

ZONING BOARD OF ADJUSTMENT, PANEL A
TUESDAY, AUGUST 16, 2016
AGENDA

BRIEFING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	11:00 A.M.
PUBLIC HEARING	L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET DALLAS CITY HALL	1:00 P.M.

Donna Moorman, Chief Planner
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the June 28, 2016 Panel A Public Hearing Minutes	M1
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UNCONTESTED CASES

BDA156-072(SL)	6629 Willow Lane REQUEST: Application of Derek Lewis for a special exception to the fence height regulations	1
BDA156-076(SL)	100 Crescent Court REQUEST: Application of Robert Reeves for a special exception to the landscape regulations	2
BDA156-080(SL)	4203 Delmar Avenue REQUEST: Application of REIG, Inc., represented by Tommy Jackson, for a variance to the front yard setback regulations and a special exception to the fence height regulations	3

HOLDOVER CASE

BDA145-073(SL) 3506 Cedar Springs Road 4
REQUEST: Application of Jerry Stark, represented by Prabha Cinclair and Craig Melde, for variances to the front and side yard setback regulations

REGULAR CASE

BDA156-074(SL) 2141 Barberry Drive 5
REQUEST: Application of Joel Castillo, represented by Peter Kavanagh of Zone Systems, for a variance to the front yard setback regulations and a special exception to the fence height regulations

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]

(Rev. 6-24-02)

FILE NUMBER: BDA156-072(SL)

BUILDING OFFICIAL'S REPORT: Application of Derek Lewis for a special exception to the fence height regulations at 6629 Willow Lane. This property is more fully described as Lot 4, Block A/7460, 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/or maintain a 7 foot 6 inch high, which will require a 3 foot 6 inch special exception to the fence height regulations.

LOCATION: 6629 Willow Lane

APPLICANT: Derek Lewis

REQUEST:

A request for a special exception to the fence height regulations of 3' 6" is made to maintain a fence higher than 4' (an open wrought iron fence ranging in height from 5' 11" – 6' 3" given grade changes on the property and two 7' 6" high open wrought iron gates) in the site's front yard setback on a site that is developed with a single family home that the applicant intends to demolish and replace with a new 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-16(A) (Single family district 16000 square feet)
North: R-16(A) (Single family district 16000 square feet)
South: R-16(A) (Single family district 16000 square feet)
East: R-16(A) (Single family district 16000 square feet)
West: R-16(A) (Single family district 16000 square feet)

Land Use:

The subject site is developed with a single family home that the applicant intends to demolish and replace with a new single family home. The areas to the north, south, east, and west are developed with single family uses.

Zoning/BDA History:

1. BDA023-030, Property located at 6711 Willow Lane (two lots east of the subject site)
On January 14, 2003, the Board of Adjustment Panel B granted a request for special exception to the fence height regulations of 4' 9.5" and imposed the submitted site plan and elevation as a condition to the request.
The case report stated that the request was made to construct and maintain a 6' high open wrought iron fence with 6' high metal posts, and two, 6.5' – 8' 9.5" high open wrought iron entry gates on a site developed with a single family home.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on maintaining an open wrought iron fence ranging in height from 5' 11" – 6' 3" given grade changes on the property and two 7' 6" high open wrought iron gates in the front yard setback on a site being 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 subject site is zoned R-16(A) and has a 35' front yard setback.
- The applicant has submitted a site plan and revised elevation of the proposal with notations indicating that it reaches a maximum height of 7' 6".
- The following additional information was gleaned from the submitted site plan:
 - The proposal/existing fence is represented as being approximately 135' in length parallel to the street.
 - The proposal/existing fence/gates is represented as being located approximately 6' – 18' the front property line, or approximately 20' – 30' from the pavement line.
- One single family lot has indirect frontage to the fence; another single family lot directly south of the subject site fronts westward to Longfellow Drive. Neither of these lots appears to have a fence in their front yard setbacks.
- The Board Administrator conducted a field visit of the site and surrounding area (approximately 400 feet east and west of the subject site) and noted one other visible fence over 4' in height that appeared to be in a front yard setback. This fence is two lots to the east of the subject site, is an open metal fence approximately 6' in height, and appears to be a result of a request for a special exception to the fence

height regulations granted by the Board in 2003 (BDA023-030). An approximately 6.5' high fence was noted immediately west of the subject site, however, this fence appears to be located in a side or rear yard.

- As of August 5, 2016, no letters have 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 3' 6" will not adversely affect neighboring property.
- Granting this special exception of 3' 6" a condition imposed that the applicant complies with the submitted site plan and revised 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:

May 25, 2016: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

July 14, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

July 19, 2016: 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 July 27th deadline to submit additional evidence for staff to factor into their analysis; and the August 5th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

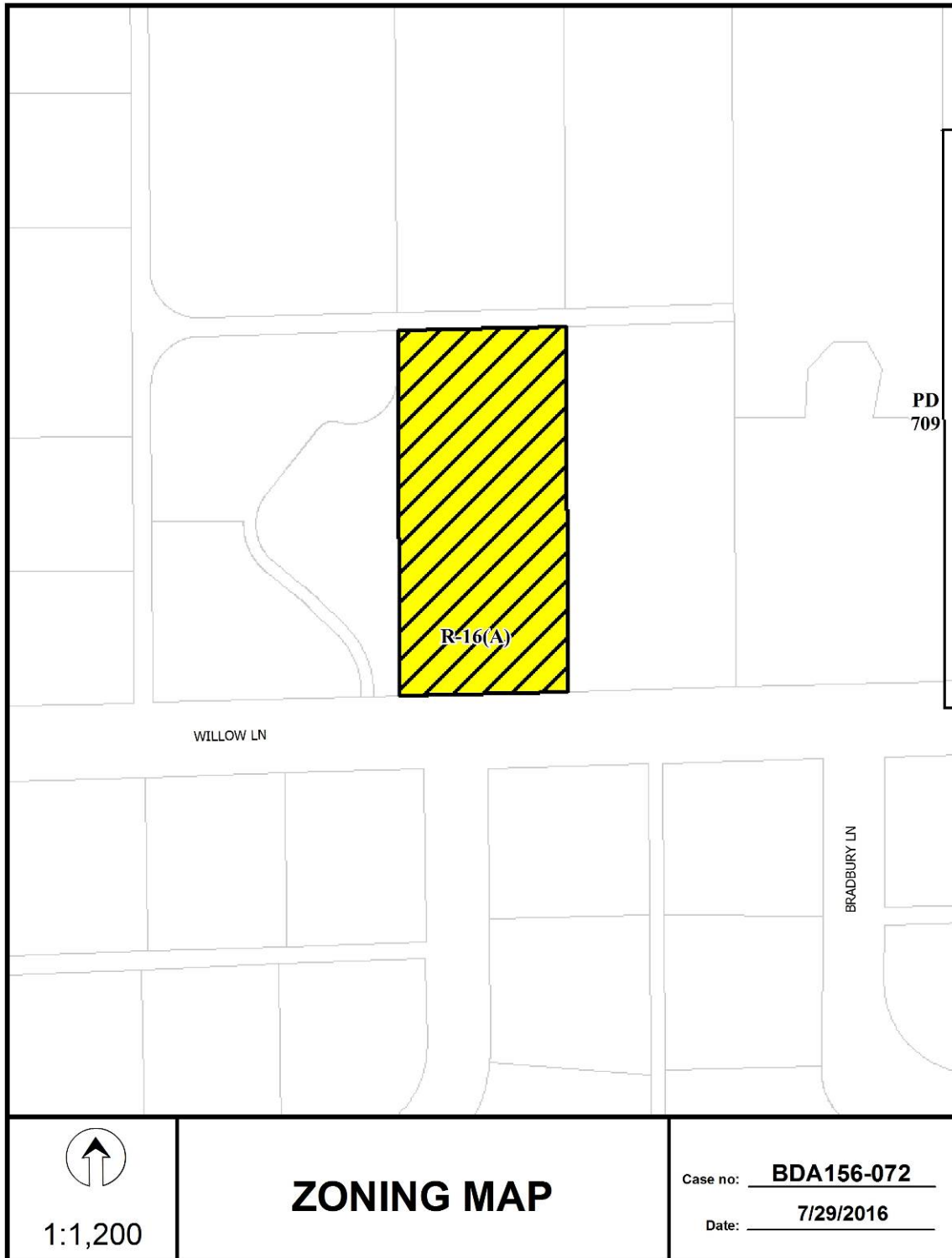
July 25, 2016: The applicant submitted additional information beyond what was submitted with the original application (see Attachment A).

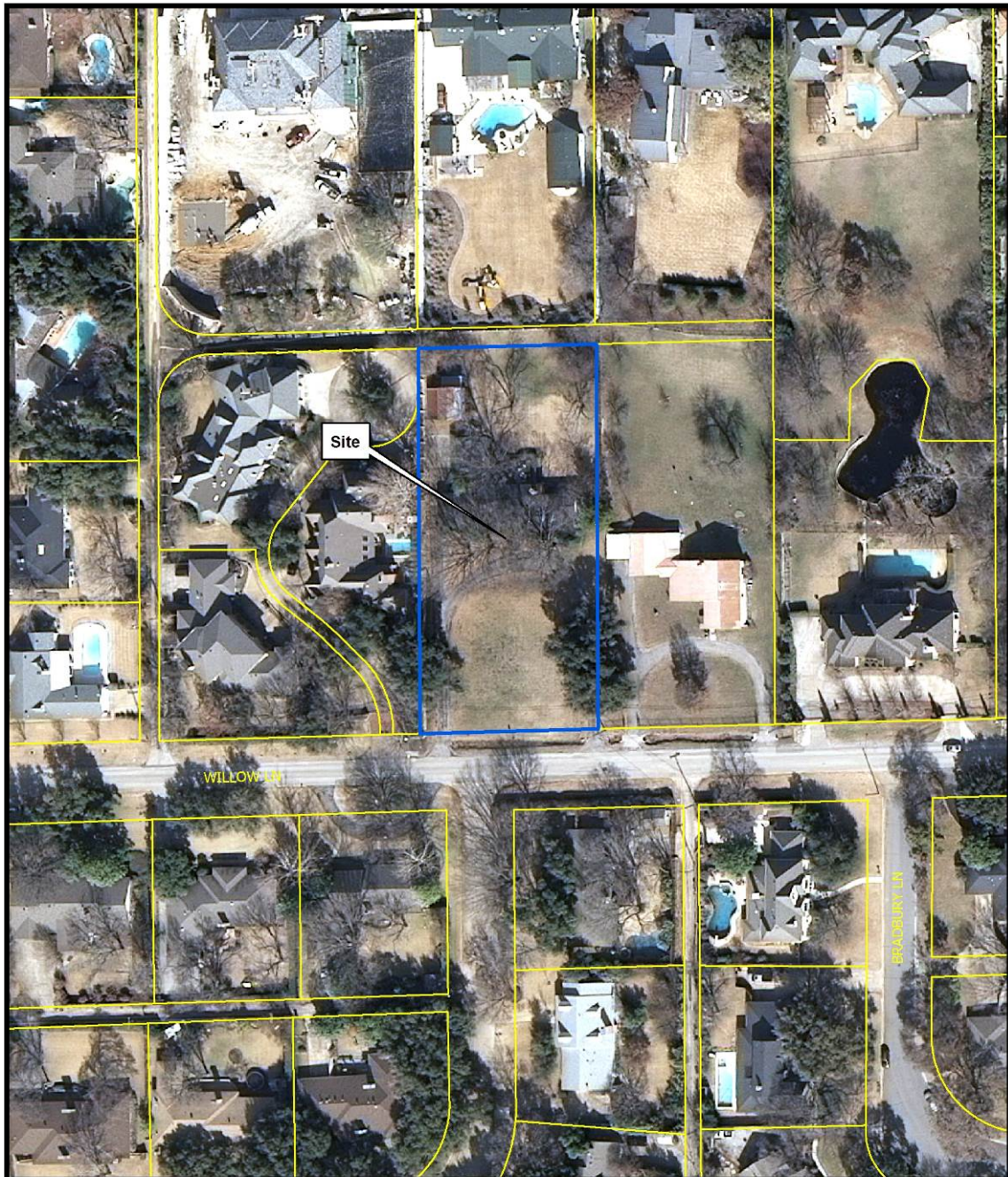
July 25, 2016: The Building Inspection Senior Plans Examiners/Development Code Specialist created a revised Building Official's report that reflected the applicant's request to raise the special exception request from 2 to 3' 6" (see Attachment B).

August 2, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant

Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior 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: BDA156-072

Date: 7/29/2016

BDA156-072

Attach A pg 1

Long, Steve

From: Duerksen, Todd
Sent: Monday, July 25, 2016 1:28 PM
To: Long, Steve
Subject: FW: BDA156-072, Property at 6629 Willow Lane
Attachments: Scanned from a Xerox Multifunction Printer.pdf

I can bring the full scale elevations to you at the staff meeting.

From: Duerksen, Todd
Sent: Monday, July 25, 2016 1:26 PM
To: Long, Steve
Cc: 'Derek Lewis'
Subject: RE: BDA156-072, Property at 6629 Willow Lane

The Building Official's report has been revised. See attached for revised elevation drawing.

From: Derek Lewis [mailto:derek_m_lewis@hotmail.com]
Sent: Monday, July 25, 2016 12:18 PM
To: Duerksen, Todd
Cc: Long, Steve
Subject: Re: BDA156-072, Property at 6629 Willow Lane

I concur thank you.

Sent from my iPhone

On Jul 25, 2016, at 8:20 AM, Duerksen, Todd <todd.duerksen@dallascityhall.com> wrote:

I did receive some fence elevation drawings but there was nothing attached indicating what case they were for. Now I know. The elevation drawings still only illustrate one dimension, the height of the fence panels at 6'-0", but do not have dimensions indicating the height of either the fence posts or the gates, both of which are drawn higher than the 6' panels. The gates scale to be 7'-6" in height. The width of the gates and overall length of the fence are not dimensioned. The property has an overall frontage of about 137' and the overall fence length does scale to be 137'. With the gates being the highest component of the fence, measuring 7'-6" in height, the appeal should be for a 3'-6" special exception for a fence in a front yard.

I can indicate the omitted dimensions on the revised elevation drawings and revise the appeal if you concur.

Todd Duerksen
Sr. Plans Examiner - Zoning Code Consultant
City of Dallas
Building Inspection Division
Department of Sustainable Development & Construction
Oak Cliff Municipal Center
320 E. Jefferson Blvd., Rm. 105

From: Derek Lewis [mailto:derek_m_lewis@hotmail.com]
Sent: Thursday, July 21, 2016 1:45 PM

To: Duerksen, Todd
Cc: Long, Steve
Subject: RE: BDA156-072, Property at 6629 Willow Lane

BDA156-072
Attach A pg 2

Hi Todd,

Upon review with the architect, we'll amend the elevation and courier the 4 new copies plus the reduced copy (as required in the application). It should be couriered to your attention at your office today or tomorrow.

Sincerely,
Derek
214-984-6402

From: Derek Lewis, Hotmail [mailto:derek_m_lewis@hotmail.com]
Sent: Thursday, July 21, 2016 10:43 AM
To: 'Duerksen, Todd' <todd.duerksen@dallascityhall.com>
Cc: 'Long, Steve' <steve.long@dallascityhall.com>
Subject: RE: BDA156-072, Property at 6629 Willow Lane

Thank you Steve.

Good Morning Todd,

Upon closer examination, Steve is correct. The application should be amended to request a **2'10" high fence height special exception to account for gates and / or other fence components.**

I shall amend my submitted elevation to include (a) a range of 5'11" to 6'10" that accounts for both property grade changes and fence components such as the gates, and (b) labeling of "open wrought iron fence and open wrought iron gates".

1. Is this acceptable?
2. And, may I email you the amended PDF of the elevation?

Sincerely,
Derek

From: Long, Steve [<mailto:steve.long@dallascityhall.com>]
Sent: Wednesday, July 20, 2016 2:46 PM
To: derek_m_lewis@hotmail.com
Cc: Duerksen, Todd <todd.duerksen@dallascityhall.com>
Subject: FW: BDA156-072, Property at 6629 Willow Lane

Dear Mr. Lewis,

This email is to follow-up on some if not all of the points what we spoke about yesterday on your application referenced above.

Given that you are now aware of the fact that the board typically imposes the applicant's submitted site plan and fence elevation as a condition when granting fence height special exceptions, please make sure that the dimensions of the fence and gates you want to maintain higher than 4' in the front yard setback on your submittals are accurate representations of your existing fence and gates.

I have reason to believe from our discussions yesterday that you may be amending your application/submittal in the following ways:

1. Amending your application by increasing the height of your request beyond just 2' to account for gates that appear taller than 6'. (If the height of the gates reach for example 8' 6" in height, you would request a 4' 6" high fence height special exception).
2. Amending your submitted elevation by noting a range in the height of the existing fence on the fence elevation to reflect any grade changes on the property.
3. Amending your submitted elevation by denoting/labeling "open wrought iron fence" and "open wrought iron gates" on your elevation.

If you wish to make any or all these amendments, please touch base with Todd Duerksen by the end of this week, and if/when Todd accepts your amendments, then forward them to me.

Thank you,

Steve

From: Long, Steve
Sent: Tuesday, July 19, 2016 6:27 AM
To: 'derek_m_lewis@hotmail.com'
Cc: Duerksen, Todd
Subject: BDA156-072, Property at 6629 Willow Lane

Dear Mr. Lewis,

Here is information regarding your application to the board of adjustment at the address referenced above:

1. Your submitted application materials - all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled August 16th Board of Adjustment Panel A public hearing.
2. The provision from the Dallas Development Code allowing the board to grant a special exception to the fence height regulations (51A-4.602(a)(6)).
3. A document that provides your public hearing date and other deadlines for submittal of additional information to staff/the board.
4. The board's rule pertaining to documentary evidence.

Please carefully review the attached application materials to make sure they are complete, and within these materials, the Building Official's Report/second page of the application (page 2 of 6 in these attached materials).

Please contact Todd Duerksen at 214/948-4475 no later than noon, Wednesday, July 27th with regard to any information you feel is missing from your submittal or with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his Building Official's report stating that the applicant proposes to construct/maintain a 6 foot high fence which will require a 2 foot special exception, or any other part of this report is incorrect. (Note that the discovery of any additional appeal needed beyond your requested fence height special exception will result in postponement of the appeal until the

panel's next regularly scheduled public hearing).

BDA156-072
Attach A pg 4

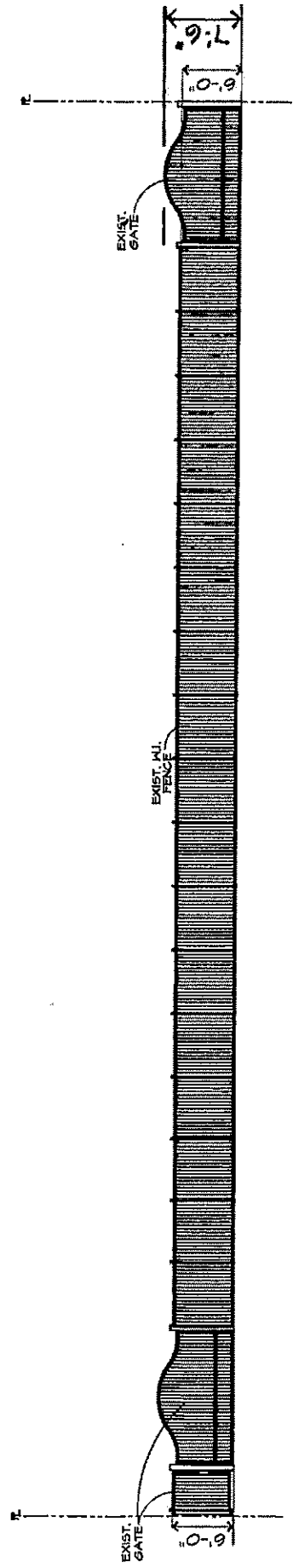
Please write or call me at 214/670-4666 if I can be of any additional assistance to you on this application.

Thank you,

Steve

PS: If there is anything that you want to submit to the board beyond what you have included in your attached application materials, please feel free to email it to steve.long@dallascityhall.com or mail it to me at the following address:

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development and Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201



ELEVATION EXISTING W.I. FENCE

SCALE: 1"=10'-0"



NOTES:

- A. EXISTING FENCE IS AN OPEN WROUGHT IRON FENCE WITH OPEN WROUGHT IRON GATE.
- B. EXISTING FENCE HEIGHT RANGES FROM 5'-11" TO 6'-3" REFLECTING THE GRADE CHANGE ACROSS THE PROPERTY.

—C— EXISTING FENCE GATES ARE 9'-0" HIGH

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 Derek Lewis

did submit a request for a special exception to the fence height regulations at 6629 Willow Lane

BDA156-072. Application of Derek Lewis for a special exception to the fence height regulations at 6629 Willow Lane. This property is more fully described as Lot 4, Block A/7460, 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 a 7 foot 6 inch high fence in a required front yard, which will require a 3 foot 6 inch special exception to the fence regulation.

Sincerely,

Philip Sikes, Building Official



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-072

Data Relative to Subject Property:

Date: 05-25-16

Location address: 6629 WILLOW LANE, DALLAS TX 75230 Zoning District: R-16(A)

Lot No.: 4 Block No.: A/7460 Acreage: 0.93 Census Tract: 13200

Street Frontage (in Feet): 1) 133.66 2) _____ 3) _____ 4) _____ 5) NEBS

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): DEREK LEWIS AND RUTH LEWIS

Applicant: DEREK LEWIS Telephone: (214) 984-6402

Mailing Address: 6629 WILLOW LANE, DALLAS TX Zip Code: 75230

E-mail Address: DEREK_M_LEWIS@HOTMAIL.COM

Represented by: N/A Telephone: N/A

Mailing Address: SAME AS ABOVE Zip Code: SAME AS ABOVE

E-mail Address: SAME AS ABOVE

Affirm that an appeal has been made for a Variance __, or Special Exception X, of 2 FEET FOR A FENCE IN A 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 PROPERTY IS DIRECTLY ACROSS STREET FROM LONGFELLOW DR. T-JUNCTION WITH WILLOW LN.; HENCE NO HOME ACROSS STREET FACES THE FENCE. THE PROPERTIES DIRECTLY WEST AND TWO DOORS DOWN EAST HAVE EXISTING 6-FOOT TALL FENCES IN FRONT YARDS, SO THIS WILL COMPLY WITH EXISTING SIMILARLY SITUATED HOMES. THE FENCE IS WROUGHT-IRON AND SEE-THROUGH. IT WILL NOT HAVE AN ADVERSE AFFECT ON ANYONE.

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

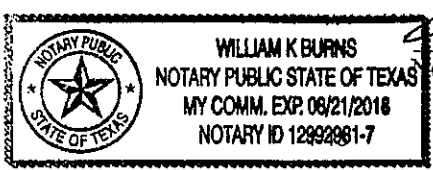
Before me the undersigned on this day personally appeared DEREK LEWIS (Affiant/Applicant's name printed)

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: Derek Lewis (Affiant/Applicant's signature)

Subscribed and sworn to before me this 23rd day of MAY 2016

(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

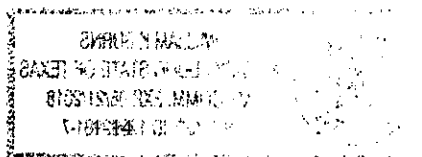
I hereby certify that Derek Lewis

did submit a request for a special exception to the fence height regulations
at 6629 Willow Lane

BDA156-072. Application of Derek Lewis for a special exception to the fence height regulations at 6629 Willow Lane. This property is more fully described as Lot 4, Block A/7460, 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 a 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official

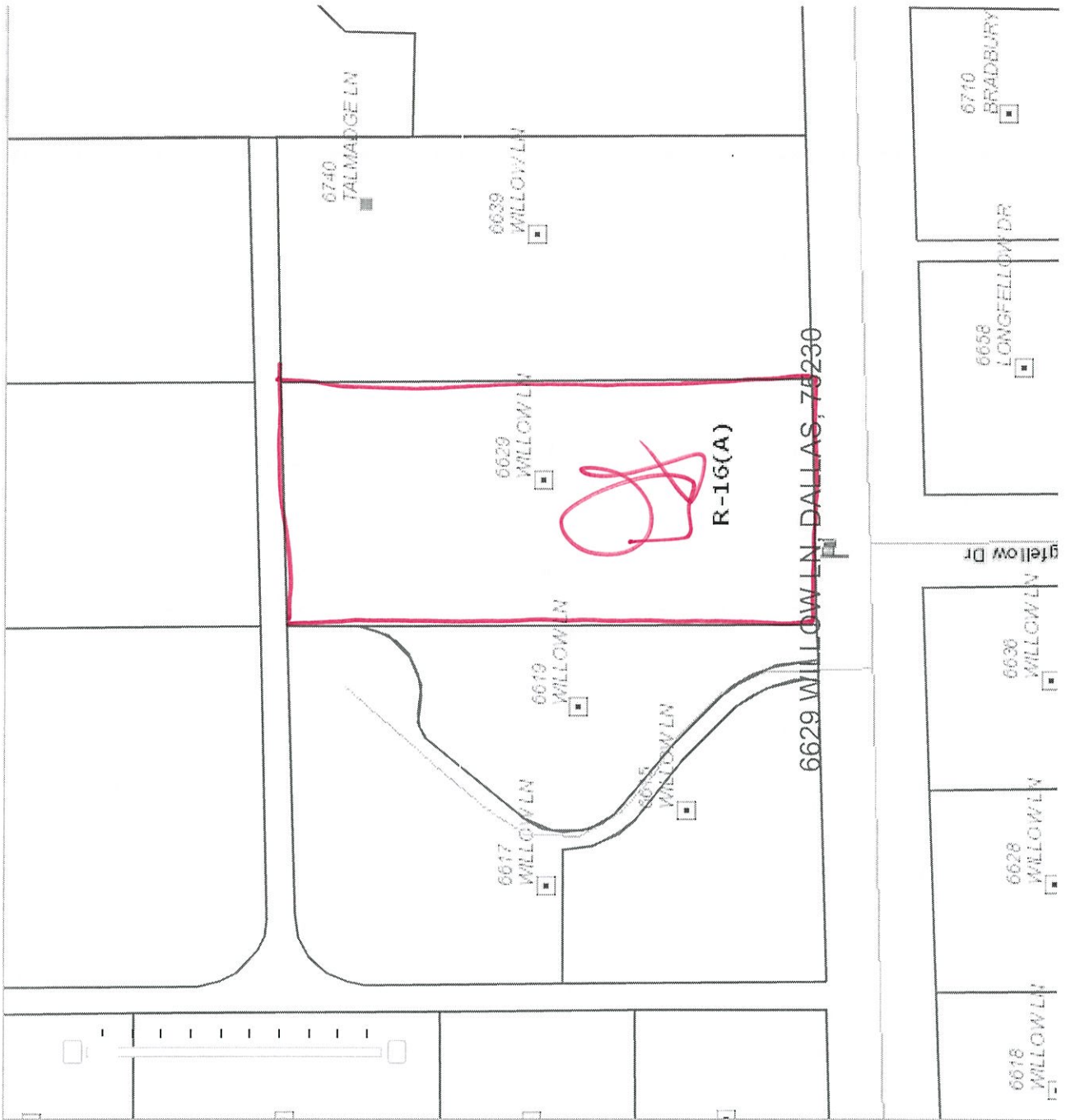


City of Dallas

Internal Development Research Site

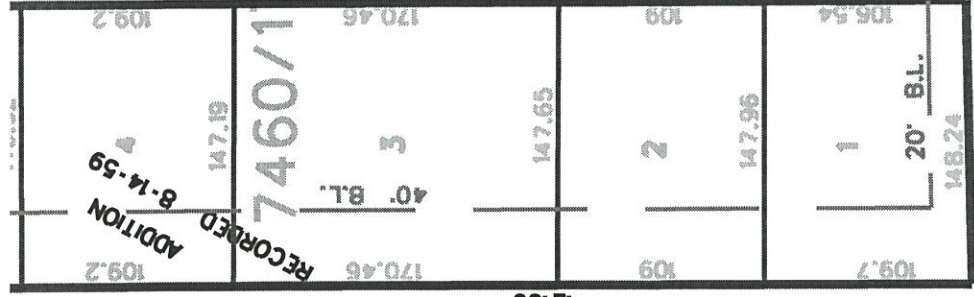
Legend

Locate Property

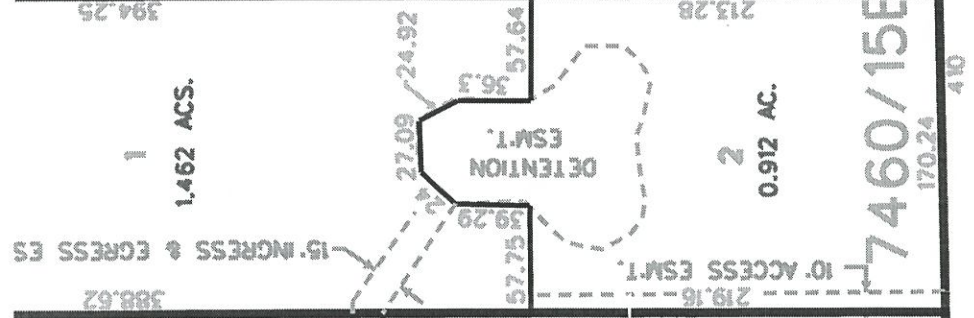
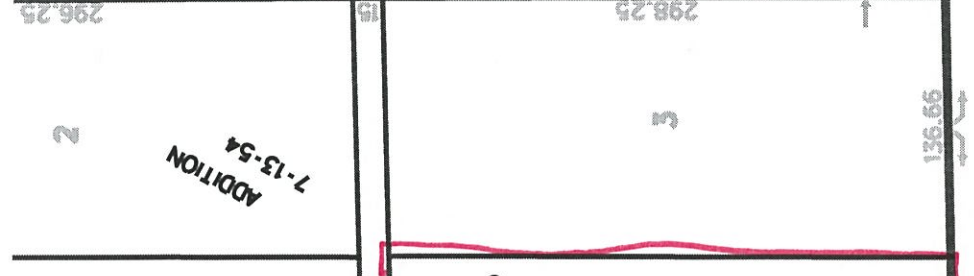
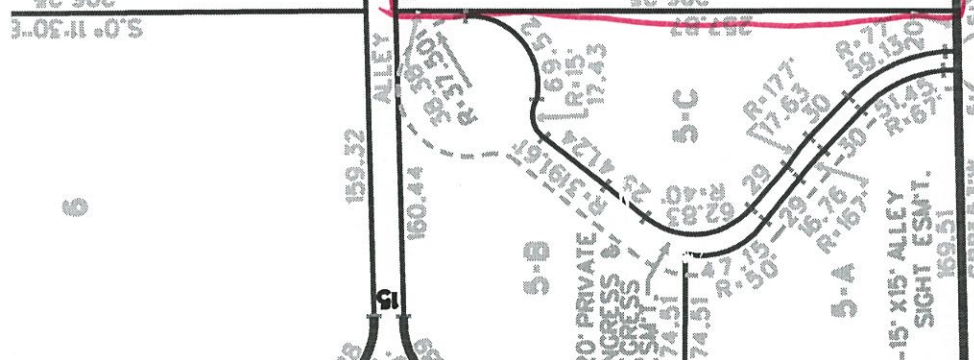


500
120.97
121.22
121.22
121.22
40' B.L.
122
BDA 156-072

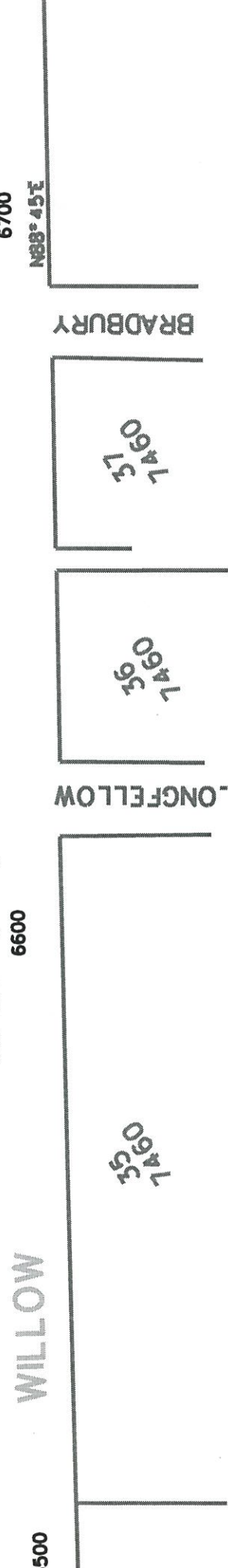
50.01
PRESTONRIDGE (SUSANBECK)
12100

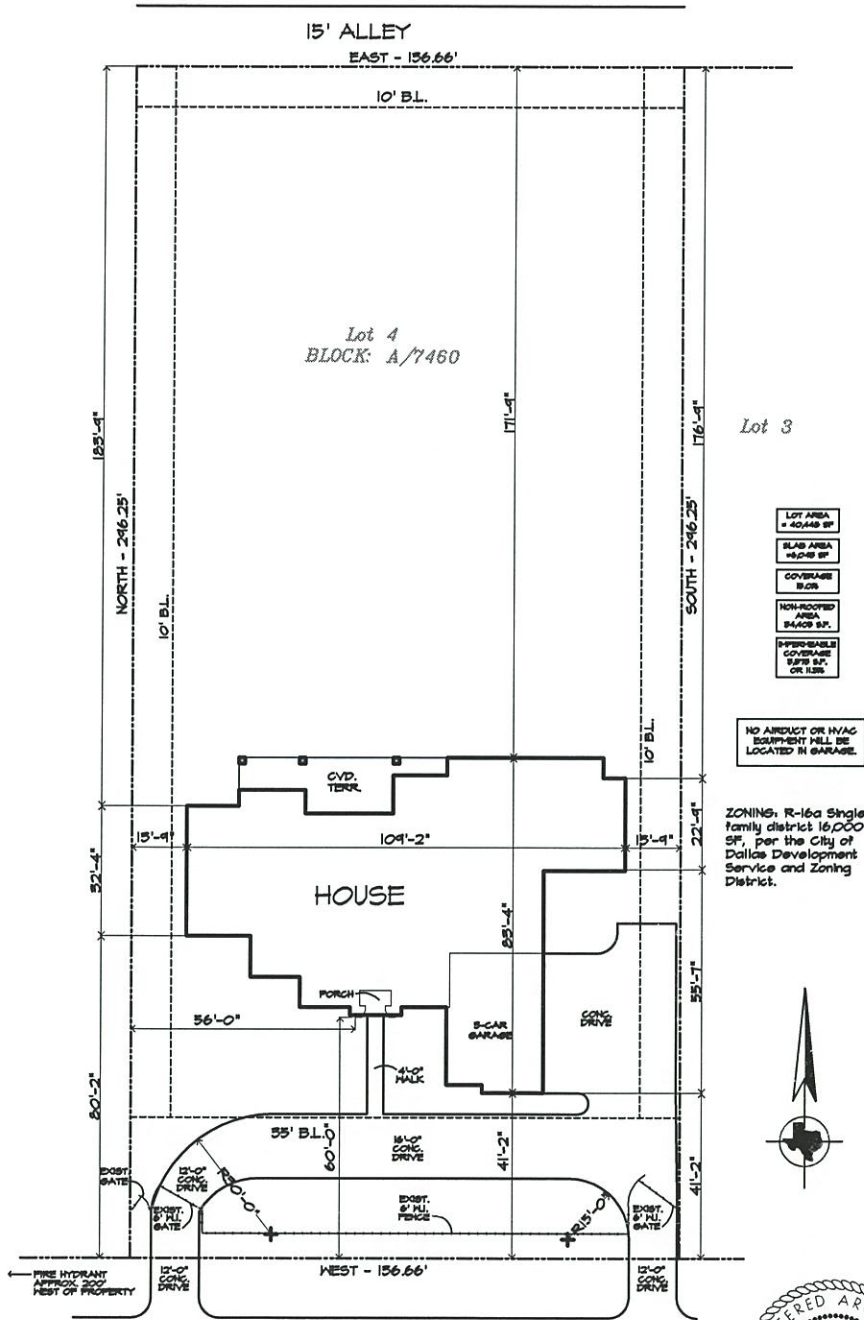


255.60
R-40.0 R-40.0 R-40.0
61.89
159.32
ALLEY



607.53
394.25
213.28
27.09
24.92
36.3
57.64
10. ACCESS ESMT.
15. INGRESS & EGRESS ES
388.62
296.25
298.25
219.16
57.75
39.29
57.75
170.24
170.83
7461





- LOT AREA = 40448 SF
- SLAB AREA = 14048 SF
- COVERABLE AREA = 11008 SF
- NON-COVERED AREA = 2400 SF
- DIFFERENTIABLE COVERABLE AREA = 8478 SF, OR LESS

NO AIRDUCT OR HVAC EQUIPMENT WILL BE LOCATED IN GARAGE.

ZONING: R-16a Single family district 16,000 SF, per the City of Dallas Development Service and Zoning District.



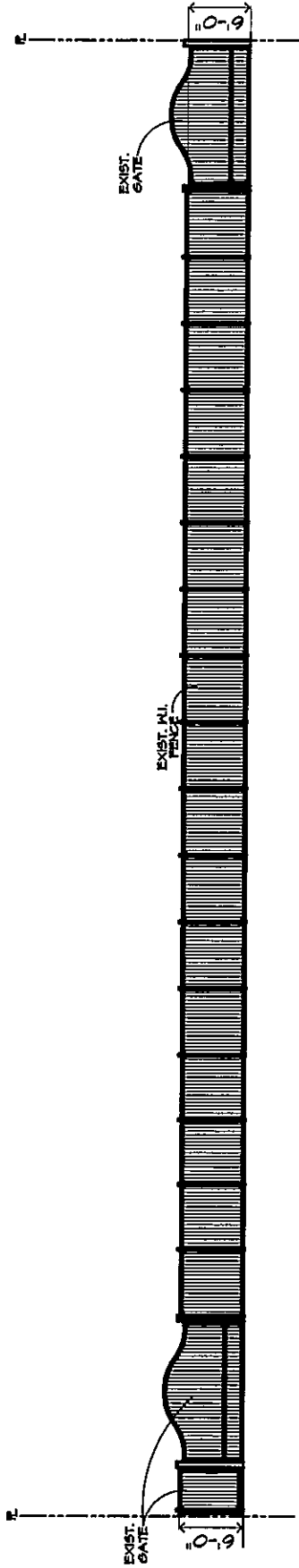
PLOT PLAN

LOT: 4 BLK: A/7460
 HI-MOUNT ADDITION
 DALLAS, TEXAS

SCALE: 1"=30'-0"
 JOB #215055
 DATE: 8/26/15



**KEEP 20 FT X 20 FT
 VISIBILITY TRIANGLES CLEAR**

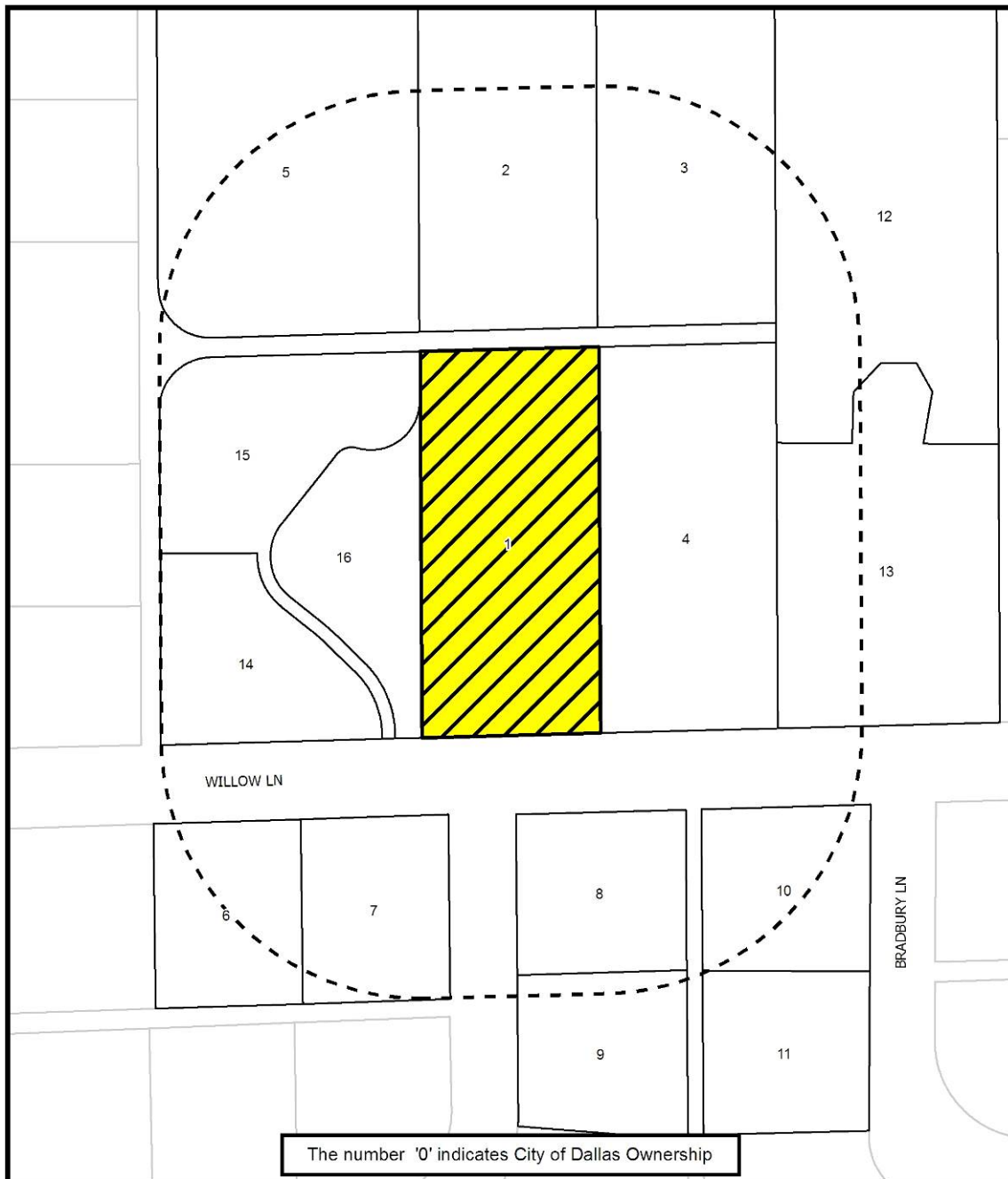


ELEVATION EXISTING W.I. FENCE

SCALE: 1"=10'-0"



5/24/16



 1:1,200	NOTIFICATION		Case no: BDA156-072
	<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;">16</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 7/29/2016

Notification List of Property Owners

BDA156-072

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6629 WILLOW LN	LEWIS DEREK & RUTH LEWIS
2	6704 TALMADGE LN	GARRATT MATTHEW RAY
3	6714 TALMADGE LN	FLABIANO MATTIA J III &
4	6639 WILLOW LN	RUNYAN W R &
5	6626 TALMADGE LN	COHEN KINERET
6	6628 WILLOW LN	MCDONIEL PHILLIP BRUCE &
7	6636 WILLOW LN	1841 HOMES LLC
8	6658 LONGFELLOW DR	BRIAN PETER & KRISTEN A WOOD
9	6650 LONGFELLOW DR	GRAY ELIZABETH G
10	6710 BRADBURY LN	KAROL ROBERT D & LORI A
11	6720 BRADBURY LN	BROWN CLAIRE M
12	6734 TALMADGE LN	PARNELL WINFRED AND
13	6711 WILLOW LN	MATHAI NIRMALA
14	6615 WILLOW LN	MOREEN JOSHUA DENNIS
15	6617 WILLOW LN	NELSON OBERT B & JULIEANN F
16	6619 WILLOW LN	SEEDS CHARLES & SUSAN

FILE NUMBER: BDA156-076(SL)

BUILDING OFFICIAL'S REPORT: Application of Robert Reeves for a special exception to the landscape regulations at 100 Crescent Court. This property is more fully described as Lot 1A, Block 2/948, and is zoned PD-193 (HC), 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: 100 Crescent Court

APPLICANT: Robert Reeves

REQUEST:

A special exception to the landscape regulations is made to amend certain features shown on an alternate landscape plan that was imposed as a condition in conjunction with a request for a special exception to the landscape regulations granted on the subject by Board of Adjustment Panel A on March 17, 2015: BDA145-037. The subject site is currently developed as an approximately 1,450,000 square foot mixed use development (The Crescent).

**STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REQUIREMENTS
IN OAK LAWN:**

Section 51P-193-126(a)(4) of the Dallas City Code specifies that the board may grant a special exception to the landscaping requirements of this section if, in the opinion of the Board, the special exception will not compromise the spirit and intent of this section. When feasible, the Board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following conditions:

1. Compliance with the submitted revised landscape plan is required.
2. All landscape improvements in each landscape area on the property as shown on the submitted revised landscape plan must be completed within 18 months of Board action, and landscape improvements for areas B and D as shown on the submitted landscape plan must be completed before the final building inspections of each permit in areas B and D, respectively.

Rationale:

- The City of Dallas Chief Arborist supports the applicant's request in that the features shown on the submitted revised landscape plan meet the spirit and intent of the PD 193 landscape requirements.

BACKGROUND INFORMATION:

- Site: PD 193(HC) (Planned Development, Heavy Commercial)
- North: PD 193(HC) (Planned Development, Heavy Commercial)
- South: PD 193 (PDS 334) (Planned Development, Planned Development)
- East: PD 193(PDS 64) (Planned Development, Planned Development)
- West: PD 193(PDS 74) (Planned Development, Planned Development)

Land Use:

The subject site is developed with a mixed use development (The Crescent). The areas to the north, east, south, and west are developed with a mix of land uses.

Zoning/BDA History:

1. BDA145-037, Property at 100, Crescent Court (the subject site)
On March 17, 2015, the Board of Adjustment Panel A granted a request for special exception to the landscape regulations and imposed the submitted alternate landscape plan as a condition.
The case report stated the request was made to replace an existing drive-through bank facility with an approximately 3,000 square foot restaurant, and not fully providing required landscaping on a site is currently developed as an approximately 1,450,000 square foot mixed use development (The Crescent) (Note that the Board of Adjustment Panel A granted the applicant's request to waive the two year time limitation to refile a new application on this site on June 28, 2016).

2. BDA 134-042, Property at 100, Crescent Court (the subject site)
On June 24, 2014, the Board of Adjustment Panel A granted a request for special exception to the landscape regulations and imposed the submitted revised landscape plan as a condition.
The case report stated the request was made to construct and maintain an approximately 1,400 square foot addition to an approximately 1,450,000 square foot mixed use development (The Crescent), and

not fully providing required landscaping. (Note that the Board of Adjustment Panel A granted the applicant's request to waive the two year time limitation to refile a new application on this site on January 20, 2015).

3. BDA 81-239A, Property at 100, 200, 300, 400, and 500 Crescent Court (the subject site)

On February 14, 1988, the Board of Adjustment granted a request for "a 599 parking space variance and eliminate the set-aside land provisions subject to a TMP program as per the memo from Ken Melston, Manager of Transportation Engineering Services.

4. BDA 81-239, 239, Property at 2304 Cedar Springs Road (the subject site)

On October 13, 1981, the Board of Adjustment granted a 599 parking space variance, subject to a parking study to be conducted approximately one year after initial completion of the project

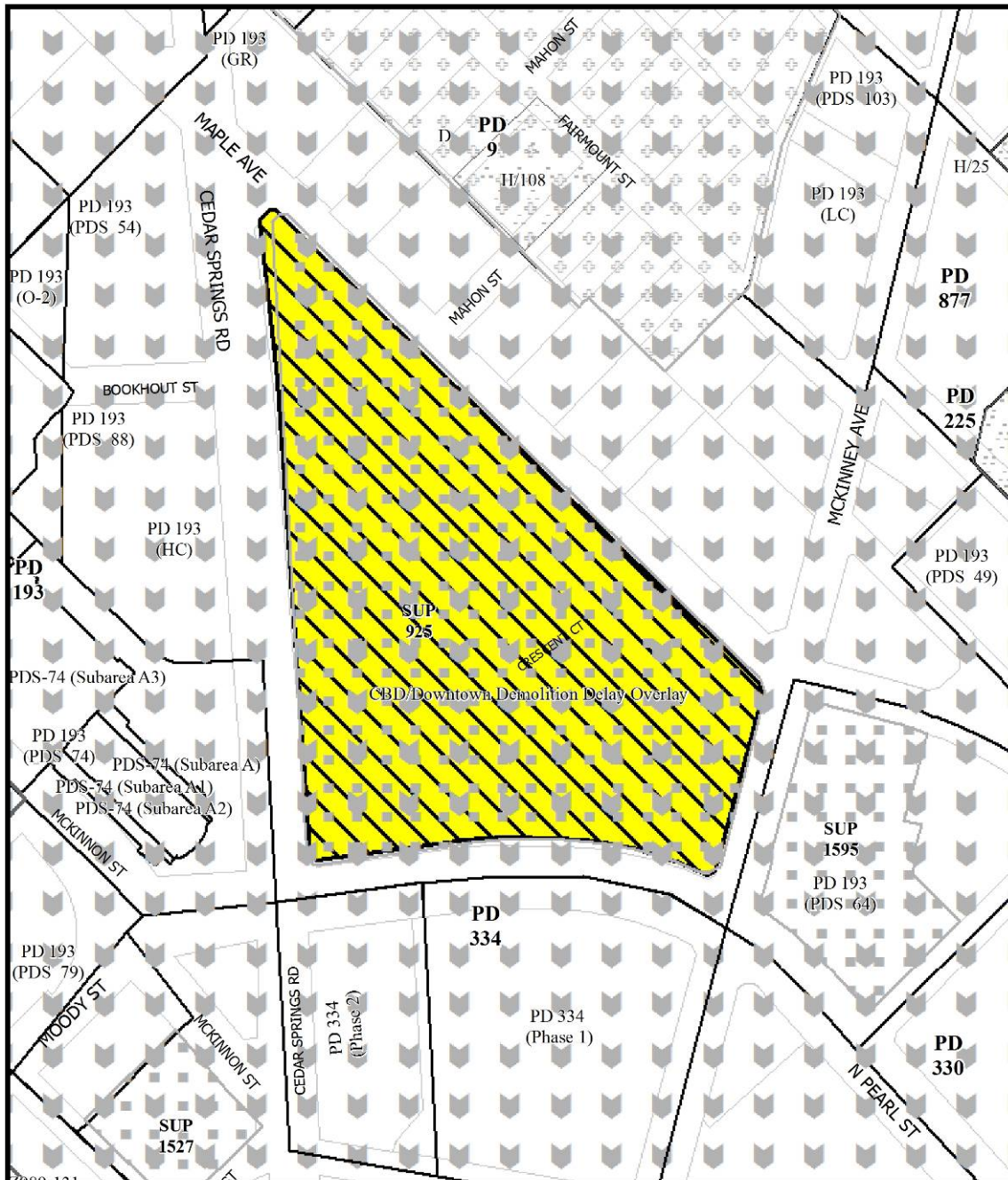
GENERAL FACTS/ STAFF ANALYSIS:

- This request focuses on amending certain features shown on an alternate landscape plan that was imposed as a condition in conjunction with a request for a special exception to the landscape regulations granted on the subject by Board of Adjustment Panel A on March 17, 2015: BDA145-037. The subject site is currently developed as an approximately 1,450,000 square foot mixed use development (The Crescent).
- The applicant states that the amendments to the previously approved alternate landscape plan include the following:
 1. Adding trees and a small deck to an existing restaurant in the mixed use development,
 2. Adding two courtyard seating areas to a new restaurant to be located in the mixed use development;
 3. Adding new trees to the existing office tower;
 4. Deleting four proposed trees adjacent to a new restaurant to be added to the mixed use development,
 5. Adding a new handicapped ramp and three new trees, and
 6. Adding 10 new trees around a new deck-area to an existing restaurant in the mixed use development.
- The applicant states that the proposed alternate landscape plan will have the same number of street trees and interior trees as the current board-approved plan but will have 108 additional caliper inches of trees; and will have 5,000 square feet more general planting area than the current board-approved plan.

- PD 193 states that the landscape, streetscape, screening, and fencing standards shall become applicable to uses (other than to single family and duplex uses in detached structures) on an individual lot when work is performed on the lot that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.
- The City of Dallas Chief Arborist states in a memo (see Attachment B) that the request in this case is triggered by new construction and renovations including changes to a previously approved landscape plan imposed as a condition as part of a request for a special exception to the landscape regulations.
- With regard to landscape deficiencies on the site, the Chief Arborist states the following:
 1. The site was developed prior to the beginning of PD 193 and the Part 1 landscape regulations.
 2. Recently, the property began renovations with additions which caused it to be brought under conforming landscape regulations.
 3. The renovations to the large block-sized property are resulting in additional changes to Board approved alternate landscape plans.
 4. The multiple locations with changes are identified on the new alternate landscape plan.
- The Chief Arborist notes that the following factors for consideration:
 1. The site has gone under review by the Board of Adjustment previously for landscape special exceptions. Both were caused by small site improvements and renovations.
 2. The applicant has consulted with the property owner and designers to identify all proposed additional renovations which may further alter the landscaping of the property. They have taken steps to apply all changes to the revised alternate landscape plan.
 3. The applicant has identified 6 areas of landscape improvements across the property. Two areas (B and D) are associated with building permits within the property.
- The Chief Arborist supports the request because the applicant has demonstrated that the features shown on the submitted revised landscape plan meet the spirit and intent of the PD 193 regulations. The Chief Arborist also suggests that the Board impose a condition related to the timing in which landscaping must be completed on the property.
- The applicant has the burden of proof in establishing the following:
 - The special exception (where a landscape plan has been submitted that is deficient in meeting the sidewalk and tree planting zone requirements of the PD 193 landscape regulations) will not compromise the spirit and intent of Section 51P-193-126: “Landscape, streetscape, screening, and fencing standards”.
- If the Board were to grant this request and impose staff suggested conditions, the site would be granted exception from full compliance to the landscape requirements of the Oak Lawn PD 193 landscape ordinance.

