

ZONING BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, NOVEMBER 18, 2015
AGENDA

BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	12 NOON
TRAINING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	12 NOON
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	1:00 P.M.

Donna Moorman, Chief Planner
Steve Long, Board Administrator
Danielle Lerma, Current Planner

MISCELLANEOUS ITEM

Approval of the October 21, 2015 Board of Adjustment Panel B Public Hearing Minutes	M1
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UNCONTESTED CASE

BDA145-117(SL) 710 N. Bishop Avenue REQUEST: Application of Brittney Wicks, represented by Ginger Sanchez, for a special exception to the single family use regulations	1
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REGULAR CASE

BDA145-113(SL) 4436 Brookview Drive REQUEST: Application of Jordan Spieth, represented by Douglas Wolfe, for a special exception to the fence height regulations	2
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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 October 21, 2015 public hearing minutes.

FILE NUMBER: BDA 145-117(SL)

BUILDING OFFICIAL'S REPORT: Application of Brittney Wicks, represented by Ginger Sanchez, for a special exception to the single family use regulations at 710 N. Bishop Avenue. This property is more fully described as Lot 2, Block 5/3327, and is zoned PD 830 (Subdistrict 1), which limits the number of dwelling units to one. The applicant proposes to construct and/or maintain an additional dwelling unit, which will require a special exception to the single family zoning use regulations.

LOCATION: 710 N. Bishop Avenue

APPLICANT: Brittney Wicks
Represented by Ginger Sanchez

REQUEST:

A request for a special exception to the single family use development standard regulations is made to remodel and maintain a 2-story additional "dwelling unit" structure on a site developed with a 2-story main single family home/dwelling unit structure.

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

The board may grant a special exception to the single family use development standards 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.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	PD 830 (Subdistrict 1) (Planned Development)
<u>North:</u>	PD 830 (Subdistrict 1) (Planned Development)
<u>South:</u>	PD 830 (Subdistrict 1) (Planned Development)
<u>East:</u>	PD 160 (Planned Development)
<u>West:</u>	PD 830 (Subdistrict 1) (Planned Development)

Land Use:

The subject site is developed with a 2-story single family home structure in the process of renovation and a vacant 2-story outbuilding. The areas to the north, south, east, and west are developed with a mix of single family and multifamily 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 remodeling and maintaining a 2-story additional “dwelling unit” structure on a site developed with a 2-story main single family home/dwelling unit structure.
- The site is zoned PD 830 (Subdistrict 1) that permits the following residential uses: duplex, handicapped group dwelling unit (with SUP), multifamily, retirement housing, and single family.
- While the applicant proposes two dwelling units on the subject site, these two separate dwelling units cannot be deemed a permitted “duplex” use.
- The Dallas Development Code defines “Duplex” as “two dwelling units located on a lot” with an additional provision that states that “only one main building may be placed on a building site under this use.”
- Building Inspection cannot interpret the structures shown on the submitted site plan as a “duplex” use because the applicant proposes to have two dwelling units on the lot or more than one main building on the building site.
- The site is zoned PD 830 which permits “single family” use where the Dallas Development Code defines it as “one dwelling located on a lot,” and defines a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”
- The single family use regulations of the Dallas Development Code state that only one dwelling unit may be located on a lot, and that the board of adjustment may

grant a special exception to this provision and authorize 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 submitted site plan denotes the locations of two building footprints, the larger of the two with approximately 2,700 square feet of floor area and the smaller of the two with approximately 374 square feet of floor area. The latter structure has been deemed by Building Inspection, given what is denoted on a submitted floor plans, as an additional dwelling unit. The site plan represents the sizes and locations of the two building footprints relative to the entire lot.
- This request appears to center on the function of what is proposed to be inside the smaller structure on the site. The applicant's representative has written in an email that the request is only necessary because of the collection of rooms in the accessory structure that defines it as a dwelling unit, and that if one of the rooms were to be removed, the entire structure could remain and be compliant with zoning regulations.
- DCAD records indicate the "main improvement" for the property at 710 N. Bishop Avenue to be a structure built in 1954 with 2,691 square feet of living/total area, and "additional improvements" to be a 704 square foot "detached quarters".
- The applicant has the burden of proof in establishing that the additional dwelling unit will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.
- 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 (i.e. development on the site must meet all required code requirements).
- The Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

Timeline:

September 25, 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.

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

October 14, 2015: The Board Administrator emailed the applicant's representative the following information:

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

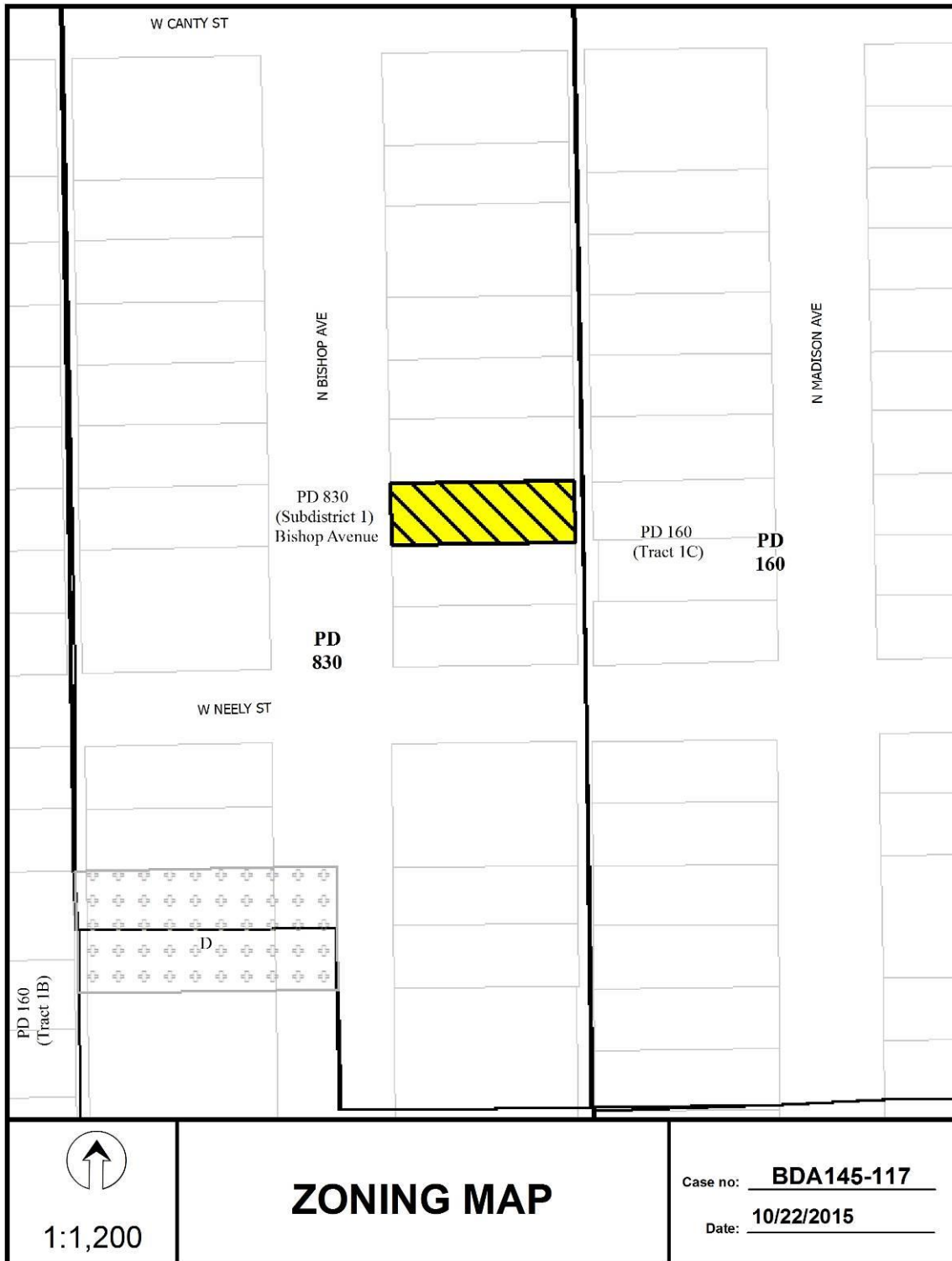
and the November 6th deadline to submit additional evidence to be incorporated into the Board's docket materials;

