

ZONING BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, FEBRUARY 19, 2020
AGENDA

BRIEFING	L1FN AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	11:00 A.M.
PUBLIC HEARING	L1FN AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	1:00 P.M.

Neva Dean, Assistant Director
Sarah May, Interim Board Administrator/Chief Planner

PUBLIC TESTIMONY

Minutes

MISCELLANEOUS ITEM

Approval of the January 22, 2020 Board of Adjustment Panel B Public Hearing Minutes	M1
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UNCONTESTED CASES

None.

REGULAR CASES

BDA190-015(SM) 932 Tipperary Drive	1
REQUEST: Application of William Riseman, represented by Nancy Riseman, for special exceptions to the fence height regulations and fence standards regulations	

- BDA190-017(SM)** 3510 Ross Avenue 2
REQUEST: Application of Santos T. Martinez of La Sierra Planning Group, for a special exception to the parking regulations
- BDA190-019(SM)** 10615 Park Preston Drive 3
REQUEST: Application of Brad Beutel for a variance to the off-street parking regulations
- BDA190-026(SM)** 4475 Marcell Avenue 4
REQUEST: Application of Lucas Torres Flores for a variance to the side yard setback regulations

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

FILE NUMBER: BDA190-015(SM)

BUILDING OFFICIAL'S REPORT: Application of William Riseman, represented by Nancy Riseman, for special exceptions to the fence height regulations and fence standards regulations at 932 Tipperary Drive. This property is more fully described as Lot 12, Block C/5373, and is zoned R-7.5(A), which limits the height of a fence in the front yard to four feet and requires fence panels with a surface area that is less than 50 percent open to be located a minimum of five feet from the front lot line. The applicant proposes to construct and/or maintain an eight-foot high fence in a required front yard, which will require a four-foot special exception to the fence regulations and to construct and/or maintain a fence with a fence panel having less than 50-percent open surface area located less than five feet from the front lot line, which will require a special exception to the fence regulations.

LOCATION: 932 Tipperary Drive

APPLICANT: William Riseman, represented by Nancy Riseman

REQUESTS: The following requests have been made to construct a fence in the front yard setback along Bridget Drive on the subject site:

1. A request for a special exception to the fence standards regulations related to the fence height of four feet to construct an eight-foot high fence in a required front yard, which will require a four-foot special exception to the fence regulations.
2. A request for a special exception to the fence standards regulations related to fence panels having less than 50 percent open surface area when located less than five feet from the front lot line to construct a solid wood fence within five feet of the front lot line.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS¹:

The applicant has the burden of proof in establishing the following standard has been met: The board may grant a special exception to the fence standards regulations when in the opinion of the board, the special exception will not adversely affect neighboring property.

¹ Reference Section 51A-4.602(d)(3) of the Dallas Development Code.

STAFF RECOMMENDATIONS:

No staff recommendation is made on this or any request for a special exception to the fence standards 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-7.5(A) (Single Family District)
North: R-7.5(A) (Single Family District)
East: R-7.5(A) (Single Family District)
South: R-7.5(A) (Single Family District)
West: R-7.5(A) (Single Family District)

Land Use:

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

Zoning/BDA History:

There have been no related board or zoning cases near the subject site within the last five years.

GENERAL FACTS/STAFF ANALYSIS

The purpose of these requests is to construct an eight-foot tall wood fence in the front yard setback along Bridget Drive and within five feet of the front lot line on Bridget Drive on the subject site. Since the fence is proposed to exceed four feet in height within the front yard setback and the fence panels are proposed to have a surface area that is less than 50 percent open within five feet of the front lot line on Bridget Drive, board approval is required.

Regarding the fence height, the submitted site plan and fence elevations show an eight-foot high wood fence which encloses approximately 80 feet of the eastern portions of the subject site along Bridget Drive. Regarding the openness of the fence, the proposed eight-foot high wood fence which are less than five feet from the front lot line also requires a fence standards special exception.

The Dallas Development Code states

1. In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard².
2. In single family districts, a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line³.

On April 20, 2018, a demolition permit was completed to remove the previous single family home which included a wood fence that exceeded four feet in height which was less than five feet from the front lot line on Bridget Drive; however, board approval for the previous fence could not be found in the digital records which were kept since the early 2000s.

Staff conducted a field visit of the site and the surrounding area and noted no properties in the vicinity have solid wood fences above four feet in height or fences with fence panels with surface area that is less than 50 percent open

As of February 7, 2020, two letters in opposition and three letters in support to the requests have been received by staff.

The applicant has the burden of proof in establishing that the special exceptions to the fence standards regulations related to height and prohibited materials the site will not adversely affect neighboring property.

If the board was to grant these special exceptions with a condition imposed that the applicant complies with the submitted site plan and fence elevation, it would require the portions of the fences which exceed four feet in height in the front yard setbacks and the portions with fence panels with surface area that is less than 50 percent open and within five feet of the front lot line to be constructed and maintained in the locations and of the heights and materials as shown on these documents.

TIMELINE:

November 19, 2019: 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 13, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.

² Reference Section 51A-4.602(a)(2) of the Dallas Development Code.

³ Reference Section 51A-4.602(a)(3) of the Dallas Development Code.

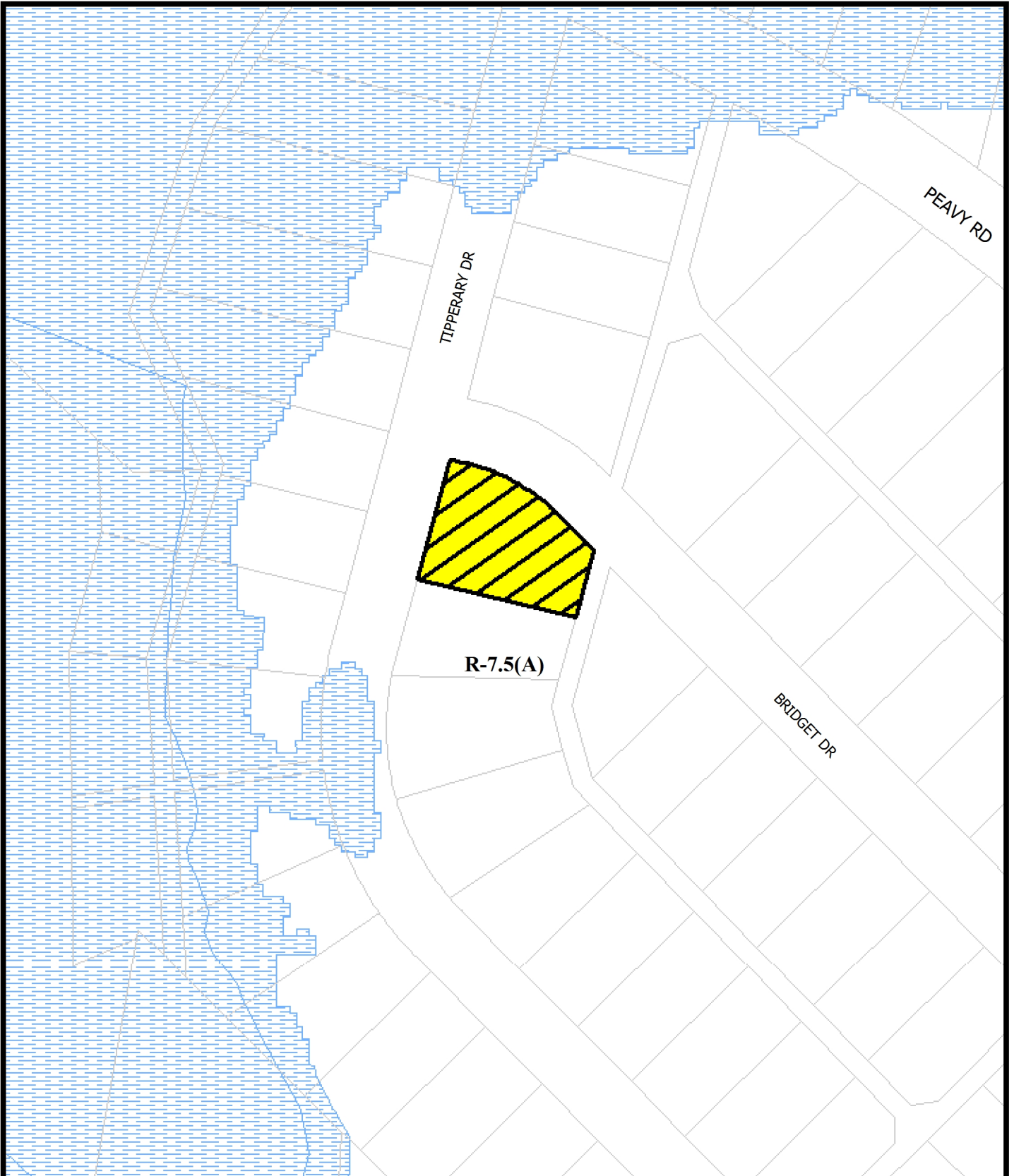
January 16, 2020: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant's representative the public hearing date and panel that will consider the application; the January 28th deadline to submit additional evidence for staff to factor into their analysis; and the February 7th deadline to submit additional evidence to be incorporated into the board's docket materials and the following information:

- a copy of the application materials including the Building Official's report on the application;
- 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 30, 2020: 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 Assistant City Attorney to the board and the following from the Sustainable Development and Construction Department: Board of Adjustment staff including the Interim Chief Planner/Board Administrator, the Senior Planner, and the Assistant Director; Building Inspection Division staff including the Senior Plans Examiner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer and Assistant Director.

February 7, 2020: The applicant's representative submitted a letter to the board (see Attachment A).

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



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ZONING MAP

Case no: BDA190-015

Date: 1/22/2020



1:1,200

AERIAL MAP

Case no: BDA190-015

Date: 1/22/2020



City of Dallas



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-015

Data Relative to Subject Property:

Date: 11-19-19

Location address: 932 Tipperary Dr. Zoning District: R-7.5(A)

Lot No.: 12 Block No.: C/5373 Acreage: .262 Census Tract: 82.00

Street Frontage (in Feet): 1) 120' 2) 95' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Riseman Development Company / William Riseman

Applicant: William Riseman Telephone: 469 939-2712

Mailing Address: 6301 Southpoint Dr., Dallas, TX Zip Code: 75248

E-mail Address: risedeveo@aol.com

Represented by: Nancy Riseman Telephone: 214 505-4610

Mailing Address: 6301 Southpoint Dr. Dallas, TX Zip Code: 75248

E-mail Address: nancyriseman@gmail.com

Affirm that an appeal has been made for a Variance __, or Special Exception of 4' to the required 4' front yard fence requirement and provide a total fence height of 8', and special exception for fence openness. This fence will be board on board

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

The property is on a corner lot
My fence will be of similar material and height as found on other corner lots in the area. The placement will be similar as well.

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 William Riseman
(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: William Riseman
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 15 day of November, 2019

(Rev. 08-01-11)



Leticia A Saucedo
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 **WILLIAM RISEMAN**
 represented by **NANCY RISEMAN**
 did submit a request for a special exception to the fence height regulations, and for a special
 exception to the fence standards regulations
 at 932 Tipperary Drive

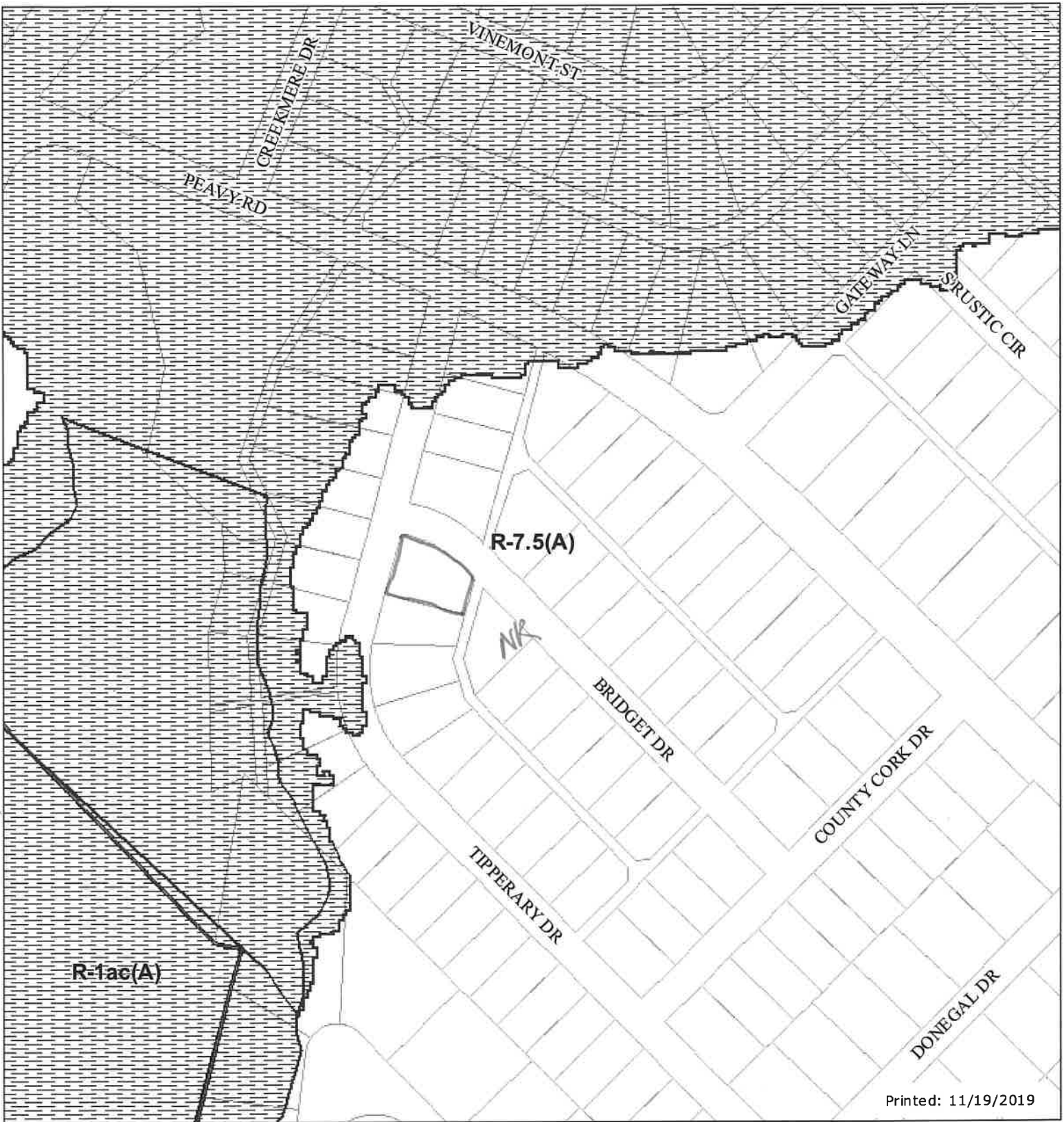
BDA190-015. Application of WILLIAM RISEMAN represented by NANCY RISEMAN for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 932 TIPPERARY DR. This property is more fully described as Lot 12, Block C/5373, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5 feet from the front lot line. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations.