Timeline:

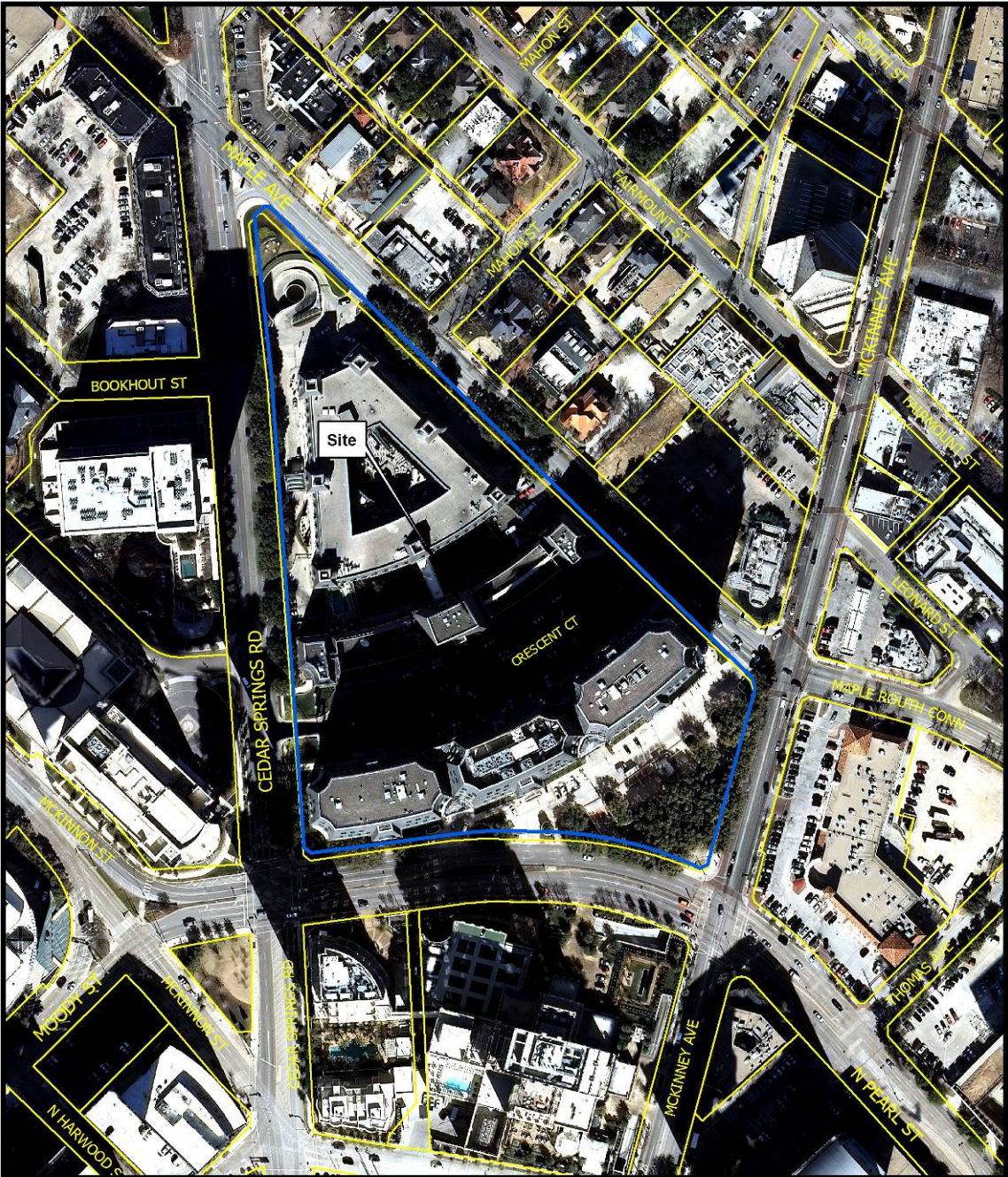
- June 16, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- July 14, 2016: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case.”
- July 15, 2016: The Board Administrator emailed the following information to the applicant’s representative:
- a copy of the application materials including the Building Official’s report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the July 27th deadline to submit additional evidence for staff to factor into their analysis; and the August 5th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 25, 2016: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).
- August 2, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior Planner, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.
No review comment sheets with comments were submitted in conjunction with this application.
- August 8, 2016: The City of Dallas Chief Arborist submitted a memo regarding this application (see Attachment B).




 1:2,400

ZONING MAP

Case no: BDA156-076
 Date: 7/29/2016



1:2,400

AERIAL MAP

Case no: BDA156-076

Date: 7/29/2016

BDA156-076
Attach A
pg 1

ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

July 25, 2016

Steve Long, Board of Adjustment Administrator
Department of Sustainable Development & Construction
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

RE: Application for Revised Landscape Plan
The Crescent, BDA156-076

Dear Mr. Long:

Since I filed this application on June 16, my client has made a few adjustments to the alternate landscape plan we are asking the board to approve. Attached is a revised alternate landscape plan, which replaces the original alternate landscape plan submitted with the application.

The following is a brief explanation of each of the landscape areas that require minor adjustments, which are shown on Exhibit A-1. We believe these adjustments will further enhance the pedestrian experience.

Area A: Three trees and a small wooden deck is added outside Starbuck's. In addition, one proposed street tree along Maple Ave. from has been relocated from the east end of the office towers to the area along Maple Ave., north of the motor court next to the Starbuck's.

Area B: A new Moxie restaurant will be located at the east end on the office towers requiring two exterior fire exists. This will be the first Moxie restaurant in the United States. Moxie will have its main entrance off the motor court and will build two courtyard-seating areas outside the exterior exits. In addition five 5"-6" new trees will be added in this area, see Exhibit B-1.

Area C: Six new 6" trees will be planted adjacent to the office tower and two 5" new trees will be deleted.

BDA156-076
Attach A
pg 2

Area D: Four proposed new 4" trees have been deleted, which were located adjacent to the new Shake Shack and one existing tree was removed from the plan because it never existed.

Area E: A new handicap ramp is required, which requires an adjustment in the approved landscape plan and three new 5" trees are added

Area F: Ten new 5" trees proposed in the new deck area outside Palomino Restaurant have been deleted from the plan and the restaurant will continue to use existing umbrellas.

The proposed alternate landscape plan will have the same number of street trees and interior trees as the current board-approved plan, but will have 108 additional caliper inches of trees. In addition, the new plan will have 80,000 square feet in general planting areas compared to 75,000 square feet in the current plan. We believe this revised landscape plan is a significant improvement from the existing plan

Mr. Long, please let me know if you need additional information or further information.

Sincerely:



Robert Reeves

cc: Phil Erwin
Todd Duerksen

SYMBOL LEGEND

SYM.	TYPE	QTY.
(T1)	PROPOSED STREET TREES 18" DBH 5-10' HIGHS	12
(T2)	PROPOSED STREET TREES 24" DBH 10-15' HIGHS	2
(T3)	PROPOSED STREET TREES 36" DBH 15-20' HIGHS	15
(T4)	PROPOSED INTERIOR TREES 18" DBH 5-10' HIGHS	67
(T5)	PROPOSED INTERIOR TREES 24" DBH 10-15' HIGHS	19
(T6)	PROPOSED INTERIOR TREES 36" DBH 15-20' HIGHS	115
(T7)	PROPOSED INTERIOR TREES 48" DBH 20-25' HIGHS	97
(T8)	PROPOSED INTERIOR TREES 60" DBH 25-30' HIGHS	179
(T9)	PROPOSED INTERIOR TREES 72" DBH 30-35' HIGHS	288
(T10)	PROPOSED INTERIOR TREES 84" DBH 35-40' HIGHS	119
(T11)	PROPOSED INTERIOR TREES 96" DBH 40-45' HIGHS	76
(T12)	EXISTING STREET TREES 18" DBH 5-10' HIGHS	0
(T13)	EXISTING STREET TREES 24" DBH 10-15' HIGHS	0
(T14)	EXISTING STREET TREES 36" DBH 15-20' HIGHS	0
(T15)	EXISTING INTERIOR TREES 18" DBH 5-10' HIGHS	0
(T16)	EXISTING INTERIOR TREES 24" DBH 10-15' HIGHS	0
(T17)	EXISTING INTERIOR TREES 36" DBH 15-20' HIGHS	0
(T18)	EXISTING INTERIOR TREES 48" DBH 20-25' HIGHS	0
(T19)	EXISTING INTERIOR TREES 60" DBH 25-30' HIGHS	0
(T20)	EXISTING INTERIOR TREES 72" DBH 30-35' HIGHS	0
(T21)	EXISTING INTERIOR TREES 84" DBH 35-40' HIGHS	0
(T22)	EXISTING INTERIOR TREES 96" DBH 40-45' HIGHS	0
(T23)	EXISTING INTERIOR TREES 108" DBH 45-50' HIGHS	0
(T24)	EXISTING INTERIOR TREES 120" DBH 50-55' HIGHS	0

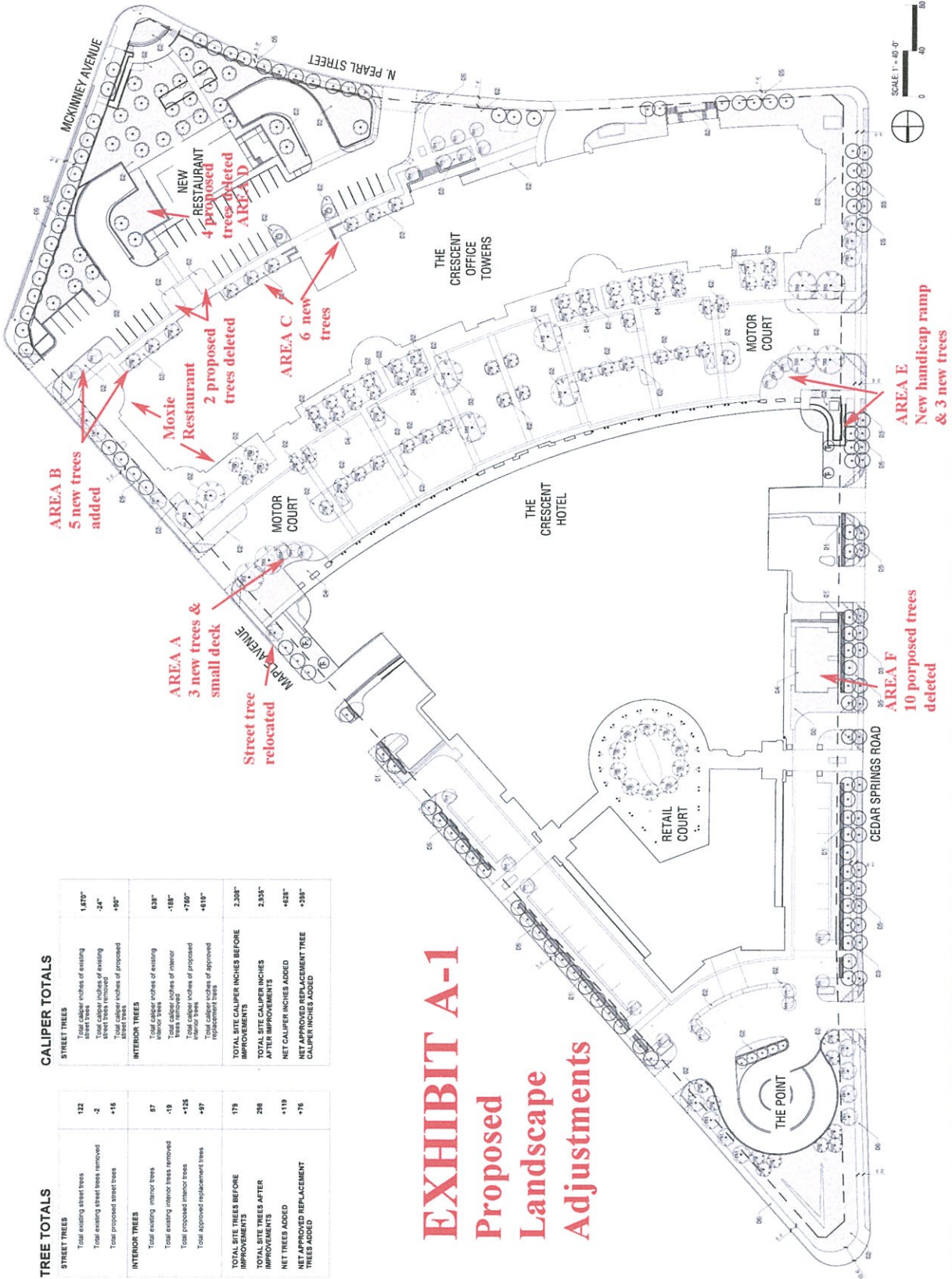


REV.	DATE	DESCRIPTION
1	08/18/2016	
2	09/01/2016	

DATE PLOTTED: 09/01/2016
DRAWING TITLE: LANDSCAPE PLAN
DRAWING NUMBER: L1.02

L1.02

BDA
156-
076



Attach A
Pg 3

TREE TOTALS		CALIPER TOTALS	
STREET TREES		STREET TREES	
Total existing street trees	12	Total existing inches of existing street trees	1,870"
Total existing minor trees removed	-2	Total proposed inches of existing street trees removed	-24"
Total proposed street trees	+15	Total proposed inches of proposed street trees	+99"
INTERIOR TREES		INTERIOR TREES	
Total existing interior trees	67	Total caliper inches of existing interior trees	638"
Total existing minor trees removed	-19	Total caliper inches of interior trees removed	-188"
Total proposed interior trees	+115	Total proposed inches of proposed interior trees	+760"
Total approved replacement trees	+97	Total caliper inches of approved replacement trees	+616"
TOTAL SITE TREES BEFORE IMPROVEMENTS	179	TOTAL SITE CALIPER INCHES BEFORE IMPROVEMENTS	2,308"
TOTAL SITE TREES AFTER IMPROVEMENTS	288	TOTAL SITE CALIPER INCHES AFTER IMPROVEMENTS	2,935"
NET TREES ADDED	+119	NET CALIPER INCHES ADDED	+628"
NET APPROVED REPLACEMENT TREES ADDED	+76	NET APPROVED REPLACEMENT TREE CALIPER INCHES ADDED	+398"

EXHIBIT A-1
Proposed Landscape Adjustments

STAFFELBACH

2000 WASHINGTON SUITE 200 DALLAS, TX 75201 972.714.1414 972.714.1424 FAX 972.714.1433 WWW.STAFFELBACH.COM

CRESCENT VISION
 MOXIE'S BAR AND GRILL
 HARDSCAPE / LANDSCAPE EXHIBIT

200 CRESCENT COURT
 SUITE 140
 DALLAS, TEXAS

ISSUE LOG
 DATE
 REVISIONS

DATE	REVISIONS

12/28/2016 12:28:38 PM

NOT FOR CONSTRUCTION

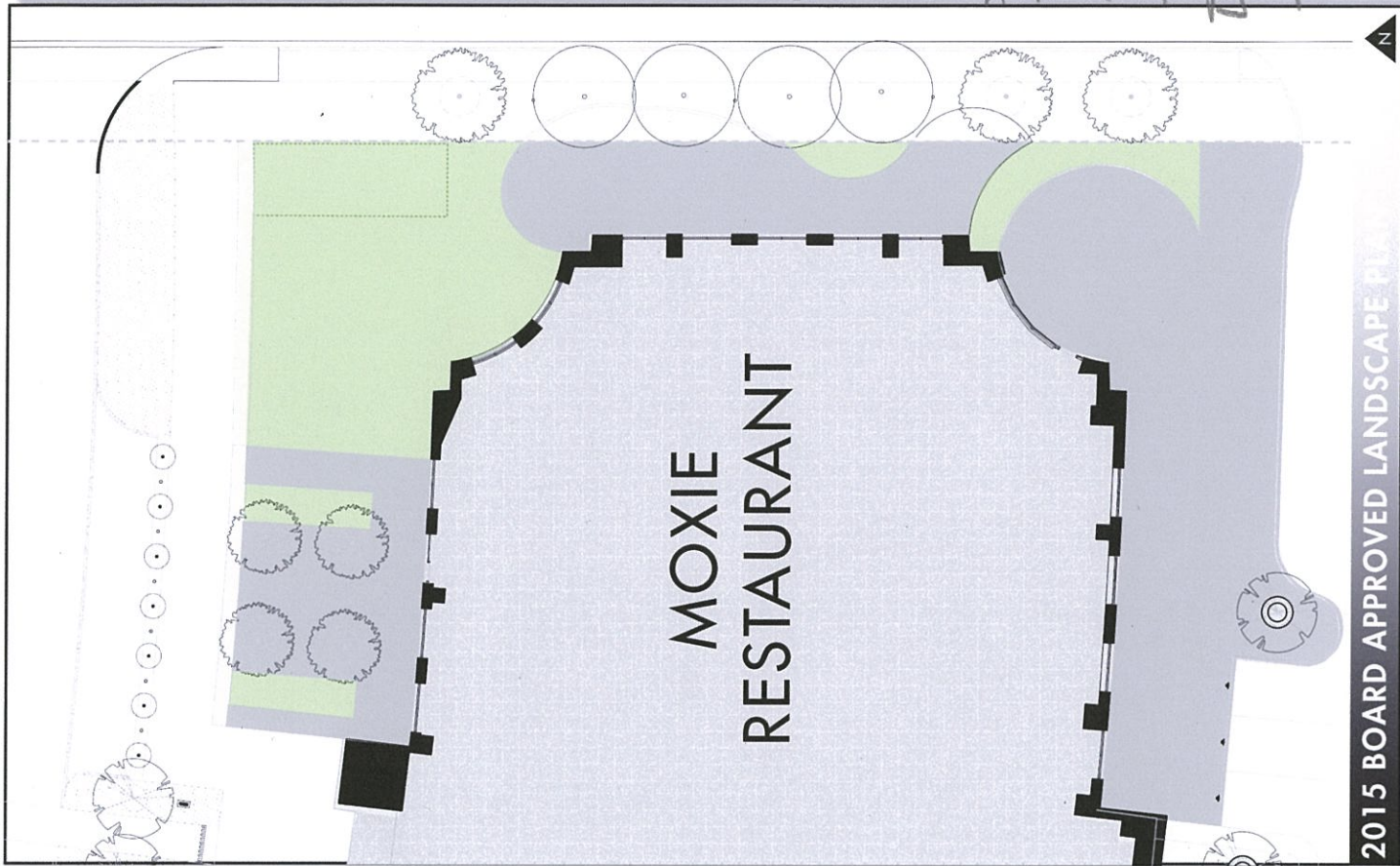
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DATE	ISSUE
20 19 18 17 16	
15 14 13 12 11	
10 09 08 07 06	
05 04 03 02 01	

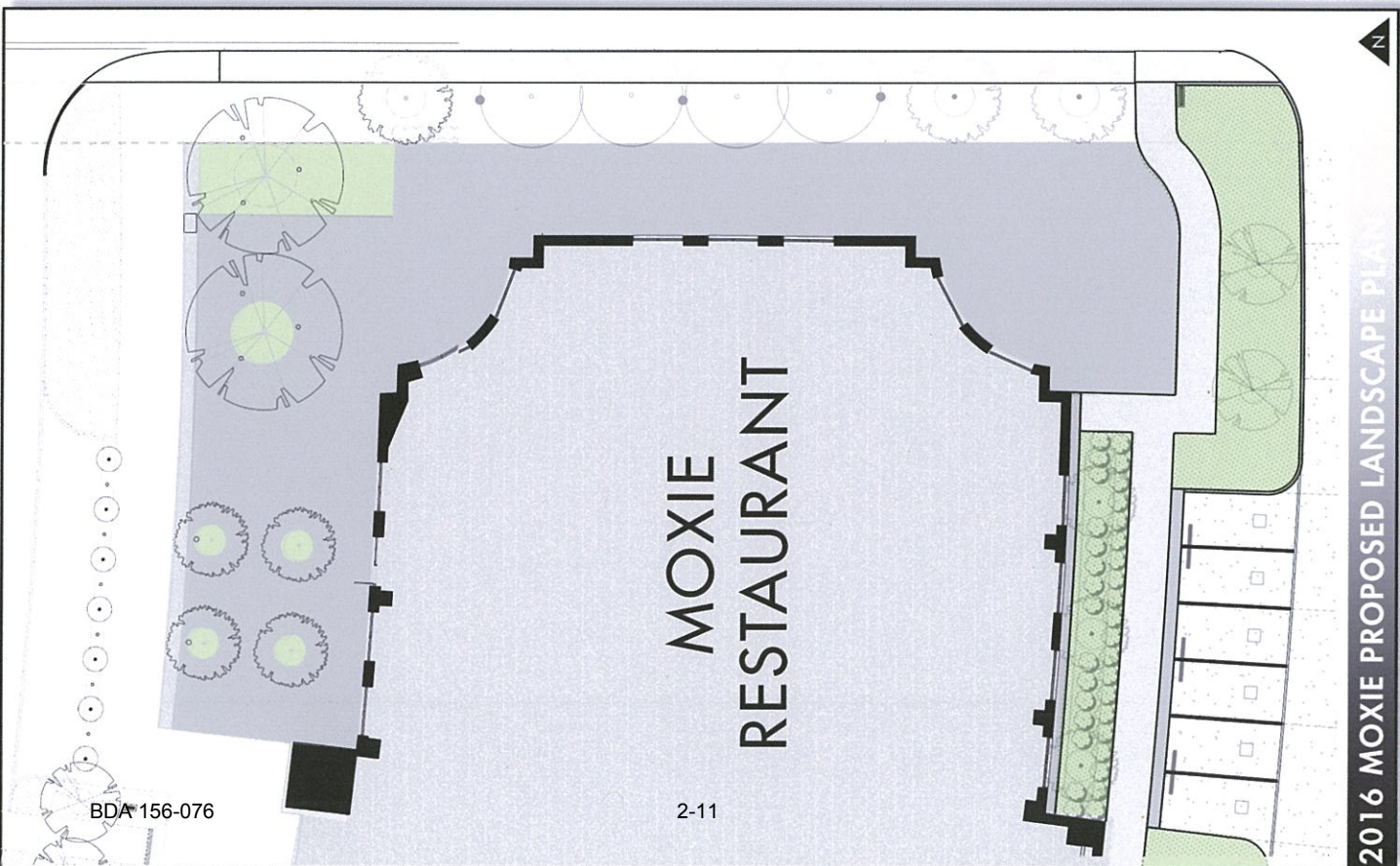
PROJECT NO.
 ISSUE DATE

BDA156-076 Attach A Pg 4

EXHIBIT B-1



2015 BOARD APPROVED LANDSCAPE PLAN



2016 MOXIE PROPOSED LANDSCAPE PLAN

BDA 156-076

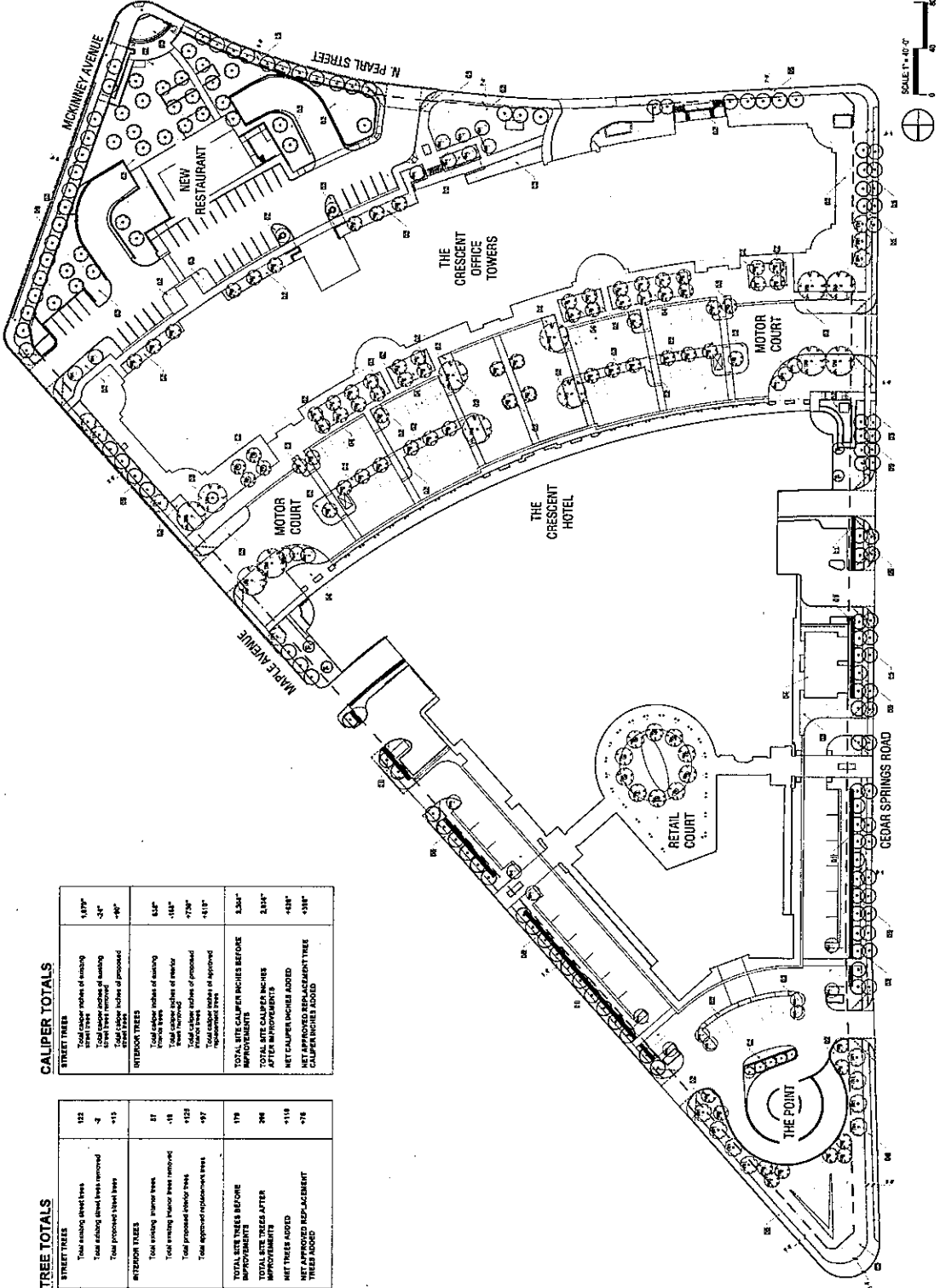
THE CRESCENT
DALLAS, TX

OJB THE OFFICE OF
JAMES BURNETT
LANDSCAPE ARCHITECTS
P.C.
1000 WEST END AVENUE
SUITE 200
DALLAS, TEXAS 75201

SYMBOL LEGEND

SYMBOL	TYPE	CITY	
(Symbol)	PROPOSED STREET TREES	1" TREE 2" TREE 3" TREE 4" TREE 5" TREE 6" TREE 7" TREE 8" TREE 9" TREE 10" TREE 11" TREE 12" TREE 13" TREE 14" TREE 15" TREE 16" TREE 17" TREE 18" TREE 19" TREE 20" TREE 21" TREE 22" TREE 23" TREE 24" TREE 25" TREE 26" TREE 27" TREE 28" TREE 29" TREE 30" TREE 31" TREE 32" TREE 33" TREE 34" TREE 35" TREE 36" TREE 37" TREE 38" TREE 39" TREE 40" TREE 41" TREE 42" TREE 43" TREE 44" TREE 45" TREE 46" TREE 47" TREE 48" TREE 49" TREE 50" TREE 51" TREE 52" TREE 53" TREE 54" TREE 55" TREE 56" TREE 57" TREE 58" TREE 59" TREE 60" TREE 61" TREE 62" TREE 63" TREE 64" TREE 65" TREE 66" TREE 67" TREE 68" TREE 69" TREE 70" TREE 71" TREE 72" TREE 73" TREE 74" TREE 75" TREE 76" TREE 77" TREE 78" TREE 79" TREE 80" TREE 81" TREE 82" TREE 83" TREE 84" TREE 85" TREE 86" TREE 87" TREE 88" TREE 89" TREE 90" TREE 91" TREE 92" TREE 93" TREE 94" TREE 95" TREE 96" TREE 97" TREE 98" TREE 99" TREE 100" TREE	1" TREE 2" TREE 3" TREE 4" TREE 5" TREE 6" TREE 7" TREE 8" TREE 9" TREE 10" TREE 11" TREE 12" TREE 13" TREE 14" TREE 15" TREE 16" TREE 17" TREE 18" TREE 19" TREE 20" TREE 21" TREE 22" TREE 23" TREE 24" TREE 25" TREE 26" TREE 27" TREE 28" TREE 29" TREE 30" TREE 31" TREE 32" TREE 33" TREE 34" TREE 35" TREE 36" TREE 37" TREE 38" TREE 39" TREE 40" TREE 41" TREE 42" TREE 43" TREE 44" TREE 45" TREE 46" TREE 47" TREE 48" TREE 49" TREE 50" TREE 51" TREE 52" TREE 53" TREE 54" TREE 55" TREE 56" TREE 57" TREE 58" TREE 59" TREE 60" TREE 61" TREE 62" TREE 63" TREE 64" TREE 65" TREE 66" TREE 67" TREE 68" TREE 69" TREE 70" TREE 71" TREE 72" TREE 73" TREE 74" TREE 75" TREE 76" TREE 77" TREE 78" TREE 79" TREE 80" TREE 81" TREE 82" TREE 83" TREE 84" TREE 85" TREE 86" TREE 87" TREE 88" TREE 89" TREE 90" TREE 91" TREE 92" TREE 93" TREE 94" TREE 95" TREE 96" TREE 97" TREE 98" TREE 99" TREE 100" TREE

DATE: _____
 DRAWING TITLE: _____
 LANDSCAPE PLAN
 Drawing Number: _____
L1.02
© 2000 OJB



TREE TOTALS		CALIPER TOTALS	
STREET TREES		STREET TREES	
Total existing street trees	122	Total caliper volume of existing street trees	1,870"
Total existing street trees removed	-2	Total caliper volume of existing street trees removed	-36"
Total proposed street trees	+15	Total caliper volume of proposed street trees	+46"
INTERIOR TREES		INTERIOR TREES	
Total existing interior trees	12	Total caliper volume of existing interior trees	65"
Total existing interior trees removed	-18	Total caliper volume of existing interior trees removed	-168"
Total proposed interior trees	+122	Total caliper volume of proposed interior trees	+720"
Total proposed interior trees removed	-97	Total caliper volume of proposed interior trees removed	-411"
TOTAL NET TREES BEFORE IMPROVEMENTS		TOTAL NET TREES BEFORE IMPROVEMENTS	
TOTAL NET TREES BEFORE IMPROVEMENTS	176	TOTAL NET CALIPER VOLUME BEFORE IMPROVEMENTS	2,304"
TOTAL NET TREES AFTER IMPROVEMENTS	206	TOTAL NET CALIPER VOLUME AFTER IMPROVEMENTS	2,847"
NET TREES ADDED	+118	NET CALIPER VOLUME ADDED	+483"
NET TREES REMOVED	-72	NET CALIPER VOLUME REMOVED	-438"

Memorandum



CITY OF DALLAS

DATE August 8, 2016

TO Steve Long, Board of Adjustment Administrator

SUBJECT # BDA 156 · 076 100 Crescent Court

The applicant is requesting a special exception to the landscape requirements of PD 193 Part 1.

Trigger

New construction and renovations including changes to previous approved alternate plan.

Deficiencies

The property was developed prior to the beginning of PD 193 and the Part 1 landscape regulations. Recently, the property began renovations with additions which caused it to be brought under conforming landscape regulations. The renovations to the large block-sized property are resulting in additional changes to Board approved alternate landscape plans. The multiple locations with changes are identified on the new alternate landscape plan.

Factors

The site has gone under review by the Board of Adjustment previously for landscape special exceptions. Both were caused by small site improvements and renovations.

The applicant has consulted with the property owner and designers to identify all proposed additional renovations which may further alter the landscaping of the property. They have taken steps to apply all changes to the revised alternate landscape plan.

The applicant has identified 6 areas of landscape improvements across the property. Two areas (B and D) are associated with building permits within the property.

Recommendation

The chief arborist recommends approval of the proposed revised alternate landscape plan because the special exception will not compromise the spirit and intent of this section. As a condition, I recommend all landscape improvements in each landscape area on the property be completed within 18 months of Board action, and landscape improvements for areas B and D must be completed before the final building inspections of each permit in areas B and D, respectively.

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



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-076

Data Relative to Subject Property:

Date: 6/16/2016

Location address: 100 Crescent Court Zoning District: PD193, (HC)

Lot No.: 1A Block No.: 2/948 Acreage: 9.9414 acres Census Tract: 18.00

Street Frontage (in Feet): (1) Cedar Spr. 958' (2) Maple 1,082' (3) Pearl 559' 4) McKinney 300'

To the Honorable Board of Adjustment:

SW 22

Owner of Property (per Warranty Deed): Crescent TC Investors LP

Applicant: Robert Reeves Telephone: (214) 749-0530

Mailing Address: 900 Jackson St., Suite 160, Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Represented by: Robert Reeves & Associates, Inc. Telephone: (214) 749-0530

Mailing Address: 900 Jackson St., Suite 160, Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Affirm that a request has been made for a Variance, or Special Exception X, of an alternative landscape plan for 100 Crescent Court.

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

The Crescent would like to add a new restaurant, Moxie, at the northeast corner of the office towers at Maple, which requires fire exits and adjustments to the exterior landscape areas; an addition of a handicapped ramp at the southwest corner of the hotel at Cedar Springs; and a few additional landscape areas which were proposed on the 3/17/2015 board-approved landscape plan, BDA145-037.

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

Affidavit

Before me the undersigned on this day personally appeared Robert Reeves

(Affiant/Applicant's name)

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:

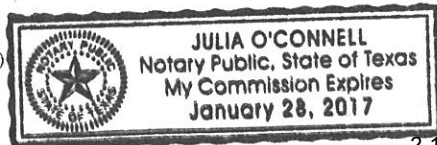
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 16th day of June, 2016.

Handwritten signature of Robert Reeves

Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)



MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Robert Reeves

did submit a request for a special exception to the landscaping regulations
at 100 Crescent Court

BDA156-076. Application of Robert Reeves for a special exception to the landscaping regulations at 100 Crescent Court. This property is more fully described as Lot 1A, Block 2/948, and is zoned PD-193 (HC), 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,

Philip Sikes
Philip Sikes, Building Official

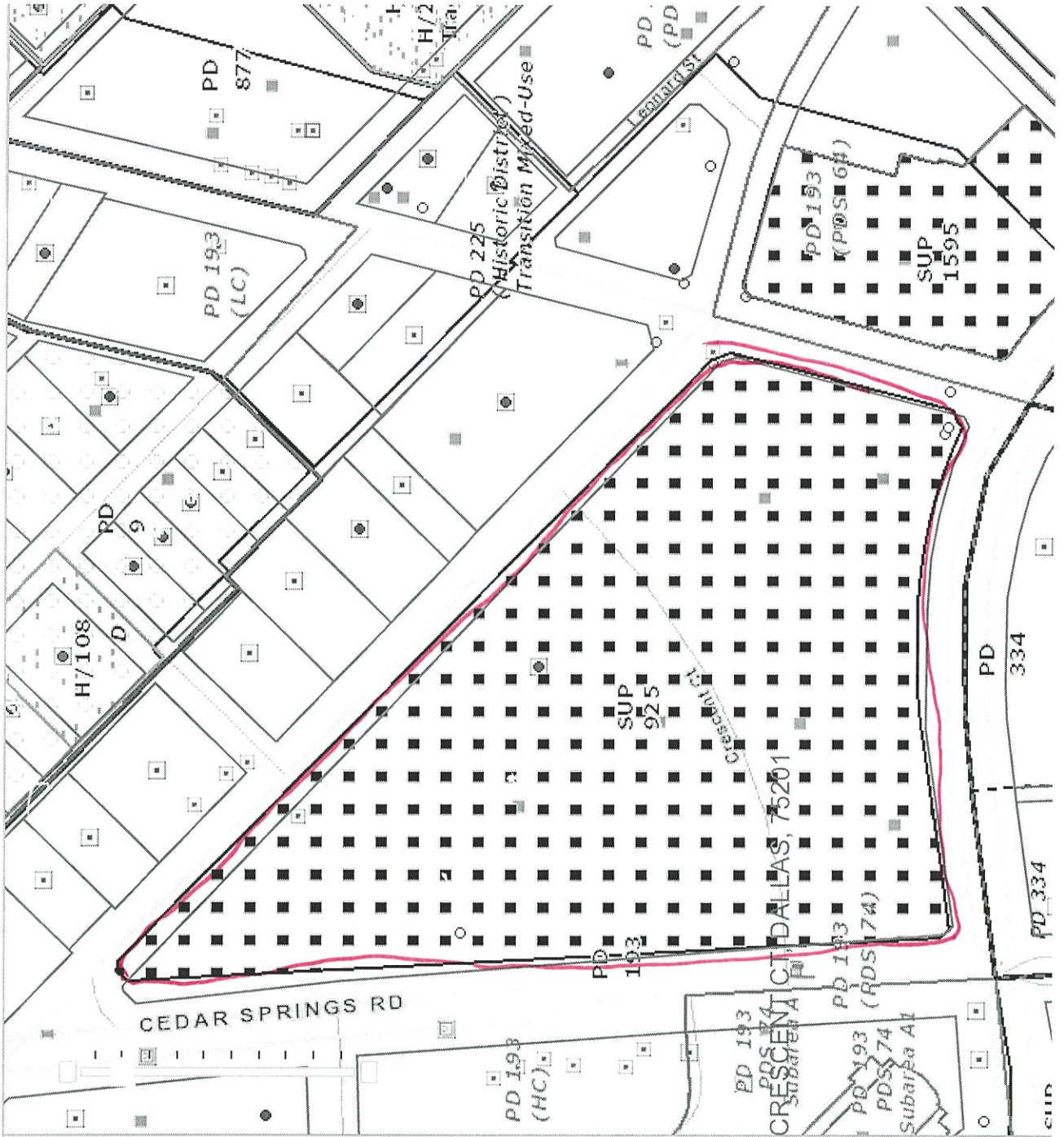


City of Dallas

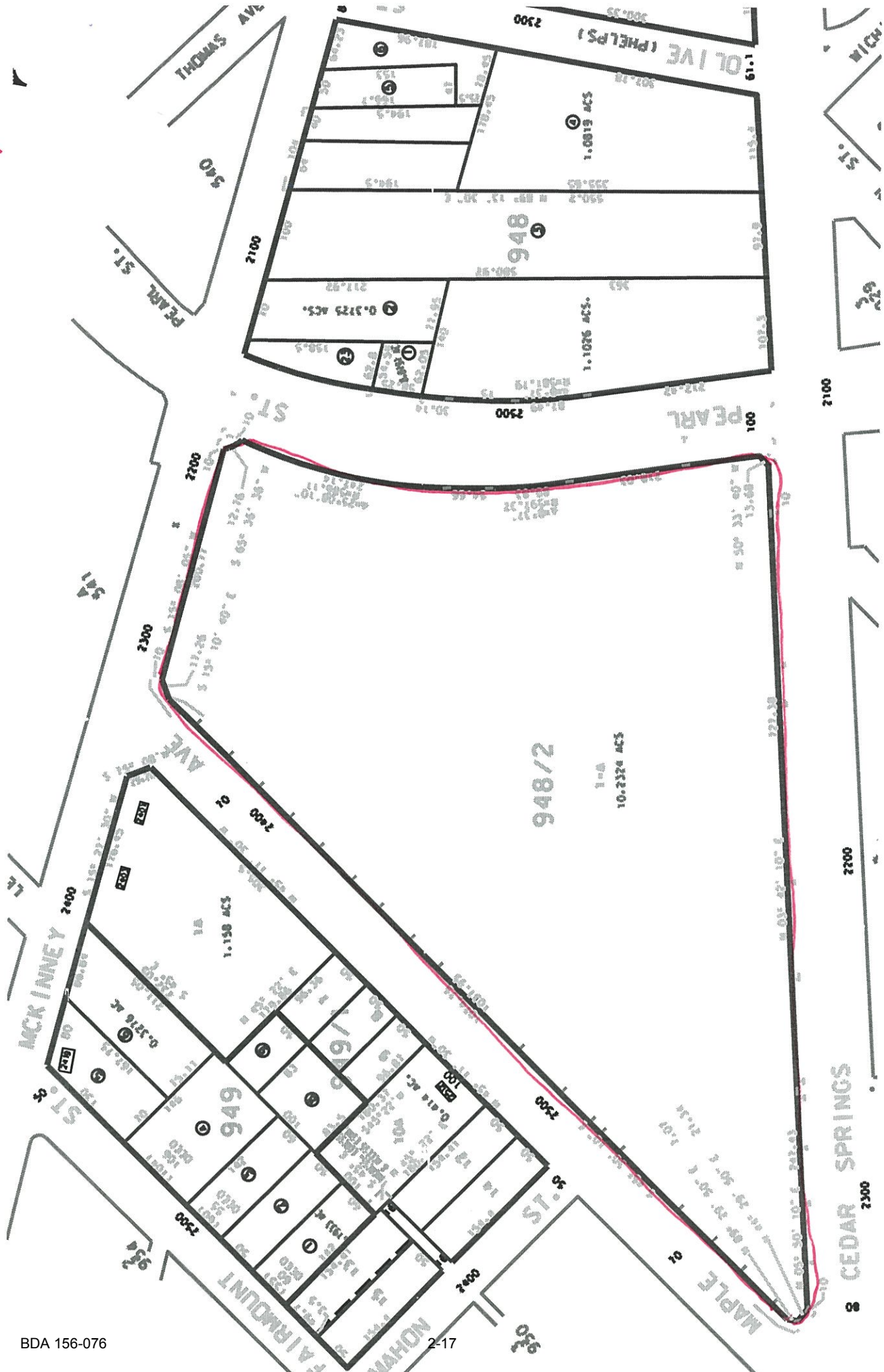
Internal Development Research Site

Legend

Locate Property



90



THE CRESCENT
DALLAS, TX

OJB THE OFFICE OF
JULIA ORTEGA BROWN
1100 N. COVINGTON ST., SUITE 200
DALLAS, TEXAS 75202
972.382.1234
www.ojb.com

SYMBOL LEGEND

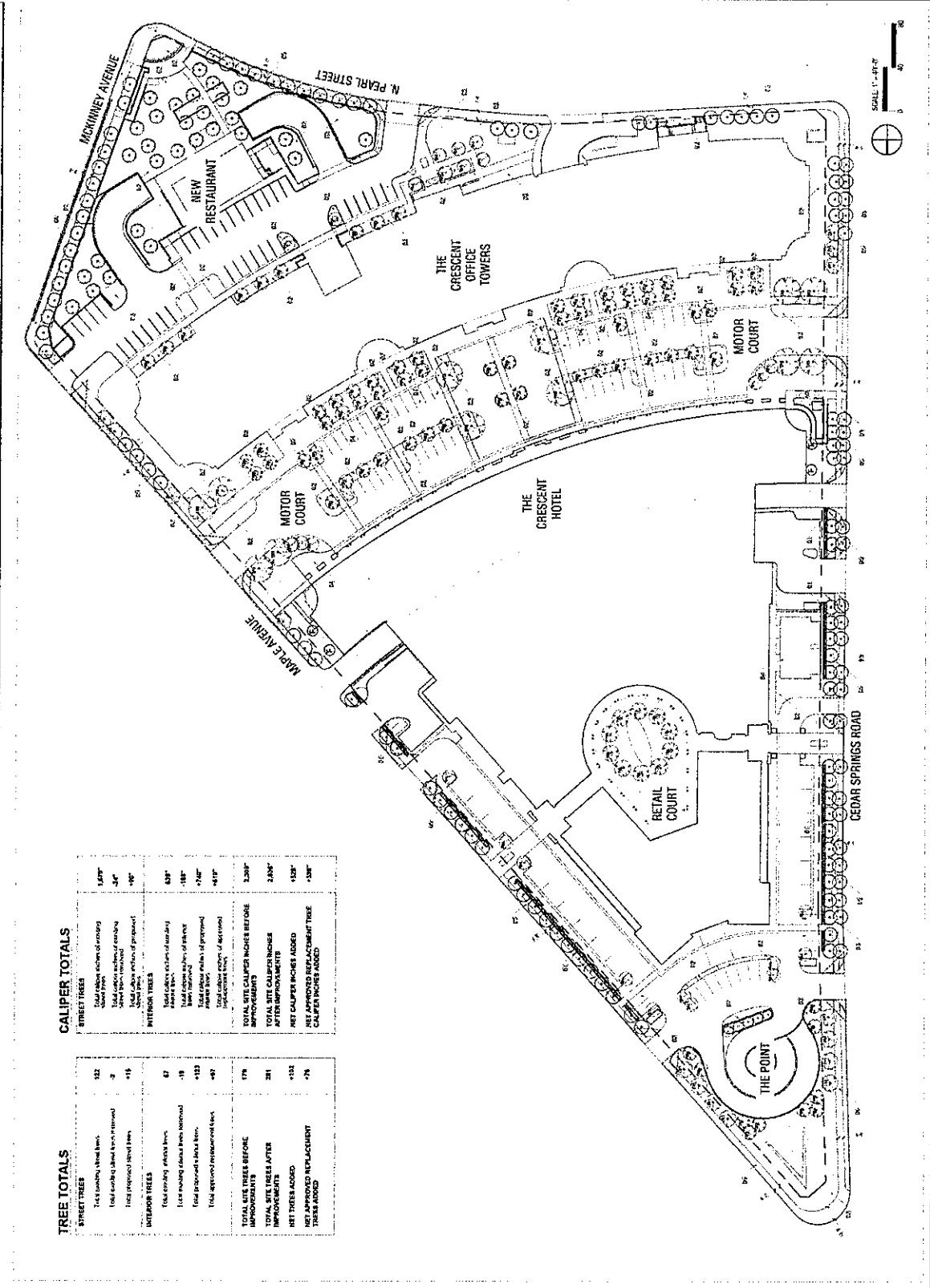
SYMBOL	DESCRIPTION	NOTES
(1)	EXISTING TREE	
(2)	NEW TREE	
(3)	EXISTING TREE TO BE REMOVED	
(4)	NEW TREE TO BE PLANTED	
(5)	EXISTING TREE TO BE PRESERVED	
(6)	NEW TREE TO BE PLANTED	
(7)	EXISTING TREE TO BE REMOVED	
(8)	NEW TREE TO BE PLANTED	
(9)	EXISTING TREE TO BE PRESERVED	
(10)	NEW TREE TO BE PLANTED	
(11)	EXISTING TREE TO BE REMOVED	
(12)	NEW TREE TO BE PLANTED	
(13)	EXISTING TREE TO BE PRESERVED	
(14)	NEW TREE TO BE PLANTED	
(15)	EXISTING TREE TO BE REMOVED	
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(24)	NEW TREE TO BE PLANTED	
(25)	EXISTING TREE TO BE PRESERVED	
(26)	NEW TREE TO BE PLANTED	
(27)	EXISTING TREE TO BE REMOVED	
(28)	NEW TREE TO BE PLANTED	
(29)	EXISTING TREE TO BE PRESERVED	
(30)	NEW TREE TO BE PLANTED	



DATE	DESCRIPTION

LANDSCAPE PLAN
Drawing No. **L1.02**
Drawing Scale: AS SHOWN

L1.02



TREE TOTALS		CALIPER TOTALS	
STREET TREES	122	1.47"	147'
Total existing street trees	122	3.4"	340'
Total existing street trees to be removed	0		
Total proposed street trees	+115	4.0"	460'
INTERIOR TREES	67	5.2"	536'
Total existing interior trees	67	1.8"	180'
Total existing interior trees to be removed	-18		
Total proposed interior trees	+123	7.2"	720'
Total proposed interior trees to be removed	-47	4.1"	410'
TOTAL SITE TREES BEFORE IMPROVEMENTS	179	3.24"	3240'
TOTAL SITE TREES AFTER IMPROVEMENTS	281	3.84"	3840'
NET TREES ADDED	+102	1.58"	1580'
NET CALIPER INCREASE	+76	1.58"	1580'

June 16, 2016

ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

June 16, 2016

Steve Long, Board of Adjustment Administrator
Department of Sustainable Development & Construction
City of Dallas
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

RE: Application for An Alternative Landscape Plan - The Crescent

Dear Mr. Long:

On behalf of my client, Crescent TC Investors LP, we are requesting an alternate landscape plan for The Crescent. The Crescent has embarked on a comprehensive \$31 million enhancement program to the exterior grounds of The Crescent. Since the previous board approval of an alternate landscape plan dated 3/17/15, BDA145-037, construction has begun. As can be expected in any complicated construction program, adjustments are often required during construction.

The following is a brief explanation of each of the landscape areas that require minor adjustments, see Exhibit A. We believe these adjustments will further enhance the pedestrian experience.

Area A: Three, 3, trees and a small wooden deck is added outside Starbuck's. In addition, one proposed street tree has been relocated next to the Starbuck's.

Area B: A new Moxie restaurant will be located at the east end on the office towers requiring two exterior fire exists. This will be the first Moxie restaurant in the United States. Moxie will have its main entrance off the motor court and will build two, (2), courtyard-seating areas outside the exterior exits. There is a net increase of 50 square feet of permeable area, see attached illustrations of the Moxie restaurant, Exhibit B.

Area C: Nine new 6" trees will be planted adjacent to the office tower.

Area D: Six proposed new 4" trees have been deleted, which were located adjacent to the new Shake Shack.

Area E: A new handicap ramp is required, which requires an adjustment in the approved landscape plan.

Area F: The ten small new trees proposed in the new deck area outside Palomino Restaurant have been deleted from the plan because they may create a health issue.

The new revised landscape plan will have approximately 88,175 sq. ft. of permeable surfaces compared to 79,030 sq. ft. of permeable surfaces with the existing plan. We believe this revised landscape plan is a significant improvement from the existing plan

Mr. Long, please let me know if you need additional information or further information.

Sincerely:

A handwritten signature in black ink, appearing to read 'Robert Reeves', with a large, sweeping flourish at the end.

Robert Reeves

cc: Exhibit A – Proposed Landscape Adjustments
Exhibit B – Moxie Restaurant

EXHIBIT A – PROPOSED LANDSCAPE ADJUSTMENTS

Area A: Three, 3, trees and a small wooden deck is added outside Starbuck's. In addition, one proposed street tree has been relocated next to the Starbuck's.

Area B: A new Moxie restaurant will be located at the east end on the office towers requiring two exterior fire exists. This will be the first Moxie restaurant in the United States. Moxie will have its main entrance off the motor court and will build two, (2), courtyard-seating areas outside the exterior exits. There is a net increase of 50 square feet of permeable area, see attached illustrations of the Moxie restaurant, Exhibit B.

Area C: Nine new 6" trees will be planted adjacent to the office tower.

Area D: Six proposed new 4" trees have been deleted, which were located adjacent to the new Shake Shack.

Area E: A new handicap ramp is required, which requires an adjustment in the approved landscape plan.

