

NOTICE FOR POSTING
MEETING OF
BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, AUGUST 19, 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/q.php?MTID=ef6288e75f293d72b82defaf89ae3c5b3>

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

1. Board of Adjustment appeals of cases the Building Official has denied.
2. And any other business which may come before this body and is listed on the agenda.

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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



CITY OF DALLAS
BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, AUGUST 19, 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 24, 2020 Board of Adjustment Panel B Public Hearing Minutes	M1
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UNCONTESTED CASE(S)

BDA190-068(OA)	5505 Chatham Hill Rd. REQUEST: Application of Karl Crawley for a special exception to the single family zoning use regulations to provide an additional electrical meter	1
BDA190-075(OA)	6434 Tulip Ln. REQUEST: Application of Lindsey Fusch for two variances to the side yard setback regulations	2

BDA190-069(OA)

5809 Bent Oak Ct.

3

REQUEST: Application of Fredy Mize for a variance to the front yard setback regulations

REGULAR CASE(S)

None

HOLDOVER CASE(S)

None

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: BDA 190-068(OA)

BUILDING OFFICIAL'S REPORT: Application of Karl Crawley to provide an additional electrical meter at 5505 Chatham Hill Road. This property is more fully described as Lot 22, Block 7/5597, and is zoned an R-1ac(A) Single Family District, which requires that a single family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to maintain an existing additional dwelling unit and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single family zoning use regulations.

LOCATION: 5505 Chatham Hill Road

APPLICANT: Karl Crawley of Masterplan

REQUEST:

A special exception to the single family use regulations is requested in conjunction with installing and maintaining an additional electrical utility service and electrical meter on a site that is currently being developed with a single-family use.

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

The board may grant a special exception to authorize more than one electrical utility service or more than one electrical meter for single family use on a lot in a single family zoning, duplex, or townhouse district when, in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties, and 3) not be used to conduct a use not permitted in the zoning district.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize more than one electrical utility service or more than one electrical meter for single family use on a lot in a single family zoning district since the basis for this type of appeal is when in the opinion of the board, the special exception will: 1) not be contrary to the public interest; 2) not adversely affect neighboring properties, and 3) not be used to conduct a use not permitted in the zoning district.

BACKGROUND INFORMATION:

Zoning:

- Site: R-1ac (A) (Single family district 1 acre)
- North: R-1ac (A) (Single family district 1 acre)
- South: R-1ac (A) (Single family district 1 acre)
- East: R-1ac (A) (Single family district 1 acre)
- West: R-1ac (A) (Single family district 1 acre)

Land Use:

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

Zoning/BDA History:

1. BDA156-053, Property located at 5505 Chatham Hill Road (Subject property)
 1. On Wednesday, August 22, 2018, the Board of Adjustment Panel B granted a request for a variance to the front yard setback regulations of 28-feet nine-inches to construct and maintain a one-story additional dwelling unit structure with a total “additional dwelling size” of approximately 5,880 square feet, part of which is to be located 11-feet three-inches from one of the site’s two front property lines (Hollow Way Road) or 28-feet nine-inches into this 40-foot front yard setback; a request for a special exception to the single family use regulations to construct and maintain a one-story “additional dwelling unit” structure; a request for a special exception to the fence standards related to fence height of five feet to construct and maintain fences higher than four feet in height in the one of the site’s two 40-foot front yard setbacks (Hathaway Street) – a seven-to-eight-foot solid masonry fence with sliding gates and a seven-foot-high chain-link fence; a request for a special exception to the fence standards related to fence height of five feet is made to construct and maintain fences higher than four-feet-in-height in the other 40-

foot front yard setback (Hollow Way Road) – a six-foot six-inch to nine-foot solid masonry fence with sliding gates and a seven-foot-high chain-link fence; and a requests for special exceptions are made to construct and maintain fence panels with surface areas that are less than 50 percent open.

The Board of Adjustment imposed the submitted site plan, and elevation as a condition and required the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

GENERAL FACTS/STAFF ANALYSIS:

This request focuses on installing and maintaining a second electrical utility service/electrical meter on a site currently being developed with a single-family use.

The site is zoned an R-1ac(A) Single Family District where the Dallas Development Code permits one dwelling unit per lot.

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

The applicant has submitted a site plan that does not indicate the location of the two electrical meters on the subject site. However, the applicant advised staff that the additional electrical meter will be located “on the north side of the property”.

The application states that the applicant is seeking an additional electrical meter to serve the additional dwelling unit granted by this board on August 22, 2018.

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

If the board were to approve this request to install and maintain a second electrical utility service/electrical meter, this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing a second electrical utility

service/electrical meter on the site (i.e. development on the site must meet all required code requirements).

Timeline:

May 13, 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.

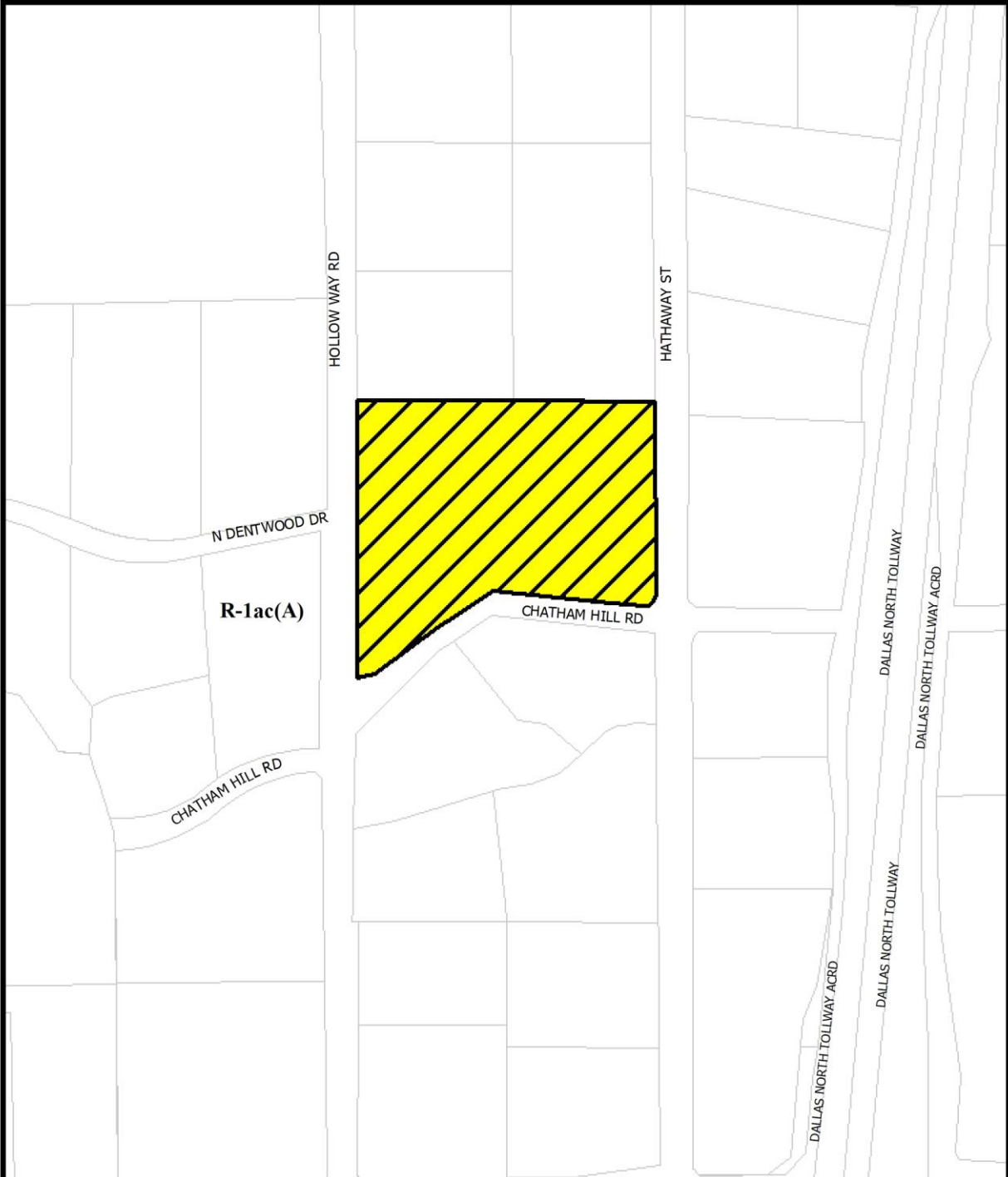
July 20, 2020: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel B.

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 Inspectors.

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

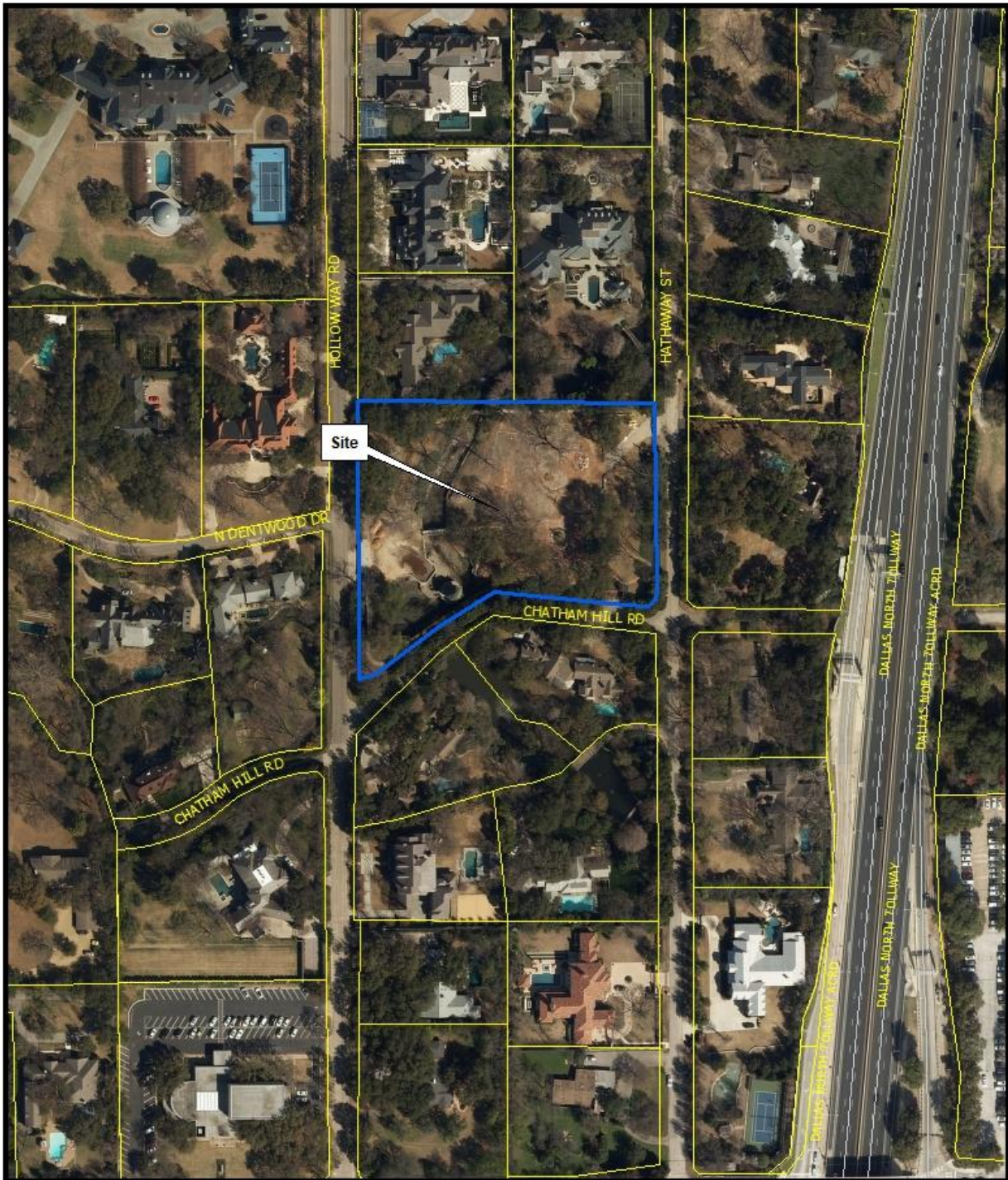


1:2,400

ZONING MAP

Case no: BDA190-068

Date: 7/24/2020



1:2,400

AERIAL MAP

Case no: BDA190-068

Date: 7/24/2020



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-068

Date: 5-13-2020

Data Relative to Subject Property:

Location address: 5505 Chatham Hill Road Zoning District: R-1(A)

Lot No.: 22 Block No.: 7/5597 Acreage: 3.43 Census Tract: 206.00

Street Frontage (in Feet): 1) 432' 2) 482.7' 3) 292.93' 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): The BR Trust

Applicant: Karl Crawley/Masterplan Telephone: 214 761 9197

Mailing Address: 2201 Main Street, Suite 1280, Dallas TX Zip Code: 75201

E-mail Address: karl@masterplantexas.com

Represented by: Karl Crawley Telephone: 214 761 9197

Mailing Address: 2201 Main Street, Suite 1280, Dallas TX Zip Code: 75201

E-mail Address: karl@masterplantexas.com

Affirm that an appeal has been made for a Variance , or Special Exception X, of
to allow an additional electric service and electric meter

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
the property is divided by a creek with frontage on two streets which does not allow the electric service from the main house cross the creek to serve the remainder of the 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 Karl A CRAWLEY
(Affiant/Applicant's name printed)

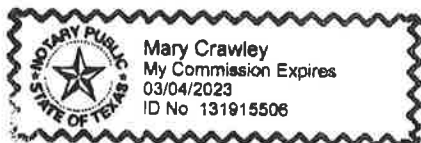
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 11th day of May, 2020

Mary Crawley
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 Karl Crawley

did submit a request provide an additional electrical meter

at 5505 Chatham Hill Road

BDA190-068. Application of Karl Crawley to provide an additional electrical meter at 5505 CHATHAM HILL RD. This property is more fully described as Lot 22, Block 7/5597, and is zoned R-1ac(A), which requires that a single family dwelling use in a single family, duplex, or townhouse district may be supplied by not more than one electrical utility service, and metered by not more than one electrical meter. The applicant proposes to maintain an existing additional dwelling unit and have more than one electrical utility service, or more than one electrical meter, which will require a special exception to the single family zoning use regulations.

Sincerely,


David Session, Building Official



August 27, 2018

Santos Martinez
Masterplan
900 Jackson, Suite #640
Dallas, TX 75202

Re: BDA178-086(OA), Property at 5505 Chatham Hill Road

Dear Santos Martinez:

The Board of Adjustment Panel B, at its public hearing held on Wednesday, August 22, 2018 took the following actions:

1. Granted the request for a 28-foot 9 inch variance to the front yard setback regulations, subject to the following condition:
 - Compliance with the submitted revised site plan is required.
2. Granted the request for special exception to the single family use regulations, subject to the following condition:
 - The applicant must deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.
3. Granted the requests for special exceptions to the fence standards regulations related to fence height of 5' and fence panel materials/location from the front lot line, subject to the following condition:
 - Compliance with the submitted revised site plan and revised elevation is required.

Contact Building Inspection at 320 E. Jefferson, Room 118 to begin the process of having the applicant's filing fee reimbursed and please contact me at (214) 671-5099 should you have any further questions regarding the Board's action.

A handwritten signature in cursive script, appearing to read 'Oscar Aguilera'.

