

NOTICE FOR POSTING
MEETING OF
BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, JUNE 22, 2022

BRIEFING: 11:00 a.m. via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street

HEARING: 1:00 p.m. via **Videoconference and** in **6ES**, Dallas City Hall, 1500 Marilla Street

* The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://form.jotform.com/210536758715158> or contact the Planning and Urban Design Department at 214-670-4209 **by the close of business Tuesday, June 21, 2022. All virtual speakers will be required to show their video in order to address the board.** The public is encouraged to attend the meeting virtually, however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall and the WebEx link: <https://bit.ly/BDA062222>

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

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

Handgun Prohibition Notice for Meetings of Governmental Entities

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

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

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

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



CITY OF DALLAS
BOARD OF ADJUSTMENT, PANEL B
WEDNESDAY, JUNE 22, 2022

AGENDA

BRIEFING: **11:00 a.m.** via **Videoconference** and in **6ES**, Dallas City Hall,
1500 Marilla Street

HEARING: **1:00 p.m.** via **Videoconference** and in **6ES**, Dallas City Hall,
1500 Marilla Street

Andreea Udrea, PhD, AICP, Assistant Director
Jennifer Muñoz, Chief Planner/Board Administrator
Pamela Daniel, MURP, Senior Planner
LaTonia Jackson, Board Secretary

PUBLIC TESTIMONY

Minutes

MISCELLANEOUS ITEM

Approval of the May 18, 2022 Board of Adjustment
Panel B Public Hearing Minutes

M1

UNCONTESTED CASE(S)

- BDA212-045(PD)** 3608 San Jacinto Street 1
REQUEST: Application of Josh LeComte for a special exception to the landscape requirements
- BDA212-048(PD)** 4686 Meadowood Road 2
REQUEST: Application of Peter Kavanagh of Zone Systems, Inc., representing Shankh Mitra for a special exception to the fence height regulations
-

HOLDOVER CASE(S)

- BDA212-023(PD)** 5253 Bonita Avenue 3
REQUEST: Application of Alexa Peer Sheinbein for a variance to the front yard setback regulations
- BDA212-035(JM)** 1918 Moser Avenue 4
REQUEST: Application of Rob Baldwin for a variance to the building height regulations
-

REGULAR CASE(S)

- BDA212-065(JM)** 2436 Shorecrest Drive 5
REQUEST: Application of Trent Robertson of Masterplan Texas to appeal the decision an administrative official

EXECUTIVE SESSION NOTICE

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

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

FILE NUMBER: BDA212-045(PD)

BUILDING OFFICIAL’S REPORT: Application of Josh LeComte for a special exception to the landscape requirements at 3608 San Jacinto Street. This property is more fully described as Lot 5 & ½ Lot 4, in Block 511, and is zoned Subarea 7 within Planned Development District No. 298, the Bryan Area Special Purpose District which requires mandatory landscaping. The applicant proposes to construct seven multifamily structures and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 3608 San Jacinto Street

APPLICANT: Josh LeComte

REQUESTS:

A request for a special exception to the landscape regulations is made to construct and maintain seven three-story multifamily structures consisting of 15,253 square feet of floor area that will not meet the landscape regulations or, more specifically, will not provide the required trees along San Jacinto Street due to limited street frontage.

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

The board may grant a special exception to the landscape and tree preservation regulations of this article upon making a special finding from the evidence presented that:

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

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

- the extent to which there is residential adjacency.
- the topography of the site.

- the extent to which landscaping exists for which no credit is given under this article.
- the extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

The City of Dallas chief arborist submitted a memo regarding the applicant’s request and recommending approval (**Attachment B**).

Rationale:

- The chief arborist recommends approval of the proposed alternate landscape plan. This opinion is based on the extent of the built environment within allowed setbacks, the amount of needed impervious surfaces for access, and the application of city zoning regulations that define the allowable scope of development on the small lot, where strict compliance with full landscape requirements will unreasonably burden the use of the property.

BACKGROUND INFORMATION:

Zoning:

- Site: Subarea 7 within Planned Development District No. 298
- North: Subarea 1C within Planned Development District No. 298
- South: Subarea 6 within Planned Development District No. 298
- East: Subarea 7 within Planned Development District No. 298
- West: Subarea 7 within Planned Development District No. 298

Land Use:

The subject site is currently under construction with multifamily structures while surrounding properties are developed with multifamily uses to the north and east, and single family uses to the south. The properties to the west are currently under construction with multifamily structures as well.

Zoning/BDA History:

There have been five related board and zoning cases in the vicinity of the subject site within the last five years.

1. **BDA201-066:** On August 18, 2021, the Panel B Board of Adjustment granted a special exception to which the required 45-foot visibility triangle at street intersections and a special exception to the required

20-foot visibility triangle at driveway approaches at 1525 Pecos Street.

2. **BDA201-071:** On August 18, 2021, the Panel B Board of Adjustment granted a special exception to the visual obstruction regulations, made to construct a multifamily structure in a required 20-foot visibility triangle at the drive approach into the property located at 3612 San Jacinto Street.
3. **BDA201-072:** On August 18, 2021, the Panel B Board of Adjustment granted a special exception to the visual obstruction regulations, made to construct a multifamily structure in a required 20-foot visibility triangle at the drive approach into the property located at 3616 San Jacinto Street.
4. **BDA201-073:** On August 18, 2021, the Panel B Board of Adjustment granted a special exception to the visual obstruction regulations, made to construct a multifamily structure in a required 20-foot visibility triangle at the drive approach into the property located at 3620 San Jacinto Street.
5. **Z178-133:** On March 28, 2018, the City Council approved an application for Subarea 1C on property zoned Subarea 1 and Subarea 7 within Planned Development District No. 298, the Bryan Area Special Purpose District.

GENERAL FACTS/STAFF ANALYSIS:

The requests for special exception to the landscape regulations is construct and maintain seven multifamily structures that will not meet the minimum landscape requirements along the San Jacinto Street frontage.

The property is located in Subarea 7 within Planned Development District No. 298, the Bryan Area Special Purpose District, with landscape regulations for street trees specific to location, number, and type of trees required. Section 51P-298.106(b)(1)(B) states the number of trees required is calculated by dividing the number of feet of lot frontage by 30 for property abutting pedestrian linkage streets and by 50 in all other cases. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. Since the frontage of the subject site is 52.5 feet wide ($52.5/30=1.75$ or 2), a minimum of two medium street trees are required or a minimum of four small street trees are required.

The Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot or increases by more than 35

percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period. In this case, the existing structure will be demolished. The construction of the proposed multifamily structures triggers compliance with landscape regulations.

The City of Dallas chief arborist submitted a memo regarding the applicant's request (**Attachment B**).

The chief arborist's memo states the following with regard to "request":

The applicant is seeking a special exception to the landscaping requirements of Article X as required in PD 298, Subarea 7.

The chief arborist's memo states the following with regard to "provision":

- The proposed alternative landscape plan provides the minimum required street buffer zone (five feet minimum width, seven and one-half-foot average) and the required two site trees. The ground cover stone aggregate in the landscape area is an accepted material.
- An eight-foot-wide sidewalk, as required for pedestrian linkage streets in PD 298, is indicated on the plan. The built public sidewalk dimension is subject to final departmental review.

The chief arborist's memo states the following with regard to "deficiencies":

- The plan provides for two small species trees in the required tree planting zone where Article X requires four small trees due to overhead electric utility conflicts that restrict the placement of large and medium trees within 15 feet of the lines. Two large trees would otherwise be applied (per code) if the required space was available.
- The proposed landscape design options are derived solely from Low Impact Development in Section 51A-10.126. We have assigned the landscape area with five points (for water conservation techniques) where nine points are required for the size of the lot. The site has no 'turf' surface.

The chief arborist's revised memo states the following with regard to the "recommendation":

The chief arborist recommends approval of the proposed alternate landscape plan. This opinion is based on the extent of the built environment within allowed setbacks, the amount of needed impervious surfaces for access, and the application of city zoning regulations that define the allowable scope of development on the small lot, where strict compliance with full landscape requirements will unreasonably burden the use of the property.

As of June 10, 2022, no letters have been submitted in support of the request and no letters have been submitted in opposition to the request.

If the board were to grant this request and impose the submitted alternate landscape plan as a condition to the request, the site would be provided an exception from compliance with minimum landscape requirements for the street tree requirements.

Timeline:

March 24, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents (**Attachment A**) that have been included as part of this case report.

May 2, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

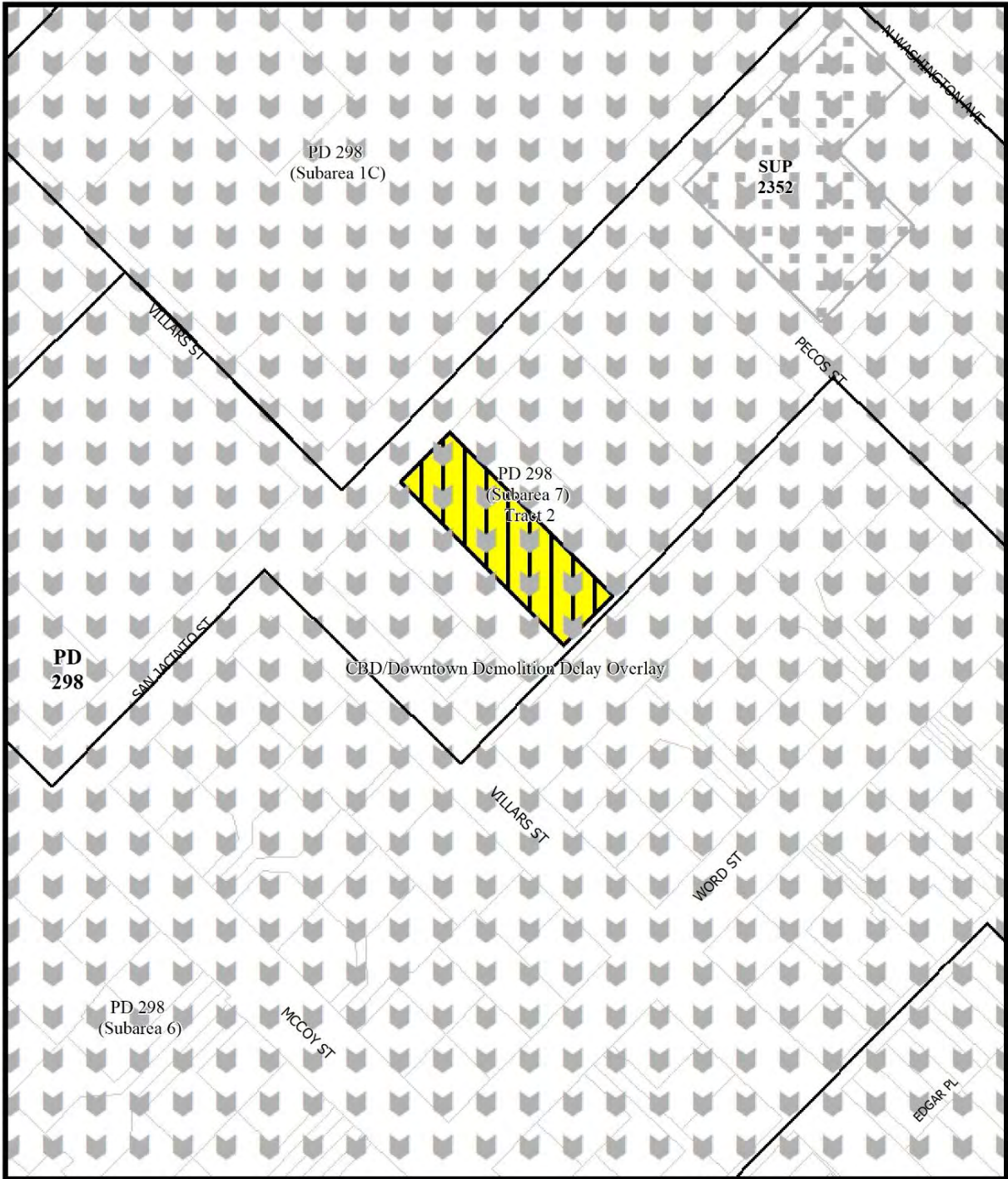
May 2, 2022: The Board Senior Planner emailed the representative the following information:

- 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 May 25th deadline to submit additional evidence for staff to factor into their analysis; and the June 10th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

May 26, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Conservation District Chief Planner, the Board Senior Planner, and the Assistant City Attorney to the Board.

May 26, 2022: The Development Services Chief Arborist provides staff with the memo (**Attachment B**).

June 1, 2022: The Development Services Senior Plans Examiner provided staff with a revised BO report (**Attachment C**) reflect the correct legal description.



1:1,200

ZONING MAP

Case no: BDA212-045

Date: 5/3/2022

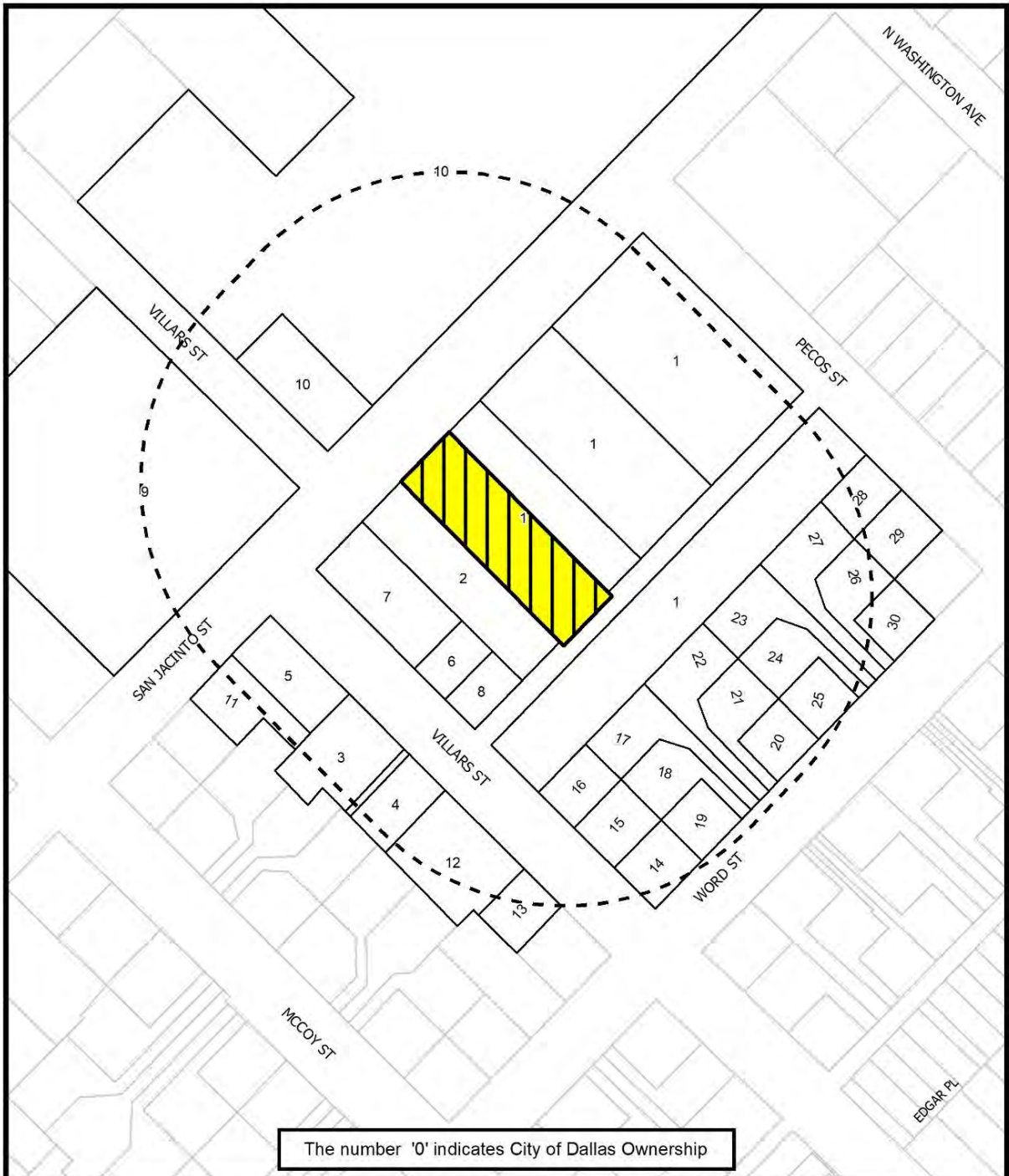


1:1,200

AERIAL MAP

Case no: BDA212-045

Date: 5/3/2022



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">30</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	30	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA212-045 Date: 5/3/2022
200'	AREA OF NOTIFICATION					
30	NUMBER OF PROPERTY OWNERS NOTIFIED					

05/03/2022

Notification List of Property Owners

BDA212-045

30 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3624 SAN JACINTO ST	SUBDIVISIONS REALTY 11 LLC
2	3604 SAN JACINTO ST	BRINC SAN JACINTO LLC
3	1521 VILLARS ST	MAYFIELD ANTIE SHARIE
4	1517 VILLARS ST	KNIGHT ERICA N
5	3512 SAN JACINTO ST	3512 SAN JACINTO LLC
6	1518 VILLARS ST	C&C RESIDENTIAL PROPERTIES INC
7	3600 SAN JACINTO ST	ELDORADO PROPERTIES INC
8	1516 VILLARS ST	MALHOTRA VIKAS
9	3517 SAN JACINTO ST	3517 SAN JACINTO LLC
10	3700 ROSS AVE	NORTHINGTON ROSS AVENUE
11	3510 SAN JACINTO ST	HOWARD JOSHUA
12	1515 VILLARS ST	FLYNN EUGENE III
13	1507 VILLARS ST	EVANS RICHARD JR &
14	1502 VILLARS ST	SMITH PAUL D
15	1504 VILLARS ST	MEDFORD JOEL DAVID JR
16	1508 VILLARS ST	Taxpayer at
17	3615 WORD ST	LORIEGA ROMULO LEBRILLA &
18	3611 WORD ST	DALLAS WORD ASSETS LLC
19	3607 WORD ST	Taxpayer at
20	3627 WORD ST	MICHEL DONNIE
21	3623 WORD ST	RUIZ DAVID M VAZQUEZ &
22	3619 WORD ST	VEGA ROBERTO
23	3639 WORD ST	ELLIOTT PAUL M
24	3635 WORD ST	LORIEGA FRANZ
25	3631 WORD ST	KARATEPEYAN ALAIN B
26	3647 WORD ST	HALLAC RAMI R

05/03/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3643 WORD ST	HUNT EDWARD T
28	1511 PECOS ST	DUKE RICHARD & CYNTHIA
29	1507 PECOS ST	GOEBEL BERNARD A
30	3651 WORD ST	ZIMMERMAN RYAN



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-045
Date: 3/11/2022 3-24-22

Data Relative to Subject Property:

Location address: 3608 San Jacinto St Zoning District: PD# 298
Lot No.: 5 Block No.: 511 Acreage: 0.21 Census Tract: SHADY VIEW PARK ADDITION 16.00
Street Frontage (in Feet): 1) 52.5 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): SUBDIVISIONS REALTY II LLC
Applicant: JOSHUA LECOMTE Telephone: 214 827 1431
Mailing Address: 5740 PROSPECT AVE #2100 Zip Code: 75206
E-mail Address: JOSH@LGDEV.NET
Represented by: NA Telephone: NA
Mailing Address: NA Zip Code: NA
E-mail Address: NA

Affirm that an appeal has been made for a Variance ____, or Special Exception of LANDSCAPING

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 only has 52.5' of street frontage, minus a 20' Drive and VISIBILITY triangles does not leave enough room for trees.

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 Josh Lecomte
(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: _____
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 11th day of March, 2022

(Rev. 08-01-11)  Notary Public in and for Dallas County, Texas

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that JOSH LECOMTE

did submit a request for a special exception to the landscaping regulations
at 3608 San Jacinto Street

BDA212-045. Application of JOSH LECOMTE for a special exception to the landscaping regulations at 3608 SAN JACINTO ST. This property is more fully described as Lot 5 and one-half of lot 4, Block 511, and is zoned PD-298 Sub-area 7, 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,


David Session, Building Official



AFFIDAVIT

Appeal number: BDA 212-045

I, SUBDIVISIONS REALTY II LLC Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 3608 SAN JACINTO ST DALLAS TX 75204
(Address of property as stated on application)

Authorize: JOSHUA LECOMTE
(Applicant's name as stated on application)

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

 Variance (specify below)

X Special Exception (specify below)

 Other Appeal (specify below)

Specify: Reduction in number of trees required from 2 to 1, due to limited street frontage

JOSHUA LECOMTE
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

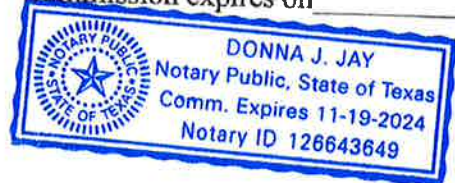
Date 3/11/2022

Before me, the undersigned, on this day personally appeared Josh LeComte *manager of subdivisions Realty*
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

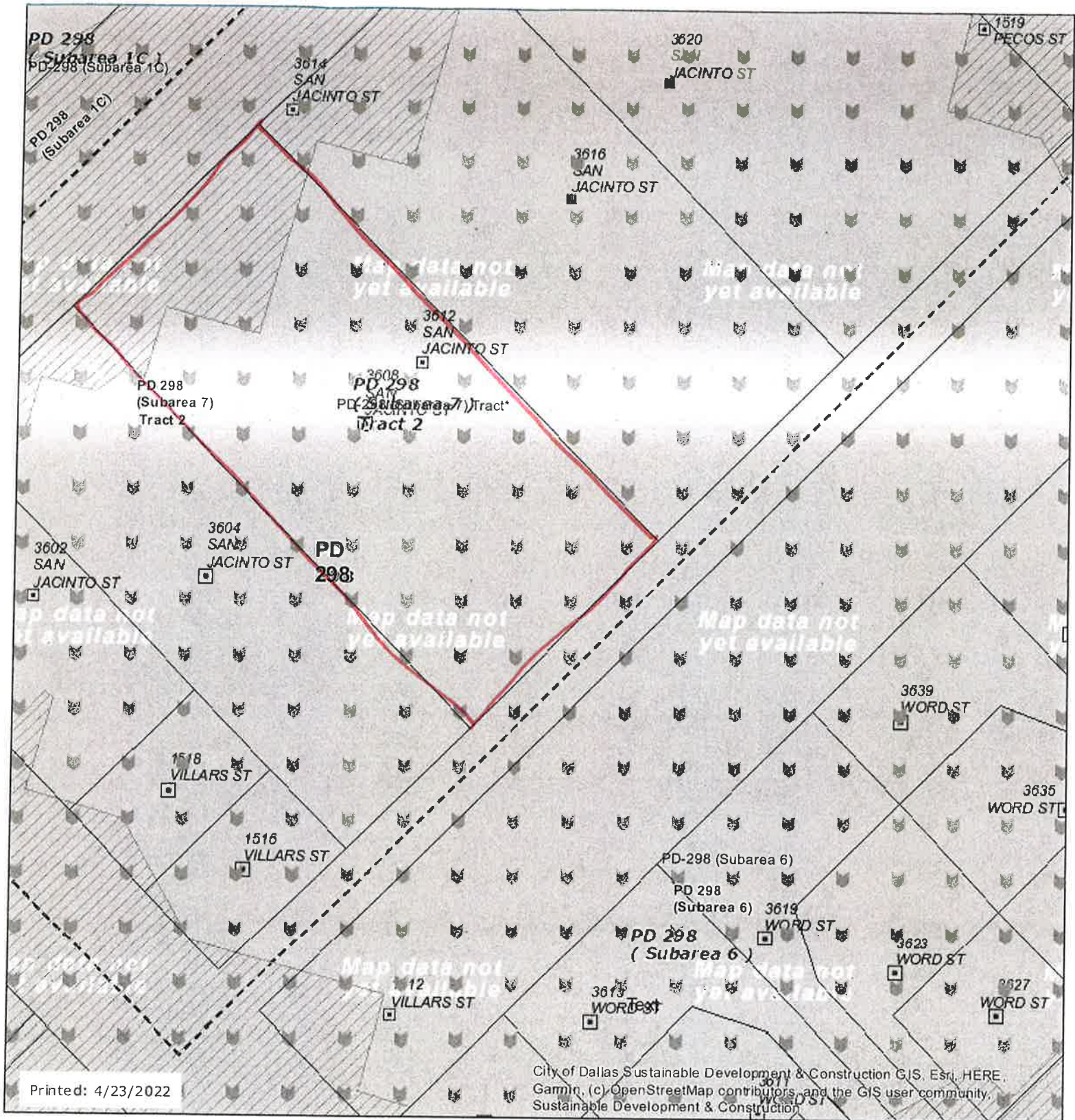
Subscribed and sworn to before me this 11th day of March, 2022

[Signature]
Notary Public for Dallas County, Texas

Commission expires on _____





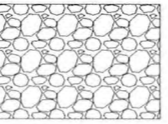
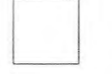

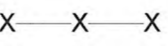




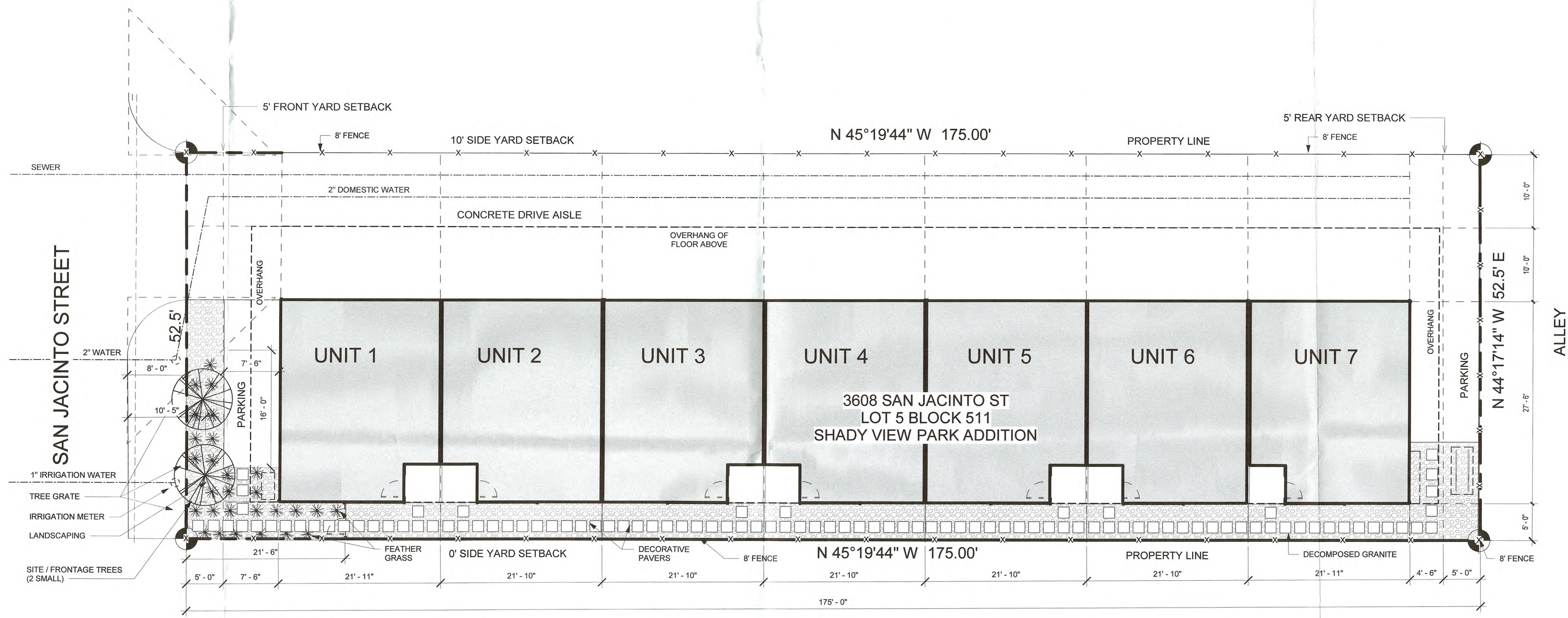
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|-----------------------|------------------|----------------------------|------------------------------|
| Dallas Tax Parcels | SUP | PDS Subdistricts | Pedestrian Overlay |
| Floodplain | NSO Overlay | Height Map Overlay | CP |
| MILL CREEK | NSO Subdistricts | Shop Front Overlay | SP |
| Deed Restrictions | MD Overlay | Parking Management Overlay | Turle Creek Setback Corridor |
| Dry Overlay | CD Subdistricts | Base Zoning | Demolition Delay Overlay |
| D | PD Subdistricts | SPSD Overlay | |
| D-1 | PD193 Oak Lawn | | |
| Historic Overlay | | | |
| Historic Subdistricts | | | |

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

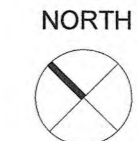




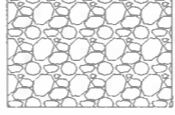


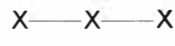
LANDSCAPE LEGEND	
LANDSCAPE INFORMATION	
STREET FRONTAGE:	52'-6" SAN JACINTO ST
FRONTAGE TREES REQUIRED (1:30'):	2 MED (OR 4 SMALL)
STREET BUFFER ZONE: 52.5 - 20 = 32.5' OF FRONTAGE 27.5' X 5' + 5' X 21.5 = 243.75 / 32.5 =	7.5' BUFFER PROVIDED
SITE TREES REQUIRED (1:4000SF):	2 MED (OR 4 SMALL)
LANDSCAPE POINTS REQUIRED:	9 POINTS
LANDSCAPE POINTS PROVIDED: WATER WISE PLANT MATERIALS - AT LEAST 80% OF LANDSCAPE AREA: 5 POINTS - LOW WATER CONSUMPTION GRASS: 5 POINTS	
LANDSCAPE LEGEND	
	SMALL TREE - 6' CREPE MYRTLE
	SHRUB - MEXICAN FEATHERGRASS
	DECOMPOSED GRANITE
	DECORATIVE PAVERS
	PROPERTY CORNER
	8' FENCE
IRRIGATION NOTE: ALL FOUNDATION PERIMETERS, SOD, TREES, AND PLANTINGS TO BE WATERED WITH DRIP IRRIGATION	

SITE INFORMATION	
SITE AREA:	9,187 SF
ZONING:	PD #298 SUB AREA 7
BUILDING HEIGHT:	38'-9"
FRONT YARD SETBACK:	5'
SIDE YARD SETBACK:	0' OR 10'
REAR YARD SETBACK:	5'
LOT COVERAGE PER UNIT:	819 SF
LOT COVERAGE TOTAL:	5,733 SF
LOT COVERAGE (5,733 SF / 9,187 SF):	62.4% (90% ALLOWED)
PARKING REQUIRED: 2 PER UNIT +.25 VISITORS PER UNIT:	14 + 1.75
PARKING PROVIDED: COMPACT PROVIDED:	14 SPACES + 2 VISITOR 1 SPACES 6%
CONDITIONED SF PER UNIT:	
1ST FLOOR:	166 SF
2ND FLOOR:	815 SF
3RD FLOOR:	790 SF
TOTAL:	1,771 SF
GROSS SF PER UNIT:	
1ST FLOOR:	574 SF
2ND FLOOR:	815 SF
3RD FLOOR:	790 SF
TOTAL:	2,179 SF
BALCONY:	96 SF X 2 = 192 SF
UNCONDITIONED SPACE ON 1ST FLR:	408 SF
TOTAL UNDER ROOF PER UNIT:	2,179 SF
TOTAL UNDER ROOF FOR SITE:	15,253 SF
FAR (15,253 / 9187):	1.66 (3:1 ALLOWED)

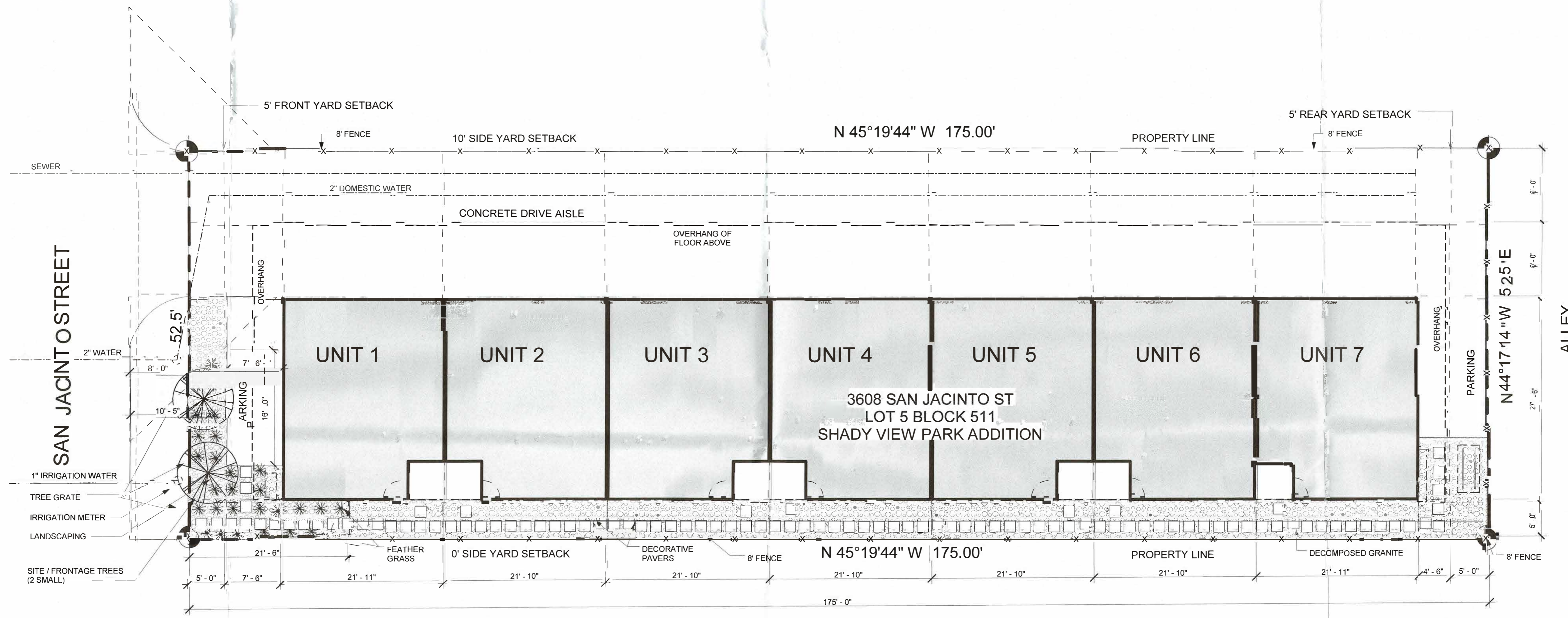


1 LANDSCAPE PLAN
1/8" = 1'-0"



LANDSCAPE LEGEND	
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IRRIGATION NOTE: ALL FOUNDATION PERIMETERS, SOD, TREES, AND PLANTINGS TO BE WATERED WITH DRIP IRRIGATION	

SITE INFORMATION	
SITE AREA:	9,187 SF
ZONING:	PD #298 SUB AREA 7
BUILDING HEIGHT:	38'-9"
FRONT YARD SETBACK:	5'
SIDE YARD SETBACK:	0' OR 10'
REAR YARD SETBACK:	5'
LOT COVERAGE PER UNIT:	819 SF
LOT COVERAGE TOTAL:	5,733 SF
LOT COVERAGE (5,733 SF / 9,187 SF):	62.4% (90% ALLOWED)
PARKING REQUIRED:	
2 PER UNIT + 25 VISITORS PER UNIT:	14 + 1.75
PARKING PROVIDED:	14 SPACES + 2 VISITOR
COMPACT PROVIDED:	1 SPACES 6%
CONDITIONED SF PER UNIT:	
1ST FLOOR:	166 SF
2ND FLOOR:	815 SF
3RD FLOOR:	790 SF
TOTAL:	1,771 SF
GROSS SF PER UNIT	
1ST FLOOR:	574 SF
2ND FLOOR:	815 SF
3RD FLOOR:	790 SF
TOTAL:	2,179 SF
BALCONY:	96 SF X 2 = 192 SF
UNCONDITIONED SPACE ON 1ST FLR:	408 SF
TOTAL UNDER ROOF PER UNIT:	2,179 SF
TOTAL UNDER ROOF FOR SITE:	15,253 SF
FAR (15,253 / 9187):	1.66 (3:1 ALLOWED)



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

Memorandum



Date May 26, 2022
To Pamela Daniel, Sr. Planner
Jennifer Munoz, Board Administrator
Subject BDA #212-045 3608 San Jacinto Street Arborist report

Request

The applicant is seeking a special exception to the landscaping requirements of Article X as required in PD 298, Subarea 7.

