

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, DECEMBER 16, 2019
AGENDA

BRIEFING	5ES 1500 MARILLA STREET DALLAS CITY HALL	11:00 A.M.
PUBLIC HEARING	COUNCIL CHAMBERS 1500 MARILLA STREET DALLAS CITY HALL	1:00 P.M.

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

PUBLIC TESTIMONY

Minutes

Board of Adjustment 2018-2019 Annual Report

MISCELLANEOUS ITEM

Approval of the November 18, 2019 Board of Adjustment
Panel C Public Hearing Minutes M1

Board of Adjustment 2018-2019 Annual Report M2

UNCONTESTED CASES

BDA189-136(OA) 3815 Martha Lane 1
REQUEST: Application of Martin Laukoter, represented by
Dallas Cothrum of Masterplan, for a special exception for
the handicapped to the front yard setback regulations

BDA189-137(OA) 1222 Commerce Street 2
REQUEST: Application of T. Richard Litton, Jr. of Harbor
Group International Group Inc., represented by Joe Aguirre,
for a special exception to the sign regulations

BDA189-140(SM)	8211 Inwood Road REQUEST: Application of Danny Sipes of Texas Permit & Development for a special exception to the single-family use regulations	3
BDA189-144(OA)	7097 S. Jim Miller Road REQUEST: Application of GSR Andrade Architects Inc., represented by Gary Staiger, for a special exception to the landscape regulations	4

REGULAR CASES

BDA189-138(SM)	6608 Frankford Road REQUEST: Application of Danny Sipes of Texas Permit & Development for a variance to the front yard setback regulations and for special exceptions to the fence standards regulations	5
BDA189-139(SM)	6610 Frankford Road REQUEST: Application of Danny Sipes of Texas Permit & Development for a variance to the front yard setback regulations and for special exceptions to the fence standards regulations	6
BDA189-141(OA)	4610 Catina Lane REQUEST: Application of John Craig for a special exception to the fence standards regulations	7
BDA189-142(SM)	704 Kessler Lake Drive REQUEST: Application of Nicolas Jaramillo for a variance to the front yard setback regulations	8
BDA189-143(SM)	1731 Meadow Valley Lane REQUEST: Application of Asberry Holt, III, represented by Jasmond Anderson, for a variance to the side yard setback regulations	9
BDA189-145(SM)	5328 Miller Avenue REQUEST: Application of Kathleen Noble, represented by Casey Cox of Bella Vista Company, to appeal the decision of the administrative official	10

EXECUTIVE SESSION NOTICE

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

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

FILE NUMBER: BDA189-136(OA)

BUILDING OFFICIAL'S REPORT: Application of Martin Laukoter, represented by Dallas Cothrum of Masterplan, for a special exception for the handicapped to the front yard setback regulations at 3815 Martha Lane. This property is more fully described as Lot 10, Block B/6420, and is zoned R-16(A), which requires a front yard setback of 35 feet. The applicant proposes to construct and/or maintain a single-family residential structure and provide a 23-foot front yard setback, which will require a 12-foot special exception for the handicapped to the front yard setback regulations.

LOCATION: 3815 Martha Lane

APPLICANT: Martin Laukoter
Represented by Dallas Cothrum of Masterplan

REQUEST:

A request for a special exception for the handicapped to the front yard setback regulations of 12' is made to construct and maintain a 391 square foot home addition that is proposed to be located 23' from the front property line or 12' into the 35' front yard setback on a site developed with a single-family home/use.

STANDARD FOR A SPECIAL EXCEPTION FOR THE HANDICAPPED: Section 51A-1.107.(b)(1) states that the Board of Adjustment shall grant a special exception to any regulation in this chapter, if, after a public hearing, the Board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. The term "handicapped person," means a person with a "handicap," as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception for the handicapped since the basis for this type of appeal is when the board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling.

Zoning:

Site: R-16(A) (Single Family District)
North: R-16(A) (Single Family District)
East: R-16(A) (Single Family District)
South: R-16(A) (Single Family District)
West: R-16(A) (Single Family District)

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception for the handicapped to the front yard setback regulations of 12 feet is to construct a 391-square-foot home addition to an existing single-family structure. The addition is proposed to be located 23 feet from the front property line or 12 feet into the 35 foot front yard setback as required by the R-16(A) district.

Section 51A-1.107(b)(1) states that the Board of Adjustment shall grant a special exception to any regulation in this chapter, if, after a public hearing, the Board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. The term “handicapped person,” means a person with a “handicap,” as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended. Section 3602 of this act states the following:

- “(h) “Handicap” means, with respect to a person,
1. a physical or mental impairment which substantially limits one or more of such person’s major life activities,
 2. a record of having such an impairment, or
 3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 802 of Title 21).”

Unlike setback variance requests where a property hardship must be demonstrated, for this request the board is to consider this special exception for the handicapped request solely on whether they conclude that the special exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling.

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

- The special exception (which in this case is requested to construct a home addition in the front yard setback) is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling; and
- there is a person with a “handicap” (as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended) who resides and/or will reside on the site.

If the board were to grant the request and impose conditions that compliance with the submitted site plan is required and that the special exception expires when a handicapped person no longer resides on the property, the structure could be maintained in the location shown on the submitted site plan in the front yard setback for as long as the applicant or any other handicapped person resides on the site.

Timeline:

October 2, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

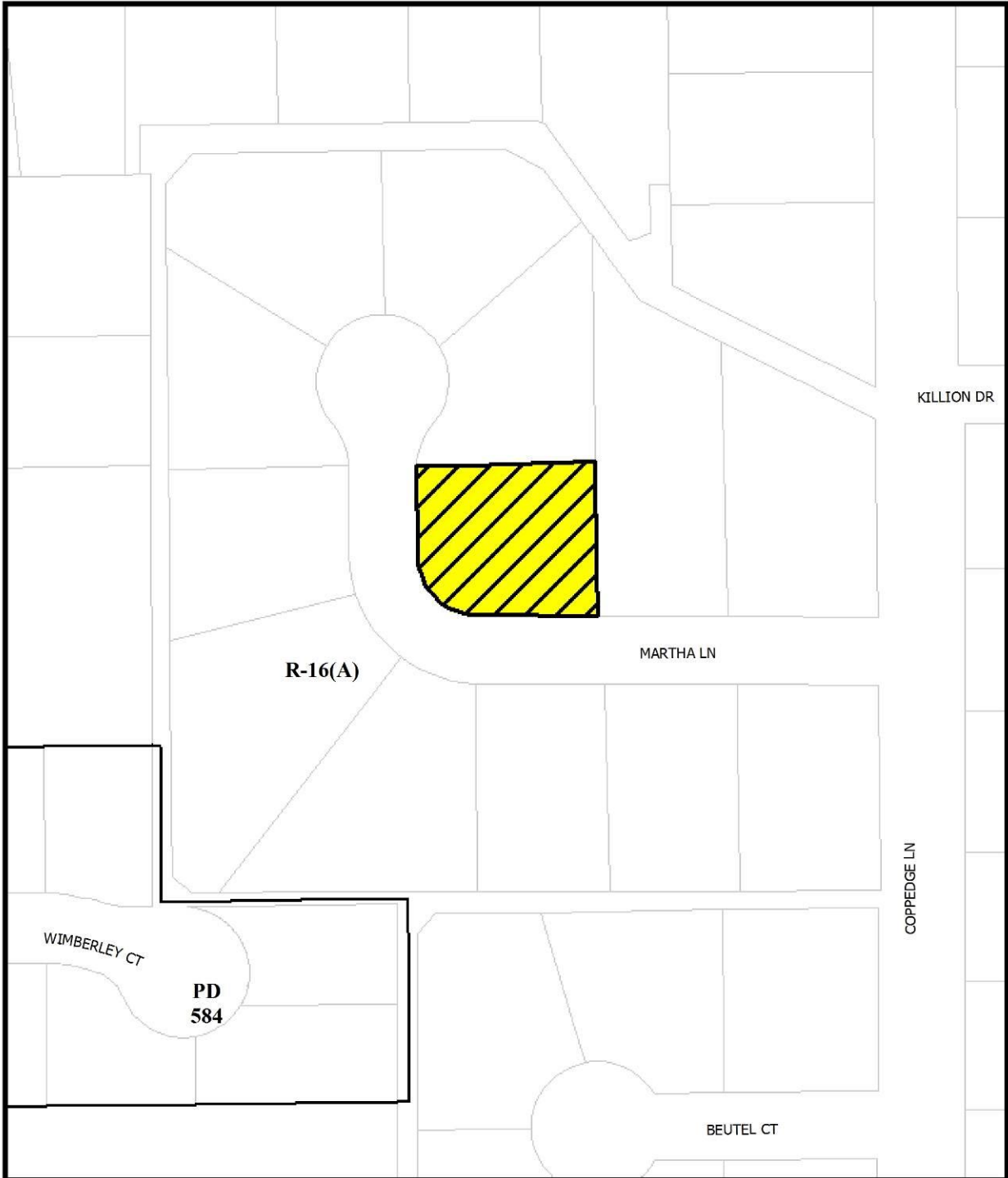
November 14, 2019: The Board of Adjustment Senior Planner emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request;
- A copy of the “handicap” definition from the Federal Fair Housing Amendments Act of 1988; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 18, 2019: The applicant requested to hold over the case. The applicant advised the homeowner has experienced significant tornado damage and the homeowner is waiting to see if the home must be demolished (see Attachment A).

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Senior Engineer, the Board of Adjustment Senior Planner the Building Inspection Senior Plans Examiner/Development Code Specialist, and the Assistant City Attorney to the board.

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

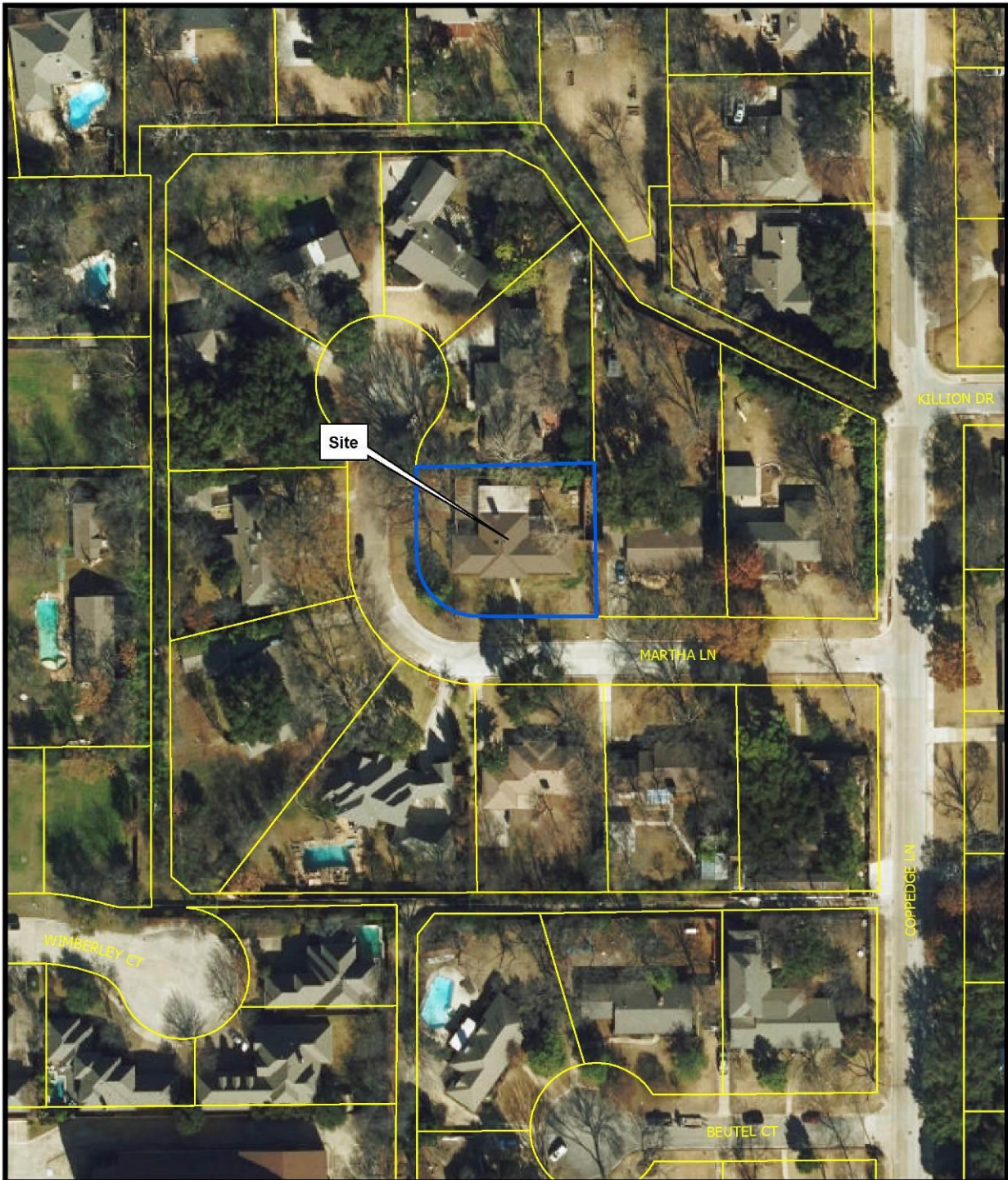


1:1,200

ZONING MAP

Case no: BDA189-136

Date: 11/20/2019



1:1,200

AERIAL MAP

Case no: BDA189-136

Date: 11/20/2019

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 Martin Rene Laukoter represented by MASTERPLAN did submit a request for a special exception to the front yard setback regulations to afford a handicapped person equal opportunity to use and enjoy a dwelling at 3815 Martha Lane

BDA189-136. Application of Martin Rene Laukoter represented by MASTERPLAN for a special exception to the front yard setback regulations to afford a handicapped person equal opportunity to use and enjoy a dwelling at 3815 MARTHA LN. This property is more fully described as Lot 10, BlockB/6420, and is zoned R-16(A), which requires a front yard setback of 35 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 23 foot front yard setback, which will require a 12 foot special exception to the front yard setback regulations.

Sincerely,

Philip Sikes, Building Official



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-136

Date: 10-2-19

Data Relative to Subject Property:

Location address: 3815 Martha Lane Zoning District: R-16(A)

Lot No.: 10 Block No.: B/6420 Acreage: 0.356 Census Tract: 95.0

Street Frontage (in Feet): 1) 204.72 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Martin Rene Laukoter and Joy Yvonne Laukoter

Applicant: Martin Laukoter Telephone:

Mailing Address: 3815 Martha Lane Dallas, Texas Zip Code: 75229

E-mail Address:

Represented by: Dallas Cothrum/ Masterplan Telephone: 214.761.9197

Mailing Address: 900 Jackson Street Suite 640 Dallas, Texas Zip Code: 75202

E-mail Address: dallas@masterplantexas.com

Affirm that an appeal has been made for a Variance, or Special Exception X, of 10-foot special exception on front yard. Minimum required is 35 feet, we are asking for 25 feet.

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: Handicapped Spacial Exception

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

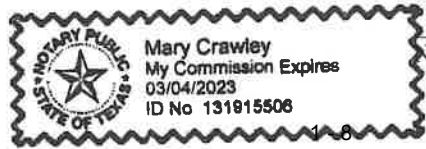
Before me the undersigned on this day personally appeared Dallas Cothrum (Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 30th day of September, 2019

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

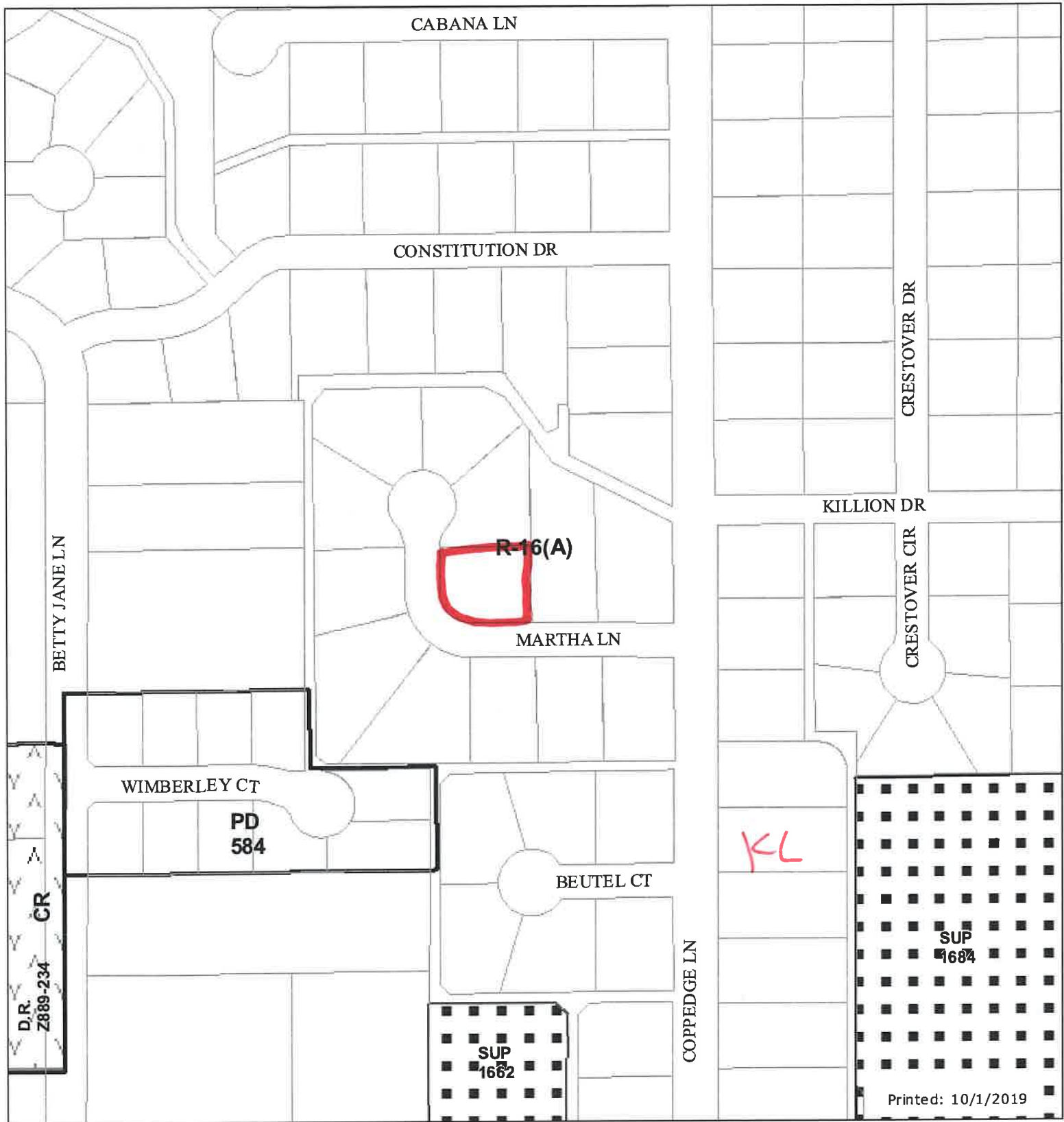
I hereby certify that Martin Rene Laukoter
represented by MASTERPLAN
did submit a request for a special exception to the front yard setback regulations to afford a
handicapped person equal opportunity to use and enjoy a dwelling
at 3815 Martha Lane

BDA189-136. Application of Martin Rene Laukoter represented by MASTERPLAN for a special exception to the front yard setback regulations to afford a handicapped person equal opportunity to use and enjoy a dwelling at 3815 MARTHA LN. This property is more fully described as Lot 10, BlockB/6420, and is zoned R-16(A), which requires a front yard setback of 35 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 25 foot front yard setback, which will require a 10 foot special exception to the front yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



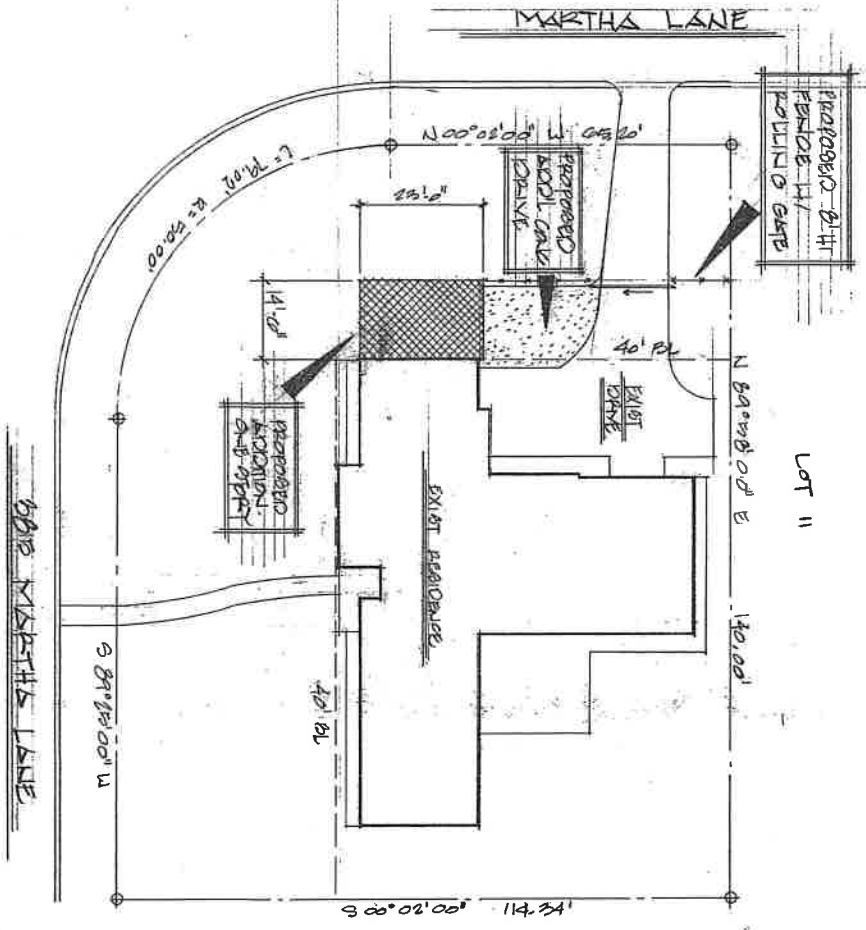


Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| 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 | Sho Front Overlay |
| | | Height Map Overlay | |

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





1 Site Plan

SCALE 1/8" = 1'-0"



CONTRACT INFORMATION

1818 Lakewood Drive, Dallas, Texas 75202 214.433.0000 www.gca.com

Proposed Addition

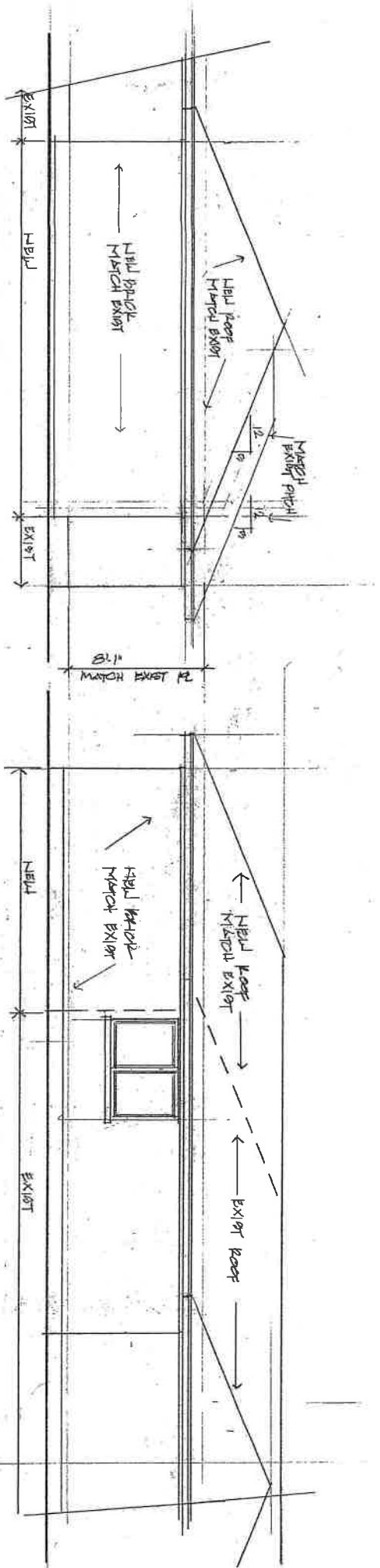
Lanston Residence
3815 Martha Lane
Dallas, Texas

Site Plan

Sheet Name: _____
 Job No: 2010.13
 Issue Date: 22-Sep-19
 Drawing No: A-01

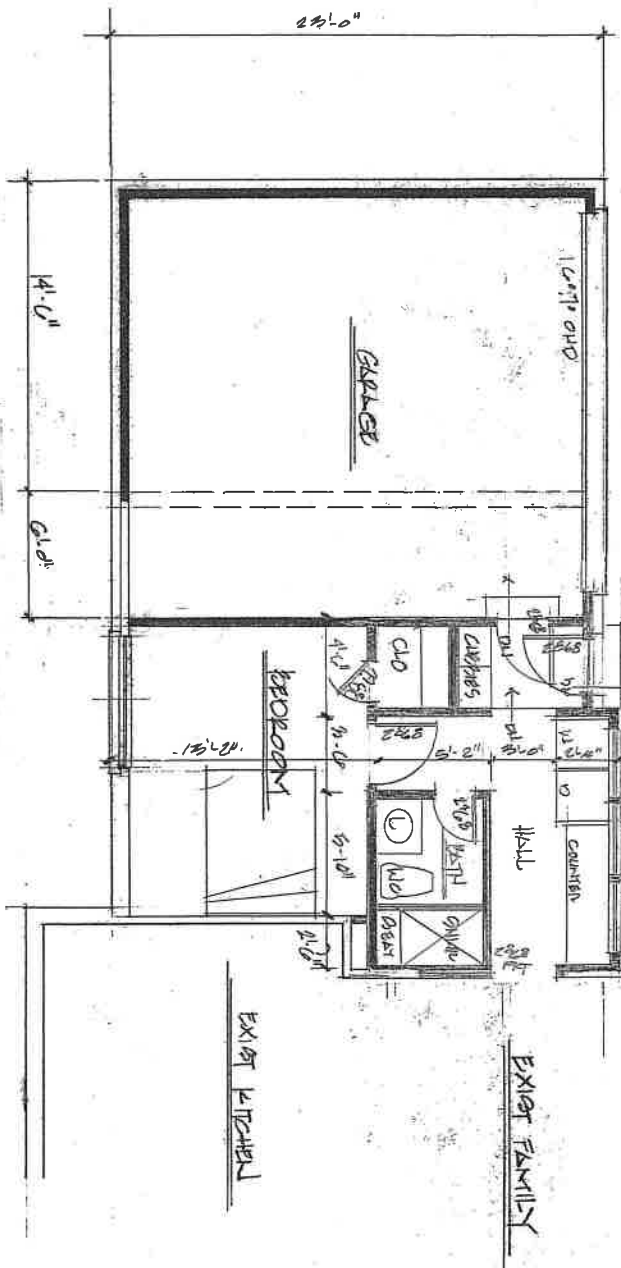
SITE DESCRIPTION	
LOT	10
Block	8/6420
Thomas Jefferson Terrace	
Dallas, Texas	
Dallas County	

North



3 West Elevation
SCALE 1/4" = 1'-0"

2 South Elevation
SCALE 1/4" = 1'-0"



1 Floor Plan
SCALE 1/4" = 1'-0"



CA
CANDID ARCHITECTS

9818 Lakewood Drive Dallas, Texas 75240 214 250-0090 candidarchitects.com

Project Address:
Lanier Residence
3615 Kariba Lane
Dallas, Texas

Start Date:
2019.13

Issue Date:
22-Sep-19

Sheet No. A-02



Texas Department
of Motor Vehicles

B06132483P

YEAR

- 19
- 20
- 21
- 22
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- 29
- 30



MONTH

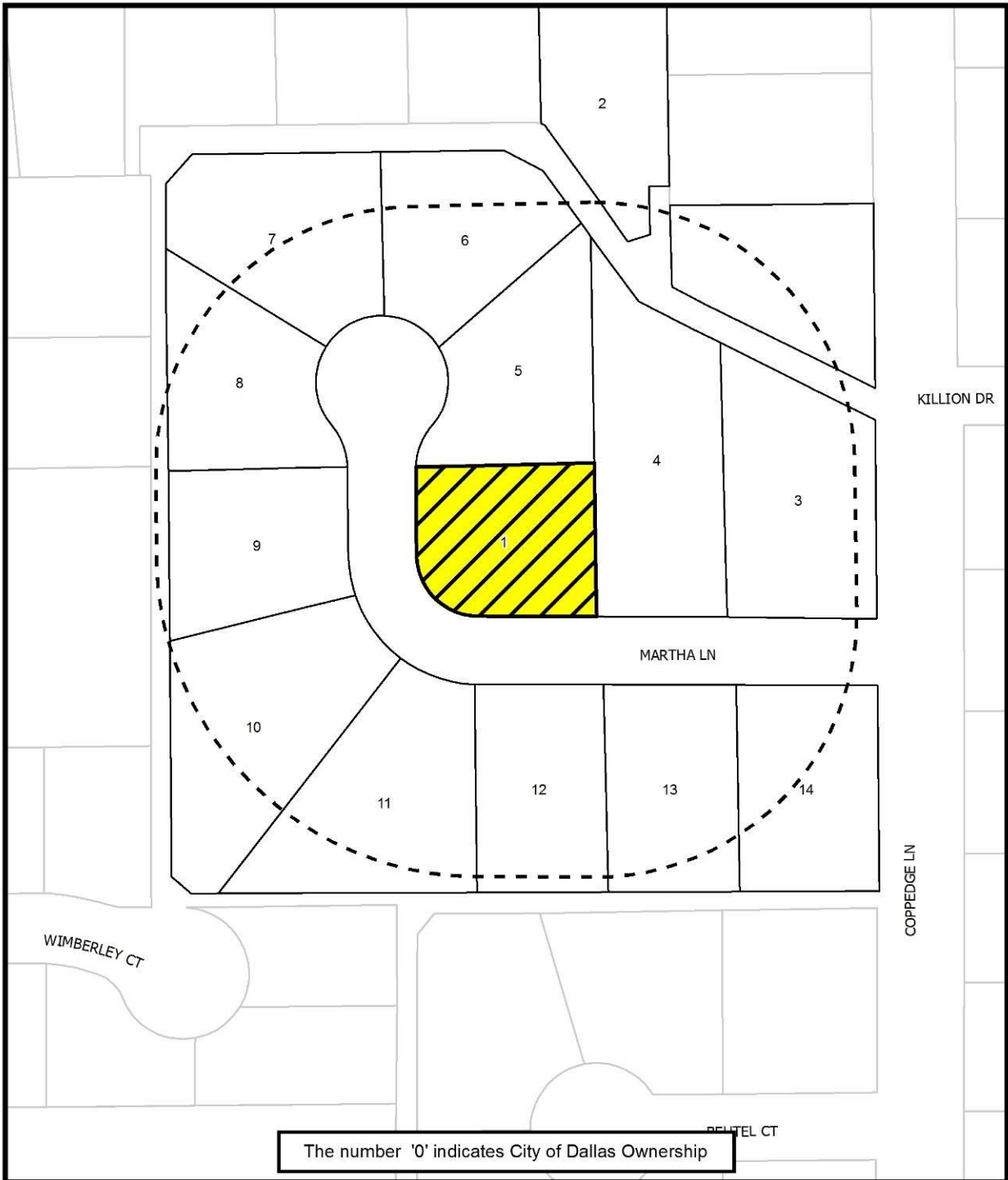
- JAN
- FEB
- MAR
- APR
- MAY
- JUN
- JUL
- AUG
- SEP
- OCT
- NOV
- DEC



PLACARD INSTRUCTIONS

- Park vehicle in designated disabled parking space and hang placard from rearview mirror post with expiration date facing out. **DO NOT DRIVE** vehicle with placard hanging from mirror.
- If front windshield is blocked by sunscreen or other device, hang with the expiration date facing the rear. If placard cannot be hung, place on dash with expiration date facing up.

Unauthorized use may result in revocation of your privilege to possess a disabled parking placard.



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 14 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u>BDA189-136</u> Date: <u>11/20/2019</u>
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11/20/2019

Notification List of Property Owners

BDA189-136

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3815 MARTHA LN	LAUKOTER MARTIN R & JOY YVONNE
2	3852 CONSTITUTION DR	RANDOLPH KYLE S & CAROLINE M
3	3843 MARTHA LN	PEDEVILLA ROLAND R
4	3837 MARTHA LN	BURLESON SEAN E &
5	3809 MARTHA LN	SMITH AMY & TODD ROBINSON
6	3803 MARTHA LN	PAYNE FRANK CORRY & SUSAN CARTER
7	3802 MARTHA LN	STORY MICHAEL &
8	3808 MARTHA LN	JONES WILLIAM D & ELIZABETH A
9	3816 MARTHA LN	VIRGINIA HEINZE WORLEY
10	3822 MARTHA LN	WIGGINS JAMES & SHERI
11	3826 MARTHA LN	COLE DAVID & CATHERINE
12	3832 MARTHA LN	COX BEN M
13	3838 MARTHA LN	WEICHSEL ELIZABETH A
14	3844 MARTHA LN	TISKO KATHLEEN

FILE NUMBER: BDA189-137(OA)

BUILDING OFFICIAL'S REPORT: Application of T. Richard Litton, Jr. of Harbor Group International Group Inc., represented by Joe Aguirre, for a special exception to the sign regulations at 1222 Commerce Street. This property is more fully described as a tract of land in Block 71 and is zoned PD-619, which limits upper projecting attached signs to a maximum projection of five feet into the right-of-way. The applicant proposes to construct an upper projecting sign that will project eight feet into the right-of-way, which will require a three-foot special exception to the sign regulations.

LOCATION: 1222 Commerce Street

APPLICANT: T. Richard Litton, Jr. of Harbor Group International Group Inc.
Represented by Joe Aguirre

REQUEST:

A request for a special exception to the sign regulations is made to construct and maintain an upper projecting attached sign that will project a eight feet into the Commerce Street right-of-way, which will require a three-foot special exception to the sign regulations which allows a maximum five-foot projection into the right-of-way.

STANDARD FOR A SPECIAL EXCEPTION TO THE SIGN REGULATIONS FOR UPPER PROJECTING ATTACHED SIGNS:

Section 51A-7.911(g)(3) of the Dallas Development Code states that the board of adjustment may authorize a special exception to the effective area, height, or location restrictions for a projecting attached sign if the board finds, after a public hearing, that the special exception will not be contrary to the public interest, adversely affect neighboring properties, or create a traffic hazard and that the special exception will be in harmony with the general purpose and intent of this division. In no event may a special exception granted under this paragraph authorize a sign to exceed 300 square feet in effective area or 45 feet in height.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

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

Rationale:

- The Sustainable Development Department Senior Engineer has no objections to the requests with the staff recommended condition imposed.

- Because the Sustainable Development Department Senior Engineer has no objections to this request for special a exception to sign regulations for an upper projecting attached sign when a condition is imposed to comply with the submitted site plan, staff concluded the request should be granted because the proposed sign does not constitute a traffic hazard. However, it is the burden of the applicant to demonstrate that the request will not be contrary to the public interest or adversely affect neighboring properties.

BACKGROUND INFORMATION:

Zoning:

Site: PD-619 (Planned Development)
North: PD-619 (Planned Development)
East: PD-619 (Planned Development)
South: PD-619 (Planned Development)
West: PD-619 (Planned Development) with Historic Overlay No. 43

Land Use:

The site is currently developed as a multifamily use (Manor House Apartments). The area to the north is developed with residential uses and retail; the areas to the east and south are developed with retail, commercial and office uses; the area to the west is developed with governmental uses.

Zoning/BDA History:

There has been one recent certificate of appropriateness case on the subject site.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. 1905170013, Property at 1222 Commerce Street (the subject site) | <p>On July 11, 2019, the City Plan Commission approved a certificate of appropriateness for a 50 sq. ft. illuminated LED attached upper projecting sign (north elevation).</p> |
|--|--|

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception to the sign regulations is to construct a 64-square-foot measuring eight feet by eight feet illuminated LED attached upper projecting sign that will project eight feet into the Commerce Street right-of-way on a site developed with a multifamily use (Manor House Apartments).

Section 51A-7.911(g)(2) of the Dallas Development Code states that:

- a. No premise may have more than one upper projecting attached sign. There will only be one upper projecting attached sign.
- b. No upper projecting attached sign may project more than five feet into the public right-of-way.

- c. An upper projecting attached sign:
- (i) may be located outside the upper level sign area; and
 - (ii) may not be lower than 12 feet above grade.

The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked "Has no objections". However, the applicant has the burden of proof in establishing how granting this request to construct an upper projecting attached sign that requires a three-foot special exception to the sign regulations will not be contrary to the public interest, adversely affect neighboring properties, or create a traffic hazard and that the special exception will be in harmony with the general purpose and intent of this division.

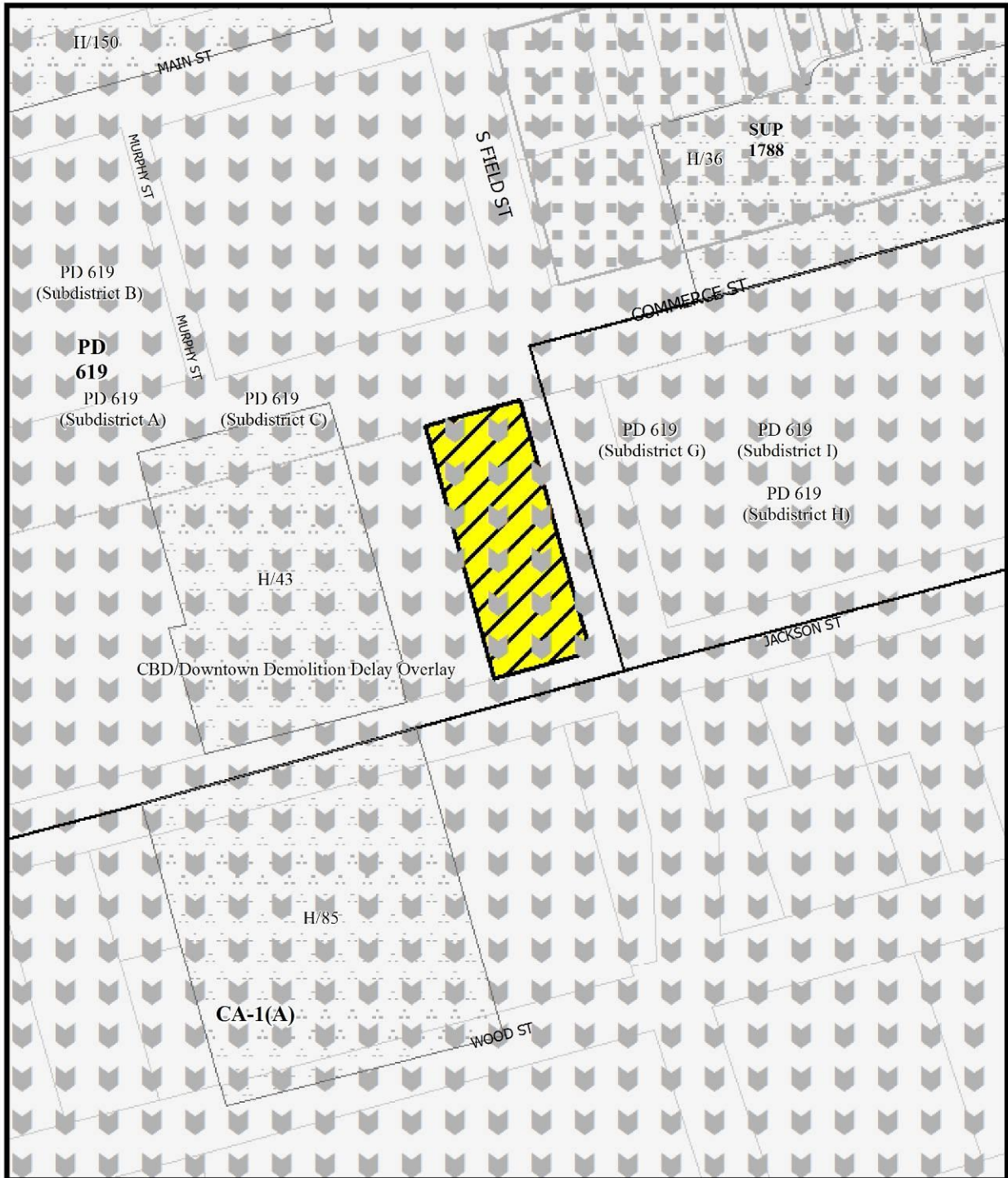
If the board were to approve the request for a special exception to the sign regulations for an upper projecting attached sign to project a total of eight feet into Commerce Street's right-of-way (a three-foot special exception to the sign regulations), the board may consider imposing a condition that the applicant complies with the submitted site plan and sign elevation. However, granting this special exception does not provide any relief to the other sign regulations of the Dallas Development Code.

Timeline:

- October 10, 2019: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- November 14, 2019: The Board of Adjustment Senior Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official's report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- November 22, 2019: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).
- December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December

public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, 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.

December 5, 2019: The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked "Has no objections".



1:1,200

ZONING MAP

Case no: BDA189-137

Date: 11/20/2019



1:1,200

AERIAL MAP

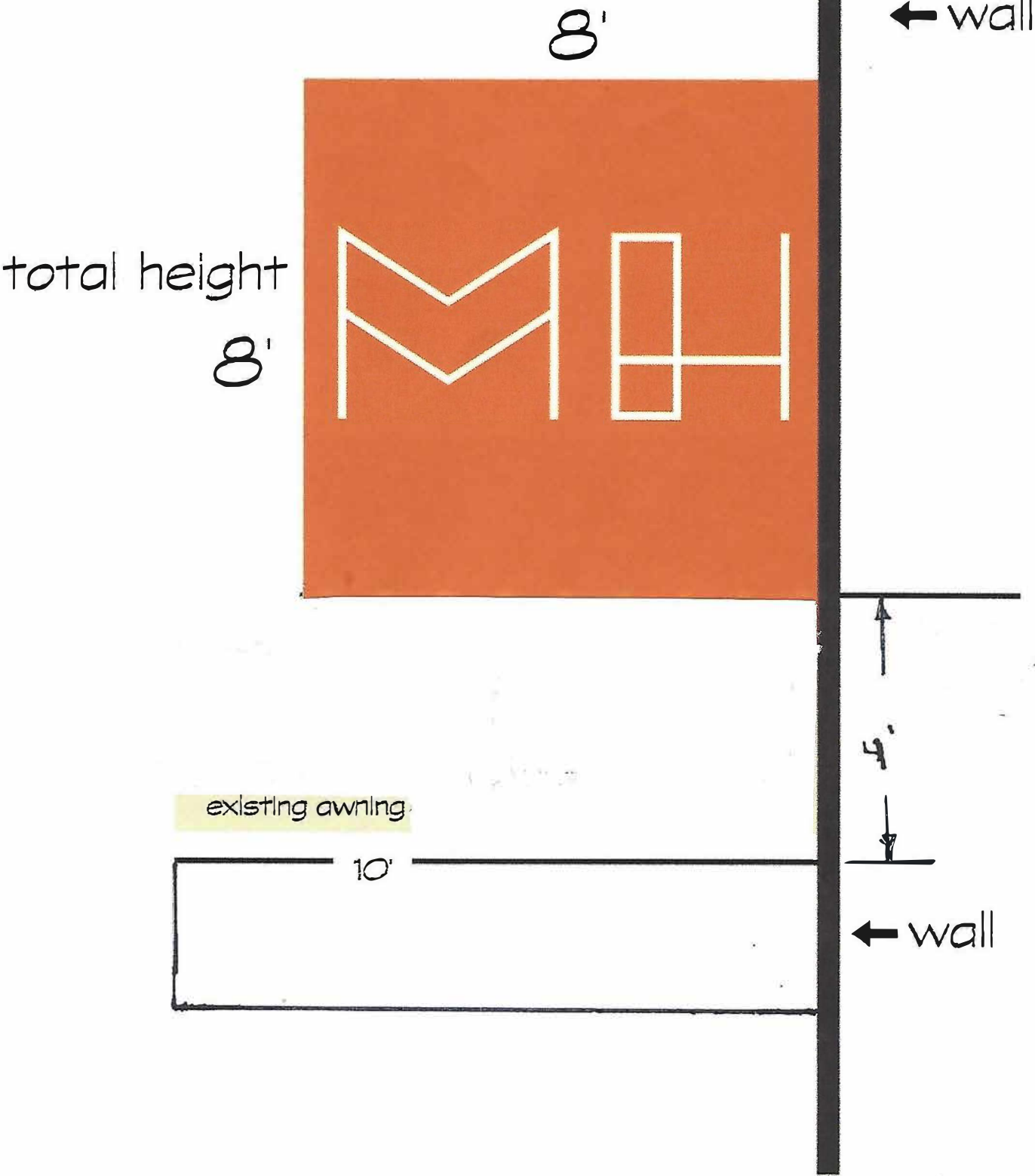
Case no: BDA189-137

Date: 11/20/2019

Attachment A

BDA189-137

side view



120"

size of letter
42" x 42"

distance to curb = 7'

height above grade - 19' 4"

48" above canopy

EXISTING CANOPY

34"

12' 6"
bottom of canopy to grade

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF **DECEMBER 16, 2019 (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 189-133

BDA 189-136

BDA 189-137

BDA 189-138

BDA 189-139

BDA 189-140

BDA 189-141

BDA 189-142

BDA 189-143

BDA 189-144

BDA 189-145

COMMENTS:

David Nevarez, PE, PTOE, DEV - Engineering

Name/Title/Department

12/05/2019

Date

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



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-137

Data Relative to Subject Property:

Date: 10-4-19

Location address: 1222 Commerce Street Zoning District: PD 619

Lot No.: Block No.: 71 Acreage: .344 Census Tract: 31.01

Street Frontage (in Feet): 1) 75 2) 200 3) 4) 5)

To the Honorable Board of Adjustment : Manor House Garden LLC, KF Manor LLC

Owner of Property (per Warranty Deed): 201-221 Manor Managing Co. LLC, CRG Manor LLC

Applicant: Harbor Group International Group / T. Richard Litton Jr. Telephone: 757-640-800

Mailing Address: 999 Waterside Drive #2300 Norfolk , Va. Zip Code: 23510

E-mail Address: richard@harborg.com

Represented by: Joe Aguirre Telephone: 214-683-8632

Mailing Address: 2449 Trenton Drive Mesquite, Texas Zip Code: 75150

E-mail Address: joeaguirre58@gmail.com

Affirm that an appeal has been made for a Variance __, or Special Exception X, of Effective Area of Projecting Sign / Limit for a sign projecting into City ROW is 5 feet

We are asking for 8 feet projecting sign into City ROW

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:

CH 51A- 7.911 g(3) Effective Area of sign Limits 5 feet projecting into City ROW

We are asking for an 8 ft X 8 ft projecting sign that will project 8 feet into City ROW.

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 AGUIRRE (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.

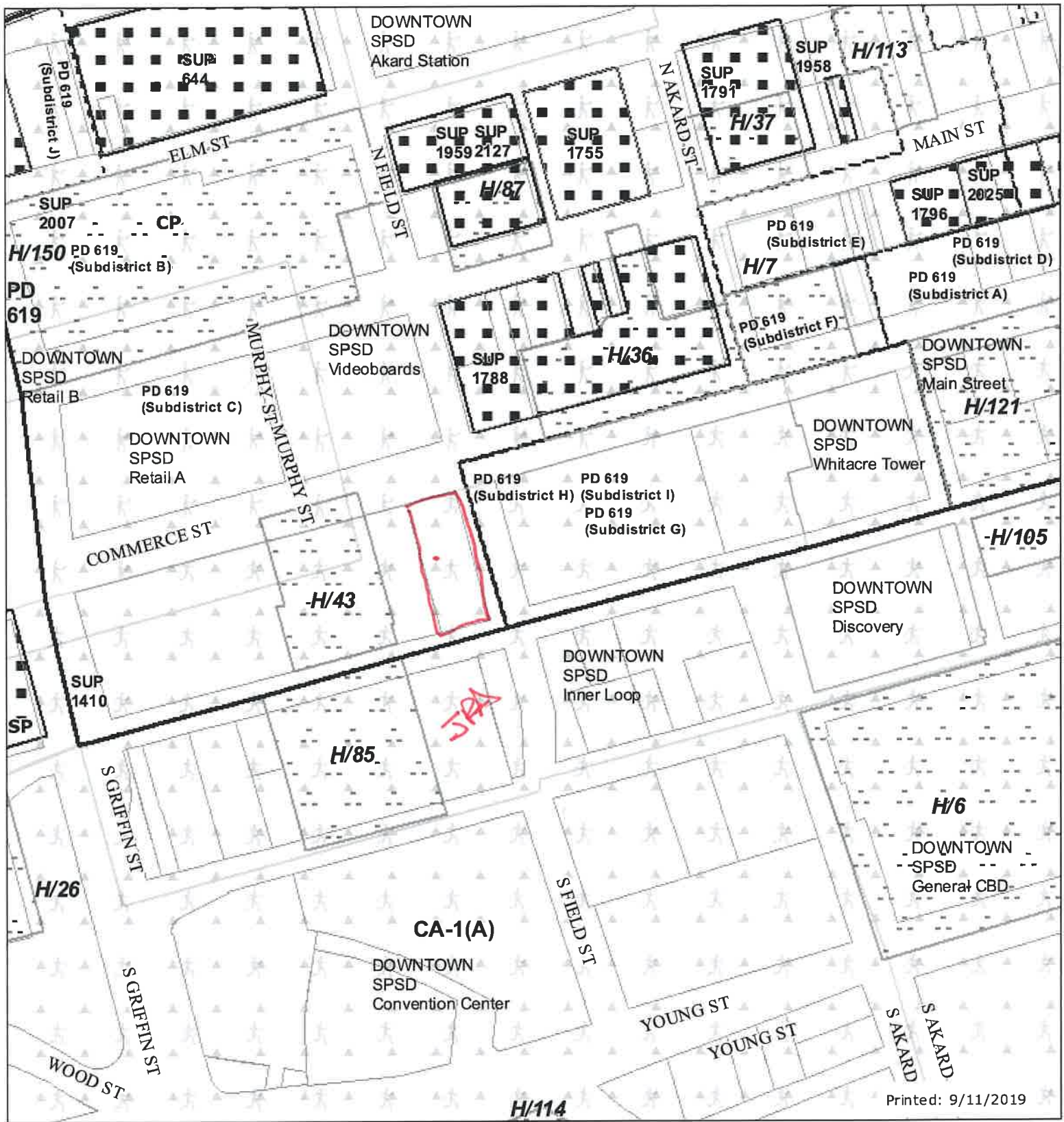
Respectfully submitted: Joe Aguirre (Affiant/Applicant's signature)

Subscribed and sworn to before me this 11th day of September, 2019

(Rev. 08-01-14)



Notary Public in and for Dallas County, Texas



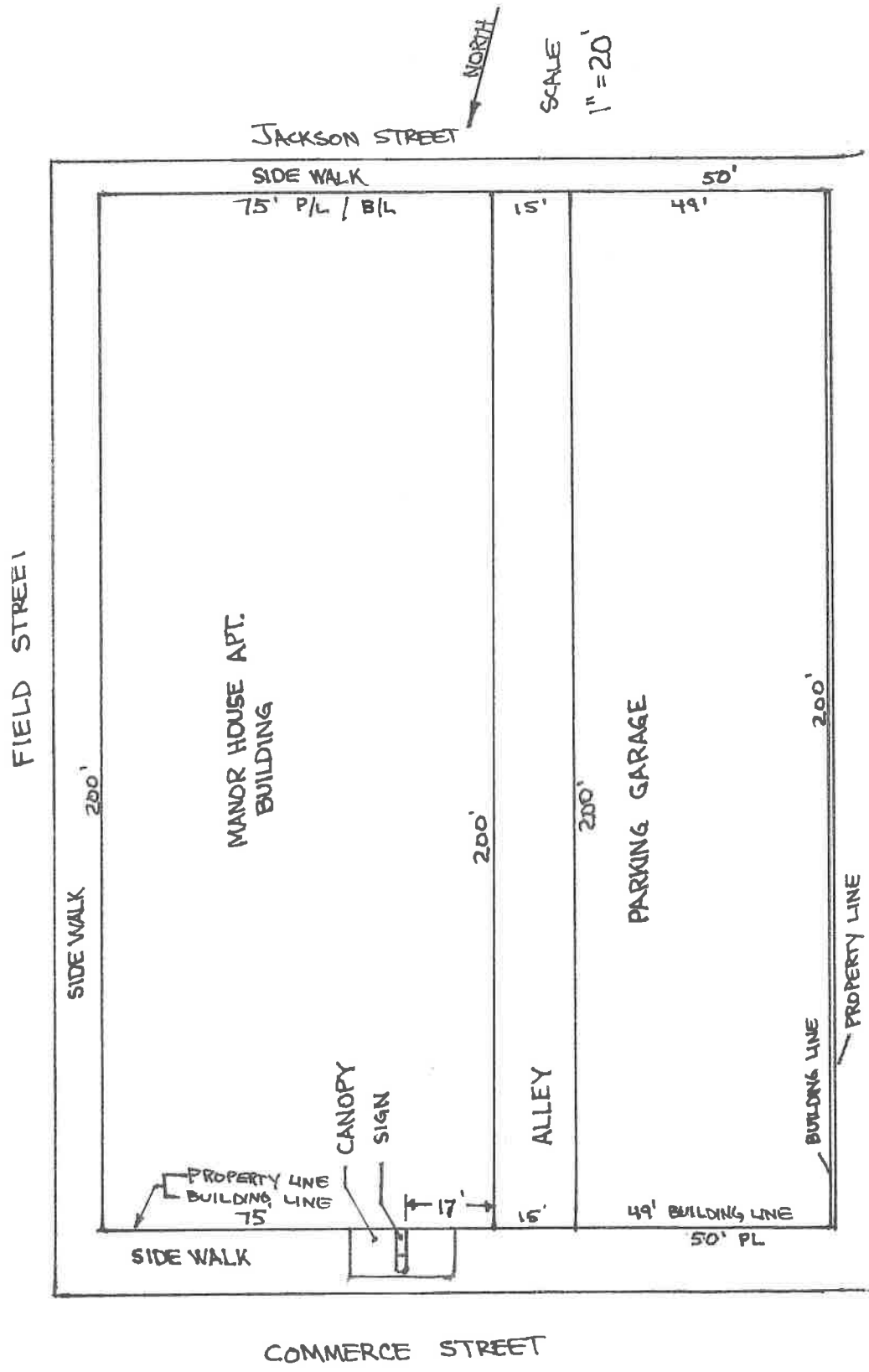
Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| 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)







NORTH

SCALE
1" = 20'

JACKSON STREET

FIELD STREET

SIDE WALK 75' P/L / B/L 15' 49' 50'

MANOR HOUSE APT. BUILDING

PARKING GARAGE

ALLEY

SIDE WALK 200'

200'

200'

200'

SIDE WALK

CANOPY SIGN

17'

PROPERTY LINE BUILDING LINE 75'

