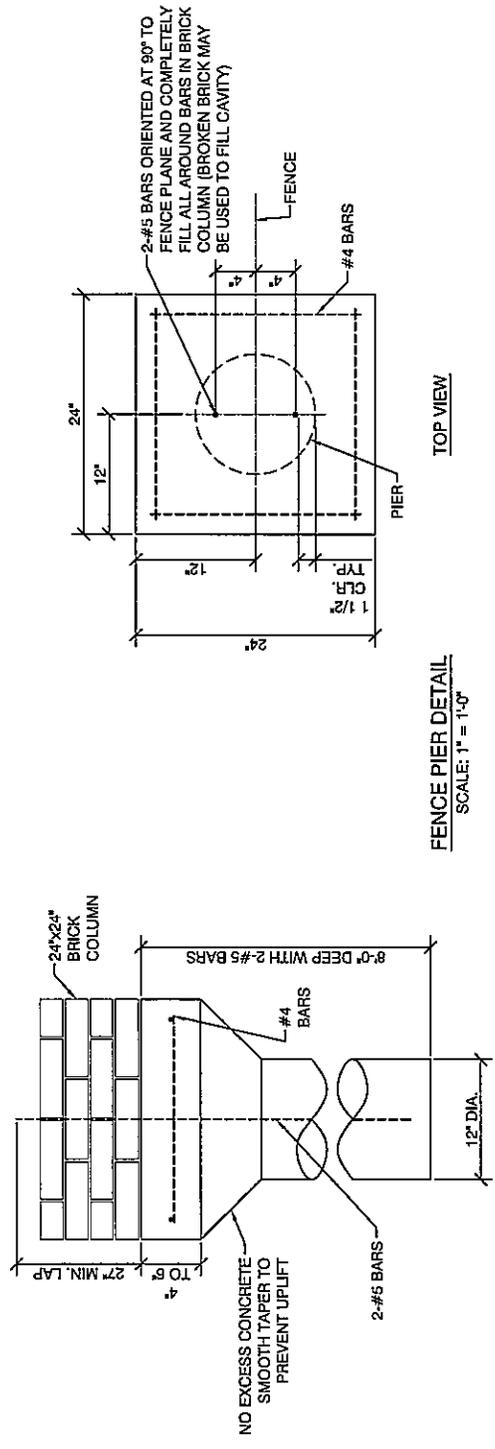
OF 1 SHEET

S1 SHEET

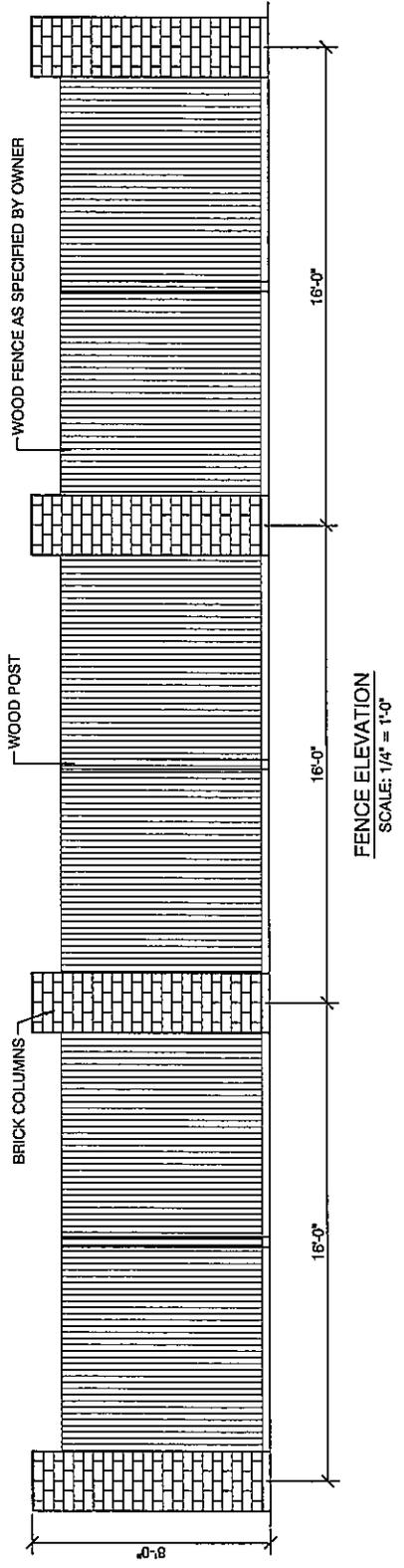
AGTM Engineering, LLC

401 S. CLAY STREET
ENNIS, TX 75119
TELE: (972) 878-3647
FAX: (972) 875-1399
www.bfoundations.com
email: agtm@bfoundations.com

EP0114070A



FENCE PIER DETAIL
SCALE: 1" = 1'-0"





APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-018

Data Relative to Subject Property:

Date: 12/23-13

Location address: 6506 Robin Rd.

Zoning District: R-10(A)

Lot No.: 7B Block No.: 3/4916 Acreage: 207,000 sq ft

Census Tract: 71.02

Street Frontage (in Feet): 1) 1065 2) 200 3) _____ 4) _____ 5) _____

NE 21A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Allegiant Custom Homes LLC

Applicant: Law Olerio Telephone: 214 394 3088

Mailing Address: 5205 Central #2020 Zip Code: _____

E-mail Address: _____

Represented by: Steven Wood Telephone: 817 682 7218

Mailing Address: Po Box 3293 Zip Code: _____

E-mail Address: Steven@txpermit.com

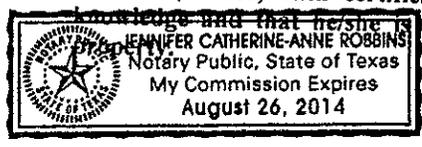
Affirm that an appeal has been made for a Variance __, or Special Exception / of fence height of 2'-3" in a front yd.

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:
Special exception to the fence height regulation, to build a fence of 8' in the side yard

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
Law Olerio
(Affiant/Applicant's name printed)

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



Respectfully submitted: Law Olerio
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 19 day of December, 2013

(Rev. 08-01-11)

Jennifer Catherine-Anne Robbins
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 _____

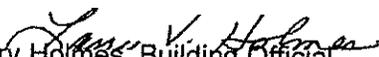
Chairman

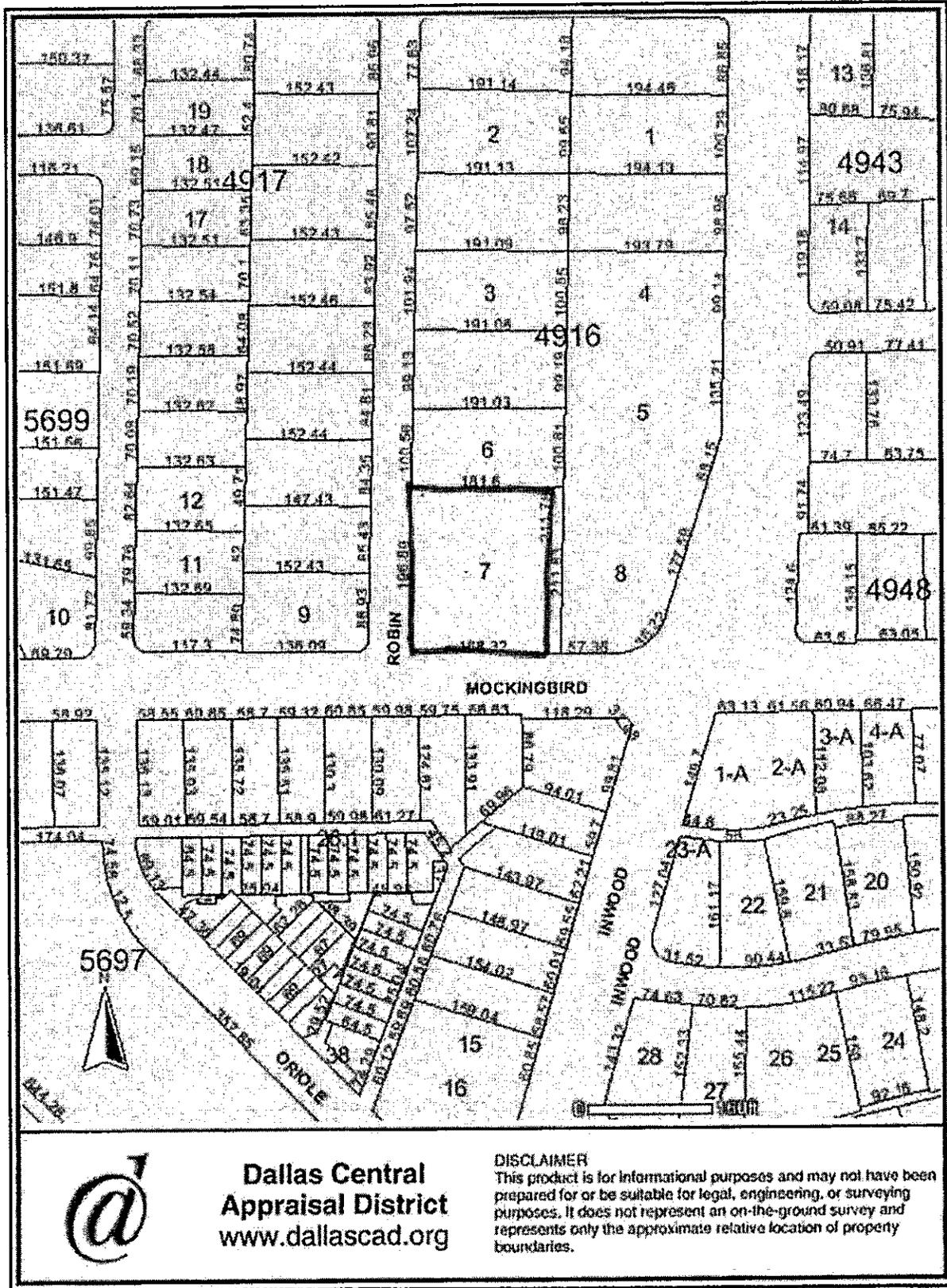
Building Official's Report

I hereby certify that LOU OLERIO
represented by Steven Wood
did submit a request for a special exception to the fence height regulations
at 6506 Robin Road

BDA134-018. Application of Lou Olerio represented by Steven Wood for a special exception to the fence height regulations at 6506 Robin Road. This property is more fully described as Lot 7B, Block 3/4916, and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 6 foot 3 inch high fence in a required front yard, which will require a 2 foot 3 inch special exception to the fence regulation.

Sincerely,


Larry Holmes, Building Official



**Dallas Central
Appraisal District**
www.dallascad.org

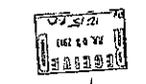
DISCLAIMER
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

City of Dallas Zoning



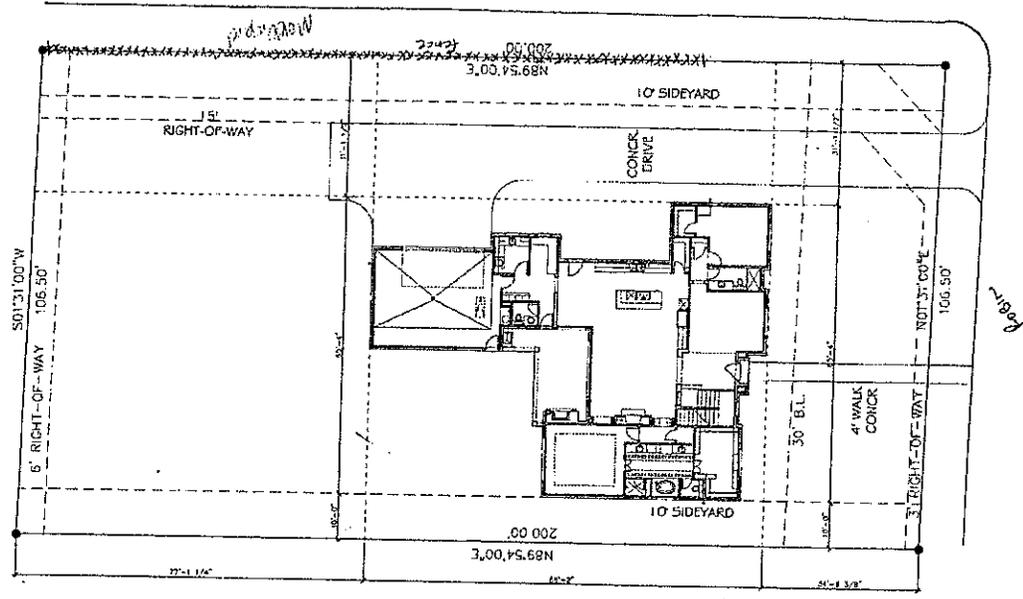
- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>City Boundaries</p> <p><input type="checkbox"/></p> <p>County</p> <p><input type="checkbox"/></p> <p>Certified Parcels</p> <p><input type="checkbox"/></p> <p>DISD Sites</p> <p><input type="checkbox"/></p> <p>Council Districts</p> <p><input type="checkbox"/></p> | <p>Dry Overlay</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/> D</p> <p><input type="checkbox"/> D-1</p> <p>Historic Overlay</p> <p><input type="checkbox"/></p> <p>Historic Subdistricts</p> <p><input type="checkbox"/></p> <p>NSO Overlay</p> <p><input type="checkbox"/></p> | <p>Base Zoning</p> <p><input type="checkbox"/></p> <p>Floodplain</p> <p><input type="checkbox"/> 100 Flood Zone</p> <p><input type="checkbox"/> Mill's Creek</p> <p><input type="checkbox"/> Peak's Branch</p> <p><input type="checkbox"/> X PROTECTED BY LEVEE</p> <p>Pedestrian Overlay</p> <p><input type="checkbox"/></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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 Watson Design Group
 3027 W. 7th
 Suite 5
 Fort Worth, Texas
 76117-8822
 P: 817.882.8822



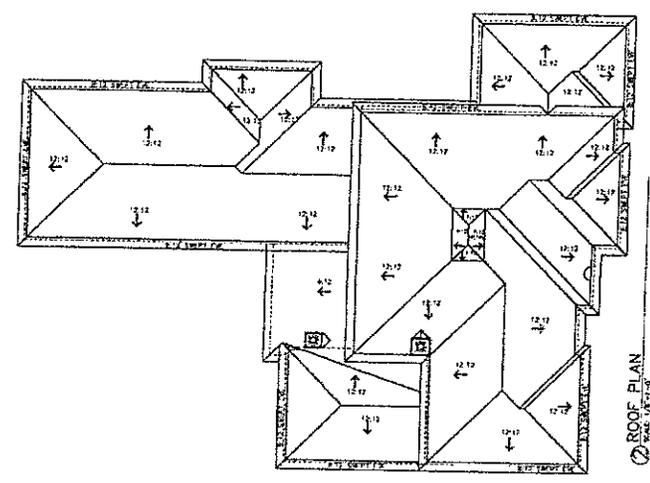
REGENT HOMES
 6506 ROBIN ROAD
 OLERIO ADDITION,
 DALLAS TEXAS
 DALLAS COUNTY

PLAN NUMBER	53112019
DATE	1/12/2013
SHEET NUMBER	A1



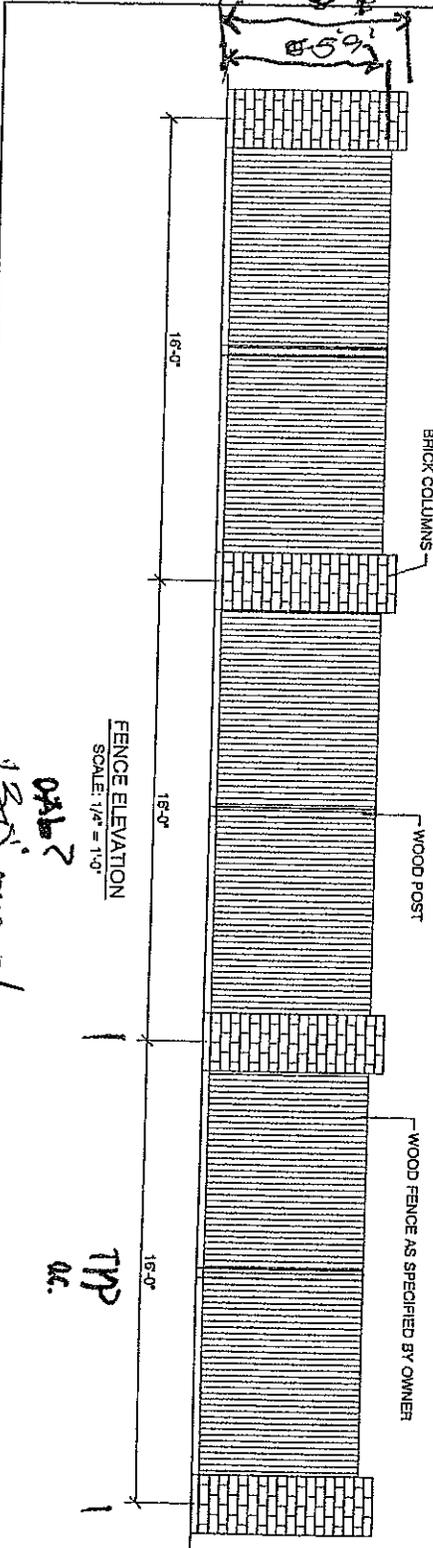
SITE PLAN
 3/32" = 1'-0"
 6506 ROBIN ROAD
 LOT 7B, BLOCK 3/4916
 OLERIO ADDITION,
 DALLAS TEXAS
 DALLAS COUNTY