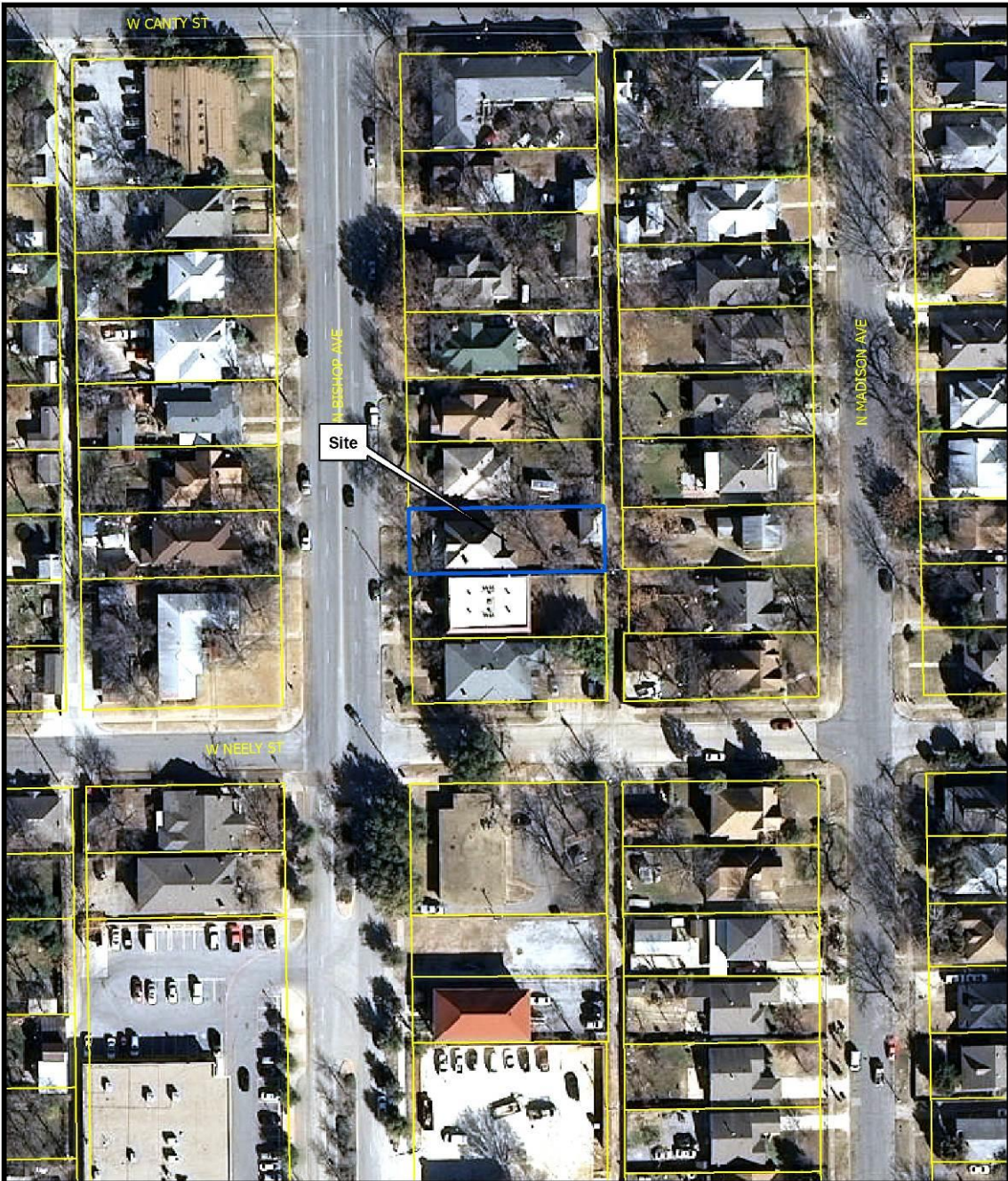
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

October 21, 2015: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

November 3, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Building Inspection Chief Planner, 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, and the Assistant City Attorney to the Board.

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





1:1,200

AERIAL MAP

Case no: BDA145-117

Date: 10/22/2015

Ginger Sanchez
9844 Whistler Drive
Dallas, TX 75217

October 21, 2015

City of Dallas
Board of Adjustment
1500 Marilla St.
Room 5BN
Dallas, TX 75201

Dear Esteemed Members of the Board,

According to the Dallas County Appraisal District the property at 710 N. Bishop Avenue was built in 1954. At that time both the main structure and accessory structure (main improvement and detached servant's quarters per DCAD) were built. The accessory structure with its collection of rooms, which include a bathroom, kitchen and living area, has always been on this property and to our knowledge has never been deemed non-conforming.

Brittney Wicks, LLC purchased the property at 710 N. Bishop Ave on May 5, 2015, with the intent of renovating the main and accessory structure thereby retaining the historical integrity of both structures. Upon submission of the plans for the building permit for the renovation of the structures it was all of a sudden revealed that reconditioning both structures would be a non-conforming use of the property. This came as quite a surprise as both structures have been existing on the property for over 60 years.

The renovation of the accessory structure would not have a negative effect on neighboring properties. There are at least two other properties in the same block that have similar accessory structures, 724 N. Bishop Ave and 730 N. Bishop Ave. These properties are both zoned single-family with an accessory structure. Additionally, the zoning for this particular neighborhood (PD 830, subdistrict 1) allows for single-family, duplex and multi-family zoning as well as commercial. Also, there are a few duplex and apartment buildings that are neighboring properties to the property at 710 N. Bishop Ave. Therefore, to have an accessory structure with a collection of rooms on the same property would not be unusual for this particular neighborhood.

Additionally, this special exception is only necessary because the collection of rooms in the accessory structure defines it as a dwelling unit. If one of the rooms were to be removed the entire structure could remain and be compliant with the zoning regulations. The accessory structure meets all other zoning regulations.

We feel that renovating both the main structure and the accessory structure will have a positive effect on the neighboring properties. In its current condition the structures are in serious disrepair. If granted approval to renovate the accessory structure, both the main and accessory structure will add to the beauty and historical integrity of this important neighborhood.

We thank you in advance for your consideration of this special exception!

Sincerely,

Ginger Sanchez
Representative for Brittney Wicks LLC



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-117
Date: 9/25/15

Data Relative to Subject Property:

Location address: 710 N. Bishop Ave. Zoning District: PD830 (Subd. 1)
Lot No.: 2 Block No.: 5/3327 Acreage: 0.17 Census Tract: 42.01
Street Frontage (in Feet): 1) 49.5 2) _____ 3) _____ 4) _____ 5) _____ sw17

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Brittney Wicks LLC
Applicant: Brittney Wicks Telephone: 469 338 1098
Mailing Address: 2980 oak Dr Rockwall, TX Zip Code: 75082
E-mail Address: BrittneyWicks@gmail.com
Represented by: Ginger Sanchez Telephone: 469-222-3169
Mailing Address: 9844 Whistler Drive, Dallas Zip Code: 75217
E-mail Address: ddsanchez3378@gmail.com

Affirm that an appeal has been made for a Variance _____, or Special Exception , of an additional dwelling unit for a single family use.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
this additional dwelling unit will not adversely affect the neighboring properties. It is an existing unit on the property currently and we only want to improve it. Other properties in the same neighborhood have similar dwellings.

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.

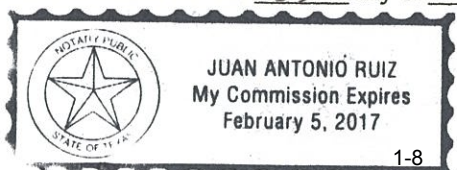
Affidavit

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

Subscribed and sworn to before me this 25 day of September, 2015

(Rev. 08-01-11)



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

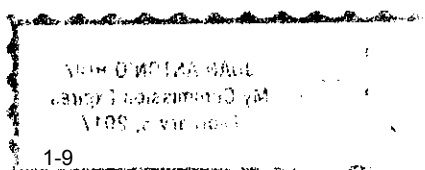
Building Official's Report

I hereby certify that **Brittney Wicks**
 represented by **GINGER SANCHEZ**
 did submit a request for a special exception to the single family regulations
 at **710 N. Bishop Avenue**

BDA145-117. Application of Brittney Wicks represented by Ginger Sanchez for a special exception to the single family regulations at 710 N. Bishop Avenue. This property is more fully described as Lot 2, Block 5/3327, and is zoned PD-830 (Subdistrict 1), 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,