Sincerely,

Philip Sikes
 Philip Sikes, Building Official

NE





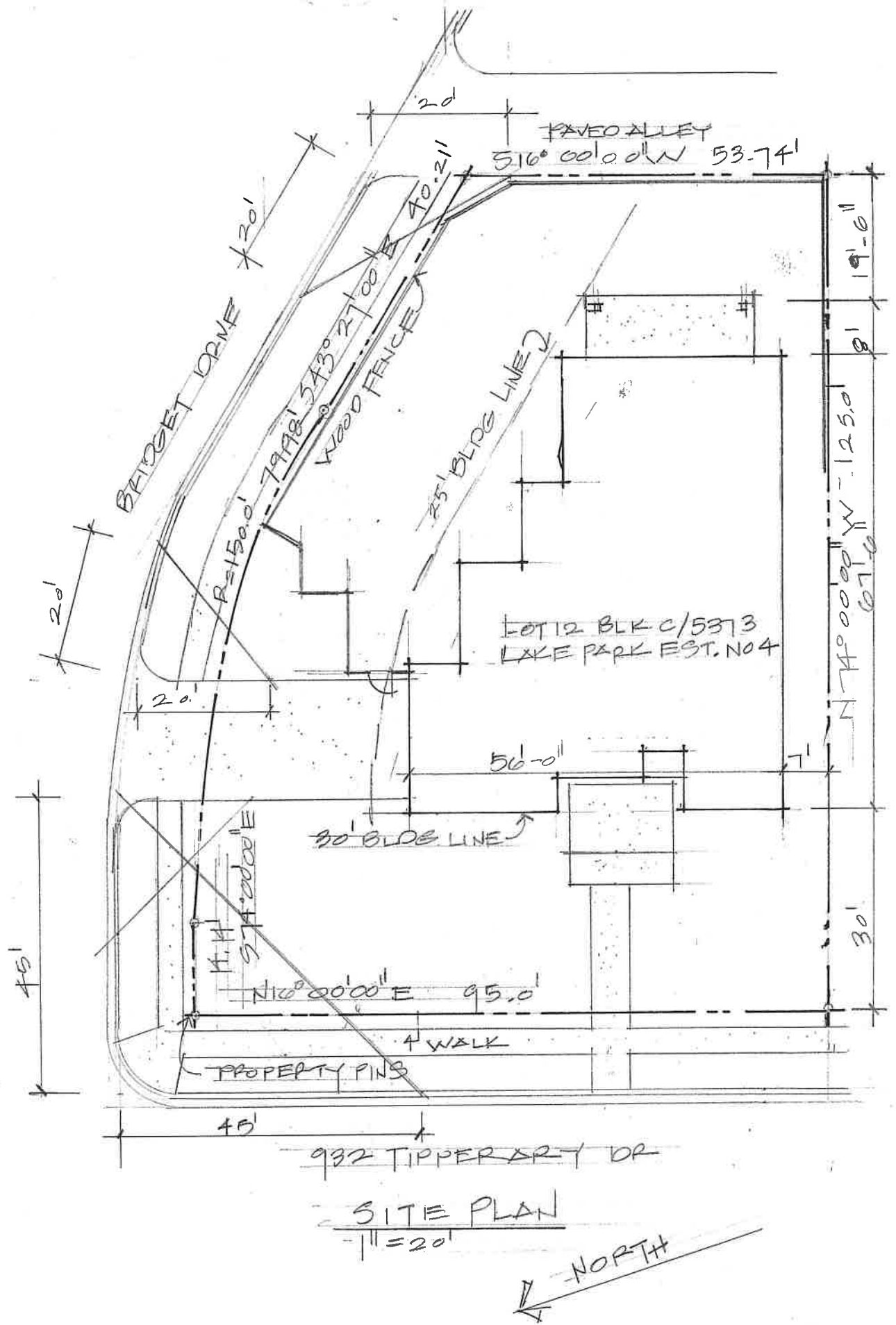
Printed: 11/19/2019

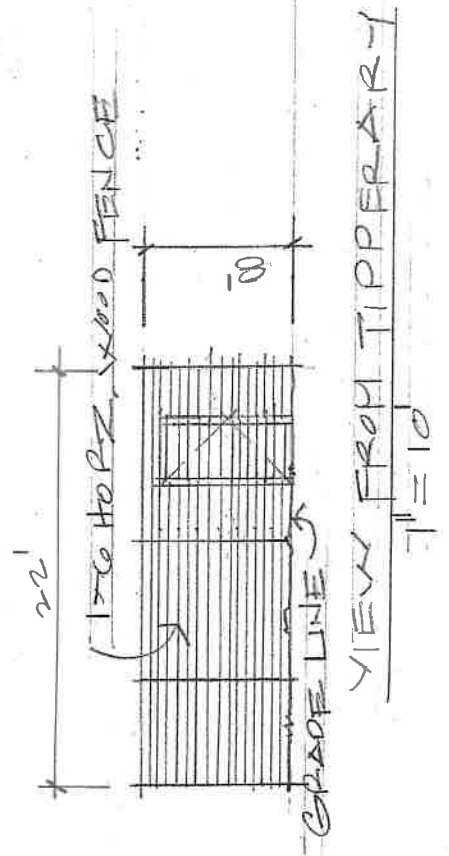
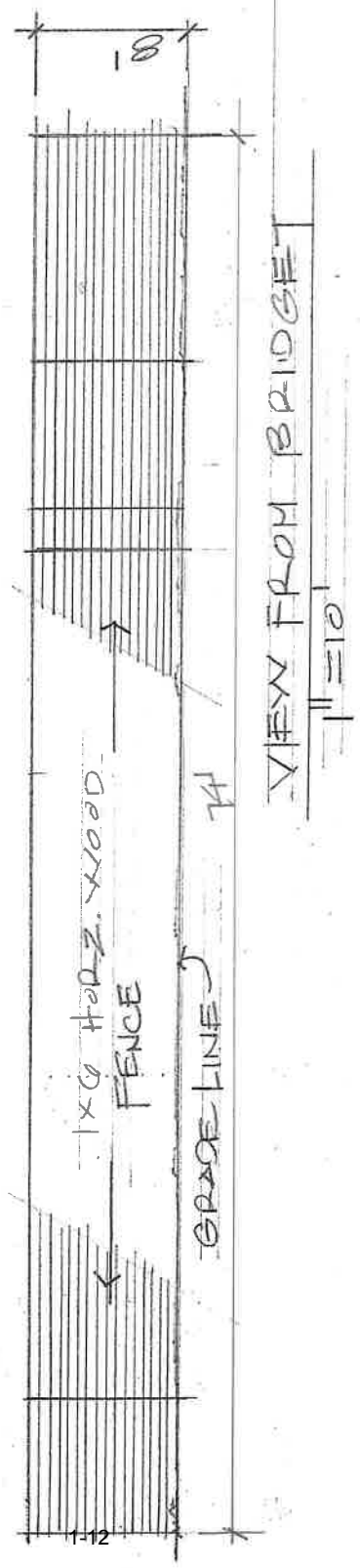
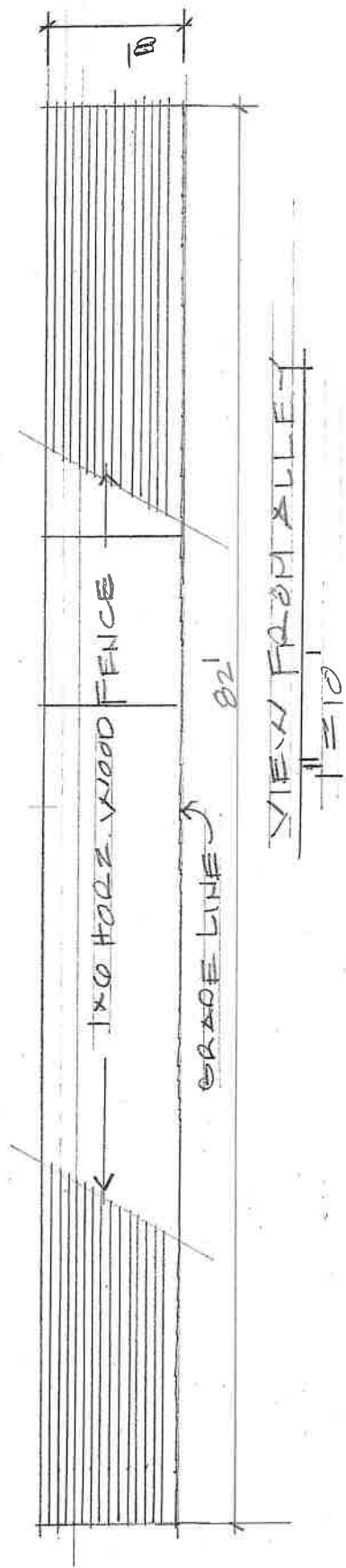
Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | 1-10 Front Overlay |
| | | Height Map Overlay | |

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







FENCE ELEVATIONS
 992 TIPPERARY DRIVE

Riseman Development
6301 Southpoint Dr.
Dallas, TX 75248

February 7, 2020

RE: 932 Tipperary Dr. – fence objection

Dear Ms. May,

Please find an explanation and description of the fence exceptions applied for at 932 Tipperary. This location is a corner lot that technically has two (2) front yards (one facing Tipperary, the other facing Bridget).

The house was designed with the front of the home/yard facing Tipperary as was previously on the lot. In addition, there was a fence at the property line along Bridgette previously on the lot. The fence in question would be constructed similarly along the “side” of the home, facing Bridget in order to create yard for privacy and pets.

This is a common fence layout for corner lots in the area and after speaking with homeowners within the 200 ft radius that had opposed the fence in writing, they each explained that there had been rumors put on their HOA website and by word of mouth that we were planning on building an 8-10 ft fence around the entire property perimeter. When we showed the plan that we have submitted to the City for review, they understood that our only goal was to create a sense of privacy and yard on the Bridgette side yard. They are wholly in agreement that this would not adversely affect them or the neighborhood and promptly rescinded their letters of objection to the City of Dallas.

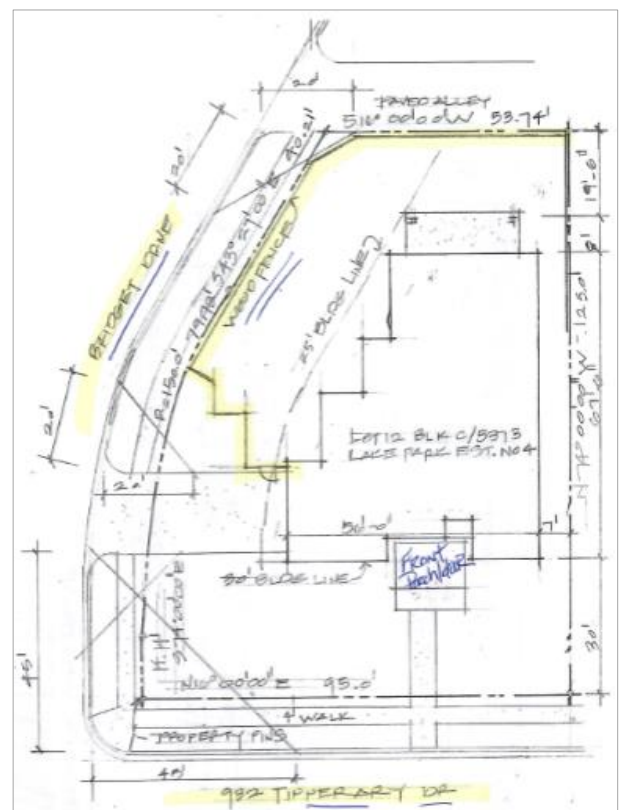
The only other objection we’ve been made aware of comes from outside the area, thus supporting that what we are asking for is not offensive to the affected homeowners and is conforming to the area.

Please find some examples in the area of similar fence conditions that we are asking for.

We thank you for your review our fencing exception.

Most Sincerely,

Nancy Riseman,
Agent for
Riseman Development Company



Photos of other corner lot homes in the neighborhood with similar fence layouts.

9827 Donegal Drive – Corner of Tipperary and Dongal

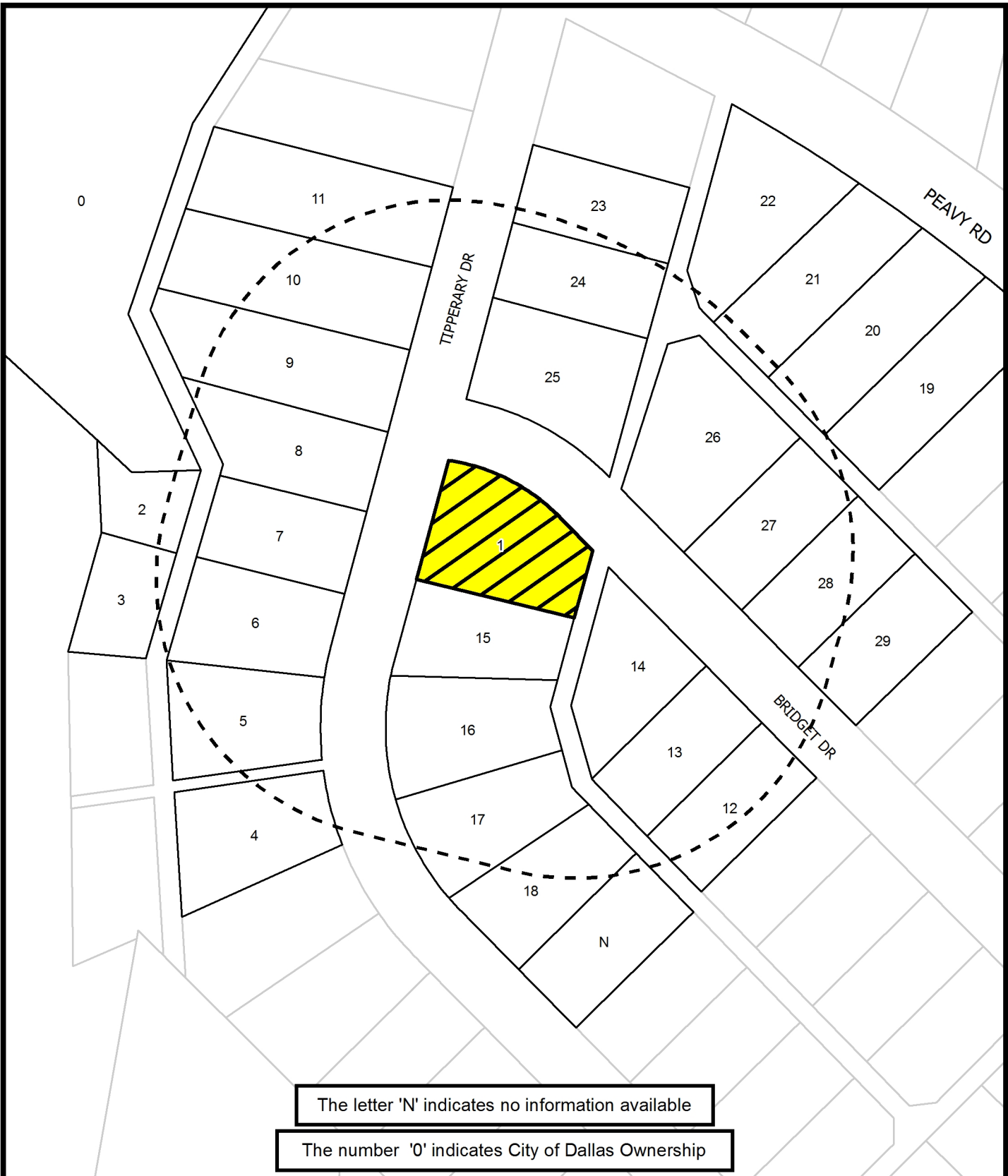


9907 Kilarney – Corner of Kilarney and Tranquilla



9823 Kilarney Dr. – Corner of Kilarney and Tranquilla





1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
29 NUMBER OF PROPERTY OWNERS NOTIFIED

1-17

Case no: **BDA190-015**
 Date: **1/22/2020**

Notification List of Property Owners

BDA190-015

29 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	932 TIPPERARY DR	RISEMAN DEVELOPMENT COMPANY
2	935 TIPPERARY DR	FLAUTT AARON M & KELLY J
3	941 TIPPERARY DR	SASSER CHARLES ALLAN &
4	1005 TIPPERARY DR	CRESTO TARA
5	945 TIPPERARY DR	CRAVEN DORIS A
6	941 TIPPERARY DR	SASSER DONIE HILL
7	935 TIPPERARY DR	FLAUTT AARON M &
8	931 TIPPERARY DR	THOMPSON SHEILA
9	925 TIPPERARY DR	JOHNSON GLORIA M
10	921 TIPPERARY DR	BARBEAU JASON GARY &
11	917 TIPPERARY DR	PASANT JAMES
12	927 BRIDGET DR	DONNELLY JOHN & JANET JONES
13	923 BRIDGET DR	NELSON MICHAEL GARRITY
14	919 BRIDGET DR	GREEN MILDRED H
15	940 TIPPERARY DR	CYNTHIA LYNN FIDLER
16	946 TIPPERARY DR	PAINTER JOHN D & MARILYN
17	1004 TIPPERARY DR	HARWOOD CHRISTOPHER
18	1010 TIPPERARY DR	KING TANNER
19	957 PEAVY RD	FROST SHELDON
20	953 PEAVY RD	GUEL FELICIA
21	949 PEAVY RD	WEST BRIAN
22	945 PEAVY RD	RALLIS ALEX
23	910 TIPPERARY DR	DOHANIAN ARMEN III
24	916 TIPPERARY DR	MILLER GREG T ETAL
25	922 TIPPERARY DR	DAVIS JOSEPH & LINDSAY RAY
26	914 BRIDGET DR	ABREU TASHA M & JORGE

01/22/2020

Label #	Address	Owner
27	918 BRIDGET DR	HALL KELLE
28	922 BRIDGET DR	GALLOWAY JOEL
29	926 BRIDGET DR	STAPLER JOHN

FILE NUMBER: BDA190-017(SM)

BUILDING OFFICIAL'S REPORT: Application of Santos T. Martinez of La Sierra Planning Group, for a special exception to the parking regulations at 3510 Ross Avenue. This property is more fully described as a tract of land within Block 513 and is zoned Subarea 1 within Planned Development District No. 298, which requires parking to be provided. The applicant proposes to construct and/or maintain a personal service use and provide 31 of the required 39 parking spaces, which will require an eight-space special exception (21-percent reduction) to the parking regulations.

LOCATION: 3510 Ross Avenue

APPLICANT: Santos T. Martinez of La Sierra Planning Group

REQUEST:

A request for a special exception to the off-street parking regulations of eight spaces is made to convert an existing florist use with 8,250 square feet of floor area to a personal service use and will provide 31 parking spaces (or 79 percent) of the 39 required parking spaces for the subject site.

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

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets. The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of

parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.
- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:
 - (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
 - (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Denial.

The Sustainable Development and Construction Senior Engineer made the following statement:

The Institute of Transportation Engineers' Parking Generation manual (5th Edition) provides data for similar uses. It estimates a peak parking demand on a typical day anywhere between 39 and 70 parked vehicles. The applicant did not provide a parking analysis or data to justify the request.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	Planned Development No. 298 (Subarea 1)
<u>Northeast:</u>	Planned Development No. 298 (Subarea 1B)
<u>Southeast:</u>	Planned Development No. 298 (Subarea 7)
<u>Southwest:</u>	Planned Development No. 298 (Subarea 1)
<u>Northwest:</u>	Planned Development No. 298 (Subarea 1A) with Specific Use Permit No. 1819

Land Use:

The subject site is developed with vacant building which was previously occupied by a florist. Surrounding uses include a vacant vehicle or engine repair or maintenance shop to the northeast, a church and a construction site for a future multifamily use is to the southeast, parking lots to the southwest, and a multifamily use across Ross Avenue.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception to the off-street parking regulations of eight spaces is made to convert an existing 8,250-square-foot building, previously

occupied by a florist, to a personal service use¹ which the applicant intends to operate as a gym or fitness center. The applicant proposes to provide 31 of the 39 required parking spaces parking spaces on the subject site.

The Dallas Development Code requires, one space for each 200 square feet of floor area for a personal service use and allows for a one-space parking reduction for each six bicycle parking spaces provided². Therefore, the proposed 8,250-square-foot personal service use requires 39 parking spaces when a minimum of 12 bicycle parking spaces are provided.

The applicant has the burden of proof in establishing the following:

- The parking demand generated by the personal service use on the site does not warrant the number of off-street parking spaces required, and
- The special exception of eight spaces would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

If the Board were to grant this request, and impose the condition that the special exception of eight spaces shall automatically and immediately terminate if and when the personal service use is changed or discontinued, the applicant would be allowed to lease and maintain the structure on the site with this specific use (“personal service use”) with the specified square footage, and provide 31 of the 39 code required off-street parking spaces.

Timeline:

November 21, 2019: 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 13, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.

January 14, 2020: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the

¹ Personal service use means, “A facility for the sale of personal services. Typical personal service uses include a barber/beauty shop, shoe repair, a tailor, an instructional arts studio, a photography studio, a laundry or cleaning pickup and receiving station, a handcrafted art work studio, safe deposit boxes, a travel bureau, and a custom printing or duplicating shop.” Reference Section 51A-4.210(23) of the Dallas Development Code.