① SITE PLAN
 SCALE: 3/32" = 1'-0"



AREA TABULATION:

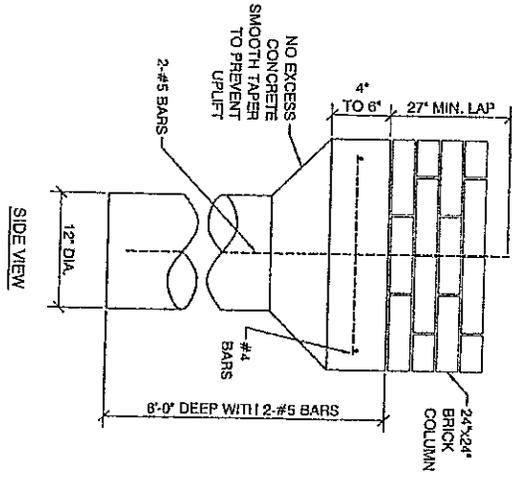
FIRST FLOOR A/C	2680 sq ft.
SECOND FLOOR A/C	1080 sq ft.
TOTAL A/C	3770 sq ft.
GARAGE	620 sq ft.
FRONT PORCH	282 sq ft.
REAR PORCH	225 sq ft.
SECOND FLOOR FUTURE SPACE	225 sq ft.
TOTAL AREA UNDER ROOF	4940 sq ft.



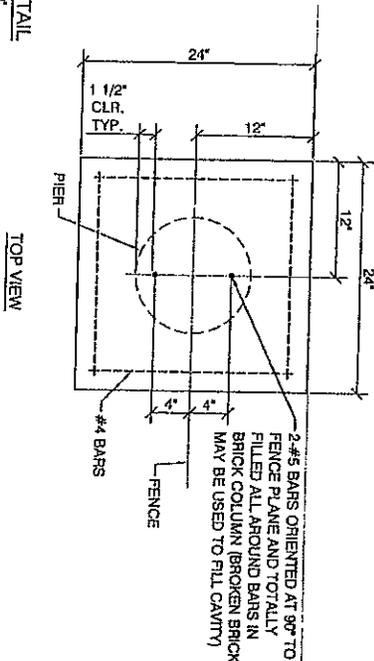
FENCE ELEVATION
SCALE: 1/4" = 1'-0"

130' overall

TYP
oc.



FENCE PIER DETAIL
SCALE: 1" = 1'-0"



TOP VIEW

EP0212076

AGTM Engineering, LLC
 401 S. CLAY STREET
 ENNIS, TX 75119
 TELE: (972) 878-3647
 FAX: (972) 875-1398
 www.txfoundations.com
 email: agtm@txfoundations.com

DRAWN BY: T. BOTELLO	SHEET
SCALE: AS SPECIFIED	1
DATE: 10-15-13	OF 1
REVISION:	
AGTM JOB CODE: EP0212076	

REGENT CUSTOM HOMES
 5025 N CENTRAL EXPRESSWAY, STE. 2020
 DALLAS TX 75205
 CONTACT: LOU OLERIO - (214) 394-3688

JOB: 6506 Robin Rd
 Dallas, TX 75209

AGTM ENGINEERING, LLC
 STATE OF TEXAS
 TONY MEDINA
 50495
 PROFESSIONAL ENGINEER
 FC-1955
 THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TONY MEDINA, P. E. 50925 ON 5/6/12



Notification List of Property Owners

BDA134-018

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6506 ROBIN RD	ALLEGIANT CUSTOM HOMES LLC
2	6608 ROBIN RD	LAUGHLIN KENDALL & LISA LOY
3	6529 INWOOD RD	CORPORATION OF EPISCOPAL DIOCESE OF DALL
4	6522 ROBIN RD	UPDIKE JEFFREY ALAN
5	6530 ROBIN RD	ACHMAN CHRIS WILLIAM
6	6516 ROBIN RD	ENSERCH CORP % ATMOS ENERGY / PPTY TAX
7	6531 ROBIN RD	DAIN ROBERT N
8	6527 ROBIN RD	CATHEY CRAIG W & BARBARA J YOUNT
9	6519 ROBIN RD	FARMER JAMES H
10	6515 ROBIN RD	ESPINOSA OSCAR
11	6507 ROBIN RD	BERRY MURDINE
12	5112 MOCKINGBIRD LN	DAVIS ROSEMARY
13	5116 MOCKINGBIRD LN	SEITZ WILLIAM RAYMOND
14	5122 MOCKINGBIRD LN	MAGERS BRUCE TERRY
15	5126 MOCKINGBIRD LN	CONDON SEAN P &
16	5202 MOCKINGBIRD LN	MUELLER JOHN R & ROBERT R BRIGANCE
17	5208 MOCKINGBIRD LN	DODD ERNEST WAYNE
18	5214 MOCKINGBIRD LN	KOELZER RONALD J & KAREN G KOELZER
19	403 REUNION BLVD	DALLAS AREA RAPID TRANSIT

FILE NUMBER: BDA 134-023

BUILDING OFFICIAL'S REPORT: Application of L. Bradley Camp III for special exceptions to the visual obstruction regulations at 5203 Stoneleigh Avenue. This property is more fully described as Lot 1, Block H/2337 and is zoned PD-193 (R-7.5), which requires a 20 foot visibility triangle at driveway approaches and alleys where they intersect with a street. The applicant proposes to construct/maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

LOCATION: 5203 Stoneleigh Avenue

APPLICANT: L. Bradley Camp III

REQUESTS:

Special exceptions to the visual obstruction regulations are made to maintain an 8' high solid wood fence in the following locations on a site developed with a single family home:

1. in the two, 20' visibility triangles on either side of the driveway into the site from Crestview Drive; and
2. in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive.

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

The Board shall grant a special exception to the requirements of the visual obstruction regulations when, in the opinion of the Board, the item will not constitute a traffic hazard.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan and elevation is required.

Rationale:

- The Sustainable Development and Construction Department Senior Engineer has no objections to these requests.
- The applicant has substantiated how the location of the fence located in the 20' visibility triangles at the driveway into the site from Crestview Drive and at where the alley meets Crestview Drive does not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

1. BDA 123-018, Property at 5127 Stoneleigh Avenue (the property immediately southeast of the subject site) On March 18, 2013, the Board of Adjustment Panel C granted requests for special exceptions to the visual obstruction regulations and imposed the submitted site plan and elevation as a condition to these requests. The case report stated that the requests were made to maintain an 8' high solid board-on-board fence and sliding gate located in the two 20' visibility triangles on either side of the driveway into the site from Crestview Drive on property developed with a single family home.

Timeline:

January 20, 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.

February 13, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

February 13, 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 February 26th deadline to submit additional evidence for staff to factor into their analysis; and the March 7th 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."

March 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

March 6, 2014: The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked "Has no objections."

GENERAL FACTS/STAFF ANALYSIS:

- These requests focus on maintaining an existing 8' high solid wood fence in the two, 20' visibility triangles on either side of the driveway into the site from Crestview Drive; and in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive on a site developed with a single family home.
- The Dallas Development Code states the following: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
 - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections, and 20 foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
 - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).
- PD 193 defines "visibility triangle" as
 1. where a street designated on the city's thoroughfare plan intersects another street, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 45 feet from the intersection;

2. where two streets not designated on the city's thoroughfare plan intersect, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection;
 3. where an alley or driveway intersects with a street, the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and adjacent street curb line (or, if there are no street curbs, what would be the normal street curb line) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.
- A site plan and elevation have been submitted indicating portions of a fence and sliding gate located in the two 20' visibility triangles on either side of the driveway into the site from Crestview Drive and in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive.
 - The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked "Has no objections."
 - The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to maintain portions of an existing 8' high solid wood fence located in the two 20' visibility triangles at the driveway into the site from Crestview Drive and in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive does not constitute a traffic hazard.
 - Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items located in the 20' drive approach visibility triangles into the site from Crestview Drive and in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive to that what is shown on these documents – an 8' high solid wood fence.

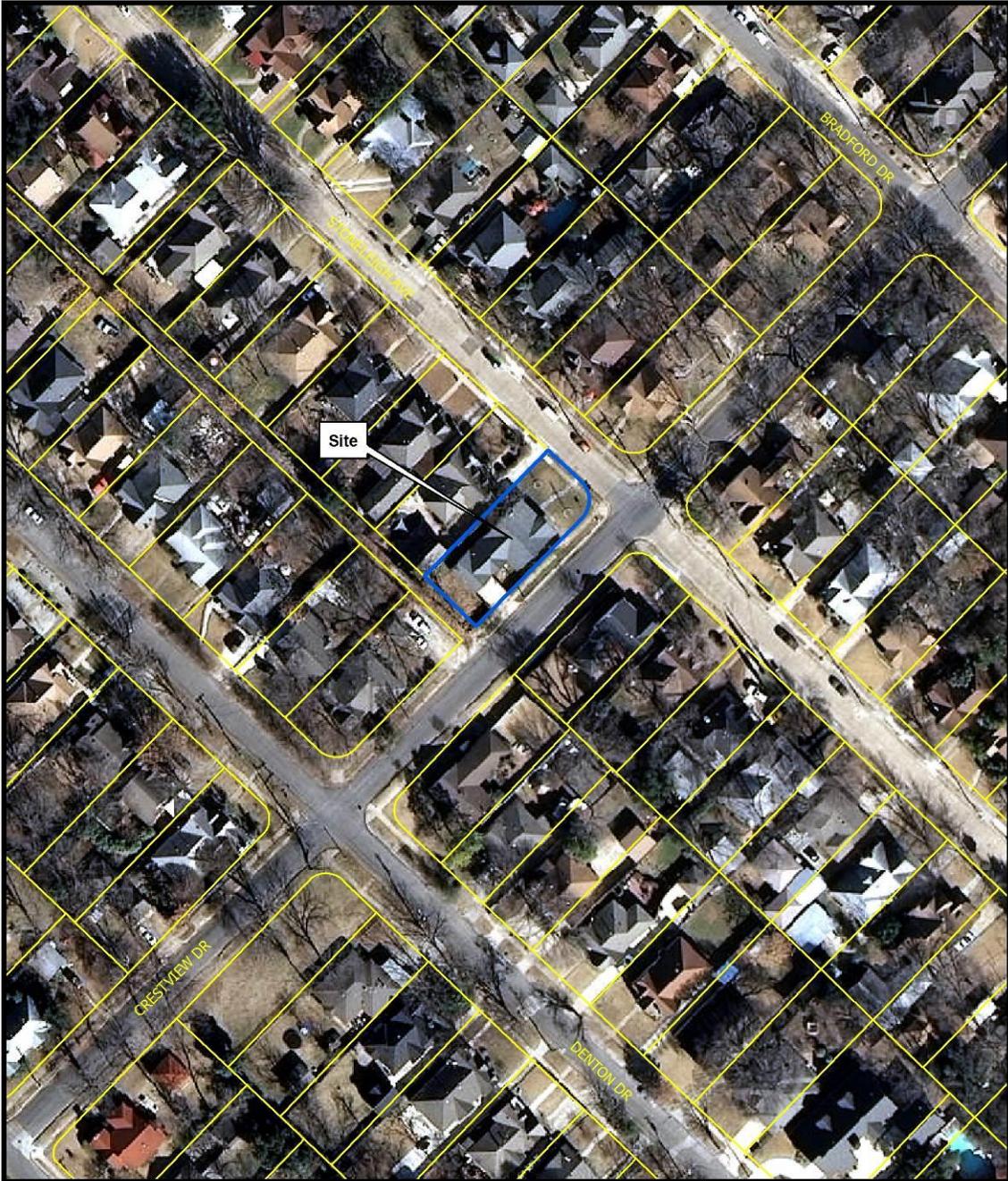


1:1,200

ZONING MAP

Case no: BDA134-023

Date: 2/25/2014



1:1,200

AERIAL MAP

Case no: BDA134-023

Date: 2/25/2014



City of Dallas

C

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-023

Data Relative to Subject Property:

Date: 1-20-14

Location address: 5203 Stoneleigh Avenue, Dallas TX 75235

Zoning District: PD193(R-7.5)

Lot No.: 1 Block No.: H/2337 Acreage: 0.16 Census Tract: _____

Street Frontage (in Feet): 1) 55.00 2) 140.00 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): L. Bradley Camp III

Applicant: L. Bradley Camp III Telephone: 214-395-3601

Mailing Address: 5203 Stoneleigh Avenue, Dallas TX Zip Code: 75235

E-mail Address: bcamp3@yahoo.com

Represented by: Self Telephone: 214-395-3601

Mailing Address: 5203 Stoneleigh Avenue, Dallas TX Zip Code: 75235

E-mail Address: bcamp3@yahoo.com

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

Visual Obstruction Regulations

a. Visibility Obstruction Triangle at a private driveway

b. Visibility Obstruction at an alley

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

See Attachment "A" - Private Drive - no reported accidents, incidents, complaints. No safety hazard to vehicles or pedestrians. No adjoining alley to gate. Driveway does not enter into a main street. No school or park near. Alley - not used by residents or City. Never seen vehicle in alley.

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.