 Larry Holmes, Building Official

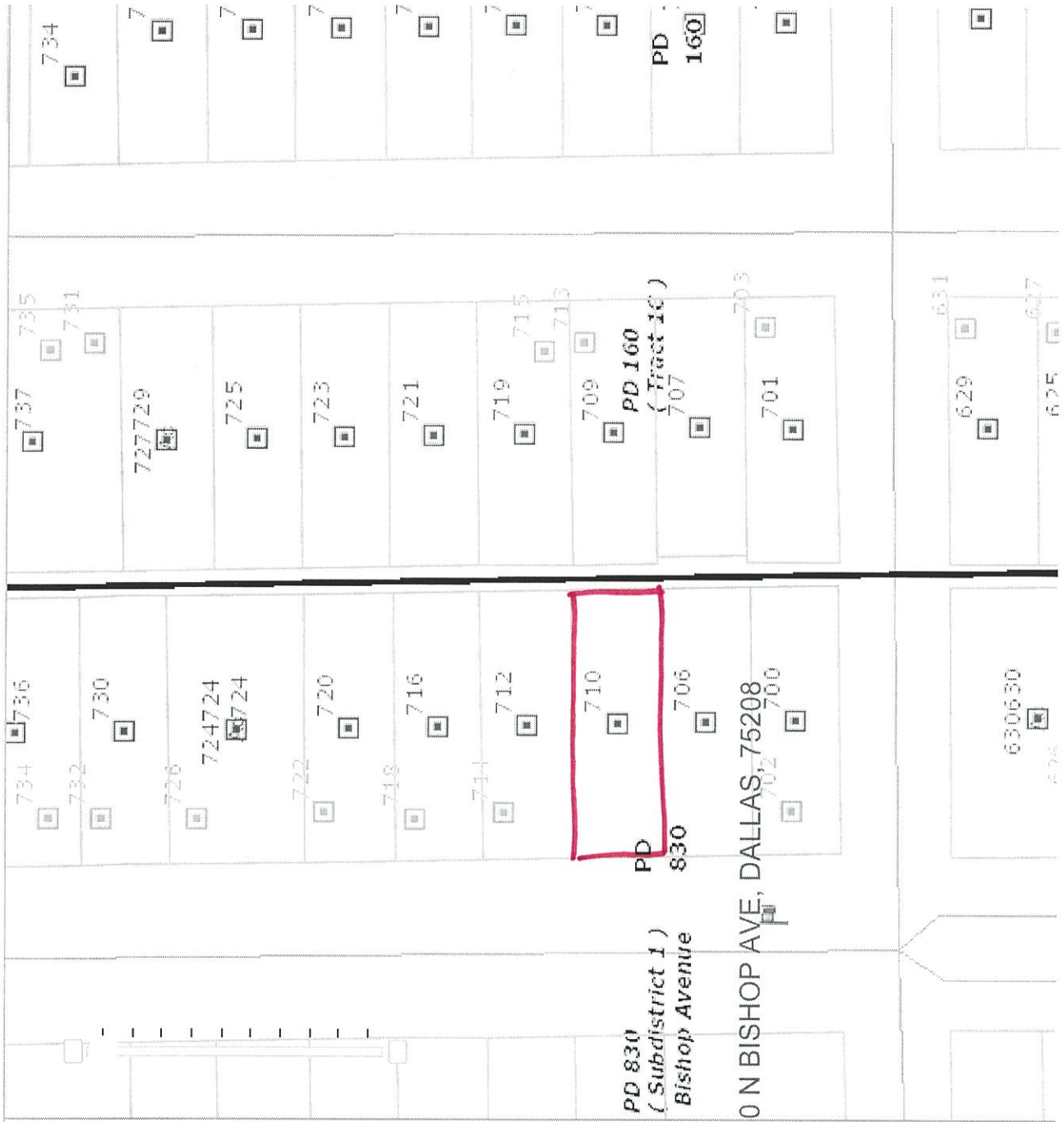
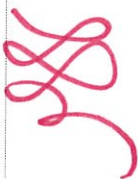


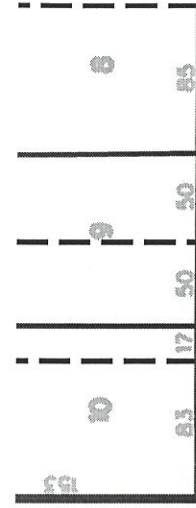
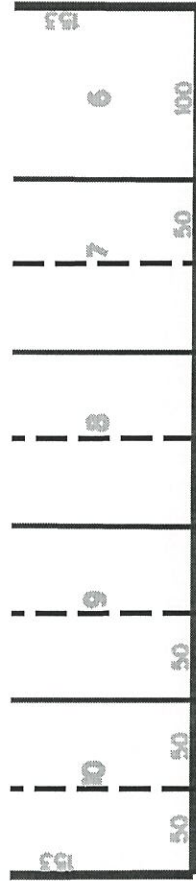
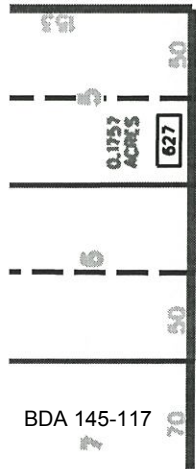
City of Dallas

Internal Development Research Site

Legend

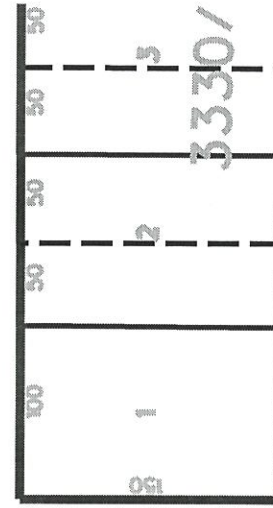
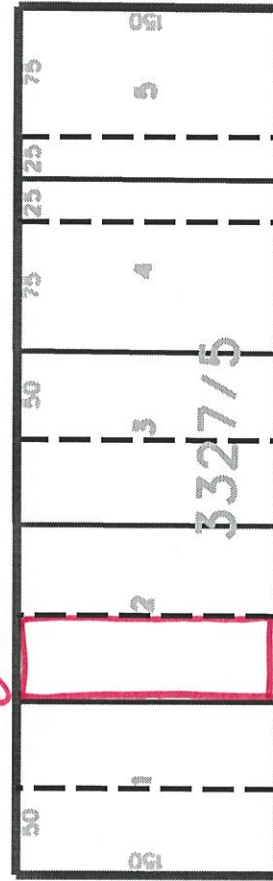
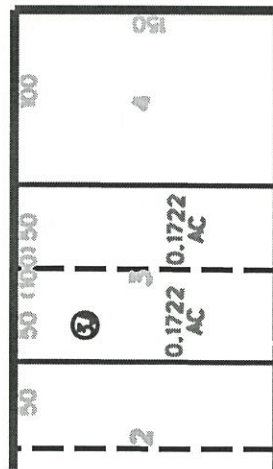
Locate Property





BISHOP

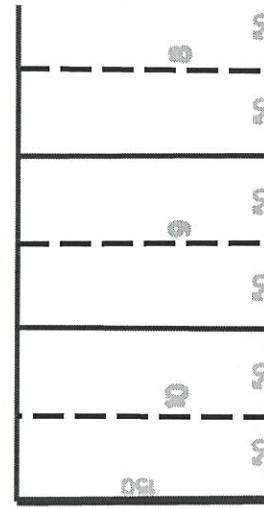
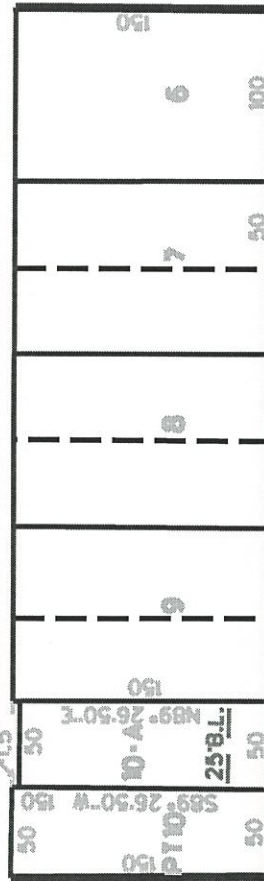
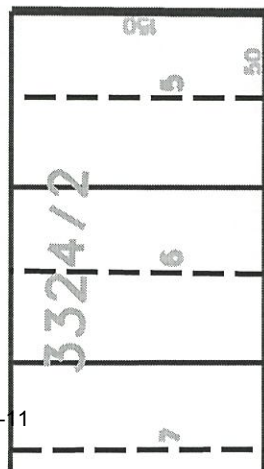
Handwritten signature



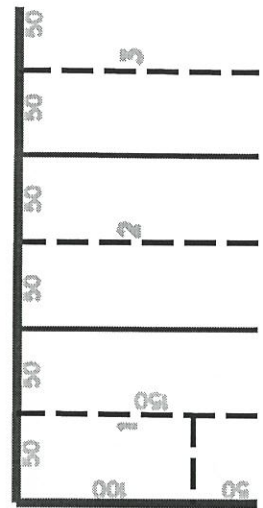
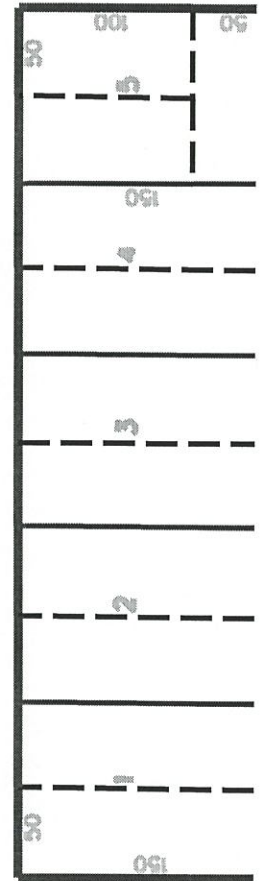
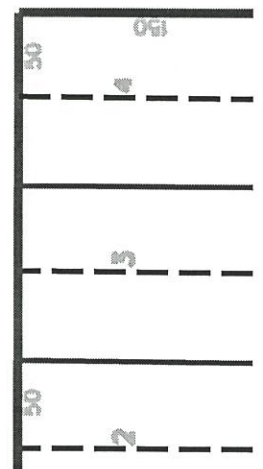
1-1

500

300



MADISON

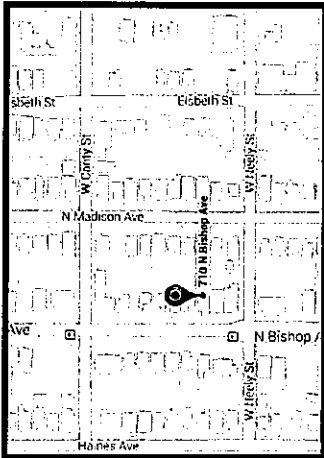


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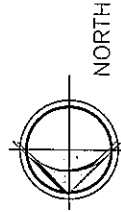
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800

