

NOTICE FOR POSTING
MEETING OF
BOARD OF ADJUSTMENT, PANEL A
TUESDAY, JUNE 23, 2020

Briefing*: **10:00 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, June 19, 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=e2261d42680c2cc26f9cee298584e371b>

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 A
TUESDAY, JUNE 23, 2020
AGENDA**

BRIEFING	Video Conference	10:00 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 May 19, 2020 Board of Adjustment Panel A Public Hearing Minutes	M1
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UNCONTESTED CASES

BDA190-028(OA)	1177 Lausanne Ave REQUEST: Application of Robert Baldwin for a variance to the front yard setback regulations	1
BDA190-036(JM)	4305 Colgate Ave REQUEST: Application of Olivia Howe for a variance to the side yard setback regulations	2

BDA190-048(OA)	1108 Quaker St REQUEST: Application of Michael Cohen for a special exception to the parking regulations	3
BDA190-052(OA)	5830 Falls Rd REQUEST: Application of Raquel Renda represented by Peter Dodd for a special exception to the fence height regulations	4
BDA190-063(OA)	5535 W Lovers Ln REQUEST: Application of Baldwin Associates for a special exception to the sign regulations	5
BDA190-067(OA)	1717 W. Mockingbird Ln REQUEST: Application of McDonalds's Corp represented by Clay Moore Engineering for a special exception to the parking regulations	6

REGULAR CASES

BDA190-044(OA)	5500 Greenville Ave REQUEST: Application of Brian Baughman for a special exception to the sign regulations	7
BDA190-061(OA)	6611 Country Club Cir REQUEST: Application of J. Anthony Sisk represented by Jeff Baron for a special exception to the fence height regulations and for a special exception to the fence standards regulations and a variance to the landscape regulations	8

HOLDOVER CASES

BDA190-043(OA)	6833 Prosper Street REQUEST: Application of Mark Brinkerhoff for a special exception to the single-family regulations, and provide an additional electrical meter	9
BDA190-046(OA)	7817 Forest Lane REQUEST: - Application of Verizon Wireless represented by Vincent Huebinger for a variance to the side yard setback regulations	10

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: BDA190-028(JM)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin of Baldwin Associates for a variance to the front yard setback regulations at 1177 Lausanne Avenue. This property is more fully described as Lots 1A, 2A, and 3A, Block 8/3826 and is zoned Conservation District No. 13 Subarea 1, which requires a front yard setback of 25 feet for accessory structures. The applicant proposes to construct a single family residential accessory structure and provide a seven-foot six-inch front yard setback, which will require a 17-foot six-inch variance to the front yard setback regulations.

LOCATION: 1177 Lausanne Avenue

APPLICANT: Rob Baldwin of Baldwin Associates

REQUEST:

A request for a variance to the front yard setback regulations of 17-feet six-inches is made to construct a one-story accessory structure to be used as an open-air pool cabana, and is proposed to be located seven-feet, six-inches from one of the site's two front property lines or 17-feet, six-inches into the 25-foot front yard setback on Olympia Drive on a site developed with a single family structure.

STANDARD FOR A VARIANCE¹:

The applicant has the burden of proof in establishing the following standards have been met in consideration of granting the above request.

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:

1. 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;
2. 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

¹ Reference Section 51(A)-3.102(d)(10) of the Dallas Development Code.

developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

3. 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 zoned CD 13 given its slope, its irregular shape, and restrictive area caused by it having two front yard setbacks. The subject site has a number of physical site constraints that preclude the applicant from developing it in a manner commensurate with development found on other similarly zoned CD 13 properties that are flat, rectangular in shape, and with one front yard setback.
- Staff concluded that the applicant has shown by submitting a document indicating among other things that many other properties are able to maintain accessory structures; therefore, the request is commensurate to that what is found on 29 other properties in the same CD 13 zoning district.
- Granting the variance would not be contrary to public interest if the board imposes the submitted site plan as a condition since the features on this plan represent the only new structure to be located in the front yard setback is a one-story accessory structure to be used as an open-air pool cabana, and is proposed to be located seven feet, six inches from one of the site's two front property lines or 17-feet six-inches into the 25-foot front yard setback on Olympia Drive on a site developed with a single family structure.

BACKGROUND INFORMATION:

Zoning:

Site: CD 13, Subarea 1 (Kessler Park Conservation District)

North: CD 13, Subarea 1 (Kessler Park Conservation District)

East: CD 13, Subarea 1 (Kessler Park Conservation District)

South: CD 13, Subarea 1 (Kessler Park Conservation District)

West: CD 13, Subarea 1 (Kessler Park Conservation District)

Land Use:

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

Zoning/BDA History:

There have been two related board or zoning cases near the subject site within the last five years.

1. BDA 178-030, On March 19, 2018, the Board of Adjustment Panel C granted a request for a variance to the front yard setback regulations of 11 feet, three inches. The case report stated the request was made to construct and maintain a “ventless firebox” and “planter/retaining wall” structures on a property developed with a single family home, which, according to the submitted revised site plan, would be located as close as 20 feet three inches from the front property line along Olympia Drive, or as much as 11 feet three inches into the 31-foot six-inch front yard setback.
Property at 1520 Olympia Drive (adjacent to the west of the subject site)
2. BDA 167-009, January 17, 2017, the Board of Adjustment Panel C granted a request for a variance to the front yard setback regulations of 74 feet, seven inches, made to construct and maintain a fountain structure and fence on a property developed with a single family home, which, according to the submitted site plan, would be located five feet from one of the site’s two front property lines (Olympia Drive) or 69 feet five inches into the 74-foot seven-inch front yard setback along Olympia Drive.
Property at 1545 W. Colorado Boulevard (Property located within the cul-de-sac, west of the subject site)

GENERAL FACTS /STAFF ANALYSIS:

The request for variance for a variance to the front yard setback regulations of 17-feet six-inches is made to construct a one-story accessory structure to be used as an open-air pool cabana, and is proposed to be located seven feet, six inches from one of the site’s two front property lines or 17-feet six-inches into the 25-foot front yard setback on Olympia Drive.

The subject site is developed with a single family structure containing approximately 6,358 square feet of living area with a 540-square-foot basement erected in 1925, and accessory structures including a two-story, 972-square-foot detached garage with a 720-

square-foot attached quarters, a 324-square-foot carport, and a swimming pool, per DCAD. The property is zoned Subarea 1 within CD 13, the Kessler Park Conservation District. Overall, lots in CD 13, Subarea 1 vary in size and shape, a quality that allowed for the preservation of the natural topography of the area, according to a letter submitted by the representative (Attachment A).

CD 13 states that for corner lots, the minimum front yard must equal that of the front yard of the house on the contiguous lot. In this case, the lot to the west of the subject site is fronting along Olympia Drive causing the area of request to require a front yard setback of 31-feet six-inches. Prior to the creation of CD 13 in 2005, the subject site and surrounding properties had been zoned an R-7.5(A) Single Family District where the front yard setback is 25 feet. Additionally, the rounded triangular lot has frontage along the transition from West Colorado Boulevard into Lausanne Avenue, and along Olympia Drive. Both lot frontages are considered front yards, since the code states that if a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets². Finally, CD 13 states that for accessory structures in a front yard, the required setback is 25 feet.

The applicant submitted a comparison table of 29 other nearby properties that appear to be in CD 13 (Attachment A). This table represents that the other properties also maintain a variety of accessory structures; however, the location of the structures was not apparent. Additional information provided describes Kessler Park as, “an area of north Oak Cliff that has topography and mature trees. The streets have gradual curves, which create some irregular corner lots, especially in Subarea 1.”

The site experiences the greatest topography along the Olympia Drive street frontage, the location of the proposed pool cabana encroaching into the required front yard. The lot is irregular, with a rounded triangular shape, and according to the application, is 0.83 acres or 36,154 square feet in size. Lots in CD 13 vary in size significantly. Prior to the creation of CD 13 in 2005, the subject site and surrounding properties had been zoned an R-7.5(A) District where the typical lot size is 7,500 square feet.

As of June 12, 2020, six letters in support and no letters in opposition to the request had been received.

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

² Reference Section 51(A)-4.401(a)(5) of the Dallas Development Code.

enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

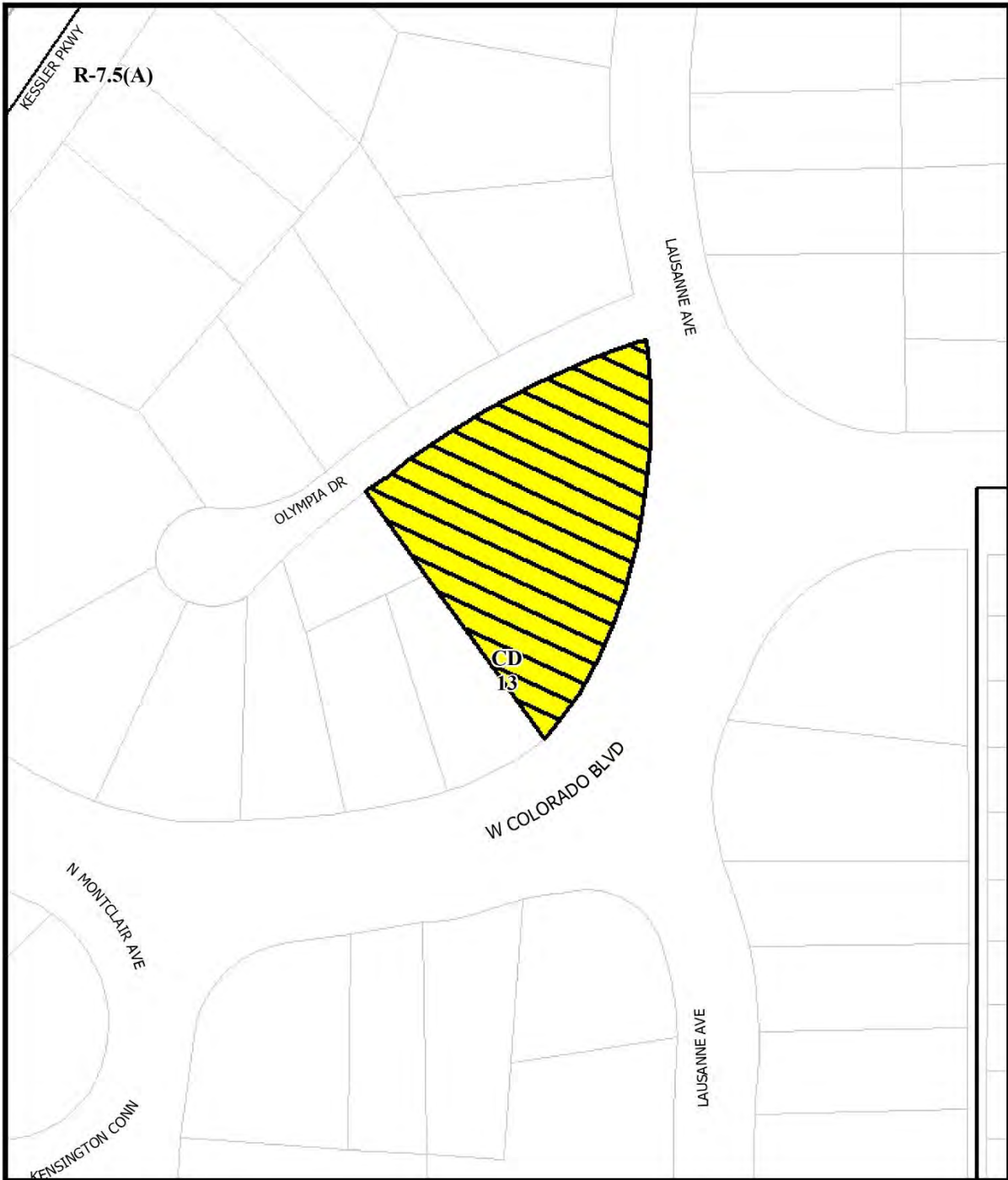
- The variance to front yard setback regulations are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same CD 13 zoning classification.
- The variance to front yard setback regulations 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 CD 13 zoning classification.

If the board were to grant the request, imposing a condition whereby the applicant must comply with the submitted site plan, the structures in the front yard setback would be limited to that what is shown on this plan – an open-air pool cabana located seven-feet six-inches from the front property line along Olympia Drive.

Timeline:

- January 17, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- February 11, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.
- February 14, 2020: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative 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 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.”

- 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 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 Chief Planner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer.
- March 5, 2020: The representative submitted an additional evidence regarding the neighborhood and request (Attachment A).
- March 15, 2020: March BDA hearings were cancelled due to the emergency declaration.
- June 4, 2020: Delayed cases scheduled for June hearing dates. Applicants advised of the June 12th deadline to submit documentary evidence and the June 19th deadline to register to speak at the virtual hearing.
- No review comment sheets were submitted in conjunction with this application.

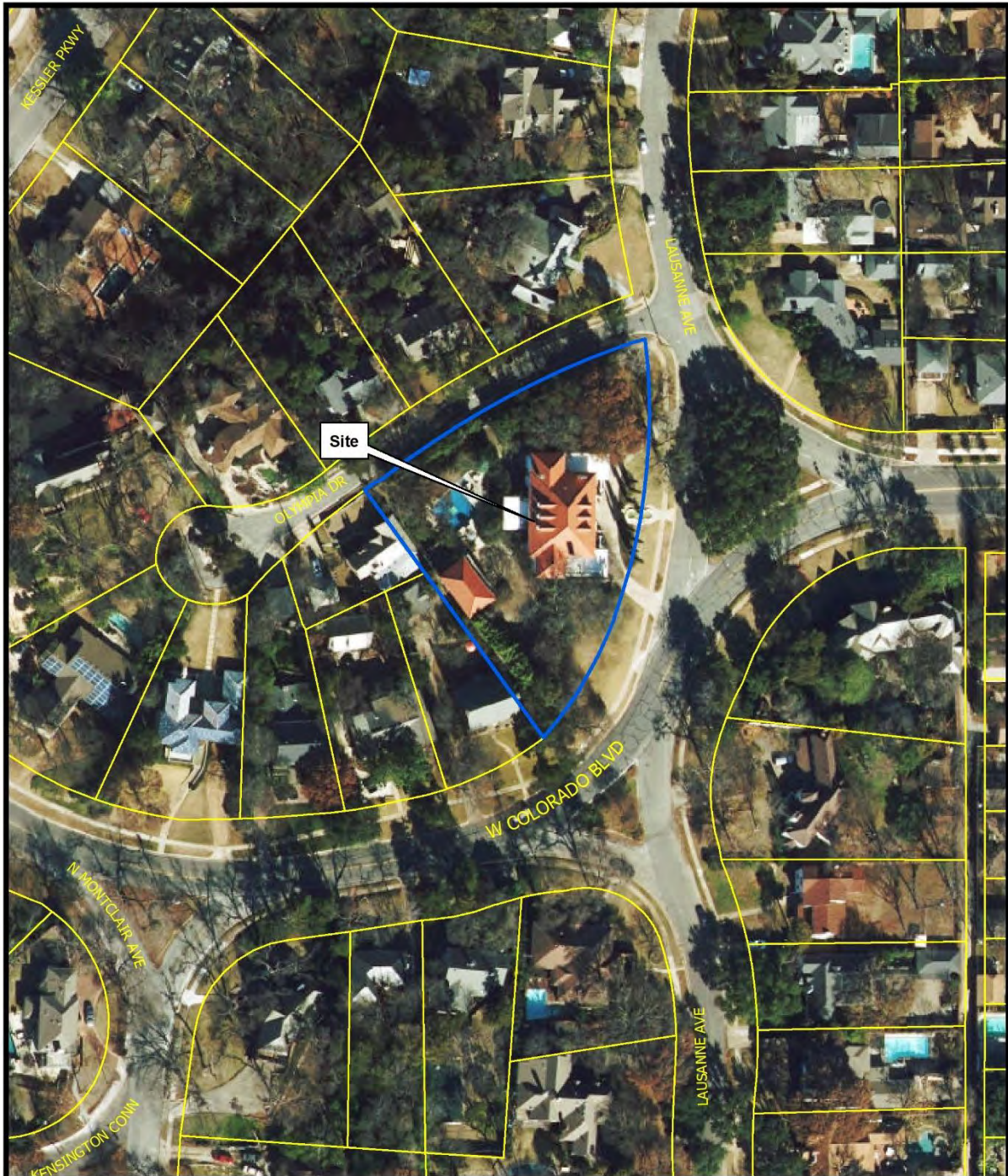


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ZONING MAP

Case no: BDA190-028

Date: 2/21/2020



1:1,200

AERIAL MAP

Case no: BDA190-028

Date: 2/21/2020



RECEIVED
JAN 17 2020
BY:

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-028

Date: 1-17-20

Data Relative to Subject Property:

Location address: 1177 Lausanne Ave Zoning District: CD-13

Lot No.: 1A, 2A, 3A Block No.: 8/3826 Acreage: 0.83 acres Census Tract: 44.00

Street Frontage (in Feet): 1) 224.81 ft 2) 314.79 ft 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Marshall Adam and Ashley Renee Spears

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 X, or Special Exception _____, of 176" ~~144"~~ to the required ^{25"} ~~24"~~ front yard setback along Olympia Drive
(cabana to provide 7'6" setback)

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The subject property is a corner lot with two front yards, somewhat triangular in shape, and is somewhat sloped. The single family structure was constructed in 1925 according to DCAD. The area west of the single family structure functions as the backyard. The proposed cabana will be screened by the existing solid wall with dense landscaping from the street and neighboring property and not adversely impact surrounding properties.

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

Affidavit

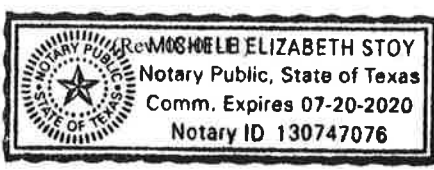
Before me the undersigned on this day personally appeared Robert Baldwin
(Affiant/Applicant's name printed)

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

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

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



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Robert Baldwin

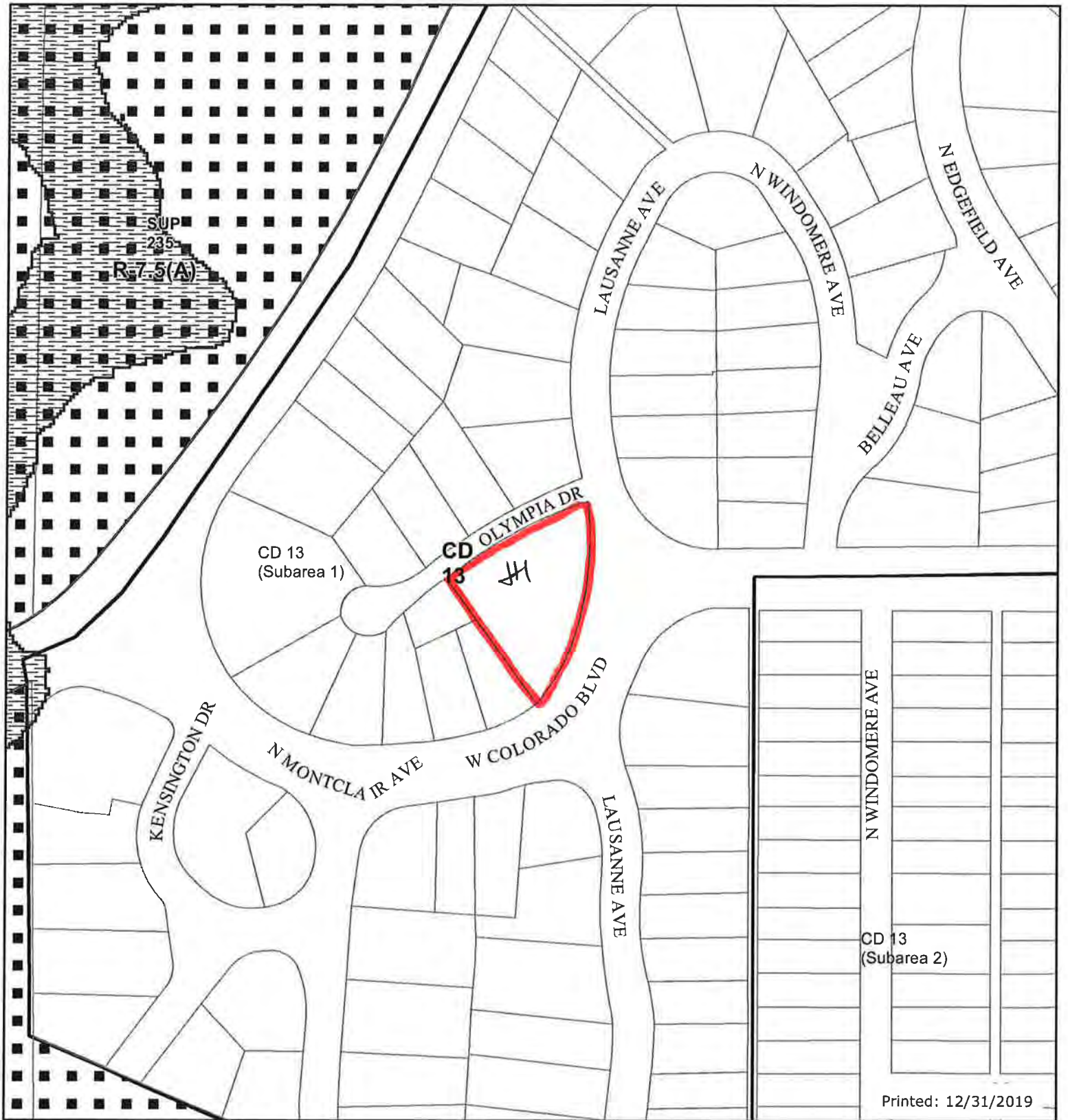
did submit a request for a variance to the front yard setback regulations
at 1177 Lausanne Avenue

BDA190-028. Application of Robert Baldwin for a variance to the front yard setback regulations at 1177 LAUSANNE AVE. This property is more fully described as Lot 1A,2A,3A, Block 8/3826, and is zoned CD-13 Subarea 1, which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential accessory structure and provide a 7 foot 6 inch front yard setback, which will require a 17 foot 6 inch variance to the front yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official





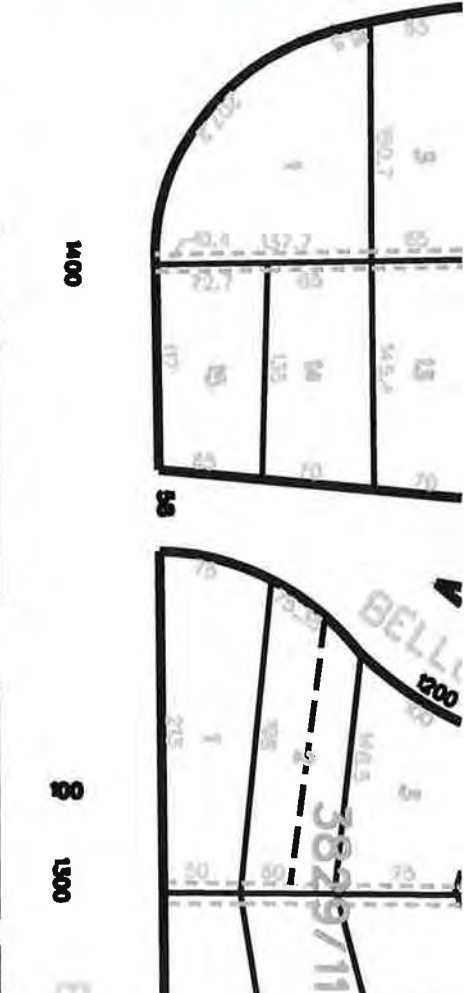
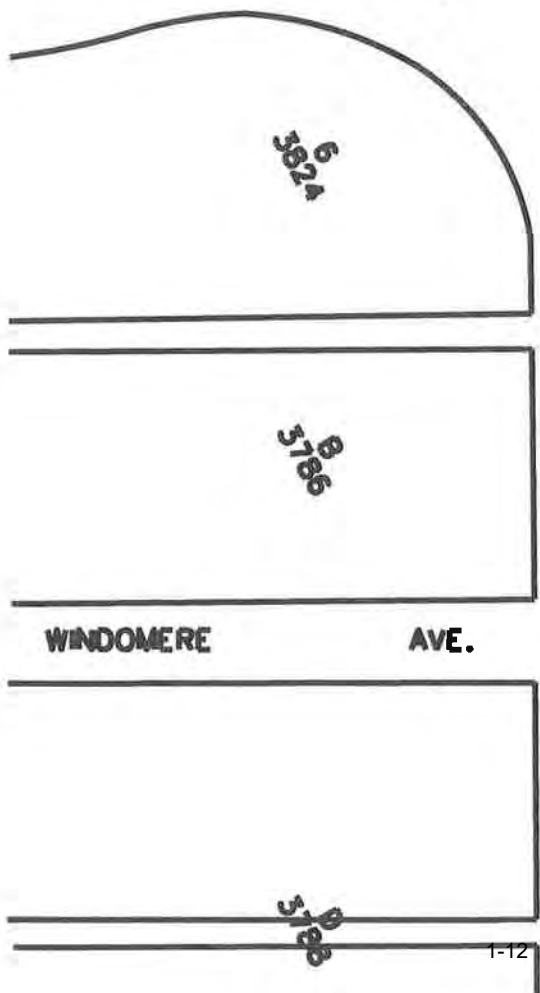
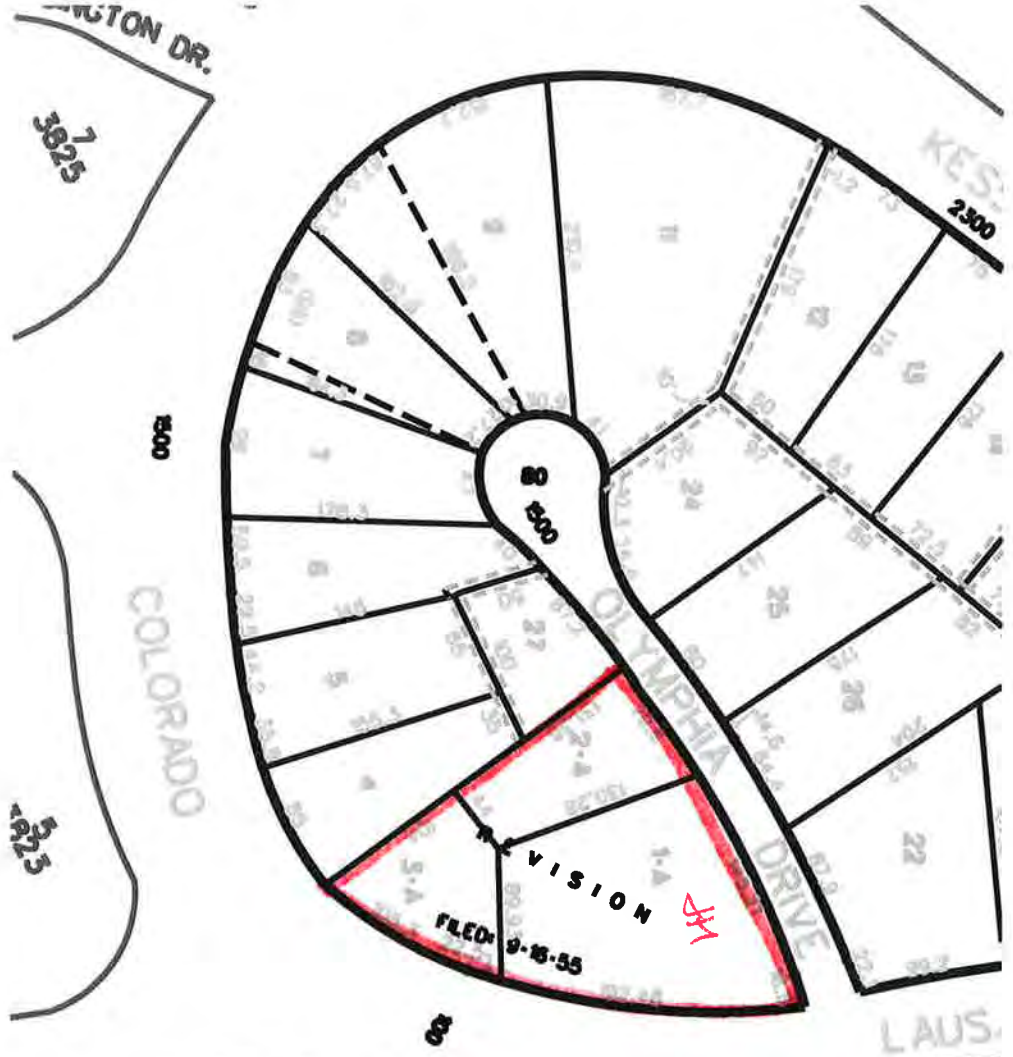
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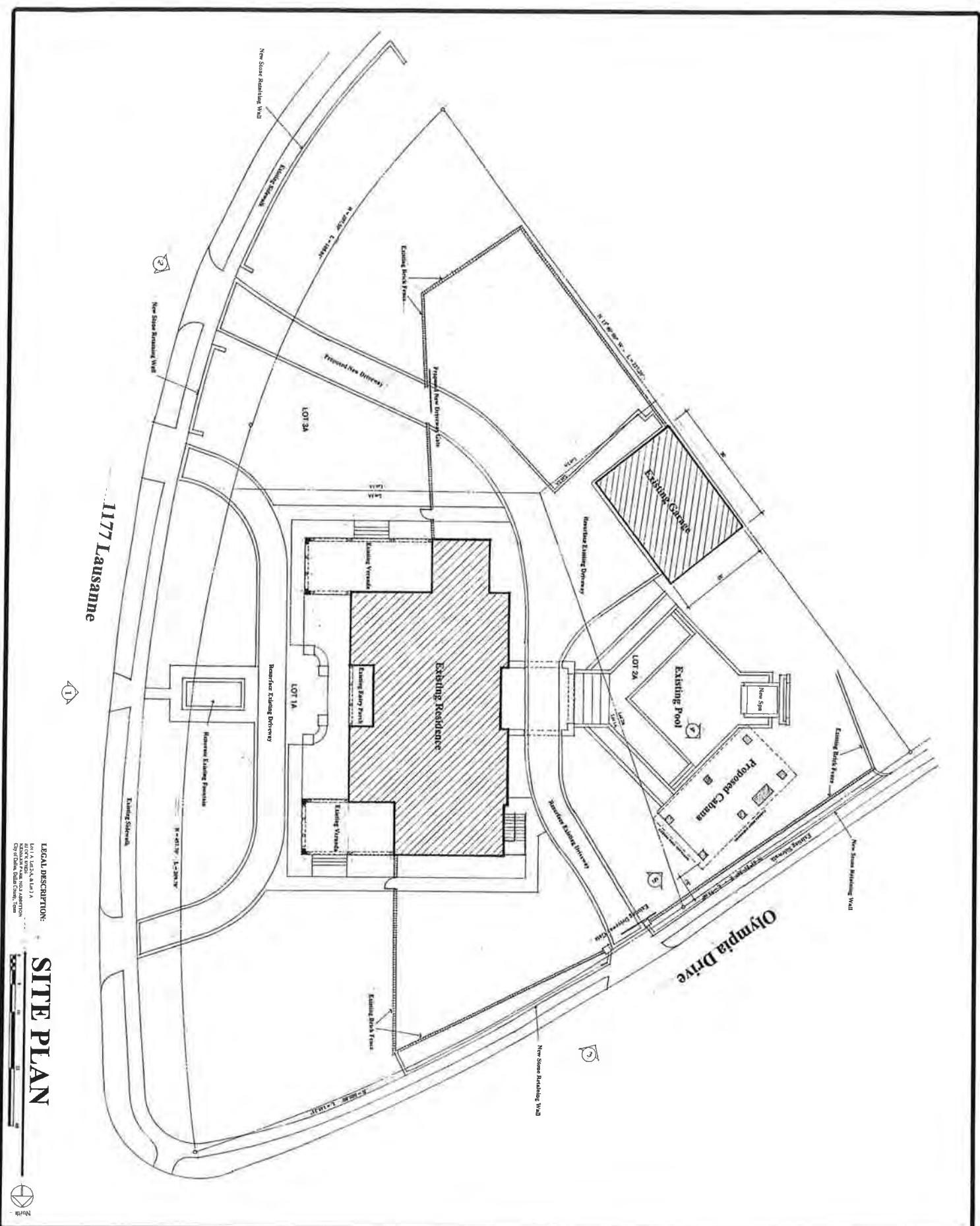
Legend

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

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)







1177 Lausanne

Olympia Drive

LEGAL DESCRIPTION:
 LOT 1 A, MAP 24, A.D. 173 A
 NAD 83, 43° 48' 00" NORTH
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

SITE PLAN

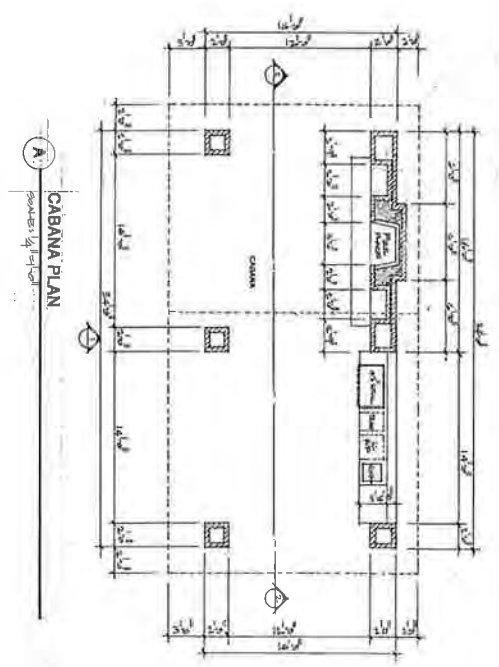


A Residential Renovation for
Adam & Ashley Spears
 1177 Lausanne A | Dallas, Texas

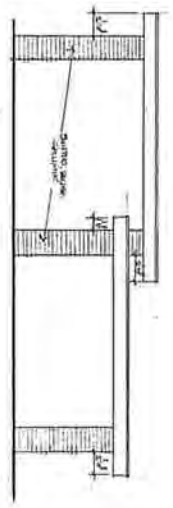
Don Wheaton Architects
 801 South Bowen Road - Suite 102
 Arlington, Texas 76013
 817-792-2071

NO.	REVISION	DATE

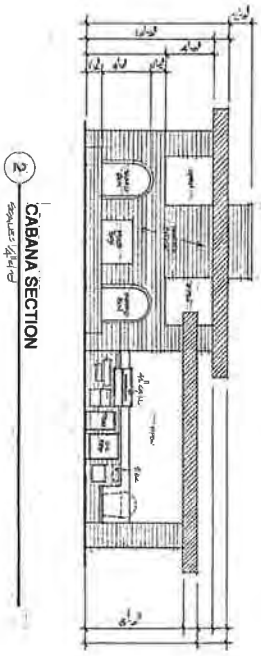
NO.	REVISION	DATE



A
CABANA PLAN
SECTION A-A



1
CABANA ELEVATION FROM POOL



2
CABANA SECTION

NO.	REVISION

Don Wheaton Architects
 801 South Bowen Road - Suite 102
 Arlington, Texas 76013
 817-992-2071

A Residential Renovation for:
Adam & Ashley Spears
 1177 Lantana Avenue Dallas, Texas

NO.	REVISION



March 5, 2020

Jennifer Munoz
Board Administrator
City of Dallas – Board of Adjustment
1500 Marilla 5BN
Dallas, TX 75201

RE: BDA 190-028 variance request, 1177 Lausanne Avenue

Dear Mrs. Munoz,

Our firm is helping the property owner with their request to the City of Dallas to allow for a variance to the front yard setback requirements along Olympia Drive. The property is a corner lot with two front yard setbacks per CD 13. The owners are proposing to build a cabana next to the existing pool in the back yard that will be screened by the existing solid wall and dense landscaping. The proposed cabana will provide a 7'6" setback instead of a 25' setback the CD 13 zoning requires for accessory structures. Kessler Park was zoned R-7.5(A) prior to the CD zoning, but the lot sizes vary from below R-7.5(A) typical lot standards to larger lots which often contain homes that are more distinguished, larger homes. CD 13 is also one of the conservation districts that has a demolition standard that limits which structures can be demolished, controlled by the structure's DCAD value.

This is a variance request which requires demonstration of property hardship, that the request is not self-created, and not contrary to the public interest. CD 13, the Kessler Park Conservation District, was established in 2004 and covers 410 acres of land and over 800 homes. The subject property is Subarea 1 of this Conservation District. Kessler Park is an area of north Oak Cliff that has topography and mature trees. The streets have gradual curves, which create some irregular corner lots, especially in Subarea 1.

The subject property is a triangular lot with rounded lines along *three* street frontages, which is not typical of most residential lots. The northern street, Olympia Drive, is a cul de sac. Lausanne Avenue intersects with Colorado Boulevard and Colorado curves around the block to the west of the subject property.

The subject property's home was constructed in 1925 and provides a 40-foot setback along Lausanne to the main facade of the home, with porches at each end providing approximately 34-foot setbacks. The Olympia setback is 39 feet. The placement of the main structure leaves an irregularly shaped "back yard" for accessory structures and enjoyment of the property for the owners. The existing accessory structures include a detached garage and swimming pool. An area south of the garage is planned for a children's play area. The proposed cabana is planned adjacent to the swimming pool. The location is proposed to be the least intrusive for the surrounding properties, by being situated closer to the home and screened by the existing solid fencing and landscaping.

A brief survey of properties in Subarea 1 of CD 13 found that many properties contain detached structures, similar to the subject property. Most homes were constructed prior to 1950 and on average built around 1934. Lot sizes are often much larger than a typical R-7.5(A) lot, sometimes due to the street geometry. Corner lots are listed in bold. The survey shows that most homes have accessory structures commensurate with the subject property. Viewing the homes with double frontage on Olympia and Colorado Boulevard, at least one or more appears to not to have a 25-foot setback for the accessory structures fronting on Olympia. One or more of these homes may have received variances for these structures.

<u>Address</u>	<u>Home year built</u>	<u>Accessory structure</u>
1527 W Colorado	1927	Detached garage
1533 W Colorado	1930	Detached garage
1545 W Colorado	1927	Detached quarters
1553 W Colorado	1958	Pool
1525 Olympia	1928	Detached quarters, detached garage
2322 Kessler	1945	Carport, pool
2316 Kessler	1954	
2310 Kessler	1937	Detached garage, outdoor living area
2302 Kessler	1940	
1217 Lausanne	1927	Detached garage, pool
1511 Olympia	1934	Detached garage
1517 Olympia	1925	
1523 Olympia	1940	
1414 W Colorado	1931	Detached garage, pool
1134 Lausanne	1936	Detached quarters
1133 Lausanne	1940	Detached garage, pool
1123 Lausanne	1924	Pool
1109 Lausanne	1928	Detached garage, storage buildings, pool, cabana
1203 Lausanne	1928	
1212 Lausanne	1959	Detached garage
1224 Lausanne	1938	Detached garage, pool
1228 Lausanne	1936	Pool
1232 Lausanne	1935	
1234 Lausanne	1926	Detached garage, pool
1235 Lausanne	1929	Detached garage, detached quarters, pool, cabana, carport
1241 Lausanne	1929	Carport, storage building
1344 N Windomere	1928	Detached garage, cabana, pool
1340 N. Windomere	1924	Detached garage, pool

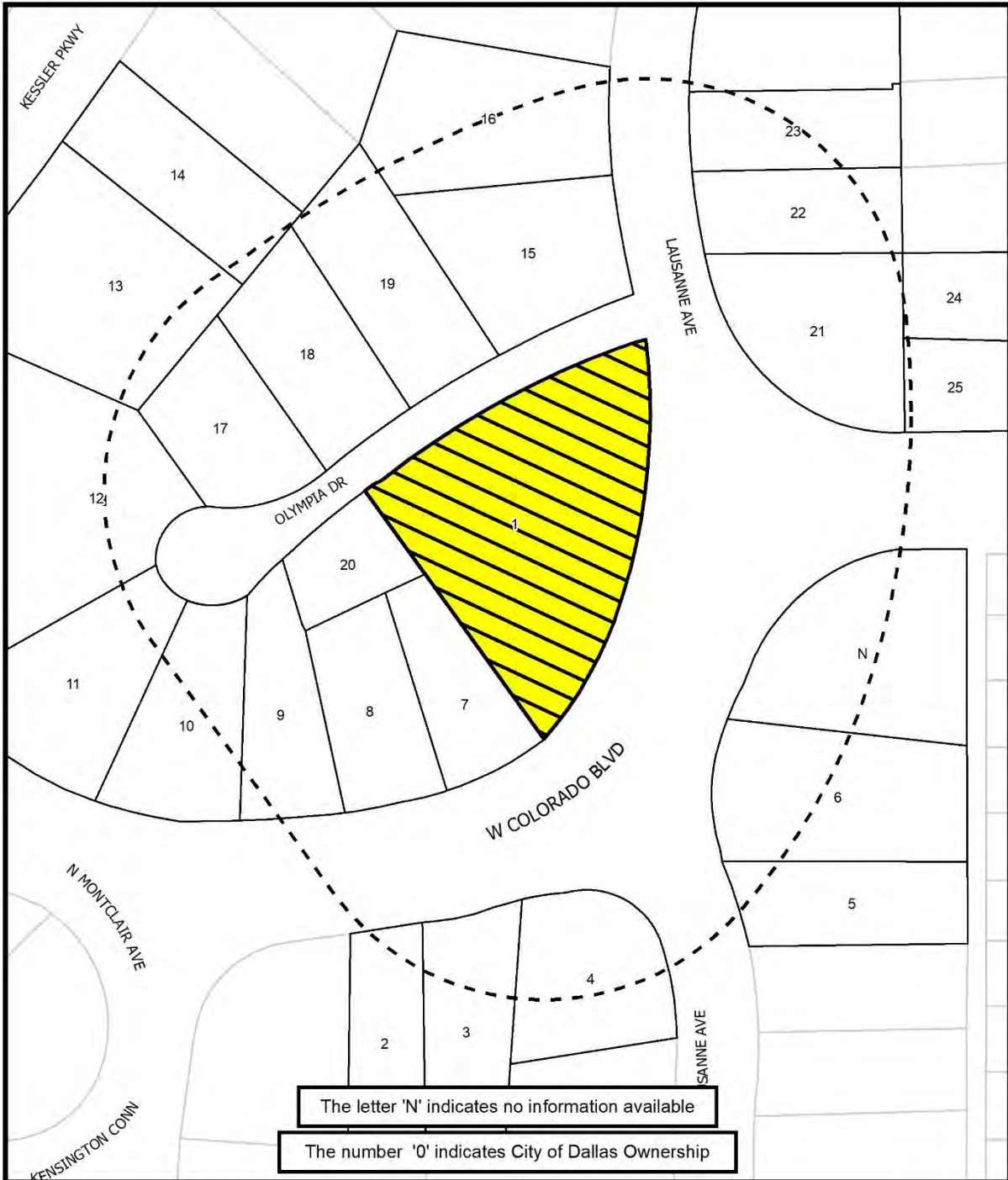
We hope you will find this additional information to support the proposed development is commensurate with properties in the same zoning district, that the property is irregularly shaped, somewhat sloped, and not a self created hardship. The proposed location of the cabana is the best location in the public interest, especially for the interest of the surrounding property owners. We have

contacted surrounding property owners and have received support from a few neighbors. The homeowners have also had conversations with the surrounding owners to explain the request and answer any questions.

We hope staff can support this request. Please do not hesitate to contact me if I can be of further assistance.

With warm regards,

Rob Baldwin




 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
25 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA190-028
 Date: 2/21/2020

02/20/2020

Notification List of Property Owners

BDA190-028

25 Property Owners Notified

<i>Label#</i>	<i>Address</i>	<i>Owner</i>
1	1177 LAUSANNE AVE	SPEARS MARSHALL ADAM &
2	1518 W COLORADO BLVD	NANCE MICHAEL W
3	1510 W COLORADO BLVD	COLLIN ROBERT R III &
4	1133 LAUSANNE AVE	KING SCOTT E & VALARIE J
5	1126 LAUSANNE AVE	DENTON TROY NORWOOD & ANGELA INZANA
6	1134 LAUSANNE AVE	KELLEHER JOHN & JANET
7	1527 W COLORADO BLVD	SALINAS SANTIAGO
8	1533 W COLORADO BLVD	SCHWEGMANN CHRISTOPHER J & SHELBI L
9	1541 W COLORADO BLVD	SMITH CYNTHIA CARPENTER
10	1545 W COLORADO BLVD	ANDERSON MARK & BETH
11	1553 W COLORADO BLVD	LINIADO MARKE & AMY
12	1525 OLYMPIA DR	GOSSARD WAYNE H
13	2322 KESSLER PKWY	ROACH PAUL ALTON & RHONDA ELAINE HARRIS
14	2316 KESSLER PKWY	MELNICK SUSAN L &
15	1203 LAUSANNE AVE	LEE GEORGE T JR & NATALIE
16	1209 LAUSANNE AVE	ROWE VINCE &
17	1523 OLYMPIA DR	CHARHON DEVIN DAVID &
18	1517 OLYMPIA DR	STUNDINS KARL A
19	1511 OLYMPIA DR	DUGGER SCOTT O & RHONDA
20	1520 OLYMPIA DR	MOORE WINFIELD &
21	1212 LAUSANNE AVE	ALDERS RICHARD W &
22	1216 LAUSANNE AVE	WALKER MARK A & WENDY S
23	1220 LAUSANNE AVE	INGLIS PAMELA
24	1207 N WINDOMERE AVE	KUCHARSKI ROBERT
25	1203 N WINDOMERE AVE	VUONG NICHOLAS M

FILE NUMBER: BDA190-036(JM)

BUILDING OFFICIAL'S REPORT: Application of Olivia Howe for a variance to the side yard setback regulations at 4305 Colgate Avenue. This property is more fully described as Lot 34, Block 3/5631, and is zoned an R-7.5(A) Single Family District, which requires a side yard setback of five feet. The applicant proposes to construct and maintain a single family residential accessory structure and provide a three-foot side yard setback, which will require a two-foot variance to the side yard setback regulations.

LOCATION: 4305 Colgate Avenue

APPLICANT: Olivia Howe

REQUEST:

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

STANDARD FOR A VARIANCE¹:

The applicant has the burden of proof in establishing the following standards have been met in consideration of granting the above request.

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:

1. 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;
2. 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

¹ Reference Section 51(A)-3.102(d)(10) of the Dallas Development Code.

developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

3. 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 applicant has shown (Attachment A) that a literal enforcement of this chapter would result in unnecessary hardship.
- According to the letter provided by the applicant (Attachment A), the subject site is unique and different from most lots zoned an R-7.5(A) Single Family District due to the restrictive area of the lot. Otherwise, the lot is flat and rectangular in shape.
- Granting the variance would not be contrary to public interest if the board imposes the submitted site plan as a condition since the features on this plan represent the only new structure to be located in the side yard setback is a two-story accessory structure proposed to be located three feet from southwest side property line or two feet into the five-foot side yard setback on a site developed with a single family structure.

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 and properties to the east, west, and south are developed with single family uses. The property to the north is developed with a church and private school.

Zoning/BDA History:

There have been no board cases and one zoning case recorded either on or in the immediate vicinity of the subject site.

1. **Z178-358:** On April 22, 2020, the City Council approved Planned Development District No. 1025 for mixed uses on property zoned Planned Development District No. 314, an MF-1(A) Multifamily District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1172, located on the north side of Colgate Avenue, between Lomo Alto Drive and Douglas Avenue. *Across Colgate Avenue from the subject site.*

GENERAL FACTS /STAFF ANALYSIS:

The purpose of this request for variance to the side yard setback regulations of two feet is to complete and maintain an accessory structure located three feet from the site's southwest side property line, as shown in the submitted site plan. According to permit records, a permit for new construction was made on March 5, 2019. The application was subsequently cancelled and the new 998-square-foot, two-story accessory structure was erected on the existing slab.

The subject lot is 8,281 square feet in area, is rectangular in shape, and is relatively flat. The R-7.5(A) District requires a minimum lot area of 7,500 square feet. The applicant provided a list of comparative properties zoned an R-7.5(A) District and ranging in size from 9,108 to 20,386 square feet with an average of 13,483 square feet (Attachment A). Additional information found in this letter included a history of the redevelopment of the accessory structure, a garage. A contractor was hired to reconstruct the garage on the existing foundation and add a second story; however, the existing garage slab was allowed to maintain less than a five-foot side yard when it met the side yard provisions for accessory structures requiring the structure to be less than 15 feet-in-height and located within the rear 30 percent of the lot². The reconstructed garage could not maintain the three-foot side yard with the excess height created by the second story of the garage. The reconstructed two-story garage is approximately 24 feet-in-height.

As of June 12, 2020, 10 letters in support and none in opposition to the request had been received.

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

- That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this

² Reference Section 51(A)-4.402(b)(3) of the Dallas Development Code.

chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

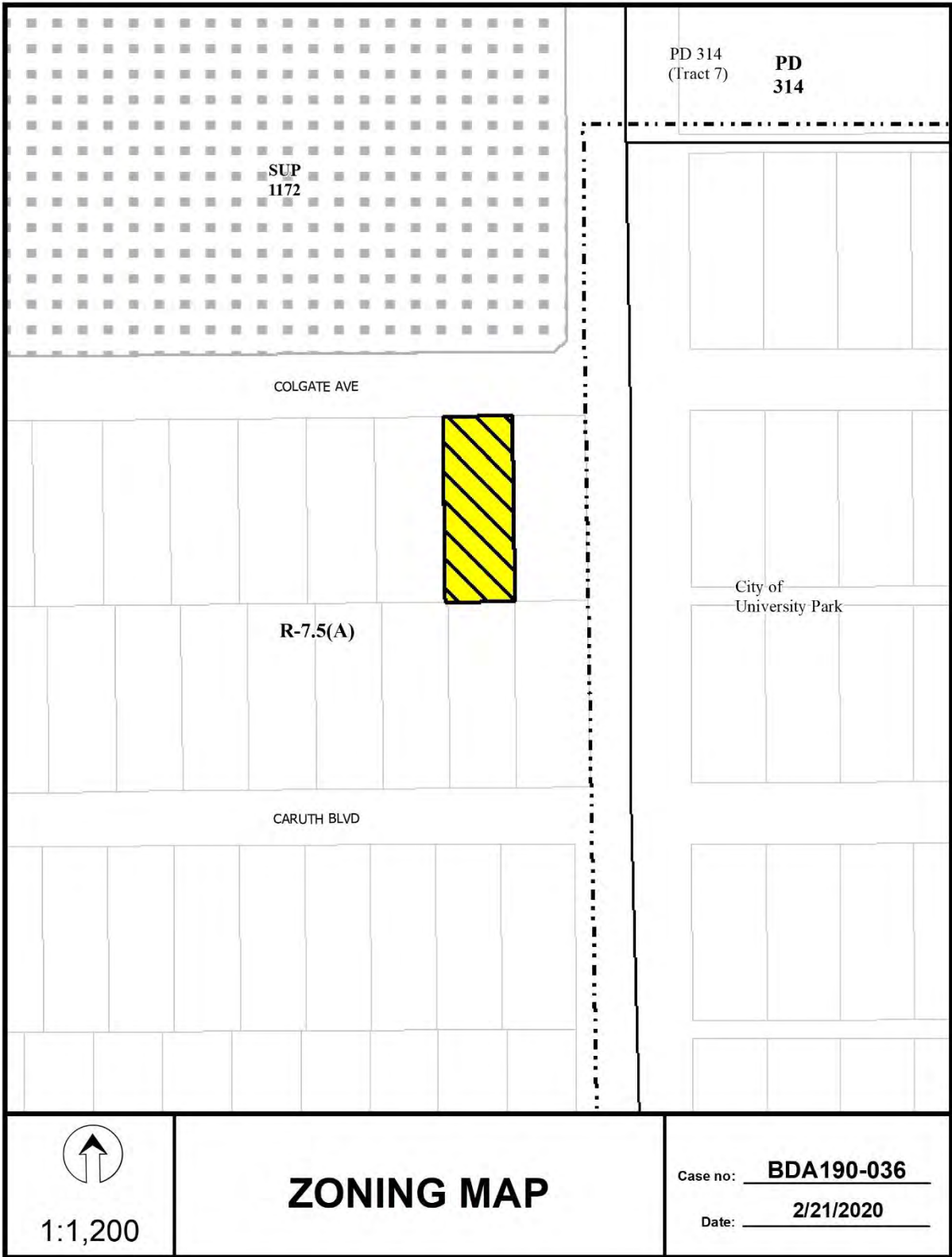
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.

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

Timeline:

- January 24, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- February 11, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.
- February 14, 2020: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative 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 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.”

- 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 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 Chief Planner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer.
- February 24, 2020: The applicant submitted additional evidence regarding the request and a comparison to other similarly zoned properties (Attachment A) along with an engineering statement and other letters (Attachment B).
- March 15, 2020: March BDA hearings were cancelled due to the emergency declaration.
- June 4, 2020: Delayed cases scheduled for June hearing dates. Applicants advised of the June 12th deadline to submit documentary evidence and the June 19th deadline to register to speak at the virtual hearing.
- No review comment sheets were submitted in conjunction with this application.



PD 314
(Tract 7)

**PD
314**

SUP
1172

COLGATE AVE



R-7.5(A)

CARUTH BLVD

City of
University Park

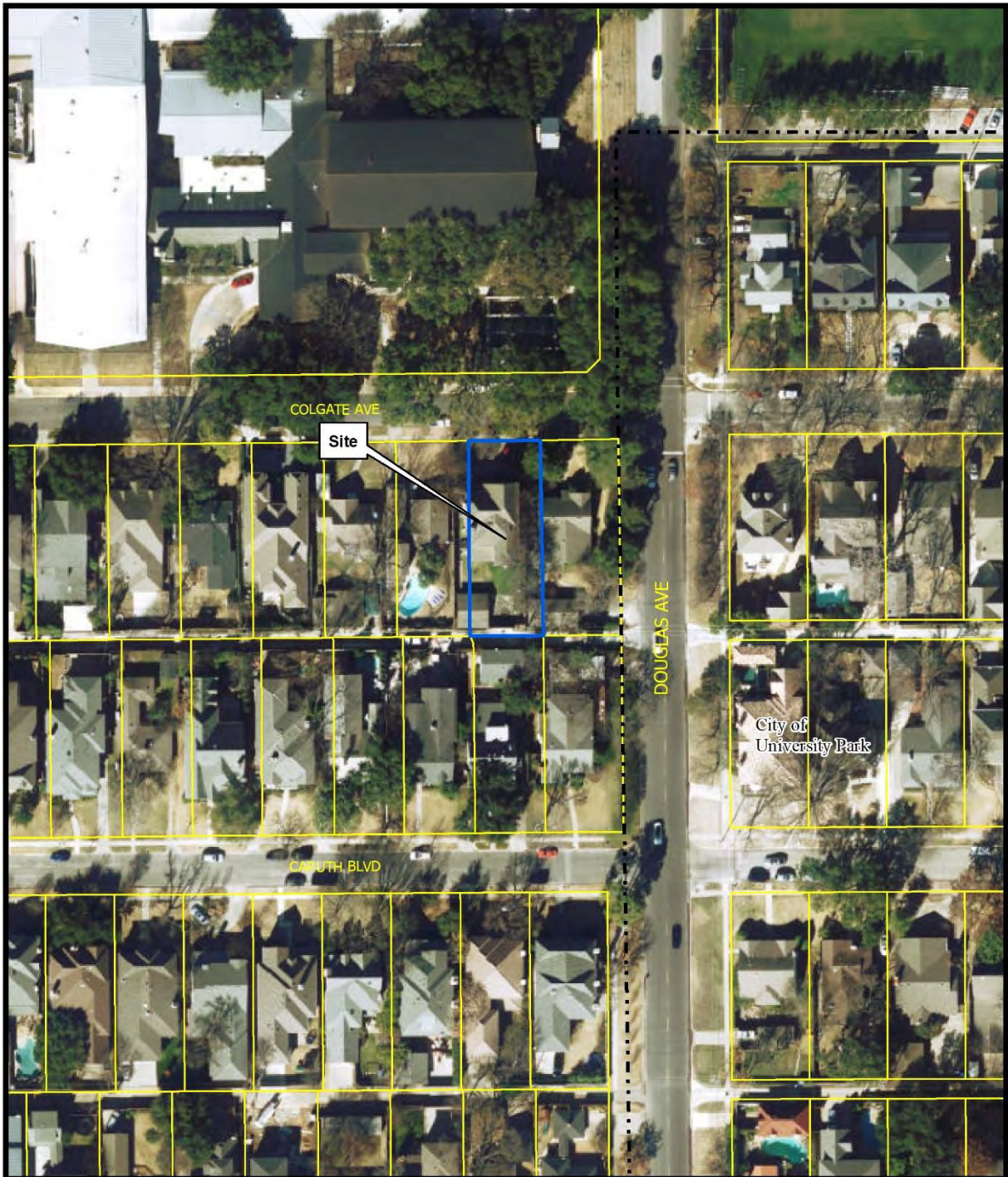


1:1,200

ZONING MAP

Case no: **BDA190-036**

Date: **2/21/2020**



1:1,200

AERIAL MAP

Case no: BDA190-036

Date: 2/21/2020

RECEIVED
JAN 24 2020
BY:



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-036

Date: ~~1/11/20~~ 1-24-20

Data Relative to Subject Property:

Location address: 4305 Colgate Avenue Zoning District: R-7.5(A)

Lot No.: 34 Block No.: 35631 Acreage: 0.1901 Census Tract: 73.01

Street Frontage (in Feet): 1) 54 ft 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Bart Howe and Olivia Howe

Applicant: Olivia Howe Telephone: 214-803-4114

Mailing Address: 4305 Colgate Avenue Zip Code: 75225

E-mail Address: Olivia.Dianne@gmail.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 Side yard
Set back to build on existing structure. It will be an accessory
structure for a home office over the detached garage. The variance would
be 22 inches

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The variance is not contrary to public interest and would require only a modest
variance of 22 inches for the accessory structure alone. Further, the parcel of
land is smaller than many nearby parcels in the same zoning and thus
cannot be developed commensurate with them. Finally, the variance is not
sought for a self-created or personal hardship.

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.

