NOTICE FOR POSTING

MEETING OF

BOARD OF ADJUSTMENT, PANEL B

WEDNESDAY, MAY 20, 2020

Briefing*: **11:00 A.M.** **Video Conference**

Public Hearing*: **1:00 P.M.** **Video Conference**

***The Board of Adjustment hearing will be held by videoconference. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure should contact the Sustainable Development and Construction Department at 214-670-4209 by the close of business Friday, May 15, 2020. The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 95 or 96 and the WebEx link:**
https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e954201f81b13c7c227e136604461efe7

Purpose: To take action on the attached agenda, which contains the following:

1. Board of Adjustment appeals of cases the Building Official has denied.

2. And any other business which may come before this body and is listed on the agenda.

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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

CITY OF DALLAS

BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, MAY 20, 2020
AGENDA

BRIEFING	Video Conference	11:00 A.M.
PUBLIC HEARING	Video Conference	1:00 P.M.

Neva Dean, Assistant Director
Jennifer Muñoz, Chief Planner/Board Administrator
Oscar Aguilera, Senior Planner
LaTonia Jackson, Board Secretary

PUBLIC TESTIMONY

Minutes

MISCELLANEOUS ITEM

	Approval of the February 19, 2020 Board of Adjustment Panel B Public Hearing Minutes	M1

UNCONTESTED CASES

BDA190-030(OA)	8719 Diceman Drive **REQUEST:** Application of Danny Sipes for a special exception to the single-family regulations.	1
BDA190-033(OA)	1301 Chalk Hill Road **REQUEST:** Application of Dean Kraus for a special exception to the sign regulations	2

BDA190-038(OA)	2601 Hudnall Street **REQUEST:** Application of Baldwin Associates for a special exception to the landscaping regulations	3
BDA190-058(OA)	7318 La Vista Drive **REQUEST:** Application of Efren Blackledge for a variance to the front yard setback regulations	4

REGULAR CASE

BDA190-035(OA)	4748 Elsby Avenue **REQUEST:** Application of Michael Coker for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations, and for a special exception to the visibility obstruction regulations	5

HOLDOVER CASE

BDA190-017(JM)	3510 Ross Avenue **REQUEST:** Application of Santos T. Martinez of La Sierra Planning Group, for a special exception to the parking regulations	6

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: BDA190-030(OA)

BUILDING OFFICIAL'S REPORT: Application of Danny Sipes for a special exception to the single family use regulations at 8719 Diceman Drive. This property is more fully described as Lot 26, Block 5/5289, and is zoned an R-7.5(A) Single Family District, which limits the number of dwelling units to one. The applicant proposes to construct and/or maintain an additional dwelling non-rental unit, which will require a special exception to the single family use regulations.

LOCATION: 8719 Diceman Drive

APPLICANT: Danny Sipes

REQUEST:

A request for a special exception to the single family use regulations is made to construct and maintain a two-story additional home/dwelling unit structure on a site developed with a two-story main single family home/dwelling unit structure.

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

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

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is when, in the opinion of the board, the structure or portion of the structure will be used by bonafide servants or caretakers and will not be rental accommodations.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single Family District)
East: R-7.5(A) (Single Family District)
North: 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, west, south, and east are developed with single family uses.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

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

The site is zoned an R-7.5(A) Single Famliy District where the Dallas Development Code permits one dwelling unit per lot.

The single family use regulations of the Dallas Development Code states that only one dwelling unit may be located on a lot and that the board of adjustment may grant a special exception to this provision and authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: 1) be use as a rental accommodations; or 2) adversely affect neighboring properties.

The Dallas Development Code defines:

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

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

The submitted site plan denotes the locations of two building footprints, the larger of the two with what appears to be the existing two-story single family main structure and the smaller of the two denoted as “new two-story masonry/wood garage studio”.

This request centers on the function of what is proposed to be inside the smaller structure on the site – the “new two-story masonry/wood garage studio” structure, specifically its collection of rooms/features shown on the floor plan.

According to DCAD records, the “main improvement” for the property addressed at 8719 Diceman Drive is a structure built in 1941 with 1,085 square feet of living area with an “additional improvement,” a 234-square-foot attached garage.

According to the submitted site plan the main structure contains 2,591 square feet of total floor area and the proposed additional dwelling unit contains 641 square feet of total floor area (with garage 1282 square feet).

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

If the board were to approve this request, the Board may choose to impose a condition that the applicant complies with the site plan if they feel it is necessary to ensure that the special exception will not adversely affect neighboring properties. But granting this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e. development on the site must meet all required code requirements).

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

On February 24, 2020, the applicant submitted a statement (Attachment A) noting how the proposed additional dwelling unit would be used as guest quarters and not used for rental accommodations. No further details were provided.

If the board were to grant this request, Building Inspection would view the structure denoted on the submitted site plan as “new two-story masonry/wood garage studio” as an additional “dwelling unit”.

Timeline:

January 10, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.

February 11, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel B.

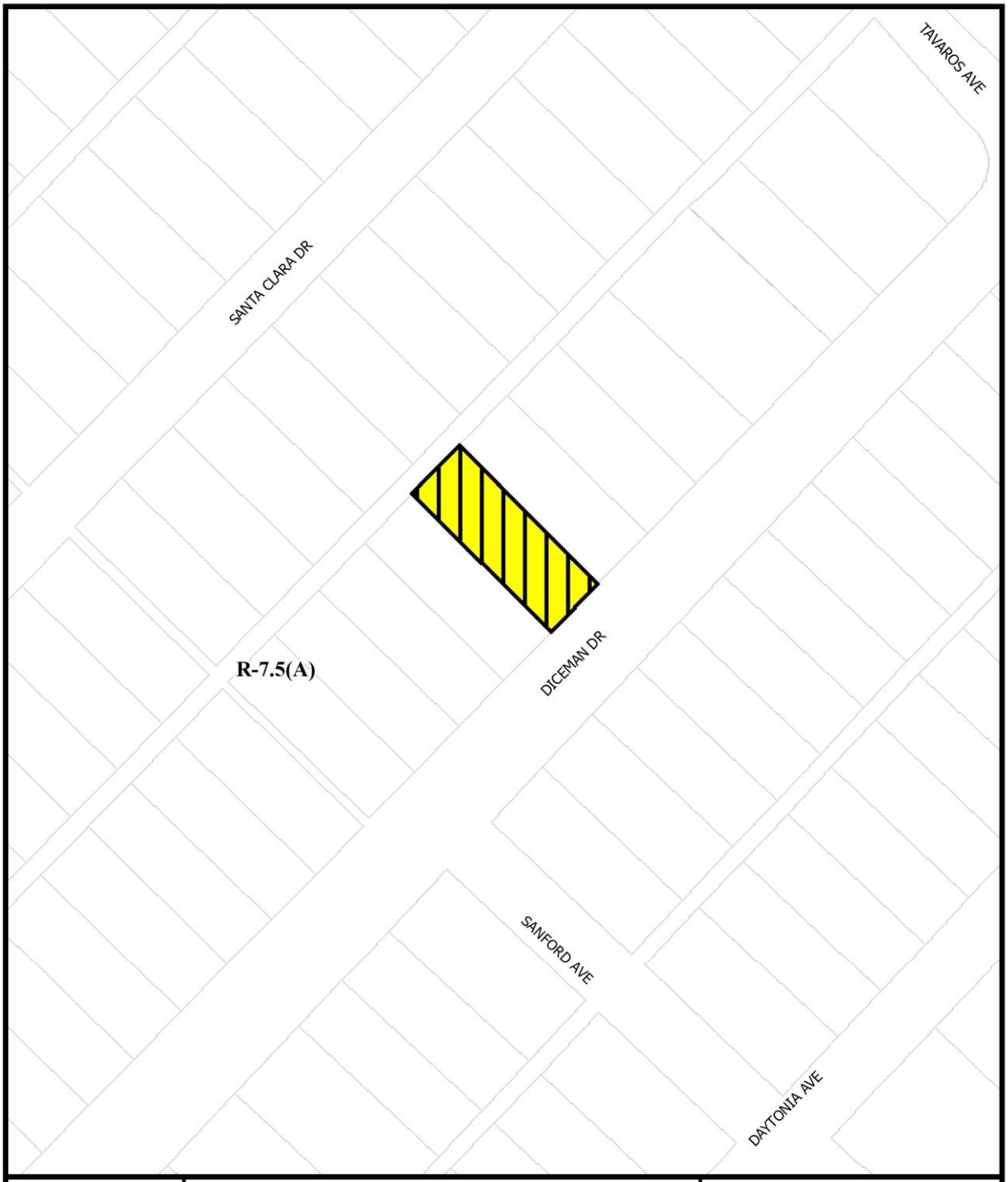
February 14, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the February 25th deadline to submit additional evidence for staff to factor into their analysis; and the March 6th 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 25, 2020: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

February 27, 2018: 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 Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Senior Engineer, the Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

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



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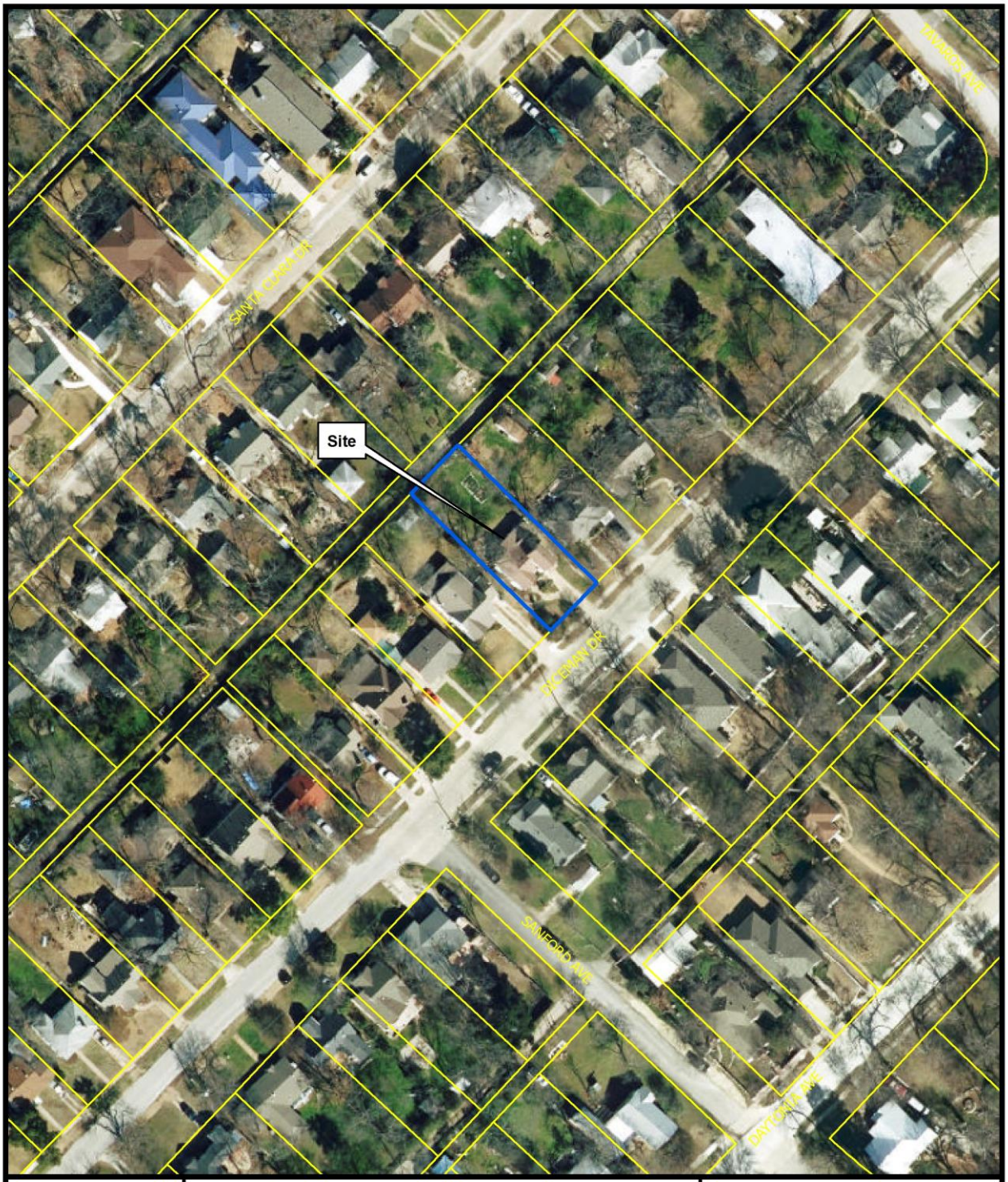
ZONING MAP

Case no: BDA190-030

Date: 2/21/2020



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AERIAL MAP

Case no: BDA190-030

Date: 2/21/2020

Texas Permit & Development

February 24, 2020

To the City of Dallas Board of Adjustment Members

Re: 8719 Diceman

We are here before you requesting a special exception to allow for an additional dwelling unit at 8719 Diceman.

We are requesting the special exception to allow for guest quarters. The guest quarters will not be used for rental accommodations.

The proposed unit would be constructed above a two car garage.

We thank you for your consideration in these matters.

Danny Sipes

Danny Sipes

Texas Permit

danny@txpermit.com Danny Sipes 214.794.0213

RECEIVED
JAN 10 2020
BY:

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-030

Data Relative to Subject Property: Date: ~~12/13/19~~ 1-10-20

Location address: 8719 Diceman Dr. Zoning District: R-7.5(A)

Lot No.: 26 Block No.: 5/5289 Acreage: .182 Census Tract: 91.00

Street Frontage (in Feet): 1) 53' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Zahid R. Khalid

Applicant: Danny Sipes - Texas Permit Telephone: 214-794-0213

Mailing Address: PO Box 3293 Forney Tx Zip Code: 75126

E-mail Address: danny@txpermit.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception ✓, of allow for an additional dwelling unit.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
To allow for a guest quarters that will not be used for rental income.

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 _____
(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.

NOTARY PUBLIC STATE OF TEXAS
VICKIE L RADER
Notary ID # 126690222
My Commission Expires
October 13, 2020

Respectfully submitted: Danny Sipes
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 9th day of January, 2020

Vickie L Rader
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied _____

Remarks _____

Chairman _____

Building Official's Report

I hereby certify that Danny Sipes

did submit a request for a special exception to the single family regulations

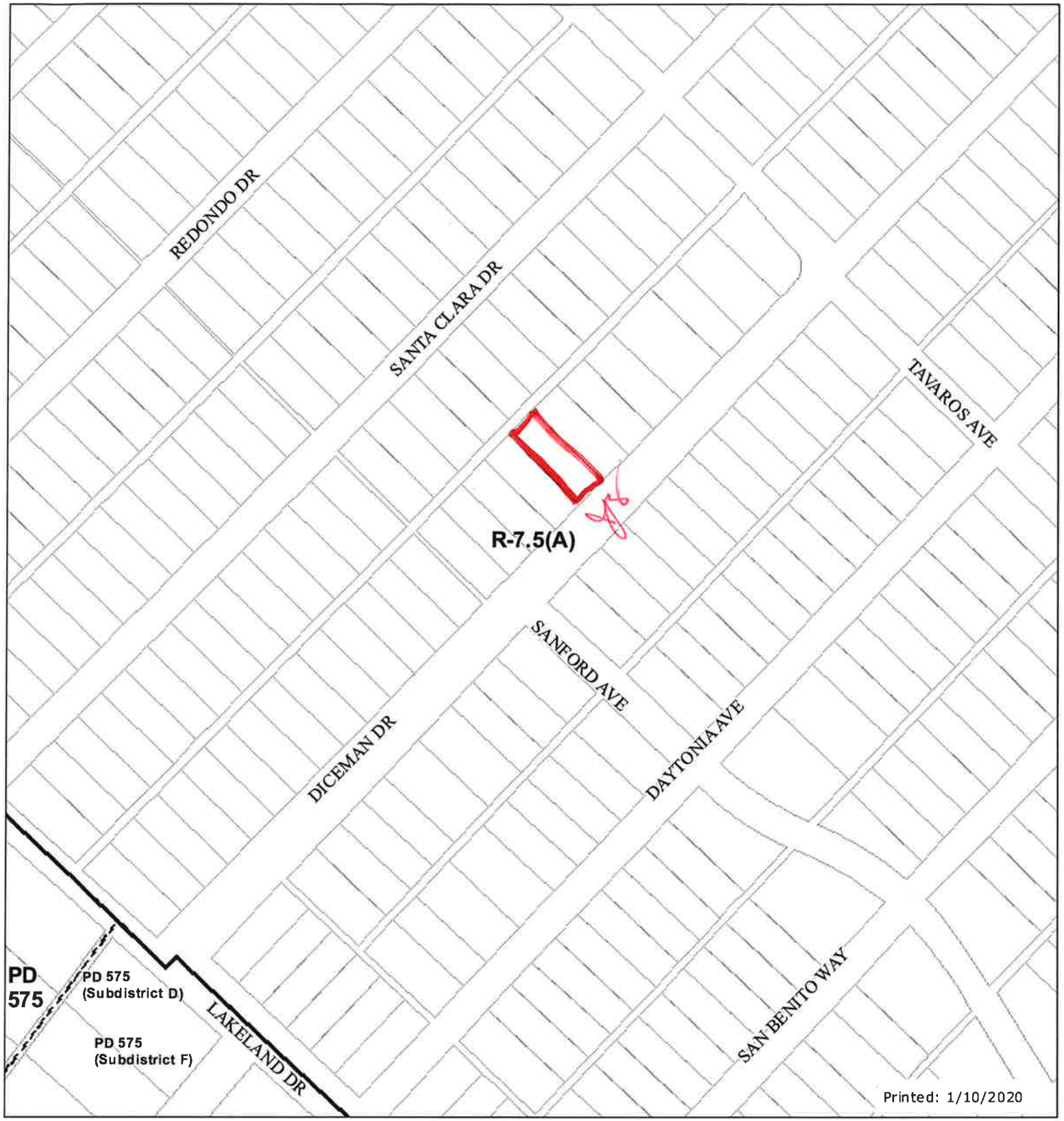
at 8719 Diceman Drive

BDA190-030. Application of Danny Sipes for a special exception to the single family regulations at 8719 DICEMAN DR. This property is more fully described as Lot 26, Block 5/5289, and is zoned R-7.5(A), which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit for non-rental, which will require a special exception to the single family zoning use regulations.

Sincerely,

Philip Sikes

Philip Sikes, Building Official



Legend

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

N

1:2,400


SANTA CLA
DICEMAN
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151.67
152.60
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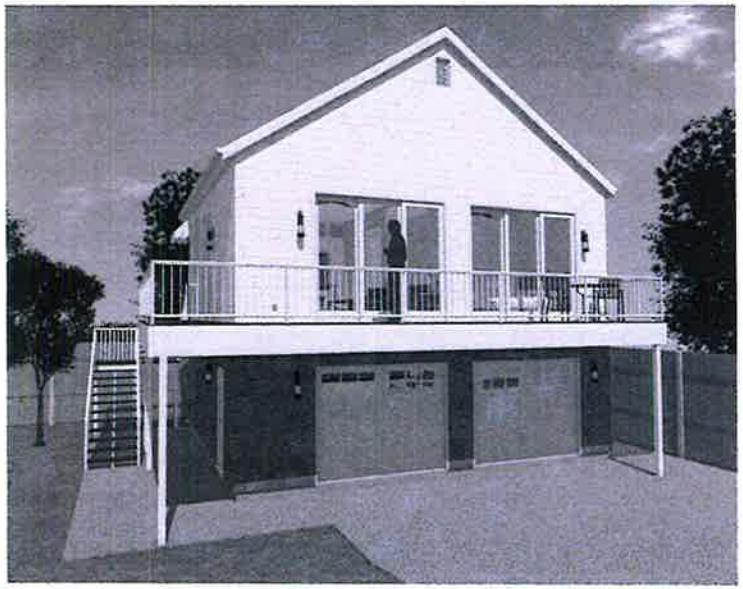


05 PERSPECTIVE VIEW
NOT TO SCALE

DESCRIPTION OF PROPERTY	
LEGAL DESCRIPTION:	PROPERTY IS LOCATED AT 8719 DICEMAN DRIVE IN THE CITY OF DALLAS, TEXAS, BEING A PORTION OF CITY BLOCK 5/5289 AND ALSO BEING REFERRED TO AS LOT 25, BLOCK 5/ 5289 OF SHAMROCK SHORES (PER TAX RECORDS).
ZONING:	CITY OF DALLAS, TEXAS DESIGNATION "R-7.5(A)" SINGLE FAMILY DWELLING
DENSITY:	1 DWELLING UNIT (7,500 S.F.)
PRIMARY USES:	SINGLE FAMILY RESIDENCE
FRONT YARD SETBACK:	25'-0"
SIDE YARD SETBACK:	5'-0"
REAR YARD SETBACK:	5'-0"
MAXIMUM BLDG. HEIGHT:	30'-0"
SITE SQUARE FOOTAGE:	7,994 S.F.
MAXIMUM LOT COVERAGE:	3,597 S.F. (45% OF TOTAL LOT COVERAGE)
ACTUAL COVERAGE:	1,790 S.F. (22%)
FUTURE COVERAGE:	2,472 S.F. (31%)

EXIST'G/FUTURE MAIN HOUSE AREA CALCS	
1ST FLR EXIST'G A/C:	1,067 SF
1ST FLR FUTURE ADD'TL A/C:	622 SF
1ST FLR EXIST'G FRONT PORCH:	9 SF
1ST FLR FUTURE ADD'TL FRONT PORCH (COV'RD):	63 SF
1ST FLR FUTURE ADD'TL REAR PORCH (COV'RD):	170 SF
2ND FLR EXIST'G A/C:	234 SF
2ND FLR FUTURE ADD'TL A/C:	490 SF
2ND FLR BALCONY (COV'RD):	36 SF
TOTAL EXIST'G A/C:	1,301 SF
TOTAL FUTURE A/C:	2,313 SF
TOTAL EXIST'G UNDER ROOF (COV'RD):	1,346 SF
TOTAL FUTURE UNDER ROOF (COV'RD):	2,591 SF

PROPOSED GARAGE/STUDIO AREA CALCS	
1ST FLR GARAGE:	641 SF
2ND FLOOR STUDIO:	641 SF
TOTAL NEW A/C:	641 SF
TOTAL COVERED:	1,282 SF

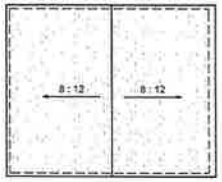
***EXIST'G MAIN HOUSE DOES NOT CURRENTLY MEET THE 25% RULE FOR PROPOSED GARAGE/STUDIO. THERE WILL BE A FUTURE RENOVATION/ADDITION TO THE MAIN HOUSE (REF "SITE PLAN" & "EXIST'G/FUTURE MAIN HOUSE AREA CALCS") TO BE PERMITTED WITHIN THE NEXT 6 MONTHS*

WINDOW SCHEDULE

NO	QTY	LABEL	TOP	TEMPERED	TYPE	EXT. ELEV.
W01	1	2040SH	96"		SINGLE HUNG	
W02	1	1630SH	95"		SINGLE HUNG	
W03	3	3015FX	118"		FIXED GLASS	
W05	1	2030SH	96"		SINGLE HUNG	

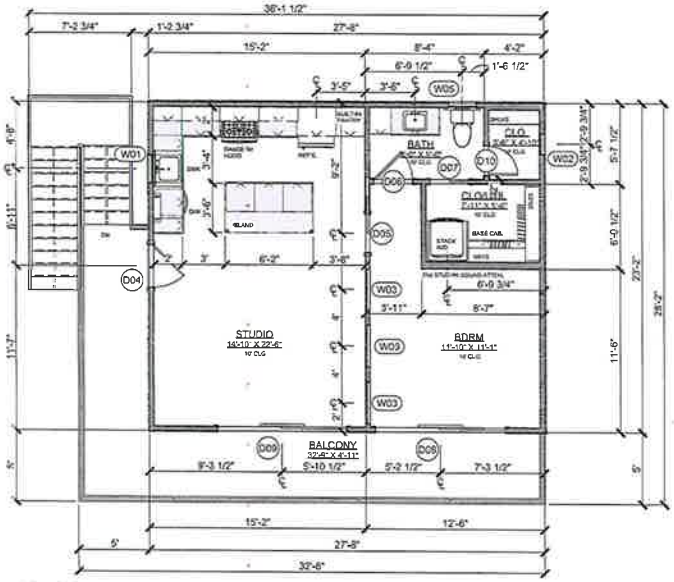
DOOR SCHEDULE

NO.	ROOM NAME	EXIN	SIZE	WT	HT	DESCRIPTION
D01	GARAGE	EX	9070	108"	84"	OVERHEAD DOOR
D02	GARAGE	EX	9070	108"	84"	OVERHEAD DOOR
D03	GARAGE	EX	3068 R EX	36"	80"	EXT. HINGED-DOOR E10
D04	STUDIO/BALCONY	EX	3080 L EX	36"	96"	EXT. DOUBLE HINGED DOOR
D05	STUDIO/BDRM	IN	2880 L	32"	96"	POCKET-DOOR P04
D06	BDRM/BATH	IN	2880 L IN	32"	96"	HINGED-DOOR P04
D07	CLO.UTB./BATH	IN	2880 L	32"	96"	POCKET-DOOR P04
D08	BDRM/BALCONY	EX	9080 R EX	108"	96"	EXT. 0+3-PANEL SLIDER-GLASS PANEL
D09	STUDIO/BALCONY	EX	9080 R EX	108"	96"	EXT. 0+3-PANEL SLIDER-GLASS PANEL
D10	CLO./BATH	IN	2068 R IN	24"	80"	HINGED-DOOR P04

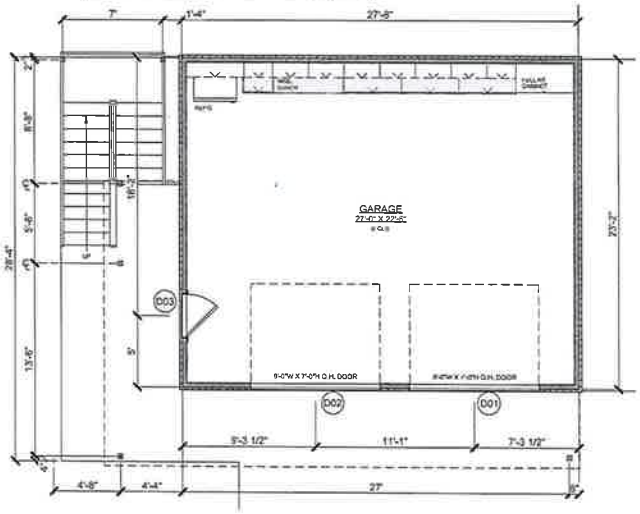


04 ROOF PLAN
Scale: 1/8"=1'-0"

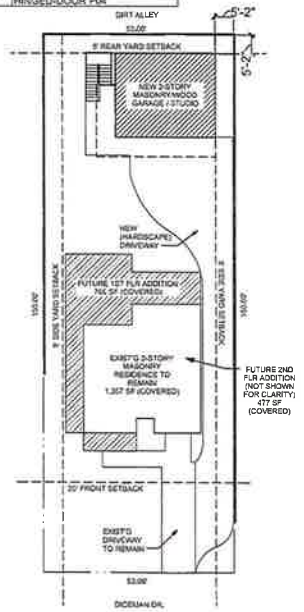
- EXTERIOR DIMENSIONS TO EXTERIOR FACE OF STUD
- INTERIOR DIMENSIONS TO FACE OF STUD
- INTERIOR WALLS DRAWN AT 4 1/2" THICK U.N.O.



03 SECOND FLOOR PLAN
Scale: 1/4"=1'-0"



02 FIRST FLOOR PLAN
Scale: 1/4"=1'-0"



01 SITE PLAN
Scale: 1/16"=1'-0"

THESE PLANS ARE INTENDED TO PROVIDE THE CONSTRUCTION INFORMATION NECESSARY TO COMPLETE THE DESIGN INTENT. THESE DRAWINGS MUST BE VERIFIED AND CHECKED CAREFULLY BY THE CONTRACTOR AND OTHERS ON THE JOB. ALL DISCREPANCIES, ERRORS &/OR OMISSIONS, IF FOUND, ARE TO BE BROUGHT TO THE ATTENTION OF THE BUILDER BEFORE ANY CONSTRUCTION OR MATERIAL PROCUREMENTS, WHICH MUST BE ALLOWED TO BE PERFORMED. ALL PLANS, NOTES & SPECS TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS, WHICH MAY BE IN CONFLICT WITH THE GOVERNING AGENCIES, CODES &/OR REQUIREMENTS.

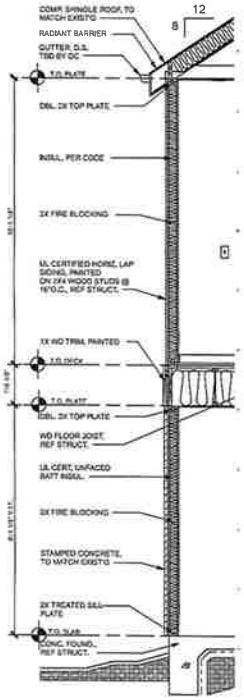
GARAGE|STUDIO ADDITION FOR:

8719 DICEMAN DR.

1-12

07.10.19

A1



03 TYP. WALL SECTION
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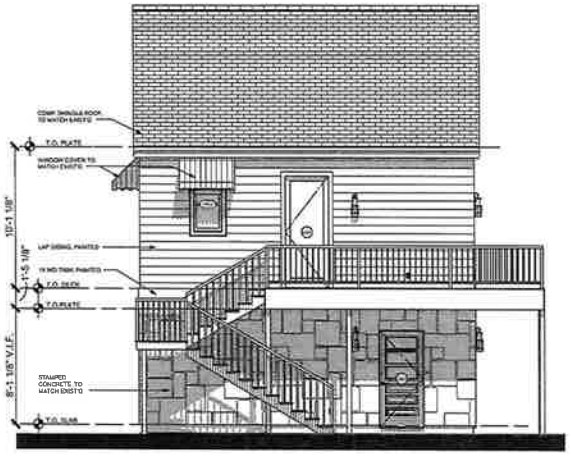
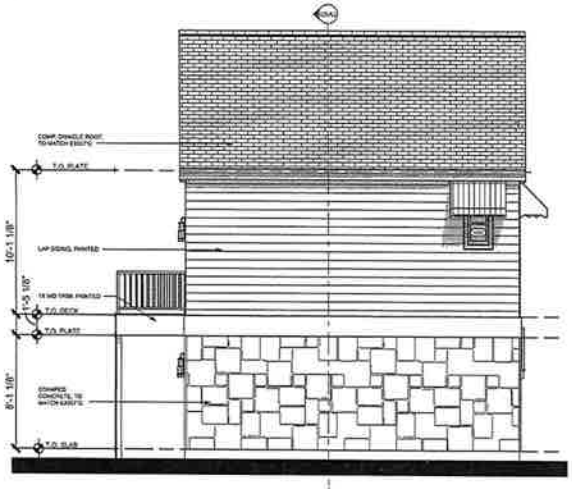
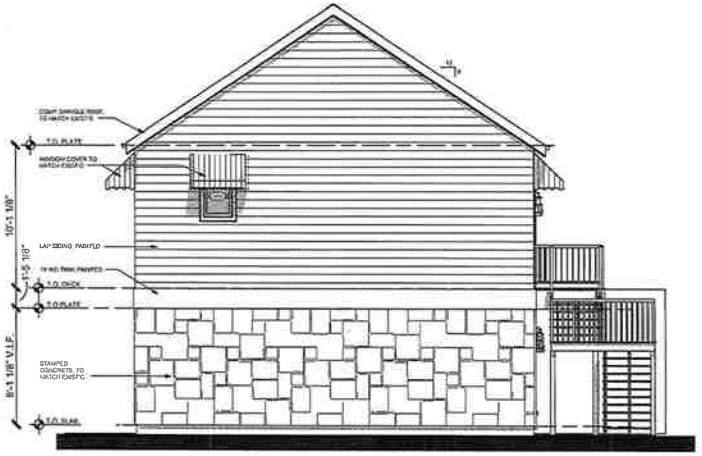


04 LEFT ELEVATION
Scale: 1/4"=1'-0"



02 RIGHT ELEVATION
Scale: 1/4"=1'-0"



03 REAR ELEVATION
Scale: 1/4"=1'-0"

01 FRONT ELEVATION
Scale: 1/4"=1'-0"

THESE PLANS ARE INTENDED TO PROVIDE THE CONSTRUCTION INFORMATION NECESSARY TO COMPLETE THE DESIGN INTENT. THESE DRAWINGS MUST BE VERIFIED AND CHECKED CONSTANTLY BY THE PERSON IN AUTHORITY OF THE JOB. ALL DISCREPANCIES, ERRORS &/OR OMISSIONS, IF FOUND, ARE TO BE BROUGHT TO THE ATTENTION OF THE BUILDER BEFORE ANY CONSTRUCTION OR MATERIAL PROCUREMENTS ARE MADE. ALL LOCAL CODES, ORDINANCES & REQUIREMENTS, WHICH MUST BE ADHERED TO BEFORE, DURING & AFTER CONSTRUCTION, WILL TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS, WHICH MAY BE IN CONFLICT WITH THE GOVERNING AGENCIES, CODES &/OR REQUIREMENTS.