49' BUILDING LINE 50' PL

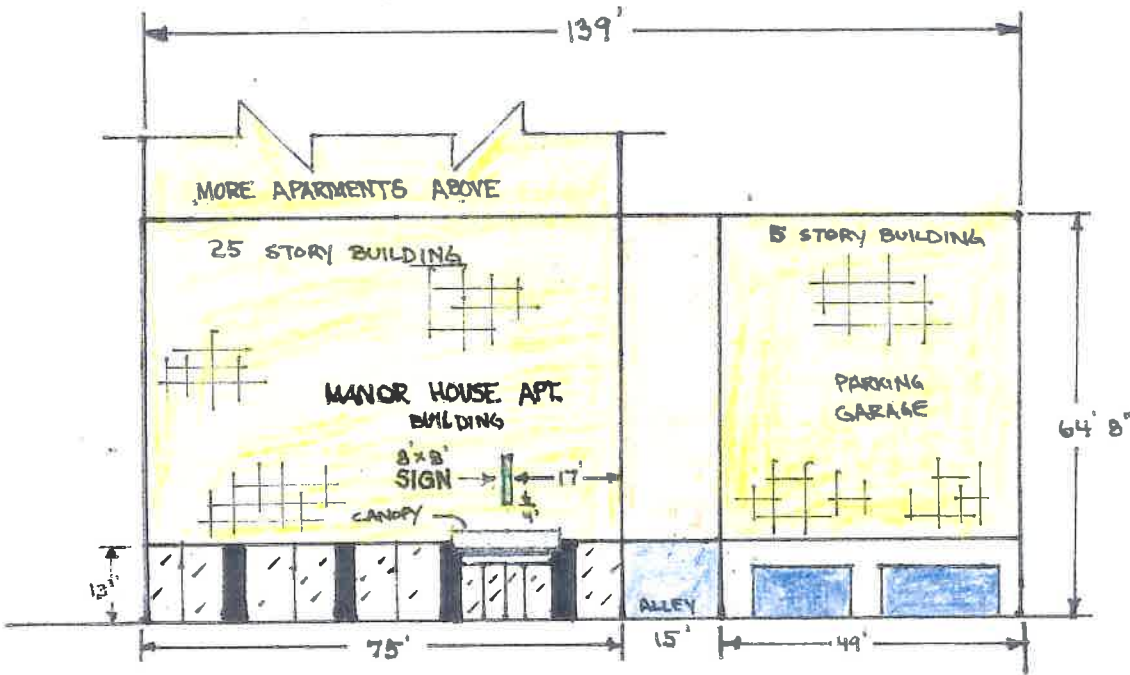
BUILDING LINE PROPERTY LINE

COMMERCE STREET

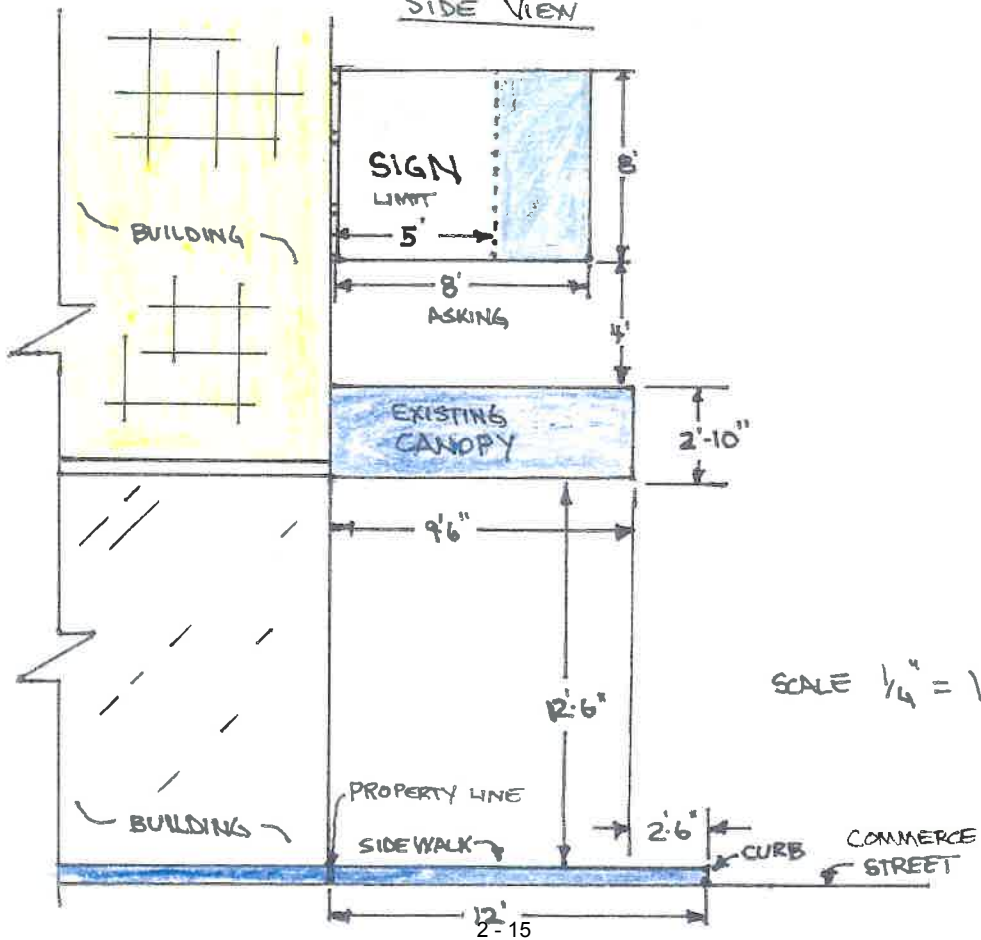
1222 COMMERCE ST.
MANOR HOUSE BUILDING

SCALE 1" = 20'

FRONT VIEW



SIDE VIEW



SCALE 1/4" = 1'



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 486 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u> BDA189-137 </u> Date: <u> 11/20/2019 </u>
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11/20/2019

Notification List of Property Owners

BDA189-137

486 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1208 COMMERCE ST	MANOR HOUSE GARDENS LLC &
2	1208 COMMERCE ST	DAVIS MRS HELEN BOUCHE
3	1201 JACKSON ST	U S A VETERANS ADM
4	1212 JACKSON ST	SOUTHWESTERN BELL
5	211 S AKARD ST	SOUTHWESTERN BELL
6	1312 JACKSON ST	SOUTHWESTERN BELL
7	1311 WOOD ST	CVH 918 LLC
8	301 S AKARD ST	SOUTHWESTERN BELL
9	1300 MAIN ST	RBP ADOLPHUS LLC
10	1315 COMMERCE ST	RBP ADOLPHUS LLC
11	1300 MAIN ST	RBP 1400 MAIN LLC
12	1200 MAIN ST	TONOLI FRANK E &
13	1200 MAIN ST	FISCHER JOSHUA A
14	1200 MAIN ST	ANDERSON SCOTT ERIC
15	1200 MAIN ST	FUGITT JOHN R W
16	1200 MAIN ST	ALEXANDER KARA
17	1200 MAIN ST	FARHART GEORGE R & ALICIA E
18	1200 MAIN ST	ORTIZ GUILLERMINA
19	1200 MAIN ST	FONTENOT TOMMY JAMES
20	1200 MAIN ST	RAFF GEORGE JR
21	1200 MAIN ST	SMITH DANIEL E & HERMA A
22	1200 MAIN ST	FONK ANTHONY N & KATHRYN L
23	1200 MAIN ST	FREEMAN SCOTT
24	1200 MAIN ST	EADS LORI A
25	1200 MAIN ST	JUAREZ GERARDO
26	1200 MAIN ST	KIRKLAND MYRA EDITH &

11/20/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	1200 MAIN ST	AMONGKOL JITTADA KITTY
28	1200 MAIN ST	HART STANLEY L &
29	1200 MAIN ST	SMITH SHERIA D
30	1200 MAIN ST	BRANCELA JOHN
31	1200 MAIN ST	TERESI MARK A & JEANNE N
32	1200 MAIN ST	CWALINO PETER
33	1200 MAIN ST	SULLIVAN COLLIN &
34	1200 MAIN ST	SANADI NISAR & THU NGUYET
35	1200 MAIN ST	CARPENTER ROBIN N
36	1200 MAIN ST	MASTAGLIO LINDA R
37	1200 MAIN ST	LOPEZ DENNIS A
38	1200 MAIN ST	CLARK TAMPA CATHERINE
39	1200 MAIN ST	MIDLAND TRUST CO &
40	1200 MAIN ST	PERRI ANTHONY J &
41	1200 MAIN ST	KANTELADZE ANNA &
42	1200 MAIN ST	FAYE WILLIS DESIGNS INC
43	1200 MAIN ST	BAGARIA SAPNA & SURESH
44	1200 MAIN ST	PARKER MARK GRAHAM
45	1200 MAIN ST	NEMES SONY SHAI
46	1200 MAIN ST	RAO SHASHANK A &
47	1200 MAIN ST	CHATTERJEE ARUNABHA
48	1200 MAIN ST	CRIST EUGENE SCOTT
49	1200 MAIN ST	SALVANT WAYNE
50	1200 MAIN ST	ELLER TOM J & ROBYN
51	1200 MAIN ST	MASSEY LINDA
52	1200 MAIN ST	DASH PRIYARANJAN &
53	1200 MAIN ST	ROSALERTZ LLC
54	1200 MAIN ST	CUEVAS ISRAEL F
55	1200 MAIN ST	EDWARDS JAMES & BARBARA
56	1200 MAIN ST	NORRED J WESLEY III
57	1200 MAIN ST	JIA YUEMENG

11/20/2019

Label #	Address	Owner
58	1200 MAIN ST	BIERMAN SYDNEY GRACE
59	1200 MAIN ST	FANNING MICHAEL JAMES
60	1200 MAIN ST	ERLICH CRAIG J
61	1200 MAIN ST	ADAMS WILHELMINA J
62	1200 MAIN ST	COMBS DAMETIA
63	1200 MAIN ST	YAVANZA LLC
64	1200 MAIN ST	ALCANTARA PEDRO
65	1200 MAIN ST	HERICKS JAMES &
66	1200 MAIN ST	BAKER WILLIAM H III
67	1200 MAIN ST	SZABALA SARA &
68	1200 MAIN ST	PAPA RODINO CHRISTOPHER CRUZ
69	1200 MAIN ST	HUGHES CYNTHIA M
70	1200 MAIN ST	BLACK PAUL
71	1200 MAIN ST	HAQUE NAZ &
72	1200 MAIN ST	ALMOHSEN MUQDAD
73	1200 MAIN ST	LINDSAY HAWNI E
74	1200 MAIN ST	NGUYEN MICHAEL
75	1200 MAIN ST	BENEVENTI MARK FRANCIS
76	1200 MAIN ST	DU YALI
77	1200 MAIN ST	PATOINE TERESA SUSAN
78	1200 MAIN ST	SAIED ANNA M
79	1200 MAIN ST	FAIRCHILD MELISSA
80	1200 MAIN ST	CANON JOSEPH & ELIZABETH
81	1200 MAIN ST	DEMPSEY MICHAEL THOMAS
82	1200 MAIN ST	HARRIS KENDRICK LASALLE
83	1200 MAIN ST	PATEL JAYSHREE &
84	1200 MAIN ST	NEMA REALTY GROUP LLC
85	1200 MAIN ST	KAHANE DENNIS SPENCER
86	1200 MAIN ST	RODRIGUEZ JOSE A
87	1200 MAIN ST	SALEEM ADEEL
88	1200 MAIN ST	ANTAO RYAN TRISTEN

11/20/2019

Label #	Address	Owner
89	1200 MAIN ST	MOBLEY HENRY B JR
90	1200 MAIN ST	COWAN MICHAEL & MARTHA
91	1200 MAIN ST	GHODSI YEGANEH &
92	1200 MAIN ST	HOFFMAN YOLANDA & JAMES
93	1200 MAIN ST	IPPOLITO MARTA
94	1200 MAIN ST	CIN ALBERTO DAL
95	1200 MAIN ST	BROWN GLENN ALAN
96	1200 MAIN ST	ROMERO GERALD & LOURDES
97	1200 MAIN ST	BEANEY STEVEN LEE
98	1200 MAIN ST	SCARBOROUGH DONALD D
99	1200 MAIN ST	YASSIN RONY
100	1200 MAIN ST	BROWN NOLLEY LEON CLEMON &
101	1200 MAIN ST	LUMME DONALD GUY JR
102	1200 MAIN ST	XIE JIMIN
103	1200 MAIN ST	OROZCO CARLOS A
104	1200 MAIN ST	BABAKHANIAN ROUBEN
105	1200 MAIN ST	DOMINGUEZ JOSE R
106	1200 MAIN ST	PURNELL KENNETH
107	1200 MAIN ST	BYRD CAMERON
108	1200 MAIN ST	MA MAU & JUYEI
109	1200 MAIN ST	THOMAS BIJU
110	1200 MAIN ST	HAZLITT RYAN ZEDRICK
111	1200 MAIN ST	MITCHELL CATHERINE MARIE &
112	1200 MAIN ST	MADDERRA RHONDA & FARON
113	1200 MAIN ST	HONRALES MARK &
114	1200 MAIN ST	CRAIG TERRY E &
115	1200 MAIN ST	BALUCH HOLDINGS LLC
116	1200 MAIN ST	ADROVIC ARMIN
117	1200 MAIN ST	ROMIG RANDALL
118	1200 MAIN ST	TAUSCH JOHANNES &
119	1200 MAIN ST	MORAIS JUSTIN

11/20/2019

Label #	Address	Owner
120	1200 MAIN ST	MATHEWS AMIT &
121	1200 MAIN ST	MCCANS WILLIAM
122	1200 MAIN ST	LOPEZ ADAN FRANCISCO
123	1200 MAIN ST	JUDAH JOHN K
124	1200 MAIN ST	HANNA IHAB
125	1200 MAIN ST	MORENO KRISTINE M
126	1200 MAIN ST	BAKER ARIANNE &
127	1200 MAIN ST	MOORE ROBERT W
128	1200 MAIN ST	SANTAMARIA ARTHUR &
129	1200 MAIN ST	DIPENTI CARMEN
130	1200 MAIN ST	BOSE RANAVIR & SARMILA
131	1200 MAIN ST	FUNG DAVID KARL & KATHY LEE FUNG
132	1200 MAIN ST	FLORES GEORGINA E
133	1200 MAIN ST	LI LIETAO
134	1200 MAIN ST	HOLBERT DAVID
135	1200 MAIN ST	JC GOODMAN INVESTMENT GROUP INC
136	1200 MAIN ST	MICHULKA GEORGE &
137	1200 MAIN ST	BYRUM TADD A &
138	1200 MAIN ST	HUTCHINSON ANDREW F II
139	1200 MAIN ST	BRISTOW PAUL & YOLANDA
140	1200 MAIN ST	SUTTONDEABREU ILA I
141	1200 MAIN ST	BENTLEY BRIAN D
142	1200 MAIN ST	CLARK CHRISTIAN
143	1200 MAIN ST	DAIYA NAMRATA
144	1200 MAIN ST	JACKSON JAN B & ROGER
145	1200 MAIN ST	SALVANT WAYNE F &
146	1200 MAIN ST	LIN HUANG SHENG
147	1200 MAIN ST	ENGEL DAVID EISAIAH
148	1200 MAIN ST	HIBSID 1 LLC
149	1200 MAIN ST	QUARTOS VACA LLC
150	1200 MAIN ST	KOKES KEVIN K

11/20/2019

Label #	Address	Owner
151	1200 MAIN ST	HARRIS CARLOS
152	1200 MAIN ST	GILL FAMILY TRUST
153	1200 MAIN ST	KAMEO JOHN
154	1200 MAIN ST	BRYANT CHRIS
155	1200 MAIN ST	BROWN KIMBERLY DAWN &
156	1200 MAIN ST	KLAMM CYNTHIA B &
157	1200 MAIN ST	ADDESO CAROL J & ROBERT P
158	1200 MAIN ST	JACKSON CAROL
159	1200 MAIN ST	MCCONNELL KIMBERLI
160	1200 MAIN ST	
161	1200 MAIN ST	LANCASTER PHILLIP & IRENE
162	1200 MAIN ST	AN JOSHUA DON ALLEN
163	1200 MAIN ST	POLANCO PAUL
164	1200 MAIN ST	DAMANI ANIRUDH A
165	1200 MAIN ST	DOCKTER BRYAN
166	1200 MAIN ST	UNDERHILL JAMES S
167	1200 MAIN ST	MELONI GABRIELE &
168	1200 MAIN ST	DEAR CORY & CLARK MEREDITH
169	1200 MAIN ST	DUMENE RICHARD L &
170	1200 MAIN ST	STROTHMAN RHONDA K
171	1200 MAIN ST	REMPHREY BRYAN S
172	1200 MAIN ST	DYNKIN ANTHONY
173	1200 MAIN ST	BROWNELL SUSAN K &
174	1200 MAIN ST	LANCASTER PHILLIP GEOFFREY &
175	1200 MAIN ST	HARDIN LAURA C & KELLY C
176	1200 MAIN ST	AHUMADA MUCIO
177	1200 MAIN ST	LIN MILO M &
178	1200 MAIN ST	GARNER SUSAN
179	1200 MAIN ST	MOORE ROBERT W
180	1200 MAIN ST	CHAFFIN LYNDAL A
181	1200 MAIN ST	HAWLEY LEE ANN MURPHREE &

11/20/2019

Label #	Address	Owner
182	1200 MAIN ST	VIRANI ASIF
183	1200 MAIN ST	PRIBADI LILIANA
184	1200 MAIN ST	DIXON ADAM
185	1200 MAIN ST	XIE JIMIN & WEIYAN JEANNE LI
186	1200 MAIN ST	JHAVERI SATYEN DHIREN
187	1200 MAIN ST	ABDULWAHAB MANNIE
188	1200 MAIN ST	GODOY DULCE MARIA RIVAS
189	1200 MAIN ST	BHAGAT SALMAN JUMA &
190	1200 MAIN ST	ZOLLER ROBERT W
191	1200 MAIN ST	KOERBER ELLEN &
192	1200 MAIN ST	GREENSTREET TROY A
193	1200 MAIN ST	RICHARDS GILL & ELIZABETH ANN
194	1200 MAIN ST	VALENTIS VENTURES LLC
195	1200 MAIN ST	NATHAL JULIO
196	1200 MAIN ST	NGUYEN MICHAEL
197	1200 MAIN ST	VERITY ANDREW
198	1200 MAIN ST	POON PHILIP
199	1200 MAIN ST	ROMERO ROBERT R &
200	1200 MAIN ST	HAYES MONIQUE C
201	1200 MAIN ST	TINSLEY GARY A
202	1200 MAIN ST	HAGLER TRENT L
203	1200 MAIN ST	JONES CLEVELAND JR
204	1200 MAIN ST	CRIST EUGENE SCOTT
205	1200 MAIN ST	FLANAGAN MICHAEL
206	1200 MAIN ST	OLTMAN GREGG
207	1200 MAIN ST	WILSON TAYLOR V &
208	1200 MAIN ST	MALHOTRA MANISH
209	1200 MAIN ST	MEADOWS TAYLOR
210	1200 MAIN ST	FICKEL MATTHEW & MARY BETH
211	1200 MAIN ST	SHAFFNER GLORIA
212	1200 MAIN ST	GOLNABI ROSITA NINA & NEIMA

11/20/2019

Label #	Address	Owner
213	1200 MAIN ST	CAMPBELL W DONALD &
214	1200 MAIN ST	COLMENERO MANUEL &
215	1200 MAIN ST	MCCLAIN JONI L MD FAMILY TRUST
216	1200 MAIN ST	REVIS MARK
217	1200 MAIN ST	NAZARUK ALEKSANDER
218	1200 MAIN ST	YING KEN W
219	1200 MAIN ST	PENNEY CHRISTOPHER R
220	1200 MAIN ST	AMEHAYES AMDETSION
221	1200 MAIN ST	SHALLENBERGER PUNAM & DAVID
222	1200 MAIN ST	KEANE JUSTIN
223	1200 MAIN ST	BODLEY GABRIELLE
224	1200 MAIN ST	MCBRIDE KAREN & GEORGE S
225	1200 MAIN ST	WILSON GLEN TAYLOR &
226	1200 MAIN ST	HARDIN LAURA & KELLY C
227	1200 MAIN ST	PHILLIPS DAVID G
228	1200 MAIN ST	EZEIZA JULIETA &
229	1200 MAIN ST	SOLITARE RICHARD & JEANNE
230	1200 MAIN ST	GRANT JASON A & MARIA
231	1200 MAIN ST	PIERCE KEVIN G
232	1200 MAIN ST	WEINSTEIN PAUL D
233	1200 MAIN ST	POWERS A MARKS
234	1200 MAIN ST	WERLE LESLEY
235	1200 MAIN ST	BERMAN DANIEL
236	1200 MAIN ST	PERRI VINEYARDS & REAL ESTATE
237	1200 MAIN ST	RANDOLPH HEATHER ELAINE &
238	1200 MAIN ST	FISCHER FAMILY TRUST
239	1200 MAIN ST	INDIGO CAPITAL GROUP LLC
240	1200 MAIN ST	KNIPE LUTHER DASSON III
241	1200 MAIN ST	LOPEZ MARCO A & ISABEL
242	1200 MAIN ST	CURTIS TRENT P
243	1200 MAIN ST	BASH DAMIEN

11/20/2019

Label #	Address	Owner
244	1200 MAIN ST	MIRO VIKTOR
245	1200 MAIN ST	FIELDS FOSTER LAND TRUST
246	1200 MAIN ST	SHIPP RONALD B
247	1200 MAIN ST	ALCANTARA PEDRO
248	1200 MAIN ST	COX JOHN VERNON TR & GAY GAYLE TR
249	1200 MAIN ST	COX JOHN VERNON TR &
250	1200 MAIN ST	SMITH LAURA
251	1200 MAIN ST	MAHDAVI ARAD
252	1200 MAIN ST	ONU ADISA M
253	1200 MAIN ST	OQUIN RUTH
254	1200 MAIN ST	MAYORGA LUIS A
255	1200 MAIN ST	MUSABASIC MEMSUD
256	1200 MAIN ST	GILMAN ALEX
257	1200 MAIN ST	MOTGI GURUBASAPPA V & SHASHI R MOTGI
258	1200 MAIN ST	SARDARABADI ABDOL M &
259	1200 MAIN ST	WATTS FAMILY TRUST
260	1200 MAIN ST	KORNEGAY FAMILY TRUST
261	1200 MAIN ST	TRAMMELL DUANE &
262	1200 MAIN ST	DUNCAN ROBERT J &
263	1200 MAIN ST	JHAVERI SATYEN DHIREN
264	1200 MAIN ST	WALSH WILLIAM ANTHONY
265	1200 MAIN ST	REAGANS KIMBERLY
266	1200 MAIN ST	KRISHNA SHAILENDRA &
267	1200 MAIN ST	PONZIO JOHN &
268	1200 MAIN ST	NAGAPPA PRAKASH &
269	1200 MAIN ST	DAVIS WALKER L
270	1200 MAIN ST	HERNDON CYNTHIA A
271	1200 MAIN ST	PERRI VINEYARDS &
272	1200 MAIN ST	GARCIA CASSANDRA
273	1200 MAIN ST	BARBATO CRISTINA COSTA
274	1200 MAIN ST	ANTEE CHRISTINE R

11/20/2019

Label #	Address	Owner
275	1200 MAIN ST	GALAL PHILLIPE & NIKI M STOLIS
276	1200 MAIN ST	WILKINSON EARL J
277	1200 MAIN ST	CALDWELL ROGER W & KIMBERLY S
278	1200 MAIN ST	BELGAUM LLC
279	1300 JACKSON ST	KING STONE PROPERTY LLC
280	1300 JACKSON ST	CARROLL MICHAEL T
281	1300 JACKSON ST	BINDLER MARA JILL
282	1300 JACKSON ST	BRAZZEL ZACHARY L
283	1300 JACKSON ST	ADAMS NATHANIEL &
284	1300 JACKSON ST	WASHINGTON DAVID CHASE
285	1300 JACKSON ST	KOLANDER KAMELA
286	1300 JACKSON ST	EVANS SCOTT
287	1300 JACKSON ST	GONZALEZ FRANCISCO
288	1122 JACKSON ST	HIBBARD CHRISTIAN
289	1122 JACKSON ST	MIDBOE MATTHEW L
290	1122 JACKSON ST	ARAVIND ANEESH & RAVEN
291	1122 JACKSON ST	SPARKS KIMBERLY
292	1122 JACKSON ST	MORIARTY DUSTIN
293	1122 JACKSON ST	WHITTEN THOMAS A & LAURA J
294	1122 JACKSON ST	POPE TRAVIS W
295	1122 JACKSON ST	TRUDEL JUSTIN &
296	1122 JACKSON ST	WORD TINA MACHELLE
297	1122 JACKSON ST	GAFFIELD BENSON &
298	1122 JACKSON ST	MARQUES MICHAEL
299	1122 JACKSON ST	GORDON JULIANNE E
300	1122 JACKSON ST	KEMBERY ROBERT
301	1122 JACKSON ST	LEITH MEGAN K
302	1122 JACKSON ST	WHITE JARED
303	1122 JACKSON ST	FULFORD BRUCE
304	1122 JACKSON ST	COOPER THOMAS STEELE
305	1122 JACKSON ST	SMITH JASON DEWAYNE & KIMMIE FARRAR

11/20/2019

Label #	Address	Owner
306	1122 JACKSON ST	FRITZ JUSTIN RANDOLF
307	1122 JACKSON ST	ELAM KYLE P
308	1122 JACKSON ST	DEAN KOLBY
309	1122 JACKSON ST	GAROFANO JOSEPH M
310	1122 JACKSON ST	MILLIGAN MOLLIE
311	1122 JACKSON ST	PRIPUTEN ALEXANDRA
312	1122 JACKSON ST	SEGOVIA MARIA
313	1122 JACKSON ST	ADAMS CHRISTIAN R
314	1122 JACKSON ST	TEHRANI NAVID VIJEH
315	1122 JACKSON ST	EZOR ELISA Z &
316	1122 JACKSON ST	MODLA EDWARD JOHN
317	1122 JACKSON ST	URRUTIA AUDRICK L
318	1122 JACKSON ST	YARDLEY HONEY J
319	1122 JACKSON ST	WOELKE MICHAEL RAY TRUST
320	1122 JACKSON ST	CHAMBERS JARED P &
321	1122 JACKSON ST	WILSON ROBERT J II
322	1122 JACKSON ST	BRYAN JORDAN M
323	1122 JACKSON ST	COFFMAN LEATRICE
324	1122 JACKSON ST	LU HUIRU &
325	1122 JACKSON ST	GILBERT PHILLIP RAY II
326	1122 JACKSON ST	LOWRY MATTHEW R
327	1122 JACKSON ST	HEINLEN CHRISTOPHER D
328	1122 JACKSON ST	COCKRELL JONATHAN
329	1122 JACKSON ST	NWANKWO ADIAH
330	1122 JACKSON ST	BROOKS JOHN H JR &
331	1122 JACKSON ST	JAMES KAREN K
332	1122 JACKSON ST	REAVIS BEN & KRISTI
333	1122 JACKSON ST	TOLEDO AARON
334	1122 JACKSON ST	STABLE HOMES JACKSON DALLAS
335	1122 JACKSON ST	STAFFORD STEPHANIE E
336	1122 JACKSON ST	MITCHELL MARK

11/20/2019

Label #	Address	Owner
337	1122 JACKSON ST	MASEK GEORGE E
338	1122 JACKSON ST	PARMELE MICHAEL
339	1122 JACKSON ST	DILL MICHAEL K
340	1122 JACKSON ST	PEREA VICTOR
341	1122 JACKSON ST	ELENEZ BASILIA & EMILIANO E
342	1122 JACKSON ST	VEATCH JAMES RICKY
343	1122 JACKSON ST	SMITH BRENDA KAY
344	1122 JACKSON ST	WYATT ALAN K
345	1122 JACKSON ST	STEELE HARVEY P
346	1122 JACKSON ST	FROH DANIEL LYNN
347	1122 JACKSON ST	XIONG SHI JU
348	1122 JACKSON ST	BALDERRAMA RAMON EDUARDO
349	1122 JACKSON ST	CASTANEDA COLLEEN
350	1122 JACKSON ST	MCCOWN CRISTEN & WIESLAWA
351	1122 JACKSON ST	RUDE CURTIS
352	1122 JACKSON ST	BETHEL SUSAN
353	1122 JACKSON ST	OTOOLE CAITLIN J
354	1122 JACKSON ST	GIBBS JAMES M LIFE ESTATE
355	1122 JACKSON ST	DUDEK JAKUB
356	1122 JACKSON ST	BUTLER CHELE
357	1122 JACKSON ST	BERNSTEIN CAMI
358	1122 JACKSON ST	NICHOLSON STEVEN W
359	1122 JACKSON ST	ELLIOTT NATALIE
360	1122 JACKSON ST	BASINGER GREGORY LEROY
361	1122 JACKSON ST	ADAM W COX REVOCABLE TRUST
362	1122 JACKSON ST	REED THOMAS J &
363	1122 JACKSON ST	STRINGER BRIDGET
364	1122 JACKSON ST	ACEVEDO MAGDALENA
365	1122 JACKSON ST	JOHNSON CLIFTON
366	1122 JACKSON ST	RASOR RANDALL A
367	1122 JACKSON ST	SINDONI MICHAEL & SIOBHAN

11/20/2019

Label #	Address	Owner
368	1122 JACKSON ST	WALPOLE JOHN
369	1122 JACKSON ST	LECUYER MICHELLE
370	1122 JACKSON ST	LANDESBERG STEVEN
371	1122 JACKSON ST	DONAHUE AUGUSTINE PHILIP
372	1122 JACKSON ST	BEACH RUSSELL
373	1122 JACKSON ST	BROWN QUINN W &
374	1122 JACKSON ST	BOWERS JOEL B
375	1122 JACKSON ST	CAMPBELL MARK D & LAURA A
376	1122 JACKSON ST	SCHIPSKE TIMOTHY JR
377	1122 JACKSON ST	WAITE DAVID
378	1122 JACKSON ST	QUINT BERNARD T
379	1122 JACKSON ST	GONZALEZ JINNI
380	1122 JACKSON ST	JONES JARRIEL
381	1122 JACKSON ST	DINGMAN EVAN
382	1122 JACKSON ST	HURLEY JENNIFER &
383	1122 JACKSON ST	WILSON DAMON
384	1122 JACKSON ST	HALL JACQUELINE REENAE
385	1122 JACKSON ST	OEI LAURA ELIZABETH E &
386	1122 JACKSON ST	CRESSY KEVIN W
387	1122 JACKSON ST	MORRIS DOUGLAS A & VIRSIE N
388	1122 JACKSON ST	MILLER JUSTIN
389	1122 JACKSON ST	2008 CONDO PROPERTIES LLC
390	1122 JACKSON ST	ESTRADA HERIBERTO &
391	1122 JACKSON ST	KERN TRAVIS
392	1122 JACKSON ST	HUYNH TINH T &
393	1122 JACKSON ST	CLARKSON ROBERT A
394	1122 JACKSON ST	TOONY JEFFREY D & ELIZABETH A
395	1122 JACKSON ST	DILLON CRAIG L
396	1122 JACKSON ST	KEYASHIAN ARASH
397	1122 JACKSON ST	MOMPREMIER MIKELSON & KENYA
398	1122 JACKSON ST	BONNIN MATTHEW E

11/20/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
399	1122 JACKSON ST	NICHOLS CYNTHIA
400	1122 JACKSON ST	MUELLER ANDREW
401	1122 JACKSON ST	NGO THAO BUU
402	1122 JACKSON ST	PAINE KELSEY
403	1122 JACKSON ST	AUTREY LOREE SUE
404	1122 JACKSON ST	PRESEREN LAUREN M
405	1122 JACKSON ST	MOORE STEVEN B & SHARON A
406	1122 JACKSON ST	ROJASRESTREPO OLGA L
407	1122 JACKSON ST	GANTZ BLAKE
408	1122 JACKSON ST	ADAMS SUSAN E
409	1122 JACKSON ST	HAMERSMA MARVIN J
410	1122 JACKSON ST	OLIPHANT MICHELLE
411	1122 JACKSON ST	HENDERSON MICHAEL BENFORD
412	1122 JACKSON ST	ESCANILLA DINNAH
413	1122 JACKSON ST	DES MOINES BUILDING LLC
414	1122 JACKSON ST	TRAN TRUNG
415	1122 JACKSON ST	MAHONEY LAURIE & JOHN
416	1122 JACKSON ST	ZATOUT MAHMOUD
417	1122 JACKSON ST	RHEA WILLIAM BRENT
418	1122 JACKSON ST	BIEDENHAM JOSEPH A III
419	1122 JACKSON ST	VELARDE ANGEL G
420	1122 JACKSON ST	BOURCIER JARED T
421	1122 JACKSON ST	MURILLO LESLIE N
422	1122 JACKSON ST	ADROVIC ARMIN
423	1122 JACKSON ST	JONES CHRISTOPHER &
424	1122 JACKSON ST	HILL JAMES C
425	1122 JACKSON ST	LENOX ANDREW
426	1122 JACKSON ST	ONEAL MARK
427	1122 JACKSON ST	ALAVI REZA & MONA
428	1122 JACKSON ST	CARPENTER IRENE JOYCE
429	1122 JACKSON ST	LEICHTENSCHLAG JAMES

11/20/2019

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
430	1122 JACKSON ST	VAFABEE ABDOL H
431	1122 JACKSON ST	EHLE JOEL & TONI
432	1122 JACKSON ST	MACKO MATTHEW C
433	1122 JACKSON ST	MARTINEZ ZULEMA CERVANTES
434	1122 JACKSON ST	HENDERSON N CHRISTIAN &
435	1122 JACKSON ST	SANCHEZ OSCAR R
436	1122 JACKSON ST	KNIGHT LAURA C
437	1122 JACKSON ST	OFFOR CHIJOKE
438	1122 JACKSON ST	CONTORNO MICHAEL
439	1122 JACKSON ST	LUSTIG CHARLES HUGH &
440	1122 JACKSON ST	JACKSON AMANDA
441	1122 JACKSON ST	BARKER JENNIFER
442	1122 JACKSON ST	BOLEN MAX
443	1122 JACKSON ST	BURCHILL KENNETH QUENTIN &
444	1122 JACKSON ST	JOHNSON DAVID MALCOLM & LAURA KERWIN
445	1122 JACKSON ST	GJONI DENIS
446	1122 JACKSON ST	LOHMEIER BRETT &
447	1122 JACKSON ST	DICKSON MICHAEL A
448	1122 JACKSON ST	HUNDLEY RACHEL &
449	1122 JACKSON ST	ROSKEY RYAN M
450	1122 JACKSON ST	CARTER KELLY
451	1122 JACKSON ST	SNELL JAMES N
452	1122 JACKSON ST	CHERAMIE TREVOR
453	1122 JACKSON ST	2008 CONDO PROPERTIES LLC
454	1122 JACKSON ST	HATTIER ANTHONY V III
455	1122 JACKSON ST	CAGNEY MONICA
456	1122 JACKSON ST	EVANS HEATHER
457	1122 JACKSON ST	STRONG GERI & JON GRINALDI
458	1122 JACKSON ST	OKEKE IRENE
459	1122 JACKSON ST	EVANS BRIAN K
460	1122 JACKSON ST	HUESTON ALLEN LEE JR &

11/20/2019

Label #	Address	Owner
461	1122 JACKSON ST	SANCHEZ ROSI LINDA &
462	1122 JACKSON ST	WEISLER MICHAEL CHRISTOPHER
463	1122 JACKSON ST	MCCARTNEY SHAUNA
464	1122 JACKSON ST	HEHMANN BRYAN A
465	1122 JACKSON ST	GLASS JOHN D
466	1122 JACKSON ST	LIVINGSTON JEFFREY M &
467	1122 JACKSON ST	WHITE COREY
468	1122 JACKSON ST	ROBERTSON EMILY ELIZABETH
469	1122 JACKSON ST	WILKOWSKI JOSHUA C & KATHARINE M
470	1122 JACKSON ST	ADDAGATLA BABU & VAJRA S
471	1122 JACKSON ST	RUSSELL KIMBERLY DAWN
472	1122 JACKSON ST	BESCO JANIS A
473	1122 JACKSON ST	PAINE ALEXANDER W
474	1122 JACKSON ST	BROWN BRITNEY NOEL
475	1122 JACKSON ST	PRIKRYL SARAH GRACE
476	1122 JACKSON ST	SUTTON SHELBY DEANN &
477	1122 JACKSON ST	SCOTT SUMMER L
478	1122 JACKSON ST	SULLIVAN SHAWN MICHAEL
479	1122 JACKSON ST	VALCO JOHN
480	1122 JACKSON ST	BARRETO WARREN
481	1122 JACKSON ST	PASCHAL JOSSY V & SHAE B
482	1122 JACKSON ST	THURSTON MARSHALLYN
483	1122 JACKSON ST	AISLING KATHLEEN A
484	1122 JACKSON ST	CRUES CHRISTIN
485	1122 JACKSON ST	KIENAST AILEEN D
486	1122 JACKSON ST	HOLDERMAN LUKE W & KATHERINE R

FILE NUMBER: BDA189-140(SM)

BUILDING OFFICIAL'S REPORT: Application of Danny Sipes of Texas Permit & Development for a special exception to the single family use regulations at 8211 Inwood Road. This property is more fully described as Lot 21, Block 5673, and is zoned R-16(A), which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit, which will require a special exception to the single family use regulations.

LOCATION: 8211 Inwood Road

APPLICANT: Danny Sipes of Texas Permit & Development

REQUEST:

A request for a special exception to the single family use regulations is made to construct an additional dwelling unit atop an existing garage on the northwest quadrant of a site developed with a single family home structure, or dwelling unit.

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

Section 51(A)-4.209(6)(E)(1) of the Dallas Development Code specifies that the board may grant a special exception to the single family use regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

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

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is when in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

Zoning:

Site: R-16(A) (Single Family District)
North: R-16(A) (Single Family District)
East: R-16(A) (Single Family District)

South: R-16(A) (Single Family District)
West: R-7.5(A) (Single Family District)

Land Use:

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

Zoning/BDA History:

There has been no recent related board or zoning cases recorded in the vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception to the single family use regulations is to construct an additional dwelling unit atop an existing garage on the northwest quadrant of a site developed with a single family structure, or dwelling unit.

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

The Dallas Development Code defines “single family” use as “one dwelling unit located on a lot;” and a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens¹, one or more bathrooms², and one or more bedrooms³.” The first and second floor plans of the proposed addition denote a number of rooms/features that Building Inspection has determined makes a second dwelling unit apart from the existing single family dwelling unit, which are comprised of a kitchen on the first floor and bedrooms and bathrooms on the second floor.

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

¹ KITCHEN means any room or area used for cooking or preparing food and containing one or more ovens, stoves, hot plates, or microwave ovens; one or more refrigerators; and one or more sinks. This definition does not include outdoor cooking facilities. Reference §51A-2.102(57.1) of the Dallas Development Code, as amended.

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

³ BEDROOM means any room in a dwelling unit other than a kitchen, dining room, living room, bathroom, or closet. Additional dining rooms and living rooms, and all dens, game rooms, sun rooms, and other similar rooms are considered bedrooms. Reference §51A-2.102(9) of the Dallas Development Code, as amended.

If the board were to approve this request, the board may choose to impose a condition that the applicant comply with the site plan if they feel it is necessary to ensure that the special exception will not adversely affect neighboring properties. But granting this special exception request will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site.

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

If the board were to grant this request, the applicant could construct a second-story addition as a dwelling unit as represented on the submitted site plan. However, if the board were to deny this request, the applicant could still construct second floor addition atop an existing 10-car garage on the northwest quadrant of the site but it may not be constructed with all three elements that constitute a dwelling unit.

Timeline:

October 7, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

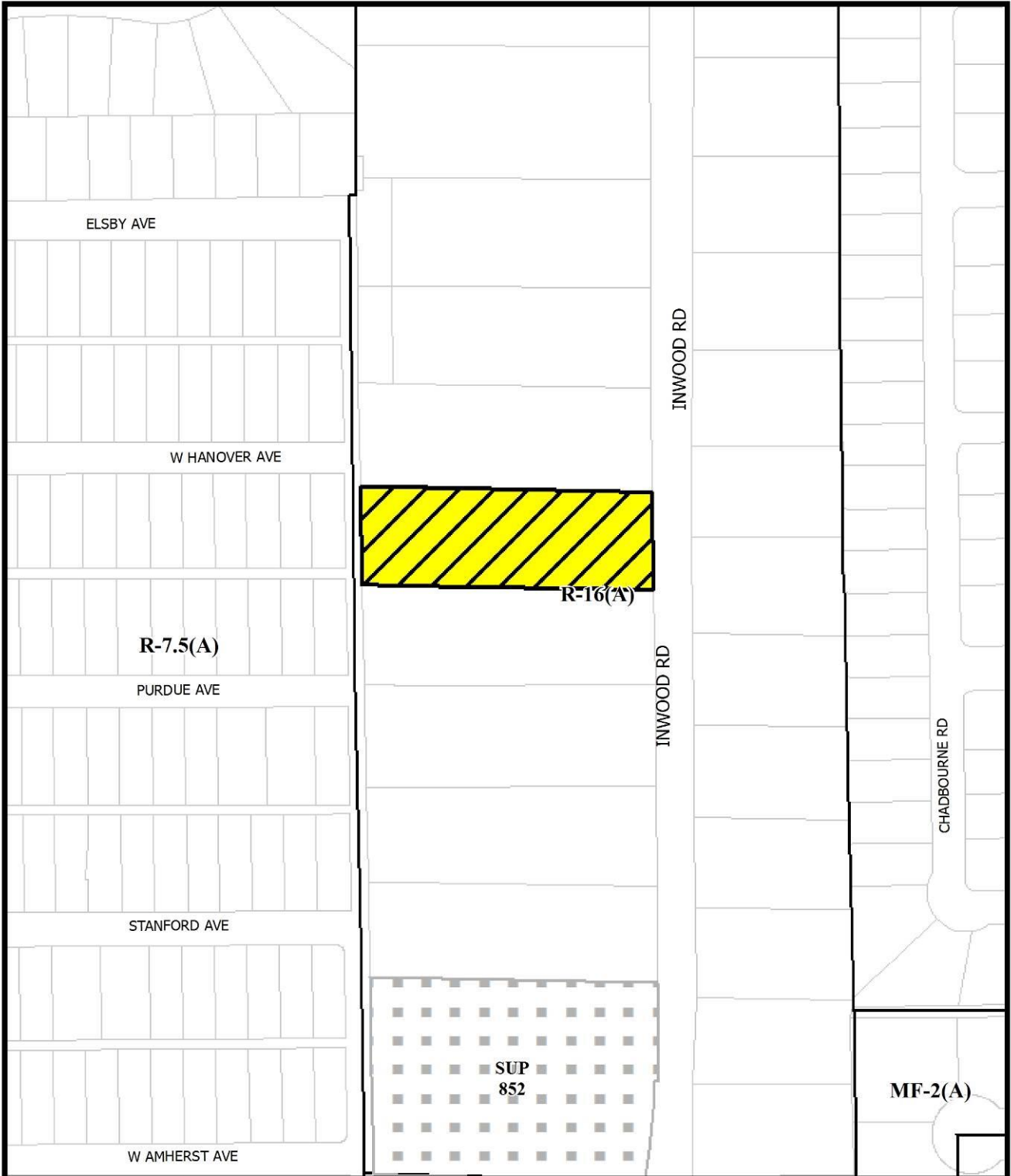
- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the November public hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of Sustainable Development and Construction Engineering Division, the Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Interim Chief Planner,

the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the board.

December 6, 2019: The applicant's representative submitted a letter to the board and revised plans which include a revised construction set, second floor plan, and interior elevations (see Attachment A).

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

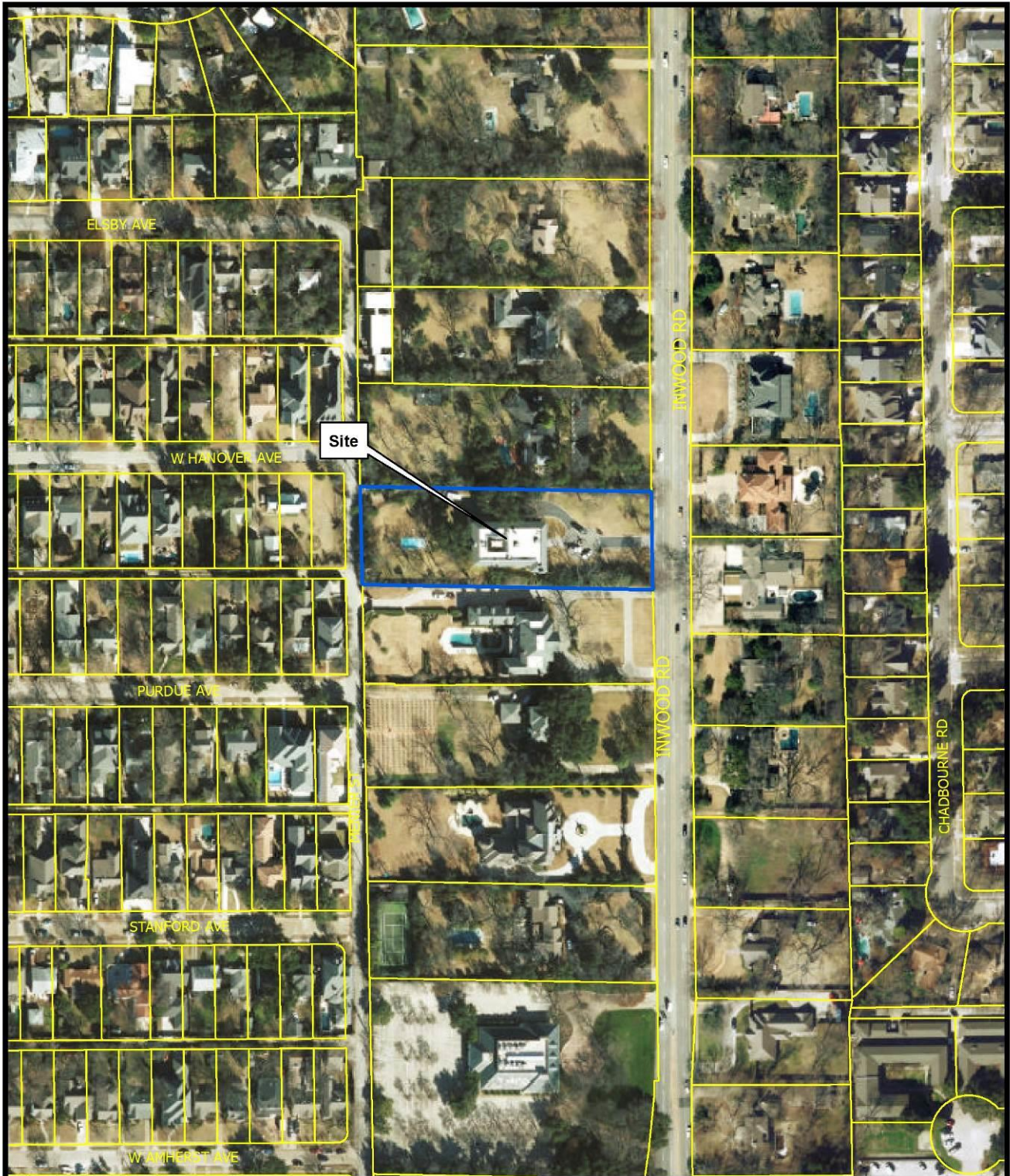


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ZONING MAP

Case no: BDA189-140

Date: 11/21/2019



1:2,400

AERIAL MAP

Case no: BDA189-140

Date: 11/21/2019

Texas Permit & Development

BDA189-140(SM)
Attachment A

December 5, 2019

To the City of Dallas Board of Adjustment Members

Re: 8211 Inwood Rd.

We are here before you requesting a special exception to allow for an additional dwelling unit at 8211 Inwood Rd.

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

The proposed unit would be constructed above an existing one story garage.

We thank you for your consideration in these matters.

Danny Sipes

Texas Permit

DR. SHAFI POOL HOUSE ADDITION

8211 INWOOD ROAD DALLAS, TEXAS 75209

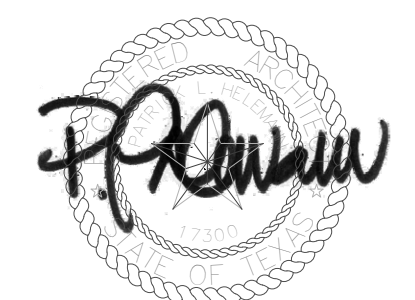


SHEET INDEX

ARCHITECTURAL	
A000	COVER
A001	SITE PLAN
A002	SCHEDULES
A100	DEMOLITION FLOOR PLAN
A101	FIRST FLOOR PLAN
A102	2ND FLOOR PLAN
A103	ROOF PLAN
A201	EXTERIOR ELEVATIONS
A202	FULL BUILDING ELEVATION
A401	REFLECTED CEILING PLAN - LEVEL 1
A402	REFLECTED CEILING PLAN - LEVEL 2
A501	SECTION DETAILS
A502	SECTION DETAILS
A601	INTERIOR ELEVATION
MECHANICAL	
M0.1	MECHANICAL SPECS, SYMBOLS AND SHEET INDEX
M1.1	MECHANICAL FLOOR PLAN - LEVEL 1
M1.2	MECHANICAL FLOOR PLAN - LEVEL 2
M2.1	MECHANICAL SCHEDULES AND CALCULATIONS
M2.1	MECHANICAL DETAILS
ELECTRICAL	
E0.1	GENERAL NOTES / LEGEND / SHEET INDEX
E0.2	SPECIFICATIONS
E1.1	LIGHTING PLAN
E2.1	POWER PLAN
E3.1	ONE-LINE / CALCS / SCHEDULES
PLUMBING	
P0.1	PLUMBING SPECS, SYMBOLS AND SHEET INDEX
P1.1	PLUMBING FLOOR PLAN - LEVEL 1
P1.2	PLUMBING FLOOR PLAN - LEVEL 2
P2.1	SCHEDULES, DETAILS AND CALCULATIONS
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STRUCTURAL	
S1	GENERAL NOTES
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S3	FOUNDATION PLANS - POOL HOUSE ADDITION
S4	FRAMING PLANS - POOL HOUSE ADDITION
S5	ROOF FRAMING PLAN - POOL HOUSE ADDITION
S6	SHEARWALL PLAN - POOL HOUSE ADDITION
S7	SCHEDULE NOTES



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www.elementarchitects.com



05/07/2019

NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	02/14/2019
1	PERMIT REVISIONS	05/07/2019

CONTACTS

ARCHITECT
ELEMENT ARCHITECTS
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STE. 480 HOUSTON, TX 77079
PHONE: 713-874-0775
ATTN.: MICHAEL GRAHAM/ALAN JERRY
www.elementarchitects.com

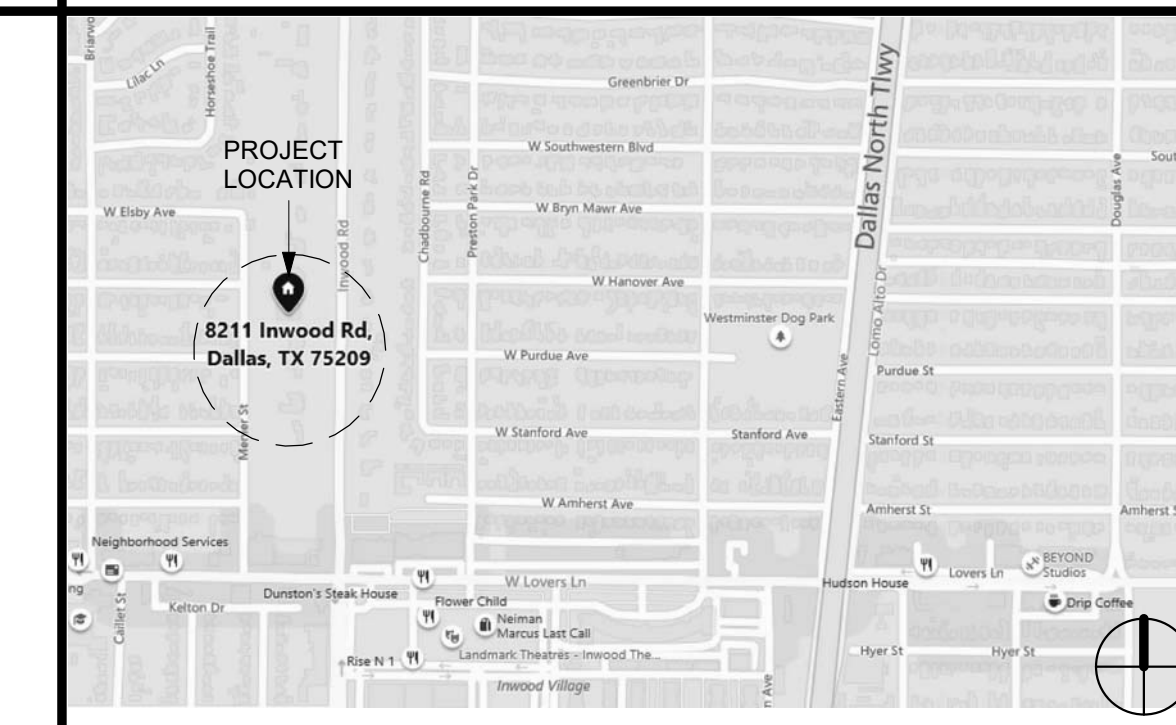
MEP ENGINEER
ASEI ENGINEERING
25329 BUDDE RD
STE 402, SPRING, TX 77380
PHONE: 281-583-7088
ATTN.: ERIC VOSS
www.aseiengineering.com

STRUCTURAL ENGINEER
STERLING ENGINEERING
14025 WEST ROAD
STE 201, HOUSTON, TX 77041
PHONE: 281-583-7088
ATTN.: DONALD BRICK
www.segoc.com

GENERAL NOTES

- THESE DRAWINGS ARE ILLUSTRATIVE AND ARE NOT INTENDED TO SIGNIFY EVERY FACET OF CONSTRUCTION. THESE DRAWINGS DO NOT INCLUDE COMPLETE SPECIFICATIONS, DETAILS AND INFORMATION ON THE INTERIOR FINISHES FOR THIS PROJECT. ANY FURTHER INFORMATION REQUIRED SHOULD BE VERIFIED WITH THE OWNER.
- THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AT THE JOBSITE. NOTIFY ARCHITECT IF CONDITIONS DIFFER FROM DRAWINGS. ALL COSTS SUBMITTED SHALL BE BASED ON THOROUGH KNOWLEDGE OF ALL WORK AND MATERIALS REQUIRED OR REQUESTED. IF THERE IS ANY UNCERTAINTIES OR DISCREPANCIES REGARDING MATERIALS OR PRODUCTS, PLEASE VERIFY WITH THE OWNER AND ARCHITECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL STATE, LOCAL BUILDING CODES, AND GOVERNMENTAL REGULATORY AGENCIES.
- THE GENERAL CONTRACTOR SHALL SEE THAT ALL SUB-CONTRACTORS RECEIVE UP-TO-DATE COMPLETE WORKING DRAWINGS AND ASSUME FULL RESPONSIBILITY FOR COORDINATION OF WORK.
- DO NOT SCALE DRAWINGS; OBTAIN ANY MISSING OR WRONGLY LABELED DIMENSIONS FROM ARCHITECT.
- REMOVE RUBBISH FROM PREMISES REGULARLY, AS NECESSARY OR REQUESTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUE, SEQUENCES AND PROCEDURES REQUIRED FOR SAFE EXECUTION AND COMPLETION OF THE WORK. THE CONTRACTOR IS ALSO RESPONSIBLE FOR THE MAINTAINING AND SUPERVISING ALL SAFETY PRECAUTIONS AND REGULATIONS IN CONNECTION WITH THE WORK.
- ALL SITE WORK AND LANDSCAPING TO BE ESTABLISHED AND DESIGNED BY OTHERS, UNLESS SHOWN ON THE DRAWINGS. ALL MEP AND STRUCTURAL WORK IS TO BE ESTABLISHED AND DESIGNED BY OTHERS.
- THE CONTRACTOR SHALL PAY ALL FEES AND GIVE ALL NOTICES FOR THE NECESSARY DRAWINGS. THE CONTRACTOR SHALL ALSO OBTAIN ALL PERMITS AND CERTIFICATES OF APPROVAL REQUIRED TO PERFORM ALL WORK UNDER THESE DOCUMENTS.
- THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AT THE PROJECT SITE AND BE RESPONSIBLE FOR ACCURACY AND CORRECTNESS OF THE SAME.
- ALL INTERIOR WOOD STUD WALLS SHALL BE 2 X 4 (NOMINAL), UNLESS NOTED OTHERWISE. PLUMBING WALLS ARE 2 X 6 (NOMINAL).
- ALL FRAMING TO BE IN CONFORMANCE WITH THE NATIONAL FOREST PRODUCTS MANUAL FOR RESIDENTIAL FRAMING.
- THE CONTRACTOR SHALL PROVIDE SOLID WALL BLOCKING AT LOCATIONS INCLUDING BUT NOT LIMITED TO SHELF BRACKETS INSIDE ALL CLOSET AREAS, HANDRAILS, AND ALL MOUNTED EQUIPMENT.
- ROOFING SHALL BE CLASS "A" AND COMPLY WITH ALL STATE, LOCAL BUILDING CODES, GOVERNMENTAL REGULATORY AGENCIES.
- CONTRACTOR TO USE TYPICAL DETAILS FROM MANUFACTURING TO GUARANTEE WARRANTY ON DESIGNED AND INSTALLED ROOFING SYSTEM. VERIFY ALL ROOFING APPLICATIONS WITH MANUFACTURER PRIOR TO INSTALLATION.
- PROVIDE SINGLE PLY ROOFING SYSTEM WITH RADIANT BARRIER AS PER DALLAS ENERGY CODE REQUIREMENTS. ROOFING SYSTEM SHOULD PROVIDE 30+ YEAR WARRANTY.
- INSTALL MANUFACTURING METAL FLASHING, PENETRATION, AND PARAPET DETAILS, AS REQUIRED AT ALL ROOF AND ROOF TO WALL CONTACT AREAS TO ENSURE A WATER TIGHT BUILDING.
- CONTRACTOR TO VERIFY ALL GUTTER AND DOWNSPOUT SIZES AS WELL AS CAPACITY LOCATIONS. PROVIDE SPLASH BLOCK AT EACH DOWNSPOUT (RE: ROOF PLAN)
- EXTEND ALL DOWNSPOUTS FROM FACE OF BUILDING AND TERMINATE ON CONCRETE SPLASH BLOCKS. PAINT GUTTERS TO MATCH FASCIA.
- PAINT ALL ROOFING ACCESSORIES TO MATCH ROOFING MATERIAL.
- DRAFTSTOP ALL WALLS BEGINNING AT 8" - 0" A.F.F.
- ALL GUARDRAILS TO MEASURE 42" A.F.F. TO TOP RAIL.
- CEILING SHALL BE 10'-0" ABOVE FINISHED FLOOR, UNLESS NOTED OTHERWISE.
- PROVIDE APPROVED SMOKE & CARBON MONOXIDE DETECTORS PER FIRE MARSHAL.
- REFERENCE ELECTRICAL DRAWINGS FOR SWITCH AND EXHAUST FAN LOCATIONS. COORDINATE EXACT LOCATIONS WITH THE OWNER.
- LIGHT SWITCHES LOCATED ADJACENT TO DOOR FRAME TO BE SET NO MORE THAN 12" FROM THE LATCH JAMB OF DOOR FRAME. RE: OWNER FOR STYLE & COLOR.
- ALL PATIOS, PORCHES, AND BALCONIES TO SLOPE AT 1/4" / 1' - 0" AWAY FROM THE HOUSE. (AS INDICATED ON THE PLANS).
- ALL SILLS IN CONTACT WITH TH CONCRETE SHALL BE WOLMANIZED AND HAVE A CONTINUOUS SILL SEALER.
- CORROSION RESISTANT FLASHING (GALVANIZED) IS REQUIRED AT THE SIDES AND TOP OF ALL WINDOW, DOOR AND ROOF OPENINGS. APPROVED WATER RESISTANT SHEETING TO BE USED AT THE TOP AND SIDES OF ALL WINDOW, DOOR AND ROOF OPENINGS.
- ALL EXPOSED MATERIALS TO BE AN APPROVED EXTERIOR GRADE
- WATER RESISTANT GYPSUM BOARD AND BACKING SHALL BE USED AT ALL "WET" AREAS. USE CEMENTITIOUS BACKER BOARD AT ALL SHOWERS AND TUBS.
- DRYWALL INSTALLATION SHALL BE IN CONFORMANCE WITH THE GYPSUM ASSOCIATION RECOMMENDED PRACTICES FOR THICKNESS, NAILING AND TAPING ON STUDS.
- MAXIMUM FLAME SPREAD RATING ON ALL INTERIOR FINISH MATERIALS SHALL NOT EXCEED 25.
- MECHANICAL WALL PANELS AT PENETRATIONS OR UTILITY SERVICES THROUGH WALLS, FLOORS, ROOFS, AND OTHER OPENINGS SHALL BE SEALED IN APPROVED MANNER.
- AIR CONDITIONING CONDENSER PADS MUST BE CONCRETE, MINIMUM 4" THICK AND REINFORCED. (RE: STRUCTURAL)
- PROVIDE HURRICANE STRAPS TO THE FOUNDATION TO WALL STRUCTURE FOR HIGH WIND RESISTANCE.
- ALIGN INTERIOR OF ALL STUDS FOR FLUSH INTERIOR WALL.
- ALL WORK AND EQUIPMENT SHALL BE CLEANED TO THE SATISFACTION OF THE OWNER BEFORE TURNING THE ABOVE MENTIONED OVER TO THE OWNER.
- THE HEIGHT OF AN ACCESSORY STRUCTURE MAY NOT EXCEED THE HEIGHT OF THE MAIN BUILDING. THE CONTRACTOR SHALL VERIFY THE MAIN BUILDING HEIGHT IN THE FIELD AND MAKE THE NECESSARY ADJUSTMENTS TO THE ACCESSORY STRUCTURE, TO ENSURE IT DOES NOT EXCEED THE MAIN BUILDING HEIGHT.

