

ZONING BOARD OF ADJUSTMENT, PANEL B  
WEDNESDAY, MAY 20, 2015  
AGENDA

---

BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	<b>11:30 A.M.</b>
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	1:00 P.M.

---

**Donna Moorman, Chief Planner**  
**Steve Long, Board Administrator**

---

**MISCELLANEOUS ITEMS**

---

Approval of the April 22, 2015 Board of Adjustment Panel B Public Hearing Minutes	M1
--	----

---

**UNCONTESTED CASES**

---

<b>BDA 145-057</b>	8715 Midway Road <b>REQUEST:</b> Application of Christopher Strempek for a special exception to the fence height regulations	1
<b>BDA 145-059</b>	4062 LBJ Freeway <b>REQUEST:</b> Application of Daniel Millner for a special exception to the landscape regulations	2
<b>BDA 145-060</b>	8216 Inwood Road <b>REQUEST:</b> Application of Santos T. Martinez for a special exception to the fence height regulations	3

## EXECUTIVE SESSION NOTICE

The Commission/Board may hold a closed executive session regarding any item on this agenda when:

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 Commission/Board 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 §551.086]

**MISCELLANEOUS ITEM NO. 1**

To approve the Board of Adjustment Panel B April 22, 2015 public hearing minutes.

**FILE NUMBER:** BDA 145-057

**BUILDING OFFICIAL'S REPORT:** Application of Christopher Strempek for a special exception to the fence height regulations at 8715 Midway Road. This property is more fully described as Lot 10 and part of Lots 9 & 11, Block 2/5071, and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and/or maintain a 7 foot 8 inch high fence, which will require a 3 foot 8 inch special exception to the fence height regulations.

**LOCATION:** 8715 Midway Road

**APPLICANT:** Christopher Strempek

**REQUEST:**

A request for a special exception to the fence height regulations of 3' 8" is made to modify and maintain a 6' high open wrought iron fence with 2' 7" high columns/decorative urns, and a recessed entryway that includes a 6' high open wrought iron pedestrian gate, a 7' 8" high open arched wrought iron gate, two, 7' 8" high masonry columns, and a 7' 8" high approximately 5' long, 7' 8" high entry wall/column on a site developed with a single family home.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

Section 51A-4.602 of the Dallas Development Code states that the board may grant a special exception to the height requirement for fences 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 height regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-10(A) (Single family district 10,000 square feet)  
North: R-10(A) (Single family district 10,000 square feet)  
South: R-10(A) (Single family district 10,000 square feet)  
East: R-10(A) (Single family district 10,000 square feet)  
West: R-10(A) (Single family district 10,000 square feet)

### **Land Use:**

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

### **GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses on modifying and maintaining a 6' high open wrought iron fence with 2' 7" high columns/decorative urns, and a recessed entryway that includes a 6' high open wrought iron pedestrian gate, a 7' 8" high open arched wrought iron gate, two, 7' 8" high masonry columns, and a 7' 8" high approximately 5' long, 7' 8" high entry wall/column on a site developed with a single family home use.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
- The applicant has submitted a revised site plan/elevation of the proposal in the front yard setback indicating that it reaches a maximum height of 7' 8".
- The following additional information was gleaned from the submitted revised site plan/elevation:
  - The proposal is represented as being approximately 240' in length parallel to the street and approximately 23' perpendicular to the street on the south side of the site in the front yard setback.
  - The fence proposal is represented to be located approximately 5' – 7' from the front property line or about 20' - 22' from the pavement line.
  - The recessed entryway is represented to be located approximately 27' from the front property line or about 36' from the pavement line.
- The proposal is located on the site where three lots have direct frontage to it, none of which appear to have visible fences in their front yards over 4' in height.
- The Board Administrator conducted a field visit of the site and surrounding area along Midway Road (from Capps Drive to Shorecrest Drive) and noted the following three other visible fences above 4 feet high which appeared to be located in a front yard setback:
  - 1) an approximately 6' high solid board fence northeast of the site; and
  - 2) an approximately 6' high wood fence immediately north of the site; and
  - 3) an approximately 6' high wood fence two lots south of the subject site.None of the fences noted above have recorded BDA history.
- As of May 11, 2015, six letters had been submitted in support of the request, and no letters had been submitted in opposition.

- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 3' 8" will not adversely affect neighboring property.
- Granting this special exception of 3' 8" with a condition imposed that the applicant complies with the submitted revised site plan/elevation would require the proposal exceeding 4' in height in the front yard setback to be modified and maintained in the location and of the heights and materials as shown on this document.

**Timeline:**

March 18, 2015: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

April 14, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

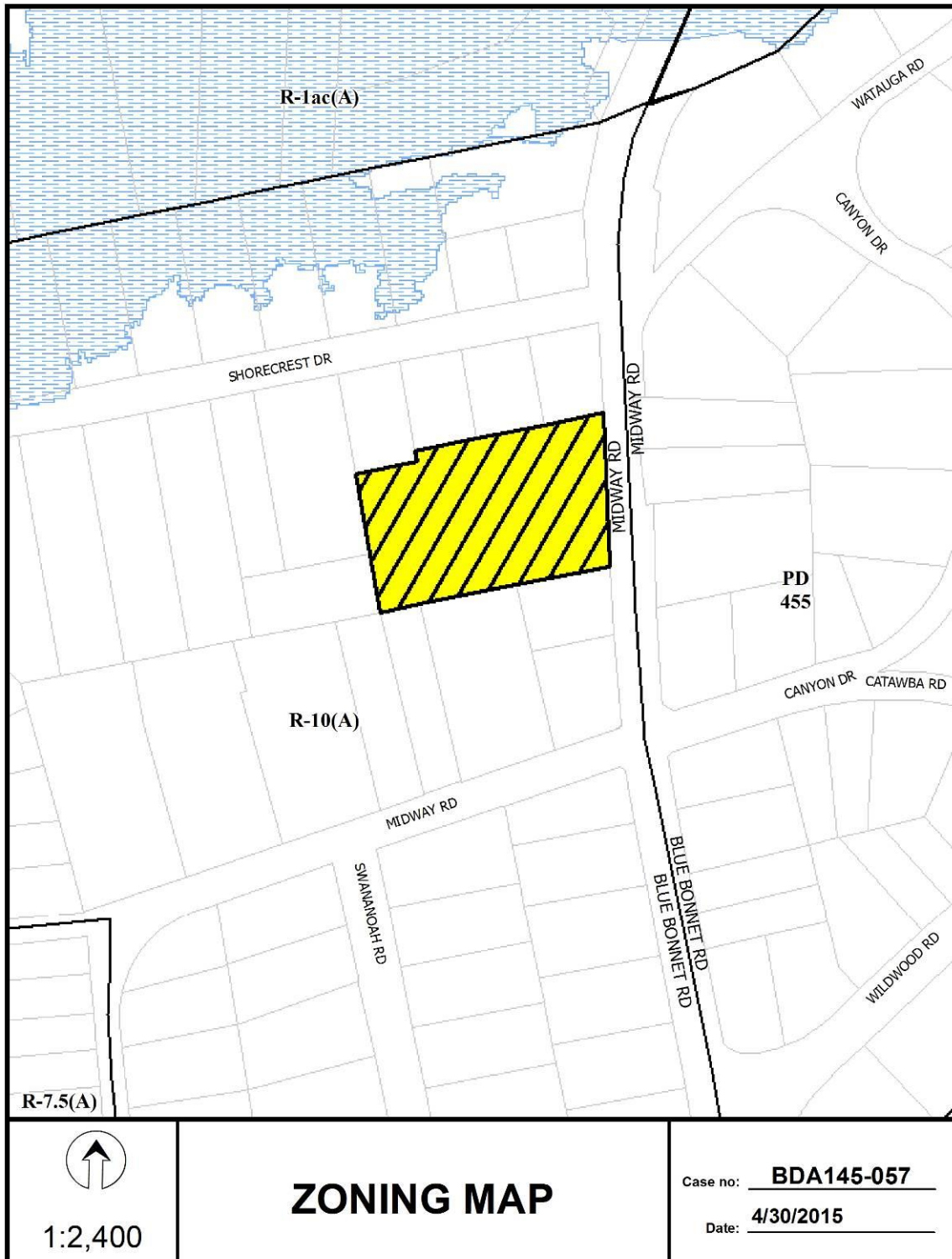
April 16, 2015: The Board Administrator emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the April 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the May 8<sup>th</sup> 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."

May 1, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

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

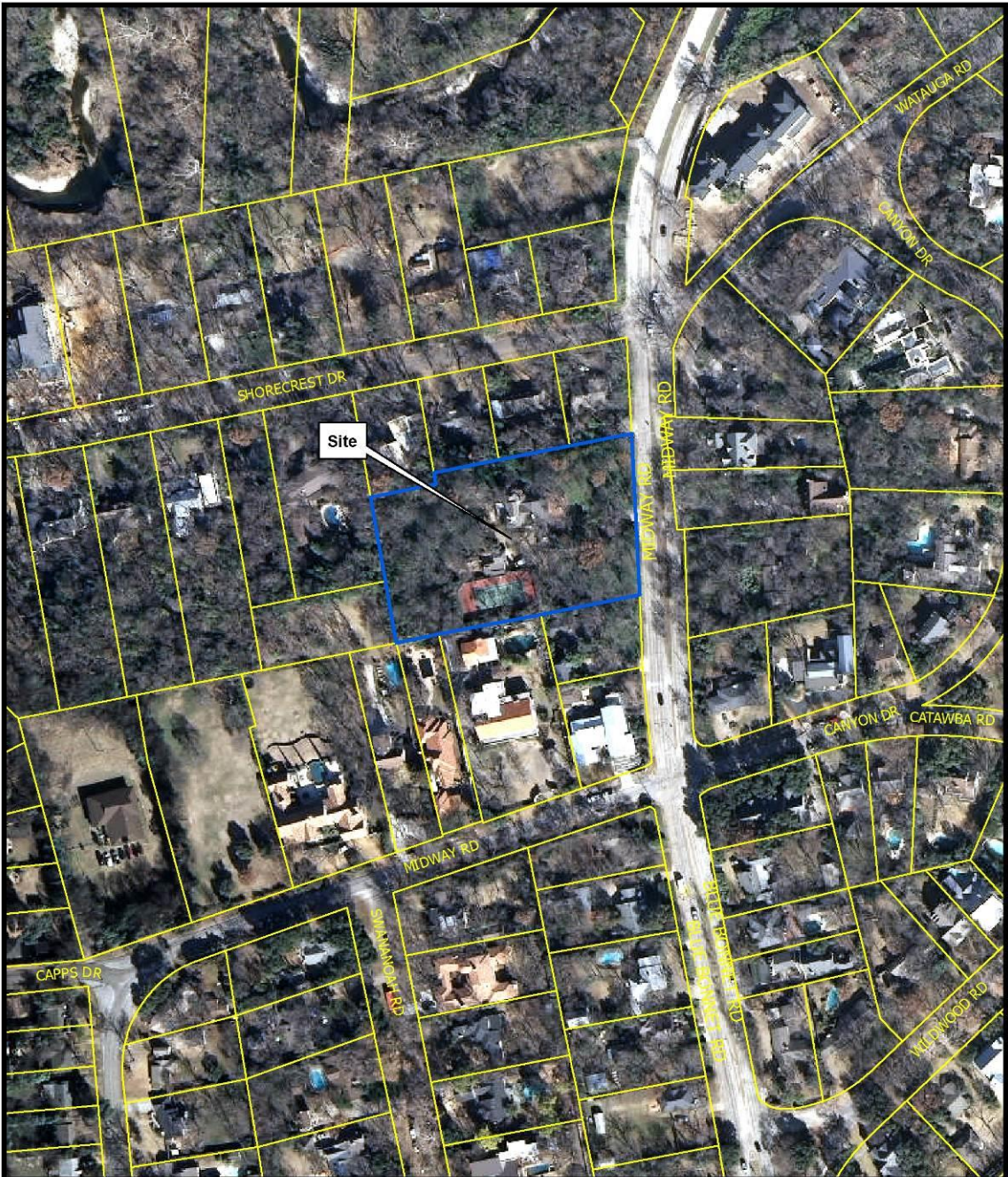


1:2,400

# ZONING MAP

Case no: BDA145-057

Date: 4/30/2015



1:2,400

# AERIAL MAP

Case no: BDA145-057

Date: 4/30/2015





COMPLETE LANDSCAPE  
 20700 NORTH LANE  
 DALLAS, TEXAS 75244  
 TEL: 214.350.0000  
 FAX: 214.350.2171  
 WWW.COMPLETELANDSCAPE.COM

COMPLETE LANDSCAPE  
 CREATING A COMPLETE OUTDOOR EXPERIENCE

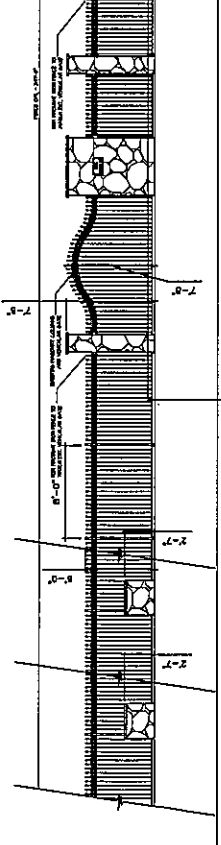
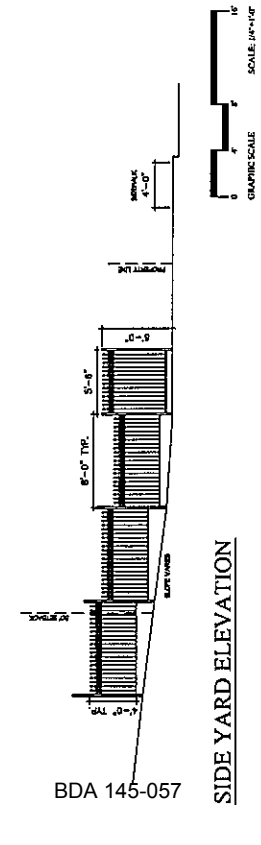


BDA145-057 Attach A  
 Strempek Residence  
 8715 MIDWAY ROAD  
 DALLAS, TX

REV.	DATE	DESCRIPTION

CONSULTANT: CS  
 DRAWN BY: BS  
 SHEET OF X  
 L1.0

Rev. A



GATE AND FENCE ELEVATION



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-057

Data Relative to Subject Property:

Location address: Dallas 75209 8715 Midway Road Zoning District: R-10(A)
Lot No.: 9910911 Block No.: 2/5071 Acreage: 2.222 Census Tract: 73.02
Street Frontage (in Feet): 1) 247.41 2) 3) 4) 5)

NW21A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Christopher Steampell
Applicant: Christopher Steampell Telephone: (214) 808-3163
Mailing Address: 8715 Midway Rd, Dallas Zip Code: 75209
E-mail Address: chris@completeLandsculpture.com
Represented by: Christopher Steampell Telephone: (214) 808-3163
Mailing Address: 8715 Midway Rd, Dallas Zip Code: 75209
E-mail Address: chris@completeLandsculpture.com

Affirm that an appeal has been made for a Variance \_\_, or Special Exception [check], of 3' 8" 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:

The additional height to the fence will not adversely affect the community. It is wrought iron that is within a well landscaped area. It also looks like those nearby.