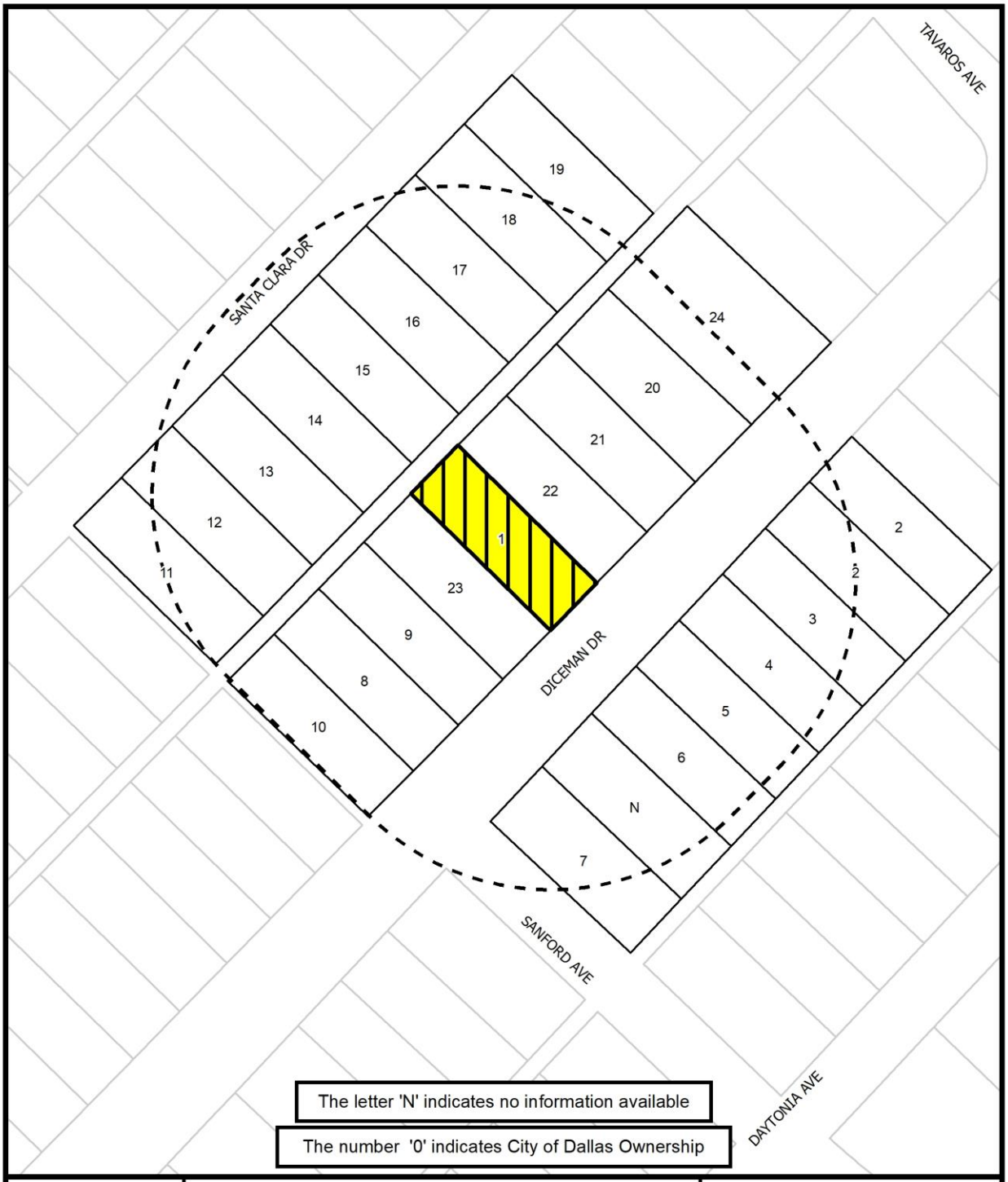
GARAGE|STUDIO ADDITION FOR:

8719 DICEMAN DR.

1-13

07.10.19

A2



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

24 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-030**

Date: **2/21/2020**

02/20/2020

Notification List of Property Owners

BDA190-030

24 Property Owners Notified

Label #	*Address*		*Owner*
1	8719	DICEMAN DR	BOLTIN DINA
2	8806	DICEMAN DR	ANDERSON DAVID
3	8722	DICEMAN DR	BLACK HENRY
4	8718	DICEMAN DR	BLACKMAN STEVE
5	8714	DICEMAN DR	ZACHARY CURTIS
6	8710	DICEMAN DR	MASTERSON THOMAS C
7	8702	DICEMAN DR	TUREK LISA MAUREEN
8	8707	DICEMAN DR	FARRIS JANE A
9	8711	DICEMAN DR	GARD JOHN W & AZADEH MOZAFFARI
10	8703	DICEMAN DR	COLE BARBARA JEAN
11	8702	SANTA CLARA DR	LEE CHARLOTTE
12	8706	SANTA CLARA DR	YUHAS LAUREN M
13	8710	SANTA CLARA DR	KIMBERLIN MARY
14	8714	SANTA CLARA DR	SANDER DALE E &
15	8718	SANTA CLARA DR	THACKER RICHARD E
16	8722	SANTA CLARA DR	MARTINEZ ANTONIO JR &
17	8726	SANTA CLARA DR	HICKERSON BRAD & DOROTHY
18	8802	SANTA CLARA DR	GUAJARDO ELIZABETH JANE
19	8806	SANTA CLARA DR	SMITH DOUGLAS G
20	8803	DICEMAN DR	WEIS ANNE
21	8729	DICEMAN DR	LUONG MINH T &
22	8723	DICEMAN DR	NEWTON JULIA J
23	8713	DICEMAN DR	HOPKINS BARBARA J
24	8809	DICEMAN DR	HUCKABAY CHERYL L

FILE NUMBER: BDA190-033(OA)

BUILDING OFFICIAL'S REPORT: Application of Dean Kraus for a special exception to the sign regulations at 1301 Chalk Hill Road. This property is more fully described as Lot 4, Block 7192 and is zoned an IM Industrial Manufacturing District , which limits the number of detached signs on a premise to one per street frontage other than expressways and allows only one detached sign for every 450 feet of frontage or fraction thereof on an expressway. The applicant proposes to construct and maintain one additional detached premise sign, on nonresidential premises, which will require a special exception to the sign regulations.

LOCATION: 1301 Chalk Hill Road

APPLICANT: Dean Kraus

REQUEST:

A request for a special exception to the sign regulations is made to construct and maintain an additional detached premise sign on a site that is being developed with warehouse uses.

STANDARD FOR A SPECIAL EXCEPTION TO THE SIGN REGULATIONS FOR AN ADDITIONAL DETACHED SIGN:

Section 51A-7.703(d)(2) of the Dallas Development Code states that the Board of Adjustment may, in specific cases and subject to appropriate conditions, authorize one additional detached sign on a premise in excess of the number permitted by the sign regulations as a special exception to these regulations when the board has made a special finding from the evidence presented that strict compliance with the requirement of the sign regulations will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of the sign regulations.

STAFF RECOMMENDATION (additional detached sign):

Approval

Rationale:

- Staff concluded from the information submitted by the applicant that the applicant has substantiated that strict compliance with the requirement of the sign regulations

will result in inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of the sign regulations.

BACKGROUND INFORMATION:

Zoning:

Site: IM (Industrial Manufacturing District)

North: IM (Industrial Manufacturing District)

East: IR (Industrial Research District)

South: PD No. 631 ((Planned Development District)

West: R-7.5(A) (Single family district)

Land Use:

The site is being developed with a warehouse. The area to the north, south, and east are developed with industrial uses and vacant property; the area to the west is contains undeveloped land and single family uses.

Zoning/BDA History:

There have 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 (additional detached sign):

The property consists of over 90 acres of land being developed with a warehouse use. The request for a special exception to the sign regulations focuses on locating and maintaining an additional sign at one of the driveway frontages along Chalk Hill Road.

Section 51A-7.304(b) (4) of the Dallas Development Code states that only one detached sign is allowed per street frontage other than expressways. The size of the property is not taken into account.

The submitted site plan indicates the location of two detached monument signs, (represented as “monument sign location”) on the site’s Chalk Hill Road frontage, hence this request is for a special exception to the sign regulations for an additional detached monument sign.

A sign elevation denoting the two detached monument signs as “proposed monument sign” has been submitted.

The applicant submitted a document (see attachment A) that substantiates that strict compliance with the requirement of the sign regulations will result in inequity to the applicant without sufficient corresponding benefit to the city and its citizens due to

Amazon property being so large and having very heavy trucking traffic. Having one additional monument sign will allow Amazon to safely direct the visitor and public traffic to the correct entrance, while also helping limit traffic in the already very busy shipping and trucking entrance.

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

- That strict compliance with the requirement of the sign regulations (where in this case, the site would be limited to having only one sign along the street frontage) will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of the sign regulations.

If the board were to approve the request for a special exception to the sign regulations, the board may consider imposing a condition that the applicant complies with the submitted site plan and sign elevation.

Timeline:

January 15, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.

February 11, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel B.

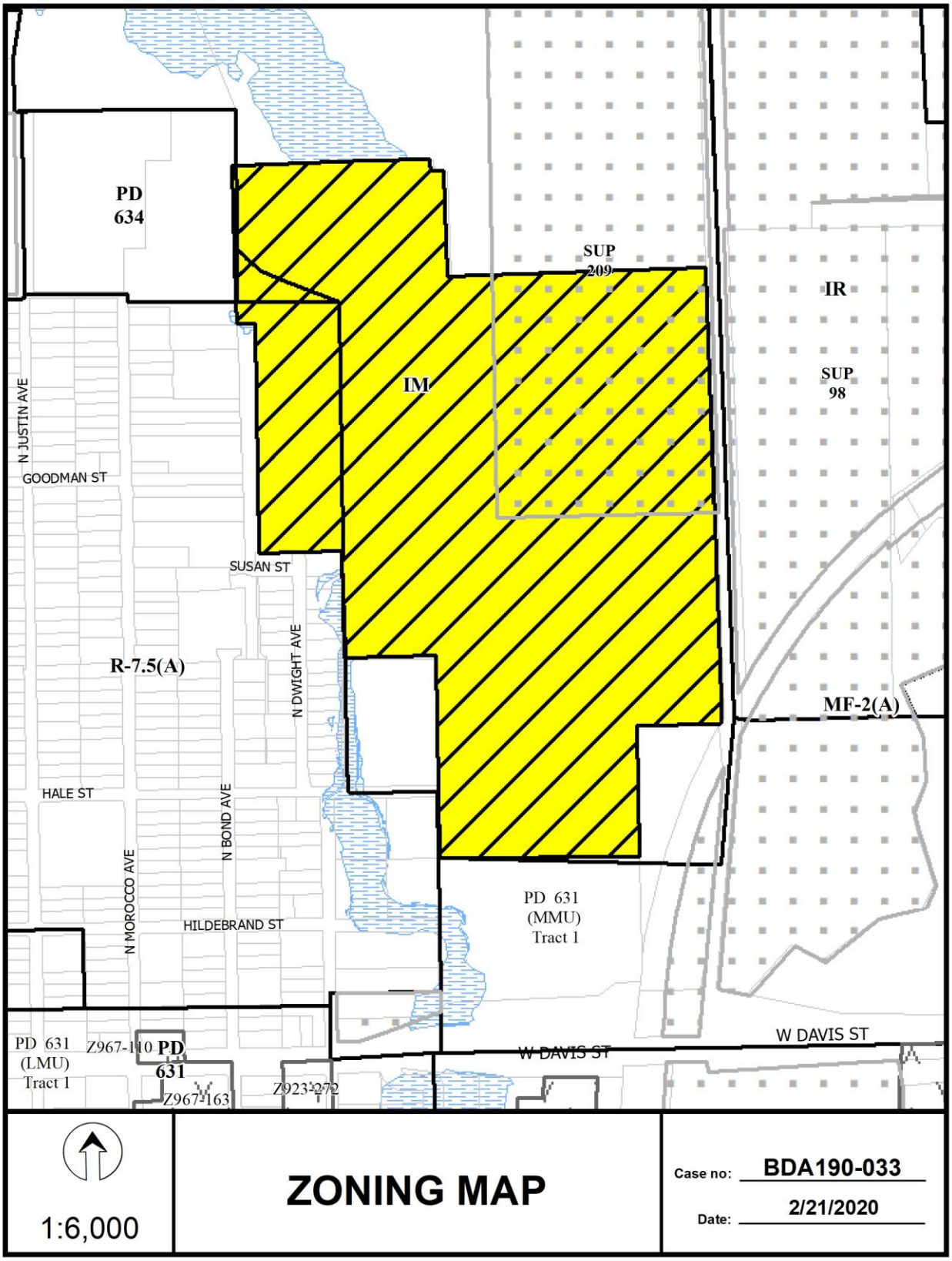
February 14, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the February 25th deadline to submit additional evidence for staff to factor into their analysis; and the March 6th 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 27, 2018: 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 Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Senior Engineer, the Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

March 4, 2020: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).


PD
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SUSAN ST
N DWIGHT AVE
R-7.5(A)
MF-2(A)
HALE ST
N BOND AVE
N MOROCCO AVE
HILDEBRAND ST
PD 631
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Tract 1
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(LMU)
Tract 1
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631
Z967-163
Z923-272
W DAVIS ST
W DAVIS ST
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ZONING MAP
Case no: BDA190-033
Date: 2/21/2020

1:6,000

AERIAL MAP

Case no: BDA190-033

Date: 2/21/2020

Texas Permit & Development

February 24, 2020

To the City of Dallas Board of Adjustment Members

Re: 8719 Diceman

We are here before you requesting a special exception to allow for an additional dwelling unit at 8719 Diceman.

We are requesting the special exception to allow for guest quarters. The guest quarters will not be used for rental accommodations.

The proposed unit would be constructed above a two car garage.

We thank you for your consideration in these matters.

Danny Sipes

Danny Sipes

Texas Permit

danny@txpermit.com Danny Sipes 214.794.0213

RECEIVED
JAN 10 2020
BY:

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-030

Data Relative to Subject Property: Date: ~~12/13/19~~ 1-10-20

Location address: 8719 Diceman Dr. Zoning District: R-7.5(A)

Lot No.: 26 Block No.: 5/5289 Acreage: .182 Census Tract: 91.00

Street Frontage (in Feet): 1) 53' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Zahid R. Khalid

Applicant: Danny Sipes - Texas Permit Telephone: 214-794-0213

Mailing Address: PO Box 3293 Forney Tx Zip Code: 75126

E-mail Address: danny@txpermit.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance __, or Special Exception ✓, of allow for an additional dwelling unit.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
To allow for a guest quarters that will not be used for rental income.

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 _____
(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.

NOTARY PUBLIC STATE OF TEXAS
VICKIE L RADER
Notary ID # 126690222
My Commission Expires
October 13, 2020

Respectfully submitted: Danny Sipes
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 9th day of January, 2020

Vickie L Rader
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied _____

Remarks _____

Chairman _____

Building Official's Report

I hereby certify that Danny Sipes

did submit a request for a special exception to the single family regulations

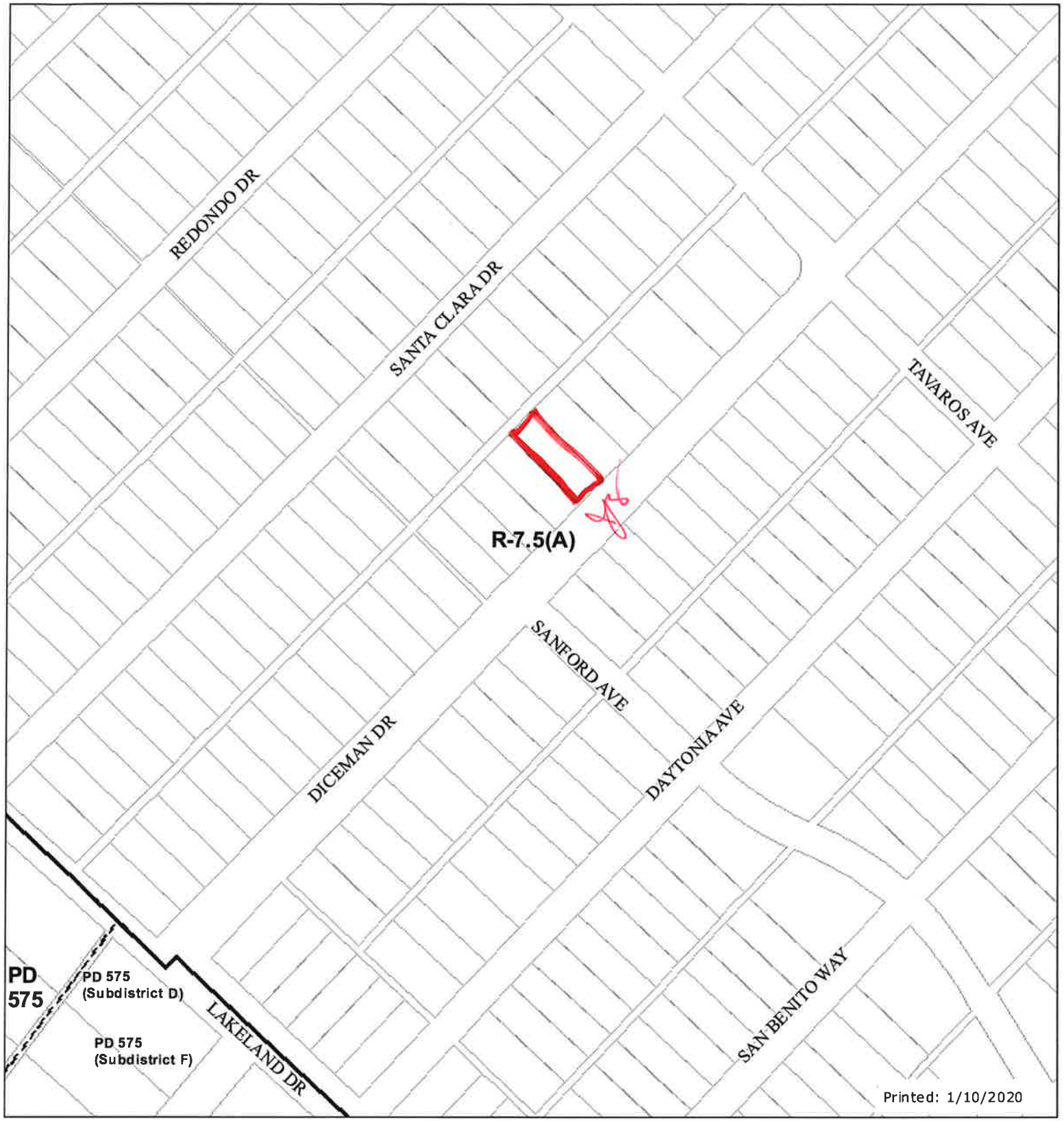
at 8719 Diceman Drive

BDA190-030. Application of Danny Sipes for a special exception to the single family regulations at 8719 DICEMAN DR. This property is more fully described as Lot 26, Block 5/5289, and is zoned R-7.5(A), which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit for non-rental, which will require a special exception to the single family zoning use regulations.

Sincerely,

Philip Sikes

Philip Sikes, Building Official



Legend

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

N

1:2,400


SANTA CLA
DICEMAN
TERRACE
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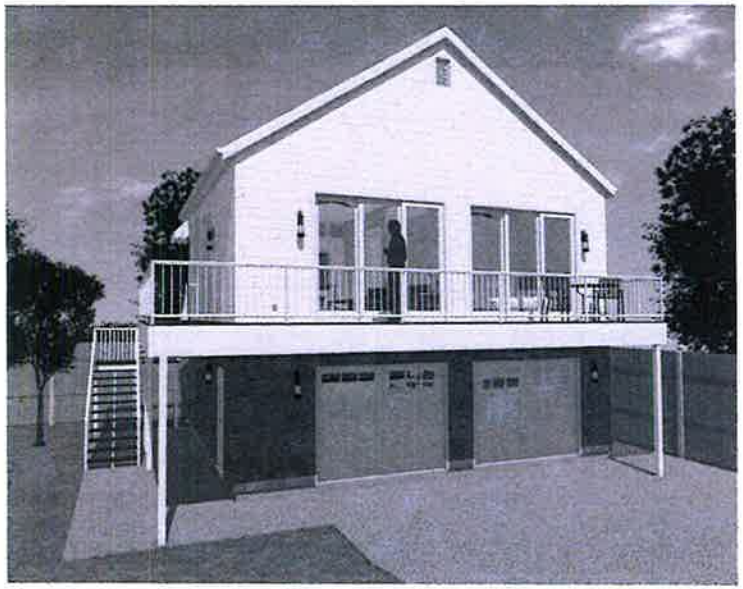


05 PERSPECTIVE VIEW
NOT TO SCALE

DESCRIPTION OF PROPERTY	
LEGAL DESCRIPTION:	PROPERTY IS LOCATED AT 8719 DICEMAN DRIVE IN THE CITY OF DALLAS, TEXAS, BEING A PORTION OF CITY BLOCK 5/5289 AND ALSO BEING REFERRED TO AS LOT 25, BLOCK 5/ 5289 OF SHAMROCK SHORES (PER TAX RECORDS).
ZONING:	
CITY OF DALLAS, TEXAS	
DESIGNATION "R-7.5(A)" SINGLE FAMILY DWELLING	
DENSITY:	1 DWELLING UNIT (7,500 S.F.)
PRIMARY USES:	SINGLE FAMILY RESIDENCE
FRONT YARD SETBACK:	25'-0"
SIDE YARD SETBACK:	5'-0"
REAR YARD SETBACK:	5'-0"
MAXIMUM BLDG. HEIGHT:	30'-0"
SITE SQUARE FOOTAGE:	7,994 S.F.
MAXIMUM LOT COVERAGE:	3,597 S.F. (45% OF TOTAL LOT COVERAGE)
ACTUAL COVERAGE:	1,790 S.F. (22%)
FUTURE COVERAGE:	2,472 S.F. (31%)

EXIST'G/FUTURE MAIN HOUSE AREA CALCS	
1ST FLR EXIST'G A/C:	1,067 SF
1ST FLR FUTURE ADD'TL A/C:	622 SF
1ST FLR EXIST'G FRONT PORCH:	9 SF
1ST FLR FUTURE ADD'TL FRONT PORCH (COV'RD):	63 SF
1ST FLR FUTURE ADD'TL REAR PORCH (COV'RD):	170 SF
2ND FLR EXIST'G A/C:	234 SF
2ND FLR FUTURE ADD'TL A/C:	490 SF
2ND FLR BALCONY (COV'RD):	36 SF
TOTAL EXIST'G A/C:	1,301 SF
TOTAL FUTURE A/C:	2,313 SF
TOTAL EXIST'G UNDER ROOF (COV'RD):	1,346 SF
TOTAL FUTURE UNDER ROOF (COV'RD):	2,591 SF

PROPOSED GARAGE/STUDIO AREA CALCS	
1ST FLR GARAGE:	641 SF
2ND FLOOR STUDIO:	641 SF
TOTAL NEW A/C:	641 SF
TOTAL COVERED:	1,282 SF

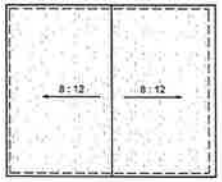
***EXIST'G MAIN HOUSE DOES NOT CURRENTLY MEET THE 25% RULE FOR PROPOSED GARAGE/STUDIO. THERE WILL BE A FUTURE RENOVATION/ADDITION TO THE MAIN HOUSE (REF "SITE PLAN" & "EXIST'G/FUTURE MAIN HOUSE AREA CALCS") TO BE PERMITTED WITHIN THE NEXT 6 MONTHS*

WINDOW SCHEDULE

NO	QTY	LABEL	TOP	TEMPERED	TYPE	EXT. ELEV.
W01	1	2040SH	96"		SINGLE HUNG	
W02	1	1630SH	95"		SINGLE HUNG	
W03	3	3015FX	118"		FIXED GLASS	
W05	1	2030SH	96"		SINGLE HUNG	

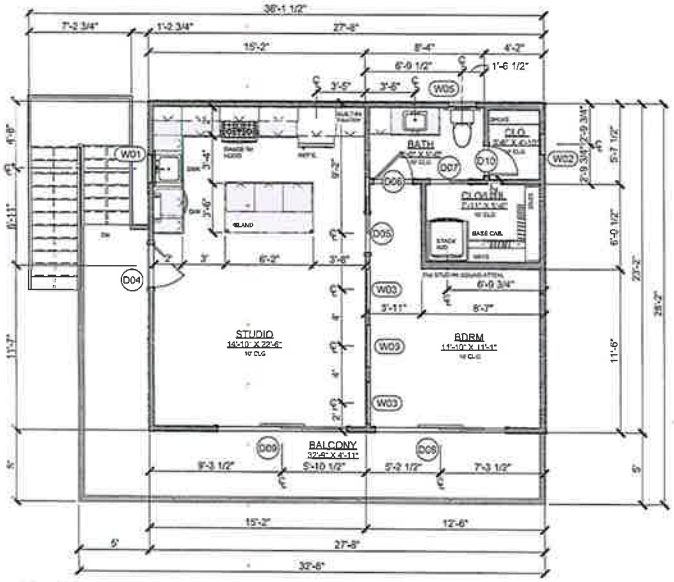
DOOR SCHEDULE

NO.	ROOM NAME	EXIN	SIZE	WT	HT	DESCRIPTION
D01	GARAGE	EX	9070	108"	84"	OVERHEAD DOOR
D02	GARAGE	EX	9070	108"	84"	OVERHEAD DOOR
D03	GARAGE	EX	3068 R EX	36"	80"	EXT. HINGED-DOOR E10
D04	STUDIO/BALCONY	EX	3080 L EX	36"	96"	EXT. DOUBLE HINGED DOOR
D05	STUDIO/BDRM	IN	2880 L	32"	96"	POCKET-DOOR P04
D06	BDRM/BATH	IN	2880 L IN	32"	96"	HINGED-DOOR P04
D07	CLO/UTB./BATH	IN	2880 L	32"	96"	POCKET-DOOR P04
D08	BDRM/BALCONY	EX	9080 R EX	108"	96"	EXT. 0+3-PANEL SLIDER-GLASS PANEL
D09	STUDIO/BALCONY	EX	9080 R EX	108"	96"	EXT. 0+3-PANEL SLIDER-GLASS PANEL
D10	CLO./BATH	IN	2068 R IN	24"	80"	HINGED-DOOR P04

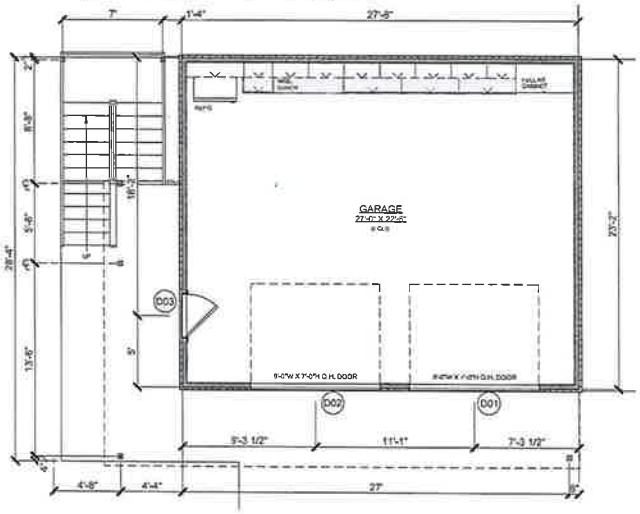


04 ROOF PLAN
Scale: 1/8"=1'-0"

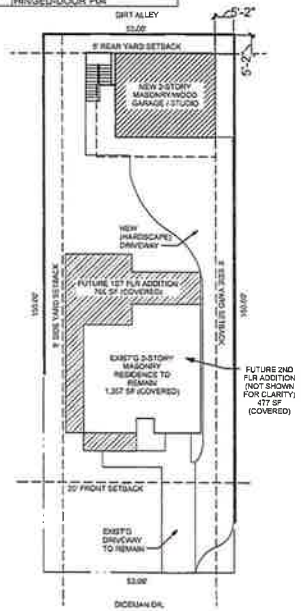
- EXTERIOR DIMENSIONS TO EXTERIOR FACE OF STUD
- INTERIOR DIMENSIONS TO FACE OF STUD
- INTERIOR WALLS DRAWN AT 4 1/2" THICK U.N.O.



03 SECOND FLOOR PLAN
Scale: 1/4"=1'-0"



02 FIRST FLOOR PLAN
Scale: 1/4"=1'-0"



01 SITE PLAN
Scale: 1/16"=1'-0"

THESE PLANS ARE INTENDED TO PROVIDE THE CONSTRUCTION INFORMATION NECESSARY TO COMPLETE THE DESIGN INTENT. THESE DRAWINGS MUST BE VERIFIED AND CHECKED CAREFULLY BY THE CONTRACTOR AND OTHERS ON THE JOB. ALL DISCREPANCIES, ERRORS &/OR OMISSIONS, IF FOUND, ARE TO BE BROUGHT TO THE ATTENTION OF THE BUILDER BEFORE ANY CONSTRUCTION OR MATERIAL PROCUREMENTS, WHICH MUST BE ALREADY TO BE PERFORMED, TAKES PLACE. THESE PLANS TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS, WHICH MAY BE IN CONFLICT WITH THE GOVERNING AGENCIES, CODES &/OR REQUIREMENTS.

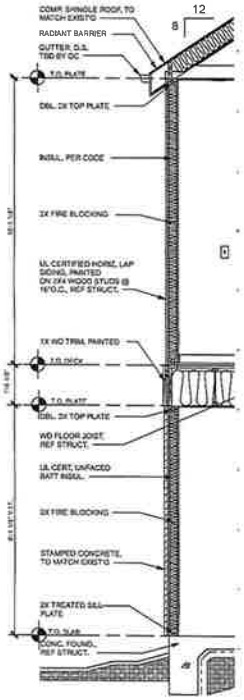
GARAGE|STUDIO ADDITION FOR:

8719 DICEMAN DR.

2-12

07.10.19

A1



03 TYP. WALL SECTION
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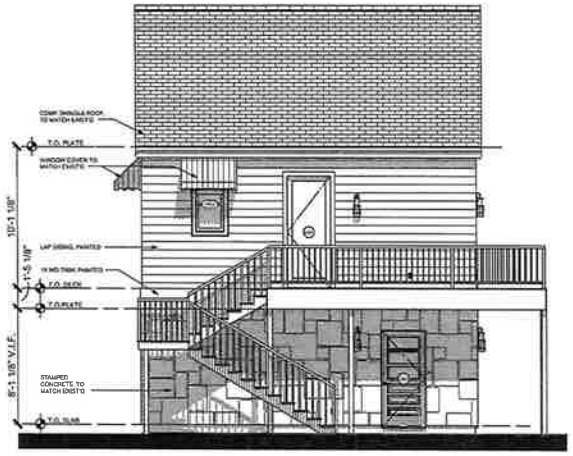

04 LEFT ELEVATION
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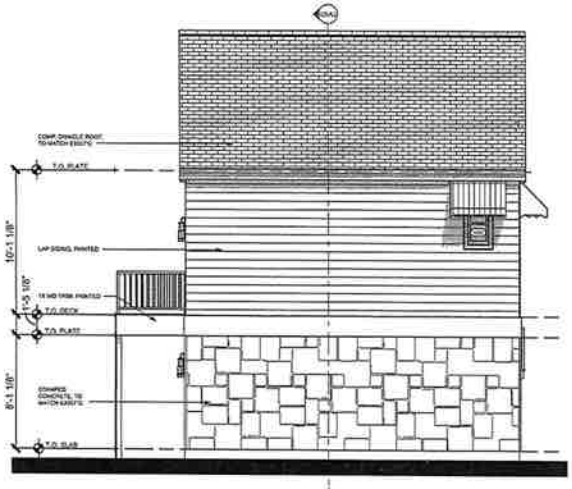

02 RIGHT ELEVATION
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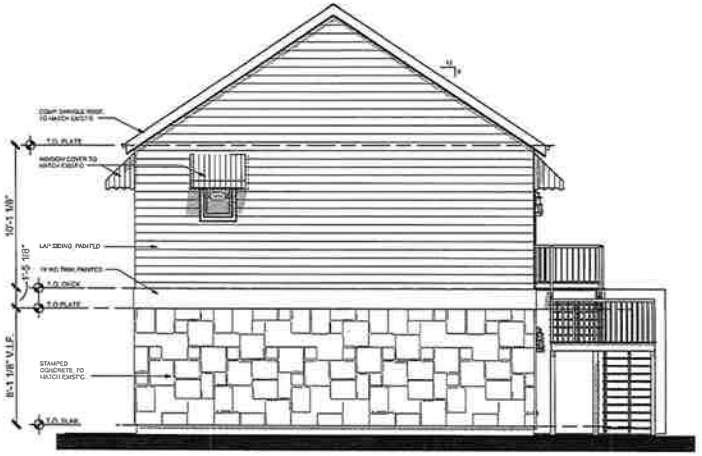


03 REAR ELEVATION
Scale: 1/4"=1'-0"

01 FRONT ELEVATION
Scale: 1/4"=1'-0"

THESE PLANS ARE INTENDED TO PROVIDE THE CONSTRUCTION INFORMATION NECESSARY TO COMPLETE THE DESIGN INTENT. THESE DRAWINGS MUST BE VERIFIED AND CHECKED CONCURRENTLY BY THE PERSON(S) AUTHORIZED TO PERFORM THE JOB. ALL DISCREPANCIES, ERRORS &/OR OMISSIONS, IF FOUND, ARE TO BE BROUGHT TO THE ATTENTION OF THE BUILDER BEFORE ANY CONSTRUCTION OR MATERIAL PROCUREMENTS ARE MADE. ALL LOCAL CODES, ORDINANCES & REQUIREMENTS, WHICH MUST BE ADHERED TO BEFORE, DURING & AFTER CONSTRUCTION, WILL TAKE PRECEDENCE OVER ANY PART OF THESE DRAWINGS, WHICH MAY BE IN CONFLICT WITH THE GOVERNING AGENCIES, CODES &/OR REQUIREMENTS.

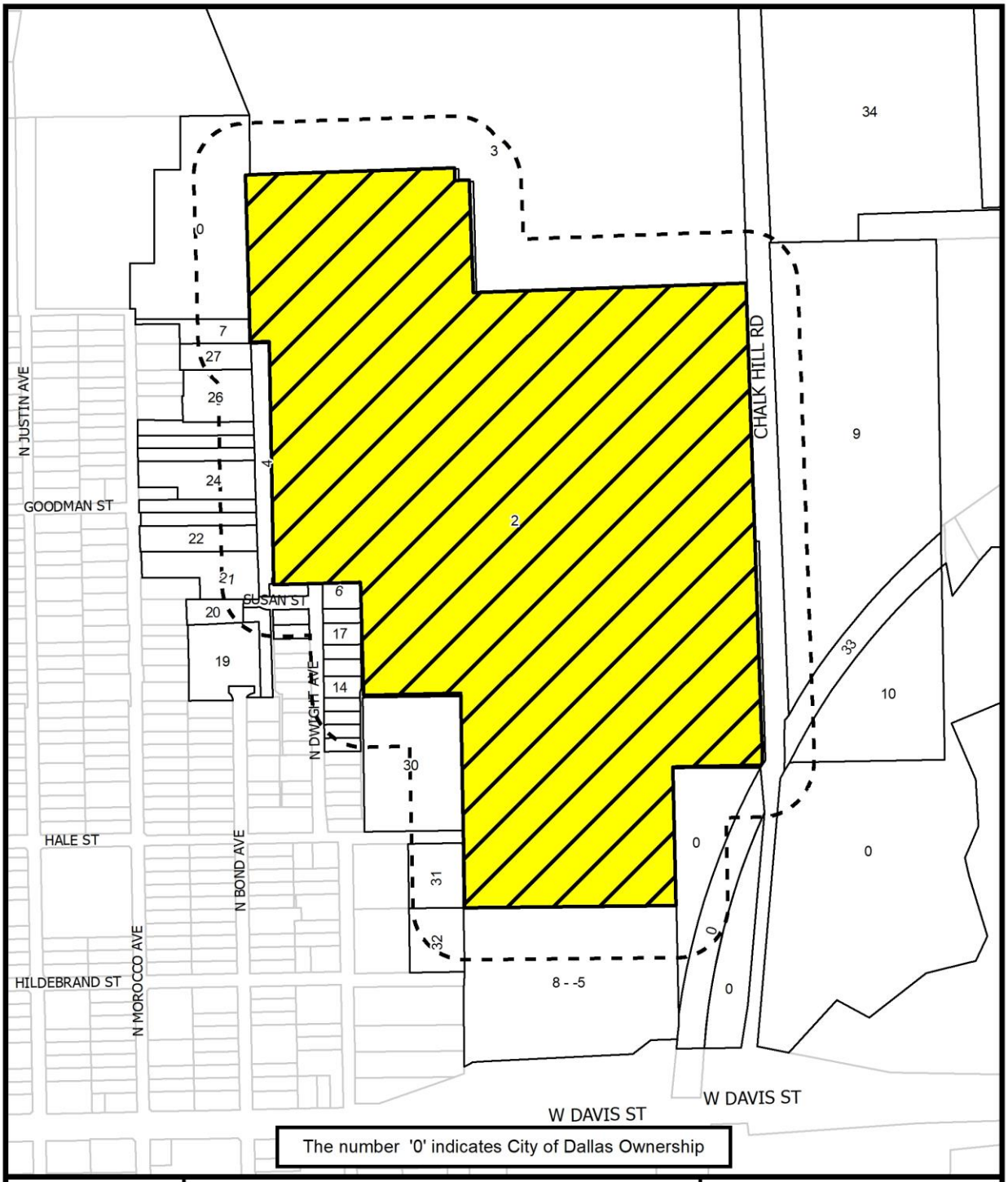
GARAGE|STUDIO ADDITION FOR:

8719 DICEMAN DR.

2-13

07.10.19

A2



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NOTIFICATION

200' AREA OF NOTIFICATION

34 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA190-033

Date: 2/21/2020

02/20/2020

Notification List of Property Owners

BDA190-033

34 Property Owners Notified

Label #	*Address*		*Owner*
1	1301	CHALK HILL RD	COMMERCE 30 BUILDING C INC
2	1301	CHALK HILL RD	COMMERCE 30 BUILDING C INC
3	1247	CHALK HILL RD	COMMERCE 30 BUILDING B LLC
4	1200	N DWIGHT AVE	GARCIA JOSE JR & FELICITA
5	1201	N DWIGHT AVE	RAYMUNDO FAMILY TRUST
6	1130	N DWIGHT AVE	RAYMUNDO BRENDA
7	1252	N BOND AVE	KURSHUDIAN ARTHUR
8	1301	CHALK HILL RD	COMMERCE 30 BUILDING C INC
9	1350	CHALK HILL DR	CHALK HILL DISTRIBUTION LLC
10	900	CHALK HILL DR	TXI OPERATIONS LP
11	1123	N DWIGHT AVE	ARMIJO RUBEN & MARY E
12	1127	N DWIGHT AVE	MILES HENRY L & FRANKIE J LF EST
13	4930	SUSAN ST	SANCHEZ CARLOS & OFELIA
14	1106	N DWIGHT AVE	HASSMANN GUILLERMINA
15	1110	N DWIGHT AVE	ROBLES SIMON & EUTIQUIA
16	1114	N DWIGHT AVE	J C LEASING LLP
17	1120	N DWIGHT AVE	GRIFFIN FRED W
18	1126	N DWIGHT AVE	MENDOZA AIDA
19	1100	N BOND AVE	HERNANDEZ ARTURO
20	1131	N BOND AVE	CASTANEDA GUSTAVO &
21	1146	N MOROCCO AVE	HEGBOUM MARGARET A
22	1154	N MOROCCO AVE	HEGBOUM MARGARET A
23	1166	N MOROCCO AVE	EBERT ROBERT R
24	1214	N MOROCCO AVE	GARCIA JOSE JR &
25	1218	N MOROCCO AVE	KATTNER SHIRLEY
26	1222	N MOROCCO AVE	KATTNER SHIRLEY A

02/20/2020

Label #	*Address*		*Owner*
27	1240	N BOND AVE	KURSHUDIAN ARTHUR
28	1024	N DWIGHT AVE	HERNANDEZ STEPHANIE
29	1030	N DWIGHT AVE	GALEANA EULALIA
30	4811	HALE ST	WHITELEY BROTHERS CONSTRUCTION LLC
31	4810	HALE ST	ALAMO AUTO SALES LLC
32	4811	HILDEBRAND ST	ALAMO AUTO SALES LLC
33	800	CHALK HILL RD	MORNING PARK INC
34	1415	N COCKRELL HILL RD	LIT INDUSTRIAL LTD PS

FILE NUMBER: BDA190-038(OA)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin of Baldwin and Associates for a special exception to the landscape regulations at 2601 Hudnall Street. This property is more fully described as Lot 1 Block A/5706, and is zoned PD 193 S-128, which requires mandatory landscaping. The applicant proposes to construct and/ maintain a multifamily residential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 2601 Hudnall Street

APPLICANT: Rob Baldwin of Baldwin and Associates

REQUESTS:

A request for a special exception to the landscape regulations is made to construct and maintain a multifamily development with a parking structure on a site that is currently undeveloped, and not to fully provide the required landscaping. More specifically, the request includes (1) to relocate required sidewalks outside of the required zone of five to 12 feet from back of curb, and (2) to locate street trees outside of the two-and-a-half to five-feet from the back of curb zone on Hudnall Street.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REQUIREMENTS IN OAK LAWN:

Section 51P-193-126(a) (4) of the Dallas City Code specifies that the board may grant a special exception to the landscaping requirements of this section if, in the opinion of the Board, the special exception will not compromise the spirit and intent of this section. When feasible, the Boardshall require that the applicant submit and that the property complies with a landscape plan as a condition to granting the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted alternate landscape plan is required.