VICINITY MAP



CODE ANALYSIS

APPLICABLE BUILDING CODES

- 2015 INTERNATIONAL RESIDENTIAL CODE WITH DALLAS AMENDMENTS.
- 2017 NATIONAL ELECTRICAL CODE WITH DALLAS AMENDMENTS
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE WITH DALLAS AMENDMENTS

*THE CONTRACTOR SHALL FOLLOW ALL LOCAL CODES AND HOA BYLAWS.

TOTAL A/C RESIDENCE W/ NEW ADDITION		FLOOR AREA
LEVEL 1 FLOOR AREA (EXISTING)	GARAGE - USED FOR PARKING	2,650 SF.
LEVEL 1 FLOOR AREA (EXISTING)	RESTROOM/MILLWORK AREA	96 SF.
LEVEL 1 FLOOR AREA (NEW)	2ND ENTRY	85 SF.
LEVEL 2 FLOOR AREA (NEW)	POOL HOUSE	2,585 SF.
MAIN HOUSE FLOOR AREA (EXISTING)	EXISTING RESIDENCE (1ST LEVEL)	7,120 SF.
MAIN HOUSE AREA	EXISTING RESIDENCE (TOTAL)	11,071 SF.

TOTAL BUILDING AREA (EXCLUDING AREA USED FOR PARKING)
96+85+2,585 = 2,766 SF.
(2,766 / 11,071) 100 = 24.9% < 25%

USE REGULATIONS

PER SECTION 51-4.201 VIII (DD) 2,760 SF. THE FLOOR AREA OF ANY INDIVIDUAL ACCESSORY STRUCTURE ON A LOT, EXCLUDING FLOOR AREA USED FOR PARKING, MAY NOT EXCEED 25% OF THE FLOOR AREA OF THE MAIN BUILDING.

FLOOR AREA OF THE POOL HOUSE (2,766 SF) IS LESS THAN 25% OF THE MAIN HOUSE (11,071 SF)

PER SECTION 51-4.201 VIII (CC), THE HEIGHT OF THE ACCESSORY STRUCTURES SHALL NOT EXCEED THE HEIGHT OF THE MAIN BUILDING. THE CONTRACTOR SHALL VERIFY THE MAIN BUILDING HEIGHT IN THE FIELD.

PER THE DRAWINGS, THE HEIGHT OF THE POOL HOUSE SHALL BE LESS THAN OR EQUAL TO THE HEIGHT OF THE MAIN HOUSE. THE CONTRACTOR SHALL VERIFY THE MAIN BUILDING HEIGHT IN THE FIELD.

DR. SHAFI POOL HOUSE ADDITION

8211 INWOOD ROAD
DALLAS, TEXAS
75209

COVER

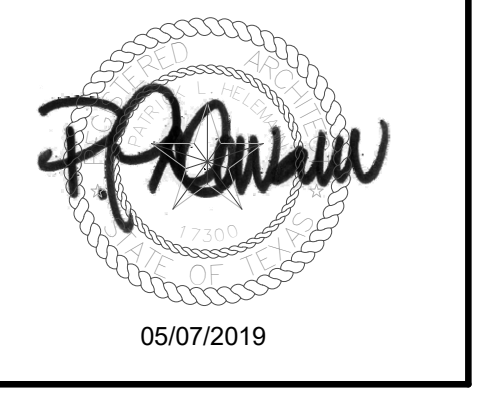
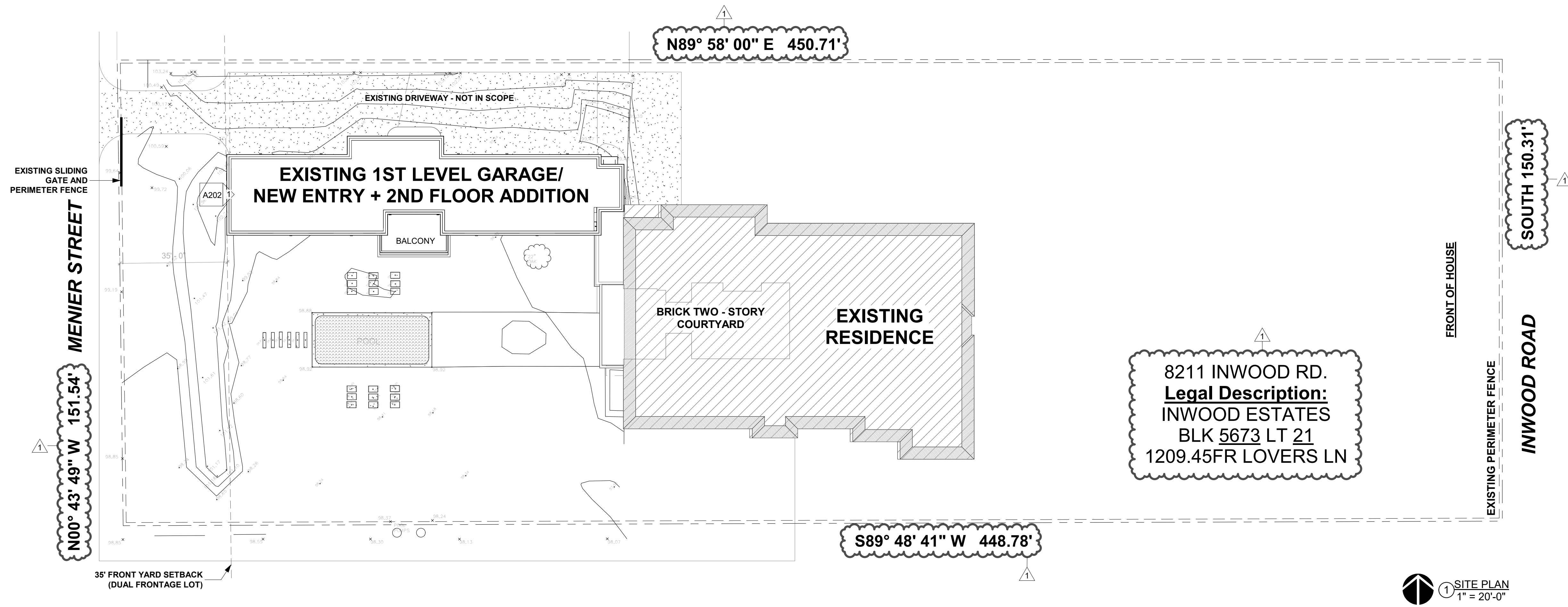
Project number 18091
Date 05/07/2019
Drawn by Author
Checked by Checker

A000

Scale 12" = 1'-0"



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NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	02/14/2019
△	PERMIT REVISIONS	05/07/2019

GENERAL NOTE:
 SITE PLAN APPROVED UNDER A PREVIOUS PHASE PERMIT SUBMITTAL. NO MAJOR SITE WORK IS INCLUDED IN THIS PROJECT SCOPE OF WORK. CONTRACTOR TO ENSURE PROPER DRAINAGE AWAY FROM EXISTING STRUCTURE AND TO PROPER DRAINAGE AREAS.

GENERAL NOTE:
 ALL SITE WORK AND LANDSCAPING TO BE ESTABLISHED AND DESIGNED BY OTHERS, UNLESS SHOWN ON THE DRAWINGS, ALL MEP AND STRUCTURAL WORK IS TO BE ESTABLISHED AND DESIGNED BY OTHERS.

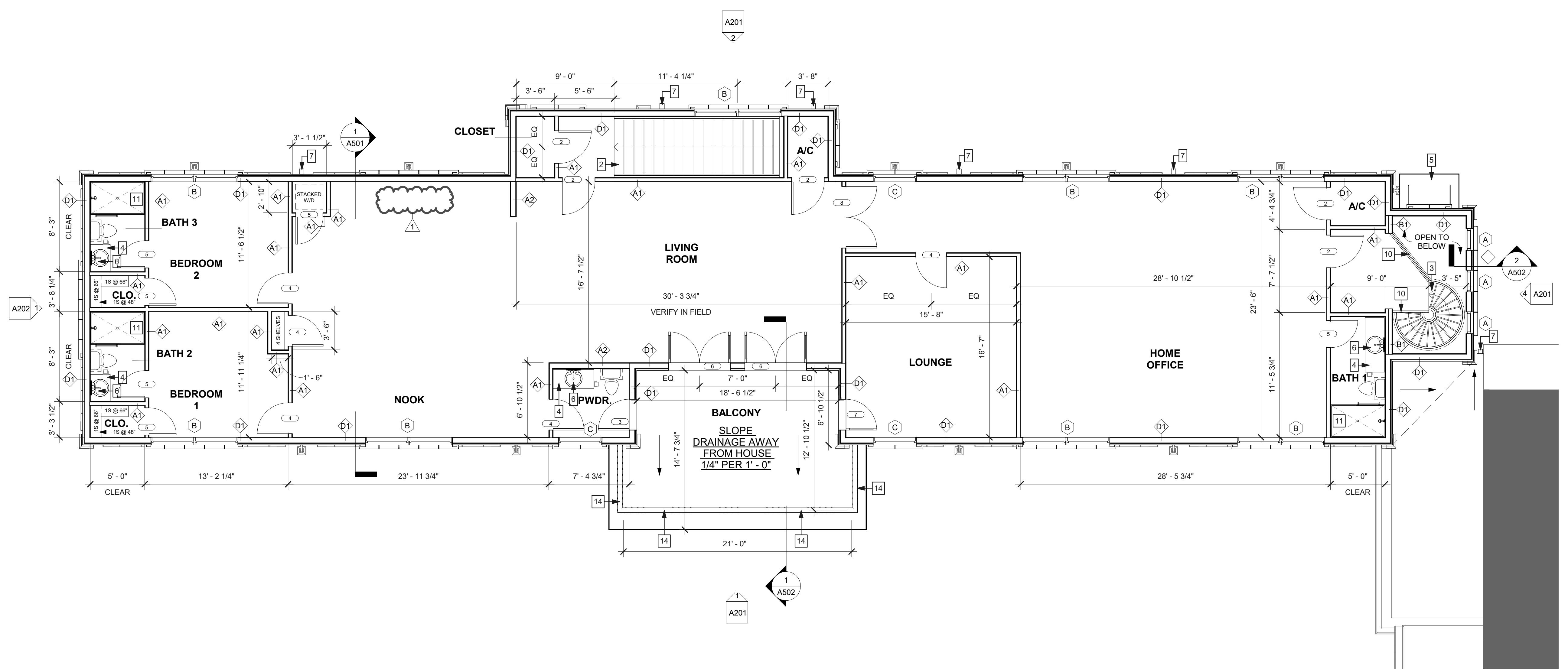
DR. SHAFI POOL HOUSE ADDITION

8211 INWOOD ROAD
 DALLAS, TEXAS
 75209

SITE PLAN

Project number	18091
Date	05/07/2019
Drawn by	Author
Checked by	Checker

A001
 Scale 1" = 20'-0"



1 FLOOR PLAN - LEVEL 2
3/16" = 1'-0"

KEYNOTES

- 1 NEW OR RESIZED COLUMN AND CAST COLUMN WRAP. CAST COLUMN WRAP TO MATCH EXISTING.
- 2 NEW WOOD FRAMED STAIR SYSTEM AND HANDRAIL ON BOTH SIDES. (3) 2 X 12 STAIR STRINGERS WITH 2 X 12 TREADS AND 15/32" EXPOSURE. APA RATED SHEATHING FOR RISERS. STAIR FINISH BY OWNER. ALL RISERS TO BE EQUAL AND 7 1/2" MAX. RISE. (PAINTED BLACK RISERS AND WHITE TREADS)
- 3 NEW PRE-MANUFACTURED SPIRAL STAIR WITH GUARDRAIL SYSTEM TO THE 2ND LEVEL. (PAINTED BLACK RISERS AND WHITE TREADS)
- 4 NEW COUNTERTOP AND MILLWORK (RE:OWNER FOR MILLWORK DESIGN AND STYLE)
- 5 PRE-MANUFACTURED SUSPENDED ALUMINUM CANOPY ABOVE DOOR WITH TWO (2) PIPE BRACES.
- 6 SINGLE BOWL SINK (RE:PLUMBING)
- 7 6" DOWNSPOUT (CENTERED BETWEEN OPENINGS) WITH SPLASH BLOCK
- 8 ALIGN INTERIOR OF NEW PARTITION WITH EXISTING.
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- 10 NEW GUARDRAIL TO MEASURE 42" A.F.F. TO TOP RAIL
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- 12 EXISTING ELECTRICAL PANELS - TO REMAIN
- 13 RE: OWNER FOR HEIGHT OF NEW OPENING
- 14 NEW BALUSTER GUARDRAIL SYSTEM, SECURE TO STRUCTURE PER MANUFACTURER'S INSTRUCTIONS. BALUSTERS AND TRIM TO MATCH EXISTING PROFILE, AND COLOR AT EXISTING RESIDENCE.

LEGEND

- EXISTING EXT. WALL/ PARTITION WALL
- NEW PARTITION WALL
- WINDOW MARK, RE: SCHEDULE
- DOOR MARK, RE: SCHEDULE
- VIF VERIFY IN FIELD
- PARTITION TYPE, (RE: PARTITION SCHEDULE)
- VANITY LIGHTING (RE:ELECTRICAL)

GENERAL NOTES

1. THESE DRAWINGS ARE ILLUSTRATIVE AND ARE NOT INTENDED TO SIGNIFY EVERY FACET OF CONSTRUCTION. THESE DRAWINGS DO NOT INCLUDE COMPLETE SPECIFICATIONS, DETAILS AND INFORMATION ON THE INTERIOR FINISHES FOR THIS PROJECT. ANY FURTHER INFORMATION REQUIRED SHOULD BE VERIFIED WITH THE OWNER.
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6. BALCONY CEILINGS TO BE SINGLE LAYER OF FIRE RATED 5/8" EXTERIOR GYPSUM SOFFIT BOARD, PAINTED.
7. ALL GUARDRAILS TO MEASURE 42" A.F.F. TO TOP RAIL.
8. IN WALK-IN CLOSETS, SHELVES ARE TO BE MOUNTED AT 66" A.F.F. MAX. AND AT LEAST ONE SHELF AT 48" A.F.F. MAX.
9. WHERE 'X SHELVES' ARE CALLED OUT, 1ST SHELF TO BE AT 24" AFF, AND REMAINING 3 SHELVES AT 18" INTERVALS.
10. PROVIDE WOOD SUPPORT BRACKETS FOR KITCHEN COUNTERTOP OVERHANGS AT MIDPOINT OF OVERHANGS AND 24" O.C. ON EACH SIDE.
11. ALL GYPSUM BOARD WALL CORNERS TO BE ROUNDED (TYP. AT ALL AREAS)
12. SHOWER DOORS ARE INTENDED TO PROVIDE MIN. 31-58" NET CLEAR OPENING WHEN DOOR IS OPEN 90 DEGREES. REPORT TO ARCHITECT IF THIS CLEAR DIMENSION CANNOT BE ACHIEVED THROUGH 2'-8" DOOR SIZE BY SELECTED MANUFACTURER PRIOR TO FABRICATION AND INSTALLATION.
13. PROVIDE SOAP DISH AND MOUNT ADJACENT TO SHOWER CONTROLS, AT EQUAL HEIGHT.
14. PROVIDE SHUTTERS OR PIN LOCKS AND 2" LEAD FREE BLINDS AT PATIO DOORS. PROVIDE HARDWARE TO FIX THE TOP AND BOTTOM OF BLINDS TO DOOR. (OWNER TO SELECT TYPE AND COLOR)
15. ALL BEDROOMS TO HAVE EGRESS WINDOWS AS PER I.B.C. BUILDING CODE.
16. ALL WINDOWS WITH SILLS LOCATED MORE THAN 72 IN. ABOVE FINISHED GRADE ARE TO RECEIVE WINDOW OPENING CONTROL DEVICE COMPLYING WITH ASTM F2090.
17. PROVIDE TEMPERED GLASS IN DOORS AND WINDOWS WHERE REQUIRED.
18. PROVIDE SOLAR WINDOW SCREENS AT WINDOWS, AS REQUIRED PER ENERGY CODE.
19. UNDERCUT ALL INTERIOR DOORS FOR RETURN AIR, 1" AT CARPET AND 1-1/2" AT TILE LOCATIONS.
20. USE FIBER SPRAYED CELLULOSE INSULATION UNDER FLOOR SURFACES WHERE TILE, VINYL, OR HIS IS SHOWN ON THE DRAWINGS TO ACHIEVE THE REQUIRED SOUND TRANSMISSION COEFFICIENT, AS REQUIRED BY CODE.
21. PROVIDE 2" LEAD FREE MINI BLINDS OR SHUTTERS FOR ALL UNIT WINDOWS, PROVIDE HARDWARE TO FIX THE TOP OF BLINDS/SHUTTERS. (OWNER TO SELECT TYPE AND COLOR)

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PR

05/07/2019

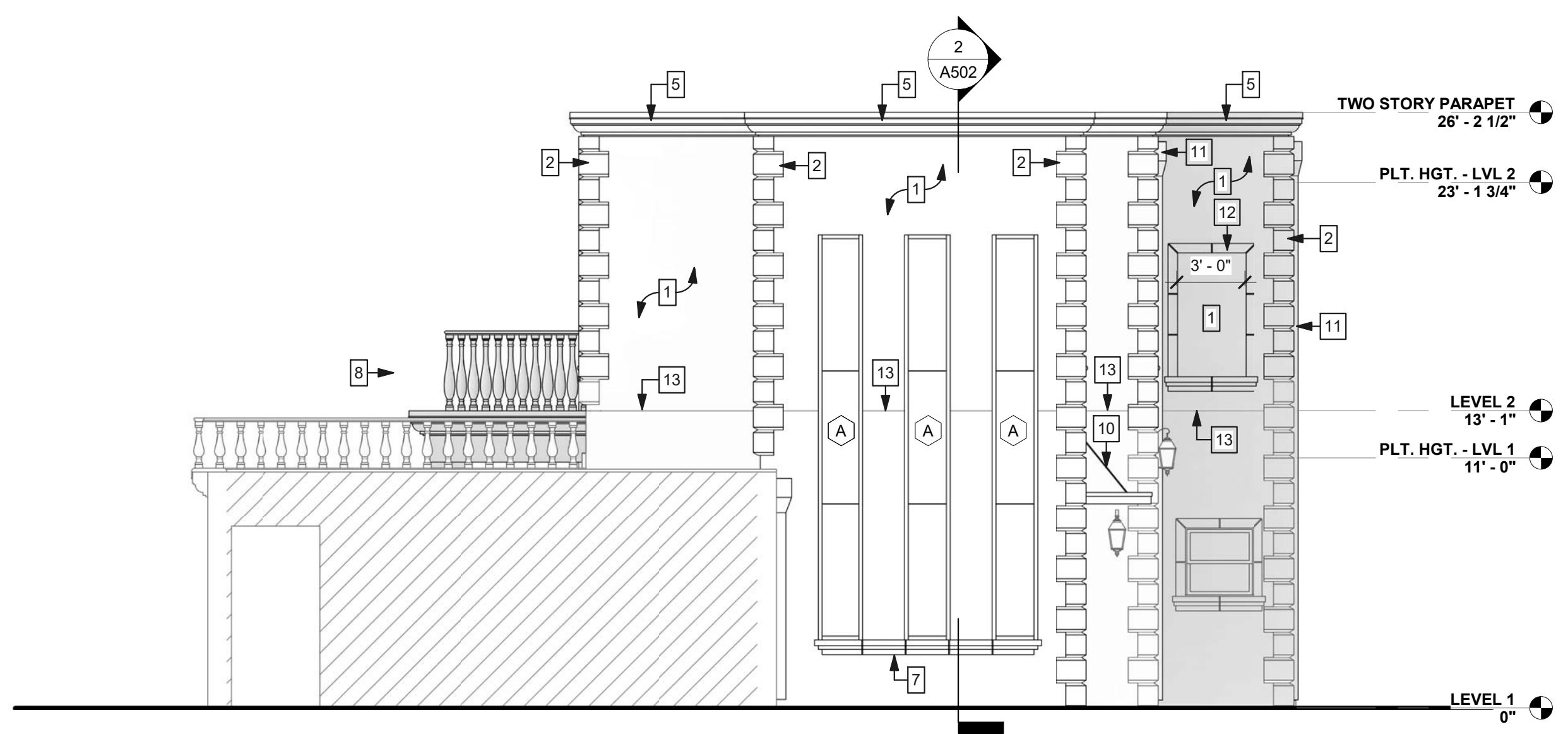
NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	02/14/2019
2	PERMIT REVISIONS	05/07/2019

DR. SHAFI POOL HOUSE ADDITION

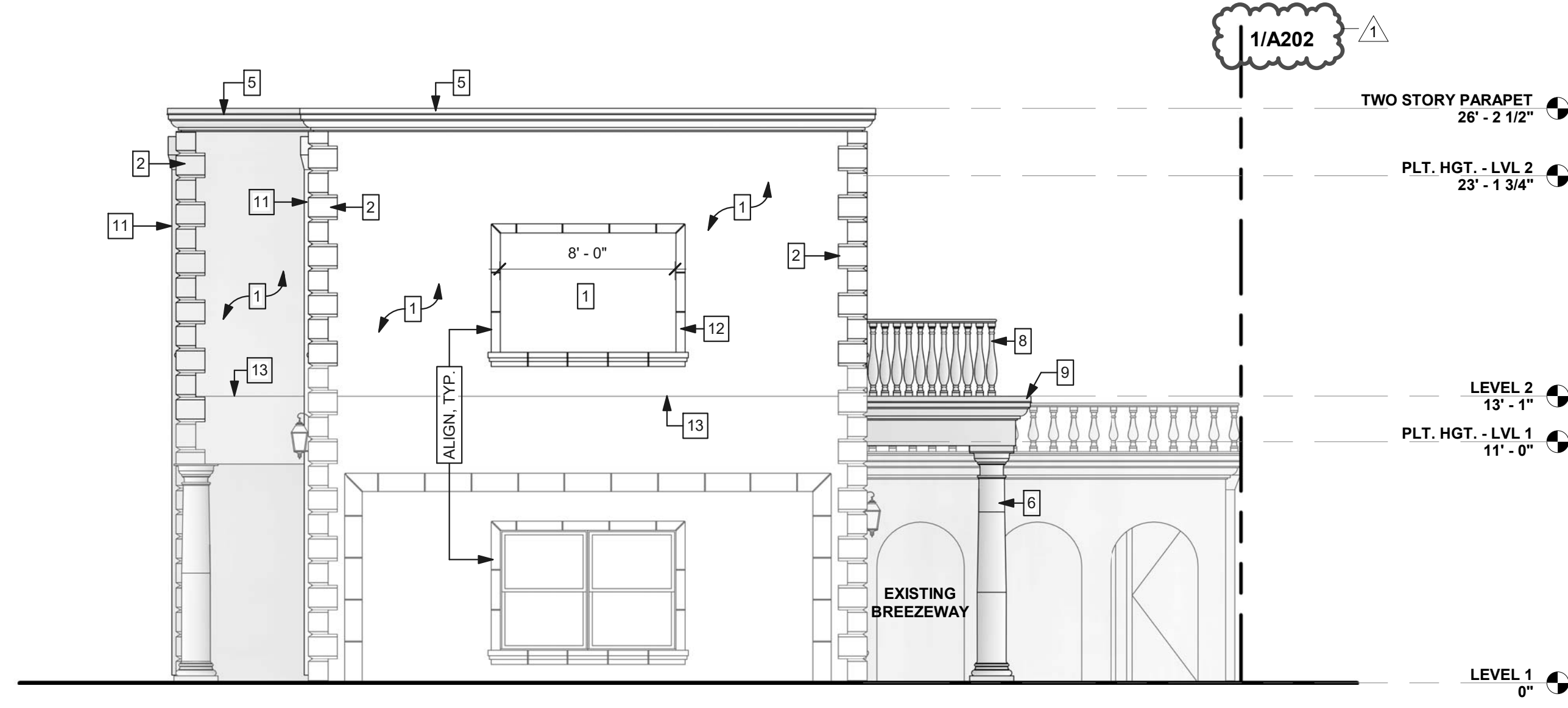
8211 INWOOD ROAD
DALLAS, TEXAS
75209

2ND FLOOR PLAN

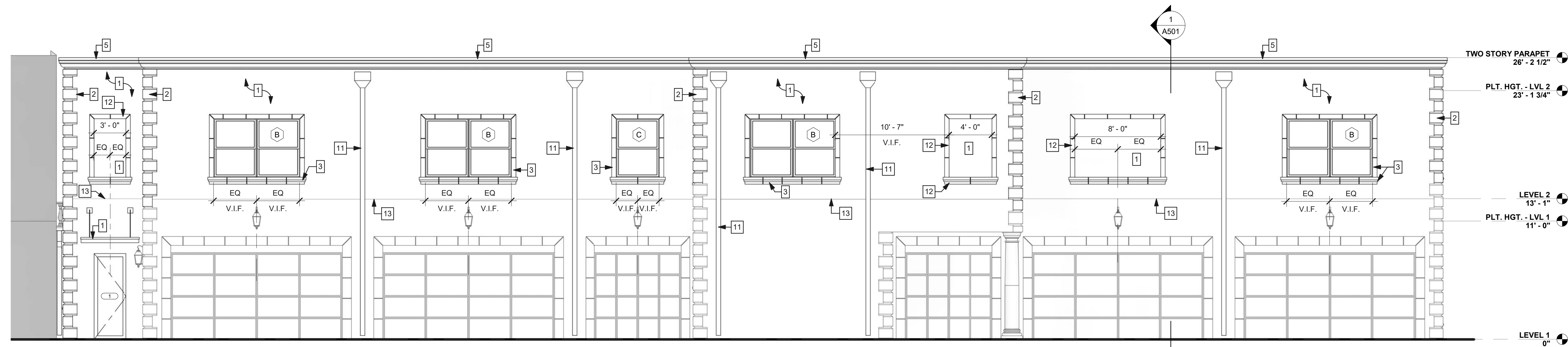
Project number	18091
Date	05/07/2019
Drawn by	Author
Checked by	Checker
A102	
Scale	As indicated



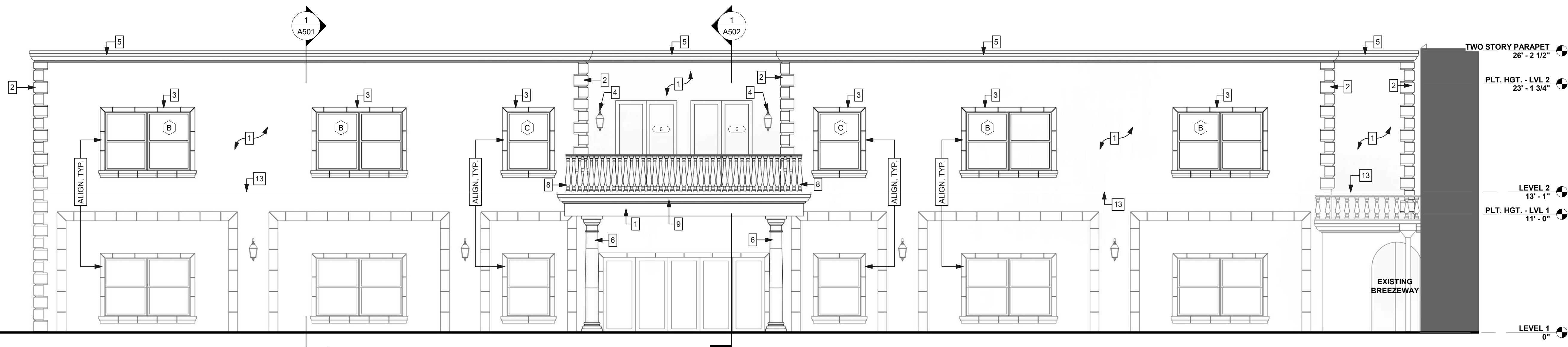
④ ELEVATION 4
3/16" = 1'-0"



③ ELEVATION 3
3/16" = 1'-0"



② ELEVATION 2
3/16" = 1'-0"



① ELEVATION 1
3/16" = 1'-0"

KEYNOTES

- 1 STUCCO SYSTEM (MATCH EXISTING SYSTEM AND COLOR)
- 2 NEW QUOINS TO MATCH EXISTING IN SIZE SHAPE AND COLOR; STUCCO COVERED EPS FOAM TRIM.
- 3 TRIM AROUND NEW WINDOWS AND WINDOW SILL TO MATCH EXISTING SIZE, SHAPE AND COLOR; STUCCO COVERED EPS FOAM TRIM.
- 4 EXTERIOR WALL SCOFF TO MATCH EXISTING
- 5 WALL CORNICE AND METAL CAP FLASHING TO MATCH EXISTING MATERIAL AND COLOR
- 6 NEW CAST COLUMN WRAP TO MATCH EXISTING
- 7 NEW WINDOW SILL TRIM AT THIS LOCATION (MATCH EXISTING/NEW SILL TRIM IN SIZE, SHAPE, AND COLOR) (STUCCO COVERED EPS FOAM TRIM)
- 8 NEW BALCONY GUARDRAIL SYSTEM TO BE 42" ABOVE FINISHED FLOOR. BALUSTERS AND TRIM TO MATCH EXISTING PROFILE, AND COLOR AT EXISTING RESIDENCE.
- 9 WALL CORNICE AND METAL CAP FLASHING AT BALCONY TO MATCH WALL CORNICE AND METAL CAP FLASHING AT ROOF
- 10 PRE-MANUFACTURED SUSPENDED ALUMINUM CANOPY ABOVE DOOR WITH TWO (2) PIPE BRACES. (RE-A401)
- 11 NEW SCUPPER, 6" DOWNSPOUT AND SPLASHBLOCK
- 12 TRIM TO MATCH NEW WINDOW AND SILL TRIM IN SIZE, SHAPE, AND COLOR (STUCCO COVERED EPS FOAM TRIM)
- 13 NEW HORIZONTAL CONTROL JOINT AT LEVEL 2.



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DR. SHAFI POOL HOUSE ADDITION

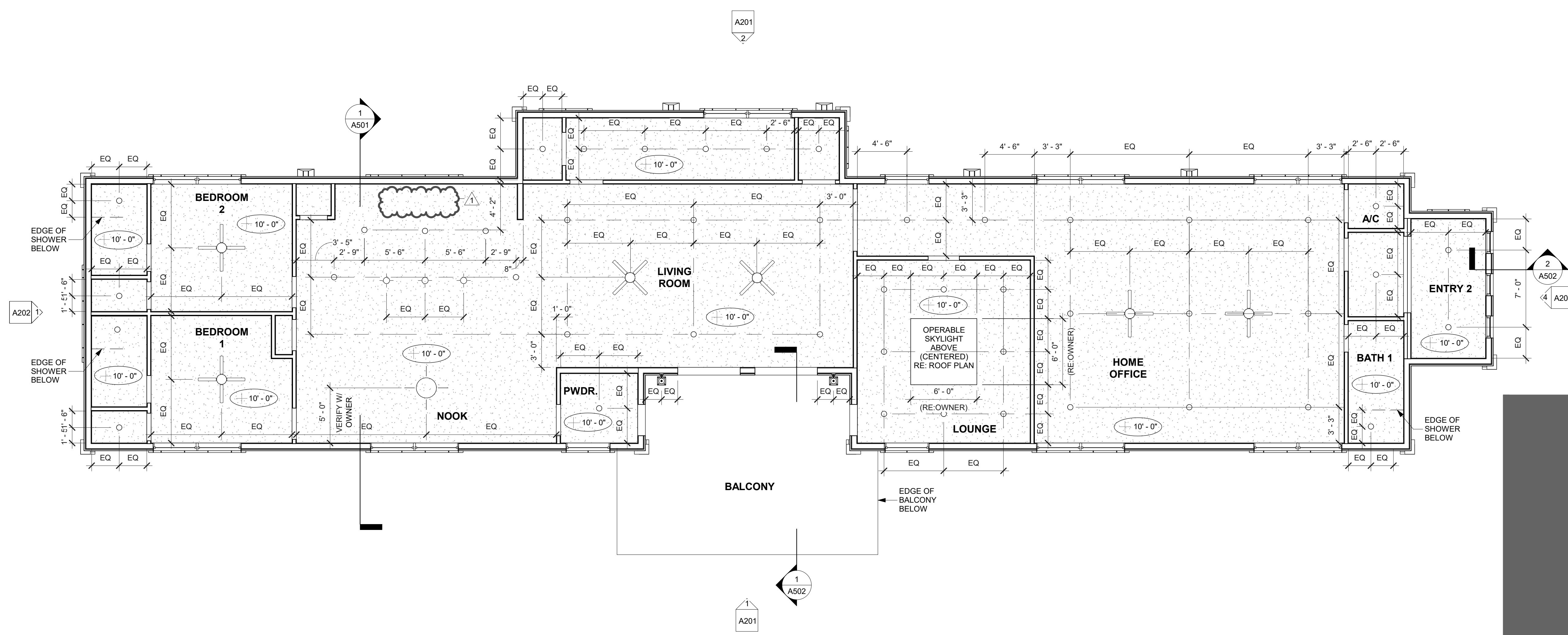
8211 INWOOD ROAD
DALLAS, TEXAS
75209

EXTERIOR ELEVATIONS

Project number 18091
Date 05/07/2019
Drawn by Author
Checked by Checker









A201

Scale As indicated



1 REFLECTED CEILING PLAN - LEVEL 2
3/16" = 1'-0"

LEGEND

-  NEW GYPSUM CEILING (PAINTED)
USE MOISTURE RESISTANT GYPSUM BOARD IN WET AREAS
-  NEW EIFS/STUCCO SOFFIT W/ VENTS
-  REPLACE OR REPAIR ANY DAMAGED AREAS OR FIXTURES ON THE 1ST LEVEL CEILING. REPAINT CEILING, AS NECESSARY. USE MOISTURE RESISTANT GYPSUM BOARD IN WET AREAS
-  NEW RECESSED CAN DOWN LIGHT (RE: ELECTRICAL DRAWINGS)
-  VARIABLE SPEED CEILING FAN W/LIGHT FIXTURE (RE: ELECTRICAL DRAWINGS)
-  CEILING MOUNTED LIGHT FIXTURE 1 (RE: ELECTRICAL DRAWINGS)
-  CEILING MOUNTED LIGHT FIXTURE 2 (RE: ELECTRICAL DRAWINGS)
-  EXTERIOR WALL MOUNTED LIGHT FIXTURE; MATCH EXISTING (RE: ELECTRICAL DRAWINGS)

GENERAL NOTES


1. CEILING SHALL BE 10'-0" ABOVE FINISHED FLOOR, UNLESS NOTED OTHERWISE.
2. PROVIDE APPROVED SMOKE & CARBON MONOXIDE DETECTORS PER FIRE MARSHAL.
3. CEILING SHALL BE 10'-0" ABOVE FINISHED FLOOR, UNLESS NOTED OTHERWISE.
4. REFERENCE ELECTRICAL DRAWINGS FOR SWITCH AND EXHAUST FAN LOCATIONS. COORDINATE EXACT LOCATIONS WITH THE OWNER.
5. LIGHT SWITCHES LOCATED ADJACENT TO DOOR FRAME TO BE SET NO MORE THAN 12" FROM THE LATCH JAMB OF DOOR FRAME. RE: OWNER FOR STYLE & COLOR.
6. THESE DRAWINGS ARE ILLUSTRATIVE AND ARE NOT INTENDED TO SIGNIFY EVERY FACET OF CONSTRUCTION. THESE DRAWINGS DO NOT INCLUDE COMPLETE SPECIFICATIONS, DETAILS AND INFORMATION ON THE INTERIOR FINISHES FOR THIS PROJECT. ANY FURTHER INFORMATION REQUIRED SHOULD BE VERIFIED WITH THE OWNER.
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10. DO NOT SCALE DRAWINGS. OBTAIN ANY MISSING OR WRONGLY LABELED DIMENSIONS FROM ARCHITECT.
11. THE ARCHITECT SHALL NOT BE LIABLE FOR ANY AMOUNT EXCEEDING THE VALUE OF THE CONTRACT ORIGINATED TO PRODUCE THESE DRAWINGS.
12. BALCONY CEILINGS TO BE SINGLE LAYER OF FIRE RATED 5/8" GYPSUM SOFFIT BOARD, PAINTED.

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DR. SHAFI POOL HOUSE ADDITION

8211 INWOOD ROAD
DALLAS, TEXAS
75209

REFLECTED CEILING PLAN - LEVEL 2

Project number	18091
Date	05/07/2019
Drawn by	Author
Checked by	Checker

A402

Scale As indicated



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-140

Date: 9-30-19 10-7-19

Data Relative to Subject Property:

Location address: 8211 Inwood Rd Zoning District: R-16 (A)

Lot No.: 21 Block No.: 5673 Acreage: 1.56 Census Tract: 73.02

Street Frontage (in Feet): 1) 170 2) 170 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): L25 TRUST / HAMID JAH SHAFI

Applicant: DANNY SIPES TEXAS PERMIT Telephone: 214-794-0213

Mailing Address: P.O. Box 3193 Tarrytown Zip Code: 75126

E-mail Address: dannyetxpermit.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance _____, or Special Exception , of an additional dwelling unit for a guest house and pool house

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

This additional dwelling unit will not be used as rental accommodations and will have no impact on neighboring properties

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

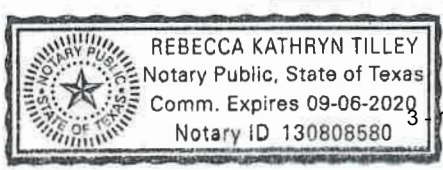
Affidavit

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

Subscribed and sworn to before me this 3rd day of October, 2019



Rebecca Kathryn Tilley
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 & DEVELOPMENT

did submit a request for a special exception to the single family regulations
at 8211 Inwood Road

BDA189-140. Application of TEXAS PERMIT & DEVELOPMENT for a special exception to the single family regulations at 8211 INWOOD RD. This property is more fully described as Lot 21, Block 5673, and is zoned R-16(A), which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit, which will require a special exception to the single family zoning use regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 10/7/2019

Legend

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



DALLAS COUNTY PLAT BOOKS

OF THE CITY OF DALLAS

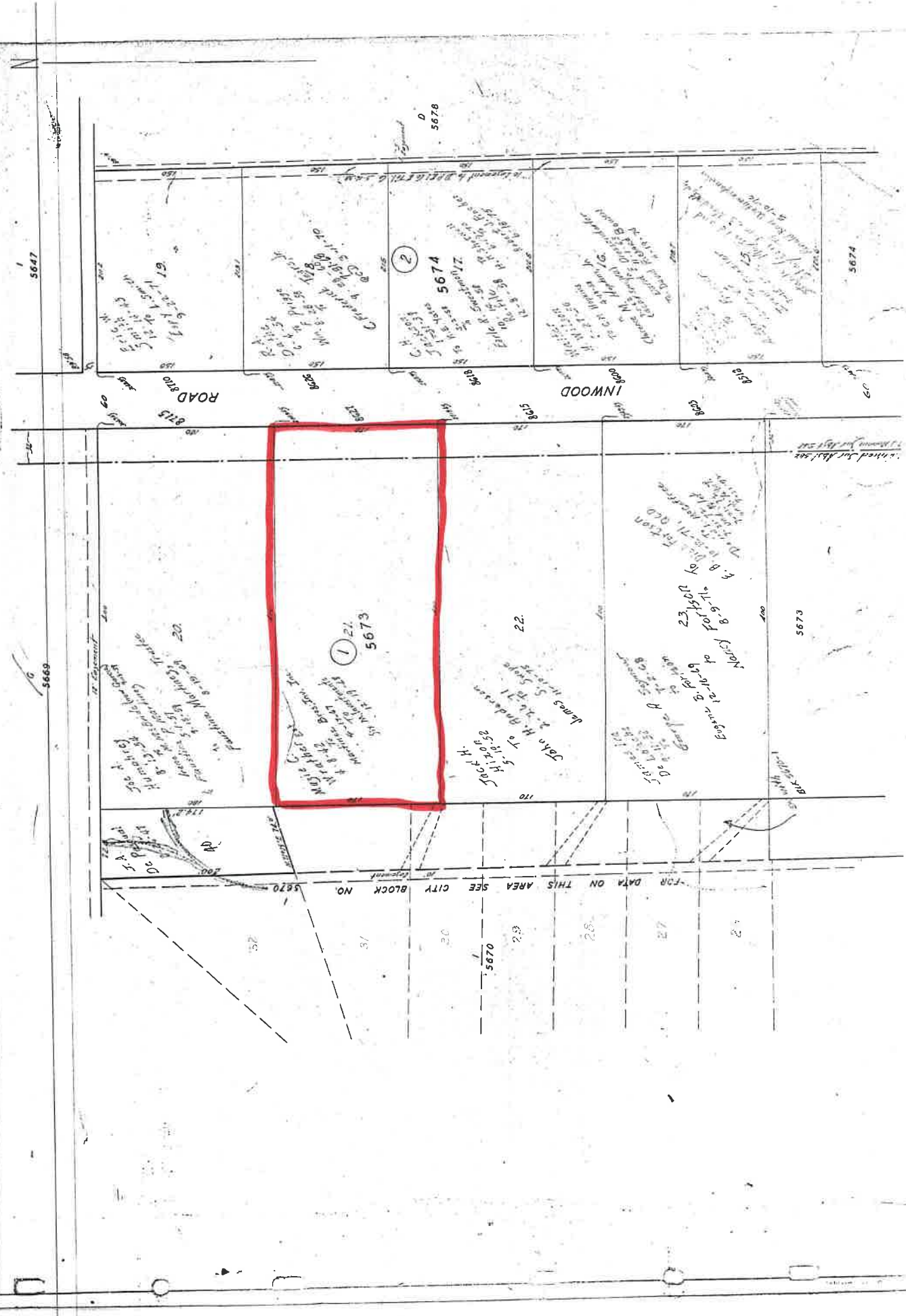
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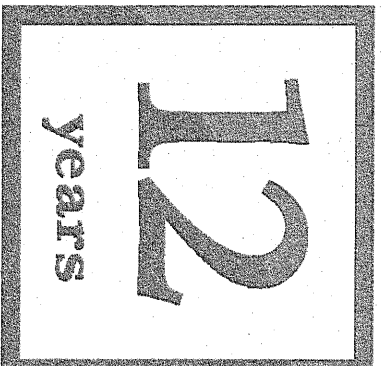
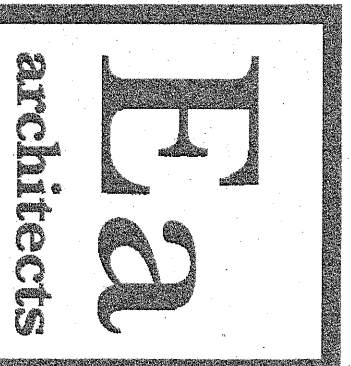
BLOCKS PT. OF 5673 & 5674

SCALE 60 FT. EQUAL 1/4 INCH

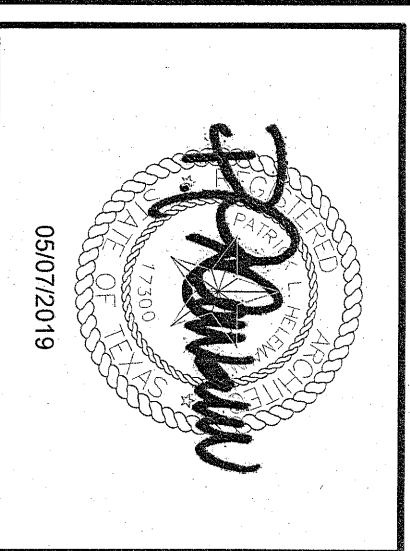
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PT. OF A HARWOOD SUR. ABST. 582 & ADDITION
" " A. J. MANNIN " " 949





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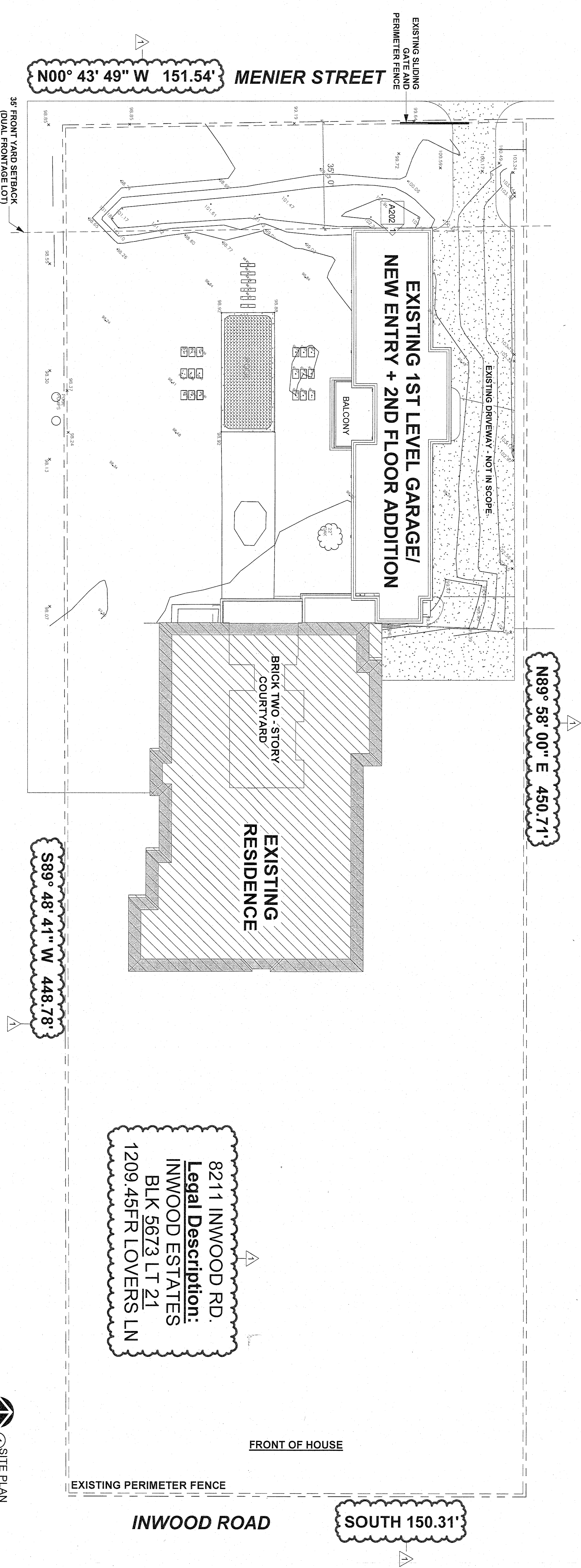
DR. SHAFI POOL HOUSE ADDITION
 8211 INWOOD ROAD
 DALLAS, TEXAS
 75209

SITE PLAN

Project number: 18091
 Date: 06/07/2019
 Drawn by: Author
 Checked by: Checker

A001

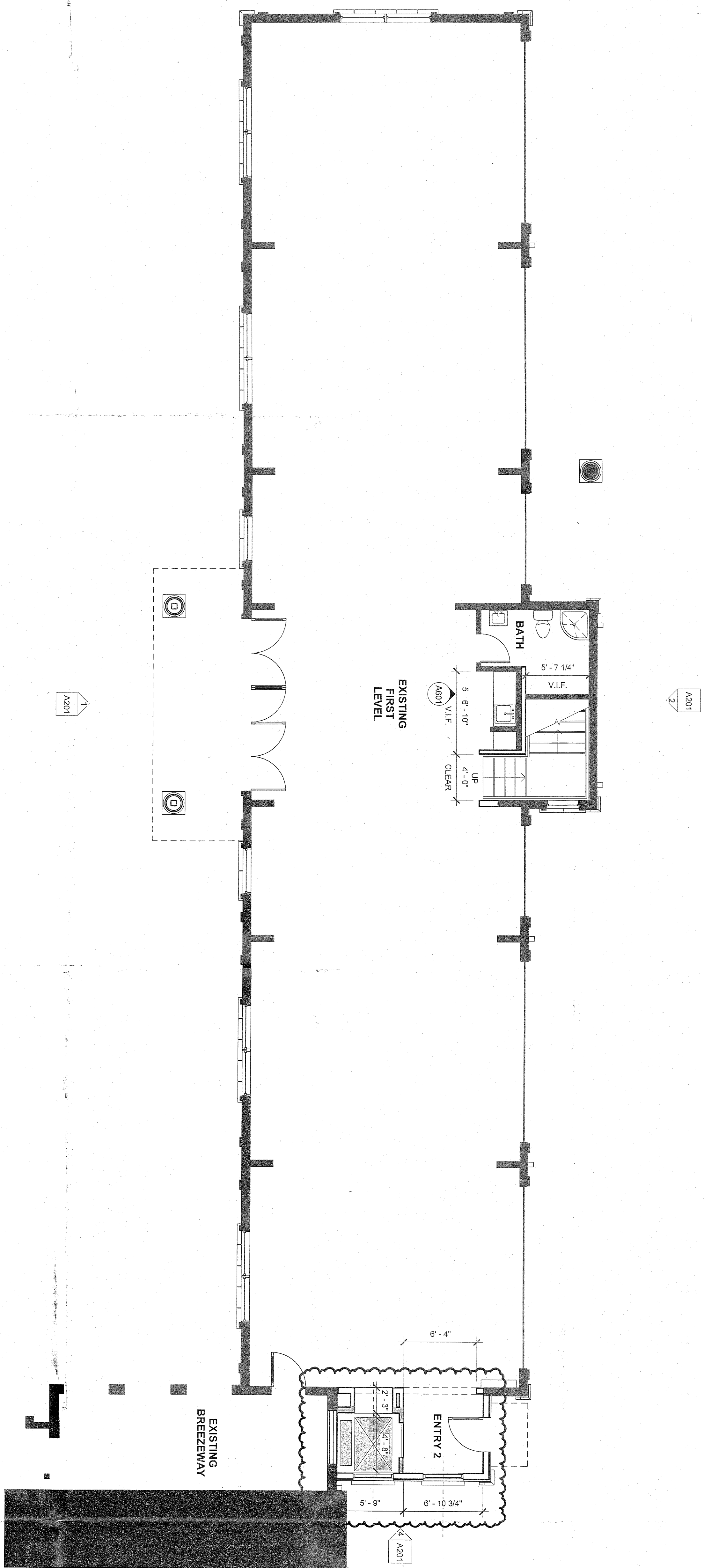
Scale: 1" = 20'-0"



GENERAL NOTE:
 SITE PLAN APPROVED UNDER A PREVIOUS PHASE PERMIT SUBMITTAL. NO MAJOR SITE WORK IS INCLUDED IN THIS PROJECT SCOPE OF WORK. CONTRACTOR TO ENSURE PROPER DRAINAGE AWAY FROM EXISTING STRUCTURE AND TO PROPER DRAINAGE AREAS.

GENERAL NOTE:
 ALL SITE WORK AND LANDSCAPING TO BE ESTABLISHED AND DESIGNED BY OTHERS, UNLESS SHOWN ON THE DRAWINGS, ALL MEP AND STRUCTURAL WORK IS TO BE ESTABLISHED AND DESIGNED BY OTHERS.