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 Christopher Steampell (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 19 day of March 2015

[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**

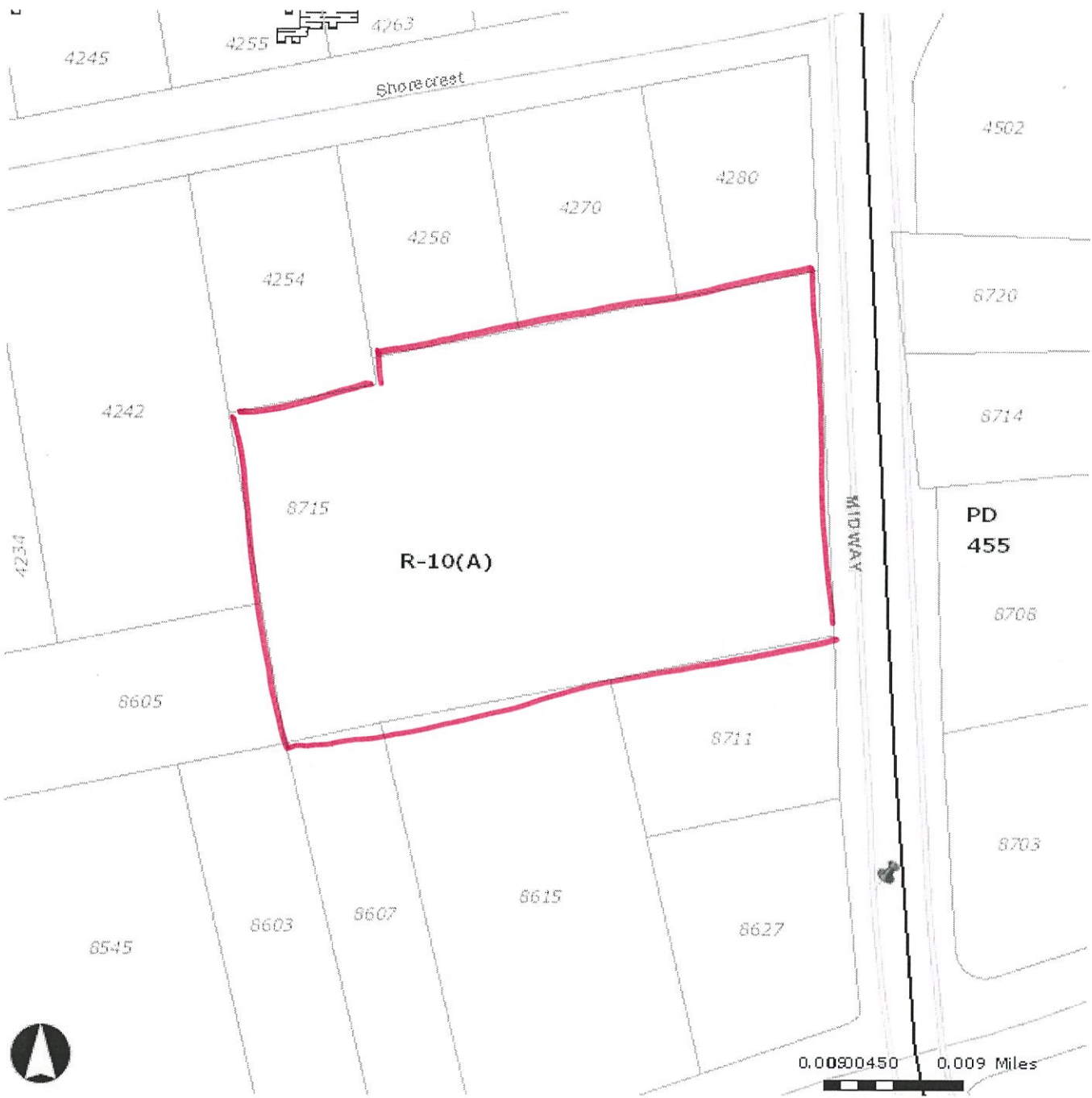
I hereby certify that Christopher Strempek

did submit a request for a special exception to the fence height regulations  
at 8715 Midway Road

BDA145-057. Application of Christopher Strempek for a special exception to the fence height regulations at 8715 Midway Road. This property is more fully described as Lot 10 and part of Lots 9 & 11, Block 2/5071, and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 7 foot 8 inch high fence in a required front yard, which will require a 3 foot 8 inch special exception to the fence regulation.

Sincerely,

  
Larry Holmes, Building Official







COMPLETE LANDSCAPE ARCHITECTURE  
 2008 SANDY LANE  
 DALLAS, TEXAS 75204  
 TEL: 214.387.2121  
 FAX: 214.387.2121

CREATING A COMPLETE OUTDOOR EXPERIENCE  
**COMPLETE**  
 LANDSCAPE ARCHITECTURE

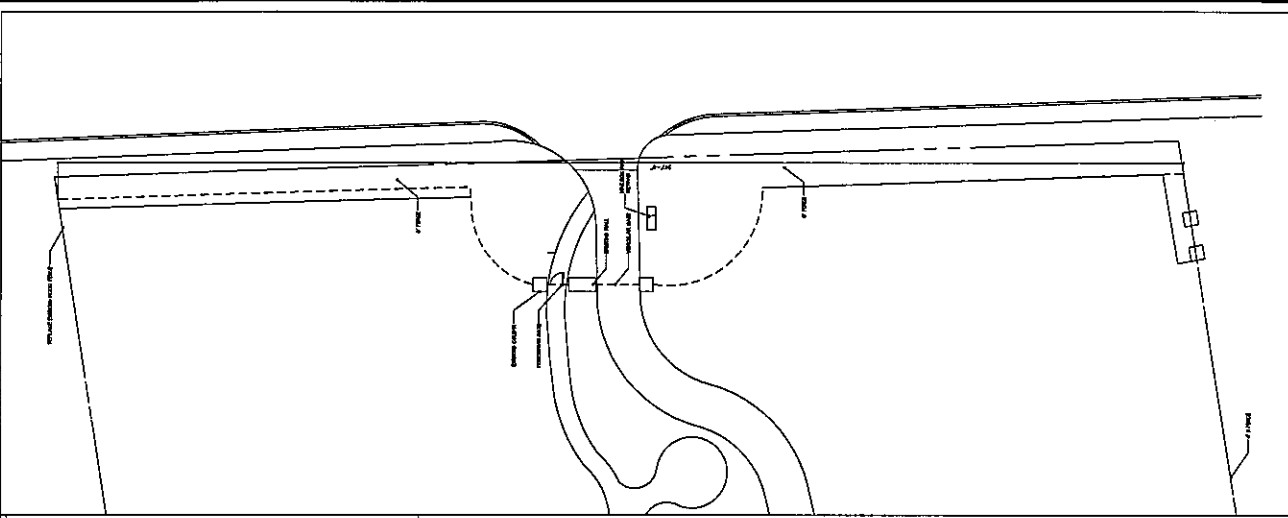


Strempek Residence  
 8715 MIDWAY ROAD  
 DALLAS, TX

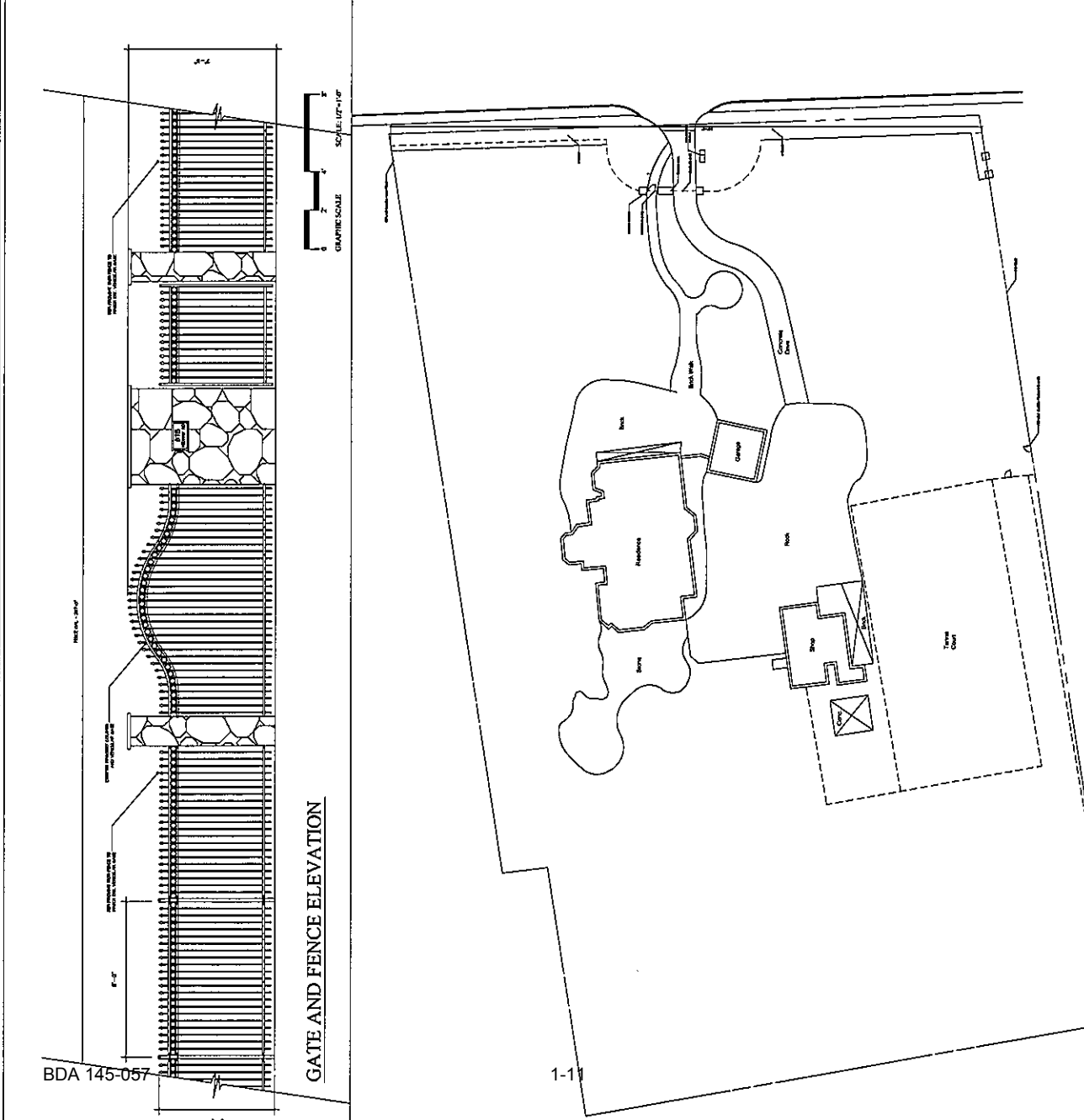
NO.	DATE	DESCRIPTION

CONTRACT NO. 2011-001  
 SHEET NO. 2011-001-01

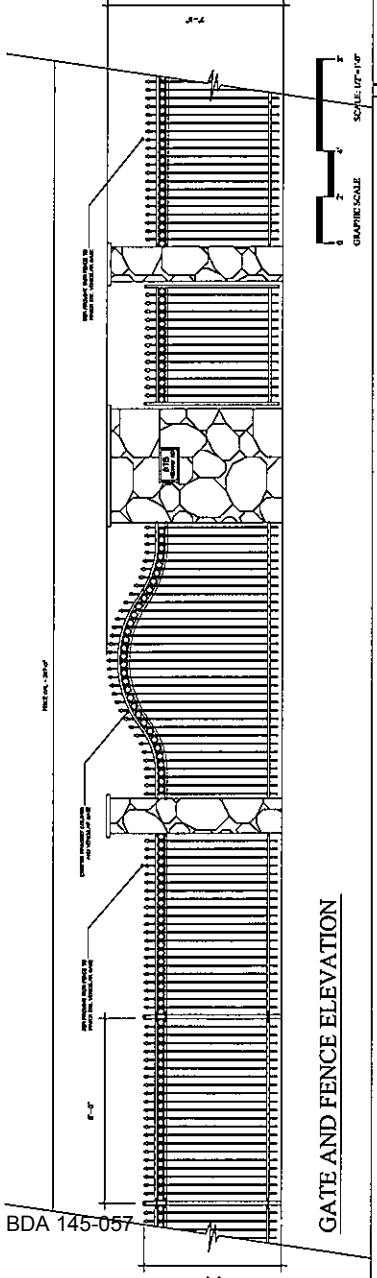
SHEET OF X  
**L1.0**



**STREET FRONTAGE**  
 GRAPHIC SCALE SCALE: 1"=10'-0"

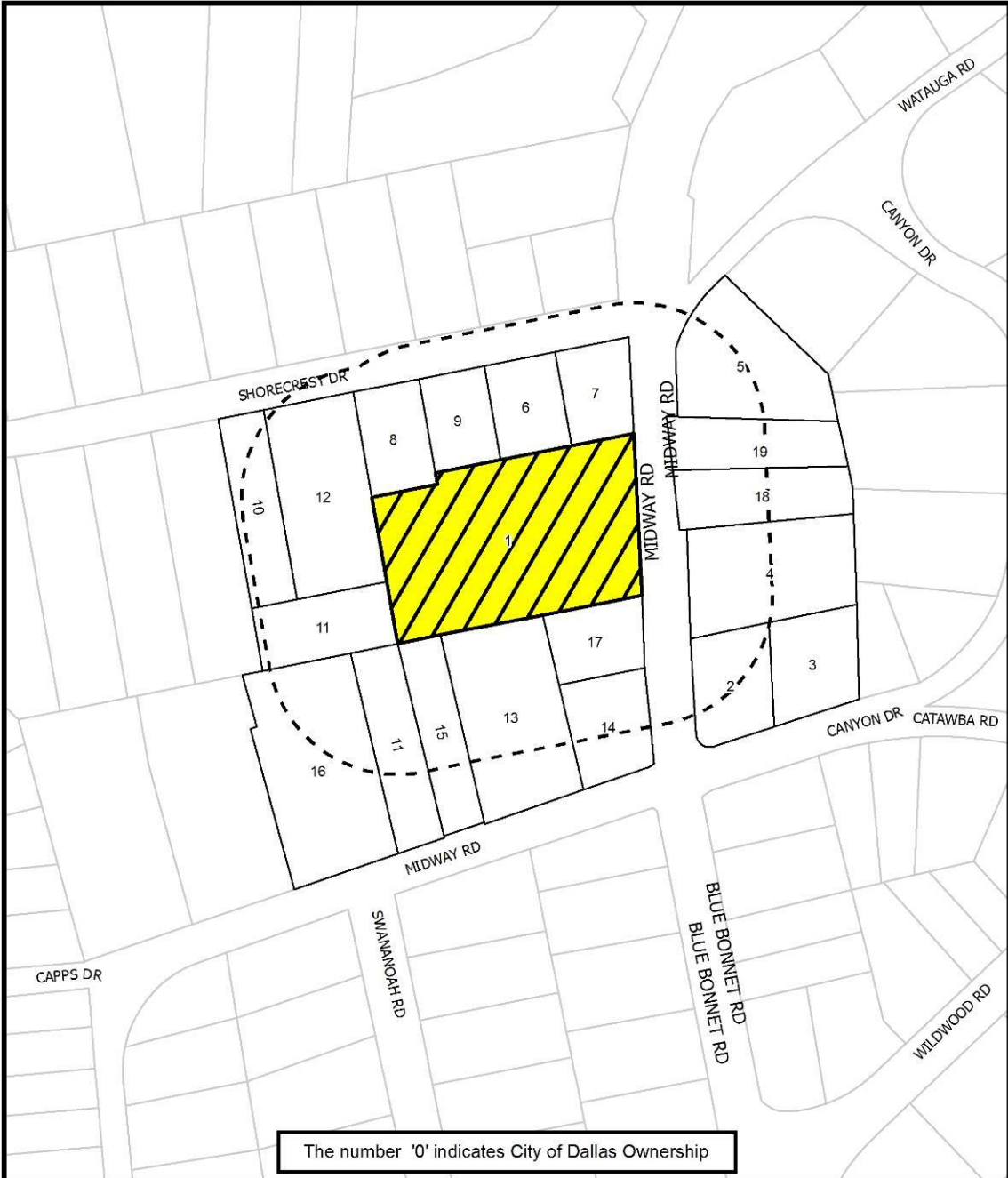


**SITE PLAN**  
 GRAPHIC SCALE SCALE: 1"=10'-0"



**GATE AND FENCE ELEVATION**  
 GRAPHIC SCALE SCALE: 1"=10'-0"

BDA 145-057



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>19</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u><b>BDA145-057</b></u> Date: <u><b>4/30/2015</b></u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>19</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

## *Notification List of Property Owners*

***BDA145-057***

### ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8715 MIDWAY RD	STREMPEK CHRISTOPHER
2	8703 CANYON DR	GAMMILL MERCI D
3	8707 CANYON DR	EDMONDS IAN C & MEE MEE TAN
4	8708 MIDWAY RD	BANKS BENNY LEONARD & KATHLEEN SARAH
5	4502 WATAUGA RD	ELLIS JOSEPH O IV &
6	4270 SHORECREST DR	GLASSMAN ALAN M & GENEVIEVE
7	4280 SHORECREST DR	KOLLACK CHRISTOPHER &
8	4254 SHORECREST DR	BROWN ALLAN R JR & KAREN LYNNE
9	4258 SHORECREST DR	GILLILAND MARY
10	4234 SHORECREST DR	SIMS WILLIAM D JR
11	8605 MIDWAY RD	CAMPISI DAVID J
12	4242 SHORECREST DR	HELM H MONROE III &
13	8615 MIDWAY RD	HALLAM JAMES & REBECCA
14	8627 MIDWAY RD	GEORGE AMANDA EAGLE & JAMES CHRISTOPHER
15	8607 MIDWAY RD	HENDERSON ROBERT J & MARILYN D
16	8545 MIDWAY RD	MCGOWEN JAMES P &
17	8711 MIDWAY RD	CHAMBERS GARRETT W
18	8714 MIDWAY RD	ZOLLNER WILLIAM C & DIANA
19	8720 MIDWAY RD	HILL STEVEN E & ANN W



**FILE NUMBER:** BDA 145-059

**BUILDING OFFICIAL'S REPORT:** Application of Daniel Millner for a special exception to the landscape regulations at 4062 LBJ Freeway. This property is more fully described as Lot 1, Block 8391, and is zoned PD-885 (Subarea A), which requires mandatory landscaping. The applicant proposes to construct and maintain a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

**LOCATION:** 4062 LBJ Freeway

**APPLICANT:** Daniel Millner

**REQUEST:**

A request for a special exception to the landscape regulations is made to complete and maintain a general merchandise or food store use/structures (an approximately 186,000 square foot structure: Walmart, and an approximately 136,000 square foot structure: Sam's Club), and not fully meet the landscape regulations.

**STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REGULATIONS:**

The board may grant a special exception to the landscape 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 alternate landscape plan because in his opinion the exception will not adversely affect neighboring property, and strict compliance with the requirements of the ordinance for maintaining groundcover within the buffer below the extensive retaining wall structure will unreasonably burden the use of the property.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: PD 885 (Planned Development)
- North: City of Farmers Branch
- South: R-10(A) (Single family residential 10,000 square feet)
- East: D(A) and CR (Duplex and Community retail)
- West: TH-2(A) (Townhouse)

**Land Use:**

The site is currently being developed with a general merchandise or food store use/structures (Walmart and Sam’s Club). The area to the north is the City of Farmers Branch; the area to the east is developed with a mix of retail and residential uses; and the areas to the 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.

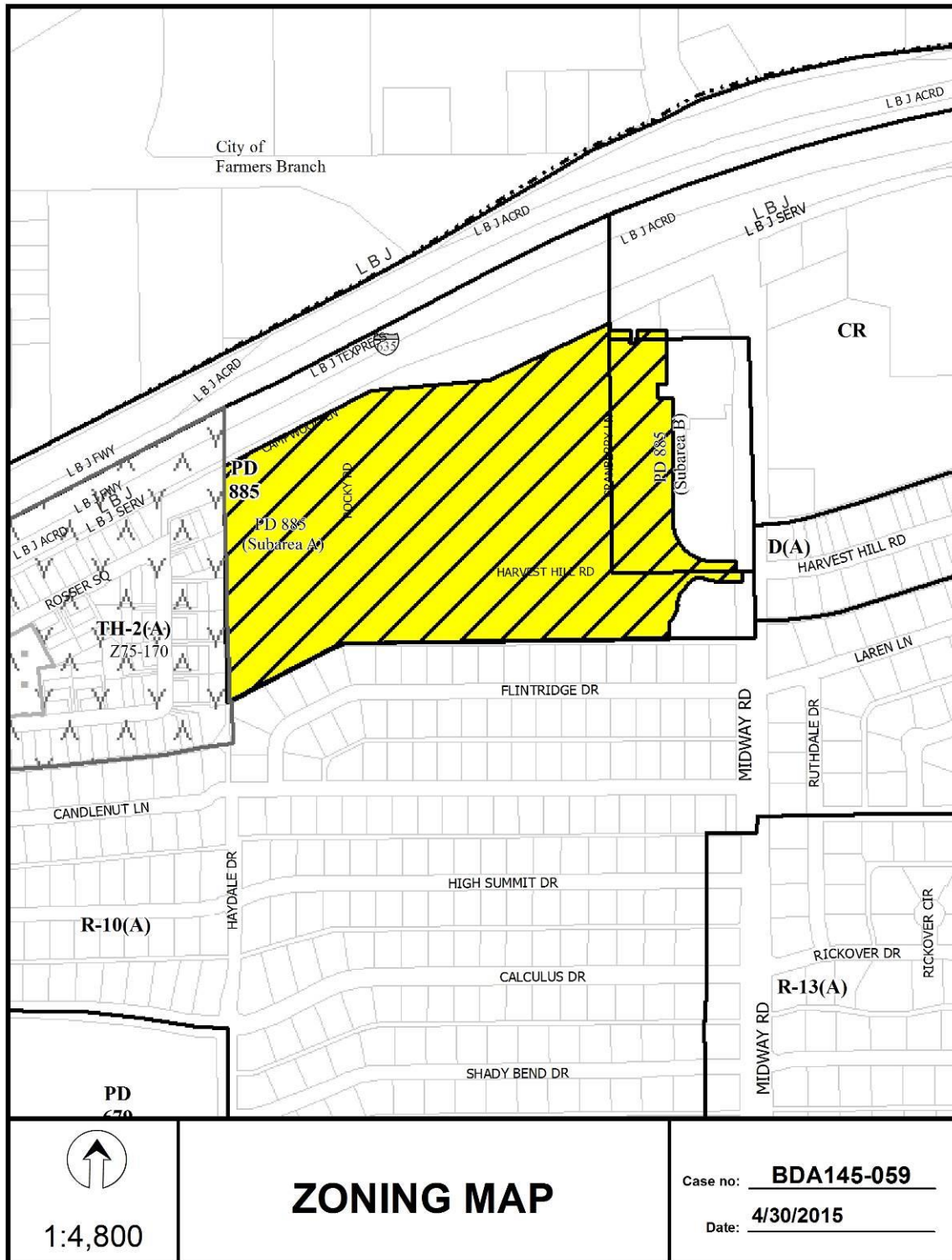
**GENERAL FACTS/STAFF ANALYSIS:**

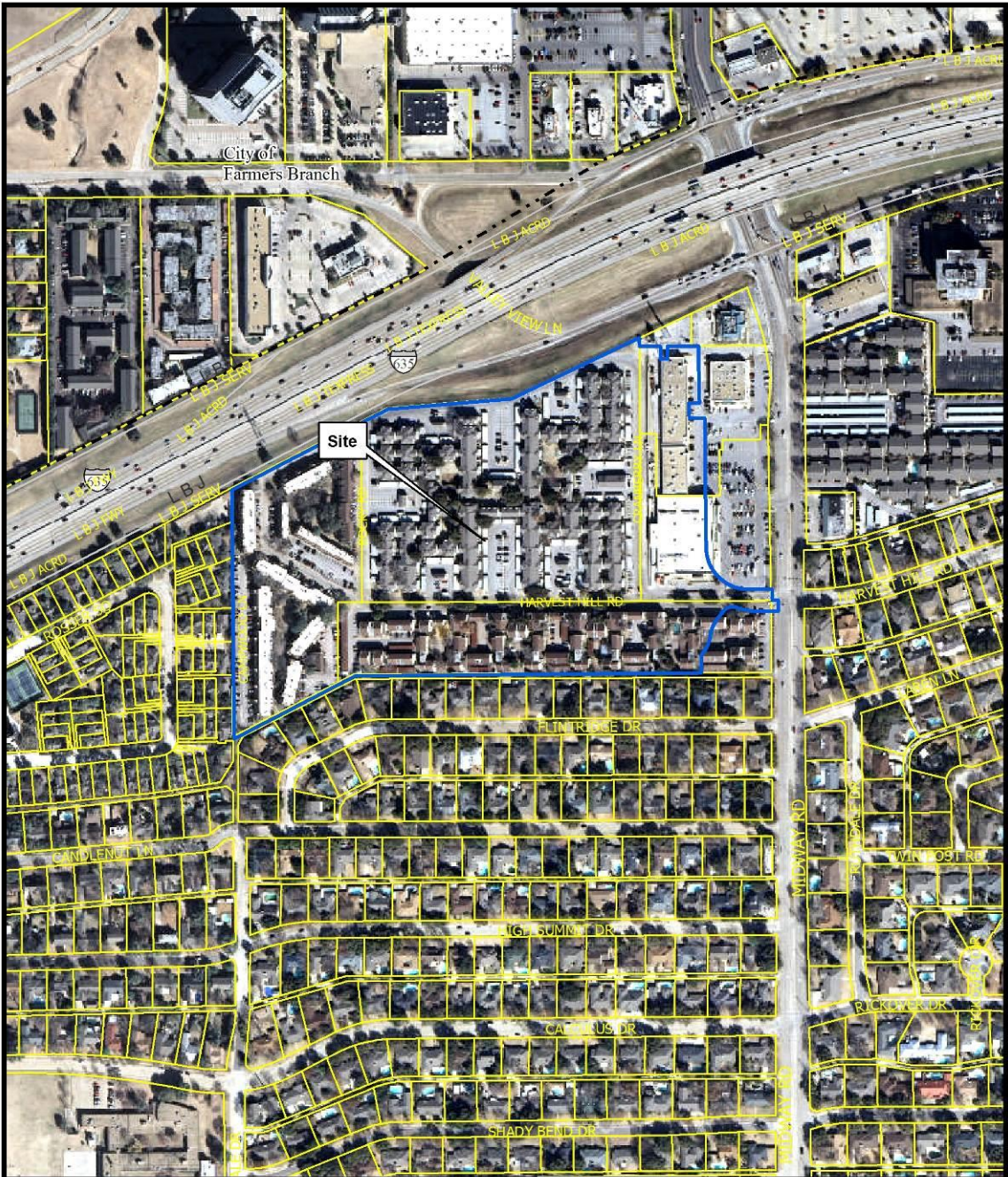
- This request focuses on completing and maintaining a general merchandise or food store use/structures (an approximately 186,000 square foot structure: Walmart and an approximately 136,000 square foot structure: Sam’s Club), and not fully meeting the landscape regulations.
- More specifically, according to the City of Dallas Chief Arborist, the applicant seeks exception from the mandatory perimeter landscape buffer strip with groundcover and plant groups to be provided along the entire length of the lot where residential adjacency exists.


- According to the Chief Arborist, the applicant is requesting to provide a concrete surface from the property line and paved alley to the base of a retaining wall within the perimeter buffer on the southern property line. The Chief Arborist notes that approximately half of the perimeter buffer will include a paved surface and retaining wall structure; and that the remaining 10 foot wide mandatory perimeter buffer on the south and west sides of the site will be covered with decomposed granite, trees, and shrubs. (Decomposed granite is not specified as “groundcover” in the landscape ordinance).
- 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). The memo states how this request is triggered by the new construction.
- The Chief Arborist’s memo lists the following factors for consideration:
  1. Article X defines landscape buffer strip and ground cover where “decomposed granite” does not meet classifications but is used in non-required landscape beds in general practice.
  2. The pavement below the retaining wall provides for stable drainage conditions and manageable paved surface expansion alongside the grade level of the adjacent alley. Maintaining a ground cover alongside an improved narrow alley would be difficult to sustain in good condition.
  3. The portion of the buffer along the retaining wall will include trees and shrubs which are required for the perimeter landscape buffer strip. The landscape buffer extends further north an additional five feet to the screening wall, and additional landscaping is north of the screening wall and faces the commercial use. Future tree growth will bring significant tree canopy expansion above and on both sides of the wall. There is a significant rise of the retaining wall to the western end of the property.
- The City of Dallas Chief Arborist recommends approval of the alternate landscape plan because in his opinion the exception will not adversely affect neighboring property, and strict compliance with the requirements of the ordinance for maintaining groundcover within the buffer below the extensive retaining wall structure will unreasonably burden the use of the property.
- The applicant has the burden of proof in establishing the following:
  - Strict compliance with the requirements of the landscape regulations of the Dallas Development Code will unreasonably burden the use of the property; and 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 exception from full compliance with the mandatory perimeter landscape buffer strip requirements of Article X: The Landscape Regulations.

## **Timeline:**

- March 24, 2015: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- April 14, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B
- April 16, 2015: The Board Administrator emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application;
  - an attachment that provided the public hearing date and panel that will consider the application; the April 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the May 8<sup>th</sup> 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.”
- May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
- No review comment sheets were submitted in conjunction with this application.
- May 6, 2015: The City of Dallas Chief Arborist submitted a memo regarding the request (see Attachment A).
- May 6, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment B).





 1:4,800	<h1>AERIAL MAP</h1>	Case no: <u>    BDA145-059    </u> Date: <u>    4/30/2015    </u>
--	---------------------	--

# Memorandum



CITY OF DALLAS

DATE May 6, 2015

TO Steve Long, Board of Adjustment Administrator

SUBJECT # BDA 145 - 059 4062 LBJ Freeway

The applicant is requesting a special exception to the landscape requirements of Article X as applied in Planned Development 885.

### Trigger

New construction.

### Deficiencies

Article X requires a mandatory perimeter landscape buffer strip with groundcover and plant groups to be provided along the entire length of the portion of the perimeter of the lot where residential adjacency exists. The applicant is requesting to provide, within the perimeter buffer on the southern property line, a concrete surface from the property line (and paved alley) to the base of a retaining wall. Approximately half of the perimeter buffer will include a paved surface and retaining wall structure.

The remaining 10-foot wide mandatory perimeter buffer, for the south and west sides of the property, will be covered with decomposed granite, trees, and shrubs. Decomposed granite is not specified as 'groundcover' in the ordinance.

### Factors

Article X definitions state a landscape buffer strip (landscape area) is 'an area at least 80 percent of which is covered by natural grass, ground cover, or other natural plant materials.' Ground cover is 'a natural mulch, or plants of a species that normally reach a height of less than three feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.' Decomposed granite does not meet this classification but is used in non-required landscape beds in general practice.

The pavement below the retaining wall provides for stable drainage conditions and manageable paved surface expansion alongside the grade level of the adjacent alley. Maintaining a ground cover alongside an improved narrow alley would be difficult to sustain in good condition.

The portion of the buffer above the retaining wall will include trees and shrubs which are required for the perimeter landscape buffer strip. This landscape buffer extends further north an additional five feet to the screening wall, and additional landscaping is north of the screening wall and faces the commercial use. Future tree growth will

BDA145-059  
Attach A , pg 2

bring significant tree canopy expansion above, and on both sides of, the wall. There is a significant rise of the retaining wall to the western end of the property.

### Recommendation

I recommend approval of the alternate landscape plan because it is my opinion the exception will not adversely affect neighboring property, and strict compliance with the requirements of the ordinance for maintaining groundcover within the buffer below the extensive retaining wall structure will unreasonably burden the use of the property.

Philip Erwin, ISA certified arborist #TX-1284(A)  
Chief Arborist



BDA145-059  
Attach B pg 1

**Long, Steve**

---

**From:** Long, Steve  
**Sent:** Wednesday, May 06, 2015 2:45 PM  
**To:** 'Daniel.Millner@kimley-horn.com'  
**Subject:** RE: Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Ok. Will do.

Steve

---

**From:** [Daniel.Millner@kimley-horn.com](mailto:Daniel.Millner@kimley-horn.com) [<mailto:Daniel.Millner@kimley-horn.com>]  
**Sent:** Wednesday, May 06, 2015 2:42 PM  
**To:** Long, Steve  
**Cc:** Moorman, Donna; Way, Jamilah; Duerksen, Todd; Erwin, Philip; [mdornic@jw.com](mailto:mdornic@jw.com); [lauren.nuffer@kimley-horn.com](mailto:lauren.nuffer@kimley-horn.com)  
**Subject:** Re: Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Steve,

Please forward to the BOA.

Thanks  
Dan

Sent from my iPhone

On May 6, 2015, at 12:54 PM, Long, Steve <[steve.long@dallascityhall.com](mailto:steve.long@dallascityhall.com)> wrote:

Dear Mr. Millner,

Would you please let me know by noon, Friday, May 8<sup>th</sup> if the email below and the attachment is something you want me to forward to the board of adjustment on your request for a special exception to the landscape regulations?

Thank you,

Steve

**From:** [allenjdaniels@aol.com](mailto:allenjdaniels@aol.com) [<mailto:allenjdaniels@aol.com>]  
**Sent:** Wednesday, April 29, 2015 8:17 AM  
**To:** [prentir@gmail.com](mailto:prentir@gmail.com); [mdornic@jw.com](mailto:mdornic@jw.com); Long, Steve; [Daniel.Milner@kimley-horn.com](mailto:Daniel.Milner@kimley-horn.com)  
**Cc:** [pdd.dyer@gmail.com](mailto:pdd.dyer@gmail.com); [snurre@thefacilitator.com](mailto:snurre@thefacilitator.com); [paulinebourqui@sbcglobal.net](mailto:paulinebourqui@sbcglobal.net); [mwolf972@gmail.com](mailto:mwolf972@gmail.com); [tredick38@sbcglobal.net](mailto:tredick38@sbcglobal.net); [rom58@sbcglobal.net](mailto:rom58@sbcglobal.net); [bdowdey@wans.net](mailto:bdowdey@wans.net); [pdelgadillo1@gmail.com](mailto:pdelgadillo1@gmail.com); [eflores@chalkerflores.com](mailto:eflores@chalkerflores.com); [allenjdaniels@aol.com](mailto:allenjdaniels@aol.com); [JeanBrierre@gmail.com](mailto:JeanBrierre@gmail.com); Gates, Jennifer; [jim@christonco.com](mailto:jim@christonco.com); CPC-D13  
**Subject:** Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Dan Milner, Myron Dornic and Steve Long

BDA 145-059  
Attach B pg 2

Re: Board of Adjustment case number BDA-145-059

Attached is our three HOA's agreement for the City of Dallas Board of Adjustment case number BDA-145-059 on a Variance to P.D. 51P-885.

Al Daniels  
Secretary and Civic Affairs Chair  
Glen Meadow Estates home Owners Association  
Cell: 214-770-1214, Ofc: 972-241-8191  
[allenjdaniels@aol.com](mailto:allenjdaniels@aol.com)

-----Original Message-----

From: Rusty Prentice <[prentir@gmail.com](mailto:prentir@gmail.com)>

To: allenjdaniels <[allenjdaniels@aol.com](mailto:allenjdaniels@aol.com)>

Sent: Tue, Apr 28, 2015 4:19 pm

Subject: FW: Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Al,

Will you please send the signed letter to Steve Long and copy me and Myron on this?