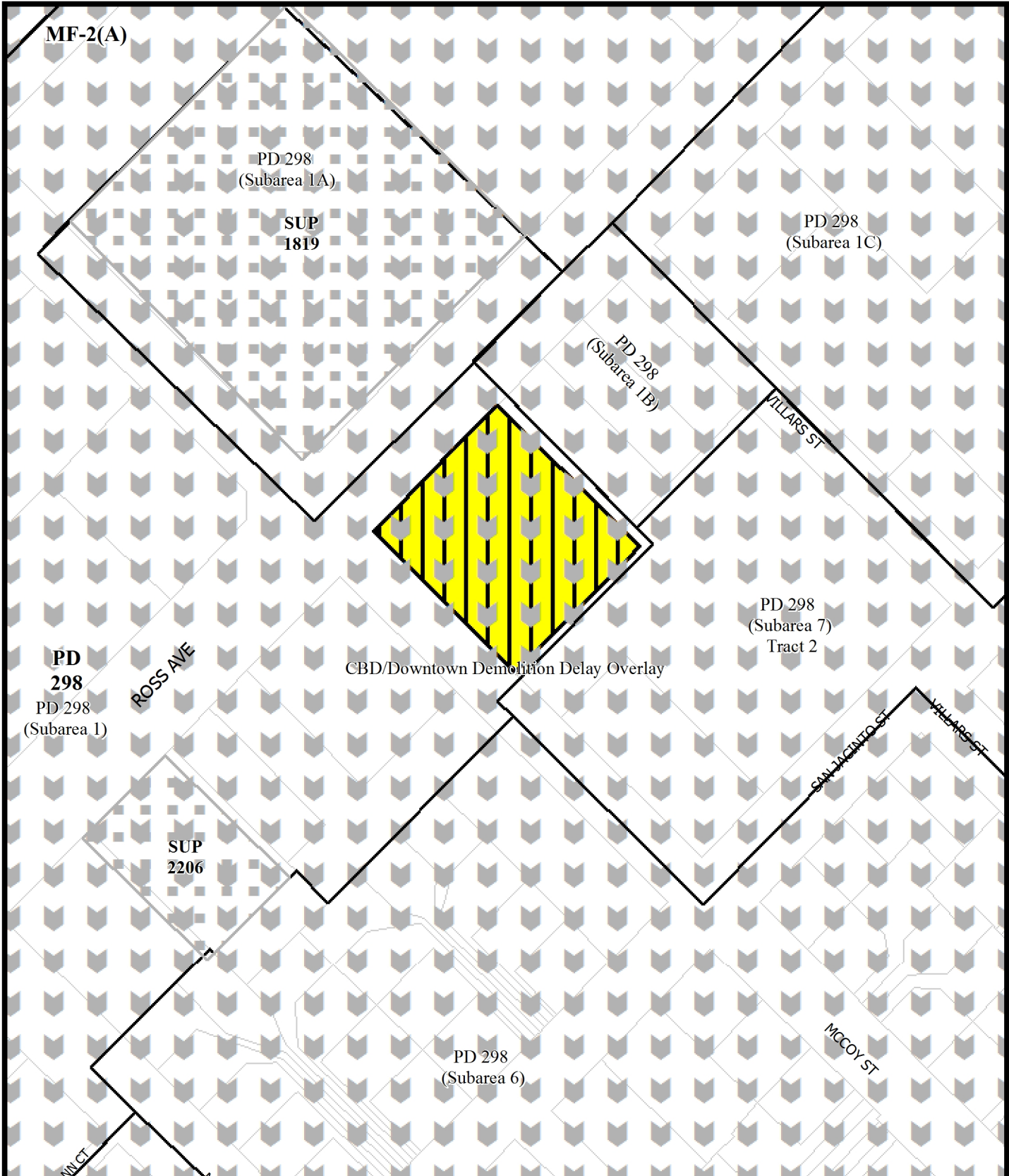
² Reference Section 51A-4.314 of the Dallas Development Code.


January 28th 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 and the following information:

- a copy of the application materials including the Building Official's report on the application;
- 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 30, 2020: 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 Assistant City Attorney to the board and the following from the Sustainable Development and Construction Department: Board of Adjustment staff including the Interim Chief Planner/Board Administrator, the Senior Planner, and the Assistant Director; Building Inspection Division staff including the Senior Plans Examiner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer and Assistant Director..

January 30, 2020: The City of Dallas Sustainable Development and Construction Senior Engineer submitted a memo regarding this application (see Attachment A).




 1:1,200

ZONING MAP

Case no: **BDA190-017**
 Date: **1/22/2020**



Site

ROSS AVE

VILLARS ST

SAN JACINTO ST

VILLARS ST

MCCOY ST



1:1,200

AERIAL MAP

Case no: BDA190-017

Date: 1/22/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-017

Data Relative to Subject Property:

Date: Nov 21, 2019

Location address: 3510 Ross Zoning District: PDD 298 SA 1

Lot No.: tract 1 Block No.: 513 Acreage: .47 Census Tract: 16.00

Street Frontage (in Feet): 1) 177.5 2) 154.1 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): 3510 RA LLC

Applicant: SANTOS T. MARTINEZ Telephone: 214 684 2775

Mailing Address: P.O. Box 1275 Angel Fire NM Zip Code: 87710
5940 N. Central Exp. Suite 4670 Dallas, TX

E-mail Address: _____

Represented by: Santos T. Martinez; La Sierra Planning Group Telephone: 214-684-2775

Mailing Address: P.O.Box 1275 Angel Fire, NM Zip Code: 87710

E-mail Address: santos@lasierrapg.com

Affirm that an appeal has been made for a Variance __, or Special Exception x, of _____
special exception of eight parking spaces for a personal service use.

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

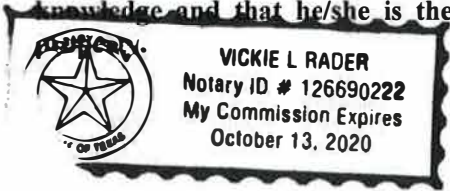
Property owner seeks to operate a personal service use within the main building of 8250 square feet. They are required to provide 39 parking spaces but can maintain 31 spaces on site. They seek a reduction of 8 spaces to operate this proposed use.

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

Affidavit

Before me the undersigned on this day personally appeared Santos T. Martinez
(Affiant/Applicant's name printed)

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



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

Subscribed and sworn to before me this 21st day of November, 2019

Vickie L. Rader
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 SANTOS MARTINEZ

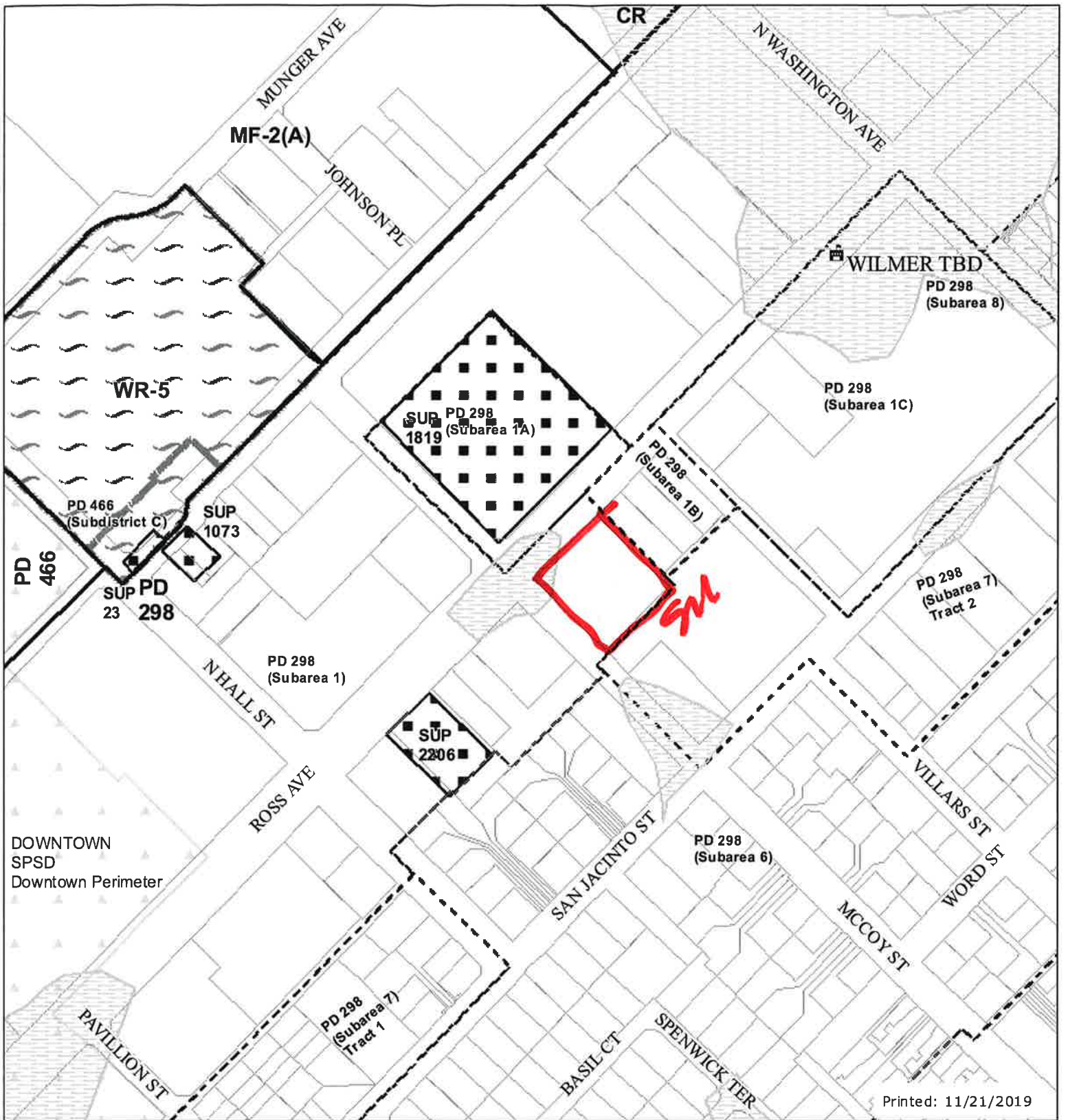
did submit a request for a special exception to the parking regulations
at 3510 Ross Avenue

BDA190-017. Application of SANTOS MARTINEZ for a special exception to the parking regulations at 3510 ROSS AVE. This property is more fully described as Tract 1, Block 513, and is zoned PD-298 (Subarea1A), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for a personal service use, and provide 31 of the required 39 parking spaces, which will require a 8 space special exception (21% reduction) to the parking regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official





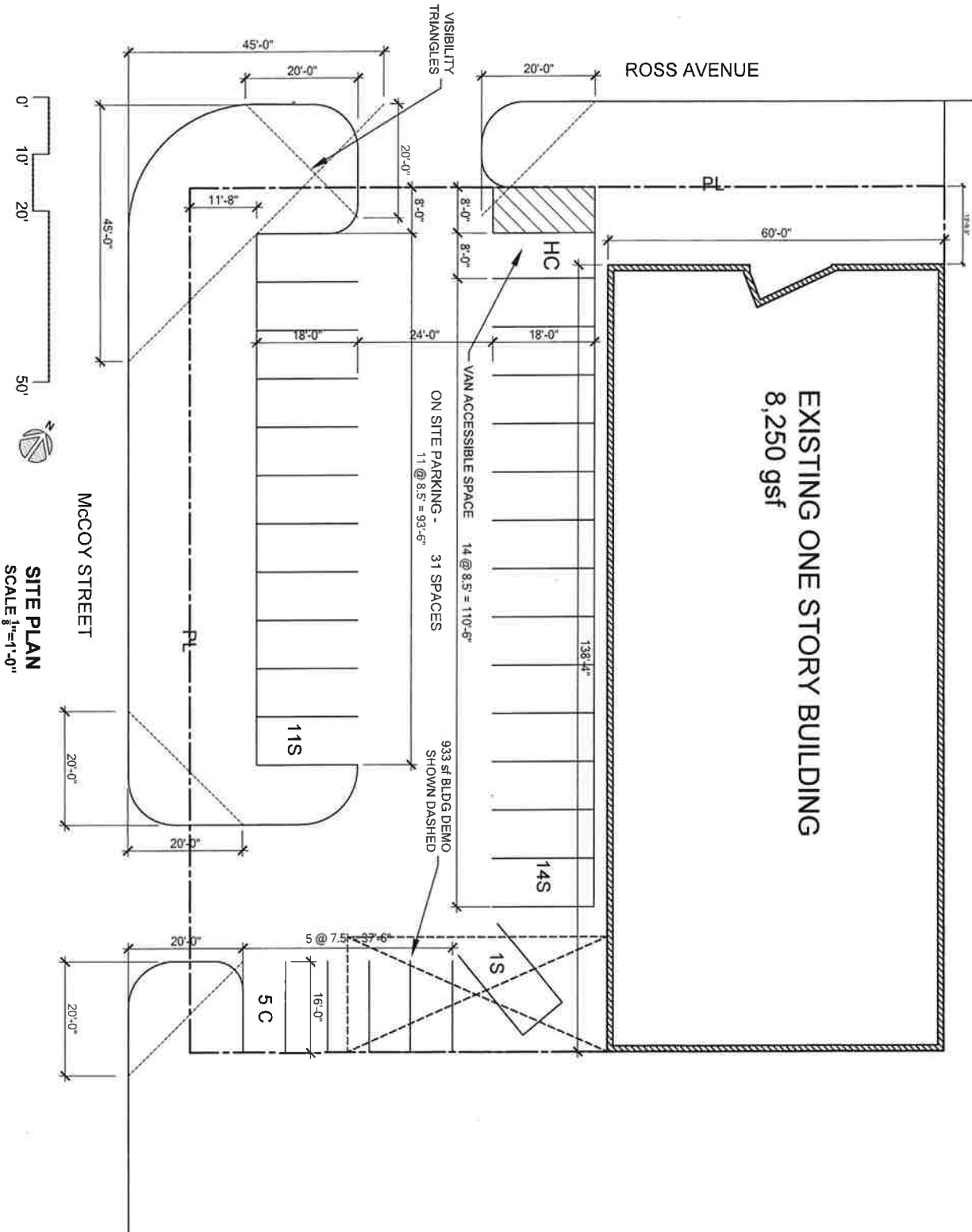
Printed: 11/21/2019

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Sub districts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSP Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | Front Overlay |
| | | Height Map Overlay | |

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SITE PLAN
SCALE $\frac{1}{8}'' = 1'-0''$

McCoy Street

Ross Avenue

EXISTING ONE STORY BUILDING
8,250 gsf

ON SITE PARKING - 31 SPACES
11 @ 8.5' = 93'-6"

VAN ACCESSIBLE SPACE 14 @ 8.5' = 110'-6"

933 sq ft BLDG DEMO
SHOWN DASHED

11S

14S

5C

1S

HC



A1	SHEET NUMBER	DATE 11/20/19	3510 ROSS 2-12	Neighborhood Athletic Life Fitness	 F&A CONSULTANTS 1120 17th St, Suite 100 Berkeley, CA 94703
		DRAWN BY:			

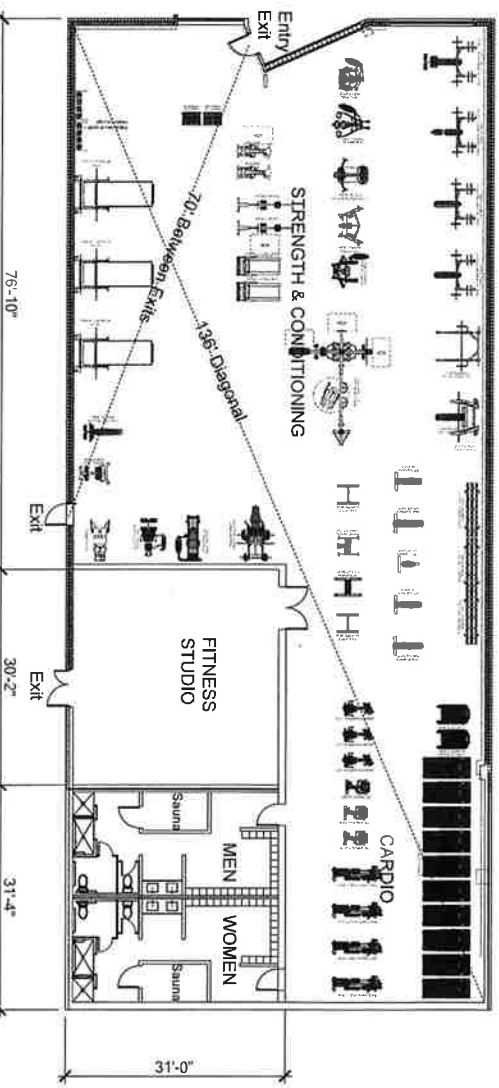


FARRELL architects
3140 Ross Ave., Suite 200
Dallas, TX 75201
214.766.8888
farrellarchitects.com

Neighborhood Athletic Life Fitness

3510 ROSS

2-13



OCCUPANT CALCULATIONS

EXERCISE AREAS 8250 GSF @ 1:50 = 165 OCCUPANTS

A3 Occupancy Plumbing Calculations: 1:150m; 1:75f Occupants = 1 WC for Male and Female
= 1 LAV each for Male and Female

EXITS - 2 Exits Required

BUILDING DATA

AREA - 8250 GSF
TYPE II B
NON - SPRINKLED
ONE STORY



FLOOR PLAN SCALE 1/8"=1'-0"

DATE 1/12/2019	CHECKED BY:
DRAWN BY:	REVISION NUMBER
SHEET NUMBER A2	

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **FEBRUARY 19, 2020 (B)**

- | | |
|---|---|
| <input type="checkbox"/> Has no objections | |
| <input type="checkbox"/> Has no objections if certain conditions are met (see comments below or attached) | <input checked="" type="checkbox"/> BDA 190-017 |
| <input checked="" type="checkbox"/> Recommends denial (see comments below or attached) | <input type="checkbox"/> BDA 190-019 |
| <input type="checkbox"/> No comments | <input type="checkbox"/> BDA 190-022 |
| | <input type="checkbox"/> BDA 190-026 |

COMMENTS:

The Institute of Transportation Engineers' Parking Generation manual (5th Edition) provides data for similar uses. It estimates a peak parking demand on a typical day anywhere between 39 and 70 parked vehicles.

The applicant did not provide a parking analysis or data to justify the request.