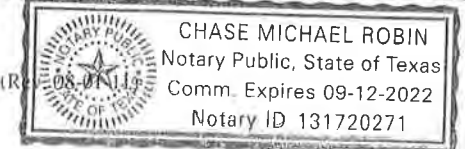
Affidavit

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

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

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

Subscribed and sworn to before me this 21 day of January, 2020



Notary Public in and for Dallas County, Texas

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

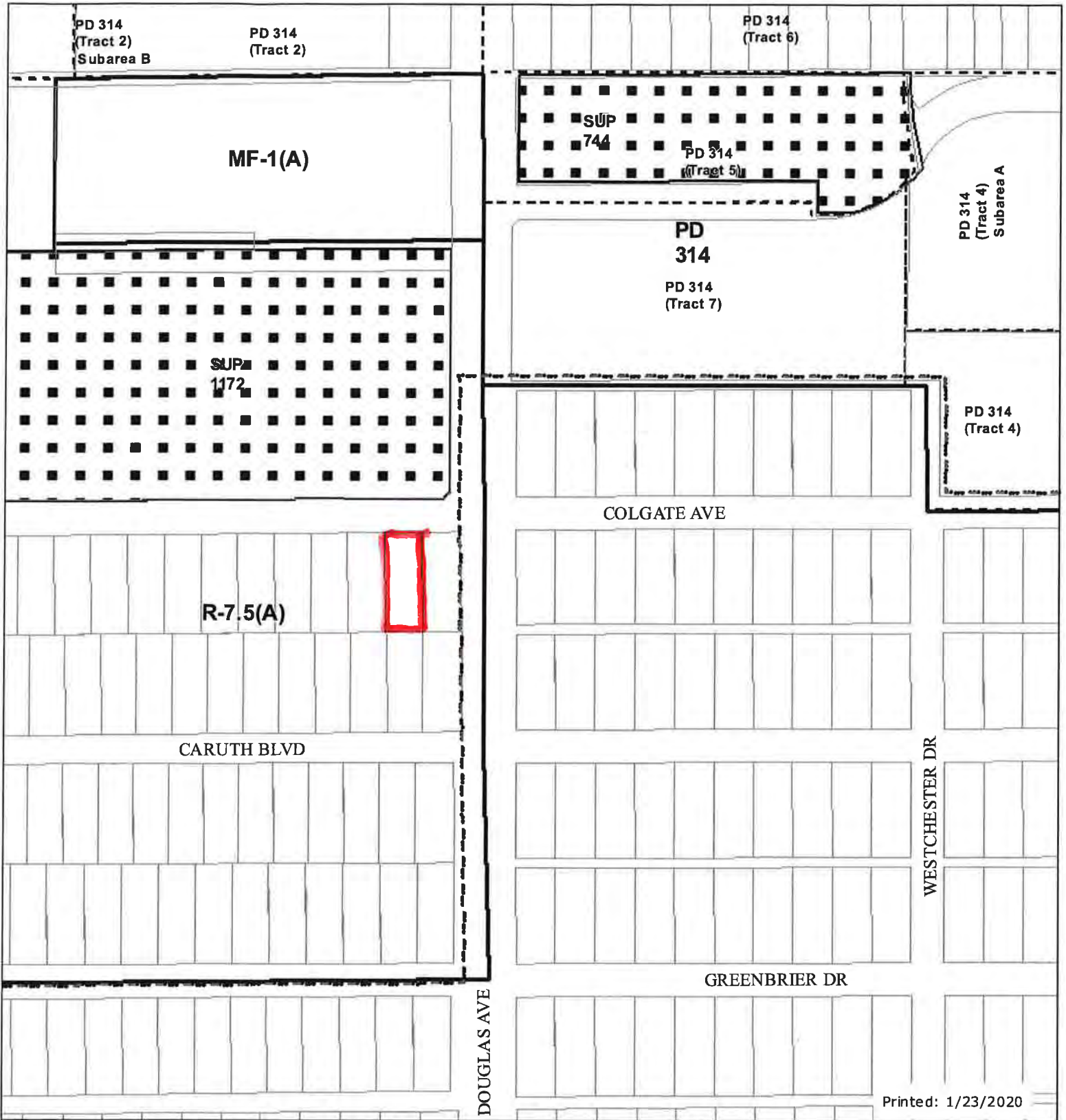
I hereby certify that Olivia Howe

did submit a request for a variance to the side yard setback regulations
at 4305 Colgate Avenue

BDA190-036. Application of Olivia Howe for a variance to the side yard setback regulation at 4305 COLGATE AVE. This property is more fully described as Lot 34, Block 3/5631, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a single family residential accessory structure and provide a 3 foot side yard setback, which will require a 2 foot variance to the side yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 1/23/2020

Legend

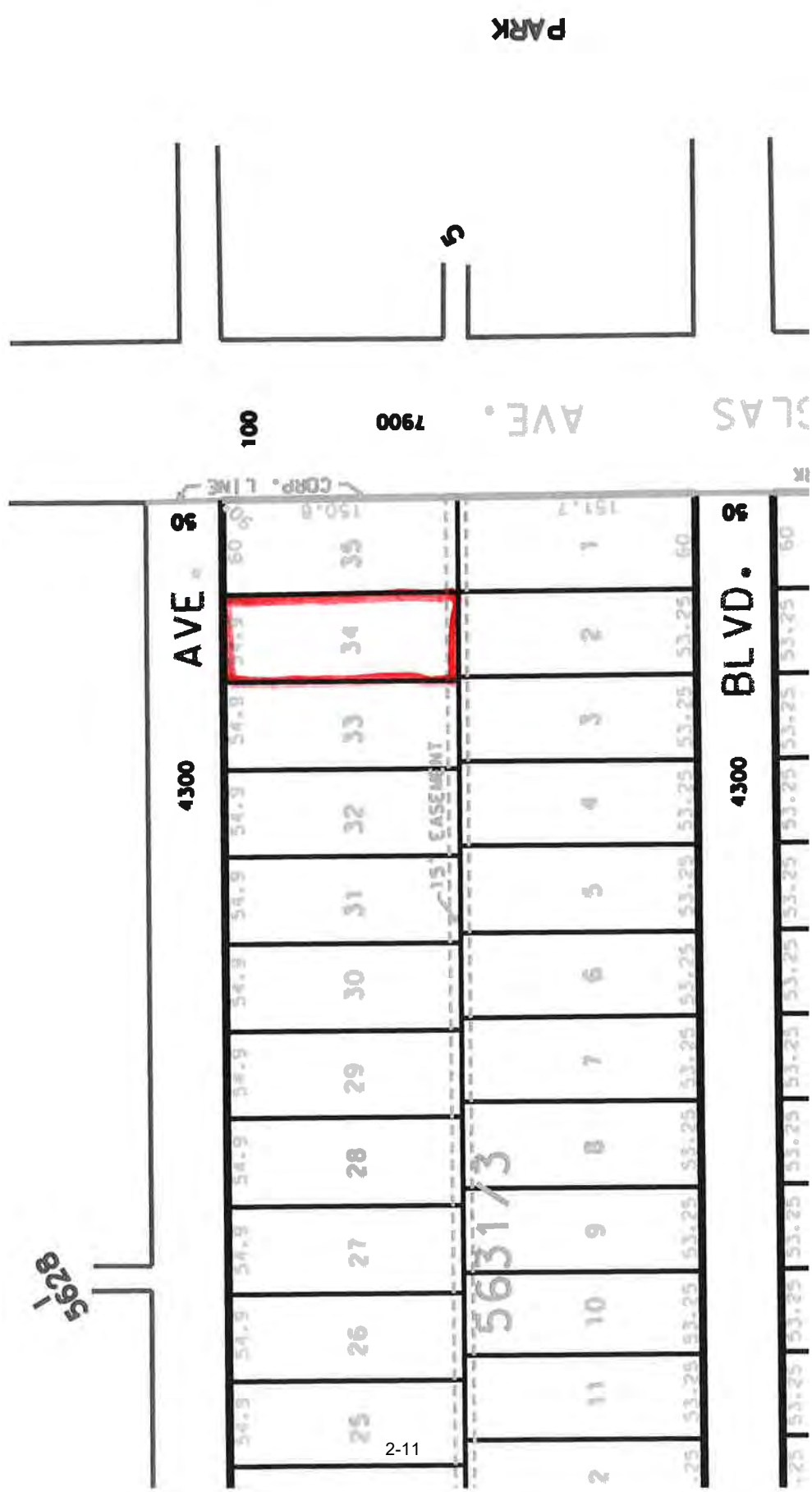
- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood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

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

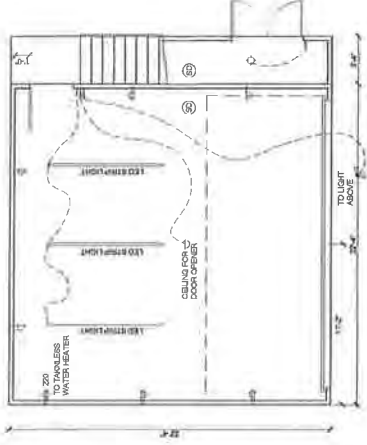


ODH

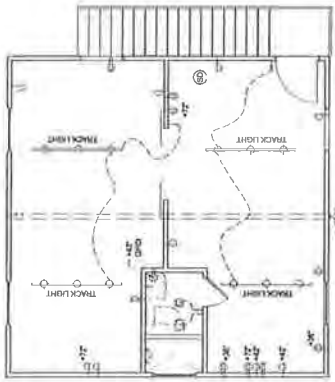
1:2,400



These plans have been prepared by the Architect under the supervision of the Architect and are intended to be used for the construction of the building. The Architect does not warrant the accuracy of the information provided herein and is not responsible for any errors or omissions. The Architect is not responsible for any conditions or circumstances that may arise from the use of these plans. The Architect is not responsible for any conditions or circumstances that may arise from the use of these plans. The Architect is not responsible for any conditions or circumstances that may arise from the use of these plans.



1 FIRST FLOOR ELECTRICAL PLAN
 SCALE: 1/4" = 1'-0"



2 SECOND FLOOR ELECTRICAL PLAN
 SCALE: 1/4" = 1'-0"

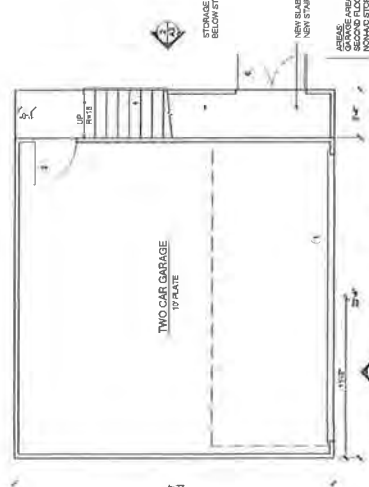
LIGHT SCHEDULE/ELECTRICAL SYMBOLS

- TO SWITCH ABOVE/BELLOW
- EXHAUST FAN
- CEILING LIGHT FIXTURE
- WALL SWITCH
- RECESSED CEILING LIGHT
- ADJUSTABLE RECESSED SPOTLIGHT
- FLOOR LIGHT
- 200VAC OUTLET
- 110V DUPLEX/CONV. OUTLET
- SHOULDER MOUNTED SWITCH
- SMOKE & CARBON MONOXIDE DETECTOR
- ADDRESS IN ALL BEDROOMS AND BATHS
- ADDRESS IN ALL BATHS AND SECTION 1814 (ON 1815)
- TV, OUTLET
- MOUSE HOLE
- TRACK LIGHT
- LED STRIP LIGHT

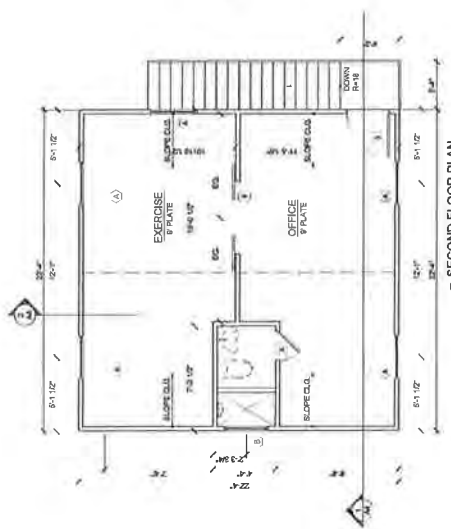
WINDOW SCHEDULE

WINDOW LABEL	SIZE	STYLE	QTY.	FINISH	COMMENTS
1	2'-0" x 2'-0"	FIXED	1	WOOD	
2	2'-0" x 2'-0"	FIXED	1	WOOD	

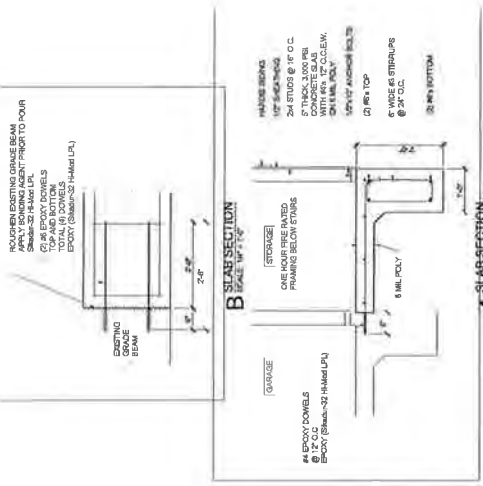
ALL EXTERIOR DOORS MUST MEET OR EXCEED CURRENT ENERGY CODE SPECIFICATIONS
 **VERIFY ALL WINDOW SIZES AND QUANTITIES PRIOR TO PURCHASE



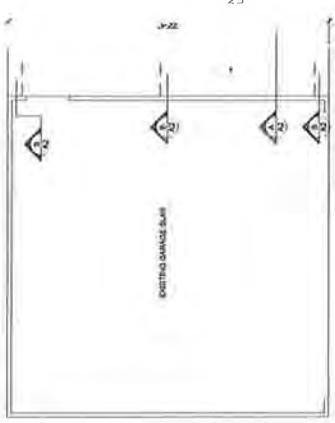
1 FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"



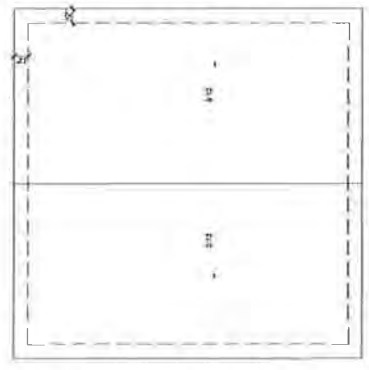
2 SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"



A SLAB SECTION
 SCALE: 1/4" = 1'-0"



3 FOUNDATION PLAN
 SCALE: 1/4" = 1'-0"

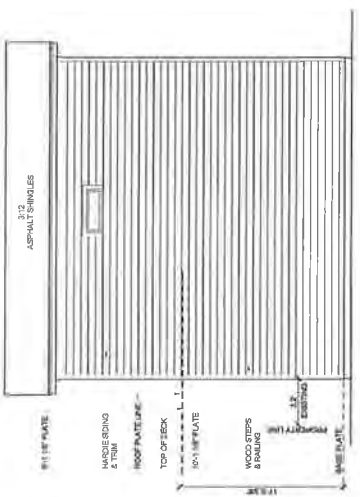


3 ROOF PLAN
 SCALE: 1/4" = 1'-0"

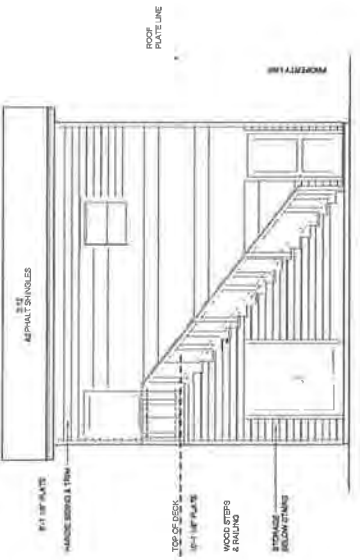
4231 MODLIN ST. MESQUITE, TEXAS 75150
 ANDY PAPERSON, Inc.
 BUCKHYNE, Inc.

These drawings are intended to provide the contractor with the information necessary to construct the project. They are not to be used for any other purpose. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable codes and regulations. The contractor shall also be responsible for providing all necessary materials and labor. The contractor shall be responsible for the quality of the work and for the safety of the project. The contractor shall be responsible for the completion of the project within the specified time frame. The contractor shall be responsible for the payment of all bills and for the return of all materials and equipment. The contractor shall be responsible for the maintenance of the project and for the safety of the project. The contractor shall be responsible for the completion of the project within the specified time frame. The contractor shall be responsible for the payment of all bills and for the return of all materials and equipment. The contractor shall be responsible for the maintenance of the project and for the safety of the project.

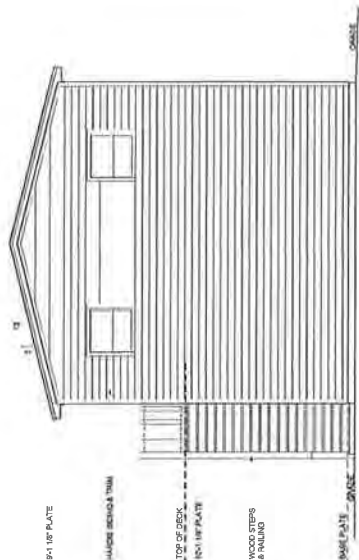
4305 COLGATE AVENUE
 LOT 34, BLOCK 3, 5631
 IDEWILD ANNEX ADDITION
 DALLAS, TEXAS
 Project No. 180523124
 Date: 11/11/2023
 A3



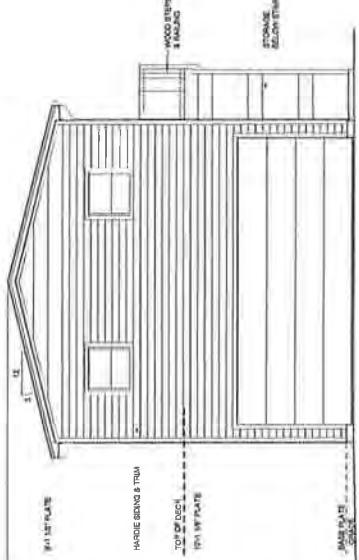
4 SOUTH ELEVATION
 SCALE 1/4" = 1'-0"



3 NORTH ELEVATION
 SCALE 1/4" = 1'-0"



2 WEST ELEVATION
 SCALE 1/4" = 1'-0"



1 EAST ELEVATION
 SCALE 1/4" = 1'-0"

February 24, 2020

City of Dallas
Jennifer Munoz
Cc: Charles Trammell
1500 Marilla Street, 5DN
Dallas, TX 75201

To Whom It May Concern:

This letter is an addendum to the request for a variance at 4305 Colgate Avenue, Dallas, TX 75225, which will outline the reasons we feel that the variance should be awarded. Firstly, the variance is not contrary to the public interest as you can see from the support we have from the surrounding neighbors. Further, if granted with the submitted site plan as a condition, only a small portion of the total structure on the site would require a variance, and the requested variance would be a modest 22 inches at most. To that point, the requested variance applies only to the detached garage structure, not to the entire dwelling, and the construction of additional living space above the existing garage structure would only increase resale value of the property and therefore increase neighboring property value.

Secondly, the variance is necessary to permit development of the lot because our lot cannot be developed in a manner commensurate with other parcels of land in our same R-7.5(A) zoning classification. Per DCAD records, and as reflected on the attachment to this letter, our lot, at 8,281 square feet, is smaller than many lots in the R-7.5(A) zoning district. Likewise, the living area of the home on the subject site is considerably less than the average of other homes in the same R-7.5(A) zoning district. Please see the attached chart showing houses within *one mile* of our property that are also in the area zoned R-7.5(A). The chart reflects that the average lot size around us for properties in the same zoning district is 13,483 square feet—which is significantly larger than our 8,281 square foot lot. Further, as you can see on the attached chart, the houses around us in our same zoning district have an average square footage of 5,048. This demonstrates that our home, at 3,689 square feet, is far smaller than the average. Therefore, our lot is not at risk of being over-built, especially considering the proposed construction will not increase the footprint of the existing structures at all.

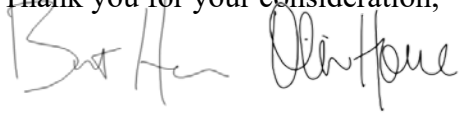
Finally, the variance is not requested to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit a privilege not permitted to others in the same zoning district. In fact, the structure is located on the pre-existing foundation in the exact location of the previous detached garage structure. The pre-existing foundation has been approved for the additional construction by a structural engineer (see attached "Exhibit 1"), and no modification to the pre-existing setback is being requested. We believe that these factors are reasonable justification for our modest variance request.

Moreover, while we are aware that the reason for the request should not sway the decision, I would like to include the fact that the licensed contractor initially hired for the project fled the state after stealing a significant amount of money from our family and many other victims, and left us in the middle of this construction project. Moreover, his numerous misrepresentations—

BDA190-036_Attachment_A

which included filing incorrect architectural plans with the City of Dallas without our knowledge or approval—misled us into thinking we had the proper permits needed to complete the project. This resulted in the garage being built nearly to completion before we had any idea that we would need a variance under his proposed plans to build on the existing detached garage. I am attaching two letters to that contractor to provide some additional color on the situation (see attached "Exhibit 2"). His theft and the resulting course of events have taken a significant financial and emotional toll on us and our family, and we simply want to complete the construction project which has been sitting as an incomplete eyesore now for almost six months. We humbly plead for your help in reaching a resolution to this ongoing saga. Alongside all of our neighbors, we will greatly appreciate getting this construction project to a positive conclusion.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Bart & Olivia Howe". The signature is written in a cursive, flowing style.

Bart & Olivia Howe
Homeowners
214-803-4114

BDA190-036_Attachment_A

Exhibit A

Properties within 1 mile of Colgate with the same R-7.5(A) Zoning Code:

Address	Lot Sq Footage	Dwelling Sq Footage
5630 Greenbrier Drive	12,212	5,792
5626 Greenbrier Drive	11,815	5,582
5410 Stanford Avenue	14,789	4,979
5426 Purdue Avenue	9,108	4,862
5531 Purdue	12,109	5,533
5708 Surrey Square Lane	15,202	3,976
5719 Caruth Boulevard	16,710	4,377
5633 Caruth Boulevard	12,763	5,932
5514 Caruth Boulevard	20,386	4,881
5602 Southwestern Boulevard	9,736	4,564
<i>AVERAGE</i>	<i>13,483</i>	<i>5,048</i>

Subject Address	Lot Sq Footage	Dwelling Sq Footage
4305 Colgate Ave	8,281	3,689
<i>Δ from Average</i>	<i>(5,202)</i>	<i>(1,359)</i>

The properties above all share the same R-7.5(A) zoning as 4305 Colgate and are located less than one mile away. Compared to these 10 properties above, 4305 Colgate is **5,216 square feet smaller** than the average lot, and the dwelling is **1,359 square feet smaller** than the average dwelling size.

Exhibit 1



LIGHTHOUSE ENGINEERING, L.L.C.

Texas Professional Engineer (TX: 95672)
Oklahoma Professional Engineer (OK: 22438)
Arkansas Professional Engineer (AR: 17788)
Registered Texas Engineering Firm (F: 9334)

Phone: 214-577-1077
Fax: 214-224-0549
Website: www.LighthouseEng.com
Email: Office@LighthouseEng.com

BDA190-036_Attachment_B

DATE: Wednesday, December 18, 2019

TO: Olivia Howe (Current Homeowner)

RE: Analysis of Existing Foundation Prior to Construction of Second Story Addition
4305 Colgate Avenue
Dallas, TX 75225

Dear Sir:

Christopher Curry, (under the direct supervision of Michael Gandy, PE) physically inspected the above referenced property to make an evaluation of the existing concrete slab-on-ground foundation of the detached garage along the rear of the subject home prior to construction of a second story addition above the detached garage.

This engineer determined that the existing foundation is sufficient to construct the proposed structure atop the existing structure. No additional structural improvements are recommended to this foundation prior to the construction of the proposed addition.

The proposed addition shall be constructed to meet or exceed all requirements as outlined in the 2015 International Residential Code (IRC) as adopted by the City of Dallas.

In Good Faith,
Michael Gandy, P.E.

Wednesday, December 18, 2019
Registered Engineering Firm F-9334



Exhibit 2

Skyler Cooke
550 Reserve St 150
Southlake, TX 76092

BDA190-036_Attachment_B

December 2, 2019

Skyler,

I can't believe I am writing this letter, but the more layers we peel back on this thing the more apparent it becomes that you lied to us repeatedly and have stolen all the money we paid you for our garage.

First, you told us you were hiring Statton Design out of Southlake as the architects for the garage. You emailed me that that firm worked really well with the City of Dallas and while they were expensive, you trusted them. Based on those representations, we paid you for the architect and the garage plans. Because you filed the plans without showing us anything, we had no idea you never hired Statton Design like you said you would. Instead, you hired someone named Karen Cantu who we have just learned filed incorrect plans with the City that made it look like the garage was five feet from the property line. You know this is not accurate and even told us not to worry about the location of the garage because it would be "grandfathered in." Not only is Ms. Cantu's incorrect filing causing significant issues for us now, but we have been told she has a reputation for shoddy work, she is **known** to have caused issues for other clients, and that you may have received a kickback payment for using her. I cannot believe that on top of everything else, you have put us in this position.

Second, you told me to my face that both the engineering firm you hired and the City of Dallas signed off on the foundation of the garage as suitable for a second story—and I reimbursed you for the engineering report. We have just learned that the engineering report you filed actually indicated additional support was needed for the foundation, and that you likely also received a kickback payment from that engineering firm. We recently had our own unbiased engineering firm come in to evaluate the foundation and they said the foundation was perfectly capable of supporting a second story as is. I now believe you were trying to unnecessarily run up the bill on us so you could further line your own pocket.

The City has asked us to stop work on the garage because of the misrepresentations you and Karen Cantu made to them. We are now months and months behind schedule with a partially built hazard in our backyard that prevents our kids from being able to play back there, and we are out the thousands of dollars we paid you to do the project. Not only that, but because of the lies you told us, we are in limbo indefinitely and are likely going to have to have a hearing with the City to try and get this sorted out.

I don't want to involve a lawyer but you have put us in a terrible position. What I need from you now is 1) for you to pay us back the money we gave you for the garage which you have done nothing with, and 2) for you to write a letter to the City owning up to the actions you took. If I haven't heard from you in two weeks, we will have to pursue a more formal demand.

Regards,



BDA190-036_Attachment_B

December 30, 2019

Skyler Cooke
550 Reserve St 150
Southlake, TX 76092

Re: *4305 Colgate Avenue Garage Project*

Dear Mr. Cooke:

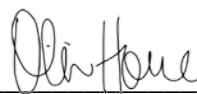
In reliance on your assurances, you were provided with advance funds to complete a garage project at 4305 Colgate Avenue, Dallas TX 75225. On December 2, 2019, you were sent a letter requesting you return those funds and provide a letter to the City of Dallas explaining why you filed incorrect documents with the City. A copy of the letter is attached for your convenient reference.

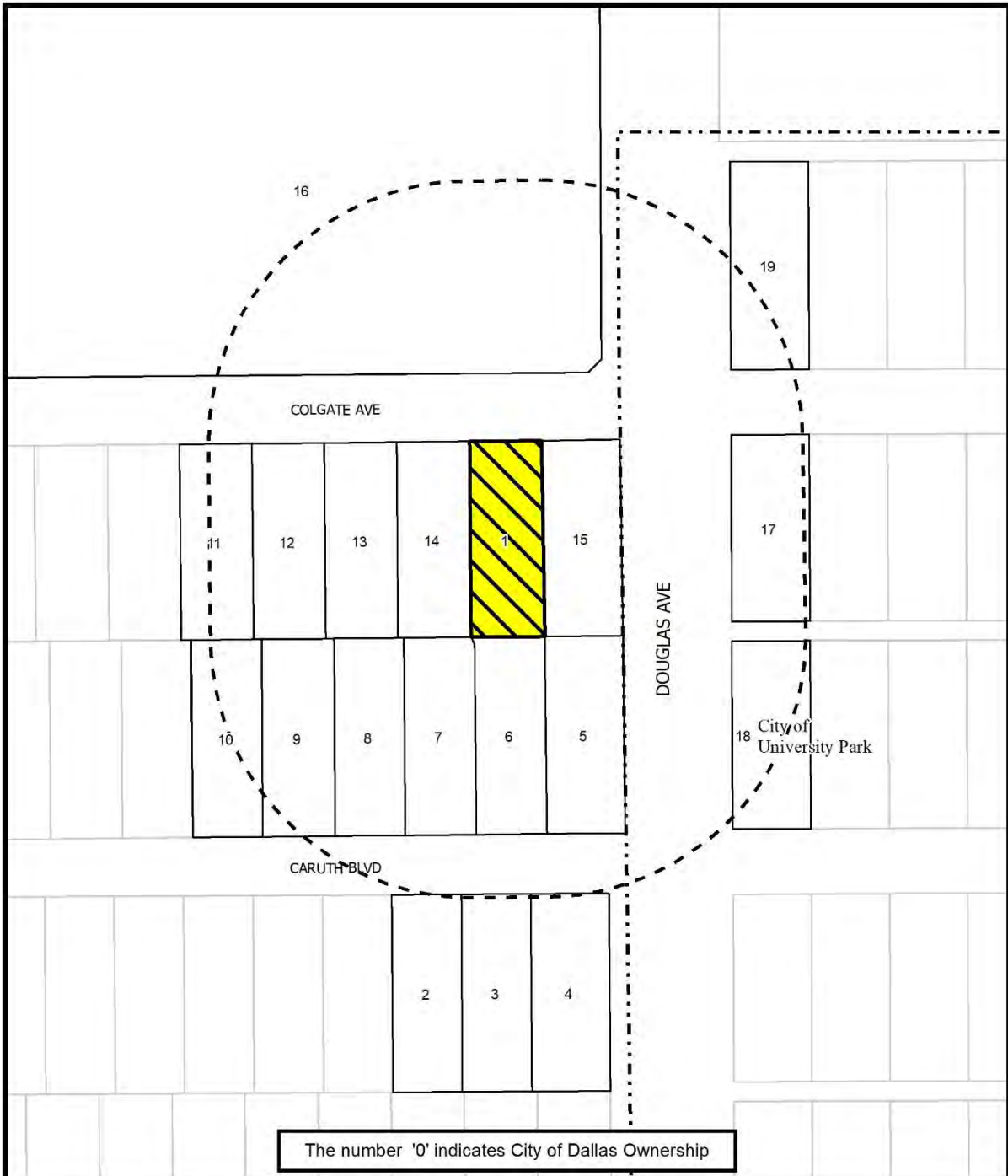
Despite several communications requesting payment of this account, you have made no effort to respond or to return the money. Therefore, demand for immediate payment is made for the full amount, which is past due and owing. **IN ORDER TO AVOID FURTHER LEGAL ACTION, YOU MUST REMIT PAYMENT WITHIN THIRTY DAYS OF THE DATE OF THIS LETTER.** Please remit payment to Bart Howe and deliver it to 4305 Colgate Avenue, Dallas, TX 75225 within the above time.


Unless payment is received or acceptable payment arrangements have been made with our office within 30 days of the date of this letter, we will take further action to collect this obligation, which may include pursuing a legal action. Should that occur, then nothing in this letter shall be construed as an admission or as a waiver, modification or diminution of all rights and claims against you relating to collection of this account or any other matters.

Please call me at your earliest convenience at 214-803-4114 if you have any questions or if you would like to discuss resolution of this account.

Best regards,

By:  _____
O. Howe




 1:1,200

NOTIFICATION

200'	AREA OF NOTIFICATION
19	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-036**

Date: **2/21/2020**

02/20/2020

Notification List of Property Owners

BDA190-036

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4305 COLGATE AVE	HOWE OLIVIA D & BART A
2	4309 CARUTH BLVD	OBRIEN MICHAEL
3	4305 CARUTH BLVD	IDRIS AHAMED &
4	4301 CARUTH BLVD	COWDEN JOHN B III
5	4300 CARUTH BLVD	MARTIN CYNTHIA A
6	4304 CARUTH BLVD	GRIFFIN DEBORAH A
7	4308 CARUTH BLVD	EWING JERRY L &
8	4312 CARUTH BLVD	FOX ANN &
9	4316 CARUTH BLVD	SAVAGE SCOTT M &
10	4320 CARUTH BLVD	BOURGEOIS KIMBERLY A
11	4321 COLGATE AVE	REDDICK STEFAN C & CLAIRE S
12	4317 COLGATE AVE	ALLEN JOEL STEVEN
13	4313 COLGATE AVE	WEST JR. JAMES DANIEL
14	4309 COLGATE AVE	PETTIJOHN JOANNE P
15	4301 COLGATE AVE	AYART LLC
16	8011 DOUGLAS AVE	CORPORATION OF EPISCOPAL
17	4237 COLGATE AVE	CAREY PHILLIP & AMY
18	4236 CARUTH BLVD	GUY MARK GREGORY &
19	4236 COLGATE AVE	WEAVER JOSEPH R JR &

FILE NUMBER: BDA190-048(JM)

BUILDING OFFICIAL'S REPORT: Application of Michael Cohen for a special exception to the parking regulations at **1108 Quaker St.** This property is more fully described as Lot 6, Block 66/7903, and is zoned an IR Industrial Research District, which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a commercial amusement (inside) use, and provide 77 of the required 120 parking spaces, which will require a 43-space special exception (35.83 percent reduction) to the parking regulation.

LOCATION: 1108 Quaker Street

APPLICANT: Michael Cohen

REQUEST:

A request for a special exception to the off-street parking regulations of 43 spaces is made to allow an existing commercial amusement (inside) use with 5,940 square feet of floor area to expand into vacant adjacent suites to have a new floor area of 11,982 square feet, and to provide 77 parking spaces (or 64.17 percent) of the 120 required parking spaces for the subject site.

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

Section 51A-4.311 of the Dallas Development Code states the following:

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

Section 51A-4.704(b)(4)(A). For the office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

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

- (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
- (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Approval.

The Sustainable Development and Construction Senior Engineer has no objections to this request.

BACKGROUND INFORMATION:

Zoning:

- Site:** IR (Industrial Research District)
- North:** IR (Industrial Research District) and IM (Industrial Manufacturing District)
- East:** IR (Industrial Research District)
- South:** A(A) (Agricultural District)
- West:** MU-3 (Mixed-Use District) and IR (Industrial Research District)

Land Use:

The property contains a warehouse which was renovated and is partially used as an event venue, or commercial amusement (inside). Properties to the north, east, and west contain office showroom/warehouse uses. The property to the south is the Trinity River and levee system.

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 43 spaces is made to allow an existing commercial amusement (inside) use with 5,940 square feet of floor area to expand into vacant adjacent suites to have a new floor area

of 11,982 square feet, and to provide 77 parking spaces (or 64.17 percent) of the 120 required parking spaces for the subject site.

The Dallas Development Code requires, one space for each 100 square feet of floor area for a commercial amusement (inside) use. According to the site plan provided, the entire property contains a warehouse which has been converted into 13 suites with ranges of floor areas and a cumulative floor area of 45,434 square feet. This request includes four of the suites and 11,982 square feet of floor area, requiring 120 parking spaces. The remaining 33,452 square feet of floor area will have to be parking by other means such as a shared parking agreement and remote parking. The property is shown to provide 77 parking spaces on-site. This request is to provide 77 parking spaces for the proposed 11,982-square-foot commercial amusement (inside).

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

- The parking demand generated by the commercial amusement (inside) use on the site does not warrant the number of off-street parking spaces required, and
- The special exception of 43 spaces would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

Along with the application, the applicant submitted a parking demand study to support the reduction in parking requested. The study identifies on page 6, that the facility will host private events and will “not rely solely on its parking supply, however, but will make heavy use of valet and encourage ride-hailing among its guests.” The study goes on to consider the surrounding parking availability, and compare the proposed use to a similar facility. This study was reviewed by the City of Dallas Senior Engineer and found to support the reduction in parking requested.

On June 17, 2020, the applicant submitted additional documentation identifying the supply of parking on surrounding properties and an explanation of the demand required and proposed by this reduction (Attachment B).

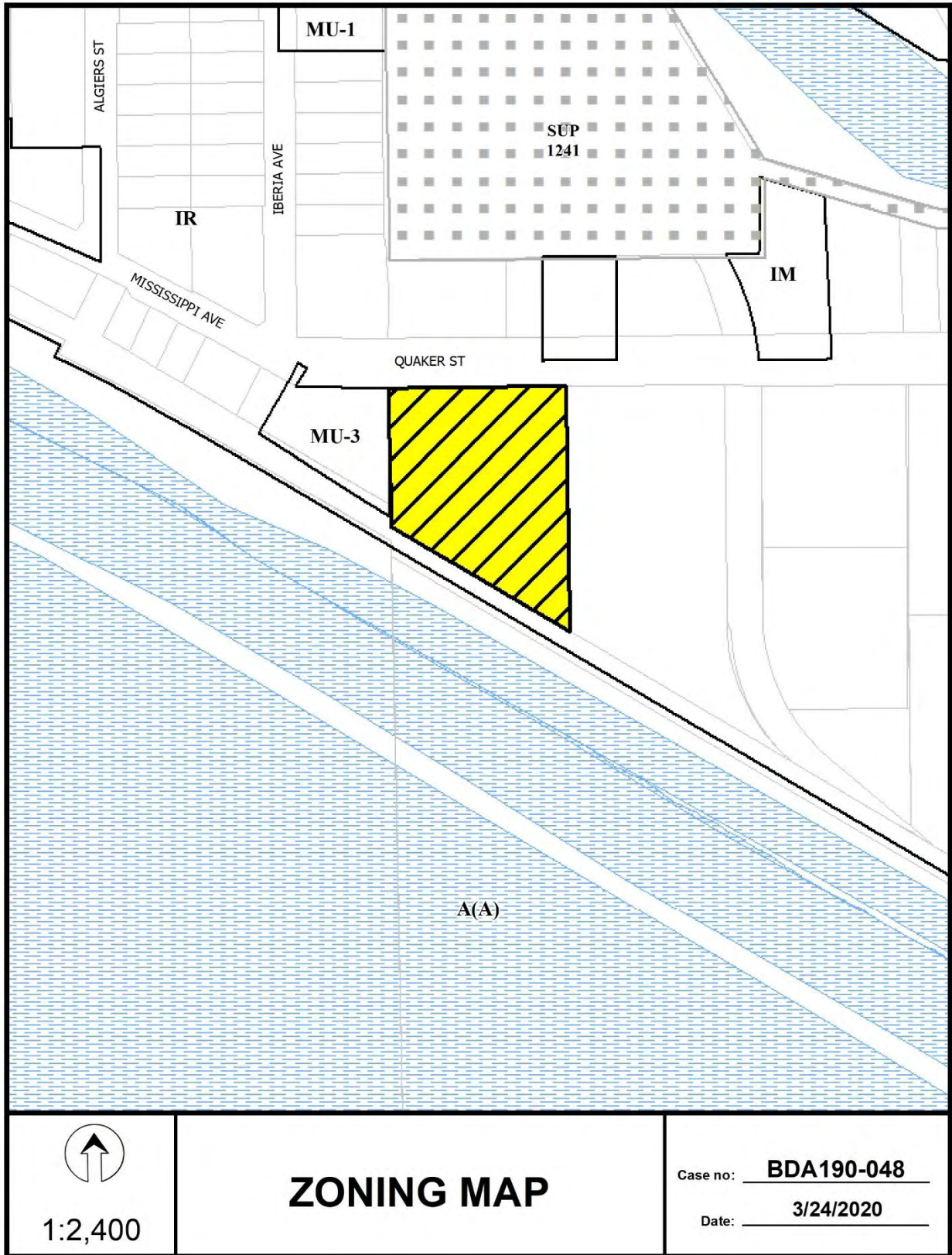
If the Board were to grant this request, and impose the condition that the special exception of 43 spaces shall automatically and immediately terminate if and when the commercial amusement (inside) use is changed or discontinued, the site with an 11,982-square-foot commercial amusement (inside) use would be allowed to operate and provide 77 of the 120 code required off-street parking spaces.

Timeline:

February 19, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

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

- February 14, 2020: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant's representative 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 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."
- 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 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 Chief Planner, Building Official, and Assistant Building Official; and Engineering Division staff including the Senior Engineer.
- March 15, 2020: March BDA hearings were cancelled due to the emergency declaration.
- June 4, 2020: Delayed cases scheduled for June hearing dates. Applicants advised of the June 12th deadline to submit documentary evidence and the June 19th deadline to register to speak at the virtual hearing.
- No review comment sheets were submitted in conjunction with this application.
- June 15, 2020: The City of Dallas Sustainable Development and Construction Senior Engineer submitted a memo regarding this application (see Attachment A).
- June 17, 2020: The applicant provided additional evidence relating to the parking availability and demand (Attachment B).



1:2,400

ZONING MAP

Case no: BDA190-048

Date: 3/24/2020



1:2,400

AERIAL MAP

Case no: BDA190-048

Date: 3/24/2020



RECEIVED
FEB 19 2020
BY: O.T.H.

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-048

Data Relative to Subject Property:

Date: _____

Location address: 1108 Quaker St Dallas, TX 75207 Zoning District: MU-3 IR

Lot No.: 6 Block No.: 66/7903 Acreage: 2.105 Census Tract: 100

Street Frontage (in Feet): 1) 232 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): 1108 Quaker, LLC

Applicant: Michael Cohen Telephone: 214.727.8852

Mailing Address: 1108 Quaker St, Suite 100 Zip Code: 75207

E-mail Address: michael@onthelevee.com

Represented by: On The Levee, represented by Michael Cohen Telephone: 972.483.2507

Mailing Address: 1108 Quaker St, Suite 100 Zip Code: 75207

E-mail Address: info@onthelevee.com

Affirm that an appeal has been made for a Variance __, or Special Exception , of 43 spaces (or 35.83%) out of the 120 spaces required by the City of Dallas Development Code for an inside commercial amusement use.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: A comprehensive parking analysis for this development and similar sites indicates that a reduction to the Code-required parking is appropriate based upon on-site parking accumulation and vehicle occupancy studies of similar venues and DeShazo's professional judgment and experience.

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 Cohen (Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 19th day of February, 2020

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Michael Cohen

did submit a request for a special exception to the parking regulations
at 1108 Qauker St.

BDA190-048. Application of Michael Cohen for a special exception to the parking regulations at 1108 QUAKER ST. This property is more fully described as Lot 6, Block 66/7903, and is zoned IR, which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a commercial amusement (inside) use, and provide 77 of the required 120 parking spaces, which will require a 43 space special exception (35.83% reduction) to the parking regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-048

I, Charles McBride, Manager at 1108 Quaker St, LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 1108 Quaker St, Dallas, TX 75207
(Address of property as stated on application)

Authorize: Michael Cohen, Tenant at 1108 Quaker St, Dallas TX
(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: We are requesting the Board's consideration for a reduction in the off-street parking requirements for the 1108 Quaker St property for 43 parking spaces.

1108 Quaker St, LLC/Charles McBride
Print name of property owner/agent [Signature] 2/18/20
Signature of property owner/agent Date

Before me, the undersigned, on this day personally appeared Charles McBride

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 18th day of February, 2020



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 5/27/2020

PARKING ANALYSIS FOR
ON THE LEVEE
DALLAS, TEXAS

DeShazo Project No. 20019

Prepared for:
On The Levee
1108 Quaker Street
Dallas, TX 75207



Prepared by:
DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

February 18, 2020



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Site Description and Project Understanding	1
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EXECUTIVE SUMMARY

Located on Quaker Street near Irving Boulevard and close to the beating heart of Dallas, On The Levee is an event venue with a total area of approximately 11,982 square-feet. The venue will host a variety of events ranging from weddings, bat and bar mitzvahs, and quinceañeras to gala and banquets, amongst others. The area on Quaker Street between Iberia and Irving has been part of a thriving industrial center for decades. Despite this, this area shows very low parking demand, especially on weeknights and weekends. When On The Levee opens in April, it will not only have a more than sufficient parking supply, it will allow guests use of the multitude of exiting empty spaces. On The Levee will not rely solely on its parking supply, however, but will make heavy use of valet and encourage ride-hailing among its guests. The venue will bring life to the district, introducing new, clean architecture and providing a high demand venue for high quality events.

From observations and analysis, it was discovered that the Quaker Street between Irving Boulevard and Iberia Avenue is very inactive on weeknights and weekends. DeShazo's research conducted for this study indicated that the percentage of guests who use ride-hail services varies between ten percent (10%) and sixty percent (60%) for some events. According to analysis, the current parking supply for On The Levee should be more than sufficient to handle the parking demand for its events. Three studies conducted for this report yielded parking rates of one space per 165.66 square-feet, 217.4 square-feet, and 305.56 square-feet. These studies combined with DeShazo's observation of guest reliance upon ride-hail services give the venue ample qualification for a special parking reduction of 43 spaces (35.8%).

TECHNICAL MEMORANDUM

To: Mr. Michael Cohen – On The Levee
From: Chuck DeShazo – DeShazo Group, Inc.
Alex Barron - DeShazo Group, Inc.
Date: February 19, 2020
Re: Parking Analyses for On the Levee in Dallas, Texas
(*DeShazo Project No. 20019*)

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is a consulting firm providing licensed professional engineers, planners, and analysts skilled in traffic operations, transportation planning, and parking-related studies. The services of DeShazo were retained by On The Levee to conduct research and perform a parking analysis in pursuit of a special parking exception for On The Levee and prepare supporting evidence to be submitted for the Dallas Board of Adjustments April hearing.

SITE DESCRIPTION AND PROJECT UNDERSTANDING

On The Levee is an event venue located just northwest of the Dallas Design District at 1108 Quaker Street (Lot 6, Block 66/7903), Dallas, Texas 75207. On The Levee currently occupies 11,982 square feet of space at this address. The 1108 Quaker Street property has 77 parking spaces reserved for the use of On The Levee as detailed in the parking agreement in the Appendix. A site map of On The Levee and surrounding properties may be seen as follows in **Exhibit 1**. The elements of **Exhibit 1** are detailed in **Table 1** on the following page.

The client seeks to request a special exception to the parking requirements for On The Levee as detailed in the City of Dallas Code 51A-4.311. As per the City of Dallas' request, the client authorized DeShazo Group to perform parking observations of similar venues and collect evidence to support the parking reduction request.

EXHIBIT 1. On The Levee Site Plan

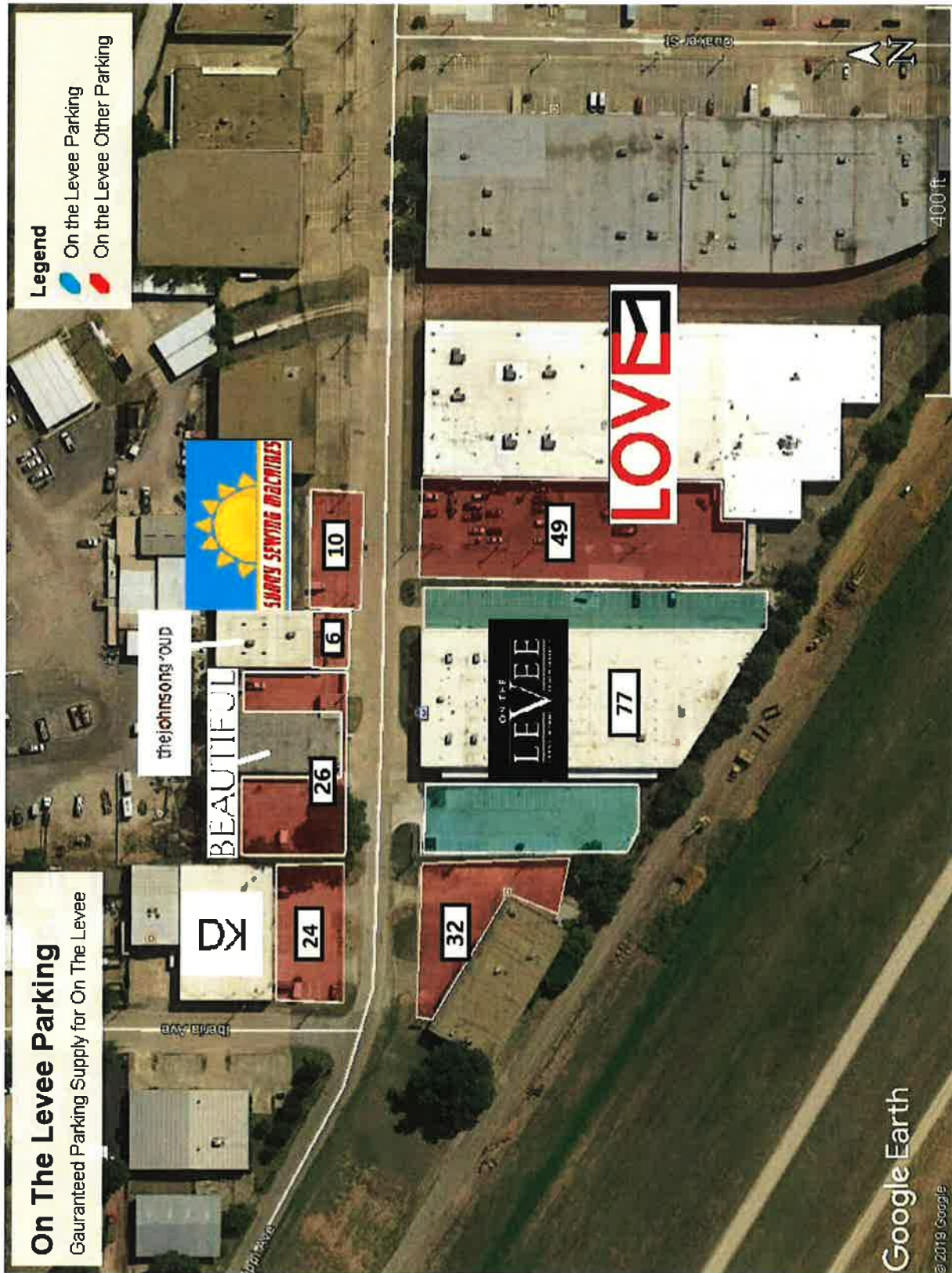


TABLE 2. Off-Street Parking Available to On The Levee

Street Address	Business	Parking Provided to On The Levee	Distance to On The Levee
1108 Quaker Street	On The Levee	77	0 ft.
1130 Quaker Street	Love Envelopes	49	85 ft.
1027 Quaker Street	David Kimmel	24	165 ft.
1101 Quaker Street	Beautiful Rentals	26	135 ft.
1109/1111 Quaker St.	Furniture Showroom (Johnson Group)	6	120 ft.
1119 Quaker Street	Sunny Sewing	10	125 ft.
1000 Quaker Street	Vacant	32	95 ft.
TOTAL OFF-STREET PARKING PROVIDED:		224	

As may be observed above, all provided parking is situated within approximately 140 feet of On The Levee.

PARKING DEMAND STUDY

General parking demand for event venues and other major uses across the U.S. has declined in the past ten years due greatly to the advent of ride-hailing and densification of urban areas. DeShazo recognizes that the public increasingly views mobility as a service, a principle which is reflected in the recent explosion in popularity of ride-hail services such as Uber, Lyft and Alto.

As the City of Dallas provides an efficient and considerate vector for tenants and developers pursuing special parking exceptions, DeShazo performed parking accumulation studies and vehicle occupancy observations on February 7 and 8, 2020. Three vehicle occupancy and parking accumulation studies were performed at two venues similar to On The Levee: Hall on Dragon and Venue Forty50.

Venue Forty50 Study

Venue Forty50 is a modern, 13,750 square-foot event venue located in Addison off Belt Line Road at 4050 Belt Line Road. This venue hosts a variety of events from weddings and galas to corporate dinners and charity banquets. Venue Forty50 is also home to Macklin's Catering, a professional catering service that serves Venue Forty50 in addition to other similar venues in the Dallas area. On the nights of February 7 and 8, Venue Forty50 hosted two banquets. The Addison Fire Department banquet on Friday, February 7, 2020 hosted 87 guests, from 7:00 PM until 11:00 PM. The second event observed was that of an Operation Kindness banquet on Saturday, February 8, 2020. This banquet hosted 105 guests, beginning at 6:00 PM and ending at 8:00 PM. The Venue Forty50 site and marked parking areas may be found in **Exhibit 2** on the following page.

EXHIBIT 2. Venue Forty50 Observation Zones



It should be noted that Venue Forty50 shares zones 2 and 3 with the neighboring Back 9 Bar immediately east of the venue. This was evident throughout the count both Friday and Saturday when individuals and groups who parked in zones 2 and 3 walked to the Back 9 instead of Venue Forty50.

Banquet Study - Addison Fire Department - Friday, February 7, 2020

The banquet on February 7 was expected to hosted 87 guests from the Addison Fire Department. Parking accumulation and vehicle occupancy data collected over the course of this study may be found below in Tables 2 and 3, respectively.

TABLE 2. Venue Forty50 February 7th Parking Accumulation Study

Venue Forty50 Parking Accumulation Study						
<i>Friday Feb. 7, 2020</i>	<i>DeShazo Project Number 20019 Client: Michael Cohen DBA: On the Levee</i>					Counter Name:
Time	Area					<i>Onkar Dhondkar & Alex Barron</i>
--	1	2	3	4	5	TOTAL:
6:30 PM	1	13	4	20	1	39
7:30 PM	7*	17	7*	37*	15	83
8:30 PM	7*	16	5*	27*	16	71
9:30 PM	4	14	4	20	16	58
10:30 PM	3	10	4	15	4	36
11:00 PM	--	6	3	15	--	24
<i>Spaces:</i>	<i>26</i>	<i>18</i>	<i>152</i>	<i>105</i>	<i>30</i>	331

*Fire truck was parked across multiple spaces in lot.

When parking lots shared with the Back 9 are taken into account (i.e. zones 2 and 3), Venue Forty50 has a total parking supply of 331 spaces. Of this, 161 spaces are reserved for the exclusive use of Venue Forty50. The peak demand period was observed to occur at 7:30 PM with a value of 83 vehicles parked. This equates to 51.6% of Venue Forty50's exclusive parking supply (161) and 25.1% of the shared parking supply (331) and indicates a parking rate of 1 space per 165.66 square-feet. Several of the vehicles in zone 2 were parked for the Back 9, thus the rate is in reality slightly higher. These results may be seen graphically as follows in Exhibit 4.

EXHIBIT 4. Venue Forty50 February 7th Parking Accumulation Results

Friday - February 7th

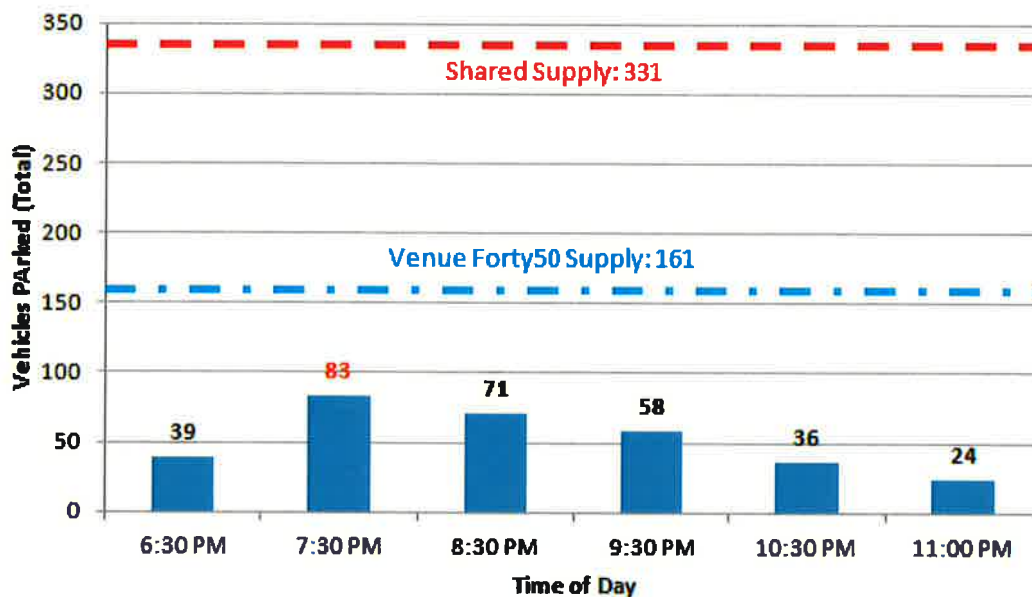


TABLE 3. Venue Forty50 February 7th Vehicle Occupancy Study Summary

<i>Total Observed:</i>						
<i>Vehicles</i>	<i>Parked</i>	<i>Valet</i>	<i>Uber</i>	<i>Lyft</i>	<i>Alto</i>	<i>Other</i>
42	34	0	4	0	0	4
Percent:	80.95%	0%	9.52%	0%	0%	9.52%
<i>Passengers</i>	<i>Parked</i>	<i>Valet</i>	<i>Uber</i>	<i>Lyft</i>	<i>Alto</i>	<i>Other</i>
87	68	0	7	0	0	12
Percent:	80%	0%	8.24%	0%	0%	14.12%
Average Vehicle Occupancy = 2.024						

The highest volume of ingress traffic was observed during the 6:40-7:00 PM period. During this time, 32 vehicles/groups of guests were observed. The average vehicle occupancy was found to be 2.024 and was taken from the total numbers of passengers and vehicles observed over the duration of the study. There are four instances labeled 'other'. This means that the corresponding group of guests arrived via a method not listed, parked off-site and walked, were driven by another person, or any other method. This may be observed in the full table in **Appendix A.1**.

Only 87 passengers were observed over the course of the study of which only those who entered Venue Forty50 were recorded.

Banquet Study - Operation Kindness - Saturday, February 8, 2020

The banquet for Operation Kindness on February 8th hosted 105 guests. Parking accumulation and vehicle occupancy data collected over the course of this study may be found as follows in **Tables 4 and 5**, respectively.

TABLE 4. Venue Forty50 February 8th Parking Accumulation Study

Venue Forty50 Parking Accumulation Study						
<i>Saturday Feb. 8, 2020</i>	<i>DeShazo Project Number 20019 Client: Michael Cohen DBA: On the Levee</i>					Counter Name:
Time	Area					<u><i>Vince Martin</i></u>
--	1	2	3	4	5	TOTAL:
5:30 PM	8	1	2	7	9	27
6:30 PM	10	5	0	17	13	45
7:30 PM	9	5	0	17	10	41
8:30 PM	6	5	0	9	3	23
<i>Spaces:</i>	26	18	152	105	30	331

The peak demand period occurred at 6:30 PM with 45 vehicles parked in total. This equates to 28% of Venue Forty50's reserved supply of 161 spaces and 13.6% of the shared supply of 331 spaces and indicates a parking rate of one space per 305.56 square-feet. These results may be seen graphically as follows in **Exhibit 5**.

EXHIBIT 5. Venue Forty50 February 8th Parking Accumulation Results

Saturday - February 8th

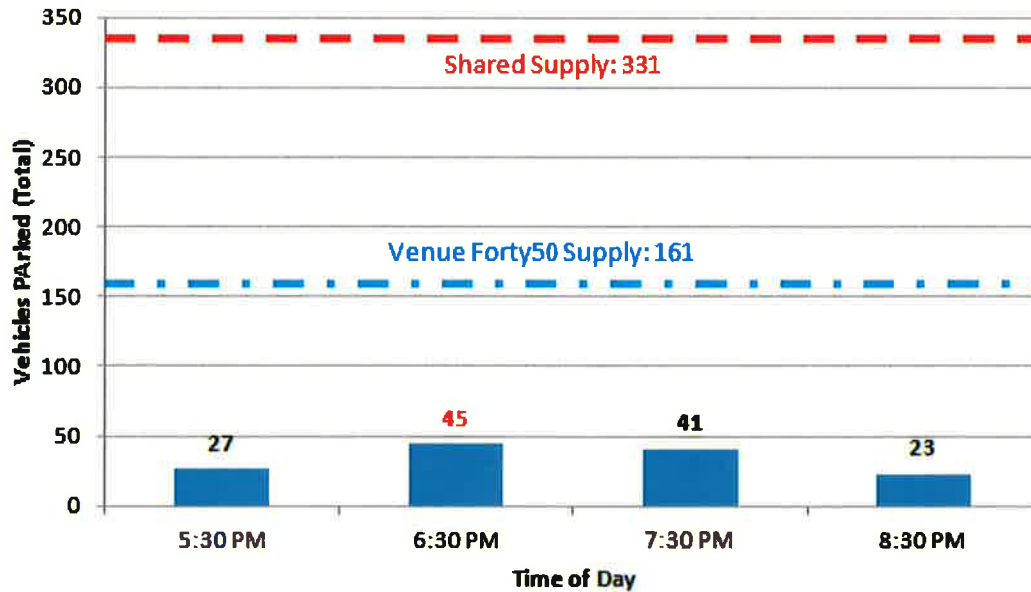


TABLE 3. Venue Forty50 February 8th Vehicle Occupancy Study Summary

Total Observed						
Vehicles:	Parked	Valet	Uber	Lyft	Alto	Other
58	46	0	10	2	0	0
Percent:	79.31%	0%	17.24%	3.45%	0%	0%
Passengers:	Parked	Valet	Uber	Lyft	Alto	Other
105	81	0	13	2	0	0
Percent:	77.14%	0%	12.38%	1.91%	0%	0%
Average Vehicle Occupancy = 1.81						

The highest volume of ingress traffic was observed during the 6:00-6:15 PM period. During this time, 26 vehicles/groups of guests were observed. Of these, four were Uber while the other 22 vehicles parked. This may be observed in the full table in **Appendix A.2**. The average vehicle occupancy was found to be 1.81 and was taken from the total numbers of passengers and vehicles observed over the duration of the study.

Only 105 passengers were observed over the course of the study. Of this group, roughly the same percentage as was observed February 7 chose to park. Approximately 17% of vehicles observed over the duration of the study were Uber while 3.45% were Lyft. Only 12.38% of guests used Uber, however, resulting in an average vehicle occupancy of 1.3 for guests who took Uber versus the average vehicle occupancy of 1.76 for those who parked.

Hall on Dragon Study

Hall on Dragon is a 10,000 square-foot event venue situated at 1500 Dragon Street in the heart of the Dallas Design District that hosts a variety of events including, but not limited to: weddings, receptions, promotions, product launches, galas, and banquets. On Saturday, February 8, Hall on Dragon hosted a gala from the hours of 6:30 PM to 11:30 PM, which approximately 285 guests attended. The Hall on Dragon site and marked parking areas are shown in Exhibit 3 below:

EXHIBIT 3. Hall on Dragon Observation Zones



Hall on Dragon shares its parking with the rest of the strip center in which it is located. At night, however, this is not typically an issue as most businesses will have closed by the time a late night event begins at Hall on Dragon. Such was the case for the study performed on Saturday, February 8, 2020.

Gala Study - Saturday, February 8, 2020

As opposed to banquets, galas tend to be among higher demand events. Approximately 285 guests were observed attending the gala. Parking accumulation and vehicle occupancy data collected over the course of this study may be found as follows in **Tables 6 and 7**, respectively.

TABLE 6. Hall on Dragon February 8th Parking Accumulation Study

Hall on Dragon Accumulation Study				
<i>Saturday, Feb. 8, 2020</i>	<i>DeShazo Project Number 20019</i>			Counter Name: <i>Onkar Dhondkar</i>
	<i>Client: Michael Cohen DBA: On the Levee</i>			
Time	Area			
--	1	2	3	TOTAL:
6:00 PM	11#	5	40*	56
7:00 PM	20	3	41	64
8:00 PM	35	11	41	87
9:00 PM	33	11	42	86
10:00 PM	23	7	38	68
11:00 PM	5	3	34	42
12:00 AM	2	1	33	36
<i>Spaces:</i>	<i>41***</i>	<i>24**</i>	<i>44</i>	109

* 3 vehicles parked in unmarked spaces

** 3 handicap spaces

*** 1 handicap space

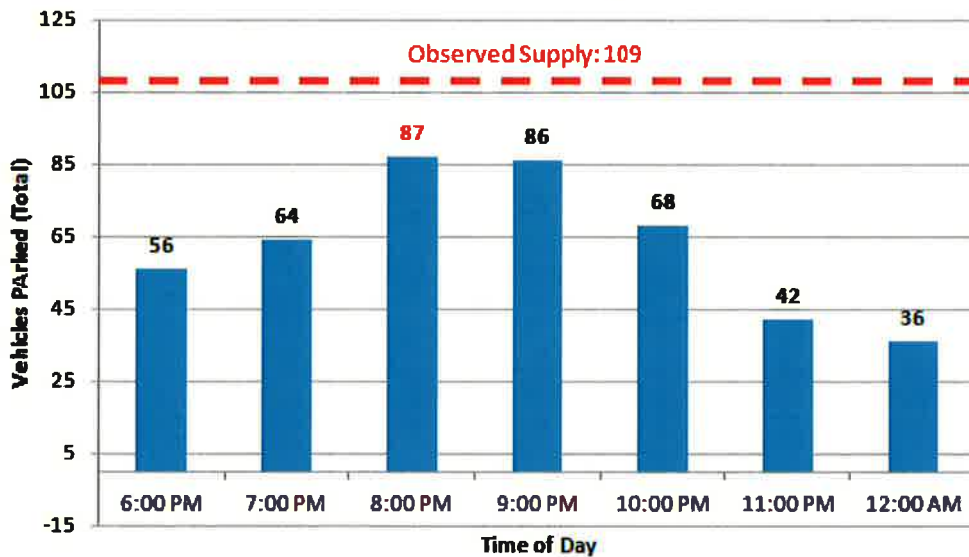
2 vehicles parked across 3 spaces--promotion for *Sell of Swell*

NOTE: *Several guests parked in spaces on opposite side of street*

At night, all parking for strip center is available for use of Hall on Dragon, thus all spaces are counted as an appropriate supply for the venue. As a result, Hall on Dragon was found to have an off-street parking supply of 109 spaces across the three marked zones. It should be noted that this does not include the marked spaces located on the other side of Dragon Street and on the other end of the strip center. A number of vehicles were parked in Zone 3 over an hour before the beginning of the event and were still present over an hour after the event ended. These vehicles are thus not considered to contribute to the demand of the event and are discounted from parking rate calculation. According to Hall On Dragon, Zone 3 is only used for overflow guest parking during events. Due to these factors and since Zones 1 and 2 never reached capacity, Zone 3 may be discounted for the purposes of accurate analysis of guest parking demand. With these 44 spaces and parked vehicles discounted, the total number of space observed becomes 65 and the peak demand at 8:00 PM becomes 46. This indicates a parking rate of one space per 217.4 square-feet. These results may be seen graphically as follows in **Exhibit 7**.