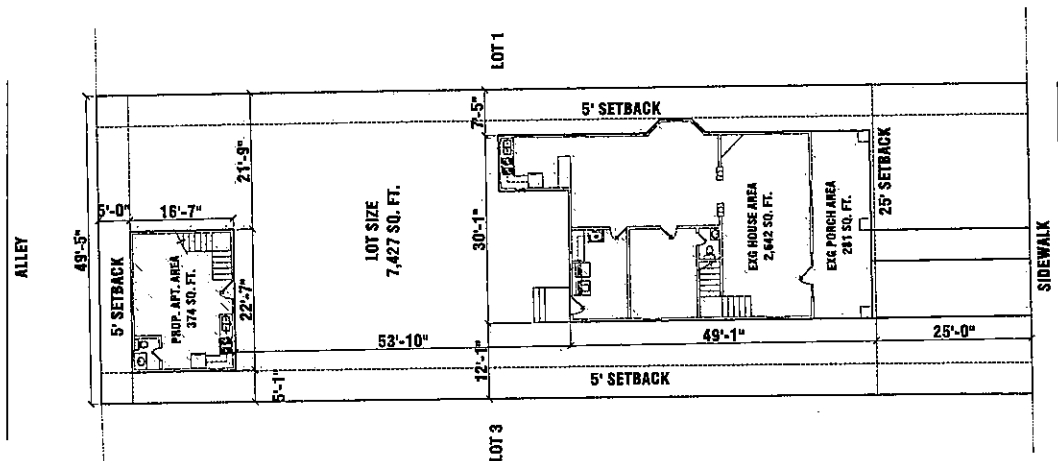
800



**VICINITY MAP
FOR REFERENCE ONLY**



LEGAL DESCRIPTION:
MILLER & STELMONS
BLK 5/3327 S1/2 LOT 2



SQUARE FOOTAGE	
EXG. TWO STORY HOUSE	2,642 S.F.
EXG. PORCH	281 S.F.
PROP. APARTMENT	374 S.F.
TOTAL AREA	3,297 S.F.
LOT SIZE	7,427 S.F.
% OF LOT	44.3%

LEGEND	
	EXISTING
	SETBACK LINE
	PROPERTY LIMIT
	GRASS

N BISHOP AVE.

SITE PLAN
SCALE: 1"=20'

CONSTRUCTION CONCEPTS, INC.
"Planning and Designing a Better Tomorrow"

317 E. JEFFERSON BLVD.
DALLAS, TX. 75203
TEL. (214) 946-4300
FAX (214) 948-9544

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THE STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OR ENGINEERS PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HAZARD AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. CONCEPTS, INC. WILL NOT ASSUME LIABILITY FOR ANY DAMAGES CAUSED BY ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACKING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

Project Name & Address
710 N BISHOP AVE
DALLAS, TX
- 75208

Project Sheet
SITE
Date 05/19/15
Scale 1"=20'
Drawn By JR

1

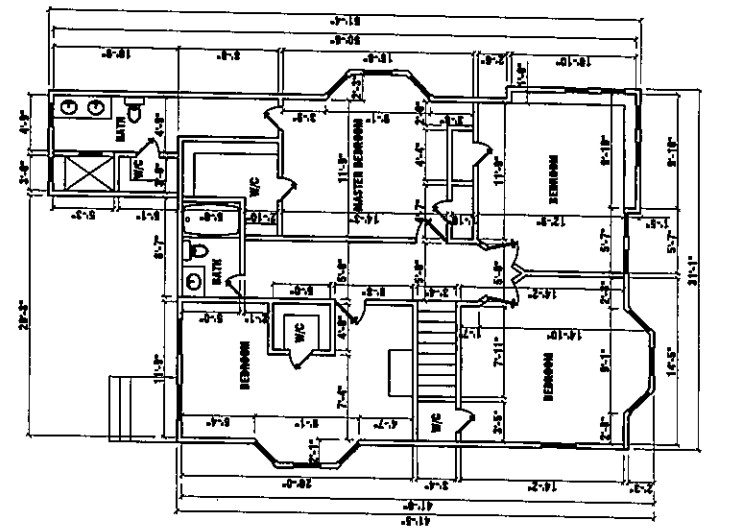
THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE REVIEWED BY THE BUILDER, HOMEOWNER, CONTRACTOR, ARCHITECT, ENGINEER, OR LOCAL BUILDING CODES BEFORE BEGINNING CONSTRUCTION OF ANY KIND. OVER ANY PART OF THESE PLANS, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE. GREAT CARE AND EFFORT HAVE GONE INTO THE DESIGN OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN REGARDING LOCAL CODES, RESTRICTIONS, CONCEPTS, INC. WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS OR OMISSIONS ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH THE PURCHASE OF THESE PLANS. THE BUYER TO CONSTRUCT THIS HOUSE (EXCEPT, LOCALS) WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS. ANY COPIING, TRACING, OR ALTERING OF THESE PLANS IS STRICTLY FORBIDDEN.

Project Name & Address
 710 N BISHOP AVE
 DALLAS, TX
 75208

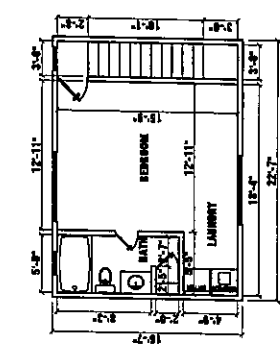
Project	FLOOR PLAN	Sheet	3
Date	05/19/15	Scale	3/32" = 1'-0"
Drawn By	JR		

- NOTE:**
1. ALL CEILING TO BE 8' UNLESS NOTED.
 2. FINISH TO APPROVE & VERIFY ALL PLANS BEFORE CONSTRUCTION.
 3. VERIFY ALL PLANS W/ LOCAL BUILDING CODES.
 4. W.A. & W.A.C. TO BE IN ATTIC UNLESS OTHERWISE NOTED.
 5. PROVIDE SHUT-OFF VALVE FOR ALL GAS APPLIANCES REFERENCE INC SECTION 6251B.
 6. ALL GLASS LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 6" OF FLOOR AT BATHROOMS, WHIRLPOOLS, SHOWERS, SAUNAS, STEAM ROOM OR HOT TUBS SHALL BE TEMPERED. TO COMPLY W/ INC SECTION P300-A.8.

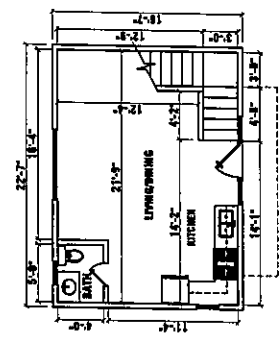
- FLOOR PLAN NOTES:**
1. ALL STRUCTURAL INFORMATION SHOWN FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHALL HAVE LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS ALL FRAMING WALLS, BEAMS, CONNECTIONS, ROOFING, JOIST AND RAFTERS. ALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD UNLESS NOTED OTHERWISE.
 2. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY APPROXIMATE ROOMS OPENING SIZE, REFER TO PLANS AND EXTERIOR ELEVATIONS FOR WINDOW TYPES.
 3. COORDINATE LOCATION OF UTILITY METERS WITH SITE PLAN AND LOCATE AWAY FROM PUBLIC VIEW. VISUAL IMPACT SHALL BE MINIMIZED, I.E. MOUNT AS LOW AS POSSIBLE.
 4. CONTRACTOR SHALL COORDINATE ALL CLOSET SHELVEING REQUIREMENTS.
 5. NO NOT SCALE DRAWINGS, FOLLOW DIMENSIONS ONLY.
 6. CONTRACTOR SHALL VERIFY ALL CABINET DIMENSIONS BEFORE FABRICATION.
 7. BATHROOMS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 67.5" HGT. A MINIMUM NET CLEAR OPENING OF 20". A MINIMUM NET CLEAR OPENABLE HEIGHT OF 24" AND HAVE A MAXIMUM FINISH SHELL HEIGHT OF 48" FROM FINISH FLOOR.
 8. ALL RELAX LOCATED WITHIN 18" OF FLOOR, 12" OF A DOOR OR LOCATED WITHIN 6" OF FLOOR AT BATHROOMS, WHIRLPOOLS, SHOWERS, SAUNAS, STEAM ROOMS OR HOT TUBS SHALL BE TEMPERED.
 9. ALL EXPOSED INSULATION SHALL HAVE A FLAME SPREAD RATING OF LESS THAN 25 AND A SMOKE DEVELOPMENT RATING OF LESS THAN 450.
 10. PROVIDE COMBUSTION AIR VENTS, WITH SCREEN AND BACK DAMPER FOR FIREPLACES, WOOD STOVES AND ANY APPLIANCE WITH AN OPEN FLAME.
 11. BATHROOMS AND UTILITY ROOMS SHALL BE VENTED TO THE OUTSIDE WITH A MINIMUM OF A 90 CFM FAN. RANGE HOODS SHALL ALSO BE VENTED TO OUTSIDE.
 12. ATTIC HVAC UNITS SHALL BE LOCATED WITHIN 30" OF ITS SERVICE OPENING. RETURN AIR GRILLES SHALL NOT BE LOCATED WITHIN 10 FEET OF A GAS FIRED APPLIANCE.
 13. ALL WALLS AND CEILING IN GARAGE AND GARAGE STORAGE AREAS TO HAVE 5/8" TYPE-1 GYP. BOARD W/ 1-HOUR FIRE RATING. ALL EXT. DOORS TO GARAGE TO BE METAL OR SOLID CORE DOORS INCLUDING DOORS ENTERING HEAT/COOLED PORTION OF INSURANCE.
 14. ALL FIREPLACE CHASE WALLS SHALL BE INSULATED INSIDE AND OUTSIDE. PROVIDE HORIZONTAL DRAFT STOPS AT EACH FLOOR LEVEL BY PACKING 8" (R-19) INSULATION BETWEEN 2x4 JOISTS.
 15. ALL INTERIOR WALLS SHALL BE COVERED WITH 1/2" GYPSUM BOARD, WITH METAL CORNER REINFORCING, TAPE FLOAT AND SAND. (3 COATS) 1/2" GYPSUM BOARD ON CEILING WHEN SUPPORTING MEMBERS ARE 24" O.C. OR GREATER USE 1/2" GYP. BOARD ON CEILING MEMBERS LESS THAN 24" O.C. ALL BATH AND TOILET AREA WALLS AND CEILING SHALL HAVE WATER RESISTANT GYPSUM BOARD.