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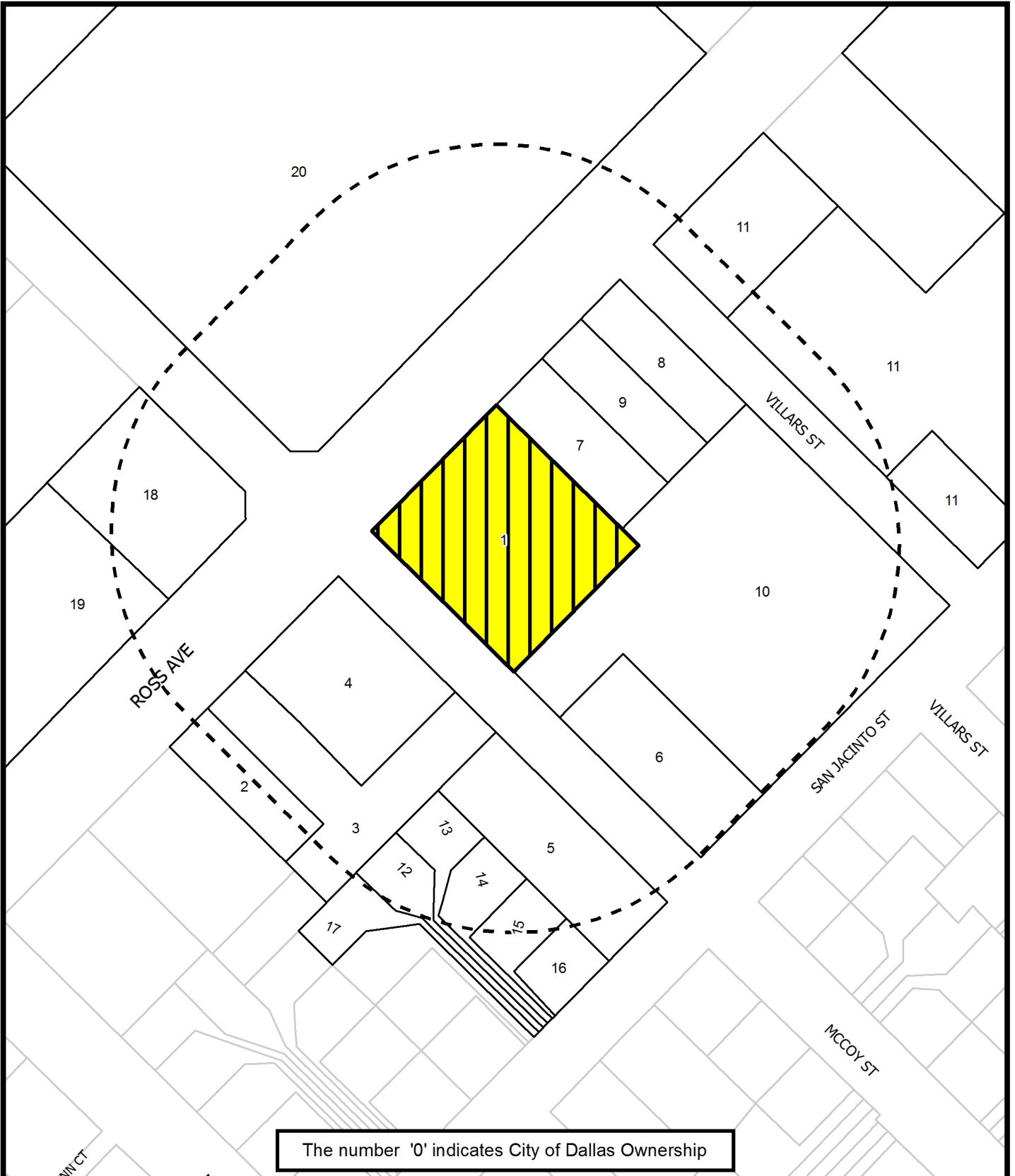
David Nevarez, PE, PTOE, DEV - Engineering

1/30/2019


Name/Title/Department

Date

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



The number '0' indicates City of Dallas Ownership


 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
20 NUMBER OF PROPERTY OWNERS NOTIFIED

2-15

Case no: **BDA190-017**
 Date: **1/22/2020**

Notification List of Property Owners

BDA190-017

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3510 ROSS AVE	3510 RA LLC
2	3400 ROSS AVE	HERNANDEZ JULIO
3	3404 ROSS AVE	3404 ROSS AVENUE LLC
4	3410 ROSS AVE	BSK SCHWARTZ LTD
5	1607 MCCOY ST	MACEDONIA BAPTIST CHURCH
6	3501 SAN JACINTO ST	MACEDONIA BAPTIST
7	3512 ROSS AVE	MBOGO HINGA ET AL
8	3520 ROSS AVE	MBOGO HINGA ET AL
9	3516 ROSS AVE	MBOGO HINGA &
10	3517 SAN JACINTO ST	SUBDIVISIONS REALTY 11 LLC
11	3700 ROSS AVE	LG EAST ROSS LLC
12	3415 SAN JACINTO ST	FISHER ROBERT J & MELINDA M
13	3419 SAN JACINTO ST	GREENE CHARLOTTE LINDA
14	3423 SAN JACINTO ST	NJUGUNA BEATRICE WANGARI
15	3427 SAN JACINTO ST	AZFER ADNAN &
16	3431 SAN JACINTO ST	STULTZ JACOB MICHAEL
17	3411 SAN JACINTO ST	SMITH J WAYNE & SHARON A
18	3407 ROSS AVE	SCHWARTZ JEANNETTE ESTATE OF
19	3305 ROSS AVE	3405 DHG LLC
20	3606 ROSELAND AVE	WW ROSS AVENUE LP

FILE NUMBER: BDA190-019(SM)

BUILDING OFFICIAL'S REPORT: Application of Brad Beutel for a variance to the off-street parking regulations at 10615 Park Preston Drive. This property is more fully described as Lot 25, Block 6/5508, and is zoned TH-1(A), which requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct and/or maintain a parking space in an enclosed structure with a setback of four feet 11 inches, which requires a variance of 15 feet one inch to the off-street parking regulations.

LOCATION: 10615 Park Preston Drive

APPLICANT: Brad Beutel

REQUESTS:

A request for a variance to the off-street parking regulations of 15 feet one inch is made to construct a garage that would be entered directly from the alley. The enclosed parking space is proposed to be located four feet 11 inches from the alley right-of-way line, which requires a variance of 15 feet, one inch to the off-street parking regulations.

STANDARD FOR A VARIANCE:

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

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

(C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Denial

Rationale:

Although the request is not seen to be contrary to public interest (the Sustainable Development and Construction Senior Engineer has submitted a Review Comment Sheet marked “no objections”), staff recommends denial because the applicant has not provided documentation to prove the following components of the variance standards were met prior to the January 30th Board of Adjustment staff review meeting:

1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope (in this case, the site is 7,813 square feet in area, rectangular in shape, and is flat) that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same TH-1(A) zoning where in this application, features of the site have allowed it to be developed with a single family home and enclosed parking (attached garage) that comply with setbacks; and
2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

Site: TH-1(A) (Townhouse District)
North: TH-1(A) (Townhouse District)
East: TH-1(A) (Townhouse District)
South: TH-1(A) (Townhouse District)
West: R-1/2ac(A) (Single Family District) with Deed Restriction No. Z73-304

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 and duplex uses, and the Dallas North Tollway abuts the site on the west.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS (parking variance):

The purpose of this request for a variance to the off-street parking regulations of 15 feet, one inch is to complete the construction of a garage and enclose what is now an attached carport that can be entered directly from the alley. The enclosed parking space is proposed to be located four feet 11 inches from the alley right-of-way line, which requires a variance of 15 feet one inch to the off-street parking regulations.

Section 51(A)-4.301(a)(9) of the Dallas Development Code states that a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from a street or alley.

The original structure contained a two-car garage that complied with the required 20-foot spacing for an enclosed parking space from the alley. A building permit was issued September 24, 2019 to convert the original garage into a master bedroom suite and covered parking. According to the submitted site plan, the proposed living area is 2,891 square feet and contains three bedrooms and three and a half bathrooms within a one-story structure.

The subject site is relatively flat, rectangular in shape, and, according to the site plan, is about 7,813 square feet in area. The site is zoned TH-1(A) where lots must be a minimum size of 2,000 square feet in area.

The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked “has no objections” with the following comments: “Access point is located on a residential alley (without sidewalk). Request is commensurate to other properties and, therefore, is not considered contrary to public interest”.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the off-street parking regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same TH-1(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same TH-1(A) zoning classification.

If the board were to grant the request for a variance of 15 feet one inch, staff recommends imposing the following conditions which are suggested to help assure that the variance will not be contrary to the public interest:

1. Compliance with the submitted site plan is required.
2. An automatic garage door must be installed and maintained in working order at all times.

Timeline:

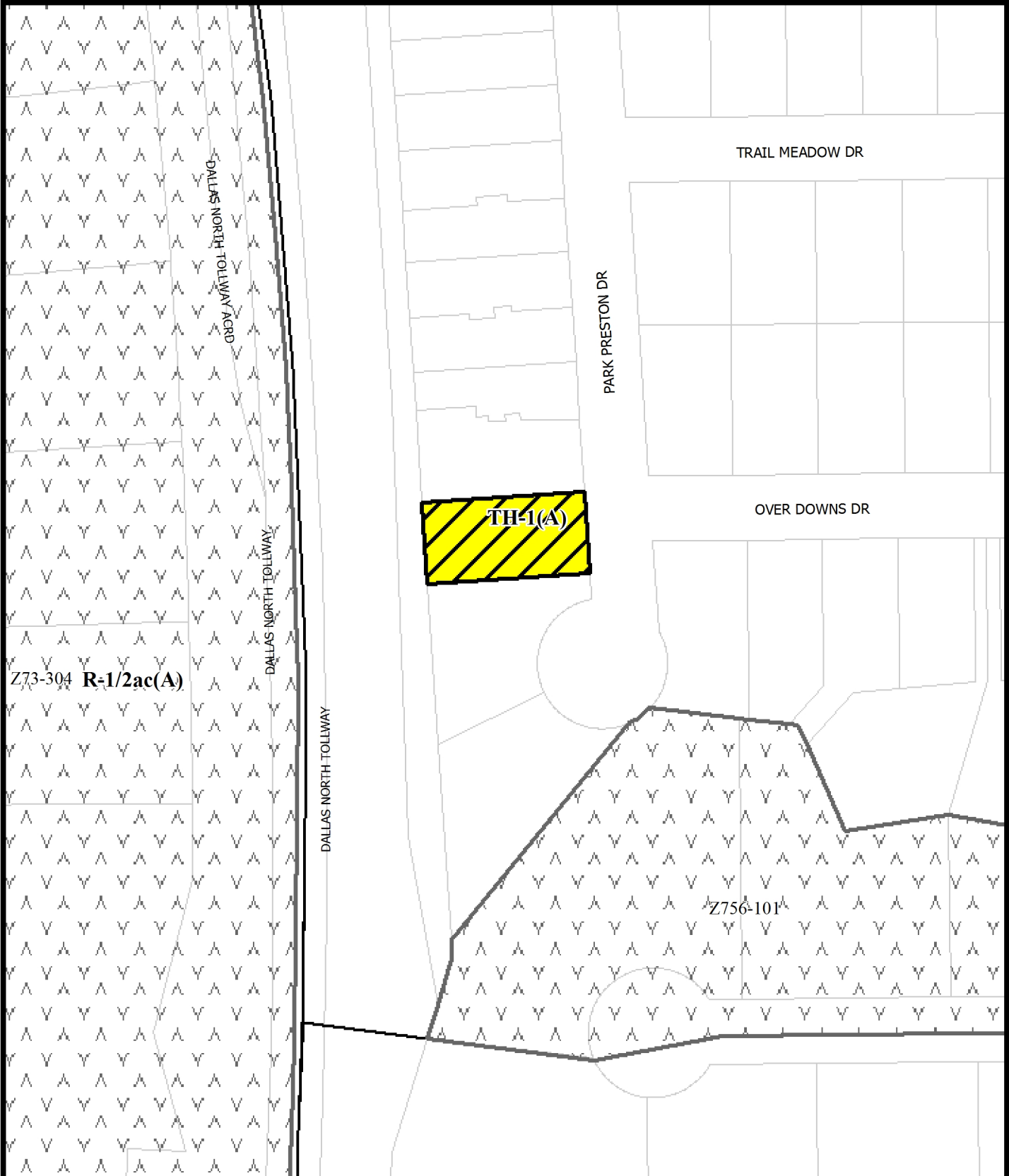
November 27, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

January 13, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.

January 14, 2020: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the January 28th 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 and the following information:

- a copy of the application materials including the Building Official’s report on the application;
- 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 30, 2020: 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 Assistant City Attorney to the board and the following from the Sustainable Development and Construction Department: Board of Adjustment staff including the Interim Chief Planner/Board Administrator, the Senior Planner, and the Assistant Director; Building Inspection Division staff including the Senior Plans Examiner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer and Assistant Director.
- January 30, 2020: The Sustainable Development and Construction Senior Engineer submitted a review comment sheet marked “Has no objections” with the following comments: “Access point is located on a residential alley (without sidewalk). Request is commensurate to other properties and, therefore, is not considered contrary to public interest.”
- February 6, 2020: The applicant submitted a letter to the board with supporting documentation for the requested variance (see Attachment A).

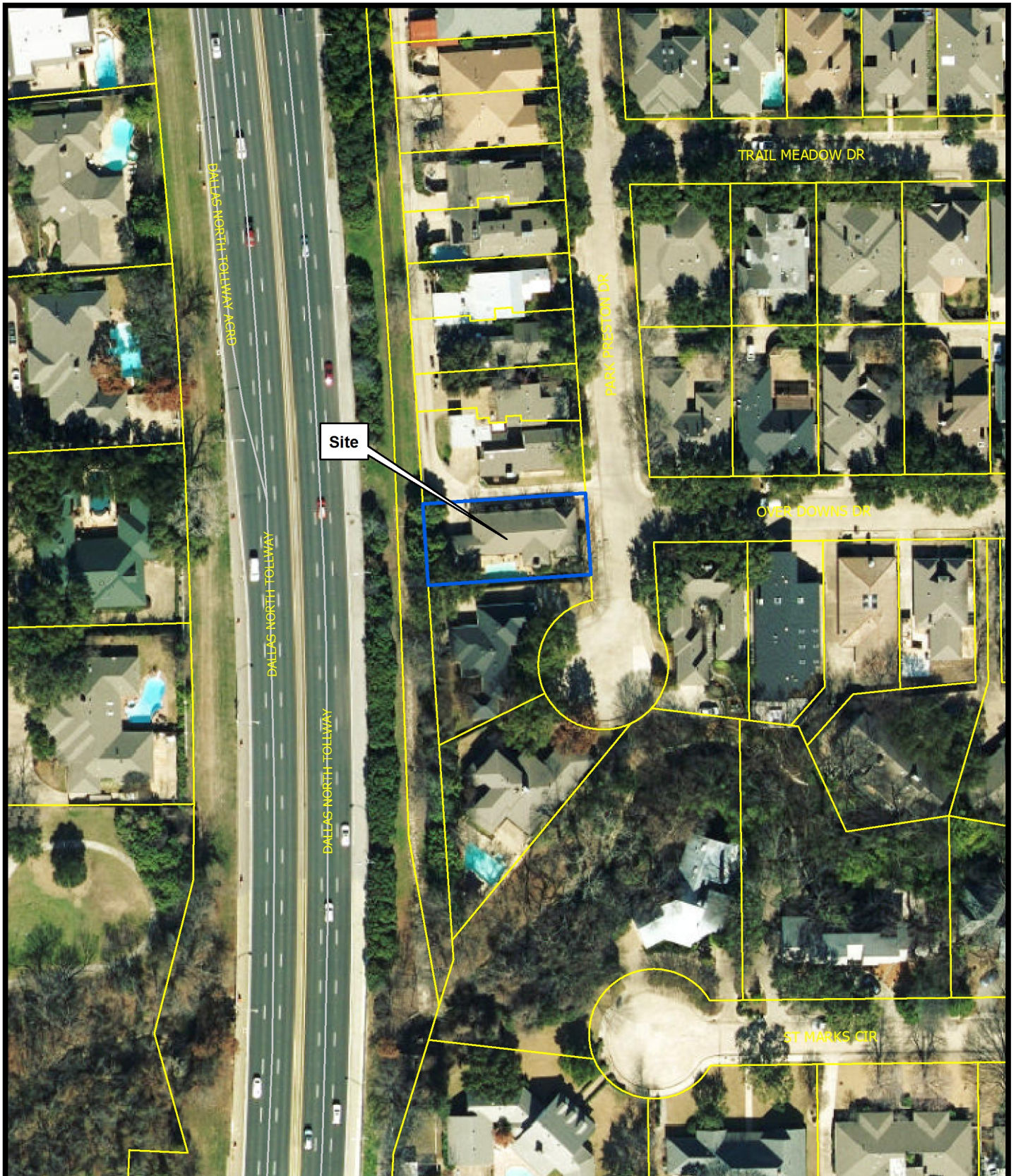


1:1,200

ZONING MAP

Case no: BDA190-019

Date: 1/23/2020



1:1,200

AERIAL MAP

Case no: BDA190-019

Date: 1/23/2020

RECEIVED
NOV 27 2019
BY: *col*



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-019

Date: ~~11/26/19~~ 11-27-19

Data Relative to Subject Property:

Location address: 10615 Park Preston Drive, 75230

Zoning District: Townhouse District 1

Lot No.: 25 Block No.: 6/5508 Acreage: .179 Census Tract: 76.05

Street Frontage (in Feet): 1) 62.50 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Denise D. + Bradley W. Beutel

Applicant: Brad Beutel Telephone: 469-964-2769

Mailing Address: 18208 Preston Rd., Suite D-9, #246, Dallas, TX Zip Code: 75252

E-mail Address: beutelfamily@gmail.com

Represented by: Brad Beutel Telephone: 469-964-2769

Mailing Address: see above Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception _____, of the 20' right of way parking regulations for a structure (garage)

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

The traffic on the alley way of Park Preston Drive should not prohibit the abolishment of the 20' right of way parking regulation requirement.

