

NOTICE FOR POSTING
MEETING OF
BOARD OF ADJUSTMENT, PANEL C
MONDAY, AUGUST 17, 2020

Briefing*: 11:00 A.M.

Video Conference

Public Hearing*: 1:00 P.M.

Video Conference

***The Board of Adjustment hearing will be held by videoconference. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure should contact the Sustainable Development and Construction Department at 214-670-4209 by the close of business Friday, August 14, 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=e073b8be9570a15f18edf906336358da1>

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 C
MONDAY, AUGUST 17, 2020
AGENDA

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

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

PUBLIC TESTIMONY

Minutes

MISCELLANEOUS ITEM

Approval of the June 22, 2020 Board of Adjustment Panel C Public Hearing Minutes	M1
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UNCONTESTED CASES

BDA190-070(OA)

1018 Gallagher St.

REQUEST: Application of Rob Baldwin for a special
exception to the parking regulations

1

REGULAR CASES

BDA190-071(OA)	6720 Starbuck Dr. REQUEST: Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations	2
BDA190-072(OA)	6722 Starbuck Dr. REQUEST: Application of Joe Black represented by John Wingate for a variance to the building height regulations, and for a variance to the front yard setback regulations	3
BDA190-073(OA)	6718 Starbuck Dr. REQUEST: Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations, and for a variance to the side yard setback regulations	4

HOLDOVER CASES

BDA190-064(OA)	9924 Carnegie Dr. REQUEST: Application of Texas Permit and Development for a special exception to the visibility obstruction regulations	5
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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: BDA190-070(OA)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin for a special exception to the parking regulations at 1018 Gallagher Street. This property is more fully described as Lot 1A, Block B/7099, and is zoned an R-5(A) Single Family District with Specific Use Permit No. 1763 for a community service center use, which requires parking to be provided. The applicant proposes to maintain a nonresidential structure for a community service center use, and provide 19 of the required 25 parking spaces, which will require a six-space special exception (24 percent reduction) to the parking regulation.

LOCATION: 1018 Gallagher Street

APPLICANT: Rob Baldwin

REQUEST:

A request for a special exception to the off-street parking regulations of six spaces is made to maintain a playground area for an existing 4,977-square-foot community service center structure and provide 19 of the 25 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 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 six spaces shall automatically and immediately terminate if and when the community service center use is changed or discontinued.

Rationale:

- The Sustainable Development and Construction Department Senior Engineer indicated there are no objections to this request.

BACKGROUND INFORMATION:

Zoning:

Site: R-5(A) SUP 1763 (Specific use permit for a community service center)
North: R-5(A) (Single family district)
South: R-5(A) (Single family district)
East: R-5(A) (Single family district)
West: R-5(A) (Single family district)

Land Use:

The subject site is developed with a 4,977 square feet community service center structure. The area to the north, east, west, and south are developed with single family uses.

Zoning/BDA History:

1. Z190-186, Property at 1018 Gallagher Street (the subject site) On May 27, 2015, City Council approved a specific use permit for a community service center use and imposed a site plan with 25 parking spaces as a condition.
2. BDA145-026 Property at 1018 Gallagher Street (the subject site) On May 18, 2015 the Board of Adjustment denied a request for a variance to the off-street parking regulations of six off-street parking spaces. The applicant proposed to provide 19 of the required 25 off-street parking spaces on a site that is developed with a community service center use [Vickery Meadow Learning Center] in order to maintain a playground area.

3. BDA089-063 Property at 1018 Gallagher Street (the subject site) On May 18, 2009, The Board of Adjustment approved a 11-foot variance to the front yard regulations for off-street parking spaces on a site that is developed with a community service center use [Vickery Meadow Learning Center].

GENERAL FACTS/STAFF ANALYSIS:

This request for a special exception to the off-street parking regulations of six spaces focuses on maintaining a playground area for an existing 4,977-square-foot community service center structure and to provide 19 of the 25 off-street parking spaces required by code.

- Chapter 51A-4.205(1) (C) requires the following off-street parking requirement:
 - Community service center: one space per 200 square feet of floor area.

The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked “no objections.” Overall, the request would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

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

- The parking demand generated by the proposed community service center use does not warrant the number of off-street parking spaces required, and
 - The special exception of six spaces (or a 24 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 six spaces shall automatically and immediately terminate if and when the community service center specific use permit is changed or discontinued, the applicant could maintain a playground area for an existing 4,977-square-foot community service center and provide 19 of the 25 required off-street parking spaces.

Timeline:

June 11, 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.

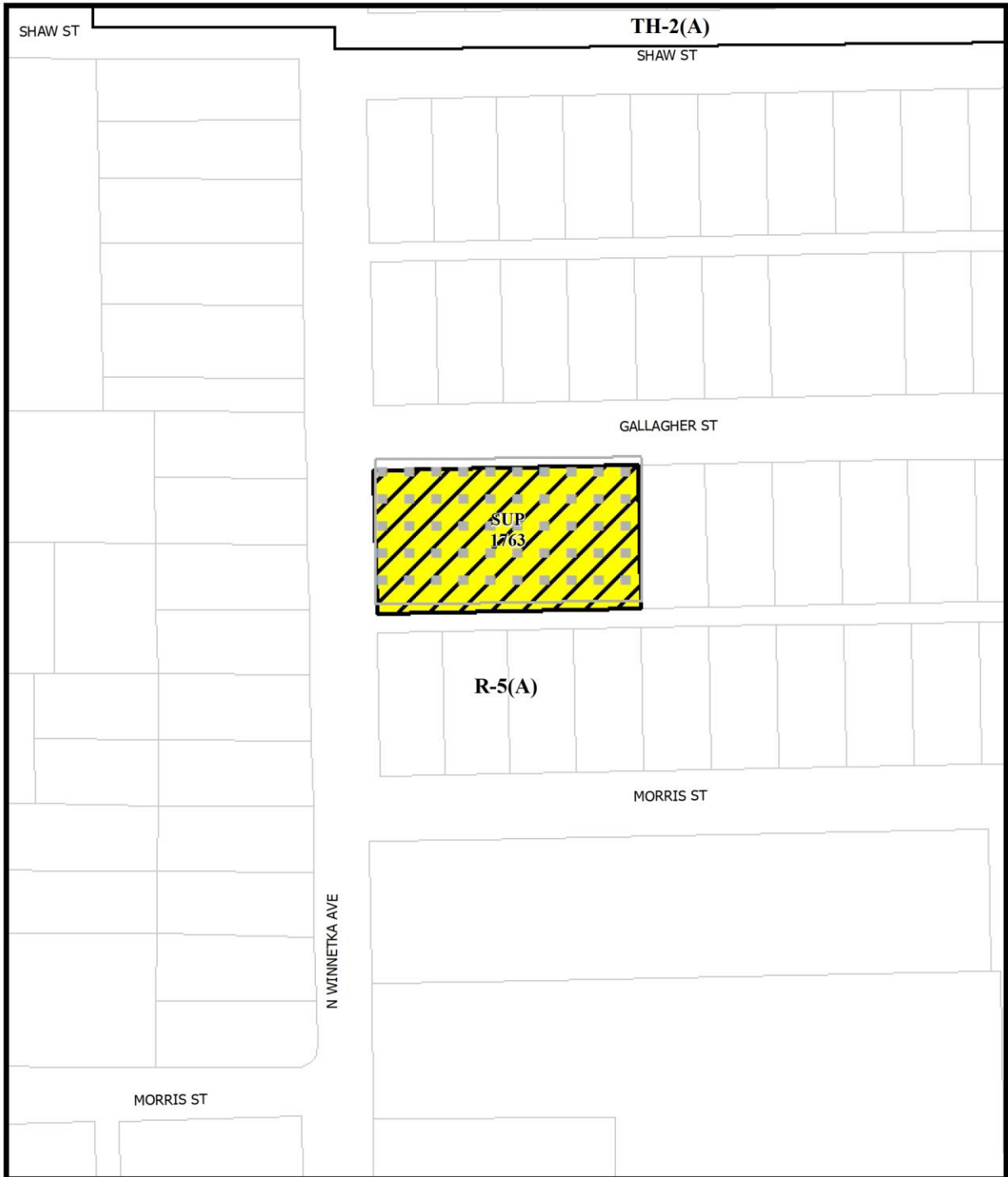
July 20, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

July 20, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the July 28th deadline to submit additional evidence for staff to factor into their analysis; and the August 7th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

July 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearing. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board, and Mike Martin and Jason Pool Building Inspections.

August 3, 2020: The Sustainable Development Department Senior Engineer submitted a review comment sheet marked "no objections."

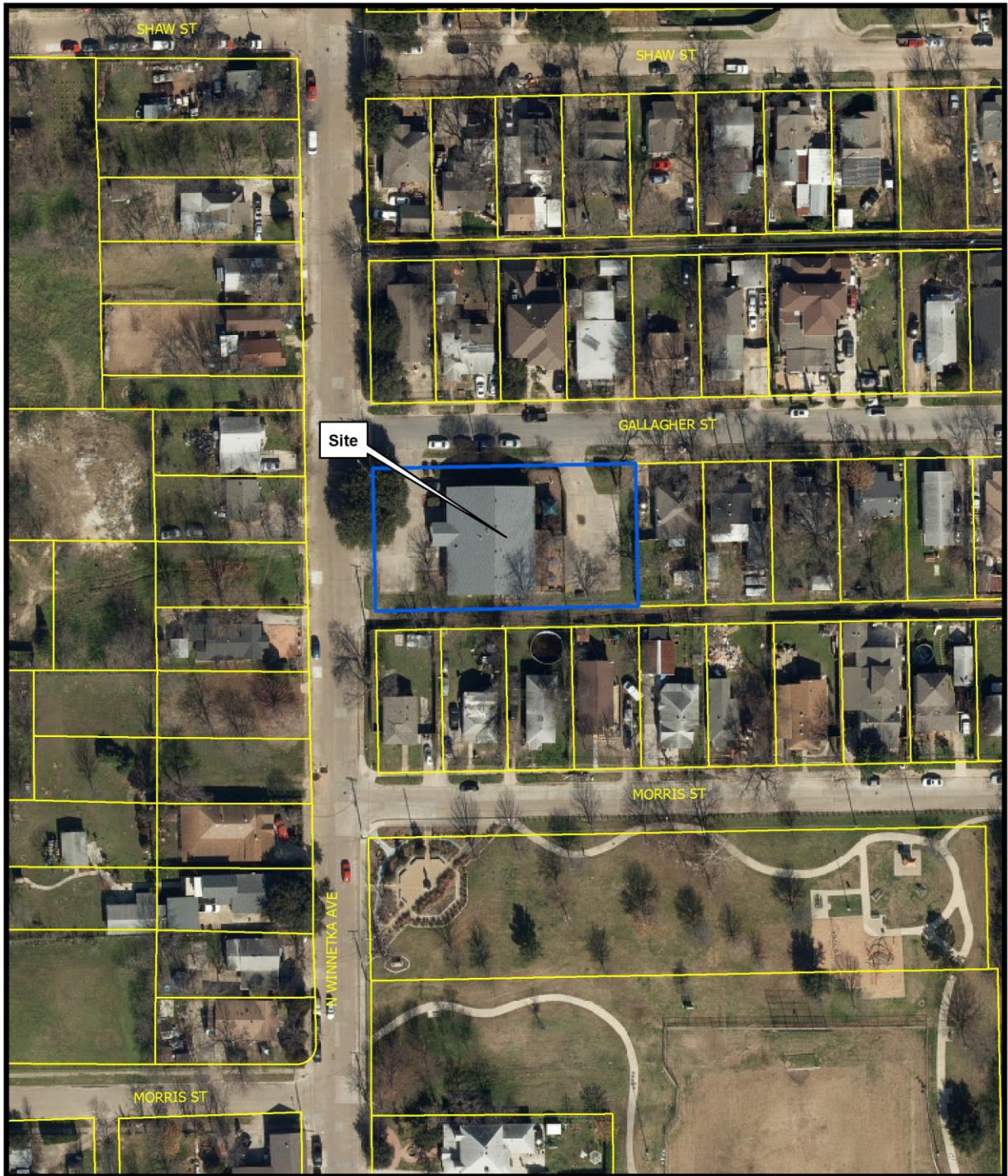


1:1,200

ZONING MAP

Case no: BDA190-070

Date: 7/24/2020



1:1,200

AERIAL MAP

Case no: BDA190-070

Date: 7/24/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-070

Data Relative to Subject Property:

Date: 6-11-2020

Location address: 1018 Gallagher Zoning District: R-5(A)

Lot No.: 1A Block No.: B/7099 Acreage: 0.512 acres Census Tract: 101.02

Street Frontage (in Feet): 1) 203 ft 2) 110 ft 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Vickery Meadow Learning Center

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 6 off-street parking spaces

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: Requesting to provide 19 off-street parking spaces out of the 25 spaces required for a community service center. Please note the property received variance approval in 2009 to retain 2 parking spaces within a required front yard. The community service center primarily offers English literacy classes to nearby residents.

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

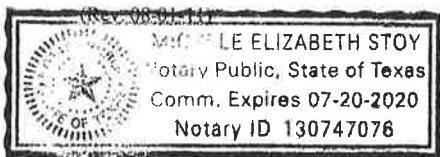
Before me the undersigned on this day personally appeared [Signature] (Affiant/Applicant's name printed)

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: Robert Baldwin (Affiant/Applicant's signature)

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

Michelle Stoy 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 Rob Baldwin

did submit a request for a special exception to the parking regulations
 at 1018 Gallagher Street

BDA190-070. Application of Rob Baldwin for a special exception to the parking regulations at 1018 GALLAGHER ST. This property is more fully described as Lot 1A, Block B/7099, and is zoned R-5(A), SUP 1763, which requires parking to be provided. The applicant proposes to maintain a nonresidential structure for a community service center use, and provide 19 of the required 25 parking spaces, which will require a 6 space special exception (24% reduction) to the parking regulation.

Sincerely,


David Session, Building Official



AFFIDAVIT

BDA Case # 190-070

I, Sarah Papert, Executive Director of Vickery Meadow Learning Center, Owner of the subject property

at: 1018 Gallagher Street

Authorize (applicant) Rob Baldwin, Baldwin Associates

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

Variance (please specify)

Special Exception (please specify) parking

Other {please specify}

Sarah Papert Sarah Papert 6-2-2020

Print name of property owner Signature of property owner Date

Before me the undersigned on the day of personally appeared Sarah Papert

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

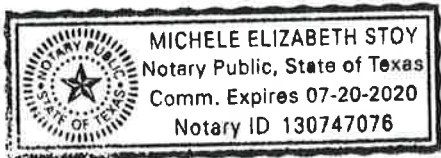
Subscribed and sworn to before me this 2 day of June, 2020

Michele Stoy

Notary Public on and for

Dallas County, Texas

Commission expires on 7-20-2020



Parking Analysis
1018 Gallagher Street
Vickery Meadow Learning Center

Floor area:	4,977 sf
Land use:	Community service center
Parking ratio:	1 space per 200 sf
Parking required:	25 spaces
Parking provided:	19 spaces
Special exception request:	6 spaces



Printed: 5/25/2020

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 1-13 |
| | | 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)



CASE NUMBER
PROJECT NUMBER
12/18/14

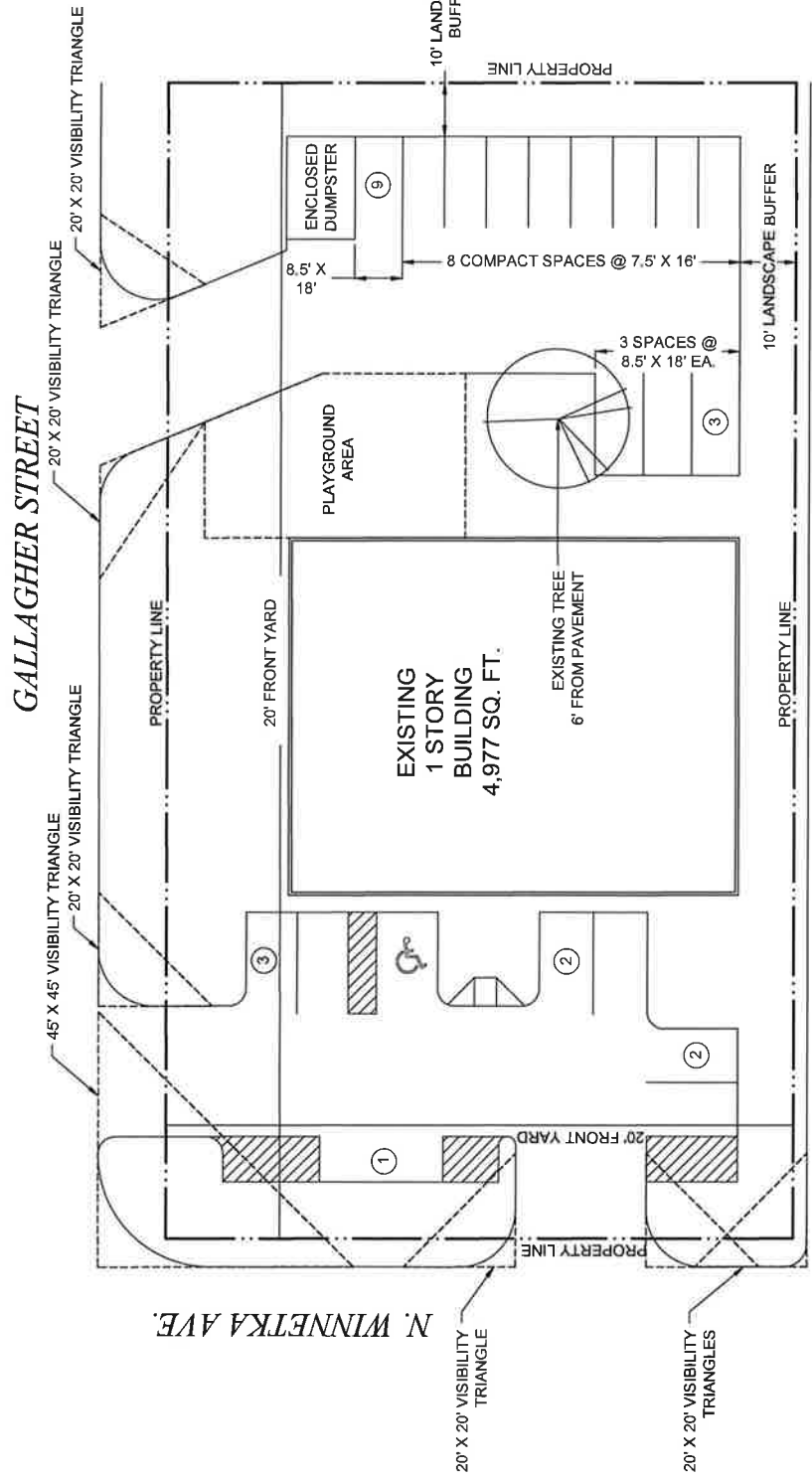
BALDWIN ASSOCIATES
3904 Elm Street, Suite B
Dallas, TX 75228
OFFICE: 214.824.7949
MOBILE: 214.824.7949
info@baldwinplanning.com

Baldwin
Associates

CITY OF DALLAS, TEXAS
VICKERY MEADOW LEARNING CENTER

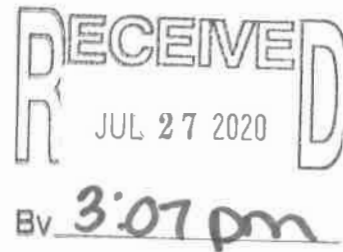


Vickery Meadow Learning Center
1018 Gallagher
SUP 1763
Use: Community Service Center
Bldg. Area: 4,977 Sq. Ft.
Provided Parking: 20 spaces



SITE PLAN
SCALE: 1" = 10'-0"

Baldwin Associates



July 27, 2020

Oscar Aguilera
David Nevarez
City of Dallas Board of Adjustment
1500 Marilla SBN
Dallas, TX 75201

RE: BDA190-070, 1018 Gallagher St

Dear Mr. Aguilera and Mr. Nevarez,

Our firm is assisting the property owner, Literacy Achieves, formerly known as Vickery Meadow Learning Center, with their request for a special exception to the parking regulations. This request is in part to allow Literacy Achieves to maintain a playground where parking existed previously. Please accept this letter as additional information for your consideration of the special exception request.

Literacy Achieves is a non-profit organization that operates community education programs for immigrant adults and their young children focused on English literacy and life skills. At our West Dallas campus, we run classes on a school year schedule. Classes are offered in the fall for 12 weeks from September-December; in the spring for 13 weeks from January-April, and in the summer for 4 weeks in June. Daytime classes are offered Monday-Thursday from 9-11 am and from 12:30-2:30 pm. Daytime classes are offered for adults, 18 and older, and they may attend with their young children, ages 4 months to 4 years old. Adult classes are taught by volunteer teachers, and children's classes are taught by paid teachers. We also offer evening classes on Tuesdays and Thursdays for adults only, with no children's program. At any given time, we have a maximum of:

- 55 adult students
- 8 volunteer teachers
- 5 PT children's teachers
- 2 FT program managers
- Total Maximum adults – 70

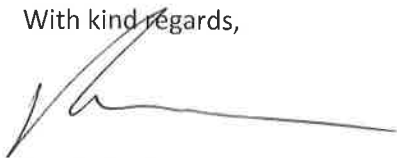
Of those, approximately 15 either carpool or walk, so we have a maximum of 55 cars coming to our facility at one time. Our busiest program is our morning program, Monday-Thursday from 9-11 am. On average, we typically have 50 or fewer adults on site at one time, with 15 carpooling or walking, so a total of 35 cars at once on average. All children come with adults and do not represent additional vehicles.

The site plan shows that 20 spaces are provided on the property. The zoning classification is a community service center. This land use requires one off-street parking space for every 200 square feet of floor area, which equals 25 spaces for this site. The property is a corner lot and received Board of Adjustment approval previously to locate parking spaces with the setbacks on the west side of the building. The site plan shows that no parking spaces will be located within the 20-foot front yard setback as required by zoning. The playground also cannot be located within the front yard setback.

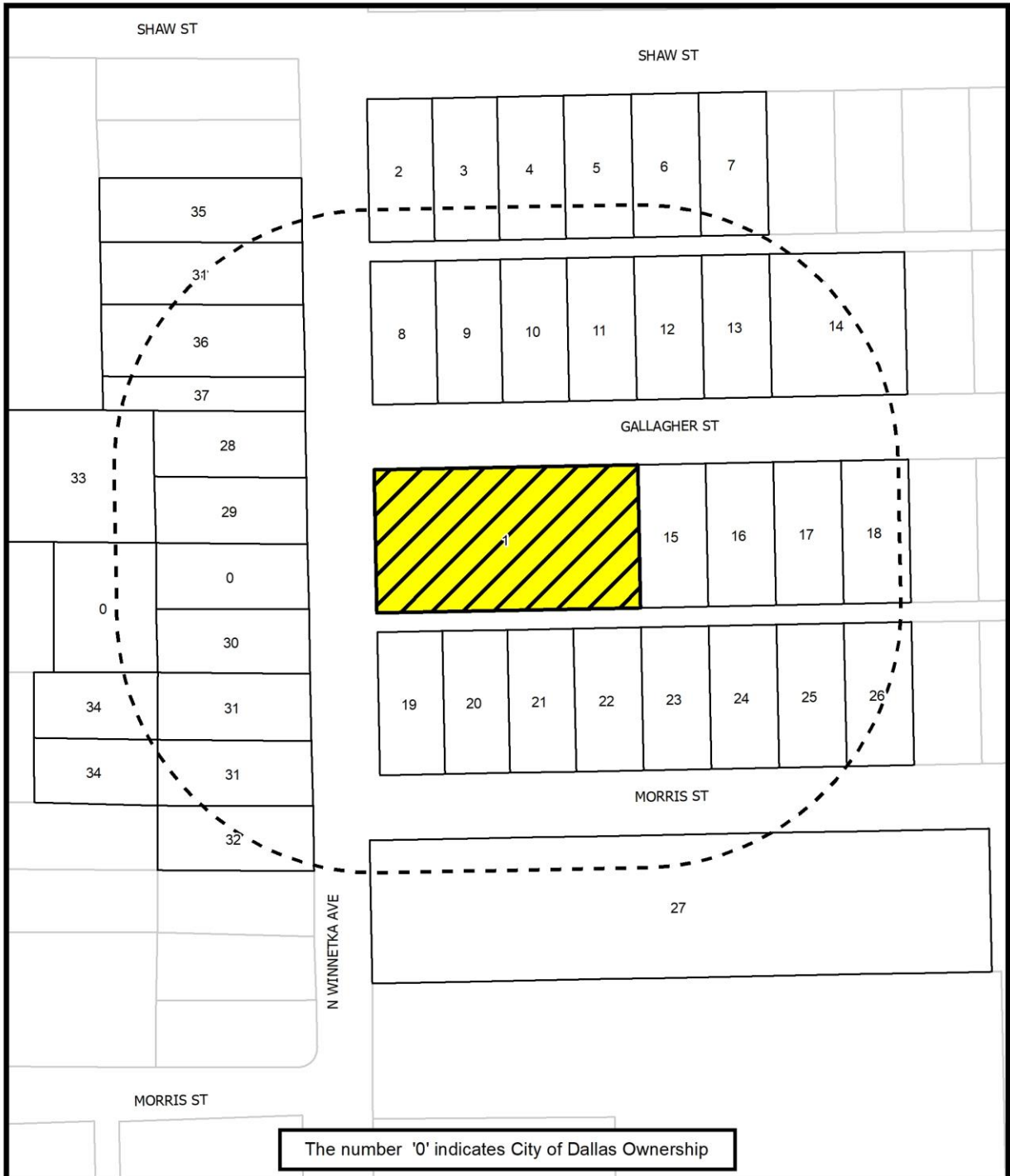
Vehicles that cannot park on site usually park on North Winnetka Street. Visitors to Literacy Achieves are asked to be considerate of the neighbors and not block driveways or impede sidewalks. We are not aware of any concerns from neighboring properties. Please note that the peak time of visitors is only for two hours at a time, four days a week, and 25 weeks out of the calendar year. We believe we have been responsible neighbors and that we have minimal impact with visitors parking on-street.

Please let our office know if you need any additional information for your review. We hope you can support our special exception request.

With kind regards,

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

Rob Baldwin



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA190-070
	<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;">37</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: 7/24/2020

07/24/2020

Notification List of Property Owners

BDA190-070

37 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1018 GALLAGHERST	VICKERY MEADOW LEARNING CENTER
2	1022 SHAWST	TORRES ODILON &
3	1018 SHAWST	MARTINEZ SILVERIO
4	1014 SHAWST	LEIJA ANGELITA
5	1010 SHAWST	ARREDONDO MARIA O &
6	1006 SHAWST	LEOS ELENA
7	1002 SHAWST	CASTILLO PETE &
8	1023 GALLAGHERST	MARTINEZ DIONICIO
9	1019 GALLAGHERST	LUGO RACHEL FLORES ET AL
10	1015 GALLAGHERST	TORRES MARIA CONSUELO
11	1011 GALLAGHERST	SHERIN FREIDA M &
12	1007 GALLAGHERST	ELIZONDO AMY
13	1003 GALLAGHERST	CASANOVA PAMELA
14	927 GALLAGHERST	SALAZAR JUAN &
15	1006 GALLAGHERST	RUSSELL W A EST
16	1002 GALLAGHERST	REYES TERESA
17	926 GALLAGHERST	SIMMONS DOYLE L
18	922 GALLAGHERST	RIVERA MARIA ESTELA REYES
19	1023 MORRISST	HILL AMBER
20	1019 MORRISST	TIPTON TOM L JR
21	1015 MORRISST	DANIEL FRANCISCO C &
22	1011 MORRISST	FLORES HECTOR D
23	1007 MORRISST	FLORES HECTOR
24	1003 MORRISST	PROJECT CMB LLC
25	923 MORRISST	HEREDIO ISIDRO CRUZ &
26	919 MORRISST	MARISCAL FRANCISCO

07/24/2020

<i>Label#</i>	<i>Address</i>	<i>Owner</i>
27	1020 MORRIS ST	Dallas ISD
28	3439 N WINNETKA AVE	MATA JOSE ANTONIO &
29	3435 N WINNETKA AVE	IPINA JOEL
30	3427 N WINNETKA AVE	GLORIA LUISE TAL
31	3423 N WINNETKA AVE	HMK LTD
32	3415 N WINNETKA AVE	VEGA ALBERTO C
33	3438 CROSSMAN AVE	YBARRA MARY MAGDALENA
34	3411 N WINNETKA AVE	LOPEZ DAVID
35	3453 N WINNETKA AVE	SANCHEZ UBALDO &
36	3443 N WINNETKA AVE	VILLATORO SANTOSE
37	3441 N WINNETKA AVE	MATA JOSE A & MA M

FILE NUMBER: BDA190-071(OA)

BUILDING OFFICIAL'S REPORT: Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations at 6720 Starbuck Dr. This property is more fully described as Lot 12, Block J/8727, and is zoned Planned Development District No. 106, which limits the maximum building height to 30 feet, and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure with a building height of 36 feet, which will require a six-foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25-foot front yard setback, which will require a five-foot variance to the front yard setback regulations.

LOCATION: 6720 Starbuck Drive

APPLICANT: Robert Ward Williams

REQUESTS:

The following requests have been made on an undeveloped site:

1. A variance to the building height regulations of six feet is made to construct and maintain a three-story, approximately 4,200-square-foot, single family structure with a building height of 36 feet, which will require a six-foot variance to the maximum building height regulation; and
2. A variance to the front yard setback regulations of five feet is made to maintain the aforementioned single family structure 25 feet from the front property line, which will require a five-foot variance to the front yard setback regulations.

STANDARD FOR A VARIANCE:

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

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

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

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

STAFF RECOMMENDATION (front yard and building height regulations variances):

Denial

Rationale:

- Staff concluded that the applicant had not substantiated how the variances are necessary to permit development of the subject site or whether the property 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 PD No. 106 zoning designation.
- Staff concluded from the information submitted by the applicant at the time of the July 30th staff review team meeting that while staff recognized that the site is in a 100-year floodplain and of a restrictive area due to being 7,500 square feet in area, the applicant had not substantiated how the variance is necessary to permit development of the subject site that differs from other parcels of land that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same PD No. 106 zoning designation or that the applicant had not substantiated how the variances are not contrary to the public interest and how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

- Site: PD No. 106 (Planned Development District)
- North: PD No. 106 (Planned Development District)
- South: PD No. 106 (Planned Development District)
- East: PD No. 106 (Planned Development District)
- West: PD No. 106 (Planned Development District)

Land Use:

The subject site is undeveloped. The areas to the north, south, east, and west are developed with single family uses or vacant lots.

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS

This property is within Collin County and located in a 100-year floodplain. According to CCAD records, there are “no main improvements” and “no additional improvements” for the property addressed at 6720 Starbuck Drive.

The subject site is rectangular, and according to the application, is 0.17 acres (or approximately 7,500 square feet) in area. The site is zoned PD No. 106 where lots are typically 10,000 square feet in area.

The current requests to vary the height and front yard setback are to allow for the development of a three-story, approximately 4,200-square-foot, single family structure.

Height Regulations:

The request for a variance the building height regulations of six feet is made to construct and maintain a single family structure with a building height of 36 feet on a site that is located in PD No. 106, which states the following with regard to the maximum structure height:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 have a maximum structure height of 30 feet.

According to Steve Parker from Dallas Water Utilities, the applicant’s engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site. Once completed, it will be submitted to FEMA for a Letter of Map Revision to the 100-year floodplain. Note that a permit for fill and grading work was issued in January 2019 (permit number 1812181118101). However, the property has not met all other permits required by county, state, and federal agencies as stipulated by Sec. 51A-5.105.