Oscar Aguilera, Senior Planner
Board of Adjustment
Sustainable Development and Construction

c: Ben Collins, Code Enforcement, 3112 Canton, Room 100
Charles Trammell, Bldg. Inspection, 320 E. Jefferson #105



CITY OF DALLAS

AFFIDAVIT

BDA Case # 190-068

I, James Y. Robb, III, Trustee; The BR Trust, Owner of the subject property

at: 5505 Chatham Hill Road

Authorize (applicant) Karl A Crawley, Masterplan

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

Variance (please specify)

Special Exception (please specify) to allow more than one electric service and electric meter

Other {please specify}

The BR Trust

J. Y. Robb
Signature of property owner

3/18/2020
Date

Print name of property owner

Before me the undersigned on the day of personally appeared James Y. Robb III

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

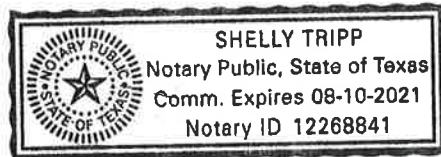
Subscribed and sworn to before me this 18th day of March, 2020

Shelly Tripp

Notary Public on and for

Dallas County, Texas

Commission expires on 08/10/2021





Printed: 5/11/2020

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 | 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)



STON HOLLOW

CITY OF DALLAS PLAT BOOKS

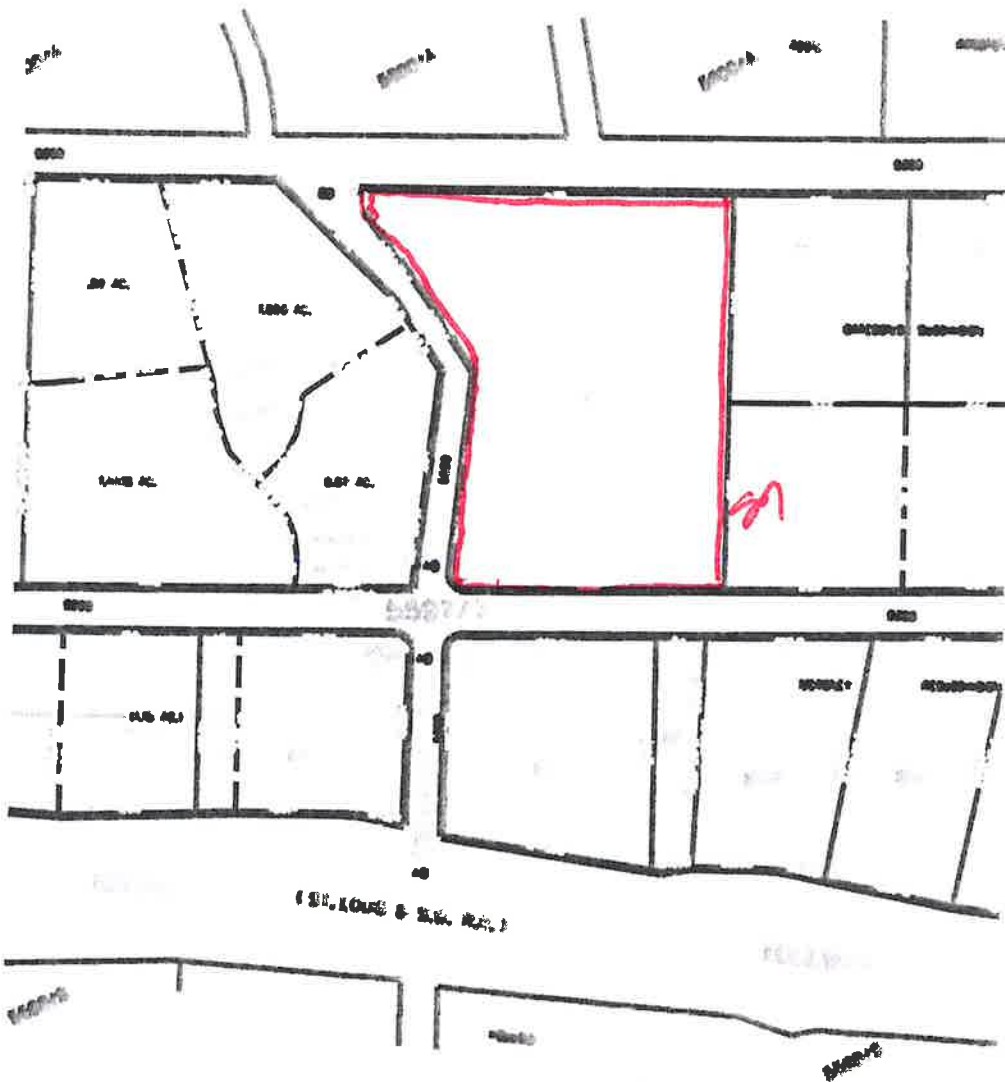
BLOCKS _____

ADDITION PRESTON HOLLOW (PART)

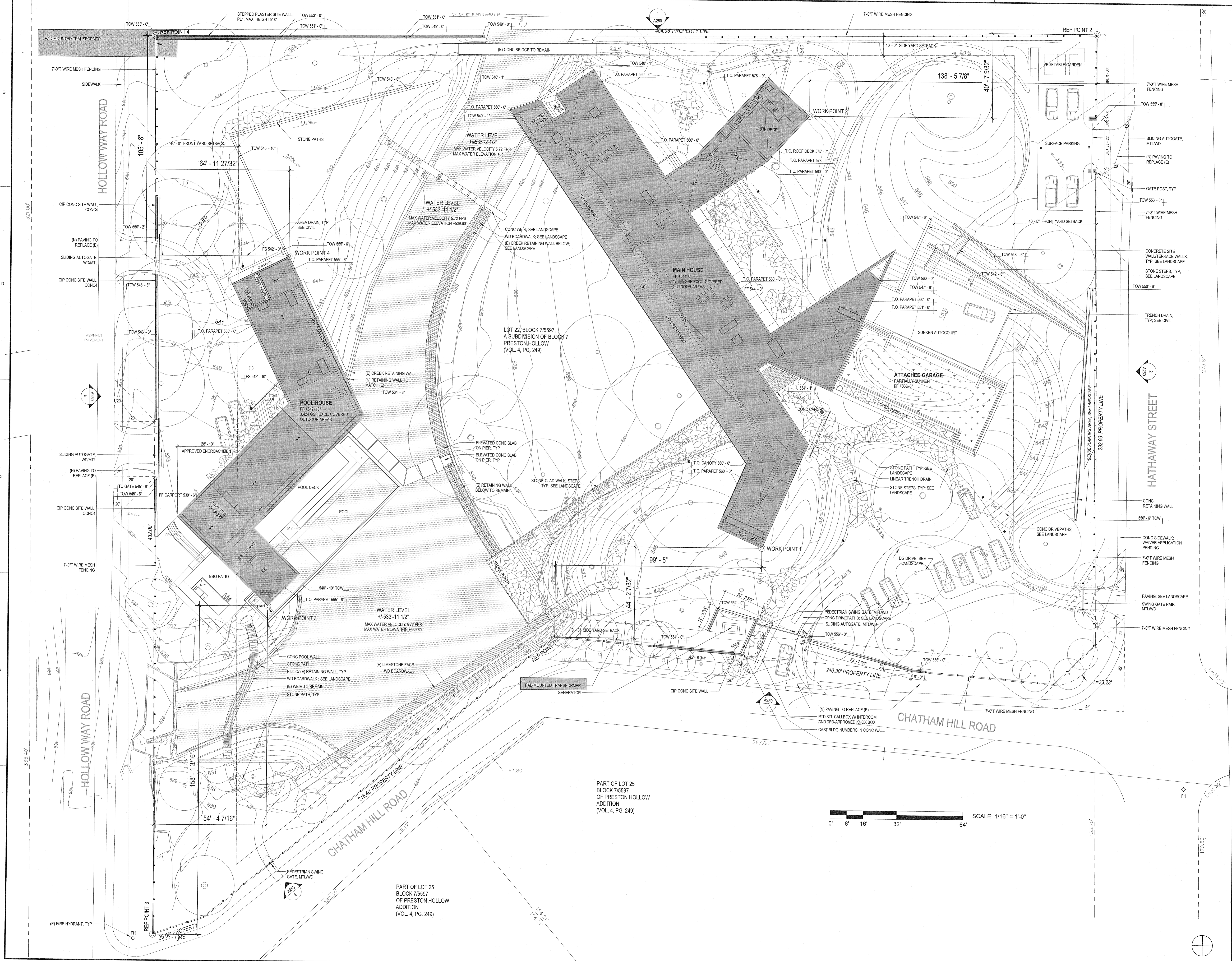
500

SCALE 100 FT. EQUALS 1 INCH

SCHOOL DISTRICT _____



GENERAL NOTE:
ALL DRAWINGS, SPECIFICATIONS, PLANS, IDEAS, APPROVEMENTS AND DESIGN RESPONSIBILITIES ARE REFERRED TO AS THE PROPERTY OF MARWAN ALSAYED INC. WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS DEVELOPED AND PROCESSED FOR THE SOLE USE OF A CLIENT IN CONNECTION WITH THIS PROJECT AND NONE OF THE ABOVE MAY BE REPRODUCED OR GIVEN OR USED BY ANY PERSON, FIRM OR CORPORATION FOR ANY USE OF PURPOSE WHATSOEVER INCLUDING ANY OTHER PROJECT, EXCEPT UPON WRITTEN PERMISSION AND AGREEMENT OF MARWAN ALSAYED INC.



STAMP

PROJECT NAME
CHATHAM HILL RESIDENCE

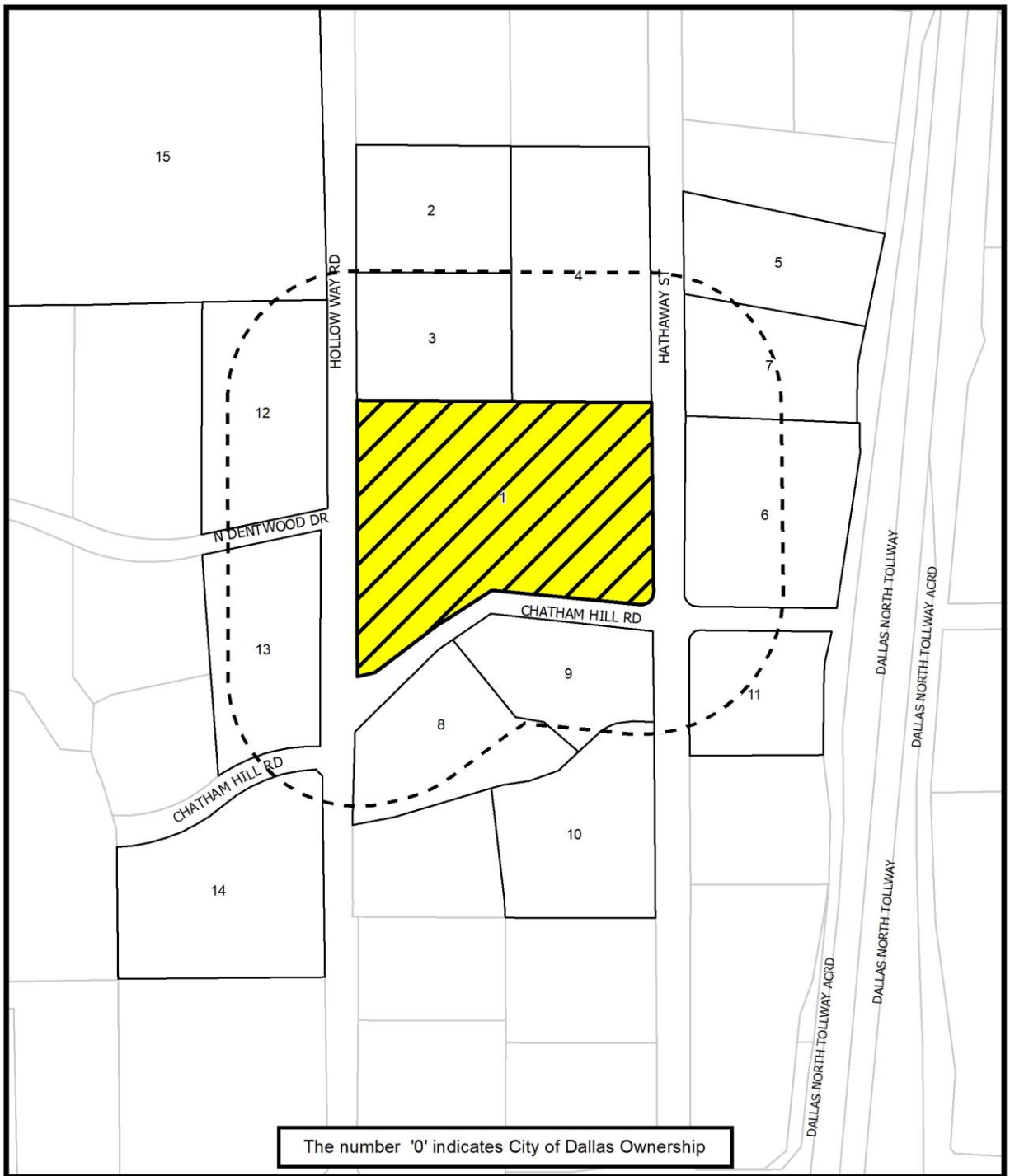
PROJECT ADDRESS
5505 CHATHAM HILL ROAD
DALLAS, TX 75220

REVISIONS

NO.	DATE	DESCRIPTION
09	01/12/2020	100% CD & MILLWORK
05	07/03/2019	100% SHELL PACKAGE
04	04/19/2019	BLDG PERMIT SUBMITTAL
02	12/04/2018	100% DESIGN DEVELOPMENT
01	07/06/2018	100% SCHEMATIC DESIGN

SHEET TITLE
SITE PLAN

DATE: 01/12/2020
PROJECT NO: CH 2017 29
SCALE: 1/16" = 1'-0"
SHEET NUMBER
A100




 1:2,400

NOTIFICATION

200' AREA OF NOTIFICATION
15 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA190-068
 Date: 7/24/2020

07/23/2020

Notification List of Property Owners

BDA190-068

15 Property Owners Notified

<i>Label#</i>	<i>Address</i>	<i>Owner</i>
1	5505 CHATHAMHILL RD	BR TRUST THE
2	9362 HOLLOW WAY RD	LEDBETTER TERRY LEE & RETA LAURIE
3	9330 HOLLOW WAY RD	SNYDER ROBERT L
4	9339 HATHAWAY ST	KING MARK A & MARCIA J
5	9346 HATHAWAY ST	MCCABE MURRAY J & ELIZABETH C
6	9300 HATHAWAY ST	MCGOWEN TAMARA F & JAMES P
7	9340 HATHAWAY ST	ACHILLES LIVING TRUST
8	5500 CHATHAMHILL RD	SEALE JOHN HENRY & KATHERINE DYLL
9	5538 CHATHAMHILL RD	CHAND MRIZWAN
10	9239 HATHAWAY ST	DUNNING THOMAS MAYBORN &
11	9266 HATHAWAY ST	SCHAFFER MARTIN J &
12	5445 N DENTWOOD DR	MULLEN MICHEL L &
13	5446 N DENTWOOD DR	CARRY DONALD J &
14	9245 HOLLOW WAY RD	LANGE BENJAMIN & TRACY
15	5424 DELOACHE AVE	CUBAN MARK

FILE NUMBER: BDA190-075(OA)

BUILDING OFFICIAL'S REPORT: Application of Lindsey Fusch for a variance to the side yard setback regulations, and for a variance to the side yard setback regulations at 6434 Tulip Lane. This property is more fully described as Lot 6, Block 4/5498, and is zoned an R-16(A) Single Family District, which requires a 10-foot side yard setback. The applicant proposes to construct a single family residential structure and provide a seven-foot six-inch side yard setback on the east side of structure, which will require a two-foot six-inch variance to the side yard setback regulations, and to construct a single family residential structure and provide a seven-foot six-inch side yard setback on the west side of the structure, which will require a two-foot six-inch variance to the side yard setback regulations.

LOCATION: 6434 Tulip Lane

APPLICANT: Lindsey Fusch

REQUESTS:

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

1. A variance to the side yard setback regulations of two-feet six-inches is made to remodel and maintain a single family home structure seven-feet six-inches from the side property line (eastern) or two-feet six-inches into the 10-foot side yard setback; and
2. A variance to the side yard setback regulations of two-feet six-inches is made to remodel and maintain a single family home structure and an attached garage seven-feet six-inches from the side property line (western) or two-feet six-inches into the 10-foot side yard setback.

STANDARD FOR A VARIANCE:

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

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

- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-16(A) District considering its restrictive lot area of 12,375 square feet so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-16(A) zoning district.
- The applicant submitted a document (Attachment A) indicating, among other things, that the proposed structure on the subject site is commensurate to 23 other lots located in the same R-16(A) District.

BACKGROUND INFORMATION:

Zoning:

Site: R-16(A) (Single family district)

North: R-16(A) (Single family district)

South: R-16(A) (Single family district)

East: R-16(A) (Single family district)

West: R-16(A) (Single family district)

Land Use:

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

Zoning/BDA History:

There has 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:

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

1. Remodeling and maintaining a single family home structure seven-feet six-inches from the side property line (eastern) or two-feet six-inches into the 10-foot side yard setback; and
2. Remodeling and maintain a single family home structure and an attached garage seven-feet six-inches from the side property line (western) or two-feet six-inches into the 10-foot side yard setback.

The property is located in an R-16(A) Single Family District which requires a minimum side yard setback of 10 feet. However, the submitted site plan indicates that the proposed structure will be located seven-feet six-inches from the east and west property lines or two-feet six-inches into these 10-foot side yard setbacks after the applicant is done with the remodeling of the property.

According to DCAD records, the “main improvements” for the property addressed at 6434 Tulip Lane, includes a single family structure built in 1952 with 2,140 square feet of living/total area. DCAD shows a 440-square-foot attached garage as an “additional improvement” for this property.

The subject site is flat, virtually rectangular in shape (approximately 165' x 75'), and according to the submitted application, is 0.284 acres (or 12,375 square feet) in area. The site is zoned R-16(A) where lots are typically a minimum of 16,000 square feet in area. The subject site is 3,625 square feet smaller than the minimum size requirement.

The applicant submitted a document (Attachment A) indicating, among other things, that the proposed additions on the subject site is commensurate to 23 other lots located in the same R-16(A) District.

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

- That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-16(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing

this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-16(A) zoning classification.