1 SITE PLAN
 1" = 20'-0"



1 FLOOR PLAN - LEVEL 1
3/16" = 1'-0"

KEYNOTES

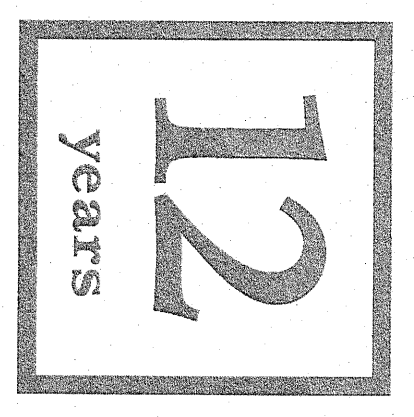
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LEGEND

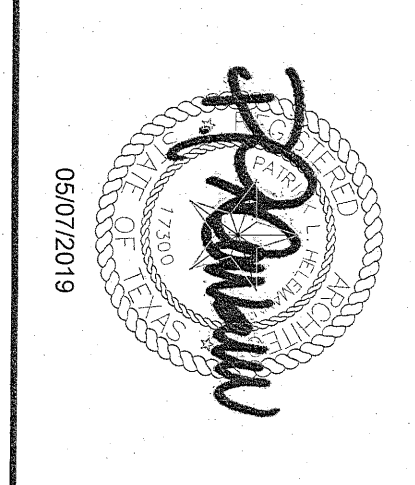
- EXISTING EXT. WALL
- PARTITION WALL
- NEW PARTITION WALL
- WINDOW MARK
RE: SCHEDULE
- DOOR MARK
RE: SCHEDULE
- V.I.F.
VERIFY IN FIELD
(RE: PARTITION TYPE
(RE: PARTITION SCHEDULE)
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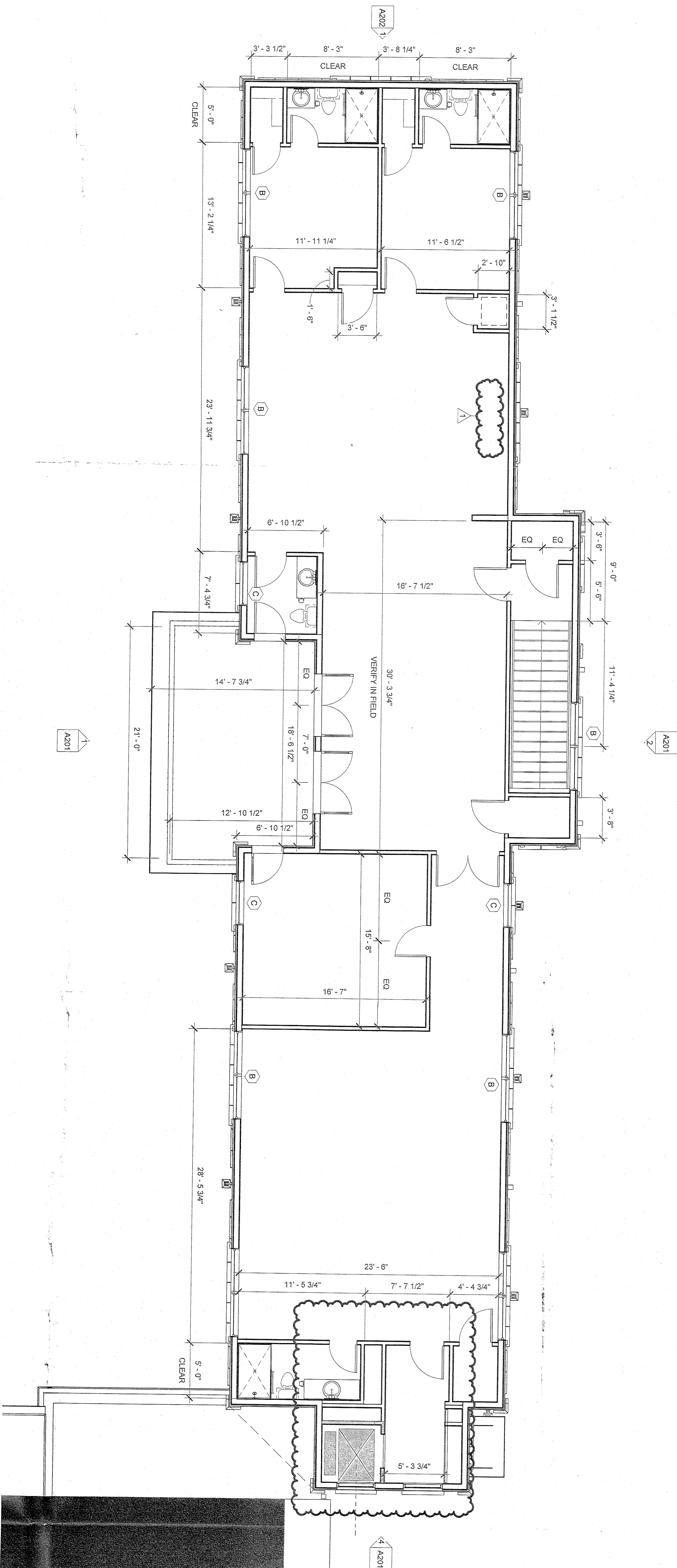


NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	02/14/2019
Δ	PERMIT REVISIONS	06/07/2019

**DR. SHAFI POOL
HOUSE ADDITION**
8211 INWOOD ROAD
DALLAS, TEXAS
75209

FIRST FLOOR PLAN

Project number: 18091
Date: 05/07/2019
Drawn by: Author
Checked by: Checker
A101
Scale: As indicated



1 FLOOR PLAN - LEVEL 2
3/16" = 1'-0"

KEYNOTES

- 1 NEW OR RESIZED COLUMN AND/CAST COLUMN WRAP CAST COLUMN WRAP TO MATCH EXISTING.
- 2 NEW WOOD FRAMED STAIR SYSTEM AND HANDRAIL ON BOTH SIDES (3) 2 X 12 STAR STRINGERS WITH 2 X 12 TREADS AND 15/32" EXPOSURE APA RATED SHEATHING FOR RISERS STAIR FINISH BY OWNER. ALL BLACK RISERS AND WHITE TREADS.
- 3 NEW PRE-MANUFACTURED SPIRAL STAIR WITH GUARDRAIL SYSTEM STEEL (PAINTED BLACK RISERS AND WHITE TREADS).
- 4 NEW COUNTERTOP AND MILLWORK (RE: OWNER FOR MILLWORK DESIGN AND STYLE).
- 5 PRE-MANUFACTURED SUSPENDED ALUMINUM CANOPY ABOVE DOOR WITH TWO (2) PIPE BRACES.
- 6 SINGLE BOWL SINK (RE: PLUMBING).
- 7 6" DOWNSPOUT (CENTERED BETWEEN OPENINGS) WITH SPLASH BLOCK.
- 8 DOUBLE BOWL SINK AND DISPOSAL (RE: PLUMBING).
- 9 ALIGN INTERIOR OF NEW PARTITION WITH EXISTING.
- 10 NEW GUARDRAIL TO MEASURE 42" A.F.F. TO TOP RAIL.
- 11 WALK-IN SHOWER WITH TEMPERED GLASS DOOR AND TILED SHOWER ENCLOSURE (RE: PLUMBING).
- 12 EXISTING ELECTRICAL PANELS - TO REMAIN.
- 13 RE: OWNER FOR HEIGHT OF NEW OPENING.
- 14 NEW BALUSTER GUARDRAIL SYSTEM. SECURE TO BALUSTERS PER MANUFACTURER'S INSTALLATION INSTRUCTIONS AND COLOR AT EXISTING RESIDENCE.

LEGEND

- EXISTING EXT. WALL
- PARTITION WALL
- NEW PARTITION WALL
- WINDOW MARK
- RE SCHEDULE
- DOOR MARK
- RE SCHEDULE
- VERIFY IN FIELD
- PARTITION TYPE (RE: PARTITION SCHEDULE) VANITY LIGHTING (RE: ELECTRICAL)

GENERAL NOTES

- 1 THESE DRAWINGS ARE ILLUSTRATIVE AND ARE NOT INTENDED TO SIGNIFY EVERY FACET OF CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND INTERIOR FINISHES FOR THIS PROJECT. ANY FURTHER INFORMATION REQUIRED SHOULD BE VERIFIED WITH THE OWNER.
- 2 THE GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AT THE JOBSITE. NOTIFY ARCHITECT IF CONDITIONS DIFFER FROM DRAWINGS. ALL COSTS DURING CONSTRUCTION SHALL BE BASED ON THOROUGH OR REQUESTED. IF THE GENERAL CONTRACTOR REQUIRED DISCREPANCIES REGARDING MATERIALS OR PRODUCTS, PLEASE VERIFY WITH THE OWNER AND ARCHITECT.
- 3 THE GENERAL CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL STATE AND LOCAL REGULATORY AGENCIES AND GOVERNMENTAL REGULATORY AGENCIES.
- 4 THE GENERAL CONTRACTOR SHALL SEE THAT ALL WORKMAN CONTRACTORS RECEIVE UP-TO-DATE COMPLETE RESPONSIBILITY FOR COORDINATION OF WORK.
- 5 DO NOT SCALE DRAWINGS. OBTAIN ANY MISSING OR WRONGLY LABELED DIMENSIONS FROM ARCHITECT.
- 6 BALCONY CEILINGS TO BE SINGLE LAYER OF FIRE RATED 5/8" EXTERIOR GYPSUM SOFFIT BOARD, PAINTED.
- 7 ALL GUARDRAILS TO MEASURE 42" A.F.F. TO TOP RAIL.
- 8 IN WALK-IN CLOSETS, SHELVES ARE TO BE MOUNTED AT 4" A.F.F. MAX AND AT LEAST ONE SHELF AT 48" A.F.F. MAX.
- 9 WHERE X SHELVES ARE CALLED OUT, 1ST SHELF TO BE AT 24" A.F.F. AND REMAINING 3 SHELVES AT 18" INTERVALS.
- 10 PROVIDE WOOD SUPPORT BRACKETS FOR KITCHEN COUNTERTOP OVERHANGS AT MIDPOINT.
- 11 ALL GYPSUM BOARD WALL CORNERS TO BE ROUNDED (TYP. AT ALL AREAS).
- 12 SHOWER DOORS ARE INTENDED TO PROVIDE MIN. 31.58" NET CLEAR OPENING. ALL DOORS SHALL BE REPORT TO ARCHITECT IF THIS CLEARANCE CANNOT BE ACHIEVED THROUGH 2" DOOR SIZE BY SELECTED MANUFACTURER PRIOR TO FABRICATION AND INSTALLATION.
- 13 PROVIDE SOAP DISH AND MOUNT ADJACENT TO SHOWER CONTROLS AT EQUAL HEIGHT.
- 14 PROVIDE SHUTTERS OR PIN LOCKS AND 2" LEAD FREE BRASS DOOR HANDLES. PROVIDE PARADISE TO FIX THE TOP AND BOTTOM OF BLINDS TO DOOR (OWNER TO SELECT TYPE AND COLOR).
- 15 ALL BEDROOMS TO HAVE EGRESS WINDOWS AS PER IBC BUILDING CODE.
- 16 ALL WINDOWS WITH SILLS LOCATED MORE THAN 72" IN ABOVE FINISHED GRADE ARE TO RECEIVE WINDOW OPENING CONTROL DEVICE COMPLYING WITH ASTM F2088.
- 17 PROVIDE TEMPERED GLASS IN DOORS AND WINDOWS WHERE REQUIRED.
- 18 PROVIDE SOLAR WINDOW SCREENS AT WINDOWS AS REQUIRED PER ENERGY CODE.
- 19 UNDERCUT ALL INTERIOR DOORS FOR RETURN AIR, 1" AT CARPET AND 1-1/2" AT TILE LOCATIONS.
- 20 USE FIBER SPRAYED CELLULOSE INSULATION UNDER FLOOR SURFACES WHERE TILE IS REQUIRED. PROVIDE SOUND TRANSMISSION COEFFICIENT, AS REQUIRED BY CODE.
- 21 PROVIDE 2" LEAD FREE HANDLES OR SHUTTERS FOR ALL UNIT WINDOWS. PROVIDE 2" LEAD FREE HANDLES FOR TOP OF BLINDS/SHUTTERS (OWNER TO SELECT TYPE AND COLOR).

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12 years

Ea architects

DR. SHAFI POOL HOUSE ADDITION
8211 INWOOD ROAD
DALLAS, TEXAS
75209

2ND FLOOR PLAN

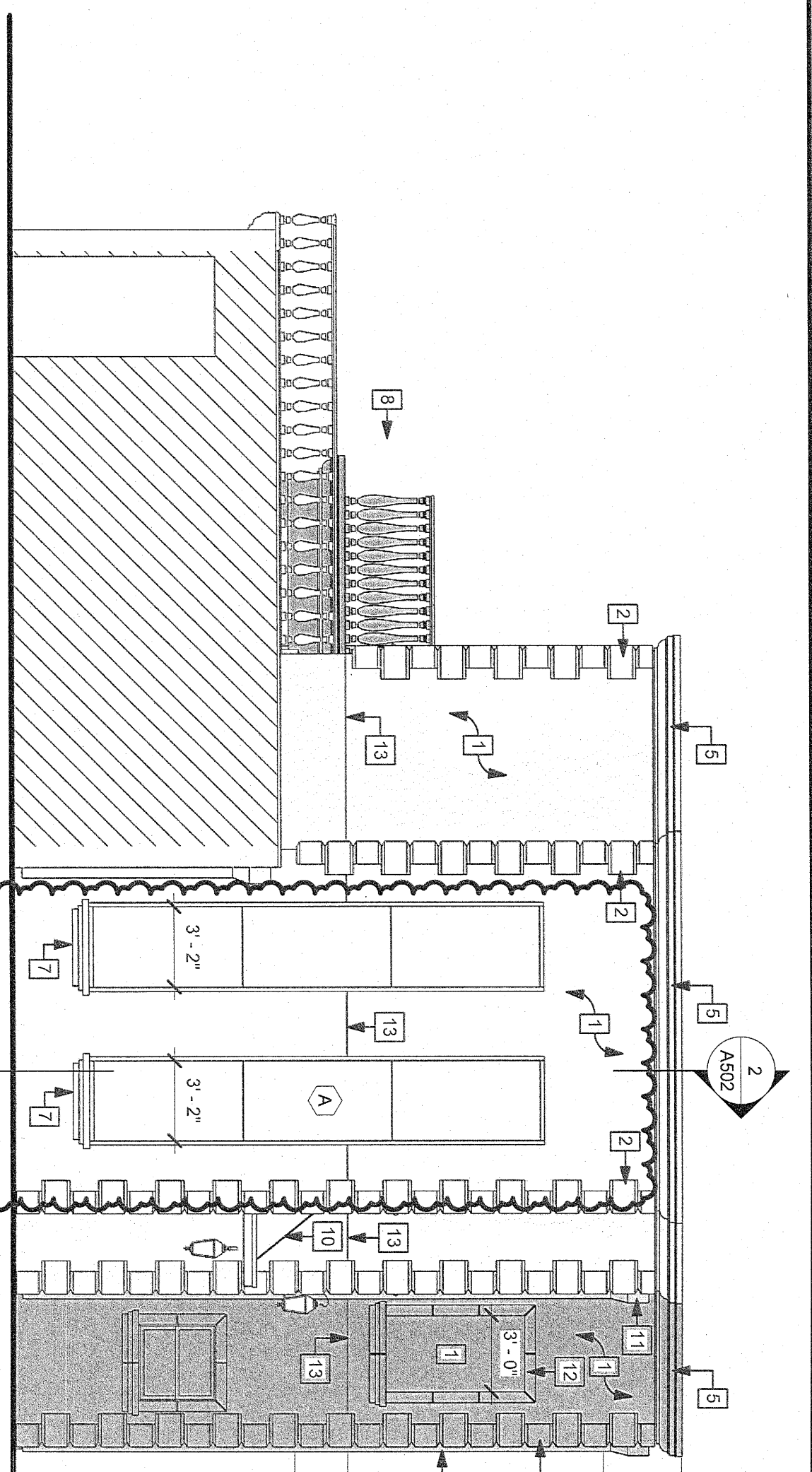
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Date: 05/07/2019
Drawn by: [Signature]
Checked by: [Signature]
Author: [Signature]
Checker: [Signature]

Scale: As indicated

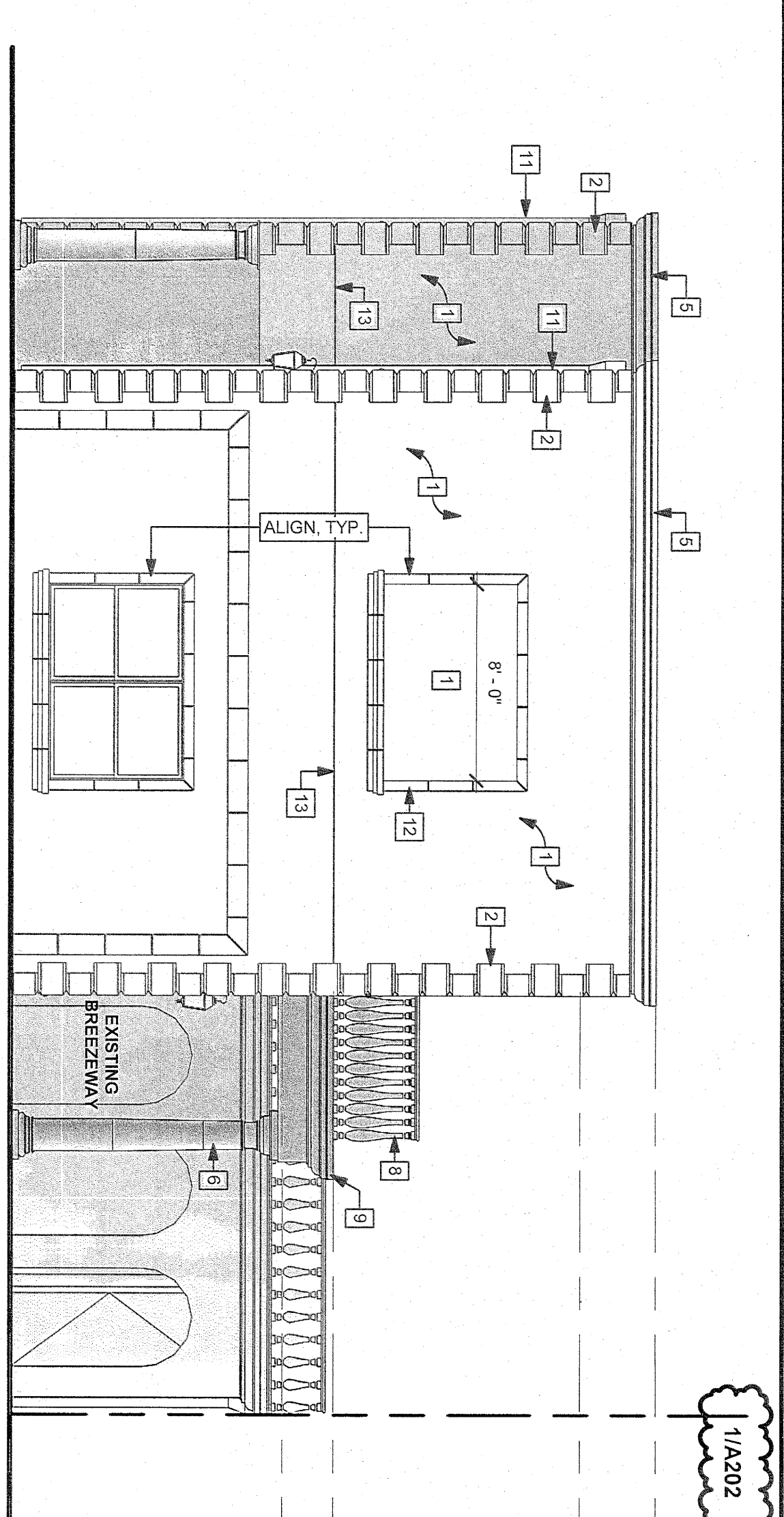
A102

05/07/2019

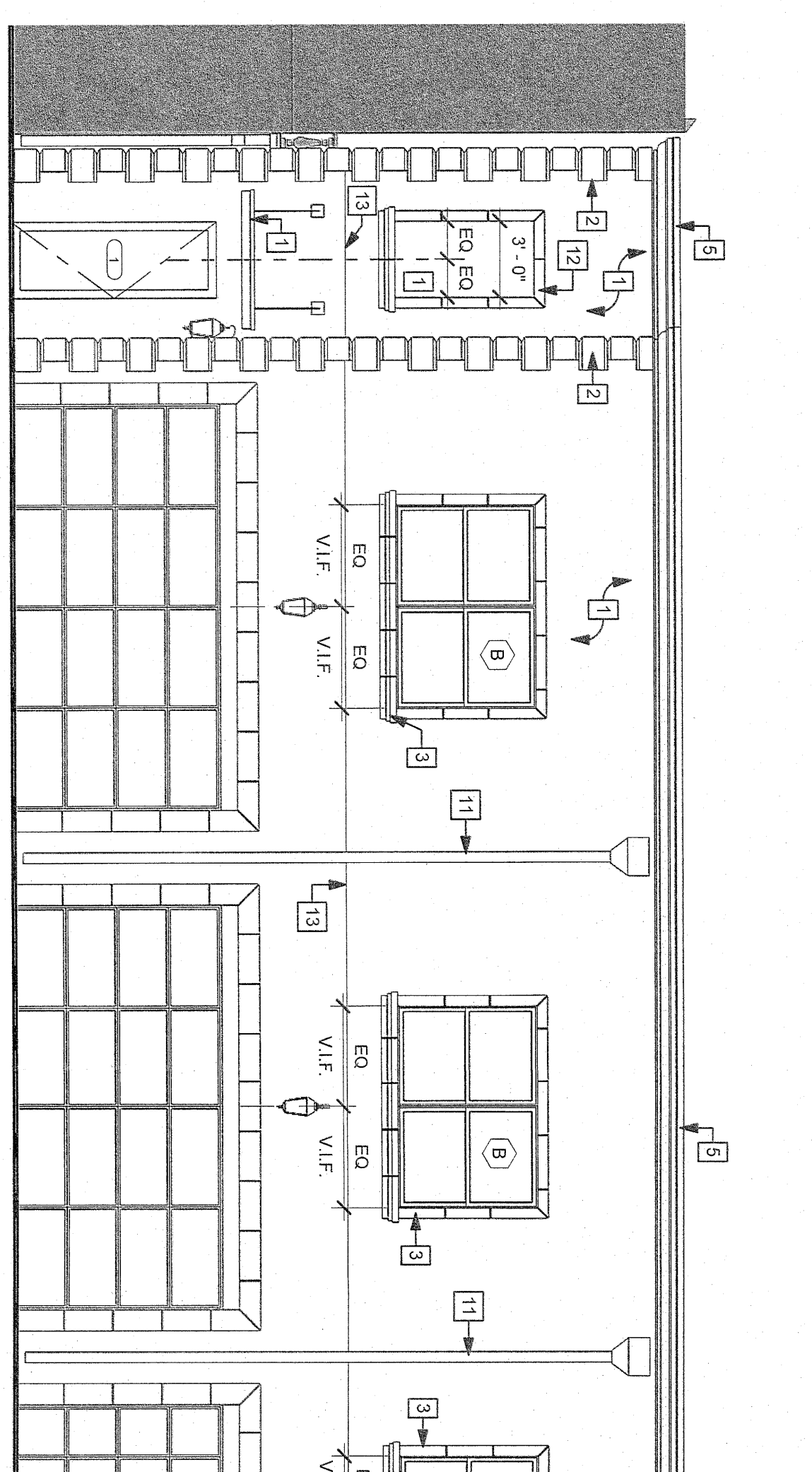
NO.	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	02/14/2019
2	PERMIT REVISIONS	05/07/2019



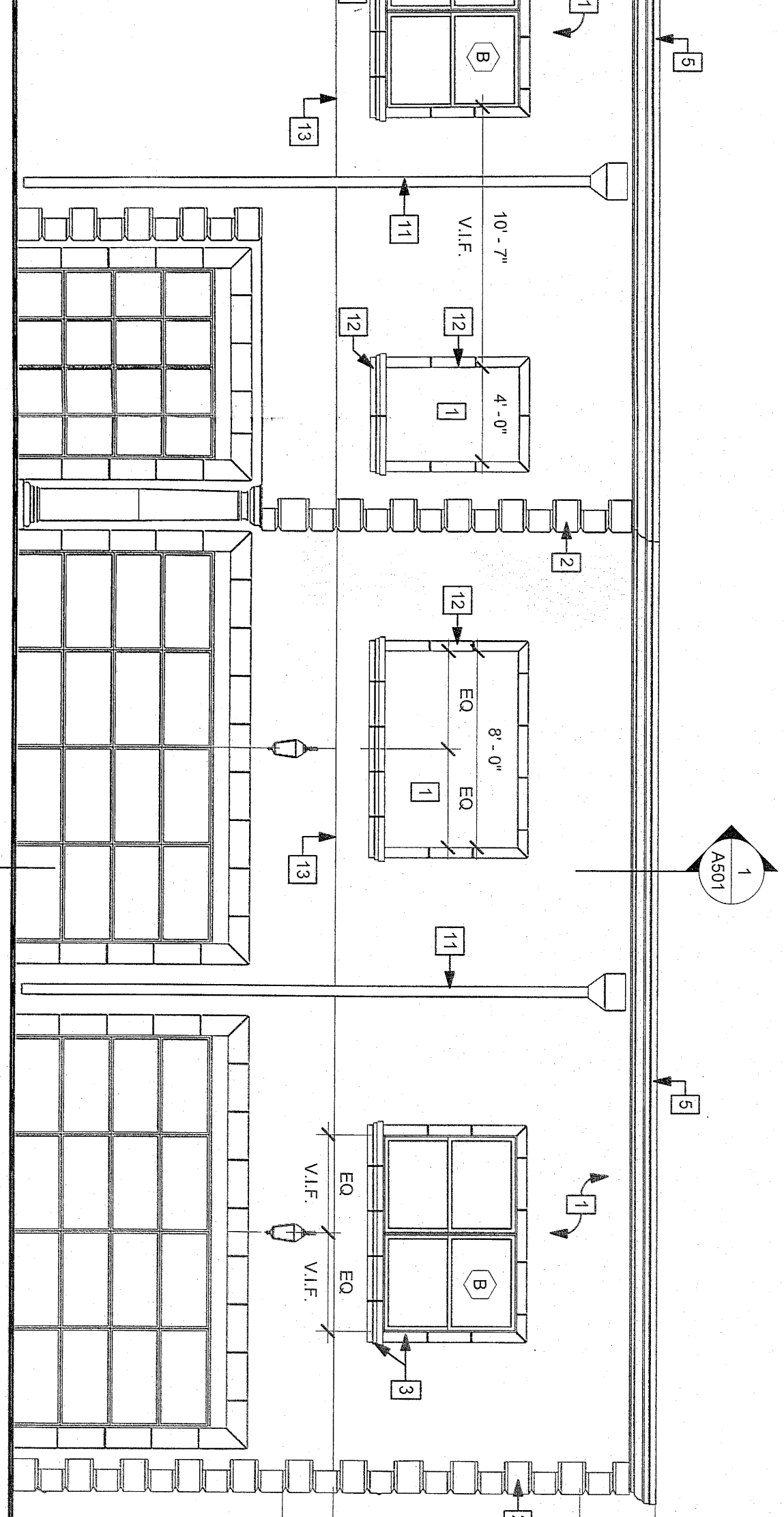
④ ELEVATION 4
3/16" = 1'-0"



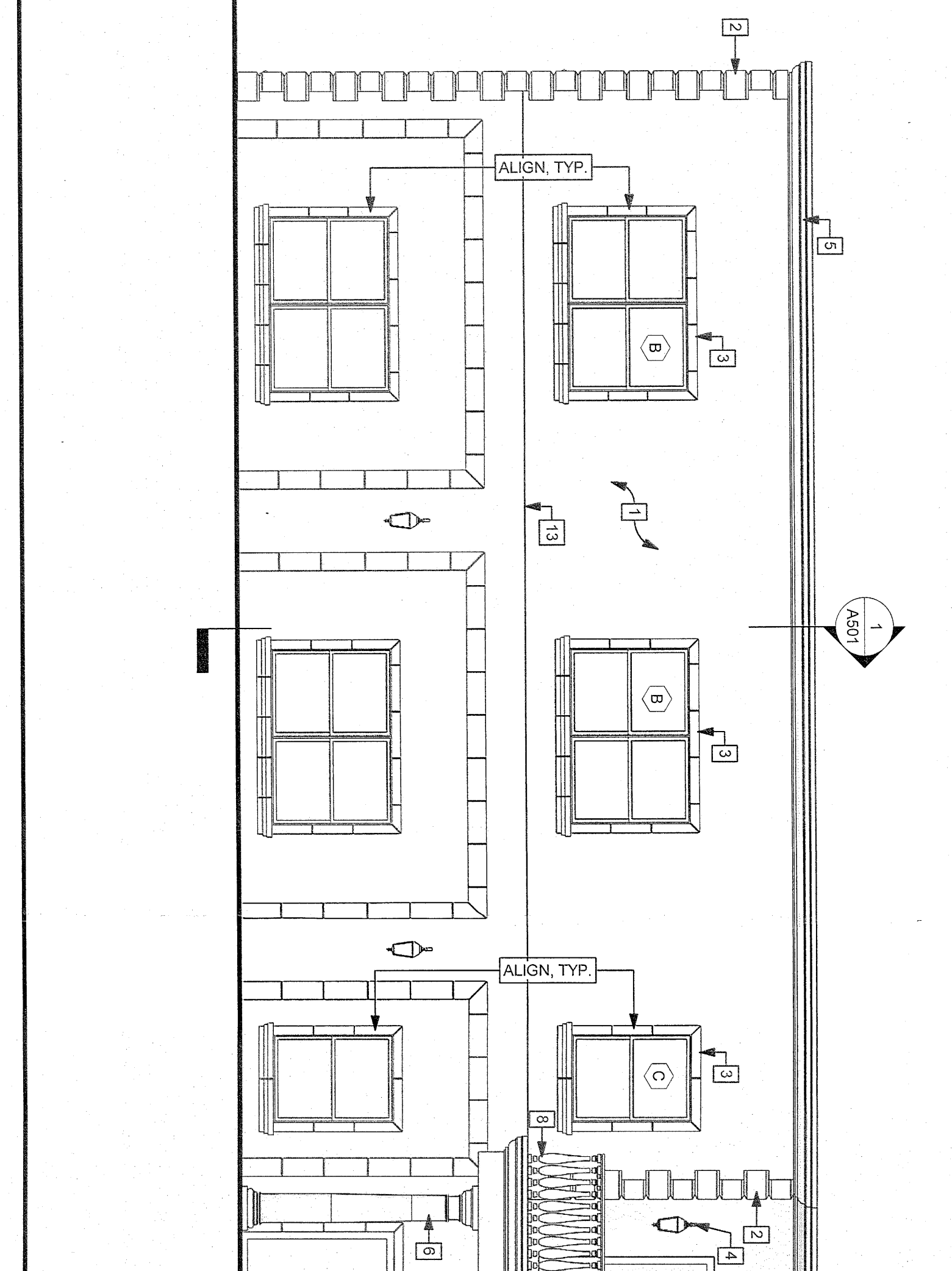
③ ELEVATION 3
3/16" = 1'-0"



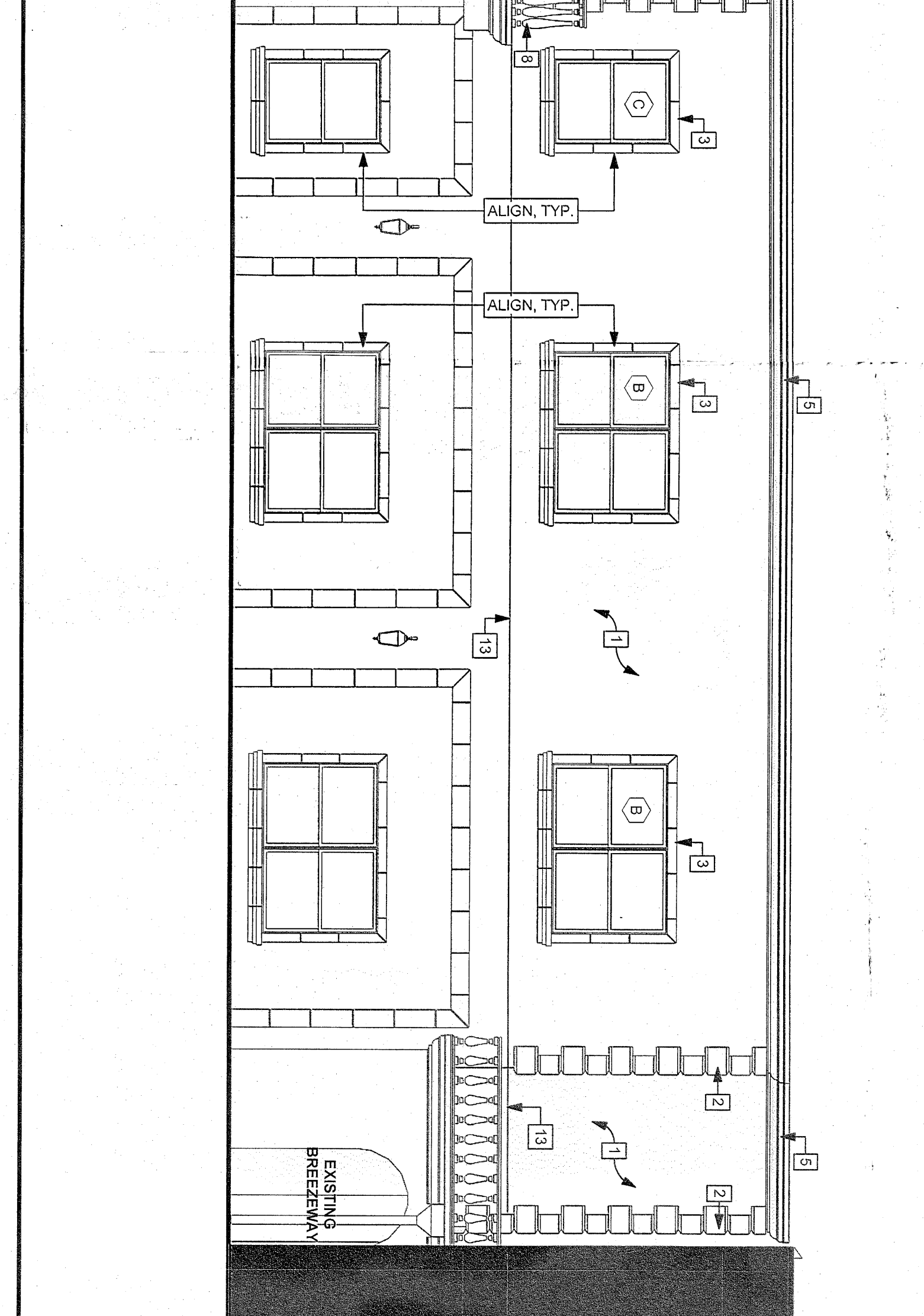
② ELEVATION 2
3/16" = 1'-0"



① ELEVATION 1
3/16" = 1'-0"



① ELEVATION 1
3/16" = 1'-0"

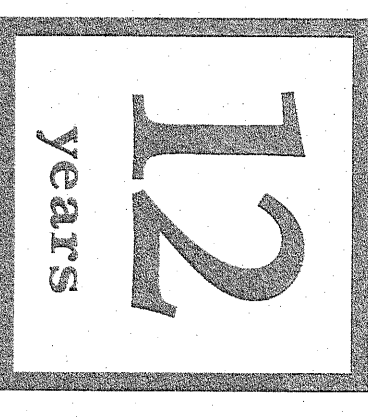
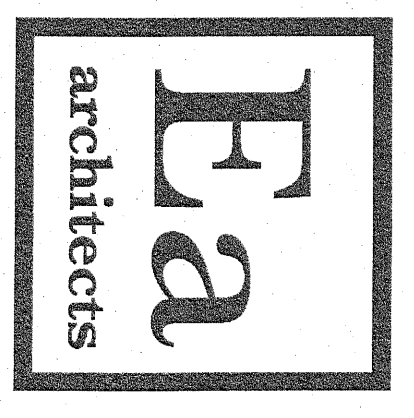


② ELEVATION 2
3/16" = 1'-0"

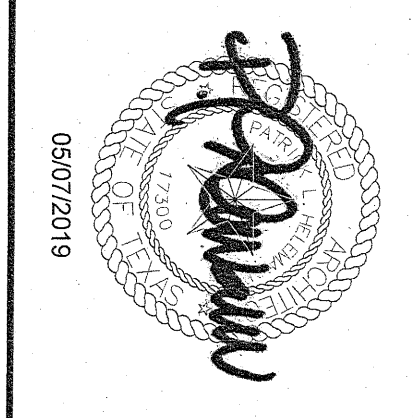
1/A202

KEYNOTES

- 1 STUCCO SYSTEM (MATCH EXISTING SYSTEM AND COLOR)
- 2 NEW JOINTS TO MATCH EXISTING IN SIZE SHAPE AND COLOR; STUCCO COVERED EPS FOAM TRIM
- 3 TRIM AROUND NEW WINDOWS AND WINDOW SILLS TO MATCH EXISTING SIZE SHAPE AND COLOR; STUCCO COVERED EPS FOAM TRIM, EXISTING
- 4 EXTERIOR WALL SOUNCE TO MATCH EXISTING
- 5 WALL CORNICE AND METAL CAP FLASHING TO MATCH EXISTING MATERIAL AND COLOR
- 6 NEW CAST COLUMN WRAP TO MATCH EXISTING
- 7 NEW WINDOW SILL TRIM AT THIS LOCATION (MATCH EXISTING) NEW SILL TRIM IN SIZE SHAPE AND COLOR; (STUCCO COVERED EPS FOAM TRIM)
- 8 NEW BALCONY GUARDRAIL SYSTEM TO BE 42" ABOVE FINISHED FLOOR BALUSTERS, 2" TRIM TO MATCH EXISTING PROFILE AND COLOR AT EXISTING RESIDENCE
- 9 WALL CORNICE AND METAL CAP FLASHING AT BALCONY TO MATCH WALL CORNICE AND METAL CAP FLASHING AT ROOF
- 10 PRE-MANUFACTURED SUSPENDED ALUMINUM CANOPY ABOVE DOOR WITH TWO (2) PIPE BRACES. (REF A401)
- 11 NEW SCUPPER, 6" DOWNSPOUT AND SPLASHBLOCK
- 12 TRIM TO MATCH NEW WINDOW AND SILL TRIM IN SIZE SHAPE AND COLOR (STUCCO COVERED EPS FOAM TRIM)
- 13 NEW HORIZONTAL CONTROL JOINT AT LEVEL 2



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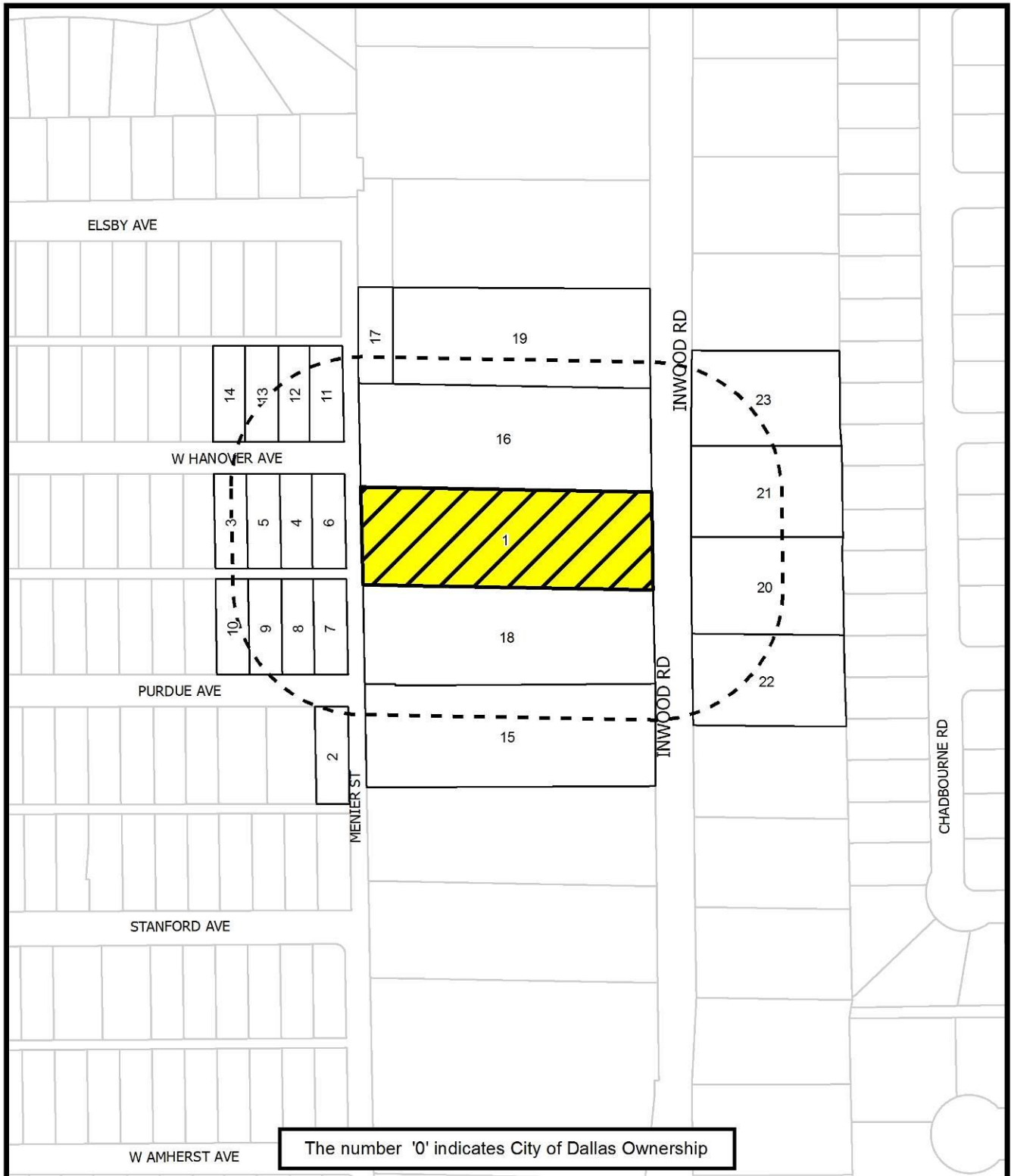
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DR. SHAFI POOL HOUSE ADDITION
8211 INWOOD ROAD
DALLAS, TEXAS
75209

EXTERIOR ELEVATIONS

Project number: 18091
Date: 05/07/2019
Author: 18091
Checked by: 18091

A201
As indicated



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

23

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA189-140**

Date: **11/21/2019**

11/21/2019

Notification List of Property Owners

BDA189-140

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8211 INWOOD RD	LZS TRUST
2	5126 W PURDUE ST	LAMON RICCARDO &
3	5116 W HANOVER AVE	SHADDOCK CALDWELL BUILDERS &
4	5120 W HANOVER AVE	ALEXANDER HUNT DISTINCT HOMES LLC
5	5118 W HANOVER AVE	SHADDOCK CALDWELL BUILDERS & DEVELOPERS LLC
6	5126 W HANOVER AVE	ALEXANDER HUNT DISTINCT HOMES LLC
7	5127 W PURDUE ST	GROSS CHARLES E IV &
8	5123 W PURDUE ST	WILSON JOHN D
9	5119 W PURDUE ST	HANSEN CAROLINE C
10	5115 W PURDUE ST	PAYNE GEORGE &
11	5127 W HANOVER AVE	LEE DAN HENRY III &
12	5123 W HANOVER AVE	FEICHTER BRIAN & LAUREN
13	5119 W HANOVER AVE	ZOBLITSKY ADAM & TERRI
14	5115 W HANOVER AVE	ANDERSON BRETT
15	8123 INWOOD RD	GRIFFITH BRADFORD L
16	8303 INWOOD RD	ARROYO FELIX T
17	8408 MENIER ST	GOYER CHARLES STEWART & ASHLEIGH C
18	8133 INWOOD RD	GARNER BRYAN A
19	8315 INWOOD RD	WARDLAY BRUCE
20	8206 INWOOD RD	DEFFOREY AUDREY & MAXIME
21	8216 INWOOD RD	PATTERSON GARRICK GRANT &
22	8128 INWOOD RD	HERATY SUE REVOCABLE TRUST
23	8306 INWOOD RD	WHITE STEVEN J LIVING TRUST THE

FILE NUMBER: BDA189-144(OA)

BUILDING OFFICIAL'S REPORT: Application of GSR Andrade Architects Inc., represented by Gary Staiger, for a special exception to the landscape regulations at 7097 S. Jim Miller Road. This property is more fully described as Lot 1, Block 6262, and is zoned CR, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 7097 S. Jim Miller Road

APPLICANT: GSR Andrade Architects Inc

REQUEST:

A request for a special exception to the landscape regulations is made to construct a fire station structure on the site, and not fully meet the landscape regulations, more specifically, to not meet the required street trees, site trees, and residential buffer.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE AND TREE PRESERVATION REGULATIONS:

Section 51A-10.110 of the Dallas Development Code states that the board may grant a special exception to the landscape and tree preservation regulations of this article upon making a special finding from the evidence presented that:

- (1) strict compliance with the requirements of this article will unreasonably burden the use of the property;
- (2) the special exception will not adversely affect neighboring property; and
- (3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

In determining whether to grant a special exception, the board shall consider the following factors:

- the extent to which there is residential adjacency;
- the topography of the site;
- the extent to which landscaping exists for which no credit is given under this article; and
- the extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted alternate landscape plan is required.

Rationale:

- The City of Dallas Chief Arborist recommends approval of the special exception on the basis that, under the restrictions of the required site design conditions for the use, the full compliance with the requirements of Article X will unreasonably burden the use of the property and that the special exception would not have a negative effect on neighboring properties.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

The subject site is undeveloped. The area to the north is developed with single-family structures; the areas to the east, south, and west are developed with combination of retail uses, institutional and community service uses.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception to the landscape regulations is to construct a fire station structure on the site, without fully meeting the landscape regulations. More specifically, not provide the required street trees, site trees, and residential buffer.

Section 51A-10.121(c) of the Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot, or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.

The City of Dallas Chief Arborist submitted a memo regarding the applicant's request (see Attachment A) which states the following with regard to "request":

- The applicant is requesting a special exception to the Article X landscape regulations. The alternative landscape plan is designed for Dallas Fire Station #59.

The Chief Arborist's memo states the following with regard to "provision":

- The fire station is located in the CR district with residential adjacency (R-7.5(A)) to the north. The structure and pavement for parking, vehicle maneuvering, and emergency vehicle access occupy the majority of the available space on the property.
- The driveway width design for the apparatus apron and ingress/egress, combined with the vehicular access to the rear of the property, reduces the requirement for street trees under the street buffer zone regulations. One tree per 40 feet of frontage, excluding ingress/egress, is required. The street buffer zone is significantly reduced to a one tree requirement to meet maneuvering conditions.
- An eight-foot masonry screening wall, not a typical landscape function, is indicated to screen the majority of the facility from the alley and residences to the north and properties to the west.
- Landscape area plantings are provided in the northwest corner and in the front yard.

The Chief Arborist's memo states the following with regard to "deficiencies":

- The proposed alternative landscape plan is deficient in meeting the requirements for: 1) the street buffer zone; 2) the residential buffer zone; 3) the 20 points required for the landscape design options; and 4) site trees. One new tree at the northeast corner along the property boundary, as shown on the plan, could not be designated a site tree.

The chief arborist recommends approval of the special exception on the basis that, under the restrictions of the required site design conditions for the use, the full compliance with the requirements of Article X will unreasonably burden the use of the property and that the special exception would not have a negative effect on neighboring properties.

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

1. Strict compliance with the requirements of the landscape regulations of the Dallas Development Code will unreasonably burden the use of the property; and
2. the special exception will not adversely affect neighboring property.

If the board were to grant this request and impose the submitted alternate landscape plan as a condition to the request, the site would be provided certain leniency from full compliance with the landscape regulations beyond what was previously granted on this property by Board of Adjustment Panel C.

Timeline:

October 10, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

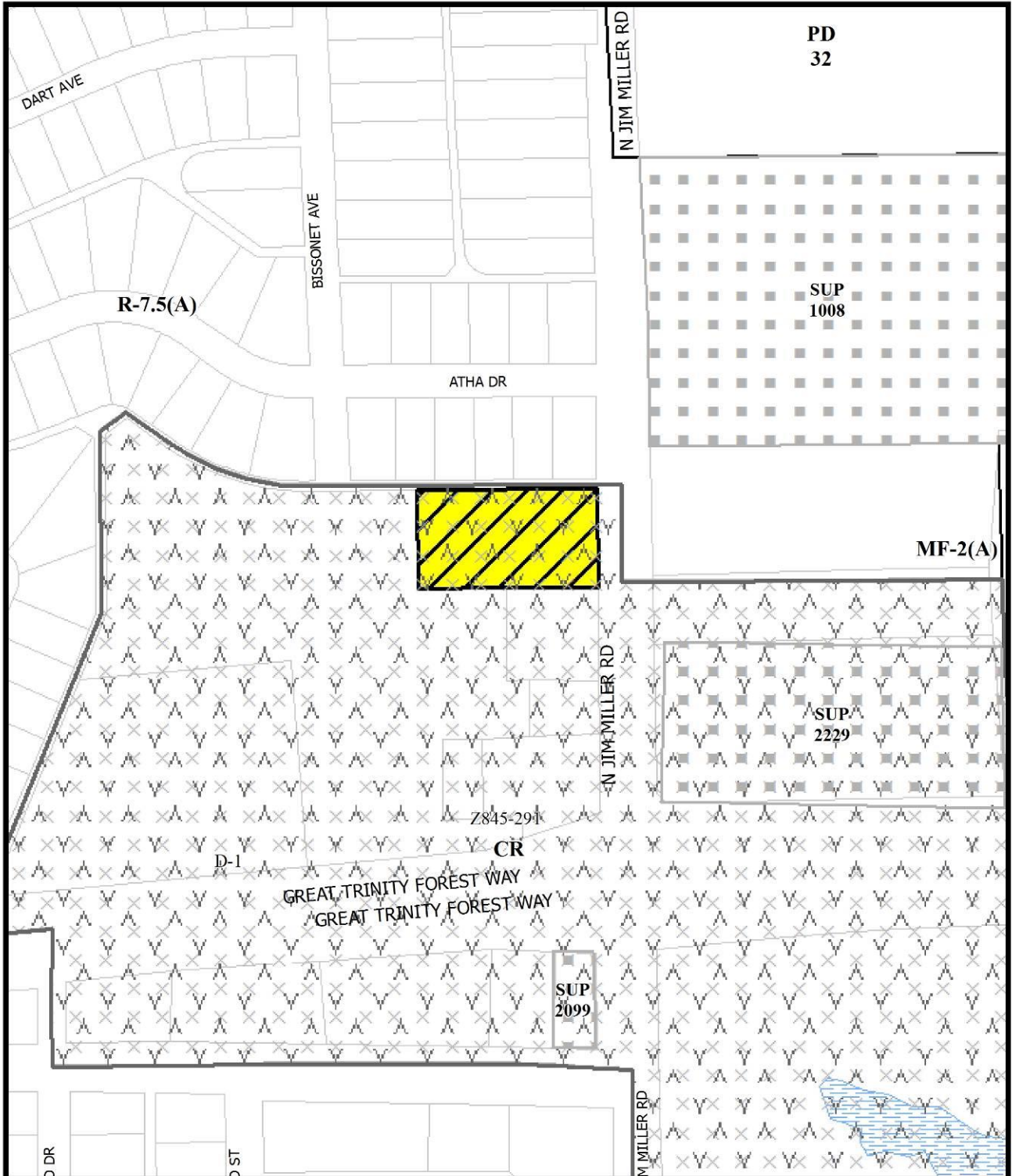
November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case”.

November 14, 2019: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the interim 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.

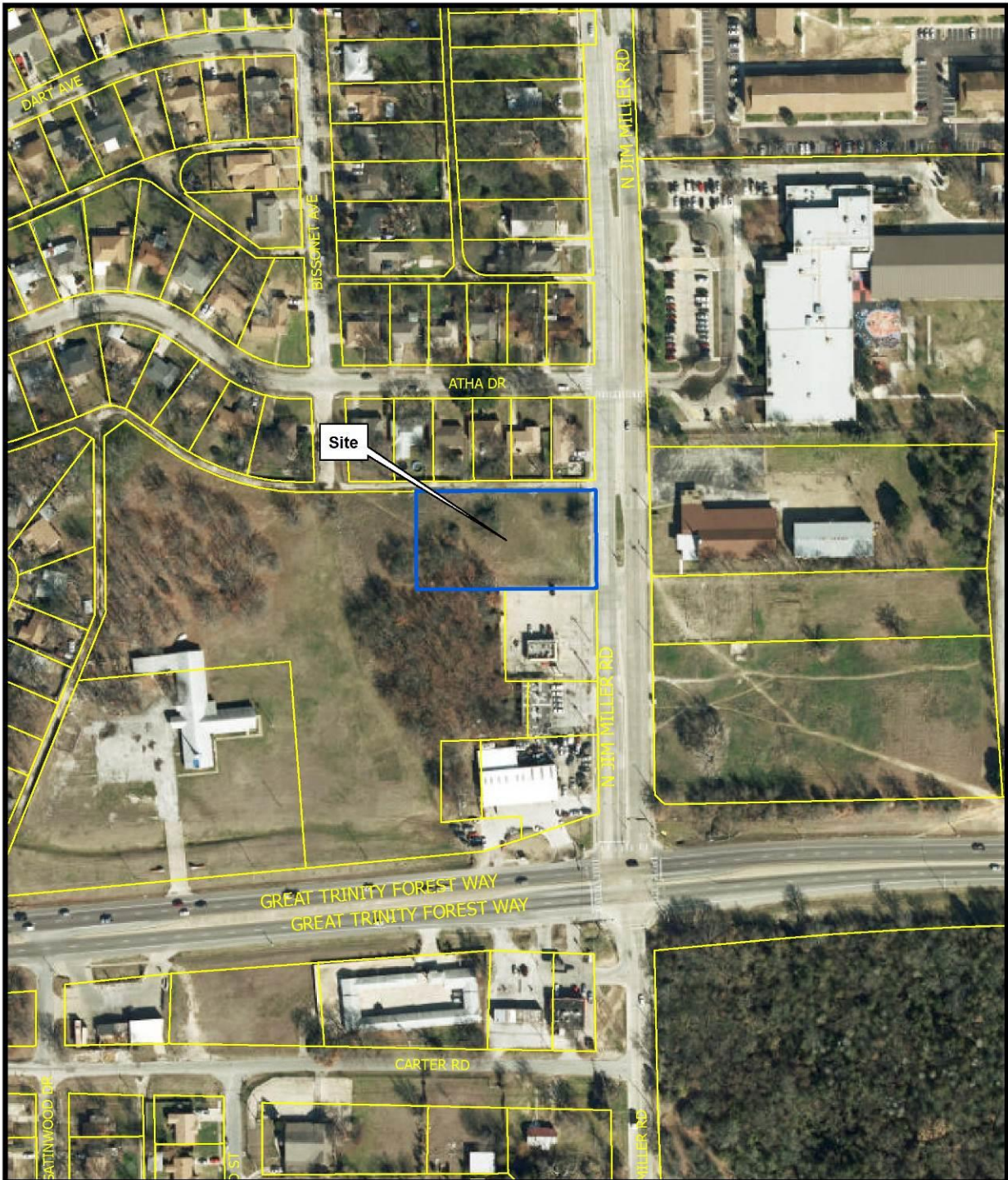
December 5, 2019: The City of Dallas Chief Arborist submitted a memo regarding this application (see Attachment A).



1:2,400

ZONING MAP

Case no: **BDA189-144**
 Date: **11/21/2019**



1:2,400

AERIAL MAP

Case no: BDA189-144

Date: 11/21/2019

Memorandum



CITY OF DALLAS

Date December 5, 2019
To Oscar Aguilera, Sr. Planner
Sarah May, interim Board Administrator
Subject BDA #189-144 7097 S Jim Miller Road Arborist report

Request

The applicant is requesting a special exception to the Article X landscape regulations. The alternative landscape plan is designed for Dallas Fire Station #59.

Provision

- The fire station is located in the CR district with residential adjacency (R-7.5(A)) to the north. The structure and pavement for parking, vehicle maneuvering, and emergency vehicle access occupy the majority of the available space on the property.
- The driveway width design for the apparatus apron and ingress/egress, combined with the vehicular access to the rear of the property, reduces the requirement for street trees under the street buffer zone regulations. One tree per 40 feet of frontage, excluding ingress/egress, is required. The street buffer zone is significantly reduced to a one tree requirement to meet maneuvering conditions.
- An eight-foot masonry screening wall, not a typical landscape function, is indicated to screen the majority of the facility from the alley and residences to the north and properties to the west.
- Landscape area plantings are provided in the northwest corner and in the front yard.

Deficiency

The proposed alternative landscape plan is deficient in meeting the requirements for: 1) the street buffer zone; 2) the residential buffer zone; 3) the twenty points required for the landscape design options; and 4) site trees. One new tree at the northeast corner along the property boundary, as shown on the plan, could not be designated a site tree.