The applicant has submitted a site plan and elevation that represent the structure will be 36 feet-in-height; thereby, requiring the six-foot variance to the building height regulations.

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

- That granting the variance to the PD No. 106 building height 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 to the PD No. 106 building height regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.
- The variance to the PD No. 106 building height 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 PD No. 106 zoning classification.

If the Board were to grant the request for a variance to the PD No. 106 building height regulations and impose the applicant's submitted site plan and elevation as a condition, the structure that does not comply the 30-foot building height regulations would be limited to that what is shown on this document.

Front Yard Regulations:

This request focuses on maintaining a proposed single family structure 25 feet from the front property line which will require a five-foot variance to the front yard setback regulations.

The subject site is located in PD No. 106, which states the following with regard to the required setbacks:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 are required to provide a minimum front yard setback of 30 feet.

The applicant has submitted a site plan that represents the structure will be located 25 feet from the front property line; thereby, requiring the five-foot variance to the required front yard setback of 30 feet.

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

- That granting the variance to the PD No. 106 front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance to the PD No. 106 front yard setback regulations is necessary to permit development of the subject site that differs from other parcels of land by

being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.

- The variance to the PD No. 106 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 PD No. 106 zoning classification.

If the Board were to grant this front yard setback variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document, which is a structure 25 feet from the front property line or five feet into the 30-foot front yard setback.

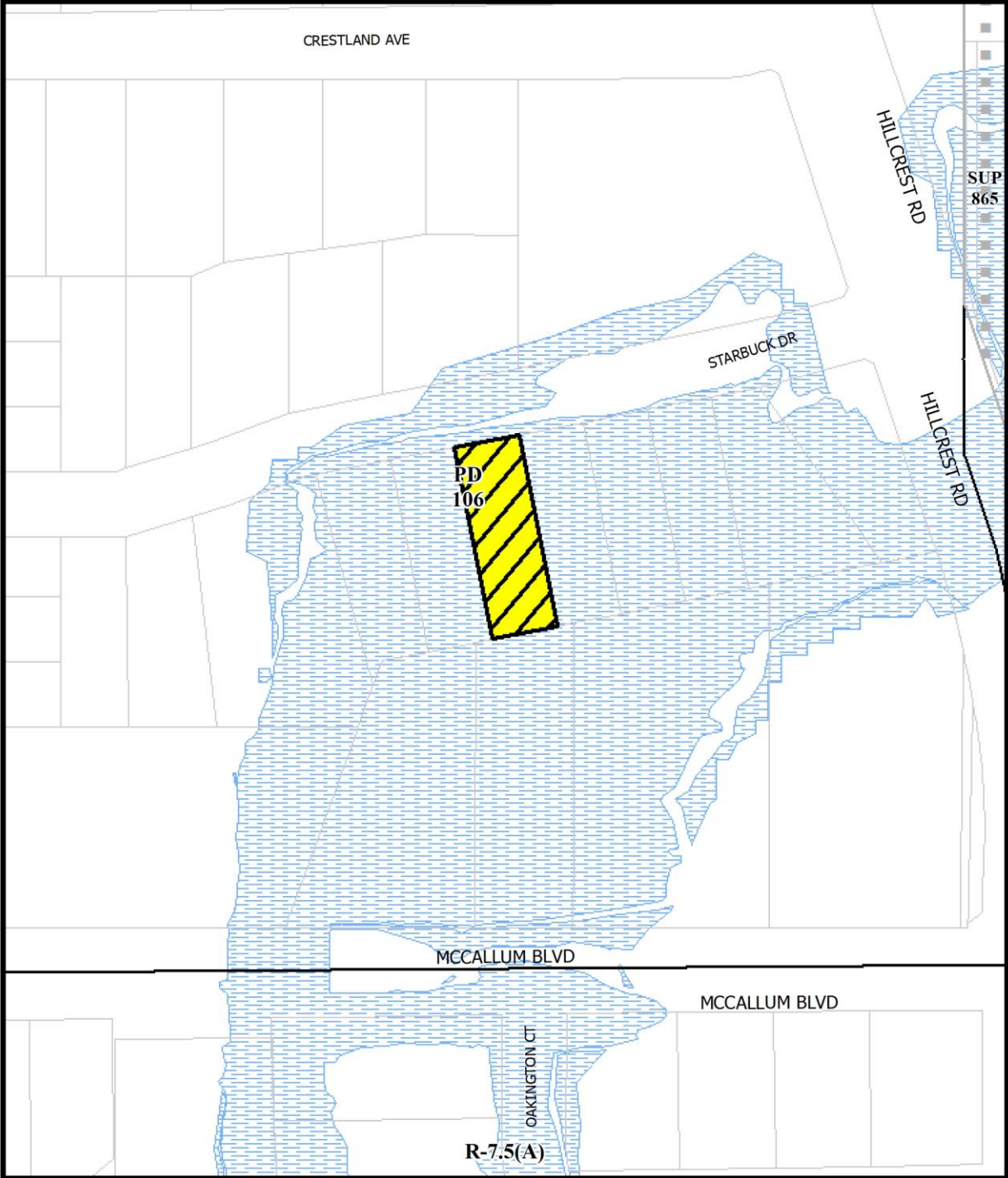
Timeline:

- June 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.
- July 20, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- July 20, 2020: The Board Senior Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application.
 - an attachment that provided the public hearing date and panel that will consider the application; the July 28th deadline to submit additional evidence for staff to factor into their analysis; and the August 7th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- June 4, 2020: The applicant submitted additional evidence (Exhibit A).
- July 30, 2020: The statement provided by Steve Parker Dallas Water Utilities statement (Exhibit B).

July 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearing. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board, and Mike Martin and Jason Pool Building Inspectors.

July 31, 2020: The applicant submitted additional evidence (Exhibit C).

August 7, 2020: The applicant submitted additional evidence (Exhibit D).

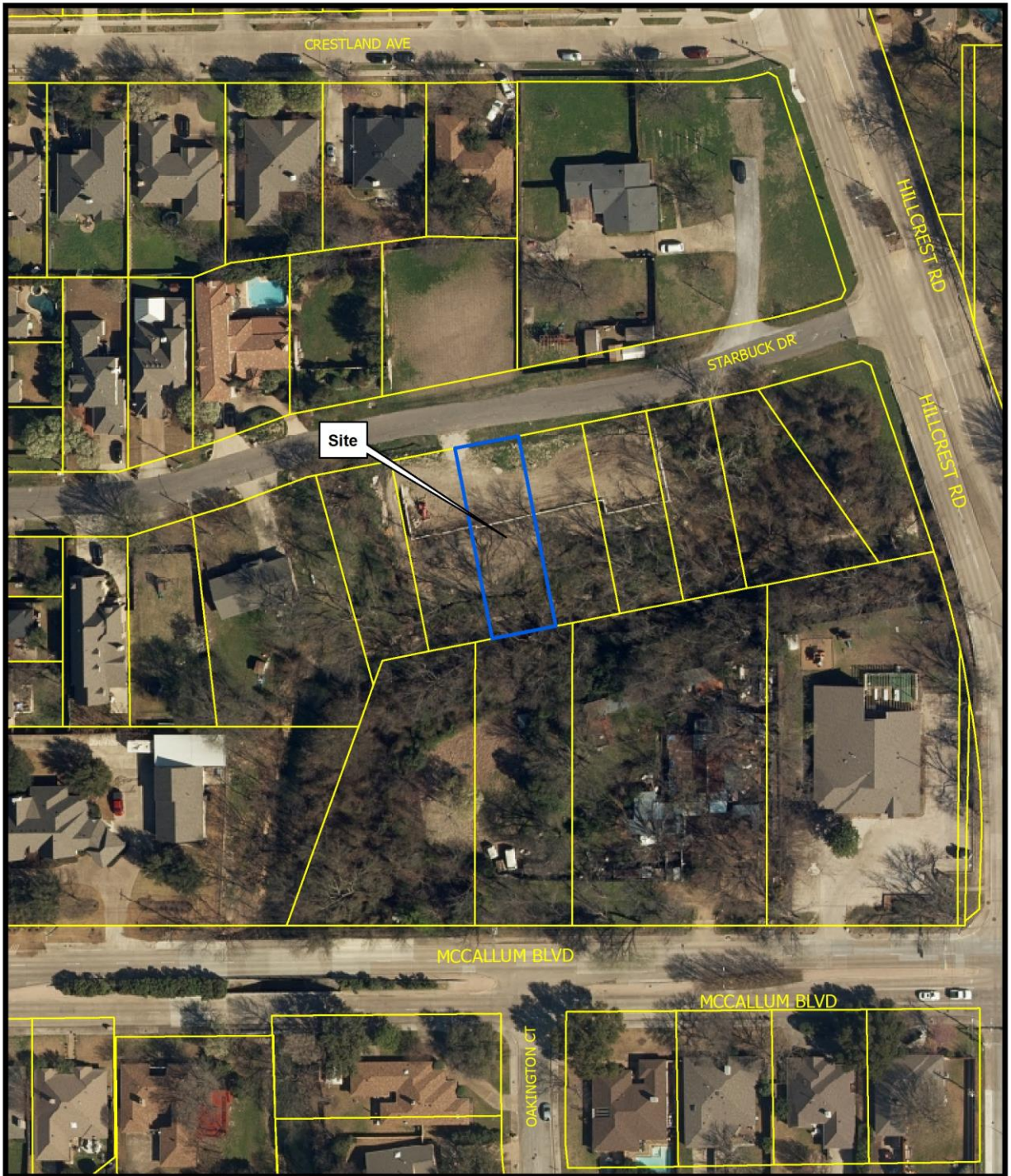


1:1,200

ZONING MAP

Case no: BDA190-071

Date: 7/24/2020



1:1,200

AERIAL MAP

Case no: BDA190-071

Date: 7/24/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-071

Date: ~~April 24, 2020~~ 6-18-2020

Data Relative to Subject Property:

Location address: 6720 Starbucks Drive Zoning District: PD-106

Lot No.: 12 Block No.: J/8727 Acreage: 0.17 Census Tract: 317.18

Street Frontage (in Feet): 1) 50.0 feet 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Robert Ward Williams

Applicant: Robert W. Williams Telephone: 214/361-2244

Mailing Address: 6060 N. Central Expwy., Suite 560 Zip Code: 75206

E-mail Address: NONE John@originhomes.com

Represented by: SAME Telephone: _____

Mailing Address: SAME Zip Code: _____

E-mail Address: NONE

Affirm that an appeal has been made for a Variance , or Special Exception _____, of Raising the Maximum Height Restriction to 36 Feet. 6' to the max Height of Structure, Zoning Height is 30', FySB of 5' to the required 30' And provide a FySB of 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:

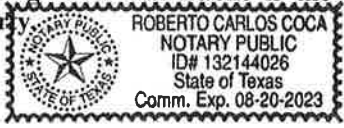
Can NOT build a home commensurate to other homes in the area's R-75A zoning designation

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 W. Williams (Affiant/Applicant's name printed)

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



Respectfully submitted: Robert W. Williams (Affiant/Applicant's signature)

Subscribed and sworn to before me this 24 day of April, 2020

Roberto Coca
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 Robert Ward Williams

did submit a request for a variance to the building height regulations, and for a variance to the front yard setback regulations

at 6720 Starbuck Drive

BDA190-071. Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations at 6720 STARBUCK DR. This property is more fully described as Lot 12, Block J/8727, and is zoned PD-106, which limits the maximum building height to 30 feet, and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure with a building height of 36 feet, which will require a 6 foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations.

Sincerely,


David Session, Building Official



HYACINTH

6800

14	15	16	17	18	19	20	21	22	23	24	25
35	34	33	32	31	30	29	28	27	26	25	24

14	15	16	17	18	19	20	21	22	23	24	25
150	150	150	150	150	150	150	150	150	150	150	150

DR. 6700



14	15	16	17	18	19	20	21	22	23	24	25
150	150	150	150	150	150	150	150	150	150	150	150

STANWORTH

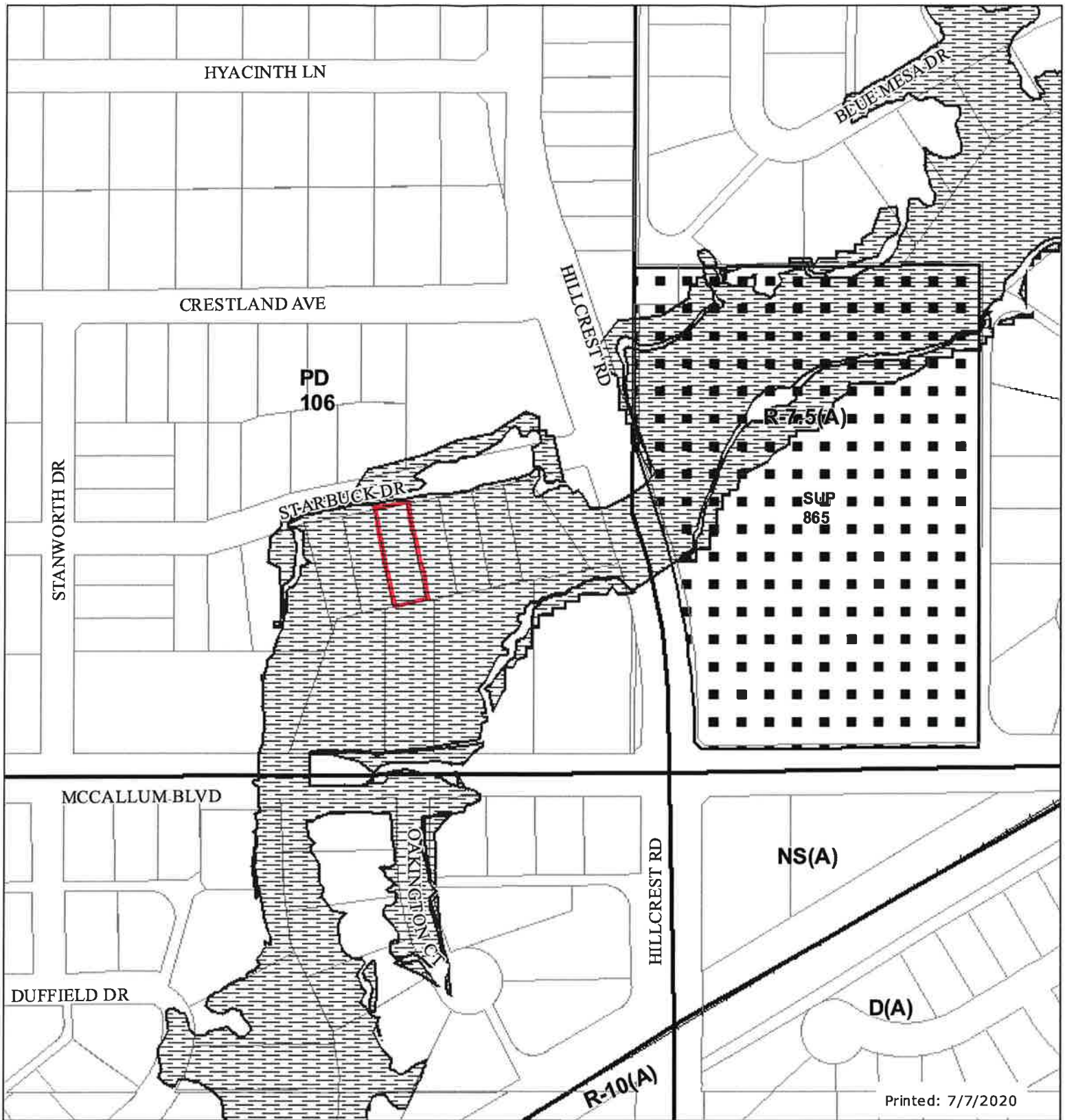


Mc CALLUM BLVD

6800

6800

34879
THREADGILL
HACIENDA



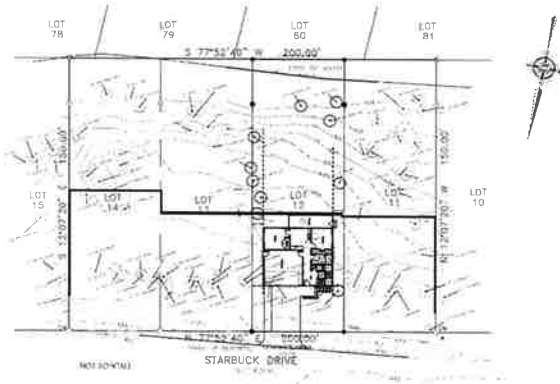
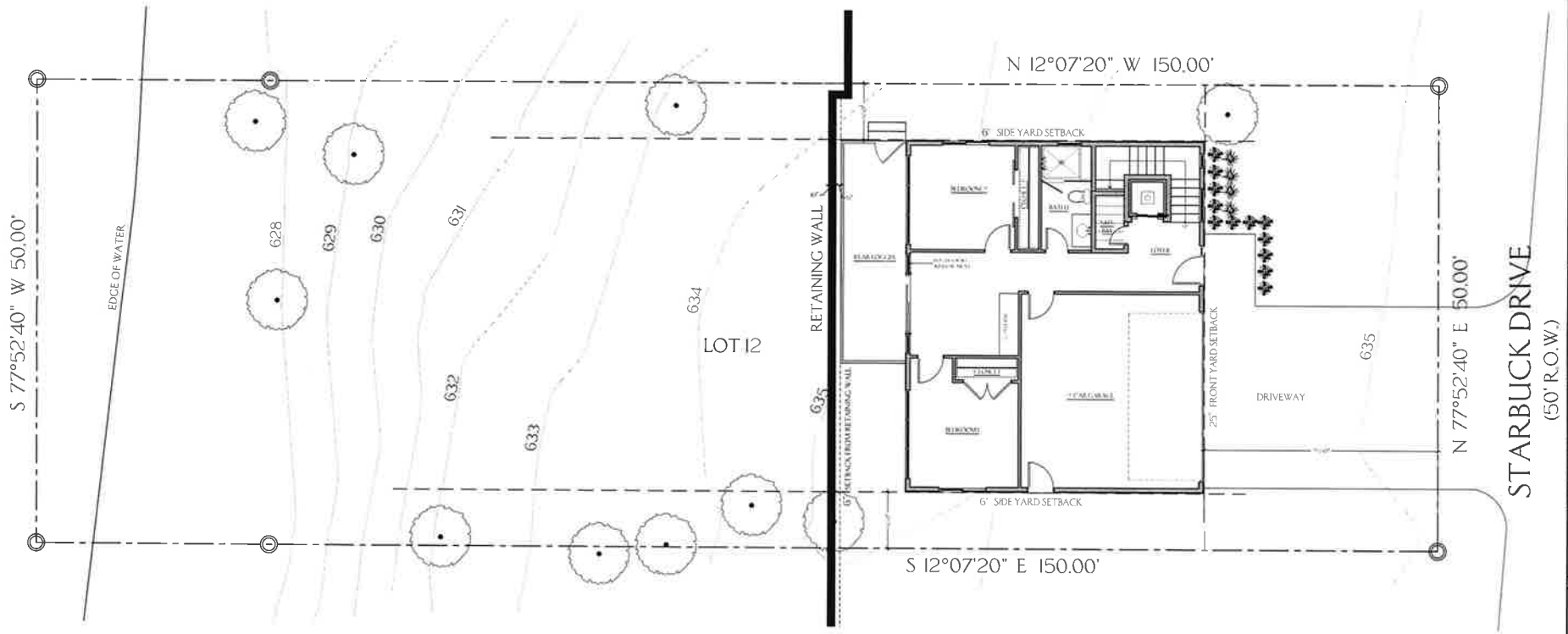
Printed: 7/7/2020

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 | Ship Front Overlay |
| | | Height Map Overlay | |

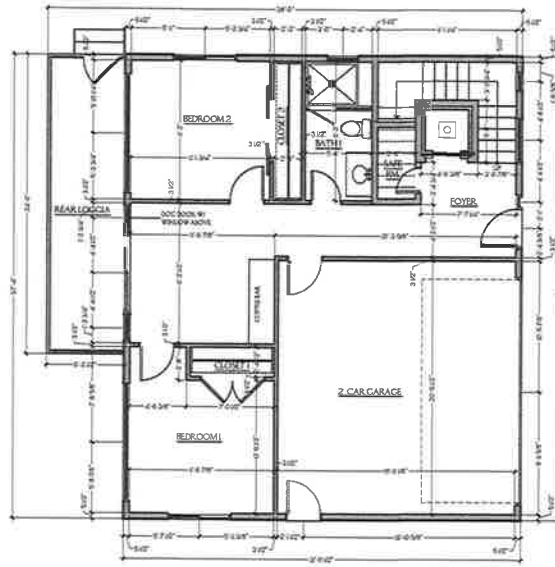
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, 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)





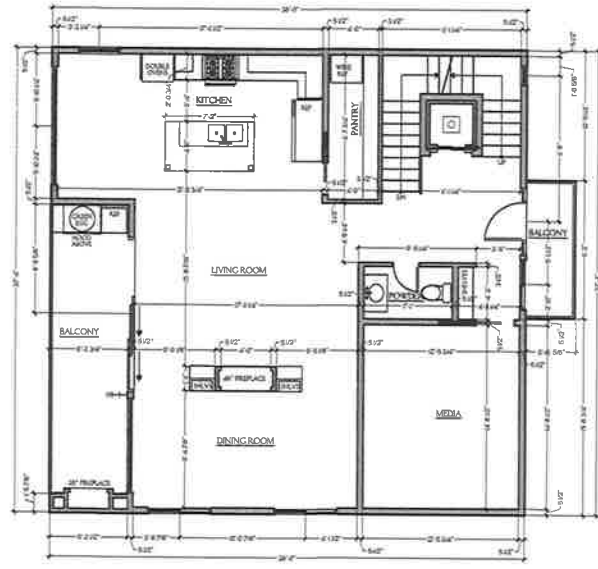

01 FIRST FLOOR PLAN
 06-1-17

6720 STARBUCK DR. DALLAS, TEXAS	03-24-2020	A1.0
MONTELEON DESIGNS 300 N. 8th Street, Suite 204 Dallas, TX 75208 469.774.4725 mont@monteleondesigns.com		
Copyright © Monteleon Designs. All Rights Reserved and Protected. All Rights Reserved. The entire contents of this document, including all sketches, plans, notes, and specifications, are the sole and exclusive property of Monteleon Designs. The documents and their contents may not be used, photocopied or reproduced without the express written consent of Monteleon Designs.	REVISION DATE	REVISION



01 FIRST FLOOR PLAN
1/8" = 1'-0"

6720 STARBUCK DR. DALLAS, TEXAS		66-28-280 2024	06-28-280 2024	330 N. 4th Street Middekin Texas 76065 Monteleon@monteleon.com	MONTELEON DESIGNS 330 N. 4th Street Middekin TX 76065 469.774.4725	Complete Monteleon Design is not responsible for the accuracy of the information provided in this plan. The user assumes full responsibility for all data, design, and construction. The information and data contained herein are for informational purposes only and do not constitute a contract.	06/20/2020	REVISION CHANGES TO THE OVERALL DIMENSIONS
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01 SECOND FLOOR PLAN
12/12/12

6720 STARBUCK DR. DALLAS, TEXAS	06-26-2020	01	01	01	01	01	01	01
	6720 STARBUCK DR. DALLAS, TEXAS	06-26-2020	01	01	01	01	01	01
6720 STARBUCK DR. DALLAS, TEXAS	06-26-2020	01	01	01	01	01	01	01
6720 STARBUCK DR. DALLAS, TEXAS	06-26-2020	01	01	01	01	01	01	01
6720 STARBUCK DR. DALLAS, TEXAS	06-26-2020	01	01	01	01	01	01	01

6720 STARBUCK DR.
DALLAS, TEXAS

06-26-2020

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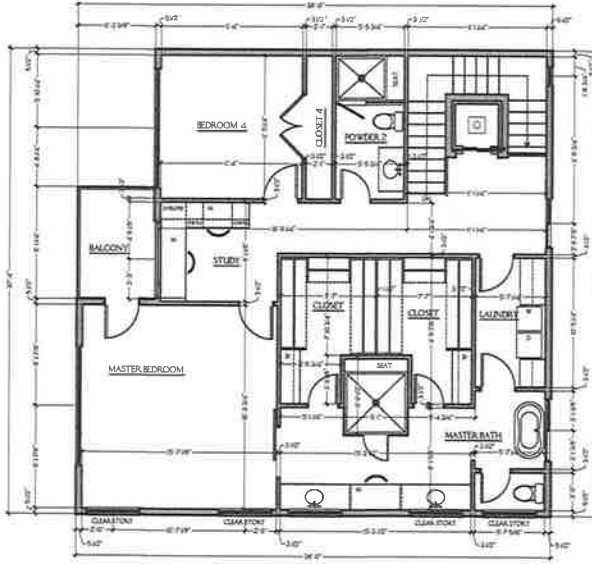
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01 THIRD FLOOR PLAN

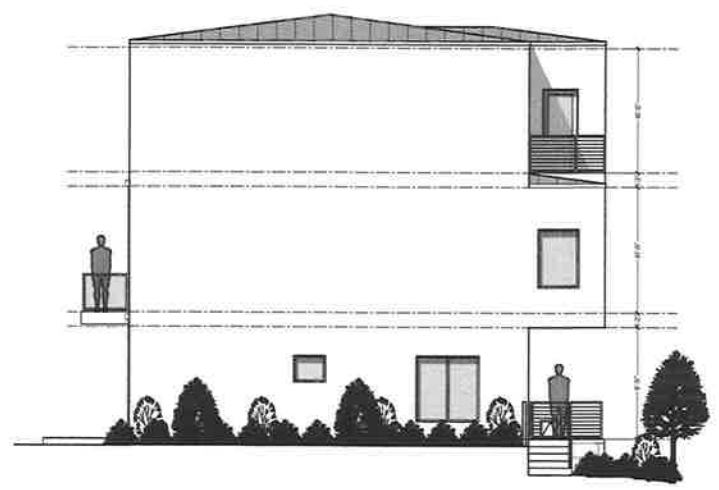
670 STARBUCK DR. DALLAS, TEXAS		86-20-208	06-20-208	06-20-208	06-20-208	06-20-208	06-20-208
MONTELEON DESIGNS 390 N. Oak Street Mesquite, Texas 76665 monty@monteleon.com		469.774.4725		A2.2		REVISION	
Copyright © Monteleon Design & Architecture, All Rights Reserved. This document is the property of Monteleon Design & Architecture. It is to be used for the project and location only. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Monteleon Design & Architecture. All other rights reserved.		05/20/2020		CHANGES TO THE OVERALL DIMENSIONS		REVISION	



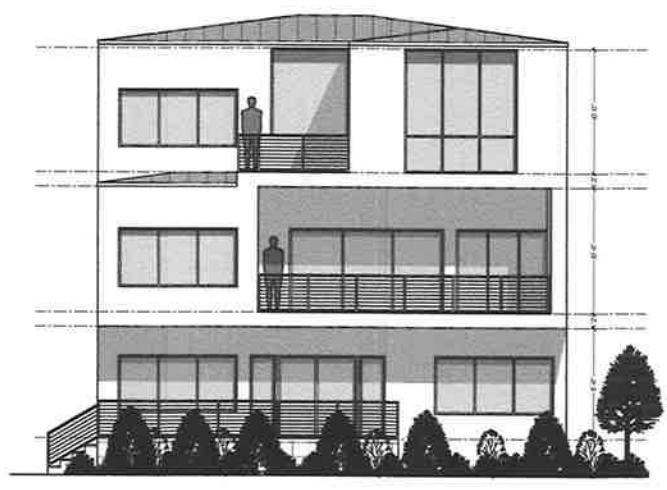
01 SIDE ELEVATION
02.10.20



02 FRONT ELEVATION
02.10.20



03 SIDE ELEVATION
02.10.20



04 REAR ELEVATION
02.10.20

6720 STARBUCK DR. DALLAS, TEXAS		646-292-2128	PROJECT NO.	6720	DATE	02/20/20	REVISION	LEVEL GRADE ON SIDE ELEVATIONS
MONTELEON DESIGNS 330 N. M. Street Mesquite, Texas 76065 monteleon@monteleondesigns.com		469.774.4725	PROJECT NAME	6720	DATE	02/20/2020	REVISION	
6720 STARBUCK DR. DALLAS, TEXAS		646-292-2128	PROJECT NO.	6720	DATE	02/20/20	REVISION	LEVEL GRADE ON SIDE ELEVATIONS
MONTELEON DESIGNS 330 N. M. Street Mesquite, Texas 76065 monteleon@monteleondesigns.com		469.774.4725	PROJECT NAME	6720	DATE	02/20/2020	REVISION	

3 Total Pages

Fix Attention: Oscar Aguilera 214/670-4210

July 23, 2020

Board of Adjustment Coordinator 214/671-5099 Direct

Variance Requests for: STARBUCK Drive 6718 and 6720

1) Zoning is PD-106 - Requires a Lot to be a Minimum of 10,000 Square Feet. The Vast Majority of Lots in Preston Road Highlands Addition are 15,000 Square Feet.

This Lot is only 7500 Square Feet, with nearly all of the Lots in the Flood Plain and the Rear Property Line at the Center of Osage Branch Creek.

After Extensive Hydrology Studies and Excavation to produce No Net increase in Water Flow or Valley Storage Capacity, a 10 inch Thick Concrete Retaining Wall Was built encompassing 4 Each Adjoining Lots 11, 12, 13, and 14, ~~almost~~ ^{more than} halfway from the Rear Property Line.

The Retaining Wall position effectively cut in half the structure's building Pad Depth to only 30 feet (Lot 11) and ^{32' Depth (Lot 12, 13)} necessitating the Architect to produce a 3 Story Home, with Approximately 10 foot Ceilings on Each floor. This doesn't include space between floors for ductwork, electrical, plumbing, et cetera, thus necessitating a true need for a 36 foot height Variance.

The other variance eases a built in hardship. All 3 Lots (11, 12, 13) requesting variances in Front setback reductions from 25 feet to 20 feet, have total Lot depths of 150 feet. Because the Engineer's plans required the retaining wall to be placed so near the pavement on Starbuck drive that only 20+% of the 150 foot depth can be buildable now!

To all Board of Adjustment Panel Members —
Please embrace and wholeheartedly Approve All requested Variances.

Thanking You In Advance,
Rob W. Williams

214/363-9954 (A Dumb) Flip Phone

214/361-2244 Desk

From: [Parker, Stephen](#)
To: [Aguilera, Oscar](#)
Cc: [Munoz, Jennifer](#); [Dean, Neva](#)
Subject: RE: Lots on Starbucks
Date: Thursday, July 30, 2020 5:58:27 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

FEMA does not issue elevation certificates, they issue Letters of Map Revision or Amendment (LOMRs and LOMAs). It's a sometimes lengthy review process. To my knowledge the engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site, and when he does it will be submitted to FEMA for a LOMR. The FEMA review can take several months. The lack of an approved LOMR means nothing with respect to the validity of our review, it is simply the end of a process that is required before buildings can be built.

Don't contact anyone at FEMA, without an application there is nothing they could tell you.

I think the applicant maximized the area that could be reclaimed, but you could talk to his engineer, Mark Roberts of Nathan Maier Consulting Engineers, Inc., for more details.

I am pretty sure they made the lots as large as they could while still meeting our engineering requirements for fill (ie, not adversely affecting other properties.)

We and the city council are very careful to only approve projects that do not cause flooding to the neighbors. And the hydraulic modeling is available through open records to anyone that would like to hire their own engineer to review what we reviewed.