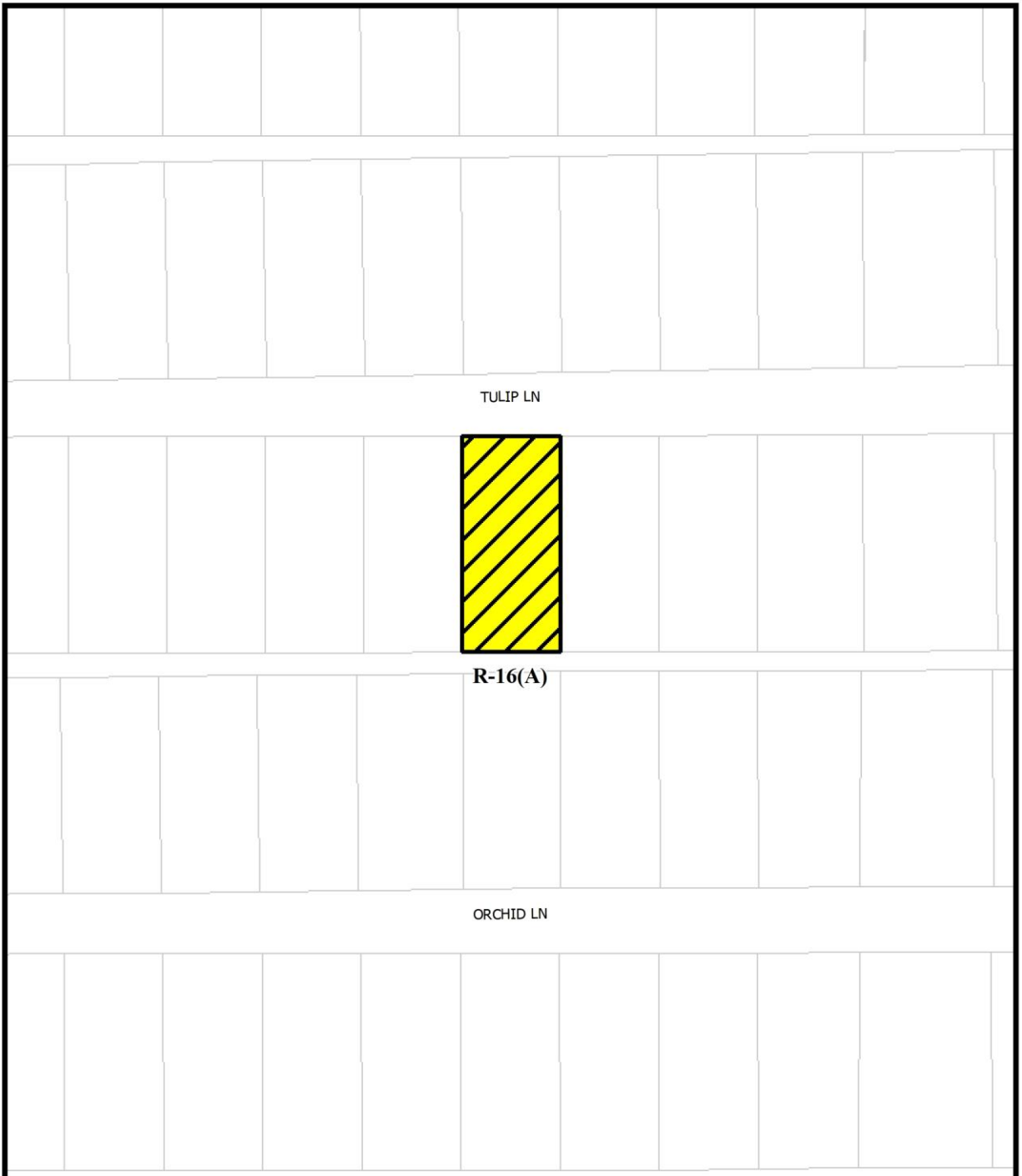
If the Board were to grant the variance requests, and impose the submitted site plan as a condition, the structure in the side yard setbacks would be limited to what is shown on this document– which in this case is a structure that would be located seven-feet six-inches from the west and east side property lines or two-feet six-inches into these 10-foot side yard setbacks.

Timeline:

- June 29, 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 the Board of Adjustment Panel B.
- 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 27, 2020: The applicant’s representative submitted a letter to the board (see Attachment 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.

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

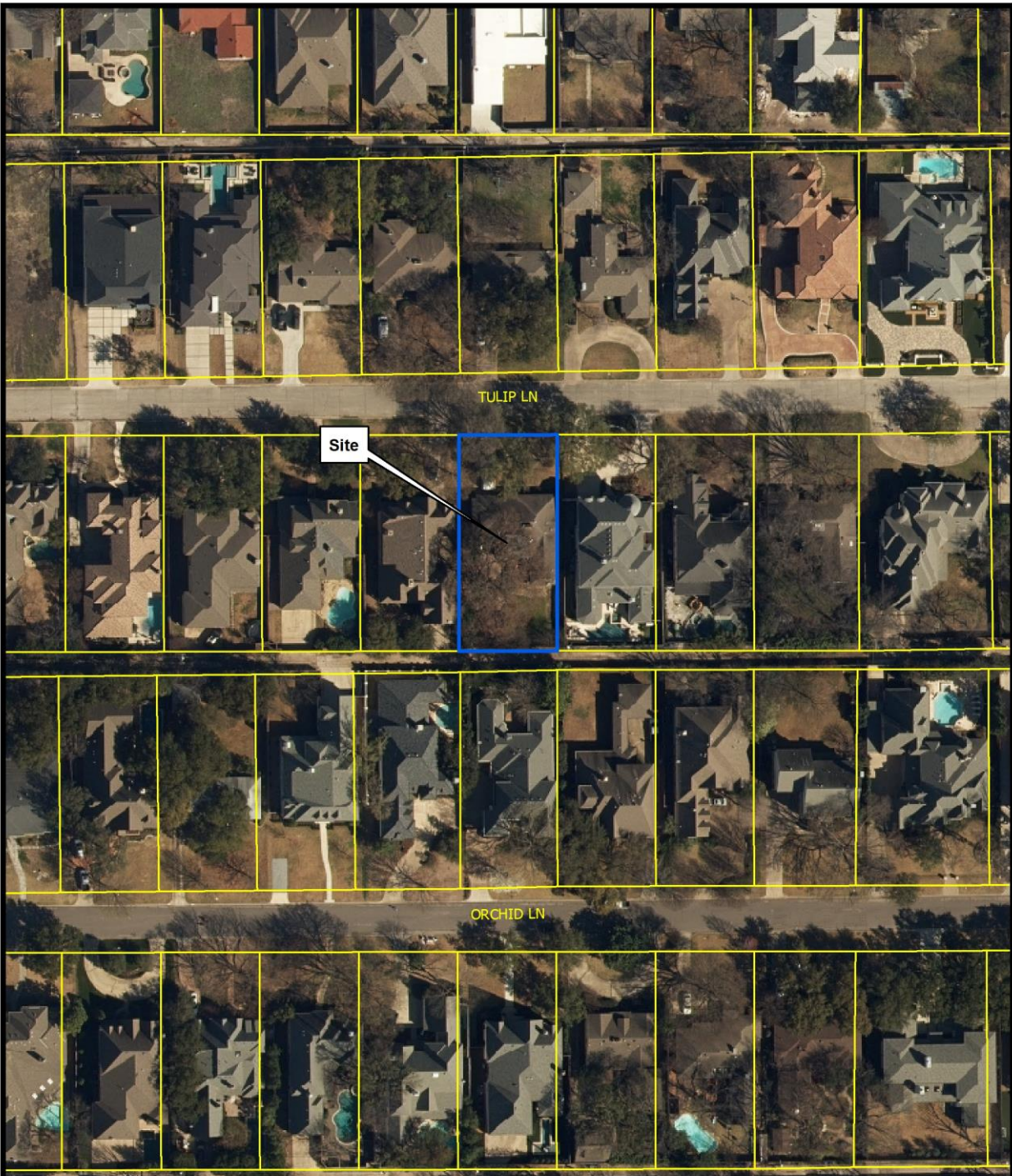


1:1,200

ZONING MAP

Case no: BDA190-075

Date: 7/27/2020



1:1,200

AERIAL MAP

Case no: BDA190-075

Date: 7/27/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-075

Date: ~~6/25/20~~ 6-29-20 ~~ced~~

Data Relative to Subject Property:

Location address: 6434 Tulip Ln Dallas TX 75230 Zoning District: R16A

Lot No.: 6 Block No.: 4/5498 Acreage: .284 Census Tract: 76.04

Street Frontage (in Feet): 1) 15 ft 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Blake & Lindsey Fusch

Applicant: Lindsey Fusch Telephone: 214-794-4441

Mailing Address: 6434 Tulip Ln Dallas 75230 Zip Code: 75230

E-mail Address: LindseyLfusch@gmail.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance X, or Special Exception, of 2.5 ft from 10 ft to 7.5 ft.

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:

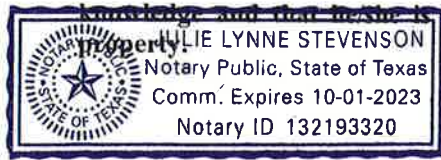
- Home built in 1952
- Side setback used to be 7.5 ft & NW is 10 ft.
- Our garage & master are at 7.5 ft so we would like unity for the home & entire side of structure so all walls are aligned.

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 Lindsey Fusch (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: Lindsey Fusch (Affiant/Applicant's signature)

Subscribed and sworn to before me this 25 day of June, 2020

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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that LINDSEY FUSCH

did submit a request for a variance exception to the side yard setback regulations
at 6434 Tulip Lane

BDA190-075. Application of LINDSEY FUSCH for a variance to the side yard setback regulations, and for a variance to the side yard setback regulations at 6434 TULIP LN. This property is more fully described as Lot 6, Block 4/5498, and is zoned R-16(A), which requires a 10 foot side yard setback. The applicant proposes to construct a single family residential structure and provide a 7 foot 6 inch side yard setback on the east side of structure, which will require a 2 foot 6 inch variance to the side yard setback regulations, and to construct a single family residential structure and provide a 7 foot 6 inch side yard setback on the west side of the structure, which will require a 2 foot 6 inch variance to the side yard setback regulations.

Sincerely,


David Session, Building Official

Amberley Fusch
Signature of applicant or person receiving signs

6.25.20
Date



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-075

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

at: 6434 Tulip Ln Dallas, TX 75230
(Address of property as stated on application)

Authorize: Lindsey Fusch
(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: 2.5 ft side setback variance
10ft to 7.5 ft

Blake Fusch
Print name of property owner or registered agent

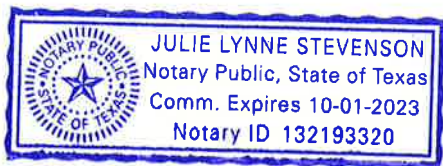
[Signature]
Signature of property owner or registered agent

Date June 25, 2020

Before me, the undersigned, on this day personally appeared Blake Fusch

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 25 day of June, 2020



Julie Stevenson
Notary Public for Dallas County, Texas

Commission expires on 10-01-2023

FINAL PLAT OF
PEMBERTON ADDITION NO. 3

AN ADDITION TO THE CITY OF DALLAS, TEXAS
 IN THE J. A. SMITH SURVEY-ABSTRACT NO. 1339

MABERRY & GARROTT DEVELOPERS

SCALE: 1 INCH = 100 FEET

POWELL & POWELL,
 ENGINEERS

MARCH, 1950

758 - 781

22-15-103

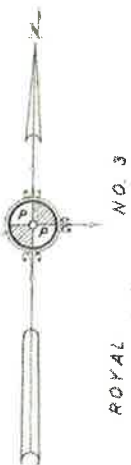
W/S

103

ROYAL

LANE

BEGIN DESCRIPTION



ROYAL NO. 3

PRESTON

STREET

TIBBS

TULIP LANE

ORCHID LANE

PEMBERTON DRIVE

WAGGONER PLACE





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 | 2-10 Front Overlay |
| | | Height Map Overlay | |

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



GENERAL NOTES

- CONSTRUCTION: COMPLY WITH APPLICABLE CODES AND RELATED AMENDMENTS, AND ANY MANUFACTURER'S SPECIFICATIONS.
- NOTIFY ARCHITECT OF ERRORS, OMISSIONS, AND DISCREPANCIES IN CONTRACT DOCUMENTS, OR BETWEEN CONTRACT DOCUMENTS AND ACTUAL SITE CONSTRUCTION CONDITIONS.
- CIVIL, LANDSCAPE, STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS BY OWNERS CONSULTANTS.
 - a) ARCHITECT'S ELECTRICAL, MECHANICAL, AND PLUMBING PLANS ARE DIAGRAMMATIC ONLY. ACTUAL DESIGN BY OWNER'S CONSULTANT.
 - b) REFER TO CIVIL & LANDSCAPE DRAWINGS FOR GRADING AND DRAINAGE REQUIREMENTS.
 - c) REFER TO STRUCTURAL ENGINEER FOR STRUCTURAL DESIGN, SPECIFICATIONS, AND DETAILS.
- VERIFY TYPE AND LOCATION OF UTILITIES SERVING SITE.
- FIREPLACES:
 - a) VERIFY SIZES, INCLUDING HEARTH EXTENSIONS REQUIRED BY CODE.
 - b) PROVIDE OUTSIDE MAKE-UP AIR INLET WITH SCREENED LOUVER AND DAMPER, PER MANUFACTURER'S SPECIFICATIONS AND CODE REQUIREMENTS.
- VENT CLOTHES DRYER TO OUTSIDE PER CODE.
- REFER ELEVATIONS FOR ROOFS TO BE GUTTERED. SUBMIT PROPOSED LOCATIONS OF GUTTERS AND DOWNSPOUTS TO OWNER FOR REVIEW AND APPROVAL.
- ALL FLOOR FINISH HEIGHTS TO MATCH. FINISH FLOOR ELEVATIONS AT SECOND FLOOR ARE GIVEN TO TOP OF FLOOR DECK.
- INSTALL STUDS AT CLOSET SIDE WALL ROD LOCATIONS, MEASURED 10" FROM BACK WALL.
- EXTERIOR MATERIALS AND FINISHES: INSTALL IN ACCORDANCE WITH MANUFACTURERS WRITTEN INSTRUCTIONS AND DETAILS.
- FIRE SPRINKLER SYSTEM: REFER LOCAL JURISDICTION FOR REQUIREMENTS.
- ALL AIR-HANDLING EQUIPMENT AND DUCTWORK MUST BE OUTSIDE THE FIRE-RATED ENVELOPE OF THE GARAGE.
 - a) ALL PENETRATIONS MUST BE SEALED
 - b) ALL FLOOR AND CEILING JOIST BAYS MUST BE SEALED
 - c) THE WALLS AND CEILINGS OF CONDITIONED SPACES ABOVE A GARAGE MUST BE PAINTED
- CONDITIONED SPACES NEXT TO A GARAGE:
 - a) ALL PENETRATIONS MUST BE SEALED
 - b) ALL DOORS MUST BE WEATHER STRIPPED
 - c) ALL CRACKS AT THE BASE OF THE WALL MUST BE SEALED
- AIR FILTERS MUST BE INSTALLED WITH A MINIMUM REPORTING VALUE (MERV) EQUAL TO OR GREATER THAN 8. AIR FILTER HOUSING MUST BE AIR TIGHT.
- AIR HANDLERS MUST BE SIZED TO MAINTAIN ADEQUATE AIR PRESSURE/FLOW.
- USE DRIP EMITTERS IN ALL LANDSCAPE BEDDING AREAS IN LIEU OF SPRINKLERS

- DIMENSION PURPOSES:
- DO NOT SCALE DRAWINGS.
 - VERIFY DIMENSIONS; NOTIFY ARCHITECT OF DISCREPANCIES.
 - WOOD STUD WALLS: 2x4's @ 16" o.c. TO MAXIMUM HEIGHT OF 10' SUPPORTING ONE FLOOR, ROOF AND CEILING. UNSUPPORTED WALL HEIGHTS EXCEEDING 10' AND 3 STORY CONDITIONS REQUIRE STRUCTURAL ANALYSIS TO DETERMINE STUD SIZE AND SPACING.
 - EXTERIOR WOOD STUD/BRICK ASSEMBLY: 11" w/2x6's, 13" w/2x8's.
 - INTERIOR WOOD STUD WALLS DIMENSIONED TO CENTERLINE OF WALL EXCEPT: FLAT STUDS DIMENSIONED 2" THICK AND OVER 6" THICK DIMENSIONED OUT-TO-OUT
 - WALL PLATE HEIGHTS: GROSS REFERENCE EXTERIOR ELEVATIONS, WALL SECTIONS AND FASCIA DETAILS TO DETERMINE.
 - WINDOWS:
 - a) VERIFY WINDOW ROUGH OPENING SIZES WITH SELECTED MANUFACTURER.
 - b) REFER TO EXTERIOR ELEVATIONS AND FLOOR PLANS OR SCHEDULE FOR HEAD HEIGHTS.

MECHANICAL NOTES

- PLUMBING AND HVAC SYSTEMS:
 - a) DESIGN BY CONTRACTOR'S PLUMBING AND MECHANICAL PERSONNEL AND SUBMITTED TO ARCHITECT AND OWNER FOR REVIEW.
 - b) LOCATIONS OF HVAC UNITS AND WATER HEATERS DETERMINED BY CONTRACTOR AND SUBMITTED TO ARCHITECT AND OWNER FOR REVIEW.
- HOT WATER HEATING SYSTEM: PROVIDE RECIRCULATING PUMP SYSTEM
- POWERED MECHANICAL VENTILATION SYSTEMS: PROVIDE AT ATTICS, ROOFS, AND CRAWL SPACES TO MEET LOCAL CODE REQUIREMENTS.
- CONTRACTOR SHALL SIZE HVAC SYSTEM FOR APPROPRIATE MAKE-UP AIR AND FOR ADDITIONAL CONDITIONED AIR FOR NON-VENTILATED CRAWL SPACES AND NON-VENTILATED ATTIC SPACES, IF APPLICABLE.

MECHANICAL SYMBOLS

-TW	COLD WATER TAP FOR REFRIGERATOR OR ICE MAKER
GAS	GAS SUPPLY.
GAS KEY	GAS KEY.
SW-GAS	SWITCHED GAS KEY.
FF	FROST FREE HOSE BIB.

LOT COVERAGE

SITE AREA	12,375 SF
ALLOWABLE COVERAGE	4,950 SF (40%)
ACTUAL COVERAGE	2,955 SF

ENERGY REQUIREMENTS

BASED ON THE 2015 INTERNATIONAL RESIDENTIAL CODE, CHAPTER 11; OR THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE, CHAPTER 4, CONTRACTOR SHALL MEET OR EXCEED THE FOLLOWING INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT:

FOR CLIMATE ZONE 3:

FENESTRATION U-FACTOR	0.35 MAX.
SKYLIGHT U-FACTOR	0.55 MAX.
GLAZED FENESTRATION SHGC	0.25 MAX.
CEILING R-VALUE	38 MIN.
WOOD FRAME WALL R-VALUE	20 MIN.
MASS WALL R-VALUE	8/13 MIN.
FLOOR R-VALUE	19 MIN.
CRAWL SPACE WALL R-VALUE	5/13 MIN.