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

Affidavit

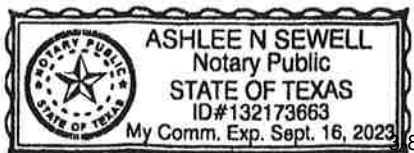
Before me the undersigned on this day personally appeared Brad Beutel
(Affiant/Applicant's name printed)

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 26 day of November, 2019

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

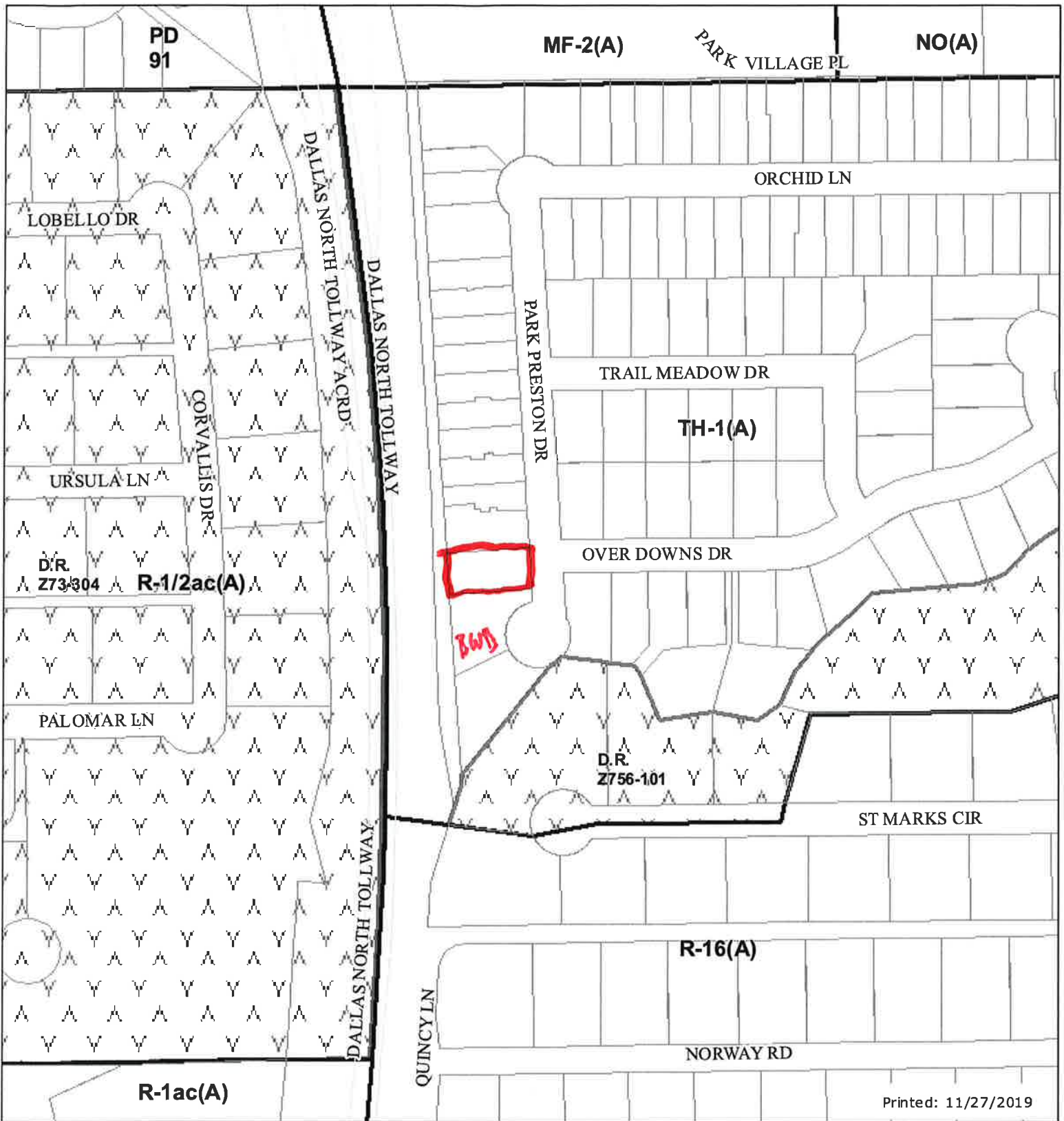
I hereby certify that BRAD BEUTEL

did submit a request for a variance to the off-street parking regulations
at 10615 Park Preston Drive

BDA190-019. Application of BRAD BEUTEL for a variance to the off-street parking regulations at 10615 PARK PRESTON DR. This property is more fully described as Lot 25, Block C/5508, and is zoned TH-1(A), which requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct and maintain a single family residential structure with a setback of 4 feet 11 inches, which will require a variance of 15 feet 1 inch to the off-street parking regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



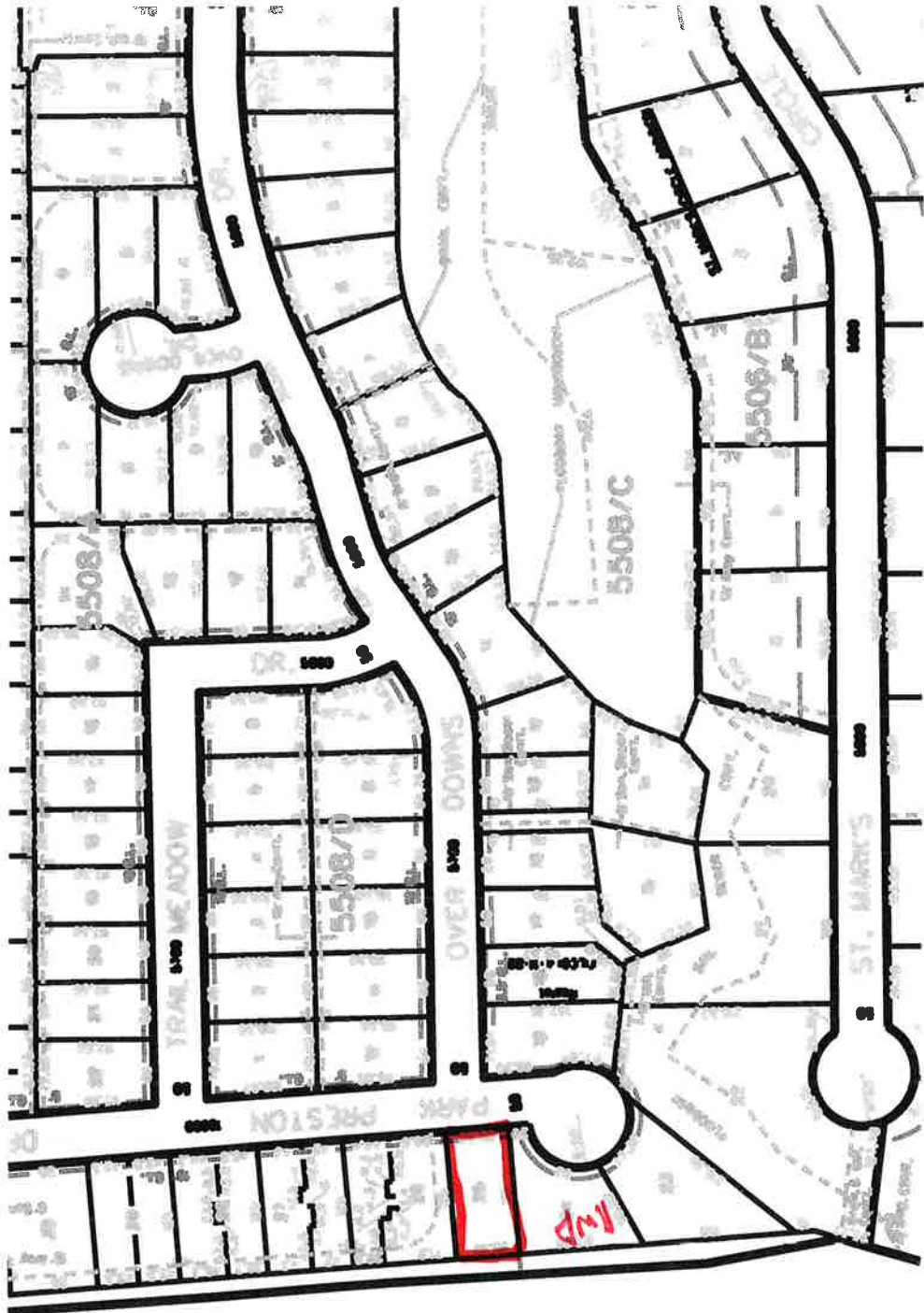
Printed: 11/27/2019

Legend

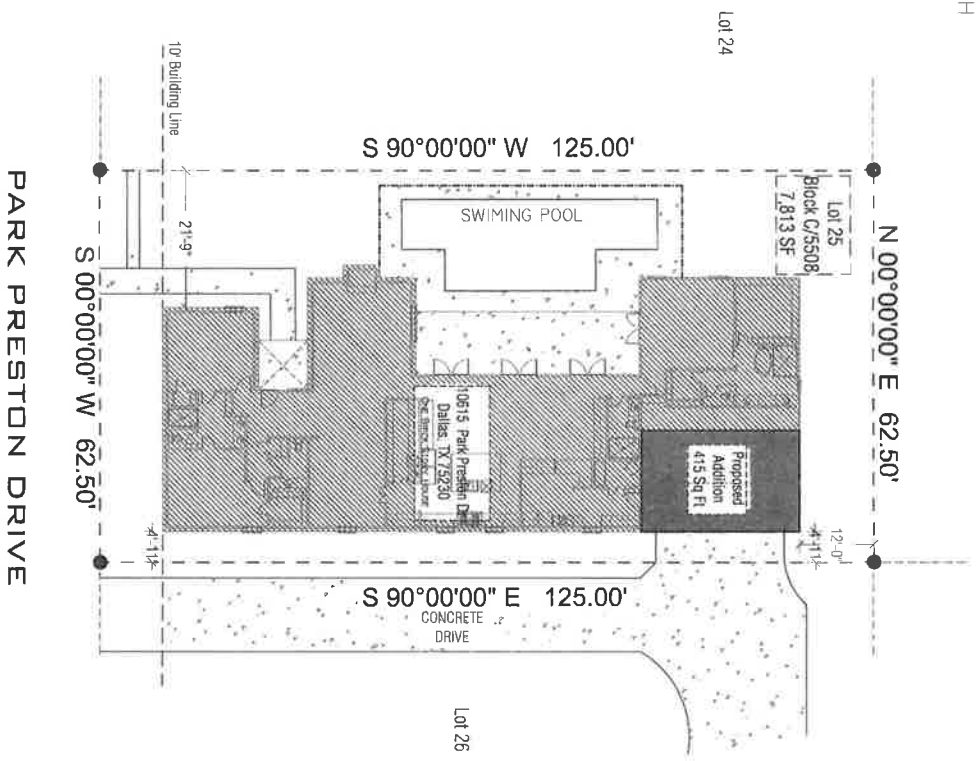
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|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
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| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSP Overlay | MD Overlay | Escarpment Overlay |
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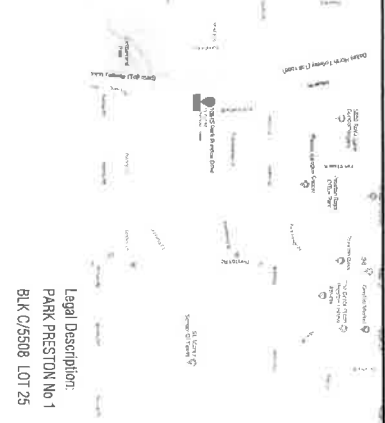




DALLAS NORTH
TOLLWAY



VICINITY MAP
FOR REFERENCE ONLY



SITE PLAN INFORMATION	
LOT SIZE	7,813 SF
TOTAL BUILDING AREA	3,841 SF
PERCENT LOT COVERED	49 %

SQUARE FOOTAGE	
EXG. LIVING AREA	2,419 SF
NEW PROPOSED LIVING AREA	2,891 SF
EXG. ENTRY/PORCH	65 SF
PROPOSED COVERED PATIO	362 SF
PROPOSED ADDITION/GARAGE	523 SF
TOTAL	3,841 SF

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, FUSION DESIGN WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

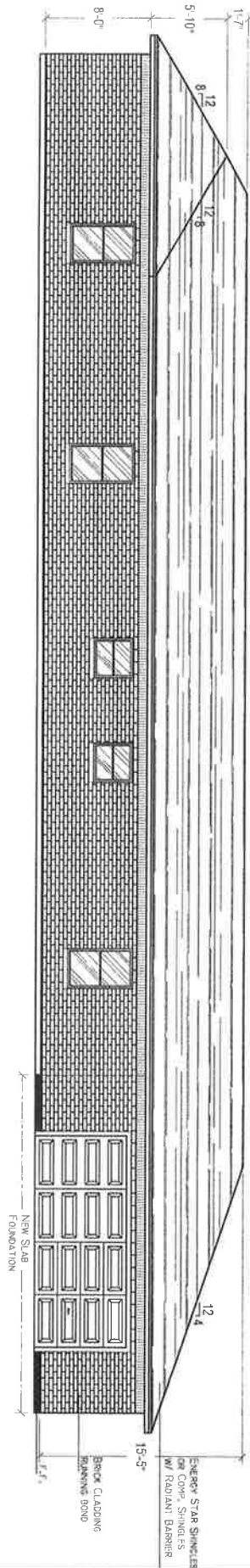
Project Name & Address
10615 Park Preston Dr
Dallas, TX
75230

Project
SITE PLAN

Date	9/11/2019	Drawn By	
Scale	1/4" = 20'-00"	North	
Sheet	1		

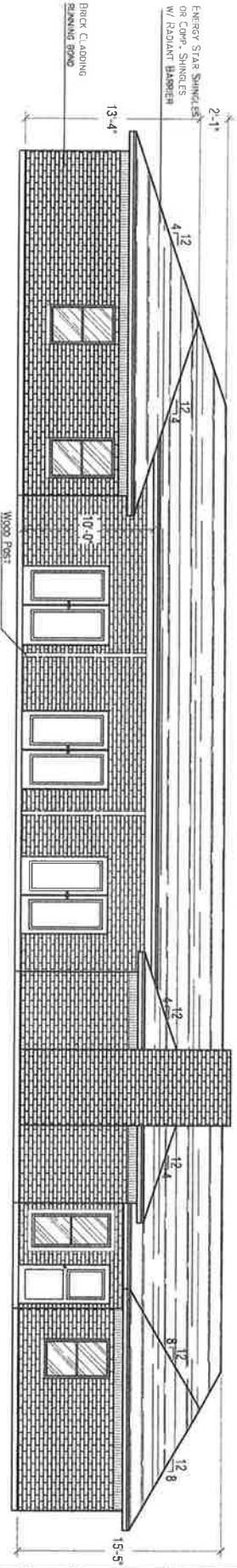
Site Plan

1/00 - 25'-00"



Proposed Right Elevation

1/8" = 1'-0"



Proposed Left Elevation

1/8" = 1'-0"

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

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Project Name & Address
10615 Park Preston Dr
Dallas, TX
75230

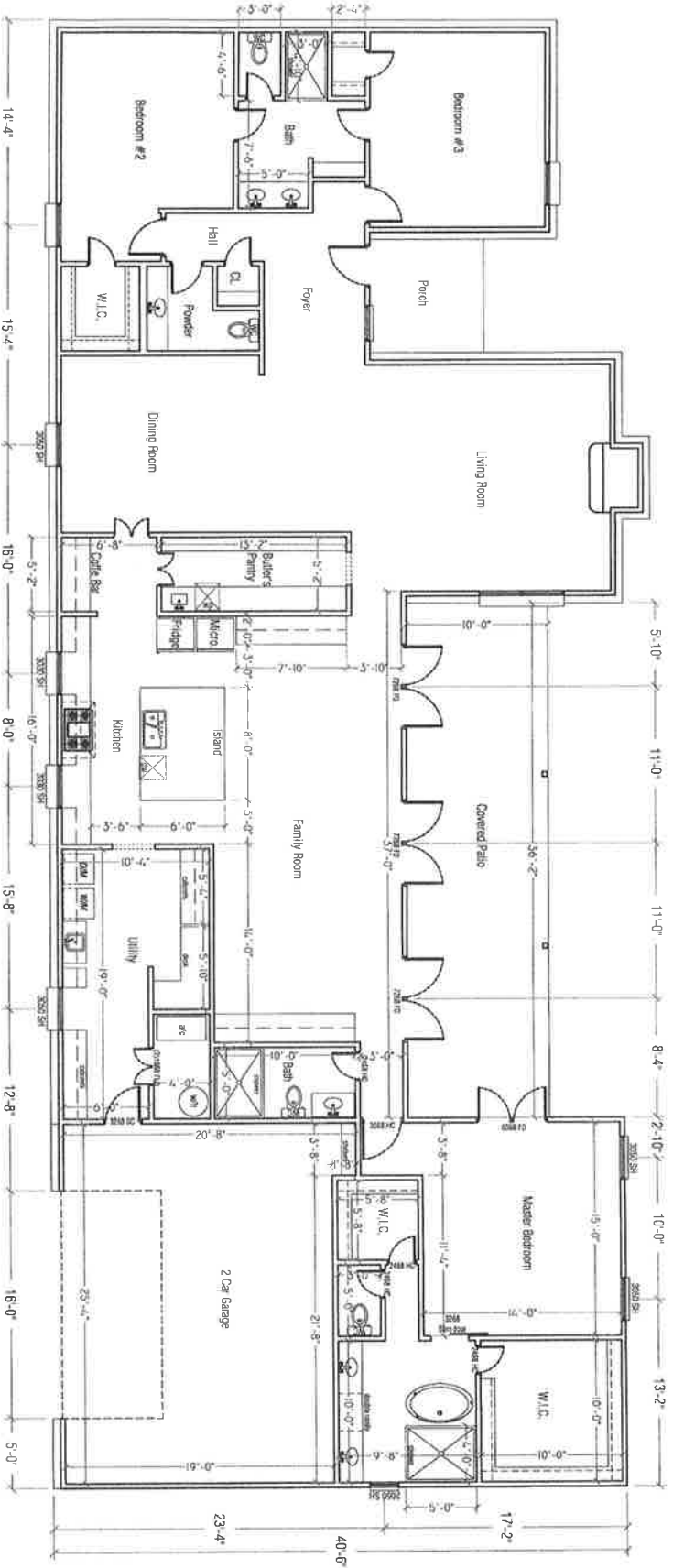
Project
ELEVATION PLAN

Date
9/11/2019

Scale
1/8" = 1'-0"

Drawn By
loope

Sheet
9



Proposed Plan

1/8" = 1'-0"

KEY	DESCRIPTION
SH	SINGLE HUNG WINDOW
HC	HOLLOW CORE DOOR
SC	SOLID CORE DOOR
SD	SLIDING DOOR
PD	PATIO DOOR
BD	BUILT-UP DOOR

- NOTE:**
- 1. ALL CEILING TO BE 8'-0" FROM FIRST STORY UNLESS NOTED.
 - 2. BUILD UP AS PER DETAIL SPECIFICATIONS.
 - 3. VERIFY ALL PLANS W/ ARCHITECT BEFORE CONSTRUCTION.
 - 4. HALL TO BE IN AIRTIGHT UNLESS OTHERWISE NOTED.
 - 5. W.I. IN UTILITY CLOSET.
 - 6. PROVIDE SHUT-OFF VALVE FOR ALL GAS APPLIANCES REFERENCE IRC SECTION 624.1.5.
 - 7. ALL GLASS LOCATED WITHIN 8'-0" OF FLOOR, 12'-0" OF A DOOR OR LOCATED WITHIN 6'-0" OF PATHTHRESH, WHEN POOLS, SHOWERS, SAUNAS, STEAM ROOM OR HOT TUBS SHALL BE TEMPERED TO COMPLY W/ IRC SECTION 603.4.5.