Steve Parker, P.E., CFM
Sr. Program Manager
City of Dallas | DallasCityNews.net
Dallas Water Utilities
Floodplain Management
Oak Cliff Municipal Center
320 E. Jefferson Blvd., Room 312
Dallas, TX 75203
O: 214-948-4666
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Aguilera, Oscar
Sent: Wednesday, July 29, 2020 9:42 PM
To: Parker, Stephen <stephen.parker@dallascityhall.com>
Cc: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>; Dean, Neva <neva.dean@dallascityhall.com>
Subject: RE: Lots on Starbucks

Dear Steve,

Do you know why FEMA hasn't issue the elevation certificate for the properties at Starbuck? If you do not know do you have a contact person at FEMA that I may contact? Do you know if the applicant could have elevated a bigger area for these lots? The portion that was elevated was the 65 feet in the front. Could the applicant have elevated 90 or 100 feet? Thank you for your help.

Sincerely,



Oscar Aguilera
Senior Planner
City of Dallas | www.dallascityhall.com
Current Planning Division
Sustainable Development and Construction
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-671-5099
oscar.aguilera@dallascityhall.com


****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Parker, Stephen <stephen.parker@dallascityhall.com>
Sent: Friday, July 24, 2020 3:39 PM
To: Aguilera, Oscar <oscar.aguilera@dallascityhall.com>
Subject: Lots on Starbucks

Hi, Oscar.

Bob Williams asked me to send you an email about the setback variance he has proposed.

Floodplain Management has no objection to the board granting this variance.



Steve Parker, P.E., CFM

Sr. Program Manager

City of Dallas | DallasCityNews.net

Dallas Water Utilities

Floodplain Management

Oak Cliff Municipal Center

320 E. Jefferson Blvd., Room 312

Dallas, TX 75203

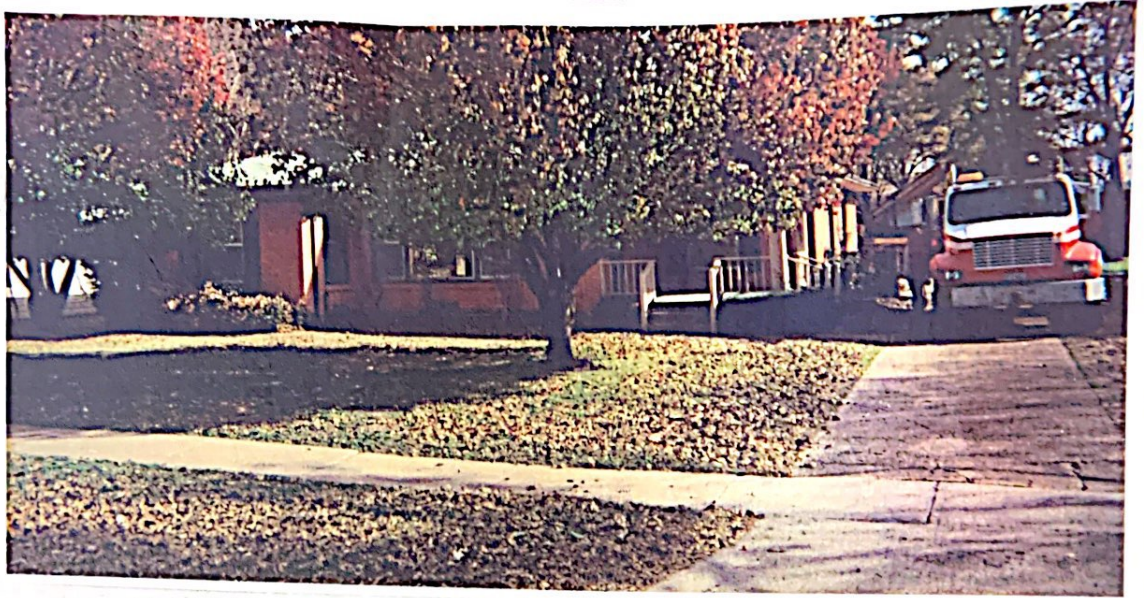
O: 214-948-4666

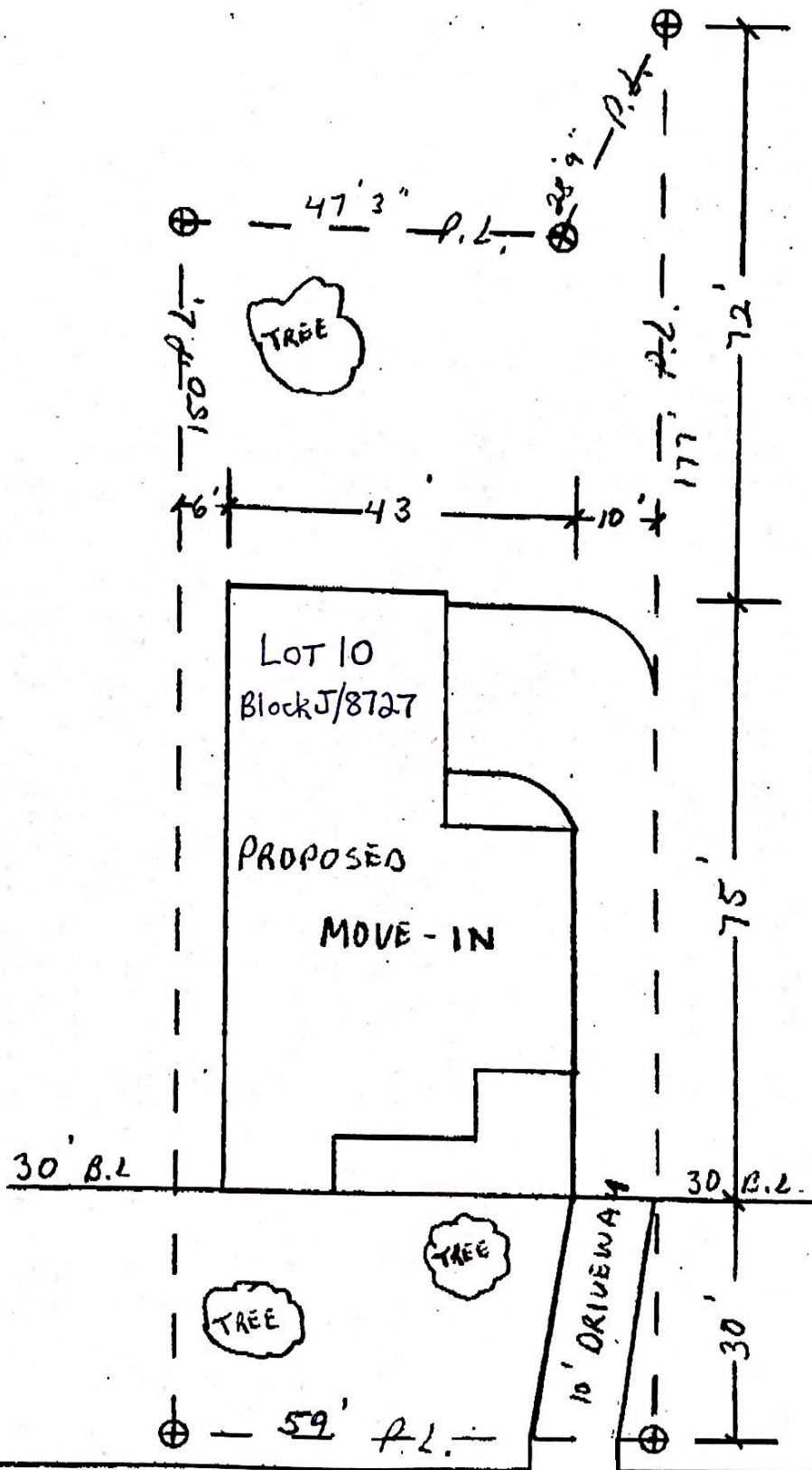
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

→
Proposed House
Move from Irving
(Dallas County) to Fair
North Dallas (S. Collin County)
Lot 10 Block J/8727





6716 STARBUCK



Bob Williams & Associates
6116 N. Central Expwy, Suite # 304
Dallas, TX 75206

FAX TRANSMISSION

DATE 2/3/09

ATTENTION: Malcolm Lewis

FAX # 972/727-7735

SENDER'S TELEPHONE# FAX (214) ~~361-2282~~; office (214) 361-2244 Desk

We are sending 2 pages, including the cover sheet.

Message:

Plot Plan of 6716 Starbuck with the Irving (Now)
Home situated onto Lot 10 in the same position, in other
words, garage in rear as it is before any movement.
Please help me calculate the pier heights for each row,
front to back using Dallas City Code for spacing and wind
specs.

If you did not receive all pages, please call and ask for:

Thank You! Bob Williams





CITY OF DALLAS

Development Services
Department

Building Inspection
Division

Permit Center Customer
Service Survey

City of Dallas
Development Services Department
Building Inspection Division
320 E. Jefferson Room 118
Dallas, Texas 75203

Attn: Permit Center Manager
Don Caldera

Rm 204
Tray
Wanky
948-4364
Marissa - 4320
Bldg Insp Rm 105

Rogers Humphreys
4155 Wei

2/630-7867

(Rogers) McMillan Charles

9/228-8245



PRINCE HOUSE MOVING, INC.
19 CROSSLANDS ROAD PH. 817-377-3303
FORT WORTH, TEXAS 76132-1006

1121

DATE 5/18/99

88-200 15
1119

PAY TO THE ORDER OF City of Dallas \$250.00

DOLLARS Check for exact amount

Dallas	City House Moving License		

Melvin Prince MP

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑈001121⑈ ⑆111902000⑆153 0002524⑈

This is NOT a Tax Statement

2009 Notice Of Appraised Value

Do Not Pay From This Notice

Collin Central Appraisal District
 250 W Eldorado Pkwy
 McKinney, TX 75069
 Phone: (469) 742-9200 (866) 467-1110

Property ID: 194514
 Ownership %: 100.00
 Geo ID: R-0391-010-0100-1
 DEA:
 Legal: PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

DATE OF NOTICE: May 1, 2009

***AUTO**SCH 3-DIGIT 752 192373 524

Legal Acres:
 Situs: 6716 STARBUCK DR TX
 Appraiser: GC
 OWNER ID: 602785

PROPERTY ID: 194514 - R-0391-010-0100-1
 BERT WARD TRUST
 C/O ROBERT W WILLIAMS
 6060 N CENTRAL EXPY STE 560
 DALLAS TX 75206-5268



Dear Property Owner,

We have appraised the property listed above for the tax year 2009. As of January 1, our appraisal is outlined below.

Appraisal Information		Last Year - 2008		Proposed - 2009			
Structure & Improvement Market Value		0		0			
Market Value of Non Ag/Timber Land		12,000		12,000			
Market Value of Ag/Timber Land		0		0			
Market Value of Personal Property/Minerals		0		0			
Total Market Value		12,000		12,000			
Productivity Value of Ag/Timber Land		0		0			
Appraised Value * (Possible Homestead Limitations, see asterisk below)		12,000		12,000			
Exemptions							
2008 Taxable Value	Taxing Unit	2009 Proposed Appraised Value	2009 Exemption Amount	2009 Taxable Value	2008 Tax Rate	2009 Estimated Taxes	2009 Tax Ceiling**
12,000	COLLIN COUNTY	12,000	0	12,000	0.242500	29.10	
12,000	COLLIN CO COMMUNITY COLLE	12,000	0	12,000	0.086493	10.38	
12,000	PLANO ISD	12,000	0	12,000	1.303400	156.41	
12,000	DALLAS CITY	12,000	0	12,000	0.747900	89.75	

The difference between the 2004 appraised value and the proposed 2009 appraised value is 0.00%. This percentage information is required by Tax Code section 25.19(b-1).

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials and all inquiries concerning your taxes should be directed to those officials.

The above tax estimates use last year's tax rates for the taxing units shown. The governing body of each unit (school board, county commissioners, and so forth) decides whether property taxes increase. The appraisal district only determines your property value. The taxing units will set tax rates later this year.

* Your residence homestead is protected from future appraisal value increases in excess of 10% per year from the date of the last appraisal PLUS the value of any new improvements.

** If you are 65 years of age or older and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than when you first received the exemption on this home. If you are disabled and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than the 2003 taxes or the first year you received the exemption, whichever is later. If your county, city, or junior college has approved a limitation on your taxes in the preceding year, your county, city, or junior college taxes will not be higher than the first year your county, city, or junior college approved the limitation or the first year you qualified for the limitation. If you improved your property (by adding rooms or buildings), your school, county, city, or junior college ceiling may increase for these improvements. If you are a surviving spouse, age 55 or older, you may be eligible to retain the school, county, city, or junior college tax ceiling.

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problem with the property description or address information. If the problem cannot be resolved, you have the right to appeal to the appraisal review board (ARB).

To appeal, you must file a written protest with the ARB before the deadline date:

Deadline for filing a protest: June 1, 2009
 Location of Hearings: 250 W ELDORADO PKWY, MCKINNEY TX (1.5 MILES EAST OF US-75)
 ARB will begin hearings: June 8, 2009

A protest FORM to send to the Appraisal District Office is on the back of this notice, if you intend to appear and present evidence before the ARB. A protest is sufficient if it includes the protesting property owner, account number, property address and reason for protesting. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed is information to help you in preparing your protest.

If you have any questions or need more information, please contact the appraisal district office at (469) 742-9200 or at the address shown above.

Sincerely,

Bo Daffin
 Chief Appraiser

PROPERTY TAX - NOTICE OF PROTEST - 2009

Collin Central Appraisal District
250 W Eldorado Pkwy McKinney, TX 75069

(469) 742-9200 or (866) 467-1110
www.collincad.org

INSTRUCTIONS: If you want the appraisal review board to hear and decide your case, you must file a written protest with the appraisal review board (ARB) for the appraisal district that took the action you want to protest. The ARB will not accept protest filings by electronic communication (facsimile, email, etc.) If you are leasing the property subject to the protest, you must have a contract requiring you to pay the property taxes on the property.

FILING DEADLINES: The usual deadline for filing your protest (having it postmarked if you mail it) is May 31.

- A different deadline will apply to you if:
- your notice of appraised value was postmarked after May 2;
 - your protest concerns a change in the use of agricultural, open-space or timber land;
 - the ARB made a change to the appraisal records that adversely affects you and you received notice of the change;
 - the appraisal district or the ARB was required by law to send you notice about a property and did not; or
 - you had reasonable cause for missing the May 31 protest deadline.

Your specific protest filing deadline is printed on the appraisal notice. The ARB will determine if reasonable cause exists for missing a deadline. Reasonable cause means that something beyond your control, such as a medical emergency, prevented you from meeting the deadline.

WEEKENDS, HOLIDAYS: If your deadline falls on a Saturday, Sunday or other legal holiday, it is postponed until midnight of the next working day.

Step 1:
Owner's or lessee's name & address

Owner's or lessee's last name, first name & initial

BERT WARD TRUST

Owner's or lessee's present mailing address (number & street, city, town or post office, state, zip code)
C/O ROBERT W WILLIAMS 6060 N CENTRAL EXPY STE 560 DALLAS, TX 75206-5268

Daytime Phone (area code & number)

Evening Phone (area code & number)

Step 2:
Describe property under protest

Give street address and city if different from above, or legal description if no street address

PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

Appraisal district account number (optional)

Property ID: 194514 Geo ID: R-0391-010-0100-1

Mobile homes: (give make, model and identification number)

Step 3:
Check reason(s) for your protest

Value is over market value

Value is unequal compared with other properties

Property should not be taxed in _____
(name of taxing unit)

Failure to send required notice _____
(type)

Other:

Exemption was denied, modified or cancelled

Change in use of land appraised as ag-use, open-space or timber land

Ag-use, open-space or other special appraisal was denied, modified or cancelled

Owner's name is incorrect

Property Description is incorrect

Property should not be taxed in this appraisal district or in one or more taxing units.



Step 4:
Give facts that may help resolve your case
(continue on additional page if needed)

What do you think your property's value is? (Optional) \$ _____

Step 5:
Check to receive ARB hearing procedures

YES

NO*

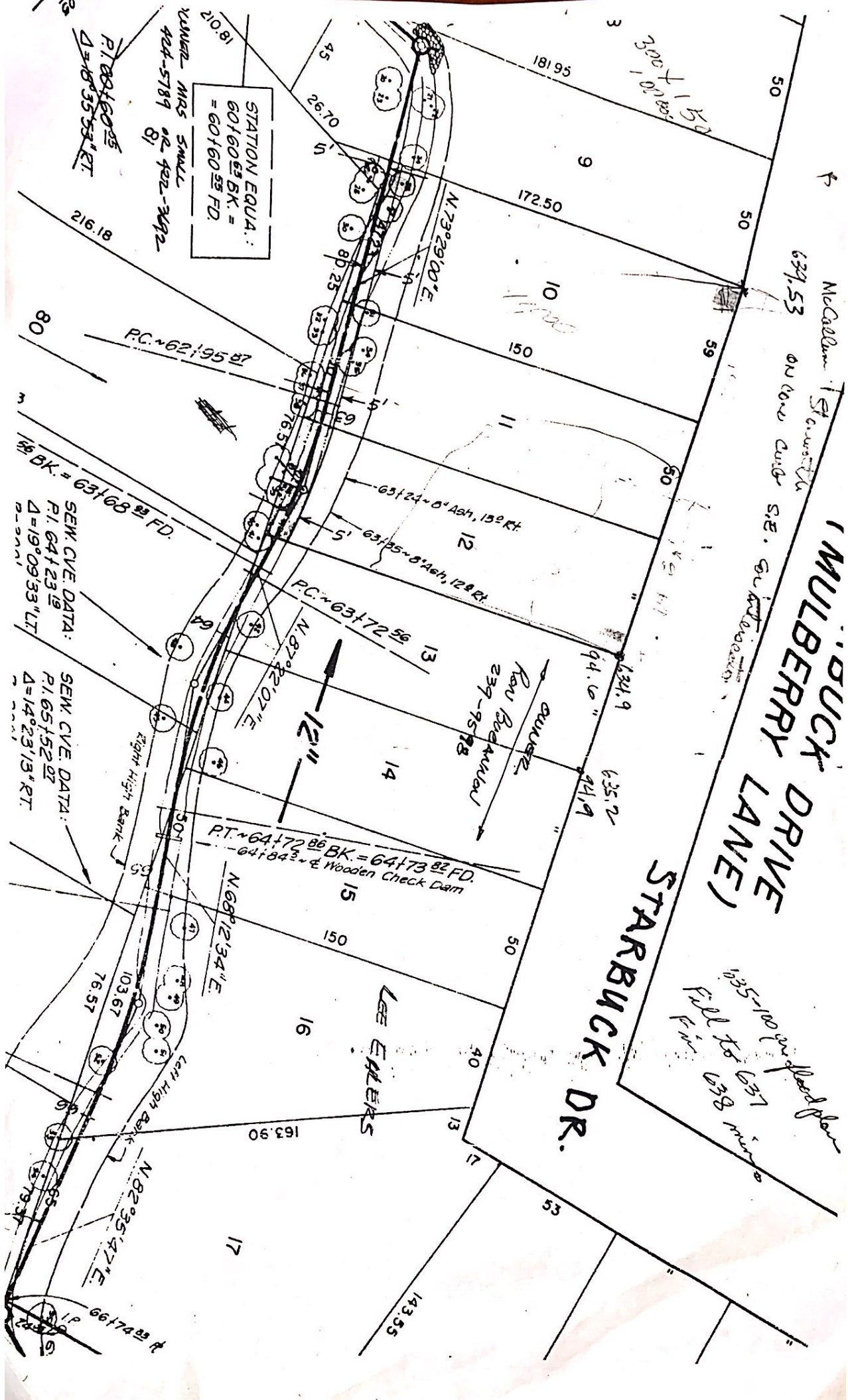
I want the ARB to send me a copy of its hearing procedures.*

*If your protest goes to a hearing, you will automatically receive a copy of the ARB's hearing procedures.

Step 6:
Sign the protest

Signature
sign here -->

Date



Variations Requested for the Following

To: Attn:
 Oscar Aguilera
 # 214/670-4210

6718, 6720 and 6722 Starbuck Dr.: Lots 11, 12, and 13

① Zoning is PD-106 - Requires a Lot to be a Minimum of 10,000 Square feet (although most in PD-106 are 15,000 square feet.)
 Lots 11, 12, and 13 Average 7500 sq square feet.

From: Bob Williams
 Bert Wood Trust
 (214) 361-3244 Desk
 (214) 363-9952 Flip Phone

② The Average Structure Size is 4077 sq Square feet.
 The structures designed for 6718, 6720, & 6722 Average 3100 to 3300 sq sq ft.
 The Average Lot Size: 15,864 sq Square Feet
 The Lots for 6718, 6720 & 6722 are Only 7500 sq square feet.

1	6705 Starbuck Dr.	7490 sq Lot	3160 sq Structure
2	6707 Starbuck	6992 sq Lot	3640 sq Structure
3	6711 Starbuck	9696 sq Lot	4678 sq Structure
4	6704 Starbuck	7412 sq Lot	4500 sq Structure
5	6723 M< Callum	14,998 sq Lot	3325 sq Structure.
6	6727 M< Callum	15,000 sq Lot	2769 sq Structure
7	6731 M< Callum	15,000 sq Lot	5043 sq Structure
8	6803 M< Callum	53,782 sq Lot	4115 sq Structure
9	6701 Shell Flower	15,000 sq Lot	4002 sq Structure
10	6709 Shell Flower	14,999 sq Lot	5151 sq Structure
11	6710 Shell Flower	14,998 sq Lot	3671 sq Structure
12	6728 Shell Flower	15,000 sq Lot	4864 sq Structure

0040

Depth is

Subject: Platted Lots are 1/2 the Size of Most Lots in PD-106; Lot Further Cut in Half by Retaining Wall placement.

6718 6720 Starbuck Drive

Lot 11 Lot 12



ANNEXED 4-4-17 SURVEY

ORN. NO. 15463 ABST. 157

CITY OF DALLAS PLAT BOOKS ACQUISITION, PRESTON ROAD HIGHLANDS

SCALE 200 FT. EQUALS 1 INCH

BLOCKS 8727 SCHOOL DISTRICT

SEE SLIDE 10593 FOR 2015 RD

SN39n & SN201

PROPERTY FOR 2015

ANNEXED 4-4-17 SURVEY

ORN. NO. 15463 ABST. 157

CITY OF DALLAS PLAT BOOKS ACQUISITION, PRESTON ROAD HIGHLANDS

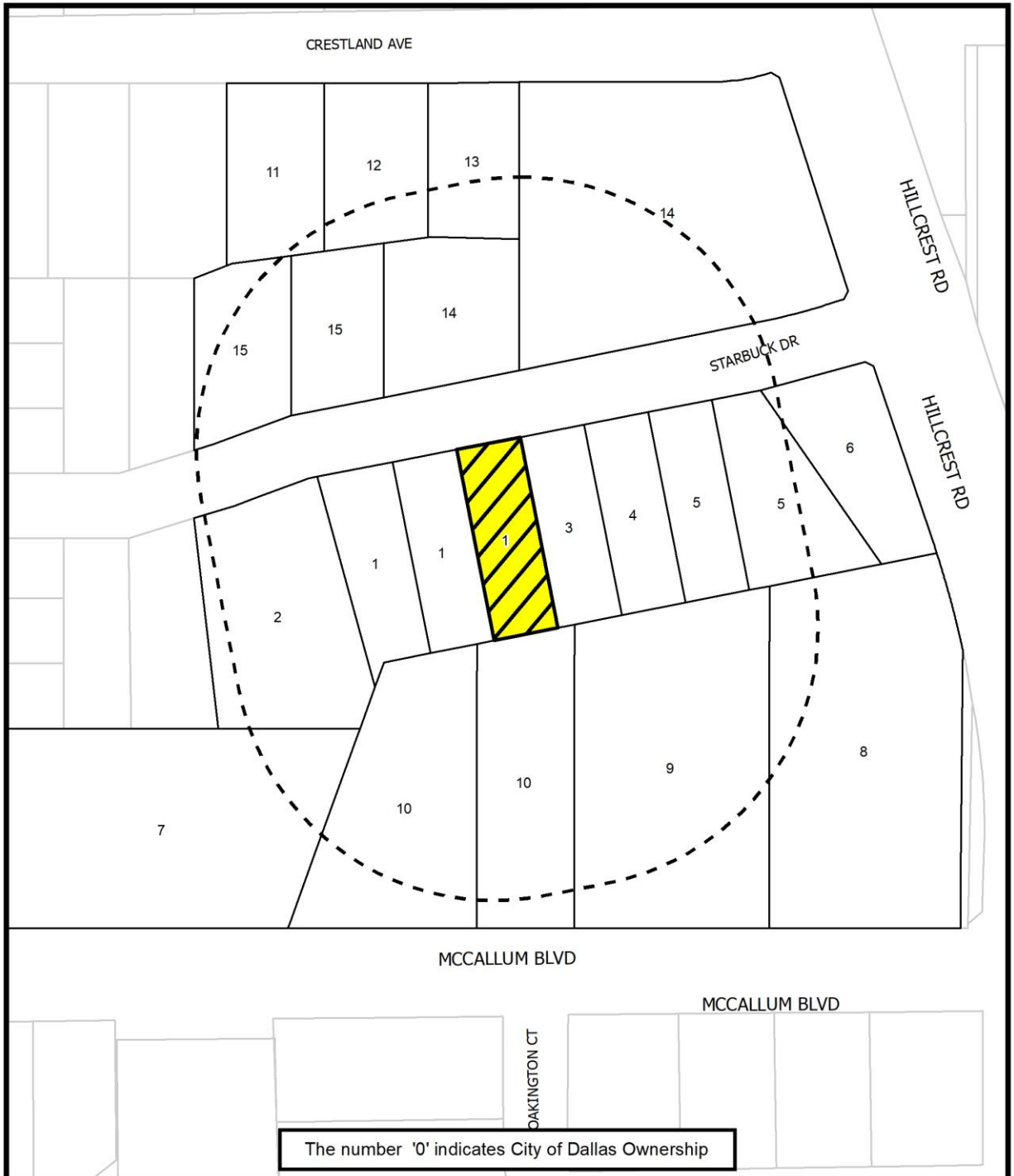
SCALE 200 FT. EQUALS 1 INCH

BLOCKS 8727 SCHOOL DISTRICT

SEE SLIDE 10593 FOR 2015 RD

SN39n & SN201

PROPERTY FOR 2015



 1:1,200	<h2>NOTIFICATION</h2>	Case no: BDA190-071			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">15</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	15	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
15	NUMBER OF PROPERTY OWNERS NOTIFIED				

07/24/2020

Notification List of Property Owners

BDA190-071

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6716 STARBUCK DR	BERT WARD TRUST
2	6712 STARBUCK DR	CUMMINGSSARAH G-LE &
3	6722 STARBUCK DR	BLACKJOE &
4	6724 STARBUCK DR	BLACKJOSEPH R &
5	6726 STARBUCK DR	BARUCHSHAUL C
6	6700 STARBUCK DR	HAGAJI MAZAL
7	6803 MCCALLUM BLVD	PHILLIPS THOMAS A
8	6821 MCCALLUM BLVD	CONGREGATION OHEV SHALOM INC
9	6817 MCCALLUM BLVD	MERKEL DYAN L
10	6811 MCCALLUM BLVD	MERKEL DYAN
11	6812 CRESTLAND AVE	HARTMAN RACHEL &
12	6814 CRESTLAND AVE	IJAZI SALMAN & MEI-JAN
13	6816 CRESTLAND AVE	TACSIK ERNEST G
14	6719 STARBUCK DR	MAGEN DAVID CONGREGATION
15	6715 STARBUCK DR	GONZALEZ RENEE F

FILE NUMBER: BDA190-072(OA)

BUILDING OFFICIAL'S REPORT: Application of Joe Black represented by John Wingate for a variance to the building height regulations, and for a variance to the front yard setback regulations at 6722 Starbuck Dr. This property is more fully described as Lot 13, Block J/8727, and is zoned Planned Development District No. 106, which limits the maximum building height to 30 feet and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure with a building height of 36 feet, which will require a six-foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25-foot front yard setback, which will require a five-foot variance to the front yard setback regulations.

LOCATION: 6722 Starbuck Drive

APPLICANT: Joe Black Represented by John Wingate

REQUESTS:

The following requests have been made on an undeveloped site:

1. A variance to the building height regulations of six feet is made to construct and maintain a three-story, approximately 4,200-square-foot, single family structure with a building height of 36 feet, which will require a six-foot variance to the maximum building height regulation; and
2. A variance to the front yard setback regulations of five feet is made to maintain the aforementioned single family structure 25 feet from the front property line, which will require a five-foot variance to the front yard setback regulations.

STANDARD FOR A VARIANCE:

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

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

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

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

STAFF RECOMMENDATION (front yard and building height regulations variances):

Denial

Rationale:

- Staff concluded that the applicant had not substantiated how the variances are necessary to permit development of the subject site or whether the property 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 PD No. 106 zoning designation.
- Staff concluded from the information submitted by the applicant at the time of the July 30th staff review team meeting that while staff recognized that the site is in a 100-year floodplain and of a restrictive area due to being 7,500 square feet in area, the applicant had not substantiated how the variance is necessary to permit development of the subject site that differs from other parcels of land that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same PD No. 106 zoning designation or that the applicant had not substantiated how the variances are not contrary to the public interest and how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

Site: PD No. 106 (Planned Development District)

North: PD No. 106 (Planned Development District)

South: PD No. 106 (Planned Development District)

East: PD No. 106 (Planned Development District)

West: PD No. 106 (Planned Development District)

Land Use:

The subject site is undeveloped. The areas to the north, south, east, and west are developed with single family uses or vacant lots.

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS

According to CCAD records, there are “no main improvements” and “no additional improvements” for the property addressed at 6722 Starbuck Drive.

The subject site is rectangular, and according to the application, is 0.17 acres (or approximately 7,500 square feet) in area. The site is zoned PD No. 106 where lots are typically 10,000 square feet in area.

The current requests to vary the height and front yard setback are to allow for the development of a three-story, approximately 4,200-square-foot, single family structure.

Height Regulations:

The request for a variance the building height regulations of six feet is made to construct and maintain a single family structure with a building height of 36 feet on a site that is located in PD No. 106, which states the following with regard to the maximum structure height:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 have a maximum structure height of 30 feet

According to Steve Parker from Dallas Water Utilities, the applicant’s engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site. Once completed, it will be submitted to FEMA for a Letter of Map Revision to the 100-year floodplain. Note that a permit for fill and grading work was issued in January 2019 (permit number 1812181119101). However, the property has not met all other permits required by county, state, and federal agencies as stipulated by Sec. 51A-5.105.

The applicant has submitted a site plan and elevation that represent the structure will be 36 feet-in-height; thereby, requiring the six-foot variance to the building height regulations.

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

- That granting the variance to the PD No. 106 building height 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 to the PD No. 106 building height regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.
- The variance to the PD No. 106 building height 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 PD No. 106 zoning classification.

If the Board were to grant the request for a variance to the PD No. 106 building height regulations and impose the applicant's submitted site plan and elevation as a condition, the structure that does not comply the 30-foot building height regulations would be limited to that what is shown on this document.

Front Yard Regulations:

This request focuses on maintaining a proposed single family structure 25 feet from the front property line which will require a five-foot variance to the front yard setback regulations.

The subject site is located in PD No. 106, which states the following with regard to the required setbacks:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 are required to provide a minimum front yard setback of 30 feet.

The applicant has submitted a site plan that represents the structure will be located 25 feet from the front property line; thereby, requiring the five-foot variance to the required front yard setback of 30 feet.

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

- That granting the variance to the PD No. 106 front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance to the PD No. 106 front yard setback regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be

developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.

- The variance to the PD No. 106 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 PD No. 106 zoning classification.