Recommendation

The chief arborist recommends approval of the special exception on the basis that, under the restrictions of the required site design conditions for the use, the full compliance with the requirements of Article X will unreasonably burden the use of the property and that the special exception would not have a negative effect on neighboring properties.

Philip Erwin
Chief Arborist
Building Inspection



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-144

Date: 10/10/2019

Data Relative to Subject Property:

Location address: 7097 South Jim Miller Road Zoning District: CRD-4 CR

Lot No.: 1 Block No.: 6262 Acreage: 0.947 Census Tract: 0093.04

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): CITY OF DALLAS

Applicant: GSR Andrade Architects Telephone: 214-824-7040

Mailing Address: 4121 Commerce Street, Suite 1, Dallas, TX Zip Code: 75226

E-mail Address: gstaiger@gsr-andrade.com

Represented by: Gary Staiger Telephone: 214-824-7040

Mailing Address: 4121 Commerce Street, Suite 1, Dallas, TX Zip Code: 75226

E-mail Address: gstaiger@gsr-andrade.com

Affirm that an appeal has been made for a Variance X, or Special Exception X, of Special Exception: Article X Landscape requirements, (1) Street Tree requirements - reduction in street tree requirements (reduce number of street trees, from 2 large trees to 1 large tree); (2) Site Tree requirements - reduction in site tree requirements (of 1 canopy tree per 4,000 s.f. to 8 large/medium trees and 2 ornamental); (3) Residential Buffer Planting - reduction and elimination of buffer requirements. Variance: Allow increase to up to 70% Lot Coverage.

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 intention is to provide plantings to meet the 'spirit of the ordinance' yet responds to site constraints and program needs of the fire station. Plants chosen are native or well-adaptive to this region and require low-water use, meeting LEED requirements for water reduction. Increase lot coverage required to meet city mandated program requirements for fire stations.

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 Gary M. Staiger

(Affiant/Applicant's name printed)

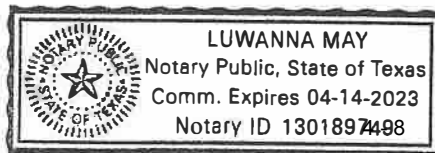
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: [Signature]

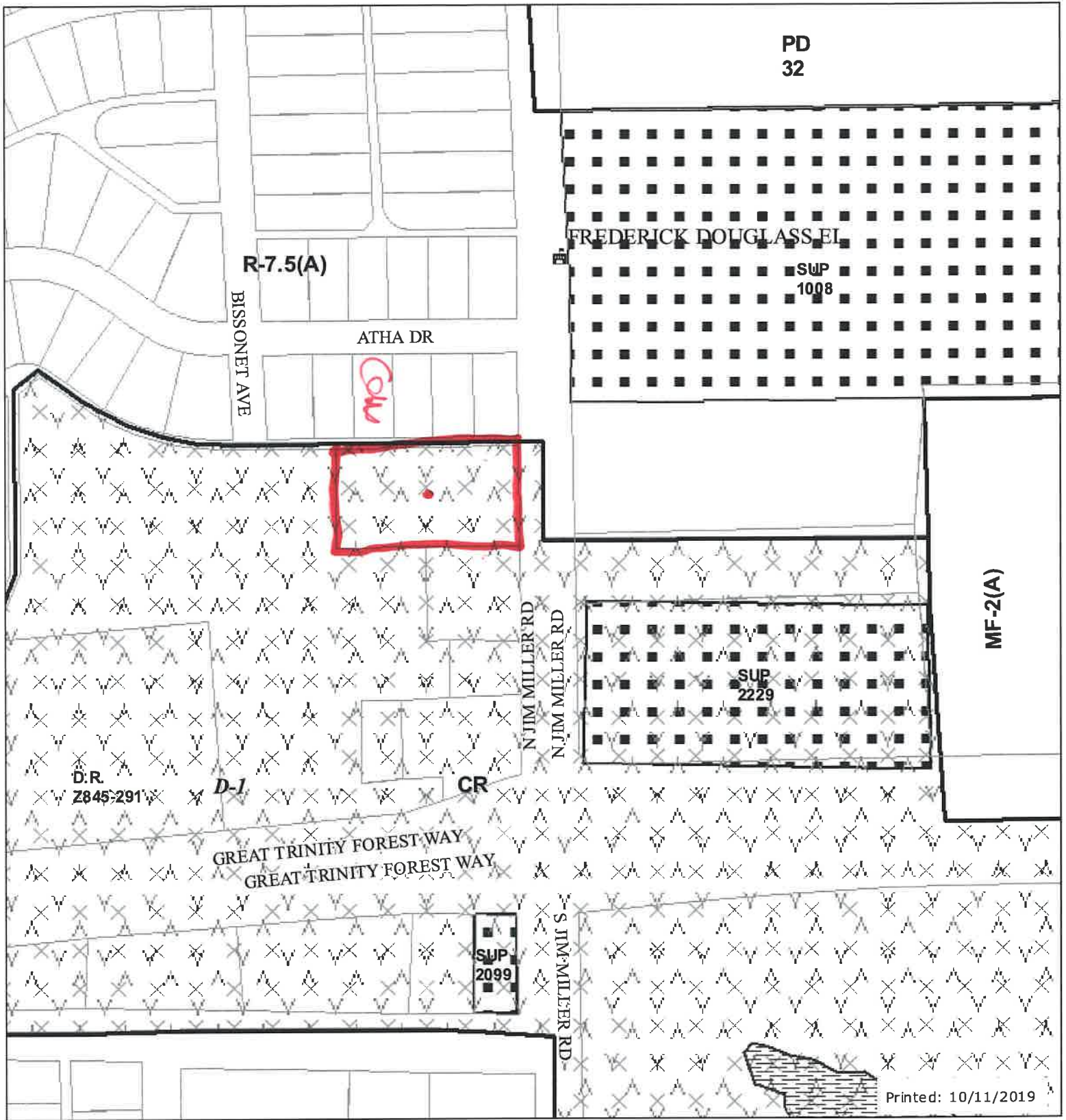
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 10 day of October, 2019

(Rev. 08-01-11)



Notary Public in and for Dallas County, Texas



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 | Shaded 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)

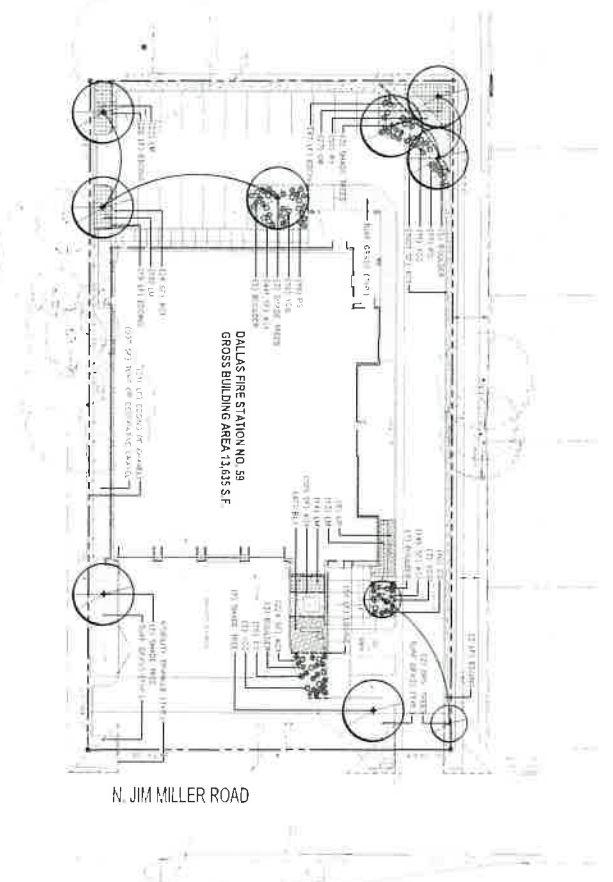




END



1 FIRE STATION - PLANTING PLAN



PLANT LEGEND AND MATERIAL SCHEDULE

SYMBOL	DESCRIPTION	QUANTITY	UNIT
(Symbol)	1.00' ROUND TREE	100	EA
(Symbol)	2.00' ROUND TREE	50	EA
(Symbol)	4.00' ROUND TREE	20	EA
(Symbol)	6.00' ROUND TREE	10	EA
(Symbol)	8.00' ROUND TREE	5	EA
(Symbol)	10.00' ROUND TREE	2	EA
(Symbol)	12.00' ROUND TREE	1	EA
(Symbol)	14.00' ROUND TREE	1	EA
(Symbol)	16.00' ROUND TREE	1	EA
(Symbol)	18.00' ROUND TREE	1	EA
(Symbol)	20.00' ROUND TREE	1	EA
(Symbol)	22.00' ROUND TREE	1	EA
(Symbol)	24.00' ROUND TREE	1	EA
(Symbol)	26.00' ROUND TREE	1	EA
(Symbol)	28.00' ROUND TREE	1	EA
(Symbol)	30.00' ROUND TREE	1	EA
(Symbol)	32.00' ROUND TREE	1	EA
(Symbol)	34.00' ROUND TREE	1	EA
(Symbol)	36.00' ROUND TREE	1	EA
(Symbol)	38.00' ROUND TREE	1	EA
(Symbol)	40.00' ROUND TREE	1	EA
(Symbol)	42.00' ROUND TREE	1	EA
(Symbol)	44.00' ROUND TREE	1	EA
(Symbol)	46.00' ROUND TREE	1	EA
(Symbol)	48.00' ROUND TREE	1	EA
(Symbol)	50.00' ROUND TREE	1	EA
(Symbol)	52.00' ROUND TREE	1	EA
(Symbol)	54.00' ROUND TREE	1	EA
(Symbol)	56.00' ROUND TREE	1	EA
(Symbol)	58.00' ROUND TREE	1	EA
(Symbol)	60.00' ROUND TREE	1	EA
(Symbol)	62.00' ROUND TREE	1	EA
(Symbol)	64.00' ROUND TREE	1	EA
(Symbol)	66.00' ROUND TREE	1	EA
(Symbol)	68.00' ROUND TREE	1	EA
(Symbol)	70.00' ROUND TREE	1	EA
(Symbol)	72.00' ROUND TREE	1	EA
(Symbol)	74.00' ROUND TREE	1	EA
(Symbol)	76.00' ROUND TREE	1	EA
(Symbol)	78.00' ROUND TREE	1	EA
(Symbol)	80.00' ROUND TREE	1	EA
(Symbol)	82.00' ROUND TREE	1	EA
(Symbol)	84.00' ROUND TREE	1	EA
(Symbol)	86.00' ROUND TREE	1	EA
(Symbol)	88.00' ROUND TREE	1	EA
(Symbol)	90.00' ROUND TREE	1	EA
(Symbol)	92.00' ROUND TREE	1	EA
(Symbol)	94.00' ROUND TREE	1	EA
(Symbol)	96.00' ROUND TREE	1	EA
(Symbol)	98.00' ROUND TREE	1	EA
(Symbol)	100.00' ROUND TREE	1	EA

LANDSCAPE PLANTING NOTES

1. Field conditions shall be verified by the contractor and approved by the owner representative prior to planting in the field.
2. All trees shall be planted in the field prior to planting in the field.
3. All trees shall be planted in the field prior to planting in the field.
4. All trees shall be planted in the field prior to planting in the field.
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16. All trees shall be planted in the field prior to planting in the field.
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18. All trees shall be planted in the field prior to planting in the field.
19. All trees shall be planted in the field prior to planting in the field.
20. All trees shall be planted in the field prior to planting in the field.



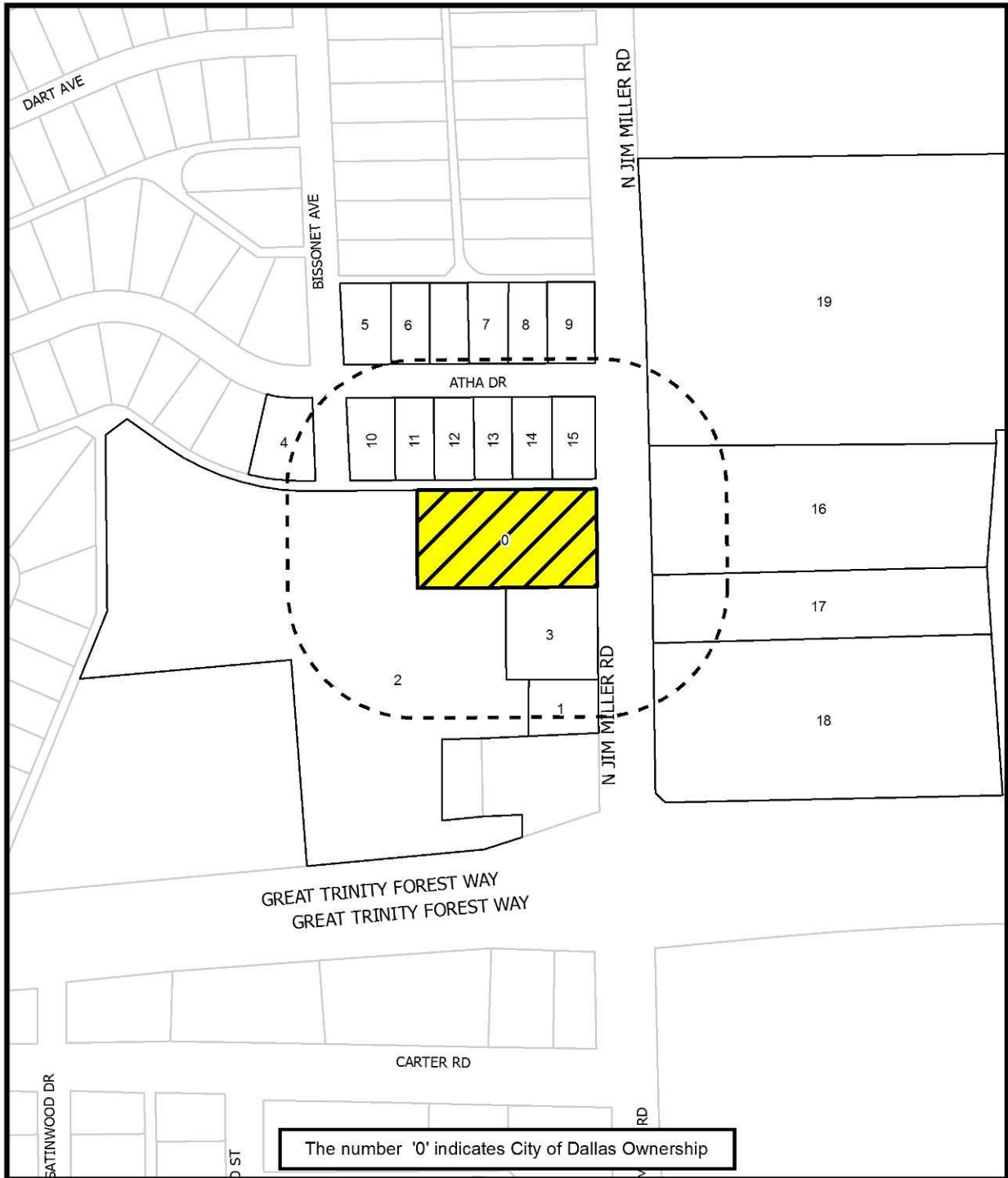
3011811

DATE: 1/14/2019
TIME: 2:17:24 PM

4 - 12

DALLAS FIRE STATION NO. 59

7097 S JIM MILLER RD
DALLAS, TX 75217



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 19 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u>BDA189-144</u> Date: <u>11/21/2019</u>
--	---	---

11/21/2019

Notification List of Property Owners

BDA189-144

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	115 N JIM MILLER RD	RUBY RS LLC
2	6901 GREAT TRINITY FOREST WAY	CATHEDRAL OF FAITH
3	129 S JIM MILLER RD	CENTURY OAK INVESTMENTS LLC
4	6942 ATHA DR	REDD HYGIRENE
5	7005 ATHA DR	PRICE SHARON D
6	7011 ATHA DR	PEREZ ALMA
7	7021 ATHA DR	PENA GUSTAVO &
8	7025 ATHA DR	JLSV BUILDERS LLC
9	7031 ATHA DR	ELDER HENRY EARL
10	7006 ATHA DR	MARK X ASSOCIATES
11	7012 ATHA DR	PEREZ ENNIO EDEN GONZALEZ &
12	7016 ATHA DR	RANDOLPH BOBBY RAY &
13	7022 ATHA DR	DAVIS OLLIE MARIE LIFE ESTATE
14	7026 ATHA DR	REDDTROW PROPERTY MGMT LLC
15	7032 ATHA DR	LEWIS LISA M &
16	200 N JIM MILLER RD	ST JAMES AFRICAN METHODIST
17	124 N JIM MILLER RD	ST JAMES AFRICAN METHODIST EPISCOPAL CHURCH
18	116 N JIM MILLER RD	SANABEL INVESTMENT LP
19	226 N JIM MILLER RD	Dallas ISD

FILE NUMBER: BDA189-138(SM)

BUILDING OFFICIAL'S REPORT: Application of Danny Sipes of Texas Permit & Development for a variance to the front yard setback regulations and for special exceptions to the fence standards regulations at 6608 Frankford Road. This property is more fully described as Lot 34, Block O/8727, and is zoned PD No. 106, which requires a front yard setback of 30 feet, limits the height of a fence in the front yard to four feet, and prohibits a fence panel with a surface area that is less than 50 percent open when located less than five feet from the front lot line. The applicant proposes to construct a structure and provide a 20-foot front yard setback, which will require a 10-foot variance to the front yard setback regulations; to construct an eight-foot high fence in a required front yard, which will require a four-foot special exception to the fence standards regulations; and to construct fence panels with a surface area less than 50 percent open located less than five feet from the front lot line, which will require a special exception to the fence standards regulations.

LOCATION: 6608 Frankford Road

APPLICANT: Danny Sipes of Texas Permit & Development

REQUESTS:

The following requests have been made on an undeveloped site that is proposed to be developed with a single family home:

1. A request for a variance to the front yard setback regulations of 10 feet to construct a structure in the 30-foot front yard setback: the front of a single family home that would be located as close as 20 feet from the site's front property line or as much as 10 feet into the 30-foot front yard setback.
2. A request for a special exception to the fence standards regulations related to the fence height of four feet to construct an eight-foot high fence in the site's front yard setback.
3. A request for a special exception to the fence standards regulations related to fence panels having less than 50 percent open surface area when located less than five feet from the front lot line to construct a gabion fence within five feet of the front lot line.

Note: A similar application was filed for the abutting property to the east (BDA189-139) and will be considered by Panel C on December 16, 2019.

STANDARD FOR A VARIANCE:

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

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

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS:

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

STAFF RECOMMENDATION (variance):

Denial

Rationale:

- Staff concluded that the request should be denied because the applicant has not provided documentation to address the following components of the variance standard prior to the deadline for the December 3rd staff review team meeting:
 1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope (in this case, a site that, while sloped, irregularly shaped, and contains a creek bed that runs along the north property line, is significantly larger at approximately 33,502 square feet in area that other lots zoned PDD No. 106), that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning (the applicant provided no information related to this); and
 2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

STAFF RECOMMENDATION (fence special exceptions):

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

BACKGROUND INFORMATION:

Zoning:

Site: Planned Development District No. 106
North: R-7.5(A) (Single Family District) with Deed Restriction No. Z778-195
East: Planned Development District No. 106
South: Planned Development District No. 106
West: Planned Development District No. 106

Land Use:

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

Zoning/BDA History:

There has been one recent related board case recorded in the vicinity of the subject site within the past five years.

1. **BDA189-139** On December 16, 2019, the Board of Adjustment Panel C will consider requests for a variance to the front yard setback regulations and special exceptions to the fence standards regulations at 6610 Frankford Road (one lot east of the subject site). The case report states that the requests have been made on a site being developed with a single family home for 1) a variance to the front yard setback regulations of 10 feet to construct a structure in the 30-foot front yard setback 2) a special exception to the fence standards regulations related to the fence height of four feet to construct an eight-foot high fence with an eight-foot high, 31-foot wide vehicular gate and two three-foot wide pedestrian gates in the site's front yard setback; and 3) a special exception to the fence standards regulations related to fence panels having less than 50 percent open surface area when located less than five feet from the front lot line is made to construct a gabion fence within five feet of the front property line.

GENERAL FACTS /STAFF ANALYSIS (variance):

The purpose of this request for a variance to the front yard setback regulations of up to 10 feet is to construct a 2,244-square-foot single family home in the front yard setback on undeveloped land that would be located as close as 20 feet from the site's front property line or as much as 10 feet into the 30-foot front yard setback. The site is located on the south line of Frankford Road, east of Creek Bend Road. The site has one 30-foot front yard setback, two six-foot side yard setbacks, and one six-foot rear yard setback. The irregularly shaped subject site is sloped and contains a creek bed that runs along the north property line. The subject site is also approximately 33,502

square feet in area. The site is zoned PDD No. 106 where lots must be a minimum of 10,000 square feet in area.

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 PDD No. 106 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 PDD No. 106 zoning classification.

If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structures in the front yard setback would be limited to what is shown on this document – which, in this case, is a structure that is located as close as 20 feet from the site’s front property line (or 10 feet into the 30-foot front yard setback).

GENERAL FACTS/STAFF ANALYSIS (fence special exceptions):

The purpose of these requests for special exceptions to the fence standards regulations for fence height and prohibited materials is to:

1. construct an eight-foot high fence in the site’s front yard setback; and to
2. construct a gabion fence less than five feet from the front lot line on the property.

The Dallas Development Code states

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

The site is located on the south line of Frankford Road, east of Creek Bend Road. The site has one 30-foot front yard setback, two six-foot side yard setbacks, and one six-foot rear yard setback. The applicant has submitted a site plan and elevation of the fence proposal. The site plan and elevation represent a fence that is over four feet in height in the front yard setback, more specifically, an eight-foot high gabion fence, approximately 102 feet in length and about one foot from the front property line or about 11 feet from the Frankford Road pavement line.

The Interim Board of Adjustment Chief Planner/Board Administrator conducted a field visit of the site and the surrounding area and noted the properties to the northeast and

east had fences above four feet in height with fence panels with surface area that is less than 50 percent open. Additionally, the properties directly across Frankford Road to the north were separated by an alley; therefore, those properties are not restricted to the fence standards of the subject site. Finally, the property to the west of the site, across the creek, had a four-foot fence with surface area that is less than 50 percent open and a screening hedge which exceeded four feet in height.

As of December 6, 2019, no letters had been submitted in support of or in opposition to the requests for special exceptions to the fence standards regulations. The applicant has the burden of proof in establishing that the special exceptions to the fence standards regulations related to height and prohibited materials the site will not adversely affect neighboring property.

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

Timeline:

October 2, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

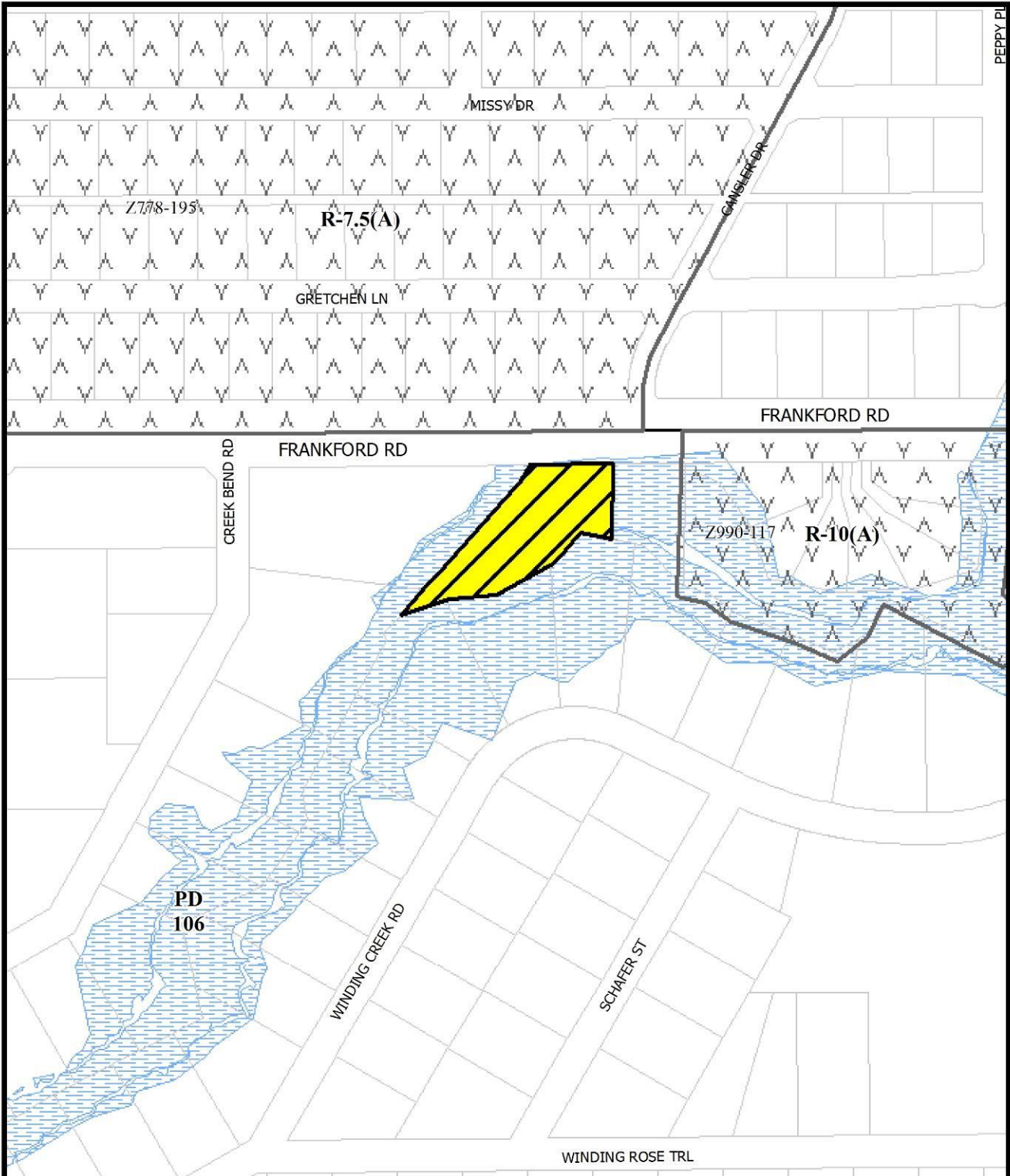
- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of

Sustainable Development and Construction Engineering Division, the Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Interim Chief Planner, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the Board.

December 6, 2019: The applicant's representative submitted a letter to the board (see Attachment A).

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

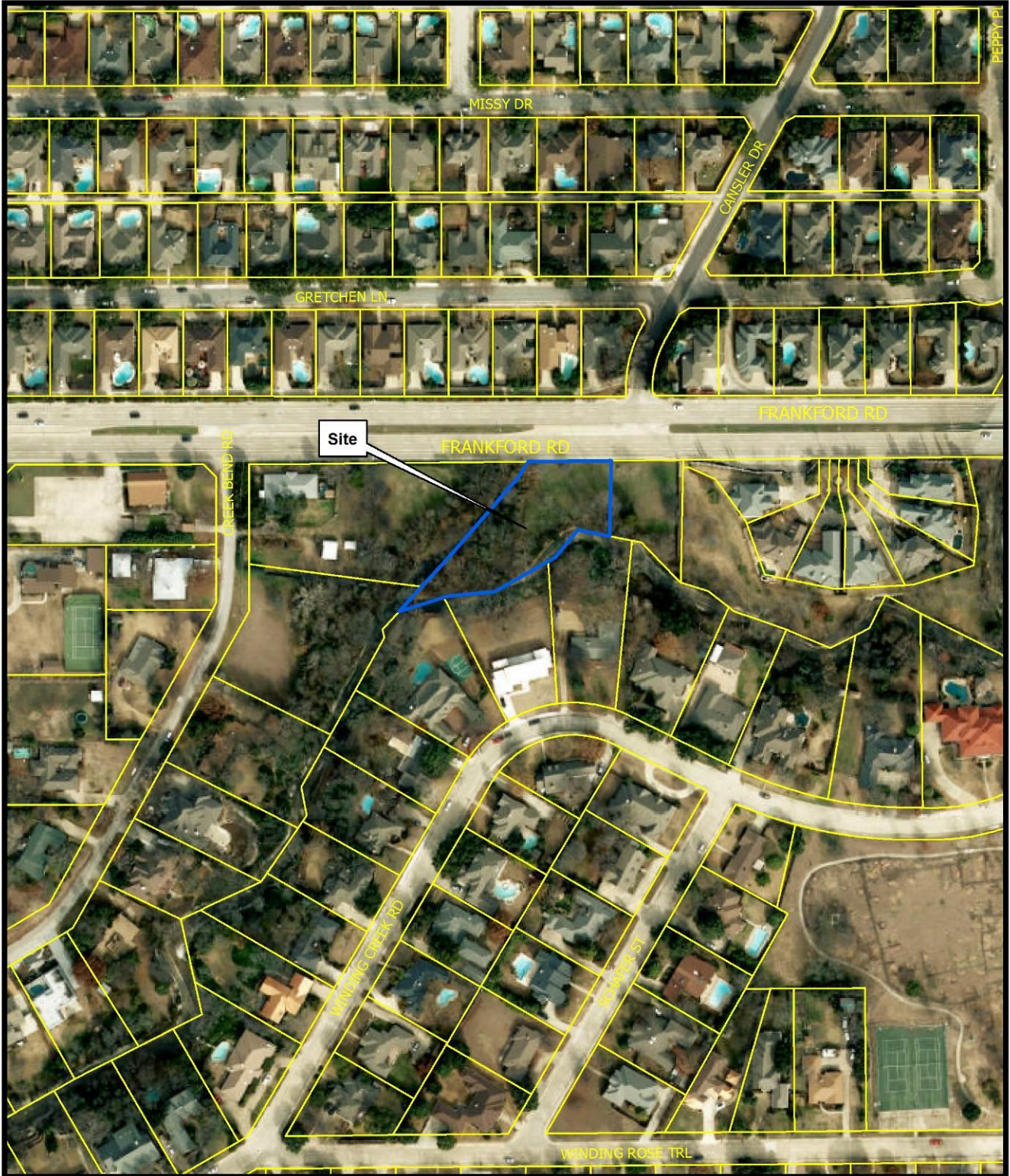


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ZONING MAP

Case no: BDA189-138

Date: 11/20/2019



1:2,400

AERIAL MAP

Case no: BDA189-138

Date: 11/20/2019

Texas Permit & Development

BDA189-138(SM)
Attachment A

December 5, 2019

To the City of Dallas Board of Adjustment Members

Re: 6608 Frankford Rd

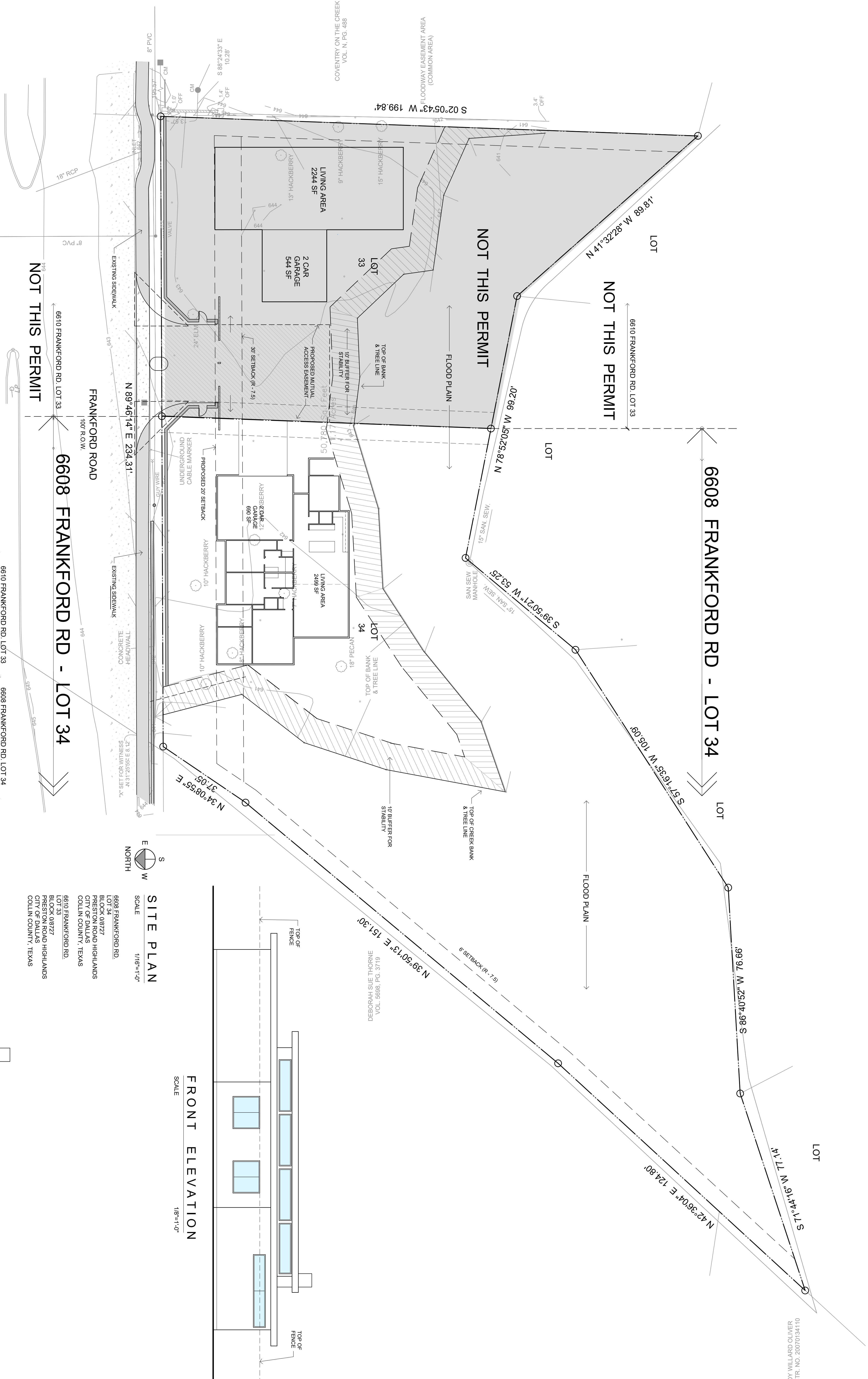
We are here before you requesting a variance to the Front Yard Setback regulations. We are requesting this variance due to a property hardship of an existing creek and flood plain that runs through the middle of our property and preventing us from building on most of the existing lot. We feel that these existing conditions on the property are preventing us from building a new Single Family Home commensurate with other existing homes in the area.

We are also requesting a special exception to fence height and fence opening size regulations. We are proposing to continue a fence that runs along Frankford Rd and abuts our property. Our proposed fence will be of the same height that currently exists on the property next to ours. The proposed fence will be a solid Gabion style fence that is more than 50% solid, thus requiring a special exception by the Board. This fence is needed for a noise barrier along Frankford Rd and for screening.

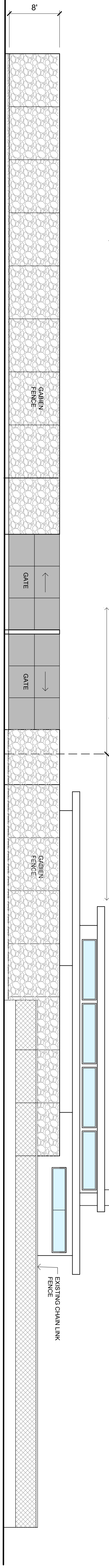
We thank you for your consideration in these matters.

Danny Sipes

Texas Permit



FENCE ELEVATION
SCALE 1/8"=1'-0"

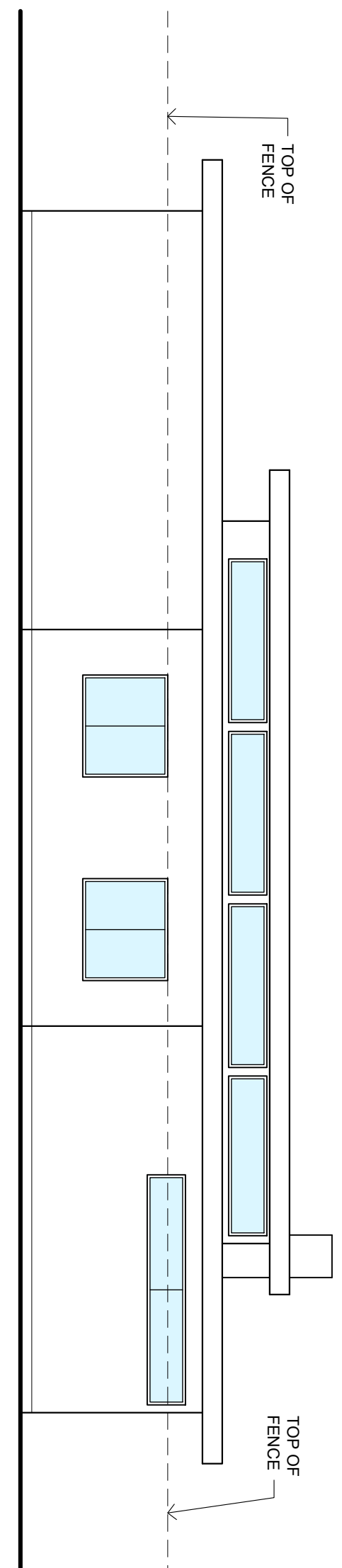


SITE PLAN
SCALE 1/16"=1'-0"

6608 FRANKFORD RD.
BLOCK 0827
PRESTON ROAD HIGHLANDS
CITY OF DALLAS
COLLIN COUNTY, TEXAS

6610 FRANKFORD RD.
LOT 33
BLOCK 0827
PRESTON ROAD HIGHLANDS
CITY OF DALLAS
COLLIN COUNTY, TEXAS

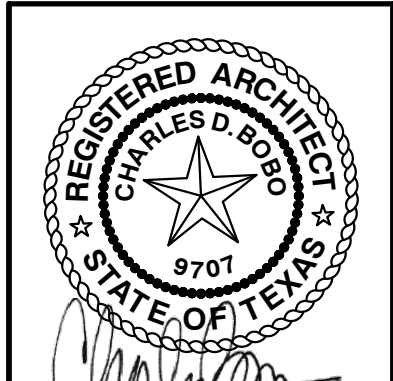
FRONT ELEVATION
SCALE 1/8"=1'-0"



REVISIONS

2 Oct. 2019	
31 Oct. 2019	

Proposed Fence & Setback for
6608 FRANKFORD ROAD
Dallas, Texas



CHARLES D. BOBO
ARCHITECT
DALLAS TEXAS
214-244-4073
c.d.bobo@tx.rr.com

THESE DRAWINGS, INCLUDING SPECIFICATIONS AND INFORMATION, ARE THE SOLE PROPERTY OF CHARLES D. BOBO, ARCHITECT. NO PART OF THESE DRAWINGS OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF CHARLES D. BOBO, ARCHITECT.

ROY WILLARD OLIVER
INSR. NO. 2007070341110



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-138

Data Relative to Subject Property:

Date: 10/2/19

Location address: 6608 FRANKFORD

Zoning District: R0106

Lot No.: 34 Block No.: 0/8227 Acreage: .769

Census Tract: 317.18

Street Frontage (in Feet): 1) 107 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): HOLZ + Stein Custom Homes LLC

Applicant: DANNY SIPES TEXAS PERMIT Telephone: 214-794-0213

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

E-mail Address: danny@txpermit.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance or Special Exception of 1) Variance of 10' to the front yard setback regulations. 2) Special exception of 4' to the fence height regulations. 3) Allow a solid gabien fence along front yard setback.

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

1) Variance of 10' to the F-Y-S-E due to existing flood plane. 2) Allow an 8' privacy/screening fence along Frankford Rd.

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.

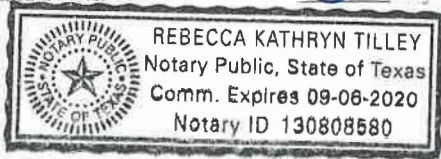
Affidavit

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 3rd day of October, 2019



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that TEXAS PERMIT & DEVELOPMENT

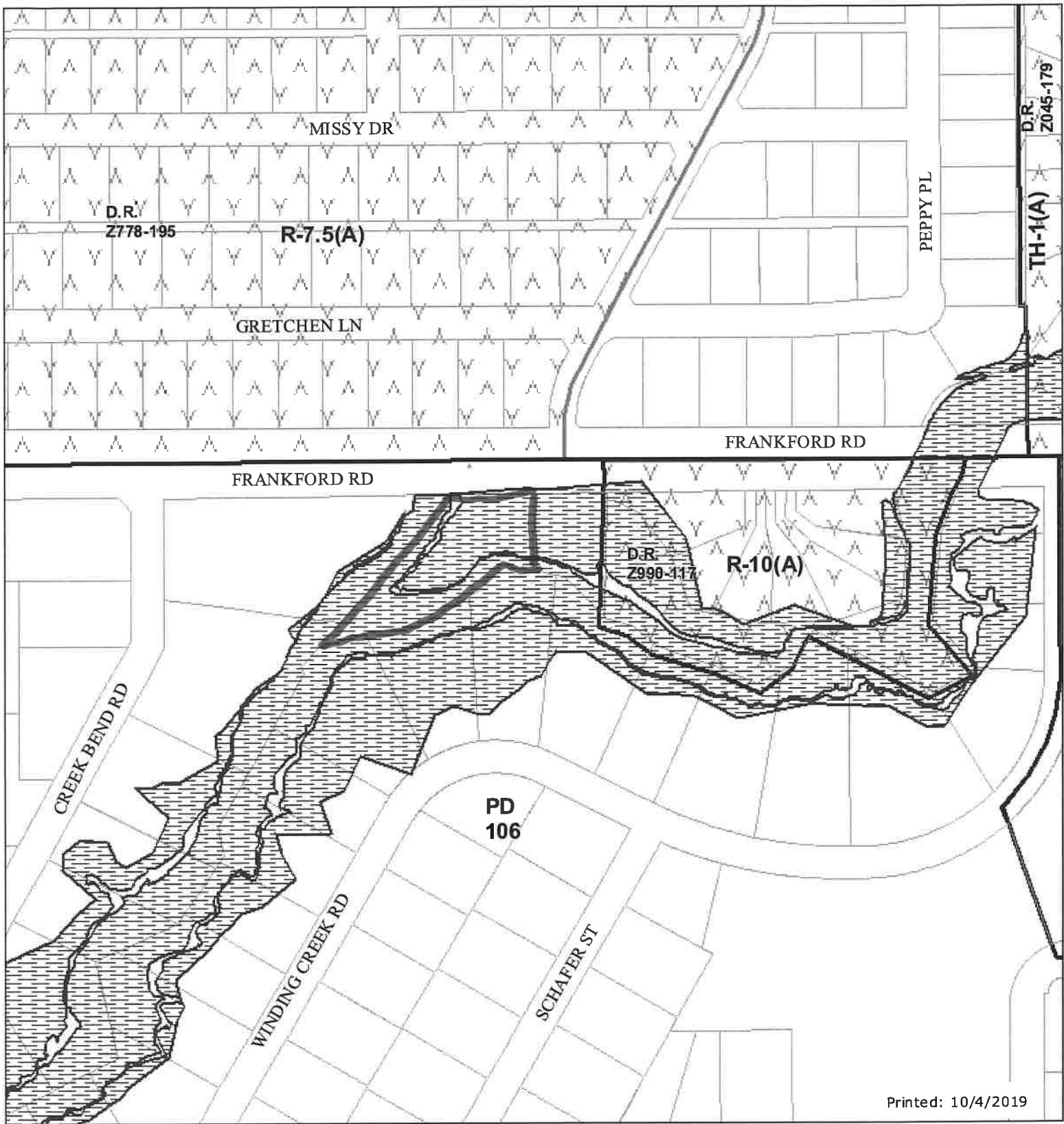
did submit a request for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations

at 6608 Frankford Road

BDA189-189-138. Application of TEXAS PERMIT & DEVELOPMENT for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 6608 FRANKFORD RD. This property is more fully described as Lot 34, Block O/8727, and is zoned PD-106, which limits the height of a fence in the front yard to 4 feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5 feet from the front lot line and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure and provide a 20 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations, and to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 10/4/2019

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | 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)





The letter 'N' indicates no information available

The number '0' indicates City of Dallas Ownership



1:2,400

NOTIFICATION

200'

AREA OF NOTIFICATION

16

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA189-138**

Date: **11/20/2019**

11/20/2019

Notification List of Property Owners

BDA189-138

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6610 FRANKFORD RD	HOLZ & STEIN CUSTOM HOMES LLC
2	7121 WINDING CREEK RD	NGUYEN JULIAN
3	7125 WINDING CREEK RD	HAMEED NAEEM
4	7129 WINDING CREEK RD	HOOTEN BRIAN &
5	7133 WINDING CREEK RD	CHERNOW ADAM B
6	7137 WINDING CREEK RD	LATIMER MARY JANE & ROBERT ALAN COOK
7	7040 CREEK BEND RD	OLIVIER ROY &
8	6604 GRETCHEN LN	ZIGLER ERICH S
9	6608 GRETCHEN LN	FISH CHERYL & STEPHEN
10	6616 GRETCHEN LN	Taxpayer at
11	6620 GRETCHEN LN	DELORD JONATHAN
12	6628 GRETCHEN LN	LABARBERA LOUIS V & SHERRY L
13	6624 GRETCHEN LN	WELLS JACK H & REBECCA
14	6600 FRANKFORD RD	Taxpayer at
15	6704 FRANKFORD RD	PROOPS KEVIN R
16		COVENTRY ON THE CREEK HOMEOWNERS ASSOC

FILE NUMBER: BDA189-139(SM)

BUILDING OFFICIAL'S REPORT: Application of Danny Sipes of Texas Permit & Development for a variance to the front yard setback regulations and for special exceptions to the fence standards regulations at 6610 Frankford Road. This property is more fully described as Lot 33, Block O/8727, and is zoned PD No. 106, which requires a front yard setback of 30 feet, limits the height of a fence in the front yard to four feet, and prohibits a fence panel with a surface area that is less than 50 percent open when located less than five feet from the front lot line. The applicant proposes to construct a structure and provide a 20-foot front yard setback, which will require a 10-foot variance to the front yard setback regulations; to construct an eight-foot high fence in a required front yard, which will require a four-foot special exception to the fence standards regulations; and to construct fence panels with a surface area less than 50 percent open located less than five feet from the front lot line, which will require a special exception to the fence standards regulations.

LOCATION: 6610 Frankford Road

APPLICANT: Danny Sipes of Texas Permit & Development

REQUESTS:

The following requests have been made on an undeveloped site that is proposed to be developed with a single family home:

1. A request for a variance to the front yard setback regulations of 10 feet to construct a structure in the 30-foot front yard setback: the front of a single family home that would be located as close as 20 feet from the site's front property line or as much as 10 feet into the 30-foot front yard setback.
2. A request for a special exception to the fence standards regulations related to the fence height of four feet to construct an eight-foot high fence with an eight-foot high, 31-foot wide vehicular gate and two three-foot wide pedestrian gates in the site's front yard setback.
3. A request for a special exception to the fence standards regulations related to fence panels having less than 50 percent open surface area when located less than five feet from the front lot line to construct a gabion fence within five feet of the front property line.

Note: A similar application was filed for the abutting property to the east (BDA189-138) and will be considered by Panel C on December 16, 2019.

STANDARD FOR A VARIANCE:

Section 51(A)-3.102(d)(10) of the Dallas Development Code specifies that the board has the power to grant variances from the front yard, side yard, rear yard, lot width, lot

depth, lot coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS REGULATIONS:

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

STAFF RECOMMENDATION (variance):

Denial

Rationale:

- Staff concluded that the request should be denied because the applicant had not provided documentation to address the following components of the variance standard prior to the deadline for the December 3rd staff review team meeting:
 1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope (in this case, a site that, while sloped, irregularly shaped, and contains a creek bed that runs along the north property line, is significantly larger at approximately 15,647 square feet in area than other lots zoned PDD No. 106), that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning (the applicant provided no information related to this); and
 2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

STAFF RECOMMENDATION (fence special exceptions):

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

BACKGROUND INFORMATION:

Zoning:

Site: Planned Development District No. 106
North: R-7.5(A) (Single Family District) with Deed Restriction No. Z778-195
East: Planned Development District No. 106
South: Planned Development District No. 106
West: Planned Development District No. 106

Land Use:

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

Zoning/BDA History:

There has been one recent related board recorded in the vicinity of the subject site within the past five years.

1. **BDA189-138** On December 16, 2019, the Board of Adjustment Panel C will consider requests for a variance to the front yard setback regulations and special exceptions to the fence standards regulations at 6608 Frankford Road (one lot west of the subject site). The case report states that the requests have been made on a site being developed with a single family home for 1) a variance to the front yard setback regulations of 10 feet is made to construct a structure in the 30-foot front yard setback 2) a special exception to the fence standards regulations related to the fence height of four feet to construct an eight-foot high fence in the site's front yard setback; and 3) a special exception to the fence standards regulations related to fence panels having less than 50 percent open surface area when located less than five feet from the front lot line is made to construct a gabion fence within five feet of the front property line.

GENERAL FACTS /STAFF ANALYSIS (variance):

The purpose of this request for a variance to the front yard setback regulations of up to 10 feet is to construct a 2,455-square-foot single family home in the front yard setback on undeveloped land that would be located as close as 20 feet from the site's front property line or as much as 10 feet into the 30-foot front yard setback. The site is located on the south line of Frankford Road, east of Creek Bend Road. The site has one 30-foot front yard setback, two six-foot side yard setbacks, and one six-foot rear yard setback. The irregularly shaped subject site is sloped and contains a creek bed that runs along the north property line. The subject site is also approximately 15,647 square

feet in area. The site is zoned PDD No. 106 where lots must be a minimum of 10,000 square feet in area.

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 PDD No. 106 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 PDD No. 106 zoning classification.

If the board were to grant the variance request, and impose the submitted site plan as a condition, the structures in the front yard setback would be limited to what is shown on this document – which, in this case, is a structure that is located as close as 20 feet from the site’s front property line (or 10 feet into the 30-foot front yard setback).

GENERAL FACTS/STAFF ANALYSIS (fence special exceptions):

The requests for special exceptions to the fence standards regulations related to fence height and prohibited materials on a site being developed with a single-family home focus on:

1. constructing an eight-foot high fence with an eight-foot high, 31-foot wide vehicular gate, and two three-foot wide pedestrian gates in the site’s front yard setback;
2. constructing a gabion fence less than five feet from the front lot line on the property.

The Dallas Development Code states

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

The property is located at the south line of Frankford Road, east of Creek Bend Road. The site has one 30-foot front yard setback, two six-foot side yard setbacks, and one six-foot rear yard setback. The applicant has submitted a site plan and elevation of the fence proposal. The site plan and elevation represent a fence that is over four-feet in height in the front yard setback (approximately 108 linear feet of an eight-foot high gabion fence that is proposed approximately one foot from the property line with a 31-

foot wide vehicular gate about 22 feet from the front property line or about 31 feet from the Frankford Road pavement line) with two three-foot wide pedestrian gates about 14 feet from the front property line or about 24 feet from the Frankford Road pavement line.

The Interim Board of Adjustment Chief Planner/Board Administrator conducted a field visit of the site and the surrounding area and noted the properties to the northeast and east had fences above four feet in height with fence panels with surface area that is less than 50 percent open. Additionally, the properties directly across Frankford Road to the north were separated by an alley; therefore, those properties are not restricted to the fence standards of the subject site. Finally, the property to the west of the site, across the creek, had a four-foot fence with surface area that is less than 50 percent open and a screening hedge which exceeded four feet in height.

As of December 6, 2019, no letters had been submitted in support of or in opposition to the requests for special exceptions to the fence standards regulations. The applicant has the burden of proof in establishing that the special exceptions to the fence standards regulations related to height and prohibited materials the site will not adversely affect neighboring property.

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

Timeline:

October 2, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

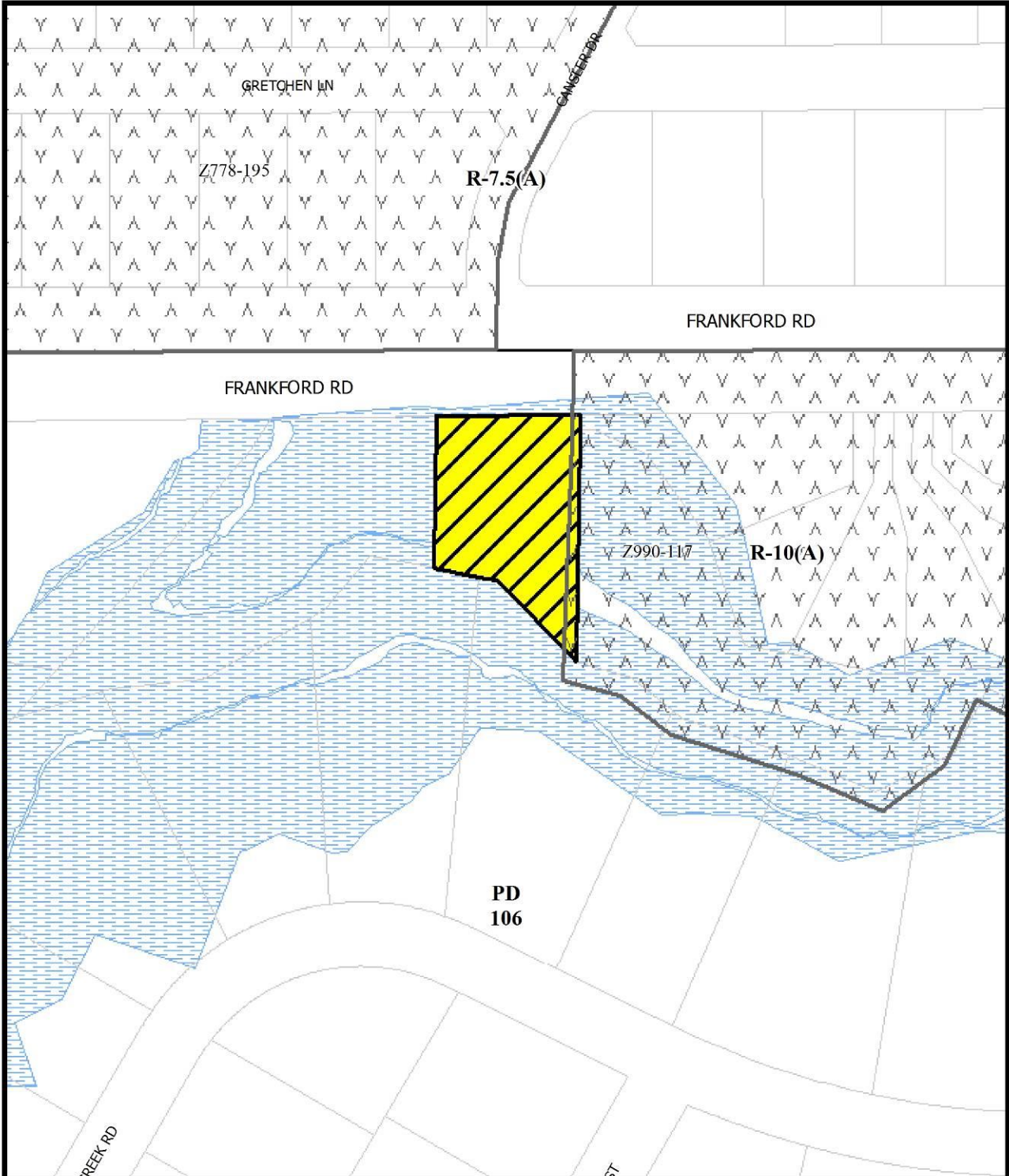
November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of Sustainable Development and Construction Engineering Division, the Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Interim Chief Planner, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the board.

December 6, 2019: The applicant's representative submitted a letter to the board (see Attachment A).