EXHIBIT 7. Hall on Dragon February 8th Parking Accumulation Results

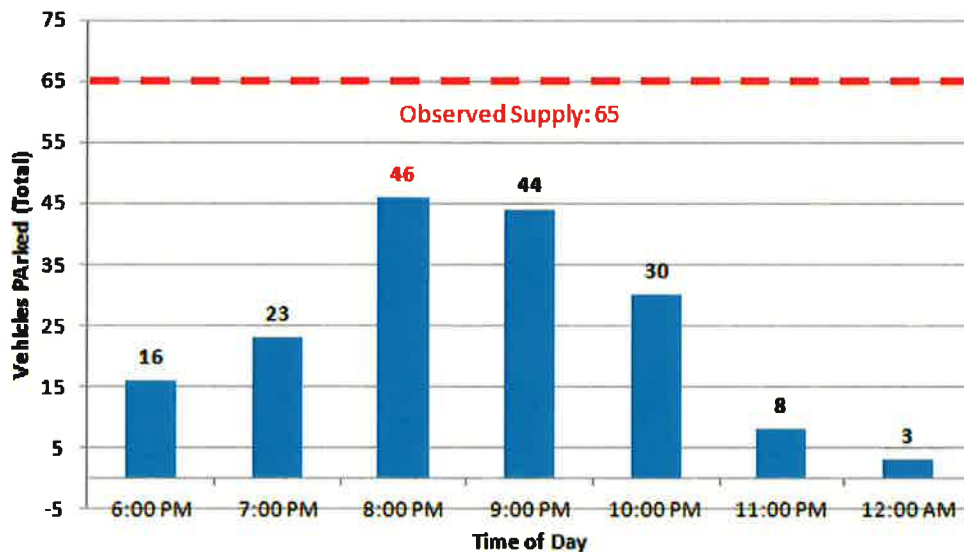
Saturday- February 8th



The peak demand period for the gala occurred at 8:00 PM with an observed count of 87 vehicles. This equates to 79.82% of the observed parking supply. Some of the vehicles parked during this period, however, are noted to have been present for other uses in the strip center as they were observed over an hour before the event started. Some left during the event while many remained present over an hour after the event. Shown as follows in Exhibit 8 are the accumulation results when zone 3 is discounted.

EXHIBIT 8. Hall on Dragon February 8th Adjusted Parking Accumulation Results

Saturday- February 8th (Adjusted)



The adjusted peak demand period is 8:00 PM with a peak value of 46 vehicles for an observed supply of 65 spaces. This equates to 70.8% of the observed supply and indicates a parking rate of one space per 217.4 square-feet.

TABLE 7. Hall on Dragon February 8th Vehicle Occupancy Study Summary

Total Observed						
<i>Vehicles:</i>	<i>Parked</i>	<i>Valet</i>	<i>Uber</i>	<i>Lyft</i>	<i>Alto</i>	<i>Other</i>
105	47	0	37	3	11	7
Percent:	44.76%	0%	35.24%	2.86%	10.48%	6.67%
<i>Passengers:</i>	<i>Parked</i>	<i>Valet</i>	<i>Uber</i>	<i>Lyft</i>	<i>Alto</i>	<i>Other</i>
285	110	0	106	6	37	26
Percent:	38.6%	0%	37.19%	2.11%	12.98%	9.12%
Average Vehicle Occupancy = 2.714						

The highest volume of ingress traffic was observed during the 7:30-8:00 PM period. During this time, 40 vehicles/groups of guests were observed. Of these, 14 were Uber, 1 was Lyft, 5 were Alto, 17 parked, and 4 were classified as 'other'. This may be observed in the full table in **Appendix A.3**. The average vehicle occupancy was found to be 2.714 and was taken from the total numbers of passengers and vehicles observed over the duration of the study.

Previous studies heavily involving observation of ride-hail vehicles has led DeShazo to recognize that certain ride-hail companies like Alto require their drivers to display the company logo on their vehicles while Uber does not. To point, Lyft treats the company decal as a privilege rather than a requirement. As such, it can often be very difficult for an observer to identify Uber vehicles. A previous conducted by DeShazo in 2019 required that a rate be used to help identify the impact of Uber on event ingress and egress when observers were not able to distinguish Uber vehicles. Careful observation and research led Deshazo to develop specialized rates that may be applied to a certain volume of vehicles classified as 'unknown' or 'other' in order to incorporate unmarked Uber vehicles into the larger body of ride-hail vehicles that impact parking demand. For the Hall on Dragon observations, there were originally 38 vehicles classified as other. When adjusted to account for unmarked Uber vehicles, however, an additional 31 Uber vehicles were taken from the 'other' pool and added the number of Uber vehicles.

A very high volume of vehicles was observed during a very short period of time. As such, it was not possible to accurately record the zone that each vehicle parked in during the peak period and the period after. However, it was observed that once zones 1 and 2 were filled or mostly filled, most parkers began to park in the spaces on the opposite side of Dragon Street from Hall on Dragon.

On The Levee Study

In order to develop figures for parking areas that will serve as supply for On The Levee, parking accumulation studies were conducted on Friday, February 14 and Saturday, February 15. These studies granted an accurate view of parking demand for On The Levee and the immediate vicinity for Friday nights and Saturdays. These studies may be found as follows in **Tables 8 and 9**.

TABLE 8. On The Levee February 14th Parking Accumulation Study

On The Levee Accumulation Study								
<i>Friday, Feb. 14, 2020</i>	<i>DeShazo Project Number 20019 Client: Michael Cohen DBA: On the Levee</i>							Counter Name:
Time	Area							[REDACTED]
--	1000 Quaker	1108 Quaker	1130 Quaker	1027 Quaker	1101 Quaker	1109 Quaker	1119 Quaker	TOTAL:
5:00 PM	0	0	17	6	4	1	9	37
6:00 PM	0	0	5	3	4	1	4	17
7:00 PM	0	0	6	2	0	0	1	9
8:00 PM	0	0	8	1	1	1	0	11
9:00 PM	0	0	8	1	0	1	0	10
10:00 PM	0	0	7	1	0	1	0	9
11:00 PM	0	0	7	1	0	1	0	9
12:00 AM	0	0	7	1	0	1	0	9
<i>Spaces:</i>	32	77	49	24	26	6	10	224

TABLE 9. On The Levee Saturday February 15th Parking Accumulation Study

On The Levee Accumulation Study								
<i>Saturday, Feb. 15, 2020</i>	<i>DeShazo Project Number 20019 Client: Michael Cohen DBA: On the Levee</i>							Counter Name:
Time	Area							
--	1000 Quaker	1108 Quaker	1130 Quaker	1027 Quaker	1101 Quaker	1109 Quaker	1119 Quaker	TOTAL:
10:00 AM	0	0	10	1	1	1	3	16
11:00 AM	0	0	10	1	1	1	4	17
12:00 PM	0	0	10	1	0	0	4	15
1:00 PM	0	0	10	1	0	0	0	11
2:00 PM	0	0	9	1	1	0	0	11
3:00 PM	0	0	8	1	0	0	0	9
4:00 PM	0	0	9	1	0	0	0	10
5:00 PM	0	0	8	1	1	0	0	10
6:00 PM	0	0	7	1	1	0	0	9
7:00 PM	0	0	7	1	1	0	0	9
8:00 PM	0	0	6	1	1	0	0	8
9:00 PM	0	0	6	1	1	0	0	8
10:00 PM	0	0	6	1	1	0	0	8
11:00 PM	0	0	6	1	1	0	0	8
12:00 AM	0	0	6	1	1	0	0	8
<i>Spaces:</i>	32	77	49	24	26	6	10	224

During the studies, parking demand never exceeded 17% of total supply not including on-street spaces reaching only 37 vehicles (16.5%) on weekdays and 17 vehicles (7.6%) on Saturday.

ANALYSIS AND DISCUSSION

Studies performed at Venue Forty50 and Hall on Dragon yielded a very wide spread of results. As expected, the gala at Hall on Dragon experienced significantly higher attendance than the banquets hosted at Venue Forty50. Additionally, a much greater percentage of guests used ride-hail services (61.4%) rather than personal vehicles (38.6%). This reflects a growing trend amongst event venues not only in the Design District, but across the D/FW Metroplex.

As expected, parking accumulation observations performed at On The Levee indicate very little to no parking demand for neighboring lots on weeknights and weekends. The maximum observed demand was 37 on weekdays (16.5% of total observed supply) and 17 on Saturday (7.6% of total observed supply). The peak demand for Friday was found to occur at 5:00 PM while the Saturday peak demand occurred at 11:00 AM. These figures are significantly less than the total observed supply.

Chelsea Paine, founder and CEO of Pinky's Valet, wrote a letter on behalf of On The Levee detailing that the current apparent supply for On The Levee is more than sufficient for the highest demand events. Pinky's Valet works with dozens of similar event venues in Dallas like Hall on Dragon and Venue Forty50, among others. This letter is provided **Appendix B**.

On Ride-hailing

Today, it is almost universally recognized that the presence of ride-hailing services introduces a very effective vector for reducing parking demand, especially in urban areas. For years, DeShazo has monitored the rapidly growing ride-hail industry and its varying rates of usage across different markets and consumer bases. For instance, event venues like On The Levee are very likely to attract guests via ride-hailing due to the fact events are typically isolated occurrences in the average individual's life. As a result, many guests do not want to worry about driving and navigation when traveling to a location they may never visit again. The impact of Ride-hailing is further expanded upon in **Appendix D**.

CODE PARKING

The following **Table 10** outlines the total parking demand requirements for On The Levee as stipulated in City of Dallas ordinance for MU-3 (Mixed Use district 3).

TABLE 10. Preliminary Code Parking Requirement

STUDY AREA	LAND USE	AMOUNTS	PARKING RATE	REQUIREMENT	TOTAL
<u>1108 Quaker Street</u>	Event Center	11,982 SF	1 space / 100 SF	120	120 spaces

ON THE LEVEE RECOMMENDATIONS

After careful analysis and consideration of the parking situation of On The Levee, neighboring properties, and those properties with which On The Levee has parking agreements, DeShazo offers the following recommendations.

1. *Special Parking Exception* - While Section 51A-4.311(a)(1) qualifies indoor commercial amusement uses for a maximum reduction of 75%, On The Levee should request a 35.8% reduction in the number of required spaces as stipulated in Chapter 51A. This would reduce the number of required spaces by 43, bringing the total number down from 120 to 77. Based on evidence collected by DeShazo, this is an acceptable reduction to request.

2. *Establish Ride-hail Pickup Zone* - On The Levee is strongly encouraged to reach out to Uber, Lyft, and Alto to set up a designated pickup zone for vehicles.

CONCLUSIONS

Based upon application of standard parking requirements as stipulated in City of Dallas Development Code Chapter 51A, 119 parking spaces are required for On The Levee. On The Levee may pursue a special parking reduction, however, as stipulated in Section 51A-4.311. Such a reduction is supported by parking accumulation and vehicle occupancy studies conducted by DeShazo at similar venues in the Dallas area.

The required parking supply of 119 spaces will result in a significant oversupply of parking based upon studies conducted by DeShazo and detailed in this report. As a result, On The Levee should request a special parking exception of 43 spaces, if a 35.8% reduction from the default requirement. As Section 51A-4.311(a)(1) enables applicants to pursue special parking exceptions up to 75% of the required supply for an inside commercial amusement use, a special parking exception of only 35.8% is reasonable. The resultant parking rate On The Levee would be one space per 155.6 square-feet. This proposed rate is supported by studies conducted by DeShazo which are summarized in **Table 11** below.

TABLE 11. Summary of Parking Studies & Average Rates

STUDY AREA	STUDY DATE	NAME	AMOUNTS	PEAK DEMAND	PARKING RATE
<u>1500 Dragon Street</u>	Saturday, Feb. 8, 2020	Hall on Dragon	10,000 SF	46	1 space / 217.4 SF
<u>4050 Belt Line Road</u>	Friday, Feb. 7 2020	Venue Forty50	13,750 SF	83	1 space / 165.7 SF
	Saturday, Feb . 8 2020	Venue Forty50	13,750 SF	45	1 space / 305.6 SF
<u>1108 Quaker Street</u>	--	On The Levee	11,982 SF	--	1 space / 155.6 SF

The reduction of 43 off-street spaces is warranted based upon the following considerations specified in the Dallas Development Code Section 51A-4.311(a)(1).

1. A parking reduction justification for the subject use is a function of actual parking characteristics inherent to inside commercial amusement developments and does not rely upon remote parking or packed parking.
2. Since On The Levee is not yet in operation, parking demand is mainly supported by actual parking demand observed at similar venues and DeShazo's professional judgment and experience with similar developments.
3. The parking reduction is based upon actual parking demands and is not based upon specific zoning adjustments.

It is DeShazo's professional opinion that the requested special parking exception is not contrary to the public interest. The planned development will create neither a traffic hazard nor restrict the parking operations during typical peak hours.

End of Memo

APPENDIX A

Study Results

TABLE A.1: Venue Forty50 February 7th Vehicle Occupancy Study

6:40 PM - 7:00 PM							
Lot Number:	Number of Passengers:	Method of Transportation (Please Circle One):					
--	--	Parking = P Valet = V Uber = U Lyft = L Alto = A Other = O					
5	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
1	1	P	V	U	L	A	O
5	2	P	V	U	L	A	O
1	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	4	P	V	U	L	A	O
5	3	P	V	U	L	A	O
5	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	1	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	1	P	V	U	L	A	O
5	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
5	4	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
4	2	P	V	U	L	A	O
4	3	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
3	1	P	V	U	L	A	O
7:00 PM - 7:15 PM							
5	2	P	V	U	L	A	O
5	4	P	V	U	L	A	O
1	2	P	V	U	L	A	O
3	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O

7:00 PM - 7:15 PM							
1	1	P	V	U	L	A	O
5	3	P	V	U	L	A	O
4	1	P	V	U	L	A	O
3	2	P	V	U	L	A	O
7:15 PM - 7:30 PM							
3	1	P	V	U	L	A	O
Total Observed:							
Vehicles	Parked	Valet	Uber	Lyft	Alto	Other	
42	34	0	4	0	0	4	
Percent:	80.95%	0%	9.52%	0%	0%	9.52%	
Passengers	Parked	Valet	Uber	Lyft	Alto	Other	
85	68	0	7	0	0	12	
Percent:	80%	0%	8.24%	0%	0%	14.12%	
Average Vehicle Occupancy = 2.024							

TABLE A.2: Venue Forty50 February 8th Vehicle Occupancy Study

5:45 PM - 6:00 PM							
Lot Number:	Number of Passengers:	Method of Transportation (Please Circle One):					
--	--	Parking = P Valet = V Uber = U Lyft = L Alto = A Other = O					
N/A	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
5	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	1	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	1	P	V	U	L	A	O
5	3	P	V	U	L	A	O
4	2	P	V	U	L	A	O
1	1	P	V	U	L	A	O
4	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
4	1	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
5	3	P	V	U	L	A	O
5	1	P	V	U	L	A	O
2	1	P	V	U	L	A	O
2	3	P	V	U	L	A	O
6:00 PM - 6:15 PM							
2	1	P	V	U	L	A	O
2	1	P	V	U	L	A	O
1	3	P	V	U	L	A	O
1	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
4	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
4	1	P	V	U	L	A	O
5	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
4	4	P	V	U	L	A	O
5	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
4	1	P	V	U	L	A	O
4	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
4	2	P	V	U	L	A	O

N/A	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	2	P	V	U	L	A	O
5	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
4	1	P	V	U	L	A	O
6:15 PM - 6:30 PM							
4	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	3	P	V	U	L	A	O
1	2	P	V	U	L	A	O
6:30 PM - 6:45 PM							
N/A	1	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
4	2	P	V	U	L	A	O
4	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
6:45 PM - 7:00 PM							
2	1	P	V	U	L	A	O
Total Observed							
Vehicles:		Parked	Valet	Uber	Lyft	Alto	Other
58		46	0	10	2	0	0
Percent:		79.31%	0%	17.24%	3.45%	0%	0%
Passengers:		Parked	Valet	Uber	Lyft	Alto	Other
105		81	0	13	2	0	0
Percent:		77.14%	0%	12.38%	1.91%	0%	0%
Average Vehicle Occupancy = 1.81							

TABLE A.3: Hall on Dragon February 8th Vehicle Occupancy Study

6:00 PM - 6:15 PM							
Lot Number:	Number of Passengers:	Method of Transportation (Please Circle One):					
--	--	Parking = P Valet = V Uber = U Lyft = L Alto = A Other = O					
1	1	P	V	U	L	A	O
6:15 PM - 6:30 PM							
1	2	P	V	U	L	A	O
2	1	P	V	U	L	A	O
6:30 PM - 6:45 PM							
1	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
6:45 PM - 7:00 PM							
1	4	P	V	U	L	A	O
1	3	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
2	1	P	V	U	L	A	O
7:00 PM - 7:30 PM							
1	2	P	V	U	L	A	O
1	1	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	1	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
2	4	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O

N/A	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
1	5	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
7:30 PM - 8:00 PM							
N/A	4	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
1	2	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
2	1	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
2	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O

N/A	3	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
N/A	6	P	V	U	L	A	O
8:00 PM - 8:30 PM							
2	2	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
2	3	P	V	U	L	A	O
1	4	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	3	P	V	U	L	A	O
N/A	4	P	V	U	L	A	O
N/A	5	P	V	U	L	A	O
N/A	2	P	V	U	L	A	O
8:30 PM - 9:00 PM							
N/A	2	P	V	U	L	A	O
N/A	1	P	V	U	L	A	O
Total Observed							
Vehicles:	Parked	Valet	Uber	Lyft	Alto	Other	
105	47	0	37	3	11	7	
Percent:	44.76%	0%	35.24%	2.86%	10.48%	6.67%	
Passengers:	Parked	Valet	Uber	Lyft	Alto	Other	
285	110	0	106	6	37	26	
Percent:	38.6%	0%	37.19%	2.11%	12.98%	9.12%	
Average Vehicle Occupancy = 2.714							

APPENDIX B

Letter from Chelsea Paine

February 7, 2020



Pinky's Valet, LLC
6333 E. Mockingbird, Suite 147- #823
Dallas, TX 75214

To Whom It May Concern:

I, Chelsie Paine am the founder and CEO of Pinky's Valet. We have been operating in Dallas, TX since 2009. Mr. John Martin with On The Levee at 1108 Quaker Street in Dallas, Tx reached out to me last August to meet him at his new venue to discuss and plan parking and offering his guests valet parking services during events.

I conducted a site visit to assess parking and do not have any reservations with operating in compliance with Dallas City Code for special event valet parking. There is ample parking on site to utilize and maneuver vehicles without creating congestion and disrupting the daily routine of surrounding neighbors. There is also a remote lot secured that is very close in proximity; the logistics would allow for easy access and maneuvering.

In our experience with servicing numerous locations in the Design District and Central Business District of Dallas, we do not foresee a demand high enough to cause any concern for parking availability. We currently intake on average 25% of the estimated attendance for events. Ride share services have decreased the demand and traffic to private events held at locations such as On The Levee especially on Friday and Saturday nights.

For Example:

Friday or Saturday night events with a guest count of 550 (maximum occupancy) would bring in approximately 140 vehicles. The open availability of this location allows for us to maximize use of the property with a minimal of 90 vehicles on site. The secured neighboring lot and public street parking provides significantly more than 50 spaces.

Attached is a map of proposed parking, approximate numbers of parking availability in the area and traffic flow. On the Levee will additionally require clients to secure a traffic officer for larger attendance events.

Please let me know if I can provide any additional information to assist.

Formal regards,

A handwritten signature in black ink, appearing to read "Chelsie Paine".

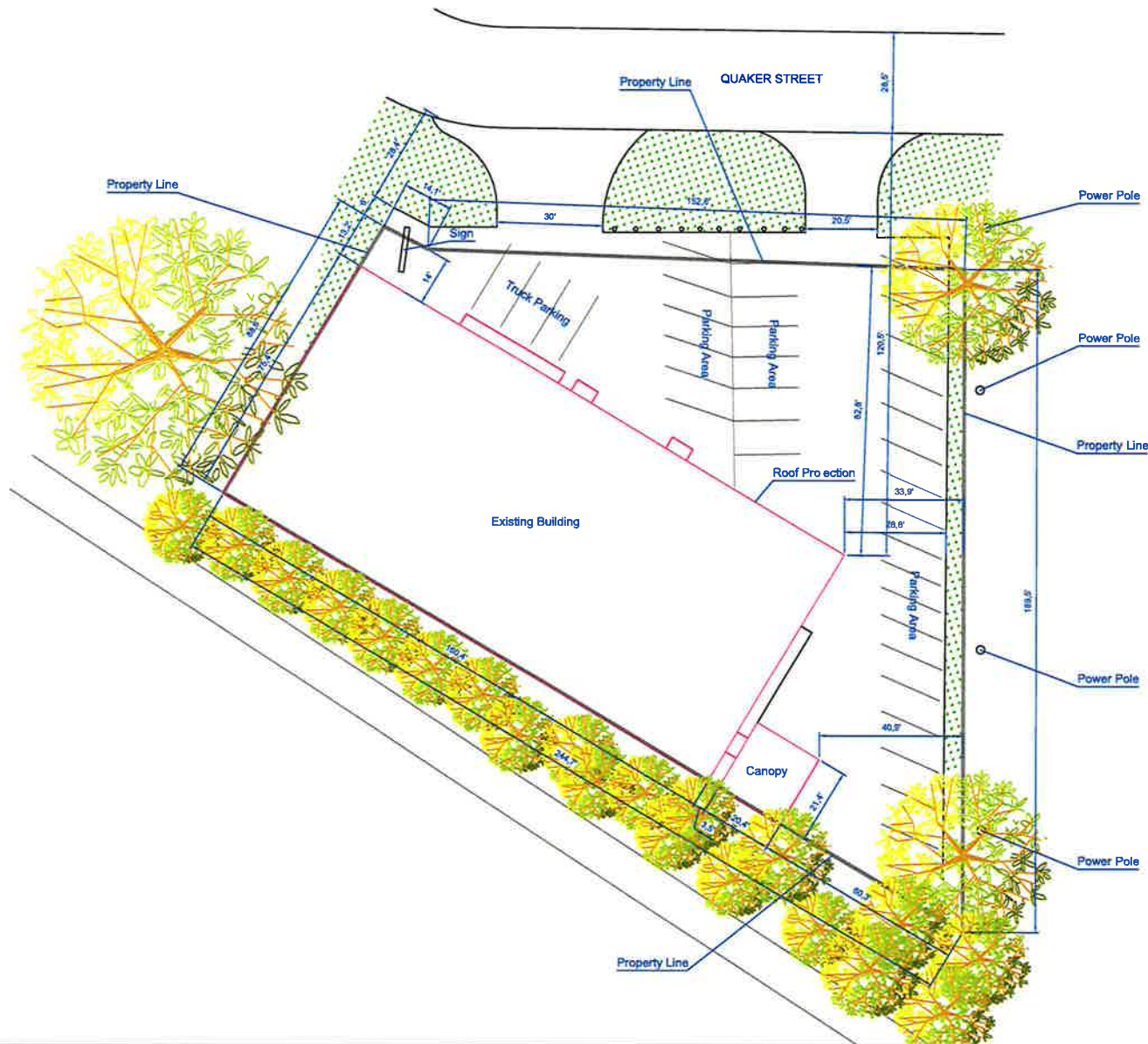
Chelsie Paine

Google Maps 1108 Quaker St



APPENDIX C

Site Plan



Parcel No. (APN)	00-00081-507-000-00-00
Land Use Cat.	INDUSTRIAL
Land Use Desc.	PUBLIC STORAGE, MINI WAREHOUSE
Building Area	11,850 SF
Lot Area	26,578 SF (0.61 ACRES)
Building/Lot Ratio	0.45
Legal Information	HAMPTON INDUSTRIAL BLK 1/8570 LTS 28-31 BLK 14/8570 PT LT 1 ABDN ROW ACS 0.6101 INT201600172039 DD06232016 CO-DC 8570
Subdivision	HAMPTON INDUSTRIAL
Legal Lot	28
Legal Block	8570

**1000 QUAKER ST
DALLAS, TX 75207**
Scale: 1"=30'

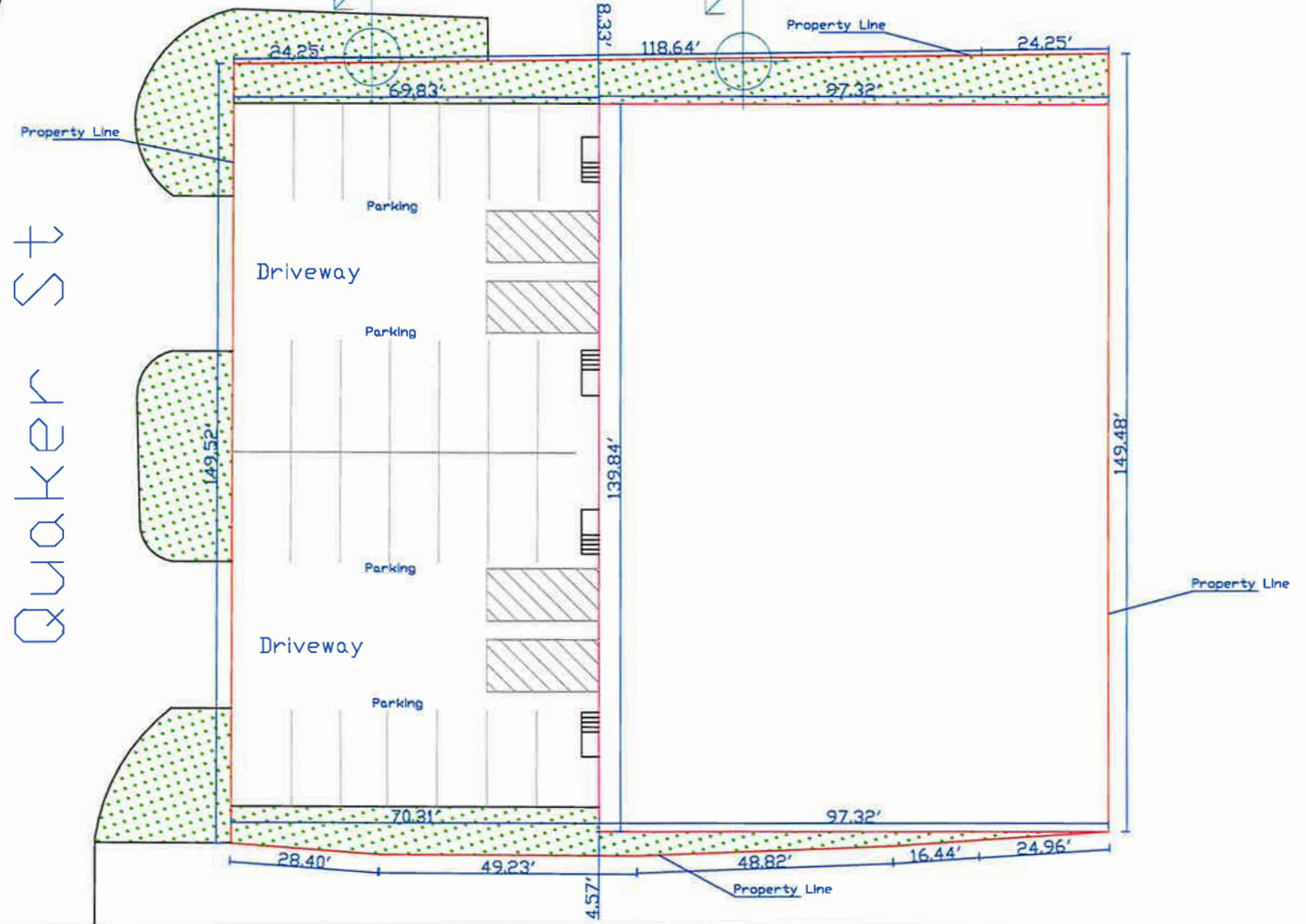
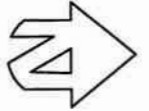


Parcel No. (APN): 00000815071000000
 Land Use Cat. INDUSTRIAL
 Land Use Desc. PUBLIC STORAGE, MINI WAREHOUSE
 Building Area 13609.79 SF
 Lot Area 25381.98 SF
 Map Grid: 44-A (DALLAS)

Legal Information

BLK 14/8570 N 14' LT 1
 & LTS 2-4 ACS 0.5429
 INT201600317904
 DD10312016 CD-DC 8570
 014 00100 2DA8570 014

Iberia Ave



1033 Quaker St
 Dallas, TX 75207
 scale 1"=20'

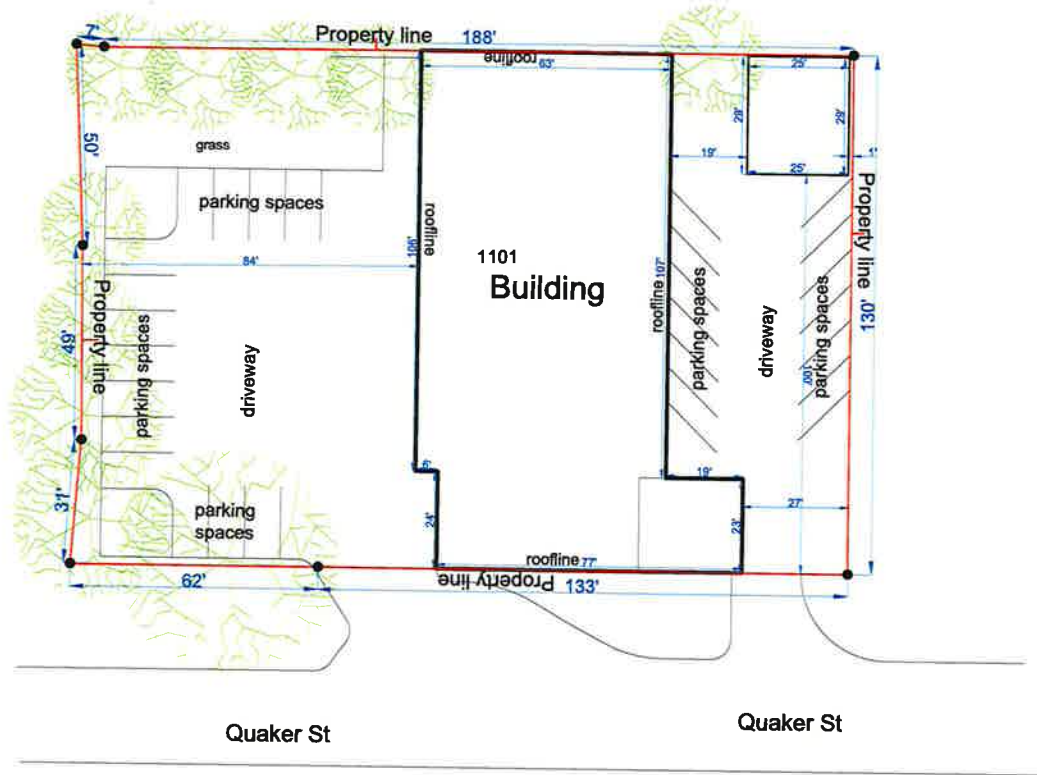
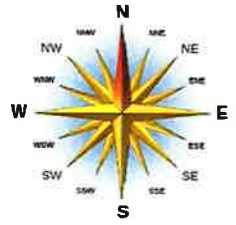
SITE PLAN

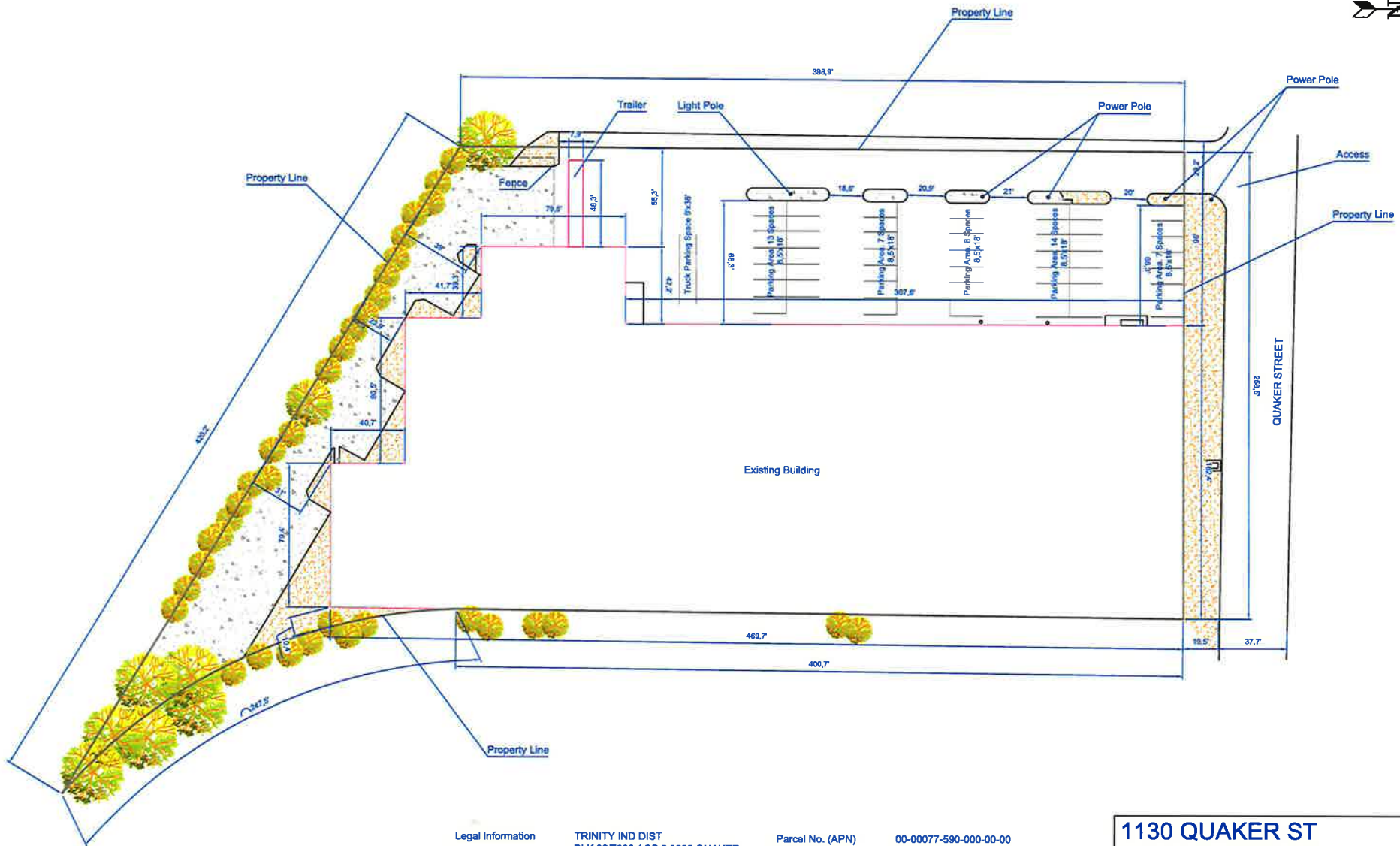
Address: 1101 Quaker St

City, State, ZIP: Dallas, TX, 75207

Country: USA

Scale 1":30'





Legal Information

TRINITY IND DIST
 BLK 667903 ACS 2.9026 QUAKER
 659.33 FR IRVING BLVD CO-DALLAS
 7903 066 000 2007903 066

Subdivision
 Legal Block

TRINITY IND DIST
 7903

Parcel No. (APN)
 Land Use Cat.
 Land Use Desc.
 Building Area
 Lot Area
 Building/Lot Ratio

00-00077-590-000-00-00
 INDUSTRIAL
 PUBLIC STORAGE, MINI WAREHOUSE
 48,872 SF
 126,455 SF (2.9 ACRES)
 0.39

1130 QUAKER ST
DALLAS, TX 75207
 Scale: 1"= 50'



TOTAL BUILDING AREA: 45,434 SF

COMMON AREA:

WEST WALKWAY 2203 SF
EAST WALKWAY 1704 SF
RISER/ELECT 352 SF
TOTAL 4259 SF

NET USABLE: 41175 SF

COMMON AREA FACTOR: $\frac{4259}{45434} = 9.3740\%$

TEXAS AND PACIFIC - COTTON BELT RAILROAD

N00°07'40"E 255.07'

S89°24'30"E
65.00'

S00°07'40"W
40.00'

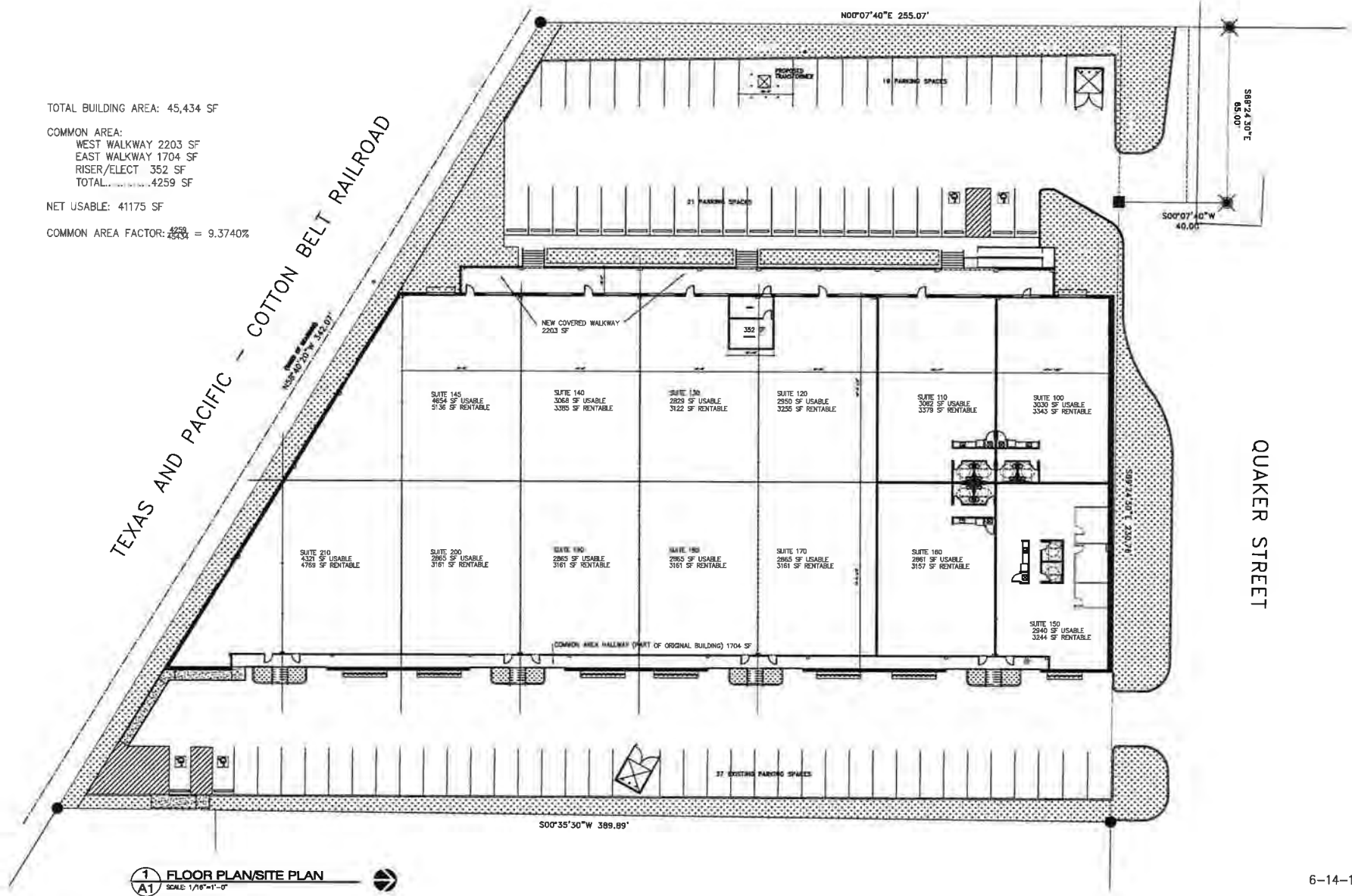
QUAKER STREET

S89°24'30"E 230.74'

S00°35'30"W 389.89'

1 FLOOR PLAN/SITE PLAN
A1 SCALE: 1/16"=1'-0"

6-14-18



APPENDIX D

Ride-Hailing

On Ride-hail (Continued):

Increasingly, ride-hailing services are serving to reduce the parking demand of event venues by providing guests with a convenient way to travel to a venue. It should be noted that many events serve alcoholic beverages. As a result, many responsible guests and parties who do not attend with a designated driver will elect to utilize a ride-hailing service when leaving an event. It is therefore recognized that the usage and promotion of usage of these services among guests not only reduces parking demand for the venue, but encourages safe and responsible travel.

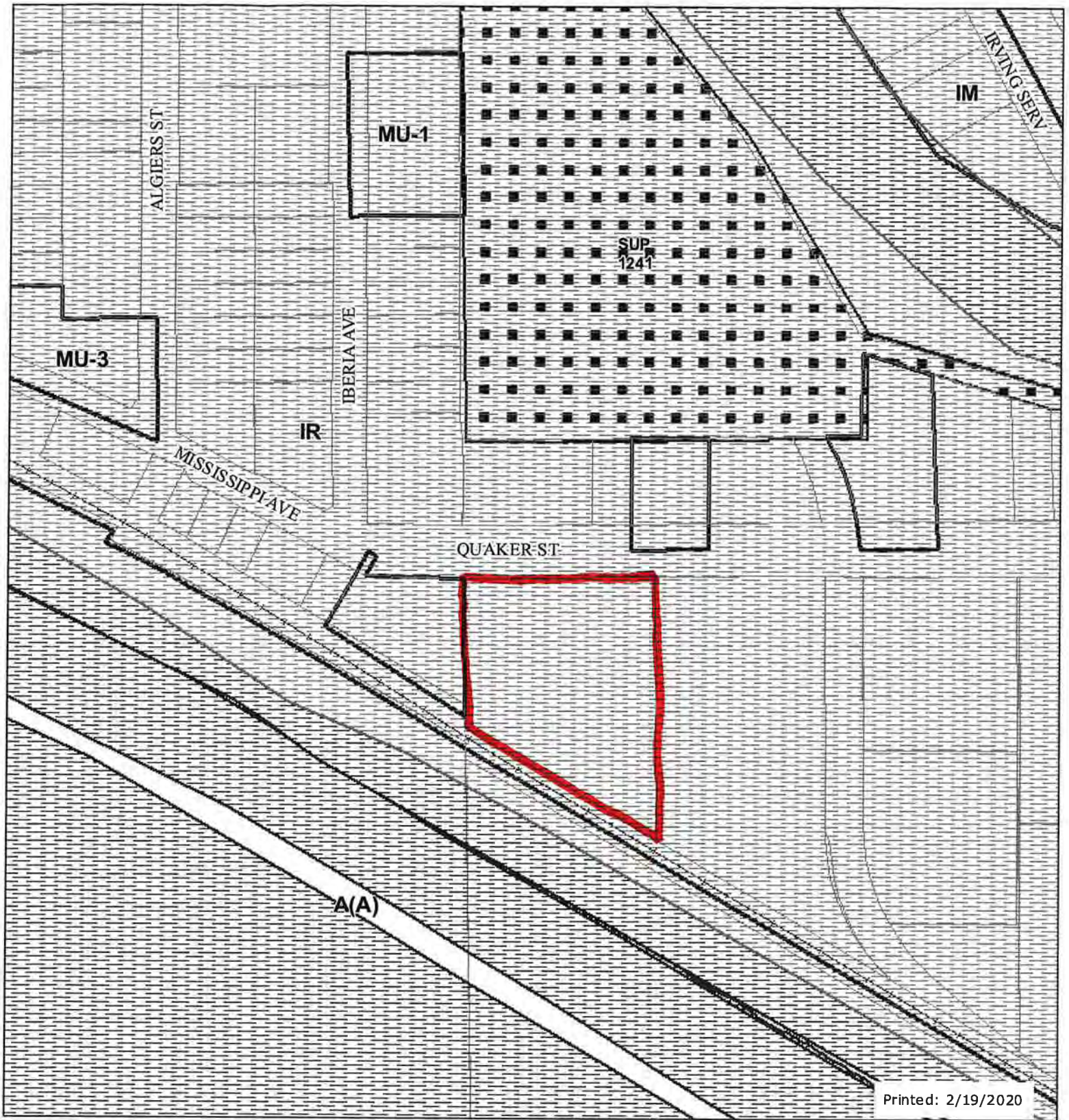
The three major ride-hailing companies operating in the Dallas/Fort Worth area (Uber, Lyft and Alto) are contributing to this shift from driving. Many companies and organizations establish incentive programs with ride-hailing companies to further encourage the utilization of such services for guests traveling to and from events.

Popular support and demand for ride-hailing in Dallas and, indeed, the world has drastically increased in recent years. From the formation of Uber in March of 2009 to today when the Dallas area alone enjoys the support of three major ride-hail companies, event goers around the Metroplex have come to rely upon such services to ferry them to and from their destinations. Urban infrastructure is struggling to keep up with the ever increasing rate of ride-hail usage among the population. To combat this, the City of Dallas established a pilot project in Deep Ellum to designate specific pickup and drop-off zones for ride-hail vehicles throughout the district. Guests to On The Levee will rely heavily upon the usage of ride-hail to reach and leave the venue. Yet, properties along Quaker Street do not provide a convenient method to establish off-street pickup or drop-off locations for these vehicles. As such, On The Levee presents the City with an opportunity to study the effects of ride-hailing on general parking demand in a lower-demand neighborhood than that of Deep Ellum by establishing a small pickup and drop-off zone using existing on-street parking spaces directly adjacent to the 1108 Quaker property.

While ride-hail services provide a hereto unseen method of greatly reducing parking demand, it also poses an issue in highly populated areas as it tends to generate traffic congestion. This problem should be solved wisely without impeding the ability of these services to reduce parking demand. The City of Dallas has committed to just that; they are performing a pilot project in Deep Ellum to set up designated pickup and drop-off zones for ride-hail vehicles for safety of pedestrians and passengers and maintaining efficient traffic flow. On The Levee is located in a fortunate position to test such a pickup/drop-off zone. As Quaker Street is very inactive at night and less active on weekends, it would be prudent for On The Levee to pursue a method to establish a designated pickup and drop-off zone for ride-hail vehicles using on-street parking space bordering the 1108 Quaker property. The City would benefit from such an arrangement as well, allowing them to gauge the effect that designated ride-hail has on parking in lower-traffic environment than that of Deep Ellum.

According to Gabriel Dowell with the City of Dallas, the impetus to set up a designated pickup/drop-off zone is on the ride-hail service. Uber possesses the capability to designate such an area on their application's map. Even so, drivers tend to drop passengers off wherever it is convenient and are typically much more compliant with designated pickup zones. Thus, while Uber is notoriously difficult to get into

contact with, it is recommended that On The Levee request that Uber designate a zone for pickup in addition to both Lyft and Alto.



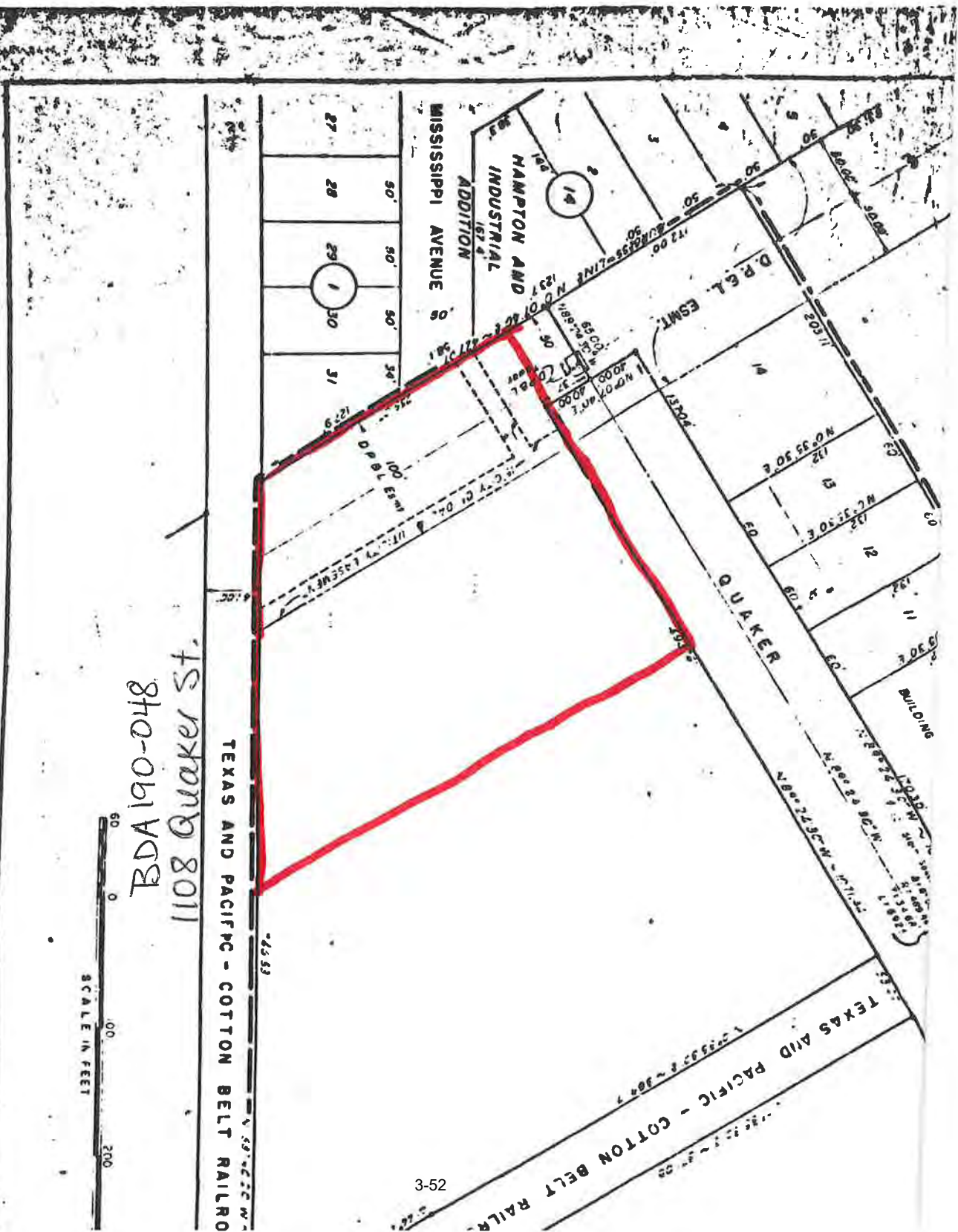
Printed: 2/19/2020

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | Railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | 3-51 Stop Front Overlay |
| | | Height Map Overlay | |

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





BDA 190-048
1108 Quaker St.



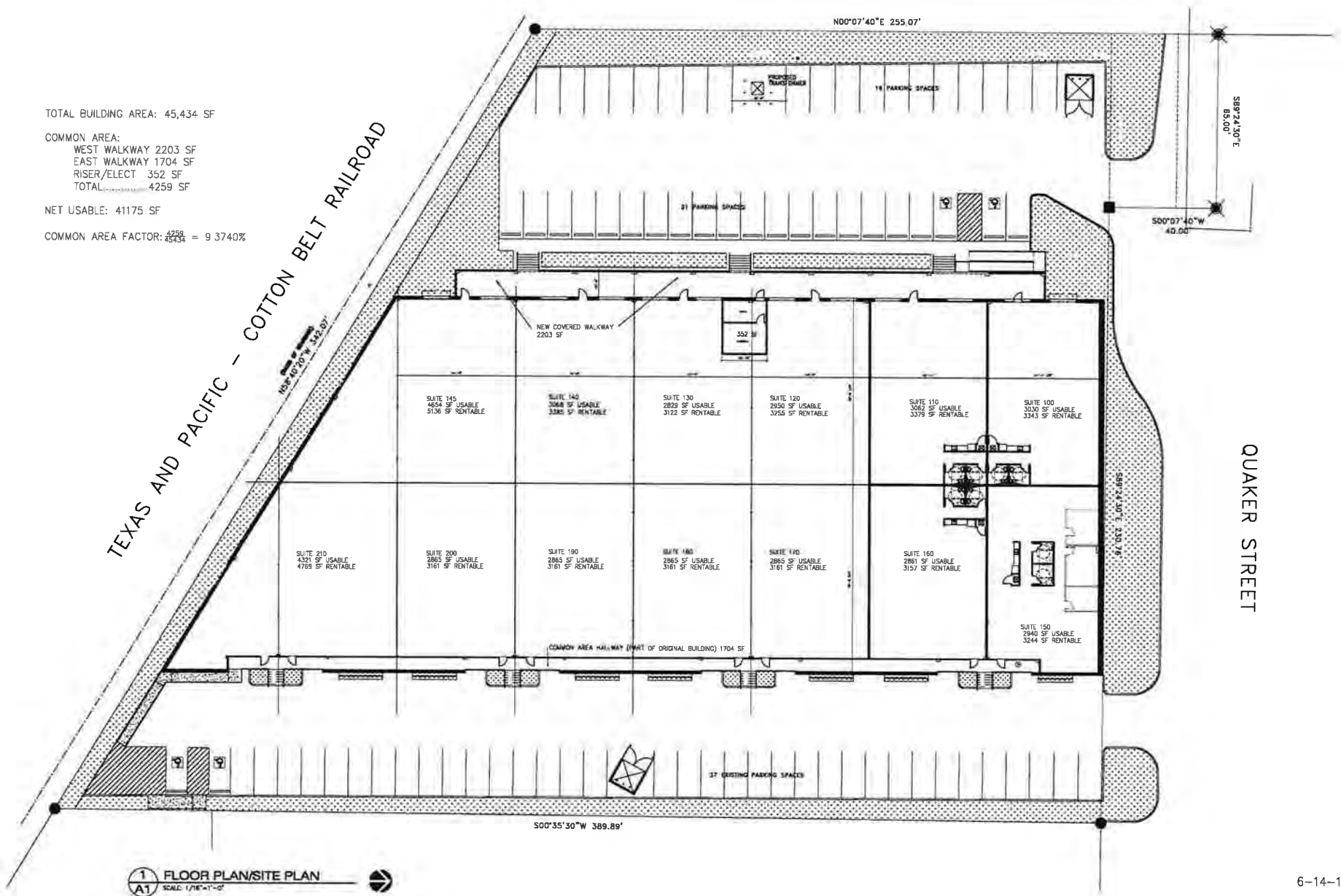
TOTAL BUILDING AREA: 45,434 SF

COMMON AREA:
WEST WALKWAY 2203 SF
EAST WALKWAY 1704 SF
RISER/ELECT 352 SF
TOTAL 4259 SF

NET USABLE: 41175 SF

COMMON AREA FACTOR: $\frac{4259}{45434} = 9.3740\%$

TEXAS AND PACIFIC - COTTON BELT RAILROAD



REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **June 23, 2020 (A)**

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 190-061

BDA 190-063

BDA 190-067

BDA 190-048

COMMENTS:

David Nevarez, PE, PTOE, DEV - Engineering

Name/Title/Department

6/15/2020

Date

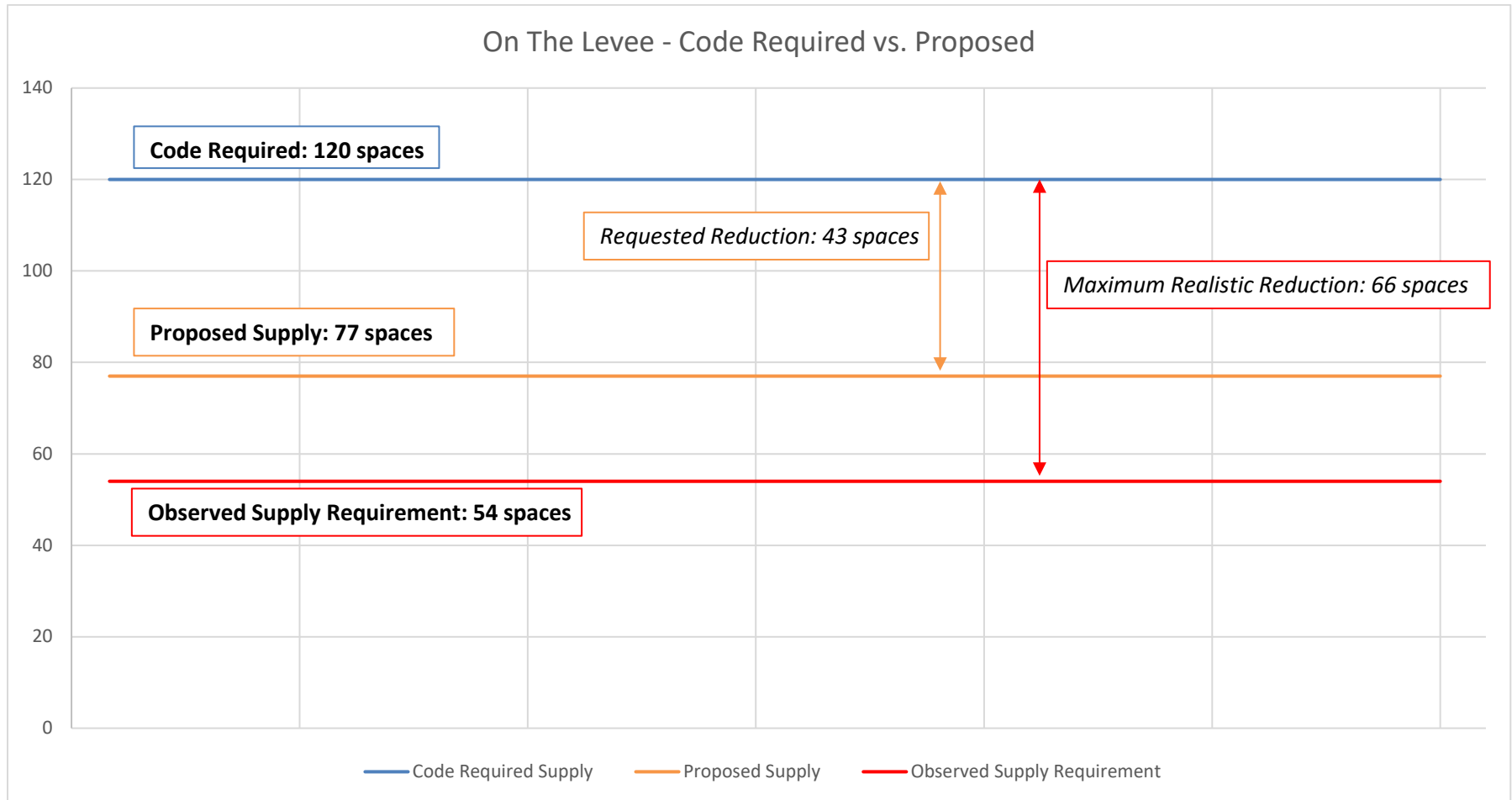
Please respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.