If the Board were to grant this front yard setback variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document, which is a structure 25 feet from the front property line or five feet into the 30-foot front yard setback.

Timeline:

June 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.

July 20, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

July 20, 2020: The Board Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application.
- an attachment that provided the public hearing date and panel that will consider the application; the July 28th deadline to submit additional evidence for staff to factor into their analysis; and the August 7th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

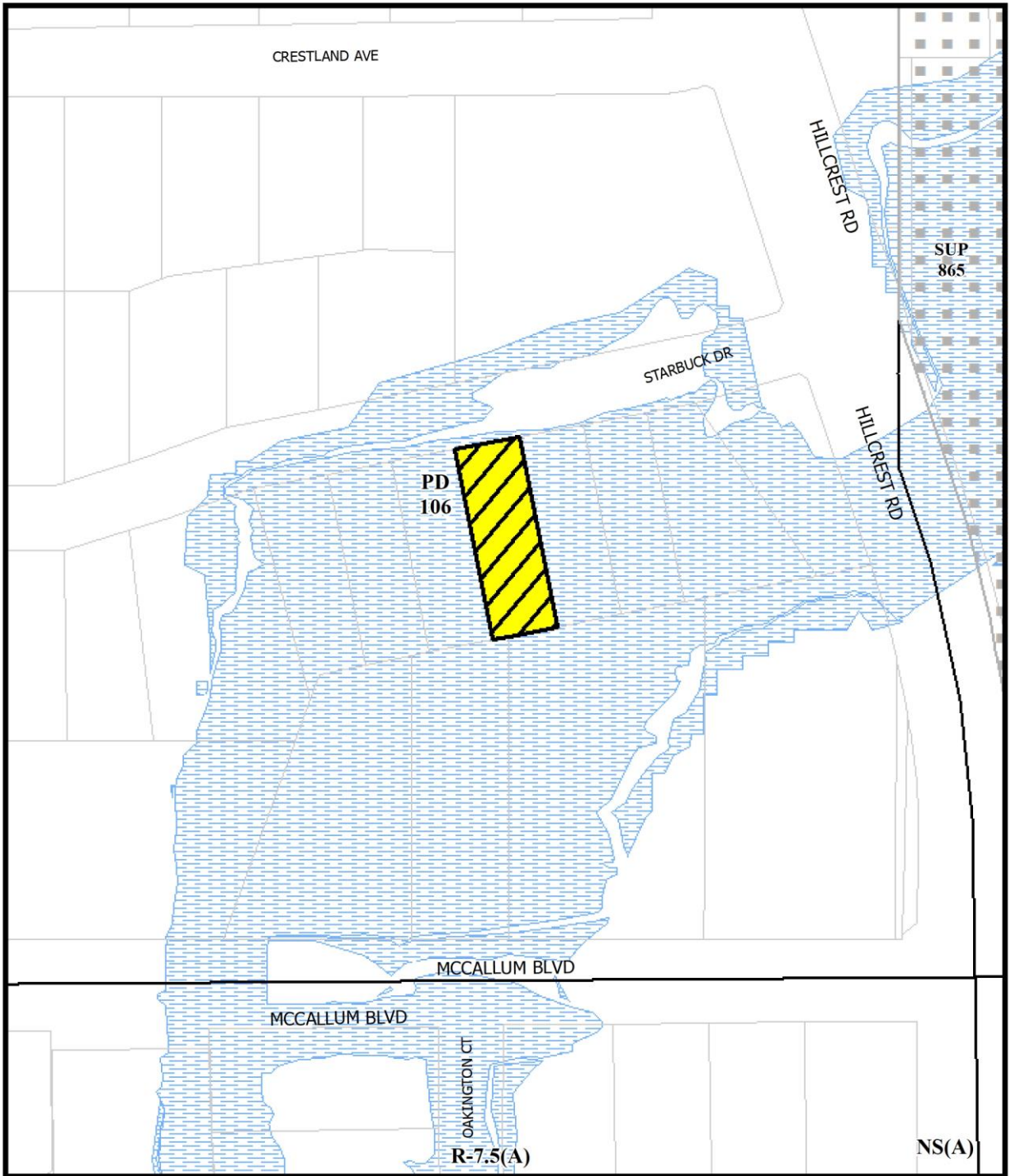
July 30, 2020: The statement provided by Steve Parker Dallas Water Utilities statement (Exhibit A).

July 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearing. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the

Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board, and Mike Martin and Jason Pool Building Inspectors.

July 31, 2020:

The applicant submitted additional evidence (Exhibit B).



1:1,200

ZONING MAP

Case no: BDA190-072

Date: 7/24/2020



1:1,200

AERIAL MAP

Case no: BDA190-072

Date: 7/24/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-072

Date: ~~4-24-2020~~ 6-18-2020

Data Relative to Subject Property:

Location address: 6722 STARBUCK DRIVE Zoning District: PD-106

Lot No.: 13 Block No.: J/8727 Acreage: 0.17 Census Tract: 317.18

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): JOE BLACK and TIM SEDGWICK

Applicant: JOE BLACK Telephone: (682) 408-9729

Mailing Address: 6442 SOUTHPOINT DR., DALLAS, TX Zip Code: 75248

E-mail Address: JRB PERS @ GMAIL . COM

Represented by: JOHN R. WINCATE Telephone: (281) 682-1444

Mailing Address: 8330 LBJ FWY, #140 DALLAS, TX Zip Code: 75243

E-mail Address: JOHN@ORIGIN HOMES . CO

Affirm that an appeal has been made for a Variance X, or Special Exception, of RAISING HEIGHT RESTRICTION TO THIRTY-SIX (36) FEET. 6' to the required 30' MAX Height for a Structure Height of 36', 5' to the required 30' FYSB + Provide A 25' FYSB.

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 CANNOT BUILD A HOME COMMENSURATE TO OTHER HOMES IN THE SAME ZONING DESIGNATION IN THE CITY OF DALLAS.

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.

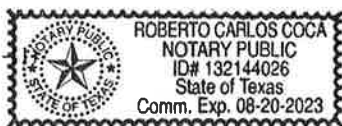
Affidavit

Before me the undersigned on this day personally appeared JOE BLACK (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 27 day of April, 2020



Roberto C. Coca Notary Public in and for Dallas County, Texas

(Rev. 08-01)

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 JOE BLACK
represented by JOHN WINGATE
did submit a request for a variance to the building height regulations
, and for a variance to the front yard setback regulations
at 6722 Starbuck Drive

BDA190-072. Application of JOE BLACK represented by JOHN WINGATE for a variance to the building height regulations, and for a variance to the front yard setback regulations at 6722 STARBUCK DR. This property is more fully described as Lot 13, Block J/8727, and is zoned PD-106, which limits the maximum building height to 30 feet and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure with a building height of 36 feet, which will require a 6 foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-072

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

at: 6722 Starbuck Dr.
(Address of property as stated on application)

Authorize: Joe Black
(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: RAISING HEIGHT RESTRICTION TO THIRTY SIX (36)
FEET + 6' TO THE REQUIRED 30' MAX HEIGHT FOR A STRUCTURE HEIGHT OF 36'

Tim Sedgwick
Print name of property owner or registered agent

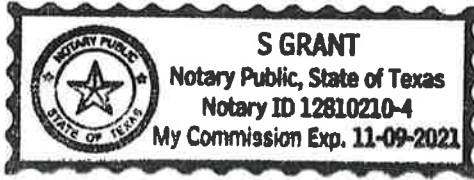
[Signature]
Signature of property owner or registered agent

Date 5-13-2020

Before me, the undersigned, on this day personally appeared Timothy Sedgwick

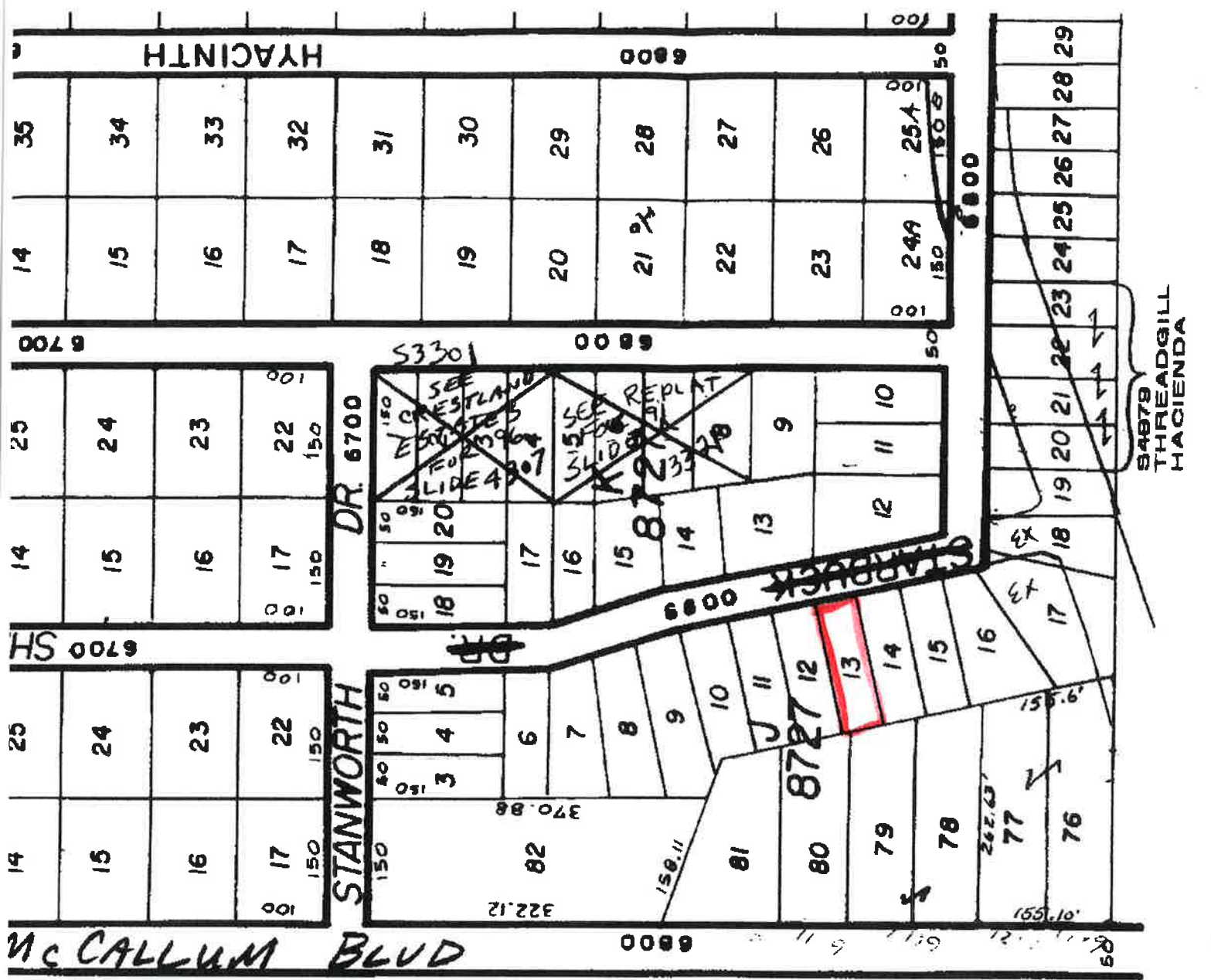
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

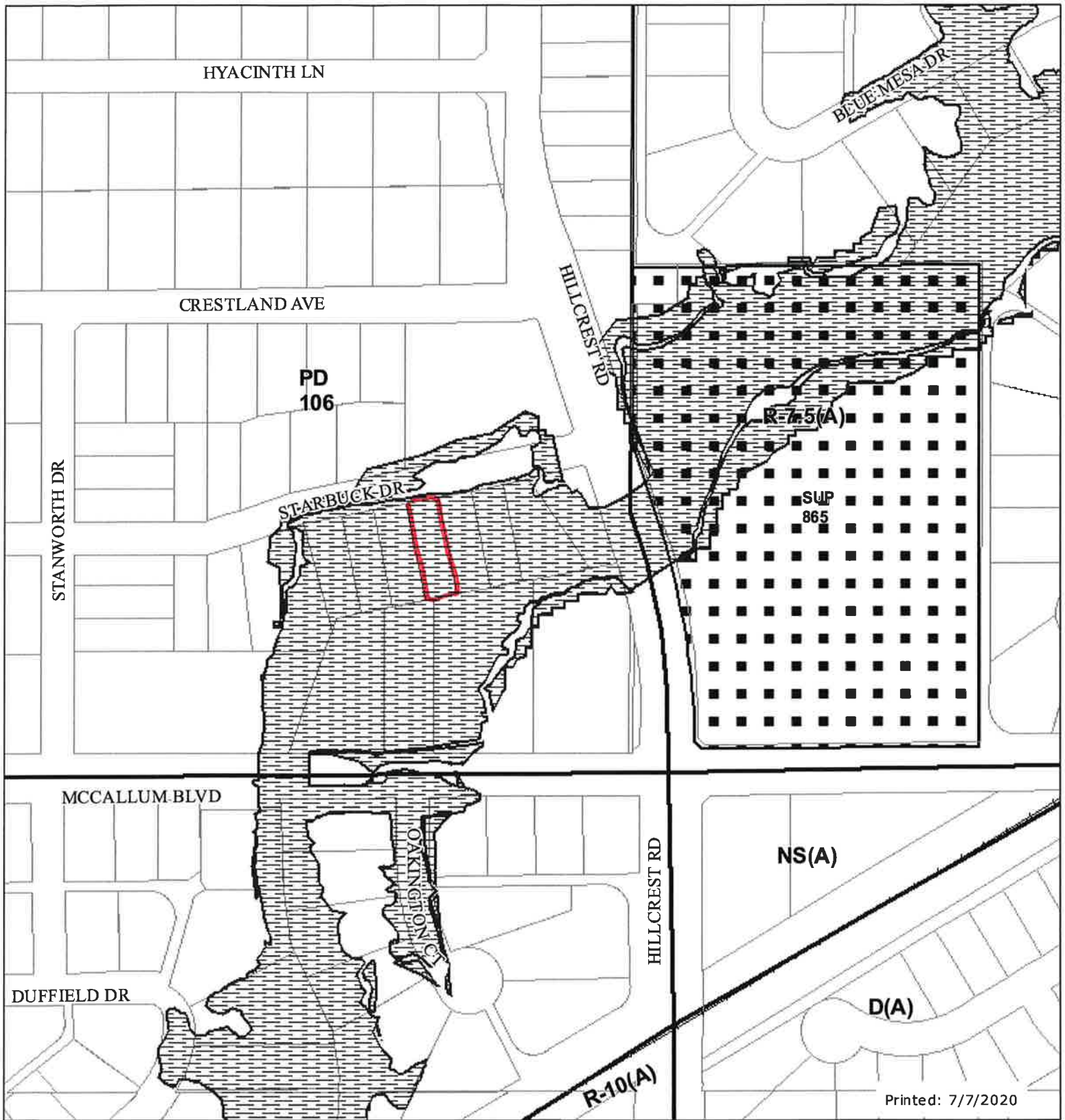
Subscribed and sworn to before me this 13th day of May, 2020



S Grant
Notary Public for Dallas County, Texas

Commission expires on 11-09-21





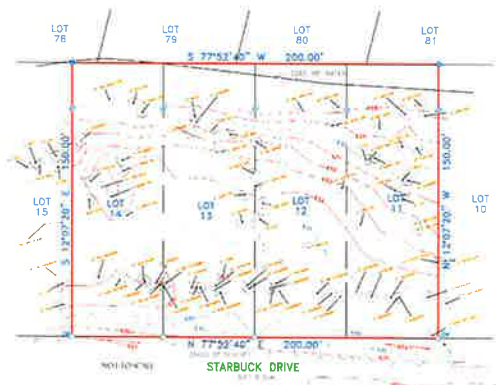
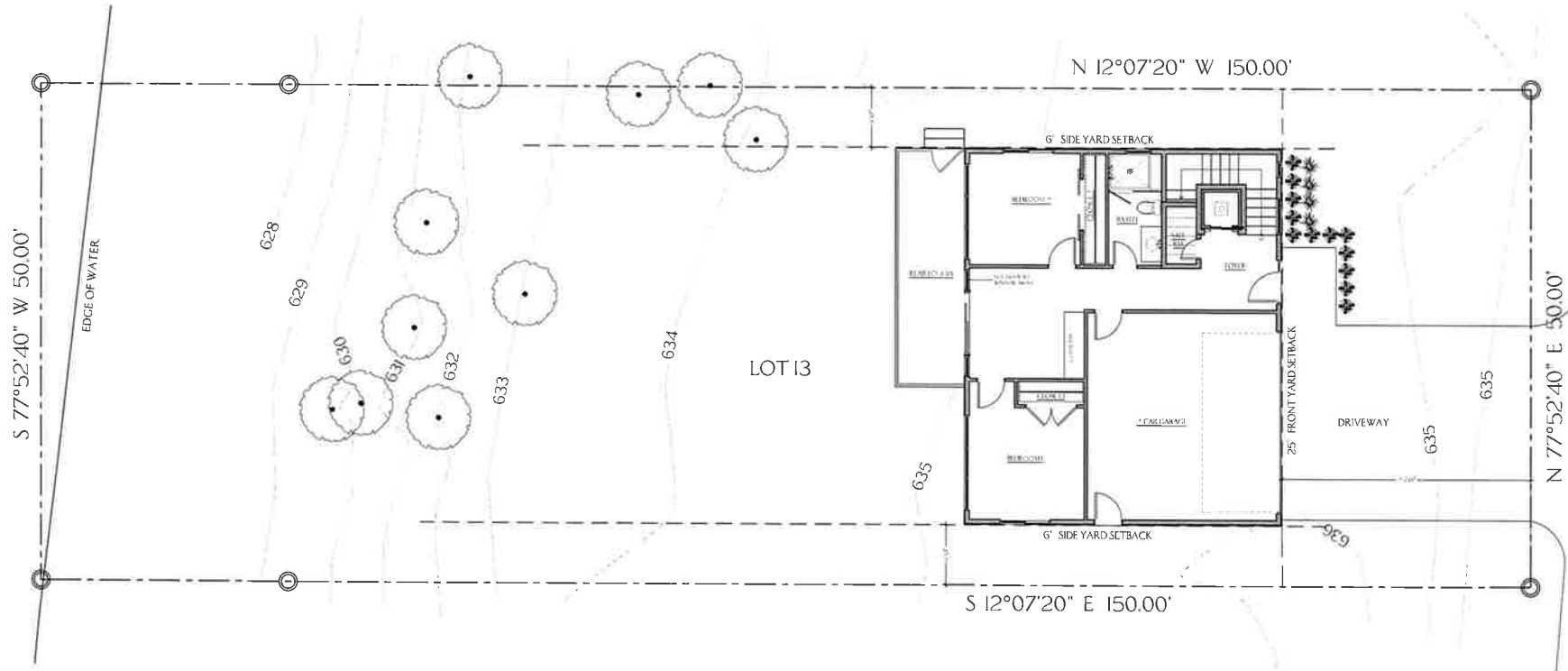
Printed: 7/7/2020

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 | 310 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)

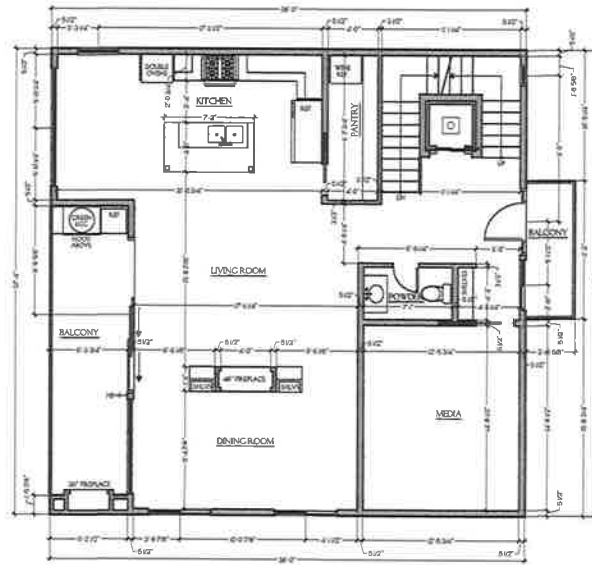




STARBUCK DRIVE
(50' R.O.W.)

DATE	06-08-2020	REVISION	
PROJECT	6722 STARBUCK DR. DALLAS, TEXAS	REVISION DATE	
DESIGNER	MONTELEON DESIGNS 350 N. 4th Street, Suite# 204 Irving, Texas 75038 www.monteledesigns.com	REVISION	
SCALE	A1:0		
PROJECT NO.	4692774.9725		

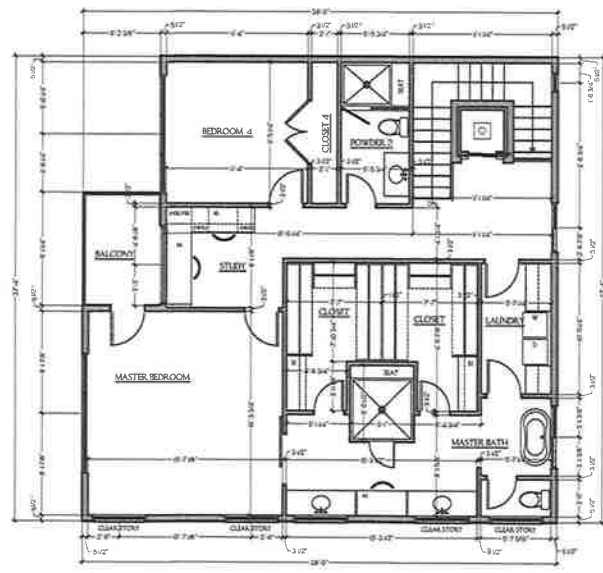
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01 SECOND FLOOR PLAN

6722 STARBUCK DR. DALLAS, TEXAS	66-38-2020	05/21/2020	REVISION
	CHANGES TO THE OVERALL DIMENSIONS	CHANGES TO THE OVERALL DIMENSIONS	CHANGES TO THE OVERALL DIMENSIONS

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MONTLEON DESIGNS 300 N. 8th Street, Suite 204 Midland, Texas 79605 monty@montleoneng.com 409.774.0725	A2.1



01 THIRD FLOOR PLAN

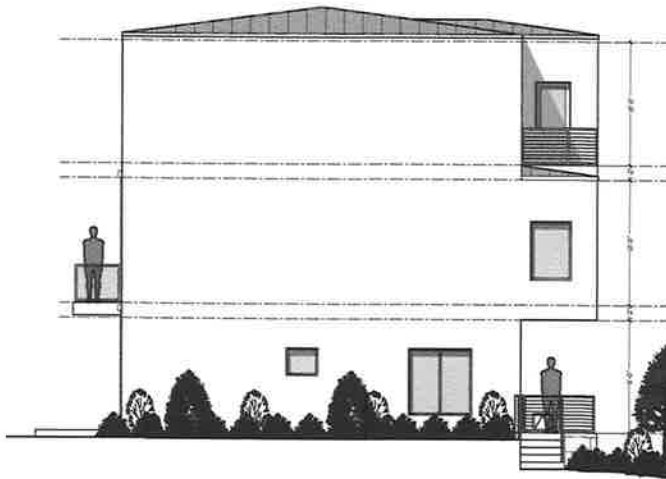
6722 STARBUCK DR. DALLAS, TEXAS		86-28-2020 09/20/2020		01 A2.2	
722 STARBUCK DR. DALLAS, TEXAS		MONTELEON DESIGNS 300 N. ALAM MIDLAND, TEXAS 79605 many@monteleondesigns.com 469.774.4725		REVISION CHANGES TO THE OVERALL DIMENSIONS	



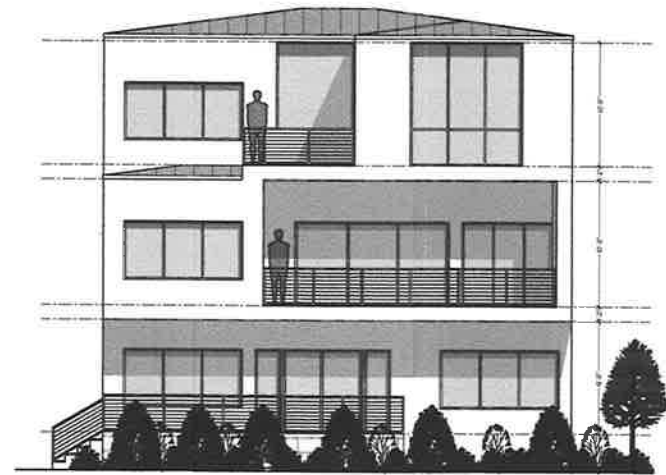
01 SIDE ELEVATION
12'-0"



02 FRONT ELEVATION
12'-0"



03 SIDE ELEVATION
12'-0"



04 REAR ELEVATION
12'-0"

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<p>66-28-7930</p>	<p>DATE</p>	<p>6/23/2020</p>	<p>REVISION</p>	<p>LEVEL GRADE ON SIDE ELEVATIONS</p>
<p>6723 STARBUCK DR. DALLAS, TEXAS</p>	<p>PROJECT</p>	<p>300 N. 8th Street Midlothian, Texas 76065</p>	<p>DATE</p>	<p>06/23/2020</p>
<p>A3.0</p>	<p>SCALE</p>	<p>480.774.0725</p>	<p>DESIGNER</p>	<p>MONTELEON DESIGNS</p>
<p>6723 STARBUCK DR. DALLAS, TEXAS</p>	<p>PROJECT</p>	<p>300 N. 8th Street Midlothian, Texas 76065</p>	<p>DATE</p>	<p>06/23/2020</p>

From: [Parker, Stephen](#)
To: [Aguilera, Oscar](#)
Cc: [Munoz, Jennifer](#); [Dean, Neva](#)
Subject: RE: Lots on Starbucks
Date: Thursday, July 30, 2020 5:58:27 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

FEMA does not issue elevation certificates, they issue Letters of Map Revision or Amendment (LOMRs and LOMAs). It's a sometimes lengthy review process. To my knowledge the engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site, and when he does it will be submitted to FEMA for a LOMR. The FEMA review can take several months. The lack of an approved LOMR means nothing with respect to the validity of our review, it is simply the end of a process that is required before buildings can be built.

Don't contact anyone at FEMA, without an application there is nothing they could tell you.

I think the applicant maximized the area that could be reclaimed, but you could talk to his engineer, Mark Roberts of Nathan Maier Consulting Engineers, Inc., for more details.

I am pretty sure they made the lots as large as they could while still meeting our engineering requirements for fill (ie, not adversely affecting other properties.)

We and the city council are very careful to only approve projects that do not cause flooding to the neighbors. And the hydraulic modeling is available through open records to anyone that would like to hire their own engineer to review what we reviewed.



Steve Parker, P.E., CFM
Sr. Program Manager
City of Dallas | DallasCityNews.net
Dallas Water Utilities
Floodplain Management
Oak Cliff Municipal Center
320 E. Jefferson Blvd., Room 312
Dallas, TX 75203
O: 214-948-4666
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Aguilera, Oscar
Sent: Wednesday, July 29, 2020 9:42 PM
To: Parker, Stephen <stephen.parker@dallascityhall.com>
Cc: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>; Dean, Neva <neva.dean@dallascityhall.com>
Subject: RE: Lots on Starbucks

Dear Steve,

Do you know why FEMA hasn't issue the elevation certificate for the properties at Starbuck? If you do not know do you have a contact person at FEMA that I may contact? Do you know if the applicant could have elevated a bigger area for these lots? The portion that was elevated was the 65 feet in the front. Could the applicant have elevated 90 or 100 feet? Thank you for your help.

Sincerely,



Oscar Aguilera
Senior Planner
City of Dallas | www.dallascityhall.com
Current Planning Division
Sustainable Development and Construction
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-671-5099
oscar.aguilera@dallascityhall.com


****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Parker, Stephen <stephen.parker@dallascityhall.com>
Sent: Friday, July 24, 2020 3:39 PM
To: Aguilera, Oscar <oscar.aguilera@dallascityhall.com>
Subject: Lots on Starbucks

Hi, Oscar.

Bob Williams asked me to send you an email about the setback variance he has proposed.

Floodplain Management has no objection to the board granting this variance.



Steve Parker, P.E., CFM

Sr. Program Manager

City of Dallas | DallasCityNews.net

Dallas Water Utilities

Floodplain Management

Oak Cliff Municipal Center

320 E. Jefferson Blvd., Room 312

Dallas, TX 75203

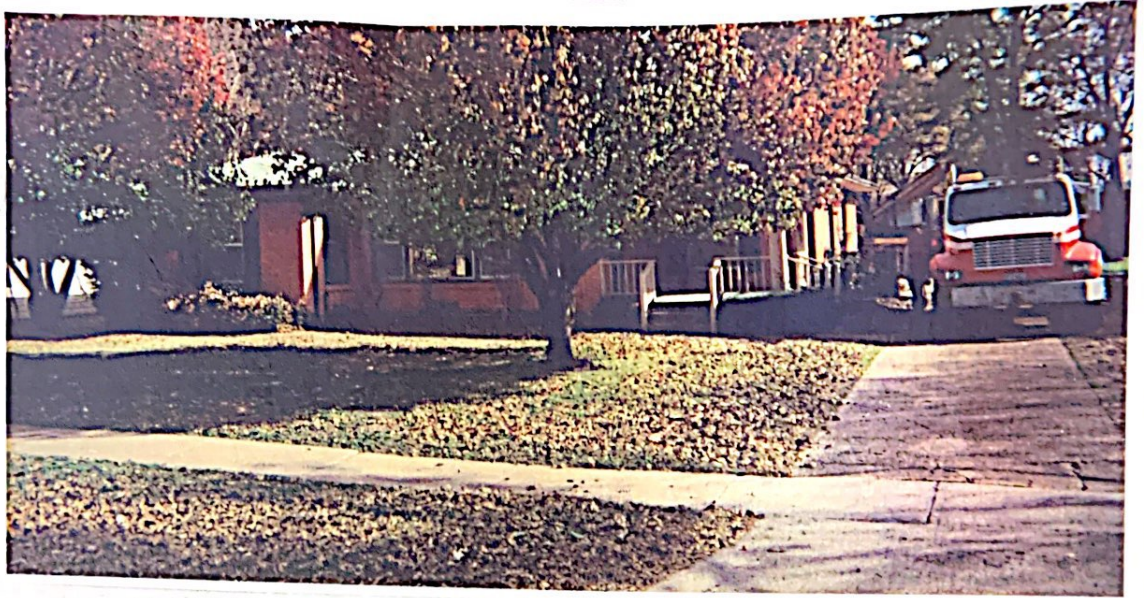
O: 214-948-4666

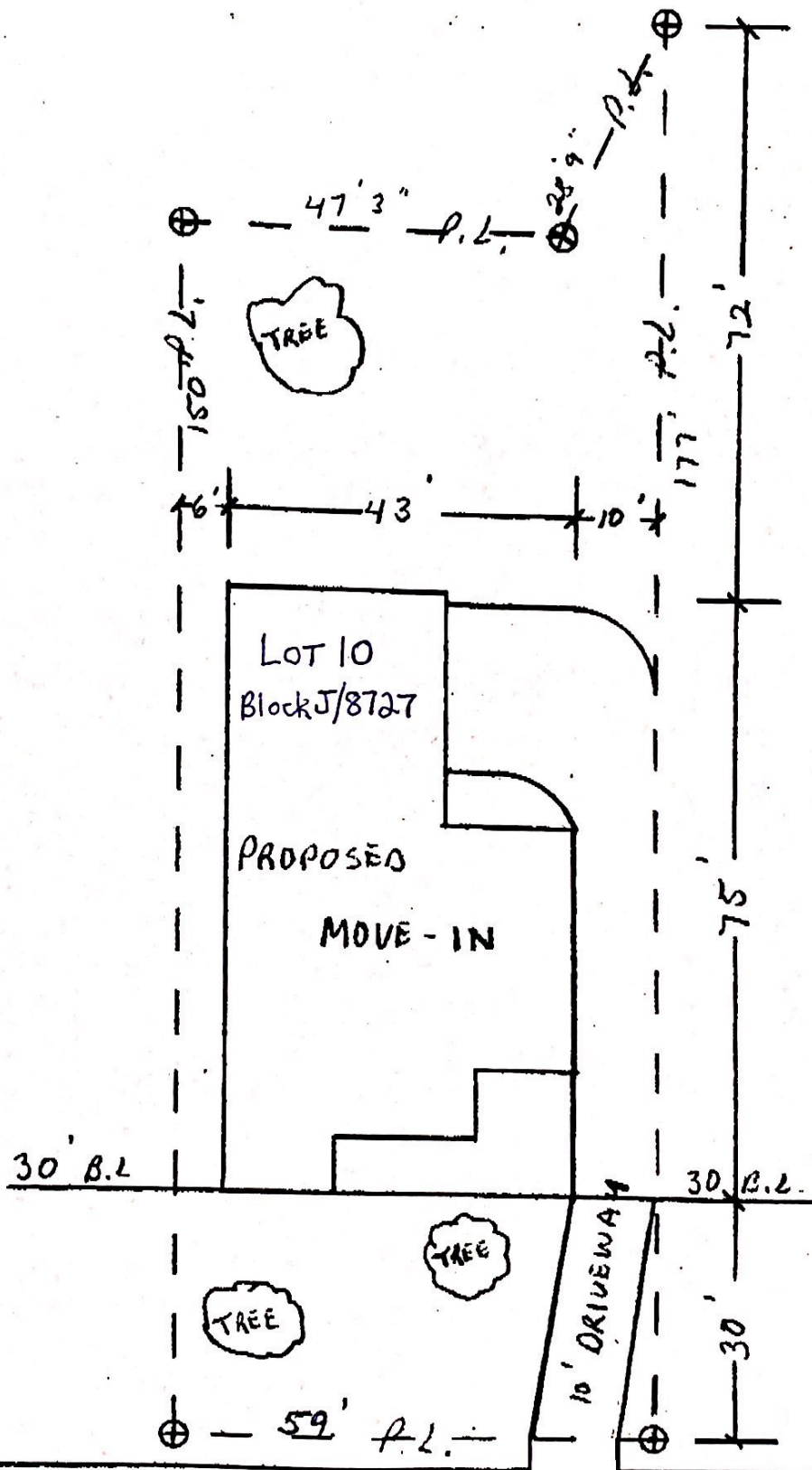
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

→
Proposed House
Move from Irving
(Dallas County) to Fair
North Dallas (S. Collin County)
Lot 10 Block J/8727





6716 STARBUCK



Bob Williams & Associates
6116 N. Central Expwy, Suite # 304
Dallas, TX 75206

FAX TRANSMISSION

DATE 2/3/09

ATTENTION: Malcolm Lewis

FAX # 972/727-7735

SENDER'S TELEPHONE# FAX (214) ~~361-2282~~; office (214) 361-2244 Desk

We are sending 2 pages, including the cover sheet.