Rationale:

- The City of Dallas Chief Arborist recommends approval of the special exception on the basis that it does not appear the request will compromise the spirit and intent of this ordinance.

BACKGROUND INFORMATION

Site: PD 193 PDS 128 (Planned Development)
North: PD 193 (GR) (Planned Development, General Retail)
South: PD 193 (MF-2) (Planned Development, Multifamily)
East: PD 193 (R-7.5 H-6) (Planned Development, Single Family)
West: PD 193 (GR) (Planned Development, General Retail)

Land Use:

The site is being developed with a multifamily development. The areas to the north, east, and south and west are developed with retail, single family, and multifamily uses.

Zoning/BDA History:

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

GENERAL FACTS/ STAFF ANALYSIS:

This request for a special exception to the landscape regulations focuses on constructing and maintaining a multifamily development with a parking structure on a site that is undeveloped and not to fully provide the required landscaping. The applicant proposes (1) to relocate required sidewalks outside of the required zone of five to 12 feet from back of curb, and (2) to locate street trees outside of the two-and-a-half to five-feet from the back of curb zone on Hudnall Street.

PD 193 states that the landscape, streetscape, screening, and fencing standards shall become applicable to uses (other than to single family and duplex uses in detached structures) on an individual lot when work is performed on the lot that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

The City of Dallas chief arborist submitted a memo regarding the applicant's request (see Attachment A).

The chief arborist's memo states the following with regard to "request":

The applicant is seeking a special exception to the landscaping requirements of PD 193 Part 1, as established under PDS 128 for the property. Under PDS 128, development follows regulations established for uses in GR subdistricts requiring 10 percent total landscape site area and 60 percent of the required front yard. Trees, sidewalks, and screening must comply with Section 51P-193.126.

The chief arborist's memo states the following with regard to "provision":

The council approved development plan for PDS 128 establishes no designation of landscaping and the placement of trees. Therefore, there is no restriction on the review of landscaping by the board.

The alternate landscape plan provides for required street trees, landscape site areas, and sidewalk widths. The plan proposes to preserve five large mature trees along Hudnall Street and set back behind the sidewalk. No screening of off-street parking is required

The chief arborist's memo states the following with regard to "deficiencies":

The alternate landscape plan places sidewalks outside of the required zone of five to 12 feet from back of curb and relocates some street trees outside of the two-and-a-half to five feet from back of curb zone on Hudnall Street.

The five retained trees are set outside of the tree planting zone and the sidewalk is placed along the curb to help protect the root systems of the trees.

The chief arborist recommends approval of the alternate landscape plan because the special exception would not compromise the spirit and intent of PD 193 Part 1 landscape regulations.

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

The special exception (the required sidewalks outside of the required zone of five to 12 feet from back of curb and relocate some street trees outside of the two-and-a-half to five feet from back of curb zone of the PD 193 landscape requirements) will not compromise the spirit and intent of Section 51P-193-126: Landscape, streetscape, screening, and fencing standards".

If the board were to grant this request and impose the submitted alternate landscape plan as a condition, the site would be granted an exception from full compliance to the requirements of the PD 193 landscape ordinance.

Timeline:

January 27, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.

February 11, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel B.

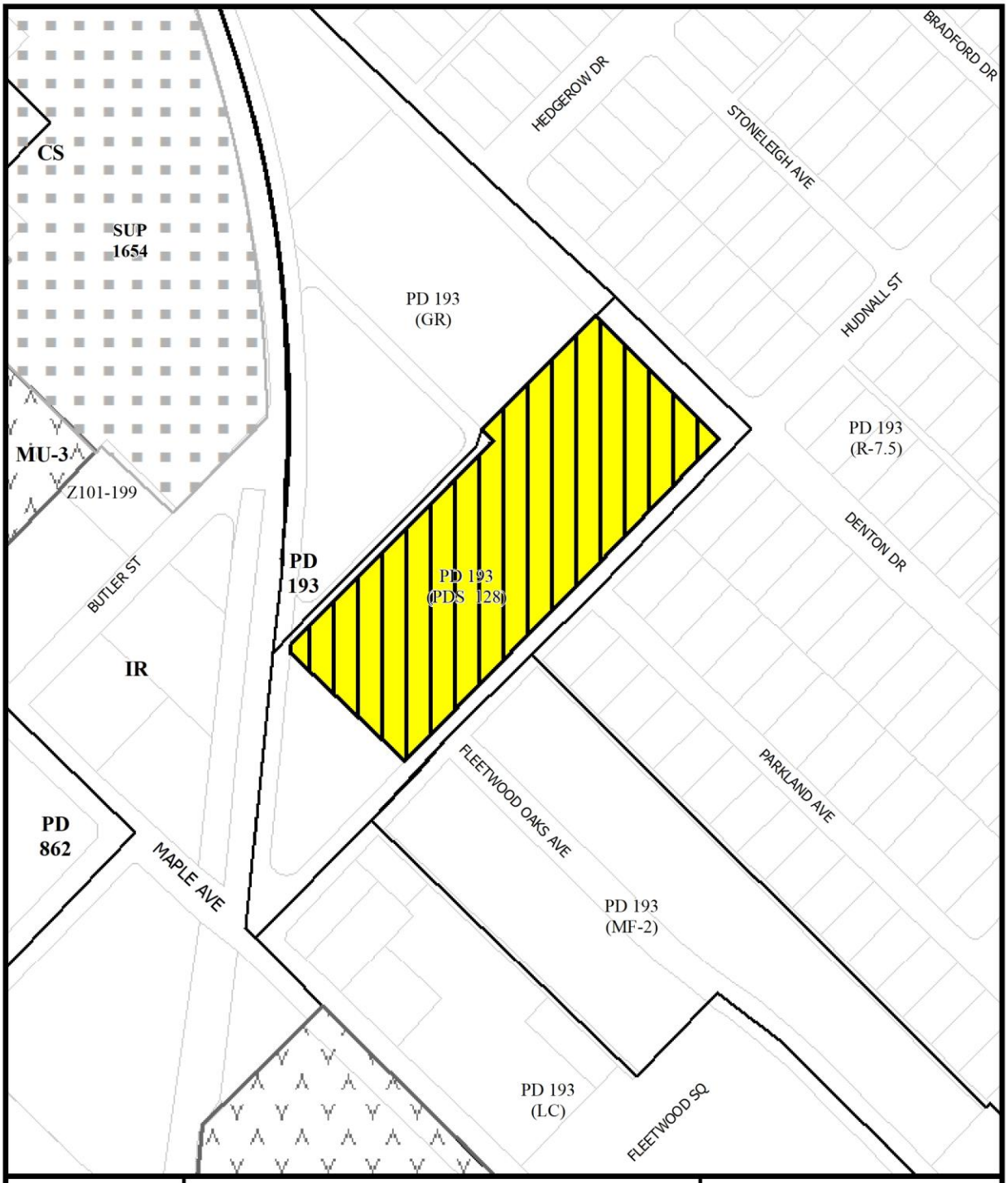
February 14, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application;

- an attachment that provided the public hearing date and panel that will consider the application; the February 25th deadline to submit additional evidence for staff to factor into their analysis; and the March 6th 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 27, 2020: 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 Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

March 2, 2019: The City of Dallas Chief Arborist submitted a memo regarding this application (see Attachment A).



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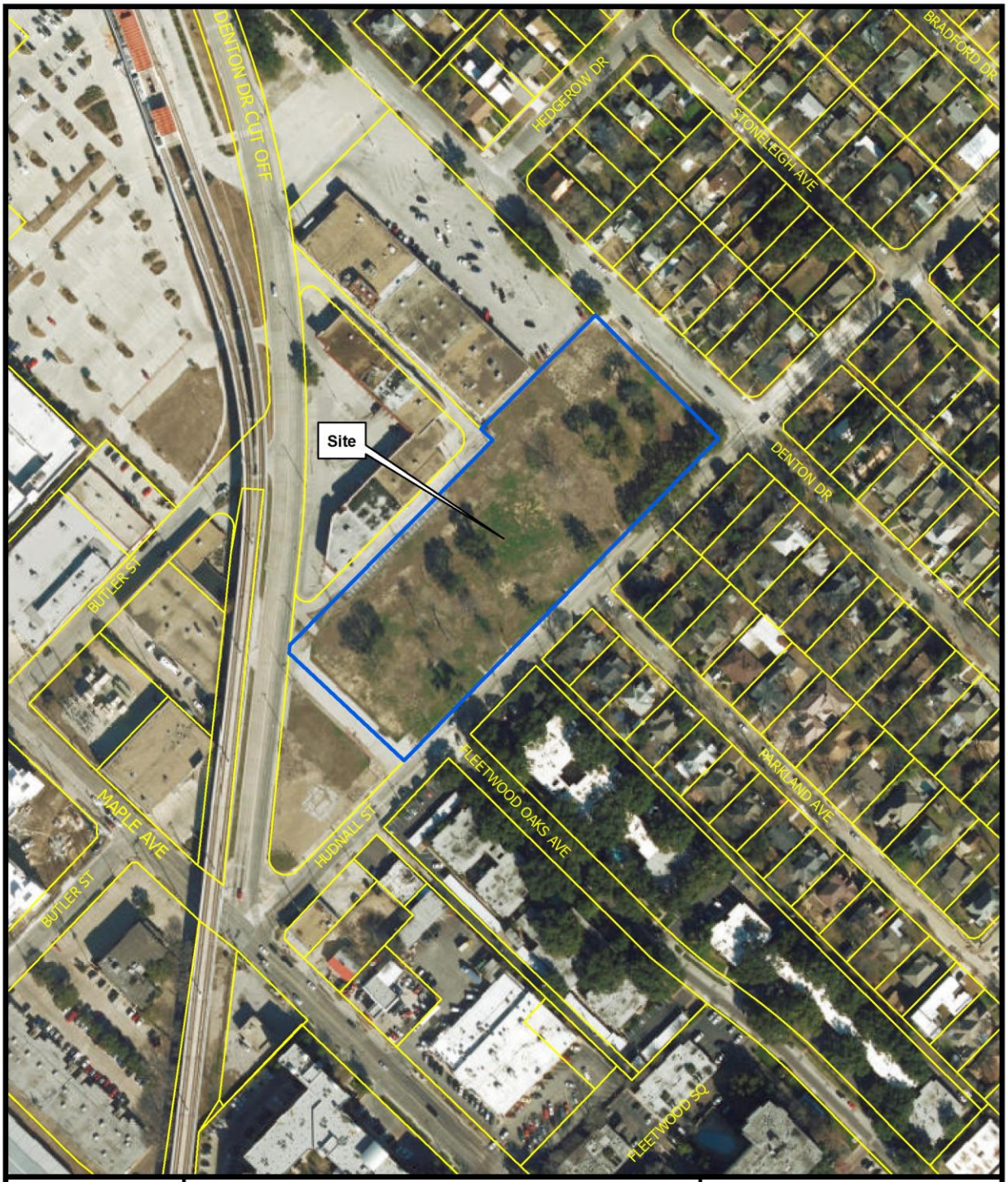
ZONING MAP

Case no: BDA190-038

Date: 2/21/2020



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AERIAL MAP

Case no: BDA190-038

Date: 2/21/2020

Memorandum

CITY OF DALLAS

Date	March 2, 2020
To	Oscar Aguilera, Sr. Planner Jennifer Munoz, Board Administrator
Subject	BDA #190-038 2601 Hudnall Street Arborist report

Request
The applicant is seeking a special exception to the landscaping requirements of PD 193 Part 1, as established under PDS 128 for the property. Under PDS 128, development follows regulations established for uses in GR subdistricts requiring 10% total landscape site area and 60% of the required front yard. Trees, sidewalks, and screening must comply with Section 51P-193.126.

Provision
The council approved development plan for PDS 128 establishes no designation of landscaping and the placement of trees. Therefore, there is no restriction on the review of landscaping by the board.

The alternate landscape plan provides for required street trees, landscape site areas, and sidewalk widths. The plan proposes to preserve five large mature trees along Hudnall Street and set back behind the sidewalk. No screening of off-street parking is required.

Deficiency
The alternate landscape plan places sidewalks outside of the required zone of 5’ to 12’ from back of curb, and locates some street trees outside of the 2.5’ to 5’ from back of curb zone on Hudnall Street.

The five retained trees are set outside of the tree planting zone and the sidewalk is placed along the curb to help protect the root systems of the trees.

Recommendation
The chief arborist recommends approval of the alternate landscape plan because the special exception would not compromise the spirit and intent of PD 193 Part 1 landscape regulations.

Philip Erwin
Chief Arborist
Building Inspection

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-038

Data Relative to Subject Property: Date: 1-27-20

Location address: 2601 Hudnall St Zoning District: PD 193 S128

Lot No.: 1 Block No.: A/5706 Acreage: 4.424 acres Census Tract: 4.04

Street Frontage (in Feet): 1) 288 ft 2) 675 ft 3) 71.8 ft 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): OH Maplewood, LP

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

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

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

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

E-mail Address: rob@baldwinplanning.com

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

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:

This request to save 5 mature Live Oaks will meet the spirit & intent of PD 193. Due to the location of these trees, strict compliance is not possible to meet the street tree requirement, street tree location, sidewalk location, and sidewalk width for this portion of the site as required by PD 193.

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 Robert Baldwin
(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 24 day of January, 2020

Michele Stoy
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MICHELE ELIZABETH STOY
Notary Public, State of Texas
Comm. Expires 07-20-2020
Notary ID 130747076

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 BALDWIN ASSOCIATES

did submit a request for a special exception to the landscaping regulations

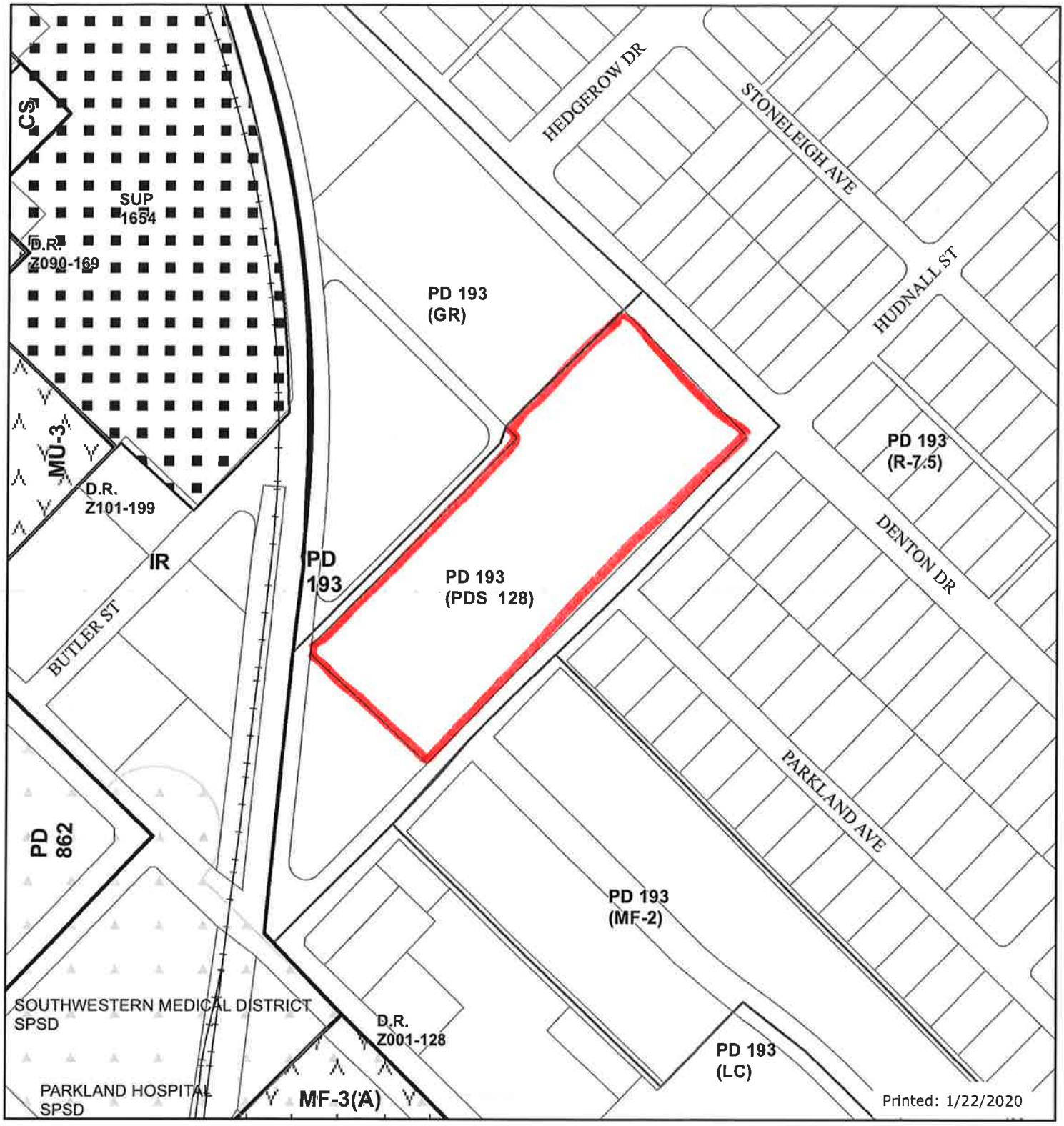
at 2601 Hudnall Street

BDA190-038. Application of BALDWIN ASSOCIATES for a special exception to the landscaping regulations at 2601 HUDNALL ST. This property is more fully described as Lot 1, Block A/5706, and is zoned PD-193 S-128, which requires mandatory landscaping. The applicant proposes to construct a multi-family residential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,

Philip Sikes

Philip Sikes, Building Official



Legend

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

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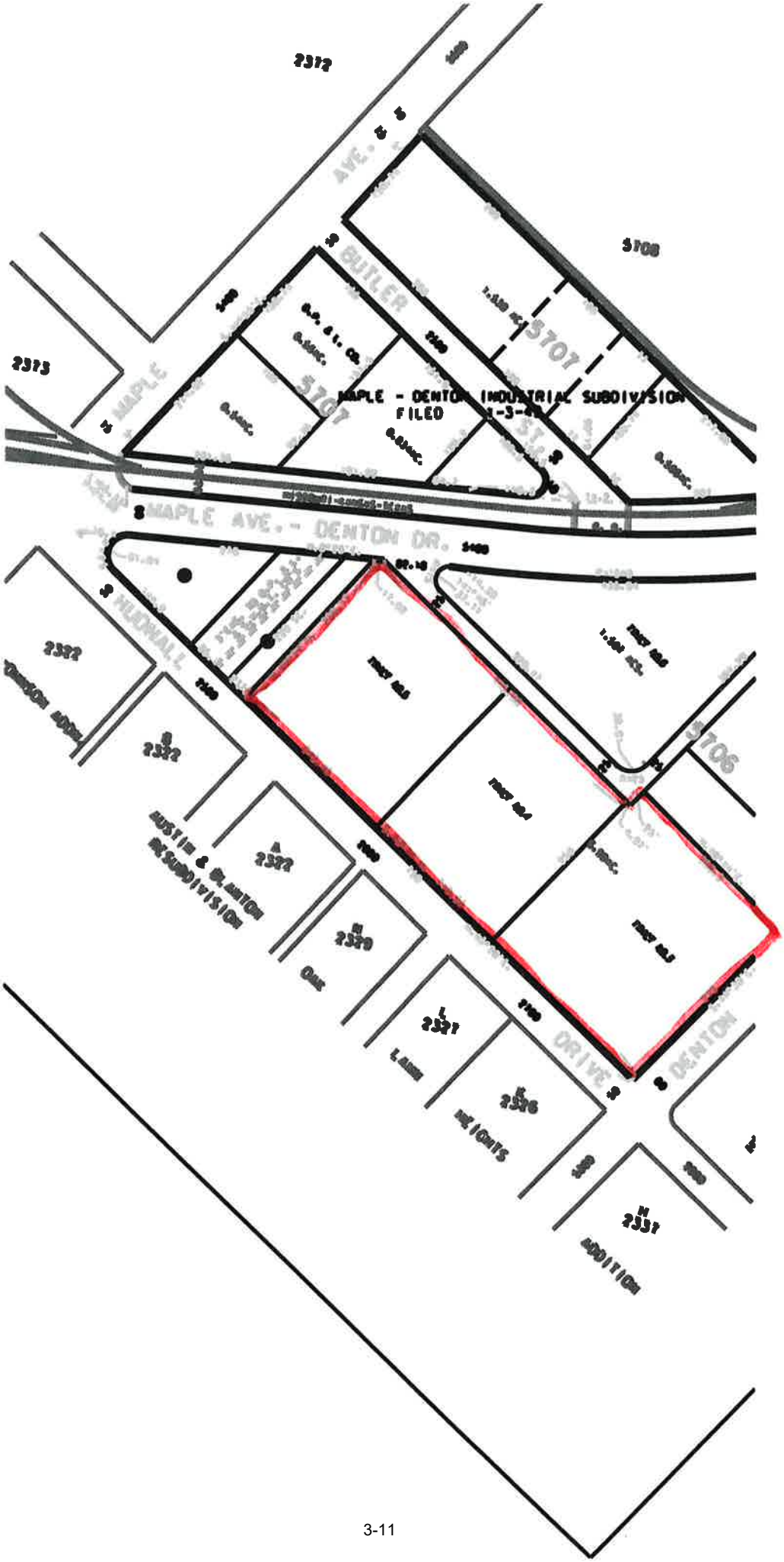
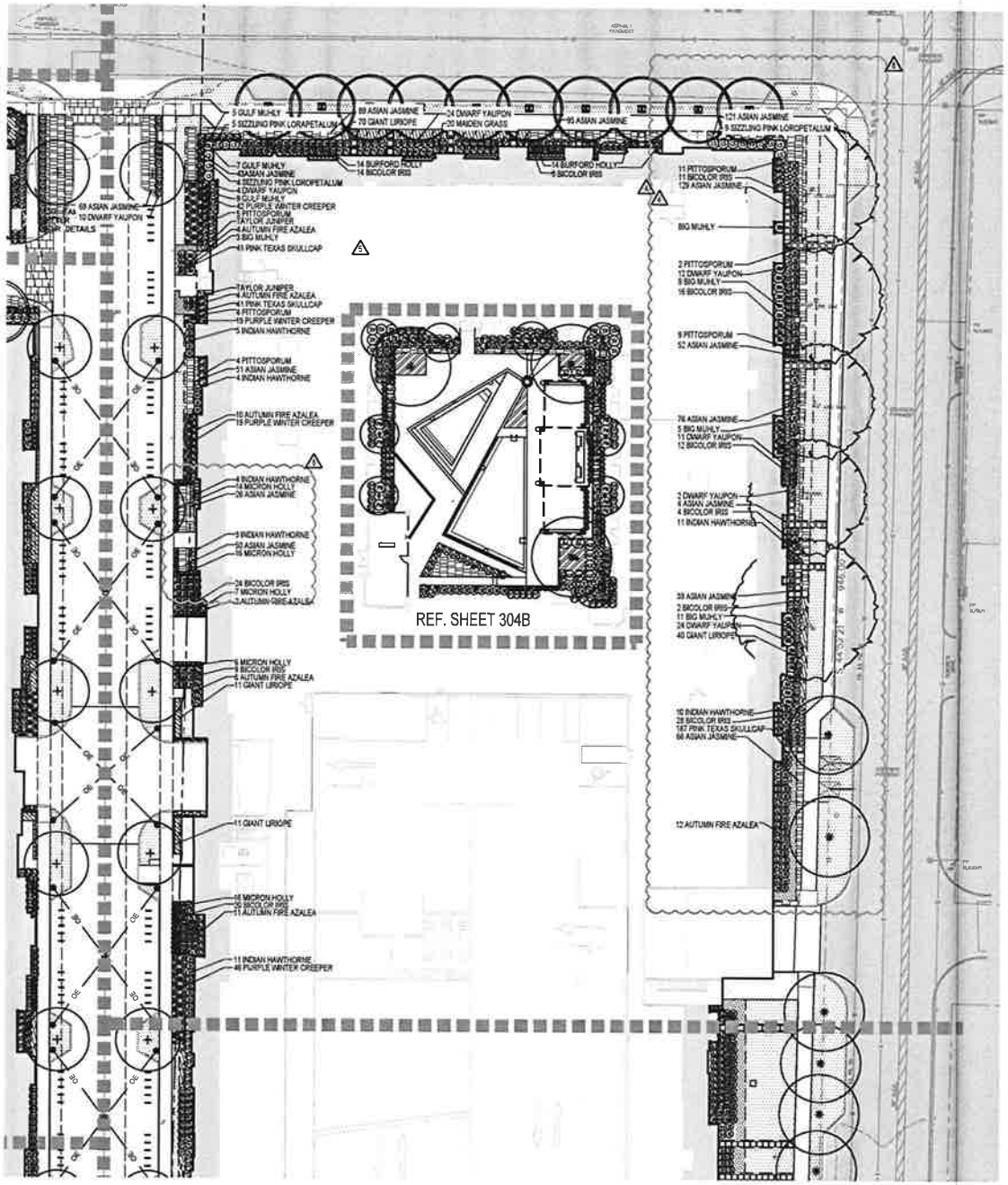

2372
AVE.
5708
BUTLER
5707
2373
MAPLE
MAPLE - DENTON INDUSTRIAL SUBDIVISION
FILED
MAPLE AVE. - DENTON DR.
HUDNALL
2372
2372
AUSTIN & DENTON
SUBDIVISION
2370
2327
2326
HEIGHTS
2331
ADDITION
5706
DRIVE
DENTON



TREE LEGEND

SYM.	COMMON NAME
	LACEBARK ELM
	LIVE OAK
	LIVE OAK
	CEDAR ELM
	LITTLE GEM MAGNOLIA
	FOSTER HOLLY
	TEXAS REDBUD
	MOUNTAIN LAUREL
	POSSUMHAW YAUPON

BLU FISH COLLABORATIVE
LANDSCAPE ARCHITECTURE
BLU FISH COLLABORATIVE, INC.
P.O. BOX 40792, Austin, TX 78704
Phone: (512)266-4115

PROFESSIONAL SEAL:

DATE SEALED:

PROJECT NAME:
LENOX MAPLEWOOD LOT 2: BUILDING 2

OWNER:
ODEN HUGHES LLC.

PROJECT LOCATION:
DENTON DRIVE AND HUDNALL DRIVE, DALLAS, TX

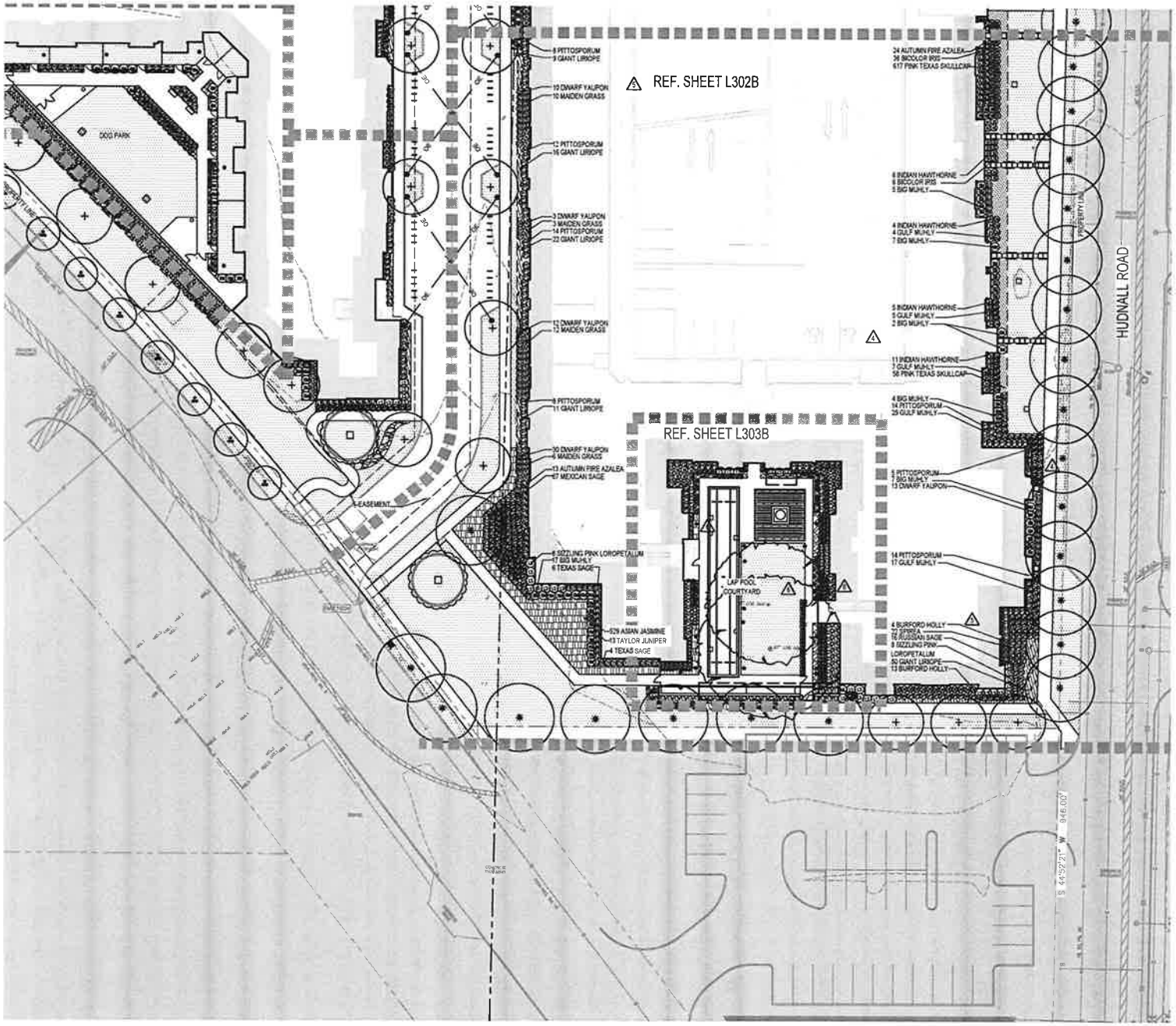
ISSUE FOR CONSTRUCTION

REVISIONS

PROJECT #:
DATE PRINTED:
DRAWING TITLE:
PLANTING PLAN (CITY SHEET)

NORTH
SCALE IN FEET (1"=20'-0")

SHEET NO.:
L301B



TREE LEGEND

SYM.	COMMON NAME
	LACEBARK ELM
	LIVE OAK
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	FOSTER HOLLY
	TEXAS REDBUD
	MOUNTAIN LAUREL
	POSSUMHAW YAUPON

BLU FISH COLLABORATIVE, INC.
P.O. BOX 40792, Austin, TX 78704
Phone: (512)386-4115

PROFESSIONAL SEAL

DATE SEALED: 2/4/2020

PROJECT NAME:
LENOX MAPLEWOOD LOT 2: BUILDING 2

OWNER:
ODEN HUGHES LLC.

PROJECT LOCATION:
DENTON DRIVE AND HUDNALL DRIVE, DALLAS, TX

ISSUE FOR CONSTRUCTION

REVISIONS
3/6/2019 CITY COMMENTS
05/01/19 ISSUED FOR CONSTRUCTION
1 04/24/19 CITY REVIEWER
2 05/03/19 CITY REVIEWER
3 05/06/19 CITY REVIEWER
4 05/06/19 CLARIFICATIONS

PROJECT #: 006-18-04
DATE PRINTED: 25/01/2020
DRAWING TITLE:
PLANTING PLAN (CITY SHEET)

NORTH
SCALE IN FEET (1"=20'-0")
0 10 20 40

SHEET NO.:
L302B

URBAN FOREST CONSERVATION-PROTECTED TREE REPLACEMENT LOT 2

SIGNIFICANT TREES — 1.5/ 1 REPLACEMENT RATIO (RV : $ 290 / INC.)