- FLOOR PLAN NOTES:**
- 1. ALL STRUCTURAL INFORMATION SHOWN FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHALL HAVE LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS ALL FRAMING WALLS, BEAMS, CONNECTION, HEADERS, JOIST AND RAFTERS.
 - 2. ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUDS UNLESS NOTED OTHERWISE.
 - 3. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY APPROXIMATE ROUGH OPENING SIZE. REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
 - 4. CORNER LOCATIONS OF UTILITY METERS WITH SITE PLAN AND LOCATE AWAY FROM PUBLIC VIEW. VISUAL IMPACT SHALL BE MINIMIZED, I.E. MOUNT AS LOW AS POSSIBLE.
 - 5. CONTRACTOR SHALL COMPLY WITH ALL LOCAL REQUIREMENTS.
 - 6. DO NOT SCALE DRAWINGS. FOLLOW DIMENSIONS ONLY.
 - 7. CONTRACTOR SHALL VERIFY ALL CHAMFER DIMENSIONS BEFORE FABRICATION.
 - 8. BEDROOM WINDOWS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 3'-0" MINIMUM NET CLEAR OPENING HEIGHT OF 2'-0" AND HAVE A MINIMUM FINISH SILL HEIGHT OF 42" FROM FINISH FLOOR.
 - 9. ALL GLASS LOCATED WITHIN 8'-0" OF A DOOR OR LOCATED WITHIN 6'-0" OF FLOOR AT BATHTHRESH, WHEN POOLS, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.
 - 10. PROVIDE COMBUSTION AIR VENTS, WITH SCREEN AND BACK DRAINAGE OF LESS THAN 1/8" AND A SMOKE DENSITY RATING OF LESS THAN 1/8".
 - 11. BATHROOMS AND UTILITY ROOMS SHALL BE VENTED TO THE OUTSIDE WITH A MINIMUM OF A 90-DEGREE ELBOW. RANGE HOODS SHALL ALSO BE VENTED TO OUTSIDE.
 - 12. ALL WALLS AND CEILING IN GARAGE AND GARAGE STORAGE AREAS TO HAVE 5/8" TYPE X GYP BOARD W/ 7-HOUR FIRE RATING. ALL EXT. DOORS IN GARAGE TO BE METAL OR SOLID CORE DOORS INCLUDING DOORS ENTERING HEATED/COOLED PORTION OF RESIDENCE.
 - 13. ALL FIREPLACE CHIMNEY WALLS SHALL BE INSULATED INSIDE AND OUTSIDE. PROVIDE HORIZONTAL CHIMNEY STOPS AT EACH FLOOR LEVEL BY PACKING 6" (R-9) INSULATION BETWEEN 2x4 JOISTS.
 - 14. ALL INTERIOR WALLS SHALL BE COVERED WITH 1/2" Gypsum BOARD WITH METAL CORNER REINFORCING TAPE FLOOR AND SAND. (3 COATS) USE 5/8" GYPSUM BOARD ON CEILING WHEN SUPPORTING MEMBERS ARE 2x4 OR GREATER USE 1/2" GYP BOARD ON CEILING WHEN SUPPORTING MEMBERS ARE LESS THAN 2x4 OR GREATER.
 - 15. ALL BATH AND TOILET AREA WALLS AND CEILING SHALL HAVE WATER RESISTANT GYPSUM BOARD.

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, FUSION DESIGN WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO PROTECT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

Project Name & Address	10615 Park Preston Dr Dallas, TX 75230	
Floor Plan	Date	9/11/2019
	Scale	1/8" = 1'-0"
	Sheet	3
	Drawn By	TPC
	Noted	NH

10615 Park Preston Drive – Supporting Information

City of Dallas

BOARD OF ADJUSTMENTS

Subject Site: 10615 Park Preston Dr., Dallas, TX 75230

Lot No. 25, Block C/5508

Zoning Classification: TH-1(A)

Census Tract: 76.05

Lot size: 8,050 sq. ft. (.184 acres)

Appeal Request: Variance of 16' 8" to the current 21' 5" Side Yard Setback on the alley off of Park Preston. This change would make the new set back 4'9" plus the Right of Way (ROW) of an additional 3'3" for a total of 8'.

Appeal Reasoning: Hardship is caused by the 20 foot spacing for an enclosed parking space due to the lot's restrictive access. Unlike the majority of lots in the neighborhood, the lot does not have access from the back nor additional lot width to counteract the issue.

Supporting Documentation

The reason we are asking for a variance in the first place is because our lot is restrictive in its location within the subdivision with no access from back of the lot. The restriction is acknowledged by the 15% discount to the tax appraisal applied to the lot that only one other lot in the subdivision receives.

The lot itself is on the lower end of the square footage size for the single residence townhouse lots that range between 6,363 sq. ft. to 13,404. However, due to its restrictive location being bordered on the side by the alley for Park Preston, the lot is also restricted on buildable square footage due to the 20' enclosed parking space requirement.

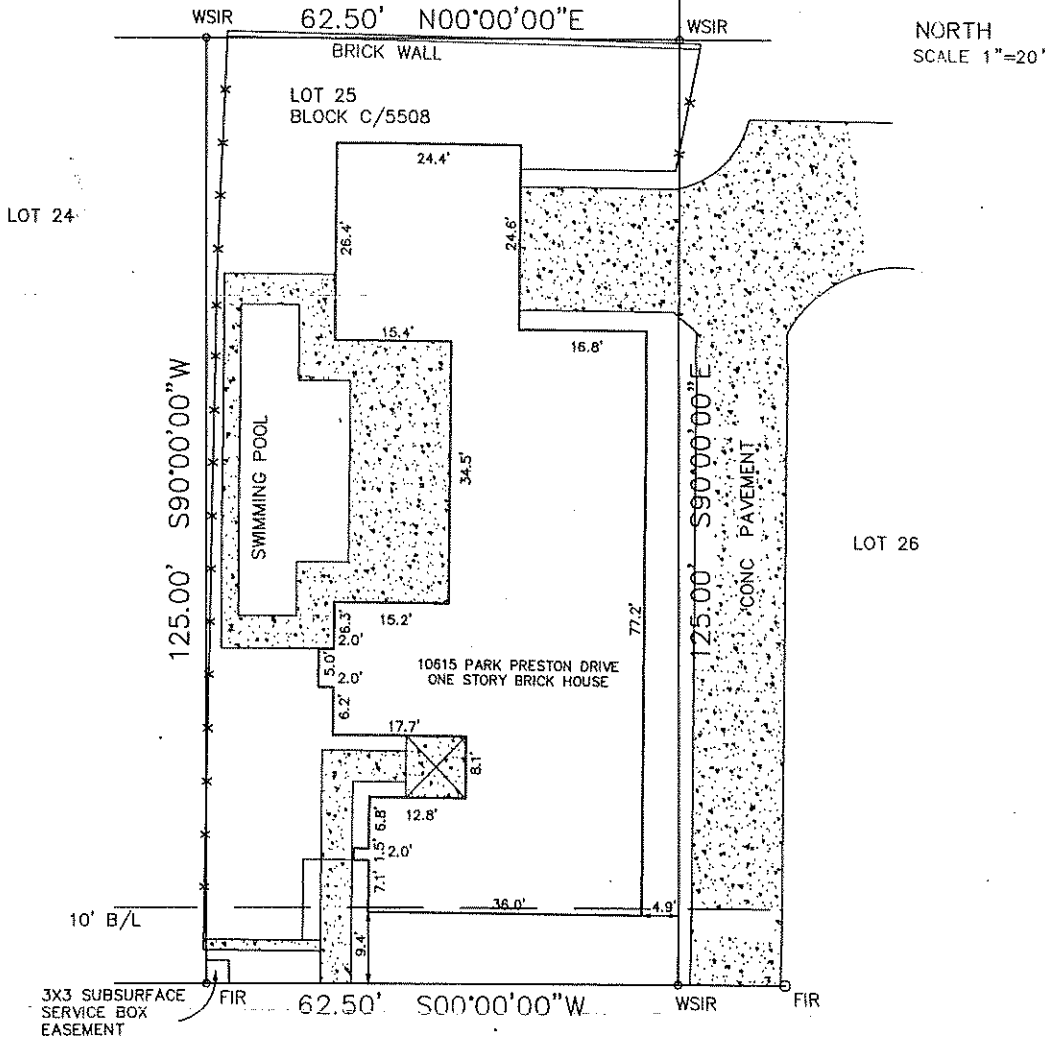
Property Address	Zoning District	Lot Size (sq. ft)	Structure (sq. ft.)	Appraised Lot Value
10601 Park Preston Dr.	TH-1(A)	13,182	3,747	\$197,730
10607 Park Preston Dr.	TH-1(A)	10,015	2,445	\$127,691
5701 Overdowns Dr.	TH-1(A)	7,758	2,579	\$96,930
5702 Overdowns Dr.	TH-1(A)	9,227	2,850	\$152,250
5705 Overdowns Dr.	TH-1(A)	7,623	2,606	\$114,350
5706 Overdowns Dr.	TH-1(A)	7,742	4,135	\$114,350
5709 Overdowns Dr.	TH-1(A)	7,623	3,075	\$114,350
5710 Overdowns Dr.	TH-1(A)	7,592	2,560	\$113,880
5712 Overdowns Dr.	TH-1(A)	6,462	2,311	\$96,930
5714 Overdowns Dr.	TH-1(A)	13,404	2,571	\$301,580
Average Size		9,063	2,888	\$143,004
10615 Park Preston Dr.	TH-1(A)	8,050	2,419	\$102,638

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:
 THIS IS TO CERTIFY THAT I HAVE THIS DATE MADE A CAREFUL AND ACCURATE SURVEY
 ON THE GROUND OF PROPERTY LOCATED AT 10615 PARK PRESTON DRIVE IN THE CITY OF DALLAS,
 TEXAS, HEREIN DESCRIBED AS FOLLOWS:

LOT 25, BLOCK C/5508,
 OF PARK PRESTON NO. 1,
 AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS,
 ACCORDING TO THE PLAT THEREOF RECORDED IN
 VOLUME 76245, PAGE 2129, MAP RECORDS OF
 DALLAS COUNTY, TEXAS.

DEDICATED TO THE PUBLIC
 FOR DRAINAGE CHANNEL



NORTH
 SCALE 1"=20'

- NOTES:
 FIP - FOUND IRON PIPE
 FIR - FOUND IRON ROD
 CONC - CONCRETE
 S/W - SIDEWALK
 D/W - DRIVE WAY
 B/L - BUILDING SET BACK LINE

PARK PRESTON DRIVE

(50' R.O.W.)

TO COMMONWEALTH LAND TITLE
 THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF
 THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF
 SAID PROPERTY BEING, AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND
 TYPE OF BUILDING, AND IMPROVEMENTS, ARE SHOWN, ALL IMPROVEMENTS BEING
 WITHIN THE BOUNDARIES OF THE PROPERTY SETBACK FROM THE PROPERTY LINES
 THE DISTANCES INDICATED, AS SHOWN ON SAID PLAT.
 THERE ARE NO ENCROACHMENTS OR PROTRUSIONS EXCEPT AS SHOWN.

SELLER:
 ROBIN LYNN SIMON
 BUYER:
 PATRICIA LYNN MCCRORY

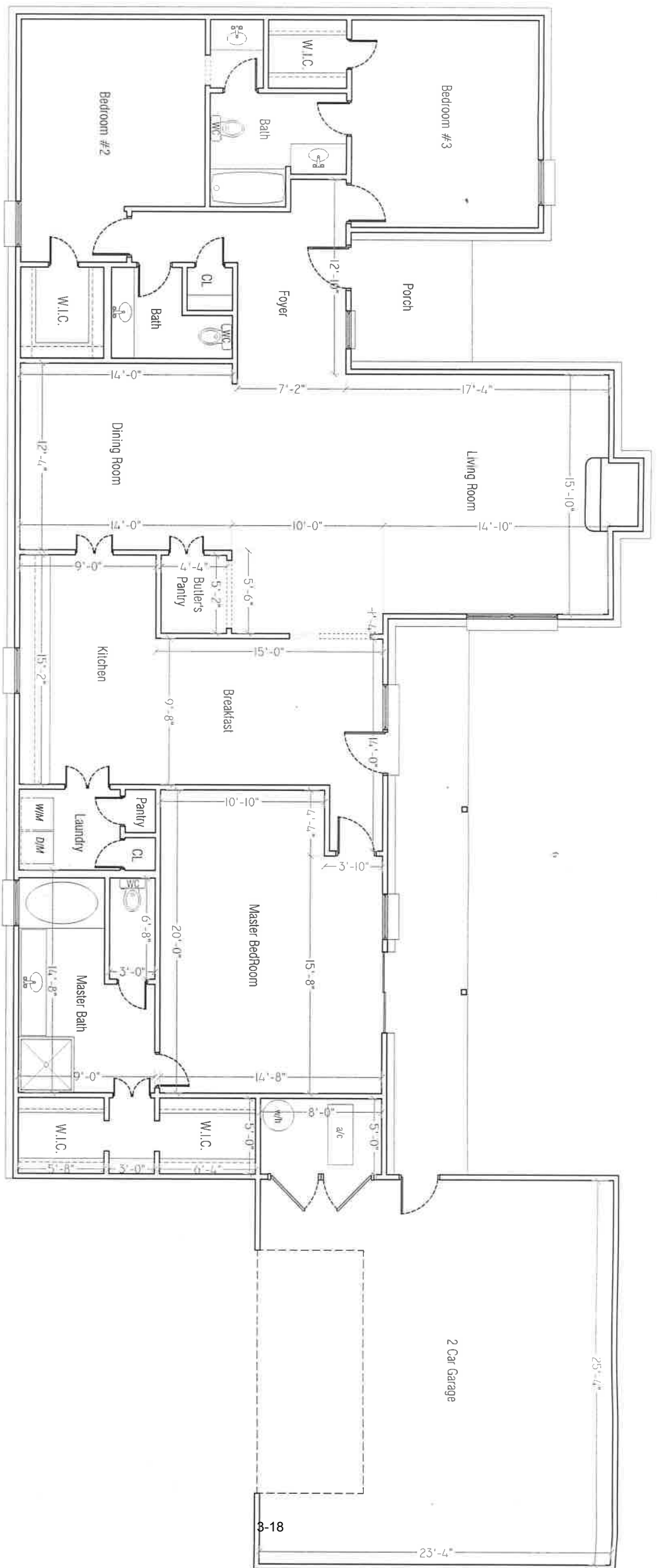
SCALE 1"=20'
 DATE OF SURVEY: 5/4/00
 GF NO. 0003902LA
 JOB NUMBER 200572

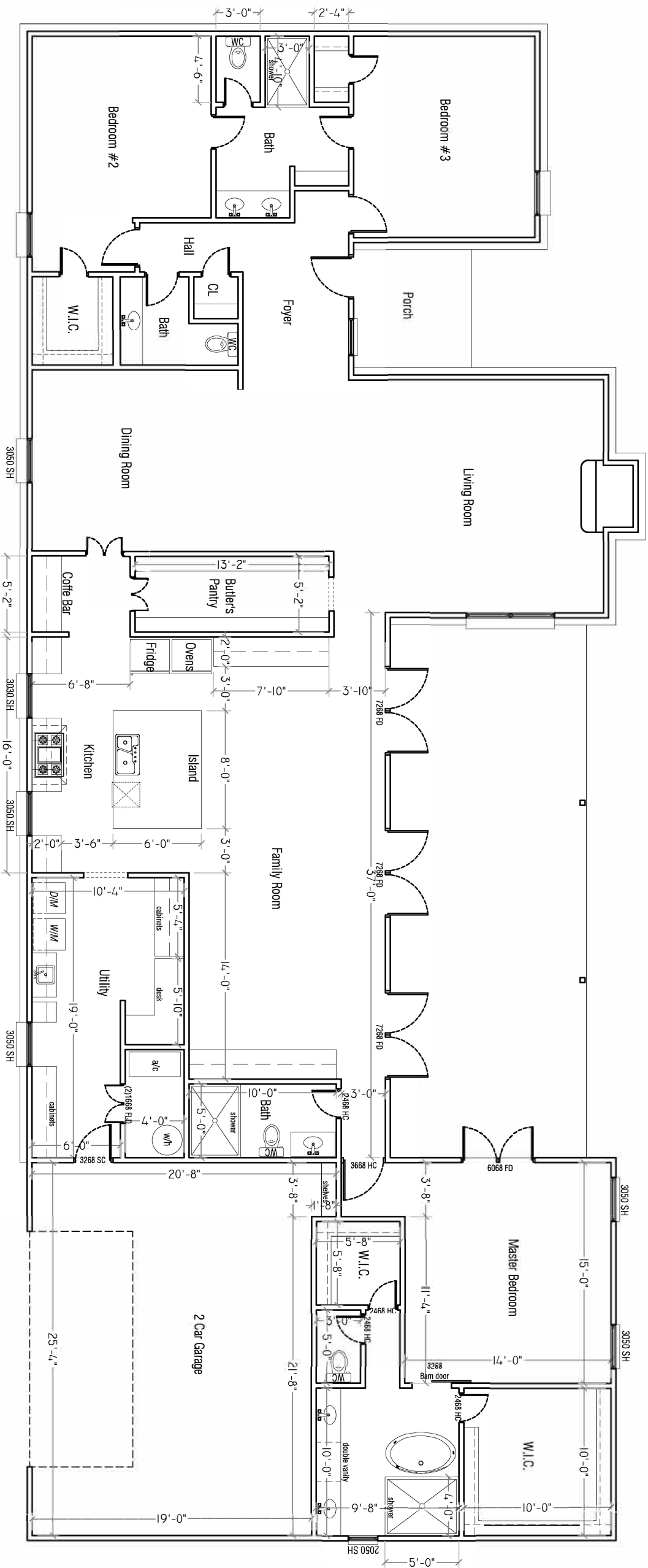
THIS PROPERTY IS LOCATED IN AN AREA
 WITHIN ZONE C, OUTSIDE THE 100-YEAR
 FLOOD PLAIN, ACCORDING TO THE
 FLOOD INSURANCE RATE MAP FOR THE
 CITY OF DALLAS, MAP NUMBER
 480171 0060 D, DATED 7/2/91.



Xavier Chapa

XCES
 Xavier Chapa Engineering/surveying
 P.O. Box 153126
 Irving, Texas 75015





Proposed Plan

1/8" = 1'-0"

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

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Project Name & Address
 10615 Park Preston Dr
 Dallas, TX
 75230

Project
 FLOOR PLAN

Date	8/20/2019	Drawn By	rope
Scale	1/8" = 1'-0"	North	



The number '0' indicates City of Dallas Ownership


 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
19 NUMBER OF PROPERTY OWNERS NOTIFIED

3-20

Case no: **BDA190-019**
 Date: **1/23/2020**

Notification List of Property Owners

BDA190-019

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10615 PARK PRESTON DR	MCCRORY PATRICIA L
2	10606 CORVALLIS DR	KHOURY ELIAS Y
3	10604 CORVALLIS DR	MARSHALL ROGER D
4	10602 CORVALLIS DR	DEASON SHARI
5	5710 OVERDOWNS DR	BPRESIDENTIAL LLC
6	5706 OVERDOWNS DR	AGRAWAL MANISH & NEHA
7	5702 OVERDOWNS DR	MCBRIDE 2017 TRUST
8	5827 ST MARKS CIR	MITCHELL THOMAS
9	5817 ST MARKS CIR	FORD REBECCA
10	10601 PARK PRESTON DR	HAWN BARBARA M
11	10607 PARK PRESTON DR	EDWARDS ELWANDA
12	10621 PARK PRESTON DR	LANE DON R TR & CAROLE K TR
13	10619 PARK PRESTON DR	GILSTRAP JAMES C
14	10623 PARK PRESTON DR	MEYER SUSAN E
15	10625 PARK PRESTON DR	BOBBITT RON
16	10627 PARK PRESTON DR	TITUS SARAH L REVOCABLE TRUST THE
17	5702 TRAIL MEADOW DR	CONWAY SUZANNE OLSEN
18	5706 TRAIL MEADOW DR	WETZEL DONALD C & ELEANOR
19	5709 OVERDOWNS DR	MILLER BETTE W

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

WEDNESDAY, FEBRUARY 19, 2020

FILE NUMBER: BDA190-026(SM)

BUILDING OFFICIAL'S REPORT: Application of Lucas Torres Flores for a variance to the side yard setback regulations at 4475 Marcell Avenue. This property is more fully described as Lot 11, Block L/5954, and is zoned R-7.5(A), which requires a side yard setback of five feet. The applicant proposes to construct and/or maintain a structure and provide a two-foot side yard setback, which will require a three-foot variance to the side yard setback regulations.