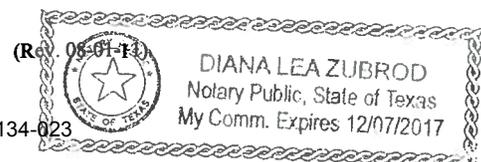
Affidavit

Before me the undersigned on this day personally appeared L. Bradley Camp III
(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 20th day of January, 2014



Diana Lea Zubrod
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 L. Bradley Camp III

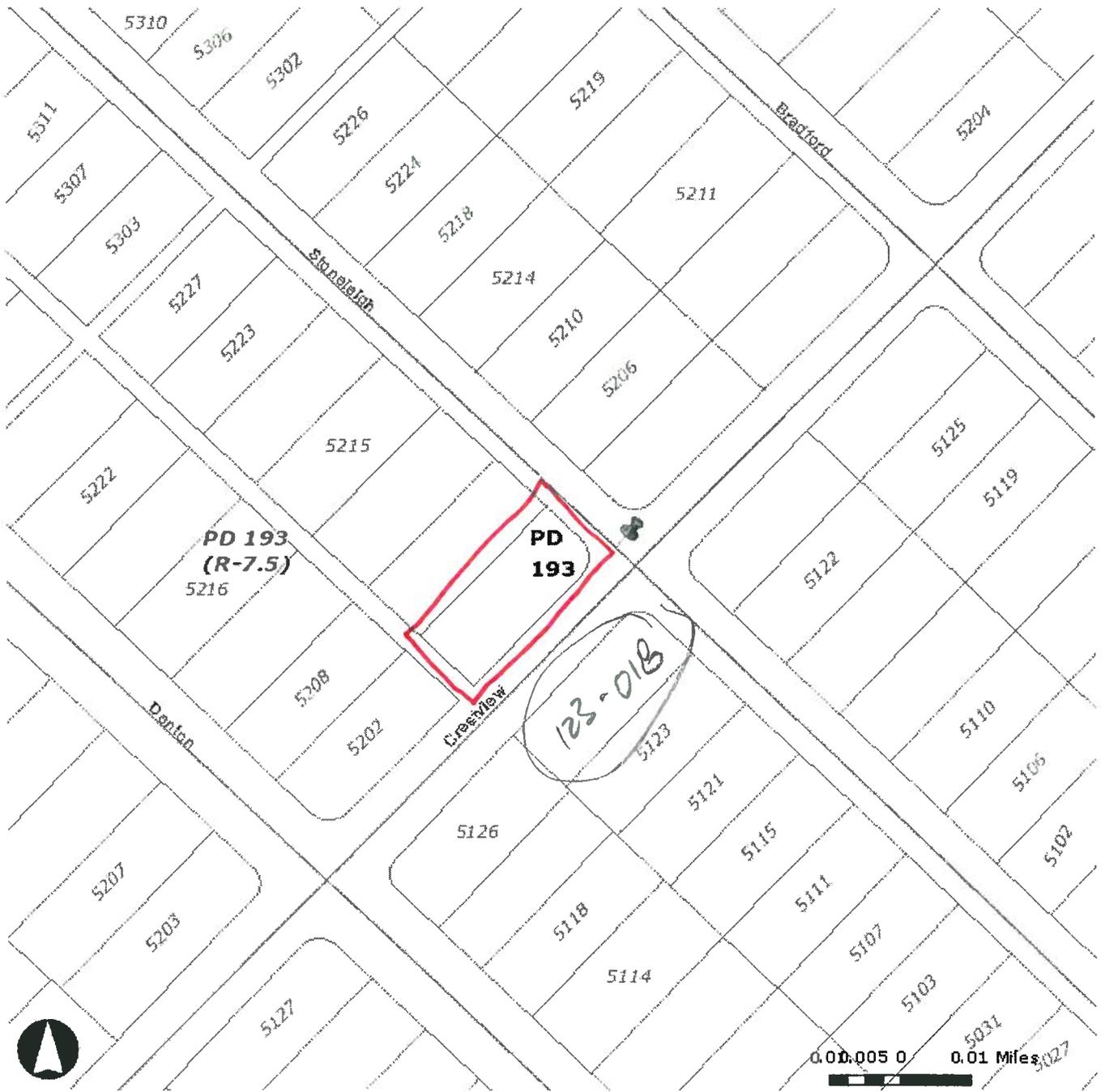
did submit a request for a special exception to the visibility obstruction regulations
at 5203 Stoneleigh Avenue

BDA134-023. Application of L. Bradley Camp III for special exceptions to the visibility obstruction regulations at 5203 Stoneleigh Avenue. This property is more fully described as Lot 1, Block H/2337 and is zoned PD-193 (R-7.5), which requires a 20 foot visibility triangle at driveway approaches and alleys where they intersect with a street. The applicant proposes to construct and maintain a single family residential fence in required visibility obstruction triangles, which will require special exceptions to the visibility obstruction regulations.

Sincerely,


Larry Holmes, Building Official

1-6



J. J. [Signature]



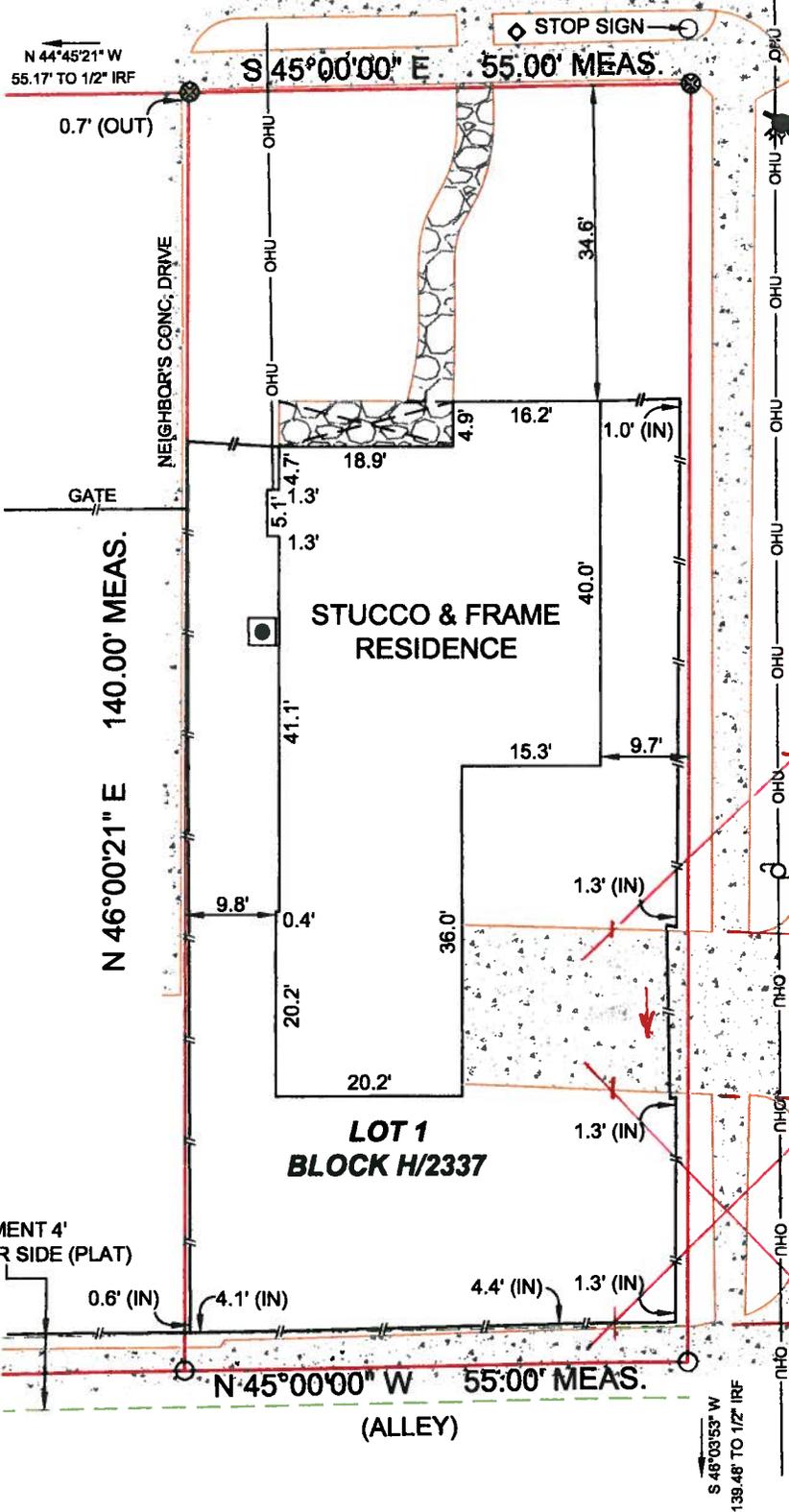
SURVEY PLAT: 5203 STONELEIGH AVENUE

BEING LOT 1, BLOCK H/2337, OAK LAWN HEIGHTS, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE(S) 317, OF THE MAP AND/OR PLAT RECORDS OF DALLAS COUNTY, TEXAS.

NOTE: TO THE BEST OF MY KNOWLEDGE AND BELIEF THE FOLLOWING EASEMENTS, RECORDED IN VOLUME 1221, PAGE 638 AND VOLUME 1230, PAGE 374, R.P.R.D.C.T., DO NOT PHYSICALLY AFFECT THE SUBJECT PROPERTY.

(40' RIGHT-OF-WAY)

STONELEIGH AVENUE



The undersigned have received and reviewed a copy of this survey:

[Signature]

Date: *6/18/13*

CRESTVIEW DRIVE

S 46°00'21" W 140.00' MEAS.

(50' RIGHT-OF-WAY)



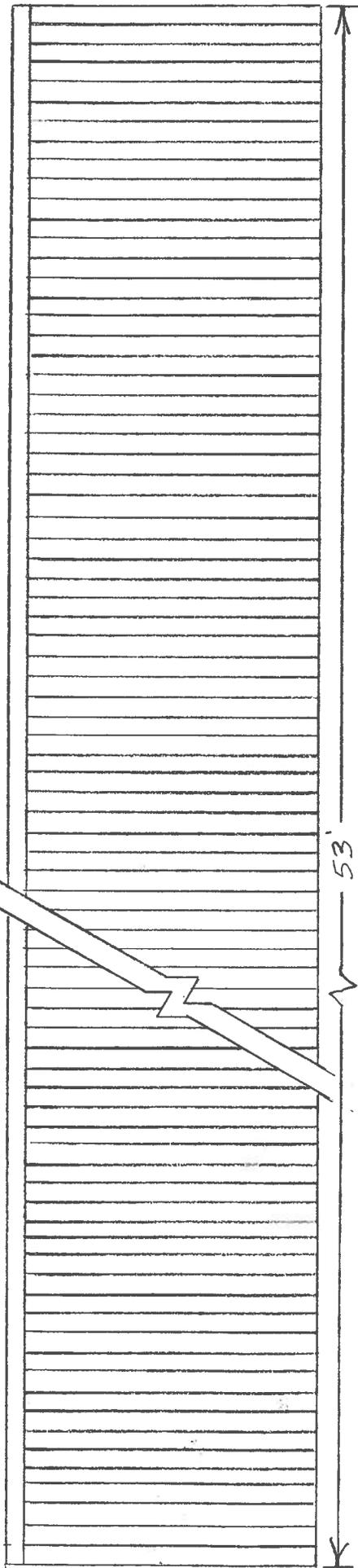
FLOOD ZONE

This is to certify that no portion of the subject property shown hereon lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48113C 0330J, dated 8-23-01. The property is located in Zone "X".

5203 STONELEIGH AVE.
FENCE ELEVATIONS

8' STAINED WOOD FENCE

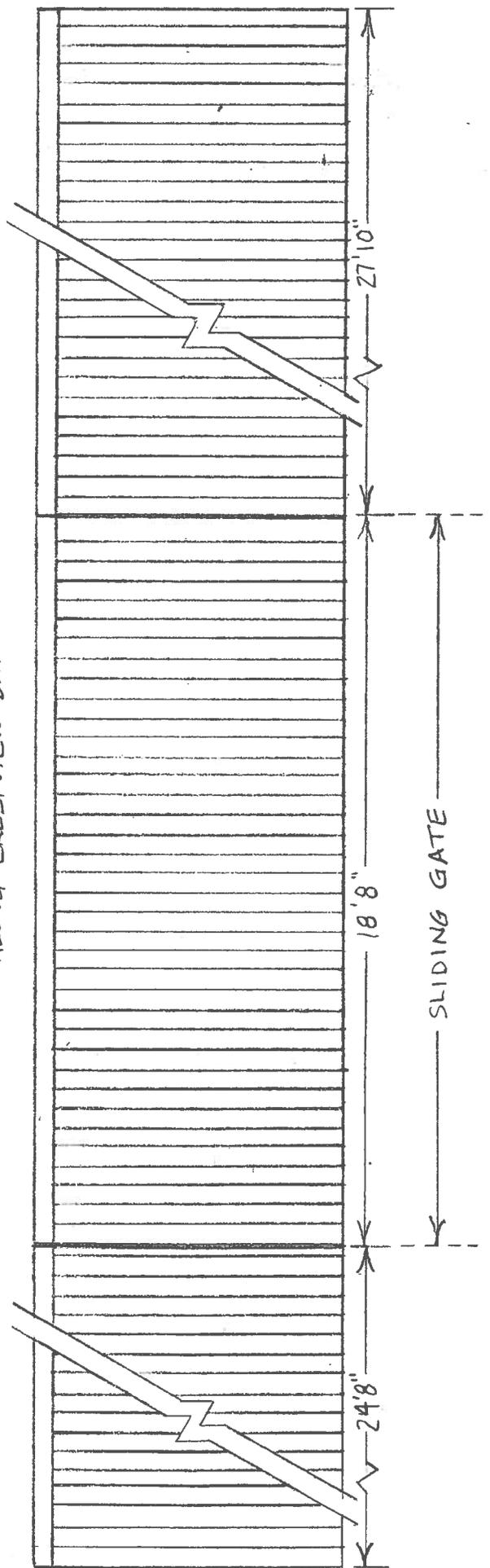
BACK FENCE (S.W.)
ALONG ALLEY



BDA 134-023

2-12

SIDE FENCE AND GATE (S.E.)
ALONG CRESTVIEW DR.



SCALE 1/4" = 1'

Application/Appeal To The Board of Adjustment

Re: 5203 Stoneleigh Avenue, Dallas, Texas 75235

ATTACHMENT "A":

Reason for appeal:

Granting the appeal would not have an adverse effect as:

- a. Visibility Obstruction Triangle at a Private Driveway
 1. Previous owner installed existing sliding gate and there have been no reported accidents, incidents or complaints;
 2. Not a safety hazard to vehicular or pedestrian traffic;
 3. There is no adjoining alley or street to the sliding gate;
 4. Driveway does not enter onto a main street; and
 5. No school or park in the immediate area; therefore, not a primary walking route for children.

- b. Visibility Obstruction at an Alley
 1. The area marked as an "alley" is not used as such;
 2. No residences have driveways entering into the alley;
 3. No city vehicles utilize alley for services;
 4. Applicant has never observed a vehicle use the alley;
 5. Alley does not adjoin the property's front yard;
 6. The alley was paved approximately 18 months ago and yielded no traffic use; and
 7. All factors mentioned in a(1)-(5) above apply.

Long, Steve

From: Brad Camp <bcamp3@yahoo.com>
Sent: Thursday, February 13, 2014 12:32 PM
To: Long, Steve
Subject: Re: BDA 134-023, Property at 5203 Stoneleigh Avenue
Attachments: 5203 fence petitions.pdf; IMG_20131009_165810258_HDR.jpg; IMG_20131009_165847293_HDR.jpg; IMG_20131009_165858025_HDR.jpg

Steve,

Thank you for your call this morning.

I would like to give you a short history of the fence. As you and I discussed this morning, I bought the house in May 2013 and the fence and gate were already in place. I have not altered the fence or gate in any way since I purchased the house. My neighbors tell me that it has been in place for 2-3 years. I have checked with my neighbors and done some research and found that there have been no incidents or injuries resulting from the placement of the fence and the gate.

I would like to add that the street and sidewalks that the fence and gate face are not high traffic and that I am always very conscious and careful while slowly backing out of my driveway. Also, the alley that runs along the back of my property is never used. No neighbors access it, and I have never seen a vehicle, government, commercial or private, ever enter or exit the alley.

Please find attached 16 petitions from my neighbors stating that they do not have an objection to my fence and gate. I have also attached some pictures of the fence and gate. Please add these items to my file.