Provision

- The proposed alternative landscape plan provides the minimum required street buffer zone (5 feet minimum width, 7.5 feet average) and the required 2 site trees. The ground cover stone aggregate in the landscape area is an accepted material.
- An eight-foot-wide sidewalk, as required for pedestrian linkage streets in PD 298, is indicated on the plan. The built public sidewalk dimension is subject to final departmental review.

Deficiency

- The plan provides for two small species trees in the required tree planting zone where Article X requires four small trees due to overhead electric utility conflicts that restrict the placement of large and medium trees within 15 feet of the lines. Two large trees would otherwise be applied (per code) if the required space was available.
- The proposed landscape design options are derived solely from Low Impact Development in Section 51A-10.126. We have assigned the landscape area with five points (for water conservation techniques) where nine points are required for the size of the lot. The site has no 'turf' surface.

Recommendation

The chief arborist recommends approval of the proposed alternate landscape plan. This opinion is based on the extent of the built environment within allowed setbacks, the amount of needed impervious surfaces for access, and the application of city zoning regulations that define the allowable scope of development on the small lot, where strict compliance with full landscape requirements will unreasonably burden the use of the property.

Philip Erwin
Chief Arborist
Building Inspection

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 JOSH LECOMTE

did submit a request for a special exception to the landscaping regulations
at 3608 San Jacinto Street

BDA212-045. Application of JOSH LECOMTE for a special exception to the landscaping regulations at 3608 SAN JACINTO ST. This property is more fully described as Lot 5 and one-half of lot 4, Block 511, and is zoned PD-298 Sub-area 7, 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,


David Session, Building Official

FILE NUMBER: BDA212-048(PD)

BUILDING OFFICIAL'S REPORT: Application of Peter Kavanagh of Zone Systems, Inc., representing Shankh Mitra for a special exception to the fence height regulations at 4686 Meadowood Road. This property is more fully described as Lot A in City Block 5543 and is zoned an R-1ac(A) Single Family District, which limits the height of a fence in the front yard to four feet. The applicant proposes to construct an eight-foot-tall fence in a required front yard, which will require a four-foot special exception to the fence regulations.

LOCATION: 4686 Meadowood Road

APPLICANT: Peter Kavanagh on behalf of Shankh Mitra

REQUEST:

The applicant proposes a fence of eight feet in height, constructed of an iron fence with an iron vehicular sliding gate and stucco columns located along Meadowood Road. The site is constructed with a two-single family dwelling unit.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:

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

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	R-1ac(A) (Single Family District)
<u>Northwest:</u>	R-1ac(A) (Single Family District)
<u>Northeast:</u>	R-1ac(A) (Single Family District)
<u>East:</u>	R-1ac(A) (Single Family District)
<u>Southeast:</u>	R-1ac(A) (Single Family District)
<u>South:</u>	R-1ac(A) (Single Family District)
<u>West:</u>	R-1ac(A) (Single Family District)

Land Use:

The subject site is constructed with a single family use. Surrounding properties to the northwest, east, southeast, south, and west are developed with single-family uses as well while the property to the northeast is undeveloped.

Zoning/BDA History:

There have been nine related board cases in the vicinity within the last five years.

1. **BDA212-049:** On June 21, 2022, the Panel A Board of Adjustment will hear requests for a special exception to the fence height regulations is made to construct and maintain an eight-foot-tall fence which will require a four-foot- special exception; and, a special exception to the fence standards regulations to construct and maintain a fence in a required front yard with a fence panel having less than 50 percent open surface area located less than five feet from the front lot line at 4256 Park Lane.
2. **BDA212-033:** On May 18, 2022, the Panel B Board of Adjustment granted a variance of 32-feet-six-inches along Walnut Hill Lane to the front yard setback regulations at 10001Meadowbrook Road.
3. **BDA212-014:** On April 18, 2022, the Panel C Board of Adjustment granted a special exception to the fence height regulations to construct and maintain an eight-foot-tall fence in a required front yard, which required a four-foot special exception at 10625 Lennox Lane.
4. **BDA201-092:** On March 21, 2022, the Panel C Board of Adjustment granted a special exception to the fence height regulations to construct and maintain a nine-foot-tall fence in a required front yard, which required a five-foot special exception at 10645 Lennox Lane.
5. **BDA201-046:** On June 22, 2021, the Panel A Board of Adjustment granted special exceptions to the fence height regulations, and for a special exception to the visibility obstruction regulations to construct and maintain a six-foot-high fence in a required front yard within the visibility triangle, which will require a two-foot special exception to the fence regulations and a special exception to the visibility obstruction regulation at 10054 Inwood Road.
6. **BDA201-009:** On January 20, 2021, the Panel B Board of Adjustment granted a special exception to the fence standards to construct and maintain a six-foot-high fence in a required front yard, which required a two-foot special exception at 4611 N. Lindhurst Avenue.
7. **BDA190-066:** On June 24, 2020, the Panel B Board of Adjustment granted a variance to the height regulations to construct and maintain a non-residential

structure with a building height of 45 feet, which required a nine-foot variance to the maximum building height regulations at 5050 Walnut Hill Lane.

8. **BDA190-042:** On June 24, 2020, the Panel B Board of Adjustment granted a special exception to the fence height regulations to construct and maintain a seven-foot-high fence in a required front yard which required a three-foot special exception at 4523 Park Lane.
9. **BDA189-063:** On May 22, 2019, the Panel B Board of Adjustment granted a special exception to the fence standards regulations to construct maintain a ten-foot-high fence in a required front yard, which required a six-foot special exception at 9727 Audubon Place.

GENERAL FACTS/STAFF ANALYSIS:

The subject site is zoned an R-1ac(A) Single Family District and requires a minimum front yard setback of 40 feet. The Dallas Development Code states that in all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard.

The request for a special exception to the fence height regulations is proposed to construct and maintain an eight-foot-high fence in a designated front yard setback along Rockbrook Drive. According to the elevation plan, the applicant proposes 17 eight-foot-tall stucco columns separated by iron fencing with a maximum height of seven-feet six-inches-tall, one vehicular sliding gate, and one pedestrian gate.

Per Dallas County Appraisal District records, the property is developed with a two-story single-family dwelling unit constructed in 1985. The single-family dwelling unit consists of approximately 12,554 square feet of floor area, an underground pool, an approximately 252-square-foot outdoor living area, and an approximately 1,019-square-foot attached garage.

The following information is shown on the submitted site plan:

- The proposed fence is approximately 47 feet-in-length parallel to Rockbrook Drive and proposes to be staggered with the closest portion of the fence being on the property line and the farthest portion being approximately 10 feet from the front lot line.

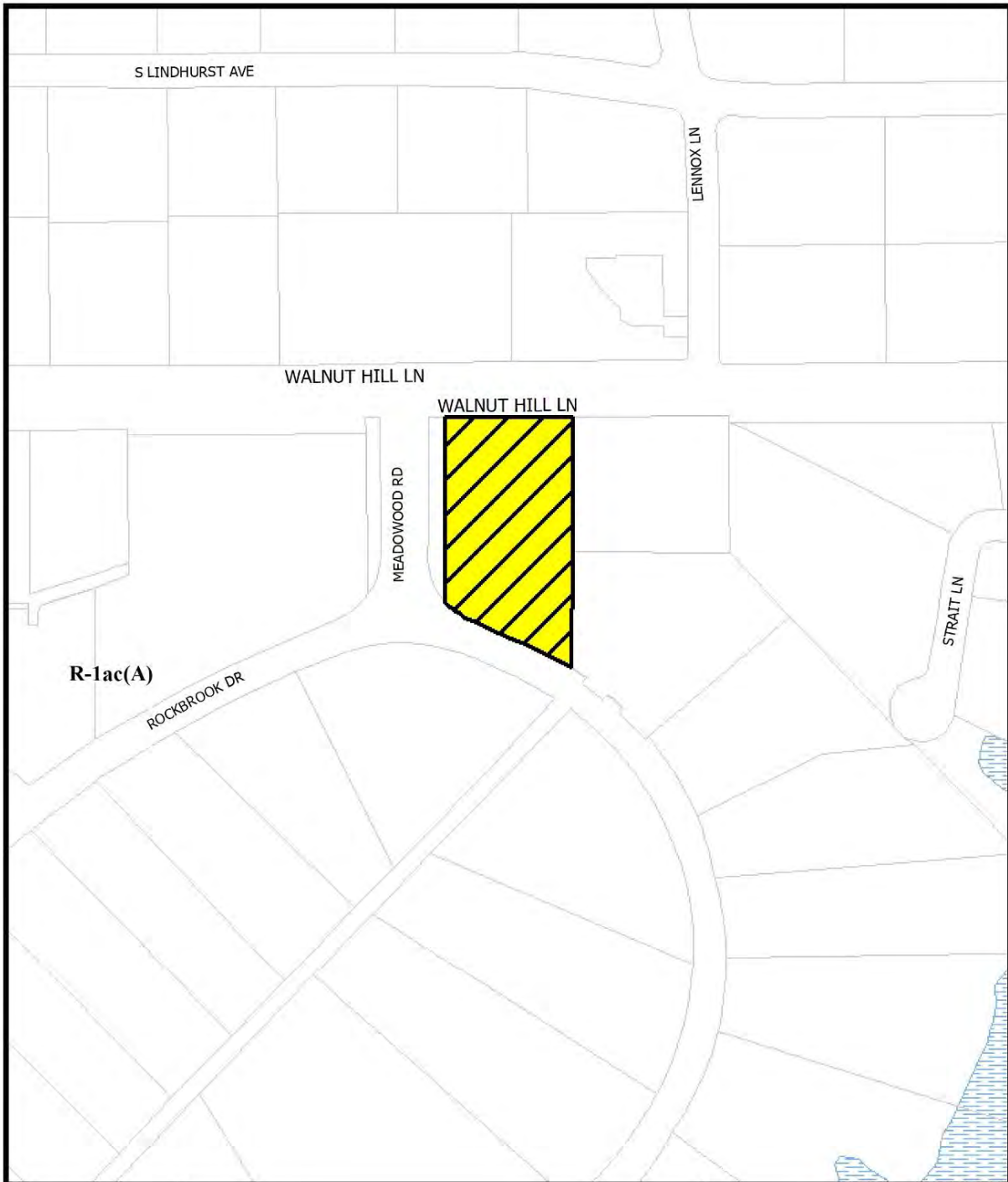
As of June 10, 2022, no letters have been submitted in support of the request and no letters have been submitted in opposition to the request.

The applicant has the burden of proof in establishing that the special exceptions to the fence standards related to the height of eight feet located on Rockbrook Drive will not adversely affect neighboring properties.

Granting the special exception to the fence standards relating to height would require the proposal exceeding four feet-in-height in the front yard setback located along Rockbrook Drive to be maintained in the locations and heights as shown on the site plan and elevation plan.

Timeline:

- April 15, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents (**Attachments A & B**) that have been included as part of this case report.
- May 2, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- May 2, 2022: The Board Senior Planner emailed the 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 May 25th deadline to submit additional evidence for staff to factor into their analysis; and the June 10th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- May 26, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Conservation District Chief Planner, the Board Senior Planner, and the Assistant City Attorney to the Board.

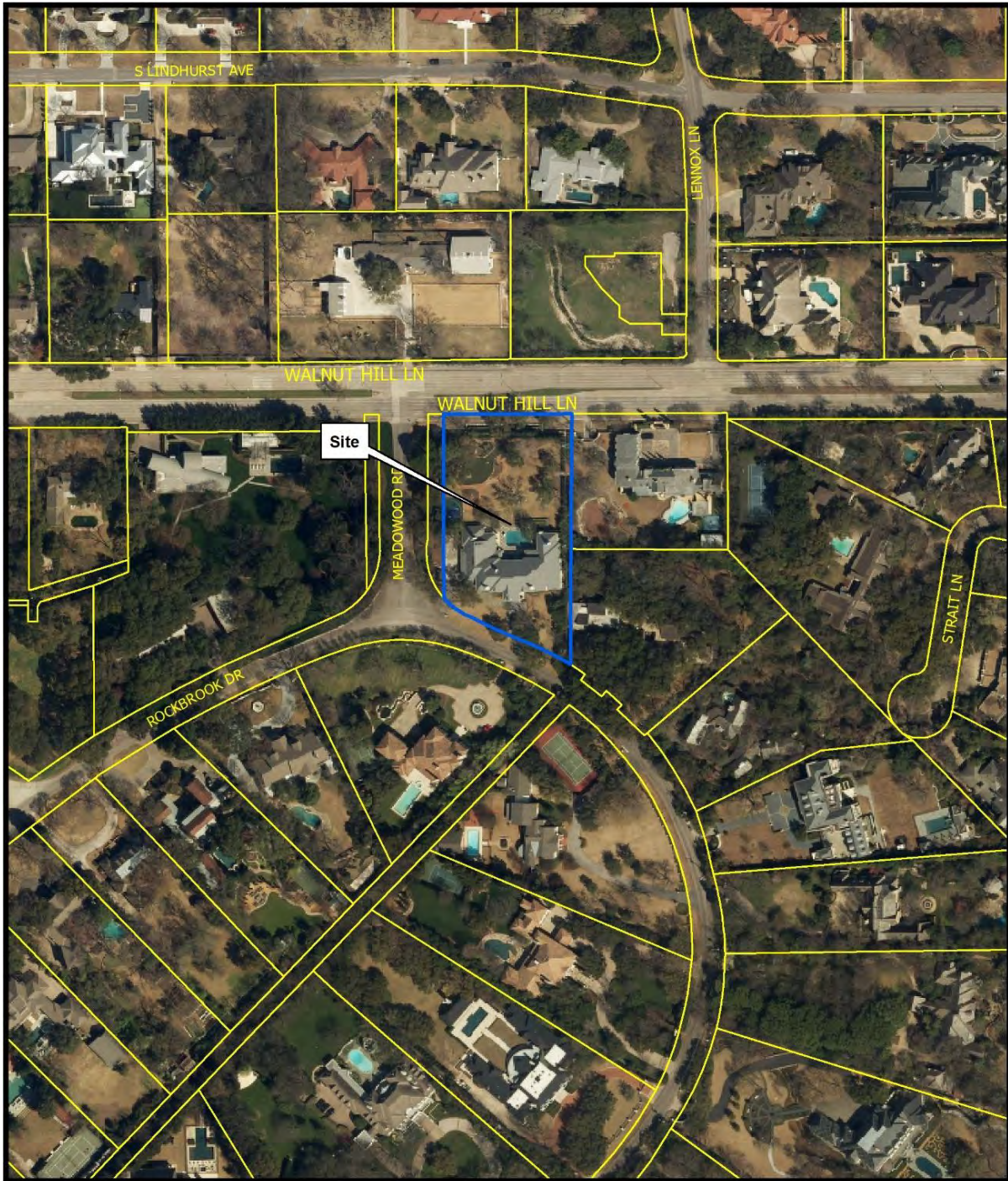


1:2,400

ZONING MAP

Case no: BDA212-048

Date: 5/3/2022

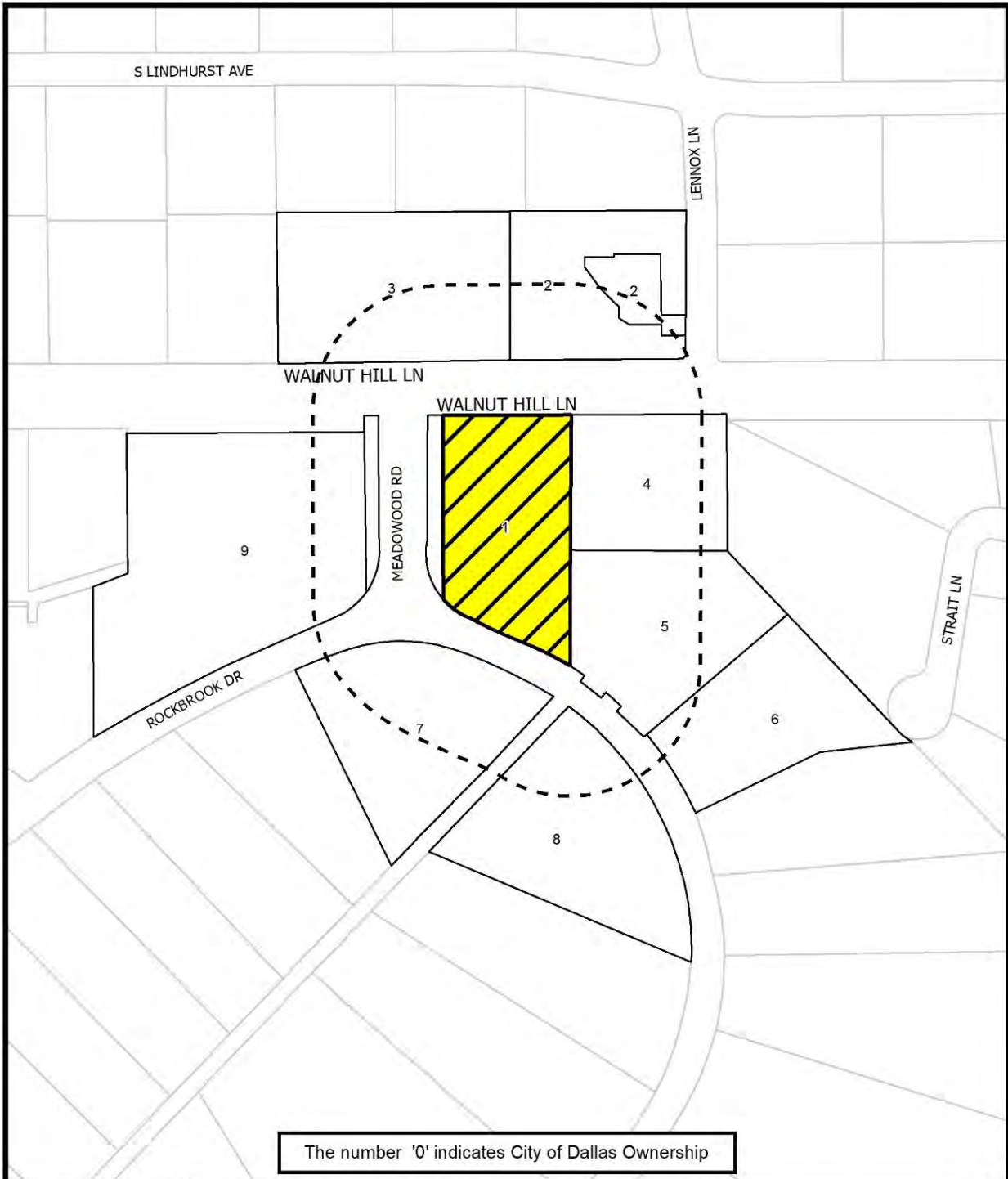


1:2,400

AERIAL MAP

Case no: BDA212-048

Date: 5/3/2022



The number '0' indicates City of Dallas Ownership

 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <p> 200' AREA OF NOTIFICATION 9 NUMBER OF PROPERTY OWNERS NOTIFIED </p>	Case no: <u>BDA212-048</u> Date: <u>5/3/2022</u>
--	--	---

05/03/2022

Notification List of Property Owners

BDA212-048

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4686 MEADOWOOD RD	MITRA SHANKH
2	10011 LENNOX LN	M A FAMILY INVESTMENTS LTD
3	4707 WALNUT HILL LN	Taxpayer at
4	4722 WALNUT HILL LN	HARTNETT WILL FORD & TAMMY C
5	4674 MEADOWOOD RD	SPIRITAS STEVEN F
6	4668 MEADOWOOD RD	GLAZER PHYLLIS R
7	4669 MEADOWOOD RD	KWUN FAMILY MEADOWOOD RESIDENCE TR
8	4665 MEADOWOOD RD	ROYAL LEGACY HOLDINGS TRUST
9	9963 ROCKBROOK DR	HOFFMAN MARGUERITE



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-048

Data Relative to Subject Property:

Date: _____

Location address: 4686 Meadowood Rd Zoning District: R-1AC(A)

Lot No.: A Block No.: 5543 Acreage: 1.55 Census Tract: _____

Street Frontage (in Feet): 1) 202.37' 2) 50.1' 3) _____ 4) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Shankh Mitra

Applicant: Shankh Mitra Telephone: _____

Mailing Address: 4686 Meadowood Road, Dallas TX Zip Code: 75220

E-mail Address: SMITRAD9.CBS@gmail.com

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

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

E-mail Address: peterk@zonesystems.com

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

FRONT FENCE HEIGHT

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 a request for fence height special exception per SEC.51A-4.602 (a)(11). Fence height permitted is 4 feet; a more appropriate height for this estate property is 8 feet.

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.

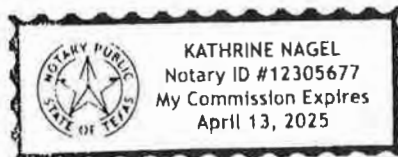
Affidavit

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

Subscribed and sworn to before me this 7 day of April, 2022

(Rev 08-01-11)



Kathrine Nagel 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 Shankh Mitra
represented by PETER KAVANAGH
did submit a request for a special exception to the fence height regulations
at 4686 Meadowood Rd.

BDA212-048. Application of Shankh Mitra represented by PETER KAVANAGH for a special exception to the fence height regulations at 4686 MEADOWOOD RD. This property is more fully described as Lot A, Block 5543, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulations.

Sincerely,


David Session, Building Official



AFFIDAVIT

Appeal number: BDA 212-048

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

At 4686 Meadowood Road
(Address of property as stated on application)

Authorize Peter Kavanagh, Zone Systems, Inc.

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

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

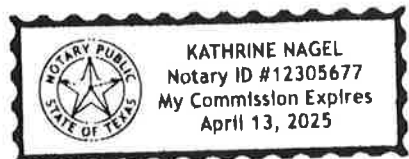
Specify: **Special exception: front fence height, per SEC.51A-4.602(a)(11)**

SHANKH MITRA Shankh Mitra 04/07/22
 Print name of property owner/agent Signature of property owner/agent Date

Before me, the undersigned, on this day personally appeared SHANKH MITRA

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

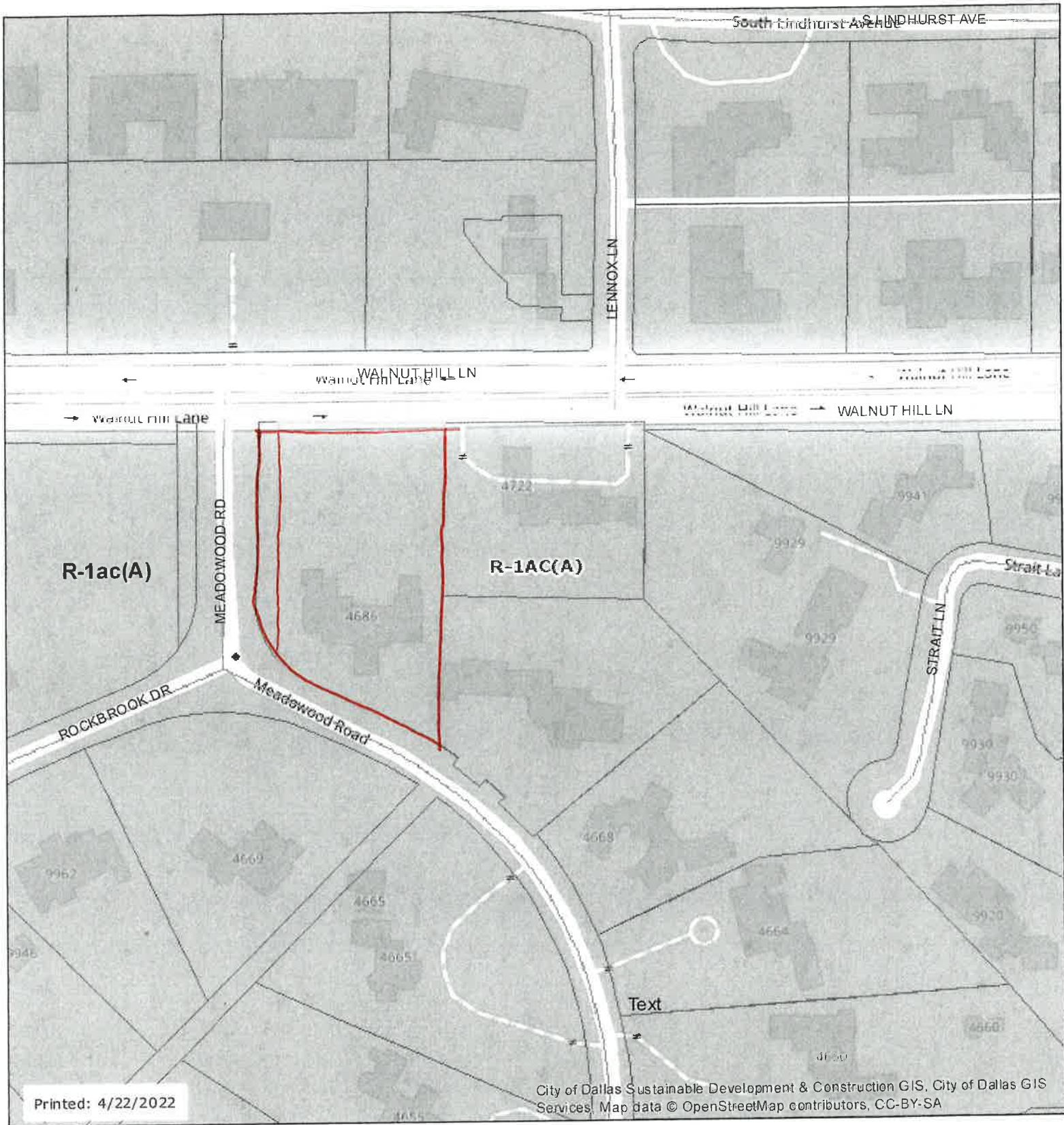
Subscribed and sworn to before me this 7 day of April, 2022



Kathrine Nagel
 Notary Public for Dallas County, Texas
 Commission expires on 4/13/25



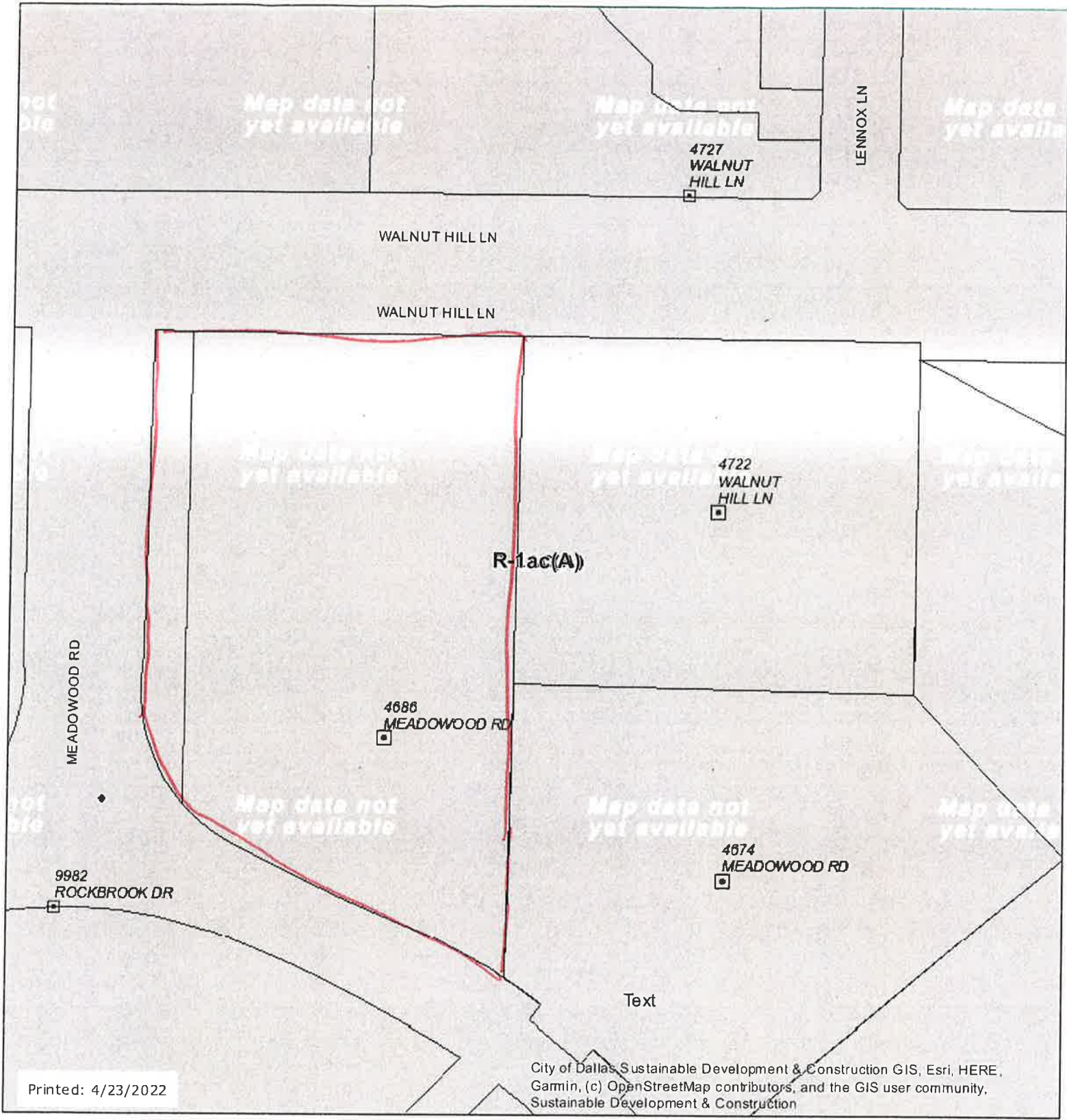
01
10



- | | | | |
|-----------------------|------------------|----------------------------|-------------------------------|
| Dallas Tax Parcels | NSO Overlay | Height Map Overlay | SP |
| Deed Restrictions | NSO Subdistricts | Shop Front Overlay | Turtle Creek Setback Corridor |
| Dry Overlay | MD Overlay | Parking Management Overlay | Damilton Delay Overlay |
| D | CD Subdistricts | Base Zoning | Highways |
| D-1 | PD Subdistricts | SPSD Overlay | Major Streets |
| Historic Overlay | PD193 Oak Lawn | Pedestrian Overlay | Streets |
| Historic Subdistricts | PDS Subdistricts | CP | Zoning Grid |
| SUP | | | |