EXHIBIT 1. On The Levee Shared Parking Supply

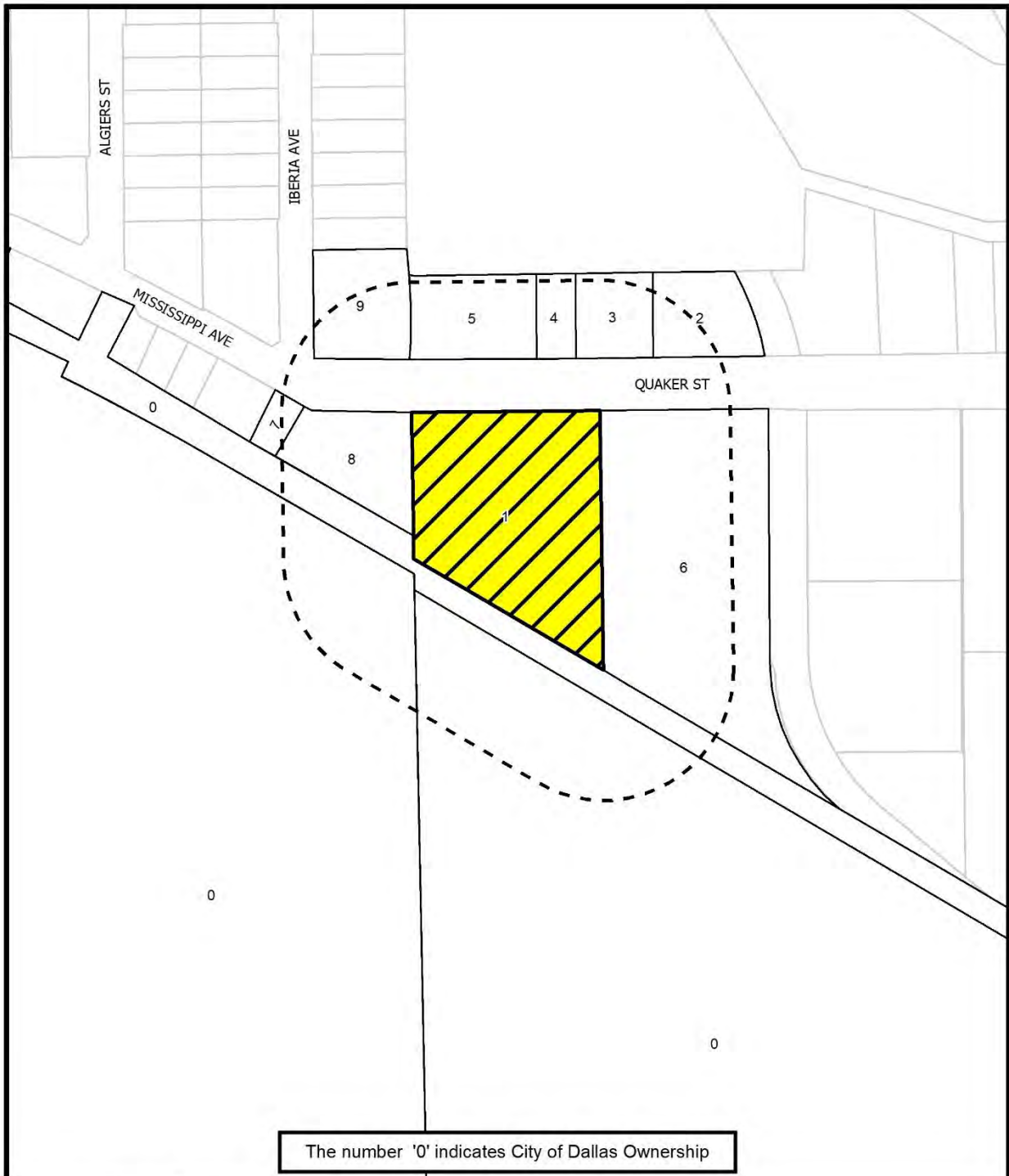


Number	Address	Business	Parking Provided to On The Levee	Distance to On The Levee	Land Use
1	1108 Quaker St.	On The Levee	77	0 ft.	Event Venue
2	1130 Quaker St.	Love Envelopes	49	85 ft.	Office/Warehouse
3	1144 Quaker St.	Arty Imports, Inc.	0		Warehouse/Retail
4	1027 Quaker St.	David Kimmel	24	165 ft.	Floral Retail
5	1101 Quaker St.	Beautiful Rentals	26	135 ft.	Event Retail
6	1109/1111 Quaker St.	Johnson Group	6	120 ft.	Furniture Retail
7	1119 Quaker St.	Sunny Sewing Machines	10	125 ft.	Repair Service
8	1133 Quaker St.	Major Supply, Inc.	0		Service Contractor
9	1153 Quaker St.	Rideout Framing, Inc.	0		Wholesale
10	1165 Quaker St.	Beacon Co.	0		Office
11	2641 Irving Blvd.	idGROUP	0		Office/Showroom
12	1000 Quaker St.	Vacant	32	95 ft.	Vacant

EXHIBIT 2. Code Required vs. Proposed Reduction



*A reduction of 43 spaces is requested such that the total on-site parking supply is equivalent to 77 spaces versus the 120 spaces which would otherwise be required. This reduction is supported by parking rates developed from studies performed at similar event venues and is significantly less aggressive than the rates observed. It is thus understood that the requested reduction of 36% (or 43 spaces) is reasonable compared to observed rates at similar venues.



 1:2,400	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">9</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	9	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA190-048</u> Date: <u>3/24/2020</u>
200'	AREA OF NOTIFICATION					
9	NUMBER OF PROPERTY OWNERS NOTIFIED					

03/24/2020

Notification List of Property Owners

BDA190-048

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1108 QUAKER ST	1108 QUAKER LLC
2	1133 QUAKER ST	FOGG RAYMOND L SR &
3	1119 QUAKER ST	WILEY PROPERTY LTD
4	1109 QUAKER ST	1111 QUAKER STREET LLC
5	1101 QUAKER ST	HENDRIX QUAKER ST PARTNERS LLC
6	1130 QUAKER ST	LOVE FRANK G ENVELOPES
7	1220 MISSISSIPPI AVE	ONCOR ELECRTCIC DELIVERY COMPANY
8	1000 QUAKER ST	ZANG REAL ESTATE LLC
9	1027 QUAKER ST	HENDRIX 3 LLC

FILE NUMBER: BDA190-052(OA)

BUILDING OFFICIAL'S REPORT: Application of Raquel Renda, represented by Peter Dodd, for a special exception to the fence height regulations at 5830 Falls Road. This property is more fully described as Lot 4 and part of Lot 3 in Block A/5614, and is zoned an R-1ac(A) Single Family District, which limits the height of a fence in the front yard to four feet. The applicant proposes to construct and/or maintain a six-foot high fence in a required front yard, which will require a two-foot special exception to the fence regulations.

LOCATION: 5830 Falls Road

APPLICANT: Raquel Renda
represented by Peter Dodd

REQUESTS:

A request for a special exception to the fence standards regulations related to the maximum fence height of two feet is made to construct and maintain a six-foot high open iron fence and two six-foot open iron gates in the site's front yard on a site that is developed with a single family home.

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.

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

Site: R-1ac(A) (Single Family District)

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

Land Use:

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

Zoning/BDA History:

1. BDA190-021, Property at 5830 Falls Road (the subject site) On February 18, 2020, the Board of Adjustment Panel A granted a request for a your request to maintain items in the visibility triangles at the driveway approach as a special exception to the visual obstruction regulations and impose the submitted site plan as a condition and denied a request to construct and maintain an eight-foot high solid stone/brick fence and two seven-foot-six-inch solid metal gates in the site's front yard and to construct and maintain the aforementioned eight-foot high solid stone/brick fence within five feet of the front lot line without prejudice.

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

- This request for a special exception to the fence standards regulations related to height of two feet is made to construct and maintain a six foot high open iron fence and two six-foot open iron gates in the site's front yard on a site that is developed with a single family home.
- The Dallas Development Code states that in all residential districts, except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.
- The applicant has submitted a site plan and elevation of the proposed fence. The site plan and elevation represent a fence that is over four feet in height (a six-foot high open iron fence and two six-foot open iron gates) in the site's required front yard.
- The following additional information was gleaned from the submitted site plan:

- The proposed fence is approximately 115 feet in length parallel to Falls Road and runs an additional 40 feet perpendicular to Falls Road on both side property lines in the required front yard.
- The minimum distance between the proposed fence and the pavement line is approximately 12 feet.
- The Sustainable Development and Construction Department Senior Planner conducted a field visit of the site and the surrounding area and noted several other fences that appeared to be above four feet in height and located in a front yard setback. These existing fences have no recorded BDA history within the last five years.
- As of May 8, 2020, no letters have been submitted in support of or in opposition to this request.
- The applicant has the burden of proof in establishing that the special exceptions to the fence standards regulations related to height, six-foot high open iron fence and two six-foot open iron gates in the site's front yard, will not adversely affect neighboring property.
- Granting this special exceptions with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposed fence, which exceeds four feet in height in the front yard setback to be constructed and maintained in the location, heights, and materials as shown on these documents.

Timeline:

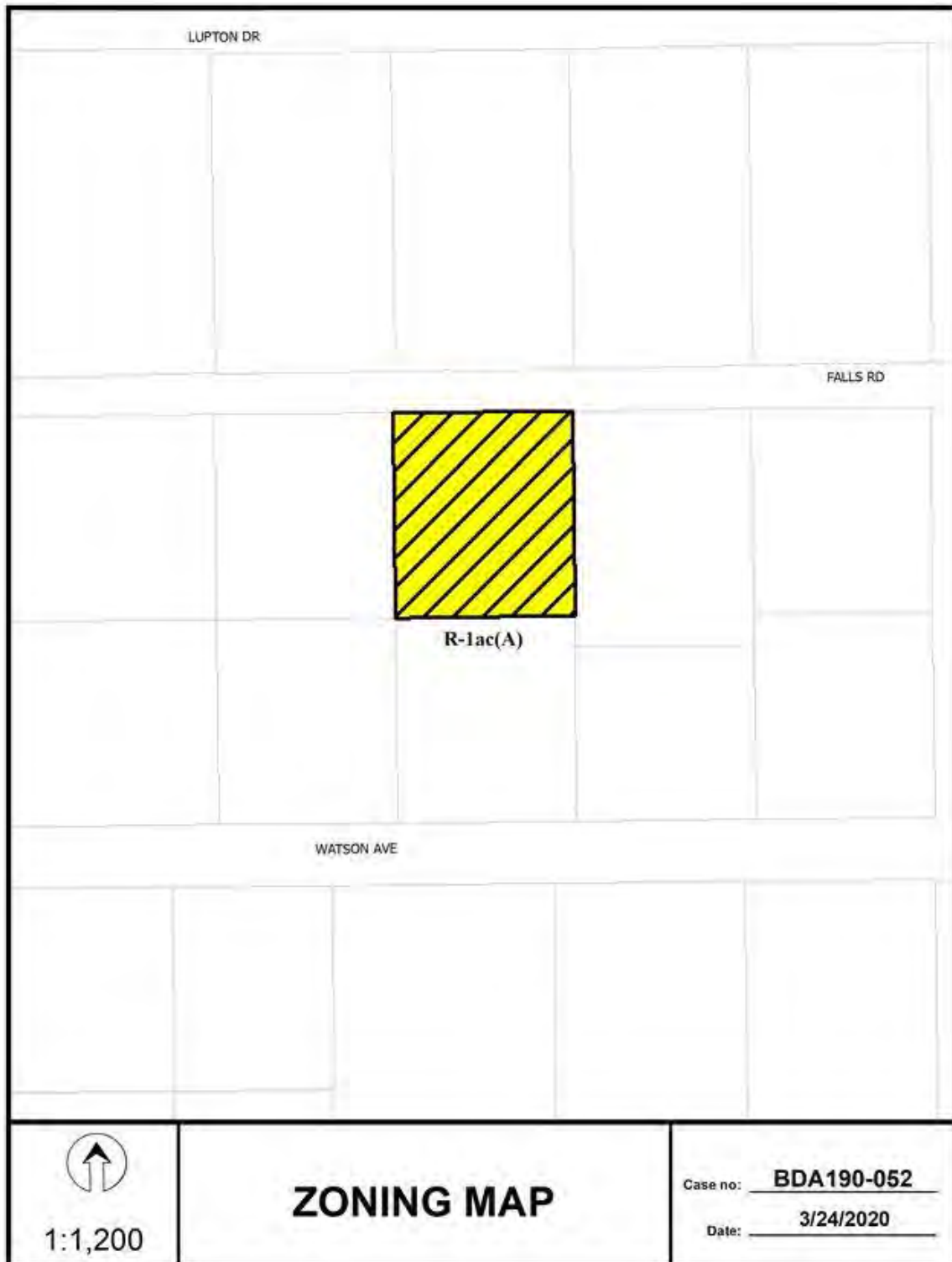
- March 2, 2020: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 17, 2020: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- March 23, 2020: The Sustainable Development and Construction Department Senior Planner emailed the applicant's representative the following information:
- 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/standards that the board will use in their decision to approve or deny the requests; and

- The Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

June 5, 2020:

The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the January public hearings. Review team members in attendance included the following: the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Senior Plans Examiner, the Sustainable Development and Construction Senior Engineer, Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the board.

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







City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-052

Date: ~~2-20-20~~ 3-2-20

Data Relative to Subject Property:

Location address: 5830 FALLS ROAD

Zoning District: R-1(AC)

Lot No. 4

Lot No.: 3

Block No.: A/5614

Acreage: 1.522

Census Tract: EL PARADISO ADD.

4 PART REMAINING PORTION LOT 1

206.00

Street Frontage (in Feet): 1) 144.98 2) _____ 3) _____ 4) _____ 5) _____

ALL <

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): OSCAR & RAQUEL RENDA

Applicant: RAQUEL RENDA

Telephone: (817) 403-0386

Mailing Address: 1904 BAYSHORE DR, FLOWER MOUND, TX. Zip Code: 75022

E-mail Address: RAQUEL.RENDA@ICLOUD.COM

Represented by: PETER DODD

Telephone: (214) 552-6013

Mailing Address: 370 LAKE PARK RD. LEWISVILLE TX Zip Code: 75057

E-mail Address: premierpedds@tx.rr.com

Affirm that an appeal has been made for a Variance __, or Special Exception X of 2' FEET
A TOTAL OF 6' FENCE IN THE 40' FRONT SETBACK

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

The installation of the proposed fence will not negatively affect neighborhood because there are many similar fences in the neighborhood. These fences are similar materials, have similar placement on the lot, and are of similar openness.

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

RAQUEL RENDA

(Affiant/Applicant's name printed)

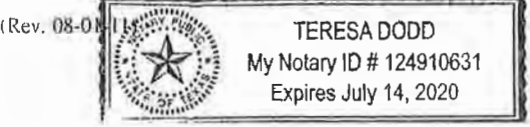
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted:

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 21 day of February, 2020

Teresa Dodd
Notary Public in and for Dallas County, Texas



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Raquel Renda
represented by Peter Dodd
did submit a request for a special exception to the fence height regulations
at 5830 Falls Road

BDA190-052. Application of Raquel Renda represented by Peter Dodd for a special exception to the fence height regulations at 5830 FALLS RD. This property is more fully described as Lot 4 and Pt Lt 3, Block A/5614, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-052

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

at: 5830 FALLS ROAD DALLAS, TX.
(Address of property as stated on application)

Authorize: RAQUEL RENDA
(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: A SPECIAL EXCEPTION FOR 2' ADDITIONAL HEIGHT FOR A TOTAL OF 6' FENCE IN 40' FRONT SETBACK

OSCAR RENDA
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date 02-21-2020

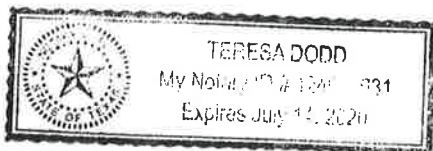
Before me, the undersigned, on this day personally appeared OSCAR RENDA

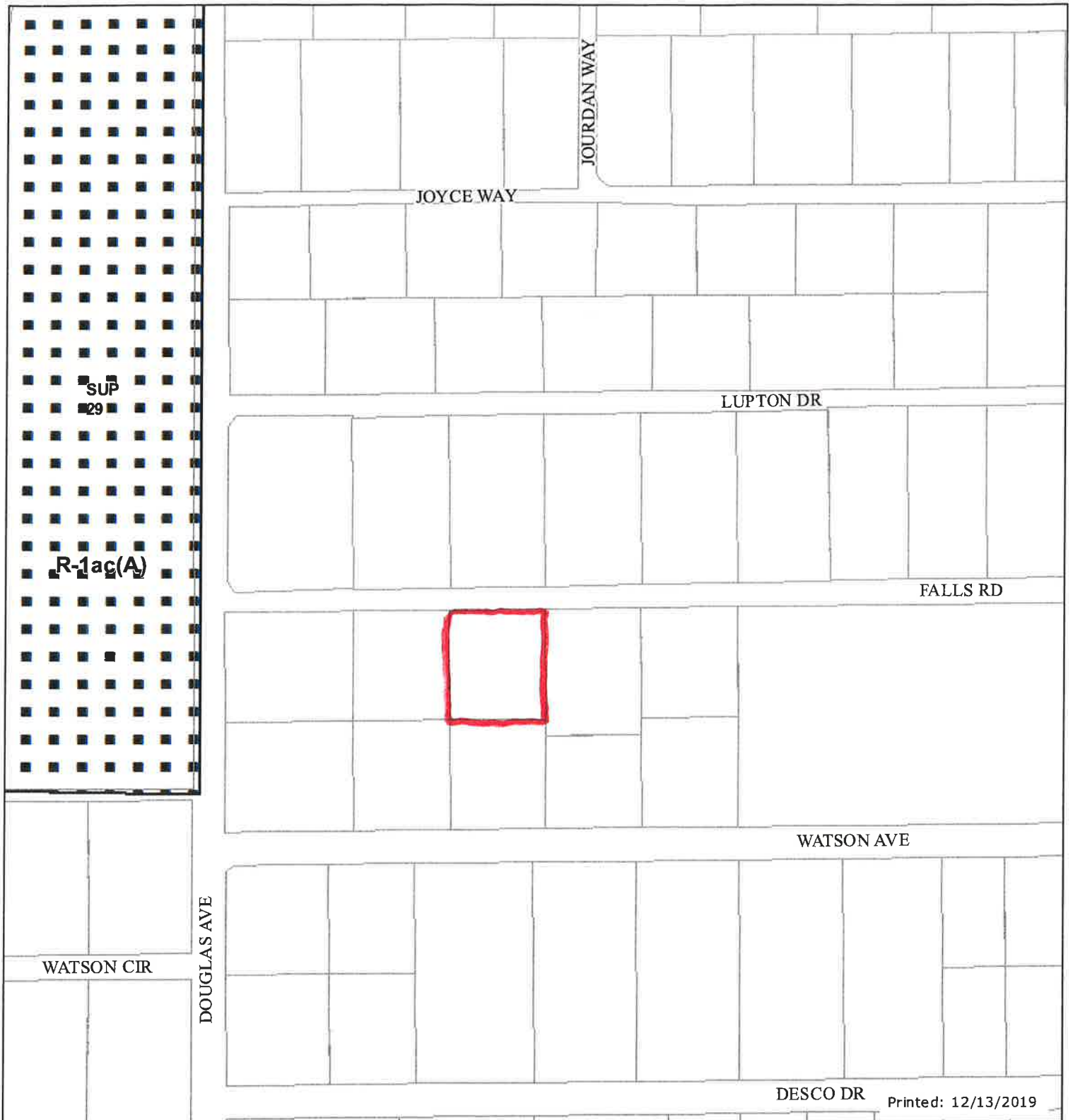
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 21 day of February, 2020

[Signature]
Notary Public for Dallas County, Texas

Commission expires on 07-14-2020





Legend

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

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



1:2,400

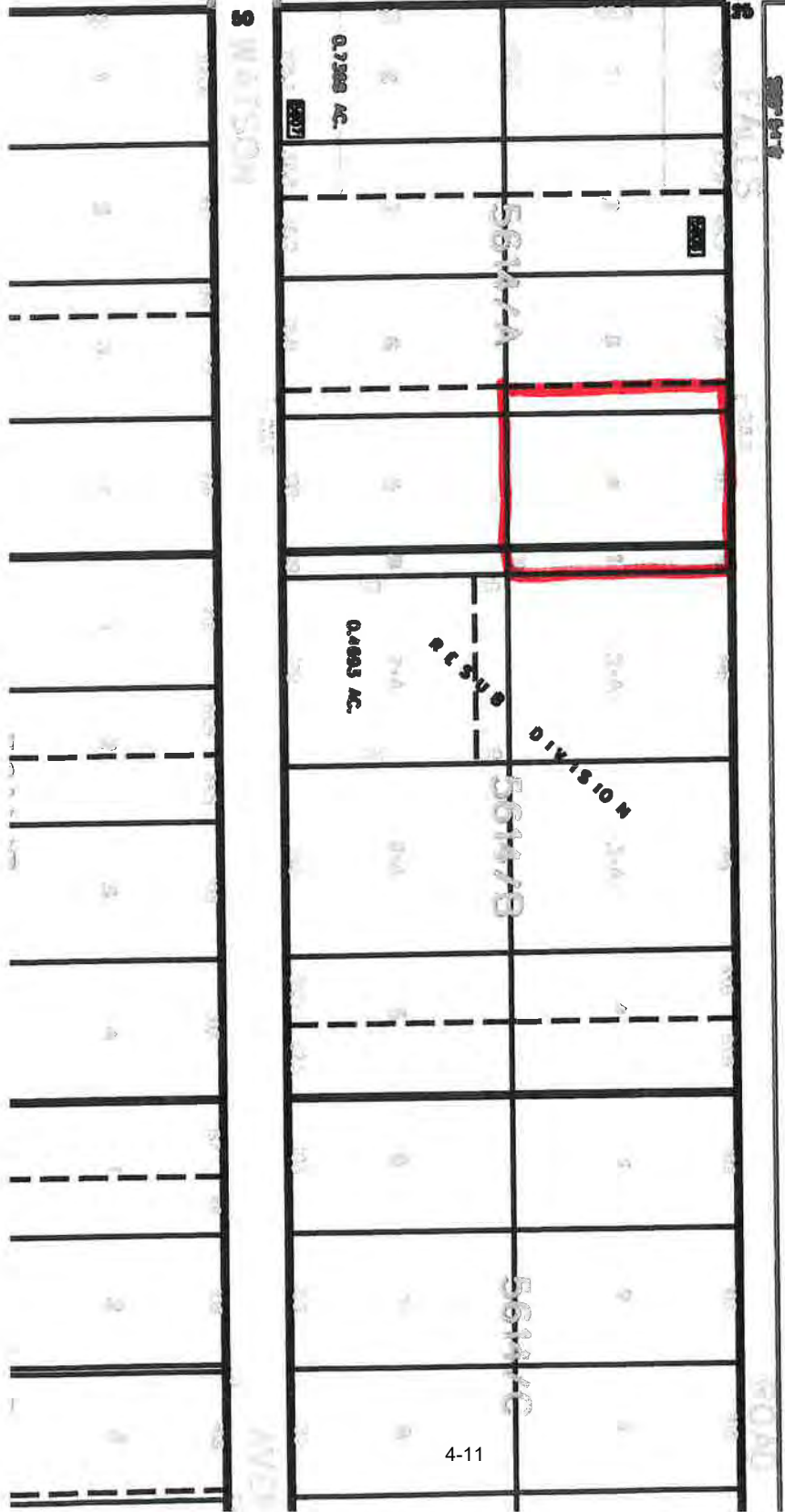
5609

NG BLVD.)

AVE

18217

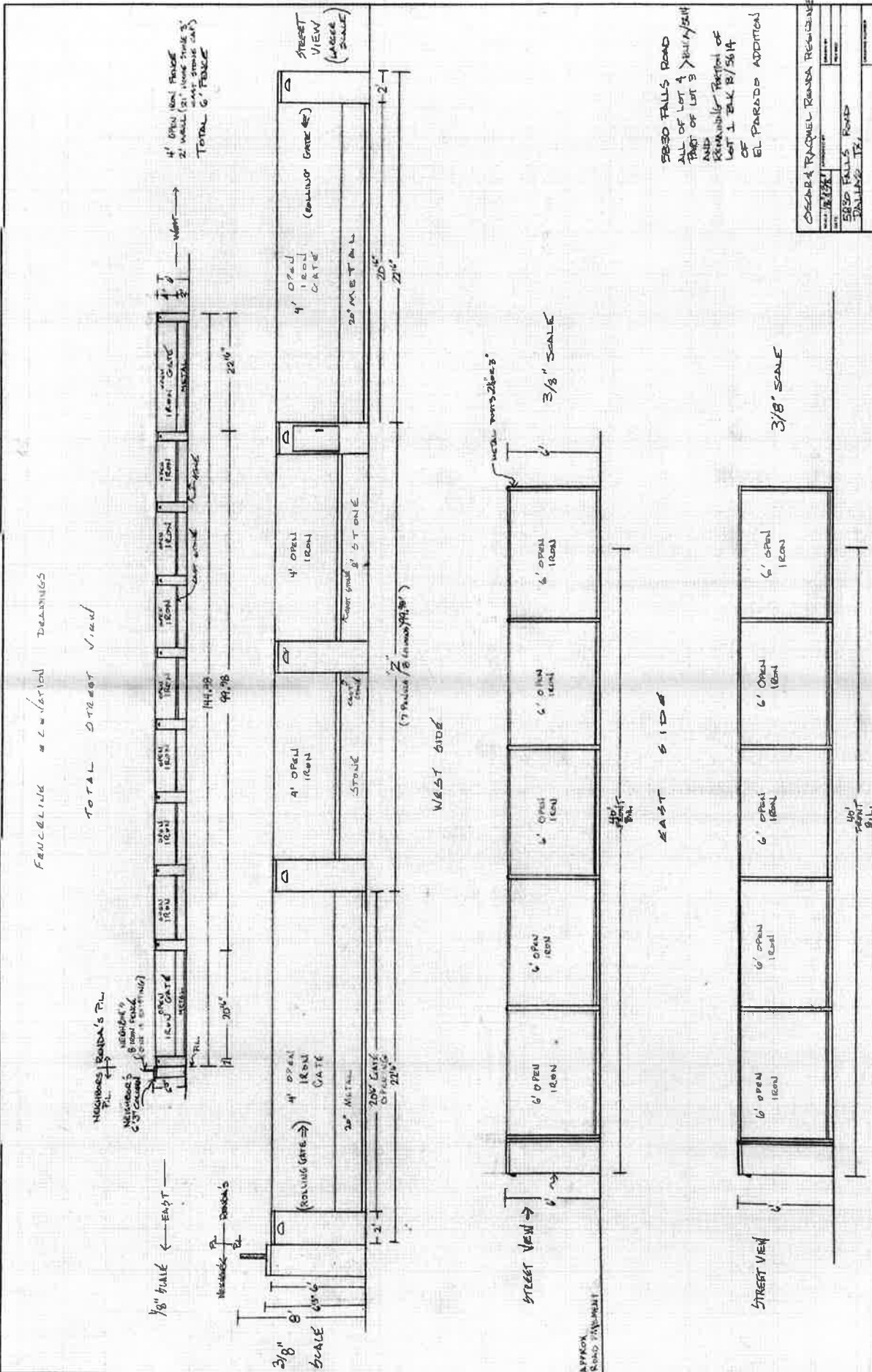
ASON. 18217



5615

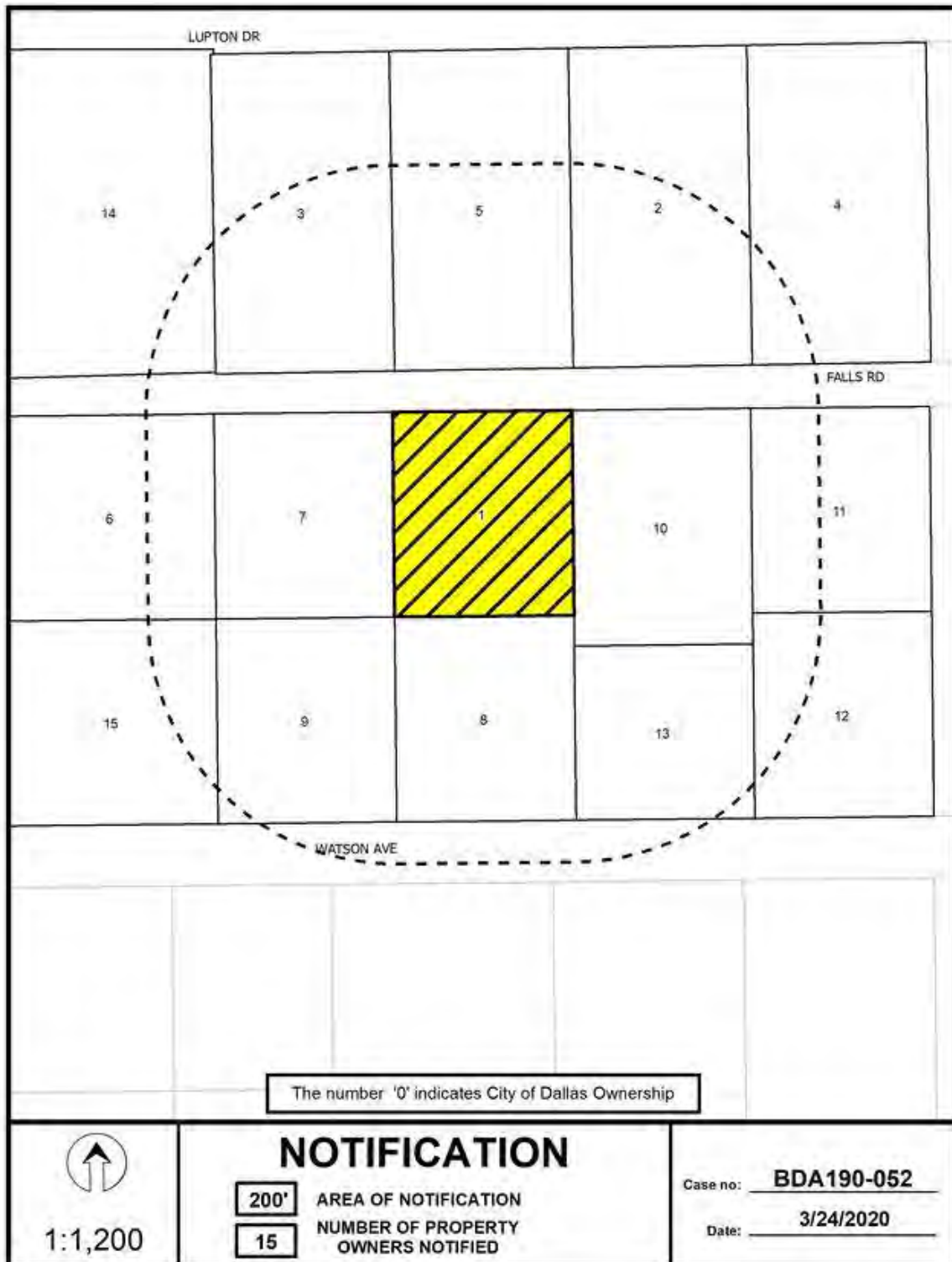
FRUITLESS # LOW VISION DRAWINGS

TOTAL STREET VIEW



5830 FALLS ROAD
ALL OF LOT 4 & PART OF LOT 3
AND REMAINING PORTION OF LOT 1 & 2
EL PARADO ADDITION

PROJECT NAME	OSCAR & RAQUEL RONDA RESIDENCE
DATE	11/18/24
PROJECT ADDRESS	5830 FALLS ROAD TRAILER TR, EL PARADO ADDITION
DRAWN BY	
CHECKED BY	
SCALE	
PROJECT NUMBER	



03/24/2020

Notification List of Property Owners

BDA190-052

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5830 FALLS RD	COUCH ENTERPRISES LP
2	5844 LUPTON DR	BELLAND LEE
3	5820 LUPTON DR	MOORE WILLIAM H
4	5910 LUPTON DR	GIBSON GEORGIA L TRUST
5	5832 LUPTON DR	KADESKY KEVIN M & ANGELA
6	5808 FALLS RD	SEAY MICHAEL CHARLES & STEPHANIE WYNNE
7	5814 FALLS RD	PANT MUKTESH & VINITA
8	5831 WATSON AVE	WAGGONER DAVID T & ALICIA
9	5815 WATSON AVE	MCKOOL MIKE JR
10	5842 FALLS RD	SIMS PATRICIA ANN
11	5906 FALLS RD	HEADY RANDY & BARBARA
12	5907 WATSON AVE	RAYMOND ROBERT J
13	5839 WATSON AVE	KELLY RICHARD D
14	5808 LUPTON DR	PARKER JAMES F &
15	5807 WATSON AVE	HATTON THOMAS H & CAROL E

FILE NUMBER: BDA190-063

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin of Baldwin Associates for a special exception to the sign regulations at 5535 W Lovers Lane. This property is more fully described as Lot 4, Block1/5012, and is zoned a CR Community Retail District, which prohibits non-monument signs within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The applicant proposes to construct a detached premises non-monument sign on a nonresidential premise within 250 feet of either private property in a non-business zoning district or a public park of more than one acre, which will require a special exception to the sign regulation.

LOCATION: 5535 W. Lovers Lane

APPLICANT: Rob Baldwin of Baldwin Associates

REQUEST: A request for a special exception to the sign regulations is made to place and maintain a non-monument sign within the 250-foot distance requirement from a residential property on a site developed with retail uses (two prospective tenants).

STANDARD FOR A SPECIAL EXCEPTION TO THE SIGN REGULATIONS FOR A NON-MONUMENT SIGN WITHIN 250 FEET OF PRIVATE PROPERTY IN A NON-BUSINESS ZONING DISTRICT:

The Board of Adjustment may grant a special exception to allow a non-monument sign within 250 feet of private property in a non-business zoning district when, in the opinion of the board, the special exception will not adversely affect neighboring property.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the sign regulations to allow a non-monument sign within 250 feet of private property in a non-business zoning district since the basis for this type of appeal is when, in the opinion of the board, the special exception will not adversely affect neighboring property.

BACKGROUND INFORMATION:

Zoning:

Site: CR (Community Retail District)
North: R-7.5(A) (Single Family Residential District)
South: CR (Community Retail District)
East: CR (Community Retail District)
West: CR (Community Retail District)

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The request focuses on placing and maintaining a non-monument sign within 250 feet from residential property on a site being developed with retail uses (two prospective tenants).

The Dallas Development Code states non-monument signs are not allowed within 250 feet of either private property in a non-business zoning district or a public park of more than one acre.

The applicant has submitted a site plan and sign elevation. The site plan notes that the signboard of the proposed sign would be oriented to face east and west. The sign is not visible to the non-business zoning district immediately north of the subject site.

The subject sign is located approximately 200 feet from the nearest residential lot located north of the subject site. The applicant is placing a new two-tenant sign on a steel pipe (pole) with two new tenants in order to advertise these new retail tenants.

In October of 2004, the sign regulations were amended in ways that added the provision the applicant is seeking an exception from – non-monument signs are not allowed within 250 feet of either private property in a non-business zoning district or a public park more than one acre.

The applicant submitted a revised site plan and elevation document stating, among other things, that the proposed two-tenant sign will be a 64-square-foot flag mount illuminated LED cabinet.

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

- That allowing a non-monument sign within 250 feet of private property in a non-business zoning district when, in the opinion of the board, the special exception will not adversely affect neighboring property.

If the board were to grant this request and impose the submitted site plan as a condition to the request, the sign would be held to the location as shown on this plan

- a site plan that notes that the signboard of the proposed replacement sign would be oriented to face east and west, and not to the non-business zoning district immediately north of the subject site.

Staff does not recommend imposing any sign elevation as a condition to this request since granting this special exception would not provide any relief to the sign regulations of the Dallas Development Code (i.e. height, effective area, or setback requirements) other than allowing a non-monument sign within 250 feet of private property in a non-business zoning district.

TIMELINE:

February 20, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 13, 2020: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

May 13, 2020: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant the following information:

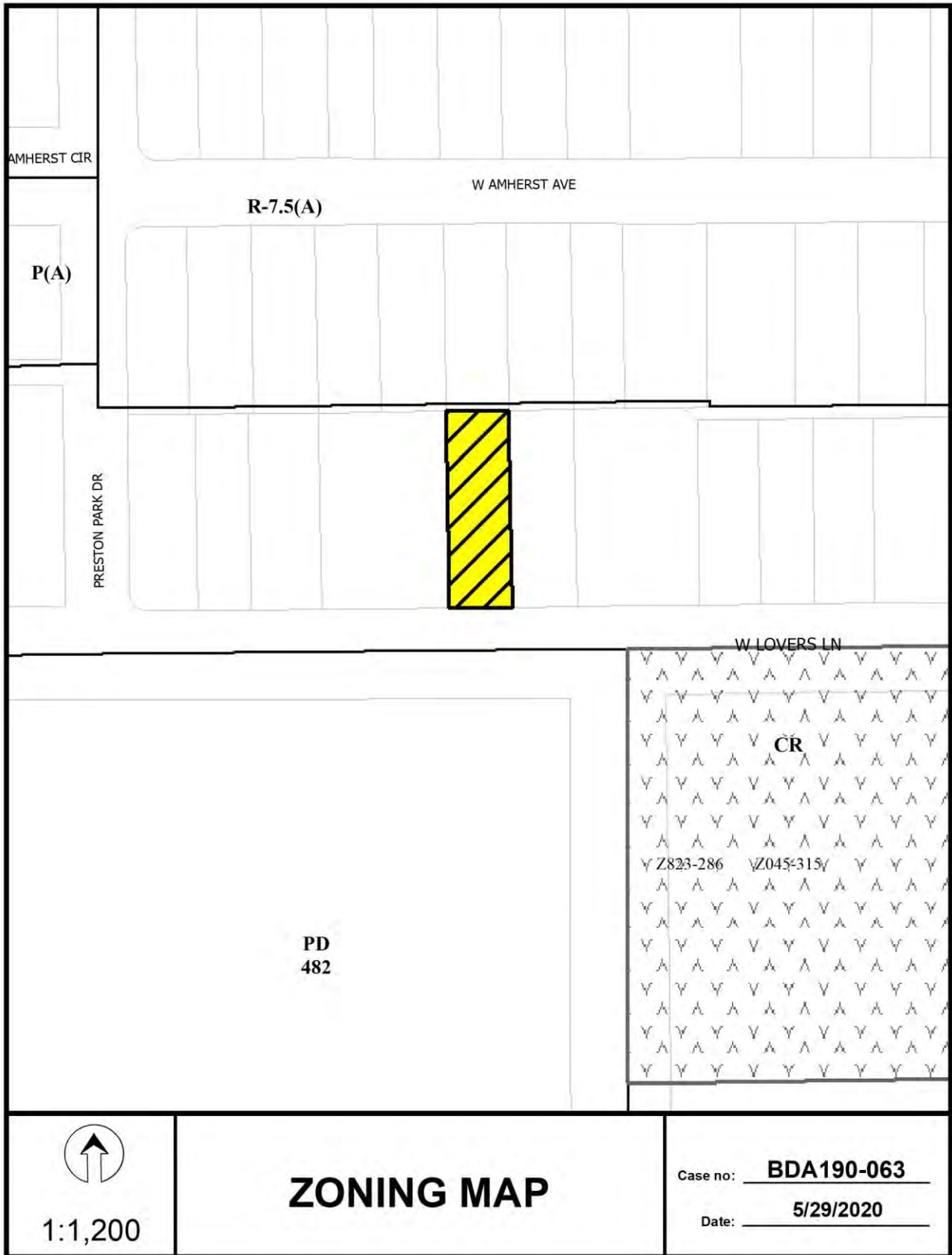
- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the June 3rd deadline to submit additional evidence for staff to factor into their analysis; and the June 12, 2020 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.”

June 5, 2020:

The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June 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 Sustainable Development and Construction 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

AERIAL MAP

Case no: BDA190-063

Date: 5/29/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-063

Data Relative to Subject Property:

Date: _____

Location address: 5535 W. Lovers Lane Zoning District: CR

Lot No.: 4 Block No.: 1/5012 Acreage: 0.18 acres Census Tract: 73.01

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Ava Johnston Trust

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 sign regulations to allow a pole sign on a property within 250 feet of a non-business sign district (51A-7.304(b)(3)).

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

The proposed sign will not adversely affect neighboring property.

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

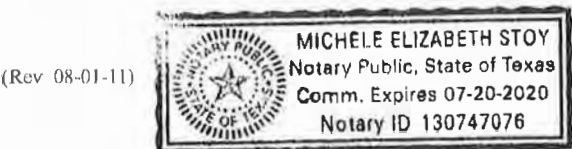
Affidavit

Before me the undersigned on this day personally appeared 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: [Signature]
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 20 day of February, 2020



Michele Stoy
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 BALDWIN ASSOCIATES

did submit a request for a special exception to the sign regulations
at 5535 W. Lovers Lane

BDA190-063. Application of BALDWIN ASSOCIATES for a special exception to the sign regulations at 5535 W LOVERS LN. This property is more fully described as Lot 4, Block1/5012, and is zoned CR, which prohibits non-monument signs within 250 feet of either private property in a non-business zoning district or a public park of more than one acre. The applicant proposes to construct a detached premises non-monument sign on a nonresidential premises within 250 feet of either private property in a non-business zoning district or a public park of more than one acre, which will require a special exception to the sign regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-063

I, Ava Johnston Trust, Bank of America, N.A. as Trustee, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5535 West Lovers Lane
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(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: Allow for the replacement of a pole sign

Bank of America, N.A. as Trustee
Robert S. Resneder, Vice President

Print name of property owner or registered agent Signature of property owner or registered agent

Date 3/24/2020

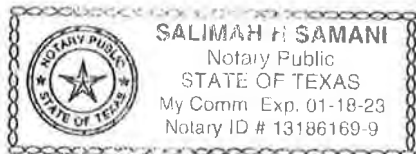
Before me, the undersigned, on this day personally appeared Robert Resneder

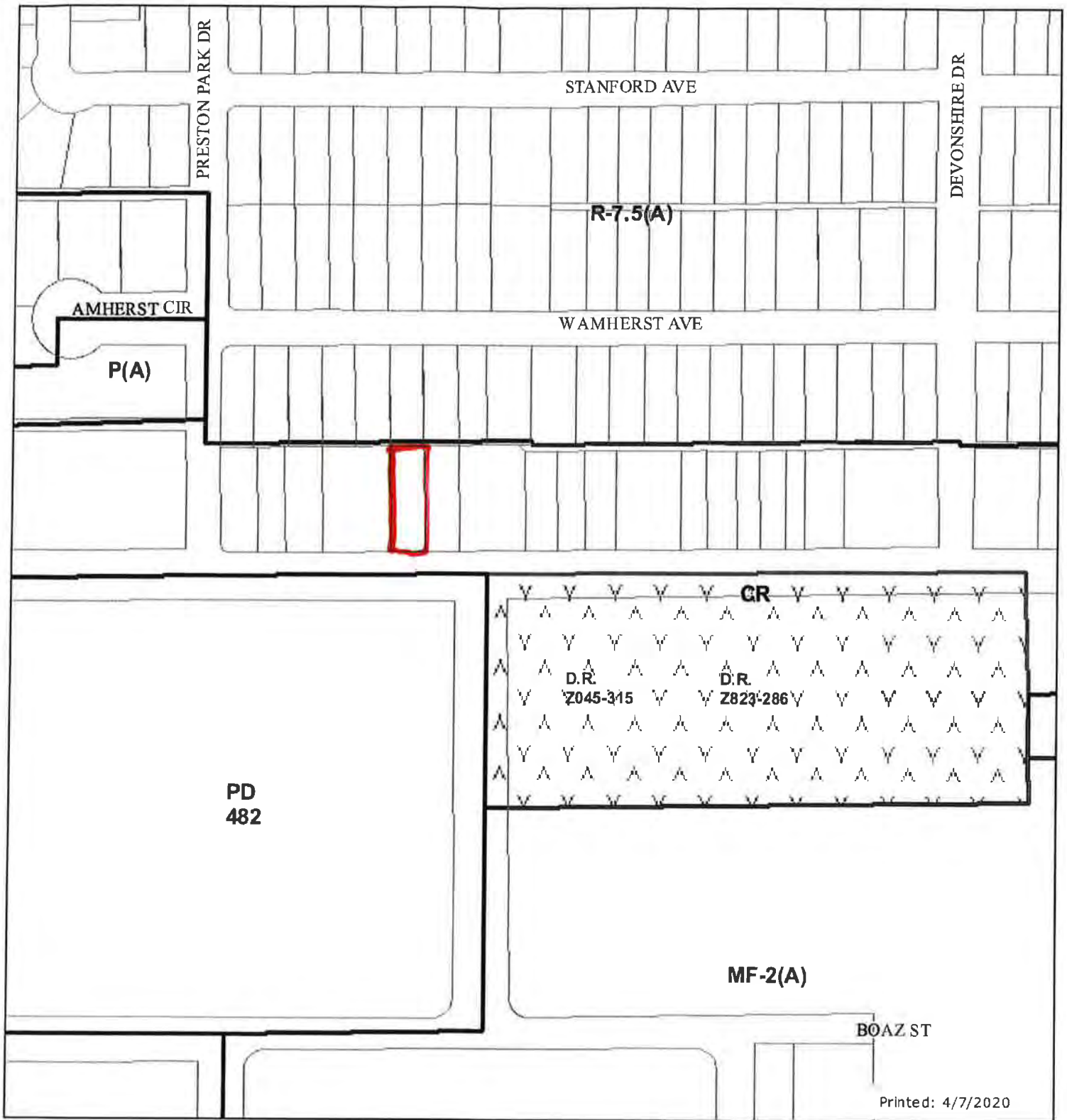
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 24th day of March 2020

R. Samani
Notary Public for Dallas County, Texas

Commission expires on 11/18/23





Printed: 4/7/2020

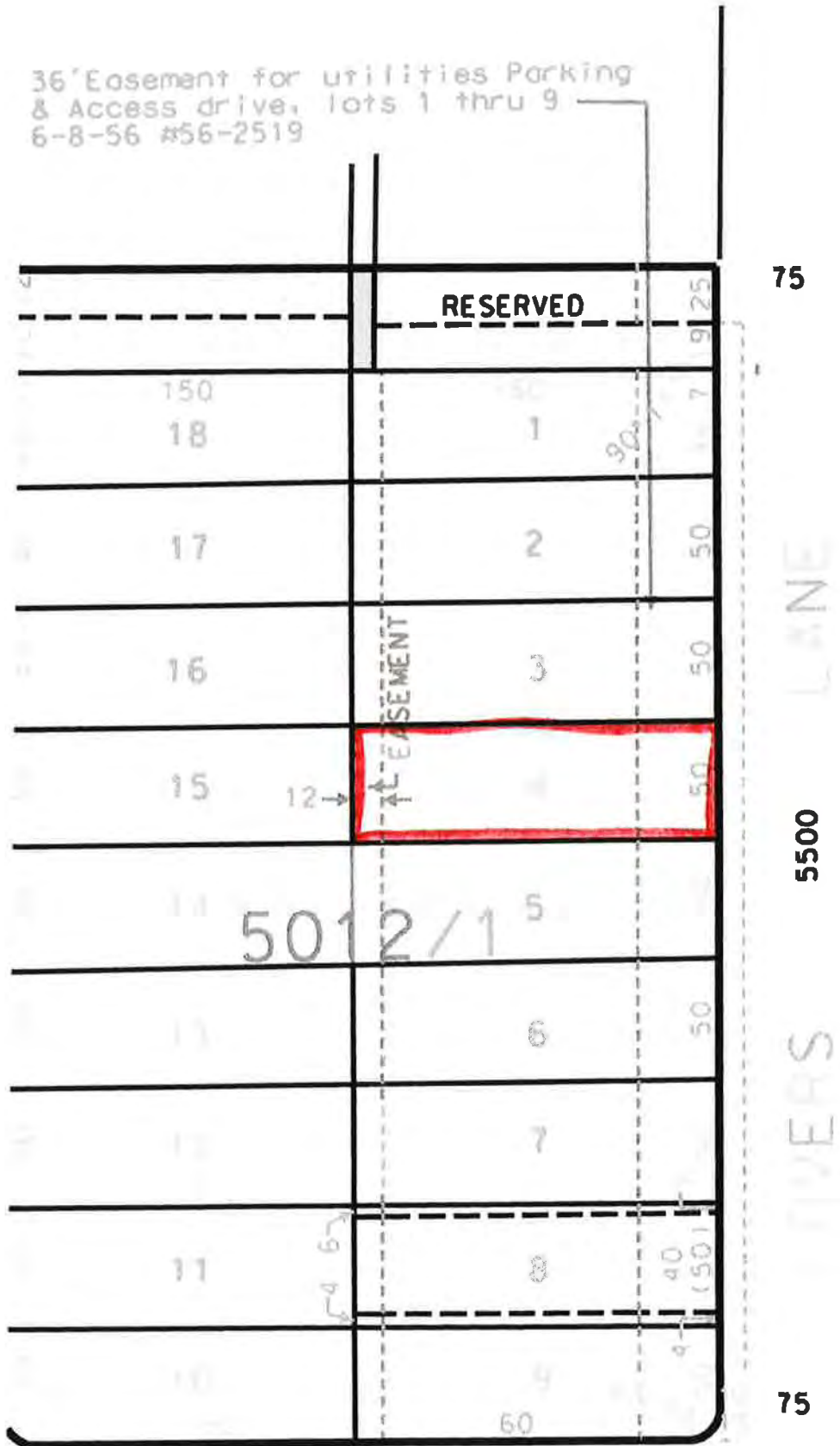
Legend

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

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36' Easement for utilities Parking
 & Access drive, lots 1 thru 9
 6-8-56 #56-2519

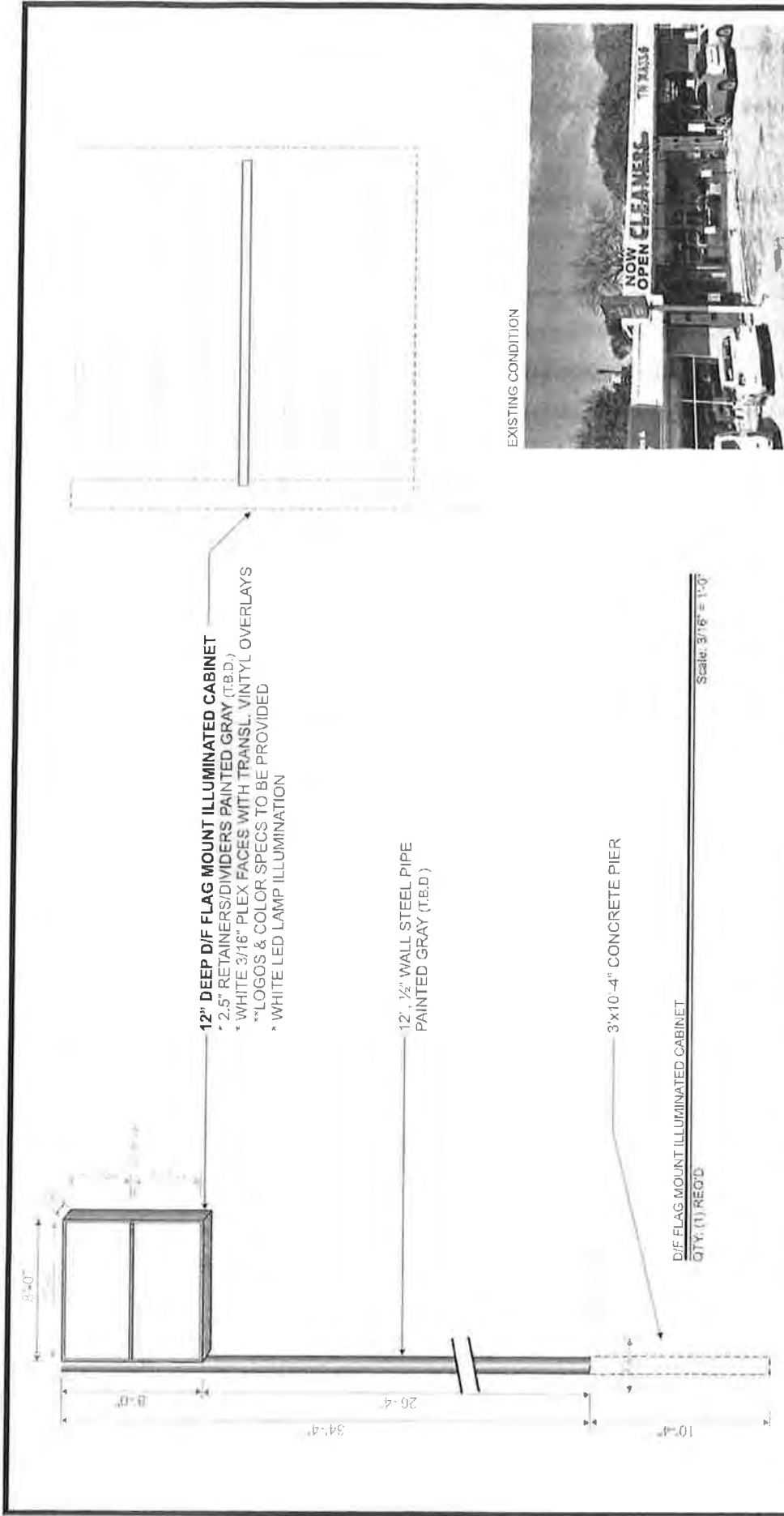


7900

5-11

DRIVE

60



12" DEEP D/F FLAG MOUNT ILLUMINATED CABINET
 * 2.5" RETAINERS/DIVIDERS PAINTED GRAY (T.B.D.)
 * WHITE 3/16" PLEX FACES WITH TRANSL. VINYL OVERLAYS
 ** LOGOS & COLOR SPECS TO BE PROVIDED
 * WHITE LED LAMP ILLUMINATION

12" 1/2" WALL STEEL PIPE
 PAINTED GRAY (T.B.D.)

3'x10'-4" CONCRETE PIER

D/F FLAG MOUNT ILLUMINATED CABINET
 QTY: (1) REQ'D

Scale: 3/16" = 1'-0"

EXISTING CONDITION



DATE	REVISIONS	REVISION	BY	DATE

ALL OWNERS MUST BE NOTICED BY REGISTERED PROFESSIONAL ENGINEER OR ARCHITECT BEFORE ANY SIGNAGE IS INSTALLED.
 THE SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE STATE OF TEXAS.
 THE SIGNAGE SHALL BE MAINTAINED IN ACCORDANCE WITH THE SIGNAGE REGULATIONS OF THE STATE OF TEXAS.

CLIENT: CONCORD CAPITOL STORE #
 INSTALLATION ADDRESS: 5535 W. LOVERS LN DALLAS, TX 75209
 DESIGNER: KD ACCOUNT EXECUTIVE: J. MULDOON
 DATE: 1-23-2020 SHEET 1 OF 4 DESIGN #: 20-125 REV-2
 GARDER FILE = 1-2020-JobstXXXXProductionJobst
 COREL FILE = 1-2020-JobstXXXXDrawings20

accent graphics
 COMPLETE SIGN SERVICE & FABRICATION
 532 E. ROCK ISLAND TOLL FREE (800) 810-3044
 GRAND PRAIRIE, TX 75049 METRO (972) 996-4333
 EMAIL: info@accentgraphics.com FAX (972) 996-4456
 WEBSITE: www.accentgraphics.com FAX (800) 810-3045

Regulated by the Texas Department of Licensing and Regulation P. O. Box 12157, Austin, TX 78711 Toll: 512.463.6589
 http://www.license.state.tx.us/complaints State of Texas Contractor #18050

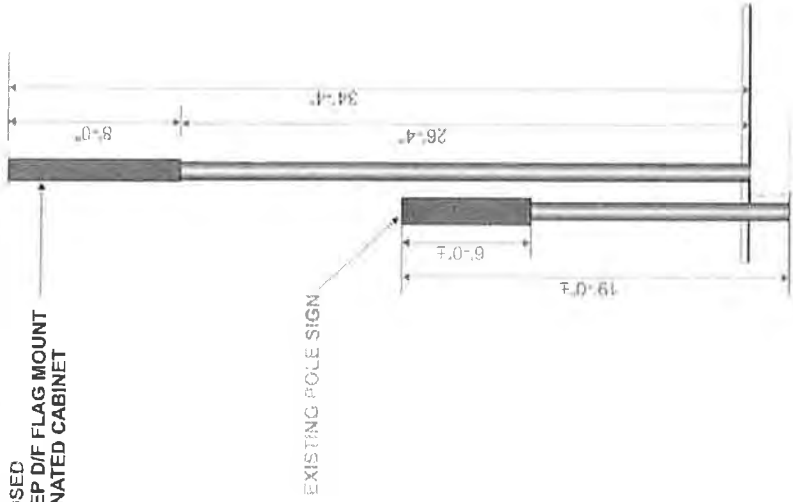


NTS



NTS

PROPOSED
12" DEEP D/F FLAG MOUNT
ILLUMINATED CABINET



EXISTING POLE SIGN

SIDE BY SIDE COMPARISON

Scale: 3/16" = 1'-0"

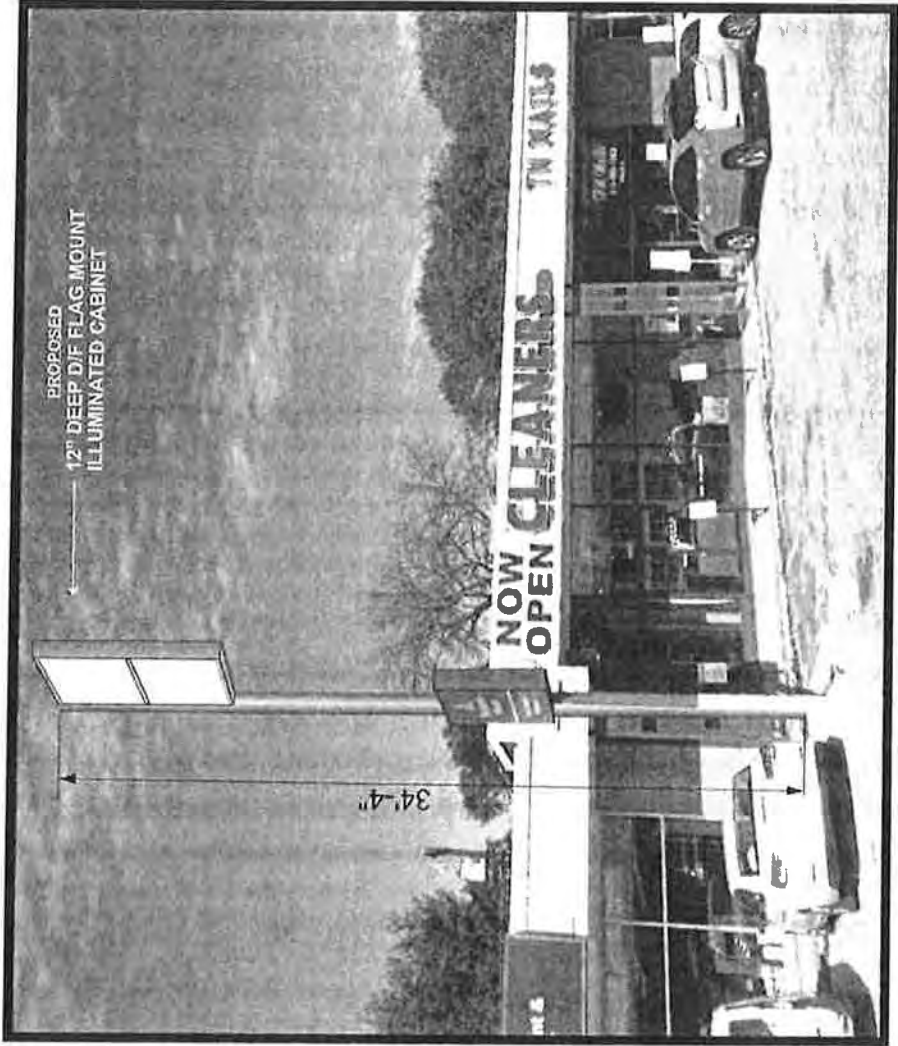
accent signs graphics
COMPLETE SIGN SERVICE & FABRICATION
523 E ROCK ISLAND
GRAND PRAIRIE, TX 75050
EMAIL: jrwilson@accentgraphics.com FAX: (972) 996-4455
WEBSITE: www.accentgraphics.com FAX: (800) 610-3045

CLIENT: CONCORD CAPITOL STORE # _____
INSTALLATION ADDRESS: 5535 W. LOVERS LN. DALLAS, TX 75209
DESIGNER: KD ACCOUNT EXECUTIVE: J. MULLIGAN
DATE: 1-23-2020 SHEET 2 OF 4 DESIGN #: 20-125 REV-2
Sketch FILE = 1-2020-Jobs\XXX\Production\Jobs\X Corel FILE = 1-2020-Jobs\XXX\Drawings\20-

DATE: 2/2/20 REVISIONS: NAME: _____
2/2/20 REVISIONS: NAME: _____
2/2/20 REVISIONS: NAME: _____
2/2/20 REVISIONS: NAME: _____
2/2/20 REVISIONS: NAME: _____
2/2/20 REVISIONS: NAME: _____

AUTHORIZATION: _____
DATE: _____
BY: _____
FOR: _____
ALL CHANGES MUST BE REQUESTED BY _____
FOR APPROVAL BY _____
FOR APPROVAL BY _____

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PROPOSED
12" DEEP D/F FLAG MOUNT
ILLUMINATED CABINET

34'-4"

Scale: 3/16" = 1'-0"

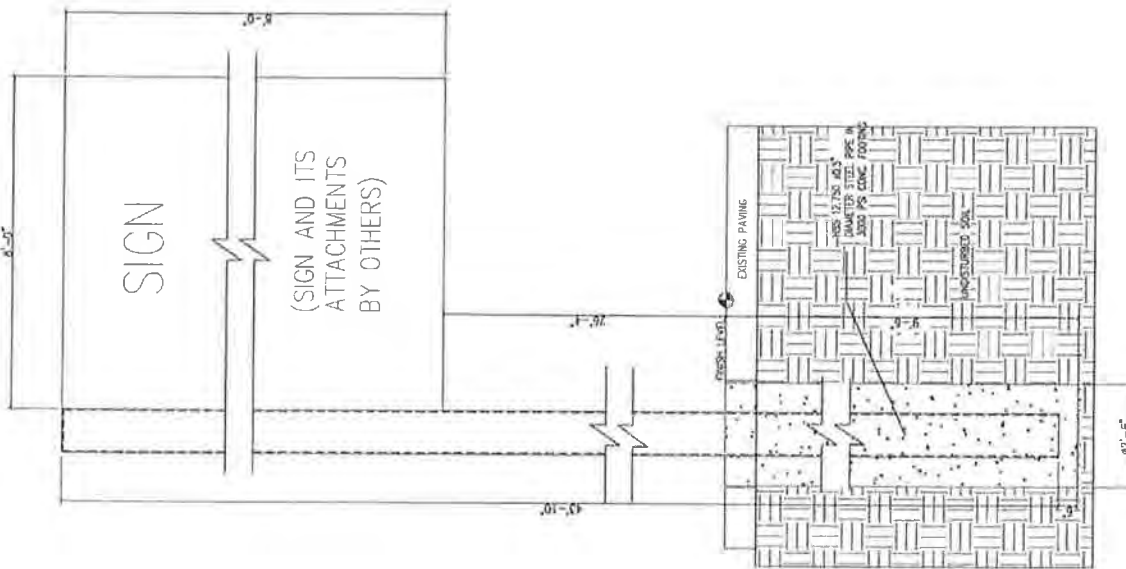
accent signs graphics
COMPLETE SIGN SERVICE & FABRICATION
523 B ROCK ISLAND
GRAND PRairie, TX 76049
TOLL FREE (800) 810-0444
METRO (872) 888-4466
EMAIL: info@accentgraphics.com FAX
WEBSITE: www.accentgraphics.com

CLIENT: CONCORD, CAPITOL STORE # _____
INSTALLATION ADDRESS: 5535 W. LOVERS, LN. DALLAS, TX 75209
DESIGNER: KD ACCOUNT EXECUTIVE: J. MULDOON
DATE: 1-23-2020 SHEET: 3 OF 4 DESIGN #: 20-125 REV-2
Gerber FILE = 1-2020-Jobs\XXXX\Production\JobX
Corel FILE = 1-2020-Jobs\XXXX\Drawings\20-

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DATE	REVISIONS	NAME	AUTHORIZATION
	REVISE DATE		
	REVISE DATE		
	REVISE DATE		
	REVISE DATE		
	REVISE DATE		

Regulated by the Texas Department of Licensing and Regulation P. O. Box 12157 Austin, TX 78711 Tel: 512-453-6599
Online: <http://www.license.state.tx.us/complaints> State of Texas Contractor #18050



1 SIGN FOOTING DETAIL
3/4" = 1'-0"

DESIGN POLE FOOTING (IBC 2015 1807.3.2.1)

$$d = \frac{1}{2} \left[1 + \sqrt{1 + \frac{360P}{V}} \right] \quad \text{for nonconstrained}$$

$$d = \frac{1}{2} \left[1 + \sqrt{1 + \frac{360P}{V}} \right] \quad \text{for constrained}$$

Where

$P = V_{over} = 1.75 \text{ KIPS}$
 $A = 234P / 10 S_{1.1} = 1.69$
 $h = 14_{max} / V_{over} = 28.32 \text{ ft}$

DESIGN

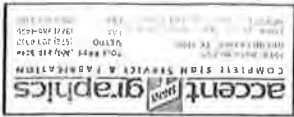
- A. INTERNATIONAL BUILDING CODE 2015
- B. WIND LOAD DESIGN CRITERIA:
 - BASIC WIND SPEED, V_3S 115 MPH (3 SEC. 0.87)
 - WIND EXPOSURE CATEGORY C
 - RISK CATEGORY II

STRUCTURAL STEEL

- A. ALL STRUCTURAL STEEL SHALL BE DESIGNED, FABRICATED AND ERRECTED IN ACCORDANCE WITH THE LATEST SPECIFICATIONS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION.
- B. STRUCTURAL STEEL SHALL CONFORM TO:
 - HOLLOW STRUCTURAL SECTION - PIPE (HSS) ASTM A53, GRADE B
- C. FIELD CONNECTIONS MAY BE WELDED OR BOLTED AT THE CONTRACTOR'S OPTION UNLESS NOTED OTHERWISE. BOLTS SHALL CONFORM TO ASTM A325/1/182. ALL WELDING SHALL BE IN ACCORDANCE WITH AWS D1.1-97. WELDING ELECTRODES SHALL BE E6010 UNLESS OTHERWISE NOTED.
- D. ALL EXPOSED STRUCTURAL STEEL SHALL BE WETTED, WELDED WITH WATERPROOF COATING AND CURED. SMOOTH USE GALVANIZED METAL OR A THICK COAT OF EPOXY PRIMER AND A THICK COAT OF MATING INDUSTRIAL BLACK PAINT ON ALL EXPOSED SURFACES.