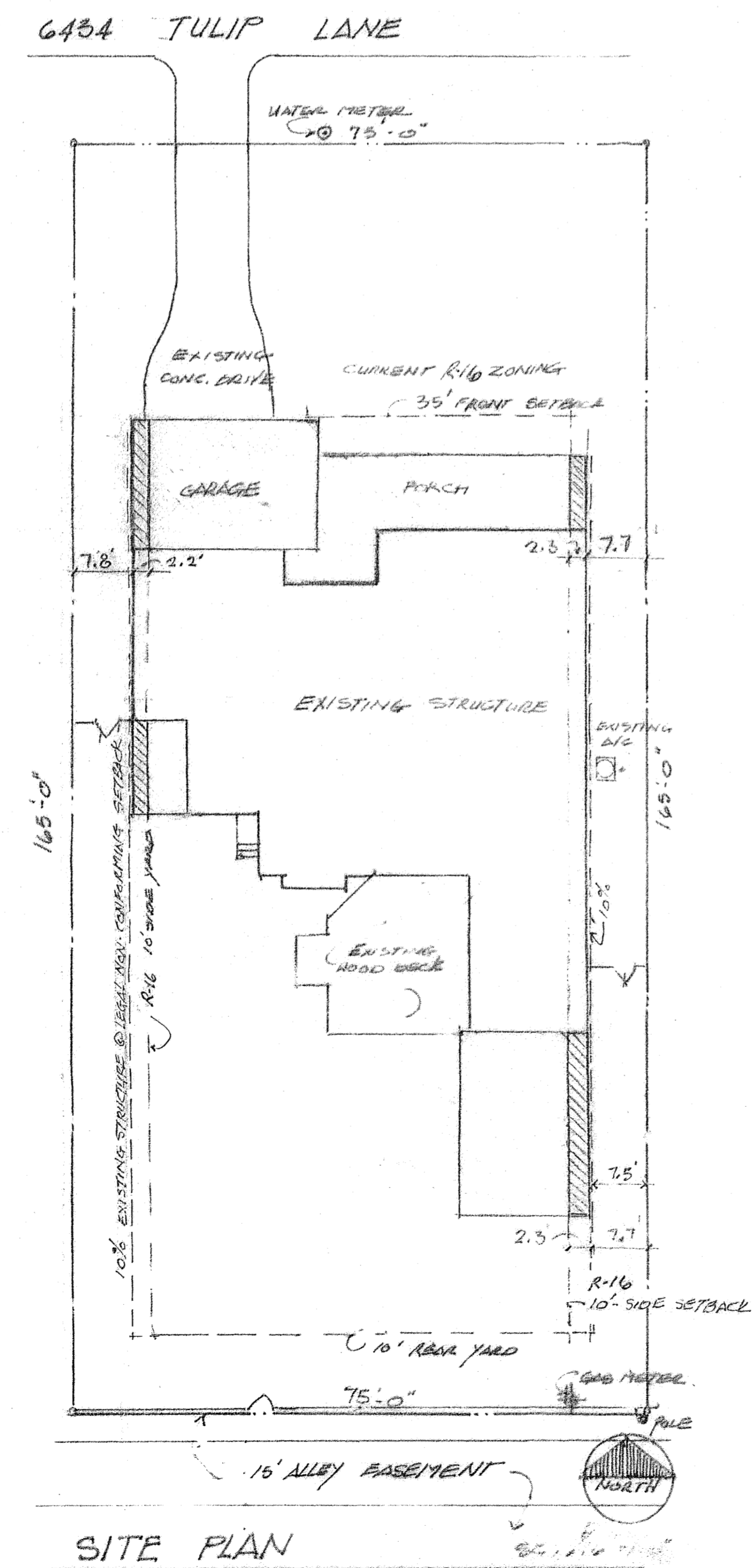
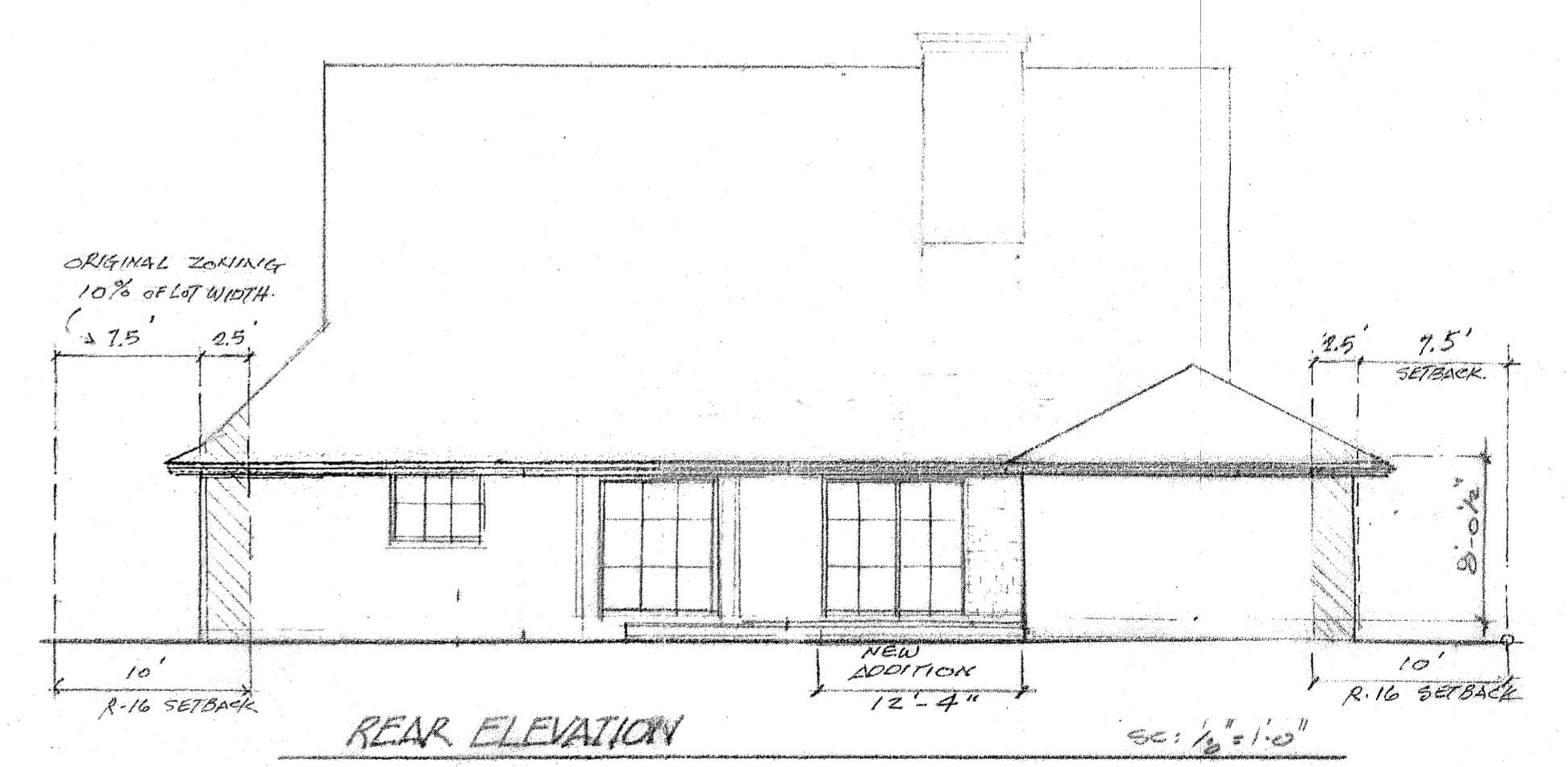
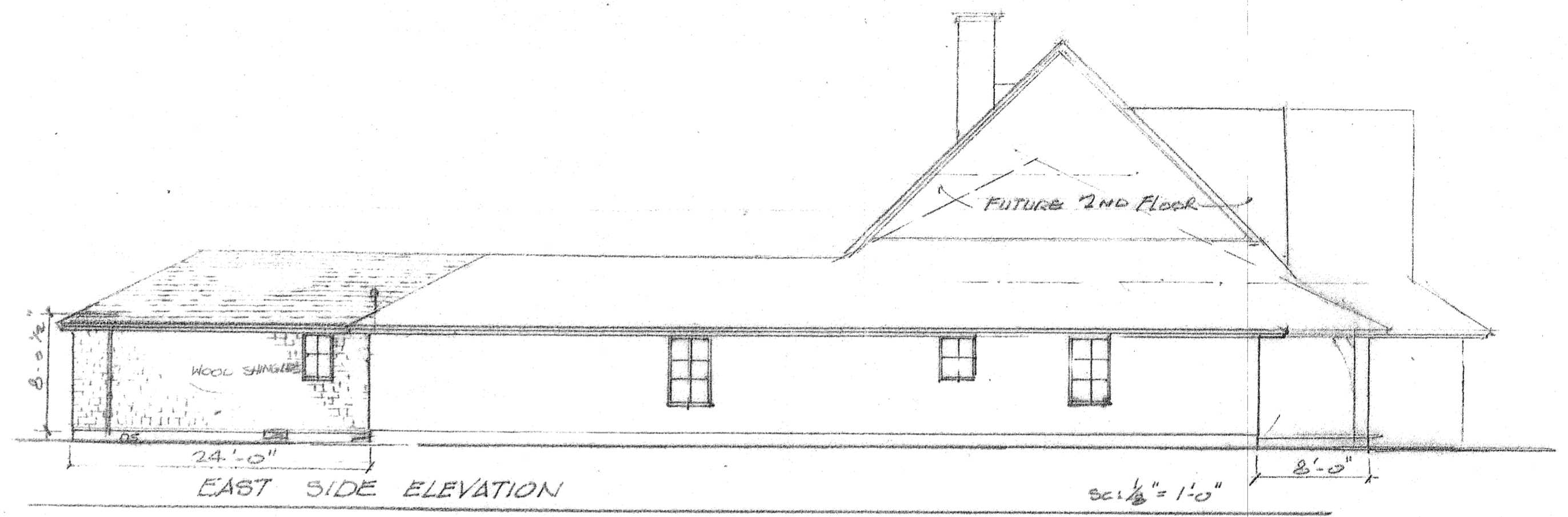
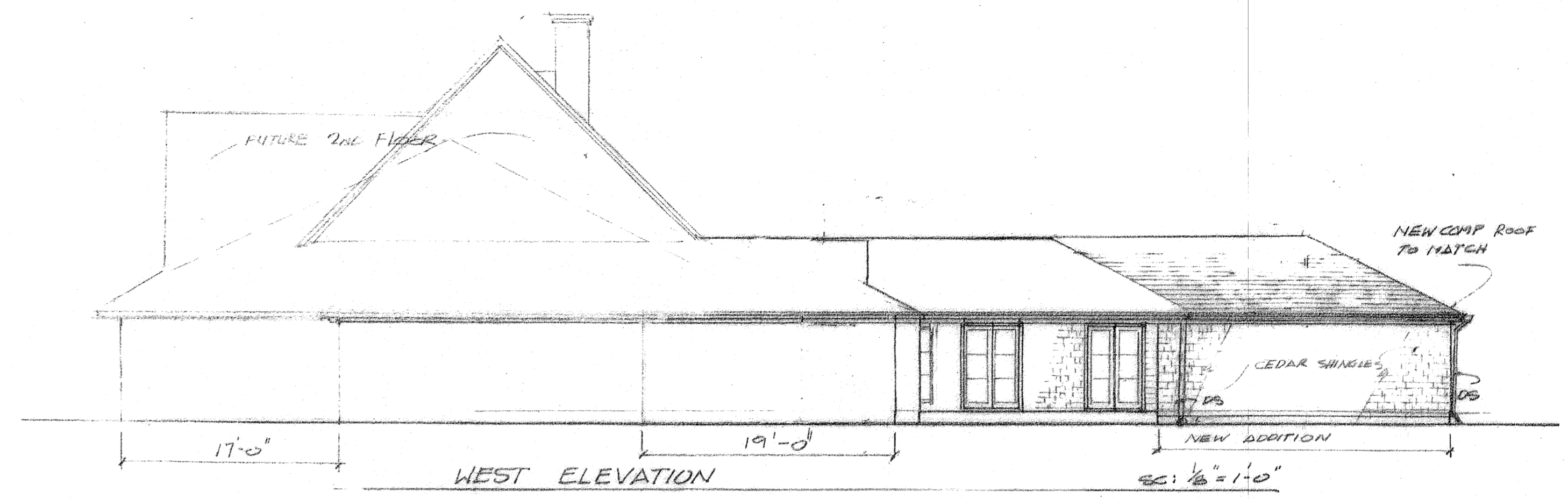
IN COMPLIANCE WITH THE 2012 INTERNATIONAL RESIDENTIAL CODE, CHAPTER 11, CONTRACTOR SHALL COMPLETE AND POST A PERMANENT CERTIFICATE ON OR IN THE ELECTRICAL DISTRIBUTION PANEL LISTING THE PREDOMINANT R-VALUES OF INSULATION INSTALLED IN OR ON CEILING/ROOF, WALLS, FOUNDATION (SLAB, BASEMENT WALL, CRAWLSPACE WALL AND/OR FLOOR) AND DUCTS OUTSIDE CONDITIONED SPACES, U-FACTORS FOR FENESTRATION, AND THE SOLAR HEAT GAIN COEFFICIENT (SHGC) OF FENESTRATION. THE CERTIFICATE SHALL ALSO LIST THE TYPE AND EFFICIENCY OF HEATING, COOLING AND SERVICE WATER HEATING EQUIPMENT.

AREA EVALUATION

EXISTING HOUSE	2,545 SF
NEW ADDITION	91 SF
TOTAL BUILDING AREA	2,955 SF

LEGAL DESCRIPTION

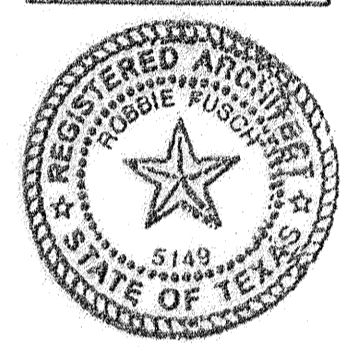
PEMBERTON ADDITION #7, BLK 4/5498, LOT6, VOL. 15, PG 103, CITY OF DALLAS, DALLAS COUNTY, TX.



SITE PLAN

6434 TULIP LANE, DALLAS, TEXAS 75230

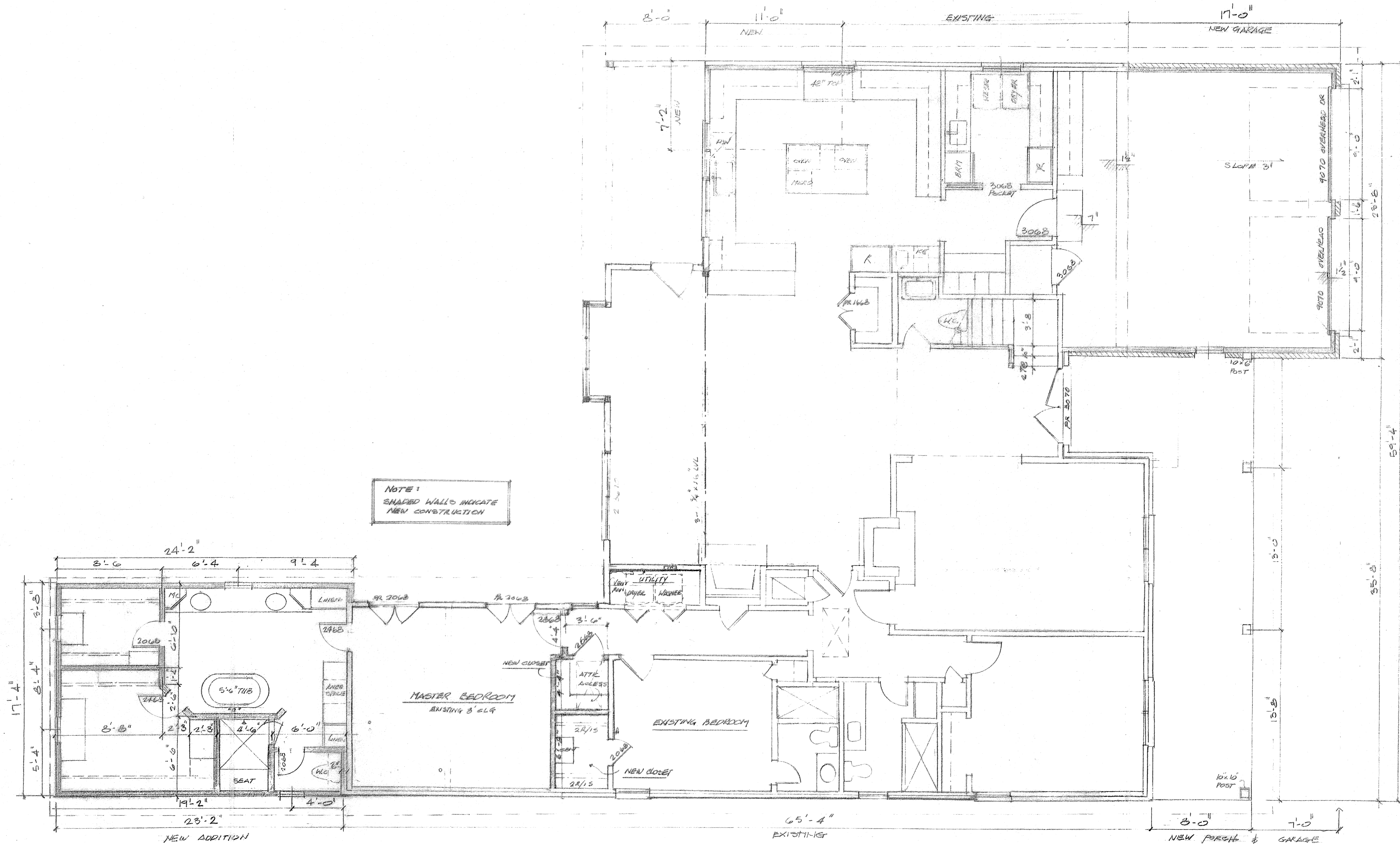
FUSCH ARCHITECTS, INC.
 4308 AVONDALE AVE #200, DALLAS, TEXAS 75219
 TEL 214-696-0151 - WWW.FUSCHARCHITECTS.COM