- 12" DIA. AND GREATER : POST OAKS
- 24" DIA. AND GREATER :

AMERICAN ELM, BOIS D'ARC, CEDAR ELM, CHITTAMWOOD, COMMON PERSIMMON, EASTERN RED CEDAR, GREEN ASH, ALL OTHER OAKS, PECAN, ALL WALNUT SPECIES, AND WHITE ASH.

87" REQUIRED / OVER EXISTING 58" SIGNIFICANT TREES

- 87" PROVIDED FOR MITIGATION OF SIGNIFICANT TREES

CLASS 2 TREES — 0.7/ 1 REPLACEMENT RATIO (RV: $ 135 / INC.)

- SPECIES NOT OTHERWISE ASSOCIATED WITH OTHER CLASSIFICATIONS AND UNPROTECTED TREES.

390.5" REQUIRED / OVER EXISTING 558" CLASS 2 TREES

- 204.5" PROVIDED FOR CLASS 2 TREES
- 186.1" DEFICIT (186.1X $135 = $25,123.50)
- AMOUNT TO BE PAID IN FUNDS: $ 25,123.50

CLASS 3 TREES — 0.4:1 REPLACEMENT RATIO (RV: $ 77 / INC.)

- ARIZONA ASH, BLACK WILLOW, COTTONWOOD, HACKBERRY, HONEYLOCUST, MESQUITE, MIMOSA, MULBERRY, ORNAMENTALS, PINUS SSP., SIBERIAN ELM, SILVER MAPLE, SUGARBERRY, OR SMALL TREE (AS DEFINED).

11.6" REQUIRED / OVER EXISTING 29" CLASS 3 TREES

- 0" PROVIDED FOR MITIGATION OF CLASS 3 TREES
- 11.6" DEFICIT (11.6 X $77 = $893.20)
- AMOUNT TO BE PAID IN FUNDS: $893 20

TOTAL INCHES OF TREE REPLACEMENT

	REQUIRED (TOTAL)	PROVIDED (TOTAL)
TOTAL AMOUNT TO BE PAID INTO FUNDS (LOT 2): $ 26,016.7	489.2"	291.5"

PD193 CITY OF DALLAS LANDSCAPE REQUIREMENTS LOT 2

STREET TREES :
ONE TREE, MIN. 3.5" DIA. AND 14' HT., MUST BE PROVIDED FOR EVERY 25' OF STREET FRONTAGE, WITH A MIN. OF ONE TREE REQUIRED. MUST BE PROTECTED SPECIES AND LOCATED IN THE PARKWAY.

REQUIRED 39 STREET TREES PROVIDED 29 STREET TREES 5 EXISTING TREES TO BE PRESERVED TOTALING 73 INCHES.

DESIGNATED LANDSCAPE AREAS / FEATURES :
MF-1, MF-2, MF-3 SUBDISTRICTS: FRONT YARD SETBACK = 15'
AT LEAST 20% OF THE PARKWAY MUST BE DESIGNATED AS PARKWAY PLANTING AREA.

REQUIRED 560.8SF (%20 OF 2,803.4 SF TOTAL PARKWAY AREA) PROVIDED 560.8SF

LANDSCAPE SITE AREA	SQ.FT.	
	237,553.18	TOTAL SITE AREA
	56,082.7	LANDSCAPE SITE AREA PROVIDED
	31,338	LANDSCAPE SITE AREA PROVIDED IN FRONT YARD
GENERAL PLANTING AREA:		
	23,268.5	GENERAL PLANTING AREA PROVIDED IN FRONT YARD
SPECIAL PLANTING AREA:		
	14,439.6	SPECIAL PLANTING AREA PROVIDED IN FRONT YARD

EXISTING TREE LIST LOT 2

EXISTING TREES AND SHRUBS

1- 1708_472.76_19" LIVE OAK
2- 1710_472.83_27" LIVE OAK
26- 1103_473.87_23" LIVE OAK
27- 1104_473.46_20" LIVE OAK
28- 1111_473.01_14" LIVE OAK
29- 1112_473.16_16" LIVE OAK
30- 1114_472.78_ 26" MULTI-TRUNK LIVE OAK

DEMOLISHING TREES

1- 1212_473.38_22" CEDAR ELM C2
2- 1215_473.39_12" LIVE OAK C2 FELL DURING STORM
3- 1217_473.91_16" LIVE OAK C2
4- 1218_473.93_15" PINE C3 DEAD
5- 1220_473.97_12" PINE C3 DEAD
6- 1230_473.80_ 14" DEAD TREE
7- 1229_473.48_ 28" MULTI-TRUNK LIVE OAK S
8- 1225_473.35_15" LIVE OAK C2
9- 1226_473.52_15" LIVE OAK C2
10- 1234_473.92_ 18" LIVE OAK C2
11- 1235_473.19_ 30" ELM S
12- 1721_474.15_20" LIVE OAK C2
13- 1722_473.46_32" LIVE OAK S FELL DURING STORM
14- 1718_472.75_23" LIVE OAK C2
15- 1714_472.74_23" ELM C2
16- 1716_472.59_8" LIVE OAK C2
17- 1698_472.59_18" PECAN C2
18- 1712_472.70_ 10" CEDAR ELM C2
19- 1705_472.90_10" CEDAR ELM C2
20- 1702_470.74_8" MULBERRY C3
21- 1704_471.32_20" LIVE OAK C2 FELL DURING STORM
22- 1118_472.61_20" MAGNOLIA C2
23- 1726_472.68_17" MAGNOLIA C2
24- 1107_473.48_13" LIVE OAK C2
25- 1108_473.43_13" LIVE OAK C2
26- 1117_472.31_12" MULBERRY C3
27- 1725_472.25_15" MAGNOLIA C2
28- 1699_471.01_9" MULBERRY C3

PLANT LIST LOT 2

NOTES:
1. PLANT QUANTITIES ARE PROVIDED FOR OWNER CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND PROVIDING PLANT QUANTITIES SHOWN ON THE LANDSCAPE PLAN.
2. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND SECURING TREE AND PLANT MATERIAL IN ADVANCE. BECAUSE OF THE LONG LEAD TIME ON THIS INSTALLATION AND THE RECENT SHORTAGE ON TREE CROP, CONTRACTOR SHALL RESERVE OR CONTRACT GROW TREES WITH A GROWER.

SHADE TREES

SYM.	QTY.	COMMON NAME, BOTANICAL NAME	SPEC.
	10	LACEBARK ELM, *ULMUS PARVIFOLIA*	100 GAL., 4" CAL., 16' HT., MINIMUM CONTAINER GROWN
	11	LIVE OAK, *QUERCUS VIRGINIANA*	100 GAL., 4" CAL., 14' HT. MINIMUM CONTAINER GROWN
	28	LIVE OAK, *QUERCUS VIRGINIANA*	5" CAL., 14' HT. MINIMUM CONTRACTOR TO SELECT FROM A LOCAL FARM. B & B
		LITTLE GEM MAGNOLIA, *MAGNOLIA GRANDIFLORA 'LITTLE GEM'*	250 GAL., 6" CAL., 18' HT., MINIMUM CONTAINER GROWN
	9	FOSTER HOLLY, *ILEX x ATTENUATA 'FOSTERI'*	65 GAL., 3.5" CAL., 14 HT. MINIMUM CONTAINER GROWN

PLANT LIST LOT 2

SHRUBS

SYM.	QTY.	COMMON NAME, BOTANICAL NAME	CONTAINER	SPACING
AUC	18	AUCUBA, *AUCUBA JAPONICA*	10 GALLON	5' O.C.
AJ	4	JAPANESE ARALIA, *ARALIA JAPONICA*	24" BOX	REF. PLAN
BI	239	BICOLOR IRIS, *DIETES BICOLOR*	3 GALLON	3' O.C.
IC	122	DWARF YAUPON, *ILEX VOMITORIA 'NANA'*	3 GALLON	3' O.C.
	146	DWARF YAUPON MICRON, *ILEX VOMITORIA 'GREMICR'*	3 GALLON	3' O.C.
SV	10	SANDANKWA VIBURNUM, *VIBURNUM SUSPENSUM*	10 GAL. MIN.	5' O.C.
	52	DWARF BURFORD HOLLY, *ILEX CORNUTA 'DWARF BURFORD'*	5 GAL. MIN., 24" HT. MIN.	3' O.C.
LC	48	SIZZLING PINK LOROPETALUM, *LOROPETALUM CHINENSIS 'SIZZLING PINK'*	5 GALLON	3' O.C.
	175	PITTOSPORUM, *PITTOSPORUM TOBIRA 'WHEELER'S DWARF'*	5 GALLON	3' O.C.
	64	GREEN TOWER BOXWOOD, *BUXUS SEMPERVIRENS 'MONRUE'*	1 GALLON	3' O.C.
	32	PINK AUTUMN SAGE, *SALVIA GREGGII 'PINK'*	1 GALLON	2' O.C.
	27	RUSSIAN SAGE, *PEROVSKIA ATRIPLICIFOLIA*	3 GALLON	3' O.C.
	57	TAYLOR JUNIPER, *JUNIPERUS VIRGINIANA 'TAYLOR'*	10' TALL B&B	3' O.C.
	16	TURK'S CAP, *MALVAVISCUS ARBOREUS*	1 GALLON	2' O.C.
	5	VARIEGATED SHELL GINGER, *ALPINIA ZERUMBET 'VARIEGATA'*	3 GALLON	3' O.C.
	67	MEXICAN BUSH SAGE, *SALVIA LEUCANTHA*	5 GALLON	3' O.C.
	16	TEXAS SAGE, *LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'*	5 GALLON	3' O.C.
	76	SNOWCAP INDIAN HAWTHORNE, *RHAPHIOLEPIS x DELACOURSI 'CORLEYSCOURSI'*	3 GALLON	3' O.C.
	35	ANTHONY WATERER SPIRAEA, *SPIRAEA x BUMALDA 'ANTHONY WATERER'*	3 GALLON	2' O.C.
	129	AUTUMN FIRE AZALEA, *RHODODENDRON 'ROBLEZ'*	3 GALLON	3' O.C.
	19	DWARF PALMETTO, *CHAMEROPS HUMILIS*	5 GALLON	4' O.C.
	2	CEDAR SAGE, *SALVIA ROEMERIANA*	1 GALLON	2' O.C.

ORNAMENTAL GRASSES

SYM.	QTY.	COMMON NAME, BOTANICAL NAME	CONTAINER	SPACING
	32	HAMELN GRASS, *PENNISETUM ALOPECUROIDES*	3 GALLON	18" O.C.
	37	LITTLE BLUE STEM, *SCHIZACHRIUM SCOPARIUM*	1 GALLON	2' O.C.
MU	71	BIG MUHLY, *MUHLENBERGII LINDHEIMERII*	3 GALLON	4' O.C.
	63	GULF MUHLY, *MUHLENBERGIA CAPILLARIS 'REGAL MIST'*	3 GALLON	2' O.C.
	51	YAKU JIMA MAIDEN GRASS, *MISCANTHUS SINENSIS 'YAKU JIMA'*	3 GALLON	3' O.C.

VINES

SYM.	QTY.	COMMON NAME, BOTANICAL NAME	CONTAINER	SPACING
	26	CONFEDERATE JASMINE, *TRACHELOSPERMUM JASMINOIDES*	1 GALLON	2' O.C.

GROUNDCOVERS

SYM.	QTY.	COMMON NAME, BOTANICAL NAME	CONTAINER	SPACING
	1,429	ASIAN JASMINE, *TRACHELOSPERMUM ASIATICUM*	1 GALLON	18" O.C.
	226	PURPLE WINTER CREEPER, *EUONYMUS FORTUNEI 'COLORATUS'*	1 GALLON	24" O.C.
	278	GIANT LIRIOPE, *LIRIOPE GIGANTEA*	1 GALLON	24" O.C.
	544	PINK TEXAS SKULLCAP, *SCUTELLARIA SUFFRUTESCENS*	1 GALLON	12" O.C.
	347	TEXAS SEDGE, *CAREX TEXENSIS*	1 GALLON	12" O.C.
		ANNUALS	4" PEA POTS	6" O.C.

TURF

SYM.	AREA	COMMON NAME, BOTANICAL NAME	CONTAINER	SPACING
	15,873 SF	BERMUDAGRASS, *CYNODON DACTYLON 'TIF 419'*	SOD	

IRRIGATION PRICING NOTE:
1. ALL BERMUDAGRASS TO RECEIVE SPRAY IRRIGATION.
2. ALL LANDSCAPE BED AREA TO RECEIVE DRIP IRRIGATION, SUBSURFACE, 12" O.C.
3. ALL TREES TO RECEIVE TWO BUBBLERS.

BF COLLABORATIVE
LANDSCAPE ARCHITECTURE
BLU FISH COLLABORATIVE, INC.
P.O. BOX 40792, Austin, TX 78704
Phone: (512)380-4116

PROFESSIONAL SEAL

DATE SEALED: 23/01/2020

PROJECT NAME:
LENOX MAPLEWOOD LOT 2: BUILDING 2

OWNER:
ODEN HUGHES LLC.

PROJECT LOCATION
DENTON DRIVE AND HUDNALL DRIVE, DALLAS, TX

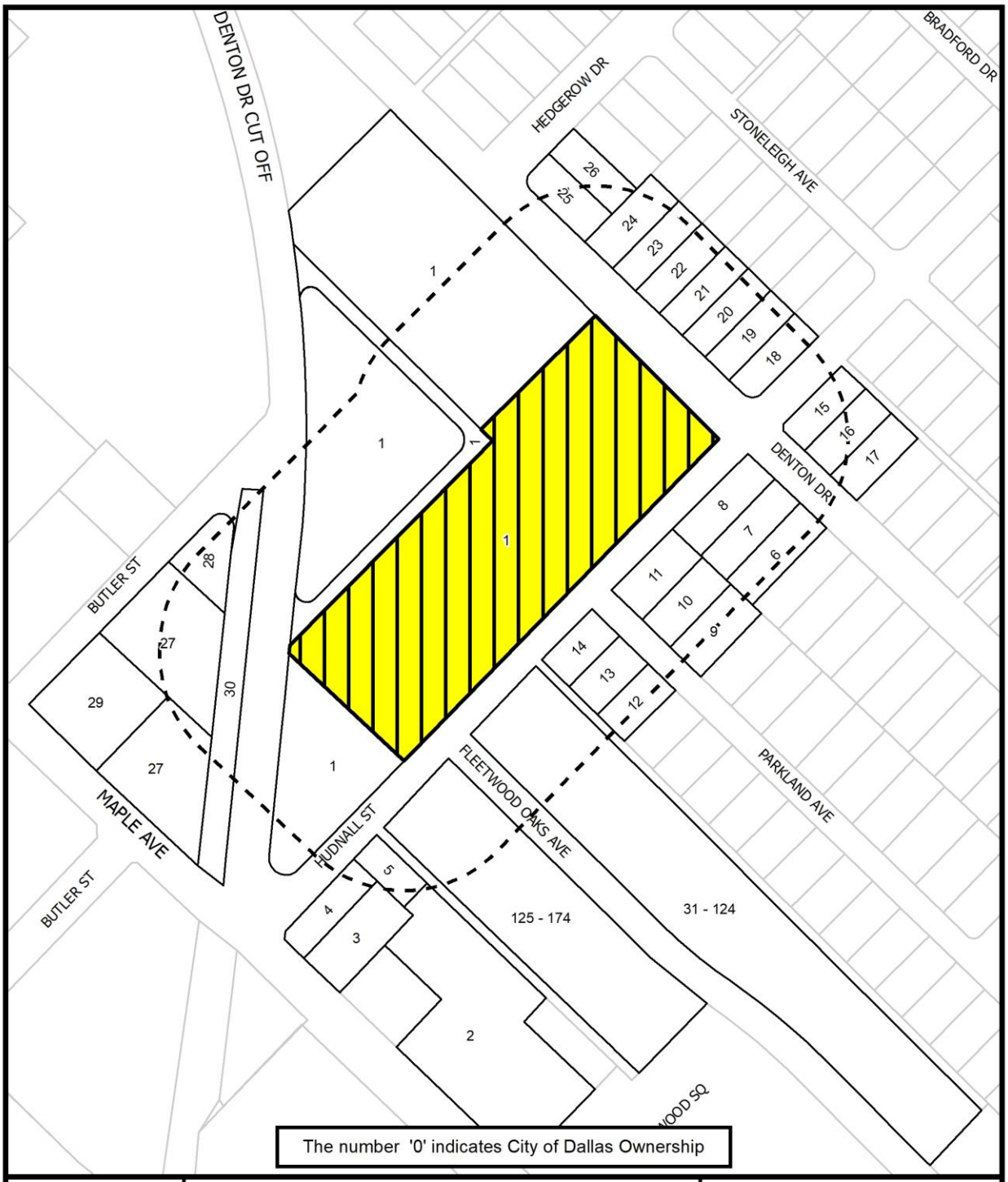
ISSUE FOR CONSTRUCTION

REVISIONS
08/02/2019 CITY COMMENTS
12/04/2019 ISSUED FOR CONSTRUCTION
01/06/2020 CITY REVISIONS
01/07/2020 CITY REVISIONS
01/08/2020 CLARIFICATIONS
01/17/2020 OWNER REQUESTED PICK REVISIONS
01/23/2020 OWNER REQUESTED REVISIONS

PROJECT #: 0001-8-04
DATE PRINTED: 23/01/2020
DRAWING TITLE:

PLANT LIST AND CALCULATIONS (CITY SHEET)

SHEET NO.
L305B



1:2,400

NOTIFICATION

200' AREA OF NOTIFICATION

174 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-038**

Date: **2/21/2020**

02/20/2020

Notification List of Property Owners

BDA190-038

174 Property Owners Notified

Label #	*Address*		*Owner*
1	2601	HUDNALL ST	RP DENTWOOD SC LP
2	5308	MAPLE AVE	MAYA FOODS INC
3	5320	MAPLE AVE	ES & S REALTY LLC
4	5326	MAPLE AVE	ES & S REALTY LLC
5	2514	HUDNALL ST	RUBIN CANDACE
6	5319	DENTON DR	TRAN JIMMY J
7	5323	DENTON DR	BATCHELOR DOMINIC J
8	5327	DENTON DR	VONGPHACHANH XAYVIPHAEH
9	5314	PARKLAND AVE	BAX TERRENCE
10	5322	PARKLAND AVE	JIMENEZ IRENE H & JOE
11	5328	PARKLAND AVE	FEDERAL NATIONAL MORTGAGE
12	5315	PARKLAND AVE	MITLYNG JAMES ALLAN & SUSAN JANE
13	5317	PARKLAND AVE	GUTIERREZ MANUEL SR
14	5323	PARKLAND AVE	JARVIS STEVEN D
15	5328	DENTON DR	DEPALMA MICHAEL A
16	5322	DENTON DR	WELF ERICK S
17	5318	DENTON DR	KEESEE JEFFREY A &
18	5402	DENTON DR	MARTINEZ TRINIDAD A
19	5406	DENTON DR	CARRASCO VICENTE SR &
20	5410	DENTON DR	RUIZ DAVID GERARDO
21	5414	DENTON DR	MEYER LAURA A
22	5418	DENTON DR	BYRKIT CHARLES & KRISTEN EDWARDS
23	5422	DENTON DR	WILLIAMS JASON
24	5426	DENTON DR	ALMARAZ TRINIDAD &
25	2802	HEDGEROW DR	TRINITY CARROLLTON LLC
26	2806	HEDGEROW DR	JC LEASING LLP

Label #	*Address*		*Owner*
27	5454	MAPLE AVE	PIMENTAL HOLDINGS LLC
28	2530	BUTLER ST	4152 BUENA VISTA LTD
29	2500	BUTLER ST	ONCOR ELECRIC DELIVERY COMPANY
30	555	2ND AVE	DART
31	5322	FLEETWOOD OAKS DR	FLEETWOOD OAKS 5322 143 LAND TRUST
32	5322	FLEETWOOD OAKS DR	GUZMAN MANUEL
33	5322	FLEETWOOD OAKS DR	LASKA DAVID
34	5322	FLEETWOOD OAKS DR	LITTLE ROGER L
35	5326	FLEETWOOD OAKS DR	STORY SHAN
36	5326	FLEETWOOD OAKS DR	GONZALEZ JULIO E
37	5326	FLEETWOOD OAKS DR	LIU ANQI
38	5326	FLEETWOOD OAKS DR	BURK MICHAEL T &
39	5322	FLEETWOOD OAKS DR	JOUZDANI ELAHE
40	5322	FLEETWOOD OAKS DR	MIDDLETON RICHARD H
41	5322	FLEETWOOD OAKS DR	KEANE WILLIAM STARKEY
42	5322	FLEETWOOD OAKS DR	PELLEGRINE JOSEPH MARK
43	5326	FLEETWOOD OAKS DR	AURE GENE
44	5326	FLEETWOOD OAKS DR	WATSON MATTHEW M
45	5326	FLEETWOOD OAKS DR	DARTY STEPHANIE W
46	5310	FLEETWOOD OAKS DR	WELTY TROY
47	5310	FLEETWOOD OAKS DR	KALIENTE INC
48	5310	FLEETWOOD OAKS DR	BENNETT HARALD
49	5310	FLEETWOOD OAKS DR	MIDDLETON RICHARD
50	5322	FLEETWOOD OAKS DR	MATA NORBERTO
51	5322	FLEETWOOD OAKS DR	RIVERA JAIME ENRIQUE
52	5322	FLEETWOOD OAKS DR	HUNT AESHA J
53	5322	FLEETWOOD OAKS DR	ZANONI MARK TRUST &
54	5310	FLEETWOOD OAKS DR	ARATA DAVID MICHAEL
55	5310	FLEETWOOD OAKS DR	JLC PROPERTIES LLC
56	5310	FLEETWOOD OAKS DR	MIDDLETON RICHARD
57	5310	FLEETWOOD OAKS DR	BARRETT JAMES

Label #	*Address*	*Owner*
58	5322	FLEETWOOD OAKS DR HENNEN WILMA MARIE &
59	5322	FLEETWOOD OAKS DR MOSLEY ANGELA ET AL
60	5322	FLEETWOOD OAKS DR SIMMONS CYNTHIA ANN
61	5322	FLEETWOOD OAKS DR BOLIVER DOUGLAS
62	5310	FLEETWOOD OAKS DR MORGAN BRYAN II
63	5310	FLEETWOOD OAKS DR DUBE CHARLES M JR &
64	5310	FLEETWOOD OAKS DR REGAN MICHAEL
65	5310	FLEETWOOD OAKS DR TREDWAY ROBERT J
66	5310	FLEETWOOD OAKS DR BLACHUT AGNES STELLA
67	5310	FLEETWOOD OAKS DR PARAYIL TRUST
68	5306	FLEETWOOD OAKS DR COLBERT KENNETH TAYLOR &
69	5306	FLEETWOOD OAKS DR WILLIAMS DARYL
70	5306	FLEETWOOD OAKS DR RODRIGUEZ ENRIQUE
71	5306	FLEETWOOD OAKS DR MIDDLETON RICHARD
72	5310	FLEETWOOD OAKS DR MAYIM FL LLC
73	5310	FLEETWOOD OAKS DR SAUNDERS SARAH
74	5310	FLEETWOOD OAKS DR LEBLANC STEPHEN BLAKE
75	5306	FLEETWOOD OAKS DR VAUGHN MARY
76	5306	FLEETWOOD OAKS DR MCCLURE WAYNE
77	5306	FLEETWOOD OAKS DR OMAR YAZAN
78	5306	FLEETWOOD OAKS DR GALVAN STEVEN
79	5310	FLEETWOOD OAKS DR SPENCER DAVID L
80	5310	FLEETWOOD OAKS DR KORAS CHRISTOPHER
81	5310	FLEETWOOD OAKS DR LEBLANC STEPHEN B
82	5234	FLEETWOOD OAKS DR CASPER CHARLES
83	5234	FLEETWOOD OAKS DR FERGUSON STEPHEN
84	5234	FLEETWOOD OAKS DR DUBE CHARLES M &
85	5238	FLEETWOOD OAKS DR MCCLURE WAYNE &
86	5238	FLEETWOOD OAKS DR INNISHANNON COMPANY
87	5238	FLEETWOOD OAKS DR MCGOWEN WILLIAM BUSTER III
88	5234	FLEETWOOD OAKS DR HAGE DONNA J LIVING TRUST

Label #	*Address*	*Owner*
89	5234	FLEETWOOD OAKS DR DUBE CHARLES M &
90	5234	FLEETWOOD OAKS DR CAVAZOS DEBORAH JEAN
91	5238	FLEETWOOD OAKS DR MCCLURE WAYNE
92	5238	FLEETWOOD OAKS DR LATA ARIJETA DOKO &
93	5238	FLEETWOOD OAKS DR WHITTINGTON LARA J
94	5218	FLEETWOOD OAKS DR DEJA STAINSLAW MAREK &
95	5218	FLEETWOOD OAKS DR WARREN MATTHEW S
96	5220	FLEETWOOD OAKS DR TABER WAYLAN
97	5220	FLEETWOOD OAKS DR HILL DARRYL W
98	5222	FLEETWOOD OAKS DR MORSHED TANYA F
99	5222	FLEETWOOD OAKS DR ULRICH HAROLD H
100	5226	FLEETWOOD OAKS DR MACMAHON PAUL WILLIAM ART &
101	5226	FLEETWOOD OAKS DR WATERS BRIAN
102	5232	FLEETWOOD OAKS DR TOMASI SALVATORE
103	5232	FLEETWOOD OAKS DR SIMPSON JOHN K
104	5218	FLEETWOOD OAKS DR KRAATZ JERAMEY
105	5218	FLEETWOOD OAKS DR ALFARO MANUEL
106	5220	FLEETWOOD OAKS DR FLEETWOOD OAKS 5220#209 LAND TRUST
107	5220	FLEETWOOD OAKS DR KUZNETSOVA EKATERINA
108	5222	FLEETWOOD OAKS DR MACMAHON PAUL
109	5222	FLEETWOOD OAKS DR JRTZ PROPERTIES LLC
110	5226	FLEETWOOD OAKS DR PRIDDY SOPHIA
111	5226	FLEETWOOD OAKS DR SMITHERMAN THOMAS SCOTT
112	5232	FLEETWOOD OAKS DR YU YONGHAO &
113	5232	FLEETWOOD OAKS DR NEWLAND ALAN R
114	5212	FLEETWOOD OAKS DR WILMORE DAVID E &
115	5212	FLEETWOOD OAKS DR BOLIVER DOUGLAS B
116	5212	FLEETWOOD OAKS DR HU GENE SEAN
117	5214	FLEETWOOD OAKS DR HART CHARLES
118	5214	FLEETWOOD OAKS DR HACKETT EDWARD PAUL
119	5212	FLEETWOOD OAKS DR TIRADO THIERRY ROLAND

Label #	*Address*	*Owner*
120	5212	FLEETWOOD OAKS DR BACALAO NELSON & MARIA DE ARIZON
121	5212	FLEETWOOD OAKS DR WHEELER PEGGY
122	5214	FLEETWOOD OAKS DR RATIGAN CHRISTOPHER R
123	5214	FLEETWOOD OAKS DR PRENTICE PHILIP
124	5214	FLEETWOOD OAKS DR MARTINEZ FERNANDO &
125	5325	FLEETWOOD OAKS DR BIRDWELL CARY
126	5325	FLEETWOOD OAKS DR LAMBERTY JEAN ANN
127	5325	FLEETWOOD OAKS DR LI LIN &
128	5323	FLEETWOOD OAKS DR COCO MAR PROPERTIES COMPANY LLC
129	5323	FLEETWOOD OAKS DR TURNER LARRY J
130	5323	FLEETWOOD OAKS DR BOLIVER DOUGLAS B
131	5325	FLEETWOOD OAKS DR AHMADIAN AMIR
132	5325	FLEETWOOD OAKS DR WHITE CALEB BISHOP
133	5325	FLEETWOOD OAKS DR DALLAS LA VIDA LLC
134	5323	FLEETWOOD OAKS DR ANWEILER DAVID W
135	5323	FLEETWOOD OAKS DR REYNOLDS JEAN H
136	5319	FLEETWOOD OAKS DR MAO YI &
137	5319	FLEETWOOD OAKS DR GHEEN BOBBY D
138	5315	FLEETWOOD OAKS DR REYNOSO JOSE
139	5315	FLEETWOOD OAKS DR IVEY EDWARD W JR
140	5315	FLEETWOOD OAKS DR MARTIN CHARLES D
141	5319	FLEETWOOD OAKS DR ESPINO HECTOR
142	5319	FLEETWOOD OAKS DR HARRELL MICHAEL H
143	5315	FLEETWOOD OAKS DR AHMED NIDA
144	5315	FLEETWOOD OAKS DR PANTOJA PONCIANO R
145	5311	FLEETWOOD OAKS DR SHARKEY DANIEL P
146	5311	FLEETWOOD OAKS DR GIBSON MARK
147	5311	FLEETWOOD OAKS DR MOSHINSKI KEVIN C
148	5311	FLEETWOOD OAKS DR ROMERO YINESSA
149	5311	FLEETWOOD OAKS DR FREEMAN RACHEL D
150	5311	FLEETWOOD OAKS DR MORENO NICOLE ELENA TRUST

Label #	*Address*	*Owner*
151	5311	FLEETWOOD OAKS DR SECORE RACHEL
152	5311	FLEETWOOD OAKS DR KAMY REAL PPTY TRUST
153	5311	FLEETWOOD OAKS DR HENKE JOHN R
154	5311	FLEETWOOD OAKS DR KAHN RICHARD
155	5311	FLEETWOOD OAKS DR NASTASI RAYMOND LEE
156	5311	FLEETWOOD OAKS DR KNIGHT CLYDE LEROY JR
157	5311	FLEETWOOD OAKS DR HICKERSON KIM & STEVE
158	5311	FLEETWOOD OAKS DR ILLIS BUFF H
159	5311	FLEETWOOD OAKS DR PIERCE BARRY
160	5311	FLEETWOOD OAKS DR RAMIREZ MARCO &
161	5311	FLEETWOOD OAKS DR DENG YUE WEN
162	5311	FLEETWOOD OAKS DR SWAN PAMELA &
163	5311	FLEETWOOD OAKS DR PHAM DIANA
164	5311	FLEETWOOD OAKS DR CARROLL LEA
165	5305	FLEETWOOD OAKS DR FINCH MAID SVC LC
166	5305	FLEETWOOD OAKS DR JRTZ PROPERTIES LLC
167	5305	FLEETWOOD OAKS DR HARRINGTON DANA
168	5303	FLEETWOOD OAKS DR SHUEY CAROL ANN
169	5303	FLEETWOOD OAKS DR BARROW THOMAS
170	5305	FLEETWOOD OAKS DR BOLIVER DOUGLAS B
171	5305	FLEETWOOD OAKS DR MCCAIN WILLIAM D &
172	5303	FLEETWOOD OAKS DR ENGLESONGUNDERSON JODI ANN
173	5303	FLEETWOOD OAKS DR DALY PATRICK W
174	5303	FLEETWOOD OAKS DR WERTHMANN GORDON CHANDLER

FILE NUMBER: BDA190-058(OA)

BUILDING OFFICIAL'S REPORT: Application of Efren Blackledge for a variance to the front yard setback regulations at 7318 La Vista Drive**.** This property is more fully described as Lot 28, Block B/2730, and is zoned an R-7.5(A) Single Family District, which requires a front yard setback of 25 feet. The applicant proposes to construct and/or maintain a single family residential structure and provide a five-foot front yard setback, which will require a 20-foot variance to the front yard setback regulations.

LOCATION: 7318 La Vista Drive

APPLICANT: Efren Blackledge

REQUEST:

A request for a variance to the front yard setback regulations of 20 feet is made to construct and maintain a two-story single family structure with a total "area" of 5,394 square feet or with a total "A/C" of 4,277 square feet, part of which is to be located five feet from one of the site's two front property lines (Lucerne Street) or 20 feet into this 25-foot front yard setback on a site that is currently developed with a one-story single family home.

STANDARD FOR A VARIANCE:

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

(A) not contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

(B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

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

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-7.5(A) District in that it is restrictive in area due to having two, 25-foot front yard setbacks when most lots in this zoning district have one 25-foot front yard setback. The subject site is 50 feet wide and has 20 feet of developable width available once a 25-foot front yard setback is accounted for on the southeast and a five-foot side yard setback is accounted for on the northwest. If the lot were more typical to others in the zoning district with only one front yard setback, the 50-foot wide site would have 40 feet of developable width.
- Staff concluded that the applicant has shown by submitting a document indicating among other things that that the AC home size of the proposed home on the subject site at 4,277 square feet is commensurate to 15 other homes in the same R-7.5(A) zoning district that have average home size of approximately 4,476 square feet.

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

Zoning/BDA History:

There have not been any recent related board or zoning cases recorded either on or near the subject site.

GENERAL FACTS /STAFF ANALYSIS:

This request for a variance to the front yard setback requirement of 20 feet focuses on constructing and maintaining a two-story single family structure. The home contains a total “slab area” of approximately 3,375 square feet. The combined floor area for both floors is 5,394 square feet of which 4,277 square feet is living area (with A/C). A part of this structure is proposed to be located five feet from one of the site’s two front property lines (on Lucerne Street) or 20 feet into this 25-foot front yard setback on a site that is currently developed with a one-story single family home. The property is located in an R-7.5(A) Single Family District.

The subject site is located at the southwest corner of La Vista Drive and Lucerne Street. Regardless of how the structure is proposed to be oriented to front La Vista Drive, the subject site has a 25-foot front yard setback along both street frontages. The site has a 25-foot front yard setback along La Vista Drive, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in this zoning district. The site also has a 25-foot front yard setback along Lucerne Street, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a five-foot side yard setback is required. However, the site’s Lucerne Street’s frontage that would function as a side yard on the property is treated as a front yard setback nonetheless, to maintain the continuity of the established front yard setback established by the lots to the southwest that front/are oriented southeast towards Lucerne Street.

The submitted site plan indicates the proposed structure is located five feet from the Lucerne Street front property line or 20 feet into this 25-foot front yard setback.

According to DCAD records, the “main improvement” for property addressed at 7318 LaVista Drive is a structure built in 1975 with 1,050 square feet of total/living area with the following “additional improvements”: a 360 square-feet detached garage.

The subject site is flat, rectangular (approximately 150 feet x 50 feet), and according to the submitted application is 0.17 acres (or 7,500 square feet) in area. Most lots in the R-7.5(A) zoning district have one 25-foot front yard setback, two five-foot side yard setbacks, and one 15-foot rear yard setback; this site has two 25-foot front yard setbacks and two five-foot side yard setbacks. The site plan represents that approximately 2/3 of the structure is located in the 25-foot the Lucerne Drive front yard setback. The 50-foot wide subject site has 20 feet of developable width available once a 25-foot front yard setback is accounted for on the southeast, a five-foot side yard setback is accounted for on the northwest. If the lot were more typical to others in the zoning district with only one front yard setback, the five feet wide site would have 40 feet of developable width. No variance would be necessary if the Lucerne Drive’s

frontage were a side yard since the site plan represents that the proposed home is five feet from the Lucerne Drive property line and the side yard setback for properties zoned R-7.5A) is five feet.

The applicant has submitted a document indicating among other things that the A/C home size of the proposed home on the subject site is approximately 4,277 square feet, and the average of 15 other properties in the same zoning is approximately 4,476 square feet.

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

- That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same an R-16(A) Single Family District 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-16(A) zoning classification.

If the Board were to grant the variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that would be located five feet from the site's Lucerne Drive front property line (or 20 feet into this 25-foot front yard setback).

Timeline:

March 17, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.

April 6, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel B.