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

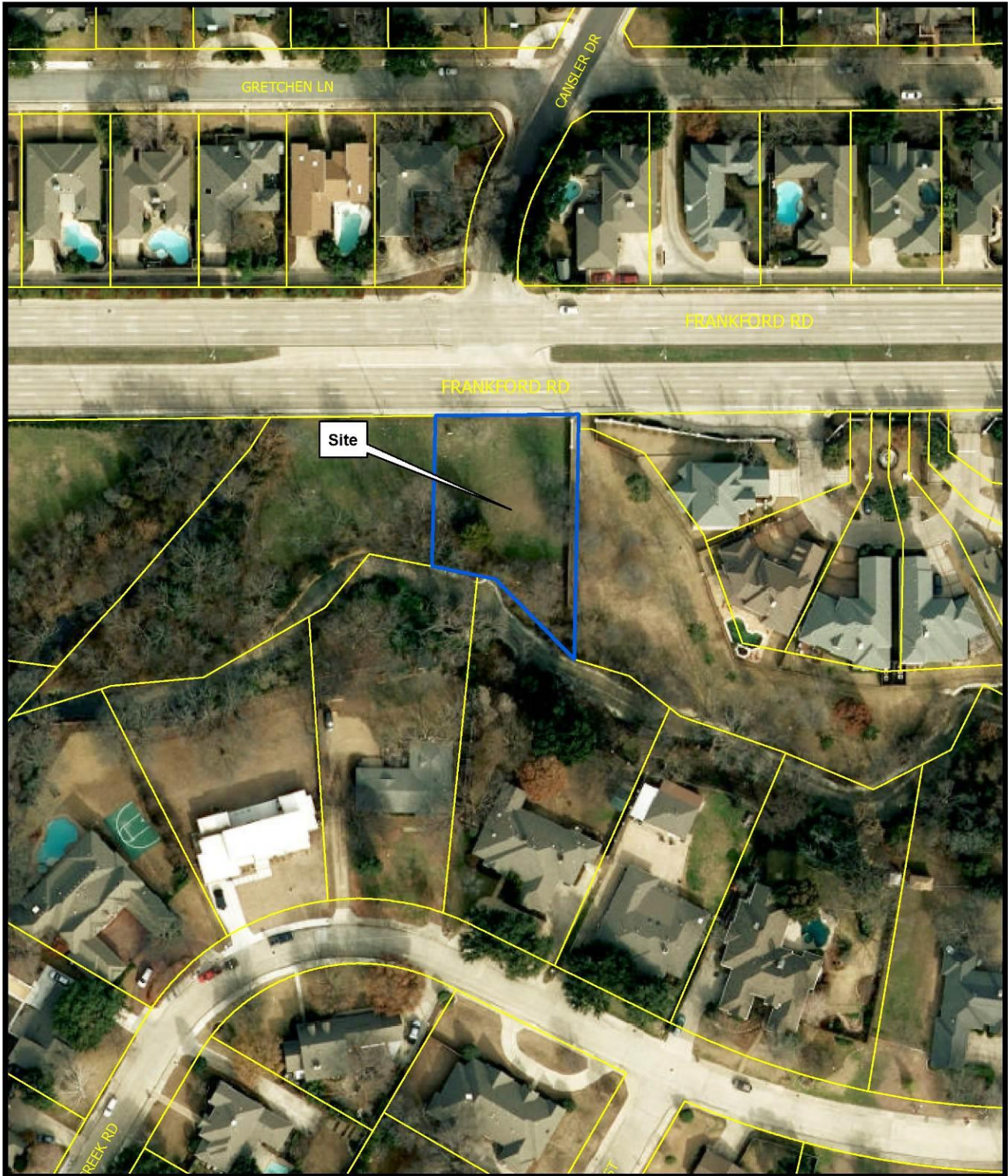


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ZONING MAP

Case no: BDA189-139

Date: 11/20/2019



1:1,200

AERIAL MAP

Case no: BDA189-139

Date: 11/20/2019

Texas Permit & Development

BDA189-139(SM)
Attachment A

December 5, 2019

To the City of Dallas Board of Adjustment Members

Re: 6610 Frankford Rd

We are here before you requesting a variance to the Front Yard Setback regulations. We are requesting this variance due to a property hardship of an existing creek and flood plain that runs through the middle of our property and preventing us from building on most of the existing lot. We feel that these existing conditions on the property are preventing us from building a new Single Family Home commensurate with other existing homes in the area.

We are also requesting a special exception to fence height and fence opening size regulations. We are proposing to continue a fence that runs along Frankford Rd and abuts our property. Our proposed fence will be of the same height that currently exists on the property next to ours. The proposed fence will be a solid Gabion style fence that is more than 50% solid, thus requiring a special exception by the Board. This fence is needed for a noise barrier along Frankford Rd and for screening.

We thank you for your consideration in these matters.

Danny Sipes

Texas Permit



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-139

Data Relative to Subject Property:

Date: 10/2/19

Location address: 6610 Frankford Rd Zoning District: PO106

Lot No.: 33 Block No.: 018727 Acreage: .1359 Census Tract: 317.18

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Holz & Stein Custom Homes LLC.

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

Mailing Address: P.O. Box 3293 Forney TX Zip Code: 75126

E-mail Address: danny@txpermit.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception , of 1) VARIANCE OF 10' to the Front YARD Setback Regulations 2) SPECIAL EXCEPTION OF 4' to the Fence height Regulations. 3) ALLOW a SOLID GABRIEN FENCE along Front YARD Setback

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

1) VARIANCE OF 10' to the F-Y-S-R due to Existing Floor Plate, 2) to ALLOW for an 8' PRIVACY / SCREENING FENCE along FRANKFORD RD.

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

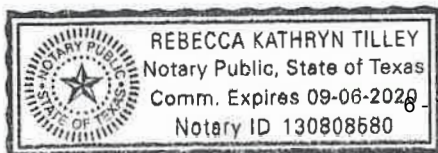
Before me the undersigned on this day personally appeared DANNY SIPOS
(Affiant/Applicant's name printed)

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 3rd day of October, 2019

(Rev. 08-01-11)



Rebecca Kathryn Tilley
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 & DEVELOPMENT

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

at 6610 Frankford Road

BDA189-139. Application of TEXAS PERMIT & DEVELOPMENT for a variance to the front yard setback regulations, and for a special exception to the fence height regulations, and for a special exception to the fence standards regulations at 6610 FRANKFORD RD. This property is more fully described as Lot 33, Block O/8727, and is zoned PD-106, which limits the height of a fence in the front yard to 4 feet and requires a fence panel with a surface area that is less than 50 percent open may not be located less than 5 feet from the front lot line and requires a front yard setback of 30 feet. The applicant proposes to construct a single family residential structure and provide a 20 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations, and to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulations, and to construct a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than 5 feet from the front lot line, which will require a special exception to the fence regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 10/4/2019

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Law | CP | NGO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO Overlay |
| Peak's Branch | SPSPD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | 6-13 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)



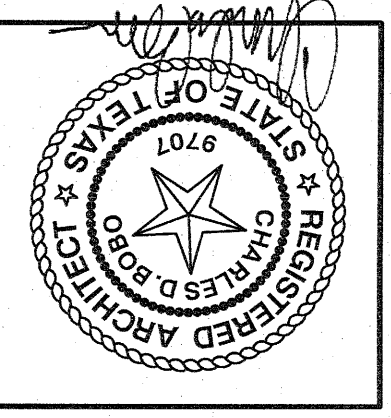


INDICATES
TRUE N

87.

THESE DRAWINGS, INCLUDING SPECIFICATIONS AND NOTES, ARE THE SOLE PROPERTY OF CHARLES D. BOBO ARCHITECT. THEY ARE FOR USE ON THIS PROJECT ONLY AND NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CHARLES D. BOBO ARCHITECT.

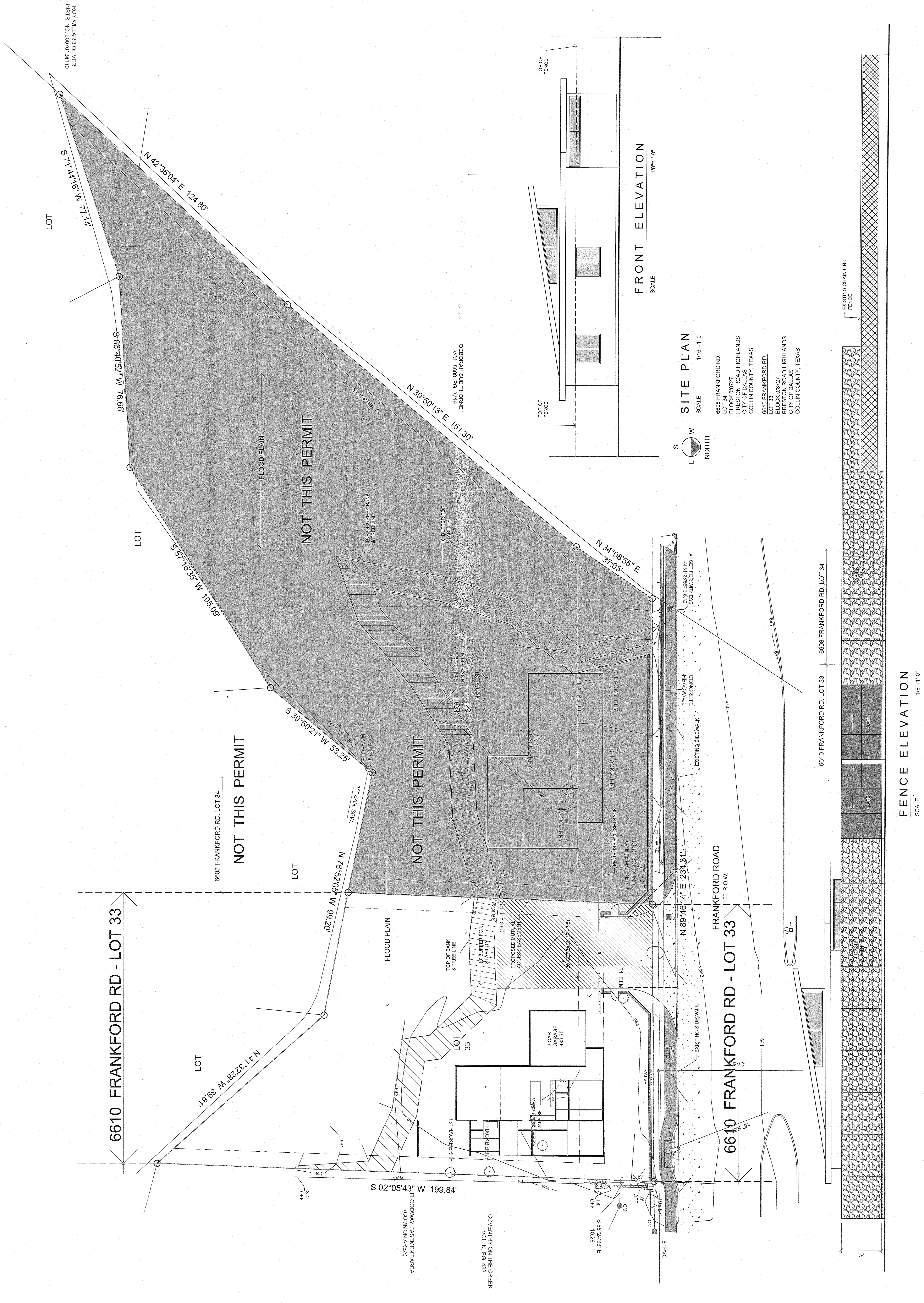
CHARLES D. BOBO
 ARCHITECT
 DALLAS TEXAS
 214-244-4073
 c.d.bobo@tx.rr.com

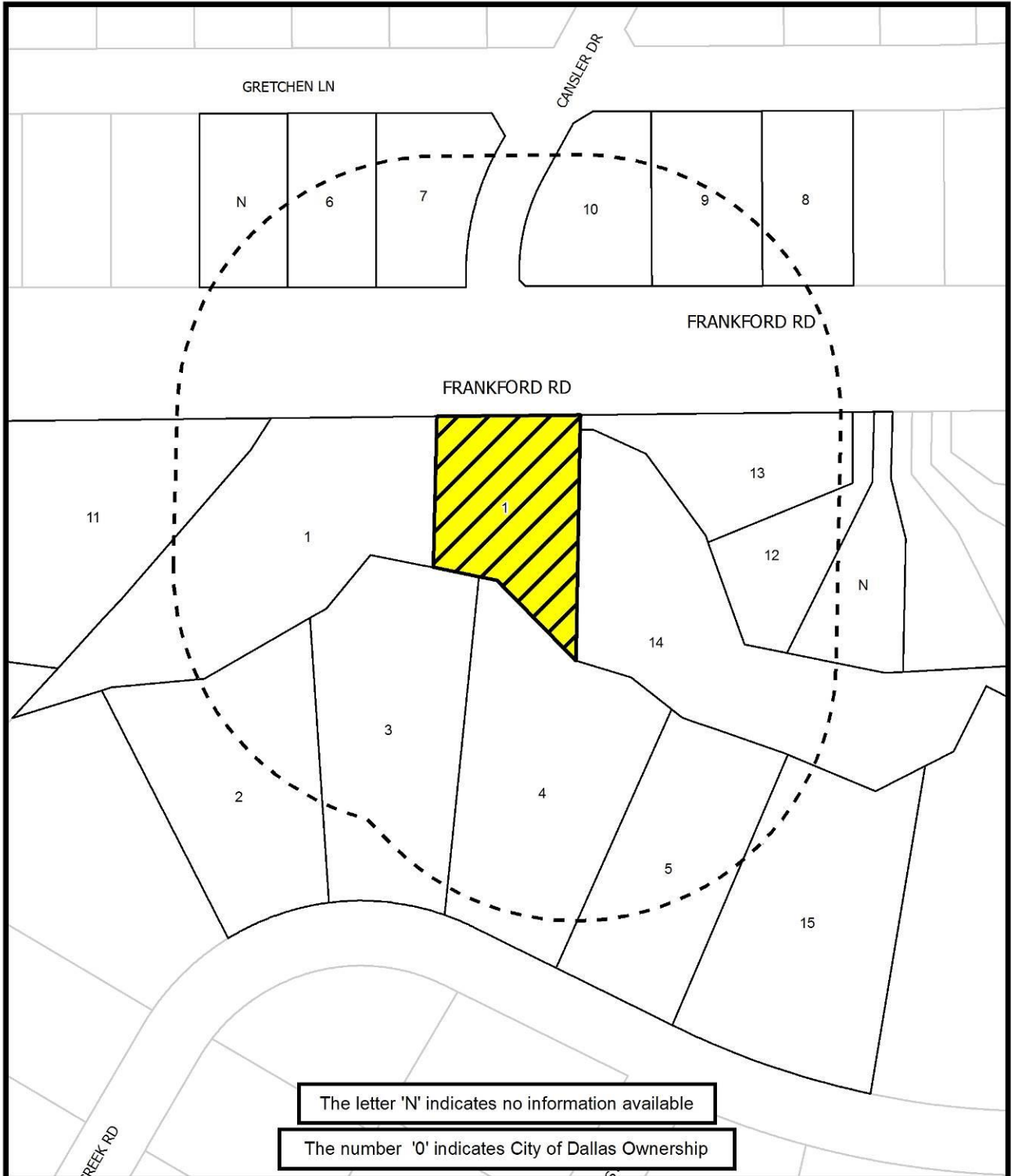



Proposed Fence & Setback for
6610 FRANKFORD ROAD
 Dallas, Texas

REVISIONS
2 Oct. 2019
31 Oct. 2019

JOB NO. _____
 DATE: 26 August 2019
 SHEET NO. **A-1**
 OF 1






 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
15 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA189-139**

Date: **11/20/2019**

11/20/2019

Notification List of Property Owners

BDA189-139

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6610 FRANKFORD RD	HOLZ & STEIN CUSTOM HOMES LLC
2	7129 WINDING CREEK RD	HOOTEN BRIAN &
3	7133 WINDING CREEK RD	CHERNOW ADAM B
4	7137 WINDING CREEK RD	LATIMER MARY JANE & ROBERT ALAN COOK
5	7141 WINDING CREEK RD	DAHAN SEAN
6	6616 GRETCHEN LN	Taxpayer at
7	6620 GRETCHEN LN	DELORD JONATHAN
8	6632 GRETCHEN LN	SAMUELS ALAN &
9	6628 GRETCHEN LN	LABARBERA LOUIS V & SHERRY L
10	6624 GRETCHEN LN	WELLS JACK H & REBECCA
11	6600 FRANKFORD RD	Taxpayer at
12	6708 FRANKFORD RD	BRUCK GLENN T &
13	6704 FRANKFORD RD	PROOPS KEVIN R
14		COVENTRY ON THE CREEK HOMEOWNERS ASSOC
15	7201 WINDING CREEK RD	STACK PETER S & SHARLA G

FILE NUMBER: BDA189-141(OA)

BUILDING OFFICIAL'S REPORT: Application of John Craig for a special exception to the fence standards regulations at 4610 Catina Lane. This property is more fully described as Lot 1, Block C/5534, and is zoned R-1ac(A), which limits the height of a fence in the front yard to four feet. The applicant proposes to construct and/or maintain a seven-foot seven-inch high fence in a required front yard, which will require a three-foot seven-inch special exception to the fence standards regulations.

LOCATION: 4610 Catina Lane

APPLICANT: John Craig

REQUESTS:

A request for a special exception to the fence height regulations of three feet seven inches is made to construct a fence with a maximum height of seven feet seven inches in the required 40-foot front yard on Catina Lane on a site being developed with a single-family home.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:

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

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

1. BDA112-039, Property located at 10747 Lennox Lane (the lot at the north corner of Catina Lane and Lennox Lane) On November 14, 2018, the Board of Adjustment Panel B granted a request for a special exception to the fence height regulations of 2' and imposed the submitted site plan and elevation as a condition. The case report stated that the request was made in conjunction with constructing and maintain 6' high cast stone fences higher than 4' in height in the site's Lennox Lane and Catina Lane front yard setbacks on a site developed with a single-family home.
2. BDA112-039, Property located at 10757 Lennox Lane (the lot at the South corner of Royal Lane and Lennox Lane) On May 14, 2012, the Board of Adjustment Panel C granted a request for a special exception to the fence height regulations of 3' and imposed the submitted site plan and elevation as a condition. The case report stated that the request was made in conjunction with constructing and maintaining a solid stucco wall ranging in height from 6' 4" – 6' 8" (given grade changes on the property) with 7' high stucco columns in the site's Royal Lane 40' front yard setback on a site that is developed with a single-family home.
3. BDA112-039, Property located at 10757 Lennox Lane (the lot at the South corner of Royal Lane and Lennox Lane) On October 19, 1998, the Board of Adjustment Panel C denied requests for special exceptions to the fence height and visual obstruction regulations without prejudice. The case report stated that the requests were made to construct and maintain an 8' high solid masonry wall in the front yard setback and in the 45' visibility triangle at Royal Lane and Lennox Lane.
4. BDA 045-172, Property at 4610 Royal Lane (two lots north of the subject site) On May 18, 2005, the Board of Adjustment Panel B granted a request for a special exception to the fence height regulations of 7' imposing the following condition: Compliance with the newly submitted "Preliminary Concept Plan/Site Plan and Elevation" dated May 18, 2005, is required. The case report stated that the request was made in conjunction with constructing a wall in the 40' Royal Lane front yard setback on a site developed with a single-family home.

GENERAL FACTS/STAFF ANALYSIS:

The purpose of this request for a special exception to the fence height standards is to construct a fence with a maximum height of seven feet seven inches within the required 40-foot front yard setback on Catina Lane. A solid fence with a maximum height of nine feet is allowed along Welch Road when located farther than 40 feet from the front lot line of Catina Lane without board approval and therefore is not part of this request.

The majority of the fence proposed in the front yard on Catina Lane is proposed to be located approximately at the front property line or approximately 12 feet from the pavement line and six-and-a-half feet high and constructed with a combination of forge steel and stone fence materials with seven-foot high stone columns between the fence panels. The applicant also proposes three sets of swinging gates which include an eight-foot wide decorative forge steel swinging pedestrian gate and two 15-foot wide seven-foot seven-inch high forge steel swinging vehicular gates in the site's required front yard. There is also a six-and-a-half-foot high stone fence with seven-foot high stone columns in the site's east property line within the front yard. The site is being developed with a single-family home.

Section 51A-4.602(a) (2) of the Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard. The subject site is zoned R-1ac(A) which requires a 40-foot front yard setback.

The Sustainable Development and Construction Department Board of Adjustment Senior Planner conducted a field visit of the site and surrounding area and noted several other fences along Catina Lane and Lennox Lane located in front yard setback appeared to be above four feet in height along Catina Lane and Lennox Lane located in the front yard setback, some of which have recorded BDA history (see the Zoning/BDA History section of this case report for details).

As of December 6, 2019, seven letters have been received in opposition to the request, and three letters have been received in support.

The applicant has the burden of proof in establishing that the special exceptions to the fence standards related to height regulation of three feet seven inches will not adversely affect neighboring property.

Granting these special exceptions with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding four feet in height in the front yard setback to be constructed in the location and heights as shown on these documents.

Timeline:

October 4, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

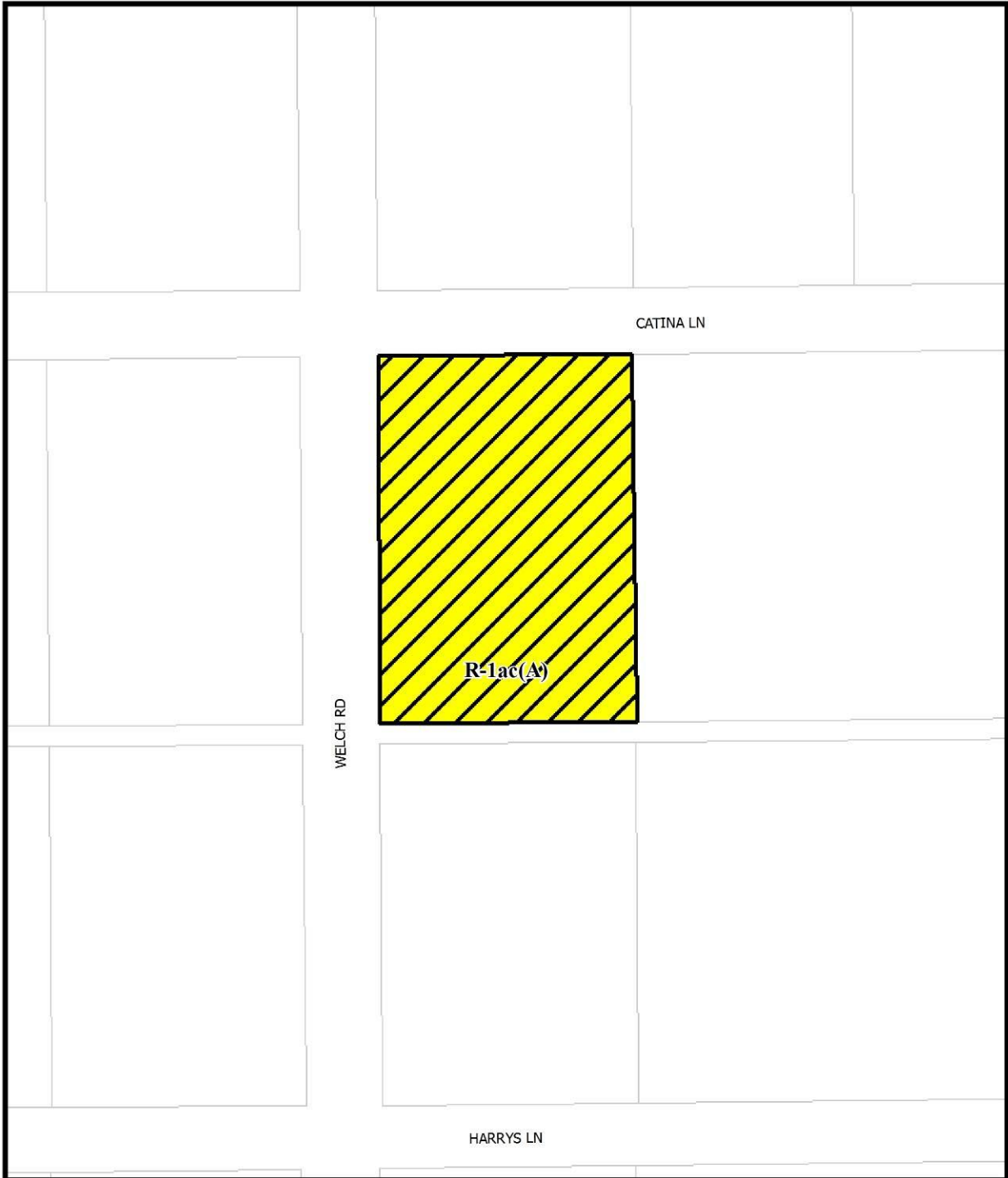
November 11, 2019: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Board of Adjustment Senior Planner emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the interim Board of Adjustment Chief Planner/Board Administrator, the Chief Arborist, the Sustainable Development and Construction Senior Engineer, the Board of Adjustment Senior Planner the Building Inspection Senior Plans Examiner/Development Code Specialist, and the Assistant City Attorney to the board..

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

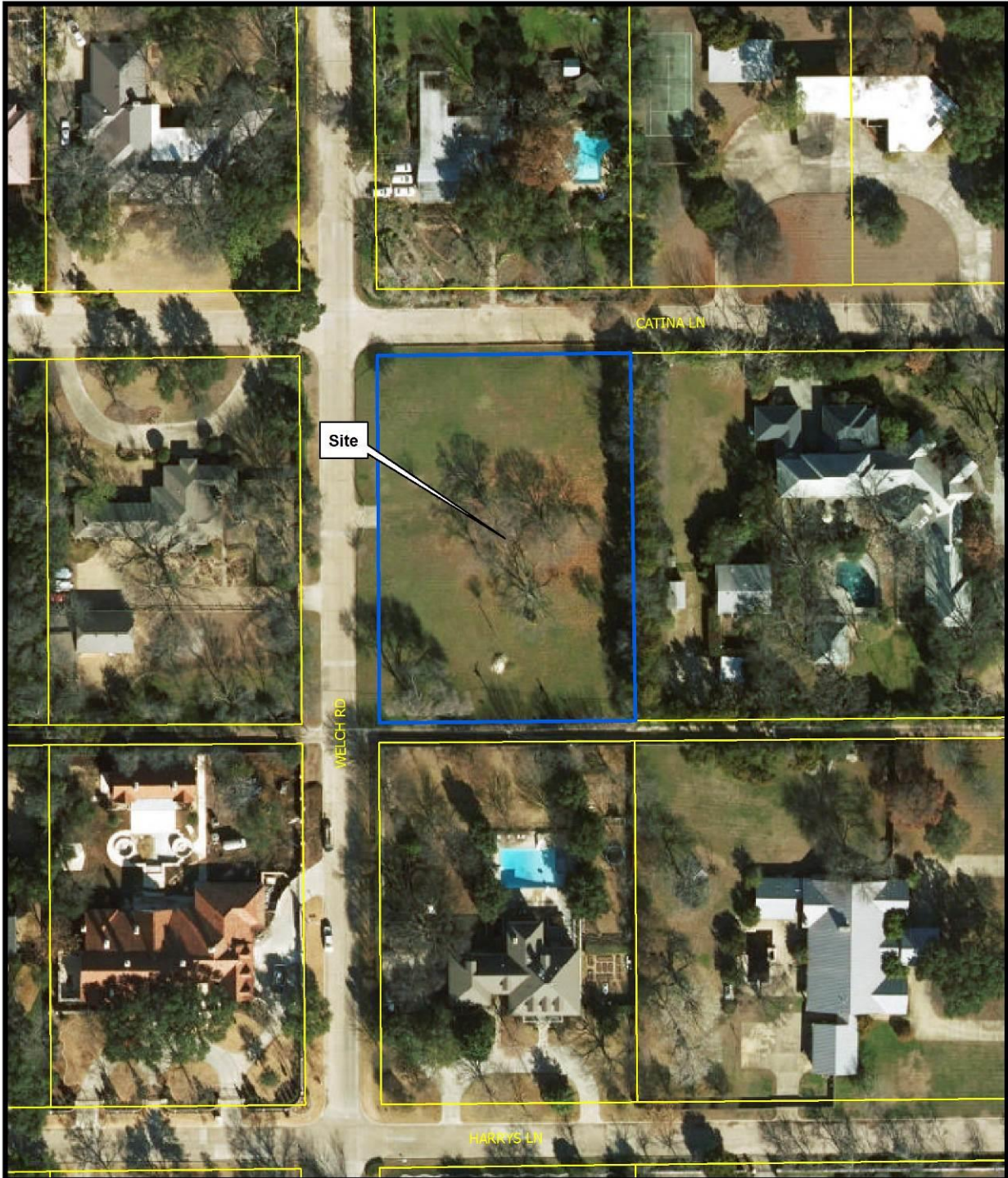


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ZONING MAP

Case no: BDA189-141

Date: 11/21/2019



1:1,200

AERIAL MAP

Case no: BDA189-141

Date: 11/21/2019



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-141

Date: 10-4-19

Data Relative to Subject Property:

Location address: 4610 Catina Ln Zoning District: R-1AC(A)

Lot No.: 1 Block No.: C/5543 Acreage: 1.259 Census Tract: 76.01

Street Frontage (in Feet): 1) 196 2) 280 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Kreunen 2012 Revocable Trust

Applicant: John Craig Telephone:

Mailing Address: 6022 Azalea Ln Zip Code: 75230

E-mail Address: J-ColbyCraig@yahoo.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance, or Special Exception of Fence standards for front yard height and openness 3' to the required 4' fence height for 7' tall fence in front yard

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

Privacy and security

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 John Colby Craig (Affiant/Applicant's name printed)

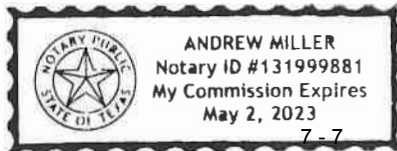
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 30th day of September, 2014

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

(Rev. 08-01-11)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that John Craig

did submit a request for a special exception to the fence height regulations
at 4610 Catina Lane

BDA189-141. Application of John Craig for a special exception to the fence height regulations at 4610 CATINA LN. This property is more fully described as Lot 1, Block C/5534, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 7 foot 7 inch high fence in a required front yard, which will require a 3 foot 7 inch special exception to the fence regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



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 | SPD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | Shaded 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)





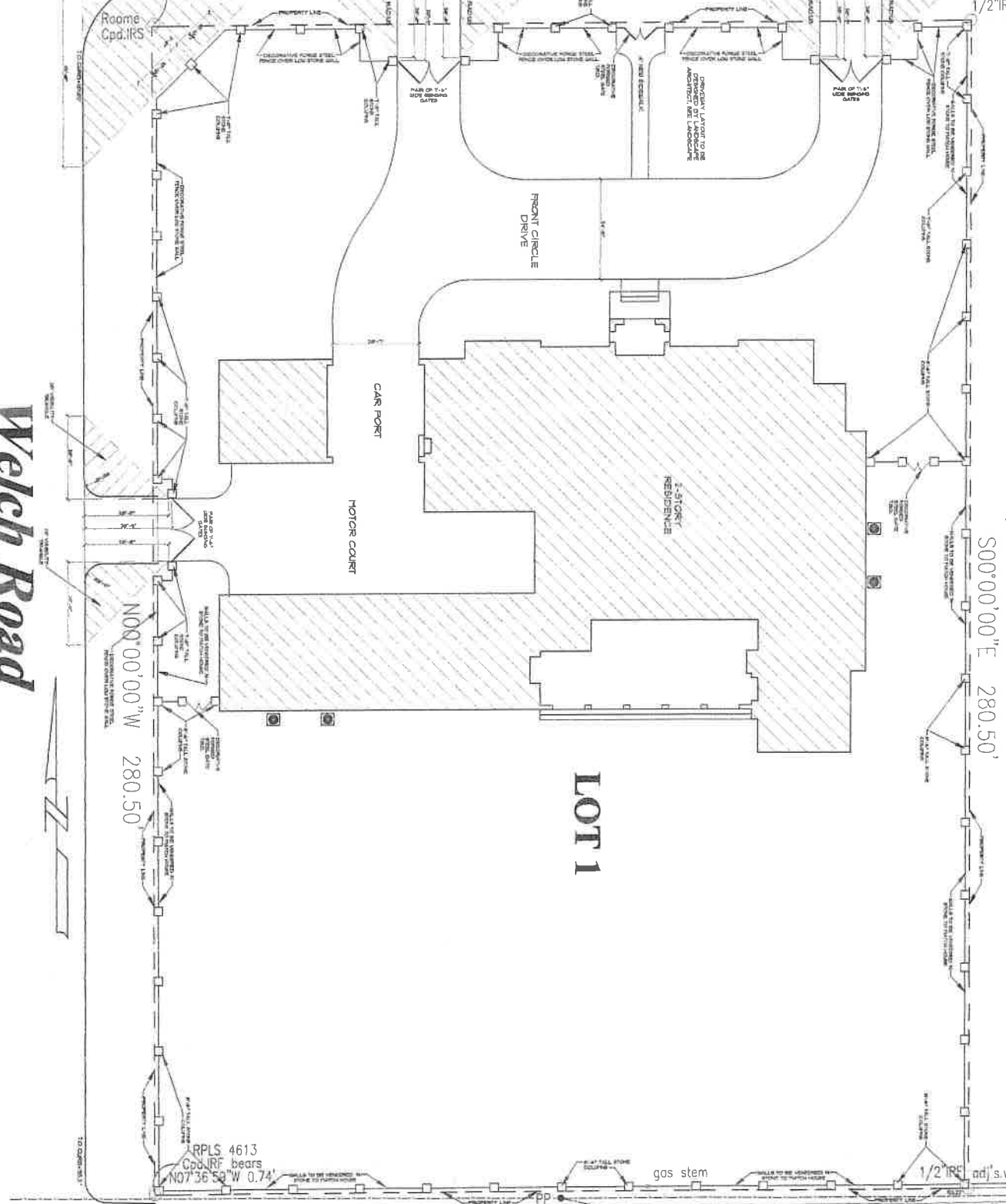


Catina Lane

RPLS 4613
Cpd. IRF bears
N36°02'45"E 0.73'

N89°49'00"E 196.00'

1/2" IRF (CM)



S00°00'00"E 280.50'

N00°00'00"W 280.50'

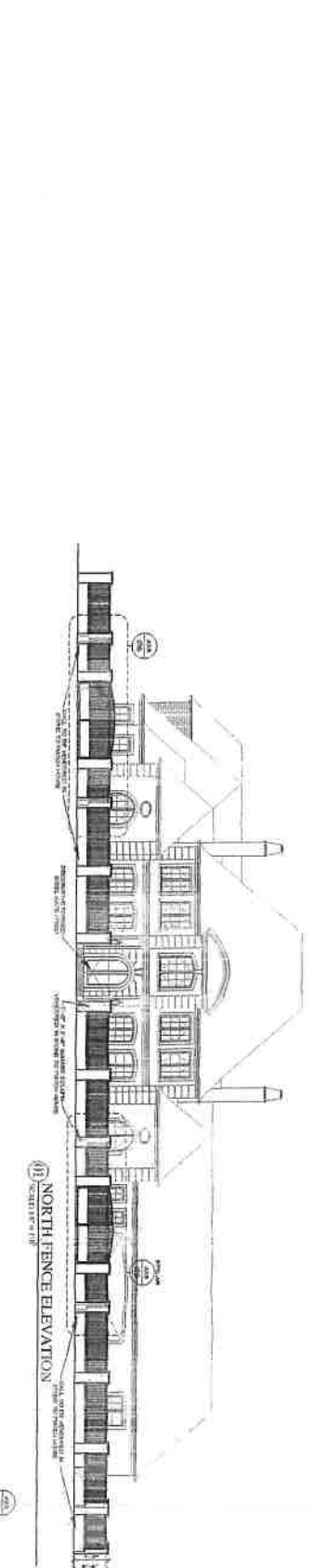
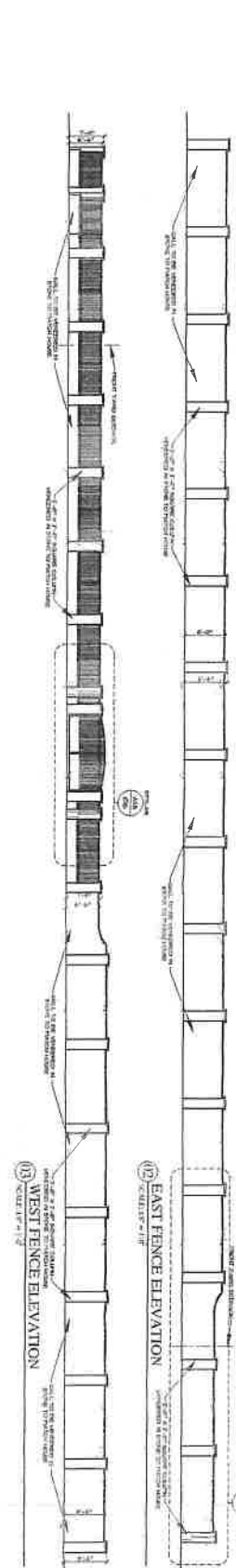
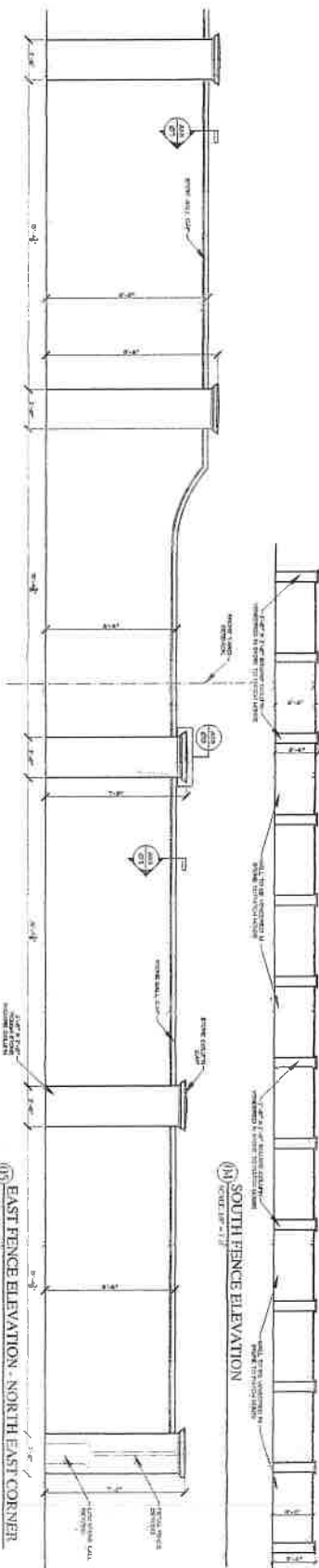
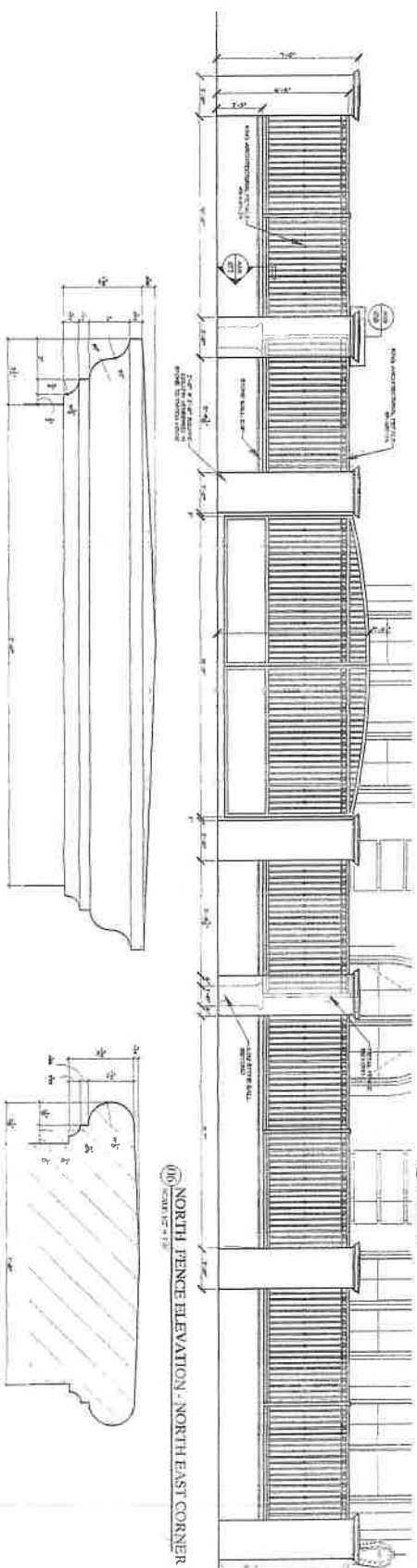
S89°49'00"W 196.00'

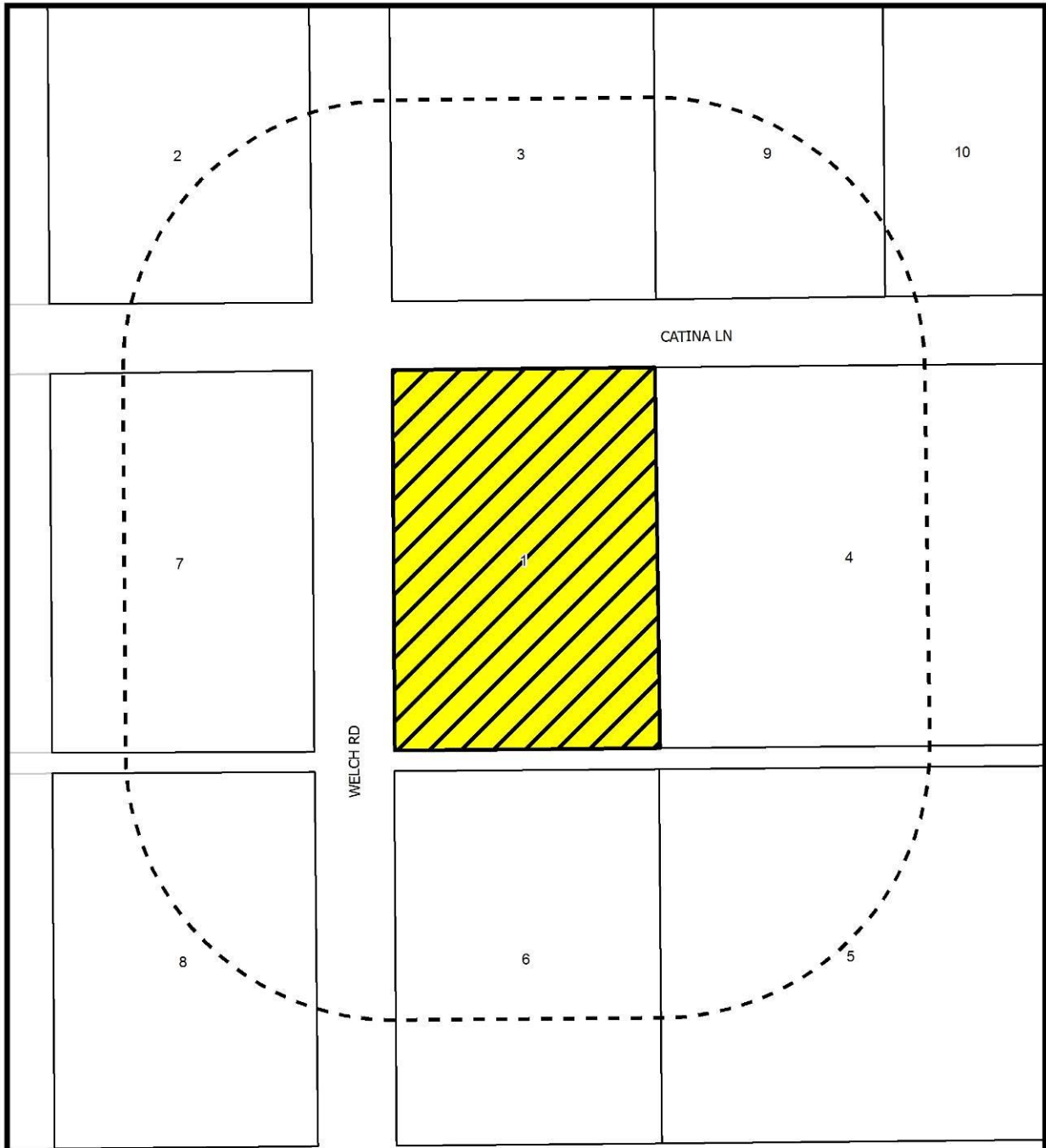
Gravel Alley



Welch Road

10 SITE PLAN - FENCE LAYOUT





The number '0' indicates City of Dallas Ownership

 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <p> <input type="text" value="200'"/> AREA OF NOTIFICATION <input type="text" value="10"/> NUMBER OF PROPERTY OWNERS NOTIFIED </p>	<p>Case no: <u>BDA189-141</u></p> <p>Date: <u>11/21/2019</u></p>
--	---	--

11/21/2019

Notification List of Property Owners

BDA189-141

10 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4610 CATINA LN	KREUNEN 2012 REVOCABLE TRUST
2	4555 CATINA LN	FARROW EDWIN M
3	4609 CATINA LN	LAM SAMUEL M
4	10645 LENNOX LN	MMM FAMILY TRUST
5	10625 LENNOX LN	DAY ROBERT C &
6	4609 HARRYS LN	GOLDSTEIN ROBERT &
7	4562 CATINA LN	MEDITZ RICHARD A
8	4555 HARRYS LN	WILSON DALE R & TIFFANY SIMAYS
9	4651 CATINA LN	THOMSON NEIL HAMILTON &
10	10747 LENNOX LN	SAXTON KELLY & VICKY

FILE NUMBER: BDA189-142(SM)

BUILDING OFFICIAL'S REPORT: Application of Nicolas Jaramillo for a variance to the front yard setback regulations at 704 Kessler Lake Drive. This property is more fully described as Lot 7, Block 4795, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct and/or maintain a structure and provide a 16-foot front yard setback, which will require a nine-foot variance to the front yard setback regulations.

LOCATION: 704 Kessler Lake Drive

APPLICANT: Nicolas Jaramillo

REQUEST:

A request for a variance to the front yard setback regulations of nine feet is made to construct a covered porch for single family home structure located 16 feet from the site's front property line on Kessler Lake Drive or nine feet into the 25-foot front yard setback on Kessler Lake Drive.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

Staff concluded that while granting this variance request for a single family structure to encroach nine feet into a 25-foot front yard setback would not appear to be contrary to public interest, the request should be denied because the applicant had not provided documentation to the other components of the variance standard prior to the deadline for the December 3rd staff review team meeting:

1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope (in this case, the subject site is rectangular in shape, and is 18,235square feet in area, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning district (the applicant provided no information related to this); and
2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS:

The purpose of this request for variance to the front yard setback regulations of nine feet is to construct a covered porch for an existing two-story, 4,533-square-foot single family structure. The proposed encroachments are located 16 feet from the site's front property line or nine feet into the 25-foot front yard setback on Kessler Lake Drive. Although the subject site is rectangular in shape and has a lot size of 18,235 square feet in area, according to the application, it has two front yard setbacks and a floodway and utility easements that encumber approximately 90 percent of the lot.

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 these documents which in this case is a porch and porch cover for single family home structure nine feet into the 25-foot front yard setback on Kessler Lake Drive.

Timeline:

October 2, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

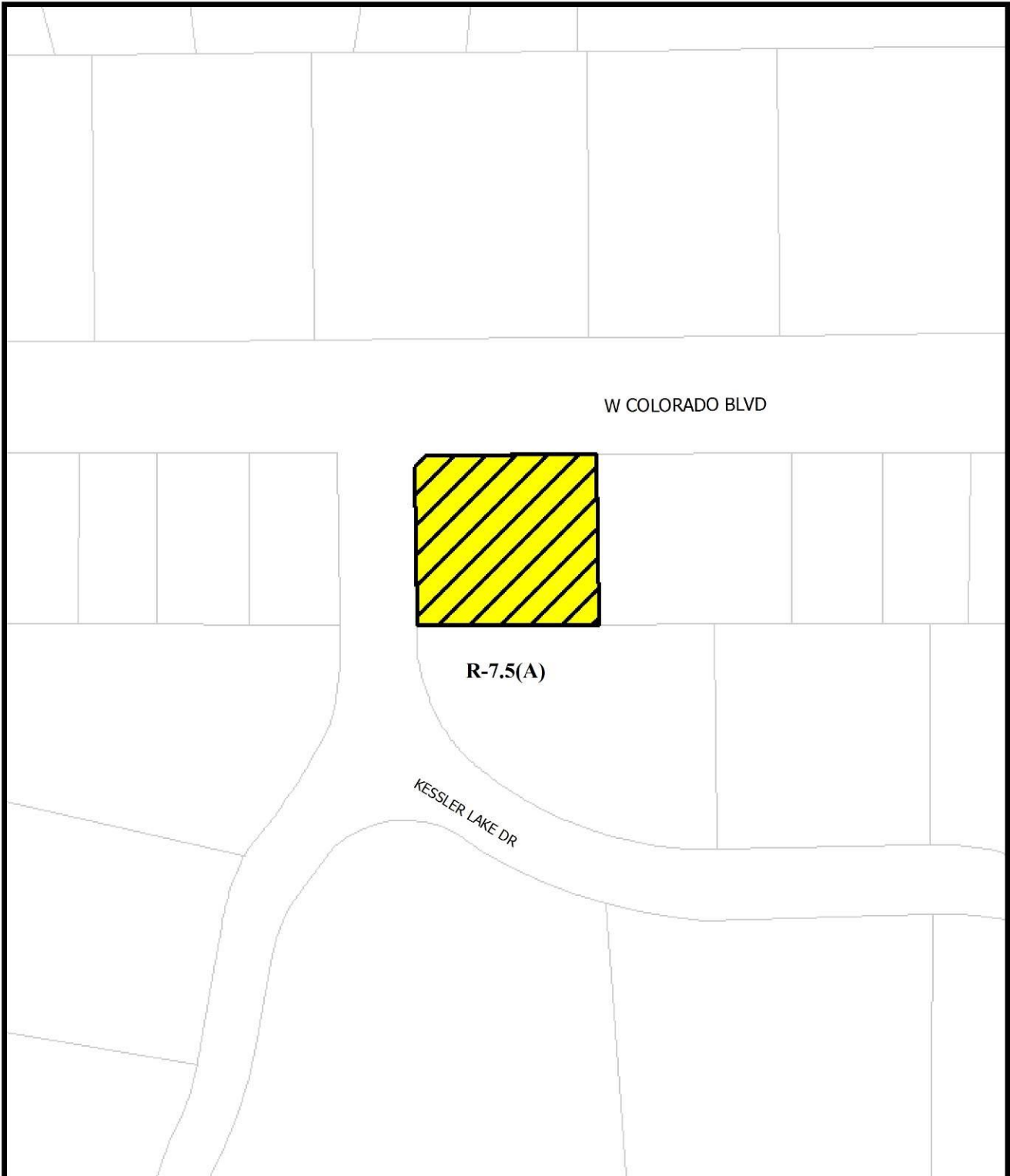
- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

November 27, 2019: The applicant’s representative submitted a revised site plan (see Attachment A).

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of Sustainable Development and Construction Engineering Division, the Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Interim Chief Planner, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the board.

December 6, 2019: The applicant's representative submitted a letter to the board (see Attachment B).

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

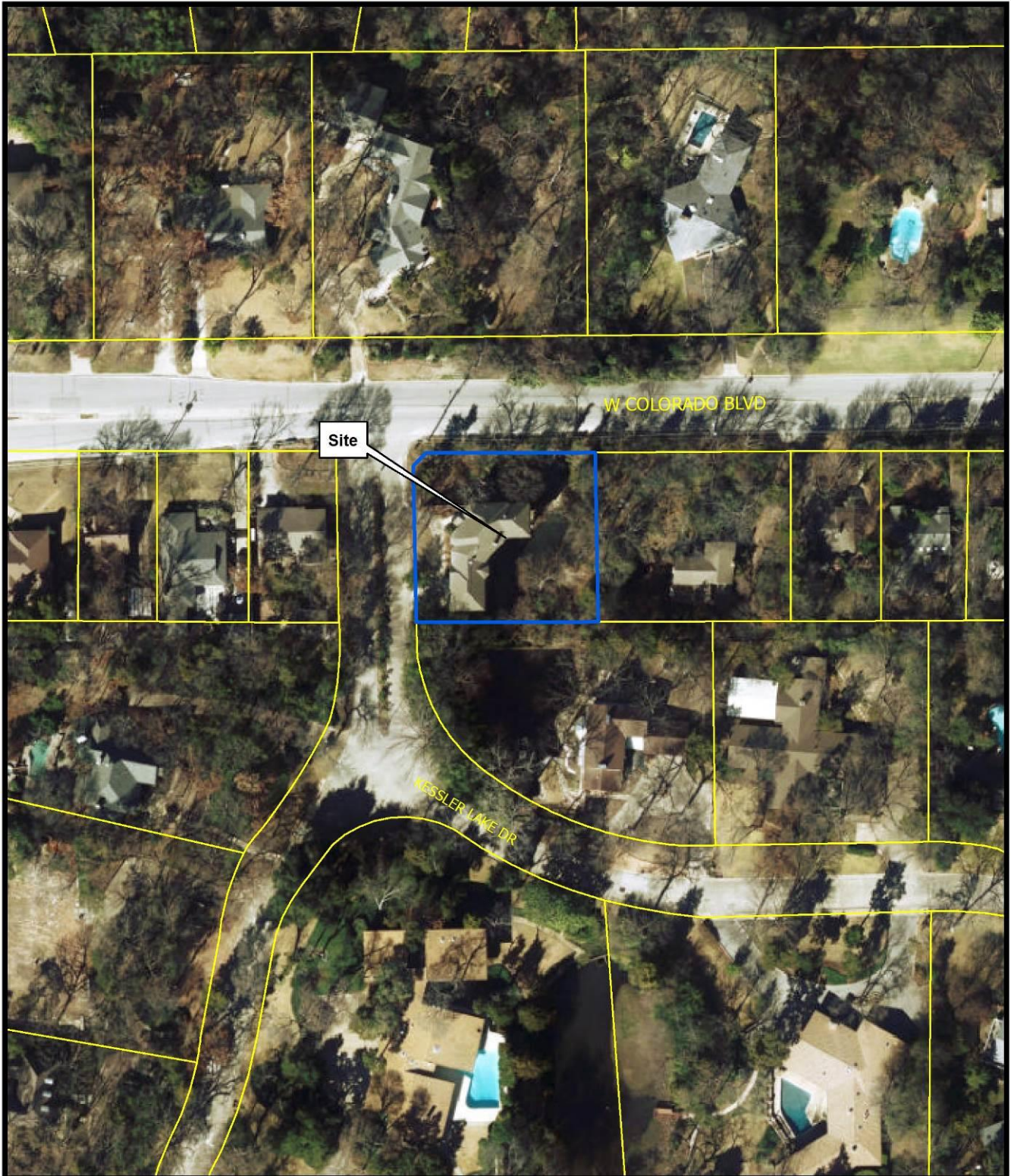


1:1,200

ZONING MAP

Case no: BDA189-142

Date: 11/21/2019



1:1,200

AERIAL MAP

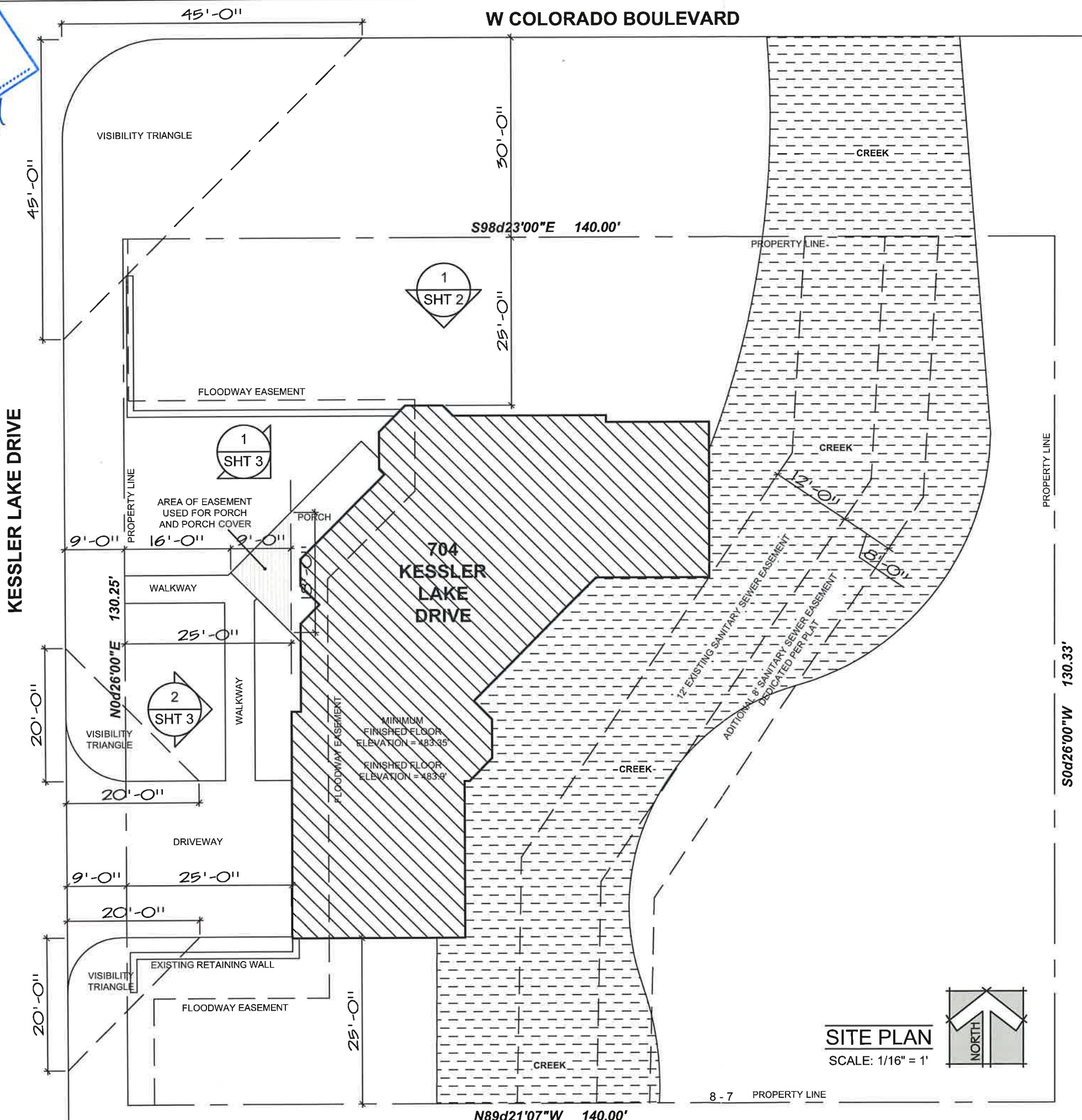
Case no: BDA189-142

Date: 11/21/2019

RECEIVED
 NOV 27 2019
 BY: *COT*
 Revised

**BDA189-142(SM)
 Attachment A**

SITE PLAN / SHEET 1 OF 3



OWNER:
 MR. MARCUS NOVACHECK

PROJECT ADDRESS:
 704 KESSLER LAKE DRIVE
 DALLAS, TX 75208

LOT 7
 BLOCK 4795

AREA LOT:	18,235 SQ.FT.
FIRST FLOOR AREA:	2,320 SQ.FT.
SECOND FLOOR AREA:	2,213 SQ.FT.
TOTAL HVAC AREA:	4,533 SQ.FT.
GARAGE AREA:	602 SQ.FT.