A REMODEL DESIGNED FOR
MR. AND MRS. BLAKE FUSCH

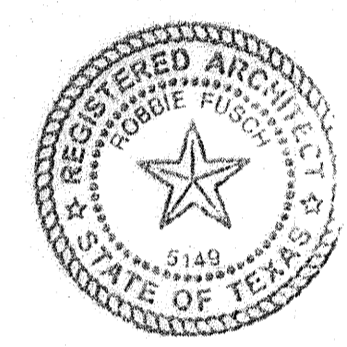
Drawn By	REF
Checked By	JRW
Date	10/02/2017

A1.01
 Project No 217000.01



NOTE:
 SHADED WALLS INDICATE
 NEW CONSTRUCTION

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



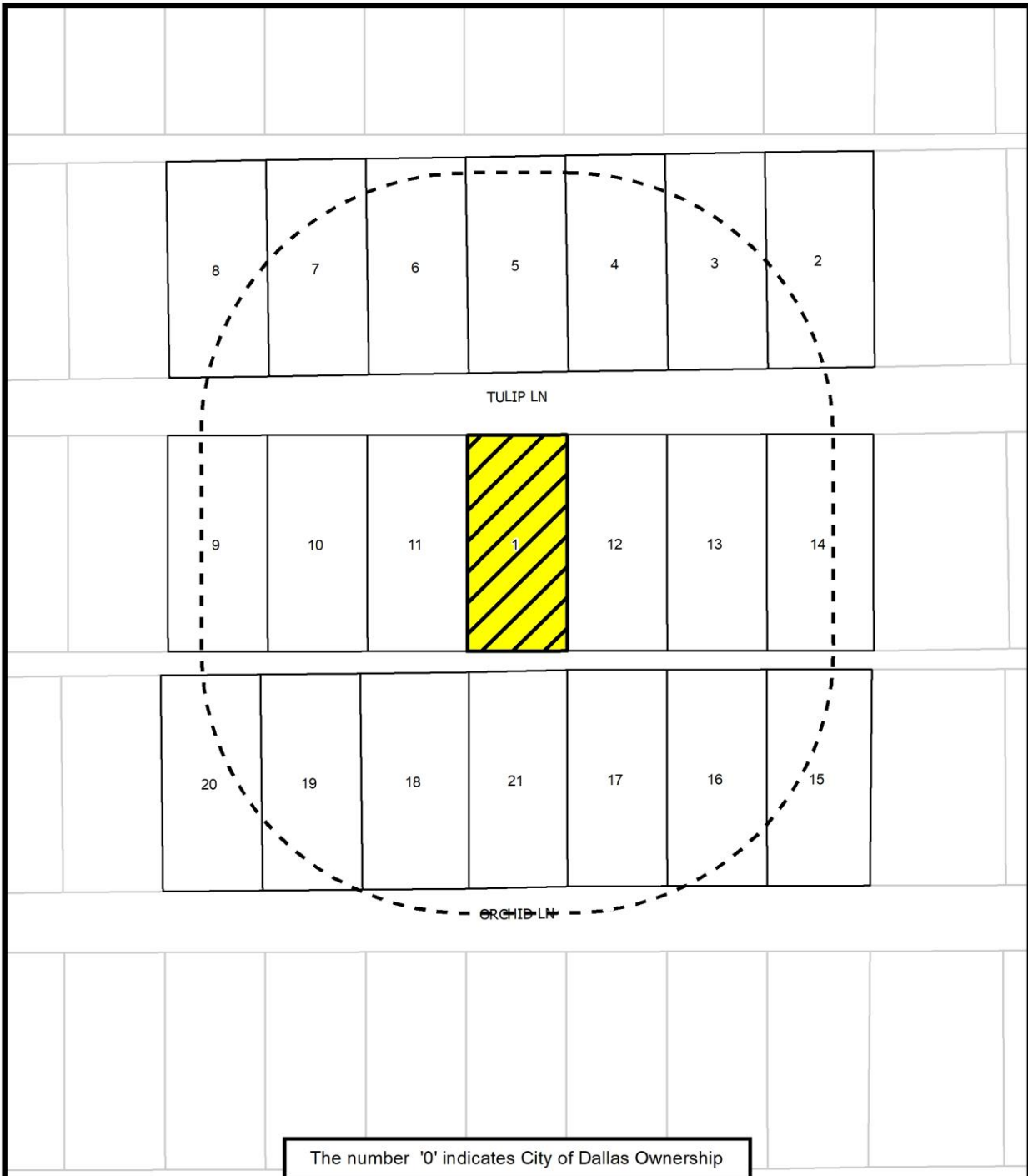
6434 Tulip

Zoning is R16- requires a lot to be a minimum of 16,000 sqft. My lot is only 12,375 sqft.

The average structure size is 6,526 sqft. My structure is only 2100 sqft.

The average lot size is 18,360 sqft. My lot size is 12,375 sqft.

Address	Lot Size	Total Lot Size	Living Area Sqft
6458 Tulip Lane	101x165	16,682	6,745
6459 Tulip Lane	101x165	16,682	6,383
6466 Tulip Lane	100x165	16,500	6,142
6467 Tulip Lane	100x165	16,500	5,574
6474 Tulip Lane	104x165	17,154	8,500
6475 Tulip Lane	104x165	17,154	5,334
6505 Tulip Lane	115x165	18,877	6,819
6506 Tulip Lane	115x165	18,877	6,819
6507 Tulip Lane	115x165	18,877	7,088
6514 Tulip Lane	114x165	18,877	6,819
6507 Pemberton Drive	115x165	18,877	5,868
6522 Pemberton Drive	101x160	18,581	6,675
6475 Northport Drive	124x171	20,726	6,735
6408 Northport Drive	125x167	19,907	4,975
6507 Northport Drive	110x172	18,735	4,195
6475 Norway Road	123x158	19,534	5,935
6474 Norway Road	123x158	19,474	8,379
6507 Norway Road	110x157	17,026	7,832
6459 Orchid Lane	101x165	16,682	6,606
6506 Orchid Lane	115x165	18,877	6,672
6507 Orchid Lane	115x165	18,877	7,088
6475 Brookshire Drive	124x158	18,978	7,000
6408 Brookshire Drive	125x158	19,833	5,916
AVERAGE		18,360	6,526



 1:1,200	<h2 style="margin: 0;">NOTIFICATION</h2> <table style="margin: 10px auto; border-collapse: collapse;"> <tr> <td style="border: 1px solid black; padding: 2px 5px; text-align: center;">200'</td> <td style="padding: 0 5px;">AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px 5px; text-align: center;">21</td> <td style="padding: 0 5px;">NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	21	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u> BDA190-075 </u> Date: <u> 7/27/2020 </u>
200'	AREA OF NOTIFICATION					
21	NUMBER OF PROPERTY OWNERS NOTIFIED					

07/24/2020

Notification List of Property Owners

BDA190-075

21 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6434 TULIP LN	FUSCH BLAKE A & LINDSEY L
2	6453 TULIP LN	BAGGETT KELVIN A
3	6447 TULIP LN	RO FAMILY TRUST
4	6441 TULIP LN	SHATTEREDSLIPPERS INV LLC
5	6435 TULIP LN	WORTLEY JEAN T
6	6429 TULIP LN	WDR LEGACY TRUST
7	6423 TULIP LN	GRIFFIN MASON & JENNIFER
8	6417 TULIP LN	CORONA BENJAMIN R & LAURA
9	6416 TULIP LN	LANDRY THOMAS W JR &
10	6422 TULIP LN	CARLSON LARRY D
11	6428 TULIP LN	GRUNER ROBERT III & KATHRYN ARGO
12	6440 TULIP LN	MIFF STEVE C & JENNIFER M
13	6446 TULIP LN	ZHOULI & XIN DONG &
14	6452 TULIP LN	COCHRAN CYNTHIA J
15	6457 ORCHID LN	OBRIEN PATRICK R &
16	6447 ORCHID LN	POWER WALTER VAN &
17	6441 ORCHID LN	TABER DOUGLAS J & B JANE
18	6429 ORCHID LN	HURLEY MARY ELIZABETH
19	6423 ORCHID LN	ADAMS CHRISTOPHER M
20	6417 ORCHID LN	JOHNSON JAMES
21	6435 ORCHID LN	HARMAN LOUISE III & ELIZABETH S

FILE NUMBER: BDA190-069(OA)

BUILDING OFFICIAL'S REPORT: Application of Fredy Mize for a variance to the front yard setback regulations at 5809 Bent Oak Ct. This property is more fully described as Lot 19, Block 2/8225, and is zoned R-7.5(A), Single Family District, which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 10-foot front yard setback, which will require a 15-foot variance to the front yard setback regulations.

LOCATION: 5809 Bent Oak Ct

APPLICANT: Fredy Mize

REQUEST:

A request for a variance to the front yard setback regulations of 15 feet is made to construct and maintain an 8,000 square-foot two-story single family structure located 10 feet from the site's front property line or 15 feet into the 25-foot front yard setback.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-7.5(A) District by its restrictive area due to being irregular in shape and a drainage easement that reduces a portion of the development area so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning district.
- The applicant submitted a document (Attachment A) indicating, among other things, that the proposed structure on the subject site is commensurate to 46 other lots located within the same subdivision and in the same R-7(A) District.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single Family District)

North: R-7.5(A) (Single Family District)

East: R-7.5(A) (Single Family District)

South: R-7.5(A) (Single Family District)

West: MF-1(A) (Multi-family District)

Land Use:

The subject site previously contained a single family home; however, it is currently vacant. The areas to the north, south, and west are developed with residential uses, and the area to the east is developed with a golf course.

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS:

The purpose of this request for a variance to the front yard setback regulations of 15 feet is to construct and maintain an 8,000 square-foot two-story single family structure. The proposed encroachment is located 10 feet from the site's front property line or 15 feet into the 25-foot front yard setback. The subject site is slightly irregular in shape due to fronting a cul-de-sac and has a lot size of 18,586 square feet in area, according to the application.

The property is located in an R-7.5(A) Single Family District which requires a minimum front yard setback of 25 feet. The property is currently vacant.

The subject site is sloped, slightly irregular in shape due to fronting a cul-de-sac, and according to the applicant's representative, is .426 acres (or 18,583 square feet) in area. The R-7.5 (A) District minimum lot size is 7,500 square feet in area.

The applicant submitted a document indicating that that the total home size of the proposed main structure on the subject site will be approximately 8,000 square feet and that the proposed structure on the subject site is commensurate to 46 other lots located within the same subdivision and in the same R-7(A) District.

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

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

If the Board were to grant the variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case an 8,000 square-foot two-story single family structure, part of which is to be located 10 feet from the site's front property line or 15 feet into this 25 feet front yard setback.

Timeline:

- April 21, 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 the Board of Adjustment Panel B.

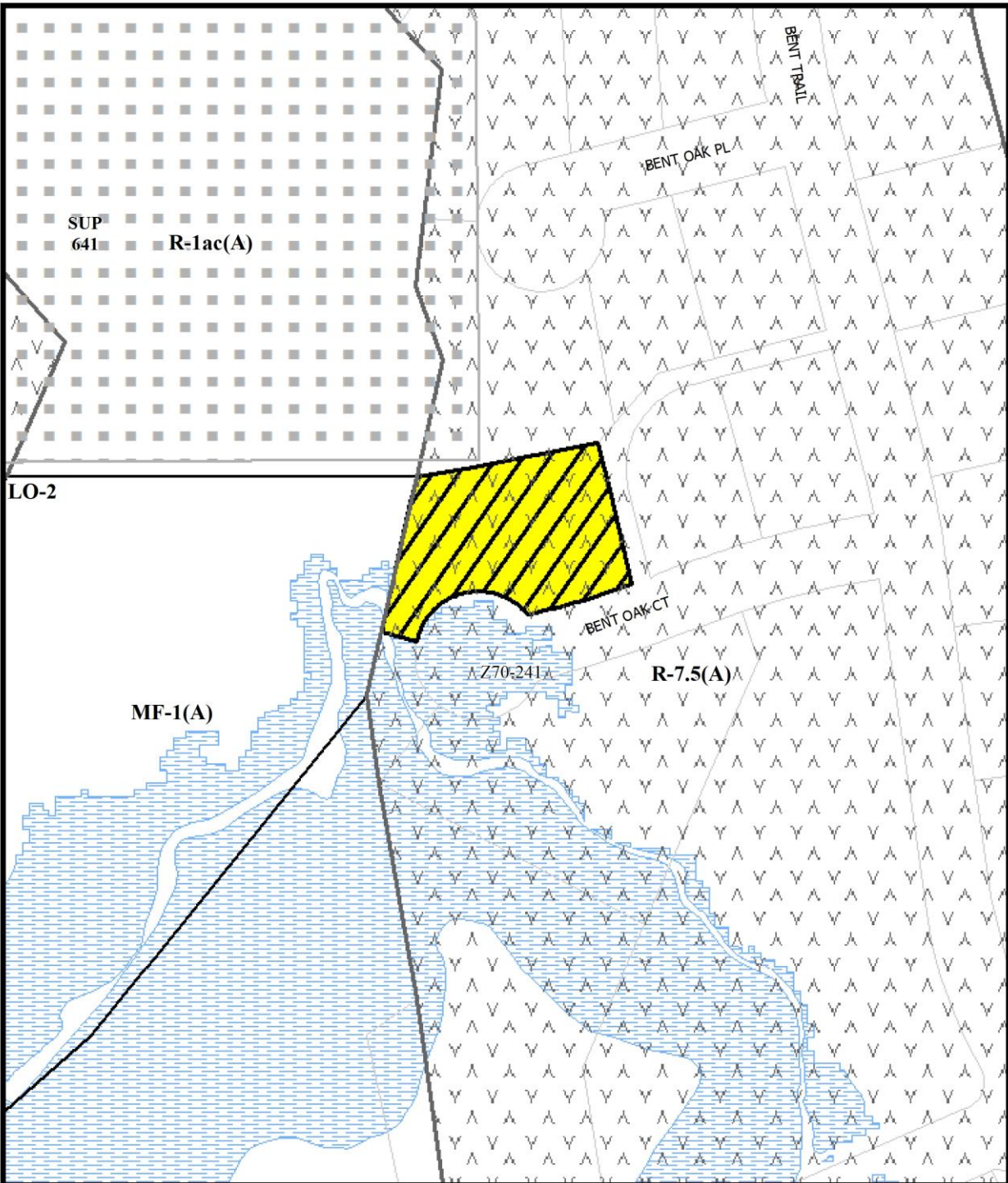
July 20, 2020: The Board Senior Planner emailed the applicant the following information:

- 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 Inspectors.

July 31, 2020: The applicant's representative submitted a letter to the board (see Attachment A).

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



1:1,200

ZONING MAP

Case no: BDA190-069

Date: 7/24/2020



1:1,200

AERIAL MAP

Case no: BDA190-069

Date: 7/24/2020



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-069

Data Relative to Subject Property:

Date: 04/21/2020

Location address: 5809 Bent Oak Ct. Zoning District: R-7.5(A)

Lot No.: 19 Block No.: 2/8225 Acreage: 0.4520 Census Tract: 136.11

Street Frontage (in Feet): 1) 170.45 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Fredy Cale Mize

Applicant: Fredy Mize Telephone: 214-533-3813

Mailing Address: 2676 Twelve Oaks Ln. Prosper, TX Zip Code: 76078

E-mail Address: fredy.mize@trinity-tx.com

Represented by: Fredy Mize Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance X , or Special Exception __ , of building setback on the front

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

A hardship has been caused by the lot being encroached on by the spillway on the west side and by the setback on the front starting at the easement rather than the back of the curb. The spillway runs at an angle to the west of the property line being almost in the middle of it making the home have a 10 ft or more setback instead of the 5 ft that is called for. With the front setback starting at the back of the curb it will allow the home to slide forward and gain space on the west side, back and front.

The building area has been hindered by the spillway, the only remedy is to slide the home forward. The 20 ft setback will be maintained from the back of the curb.

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

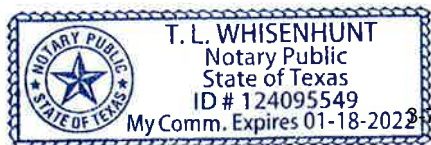
Before me the undersigned on this day personally appeared Fredy Mize
(Affiant/Applicant's name printed)

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

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

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

(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 FREDY MIZE

did submit a request for a variance to the front yard setback regulations
at 5809 Bent Oak Court

BDA190-069. Application of FREDY MIZE for a variance to the front yard setback regulations at 5809 BENT OAK CT. This property is more fully described as Lot 19, Block 2/8225, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 10 foot front yard setback, which will require a 15 foot variance to the front yard setback regulations.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 190-069

I, Fredy Cale Mize, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5809 Bent Oak Ct. Dallas, TX 75248
(Address of property as stated on application)

Authorize: Fredy Mize
(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: 20 ft setback at front of house from the back of the curb. This will allow the home to slide forward and gain space on the west side, back and front.