April 16, 2020: The Board of Adjustment Senior Planner emailed the applicant the following information:

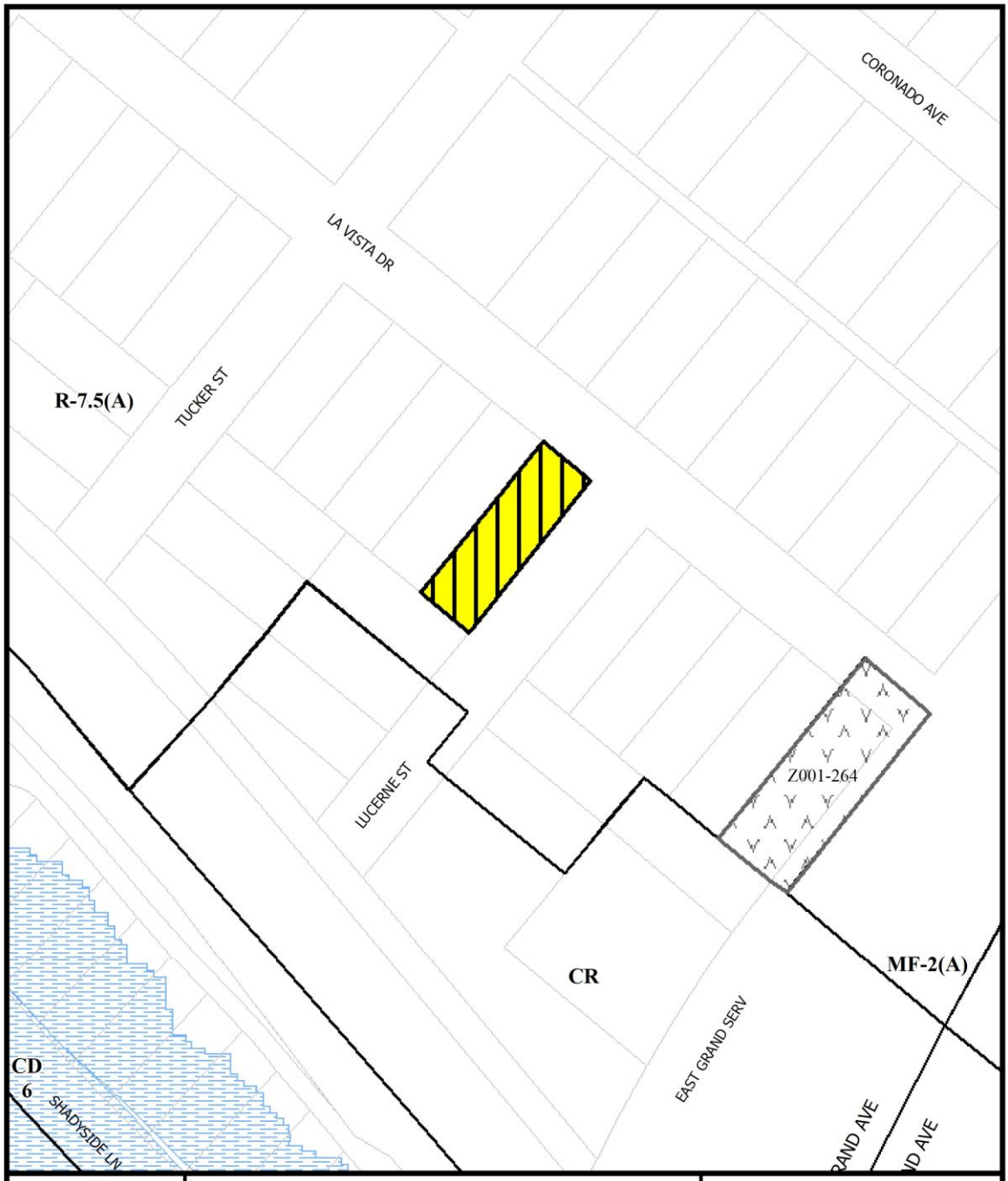
- a copy of the application materials including the Building Official's report on the application;

- an attachment that provided the public hearing date and panel that will consider the application; the April 28th deadline to submit additional evidence for staff to factor into their analysis; and the May 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

April 28, 2020: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

April 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Chief Arborist, the Senior Engineer, the Board of Adjustment Senior Planner the Building Inspection Senior Plans Examiner/Development Code Specialist, and the Assistant City Attorney to the board.

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

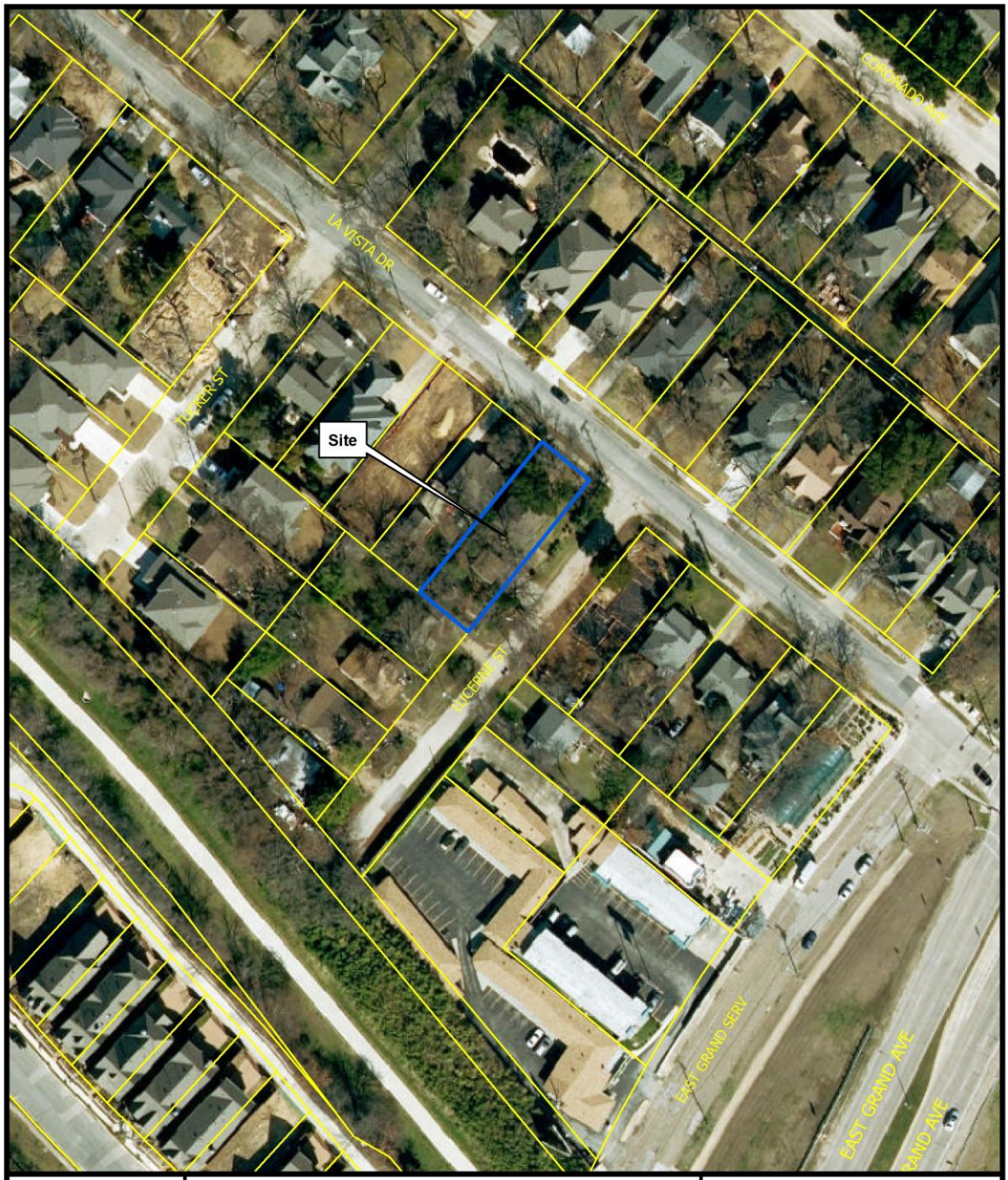


1:1,200

ZONING MAP

Case no: BDA190-058

Date: 4/27/2020



1:1,200

AERIAL MAP

Case no: BDA190-058

Date: 4/27/2020

Applicant: Efren Blackledge

Subject Site: 7318 La Vista Drive, Dallas, Texas 75214

Legal Description: Lot No 28, Block B/2730

Zoning Classification: R-7.5(A)

Census Tract: 0001.00

Lot Size: 7,003 sq. ft. (0.17 acres) (per DCAD Property Map)

Appeal Request: Variance of 20' to the current 25' front yard setback on Lucerne Street, establishing a setback of 5' (effectively treating one of the corner lot's two front yards as a side yard).

Appeal Reasoning: Granting the variance in this case:

- will not be contrary to the public interest. Proximate neighbors have provided their support in improving the lot and neighborhood. There is no known opposition.
- will be necessary to permit development of this parcel of land commensurate with the development upon other parcels of land in the neighborhood. The existing home does not comply with the double front yard setbacks and so any development commensurate with the development upon other parcels of land (whether to the existing home or for a new home) would require a variance to the setback.
- will not relieve a self-created or personal hardship. A self-created or personal hardship does not exist. We are a growing family aiming to build a home that we will live in for years to come.

The Board of Adjustment may grant this appeal request for a variance to the front yard setback, given three standards are met. Firstly, that granting:

(A) *"the variance would not be contrary to the public interest when, owing to special conditions, a literal enforcement would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done"*

<u>Application</u>

"Unnecessary hardship"

- Literal enforcement of the double front yard setbacks of 25 feet would result in a buildable area of 2,400 feet (20 feet x 120 feet, after all setbacks).
- Typical lots in the same zoning district of R-7.5(A) are permitted a building area of 4,800 feet (40 feet x 120 feet, after all setbacks).
- Thus, permitting only half the buildable area to develop this property as typical lots in the same zoning district of R-7.5(A) constitutes an unnecessary hardship.

"not contrary to the public interest"

- The proposed development of the property has been shared with proximate homeowners. Several have shared their support. None have expressed opposition.
- Proximate homeowners have expressed to us that they are hopeful the development of the lot will increase appeal and property values in the neighborhood.
- Our proposed home would be commensurate with the modern, single-family homes already existing in the neighborhood. See <u>APPENDIX A – Table of Commensurate Homes</u>

Secondly, that granting:

(B) "the variance is 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"

<u>Application</u>

"necessary to permit development"

- The setback variance is necessary to develop the property, whether the development is an improvement to the existing structure or a completely new home.
- The existing structure does not comply with the front yard setback on Lucerne Street.
    - The existing structure leaves only 15 feet to the property line adjacent to Lucerne Street, where the existing front yard setback requires 25 feet.
- A completely new home commensurate with homes in the same zoning district cannot be built without significant hardship.
    - A completely new home would permit a home with a maximum width of 20 feet, and such restriction would not be commensurate with existing homes in the neighborhood.

"specific parcel of land that differs from other parcels of land"

- The double front yard setbacks constitute a restriction to the buildable area of the parcel that makes the land materially different from other parcels of land in the neighborhood.
    - Inner lots in the neighborhood do not have 25 foot setbacks to multiple sides of the lot.
    - While corner lots in the neighborhood do have 25 foot setbacks to multiple sides of the lot, the platting of homes on La Vista and the streets south of it make it such that none of the La Vista corner lots have a 25 foot front yard setback and block face continuity with the homes south of it. See APPENDIX B – Table of La Vista Corner Lots.

"cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning"

- Without this variance for this corner lot on La Vista Drive, it cannot be developed commensurate with the other corner lots on La Vista Drive in the same zoning. The homes are not setback 25 feet and do not maintain block face continuity along the street south of La Vista. See APPENDIX B – Table of La Vista Corner Lots.

Thirdly, that granting:

(C) *"the variance is 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."*

<u>Application</u>

"not granted to relieve a self-created or personal hardship"

- A self-created or personal hardship does not exist.

"nor for financial reasons only"

- Financial motivations do not exist.

"nor to permit any person a privilege in developing a parcel of land"

- Variance to the setback on Lucerne Street in order to develop the proposed home would not constitute any privileges in development.
- Variance to the setback on Lucerne Street would permit development of a home that is commensurate with existing homes in the neighborhood in terms of buildable area, livable square footage, and block face continuity.

APPENDIX A

Table of Commensurate Homes

Address	Zoning District	BR / Full BA / Half BA	Livable sq. ft.
1809 Lucerne	R-7.5(A)	5 / 4 / 1	4184
1814 Lucerne	R-7.5(A)	4 / 3 / 1	4254
7310 La Vista	R-7.5(A)	4 / 5 / 1	4402
7218 La Vista	R-7.5(A)	5 / 4 / 2	4227
7305 La Vista	R-7.5(A)	3 / 4 / 4	4342
7326 Coronado	R-7.5(A)	4 / 3 / 1	4204
7318 Coronado	R-7.5(A)	4 / 4 / 1	4538
7238 Coronado	R-7.5(A)	5 / 4 / 2	4972
7226 Coronado	R-7.5(A)	4 / 4 / 1	4630
7314 Coronado	R-7.5(A)	5 / 3 / 1	5031
7123 Coronado	R-7.5(A)	4 / 4 / 1	4352
7319 Coronado	R-7.5(A)	4 / 4 / 1	4162
7302 Casa Loma	R-7.5(A)	4 / 3 / 1	4852
7210 Casa Loma	R-7.5(A)	4 / 4 / 0	4542
7042 Casa Loma	R-7.5(A)	4 / 3 / 2	4445
	Average	**4.2 / 3.7 / 1.3**	**4476**
7318 La Vista (current home)	R-7.5(A)	2 / 1 / 0	1050
7318 La Vista (proposed home)	R-7.5(A)	4 / 4 / 1	4277

* All data obtained from Dallas Central Appraisal District (DCAD) Property Map

APPENDIX B

Table of La Vista Corner Lots

Address	Corner	25 Foot Setback & Block Face Continuity
7326 La Vista (1)	La Vista & Lucerne (East Corner)	No
7218 La Vista (2)	La Vista & Tucker (West Corner)	No
7302 La Vista	La Vista & Tucker (East Corner)	No
7126 La Vista (3)	La Vista & Corona (West Corner)	No
7202 La Vista	La Vista & Corona (East Corner)	No
7062 La Vista (4)	La Vista & Loving (West Corner)	No
7106 La Vista	La Vista & Loving (East Corner)	No
7030 La Vista (5)	La Vista & Bermuda (West Corner)	No
7038 La Vista	La Vista & Bermuda (East Corner)	No
7318 La Vista (current home)	La Vista & Lucerne (West Corner)	No
7318 La Vista (proposed home)	La Vista & Lucerne (West Corner)	No

(1) See Exhibit A for photo

(2) See Exhibit B for photo

(3) See Exhibit C for photo

(4) See Exhibit D for photo

(5) See Exhibit E for photo

EXHIBIT A

7326 La Vista (east corner of La Vista and Lucerne, looking north

EXHIBIT B

7218 La Vista (west corner of La Vista and Tucker, looking south)

EXHIBIT C

7126 La Vista (west corner of La Vista and Corona, looking south)

EXHIBIT D

7062 La Vista (west corner of La Vista and Loving, looking south

EXHIBIT E

7030 La Vista (west corner of La Vista and Bermuda, looking south

City of Dallas

RECEIVED
MAR 17 2020
BY: R.T.H

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-058

Data Relative to Subject Property: Date: March 17, 2020

Location address: 7318 La Vista Drive Zoning District: R-7.5(A)

Lot No.: 28 Block No.: B/2730 Acreage: 0.17 Census Tract: 0001.00

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Efren Blackledge and Kathryn Blackledge

Applicant: Efren Blackledge Telephone: (972) 834-0554

Mailing Address: 13 Stonebriar Court, Dallas, Texas Zip Code: 75206

E-mail Address: Efren.Blackledge@gmail.com

Represented by: Efren Blackledge Telephone: (972) 834-0554

Mailing Address: 13 Stonebriar Court, Dallas, Texas Zip Code: 75206

E-mail Address: Efren.Blackledge@gmail.com

Affirm that an appeal has been made for a Variance X, or Special Exception __, of 20 feet to the current 25 feet front yard setback on Lucerne Street, establishing a setback of 5 feet (effectively treating the front yard as a side 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:

It will not be contrary to the public interest - proximate neighbors have provided their support.

It is necessary to permit development of this parcel of land in a manner commensurate with the development upon other parcels of land in the neighborhood - literal enforcement of the zoning ordinance would permit lot coverage of only 32% as opposed to 45%.

It will not relieve a self-created or personal hardship - a self-created or personal hardship does not exist.

It will not permit any privilege in developing the parcel of land not permitted to other parcels of land in the neighborhood - other similarly-situated corner-lots have been developed the same.

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 Efren Blackledge
(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: Efren Blackledge
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 17 day of March 2020

Alex Doolittle
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

ALEX DOOLITTLE
Notary Public, State of Texas
Comm. Expires 09-25-2021
Notary ID 131292910

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 EFREN BLACKLEDGE

did submit a request for a variance to the front yard setback regulations

at 7318 La Vista Drive

BDA190-058. Application of EFREN BLACKLEDGE for a variance to the front yard setback regulations at 7318 LA VISTA DR. This property is more fully described as Lot 28 Block B/2730, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 5 foot front yard setback, which will require a 20 foot variance to the front yard setback regulations.

Sincerely,

Philip Sikes

Philip Sikes, Building Official

CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-058

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

at: 7318 La Vista Drive
(Address of property as stated on application)

Authorize: Efren Blackledge
(Applicant's name as stated on application)

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

✓ Variance (specify below)

_____ Special Exception (specify below)

_____ Other Appeal (specify below)

Specify: Variance of 20 Feet to the current 25 Feet front yard setback on Lucerne Street, establishing a setback of 5 Feet (effectively treating the front yard as a side yard).

Kathryn Blackledge
Print name of property owner ~~or~~ registered agent

Kathryn Blackledge
Signature of property owner or registered agent

Date 3/17/20

Before me, the undersigned, on this day personally appeared Kathryn Blackledge

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

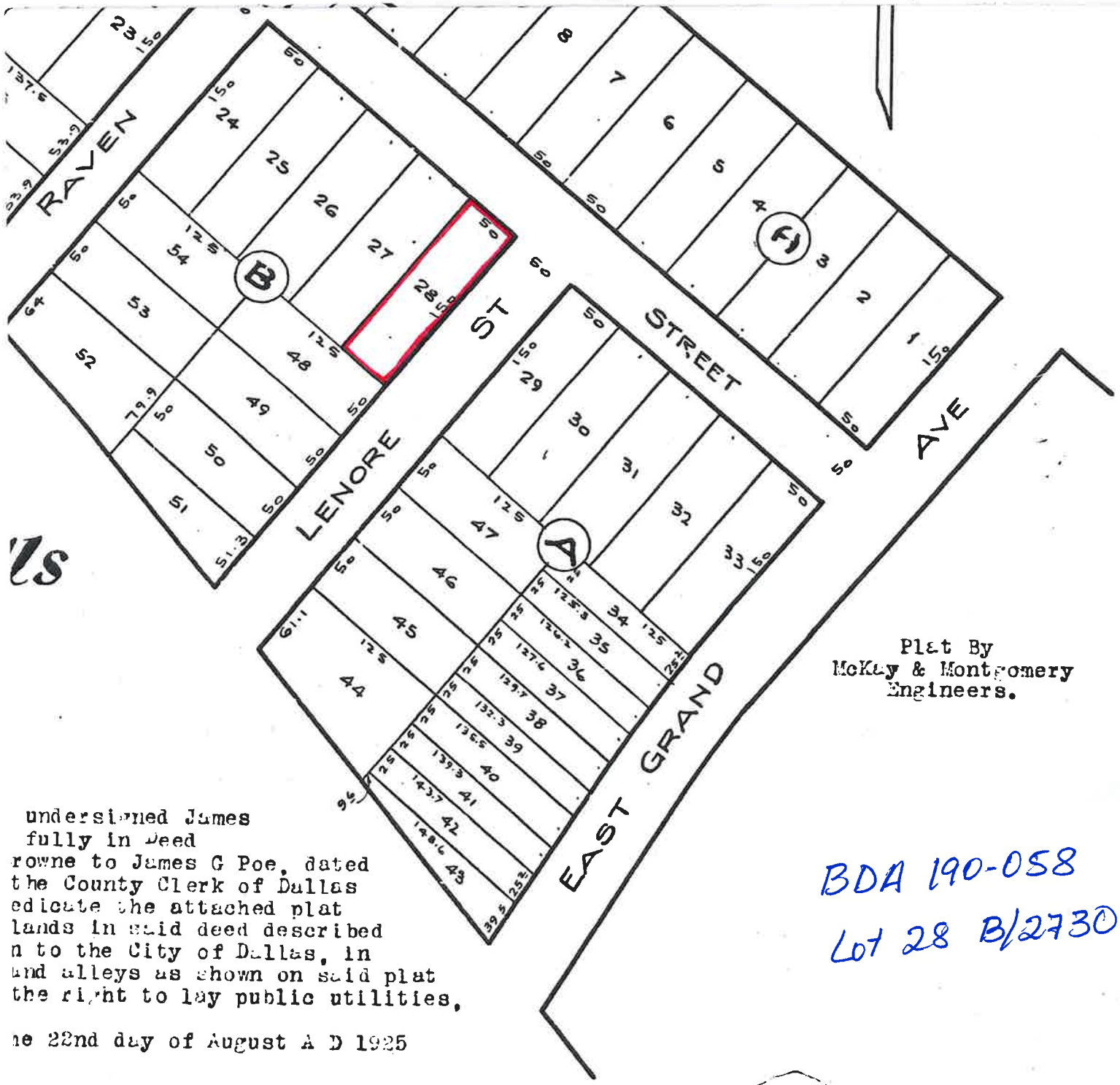
Subscribed and sworn to before me this 17th day of March, 2020

SUSAN R. HILL
My Notary ID # 124953041
Expires June 10, 2020

Notary Public for Dallas County, Texas

Commission expires on 6/10/2020

11



Plat By
McKay & Montgomery
Engineers.

undersigned James
fully in Deed
rowne to James G Poe, dated
the County Clerk of Dallas
edicate the attached plat
lands in said deed described
n to the City of Dallas, in
and alleys as shown on said plat
the right to lay public utilities,

ne 22nd day of August A D 1925

ned authority, a Notary Public in and for Dallas County, Texas, on this day

BDA 190-058
Lot 28 B/2730

Lot Coverage	
Lot Size	7,500 SF
House / Porches / Garage	3,373 SF
Coverage	44.9 %
Max Cov'g allowed	45.0 %

First Floor A/C	2,253 SF
Second Floor A/C	2,024 SF
Total A/C	4,277 SF
Garage	615 SF
Covered Porches	502 SF
Total Cov'd Area	5,394 SF

BLACKLEDGE RESIDENCE
7318 LA VISTA DRIVE
LOT 28 - BLOCK B / 2730
DALLAS, TX 75214

4-24

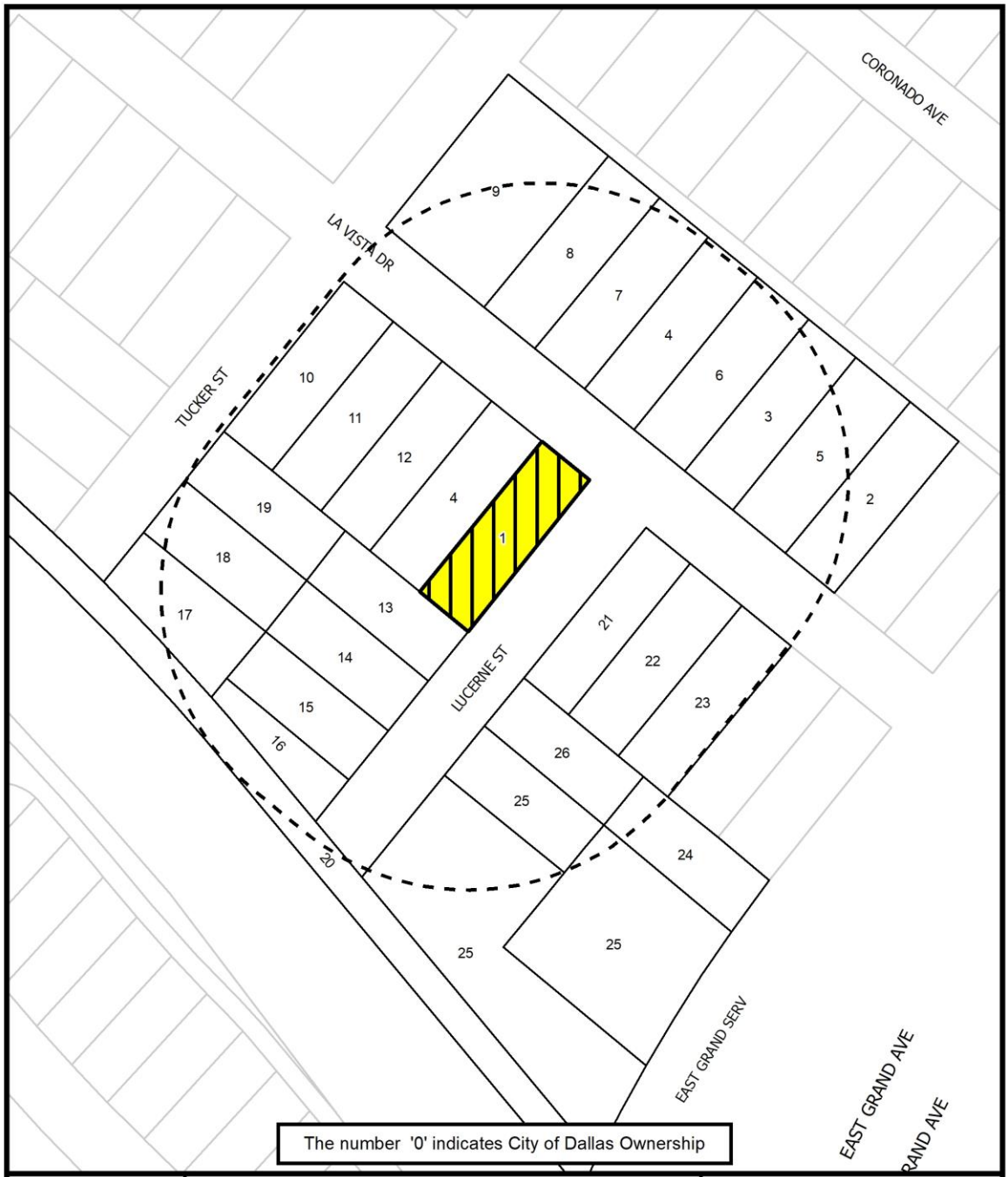
Issue/Revision Log

Date	Purpose
3-11-20	Review
3-16-20	Review

BOB ANDERSON ARCHITECT
400 E. Royal Lane, Suite 214, Irving, TX 75039
972-373-9599 Fax 972-373-9001
bob@bobandersonarchitect.com
www.bobandersonarchitect.com

Drawing Title
Preliminary Plans

Plan No 20009
Scale 1/8" = 1'-0"
Drawn RSA
Sheet A-1 of 1



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NOTIFICATION

200' AREA OF NOTIFICATION

26 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-058**

Date: **4/27/2020**

04/27/2020

Notification List of Property Owners

BDA190-058

26 Property Owners Notified

Label #	*Address*		*Owner*
1	7318	LA VISTA DR	TRIPLETT PETER M &
2	7335	LA VISTA DR	SELF RICKEY LYNN &
3	7327	LA VISTA DR	MCGUIRK CHRISTOPHER &
4	7323	LA VISTA DR	BOZARTH PAUL G JR
5	7331	LA VISTA DR	MADER GREGG A & CHARLYNN
6	7319	LA VISTA DR	SHARPE DAVID LEE & BARBARA LYNN
7	7315	LA VISTA DR	ZAMMIT JUSTIN ANTHONY
8	7311	LA VISTA DR	JACKSON JAMAL &
9	7305	LA VISTA DR	ROBERTSON WILLIAM J & LYNN P
10	7302	LA VISTA DR	OCONNELL ANDREW C & ALEXIS W
11	7306	LA VISTA DR	BERKOWITZ BENJAMIN JOSEPH &
12	7310	LA VISTA DR	STURDIVANT JOHN MICHAEL &
13	1809	LUCERNE ST	KHANDHERIA MILI &
14	1807	LUCERNE ST	FOUR T LAND LLC
15	1805	LUCERNE ST	DIMAS MIGUEL ET AL
16	1803	LUCERNE ST	MILLER IRMA E ESTATE OF
17	1802	TUCKER ST	SMITH ROGER W & LAURA L
18	1806	TUCKER ST	SATYANARAYANA MEGHA
19	1810	TUCKER ST	STUART KYLE & SHANNON
20	7200	EAST GRAND AVE	JOPLIN MARY C
21	7326	LA VISTA DR	VISNEAU DAVID EDWARD
22	7330	LA VISTA DR	WHITELY JASON B & KELLY
23	7334	LA VISTA DR	HALE TRACY A
24	7219	EAST GRAND AVE	RUIBAL FARMS LP
25	7201	EAST GRAND AVE	JAY SITARAM HOSPITALITY
26	1814	LUCERNE ST	RACZ TIBOR

FILE NUMBER: BDA190-035(OA)

BUILDING OFFICIAL'S REPORT: Application of Michael Coker for a variance to the front yard setback regulations, a special exception to the fence height regulations, a special exception to the fence standards regulations, and a special exception to the visual obstruction regulations at 4748 Elsby Avenue. This property is more fully described as Lot 3, Block C/5681, and is zoned an R-7.5(A) Single Family District, which limits the height of a fence in the front yard to four feet, requires a fence panel with a surface area that is less than 50 percent open, may not be located less than five feet lot line, requires a 20-foot visibility triangle at the driveway approaches, and requires a front yard setback of 25 feet. The applicant proposes to construct and maintain a single family residential structure and provide a four-foot front yard setback, which will require a 21-foot variance to the front yard setback regulations and 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 in a required front yard 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 and to construct and/or maintain items in a required visibility triangles, which will require a special exception to the visual obstruction regulation.

LOCATION: 4748 Elsby Avenue

APPLICANT: Michael Coker

REQUESTS:

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

1. A variance to the front yard setback regulations of 21 feet is made to construct/maintain a single family residential structure with an unknown square feet total "home size" (the applicant did not provide the floor area), part of which is to be located four feet from one of the site's two front property lines (Elsby Avenue) or 21 feet into this 25-foot front yard setback;
2. A special exception to the fence standards related to the height of four feet is made to construct/maintain an eight tall solid wood fence with an eight-high cedar wood rolling gate located in one of the site's two front property lines (Elsby Avenue);

3. A special exception to the fence standards related to fence panel materials/location from the front lot line is made to maintain the aforementioned, eight tall solid wood fence, with panels with surface areas that are less than 50 percent open located less than 5' from Elsby Avenue front lot line; and
4. Special exceptions to the visual obstruction regulations are made to construct and maintain portions of the aforementioned eight tall solid wood fence with an eight-high cedar wood rolling gate in the two 20' visibility triangles on both sides of the driveway into the site on Elsby Avenue.

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.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS:

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

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

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

STAFF RECOMMENDATION (front yard variance):

Denial.

Rationale:

Staff concluded that the applicant had not substantiated how 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 it cannot be developed in a manner commensurate with the development upon other parcels of land within the same R-7.5(A) District.

STAFF RECOMMENDATION (fence standards):

No staff recommendations are made on these or any requests for a special exception to the fence standards since the basis for this type of appeals is when in the opinion of the board, the special exceptions will not adversely affect neighboring property.

STAFF RECOMMENDATION (visual obstruction special exceptions 20' visibility triangles at the driveway):

Approval, subject to the following condition:

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

Rationale:

- The Sustainable Development Department Senior Engineer has no objections to the request.
- Staff concluded that the request for special exceptions to the visual obstruction regulations should be granted (with the suggested conditions imposed) because the item located in the visibility triangles do not constitute a traffic hazard.

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 undeveloped. The areas to the north, east, west, and south 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 (front yard variance:

The subject site is zoned an R-7.5(A) Single Family District which requires a minimum front yard setback of 25 feet. The property is located at the southwest corner of Elsby Avenue and Linwood Avenue. Regardless of how the structure is proposed to be oriented to front Linwood Avenue, the lot has a 25-foot front yard setback along both street frontages in order to maintain the continuity of the established front yard setback established by the lots to the southwest that front and are oriented towards Elsby Avenue and the continuity of the established front yard setback established by the lots to the south that front and are oriented towards Linwood Avenue.

The request for a variance to the front yard setback regulations of 21 feet focuses on constructing and maintaining a single family residential structure with an unknown total floor area (the applicant did not provide the floor area), part of which is to be located four feet from one of the site's two front property lines (Elsby Avenue) or 21 feet into this 25-foot front yard setback.

The submitted site plan indicates the proposed structure is located four feet from the Elsby Avenue's front property line or 21 feet into this 25-foot front yard setback.

According to DCAD records, there are "no main improvement" and "no additional improvements" for property addressed at 4748 Elsby Avenue.

The subject site is flat, irregular in shape, and according to the application, it is 0.279 acres (or approximately 12,150 square feet) in area. In an R-7.5(A) District, the minimum lot size is 7,500 square feet.

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

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

this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.

If the board were to grant the variance request and impose the submitted site plan as a condition, the single-family structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that would be located four feet from the Elsby Avenue's front property line or 21 feet into this 25-foot front yard setback.

GENERAL FACTS/STAFF ANALYSIS (fence standards special exceptions):

The requests for special exceptions to the fence standards regulations related to height and fence panel materials/location from a front lot line focus on:

- constructing and maintaining an eight-foot tall solid wood fence with an eight-foot high cedar wood rolling gate, a portion of which sits atop a two-and-a-half-foot tall retaining wall, in one of the site's two front yards (Elsby Avenue).
- constructing and maintaining an eight-foot tall solid wood fence, a portion of which sits atop a two-and-a-half-foot tall retaining wall, with panels with surface areas that are less than 50 percent open located less than five feet from the Elsby Avenue front lot line.

Section 51A-4.602(a)(2) of the Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. As noted, the proposed fence would be within the required 25-foot front yard setback.

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

The submitted site plan and elevation denote an eight-foot tall solid wood fence with a rolling sloid wood gate a portion of which sits atop a one-foot tall retaining wall (the fence remains eight feet tall including the retaining wall) located less than five feet from Elsby Avenue front lot line.

The following additional information was gleaned from the submitted revised site plan:

- The proposal is represented as being approximately 40 feet in length parallel to Eslby Avenue and approximately 25 feet perpendicular to the street on the west and five feet on the east side of the site on the Eslby Avenue required front yard; located approximately at the front property line or approximately 12 feet from the pavement line.

The Board of Adjustment Senior Planner conducted a field visit of the site and surrounding area and noted no other fences that appeared to be above four feet in height in a required front yard.

As of May 14, 2020, six letters were submitted in opposition to the request and no letters have been submitted in support to the request.

The applicant has the burden of proof in establishing that the special exceptions to the fence standards related to the height of four feet and to location and materials on Eslby Avenue will not adversely affect neighboring property.

Granting these special exceptions to the fence standards related to height of up to four feet and panel with a surface area that is less than 50 percent open to locate in certain areas on the site with a condition imposed that the applicant complies with the submitted site plan and elevation, would require the proposal exceeding four feet in height in the front yard setbacks and in some areas solid fence panels on Eslby Avenue's front lot line to be maintained in the locations and of the heights and materials as shown on these documents.

GENERAL FACTS/STAFF ANALYSIS (visual obstruction special exception driveways):

These requests for special exceptions to the visual obstruction regulations focus on constructing and maintaining portions of an eight-foot tall solid wood fence with an eight-foot high cedar wood rolling gate in the two 20-foot visibility triangles on both sides of the driveway into the site on Eslby Avenue.