Thanks,

**Rusty Prentice**  
**817.846.0218**

---

**From:** Dornic, Myron [<mailto:mdornic@jw.com>]

**Sent:** Thursday, April 23, 2015 2:27 PM

**To:** Rusty Prentice

**Subject:** Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Hi Rusty,

Our Board of Adjustment case will be heard by Panel B of the Board of Adjustment on May 20 at 1:00 at City Hall. Written materials for staff consideration are due this Wed. April 29 before noon. The case number is BDA-145-059.

Do you think you could get a letter of support to the Board Administrator before that deadline? If they can see that there is agreement on the landscape plan, then it will help getting a staff recommendation for approval.

The Board Administrator's email is:

[steve.long@dallascityhall.com](mailto:steve.long@dallascityhall.com)

Thanks for your help. If you have any questions, feel free to call.

Myron

Myron Dornic  
Senior Counsel  
Jackson Walker L.L.P.

901 Main Street, Suite 6000  
Dallas, Texas 75202  
(214) 953-5946 voice  
(214) 953-5822 fax  
[mdornic@jw.com](mailto:mdornic@jw.com)

BDA 145-059  
Attach B pg 3

<150429SignedKimley-HornAgreement.pdf>

BDA 145-059  
Attach B pg 4

**Long, Steve**

---

**From:** allenjdaniels@aol.com  
**Sent:** Wednesday, April 29, 2015 8:17 AM  
**To:** prentir@gmail.com; mdornic@jw.com; Long, Steve; Daniel.Milner@kimley-horn.com  
**Cc:** pdd.dyer@gmail.com; snurre@thefacilitator.com; paulinebourqui@sbcglobal.net; mwolf972@gmail.com; tredick38@sbcglobal.net; rom58@sbcglobal.net; bdowdey@wans.net; pdelgadillo1@gmail.com; eflores@chalkerflores.com; allenjdaniels@aol.com; JeanBrierre@gmail.com; Gates, Jennifer; jim@christonco.com; CPC-D13  
**Subject:** Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway  
**Attachments:** 150429SignedKimley-HornAgreement.pdf

Dan Milner, Myron Dornic and Steve Long

Re: Board of Adjustment case number BDA-145-059

Attached is our three HOA's agreement for the City of Dallas Board of Adjustment case number BDA-145-059 on a Variance to P.D. 51P-885.

Al Daniels  
Secretary and Civic Affairs Chair  
Glen Meadow Estates home Owners Association  
Cell: 214-770-1214, Ofc: 972-241-8191  
allenjdaniels@aol.com

-----Original Message-----

**From:** Rusty Prentice <prentir@gmail.com>  
**To:** allenjdaniels <allenjdaniels@aol.com>  
**Sent:** Tue, Apr 28, 2015 4:19 pm  
**Subject:** FW: Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Al,

Will you please send the signed letter to Steve Long and copy me and Myron on this?

Thanks,

**Rusty Prentice**  
**817.846.0218**

---

**From:** Dornic, Myron [<mailto:mdornic@jw.com>]  
**Sent:** Thursday, April 23, 2015 2:27 PM  
**To:** Rusty Prentice  
**Subject:** Landscape Special Exception Application BDA 145-059, Property at 4062 LBJ Freeway

Hi Rusty,

Our Board of Adjustment case will be heard by Panel B of the Board of Adjustment on May 20 at 1:00 at City Hall. Written materials for staff consideration are due this Wed. April 29 before noon. The case number is BDA-145-059.

Do you think you could get a letter of support to the Board Administrator before that deadline? If they can see that there is agreement on the landscape plan, then it will help getting a staff recommendation for approval.

The Board Administrator's email is:

[steve.long@dallascityhall.com](mailto:steve.long@dallascityhall.com)

Thanks for your help. If you have any questions, feel free to call.

Myron

Myron Dornic  
Senior Counsel  
Jackson Walker L.L.P.  
901 Main Street, Suite 6000  
Dallas, Texas 75202  
(214) 953-5946 voice  
(214) 953-5822 fax  
[mdornic@jw.com](mailto:mdornic@jw.com)



Glen Meadow Estates Home Owners Association  
11816 Inwood Road, Suite 104  
Dallas, TX 75244-8011  
[www.GlenMeadowHOA.org](http://www.GlenMeadowHOA.org)

---

and

**Rosser Park Homeowners Association**

**David M. Forsythe, President**

**3911 Rosser Square, Dallas, Texas 75244**

**214 886-2444 [forsythedm@att.net](mailto:forsythedm@att.net)**

and

**Las Colonitas Home Owners Association**

**Bill Coe, President, 12802 Midway Rd., #1002, Dallas, TX, 75244**

**469-995-6141, e-mail: [billcoe1961@yahoo.com](mailto:billcoe1961@yahoo.com)**

April 11, 2015

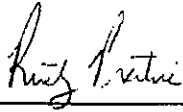
Dan Milner PE, CPESC K-II site Civil Engineer  
Cell: 214-686-4800, [Daniel.Milner@Kimley-Horn.com](mailto:Daniel.Milner@Kimley-Horn.com) .  
Kimley-Horn and Associates, Inc.  
5750 Genesis Court, Suite 200  
Frisco, TX 75034  
Ofc: 972-335-3580

Dan,

This is a letter of approval by Glen Meadow Estates Home Owners Association, Rosser Park HOA and Las Colonitas HOA for:

- Dallas City Plan Commission approval for an Amendment to Walmart's P.D. 51P-885 for changes in the baling station, parking and the filling station. This was approved on March 19, 2015
- The City of Dallas Board of Adjustment hearing on a landscaping Variance to P.D. 51P-885 between the retaining wall and the Sound / Privacy Wall along the Flintridge alley and the Rosser Park property line.
- This in accordance with the most recently revised set of Walmart L-0 Landscape Plan dated 12-23-14 by Kimley-Horn and Meeting Minutes dated February 12, 2015, Variance to Dallas Planned Development 51P-885.

Sincerely,



Rusty Prentice, President  
GME HOA  
817-846-0218  
[prentir@gmail.com](mailto:prentir@gmail.com)



David Forsythe, President  
RP HOA  
214-886-2444  
[forsythedm@att.net](mailto:forsythedm@att.net)



Bill Coe, President  
LC HOA  
469-995-6141  
[billcoe1961@yahoo.com](mailto:billcoe1961@yahoo.com)

Attachment: Meeting Minutes dated February 12, 2015. Variance to Dallas Planned  
Development 51P-885

Copy:

GME HOA Board of Directors

Jennifer S. Gates, Dallas City Council District 13 Councilmember

Dallas City Hall, Room 5FS, 1500 Marilla, Dallas, TX 75201

Ofc: 214-670-3816, Fax 214-670-5115, Personal cell: 214-505-2872

e-mail: [jennifer.gates@dallascityhall.com](mailto:jennifer.gates@dallascityhall.com)

Margot Brito Murphy, District 13 Commissioner, Dallas City Plan Commission,

1500 Marilla St., Room 5BN, Dallas, TX 75201

Ofc: 214-670-3066, Fax: 214-670-4210, e-mail: [CPC-D13@dallascityhall.com](mailto:CPC-D13@dallascityhall.com)

Jim Christon, President, Christon Company, 4300 Alpha Road, Building 1, Suite 100,  
Dallas, TX 75244, Cell: 214-616-9500, Ofc: 972-233-3333, Ext. 3, Fax 972-233-  
1501, [Jim@ChristonCo.com](mailto:Jim@ChristonCo.com)

BDA 145-059  
Attachment B pg 8



Glen Meadow Estates Home Owners Association  
11816 Inwood Road, Suite 104  
Dallas, TX 75244-8011  
[www.GlenMeadowHOA.org](http://www.GlenMeadowHOA.org)

and

## **Rosser Park Homeowners Association**

**David M. Forsythe, President**  
3911 Rosser Square, Dallas, Texas 75244  
214 886-2444 [forsythedm@att.net](mailto:forsythedm@att.net)

and

## **Las Colonitas Home Owners Association**

Bill Coe, President, 12802 Midway Rd., #1002, Dallas, TX, 75244  
469-995-6141, e-mail: [billcoel961@yahoo.com](mailto:billcoel961@yahoo.com)

February 12, 2015

Rosser Park Clubhouse, 4008 Rosser Square, Dallas, TX 75244

# **Walmart Meeting Minutes on Required Landscape Improvements for Walmart Property Development**

Subject: Walmart Request for Variance to City of Dallas Planned Development 51P-885

### Attendees:

Glen Johnson, Walmart Regional Merchandise Manager / Market Manager, Carrollton, TX, Cell: 214-507-8777.

Ryan Irsik, Walmart Director Public Affairs, 702 SW 8<sup>th</sup> Street, Bentonville, AR 72716-0350, Ofc: 479-715-1213, Fax: 479-277-2473, e-mail: [ryan.irsik@walmart.com](mailto:ryan.irsik@walmart.com)

Dan Milner, PE, CPESC, Kimley-Horn and Associates, Inc., Civil Engineer, 5750 Genesis Court, Suite 200, Frisco, TX 75034, Ofc. 972-335-3580, Cell: 214-686-4800, [Daniel.Milner@kimley-horn.com](mailto:Daniel.Milner@kimley-horn.com).

Ms. Lauren Naffer, P.E., Kimley-Horn and Associates, Inc., site demolition & construction coordinator, 5750 Genesis Court, Suite 200, Frisco, TX 75034, Ofc: 972-335-3580, [Lauren.Naffer@kimley-horn.com](mailto:Lauren.Naffer@kimley-horn.com).

John F. Murphy, ASLA, Site Integration Studio, 1324 S. Beckham Ave., Suite 244, Tyler, TX 75701, Cell: 512-632-3872, Ofc: & Fax: 903-533-8898, e-mail: [John@siteint.com](mailto:John@siteint.com)



Myron Dornic, Walmart Attorney, Jackson Walker, LLP, Attorneys & Counselors, 901 Main Street, Suite 6000, Dallas, TX 75202, Ofc. 214-953-6000, e-mail: [MDornic@jw.com](mailto:MDornic@jw.com) .

Rusty Prentice, President, Glen Meadow Estates Home Owners Association.

David Forsythe, President, Rosser Park Home Owners Association

Al Daniels, Civic Affairs Chair, Glen Meadow Estates Home Owners Association

PD 51P had a 15' wide landscaped parkway along the Flintridge Alley. They built only a 10' parkway. To mitigate the loss of 5' of parkway, Walmart has agreed to additional landscaping. The original letter is printed in black. The meeting discussion is printed in blue.

## Variance to Dallas Planned Development 51P-885

To Kimley-Horn drawings L-0 and L-6 dated 12-23-14 add the following:

1. Include shrubbery on the west border of the Walmart site.  
OK.
2. Make all shrubbery groups contain 5 shrubs.  
OK. The shrubbery will all be 4 to 5 gallon shrubs.
3. Extend, at the same spacing, the trees and shrubbery groups all of the way east to the end of the sound/privacy wall.  
OK.
4. Add a tree on the south side close to the drain.  
OK. All trees will have 3" to 3 1/2" caliper trunks and be 12' tall.
5. Where the retaining wall is higher than 5', plant the low groupings of shrubbery at the face of the retaining wall.  
OK. Please give us a detail drawing of front, side and top views of both the shrubbery groupings below 5' elevation and above 5' elevation.
6. Space the low groupings of shrubbery between each tree. Now some are directly in front of the trees where they cannot thrive because of too much shade.  
OK.
7. Add shrubbery next to the privacy wall at the southwest corner and at the top of the incline.  
OK.
8. Include an irrigation plan.  
OK. The irrigation plan will be provided after the final landscape plan is approved.
9. Clarify that the bank at the south west corner has Sierra Bermuda grass.  
OK.
10. Delete any Live Oaks in the plan. Rosser Park has ongoing Oak Wilt Disease. Shumark Oaks also get Oak Wilt Disease.  
OK.
11. A Screening/sound dampening wall will be provided at the automobile service bays. The size will be determined by Walmart's architect and sound engineer.  
OK.

12. A sidewalk along the west side of Midway will be built by Walmart from Flintridge Drive to the north property line of the project.  
OK.
13. Reconstruct Driveway 2 west of the existing median opening on Midway Road and south of Midway Point Restaurant to provide a forced right turn only exit onto Midway Road.  
OK. This must be discussed with Councilmember Jennifer Gates, Dallas City Hall, Room 5FS, 1500 Marilla, Dallas, TX 75201, Ofc: 214-670-3816, Fax 214-670-5115, e-mail: [jennifer.gates@dallascityhall.com](mailto:jennifer.gates@dallascityhall.com) and Lloyd Denman, PE, CFM, Assistant Director Engineering, Sustainable Development, & Construction Engineering, Oak Cliff Municipal Center, 320 E. Jefferson Blvd., Room 200, Dallas, TX 75203, Ofc: 214-948-4354, Cell: 214-770-2708, Fax: 214-948-4211, e-mail: [Lloyd.Denman@DallasCityHall.com](mailto:Lloyd.Denman@DallasCityHall.com).
14. Paint exterior of Rosser Park privacy wall after the construction of the Walmart/Sam's Club privacy/sound dampening wall. The exterior of the Rosser Square wall currently has a lot of graffiti paint patches on it from graffiti by the ex-residents of Northridge and Spanish Point apartments. Paint to match the original color. The cost is to be \$5,200.00 or less per the 4/11/13 quote from R.E.F. Contracting provided by David Forsythe to Walmart. The wall painting would start at the property line between 3935 and 3941 Candlenut and proceed east to a 45 degree turn; then proceed northeast to a second 45 degree turn; then proceed north approximately 138 feet to an offset in the Rosser Square wall.  
OK. David Forsythe will have his Rosser Park maintenance crew cut down and remove the volunteer trees and shrubbery on the south and east side of the Rosser Park Privacy Wall. He will notify Steve McCoy, Walmart Project Manager, EMJ Corporation, 5525 North MacArthur Blvd., Irving, Texas 75038, Ofc: 972.580.1210, Dir: 972.582.3445, Fax: 972.580.8202, Cell: 214.907.1452, [steve.mccoy@emjcorp.com](mailto:steve.mccoy@emjcorp.com).
15. Dallas City Plan District 13 Commissioner Margot Brito Murphy, (who is also a lawyer), 1500 Marilla St., Room 5BN, Dallas, TX 75201, Ofc: 214-670-3066, Fax: 214-670-4210, e-mail: [CPC-D13@dallascityhall.com](mailto:CPC-D13@dallascityhall.com) wanted to verify that there are ornamental iron gates at the southwest corner between the Rosser Park privacy wall and the west Walmart retaining wall and between the Walmart retaining wall and the Walmart sound / privacy wall. This will reduce the chance of graffiti on this big expanse of wall.

An annual meeting will be held with local Walmart Management and the nearby homeowners' associations. There will be one meeting only to be attended by all neighborhood associations who choose to attend. Original PD wording: "(e) Annual neighborhood meeting. A meeting will be held annually during the month of September between local Walmart Management, Sam's Club Management and Glen Meadows Estates Home Owners Association, Rosser Park Association, or their successor organizations and other nearby neighborhood associations to discuss and address issues of concern. One meeting will be held for all groups wishing to attend and not separate meetings for individual Associations or successor groups." The promise that

we could make a relationship with the store manager does not work. Mr. James Wright, the previous Walmart Store Manager refused to see Al Daniels. Al found Mr. Wright hiding in a cubby hole with a shopping cart of returned goods that he was restocking. The current Walmart Discount Store Manager, Matthew Terrier, also has refused to see Al Daniels.

OK. Dallas City Plan Commissioner Murphy says that this item should be a Side Agreement approved and signed by all parties. See the "Annual Meeting Side Agreement" attachment.

GENERAL NOTES:

All of the above changes will be split into:

A Minor Amendment to the P.D. submitted on January 23, 2015:

1. To reduce the planting zone (parkway) on the south and west side of the Walmart privacy / sound wall from 15' to 10'.
2. Change the filling station from 6 bays to 8 bays and add a 1400 sq. ft. convenience store.

Richard Brown is the City of Dallas Planner. All residents within 200' of the Walmart Property Development will probably get a zoning notice. The hearing will probably be March 5, 2015 and will be an open meeting.

or

A request to the Zoning Board of Adjustment:

1. To shift the landscape buffer back 5' along the south and west retaining walls.

If all of our requests are filled, our three HOA's should write a letter to the Dallas Board of Adjustment giving our support to the changes. The Board of Adjustment will be an open meeting.

Walmart has a Letter Of Intent (LOI) for the purchase of the southeast corner Out Parcel lot. The Walmart attendee's did not know who had submitted the LOI.

The Geo-Grid that stabilizes the retaining wall is angled down 3' to 4' to create more soil depth for healthy tree roots.

The original landscape plan had parkway indents on the north side of the Flintridge alley sound / privacy wall behind Walmart where there were no trees planted. The revised landscape plan has no indents with trees all of the way along the Walmart side of the sound / privacy wall. This is a big improvement.

The HOA's will receive a new landscape plan by Friday, February 20, 2015. Walmart then wants a letter from our three HOA's giving our approval of the revised plan.

Sam's Club will open in June 2015 with Walmart opening two weeks later.