Finally, please let me know the address for the hearing.

Thank you very much for your help.

Brad Camp

On Thursday, February 13, 2014 8:45 AM, "Long, Steve" <steve.long@dallascityhall.com> wrote:
Dear Mr. Camp,

Here is information regarding your board of adjustment application referenced above, some of which we just discussed on the phone:

1. Your submitted application materials- all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled March 17th Panel C public hearing.
2. The standard as to how the board is able to consider/grant a special exception to the visual obstruction regulations (51A-4.602(d)(3)).
3. A document that provides the public hearing date and other deadlines for submittal of additional information to staff/the board.
4. The board's rule pertaining to documentary evidence.

Please review the Building Official's Report/second page of your application (page 2 of 7 in the application materials that is attached) and contact Todd Duerksen at 214/948-4475 no later than noon, Wednesday, February 26th with regard to any amendment that you feel is necessary to address the issue at hand. (Note that the discovery of any additional appeal needed other than the requested visual obstruction special exception beyond February 26th will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

Lastly, I would encourage you to contact Ali Hatefi, City of Dallas Sustainable Development Department Senior Engineer at 214/948-5379 to determine if there is any additional information that he may need from you in making a favorable recommendation to the board on this request.

Please write or call me at 214/670-4666 if you have any questions/concerns, if I can be of any additional assistance to you on this application.

Thanks,

Steve

PS: If there is anything that you want to submit to the board on this application beyond what has been included in the attached application materials, please feel free to email it to steve.long@dallascityhall.com or mail it to me at the following address:

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

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: MARK MYRUSKI

Signed Name: Mark Myruski

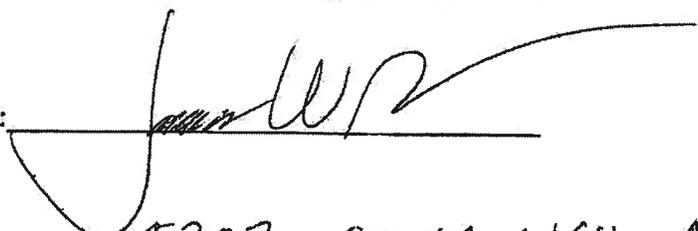
Address: 5210 Stoneleigh Ave
Dallas, TX 75235

Date: 1-30-14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: JAMES W. DEAN

Signed Name:  _____

Address: 5207 STONELEIGH AVE
DALLAS, TX 75235

Date: 2/1/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Maria Lopez

Signed Name: MARIA LOPEZ

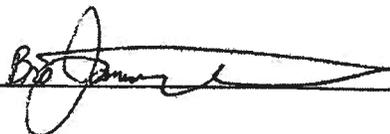
Address: 5126 Stoneleigh
DALLAS, TX 75235

Date: 1-31-14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: BRO. JAMES Kendall Moore O.S.B.

Signed Name:  O.S.B.

Address: 5125 BRADford DR.
DALLAS, TEXAS 75235

Date: Feb. 2, 2014

P.S. To Code enforcement... Please check this AREA FOR other fences, bushes, OR TRASH cans That are closer than 3' from corner and block dangerous Passes. ^(MAPLE to Cedar SPRINGS AND HUeMall to MAPLE SPRINGS.)
Thank you
BRO JAMES
"MAY God bless you"

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: LINDA K. MYER

Signed Name: Linda K. Myer

Address: 5114 DENTON DR.
DALLAS TX 75235

Date: 1-31-2014

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Tim W. Deen

Signed Name: Tim W. Deen

Address: 5126 Denton Dr
DALLAS, TX 75235



Mr. Tim W. Deen
5126 Denton Drive
Dallas, TX 75235-8303

Date: 2/1/2014

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Nancy Kolo

Signed Name: Nancy Kolo

Address: 5127 Stoneleigh Ave
Dallas TX 75235

Date: 01/31/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Susan Faulkner

Signed Name: 

Address: 5215 Stoneleigh
Dallas TX 75235

Date: 1/30/13

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Taylor Woodruff

Signed Name: 

Address: 520 Denton drive
Dallas, TX 75235

Date: 2-2-14

[] YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Kathryn Kiespert

Signed Name: KM Kiespert

Address: 5206 Stoneleigh Ave
Dallas, TX 75235

Date: Feb 1, 2014

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Mark Rado

Signed Name: 

Address: 5211 Stoneleigh ave
Dallas, TX 75235

Date: 2/1/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Manuel Alejandro

Signed Name: Manuel Alejandro

Address: 5122 Denton Dr
Dallas TX 75235

Date: 1/30/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

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Printed Name: Tim Smith

Signed Name: 

Address: 5214 Stoneleigh Ave.
Dallas TX 75235

Date: 1-30-14

[/] YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

I am a property owner in the neighborhood surrounding 5203 Stoneleigh Ave., Dallas. I have observed the fence and, in my opinion, the sliding gate and back corner of the fence at the alley do not create a safety hazard. I have no objection to the fence, sliding gate or rear corner of the fence.

Printed Name: Anthony Sicilian

Signed Name: 

Address: 5215 Bradford Dr
Dallas TX 75235

Date: 1/30/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

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Printed Name: Gloria Lopez

Signed Name: Gloria Lopez

Address: 5121 Stoneleigh Ave
Dallas TX 75235

Date: 2/1/14

YES! I support the Zoning Special Variance request regarding the Visibility Triangle Obstruction for the fence located at 5203 Stoneleigh Ave., Dallas.

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Printed Name: Ray Bronner

Signed Name: Ray Bronner

Address: 5202 Denton Dr
Dallas TX 75235

Date: 11/31/14





2-33



Long, Steve

From: Brad Camp <bcamp3@yahoo.com>
Sent: Thursday, February 13, 2014 3:44 PM
To: Long, Steve
Subject: Re: BDA 134-023, Property at 5203 Stoneleigh Avenue
Attachments: Screenshot_2014-02-13-13-54-14.png; Screenshot_2014-02-13-13-54-40.png; Screenshot_2014-02-13-13-55-00.png; Screenshot_2014-02-13-13-55-19.png

Thank you. Here are some photos of our car at the gate, to show good visibility. Please also include them in my file.

Thanks again,
Brad

On Thursday, February 13, 2014 2:01 PM, "Long, Steve" <steve.long@dallascityhall.com> wrote:
Dear Mr. Camp,

Attached is a copy of the *revised* application materials that include the added documents you sent me this morning all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled March 17th Panel C public hearing.

Please write or call me at 214/670-4666 if you have any questions/concerns, if I can be of any additional assistance to you on this application.

Thanks,

Steve

From: Brad Camp [<mailto:bcamp3@yahoo.com>]
Sent: Thursday, February 13, 2014 12:32 PM
To: Long, Steve
Subject: Re: BDA 134-023, Property at 5203 Stoneleigh Avenue

Steve,

Thank you for your call this morning.

I would like to give you a short history of the fence. As you and I discussed this morning, I bought the house in May 2013 and the fence and gate were already in place. I have not altered the fence or gate in any way since I purchased the house. My neighbors tell me that it has been in place for 2-3 years. I have checked with my neighbors and done some research and found that there have been no incidents or injuries resulting from the placement of the fence and the gate.

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Thank you very much for your help.

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4. The board's rule pertaining to documentary evidence.

Please review the Building Official's Report/second page of your application (page 2 of 7 in the application materials that is attached) and contact Todd Duerksen at 214/948-4475 no later than noon, Wednesday, February 26th with regard to any amendment that you feel is necessary to address the issue at hand. (Note that the discovery of any additional appeal needed other than the requested visual obstruction special exception beyond February 26th will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

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Please write or call me at 214/670-4666 if you have any questions/concerns, if I can be of any additional assistance to you on this application.

Thanks,

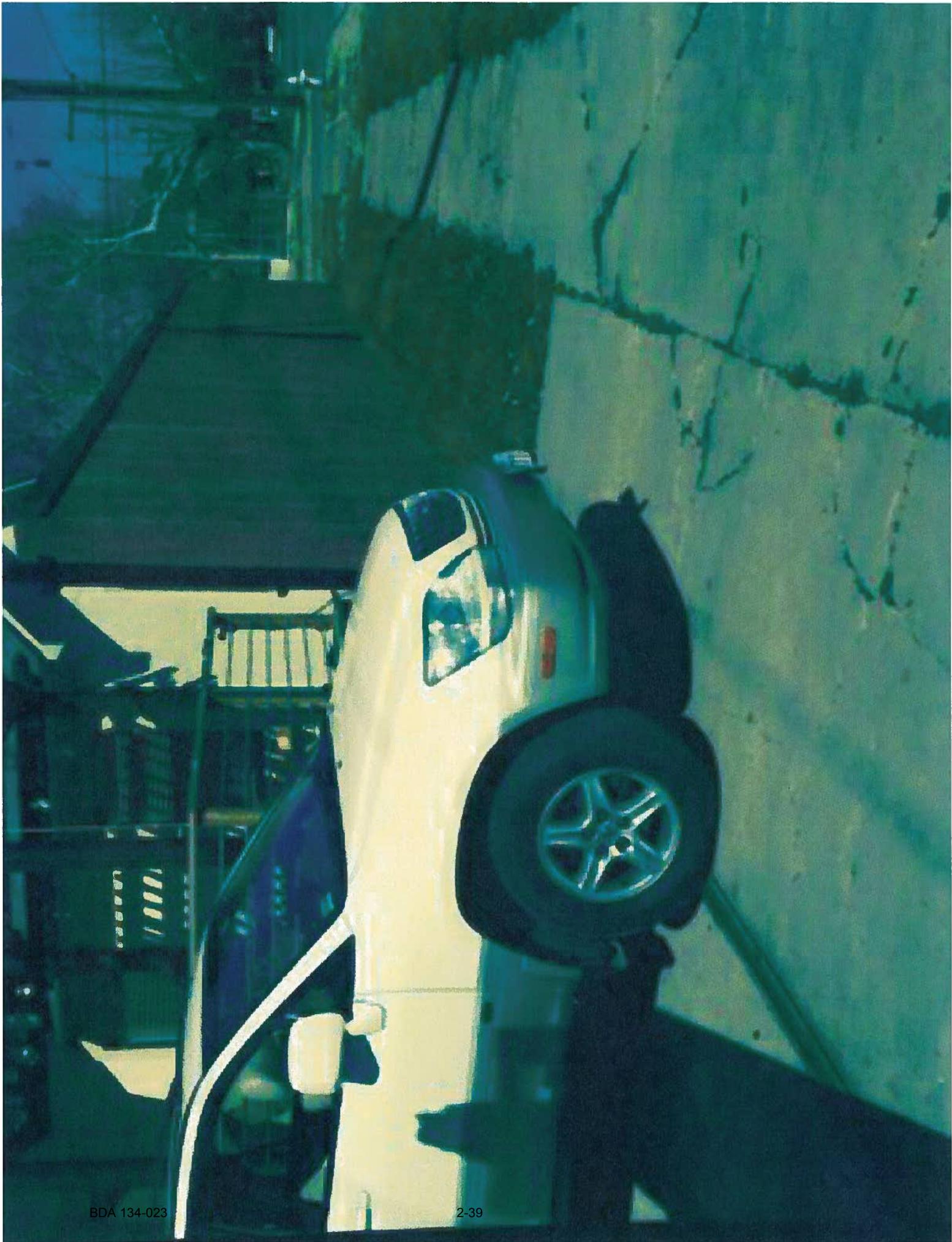
Steve

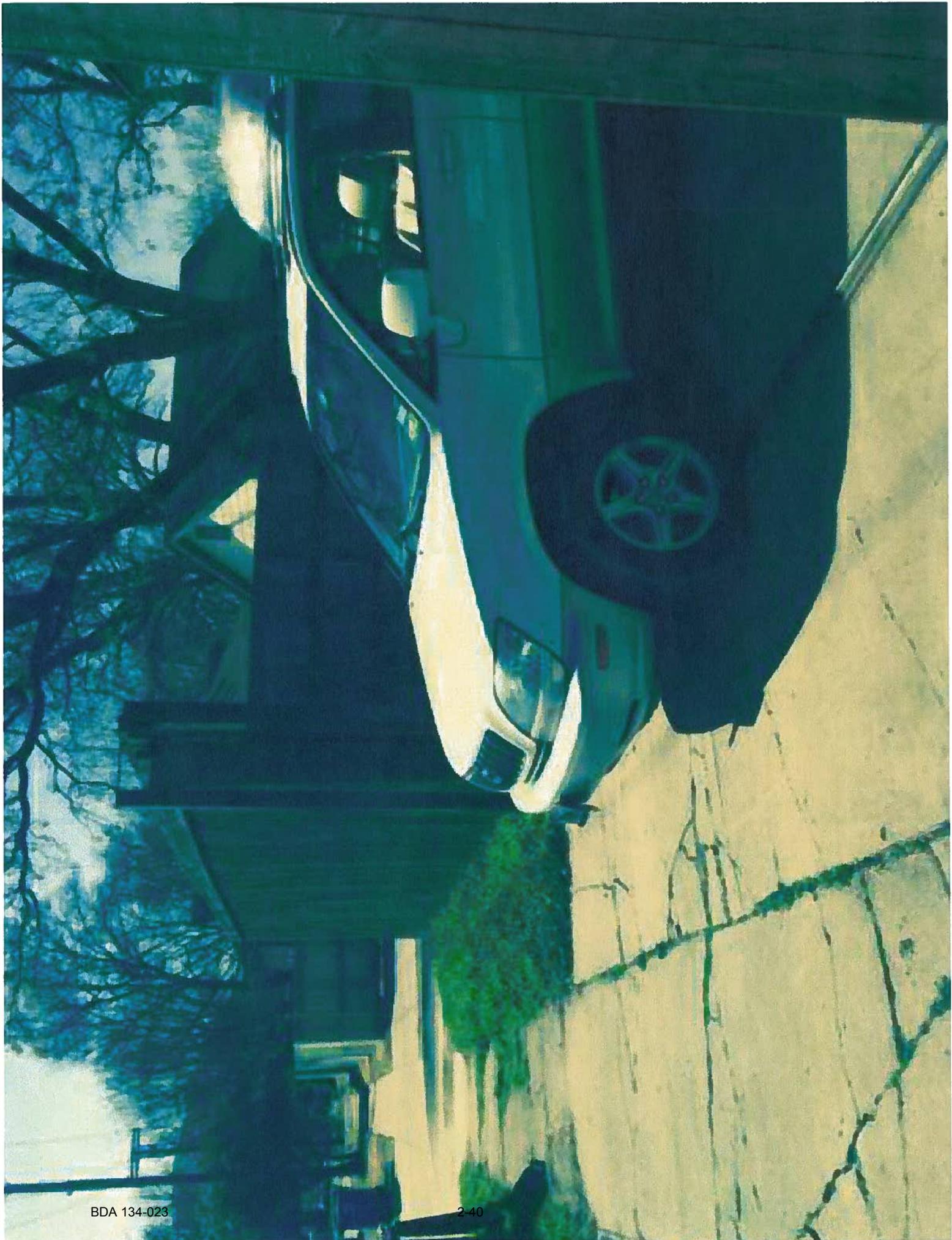
PS: If there is anything that you want to submit to the board on this application beyond what has been included in the attached application materials, please feel free to email it to steve.long@dallascityhall.com or mail it to me at the following address:

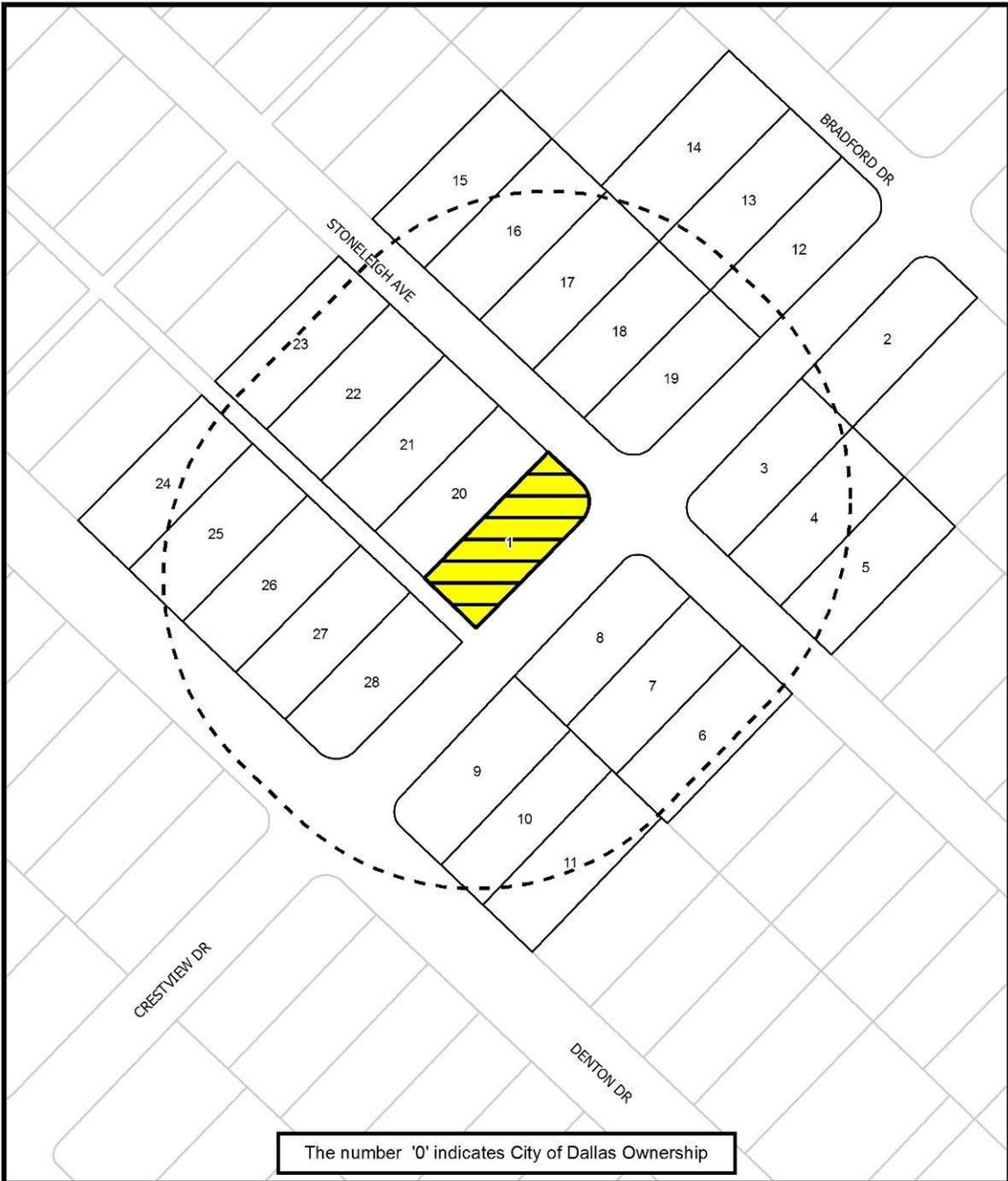
Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development and Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201











 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;">28</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	28	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA134-023</u> Date: <u>2/25/2014</u>
200'	AREA OF NOTIFICATION					
28	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-023

28 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5203 STONELEIGH AVE	CAMP L BRADLEY III
2	5127 BRADFORD DR	CHAPPELL GENIE W
3	5126 STONELEIGH AVE	LOPEZ THOMAS SETH & MARIA
4	5122 STONELEIGH AVE	GARCIA J ANDRES
5	5118 STONELEIGH AVE	VAZQUEZ LETICIA & NICASIO
6	5121 STONELEIGH AVE	LOPEZ FERMIN & GLORIA LOPEZ
7	5123 STONELEIGH AVE	LEACH KEN W
8	5127 STONELEIGH AVE	KOLO NANCY
9	5126 DENTON DR	DEEN TIM W
10	5122 DENTON DR	ALEJANDRO MANUEL & BLANCA ESTELA
11	5118 DENTON DR	JACK JAMI LUCILLE
12	5203 BRADFORD DR	CHAPPELL JIMMY L
13	5207 BRADFORD DR	WEATHERSBY HAL T
14	5211 BRADFORD DR	REYES JOEL
15	5218 STONELEIGH AVE	FRAGA JOHNNY C ET AL
16	5214 STONELEIGH AVE	SMITH TIMOTHY T
17	5210 STONELEIGH AVE	MYRUSKI MARK
18	5206 STONELEIGH AVE	KIESPERT RANDALL LEROY
19	5202 STONELEIGH AVE	RIOS GUADALUPE TR
20	5207 STONELEIGH AVE	DEAN JAMES W
21	5211 STONELEIGH AVE	RADO MARK A
22	5215 STONELEIGH AVE	FAULKNER SUSAN E
23	5219 STONELEIGH AVE	BERMAN EVELYN S
24	5218 DENTON DR	NASSAR SAMI
25	5216 DENTON DR	NEW ENDEAVORS TO WONDEROUS BEGINNINGS IN
26	5210 DENTON DR	GARCIA NORMA

2/24/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5208 DENTON DR	WATSON MATTHEW M
28	5202 DENTON DR	DALLAS METRO HOLDINGS &

FILE NUMBER: BDA 134-025

BUILDING OFFICIAL'S REPORT: Application of Winfred Tubbs for a special exception to the fence height regulations at 10814 Crooked Creek Drive. This property is more fully described as Lot 1, Block E/5503 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/maintain a 9 foot high fence, which will require a 5 foot special exception to the fence height regulations.

LOCATION: 10814 Crooked Creek Drive

APPLICANT: Winfred Tubbs

REQUEST:

A special exception to the fence height regulations of 4' is requested in conjunction with constructing and maintaining a board-on-board cedar fence ranging from 7' – 9' in height in the one of the site's two required front yards (Royal Lane) on a site that is 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-1/2ac(A) (Single family district ½ acre)
South: R-1ac(A) (Single family district 1 acre)
East: R-1ac(A)(SUP 1622) (Single family district 1 acre)(Specific Use Permit)
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 112-006, Property at 4929 Royal Lane (two lots west of the subject site) On January 17, 2012, the Board of Adjustment Panel A granted a request for a special exception to the fence height regulations of 4' 6" and imposed the submitted site plan/elevation and gate elevation plan as a condition to this request. The case report stated that the request was made in conjunction with maintaining an approximately 7' 9" high brick fence with 8' 6" high brick columns and a 6' high open wrought iron gate in the site's 40' front yard setback on a site developed with a single family home.

Timeline:

- January 23, 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.
- February 13, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- February 13, 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 February 26th deadline to submit additional evidence for staff to factor into their analysis; and the March 7th 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."

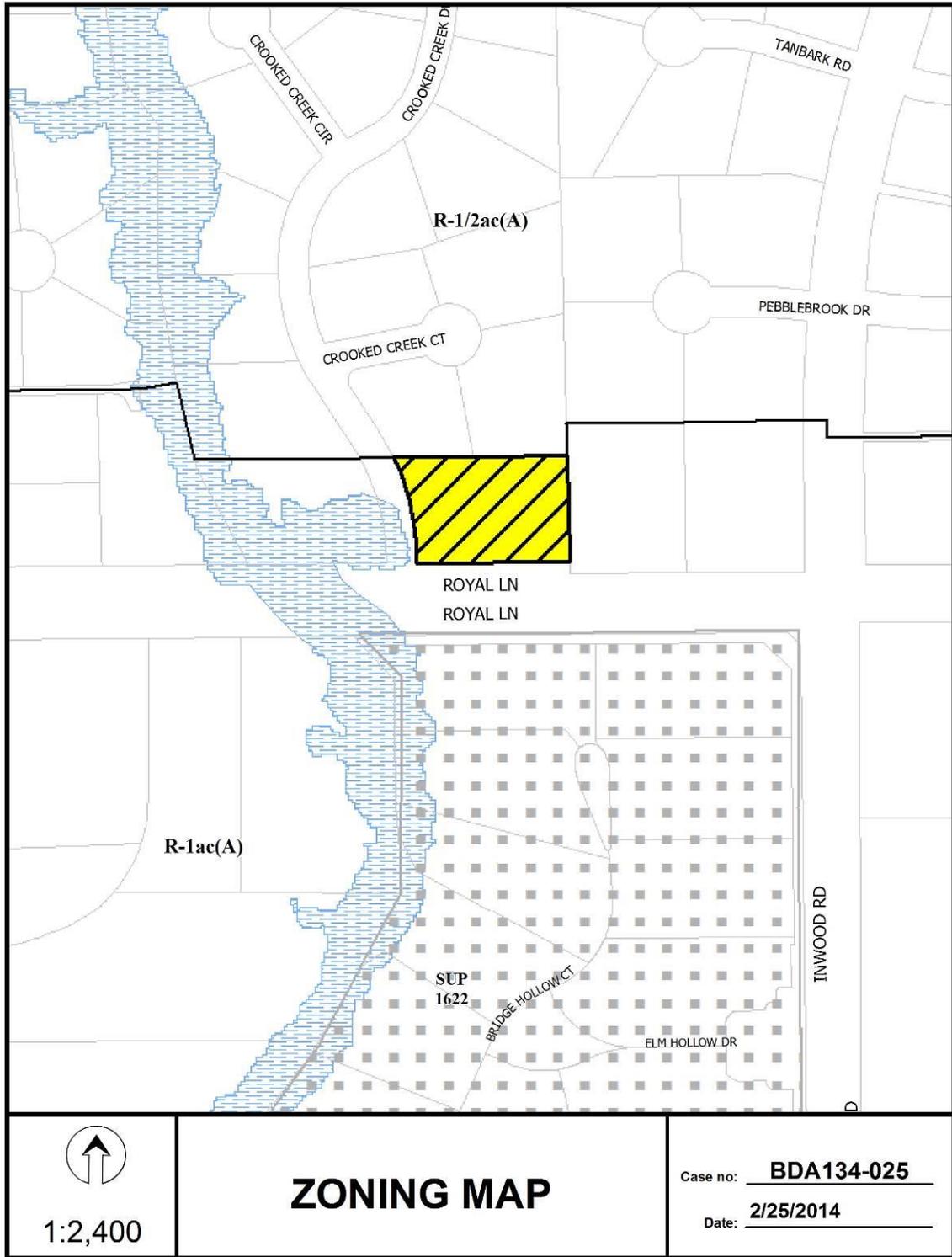
March 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

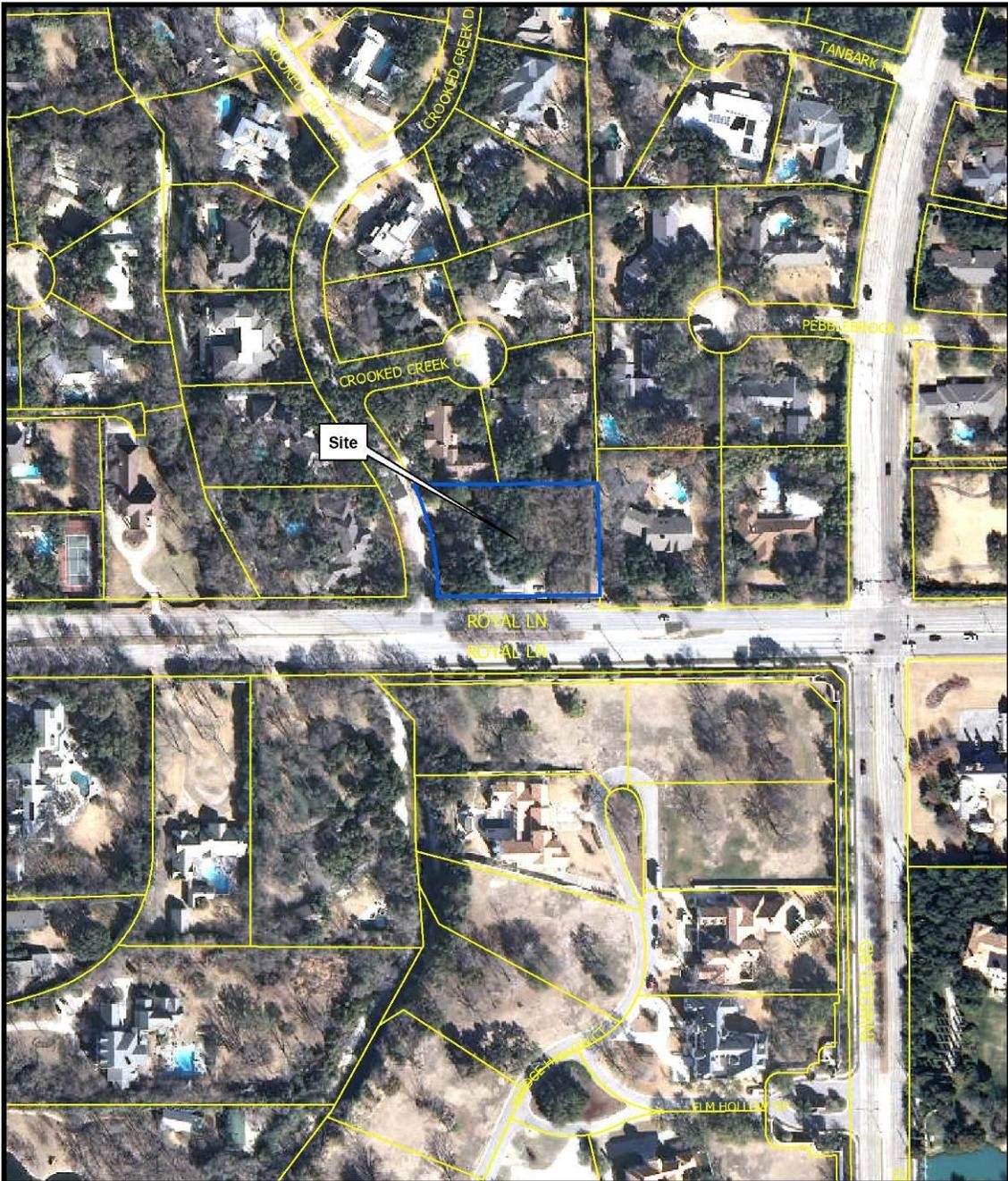
No review comment sheets with comments were submitted in conjunction with this application.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a board-on-board cedar fence ranging from 7' – 9' in height in the one of the site's two required front yards (Royal Lane) on a site that is 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 Royal Lane and Crooked Creek Drive. The site has a 40' required front yard along Crooked Creek Drive, 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 20' required front yard along Royal Lane, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where only a 10' setback is required. But the site's Royal Lane frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the established front yard setback established by the lots zoned/developed with single family homes east of the site that front/are oriented southward towards Royal Lane. Regardless of how the existing home on the subject site is oriented to front onto Crooked Creek Drive (and "side" to Royal Lane), the site has two required front yards where the focus of the applicant's request in this application is only to construct/maintain a fence higher than 4' in the site's required front yard on Royal Lane. (No part of the application is made to address any fence in the site's Crooked Creek Drive required front yard).
- The applicant has submitted a site plan and a partial elevation of the proposal in the front yard setback with notations indicating that the proposed fence ranges from 7' – 9' in height and is comprised of board-on-board cedar materials.
- The following additional information was gleaned from the submitted site plan:
 - The proposed fence in the Royal Lane required front yard is represented as being approximately 175' in length parallel to the Royal Lane.
 - The proposal is represented as being located on the Royal Lane front property line or about 13' from the Royal Lane pavement line.
- No homes would front the proposed fence since the property to the south is a single family subdivision that is surrounded with an approximately 10' high solid fence.