Area F: The ten small new trees proposed in the new deck area outside Palomino Restaurant have been deleted from the plan because they may create

SYMBOL LEGEND

SYM	TYPE	QTY.
(S1)	STREET TREE	1529*
(S2)	STREET TREE	-2
(S3)	STREET TREE	+15
(I1)	INTERIOR TREE	67
(I2)	INTERIOR TREE	-19
(I3)	INTERIOR TREE	+123
(I4)	INTERIOR TREE	+97
(T1)	TOTAL SITE TREES BEFORE IMPROVEMENTS	179
(T2)	TOTAL SITE TREES AFTER IMPROVEMENTS	281
(T3)	NET TREES ADDED	+102
(T4)	NET APPROVED REPLACEMENT TREE INCHES ADDED	+398"



Rev	Date	Description
1	07/21/2014	Initial

Drawing Title: LANDSCAPE PLAN
Drawing Number: L1.02

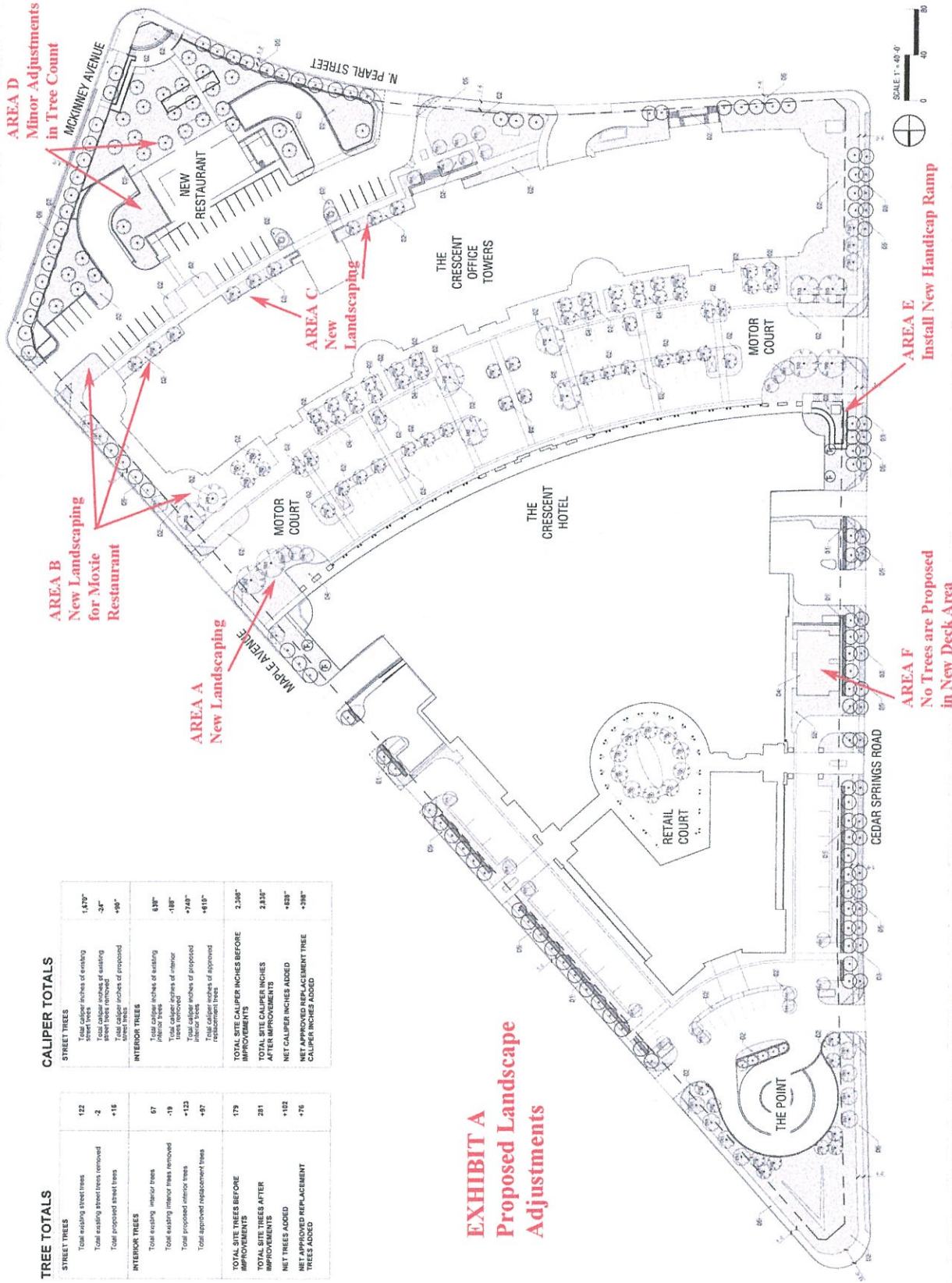
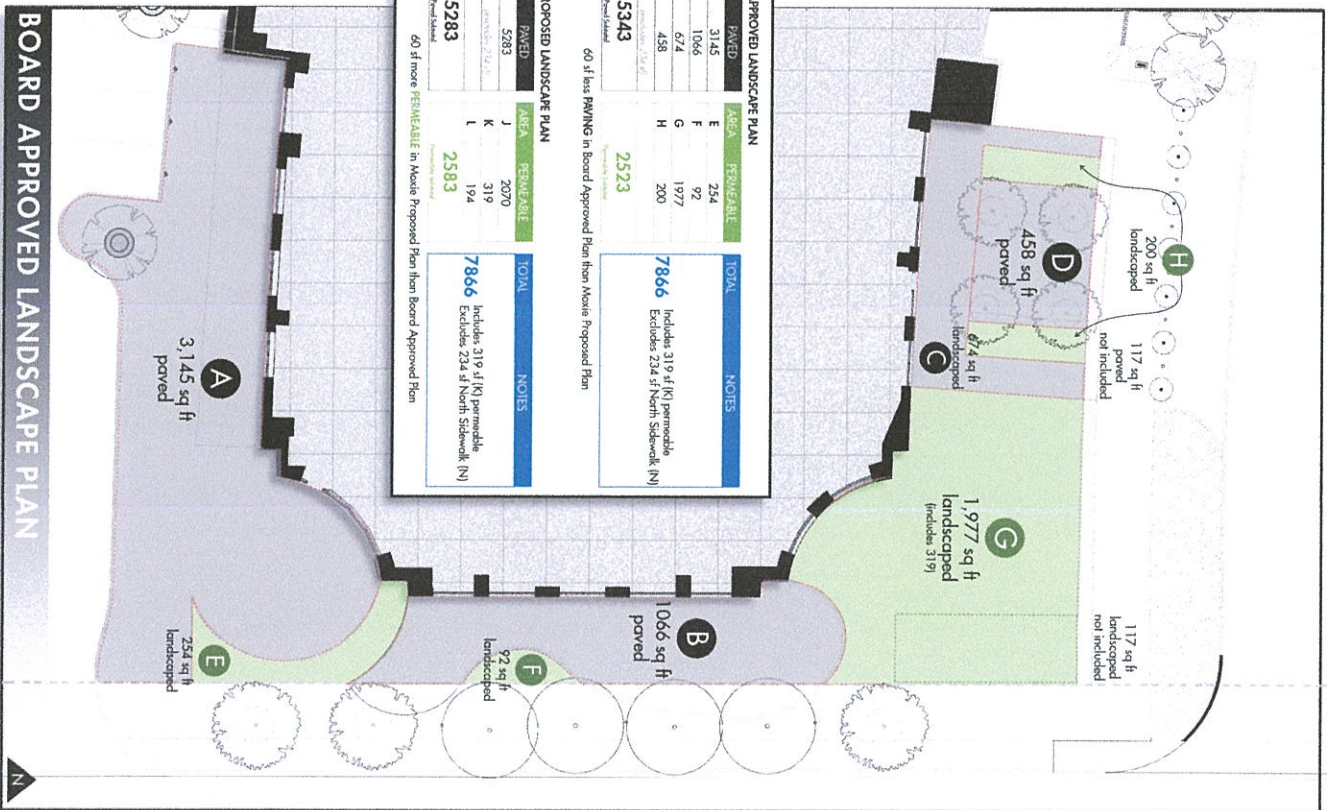
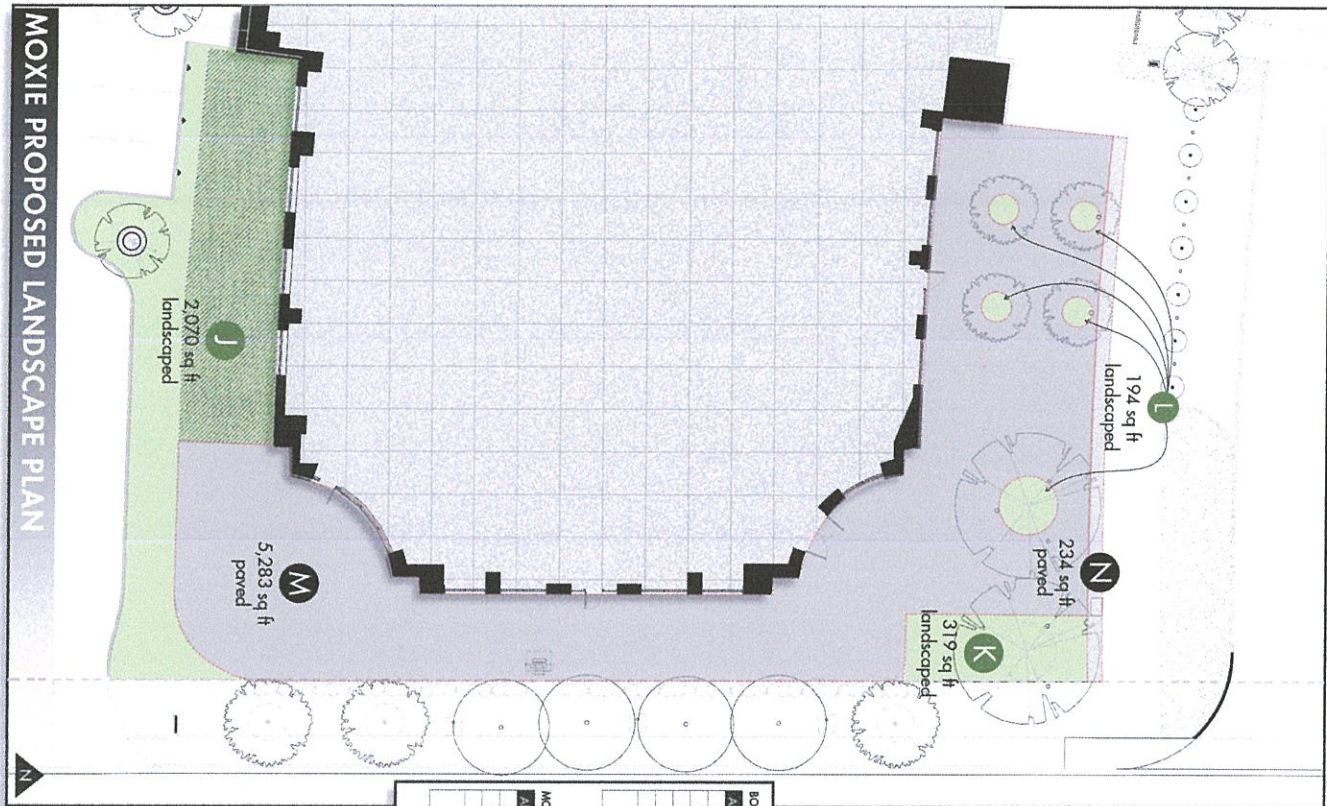


EXHIBIT A
Proposed Landscape Adjustments

TREE TOTALS	
STREET TREES	
Total existing street trees	122
Total existing street trees removed	-2
Total proposed street trees	+15
INTERIOR TREES	
Total existing interior trees	67
Total existing interior trees removed	-19
Total proposed interior trees	+123
Total approved replacement trees	+97
TOTAL SITE TREES BEFORE IMPROVEMENTS	179
TOTAL SITE TREES AFTER IMPROVEMENTS	281
NET TREES ADDED	+102
NET APPROVED REPLACEMENT TREE INCHES ADDED	+398"

CALIPER TOTALS	
STREET TREES	
Total caliper inches of existing street trees	1529*
Total caliper inches of existing street trees removed	-2"
Total caliper inches of proposed street trees	+98"
INTERIOR TREES	
Total caliper inches of existing interior trees	638"
Total caliper inches of interior trees removed	-188"
Total caliper inches of proposed interior trees	+748"
Total caliper inches of proposed replacement trees	+619"
TOTAL SITE CALIPER INCHES BEFORE IMPROVEMENTS	2,167"
TOTAL SITE CALIPER INCHES AFTER IMPROVEMENTS	2,135"
NET CALIPER INCHES ADDED	+428"
NET APPROVED REPLACEMENT TREE CALIPER INCHES ADDED	+398"

EXHIBIT B – MOXIE RESTAURANT



AREA	PAVED	AREA	REMOVABLE	TOTAL	NOTES
A	3145	E	254		
B	1066	F	92	7866	Includes 319 of (K) permeable
C	674	G	1977		Excludes 234 of North Sidewalk (N)
D	458	H	200	5343	Excludes 234 of North Sidewalk (N)
N				2523	
					60 sq less REMAINS in Board Approved Plan than Moxie Proposed Plan

AREA	PAVED	AREA	REMOVABLE	TOTAL	NOTES
M	5283	J	2070	7866	Includes 319 of (K) permeable
N	234	K	319		Excludes 234 of North Sidewalk (N)
		L	194	5283	
				2583	
					60 sq more REMOVABLE in Moxie Proposed Plan than Board Approved Plan

STAFFELBACH
 2102 MERRIMAN • SUITE 100 • DALLAS, TX 75201 • 314.747.3511 • F 314.855.5516 • WWW.STAFFELBACH.COM

CRESCENT VISION
 MOXIE'S BAR AND GRILL
 HARDSCAPE / LANDSCAPE EXHIBIT

200 CRESCENT COURT
 SUITE 100
 DALLAS, TEXAS

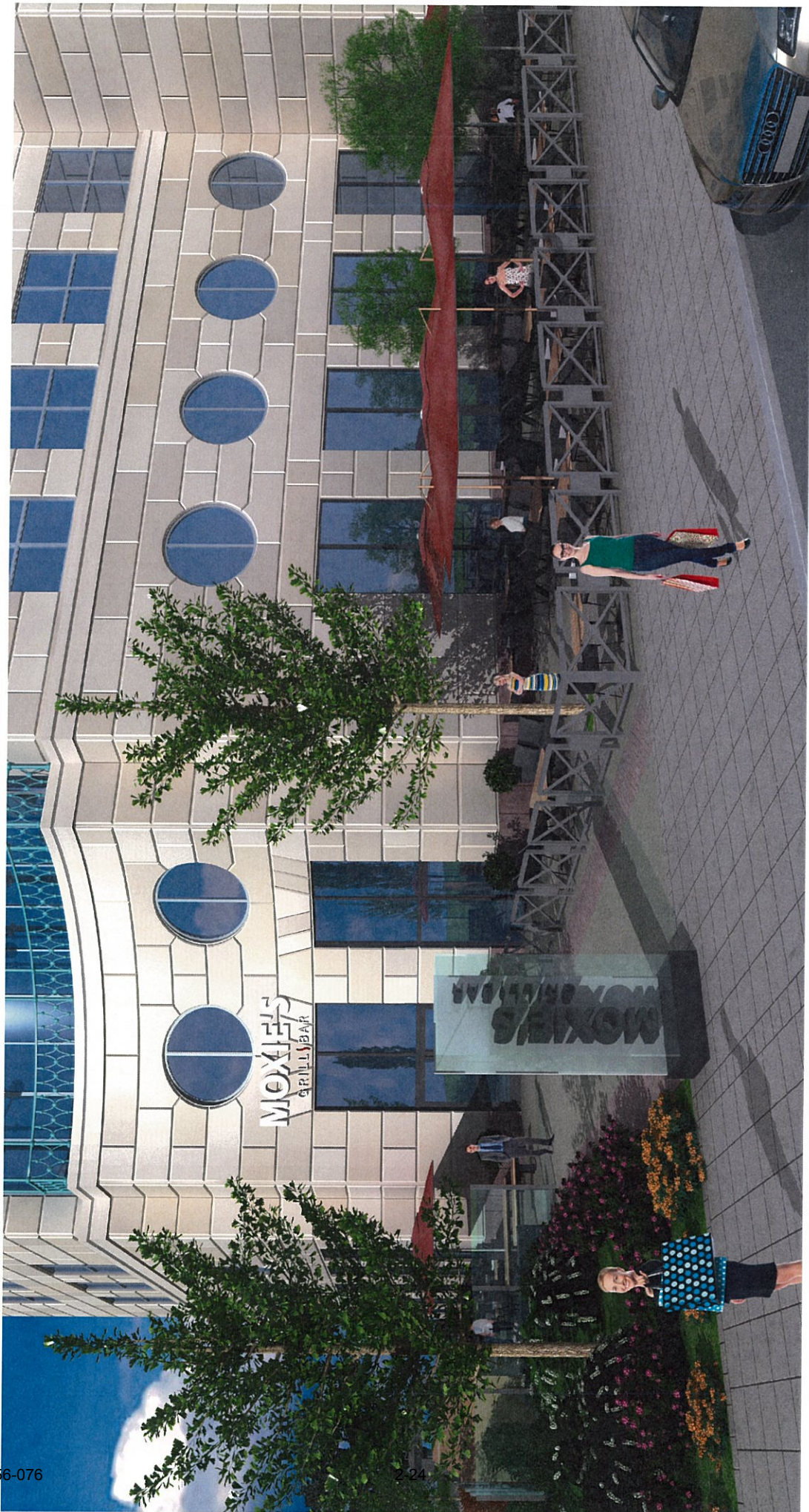
REVISION	NO.	DATE	RESPONSIBLE

NO.	DATE	REVISION		
20	19	18	17	16
15	14	13	12	11
10	09	08	07	06
05	04	03	02	01

DETAIL MAP

PROJECT NO. _____
 DATE DATE _____

**EXHIBIT B – MOXIE
RESTAURANT**

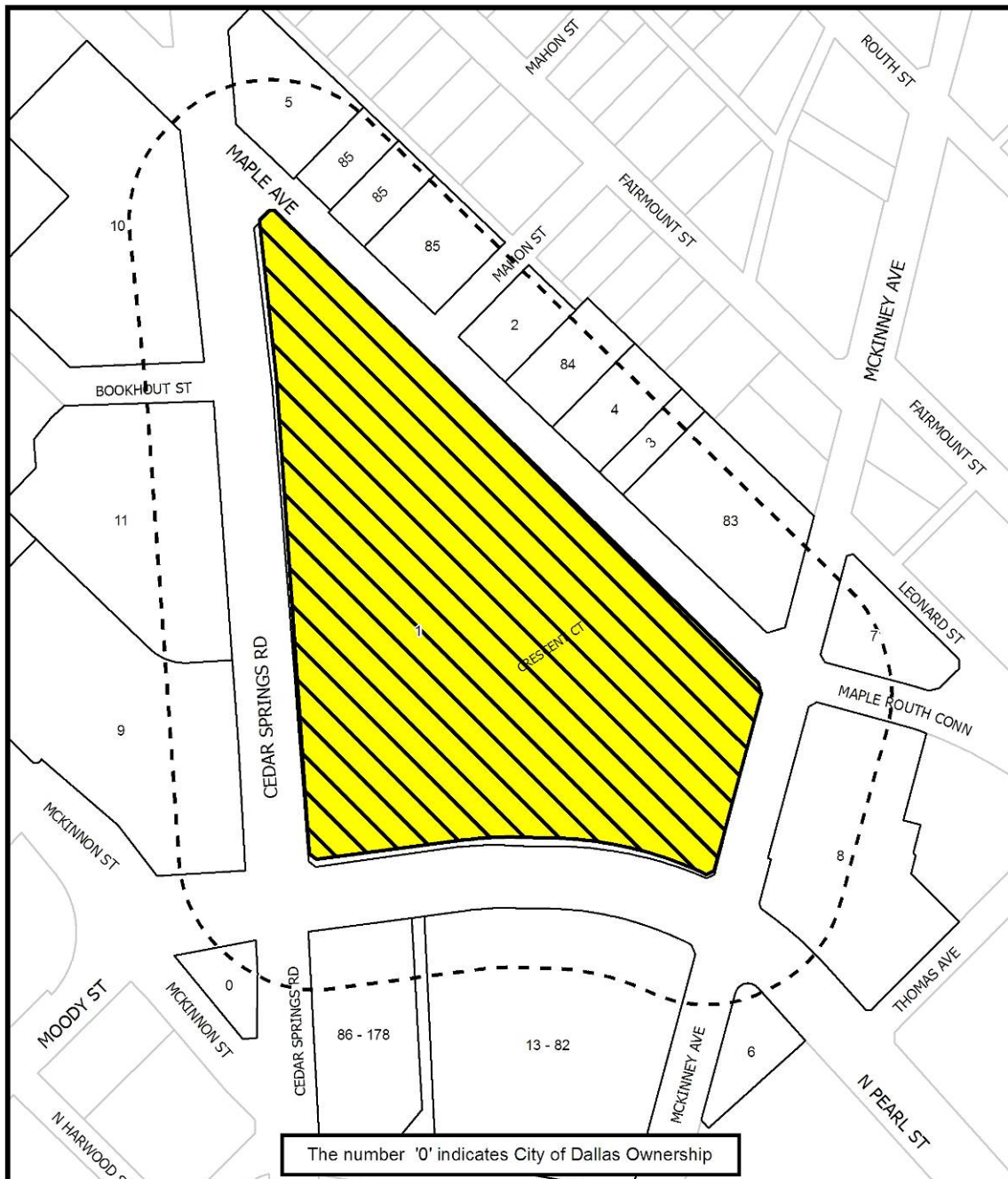


**EXHIBIT B – MOXIE
RESTAURANT**



**EXHIBIT B – MOXIE
RESTAURANT**





 1:2,400	NOTIFICATION		Case no: BDA156-076
	<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;">178</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 7/29/2016	

Notification List of Property Owners

BDA156-076

178 Property Owners Notified

Label #	Address	Owner
1	100 CRESCENT CT	CRESCENT TC INVESTORS LP
2	2516 MAPLE AVE	HEYMANN CLAIRE L
3	2504 MAPLE AVE	PASHA & SINA INC
4	2508 MAPLE AVE	PASHA & SINA INC
5	2628 MAPLE AVE	GREENWAY MAPLE LP
6	2120 MCKINNEY AVE	METROPOLITAN LIFE INS CO
7	2324 MCKINNEY AVE	MAPLE AND MCKINNEY L P
8	2222 MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
9	2101 CEDAR SPRINGS RD	ROSEWOOD COURT LLC
10	2305 CEDAR SPRINGS RD	GPI CEDAR MAPLE LP
11	2215 CEDAR SPRINGS RD	ASHTON UPTOWN LP
12	2510 CEDAR SPRINGS RD	CRESCENT REAL ESTATE
13	2121 MCKINNEY AVE	CRESCENT PLZ HOTEL OWNER
14	2525 N PEARL ST	STRONG ASA & NANCY
15	2525 N PEARL ST	ADELGLASS JEFFREY &
16	2525 N PEARL ST	MCKENZIE ARETA B
17	2525 N PEARL ST	HIXSON ROBERT L JR &
18	2525 N PEARL ST	BADINTER SIMON M
19	2525 N PEARL ST	QUIST SHARON
20	2525 N PEARL ST	FRICKE MICHAEL T & ARLENE S
21	2525 N PEARL ST	COTTEL WILLIS I TRUSTEE
22	2525 N PEARL ST	SHINN LLOYD &
23	2525 N PEARL ST	BOSSE JEFFREY F & DONNA S
24	2525 N PEARL ST	QUIST SHARON S
25	2525 N PEARL ST	MOSER FAMILY TRUST
26	2525 N PEARL ST	PEJOVICH BRENDA FAMILY LIVING TRUST THE

Label #	Address	Owner
27	2525 N PEARL ST	STERN MATT D
28	2525 N PEARL ST	STONE EVAN
29	2525 N PEARL ST	OHRE DAVID E
30	2525 N PEARL ST	POWELL MARK W
31	2525 N PEARL ST	SAVAGE LIVING TRUST THE
32	2525 N PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES
33	2525 N PEARL ST	SONNENSCHNEIN INVESTMENTS LTD
34	2525 N PEARL ST	FONBERG PETER
35	2525 N PEARL ST	CARTER LINDA JO
36	2525 N PEARL ST	CARLOW CORP
37	2525 N PEARL ST	SMITH LINDA J
38	2525 N PEARL ST	DIXON GENE JR &
39	2525 N PEARL ST	ABOU QAMAR MAAMOUN Y
40	2525 N PEARL ST	MITCHELL F LANE
41	2525 N PEARL ST	GALLETTA NANCY J
42	2525 N PEARL ST	BAILEY CHARLES R & VIRGINIA H
43	2525 N PEARL ST	EAGLE ROBERT M
44	2525 N PEARL ST	WESTDALE PPTIES AMERICA I
45	2525 N PEARL ST	WITRY MARY CAROL
46	2525 N PEARL ST	MANUEL GREGORY W
47	2525 N PEARL ST	CUMMINGS KEVIN & GUINEVERE
48	2525 N PEARL ST	SANDLIN MARK R
49	2525 N PEARL ST	VAN CLEAVE ROBERT C &
50	2525 N PEARL ST	GUBA RAYMOND KERSHAW
51	2525 N PEARL ST	BROWER SHANNON
52	2525 N PEARL ST	KIM TAESEUNG BEN &
53	2525 N PEARL ST	YAMINI SARA M
54	2525 N PEARL ST	VANCLEAVE ROBERT C & SHARON L
55	2525 N PEARL ST	1013 NW LOOP 410 VENTURE
56	2525 N PEARL ST	MCKNIGHT JAMES ROSS & BILLIE
57	2525 N PEARL ST	MITCHELL KEITH & LOIS TRUST THE

Label #	Address	Owner
58	2525 N PEARL ST	ALVARADO JOSEPH
59	2525 N PEARL ST	HAUSLEIN FERDINAND A JR
60	2525 N PEARL ST	WALKER ROBERT M & GUDRUN S
61	2525 N PEARL ST	LEE JAMES J & DORIS P
62	2525 N PEARL ST	TAYLOR BERNARD &
63	2525 N PEARL ST	ALBERTS DENNY & CYNTHIA COMPARIN
64	2525 N PEARL ST	DOUGLASS GREGORY
65	2525 N PEARL ST	NURENBERG PAMELA &
66	2525 N PEARL ST	PARKS JAMES LEE
67	2525 N PEARL ST	ROMAN FRANK
68	2525 N PEARL ST	CROWDER KEVIN & KAREN
69	2525 N PEARL ST	ROBINSON STEPHEN W & JEAN M
70	2525 N PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
71	2525 N PEARL ST	BORICUA ENTERPRISES LP
72	2525 N PEARL ST	TEL REAL ESTATE LLC
73	2525 N PEARL ST	CARTER DONALD J & LINDA JO
74	2525 N PEARL ST	MAYER TOM & SUSAN
75	2525 N PEARL ST	KARKOUTLY AMAN &
76	2525 N PEARL ST	WITZKE DAVID
77	2525 N PEARL ST	QUINN TERRENCE JEROME &
78	2525 N PEARL ST	WAGNER DUER III
79	2525 N PEARL ST	HADDOCK RON W &
80	2525 N PEARL ST	SOLOMON WILLIAM T & GAY F
81	2525 N PEARL ST	LARKIN JOHN G &
82	2525 N PEARL ST	ANDERSON CHARLES C JR & MOLLY R
83	2401 MCKINNEY AVE	ELK FINANCIAL INC
84	2512 MAPLE AVE	HEIDARI ALI
85	2610 MAPLE AVE	2620 MAPLE AVENUE LLC
86	2555 N PEARL ST	FOSS ERIC
87	2555 N PEARL ST	CRESCENT TOWER RESIDENCES LP
88	2555 N PEARL ST	TORRENCE FLP

Label #	Address	Owner
89	2555 N PEARL ST	CHOTI CAROLE LAMPESIS & MICHAEL ANDREW
90	2555 N PEARL ST	CREWS KYLE W & ANNE C
91	2555 N PEARL ST	CREWS KYLE W & ANNE C CREWS
92	2555 N PEARL ST	BENTON HELEN RASPBERRY TRUST
93	2555 N PEARL ST	ALEXANDER GREG
94	2555 N PEARL ST	AMENDED AND RESTATED DAGNON REV TRUST
95	2555 N PEARL ST	WOEHR MICHELLE S & GUSTAVE
96	2555 N PEARL ST	STEPHANIAN EDIC
97	2555 N PEARL ST	MOROS HORACIO JAVIER
98	2555 N PEARL ST	THELIN THOMAS
99	2555 N PEARL ST	ZOYS GEORGE N
100	2555 N PEARL ST	VEERARAGHAVAN UMA & KRISHNA
101	2555 N PEARL ST	CHI WEIWEI &
102	2555 N PEARL ST	RITZ TOWER 405 LLC
103	2555 N PEARL ST	CLARKE DIEN S & FRED E III
104	2555 N PEARL ST	HENRY JAMES J & PATRICIA M
105	2555 N PEARL ST	ATTICUS PEARL STREET LLC
106	2555 N PEARL ST	HASHEM OMAR & MIASSAR
107	2555 N PEARL ST	FABER CAREY E
108	2555 N PEARL ST	SREERAMA RAVI KUMAR &
109	2555 N PEARL ST	WORTLEY MICHAEL D & PATRICIA
110	2555 N PEARL ST	LEVY MARLON &
111	2555 N PEARL ST	PERSONS MELISSA LEE &
112	2555 N PEARL ST	MUSSULMAN DANIEL G
113	2555 N PEARL ST	KERNSTINE KEMP & CASSANDRA
114	2555 N PEARL ST	CLAUSE CARL & ROSALIE
115	2555 N PEARL ST	CAMMACK BRUCE A & MICHELE G
116	2555 N PEARL ST	CLAUSE CARL & ROSALIE
117	2555 N PEARL ST	PESES IAN &
118	2555 N PEARL ST	UPTOWN DREAMS LLC
119	2555 N PEARL ST	HOLMES CHARLTON C

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2555 N PEARL ST	MILLER PAMELA MARGARET
121	2555 N PEARL ST	CHALMERS FAMILY REVOCABLE TRUST
122	2555 N PEARL ST	YOUNGMAN STEPHEN A & DENISE A
123	2555 N PEARL ST	ROBERSON SHANNON G
124	2555 N PEARL ST	TWOMEY FAMILY TRUST AGREEMENT
125	2555 N PEARL ST	SMITH OPERATING AND MANAGEMENT CO
126	2555 N PEARL ST	PORTER ZACHARY & EMILY RAY
127	2555 N PEARL ST	HEEBE ADREA D
128	2555 N PEARL ST	KLAASSEN LIVING TRUST
129	2555 N PEARL ST	RODER RICHARD
130	2555 N PEARL ST	KRISHNAN SUMANT GOPAL
131	2555 N PEARL ST	BEREZINA VICTORIA
132	2555 N PEARL ST	ULLMAN MYRON EDWARD & CATHY EMMONS TRUSTEES
133	2555 N PEARL ST	HARGIS KENNETH & DARLENE LIVING TRUST
134	2555 N PEARL ST	FAURIA THOMAS J & RENEE
135	2555 N PEARL ST	HARASYM STEVEN MICHAEL
136	2555 N PEARL ST	SHORECREST FAMILY LP
137	2555 N PEARL ST	KEN CARLILE 2004 TRUST THE
138	2555 N PEARL ST	RIPPETO J DOUGLAS
139	2555 N PEARL ST	NICKERSON STEVEN CASH & EVELYN THOMAS
140	2555 N PEARL ST	NICKERSON STEVEN CASH & EVELYN THOMAS
141	2555 N PEARL ST	MUHL BRADLEY GILBERT & HOLLY BOWEN
142	2555 N PEARL ST	FRAZIER DEBBIE
143	2555 N PEARL ST	BLUE CRESCENT VENTURE LP
144	2555 N PEARL ST	FOX PATRICK K & CYNTHIA E
145	2555 N PEARL ST	FORD SCOTT T & JOAN D
146	2555 N PEARL ST	CRADICK DAVID P EST OF
147	2555 N PEARL ST	SANTAGA GREGORY P & ANN M JOINT REVOCABLE TRUST
148	2555 N PEARL ST	AVANT HARRY L
149	2555 N PEARL ST	BARSACHS EDWIN HARRY JR &
150	2555 N PEARL ST	DORF ROGER & SANDRA DORF

Label #	Address	Owner
151	2555 N PEARL ST	PARSELL SUSAN P
152	2555 N PEARL ST	GRANGER KIMBERLEY
153	2555 N PEARL ST	LAM SAMUEL M MD
154	2555 N PEARL ST	STUEWE RANDALL C
155	2555 N PEARL ST	LAZOF FAMILY TRUST
156	2555 N PEARL ST	MOTSENBOCKER ALAN K & ANNE B
157	2555 N PEARL ST	DUNN FREDRICK L & PRISCILLA A
158	2555 N PEARL ST	AKBARI HOMAIRA
159	2555 N PEARL ST	MUHL BRADLEY GILBERT & HOLLY
160	2555 N PEARL ST	SIKKEL MARK
161	2555 N PEARL ST	HOLT TEXAS PROPERTIES INC
162	2555 N PEARL ST	ROBINSON STEPHEN WILLIAM &
163	2555 N PEARL ST	ROBINSON STEPHEN WILLIAM & JEANNE M
164	2555 N PEARL ST	RC TRUST THE &
165	2555 N PEARL ST	GORES ALEC ELIAS REV LIVING TRUST THE
166	2555 N PEARL ST	ROGERS MARY MCDANIEL
167	2555 N PEARL ST	ROGERS ROBYN M REVOCABLE
168	2555 N PEARL ST	THE FRONT PORCH LLC
169	2555 N PEARL ST	FRONT PORCH LLC THE
170	2555 N PEARL ST	DARVISHSEFAT FARID YU
171	2555 N PEARL ST	DARVISHSEFAT FARID YU
172	2555 N PEARL ST	SHINN LLOYD &
173	2555 N PEARL ST	HEDGEHOG REAL ESTATE LLC
174	2555 N PEARL ST	CHILANGO LLC
175	2555 N PEARL ST	KAPLAN GABRIEL TR
176	2555 N PEARL ST	GRANGER KIMBERLEY
177	2555 N PEARL ST	REESJONES TREVOR
178	2555 N PEARL ST	VAN WOLFSWINKEL RANDALL

FILE NUMBER: BDA156-080(SL)

BUILDING OFFICIAL'S REPORT: Application of REIG, Inc., represented by Tommy Jackson, for a variance to the front yard setback regulations and a special exception to the fence height regulations at 4203 Delmar Avenue. This property is more fully described as Lot 1, Block A/4852, and is zoned R-7.5(A), which requires a front yard setback of 35 feet and limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and/or maintain a structure and provide an 8 foot front yard setback, measured at the foundation, with a 1 foot (12 inch) roof eave, which will require a 27 foot variance, measured at the foundation, to the front yard setback regulations, and to construct and maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations.

LOCATION: 4203 Delmar Avenue

APPLICANT: REIG, Inc.
Represented by Tommy Jackson

REQUESTS:

The following requests have been made on a site that is developed with a 2-story single family structure:

- A request for a variance to the front yard setback regulations of 27' is requested to maintain the 2-story single family structure, part of which is located 8' from the one of the site's two front property lines (Mockingbird Lane) (as measured from this required right-of-way) or 27' into this 35' front yard setback.
- A request for a special exception to the fence height regulations of 4' is made to construct and maintain an 8' high solid wood fence and gate in the site's Mockingbird Lane front yard setback.

STANDARD FOR A VARIANCE:

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

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

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE 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 (variance):

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-7.5(A) zoning district in that it is restrictive in area due to having two front yard setbacks.
- The subject site at 63' in width has 23' of width left for development once a 35' front yard setback is accounted for on the south and a 5' side yard setback is accounted for on the north. If this lot were more typical with one front yard, two side yards, and one rear yard, the lot would have 53' of width left for development. (The applicant states a house with restrictions as what would be on the site once setbacks were accounted for would not be built).
- Furthermore, the applicant provided information stating that the home on the subject site is to have 3,908 "heated square feet" and that the average square footage of 16 other homes in the R-7.5(A) zoning is 4,183 "heated square feet".

STAFF RECOMMENDATION (fence height):

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

Land Use:

The subject site is developed with a single family home. The areas to the north, east, and west are developed with single family uses; and the area to the south is developed with single family uses and a school (Stonewall Jackson Elementary School).

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 (variance):

- This request focuses on maintaining a 2-story single family structure, part of which is located 8' from one of the site's two front property lines (Mockingbird Lane) (as measured from the required right-of-way) or 27' into this 35' front yard setback.
- The site is zoned R-7.5(A) which requires a minimum front yard setback of 25'.
- The subject site is located at the northwest corner of Delmar Avenue and Mockingbird Lane.
- The Dallas Development Code states that the front yard setback is measured from the front lot line of the building site or the required right-of-way as determined by the thoroughfare plan for all thoroughfares, whichever creates the greater setback."
- Given the single family zoning and location of the corner lot subject site, it has two front yard setbacks – a 25' front yard setback along Delmar Avenue (the shorter of the two frontages of the subject site) and a 35' front yard setback along Mockingbird Lane (the longer of the two frontages which is typically a side yard where on this R-7.5(A) zoned property would require a 5' side yard setback). However, the site has a 35' front yard setback along Mockingbird Lane given: 1) a required right-of-way determined by the thoroughfare plan, and 2) that while it is the longer of the two frontages that while usually is considered a side yard is a front yard notwithstanding in order to maintain continuity of the established front yard setback along this street frontage where homes/lots to the west "front" southward to Mockingbird Lane.
- A scaled site plan has been submitted indicating that a portion of the single family home structure is located as close as 8' from the Mockingbird Lane front property line or as much as 27' into this 35' front yard setback.
- The submitted site plan represents a structure to encroach only into the site's Mockingbird Lane front yard setback and not into the site's Delmar Avenue front yard setback.
- The submitted first floor plan indicates the following square footage:
 - First floor: 2,215 square feet
 - Second floor: 1,693 square feet
 - Total A/C: 655 square feet
 - Garages: 661 square feet
 - Covered porches: 288 square feet
 - Total square footage: 4,857 square feet

- According to DCAD records, the “main improvement” for the property addressed at 4203 Delmar Avenue is a structure constructed in 2015 with 4,390 square feet of living area/total area; the “additional improvements” for the property addressed at 4203 Delmar Drive is a 616 square foot attached garage.
- The subject site is flat and rectangular in shape (129’ x 63’), and according to the submitted application is 0.18 acres (or approximately 7,800 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- Most lots in the R-7.5(A) zoning district have one 25’ front yard setback, two 5’ side yard setbacks, and one 5’ rear yard setback; this site has one 35’ front yard setback, one 25’ front yard setback, and two 5’ side yard setbacks.
- The subject site at 63’ in width has 23’ of width left for development once a 35’ front yard setback is accounted for on the south and a 5’ side yard setback is accounted for on the north. If this lot were more typically with one front yard, two side yards, and one rear yard, the lot would have 53’ of width left for development. (The applicant states a house with restrictions as what would be on the site once setbacks were accounted for would not be built).
- The applicant has submitted information stating that the home on the subject site is to have “3,908 heated square feet” and that “the average square footage of 16 other homes is 4,183 heated feet”.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that is located as close as 8’ from the site’s Mockingbird Lane front property line (or as much as 27’ into this 35’ front yard setback).

GENERAL FACTS/STAFF ANALYSIS (fence height):

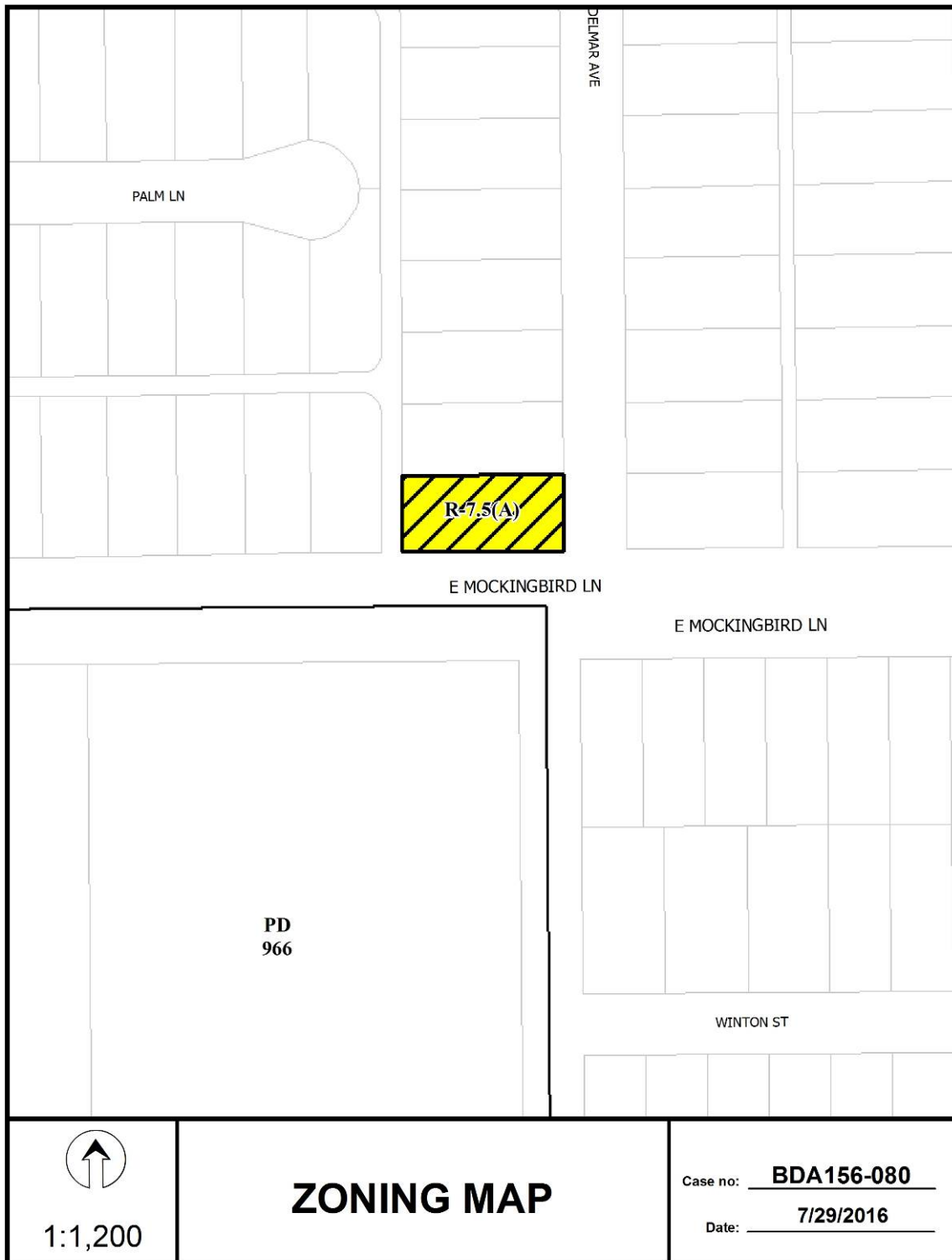
- This request focuses on constructing and maintaining an 8’ high solid wood fence and gate in the site’s Mockingbird Lane front yard setback.
- The subject site is zoned R-7.5(A).

- 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 subject site is located at the northwest corner of Delmar Avenue and Mockingbird Lane.
- The Dallas Development Code states that the front yard setback is measured from the front lot line of the building site or the required right-of-way as determined by the thoroughfare plan for all thoroughfares, whichever creates the greater setback."
- Given the single family zoning and location of the corner lot subject site, it has two front yard setbacks – a 25' front yard setback along Delmar Avenue (the shorter of the two frontages of the subject site) and a 35' front yard setback along Mockingbird Lane, (the longer of the two frontages which is typically a side yard where on this R-7.5(A) zoned property a 9' high fence could be erected by right). However the site has a 35' front yard setback along Mockingbird Lane given: 1) a required right-of-way determined by the thoroughfare plan, and 2) that while it is the longer of the two frontages that while usually is considered a side yard is a front yard notwithstanding in order to maintain continuity of the established front yard setback along this street frontage where homes/lots to the west "front" southward to Mockingbird Lane.
- A scaled site plan/fence elevation has been submitted indicating a fence proposal that will reach 8' 6" in height in the 35' Mockingbird Lane front yard setback.
- The submitted site plan/fence elevation represents only a fence to exceed 4' in height in the Mockingbird Lane front yard setback and not into the site's Delmar Avenue front yard setback.
- The following information was gleaned from the submitted site plan/elevation
 - The proposal is represented as being approximately 90' in length parallel to the Mockingbird Lane, and 32' – 35' in length perpendicular to this street on the east and west sides of the site in the front yard setback.
 - The proposal is represented as being located approximately 0'- 3' from the Mockingbird Lane front property line or 8' – 11" from this pavement line.
- The proposal is located across from lots developed with a single family home and a school neither with a fence in the front yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area along Mockingbird Lane (approximately 200 feet east and west of the subject site) and noted a number of other fences that appeared to be above 4' in height but located in side yards.
- As of August 5, 2016, no letters has been submitted in support of the request, and no letters have been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.
- Granting this special exception request of 4' with a condition imposed that the applicant complies with the submitted site plan/elevation would require the proposal exceeding 4' in height in the Mockingbird Lane front yard setback to be constructed and maintained in the location and of the heights and material as shown on this document.

Timeline:

- June 21, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- July 14, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- July 18, 2016: 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 July 27th deadline to submit additional evidence for staff to factor into their analysis; and the August 5th 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 requests; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 26, 2016: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).
- August 2, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior 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.





Long, Steve

From: Tommy Jackson <tjreiginc@aol.com>
Sent: Tuesday, July 26, 2016 2:55 PM
To: Long, Steve
Subject: 4203 Delmar Ave.

Mr. Long,

I received your message last week and had my architect do a drawing just as you suggested that shows how much of the home is built across the setback line and a drawing showing how much of the lot would be buildable if both setbacks were followed. Both drawings are on one page. The drawing on the left of the page clearly shows that an unnecessary encumbrance is placed on the property and will make the property unbuildable by the setbacks. In the "Jurisdiction of the Board of Adjustment", it clearly states that a variance can be granted if the variance "will to be contrary to the public interest when, owing to special conditions (in this case, multiple required setbacks), a literal enforcement of the zoning ordinance would RESULT IN UNNECESSARY HARDSHIP...". I think from the drawing that with a property of only 23' width max that this would be an unnecessary hardship, and would not be commensurate with surrounding properties and possibly affect other property values. Quite honestly, a house with these restrictions would not be built. I will also, again at your suggestion, be sending you a graph with 17 R-7.5A zoning district homes noted with their square footage. The addresses are listed on the page as well as the graph. The last property listed is the subject property, 4203 Delmar. The graph shows that the property is commensurate with other homes in the R-7.5A zoning and slightly smaller than the other 16 homes. The average square footage of the 16 homes is 4183 heated feet. Our home at 4302 Delmar is 3908 heated square feet.

These specific items will be coming via separate email from my administrative assistant, Stephanie York. Please look them over and do not hesitate to call should you have any further questions. The intent here is for this information to be duplicated and go into the BOA packets for the August 16 meeting. I am getting them to you today to meet the Wednesday, July 27 cut-off.

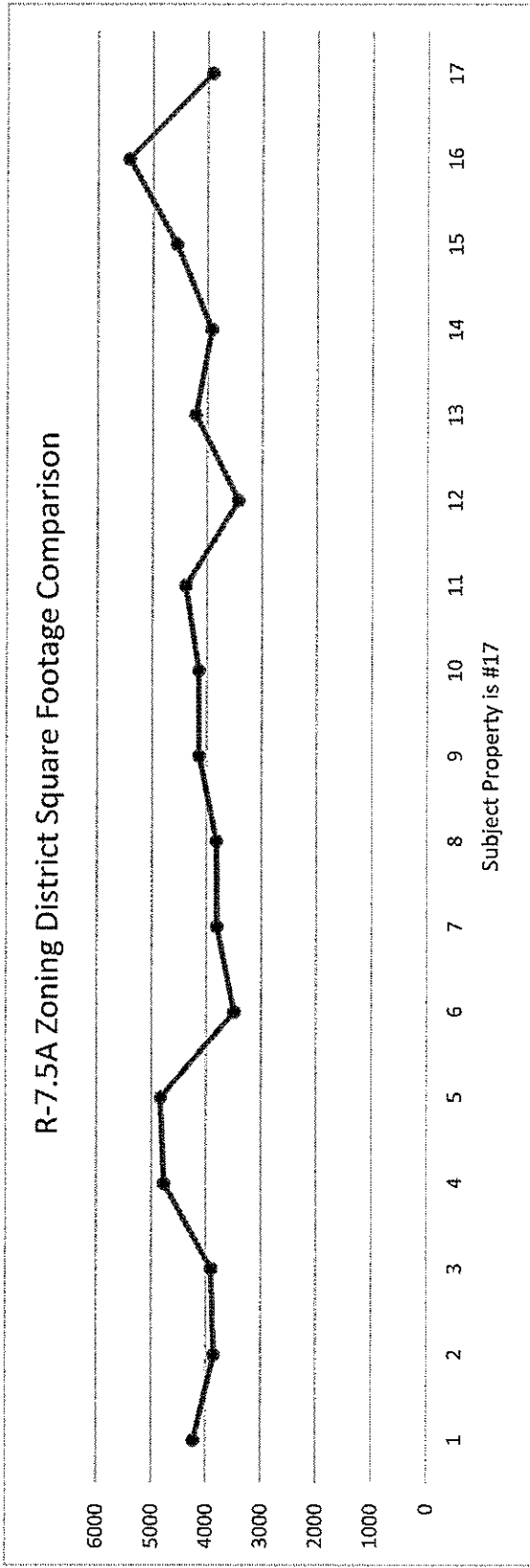
Please call or let me know once you receive the information, or, of course, if you do not and if I need to expand on it in any way. I am naturally very anxious to do all I can to make sure this variance goes through on August 16.

I look forward to hearing from you.

Tommy Jackson
Stonebrook Builders

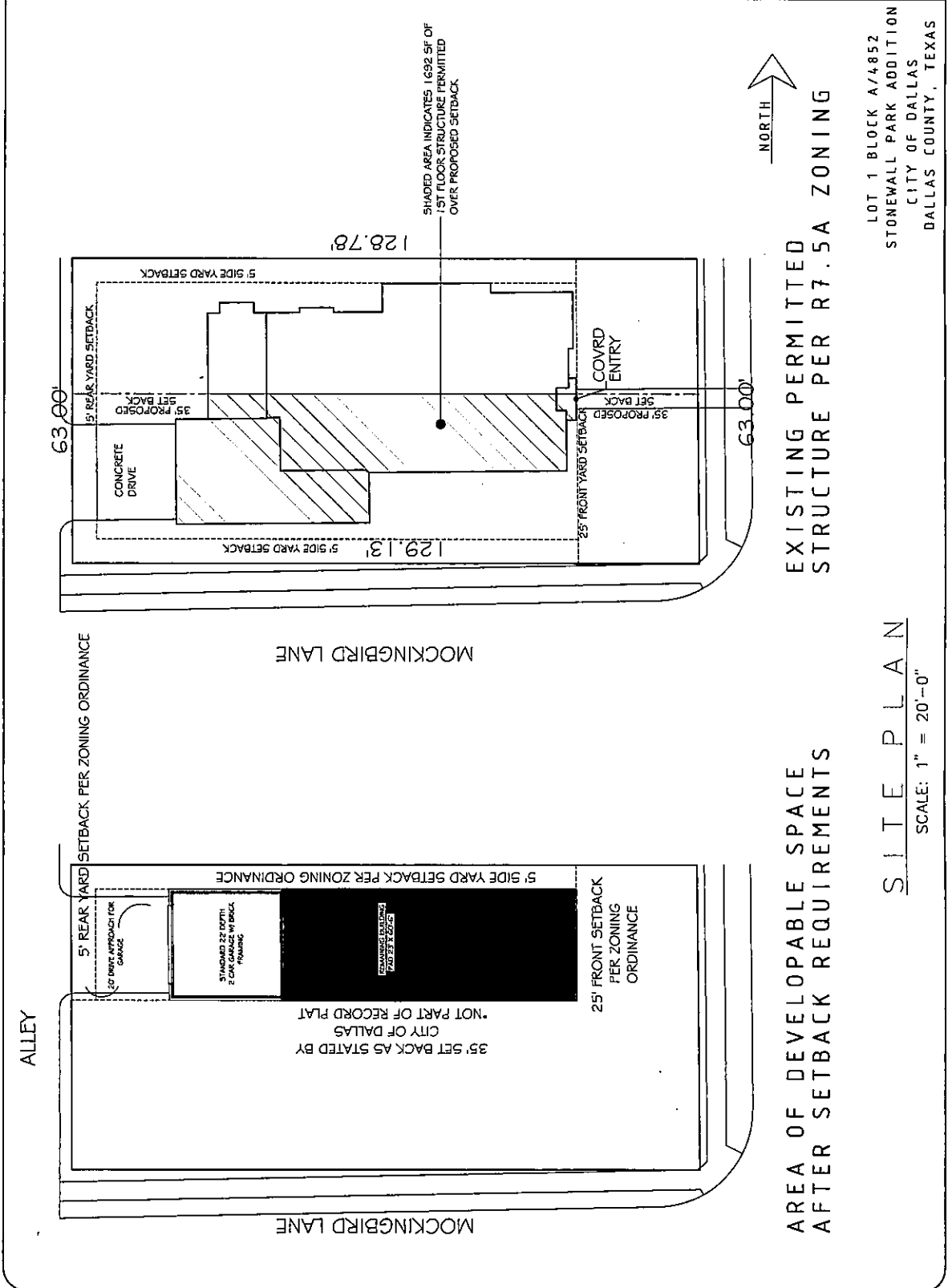
Sent from my iPad

<u>Living Square Footage</u>	<u>Address</u>	<u>Chart #</u>
4227	4202 Delmar	1
3856	4240 Delmar	2
3902	6117 Morningside	3
4772	4910 Elsby	4
4836	6301 Mercedes	5
3492	6295 Mercedes	6
3811	6218 Vanderbilt	7
3822	6180 Vanderbilt	8
4135	6442 Vanderbilt	9
4140	6537 Vanderbilt	10
4386	6029 Palo Pinto	11
3430	5820 Valasco	12
4211	6350 Belmont	13
3925	6351 Vickery	14
4557	5824 Marquita	15
5429	6276 Richmond	16
3908	4302 Delmar	17



S	PREPARED FOR: 4203 DELMAR AVENUE STONERBROOK BUILDERS	CROSS TIMBERS ARCHITECTS PREPARED BY:
SHEET # :		
DRAWING # :		
DATE: JULY 22, 2016		

4315 WINDSOR CENTRE TRAIL #200
 FLOWER MOUND, TEXAS 75028
 PHONE: (972) 355-7754 crosstimbersarchitects.com





City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-080

Data Relative to Subject Property:

Date: 06-21-16

Location address: 4203 DELMAR AVE. Zoning District: R-7.5A

Lot No.: 1 Block No.: A/4852 Acreage: .18 Census Tract: 2.02

Street Frontage (in Feet): 1) 63.00' 2) 129.13' 3) — 4) — 5) —

9024

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): REIG INC.