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





Printed: 4/23/2022

City of Dallas Sustainable Development & Construction GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sustainable Development & Construction

- | | | | |
|-----------------------|------------------|----------------------------|------------------------------|
| Dallas Tax Parcels | NSO Overlay | Height Map Overlay | SP |
| Deed Restrictions | NSO Subdistricts | Shop Front Overlay | Turle Creek Setback Corridor |
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| D | CD Subdistricts | Base Zoning | |
| D-1 | PD Subdistricts | SPSD Overlay | |
| Historic Overlay | PDI93 Oak Lawn | Pedestrian Overlay | |
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| SUP | | | |

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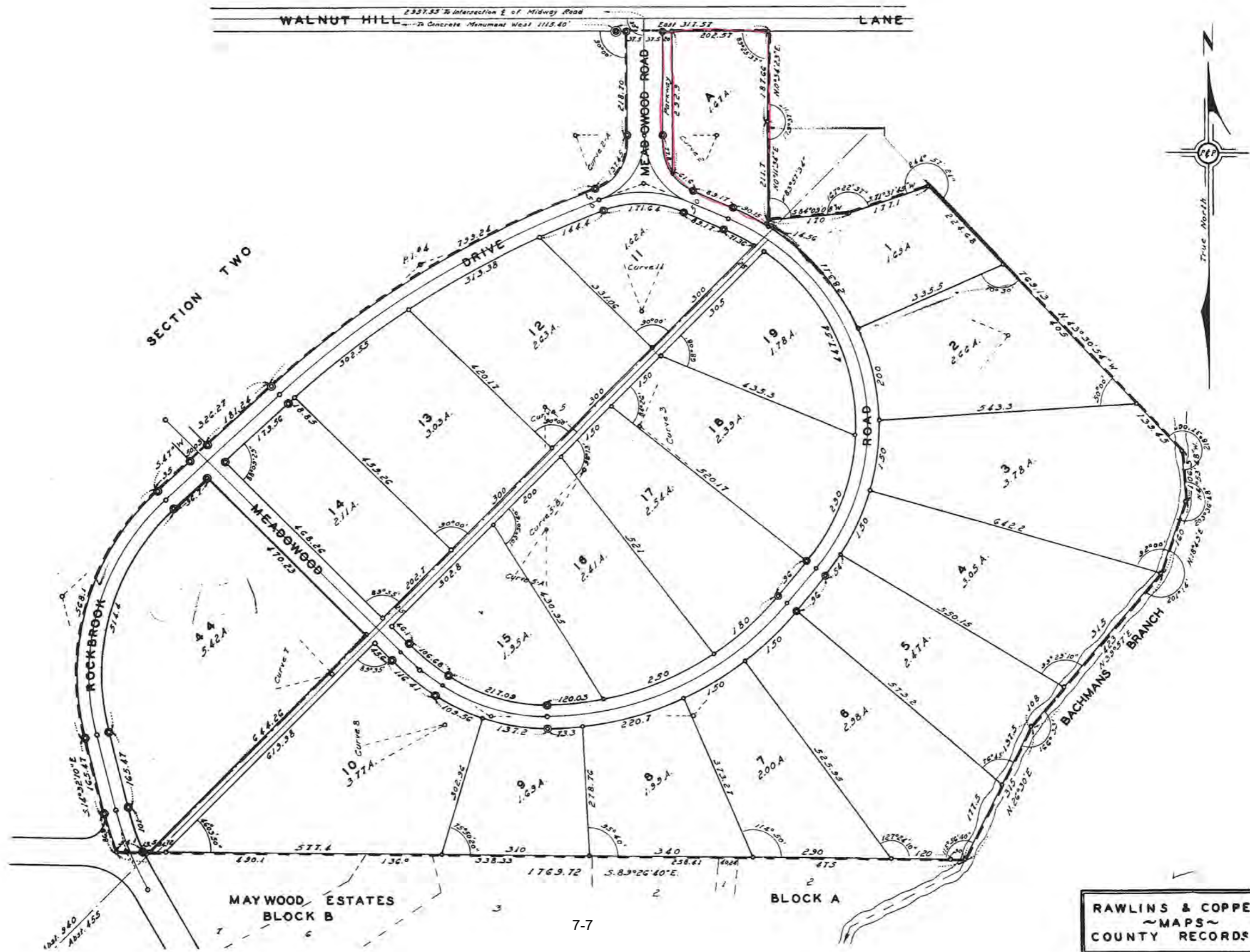
○ IRON PIPE OR NAIL ● IRON PIPE AND NAIL

⊙ CONCRETE MONUMENT

SCALE REDUCED TO 1" = 200'

FILED: AUG. 14, 1940.
REC. IN VOL. 6 PG. 445.

SUBDIVISION OF A TRACT OF LAND OUT OF
THE JESSE MOON AND JAMES L. FARQUHAR
SURVEYS DALLAS COUNTY, TEXAS.



Vol. 940
Abst. 455

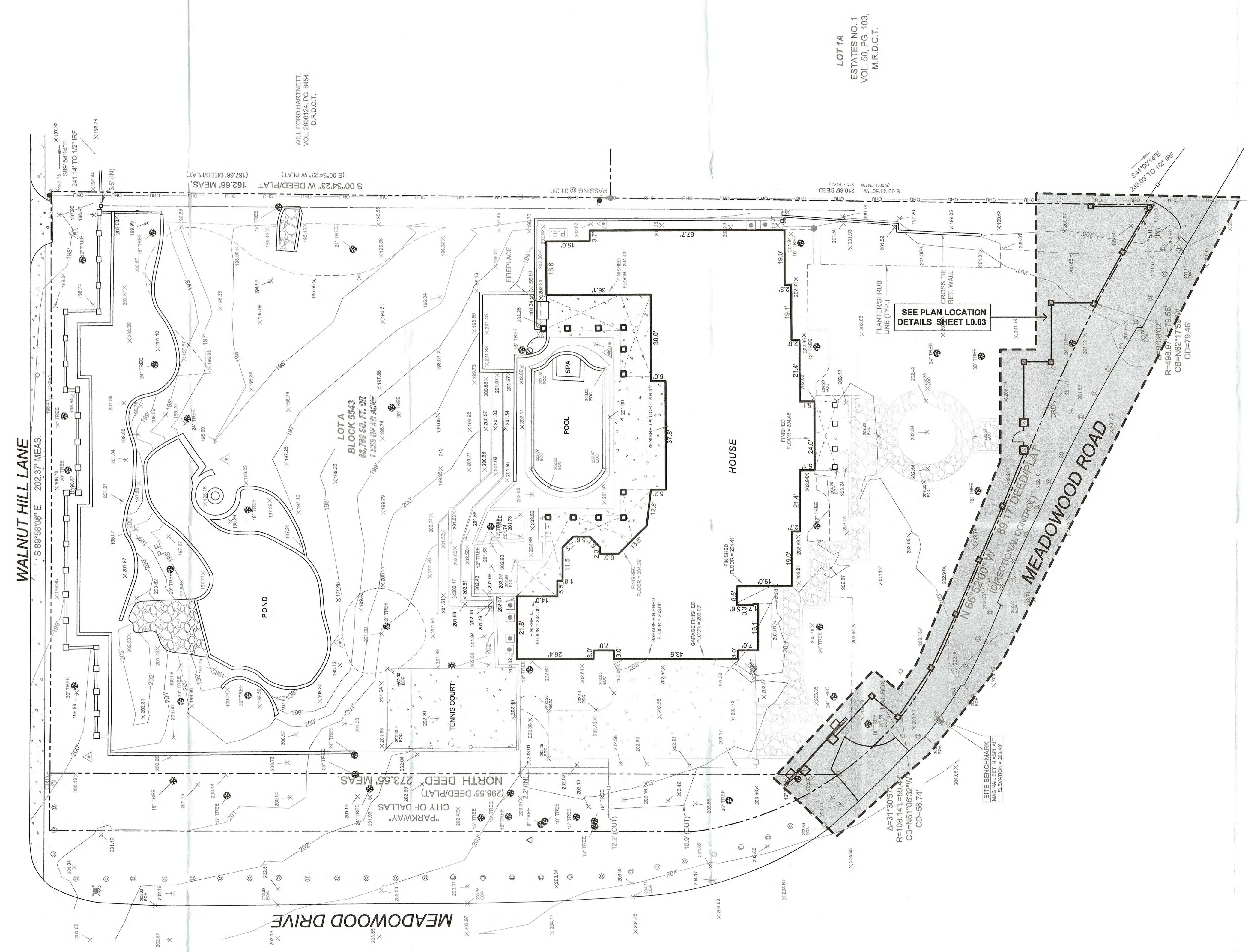
MAYWOOD ESTATES
BLOCK B

7-7

BLOCK A

RAWLINS & COPPEDGE
MAPS
COUNTY RECORDS BLDG.

212-048



LOT 1A
 ESTATES NO. 1
 VOL. 50, PG. 103,
 M.R.D.C.T.

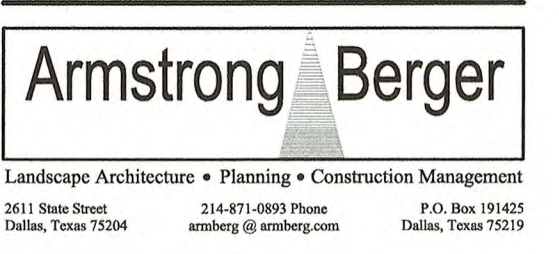
WILL CONRO MANSBETT,
 VOL. 200124, PG. 845,
 D.R.D.C.T.

SEE PLAN LOCATION
 DETAILS SHEET L0.03

VARIANCE
 SUBMITTAL

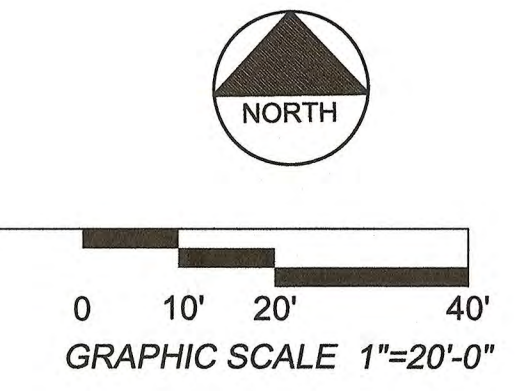


JOHN H. ARMSTRONG, ASLA
 REVISIONS
 April 11, 2022 Fence Location on Survey

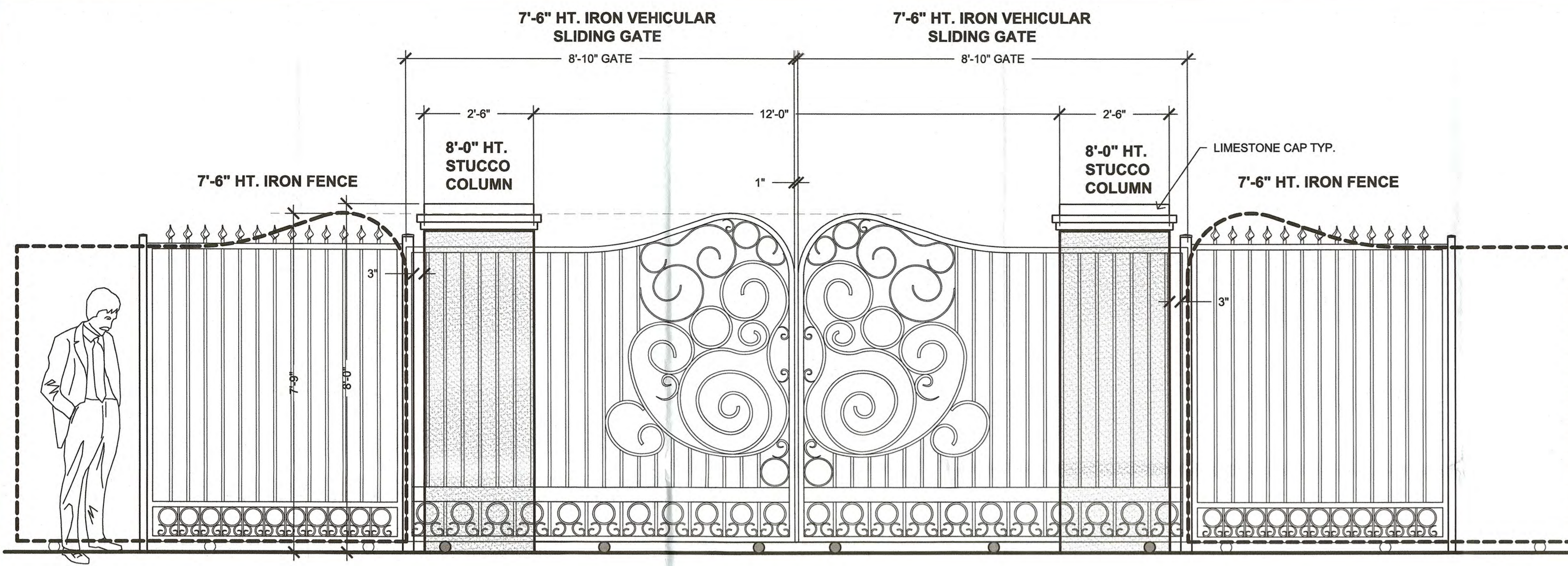


MITRA
 RESIDENCE
 4686 Meadowood Road
 Dallas, Texas
 DRAWING TITLE
 SITE PERIMETER
 PLAN LOCATION
 ON SURVEY

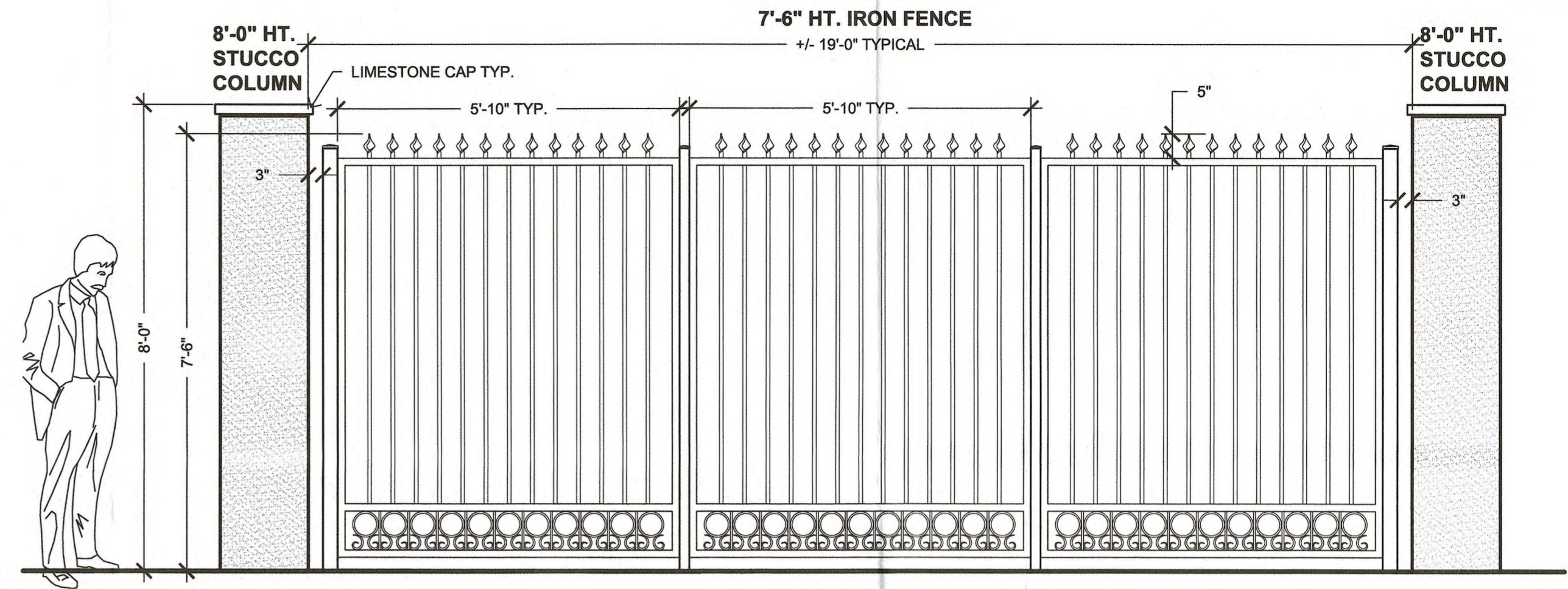
ISSUE DATE: October 2021
 DRAWING SCALE: 1"=20'-0"
 PROJECT NUMBER 21088
 DRAWN BY: JHH
 REVIEWED BY: JHH, JHA
 APPROVED BY: JHA
 DRAWING NUMBER



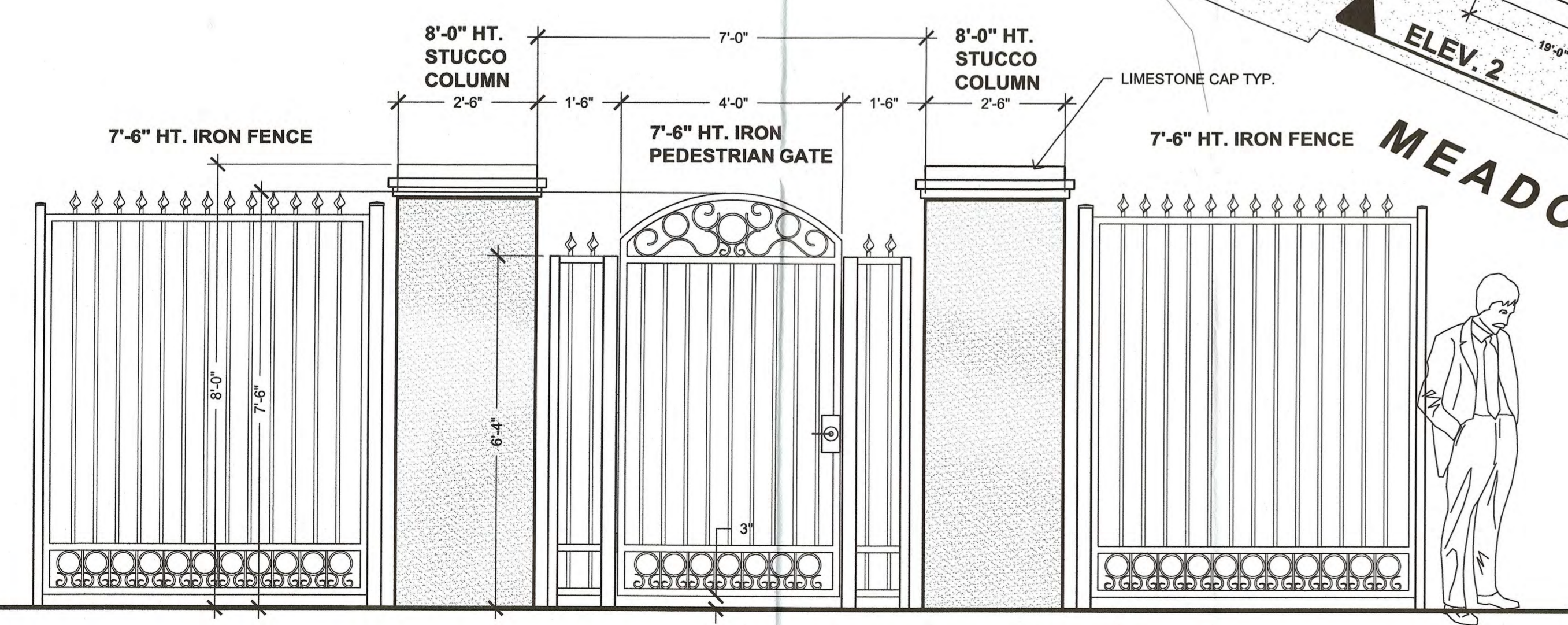
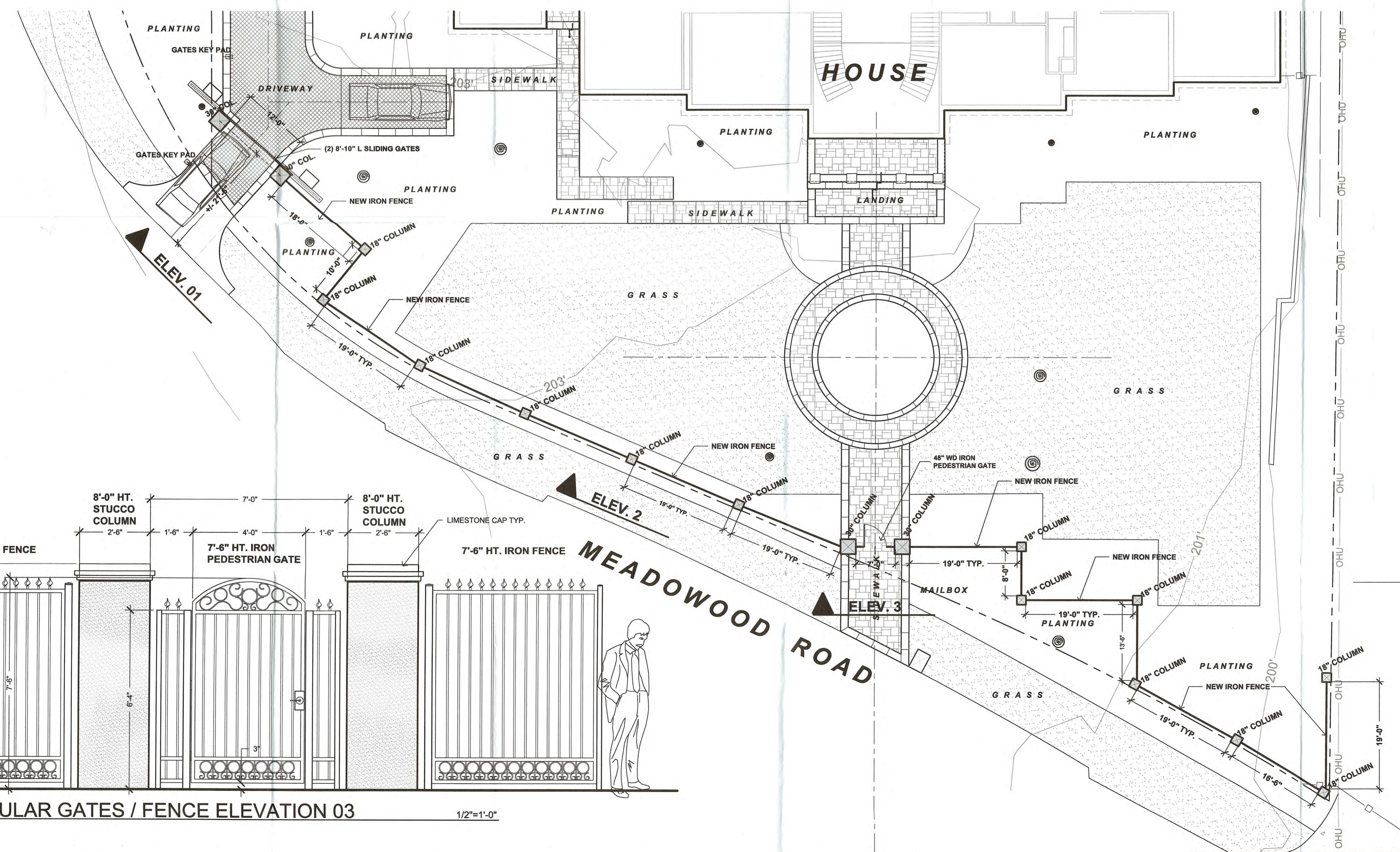
L0.02



01 VEHICULAR GATES / FENCE ELEVATION 01
SCALE: 1/2"=1'-0"



02 VEHICULAR GATES / FENCE ELEVATION 02
SCALE: 1/2"=1'-0"



03 VEHICULAR GATES / FENCE ELEVATION 03
SCALE: 1/2"=1'-0"

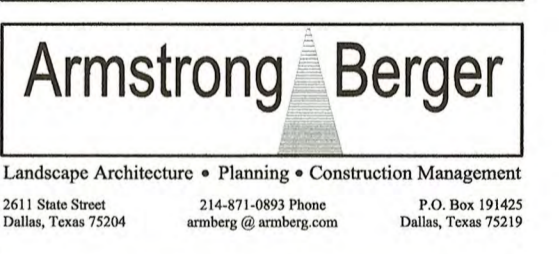
**VARIANCE
SUBMITTAL**

SEAL



JOHN H. ARMSTRONG, ASLA

- REVISIONS**
- April 11, 2022 Fences, Columns, Gates Plan Submittal Plan and Details Update
 - April 04, 2022 Fences, Columns, Gates Plan Submittal Plan and Details Update
 - March 29, 2022 Fences, Columns, Gates Plan Submittal Plan and Details

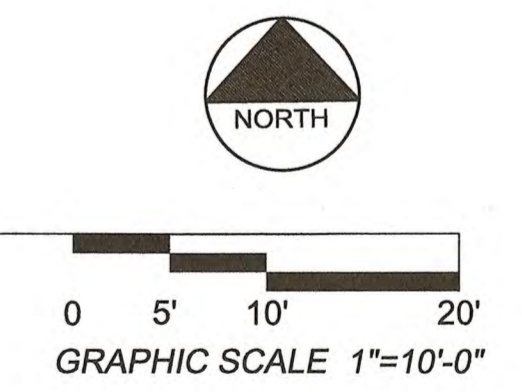


**MITRA
RESIDENCE**

4686 Meadowood Road
Dallas, Texas

**DRAWING TITLE
SITE PERIMETER
FENCING/COLUMNS
AND GATES**

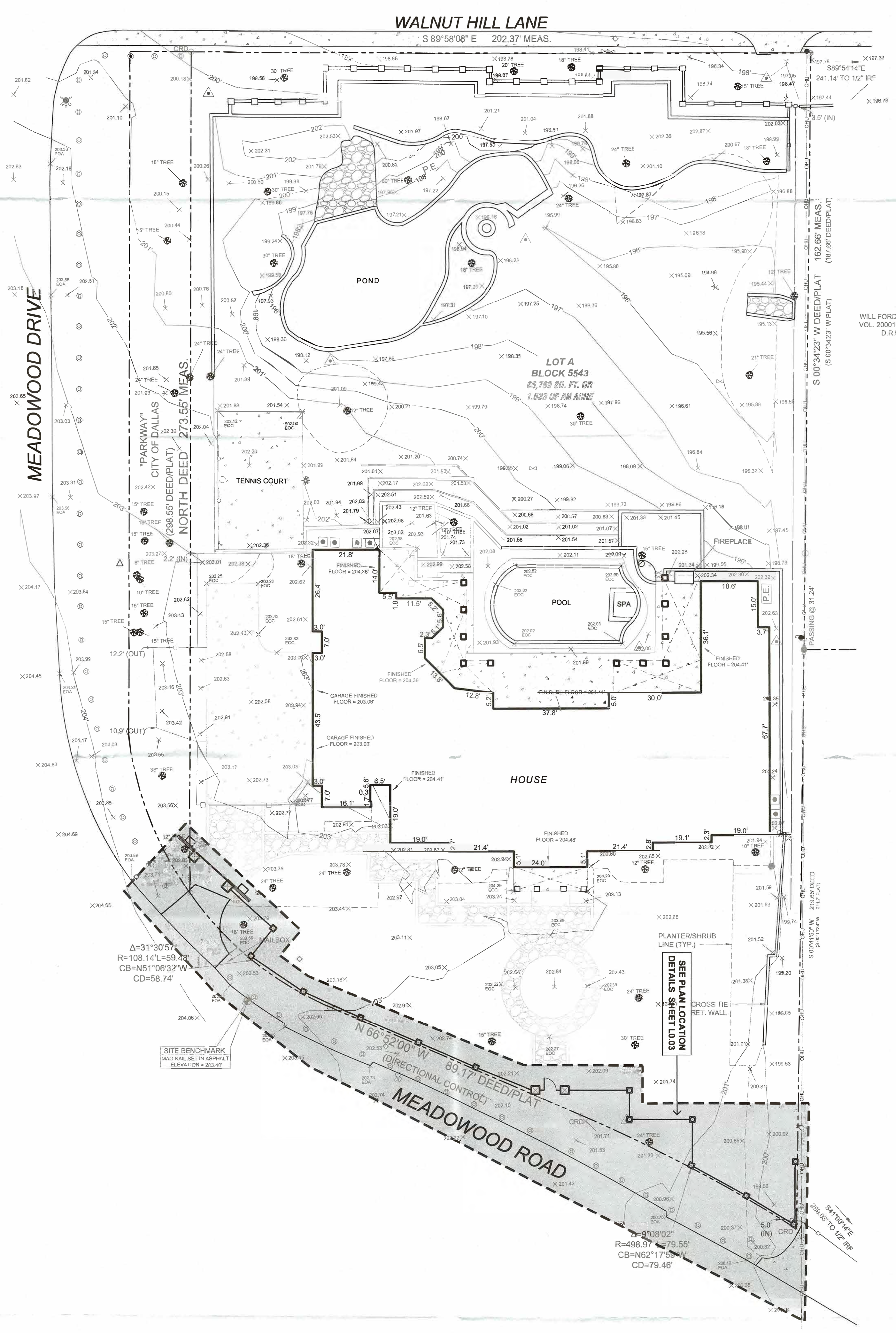
ISSUE DATE: October 2021
DRAWING SCALE: 1"=10'-0"
PROJECT NUMBER 21088
DRAWN BY: JHH
REVIEWED BY: JHH, JHA
APPROVED BY: JHA
DRAWING NUMBER



ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

L0.03

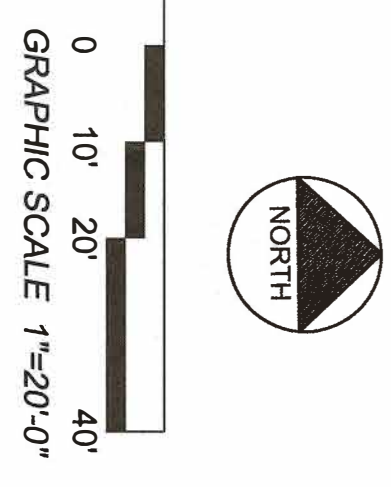
512-048



BDA212-048 ATTACHMENT A

WILL FORD HARTNETT,
VOL. 2000124, PG. 8454,
D.R.D.C.T.

LOT 1A
ESTATES NO. 1
VOL. 50, PG. 103,
M.R.D.C.T.