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).

The applicant is requesting special exceptions to the visual obstruction regulations for the two required 20-foot visibility triangles on each side of the driveway into the site on Eslby Avenue.

The applicant submitted a site plan and a site plan/elevation indicating portions of an eight-foot tall solid wood fence with an eight-foot high cedar wood rolling gate located in the two 20-foot visibility triangles on both sides of the driveway into the site on Elsby Avenue.

The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked “Has no objections”.

As of May 14, 2020, six letters were submitted in opposition to the request and no letters have been submitted in support to the request

The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations, to locate and maintain portions of an eight-foot tall solid wood fence with an eight-foot high cedar wood rolling gate in the two 20-foot visibility triangles on both sides of the driveway into the site on Elsby Avenue 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 two 20-foot visibility triangles on each side of the driveway into the site on Elsby Avenue to that what is shown on these documents – an eight-foot tall solid wood fence with an eight-foot high cedar wood rolling gate.

TIMELINE:

January 23, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

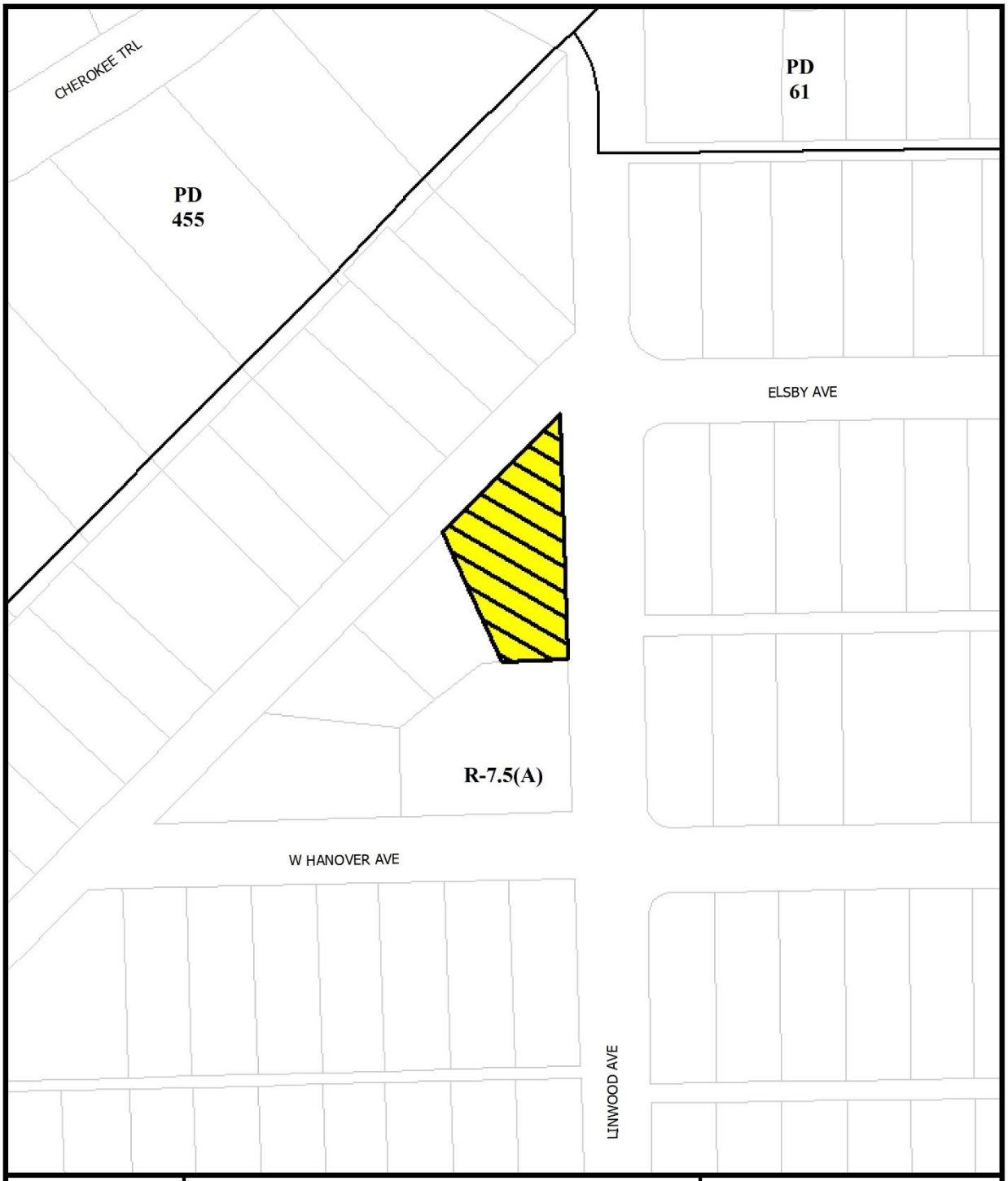
February 11, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel B.

February 14, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the February 25th deadline to submit additional evidence for staff to factor into their analysis; and the March 6th 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 27, 2018: 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 Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Senior Engineer, the Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

February 28, 2020: The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked “Has no objections”.



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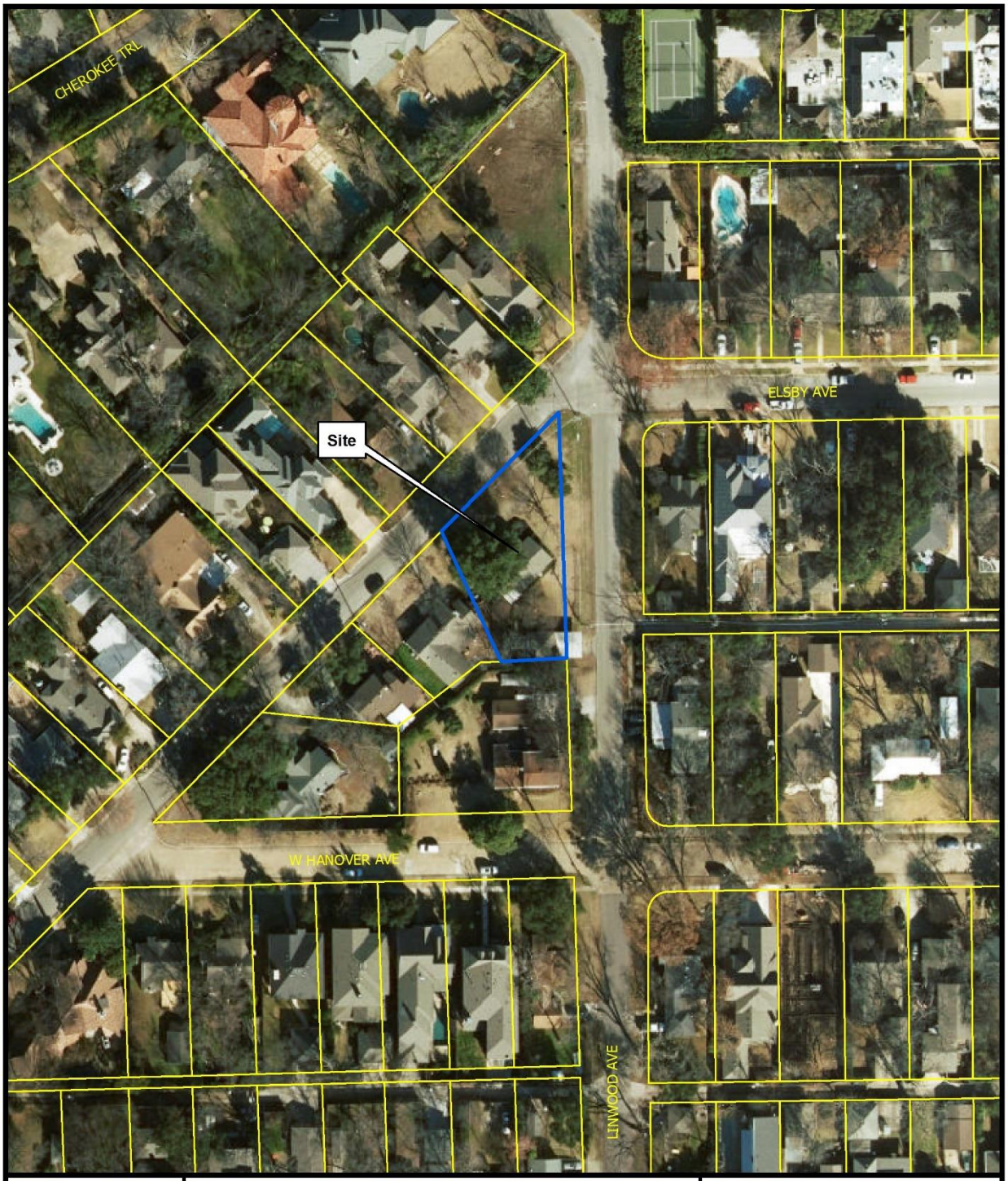
ZONING MAP

Case no: BDA190-035

Date: 2/21/2020



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AERIAL MAP

Case no: BDA190-035

Date: 2/21/2020

RECEIVED
JAN 23 2020
BY: .....

City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-035

Date: 1-23-20

Data Relative to Subject Property:

Location address: 4748 Elsby Avenue Zoning District: R-7.5(A)

Lot No.: 3 Block No.: C/5681 Acreage: 0.279 Census Tract: 0073.02

Street Frontage (in Feet): 1) 198.20 2) 134.90 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Arlene Mead

Applicant: Michael R. Coker Telephone: 214-821-6105

Mailing Address: 3111 Canton Street, Suite 140 Zip Code: 75226

E-mail Address: mrcoker@cokercompany.com

Represented by: Michael R. Coker, Michael R. Coker Company Telephone: 214-821-6105

Mailing Address: 3111 Canton Street, Suite 140 Zip Code: 75226

E-mail Address: mrcoker@cokercompany.com

Affirm that an appeal has been made for a Variance X , or Special Exception X , of the required front yard setback regulations to allow for a portion of a new house, retaining walls, ac condensers and fencing; a special exception to fence height in front yard; a special exception to visibility triangle regulations; and a special exception to fence opacity 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:

This is a irregularly shaped corner lot with double frontage. The irregular shape and double frontage limits the buildable area of the lot. The new construction would be commensurate with other homes in the neighborhood.

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

Affidavit

Before me the undersigned on this day personally appeared MICHAEL R. COKER
(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: Michael R Coker
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 22 day of January, 2020

DENISE D JENKINS NOTARY PUBLIC STATE OF TEXAS ID 11635206 EXP. 03-01-2020

Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied _____

Remarks _____

Chairman _____

Building Official's Report

I hereby certify that Michael Coker

did submit a request for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations

, and for a special exception to the visibility obstruction regulations

at 4748 Elsby Avenue

BDA190-035. Application of Michael Coker for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations, and for a special exception to the visibility obstruction regulations at 4748 ELSBY AVE. This property is more fully described as Lot 3, Block C/5681, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches 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 and requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 4 foot front yard setback, which will require a 21 foot variance to the front yard setback regulations, and 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, and to construct a single family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,

Philip Sikes

Philip Sikes, Building Official

Legend

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

N

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0.1722AC
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71.5
50
HANOVER AVE.
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56811/C
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8300
ROA
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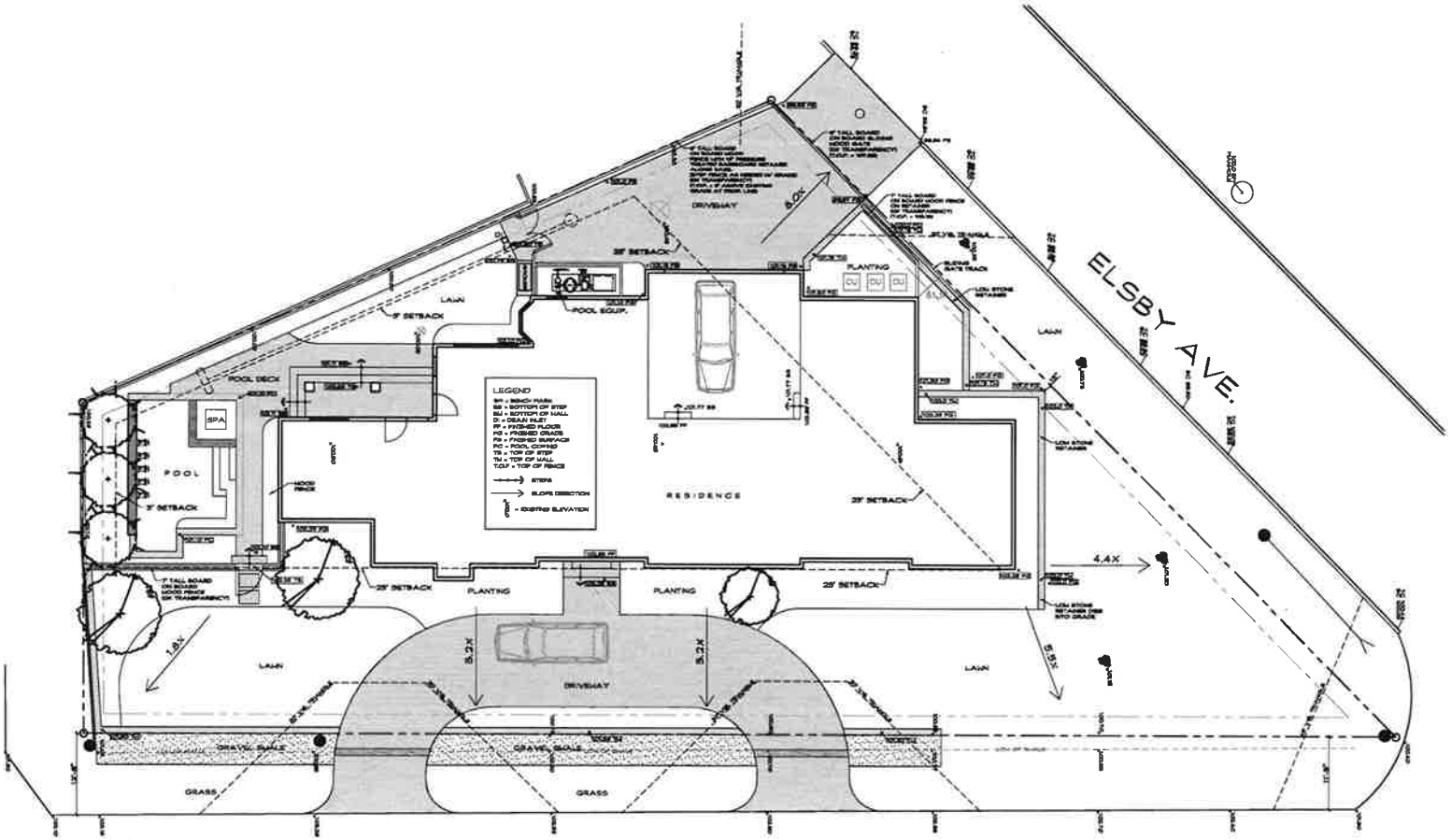
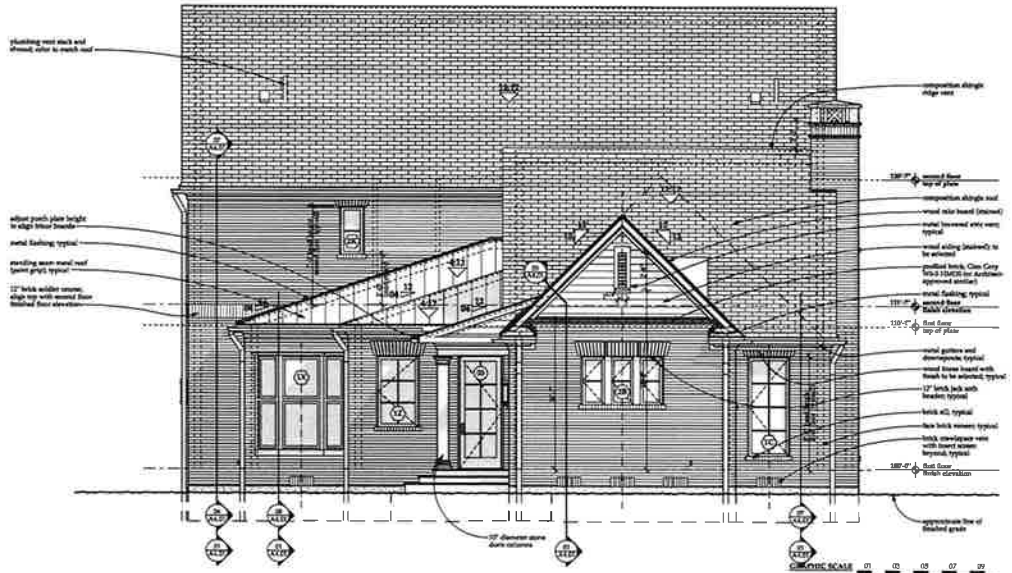
ON
NO. 2



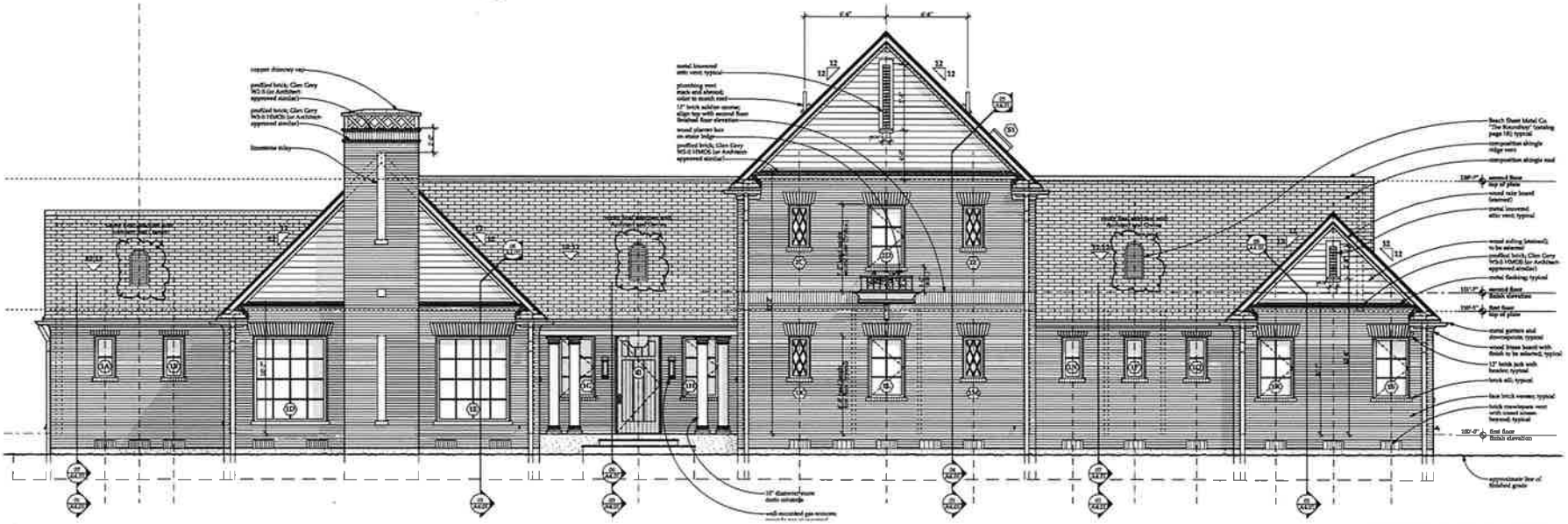
KEVIN CLARK | NAUD BURNETT
LANDSCAPE ARCHITECTS

THE MEAD RESIDENCE
SITE PLAN
SCALE: 1/8"=1'-0" JAN. 15, 2020



02 A3.01 EXTERIOR ELEVATION - WEST

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



01 A3.01 EXTERIOR ELEVATION - SOUTH

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

being architectural drawings for a project located at:

4748 Elsby Avenue

in Dallas, Texas 75209

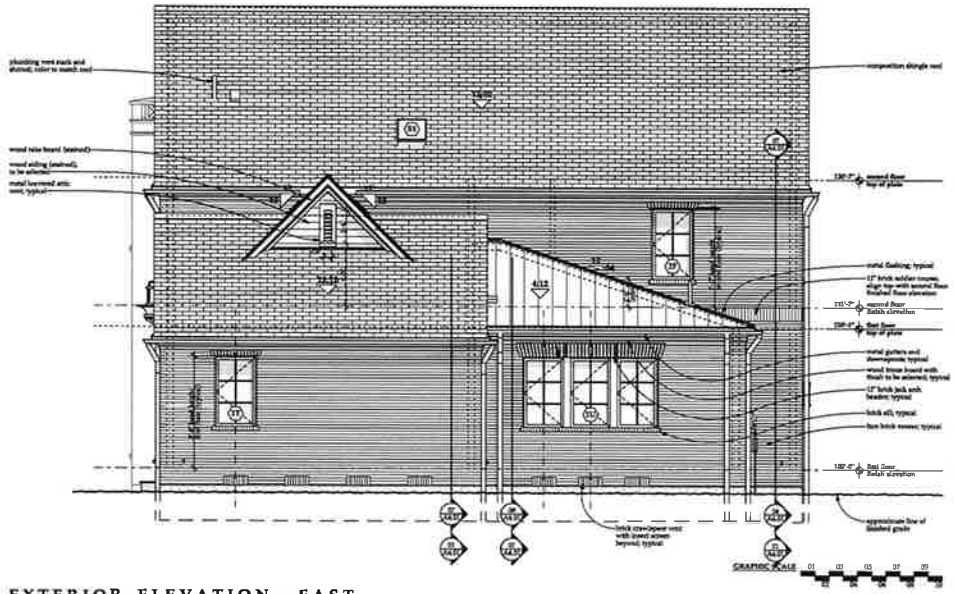
Issue date:
12 November 2019, issued for pricing

NOT FOR CONSTRUCTION OR REGULATORY APPROVAL

exterior elevations

A3.01

job # 1832



02 A3.02 EXTERIOR ELEVATION - EAST
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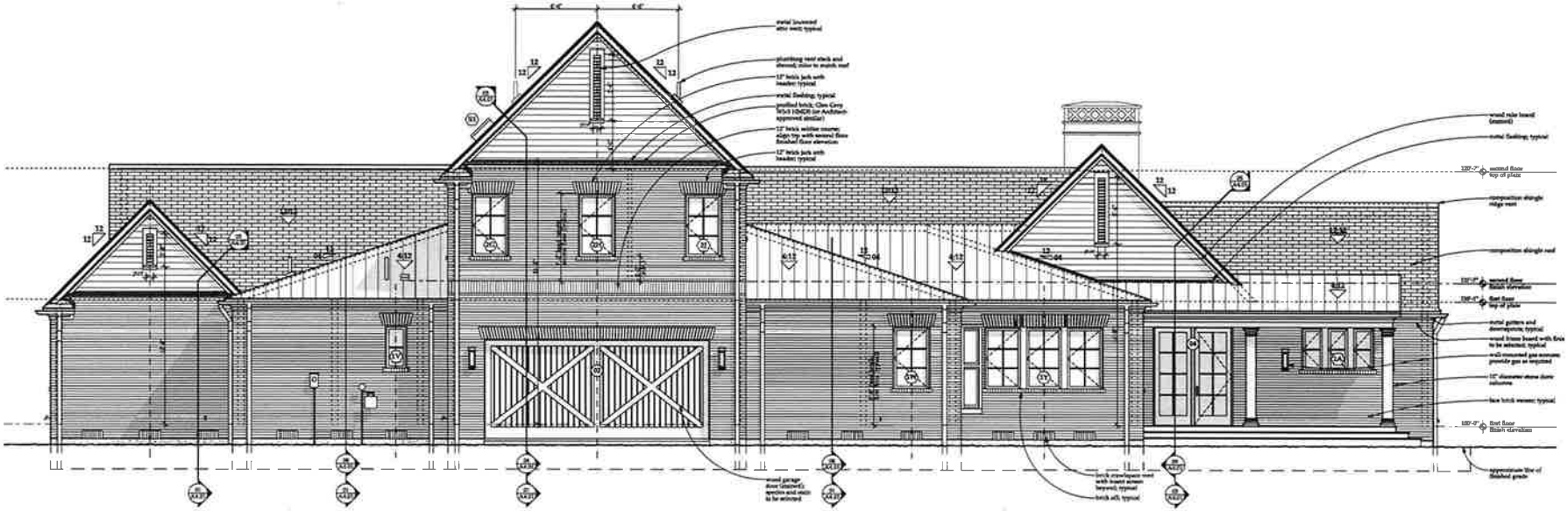


01 A3.02 EXTERIOR ELEVATION - NORTH
SCALE: 1/8" = 1'-0"

being architectural drawings for a project located at:

4748 Elsby Avenue

in Dallas, Texas 75209

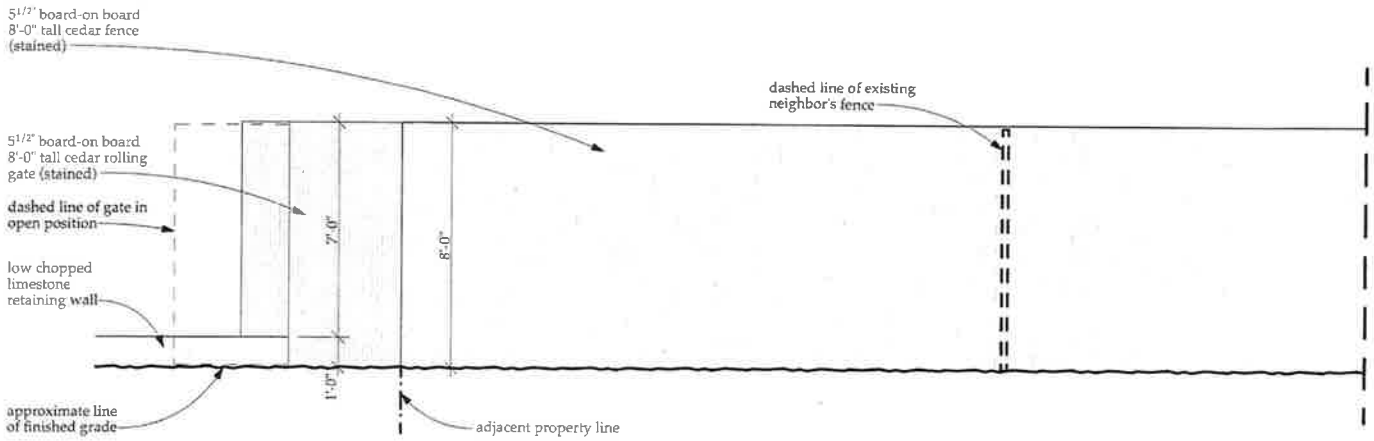
issue date:
12 November 2019, issued for pricing

NOT FOR CONSTRUCTION OR REGULATORY APPROVAL

exterior elevations

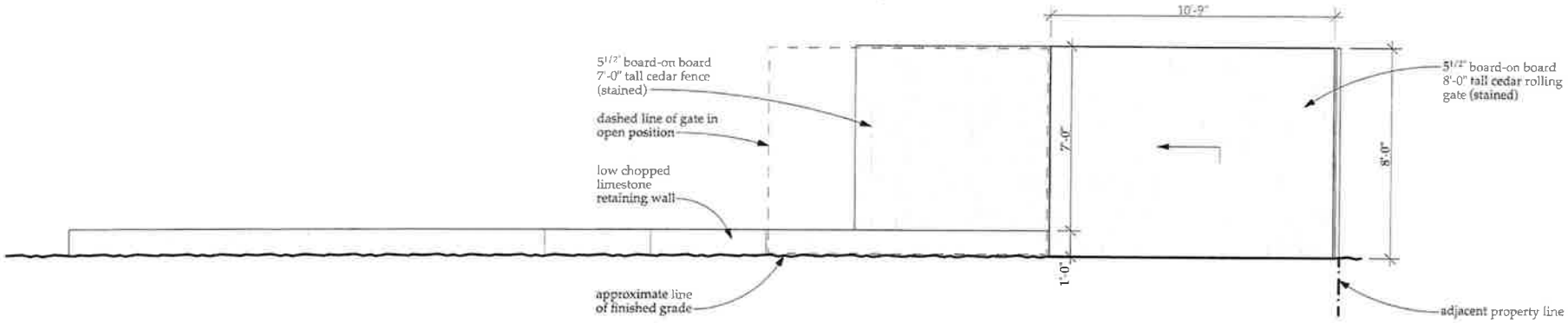
A3.02

job # 1832



2 FENCE ELEVATION - ELSBY (NEIGHBOR'S)

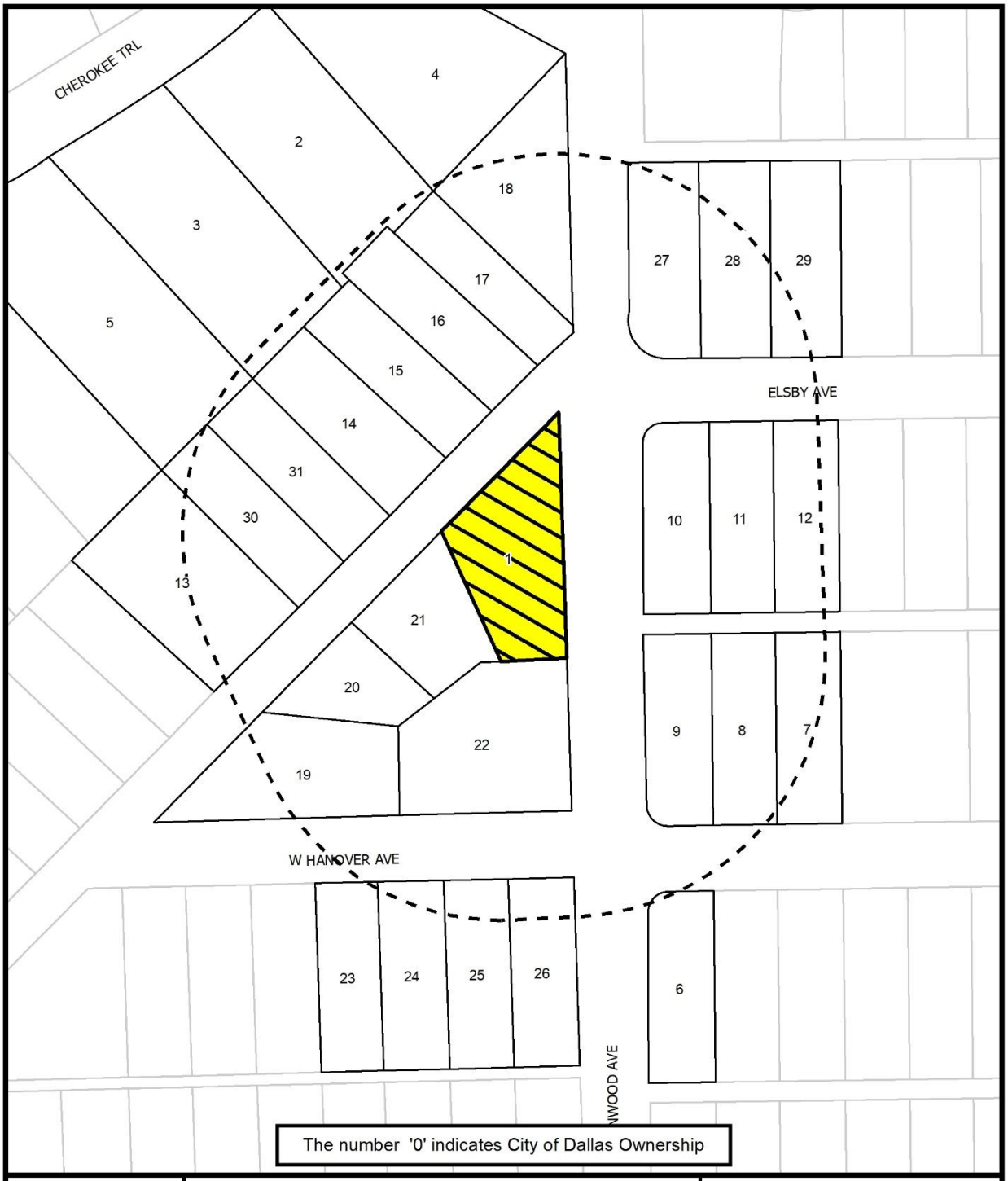
SCALE: 1/4" = 1'-0"



FENCE ELEVATION - ELSBY (STREET)

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

WILLIAM S. BRIGGS
ARCHITECT



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NOTIFICATION

200' AREA OF NOTIFICATION

31 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-035**

Date: **2/21/2020**

02/20/2020

Notification List of Property Owners

BDA190-035

31 Property Owners Notified

Label #	*Address*		*Owner*
1	4748	ELSBY AVE	MEAD ARLENE P
2	4618	CHEROKEE TRL	BUDDRUS JAMES &
3	4614	CHEROKEE TRL	CINDY LINN CAPITAL LLC
4	4624	CHEROKEE TRL	FRASER BRUCE M & CHRISTINE M
5	4610	CHEROKEE TRL	JONES DAVID B & SHANNON
6	4800	W HANOVER AVE	WOOD DICK P III ET AL
7	4811	W HANOVER AVE	TAMBAR UTTAM K &
8	4807	W HANOVER AVE	MOJICA ZERLINDA Y
9	4801	W HANOVER AVE	HARDAWAY ZACHARY
10	4800	ELSBY AVE	FENTON SUSAN ELIZABETH
11	4806	ELSBY AVE	REXING RICK
12	4810	ELSBY AVE	STRIPH FAMILY TRUST THE
13	4727	ELSBY AVE	ROYAL MICHAEL PATRICK
14	4743	ELSBY AVE	SURVANT B K
15	4747	ELSBY AVE	BUTLER MARK D & DARLA M
16	4751	ELSBY AVE	MAGLIOLO JOSEPH III& VIRGINIA H
17	4755	ELSBY AVE	SNELL ANNE G
18	8401	LINWOOD AVE	MANES BRIAN
19	4724	ELSBY AVE	MARKWARDT MARION J
20	4734	ELSBY AVE	SILVERTHORN ANDREW & BETHANY
21	4742	ELSBY AVE	KANNY HEATHER A
22	4723	W HANOVER AVE	GREENBERG JEFF C & LISA M
23	4716	W HANOVER AVE	WILLIAMS BRADLEY S
24	4720	W HANOVER AVE	WESTHOFF LOREN PAIGE
25	4724	W HANOVER AVE	RITTENMEYER HEDY A
26	4728	W HANOVER AVE	WILSON IDA ELIZABETH MACK

02/20/2020

Label #	*Address*		*Owner*
27	4801	ELSBY AVE	GLANCY GREGORY
28	4807	ELSBY AVE	JORDAN CHRISTOPHER GOERGE JR.
29	4811	ELSBY AVE	KALTENBACH KONRAD
30	4735	ELSBY AVE	EGGEMEYER ROBERT D &
31	4739	ELSBY AVE	LEE DIWEN & WEI WANG

FILE NUMBER: BDA190-017(JM)

BUILDING OFFICIAL'S REPORT: Application of Santos 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 maintain a nonresidential structure for a personal service use, general merchandise less than 3500, and general merchandise greater than 3500 and provide 31 of the required 41 parking spaces, which will require a 10-space special exception (25% reduction) to the parking regulation.

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, a general merchandise or food store use 3,500 square feet or less use, and/or a general merchandise or food store greater than 3,500 square feet use and will provide 31 parking spaces (or 75 percent) of the 41 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.

ORIGINAL STAFF RECOMMENDATION (February 19, 2020):

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.

REVISED STAFF RECOMMENDATION (March 18, 2020):

Approval, limited to a general merchandise or food store 3,500 square feet or less or a general merchandise or food store greater than 3,5000 square feet use.