Applicant: REIG INC./Tommy Jackson Telephone: 972-395-7502

Mailing Address: P.O. BOX 111726, CARROLLTON Zip Code: 75011

E-mail Address: TJREIGINC@AOL.COM

Represented by: TOMMY JACKSON Telephone: 972-395-7502 X 206

Mailing Address: SAME Zip Code: —

E-mail Address: SAME

Affirm that an appeal has been made for a Variance , or Special Exception , of 27'
TO THE 35' FRONT YARD SETBACK ON MOCKINGBIRD LANE, A SPECIAL
EXCEPTION OF 4' FOR A FENCE IN A 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:

THIS IS NOT CONTRARY TO THE PUBLIC INTEREST AS IT CONVEYS AND MARKS
OTHER HOMES IN THE AREA.
BUILDABLE AREAS SEVERELY RESTRICTED DUE TO 2 FRONT YARD SETBACKS IMPOSED
ON THIS CORNER LOT AND AN ADDITIONAL RIGHT OF WAY EASEMENT WHICH DOES NOT
ALLOW FOR DEVELOPMENT IN A MANNER COMMENSURATE WITH LOTS OF SIMILAR ZONING

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 Tommy Jackson

(Affiant/Applicant's name printed)

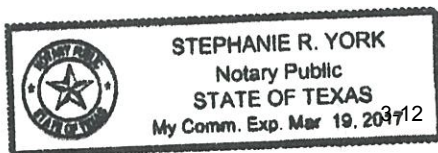
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 20 day of June, 2016

(Rev. 08-01-11)

BDA 156-080



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

Tommy Jackson

did submit a request

for a variance to the front yard setback regulations, and for a special exception to the fence height regulations

at

4203 Delmar Avenue

BDA156-080. Application of Tommy Jackson for a variance to the front yard setback regulations and a special exception to the fence height regulations at 4203 Delmar Avenue. This property is more fully described as Lot 1, Block A/4852, and is zoned R-7.5(A), which requires a front yard setback of 35 feet and limits the height of a fence in the front yard to 6 feet. The applicant proposes to construct and maintain a single family residential structure and provide an 8 foot front yard setback, measured at the foundation, with a 1 foot (12 inch roof eave, which will require a 27 foot variance, measured at the foundation, to the front yard setback regulation, and to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation.

Sincerely,

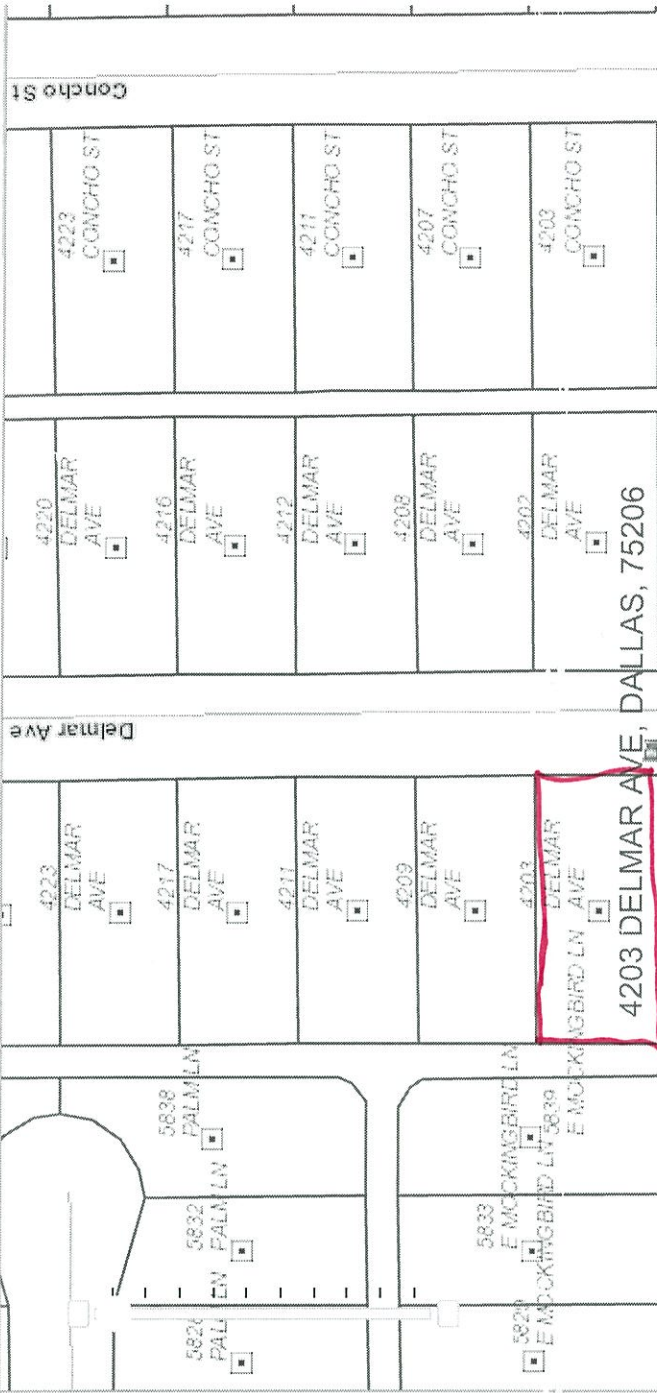
Philip Sikes
Philip Sikes, Building Official

City of Dallas

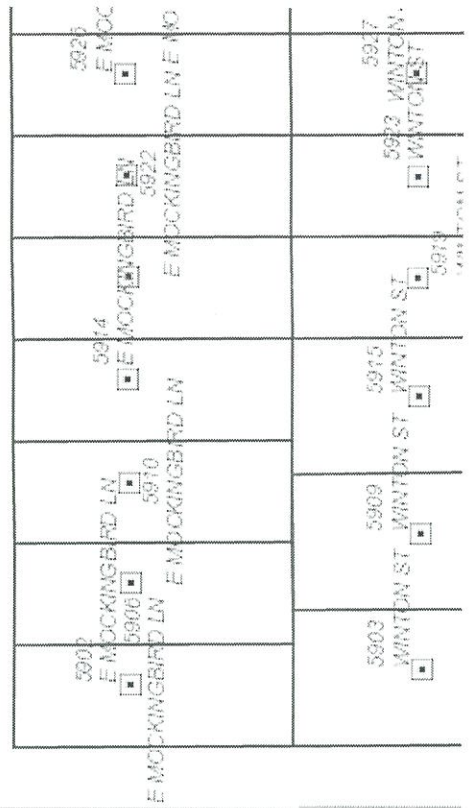
Internal Development Research Site

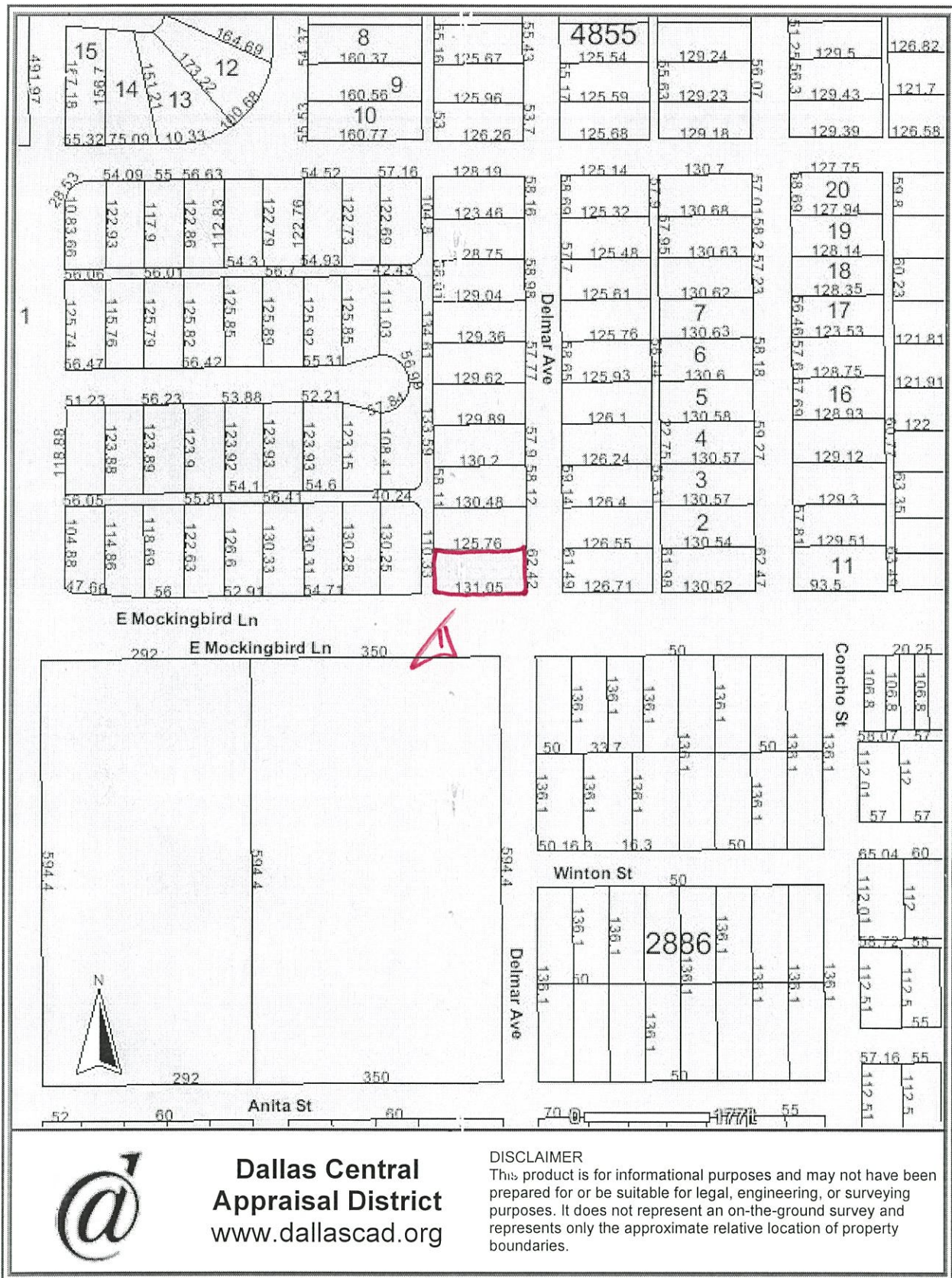
Legend

BDA 156-080



R-7.5(A)

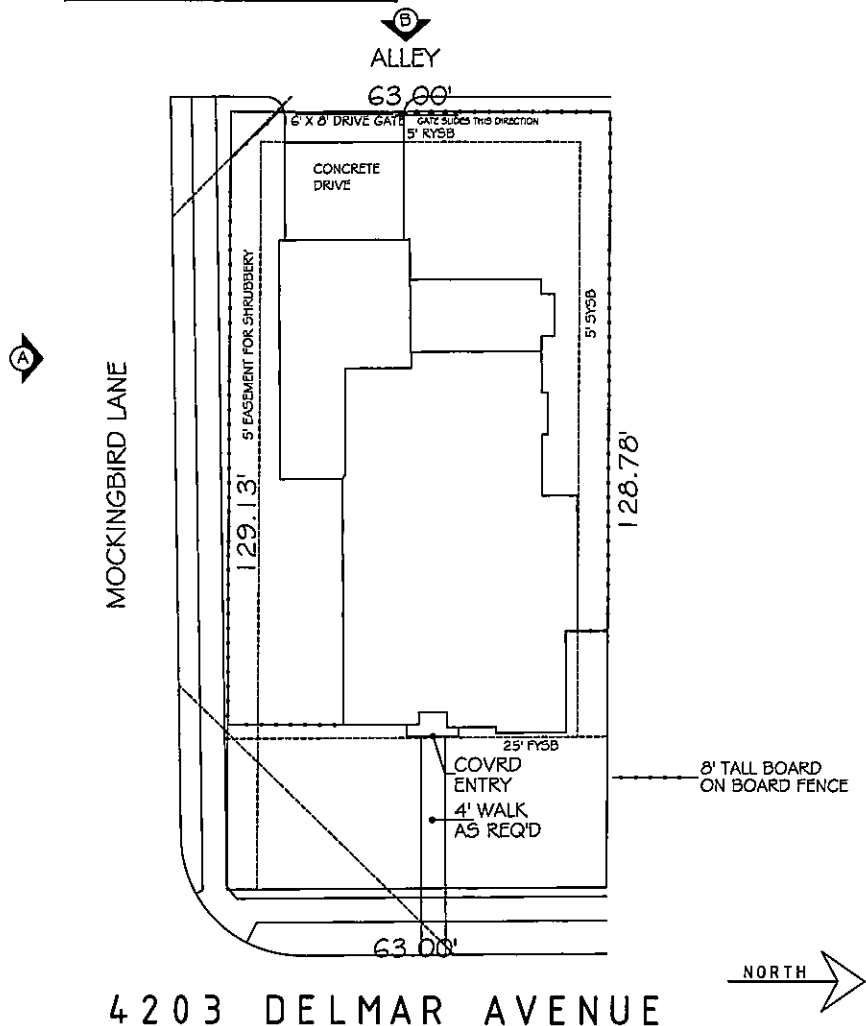
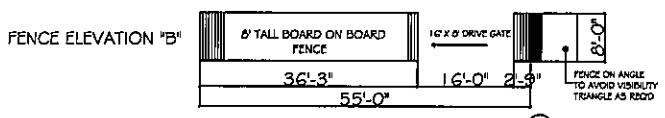
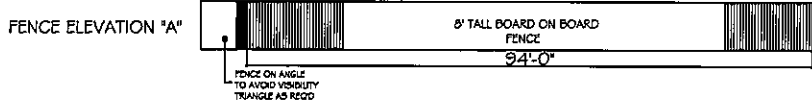




Dallas Central Appraisal District
www.dallascad.org

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.



4203 DELMAR AVENUE

SITE NOTES:
1. Structure location may vary due to trees and terrain.
2. Verify lot 'fit' and all dimensions prior to construction.

FENCE SITE PLAN
SCALE: 1" = 20'-0"

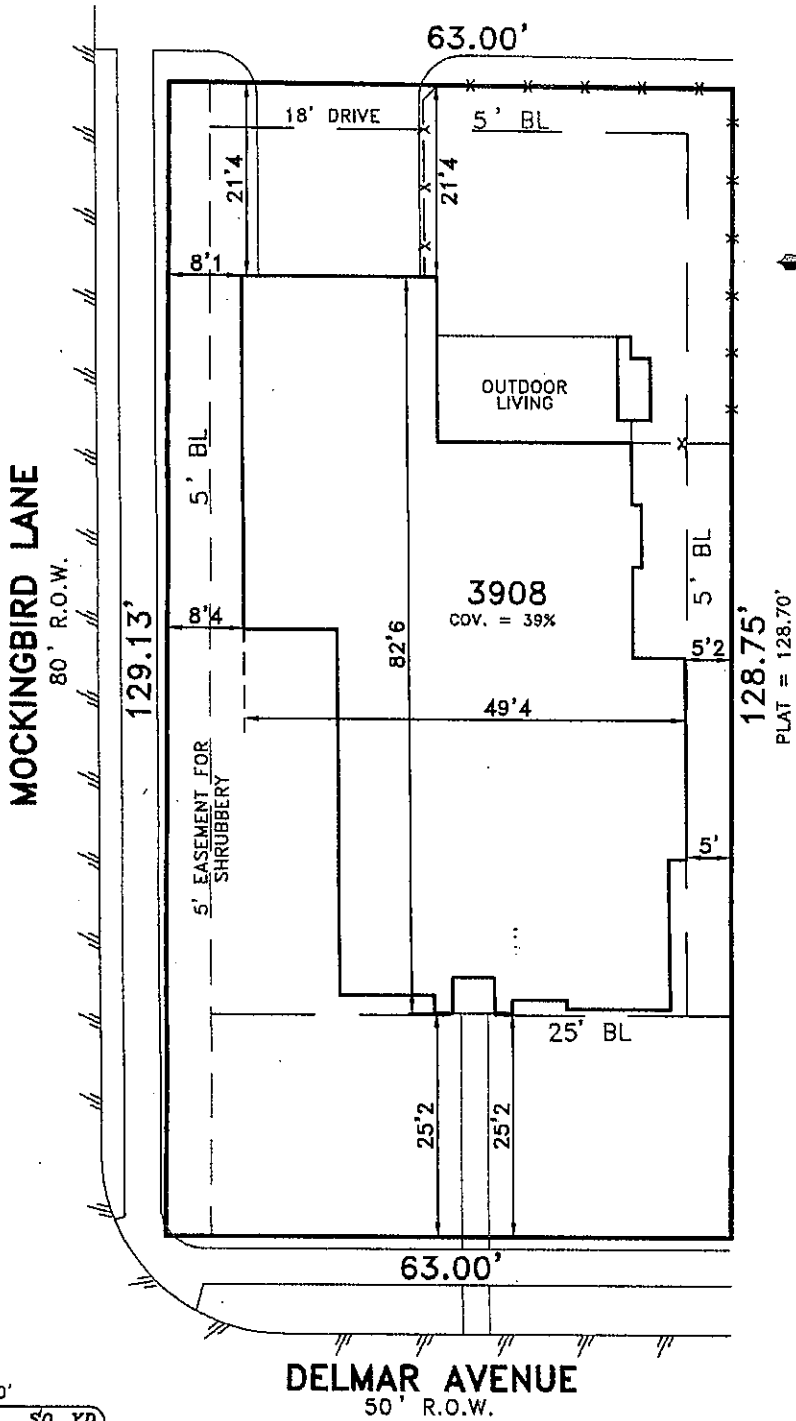
LOT 1 BLOCK A/4852
STONEWALL PARK ADDITION
CITY OF DALLAS
DALLAS COUNTY, TEXAS

PREPARED BY:
**CROSS
TIMBERS
ARCHITECTS**
3605 YUCCA DRIVE SUITE 102
FLOWER MOUND, TEXAS 75028
PHONE: (972) 355-7754 FAX: (972) 355-7761

PREPARED FOR:

DATE: JUNE 20, 2016
DRAWN BY: J. ALFORD
DRAWING #: 14-020R
SHEET #: S

PLOT PLAN



1" = 20'

SOD REAR:	119	Sq. YD.
FR & SIDES:	476	Sq. YD.
TOTAL SOD:	594	Sq. YD.
PATIO:	0	Sq. FT.
LEAD WALK:	96	Sq. FT.
CITY WALK:	EXISTING	Sq. FT.
DRIVEWAY:	356	Sq. FT.
APPROACH:	101	Sq. FT.
TOTAL:	569	Sq. FT.
FENCE:	107	LN. FT.
LOT:	4852	Sq. FT.

STRUCTURAL OPTIONS
 * 100% BRICK
 * COVERED PATIO

NOTE: BUILDER TO VERIFY ALL INFORMATION LISTED
 CBC SURVEYING
 Firm No. 10168800
 (214) 349-9485
 DRAWN BY: CCF
 JOB# 1510179-1
 DATE: 08/13/15

4203 DELMAR AVENUE
LOT 1, BLOCK A/4852
STONEWALL PARK ADDITION
 DALLAS, TEXAS

SHEET

PLAN #

33008

ADDRESS

LOT #

BLOCK

LO# #

PURCHASER

PHONE: (972) 355-7754 FAX: (972) 355-7751

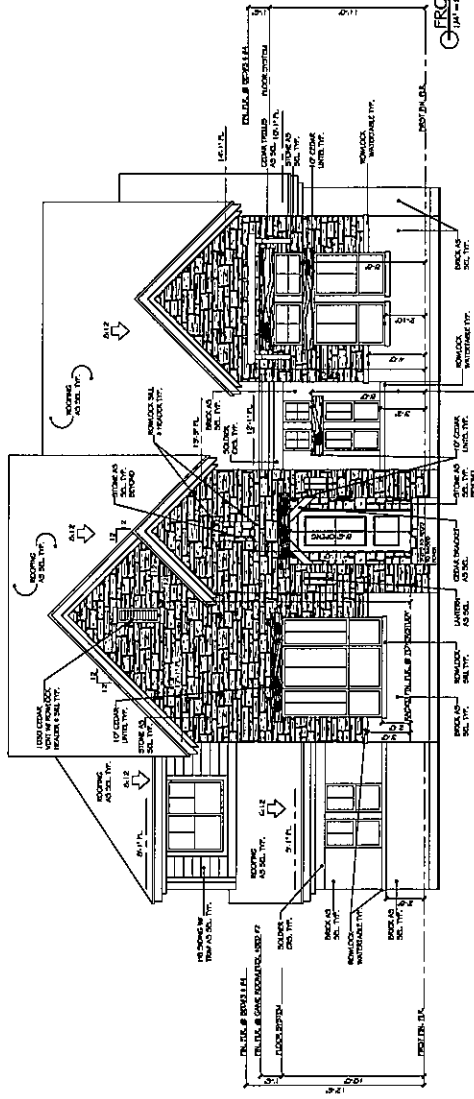
DATE: MAY 23, 2011
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"

CROSS TIMBERS ARCHITECTS
2505 WOOD DRIVE SUITE 102
FLORENCE, TEXAS 75025

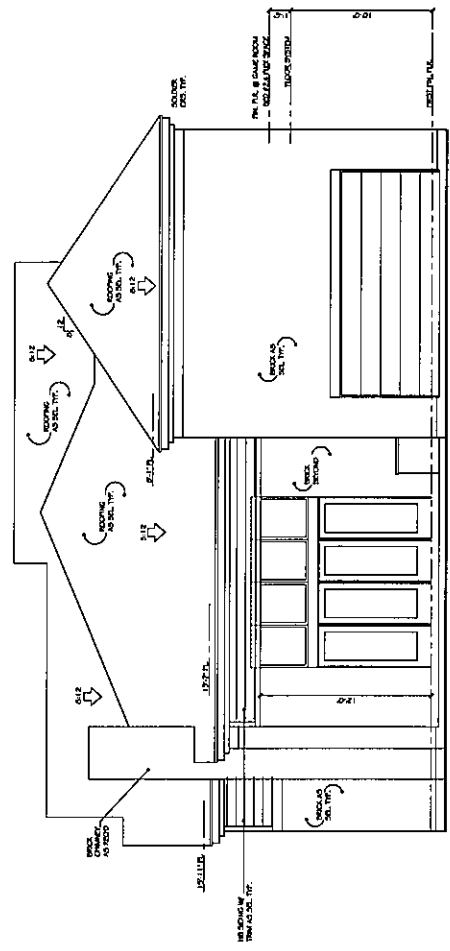
NOTES:
1. Any dimensions shown on this drawing are to be used as a guide only. The contractor shall verify all dimensions in the field.
2. All work shall conform to the applicable building codes and standards.
3. The contractor shall be responsible for obtaining all necessary permits.
4. The contractor shall be responsible for the accuracy of all information provided on this drawing.
5. The contractor shall be responsible for the coordination of all trades.
6. The contractor shall be responsible for the protection of all existing structures and utilities.
7. The contractor shall be responsible for the cleanup of all construction debris.
8. The contractor shall be responsible for the safety of all workers and the public.
9. The contractor shall be responsible for the completion of all work within the specified time frame.



FRONT ELEVATION
1/4" = 1'-0" Scale



REAR ELEVATION
1/4" = 1'-0" Scale



FLOOR PLAN NOTES:
1. All dimensions are to center unless otherwise noted.
2. All work shall conform to the applicable building codes and standards.
3. The contractor shall be responsible for obtaining all necessary permits.
4. The contractor shall be responsible for the accuracy of all information provided on this drawing.
5. The contractor shall be responsible for the coordination of all trades.
6. The contractor shall be responsible for the protection of all existing structures and utilities.
7. The contractor shall be responsible for the cleanup of all construction debris.
8. The contractor shall be responsible for the safety of all workers and the public.
9. The contractor shall be responsible for the completion of all work within the specified time frame.

NOTES:
 1. The manufacturer must be contacted for the correct installation instructions for the roof system.
 2. Details of floor finish for parking, etc. shall be provided by the client.
 3. Refer to the schedule for material specifications.
 4. Refer to the schedule for material specifications.

FLOOR PLAN NOTES:
 1. All dimensions are in feet and inches.
 2. All dimensions are to the centerline of the member unless otherwise noted.
 3. All dimensions are to the finished surface unless otherwise noted.
 4. All dimensions are to the centerline of the member unless otherwise noted.

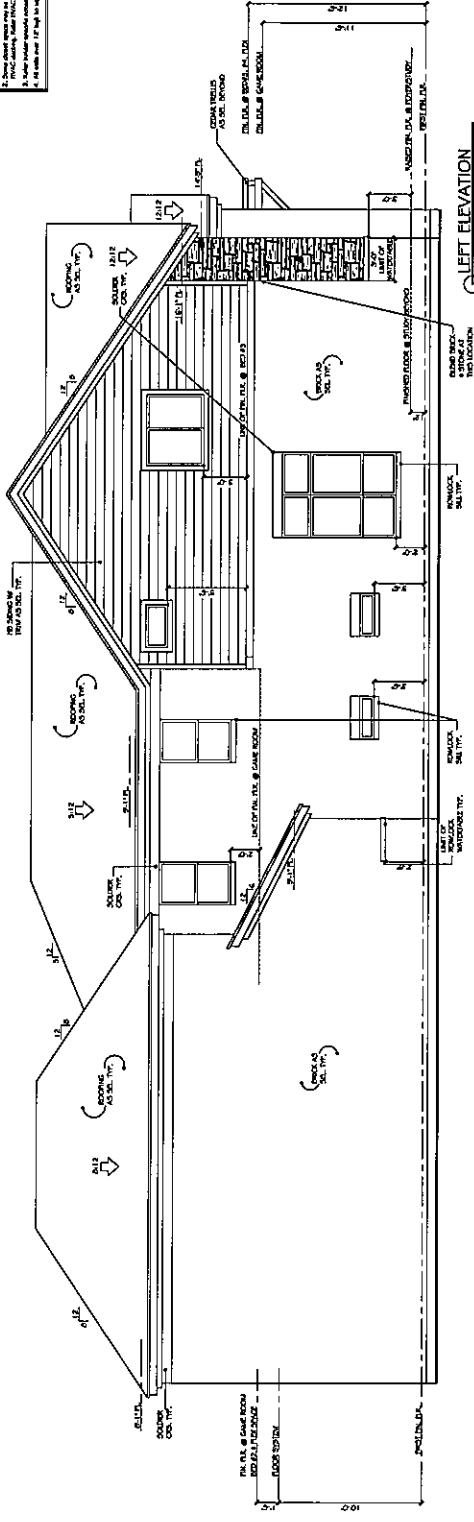
DATE: JULY 23, 2015
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]
 ADDRESS: [Name]
 CITY: [Name]
 STATE: [Name]
 ZIP: [Name]
 PHONE: (972) 355-7754 FAX: (972) 355-7761



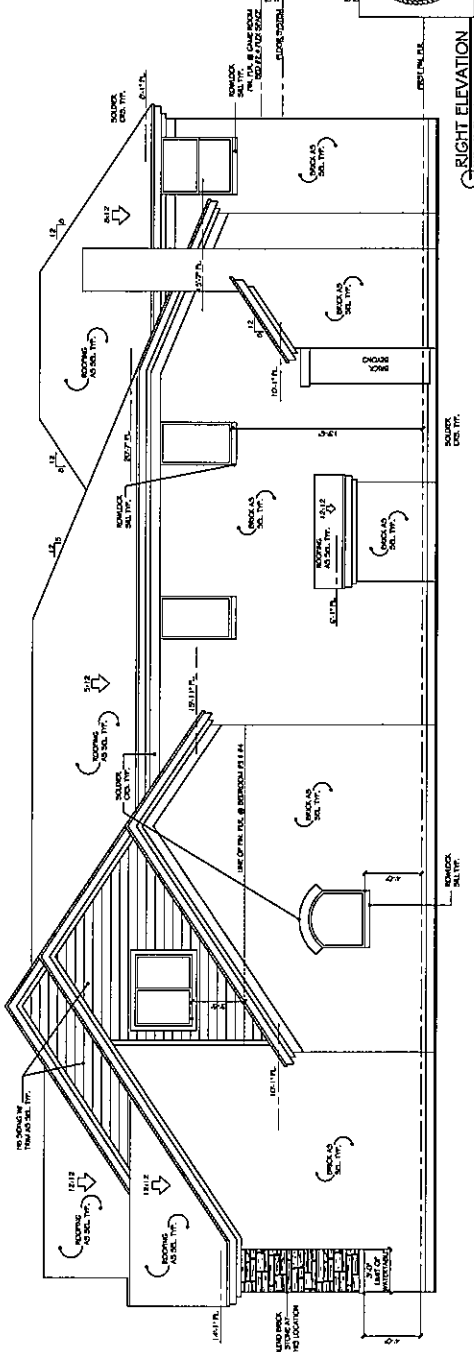
REVISIONS:
 NO. DATE DESCRIPTION
 1. 07/23/15 [Description]

JOB # 3908
 LOT # [Name]
 BLOCK # [Name]
 ADDRESS [Name]
 PURCHASER [Name]
 DIVISION [Name]

PLAN # [Name]
 SHEET 2 OF 6
 DATE: JULY 23, 2015



LEFT ELEVATION
 1/4" = 1' - 0" SCALE



RIGHT ELEVATION
 1/4" = 1' - 0" SCALE



NOTES:
 1. All dimensions shall be through to the center of the member unless otherwise noted.
 2. All doors shall be swinging in the direction of the arrow unless otherwise noted.
 3. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 4. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 5. All windows shall be swinging in the direction of the arrow unless otherwise noted.

FLOOR PLAN NOTES:
 1. All dimensions shall be through to the center of the member unless otherwise noted.
 2. All doors shall be swinging in the direction of the arrow unless otherwise noted.
 3. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 4. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 5. All windows shall be swinging in the direction of the arrow unless otherwise noted.

CROSS TIMBERS ARCHITECTS
 2605 YALCO DRIVE SUITE 102
 FORT MONROE, VA 23502
 PHONE: (757) 355-7734 FAX: (757) 355-7731
 DATE: JAN 23, 2011
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 APPROVED BY: [REDACTED]

DATE OF CONTRACT: [REDACTED]
 PROJECT: [REDACTED]
 SHEET: [REDACTED]

JOB #	3908
LOT	[REDACTED]
ADDRESS	[REDACTED]
SUBDIVISION	[REDACTED]
PURCHASER	[REDACTED]

3 OF 6
 SHEET

NOTES:
 1. All dimensions shall be through to the center of the member unless otherwise noted.
 2. All doors shall be swinging in the direction of the arrow unless otherwise noted.
 3. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 4. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 5. All windows shall be swinging in the direction of the arrow unless otherwise noted.

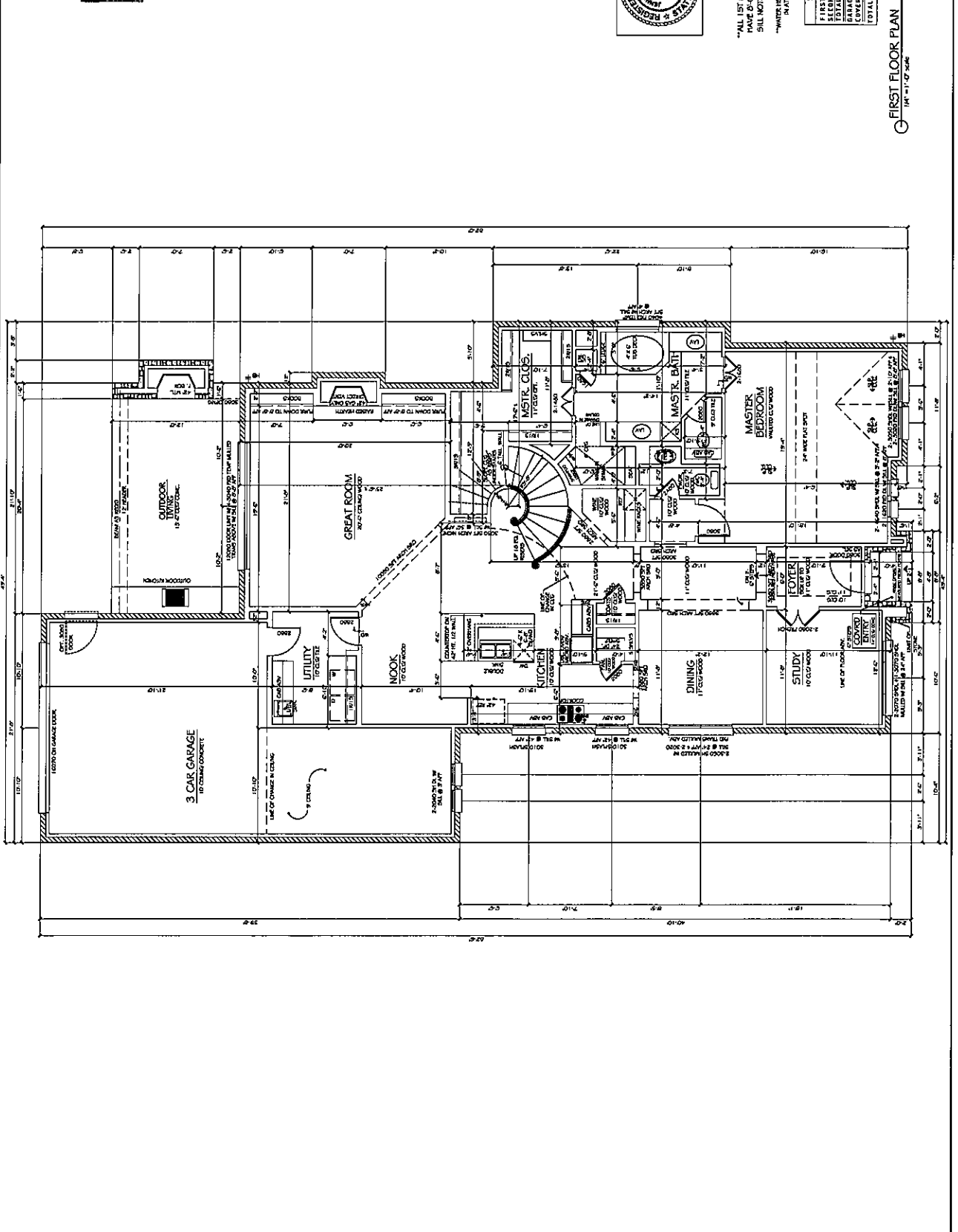
FLOOR PLAN NOTES:
 1. All dimensions shall be through to the center of the member unless otherwise noted.
 2. All doors shall be swinging in the direction of the arrow unless otherwise noted.
 3. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 4. All windows shall be swinging in the direction of the arrow unless otherwise noted.
 5. All windows shall be swinging in the direction of the arrow unless otherwise noted.

CROSS TIMBERS ARCHITECTS
 2605 YALCO DRIVE SUITE 102
 FORT MONROE, VA 23502
 PHONE: (757) 355-7734 FAX: (757) 355-7731
 DATE: JAN 23, 2011
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 APPROVED BY: [REDACTED]

DATE OF CONTRACT: [REDACTED]
 PROJECT: [REDACTED]
 SHEET: [REDACTED]

JOB #	3908
LOT	[REDACTED]
ADDRESS	[REDACTED]
SUBDIVISION	[REDACTED]
PURCHASER	[REDACTED]

3 OF 6
 SHEET



"ALL LIST FLOOR WINDOWS TO HAVE 8'0\"/>

SQUARE FOOTAGE	
FIRST FLOOR	2215 S.F.
SECOND FLOOR	1613 S.F.
TOTAL A.F.C.	3828 S.F.
COVERED PATIO	511 S.F.
COVERED PORCHES	511 S.F.
TOTAL S.F. FOOTAGE	4853 S.F.

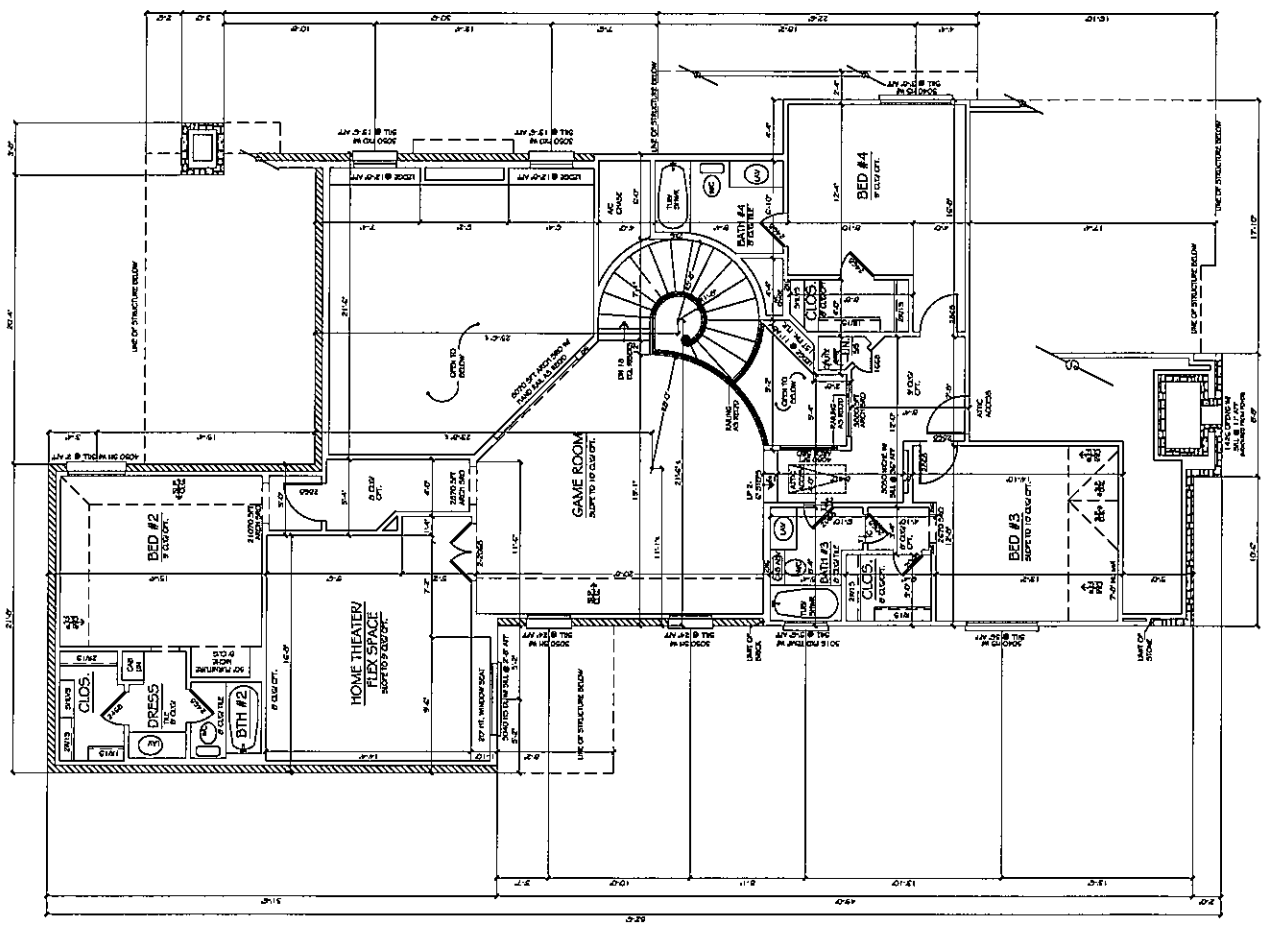
FIRST FLOOR PLAN
 1/4\"/>

NOTES:

1. Any dimensions shown by brackets to be taken from the center of the wall unless otherwise noted.
2. Make note of local codes for planning and zoning.
3. Verify all utility locations and easements before construction.

FLOOR PLAN NOTES:

1. All dimensions are in feet and inches.
2. All dimensions are to the center of the wall unless otherwise noted.
3. All dimensions are to the center of the wall unless otherwise noted.
4. All dimensions are to the center of the wall unless otherwise noted.



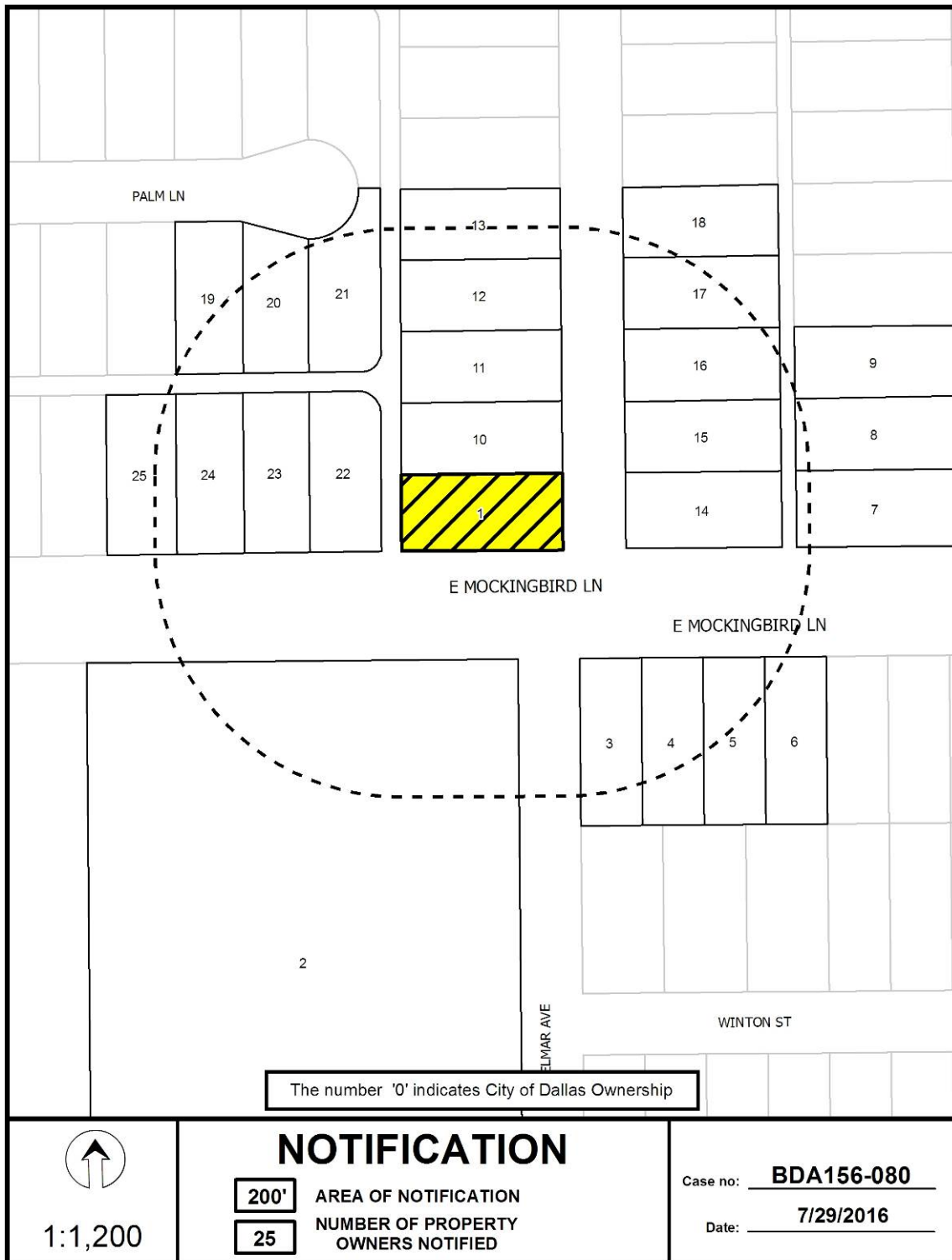
SECOND FLOOR PLAN
1st-11-17-18

3 of 6
SHEET 4

JOB #	3908
LOT	
BLOCK	
ADDRESS	
PURCHASER	

CROSS TIMBERS ARCHITECTS
3505 WOOD DRIVE SUITE 102
MCKENNA, TEXAS 75066
PHONE: 972.935.7734 FAX: 972.935.0721

DATE	JULY 23, 2015
DRAWN BY	
FILE	
C.T.A. JOB #	
REVISIONS	



Notification List of Property Owners

BDA156-080

25 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4203 DELMAR AVE	NEWSOME ROGER D
2	5828 E MOCKINGBIRD LN	Dallas ISD
3	5902 E MOCKINGBIRD LN	AVES VICTOR R & STEPHANIE L
4	5906 E MOCKINGBIRD LN	FAHEY JENNIFER VICTORIA
5	5910 E MOCKINGBIRD LN	BLAGG MARCUS GENE
6	5914 E MOCKINGBIRD LN	HILL CHRISTOPHER
7	4203 CONCHO ST	KORDSMEIER MELISSA K
8	4207 CONCHO ST	OROZCO MAYRA
9	4211 CONCHO ST	FIGURA TODD M
10	4209 DELMAR AVE	NISBET KATHRYN
11	4211 DELMAR AVE	SHERRILL STANLEY F
12	4217 DELMAR AVE	CLARK JOSHUA &
13	4223 DELMAR AVE	JOHNSON MATTHEW S & JENNIFER LYNN
14	4202 DELMAR AVE	LUONG JOE
15	4208 DELMAR AVE	RICHMAN ALISA S
16	4212 DELMAR AVE	ZEEBLE WILLIAM T &
17	4216 DELMAR AVE	ROBERTS JENNIFER LEA
18	4220 DELMAR AVE	TOLAR TERRY C & TRI L
19	5828 PALM LN	KNOP ANNE MARIE
20	5832 PALM LN	WILLMAN EDWARD NICHOLAS
21	5838 PALM LN	SOUTHERN STAR CAPITAL LLC
22	5839 E MOCKINGBIRD LN	BARNHART ERIC T & JENNIFER A
23	5833 E MOCKINGBIRD LN	SMITH E MURAY II
24	5829 E MOCKINGBIRD LN	CAMPAGNA FAMILY LTD
25	5825 E MOCKINGBIRD LN	DAVIS ROBERT C

FILE NUMBER: BDA145-073(SL)

BUILDING OFFICIAL'S REPORT: Application of Jerry Stark, represented by Prabha Cinclair and Craig Melde, for variances to the front and side yard setback regulations at 3506 Cedar Springs Road. This property is more fully described as a 0.41 acre tract in Block 992, and is zoned PD 193 (O-2), which requires a front yard setback of 20 feet and requires a side yard setback of 10 feet. The applicant proposes to construct and/or maintain a structure and provide a 5 foot front yard setback measured at the foundation with a maximum 1 foot 4 inch roof eave, which will require a 15 foot variance to the front yard setback regulations, and provide a 2 foot side yard setback measured at the foundation with a maximum 1 foot 7 inch roof eave, which will require an 8 foot variance to the side yard setback regulations.

LOCATION: 3506 Cedar Springs Road

APPLICANT: Jerry Stark
Represented by Prabha Cinclair and Craig Melde

REQUESTS:

The following appeals have been made to modify and maintain a carport structure on a site developed with an office use/structure (Swift Property Company / The Shingle Style House) – an existing carport structure part of which is located in one of the site's two front yard setbacks (Sale Street), and in one of the site's two side yard setbacks:

1. A variance to the front yard setback regulations of 15' is made to modify and maintain the aforementioned approximately 1,800 square foot carport structure by reducing its size to approximately 1,000 square feet, and relocating 5' from the front property line along Sale Street or 15' into this required 20' front yard setback.
2. A variance to the side yard setback regulations of 8' is made to maintain the aforementioned carport structure that is located 2' from the northeastern side property line or 8' into this required 10' side yard setback.

STANDARD FOR A VARIANCE:

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

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

- Staff concluded that the subject site is unique and different from most lots in PD 193 (O-2) zoning district in that it is developed with a city-designated historic structure on a site with mature trees that the applicant intends to preserve. However, staff concluded that the applicant had not provided information documenting that the structure to be modified and maintained in the front and side yard setbacks is commensurate with the development found upon other parcels of land with the same PD 193 (O-2) zoning district.

BACKGROUND INFORMATION:

Zoning:

- Site: PD 193 (O-2)/H-12 (Planned Development District, Office, Historic)
- North: PD 193 (O-2) (Planned Development District, Office)
- South: PD 193 (O-2) (Planned Development District, Office)
- East: PD 193 (O-2) (Planned Development District, Office)
- West: PD 193 (O-2) (Planned Development District, Office)

Land Use:

The subject site is developed with an office use/structure/City historic structure – The Shingle Style House. The areas to the north, south, east and west are developed with a mix of residential and office uses.

Zoning/BDA History:

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. BDA134-082, Property at 3506 Cedar Springs Road (the subject site) | <p>On October 21, 2014, the Board of Adjustment Panel A granted a request for a special exception to landscape regulations (and imposed the submitted alternate landscape plan as a condition with the removal of shrubs in the visibility triangle); granted requests for special exceptions to the</p> |
|---|--|

visual obstruction regulations (and imposed the submitted site plan and revised elevation, and that no vegetation is permitted in the 20' visibility triangle at the driveway into the site from Sale Street as conditions); and denied requests for variances to the front and side yard setback regulations without prejudice.

of 26 spaces.

The case report stated that the appeals were made to maintain a carport structure on a site developed with an office use/structure (Swift Property Company / The Shingle Style House), part of which is located in one of the site's two front yard setbacks (Sale Street), and in one of the site's two side yard setbacks, and to maintain certain items in the 45' visibility triangle at the intersection of Cedar Springs and Sale Street, and in the 20' visibility triangle at the drive approach into the site from Sale Street, and to not fully provide required landscaping triggered in conjunction with the recently added carport structure on the site.

GENERAL FACTS/STAFF ANALYSIS (front yard variance):

- This request focuses on modifying and maintaining a portion of a carport structure that is located in the one of the site's two 20' front yard setbacks (Sale Street). (While the carport is currently located in the Cedar Springs Road front yard setback, the site plan represents that the carport will be reduced in size and become compliant with the Cedar Springs Road front yard setback).
- Structures other than for single family structures on lots zoned PD 193 (O-2) are required to provide a minimum front yard setback of 20'.
- A site plan has been submitted denoting that the carport structure is located 5' from the site's Sale Street front property line or 15' into the 20' front yard setback.
- Approximately 90 percent of the modified approximately 1,000 square foot, approximately 16.5' wide carport is located in the 20' Sale Street front yard setback.
- According to DCAD records, the "improvements" at 3506 Cedar Springs Road is a "converted residence" with 4,526 square feet in area built in 1905.
- The subject site is somewhat sloped, virtually rectangular in shape, and approximately 0.4 acres or 17,400 square feet in area. The site is zoned PD 193 (O-2).
- The corner property with two street frontages has two front yard setbacks as any corner property with two street frontages would that is not zoned agricultural, single family, or duplex.

- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (O-2) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (O-2) zoning classification.
- If the Board were to grant the variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which is a structure located 5’ from the site’s Sale Street front property line (or 15’ into this 20’ front yard setback).

GENERAL FACTS/STAFF ANALYSIS (side yard variance):

- This request focuses on maintaining on maintaining a portion of a carport structure in the one of the site’s two 10’ side yard setbacks on the northeastern side of the property.
- Structures other than single family structures on lots zoned PD 193 (O-2) are required to provide a minimum side yard setback of 10’.
- A site plan has been submitted denoting that the carport structure is located 2’ the site’s northeastern side property line or 8’ into the 10’ side yard setback.
- It appears from calculations made by the Board Administrator from the submitted site plan that approximately 130 square feet (or approximately 13 percent) of the approximately 1,000 square foot carport structure is located in the site’s 10’ northeastern side yard setback.
- According to DCAD records, the “improvements” at 3506 Cedar Springs Road is a “converted residence” with 4,526 square feet in area built in 1905.
- The subject site is somewhat sloped, virtually rectangular in shape, and approximately 0.4 acres or 17,400 square feet in area. The site is zoned PD 193 (O-2).
- The corner property with two street frontages has two front yard setbacks as any corner property with two street frontages would that is not zoned agricultural, single family, or duplex.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (O-2) zoning classification.
- The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (O-2) zoning classification.
- If the Board were to grant the variance request and impose the submitted site plan as a condition, the structure in the side yard setback would be limited to what is shown on this document– which is a structure located 2’ from the site’s northeastern side property line (or 8’ into this 10’ side yard setback).

Timeline:

April 26, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 10, 2016: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case.”

May 11, 2016: 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 June 8th deadline to submit additional evidence for staff to factor into their analysis; and the June 17th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

June 7, 2016: The applicant’s representative submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

June 7, 2016: The Sustainable Development and Construction Historic Preservation Chief Planner emailed the Board Administrator the following information: 3506 Cedar Springs was approved in the

proposed modified state by Landmark Commission on March 7, 2016 (CA156-263(MD)).

June 13, 2016: The applicant's representative submitted additional documentation on this application beyond what was submitted with the original application (see Attachment B).

June 14, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection, Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior 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.

June 28, 2016: The Board of Adjustment Panel A conducted a public hearing on this application. The Board Administrator submitted additional information from the applicant's representative to the Board at the briefing (see Attachments C and D). The Board delayed action on this application until their next public hearing to be held on August 16, 2016.

June 29, 2016: The Board Administrator wrote the applicant's representative a letter that provided the board's action; and the July 27th deadline to submit additional evidence for staff to factor into their analysis; and the August 5th deadline to submit additional evidence to be incorporated into the Board's docket materials. (Note that the applicant's representative has not submitted any additional documents from what was presented before/at the June 28th public hearing).

August 2, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior 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.