GRAPHIC SCALE 1"=20'-0"

ALL 12"x18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

L0.02

Armstrong Berger
Landscape Architecture • Planning • Construction Management
2400 Ross Street, Suite 1000
Dallas, Texas 75201
Phone: 214.760.1234
www.armstrongberger.com

MITRA
RESIDENCE
4686 Meadowood Road
Dallas, Texas

DRAWING TITLE
**SITE PERIMETER
PLAN LOCATION
ON SURVEY**

ISSUE DATE: October 2021
DRAWING SCALE: 1"=20'-0"
PROJECT NUMBER: 21088
DRAWN BY: JHH
REVIEWED BY: JHH, JHA
APPROVED BY: JHA
DRAWING NUMBER

JOHN H. ARMSTRONG, ASLA
REVISIONS
April 11, 2022 Fence Location on Survey

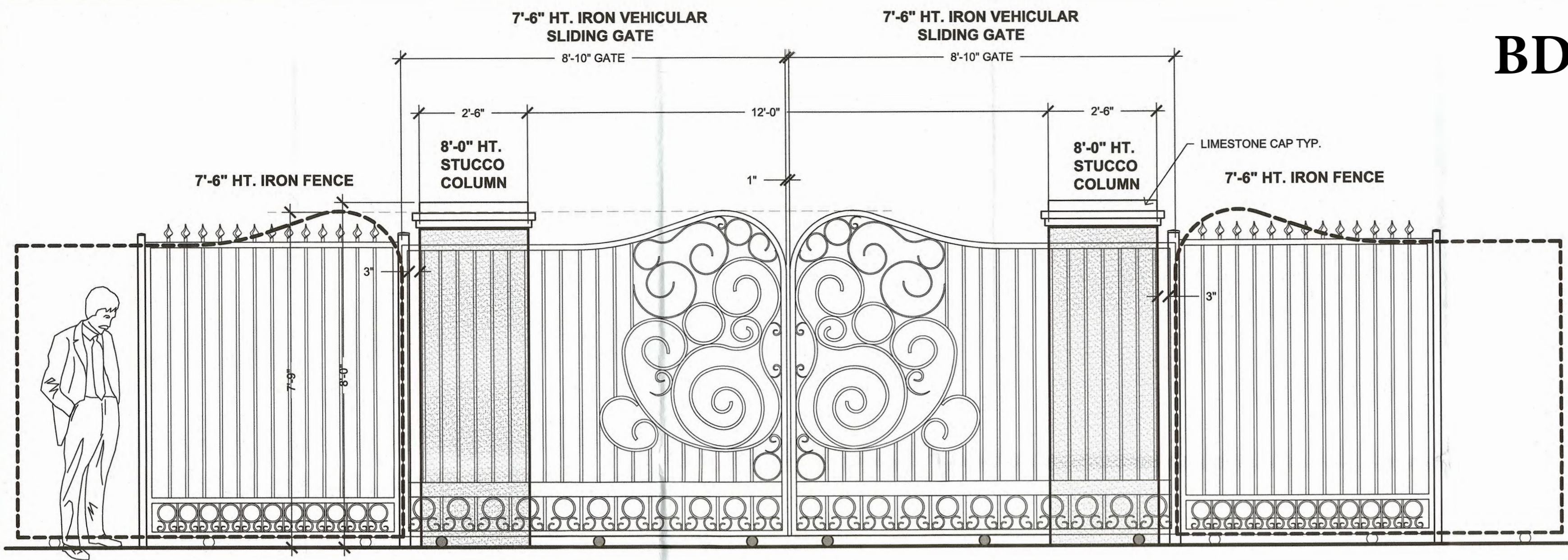


**VARIANCE
SUBMITTAL**
SEAL

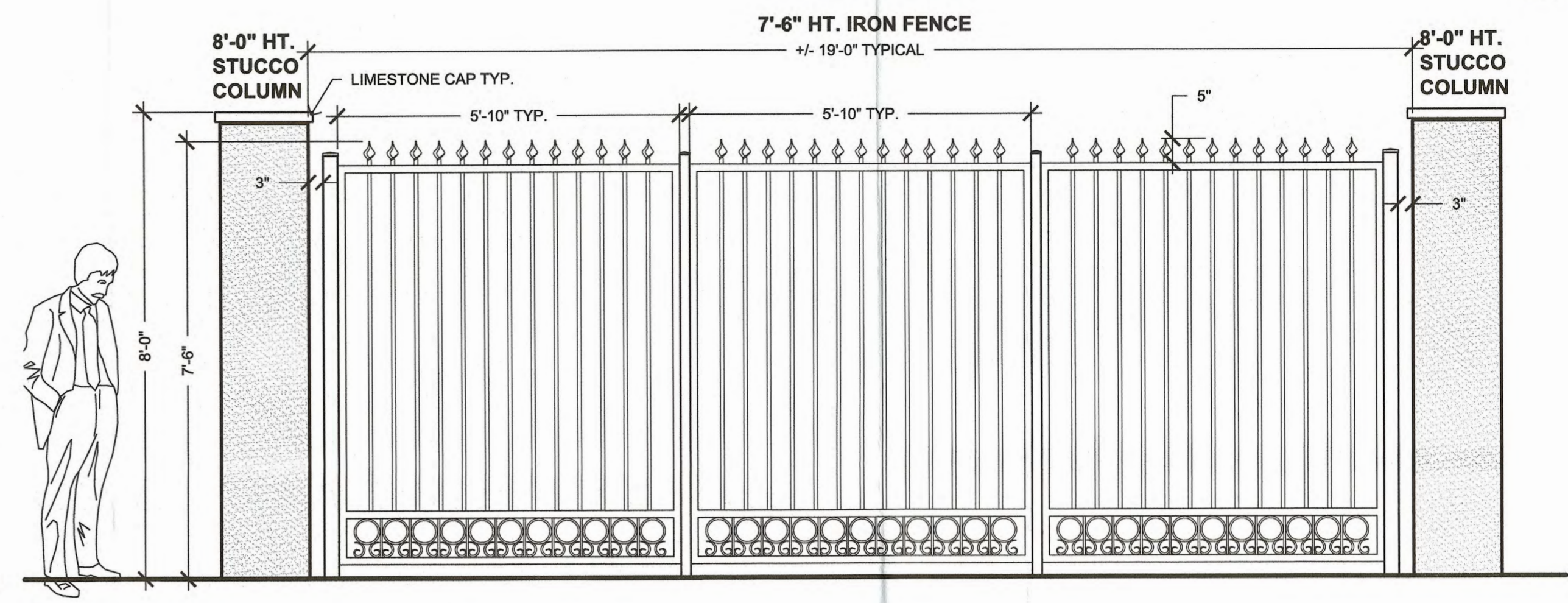
ARMSTRONG BERGER
UNSCALED ARCHITECT'S PLANS
CONSTRUCTION MANAGEMENT
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BDA212-048_ATTACHMENT_B

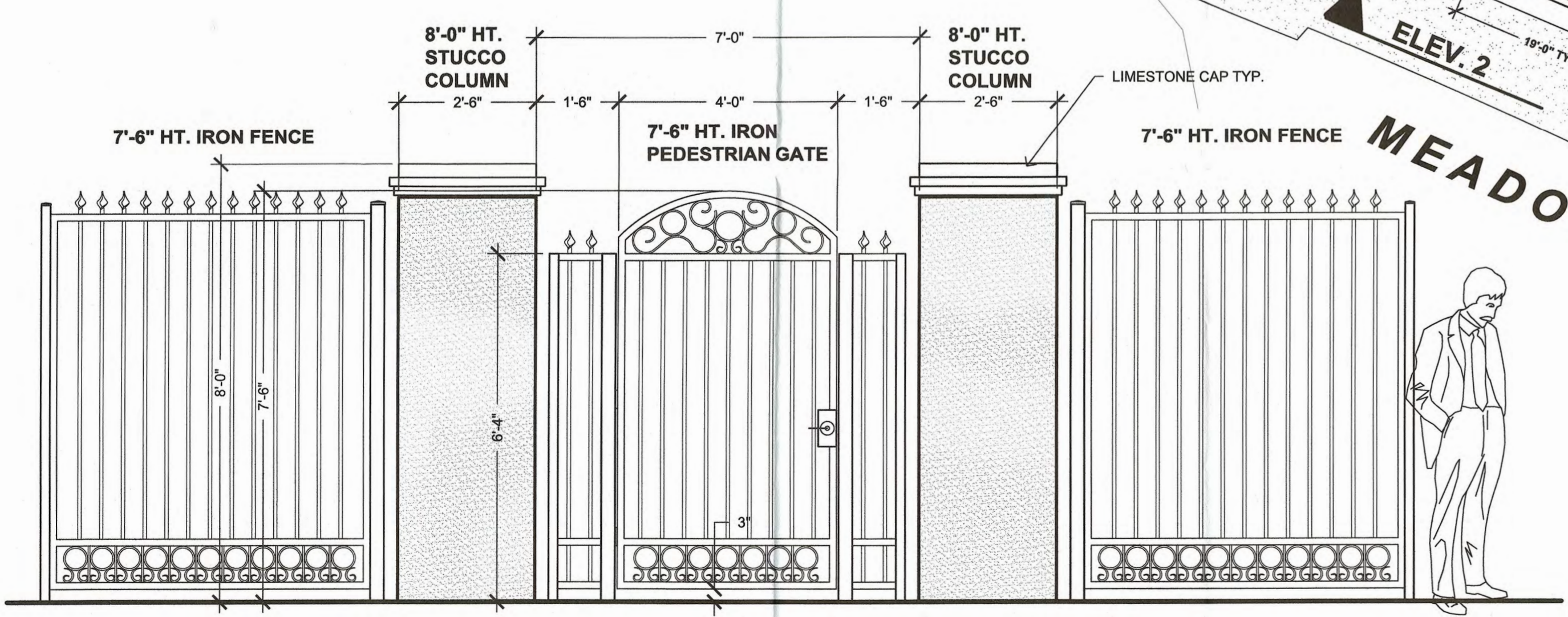
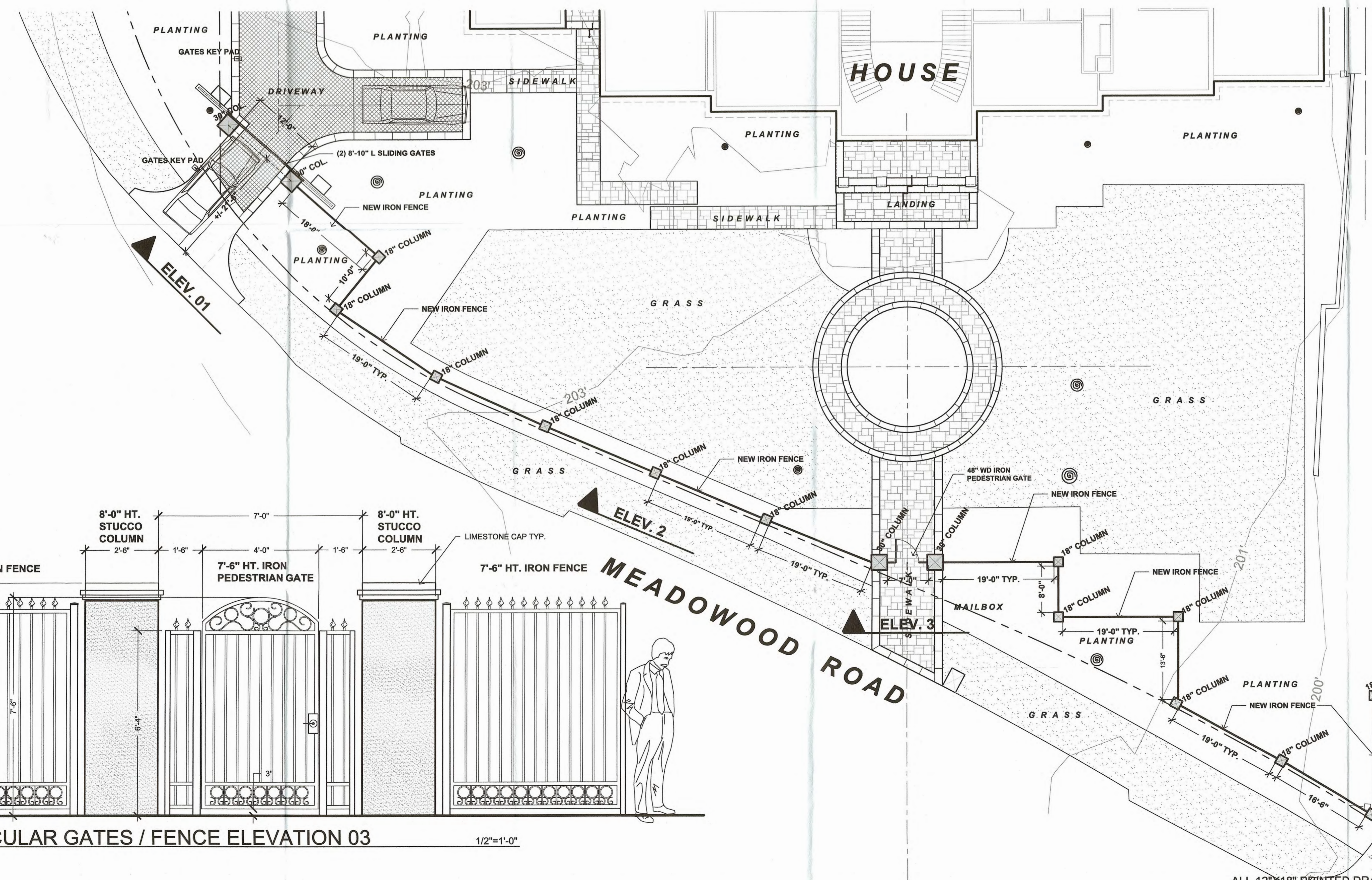
ARMSTRONG + BERGER
LANDSCAPE ARCHITECTS + PLANNERS
CONSTRUCTION MANAGEMENT
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01 VEHICULAR GATES / FENCE ELEVATION 01
SCALE: 1/2"=1'-0"

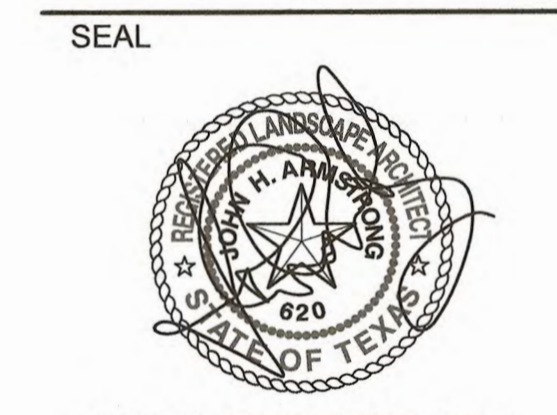


02 VEHICULAR GATES / FENCE ELEVATION 02
SCALE: 1/2"=1'-0"

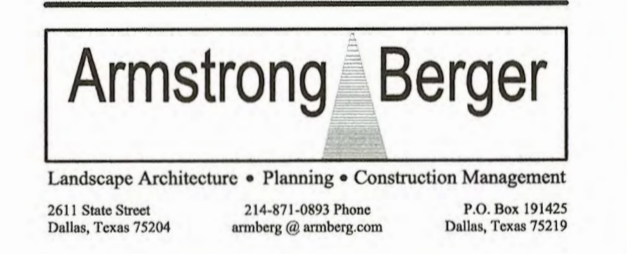


03 VEHICULAR GATES / FENCE ELEVATION 03
SCALE: 1/2"=1'-0"

VARIANCE SUBMITTAL



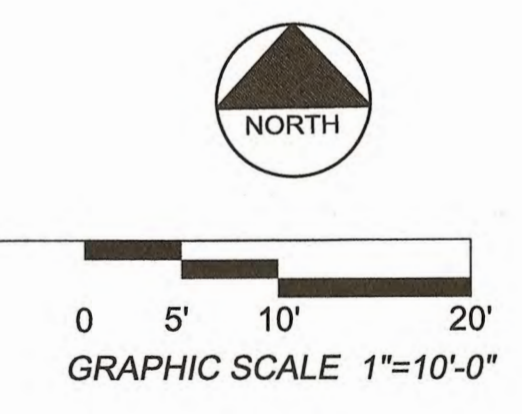
JOHN H. ARMSTRONG, ASLA
REVISIONS
April 11, 2022 Fences, Columns, Gates Plan Submittal Plan and Details Update
April 04, 2022 Fences, Columns, Gates Plan Submittal Plan and Details Update
March 29, 2022 Fences, Columns, Gates Plan Submittal Plan and Details



MITRA RESIDENCE
4686 Meadowood Road
Dallas, Texas

DRAWING TITLE
SITE PERIMETER FENCING/COLUMNS AND GATES

ISSUE DATE: October 2021
DRAWING SCALE: 1"=10'-0"
PROJECT NUMBER: 21088
DRAWN BY: JHH
REVIEWED BY: JHH, JHA
APPROVED BY: JHA
DRAWING NUMBER



ALL 12"X18" PRINTED DRAWINGS ARE 1/2 THE NOTED WRITTEN SCALE

L0.03

212-048

P:\Mitra - 4686 Meadowood - 21088\Drawings\PROJ\01-002-11.03 Survey Plat and Fence BOA Plan and Details 04-11-22.dwg, 4/11/2022 3:35:55 PM, Adobe PDF

FILE NUMBER: BDA212-023(PD)

BUILDING OFFICIAL'S REPORT: Application of Alexa Peer Sheinbein for a variance to the front yard setback regulations at 5253 Bonita Avenue. This property is more fully described as part of lot 15 in City Block 7/1973 and is zoned an R-7.5(A) Single Family District, which requires a front yard setback of 25 feet. The applicant proposes to construct and maintain a single-family residential structure and provide a five-foot front yard setback, which will require a 20-foot variance to the front yard setback regulations.

LOCATION: 5253 Bonita Avenue

APPLICANT: Alexa Peer Sheinbein

REQUESTS:

A request for a variance to the front yard setback regulations of twenty feet is made to construct and maintain a single-family dwelling within the subject site's 25-foot front yard setback on Laneri Avenue. The property is currently undeveloped and situated along a corner lot with two front yards.

UPDATE:

The request was held under advisement on April 20, 2022 to allow the applicant an opportunity to arrive back in the states and provide staff with evidence. Staff emailed the applicant (**Attachment B**) on May 24, 2022 requesting evidence for consideration. However, to date, staff has not received communication or evidence from the applicant.

STANDARD FOR A VARIANCE:

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

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

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

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
 - (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code;
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality consider the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Denial.

Rationale:

Staff has not received evidence. Therefore, staff cannot establish whether the subject site is restrictive in area, shape, or slope, and thus cannot be developed in a manner commensurate with other properties within the same zoning district.

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

The subject site is undeveloped while the surrounding properties to the north, east, and south are developed with single-family dwellings.

Zoning/BDA History:

There have been no related board or zoning cases in the vicinity within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

This request focuses on constructing and maintaining a single-family dwelling unit that is situated along a front yard (Laneri Avenue). The lot is situated at the intersection of Bonita Avenue and Laneri Avenue, which provides two front yards, one along each corridor. Since the subject site is zoned an R-7.5(A) Single Family District, a 25-foot front yard setback must be maintained along both frontages to ensure continuity of the block.

In a single-family district, a corner lot with frontage on two streets where one frontage is shorter than the other allow the longer frontage to be governed by the side yard regulations. In this case, Laneri Avenue provides the longer frontage and would be treated as a side yard. However, if another structure has an established setback along the block face of the longer frontage, that side must maintain an unobstructed front yard to comply with block continuity.

A site plan has been submitted denoting the proposed single-family dwelling located five feet from the front property line along Laneri Avenue and containing approximately 5,153 square feet of floor area. The portion of the single-family structure fronting along Bonita Avenue is not proposed to encroach into the front yard setback and will provide a front yard setback of the required 25 feet. While the portion of the structure along Laneri Avenue will encroach into the required 25-foot front yard setback and proposes to provide a front yard setback of five feet.

The subject site is not irregular in shape but is irregular in area with approximately 5,136 square feet in lot area. An R-7.5(A) zoning district requires lots to have a minimum lot size of 7,500 square feet. However, the applicant has not provided evidence that reflects the decrease in buildable lot area due to the double frontage.

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.

Additionally, the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code;
- Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
- Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- The municipality consider the structure to be a nonconforming structure.

As of April 13, 2022, no letters have been submitted in support of or in opposition of the request. However, staff received two complaints from two separate citizens on June 6th and 20th regarding removal of the required notification signs and Board outcome. Staff confirmed removal of the notification signs after conducting a second site visit. After confirmation, staff followed-up via email with the applicant regarding removal of the sign after the first inquiry. Since a response to staff's email was not received, staff followed up via phone regarding the second inquiry. Via voicemail, staff informed the applicant of the Board of Adjustment imposed remedy of failure to comply with required notification signs as noted below

Sec. 51A-1.106. Notification Signs Required To Be Obtained And Posted.

e) Failure to comply.

(1) If the city plan commission, landmark commission, or board of adjustment determines that the applicant has failed to comply with the provisions of this section, it shall take no action on the application other than to postpone the public hearing for at least four weeks or deny the applicant's request, with or without prejudice.

(2) If the hearing is postponed, the required notification signs must be posted within 24 hours after the case is postponed and comply with all other requirements of this section.

If the board were to grant this front yard setback variance request and impose the submitted site plan as a condition, development would be limited to what is shown on this document. Granting this variance request will not provide any further relief from the Dallas Development Code regulations.

Timeline:

January 14, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents (**Attachment A**) that have been included as part of this case report.

March 3, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

March 8, 2022: The Board Senior Planner emailed the 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 March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th 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.”

March 31, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Board Senior Planner, and the Assistant City Attorney to the Board.

April 20, 2022: The request was held under advisement to June 22, 2022.

May 24, 2022: Staff followed-up with the applicant via email to reiterate the deadline to submit evidence for staff consideration. No response was provided to the email (**Attachment B**). To date, staff has not received communication or evidence from the applicant

BOARD OF ADJUSTMENT ACTION: April 20, 2022

APPEARING IN FAVOR: Alexa Sheinbein 7006 Shipp Rd. Dallas, TX

APPEARING IN OPPOSITION: Kelly Smoyer 5251 Bonita Ave. Dallas, TX
Jeff York 2412 Laneri Ave. Dallas, TX

MOTION: Karnowski

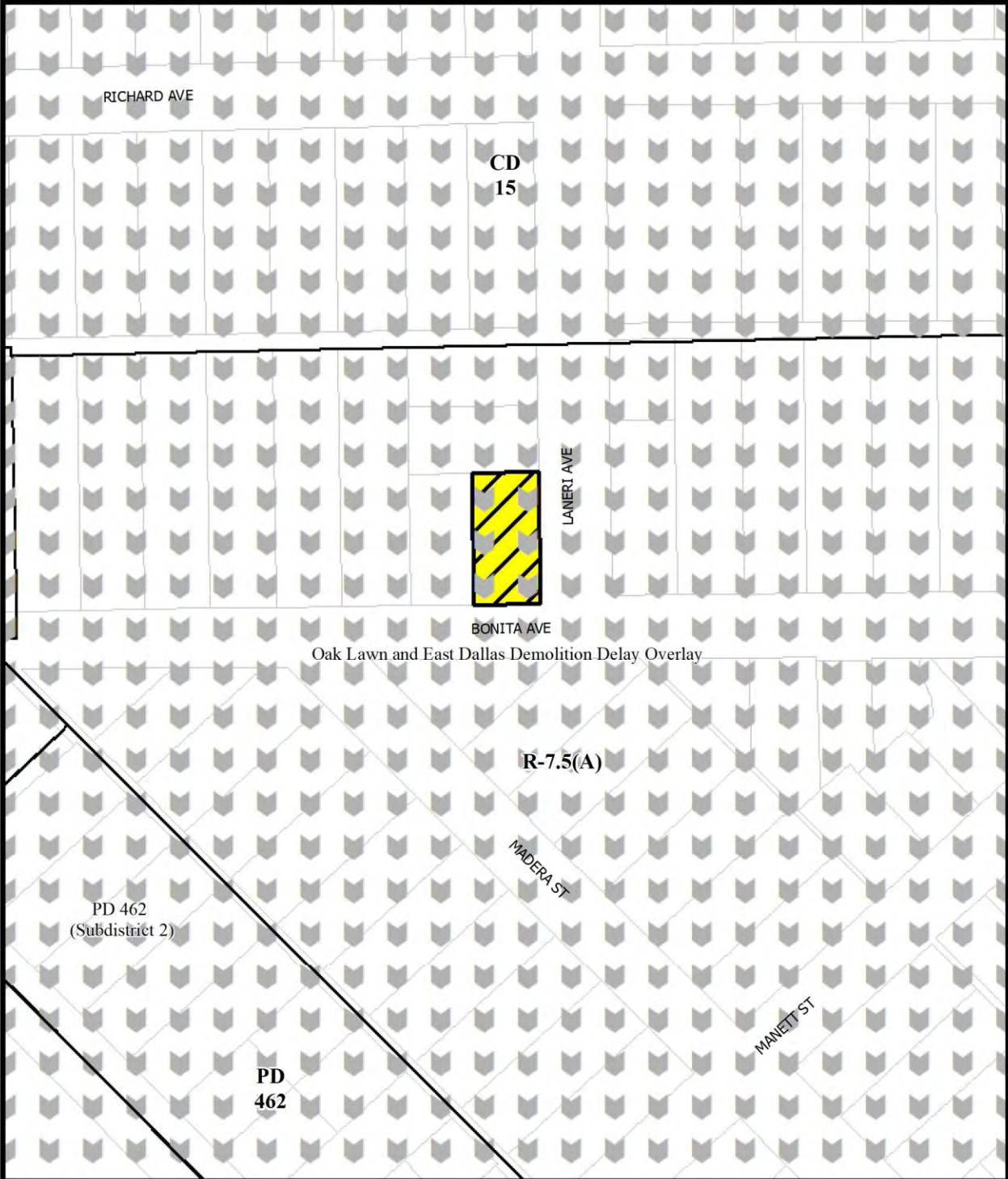
I move that the Board of Adjustment, in Appeal No. BDA 212-023, **hold** this matter under advisement until **June 22, 2022**.

SECONDED: Gambow

AYES: 4 – Shouse, Karnowski, Gambow, Resendiz

NAYS: 0 -

MOTION PASSED: 4 – 0 (unanimously)

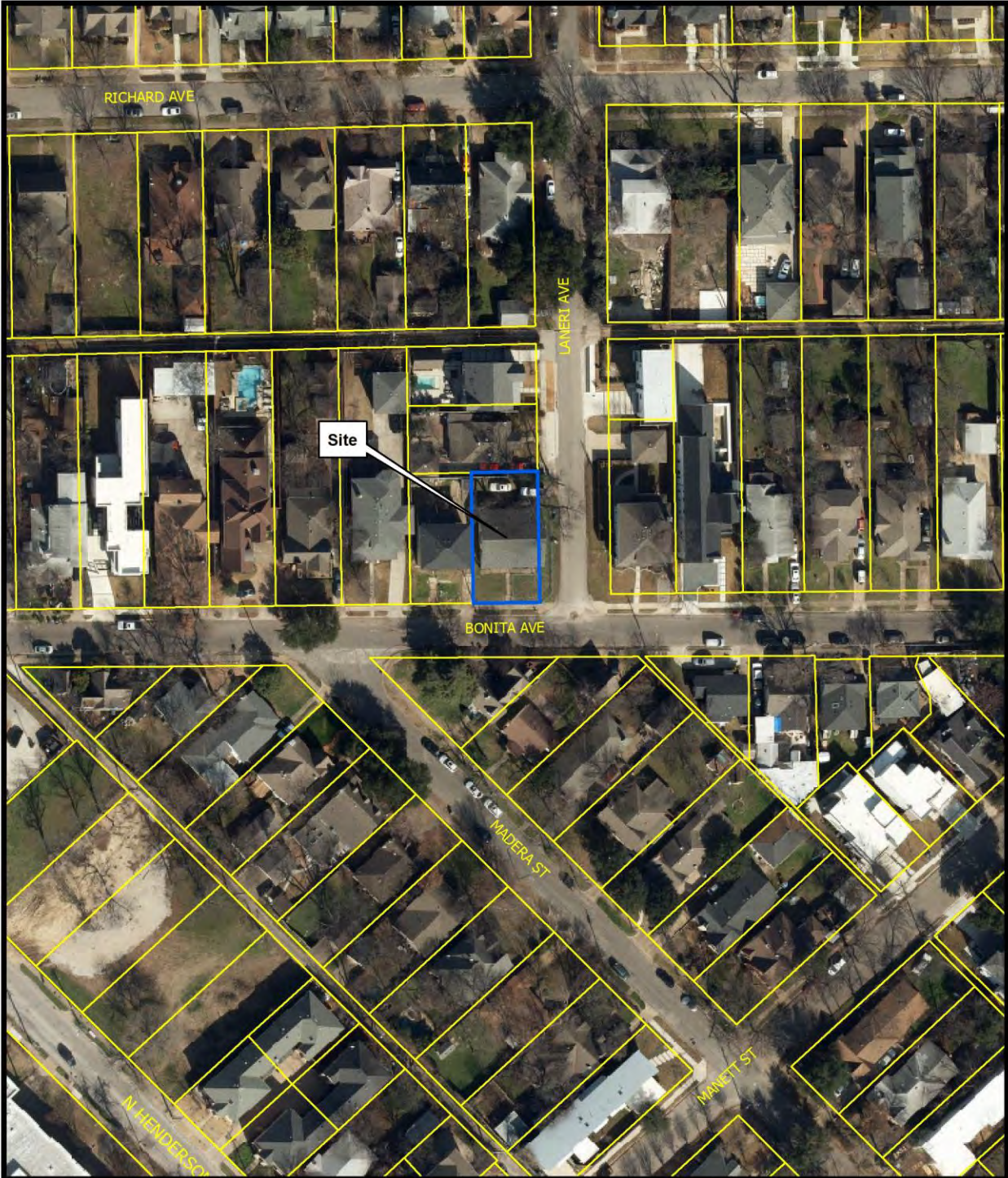


1:1,200

ZONING MAP

Case no: BDA212-023

Date: 3/9/2022



1:1,200

AERIAL MAP

Case no: BDA212-023

Date: 3/9/2022



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;">31</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	31	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: BDA212-023 Date: 3/9/2022
200'	AREA OF NOTIFICATION					
31	NUMBER OF PROPERTY OWNERS NOTIFIED					

03/09/2022

Notification List of Property Owners

BDA212-023

31 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5253 BONITA AVE	GCE PARTNERS LLC
2	5300 RICHARD AVE	MAYNOR TRACEY
3	5308 RICHARD AVE	MAYNOR JOHN TRACEY
4	5311 BONITA AVE	NAJERA IRENE C &
5	5307 BONITA AVE	WOOD KYLE IRVIN & STEPHANIE
6	5303 BONITA AVE	CARLOCK CAMERON N &
7	2412 LANERI AVE	YORK JEFFREY EDGAR &
8	5238 RICHARD AVE	SANCHEZ UVELIA
9	5242 RICHARD AVE	SANCHEZ DANIEL E
10	5246 RICHARD AVE	LOVING OLIVER F & FLOR C
11	5250 RICHARD AVE	CARDOSO JESUS
12	5256 RICHARD AVE	THOMAS GRAHAM
13	2415 LANERI AVE	NELSON JEAN M
14	2411 LANERI AVE	MIRELES FIDEL F &
15	5251 BONITA AVE	SMOYER KELLY PATRICIA
16	5247 BONITA AVE	PETTIT TODD & KIMBERLY
17	5241 BONITA AVE	WRIGHT TYLER C
18	5239 BONITA AVE	LOSCHIAVO BRANDON & MEGAN
19	5302 BONITA AVE	ALCORTA EDWARD
20	5308 BONITA AVE	RODRIGUEZ PEDRO &
21	2610 MADERA ST	ROJAS AGAPITO H &
22	2614 MADERA ST	GUEVARA PABLO
23	2618 MADERA ST	KELLY DINEEN A
24	2622 MADERA ST	KELCHER MARY C & JOHN R
25	2626 MADERA ST	WOOD GREGORY &
26	2619 MADERA ST	HAYNES BRADLEY W

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2623 MADERA ST	COCKERELL MYNETTA
28	2627 MADERA ST	BARNES SAMUEL JOSEPH &
29	2631 MADERA ST	MILLER ZACHARY &
30	2635 MADERA ST	ALVAREZ SYLVIA U
31	5228 BONITA AVE	CAMPBELL DANIEL



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-023

Data Relative to Subject Property:

Date: 1-14-22

Location address: 5253 Bonita Ave

Zoning District: R.7 (5A)

Lot No.: PT LT 15 Block No.: 7/1973 Acreage: .111

Census Tract: 10.02

Street Frontage (in Feet): 1) 50' 2) 97' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): GCE Partners LLC

Applicant: Alexa Peer Sheinbein Telephone: 818-422-0289

Mailing Address: 2765 N Millbrier Cir, Plano ~~75075~~ Zip Code: 75075

E-mail Address: alexapeer22@gmail.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception _____, of each
Provide a 5' Frontyard set back

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:

* Property has two front yard set backs

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

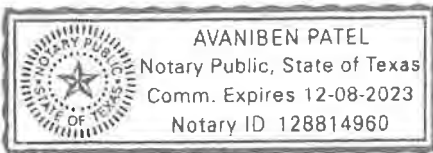
Before me the undersigned on this day personally appeared Alexa Peer Sheinbein
(Affiant/Applicant's name printed)

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 13 day of DEC., 2021

(Rev. 08-01-11)



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

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 Alexa Peer-Sheinbein

did submit a request for a variance to the front yard setback regulations
at 5253 Bonita Avenue

BDA212-023. Application of Alexa Peer-Sheinbein for a variance to the front yard setback regulations at 5253 BONITA AVE. This property is more fully described as PT of Lot 15, Block 7/1973, and is zoned R-7.5(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 5 foot front yard setback along Laneri Ave, which will require a 20 foot variance to the front yard setback regulations.