- The Board Administrator noted an approximately 5' – 7' high solid masonry fence located immediately adjacent to the location of the proposed fence on the subject site – a fence on the subject site that the applicant has an understanding from Building Inspection that is nonconforming or grandfathered given its age; and a fence the applicant has chosen not to include as part of his application to the board. According to the applicant, his proposal to the Board in this application would be slightly taller than this existing nonconforming fence that runs parallel to the property along Royal Lane.
- The Board Administrator conducted a field visit of the site and surrounding area and noted the following fences that appeared to be above 4' in height and located in a front yard setback:
 - an approximately 8' high open wrought iron fence immediately east of the site with no recorded BDA history;
 - an approximately 10 high solid fence immediately south with no recorded BDA history;
 - an approximately 8' high solid wood fence immediately west of the subject site with no recorded BDA history;
 - an approximately 7' 9" high brick fence with 8' 6' high brick columns two lots west of the site that appears to be the result of a previously approved fence height special exception granted in 2012 (BDA 112-006).
- As of March 10, 2014, no letters had been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 5' will not adversely affect neighboring property.
- Granting this special exception of 5' with a condition imposed that the applicant complies with the submitted site plan and partial elevation would require the proposal exceeding 4' in height in the required front yard to be constructed/ maintained in the location and of the heights and materials as shown on these documents.





1:2,400

AERIAL MAP

Case no: BDA134-025

Date: 2/25/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-025

Data Relative to Subject Property:

Date: 1-23-2014

Location address: 10814 Crooked Creek Zoning District: R-120(A)

Lot No.: 1 Block No.: E/SSD3 Acreage: 1.097 Census Tract: 135.00

Street Frontage (in Feet): 1) 165.00 2) 240 3) _____ 4) _____ 5) _____ NEZA

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Winfred Tubbs & Rachel Migliore (wife)

Applicant: Winfred Tubbs Telephone: 972-880-0196

Mailing Address: 10814 Crooked Creek ⁷⁵²⁰⁹ Zip Code: _____

E-mail Address: Winfred Tubbs @ AOL.com

Represented by: Winfred Tubbs Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance __, or Special Exception , of 5ft more
for a fence in 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:
Majority of houses in neighborhood have 9ft fence & it will also improve appearance of properties.

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

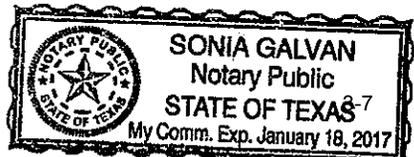
Affidavit

Before me the undersigned on this day personally appeared Winfred Tubbs
(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 27 day of January, 2014



Sonia
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

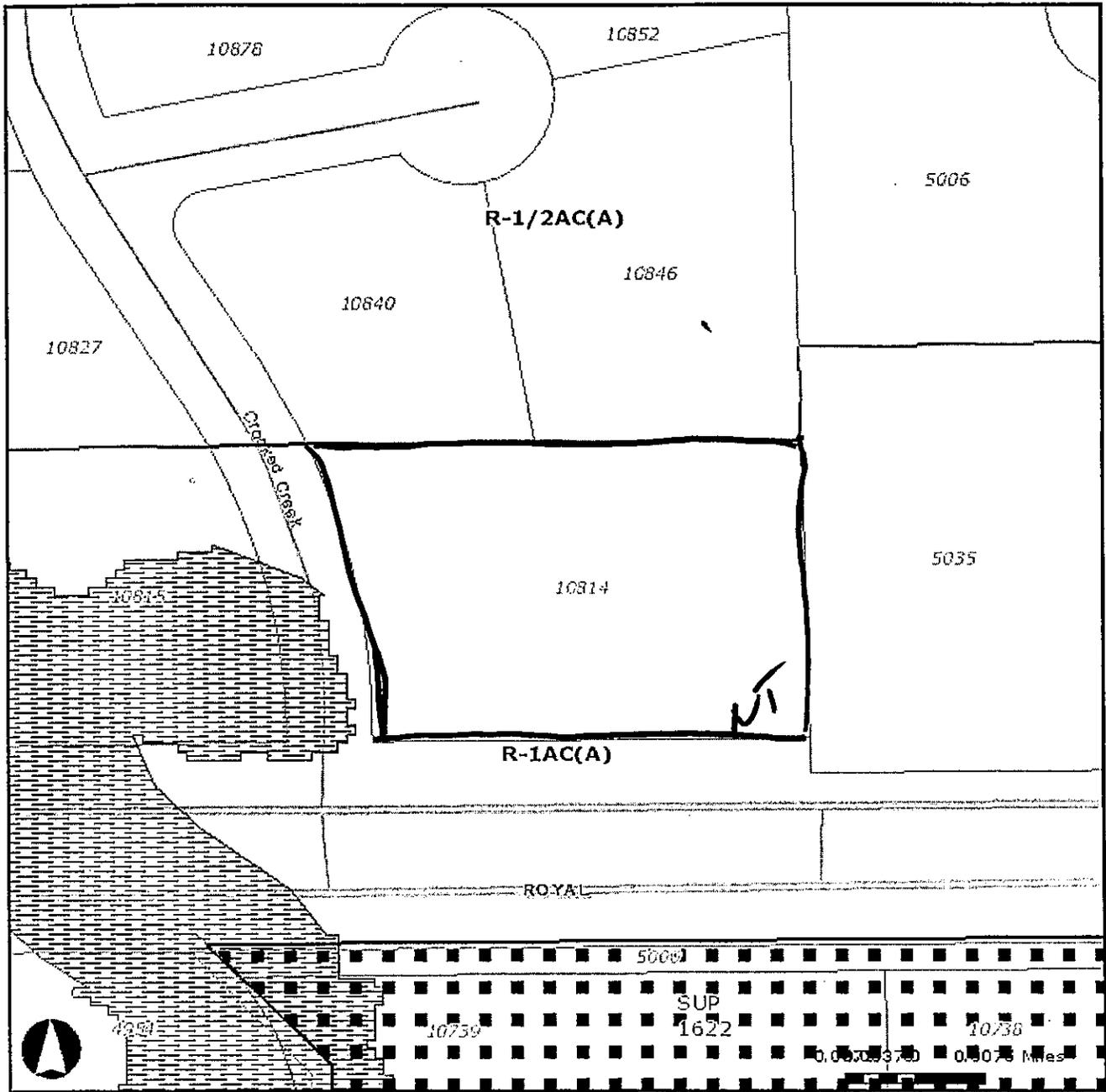
I hereby certify that WINFRED TUBBS
did submit a request for a special exception to the fence height regulations
at 10814 Crooked Creek Drive

BDA134-025. Application of Winfred Tubbs for a special exception to the fence height regulations at 10814 Crooked Creek Drive. This property is more fully described as Lot 1, Block E/5503 and is zoned R-1ac(A), which limits the height of a fence in the front yard to feet. The applicant proposes to construct an 9 foot high fence in a required front yard, which will require a 5 foot special exception to the fence regulation.

Sincerely,

Larry V. Holmes
Larry Holmes, Building Official

City of Dallas Zoning



City Boundaries



County



Certified Parcels



DISD Sites



Council Districts

BDA 134-025

Dry Overlay



Historic Overlay



Historic Subdistricts

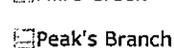
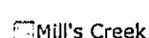