CONCRETE

- A. CONCRETE WORK SHALL BE EXECUTED IN STRICT ACCORDANCE WITH THE LATEST AMERICAN CONCRETE INSTITUTE (ACI 318).
- B. CONCRETE SPECIFICATIONS SHALL BE AS FOLLOWS:
 - 28 DAY STRENGTH 3,000 PSI
 - AGGREGATE 1.5
 - SUMP 3'-9"
 - PORTLAND CEMENT SHALL CONFORM TO ASTM-C-150.
 - AGGREGATE SHALL CONFORM TO ASTM C-33 (H.R.). ALL CONCRETE SHALL BE PROPORTIONED TO HAVE A MAXIMUM W/C/RATIO RATIO 0.55
- C. SEE ARCHITECTURAL AND MECHANICAL PLANS FOR VERIFICATION OF ALL DEPRESSIONS, OPENINGS, CAST-IN-PLACE ACCESSORIES, ETC.
- D. JOB SITE CONDITIONS SHALL AS VERIFIED BY THE CONTRACTOR PRIOR TO THE FABRICATION OF MATERIALS.

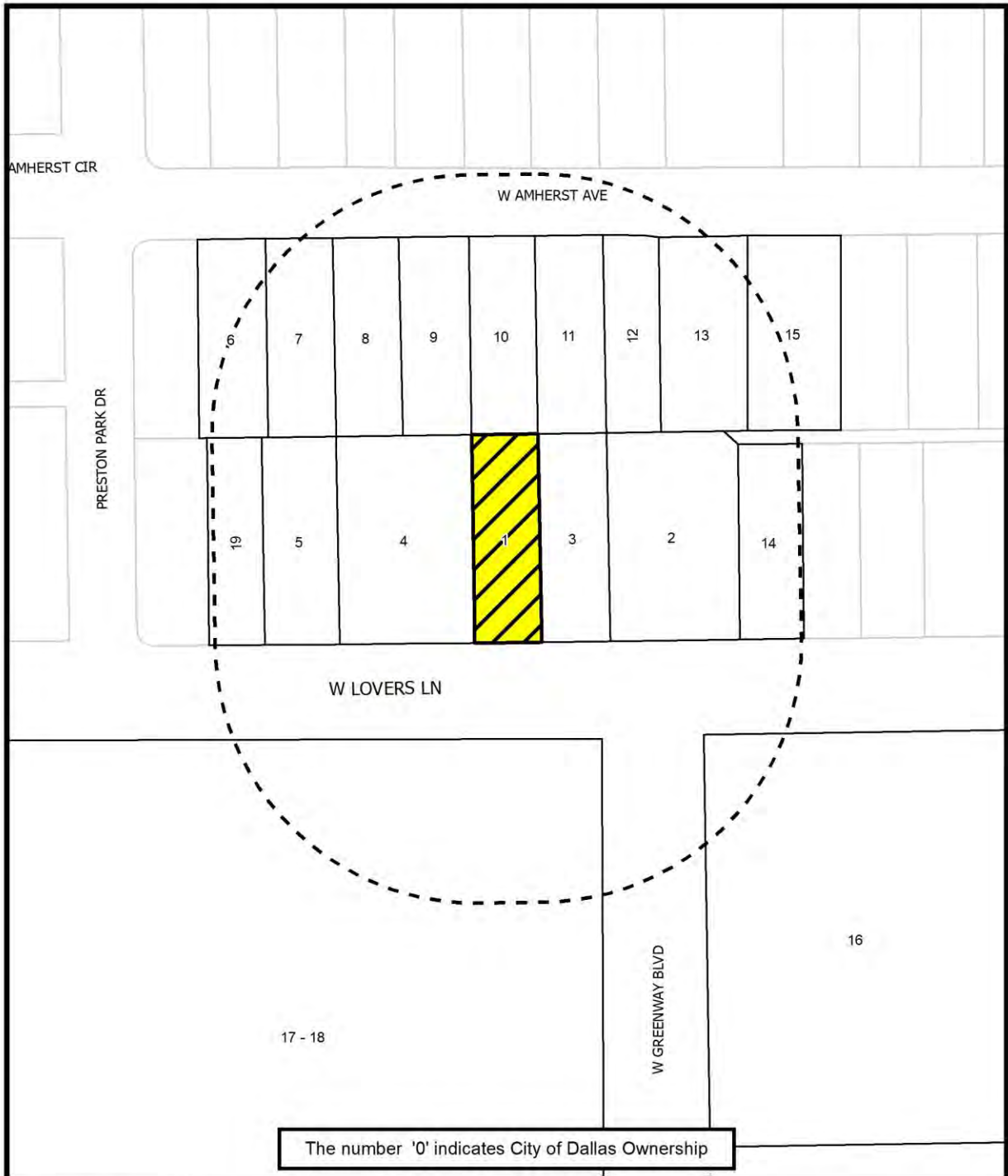


PROPOSED RETAIL CENTER FACADE ALTERATION FOR
 LOVERS LANE CENTER
 5535 LOVERS LANE DALLAS, TEXAS

S-1

ISSUE DATES	REVISIONS

STREET BEAR ENGINEERING
 A. D. DALLAS, TX
 1804 LAKESHORE CRT
 IRVING, TEXAS



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA190-063
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">19</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 5/29/2020

05/29/2020

Notification List of Property Owners

BDA190-063

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5535 W LOVERS LN	JOHNSTON AVA TR
2	5555 W LOVERS LN	SHERRY LANE INV INC
3	5541 W LOVERS LN	SKL INVESTMENT COMPANY LTD
4	5525 W LOVERS LN	DORCO RLTY CO
5	5519 W LOVERS LN	JLE RICHARDSON HTS LTD
6	5506 W AMHERST AVE	ANDERSON JAMES CHRISTOPHER &
7	5510 W AMHERST AVE	TRAEGER JOHN W
8	5514 W AMHERST AVE	SHUFORD KATHI K & SCOTT H
9	5518 W AMHERST AVE	ALEXANDER RESIDENCE TRUST
10	5522 W AMHERST AVE	SCOGGINS JOHN &
11	5526 W AMHERST AVE	BOULAS H JAY
12	5530 W AMHERST AVE	CULBERTSON JUDY BROADFOOT
13	5534 W AMHERST AVE	ARRIETA EDWARD HUMBERTO
14	5567 W LOVERS LN	BOSWELL MARY U
15	5600 W AMHERST AVE	BUFKIN THOMAS D JR &
16	5600 W LOVERS LN	PAVILION ON LOVERS LN LP
17	5300 W LOVERS LN	L&B DEPP INWOOD VILLAGE
18	5458 W LOVERS LN	L&B DEPP INWOOD VILLAGE
19	5509 W LOVERS LN	5509 LOVERS LANE PROPERTIES LLC

FILE NUMBER: BDA190-067(OA)

BUILDING OFFICIAL'S REPORT: Application of McDonalds's Corp represented by Clay Moore Engineering for a special exception to the parking regulations at 1717 W. Mockingbird Ln. This property is more fully described as Lot 4B, Block A/6061, and is zoned an IR Industrial Research District, which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a restaurant with drive-in or drive-through service use, and provide 33 of the required 44 parking spaces, which will require an 11-space special exception (25 percent reduction) to the parking regulation.

LOCATION: 1717 W. Mockingbird Lane

APPLICANT: McDonalds USA Represented By ClayMoore Engineering

REQUEST:

A request for a special exception to the off-street parking regulations of 11 spaces is made to construct and maintain a restaurant with drive-in or drive-through service use structure and provide 33 of the 44 off-street parking spaces required by code.

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

Section 51A-4.311 of the Dallas Development Code states the following:

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

exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

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

- (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- The special exception of 11 spaces shall automatically and immediately terminate if and when the hotel use is changed or discontinued.

Rationale:

- The Sustainable Development and Construction Department Senior Engineer indicated that he has no objections to this request.

BACKGROUND INFORMATION:

Zoning:

Site: IR (Industrial Research District)
North: IR (Industrial Research District)
South: MU-3 (Mixed Use District)
East: MU-3 (Mixed Use District)
West: IR (Industrial Research District)

Land Use:

The subject site is vacant. The area to the south, east, west, and north are developed with industrial and commercial uses.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

This request for a special exception to the off-street parking regulations of 11 spaces focuses on constructing and maining a restaurant with drive-in or drive-through service use structure and provide 33 of the 44 off-street parking spaces required by code.

Chapter 51A-4.210 (25) (C) requires the following off-street parking requirement:

- Except as otherwise provided, one space per 100 square feet of floor area; with a minimum of four spaces. See additional provisions [Subparagraph (E)] for off-street stacking requirements. See Section 51A-4.304 for more information regarding off-street stacking spaces generally.

- The total number of stacking spaces required for this use is as follows:

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

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

- The parking demand generated by the proposed hotel use does not warrant the number of off-street parking spaces required, and
 - The special exception of 11 spaces (or a 25 percent reduction of the required off-street parking) 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 11 spaces shall automatically and immediately terminate if and when the restaurant with drive-in or drive-through service use change or discontinue, the applicant would be allowed to construct and maintain the structure on the site with these specific uses with the specified square footage, and provide 33 of the 44 code required off-street parking spaces.

Timeline:

April 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.

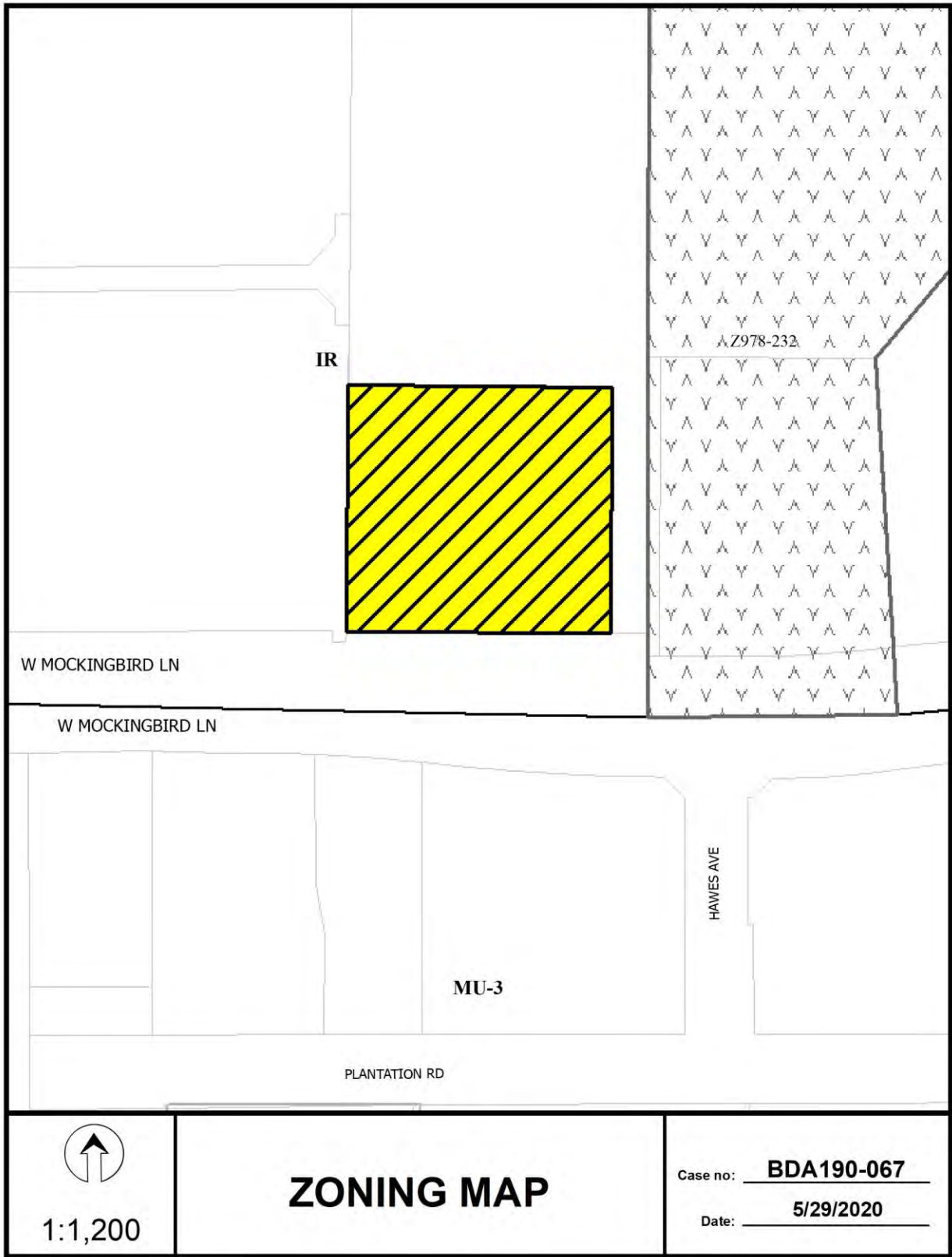
May 13, 2020: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

May 13, 2020: The Board of Adjustment Chief Planner/Board Administrator 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 June 3rd deadline to submit additional evidence for staff to factor into their analysis; and the June 12, 2020 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.”

June 5, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June 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 Sustainable Development and Construction 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.

June 11, 2020: The Sustainable Development and Construction Senior Engineer submitted a review comment sheet marked "Recommends Approval" (Attachment A).



1:1,200

ZONING MAP

Case no: BDA190-067

Date: 5/29/2020



W MOCKINGBIRD LN

W MOCKINGBIRD LN

PLANTATION RD

HAWES AVE

Site



1:1,200

AERIAL MAP

Case no: BDA190-067

Date: 5/29/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-067

Date: 4/20/2020

Data Relative to Subject Property:

Location address: 1717 W Mockingbird Land Lane Zoning District: IR

Lot No.: 4B Block No.: A/6061 Acreage: 0.989 Census Tract: _____

Street Frontage (in Feet): 1) 254.2 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Sycamore Mockingbird LLC

Applicant: McDonalds USA - Lee Morris Telephone: 972.869.18888

Mailing Address: 511 E John Carpenter Fwy Ste. 375, Irving Zip Code: 75062

E-mail Address: Lee.Morris@us.mcd.com

Represented by: ClayMoore Engineering Telephone: 817.281.0572

Mailing Address: 1903 Central Dr. Ste. 406 Zip Code: 76021

E-mail Address: clay@claymooreeng.com

Affirm that an appeal has been made for a Variance ____, or Special Exception X, of Parking requirements to serve the Mcdonald's that is proposed at this location. Required Parking will be reduced from 44 required spaces to 33 spaces. This is a reduction of 11spaces or 25%.

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: McDonalds is planning to developmet a new restaurant with Drive Thru. This location and site is very constrained in it's size and dimesions and cannot be enlarged thus limiting the amount of space for parking spaces. The proposed McDonalds facility expects the restaraunt to operate similar to the surrounding facilities in this area that has a higher level of drive thru traffic and less parking is needed for these locations. A dual drive thru is being provided to accomodate the larger drive thru traffic volumes.

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.

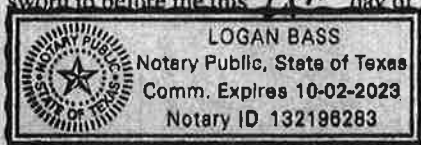
Affidavit

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

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

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

Subscribed and sworn to before me this 21st day of April, 2020



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

(Rev. 08-01-11)

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

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that MCDONALDS'S CORP
represented by ClayMoore Engineering
did submit a request for a special exception to the parking regulations
at 1717 W. Mockingbird Lane

BDA190-067. Application of MCDONALDS'S CORP represented by ClayMoore Engineering for a special exception to the parking regulations at 1717 W. Mockingbird Ln. This property is more fully described as Lot 4B, Block A/6061, and is zoned IR, which requires parking to be provided. The applicant proposes to construct a nonresidential structure for a restaurant with drive-in or drive-through service use, and provide 33 of the required 44 parking spaces, which will require an 11 space special exception (25% reduction) to the parking regulation.

Sincerely,


 Philip Sikes, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-067

I, Sycamore Mockingbird LLC, Owner of the subject property
(Owner or "Grantor" of property as it appears on the Warranty Deed)

at: 1717 W Mockingbird Lane
(Address of property as stated on application)

Authorize: McDonalds USA
(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)

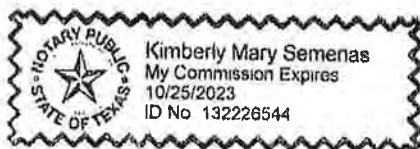
Specify: Reduce parking requirements to serve the Mcdonald's by 7 spaces.

TIKA S. CHEEMA T. Cheema 4/20/20
 Print name of property owner/agent Signature of property owner/agent Date

Before me, the undersigned, on this day personally appeared Tika Cheema

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 20th day of April, 2020



Kimberly Semenas
Notary Public for Dallas County, Texas

Commission expires on 10/25/23

Parking Analysis

McDonald's
1717 W. Mockingbird Lane
Dallas, Texas

April 23, 2020

Prepared for:
Mr. Matt Moore, P.E.
ClayMoore Engineering, Inc.
202 S. Coleman, Suite 200
Prosper, TX 75078

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 #051DAL



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Introduction

The services of Lambeth Engineering Associates, PLLC, (herein Lambeth Engineering) were retained to conduct a parking analysis for a proposed, new McDonalds at 1717 W. Mockingbird Lane, in Dallas, Texas. The site currently is currently vacant.

The property is zoned Industrial Research District (IR) and parking is required per Chapter 51A.

The purpose of this study is to project the parking demand for the planned McDonalds and determine whether the requested parking reduction will provide adequate parking supply. As shown in this analysis, the site is projected to provide sufficient parking taking into consideration an 11-space parking reduction based upon parking observations at three existing sites in Dallas. Therefore, approval of the 11-space parking special exception is recommended.

Project Description

The site is located south of Dallas Love Field Airport. The new McDonald’s is planned to be 4,395 SF and include 36 parking spaces on-site.

A vicinity map is provided in **Exhibit 1** and a preliminary site plan is provided in the **Exhibit 2** (exhibits are provided at the end of memo).

Code Parking Requirement

City of Dallas Chapter 51A parking requirement for *restaurant with drive-in or drive-through service use* is one space per 100 SF, resulting in a parking requirement of 44 spaces for a 4,395 SF restaurant.

Projected Parking Demand

In order to project the parking demand at the proposed McDonald’s, parking observations were conducted at existing McDonald’s sites.

Parking Observations

Parking observations were conducted on Friday and Saturday, February 28 and 29, 2020 at two existing McDonald’s sites near the proposed location during lunch and dinner periods. Parking observations from a 2018 McDonald’s parking study on Coit Road were also taken into consideration in this study. Study sites are described in **Table 1** and detailed parking observations are provided in the **Appendix**.

Table 1. Observed McDonald’s Sites

Name	Address	Dates Observed	SF	Peak Parking Observed (Spaces)	Peak Parking Rate Observed (1 space per X SF)
1. McDonald's	4437 Lemmon Ave.	Fri. and Sat., Feb. 28 and 29, 2020	3,457	25	138
2. McDonald's	5722 W. Lovers Ln.	Fri. and Sat., Feb. 28 and 29, 2020	4,210	30	140
3. McDonald's	13040 Coit Rd.	Thurs. and Sat., Feb. 8 and 10, 2018	4,800	29	166

Projected Parking Demand Based Upon Observations

Based upon parking observations at the three existing McDonald's locations, the peak parking demand at McDonald's was one space per 138 SF, resulting in a peak parking demand of 32 spaces for the proposed McDonald's site on W. Mockingbird Lane.

The observed parking demand rates, with time-of-day variations, were applied to the proposed site's square footage to illustrate the planned parking supply will be adequate. The projected Friday and Saturday parking demands are graphically illustrated in **Figure 1** (Coit Road parking demand shown for Thursday and Saturday). As shown, based upon the three observed sites, the projected parking demand will be accommodated with the proposed parking requirement of 33 spaces.

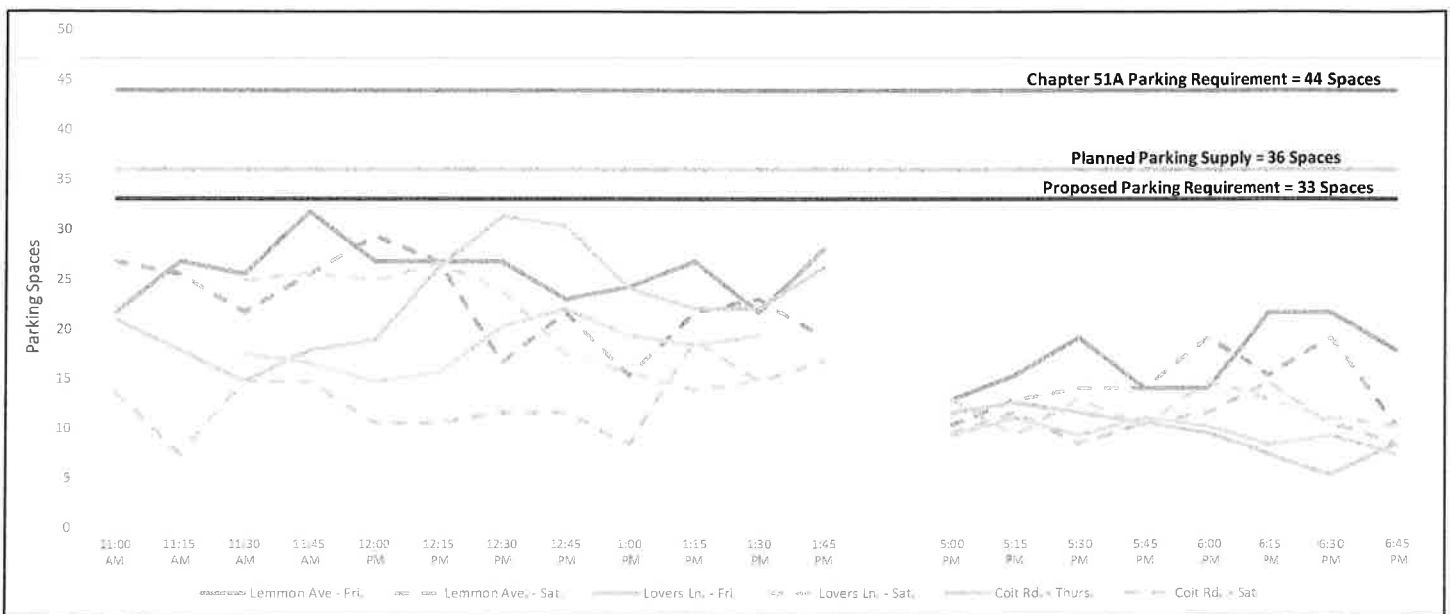


Figure 1. Projected McDonald's Parking Demand Based Upon Observed Sites

Parking Special Exception

The City of Dallas requires 44 spaces for a 4,395 SF restaurant with drive-thru. Based upon the parking analysis, an **11-space reduction is supported** and results in a parking requirement of 33 spaces. The projected parking demand for the shopping center is 32 spaces, below the recommended requirement of 33 parking spaces and planned parking supply of 36 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.

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

Considering the field observations at three sites on weekdays and Saturdays, the peak parking demand for the new McDonald's site is 32 spaces, which is only projected to occur during one 15-minute period.

(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 W. Mockingbird Lane, a six-lane, divided roadway. The roadway network will accommodate the proposed project.

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

DART bus stop for routes 404, 408, and 527 is adjacent to the site's driveway on the north side of W. Mockingbird Lane. DART bus route number 526 has a stop across the street on W. Mockingbird Lane.

Patrons may stop at McDonald's on their way between the bus stop and their destinations. 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 on W. Mockingbird Lane. Majority of the site traffic will be pass-by traffic – motorist already on the road that are stopping by the site. All parking will be accommodated on-site.

Summary

Lambeth Engineering conducted a parking analysis for a new McDonald's at 1717 W. Mockingbird Lane in Dallas, Texas.

City of Dallas 51A requires 44 parking spaces for the proposed 4,395 SF restaurant. A parking special exception for a reduction of 11-spaces (25% reduction) from the code requirement is requested resulting in a proposed parking requirement of 33 spaces.

Based upon observations, the projected peak parking demand of 32 spaces only last during one 15-minute period and is below the requested 33-space parking requirement and planned 36-space parking supply. Therefore, **a 11-space parking reduction is warranted.**

The parking reduction will not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.

Lambeth Engineering Associates, PLLC, recommends approval of a 11-space (25%) reduction for the proposed restaurant at 1717 W. Mockingbird Lane.

END

Appendix

McDonald's: Parking Accumulation Counts in Dallas, Texas

Lemmon Avenue Site: Observed Friday and Saturday, February 28-29, 2020

W. Lovers Lane Site: Observed Friday and Saturday, February 28-29, 2020

Coit Road Site: Data collected Friday and Saturday, February 8 and 10, 2018

(Coit Road counts obtained from McDonald's report for Dallas Zoning Board of Adjustment Case BDA187-052)



Start Time	Occupied Parking Spaces at McDonald's in Dallas, Texas					
	4437 Lemmon Ave.		5722 W. Lovers Ln.		13040 Coit Rd.	
	Friday	Saturday	Friday	Saturday	Thursday	Saturday
11:00 AM	17	21	20	13		
11:15 AM	21	20	17	7		
11:30 AM	20	17	14	14	19	27
11:45 AM	25	20	17	14	18	28
12:00 PM	21	23	18	10	16	27
12:15 PM	21	21	25	10	17	29
12:30 PM	21	13	30	11	22	26
12:45 PM	18	17	29	11	24	19
1:00 PM	19	12	23	8	21	17
1:15 PM	21	17	21	18	20	15
1:30 PM	17	18	21	14	21	16
1:45 PM	22	15	25	16		
5:00 PM	10	8	11	9	10	14
5:15 PM	12	10	12	11	12	10
5:30 PM	15	11	11	8	10	14
5:45 PM	11	11	10	10	12	11
6:00 PM	11	15	9	11	11	16
6:15 PM	17	12	7	14	9	14
6:30 PM	17	15	5	10	10	12
6:45 PM	14	8	8	8	8	11
Peak Parking Observed:	25	23	30	18	24	29
SF:	3,457	3,457	4,210	4,210	4,800	4,800
Peak Observed Parking Demand Rate: (1 space per X SF)	138	150	140	234	200	166



Parking Demand

Projected Parking Demand for Proposed W. Mockingbird Ln. Site

Time of Day - Percentages by Location			
5722 W. Lovers Ln.		13040 Coit Rd.	
Friday	Saturday	Thursday	Saturday
0.67	0.72		
0.57	0.39		
0.47	0.78	0.79	0.93
0.57	0.78	0.75	0.97
0.60	0.56	0.67	0.93
0.83	0.56	0.71	1.00
1.00	0.61	0.92	0.90
0.97	0.61	1.00	0.66
0.77	0.44	0.88	0.59
0.70	1.00	0.83	0.52
0.70	0.78	0.88	0.55
0.83	0.89		
0.37	0.50	0.42	0.48
0.40	0.61	0.50	0.34
0.37	0.44	0.42	0.48
0.33	0.56	0.50	0.38
0.30	0.61	0.46	0.55
0.23	0.78	0.38	0.48
0.17	0.56	0.42	0.41
0.27	0.44	0.33	0.38

Start Time	Projected Parking Demand for McDonald's W. Mockingbird Site					
	4437 Lemmon Ave. Pkg Rates		5722 W. Lovers Ln. Pkg Rates		13040 Coit Rd. Pkg Rates	
	Lemmon Ave - Fri.	Lemmon Ave. - Sat.	Lovers Ln. - Fri.	Lovers Ln. - Sat.	Coit Rd. - Thurs.	Coit Rd. - Sat.
11:00 AM	22	27	21	14		
11:15 AM	27	25	18	7		
11:30 AM	25	22	15	15	17	25
11:45 AM	32	25	18	15	16	26
12:00 PM	27	29	19	10	15	25
12:15 PM	27	27	26	10	16	27
12:30 PM	27	17	31	11	20	24
12:45 PM	23	22	30	11	22	17
1:00 PM	24	15	24	8	19	16
1:15 PM	27	22	22	19	18	14
1:30 PM	22	23	22	15	19	15
1:45 PM	28	19	26	17		
5:00 PM	13	10	11	9	9	13
5:15 PM	15	13	13	11	11	9
5:30 PM	19	14	11	8	9	13
5:45 PM	14	14	10	10	11	10
6:00 PM	14	19	9	11	10	15
6:15 PM	22	15	7	15	8	13
6:30 PM	22	19	5	10	9	11
6:45 PM	18	10	8	8	7	10
Peak Demand:	32	29	31	19	22	27

Chapter 51A Parking Requirement = 44 Spaces

Planned Parking Supply = 36 Spaces

Proposed Parking Requirement = 33 Spaces



G STUDY

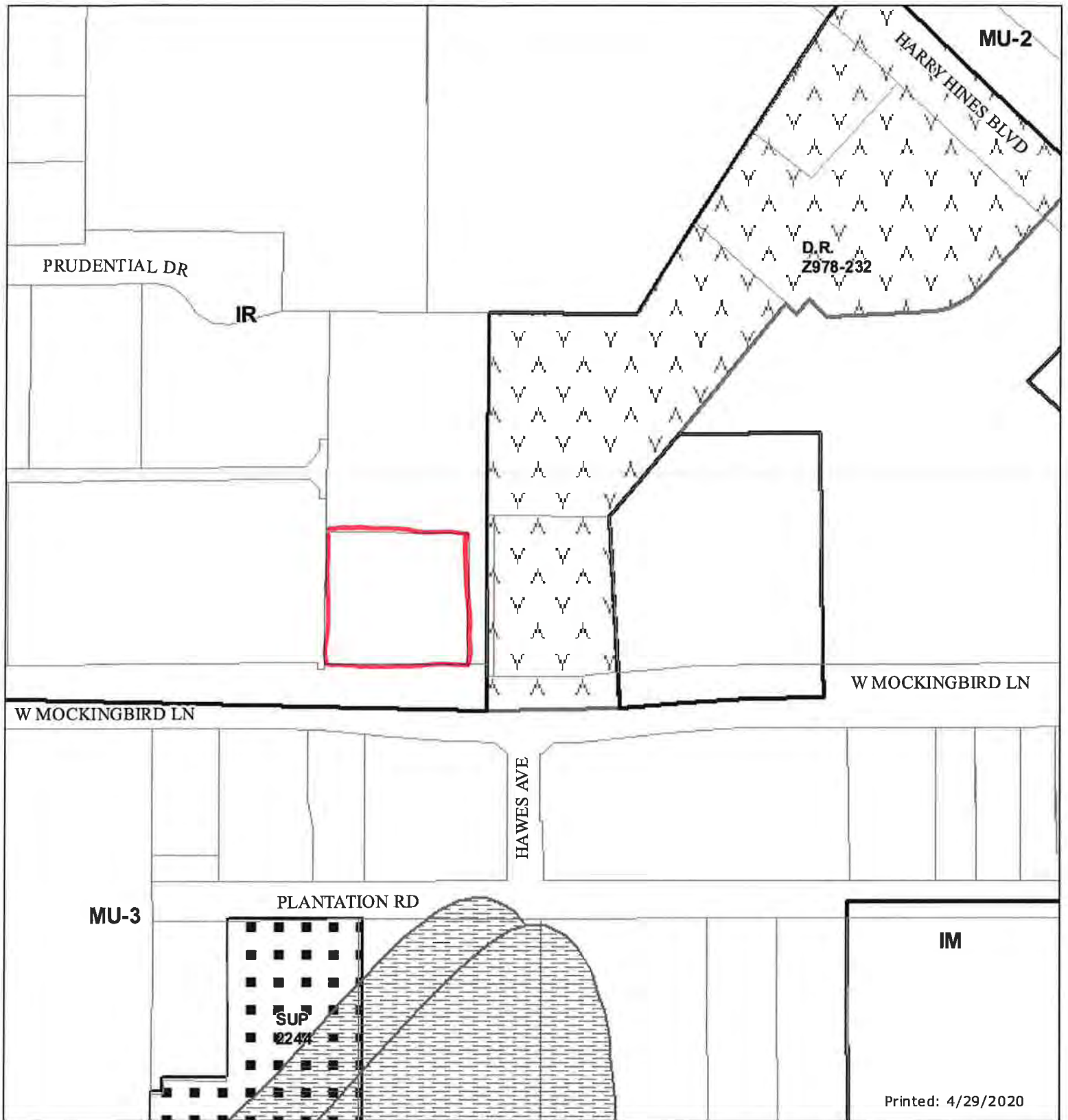
Start Date: 2/10/2018
 Start Time: 11:30:00 AM

	ADA	TOTAL
9	0	19
8	0	18
6	0	16
7	0	17
2	0	22
4	0	24
1	0	21
0	0	20
1	0	21
8	0	178

Date	Time	REGULAR	ADA	TOTAL
2/10/2018	11:30 AM	27	0	27
2/10/2018	11:45 AM	26	0	26
2/10/2018	12:00 PM	27	0	27
2/10/2018	12:15 PM	29	0	29
2/10/2018	12:30 PM	25	1	26
2/10/2018	12:45 PM	19	0	19
2/10/2018	01:00 PM	17	0	17
2/10/2018	01:15 PM	15	0	15
2/10/2018	01:30 PM	16	0	16
		201	1	202

3	0	10	2/10/2018	06:00 PM	14	0	14
1	1	12	2/10/2018	06:15 PM	10	0	10
3	0	10	2/10/2018	06:30 PM	14	0	14
2	0	12	2/10/2018	06:45 PM	11	0	11
1	0	11	2/10/2018	07:00 PM	16	0	16
3	0	9	2/10/2018	07:15 PM	14	0	14
3	0	10	2/10/2018	07:30 PM	12	0	12
3	0	8	2/10/2018	07:45 PM	11	0	11
3	0	8	2/10/2018	08:00 PM	11	0	11
3	1	90			113	0	113

Lee Engineering's 02.14.18 McDonald's Parking Analysis for Dallas Zoning Board of Adjustments case #BDA187-052.



Legend

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

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)





PRESIDENTIAL DRIVE
BY VARIABLE WIDTH PUBLIC
RIGHT-OF-WAY

LOT 3A, BLOCK A/6061
AAA COOPER TRANSPORTATION, INC.
DALLAS, TEXAS 75243

REMINDER OF
LOT 3, BLOCK A/6061
AAA COOPER TRANSPORTATION, INC.
DALLAS, TEXAS 75243

OWNER:
STYCAMORE MOCKINGBIRD LLC
200 HUNT DR
IRVING, TEXAS 750623817

ENGINEER:
HGA Hart, Gauger & Anselmi, Inc.
12801 N. Central Expressway, Suite 1400
Dallas, TX 75243
TEL: 972-239-5111
FAX: 972-239-5055
Email: info@hartgauer.com

SURVEYOR:
BRITAIN & CRAWFORD
LAND SURVEYS &
TOPOGRAPHIC MAPPING
100 WOODFORD DRIVE
DALLAS, TEXAS 75243
TEL: 972-239-5111
FAX: 972-239-5055
www.britain-crawford.com

- GENERAL NOTES:**
1. THE PURPOSE OF THIS PLAT IS TO CREATE ONE LOT.
 2. NO STRUCTURES EXIST ON THIS SITE.

LEGEND:

NO.	DESCRIPTION	QUANTITY
1	1/2" IRON ROD WITH 3/4" ALUMINUM CAP STAMPED "AAA COOPER TRANSPORTATION AND HIRAM BENNETT SURVEY"	1

Course	Bearing	Distance
1.1	S 89° 57' 32" W	3.00
1.2	N 50° 19' 53" E	23.50
1.3	S 88° 47' 31" E	17.00
1.4	N 45° 12' 51" E	24.84
1.5	N 22° 17' 25" E	11.81
1.6	N 75° 18' 35" E	21.81
1.7	S 23° 27' 25" E	11.87
1.8	S 89° 57' 32" W	3.00
1.9	S 23° 27' 25" E	11.87
1.10	N 75° 18' 35" E	21.81
1.11	N 22° 17' 25" E	11.81
1.12	S 88° 47' 31" E	17.00
1.13	N 50° 19' 53" E	23.50
1.14	S 89° 57' 32" W	3.00
1.15	N 45° 12' 51" E	24.84
1.16	N 22° 17' 25" E	11.81
1.17	N 75° 18' 35" E	21.81
1.18	S 23° 27' 25" E	11.87
1.19	S 89° 57' 32" W	3.00
1.20	S 23° 27' 25" E	11.87
1.21	N 75° 18' 35" E	21.81
1.22	N 22° 17' 25" E	11.81
1.23	S 88° 47' 31" E	17.00
1.24	N 50° 19' 53" E	23.50
1.25	S 89° 57' 32" W	3.00
1.26	N 45° 12' 51" E	24.84
1.27	N 22° 17' 25" E	11.81
1.28	N 75° 18' 35" E	21.81
1.29	S 23° 27' 25" E	11.87
1.30	S 89° 57' 32" W	3.00



LEGAL DESCRIPTION

BEING 2.006 acres of land situated in the ELI CHANDLER SURVEY Abstract No. 358 Dallas County Texas and being a portion of Lot 4, Block A/6061 AAA Cooper Transportation, an addition to the City of Dallas, Dallas County, Texas according to the plat recorded in Volume 98866 Page 7185 of the Deed Records of Dallas County, Texas. Said 2.006 acres of land being more particularly described by metes and bounds as follows:

- BEGINNING at a 30' iron rod found marked "RPLS 5310" at the Southeast corner of said Lot 4, Block A/6061 and lying in the West boundary line of Lot 7, Block A/6061 Vanhee South Addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in County Clerk's File No. 20090250074 of the Official Public Records of Dallas County Texas; and said POINT OF BEGINNING lying in the North right-of-way line of W Mockingbird Lane (a variable width public right-of-way)
- THENCE A 89° 57' 32" W 30.43 feet along the South boundary line of said Lot 4, and the North right-of-way line of said W Mockingbird Lane to a point,
- THENCE leaving said Lot 4 as follows:
- 1 N 02° 12' 33" E 199.52 feet to a 3/4" iron rod with a 3/4" aluminum cap stamped "AAA Cooper Transportation and RPLS 5792"
 - 2 N 69° 47' 27" W 215.50 feet to a 3/4" iron rod with a 3/4" aluminum cap stamped "AAA Cooper Transportation and RPLS 5792" set in the West line of said Lot 4, and the East boundary line of Block 87264 Mockingbird Business Park, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 409 Page 1269 of the Deed Records of Dallas County, Texas
 - THENCE N 02° 12' 33" E 332.73 feet, along the West boundary line of said Lot 4 and the East boundary line of said Block 87264, to a 3/4" iron rod found marked "RPLS 5310" at the Northwest corner of said Lot 4 and the Northeast corner of said Block 87264, and said point lying at the Southwest corner of Lot 2A, Block A/6061, Ammark Addition to the City of Dallas, Dallas County, Texas according to the plat recorded in County Clerk's File No. 20090002930 of the Official Public Records of Dallas County, Texas
 - THENCE S 89° 48' 05" E 244.45 feet, along the North boundary line of said Lot 4 and the South boundary line of said Lot 2A, to a 3/4" iron rod found marked "RPLS 5310" at the northeast corner of said Lot 4 and the Northwest corner of Lot 7, Block A/6061, Vanhee South Addition
 - THENCE S 00° 02' 58" W 531.72 feet, along the East boundary line of said Lot 4 and the West boundary line of said Lot 7 to the POINT OF BEGINNING containing 2.006 acres (87,388 square feet) of land

OWNER'S DEDICATION
NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS

That STYCAMORE MOCKINGBIRD LLC acting by and through its duly authorized representative does hereby dedicate the first accompanying hereto described property (does hereby dedicate the first accompanying hereto described property) an AAA COOPER TRANSPORTATION, an addition to the City of Dallas, Dallas County, Texas, and does hereby dedicate in fee simple to the public the utility easements, water and sewer management areas shown thereon. The easements shown hereon are hereby reserved for the purposes indicated. The utility and the same easements shall be open to the public for and police units, garbage and refuse collection systems, and all public and private utilities for each particular use. The maintenance of paving on the utility and the same easements is the responsibility of the utility owner. No buildings, fences, trees, shrubs, or other improvements or growth shall be constructed, reconstructed or placed upon, over or across the easements as shown. Said easements being hereby reserved to the mutual use and accommodation of all public utilities using or desiring to use same. All any public utility shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs, or other improvements or growth which in any way may interfere or interfere with the construction, maintenance or efficiency of its respective systems on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, repairing, maintaining and adding to or removing all or parts of its respective systems without the necessity of any time of vacating the possession of anyone. Any public utility shall have the right of ingress and egress to locate property for the purpose of installing meters and any meterhouse or service inclosure or assembly performed by the utility.

Water main and wastewater easements shall also include additional area of working space for construction and maintenance of the systems. Additional easement areas is also conveyed for installation and maintenance of manholes, catchbasins, fire hydrants, water services and wastewater service from the main to the curb or pavement line, and description of such additional easements herein granted shall be determined by their location as installed.

This plat approved subject to all pitting ordinances, rules, regulations, and resolutions of the City of Dallas.

WITNESS my hand at Dallas, Texas this _____ day of _____ 2017

BY STYCAMORE MOCKINGBIRD LLC
PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED AS EVIDENCE ON SUCH MATTER AS A FINAL SURVEY DOCUMENT

SURVEYOR'S STATEMENT:

I, Chris L. Blewins, a Registered Professional Land Surveyor, licensed by the State of Texas affirm that this plat was prepared under my direct supervision from recorded documentation evidence collected on the ground during field operations and other reliable documentation and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, the City of Dallas Development Code Ordinance No. 19465 as amended, and Texas Local Government Code Chapter 212. I further affirm that information shown hereon was either found or placed in compliance with the City of Dallas Development Code, Sec. 51A.5.877 (ADDITION) & (c) and that the spatial drawing is accompanying this plat is a precise representation of the Signed Final Plat.

Dated the _____ day of _____ 2017

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED AS EVIDENCE ON SUCH MATTER AS A FINAL SURVEY DOCUMENT

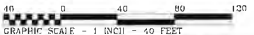


STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Chris L. Blewins, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations and under the authority herein expressed. GIVEN under my hand and seal of office this _____ day of _____ 2017.

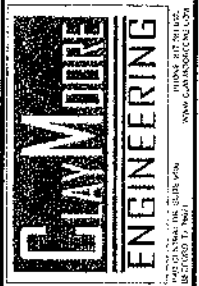
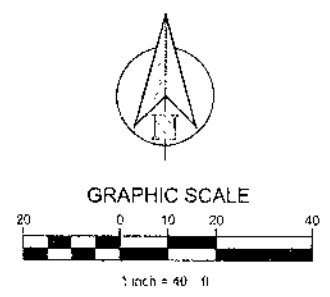
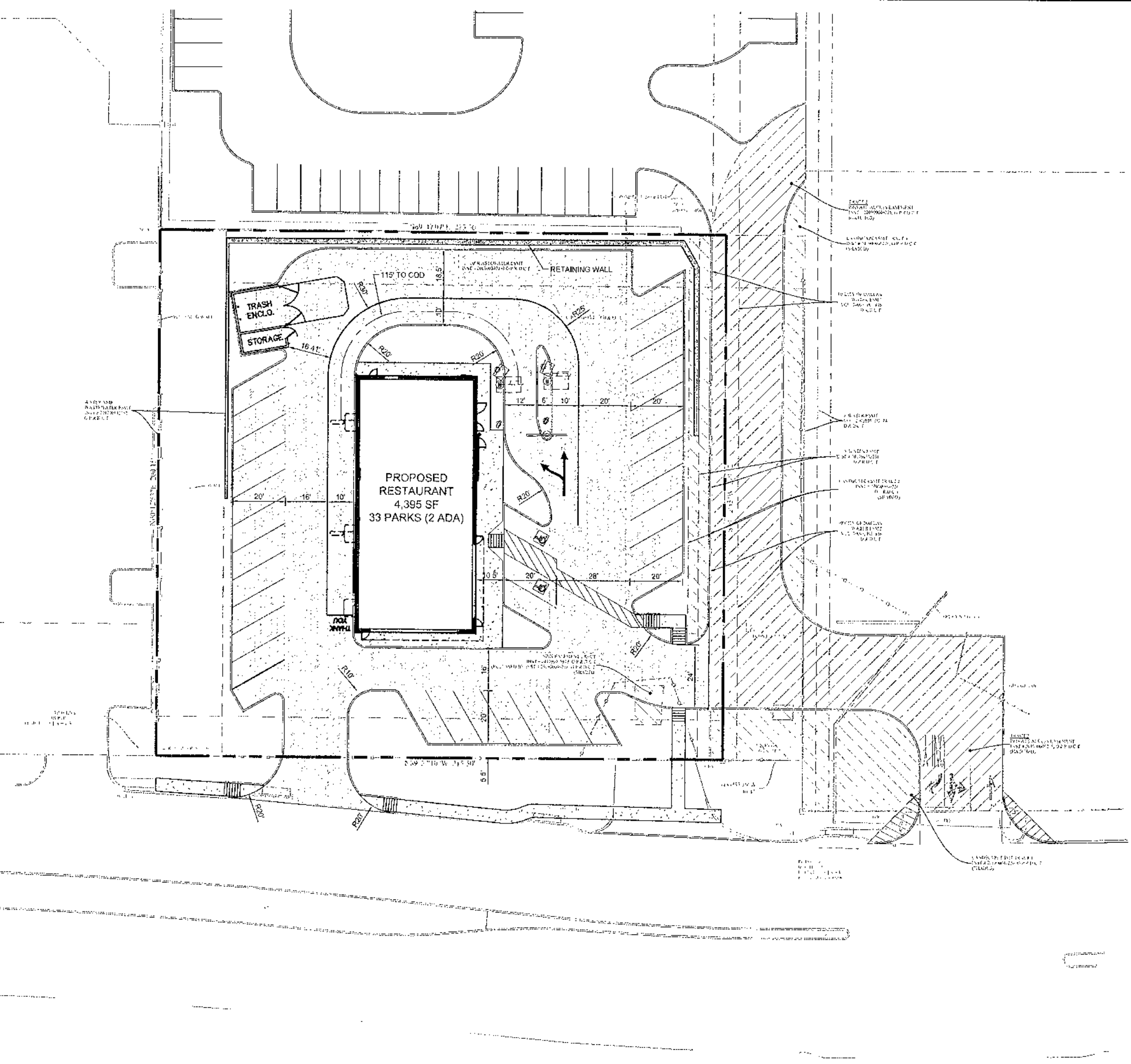
Notary Public in and for the State of Texas
My Commission expires _____

FINAL PLAT
AAA COOPER TRANSPORTATION
PHASE 1
LOTS 4R2, BLOCK A/6061
BEING A REPLAT OF A PORTION OF
LOT 4, BLOCK A/6061
AAA COOPER TRANSPORTATION
ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS
LOCATED IN THE
ELI CHANDLER SURVEY, ABSTRACT No. 358
PREPARED: September 2017
REVISED:
2.006 ACRES, 1 LOT
CITY PLAN FILE No. S156-278A





PLOTTED BY: CLAY CRISTY
 PLOT DATE: 4/28/2020 10:24 AM
 LOCATION: \\CM-FS01\PUBLIC\PROJECTS\PROJECTS\2020-061 MCDONALD'S DALLAS MOCKINGBRD\CADD\EXHIBIT\2020-04-28 PARKING EXHIBIT.DWG
 LAST SAVED: 4/27/2020 4:46 PM



**RESTAURANT
 MOCKINGBIRD
 DALLAS, TX**

**CONCEPTUAL
 SITE PLAN**

DESIGN:	ASD
DRAWN:	ASD
CHECKED:	MAK
DATE:	8/18/2018

SHEET
C-1

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **June 23, 2020 (A)**

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 190-061

BDA 190-063

BDA 190-067

COMMENTS:

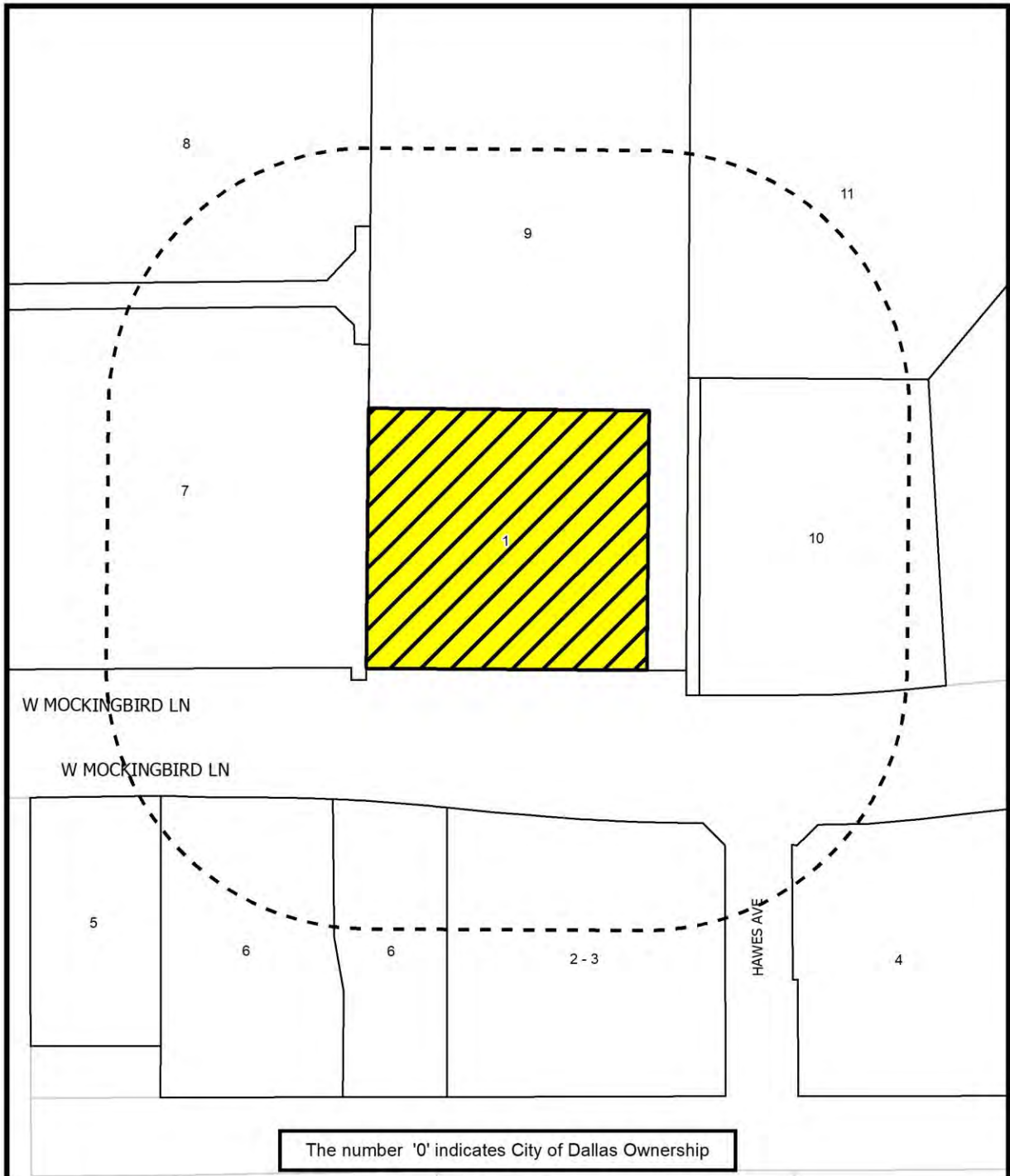
David Nevarez, PE, PTOE, DEV - Engineering

Name/Title/Department

6/11/2020

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.



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">12</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	12	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA190-067 Date: 5/29/2020
200'	AREA OF NOTIFICATION					
12	NUMBER OF PROPERTY OWNERS NOTIFIED					

05/29/2020

Notification List of Property Owners

BDA190-067

12 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1717 W MOCKINGBIRD LN	SYCAMORE MOCKINGBIRD LLC
2	1720 W MOCKINGBIRD LN	LORAX PROPERTIES LLC
3	1720 W MOCKINGBIRD LN	COMMONWEALTH EQUITIES INC
4	1820 W MOCKINGBIRD LN	GIC 1820 LP
5	1626 W MOCKINGBIRD LN	H R TRUST
6	1634 W MOCKINGBIRD LN	PAPATHANASIOU DIMITRIOS
7	1625 W MOCKINGBIRD LN	1625 MOCKINGBIRD LTD
8	1648 PRUDENTIAL DR	ZBH PRUDENTIAL LLC
9	1717 W MOCKINGBIRD LN	WS MOCKINGBIRD LP
10	1805 W MOCKINGBIRD LN	CANTEX T&R LLC
11	1803 W MOCKINGBIRD LN	1803 MOCKINGBIRD LLC
12	1805 W MOCKINGBIRD LN	CANTEX T&R LLC

FILE NUMBER: BDA190-044(OA)

BUILDING OFFICIAL'S REPORT: Application of Brian Baughman for a special exception to the sign regulations at 5500 Greenville Avenue. This property is more fully described as Block 1/5409 and is zoned an MU-3 Mixed Use 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. The applicant proposes to construct and maintain one additional detached premise sign, on a nonresidential premise, which will require a special exception to the sign regulations.

LOCATION: 5500 Greenville Avenue

APPLICANT: Brian Baughman

REQUEST:

A request for a special exception to the sign regulations is made to remodel and maintain an existing additional detached premise sign on a site that is developed with a shopping mall.

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):

Denial

Rationale:

- Staff concluded from the information submitted by the applicant at the time of the April 2th staff review team meeting that that the applicant had not substantiated that strict compliance with the requirement of the sign regulations (in this case, the site's Greenville frontage being limited to one sign) 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.

BACKGROUND INFORMATION:

Zoning:

Site: MU-3 (Mixed Use District)

North: MU-3 (Mixed Use District)

East: PD No. 916 ((Planned Development District) & MU-3 (Mixed Use District)

South: PD No. 610 ((Planned Development District)

West: MU-3 (Mixed Use District)

Land Use:

The site is developed with a mix of retail and personal service uses. The area to the north, south, east and west are developed with mixed use 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 (additional detached sign):

The property consists of over 15.79 acres of land developed as with a mix of retail and personal service uses. The request for a special exception to the sign regulations focuses on the remodeling and maintenance of an additional sign at the frontage along Greenville Avenue.

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 non-monument signs, (represented as “existing sign number one and number 2”) on the site’s Greenville Avenue frontage, hence this request for a special exception to the sign regulations for an additional detached sign. A sign elevation denoting the second detached non-monument sign has been submitted.

The applicant submitted a document with the application that does not substantiate 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.

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:

February 7, 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.

March 17, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel A.

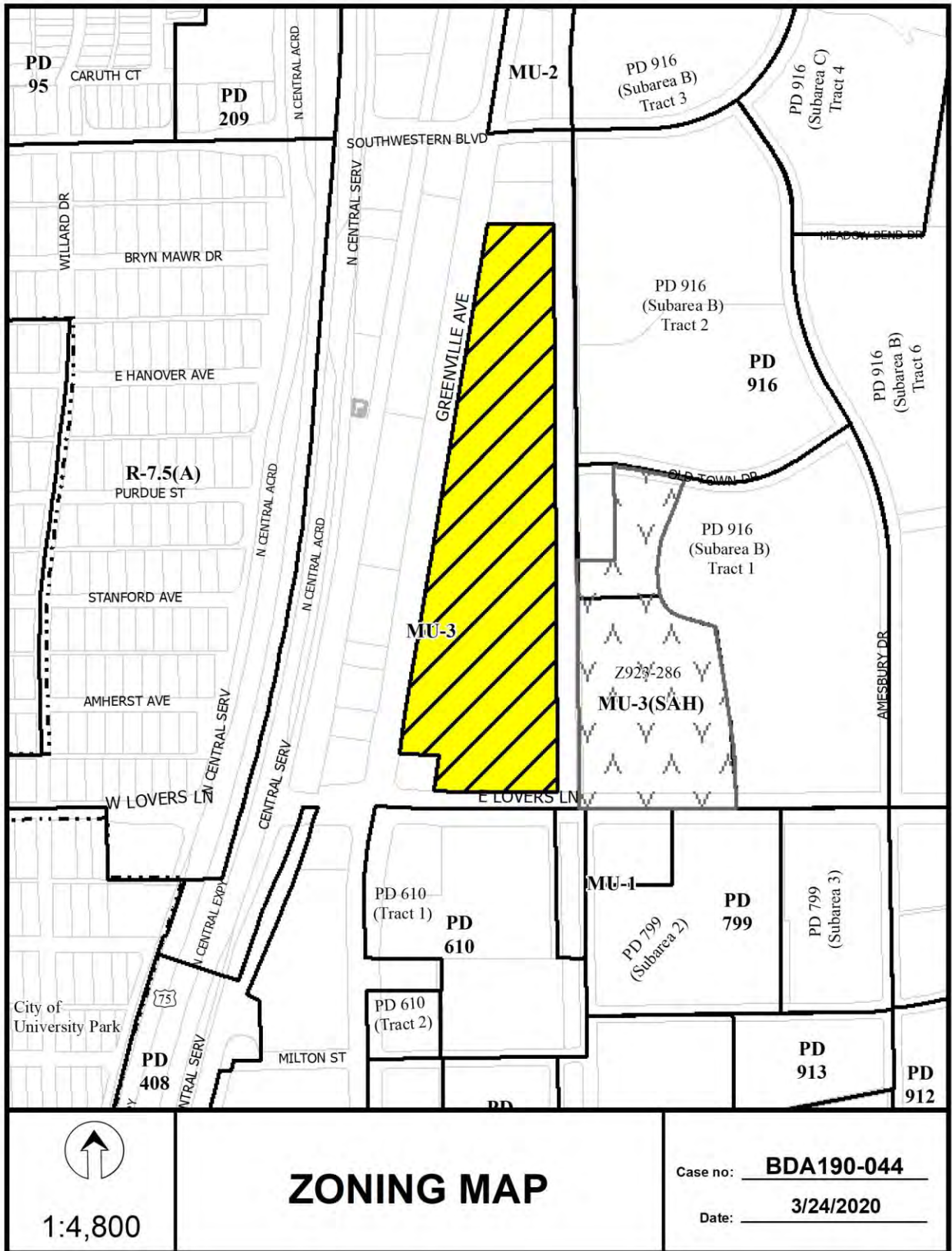
March 23, 2020: The Board Senior Planner emailed the applicant the following information:

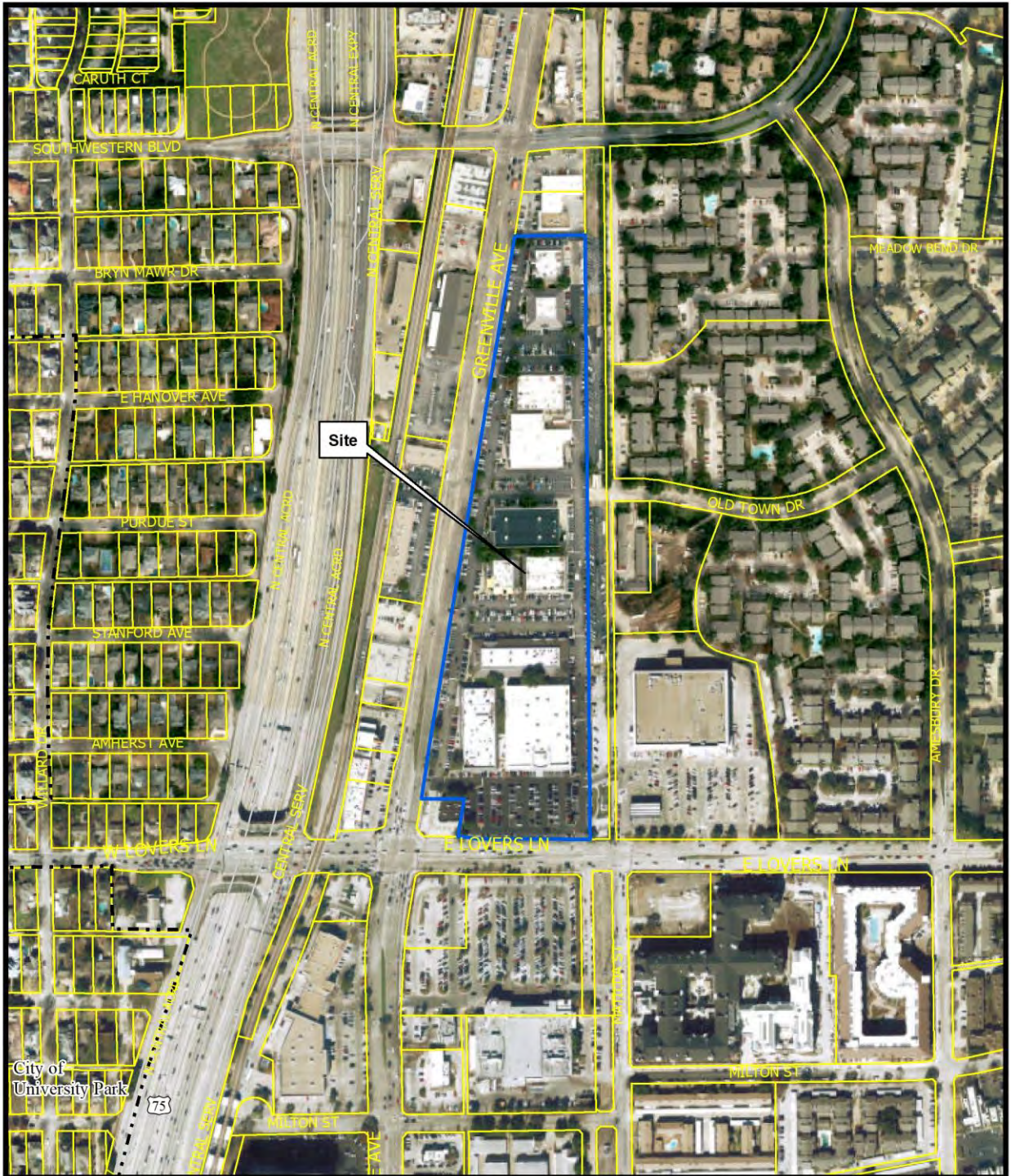
- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; April 28th deadline to submit additional evidence for staff to factor into their analysis; and the June 3th deadline to submit additional evidence for staff to factor into their analysis; and the June 12th 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.”