Respectfully submitted, Al Daniels  
Attachment: Annual Meeting Side Agreement



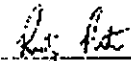
Glen Meadow Estates Home Owners Association  
15816 Inwood Road, Suite 104  
Dallas, TX 75244-8911  
www.GlenMeadowHOA.org


## Annual Meeting Side Agreement

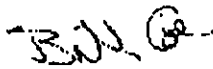
February 17, 2015

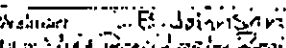
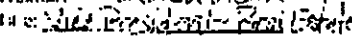
Glen Meadow Estates HOA, Rosser Park HOA and Las Colonias HOA all agree to individually or collectively communicate to the Warrant and Sam's Club Store Managers on issues on a regular and timely basis, so that problems will not arise. This way the Store Managers will not feel barraged with a number of problems.

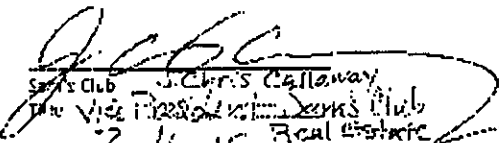
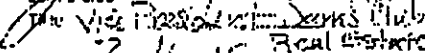
A meeting will be held annually during the month of September between the local Warrant Management, Sam's Club Management and Glen Meadow Estates Home Owners Association, Rosser Park Home Owners Association, Las Colonias Home Owners Association or their successor organizations and other nearby neighborhood Associations to discuss and address issues of concern. One meeting will be held for all groups wishing to attend and not separate meetings for individual Associations or successor groups.

  
Rusty Prentice, President  
GME HOA  
817-340-0218  
prentice@kennel.com

  
David Forsythe, President  
RF HOA  
214-286-2444  
forsythedm@gmail.com

  
Bill Cox, President  
LCHOA  
469-995-6141  
billcox1961@yahoo.com

Witness:   
E. Johnson  
Title:   
Paul Lopez  
Date: \_\_\_\_\_  
Phone: (479) 214-2422

  
J. Chris Callaway  
Title:   
Sam's Club  
Date: 2-16-15  
Phone: (479) 212-3277

BDA 145-059  
Attachment B pg 13



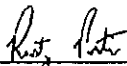
Glen Meadow Estates Home Owners Association  
11816 Inwood Road, Suite 104  
Dallas, TX 75244-8011  
www.GlenMeadowHOA.org


## Annual Meeting Side Agreement

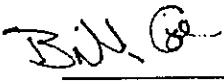
February 12, 2015


Glen Meadow Estates HOA, Rosser Park HOA and Las Colonitas HOA all agree to individually or collectively communicate to the Walmart and Sam's Club Store Managers on issues on a regular and timely basis, so that problems will not linger. This way the Store Managers will not feel barraged with a number of problems.

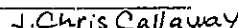
A meeting will be held annually during the month of September between the local Walmart Management, Sam's Club Management and Glen Meadows Estates Home Owners Association, Rosser Park Home Owners Association, Las Colonitas Home Owners Association or their successor organizations and other nearby neighborhood Associations to discuss and address issues of concern. One meeting will be held for all groups wishing to attend and not separate meetings for individual Associations or successor groups.

  
Rusty Prentice, President  
GME HOA  
817-846-0218  
[prentir@gmail.com](mailto:prentir@gmail.com)

  
David Forsythe, President  
RP HOA  
214-886-2444  
[forsythedm@att.net](mailto:forsythedm@att.net)

  
Bill Coe, President  
LC HOA  
469-995-6141  
[billcoe1961@yahoo.com](mailto:billcoe1961@yahoo.com)

  
Walmart L.B. Johnson  
Title: Vice President - Real Estate  
Date: \_\_\_\_\_  
Phone: (479) 204-2622

  
Sam's Club J. Chris Callaway  
Title: Vice President - Sam's Club Real Estate  
Date: \_\_\_\_\_  
Phone: (479) 273-8277



B

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-059
Date: MARCH 24, 2015

Data Relative to Subject Property:

Location address: 4062 LBJ Freeway
Zoning District: PD-885
Lot No.: 1 Block No.: A/ 8391 Acreage: 29.10 Census Tract: 783 96.08
Street Frontage (in Feet): 1) 1358 2) 68 3) 4) 5)

To the Honorable Board of Adjustment :

NWZ

Owner of Property (per Warranty Deed): WAL-MART REAL ESTATE BUSINESS TRUST
Applicant: Daniel Millner, P.E. Telephone: 972-335-3580
Mailing Address: KIMLEY-HORN 5750 GENESIS COURT, SUITE 200 FRISCO, TX Zip Code: 75034
E-mail Address: DANIEL.MILLNER@KIMLEY-HORN.COM
Represented by: Telephone:
Mailing Address: Zip Code:
E-mail Address:

Affirm that an appeal has been made for a Variance \_\_, or Special Exception [X], of
For approval of an alternate landscape plan

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 proposal would allow the landscape buffer adjacent to the alley on the south property line to begin at five feet north of the property line to allow for an extra width of paving adjacent to the alley. Supplemental plantings will be provided.

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.

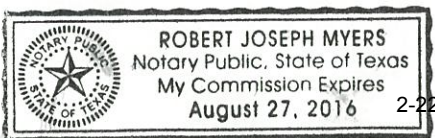
Affidavit

Before me the undersigned on this day personally appeared Daniel Millner
(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 24 day of March, 2015

(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**

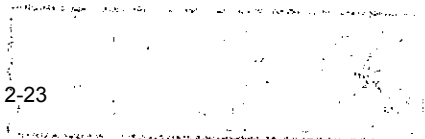
I hereby certify that DANIEL MILLNER

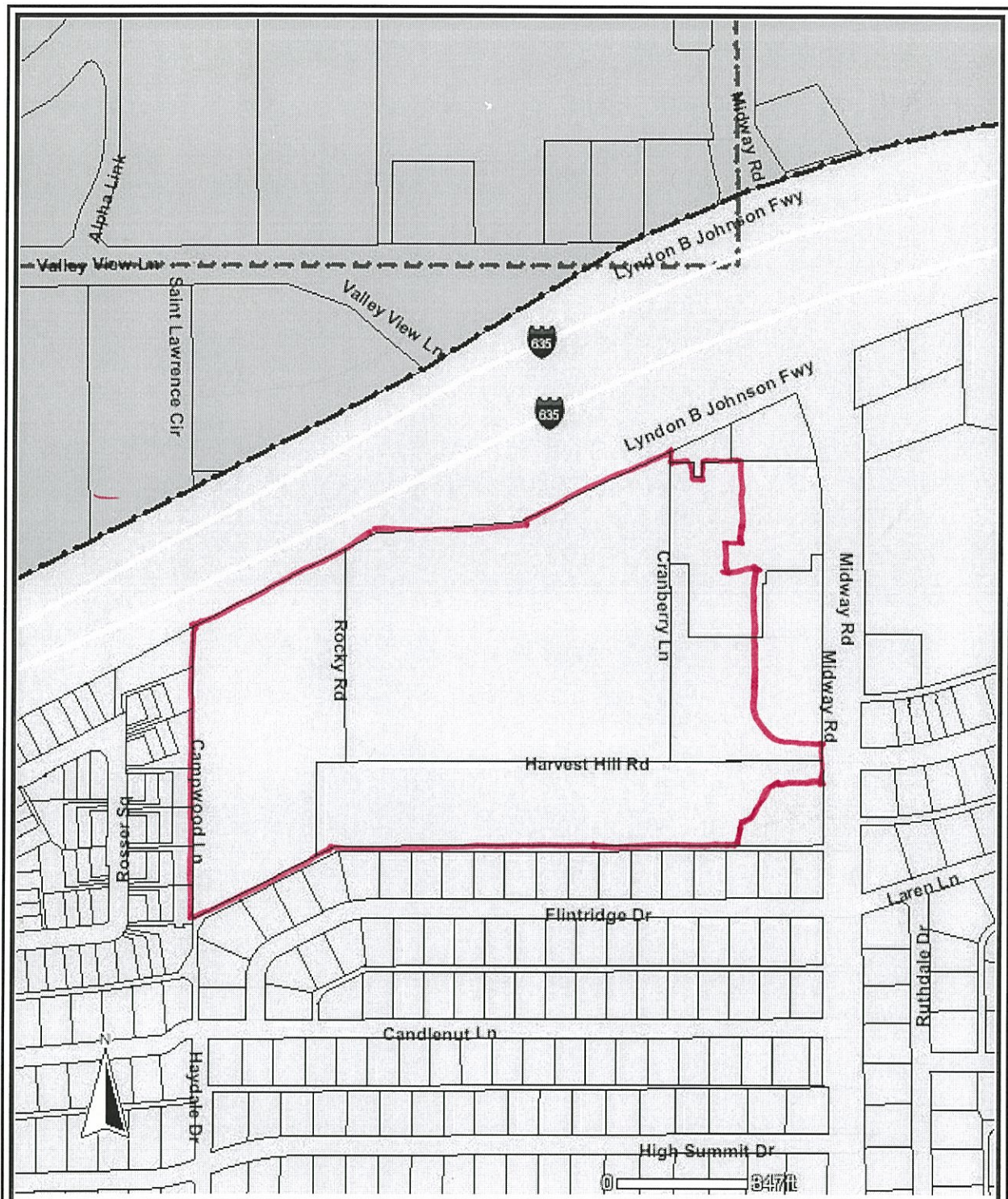
did submit a request for a special exception to the landscaping regulations  
at 4062 Lyndon Baines Johnson Frwy.

BDA145-059. Application of Daniel Millner for a special exception to the landscaping regulations at 4062 LBJ Frwy. This property is more fully described as Lot 1, Block 8391, and is zoned PD-885 (Subarea A), which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,

  
Larry Holmes, Building Official



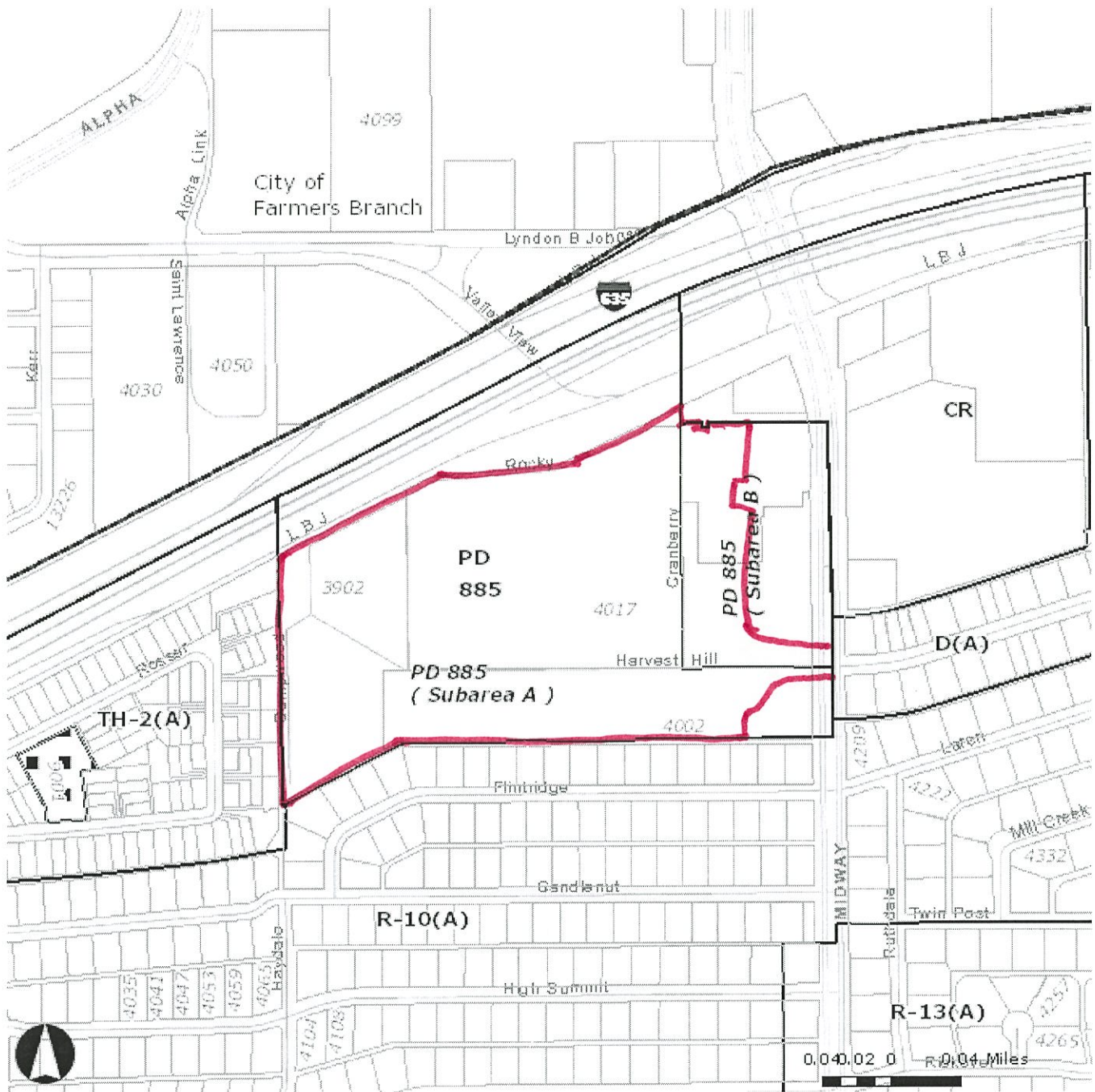


**Dallas Central  
Appraisal District**  
www.dallascad.org

**DISCLAIMER**

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.





The landscape special exception requested with this application concerns the requirement for a buffer strip adjacent to the alley along the southern edge of the property. To accommodate neighborhood desires for additional vehicle maneuvering area along the alley, the applicant wishes to provide a paved area immediately adjacent to the alley and begin the landscape buffer approximately five feet north of the southern property line as shown on the attached landscape plan. There will be no adverse impact in that the buffer requirements will be met, but will just begin a few feet from the property line. The alternate plan reflects input from neighborhood representatives, and specifically includes shrub groupings and supplemental plantings requested by neighborhood leaders.

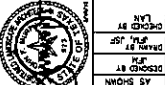
0-1  
SHEET NUMBER

DATE: 12-14-14  
PROJECT NO.: 63392231



Walmart STORE #2105-04  
STORE #6376-00  
SWC OF IH-635 AND  
MIDWAY RD.  
DALLAS, TX 75042

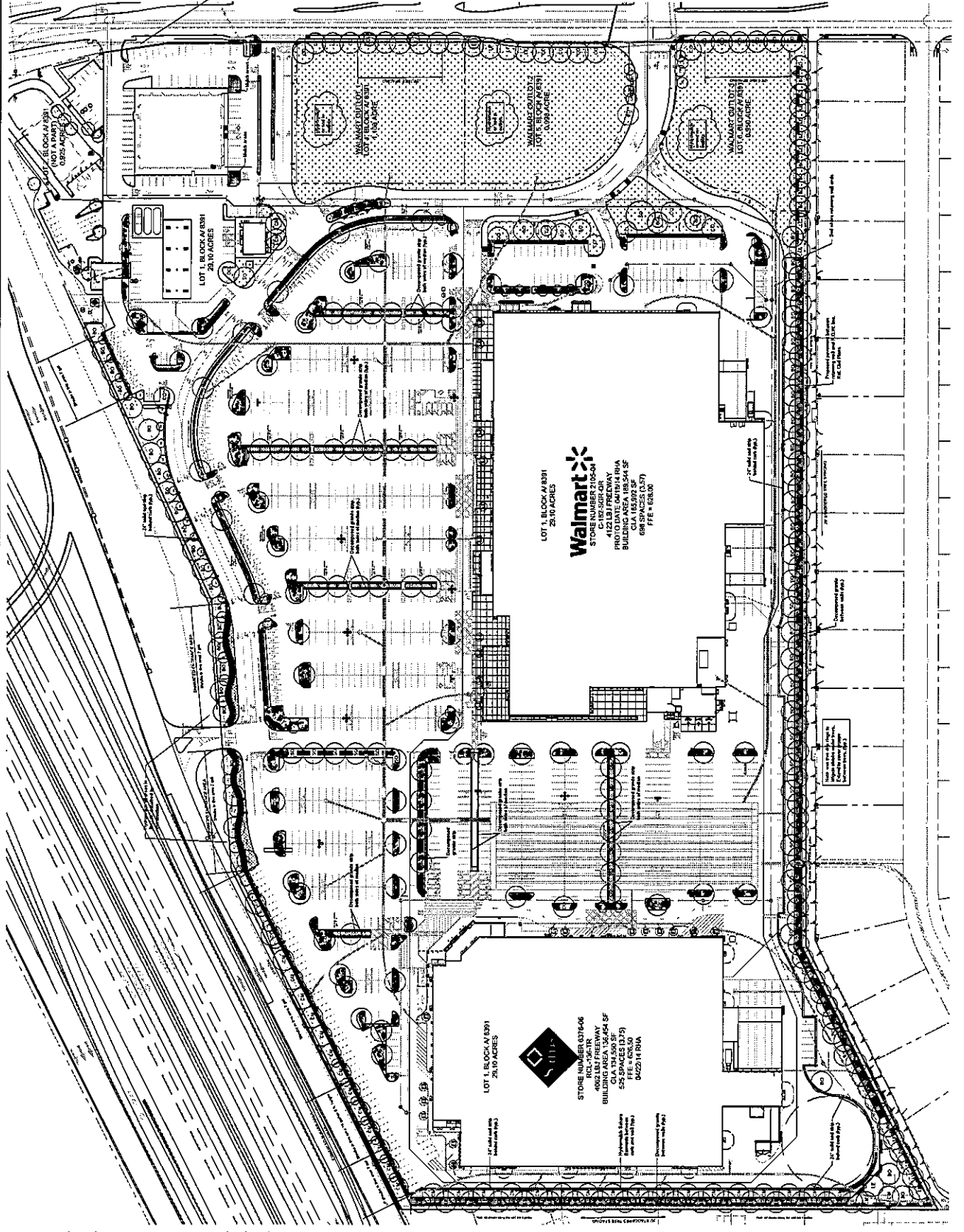
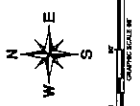
OVERALL  
LANDSCAPE PLAN