Message:

Plot Plan of 6716 Starbuck with the Irving (Now)
Home situated onto Lot 10 in the same position, in other
words, garage in rear as it is before any movement.
Please help me calculate the pier heights for each row,
front to back using Dallas City Code for spacing and wind
specs.

If you did not receive all pages, please call and ask for:

Thank You! Bob Williams





CITY OF DALLAS

Development Services
Department

Building Inspection
Division

Permit Center Customer
Service Survey

City of Dallas
Development Services Department
Building Inspection Division
320 E. Jefferson Room 118
Dallas, Texas 75203

Attn: Permit Center Manager
Don Caldera

Rm 204
Tray
Wanky
948-4364
Marissa - 4320
Bldg Insp Rm 105

Rogers Humphreys
4155 Wei

2/630-7867

(Rogers) McMillan Charles

9/228-8245



TexasBank
FORT WORTH BANKING CENTER

PRINCE HOUSE MOVING, INC.
19 CROSSLANDS ROAD, PH. 817-377-3303
FORT WORTH, TEXAS 76132-1006

1121

PAY TO THE ORDER OF City of Dallas

DATE 5/8/99

\$250.00

DOLLARS Check number 1119

Dallas	City House Moving License			

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

M. Edwin Prince
MP

⑈00112⑈ ⑆11902000⑆153 000252⑈

This is NOT a Tax Statement

2009 Notice Of Appraised Value

Do Not Pay From This Notice

Collin Central Appraisal District
 250 W Eldorado Pkwy
 McKinney, TX 75069
 Phone: (469) 742-9200 (866) 467-1110

Property ID: 194514
 Ownership %: 100.00
 Geo ID: R-0391-010-0100-1
 DEA:
 Legal: PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

DATE OF NOTICE: May 1, 2009

***AUTO**SCH 3-DIGIT 752 192373 524

Legal Acres:
 Situs: 6716 STARBUCK DR TX
 Appraiser: GC
 OWNER ID: 602785

PROPERTY ID: 194514 - R-0391-010-0100-1
 BERT WARD TRUST
 C/O ROBERT W WILLIAMS
 6060 N CENTRAL EXPY STE 560
 DALLAS TX 75206-5268



Dear Property Owner,

We have appraised the property listed above for the tax year 2009. As of January 1, our appraisal is outlined below.

Appraisal Information		Last Year - 2008		Proposed - 2009			
Structure & Improvement Market Value		0		0			
Market Value of Non Ag/Timber Land		12,000		12,000			
Market Value of Ag/Timber Land		0		0			
Market Value of Personal Property/Minerals		0		0			
Total Market Value		12,000		12,000			
Productivity Value of Ag/Timber Land		0		0			
Appraised Value * (Possible Homestead Limitations, see asterisk below)		12,000		12,000			
Exemptions							
2008 Taxable Value	Taxing Unit	2009 Proposed Appraised Value	2009 Exemption Amount	2009 Taxable Value	2008 Tax Rate	2009 Estimated Taxes	2009 Tax Ceiling**
12,000	COLLIN COUNTY	12,000	0	12,000	0.242500	29.10	
12,000	COLLIN CO COMMUNITY COLLE	12,000	0	12,000	0.086493	10.38	
12,000	PLANO ISD	12,000	0	12,000	1.303400	156.41	
12,000	DALLAS CITY	12,000	0	12,000	0.747900	89.75	

The difference between the 2004 appraised value and the proposed 2009 appraised value is 0.00%. This percentage information is required by Tax Code section 25.19(b-1).

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials and all inquiries concerning your taxes should be directed to those officials.

The above tax estimates use last year's tax rates for the taxing units shown. The governing body of each unit (school board, county commissioners, and so forth) decides whether property taxes increase. The appraisal district only determines your property value. The taxing units will set tax rates later this year.

* Your residence homestead is protected from future appraisal value increases in excess of 10% per year from the date of the last appraisal PLUS the value of any new improvements.

** If you are 65 years of age or older and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than when you first received the exemption on this home. If you are disabled and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than the 2003 taxes or the first year you received the exemption, whichever is later. If your county, city, or junior college has approved a limitation on your taxes in the preceding year, your county, city, or junior college taxes will not be higher than the first year your county, city, or junior college approved the limitation or the first year you qualified for the limitation. If you improved your property (by adding rooms or buildings), your school, county, city, or junior college ceiling may increase for these improvements. If you are a surviving spouse, age 55 or older, you may be eligible to retain the school, county, city, or junior college tax ceiling.

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problem with the property description or address information. If the problem cannot be resolved, you have the right to appeal to the appraisal review board (ARB).

To appeal, you must file a written protest with the ARB before the deadline date:

Deadline for filing a protest: June 1, 2009
 Location of Hearings: 250 W ELDORADO PKWY, MCKINNEY TX (1.5 MILES EAST OF US-75)
 ARB will begin hearings: June 8, 2009

A protest FORM to send to the Appraisal District Office is on the back of this notice, if you intend to appear and present evidence before the ARB. A protest is sufficient if it includes the protesting property owner, account number, property address and reason for protesting. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed is information to help you in preparing your protest.

If you have any questions or need more information, please contact the appraisal district office at (469) 742-9200 or at the address shown above.

Sincerely,

Bo Daffin
 Chief Appraiser

PROPERTY TAX - NOTICE OF PROTEST - 2009

Collin Central Appraisal District
250 W Eldorado Pkwy McKinney, TX 75069

(469) 742-9200 or (866) 467-1110
www.collincad.org

INSTRUCTIONS: If you want the appraisal review board to hear and decide your case, you must file a written protest with the appraisal review board (ARB) for the appraisal district that took the action you want to protest. The ARB will not accept protest filings by electronic communication (facsimile, email, etc.) If you are leasing the property subject to the protest, you must have a contract requiring you to pay the property taxes on the property.

FILING DEADLINES: The usual deadline for filing your protest (having it postmarked if you mail it) is May 31.

- A different deadline will apply to you if:
- your notice of appraised value was postmarked after May 2;
 - your protest concerns a change in the use of agricultural, open-space or timber land;
 - the ARB made a change to the appraisal records that adversely affects you and you received notice of the change;
 - the appraisal district or the ARB was required by law to send you notice about a property and did not; or
 - you had reasonable cause for missing the May 31 protest deadline.

Your specific protest filing deadline is printed on the appraisal notice. The ARB will determine if reasonable cause exists for missing a deadline. Reasonable cause means that something beyond your control, such as a medical emergency, prevented you from meeting the deadline.

WEEKENDS, HOLIDAYS: If your deadline falls on a Saturday, Sunday or other legal holiday, it is postponed until midnight of the next working day.

Step 1:
Owner's or lessee's name & address

Owner's or lessee's last name, first name & initial

BERT WARD TRUST

Owner's or lessee's present mailing address (number & street, city, town or post office, state, zip code)
C/O ROBERT W WILLIAMS 6060 N CENTRAL EXPY STE 560 DALLAS, TX 75206-5268

Daytime Phone (area code & number)

Evening Phone (area code & number)

Step 2:
Describe property under protest

Give street address and city if different from above, or legal description if no street address

PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

Appraisal district account number (optional)

Property ID: 194514 Geo ID: R-0391-010-0100-1

Mobile homes: (give make, model and identification number)

Step 3:
Check reason(s) for your protest

Value is over market value

Value is unequal compared with other properties

Property should not be taxed in _____
(name of taxing unit)

Failure to send required notice _____
(type)

Other:

Exemption was denied, modified or cancelled

Change in use of land appraised as ag-use, open-space or timber land

Ag-use, open-space or other special appraisal was denied, modified or cancelled

Owner's name is incorrect

Property Description is incorrect

Property should not be taxed in this appraisal district or in one or more taxing units.



Step 4:
Give facts that may help resolve your case
(continue on additional page if needed)

What do you think your property's value is? (Optional) \$ _____

Step 5:
Check to receive ARB hearing procedures

I want the ARB to send me a copy of its hearing procedures.*

YES

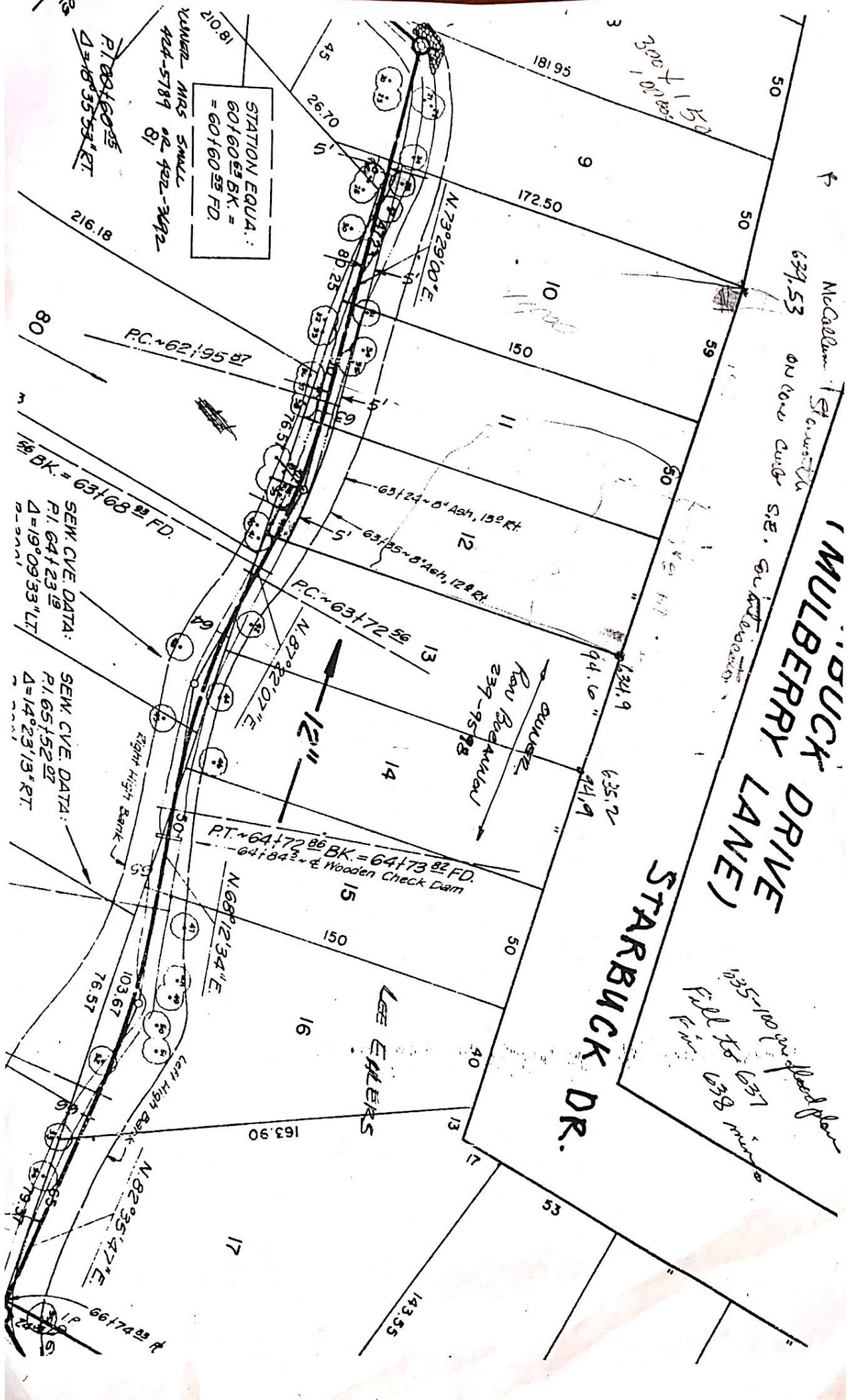
NO*

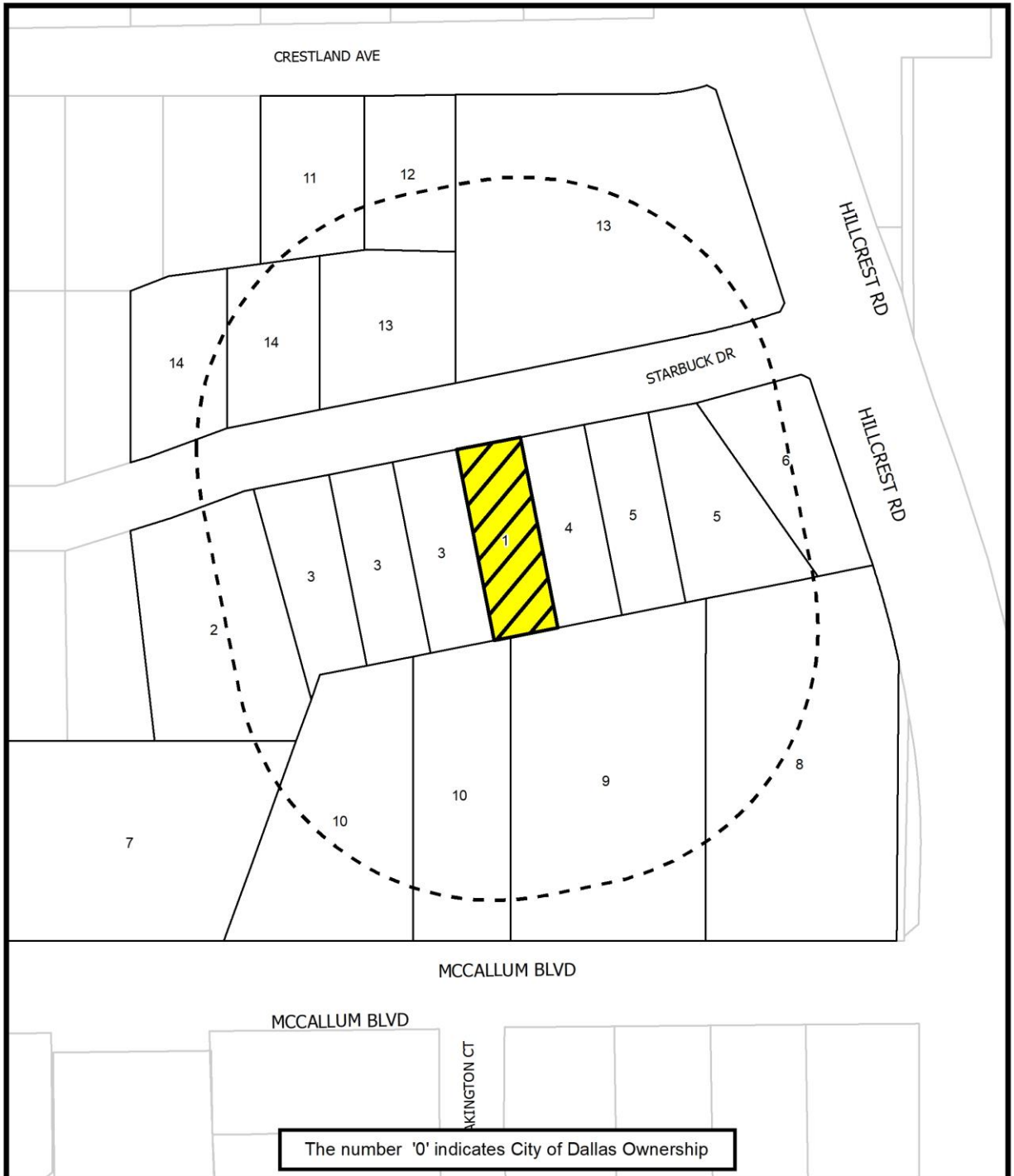
*If your protest goes to a hearing, you will automatically receive a copy of the ARB's hearing procedures.

Step 6:
Sign the protest

Signature
sign here -->

Date





 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">14</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	14	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA190-072 Date: 7/24/2020
200'	AREA OF NOTIFICATION					
14	NUMBER OF PROPERTY OWNERS NOTIFIED					

07/24/2020

Notification List of Property Owners

BDA190-072

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6722 STARBUCK DR	BLACKJOE &
2	6712 STARBUCK DR	CUMMINGSSARAH G-LE &
3	6716 STARBUCK DR	BERT WARD TRUST
4	6724 STARBUCK DR	BLACKJOSEPH R &
5	6726 STARBUCK DR	BARUCH SHAUL C
6	6700 STARBUCK DR	HAGAJI MAZAL
7	6803 MCCALLUM BLVD	PHILLIPS THOMAS A
8	6821 MCCALLUM BLVD	CONGREGATION OHEV SHALOM INC
9	6817 MCCALLUM BLVD	MERKEL DYAN L
10	6811 MCCALLUM BLVD	MERKEL DYAN
11	6814 CRESTLAND AVE	IJAZI SALMAN & MEI-JAN
12	6816 CRESTLAND AVE	TACSIK ERNEST G
13	6719 STARBUCK DR	MAGEN DAVID CONGREGATION
14	6715 STARBUCK DR	GONZALEZ RENEE F

FILE NUMBER: BDA190-073(OA)

BUILDING OFFICIAL'S REPORT: Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations, and for a variance to the side yard setback regulations at 6718 Starbuck Dr. This property is more fully described as Lot 11, Block J/8727, and is zoned Planned Development District No. 106, which limits the maximum building height to 30 feet and requires a front yard setback of 30 feet and requires side yard setback of six feet. The applicant proposes to construct a single family residential structure with a building height of 39 feet, which will require a nine-foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25-foot front yard setback, which will require a five-foot variance to the front yard setback regulations, and to construct a single family residential structure and provide a one-foot six-inch side yard setback, which will require a four-foot six-inch variance to the side yard setback regulations.

LOCATION: 6718 Starbuck Drive

APPLICANT: Robert Ward Williams

REQUESTS:

The following requests have been made on an undeveloped site:

1. A variance to the building height regulations of nine feet is made to construct and maintain a three-story, approximately 3,200-square-foot, single family structure with a building height of 39 feet, which will require a nine-foot variance to the maximum building height regulations;
2. A variance to the front yard setback regulations of five feet is made to maintain the aforementioned single family structure 25 feet from the front property line, which will require a five-foot variance to the front yard setback regulations; and
3. A variance to the side yard setback regulations of four feet six inches is made to maintain the aforementioned single family structure one foot six inches from the east side property line or four feet six inches into the six-foot east side yard setback regulations.

STANDARD FOR A VARIANCE:

Section 51(A)-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot depth, lot coverage, floor area for structures accessory to single family uses, height,

minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

STAFF RECOMMENDATION (Height, Front Yard, and Side Yard Variances):

Denial

Rationale:

- Staff concluded that the applicant had not substantiated how the variances are necessary to permit development of the subject site or whether the property 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 PD No. 106 zoning designation.
- Staff concluded from the information submitted by the applicant at the time of the July 30th staff review team meeting that while staff recognized that the site is in a 100-year floodplain and of a restrictive area due to being 7,500 square feet in area, the applicant had not substantiated how the variance is necessary to permit development of the subject site that differs from other parcels of land that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same PD No. 106 zoning designation or that the applicant had not substantiated how the variances are not contrary to the public interest and how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

- Site: PD No. 106 (Planned Development District)
- North: PD No. 106 (Planned Development District)
- South: PD No. 106 (Planned Development District)
- East: PD No. 106 (Planned Development District)

West: PD No. 106 (Planned Development District)

Land Use:

The subject site is undeveloped. The areas to the north, south, east, and west are developed with single family uses or vacant lots.

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS

This property is within Collin County and located in a 100-year floodplain. According to CCAD records, there are “no main improvements” and “no additional improvements” for the property addressed at 6718 Starbuck Drive Starbuck Drive.

The subject site is rectangular, and according to the application, is 0.17 acres (or approximately 7,500 square feet) in area. The site is zoned PD No. 106 where lots are typically 10,000 square feet in area.

The current requests to vary the height and front yard setback are to allow for the development of a three-story, approximately 3,200-square-foot, single family structure.

Height Regulations:

The request for a variance the building height regulations of nine-feet is made to construct and maintain a single family structure with a building height of 39 feet on a site that is located in PD No. 106, which states the following with regard to the maximum structure height:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 have a maximum structure height of 30 feet.

According to Steve Parker from Dallas Water Utilities, the applicant’s engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site. Once completed, it will be submitted to FEMA for a Letter of Map Revision to the 100-year floodplain. Note that a permit for fill and grading work was issued in January 2019 (permit number 1812181117). However, the property has not met all other permits required by county, state, and federal agencies as stipulated by Sec. 51A-5.105.

The applicant has submitted a site plan and elevation that represent the approximately 3,200 square-foot three-story single family home structure will be 39 feet, hence the nine-foot variance to the building height regulations.

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

- That granting the variance to the PD No. 106 building height 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 to the PD No. 106 building height regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.
- The variance to the PD No. 106 building height 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 PD No. 106 zoning classification.

If the Board were to grant the request for a variance to the PD No. 106 building height regulations and impose the applicant's submitted site plan and elevation as a condition, the structure that does not comply with the 30-foot building height regulations would be limited to that what is shown on this document.

Front Yard Regulations:

This request focuses on maintaining a proposed single family structure 25 feet from the front property line which will require a five-foot variance to the front yard setback regulations.

The subject site is located in PD No. 106, which states the following with regard to the required setbacks:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 are required to provide a minimum front yard setback of 30 feet.

The applicant has submitted a site plan that represents the structure will be located 25 feet from the front property line; thereby, requiring the five-foot variance to the required front yard setback of 30 feet.

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

- That granting the variance to the PD No. 106 front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance to the PD No. 106 front yard setback regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.
- The variance to the PD No. 106 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 PD No. 106 zoning classification.

If the Board were to grant this front yard setback variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document, which is a structure 25 feet from the front property line or five feet into the 30-foot front yard setback.

Side Yard Regulations:

This request focuses on maintaining a proposed single family structure one-foot six-inches from the east side property line which will require a four-foot six-inch variance to the side yard setback regulations.

The subject site is located in PD No. 106, which states the following with regard to the required setbacks:

- Except as provided in this section and Section 51P-106.108, the utilization of lots within this district must comply with the development standards of Chapter 51 R-10 Single Family District.
- Structures on lots zoned an R-10 District under Chapter 51 are required to provide a minimum side yard setback of six feet.

The applicant has submitted a site plan that represents the structure will be located one-foot six-inches from the east side; thereby, requiring the four-foot six-inch variance to the required side yard setback of six feet.

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

- That granting the variance to the PD No. 106 side yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal

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

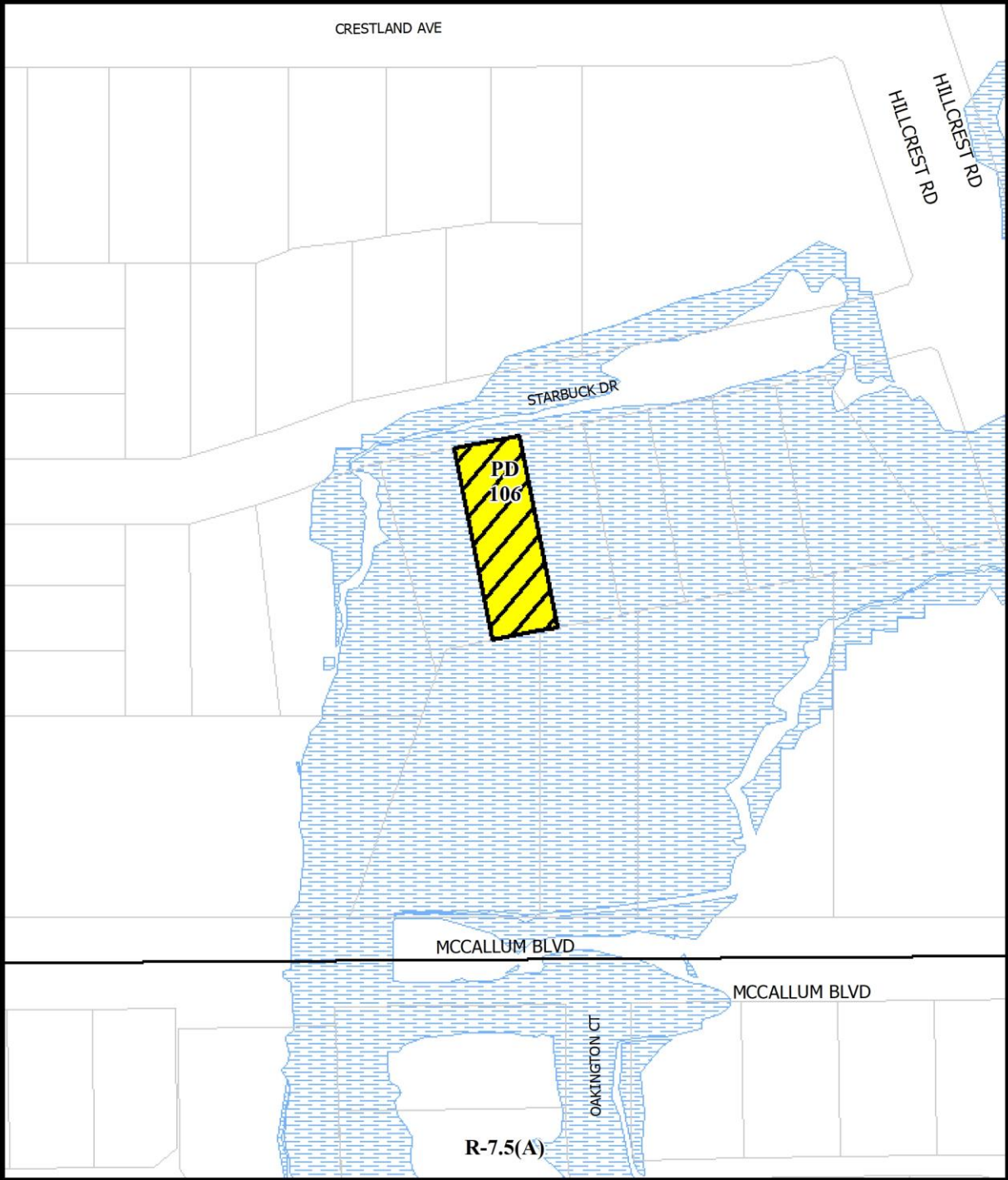
- The variance to the PD No. 106 side yard setback regulations is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 106 zoning classification.
- The variance to the PD No. 106 side 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 PD No. 106 zoning classification.

If the Board were to grant this side yard setback 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 is a structure one-foot six-inches from the side property line or four-foot six-inches into the six-foot side yard setback.

Timeline:

- June 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.
- July 20, 2020: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- July 20, 2020: The Board Senior Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application.
 - an attachment that provided the public hearing date and panel that will consider the application; the July 28th deadline to submit additional evidence for staff to factor into their analysis; and the August 7th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- June 4, 2020: The applicant submitted additional evidence (Exhibit A).

- July 30, 2020: The statement provided by Steve Parker Dallas Water Utilities statement (Exhibit B).
- July 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearing. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, the Assistant City Attorney to the Board, and Mike Martin and Jason Pool Building Inspectors.
- July 31, 2020: The applicant submitted additional evidence (Exhibit C).
- August 7, 2020: The applicant submitted additional evidence (Exhibit D).