NSO Overlay

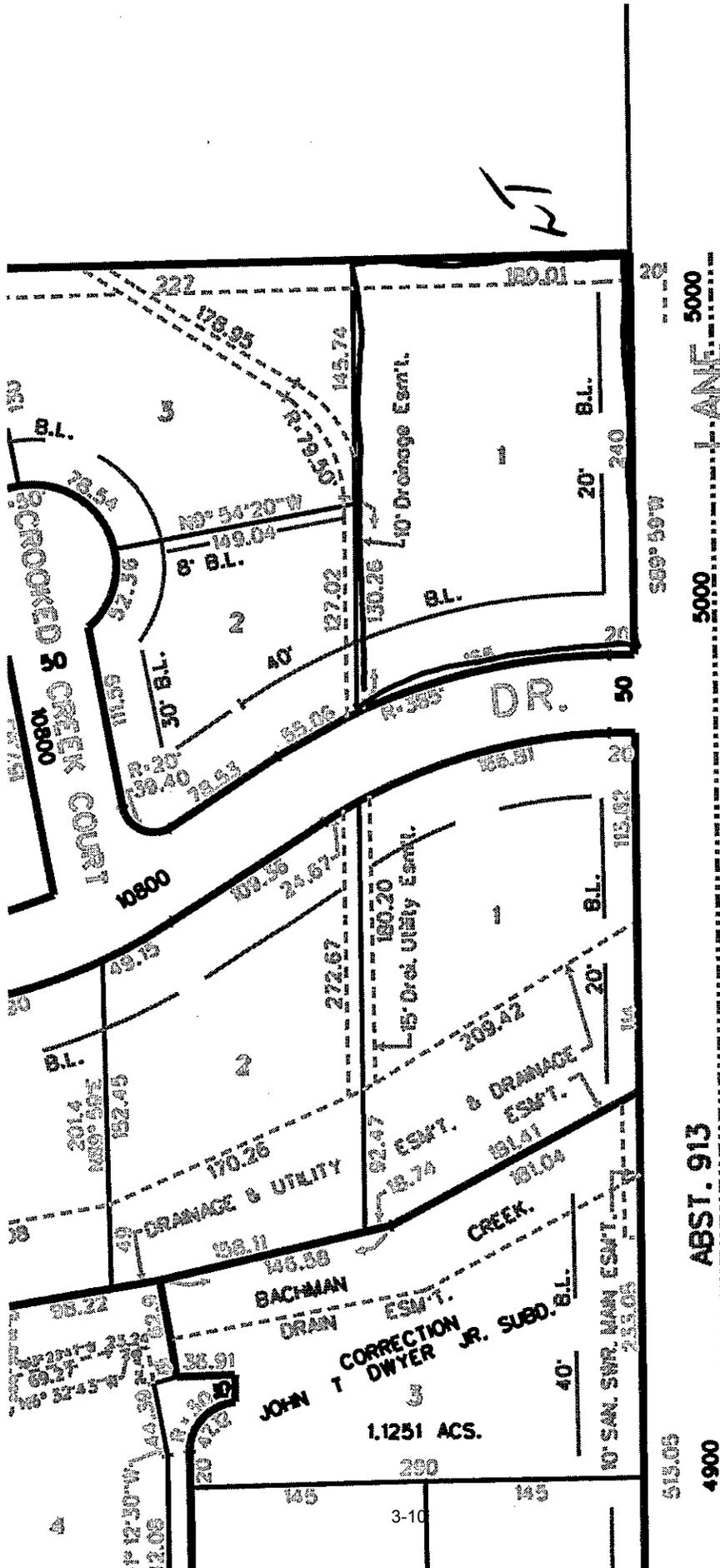
Base Zoning



Floodplain



Pedestrian Overlay



M.F. FORTNER SUR. ABST. 523

ABST. 913

5000' LANE

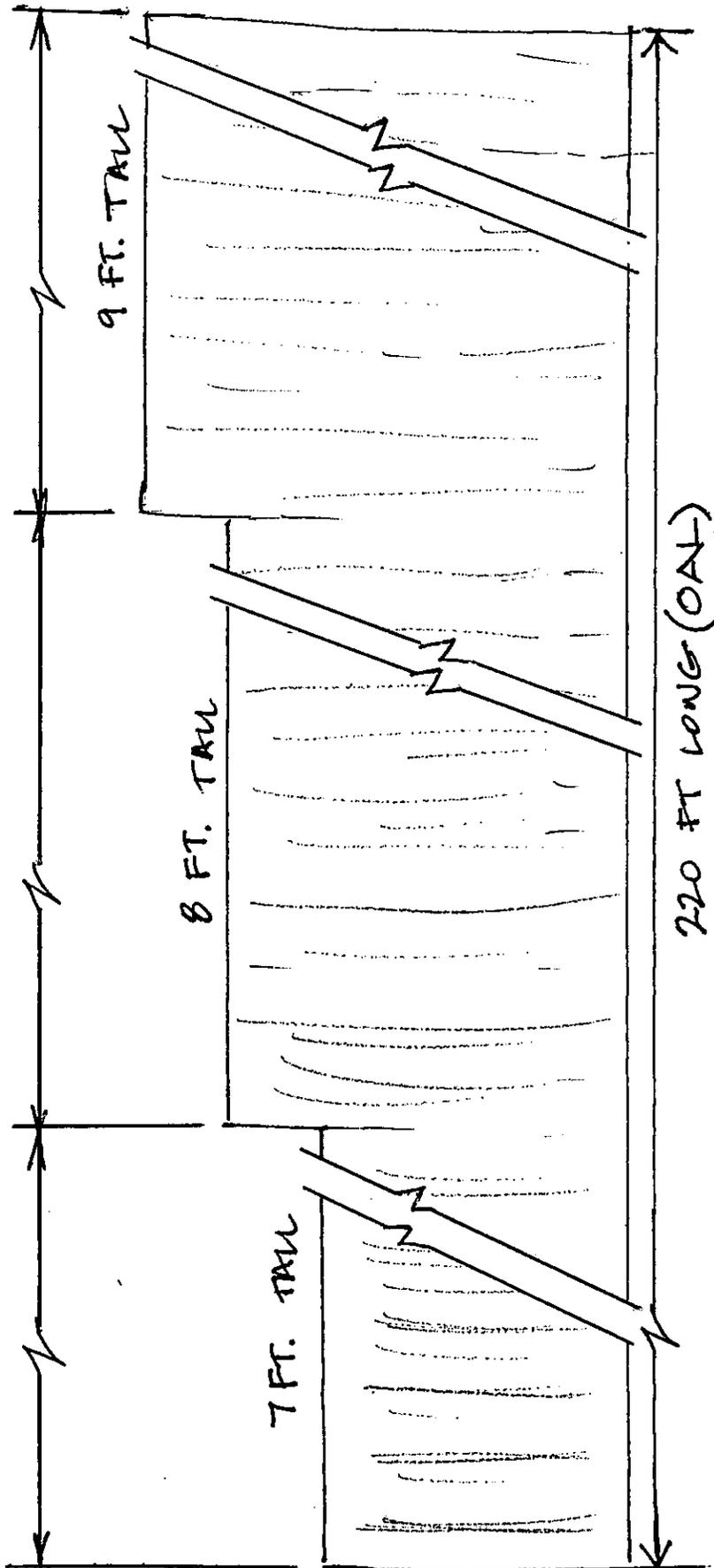
4900

500' 50" W

513.05

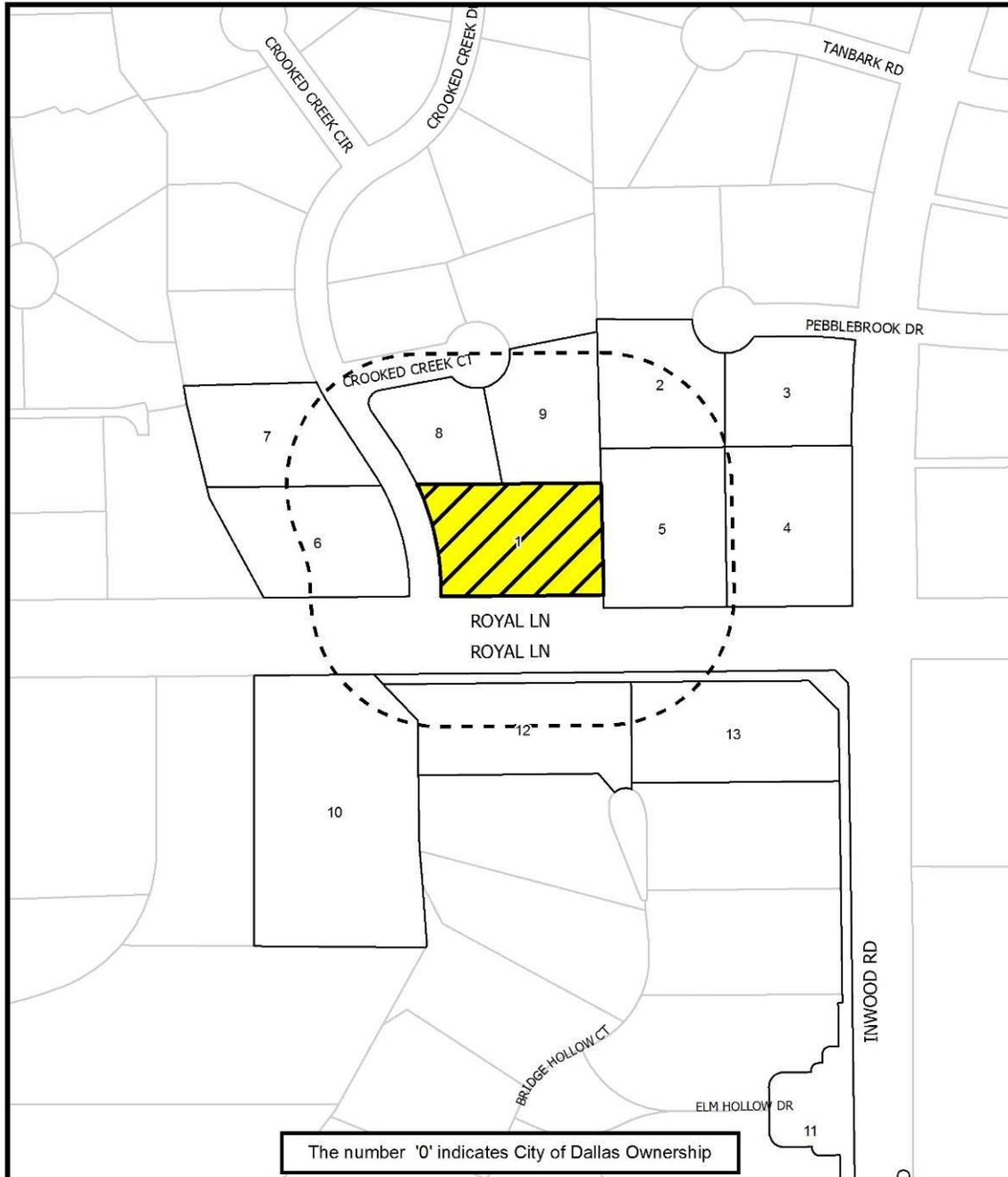
Handwritten mark resembling a stylized '1' or '2'.

ELEVATION DRAWING
(N.T.S.)



Board-on-Board Cedar

ROYAL LN.



 1:2,400	<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;">13</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	13	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA134-025</u> Date: <u>2/25/2014</u>
200'	AREA OF NOTIFICATION					
13	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA134-025

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10814 CROOKED CREEK DR	TUBBS WINFRED & RACHEL MIGLIORE
2	5006 PEBBLEBROOK DR	BERNSTIEN BRUCE E & PATRICIA S
3	5022 PEBBLEBROOK DR	COLEMAN RONALD M
4	5045 ROYAL LN	DENUR AMNON & POLLY DENUR
5	5035 ROYAL LN	NASSAR MASHARI & LINDE
6	10815 CROOKED CREEK DR	THOMAS NATHAN T & MIKA R TRUSTEES N & M
7	10827 CROOKED CREEK DR	HELLSTERN RONALD A & CINDY J
8	10840 CROOKED CREEK CT	NABULSI SARI & NEFOUS
9	10846 CROOKED CREEK CT	MITCHELL ROBERT H SUITE 255
10	4954 ROYAL LN	BEASLEY JOHNNY MARK & BARBARA S
11	5000 ROYAL LN	CREEKS OF PRESTON HOLLOW HOMEOWNERS ASSO
12	10739 BRIDGE HOLLOW CT	CALAIS INVESTMENTS I LTD
13	10738 BRIDGE HOLLOW CT	CRESCENT ESTATES CUSTOM HOMES LP STE 200

FILE NUMBER: BDA 134-010

BUILDING OFFICIAL'S REPORT: Application of Robert Baldwin for a special exception to the fence height regulations at 4834 S. Lindhurst Avenue. This property is more fully described as Lot 2, Block 3/5531, 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/maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations.

LOCATION: 4834 S. Lindhurst Avenue

APPLICANT: Robert Baldwin

REQUEST:

A special exception to the fence height regulations of 4' is requested to construct and maintain a fence in the site's 40' front yard setback on a site that is developed with a single family home – a 6' high open wrought iron picket fence with 6' 6" high stone columns and two 8' high arched open wrought iron entry gates with 7' high stone columns flanked by two, approximately 6' -6' 6" high, approximately 14' long curved solid stone wing walls.

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, east, south, and west are developed with single family uses.

Zoning/BDA History:

1. BDA 989-069, Property at 4834 S. Lindhurst Avenue (the subject site) On June 15, 2009, the Board of Adjustment Panel C granted a request for a special exception to the fence height regulations of 4' 9" and imposed the submitted site plan and partial elevation as a condition to this request. The case report stated that the request was made "to construct a fence that is 8 feet 9 inches in a required front yard."
2. BDA 078-013, Property at 10395 Strait Lane (the lot immediately east of the subject site) On December 16, 1997, the Board of Adjustment Panel C granted a request for a special exception of 3' 6" and imposed the submitted site plan and elevation plans as a condition to the request. The case report stated that the request was made to construct and maintain an open metal fence and entry gate with masonry columns in the front yards along Strait Lane and S. Lindhurst Avenue.
3. BDA 95-006, Property at 10111 Strait Lane (the lot immediately northeast of the subject site) On January 24, 1995, the Board of Adjustment granted a request for a special exception to the height regulations to allow a 5' 7" – 6' 8" high open metal fence with 6' – 7' 2" high masonry columns. The Board imposed the submitted site plan, elevation, and visibility obstruction regulations.
4. BDA 95-071, Property at 4805 S. Lindhurst Avenue (the lot immediately northwest of the subject site) On May 23, 1995, the Board of Adjustment denied a request for a special exception to the height regulations of 2' 6" without prejudice. The case report stated that the request was made in conjunction with constructing and maintaining a 6' high open metal fence with 6' 6" high masonry columns on S. Lindhurst Avenue.

Timeline:

December 18, 2013: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

January 15, 2014: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C. 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."

January 15, 2013: 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 January 26th deadline to submit additional evidence for staff to factor into their analysis; and the February 7th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

January 29 & 30,
2013:

The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

February 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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

February 20, 2014: The Board of Adjustment Panel C conducted a public hearing on this application. The Board held the request under advisement until their next public hearing to be held on March 17, 2014.

February 27, 2014: The Board Administrator sent a letter to the applicant that noted the decision of the panel, and the March 7th deadline to submit additional evidence to be incorporated into the Board's docket materials.

March 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a fence in the site's 40' front yard setback on a site that is developed with a single family home – a 6' high open wrought iron picket fence with 6' 6" high stone columns and two 8' high arched open wrought iron entry gates with 7' high stone columns flanked by two approximately 6' -6' 6" high, approximately 14' long curved solid stone wing walls.
- The Board of Adjustment Panel C held this application under advisement at their February public hearing until March 17, 2014. As of March 10, 2014, no new/additional information has been submitted to staff by the applicant.
- 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 revised site plan/elevation of the proposal in the front yard setback with notations indicating that the proposal reaches a maximum height of 8'.
- The following additional information was gleaned from the submitted revised site plan/elevation:
 - The proposal in the front yard setback is represented as being approximately 220' in length parallel to the street with two recessed entryways; and approximately 21' – 39' in length perpendicular to the street on the east and west sides of the site in the front yard setback, respectively.
 - The proposed fence is represented as being located approximately 1' from the property line or about 12' from the pavement line.
- The proposal would be located on the site where one lot would have direct frontage, a lot which has no fence in its front yard setback.

- The Board Administrator conducted a field visit of the site and surrounding area and noted two other fences that appeared to be above 4' in height and located in a front yard setback. An approximately 6' high open metal fence is located immediately east of the subject site that appears to be the result of a special exception granted by the Board in 1997, and an approximately 6' high open metal fence is located immediately northeast of the subject site that appears to be a result of a special exception granted in 1995.
- The applicant has written that a similar request was granted by the Board in 2009 but the previous applicant never built the approved fence and that is what triggered the need for this request- a fence that while is similar in design, a request seeking to reduce the height of the previously approved fence.
- As of February 10, 2014, no letters have been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.
- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted revised site plan/elevation would require the proposal exceeding 4' in height in the front yard setback to be constructed/maintained in the location and of the heights and materials as shown on these documents.

BOARD OF ADJUSTMENT ACTION: FEBRUARY 20, 2014

APPEARING IN FAVOR: Rob Baldwin, 3904 Elm, Suite B, Dallas, TX

APPEARING IN OPPOSITON: John Stenger, 4831 S. Lindhurst, Dallas, TX

MOTION: **Carreon**

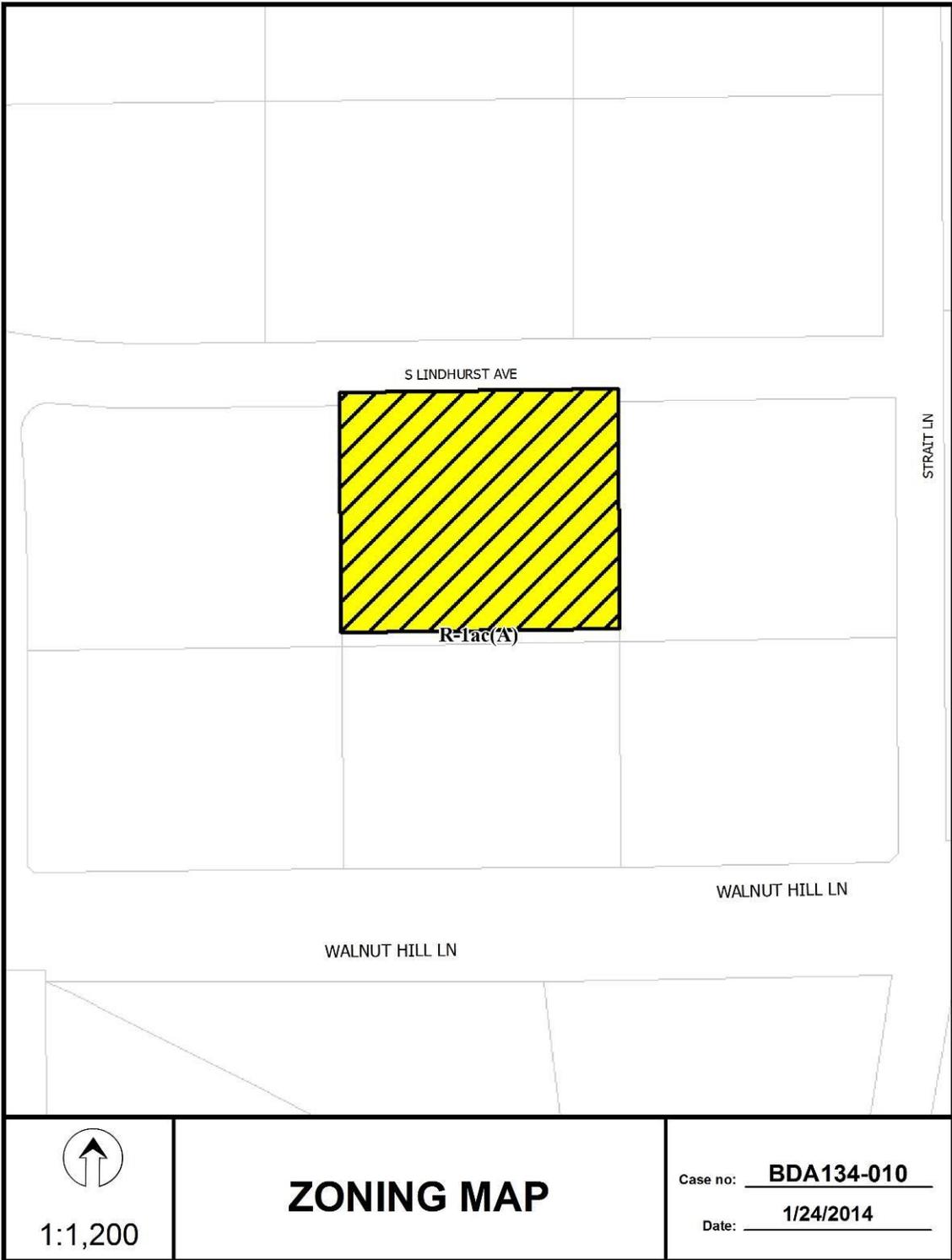
I move that the Board of Adjustment in Appeal No. **BDA 134-010**, hold this matter under advisement until **March 17, 2014**.

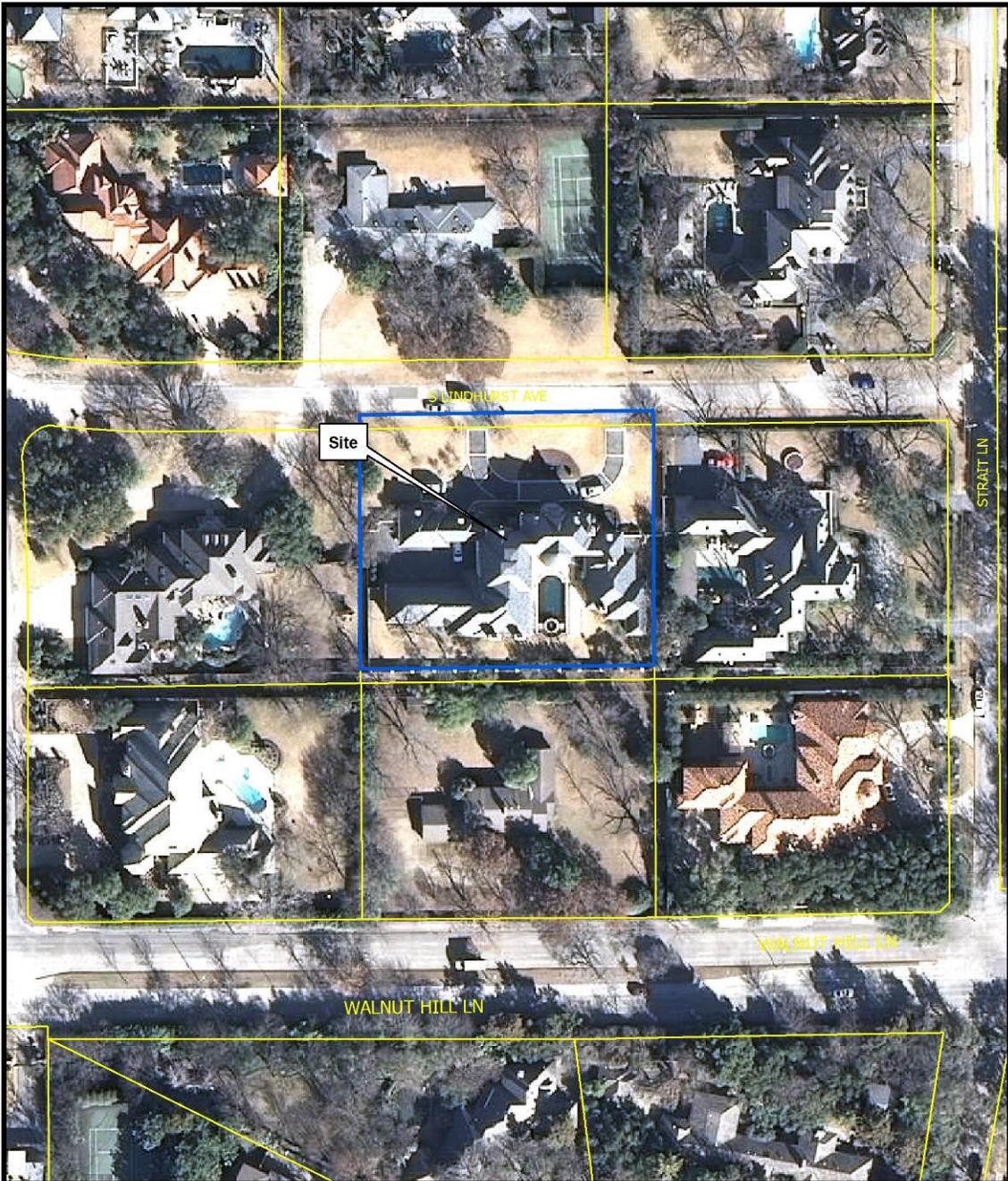
SECONDED: **Coulter**

AYES: 4 – Richardson, Coulter, Carreon, Brannon

NAYS: 1 – Gaspard

MOTION PASSED: 4-1





1:1,200

AERIAL MAP

Case no: BDA134-010

Date: 1/24/2014

BDA134-010
Attach A
PSI

Baldwin
Associates

January 29, 2014

Mr. Steve Long
Board of Adjustment Administrator
Development Services Department
1500 Marilla Street – Room 5BN
Dallas, Texas 75201