Fredy Mize
Print name of property owner or registered agent

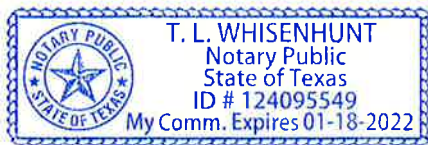
[Signature]
Signature of property owner or registered agent

Date 04/21/2020

Before me, the undersigned, on this day personally appeared Fredy Mize

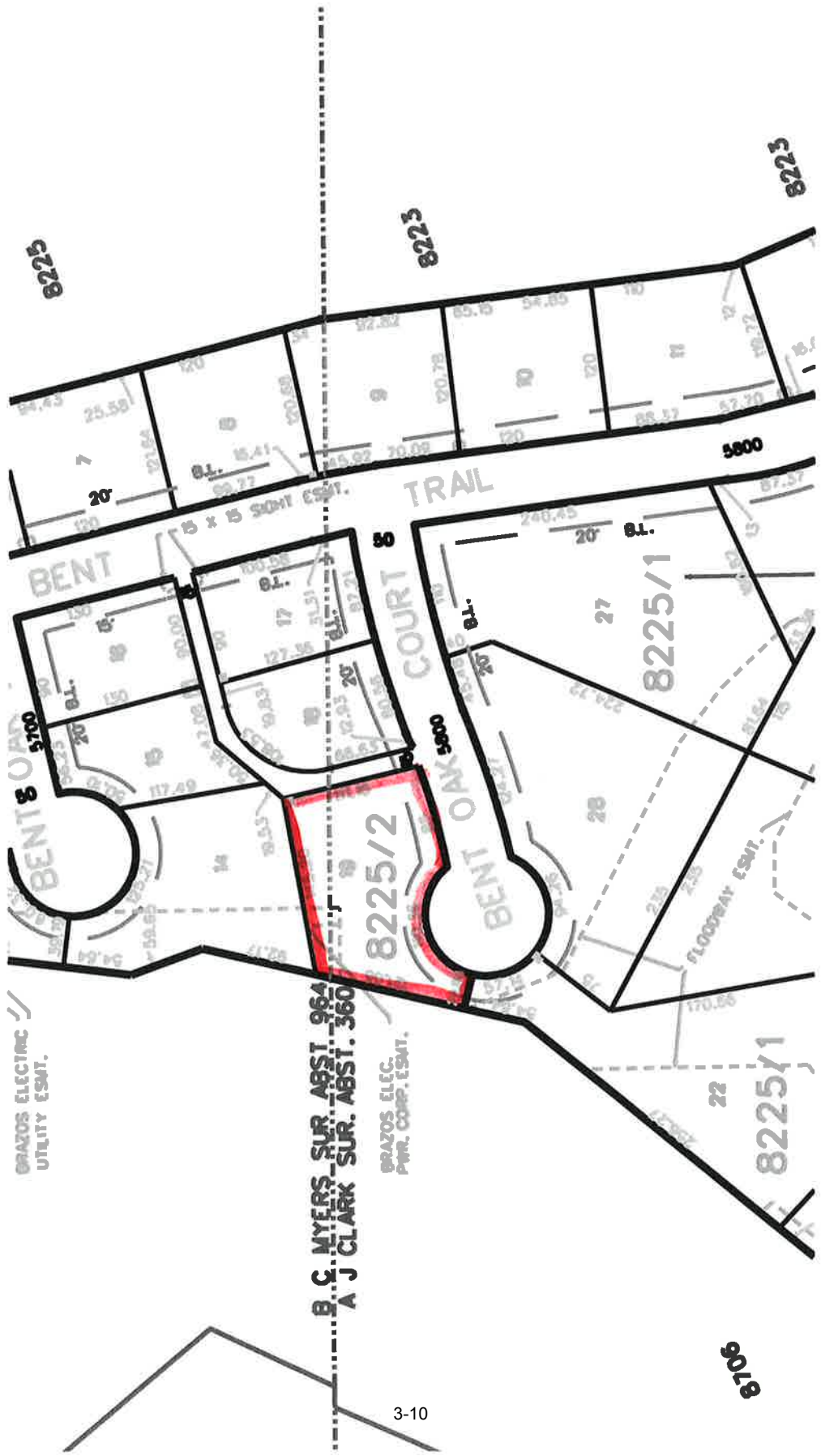
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

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



[Signature]
Notary Public for Dallas County, Texas

Commission expires on 01-18-2022



8225

8225

8225

BENT

COURT TRAIL

BENT OAK

8225/2

8225/1

8225/1

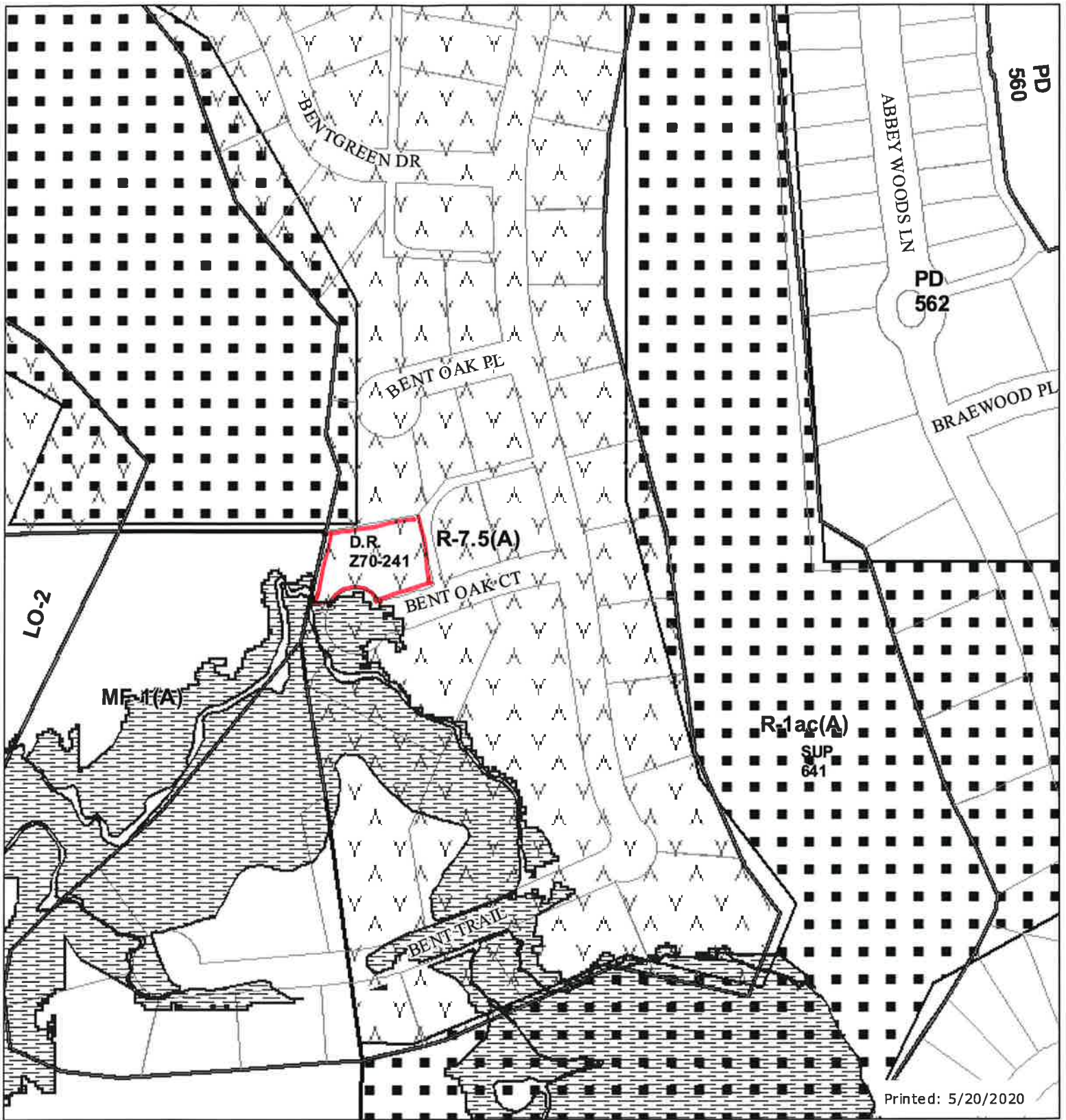
8706

B. C. MYERS SUR. ABST. 964
 A. J. CLARK SUR. ABST. 360

BRAZOS ELECTRIC
 UTILITY ESMT.

BRAZOS ELEC.
 POW. COMP. ESMT.

FLOODWAY ESMT.



Printed: 5/20/2020

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 | Shop Front Overlay |
| | | Height Map Overlay | |

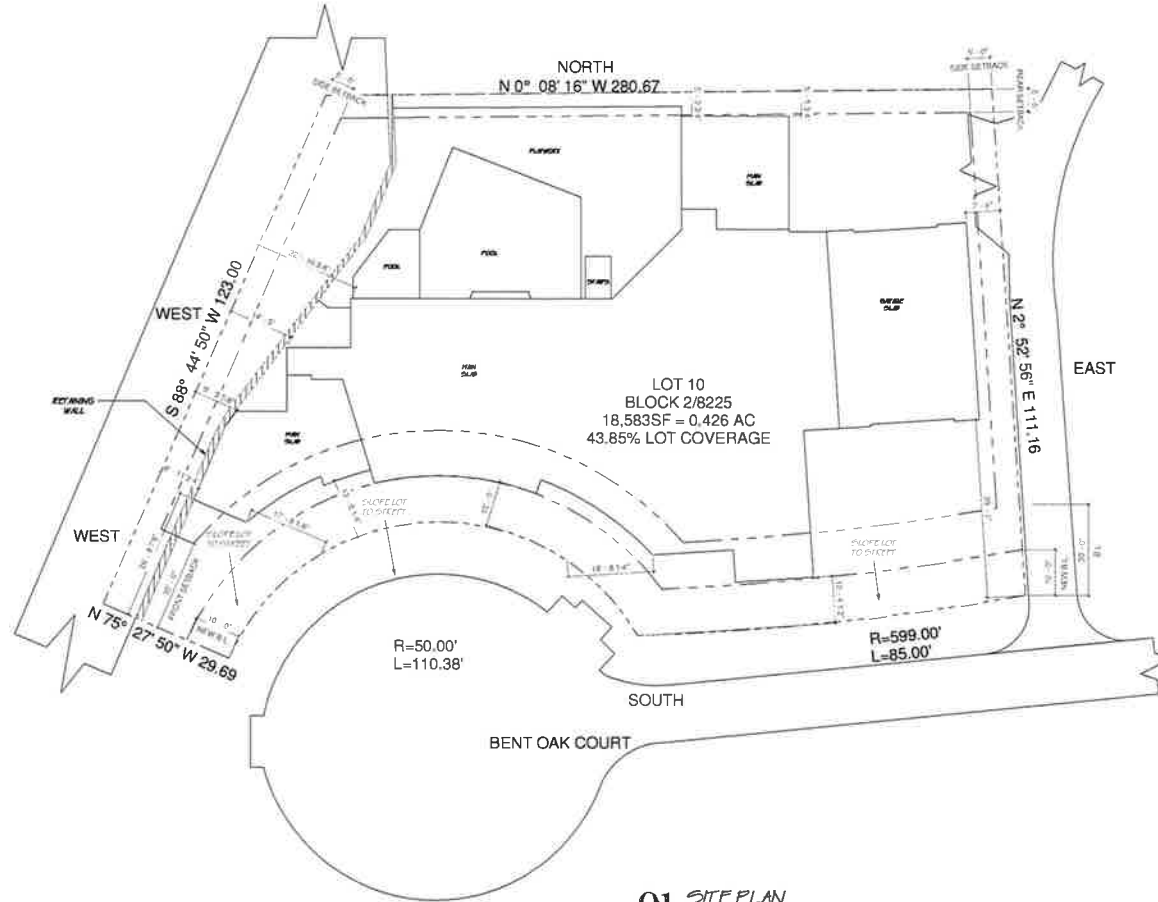
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering,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



THE INFORMATION WAS OBTAINED BY:

SHEILD AND LEE SURVEYORS,
1421 FERNDAL AVE,
DALLAS, TX 75224
PH: (214) 942-8496

DATED: 0221,1994
JOB #: 97755



CHAPTER 51A
ZONING DISTRICT STANDARDS

DISTRICT	SETBACKS	DENSITY	HEIGHT	LOT COVERAGE
R-10 (A)	40' 10'	1 DWELLING UNIT / 1 ACRE	30'	40%
R-12 (A)	40' 10'	1 DWELLING UNIT / 1/2 ACRE	30'	40%
R-14 (A)	35' 10'	1 DWELLING UNIT / 1,000 SQ/FT	30'	40%
R-16 (A)	30' 6"	1 DWELLING UNIT / 3,000 SQ/FT	30'	40%
R-18 (A)	30' 6"	1 DWELLING UNIT / 10,000 SQ/FT	30'	40%
R-20 (A)	25' 3"	1 DWELLING UNIT / 1,000 SQ/FT	30'	45%
R-22 (A)	20' 3"	1 DWELLING UNIT / 3,000 SQ/FT	30'	45%

01 SITE PLAN
1" = 10'-0"



TAG & ASSOCIATES
L.L.C.
DESIGN • INNOVATE • CREATE
Tag & Tristan Gilkerson
Cell: 469.544.1000
Email: tagron_inc@yahoo.com

BUILDING FOOTPRINTS

1st Floor	→ 400 sq ft
2nd Floor	→ 400 sq ft
Total Under A/c	→ 800 sq ft
Cov'd Area	→ 800 sq ft
Garage	→ 400 sq ft
Total Square Feet	→ 1200 sq ft

5809 Bent Oak Ct.

Tag & Associates, L.L.C. represents its clients and their property rights in these plans and all drawings. These plans and all drawings are not to be used in any form or for any purpose other than that intended by the client. Any alterations, errors, and/or omissions are the responsibility of the client. The client shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The client shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

5809 Bent Oak Ct.
Dallas, TX 75248

SITE PLAN

A1.10
Scale As indicated

PER ORDINANCE 250811 (A010)
 SLOPE, THE EXISTING SLOPE OF ALL LOT MUST BE MAINTAINED. THIS PROVISION DOES NOT PREVENT MINOR GRADING AS NECESSARY TO ALLOW CONSTRUCTION, PREVENT SOIL-TO-LOT DRAINAGE, OR MATCH THE SLOPE OF ADJACENT LOTS.
NO LOT-TO-LOT DRAINAGE IS ALLOWED PER ORD 250811 (A010)

SMOKE DETECTOR ALL SLEEPING AREA, IMM. OUTSIDE AND ALL LEVEL.

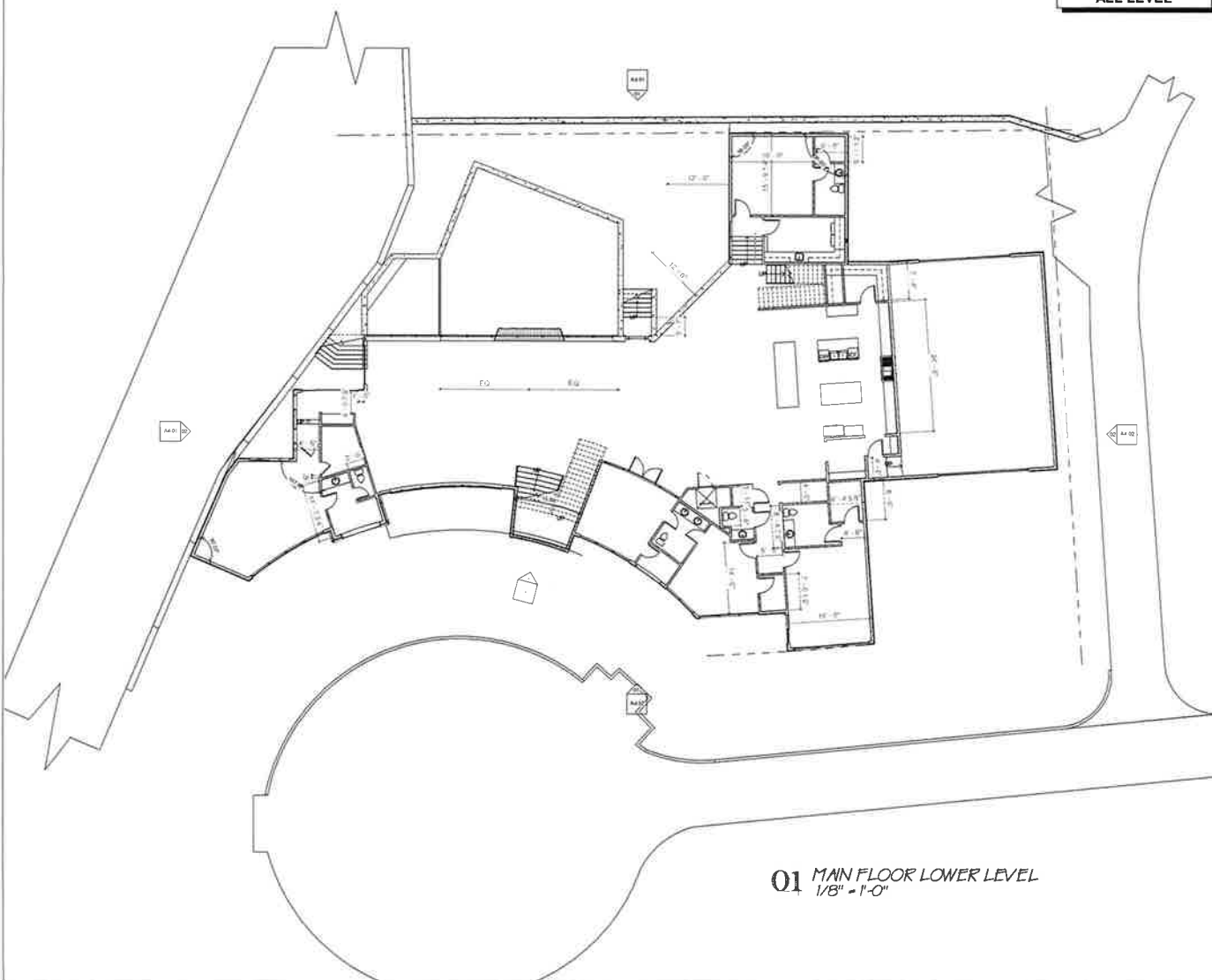
GENERAL NOTES

1. REFER TO THE DRAWING FOR DIMENSIONS. PER PARAGRAPH 1001.02 OF THE DCCS, THE FINISH FLOOR SHALL BE 1/2" ABOVE FINISH GRADE.
2. ALL WORK IS NEW UNLESS OTHERWISE NOTED OR OTHERWISE INDICATED OTHERWISE.
3. THE CONTRACTOR SHALL PROTECT ALL WORK IN A CLOSELY CONFINED AREA WITH APPLICABLE CODES, REGULATIONS AND REGULATORY AGENCIES.
4. THE CONTRACTOR SHALL PROTECT EXISTING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING WORK INCURRED WHILE FULFILLING THE OBLIGATIONS OF THE CONTRACT.
5. ALL WORK NOTED WITH "AS SHOWN" TO BE IN CONFORMANCE WITH AS SHOWN.
6. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE COMMENCEMENT. THE CONTRACTOR SHALL NOTIFY THE PLAN DESIGNER IMMEDIATELY OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCING WORK. UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF WORK. UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF WORK.
7. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE COMMENCEMENT. THE CONTRACTOR SHALL NOTIFY THE PLAN DESIGNER IMMEDIATELY OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCING WORK.
8. DIMENSIONS NOTED AS "AS SHOWN" SHALL NOT VARY MORE THAN 1/8" FROM THE AS SHOWN DIMENSION.
9. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE COMMENCEMENT. THE CONTRACTOR SHALL NOTIFY THE PLAN DESIGNER IMMEDIATELY OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCING WORK.