LOCATION: 4475 Marcell Avenue

APPLICANT: Lucas Torres Flores

REQUEST:

A request for a variance to the side yard setback regulations of three feet is made to complete and maintain the west facade of a single family home structure located two feet from the site's west side property line or three feet into the five-foot side yard setback.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

Staff concluded that while granting this variance request for a single family structure to encroach three feet inches into a five-foot side yard setback would not appear to be contrary to public interest and although the site is smaller than the minimum lot size of the R-7.5(A) zoning district (6,930 square feet vs. 7,500 minimum square feet) and has a slight slope, the request should be denied because the applicant had not provided evidence to the following components of the variance standard prior to the deadline for the January 30th staff review team meeting:

1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning district (the applicant provided no information related to this); and
2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS:

The purpose of this request for variance to the side yard setback regulations of three feet is to complete and maintain the west facade of a single family home structure located two feet from the site's west side property line, as shown in the submitted site plan. According to permit records, a permit for new construction was issued on June 27, 2016.

The subject site is 6,930 square feet in area, is rectangular in shape, and has a slight slope. The R-7.5(A) zoning district requires a minimum lot area of 7,500 square feet.

The applicant has the burden of proof in establishing the following:

- That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.

If the board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the side yard setback would be limited to what is shown on these documents which, in this case, is a structure located three feet into the required five-foot side yard setback.

Timeline:

December 31, 2019: 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 13, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.

January 14, 2020: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant's representative the public hearing date and panel that will consider the application; the January 28th 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 and the following information:

- a copy of the application materials including the Building Official's report on the application;
- 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 30, 2020: 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 Assistant City Attorney to the board and the following from the Sustainable Development and Construction Department: Board of Adjustment staff including the Interim Chief Planner/Board Administrator, the Senior Planner, and the Assistant Director; Building Inspection Division staff including the Senior Plans Examiner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer and Assistant Director.

February 6, 2020: The applicant submitted a letter to the board and supporting documentation for the requested variance (see Attachment A).

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

City of
Cockrell Hill

BRANDON ST



MARCELL AVE

R-7.5(A)

HORD AVE

GINGER AVE



1:1,200

ZONING MAP

Case no: BDA190-026

Date: 1/24/2020




1:1,200

AERIAL MAP

4-6

Case no: BDA190-026
Date: 1/24/2020



RECEIVED
DEC 31 2019
BY: cot

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-026

Date: 12-31-19

Data Relative to Subject Property:

Location address: 4475 Marcell Ave. Zoning District: R7.5(A)

Lot No.: 11 Block No.: 45954 Acreage: .160 Census Tract: 65.01

Street Frontage (in Feet): 1) 63.00' 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Lucas Torres Flores + Maria Cristina Flores

Applicant: Lucas Torres Flores Telephone: 214-215-3459

Mailing Address: 3823 Mount Pleasant St. Zip Code: 75211

E-mail Address: biglu77@yahoo.com

Represented by: N/A Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception , of 3' to the required 5' SYSB + provide a 2' Sideyard Setback.

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

- 1) My lot is 6993^{sq} and the requirement is 7500^{sq} so I have 507^{sq} less lot area when compared to R7.5A requirements.
- 2) I purchased the lot + structure with the understanding there are ways to remedy the sideyard violation created by old ownership of property.

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.

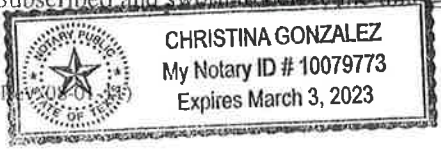
Affidavit

Before me the undersigned on this day personally appeared Lucas Torres Flores
(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 30th day of December, 2019



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

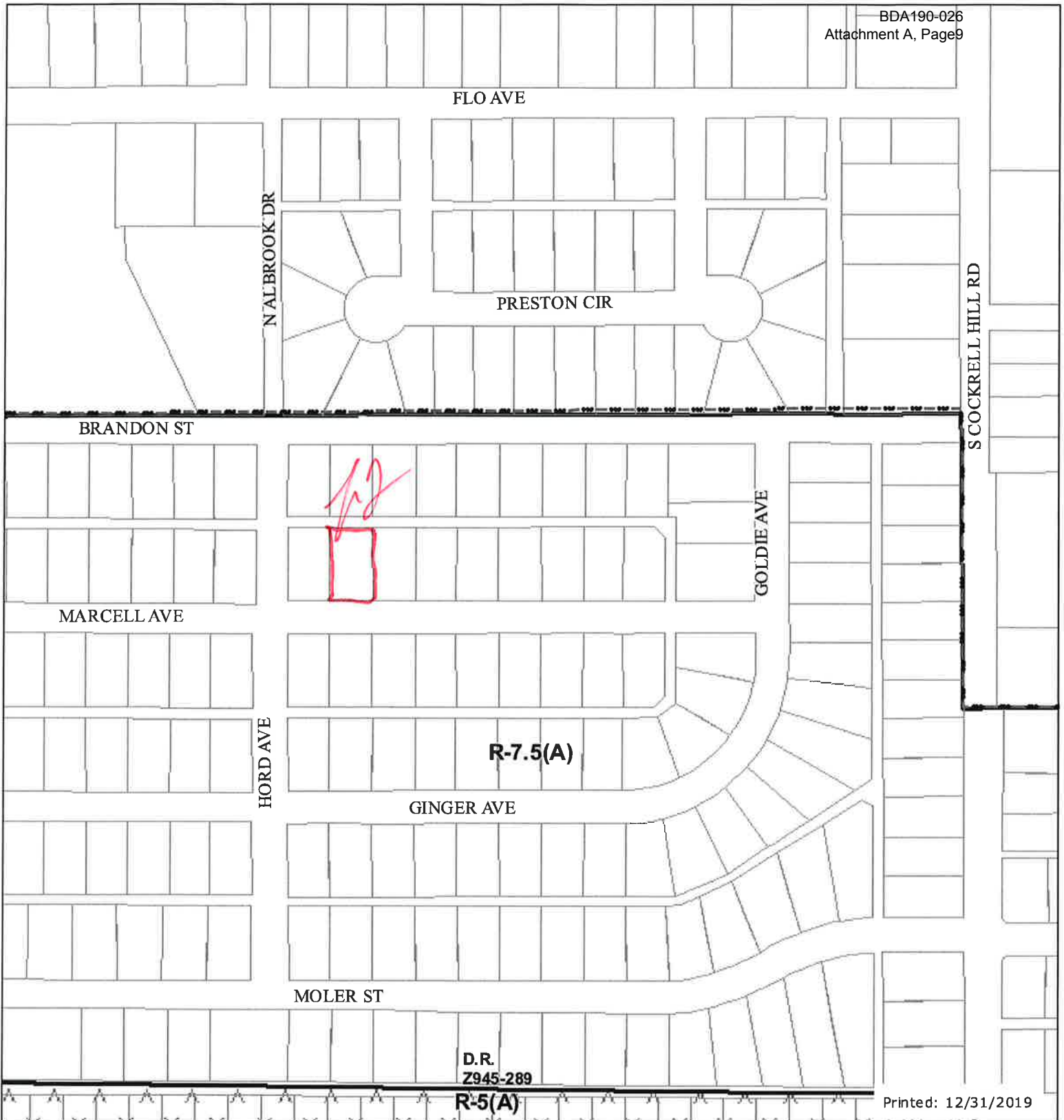
Building Official's Report

I hereby certify that Lucas Flores
did submit a request for a variance to the side yard setback regulations
at 4475 Marcell Avenue

BDA190-026. Application of Lucas Flores for a variance to the side yard setback regulations at 4475 MARCELL AVE. This property is more fully described as Lot 11, Block L/5954, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct a single family residential structure and provide a 2 foot side yard setback, which will require a 3 foot variance to the side yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



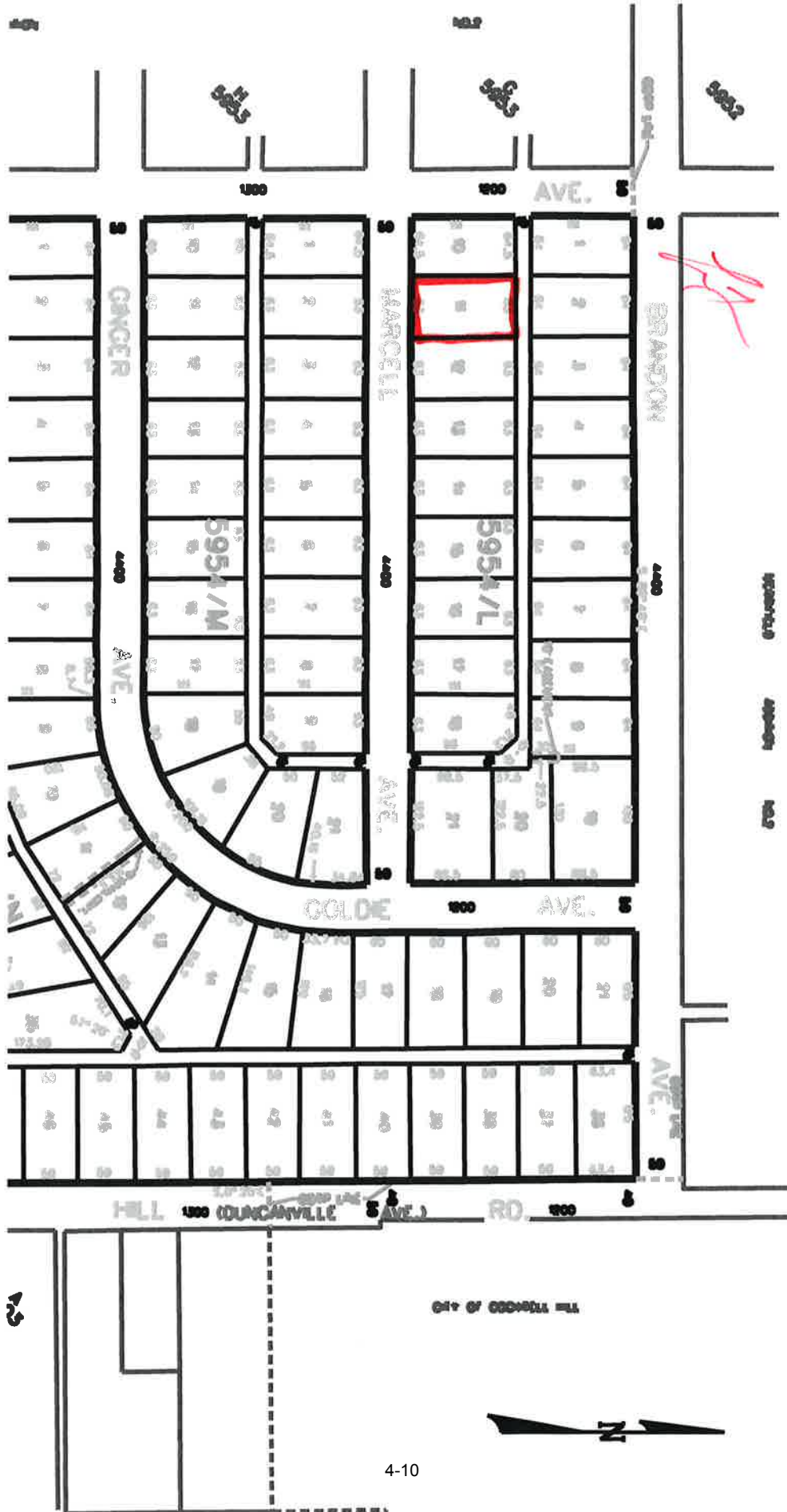
Printed: 12/31/2019

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Sub districts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSP Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | Shorefront Overlay |
| | | Height Map Overlay | |

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

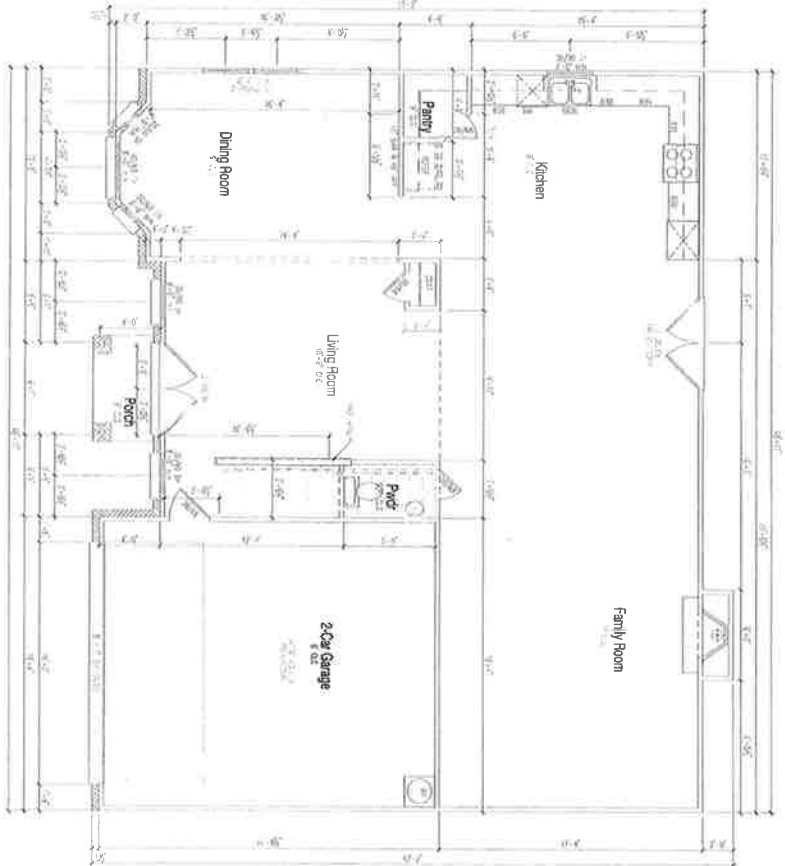




REVISIONS
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 97. REVISIONS TO THE ORIGINAL DRAWING
 98. REVISIONS TO THE ORIGINAL DRAWING
 99. REVISIONS TO THE ORIGINAL DRAWING
 100. REVISIONS TO THE ORIGINAL DRAWING

SQUARE FOOTAGE AREAS	
ACCLING AREAS	SQ. FT.
2' 10" x 60" SINGLE HUNG	24
7' 10" x 60" SINGLE HUNG	105
7' 10" x 60" SINGLE HUNG	126
1' 4" x 60" SINGLE HUNG	24
1' 4" x 60" CASQUETED PFD	16
TOTAL	295

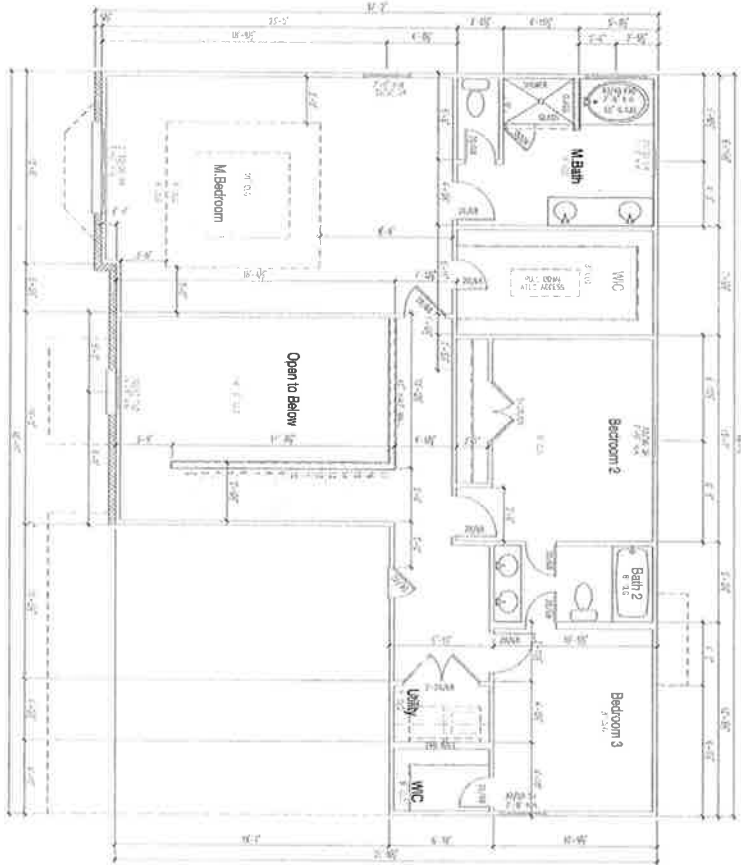
WINDOW SCHEDULE	
QTY	TYPE COMMENTS
2	10" x 60" SINGLE HUNG
7	10" x 60" SINGLE HUNG
7	10" x 60" SINGLE HUNG
1	4" x 60" SINGLE HUNG
1	4" x 60" CASQUETED PFD
TOTAL	295



1st Floor Plan
 SCALE: 1/8" = 1'-0" (22X34 SHEET)
 1/8" = 1'-0" (11X17 SHEET)

<p>LEGAL DESCRIPTION MERRIFIELD MANOR BLOCK L / 5954 LOT 11</p>	<p>4475 MARCELL AVE. DALLAS, TEXAS</p>	<p>SG DESIGN AND CONSTRUCTION PLANNING sgonzalez02@gmail.com</p>
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- 1. GENERAL NOTES: SEE ALL NOTES ON DRAWING SHEETS.
- 2. FINISHES: SEE FINISH SCHEDULE.
- 3. WORKMANSHIP: ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 4. MATERIALS: ALL MATERIALS TO BE APPROVED BY THE ARCHITECT BEFORE PURCHASE AND INSTALLATION.
- 5. CONTRACTOR TO VERIFY ALL CONDITIONS OF EXISTING STRUCTURE AND UTILITIES BEFORE COMMENCING WORK.
- 6. PROVIDE PROTECTIVE CURBS AND CHAIRS TO PROTECT WORKING AREAS FROM ADJACENT AREAS.
- 7. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FINISH FACE.
- 8. SEE SCHEDULES FOR ALL NOTES AND SPECIFICATIONS.
- 9. CONTRACTOR TO MAINTAIN CLEAR ACCESS TO ALL EXISTING AND FUTURE UTILITY LOCATIONS.
- 10. PROVIDE ALL NECESSARY BRICKWORK AND MORTAR TO MATCH EXISTING.
- 11. ALL ELECTRICAL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
- 12. PROVIDE ALL NECESSARY MECHANICAL AND PLUMBING WORK TO MATCH EXISTING.
- 13. ALL MECHANICAL AND PLUMBING WORK TO BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND PLUMBING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 14. PROVIDE ALL NECESSARY ROOFING WORK TO MATCH EXISTING.
- 15. ALL ROOFING WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ROOFING INSTITUTE AND ALL APPLICABLE LOCAL ORDINANCES.
- 16. PROVIDE ALL NECESSARY SILLING AND BRICKWORK TO MATCH EXISTING.
- 17. ALL SILLING AND BRICKWORK WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SILLING AND BRICKWORK CODES AND ALL APPLICABLE LOCAL ORDINANCES.
- 18. PROVIDE ALL NECESSARY CONCRETE WORK TO MATCH EXISTING.
- 19. ALL CONCRETE WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL CONCRETE INSTITUTE AND ALL APPLICABLE LOCAL ORDINANCES.
- 20. PROVIDE ALL NECESSARY FINISHES TO MATCH EXISTING.
- 21. ALL FINISHES TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FINISHES INSTITUTE AND ALL APPLICABLE LOCAL ORDINANCES.