Re: BDA 134-010 - Special Exception for 4834 S. Lindhurst

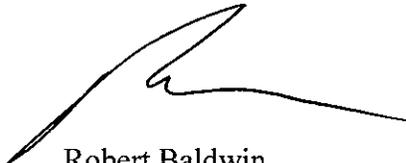
Dear Steve:

We are representing the owners of the property located at 4834 S. Lindhurst who are requesting a Special Exception to allow them to build a fence in the front yard that exceeds four (4) feet in height. We have designed the fence of wrought iron and stone columns. The stone columns will be six feet and six inches (6' 6") in height and the wrought iron panels will be of six feet (6' 0") in height. The gates will be flanked by wing walls and columns with a maximum height of seven feet (7' 0"). The two gates will be eight feet (8' 0") and will compliment the house and landscaping and the other fences in the area.

The fence will be made from decorative iron panels and will connect stone columns spaced approximately 22 to 29 feet apart. The fence will be set back approximately 10 feet from the edge of the street paving, just like the fences to our east and north. The gates will have stone wing walls flanking the gates and the gates will be set back and additional 10 feet, for a total of 20 feet from the edge of pavement. There will be no encroachments into the sight visibility triangles.

You may recall that a similar request (BDA 089-069) was approved by the Board of Adjustment in 2009. The previous applicant never built the approved fence and that is what has triggered the need for this request. Although similar in design, the current request is seeking to reduce the height of the previously approved fence.

With kind regards,



Robert Baldwin
Baldwin Associates



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: 134-010

Data Relative to Subject Property:

Date: 12-18-13

Location address: 4834 S. Lindhurst Zoning District: R-1(A)

Lot No.: 2 Block No.: 3/5531 Acreage: 1 acre Census Tract: 76.01

Frontage (in Feet): 1) 225 2) _____ 3) _____ 4) _____ 5) _____

NE 2A

To the Honorable Board of Adjustment :

Owner of Property/or Principal: Sharif & Munir

Applicant: Robert Baldwin Telephone: 214.824.7949

Mailing Address: 3904 Elm Street -- Suite B, Dallas, TX Zip Code: 75226

Represented By: Robert Baldwin Telephone: 214.824.7949

Mailing Address: 3904 Elm Street -- Suite B Zip Code: 75226

Affirm that a request has been made for a Variance , or Special Exception , of a special exception of four (4) feet for a fence located in a 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: The applicant is seeking permission to construct a fence in the in the front yard of this lot which will exceed four (4) feet in height. Fences in the area are of similar height.

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: Robert Baldwin Applicant's name printed [Signature] Applicant's signature

Affidavit

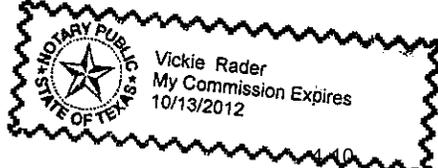
Before me the undersigned on this day personally appeared Robert Baldwin who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Affiant (Applicant's signature)

Subscribed and sworn to before me this 17th day of December, 2013

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

(Rev. 08-20-09)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

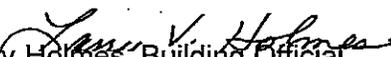
Building Official's Report

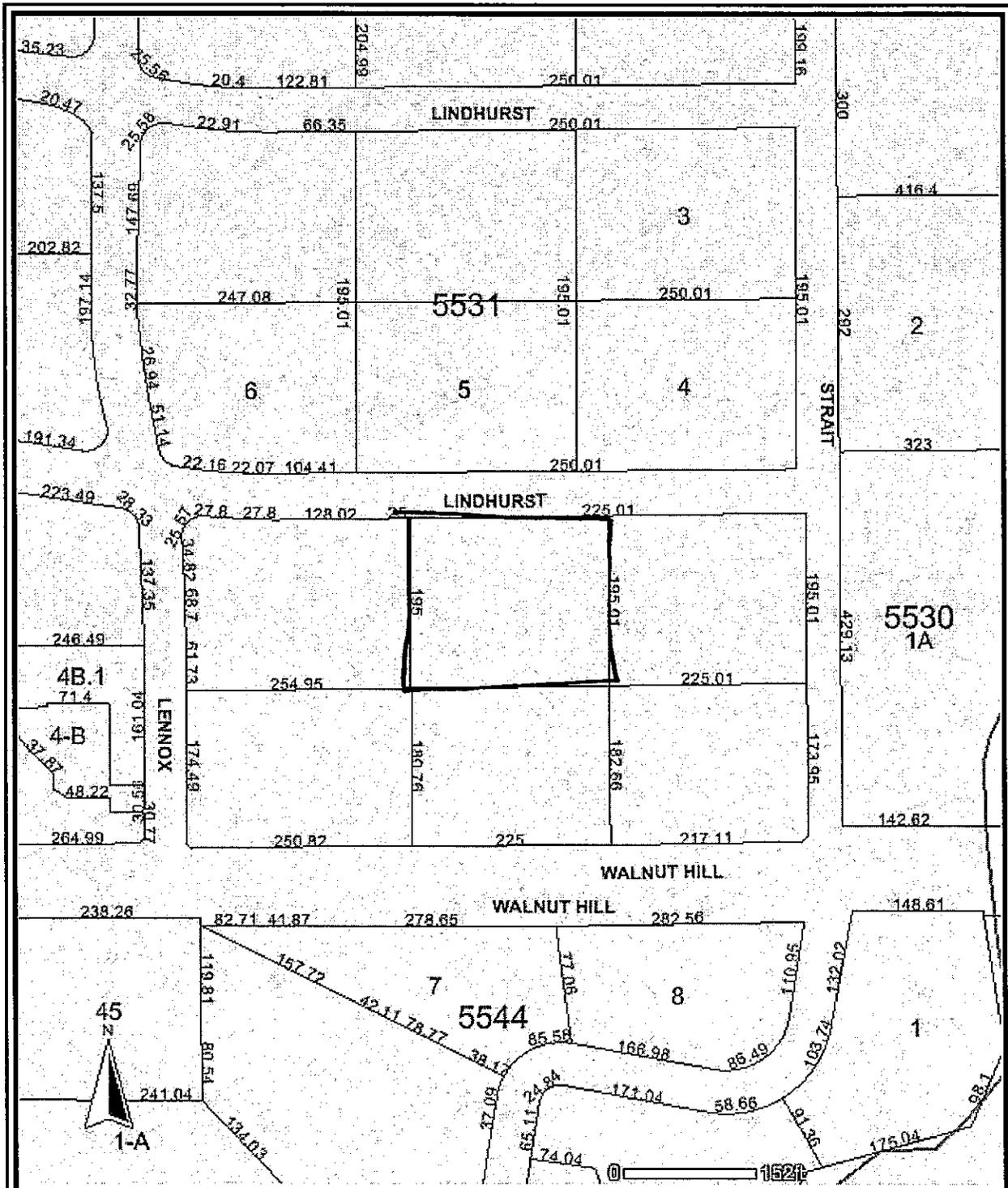
I hereby certify that ROB BALDWIN

did submit a request for a special exception to the fence height regulations
at 4834 S. Lindhurst Avenue

BDA134-010. Application of Rob Baldwin for a special exception to the fence height regulations at 4834 S. Lindhurst Avenue. This property is more fully described as Lot 2, Block 3/5531, and is zoned R-1ac(A), which limits the height of a fence in the front yard to feet. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation.

Sincerely,


Larry Holmes, Building Official



Dallas Central Appraisal District
www.dallascad.org

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

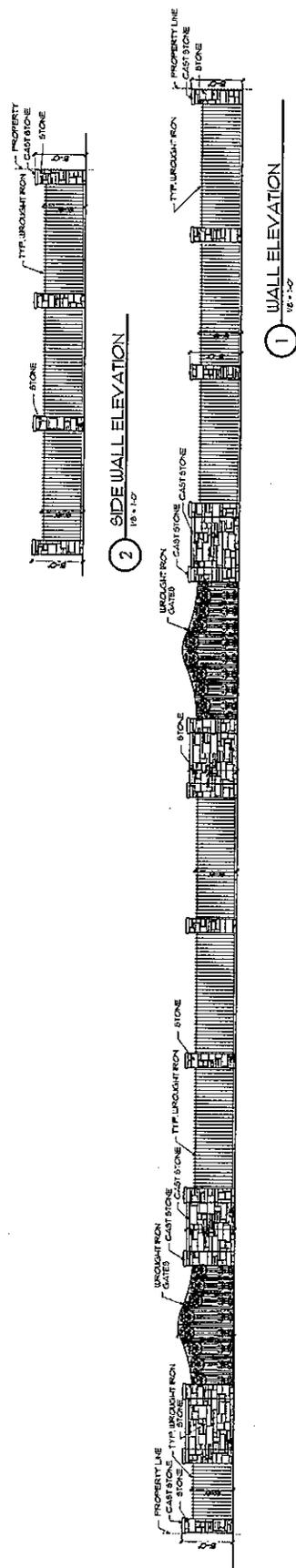
Project No.	200202
Drawn By	200202
Checked By	200202
Date	200202

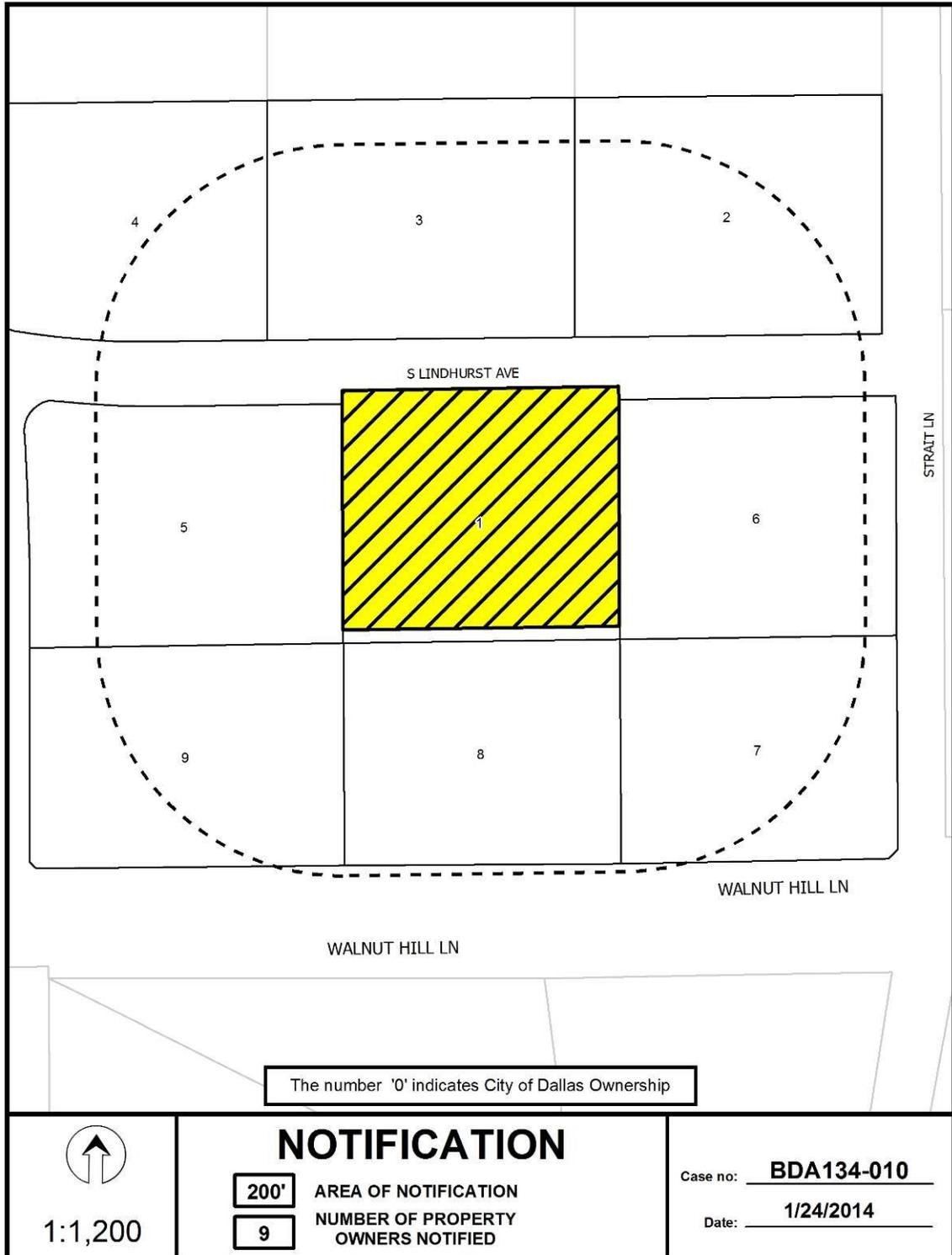
REFERENCE FOR
 4834 S. LINDHURST AVE
 LOT 2 BLK 3/5561
 DALLAS, TEXAS 75229

UNCUSTOMARY CUSTOM HOMES
Sharif Munir

6009 BELLINE ROAD, SUITE 200
 DALLAS TX 75254
 OFFICE 972-720-9111
 FAX 972-701-8553
<http://www.sharif-munir.com>

DATE: 01/11
 01/11





Notification List of Property Owners

BDA134-010

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4834 LINDHURST AVE	SHARIF & MUNIR RESIDENTIAL LTD
2	10111 STRAIT LN	WHITE TOM W & LAURYN G
3	4831 LINDHURST AVE	STENGER JOHN J & MINDY G
4	10104 LENNOX LN	RODRIGUEZ ALFREDO D & JOSELITA D RODRIGU
5	4804 LINDHURST AVE	DEWEY TODD M & KIMBERLY K MEZERA
6	10095 STRAIT LN	MCINTYRE MICHAEL P & STACYE E
7	10011 STRAIT LN	JENNINGS BRIAN J & LISA C
8	4833 WALNUT HILL LN	SHANKLE JIMMY & SHANKLE TERRI
9	10010 LENNOX LN	TAYLOR ESTATES LENNOX TRUST THE