BOARD OF ADJUSTMENT ACTION: JUNE 28, 2016

APPEARING IN FAVOR: Dwayne Brignac, 1800 Valley View Lane, Dallas, TX

APPEARING IN OPPOSITION: No one

MOTION: **Gibson**

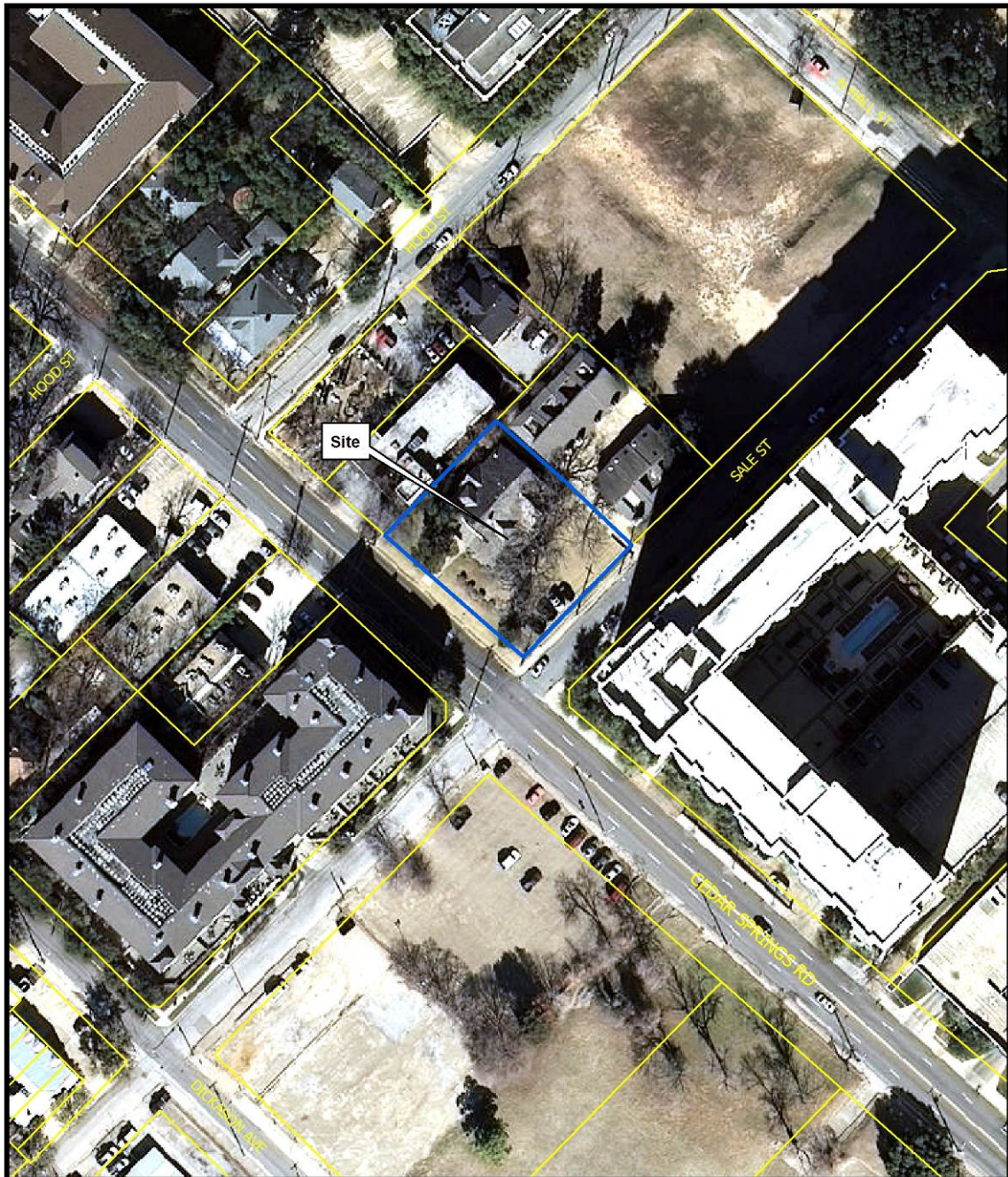
I move that the Board of Adjustment, in Appeal No. **BDA 145-073**, hold this matter under advisement until **August 16, 2016**.

SECONDED: **Nolen**

AYES: 5 – Nolen, Gibson, Agnich, Bartos, Sibley

NAYS: 0 -

MOTION PASSED: 5 – 0 (unanimously)



1:1,200

AERIAL MAP

Case no: BDA145-073

Date: 5/13/2016

ROBERT MIKLOS
ATTORNEY AT LAW

BDA145-073
Attach A
Pg 1

J. PRABHA CINCLAIR
ATTORNEY AT LAW

DUANE BRIGNAC
ATTORNEY AT LAW

June 7, 2016

Attn: Steve Long, Board of Adjustment
1500 Marilla 5BN
Dallas, Texas 75201

RE: Support Materials for BDA 145-073.

Dear Mr. Long:

On behalf of the applicant, Jerry Stark, Miklos Law, PLLC would like to file additional support materials for the Board of Adjustment case number 145-073. Please accept the following support materials:

1. Support Material 'A'
 - A1 - A10 support letters
2. Support Material 'B'
 - B1 - Certificate of Appropriateness – approved on 3/11/16 by the Landmark Commission
 - B2 – Site plan approved on 3/11/16 by the Landmark Commission
3. Support Material 'C'
 - C1 - Ordinance No. 16958 (H-12)
 - On April 29, 1981, the City of Dallas designated property as Office-2-Dry-Historic District/12 and provided specific criteria for the historic preservation of the property.
 - C2 – Relevant sections of Ordinance No. 16985
 - Section 2.4 of the ordinance states that the porte cochere shall remain open and any enclosure is not allowed.
 - Section 2.7 of the ordinance states that trees cannot be removed without the approval of the Historic Landmark Preservation Committee.
4. Support Material 'D'
 - D1 – Depiction of restricted area (“No-Build Zone”) due to the encumbrance of the existing 10’ side yard setback
 - D2 – Depiction of restricted area (“No-Build Zone”) due to the encumbrance of the existing 20’ front yard setback

- D3 – Depiction of restricted area (“No-Build Zone”) due to the encumbrance of the potential damage to trees
- D4 – Depiction of restricted area (“No-Build Zone”) due to existing encumbrance of the existing parking regulations
- D5 – Depiction of total restricted area (“No-Build Zone”) taking into account all encumbrances of the property

Please feel free to call me at (214) 683-0859 or email me at cinclair@mikloslegal.com for any questions that you may have.

Sincerely,



J. Prabha Cinclair

Support Material 'A'

May 23rd, 2016

Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Board of Adjustment Members:

and 2

I reside at 3111 Sale Street Building A, Suite 3, Dallas, Texas. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged. We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. My home does have a view of the Shingle Style House and the large Oak trees on the property. Further, I would rather look at the parking structure than a gravel lot. We approve of the modifications and support the variance requests or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Board of Adjustment GRANT the application for the variances to the setbacks.

Respectfully,

James E. Pucci # 2, # 3
Estelle Carter # 2

Note: We had no problem with original plan as constructed.

May 24, 2016

Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

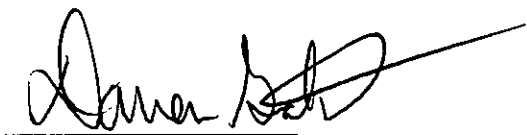
Dear Honorable Board of Adjustment Members:

I serve as the Business Manager of the Gallery at Turtle Creek located at 3427 Cedar Springs Road Suite 1001, Dallas, Texas 75219. The Gallery is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views. Further, we would rather look at the parking structure than a gravel lot. We approve of the modifications and support the variance requests or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that Board of Adjustment GRANT the application for the variances to the setbacks.

Respectfully,



Darren Grabstald
Business Manager

Winhavir, LP

BDA145-073
Attach A
Pg 6

May 11, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

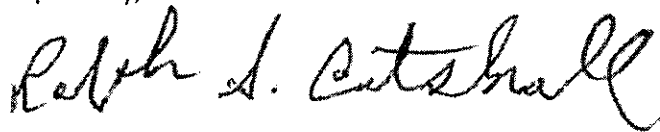
Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3511 Cedar Springs Road, Dallas, Texas 75219. The building is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of our neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,



Ralph S. Cutshall

Winhavir, LP

BDA145-073
Attach A
Pg 7

May 11, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3515 Cedar Springs Road, Dallas, Texas 75219. The building is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of our neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,


Ralph S. Cutshall

3530 Cedar Springs Road

Dallas, Texas 75219

214-727-9879

Winhavar, LP

BDA145-073
Attach A
Pg 8

May 11, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3519 Cedar Springs Road, Dallas, Texas 75219. The building is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of our neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,



Ralph S. Cutshall

Winhavar, LP

BDA145-073
Attach A
Pg 9

May 11, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs


Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3011 Hood Street, Dallas, Texas 75219. The building is located near the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of our neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,



Ralph S. Cutshall

Dragon Park, LP

BDA145-073
Attach A
Pg 10

May 10, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3112 Hood Street, Dallas, Texas 75219. The building is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of the neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,


Ralph S. Cutshall

Dragon Park, LP

BDA145-073
Attach A
Pg 11

May 10, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I am the owner of 3520 Cedar Springs Road, Dallas, Texas 75219. The Property is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of the neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,


Ralph S. Cutshall

The Cutshall Management Trust

BDA145-073
Attach A
Pg 12

May 11, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

We are the owner of 3514 Cedar Springs Road, Dallas, Texas 75219. The building is located within 200 feet of the parking structure located at 3506 Cedar Springs Road. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged.

We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have views of the Shingle Style House and the large Oak trees on the property. We enjoy looking at the trees on the site and removing them would greatly alter the views and the look of our neighborhood. Further, we would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,



Ralph S. Cutshall



3535 N. Hall St.
Dallas, TX 75219
Tel: 214.559.7015
Fax: 214.559.2663

turtlecreek.belmontvillage.com

April 16, 2015

Landmark Commission
Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: SUPPORT for Application for 3506 Cedar Springs

Dear Honorable Landmark Commission Members and Board of Adjustment Members:

I serve as the Executive Director of the Belmont Village senior Living located at 3535 N. Hall Street, Dallas, Texas 75219. Belmont Village is located within 200 feet of the parking structure located at 3506 Cedar Springs. Our neighbor has met with us and been forthcoming with their plans to modify the parking structure. We understand that in order to meet the setback requirements, the parking structure would have to be built next to the house. In order to build next to the house, at least two of the large trees would have to be removed and one of the trees would be cut severely and the roots damaged. We are opposed to removing two of the trees and damaging the other one so that it would eventually need to be removed. Our building does have balconies that have views of the Shingle Style House and the large Oak trees on the property. Our residents enjoy looking at the trees on the site and removing them would greatly alter the views in which the residents have a financial interest in as well as emotional. Further, our residents would rather look at the beautiful parking structure than a gravel lot. We approve of the modifications and support a variance request, certificate of appropriateness or any other zoning request necessary to allow the covered parking structure to be modified.

Please allow this letter to serve as the official letter in support of our neighbor's request to modify the parking structure. We would like to request that the Landmark Commission and Board of Adjustment GRANT application for a variance to the setback and application for a certificate of appropriateness.

Respectfully,

A handwritten signature in black ink that reads "Tara Arancibia". The signature is written in a cursive, flowing style.

Tara Arancibia
Executive Director

Support Material 'B'

Certificate of Appropriateness (CA) City of Dallas Landmark Commission

CA 156 - 263 (MD)
Office Use Only

Name of Applicant: Craig Melde
Mailing Address: 1907 Marilla St.
City, State and Zip Code: Dallas, TX 75201
Daytime Phone: (214) 748-4561 Fax: (214) 748-4241
Relationship of Applicant to Owner: Architect

Building Inspection:
Please see signed drawings before issuing permit:
Yes No
Planner's Initials

PROPERTY ADDRESS: 3506 Cedar Springs Rd.
Historic District: Individual Site


PROPOSED WORK:

Please describe your proposed work simply and accurately. Attach extra sheets and supplemental material as requested in the submittal criteria checklist.

Construction of an accessory structure on the site. The structure will be compatible with the form and material of the main structure.

RECEIVED BY

FEB 04 2016

Signature of Applicant: 

Date: 1/31/16

Signature of Owner: 
(IF NOT APPLICANT)

Date: 2/3/16 Current Planning

APPLICATION DEADLINE:

Application material must be completed and submitted by the **FIRST THURSDAY OF EACH MONTH, 12:00 NOON**, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. **You may also fax this form to 214/670-4210. DO NOT FAX PAINT SAMPLES OR PHOTOGRAPHS.**

Please use the enclosed criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214/670-4538 to make sure your application is complete.

OTHER:

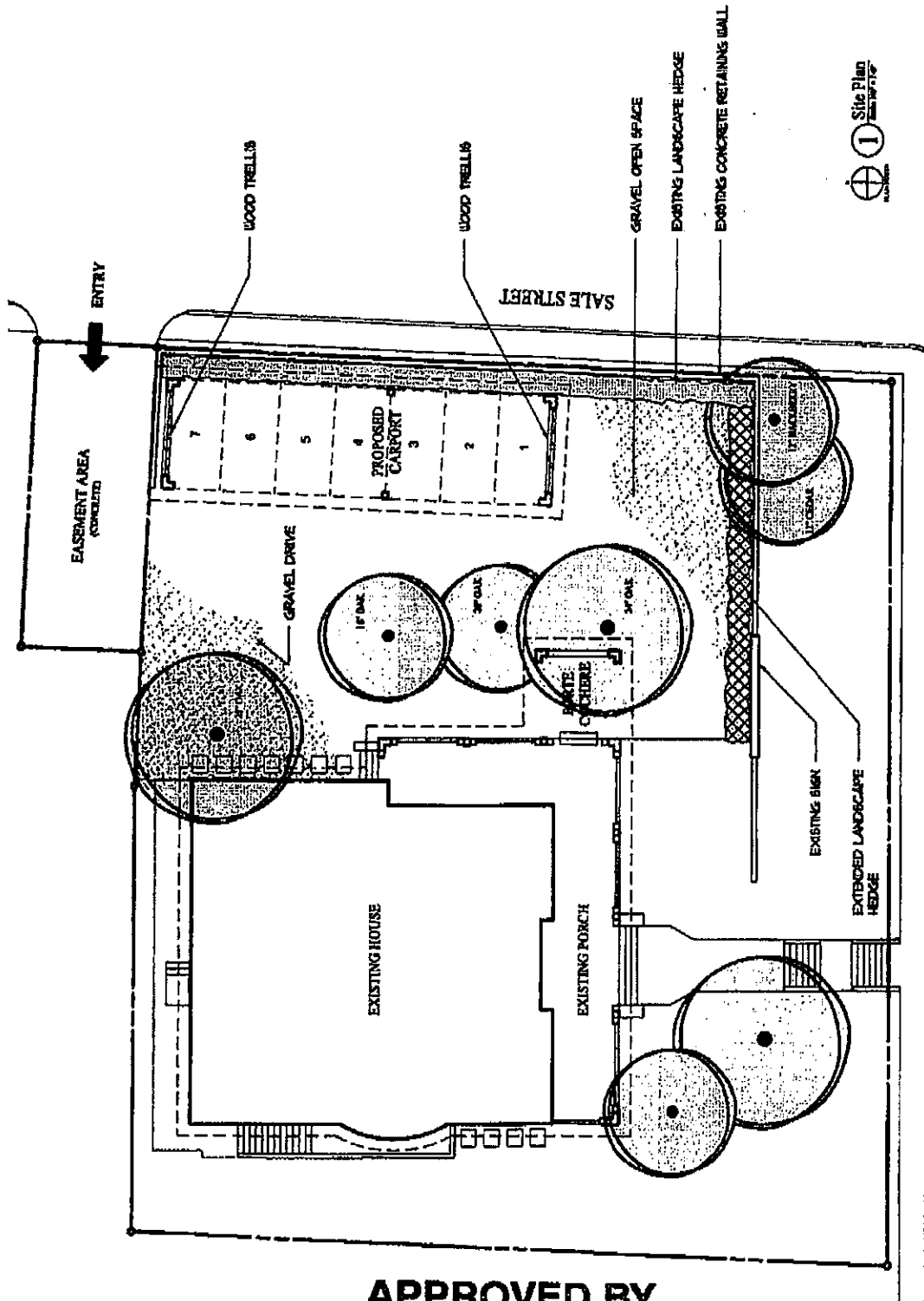
In the event of a denial, you have the right to an appeal within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (see exceptions). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form Memorandum to the Building Official, a Certificate of Appropriateness has been:

- APPROVED.** Please release the building permit.
- APPROVED WITH CONDITIONS.** Please release the building permit in accordance with any conditions.
- DENIED.** Please do not release the building permit or allow work.
- DENIED WITHOUT PREJUDICE.** Please do not release the building permit or allow work.


Sustainable Construction and Development

3/11/16
Date



3506 CEDAR SPRINGS ROAD
Dallas, Texas



ARCHITURE 24
CEDAR SPRINGS ROAD

APPROVED BY

MAR 11 2016

Sustainable Development & Construction
Long Range Planning
CERTIFICATE OF APPROPRIATENESS

2/17/16

Support Material 'C'

4/29/81

ORDINANCE NO. 16958

An Ordinance amending CHAPTER 51, "COMPREHENSIVE GENERAL ZONING ORDINANCE," of the Dallas City Code, as amended, by changing the zoning and classification of the following described property to-wit:

Being a tract of land in City Block 992 located at the north corner of Cedar Springs and Sale Street, fronting 145 feet on the northeast line of Cedar Springs, fronting 120.01 feet on the northwest line of Sale Street and containing 17,828 square feet of land.

shall be changed from its present Office-2-Dry District to an Office-2-Dry-Historic District/12; providing for specific criteria for the historic preservation of the property and structures; providing a penalty; providing a savings clause; providing a severability clause; and providing an effective date.

WHEREAS, the City Plan Commission and the City Council in compliance with the Charter, the State Law, the Zoning Ordinance, and CHAPTER 19, HISTORIC LANDMARK PRESERVATION, of the Dallas City Code, as amended, have given the required notices and after holding public hearings regarding the rezoning, the City Council finds that it is in the public interest to grant the rezoning and designate the property as a Historic Landmark, subject to the conditions set out herein; Now, Therefore,

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

April 29, 1981

81-1268

BDA145-073
Attach A
Pg 19

Agenda item 66: Ordinance authorizing an Office-2-Dry Historic District /12 on property at the north corner of Cedar Springs Road and Sale Street previously classified an Office-2-Dry District 2801-126/5398-N

Councilman Simpson moved passage of the ordinance.

Motion seconded and unanimously carried. (Hicks absent)

Assigned ORDINANCE NO. 16958.



ROBERT S. SLOAN
City Secretary

See also: 81-0486

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That CHAPTER 51, "COMPREHENSIVE GENERAL ZONING ORDINANCE," of the Dallas City Code, as amended, be, and the same is, hereby amended insofar as it applies to the property hereinafter described, which is rezoned from its present Office-2-Dry District to an Office-2-Dry-Historic District/12, to-wit:

BEING A TRACT OF LAND OUT OF THE W. M. GRIGSBY SURVEY, ABSTRACT NO. 501, AND BEING PART OF CITY OF DALLAS, BLOCK 922, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the intersection of the northwest line of Sale Street and the northeast line of Cedar Springs Road;

THENCE along the northeast line of Cedar Springs Road, North 47° 42' 36" West, a distance of 145.0 feet to a point for a corner;

THENCE departing the northeast line of Cedar Springs Road, North 45° 38' 24" East, a distance of 124.20 feet to a point for a corner;

THENCE South 47° 13' 14" East, a distance of 73.00 feet to a point for a corner;

THENCE South 44° 21' 36" East, a distance of 71.88 feet to a point for a corner in the northwest line of Sale Street;

THENCE South 45° 38' 24" West, a distance of 120.01 feet to THE PLACE OF BEGINNING, and containing 17,828 square feet of land.

SECTION 2. That no development of the property shall adversely affect any historical or architectural feature of the building. All alterations, reconstructions and additions to the property or external portion of any structure shall conform to the following criteria:

1. Surface Materials

Reconstruction, renovation or repair of the opaque elements of each facade shall employ only wooden shingles of equal

texture, grain, color and module size of the existing main structure as practicable. Reconstruction, renovation or repair of other wood elements of each facade shall employ wood of equal width, thickness and pattern of the existing main structure as practicable. Any foundation work shall employ only brick of equal texture, size and color of the existing foundation.

2. Fenestrations and Openings

Existing openings in the protected facades shall remain intact and new openings shall not be permitted. The relationship existing between the walls, gables, porch, window openings and doors shall be maintained.

3. Roof

The slope, configuration and surface pattern of the existing roof shall be maintained. No new vertical or horizontal extensions will be allowed and all existing extensions, gable and dormers shall be preserved. All replacements or repairs to the house shall employ a roofing material comparable with the existing roof in texture, design and color.

4. Porch

The existing porch and railings shall remain intact and be preserved. The porch and its porte cochere shall remain open and any enclosure is incompatible and not allowed.

5. Embellishments and Detailing

All ornamental and decorative detailing shall remain intact. Any reconstruction, renovation or replacement of the detailing and trim shall be identical in composition, texture, color and placement as practicable.

6. Color

The coloring of the existing facade materials shall remain as is. Any painting or use of new materials due to additions, extensions, alterations, repairs and maintenance shall comply with the coloring of existing materials and paint schemes.

A. Predominate facade material: The existing colors of the wooden shingles and other wood shall be preserved. Natural earth tones or greens are recommended as facade colors. The color of alterations or additions to the house

shall coincide as nearly as practicable to the existing color range.

B. Trim colors: All window/door frames, soffits and other trim shall remain as is or be painted an off-white color. A clear sealant may be applied as a preservative. All existing brick surfaces shall remain unpainted. Any metal trim shall not be painted or altered, except for maintenance and cleaning.

7. Lighting and Landscaping

Exterior lighting and the placement and removal of trees and shrubs shall be approved by the Historic Landmark Preservation Committee prior to commencement of work.

8. Public Improvements

All proposed public improvements of streets and associated right-of-way abutting the structure shall be approved by the Historic Landmark Preservation Committee prior to commencement of work.

9. Signs

Upon passage of the ordinance, all signs and their structural supports shall be removed from the existing building facade. All new signs shall be designed to be compatible with the architectural qualities of the existing main structure. All new signs shall be approved by the Historic Landmark Preservation Committee prior to the issuance of a sign permit.

SECTION 3. That the Director of the Department of Urban Planning shall correct Zoning District Map No. I-7 in the Offices of the City Secretary, the Building Official and the Department of Urban Planning to reflect the herein changes in zoning.

SECTION 4. No building permit for the above described property shall be issued by the Building Official unless the applicant has complied with CHAPTER 19A of the Dallas City Code, as amended.

SECTION 5. That all proposed public improvements within or abutting the above described property, shall be reviewed by the Historic Landmark Preservation Committee prior to the initiation of work.

SECTION 6. That a person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$200.

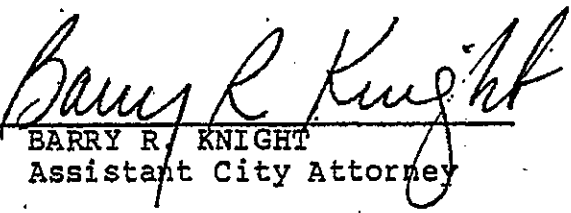
SECTION 7. That CHAPTER 51 of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

SECTION 8. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 9. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:

LEE E. HOLT, City Attorney


BARRY R. KNIGHT
Assistant City Attorney

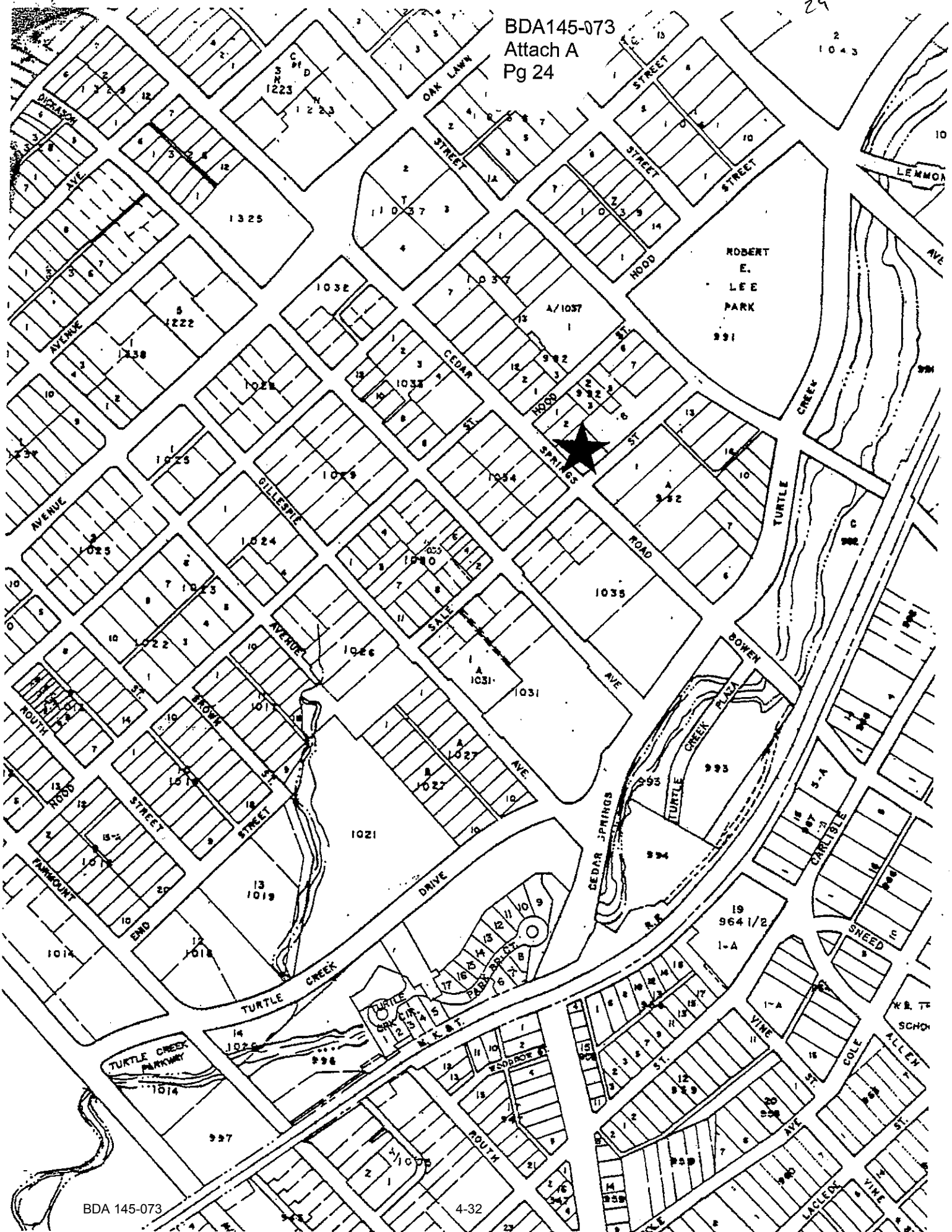
Passed and correctly enrolled

APR 29 1981

1631K/dld
2801-126/5398-N

24

1043



Ordinance No. 16958 (H-12) – Relevant Sections to 3506 Cedar Springs

4. Porch

The existing porch and railings shall remain intact and be preserved. The porch and its porte cochere shall remain open and any enclosure is incompatible and not allowed.

7. Lighting and Landscaping

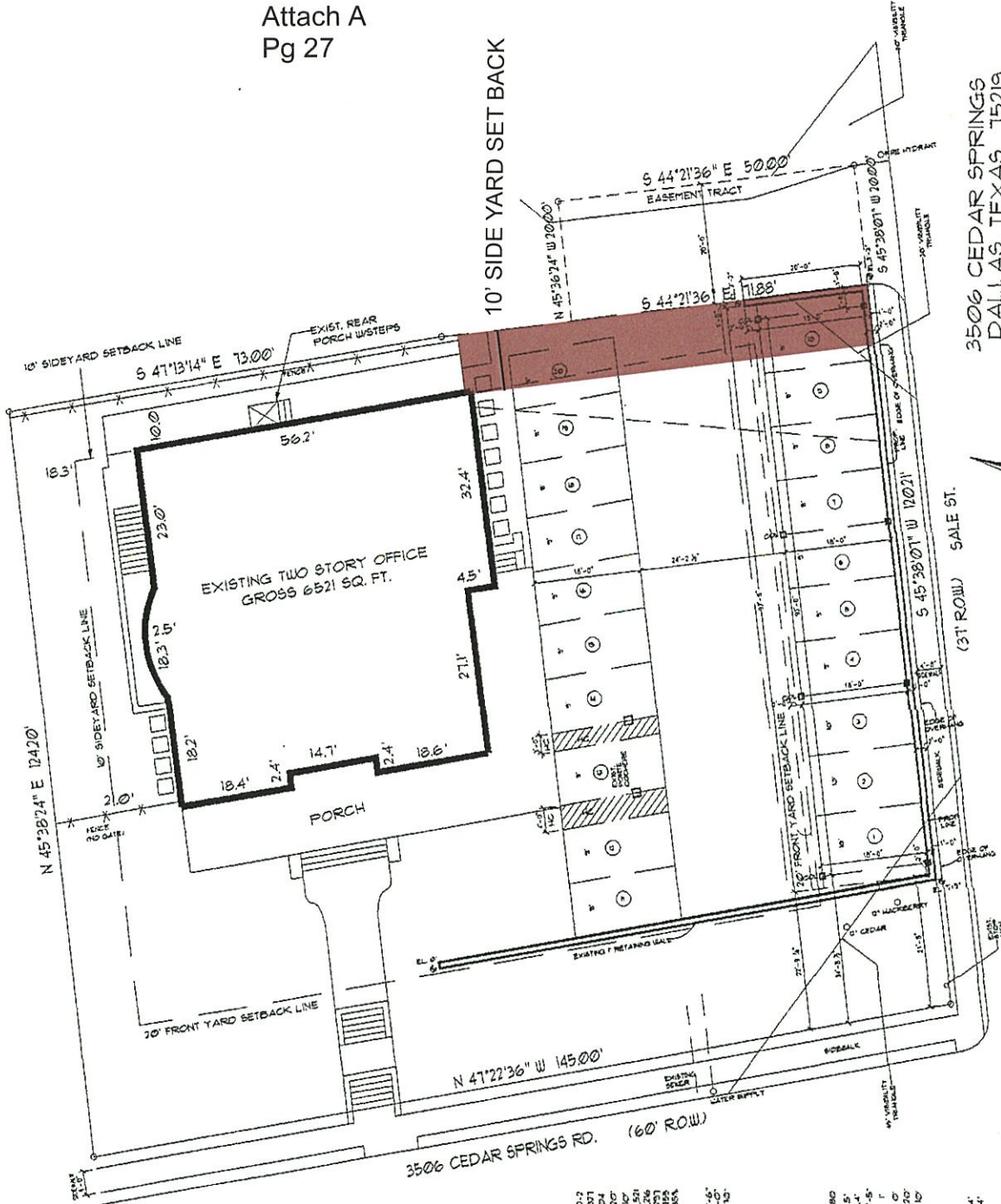
Exterior lighting and the placement and removal of trees and shrubs shall be approved by the Historic Landmark Preservation Committee prior to commencement of work.

Support Material 'D'

01

BDA145-073
 Attach A
 Pg 27

10' SIDE YARD SET BACK (NO BUILD ZONE) PD-193 (0-2)



3506 CEDAR SPRINGS
 DALLAS, TEXAS 75219



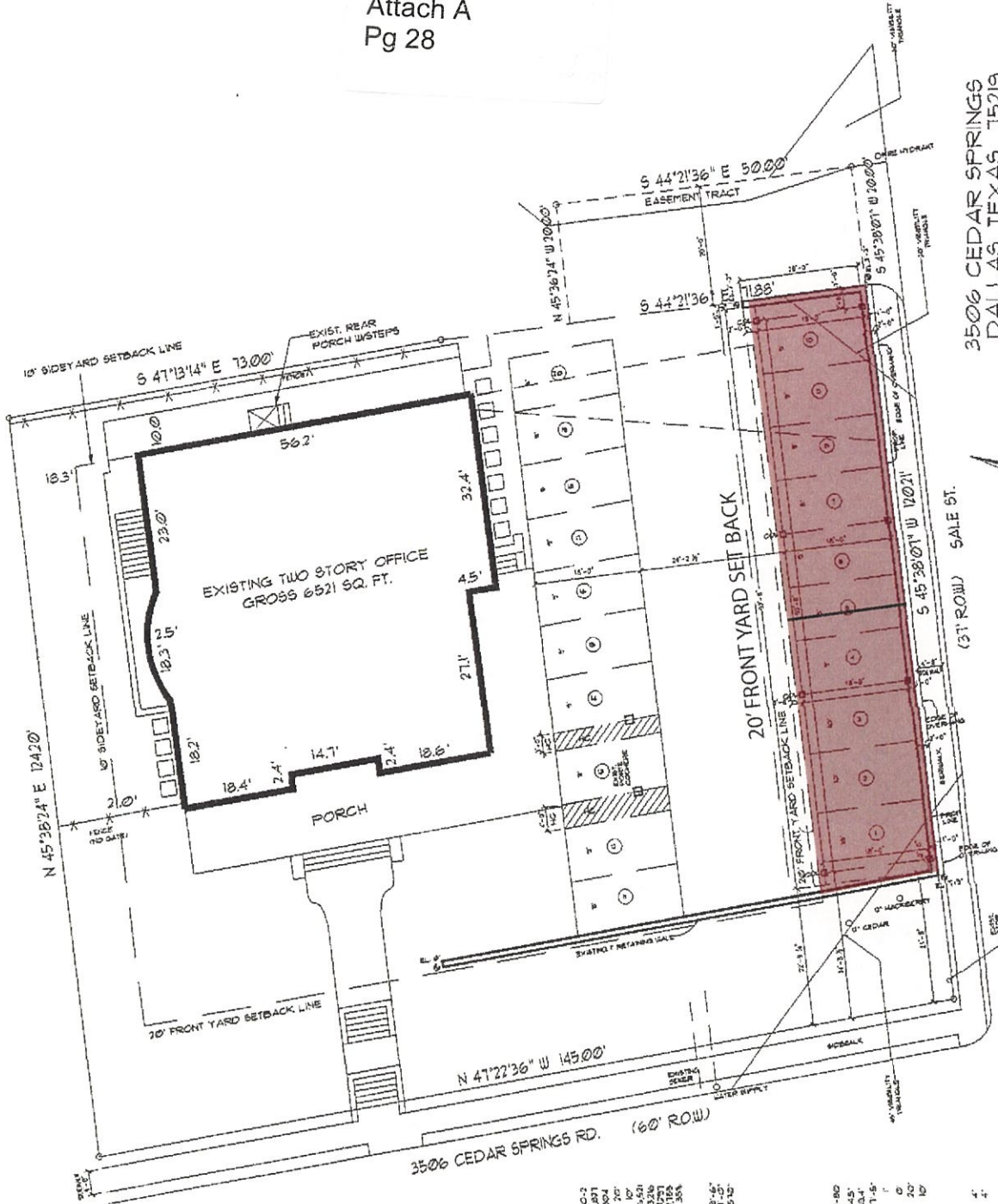
JUNE 10, 2014

Site Information:	PD 193, 0-2	12/14/03/15	19'-6"	11'-11'-10"
Block	1004	2189-240	10'-0"	
Lot Area - Sq. Ft.	207			
Approximate Year Built:	1971			
From Yard Setback:	6.51			
Existing Office Floor Area, Sq. Ft.	1250			
Existing Office Floor Area, Sq. Ft.	1729			
Porch and Front Covered, Sq. Ft.	1729			
Carport Covered, Sq. Ft.	368			
Lot Coverage, %				
Carport Cover:				
Encroachment into front yard setback - Sale Street				
Encroachment into side yard setback - East Side				
Height				
Legal/Egress Easement:				
Date Approved:				
Subdivision Plat No.				
Retaining Wall:				
BDA Approval of Wall Location in Front				
Yard Setback:				
Length - Cedar Springs Road:				
Length - Sale Street:				
Height:				
Depth (Thickness):				
Encroachment into side yard setback - Cedar Springs				
Encroachment into front yard setback - Sale Street				
Encroachment into side yard setback				
Sideyard:				
Setback width along Cedar Springs Road				
Setback width along Sale Street				
Off-Street Parking:				
Required Parking based on BDA action March 11, 2003				
Permitted (Gravel) Surface Approved by BDA:				

P2

20' FRONT YARD SET BACK (NO BUILD ZONE) PD-193 (0-2)

BDA145-073
 Attach A
 Pg 28



3506 CEDAR SPRINGS
 DALLAS, TEXAS 75219



JUNE 26, 2014

Site Information
 PD 193 (0-2)
 Basis (Zone)
 Lot Area - Sq. Ft.
 Approximate Year Built
 Front Yard Setback -
 Side Yard Setback -
 Existing Office Building - Sq. Ft.
 Porch and Front Porch - Sq. Ft.
 Lot Coverage %
 Carpet Cover.
 Encroachment into front yard setback - Side Street - 9'-6"
 Encroachment into side yard setback - East Side - 11'-6"
 Height - 13'-2"

Notes/Remarks
 Date Approved
 Subdivision Plat No.
 Retaining Wall
 BDA Approval of Wall Location in Front
 Yard Setback
 Length - Cedar Springs Road
 Width - 31' to 11'-5"
 Height - 11'-3"
 Encroachment into Front Yard Setback - Cedar Springs
 Encroachment into Front Yard Setback - Side Street
 Encroachment into Side Yard Setback

Setbacks
 Sidewalk Width Along Cedar Springs Road
 Sidewalk Width Along Sale Street
 Off-Street Parking
 Required Parking based on BDA action/Plat II 1500
 Permitted (Gravel) Surfaces Approved by BDA

03

"NO BUILD" ZONE BASED ON POTENTIAL DAMAGE TO TREES

BDA145-073
Attach A
Pg 29

LANDSCAPE LABELATIONS

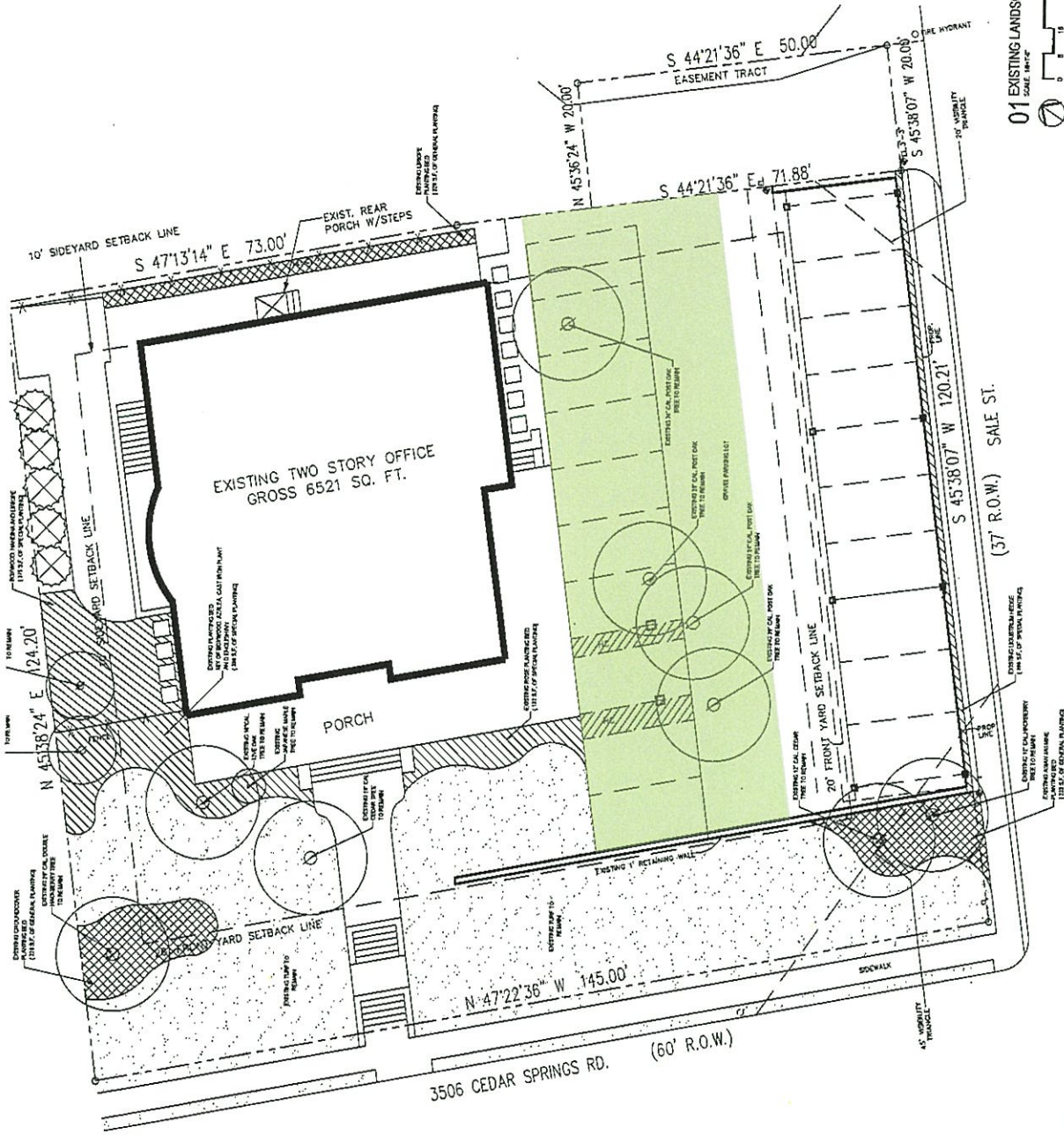
PROPOSED	EXISTING
1" WIDE	1" WIDE
2" WIDE	2" WIDE
3" WIDE	3" WIDE
4" WIDE	4" WIDE
5" WIDE	5" WIDE
6" WIDE	6" WIDE
7" WIDE	7" WIDE
8" WIDE	8" WIDE
9" WIDE	9" WIDE
10" WIDE	10" WIDE
12" WIDE	12" WIDE
15" WIDE	15" WIDE
18" WIDE	18" WIDE
24" WIDE	24" WIDE
30" WIDE	30" WIDE
36" WIDE	36" WIDE
42" WIDE	42" WIDE
48" WIDE	48" WIDE
54" WIDE	54" WIDE
60" WIDE	60" WIDE
72" WIDE	72" WIDE
84" WIDE	84" WIDE
96" WIDE	96" WIDE
108" WIDE	108" WIDE
120" WIDE	120" WIDE
144" WIDE	144" WIDE
168" WIDE	168" WIDE
192" WIDE	192" WIDE
216" WIDE	216" WIDE
240" WIDE	240" WIDE
264" WIDE	264" WIDE
288" WIDE	288" WIDE
312" WIDE	312" WIDE
336" WIDE	336" WIDE
360" WIDE	360" WIDE
384" WIDE	384" WIDE
408" WIDE	408" WIDE
432" WIDE	432" WIDE
456" WIDE	456" WIDE
480" WIDE	480" WIDE
504" WIDE	504" WIDE
528" WIDE	528" WIDE
552" WIDE	552" WIDE
576" WIDE	576" WIDE
600" WIDE	600" WIDE
624" WIDE	624" WIDE
648" WIDE	648" WIDE
672" WIDE	672" WIDE
696" WIDE	696" WIDE
720" WIDE	720" WIDE
744" WIDE	744" WIDE
768" WIDE	768" WIDE
792" WIDE	792" WIDE
816" WIDE	816" WIDE
840" WIDE	840" WIDE
864" WIDE	864" WIDE
888" WIDE	888" WIDE
912" WIDE	912" WIDE
936" WIDE	936" WIDE
960" WIDE	960" WIDE
984" WIDE	984" WIDE
1008" WIDE	1008" WIDE
1032" WIDE	1032" WIDE
1056" WIDE	1056" WIDE
1080" WIDE	1080" WIDE
1104" WIDE	1104" WIDE
1128" WIDE	1128" WIDE
1152" WIDE	1152" WIDE
1176" WIDE	1176" WIDE
1200" WIDE	1200" WIDE
1224" WIDE	1224" WIDE
1248" WIDE	1248" WIDE
1272" WIDE	1272" WIDE
1296" WIDE	1296" WIDE
1320" WIDE	1320" WIDE
1344" WIDE	1344" WIDE
1368" WIDE	1368" WIDE
1392" WIDE	1392" WIDE
1416" WIDE	1416" WIDE
1440" WIDE	1440" WIDE
1464" WIDE	1464" WIDE
1488" WIDE	1488" WIDE
1512" WIDE	1512" WIDE
1536" WIDE	1536" WIDE
1560" WIDE	1560" WIDE
1584" WIDE	1584" WIDE </tr



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

EXISTING LANDSCAPE PLAN
L:1

3506 CEDAR SPRINGS ROAD
Dallas, Texas

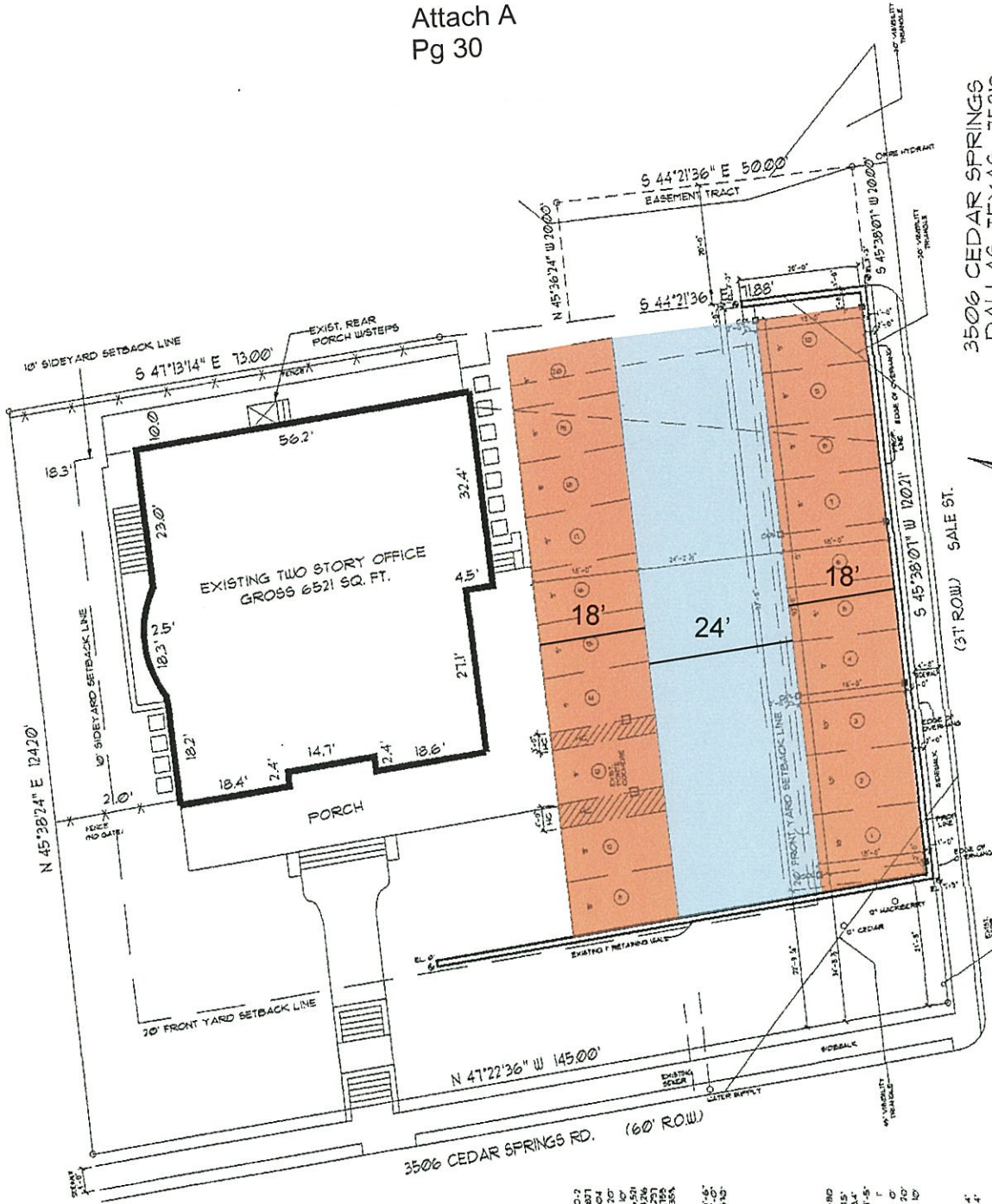


04

BDA145-073
 Attach A
 Pg 30

20 REQUIRED PARKING SPACES BASED ON BDA ACTION MARCH 11, 1980

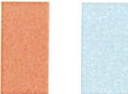
24' REQUIRED SPACE IN ACCORDANCE WITH THE OFF-STREET PARKING HANDBOOK



3506 CEDAR SPRINGS
 DALLAS, TEXAS 75219

GRAPHIC SCALE 1/8" = 1'-0"

JUNE 10, 2014



Site Information
 PD 145-073
 Block 2000
 Lot Area - Sq. Ft. 1024
 Approximate Year Built: 20'
 Front Yard Setback: 10'
 Existing Office Floor Area - Sq. Ft. 6521
 Existing Office Floor Area - Sq. Ft. 1201
 Porch and Front Porch Area - Sq. Ft. 1754
 Lot Coverage % 38%

Carport Cover: 12/14/07/5
 Encroachment into front yard setback - Sale Street 19'-6"
 Encroachment into side yard setback - East Side 5'85'-248
 Height 15'10"

Log/Access/Egress Statement:
 Date Approved:
 Submission File No.
 Retaining Wall:
 BDA Approval of Wall Location in Front
 Yard Setback:
 Length - Cedar Springs Road:
 Length - Sale Street:
 Height (Minimum):
 Encroachment into Front Yard Setback - Cedar Springs
 Encroachment into Side Yard Setback - Sale Street

Sideyard:
 Setback width along Cedar Springs Road 4'
 Setback width along Sale Street 20'

Off-Street Parking:
 Required Parking based on BDA action March 11, 1980
 Firewise (Detwall) Surface Approved by BDA 11/14/160

D-5

"NO BUILD" ZONE

POTENTIAL DAMAGE TO TREES

20' FRONT YARD SET BACK PER PD-193 (0-2)

10' SIDE YARD SET BACK PER PD-193 (0-2)

24' REQUIRED SPACE PER OFF-STREET PARKING HANDBOOK

BDA145-073
Attach A
Pg 31



LANDSCAPE INCLUDES	PROVIDED	REQUIRED
PLANTING MATERIALS	11818 L2	11818 L2
PLANTING MATERIALS	2711 L2	2711 L2
PLANTING MATERIALS	4271 L2	4271 L2
PLANTING MATERIALS	701 L2	701 L2
PLANTING MATERIALS	811 L2	811 L2
PLANTING MATERIALS	911 L2	911 L2
PLANTING MATERIALS	1011 L2	1011 L2
PLANTING MATERIALS	1111 L2	1111 L2
PLANTING MATERIALS	1211 L2	1211 L2
PLANTING MATERIALS	1311 L2	1311 L2
PLANTING MATERIALS	1411 L2	1411 L2
PLANTING MATERIALS	1511 L2	1511 L2
PLANTING MATERIALS	1611 L2	1611 L2
PLANTING MATERIALS	1711 L2	1711 L2
PLANTING MATERIALS	1811 L2	1811 L2
PLANTING MATERIALS	1911 L2	1911 L2
PLANTING MATERIALS	2011 L2	2011 L2
PLANTING MATERIALS	2111 L2	2111 L2
PLANTING MATERIALS	2211 L2	2211 L2
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PLANTING MATERIALS	3011 L2	3011 L2
PLANTING MATERIALS	3111 L2	3111 L2
PLANTING MATERIALS	3211 L2	3211 L2
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PLANTING MATERIALS	9911 L2	9911 L2
PLANTING MATERIALS	10011 L2	10011 L2



01 EXISTING LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

3506 CEDAR SPRINGS ROAD
Dallas, Texas
EXISTING LANDSCAPE PLAN
L.1

June 10, 2016

BDA145-073
Attach B
Pg 1



LANDSCAPE ARCHITECTURE
SITE PLANNING
TREE MITIGATION

Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Dear Honorable Chair and Members of the Board:

My name is Leonard Reeves and I am Registered Landscape Architect and a member of the American Society of Landscape Architects. I have worked in this field for more than 25 years. I am unable to attend the Board hearing on June 28, 2016, but have provided a summary letter of my presentation, enclosed.

I have visited the property located at 3506 Cedar Springs Road., Dallas, TX and have identified four (4) Bur Oak trees adjacent to the main structure. The trees range from twenty-one (21) caliper inch to thirty-one caliper inch. All the trees are in good health. The approximate age of these trees range from 84 years old to 124 years old based on data provided within National Forest Service documents for aging trees. This specie of tree generally produces acorns up to golf ball size with an average weight of 7.5 grams. The acorns form and cluster at the ends of branches of the trees. The falling of the acorns, due to their weight and size, could lead to injuries to patrons of the office or lead to damage to vehicles parked under the canopies of these trees.

I have concluded through my site visits and experience that the proposed / existing parking structure was placed in the appropriate location to ensure the trees have the best possible chance of survival. Relocating the parking structure in any other location than what is proposed would lead to removal of some or all of the trees and/or cause damage to the trees leading to death of the trees.

Relocating the parking structure to be within the required setbacks could cause damage to the trees' critical root zone, which would lead to the death of the trees. Further, the structural piers for the parking structure may have to be drilled through critical stabilizing roots making the tree vulnerable to a fall hazard

Furthermore, relocating the parking structure parallel to the existing main structure and stopping short of the porte cochere would require removal of three (3) of the four (4) Bur Oak trees. In addition, this would inhibit the use of the existing porte cochere as a drop off / pick up area.

I am happy to answer any questions regarding my presentation and am available via email at lreeves@studio13.bz.