Kimley-Horn  
TEXAS REGISTERED ENGINEERING FIRM # 4928  
WWW.KIMLEY-HORN.COM  
PHONE: 817-339-1880 FAX: 817-339-1778  
3730 ROCK CREEK, SUITE 200, WAXAHACH, TX 75094

NO.	REVISIONS	DATE

Integration studio  
John F. Murphy, ASLA  
10000 Preston Road, Suite 1000  
Dallas, TX 75242  
Phone: 972.382.1111  
www.integrationstudio.com







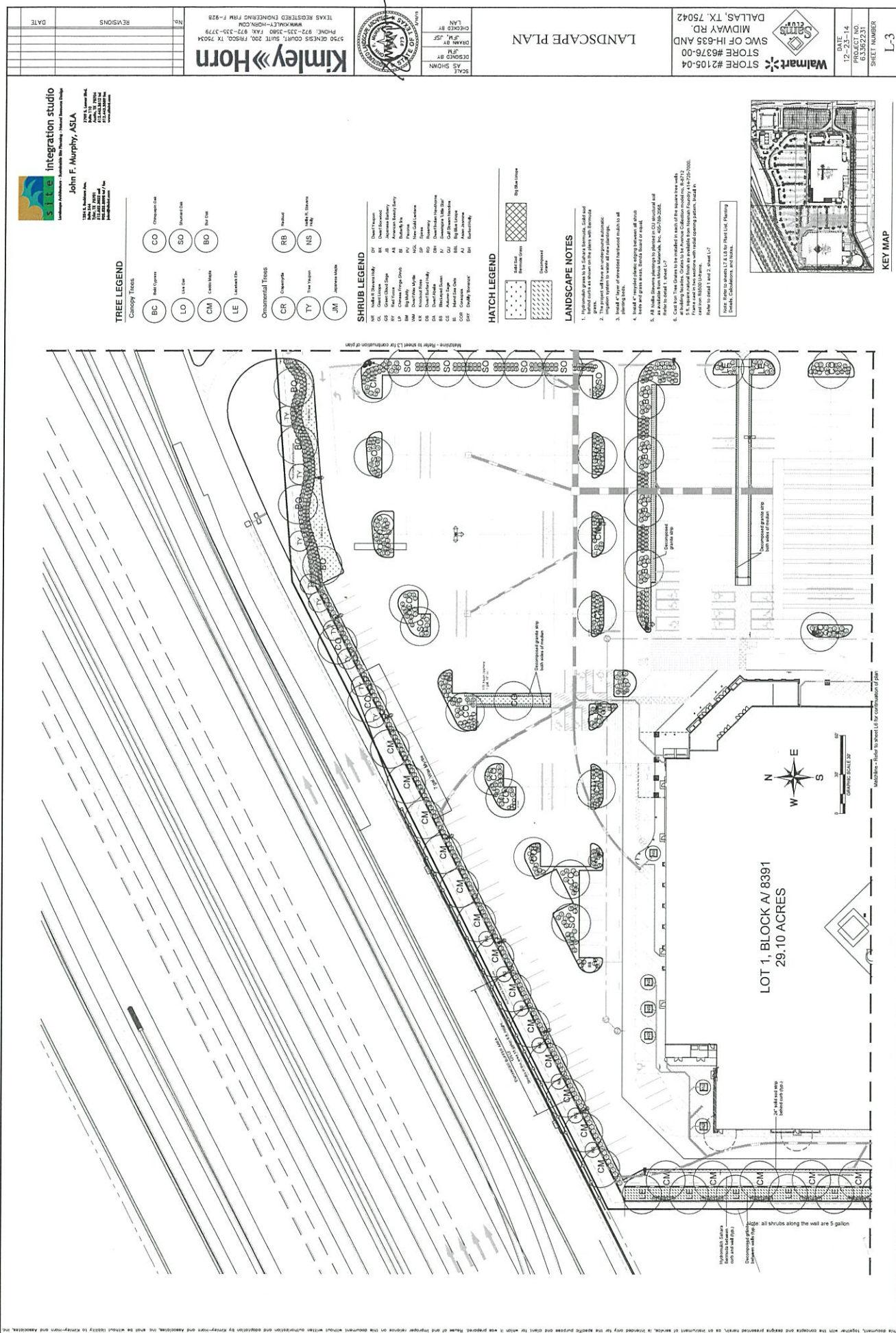












**site integration studio**  
 Landscape Architecture - Sustainable Site Planning - Urban Form & Design  
 John F. Murphy, ASLA  
 1204 S. Lamar Ave.  
 Austin, TX 78704  
 Phone: 512.477.1999  
 Fax: 512.477.1998  
 www.siteintegrationstudio.com

**Walmart**  
 STORE #2105-04  
 SWC OF IH-635 AND  
 MIDWAY RD.  
 DALLAS, TX, 75042

**Kimley-Horn**  
 TEXAS REGISTERED ENGINEERING FIRM F-928  
 5950 GENES COURT, SUITE 200, FISCO, TX 75044  
 PHONE: 972-231-3900 FAX: 972-231-3779  
 WWW.KIMLEY-HORN.COM

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

SCALE: SHOWN  
 DRAWN BY: JF  
 CHECKED BY: JF

LANDSCAPE PLAN

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3

**TREE LEGEND**  
 Category: Trees

BC	Red Cypress
CO	Chopchin Oak
LO	Live Oak
CM	Common Maple
LE	Lavender Elm
CR	Cherry
TY	Tree Yucca
JM	Japanese Maple
RB	Red Bud
NS	High 'N' Spire

**SHRUB LEGEND**

SC	Shrub Yucca
SO	Shrub Olive
SB	Shrub Blueberry
SS	Shrub Spirea
SJ	Shrub Juniper
SK	Shrub Korean Spirea
SL	Shrub Silver Chokeberry
SM	Shrub Smoke Tree
SN	Shrub Ninebark
SO	Shrub Spirea
SP	Shrub Spirea
SQ	Shrub Spirea
SR	Shrub Spirea
SS	Shrub Spirea
ST	Shrub Spirea
SU	Shrub Spirea
SV	Shrub Spirea
SW	Shrub Spirea
SX	Shrub Spirea
SY	Shrub Spirea
SZ	Shrub Spirea

**HATCH LEGEND**

[Hatch Pattern]	Big Blue Stone
[Hatch Pattern]	Medium Blue Stone
[Hatch Pattern]	Small Blue Stone
[Hatch Pattern]	Grass
[Hatch Pattern]	Gravel
[Hatch Pattern]	Asphalt

- LANDSCAPE NOTES**
1. Irrigation system to be shown in detail. Solid and dashed lines indicate the location of the system. Irrigation system to be shown in detail.
  2. Irrigation system to be shown in detail.
  3. Irrigation system to be shown in detail.
  4. Irrigation system to be shown in detail.
  5. All plants shown are to be planted in 10" x 10" containers.
  6. All plants shown are to be planted in 10" x 10" containers.
  7. All plants shown are to be planted in 10" x 10" containers.
  8. All plants shown are to be planted in 10" x 10" containers.
  9. All plants shown are to be planted in 10" x 10" containers.
  10. All plants shown are to be planted in 10" x 10" containers.



LOT 1, BLOCK A1 8391  
 29.10 ACRES

DATE: 12-23-14  
 SHEET NUMBER: 63362231  
 SHEET NUMBER: L-3





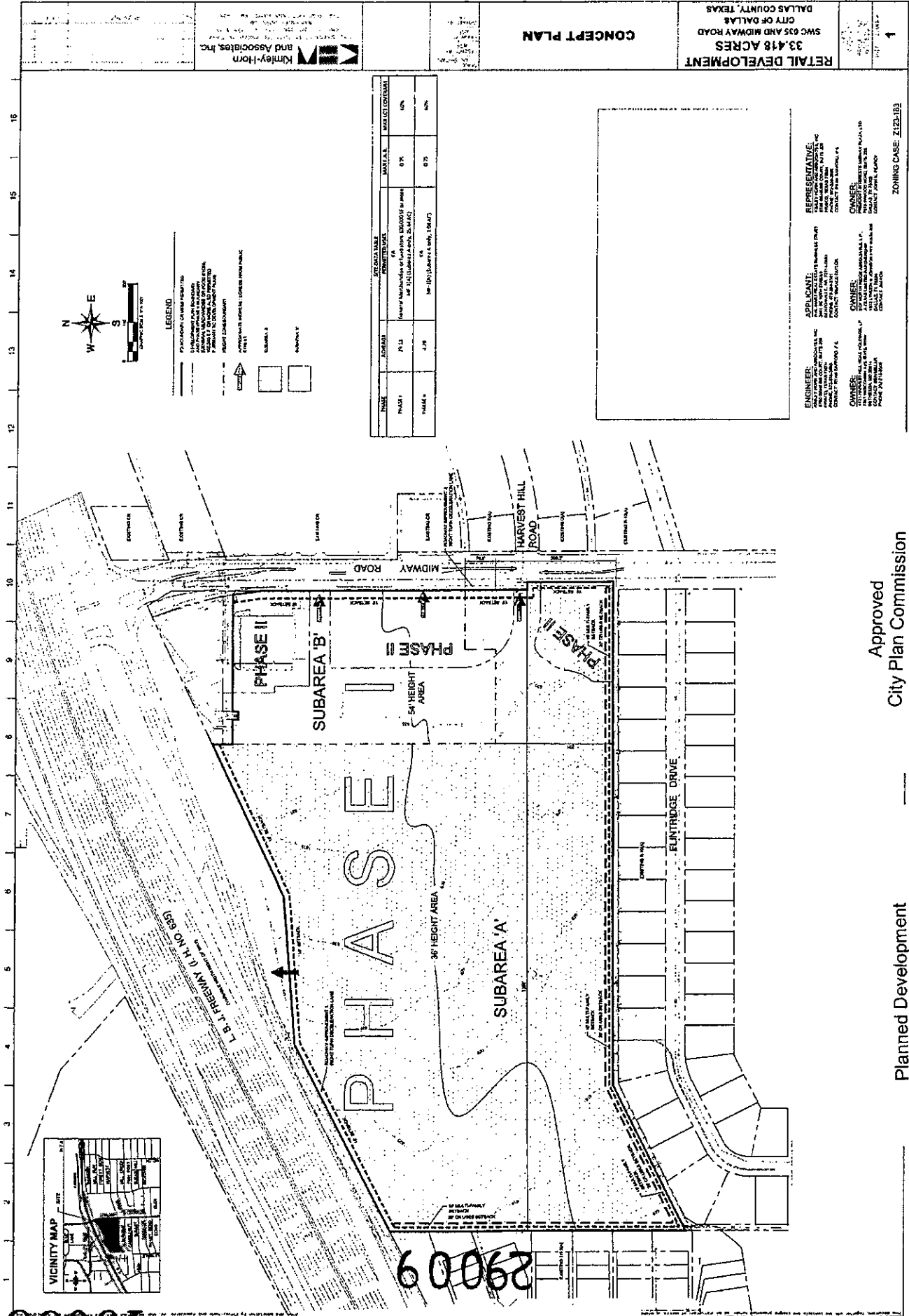




130886

Exhibit 885A

29009



Approved  
City Plan Commission  
April 18, 2013

Planned Development  
District No. 885

RETAIL DEVELOPMENT  
33.418 ACRES  
S.W.C. 035 AND MIDWAY ROAD  
CITY OF DALLAS  
DALLAS COUNTY, TEXAS

CONCEPT PLAN

Kimley-Horn  
and Associates, Inc.

ENGINEER: [Firm Name]  
APPLICANT: [Firm Name]  
OWNER: [Firm Name]  
REPRESENTATIVE: [Firm Name]  
ZONING CASE: Z123-1B3





## *Notification List of Property Owners*

***BDA145-059***

***82 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3902 HARVEST HILL RD	WALMART REAL ESTATE BUSINESS
2	4017 HARVEST HILL RD	WALMART REAL ESTATE BUSINESS TRUST
3	12801 MIDWAY RD	PRESCOTT INTERESTS MIDWAY
4	12789 MIDWAY RD	PRESCOTT INTERESTS MIDWAY
5	4239 ROSSER SQUARE	VOGT VIRGINIA
6	4237 ROSSER SQUARE	WALKER JEAN
7	4235 ROSSER SQUARE	ISLES PATRICIA A & LEONARD I
8	4233 ROSSER SQUARE	SORRELLS MELISSA A
9	4223 ROSSER SQUARE	CORTEZ REBECCA &
10	4221 ROSSER SQUARE	HAYS MICHAEL B
11	4219 ROSSER SQUARE	MCLAIN FRANKLIN D
12	4217 ROSSER SQUARE	MECK DAVID W & NANCY A
13	4215 ROSSER SQUARE	VALENZUELA JAVIER
14	4213 ROSSER SQUARE	CED LANI TRUSTEE
15	4211 ROSSER SQUARE	WOLFE MICHAEL S
16	4209 ROSSER SQUARE	DUKE DALE L
17	4173 ROSSER SQUARE	DUNDON ANDREW S & KAREN G
18	4171 ROSSER SQUARE	STEGALL ROY A & EDNA JOSEPHINE
19	4169 ROSSER SQUARE	DEMOPLIS THOMAS P
20	4167 ROSSER SQUARE	WEAVER MICHAEL JOHN &
21	4165 ROSSER SQUARE	HEINRICH JUDY K
22	4163 ROSSER SQUARE	TREVINO CONRAD &
23	4161 ROSSER SQUARE	SELAH COURTNEY L
24	4159 ROSSER SQUARE	PEREZ SEVERINO &
25	4149 ROSSER SQUARE	SCHWAB ANGELIKA P
26	4147 ROSSER CIR	PJETROVIC AMY

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4145 ROSSER SQUARE	KIMURA MASAKO
28	4143 ROSSER SQUARE	ROBINSON KATHY L
29	4141 ROSSER SQUARE	BUCH ROSA
30	4139 ROSSER SQUARE	DELACANAL ENEIDA
31	4137 ROSSER SQUARE	MAZZA JOSEPH M
32	4135 ROSSER SQUARE	MILLER KAREN
33	9004 ROSSER CIR	ROSSER PK HOMEOWNER ASSOC
34	3965 CANDLENUT LN	ALCALA JOHN &
35	3973 CANDLENUT LN	ROBLES JESUS E & REBECCA
36	4005 FLINTRIDGE DR	GIANNI LOUIS &
37	4009 FLINTRIDGE DR	DONOGHUE KIM MICHELLE &
38	4015 FLINTRIDGE DR	DAVIDSON KATIE W
39	4019 FLINTRIDGE DR	RAFIDI KARIMA N &
40	4023 FLINTRIDGE DR	SOWELL RICHARD
41	4027 FLINTRIDGE DR	JIMENEZ JOSE & MARCIA
42	4031 FLINTRIDGE DR	PRENTICE RUSTY
43	4035 FLINTRIDGE DR	TIPPENS MICHELLE
44	4039 FLINTRIDGE DR	VU LYNN THUY T
45	4043 FLINTRIDGE DR	SANCHEZ ANGELINA
46	4047 FLINTRIDGE DR	LIPKIN DORIS P
47	4105 FLINTRIDGE DR	EVERETT JIM F LIFE ESTATE
48	4109 FLINTRIDGE DR	PATTON LISA
49	4113 FLINTRIDGE DR	LINDSEY HENRY WILLIAM &
50	4119 FLINTRIDGE DR	CHRISTIE KATHY SUE
51	4123 FLINTRIDGE DR	JONES JOE EDWARD
52	4127 FLINTRIDGE DR	EMERY DALE W
53	4131 FLINTRIDGE DR	REVEST PROPERTIES INVESTMENTS LLC
54	4135 FLINTRIDGE DR	PERKINS CYNTHIA
55	4139 FLINTRIDGE DR	GARZA JUAN A &
56	4143 FLINTRIDGE DR	C & C RESIDENTIAL PROPERTIES INC
57	4016 FLINTRIDGE DR	EASTERWOOD KENNETH V JR &

<b>Label #</b>	<b>Address</b>	<b>Owner</b>
58	4022 FLINTRIDGE DR	ATKINS WILLIAM L
59	4028 FLINTRIDGE DR	TREANOR PAUL &
60	4032 FLINTRIDGE DR	DIMIERO ALAN C
61	4036 FLINTRIDGE DR	MURPHY TERENCE M &
62	4040 FLINTRIDGE DR	GIESLER FRANKIE P
63	4044 FLINTRIDGE DR	KIEU ERICA N
64	4048 FLINTRIDGE DR	GODINEZ ERIKA &
65	4106 FLINTRIDGE DR	DAILEY DAN & TERRY K
66	4110 FLINTRIDGE DR	DAILEY DAN P & TERRY K
67	4116 FLINTRIDGE DR	LEE GARY O JR & KATHLEEN A
68	4120 FLINTRIDGE DR	TUTHILL GLENN R & BARBARA G
69	4124 FLINTRIDGE DR	ANDREWS JASON LEE & JENNIFER LEE
70	4128 FLINTRIDGE DR	LONG JUDY GALE
71	4132 FLINTRIDGE DR	WHITE HOLLIS W
72	4136 FLINTRIDGE DR	KINGSLEY LOIS
73	4140 FLINTRIDGE DR	TROUT TIMOTHY A &
74	4209 LAREN LN	RIZOREY JOSE &
75	4204 HARVEST HILL RD	FITZPATRICK RICHARD T
76	4215 HARVEST HILL RD	KISSEL KARLA DIANE
77	12909 MIDWAY RD	PRESCOTT INTERESTS MIDWAY
78	12700 MIDWAY RD	WILLINGHAM W W III
79	4210 HARVEST HILL RD	ROEMER JENNIFER F
80	4212 HARVEST HILL RD	MINC OREN & SUZANNE WILNER
81	4205 HARVEST HILL RD	GUMP LINDA L
82	4207 HARVEST HILL RD	HARLESS BONNIE

**FILE NUMBER:** BDA 145-060

**BUILDING OFFICIAL'S REPORT:** Application of Santos T. Martinez for a special exception to the fence height regulations at 8216 Inwood Road. This property is more fully described as Lot 24, Block 5674, and is zoned R-16(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain a 6 foot 6 inch high fence, which will require a 2 foot 6 inch special exception to the fence height regulations.