June 5, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the January public hearings. Review team members in attendance included the following: the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development

and Construction Department Building Inspection Senior Plans Examiner, the Sustainable Development and Construction Senior Engineer, Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the board.

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






 1:4,800

AERIAL MAP

Case no: **BDA190-044**
 Date: **3/24/2020**



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-044

Data Relative to Subject Property:

Date: 2-17-20

Location address: 5500 Greenville Ave Dallas TX 75206 Zoning District: MU-3

Lot No.: 1 Block No.: 1/5409 Acreage: 15.79 Census Tract: 79.09

Street Frontage (in Feet): 1) 1757 2) 407 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): OT Chatsworth Texas LLC / Misty Sample

Applicant: Brian Baughman Telephone: 864-420-1339

Mailing Address: 125 Hillside Drive Greenville, SC Zip Code: 29607

E-mail Address: brianbaughman@hiltondisplays.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance __, or Special Exception X, of seeking allowance of the existing legal non-conforming premise sign #2 along the sites approximately 1757' along frontage on Greenville Ave on a site known as Old Town Shopping Center

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

See attached addendum for details

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 Brian Baughman
(Affiant/Applicant's name printed)

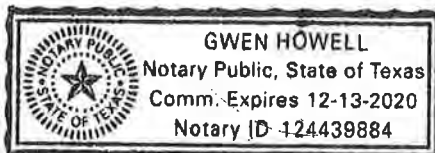
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: Brian Baughman
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 6th day of February, 2020

Gwen Howell
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 BRIAN BAUGHMAN

did submit a request for a special exception to the sign regulations
at 5500 Greenville Avenue

BDA190-044. Application of BRIAN BAUGHMAN for a special exception to the sign regulations at 5500 GREENVILLE AVE. This property is more fully described as Lot , Block1/5409, and is zoned MU-3, which limits the number of detached signs on a premises 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 one additional detached premises sign on a nonresidential premises, which will require a special exception to the sign regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



LOCATION:

5500 Greenville Avenue Dallas, TX 75206

APPLICANT:

Doug Howell of Westwood Financial represented by Brian Baughman of Hilton Displays

REQUEST:

This request for a special exception to the sign regulation seeking allowance of the existing legal non-conforming premise sign, Sign #2, along the site's approximately 1,757' long Greenville Avenue street frontage, on a site that is currently a shopping center (Old Town at Dallas).

If the third sign is officially allowed, our intent is to subsequently upgrade the site signage for improved performance and aesthetics. The plan is for an internal LED retrofit of Sign #1 along Greenville Ave and Sign #3 along Lovers Lane, the ones that are currently allowed per Section 51A-7.03(b)(4), in addition to an upgrade of the sign under consideration by this appeal along Greenville Avenue.

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

Section 51A-7.703(d) 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.

BACKGROUND INFORMATION:

Zoning:

Site: MU-3

Land Use:

The site is currently developed as a shopping center (Old Town at Dallas).

GENERAL FACTS:

- The request for a special exception to the sign regulations focuses on an LED retrofit of a legal non-conforming premise sign on the site's approximately 1,875' long Greenville Avenue street frontage, on a site developed with a shopping center (Old Town at Dallas).
- 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, and that one expressway sign is allowed for every 450 feet of frontage or fraction thereof on an expressway. (The subject site's frontage along Greenville Avenue is not an expressway).
- The submitted site plan indicates the location of two signs on the site's Greenville Avenue street frontage and one sign on the E. Lovers Lane street frontage.
- One of the signs on the site's Greenville Avenue frontage is allowed by right, the other sign is grandfathered or nonconforming. There is 1,097' between the two signs on Greenville Avenue.

- The code states that the right to rebuild a nonconforming structure ceases if the structure is retrofitted by the intentional act of the owner or the owner's agent.
- The code states that a person may reface a nonconforming structure if the work does not cause the structure to become more nonconforming as to the yard, lot, and space regulations.
- We seek this request for a special exception since we plan to intentionally execute an LED retrofit of the nonconforming sign on the Greenville Avenue frontage of the subject site.

- We are making only one special exception request to the Board: an additional sign along the site's Greenville Avenue frontage. All other aspects of the sign regulations will be met on the site since no other request for special exception to the sign regulations has been made.
- We note 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 and our lease holders without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of the sign regulations.



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-044

I, OT Chatsworth Texas LLC / Misty Sample, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5500 Greenville Ave Dallas TX 75206
(Address of property as stated on application)

Authorize: Brian Baughman
(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: _____

Misty Sample Misty Sample 2/6/20
 Print name of property owner/agent Signature of property owner/agent Date

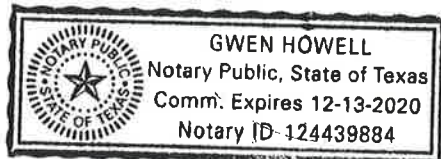
Before me, the undersigned, on this day personally appeared Misty Sample

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 6th day of February, 2020

Gwen Howell
Notary Public for Dallas County, Texas

Commission expires on 12-13-2020



FIRST AMERICAN TITLE INSURANCE COMPANY

When Recorded Return To:



201600245566

DEED 1/6

~~OT Chatsworth Texas LLC~~
5500 Greenville Ave. #602
Dallas, TX 75206

Return to: **NDL**
Republic Title of Texas, Inc.
2626 Howell Street, 10th Floor
Dallas, TX 75204

(Space Above For Recorder's Use Only)

SPECIAL WARRANTY DEED

STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF DALLAS

THAT, **WPF OPERATING LLC**, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto **OT CHATSWORTH TEXAS LLC**, a Delaware limited liability company ("Grantee"), successor by conversion to **OT CHATSWORTH TEXAS LP**, a Texas limited partnership, and successor by merger to **OT LAUREL TEXAS L.P.**, a Texas limited partnership and **OT 12900 VICTORY COMPANY LP**, a Texas limited partnership, all of its right, title and interest, believed to be an undivided fifty-two and thirty-three hundredths percent (52.33%) interest, in that certain real property located in the City of Dallas, Dallas County, Texas, being more particularly described on Exhibit "A" attached hereto and fully made a part hereof (the "Land"), together with all improvements located thereon (the "Improvements"), if any, and all rights and appurtenances thereto in anywise belonging to Grantor, but subject to all validly existing restrictions, covenants, conditions, rights-of-way, easements, ordinances, maintenance charges, mineral reservations, and royalty reservations of record, if any, affecting all or any part of the Property (collectively, the "Permitted Exceptions"). The Land and Improvements are referred to collectively herein as the "Property". It is the intent of this conveyance that subsequent to the recordation of this Special Warranty Deed, Grantee will own a one hundred percent (100%) undivided interest in and to the Property.

TO HAVE AND TO HOLD the above described Property, subject to the Permitted Exceptions, together with any and all the rights and appurtenances thereto in anywise belonging to Grantor, unto the said Grantee, its legal representatives, successors and assigns FOREVER.



and Grantor does hereby bind itself and its legal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[Signature page follows.]



EXECUTED and EFFECTIVE as of the 1st day of September 2016.

WPF OPERATING LLC,
a Delaware limited liability company

By: Westwood Property Fund LLC,
a Delaware limited liability company
Its: Sole Member

By: 
Name: Randy Banchik
Title: Co-Chief Executive Officer



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On August 11, 2016, before me, Xiomara Elizabeth Aguilar, a Notary Public, personally appeared Randy Parshik, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

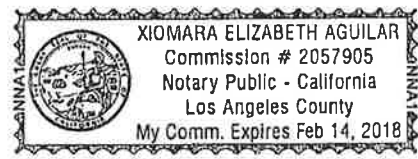


EXHIBIT "A"

Legal Description of the Land

TRACT 1: (Fee Simple)

Being a tract of land situated in the John C. Cook Survey, Abstract No. 259, and being a portion of Block 1/5409 of Old Town, an addition to the City of Dallas, according to the plat thereof recorded in Volume 69245, Page 2021, Map Records, Dallas County, Texas, and being a portion of that certain 3.522 acre tract of land conveyed to Lincoln Property Company XXVI, Ltd., by Warranty Deed as recorded in Volume 71173, Page 0034, Deed Records, Dallas County, Texas and further being a portion of that certain 12.706 acre tract of land conveyed to Lincoln Property Company XXVI, Ltd. by Warranty Deed as recorded in Volume 69230, Page 0174, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found for corner, situated in the easterly right-of-way line of Greenville Avenue (variable width R.O.W.), said "X" being South 10 degrees 10 minutes 50 seconds West, a distance of 250.08 feet from an iron rod, situated on the south right-of-way line of Southwestern Boulevard (90 foot R.O.W.);

THENCE South 89 degrees 48 minutes 40 seconds East, departing the easterly right-of-way line of said Greenville Avenue and along the south line of a tract of land conveyed to Caryl M. Bradford by Deed recorded in Volume 74242, Page 1944, Deed Records, Dallas County, Texas (D.R.D.C.T.), a distance of 216.22 feet to a 5/8 inch iron rod set for corner situated in the west line of a 60 foot wide Dallas Power & Light Company R.O.W.;

THENCE South 00 degrees 11 minutes 20 seconds West, along the west line of said Dallas Power & Light Company's R.O.W., a distance of 1860.27 feet to a 1/2 inch iron rod found for corner in the north right-of-way line of Lover's Lane (variable width R.O.W.);

THENCE North 89 degrees 07 minutes 40 seconds West, leaving the west line of said Dallas Power & Light Company's R.O.W. and along the north right-of-way line of said Lover's Lane, a distance of 348.24 feet to an iron rod found for corner;

THENCE North 78 degrees 58 minutes 12 seconds West, a distance of 32.48 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner;

THENCE North 88 degrees 25 minutes 07 seconds West, a distance of 26.77 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner in the southeast line of Lot 1, Block 1/5409, Old Town II Addition, an addition to the City of Dallas, Texas, according to the plat thereof recorded in Volume 99240, Page 220 (D.R.D.C.T.);

THENCE North 10 degrees 10 minutes 50 seconds East, leaving the north right-of-way line of said Lover's Lane and along the easterly line of said Lot 1, Block 1/5409, Old Town II Addition tract, a distance of 118.86 feet to a P.K. nail found for corner, said P.K. nail being the northeast corner of said Lot 1, Block 1/5409, Old Town II Addition tract;

THENCE North 89 degrees 07 minutes 40 seconds West, leaving said easterly line and along the north line of said Lot 1, Block 1/5409, Old Town II Addition tract, a distance of 132.45 feet to a 5/8 inch steel rebar with yellow plastic cap stamped "BDD" set found for corner in the easterly right-of-way line of aforementioned Greenville Avenue;



THENCE North 10 degrees 11 minutes 07 seconds East, leaving the north line of said Lot 1, Block 1/5409, Old Town II Addition tract and along the aforementioned east line of Greenville Avenue, a distance of 70.76 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner;

THENCE North 08 degrees 37 minutes 31 seconds East, a distance of 88.57 feet to a 5/8-inch steel rebar with yellow plastic cap stamped "BDD" set for corner;

THENCE North 10 degrees 10 minutes 50 seconds East, continuing along the easterly right-of-way line of said Greenville Avenue, a distance of 1597.65 feet to the POINT OF BEGINNING and containing 688,134, square feet or 15.7974 acres of land.

TRACT 2: (Fee Simple)

Being all of Lot 3, Block C/5410 of Old Town - East, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 95021, Page 3324, Map Records, Dallas County, Texas.

TRACT 3: (Fee Simple)

Being all of Lot 1, Block 1/5409 of Old Town II Addition, an Addition to the City of Dallas, Texas, according to the Plat thereof recorded in Volume 99240, Page 220, Map Records, Dallas County, Texas.

Save and Except that portion conveyed to the County of Dallas in Special Warranty Right of Way Deed dated 09/22/2005, filed 02/07/2006, recorded in cc# 200600044819, Real Property Records, Dallas County, Texas.

TRACT 4: (Non-Exclusive Easement)

Non-exclusive easement created in Park I Access Easement, filed 05/24/1983, recorded in Volume 83103, Page 1998, Deed Records, Dallas County, Texas.

TRACT 5: (Non-Exclusive Easement)

Non-exclusive easement created in Declaration of Access Easement, filed 09/06/2012, recorded under cc# 201200263957, Real Property Records, Dallas County, Texas.

TRACT 6: (Non-Exclusive Easement)

Non-exclusive easement created in Declaration of Easements, Covenants and Restrictions, filed 01/30/2014, recorded under cc# 201400022698, Real Property Records, Dallas County, Texas.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
09/07/2016 03:31:56 PM
\$46.00



A handwritten signature in black ink, appearing to be "JFW".

201600245566



* SURVEY REQUIRED



- * VECTOR & VINYL COLORS REQ.
- * VINYL COLORS & CUST. APPROVAL REQ.
- * CUST. APPROVAL REQ.

General Notes:

- Paint entire structure duranodic bronze by installer, prior to adding the illuminated cabinets. The back of the header panels on the pylon should be painted bronze as well as the raceway on the back side so they visually 'go away'



Scale: 3/8" = 1'
(11x17 Paper)

HILTON DISPLAYS

125 HILLSIDE DRIVE • GREENVILLE, SC 29607
P 803 353 9132 • F 864 242 2204
www.hiltondisplays.com

QID 19-47211

JOB NAME

Westwood Financial

LOCATION

5500 Greenville Ave
Dallas TX

CUSTOMER CONTACT

SALESMAN / PM

Lucas Chamberlayne

DESIGNER

Brian Sowder

DWG. DATE

9-9-19

REV. DATE / REVISION

9-27-19 BS / 10-4-19 BS
10-11-19 BS / 10-14-19 BS
10-28-19 BS / 11-20-19 BS
2-3-20 BS

SCALE

FILE

2019/Westwood Financial/
Dallas TX/19-47211/
WWF Dallas TX 19-47211

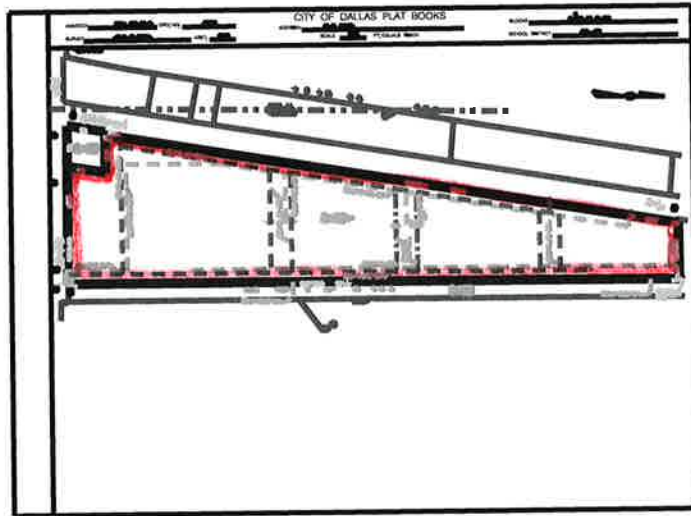
DESIGN SPECIFICATIONS ACCEPTED BY:

EST. CLIENT

SLS/PM: LANDLORD.

THE INTENT OF THIS DRAWING IS TO SHOW A CONCEPTUAL REPRESENTATION OF THE PROPOSED SIGNAGE. DUE TO VARIATIONS IN PRINTING DEVICES AND SUBSTRATES, THE FINISHED PRODUCT MAY DIFFER SLIGHTLY FROM DRAWING.





BB

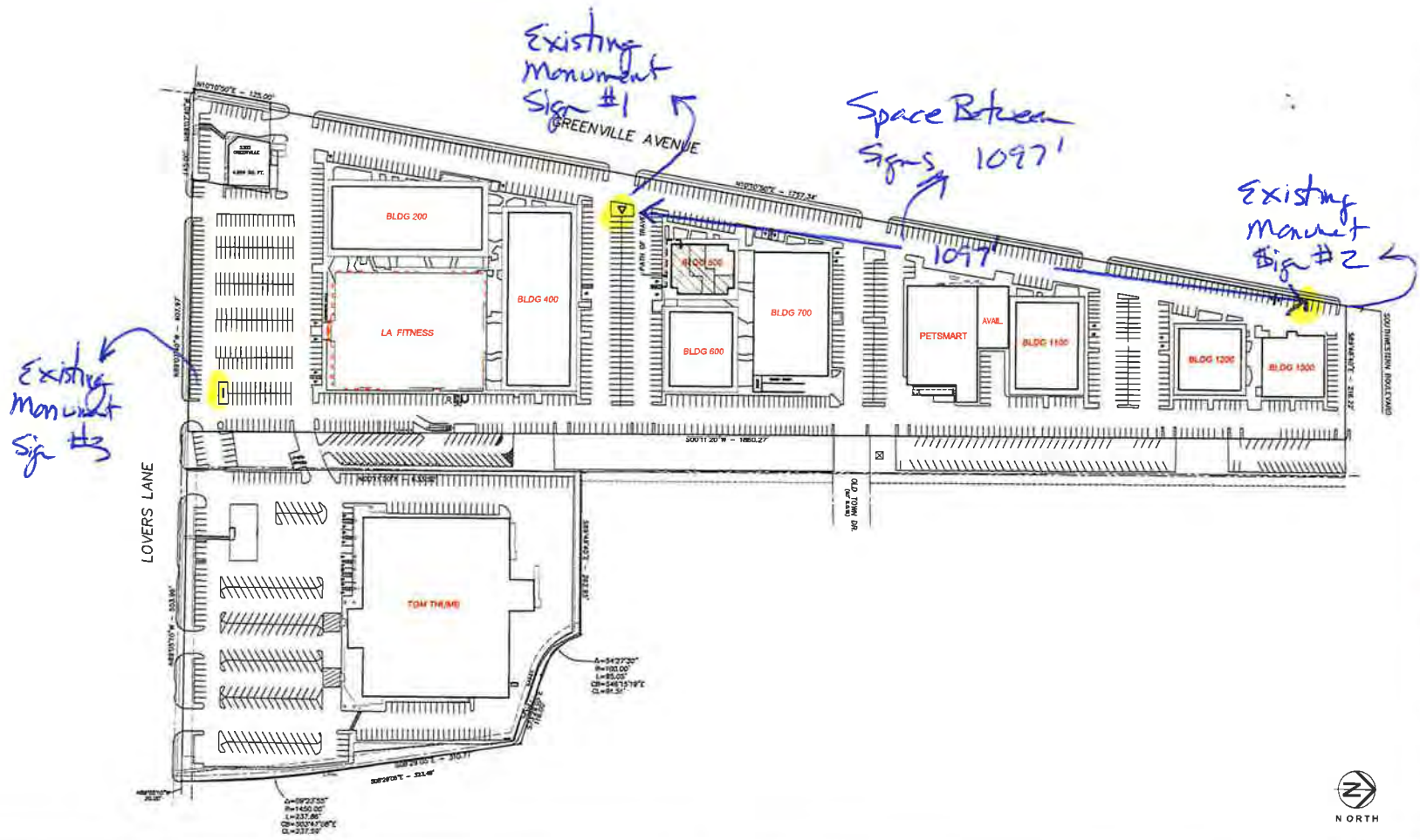


Legend

- 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
- SPSP 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
- 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)





OVERALL SITE PLAN (FOR REFERENCE)



SCALE
1" = 80' ±



PROJECT:
OLD TOWN SHOPPING CENTER
SHELL/TENANT IMPROVEMENTS
890 GREENVILLE AVENUE, SUITE 505
DALLAS, TEXAS
WESTWOOD FINANCIAL
11448 BSA VICENTE BLVD.
LOS ANGELES, CA 90009

REVISION	DATE	BY

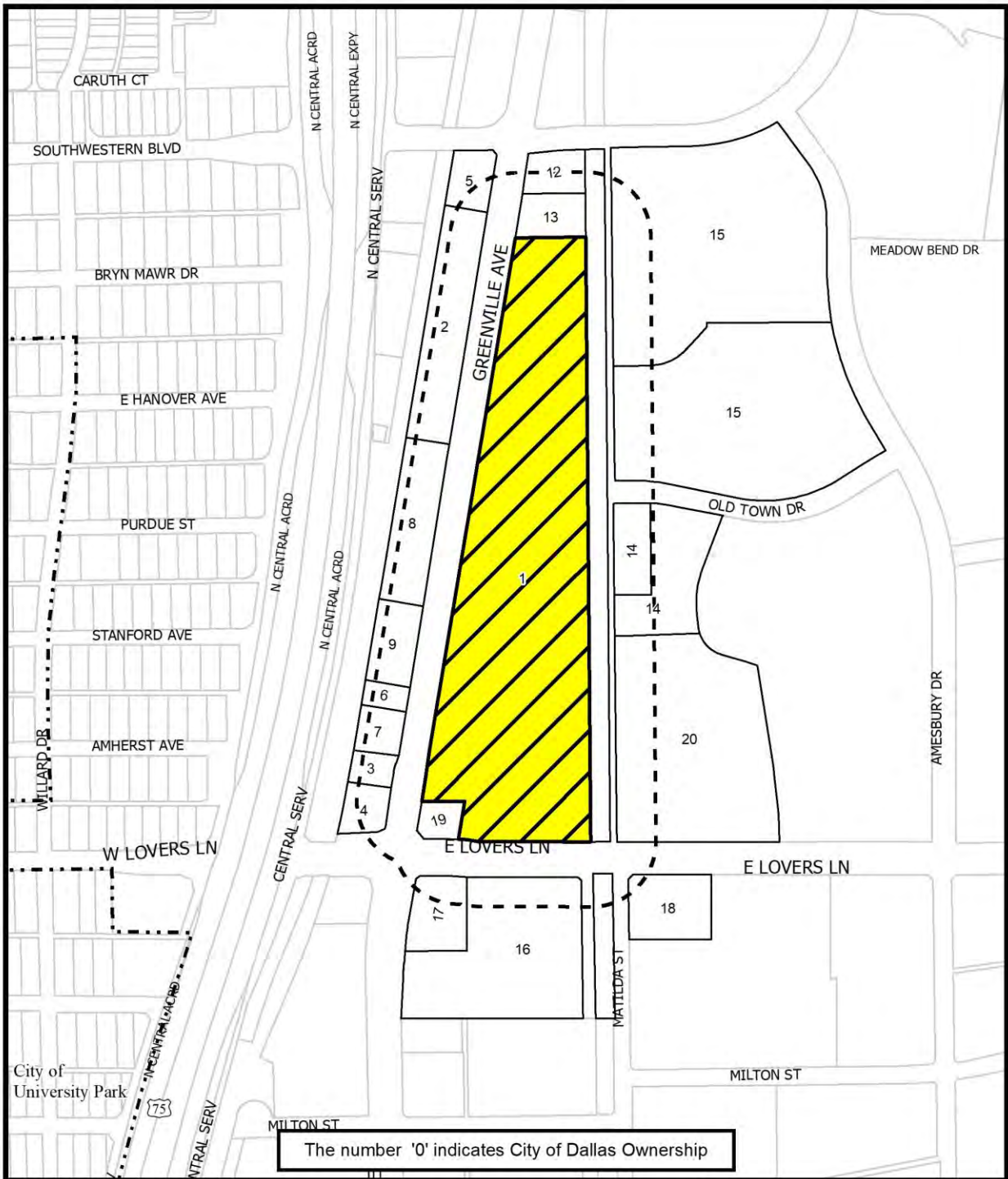
DESIGNED BY: []
PROJECT ARCHITECT: DAVID H. HIDALGO
DATE: 10.18.15
SCALE: AS SHOWN



- DESIGN DEVELOPMENT
- PRELIMINARY CONTRACT DOCUMENTS
- CITY SUBMITTAL 11.15.2016
- BID PACKAGE
- CONSTRUCTION BIDDING
- RECORD DRAWINGS

SHEET NO.:
SITE PLAN

SHEET NO.:
SP-1



 1:4,800	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">20</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	20	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA190-044 Date: 3/24/2020
200'	AREA OF NOTIFICATION					
20	NUMBER OF PROPERTY OWNERS NOTIFIED					

03/24/2020

Notification List of Property Owners

BDA190-044

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5500 GREENVILLE AVE	WPF OPERATING LLC
2	5757 GREENVILLE AVE	TEXAS CENTRAL CONTROL LLC
3	5315 GREENVILLE AVE	TODORA CAMPISI LLC
4	5315 GREENVILLE AVE	INWOOD CORP
5	5809 GREENVILLE AVE	CENTRAL CONTROL COMPANY
6	5409 GREENVILLE AVE	GREENVILLE AVE INVESTMENT
7	5323 GREENVILLE AVE	TODORA CAMPISI LLC
8	5601 GREENVILLE AVE	GREENS VILLE ACQUISITION
9	5417 GREENVILLE AVE	GREENVILLE AVE RETAIL LP
10	4500 GREENVILLE AVE	ONCOR ELECRCIC DELIVERY COMPANY
11	5700 E LOVERS LN	ONCOR ELECRCIC DELIVERY COMPANY
12	5858 GREENVILLE AVE	SOUTHWESTERN CORNER DEV
13	5800 GREENVILLE AVE	SOUTHWESTERN CORNER DEV
14	5904 OLD TOWN DR	PC VILLAGE APTS DALLAS LP
15	5657 AMESBURY DR	FM VILLAGE FIXED RATE LLC
16	5750 E LOVERS LN	LINCOLN LAG LTD
17	5200 GREENVILLE AVE	HEDRICK L W TRUST
18	5800 E LOVERS LN	LOVERS MEDICAL INVESTORS LP
19	5302 GREENVILLE AVE	OT CHATSWORTH TEXAS LLC
20	5809 E LOVERS LN	OT CHATSWORTH TEXAS LLC

FILE NUMBER: BDA190-061(OA)

BUILDING OFFICIAL'S REPORT: Application of J. Antony Sisk represented by Jeff Baron for a variance to the landscape regulations, for a special exception to the fence height regulations, and for a special exception to the fence standard regulations at 6611 Country Club Cir. This property is more fully described as Lot 6 in Block M/2798 and is zoned Conservation District No. 2 (Tract 3), which limits the height of a fence in the front yard to four feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line, and requires mandatory landscaping. The applicant proposes to construct a 10-foot six-inch high fence in a required front yard, which will require a six-foot six-inch 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 five feet from the front lot line, which will require a special exception to the fence regulations, and to provide an alternate landscape plan, which will require a variance to the landscape regulations.

LOCATION: 6611 Country Club Circle

APPLICANT: J. Antony Sisk and Associates
represented by Jeff Baron

REQUEST:

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

1. A request for a variance to the landscape regulations is made to construct and maintain a fence in one of the site's two required front yards (Gaston Avenue) – Conservation District No. 2 landscaping provisions prohibit fences and walls in the front yard;
2. A special exception to the fence standards relating to placing the aforementioned fence, a three-foot to nine-foot-high solid wood and brick fence, an eight-and-one-half-foot brick retaining wall, and an eight-and-a-half-foot brick fence with a 10-foot six-inch pedestrian gate, in one of the site's two front yards (Gaston 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 fence with panels with surface areas that are less than 50 percent open located less than five feet from the Gaston Avenue front lot line.

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:

Staff recommends approval, subject to the following condition:

- Compliance with the submitted site plan is required

Rationale:

- Staff concluded that two front yard setbacks along Gaston Avenue and County Club Circle, a slight slope, a need to create a safe area for children and animals, and a comparison table showing a fencible percentage of total fence area sufficiently proves that the subject site cannot be developed in a manner commensurate with the development upon other parcels. Granting this variance to allow the fence in the front yard would permit the applicant to use the property similarly to other properties within CD No. 2 and will not relieve a self-created or personal hardship.

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.

BACKGROUND INFORMATION:

Zoning:

Site: CD No. 2 (Conservation District)
North: CD No. 2 (Conservation District)
South: CD No. 2 (Conservation District)
East: CD No. 2 (Conservation District)
West: PD No. 517 (Plan Development District)

Land Use:

The subject site is undeveloped. The areas to the north, south, and east are developed with residential uses, and the area to the west is developed with a golf course.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

This request for a variance to the landscape regulations focuses on constructing and maintaining a fence in one of the site's two required front yards (Gaston Avenue) – a three-foot to nine-foot-high solid wood and brick fence, an eight-and-one-half-foot brick retaining wall, and an eight-and-a-half-foot brick fence with a 10-foot six-inch pedestrian gate. However, Conservation District No. 2 landscaping provisions prohibit fences and walls in the front yard; therefore, a variance to the landscape provision to allow the proposed fence as described, is requested.

CD No. 2 (Tract 3) landscaping refers back to Article X which allows special exceptions. However, the additional landscape requirements relating to the fence and walls being prohibited in CD No. 2 are not found in Article X and require a landscape variance instead. The City of Dallas Chief Arborist will not submit a memo regarding the applicant's request since staff determined the a variance to the landscape regulations is only to address the fence in one of the site's two required front yards (Gaston Avenue). Additionally, the fencing standards for the site refer back to Chapter 51A which limits the height of a fence in the front yard to four feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than five feet from the front lot line; therefore, the proposed fence will require a six-foot six-inch special exception to the fence regulations, and a special exception to the fence regulations.

According to DCAD records, property addressed at 6611 Country Club Circle has no improvements. The property is a 26,967-square-foot vacant lot. The minimum lot size is 10,000 square feet in CD No. 2 (Tract 3).

The submitted site plan/elevation denote – a three-foot to nine-foot-high solid wood and brick fence, an eight-and-one-half-foot brick retaining wall, and an eight-and-a-half-foot brick fence with a 10-foot six-inch pedestrian gate. Portions of the fence panels have surface areas that are less than 50 percent open and located less than five feet from the Gaston Avenue front lot line.

The submitted revised site plan shows a fence that runs approximately 145 feet-in-length parallel to Gaston Avenue, 60 feet perpendicular to Gaston Avenue on the northwest and northeast side of the site, and is located at the front property line, or 12 feet from the pavement line.

The subject site has a slight slope, is irregular in shape, and, according to the application, is 0.6 acres (or approximately 27,000 square feet) in area. While this is not technically a restrictive lot size, the other elements coupled with the double front yard setback requirement limit the usable yard space for possible fencing and privacy.

Staff conducted a field visit of the site and surrounding area and noted no other fences in the required front yard (the adjacent vacant lot has a fence that is located in the required front yard that is equal or less than four feet tall).

The applicant has the burden of proof in establishing the following relating to the variance request:

- That granting the variance to the landscape regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same CD No 2 (Tract 3) 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 CD No 2 (Tract 3) zoning classification.

Additionally, the applicant has the burden of proof in establishing that the special exceptions to the fence standards related to the prohibited fence and to location and materials on Gaston Avenue will not adversely affect neighboring property.

If the board were to grant the variance and special exceptions to allow the fence in the front yard and impose the submitted site plan/elevation as a condition, the fence(s) in the front yard setback would be limited to what is shown on this document– which in this case is a three-foot to nine-foot-high solid wood and brick fence, an eight-and-one-half-foot brick retaining wall, and an eight-and-a-half-foot brick fence with a 10-foot six-inch pedestrian gate, located in portions of the front yard and along the front lot line on Gaston Avenue.

As of June 12, 2020, no letters have been submitted in support or in opposition to the request.

Timeline:

March 13, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 13, 2020: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

June 4, 2020: The Board of Adjustment Chief Planner/Board Administrator 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 June 5th deadline to submit additional evidence for staff to factor into their analysis; and the June 12, 2020 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.”

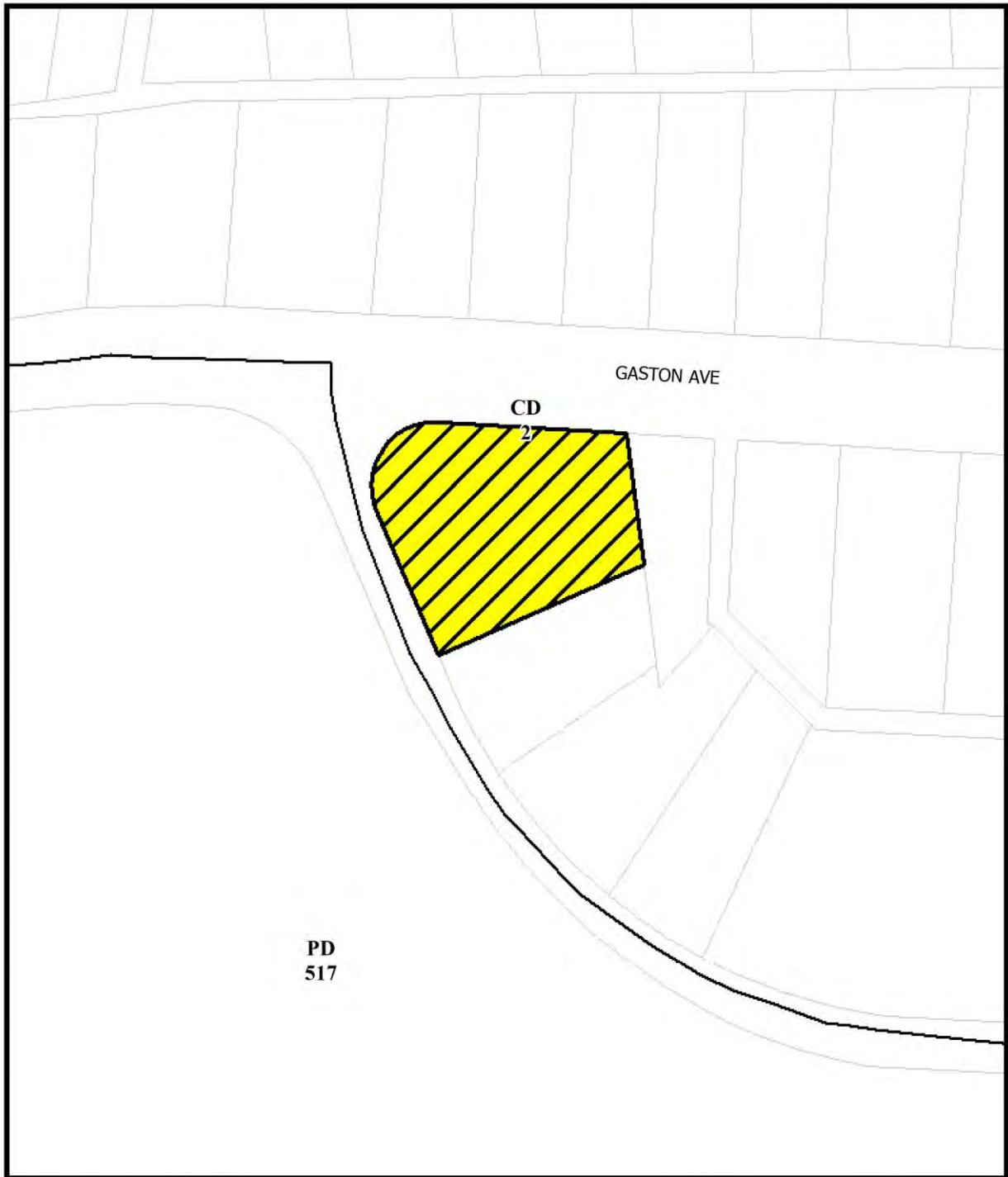
June 5, 2020: The applicant submitted additional documentation on this application to the Construction Department Board of Adjustment Senior Planner beyond what was submitted with the original application (see Attachment A).

June 5, 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 Sustainable Development and Construction 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.

June 8, 2020: The applicant submitted additional documentation on this application to the Construction Department Board of Adjustment Senior Planner beyond what was submitted with the original application (see Attachment B).

June 12, 2020: The applicant submitted additional documentation on this application to the Construction Department Board of Adjustment Senior Planner beyond what was submitted with the original application (see Attachment C).



1:1,200

ZONING MAP

Case no: BDA190-061

Date: 5/29/2020



1:1,200

AERIAL MAP

Case no: BDA190-061

Date: 5/29/2020

RECEIVED
MAR 20 2020
BY: SRM



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-061

Data Relative to Subject Property:

Date: 3/20/20

Location address: ~~6608 GASTON AVE.~~ 6611 Country Club Cir. Zoning District: CD 2-Tr III

Lot No.: 6 Block No.: M/2798 Acreage: .6 Census Tract: 01.00

Street Frontage (in Feet): 1) 217.6' 2) 99.83' 3) 114.15' 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): J Anthony Sisk and L. Catherine Sisk

Applicant: J Anthony Sisk Telephone: _____

Mailing Address: 6435 Malcolm Dr, Dallas, TX Zip Code: 75214

E-mail Address: TSISK@CRIBZ

Represented by: Jeff Baron Telephone: 214-256-5835

Mailing Address: 2301 Brendenwood Dr, Dallas, TX Zip Code: 75214

E-mail Address: build@jeffbaronhomes.com

Affirm that an appeal has been made, for a Variance or Special Exception of the fence standards for openness and fence height of 10'6" to allow for a variable height retaining wall with a solid wood and brick fence not to exceed 8' as measured from the exterior grade, and a 10'6" gate with arbor in the 60' required front yard on Gaston.

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:
Two front yard setbacks are required on Gaston and Country Club
The site's slope requires retaining walls and a solid fence to create a safe area for children and animals from heavy traffic on Gaston Avenue.

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 J Anthony Sisk (Affiant/Applicant's name printed)

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



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

Subscribed and sworn to before me this 13 day of March, 2020

Leigh Hahn
Notary Public in and for Dallas County, Texas

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that J Anthony Sisk
represented by Jeff Baron
did submit a request for a variance to the landscaping regulations, and for a special exception to the fence standards regulations, and for a special exception to the fence height regulations
at 6611 Country Club Circle

BDA190-061. Application of J Anthony Sisk represented by Jeff Baron for a special exception to the fence height regulations and for a special exception to the fence standards regulations and a variance to the landscape regulations at 6611 Country Club Cir. This property is more fully described as lot 6 in Block M/2798 and is zoned CD-2 (Tract 3), which limits the height of a fence in the front yard to four feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5 feet from the front lot line, and requires mandatory landscaping. The applicant proposes to construct a 10-foot, 6 inch high fence in a required front yard, which will require a 6 foot 6 inch 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 five feet from the front lot line, which will require a special exception to the fence regulations, and to provide an alternate landscape plan, which will require a variance to the landscape regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



AFFIDAVIT

Appeal number: BDA 190-061

I, L. Catherine Sisk, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 4611 Country Club Circle
(Address of property as stated on application)

Authorize: J. Anthony Sisk
(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: for alternate landscape plan for fence height and standards

L. Catherine Sisk
Print name of property owner or registered agent

L. Catherine Sisk
Signature of property owner or registered agent

Date 4/27/2020

Before me, the undersigned, on this day personally appeared L. Catherine Sisk

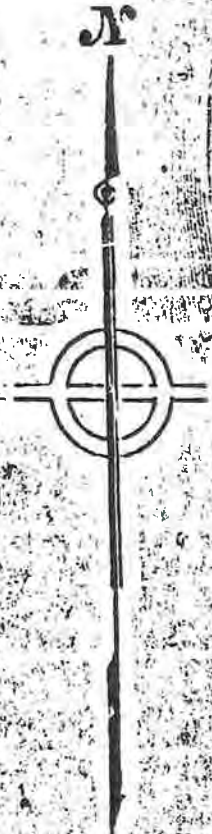
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

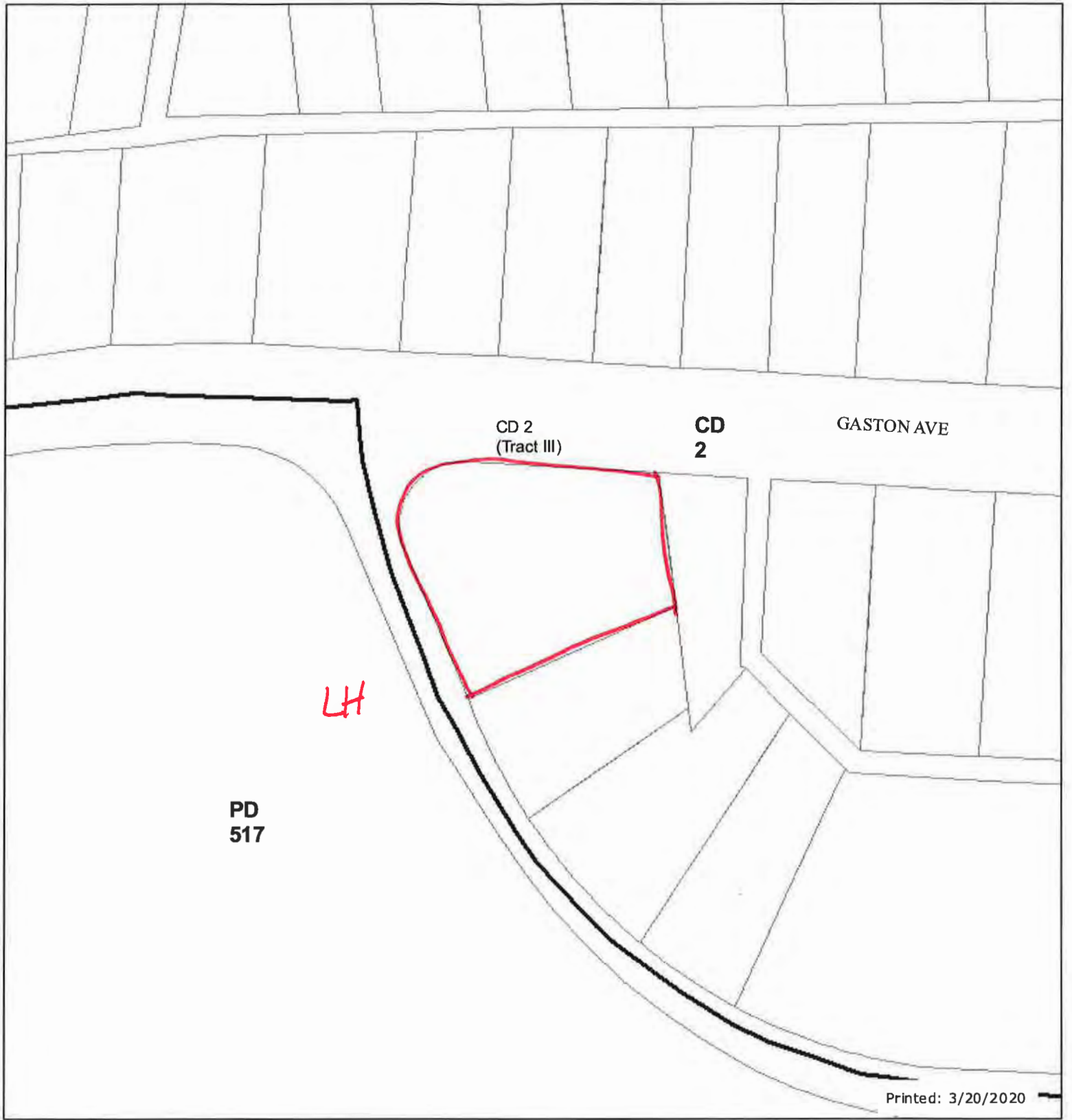
Subscribed and sworn to before me this 27 day of April, 2020



Leigh J Hahn
Notary Public for Dallas County, Texas

Commission expires on 1/27/2023



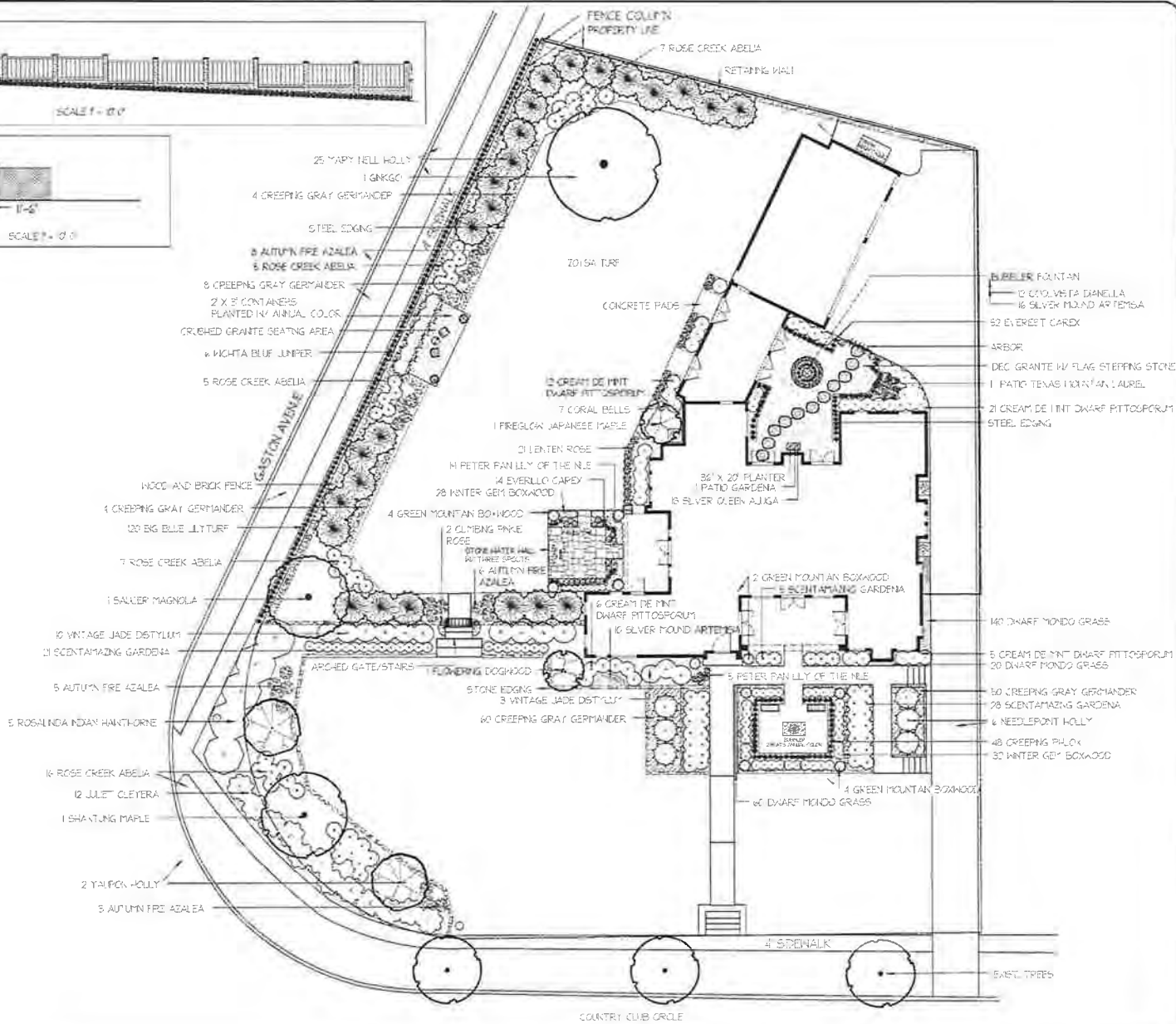
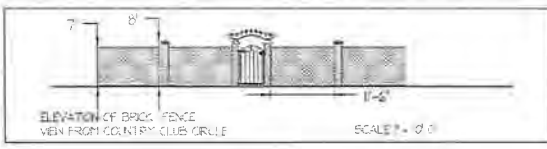
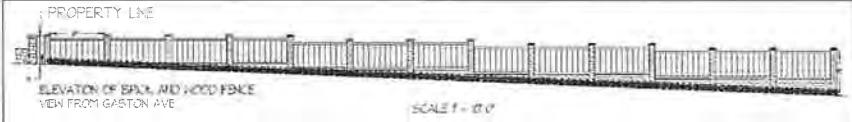


Legend

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

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





ANGELA HOOPER
LANDSCAPE DESIGN
314-478-8569
ahoop@angels.com



556 RESIDENCE
6611 COUNTRY CLUB CIRCLE
DALLAS, TEXAS

DATE: 11-10
SCALE: 1" = 10'
MARCH 18, 2020

Country Club Circle and Gaston Neighbors

Lori Leigh Patman & Peter Lucier	6623 Country Club Circle
Frank Charles & Pamela Eads Vecella	6633 Country Club Circle
Conan Gomez & Dania Wierzbicki	6639 Country Club Circle
Gregory Charles & Peyton U. Bender	6645 Country Club Circle
Rebecca Cowart Portera	6626 Gaston Ave.
Richard H Metzner	6620 Gaston Ave.
Lee Wayne & Loralee Lewis	6630 Gaston Ave.
Benjamin D. & Elizabeth A. Lamb	6661 Gaston Ave.
Kirk D. & Vicki L. Gillette	6653 Gaston Ave.
Donna Sue Jacob	6647 Gaston Ave.
Jefferey T. & Trisha L. Seidel	6641 Gaston Ave.
Irfan & Marcia S. Farukhi	6637 Gaston Ave.
Tuxedo Park Holding LLC	6629 Gaston Ave.
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Brandon S. Luke & Janie E Gray	6617 Gaston Ave.
John M. & Andrea Kenny	6607 Gaston Ave.
Al Jernigan Living Trust	2202 Cambria Blvd.

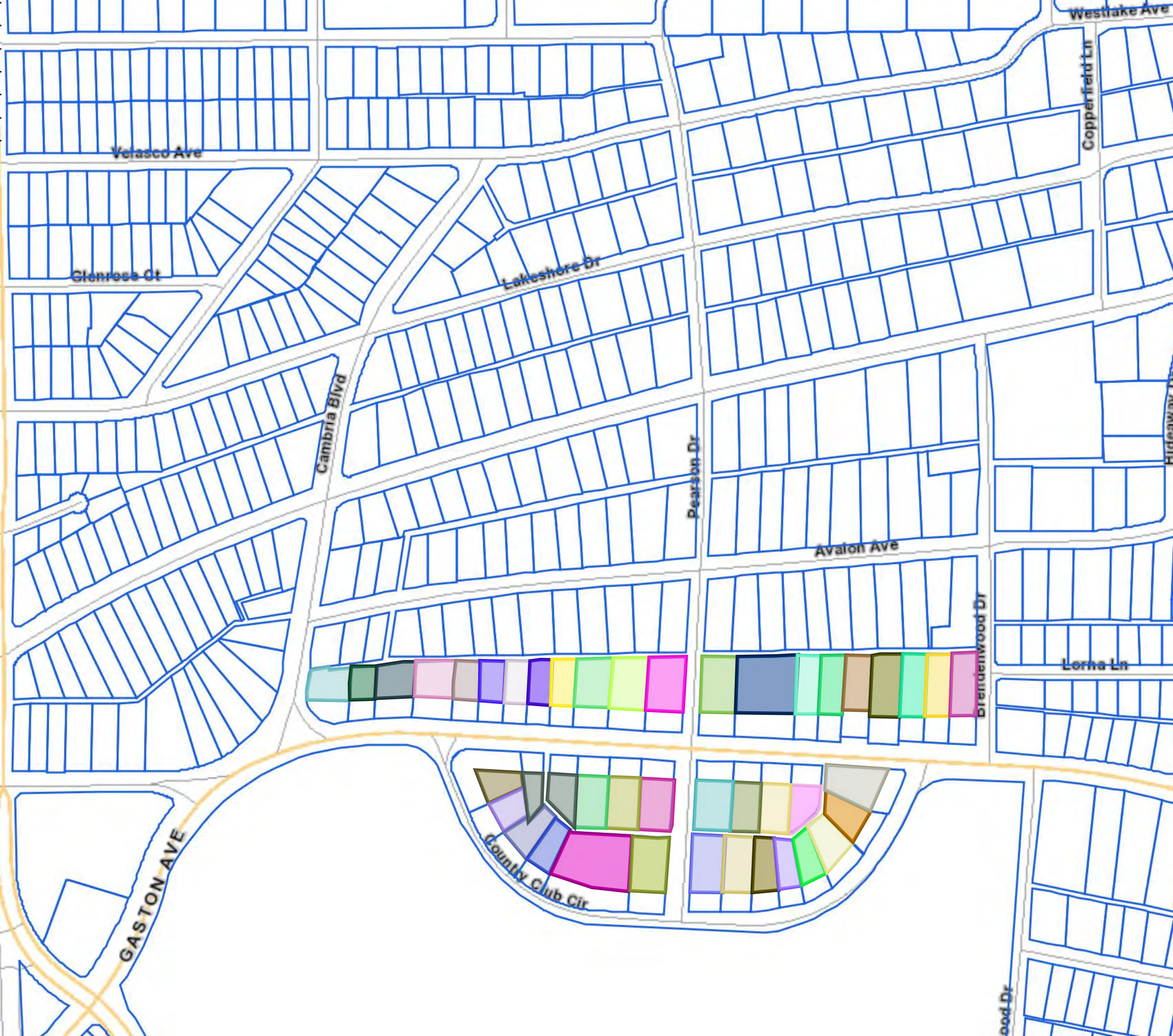


6611 Country Club Fenceable

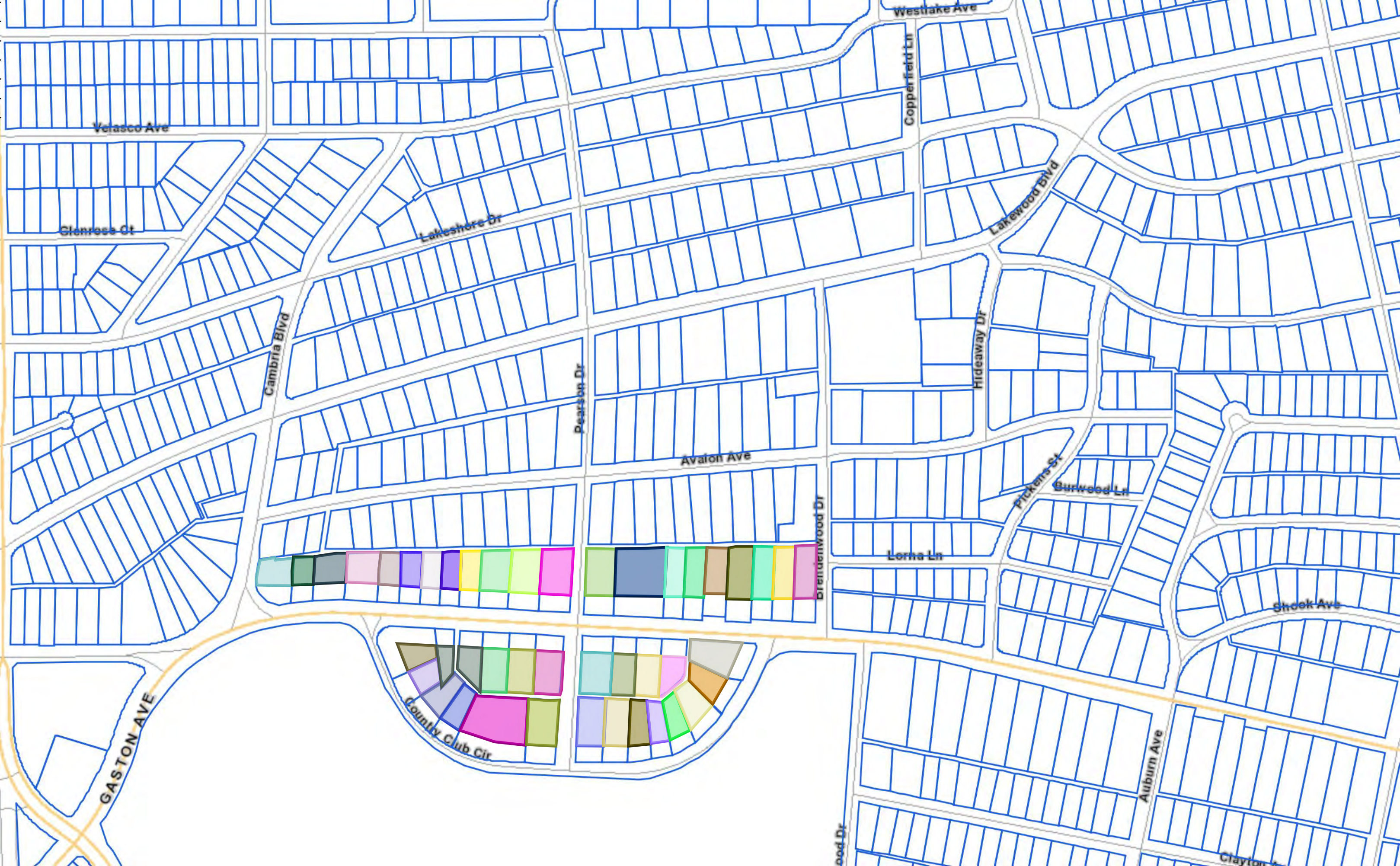
Address	Lot Sq. Ft.	LOT SQ FT BEHIND FYSB	% Fenceable Area of Total Lot
6611 Country Club Ave	26967	7658	28%
6623 Country Club Cir	13899	7090	51%
6633 Country Club Cir	17381	8860	51%
6639 Country Club Cir	14566	8273	57%
6645 Country Club Cir	46461	27778	60%
6669 Country Club Cir	22445	14776	66%
6703 Country Club Cir	19289	14260	74%
6711 Country Club Cir	18350	12847	70%
6721 Country Club Cir	14023	9410	67%
6729 Country Club Cir	13705	7452	54%
6733 Country Club Cir	12985	7961	61%
6737 Country Club Cir	22340	9838	44%
6745 Country Club Cir	15208	9210	61%
6761 Country Club Cir	22130	14572	66%
6726 Gaston Ave	13116	8668	66%
6714 Gaston Ave	17329	10633	61%
6706 Gaston Ave	15501	10467	68%
6700 Gaston Ave	20356	13397	66%
6630 Gaston Ave	18212	12991	71%
6626 Gaston Ave	18078	12310	68%
6620 Gaston Ave	18326	12450	68%
6616 Gaston Ave	22323	13644	61%
2202 Cambria Blvd	17141	9931	58%
6607 Gaston Ave	10736	6493	60%
6617 Gaston Ave	17485	9992	57%
6625 Gaston Ave	17796	10776	61%
6629 Gaston Ave	12371	7508	61%
6637 Gaston Ave	12719	7618	60%
6641 Gaston Ave	11802	7495	64%
6647 Gaston Ave	12281	7611	62%
6653 Gaston Ave	12659	8486	67%
6661 Gaston Ave	20078	13012	65%
6671 Gaston Ave	20736	14036	68%
6677 Gaston Ave	22229	15281	69%
6707 Gaston Ave	21914	14813	68%
6715 Gaston Ave	39103	26058	67%
6725 Gaston Ave	16544	10273	62%
6731 Gaston Ave	16522	10889	66%
6735 Gaston Ave	18227	11108	61%
6743 Gaston Ave	21489	14247	66%
6751 Gaston Ave	17887	11835	66%
6757 Gaston Ave	17454	11696	67%
6759 Gaston Ave	18877	12119	64%
Average Excluding Subject property			63%
Subject Property % of total Backyard Space			28%

Summary

The subject property has a lot size of 26,967 Sq. ft with 7,658 of fencable area given the restrictive size and shape due to the two front yard setbacks along Gaston and Country Club. The average fencable yard area in compatible zoning of adjacent properties is 63 %. With the variance the fencable lot area would be 14, 911 sq. ft or 55% of the total area.