Sincerely,


David Session, Building Official



AFFIDAVIT

Appeal number: BDA 212-023

I, GCE Partners LLC / Jonathan Greenstein Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 5253 Bonita Ave, Dallas TX
(Address of property as stated on application)

Authorize: Alexa Peer Jheinbein
(Applicant's name as stated on application)

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

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Front yard

Jonathan Greenstein
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date 12/17/2021

Before me, the undersigned, on this day personally appeared Jonathan Greenstein

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

Subscribed and sworn to before me this 17th day of December, 2021



Russell J Mecca
Notary Public for ~~Dallas County, Texas~~
Bergen, New Jersey
Commission expires on 02-12-2024



Printed: 12/8/2021

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | OP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSPD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | 11.4 |
| | | Height Map Overlay | Escarpment Overlay |

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



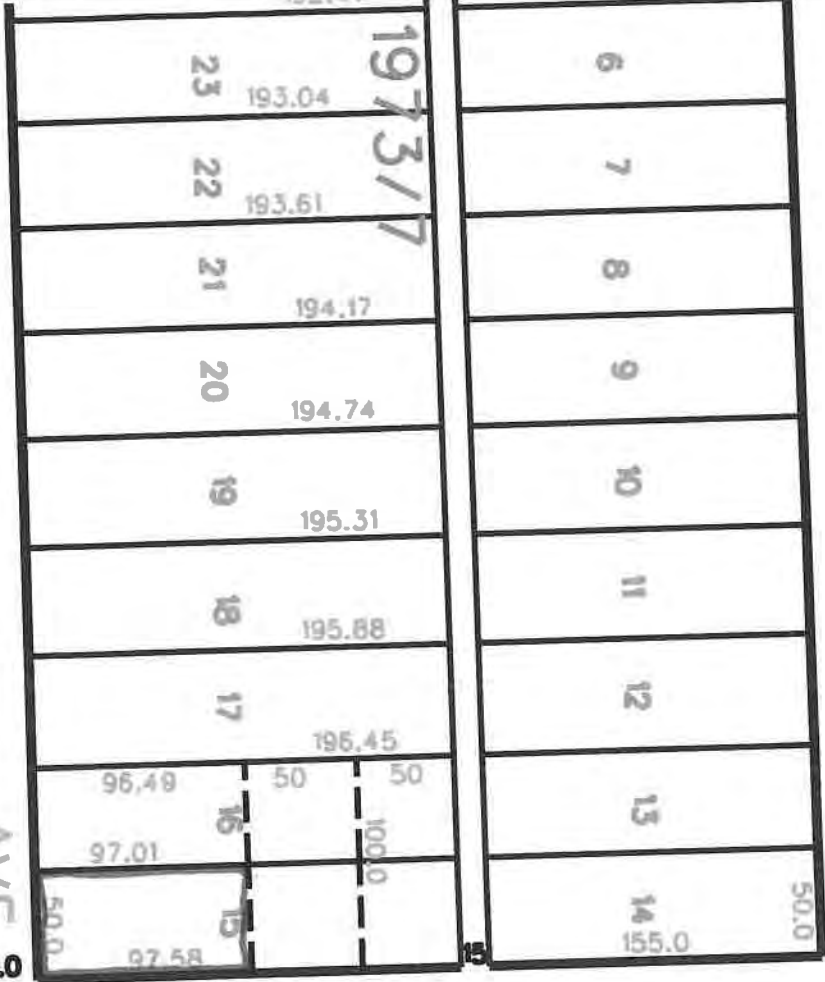
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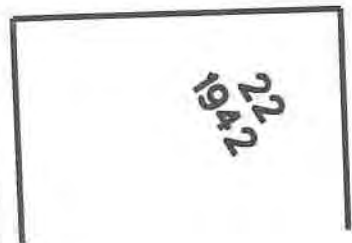
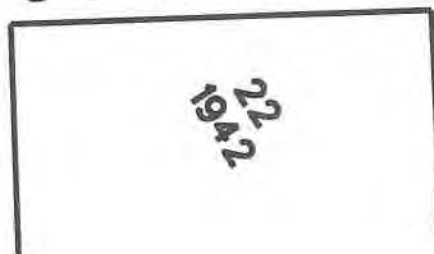
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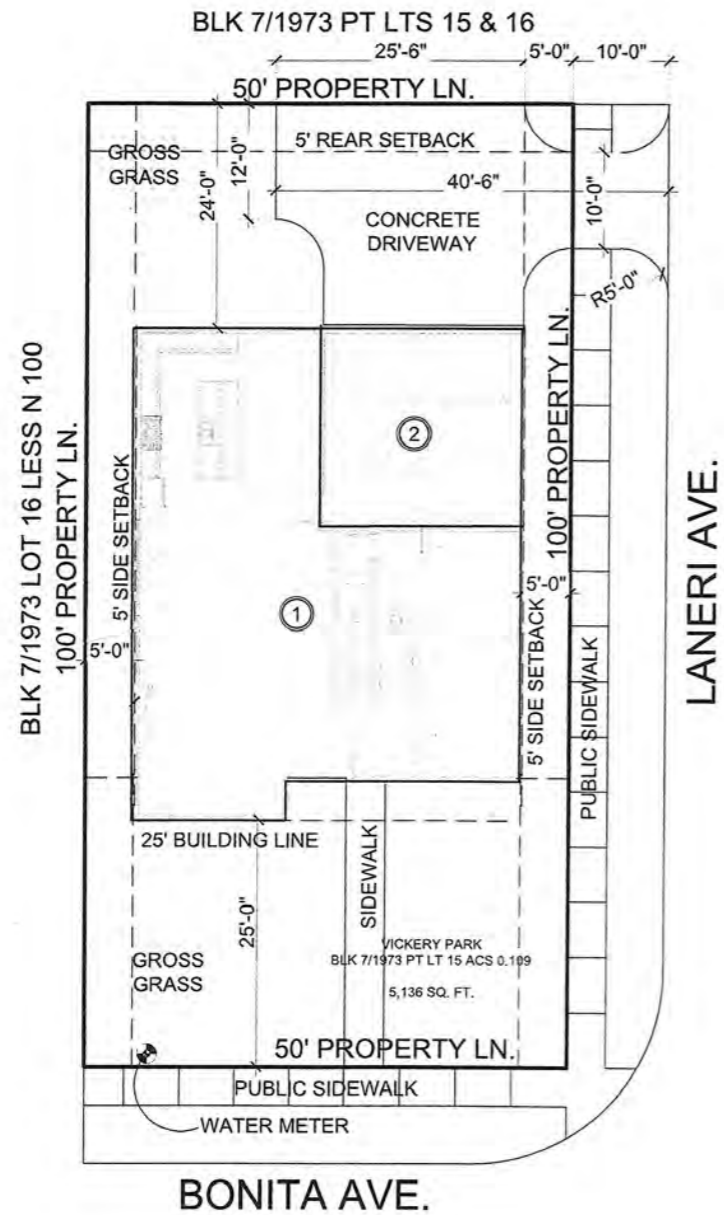


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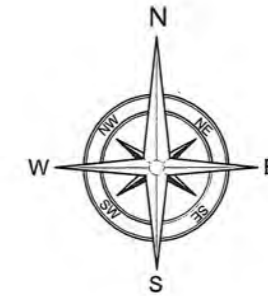


SITE PLAN

SCALE 1" = 20'



VICINITY MAP
FOR REFERENCE ONLY



AREA DISTRIBUTION		
AREA SCHEDULE		
1	PROPOSED LIVING (1st STORY)	1,512.5 SQ. FT.
2	PROPOSED ATTACHED GARAGE	431.5 SQ. FT.
3	PROPOSED LIVING (2nd STORY)	1,715 SQ. FT.
4	PROPOSED UNCOVERED BALCONY (2nd STORY)	176.5 SQ. FT.
5	PROPOSED LIVING (3rd STORY)	1,041 SQ. FT.
6	PROPOSED COVERED BALCONY (3rd STORY)	454 SQ. FT.
7	PROPOSED UNCOVERED BALCONY (3rd STORY)	148.5 SQ. FT.
TOTAL LIVING SPACE		4,268.5 SQ. FT.
TOTAL PROPOSED COVERAGE		1,944 SQ. FT.
LOT AREA		5,136 SQ. FT.
% LOT COVERAGE		38 %
MAX % LOT COVERAGE		45 %
LEGAL DESCRIPTION		
1:	VICKERY PARK	
2:	BLK 7/1973 PT LT 15 ACS 0.109	
3:		
4:	INT202000226343 DD08142020 CO-DC	
5:	1973 007 01500 1001973 007	

All About Permits
Drafting and Design + Permit Expediting
Ruth Solorzano (214)970-0789

ADDRESS:

5253 BONITA
AVE., DALLAS,
TX. 75206

USE:

RESIDENTIAL

DRAWN BY:

ALL ABOUT PERMITS

DATE:

03/26/2021

PLAN:

SITE PLAN

SCALE:

1" = 20'

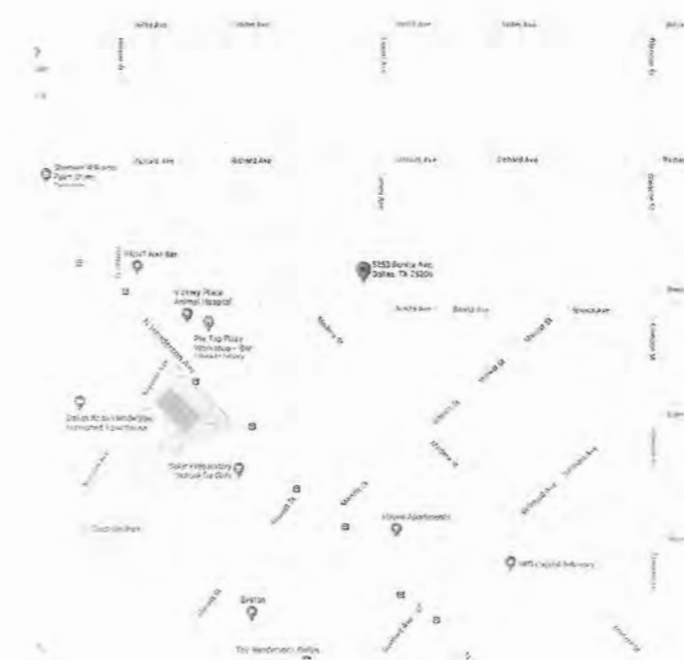
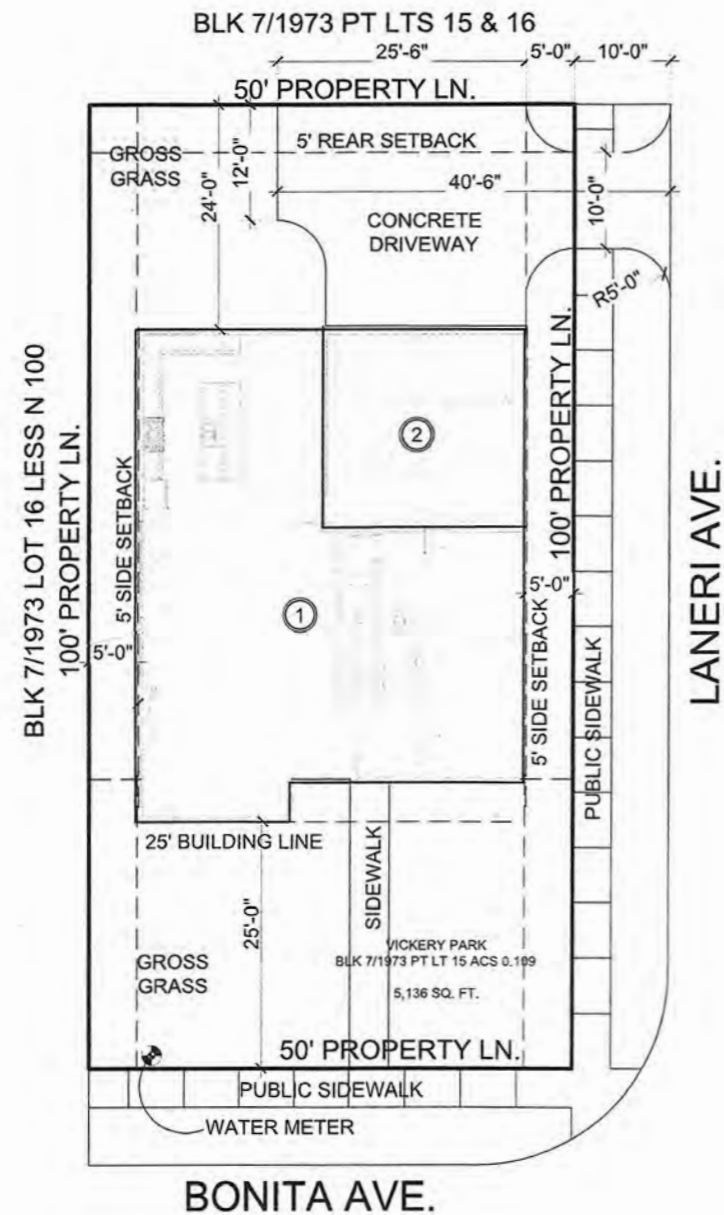
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212-023

BDA212-023_ATTACHMENT_A



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4:	INT202000226343 DD08142020 CO-DC
5:	1973 007 01500 1001973 007

SITE PLAN

SCALE 1" = 20'

ADDRESS:

5253 BONITA AVE., DALLAS, TX. 75206

USE:

RESIDENTIAL

DRAWN BY:

ALL ABOUT PERMITS

DATE:

03/26/2021

PLAN:

SITE PLAN

SCALE:

1" = 20'

A01

212-023

BDA212-023_ATTACHMENT_B

From: [Daniel, Pamela](#)
To: alexapeer22@gmail.com
Cc: [Munoz, Jennifer](#)
Subject: RE: BDA212-023 at 5253 Bonita Ave.; FY Variance
Date: Tuesday, May 24, 2022 1:29:15 PM
Attachments: [image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)

Alexa,

Good afternoon! Per the below email, the deadline to submit evidence for staff consideration is 1:00pm., Wednesday, May 25, 2022. The request was held by the Board on April 20, 2022 to provide staff time to receive evidence as well as the applicant’s return to the states. To ensure that staff provides a favorable recommendation, please ensure that evidence is received by the deadline.

Should you have additional questions or concerns, please feel free to contact me.

With Gratitude,



Pamela F. Riley Daniel, MURP
Senior Planner
City of Dallas | www.dallascityhall.com
Planning & Urban Design
 1500 Marilla St., 5BN
 Dallas, TX 75201
 O: (214) 671-5098
pamela.daniel@dallas.gov



How am I doing? Please contact my supervisor Jennifer Munoz at jennifer.munoz@dallas.gov.

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Daniel, Pamela
Sent: Monday, May 2, 2022 6:40 PM

To: alexapeer22@gmail.com

Cc: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>; Trammell, Charles <charles.trammell@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Subject: RE: BDA212-023 at 5253 Bonita Ave.; FY Variance

Alexa,

Good evening! Your case was held over to the **Panel B Board of Adjustment meeting with a projected hearing date of June 22, 2022**. Attached is information regarding your Board of Adjustment application referenced above including:

1. The submitted application materials - all materials will be emailed to you, city staff, and Board members in the docket report, a week prior to your tentatively scheduled Board of Adjustment public hearing date;
2. The Dallas Development Code provisions allowing the board to grant a variance to the front yard requirements (51A-3.102(d)(10));
3. House Bill Legislation, HB1475 which impacts how variances are considered to prove unnecessary hardship; and,
4. The Board rules pertaining to documentary evidence.

Please note the following deadlines for providing revisions cannot be changed or altered and therefore, you are encouraged to provide revisions before the last minute to allow staff an opportunity to review and comment before the deadline passes.

- Board of Adjustment Panel B.
- Hearing date/time: tentatively scheduled for **briefing at 11:00 am** and the public **hearing (where you speak) at 1:00 p.m., on June 22, 2022. Staff strongly encourages you to attend the hearing to respond to any questions by the Board and provide any pertinent information.**
- Deadline to submit information for staff recommendation: **1:00 p.m., May 25, 2022.**
- Deadline to submit documentary evidence (all evidence presented to make your case) for the Board's docket: **1:00 p.m., June 10, 2022.**

Please carefully review the attached application materials to ensure completeness. Specifically, review the Building Official's Report located on the second page of the application. Please contact Charles Trammell via phone at 214-948-4618 or via email at charles.trammell@dallascityhall.com and Diana Barkume via phone at 214-948-4364 or via email at diana.barkume@dallascityhall.com, respectively no later than 1:00 pm on May 25, 2022 with regard to any information you feel is missing from your submittal or with regard to any amendment(s) necessary to address your concerns. Note: the discovery of **any** additional appeal needed beyond your request stated in the application will result in postponement of the appeal until the Panel's next regularly scheduled public hearing date.

Currently, we are hosting hybrid Board of Adjustment meetings. You can read more about the Board of Adjustment, see past agendas, processes, and your case information posted one week prior to the

hearing date on our [webpage](#). It's important to note that recent changes to state law regarding the reinstatement of the Texas Open Meeting Act, which has the following effect on our meeting proceedings:

- **We will host the meeting both virtually and in-person at City Hall, 1500 Marilla St. with the specific location within the building subject to availability.**
- **All those who elect to join virtually must have video capabilities and shall show themselves while addressing the board and public.**
- **At this time, you are only required to register by deadline to speak if you elect to join the meeting virtually.**

Should there be information you choose to submit to the Board in addition to what is included in the above attached application, please provide them by the aforementioned deadlines and any contact method listed within my signature below (email is preferred).

With Gratitude,



Pamela F. Riley Daniel, MUP
Senior Planner
City of Dallas | www.dallascityhall.com
Planning & Urban Design
1500 Marilla St., 5BN
Dallas, TX 75201
O: (214) 671-5098
pamela.daniel@dallascityhall.com



How am I doing? Please contact my supervisor Jennifer Munoz at jennifer.munoz@dallascityhall.com.

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Daniel, Pamela
Sent: Tuesday, April 5, 2022 12:39 PM
To: alexapeer22@gmail.com
Cc: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>; Trammell, Charles <charles.trammell@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Subject: RE: BDA212-023 at 5253 Bonita Ave.; FY Variance

Alexa,
Good afternoon! Good afternoon! Staff's recommendation for the variance request is denial.

As a follow-up to the below email provided on Tuesday, March 8, 2022, this email serves to reiterate the **1:00 p.m., April 8, 2022** deadline to submit documentary evidence for the Board's docket. **There are no exceptions to the deadline.**

Should you have additional questions or concerns, please feel free to contact me at any contact method listed within my signature block below (email is preferred). Additionally, you may also contact Diane Barkume.

With Gratitude,



Pamela F. Riley Daniel

Senior Planner

City of Dallas | www.dallascityhall.com

Planning & Urban Design

1500 Marilla St., 5BN

Dallas, TX 75201

O: (214) 671-5098

pamela.daniel@dallascityhall.com



How am I doing? Please contact my supervisor Jennifer Munoz at jennifer.munoz@dallascityhall.com.

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Munoz, Jennifer <jennifer.munoz@dallascityhall.com>

Sent: Wednesday, March 30, 2022 10:59 AM

To: alexapeer22@gmail.com

Cc: Daniel, Pamela <pamela.daniel@dallascityhall.com>

Subject: RE: BDA212-023 at 5253 Bonita Ave.; FY Variance

Good Morning,

Your case has been reassigned to the Board Senior Planner, Pamela Daniel. The change in staff management of your case does not impact your hearing date or deadlines. For convenience, I have copied Pamela to this email. We apologize for any inconvenience.

Should you have questions or concerns regarding your case, please contact Pamela Daniel.

Sincerely,

Jennifer Muñoz

Chief Planner/Board Administrator

Planning Manager (Interim)



City of Dallas | www.dallascityhall.com

Planning and Urban Design

1500 Marilla Street, 5BN

Dallas, TX 75201

O: 214-670-4208

Working Remotely, please call:

Google Voice: 972-926-3691

jennifer.munoz@dallascityhall.com



OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.

How am I doing? Please contact my supervisor at andreea.udrea@dallascityhall.com.

From: Munoz, Jennifer

Sent: Tuesday, March 15, 2022 6:01 AM

To: 'alexapeer22@gmail.com' <alexapeer22@gmail.com>

Cc: Trammell, Charles <charles.trammell@dallascityhall.com>

Subject: BDA212-023 at 5253 Bonita Ave.; FY Variance

Good Morning,

I apologize for the delay. I will be managing your application to the Board of Adjustment. Your case has been assigned to **Panel B with a projected hearing date of April 20, 2022**. Attached is information regarding your Board of Adjustment application referenced above including:

1. The submitted application materials - all materials will be emailed to you, city staff, and Board members in the docket report, a week prior to your tentatively scheduled Board of Adjustment public hearing date;
2. The Dallas Development Code provisions allowing the board to grant a variance to the front yard requirements (51A-3.102(d)(10));
3. House Bill Legislation, HB1475 which impacts how variances are considered to prove unnecessary hardship; and,
4. The Board rules pertaining to documentary evidence.

Please note the following deadlines for providing revisions cannot be changed or altered and therefore, you are encouraged to provide revisions before the last minute to allow staff an opportunity to review and comment before the deadline passes.

- Board of Adjustment Panel B.
- Hearing date/time: tentatively scheduled for **briefing at 11:00 am** and the public **hearing**

(where you speak) at 1:00 p.m., on April 20, 2022. Staff strongly encourages you to attend the hearing to respond to any questions by the Board and provide any pertinent information.

- **Deadline to submit information for staff recommendation: 1:00 p.m., March 30, 2022.**
- **Deadline to submit documentary evidence (all evidence presented to make your case) for the Board's docket: 1:00 p.m., April 8, 2022.**

Please carefully review the attached application materials to ensure completeness. Specifically, review the Building Official's Report located on the second page of the application. Please contact Charles Trammell via phone at 214-948-4618 or via email at charles.trammell@dallascityhall.com no later than 1:00 pm on March 30, 2022 with regard to any information you feel is missing from your submittal or with regard to any amendment(s) necessary to address your concerns. Note: the discovery of **any** additional appeal needed beyond your request stated in the application will result in postponement of the appeal until the Panel's next regularly scheduled public hearing date.

Currently, we are hosting all Board of Adjustment meetings virtually. You can read more about the Board of Adjustment, see past agendas, processes, and your case information posted one week prior to the hearing date on our [webpage](#). It's important to note that recent changes to state law regarding the reinstatement of the Texas Open Meeting Act, which has the following effect on our meeting proceedings:

- **We will host the meeting both virtually and in-person at City Hall, 1500 Marilla St. with the specific location within the building subject to availability.**
- **All those who elect to join virtually must have video capabilities and shall show themselves while addressing the board and public.**
- **At this time, you are only required to register by deadline to speak if you elect to join the meeting virtually.**

Should there be information you choose to submit to the Board in addition to what is included in the above attached application, please provide them by the aforementioned deadlines and any contact method listed within my signature below (email is preferred).

I look forward to facilitating your request.

Sincerely,



Jennifer Muñoz

Chief Planner/Board Administrator

Planning Manager (Interim)

City of Dallas | www.dallascityhall.com

Planning and Urban Design

1500 Marilla Street, 5BN

Dallas, TX 75201

O: 214-670-4208

Working Remotely, please call:

Google Voice: 972-926-3691

jennifer.munoz@dallascityhall.com



OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.

How am I doing? Please contact my supervisor at andreea.udrea@dallascityhall.com.

Panel B

06-22-22

BDA212-023

5253 Bonita Ave.

(Previous Opposition

Reference (4/20/22

and follow up 5/24/22)

From: [Daniel, Pamela](#)
To: [Jackson, Latonia](#)
Subject: FW: BDA212-023(PD) Opposed
Date: Tuesday, April 19, 2022 3:27:43 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

See opp below for tomorrow.

With Gratitude,



Pamela F. Riley Daniel
Senior Planner
City of Dallas | www.dallascityhall.com
Planning & Urban Design
1500 Marilla St., 5BN
Dallas, TX 75201
O: (214) 671-5098
pamela.daniel@dallascityhall.com



How am I doing? Please contact my supervisor Jennifer Munoz at jennifer.munoz@dallascityhall.com.

****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Kelly Smoyer [REDACTED]
Sent: Tuesday, April 19, 2022 9:41 AM
To: Daniel, Pamela <pamela.daniel@dallascityhall.com>
Cc: Kelly Smoyer [REDACTED]
Subject: BDA212-023(PD) Opposed

External Email!

Hello, I'm Kelly Smoyer and I live at 5251 Bonita Ave with my family. My property is adjacent and directly to the east of the property seeking the adjustment. I am **adamantly opposed** to the allowing a 5' setback for any house on Bonita Ave for the following reasons:

1. **Precedent**

1. There is currently no precedent on Bonita Ave of houses located on our side of the street having a front yard setback variance of 20' difference from the current

regulation. Please do not start now.

2. In driving up and down Bonita all of the houses follow the current regulation, even the newly built homes. Please keep it this way.
3. In fact, even driving around the neighborhood, I cannot find a single instance in which a house has a 5' setback from the front of the property line. This regulation is here to maintain our neighborhood and needs to be maintained.

2. Property Value

1. My home would be located behind a large wall of a house. No one wants to live BEHIND a house, especially me. This would negatively impact my property value on a home that I just purchased less than 2 years ago.
2. Due to the blocked view I would not be able to see down Bonita Ave to the West from my porch or any windows. This would give the perception of being blocked in by this new home that was not there when I moved in. Again impacting property and resale value.

3. Safety

1. The west side of Bonita Ave would be blocked from my view of the street and vice versa. This causes a safety issue for my family when pulling out of the driveway.
2. With the house built so close to the street there will be darkness on property at night which will require me to put in more lights to create a safe nighttime environment for my family.

4. Aesthetic

1. When driving down Bonita Ave this new house would block the view from east to west and you would not be able to see down the street as you can today. This would obstruct the view and detract from the quaint street that we live on.
2. When one house is impeding the line of down our short street due to a major change in front yard setback, this would essentially change the look of our street forever. And not in a positive way.

For scope, scale and to support my above reasoning, I'm submitting the below pictures so the panel can visualize what a 5 foot setback would look like on this property. My son is standing at the 5' setback from Bonita Ave and a 5' setback from my property. Now I want the board to imagine this is the corner to a large house that is at least 2 stories tall. This will block in my entire driveway, prevent visibility to the west on Bonita Ave and obstruct the view to my house and my view to the street.



Please confirm receipt of my email and let me know if you need anything else from me. I have registered to speak at the hearing on the 20th, as well, but wanted to submit this in case my schedule changes.

Thank you for your consideration.

Kelly Smoyer

[REDACTED]

[REDACTED] Every little bit helps! Click on the link below!

<https://givebutter.com/bvbdallas2021/the-pink-team/kellysmoyer>

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

From: [Kelly Smoyer](#)
To: [Daniel, Pamela](#)
Subject: Re: BDA212-023(PD) Opposed
Date: Wednesday, April 20, 2022 1:02:37 PM
Attachments: [image005.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

External Email!

Thank you for the clarification. I won't be joining the hearing today.

Kelly Smoyer


Help Me Tackle Alzheimer's! Every little bit helps! Click on the link below!
<https://givebutter.com/bvbdallas2021/the-pink-team/kellysmoyer>

On Tue, 19 Apr 2022 at 15:39, Daniel, Pamela <pamela.daniel@dallascityhall.com> wrote:

Kelly,

My apologies. I inadvertently sent the email before completion. To conclude the below email. Therefore, the structure will comply with the 25 foot front yard setback along Bonita Avenue. The property has a hardship due to the site having two front yards. Thus, the property would pose development hardship if the property is to maintain a 25 foot front yard setback along both frontages (Laneri Avenue and Bonita Avenue).

Please feel free to contact me should you have additional questions or concerns.

With Gratitude,

Pamela Daniel

From: Daniel, Pamela
Sent: Tuesday, April 19, 2022 3:34 PM
To: Kelly Smoyer <kellysmoyer7@gmail.com>
Subject: RE: BDA212-023(PD) Opposed

Kelly,

Good afternoon, again! I must clarify that the variance is requested along Laneri Avenue and not Bonita Ave. Therefore, the structure will comply with the 25 foot front yard setback along B

From: Kelly Smoyer <kellysmoyer7@gmail.com>
Sent: Tuesday, April 19, 2022 9:41 AM
To: Daniel, Pamela <pamela.daniel@dallascityhall.com>
Cc: Kelly Smoyer <kellysmoyer7@gmail.com>
Subject: BDA212-023(PD) Opposed

External Email!

Hello, I'm Kelly Smoyer and I live at 5251 Bonita Ave with my family. My property is adjacent and directly to the east of the property seeking the adjustment. I am **adamantly opposed** to the allowing a 5' setback for any house on Bonita Ave for the following reasons:

1. Precedent

1. There is currently no precedent on Bonita Ave of houses located on our side of the street having a front yard setback variance of 20' difference from the current regulation. Please do not start now.
2. In driving up and down Bonita all of the houses follow the current regulation, even the newly built homes. Please keep it this way.
3. In fact, even driving around the neighborhood, I cannot find a single instance in which a house has a 5' setback from the front of the property line. This regulation is here to maintain our neighborhood and needs to be maintained.

2. Property Value

1. My home would be located behind a large wall of a house. No one wants to live BEHIND a house, especially me. This would negatively impact my property value on a home that I just purchased less than 2 years ago.
2. Due to the blocked view I would not be able to see down Bonita Ave to the West from my porch or any windows. This would give the perception of being blocked in by this new home that was not there when I moved in. Again impacting property and resale value.

3. Safety

1. The west side of Bonita Ave would be blocked from my view of the street and

FILE NUMBER: BDA212-035(JM)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin of Baldwin Associates for a variance to the building height regulations at 1918 Moser Avenue. This property is more fully described as Lot 5, Block C/1491, and is zoned an MF-2(A) Multifamily District, in which the height of an accessory structure may not exceed the height of the main building. The applicant proposes to construct a single-family residential accessory structure with a building height of 23 feet three inches, which will require a two-foot five-inch variance to the maximum building height regulations.

LOCATION: 1918 Moser Avenue

APPLICANT: Rob Baldwin of Baldwin Associates

REQUESTS:

While the site is zoned a Multifamily District, the land use dictates the height of the accessory structure proposed. Section 51A-4.209(6)(vii)(cc) Height of structure accessory to single family use cannot exceed the height of the main structure. In this case, the height of the main structure is 20 feet 10 inches.

UPDATE:

On May 18, 2022, this case was held to June 22, 2022. No updates have been provided.

STANDARD FOR A VARIANCE:

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

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

cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

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

State Law/HB 1475 effective 9-1-21

- the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:
 - (a) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code;
 - (b) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;
 - (c) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
 - (d) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
 - (e) the municipality consider the structure to be a nonconforming structure.

STAFF RECOMMENDATION:

Denial.

Rationale:

Evidence provided identified 10 single-family uses and structures in the same zoning district and adjacent to the site. The average of the main structure floor area is 3,016 square feet and the applicant maintains a main structure with 1,908 square feet of floor area. Additionally, of those 10 properties four maintain accessory structures (including the subject site and structure in the request) with an average of 1,382 square feet of floor area. The subject accessory structure is 777 square feet in size. No height data was provided in comparison to the other accessory structures or main structures.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	MF-2(A) Multifamily District
<u>Northwest:</u>	MF-2(A) Multifamily District
<u>Northeast:</u>	Planned Development District No. 462
<u>Southeast:</u>	MF-2(A) Multifamily District
<u>Southwest:</u>	MF-2(A) Multifamily District

Land Use:

The subject site and properties to the northwest and southeast contain single-family uses. Additionally, to the northeast is a commercial use and to the southwest is multifamily.

Zoning/BDA History:

There have been no related board or zoning cases in the vicinity within the last five years.

GENERAL FACTS/STAFF ANALYSIS:

The applicant proposes to construct a single-family residential accessory structure with a building height of 23 feet three inches, which will require a two-foot five-inch variance to the maximum building height regulations for a single-family accessory structure. The property is zoned an MF-2(A) Multifamily District. In this district, a single-family use is allowed to have accessory structures that cannot exceed the height of the main building. The main structure is 20 feet three inches-in-height.

DCAD records indicate the main structure contains 1,908 square feet of floor area erected in 1923. An accessory structure with a detached garage of 441 square feet and detached quarters with 336 square feet are also identified, however the date of construction is not noted.

The MF-2(A) District allows more than one dwelling unit per lot. While the application and DCAD refer to a second dwelling unit, the floor plan provided as a reference identifies the first floor as a garage and the second floor as storage space. In either case, this request is for the height of an accessory structure, solely. A search of City permit records confirms the 2021 building permit for this structure is for a detached garage with storage, not a second dwelling unit. As an accessory structure, the height cannot exceed the height of the main structure.

The property is rectangular in shape, flat, and according to the application, contains 0.2 acres, or approximately 8,500 square feet in area. In an MF-2(A) Multifamily District the minimum lot size varies by use. A single-family use in this district requires a minimum lot size of 1,000 square feet. The evidence provided did not allow for staff to determine whether the subject site 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 district.

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

- That granting the variance 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 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 zoning classification.

As of June 10, 2022, three letters have been submitted in support and one letter in opposition to the request.

If the board were to grant the variance to the maximum height regulations for structures accessory to a single-family use and impose the submitted site plan and elevation as conditions, the building footprint of the structure on the site and height as identified in the elevation would be limited to what is shown on these documents. However, granting this request will not provide any relief to the Dallas Development Code regulations other than allowing the additional height for the accessory structure, as depicted on the site plan and elevation.

Timeline:

February 11, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

March 3, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

April 5, 2022: The Board Administrator emailed the applicant the following information:

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

April 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the May public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Board Senior Planner, and the Assistant City Attorney to the Board. No review comments were submitted regarding this request.

April 28, 2022: The applicant provided evidence via email (**Attachment A**).

May 18, 2022: Panel B held this case to June 22, 2022.

June 10, 2022: No updates had been provided by the docket deadline.

BOARD OF ADJUSTMENT ACTION: May 18, 2022

APPEARING IN FAVOR: Rob Baldwin 3904 Elm St. Ste. B Dallas, TX

APPEARING IN OPPOSITION: None.