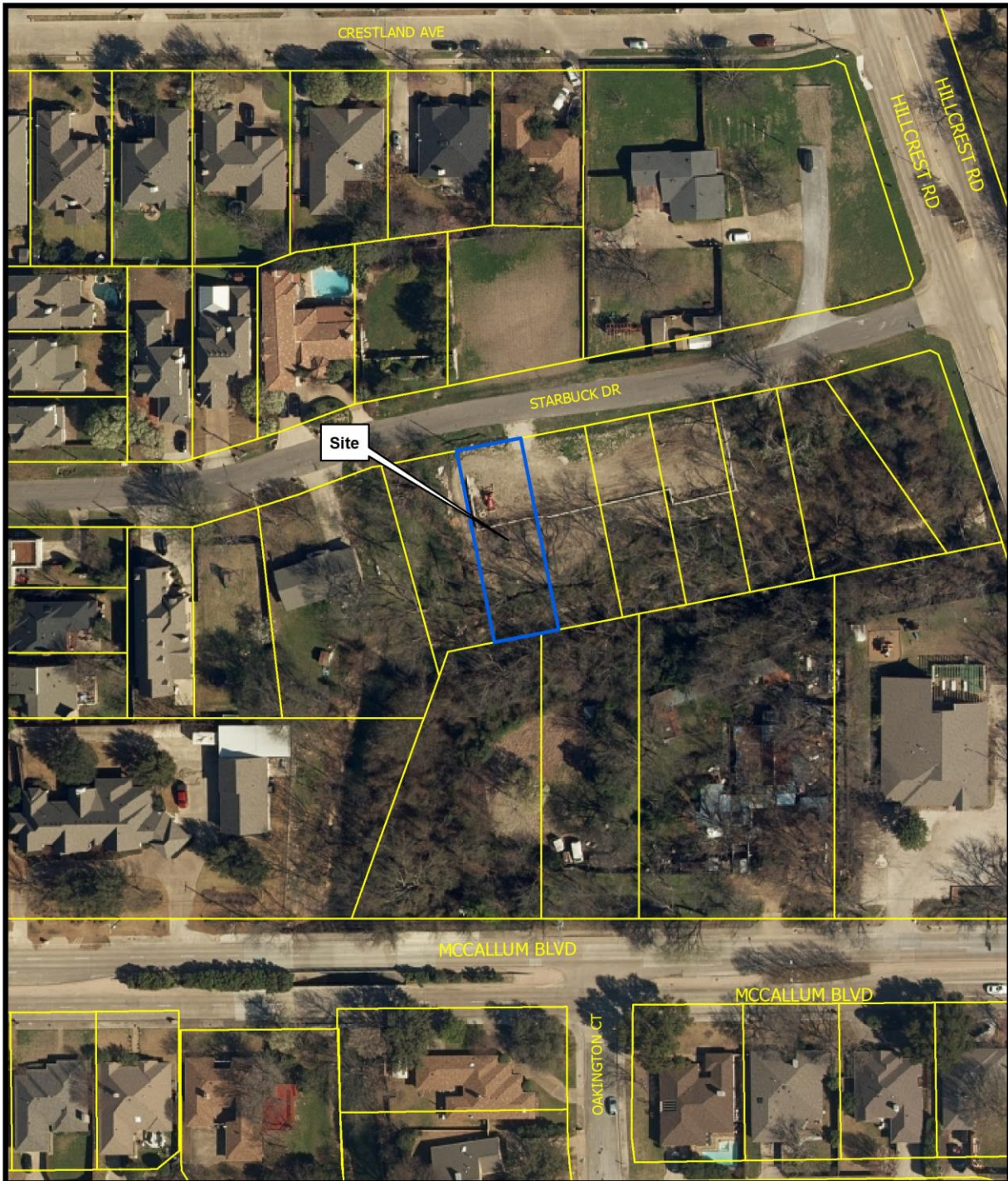


1:1,200

ZONING MAP

Case no: BDA190-073

Date: 7/27/2020



1:1,200

AERIAL MAP

Case no: BDA190-073

Date: 7/27/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-073

Data Relative to Subject Property:

Date: ~~April 24, 2020~~ 6-18-2020

Location address: 6718 Starbucks Drive Zoning District: PD-106

Lot No.: 11 Block No.: J/8727 Acreage: 0.17 Census Tract: 317-18

Street Frontage (in Feet): 1) 50.0ft. 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Robert Ward Williams

Applicant: Robert W. Williams Telephone: 214/361-2244

Mailing Address: 6060 N. Central Expwy., Suite 560 Zip Code: 75206

E-mail Address: None

Represented by: Robert W. Williams Telephone: 214/361-2244

Mailing Address: SAME Zip Code: 75206

E-mail Address: None

Affirm that an appeal has been made for a Variance , or Special Exception _____, of the six foot side setback requirement on the west side of Lot 11, requesting 5'6" and provide 11'6" sideyard setback + 6'9" height to the required 30' max for a structure height of 36'39" 5' PYSO reduction

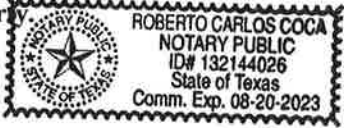
Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The property owners of Lot 10 and Lot 11 are the same and completely agree that a home cannot be built on Lot 11 commensurate to other homes in the R-75A zoning designation.

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 W. Williams
(Affiant/Applicant's name printed)

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



Respectfully submitted: Robert W. Williams
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 24 day of April, 2020

Roberto C. Coca
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 Ward Williams

did submit a request for a variance to the building height regulations

, and for a variance to the front yard setback regulations, and for a variance to the side yard setback regulations

at 6718 Starbuck Drive

BDA190-073. Application of Robert Ward Williams for a variance to the building height regulations, and for a variance to the front yard setback regulations, and for a variance to the side yard setback regulations at 6718 STARBUCK DR. This property is more fully described as Lot 11, Block J/8727, and is zoned PD-106, which limits the maximum building height to 30 feet and requires a front yard setback of 30 feet and requires side yard setback of 6 feet. The applicant proposes to construct a single family residential structure with a building height of 39 feet, which will require a 9 foot variance to the maximum building height regulations, and to construct a single family residential structure and provide a 25 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations, and to construct a single family residential structure and provide a 1 foot 6 inch side yard setback, which will require a 4 foot 6 inch variance to the side yard setback regulations.

Sincerely,


David Session, Building Official

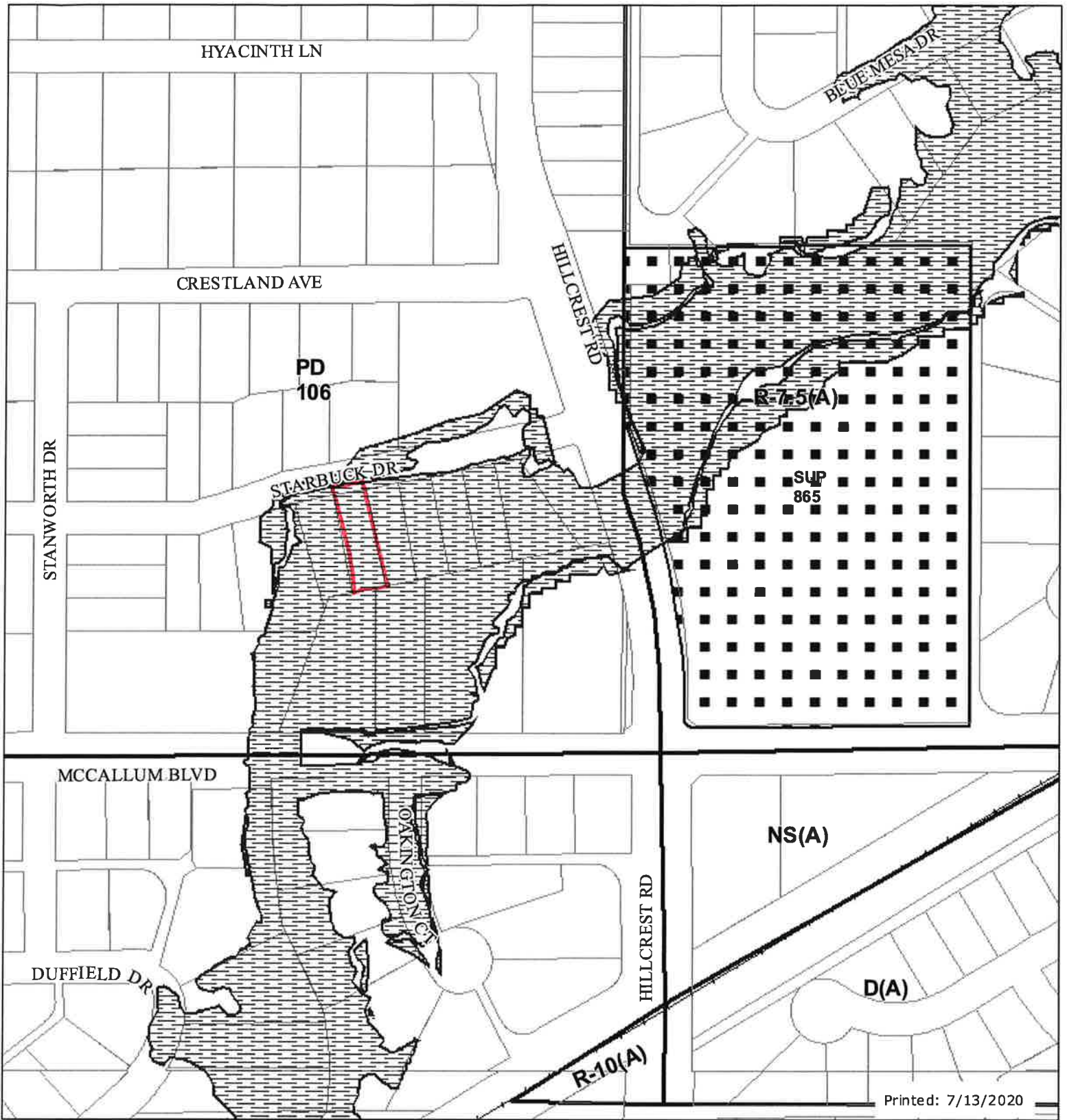


50 STANWORTH

17500 NORTH DR.



CITY OF DALI
 LOTS 17-21
 FILED: 12-10-86 REPLA
 FILED: 11-29-90 REPLA
 FILED: 12-8-95 BLK. K.

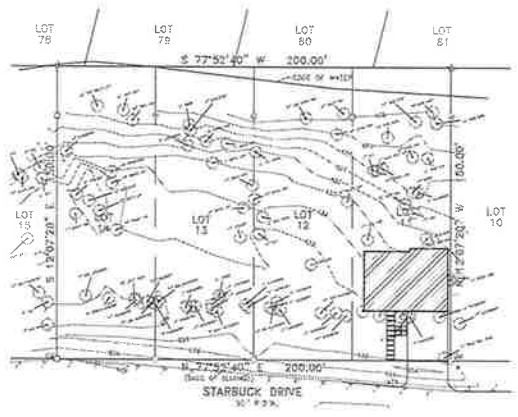


Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | Railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Hoodplain | 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 |
| | | 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)





GENERAL NOTES and SPECIFICATIONS

1. Comply with applicable building codes and related ordinances.
2. Bring errors, omissions and inconsistencies in drawings or interrogatory answers to the attention of the architect.
3. Notify Architect in event of discrepancies in contract documents.
4. Mechanical and landscape drawings by others.
5. Verify location of utilities serving site.
6. Final grading for drainage of water away from the building and off of the site shall be the responsibility of the owner, owner's general contractor and owner's landscape installer.
7. Contractor shall furnish Architect with shop drawings of the following prior to fabrication or installation:
 - a. mechanical supply return
 - b. location of registers
 - c. manufacturer's printed installation instructions
 - d. details
 - e. schedule
8. Shop drawings to be submitted "as scale" 1/8" = 1'-0" or larger for elevations and 3/16" = 1'-0" or larger for sections and details.
9. Submission of shop drawings and other matters determined by owner.
10. Vent clothes dryer to outside.
11. Run all pipes and conduits from ridge.
12. Contractor to locate and coordinate placement of electrical fixtures and plumbing penetrations prior to placing floor and ceiling joists. Notify Architect if conflicts occur.
13. Follow manufacturer installation instructions when applying membrane products.

FOR DIMENSIONING PURPOSES

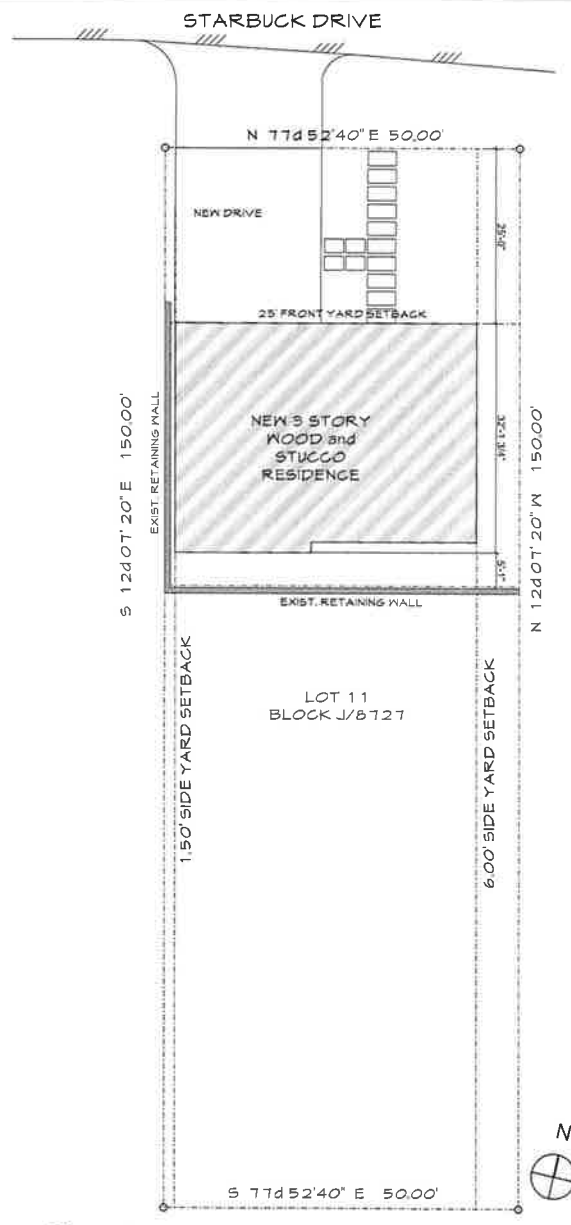
1. Do not scale drawings.
2. Verify dimensions notify Architect of discrepancies.
3. All dimensions to face of stud or outside face of foundation unless otherwise indicated.
4. Cross reference exterior elevations with wall sections and facade details to determine wall finish heights.
5. Refer to elevation elevations for window head heights.
6. Verify fireplace sizes, including hearth extensions required by code.

SQUARE FOOTAGES

A/C	
FIRST FLOOR	773 s.f.
SECOND FLOOR	1309 s.f.
THIRD FLOOR	1110 s.f.
TOTAL A/C	3192 s.f.
NON A/C	
GARAGE	442 s.f.
REAR PORCH	29 s.f.
MECHANICAL	18 s.f.
FRONT BALCONY	25 s.f.
FRONT PORCH	7 s.f.
MASTER BALCONY	92 s.f.
GAMEROOM BALCONY	251 s.f.
TOTAL NON A/C	864 s.f.

SHEET INDEX		
ID	Name	Published
A-000	SITE PLAN and GENERAL NOTES	□
A-001	SITE PLAN and GENERAL NOTES	□
A-002	Site Plan Layout	□
A-003	FIRST and SECOND FLOOR PLANS	□

LOT 11 BLOCK J/8727
6718 STARBUCK DR.
DALLAS, TEXAS 75252



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

BERT WARD TRUST - LOT 11
6718 STARBUCK DRIVE - DALLAS, TEXAS 75252

CITY OF DALLAS GREEN ORDINANCE, PHASE II - COMPLIANCE NOTES

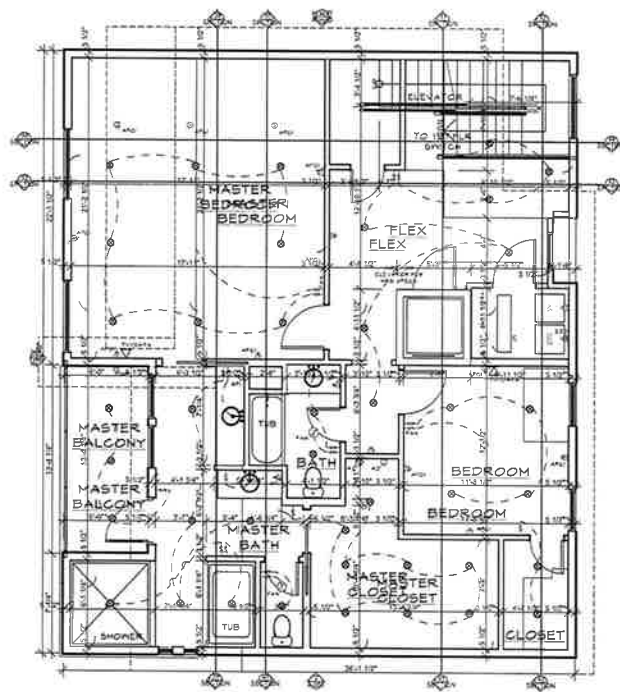
1. All lavatory fixtures and shower heads shall comply with the City of Dallas Green Ordinance (1 average flow rates 2.0 gpm or less).
2. The new Dishwasher shall be Energy Star compliant using 6.0 gallons or less per cycle.
3. New toilets shall be less than or equal to 1.3 gallons per flush or dual flush complying with ASME A 112.19.14.
4. The roof decking (Kool Ply or equal) shall have a radiant barrier surface on the underside of the roof deck and be installed in per the manufacturer's recommendations. The sheet is to have the shiny side facing out and be factory perforated. If the radiant barrier selected is applied to the roof sheathing, the radiant barrier must face down into the Attic and may not be covered.
5. The Contractor shall provide and install Energy Star qualified composition shingles with a minimum 30 year warranty.
6. The Contractor shall provide and install an Energy Star permitted 24 gauge High Seam Tool-Finish standing seam metal roof with concealed fasteners and a Kynar 200 fluoropolymer coating in standard color (to be selected) by Bertridge, Viewara, or equal at standing seam roof areas as indicated on the Roof Plan.
7. All roof and wall penetrations, bishboard and wall cracks shall be sealed at conditioned spaces adjacent the Garage. The Garage door leading into the house shall also be weather strip/sealed.
8. All doors and windows shall be provided with air tight seals, flashed with Buylit Flashing Tape (by Owens Corning or equal), and weather stripping.
9. All lighting shall be provided with a maximum wattage of 100 watts for incandescent bulbs and 32 watts for compact fluorescents.
10. The Contractor shall provide and install new upright Air Handler(s) in the Attic space that are sized to maintain air pressure and air flow. No air handlers shall be located in the Garage Attic.
11. All mechanical air filters shall be MERV 8 or greater and all air housings shall be air tight.
12. The Contractor shall provide and install closed cell foam insulation between the floor joists in new per and beam foundation areas.

Revisions

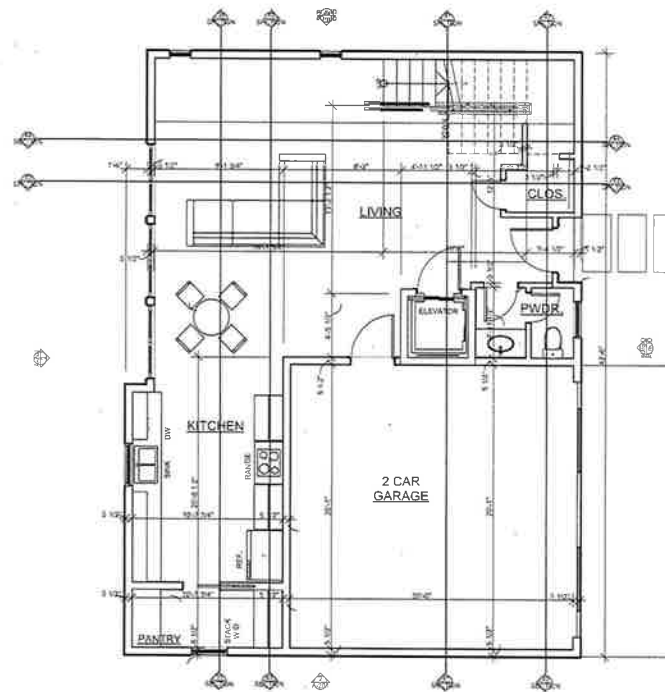
New Construction For
STARBUCK LOT 11
6718 Starbuck Drive Dallas, Texas 75252

R. E. KINDRED ARCHITECT
1811 Lybrand Circle 10108
Plano, Texas 75075
PH: 972.422.1234
FAX: 972.422.1235
www.kindredarchitect.com

DATE: 03-16-18
JOB ADDRESS: 6718 Starbuck Dr. Dallas, Texas 75252
Drawn by: R.E.K.
Checked by: R.E.K.
Sheet Number: A-001
SHEET 1

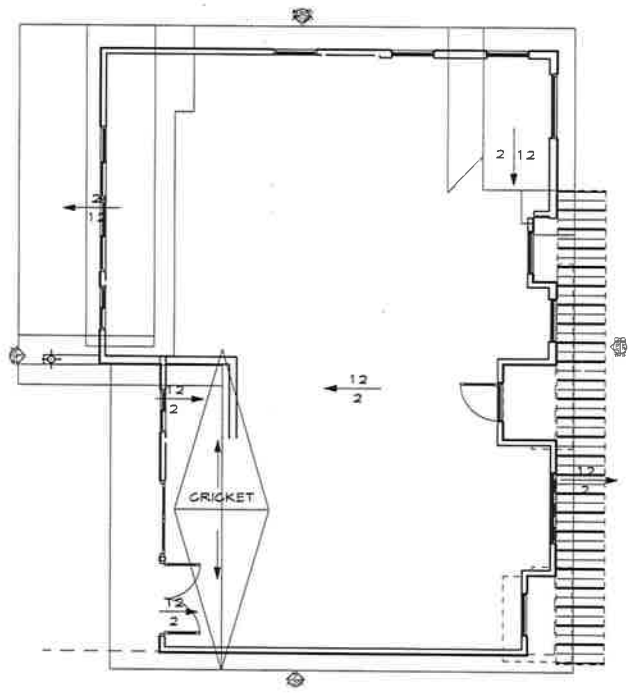


2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

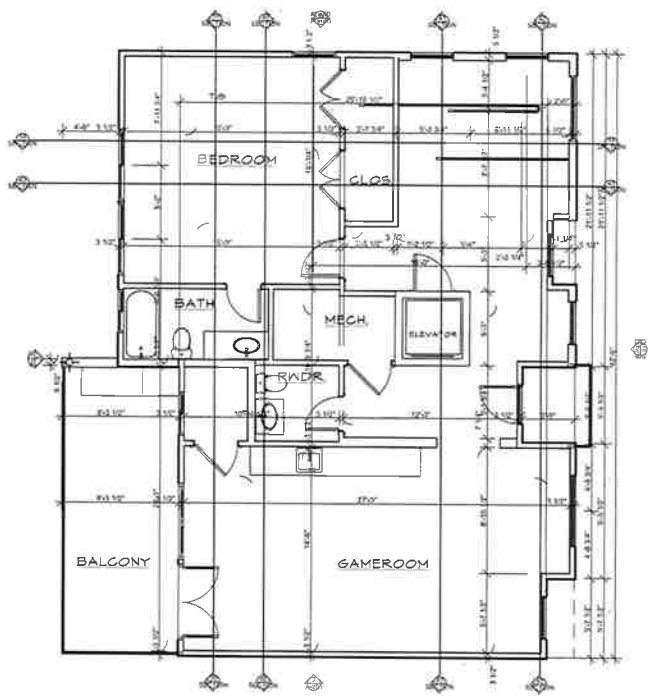


1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Key signs
New Construction For STARBUCK LOT 11 6718 Starbuck Drive Dallas, Texas 75252
Date: 02-16-18
JOB NO: 1711 6718 Starbuck Dr Dallas, Texas 75252
Drawn by: R.E.K. Created by: R.E.K.
Sheet Number A-101 SHEET 3

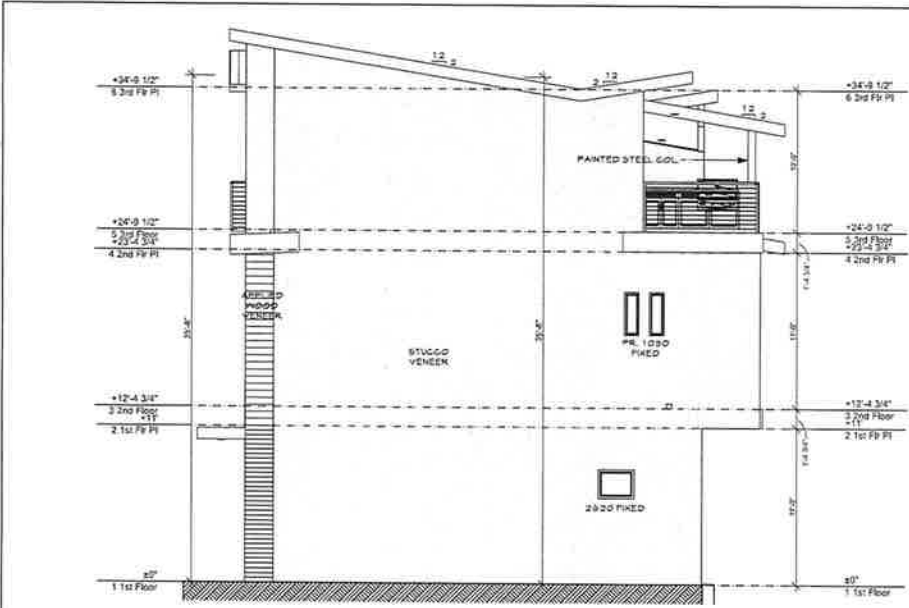


2 ROOF PLAN
SCALE: 1/4" = 1'-0"

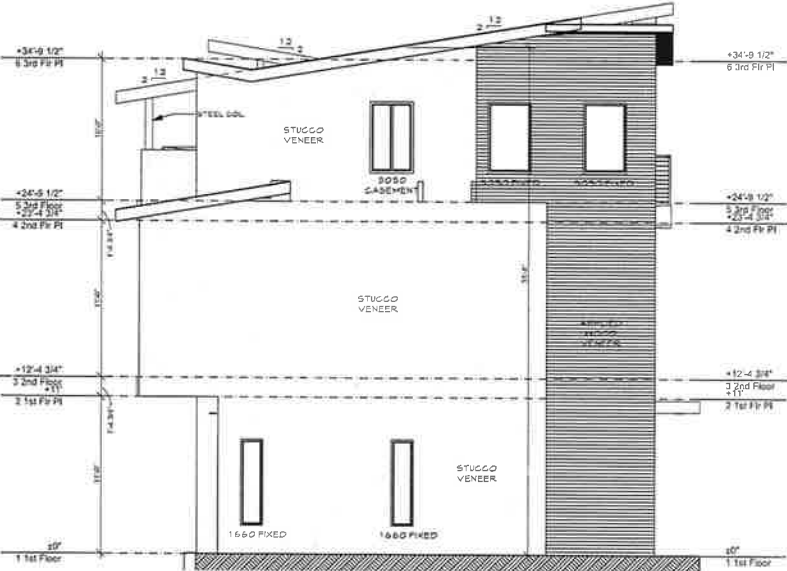


1 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

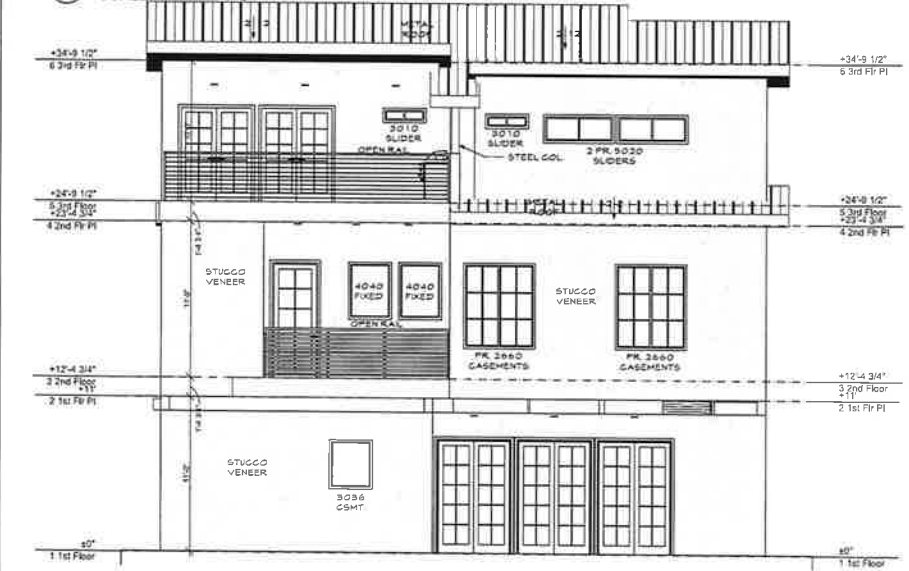
<p>Associates R. E. KINDRED ARCHITECTS <small>501 Loyola Court, 1008 Plano, Texas 75075</small></p>		<p>New Construction For STARBUCK LOT 11 6718 Starbuck Drive Dallas, Texas 75252</p>	<p>Revisions</p>
<p>DATE: 04/16/25</p>	<p>PROJECT: 6718 Starbuck Dr. Dallas, Texas 75252</p>	<p>Drawn By: R.E.K. Checked By: R.E.K. Sheet Number: A-102 SHEET #</p>	



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



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



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



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

Revisions

New Construction For
STARBUCK LOT 11
Dallas, Texas 75252

6718 Starbuck Drive

ASSOCIATES
R. E. KINDRED
ARCHITECT

1848 Ingersoll Circle, Suite 100
Dallas, Texas 75245
Phone: (972) 342-1111
Fax: (972) 342-1112
www.kindredarchitect.com



Date: 03-15-19

LOT ADDRESS:
6718 Starbuck Dr.
Dallas, Texas 75252

Drawn by: R.E.K.

Checked by: R.E.K.

Sheet Number

A-201

SHEET #

3 Total Pages

Fix Attention: Oscar Aguilera 214/670-4210

July 23, 2020

Board of Adjustment Coordinator 214/671-5099 Direct

Variance Requests for: STARBUCK Drive 6718 and 6720

1) Zoning is PD-106 - Requires a Lot to be a Minimum of 10,000 Square Feet. The Vast Majority of Lots in Preston Road Highlands Addition are 15,000 Square Feet.

This Lot is only 7500 Square Feet, with nearly all of the Lots in the Flood Plain and the Rear Property Line at the Center of Osage Branch Creek.

After Extensive Hydrology Studies and Excavation to produce No Net increase in Water Flow or Valley Storage Capacity, a 10 inch Thick Concrete Retaining Wall Was built encompassing 4 Each Adjoining Lots 11, 12, 13, and 14, ~~almost~~ ^{more than} halfway from the Rear Property Line.

The Retaining Wall position effectively cut in half the structure's building Pad Depth to only 30 feet (Lot 11) and ^{32' Depth (Lot 12, 13)} necessitating the Architect to produce a 3 Story Home, with Approximately 10 foot Ceilings on Each floor. This doesn't include space between floors for ductwork, electrical, plumbing, et cetera, thus necessitating a true need for a 36 foot height Variance.

The other variance eases a built in hardship. All 3 Lots (11, 12, 13) requesting variances in Front setback reductions from 25 feet to 20 feet, have total Lot depths of 150 feet. Because the Engineer's plans required the retaining wall to be placed so near the pavement on Starbuck drive that only 20+% of the 150 foot depth can be buildable now!

To all Board of Adjustment Panel Members —
Please embrace and wholeheartedly Approve All requested Variances.

Thanking You In Advance,
Rob W. Williams

214/363-9954 (A Dumb) Flip Phone

214/361-2244 Desk

From: [Parker, Stephen](#)
To: [Aquilera, Oscar](#)
Cc: [Munoz, Jennifer](#); [Dean, Neva](#)
Subject: RE: Lots on Starbucks
Date: Thursday, July 30, 2020 5:58:27 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

FEMA does not issue elevation certificates, they issue Letters of Map Revision or Amendment (LOMRs and LOMAs). It's a sometimes lengthy review process. To my knowledge the engineer has not finished updating the hydraulic model, which required some changes because of a plan revision to the site, and when he does it will be submitted to FEMA for a LOMR. The FEMA review can take several months. The lack of an approved LOMR means nothing with respect to the validity of our review, it is simply the end of a process that is required before buildings can be built.

Don't contact anyone at FEMA, without an application there is nothing they could tell you.

I think the applicant maximized the area that could be reclaimed, but you could talk to his engineer, Mark Roberts of Nathan Maier Consulting Engineers, Inc., for more details.