Kindly,

Leonard Reeves

Enclosure

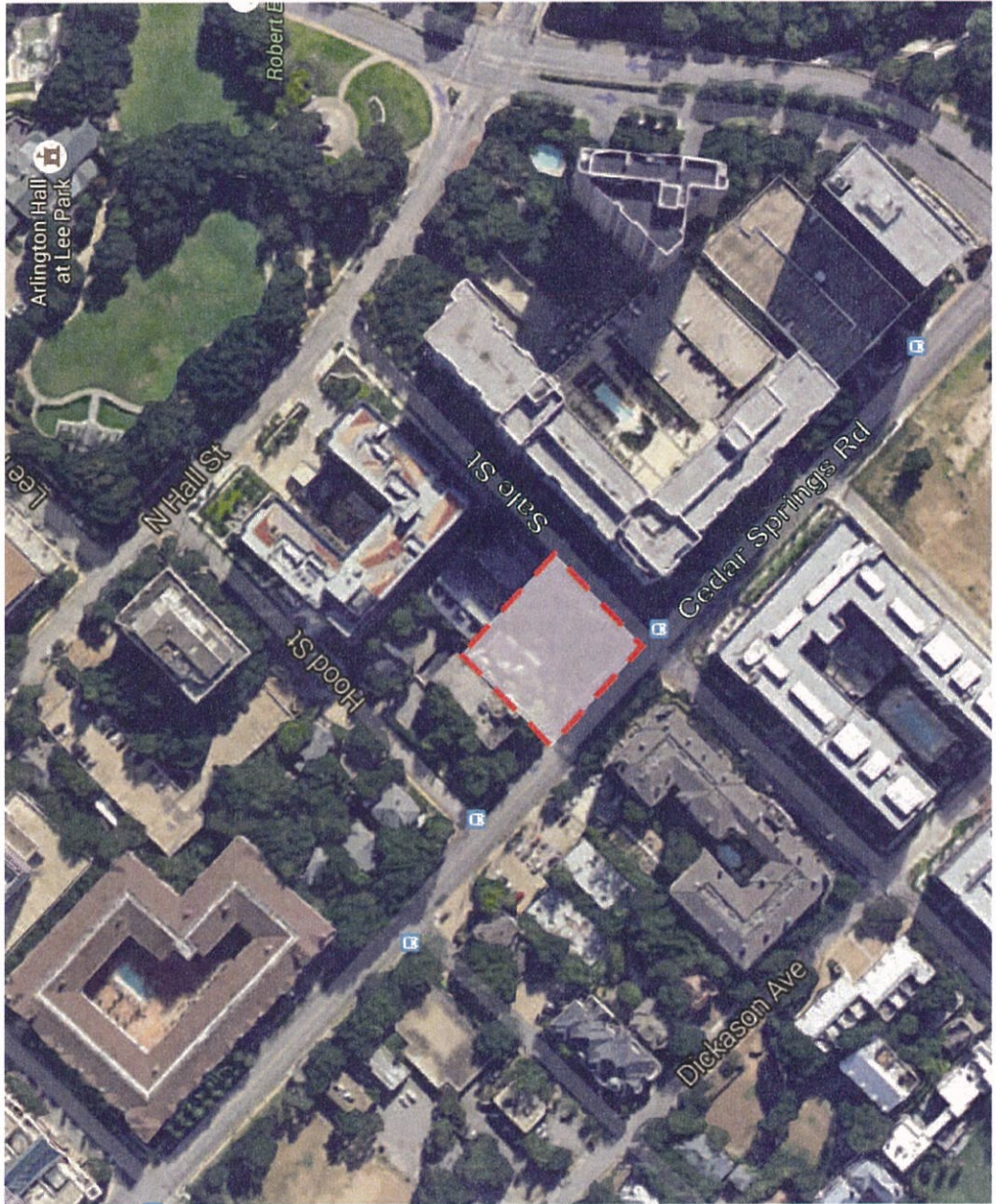
BDA145-073
Attach B
Pg 2

Site Assessment

3506 Cedar Springs

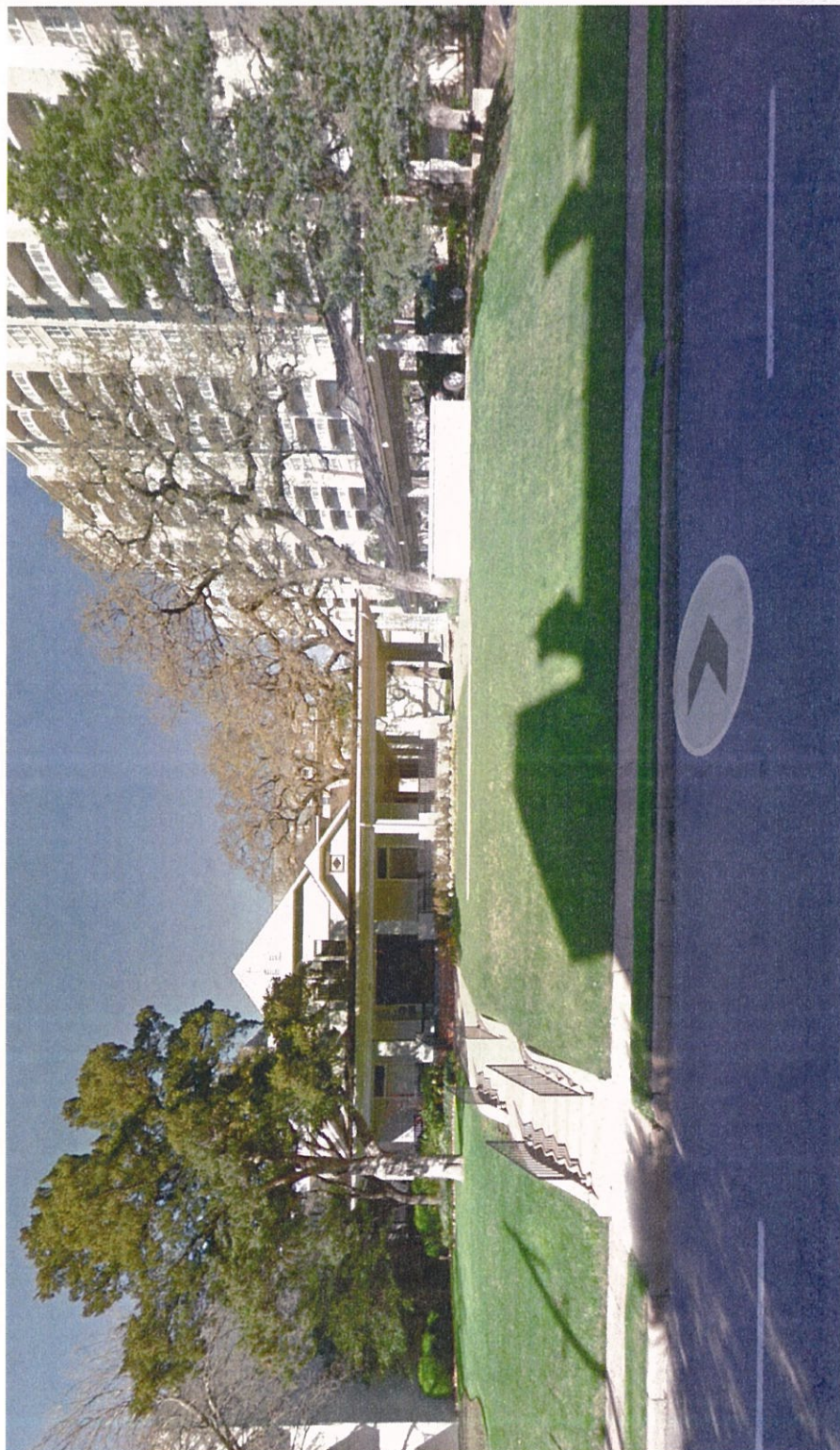
Dallas, Texas

Site Context



BDA145-073
Attach B
Pg 4

Street View



Perspective 1

BDA145-073
Attach B
Pg 5

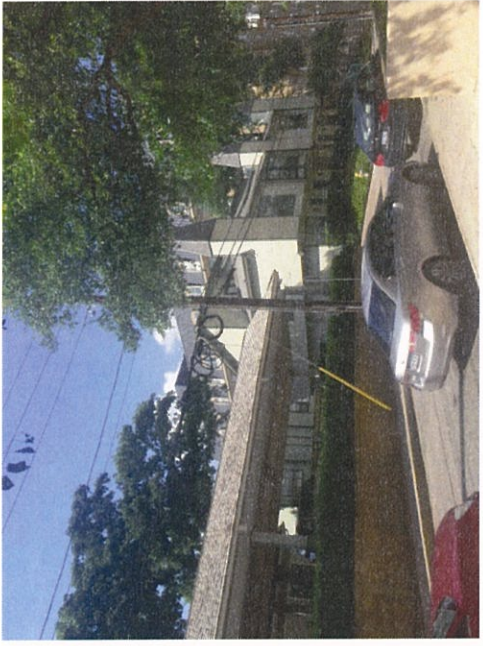
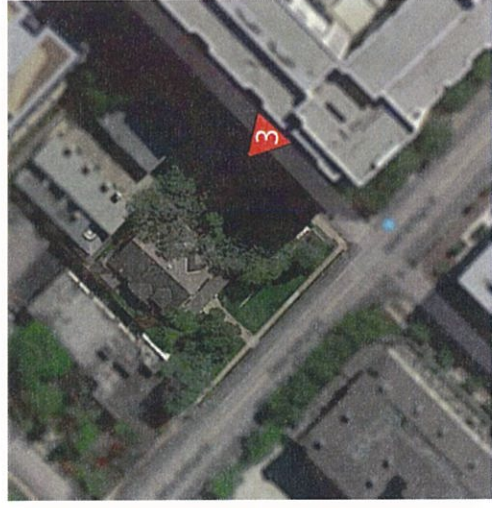


Perspective 2



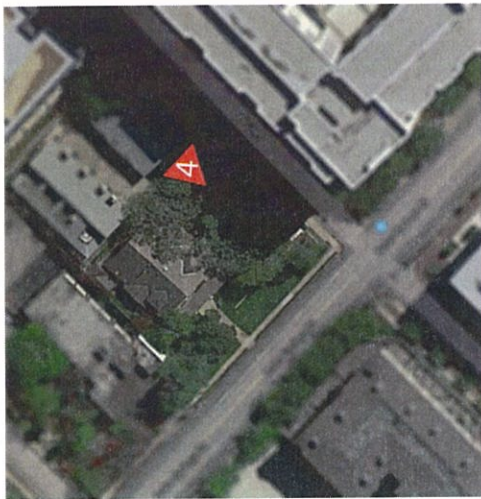
Perspective 3

BDA 145-073
Attach B
Pg 7



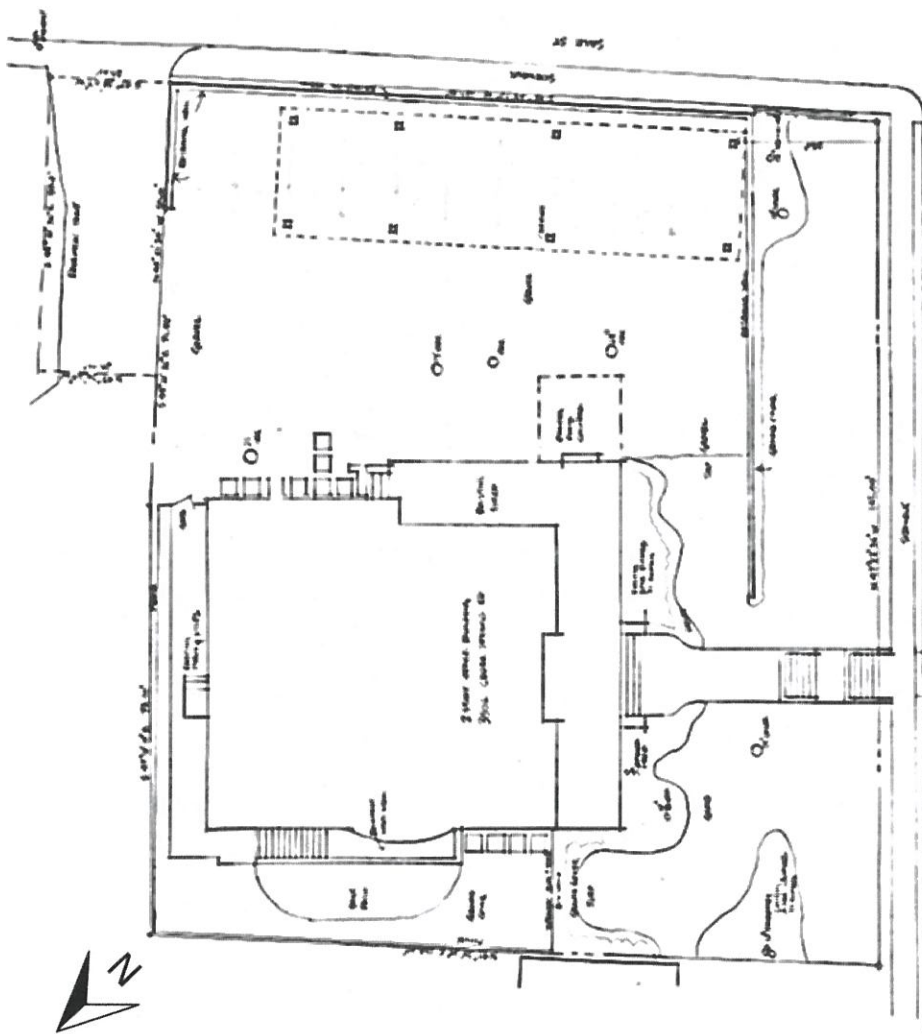
Perspective 4

BDA 145-073
Attach B
Pgs 8



Carport - Plan

BDA145-073
 Attach B
 Pg 10

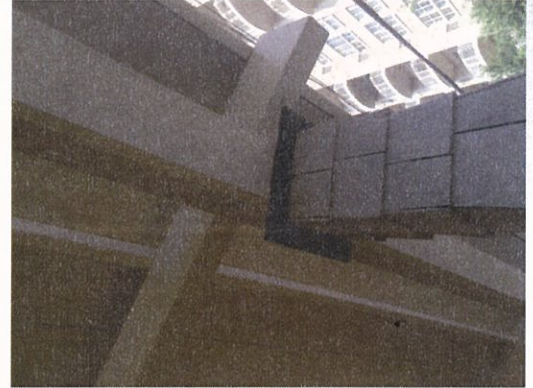


LANDSCAPE PLAN FOR 3506 GELAR SHIRING RD NW
 DATE 24 2015

Chris Strydom, P.E.

BDA145-073
Attach B
Pg 11

Carpport - Materials

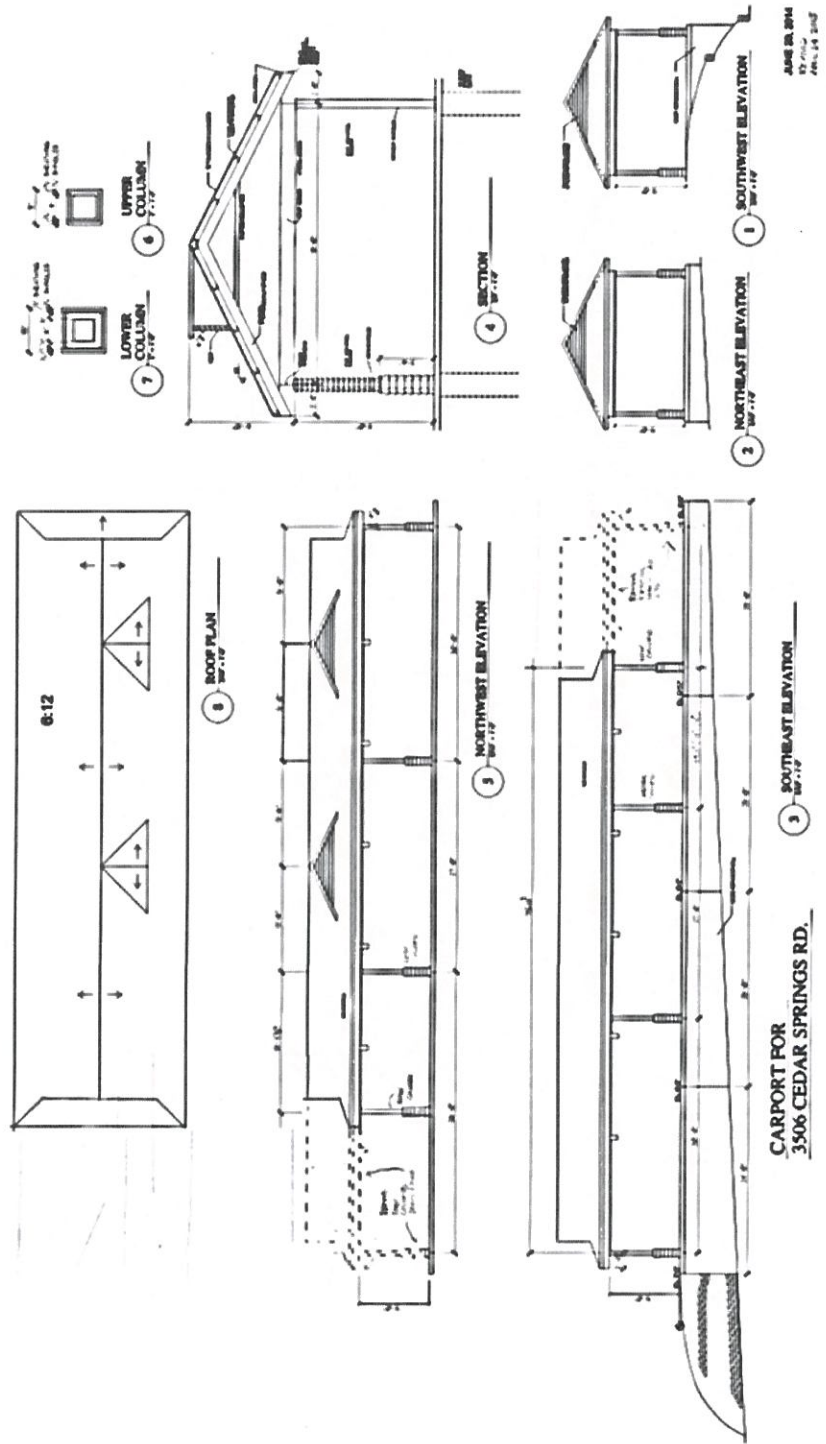


BDA145-073
Attach B
Pg 12

Tree and Site Assessment

Carport - Elevations

BDA145-073
 Attach B
 Pg 13



Tree and Site Assessment

- Identified 4 Bur Oaks (*Quercus macrocarpa*) adjacent to the main structure.
- Burr Oak is a large, deciduous tree with a wide, open canopy structure.
- Bur Oak trees can exceed 100 ft. in height and similar in width.
- The estimate of the age of the trees, without doing an invasive procedure, is based on the average diameter growth rate of 0.1 – 0.25 inches annually.

Tree Assessment

BDA145-073
Attach B
Pg 15



IMAGE 1
Tree 1 - Bur Oak - Quercus Macrocarpa
31 Caliper Inches

The first tree, Tree # 1 is a 31 caliper inch Bur Oak. The tree is in good shape. The tree has many large branches that are close to the main structure, as well as covering the existing parking structure. Based on the USDA – Forest Service formula for estimating the age of a tree (without using invasive procedures) the annual diameter growth for Bur Oak is 0.1 – 0.25 inches. This tree, utilizing the USDA numbers, would be approximately 124 years old.

Tree Assessment



IMAGE 2
Tree 2 - Bur Oak - Quercus Macrocarpa
21 Caliper Inches

The second tree, Tree # 2 is a 21 caliper inch Bur Oak. The tree is in fairly good shape. The main trunk has a slight lean towards the main structure. Based on the USDA – Forest Service formula for estimating the age of a tree (without using invasive procedures) the annual diameter growth for Bur Oak is 0.1 – 0.25 inches. This tree, utilizing the USDA numbers, would be approximately 84 years old.

Tree Assessment



IMAGE 3
Tree 3 - Bur Oak - Quercus Macrocarpa
23 Caliper Inches

The third tree, Tree # 3 is a 23 caliper inch Bur Oak. The tree is in fairly good shape. The main trunk has a slight lean away from the main structure. Based on the USDA – Forest Service formula for estimating the age of a tree (without using invasive procedures) the annual diameter growth for Bur Oak is 0.1 – 0.25 inches. This tree, utilizing the USDA numbers, would be approximately 92 years old.

Tree Assessment

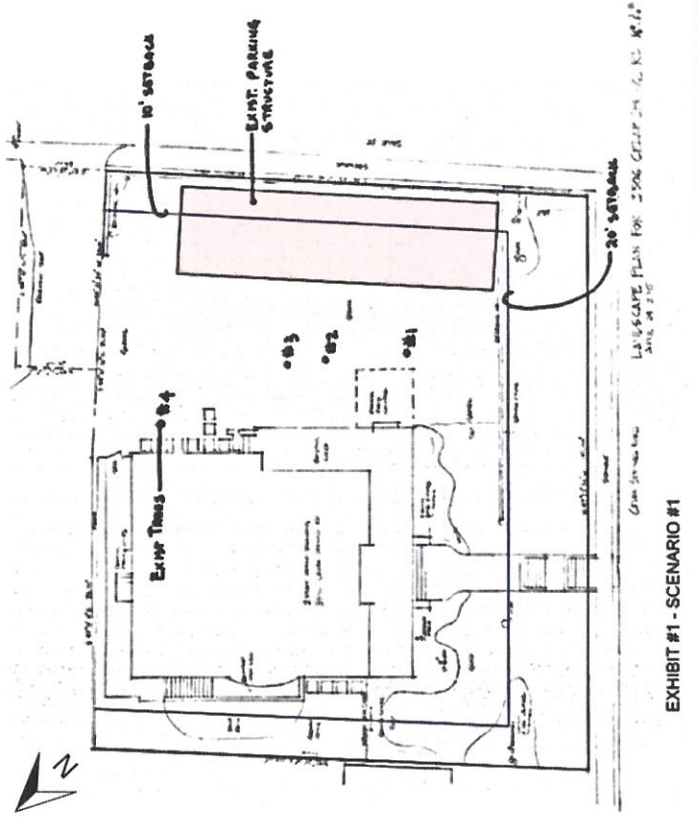


IMAGE 4
Tree 4 - Bur Oak - Quercus Macrocarpa
25 Caliper Inches

The third tree, Tree # 4 is a 25 caliper inch Bur Oak. The tree is in fairly good shape. The main trunk has a slight lean away from the main structure. Based on the USDA – Forest Service formula for estimating the age of a tree (without using invasive procedures) the annual diameter growth for Bur Oak is 0.1 – 0.25 inches. This tree, utilizing the USDA numbers, would be approximately 100 years old.

Covered Parking Assessment

- Scenario #1 (Existing Conditions)
 - The structure was placed in the appropriate location to insure the trees have the best possible chance of surviving.
 - Allows room for the vehicular traffic.
 - Allows easement of utilizing the parking structure.
 - Refer to Exhibit #1.



Covered Parking Assessment

- Scenario #2
 - Relocate the parking structure out of the building setback lines.
 - This could damage the trees critical root zone during the construction process, which could lead to the death of the trees.
 - The structural piers for the parking structure may have to be drilled through the critical root zone, which could lead to the trees falling over.
 - As you can see by the photos, the trees are leaning towards the structure. Therefore, making the potential fall hazard greater.
 - Refer to Exhibit #2.

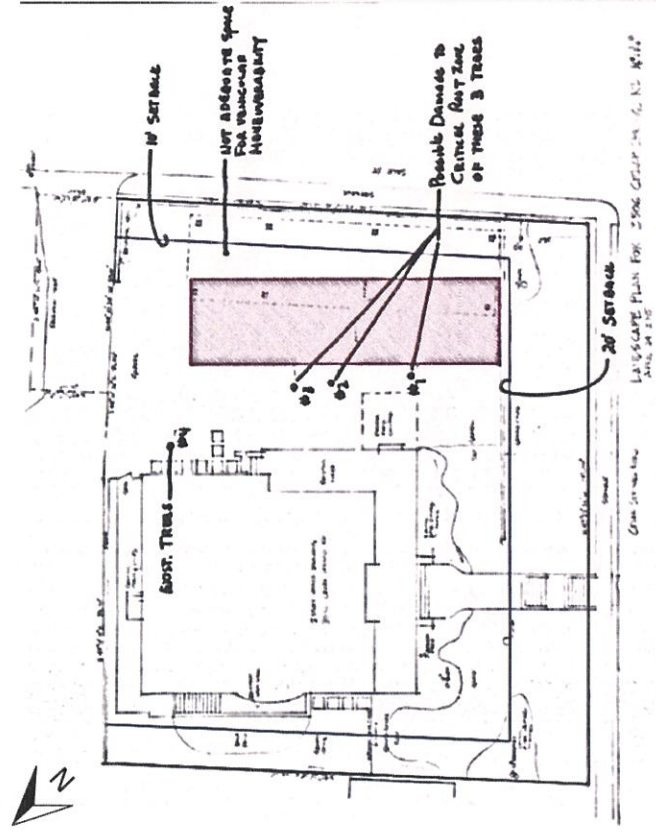
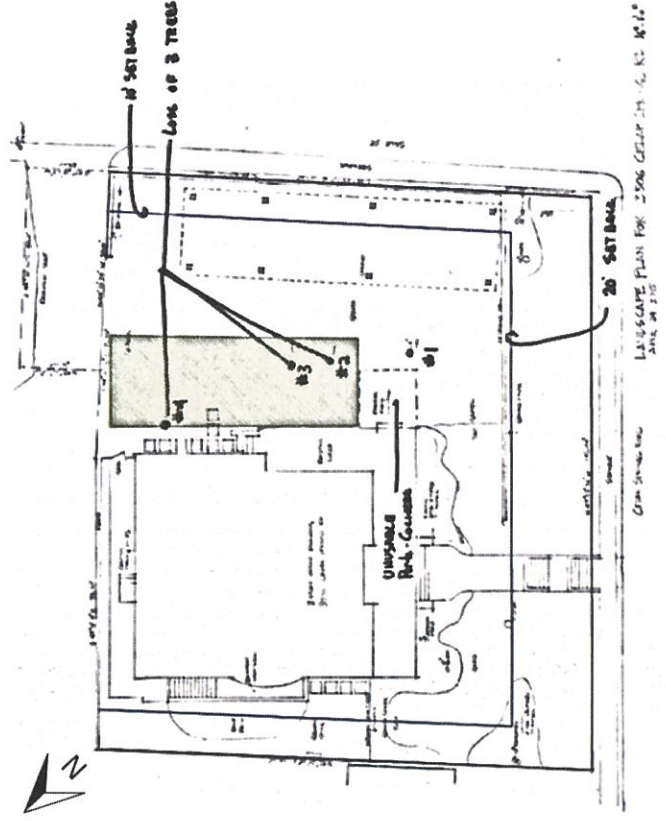


EXHIBIT #2 - SCENARIO #2

Covered Parking Assessment

- Scenario #3
 - Relocate the structure to be parallel to the existing structure and stop it short of the Porte-Cochere.
 - This allows adequate room for vehicular maneuverability,
 - But would require the removal of three (3) of the four Bur Oak trees.
 - Would also reduce the number of covered spaces.
 - Would inhibit the use of the existing porte-cochere as a drop off / pick up area.
 - Refer to Exhibit #3



Covered Parking Assessment

- Bur Oaks can produce acorns up to golf ball size.
- Size can reach up to 1 1/2 inches wide and 2 inches long.
- Average weight of a Bur Oak acorn, based on USDA research, is 7.5g.
- Could lead to damage occurring on vehicles.
- The fruit for many natives form and cluster at the ends of branches, where the parking shelter is located.



IMAGE 5
Bur Oak Fruit Crop



IMAGE 6
Size of Bur Oak Fruit Crop

Existing Conditions



Trees Removed



Trees & Structure Removed



BDA145-073
Attach C
Pg 1

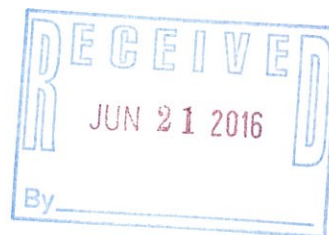
ROBERT MIKLOS
ATTORNEY AT LAW

J. PRABHA CINCLAIR
ATTORNEY AT LAW

DUANE BRIGNAC
ATTORNEY AT LAW

June 21, 2016

Attn: Steve Long, Board of Adjustment
1500 Marilla 5BN
Dallas, Texas 75201



RE: Support Materials for BDA 145-073.

Dear Mr. Long:

On behalf of the applicant, Jerry Stark, Miklos Law, PLLC would like to file additional support materials into the Board of Adjustment case number 145-073. Please accept the following support materials:

1. Support Material 'A'
 - Support letter from Paul D. Chapman, Executive Vice President of the Belmont Senior Living
2. Support Material 'B'
 - Pictures showing (8) properties within the PD-193 (O-2) zone that have office use and currently utilize covered parking for customers and tenants

Please feel free to contact me at (214) 683-0859 or via email at cinclair@mikloslegal.com for any questions that you may have.

Sincerely,

J. Prabha Cinclair



8554 Katy Freeway
Suite 200
Houston, TX 77024
Tel: 713.463.1700
Fax: 713.647.9601
www.belmontvillage.com

BDA145-073
Attach C
Pg 2

June 13, 2016

Board of Adjustment
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

Re: Support for Application for 3506 Cedar Springs

Dear Board of Adjustment Members:

We own and operate the senior housing community located at 3535 North Hall. Our neighbor at the above address has shown us the site plan that was approved by the Landmark Commission on March 11, 2016 (attached) and we support this solution to their setback problem. We understand that they will require two variances in order to implement this solution and we support granting those two variances to them for this specific purpose.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Chapman", with a horizontal line extending to the right.

Paul D. Chapman
Executive Vice President



2909 Cole - First Floor Covered Parking



4220 Herschel - Shared Parking Structure for Local Retail/Office

Currently there are ~26 office-use buildings in PD 193 O-2 Zones , with at least 8 properties that use covered parking for customers or tenants. Our property would be at least the 9th property to use a similar parking structure.

O-2 PROPERTIES WITH COVERED PARKING STRUCTURES



2920 Pearl St. - Hartnett Law Firm



3607 Hood St. - Building Converted to Office



3927 Oak Lawn - Covered Parking for Equinox Gym



4525 Lemmon - Covered Parking for Multi-Office Building



2425 Cedar Springs - MDB Capital Group



2913 Fairmount - Sotheby's Real Estate

BDA 145-073
Attach D

MIKLOS LAW, PLLC
ATTORNEYS & COUNSELORS

ROBERT MIKLOS
ATTORNEY AT LAW

J. PRABHA CINCLAIR
ATTORNEY AT LAW

DUANE BRIGNAC
ATTORNEY AT LAW

June 24, 2016

Steve Long
Board of Adjustment Administrator
Dallas City Hall
1500 Marilla Street
Dallas, Texas 75201

RE: BDA 145-073

Dear Mr. Long,

On behalf of the applicant, Jerry Stark, in BDA case 145-073, we request a postponement of the Board of Adjustment hearing scheduled for June 28, 2016. J. Prabha Cinclair, as lead attorney and representative of Jerry Stark, has been called abroad in order to deal with a death in her family and will not be able to attend the hearing and make her presentation before the Board of Adjustment. We request our matter be moved to the next hearing in August, 2016 and present our case at that time.

Please feel free to contact me at (972)-955-1771 or via email at duane@mikloslegal.com for any questions that you may have.

Sincerely,



Duane Brignac
Associate
Miklos Law, PLLC
972-955-1771

1800 Valley View Lane | Suite 360 | Farmers Branch, Texas 75234 | www.MiklosLegal.com



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 145-073

Data Relative to Subject Property:

Date: 4-26-16

Location address: 3506 Cedar Springs Road

Zoning District: PD 193 (O-2) H/12

Lot No.: N/A Block No.: 992 Acreage: 0.41 Census Tract: 6.05

Street Frontage (in Feet): 1) 145 2) 124 3) 4) 5)

To the Honorable Board of Adjustment :

SW 22

Owner of Property (per Warranty Deed): SPC Cedar Springs, LLC

Applicant: Jerry Stark Telephone: (214) 796-7096

Mailing Address: 4437 Emerson Ave., #5 Dallas, Texas Zip Code: 75205

E-mail Address: jerry@thestarkcompanies.com

Represented by: J. Prabha Cinclair, Miklos Law, PLLC and Craig Melde Telephone: (214) 683-0859 (214) 748-4561 1800 Valley View Lane, Ste. 360, Farmers Branch, Texas 75234

Mailing Address: 1907 Marilla, 2nd Floor, Dallas, Texas Zip Code: 75201

E-mail Address: cinclair@mikloslegal.com cmelde@architexas.com

Affirm that an appeal has been made for a Variance X, or Special Exception, of 15' to the front yard setback regulations to maintain and modify a covered parking structure along the front property of Sale Street and a variance of 8' to the side yard setback regulations to maintain and modify a covered parking structure located on the northeastern side property line. See attachment.

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

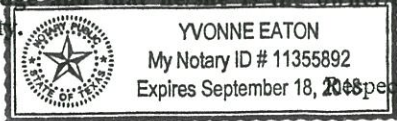
A literal enforcement of PD 193 would result in an unnecessary hardship due to the presence of large trees on the property that are requested to be preserved, the property's designation as a historic site, the restricted area, and the existing easement. Therefore, the property maintains hardships requiring the variances in order to protect the customers, employees, those that require assistance due to physical handicaps, and residents of the site.

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 JERRY STARK (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 24th day of March, 2016

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was---Granted OR Denied

Remarks _____

Chairman

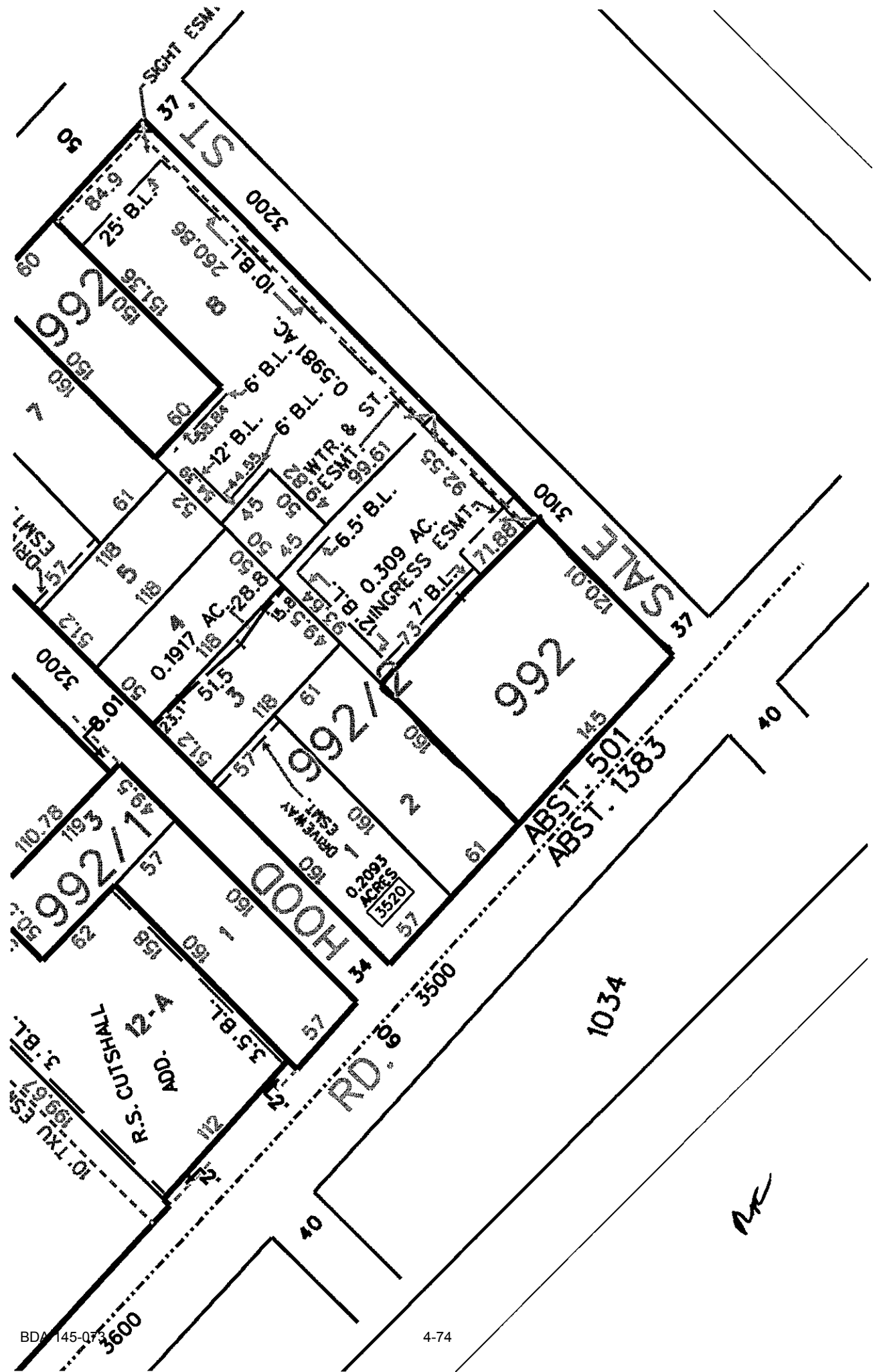
Building Official's Report

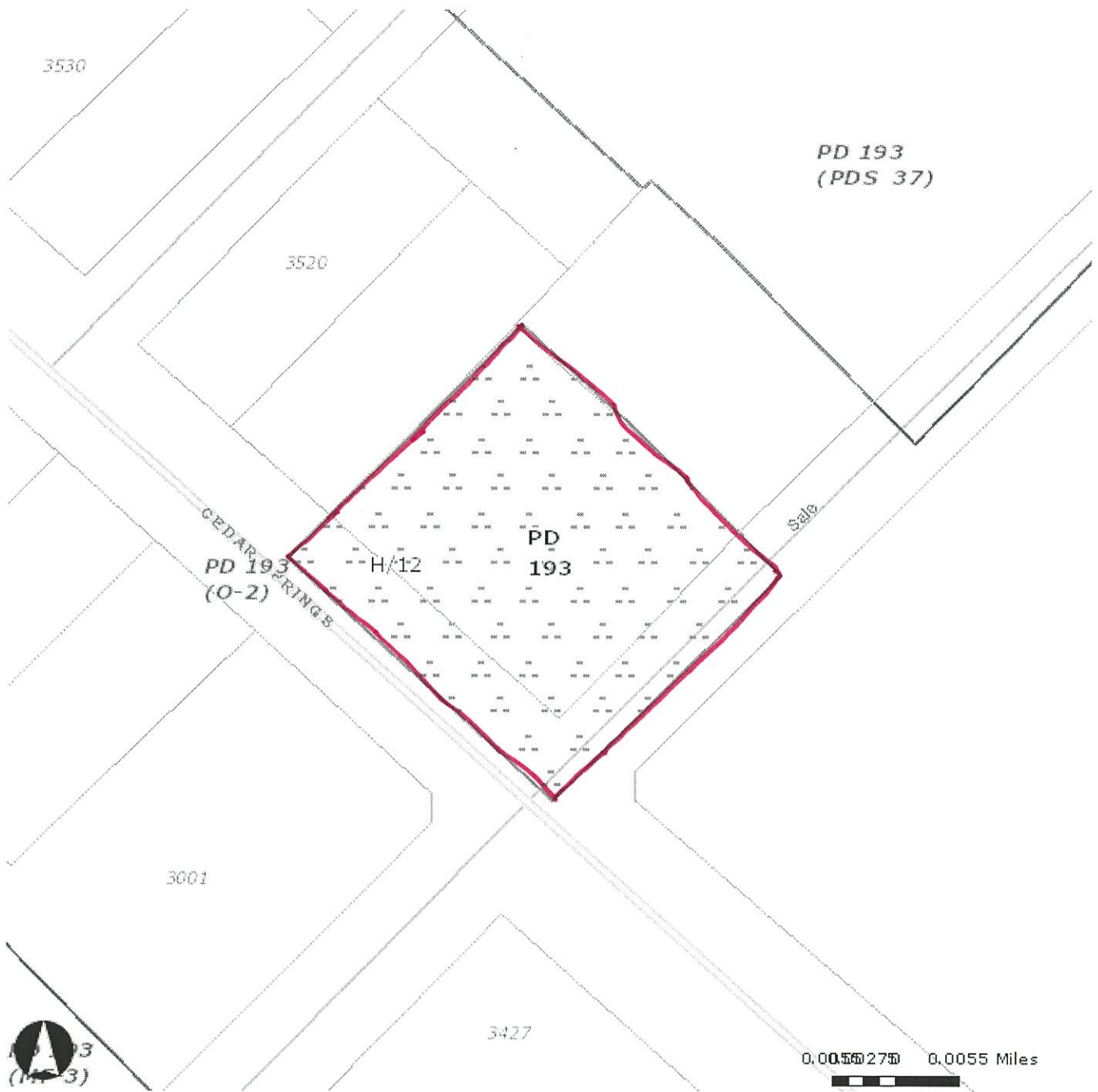
I hereby certify that Jerry Stark
represented by Prabha Cinclair
did submit a request for a variance to the front yard setback regulations, and for a variance to the
side yard setback regulations
at 3506 Cedar Springs Road

BDA145-073. Application of Jerry Stark represented by Prabha Cinclair for a variance to the front yard setback regulations and a variance to the side yard setback regulations at 3506 Cedar Springs Road. This property is more fully described as a .41 acre tract in Bloc 992, and is zoned PD193 (O-2), which requires a front yard setback of 20 feet and require a side yard setback of 10 feet. The applicant proposes to construct and maintain a nonresidential structure and provide a 5 foot front yard setback measured at the foundation with a maximum 1 foot 4 inch roof eave, which will require a 15 foot variance to the front yard setback regulation and provide a 2 foot side yard setback measured at the foundation with a maximum 1 foot 7 inch roof eave, which will require an 8 foot variance to the side yard setback regulation.

Sincerely,

Philip Sikes
Philip Sikes, Building Official





3506 Cedar Springs Road
 Dallas, Texas



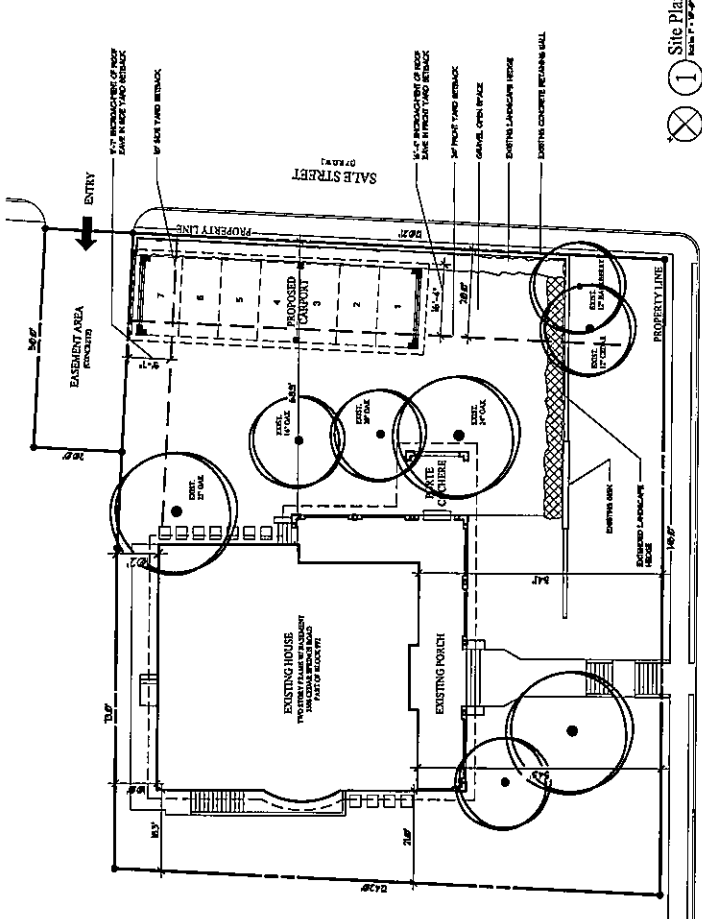
ARCHITEXAS
 ARCHITECTURE, PLANNING AND
 INTERIOR DESIGN
 1907 MARILLA ST. 2ND FLOOR
 DALLAS, TEXAS 75201
 TEL: 214.441.0000
 WWW.ARCHITEXAS.COM

REVISIONS

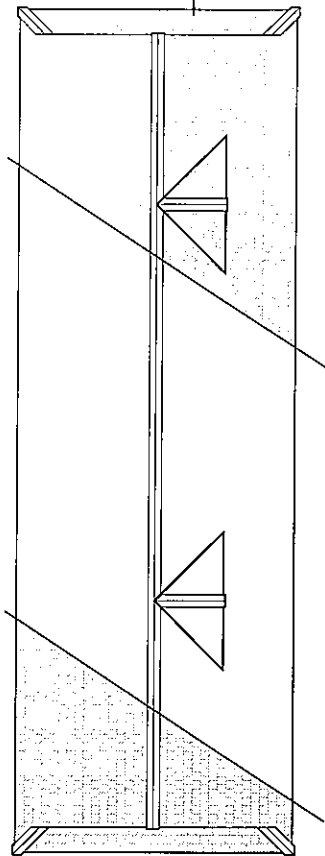
THIS DOCUMENT IS INCOMPLETE
 AND MAY NOT BE USED FOR
 REGULATORY APPROVAL, PERMIT,
 OR CONSTRUCTION.
 CRAIG H. MILBIDE
 TX REGISTRATION NO. 9409

DRAWN BY 61
CHECKED BY
DATE 11 April 2016
PROJECT NO 1550
SHEET NO

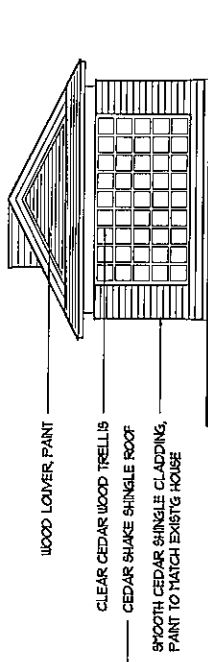
REVIEWSET-NOT FOR CONSTRUCTION



CEDAR SPRINGS ROAD (P. 1550)

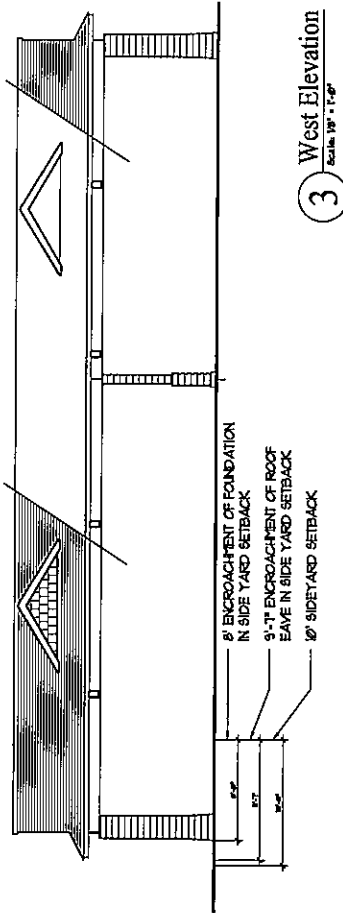


5 Roof Plan
Scale: 1/8" = 1'-0"



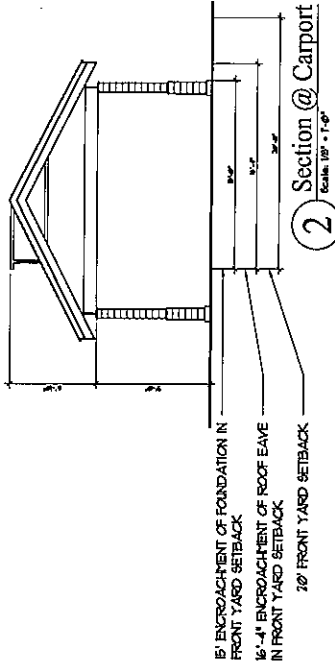
4 North / South Elevation
Scale: 1/8" = 1'-0"

WOOD LOWER PAINT
CLEAR CEDAR WOOD TRELLIS
CEDAR SHAKE SHINGLE ROOF
SMOOTH CEDAR SHINGLE CLADDING,
PAINT TO MATCH EXISTING HOUSE



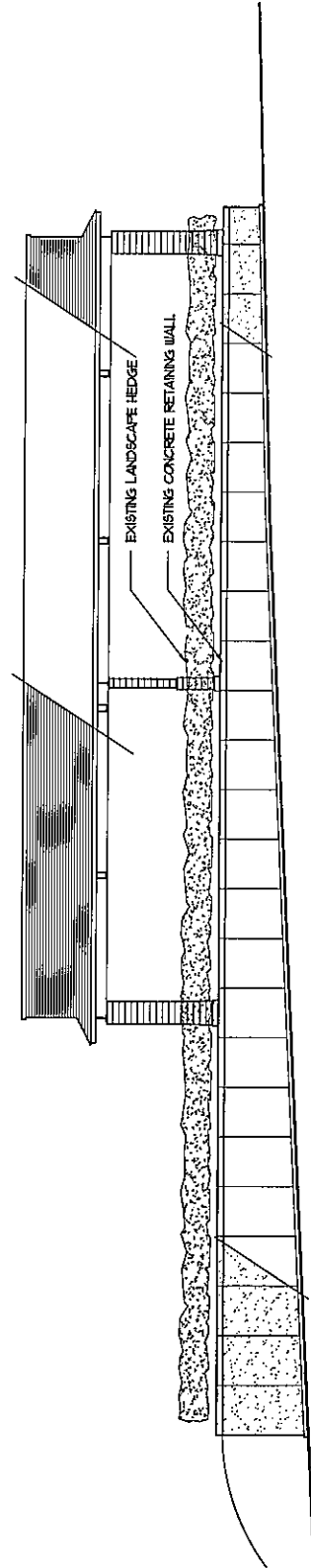
3 West Elevation
Scale: 1/8" = 1'-0"

8' ENCROACHMENT OF FOUNDATION
IN SIDE YARD SETBACK
9'-3" ENCROACHMENT OF ROOF
EAVE IN SIDE YARD SETBACK
10' SIDEYARD SETBACK



2 Section @ Carport
Scale: 1/8" = 1'-0"

15' ENCROACHMENT OF FOUNDATION IN
FRONT YARD SETBACK
16'-4" ENCROACHMENT OF ROOF EAVE
IN FRONT YARD SETBACK
70' FRONT YARD SETBACK



1 East Elevation
Scale: 1/8" = 1'-0"

EXISTING LANDSCAPE HEDGE
EXISTING CONCRETE RETAINING WALL



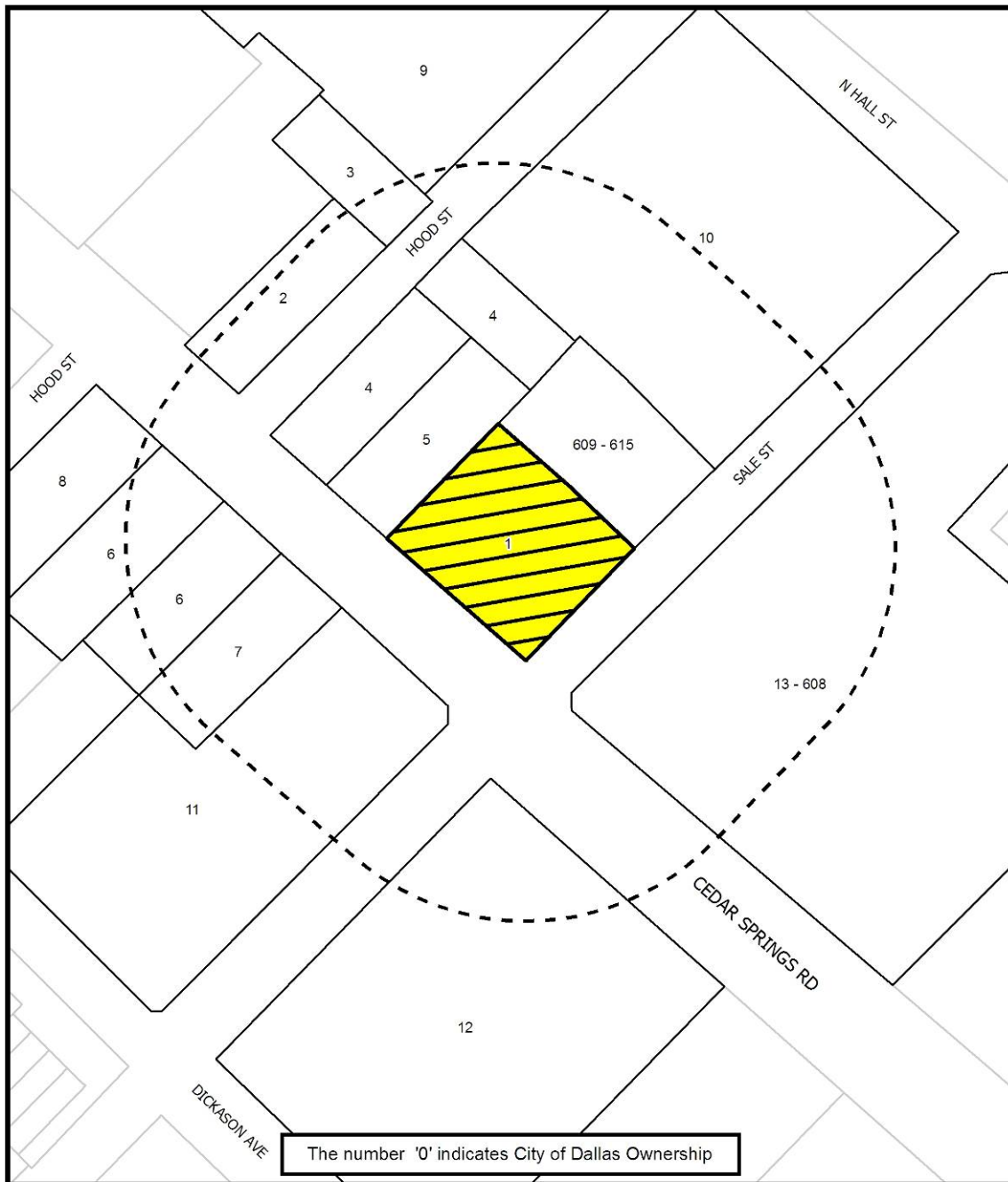
ARCHITECTS

3506 CEDAR SPRINGS ROAD
Dallas, Texas

Application/Appeal To The Board of Adjustment

Attachment

The overhang of the parking structure encroaches an additional 1' 4" into the front yard setback and an additional 1' 7" into the side yard setback.