MOTION: **Karnowski**

I move that the Board of Adjustment, in Appeal No. BDA 212-035, **hold** this matter under advisement until **June 22, 2022**.

SECONDED: **Shouse**

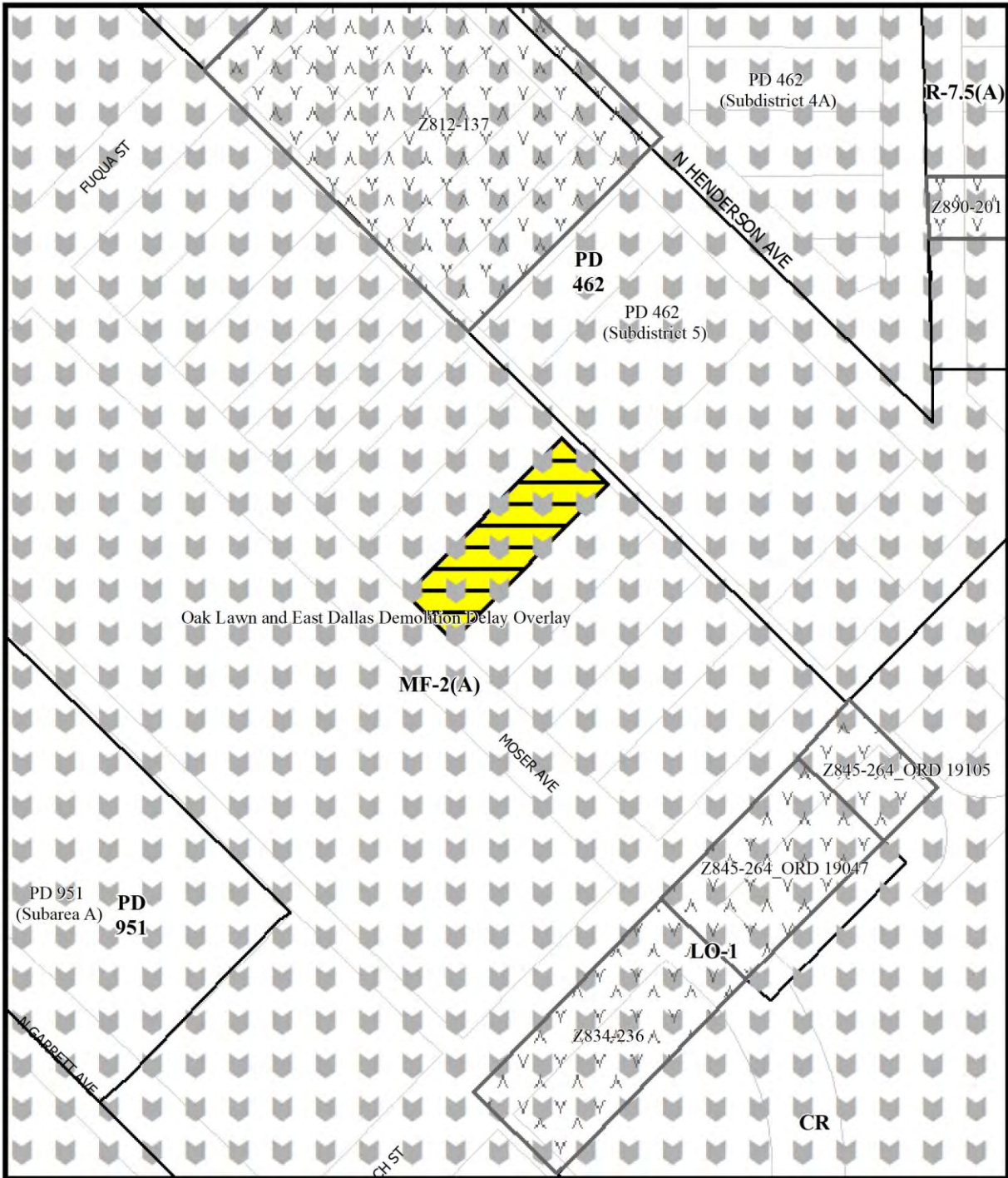
AYES: 4 – Shouse, Karnowski, Gambow, Resendiz,

NAYS: 0 -

MOTION PASSED: 4 - 0 (unanimously)

**** The 1st motion was withdrawn to Grant****

Board member, Joe Cannon recused himself from case BDA212-035 due to conflict of interest

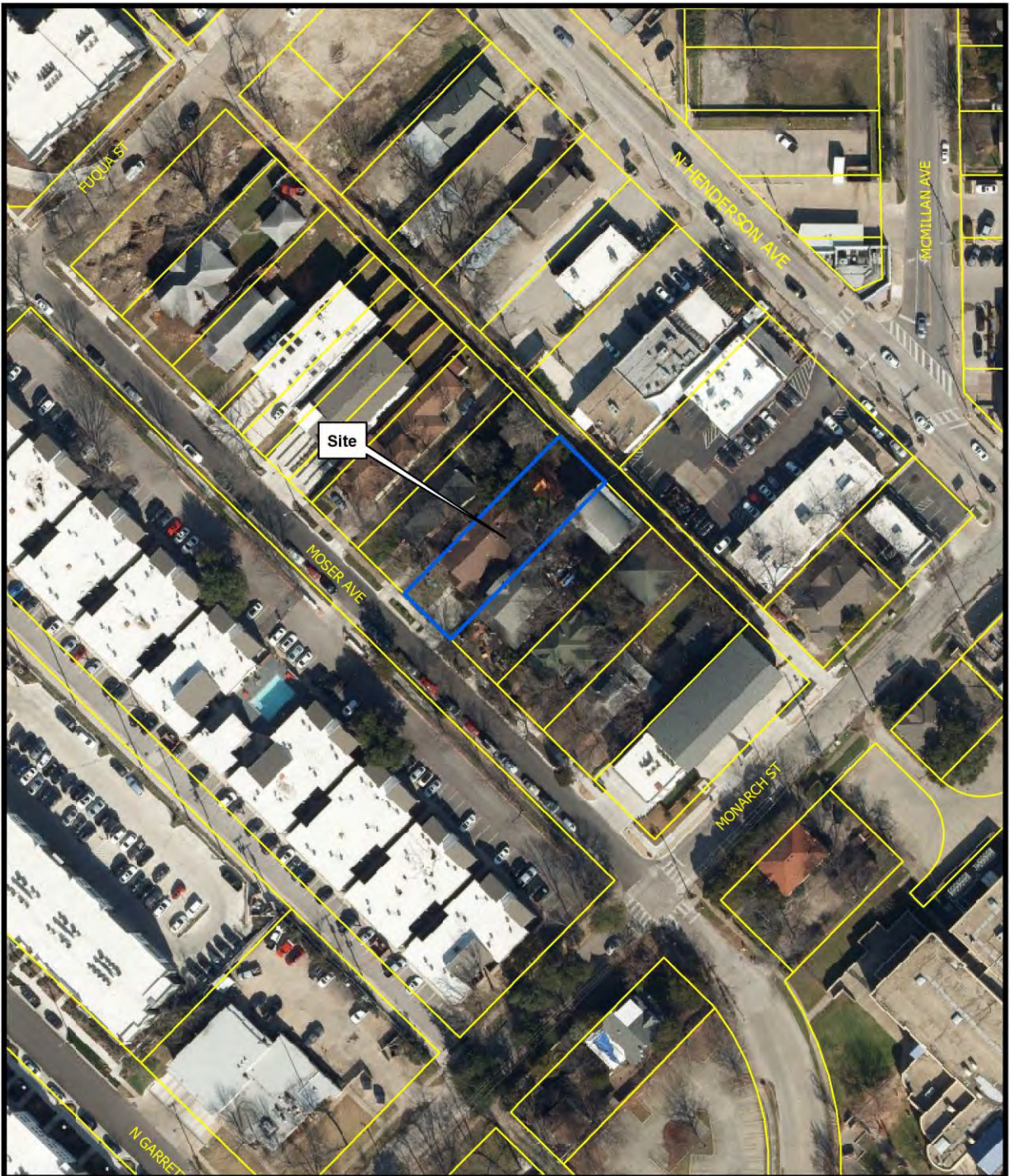


1:1,200

ZONING MAP

Case no: BDA212-035

Date: 4/18/2022



1:1,200

AERIAL MAP

Case no: BDA212-035

Date: 4/18/2022




 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
20 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-035**
 Date: **4/18/2022**

04/14/2022

Notification List of Property Owners

BDA212-035

20 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	1918 MOSER AVE	MONDELL FONYA NAOMI
2	1902 MOSER AVE	MOSER HOMES LLC
3	1906 MOSER AVE	GRIGGSJORDAN KIMBERLY M &
4	1912 MOSER AVE	TICHANSKY MICHAEL S &
5	1914 MOSER AVE	MCCULLOUGH DAVID W &
6	1922 MOSER AVE	MONDELL CYNTHIA & ALLEN
7	2002 MOSER AVE	2002 MOSER LLC
8	2008 MOSER AVE	LITHGOW DOUGLAS W
9	2010 MOSER AVE	WILLIAMSON GRAHAM T
10	2014 MOSER AVE	Taxpayer at
11	2011 N HENDERSON AVE	NGUYEN CUNG LUONG 2010 TRUST
12	2007 N HENDERSON AVE	2007 N HENDERSON AVENUE LLC
13	2003 N HENDERSON AVE	DITTO MARVELLE MUNTZEL &
14	1907 N HENDERSON AVE	HENDERSON RESIDENTIAL LANDS
15	1901 N HENDERSON AVE	HENDERSON MAIN DALLAS LLC
16	5217 MONARCH ST	CANELAKES CHRIS
17	1925 MOSER AVE	LH MOSER LLC
18	2006 MOSER AVE	PFIRRMANN HENRY ALISTER
19	2004 MOSER AVE	CHOY MICHAEL
20	1925 N HENDERSON AVE	HENDERSON LOTS OWNER DALLAS LLC



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-035

Data Relative to Subject Property:

Date: 2-11-22

Location address: 1918 Moser Ave Zoning District: MF-2

Lot No.: 5 Block No.: C/1491 Acreage: 0.2 acres Census Tract: 9.00

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Fonya Mondell

Applicant: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Represented by: Rob Baldwin, Baldwin Associates Telephone: 214-824-7949

Mailing Address: 3904 Elm Street Suite B Dallas TX Zip Code: 75226

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance X, or Special Exception __, of _____
Variance to the height to allow an accessory structure taller than the main structure.

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 single family house was constructed in 1923. The accessory structure is taller than the main structure, but it will not adversely impact surrounding properties. The property is zoned for multifamily and the second story for the dwelling unit is reasonable so that the accessory structure can provide a garage on the ground level and not generate a parking issue. Other properties in the immediate area also have accessory structures that are taller than the main structure.

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.

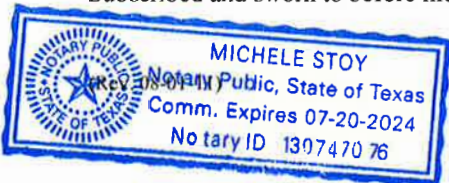
Affidavit

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

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

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

Subscribed and sworn to before me this 10 day of February, 2022



Michele Stoy
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 Rob Baldwin

did submit a request for a variance to the building height regulations
at 1918 Moser Avenue

BDA212-035. Application of Rob Baldwin for a variance to the building height regulations at 1918 MOSER AVE. This property is more fully described as Lot 5, Block C/1491, and is zoned MF-2(A), which the height of an accessory structure may not exceed the height of the main building. The applicant proposes to construct a single family residential accessory structure with a building height of 23 feet 3 inches, which will require a 2 foot 5 inch variance to the maximum building height regulations.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-035

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

at: 1918 Moser Avenue
(Address of property as stated on application)

Authorize: Rob Baldwin, Baldwin Associates
(Applicant's name as stated on application)

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

- Variance (specify below)
- Special Exception (specify below)
- Other Appeal (specify below)

Specify: Height variance, additional dwelling unit

Fonya N. Mondell
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date 02/02/2022

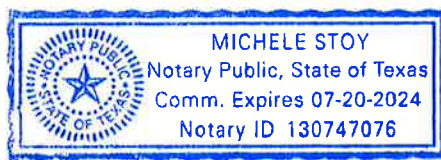
Before me, the undersigned, on this day personally appeared Fonya Mondell

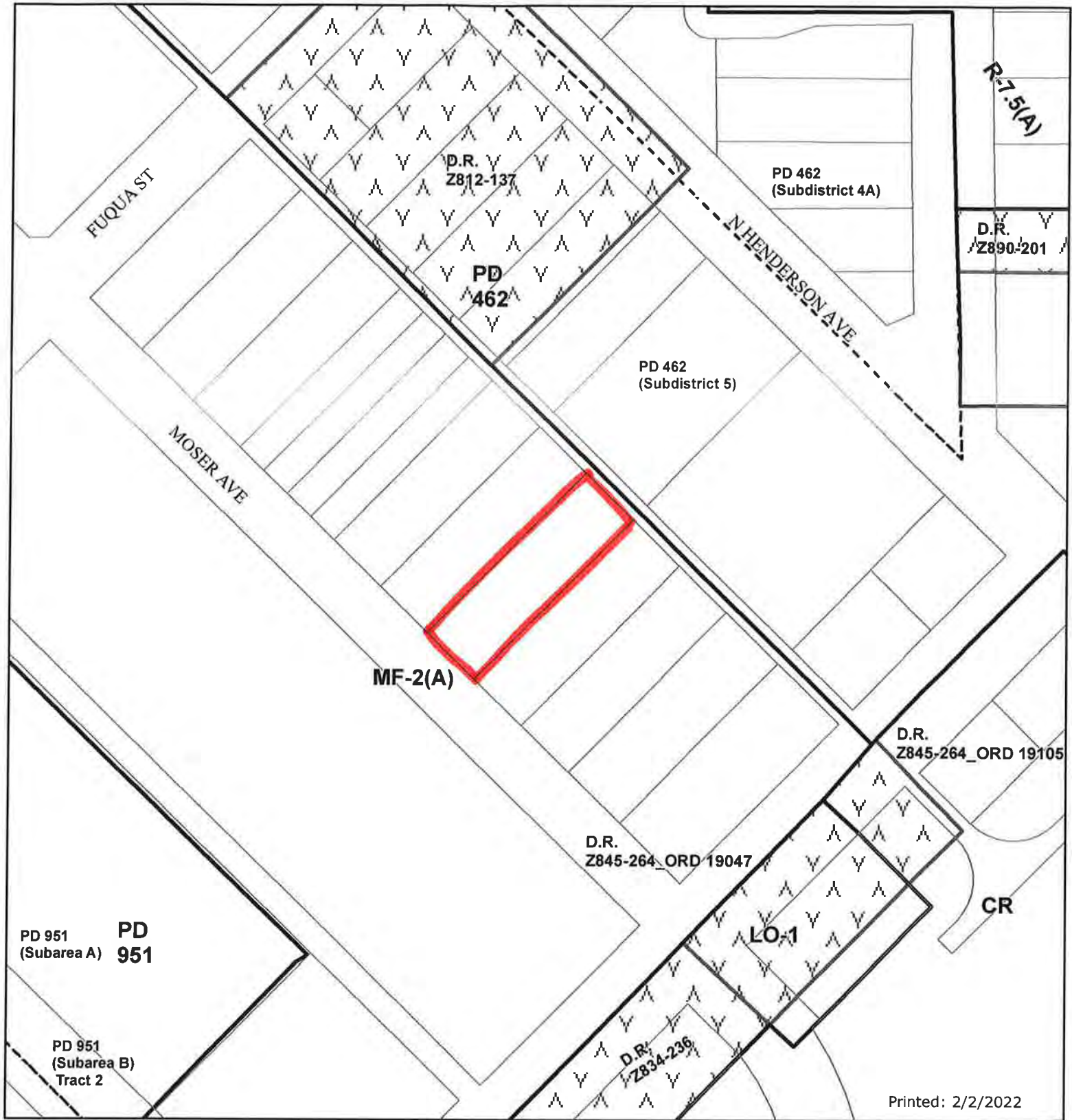
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 2 day of February, 2022

[Signature]
Notary Public for Dallas County, Texas

Commission expires on 7-20-2024





Printed: 2/2/2022

Legend

- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood Zone | PD193 Oak Lawn | CP | NSO Subdistricts |
| Mill's Creek | Dallas Environmental Corridors | SP | NSO_Overlay |
| Peak's Branch | SPSD Overlay | MD Overlay | Escarpment Overlay |
| X Protected by Levee | Deed Restrictions | Historic Subdistricts | Parking Management Overlay |
| Parks | SUP | Historic Overlay | Shop Front Overlay 16-4 |
| | | Height Map Overlay | |

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



1:1,200



CITY OF DALLAS PLAT BOOKS
ADDITION
MOSSER 2ND ROSS AVE.
 SCALE 100 FT. EQUALS 1 INCH
 05 1-0-98



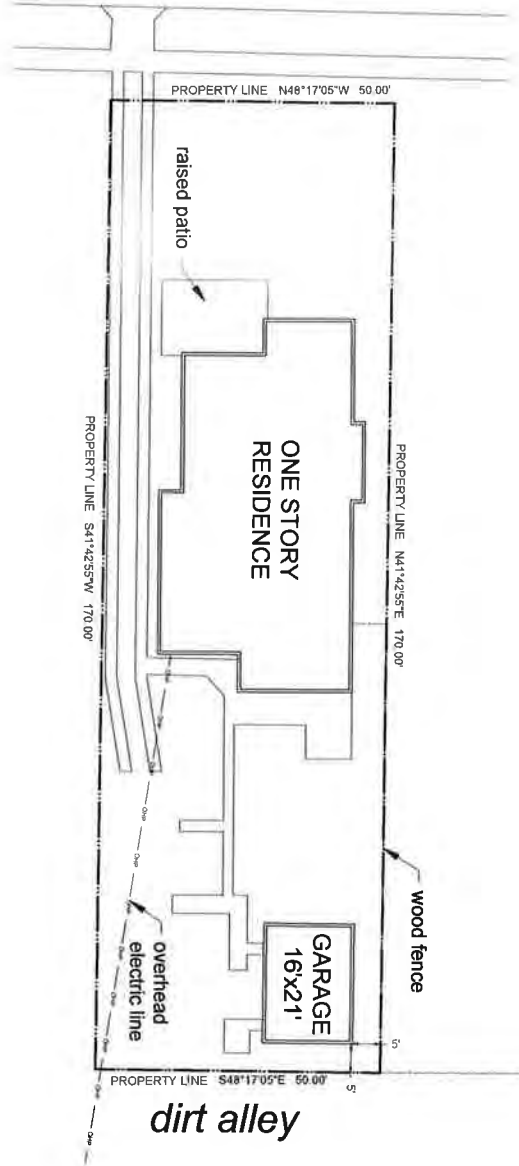
1

SITE PLAN

SCALE: 1" = 10'-0"



1918 MOSER AVENUE



VICINITY MAP



NTS

1918 Moser Avenue
CITY OF DALLAS, TEXAS

Baldwin
Associates

BALDWIN ASSOCIATES

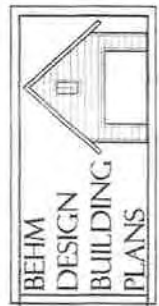
3904 Elm Street, Suite B
Dallas, Texas 75226
MOBILE: 214.729.7949
OFFICE: 214.824.7949
rob@baldwinplanning.com

06/08/2021

PROJECT NUMBER

CASE NUMBER

Reference only.



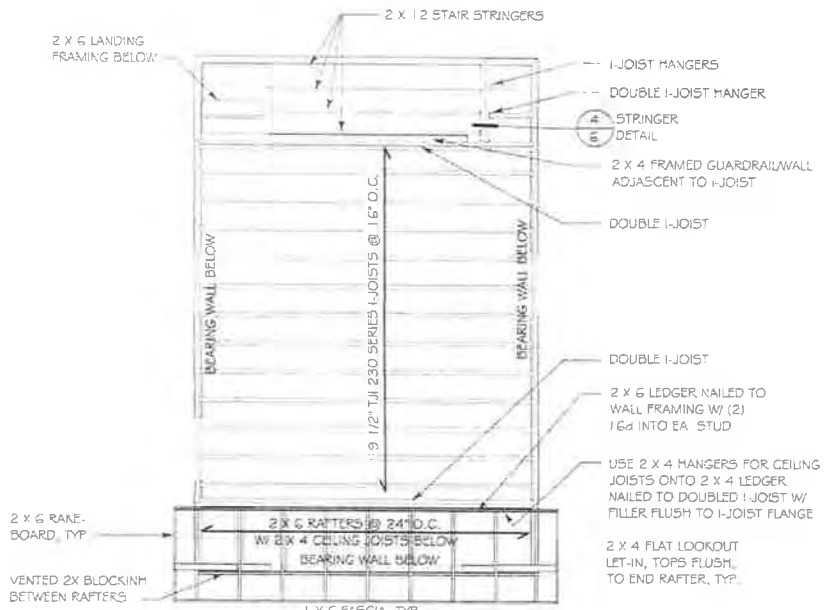
BEHM DESIGN BUILDING PLANS
QUESTIONS? CALL 1-800-210-6776
WWW.BEHMDESIGN.COM

PLAN NO. 687-1

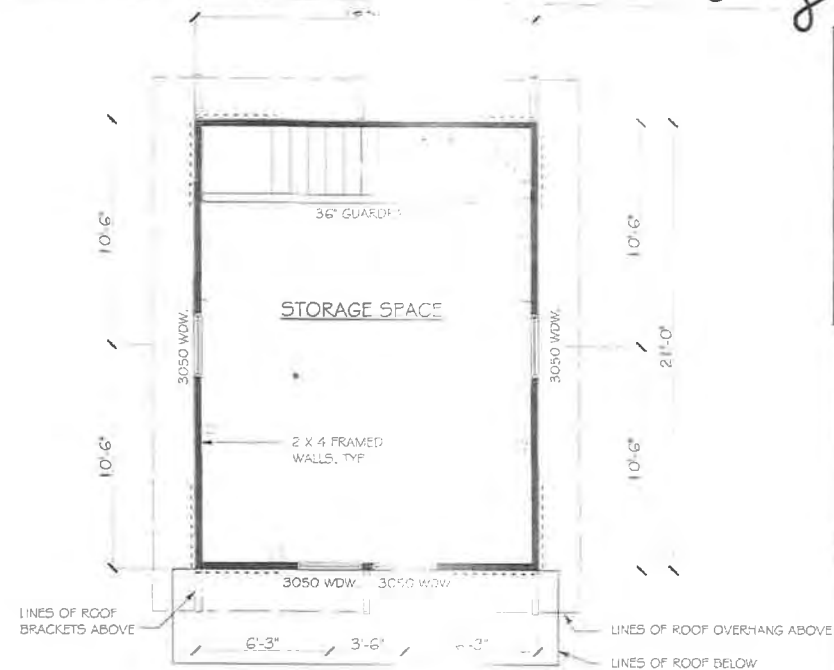
DESIGN BY: BB
DATE:

SHEET CONTENTS:
FLOOR PLAN
FOUNDATION PLAN
SHEET

COPYRIGHT: BEHM DESIGN
2 OF 8



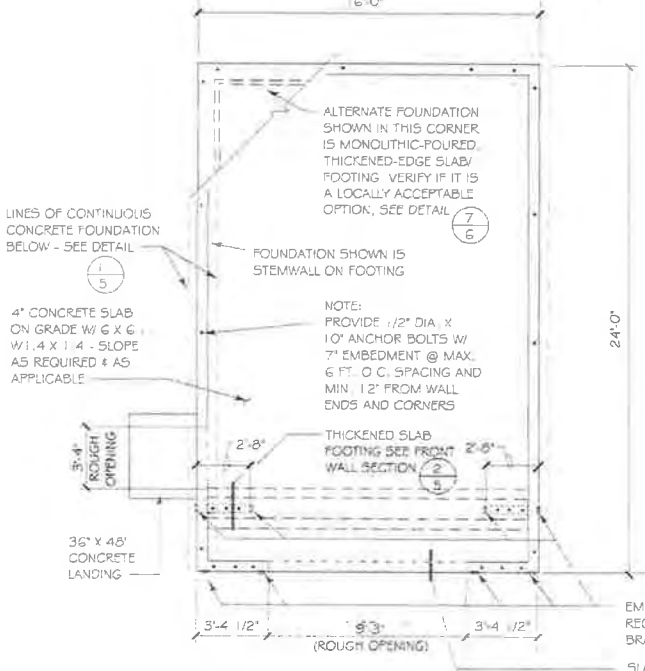
SECOND FLOOR FRAMING PLAN



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

NOTE: WHERE REQUIRED FOR FIRE SEPARATION, 3068 5 C. DOOR W/ AUTO-CLOSER MAY BE ADDED



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

NOTE: FOUNDATION PLAN DIMENSIONS ARE TO FACE OF CONCRETE OR CENTERLINE OF BEARING - AS SHOWN

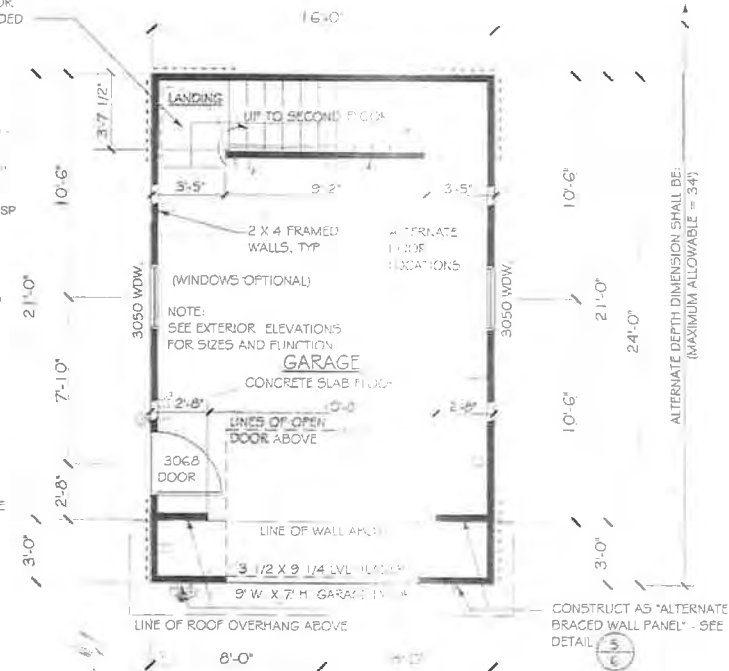
BRACED WALLS AS PER IRC R602.10 APPLICABLE FOR LOCAL CODES
ALL EXTERIOR WALLS ARE BRACED WALLS - NAIL SIDING PANELS OR SHEATHING W/ 8d @ 6" o.c., EDGES AND @ 12" O.C., FIELD AND PROVIDE ALTERNATE BRACED WALL PANELS AS INDICATED (shown: - - - - -) METHOD: CS-WSP
INTERIOR BRACED WALLS FRAMED W/ 2 X 4 STUDS @ 16" O.C. W/ DOUBLE TOP PLATE AND PRESSURE-TREATED BOTTOM PLATE. SHEATH WITH 7/16" O.S.B. AND NAIL W/ 8d @ 6" o.c. EDGES AND @ 12" O.C. FIELD

LEGEND

- Ⓢ SWITCH LOCATION
- Ⓞ CEILING MOUNTED LIGHT FIXTURE
- Ⓜ 110 VOLT DUPLEX OUTLET
- Ⓜ EXTERIOR WALL-MTD. LIGHT FIXTURE
- Ⓜ ELECTRIC PANEL OR SUB-PANEL LOCATION, INSTALL PER LOCAL CODES

EMBEDDED HOLDDOWNS REQUIRED, SEE ALTERNATE BRACED WALL PANEL DETAIL
SLAB EDGE THICKENED TO 8" WITH #4 REINF. SEE DETAIL

NOTE: FLOOR PLAN DIMENSIONS ARE TO FACE OF FRAMING OR CENTERLINE OF BEARING. TYP. AS SHOWN

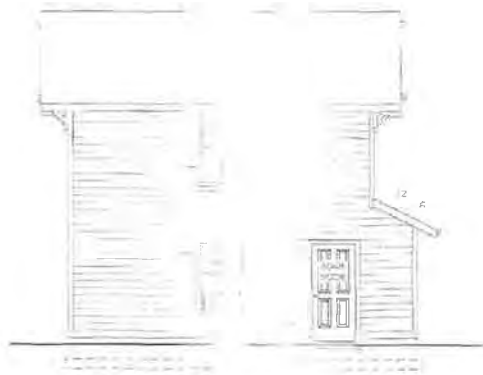


FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

NOTE: DOOR AND WINDOW HEADERS SHALL BE 2-2 X 6 UNLESS OTHERWISE NOTED

Reference only.



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

ROOFING: GING
CEDAR SHINGLES 46 7/8 FELT
INTERWEAVE OVER 7' 1"
D S B SHEATHING

SIDING
7/16" TEXTURED D S B SIDING
FANDED OVER 7/16" FELT
VAPOR BARRIER

2x4 @ 16" O.C. CORNER SCAPING
OUT SIDING

6x6 @ 16" O.C. CORNER SCAPING
MEMBERS TO TOP AND BOTTOM
MEMBERS BUT SIDING

NOTE:
APPROVED ALTERNATE SIDING
MATERIALS MAY BE SUBSTITUTED

LINE OF FOUNDATION



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

1 x 6 RAFTERS OVER
2 x 4 SURRAKE

ROOF FLASHING

2 x 4 PARTING TRIM

ROOF BRACKET SEE (C)

FLASH @ ROOF

CEILING/FLOOR EDGE, 1/2"

1 x 6 1x8@24" O.C. FOR
W/ 1 x 6 TO EXPOSE
SATTER TIPS



QUERQUENON, ILL.
1-800-206-6775
WWW.BEHAMDESIGN.COM

687-1



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



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

RIDGEVENT CONT.

COMPOSITION ROOFING

NOTE:
NOMINAL WINDOW SIZES ARE
SHOWN. FEET/INCHES WIDE
X FEET/INCHES HIGH. TOP
VERIFY FRAMED OPENING
REQUIRED BY PRODUCT MFR.

NOTE:
FLASH OPENINGS AND PROVIDE
WEATHERSTRIPPING AS REQUIRED
BY LOCAL CODES.

NOTE:
NOTES AND MATERIALS INDICATED
IN THIS ELEVATION ARE TYPICAL
FOR ENTIRE BUILDING AS APPLIC.

PLAN NO.

DESIGN NO. JB

DATE: 10/14/03

THIRD CONTINUED

EXTERIOR ELEVATIONS

SHEET 3

OF 40



April 28, 2022

Jennifer Munoz
Chief Planner, Board of Adjustment
City of Dallas
1500 Marilla 5BN
Dallas, TX 75201

RE: BDA212-035
1918 Moser Ave - variance

Dear Ms. Munoz:

Our firm is helping the property at the above-referenced property with their height request to allow a detached accessory structure to be taller than the single family structure.

Please find attached a survey of the properties within the northeast side of the block of Moser Avenue where the subject property is located. It is zoned MF-2(A) and contains multifamily, single family, and townhouse structures. Most of the single family structures in this block contain detached structures. While the data of the heights of these structures is not available on Dallas Central Appraisal District, the size of the main structures and detached structures is available. The survey provides this data and the average detached structure is 1,382* square feet, which is greater than the 777 square foot detached garage and quarters on the subject property. The subject property's main structure is much less than the average structure, but that is due to the multifamily structures within the block.

We hope you can support our request. If you have any questions, please feel free to contact me. We will be happy to discuss this matter with you.

With kind regards,

A handwritten signature in blue ink, appearing to read "Rob Baldwin", with a long horizontal flourish extending to the right.

Rob Baldwin

Summary of MF-2(A) Commensurate Development

1918 Moser Ave

Source: DCAD

Address	Land use	Main building floor area (sf)	Detached		Lot Area (sf)
			structure floor area (sf)	Detached structure type	
1902 Moser	Multifamily	10,891	--	--	11,050
1906 Moser	Single family	1,764	700	garage	9,350
1912 Moser	Single family	4,581	2,312	quarters	8,500
1914 Moser	Single family	6,168	600; 3,024	garage, storage	8,500
1918 Moser	Single family	1,908	777	quarters & garage	8,500
1922 Moser	Single family	2,136	880	quarters & garage	8,500
2002 Moser	Single family	3,680	--	--	8,500
2004 Moser	Single family	2,501	--	--	4,247
2006 Moser	Single family	2,501	--	--	4,247
2008 Moser	Single family	2,501	--	--	4,247
2010 Moser	Single family	2,420	--	--	4,268
2014 Moser	Townhouse	9,800	--	--	8,500
2018 Moser	Townhouse	9,800	--	--	8,500
2022 Moser	Multifamily	9,660	--	--	9,350

Average main building size

5,022

Average detached building size

1,382

Average lot size

7,590

Panel B

06-22-22

BDA212-035

1918 Moser Ave.

(Previous Opposition

Reference from

5/18/22)

From: [P.von Gontard](#)
To: [Munoz, Jennifer](#); [Daniel, Pamela](#); [Jackson, Latonia](#)
Subject: Oppose - BDA212-035(JM)
Date: Wednesday, May 11, 2022 12:29:07 PM
Attachments: [Aerial of 1918 Moser Avenue - continued Alley and New Water - Sewer Needed.pdf](#)
[Pictures of Alley from Fuqua Street - behind 1918 Moser Avenue.pdf](#)

External Email!