2202 Cambria	9,930.51 sf
6607 Gaston	6,492.54 sf
6608 Gaston	7,658.07 sf
6616 Gaston	13,644.32 sf
6617 Gaston	9,992.20 sf
6620 Gaston	12,459.92 sf
6623 Country Club	7,089.58 sf
6625 Gaston	10,776.01 sf
6626 Gaston	12,310.02 sf
6629 Gaston	7,508.16 sf
6630 Gaston	12,990.68 sf
6633 Country Club	8,859.81 sf
6637 Gaston	7,618.30 sf
6639 Country Club	8,273.47 sf
6641 Gaston	7,495.43 sf
6645 Country Club	27,778.10 sf
6647 Gaston	7,611.17 sf
6653 Gaston	8,486.08 sf
6661 Gaston	13,012.10 sf
6669 Country Club	14,775.70 sf
6671 Gaston	14,035.89 sf
6677 Gaston	15,280.97 sf
6700 Gaston	13,696.84 sf
6703 Country Club	14,260.23 sf
6706 Gaston	10,467.39 sf
6707 Gaston	14,813.43 sf
6711 Country Club	12,847.41 sf
6714 Gaston Ave	10,632.59 sf
6715 Gaston	26,057.84 sf
6721 Country Club	9,409.95 sf
6725 Gastib	10,273.14 sf
6726 Gaston Ave	8,667.59 sf
6729 Country Club	7,451.58 sf
6731 Gaston	10,888.54 sf
6733 Country Club	7,961.44 sf
6735 Gaston	11,107.77 sf
6737 Country Club	9,838.23 sf
6743 Gaston	14,247.48 sf
6745 Country Club	9,209.57 sf
6751 Gaston	11,834.83 sf
6757 Gaston	11,696.15 sf
6759 Gaston	12,109.65 sf
6761 Country Club	14,572.26 sf



Velasco Ave

Glenrose Ct

Lakeshore Dr

Cambria Blvd

Pearson Dr

Avalon Ave

Lorna Ln

Pickens St

Burwood Ln

Shook Ave

County Club Cir

GASTON AVE

Westlake Ave

Copperfield Ln

Lakewood Blvd

Hideaway Dr

Brennenwood Dr

Auburn Ave

Clayton St

ood Dr

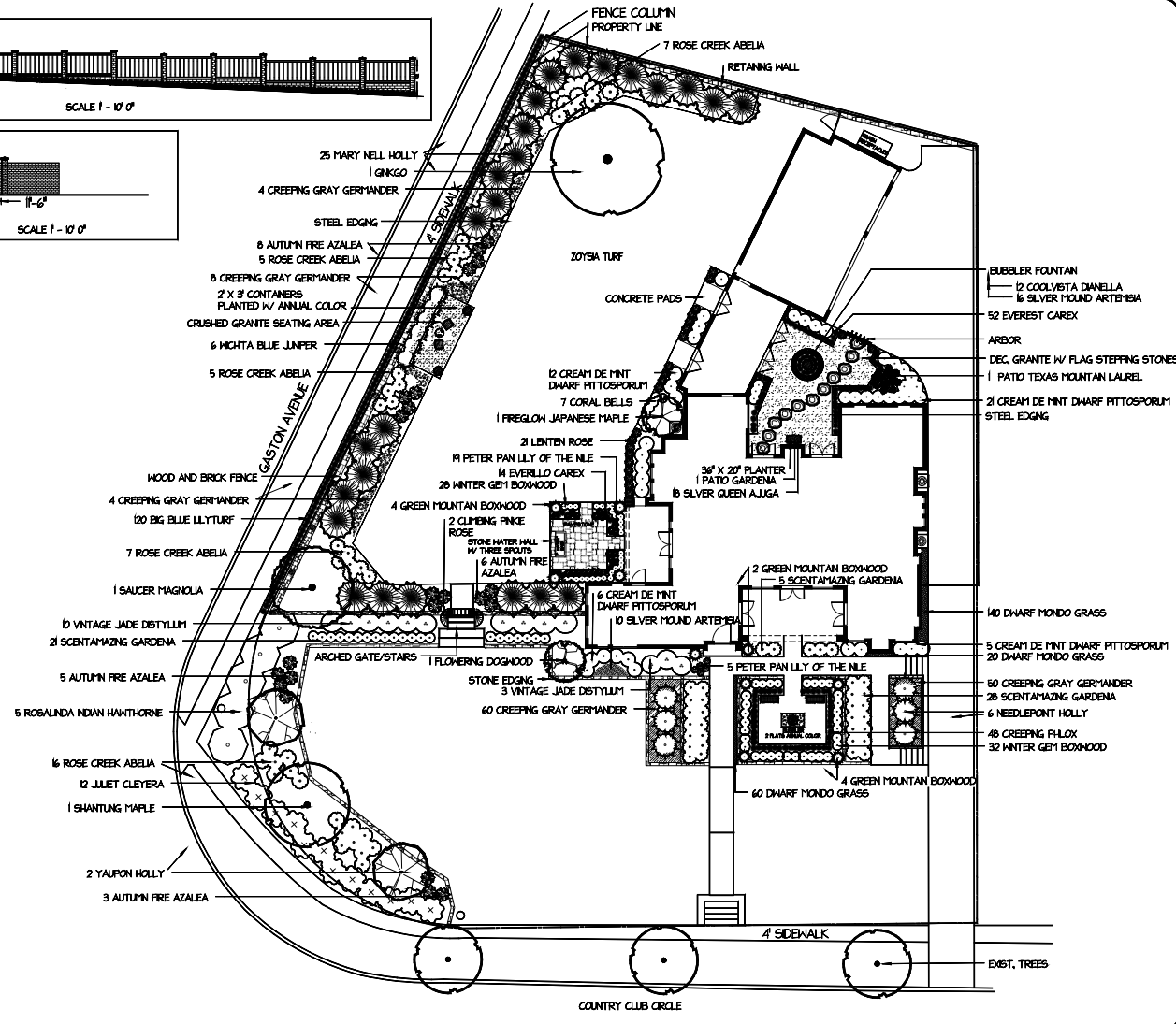
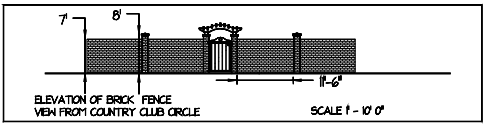
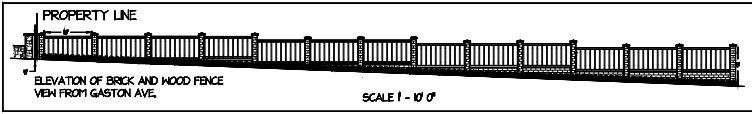
6611 Front yard study - Takeoff Quantity

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Name	Qty	UOM
2202 Cambria	9,930.51	Sq Ft
6607 Gaston	6,492.54	Sq Ft
6608 Gaston	7,658.07	Sq Ft
6616 Gaston	13,644.32	Sq Ft
6617 Gaston	9,992.20	Sq Ft
6620 Gaston	12,459.92	Sq Ft
6623 Country Club	7,089.58	Sq Ft
6625 Gaston	10,776.01	Sq Ft
6626 Gaston	12,310.02	Sq Ft
6629 Gaston	7,508.16	Sq Ft
6630 Gaston	12,990.68	Sq Ft
6633 Country Club	8,859.81	Sq Ft
6637 Gaston	7,618.30	Sq Ft
6639 Country Club	8,273.47	Sq Ft
6641 Gaston	7,495.43	Sq Ft
6645 Country Club	27,778.10	Sq Ft
6647 Gaston	7,611.17	Sq Ft
6653 Gaston	8,486.08	Sq Ft
6661 Gaston	13,012.10	Sq Ft
6669 Country Club	14,775.70	Sq Ft
6671 Gaston	14,035.89	Sq Ft
6677 Gaston	15,280.97	Sq Ft
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6757 Gaston	11,696.15	Sq Ft
6759 Gaston	12,109.65	Sq Ft
6761 Country Club	14,572.26	Sq Ft

6611 Country Club Circle
BDA190-061





ANGELA HOOPER
LANDSCAPE DESIGN
214-478-8569
ahopper@me.com

NORTH

56K RESIDENCE
6411 COUNTRY CLUB CIRCLE
DALLAS, TEXAS

DATE: MARCH 16, 2020
SCALE: 1" = 10'

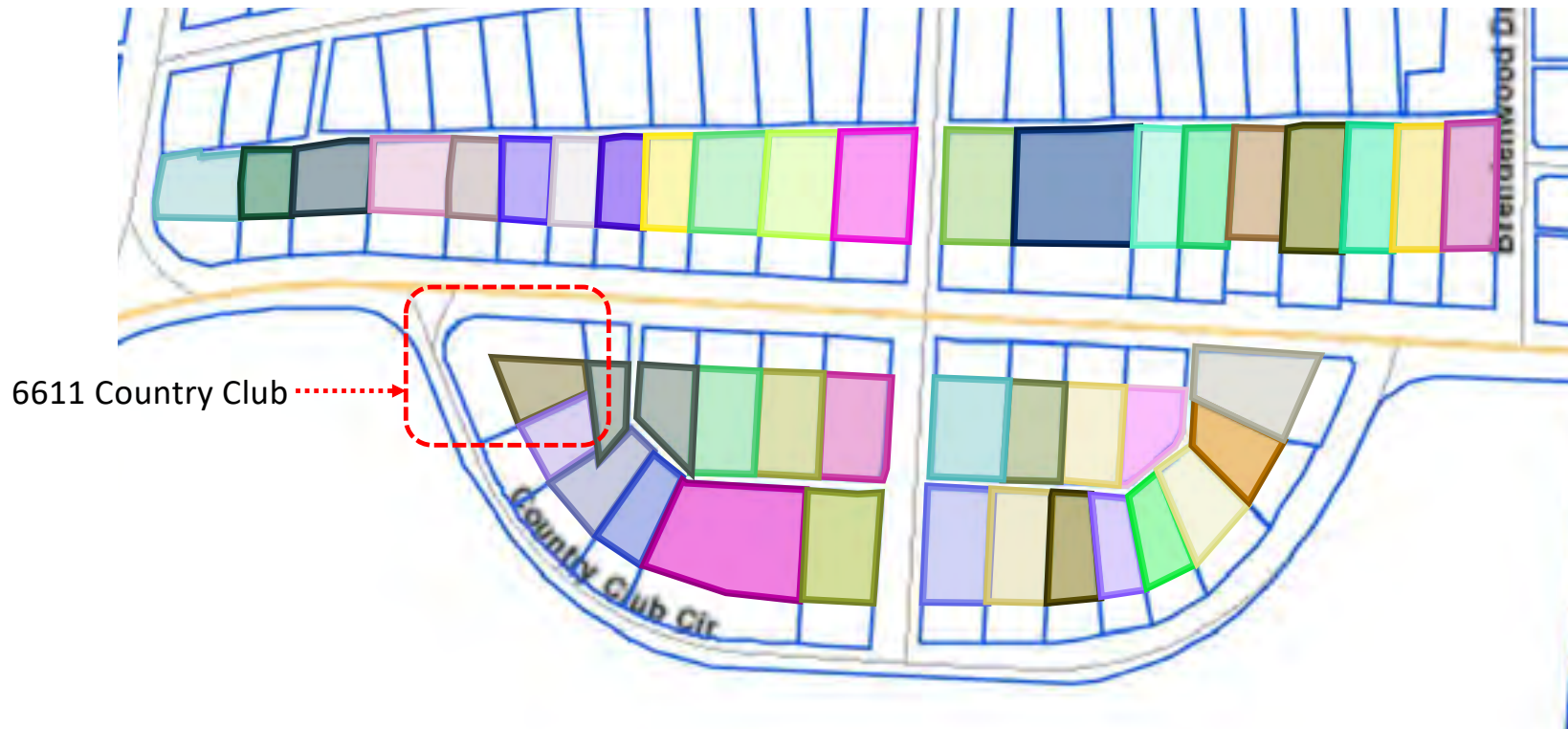
Restrictive Area, Shape, and Slope

- Area- The Buildable area is substantially more restrictive than adjacent lots in the same zoning district
- Shape- The Continuity of block face imposing two Front yard Setbacks creates a Restrictive Shape
- Slope- The Slope of the lot across the buildable area is highly restrictive creating the need for retaining walls.

Restrictive Area



Restrictive Area



Restrictive Area

Address	Lot Sq. Ft.	LOT SQ FT BEHIND FYSB	% Area of Total Lot		Address	Lot Sq. Ft.	LOT SQ FT BEHIND FYSB	% Area of Total Lot
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6616 Gaston Ave	22323	13644	61%		6759 Gaston Ave	18877	12119	64%
Average Excluding Subject property					63%			
Subject Property % of total Backyard Space					28%			

Restrictive Area

- The Average Area behind the Front Yard Setbacks in the same zoning district averages 63% of the Total Lot Area.
- Our lot has a buildable area of 28% of the Total Lot Area.
- Should the variance be approved our lot area would be 55% of the total lot area

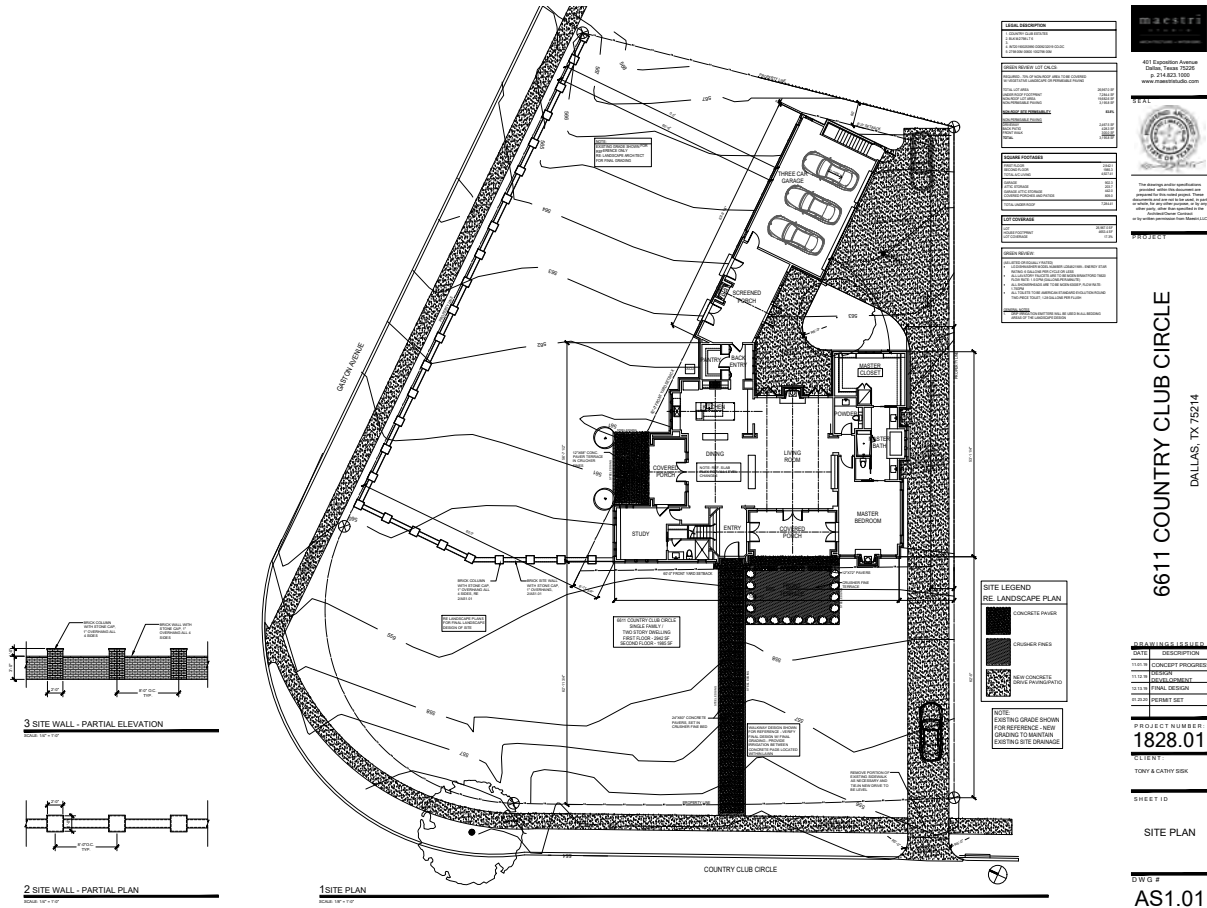
Restrictive Area

In Summary, the Area of the lot is Highly Restrictive not allowing us to build a house commensurate with the development on other parcels in the same zoning district.

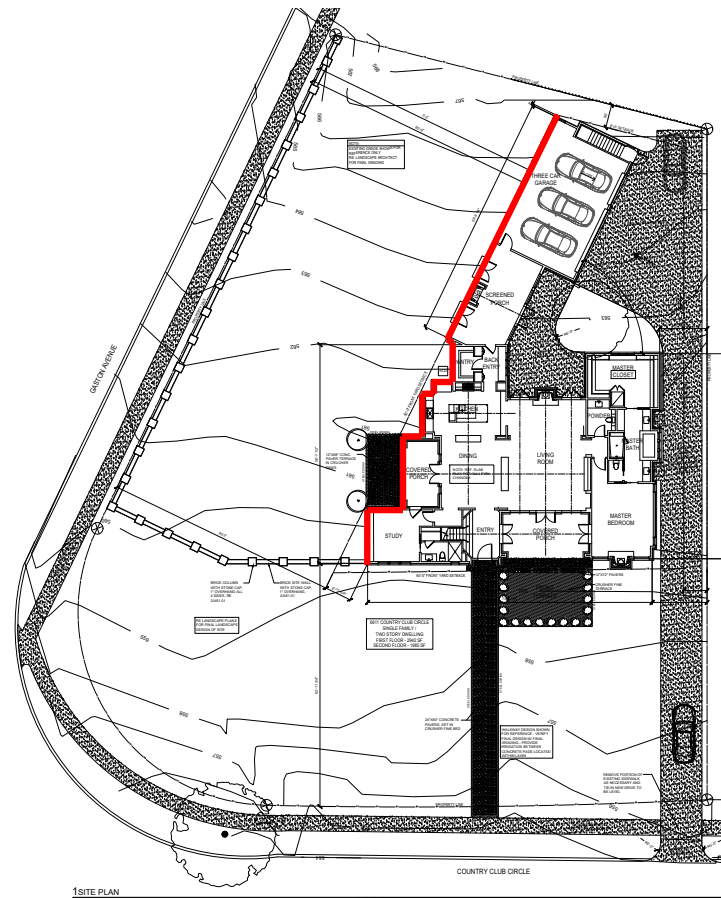
Restrictive Area

- The Parcel has a highly restrictive area which required the home to be designed with steps and angles along the perimeter of the home to accommodate the two front yard setbacks. Designing a home of similar size and features of other homes in the zoning district leaves limited fence-able yard. This is atypical of similar homes in the zoning district and causes the property to not be developed in a manner commensurate with the development of other parcels in the zoning district.

Restrictive Area

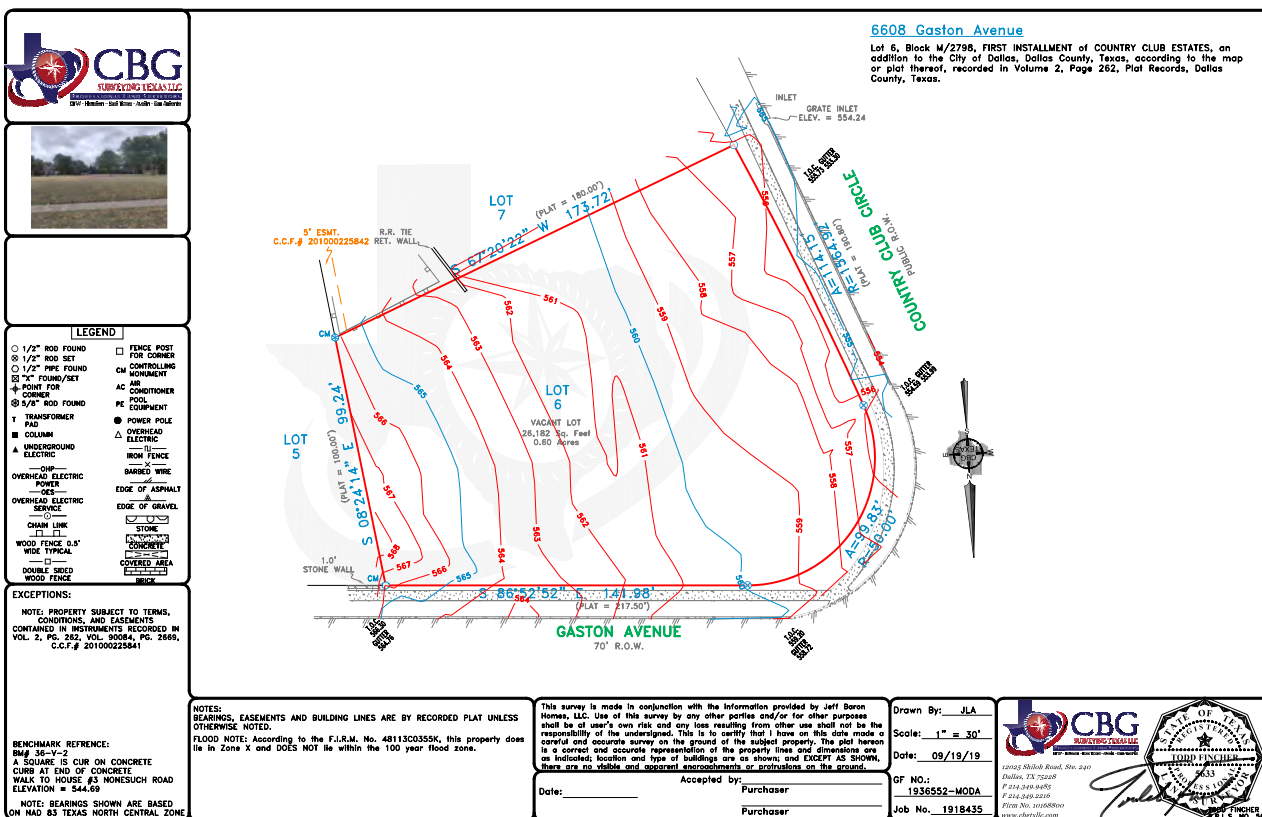


Restrictive Area



A typical homes would be designed with a more rectangular shape. Due to the Restrictive Area the design was altered with angles and steps to be able to develop a house on the property. In doing this and having a garage that is behind the main structure as required by the Conservation district, there is limited space for a back yard, which is not consistent with development within similar zoning.

Restrictive Slope



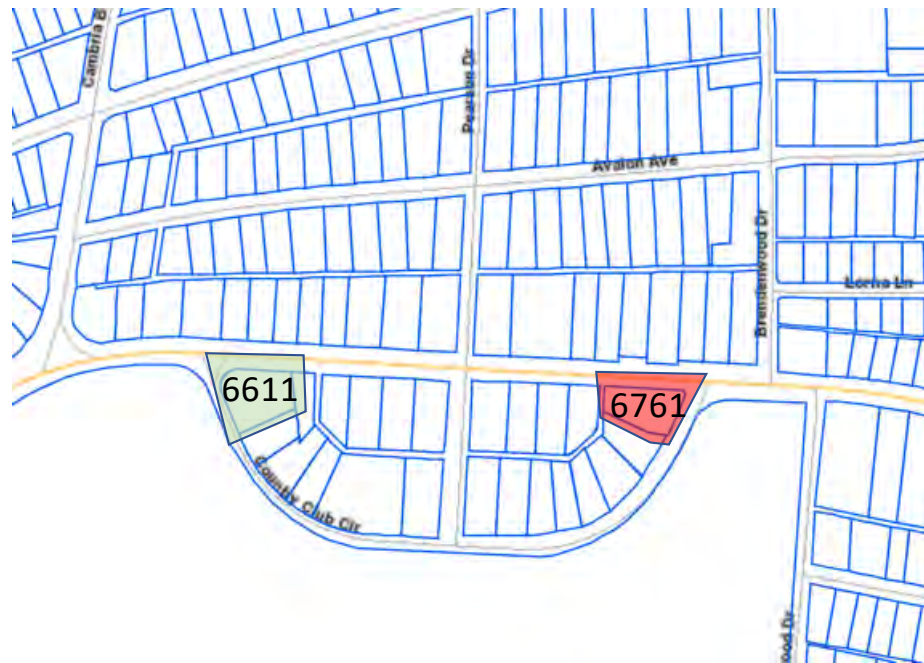
There is 8' of grade change from the rear of the property at 568' to the front Building setback of 560'. Retaining walls are required to address the restrictive slope to construct a house within the restrictive building area.

PRECIDENCE

THERE IS A PRECIDENCE OF HOMES IN THE SAME ZONING DISTRICT WITH FENCES OR WALLS IN THE FRONT SETBACK

6761 Country Club Cir

The Best Example is to look at the opposite end of Country Club Circle. 6761 has the same conditions as 6611 Country Club Circle. The front of the home faces Country Club.



6761 Country Club



A 5' brick column with 4' rod iron is present in the country club front yard setback, and a 9' Wooden fence encloses the property starting at the front corner of the house going down Gaston.

6761 Country Club



6761 Country Club has a wooden fence that is taller than the fence we have proposed in a similar location.

Homes With Fences



6715 Gaston- Stone Wall 4'



6725 Gaston- 3' Retaining Wall and 4' Iron Fence

6616 Gaston

Property that adjoins our property at the rear. We approached the homeowner's, the Johnsons when first desiring to apply for the variance to get their opinion on how to best tie into their retaining wall. Together we went through a few variations of the plan to achieve what we have presented.

- Our fence height matches their fence height at the corner of the property where they meet.

- The materials will be different, but masonry to complement one another while distinguishing the two properties.

- The height would step down as the fence goes towards country club so it would not be overpowering yet accomplishing the goal of a secure fence yard to create privacy and security.



Neighborhood Support

Tony and Cathy Sisk
6435 Malcolm Drive
Dallas, Texas 75214
972-679-8395
tsisk@cri.bz

April 30, 2020

Re: Board of adjustment variance request for 6611 Country Club Circle (6608 Gaston)

Dear future neighbor :

We bought the lot at the corner of Gaston and Country Club circle last year with plans to build a new home. An artist rendering is enclosed that is based on the design of Maestri architects. We have also enclosed the landscape architect's plan that also includes the detail of a masonry privacy fence on Gaston. This fence requires a variance from the Dallas Board of Adjustment, which is currently pending.

We have discussed this plan with the contiguous neighbors and made some adjustments requested by them. We have their support for the enclosed plan. Due to the Covid restrictions and social distancing we are mailing this information with an offer to discuss in person if you want additional information. My contact info is at the top of this letter.

We look forward to being a future neighbor next year and look forward to living in Country Club Estates

Sincerely,

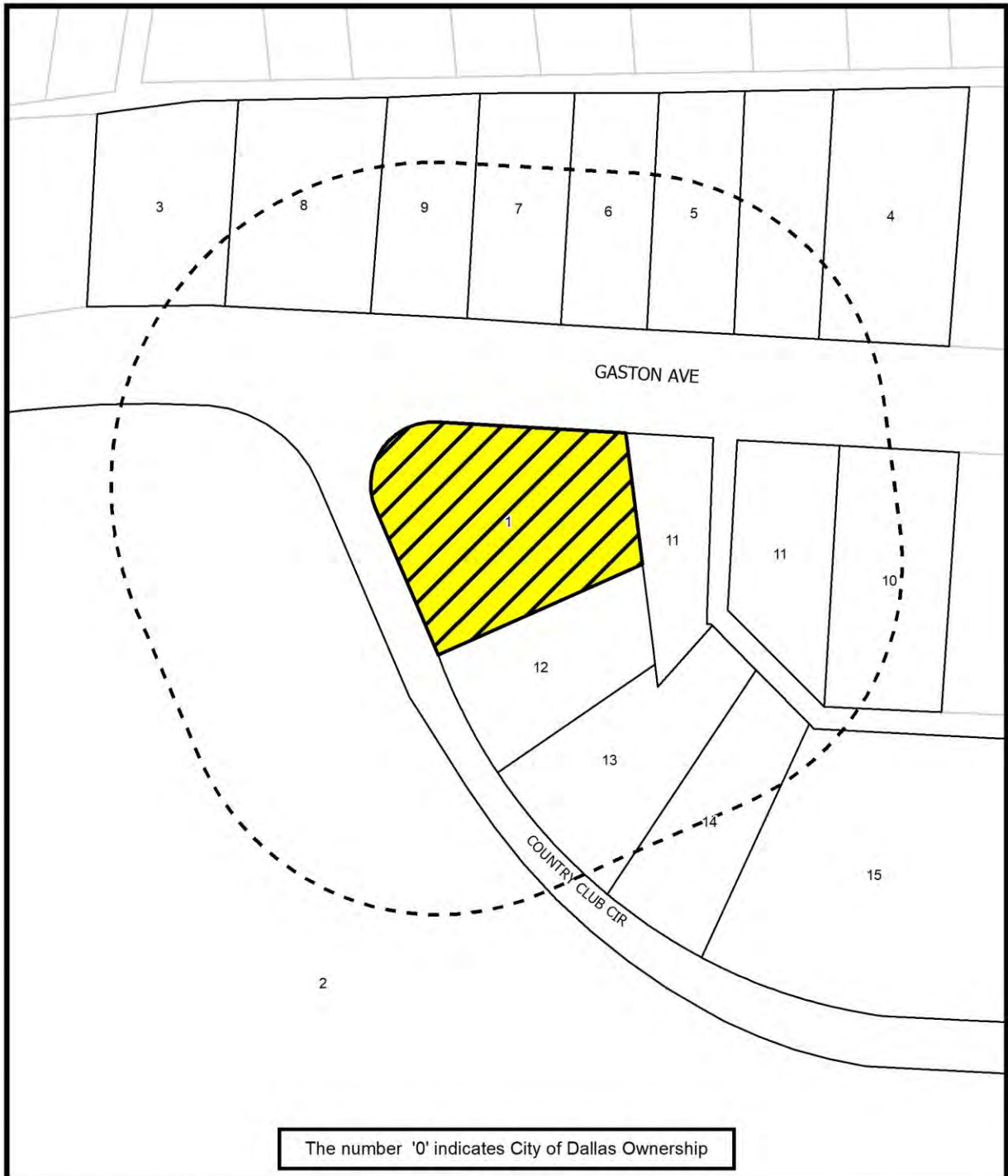
Tony and Cathy Sisk

Country Club Circle and Gaston Neighbors

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Brandon S. Luke & Janie E Gray	6617 Gaston Ave.
John M. & Andrea Kenny	6607 Gaston Ave.
Al Jernigan Living Trust	2202 Cambria Blvd.

Summary

- 6611 Country Club is a severely restrictive lot in Area, Shape, and Slope.
- The Buildable area as a percent of total lot area is 28% vs. the average of other lots of 63%
- Fence and Retaining walls are typical and present in the current zoning area. Specifically in the only other corner lot having the same restrictions.
- The Variance is necessary to permit development of the lot commensurate with the development upon other parcels in the same zoning district.
- There is no adverse effect on neighbors and our request has been meet with support and gratitude for desiring to develop the lot.



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
15 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA190-061**
 Date: **5/29/2020**

05/29/2020

Notification List of Property Owners

BDA190-061

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6608 GASTON AVE	BAUGH WILLIAM KYLE &
2	1912 ABRAMS RD	LAKWOOD COUNTRY CLUB
3	6617 GASTON AVE	LUKE BRANDON S &
4	6661 GASTON AVE	LAMB BENJAMIN DANIEL & ELIZABETH
AHLQUIST		
5	6647 GASTON AVE	JACOB DONNA SUE
6	6641 GASTON AVE	SEIDEL JEFFREY T &
7	6637 GASTON AVE	FARUKHI IRFAN & MARCIA SCHNEIDER
8	6625 GASTON AVE	OROZCO ALBERTO P
9	6629 GASTON AVE	TUXEDO PARK HOLDING LLC
10	6620 GASTON AVE	METZNER RICHARD H
11	6616 GASTON AVE	JOHNSON WILLIAM E & NANCY
12	6623 COUNTRY CLUB CIR	LUCIER LORI LEIGH PATMAN & PETER
13	6633 COUNTRY CLUB CIR	VECELLA FRANK CHARLES &
14	6639 COUNTRY CLUB CIR	GOMEZ CONAN &
15	6645 COUNTRY CLUB CIR	BENDER GREGORY CHARLES & PEYTON U

FILE NUMBER: BDA190-043(OA)

BUILDING OFFICIAL'S REPORT: Application of Mark Brinkerhoff for a special exception to the single family use regulations and to provide an additional electrical meter at 6833 Prosper Street. This property is more fully described as Lot 8, Block C/5048 and is zoned an R-7.5(A) Single Family District, which limits the number of dwelling units to one and requires that single family dwelling use in a single family, duplex, or townhouse may be supplied by not more than one electrical utility service and metered by no more than one electrical meter. The applicant proposes to construct and/or maintain an accessory dwelling unit for rent, which will require a special exception to the single family use regulations and to add an additional electrical utility service and metered, which will require a special exception to the single family zoning regulations.

LOCATION: 6833 Prosper Street

APPLICANT: Mark Brinkerhoff

REQUEST:

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

1. A request for a special exception to the single family use regulations is made to construct and maintain a two-story accessory dwelling unit structure for rent on a site developed with a two-story single family structure.
2. A request to install and maintain an additional electrical utility service and electrical meter on a site that is currently developed with a single family use

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

The board may grant a special exception to the single family use regulations of the Dallas Development Code to authorize a rentable accessory dwelling unit on a lot when, in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties.

In granting this type of special exception, the board shall require the applicant to:

1. deed restrict the subject property to require owner-occupancy on the premises; and,
2. annually register the rental property with the city's single family non-owner occupied rental program.

STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE FAMILY USE REGULATIONS TO AUTHORIZE MORE THAN ONE ELECTRICAL UTILITY SERVICE OR MORE THAN ONE ELECTRICAL METER:

The board may grant a special exception to authorize more than one electrical utility service or more than one electrical meter for a single family use on a lot in a single family zoning, duplex, or townhouse district when, in the opinion of the board, the special exception will:

1. not be contrary to the public interest;
2. not adversely affect neighboring properties; and,
3. not be used to conduct a use not permitted in the zoning district.

STAFF RECOMMENDATION ACCESSORY DWELLING UNIT :

No staff recommendation is made on this or any request for a special exception to authorize a rentable accessory dwelling unit since the basis for this type of appeal is when in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties.

STAFF RECOMMENDATION ADDITIONAL ELECTRICAL METER:

No staff recommendation is made on this or any request for a special exception to authorize more than one electrical utility service or more than one electrical meter for a single family use on a lot in a single family zoning district since the basis for this type of appeal is when in the opinion of the board, the standards described above are met.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS::

This request for a special exception to the single family use regulations focuses on constructing and maintaining a two-story additional dwelling unit and installing and maintaining a second electrical utility service and electrical meter on a site that is currently developed a two-story single family structure.

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

The single family use regulations of the Dallas Development Code state that only one dwelling unit may be located on a lot and that the Board of Adjustment may grant a special exception to this provision and authorize a rentable accessory dwelling unit on a lot when, in the opinion of the board, the accessory dwelling unit will not adversely affect neighboring properties.

In addition, the Dallas Development Code states that in a single family, duplex, or townhouse district, a lot for a single family use may be supplied by not more than one electrical service, and metered by not more than one electrical meter; and that the Board of Adjustment may grant a special exception to authorize more than one electrical utility service or more than one electrical meter for a single family use on a lot in a single family zoning district when in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties; and 3) not be used to conduct a use not permitted in the zoning district

The Dallas Development Code states that *single family* means one dwelling unit located on a lot and that a *dwelling unit* means one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens¹, one or more bathrooms², and one or more bedrooms³.

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

These requests center on the function of what is proposed to be inside the smaller structure on the site – the accessory dwelling unit--specifically its collection of

¹ KITCHEN means 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. Reference §51A-2.102(57.1) of the Dallas Development Code, as amended.

² BATHROOM means any room used for personal hygiene and containing a shower or bathtub, or containing a toilet and sink. Reference §51A-2.102(8.1) of the Dallas Development Code, as amended.

³ BEDROOM means 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, sun rooms, and other similar rooms are considered bedrooms. Reference §51A-2.102(9) of the Dallas Development Code, as amended.

rooms/features shown on the floor plan. The site plan that does not indicate the location of the two electrical meters on the subject site.

According to DCAD records and the submitted site plan, the “main improvement” for the property at 6833 Prosper Street is a structure built in 2015 with 2,012 square feet of total living area with no additional improvements. Furthermore, the site plan indicates the proposed accessory dwelling unit contains 400 square feet of living area.

The applicant has the burden of proof in establishing that the accessory dwelling unit will not adversely affect neighboring properties. In addition, the applicant has the burden of proof in establishing that the additional electrical meter to be installed on the site will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties; and, 3) not be used to conduct a use not permitted in the zoning district.

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. However, 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 deed restrict the subject property to require owner-occupancy on the premises and to annually register the rental property with the city’s single family non-owner occupied rental program.

Timeline:

February 5, 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.

March 17, 2020: The Board of Adjustment Secretary randomly assigned this case to the Board of Adjustment Panel A.

March 23, 2020: The Sustainable Development and Construction Department Senior Planner emailed the applicant’s representative the following information:

- 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/standards that the board will use in their decision to approve or deny the requests; and
- The Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 2, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the public hearings. Review team members in attendance included the following: Board of Adjustment Chief Planner/Board Administrator, Building Inspection Senior Plans Examiner, Senior Engineer, Board of Adjustment Senior Planner, and Assistant City Attorney to the Board.

May 19, 2020: The Board of Adjustment Panel A conducted a public hearing on this application, and delayed action on this application request until the next public hearing to be held on June 23, 2019 to give the applicant the opportunity to provide support for this request.

May 21, 2020: The Board Administrator wrote the applicant a letter of the board's action; the June 3rd deadline to submit additional evidence for staff to factor into their analysis; and the June 12th deadline to submit additional evidence to be incorporated into the Board's docket materials.

June 3, 2020: The applicant provided a letter of support as requested by the Board Members during the May 19 public hearing (see Attachment A).

BOARD OF ADJUSTMENT ACTION: May 19, 2020

APPEARING IN FAVOR: Mark Brinkerhoff 6833 Prosper St. Dallas, TX

APPEARING IN OPPOSITION: None

MOTION: **Lamb**

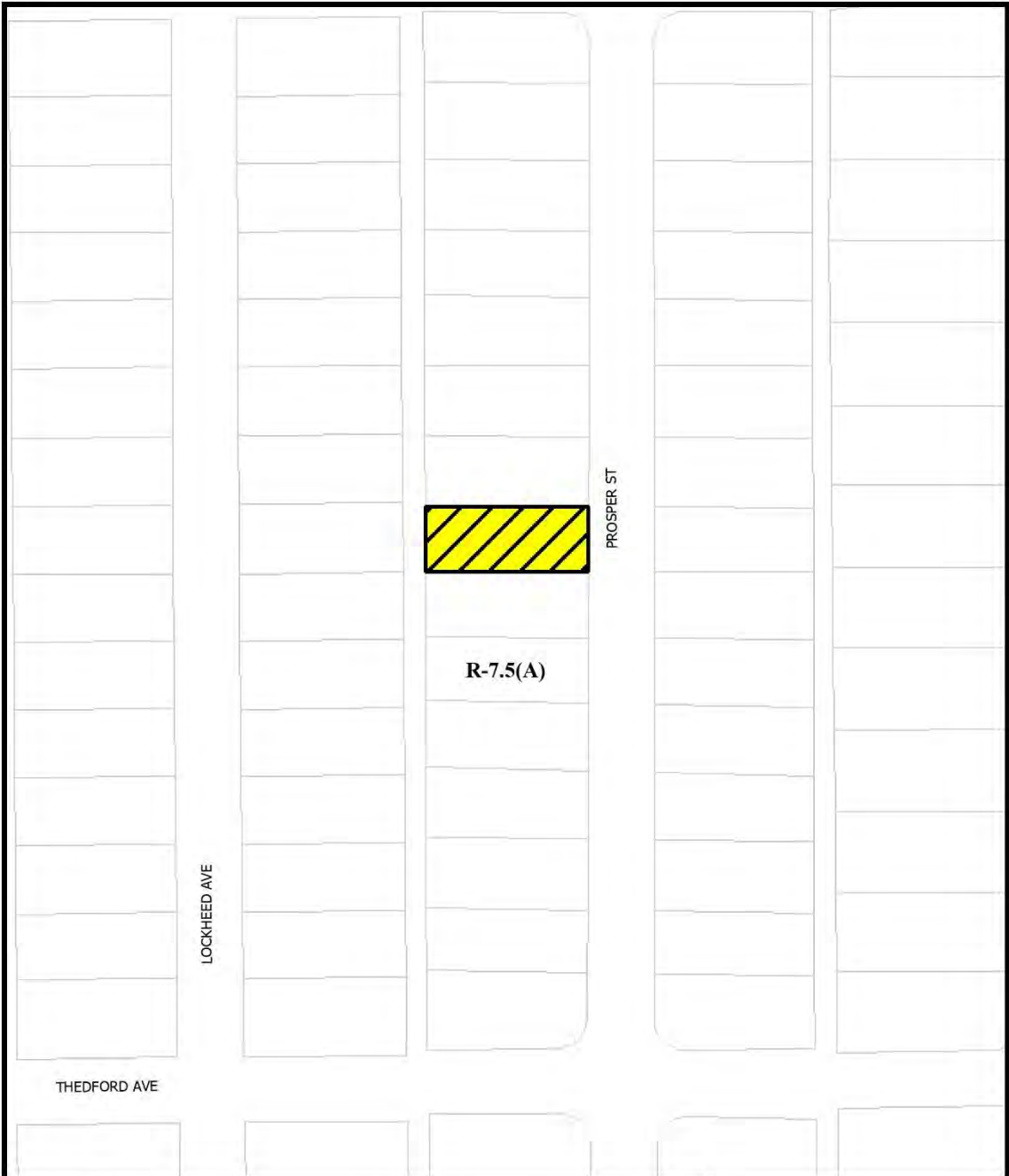
I move that the Board of Adjustment in request No. BDA 190-043, **hold** this matter under advisement until June 23, 2020.

SECONDED: **Gambow**

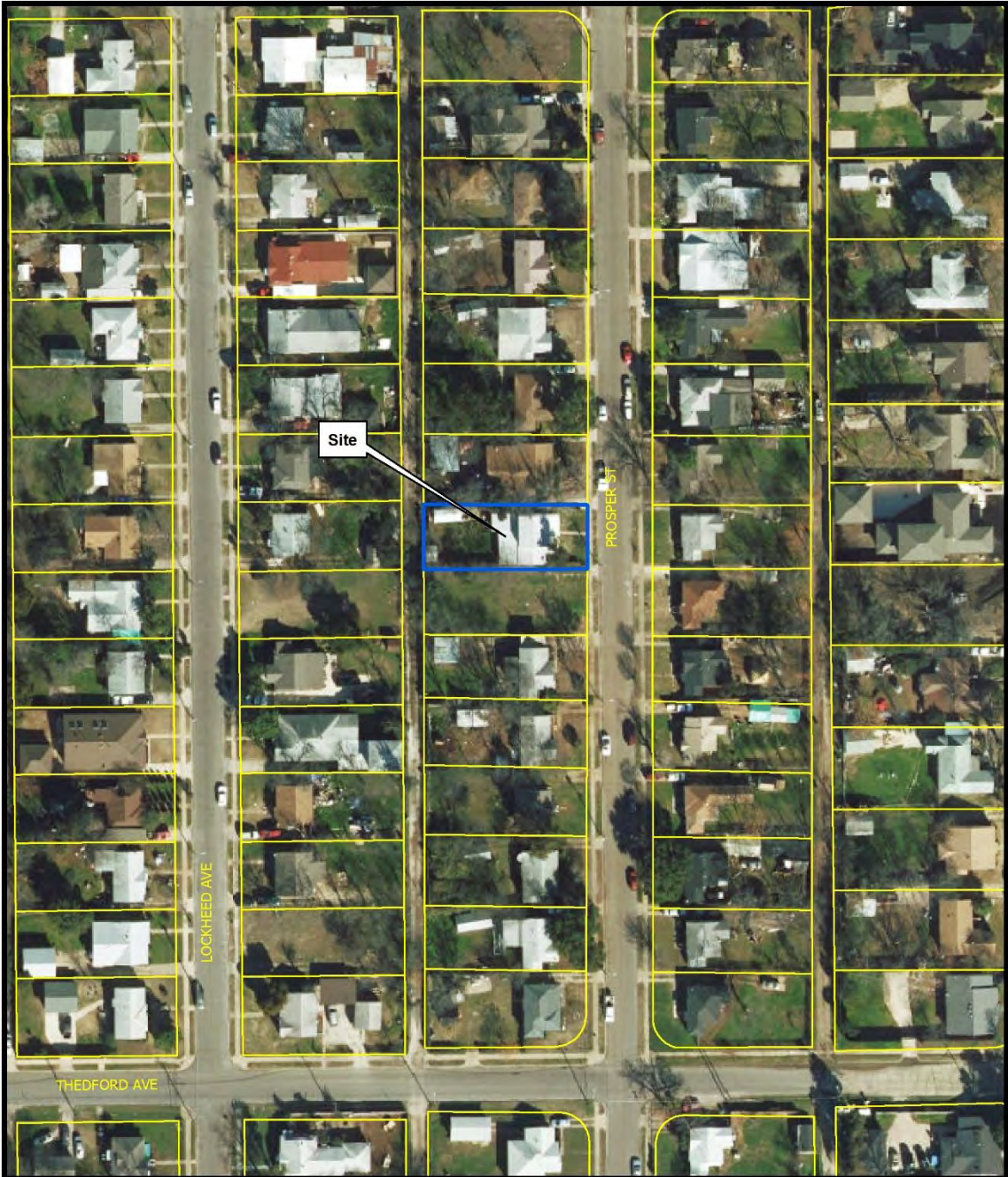
AYES: 5 – Gambow, Adams, Lamb, Halcomb, Sahuc

NAYS: 0

MOTION PASSED: 5 – 0 (unanimously)



 1:1,200	<h1>ZONING MAP</h1>	Case no: <u>BDA190-043</u> Date: <u>3/24/2020</u>
--	---------------------	--



1:1,200

AERIAL MAP

Case no: BDA190-043

Date: 3/24/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-043

Data Relative to Subject Property:

Date: Feb. 5, 2020

Location address: 6833 Prosper Street Zoning District: R-7.5(A)

Lot No.: 8 Block No.: C/5048 Acreage: 0.14 Census Tract: 71.02

Street Frontage (in Feet): 1) 49.4 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Mark Brinkerhoff

Applicant: Mark Brinkerhoff Telephone: (817)681-5739

Mailing Address: 6833 Prosper Street Zip Code: 75209

E-mail Address: think.brink@icloud.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 Accessory Dwelling Unit and an extra meter

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:

I would like an ADU to create a more affordable housing unit in my neighborhood, where I've lived for the past decade.

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

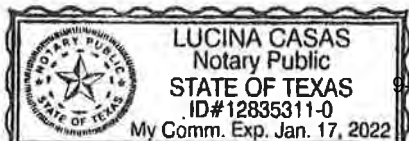
Before me the undersigned on this day personally appeared Mark Andrew Brinkerhoff
(Affiant/Applicant's name printed)

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: Mark Brinkerhoff
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 5 day of February, 2020

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



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that MARK BRINKERHOFF

did submit a request for a special exception to the single family regulations, and provide an additional electrical meter

at 6833 Prosper Street

BDA190-043. Application of MARK BRINKERHOFF for a special exception to the single family regulations, and provide an additional electrical meter at 6833 PROSPER ST. This property is more fully described as Lot 8, BlockC/5048, and is zoned R-7.5(A), which limits the number of dwelling units to one and requires that a single family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to construct an accessory dwelling unit for rent, which will require a special exception to the single family zoning use regulations, and to construct a single family dwelling in a single family, duplex, or townhouse district and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single family zoning use regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official

ORD. NO. _____ CITY OF D
 ADDITION MOUNT
G. COLE ABST. **320** SCALE _____

SHANNON ESTA

D
5699

121	1	2	3	4	5	6	7	8	9	10	11	12	13	14
							5047/B							
80	52	52	52	52	52	52	52	52	52	52	52	52	52	52

PROSPER 6900 ← 6900 (STEVENS)

121	1	2	3	4	5	6	7	8	9	10	11	12	13	14
							5048/C							
80	52	52	52	52	52	52	52	52	52	52	52	52	52	52

LOCKHEED

B
5040

HILLS

LOCKHEED

MB



Printed: 2/5/2020

Legend

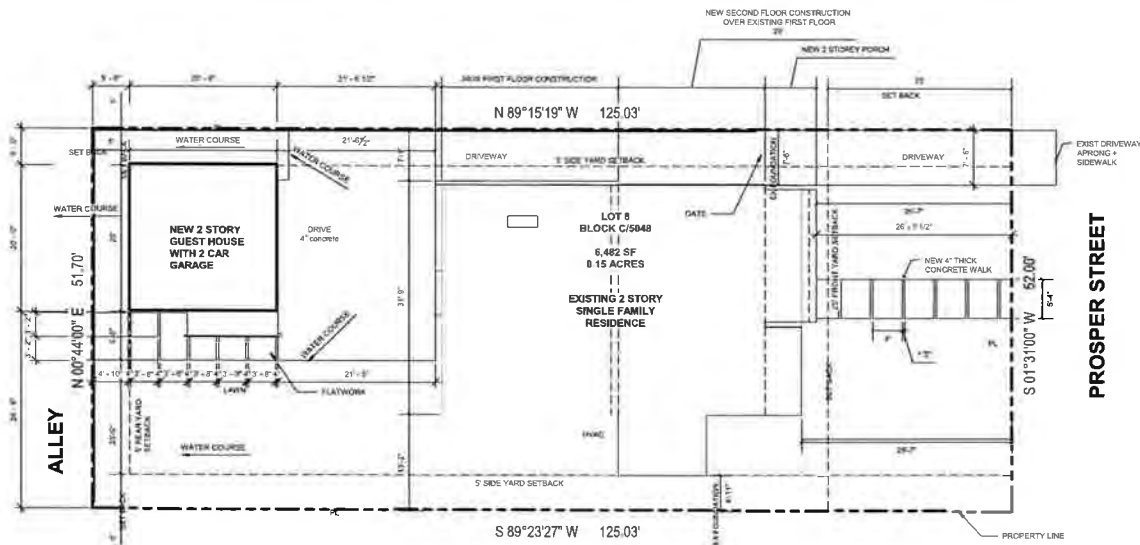
- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSP Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | Shop Front Overlay 9-11 |
| | | Height Map Overlay | |

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



1:2,400

MB



01 SITE PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES

- 1 ALL WORK TO CONFORM TO APPLICABLE BUILDING CODES, REGULATIONS AND ORDINANCES HAVING JURISDICTION.
- 2 DO NOT SCALE DRAWINGS. ANY DISCREPANCY WITHIN THE DRAWINGS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
- 3 THESE DOCUMENTS ARE ABBREVIATED IN CONTENT. THE CONTRACTOR AND SUBCONTRACTORS ARE RESPONSIBLE FOR REVIEWING AND UNDERSTANDING SCOPE, SITE VISITS, AND ANY VERIFICATION OF SCOPE DETAILS, EXISTING CONDITIONS, ETC. PERTAINING TO SCOPE OF WORK SHOWN HERE.
- 4 OBTAIN ALL NECESSARY PERMITS, CERTIFICATES, INSPECTIONS, AS REQUIRED BY THE CITY AND OTHER GOVERNMENTAL AGENCIES HAVING JURISDICTION.
- 5 THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE WARRANTY OF THE CONSTRUCTION.
- 6 DIMENSIONS ARE GENERALLY TO THE FACE OF STUD.
- 7 ALL WORK MUST BE DONE ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND INDUSTRY STANDARDS.
- 8 THE STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL CONSTRUCTION DETAILS.
- 9 CONTRACTOR TO FIELD VERIFY BUILDING ELEVATIONS AND EXISTING UTILITIES.
- 10 VERIFY CLEARANCES ARE REQUIRED FOR ALL EQUIPMENT.
- 11 BEFORE PROCEEDING WITH ANY WORK OR ORDERING ANY MATERIAL, THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND LOCATIONS OF BUILDING COMPONENTS AND THEIR INTERRELATIONSHIP AT THE BUILDING SITE AND SHALL BE RESPONSIBLE FOR THEIR CORRECTNESS.
- 12 CONTRACTOR AND/OR SUBCONTRACTOR IS ULTIMATELY RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.
- 13 ALL STAIRS TO BE MAX RISE: HEIGHT OF 7 3/4" AND MIN. TREAD DEPTH OF 10".

PROJECT NOTES

SITE AREA: 6.462 SF
 0.15 ACRES
 BUILDING FOOTPRINT: 2,538 SF
 (HOUSE AND GARAGES)
 LOT COVERAGE: 31%
 GUEST HOUSE BUILDING AREA
 GROSS SF:
 LEVEL 1: 400 SF
 LEVEL 2: 338 SF
 TOTAL GROSS: 938 SF
 NET SF:
 LEVEL 1: 400 SF
 LEVEL 2: 300 SF
 TOTAL NET: 700 SF

SUSTAINABILITY NOTES

- 1 AVERAGE FLOW RATE FOR ALL LAVATORY FAUCETS MUST BE 2.0 GPM.
- 2 AVERAGE FLOW RATE FOR ALL SHOWERHEADS MUST BE 2.0 GPM.
- 3 AVERAGE FLOW RATE FOR ALL TOILETS MUST BE: 1.3 GALLONS PER FLUSH.
- 4 UTILIZE ENERGY STAR LABELED DISH WASHERS THAT USE 6.0 GALLONS OR LESS PER CYCLE.



RESIDENTIAL DESIGNER
 4 SIDE STUDIO, LLC
 JOHNNY LIMONES
 214-513-1105
 info@4sidestudio.com
 www.4sidestudio.com

BRINKERHOFF RESIDENCE
 6833 PROSPER STREET
 DALLAS TEXAS 75209

SITE PLAN

A1.1

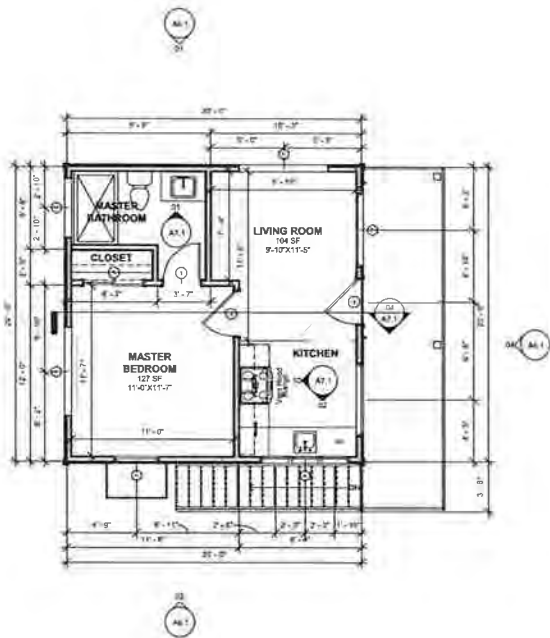
Project: 18
 Date: 11/11/2020
 At: 4:00 PM



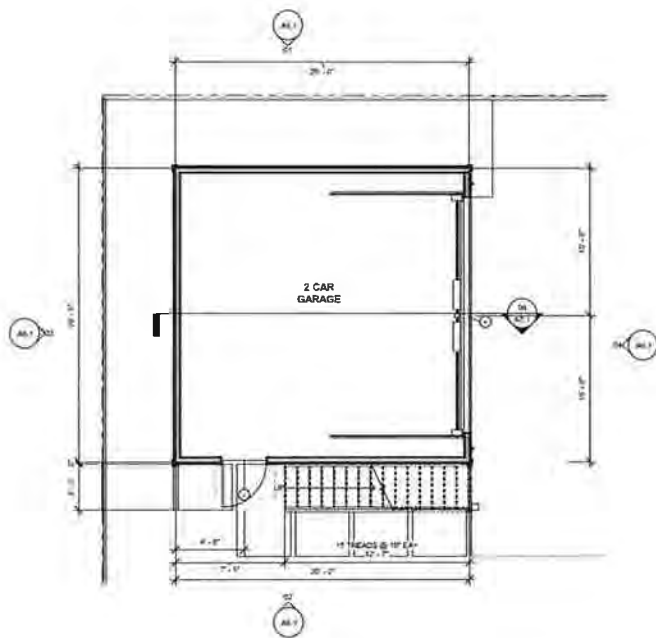
RESIDENTIAL DESIGNER
 4 SIDE STUDIO, LLC.
 JOHNNY LAYTONS
 214.515.2106
 info@4sidestudio.com
 www.4sidestudio.com

BRINKERHOFF RESIDENCE
 6833 PROSPER STREET
 DALLAS TEXAS 75209

- GENERAL NOTES**
1. ALL WORK TO CONFORM TO APPLICABLE BUILDING CODES, REGULATIONS AND ORDINANCES HAVING JURISDICTION.
 2. DO NOT SCALE DRAWINGS. ANY DISCREPANCIES BETWEEN THE DRAWINGS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
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 4. OBTAIN ALL NECESSARY PERMITS, CERTIFICATES, INSPECTIONS, AS REQUIRED BY THE CITY AND OTHER GOVERNMENTAL AGENCIES HAVING JURISDICTION.
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 12. CONTRACTOR AND/OR SUBCONTRACTOR IS SOLELY RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.
 13. ALL STAIRS TO BE MAX RISER HEIGHT OF 7" AND MIN. TREAD DEPTH OF 11"



02 2ND FLOOR
 SCALE: 1/8"=1'-0"



01 1ST FLOOR
 SCALE: 1/8"=1'-0"

FLOOR PLAN

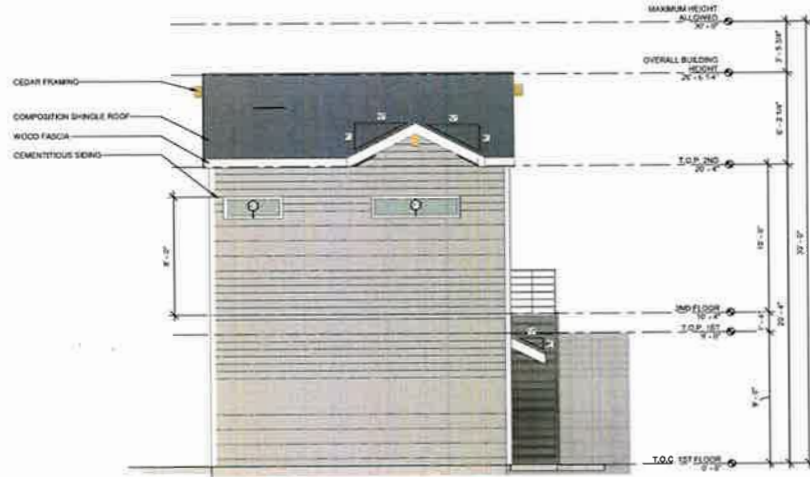
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Sheet # 2200
 Date: 04/20/20

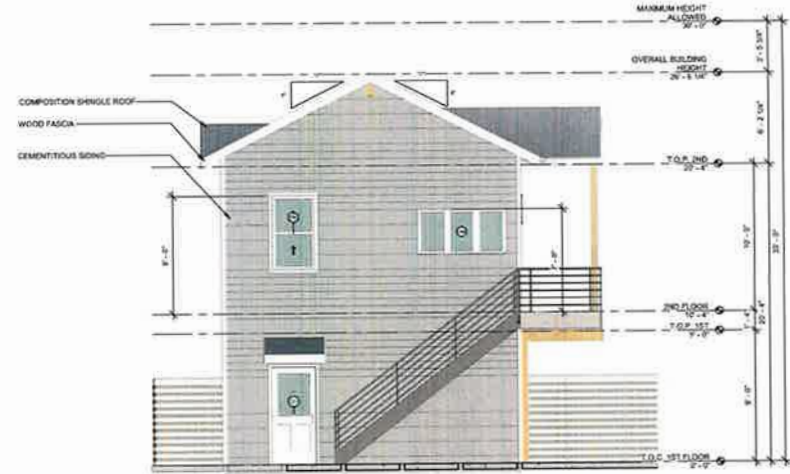


RESIDENTIAL DESIGNER
ASIDE STUDIO, LLC
JOHNNY LACROIX
214.832.2100
info@asidestudio.com
www.asidestudio.com

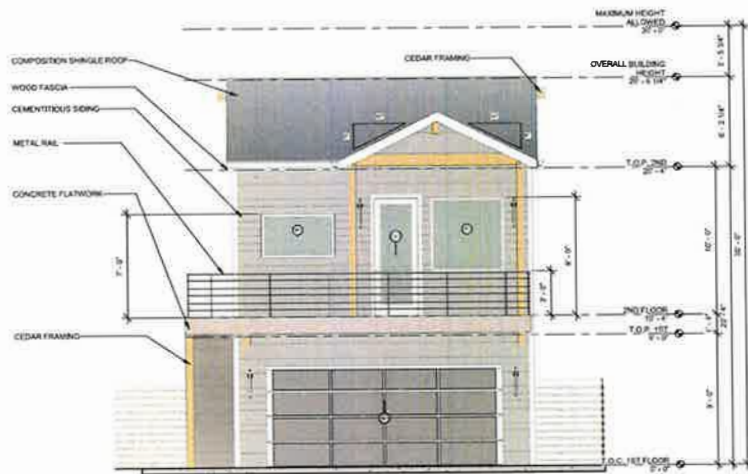
BRINKERHOFF RESIDENCE
6833 PROSPER STREET
DALLAS TEXAS 75209



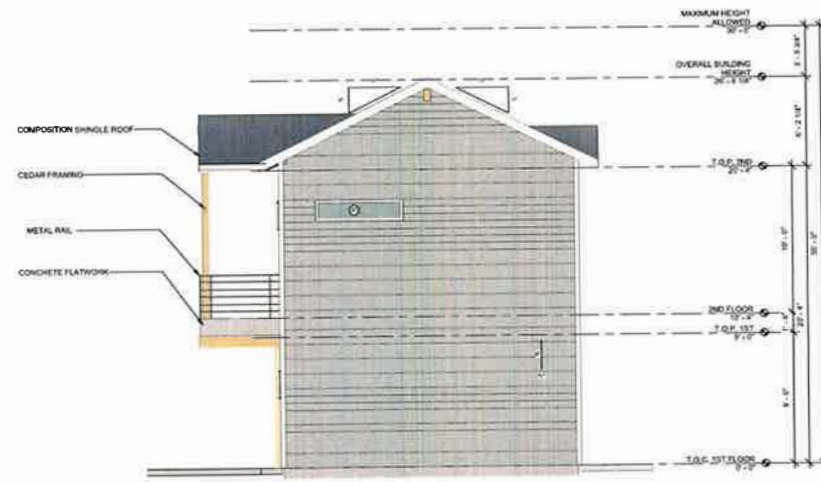
03 EAST ELEVATION
SCALE: 1/4" = 1'-0"



02 NORTH (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



04 WEST ELEVATION
SCALE: 1/4" = 1'-0"

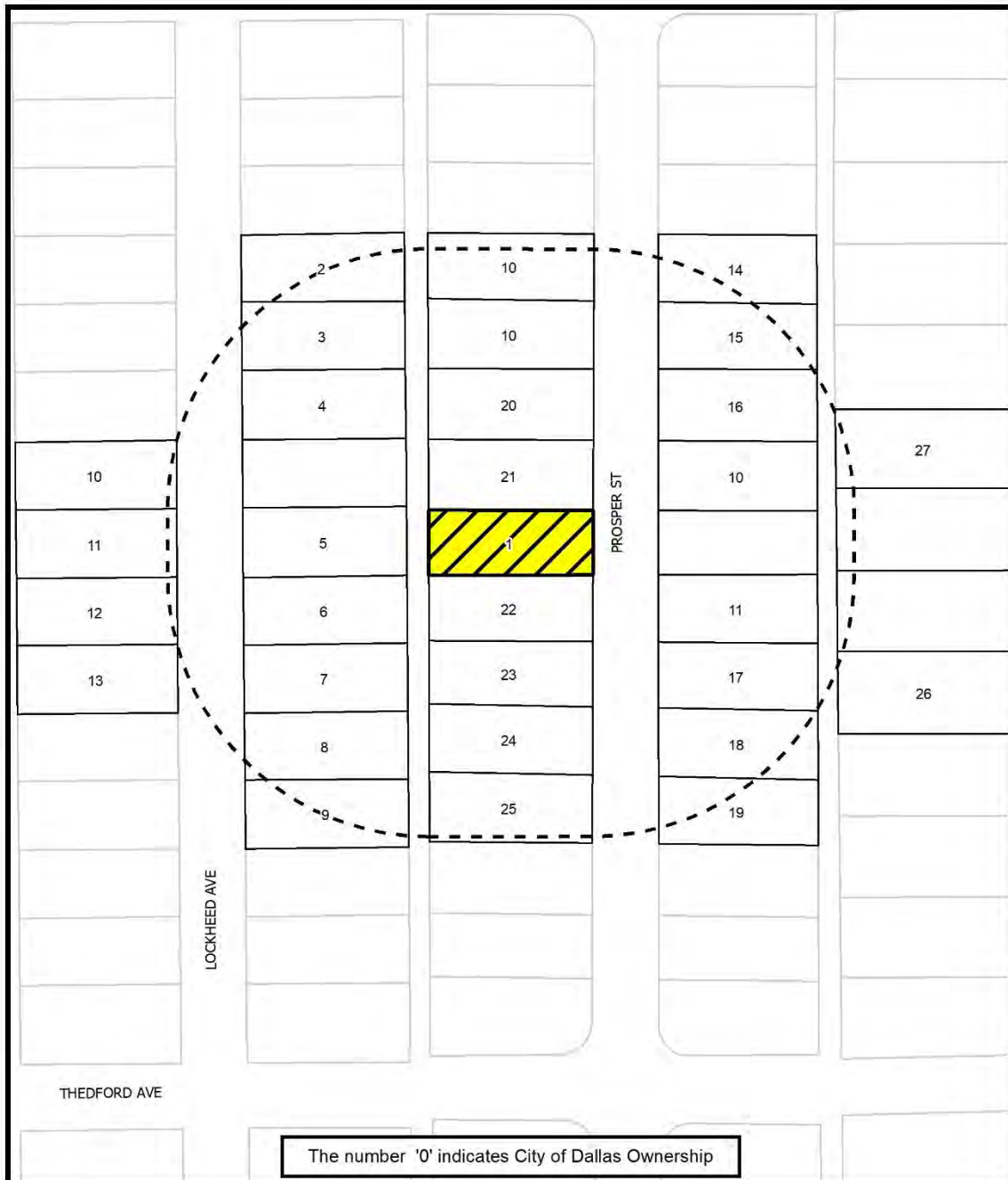


01 SOUTH (REAR) ELEVATION
SCALE: 1/4" = 1'-0"

EXTERIOR
ELEVATIONS

A6.1

Project # 0000
Scale 1/4" = 1'-0"



 1:1,200	NOTIFICATION	Case no: BDA190-043			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">27</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	27	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
27	NUMBER OF PROPERTY OWNERS NOTIFIED				

03/24/2020

Notification List of Property Owners

BDA190-043

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6833 PROSPER ST	BRINKERHOFF MARK
2	6914 LOCKHEED AVE	GOMEZ JUAN B &
3	6910 LOCKHEED AVE	LI HUIFANG &
4	6906 LOCKHEED AVE	GONZALEZ JULIAN &
5	6832 LOCKHEED AVE	JC LEASING LLP
6	6828 LOCKHEED AVE	1250 WDT LTD
7	6822 LOCKHEED AVE	RUIZ HECTOR
8	6818 LOCKHEED AVE	REED WELLINGTON BERNARD &
9	6814 LOCKHEED AVE	LOCKHEED JOINT VENTURE
10	6903 LOCKHEED AVE	JC LEASING LLP
11	6833 LOCKHEED AVE	NUNLEY WALKER LP
12	6829 LOCKHEED AVE	LOCKHEED FAMILY TRUST
13	6823 LOCKHEED AVE	CARROLL KERMIT LF EST
14	6914 PROSPER ST	TRAMEL EARL JOE
15	6910 PROSPER ST	MCCONNIEL JONATHAN J &
16	6906 PROSPER ST	ALONSO EVA
17	6822 PROSPER ST	ROBBINS SEAN &
18	6818 PROSPER ST	HORACE SHERRY
19	6814 PROSPER ST	TOAM LLC
20	6907 PROSPER ST	WHITE KENNETH
21	6903 PROSPER ST	HOLLENSTEIN ERIN
22	6829 PROSPER ST	FLORES BILLY MOISES
23	6823 PROSPER ST	MURDINE BERRY FAMILY TRUST
24	6819 PROSPER ST	TR SCOTT CAPITAL 6819 SERIES I
25	6815 PROSPER ST	TRI SCOTT CAPITAL
26	6903 KENWELL ST	DEVOCO LLC
27	6919 KENWELL ST	RYLOR GROUP LLC &

FILE NUMBER: BDA190-046(OA)

BUILDING OFFICIAL'S REPORT: Application of Verizon Wireless, represented by Vincent G. Huebinger, for a variance to the side yard (tower spacing) setback regulations at 7817 Forest Lane. This property is more fully described as Lot 1, Block A/7740, and is zoned an MU-3 Mixed Use District, which requires a side yard setback of 30 feet for tower spacing. The applicant proposes to construct and/or maintain a structure and provide a 15-foot side yard setback, which will require a 15-foot variance to the side yard (tower spacing) setback regulations.