TAG & ASSOCIATES
 DESIGN + INNOVATE + CREATE
 Tag & Tristram Gilkison
 Cell: 469.544.1000
 Email: tgil@taginc.com

FINISH FLOOR ELEVATIONS

1st Floor	→ 01.00
2nd Floor	→ 02.00
Total Under Air	→ 03.00
Garage	→ 04.00
Total Square Feet	→ 05.00



GREEN ENERGY PRESCRIPTIVE PATH

- STORM WATER**
1. 5% OF NON ROOF AREA HAS VEGETATIVE LANDSCAPE
 2. PERMEABLE PAVING OR SLOPED FOR WATER RAINOFF TO A PERMANENT FILTRATION FEATURE.
- WATER EFFICIENCY**
- A. MUST UTILIZE DRIP IRRIGATION EMITTERS FOR ALL BEDDING AREAS OF AN APPROVED LANDSCAPE PLAN.
- B. MUST MEET AT LEAST 2 OF THE FOLLOWING WATER REDUCTION STRATEGIES:
1. THE AVERAGE FLOW RATE FOR ALL LAVATORY FAUCETS MUST BE LESS THAN OR EQUAL TO 2.0 GALLONS PER MINUTE.
 2. THE AVERAGE FLOW RATE FOR ALL SHOWER HEADS MUST BE LESS THAN OR EQUAL TO 2.0 GALLONS PER MINUTE.
 3. THE AVERAGE FLOW RATE FOR ALL TOILETS MUST BE:
 1. LESS THAN OR EQUAL TO 1.3 GALLONS PER FLUSH OR
 2. DUAL FLUSH COMPLYING WITH ASME A 112.18.14, OR
 3. COMPLY WITH USE EPA WATER SENSE CERTIFIED AND LABELED.
 4. UTILIZE ENERGY STAR LABELED DISHWASHERS THAT USE 6.0 GALLONS OR LESS PER CYCLE.
 5. UTILIZE ENERGY STAR LABELED CLOTHES WASHER WITH A MODIFIED ENERGY FACTOR OF 2.0 AND WATER FACTOR OF 4.5.
- ENERGY EFFICIENCY**
- A. OPTION 1: MEET THE PERFORMANCE REQUIREMENTS OF ENERGY STAR FOR HOMES TO ACHIEVE A HERS RATING OF 75, OR
- B. OPTION 2: ACHIEVE ENERGY EFFICIENCY 15 PERCENT ABOVE THE REQUIREMENTS OF THE DALLAS ENERGY CONSERVATION CODE IECC 2009 USING THE ICS CALCULATOR.
- HEAT ISLAND MITIGATION**
- PROPOSED PROJECTS SHALL INSTALL ANY ONE (1) OF THE FOLLOWING OPTIONS:
- A. OPTION 1: AN ENERGY STAR QUALIFIED ROOF ON ALL ROOF WITH A SLOPE OF 2:12 OR GREATER.
- B. OPTION 2: A VEGETATED ROOF MAY BE INSTALLED SUBJECT TO APPROVAL BY THE BUILDING OFFICIAL.
- C. OPTION 3: RADIANT BARRIER WITH CONVENTIONAL SHINGLES.
- D. OPTION 4: ENCAPSULATED FOAM INSULATION BETWEEN THE ROOF RAFTERS (R-22 OR GREATER).
- INDOOR AIR QUALITY**
- A. PHYSICAL AND MECHANICAL WORK LOCATED OUTSIDE OF FIRE RATED GARAGE ENVELOPE.
- B. MINIMIZE POLLUTANTS FROM THE GARAGE CONNECTIONS BY:
 1. PENETRATIONS SEALED
 2. FLOOR AND CEILING JOINT BAYS SEALED
 3. PAINTED WALLS AND CEILINGS OR CONDITIONED SPACES
- C. MINIMIZE POLLUTANTS (CONT.)
- CONDITIONED SPACES ADJACENT TO ATTACHED GARAGE:
1. PENETRATIONS SEALED
 2. DOORS WEATHER STRIPPED
 3. CRACKS AT WALL BASE SEALED
- D. AIR FILTERS:
1. MERV 8 OR GREATER
 2. AIR HANDLES SIZED TO MAINTAIN AIR PRESSURE AND AIR FLOW
 3. AIR TIGHT AIR FILTER HOUSING

5809 Bent Oak CT.

THIS PLAN IS THE PROPERTY OF TAG & ASSOCIATES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF TAG & ASSOCIATES IS STRICTLY PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS PLAN. TAG & ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS PLAN.

5809 Bent Oak Ct.
 Dallas, TX 75248

FIRST FLOOR PLAN

A210
 Scale As indicated

PERFORMANCE SUBMITTALS
 SLOPE: THE EXISTING SLOPE OF A LOT MUST BE MAINTAINED. THIS PROVISION DOES NOT PREVENT MINOR GRADING AS NECESSARY TO ALLOW CONSTRUCTION. PREVENT LOT-TO-LOT DRAINAGE OR MATCH THE SLOPE OF CONTIGUOUS LOTS.
 NO LOT-TO-LOT DRAINAGE IS ALLOWED PER 9009.116(3)

SMOKE DETECTOR ALL SLEEPING AREA, IMM. OUTSIDE AND ALL LEVEL

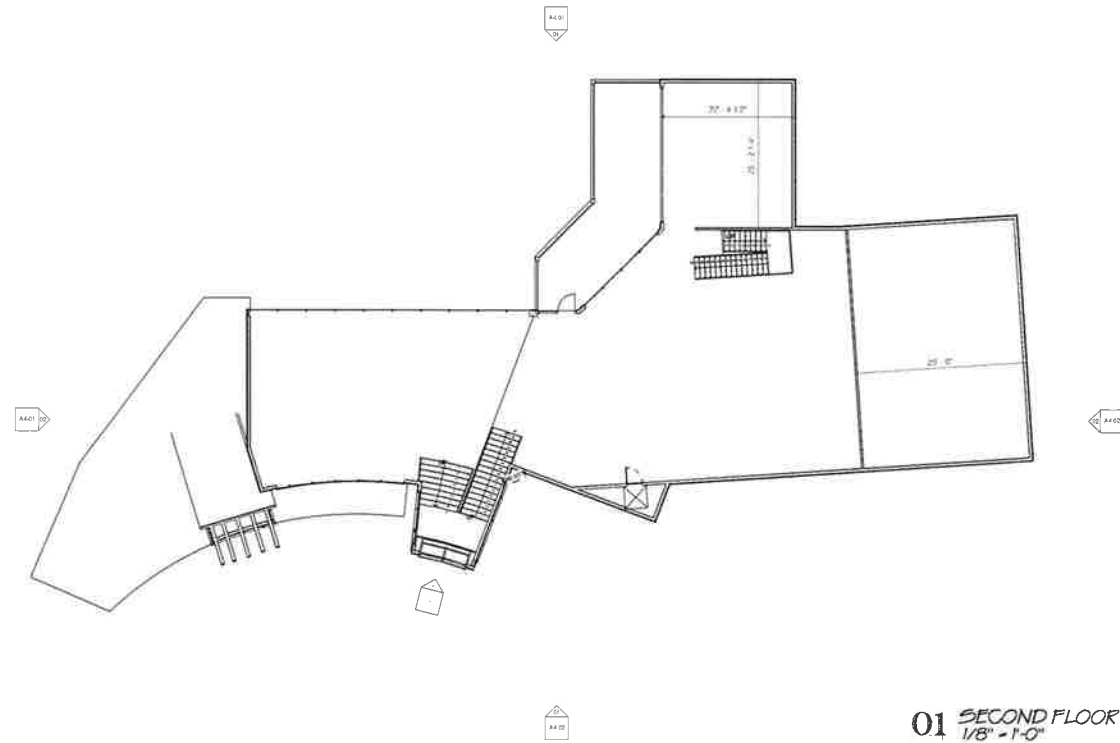
GENERAL NOTES

- REFER TO EACH DRAWING FOR DIMENSIONS. SEE NOTES FOR FINISHES. REFER TO THE PROJECT MANUAL FOR MATERIALS AND FINISHES.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES, UNLESS OTHERWISE SPECIFIED.
- THE CONTRACTOR SHALL PROTECT ALL WORK IN ADJACENT AREAS WHICH WILL BE AFFECTED BY THE CONSTRUCTION OF THIS PROJECT.
- THE CONTRACTOR SHALL VERIFY THE EXISTING WORK AND CONDITIONS SHALL BE AS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING WORK WHICH WILL BE AFFECTED BY THE CONSTRUCTION OF THIS PROJECT.
- ALL WORK NOTED "SEE" IS TO BE IN ACCORDANCE WITH THE SPECIFICATIONS.
- VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK. THE CONTRACTOR SHALL NOTIFY THE PLANNING DEPARTMENT OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCEMENT OF WORK. VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES BEFORE BEGINNING WORK.
- VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK. THE CONTRACTOR SHALL NOTIFY THE PLANNING DEPARTMENT OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCEMENT OF WORK.
- THE CONTRACTOR SHALL VERIFY THE EXISTING WORK AND CONDITIONS SHALL BE AS SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING WORK WHICH WILL BE AFFECTED BY THE CONSTRUCTION OF THIS PROJECT.
- VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK. THE CONTRACTOR SHALL NOTIFY THE PLANNING DEPARTMENT OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCEMENT OF WORK.
- VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK. THE CONTRACTOR SHALL NOTIFY THE PLANNING DEPARTMENT OF ANY DISCREPANCIES, OMISSIONS, AND/OR CONFLICTS BEFORE COMMENCEMENT OF WORK.

TAG & ASSOCIATES LLC
 DESIGN + ARCHITECTURE + CONSTRUCTION
 Tag & Tristan Gilkerson
 Cell: 469.544.1000
 Email: tagron_ina@yahoo.com

ROOM FOOTAGE

1st Floor	→ sq ft
2nd Floor	→ sq ft
Total Under Air	→ sq ft
Car'd Area	→ sq ft
Garage	→ sq ft
Total Square Feet	→ sq ft



01 SECOND FLOOR
 1/8" = 1'-0"

GREEN ENERGY PRESCRIPTIVE PATH

- STORM WATER**
1. 5% OF HAZARDOUS AREA HAS VEGETATIVE LANDSCAPE
 2. PERMEABLE PAVING, OR
 3. SLOPED FOR WATER RUNOFF TO A PERMANENT FILTRATION FEATURE
- WATER EFFICIENCY**
- A. MOST UTILIZE Drip Irrigation Emitters for all Bedding Areas of an Approved Landscape Plan
 - B. MUST MEET AT LEAST 2 OF THE FOLLOWING WATER REDUCTION STRATEGIES:
 1. THE AVERAGE FLOW RATE FOR ALL LAVATORY FAUCETS MUST BE LESS THAN EQUAL TO 2.0 GALLONS PER MINUTE, OR
 2. THE AVERAGE FLOW RATE FOR ALL SHOWER HEADS MUST BE LESS THAN OR EQUAL TO 2.0 GALLONS PER MINUTE, OR
 3. THE AVERAGE FLOW RATE FOR ALL TOILETS MUST BE:
 1. LESS THAN OR EQUAL TO 1.3 GALLONS PER FLUSH, OR
 2. DUAL FLUSH COMPLYING WITH ASME A 112.18.14, OR
 3. COMPLY WITH US EPA WATER SENSE, CERTIFIED AND LABELED.
 4. UTILIZE ENERGY STAR LABELED DISHWASHER THAT USE 8.0 GALLONS OR LESS PER CYCLE
 5. UTILIZE ENERGY STAR LABELED CLOTHES WASHER WITH A MODIFIED ENERGY FACTOR ≥ 2.0 AND WATER FACTOR OF ≤ 5.
- ENERGY EFFICIENCY**
- A. OPTION 1: MEET THE PERFORMANCE REQUIREMENTS OF ENERGY STAR FOR HOMES TO ACHIEVE A HERS RATING OF 75, OR
 - B. OPTION 2: ACHIEVE ENERGY EFFICIENCY 15 PERCENT ABOVE THE REQUIREMENTS OF THE DALLAS ENERGY CONSERVATION CODE 8000 2009 USING THE I23 CALCULATOR.
- HEAT ISLAND MITIGATION**
- PROJECTS SHALL INSTALL ANYONE (1) OF THE FOLLOWING OPTIONS:
- A. OPTION 1: AN ENERGY STAR QUALIFIED ROOF ON ALL ROOF WITH A SLOPE OF 2:12 OR GREATER
 - B. OPTION 2: A VEGETATED ROOF MAY BE INSTALLED SUBJECT TO APPROVAL BY THE BUILDING OFFICIAL
 - C. OPTION 3: RADIANT BARRIER WITH CONVENTIONAL SHINGLES
 - D. OPTION 4: ENCAPSULATED FOAM INSULATION BETWEEN THE ROOF SHEETING (R-22 OR GREATER)
- INDOOR AIR QUALITY**
- A. HVAC AND DUCTWORK LOCATED OUTSIDE OF FIRE RATED GARAGE ENVELOPE
 - B. MINIMIZE POLLUTANTS FROM THE GARAGE CONDITIONED SPACES ABOVE GARAGE:
 1. PENETRATIONS SEALED
 2. FLOOR AND CEILING JOIST BAYS SEALED
 3. PARTIALLY SEALED AND CEILING OF CONDITIONED SPACES
 - C. MINIMIZE POLLUTANTS FROM CONDITIONED SPACES ADJACENT TO ATTACHED GARAGE:
 1. PENETRATIONS SEALED
 2. DOORS WEATHER STRIPPED
 3. CRACKS AND WALL BASE SEALED
 - D. AIR FILTERS:
 1. MERV 8 OR GREATER
 2. AIR HANDLING DESIGNED TO MAINTAIN AIR PRESSURE AND AIR FLOW
 3. AIR TIGHT AIR FILTER HOUSING

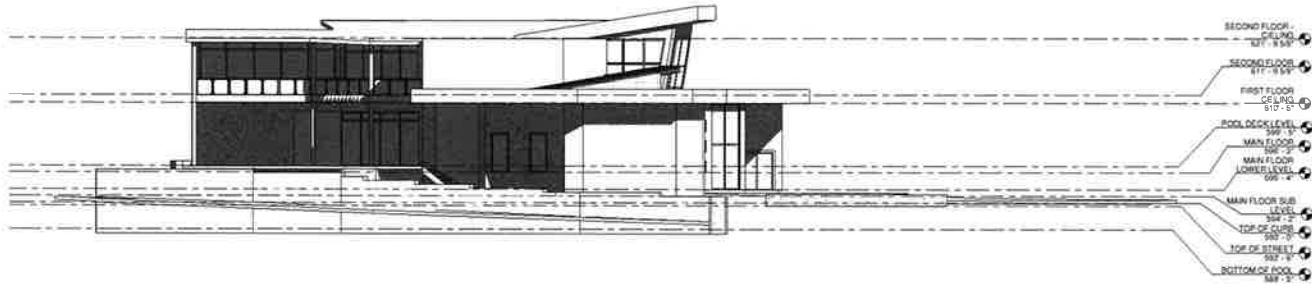
5809 Bent Oak CT.