EASEMENT AREAS

TWO 25' FRONTAGE EASEMENT:	4,876 SQ.FT.
SANITARY SEWER EASEMENT:	4,575 SQ.FT.
AREA OF LOT ON OTHER SIDE OF SANITARY SEWER:	4,736 SQ.FT.
FLOOD EASEMENT:	15,089 SQ.FT.
MINIMUM FINISH FLOOR ELEV:	483.35 FT.
FINISH FLOOR ELEV:	483.9 FT.

704 KESSLER LAKE DRIVE - 11/26/2019

From: [Nicolas Jaramillo](#)
 To: [May, Sarah](#)
 Cc: [Arturo De La Hoya](#)
 Subject: BDA189-142
 Date: Friday, December 06, 2019 3:54:55 PM

External Email!

Good afternoon Ms. May,

Please forward this to the Board of Adjustment.

I am writing in regards to the application number BDA189-142, property at 704 Kessler Lake Drive to use 9 feet of the required 25 feet Front Yard Set Back and provide a 16 feet Front Yard Set Back.

The property is located in an R-7.5(A) zoning district, with an area of approximately 18,235 square feet (0.42 acres), 4,300 square of living area, and 4,657 square feet of total area. This property has very special restrictions that do not allow to develop it proportionally with the development in other plots of the neighborhood:

- Property has 2 front yards with 25 feet set back (4,876 square feet).
- Property has a sanitary easement (4,575 square feet).
- Lot area on other side of sanitary easement (4,736 square feet).
- The slope in this parcel is very deep, with more than 18 feet difference between the front yard and the lot below the house .
- According to Dallas Central Appraisal District, some properties in the same neighborhood show the following areas:

ADDRESS	AREA	
	STRUCTURE	LOT
617 Kessler Lake Drive	6,239	34,035
626 Kessler Lake Drive	5,248	38,498
627 Kessler Lake Drive	4,077	26,274
636 Kessler Lake Drive	7,386	66,705
704 Kessler Lake Drive	4,657	18,208
707 Kessler Lake Drive	4,623	49,001
718 Kessler Lake Drive	7,301	91,234
751 Kessler Lake Drive	5,131	15,628
752 Kessler Lake Drive	6,574	28,443
755 Kessler Lake Drive	5,592	15,180
AVERAGE	5,683	38,321

Average area 5,683 square feet
 House area 4,657 square feet
 Average lot area 38,321 square feet
 Lot area 18,208 square feet
 This average areas show that this parcel is not been overbuilt.

- This proposal addresses a functionality problem that seeks to bring closer the porch towards the driveway.
- The 9 feet of the front yard set back are to install part of a flat metal canopy (84.8 square feet) without supports from the floor, just hanging from the house, making such area very open and transparent without enclosures. The shape of the canopy in these 84.8 square feet is triangular, having one of its vertices the only point at 9 feet, and reducing this distance towards the house.

Thanks for your attention to this matter, and hoping for a favorable response to this variance on December 16th.

Regards,

Nicolas Jaramillo
802-777-2805

Montage Development Company, LLC.

151 Players Circle, Suite 200
Southlake, Texas 76092

CAUTION: This email originated from outside of the organization. Please, do not click links or open attachments unless you recognize the sender and know the content is safe.



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-142

Date: 10-14-19

Data Relative to Subject Property:

Location address: 704 KESSLER LAKE DRIVE Zoning District: R-7.5

Lot No.: 7 Block No.: 4795 Acreage: 0.418618 Census Tract: 42.01

Street Frontage (in Feet): 1) 130.25' 2) 140' 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): MARCUS NOVACHECK

Applicant: NICOLAS JARAMILLO Telephone: 802-777-2805

Mailing Address: 151 PLAYERS CIRCLE, SOUTHLAKE, TX Zip Code: 76092

E-mail Address: NICOLAS@MONTAGEDEVELOPMENT.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 USING PART OF FRONT YARD SETBACK (84.8sf) FOR PORCH AND PORCH COVER 9' to the required 25' FYSB + will provide a 16' 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: THIS RESEDENCE IS ON A LOT (18,235sf) WITH SEVERAL DEFICIENCIES:

- * TWO 25' FRONTAGE (4,876sf)
* SANITARY EASEMENT (4,575sf)
* LOT ON OTHER SIDE OF SANITARY EASEMENT (4,736sf)
* FLOOD EASEMENT (15,089sf)

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 Nicolas Jaramillo (Affiant/Applicant's name printed)

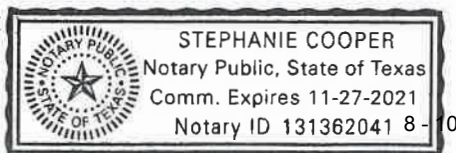
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 7 day of October 2019

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

(Rev. 08-01-1



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

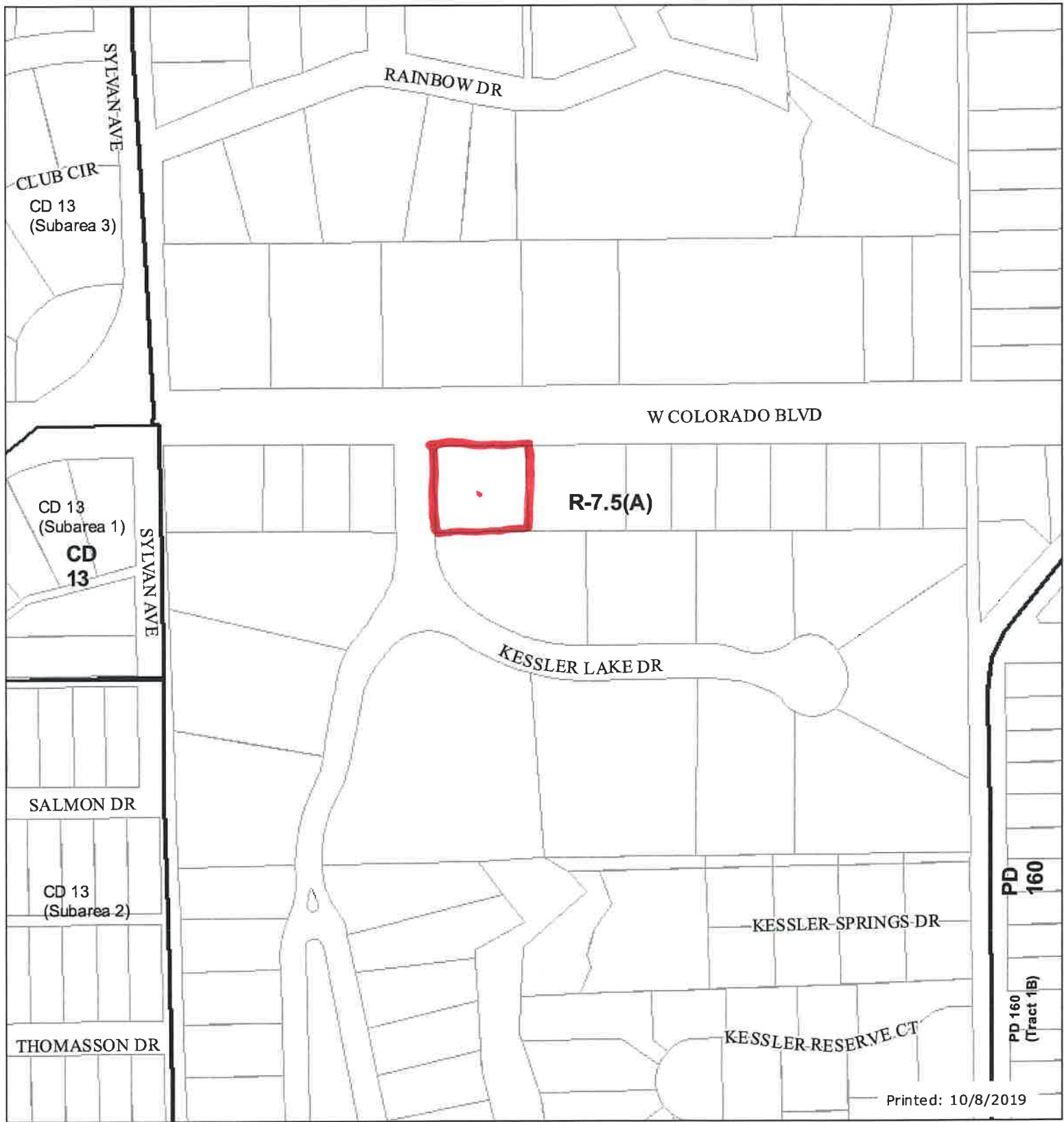
I hereby certify that NICOLAS JARAMILLO

did submit a request for a variance to the front yard setback regulations
at 704 Kessler Lake Drive

BDA189-142. Application of NICOLAS JARAMILLO for a variance to the front yard setback regulations at 704 KESSLER LAKE DR. This property is more fully described as Lot 7, Block 4795, 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 16 foot front yard setback, which will require a 9 foot variance to the front yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 10/8/2019

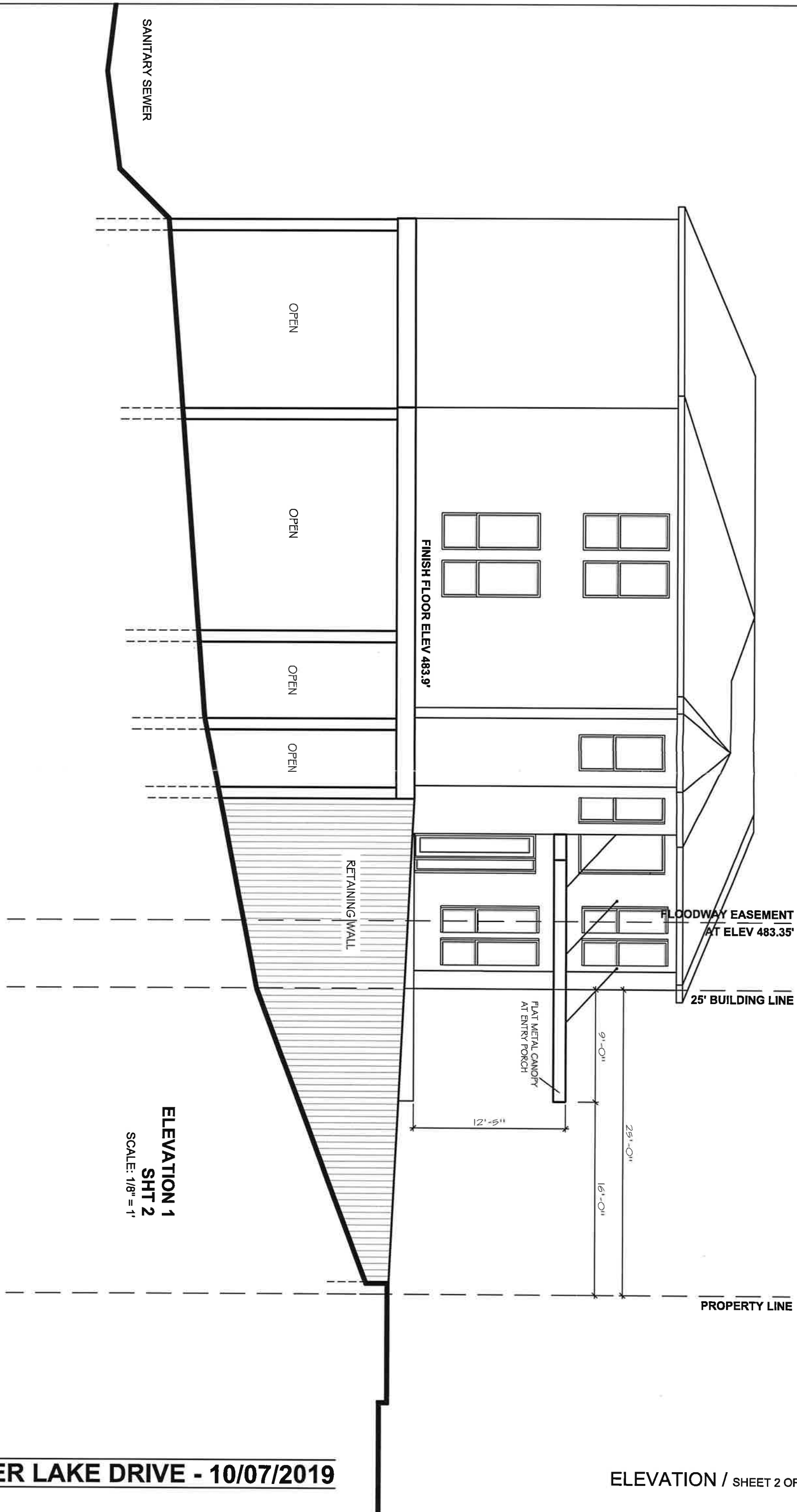
Legend

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

NO.

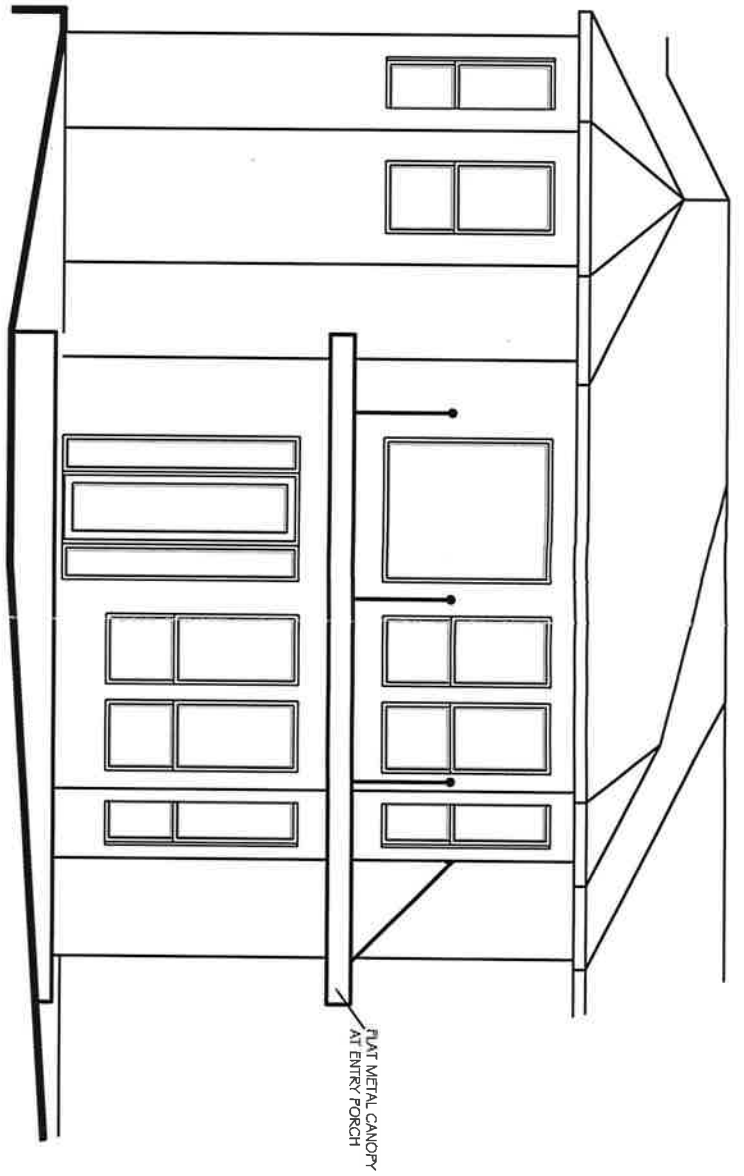
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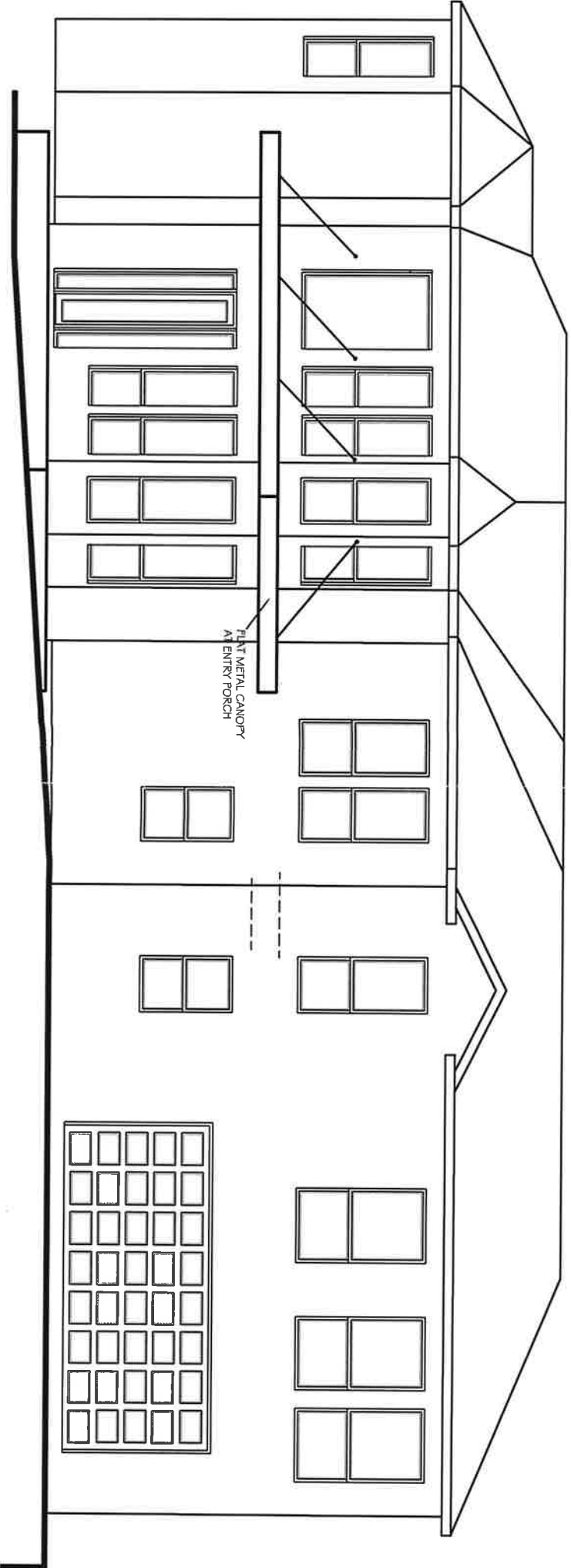


704 KESSLER LAKE DRIVE - 10/07/2019

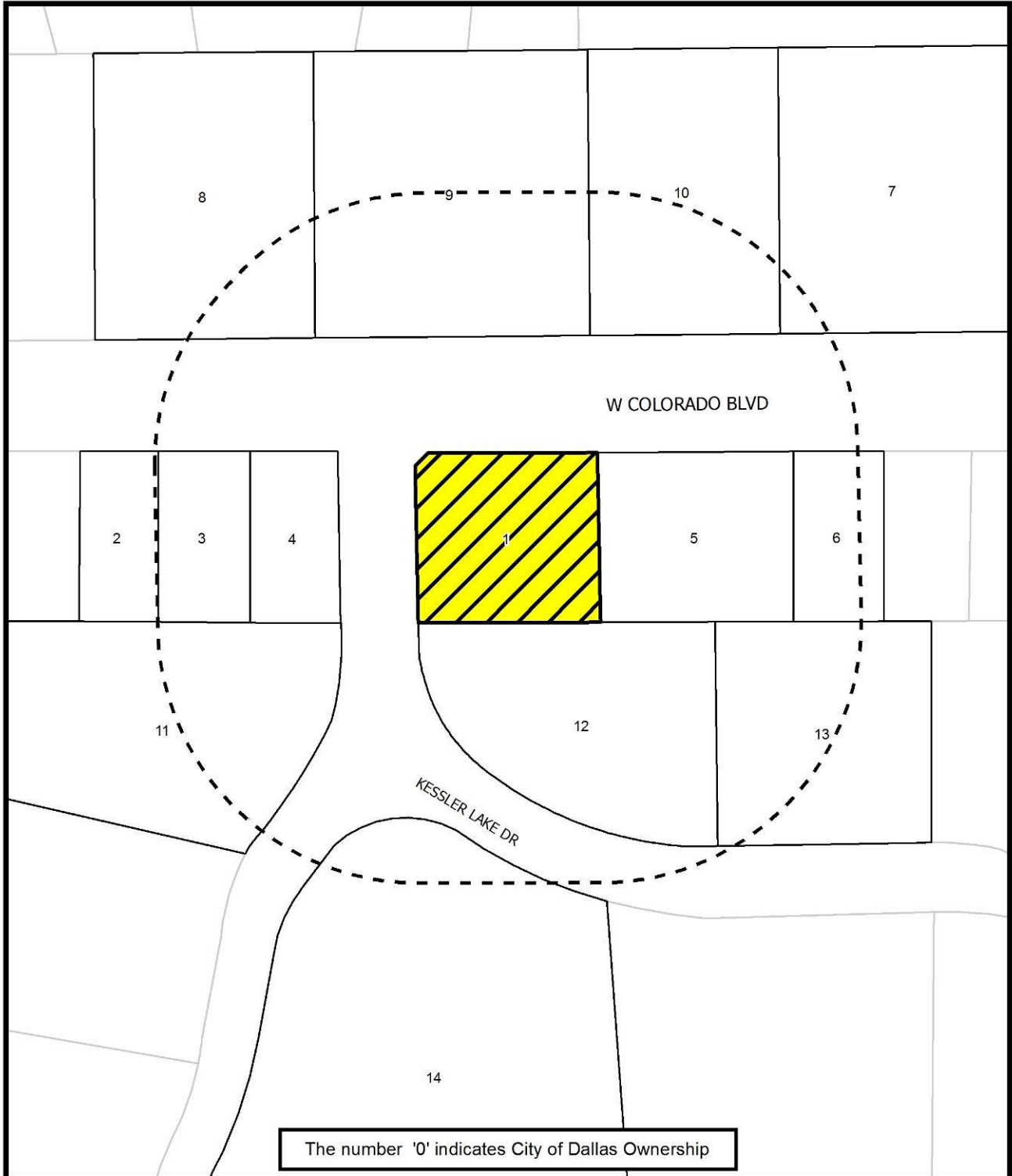
ELEVATION / SHEET 2 OF 3



ELEVATION 1
SHT 3
 SCALE: 1/8" = 1'



ELEVATION 2
SHT 3
 SCALE: 1/8" = 1'



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 14 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u>BDA189-142</u> Date: <u>11/21/2019</u>
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11/21/2019

Notification List of Property Owners

BDA189-142

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	704 KESSLER LAKE DR	COFER THOMAS J
2	732 W COLORADO BLVD	GARZA ARTHURO
3	728 W COLORADO BLVD	CHASE J SCOTT & DEBRA L WITTER
4	718 W COLORADO BLVD	BETHKE JEFFREY JAMES &
5	650 W COLORADO BLVD	VEGA LUIS CARLOS
6	652 W COLORADO BLVD	YANCEY JAMES A
7	635 W COLORADO BLVD	SEIB LIVING TRUST
8	725 W COLORADO BLVD	NICHOLSON LIVING TRUST THE
9	705 W COLORADO BLVD	LENNON JULIE &
10	665 W COLORADO BLVD	CONSORTIUM B INC
11	707 KESSLER LAKE DR	CLAYTON LISA K & JEFFREY R KEMP
12	647 KESSLER LAKE DR	PALMER JOHN D & CARLA M
13	637 KESSLER LAKE DR	MOORE SHARON LIFE ESTATE
14	718 KESSLER LAKE DR	BERNSTEIN STEVEN G

FILE NUMBER: BDA189-143(SM)

BUILDING OFFICIAL'S REPORT: Application of Asberry Holt, III, represented by Jasmond Anderson, for a variance to the side yard setback regulations at 1731 Meadow Valley Lane. This property is more fully described as Lot 3, Block 6914, and is zoned R-7.5(A), which requires a side yard setback of five feet. The applicant proposes to construct and/or maintain a structure and provide a four-foot two-inch side yard setback, which will require a 10-inch variance to the side yard setback regulations.

LOCATION: 1731 Meadow Valley Lane

APPLICANT: Jasmond Anderson

REQUEST:

A request for a variance to the side yard setback regulations of 10 inches is made to complete and maintain the west facade of a single family home structure located four feet, two inches from the site's side property line or 10 inches into the five-foot side yard setback.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

Staff concluded that while granting this variance request for a single family structure to encroach 10 inches into a five-foot side yard setback would not appear to be contrary to public interest, the request should be denied because the applicant had not provided documentation to the other components of the variance standard prior to the deadline for the December 3rd staff review team meeting:

1. how the variance was necessary to permit development of this parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope (in this case, the subject site is trapezoidal in shape, and is 7,916 square feet in area, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning district (the applicant provided no information related to this); and
2. how granting this request would not be to relieve a self-created or personal hardship, nor for financial reasons only.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS /STAFF ANALYSIS:

The purpose of this request for variance to the side yard setback regulations of 10 inches is to complete and maintain the west facade of a single family home structure located four feet, two inches from the site's side property line or ten inches into the five-foot side yard setback, as shown in the submitted site plan. The applicant notes that the portions of the existing structure which encroach into the front and east side setback will be removed and are not part of this request. According to permit records, demolition was completed on September 19, 2019 to remove the previous single family home which was destroyed by fire and required demolition, according to the applicant.

The subject site is flat, trapezoidal in shape, and is 7,916 square feet in area, according to Dallas Central Appraisal District records. The R-7.5(A) zoning district requires a minimum lot area of 7,500 square feet.

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

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

If the board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the side yard setback would be limited to what is shown on these documents which, in this case, is a structure located 10 inches into the required five-foot side yard setback.

Timeline:

October 2, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

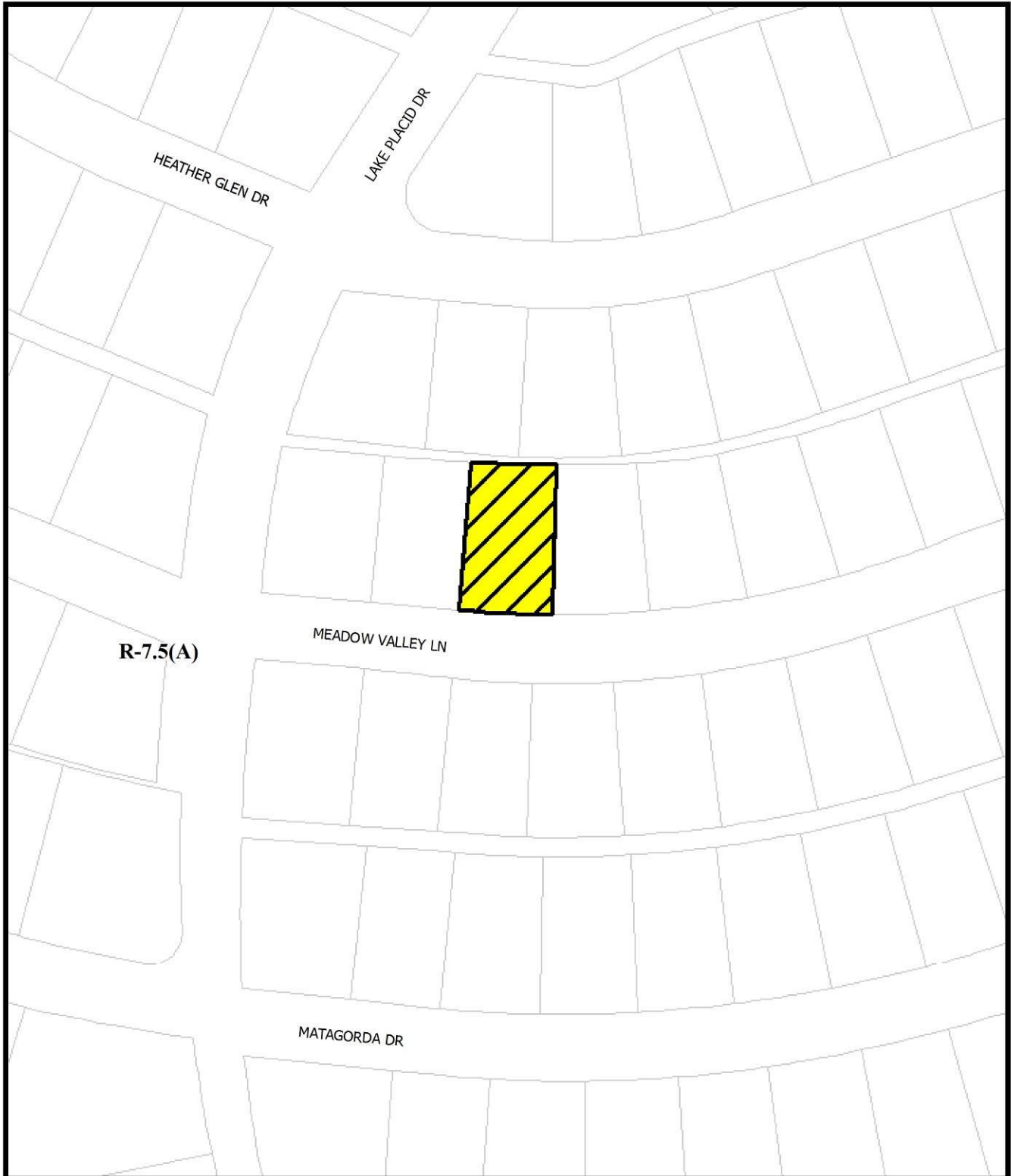
November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Assistant Director of Sustainable Development and Construction Current Planning Division, the Assistant Director of Sustainable Development and Construction Engineering Division, the Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Interim Chief Planner, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, Sustainable Development and Construction Department Board of Adjustment Senior Planners, and the Assistant City Attorney to the board.

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

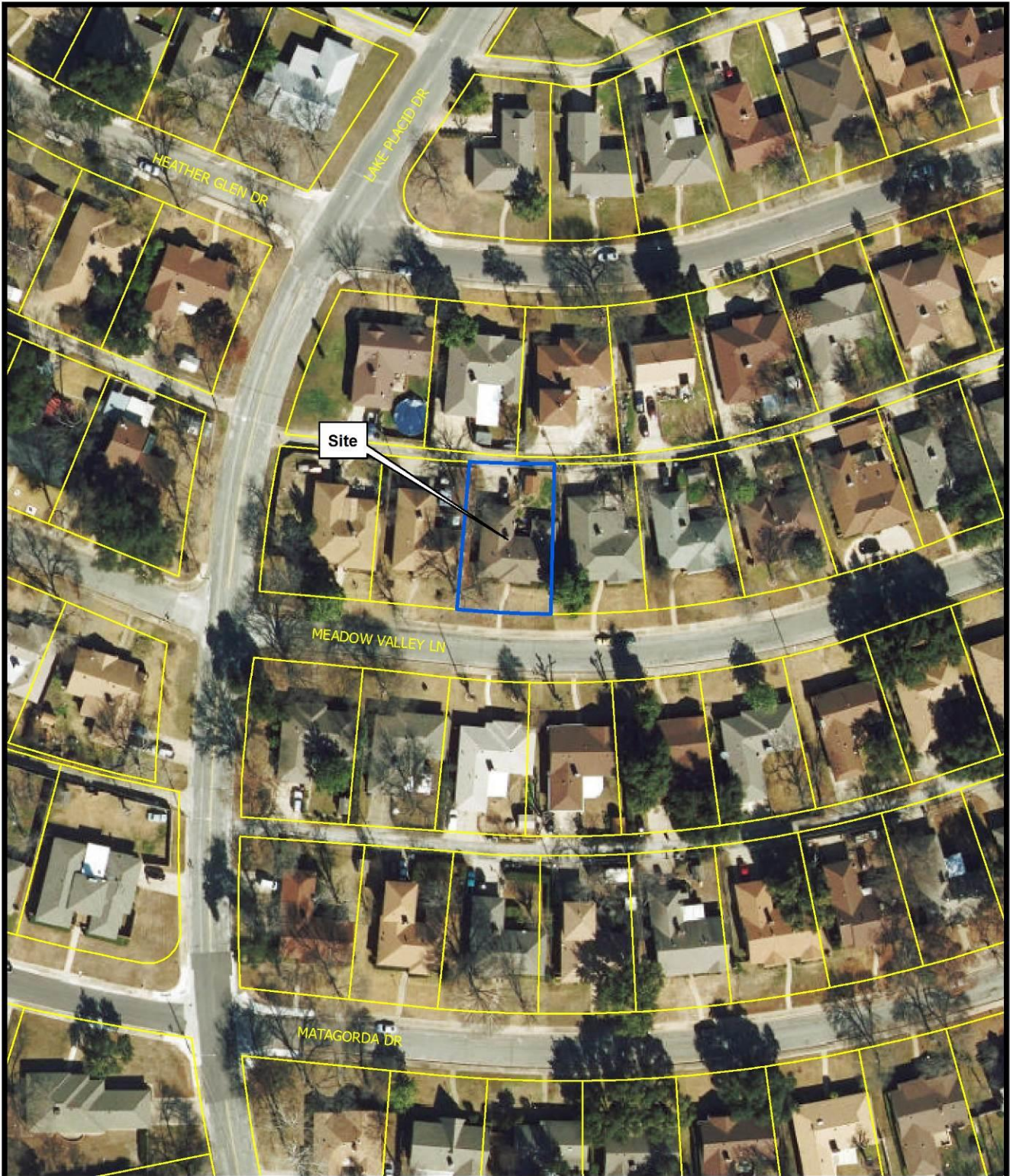


1:1,200

ZONING MAP

Case no: BDA189-143

Date: 11/21/2019



1:1,200

AERIAL MAP

Case no: BDA189-143

Date: 11/21/2019



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-143

Date: 7/29/2019

Data Relative to Subject Property:

Location address: 1731 Meadow Valley Ln

Zoning District: R7.5(A)

Lot No.: 3 Block No.: BLK 6914 Acreage: .191 Census Tract: 110.01

Street Frontage (in Feet): 1) 72.45 2) 115.39 3) 65.46 4) 113.72 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): ASBerry Buddy Holt III

Applicant: HOLT ASBERRY BUDDY III Telephone: 214.500.8331

Mailing Address: 1731 Meadow Valley Ln Zip Code: 75232

E-mail Address: asberryh@prodigy.net

Represented by: Jasmond Anderson Telephone: 214.334.3470

Mailing Address: 5829 Forest Haven Trl Zip Code: 75232

E-mail Address: jasmond@hotmail.com

Affirm that an appeal has been made for a Variance or Special Exception of Special exception
for front yard setback. 10" To the required 5' SysB + provide a 4'2" SysB.

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:
for front yard setback allowance. Structure has been built approximately 7' over the front yard setback of 25'. Owner requests a special exception to allow the structure to remain and to be allowed to be completed by a new contractor. Owner is a veteran that had his home originally destroyed by fire. Attempt to rebuild has been marred by two incompetent contractors that did not obtain proper inspection. Owner has now hired Jasmond Anderson to complete the work, however we request a special exception to the front yard setback requirements. This request is to allow a special exception to the front yard setback requirements for a longstanding veteran resident that has the support of his neighbors, and wants to re-build his life and home after a total loss by fire.

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.

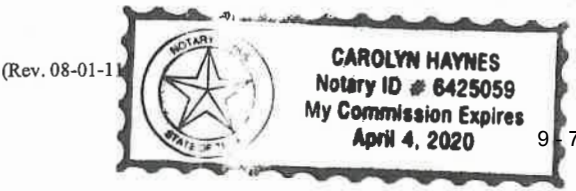
Affidavit

Before me the undersigned on this day personally appeared ASBERRY B. HOLT III
(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 7th day of Aug, 2019



Carolyn Haynes
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 ASBERRY HOLT
represented by JASMOND ANDERSON
did submit a request for a variance to the side yard setback regulations
at 1731 Meadow Valley Lane

BDA189-143. Application of ASBERRY HOLT represented by JASMOND ANDERSON for a variance to the side yard setback regulations at 1731 MEADOW VALLEY LN. This property is more fully described as Lot 3, Block 6914, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct a single family residential structure and provide a 4 foot 2 inch side yard setback, which will require a 10 inch variance to the side yard setback regulations.

Sincerely,

Philip Sikes
Philip Sikes, Building Official



Printed: 10/10/2019

Legend

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



STREET		CURVE DATA		
STREET		INNER R	E	OUTER R
Lake Placid Dr.	A	7° 24' 30"	8° 34' 43"	8° 07' 54"
Curve No. 2	R	520.14	550.14	580.14
	T	33.66	41.26	41.34
	L	67.23	82.37	82.34
Lake Placid Dr.	A	2° 43' 35"	2° 23' 57"	2° 22' 33"
Curve No. 3	R	1145.84	1175.84	1205.84
	T	27.26	26.33	25.00
	L	54.82	52.66	50.00
Alley, Blk. 17	A		24° 12' 36"	
Curve No. 8	R	595.00	602.50	610.00
	T	127.61	129.22	130.83
	L	251.41	254.58	257.75
Alley, Blk. 16	A		23° 5' 21"	
Curve No. 10	R	695.00	911.5	910.00
	T	188.25	139.82	191.40
	L	371.08	374.19	377.30
Caracas Drive	A		37° 03' 31"	
Curve No. 15	R	158.97	183.97	208.97
	T	53.28	61.66	70.04
	L	102.82	118.99	135.16
Matagorda & Caracas	A	127° 53' 17"		
Curve No. 18	R	30.00		
	T	61.36		
	L	66.96		
Caracas Drive	A		111° 08' 47"	
Curve No. 20	R	180.00	205.00	230.00
	T	262.62	299.09	335.57
	L	349.18	397.67	446.17
Alley, Blk. 16	A		57° 27' 22"	
Curve No. 21	R	165.19	173.69	181.19
	T	91.09	95.20	99.31
	L	166.66	174.18	181.70
Misty Hollow	A		35° 15' 07"	
Curve No. 22	R	132.37	157.37	182.37
	T	42.06	50.00	57.94
	L	31.44	96.82	112.21
Alley, Blk. 16	A		60° 17' 28"	
Curve No. 23	R	70.00		85.00
	T	40.65		49.36
	L	73.66		89.44
Alley, Blk. 16	A	75° 35' 55"		
Curves No. 24 & 25	R	50.00		
	T	36.78		
	L	65.97		
Alley, Blk. 16	A	90°		
Curves No. 26, 27, 28 & 29	R	40.00		
	T	40.00		
	L	62.83		
Alley, Blk. 19	A	77° 10' 24"		
Curve No. 33	R	50.00		
	T	39.70		
	L	67.35		
Alley, Blk. 19	A	102° 49' 36"		
Curve No. 34	R	31.12		
	T	39.00		
	L	55.35		
Alley, Blk. 17	A		90°	
Curve No. 37	R	50.00	57.5	65.00
	T	50.00	57.5	65.00
	L	78.54	80.32	102.10

MAUDE R. REYNOLDS
21.52 AC

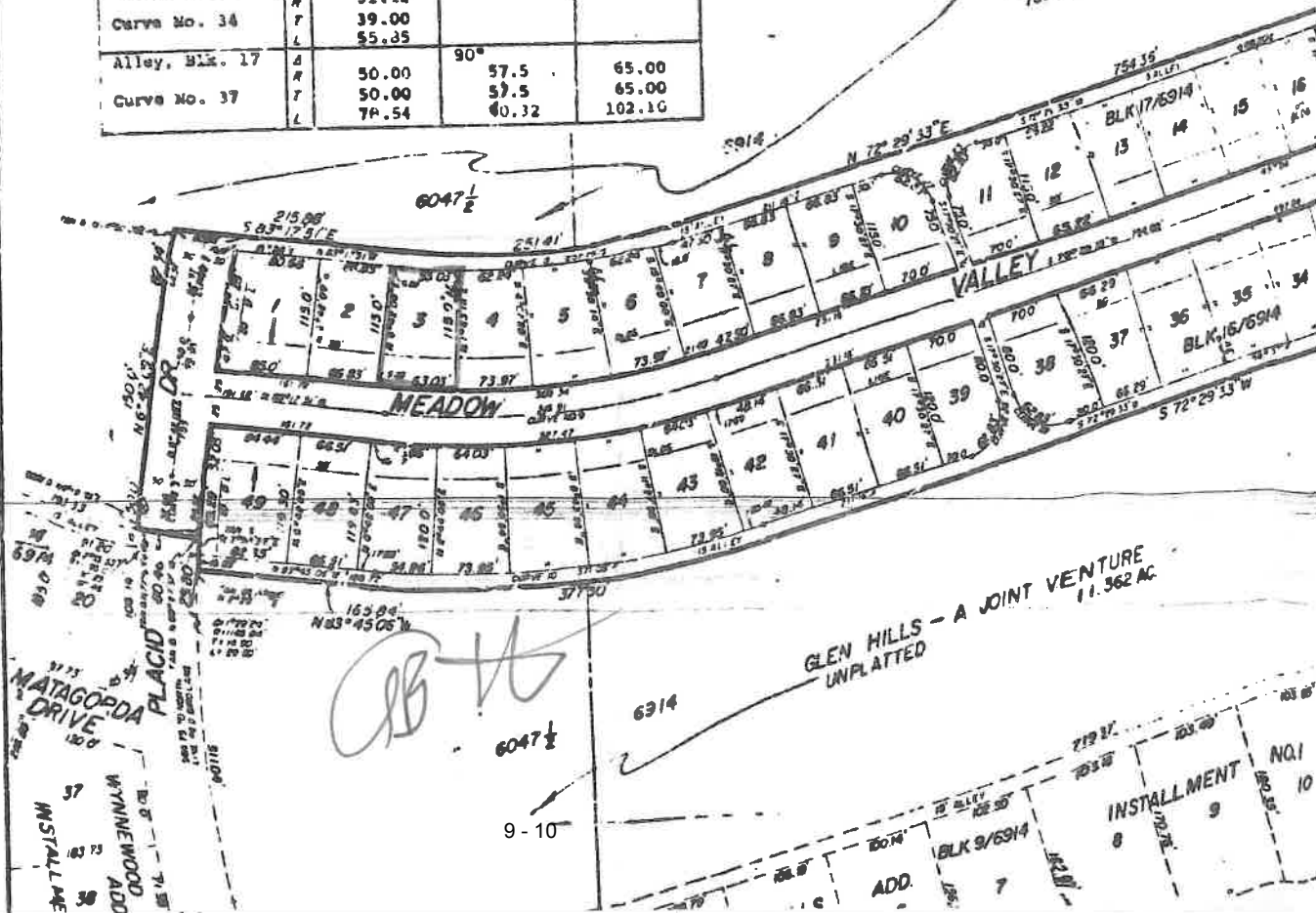
ALVA L. RUS
26.52 AC

N.B. HATHWOOD SURVEY ABST. 612
PETER NOYER SURVEY ABST. 1018
1887.600 TO A BLOCK LINE

15.0'
N 00° 35' 30" W
100' BEARING
188° 30' 04" E

The purchaser of lot 16 block 19/6914 is hereby notified that the "spur" portion of the alley is designed to drain into and across lot 16 and it shall be the owners responsibility to maintain this drainage way.

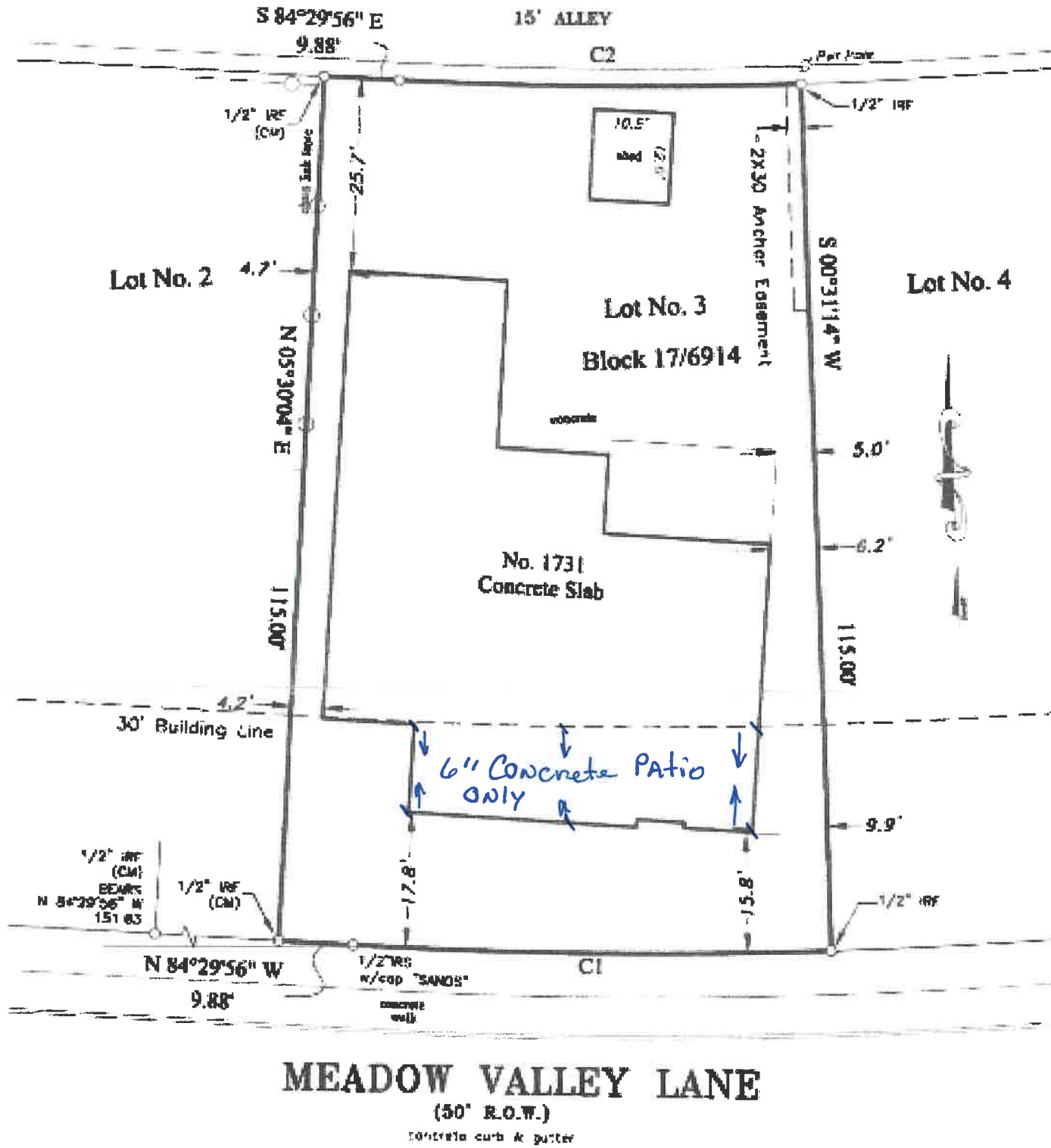
GLEN HILLS - A JOINT VENTURE
109.220
35.345
73.874



FOUNDATION SURVEY

Being Lot 3, Block 17/6914, of GLEN HILLS ADDITION NO. 2 INST. NO. 1 an Addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat thereof recorded in, Volume 50, Page 161 of the Map or Plat Records of Dallas County, Texas.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	63.02'	725.00'	4°58'49"	N 86°59'21" W	63.00'
C2	53.02'	610.00'	4°58'49"	S 86°59'21" E	53.01'



1731 Meadow Valley Lane, Dallas, Texas

This plat is the result of a survey made by me or under my direction on the ground of the property shown hereon, the lines and dimensions of said property being as indicated by this plat, the location of foundation is as shown hereon. Not to be used in conjunction with transfer of title.