Attn: BDA212-035(JM) - (Opposed)

Good Afternoon All,

My name is Peter and I'm the owner directly behind 1918 Moser avenue. I would like to oppose the proposed height variance for 1918 Moser Avenue Dallas, TX 75206. The alley behind our two locations is Dirt. Additionally, we have antiquated clay sewer lines and smaller - low pressure water lines. Therefore, any additional dwellings/residential assessor structures will put a tremendous amount of strain on our already aged and antiquated utility lines.

Please see my exhibits (attached). The alley behind 1918 Moser Avenue has been improved by other developers for 150 feet (running in the East direction from Fuqua). The owner of 1918 Moser Avenue should be required to extend the new alley/utilities another 150 feet to his/her location.

The owner of 1918 Moser Avenue is seeking a variance to avoid having to update the utility lines and alley to their location. Any new dwelling built at 1918 Moser Avenue would trigger the need for this to be done by the City of Dallas building official per new building code.

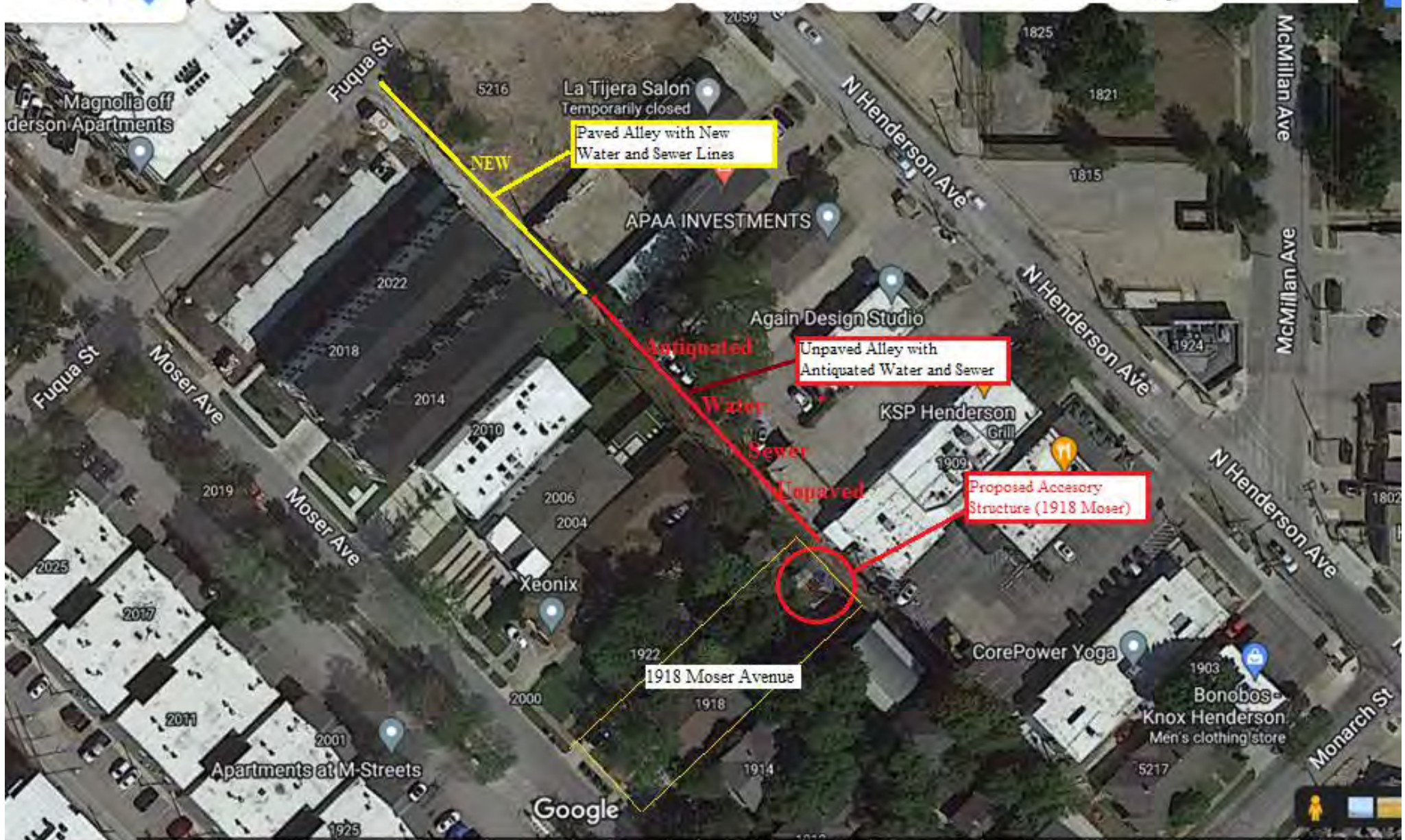
I kindly ask that if a height variance is indeed granted by the Board of adjust - that the owner of 1918 Moser avenue be required to update the utilities and alley to their location (approximately 150 feet). A new alley and water/sewer lines will be a welcomed benefit to the surrounding neighbors who share my similar sentiment.

Thank you for your time and consideration.

Regards,
Peter von Gontard

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

BDA212-035 (1918 Moser Avenue) - Residential Accessory Structure



*****Any Additional Structures will put a tremendous amount of strain on the already Antiquated Water and (Clay) Sewer Pipes. The Alley has been paved for 150 feet starting on Fuqua Street - but Owner of 1918 Moser Avenue should continue the alley, new water & sewer to his/her location for the benefit of the neighborhood*****

Pictures of Alley from Fuqua Street

New Alley has been created for **only 150 Feet** but **Stops**

Owner of 1918 Moser Avenue needs to continue **new Alley, new water lines, and sewer lines** for Accessory Dwelling and Structure.



Looking from Fuqua Street Towards 1918 Moser Avenue
*New Alley
*New Water Line
*New Sewer Line





Accessory Dwelling
/Structure for 1918
Moser Avenue

Need to Continue Alley

Need New Sewer
Need New Water Lines

From: [REDACTED]
To: [Munoz, Jennifer](#)
Cc: [Jackson, Latonia](#); [Daniel, Pamela](#)
Subject: Re: 1918 Moser Ave. Height Variance - Opposed
Date: Tuesday, May 17, 2022 1:26:41 PM

External Email!

Hello,

I understand there is a hearing tomorrow and wanted to reiterate my opinions/findings.

I strongly oppose the height variance. The owner started the "accessory" structure with zero permits and had plans to rent/AirBNB it out to third parties.

She was caught during construction and a ceased work order was put on the property by the City of Dallas.

This additional structure will increase strain on an already very OLD water and sewer system located in the grass area - alley way.

This alley area must be paved; and the utility lines need to also be improved - as has been started for by other developers on Fuqua. The owner seeking the height variance needs to bring the utility lines and alley another 150 feet to their property line.

Thanks

- Lauren C.

On Thursday, May 12, 2022, 09:34:45 AM CDT, [REDACTED] wrote:

All -

I also wanted to add to my first email that I have knowledge to believe the owner of 1918 Moser intends to just rent out this back house to a third party, and if that is the case - it puts too much stress on an old utility system, etc.

If a new developer came in, the standards would mandate they pave the alleyway and fix utilities to the new site - 1918 Moser should be held to those same rules.

Thanks for your understanding.

On Thursday, May 12, 2022, 09:28:56 AM CDT [REDACTED]

[REDACTED] wrote:

Good Morning,

I am emailing in reference to the height variance for 1918 Moser Ave. Dallas Texas 75206.

I want you all to know that I OPPOSE this. Please forward this email to any other parties that would benefit from understanding neighbors are opposed to this.

I currently reside at 2014 Moser Ave. Dallas Texas 75206 - right by the address at issue.

There needs to be a new alleyway due to safety reasons and concerns - one being that homeless people are often found back there in the brush.

Other folks have improved the alleyway and if a height variance is granted, that individual should do their part and improve it as well.

Thank you in advance for your attention to this important issue.

- Lauren C.

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

Panel B

06-22-22

BDA212-035

1918 Moser Ave.

(Previous Support

Reference from

5/18/22)

From: [Jennifer Hiromoto](#)
To: [Munoz, Jennifer](#)
Cc: [Rob Baldwin](#)
Subject: FW: City variance application - BDA212-035
Date: Monday, April 11, 2022 12:42:36 PM

External Email!

Good afternoon,
Please see below for a support email for this application.
Thanks,
Jennifer

Jennifer Hiromoto
Baldwin Associates
3904 Elm Street Suite B
Dallas, TX 75226
Office: 214-824-7949
Cell: 469-275-2414

From: David McCullough <artsmarts@sbcglobal.net>
Sent: Monday, April 11, 2022 11:30 AM
To: Jennifer Hiromoto <jennifer@baldwinplanning.com>
Subject: City variance application

Dear sirs, This letter is in regard to Fonya Mondell's at 1918 Moser Ave. application for a height variance on the structure in the back of their property. We are her neighbor and do not object to the height of the proposed structure.
Sincerely, David McCullough
1914 Moser Ave. Resident

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

GOODENOW
2002 Moser Avenue
Dallas, TX 75206
469-446-8802 George
469-446-8804 Mary

April 12, 2022

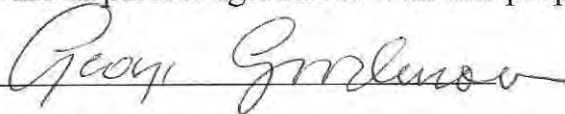
Board of Adjustments

Re: The application for a variance for the height of the structure at 1918 Moser.

George and Mary Goodenow reside at 2002 Moser Avenue. We have no objection to this proposed variance.

Our home is two houses down from the planned structure which can be seen from our backyard.

We are in perfect agreement with this proposal.



George I Goodenow



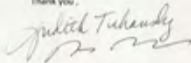
Mary E Goodenow

Dear Board of Adjustments,
07/04/21022

Regarding the application of 2928 Moser Ave., for a variance for the height of their structure, we have no objection. Our home is two houses down from the proposed structure and it can be seen from our backyard.

We are in perfect compliance with the proposal.

Thank you.

A handwritten signature in cursive script, appearing to read "Judith Tichansky", with a flourish underneath.

Judith and Michael Tichansky

FILE NUMBER: BDA212-065(JM)

BUILDING OFFICIAL'S REPORT: Application of Trent Robertson of Masterplan Texas to appeal the decision of the administrative official at 2436 Shorecrest Drive. This property, which is owned by DART, is more fully described as a tract in DART right-of-way, zoned an IR Industrial Research District. The permit to relocate a non-premise sign was denied because the proposed relocation does not comply with Sec 51A7.307(d)(3) of the Dallas City Code, which requires all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The applicant proposes to appeal the decision of an administrative official.

LOCATION: 2436 Shorecrest Drive

APPLICANT: Trent Robertson of Masterplan Texas

REQUEST:

A request is made to appeal the decision of the administrative official, more specifically, the Building Official's authorized representative, the Southwest Sign District Inspector in Development Services, to deny an application for the relocation of an existing non-premise sign located in DART right-of-way based on the relocation site not meeting the criteria in the code.

STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:

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

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

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

STAFF RECOMMENDATION:

Staff does not make a recommendation on appeals of the decisions of administrative officials.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	IR Industrial Research District
<u>Northwest:</u>	IM Industrial Manufacturing District
<u>Northeast:</u>	IR Industrial Research District
<u>East:</u>	IR Industrial Research District
<u>South:</u>	IR Industrial Research District
<u>West:</u>	IR Industrial Research District

Land Use:

The site contains a financial institution. Surrounding uses include: to the northwest is a utility use (water treatment facility); northeast is a warehouse with surface parking; east is a personal service use (gym); and, south and west include a mix of retail and personal service uses.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The City's earliest digital records indicate the original 72-square-foot non-premise sign was permitted at 17809 Coit Road on October 10, 1989. In 2001, Chapter 52 was amended to require that all non-premise signs register with the city. Multiple sign registration permits have been issued since, in accordance with the administrative code. The Dallas Development Code, Chapter 51A, contains the requirements based on size, location, and **relocation**—the subject of this AO appeal.

On April 27, 2022, the Southwest District Sign Inspector denied the relocation application citing:

- The relocation of the non-premise sign formerly at 17809 Coit in connection with relocation demolition permit portion number 2103094002 is hereby denied due to the proposed relocation sites being outside the Cotton Belt/Silver Line railroad right-of-way.
- Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Any proposed site that is not located within the same railroad right-of-way does not meet the code requirement.
- Information on how to appeal this decision was also provided.

Sec. 51A-7.307(d)(3) states that all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Relocated signs must be relocated within 500 feet of their original location unless possible locations are not of a suitable size or configuration or are otherwise unusable. Signs that have been relocated within 500 feet of their original location may not be less conforming than the original sign. If a sign cannot be relocated within 500 feet of its original location, it can be relocated anywhere in that same railroad right-of-way, but must fully comply with the size, height, spacing, setback, and other restrictions in this article.

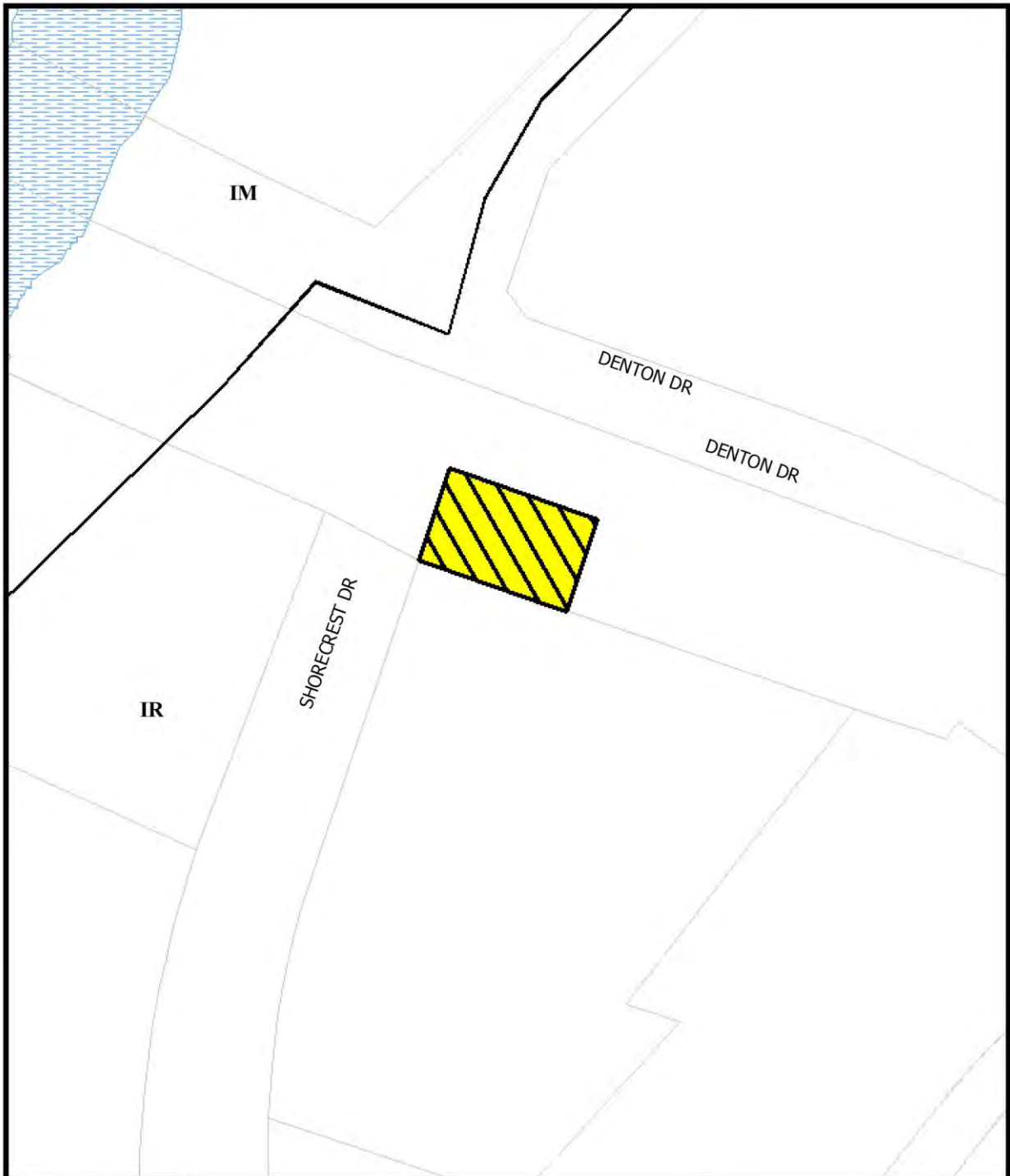
The proposed relocation site at 2436 Shorecrest Drive is located on DART right-of-way; however, it is outside of the railroad right-of-way from which it originated: the Cotton Belt/Silver Line. Staff interprets this as a failure to meet the relocation requirements.

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

Timeline:

- May 2, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report. *Due to timing requirements for AO appeals in Sec.51A-4.703(d)(3) requiring a decision to be made within 60 days, the application was added to the June docket to allow for compliance.*
- May 2, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- May 4, 2022: The Board of Adjustment Chief Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application.
 - an attachment that provided the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the 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 (amended ordinance);
 - the appeal of a decision of an administrative official procedure outline; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

- May 26, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Conservation District Chief Planner, the Board Senior Planner, and the Assistant City Attorney to the Board.
- June 10, 2022: The applicant's attorney submitted additional evidence for consideration (**Attachment A**).
- June 13, 2022: The City's attorney submitted additional evidence for consideration (**Attachment B**).

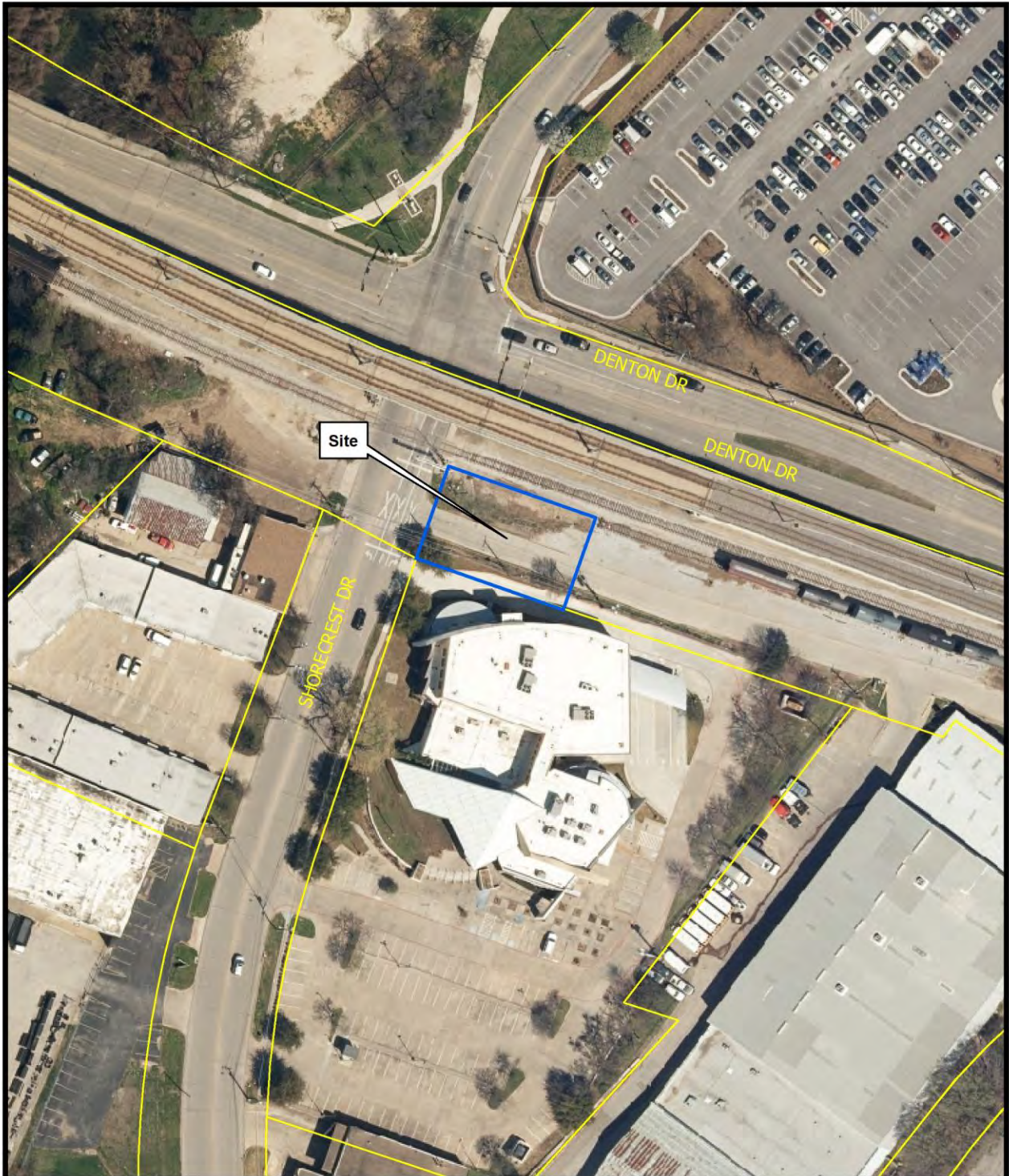


1:1,200

ZONING MAP

Case no: BDA212-065

Date: 6/7/2022

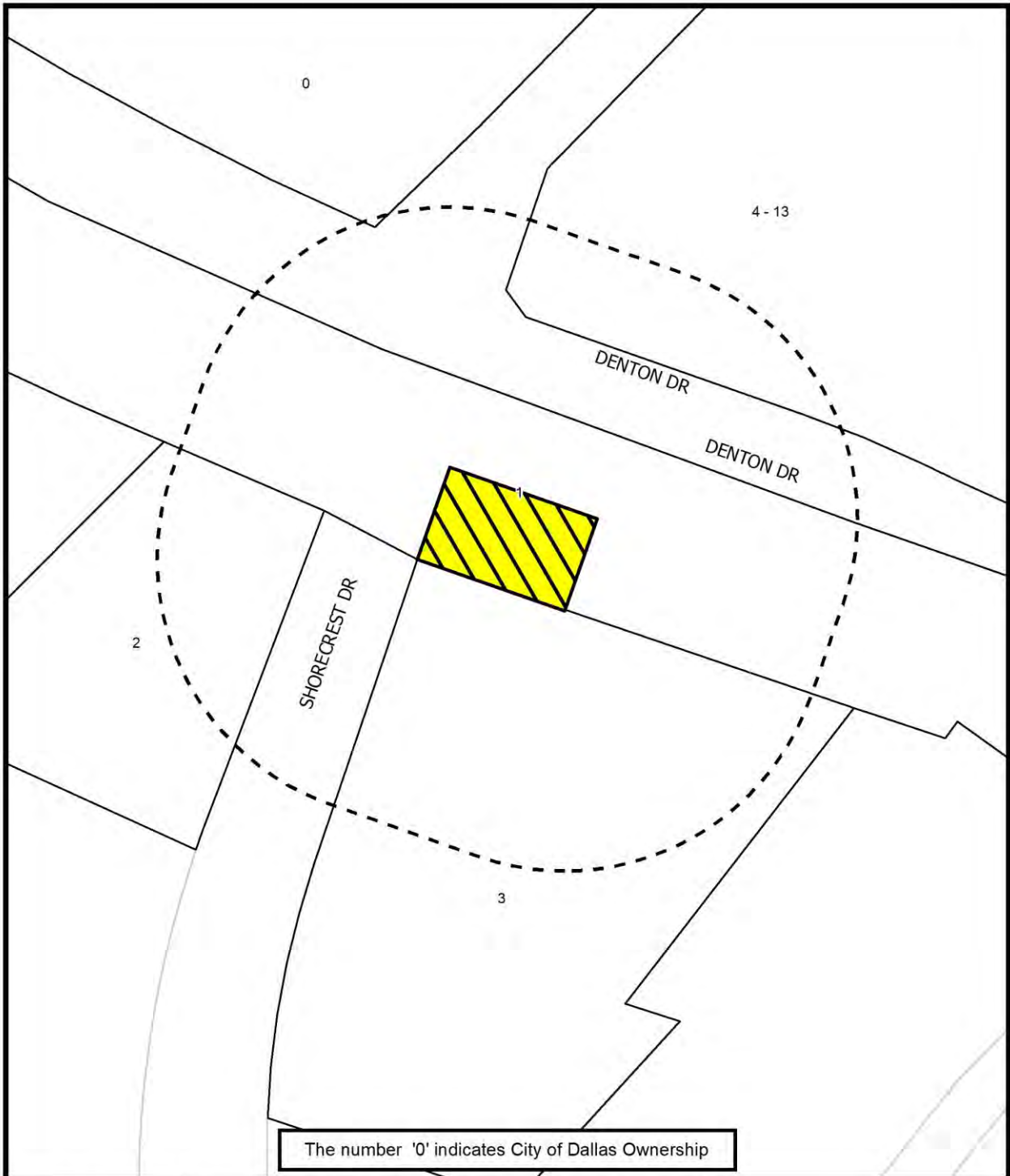


1:1,200

AERIAL MAP

Case no: BDA212-065

Date: 6/7/2022



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td>200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td>13</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	13	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA212-065</u> Date: <u>6/7/2022</u>
200'	AREA OF NOTIFICATION					
13	NUMBER OF PROPERTY OWNERS NOTIFIED					

06/07/2022

Notification List of Property Owners

BDA212-065

13 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	401 S BUCKNER BLVD	DART
2	2431 SHORECREST DR	Taxpayer at
3	2430 SHORECREST DR	Taxpayer at
4	2702 LOVE FIELD DR	SOUTHWEST AIRLINES CO
5	8020 DENTON DR	JACKS AUTO SUPPLY
6	7212 HERB KELLEHER WAY	HERTZ RENT A CAR
7	7020 HERB KELLEHER WAY	AVIS RENT A CAR
8	3407 HAWES AVE	HERTZ CORPORATION
9	8333 LEMMON AVE	SOUTHWESTERN BELL
10	3410 HAWES AVE	EAN HOLDINGS LLC
11	8611 LEMMON AVE	BUSINESS JET CENTER
12	3250 LOVE FIELD DR	MLT DEVELOPMENT
13	7366 CEDAR SPRINGS RD	ENTERPRISE HOLDINGS



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

REVISED 11:53 am, May 26, 2022

Case No.: BDA 212-065

Data Relative to Subject Property: Date: 5/2/2022

Location address: 2436 Shorecrest Dr. Zoning District: IR

Lot No.: NA Block No.: NA Acreage: NA Census Tract: NA

Street Frontage (in Feet): 1) 105' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): DART

Applicant: Trenton Robertson Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

Represented by: Trenton Robertson Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

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

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative officials" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307 and Section 51A.7.307(d)(3).

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 proposed request is in line and is consistent with the rules and regulations set forth in Section 51A-7.307(d)(3) of the ordinance. The existing sign will be relocated from its previous location within the DART ROW on Coit Road to a portion of DART ROW on Shorecrest Drive. Due to DART not being able to find a suitable location within 500' of the original sign location, another location within the DART ROW off Shorecrest Drive was selected.

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

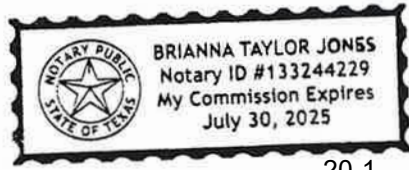
Before me the undersigned on this day personally appeared Trenton Robertson (Affiant/Applicant's name printed)

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 4 day of May, 2022

(Rev. 08-01-11)



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



CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA _____

I, Dallas Area Rapid Transit, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: See attached map
(Address of property as stated on application)

Authorize: Masterplan
(Applicant's name as stated on application)

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

- _____ Variance (specify below)
- _____ Special Exception (specify below)
- Other Appeal (specify below)

Specify: Appeal administrative officials decision regarding the denial of the relocation of a billboard.

Bonnie Murphy, VP Commuter Rail & Railroad Management
Print name of property owner or registered agent

Bonnie Murphy
Signature of property owner or registered agent

Date 4/28/2022

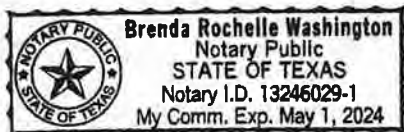
Before me, the undersigned, on this day personally appeared Bonnie Murphy

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

Subscribed and sworn to before me this 28th day of April, 2022

Brenda Rochelle Washington
Notary Public for Dallas County, Texas

Commission expires on May 1, 2024



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 TRENT ROBERTSON

did submit a request to appeal the decision of the administrative official
at 2436 Shorecrest Drive

BDA212-065. Application of TRENT ROBERTSON to appeal the decision of the administrative official at 2436 Shorecrest. This property is more fully described as a tract of land in DART right-of-way, zoned IR. The permit to relocate a nonpremise sign was denied because the proposed relocation does not comply with Sec 51A7. 307(d)(3) of the Dallas City Code, which requires all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The applicant proposes to appeal the decision of an administrative official.

Sincerely,


David Session, Building Official



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, TX 75266-0163
214-749-3278

March 3, 2021

Michael Martin
Chief Sign Inspector
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Re: Ralston Billboards at 15602 Dallas Pkwy & 17809 Coit Rd

Dear Mr. Martin;

DART has requested Ralston Outdoor to relocate their billboard located at 15602 Dallas Pkwy and 17809 Coit Rd due to a conflict in the DART owned corridor arising from the pending construction of DART Silver Line Commuter Rail project. In an effort to facilitate the relocation of Ralston's signboards DART is working on finding suitable relocation sites within the DART owned corridor at a location within the city of Dallas. In the event a suitable location cannot be found on DART corridor, it is our hopes Ralston Outdoor might be accommodated with other available options within the city of Dallas.

Sincerely;

A handwritten signature in blue ink, appearing to read "M Lannon", with a long horizontal stroke extending to the right.

Matt Lannon
Senior Manager, Railroad Management





CITY OF DALLAS

April 27, 2022

Mr. Benjamin Ralston
2220 Shorecrest Dr
Dallas, TX 75235

RE: Denial of the relocation assemble permit for the relocation of the non-premise sign previously located at 17809 Coit, in connection with relocation demolition permit number 2103094002, to relocate to any location outside of the same railroad right-of-way.

Dear Mr. Ralston:

This letter is to inform you that the relocation assemble permit portion for the relocation of the non-premise sign formerly at 17809 Coit in connection with relocation demolition permit portion number 2103094002 is hereby denied due to the proposed relocation sites being outside the Cotton Belt/Silver Line railroad right-of-way.

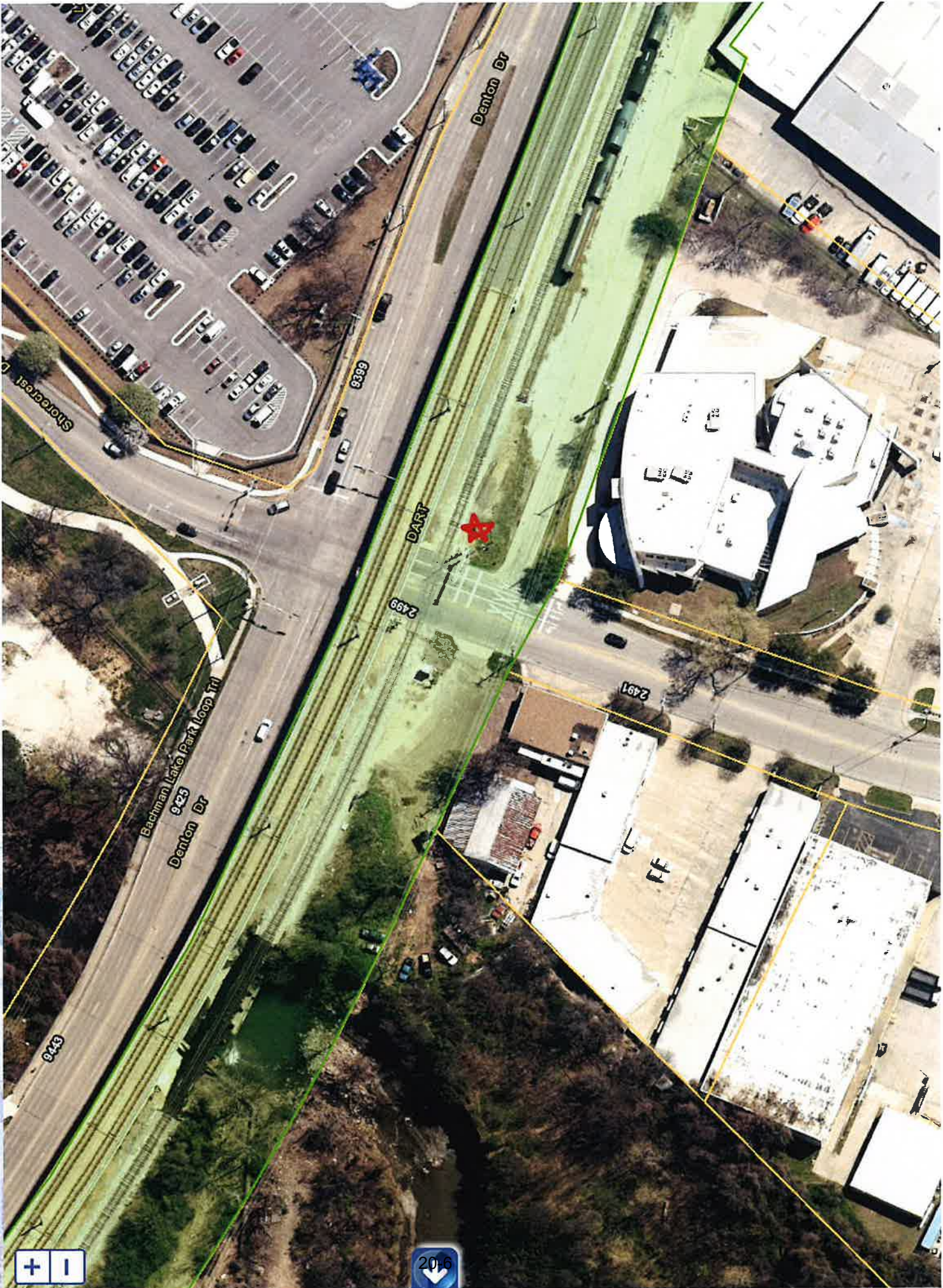
Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Any proposed site that is not located within the same railroad right-of-way does not meet the code requirement.