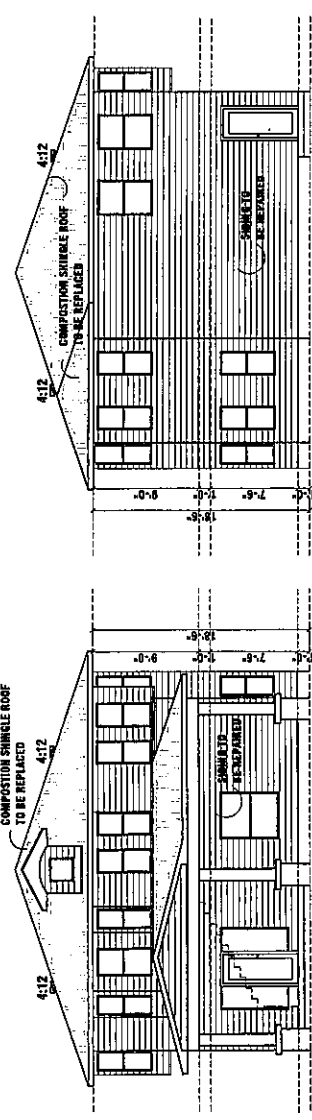


PROPOSED 2ND STORY FLOOR PLAN
 SCALE: 3/32" = 1'-0"



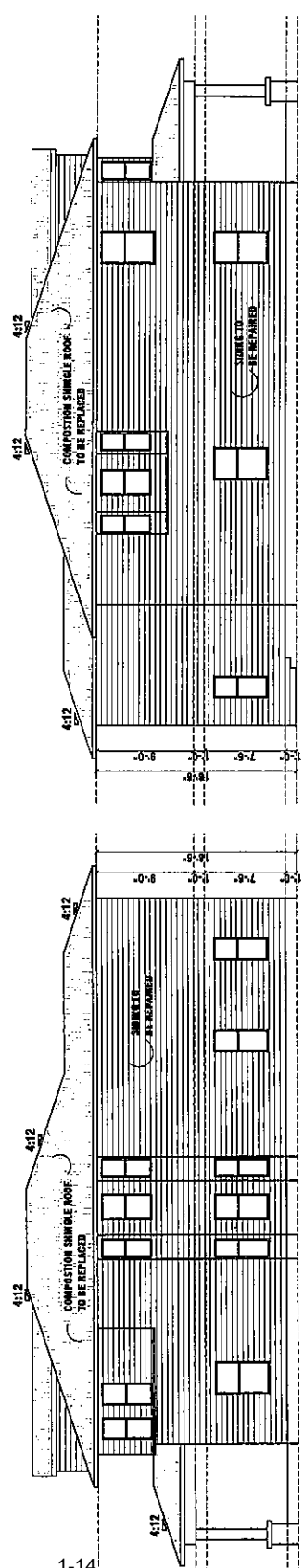
PROPOSED 1ST STORY FLOOR PLAN
 SCALE: 3/32" = 1'-0"





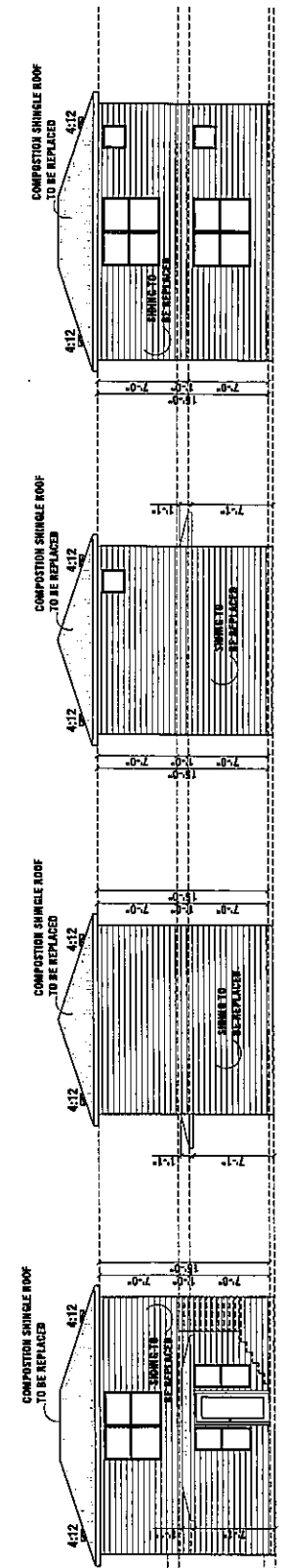
FRONT ELEVATION
SCALE: 3/32" = 1'-0"

REAR ELEVATION
SCALE: 3/32" = 1'-0"



LEFT ELEVATION
SCALE: 3/32" = 1'-0"

RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



PROPOSED LEFT ELEVATION
SCALE: 3/32" = 1'-0"

PROPOSED RIGHT ELEVATION
SCALE: 3/32" = 1'-0"

PROPOSED FRONT ELEVATION
SCALE: 3/32" = 1'-0"

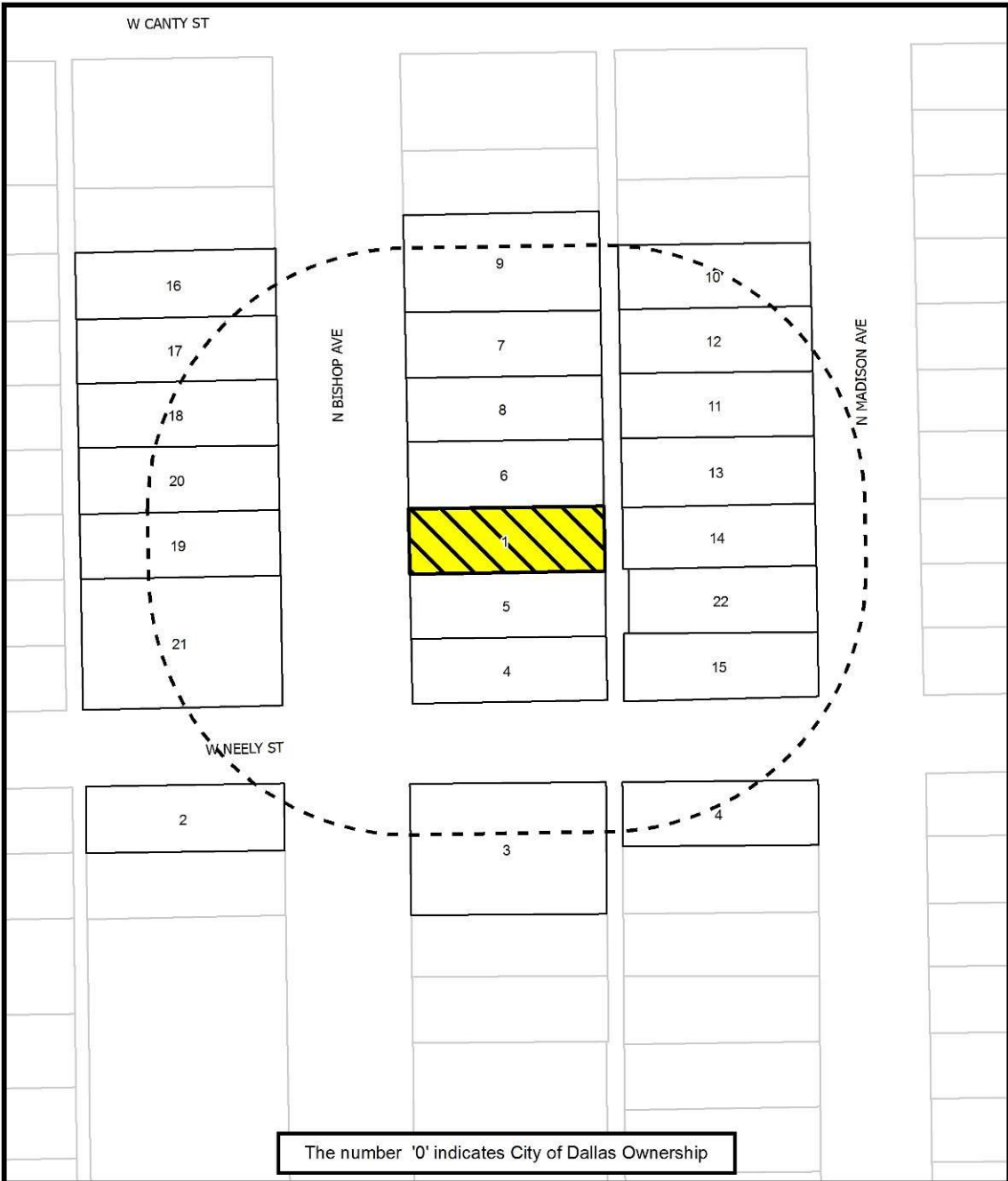
PROPOSED REAR ELEVATION
SCALE: 3/32" = 1'-0"