**LOCATION:** 8216 Inwood Road

**APPLICANT:** Santos T. Martinez

**REQUEST:**

A request for a special exception to the fence height regulations of 2' 6" is made to construct and maintain a 6' high open steel tube/wrought iron fence and gate with approximately 6' 6" masonry columns in the 35' front yard setback on a site that is developed with a single family home/use.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

Section 51A-4.602 of the Dallas Development Code states that the board may grant a special exception to the height requirement for fences 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 height regulations since the basis for this type of appeal is when in the opinion of the board, the special exception will not adversely affect neighboring property.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-16(A) (Single family district 16,000 square feet)  
North: R-16(A) (Single family district 16,000 square feet)  
South: R-16(A) (Single family district 16,000 square feet)  
East: R-7.5(A) (Single family district 7,500 square feet)  
West: R-16(A) (Single family district 16,000 square feet)

## **Land Use:**

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

## **Zoning/BDA History:**

1. BDA 134-049, Property at 8216 Inwood Road (the subject site)  
On May 21, 2014, the Board of Adjustment Panel B denied a request for a special exception to the fence height regulations of 2' 6" with prejudice. The case report stated that the request was made to construct and maintain a 6' high open iron fence and gate with 6' 6" high stucco columns in the 35' front yard setback on a site that is developed with a single family home/use.
2. Miscellaneous Item, BDA 134-049, Property at 8216 Inwood Road (the subject site)  
On February 18, 2015, the Board of Adjustment Panel B denied a request to waive the two year limitation on a final decision reached by Board of Adjustment Panel B on May 21, 2014 - a request for a special exception to the fence height regulations of 2' 6" denied with prejudice.
3. Miscellaneous Item, BDA 134-049, Property at 8216 Inwood Road (the subject site)  
On March 18, 2015, the Board of Adjustment Panel B granted a request to waive the two year limitation on a final decision reached by Board of Adjustment Panel B on May 21, 2014 - a request for a special exception to the fence height regulations of 2' 6" denied with prejudice.

## **GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses on constructing and maintaining a 6' high open steel tube/wrought iron fence and gate with 6' 6" masonry columns in the 35' front yard setback on a site that is developed with a single family home/use.
- The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed 4' above grade when located in the required front yard.
- The applicant has submitted a revised site plan/fence detail and revised partial elevation of the proposal in the front yard setback that reaches a maximum height of 6' 6".

- The following additional information was gleaned from the submitted revised site plan/fence detail:
  - The proposal is represented as being approximately 140' in length parallel to the street with a recessed entry way, and approximately 25' in length perpendicular to the street on the north and south sides of the subject site in the front yard setback.
  - The fence proposal is represented as being located approximately 13' from the property line or about 16' from the pavement line. (The gate proposal is represented as being located approximately 25' from the property line or about 27' from the pavement line).
  - A row of "(21" Nellie R. Stevens Holly, 45 gallon, 6' screen for iron fence" is denoted on the inside of the proposed fence. In addition, a continuous row of Boxwoods are denoted on the outside of the proposed fence.
- Two home fronts the proposal – one with no fence in its front yard setback, and the other with an approximately 7' high open metal fence that appears to be located out of the required front yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other visible fences above 4 feet high which appeared to be located in a front yard setback.
- As of May 12<sup>th</sup>, no letters had been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 2' 6" will not adversely affect neighboring property.
- Granting this special exception of 2' 6" with a condition imposed that the applicant complies with the submitted revised site plan/fence detail and revised partial elevation would require the proposal exceeding 4' in height in the front yard setback to be constructed and maintained in the location and of the heights and materials as shown on these documents.

**Timeline:**

February 26, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

April 14, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

April 14, 2014: The Board Administrator emailed the applicant the following information:

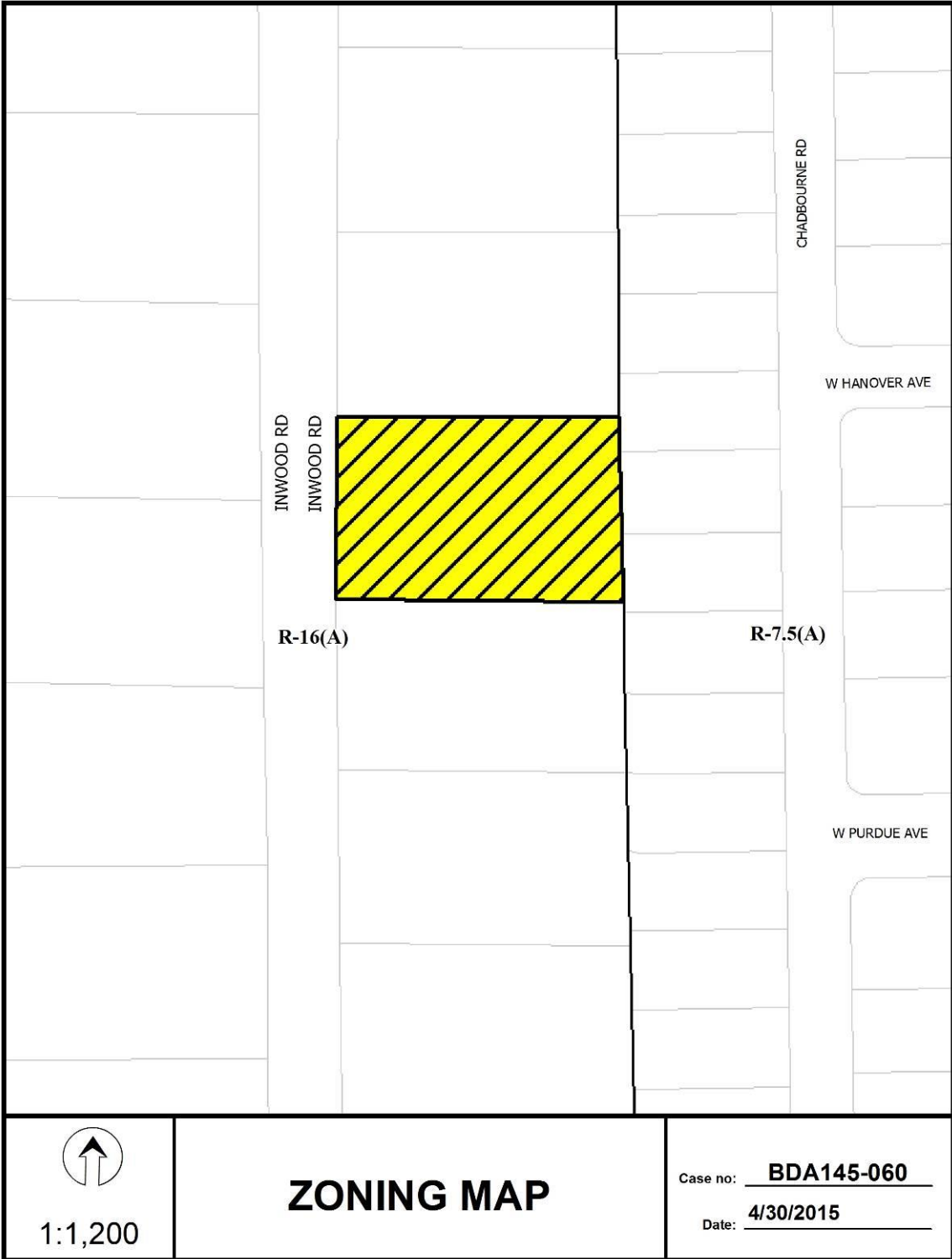
- an attachment that provided the public hearing date and panel that will consider the application; the April 30<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the May 9<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and

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

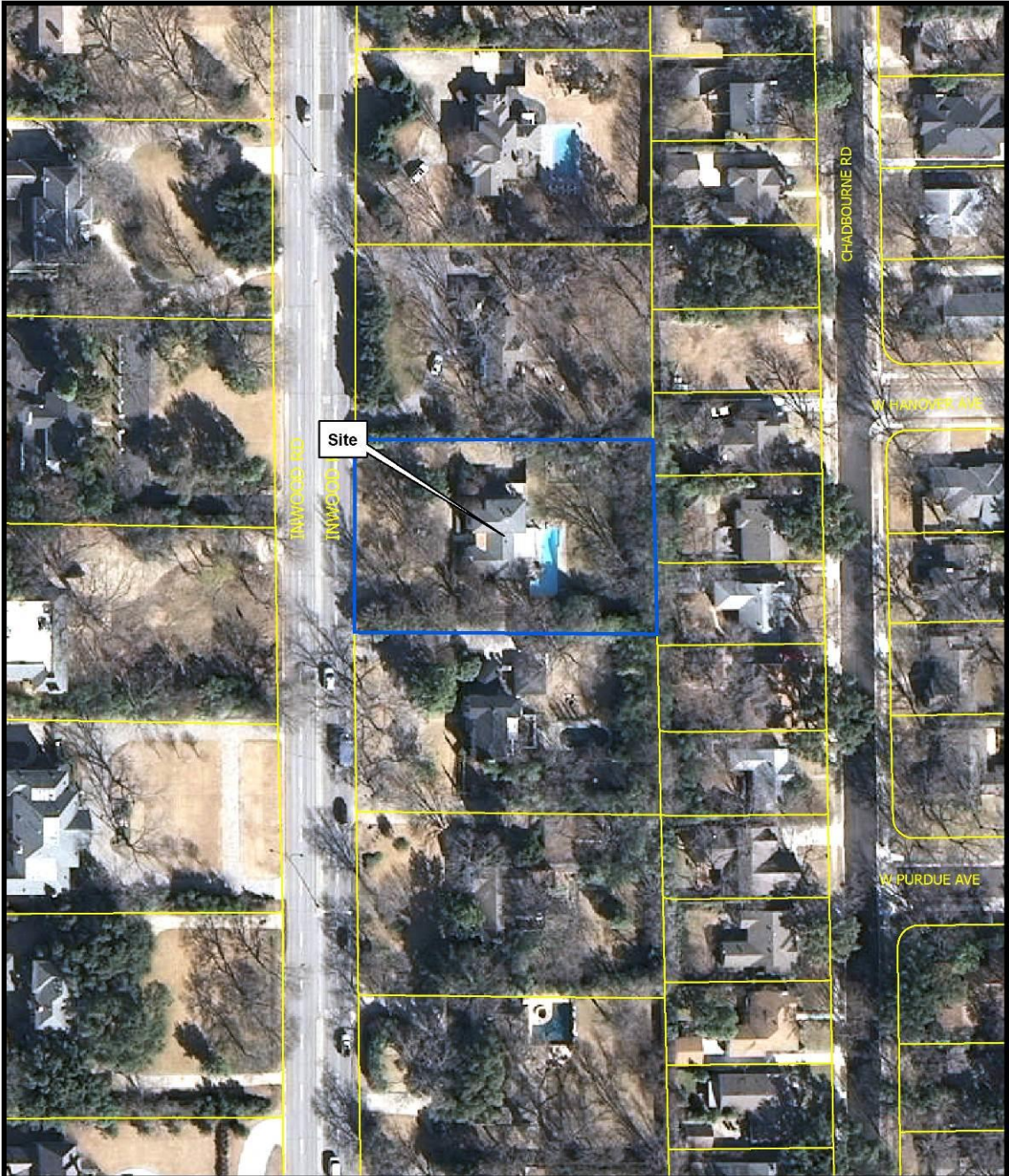
April 30, 2015: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

May 5, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

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







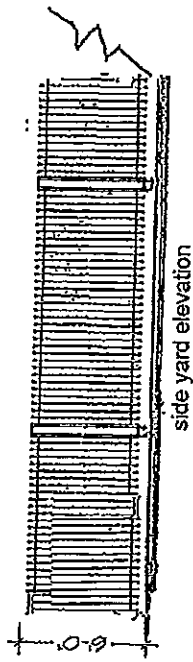
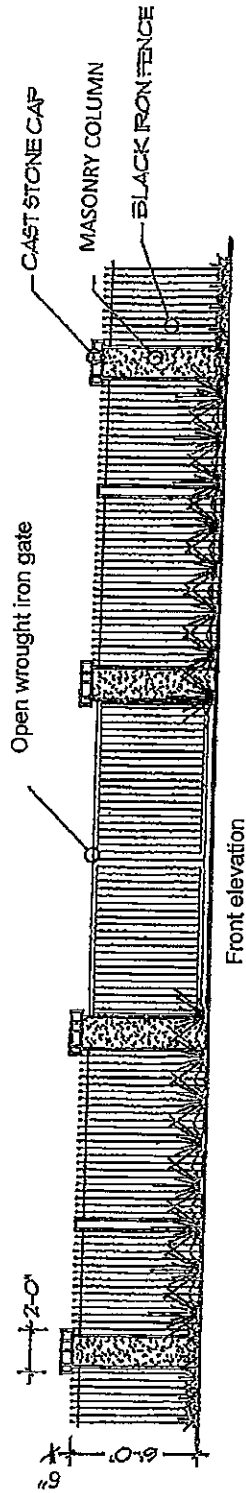
1:1,200

# AERIAL MAP

Case no: BDA145-060

Date: 4/30/2015





8216 Inwood Road  
Dallas, Texas

DATE/PERSON

**GARDEN**  
— DESIGN —



10914 Myrtle Ave  
Dallas, Texas 75244  
214.350.2525

SHEET 1 OF 1



City of Dallas

B

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-060

Data Relative to Subject Property:

Date: 3-26-15

Location address: 8216 Inwood Zoning District: R-16(A)

Lot No.: 24 Block No.: 5674 Acreage: .7600 Census Tract: 73.01

Street Frontage (in Feet): 1) 148.1 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

NE 21A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Inwood Investments, Inc.

Applicant: Santos T. Martinez Telephone: \_\_\_\_\_

Mailing Address: ~~2929 Tyler St. Southlake Tx.~~ Zip Code: ~~76092~~

E-mail Address: \_\_\_\_\_

Represented by: ~~Masterplan~~ Telephone: 214-761-9197

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

E-mail Address: santos@masterplanconsultants.com

Affirm that an appeal has been made for a Variance \_\_, or Special Exception X, of 2' 6" to the fence height regulations within a required 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:  
Proposed fence and landscaping shall not create an adverse effect on neighboring property.