2nd Floor Plan

SCALE:
1/4" = 1'-0" (22x34" SHEET)
1/8" = 1'-0" (11 x 17" SHEET)

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	REVISED TO SHOW PERMITTED CONDITIONS
3	REVISED TO SHOW PERMITTED CONDITIONS

Prepared by: J. S. SGO
 Checked by: J. S. SGO
 Drawn by: J. S. SGO
 Date: 02-12-13
 Project: No. 2013-13
 Sheet: 3 of 9

**LEGAL DESCRIPTION
MERRIFIELD MANOR
BLOCK L / 5954 LOT 11**

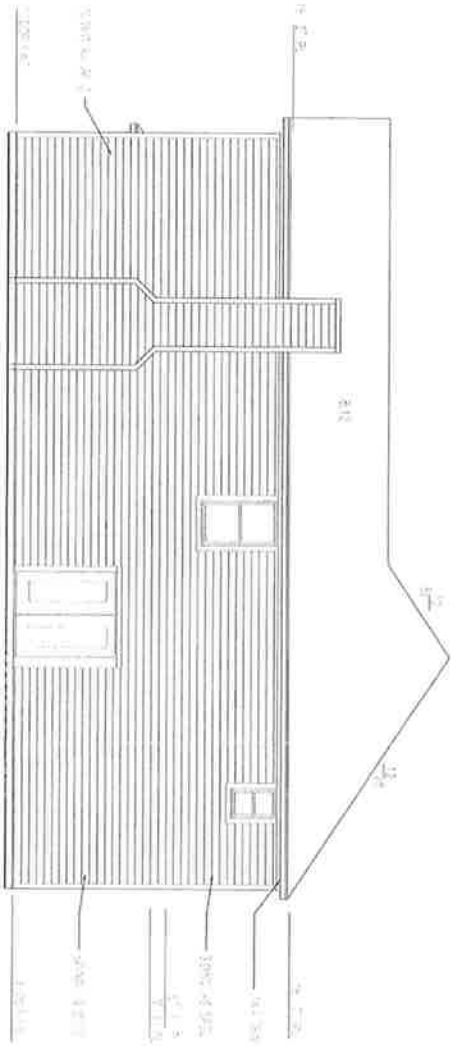
**4475 MARCELL AVE.
DALLAS, TEXAS**

4-13

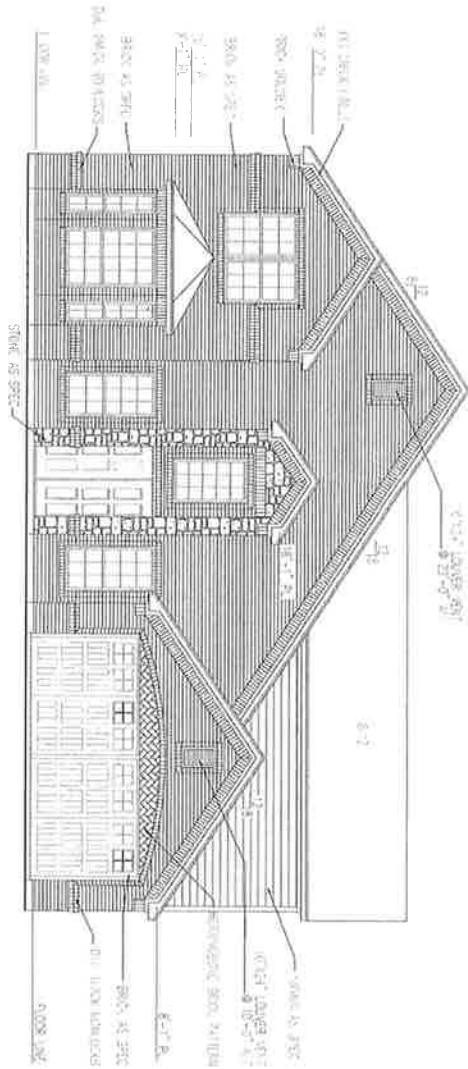
SG
 DESIGN AND CONSTRUCTION PLANNING
 sgonzalez02@gmail.com
 214-979-1159

Elevation Plan
SCALE:
1/4" = 1'-0" (22 X 34" SHEET)
1/8" = 1'-0" (11 X 17" SHEET)

REAR ELEVATION

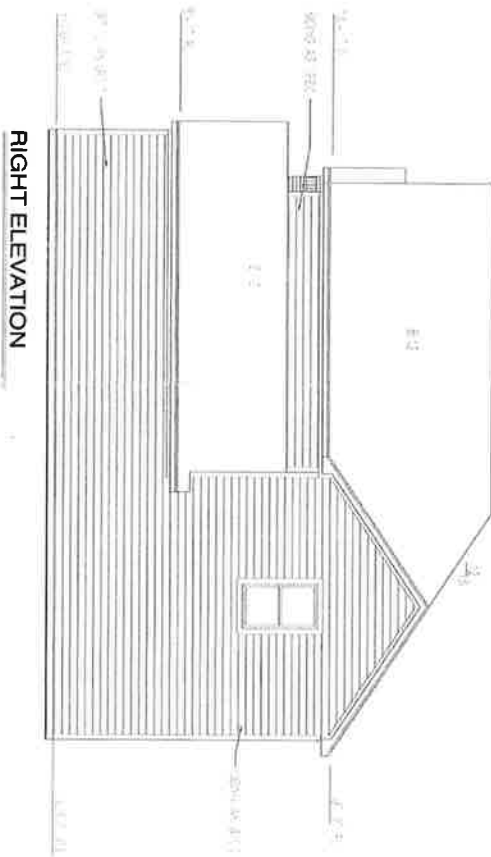
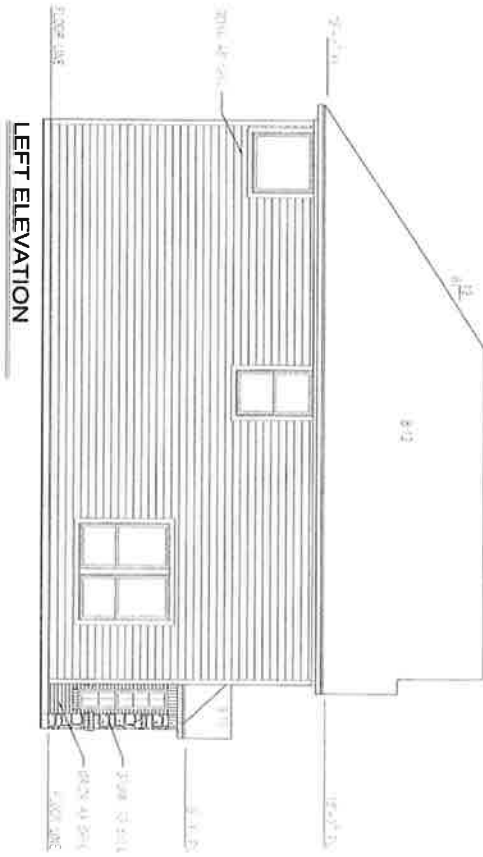


FRONT ELEVATION



Elevation Plan

SCALE:
1/4" = 1'-0" (22X34" SHEET)
1/8" = 1'-0" (11X17" SHEET)



<p>LEGAL DESCRIPTION MERRIFIELD MANOR BLOCK L / 5954 LOT 11</p>	<p>4475 MARCELL AVE. DALLAS, TEXAS</p>	<p>SG DESIGN AND CONSTRUCTION PLANNING sgonzalez02@gmail.com</p>	<p>214-897-1138</p>
4-15			

4475 Marcell Ave.

Prior to purchasing this property in November, my wife and I met with the Sustainable Development & Construction department at the Oak Cliff Municipal Center to discuss the issue with the side yard setback. We moved forward and purchased this property with the understanding that there was a remedy to this issue, since we were not the ones who created this. It is to my understanding that the previous owners had shoddy contractors and even provided the city with what appears to be a fraudulent survey concealing the side yard setback issue. My intention is to right someone else’s wrong by seeking the approval of this variance request. This would allow me to proceed to pull permits and complete construction on this home, as our ultimate goal is to move in and make this our primary residence. The side yard setback issue is on the west side of the property which is encroaching on an empty lot which we also purchased, as both properties are deeded together. I am seeking to rid the city and this community of this abandoned eye sore that has sat for over a couple of years now. This abandoned property had quite a bit of litter from the initial construction and illegal dumping that I made a priority to clean up as soon as we obtained ownership. The cleanup did not go unnoticed by the community, as various neighbors expressed their appreciation. This would also generate more revenue for the city via taxes, and make it easier to maintain the property once we could occupy the completed home.

Zoning for my property is R-7.5(A), which requires a lot to be a minimum of 7500 sq. ft. My lot is only 6993 sq. ft. (63’x111’). The average lot size for this zoning is 7576 sq. ft. and my lot is only 6993 sq. ft. The average structure size for this zoning is 3565 sq. ft. and my structure is only 2618 sq. ft. Listed below are R-7.5(A) zoned City of Dallas addresses used in these averages.

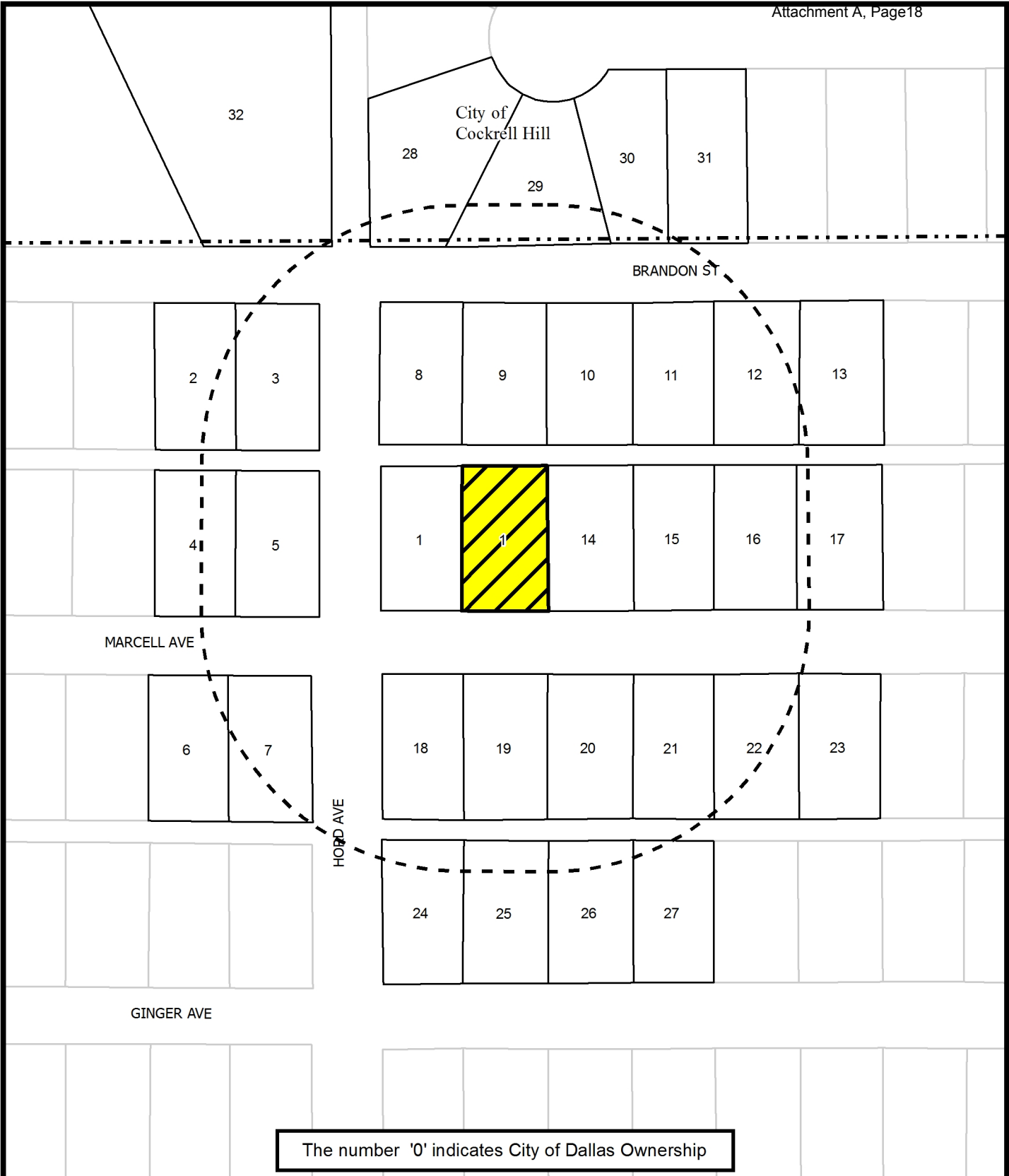
<u>Address</u>	<u>Lot sq. ft.</u>	<u>Structure sq. ft.</u>
1) 5001 Stanford Ave.	8740	3196
2) 5007 Stanford Ave.	7373	2482
3) 5127 Stanford Ave.	7694	3476
4) 4810 Elsby Ave.	7448	3832
5) 4900 Elsby Ave.	7455	4137
6) 4910 Elsby Ave.	7360	4772
7) 4927 Purdue Ave.	7421	3367
8) 4919 Purdue Ave.	7317	3382
9) 4922 Purdue Ave.	7383	3445
Total sq. ft.	68191	32089
Total/9 = Average sq. ft.	7576	3565

Petition of Support for Approval

Side Yard Setback Variance: 4475 Marcell Ave.

This petition is to support the approval of a side yard setback variance in regards to this property in Dallas, TX. This address is zoned R-7.5(A), which has a side yard setback requirement of 5', in which the owner is seeking a 3' variance by the Board of Adjustments. By signing this petition, we as neighbors of the property listed above are stating that we have no opposition and support the approval of this variance request.

Angel Zedeno (469) 735-8190 4478 Marcell Ave
Carmelina (469) 360-09-01 4474 Marcell Ave.
Garcia (214) 690-5874 4470 Marcell Ave
Juan Flores (469) 855 7220 4469 Ginger Ave
469-569 8582 4475 Ginger Ave.
214 394 3896 4479 GINGER AVE
Heronimo Meza 214-802 4047 4508 Marcell-ave
Maria Garcia (214) 677-6786 4502 Marcell Av.
Virginia Aguilar 214-228:0297 4503 Marcell-Ave.
Deanna Castillo (214) 467-3764 4468 Brandon St. Dallas
Patricia Neumann (214) 395-2936 4468 Brandon ^{Dallas 75211}
Mary Hernandez 214-466-9339 4471 Marcell Ave
Mary Ector 469-203-2679 4502 Brandon St
Carmelina 469-600 7904 4503 Ginger Ave.
Jose Gonzalez- 214 769-2204- 4472-Brandon ST.
SARA MORATO ~~214-283-7908~~ 214 283-7908 ⁴⁴⁷⁶ Brandon
Imelda Gonzalez 214-789-90-65 - 4472 Brandon St Dallas
Necario Reyes 214 5546912 4464 Marcell Ave.



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

32

NUMBER OF PROPERTY OWNERS NOTIFIED

4-18

Case no: **BDA190-026**

Date: **1/24/2020**

01/24/2020

Notification List of Property Owners

BDA190-026

32 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4479 MARCELL AVE	ESCOBAR JOHANA S
2	4508 BRANDON ST	GONZALEZ PABLO & ARACELI
3	4502 BRANDON ST	LEWIS GEORGE A JR
4	4509 MARCELL AVE	BARRERA MARIO & ALMA
5	4503 MARCELL AVE	AGUILAR VIRGINIA &
6	4508 MARCELL AVE	MEZA GERONIMO &
7	4502 MARCELL AVE	GARCIA ROGELIO &
8	4476 BRANDON ST	MORATO ALEJANDRINO &
9	4472 BRANDON ST	GONZALEZ JOSE
10	4468 BRANDON ST	EDWARDS JERRY E
11	4462 BRANDON ST	CASTILLO DEANNA & JUANA A
12	4458 BRANDON ST	SALAS MIGUEL A &
13	4452 BRANDON ST	OLIVEROS JESUS V
14	4471 MARCELL AVE	HERNANDEZ VINCENT A
15	4465 MARCELL AVE	GARCIA SAMUEL
16	4459 MARCELL AVE	RIVERA VICTOR
17	4455 MARCELL AVE	BARRON SYLVIA
18	4478 MARCELL AVE	ROCHA ANGEL & MARIA
19	4474 MARCELL AVE	OLIVARES CLARA R
20	4470 MARCELL AVE	TORRES RICARDO &
21	4464 MARCELL AVE	MORALES MACARIO REYES &
22	4458 MARCELL AVE	PINA JOEL
23	4454 MARCELL AVE	VARELA RAMIRO & ANA
24	4479 GINGER AVE	TIJERINA BERTHA
25	4475 GINGER AVE	ALFARO LENNIA
26	4469 GINGER AVE	FLORES SAUL

01/24/2020

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4465 GINGER AVE	ESPARZA PASCUAL & SANDRA
28	4474 PRESTON CIR	ROJAS GABRIELA
29	4472 PRESTON CIR	JIMENEZ AURELIO
30	4470 PRESTON CIR	NICOL PILAR D
31	4466 PRESTON CIR	SANTOS ESMERALDA
32	4501 BRANDON ST	LOPEZ FERMIN & GLORIA