CONSTRUCTION CONCEPTS, INC.
"Planning and Designing a Better Tomorrow"
317 E. JEFFERSON BLVD.
DALLAS, TX. 75203
TEL. (214) 946-4300
FAX. (214) 948-9544

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THE STRUCTURE. THESE PLANS MUST BE REVIEWED AND CHECKED BY THE BUILDER, ARCHITECT, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. OVER ANY PART OF THESE PLANS.
NOTE: ALL LOCAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE. CONCEPTS ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH ALL APPLICABLE LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATIONS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

Project Name & Address
710 N BISHOP AVE
DALLAS, TX
75208

Project Elevation Sheet
Date 05/19/15
Scale 3/32" = 1'-0"
Drawn By JR
4



 1:1,200	NOTIFICATION		Case no: <u>BDA145-117</u>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">22</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <u>10/22/2015</u>	

Notification List of Property Owners

BDA145-117

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	710 BISHOP AVE	HAWN JENNIFER L
2	631 BISHOP AVE	2444 LLC
3	630 BISHOP AVE	FIENTES JOSE CO INC
4	629 MADISON AVE	JASIECKI KEITH
5	706 BISHOP AVE	GOOD SPACE ARTS INC
6	712 BISHOP AVE	ESQUIVEL JOHNNY & MICKELA R
7	720 BISHOP AVE	MENDOZA JOSE & MARIA O
8	716 BISHOP AVE	GOMEZ AGUSTIN MUNOZ &
9	724 BISHOP AVE	724 N BISHOP AVE LAND TRUST
10	725 MADISON AVE	MACIAS AMALIA
11	721 MADISON AVE	LONGCRIER MICHAEL
12	723 MADISON AVE	PRIORITY ACQUISITIONS LTD
13	719 MADISON AVE	MADISON RE COMPANY
14	709 MADISON AVE	ELLIS ROBERT WILLIAM
15	701 MADISON AVE	TORRES ALFREDO R &
16	725 BISHOP AVE	CONLEY PAM
17	723 BISHOP AVE	MENDOZA JOSE H &
18	719 BISHOP AVE	PAPP JON W
19	705 BISHOP AVE	MOTA JOSE N &
20	713 BISHOP AVE	T & O INVESTMENTS LLC
21	701 BISHOP AVE	BISHOP OAKS
22	707 MADISON AVE	CHAVARRIA PANFILO O &

FILE NUMBER: BDA 145-113(SL)

BUILDING OFFICIAL'S REPORT: Application of Jordan Spieth, represented by Douglas Wolfe, for a special exception to the fence height regulations at 4436 Brookview Drive. This property is more fully described as Lot 4, Block A/5560, 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 high fence, which will require a 3 foot special exception to the fence height regulations.

LOCATION: 4436 Brookview Drive

APPLICANT: Jordan Spieth
Represented by Douglas Wolfe

REQUEST:

A request for a special exception to the fence height regulations of 3' is made to replace an existing 4' high open wrought iron fence with a 6' high open wrought iron fence, to replace an approximately 3' – 4' high wood gate and 4' high stone columns with a 6'- 7' high cedar wood gate and 7' high stone columns, and to maintain 7' high stone columns 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.

Zoning:

Site: R-10(A) (Single Family Residential District 10,000 SF)
North: R-10(A) (Single Family Residential District 10,000 SF)
South: R-10(A) (Single Family Residential District 10,000 SF)
East: R-10(A) (Single Family Residential District 10,000 SF)
West: R-10(A) (Single Family Residential District 10,000 SF)

Land Use:

The subject site is developed with a single family home. The area to the north, east, south, 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 replacing an existing 4' high open wrought iron fence with a 6' high open wrought iron fence, replacing an approximately 3' – 4' high wood gate and 4' high stone columns with a 6'- 7' high cedar wood gate and 7' high stone columns, and maintaining 7' high stone columns on a site developed with a single family home.
- 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 site is zoned R-10(A) which requires a 30' front yard setback.
- The submitted site plan/elevation indicates that the maximum height of the fence proposal in the required front yard setback is 7'.
- The following additional information was gleaned from the submitted site plan/elevation:
 - The proposal is represented as being approximately 117' in length parallel to the street.
 - The fence is represented to be located on the front property line; the gate is represented to be located approximately 8' from the front property line. (The distance between the fence/gate and pavement line cannot be determined because the submitted site plan does not denote a pavement line).
- The proposal is located on the site where one lot has direct frontage – a property with no fence in its front yard.
- The Board Administrator conducted a field visit of the site and surrounding area along Brookview Drive (approximately 500 feet east and west of the site) and noted no other visible fences above 4 feet high which appeared to be located in a front yard setback.
- As of November 6, 2015, no letters had been submitted in support of the request, and four 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' will not adversely affect neighboring property.
- Granting this special exception of 3' with a condition imposed that the applicant complies with the submitted 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:

September 9, 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.

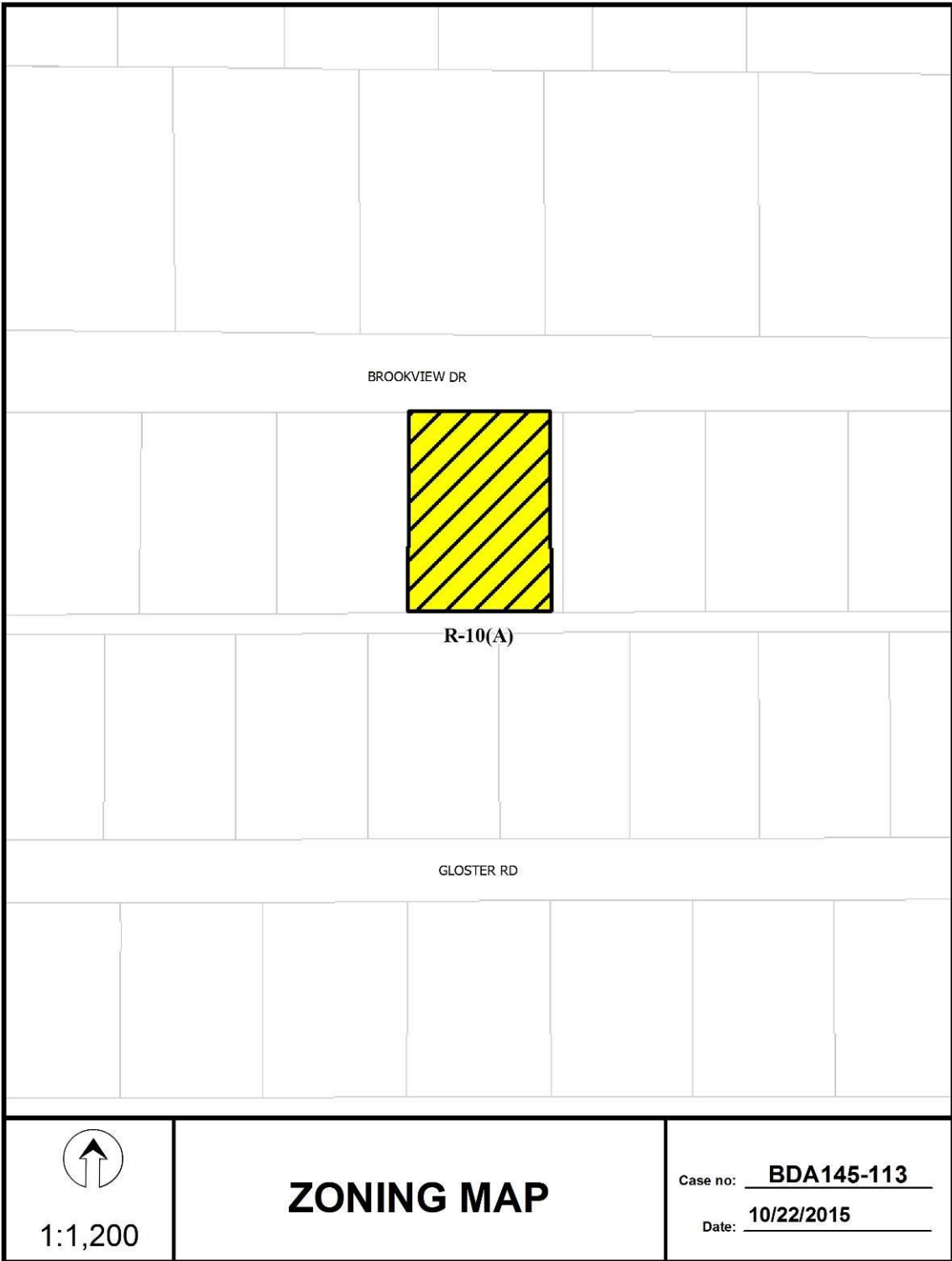
October 14, 2015: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