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

> Upon review of report dated February 25, 2020, Engineering staff recommends the special parking exception should automatically and immediately terminate if and when a general merchandise or food store 3,500 square feet or less or a general merchandise or food store greater than 3,5000 square feet use is changed or discontinued. The same parking study does not support a special exception based on anticipated parking demand for fitness studio (personal service use).

BACKGROUND INFORMATION:

Zoning:

Site:	Planned Development No. 298 (Subarea 1)
Northeast:	Planned Development No. 298 (Subarea 1B)

Southeast: Planned Development No. 298 (Subarea 7)
Southwest: Planned Development No. 298 (Subarea 1)
Northwest: 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 use[1], which the applicant intends to operate as a gym or fitness center, a general merchandise or food store use 3,500 square feet or less use, a general merchandise or food store greater than 3,500 square feet use, or a combination of these uses. The applicant proposes to provide 31 of the 41 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, a general merchandise or food store use 3,500 square feet or less use, and a general merchandise or food store greater than 3,500 square feet use. The Dallas Development Code also allows for a one-space parking reduction for each six bicycle parking spaces provided[2]. Therefore, the proposed uses require 41 parking spaces if no bicycle parking reductions are applied or 39 parking spaces if a minimum of 12 bicycle parking spaces are provided.

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

[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.

- 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 ten spaces shall automatically and immediately terminate if and when the personal service use, general merchandise or food store use 3,500 square feet or less use, general merchandise or food store greater than 3,500 square feet use, or a combination of these uses are changed or discontinued, the applicant would be allowed to lease and maintain the structure on the site with these specific uses with the specified square footage, and provide 31 of the 41 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 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 23, 2020: The applicant's representative added "or retail use" to the original request to reduce parking requirements.

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).

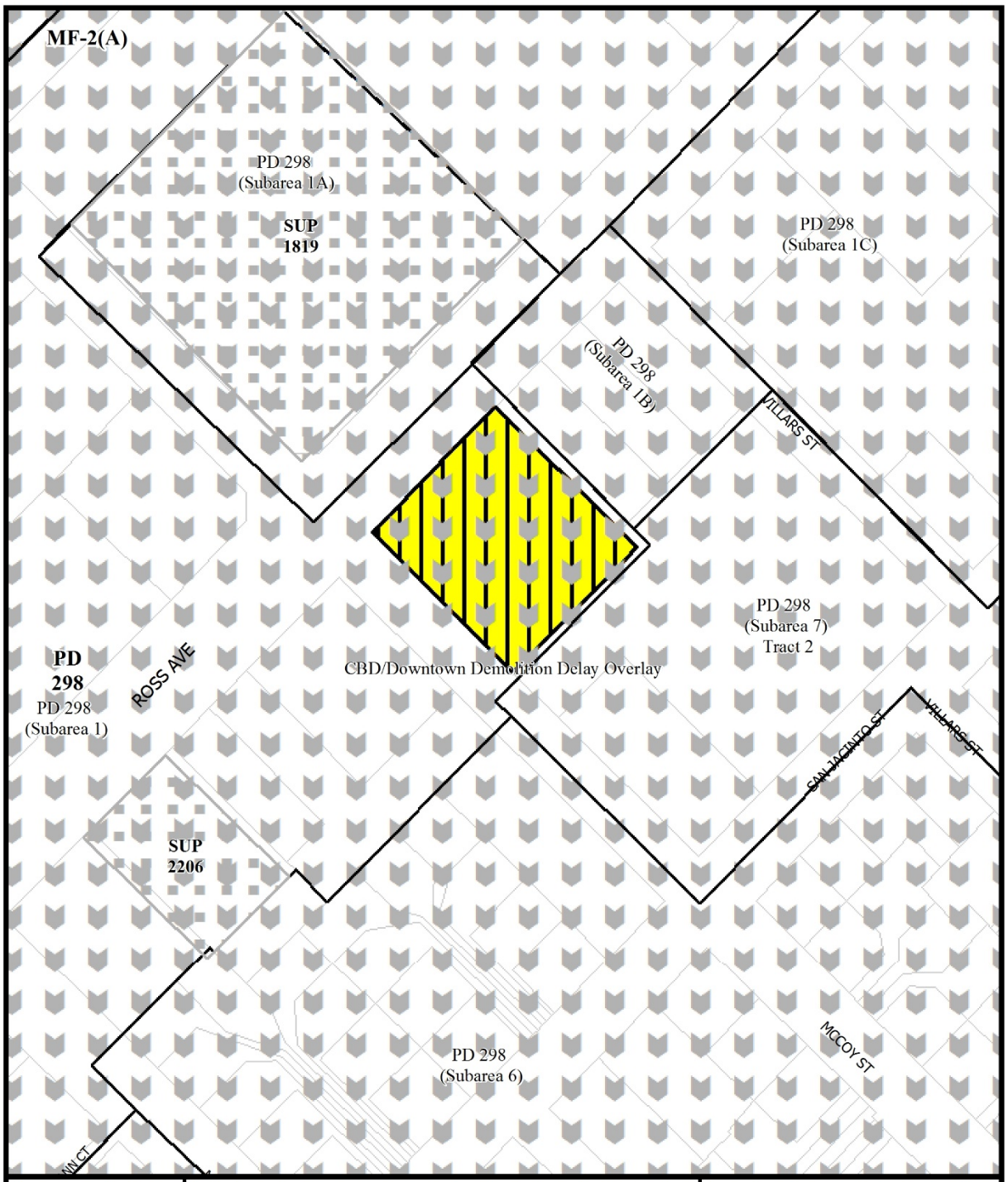
February 19, 2020: The Board of Adjustment Panel B conducted a public hearing on this application, and delayed action on this application until the next public hearing to be held under advisement until March 18, 2020 and instructed staff to re-advertise the case to include retail use.

February 21, 2020: The applicant's representative was emailed a letter of the board's action, the February 25th deadline to submit additional evidence for staff to factor into their analysis, and the March 6th deadline to submit additional evidence to be incorporated into the board's docket materials.

February 25, 2020: The applicant submitted a letter and parking study beyond what was submitted with the original application (see Attachment B).

February 28, 2020: 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 Assistant City Attorney to the board and the following from the Sustainable Development and Construction Department: Board of Adjustment staff including the Chief Planner/Board Administrator, the Senior Planner, and the Assistant Director; Building Inspection Division staff including the Building Official, Assistant Building Official, and Chief Planner; and Engineering Division staff including the Senior Engineer.

March 3, 2020: The City of Dallas Sustainable Development and Construction Senior Engineer submitted a memo regarding this application (see Attachment C).



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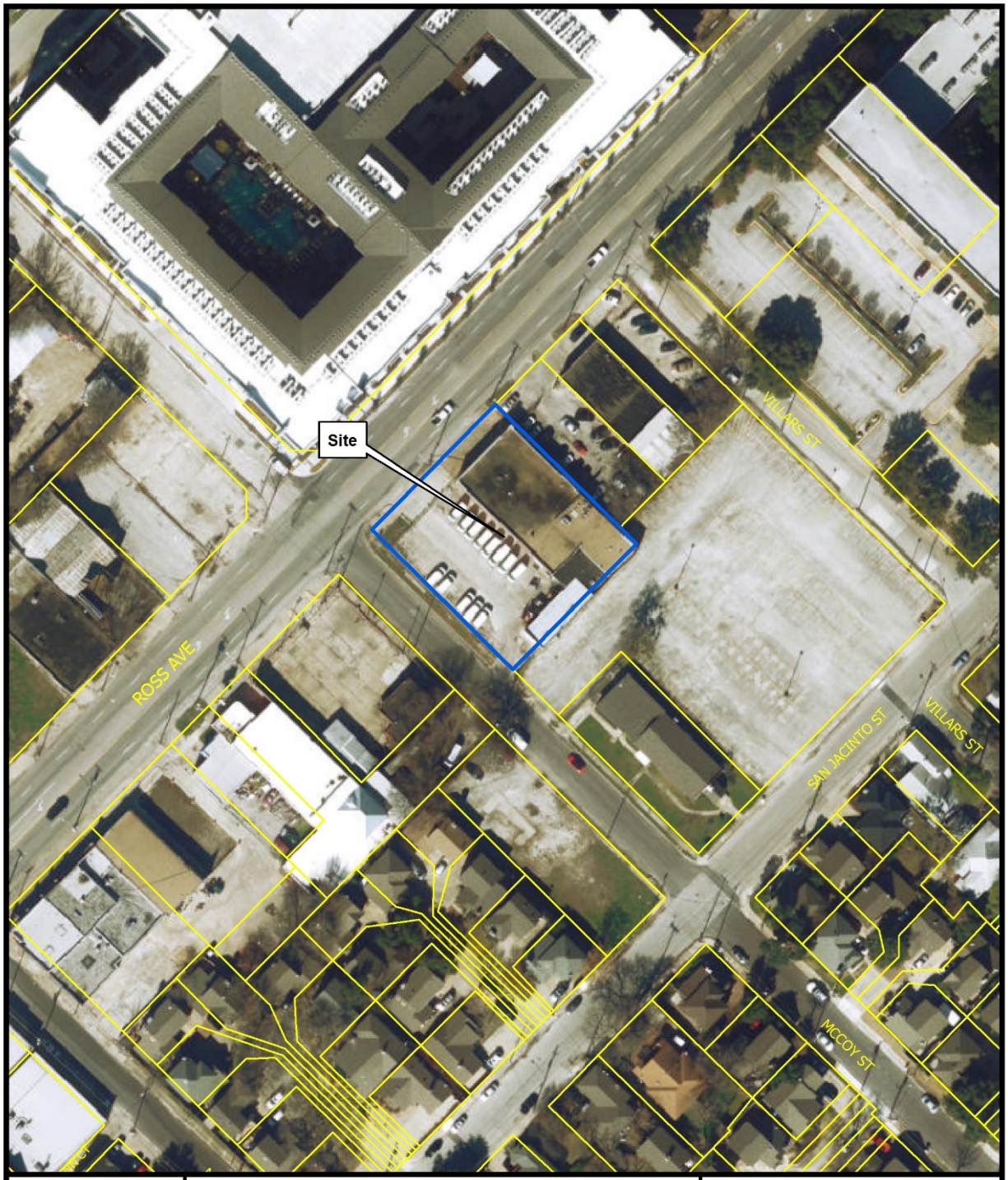
ZONING MAP

Case no: BDA190-017

Date: 1/22/2020



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AERIAL MAP

Case no: BDA190-017

Date: 1/22/2020

La Sierra Planning Group
Comprehensive Land Use Consulting

February 25, 2020

Ms. Sarah May
City of Dallas
1500 Marilla, 5BN
Dallas, Tx. 75201

RE: BDA 190-017

Dear Ms. May

Please review the attached parking study that was prepared for this BDA request. The engineering firm conducted field observations of existing retail and personal service uses within a half mile of this location. The attached study reviews their findings and its impact on this request.

Please note that our research has revealed that there are no delta credits on the property. The previous tenant maintained a warehouse use on their certificate of occupancy. In order to redevelop this site for retail or personal service uses, we will have to remove roughly 1,000 square feet of the existing structure to provide parking that is within our projected demand for proposed uses.

Please let me know if you may have any questions with this study or need any other items clarified regarding this request.

Sincerely,

Santos T. Martinez
Authorized representative for
Property owner

www.lasierrapg.com P.O. Box 1275 Angel Fire, NM 87710 214-684-2775

Parking Analysis

3510 Ross Avenue
Dallas, Texas

February 25, 2020

Prepared for:
Mr. Stephen Schwartz
Gideon Interests, Inc.
5910 N. Central Expressway, Suite 1670
Dallas, TX 75206

Prepared By:
Christy Lambeth, P.E., PTOE
Lambeth Engineering Associates, PLLC
8637 CR 148, Kaufman, TX 75142 | 972.989.3256
Texas Registered Engineering Firm# F-19508
Project #014DAL

STATE OF TEXAS
CHRISTY H. LAMBETH
91036
LICENSED
PROFESSIONAL ENGINEER

Christy Lambeth
February 25, 2020

LAMBETH
ENGINEERING
ASSOCIATES PLLC

TABLE OF CONTENTS

Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth) were retained to conduct a parking analysis for 3510 Ross Avenue located northeast of the Ross Avenue/McCoy Street intersection in Dallas, Texas. The site currently has a vacant building. The prior tenant was a wholesale florist. The site will be redeveloped, and the existing building will be renovated.

The property is zoned Planned Development (PD) 298, Subarea A (Bryan Area Special Purpose District, Lower Ross Area), which has specific parking requirements for some uses and refers to Chapter 51A for non-specified parking requirements.

The purpose of this study is to project the parking demand for the site considering the planned uses and determine whether the requested parking reduction will provide adequate parking supply. As shown in this analysis, the development is projected to provide sufficient parking taking into consideration a 10-space parking reduction based upon parking rates published in the Institute of Transportation Engineers' (ITE) *Parking Generation Manual*, 5th Edition, parking observations conducted in the area, and the site's location with close proximity to over 1,900 homes. Therefore, approval of the 10-space parking special exception is recommended.

Project Description

The site is located just northeast of downtown Dallas amongst a dense area of residential developments including multifamily, townhomes, duplexes, and single-family homes. Approximately 1,000 SF of the existing building will be removed in order to provide additional parking than currently exist; approximately 8,250 SF of the existing building is planned to remain and be renovated into a shopping center with suites and contain uses such as general merchandise, nail salon, dry cleaners, hair saloon, health studio, office, and/or medical office or similar uses.

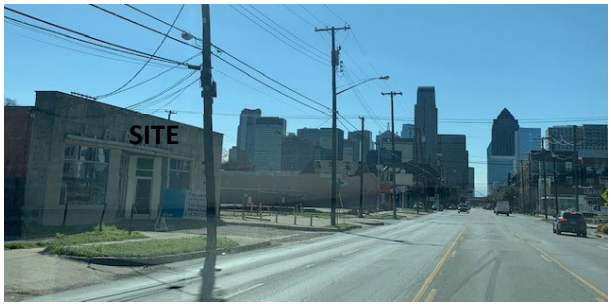


Figure 1. Proximity to Downtown Dallas

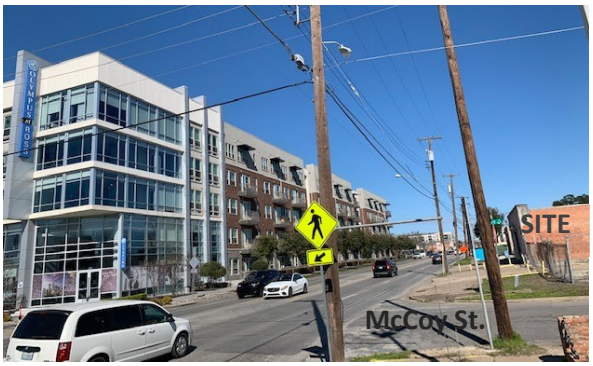


Figure 2. Pedestrian Crossing Next to Site

Considering the 380-unit multifamily development currently under construction a block from the site, there are over 1,900 homes within 1,200 feet of the site – a five- to six-minute walk. There are over 2,700 homes within When considering 1,700 feet within the site – a seven- to eight-minute walk, there are over 2,700 homes. A crosswalk on Ross Avenue is located next to the site, on the south side of McCoy Street and sidewalks are provided in the area to accommodate pedestrians to/from the site. Sidewalks on the site, adjacent to McCoy Street will be reconstructed with redevelopment of the property.

A vicinity map of the site, which illustrates the vast amount of residential development in the area, is provided in **Exhibit 1** and a conceptual site plan is provided in the **Exhibit 2**. A Dallas County Appraisal District map is provided in the **Appendix** which also illustrates the residential lots in the area.

Parking Supply

The site is planned to have 31 on-site parking spaces and two (2) on-street, indented, parallel parking spaces on Ross Avenue for a total of 33 spaces on-site and adjacent to the site. However, parallel parking adjacent to the property does not apply towards code parking requirement in PD 278. Therefore, only 31 spaces would satisfy the City of Dallas parking code requirement.

Two additional on-street parking spaces are available on McCoy Street adjacent to the site *if* the City were to remove or modify the current, on-street parking restrictions. Lambeth Engineering spoke with Mr. Gabriel Dowell, P.E., District Engineer with the City of Dallas Department of Transportation, regarding the no parking sign on McCoy Street and Mr. Dowell has no objections to re-evaluating the no parking sign and feels it is likely the sign may be removed. It is understood this will need further evaluation; however, based upon observations conducted, it appears removal of the parking restriction will not hinder traffic flow in the area. If parking restriction on McCoy Street are removed, then there will be a total of 35 spaces available on-site and adjacent to the site, although, only 31 spaces count towards the City of Dallas parking code requirement.

Not directly taken into consideration in this study is on-street parking around the site and surplus of parking at the site across from McCoy *Street.*

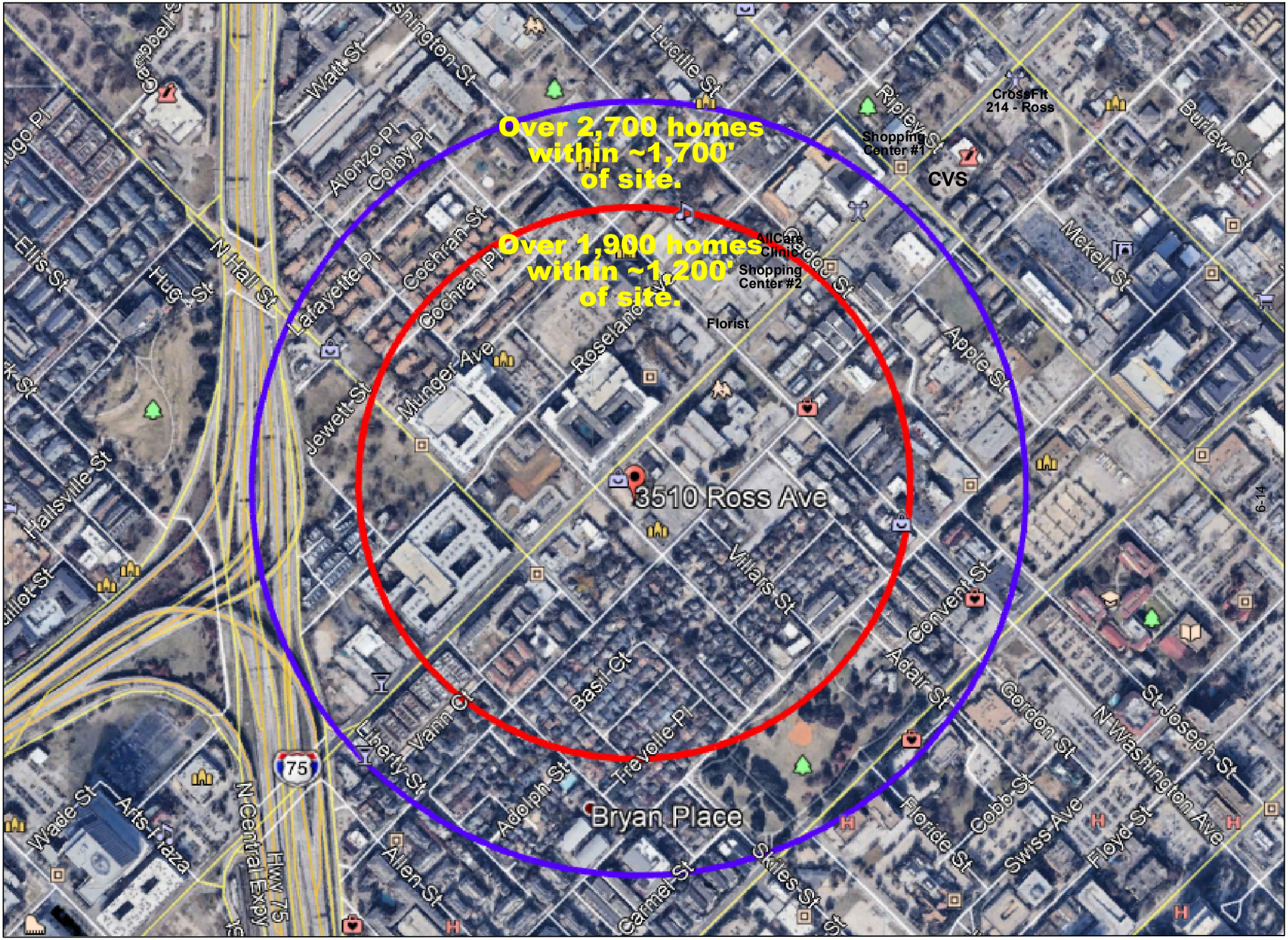
Figure 3 illustrates the availability of parking on McCoy Street and across the street.

Figure 3. McCoy Street, Adjacent to Site

Code Parking Requirement

PD 278 sets forth parking restrictions for the subject site for some uses such as office; uses not specifically noted in PD 278 have parking restrictions based on Chapter 51A. Parking requirements for *general merchandise less than 10,000 SF* or *personal service* uses are one space per 200 SF, which results in a parking requirement of 41 spaces for an 8,250 SF facility.

It is important to note that although this study refers to general merchandise and personal service uses, the shopping center could contain personal service, office and dry cleaner uses without any general merchandise – such as is the case for the observed Shopping Center #2 which contains Dallas Fit Body Boot Camp. Therefore, it is recommended the special exception be related to personal service uses since it is highly likely a personal service will be provided such as a hair salon, nail salon, or a small health studio.



1 Vicinity Map

Not to Scale

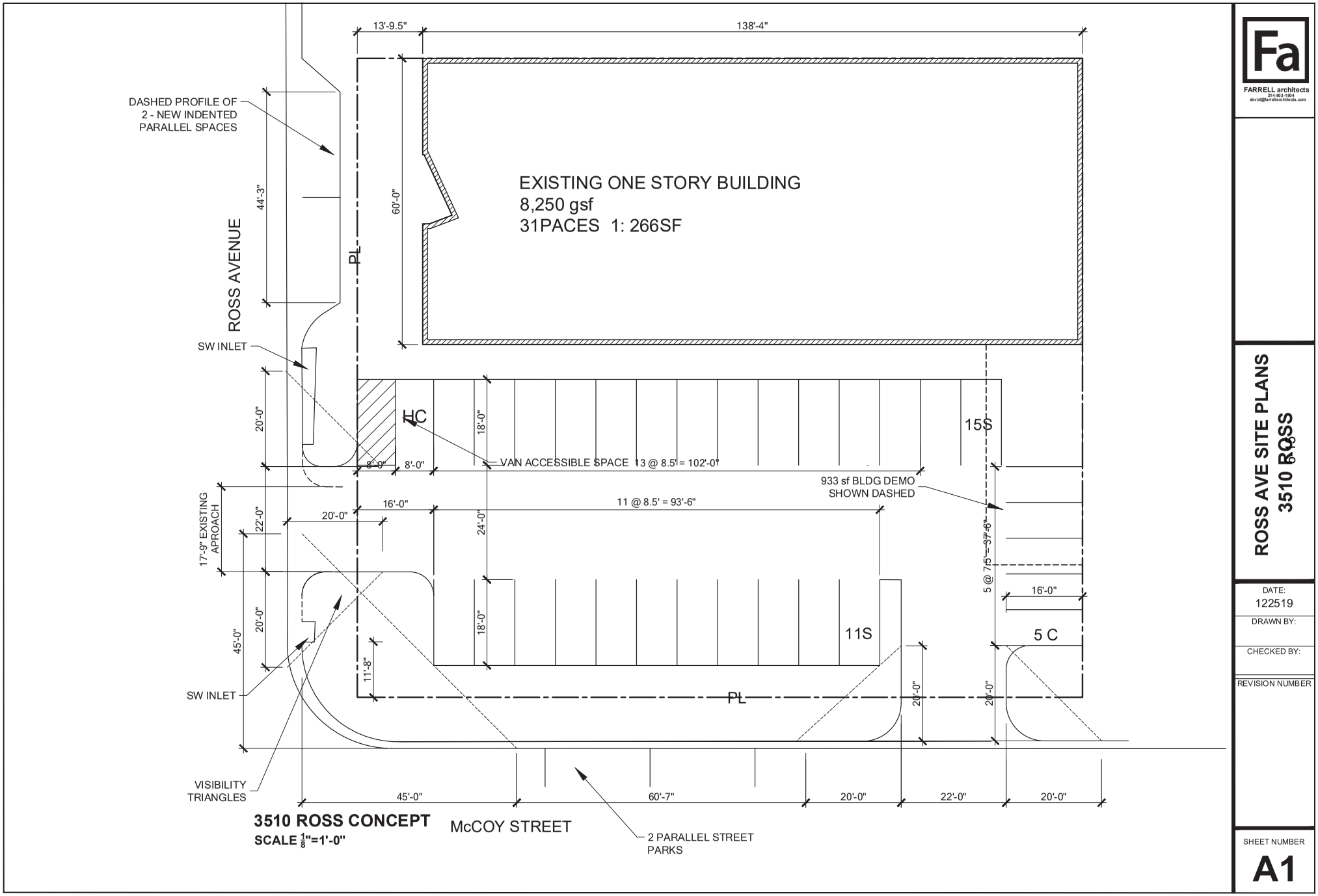
NORTH

LAMBETH ENGINEERING

TEXAS REGISTERED ENGINEERING FIRM F-11958

Map obtained from Google Earth 02.25.20

CHL 02.25.202



3510 ROSS CONCEPT
SCALE $\frac{1}{8}$"=1'-0"

FARRELL architects
214-803-1804
david@farrellarchitects.com

ROSS AVE SITE PLANS
3510 ROSS

DATE:
122519

DRAWN BY:

CHECKED BY:

REVISION NUMBER

SHEET NUMBER
A1

Exhibit 2. Concept Plan

Projected Parking Demand

In order to project the parking demand at the proposed 3510 Ross Avenue shopping center, parking observations were conducted at several similar sites within the project area. The study also considered parking rates provided in the ITE *Parking Generation Manual*.

Parking Observations

Lambeth Engineering conducted parking observations over three days at sites along Ross Avenue which have similar uses as those planned for the project site and were within a half mile of the site.

Two shopping centers were observed; both contained a mix of uses. Shopping Center #1 included a variety of both personal service and general merchandise uses. Shopping Center #2 included a dry cleaner, office, and two different personal service uses: a health studio and hair salon.

Since a health studio has a high parking demand of the potential personal service uses, a stand-alone health studio near the site was observed. Observations were also conducted at a nearby medical office building, CVS, and a florist.

It is important to note that although the shopping centers and the health studio observed are within a half mile of the site, they are not surrounded by as much dense residential development as the subject site. Therefore, the actual parking demand rate for the site is expected to be less than the observed parking rates.

Parking counts were collected on Monday, February 3, 2020, Friday, February 7, 2019, and Saturday, February 8, 2019. The weather was clear and sunny during observations. The sites observed are described in **Table *1*** and detailed parking observations are provided in the **Appendix**.

Table 1. Parking Observation Summary

Study Site	Cross Streets	Address	Use	Size (SF)	Req'd Parking Ratio	Parking Spaces Required	Parking Req'd Per Study Site Site	Peak Observed Parking Demand	Observed Pkg Rate (1 space per X SF)
CVS	Ross Ave. at N. Haskell Ave.	4202 Ross Ave.	Retail > 3,500 SF	11,952	1 space per 220 SF	54.3	54	17	703
Shopping Center #1	Ross Ave. at N. Haskell Ave.	4101 Ross Ave.		7,230		36.2	36	26	278
5 Star Salon and Spa			*Personal Service*	*1,300*	*1 space per 200 SF*	*(6.5)*			
Little Caesars			*Retail < 3,500*	*1,430*	*1 space per 200 SF*	*(7.2)*			
Cell Phone Repair			*Retail < 3,500*	*1,400*	*1 space per 200 SF*	*(7.0)*			
Mimy's Studio Salon			*Personal Service*	*800*	*1 space per 200 SF*	*(4.0)*			
Glo Beauty Bar			*Personal Service*	*2,300*	*1 space per 200 SF*	*(11.5)*			
AllCare Clinic	Ross Ave. at Caddo St.	3825 Ross Ave.	Medical Clinic	3,137	1 space per 200 SF	15.7	16	12	261
Shopping Center #2	Ross Ave., S. of Caddo St.			7,381		32.7	33	18	410
Classic Cleaners		*3811 Ross Ave.*	*Dry Cleaners*	*1,696*	*1 space per 200 SF*	*(8.5)*			
Hair N Color		*3815 Ross Ave.*	*Personal Service*	*968*	*1 space per 200 SF*	*(4.8)*			
Atlas Credit Loans		*3819 Ross Ave.*	*Office*	*1,200*	*1 space per 366 SF**	*(3.3)*			
Dallas Fit Body Boot Camp		*3821 Ross Ave.*	*Personal Service*	*3,219*	*1 space per 200 SF*	*(16.1)*			
It's Your Florist	Ross Ave. at N. Washington Ave.	3801 Ross Ave.	Gen Merch < 3,500 S	2,100	1 space per 200 SF	10.5	11	3	700
Cross Fit 24 - Ross	Ross Ave. at N. Peak St.	4226 Ross Ave.	Personal Service	7,100	1 space per 200 SF	35.5	36	32	222

*PD 298 , Subarea 1: Office Parking 1/366 SF

Projected Parking Demand Based Upon Observations

Based upon shopping center parking observations in the lower Ross Avenue Area, the proposed shopping center is projected to have a peak parking demand of 20-30 spaces.

Considering the CVS near the site, the projected parking demand is 12 spaces.

In order to represent a worst-case scenario—which is not planned, but Lambeth Engineering is aware this could be an option if personal service special exception is approved—the parking demand for an 8,250-SF stand-alone health studio is also considered. Based upon observations at CrossFit 214, which is near townhomes, but not as dense multifamily as the 3510 Ross Avenue site, the projected peak park parking demand is 34-37 spaces for a two-hour period on Saturday morning. Outside of Saturday mornings, the peak parking demands are under 20 spaces, well within the 31-space on-site parking supply. Since the Saturday morning peak parking demand only exceeds the 35-space total parking supply by two spaces for one hour, this overflow could be accommodated on McCoy Street near the site and by sharing parking with adjacent neighbors for this short time period. However, the project site is amongst higher density multifamily than the observed health studio and additional multifamily is being constructed near the site; therefore, it is expected to have more pedestrian activity than the observed health studio site. During the one-hour time when the parking demand could exceed the 35-space parking supply by only two spaces, it is highly likely that this will be resolved by additional pedestrians walking to the site due to over 1,900 homes within a five- to six-minute walk to the site.

> ***Note: The stand-alone health-studio projected parking demand is provided for reference only; health studio is not the planned or expected use. In addition, the pedestrian demand at the subject site is expected to be higher than that at the observed health studio site; therefore, the resulting parking demand would be less than shown.***

The observed Shopping Center #2 has a 3,219-SF health studio. Both Shopping Center #1 and #2 contain approximately 60% personal service uses and based upon that data the projected parking demand is 20-30 spaces, within the 31-space on-site parking supply.

ITE Parking Rates

The ITE *Parking Generation Manual* provides parking rates based upon observed sites throughout the US. The average ITE peak period parking demand was considered in this analysis to project parking demand for the site.

- **Shopping Center (ITE #820)** - The ITE *Parking Generation Manual* shopping center use "database includes data from strip, neighborhood, community, town center, and regional shopping centers. Some of the centers contain non-merchandising facilities such as office buildings, movie theaters, restaurants, post offices, banks, health clubs, and recreational facilities."

  The ITE *Parking Generation Manual* notes the average peak period parking demand for shopping centers in general urban/suburban areas on weekday is one space per 383 SF on a Friday and one space per 343 SF on a Saturday.

  Although the City of Dallas does not have a "shopping center" land use, this ITE use is applied for comparison purposes of the observed shopping centers.
- **Medical Office (ITE #720)** - The ITE *Parking Generation Manual* notes the average peak period parking demand for medical-dental office buildings (ITE Use #720) is one space per 310 SF.
- **Health Studio (ITE #492)** - The ITE *Parking Generation Manual* notes the average peak period parking demand for health/fitness clubs (ITE Use #492) is one space per 211 SF on a weekday and one space per 307 SF on a Saturday.

Projected Parking Demand Based Upon Observations

Based upon the ITE *Parking Generation Manual*, the projected parking demand for a shopping center is 24 spaces, which accounts for retail uses and contains uses such as personal service, restaurant, and office.

Based upon a combination of shopping center with 5,250 SF of health studio (to represent worst-case scenario), the projected parking demand is 31 spaces.

Based upon ITE's Health Studio use as a standalone use, the projected parking demand is 39 spaces. However, this is not considered to be applicable to this study since the ITE subject sites are nationwide and not specifically in a dense, urban environments with a high amount of multifamily surrounding the site.

The projected demand throughout a weekday and Saturday are graphically illustrated in **Figure 4** and **Figure 5**, respectively.