LOCATION: 7817 Forest Lane

APPLICANT: Verizon Wireless
Represented by Vincent G. Huebinger

REQUEST:

A request for a variance to the "tower spacing" side yard setback regulations of 15 feet is made to construct and maintain a 125-foot-high cellular communications tower "structure" 15 feet from the site's eastern side property line or 15 feet into the 30-foot side yard setback on a site developed with a commercial use.

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/elevation is required.

Rationale:

- Staff concluded that this request should be granted because the width of the subject site where the proposed 125-foot-high cellular communications tower “structure” is to be located is narrow, at 57 feet, and the height of this structure requires a 30-foot side yard (tower spacing) setback.
- Staff concluded that granting this variance would not be contrary to public interest in that if the board were to grant this request and impose the submitted site plan/elevation as a condition, the side yard (tower spacing) encroachment would be limited to that what is shown on this document a 125-foot-high cellular communications tower “structure” located 15 feet from the site’s eastern side property line or 15 feet into this 30-foot side yard setback.

BACKGROUND INFORMATION:

Zoning:

Site: MU-3 (Mixed Use District)
North: MU-3 (Mixed Use District)
East: MU-3 (Mixed Use District)
South: MU-1 (Mixed Use District)
West: MU-3 (Mixed Use District)

Land Use:

The subject site is developed with a commercial use. The areas to the north, east, south, and west are developed with a mix of residential and nonresidential uses.

Zoning/BDA History:

- | | |
|--|--|
| 1. BDA189-124, Property located at 7817 Forest Lane (the subject site) | The Board of Adjustment Panel A, at its public hearing held on Tuesday, January 21, 2020, denied your request for a request for the eight-foot variance to the |
|--|--|

side yard setback regulations for tower spacing without prejudice.

The case report stated that the request was made to maintain a construct and maintain a five-foot wide, 125-foot-high cellular communications tower “structure” located 22 feet from the site’s eastern side property line or eight feet into this 30-foot side yard setback on a site developed with a commercial use.

GENERAL FACTS /STAFF ANALYSIS:

This request for a variance to the side yard setback regulations of 15 feet focuses on constructing and maintaining a 125-foot-high cellular communications tower “structure” located 15 feet from the site’s eastern side property line or 15 feet into this 30-foot side yard setback, as confirmed by the submitted site/elevation plan. The property is developed with a commercial use.

The property is zoned an MU-3 Mixed Use District which requires no minimum side and rear yard except when adjacent to or directly across an alley from residential district, a 20-foot setback is required.

Additionally, tower spacing, an additional side and rear yard setback of one-foot for each two feet-in-height above 45 feet is required for that portion of a structure above 45 feet-in-height, up to a total setback of 30 feet.

According to DCAD records, the “main improvement” listed for property addressed at 7817 Forest Lane is an “automotive service” structure built in 2016 with 1,082 square feet of total area.

The subject site contains 0.46 acres, is flat, and slightly irregular in shape (approximately 59 feet wide to the north, 80 feet wide to the south, 329 feet long to the east, and 318 feet long to the west). The lot is 57 feet wide where the monopole is proposed.

As of May 14, 2020, no letters have been submitted in support or in opposition of the request.

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

1. 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.
2. 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 MU-3 zoning classification.

3. 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 MU-3 zoning classification.

If the Board were to grant the variance request and impose the submitted site/elevation plan as a condition, the structure in the side yard setback would be limited to what is shown on this document which in this case is a 125-foot-high cellular communications tower “structure” located 15 feet from the site’s eastern side property line or 15 feet into this 30-foot side yard setback.

Timeline:

March 18, 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 assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case”.

April 17, 2020: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative 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 30th 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 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the May public

hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of Sustainable Development and Construction Engineering Division, the Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Chief Planner, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the Board.

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

May 19, 2020: The Board of Adjustment Panel A conducted a public hearing on this application, and delayed action on this application per applicant's request until the next public hearing to be held on June 23, 2019.

May 21, 2020: The Board Administrator wrote the applicant a letter of the board's action; the June 3rd deadline to submit additional evidence for staff to factor into their analysis; and the June 12th deadline to submit additional evidence to be incorporated into the Board's docket materials.

BOARD OF ADJUSTMENT ACTION: May 19, 2020

APPEARING IN FAVOR: Vincent Huebinger 1715 Capital TX Hwy. Austin, TX.

APPEARING IN OPPOSITION: None

MOTION: **Lamb**

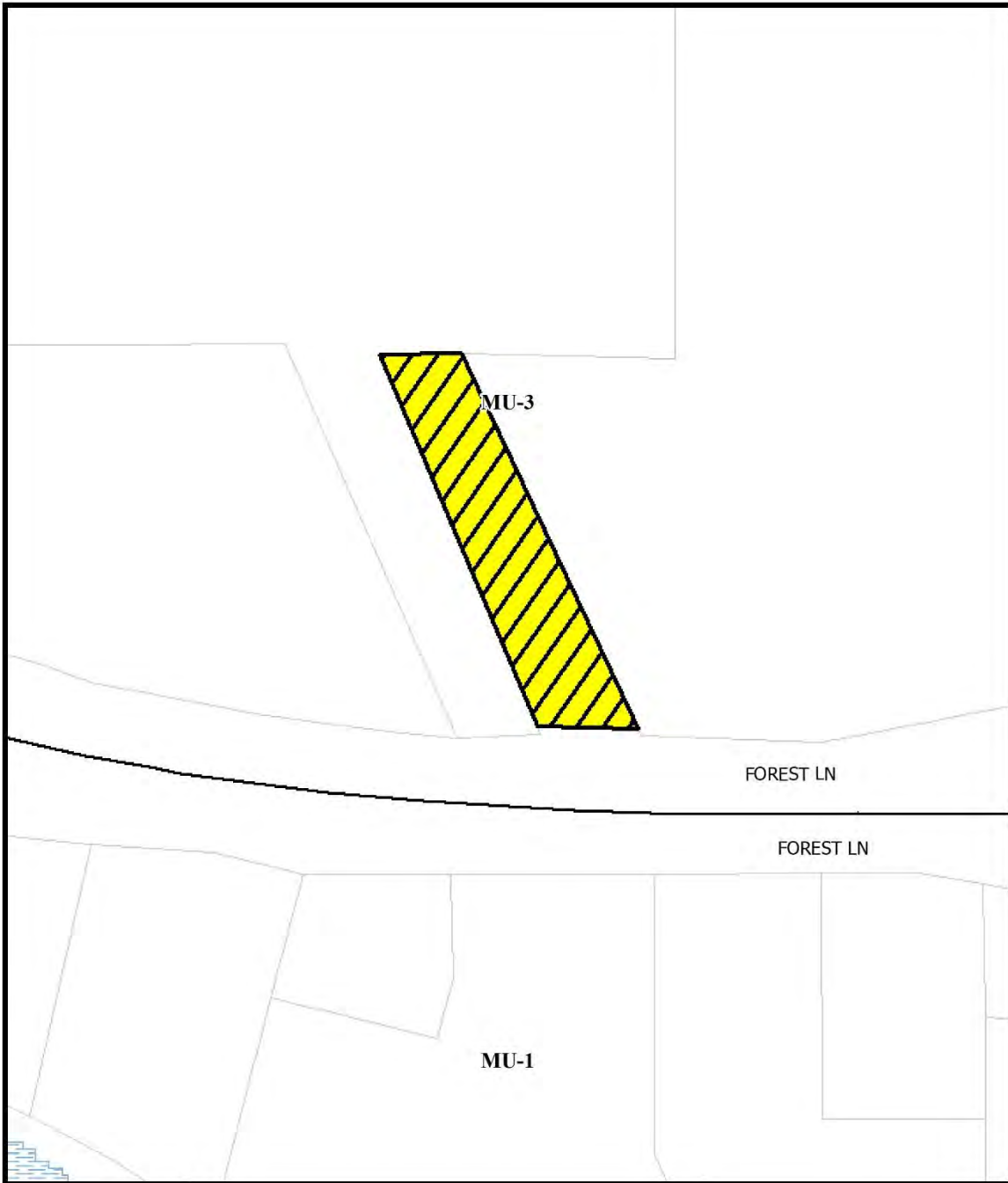
I move that the Board of Adjustment, in Appeal No. BDA 190-046, **hold** this matter under advisement until June 23, 2020.

SECONDED: **Adams**

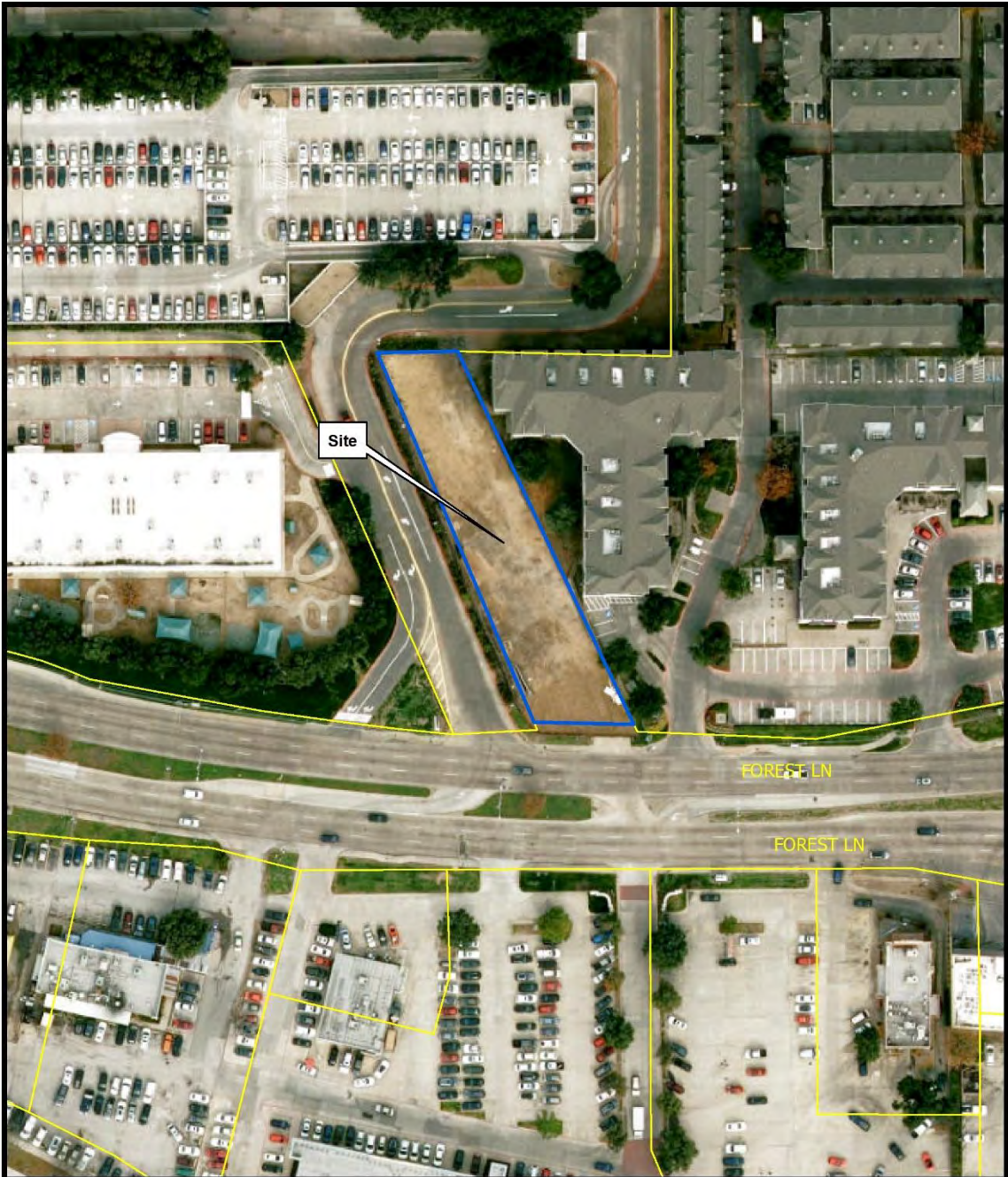
AYES: 5 – Gambow, Adams, Lamb, Halcomb, Sahuc

NAYS: 0

MOTION PASSED: 5 – 0 (unanimously)



 1:1,200	ZONING MAP	Case no: <u>BDA190-046</u> Date: <u>4/27/2020</u>
--	-------------------	--



1:1,200

AERIAL MAP

Case no: BDA190-046

Date: 4/27/2020

RECEIVED
MAR 17 2020
BY: Olga Torres



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-046

Data Relative to Subject Property:

Date: March 16, 2020

Location address: 7817 Forest Lane Zoning District: MU-3

Lot No.: 1 Block No.: A7740 Acreage: 0.46 ac (Lease) Census Tract: 132

Street Frontage (in Feet): 1) 80' 2) Private 3) Private 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Alder Inc.

Applicant: Verizon Wireless Telephone: (210) 488-2623

Mailing Address: 6966 Tri County Parkway Schertz Texas Zip Code: 78154

E-mail Address: Lucas.corder@verizonwireless.com

Represented by: Vincent Gerard & Associates Inc. Vincent Huebinger Telephone: 512 328-2893

Mailing Address: 1715 Capital Texas Hwy suite 207, Austin Tx Zip Code: 78746

E-mail Address: Vinceh@vincentgerard.com

Affirm that an appeal has been made for a Variance x, or Special Exception , of wireless tower spacing requirements from property lines requesting a variance on a street side yard - required 30' provided 16' on west side along private roadway. All other property lines are being met.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The tract is restricted in size, the site is the only wireless option found in the search ring that meets coverage objectives of in building coverage in Medical City Campus. The code does not consider property line setbacks along private roads or street side yards. The property line across the street is over 74' distance from structure. Code is not clear on anyenna, only stating "Tower spacing"

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 Vincent G. Huebinger
(Affiant/Applicant's name printed)

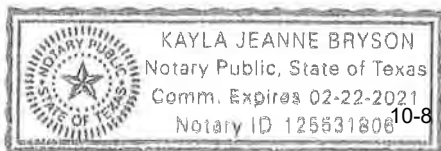
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 16th day of March, 2020

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

(Rev. 08-01-11)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Verizon Wireless
represented by Vincent Huebinger
did submit a request for a variance to the side yard setback regulations
at 7817 Forest Lane

BDA189-124. Application of Verizon Wireless represented by VINCENT HUEBINGER for variance to the side yard setback regulations at 7817 FOREST LN. This property is more fully described as Lot 1, Block A/7740, and is zoned MU-3, which requires a side yard setback of 30 feet for tower spacing. The applicant proposes to construct a non-residential structure and provide a 15 foot side yard setback, which will require a 15 foot variance to the side yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



AFFIDAVIT

Appeal number: BDA 190-046

I, Alderi, Inc., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7817 Forest Lane
(Address of property as stated on application)

Authorize: Vincent G. Huebinger/Vincent Gerard & Associates, Inc.
(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: Setback variance for structure

Allen M. Feltman, Pres.
Print name of property owner or registered agent

Allen M. Feltman
Signature of property owner or registered agent

Date February 10th, 2020

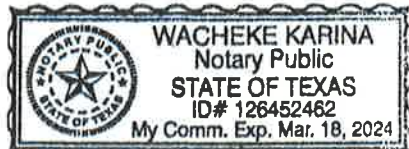
Before me, the undersigned, on this day personally appeared Allen M. Feltman

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 10th day of February, 2020

Wacheke Karina
Notary Public for Dallas County, Texas

Commission expires on 03/18/2024





5804 Tri County Parkway
Schertz, TX 78154

To Whom it may concern:

I, Tim Caletka (Principal Const. Engineer-Verizon Wireless) hereby authorize Vincent Gerard & Associates to file and pull all appropriate documents, permits and applications with respect to Verizon permits on our projects. Vincent Gerard & Associates is an authorized agent for Verizon Wireless.

Thank You,

A handwritten signature in blue ink, appearing to read "Tim Caletka", with a horizontal line extending to the right.

Tim Caletka –Sr. Construction Engineer

**WIRELESS COMMUNICATION FACILITY
RF LOCATION STATEMENT**

**Re: Verizon Wireless –Telecommunication facility located at 7817 Forest Lane,
Dallas, Texas**

I Raul Ramos-Quintana am the Verizon Wireless Radio Frequency Engineer on this project. I have 20 years of experience in Wireless and my education consists of a Bachelor of Science, Electrical Engineering.

Verizon Wireless hereby states that a careful review of the geographical area to be served by the proposed new tower was made, which revealed that an antenna height of 120 feet would be required.

This tower will be located on a specific parcel, and sits in a location designed to enhance and expand both the available in-building coverage and the necessary capacity for the citizens of north Dallas, all customers within the Medical City Hospital complex and first responders. Currently our data shows that these medical facilities have very poor indoor coverage. Approval of this location will allow for a safer, more secure area around Medical City, Dallas Texas.

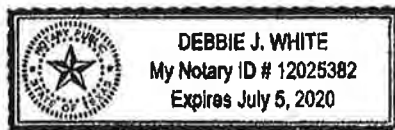
Verizon Wireless considered other locations and heights, but no other option was available that would allow Verizon Wireless to utilize a tower or rooftop while serving the intended coverage area and providing sufficient capacity. No other viable candidate was located to provide maximum in-building penetration and capacity improvement. This site provides the optimal solution for our main coverage concerns and objectives.

This RF Location Statement confirms the importance of this specific location in order to provide service, i.e. in building coverage and capacity, to the Medical City Hospital complex.



Raul Ramos-Quintana
Principal Engineer - RF, Verizon Wireless

February 12, 2020



Debbie J. White 02/12/2020

MEDICAL_CITY – RSRP Plots

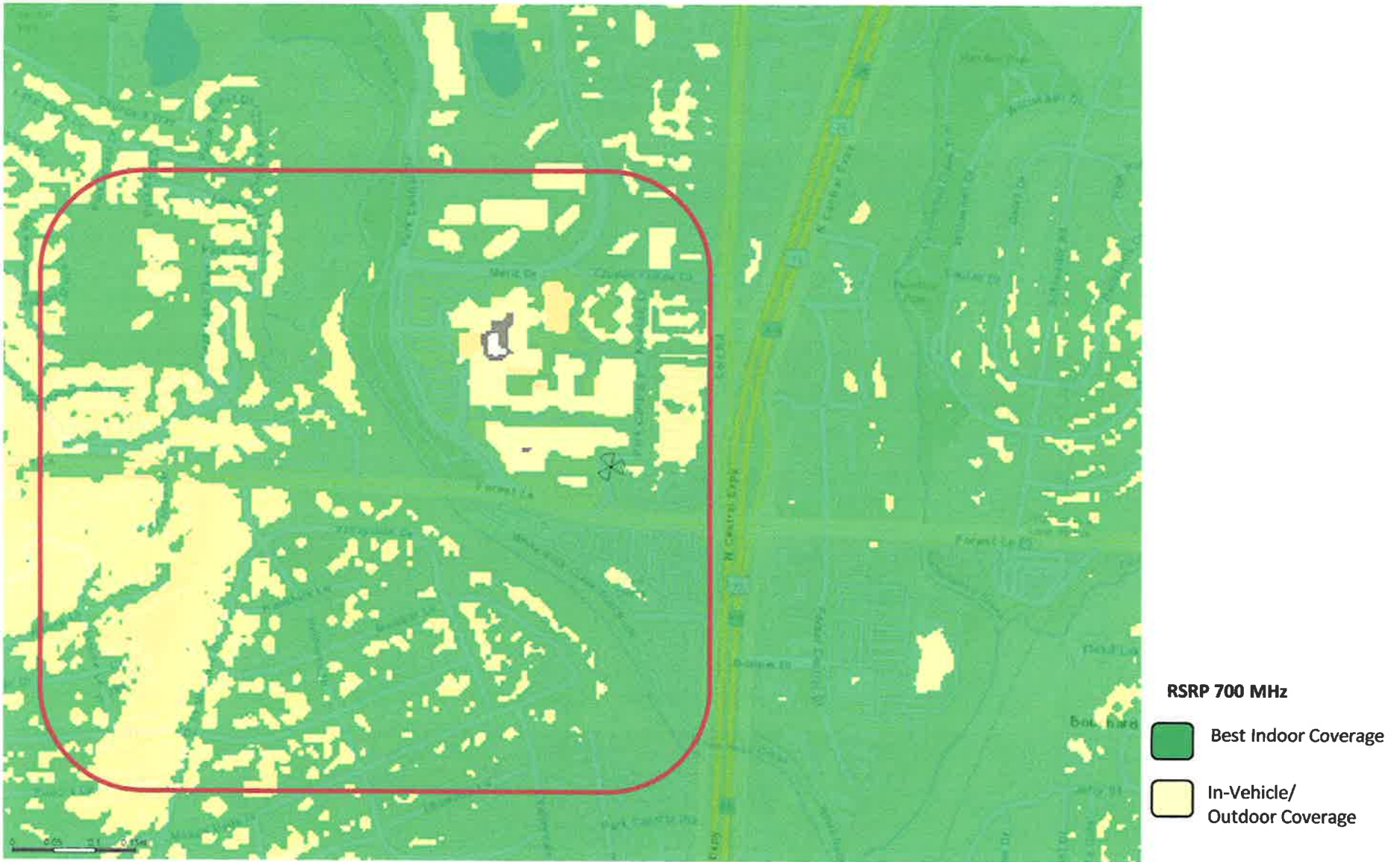
RF Design Team

February 11, 2020



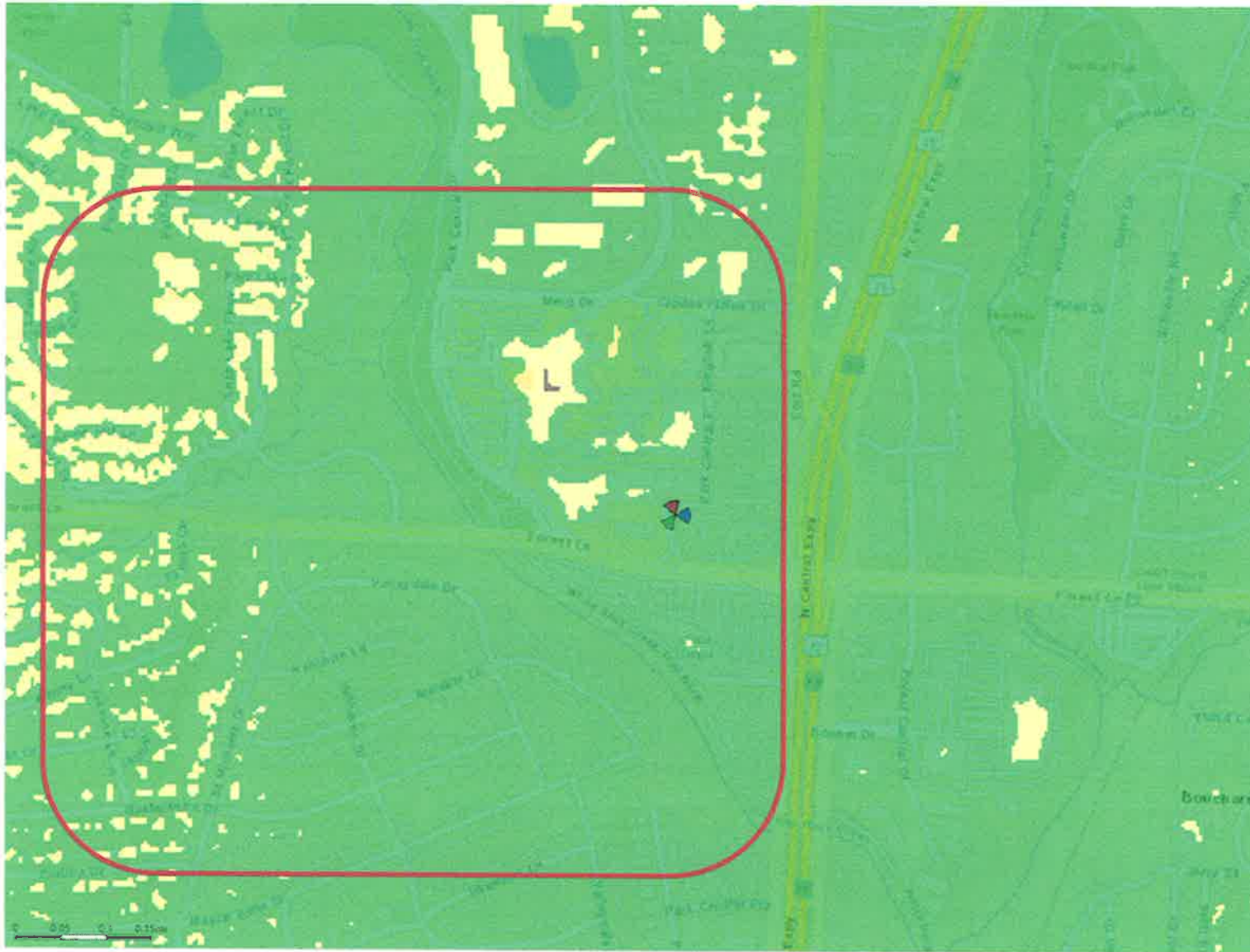
Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

MEDICAL_CITY- 700 MHz RSRP Current



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

MEDICAL_CITY- 700 MHz RSRP Proposed Tower



Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Airspace User: Patricia Jones

File: MEDICAL_CITY

Location: Buckingham, TX

Latitude: 32°-54'-36.6"

Longitude: 96°-46'-17.32"

SITE ELEVATION AMSL.....519.1 ft.

STRUCTURE HEIGHT.....135 ft.

OVERALL HEIGHT AMSL.....654 ft.

SURVEY HEIGHT AMSL.....654 ft.

NOTICE CRITERIA

FAR 77.9(a): NNR (DNE 200 ft AGL)

FAR 77.9(b): NNR (DNE Notice Slope)

FAR 77.9(c): NNR (Not a Traverse Way)

FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for

ADS

FAR 77.9: NNR FAR 77.9 IFR Straight-In Notice Criteria for

DAL

FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)

For new construction review Air Navigation Facilities at bottom of this report.

Notice to the FAA is not required at the analyzed location and height for

slope, height or Straight-In procedures. Please review the 'Air Navigation'

section for notice requirements for offset IFR procedures and EMI.

OBSTRUCTION STANDARDS



VINCENT GERARD & ASSOCIATES, INC.

Board of Adjustment
City of Dallas Attn: Charles Trammell
1500 Marilla Street
Dallas, Texas 75201

March 16, 2020

RE: Appeal to case 189-124 Variance Request to Setback Requirement for Verizon Wireless - Medical City. 7817 Forest Lane, Dallas, Texas 78231 | Lot 1, Block A/7740 Take 5 Addition

Dear Board of Directors,

On behalf of our client, Verizon Wireless, we are respectfully submitting an appeal to a variance request to allow encroachment into the required 30-foot side yard setback. Verizon is seeking to construct a new wireless telecommunication facility on a narrow tract of land. In an attempt to address the boards concerns for the previous denial, the monopole site has shifted to the west and is shown to be 16' feet from the property line & the water and sanitary sewer easement along the private drive lot to the west. It is 29' from the existing back of curb for the private drive, however, it does not meet the 30-foot required side yard setback to our western property line.

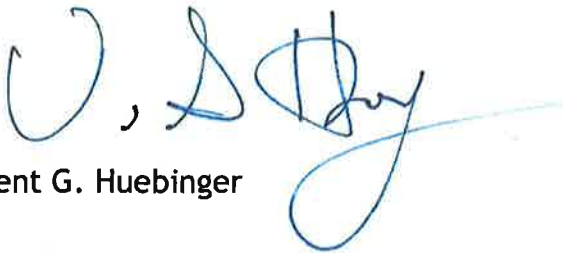
Section 51A-4.125(f)(4)(B)(ii) of the Dallas zoning regulations requires maximum side and rear setbacks of 30 feet for towers. The property in question is 57.5' feet wide where the monopole is now proposed. Due to the width restrictions of this lot, the tower is able to meet the 30-foot rear setback, and now able to meet the 30-foot side setback to the east. However, the remaining width to the eastern property line is only 23.05' with a 4' wide monopole. The distance to the back of curb on the west line is 35', Total width of the easement and private drive lot is 58'.

Radio Frequency (RF) engineers have confirmed that this site was designed to improve their indoor service in the Medical City center and surrounding neighborhoods. RF engineering data has also confirmed through data & studies that the majority of Medical City facilities do not have “inbuilding” coverage. This site is also an important capacity offload solution to surrounding towers covering the vicinity of Expressway 75, Medical City, and surrounding communities in north Dallas. With the addition of this tower, Verizon customers, patients, family and first responders will be able to make a call or download data in the Medical Facility Campus. Currently they do not have the reliability of great coverage in all places within that facility.

LAND PLANNING, DEVELOPMENT & ZONING CONSULTANTS
1715 SOUTH CAPITAL OF TEXAS HIGHWAY • SUITE 207 • AUSTIN, TEXAS 78746
VINCENTGERARD.COM • (512) 328-2693

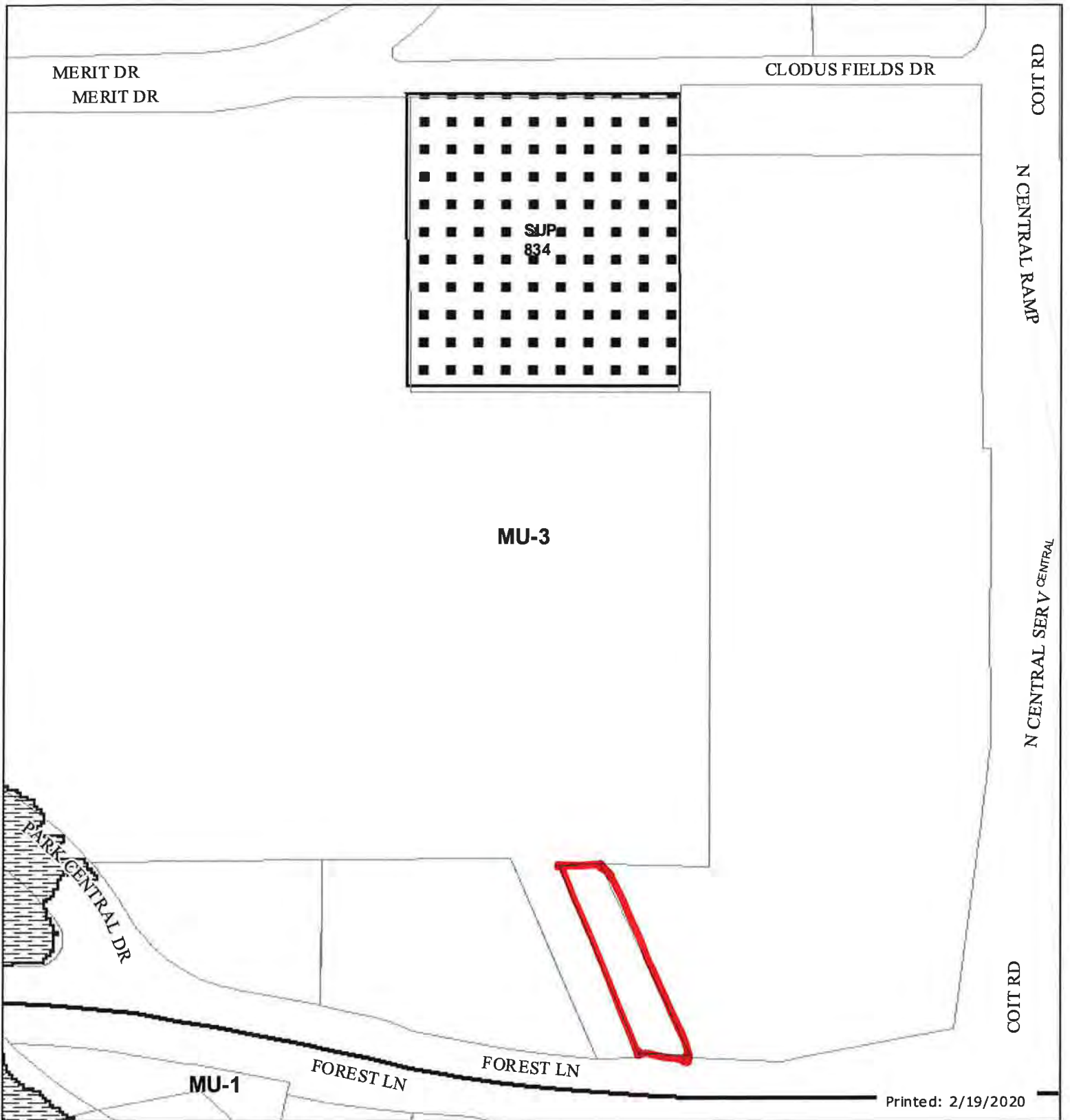
Verizon decided to request a variance to setback requirements from the BOA due to the physical characteristics of this property. The variance, if granted, will not alter the character of the area adjacent to the property and will not impair the purposes of the regulations of the zoning district in which the property is located. This request is a hardship based on the physical characteristics of the tract. It is not possible to comply with both 30-foot side setbacks when the lot is only 57.5' feet wide at this location, and the tower base measures 3.5' feet in width. With respect to site selection, this property is appropriately zoned for wireless telecommunications. After denial in January, we discussed this site location with the Verizon Radio Frequency engineers. Their opinion is that this tract is the only viable option. All others were not zoned properly, had unwilling landowners, had real estate concerns or had undesirable locations. The greatly improved coverage to Medical City will enhance the communications for first responders, including E911 calls from this facility. The adjoining properties are also zoned MU-3, are mixed use apartment & retail uses and a major medical complex with very little single family residential in the area. Dallas development code allows wireless on all MU-3 sites. This request is a minor deviation from the code for a 30' on a side yard line along an easement & private street. It is 74' from the property line across the private street to the west base of the monopole, over 65% of the tower height from the adjoining property line on the west. There are no alternative locations in the entire search ring that work for Verizon for better coverage solutions. Approval of this will be beneficial to the community in case of emergencies & 911 calls, will provide patient and family in-hospital coverage and provide a basis for future expanded medical telecom benefits. We appreciate your reconsideration and are available for any questions.

Sincerely,



Vincent G. Huebinger

Xc: Sarah May; COD

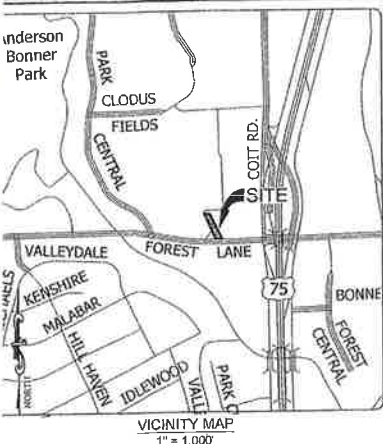


Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSD Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO Subdistricts |
| Peak's Branch | SPSPD Overlay | MD Overlay | NSO_Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Escarpment Overlay |
| Parks | SUP | Historic Overlay | Parking Management Overlay |
| | | Height Map Overlay | 10-19 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)

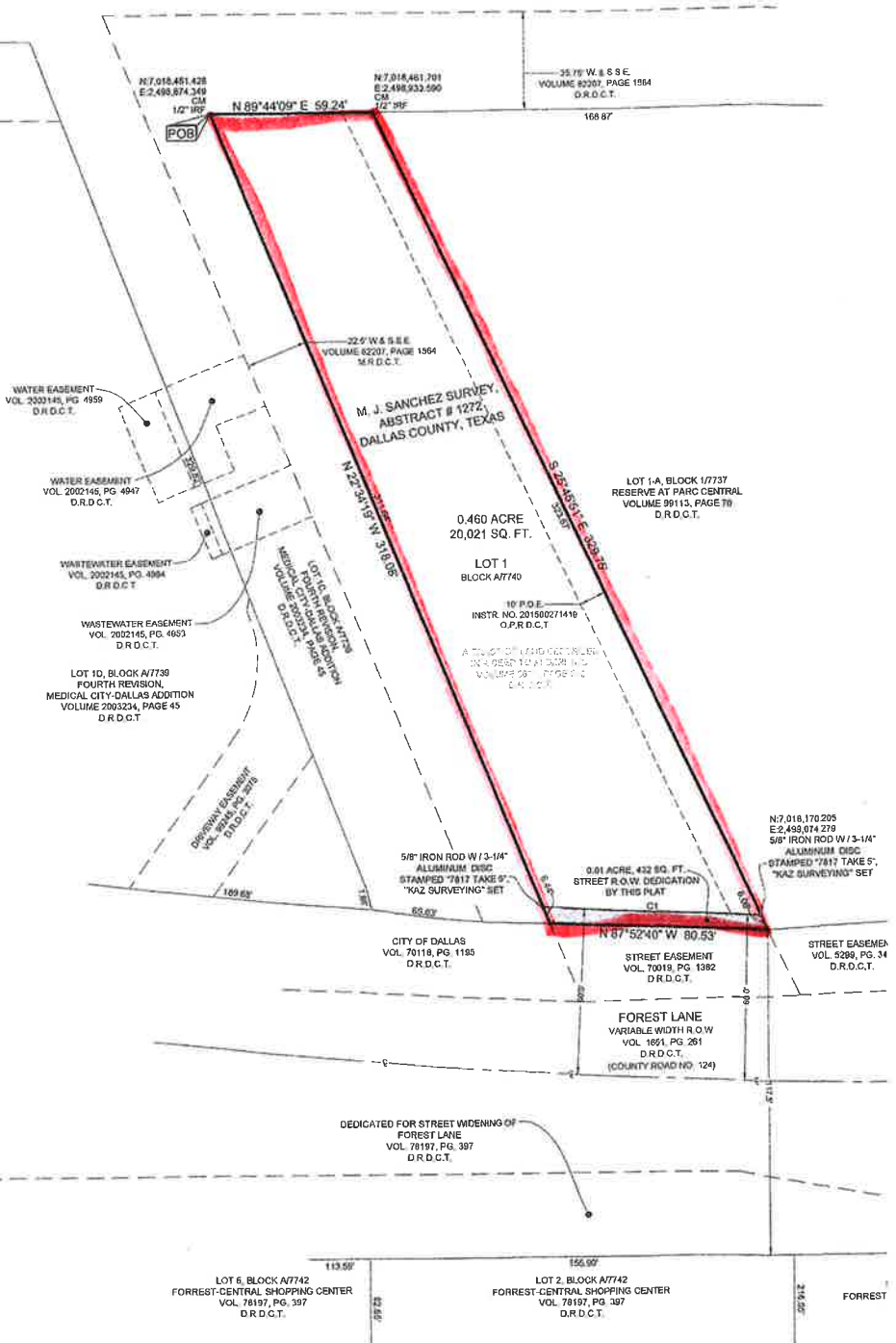




LOT 1C, BLOCK A7739
FOURTH REVISION,
MEDICAL CITY-DALLAS ADDITION
VOLUME 2003234, PAGE 45
D.R.D.C.T.

DRAINAGE EASEMENT
VOL. 2002085, PG. 5520
D.R.D.C.T.

- GENERAL NOTES:
- THE PURPOSE OF THIS FINAL PLAT IS TO CREATE 1 LOT.
 - COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT AND ARE BASED ON VRS-RTK OBSERVATIONS.
 - BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.
 - LOT-TO-LOT DRAINAGE IS NOT PERMITTED WITHOUT ENGINEERING SECTION APPROVAL.



CITY OF DALLAS
TRUE AND CORRECT
COPY OF RECORD
ON FILE IN CITY
SURVEYOR'S OFFICE
BY: *Justin Hood*
DATE: *8/20/2019*



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2349.39'	80.39'	80.39'	N 87°32'22\"/>	

LEGEND

- IRF = IRON ROD FOUND
- W & S S E = WATER & SANITARY SEWER EASEMENT
- P.D.E. = PRIVATE DRAINAGE EASEMENT
- D.R.D.C.T. = DEED RECORDS DALLAS COUNTY TEXAS
- O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
- POB = POINT OF BEGINNING
- R.O.W. = RIGHT-OF-WAY
- INST. NO. = INSTRUMENT NUMBER
- VOL. = VOLUME
- PG. = PAGE
- CM = CONTROLLING MONUMENT
- = CENTERLINE OF ROAD

SURVEYOR:
KAZ SURVEYING, INC.
1720 WESTMINSTER STREET
DENTON, TEXAS 76205
PHONE: (940) 382-3445
T9PLS FIRM #10002100

OWNER:
ALDERI, INC.
5609 SAINT ANDREWS COURT
PLANO, TX 75093
CONTACT: ALLEN FELTMAN
PHONE: (972) 598-1103

ENGINEER:
CIVIL POINT ENGINEERS, INC.
3102 MAPLE AVE. SUITE 400
DALLAS, TX 75201
(972) 554-1100
T9PE FIRM # 9723

074D-17012



ZONING SITE PLAN

SITE INFORMATION
 JURISDICTION: CITY OF DALLAS, TEXAS 75231
 DALLAS, COUNTY
 Latitude 32° 54' 36.602" N
 Longitude -96° 46' 17.318" W
 OCCUPANCY: (U - UTILITY)
 ELEVATION: 519.1' AMSL
 CURRENT LAND USE: QUICK LUBE
 LAND USE: TELECOMMUNICATIONS FACILITY/QUICK LUBE
 ZONING: MU-3
 ORDINANCE NO: 19455

PROJECT TYPE
 120' MONOPOLE TOWER SITE
 (NEW CONSTRUCTION - TOWER)

DATE
 FEBRUARY 11, 2020

SITE ADDRESS
 7817 FOREST LANE
 CITY OF DALLAS, TEXAS 75231

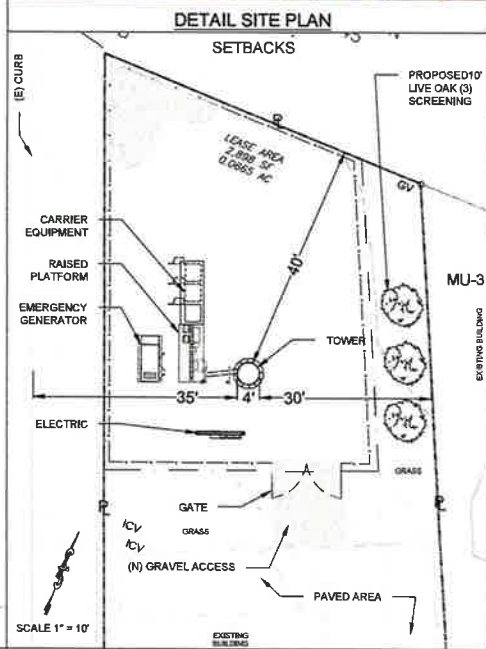
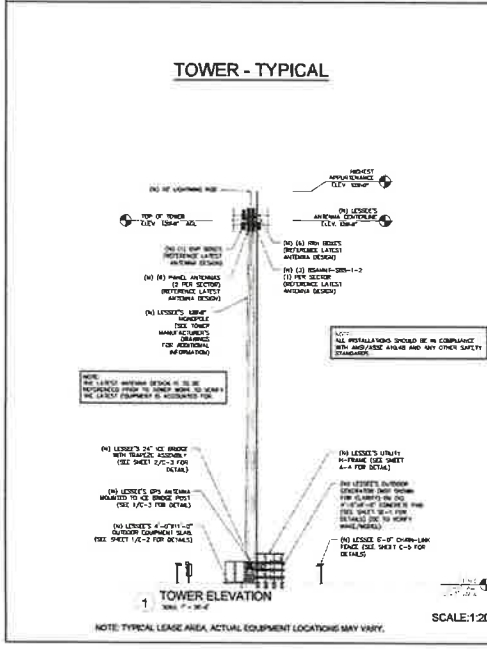
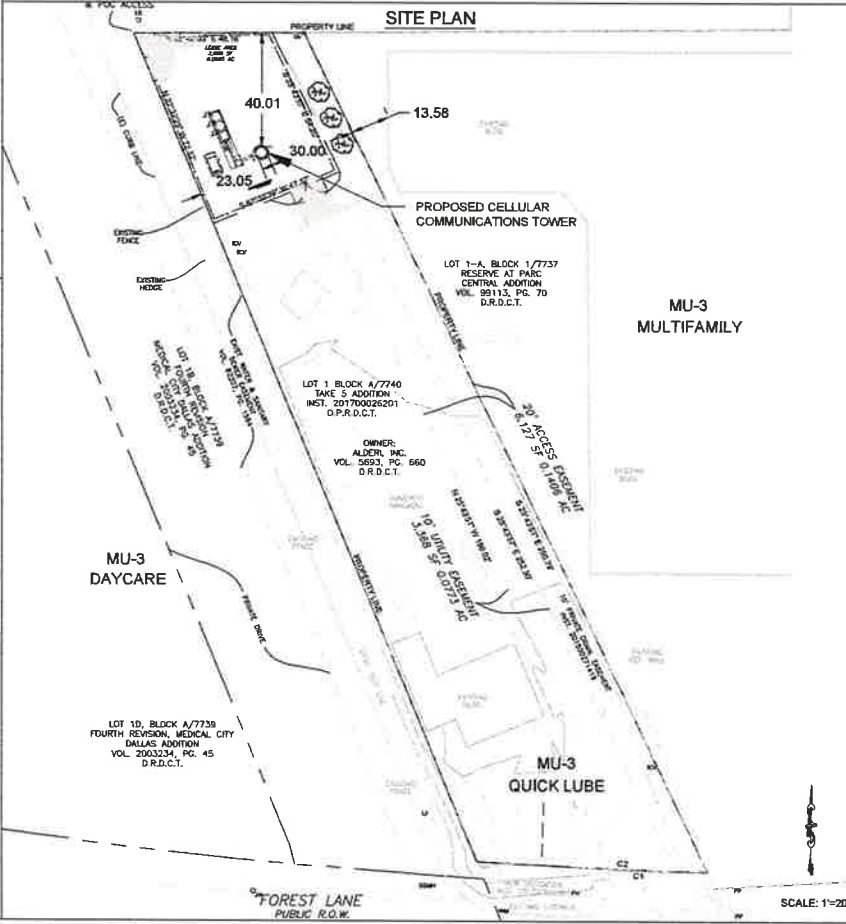
LEGAL DESCRIPTION
 LOT 1, BLOCK A/7740
 TAKE 5 ADDITION
 DALLAS, TEXAS

SITE NAME:
 VERIZON WIRELESS - MEDICAL CITY
 - SITE LOCATED IN 'MU-3' ZONING
 MULTIFAMILY

DEVELOPER
 VERIZON WIRELESS
 600 HIDDEN RIDGE
 IRVING, TEXAS 75038
 PHONE: (972) 599-1103

LANDLORD
 ALDERI INC.
 6101 OHIO DR.
 PLANO, TEXAS 75024
 PHONE: (972) 599-1103
 CONTACT: TARA SPRAGUE
 PHONE: (214) 600-1951

CONTACT INFORMATION
 VINCENT GERARD & ASSOCIATES
 1715 S. CAPITAL OF TEXAS HWY
 AUSTIN, TEXAS 78746
 PHONE: (512) 328-2693
 TAKE 5 ADDITION
 CONTACT VINCE HUEBINGER



ZONING SITE PLAN
 MEDICAL CITY
 VERIZON WIRELESS
 7817 FOREST LANE
 CITY OF DALLAS, TEXAS 75231

VINCENT GERARD & ASSOCIATES
 LAND PLANNING & ZONING CONSULTANTS
 1715 CAPITAL OF TEXAS HWY SOUTH, STE. 207
 AUSTIN, TEXAS 78746
 (512) 328-2693 • vgerard@vgaconsultants.com

LOT 1B, BLOCK A/7739
FOURTH REVISION
MEDICAL CITY DALLAS ADDITION
VOL. 2003234, PG. 45
D.R.D.C.T.

EXIST. WATER & SANITARY
SEWER EASEMENT
VOL. 82207, PG. 1584

POB LEASE AREA
& POC ACCESS

N 89°48'03" E 48.16'

LEASE AREA
2,898 SF
0.0665 AC

NUMBER	DIRECTION	DISTANCE
L1	S 62°22'25" E	16.76'
L2	N 00°13'03" E	50.97'
L3	N 62°22'25" W	26.87'
L4	N 87°32'39" E	26.08'
L5	N 67°32'39" E	13.04'
L6	S 62°22'25" E	21.81'

EXISTING
BLDG.

LOT 1-A, BLOCK 1/7737
RESERVE AT PARC
CENTRAL ADDITION
VOL. 99113, PG. 70
D.R.D.C.T.

LOT 1B, BLOCK A/7739
MEDICAL CITY DALLAS ADDITION
VOL. 2003234, PG. 45
D.R.D.C.T.

LOT 1 BLOCK A/7740
TAKE 5 ADDITION
INST. 201700026201
O.P.R.D.C.T.

OWNER:
ALDERI, INC.
VOL. 5693, PG. 660
D.R.D.C.T.

20' ACCESS EASEMENT
6,127 SF 0.1406 AC

EXISTING
BLDG.

CONCRETE
PAVEMENT
10' UTILITY EASEMENT
3,368 SF 0.0775 AC

EXIST. TREE LINE

EXISTING
BLDG.

BILLBOARD

EXISTING
FENCE

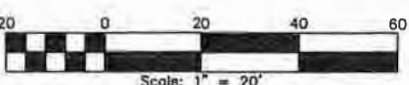
EXISTING
RET. WALL

LOT 1D, BLOCK A/7739
FOURTH REVISION, MEDICAL CITY
DALLAS ADDITION
VOL. 2003234, PG. 45
D.R.D.C.T.

FOREST LANE
PUBLIC R.O.W.

ROW DEDICATION
INST. 201700026201FH

STREET EASEMENT
VOL. 70019, PG. 1382



NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	01°10'00"	2349.39	23.92	47.83	47.83	N 87°54'16" W
C2	00°53'31"	2349.39	18.29	36.57	36.57	N 87°46'02" W

SITE PLAN SCALE: 1" = 20'

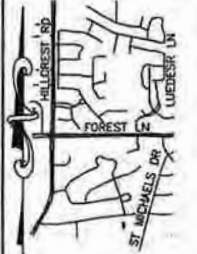
NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

BDA 190-046
7819 Forest Lane

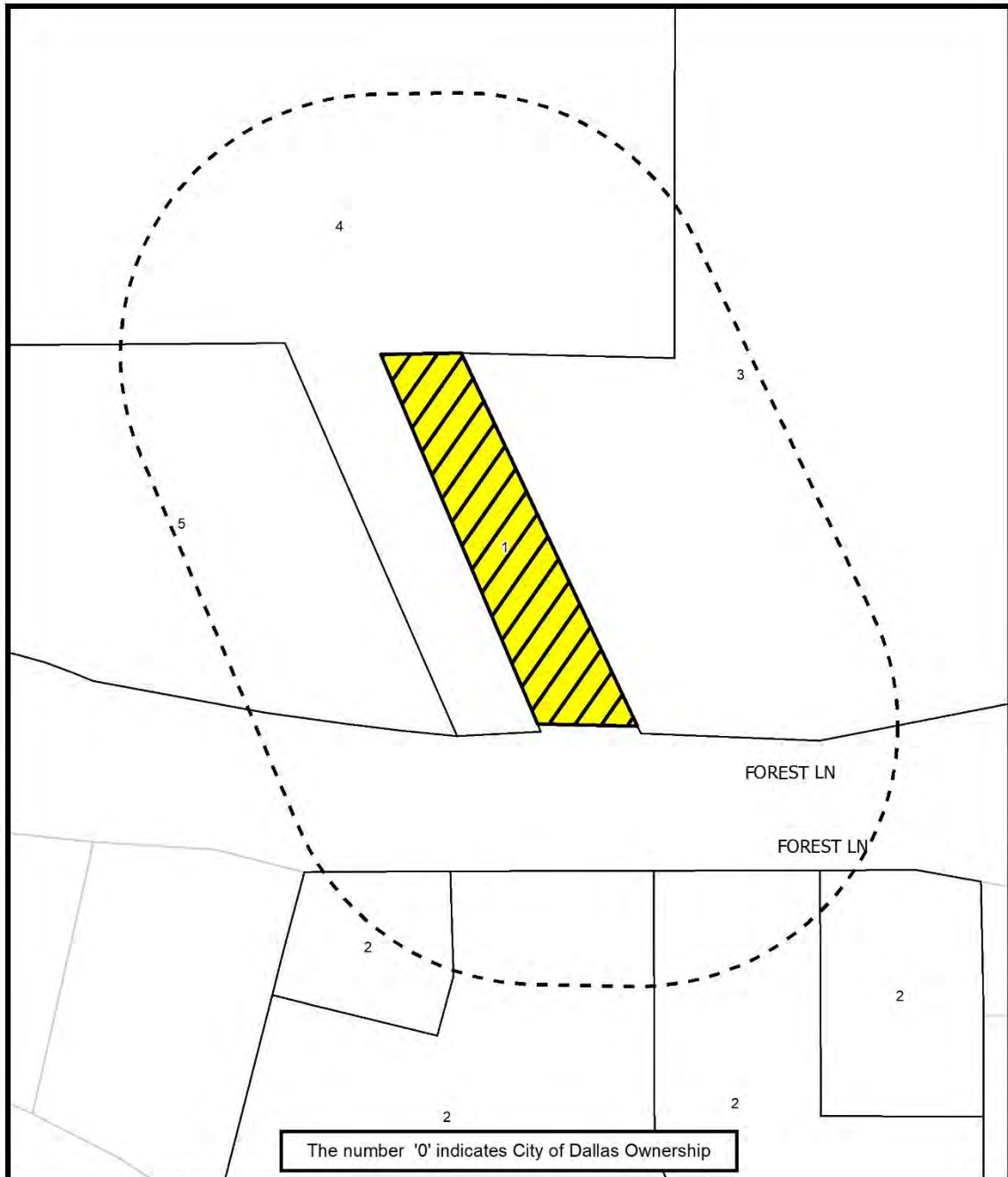
LEGE

- PP - PO'
- TPED - 1
- WW - WAT
- FH - FIR
- ⊕ TOWER CI
- ⊗ LP - LIG
- ⊞ EM - EL
- ⊞ GM - GA
- IRS - IR
- IRF - IR
- TBM BENI
- BUIL
- FEN
- POW

VICIN



24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



 1:1,200	NOTIFICATION		Case no: BDA190-046
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">5</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 4/27/2020	

04/23/2020

Notification List of Property Owners

BDA190-046

5 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7817 FOREST LN	ALDERI INC
2	11617 N CENTRAL EXPY	NEW CENTRAL FOREST S C LTD
3	11903 COIT RD	CH REALTY VII HC
4	7777 FOREST LN	HCP DR MCD LLC
5	7701 FOREST LN	GALTEX LLC