I am pretty sure they made the lots as large as they could while still meeting our engineering requirements for fill (ie, not adversely affecting other properties.)

We and the city council are very careful to only approve projects that do not cause flooding to the neighbors. And the hydraulic modeling is available through open records to anyone that would like to hire their own engineer to review what we reviewed.



Steve Parker, P.E., CFM
Sr. Program Manager
City of Dallas | DallasCityNews.net
Dallas Water Utilities
Floodplain Management
Oak Cliff Municipal Center
320 E. Jefferson Blvd., Room 312
Dallas, TX 75203
O: 214-948-4666
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.**

From: Aguilera, Oscar
Sent: Wednesday, July 29, 2020 9:42 PM
To: Parker, Stephen <stephen.parker@dallascityhall.com>
Cc: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>; Dean, Neva <neva.dean@dallascityhall.com>
Subject: RE: Lots on Starbucks

Dear Steve,

Do you know why FEMA hasn't issue the elevation certificate for the properties at Starbuck? If you do not know do you have a contact person at FEMA that I may contact? Do you know if the applicant could have elevated a bigger area for these lots? The portion that was elevated was the 65 feet in the front. Could the applicant have elevated 90 or 100 feet? Thank you for your help.

Sincerely,



Oscar Aguilera
Senior Planner
City of Dallas | www.dallascityhall.com
Current Planning Division
Sustainable Development and Construction
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-671-5099
oscar.aguilera@dallascityhall.com


****OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.**

From: Parker, Stephen <stephen.parker@dallascityhall.com>
Sent: Friday, July 24, 2020 3:39 PM
To: Aguilera, Oscar <oscar.aguilera@dallascityhall.com>
Subject: Lots on Starbucks

Hi, Oscar.

Bob Williams asked me to send you an email about the setback variance he has proposed.

Floodplain Management has no objection to the board granting this variance.



Steve Parker, P.E., CFM

Sr. Program Manager

City of Dallas | DallasCityNews.net

Dallas Water Utilities

Floodplain Management

Oak Cliff Municipal Center

320 E. Jefferson Blvd., Room 312

Dallas, TX 75203

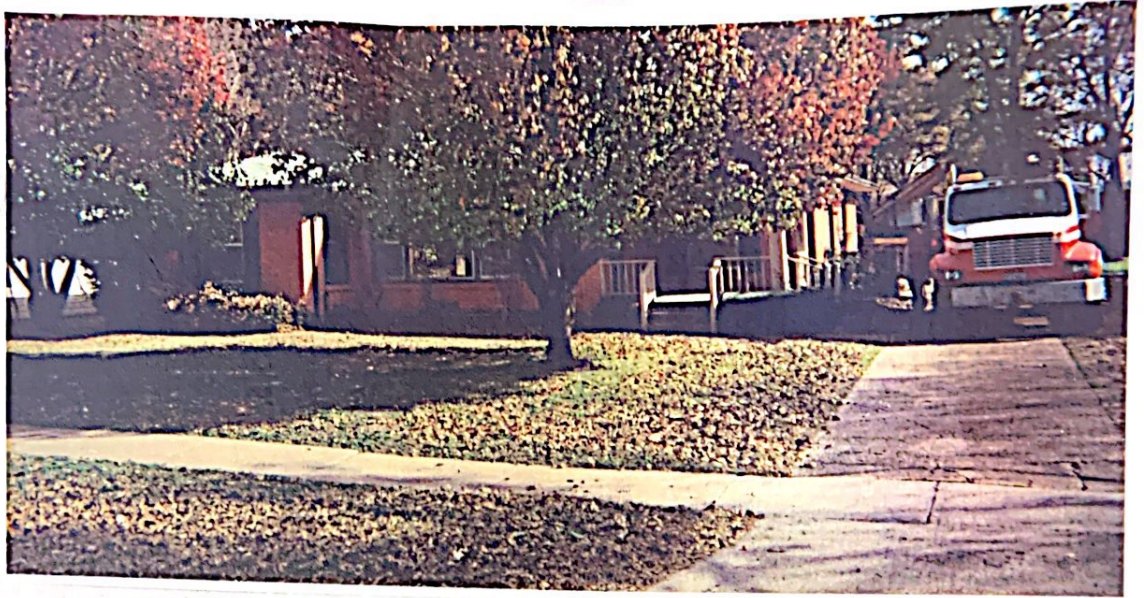
O: 214-948-4666

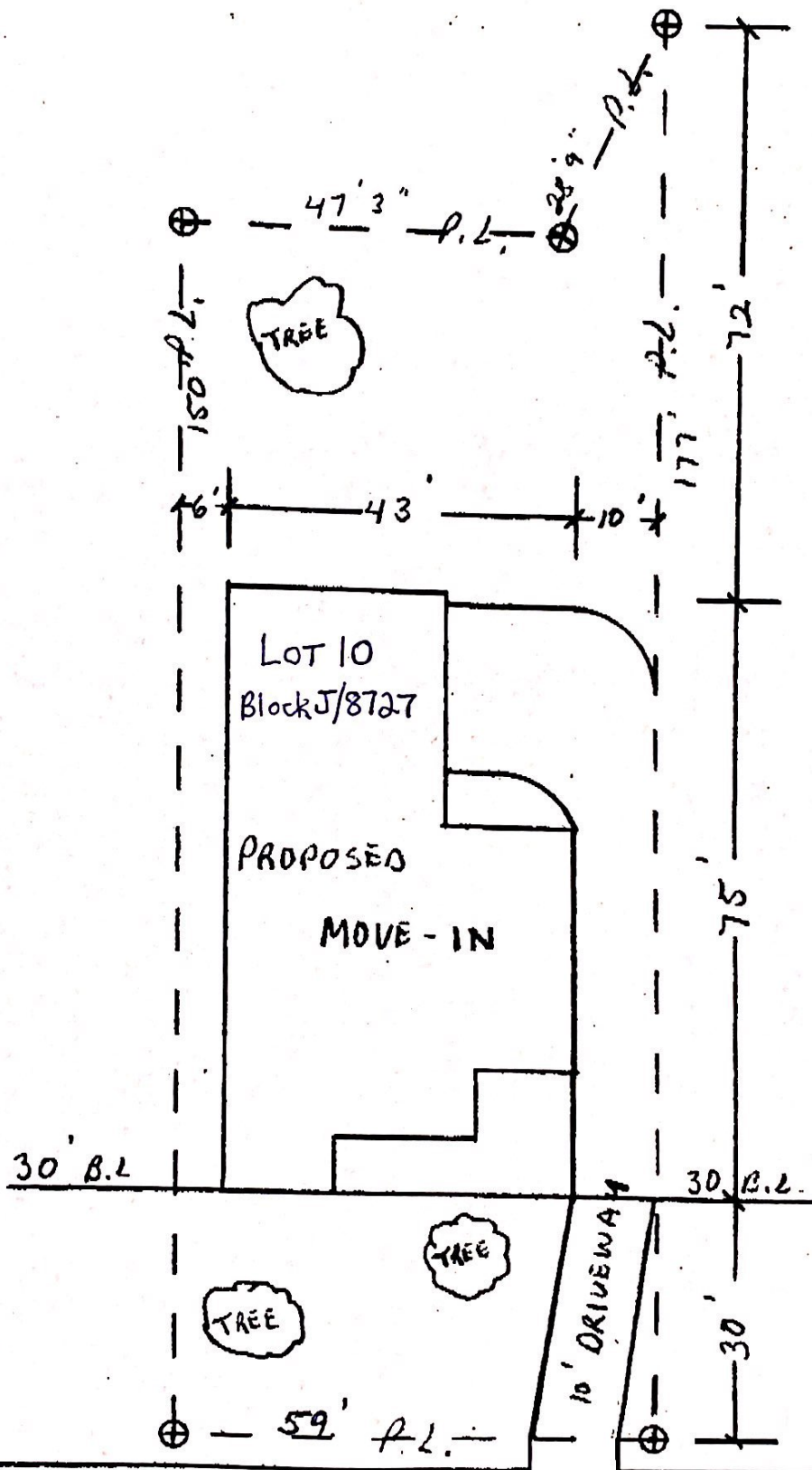
stephen.parker@dallascityhall.com



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

→
Proposed House
Move from Irving
(Dallas County) to Fair
North Dallas (S. Collin County)
Lot 10 Block J/8727





6716 STARBUCK



Bob Williams & Associates
6116 N. Central Expwy, Suite # 304
Dallas, TX 75206

FAX TRANSMISSION

DATE 2/3/09

ATTENTION: Malcolm Lewis

FAX # 972/727-7735

SENDER'S TELEPHONE# FAX (214) ~~361-2282~~; office (214) 361-2244 Desk

We are sending 2 pages, including the cover sheet.

Message:

Plot Plan of 6716 Starbuck with the Irving (Now)
Home situated onto Lot 10 in the same position, in other
words, garage in rear as it is before any movement.
Please help me calculate the pier heights for each row,
front to back using Dallas City Code for spacing and wind
specs.

If you did not receive all pages, please call and ask for:

Thank You! Bob Williams





CITY OF DALLAS

Development Services
Department

Building Inspection
Division

Permit Center Customer
Service Survey

City of Dallas
Development Services Department
Building Inspection Division
320 E. Jefferson Room 118
Dallas, Texas 75203

Attn: Permit Center Manager
Don Caldera

Rm 204
Tray
Wanky
948-4364
Marissa - 4320
Bldg Insp Rm 105

Rogers Humphreys
4155 Wei

2/630-7867

(Rogers) McMillan Charles

9/228-8245



PRINCE HOUSE MOVING, INC.
19 CROSSLANDS ROAD PH. 817-377-3303
FORT WORTH, TEXAS 76132-1006

1121

DATE 5/18/99

88-200 15
1119

PAY TO THE ORDER OF City of Dallas \$250.00

DOLLARS Check for exact amount

Dallas	City House Moving License		

Melvin Prince MP

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑈001121⑈ ⑆111902000⑆153 0002524⑈

This is NOT a Tax Statement

2009 Notice Of Appraised Value

Do Not Pay From This Notice

Collin Central Appraisal District
 250 W Eldorado Pkwy
 McKinney, TX 75069
 Phone: (469) 742-9200 (866) 467-1110

Property ID: 194514
 Ownership %: 100.00
 Geo ID: R-0391-010-0100-1
 DEA:
 Legal: PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

DATE OF NOTICE: May 1, 2009

***AUTO**SCH 3-DIGIT 752 192373 524

Legal Acres:
 Situs: 6716 STARBUCK DR TX
 Appraiser: GC
 OWNER ID: 602785

PROPERTY ID: 194514 - R-0391-010-0100-1
 BERT WARD TRUST
 C/O ROBERT W WILLIAMS
 6060 N CENTRAL EXPY STE 560
 DALLAS TX 75206-5268



Dear Property Owner,

We have appraised the property listed above for the tax year 2009. As of January 1, our appraisal is outlined below.

Appraisal Information		Last Year - 2008		Proposed - 2009			
Structure & Improvement Market Value		0		0			
Market Value of Non Ag/Timber Land		12,000		12,000			
Market Value of Ag/Timber Land		0		0			
Market Value of Personal Property/Minerals		0		0			
Total Market Value		12,000		12,000			
Productivity Value of Ag/Timber Land		0		0			
Appraised Value * (Possible Homestead Limitations, see asterisk below)		12,000		12,000			
Exemptions							
2008 Taxable Value	Taxing Unit	2009 Proposed Appraised Value	2009 Exemption Amount	2009 Taxable Value	2008 Tax Rate	2009 Estimated Taxes	2009 Tax Ceiling**
12,000	COLLIN COUNTY	12,000	0	12,000	0.242500	29.10	
12,000	COLLIN CO COMMUNITY COLLE	12,000	0	12,000	0.086493	10.38	
12,000	PLANO ISD	12,000	0	12,000	1.303400	156.41	
12,000	DALLAS CITY	12,000	0	12,000	0.747900	89.75	

The difference between the 2004 appraised value and the proposed 2009 appraised value is 0.00%. This percentage information is required by Tax Code section 25.19(b-1).

The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials and all inquiries concerning your taxes should be directed to those officials.

The above tax estimates use last year's tax rates for the taxing units shown. The governing body of each unit (school board, county commissioners, and so forth) decides whether property taxes increase. The appraisal district only determines your property value. The taxing units will set tax rates later this year.

* Your residence homestead is protected from future appraisal value increases in excess of 10% per year from the date of the last appraisal PLUS the value of any new improvements.

** If you are 65 years of age or older and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than when you first received the exemption on this home. If you are disabled and received the \$10,000 school tax exemption on your home last year from the school listed above, your school taxes for this year will not be higher than the 2003 taxes or the first year you received the exemption, whichever is later. If your county, city, or junior college has approved a limitation on your taxes in the preceding year, your county, city, or junior college taxes will not be higher than the first year your county, city, or junior college approved the limitation or the first year you qualified for the limitation. If you improved your property (by adding rooms or buildings), your school, county, city, or junior college ceiling may increase for these improvements. If you are a surviving spouse, age 55 or older, you may be eligible to retain the school, county, city, or junior college tax ceiling.

Contact the appraisal office if you disagree with this year's proposed value for your property or if you have any problem with the property description or address information. If the problem cannot be resolved, you have the right to appeal to the appraisal review board (ARB).

To appeal, you must file a written protest with the ARB before the deadline date:

Deadline for filing a protest: June 1, 2009
 Location of Hearings: 250 W ELDORADO PKWY, MCKINNEY TX (1.5 MILES EAST OF US-75)
 ARB will begin hearings: June 8, 2009

A protest FORM to send to the Appraisal District Office is on the back of this notice, if you intend to appear and present evidence before the ARB. A protest is sufficient if it includes the protesting property owner, account number, property address and reason for protesting. The ARB will notify you of the date, time, and place of your scheduled hearing. Enclosed is information to help you in preparing your protest.

If you have any questions or need more information, please contact the appraisal district office at (469) 742-9200 or at the address shown above.

Sincerely,

Bo Daffin
 Chief Appraiser

PROPERTY TAX - NOTICE OF PROTEST - 2009

Collin Central Appraisal District
250 W Eldorado Pkwy McKinney, TX 75069

(469) 742-9200 or (866) 467-1110
www.collincad.org

INSTRUCTIONS: If you want the appraisal review board to hear and decide your case, you must file a written protest with the appraisal review board (ARB) for the appraisal district that took the action you want to protest. The ARB will not accept protest filings by electronic communication (facsimile, email, etc.) If you are leasing the property subject to the protest, you must have a contract requiring you to pay the property taxes on the property.

FILING DEADLINES: The usual deadline for filing your protest (having it postmarked if you mail it) is May 31.

- A different deadline will apply to you if:
- your notice of appraised value was postmarked after May 2;
 - your protest concerns a change in the use of agricultural, open-space or timber land;
 - the ARB made a change to the appraisal records that adversely affects you and you received notice of the change;
 - the appraisal district or the ARB was required by law to send you notice about a property and did not; or
 - you had reasonable cause for missing the May 31 protest deadline.

Your specific protest filing deadline is printed on the appraisal notice. The ARB will determine if reasonable cause exists for missing a deadline. Reasonable cause means that something beyond your control, such as a medical emergency, prevented you from meeting the deadline.

WEEKENDS, HOLIDAYS: If your deadline falls on a Saturday, Sunday or other legal holiday, it is postponed until midnight of the next working day.

Step 1:
Owner's or lessee's name & address

Owner's or lessee's last name, first name & initial

BERT WARD TRUST

Owner's or lessee's present mailing address (number & street, city, town or post office, state, zip code)
C/O ROBERT W WILLIAMS 6060 N CENTRAL EXPY STE 560 DALLAS, TX 75206-5268

Daytime Phone (area code & number)

Evening Phone (area code & number)

Step 2:
Describe property under protest

Give street address and city if different from above, or legal description if no street address

PRESTON ROAD HIGHLANDS, BLOCK J/8727, LOT 10

Appraisal district account number (optional)

Property ID: 194514 Geo ID: R-0391-010-0100-1

Mobile homes: (give make, model and identification number)

Step 3:
Check reason(s) for your protest

Value is over market value

Value is unequal compared with other properties

Property should not be taxed in _____
(name of taxing unit)

Failure to send required notice _____
(type)

Other:

Exemption was denied, modified or cancelled

Change in use of land appraised as ag-use, open-space or timber land

Ag-use, open-space or other special appraisal was denied, modified or cancelled

Owner's name is incorrect

Property Description is incorrect

Property should not be taxed in this appraisal district or in one or more taxing units.



Step 4:
Give facts that may help resolve your case
(continue on additional page if needed)

What do you think your property's value is? (Optional) \$ _____

Step 5:
Check to receive ARB hearing procedures

YES

NO*

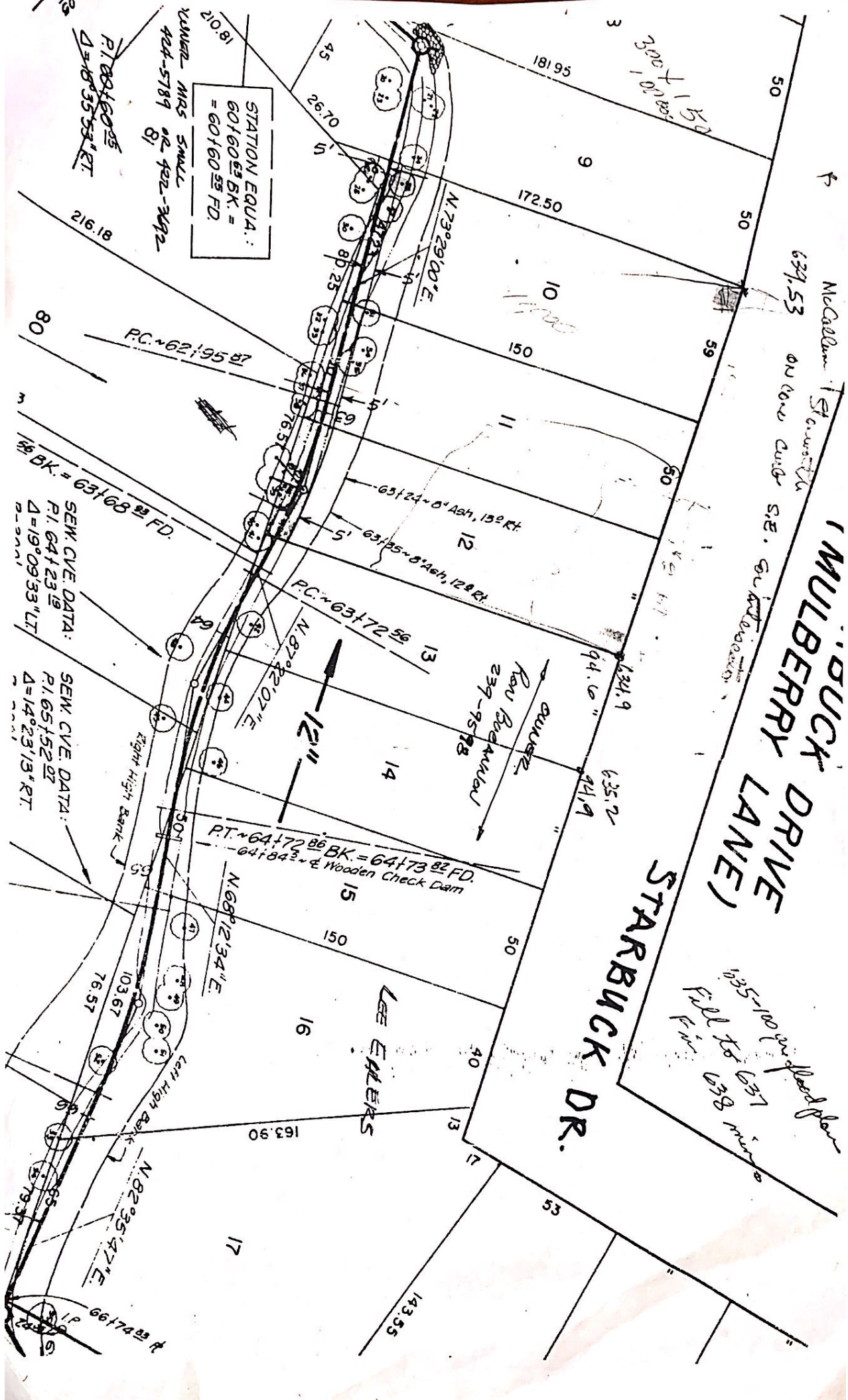
I want the ARB to send me a copy of its hearing procedures.*

*If your protest goes to a hearing, you will automatically receive a copy of the ARB's hearing procedures.

Step 6:
Sign the protest

Signature
sign here -->

Date



Variations Requested for the Following

To: Attn:
 Oscar Aguilera
 # 214/670-4210

6718, 6720 and 6722 Starbuck Dr.: Lots 11, 12, and 13

① Zoning is PD-106 - Requires a Lot to be a Minimum of 10,000 Square feet (although most in PD-106 are 15,000 square feet.)
 Lots 11, 12, and 13 Average 7500 sq square feet.

From: Bob Williams
 Bert Wood Trust
 (214) 361-3244 Desk
 (214) 363-9952 Flip Phone

② The Average Structure Size is 4077 sq Square feet.
 The structures designed for 6718, 6720, & 6722 Average 3100 to 3300 sq sq ft.
 The Average Lot Size: 15,864 sq Square Feet
 The Lots for 6718, 6720 & 6722 are Only 7500 sq square feet.

1	6705 Starbuck Dr.	7490 sq Lot	3160 sq Structure
2	6707 Starbuck	6992 sq Lot	3640 sq Structure
3	6711 Starbuck	9696 sq Lot	4678 sq Structure
4	6704 Starbuck	7412 sq Lot	4500 sq Structure
5	6723 M< Callum	14,998 sq Lot	3325 sq Structure.
6	6727 M< Callum	15,000 sq Lot	2769 sq Structure
7	6731 M< Callum	15,000 sq Lot	5043 sq Structure
8	6803 M< Callum	53,782 sq Lot	4115 sq Structure
9	6701 Shell Flower	15,000 sq Lot	4002 sq Structure
10	6709 Shell Flower	14,999 sq Lot	5151 sq Structure
11	6710 Shell Flower	14,998 sq Lot	3671 sq Structure
12	6728 Shell Flower	15,000 sq Lot	4864 sq Structure

0040

Depth is

Subject: Platted Lots are 1/2 the Size of Most Lots in PD-106; Lot Further Cut in Half by Retaining Wall placement.

6718 6720 Starbuck Drive

Lot 11 Lot 12



ANNEXED 4-4-17 SURVEY

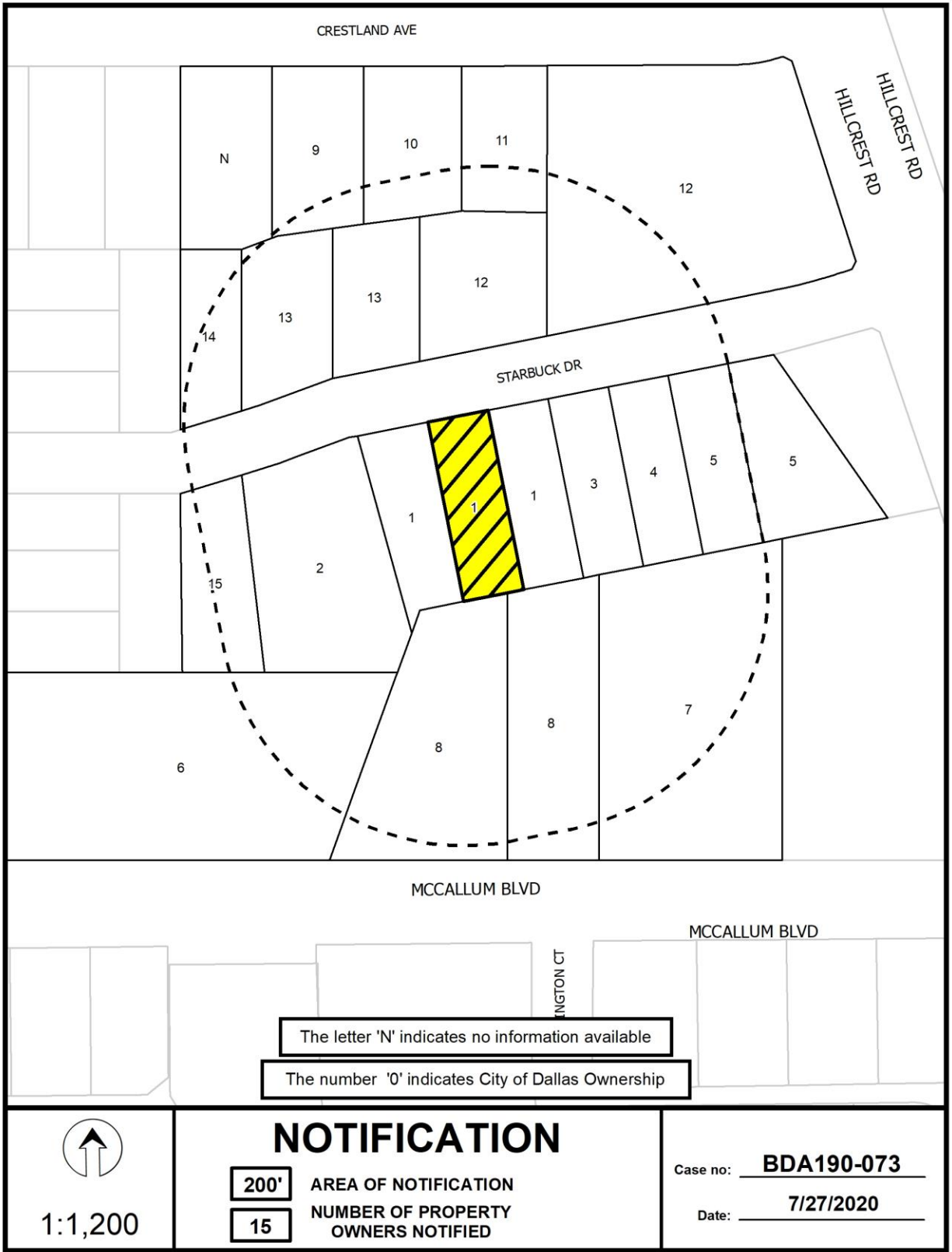
ORN. NO. 19463 ABST. 167

CITY OF DALLAS PLAT BOOKS ACQUISITION, PRESTON ROAD HIGHLANDS

SCALE 200 FT. EQUALS 1 INCH

BLOCKS 8727 SCHOOL DISTRICT

SN39n & SN201



07/24/2020

Notification List of Property Owners

BDA190-073

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6716 STARBUCK DR	BERT WARD TRUST
2	6712 STARBUCK DR	CUMMINGSSARAH G-LE &
3	6722 STARBUCK DR	BLACKJOE &
4	6724 STARBUCK DR	BLACKJOSEPH R &
5	6726 STARBUCK DR	BARUCHSHAUL C
6	6803 MCCALLUM BLVD	PHILLIPSTHOMAS A
7	6817 MCCALLUM BLVD	MERKEL DYAN L
8	6811 MCCALLUM BLVD	MERKEL DYAN
9	6812 CRESTLAND AVE	HARTMAN RACHEL &
10	6814 CRESTLAND AVE	IJAZI SALMAN & MEI-JAN
11	6816 CRESTLAND AVE	TACSIK ERNEST G
12	6719 STARBUCK DR	MAGEN DAVID CONGREGATION
13	6715 STARBUCK DR	GONZALEZ RENEE F
14	6707 STARBUCK DR	HARRIS EARL & DEBORAHL
15	6708 STARBUCK DR	FRIENDS OF KESHER FOUNDATION

FILE NUMBER: BDA190-064(OA)

BUILDING OFFICIAL'S REPORT: Application of Texas Permit and Development, represented by Danny Sipes, for special exception to the visual obstruction regulations at 9924 Carnegie Drive. This property is more fully described as Lot 1, Block 3/5343, and is zoned an R-7.5(A) Single Family District, which requires a 20-foot visibility triangle at the driveway and alley approaches. The applicant proposes to construct a fence up to eight feet-in-height in a required visibility triangle, which will require a special exception to the visual obstruction regulations.

LOCATION: 9924 Carnegie Drive

APPLICANT: Texas Permit and Development
represented by Danny Sipes

REQUESTS:

A request for a special exception to the visual obstruction regulations is made to locate and maintain portions of an eight-foot-high solid wood fence and solid wood gates in the two 20-foot visibility triangles at the intersection of the street and drive approaches into the site from Peavy Road and in the 20-foot visibility triangle where the alley meets Peavy Road on a site developed with a single family home.

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

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

STAFF RECOMMENDATION (visual obstruction regulations):

Denial.

Rationale:

- The Sustainable Development Department Senior Engineer has objections to the requests. The Senior Engineer finds that the fence compromises visibility of pedestrians, bicyclists, and motorists without enough sight distance to see vehicles

exiting (and potentially backing out) of the subject driveway onto a thoroughfare corridor if the aforementioned conditions are imposed as part of the requests.

- Staff concluded that requests for special exceptions to the visual obstruction regulations should not be granted because the items to be located and maintained in the visibility triangles do constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS (visual obstruction special exceptions):

The request for a special exception to the visual obstruction regulations on a site developed with a single family home focus on locating and maintaining a portion of an eight-foot-high solid wood fence and solid wood gates in the two 20-foot visibility triangles at the drive approaches into the site from Peavy Road and in the 20-foot visibility triangle at where the alley meets Peavy Road.

Section 51A-4.602(d) of the Dallas Development Code states that a person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:

- in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections and 20-foot visibility triangles at drive approaches and at alleys on properties zoned single family); and

- between two-and-a-half and eight feet-in-height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

The property is located in an R-7.5(A) Single Family District which requires the portion of a lot with a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and the adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge end the street curb line 20 feet from the intersection.

A site plan and elevation have been submitted indicating portions of an eight-foot-high solid wood fence and solid wood gate in the two 20-foot visibility triangles at the drive approaches into the site from Peavy Road and in the 20-foot visibility triangle at where the alley meets Peavy Road.

The Sustainable Development Department Senior Engineer has objections to the requests and determined the proposed fence in the visibility triangle to cause a traffic hazard (see Attachment A).

The applicant has the burden of proof in establishing how granting these requests to maintain portions of an eight-foot-high solid wood fence and solid wood gate in the two 20-foot visibility triangles at the drive approaches into the site from Peavy Road and in the 20-foot visibility triangle at where the alley meets Peavy Road does not constitute a traffic hazard.

Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items to be located and maintained in the two 20-foot visibility triangles at the drive approaches into the site from Peavy Road and in the 20-foot visibility triangle at where the alley meets Peavy Road, to that what is shown on these documents – portion of an eight-foot-high solid wood fence and a solid wood gates.

Timeline:

April 1, 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 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 Department Senior Engineer submitted a review comment sheet marked “recommends denial” (see Attachment A).

June 22, 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 August 17, 2020 to give the applicant the opportunity to provide support for this request.

June 25, 2020: The Board Administrator wrote the applicant a letter of the board’s action; the July 28 deadline to submit additional evidence for staff to factor into their analysis; and the August 7th deadline to submit additional evidence to be incorporated into the Board’s docket materials.

July 30, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearing. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist,

the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

BOARD OF ADJUSTMENT ACTION: June 22, 2020

APPEARING IN FAVOR: Danny Sipes P.O. Box 3293 Forney, TX.
Jeff Cannon 9924 Carnegie Dr. Dallas, TX

APPEARING IN OPPOSITION: None.