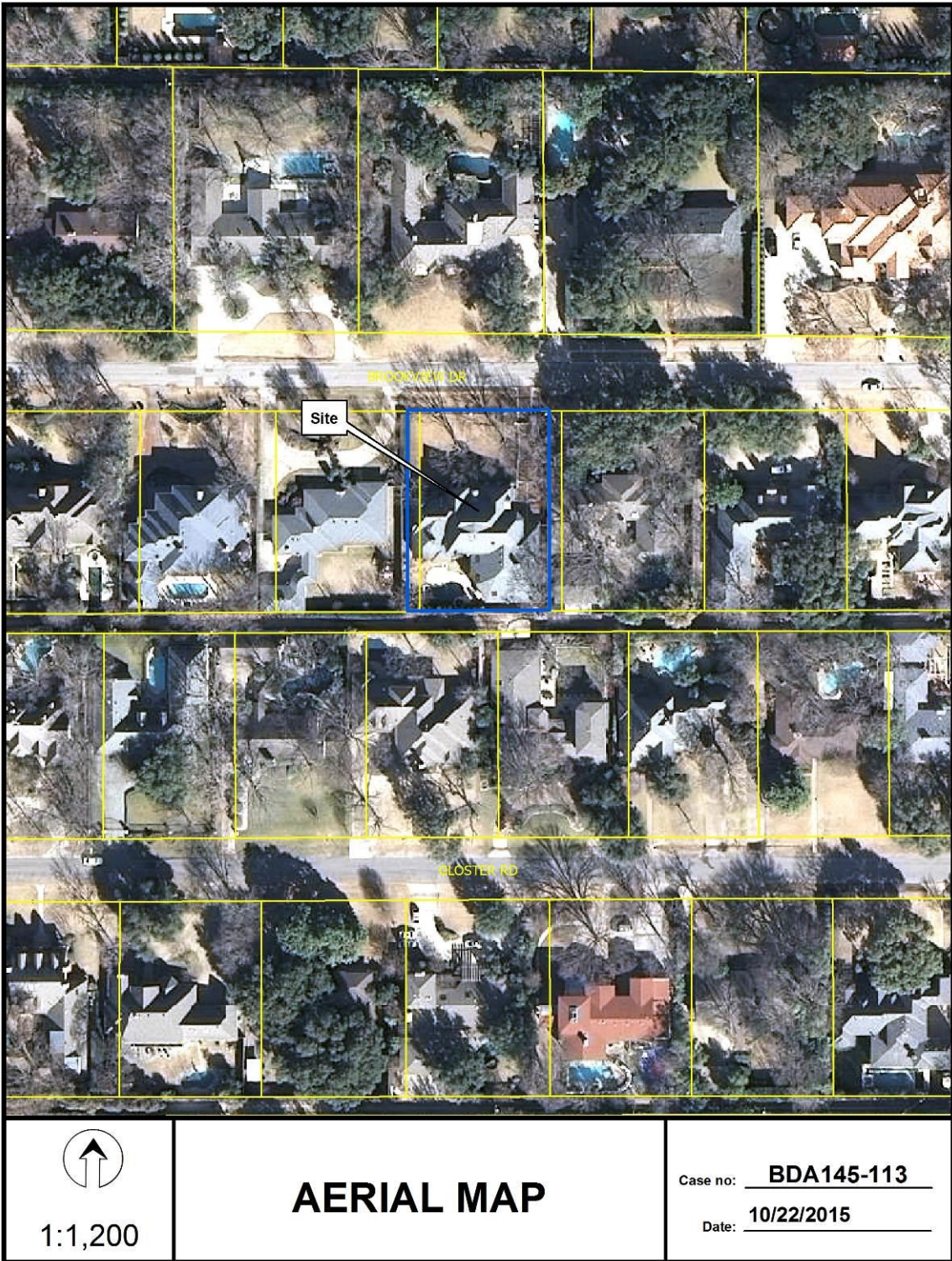
October 14, 2015: The Board Administrator emailed the applicant’s representative the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the October 28th deadline to submit additional evidence for staff to factor into their analysis; and the November 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 3, 2015: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Board of Adjustment Chief Planner, the Assistant Building Official, the Building Inspection Chief Planner, 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, and the Assistant City Attorney to the Board.

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







City of Dallas

B

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-113

Date: 9/9/2015

Data Relative to Subject Property:

Location address: 4436 BROOKVIEW DR Zoning District: R-10(A)

Lot No.: 4 Block No.: A15560 Acreage: .43 Census Tract: 206.00

Street Frontage (in Feet): 1) 117' 2) _____ 3) _____ 4) _____ 5) NS2A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): JORDAN SPIETH / ~~THE 1-79~~ REVOCABLE TRUST

Applicant: DOUGLAS WOLFE Telephone: 469-500-8218

Mailing Address: 9616 MYSTIC DUNES DR Zip Code: 75670

E-mail Address: dswolfe@sbcglobal.net

Represented by: JORDAN SPIETH Telephone: _____

Mailing Address: 4436 BROOKVIEW DR Zip Code: 75220

E-mail Address: _____

Affirm that an appeal has been made for a Variance X, or Special Exception _____, of ADDITION OF 2' IN HEIGHT TO EXISTING FENCE

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:
TO BRING FENCE UP TO MATCH OTHER HOMES IN AREA FOR BOTH AESTHETICS AND SAFETY.

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

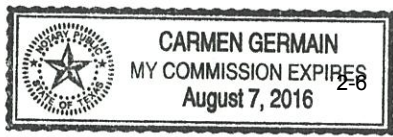
Before me the undersigned on this day personally appeared Jordan Spieth
(Affiant/Applicant's name printed)

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: Jordan Spieth, trustee
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 31 day of July, 2015

Carmen Germain
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 Jordan Spieth
represented by Douglas Wolfe
did submit a request for a special exception to the fence height regulations
at 4436 Brookview Drive

BDA145-113. Application of Jordan Spieth represented by Douglas Wolfe for a special exception to the fence height regulations at 4436 Brookview Drive. This property is more fully described as Lot 4, Block A/5560, 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 a 7 foot high fence in required front yard, which will require a 3 foot special exception to the fence regulation.