5809 Bent Oak Ct.
 Dallas, TX 75248

SECOND FLOOR
 PLAN

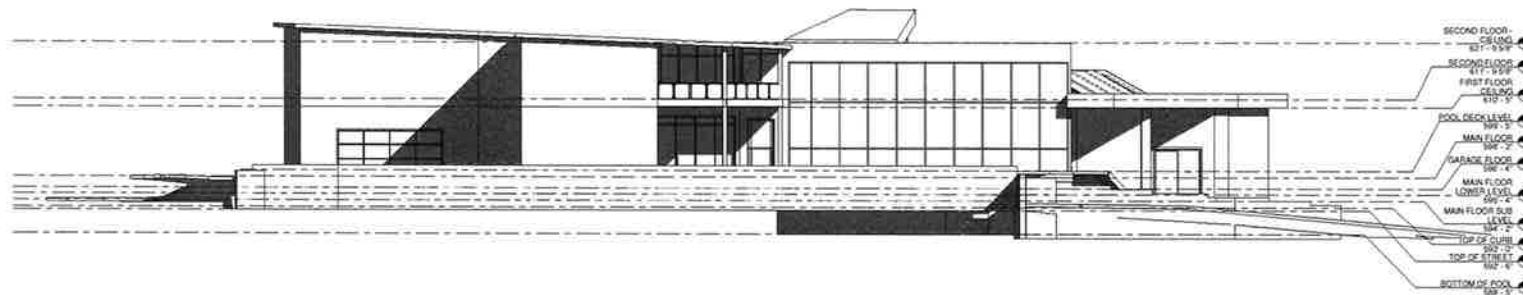
A2.11
 Scale As indicated

15/2000-1118.DWG



02 WEST VIEW - LEFT
1/8" = 1'-0"

- SECOND FLOOR - CEILING 817'-9 3/4"
- SECOND FLOOR 817'-9 3/4"
- FIRST FLOOR - CEILING 810'-5"
- POOL DECK LEVEL 809'-5"
- MAIN FLOOR 808'-5"
- MAIN FLOOR LOWER LEVEL 807'-4"
- MAIN FLOOR SUB LEVEL 806'-2"
- TOP OF CURB 805'-7"
- TOP OF STREET 802'-4"
- BOTTOM OF POOL 801'-5"



01 NORTH VIEW - FRONT
1/8" = 1'-0"

- SECOND FLOOR - CEILING 817'-9 3/4"
- SECOND FLOOR 817'-9 3/4"
- FIRST FLOOR - CEILING 810'-5"
- POOL DECK LEVEL 809'-5"
- MAIN FLOOR 808'-5"
- GARAGE FLOOR 807'-4"
- MAIN FLOOR LOWER LEVEL 806'-2"
- MAIN FLOOR SUB LEVEL 805'-7"
- TOP OF CURB 805'-7"
- TOP OF STREET 802'-4"
- TOP OF POOL 801'-5"
- BOTTOM OF POOL 801'-5"

TAG & ASSOCIATES
L.L.C.
DESIGN • INNOVATE • CREATE
Tag & Tristan Gilkerson
Cell: 469.544.1000
Email: tpron_inc@yahoo.com

SQUARE FOOTAGE

1st Floor	↔ sq ft
2nd Floor	↔ sq ft
Total Under Air	↔ sq ft
Car'd Arm	↔ sq ft
Garage	↔ sq ft
Total Square Feet	↔ sq ft

5809 Bent Oak CT.

Tag & Associates, LLC represents the architect and owner for the project. The plans and related drawings are to be used only for the project and are not to be used for any other purpose. The architect is not responsible for any errors or omissions in the drawings. The architect is not responsible for any construction or other work of the project. The architect is not responsible for any construction or other work of the project. The architect is not responsible for any construction or other work of the project.

5809 Bent Oak Ct
Dallas, TX 75248

ELEVATIONS

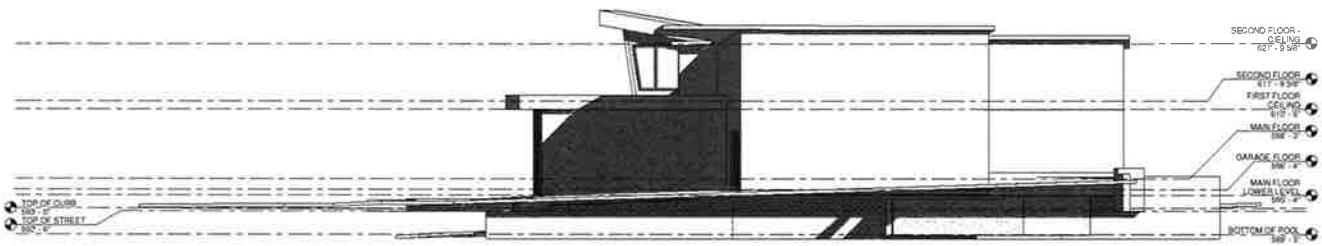
A4.01
Scale 1/8" = 1'-0"

TAC & ASSOCIATES
L L C
DESIGN • ANALYSIS • CREATE

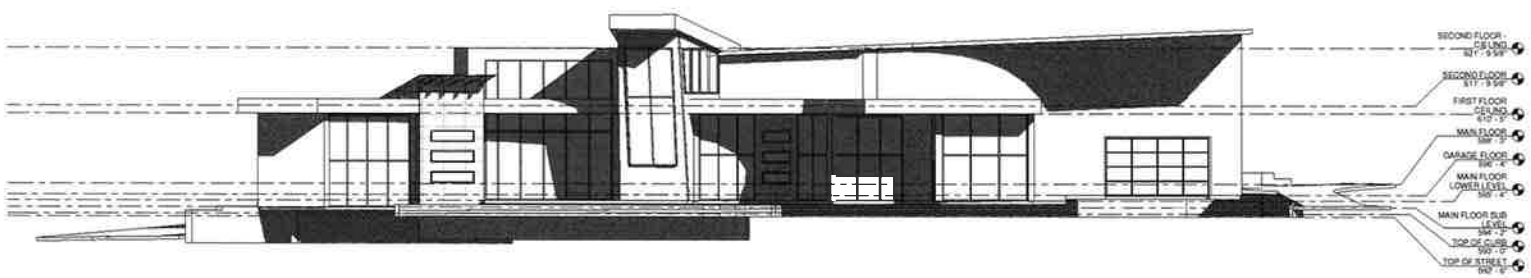
Tag & Tristan G. Keeton
Cell: 469.544.1000

Email: tgron_inc@yahoo.com

SQUARE FOOTAGE	
1st Floor	↔ sq ft
2nd Floor	↔ sq ft
Total Under A/c	↔ sq ft
Car's Area	↔ sq ft
Coverage	↔ sq ft
Total Square Feet	↔ sq ft



02 EAST VIEW - RIGHT
1/8" = 1'-0"



01 SOUTH VIEW - REAR
1/8" = 1'-0"

5809 Bent Oak CT.

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5809 Bent Oak CT
Dallas, TX 75248

ELEVATIONS

A4.02

Scale 1/8" = 1'-0"



TAG & ASSOCIATES

ARCHITECTS & INTERIORS

DESIGN • INNOVATE • CREATE

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PERMANENT FOOTAGE

1st Floor → sq ft

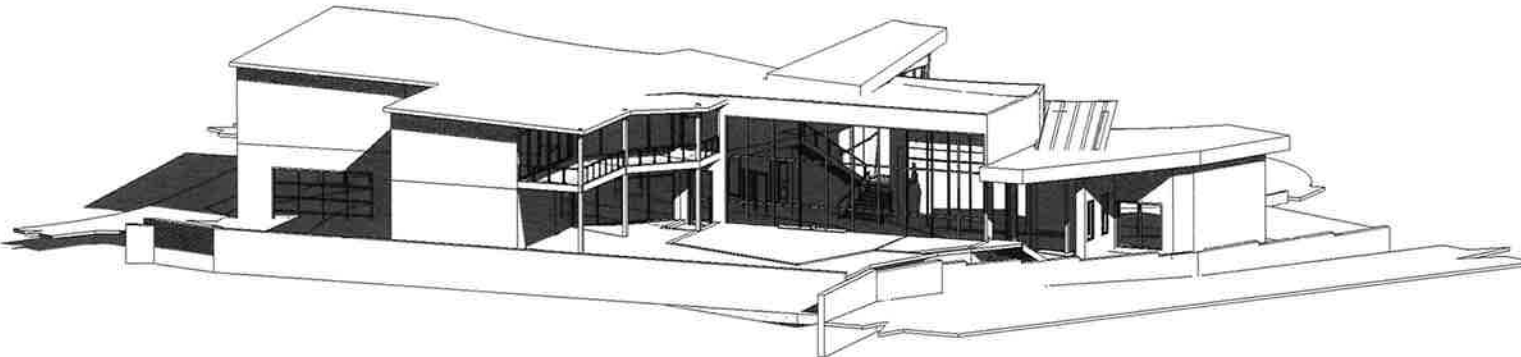
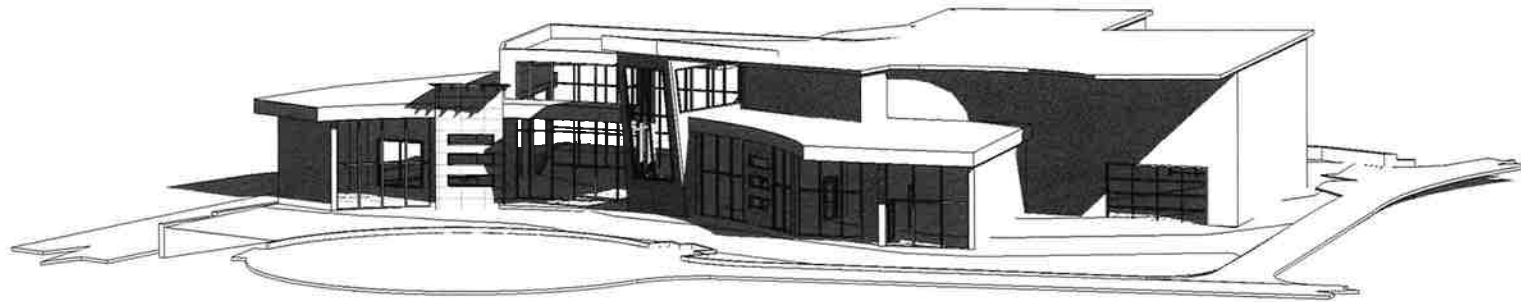
2nd Floor → sq ft

Total Under Air → sq ft

Car'd Area → sq ft

Garage → sq ft

Total Square Feet → sq ft



5809 Bent Oak CT.

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5809 Bent Oak CT.
Dallas, TX 75248

3D ELEVATIONS

A4.03

Scale

PROJECT NUMBER

Address	Square footage	Year Built New = 0 to 5 years	On Course
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New builds on golf course fronting lots

5212 Westgrove Dr.	6844	New	Yes
5319 Bent Tree Dr	8413	New	Yes
5377 Bent Tree Dr.	5982	New	Yes
5411 Bent Tree Dr.	6057	New	Yes
5605 Bent Tree Dr.	9024	New	Yes
17102 Club Hill Dr.	8396	New	Yes
5805 Club Oaks Plaza	7494	New	Yes
5809 Club Oaks Plaza	7053	New	Yes
5941 Club Oaks Dr.	7543	New	Yes
5622 Harbor Town Dr.	8940	New	Yes
5602 Bent Trail	5126	New	Yes
43 Abbey Woods Ln	9872	New	Yes
31 Abbey Woods Ln	8485	New	Yes
27 Abbey Woods Ln	8280	New	Yes
23 Abbey Woods Ln	8090	New	Yes

Average **7707**

New builds on interior lots

5512 Westgrove	7608	New	No
5416 Bent Tree Dr.	7471	New	No

Average **7540**

Older homes on golf course fronting lots

5917 Club Oaks Dr.	6519	1975 - 1981	Yes
5911 Club Oaks Dr.	7333	1975 - 1981	Yes
5618 Harbor Town Dr.	7774	1975 - 1981	Yes
5606 Harbor Town Dr.	7441	1975 - 1981	Yes
5522 Harbor Town Dr.	7217	1975 - 1981	Yes
5602 Harbor Town Dr.	7812	1975 - 1981	Yes
5514 Harbor Town Dr.	5514	1975 - 1981	Yes
5930 Bent Trail	7726	1975 - 1981	Yes
5918 Bent Trail	5463	1975 - 1981	Yes
5902 Bent Trail	7800	1975 - 1981	Yes
5818 Bent Trail	5480	1975 - 1981	Yes
5809 Bent Oak Ct	6987	1975 - 1981	Yes
5709 Bent Oak Pl	5000	1975 - 1981	Yes

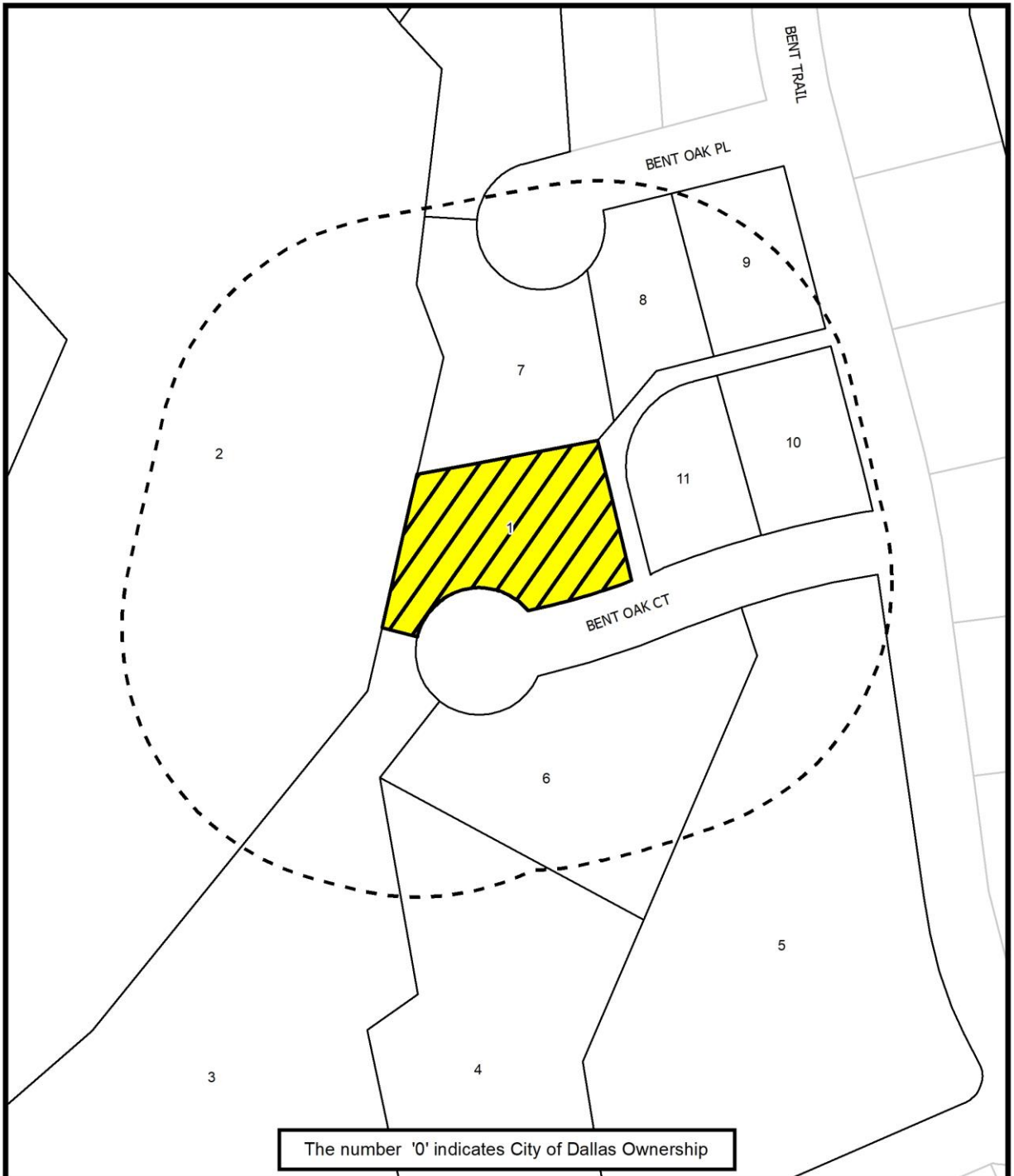
5702 Bent Trail	5006	1975 - 1981	Yes
5403 Bent Trail	5328	1975 - 1981	Yes
5408 Bent Trail	6503	1975 - 1981	Yes
5523 Bentgreen Dr	5523	1975 - 1981	Yes
5210 Westgrove	6103	1975 - 1981	Yes
5200 Westgrove	6652	1975 - 1981	Yes
5419 Bent Tree Dr.	6358	1975 - 1981	Yes
5917 Club Oaks Dr.	6519	1975 - 1981	Yes
5911 Club Oaks Dr.	7333	1975 - 1981	Yes

Average **6518**

Older homes on interior lots

5917 Bent Trail	5827	1975 - 1981	No
5815 Bent Trail	8016	1975 - 1981	No
5706 Bent Trail	5599	1975 - 1981	No
5601 Bent Trail	6234	1975 - 1981	No
5418 Westgrove	5993	1975 - 1981	No
5509 Westgrove Dr.	6286	1975 - 1981	No
5522 Vista Meadow Dr.	6560	1975 - 1981	No
5319 Bent Tree Dr	8413	1975 - 1981	No

Average **6616**



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">11</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	11	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA190-069 Date: 7/24/2020
200'	AREA OF NOTIFICATION					
11	NUMBER OF PROPERTY OWNERS NOTIFIED					

07/24/2020

Notification List of Property Owners

BDA190-069

11 Property Owners Notified

<i>Label#</i>	<i>Address</i>	<i>Owner</i>
1	5809 BENT OAK CT	HOUGH ROBERT M
2	5201 WESTGROVE DR	BENT TREE COUNTRY CLUB
3	5923 BENT TRL	BRIN JOHN M & VICKI Y
4	5917 BENT TRL	KIM BONG K ETAL
5	5815 BENT TRL	SHAADIEDUARDO ACUNA &
6	5806 BENT OAK CT	CHIU SHERMAN S &
7	5710 BENT OAK PL	MCCUTCHIN GENE P
8	5706 BENT OAK PL	FUEHR JOHN W & SANDRA J
9	5702 BENT OAK PL	PERRY MARKS &
10	5801 BENT OAK CT	FRAMBES MARIEAGNES E
11	5805 BENT OAK CT	LARTCHENKO SERGE