MOTION: **Agnich**

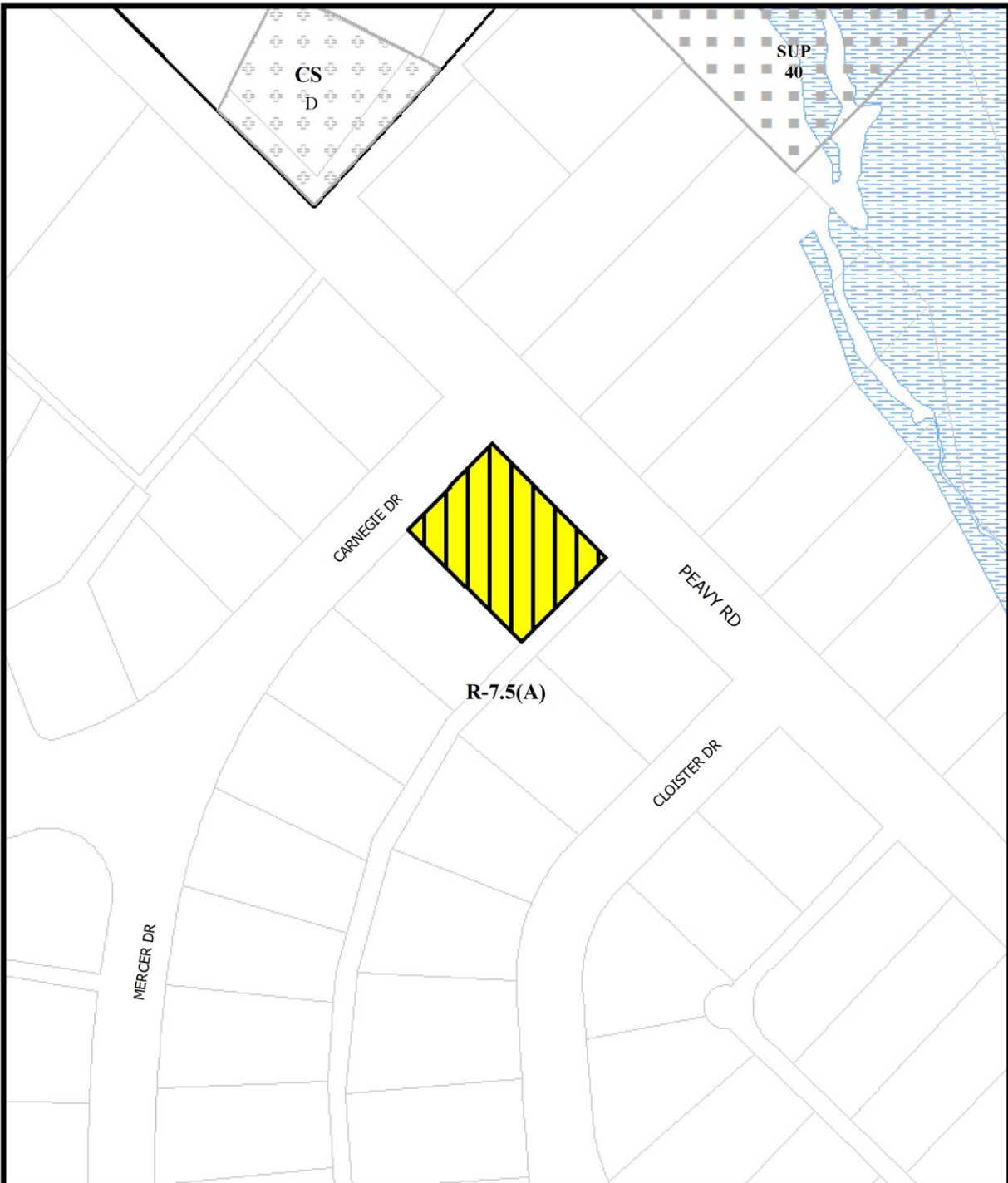
I move that the Board of Adjustment in Appeal No. BDA 190-064, **hold** this matter under advisement until **August 17, 2020.**

SECONDED: **Hounsel**

AYES: 5 – Agnich, Pollock, Medina, Counsel, Sashington

NAYS: 0

MOTION PASSED: 5 – 0 (unanimously)

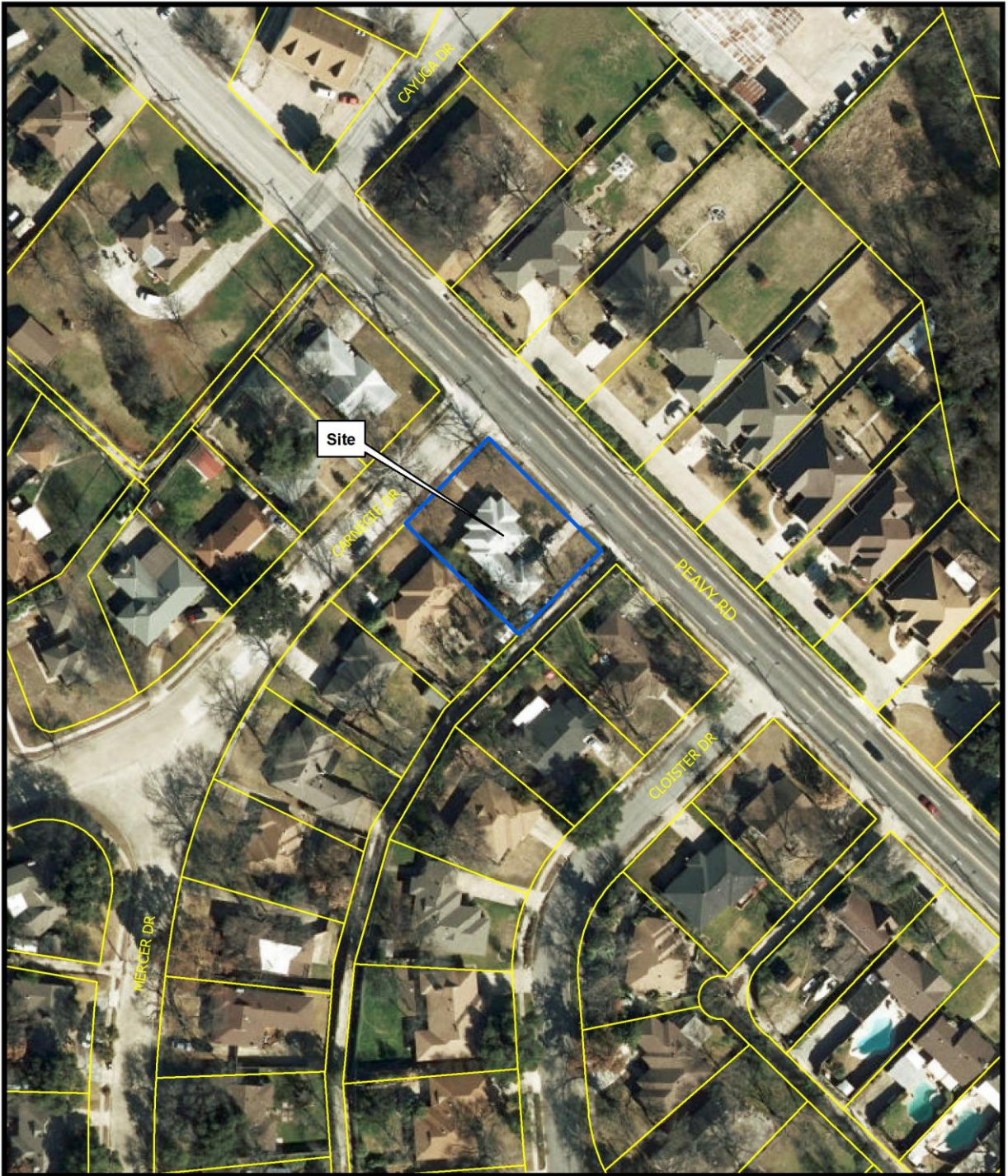


1:1,200

ZONING MAP

Case no: BDA190-064

Date: 5/29/2020



1:1,200

AERIAL MAP

Case no: BDA190-064

Date: 5/29/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-064

Data Relative to Subject Property:

Date: 4-21-2020

Location address: 9924 Carnegie Drive Zoning District: R 7.5A

Lot No.: 1 Block No.: 3/5343 Acreage: .247 Census Tract: 124.00

Street Frontage (in Feet): 1) 120 2) 90 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Dominus Properties Inc

Applicant: Danny Sipes of Texas Permit & Development Telephone: 214-794-0213

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

E-mail Address: danny@txpermit.com

Represented by: Danny Sipes Telephone: 214-794-0213

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

E-mail Address: danny@txpermit.com

Affirm that an appeal has been made for a Variance, or Special Exception X, of to the fence regulations to allow a fence more than 50% closed and a special exception to the visibility obstruction regulations to allow a portion of the fence into the visibility corner clip Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas 8' Tall Fence - Development Code, to grant the described appeal for the following reason:

To allow for a fence for security, privacy and noise reduction being that this residence is on a corner lot.

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

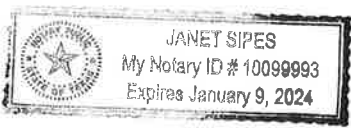
Before me the undersigned on this day personally appeared Danny Sipes (Affiant/Applicant's name printed)

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 1st day of April, 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 TEXAS PERMIT AND DEVELOPMENT

did submit a request for a special exception to the visibility obstruction regulations
at 9924 Carnegie Drive

BDA190-064. Application of TEXAS PERMIT AND DEVELOPMENT for a special exceptio to the visibility obstruction regulations at 9924 CARNEGIE DR. This property is more fully described as Lot 1, Block 3/5343, and is zoned R-7.5(A), which requires a 20 foot visibility triangle at driveway and alley approaches. The applicant proposes to construct a single family residential fence structure in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-064

I, Jeffrey Gatlin of Dominus Properties, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9924 Carnegie Drive Dallas Tx 75228
(Address of property as stated on application)

Authorize: Danny Sipes of Texas Permit & Development
(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)

X Special Exception (specify below)

 Other Appeal (specify below)

Specify: To allow for a fence for security, privacy and noise reduction being that this residence is on a corner lot.

Jeffrey Gatlin
Print name of property owner or registered agent

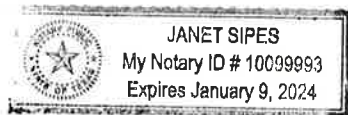
[Signature]
Signature of property owner or registered agent

Date 4-1-20

Before me, the undersigned, on this day personally appeared Jeffrey Gatlin

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

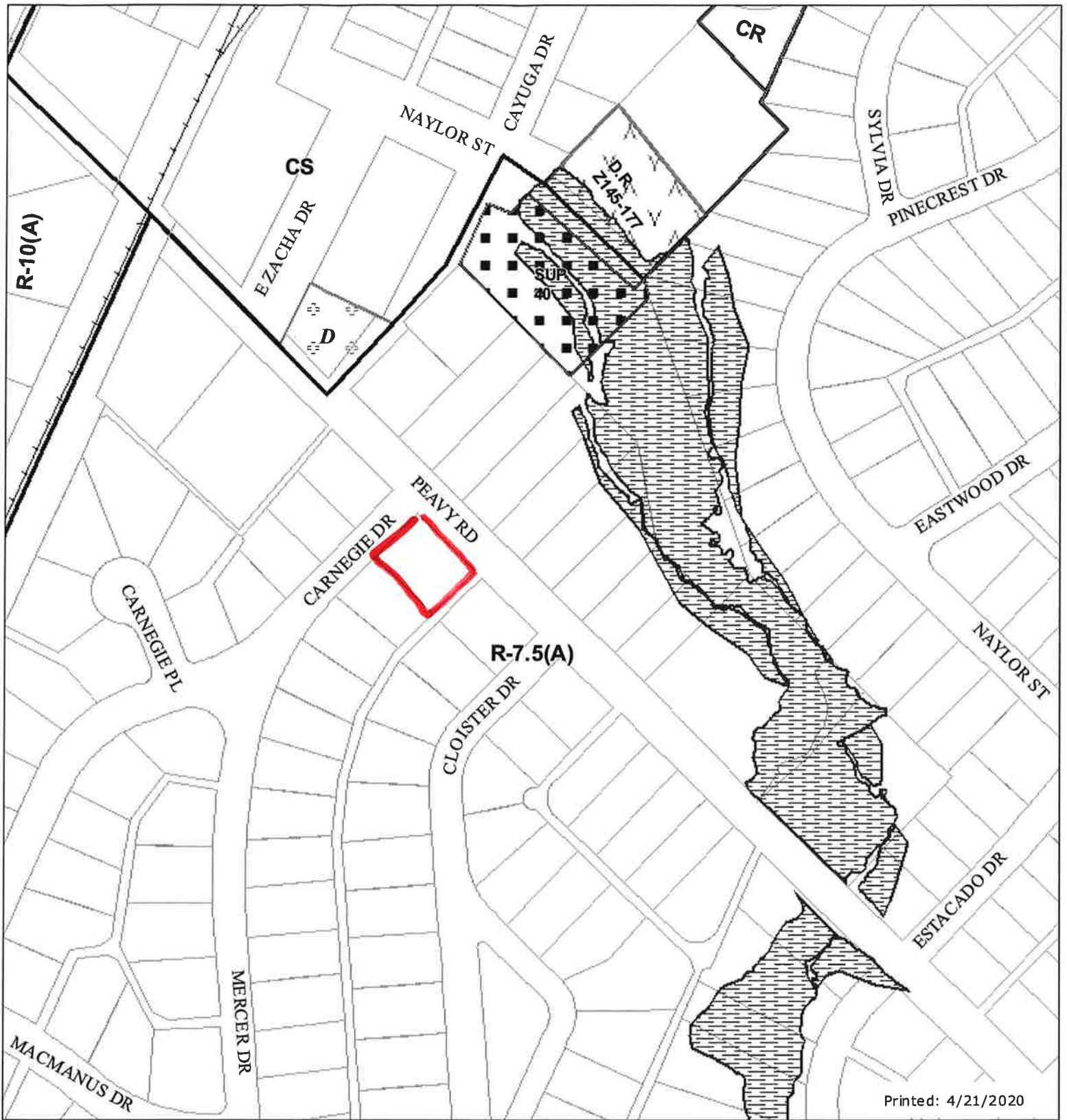
Subscribed and sworn to before me this 1st day of April, 2020



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 1/9/2024





Printed: 4/21/2020

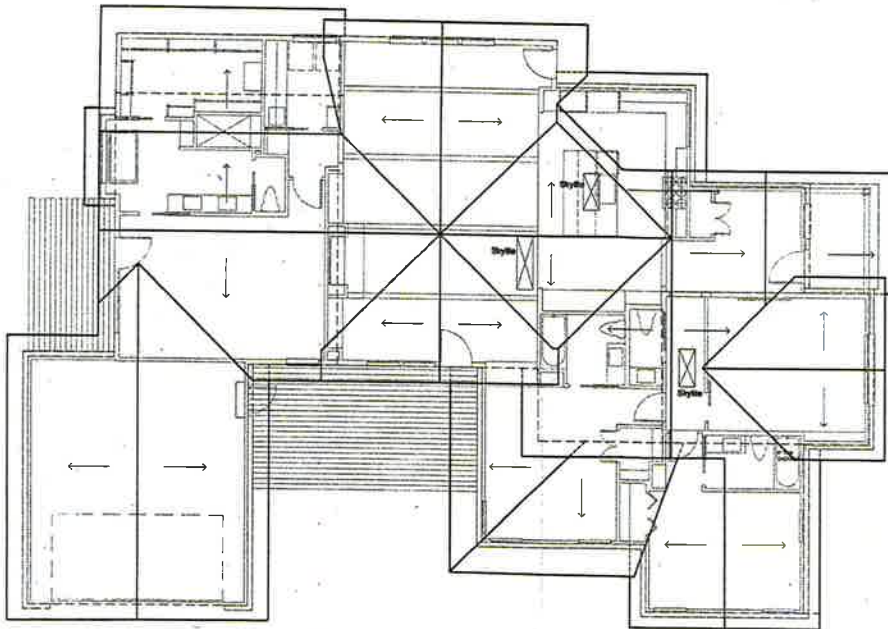
Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| 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 | Shoefront Overlay |
| | | Height Map Overlay | |

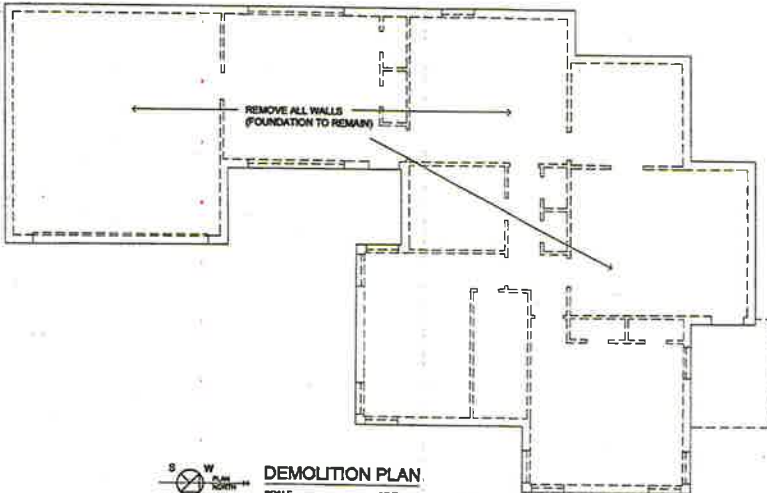
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, 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)



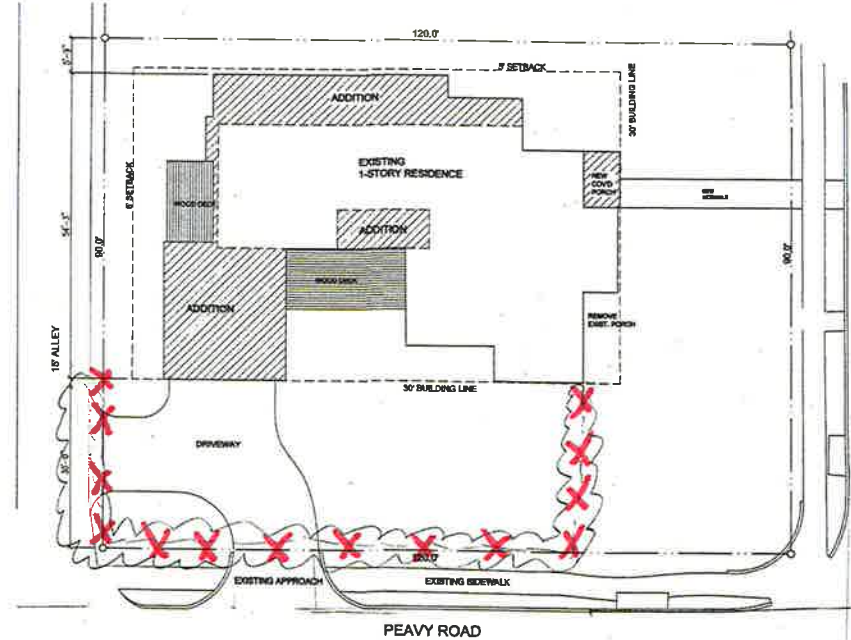
1:2,400



ROOF PLAN
SCALE 3/16"=1'-0"



DEMOLITION PLAN
SCALE 3/16"=1'-0"



SITE PLAN
SCALE 1/4"=10'-0"

LOT 1
BLOCK 36343
ALGER PARK ADDITION
CITY OF DALLAS
DALLAS COUNTY TEXAS

TABULATIONS

LIVING AREA (AC)	
EXISTING LIVING	1529 s.f.
ADDITION TO LIVING	995 s.f.
TOTAL	2527 s.f.
GARAGE	
EXISTING	462 s.f.
ADDITION TO GARAGE	50 s.f.
TOTAL	512 s.f.
COVID PORCH (DEMO)	75 s.f.
NEW COVID PORCH	63 s.f.
TOTAL FOOTPRINT	3102 S.F.
AREA OF LAND	10,800 S.F.
LOT COVERAGE	28.7%

- NOTES:**
1. Applicant to provide to architect, contractor, engineer and other specialists and sufficient binding information for the construction project.
 2. The contractor shall verify all dimensions and conditions of the project site.
 3. The contractor shall verify the site, location and dimensions of all work and equipment to be furnished by the owner or others with the manufacturer or supplier before starting any construction related to said work and/or equipment.
 4. Owner to coordinate to pre-approve or otherwise to not allow the contractor from installing work related to the design.
 5. Verify all dimensions, conditions, existing construction, grades and utilities on project and correct documents of project site prior to beginning construction. Drawings are to be reported to the Owner and Architect for clarification.
 6. All existing walls are shown to be retained or removed based on project design and/or construction.
 7. The contractor shall verify the site location for all work shown to existing conditions, any changes to existing construction, additions or improvements and included in the drawings or specifications to existing conditions or utilities.
 8. All materials shall be new unless otherwise specified and shall be installed in accordance with manufacturer's instructions unless otherwise specified.
 9. All exterior joints to include window frames shall be finished with sealant.
 10. Contractor shall be responsible for obtaining all necessary permits and approvals for this project.
 11. Contractor shall be responsible for obtaining all necessary permits and approvals for this project.

304-448-7797
THATZBY



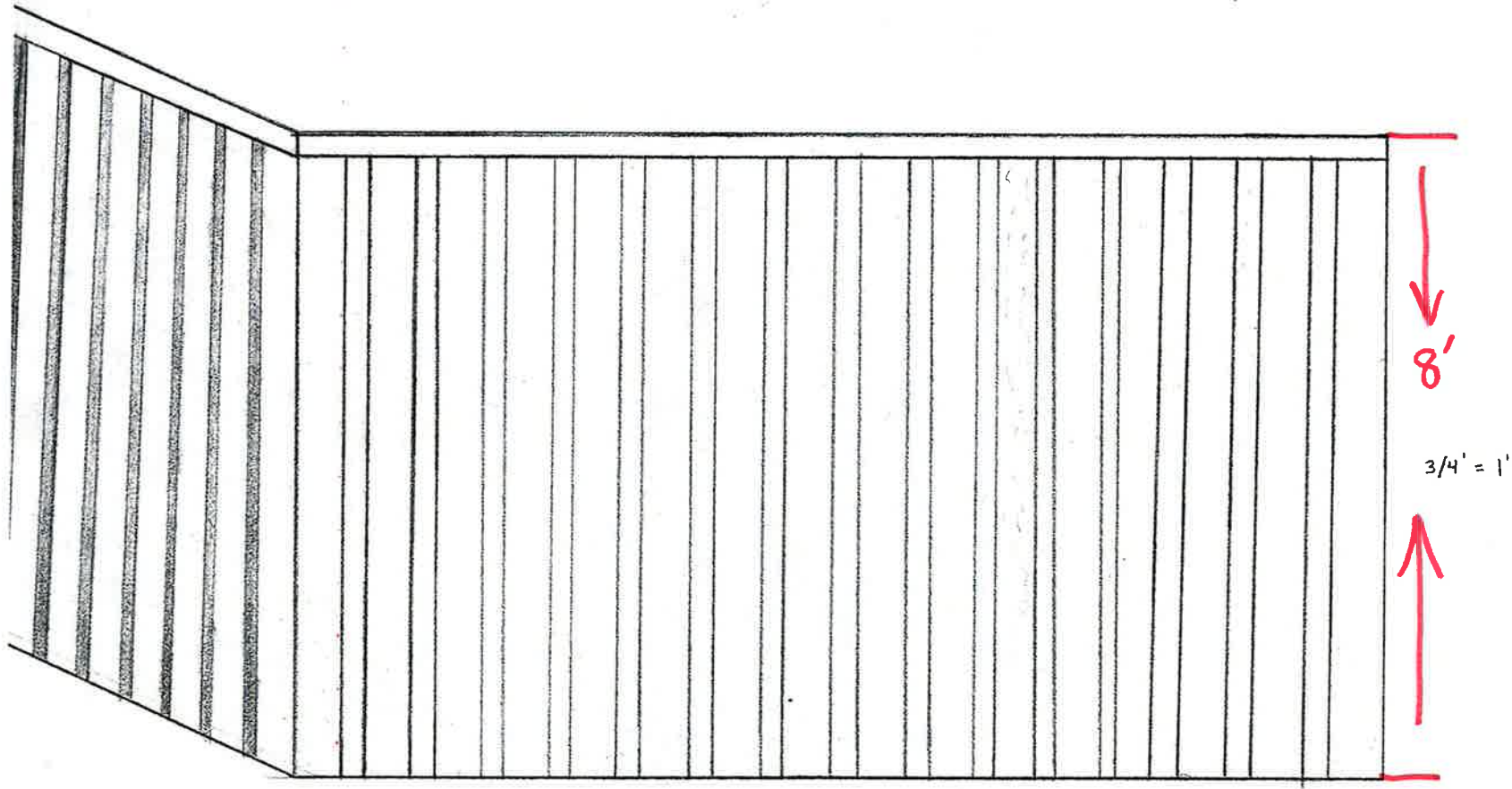
CHARLES BOBO
ARCHITECT
5656 CLIFF HAVEN DR.
DALLAS, TEXAS 75236
214 244-4073



Addition to Residence
Dominus Properties
9924 Carnegie Drive
Dallas Texas

REVISIONS

JOB NO.
DATE: 15 DEC 2018
SHEET NO.
A-1
OF 3



8'

$3/4' = 1'$

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **June 22, 2020 (C)**

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 190-049

BDA 190-064

BDA 190-065

COMMENTS:

***Fence compromises visibility of pedestrians,
bicyclists and motorists without enough sight
distance to see vehicles exiting (and
potentially backing out) of subject driveway
onto a thoroughfare corridor.***

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.

REVIEW COMMENT SHEET
 BOARD OF ADJUSTMENT
 HEARING OF **June 22, 2020 (C)**

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 190-049

BDA 190-064

BDA 190-065

COMMENTS:

***Fence compromises visibility of pedestrians,
 bicyclists and motorists without enough sight
 distance to see vehicles exiting (and
 potentially backing out) of subject driveway
 onto a thoroughfare corridor.***

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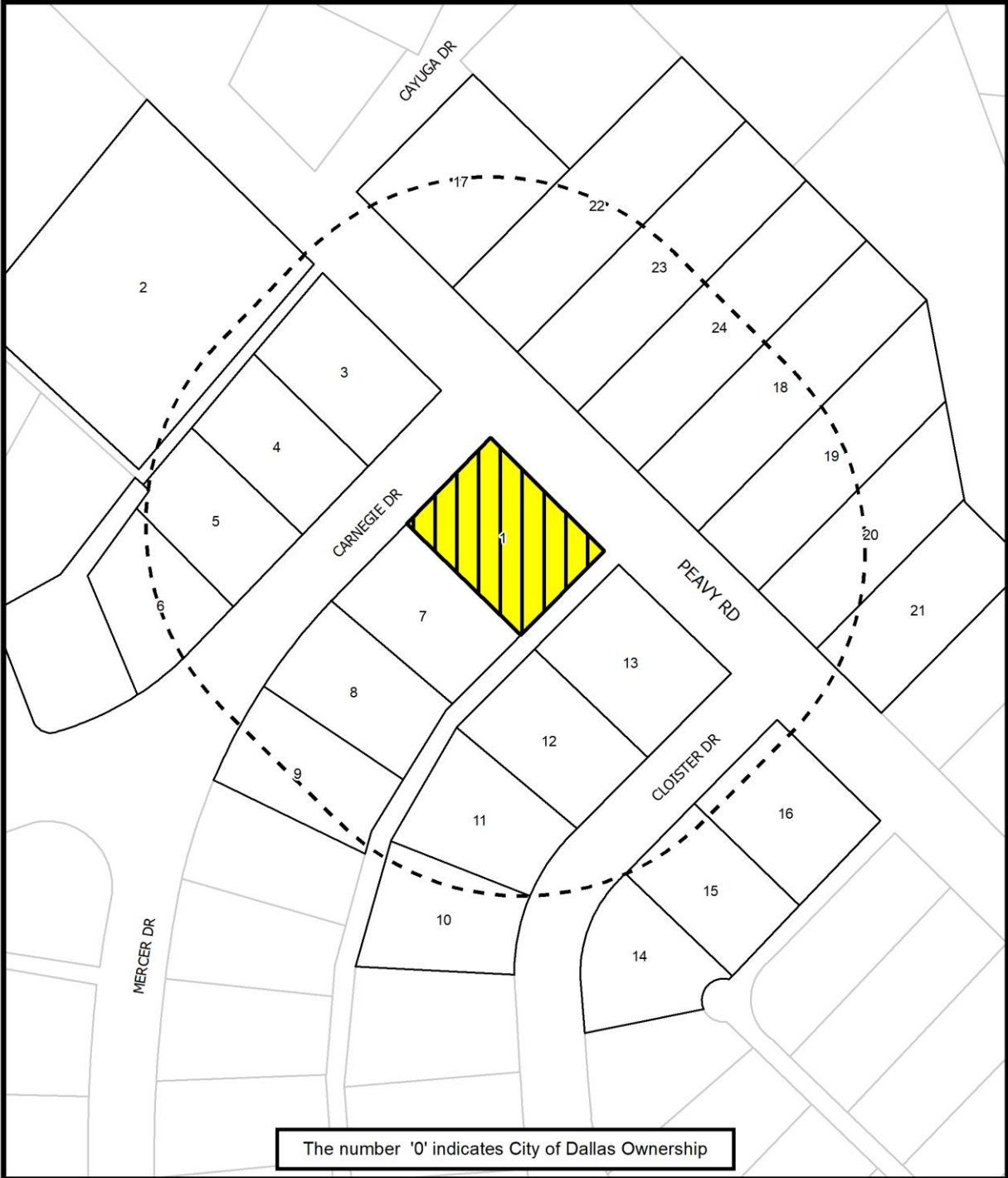
David Nevarez, PE, PTOE, DEV - Engineering

6/11/2020

Name/Title/Department

Date

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



The number '0' indicates City of Dallas Ownership

 1:1,200	<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;">24</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	24	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> BDA190-064 </u> Date: <u> 5/29/2020 </u>
200'	AREA OF NOTIFICATION					
24	NUMBER OF PROPERTY OWNERS NOTIFIED					

05/29/2020

Notification List of Property Owners

BDA190-064

24 Property Owners Notified

<i>Label#</i>	<i>Address</i>	<i>Owner</i>
1	9924 CARNEGIE DR	DOMINUS PROPERTIES INC
2	1619 PEAVY RD	SOLIS JOSEPH
3	9931 CARNEGIE DR	BRIDGER JASON SCOTT & MIRIAM
4	9923 CARNEGIE DR	NEILSON LESLIE
5	9919 CARNEGIE DR	DONOVAN LESLIE &
6	9911 CARNEGIE DR	PARHAM KEVIN &
7	9918 CARNEGIE DR	CHANG JOSEPH YUHCHIH
8	9910 CARNEGIE DR	QUINN JACK
9	9902 CARNEGIE DR	GHARIS DOROTHY
10	9915 CLOISTER DR	HAUGH DANIEL
11	9919 CLOISTER DR	NEROES DWAYNE
12	9927 CLOISTER DR	AUGHTMAN MELANY ANN
13	9933 CLOISTER DR	POLISTEFANO
14	9916 CLOISTER DR	SMELLEY DAVID LEE
15	9922 CLOISTER DR	SANSONE ANN
16	9930 CLOISTER DR	OQUINN MEGHAN MCDONALD
17	1702 PEAVY RD	GRIMALDO PEDRO &
18	1718 PEAVY RD	BATES DANNY C
19	1722 PEAVY RD	ZEQIRI BENIN &
20	1726 PEAVY RD	GRANT TABITHA
21	1730 PEAVY RD	BEARD MICHAEL &
22	1706 PEAVY RD	TARTARO SHANTELL M & JACK TARTARO
23	1710 PEAVY RD	CHARTRAND MARC & MELANIE
24	1714 PEAVY RD	SINGER ELISSA J