 1:1,200	NOTIFICATION		Case no: BDA145-073
	<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;">615</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 5/13/2016

Notification List of Property Owners

BDA145-073

615 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3506 CEDAR SPRINGS RD	SPC CEDAR SPRINGS LLC
2	3526 CEDAR SPRINGS RD	CUTSHALL RALPH TR & HANNAH TR
3	3113 HOOD ST	CUTSHALL HANNAH D TR & RALPH S TR
4	3520 CEDAR SPRINGS RD	DRAGON PARK LP
5	3514 CEDAR SPRINGS RD	CUTSHALL MANAGEMENT TRUST THE
6	3515 CEDAR SPRINGS RD	WINHAVIR LP
7	3511 CEDAR SPRINGS RD	WINHAVIR LP
8	3525 CEDAR SPRINGS RD	3525 EXECUTIVE SUITES LLC
9	3141 HOOD ST	W&K HOOD STREET PTNR LP
10	3535 N HALL ST	3535 N HALL ST LLC
11	3001 SALE ST	CWS ROYALE FRANCISCAN LP
12	3427 CEDAR SPRINGS RD	CEDAR SPRINGS PT MFA LP
13	3225 TURTLE CREEK BLVD	SCOTT EDWARD MANAGEMENT TRUST THE
14	3225 TURTLE CREEK BLVD	PORTER HAZEL
15	3225 TURTLE CREEK BLVD	T F W MANAGEMENT INC
16	3225 TURTLE CREEK BLVD	COONER REBECCA
17	3225 TURTLE CREEK BLVD	COUCH ZACHARY
18	3225 TURTLE CREEK BLVD	KIRKPATRICK EMILY A
19	3225 TURTLE CREEK BLVD	LOMBARDO PEDRO A
20	3225 TURTLE CREEK BLVD	JACOBOWSKI THOMAS J &
21	3225 TURTLE CREEK BLVD	MICHAEL RICKY
22	3225 TURTLE CREEK BLVD	BATLLE FRANCISCO J
23	3225 TURTLE CREEK BLVD	DELGADO GLORIA TATIS &
24	3225 TURTLE CREEK BLVD	GILBERT FRANCES M
25	3225 TURTLE CREEK BLVD	SINCLAIR MARGARET TRUSTEE
26	3225 TURTLE CREEK BLVD	HEARN JUSTIN

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3225 TURTLE CREEK BLVD	ROST DAVID B & JENNIFER L
28	3225 TURTLE CREEK BLVD	RUBRIGHT CRAIG WAYNE
29	3225 TURTLE CREEK BLVD	MEWHIRTER MATTHEW
30	3225 TURTLE CREEK BLVD	ABTAHI ALLEN
31	3225 TURTLE CREEK BLVD	GRUBBS GARY A & DONNA L
32	3225 TURTLE CREEK BLVD	PATEL PARAG & ADITI
33	3225 TURTLE CREEK BLVD	KHONSARI AMIR EFTEKHARI
34	3225 TURTLE CREEK BLVD	GARCIA LEE
35	3225 TURTLE CREEK BLVD	LIESNER DARLENE
36	3225 TURTLE CREEK BLVD	BLAKESLEY DAVID WAYNE &
37	3225 TURTLE CREEK BLVD	FLORES RICARDO
38	3225 TURTLE CREEK BLVD	CALDWELL ROGER & KIMBERLY S
39	3225 TURTLE CREEK BLVD	NGUYEN HAIYEN T &
40	3225 TURTLE CREEK BLVD	SANTIAGO SAMUEL
41	3225 TURTLE CREEK BLVD	MCCANCE MELISSA
42	3225 TURTLE CREEK BLVD	CHIEN NANCY K
43	3225 TURTLE CREEK BLVD	DEAN MICHAEL R & KAREN D
44	3225 TURTLE CREEK BLVD	BRISCOE SHEILA A
45	3225 TURTLE CREEK BLVD	ADAMS ARMELIA A
46	3225 TURTLE CREEK BLVD	NEWMAN ROSS &
47	3225 TURTLE CREEK BLVD	MCCALLISTER RONALD D &
48	3225 TURTLE CREEK BLVD	WALKER ARTHUR L &
49	3225 TURTLE CREEK BLVD	MORALES MICHAEL D
50	3225 TURTLE CREEK BLVD	MALLON SCOTT E
51	3225 TURTLE CREEK BLVD	STEFKA IRIS
52	3225 TURTLE CREEK BLVD	DREYER WILLIAM E &
53	3225 TURTLE CREEK BLVD	FETZER MARC
54	3225 TURTLE CREEK BLVD	SUBBARAJ SHRIMAN N
55	3225 TURTLE CREEK BLVD	ORR DONNIE M & ALICE M
56	3225 TURTLE CREEK BLVD	FELD MARK B
57	3225 TURTLE CREEK BLVD	GROSHEK JESSICA L

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	3225 TURTLE CREEK BLVD	OWSTON RICHARD G & DONNA K
59	3225 TURTLE CREEK BLVD	MUELLER RYAN
60	3225 TURTLE CREEK BLVD	CRUCIANI JENNA MARIE
61	3225 TURTLE CREEK BLVD	BURKLE MARTHA ALICIA
62	3225 TURTLE CREEK BLVD	LOGGINS BARRY SR & DIANE
63	3225 TURTLE CREEK BLVD	ANDERSON ALLAN L & KAY K
64	3225 TURTLE CREEK BLVD	GULLIVER JAMES GORDON & JOY
65	3225 TURTLE CREEK BLVD	NAYLOR RACHEL MARIE
66	3225 TURTLE CREEK BLVD	CLAUS JAMES H
67	3225 TURTLE CREEK BLVD	YOPP TRISTAN
68	3225 TURTLE CREEK BLVD	SCHENCK ANDY W
69	3225 TURTLE CREEK BLVD	MERCADANTE PATRICK J &
70	3225 TURTLE CREEK BLVD	MEADOR GLENN JR & RACHEL Z
71	3225 TURTLE CREEK BLVD	CAMP TAMMY D &
72	3225 TURTLE CREEK BLVD	KURLAKOWSKY KRISTYN
73	3225 TURTLE CREEK BLVD	TISELL SCOTT C & KALA S
74	3225 TURTLE CREEK BLVD	BULL BRIAN W
75	3225 TURTLE CREEK BLVD	THOMPSON MICHAEL SCOTT &
76	3225 TURTLE CREEK BLVD	ARAUJO MARCO & FLAVIA LIVING TRUST
77	3225 TURTLE CREEK BLVD	VELOZ GEORGE & ANGELINA
78	3225 TURTLE CREEK BLVD	LEIBASCHOFF GUSTAVO &
79	3225 TURTLE CREEK BLVD	LACARRA ANTONIO
80	3225 TURTLE CREEK BLVD	JAROSKI NATALIE &
81	3225 TURTLE CREEK BLVD	VICTEC INTERNATIONAL LLC
82	3225 TURTLE CREEK BLVD	DENTON IRA C &
83	3225 TURTLE CREEK BLVD	ONEAL SHELDON
84	3225 TURTLE CREEK BLVD	SMITH KATHRYN G
85	3225 TURTLE CREEK BLVD	TURNER RICK
86	3225 TURTLE CREEK BLVD	ARISTY ARISMENDY NICOLAS
87	3225 TURTLE CREEK BLVD	GARAY ROGER &
88	3225 TURTLE CREEK BLVD	TORRES DENNIS M ET AL

Label #	Address	Owner
89	3225 TURTLE CREEK BLVD	SINCLAIR MARGARET TRUSTEE
90	3225 TURTLE CREEK BLVD	YOUNG ALISHA Y
91	3225 TURTLE CREEK BLVD	GOODHEART MELANIE
92	3225 TURTLE CREEK BLVD	RIOS RAYMOND & DEE ANNA E
93	3225 TURTLE CREEK BLVD	CHUNG PAUL
94	3225 TURTLE CREEK BLVD	CARDNEAUX CATHERINE
95	3225 TURTLE CREEK BLVD	CROUCH J MITCHELL &
96	3225 TURTLE CREEK BLVD	CHIEN ALISON L &
97	3225 TURTLE CREEK BLVD	LOBRAICO JENNIFER A
98	3225 TURTLE CREEK BLVD	RODRIGUEZ JAVIER M
99	3225 TURTLE CREEK BLVD	BEGUM ISHRAT JEHAN
100	3225 TURTLE CREEK BLVD	LEWIS LUCINDA J
101	3225 TURTLE CREEK BLVD	O TONY & YOUNG KYUNG SUH
102	3225 TURTLE CREEK BLVD	MUNSTER ROBERT PRESTON
103	3225 TURTLE CREEK BLVD	MUNCIE DIANNA
104	3225 TURTLE CREEK BLVD	GARDNER ELIZABETH P
105	3225 TURTLE CREEK BLVD	CONRAD SARAH M &N BORIVOJE TASIC
106	3225 TURTLE CREEK BLVD	WRIGHT PAUL & ALISON
107	3225 TURTLE CREEK BLVD	ROLIM GEVERSON
108	3225 TURTLE CREEK BLVD	MCDERMOTT JOHN P
109	3225 TURTLE CREEK BLVD	LEAHY DEDIE
110	3225 TURTLE CREEK BLVD	BROOKS JOANNA
111	3225 TURTLE CREEK BLVD	WILEMON ALAYNE
112	3225 TURTLE CREEK BLVD	CHAUDHRY UDIT
113	3225 TURTLE CREEK BLVD	WAN SZE KAR &
114	3225 TURTLE CREEK BLVD	DAVIS STEPHEN B
115	3225 TURTLE CREEK BLVD	FIGUEROA STEPHEN A &
116	3225 TURTLE CREEK BLVD	MCLEAN KATHLEEN
117	3225 TURTLE CREEK BLVD	DEAN ASAD
118	3225 TURTLE CREEK BLVD	SWEENEY CHARLES M & SHANNON H &
119	3225 TURTLE CREEK BLVD	MONUS KATHERINE E

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	3225 TURTLE CREEK BLVD	LIZARRALDE ELISA MARIA
121	3225 TURTLE CREEK BLVD	MAGEE JAMES M
122	3225 TURTLE CREEK BLVD	HOPPER KELLY M
123	3225 TURTLE CREEK BLVD	ANDERSON JEFFREY ALLEN &
124	3225 TURTLE CREEK BLVD	SIMON MARK H
125	3225 TURTLE CREEK BLVD	CORDERO LUIS
126	3225 TURTLE CREEK BLVD	LESSER AMICHAH ETAL &
127	3225 TURTLE CREEK BLVD	BACCHUS SHAYLA
128	3225 TURTLE CREEK BLVD	HERNANDEZ CARLOS
129	3225 TURTLE CREEK BLVD	RAHMAN SYED A &
130	3225 TURTLE CREEK BLVD	BELOTE GARLAND R III
131	3225 TURTLE CREEK BLVD	LATHAM GRANVILLE
132	3225 TURTLE CREEK BLVD	POKORSKI CHARLES J &
133	3225 TURTLE CREEK BLVD	SHAIKH NAVEED &
134	3225 TURTLE CREEK BLVD	ORDONEZ MYRNA
135	3225 TURTLE CREEK BLVD	MAEDA SONIA A
136	3225 TURTLE CREEK BLVD	PASCUAL VIRGINIA &
137	3225 TURTLE CREEK BLVD	SUMMEROUR SHELLY
138	3225 TURTLE CREEK BLVD	HIDELL TIMOTHY B &
139	3225 TURTLE CREEK BLVD	MEZA GEORGE
140	3225 TURTLE CREEK BLVD	ROPER RONDA K
141	3225 TURTLE CREEK BLVD	NIEDERMAYER ANDREA
142	3225 TURTLE CREEK BLVD	MAZING HOMES LLC
143	3225 TURTLE CREEK BLVD	WALKER ROSLYN A
144	3225 TURTLE CREEK BLVD	MELGREN STACEY
145	3225 TURTLE CREEK BLVD	LEWIS MICHAEL RAY &
146	3225 TURTLE CREEK BLVD	KINZY H NORMAN & PAULINE
147	3225 TURTLE CREEK BLVD	YANUS MARGARET
148	3225 TURTLE CREEK BLVD	PATRICIA ELLEN LAU REV TR
149	3225 TURTLE CREEK BLVD	BCD SINGH PROPERTIES OF PLANO LLC
150	3225 TURTLE CREEK BLVD	REDDY JAYANTH V

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151	3225 TURTLE CREEK BLVD	MORROW KATHLEEN
152	3225 TURTLE CREEK BLVD	CHOY DAVID & PATRICIA L
153	3225 TURTLE CREEK BLVD	RICO ANGEL
154	3225 TURTLE CREEK BLVD	ROSENBERG JONATHAN
155	3225 TURTLE CREEK BLVD	NESSSELROAD MARK
156	3225 TURTLE CREEK BLVD	COOLEY SUSAN
157	3225 TURTLE CREEK BLVD	CHIAVIELLO ASHLEIGH B
158	3225 TURTLE CREEK BLVD	WALLACE LOUISE L
159	3225 TURTLE CREEK BLVD	KELLEY CLARENCE
160	3225 TURTLE CREEK BLVD	ROSENBERGER GLENN
161	3225 TURTLE CREEK BLVD	PATIL ABHITABH
162	3225 TURTLE CREEK BLVD	DONER BONNIE & ROBERT
163	3225 TURTLE CREEK BLVD	KARAMALLY ZAHOOR A
164	3225 TURTLE CREEK BLVD	FRECH MORLEY E JR &
165	3225 TURTLE CREEK BLVD	FORTE JERRY
166	3225 TURTLE CREEK BLVD	SKY PROFESSIONAL INVESTMENTS INC
167	3225 TURTLE CREEK BLVD	KUENZLI STEPHEN C &
168	3225 TURTLE CREEK BLVD	FERNANDEZ ERNESTO M
169	3225 TURTLE CREEK BLVD	RIGNEY PAUL W
170	3225 TURTLE CREEK BLVD	MARTINEZ MATISSE M &
171	3225 TURTLE CREEK BLVD	HUKIC OMER & SONJA
172	3225 TURTLE CREEK BLVD	BEACH DENNIS E
173	3225 TURTLE CREEK BLVD	LUDER HOWARD L &
174	3225 TURTLE CREEK BLVD	RAMEZAN FRED TR
175	3225 TURTLE CREEK BLVD	DND TRUST
176	3225 TURTLE CREEK BLVD	NIEDERMEYER VALERY A
177	3225 TURTLE CREEK BLVD	HU YUAN PAI
178	3225 TURTLE CREEK BLVD	TONELLI ROMINA M
179	3225 TURTLE CREEK BLVD	PANTELY CLORINDA & PAUL D
180	3225 TURTLE CREEK BLVD	WILMOTH DAVID D & JULIE D
181	3225 TURTLE CREEK BLVD	PANDYA ALMA R

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182	3225 TURTLE CREEK BLVD	BALARSKY BRIAN A &
183	3225 TURTLE CREEK BLVD	LO HELEN
184	3225 TURTLE CREEK BLVD	CASTAGNET GERARDO & ROSA PATRICIA
185	3225 TURTLE CREEK BLVD	TU PENG CHU BENJAMIN
186	3225 TURTLE CREEK BLVD	GONZALEZ JESUS J
187	3225 TURTLE CREEK BLVD	COOK BRAD M
188	3225 TURTLE CREEK BLVD	KERBY TROY W
189	3225 TURTLE CREEK BLVD	EGHDAMI AEMEH &
190	3225 TURTLE CREEK BLVD	VELA ALAJANDRA
191	3225 TURTLE CREEK BLVD	WEAVER DAVID LEE
192	3225 TURTLE CREEK BLVD	DAVIS JERROD
193	3225 TURTLE CREEK BLVD	WANG TAO
194	3225 TURTLE CREEK BLVD	NGUYEN LAN N & CHRISTOPHER
195	3225 TURTLE CREEK BLVD	HARRIS CHERYL L
196	3225 TURTLE CREEK BLVD	GRAHAM THERESA
197	3225 TURTLE CREEK BLVD	KIRSTEN CORNELIA J & NICO
198	3225 TURTLE CREEK BLVD	MARTIN ROBERT H &
199	3225 TURTLE CREEK BLVD	KELLEY ANITA L
200	3225 TURTLE CREEK BLVD	SHERRY JAMES TODD & CHRISTINE LYNN
201	3225 TURTLE CREEK BLVD	NEELY KIMBERLY
202	3225 TURTLE CREEK BLVD	OWENS HAYWOOD
203	3225 TURTLE CREEK BLVD	MCKENNETT MICHELLE D
204	3225 TURTLE CREEK BLVD	MYUNG ROE & AHRIM
205	3225 TURTLE CREEK BLVD	GANESH CHAT P & LALITHA
206	3225 TURTLE CREEK BLVD	RODRIGUEZ RONALD L & LORI
207	3225 TURTLE CREEK BLVD	RADOMSKI LAUREN &
208	3225 TURTLE CREEK BLVD	HAMILTON TRACEY
209	3225 TURTLE CREEK BLVD	SWEENEY DAN & RENEE
210	3225 TURTLE CREEK BLVD	GHODSI PARI M
211	3225 TURTLE CREEK BLVD	STAGGS WILLIAM F JR
212	3225 TURTLE CREEK BLVD	KENNEDY LESLIE A

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213	3225 TURTLE CREEK BLVD	CORBIN FAMILY REVOCABLE TRUST
214	3225 TURTLE CREEK BLVD	SEAY MICHAEL
215	3225 TURTLE CREEK BLVD	TRACY LYNDA P
216	3225 TURTLE CREEK BLVD	MOGHADAM ALI
217	3225 TURTLE CREEK BLVD	SKY PROFESSIONAL IVNESTMENTS INC
218	3225 TURTLE CREEK BLVD	LE JOHNATHAN
219	3225 TURTLE CREEK BLVD	XU JING & YING
220	3225 TURTLE CREEK BLVD	HADAVAND REZA
221	3225 TURTLE CREEK BLVD	PATEL MITESH
222	3225 TURTLE CREEK BLVD	LEPP JANICE
223	3225 TURTLE CREEK BLVD	SPEARS JEFFREY & MICHELLE
224	3225 TURTLE CREEK BLVD	PELOSOF LORRAINE C
225	3225 TURTLE CREEK BLVD	CLINE FAMILY TRUST FBO WILLIAM
226	3225 TURTLE CREEK BLVD	MONETTE MEGAN MICHELLE
227	3225 TURTLE CREEK BLVD	MAJUMDER ANANYA
228	3225 TURTLE CREEK BLVD	MILAM ADAM
229	3225 TURTLE CREEK BLVD	WOOLFORK TINA TR
230	3225 TURTLE CREEK BLVD	GERALD ROBERT E
231	3225 TURTLE CREEK BLVD	DOYLE TIMOTHY B &
232	3225 TURTLE CREEK BLVD	STEVENS TYLER C
233	3225 TURTLE CREEK BLVD	HAWKINS MICHAEL S
234	3225 TURTLE CREEK BLVD	LESNIEWSKI LORI A
235	3225 TURTLE CREEK BLVD	BARNEY FRED O JR &
236	3225 TURTLE CREEK BLVD	LONNGREN KENT STEFAN
237	3225 TURTLE CREEK BLVD	WIRTNER ANDREW GREGORY
238	3225 TURTLE CREEK BLVD	CIOCH JOHN J
239	3225 TURTLE CREEK BLVD	HENNEBERG WILLIAM H III
240	3225 TURTLE CREEK BLVD	MCKAY LAURIE A
241	3225 TURTLE CREEK BLVD	HABEEB ROBERT A
242	3225 TURTLE CREEK BLVD	DONAHUE PATRICK K
243	3225 TURTLE CREEK BLVD	HEIDE JACKIE

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244	3225 TURTLE CREEK BLVD	MURPHY GARY
245	3225 TURTLE CREEK BLVD	MARASLIOGLU SAHIN & DIKRANUHI
246	3225 TURTLE CREEK BLVD	SAPITSKY JACOBA R
247	3225 TURTLE CREEK BLVD	DIAZ CELINA M
248	3225 TURTLE CREEK BLVD	STRONG JENNIFER M &
249	3225 TURTLE CREEK BLVD	ENGLAND JULIE S & ROBERT W
250	3225 TURTLE CREEK BLVD	GOLDMAN JEANIE
251	3225 TURTLE CREEK BLVD	KRIDER SUE
252	3225 TURTLE CREEK BLVD	KOVAL JOHN & LAURA
253	3225 TURTLE CREEK BLVD	EED FAMILY INC
254	3225 TURTLE CREEK BLVD	LEE VIVIAN S
255	3225 TURTLE CREEK BLVD	DURKAN MARTIN
256	3225 TURTLE CREEK BLVD	EVANS BARRON
257	3225 TURTLE CREEK BLVD	GRESHAM RONALD DEAN
258	3225 TURTLE CREEK BLVD	DUNCAN JOHN M & AMANDA M
259	3225 TURTLE CREEK BLVD	MOSTAFAIE ALIREZA
260	3225 TURTLE CREEK BLVD	KARLOCK KENDRA
261	3225 TURTLE CREEK BLVD	WALLS DAVID & JANA
262	3225 TURTLE CREEK BLVD	PAYNE JONATHAN M &
263	3225 TURTLE CREEK BLVD	LUCIO JESSE & ERICK L
264	3225 TURTLE CREEK BLVD	KUSTOFF JULIE
265	3225 TURTLE CREEK BLVD	GRIFFITH CARROLL &
266	3225 TURTLE CREEK BLVD	FAIR ROGERS P JR
267	3225 TURTLE CREEK BLVD	MAMLOUK RANIA
268	3225 TURTLE CREEK BLVD	YOUNG MARK D
269	3225 TURTLE CREEK BLVD	ALATTAR MONA LISA
270	3225 TURTLE CREEK BLVD	LESLEY PEGGY
271	3225 TURTLE CREEK BLVD	CHEEMA ROOHI
272	3225 TURTLE CREEK BLVD	KHODADOOST SOHEILA
273	3225 TURTLE CREEK BLVD	PANNEERSELVAM ISHWARIAH
274	3225 TURTLE CREEK BLVD	MANES JOHN K

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275	3225 TURTLE CREEK BLVD	KLATT ERNEST M III
276	3225 TURTLE CREEK BLVD	MARTINEZ FRANCISCO JAVIER C
277	3225 TURTLE CREEK BLVD	AGAN ASHLEY D &
278	3225 TURTLE CREEK BLVD	SAUER GARY L & CLAUDIA M
279	3225 TURTLE CREEK BLVD	GONZALEZ INGRID
280	3225 TURTLE CREEK BLVD	SAGINAW MICHAEL
281	3225 TURTLE CREEK BLVD	BROWNFIELD GARY
282	3225 TURTLE CREEK BLVD	GUEMES FRANISCO JAVIER
283	3225 TURTLE CREEK BLVD	SHAFFER DIANA L
284	3225 TURTLE CREEK BLVD	NGUYEN LINH AI &
285	3225 TURTLE CREEK BLVD	BASHIROVA ULVIYYA
286	3225 TURTLE CREEK BLVD	KORAB JEANETTE
287	3225 TURTLE CREEK BLVD	LAAKE JARED A &
288	3225 TURTLE CREEK BLVD	GONZALES CYNTHIA
289	3225 TURTLE CREEK BLVD	RIGGAN NORVILLE
290	3225 TURTLE CREEK BLVD	REECE BOBBY N
291	3225 TURTLE CREEK BLVD	DELVECCHIO JOHN
292	3225 TURTLE CREEK BLVD	KIM EUNSUP
293	3225 TURTLE CREEK BLVD	COLOMBO DANIEL J
294	3225 TURTLE CREEK BLVD	MILLS ANDREW D & LEE A
295	3225 TURTLE CREEK BLVD	EDWARDS WILLIAM B & RHONDA M
296	3225 TURTLE CREEK BLVD	SPACKMAN PAMELA K
297	3225 TURTLE CREEK BLVD	AHEARN STEVEN P &
298	3225 TURTLE CREEK BLVD	HIRST NORMA & ENZIO
299	3225 TURTLE CREEK BLVD	RICHARDSCARTY CHERRI J
300	3225 TURTLE CREEK BLVD	
301	3225 TURTLE CREEK BLVD	AGUILAR ESTEBAN
302	3225 TURTLE CREEK BLVD	EVSEEV EKATERINA V & PETER E
303	3225 TURTLE CREEK BLVD	SAMEI DAVOOD & ROZITA
304	3225 TURTLE CREEK BLVD	CANTON MICHAEL
305	3225 TURTLE CREEK BLVD	PRICE JORDAN S

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306	3225	TURTLE CREEK BLVD SMITH MEREDITH C
307	3225	TURTLE CREEK BLVD NVK PPTIES LLC
308	3225	TURTLE CREEK BLVD MARTINEZ JAMES E
309	3225	TURTLE CREEK BLVD SPERO KIMBERLY
310	3225	TURTLE CREEK BLVD KULKARNI MONA S
311	3225	TURTLE CREEK BLVD MANCINI MASSIMO G
312	3225	TURTLE CREEK BLVD HARTMAN ISRAEL A & FANNY K
313	3225	TURTLE CREEK BLVD RAUPP MAGDALA
314	3225	TURTLE CREEK BLVD DONOVAN GEORGE J III
315	3225	TURTLE CREEK BLVD GIAP FANTINE & BOSCO
316	3225	TURTLE CREEK BLVD GORAL ALEXANDER
317	3225	TURTLE CREEK BLVD MIRASOL ESTRELLA & REYNALDO
318	3225	TURTLE CREEK BLVD RUBLE EILEEN M
319	3225	TURTLE CREEK BLVD ZHANG VIVI
320	3225	TURTLE CREEK BLVD WASHINGTON RODNEY
321	3225	TURTLE CREEK BLVD FARIAS JAMES E
322	3225	TURTLE CREEK BLVD COONS ROBERT A &
323	3225	TURTLE CREEK BLVD DUNHAM WILLIAM
324	3225	TURTLE CREEK BLVD JAIN SHEENA K &
325	3225	TURTLE CREEK BLVD JONES ANN LUTZ
326	3225	TURTLE CREEK BLVD ROHN RICHARD S
327	3225	TURTLE CREEK BLVD COLOMBO PATRICK G &
328	3225	TURTLE CREEK BLVD LACARRA ANTONIO
329	3225	TURTLE CREEK BLVD FANG SUE
330	3225	TURTLE CREEK BLVD UBINAS CARLOS R
331	3225	TURTLE CREEK BLVD TONELLI ROMINA M &
332	3225	TURTLE CREEK BLVD FEIKEMA JOHN & DAWN
333	3225	TURTLE CREEK BLVD BAGHERI BEHROUZ
334	3225	TURTLE CREEK BLVD LANTZ BRAD & LISA
335	3225	TURTLE CREEK BLVD FEDOCK RICHARD NICHOLAS & CAROLE CURRY
336	3225	TURTLE CREEK BLVD DUFFY PAMELA C

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337	3225 TURTLE CREEK BLVD	MESSENGER CLYDE J IV & YAIMA Q
338	3225 TURTLE CREEK BLVD	VRLA KELLI
339	3225 TURTLE CREEK BLVD	ABRAHAM CHARLES T
340	3225 TURTLE CREEK BLVD	SIMS MARK A
341	3225 TURTLE CREEK BLVD	PINE TREE REAL E INV INC
342	3225 TURTLE CREEK BLVD	PANT GARVIT
343	3225 TURTLE CREEK BLVD	PENOT CHARLES R JR
344	3225 TURTLE CREEK BLVD	DREW RACHEL M & RICHARD WILLEMIN
345	3225 TURTLE CREEK BLVD	RAGAN MICHAEL J & TAMATHA L
346	3225 TURTLE CREEK BLVD	KORAB JEANETTE
347	3225 TURTLE CREEK BLVD	GERMANWALA SAMIR V &
348	3225 TURTLE CREEK BLVD	DAVIS ALLISON E
349	3225 TURTLE CREEK BLVD	DAY WILLIAM D & KAREN M
350	3225 TURTLE CREEK BLVD	FRIEDMAN JACQUELINE
351	3225 TURTLE CREEK BLVD	SAYFIE JAN T
352	3225 TURTLE CREEK BLVD	THERIOT E ROBERT &
353	3225 TURTLE CREEK BLVD	LEBLEBICIOGLU ASLI
354	3225 TURTLE CREEK BLVD	SOVIERO CHRIS
355	3225 TURTLE CREEK BLVD	SOLODOFF ROMAN V
356	3225 TURTLE CREEK BLVD	REZNIK YAIR
357	3225 TURTLE CREEK BLVD	GODINES MARY ANNE
358	3225 TURTLE CREEK BLVD	SHI BING
359	3225 TURTLE CREEK BLVD	CLELAND DONNA B
360	3225 TURTLE CREEK BLVD	ADAPPA DEEPAK & HELEN HSU
361	3225 TURTLE CREEK BLVD	CORNELL DOUGLAS T &
362	3225 TURTLE CREEK BLVD	SMOLENSKY FERNANDO &
363	3225 TURTLE CREEK BLVD	HOBBS SHAYLA
364	3225 TURTLE CREEK BLVD	HEAD KEITH L &
365	3225 TURTLE CREEK BLVD	BEISER STEVEN P
366	3225 TURTLE CREEK BLVD	REDDY JAYAPRAKASH N & JYOTHI J
367	3225 TURTLE CREEK BLVD	PR SAD ROY H & SATOE SOGA

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368	3225 TURTLE CREEK BLVD	DASH RANGADHAR
369	3225 TURTLE CREEK BLVD	QUINONES RAUL & MIGDALIA FERNANDEZ
370	3225 TURTLE CREEK BLVD	STEWART DOUGLAS N
371	3225 TURTLE CREEK BLVD	GREGORY J MINOR & EMILY
372	3225 TURTLE CREEK BLVD	MADNANI KUNAL M
373	3225 TURTLE CREEK BLVD	MOOSCHEKIAN TERRY TR &
374	3225 TURTLE CREEK BLVD	GRASSO RANDALL & LISA
375	3225 TURTLE CREEK BLVD	GIRALDO HERNAN F
376	3225 TURTLE CREEK BLVD	WALLS DAVID
377	3225 TURTLE CREEK BLVD	ZARBINIAN MAXINE NEWSHA
378	3225 TURTLE CREEK BLVD	GILBERT ANDREW T
379	3225 TURTLE CREEK BLVD	MARTINEZ MARCO A
380	3225 TURTLE CREEK BLVD	HARRIS J JOE & DIANA H
381	3225 TURTLE CREEK BLVD	WALKER DONALD E III
382	3225 TURTLE CREEK BLVD	PEYROVI LILLY
383	3225 TURTLE CREEK BLVD	BURKLE FRANCISCO J
384	3225 TURTLE CREEK BLVD	SAMEI ROZITA &
385	3225 TURTLE CREEK BLVD	GRESHAM ANN
386	3225 TURTLE CREEK BLVD	HILL MARILYN K
387	3225 TURTLE CREEK BLVD	KHAVARI ROD B
388	3225 TURTLE CREEK BLVD	DAVID SIKORA FAMILY TRUST
389	3225 TURTLE CREEK BLVD	CORTEZ GLORIA J
390	3225 TURTLE CREEK BLVD	ORTIZ LUIS A
391	3225 TURTLE CREEK BLVD	RYER WADE T
392	3225 TURTLE CREEK BLVD	ROSE JAMES E
393	3225 TURTLE CREEK BLVD	MCQUIEN JOANNA L
394	3225 TURTLE CREEK BLVD	SHAHRESTANI FRANK & SEAN
395	3225 TURTLE CREEK BLVD	TARTIBI MOHSEN & HANA
396	3225 TURTLE CREEK BLVD	JHANGIANI NARAIN & LALITA
397	3225 TURTLE CREEK BLVD	TITUS JACQUELINE L
398	3225 TURTLE CREEK BLVD	GARZA DAVID SEPULVEDA

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
399	3225 TURTLE CREEK BLVD	AKIVA RONEN & MICHAEL B
400	3225 TURTLE CREEK BLVD	HARRELL ZELLA K
401	3225 TURTLE CREEK BLVD	SADA MATIAS D & ETAL
402	3225 TURTLE CREEK BLVD	JL PPTY INV LLC JL TURTLE CREEK SERIES
403	3225 TURTLE CREEK BLVD	HOPPER KELLY
404	3225 TURTLE CREEK BLVD	KARLOCK KENDRA
405	3225 TURTLE CREEK BLVD	PEREZ ROBERTO
406	3225 TURTLE CREEK BLVD	KOWALSKI ELIZABETH
407	3225 TURTLE CREEK BLVD	WONG KRISTIN
408	3225 TURTLE CREEK BLVD	BEAN JASON
409	3225 TURTLE CREEK BLVD	NI HAO
410	3225 TURTLE CREEK BLVD	ABOLMAALI SEYED
411	3225 TURTLE CREEK BLVD	KEENAN MATTHEW JOHN
412	3225 TURTLE CREEK BLVD	RENAISSANCE ON TURTLE CREEK CONDO ASSN
413	3225 TURTLE CREEK BLVD	ODEH ASHLEY D
414	3225 TURTLE CREEK BLVD	HOPKINS TIMOTHY
415	3225 TURTLE CREEK BLVD	BECK ERIC &
416	3225 TURTLE CREEK BLVD	KARIMI MANDY
417	3225 TURTLE CREEK BLVD	JEFFERS CHRISTOPHER D
418	3225 TURTLE CREEK BLVD	CONSTANTINE SAMI
419	3225 TURTLE CREEK BLVD	ARCHER ELIZABETH
420	3225 TURTLE CREEK BLVD	SHAVER HERBERT E
421	3225 TURTLE CREEK BLVD	SALIM NASIM
422	3225 TURTLE CREEK BLVD	SHIPP BLAKE
423	3225 TURTLE CREEK BLVD	CHARAN RAM
424	3225 TURTLE CREEK BLVD	NASH MARIANNE E
425	3225 TURTLE CREEK BLVD	KING DANIEL
426	3225 TURTLE CREEK BLVD	FREY CARL
427	3225 TURTLE CREEK BLVD	WARE JASMINE &
428	3225 TURTLE CREEK BLVD	HERBERT SCOTT
429	3225 TURTLE CREEK BLVD	WHITWORTH LINA & BRIAN

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
430	3225 TURTLE CREEK BLVD	AMADOR MARISOL
431	3225 TURTLE CREEK BLVD	CASTLES STEPHEN C
432	3225 TURTLE CREEK BLVD	THAN THAN INVESTMENTS LTD
433	3225 TURTLE CREEK BLVD	MCCRARY KRISTIE K
434	3225 TURTLE CREEK BLVD	KINZY HARRY N &
435	3225 TURTLE CREEK BLVD	SILES MELISA &
436	3225 TURTLE CREEK BLVD	KOBLER CHRISTOPHER
437	3225 TURTLE CREEK BLVD	MODY ALKA
438	3225 TURTLE CREEK BLVD	KESSLER TIMOTHY
439	3225 TURTLE CREEK BLVD	OTT JESSICA
440	3225 TURTLE CREEK BLVD	STAMP DUANE M & LINDA E
441	3225 TURTLE CREEK BLVD	KEARNS THOMAS V
442	3225 TURTLE CREEK BLVD	MACHON ED &
443	3225 TURTLE CREEK BLVD	MORGAN MARK G
444	3225 TURTLE CREEK BLVD	KUCERA DOUGLAS &
445	3225 TURTLE CREEK BLVD	SIEBER JOHN
446	3225 TURTLE CREEK BLVD	IVEY EDWARD J JR
447	3225 TURTLE CREEK BLVD	JONES TAMEKIA
448	3225 TURTLE CREEK BLVD	MCDANIEL LISA K
449	3225 TURTLE CREEK BLVD	MEFTAHI ALIA
450	3225 TURTLE CREEK BLVD	HONG TIFFANY & TED Y
451	3225 TURTLE CREEK BLVD	GAGNET UNKEFER CORRINE
452	3225 TURTLE CREEK BLVD	BROWN VICTORIA REBECCA
453	3225 TURTLE CREEK BLVD	CANNATA JAMES
454	3225 TURTLE CREEK BLVD	AHMED MOHAMMED SAYEED & KHALIDA
455	3225 TURTLE CREEK BLVD	MOSS ANDRELYN C &
456	3225 TURTLE CREEK BLVD	EMBABI SHERIF &
457	3225 TURTLE CREEK BLVD	SANKALIA JAINAN
458	3225 TURTLE CREEK BLVD	MOHAN ALOK
459	3225 TURTLE CREEK BLVD	MURRAY NATALIE TRUSTEE
460	3225 TURTLE CREEK BLVD	TEAGUE TRAVIS M

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
461	3225 TURTLE CREEK BLVD	NORDSTROM JASON R & LEIGH F
462	3225 TURTLE CREEK BLVD	VILLARREAL RAUL ROJAS &
463	3225 TURTLE CREEK BLVD	FOGLER JASON C
464	3225 TURTLE CREEK BLVD	MANCHANDA KSHITIJ &
465	3225 TURTLE CREEK BLVD	VPH LLC
466	3225 TURTLE CREEK BLVD	WHITENER ASHLEY M
467	3225 TURTLE CREEK BLVD	GHAEMMAGHAMI AREZOU S
468	3225 TURTLE CREEK BLVD	MASROUR FARBOD
469	3225 TURTLE CREEK BLVD	MONASTESSE MARY
470	3225 TURTLE CREEK BLVD	ZHAO ROBIN M &
471	3225 TURTLE CREEK BLVD	DEFURIA LINDA M
472	3225 TURTLE CREEK BLVD	NESBITT GILDA D
473	3225 TURTLE CREEK BLVD	FRIEDRICH JESSICA ANDREA &
474	3225 TURTLE CREEK BLVD	POWELL BRETT W
475	3225 TURTLE CREEK BLVD	HYVI DAVID R
476	3225 TURTLE CREEK BLVD	KING IVORY L
477	3225 TURTLE CREEK BLVD	RUSSELL STEPHEN & MELANY
478	3225 TURTLE CREEK BLVD	MULLENS DAVID B JR & JUDITH L
479	3225 TURTLE CREEK BLVD	DERINGER MATTHEW ROBERT
480	3225 TURTLE CREEK BLVD	PATEL RAJESH
481	3225 TURTLE CREEK BLVD	LARSON MARK & FAYE LARSON
482	3225 TURTLE CREEK BLVD	CAMPBELL JIM L
483	3225 TURTLE CREEK BLVD	AVONDALE TRUST
484	3225 TURTLE CREEK BLVD	MULAS GERARDO &
485	3225 TURTLE CREEK BLVD	YAZDANI MAHMOUD MAGHSOUD &
486	3225 TURTLE CREEK BLVD	HERBST PAUL & LORI
487	3225 TURTLE CREEK BLVD	BAKER PRESTON B & NANCY
488	3225 TURTLE CREEK BLVD	FEDERAL HOME LOAN MORTGAGE CORP
489	3225 TURTLE CREEK BLVD	SULLIVAN PATRICK
490	3225 TURTLE CREEK BLVD	KRALIS LESLEY E
491	3225 TURTLE CREEK BLVD	CRONK M ESTELLE TRUST OF 2010

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
492	3225 TURTLE CREEK BLVD	JANKIRAMAN PAVAN
493	3225 TURTLE CREEK BLVD	KHAYAI HUSNI R
494	3225 TURTLE CREEK BLVD	PALINGINIS STEPHAN
495	3225 TURTLE CREEK BLVD	SPARKS TAMMY A & RAMON A
496	3225 TURTLE CREEK BLVD	SHAPOURI AZIZ & FARIDEH
497	3225 TURTLE CREEK BLVD	COFFEY ELIZABETH M
498	3225 TURTLE CREEK BLVD	SUGIURA YOSHIE
499	3225 TURTLE CREEK BLVD	MORGAN CHRIS B
500	3225 TURTLE CREEK BLVD	NAIR CKP & SYAMALA C
501	3225 TURTLE CREEK BLVD	PATEL PIYUSH K & MINA P
502	3225 TURTLE CREEK BLVD	SAKS KATHRINE TORY &
503	3225 TURTLE CREEK BLVD	BINFORD OSWALD &
504	3225 TURTLE CREEK BLVD	MCCLARY TAMMY & SAMUEL
505	3225 TURTLE CREEK BLVD	DESAI PRAVIN & ARATI
506	3225 TURTLE CREEK BLVD	PALINGINIS BETH
507	3225 TURTLE CREEK BLVD	STEPHENSON SARAH E
508	3225 TURTLE CREEK BLVD	LACARRA ADRIANNA
509	3225 TURTLE CREEK BLVD	PARNELL WENDY
510	3225 TURTLE CREEK BLVD	MCRUIZ ROBIN MARCH
511	3225 TURTLE CREEK BLVD	SOM SOLINA
512	3225 TURTLE CREEK BLVD	STARR NIKKI
513	3225 TURTLE CREEK BLVD	MASCOLO EMMANUELLA
514	3225 TURTLE CREEK BLVD	VELASQUEZ RUBEN II
515	3225 TURTLE CREEK BLVD	WENNO HILDA
516	3225 TURTLE CREEK BLVD	SPENCER JOSHUA L
517	3225 TURTLE CREEK BLVD	KOGAN ALLAN J
518	3225 TURTLE CREEK BLVD	JONES JAMES ADRIAN &
519	3225 TURTLE CREEK BLVD	LINDWALL DAVID
520	3225 TURTLE CREEK BLVD	LIDJI LEON J & MYRIAM B
521	3225 TURTLE CREEK BLVD	ZAKHOUR BASSAM
522	3225 TURTLE CREEK BLVD	COOGAN JOHN J JR & MARY ELLEN

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
523	3225	TURTLE CREEK BLVD DAO VU A & KIM LANG
524	3225	TURTLE CREEK BLVD CUMMINGS KENT W & JUNKO I
525	3225	TURTLE CREEK BLVD AA &A ACQUISITION LLC
526	3225	TURTLE CREEK BLVD ALLEN DANDRIC E
527	3225	TURTLE CREEK BLVD MATTHEWS STEVEN KEITH & JUDY G
528	3225	TURTLE CREEK BLVD BRADBURY CHARLOTTE S &
529	3225	TURTLE CREEK BLVD BRUCHMILLER BOYD & LUSHILE
530	3225	TURTLE CREEK BLVD SOUCHAK JASON P
531	3225	TURTLE CREEK BLVD AHMED MAHRIN
532	3225	TURTLE CREEK BLVD LE PHUONG T
533	3225	TURTLE CREEK BLVD BALL LESLIE A &
534	3225	TURTLE CREEK BLVD PAVIA FAMILY TRUST
535	3225	TURTLE CREEK BLVD BARDIN ALLISON C & ANDREW
536	3225	TURTLE CREEK BLVD POWERS DANIEL D & KRISTINE C
537	3225	TURTLE CREEK BLVD MOORE TIMOTHY J & PAMELA M
538	3225	TURTLE CREEK BLVD ADELSON PAUL
539	3225	TURTLE CREEK BLVD PATEL KAMAL V
540	3225	TURTLE CREEK BLVD POEN NATHAN A
541	3225	TURTLE CREEK BLVD DOROTHY LAY MGMT TRUST
542	3225	TURTLE CREEK BLVD DUNCAN JOHN MICHAEL &
543	3225	TURTLE CREEK BLVD WETTREICH DANNY
544	3225	TURTLE CREEK BLVD ROSE BRYAN & MARCIA LOUISE SOUTHALL
545	3225	TURTLE CREEK BLVD MUSSULMAN DANIEL & NAILA
546	3225	TURTLE CREEK BLVD WOLOWICZ LAWRENCE & CATHY
547	3225	TURTLE CREEK BLVD BAEK STEVEN A
548	3225	TURTLE CREEK BLVD ROZENZVIG YEHIEL
549	3225	TURTLE CREEK BLVD PATEL DHARMESH
550	3225	TURTLE CREEK BLVD FREEMAN RACHEL OLIVIA
551	3225	TURTLE CREEK BLVD KELLETT RICHARD D
552	3225	TURTLE CREEK BLVD MAH JEFFERY
553	3225	TURTLE CREEK BLVD HARRIS TINA M

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
554	3225 TURTLE CREEK BLVD	PHAM LAN D
555	3225 TURTLE CREEK BLVD	HICKMAN JAMES J
556	3225 TURTLE CREEK BLVD	SALAME STACY
557	3225 TURTLE CREEK BLVD	LISULA SCOTT & BRIANNON
558	3225 TURTLE CREEK BLVD	AN JADHAVJI INVESTMENTS
559	3225 TURTLE CREEK BLVD	DENIO MICHAEL E
560	3225 TURTLE CREEK BLVD	KAMPINE JOHN M &
561	3225 TURTLE CREEK BLVD	LEPP JANICE
562	3225 TURTLE CREEK BLVD	RANDEL SUSAN B
563	3225 TURTLE CREEK BLVD	CELLI ROBERT M
564	3225 TURTLE CREEK BLVD	ARMAND AHMAD & MAHVASH
565	3225 TURTLE CREEK BLVD	WINSPEARE NEVE A
566	3225 TURTLE CREEK BLVD	BLAKE NINA CERVANTES
567	3225 TURTLE CREEK BLVD	WATTS JANET L
568	3225 TURTLE CREEK BLVD	RIZK AMINE
569	3225 TURTLE CREEK BLVD	DOYLE TIMOTHY B &
570	3225 TURTLE CREEK BLVD	SOJOURNER WILLIAM & JANA
571	3225 TURTLE CREEK BLVD	KHANBEIGI MANOOCH & ANNIE
572	3225 TURTLE CREEK BLVD	BLACKLEDGE LAWRENCE A
573	3225 TURTLE CREEK BLVD	LEE BILL G
574	3225 TURTLE CREEK BLVD	MARTINEZ FAUSTINA
575	3225 TURTLE CREEK BLVD	AKIN MARK & DEBI AKIN
576	3225 TURTLE CREEK BLVD	SEEBERGER JOAN P
577	3225 TURTLE CREEK BLVD	BELL THOMAS F
578	3225 TURTLE CREEK BLVD	MINTZ MARTIN L
579	3225 TURTLE CREEK BLVD	STINSON JANET LYNN
580	3225 TURTLE CREEK BLVD	DEBLANK ANNE B
581	3225 TURTLE CREEK BLVD	MARSH HOLLIS E &
582	3225 TURTLE CREEK BLVD	SPIES RONALD & CHERI
583	3225 TURTLE CREEK BLVD	BLOOM ROBERT A
584	3225 TURTLE CREEK BLVD	KREIGHBAUM JOHN &

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
585	3225 TURTLE CREEK BLVD	MCREYNOLDS SHARON N
586	3225 TURTLE CREEK BLVD	HERNANDEZ ELISA C
587	3225 TURTLE CREEK BLVD	BINFORD OSWALD S &
588	3225 TURTLE CREEK BLVD	DUNDON KENNETH J
589	3225 TURTLE CREEK BLVD	PANCHASARP VANEE &
590	3225 TURTLE CREEK BLVD	STEIN GIFFORD P & SHARON
591	3225 TURTLE CREEK BLVD	KUBILIUN NISA
592	3225 TURTLE CREEK BLVD	RUGWANI RAJIV M
593	3225 TURTLE CREEK BLVD	SEVENSEVEN 81 LTD
594	3225 TURTLE CREEK BLVD	BURGIO DONALD A
595	3225 TURTLE CREEK BLVD	DELBAGNO JOHN B TR &
596	3225 TURTLE CREEK BLVD	STOCKER JULIA
597	3225 TURTLE CREEK BLVD	BREGMAN ROBERT ALAN &
598	3225 TURTLE CREEK BLVD	SHU HARRY H
599	3225 TURTLE CREEK BLVD	ROSENBERG CARLA
600	3225 TURTLE CREEK BLVD	BENAHARON SOL
601	3225 TURTLE CREEK BLVD	ALKAYED RIYAD
602	3225 TURTLE CREEK BLVD	MATHER MATTHEW JAMES
603	3225 TURTLE CREEK BLVD	DOYLE TIMOTHY BRIAN &
604	3225 TURTLE CREEK BLVD	JONES JAMES ADRIAN ET AL
605	3225 TURTLE CREEK BLVD	RENAISSANCE ON TURTLE CREEK
606	3225 TURTLE CREEK BLVD	TURTLE CREEK DEVELOPMENT
607	3225 TURTLE CREEK BLVD	THE RENAISSANCE ON TURTLE CREEK
608	3225 TURTLE CREEK BLVD	THE RENAISSANCE ON TURTLE CREEK
609	3111 SALE ST	ROMERO GUSTAVO
610	3111 SALE ST	PRICE JAMES &
611	3111 SALE ST	PRICE JAMES E
612	3111 SALE ST	BOECK BLAIR ANN
613	3115 SALE ST	SALWEI ROBERT J
614	3115 SALE ST	DANIEL WILLIAM SAMUEL
615	3115 SALE ST	MILLER ERIC W &

FILE NUMBER: BDA156-074(SL)

BUILDING OFFICIAL'S REPORT: Application of Joel Castillo, represented by Peter Kavanagh of Zone Systems, for a variance to the front yard setback regulations and a special exception to the fence height regulations at 2141 Barberry Drive. This property is more fully described as Lot 5, Block 2/4806, and is zoned R-7.5(A), which requires a front yard setback of 25 feet and limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain a structure and provide a 15 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations, and to maintain an 8 foot 6 inch high fence, which will require a 4 foot 6 inch special exception to the fence height regulations.

LOCATION: 2141 Barberry Drive

APPLICANT: Joel Castillo
Represented by Peter Kavanagh of Zone Systems

REQUESTS:

The following requests have been made on a site that is developed with a 1-story single family structure:

1. A request for a variance to the front yard setback regulations of 10' is requested to construct and maintain a 2-story addition to the existing single family structure, part of which would be located 15' from one of the site's two front property lines (Remond Drive) or 10' into this 25' front yard setback.
2. A request for a special exception to the fence height regulations of 4' 6" is made to maintain an 8' 6" high solid wood fence and gate in the site's Remond Drive front yard setback.

STANDARD FOR A VARIANCE:

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

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

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

STANDARD FOR A SPECIAL EXCEPTION TO FENCE 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 (variance):

Denial

- Staff concluded that the applicant had not substantiated how the variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning.
- While staff recognized the fact that the subject site was unique and different from most lots zoned R-7.5(A) in that it has two front yard setbacks, the applicant had not substantiated how this precluded the site from being developed in a manner commensurate with other developments in the same R-7.5(A) zoning district.
- Staff concluded that the applicant had not substantiated how the home with approximately 2,200 square feet of floor area once the addition was made would be development that is commensurate with the development found on other R-7.5(A) zoned lots.

STAFF RECOMMENDATION (fence height):

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-7.5(A) (Single family district 7,500 square feet)
North: IR (Industrial/research)
South: R-7.5(A) (Single family district 7,500 square feet)
East: R-7.5(A) (Single family district 7,500 square feet)
West: R-7.5(A) (Single family district 7,500 square feet)

Land Use:

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

Zoning/BDA History:

1. BDA956-136, Property located at 2123 Barberrry Drive (two lots east of the subject site)

On January 23, 1996, the Board of Adjustment Panel C granted a request for variance to the front yard setback regulations of 9'.
The case report stated that the request was made to complete and maintain a 400 square foot, two-car garage in the 25' Remond Drive front yard setback.