Sincerely,


Larry Holmes, Building Official

City of Dallas

Internal Development Research Site

Legend

Locate Property





5551

DRIVE 8

4500

4400

BROOKVIEW

DRIVE 8

5560/A

ROAD

4500

4400

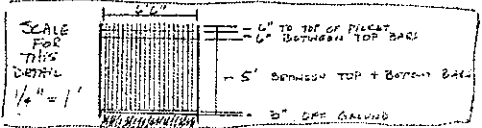
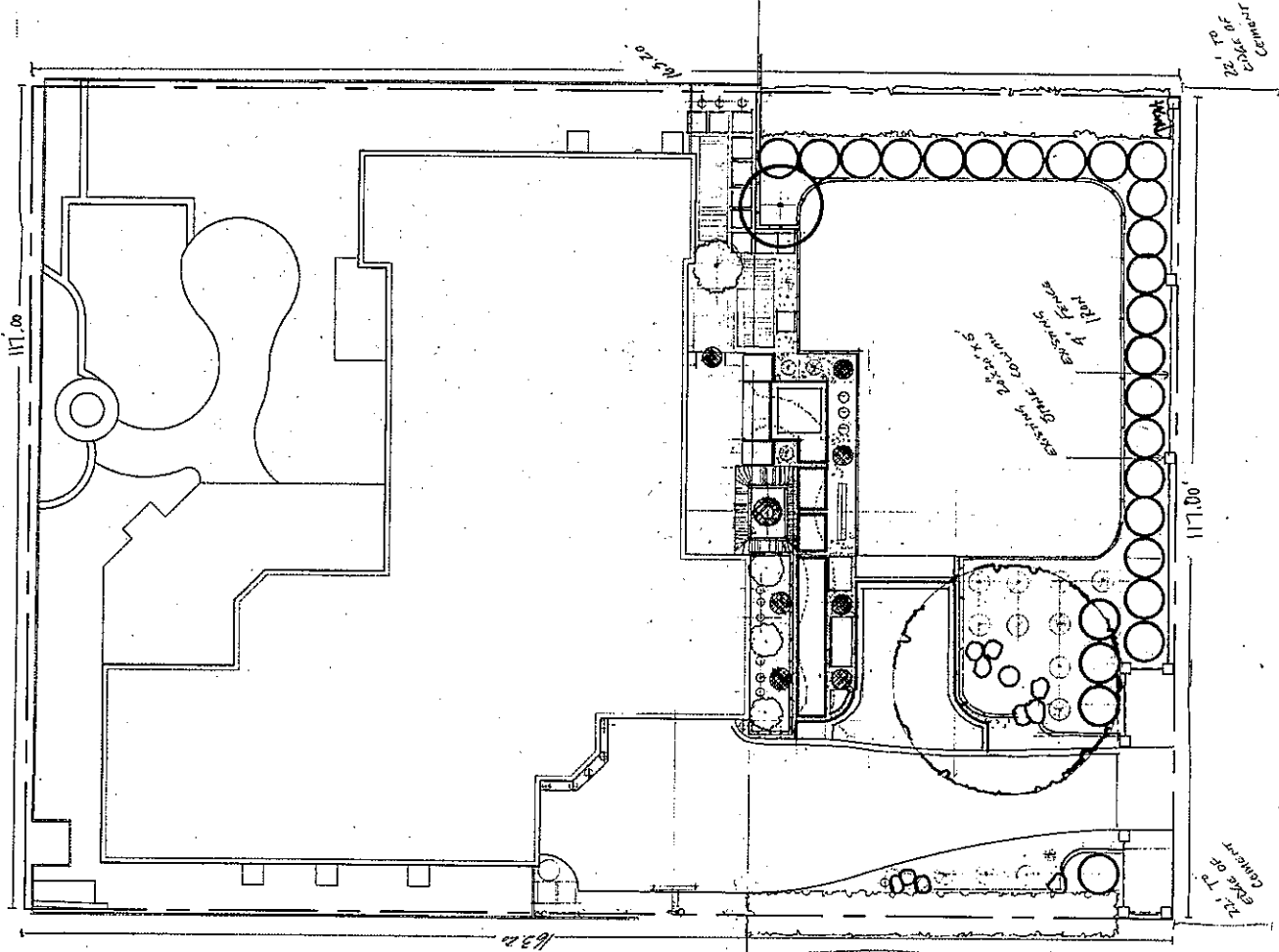
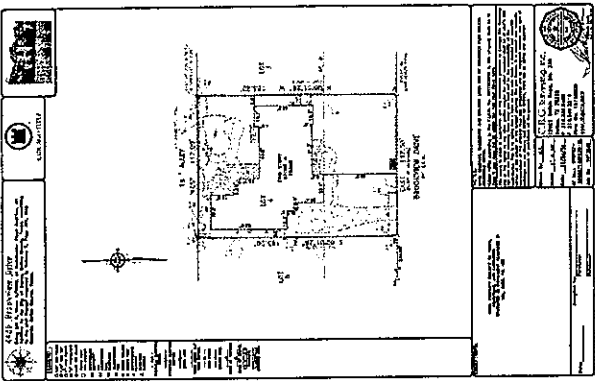
GLOSTER

DRIVE 8

5561/B

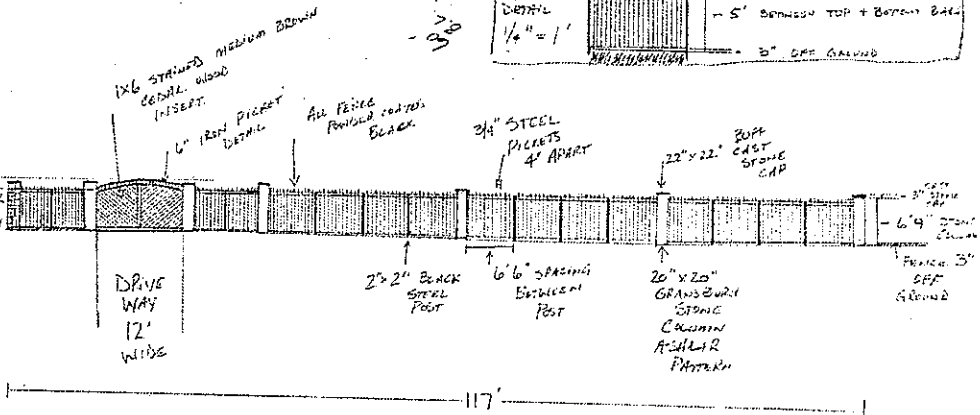
9400

9400

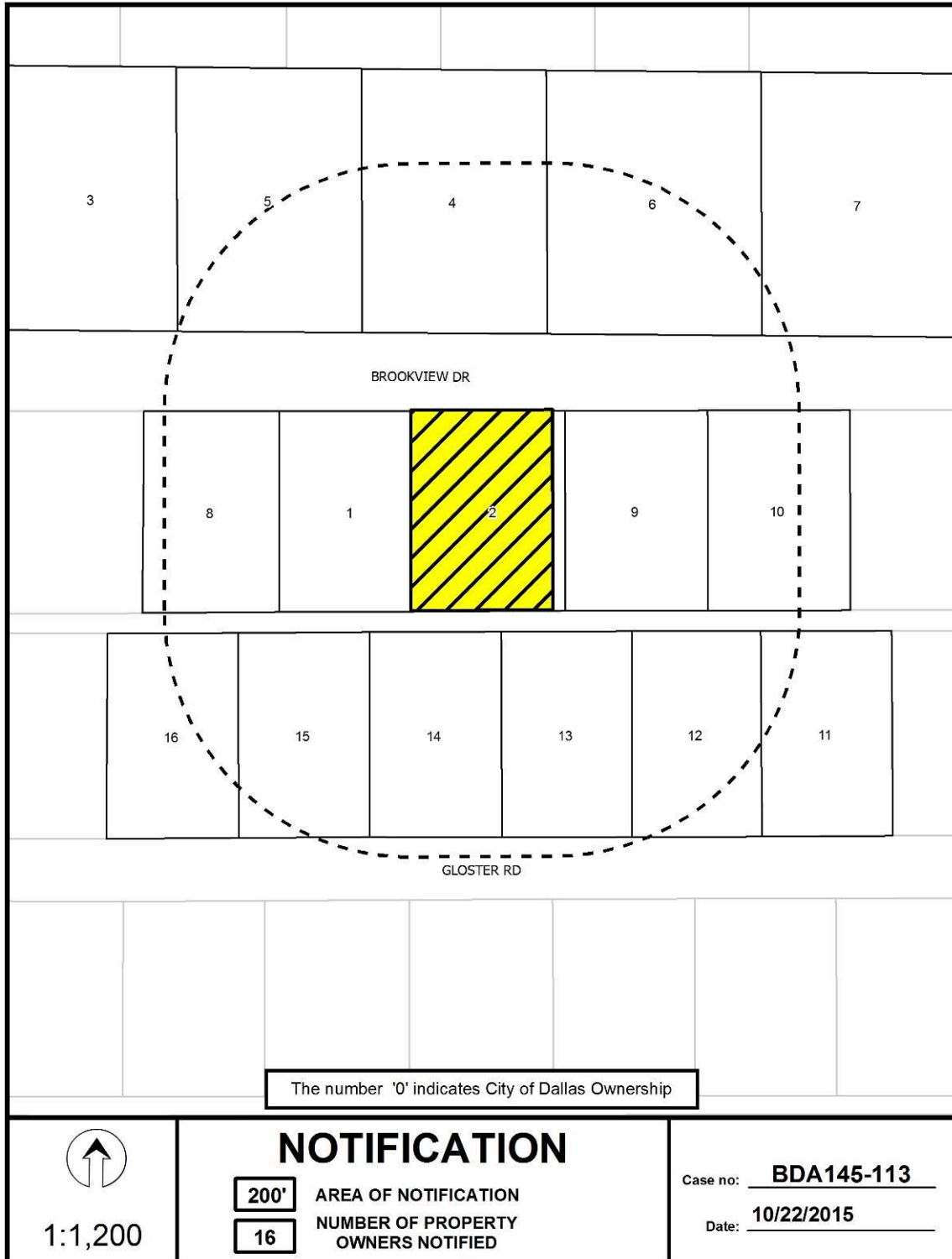


Spith Residence
4436 Brookview Drive
Dallas, Texas

LANDSCAPE PLAN
Scale: 1/8" = 1'-0"



TRACY SMITH LANDSCAPE ARCHITECT
214.600.0889
8065 Barnhill Rd Dallas, Texas 75069



Notification List of Property Owners

BDA145-113

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4426 BROOKVIEW DR	HICKS MALCOM L & HEATHER
2	4436 BROOKVIEW DR	COLLINS MICHAEL J
3	4407 BROOKVIEW DR	SHODJAKHOTANZAD LIVING TRUST
4	4431 BROOKVIEW DR	NORTH LEWISVILLE LLC
5	4423 BROOKVIEW DR	DUNLAY JONATHAN &
6	4447 BROOKVIEW DR	ROBERTS K STEVEN
7	4463 BROOKVIEW DR	BRYANT M KEVIN
8	4418 BROOKVIEW DR	MOAYEDI MEHRDAD
9	4446 BROOKVIEW DR	WILLIAMS REVOCABLE TRUST THE
10	4506 BROOKVIEW DR	TITUS JOHN W & JOAN E
11	4507 GLOSTER RD	CROFFORD CURTIS L & MARGO B
12	4449 GLOSTER RD	DOSSETT LUCY M
13	4441 GLOSTER RD	GROB JAY &
14	4431 GLOSTER RD	PLASKOFF BART D & MELISSA W
15	4423 GLOSTER RD	WOODWARD JAMES D & ETAL
16	4415 GLOSTER RD	RYAN MICHAEL J