SANDS SURVEYING CORPORATION
 2154 W. Northwest Highway Suite 204
 Dallas, Texas 75220
 (214) 919-7883 ph
 (817) 803-6138 fax
 www.SSCTX.net

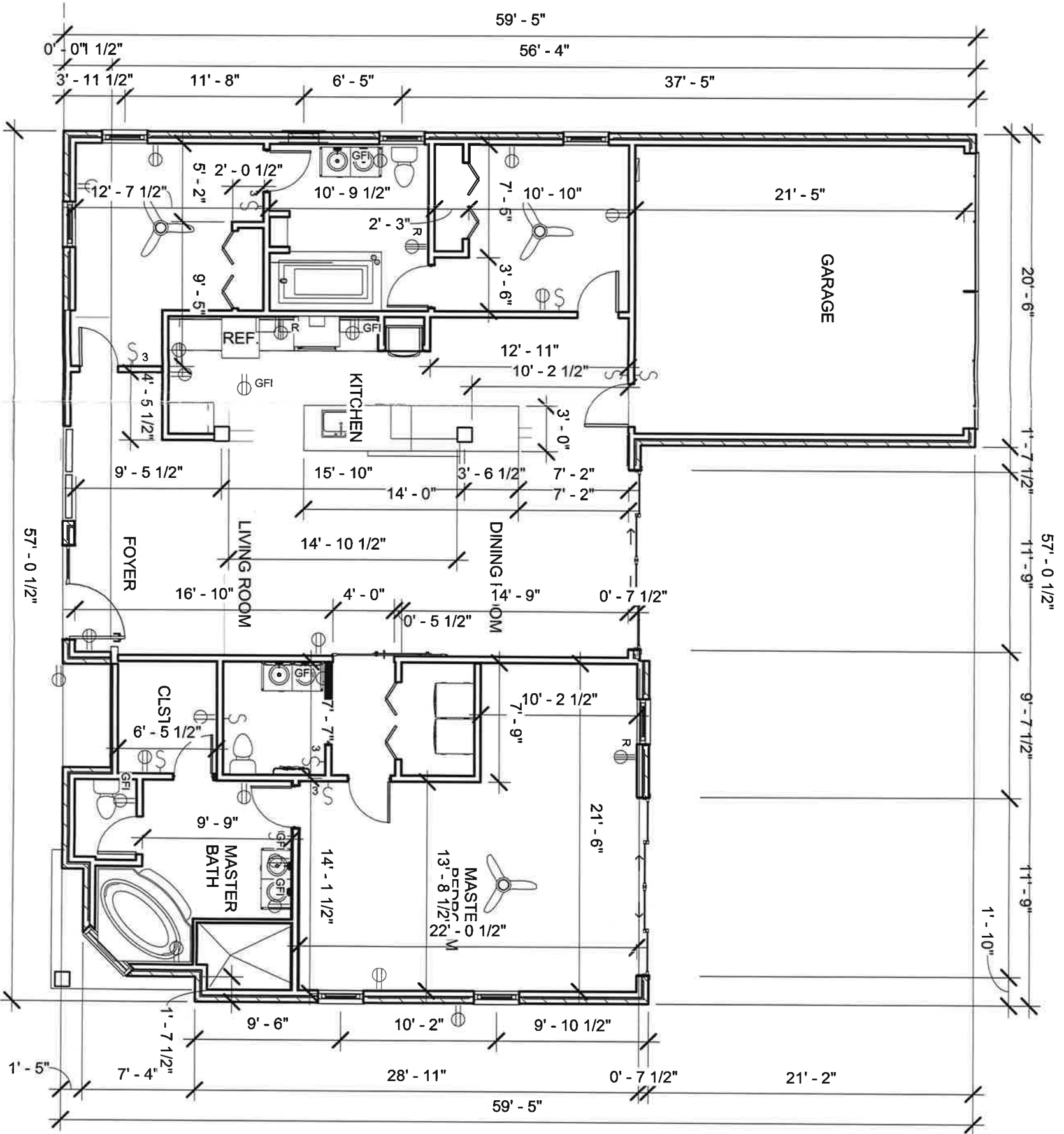


SCALE: 1"=70'
 DATE: 08/18/2019
 P.L.O.: 181042B
 DRAWN BY: NSS
 CHECKED BY: SC

COPYRIGHT © 2019 Sands Surveying Corporation
 All Rights Reserved.
 Texas Firm Registration No. 180148B

J. Scott Cole
 J. Scott Cole
 Registered Professional
 Land Surveyor No. 5411



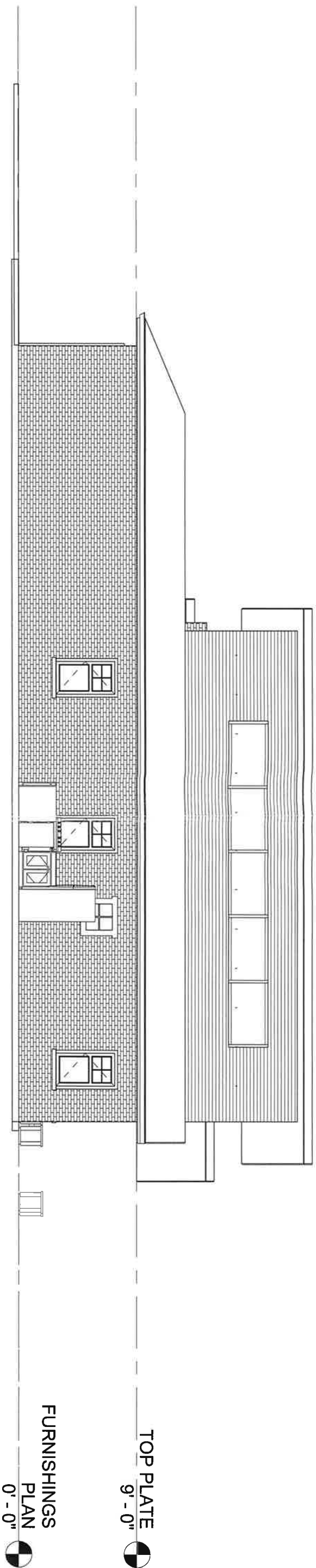


1 FLOOR PLAN
1/8" = 1'-0"

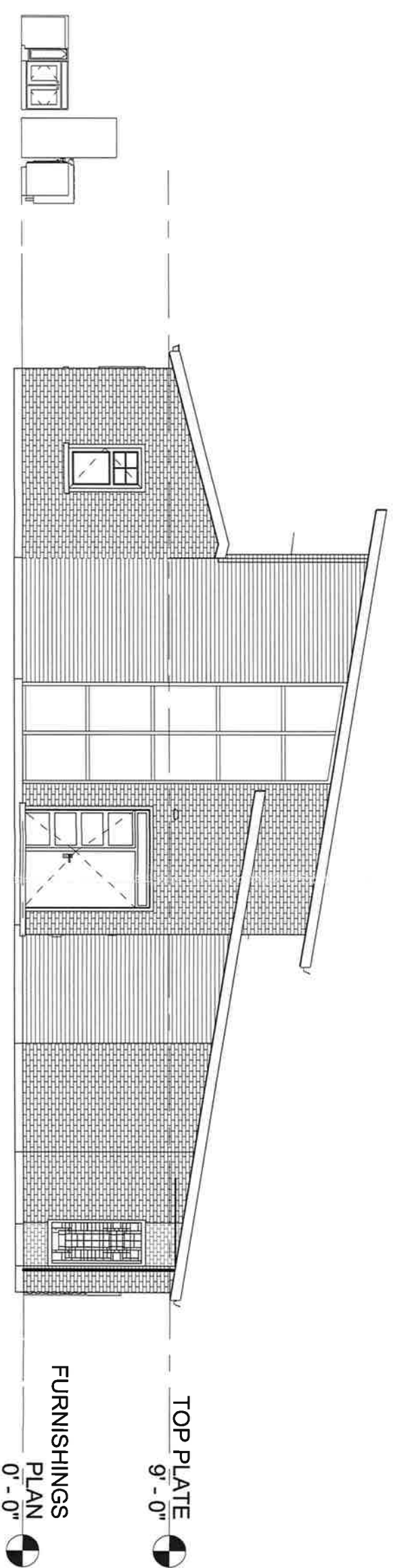
1731 MEADOW VALLEY
FIRE DMGE REBUILD

No.	Description	Date

FLOORPLAN	
Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A103	
Scale 1/8" = 1'-0"	



4 West
1/8" = 1'-0"

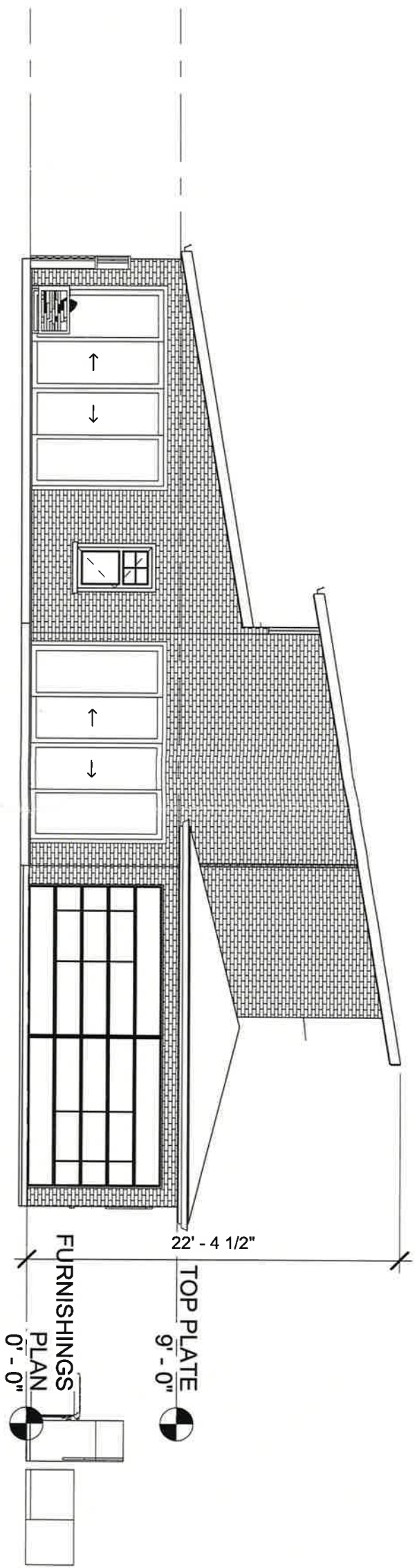


3 South
1/8" = 1'-0"

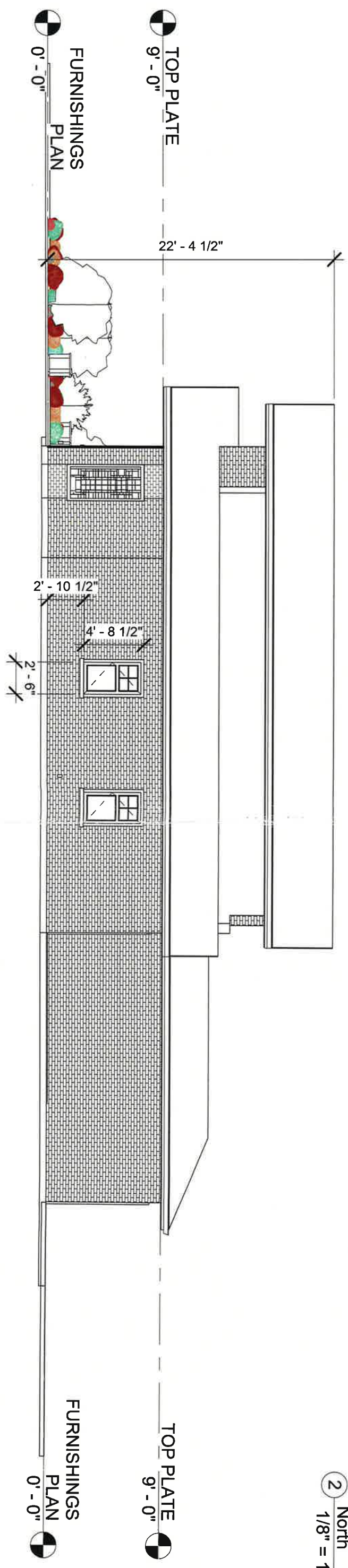
**1731 MEADOW VALLEY
FIRE DMGE REBUILD**

No.	Description	Date

ELEVATIONS	
Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker
A104	
Scale 1/8" = 1'-0"	



2 North
1/8" = 1'-0"



1 East
1/8" = 1'-0"

**1731 MEADOW VALLEY
FIRE DMGE REBUILD**

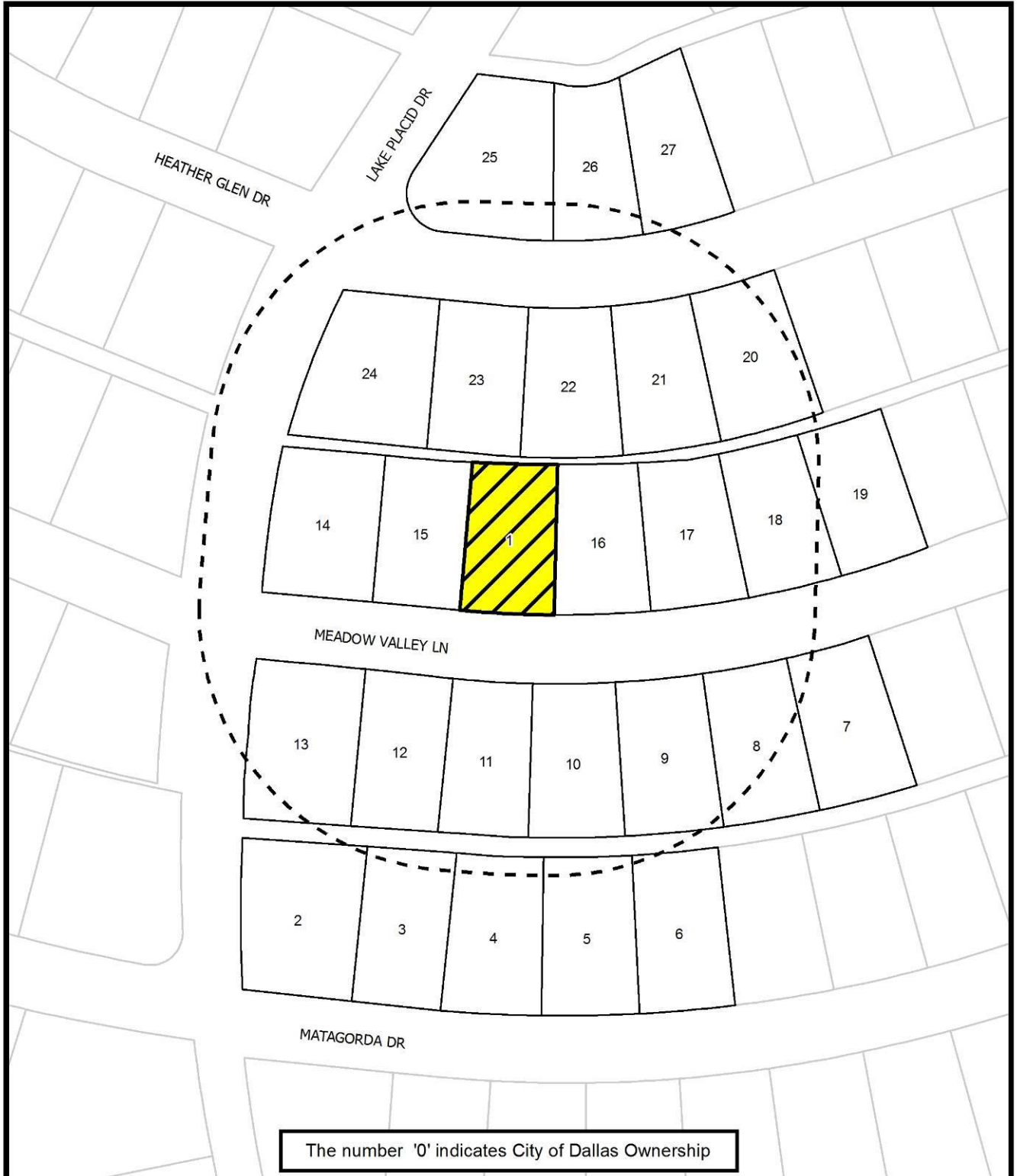
No.	Description	Date

ELEVATIONS

Project number	Project Number
Date	Issue Date
Drawn by	Author
Checked by	Checker

A104A

Scale 1/8" = 1'-0"



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

27

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA189-143**

Date: **11/21/2019**

11/21/2019

Notification List of Property Owners

BDA189-143

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1731 MEADOW VALLEY LN	HOLT ASBERRY BUDDY III
2	1831 MATAGORDA DR	COLEMAN CHRISTOPHER J
3	1825 MATAGORDA DR	BASS JEROME &
4	1819 MATAGORDA DR	MATTHEWS TRAVIS
5	1815 MATAGORDA DR	WILLIAMS THELMA CRIDDLE
6	1811 MATAGORDA DR	GRIFFIN CHARLENE
7	1708 MEADOW VALLEY LN	BRIGGS NANCY PAT W
8	1714 MEADOW VALLEY LN	BARRETT ANTWAHN DWAYNE
9	1720 MEADOW VALLEY LN	FRISON LAWRENCE
10	1726 MEADOW VALLEY LN	LYONS HENRY B
11	1732 MEADOW VALLEY LN	MAYFIELD ALBERT & SHIRYL
12	1738 MEADOW VALLEY LN	ROBINSON ELLA
13	1744 MEADOW VALLEY LN	MORENO CARLOS A &
14	1743 MEADOW VALLEY LN	MILLS HENDERSON & LINDA
15	1737 MEADOW VALLEY LN	NAJERA FELICISIMO T
16	1725 MEADOW VALLEY LN	WARREN PEGGY
17	1717 MEADOW VALLEY LN	ANDERSON VALERIE E
18	1709 MEADOW VALLEY LN	STARKS SHARONDA Y &
19	1703 MEADOW VALLEY LN	CONLEY FRANK A JR &
20	1714 HEATHER GLEN DR	CHILDS SUE
21	1718 HEATHER GLEN DR	LANDEN SUZANNE
22	1722 HEATHER GLEN DR	SEALS VIRGIL L JR EST OF
23	1726 HEATHER GLEN DR	BARNES RUTH
24	1730 HEATHER GLEN DR	JACKSON DERRICK L & ROSE
25	1725 HEATHER GLEN DR	PAGE BRANDIE N
26	1721 HEATHER GLEN DR	CHAVEZ JOSE E
27	1715 HEATHER GLEN DR	SELL HIGH INVESTMENTS

FILE NUMBER: BDA189-145(SM)

BUILDING OFFICIAL'S REPORT: Application of Kathleen Noble, represented by Casey Cox of Bella Vista Company, to appeal the decision of the administrative official at 5328 Miller Avenue. This property is more fully described as Lot 7, Block 14/1938, and is zoned CD No. 15. Chapter 52, Section 302.6.1 states the building official shall suspend or revoke a permit issued under this chapter if he or she determines that the permit is issued in error or on the basis of incorrect information supplied, or in violation of any city ordinance or regulation or any provision of this chapter or the codes. The applicant proposes to appeal the decision of an administrative official in the revocation of a building permit.

LOCATION: 5328 Miller Avenue

APPLICANT: Kathleen Noble
Represented by Casey Cox of Bella Vista Company

REQUEST:

A request is made to appeal the decision of the administrative official, more specifically, the Building Official's authorized representative, the Chief Planner in the Building Inspection Division, revocation of a building permit for work on property at 5328 Miller Avenue that is developed with a single family home.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

Dallas Development Code Sections 51A-3.102(d)(1) and 51A-4.703(a)(2) state that any aggrieved person may appeal a decision of an administrative official when that decision concerns issues within the jurisdiction of the Board of Adjustment.

The Board of Adjustment may hear and decide an appeal that alleges error in a decision made by an administrative official. Tex. Local Gov't Code Section 211.009(a)(1).

Administrative official means that person within a city department having the final decision-making authority within the department relative to the zoning enforcement issue. Dallas Development Code Section 51A-4.703(a)(2).

BACKGROUND INFORMATION:

Zoning:

Site: CD No. 15 (Conservation District)
North: CD No. 15 (Conservation District)
East: CD No. 15 (Conservation District)

South: CD No. 15 (Conservation District)
West: CD No. 15 (Conservation District)

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The board shall have all the powers of the administrative official on the action appealed. The board may in whole or in part affirm, reverse, or amend the decision of the official.

Timeline:

October 16, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 14, 2019: The Interim Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative the public hearing date and panel that will consider the application; the November 27th deadline to submit additional evidence for staff to factor into their analysis; and the December 6th deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

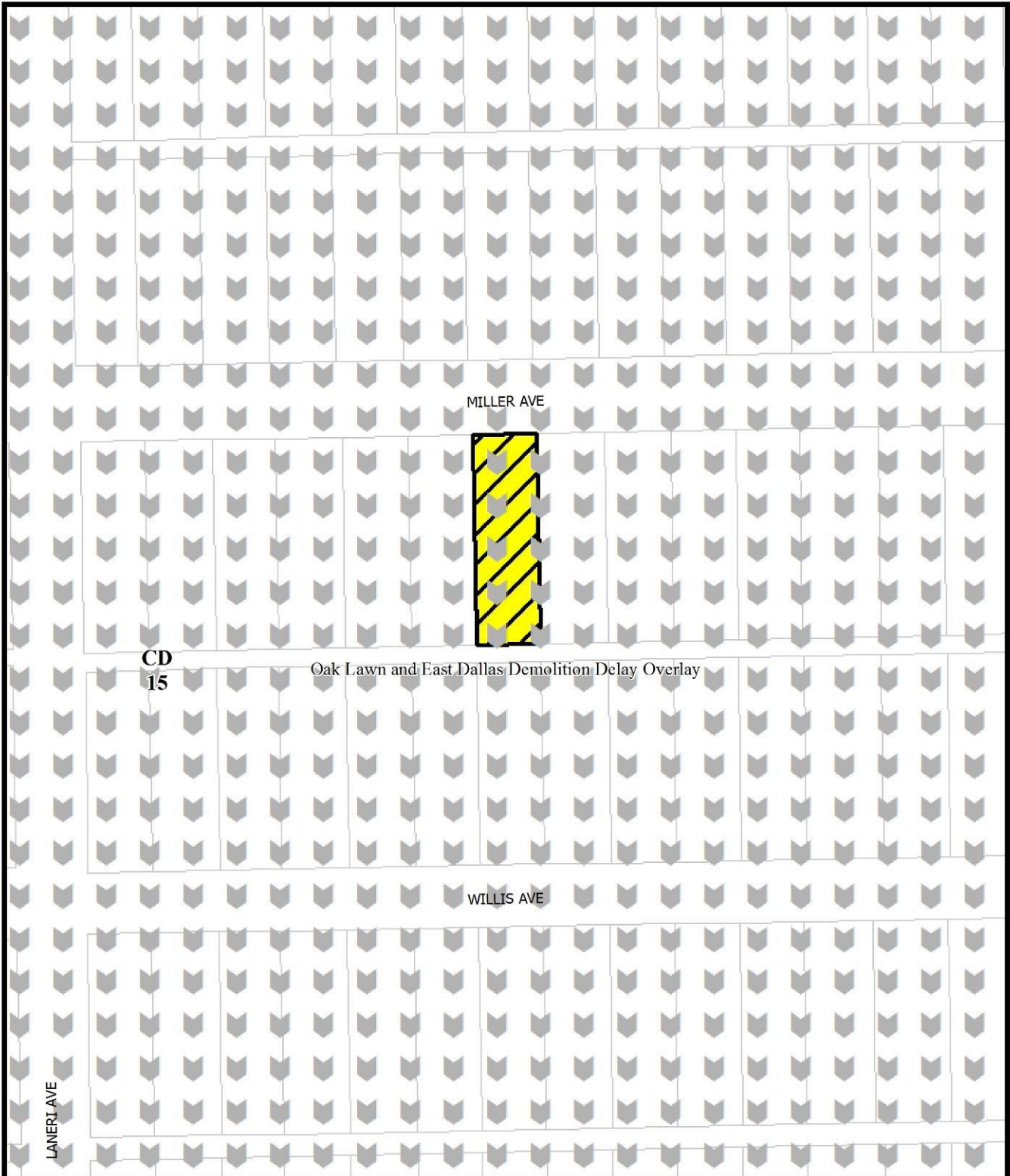
- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

December 3, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the October public hearings. Review team members in attendance included the following: the Building Official, the Assistant Building Official, the Interim Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Conservation District Chief Planner, the Sustainable Development

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

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

December 6, 2019: The applicant's representative submitted a presentation the board (see Attachment A).

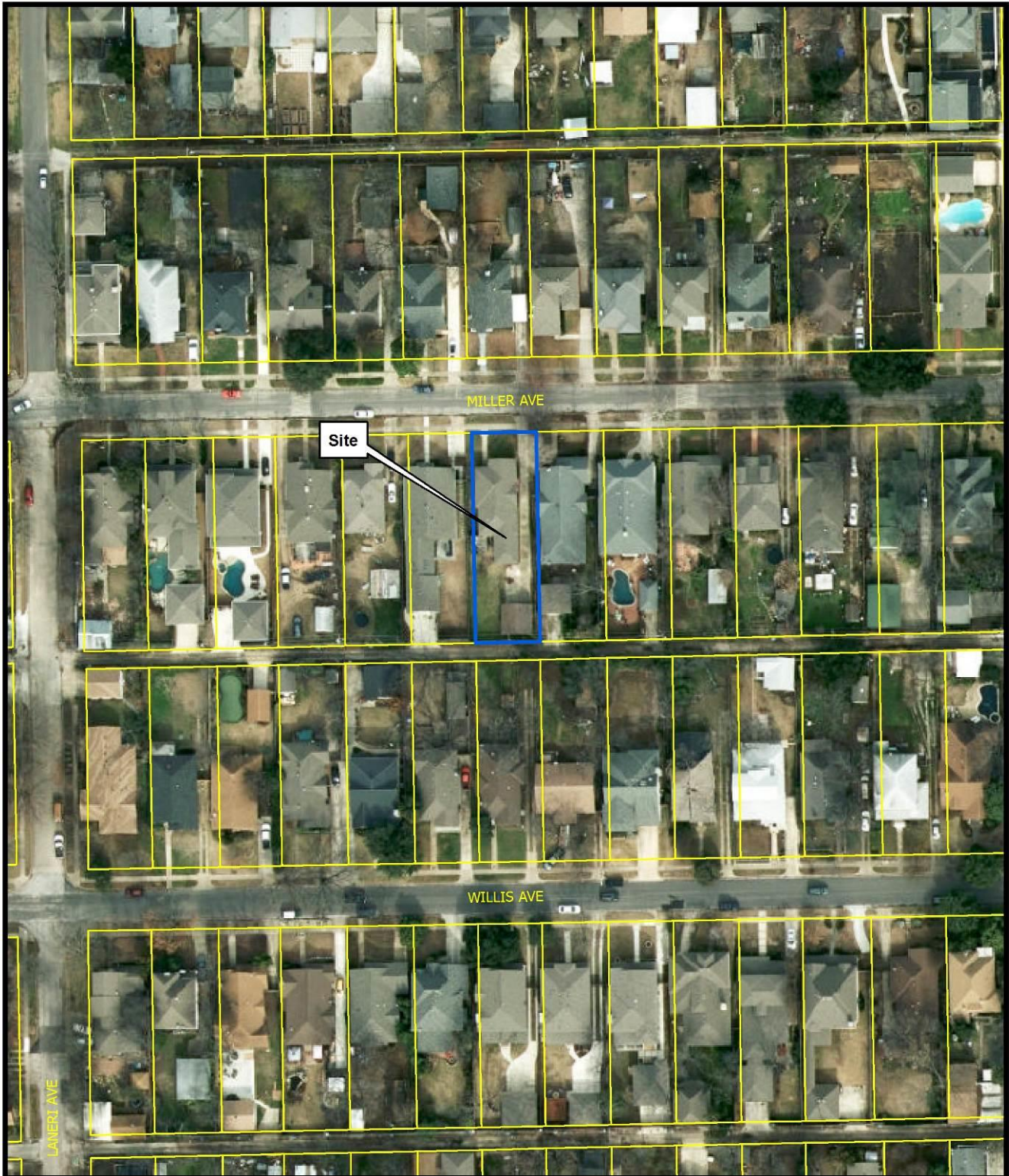


1:1,200

ZONING MAP

Case no: BDA189-145

Date: 11/21/2019



1:1,200

AERIAL MAP

Case no: BDA189-145

Date: 11/21/2019

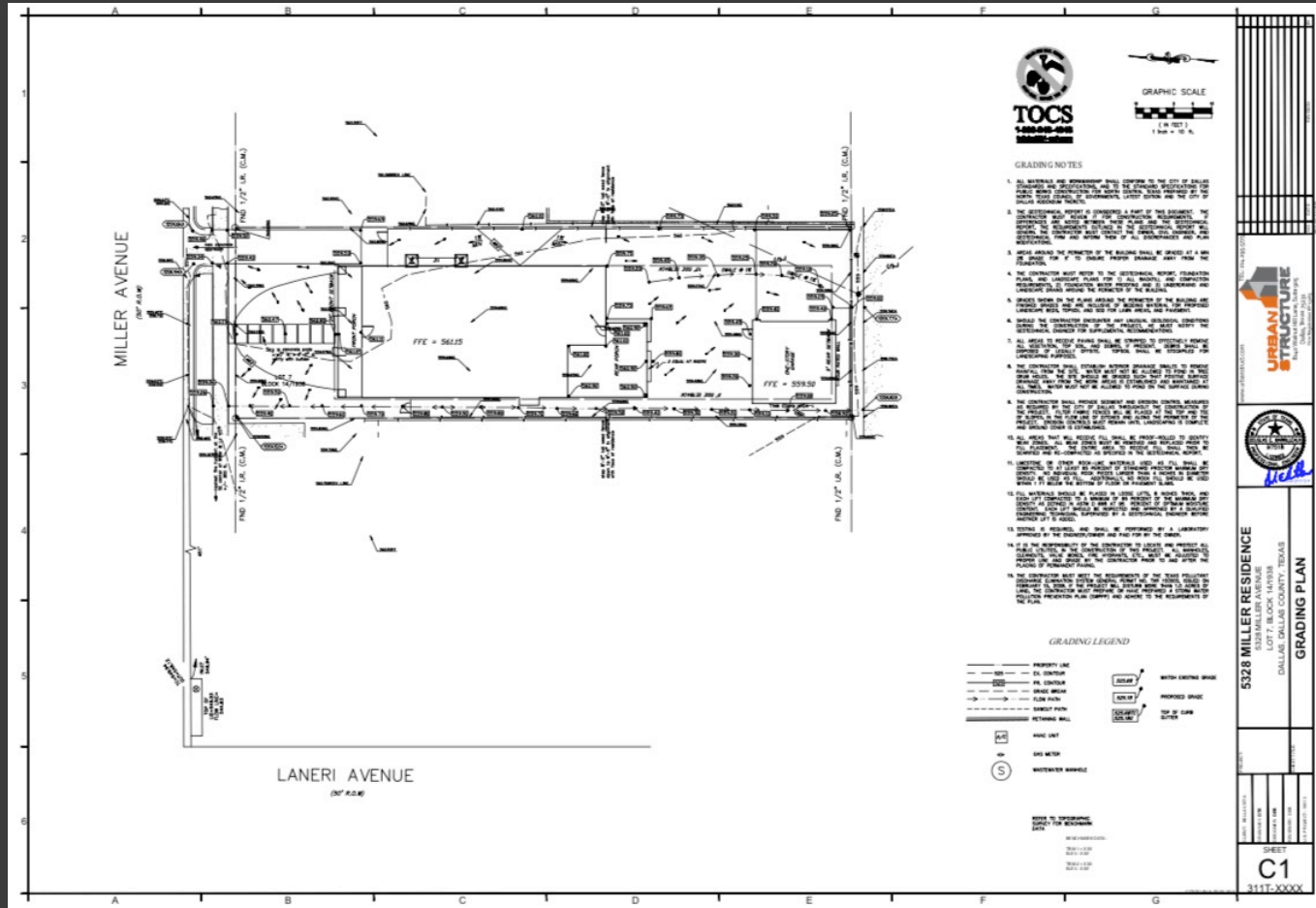
BDA189-145(SM)
Attachment A



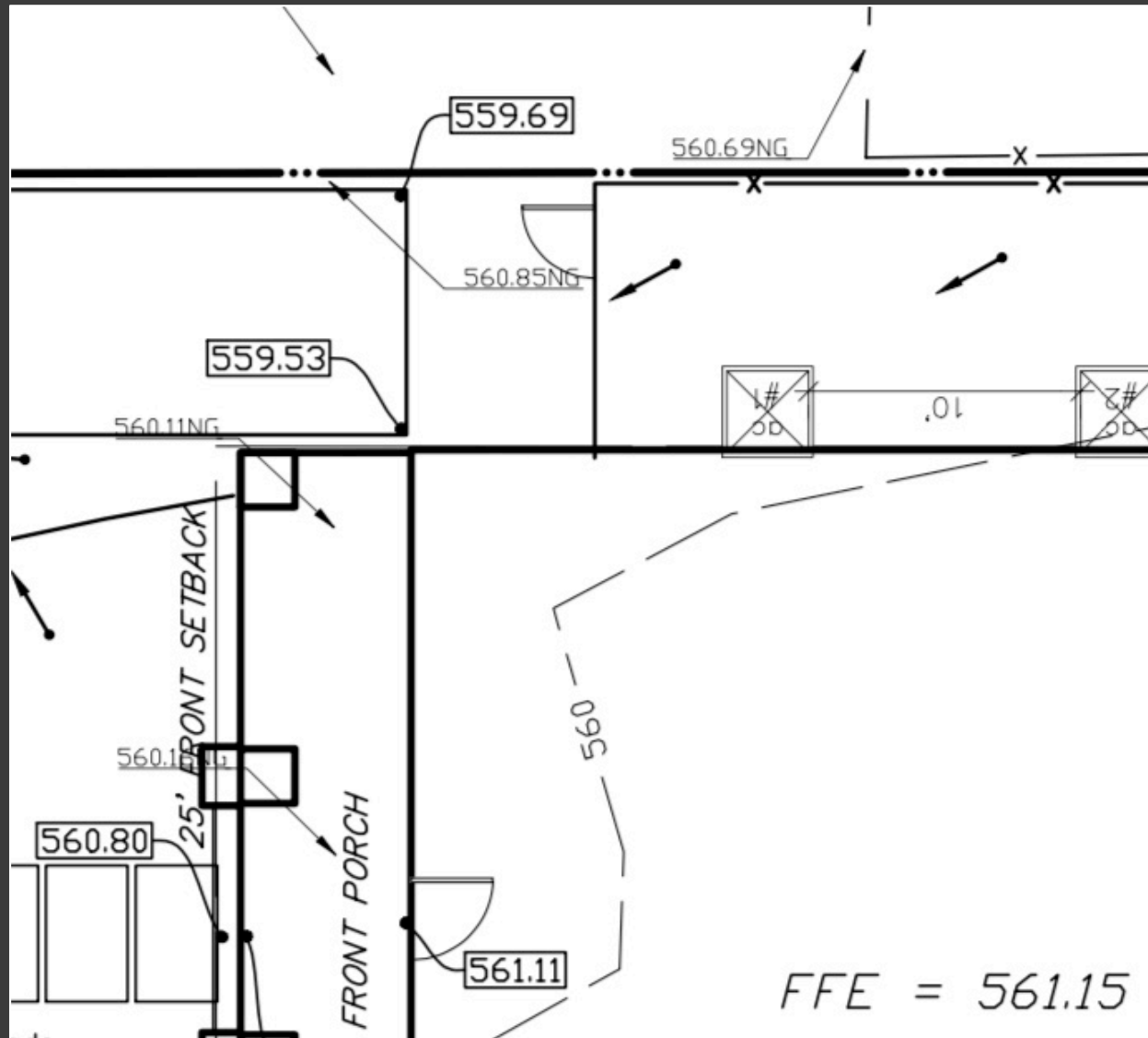
5328 MILLER AVE.

BDA 189-145

SUMMARY OF EVENTS



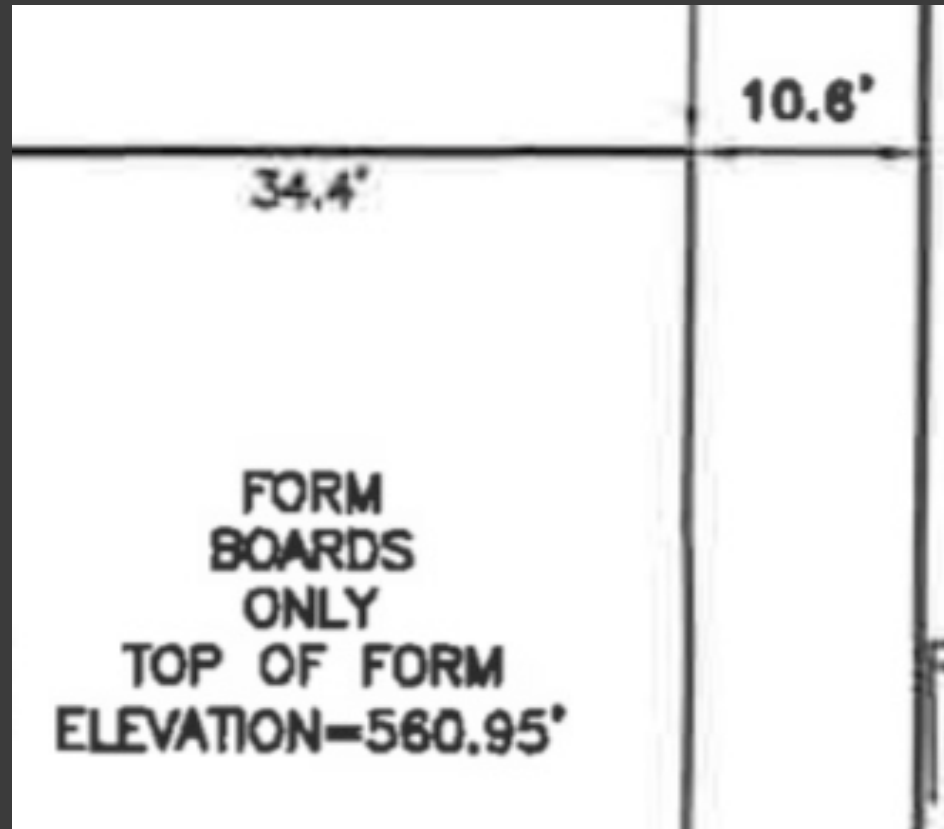
The City of Dallas Conservation District for new construction homes in CD15 requires that the foundation have a visible exposure of 12 inches. The plan review process requires a plan elevation to delineate the exposure, a civil engineered site plan to show the grade height for drainage and the height of the top of the foundation. These documents were reviewed and approved by the City of Dallas and the permit was issued on June 4th, 2019.



IN CLOSE DETAIL...

These heights were approved by the City of Dallas.


IN CLOSE DETAIL...



The civil engineer noted the FFE (finish floor elevation) to be 561.15 on the approved drawing and the top of the concrete forms were set at 560.95, the wood finish floor material is .125 thick, which means the concrete was .075' (less than 1") short. This survey document was on site for the inspector at the time of the pre-pour inspection by the City of Dallas.

SUMMARY OF EVENTS

12/5/2019 Dallas Contractor Utility - Building Inspection Español



[Dallas Home](#) [Building Inspection Home](#) [Offices](#) [Records](#) [Newsletter](#) [Government](#)

Building Inspection Welcome, CASEY COX - BELLA VISTA COMPANY (BR)

Details **General** **Checklist** **Notes**

1905011111 5328 MILLER AVE
Inspection Called: Jun 20, 2019 Requested For: Jun 21, 2019
Trade Permit: 190501111101 Building (BU)
Inspection Type: 120 Pier, Foundation, Excavation
Special Instructions:
CASEY COX (469) 260-3844:

Inspection Results: Yellow Tag
Foundation ok to pour pending Zoning approval

Reinspection Fee: 75 (None)
After Hours Total Time:

Trades Concealed

Building Electrical
 Mechanical Plumbing Paving

Total Concealment Fee:

[Main Menu](#)

On June 20th the building inspector approved the pre-pour inspection pending zoning inspection approval.

12/5/2019 Dallas Contractor Utility - Building Inspection Español



[Dallas Home](#) [Building Inspection Home](#) [Offices](#) [Records](#) [Newsletter](#) [Government](#)

Building Inspection Welcome, CASEY COX - BELLA VISTA COMPANY (BR)

Details **Checklist** **Notes**

1905011111 5328 MILLER AVE
Inspection Called: Jun 20, 2019 Requested For: Jun 21, 2019
Trade Permit: 190501111251 Zoning (ZO)
Inspection Type: 121 Zoning Foundation
Special Instructions:

Inspection Results: Yellow Tag
6/21/19 Zoning foundation is ok.
* Received form survey.
* Must install erosion control at the rear.
* Must put address on SMS.

Reinspection Fee: 75 (None)
After Hours Total Time:

[Main Menu](#)

Later on that same day, the zoning inspector noted “received form survey. Foundation is ok.”

SUMMARY OF EVENTS

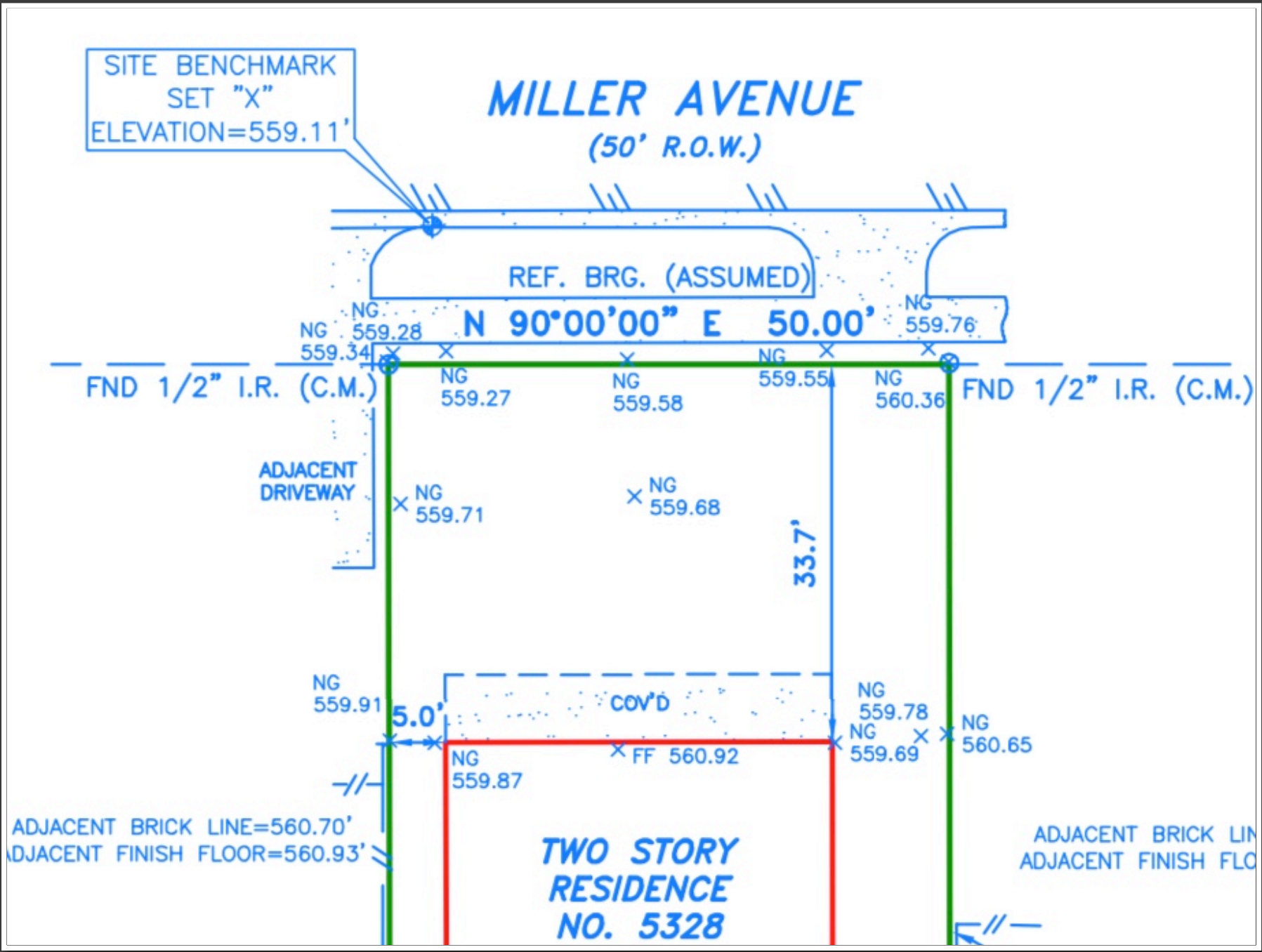


Upon receiving the okay to pour, the foundation was poured on June 22nd. After which time the house was framed up, windows installed, roof installed and the mechanical and plumbing rough in work had begun. The City of Dallas issued a stop work order on July 16th for failure to meet the 12” foundation exposure. At which time we were permitted the opportunity to clear the yard and grade the lot to show adequate foundation exposure.

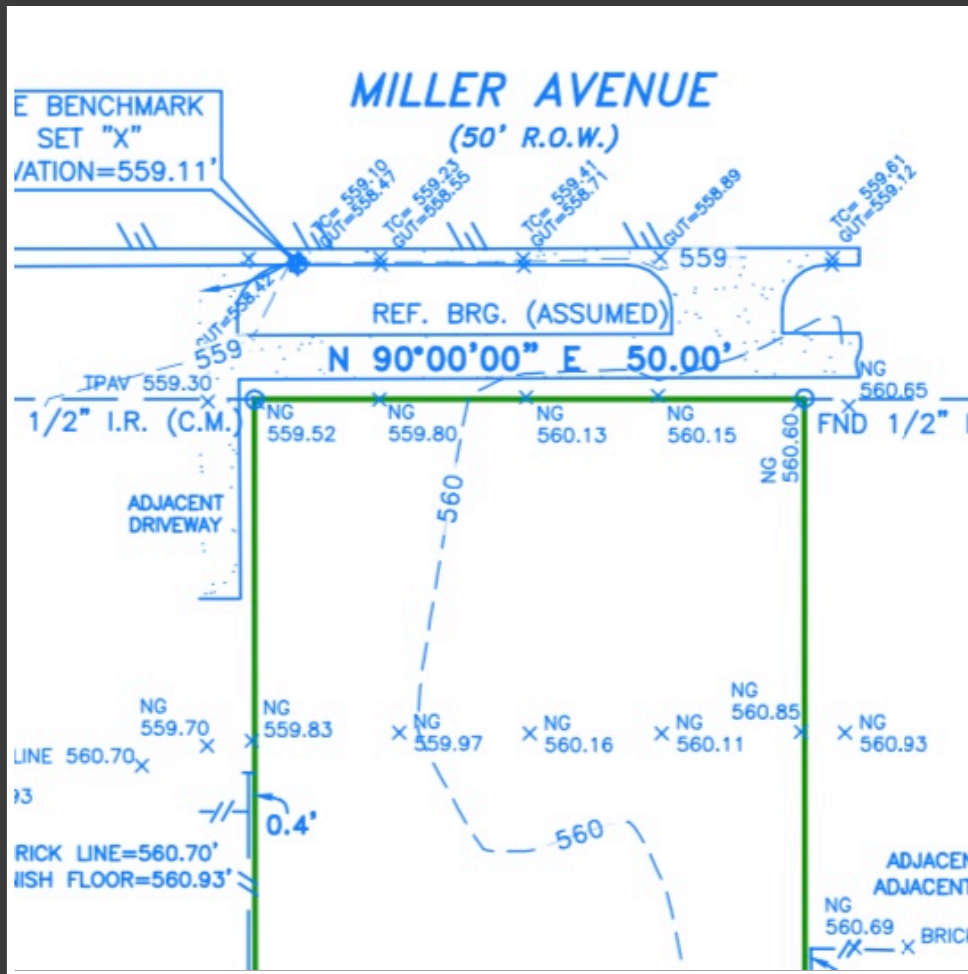
Summary of Events



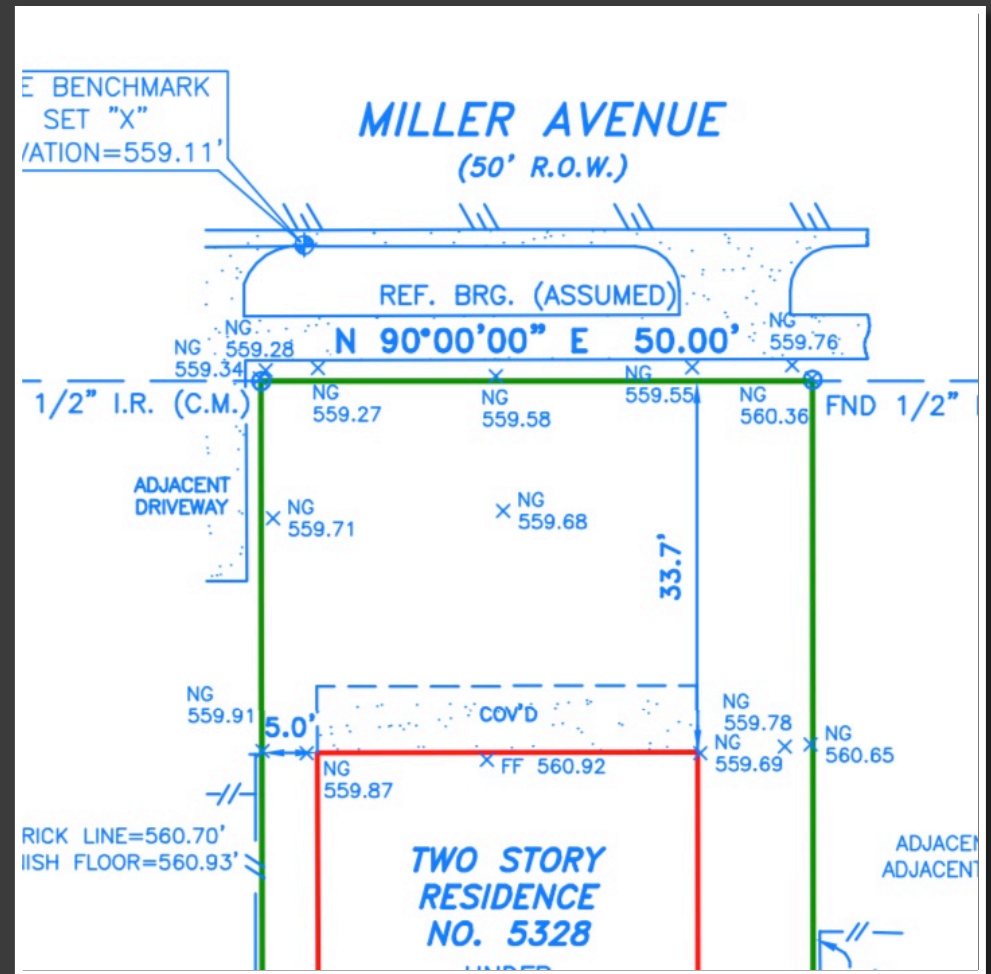
During the clean up and grading process, on July 24th, we received notice from the City of Dallas that a complaint had been filed for “over grading” of the lot. At which time, we proceeded to get a topographic survey of the lot.



AUGUST 14TH SURVEY IN DETAIL...



March 20, 2019 Pre-Permit Survey



August 14, 2019 Survey

SUMMARY OF EVENTS



After receiving the complaint, we stopped the grading process and scheduled a meeting with the City representatives on August 22nd. At which time, we negotiated an agreement to pour a cap on the Front Porch to enhance the visual height of the foundation by 4.5". We were granted permission to pour the cap on August 26th. The caps were formed, and these photos submitted to the City on September 10th. We poured the caps on September 12th with no reply from the City. On September 20th, the City official met us on site to review the caps and took the information back with a follow up on September 24th saying they could not approve the exposure and that we had over graded the lot. At this time they required an appeal from the Board.



CURRENT EXISTING SITE CONDITION

PROPOSED SOLUTION

- Grade the lot one more inch down
- Extend existing concrete curb at neighboring property line for drainage control

Compatible to neighboring property on same side of block in CD15 which we were told had been a previously approved solution.



5328 Miller Lot

Proposed Curb

5318 Miller





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 189-145

Data Relative to Subject Property:

Date: 10-16-19

Location address: 5328 Miller Ave. Zoning District: CD #15

Lot No.: 7 Block No.: 14/1938 Acreage: .185 Census Tract: 10.01

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Noble Home Designs (Kathleen Noble)

Applicant: Kathleen Noble Telephone: 972-880-0094

Mailing Address: 8401 Bridgend Court, Plano TX Zip Code: 75024

E-mail Address: knoble75075@gmail.com

Represented by: Bella Vista Company Telephone: 214-823-0033

Mailing Address: 8989 Garland RD. Dallas Zip Code: 75218

E-mail Address: Casey@bellavistacompany.com

Affirm that an appeal has been made for a Variance, or Special Exception, of Administrative Decision

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:

Current Structure Does Have 12" exposed Foundation Minimal Grading of Lot to Allow Drainage Site Conditions Are Similar to other New Homes In Neighborhood

City Inspectors Approved Builder to pour slab At current elevation

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 KATHLEEN A. NOBLE (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: Kathleen A. Noble (Affiant/Applicant's signature)

Subscribed and sworn to before me this 7 day of October, 2019



Angela Johnson Notary Public in and for Dallas County, Texas



Printed: 10/16/2019

Legend

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





A

1912

1915

October 16, 2019

CERTIFIED MAIL NO. 7013302000114191739

Mr. Casey Cox
8989 Garland Road
Dallas, TX 75218

RE: Revocation of Building Permit No. 191011173 for (“permit”) issued for work at 5328 Miller Avenue (“the Property”)

Dear Mr. Cox:

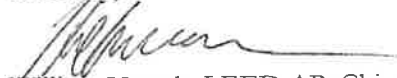
This letter is to inform you that the construction of the foundation at the above referenced Property does not comply with the requirements of Conservation District No. 15 (Vickery Place) and the building permit is therefore revoked. The Property is located within Vickery Place. Pursuant to Section 4(h) of the Vickery Place Conservation District Ordinance (“the Ordinance”): “Foundations of main buildings must be raised a minimum of 12 inches above grade.”¹ The construction at 5328 Miller fails to meet the requirement for the foundation height and violates Section 4(h) of the Ordinance. Further, solutions posited by the contractor would violate Section 4(q)(1) of the Ordinance by severely altering the existing slope of the lot.²

Section 302.6.1 of Chapter 52 of the Dallas City Code requires the building official to revoke a permit if he or she determines that the work violates a city ordinance or regulation or any provision of the chapter or the code.³ Accordingly, **Building Permit No. 191011173 is hereby revoked**. A person shall not continue to work under a permit that has been revoked.⁴

Section 51A-4.703 of the Dallas Development Code provides that any aggrieved person may appeal a decision of an administrative official to the board when that decision concerns issues within the jurisdiction of the board. An appeal to the board must be made within 15 days after notice of the decision of the official.⁵ For information on filing that appeal, please contact Charles Trammel, Board of Adjustment Liaison, at 214-948-4618.

This decision is final unless appealed to the Board of Adjustment within fifteen days after receipt of this letter.⁶ If you have any questions, please contact me at 214-948-4458.

Sincerely,



William Hersch, LEED AP, Chief Planner
Building Inspection Division

cc: Kris Sweckard, Director, Sustainable Development and Construction
Carl Simpson, Director, Code Compliance
Phil Sikes, CBO, Building Official

¹ Ordinance No. 26391, Exhibit B, § 4(h).

² *Id.* § 4(q)(1) (“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.

³ DALLAS CITY CODE Ch. 52, § 302.6.1.

⁴ *Id.* § 302.6.4.

⁵ DALLAS DEVELOPMENT CODE § 51A-4.703(a)(2)(A).

⁶ *Id.*



October 16, 2019

To Whom It May Concern:

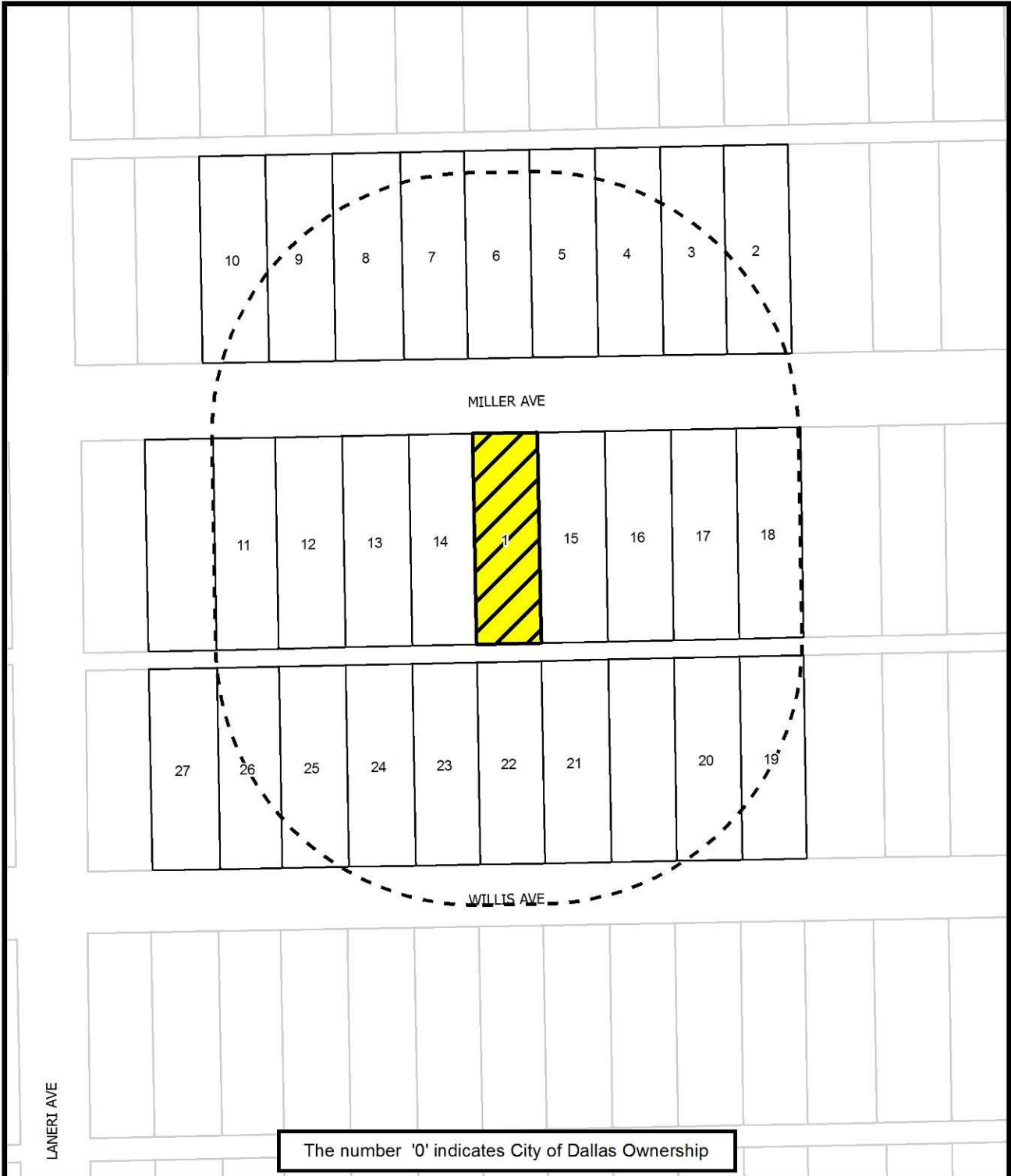
Additional information to grant the described appeal for the following reason:

1. Foundation currently has 12" of exposure: We have a certified topographic survey that shows the elevation of the slab in relation to the nominal grade of the lot. Furthermore, the top of the slab is 1.8' above the city curb height.
2. Minimal grading of the lot to allow drainage: The topographic survey shows the current conditions of the lot compared to an existing topographic survey of the lot prior to permit/construction shows only minimal grading has been completed to allow for proper drainage with no lot to lot drainage.
3. Site conditions are similar to other New Home in the neighborhood: Particularly the new construction site at 5318 Miller.
4. City inspectors approved builder to pour the slab: At the pre-pour inspection a certified survey of the slab with the elevation height noted was given to both building and zoning inspectors who approved the builder to move forward with the concrete pour. This survey available via city inspection website

Sincerely,

A handwritten signature in blue ink, appearing to read 'Casey Cox', is written over a horizontal line.

Casey Cox, Partner of Bella Vista Company



LANERI AVE

MILLER AVE

WILLIS AVE

The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200'

AREA OF NOTIFICATION

27

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA189-145**

Date: **11/21/2019**

11/21/2019

Notification List of Property Owners

BDA189-145

27 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5328 MILLER AVE	NOBLE HOME DESIGN LLC
2	5343 MILLER AVE	SMITH HUGHES
3	5337 MILLER AVE	METROPLEX CAPITAL LLC
4	5333 MILLER AVE	5333 MILLER AVE REALTY LLC
5	5331 MILLER AVE	MARTHENS ANN & WILLIAM
6	5327 MILLER AVE	THORSEN EMILY J
7	5323 MILLER AVE	BYNUM KATHLEEN M
8	5319 MILLER AVE	WELLS MILLER I LP
9	5313 MILLER AVE	GANGEL CHRISTOPHER & MIRIAM A
10	5309 MILLER AVE	LOISEL CHRISTOPHER K
11	5308 MILLER AVE	HOFNER THOMAS J & SHANNON N
12	5312 MILLER AVE	CASTRO ENRIQUE JR & OLGA
13	5318 MILLER AVE	JAQUISS ROBERT & CHERYL
14	5322 MILLER AVE	SALYARDS PAUL DAVID & OLETA LANE
15	5330 MILLER AVE	SEA ROBERT M II & SAHAR J
16	5332 MILLER AVE	5332 MILLER AVE QUALIFYING TRUST
17	5336 MILLER AVE	GRUBBS MARY C
18	5342 MILLER AVE	KIMBER GREGORY T & JOAN G
19	5341 WILLIS AVE	WILSON KEVIN
20	5339 WILLIS AVE	CPG HOMES LLC
21	5331 WILLIS AVE	BOLLICH BRIAN &
22	5327 WILLIS AVE	PADRON CRUZ & ELANA
23	5323 WILLIS AVE	VOJIR RYAN J
24	5319 WILLIS AVE	OBRIEN PATRICK J & CHELSEA S
25	5315 WILLIS AVE	SEPULVEDA MARIA GUADALUPE
26	5311 WILLIS AVE	ZAMEEN BUMS LLC
27	5307 WILLIS AVE	KERNAN RICHARD J &