GENERAL FACTS/STAFF ANALYSIS (variance):

- This request focuses on constructing and maintaining a 2-story addition to an existing 1-story single family structure, part of which would be located 15' from one of the site's two front property lines (Remond Drive) or 10' into this 25' front yard setback.
- The site is zoned R-7.5(A) which requires a minimum front yard setback of 25'.
- The subject site is located between Remond Drive on the north and Barberrry Drive on the south. Regardless of how the existing single-family structure on the site is oriented to front south to Barberrry Drive and to back northward to Remond Drive, the site has two 25' front yard setbacks since the code states that if a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets.
- A scaled site plan has been submitted indicating that a portion of the addition (expanded 1st floor with new 2nd floor atop) is located 15' from the Remond Drive front property line or 10' into this 25' front yard setback.
- The submitted site plan represents a structure to encroach only into the site's Remond Drive front yard setback and not into the site's Barberrry Drive front yard setback.
- The submitted site plan indicates the following square footage calculations:
 - Existing house 1st floor area: 1,455 square feet
 - House addition 1st floor area: 95 square feet
 - House addition 2nd floor area: 655 square feet
 - New garage area: 655 square feet
 - New balcony area: 18 square feet

- According to calculations made by the Board Administrator from the submitted site plan, the total existing home is 1,455 square feet in area; the combined 1st and 2nd floor addition is 750 square feet. The total square footage of the home with additions including the new second floor and the first floor expansion includes: 1) an approximately 96 square foot addition between the existing garage and the existing home and 2) an approximately 200 square foot expanded garage area by 9' towards the Remond Drive front property line) is approximately 2,800 square feet.
- According to calculations made by the Board Administrator from the submitted site plan, it appears that approximately 230 square feet of the total 2,200 square foot building footprint would be located in the Remond Drive 25' front yard setback.
- According to DCAD records, the "main improvement" for the property addressed at 2141 Barberry Drive is a structure constructed in 1941 with 1,295 square feet of living area and 1,415 square feet of total area; the "additional improvements" for the property addressed at 2141 Barberry Drive is a 120 square foot enclosed patio and a 378 square foot attached garage.
- The subject site is flat and rectangular in shape (125' x 60'), and according to the submitted application is 0.183 acres (or approximately 8,000 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- Most lots in the R-7.5(A) zoning district have one 25' front yard setback, two 5' side yard setbacks, and one 5' rear yard setback; this site has two 25' front yard setbacks and two 5' side yard setbacks.
- The subject site at 125' in length has 75' of length left for development once 25' front yard setbacks are accounted for on the north and south. If this lot were more typically with one front yard, two side yards, and one rear yard, the 125' long lot would have 95' of length left for development.
- The applicant has submitted information stating that the homes in his neighborhood range in size from about 1,200 square feet to 2,404 square feet; and the home on the site will contain 2,205 square feet of floor area when complete.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which in this case is a structure that would be located 15'

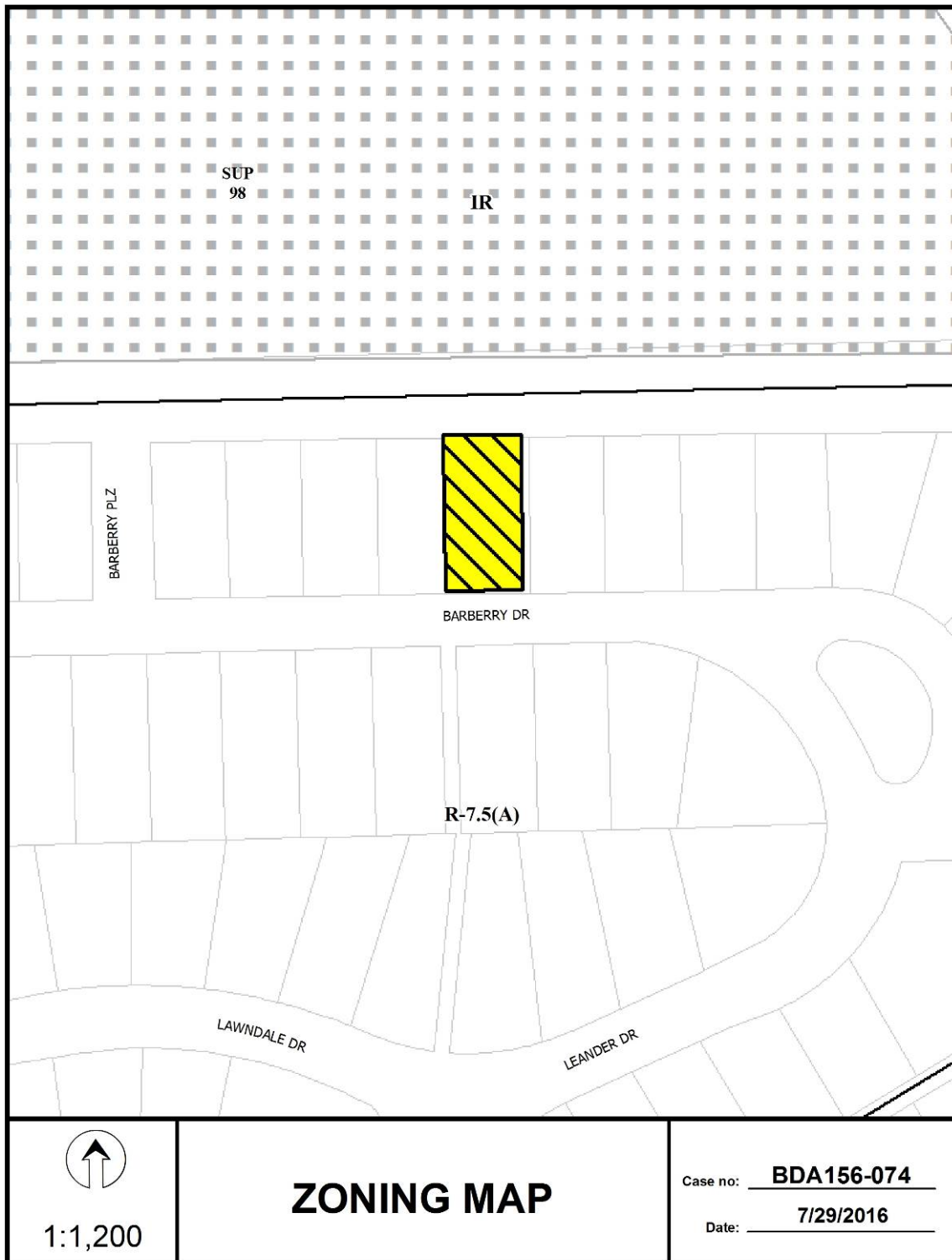
from the site's Remond Drive front property line (or 10' into this 25' front yard setback).

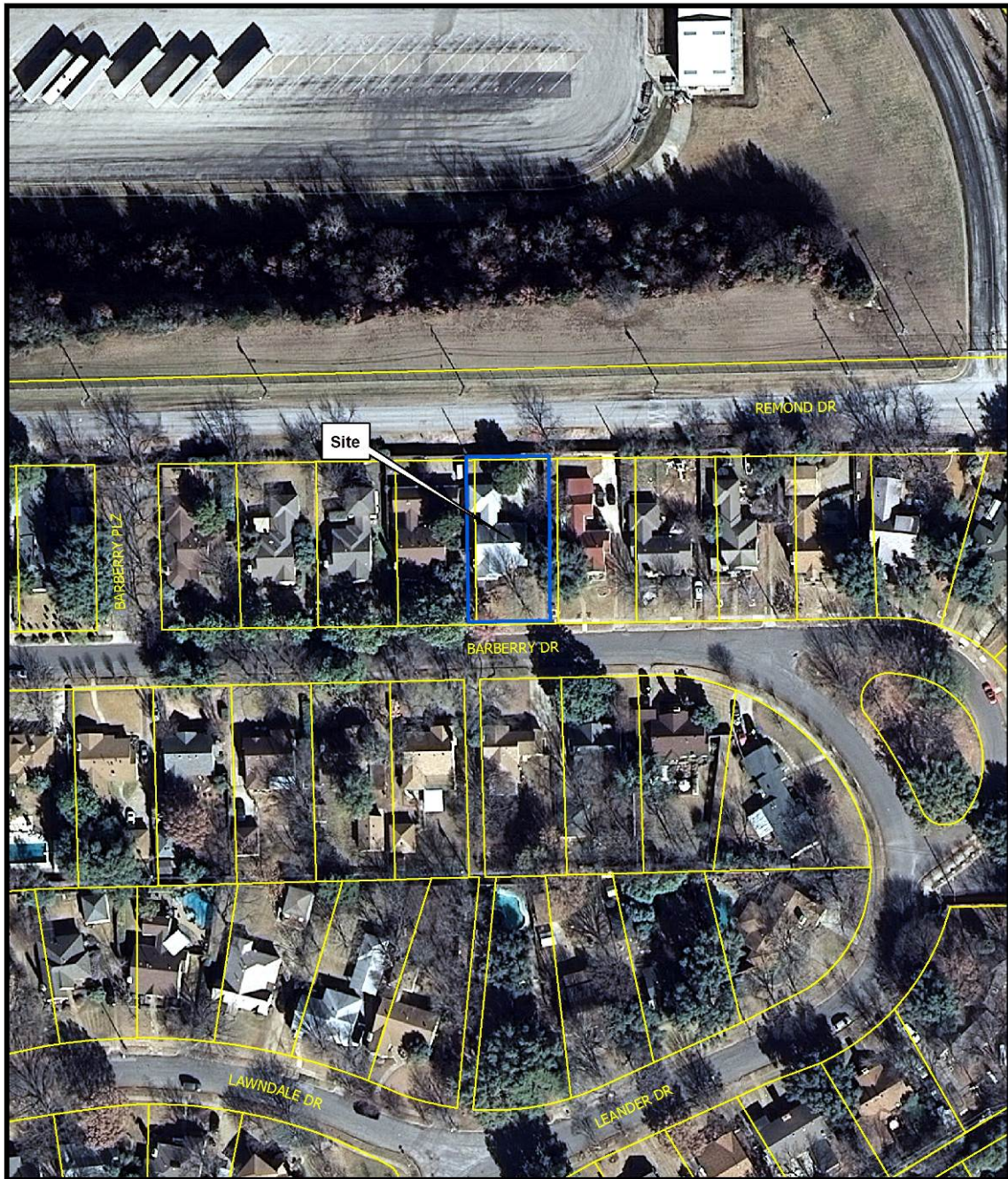
GENERAL FACTS/STAFF ANALYSIS (fence height):

- This request focuses on maintaining an 8' 6" high solid wood fence and gate in the site's Remond Drive front yard setback.
- The subject site is zoned R-7.5(A).
- 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 subject site is located between Remond Drive on the north and Barberry Drive on the south. Regardless of how the existing single family structure on the site is oriented to front south to Barberry Drive and to back to northward to Remond Drive, the site has two 25' front yard setbacks since the code states that if a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets.
- The submitted site plan/elevation represents the fence proposal in the site's Remond Drive 25' front yard setback reaches 8' 6" in height.
- The submitted site plan represents only a fence to exceed 4' in height in the Remond Drive front yard setback and not into the site's Barberry Drive front yard setback.
- The following information was gleaned from the submitted site plan/elevation
 - The proposal/existing 8' 6" high solid wood fence and gate is represented as being approximately 60' in length parallel to the Remond Drive.
 - The proposal/existing 8' 6" high solid wood fence and gate is represented as being approximately on the Remond Drive front property line. (No pavement line is represented on the site plan).
- The proposal/existing 8' 6" high solid wood fence is located across from property zoned IR (Industrial/research) and warehouse use.
- The Board Administrator conducted a field visit of the site and surrounding area along Remond Drive (approximately 200 feet east and west of the subject site) and noted a number of other fences that appeared to be above 4' in height and located in this front yard setback – none of which have recorded BDA history.
- As of August 5, 2016, no letters has been submitted in support of the request, and no letters have been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of up to 4' 6" will not adversely affect neighboring property.
- Granting this special exception request of 4' 6" with a condition imposed that the applicant complies with the submitted site plan/elevation would require the proposal/existing fence exceeding 4' in height in the Remond Drive front yard setback to be maintained in the location and of the heights and material as shown on this document.

Timeline:

- June 15, 2016: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- July 14, 2016: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- July 18, 2016: 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 July 27th deadline to submit additional evidence for staff to factor into their analysis; and the August 5th 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 requests; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 27, 2016: The applicant’s representative submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).
- August 2, 2016: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Building Inspection Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Senior 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: BDA156-074

Date: 7/29/2016

2141 Barberry

Home built in 1941.

Home contains 1295 of air conditioned floor area. The home contains a total of 1415 square feet of area if porches are included.

New Addition will include 95 square feet more floor area on the first floor and conversion of the porch between the main house and the garage. This will enlarge the kitchen and add a utility room.

New Addition will include a second floor over the garage area. This new space will be 655 square feet of floor area.

The garage now extends north from the house a distance of 18'4". The new garage will extend a distance of 27' 4". The addition will extend the structure a distance of 9 feet nearer to the rear fence. The setback from the rear fence will be 15 feet.

Since the rear of the property is actually a front yard the front yard setback will be 15 feet rather than the required 25 feet. The variance will be for 10 feet. The building is now 24 feet from the property line.



GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

2. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

4. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

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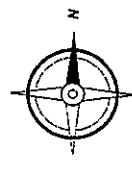
6. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

7. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

8. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

9. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.

10. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL DIMENSIONS AND SHALL VERIFY THE EXISTING CONDITIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS AND SHALL VERIFY THE LOCATION OF ALL DIMENSIONS.



Project Name:
HOUSE ADDITION

Project Address:
**2141 BARBERRY DR.
DALLAS TX, 75211**

Project No.:
011316

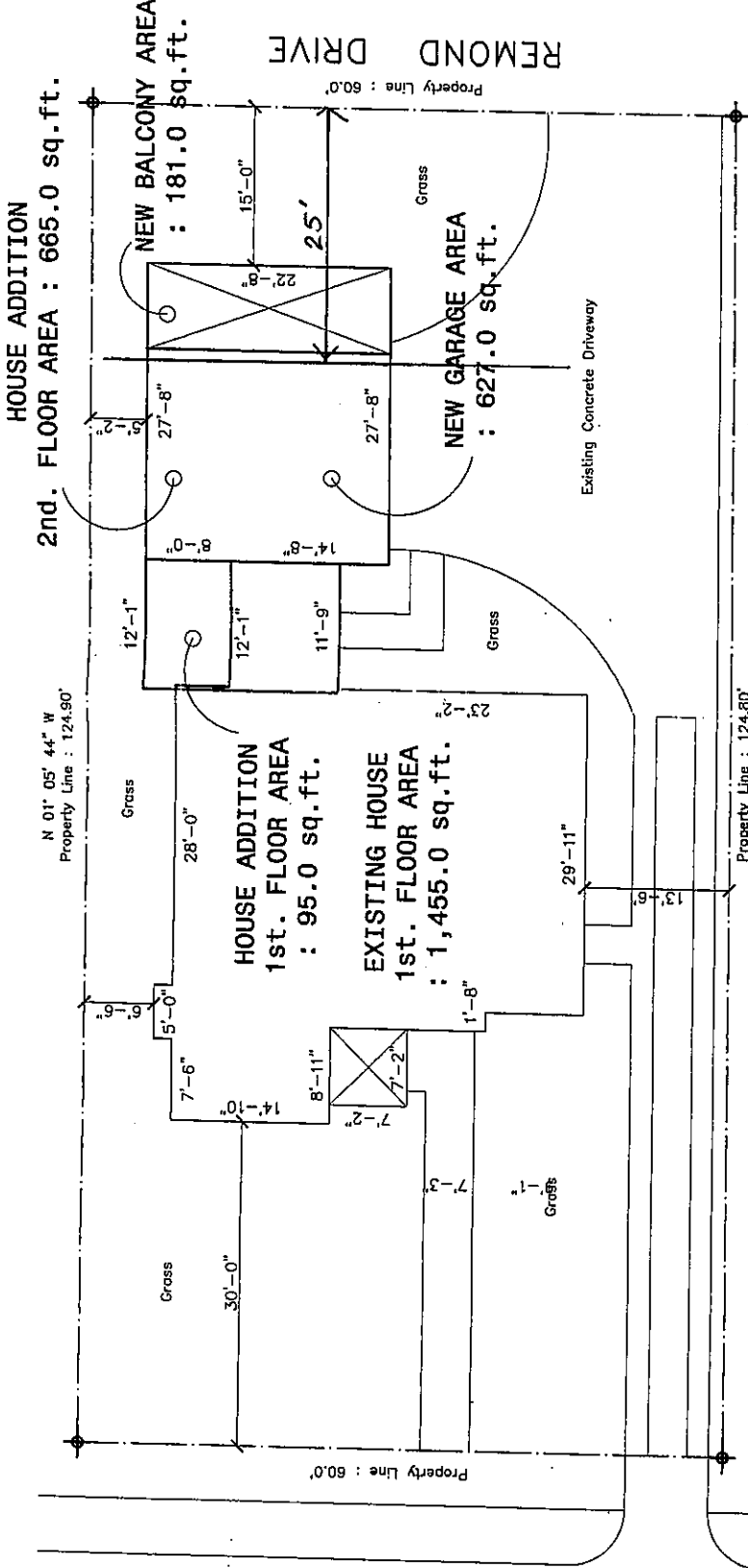
Drawn by:
JAM

DATE:
01-13-2016

Scale:
3/32" = 1'-0"

Sheet #:
1

Total Sheets:
7



SITE PLAN

3/32" = 1'-0"

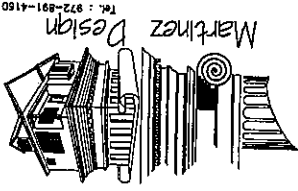
PROJECT DATA

PROJECT NAME: NEW GARAGE & HOUSE ADDITION
 ADDRESS: 2141 BARBERRY DR.
 LOT No.: 5
 BLOCK No.: 214806

AREAS IN SQUARE FEET

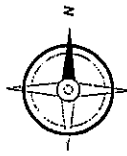
EXISTING HOUSE 1ST. FLOOR AREA : 1,455.0 sq.ft.
 HOUSE ADDITION 1ST. FLOOR AREA : 95.0 sq.ft.
 HOUSE ADDITION 2ND. FLOOR AREA : 665.0 sq.ft.
 NEW GARAGE AREA : 627.0 sq.ft.
 NEW BALCONY AREA : 181.0 sq.ft.

BDA156-074
 Attach A
 Pg 2



GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE QUALITY OF ALL WORKMANSHIP AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN TO THE DEGREE OF ACCURACY.
2. THESE PLANS ARE INTENDED FOR THE ORIGINAL CONTRACTOR AND SHALL BE SUBJECT TO ANY CHANGES OR MODIFICATIONS THAT MAY BE REQUIRED BY THE ARCHITECT OR THE GENERAL CONTRACTOR.
3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE QUALITY OF ALL WORKMANSHIP AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN TO THE DEGREE OF ACCURACY.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK AND ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR THE QUALITY OF ALL WORKMANSHIP AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN TO THE DEGREE OF ACCURACY.



Project Name:

HOUSE ADDITION

Project Address:

2141 BARBERRY DR.
DALLAS TX 75211

Plan Name:

NEW FLOOR PLAN

Project #:

011316

Drawn By:

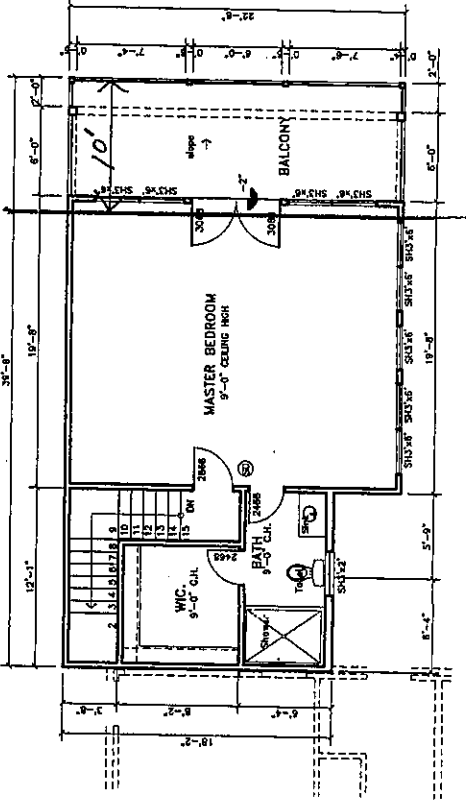
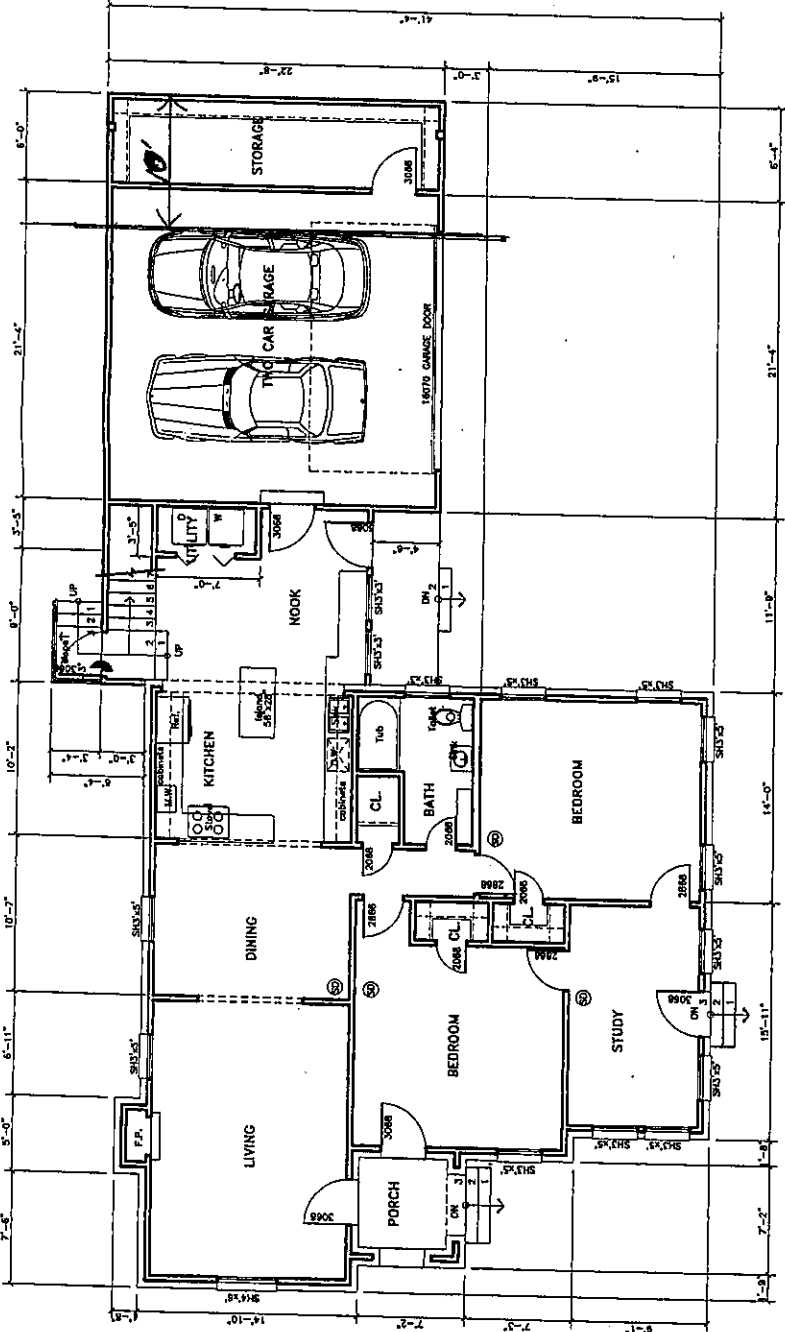
JAM

Scale:

1/8" = 1'-0"

Sheet #:

3 7



NEW 1ST. FLOOR PLAN

1/8" = 1'-0"

NEW 2ND. FLOOR PLAN

1/8" = 1'-0"

3DA156-074
Attach A
pg 3

BDA156-074
Attach A
Pg 4





BDA156-074
Attach A
Pg 5



BDA156-074
Attach A
Pg 6



Long, Steve

BDA156-074

Attach A

Pg 8

From: Peter Kavanagh <peterk@zonesystems.com>
Sent: Thursday, July 28, 2016 10:36 PM
To: Long, Steve
Cc: Peter Kavanagh
Subject: BDA 156-074
Attachments: BDA 156-074 two garages within a few feet of Remond Drive west of site 2.pdf; BDA 156-074 two garages within a few feet of Remond Drive ROW 1.pdf

Steve: These are photos of other garages very near to Remond Drive. There are two photos in each attachment. Peter

Peter Kavanagh

Zone Systems, Inc.

1620 Handley Drive, Suite A
Dallas, TX 75208

214-941-4440

Mobile 214-957-6188

peterk@zonesystems.com



BDA156-074
Attach A
Pg 9



BDA156-074
Attach A
Pg 10

BDA 156-074
Attach A
Pg 12

July 27, 2016

Mr. Steve Long
Board Administrator
Board of Adjustment
City of Dallas
1500 Marilla
Dallas, TX 75201

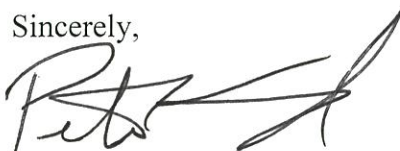
Re: 2141 Barberry
BDA 156-074
Floor Area Range

Dear Mr. Long:

Mr. Joel Castillo plans to make an addition to the back of his home. The property being between two streets has two front yards. The lot is 125 feet deep. The lots directly across the street are deeper but have the added benefit of only one front yard which allows for more floor area in the back of the property. The homes were generally built at the same time period of the 1940's. Some have been remodeled to increase the size. The homes in this neighborhood range in size from about 1200 square feet to 2404 square feet. Mr. Castillo's home will contain 2205 square feet of floor area when complete. The homes that have been remodeled to increase floor area have all added to the back of the buildings to maintain the one story scale along the street. Mr. Castillo will do the same in that all new construction will be on the rear part of the home so as not to change the front façade of the home.

Thank you for your work on this matter.

Sincerely,



Peter Kavanagh



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 156-074

Data Relative to Subject Property:

Date: 06-15-16

Location address: 2141 Barberry Drive Zoning District: R-7.5 (A)

Lot No.: 5 Block No.: 2/4806 Acreage: .183 Census Tract: 69.00

Street Frontage (in Feet): 1) 60' 2) 60' 3) _____ 4) _____ 5) _____

SW 19A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Joel Castillo

Applicant: Joel Castillo Telephone: _____

Mailing Address: 2141 Barberry, Dallas, TX Zip Code: 75211

E-mail Address: _____

Represented by: Zone Systems, Inc./Peter Kavanagh Telephone: 214-941-4440

Mailing Address: 1620 Handley, Suite A, Dallas, TX Zip Code: 75208

E-mail Address: peterk@zonesystems.com

Affirm that an appeal has been made for a Variance X and ~~or~~ Special Exception X of Variance of 10 feet to front yard setback and a Special Exception of 4'6" to the front yard fence height. Variance is to section 51A-4.401(a)(5) Special Exception is to Section 51A-4.602(a)(1).

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:

Lot is 125 feet deep and has frontage on each end of lot. Request of 10' on Remond Drive end of lot is requested due to hardship caused by two front yards not on other 125 feet deep lots in the city with the same zoning. Special Exception for fence as fence will not adversely affect adjacent or nearby properties.

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

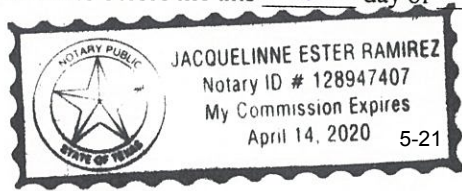
Affidavit

Before me the undersigned on this day personally appeared Joel J. Castillo
(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: Joel J. Castillo
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 9 day of June, 2016



[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

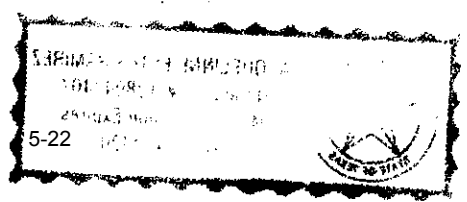
Building Official's Report

I hereby certify that **Joel Castillo**
 represented by **Peter Kavanagh**
 did submit a request for a variance to the front yard setback regulations, and for a special
 exception to the fence height regulations
 at **2141 Barberry Drive**

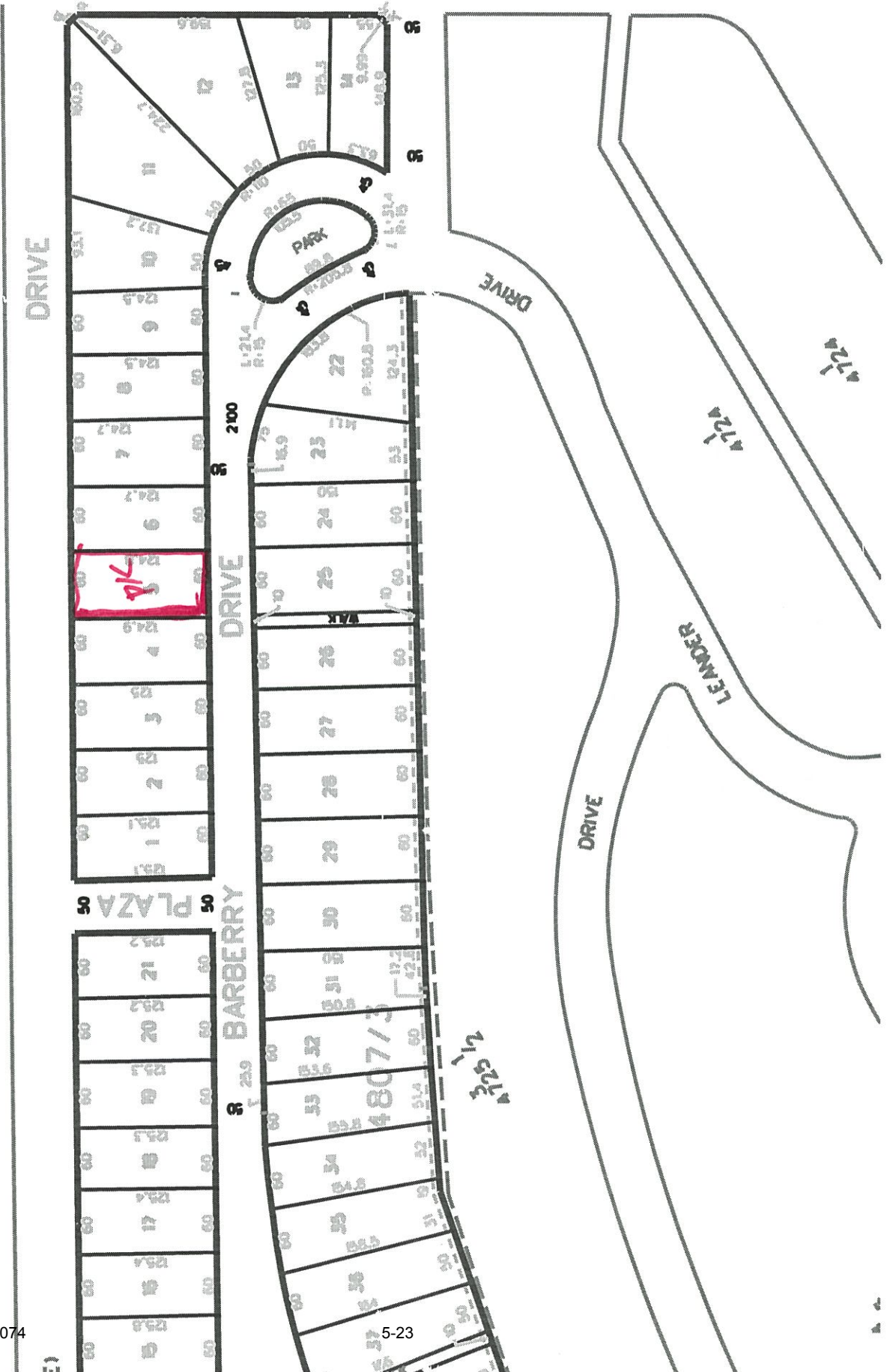
BDA156-074. Application of Joel Castillo represented by Peter Kavanagh for a variance to
 the front yard setback regulations and a special exception to the fence height regulations at
 2141 Barberry Drive. This property is more fully described as Lot 5, Block 2/4806, and is
 zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a
 front yard setback of 25 feet. The applicant proposes to construct and maintain a single
 family residential structure and provide a 15 foot front yard setback, which will require a 10
 foot variance to the front yard setback regulation, and to construct an 8 foot 6 inch high
 fence in a required front yard, which will require a 4 foot 6 inch special exception to the
 fence regulation.

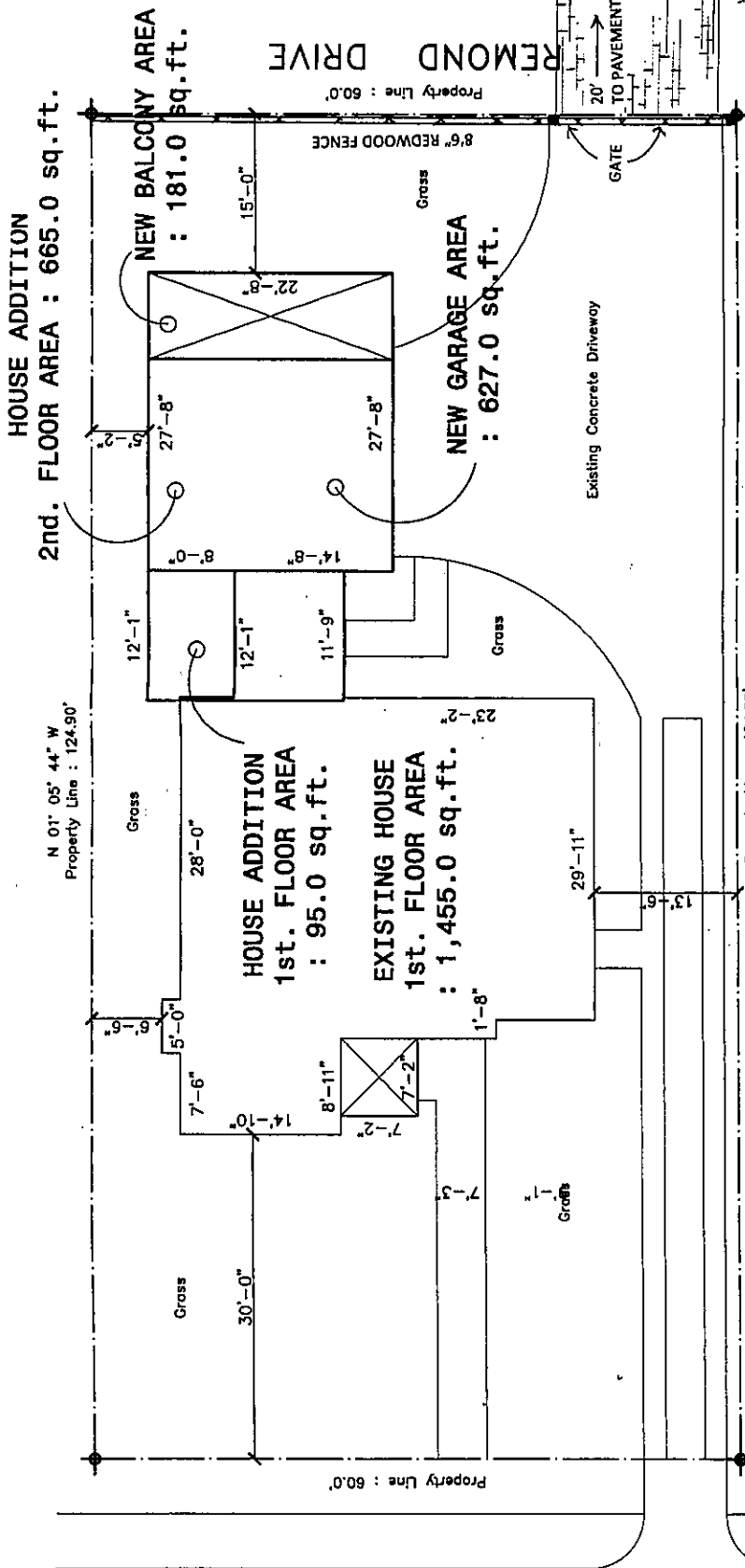
Sincerely,

Philip Sikes
 Philip Sikes, Building Official



6158





PROJECT DATA

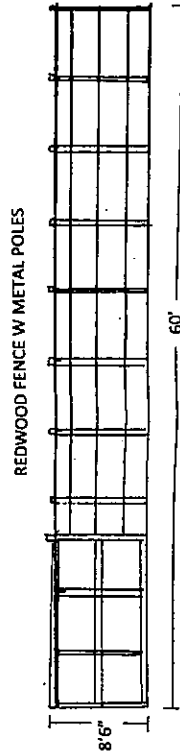
PROJECT NAME: NEW GARAGE & HOUSE ADDITION
 ADDRESS: 2141 BARBERRY DR.
 LOT No.: 5
 BLOCK No.: 21/4806

AREAS IN SQUARE FEET

EXISTING HOUSE 1ST. FLOOR AREA : 1,455.0 sq.ft.
 HOUSE ADDITION 1ST. FLOOR AREA : 95.0 sq.ft.
 HOUSE ADDITION 2ND. FLOOR AREA : 665.0 sq.ft.
 NEW GARAGE AREA : 627.0 sq.ft.
 NEW BALCONY AREA : 181.0 sq.ft.

SITE PLAN

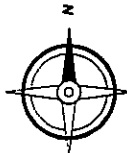
3/32" = 1'-0"



Martinez Design
 martinez7@hotmail.com
 Tel.: 972-491-4190

GENERAL NOTES

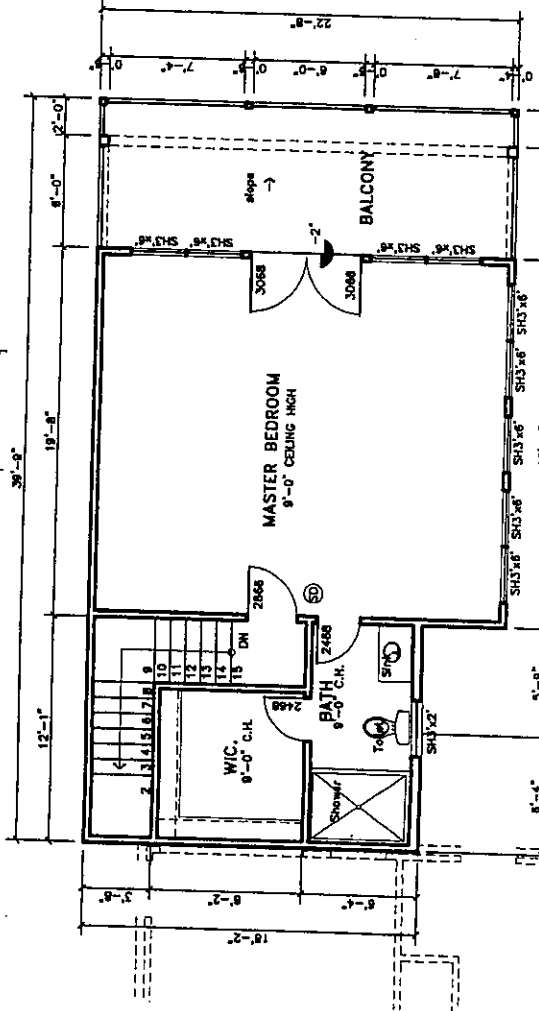
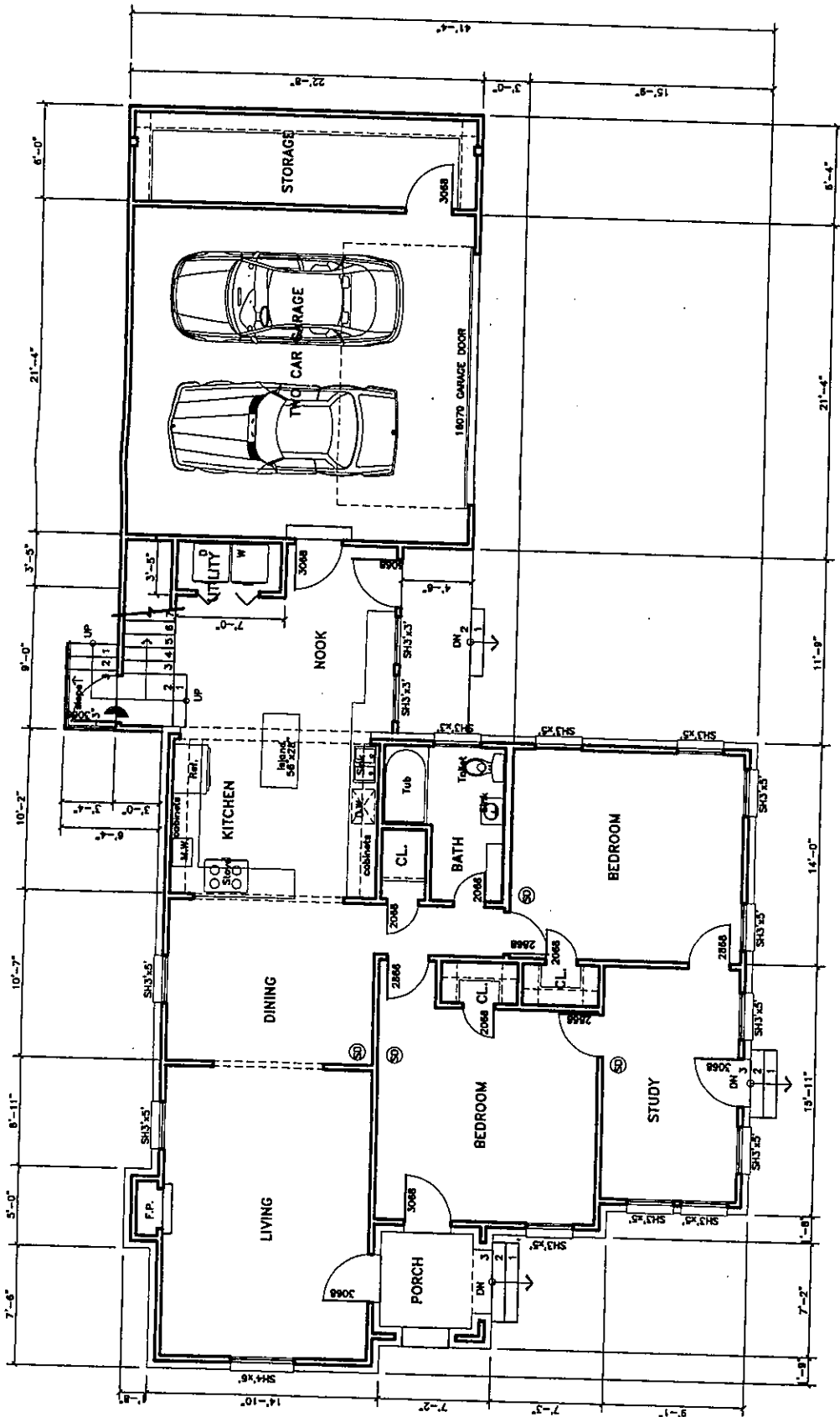
1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
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9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.



PROJECT NAME
 HOUSE ADDITION

PROJECT ADDRESS
 2141 BARBERRY DR.
 DALLAS TX, 75211

SITE PLAN
 Project No: 011318
 Drawn By: JMM
 Date: 01-13-2016
 Scale: 3/32" = 1'-0"
 Sheet No: 1 of 7

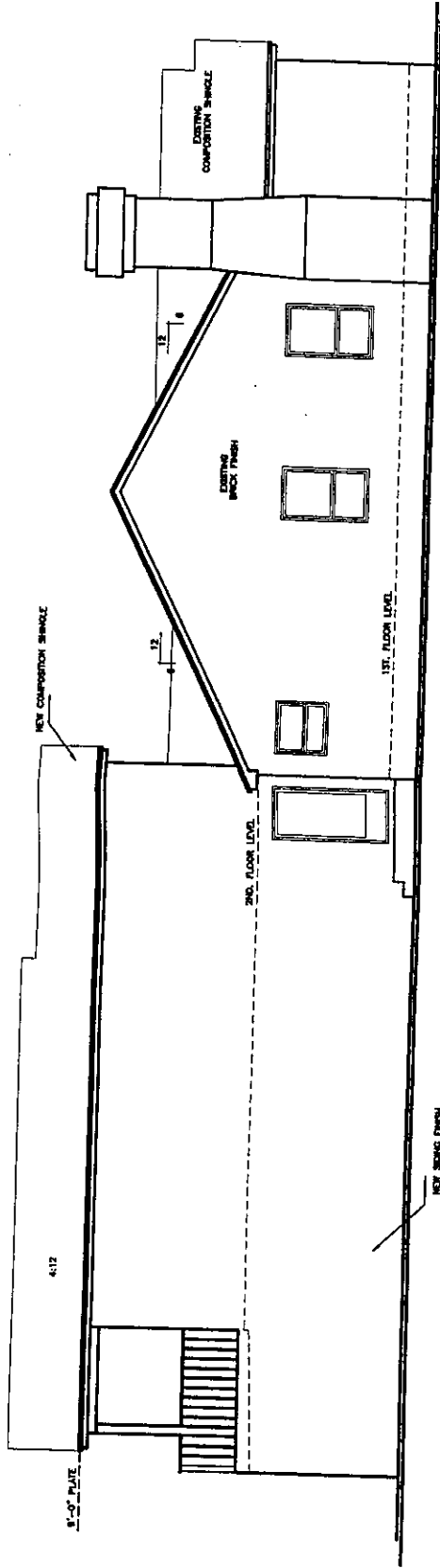


NEW 1ST. FLOOR PLAN

1/8" = 1'-0"

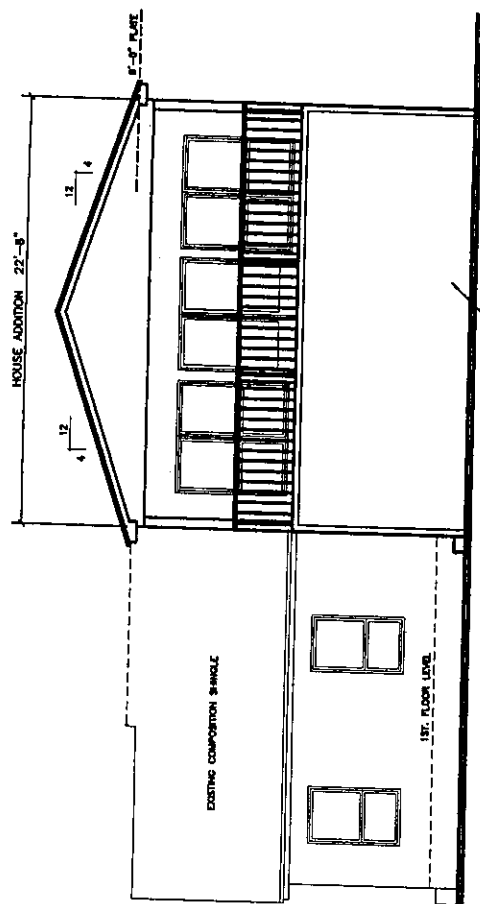
NEW 2ND. FLOOR PLAN

1/8" = 1'-0"



LEFT ELEVATION

1/8" = 1'-0"

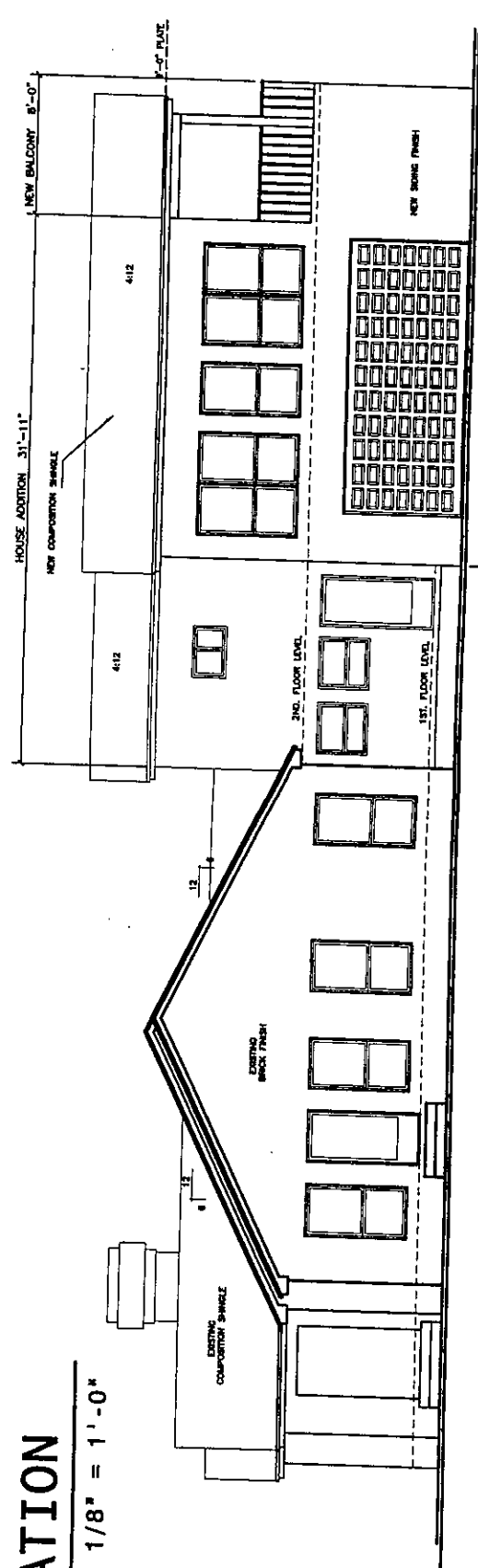


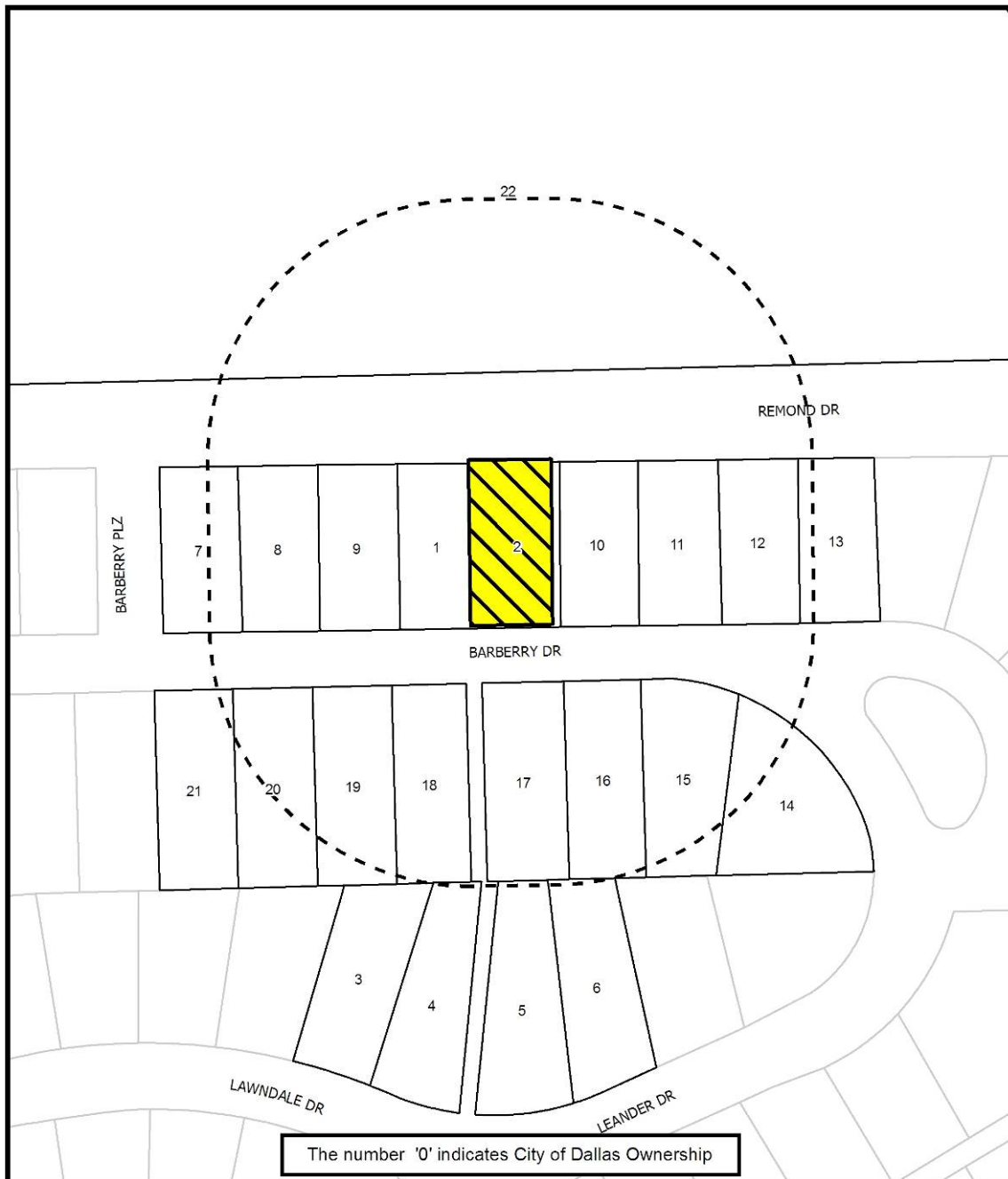
REAR ELEVATION

1/8" = 1'-0"

RIGHT ELEVATION

1/8" = 1'-0"





 1:1,200	NOTIFICATION		Case no: BDA156-074
	<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: 7/29/2016	

Notification List of Property Owners

BDA156-074

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	2145 BARBERRY DR	MILLER JAMES CHRIS &
2	2141 BARBERRY DR	CASTILLO JOEL JOSEPH
3	2209 LAWDALE DR	LEWIS NELLIE B
4	2203 LAWDALE DR	TSATOUMAS HOLDINGS LLC
5	2131 LEANDER DR	JELLEN JASON LEE
6	2127 LEANDER DR	POWERS JANICE
7	2159 BARBERRY DR	EARLY WILLIAM S
8	2155 BARBERRY DR	HEROD REAGAN R
9	2151 BARBERRY DR	HOWELL ROBERT P
10	2137 BARBERRY DR	JAECKS THOMAS C
11	2133 BARBERRY DR	CLARK CARRIE B
12	2127 BARBERRY DR	KING JAMES C
13	2123 BARBERRY DR	RAMIREZ CHRIS &
14	2112 BARBERRY DR	BAILEY STEPHANIE M
15	2118 BARBERRY DR	CATES WILLIAM C &
16	2122 BARBERRY DR	ISOM DAVID &
17	2128 BARBERRY DR	SOLIS CAROLYN ELIZABETH
18	2134 BARBERRY DR	MAULDIN STEPHEN M & MEREDITH R
19	2138 BARBERRY DR	GARCIA NATIVIDAD JR
20	2142 BARBERRY DR	PAYNE JERRI A
21	2148 BARBERRY DR	CRONIN CONAL F
22	2400 IH 30	U S POSTAL SERVICE