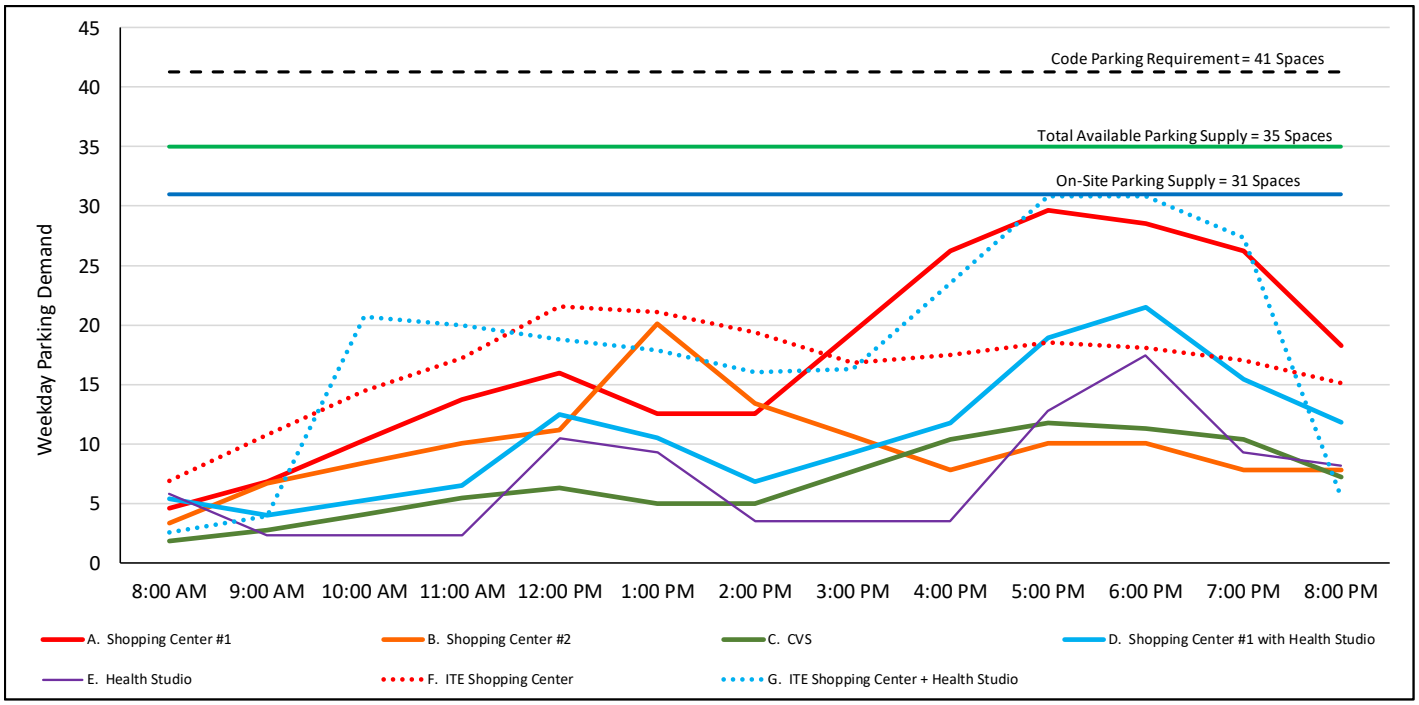


Figure 4. Projected Weekday Parking Demand

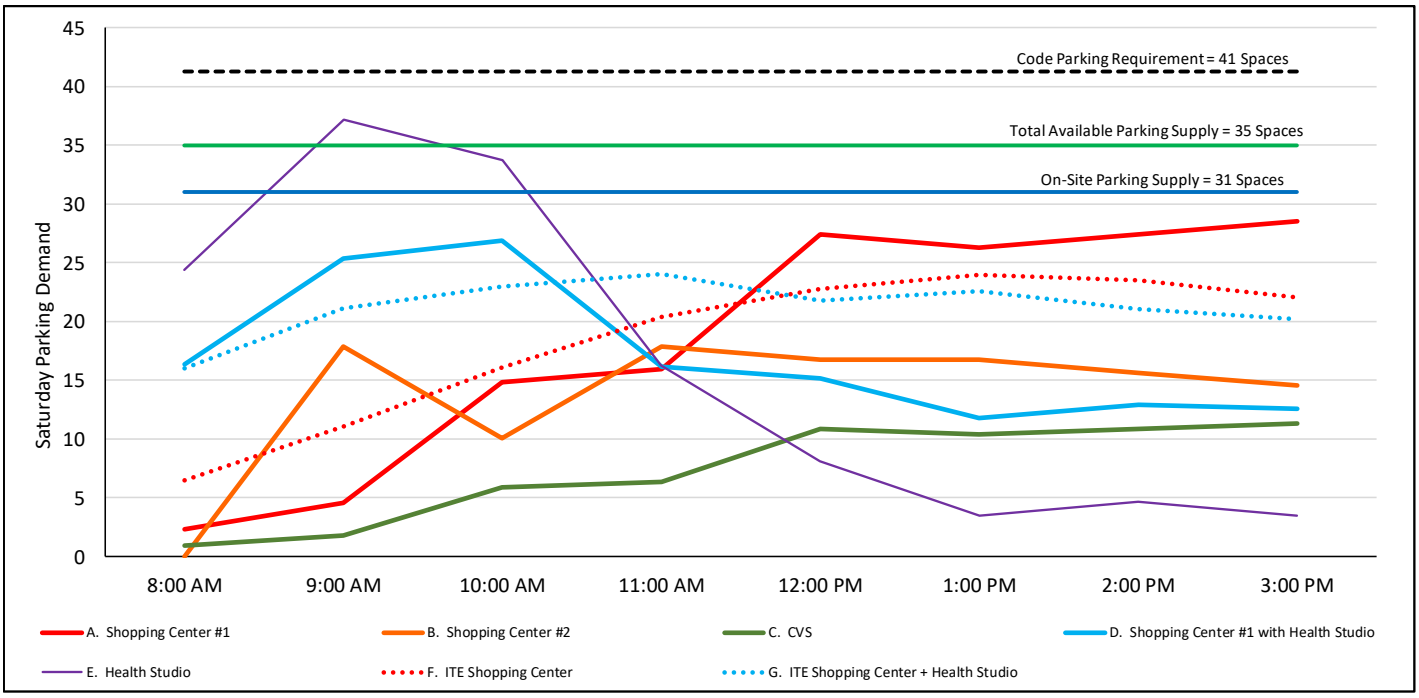


Figure 5. Projected Saturday Parking Demand

Parking Special Exception

The City of Dallas code does not specifiy parking rates relative to the amount of residentail homes and density of the area unless specified in a PD. As shown in this parking analysis, the parking demands on lower Ross Avenue are less than the City's requirements, which is expected due to the dense developments. In order to redevelop the 3510 Ross Avenue site in a desireable manner that will also serve the residents, a parking special exception is needed to allow the City to permit less than the required one space per 200 SF for personal service and/or retail type uses.

The City of Dallas requires 41 spaces for a shopping center containing 8,250 SF personal service and/or retail uses (or similar uses with a rate of 1 space per 200 SF). Based upon the parking analysis, a **10-space reduction is supported** and results in a parking requirement of 31 spaces. The projected parking demand for the shopping center is 20-30 spaces, below the recommended requirement of 31 parking spaces.

The Dallas City Code specifies that the Zoning Board of Adjustments consider the following factors in determining whether to grant the special exception request.

(A) The extent to which the parking spaces provided will be remote, shared, or packed parking.

Parking spaces that satisfy code parking requirement will be provided on-site. Adjacent, on-street parking is also available to serve the site, as is common on lower Ross Avenue.

(B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.

Considering the ITE *Parking Generation* data and field observations over three days, the peak parking demand of a shopping center use with personal service uses is projected to be 20-30 spaces and will be satisfied on-site.

(C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.

The property is not in a modified delta overlay district.

(D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.

Site access is provided on Ross Avenue, a five-lane roadway, and McCoy Street, a two-lane undivided roadway. The roadway network will accommodate the proposed project.

(E) The availability of public transit and the likelihood of its use.

DART bus route 24 has a stop within 140 feet of the site and bus route number 31 has a stop less than 600 feet from the site. During observations, bus stops were observed being utilized, and it is likely residents may go to the shopping center on their way between the bus stop and their home. Transit reduction was not accounted for in the parking analysis and may further support the parking reduction.

(F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.

The site is located within 1,200 feet of over 1,900 homes. A significant portion of patrons of the shopping center are expected to be walking form their nearby homes.

The proposed shopping center is among dense, residential development and sidewalks are provided in the area. Approval of the parking exception will support a pedestrian-oriented, walkable mixed-use community as residents will be able to walk from their homes to the shopping center.

Summary

Lambeth Engineering conducted a parking analysis for 3510 Ross Avenue in Dallas, Texas.

City of Dallas 51A and PD 298 requires 41 parking spaces for the proposed 8,250 SF buidling if it were to contain personal service, general merchandise, or any other retail/service type use which requires one space per 200 SF. A parking special exception for a reduction of 10-spaces (25% reduction) from the code requirement is supported by this analysis which results in a parking requirement of 31 spaces.

Based upon observations on Ross Avenue, ITE publications, the site's location among dense, residential development and the site's proximity to downtown Dallas, the projected parking demand for a shopping center is 20-30 spaces, below the requested 31 parking space on-site supply. Therefore, **a 10-space parking reduction is warranted**. In addition, four spaces adjacent to the site can also be used by the patrons although they do not count towards the parking code requirement for a total parking supply of 35 parking spaces.

The parking reduction will not create a traffic hazard or increase traffic congestion on adjacent or nearby streets. **The site is located within a five- to six-minute walk to over 1,900 homes. Granting the reduction will allow retail and personal service type uses which will serve the residents in the area and thereby contribute to creating a walkable neighborhood** since residents will not have to travel by vehicle or transit for these services.

Lambeth Engineering Associates, PLLC, recommends approval of a 10-space (25%) reduction for the proposed shopping center development at 3510 Ross Avenue to include personal service, general merchandise, **and/or** other similar uses that have a parking requirement of one space per 200 SF or a greater requirement.

END

Appendix

Parking Observations for 3510 Ross Avenue

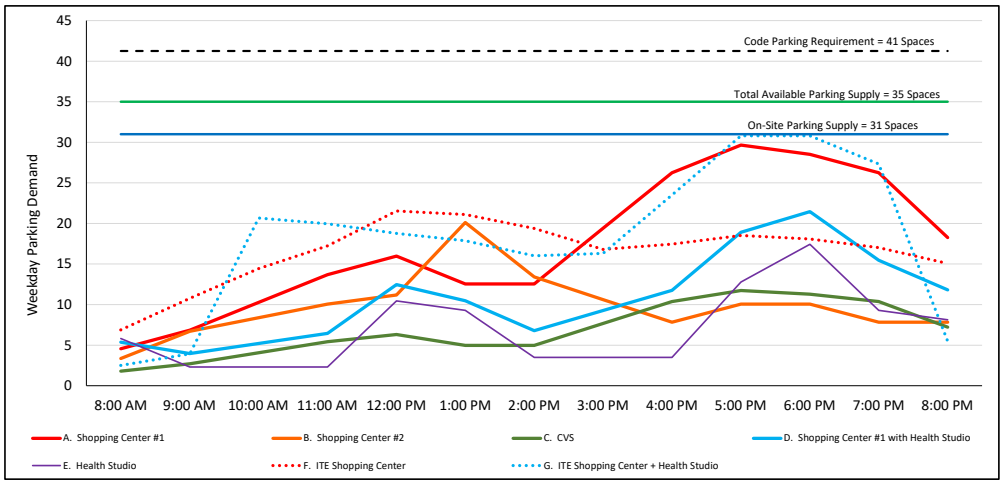
	CrossFit 214 - Ross	CVS	Shopping Center 1 (Includes Personal Service)	AllCare Clinic	Shopping Center 2 (Includes Health Studio and Other Personal Service)	It's Your Florist
Monday, 02.03.20						
12:00 PM	9	12	10	12	5	1
Friday, 02.07.20						
6:45 AM	13	1	--	--	8	--
7:00 AM	8	1	--	--	1	--
7:15 AM	7	1	--	--	1	--
7:40 AM	5	1	1	--	2	--
8:30 AM	2	7	4	6	3	--
9:00 AM	2	11	6	9	6	1
11:15 AM	2	9	12	10	9	1
12:00 PM	8	15	14	11	10	2
12:30 PM	11	15	12	10	18	3
1:00 PM	8	14	11	11	16	2
1:30 PM	4	13	15	7	13	1
2:00 PM	3	14	11	7	12	0
4:00 PM	3	17	23	2	7	2
5:00 PM	11	11	26	2	9	1
5:30 PM	14	15	23	2	9	1
6:00 PM	15	7	25	2	9	0
6:30 PM	18	8	26	2	8	1
7:00 PM	8	11	23	--	7	--
7:30 PM	7	10	16	--	7	--
Saturday, 02.08.20						
8:30 AM	21	3	2	1	0	--
8:45 AM	27	4	2	1	4	--
9:00 AM	32	9	4	1	16	--
9:15 AM	26	9	5	1	16	--
9:30 AM	24	11	5	1	16	--
10:00 AM	29	7	13	4	9	--
10:30 AM	14	8	15	7	9	2
11:00 AM	14	9	14	11	12	1
11:45 AM	7	12	24	9	10	1
12:15 PM	3	15	24	8	15	2
1:00 PM	3	6	23	8	15	2
2:00 PM	4	13	24	4	14	2
3:00 PM	3	12	25	--	13	--
3:15 PM	0	10	21	--	10	--
Max:	**32**	**17**	**26**	**12**	**18**	**3**
Parking Rate:	222	703	278	261	410	700

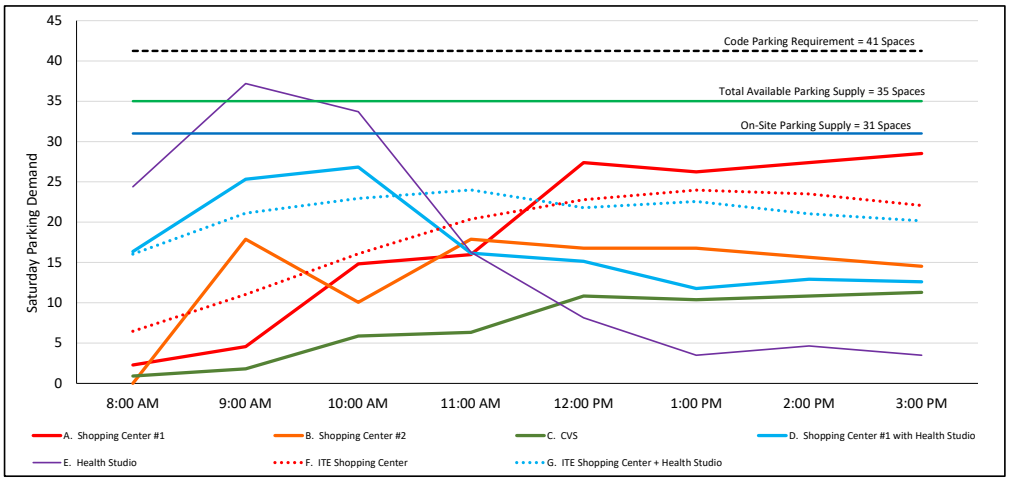
Shopping Center 1 - Little Caesars, etc.
Shopping Center 2 - Dallas Fit Body, etc.

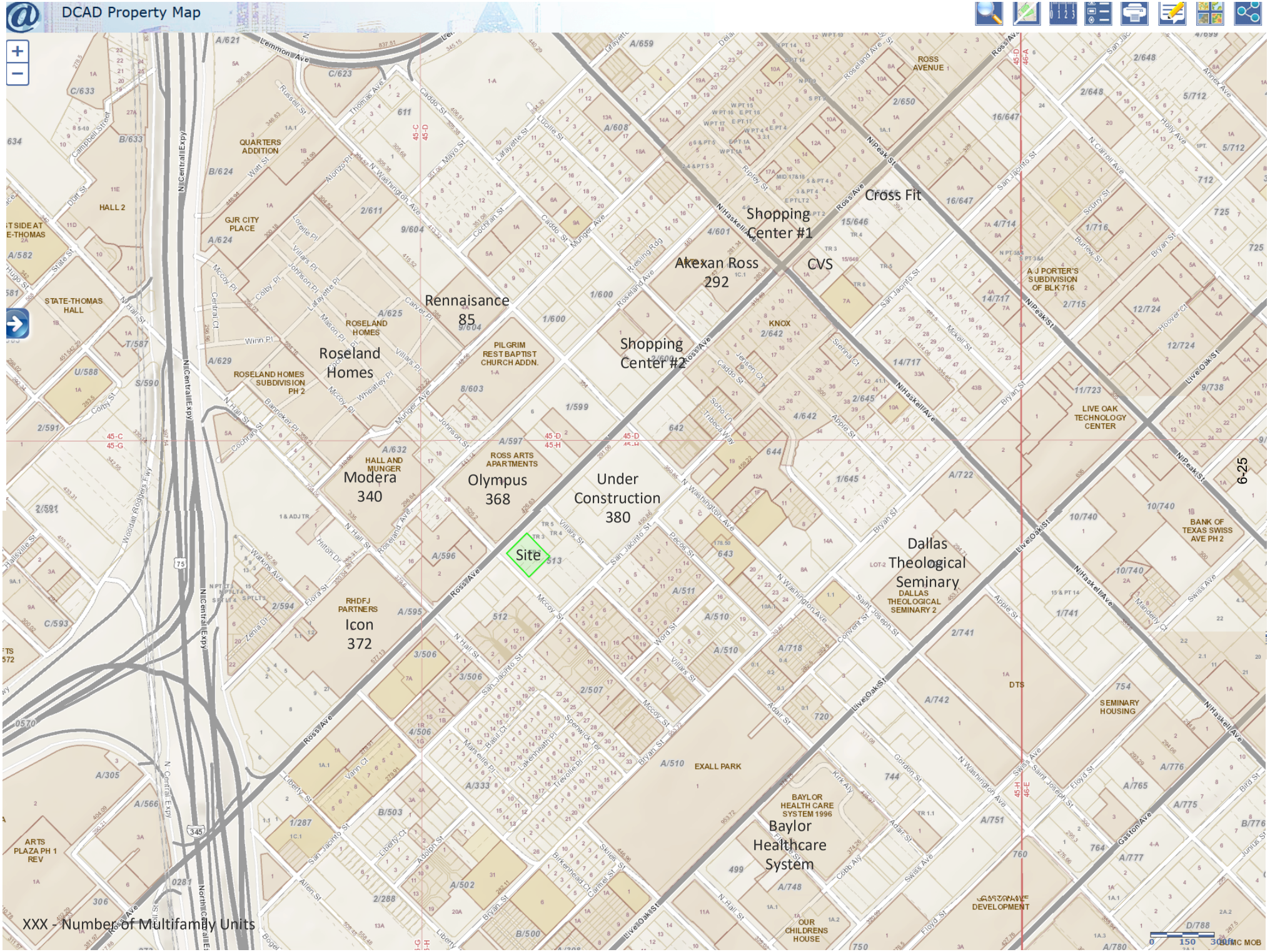
Collected by: Christy Lambeth
Weather: Sunny and Dry

Projected Parking Demand for 3510 Ross Avenue

	Based on Observations by Lambeth Engineering							Based on Data from ITE *Parking Generation*				
	A	B	C	D			E	F	G			H
	Shopping Center #1 with Hair Saloon, Nail Saloon, Carry-out Pizza, and General Merchandise	Shopping Center #2 with Health Studio, Dry Cleaners, Hair Saloon, and Office	CVS	Shopping Center #1 with Hair Saloon, Nail Saloon, and Carry-out Pizza	Cross-Fit 214-Ross	Total	CrossFit 214 - Ross	ITE Shopping Center	ITE Shopping Center	Health Studio	Total	Health Studio
SF:	8,250	8,250	8,250	3,000	5,250	8,250	8,250	8,250	3,000	5,250	8,250	8,250
Weekday (Friday) Parking Ratio:	278	410	703	278	222		222	383	383	211	--	211
Peak Parking Demand Per Use:	30	20	12	11	24	34	37	22	8	25	33	39
8:00 AM	5	3	2	2	4	5	6	7	3	0	3	0
9:00 AM	7	7	3	2	1	4	2	11	4	0	4	0
10:00 AM	10	8	4	4	1	5	2	14	5	15	21	24
11:00 AM	14	10	5	5	1	6	2	17	6	14	20	
12:00 PM	16	11	6	6	7	12	10	22	8	11	19	17
1:00 PM	13	20	5	5	6	10	9	21	8	10	18	16
2:00 PM	13	13	5	5	2	7	3	19	7	9	16	14
3:00 PM	19	11	8	7	2	9	3	17	6	10	16	16
4:00 PM	26	8	10	10	2	12	3	17	6	17	24	27
5:00 PM	30	10	12	11	8	19	13	19	7	24	31	38
6:00 PM	29	10	11	10	11	21	17	18	7	25	31	39
7:00 PM	26	8	10	10	6	15	9	17	6	21	27	33
8:00 PM	18	8	7	7	5	12	8	15	5	0	5	0
Saturday Parking Ratio:	278	410	703	278	222		222	344	344	307	--	307
Peak Parking Demand Per Use:	30	20	12	11	24		37	24	9	17		27
8:00 AM	2	0	1	1	16	16	24	6	2	14	16	21
9:00 AM	5	18	2	2	24	25	37	11	4	17	21	27
10:00 AM	15	10	6	5	21	27	34	16	6	17	23	27
11:00 AM	16	18	6	6	10	16	16	20	7	17	24	26
12:00 PM	27	17	11	10	5	15	8	23	8	14	22	21
1:00 PM	26	17	10	10	2	12	3	24	9	14	23	22
2:00 PM	27	16	11	10	3	13	5	24	9	12	21	20
3:00 PM	29	15	11	10	2	13	3	22	8	12	20	19
4:00 PM								21	8	12	19	19
5:00 PM								19	7	11	18	17
6:00 PM								17	6	11	17	17
Peak Parking Demand (Spaces):	**Max: 30**	**Max: 20**	**Max: 12**			**Max: 27**	**Max: 37**	**Max: 24**			**Max: 31**	**Max: 39**






DCAD Property Map
Rennaisance 85
Roseland Homes
Modera 340
Olympus 368
Under Construction 380
Site
Icon 372
Shopping Center #1
Cross Fit
Akexan Ross 292
CVS
Shopping Center #2
Dallas Theological Seminary
Baylor Healthcare System
XXX - Number of Multifamily Units
6-25

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

- [ ] Has no objections
- [ ] Has no objections if certain conditions are met (see comments below or attached)
- [x] Recommends denial (see comments below or attached)
- [ ] No comments

- [x] BDA 190-017
- [ ] BDA 190-019
- [ ] BDA 190-022
- [ ] BDA 190-026
- [ ]
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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.

David Nevarez, PE, PTOE, DEV - Engineering — Name/Title/Department

1/30/2019 — 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.

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **MARCH 18, 2020 (B)**

☐ Has no objections

☒ Has no objections if certain conditions are met (see comments below or attached)

☐ Recommends denial (see comments below or attached)

☐ No comments

☐ BDA 190-030
☐ BDA 190-032
☐ BDA 190-033
☐ BDA 190-035
☐ BDA 190-038
☒ BDA 190-017
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COMMENTS:

Upon review of report dated February 25, 2020, Engineering staff recommends the special parking exception should automatically and immediately terminate if and when a general merchandise or food store 3,500 square feet or less or a general merchandise or food store greater than 3,5000 square feet use is changed or discontinued.

The same parking study does not support a special exception based on anticipated parking demand for fitness studio (personal service use).

David Nevarez, PE, PTOE, DEV - Engineering
Name/Title/Department

3/3/2020
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.

City of Dallas

APPLICATION/APPEAL 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) 135.5 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: ~~5910 N. Central Exp. Suite 1670 Dallas, TX~~ P.O. Box 1275 Angel Fire NM Zip Code: ~~75206~~ 87710

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~~ or retail use. SM 1-23-2020

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 property.

VICKIE L RADER
Notary ID # 126690222
My Commission Expires
October 13, 2020

Respectfully submitted:
(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

(Rev. 08-01-11)

MEMORANDUM OF ACTION TAKEN BY THE BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Held to 3.18.20 and instructed to re-notice to add retail uses

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

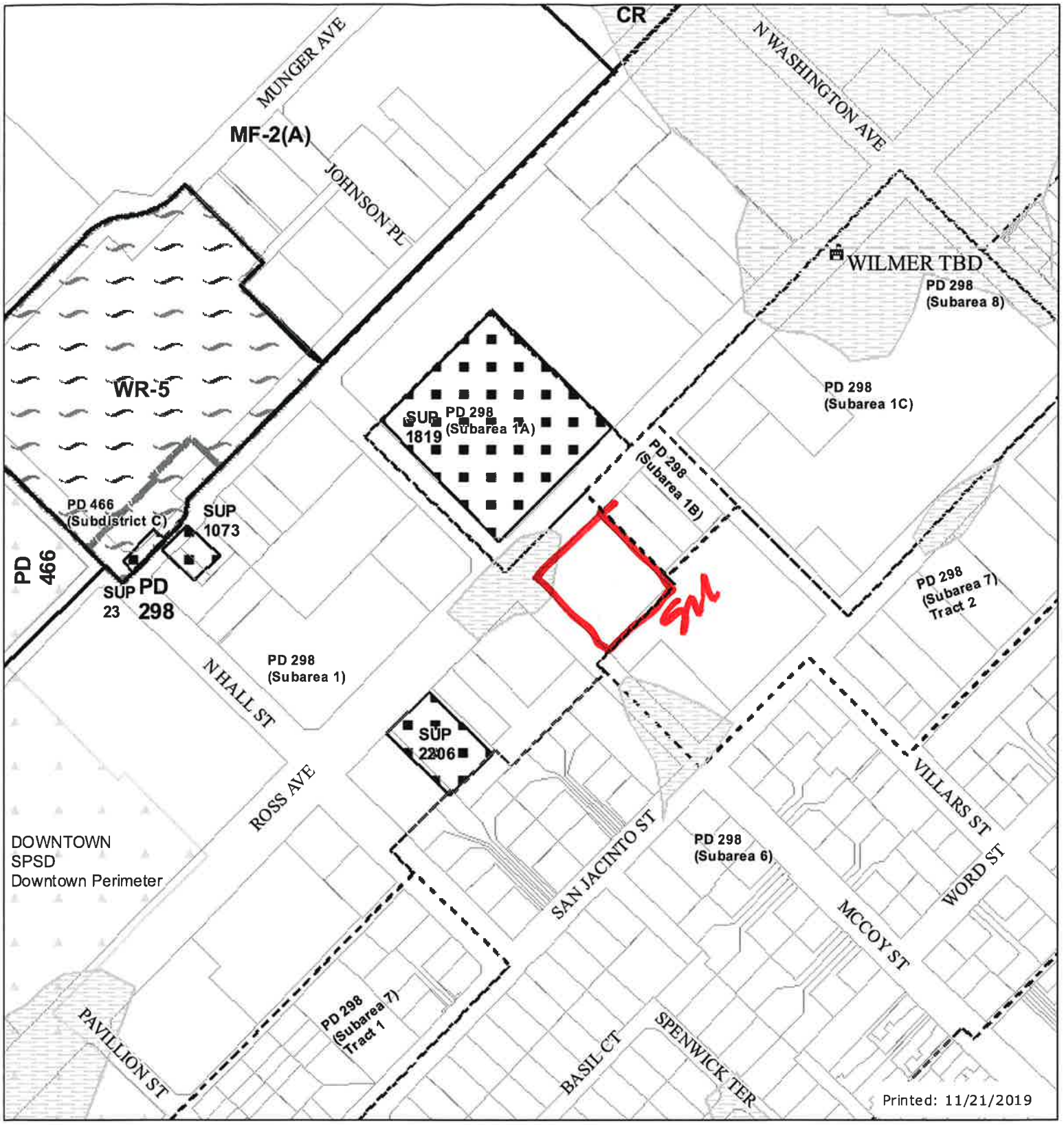
BDA190-017. Application of SANTOS MARTINEZ for a special exception to the parking regulations at 3510 ROSS AVE. This property is more fully described as Tract 1, Block 513, and is zoned PD-298 (Subarea1A), which requires parking to be provided. The applicant proposes to construct and maintain a nonresidential structure for a personal service use, general merchandise less than 3500 and general merchandise greater than 3500 and provide 31 of the required 41 parking spaces, which will require a 10 space special exception (25% reduction) to the parking regulation.

Sincerely,

Philip Sikes

Philip Sikes, Building Official


CITY OF DALLAS PLAT BOOKS
ADDITION
SCALE
FT EQUALS 1 INCH
ABST.
GRID NO.



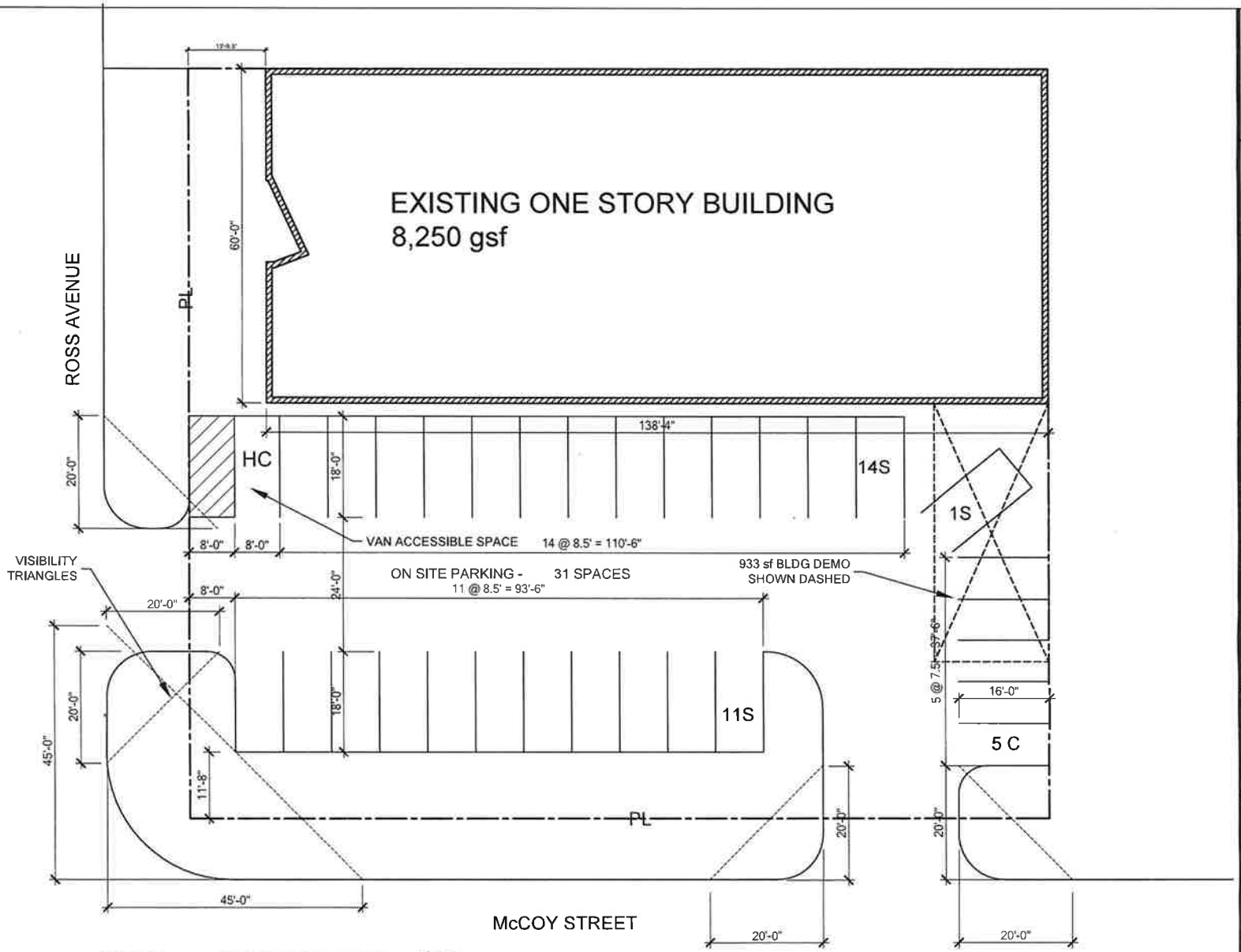
Legend

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

N

1:2,400



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

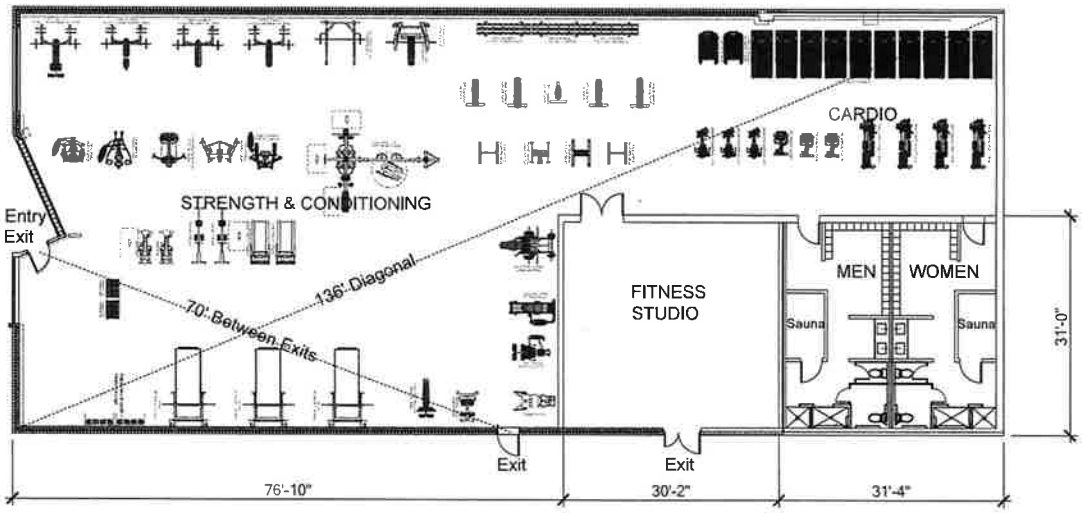
FARRELL architects
214-803-1804
david@farrellarchitects.com

Neighborhood Athletic Life Fitness

3510 ROSS
6-32

DATE: 112019
DRAWN BY:
CHECKED BY:
REVISION NUMBER

SHEET NUMBER
A1



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

0' 10' 20' 50'

FLOOR PLAN

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

FARRELL architects
214-823-1984
davis@farrellarchitects.com

Neighborhood Athletic Life Fitness

3510 ROSS
6-33

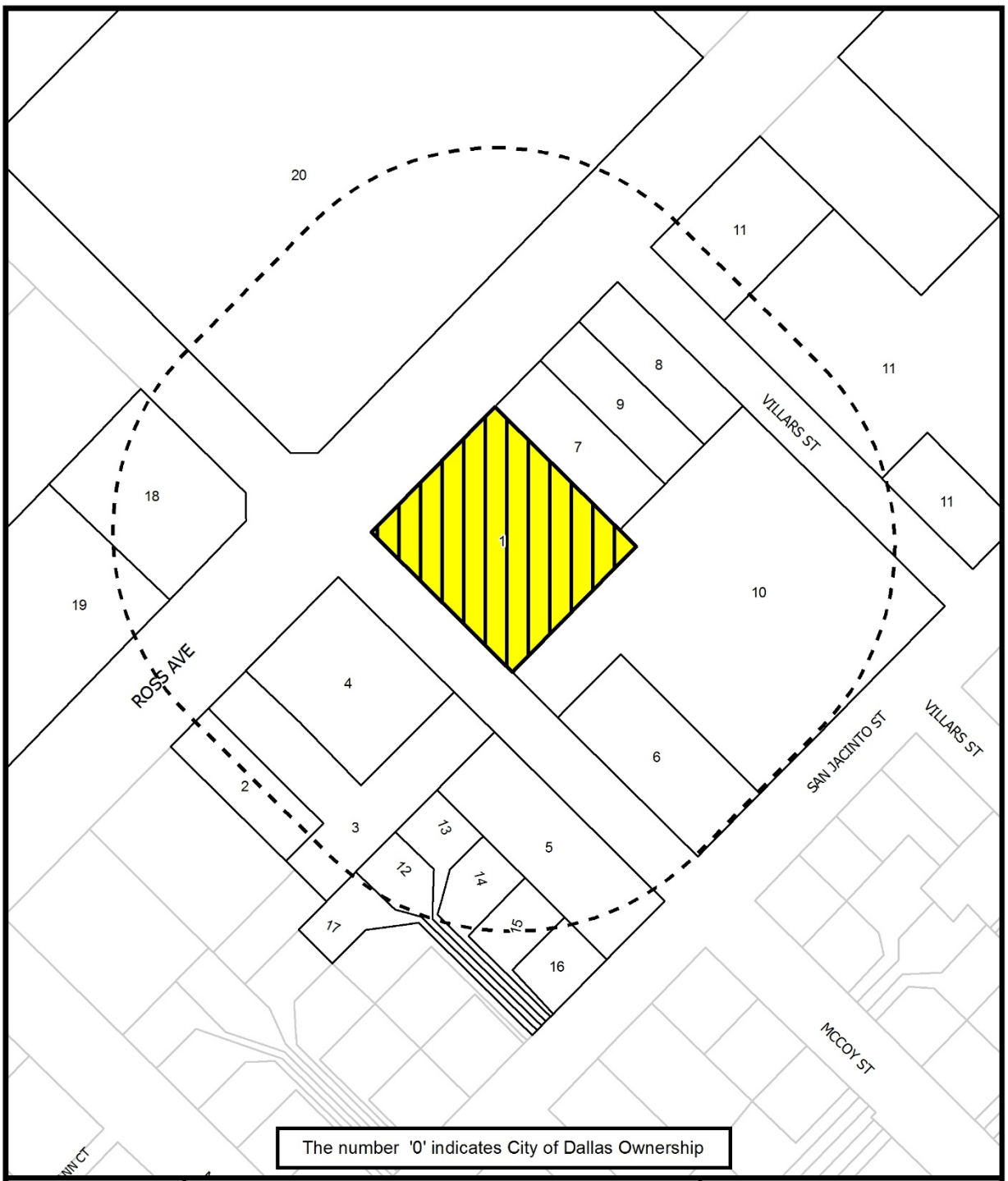
DATE:
112019

DRAWN BY:

CHECKED BY:

REVISION NUMBER

SHEET NUMBER
A2



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION

20 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA190-017

Date: 1/22/2020

01/22/2020

Notification List of Property Owners

BDA190-017

20 Property Owners Notified

Label #	*Address*		*Owner*
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