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

Affidavit

Before me the undersigned on this day personally appeared Santos T. Martinez  
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 20 day of March, 2015

(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**

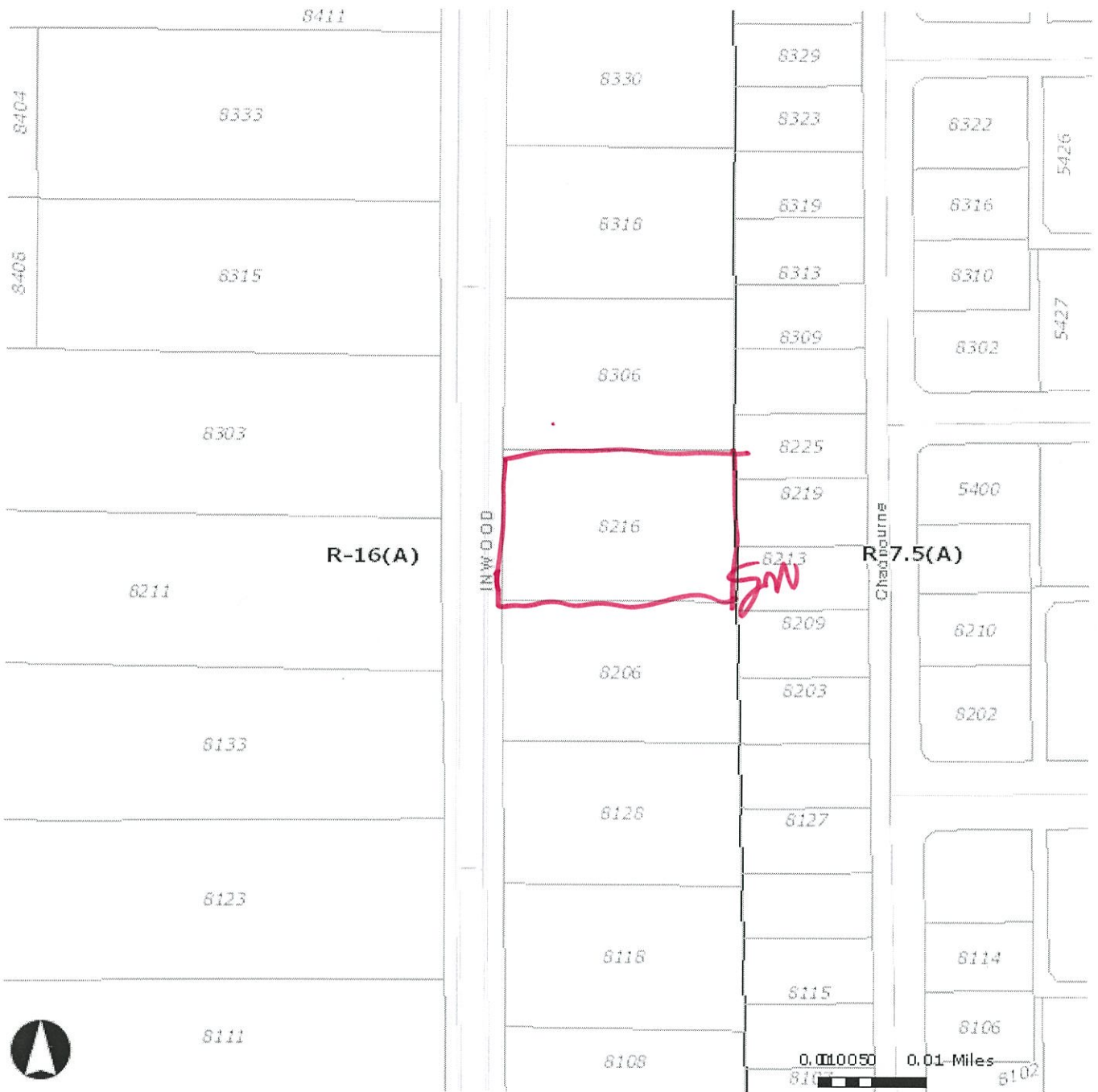
I hereby certify that Santos Martinez

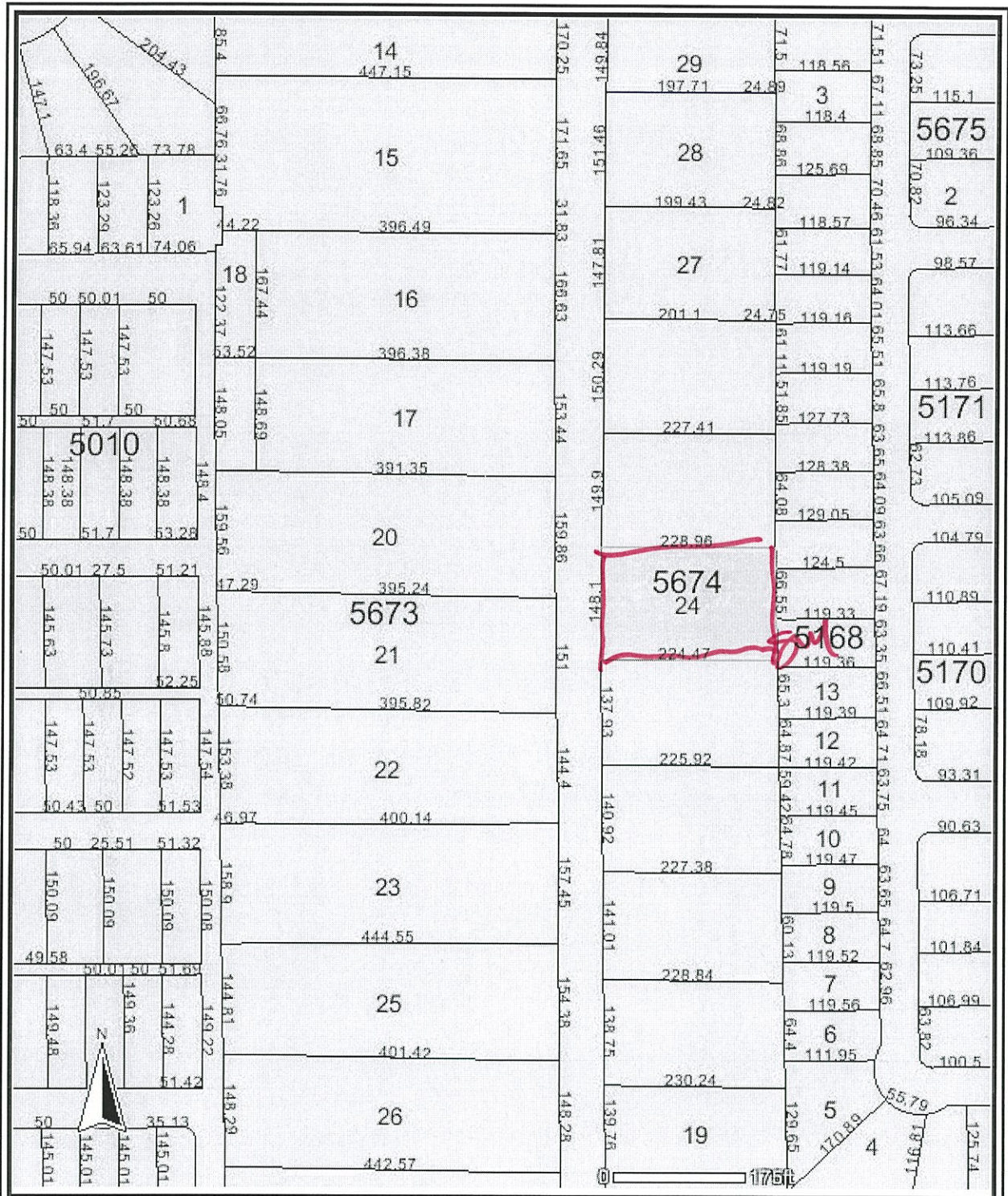
did submit a request for a special exception to the fence height regulations  
at 8216 Inwood Road

BDA145-060. Application of Santos Martinez for a special exception to the fence height regulations at 8216 Inwood Road. This property is more fully described as Lot 24, Block 5674, and is zoned R-16(A), which limits the height of a fence in the front yard to 4 feet. T applicant proposes to construct a 6 foot 6 inch high fence in a required front yard, which w require a 2 foot 6 inch special exception to the fence regulation.

Sincerely,

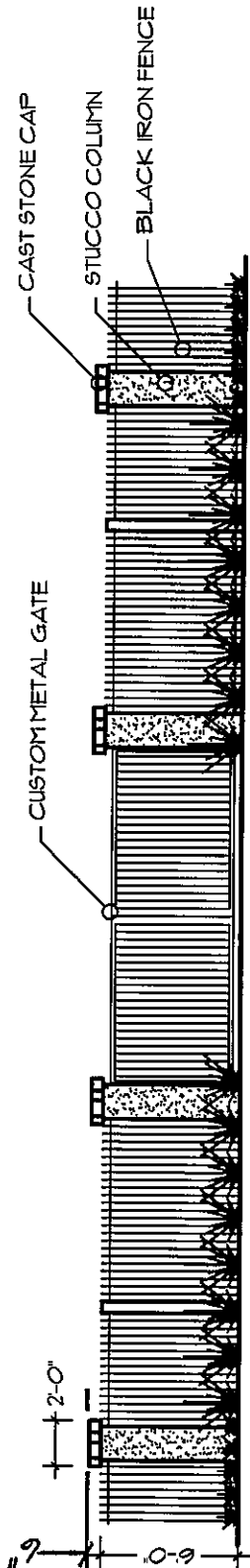
  
Larry Holmes, Building Official





**Dallas Central Appraisal District**  
[www.dallascad.org](http://www.dallascad.org)

**DISCLAIMER**  
 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.

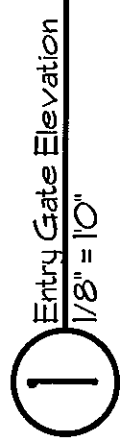


ALL PLANS AND SPECIFICATIONS ARE  
 PROPERTY OF GARDEN DESIGN, LLC.  
 ANY USE FOR SOLICITATION OF BIDS IS  
 PROHIBITED UNLESS A DESIGN FEE HAS BEEN  
 PAID TO GARDEN DESIGN, LLC.

COPYRIGHT BY GARDEN DESIGN, LLC 2013

NOTE:  
 THE DESIGN IS A MASTER PLAN AND  
 ONLY THE ITEMS ON THE SIGNED  
 CONTRACT WILL BE INSTALLED

SIGNATURE: \_\_\_\_\_



DATE/PERSON

8216 Inwood Road  
 Dallas, Texas

**GARDEN**  
 — DESIGN —



www.gardendesignlandscaping.com  
 1925 Valley View Lane  
 Farmers Branch, Texas 75234  
 214.350.2525

SHEET | OF |

11



**Long, Steve**

---

**From:** Santos <santos@masterplanconsultants.com>  
**Sent:** Tuesday, April 14, 2015 7:16 PM  
**To:** Long, Steve  
**Subject:** RE: BDA 145-060, Property at 8216 Inwood Road  
**Attachments:** 8216 inwood LP rev 2 28 14.pdf

Steve,

Here it the item you requested. Please note that we have spoken with the original landscape design firm about revisions to this plan. There is a request to add landscaping and more (better) details on the fence. It appears that the stone columns will only be along Inwood Road. The proposed fence will be simply open wrought iron along the side yards. I will forward to city staff as soon as it is available. Thanks,

Santos T. Martinez  
Senior Consultant  
Masterplan  
900 Jackson, Suite 640  
Dallas, TX 75202  
(214)-761-9197  
(214)-748-7114 fax

\*\*\*\*\*

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient named above. Masterplan, an assumed name of DalClay Corporation, does not provide legal advice. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message. Unless expressly stated this message should not be construed as a digital or electronic signature.

\*\*\*\*\*

---

**From:** Long, Steve [<mailto:steve.long@dallascityhall.com>]  
**Sent:** Tuesday, April 14, 2015 10:01 AM  
**To:** Santos T. Martinez  
**Cc:** Duerksen, Todd  
**Subject:** BDA 145-060, Property at 8216 Inwood Road

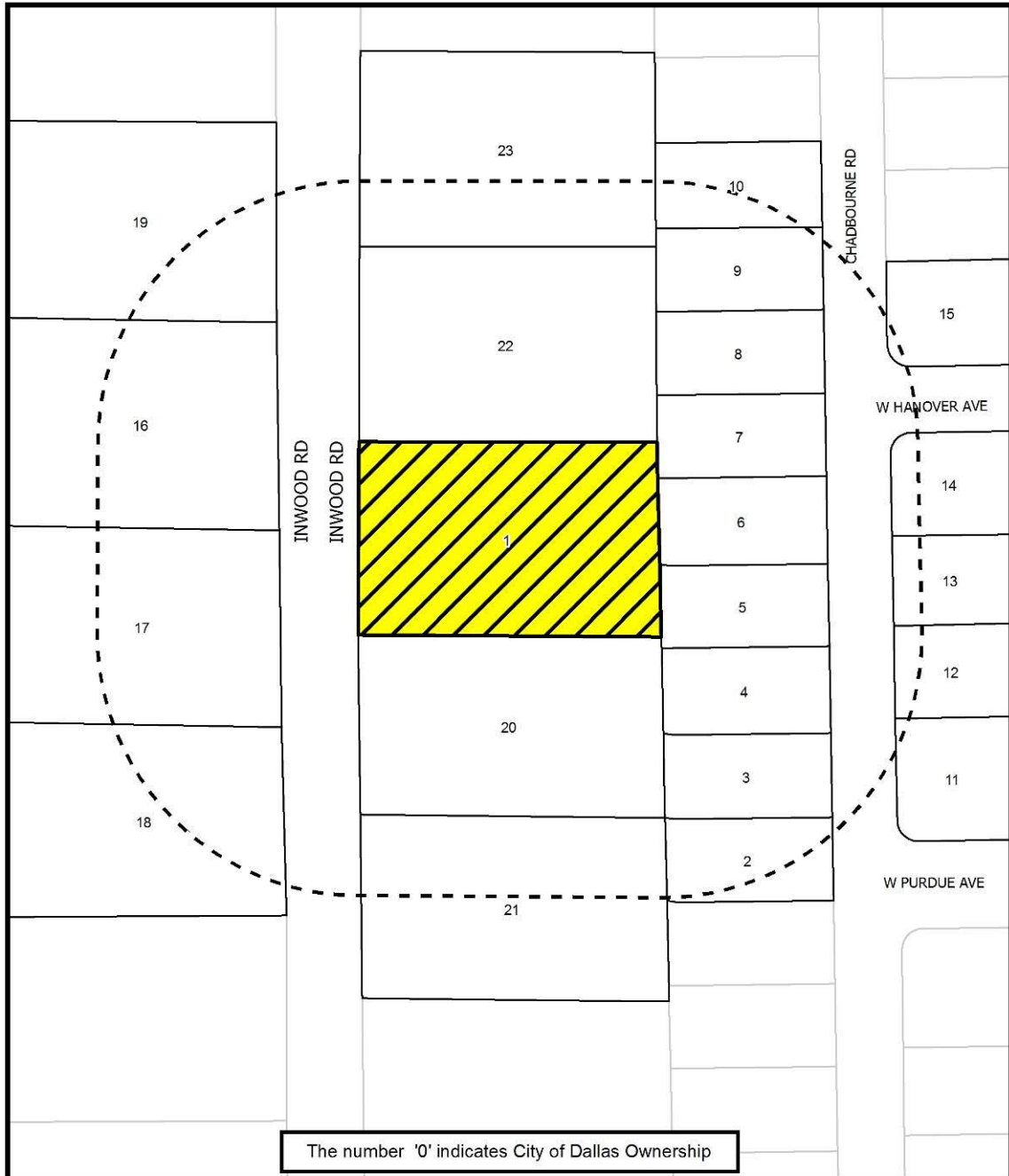
Dear Santos,

Attached are the application materials on your application referenced above. Would you please email me a reduction of your site plan?

Thank you,

Steve





1:1,200

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**23**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA145-060**

Date: **4/30/2015**

## *Notification List of Property Owners*

**BDA145-060**

### *23 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8216 INWOOD RD	INWOOD INVESTMENTS INC
2	8133 CHADBOURNE RD	CHISTE MICHAEL L & EMILY
3	8203 CHADBOURNE RD	GROSS LYNN &
4	8209 CHADBOURNE RD	MEWHINNEY MICHAEL & LINDA
5	8213 CHADBOURNE RD	SCHENK DORIS R
6	8219 CHADBOURNE RD	SITTERLE KAREN
7	8225 CHADBOURNE RD	BOURLAND ELLEN P
8	8303 CHADBOURNE RD	FLUME LIVING TRUST
9	8309 CHADBOURNE RD	WILLIAMSON JENICA M & WILLIAM ALSTON
10	8313 CHADBOURNE RD	MORAN THOMAS A
11	8202 CHADBOURNE RD	WILBUR PAIGE E
12	8210 CHADBOURNE RD	THOMAS H STUART
13	8216 CHADBOURNE RD	DALE JOHN ROBERT &
14	5400 HANOVER AVE	CRENSHAW CLARKE H JR & WHITNEY W
15	8302 CHADBOURNE RD	STORDAHL ANN
16	8303 INWOOD RD	HATTON THOMAS H SR &
17	8211 INWOOD RD	HABEEB THOMAS L
18	8133 INWOOD RD	GARNER BRYAN A
19	8315 INWOOD RD	WARDLAY BRUCE
20	8206 INWOOD RD	ONEIL PATRICK C & KARA E
21	8128 INWOOD RD	HERATY TIMOTHY M JR TR &
22	8306 INWOOD RD	ZEVALLOS ALFRED G &
23	8318 INWOOD RD	DRUSCH MARK A