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703 and 51A-7.703(e) of the Dallas Development Code before the 20th day after written notice of the above action. If you have any questions, please contact me at 214-671-1768.

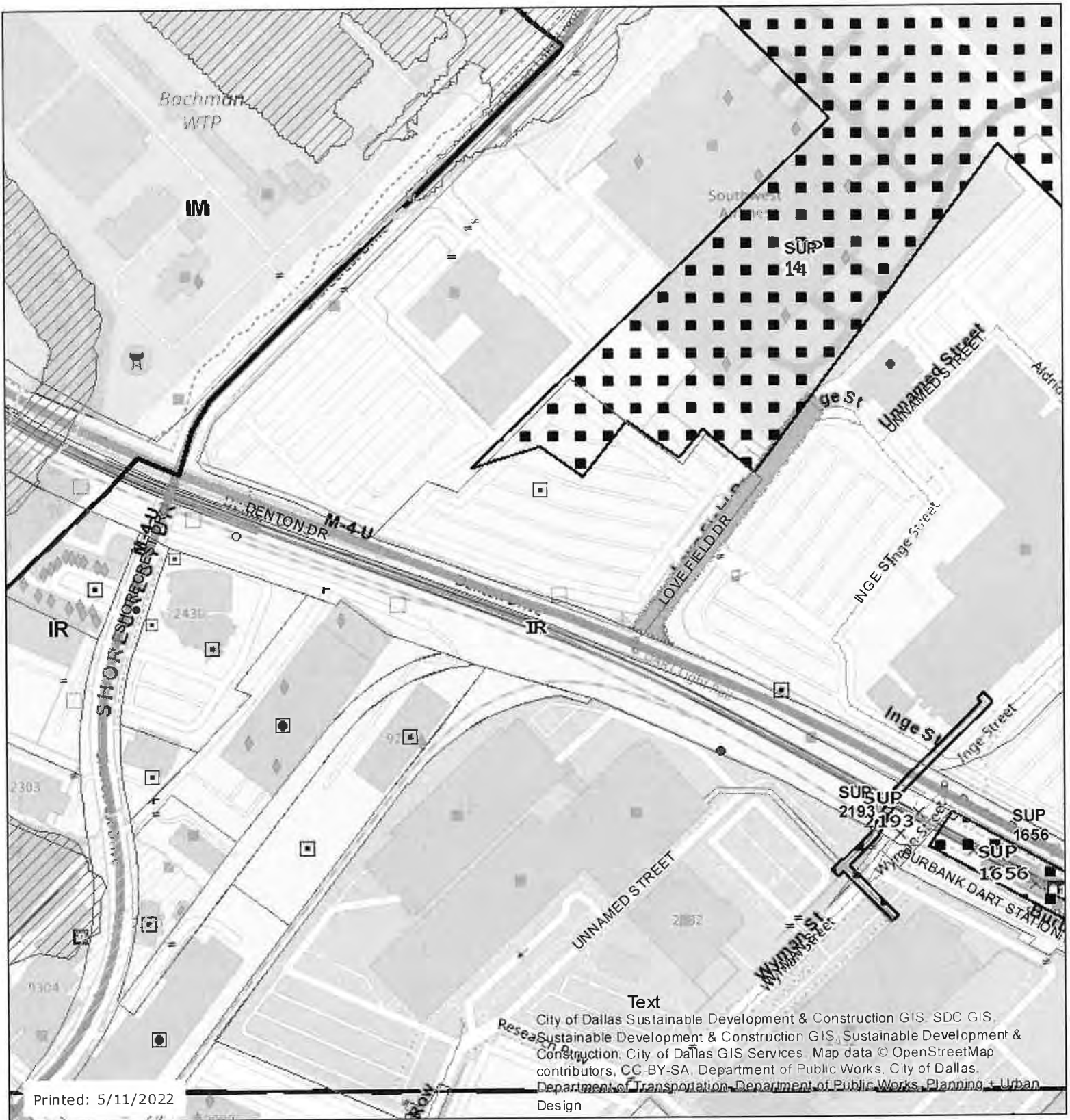
Sincerely,

Jason Pool
Southwest District Sign Inspector
Development Services

cc: William Munding, Executive in Residence
Vernon Young, Assistant Director
David Session, CBO, Interim Building Official
Tammy Palomino, First Assistant City Attorney
Megan Wimer, Assistant Building Official
Sarah May, Chief Planner, Zoning
Michael Martin, Sr. Sign Inspector



2016



Printed: 5/11/2022

City of Dallas Sustainable Development & Construction GIS, SDC GIS, Sustainable Development & Construction GIS, Sustainable Development & Construction, City of Dallas GIS Services, Map data © OpenStreetMap contributors, CC-BY-SA, Department of Public Works, City of Dallas, Department of Transportation, Department of Public Works, Planning + Urban Design

- | | | |
|------------------------------------|-----------------------|----------------------------|
| Dallas Tax Parcels | Historic Subdistricts | PD193 Oak Lawn |
| Floodplain | SUP | PDS Subdistricts |
| 0.2 PCT ANNUAL CHANCE FLOOD HAZARD | NSO Overlay | Height Map Overlay |
| 1 PCT ANNUAL CHANCE FLOOD HAZARD | NSO Subdistricts | Shop Front Overlay |
| Deed Restrictions | MO Overlay | Parking Management Overlay |
| Dry Overlay | CD Subdistricts | Base Zoning |
| D | PD Subdistricts | SPSD Overlay |
| D-1 | | |
| Historic Overlay | | |

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

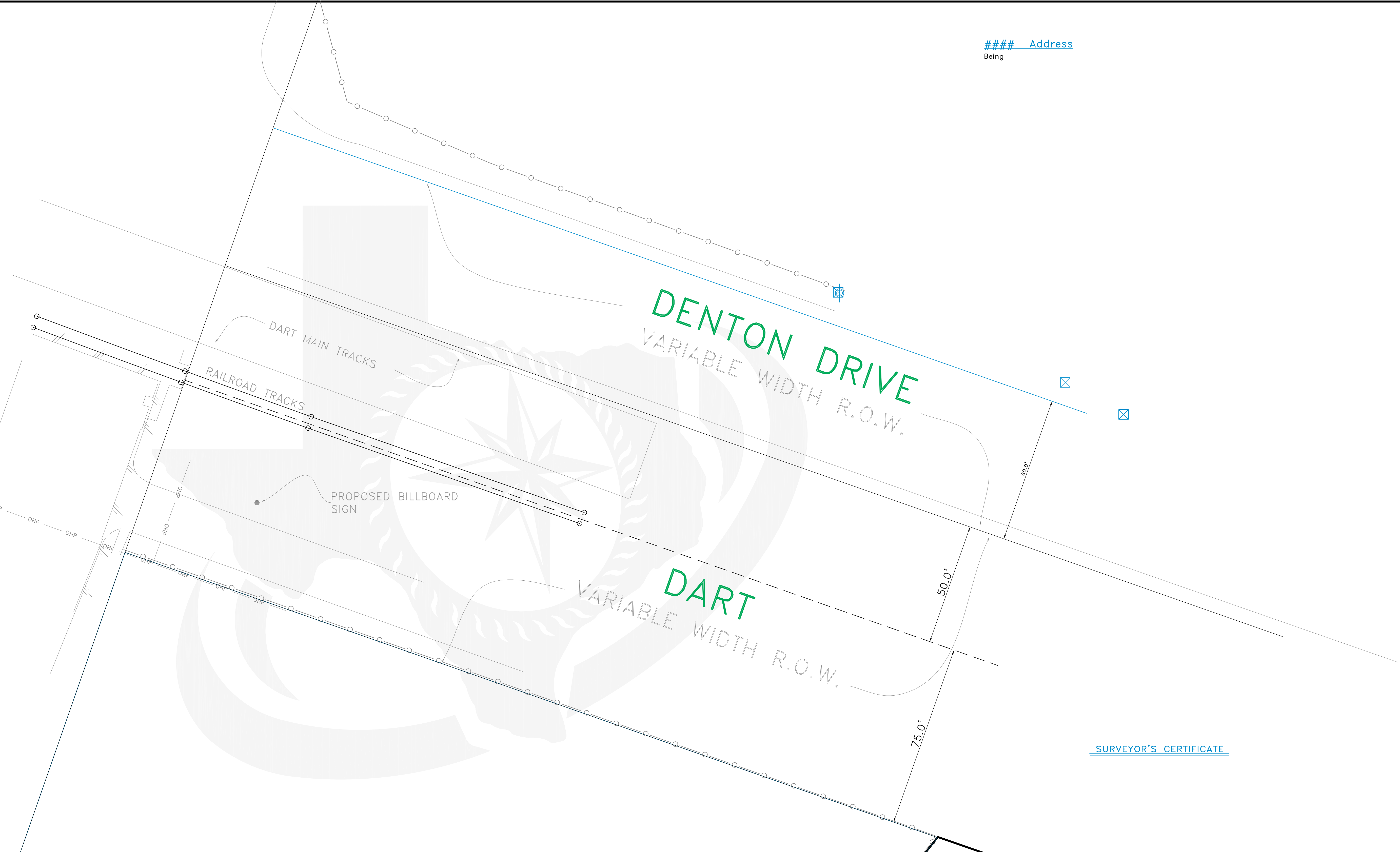


Address
Being

SHORECREST DRIVE
80' R.O.W.

DENTON DRIVE
VARIABLE WIDTH R.O.W.

DART
VARIABLE WIDTH R.O.W.



SURVEYOR'S CERTIFICATE

NOTE: According to the F.I.R.M. Map No. _____, this property does lie in Zone _____ and _____ lie within the 100 year flood zone.

ACCEPTED BY: _____ SIGNATURE _____ DATE _____ SIGNATURE _____ DATE _____

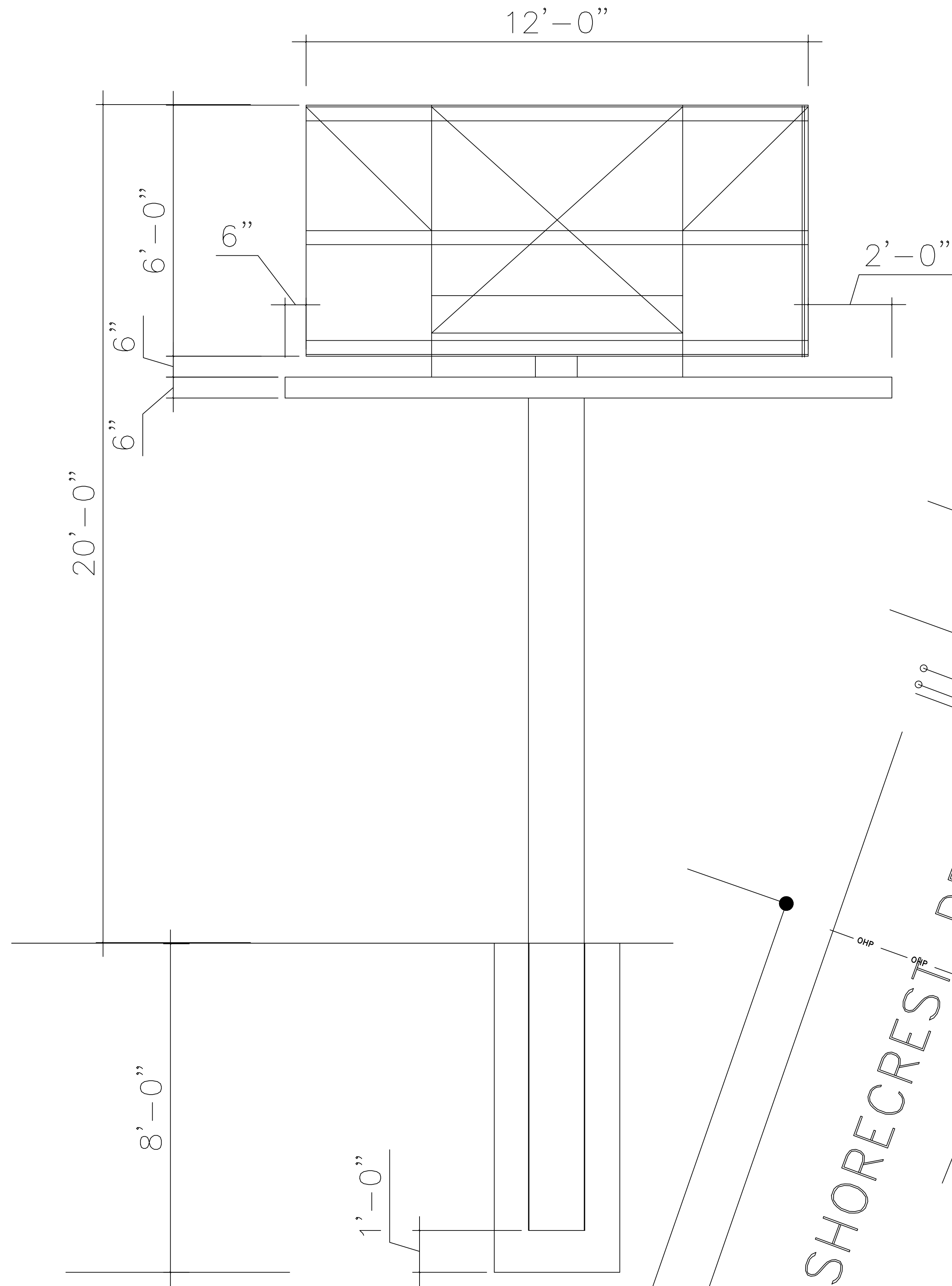
NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

REVISIONS		
DATE	BY	NOTES

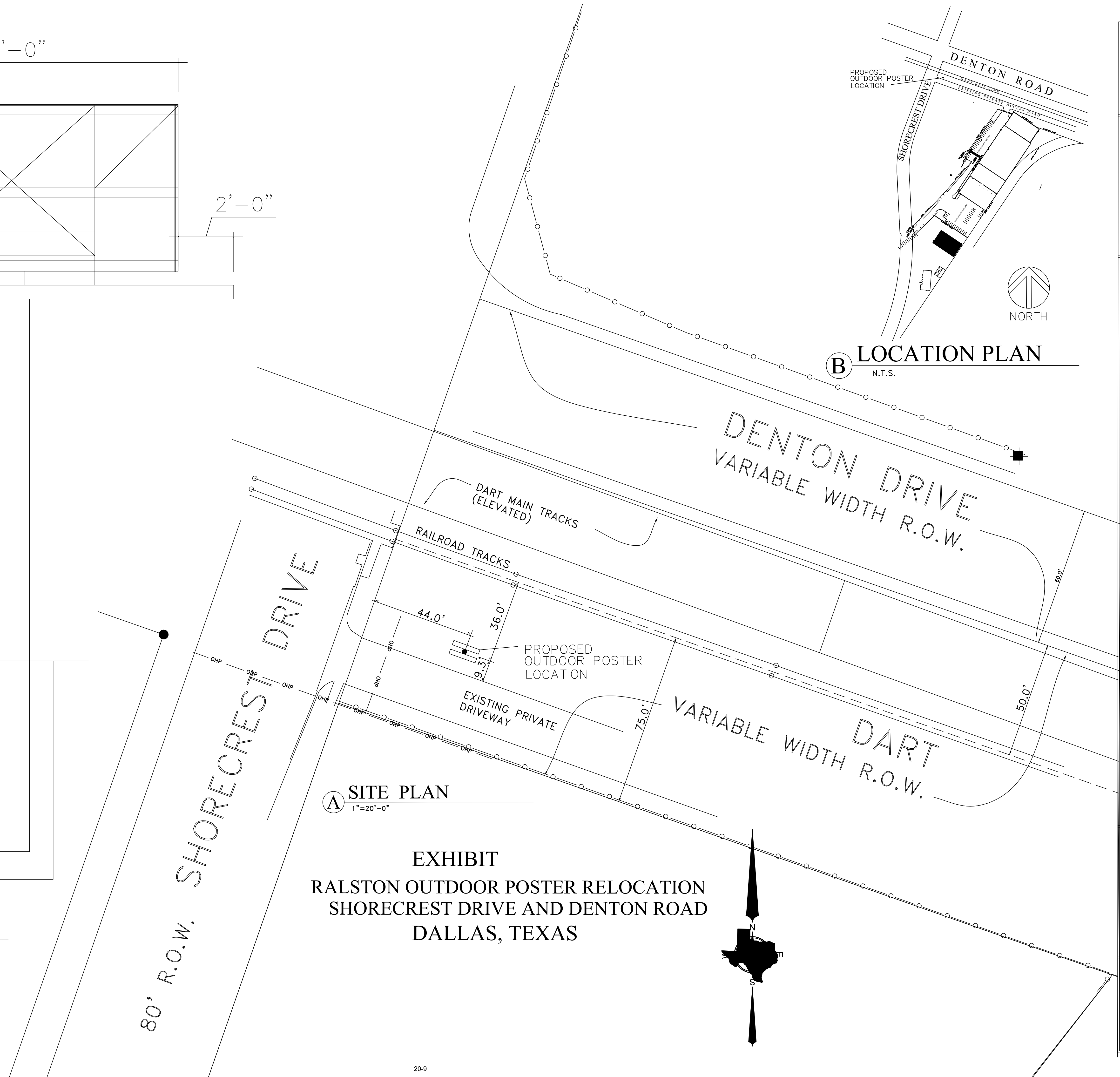
LEGEND	
○	CONTROLLING MONUMENT
○	1/2" IRON ROD FOUND
○	1" IRON PIPE FOUND
○	5/8" ROD FOUND
⊠	FENCE POST CORNER
⊠	"X" FOUND / SET
▲	UNDERGROUND ELECTRIC
▲	OVERHEAD ELECTRIC
●	POWER POLE
◆	POINT FOR CORNER
◆	GRAVEL/ROCK ROAD OR DRIVE
—	ASPHALT PAVING
—	CHAIN LINK FENCE
—	WOOD FENCE
—	0.5" WIDE TYPICAL BARBED WIRE
—	IRON FENCE
—	PIPE FENCE
—	COVERED PORCH/DECK OR CARPORT
—	OVERHEAD ELECTRIC SERVICE
—	OVERHEAD POWER LINE
—	CONCRETE PAVING
—	DOUBLE SIDED WOOD FENCE

CBG
SURVEYING TEXAS LLC
12025 Shiloh Road, Ste. 240
Dallas, TX 75228
P 214.349.9485
F 214.349.2216
Firm No. 10168800
www.cbgtxl.com

SCALE	DATE	JOB NO.	G.F. NO.	DRAWN



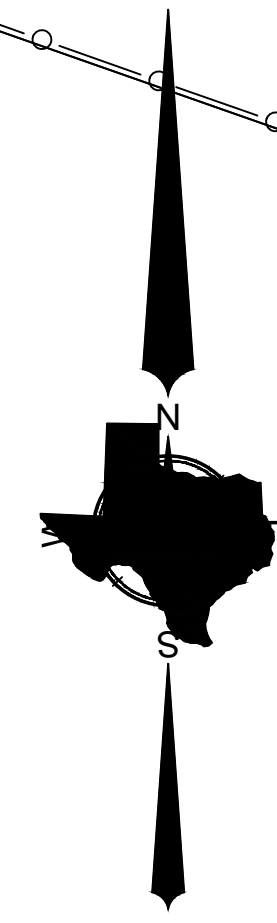
(C) SIGN DETAIL



(A) SITE PLAN
1"=20'-0"

(B) LOCATION PLAN
N.T.S.

EXHIBIT
RALSTON OUTDOOR POSTER RELOCATION
SHORECREST DRIVE AND DENTON ROAD
DALLAS, TEXAS



RALSTON OUTDOOR POSTER RELOCATION
SHORECREST DRIVE AND DENTON ROAD
DALLAS, TEXAS

DATE: 06/08/21

SHEET NUMBER:
A 0



June 10, 2022

City of Dallas Board of Appeals
1500 Marilla, 5BN
Dallas, TX 75201

RE: BDA212-065; 2436 Shorecrest Drive

Dear City of Dallas Board of Appeals:

The subject site is located directly to the east of Shorecrest Drive, between Denton Drive and Harry Hines Boulevard (commonly known as 2436 Shorecrest Drive). The proposed request would allow for the relocation of the non-premise sign to be moved from 17809 Coit Road to its new proposed location at 2436 Shorecrest Drive.

The Request

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative official's" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307 and Section 51A.7.307(d)(3). The proposed request is consistent with the language set forth in Section 51A.7.307, "All signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Relocated signs must be relocated within 500 feet of their original location unless possible locations are not of a suitable size or configuration or are otherwise unusable...If a sign **cannot** be relocated within 500 feet of its original location, **it can** be relocated **anywhere** in that same railroad right-of-way, but must fully comply with the size, height, spacing, setback, and other restrictions in this article." DART determined that the non-premise sign located at 17809 Coit Road had to be removed and relocated due to new DART construction. DART exhausted all avenues to find a suitable relocation site on the DART ROW and within 500 feet of the original sign location, but their efforts were unsuccessful. DART then identified a suitable spot for relocation at 2436 Shorecrest Drive (proposed site) that is on the DART ROW and more than 500 feet from the original sign location. DART asked Ralston to relocate its sign to the proposed site. In accordance with Section 51A.7.307(d)(3), "...If a sign **cannot** be relocated within 500 feet of its original location, **it can** be relocated **anywhere** in that same railroad right-of-way..." the proposed site is consistent with the regulations and standards stated in the ordinance.

Summary

The proposed request is in harmony with Section 51A-4.703 and would allow for the proper relocation of an existing permitted non-premise sign. The request will not injure the surrounding property owners but will continue to permit Ralston Outdoor Advertising Ltd (Ralston) to legally operate their sign at the new location. All efforts were made to relocate the sign within 500' of the original location, but to no avail. By approving the relocation of the sign, it **will not** do the following:

- Permit new signs to be constructed, increasing the overall sign count in the city; and
- Allow for the sign in question to be any larger in area or height;
- Enable the sign in question to transgress any city regulation; and
- Fall outside of the DART right-of-way.


Rather, if the relocation of the sign is permitted it **would allow** for the following:

- An existing sign to continue to operate as legally permitted to do so when it was legally constructed;
- Remove an undue hardship and taking from Ralston caused by the sign having to be removed from the previous location due to reasons out of Ralston's control, but that serves a public good;
- The City of Dallas to honor DART's request that Ralston relocate the sign at 17809 Coit to 2436 Shorecrest Drive;
- Provide an opportunity for a family-owned business to continue to operate in Dallas; and
- Relocation of a sign in DART right-of-way.

According to Section 51A-4.703 and 51A-7.703(e) the Board of Adjustment may reverse an "administrative official's" decision, when they deemed the decision has been made in error. The proposed request is consistent with other decisions that have been made for off-premise signage in similar situations, including signs owned by Ralston.

In summary, the client is asking for the “administrative official’s” decision to be overturned as it is grievous to the sign owner and causes an undue hardship out of their control. All other aspects of the sign will continue to be conforming with the City’s regulations pertaining to signage.

Regards,

A handwritten signature in black ink, appearing to read 'Trenton Robertson', with a stylized flourish at the end.

Trenton Robertson, AICP
Senior Consultant
Masterplan Texas



June 10, 2022

City of Dallas Board of Appeals
1500 Marilla, 5BN
Dallas, TX 75201

RE: BDA212-065; 2436 Shorecrest Drive – Witness List

Dear City of Dallas Board of Appeals and City Staff:

Below is a list of potential witnesses we are requesting to have present at our meeting in the event it is necessary to ask them questions about the proposed request to overturn the “administrative official’s” decision as it is grievous to the sign owner and causes an undue hardship out of their control. We have reached out to Matthew Lannon and have confirmed he will be present for the meeting. If you have any questions, please let me know. Thank you.

Witness Name	Employer – Title and/or Department
Jason Pool	City of Dallas – Senior Planner
Sarah May, AICP	City of Dallas – Chief Planner
Megan Wimer, AICP, CBO	City of Dallas – Assistant Building Official
Matthew Lannon	DART – Commuter Rail & railroad Management
Ben Ralston	Ralston Outdoor Advertising Ltd. – CEO/Owner

Regards,

A handwritten signature in black ink, appearing to read 'Trenton Robertson', written over a horizontal line.

Trenton Robertson, AICP
Senior Consultant
Masterplan Texas

SEC. 51A-7.307. RELOCATION OF CERTAIN DETACHED NON-PREMISE SIGNS.

(a) In general. Non-conforming detached non-premise signs located on or overhanging a parcel of land acquired by a governmental entity may be relocated subject to the restrictions in this section.

(b) Application. The owner of the sign and the governmental entity must sign a relocation application. The owner of the sign must submit the relocation application within one year after the sign is actually removed from the parcel of land pursuant to a request of the governmental entity. The relocation must be completed within one year after approval of the relocation application.

(c) Compliance required. Except as provided in this section, relocated signs must fully comply with the size, height, spacing, setback, and other restrictions in this article.

(d) Relocation to remainder.

(1) All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible for reasons such as:

(A) there is no remainder;

(B) the sign owner is unable to obtain an agreement from the property owner of the remainder; or

(C) the remainder is not of sufficient size or suitable configuration to allow the relocated sign to be as visible as the original sign from the nearest main traveled thoroughfare.

(2) Signs relocated to a remainder may not be less conforming than the original sign, but must comply with the spacing requirements of Paragraphs (e)(12) and (e)(13).

(3) All signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Relocated signs must be relocated within 500 feet of their original location unless possible locations are not of a suitable size or configuration or are otherwise unusable. Signs that have been relocated within 500 feet of their original location may not be less conforming than the original sign. If a sign cannot be relocated within 500 feet of its original location, it can be relocated anywhere in that same railroad right-of-way, but must fully comply with the size, height, spacing, setback, and other restrictions in this article.

(e) Restrictions on relocations.

(1) A sign may not be relocated within 1,000 feet of a new expressway.

(2) A sign may not be relocated within 100 feet of an expressway unless it was originally located within 100 feet of an expressway or new expressway.

(3) A sign message on a relocated sign may not be oriented to be visible from a new expressway.

(4) A sign message on a relocated sign may not be oriented to be visible from an expressway unless it was originally oriented to be visible from an expressway or new expressway.

(5) A non-HBA sign must be relocated at least 500 feet from another non-premise sign.

(6) An HBA sign must be relocated at least 500 feet from another non-premise sign on the same side of the expressway.

(7) No more than one relocation is permitted between the sites or former sites of non-premise signs that existed on April 26, 2000 unless the distance between the sites or former sites in feet equals or exceeds the number of relocated signs multiplied by 1,500.

(8) A relocated sign may not have a greater effective area than it had at its original location, except that the effective area of multiple relocated signs may be combined, provided that:

(A) the overall number of signs within the city is reduced;

(B) the effective area of the combined sign is equal to or less than the sum of the effective area of the individual signs; and

(C) except as provided in Paragraph (g)(3), the effective area does not exceed 400 square feet for a combined non-expressway sign or 672 square feet for a combined expressway sign.

For purposes of this paragraph, the effective area of a relocated sign does not include the sign skirting if no part of the sign message appears on the skirting other than the name of the sign company.

(9) Two one-faced signs may be relocated to create one two-faced sign, provided that:

(A) the two faces are oriented within 60 degrees of one another; and

(B) except as provided in Paragraph (g)(3), the effective area does not exceed 400 square feet for a combined non-expressway sign or 672 square feet for a combined expressway sign.

This paragraph controls over Paragraphs (5) and (6).

(10) All relocated signs must be built to comply with the building code.

(11) A sign may not be relocated until demolition and other required permits have been applied for and approved by the city.

(12) A sign may not be relocated within 2,000 feet of the Trinity River, measured from the center line of the Trinity River. For purposes of this paragraph, the term "Trinity River" means the portion of the river south of the confluence of the Elm and West forks as

Trenton Robertson

From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Thursday, June 9, 2022 9:03 AM
To: Trenton Robertson
Cc: Kiesha Kay; Barkume, Diana; Jackson, Latonia; Byron L. Kelley
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Trenton,

GIS approved both legal descriptions. The cases are good to go for June.

BDA212-065 is on Panel B, June 22nd at 11:00 am (briefing) and 1:00 pm (hearing) at City Hall, 6ES (Council Briefing Room).

BDA212-051 is on Panel C, June 23rd (Thursday) at 11:00 am (briefing) and 1:00 pm (hearing) at City Hall, 6ES (Council Briefing Room).

The final day to submit evidence for the docket is Monday, June 13th. If you have nothing to add from your application package, there's no need to submit. Yes, please email us your presentations for the record. At the hearing, you will be granted access through WebEx (sign in) to share your screen and roll through your slides. Also, please send us a list of witnesses, if any, or reply none. I understand you'd like Jason Pool to testify. I have advised him and his counsel. All virtual attendees must register to speak online. See our [webpage](#) for the individual links per panel and helpful instructions. We will be posting the agenda and docket next week on Monday after all evidence has been received.

Sincerely,



Jennifer Muñoz
Chief Planner/Board Administrator
City of Dallas | www.dallascityhall.com
Planning and Urban Design
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Wednesday, June 8, 2022 1:51 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>; Jackson, Latonia <latonia.jackson@dallas.gov>; Byron Kelly <bkelley@settlepou.com>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

External Email!

Good afternoon Jennifer,

I'm wondering if you have been able to find out anything and if you have a specific time for each meeting? Also, if our memo to staff hasn't changed to the memo for the board do we still need to send it? Thanks.

Fiwx\$Vikevhw0\$



Xvirxsr\$Vsfivwsr0\$EMGT\$
Wimsv\$Ssrwyperx\$
I\$VsfivwsrD q ewxivtjrxj|ew2sq.\$
G\$; 619:51k; 76\$ \$5817<=166<8\$
6645\$Q emr\$Wx2\$Wymd.\$6<4\$Hepew0X\ \$9645\$
q ewxivtjrxj|ew2sq | @fevfetivq mwivzqi2sq

From: Trenton Robertson
Sent: Tuesday, June 7, 2022 8:20 AM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <Kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>; Jackson, Latonia <latonia.jackson@dallas.gov>; Byron Kelly <bkelley@settlepou.com>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Good morning Jennifer,
Hope all is well. I know you are extremely busy and wanted to make sure this email got to the top of your inbox. Thank you.

Fiwx\$Vikevhw0\$



Xvirxsr\$Vsfivwsr0\$EMGT\$
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From: Trenton Robertson
Sent: Monday, June 6, 2022 1:23 PM
To: 'Munoz, Jennifer' <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <Kiesha@masterplantexas.com>; 'Barkume, Diana' <diana.barkume@dallas.gov>; 'Jackson, Latonia' <latonia.jackson@dallas.gov>; 'Byron Kelly' <bkelley@settlepou.com>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases
Importance: High

Good afternoon,

I just wanted to follow up on a few things so that I can make sure we are all good to go.

- 1) Has GIS confirmed with staff that everything has been cleared (I know they have until tomorrow I just wanted to check)?
- 2) What are the meeting dates for the two cases?
 - a. John Carpenter Frwy: **Panel C, June 23**? Time of the meeting?
 - b. Shorecrest? **Panel B, June 22**? Time of the meeting?
- 3) Is the date still June 10 by 1:00pm to submit all evidence for each case? Not sure if this date changed due to the meetings being later in the month.
- 4) When do we need to submit our presentations for each panel?

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From: Trenton Robertson
Sent: Friday, June 3, 2022 9:00 AM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <Kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>; Jackson, Latonia <latonia.jackson@dallas.gov>; Byron Kelly <bkelly@settlepou.com>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Thank you for the update. That is great news. We would like him there at the meeting.

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From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Thursday, June 2, 2022 5:37 PM
To: Trenton Robertson <trobertson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>; Jackson, Latonia <latonia.jackson@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Hey Trenton,

I sent everything to GIS and I miscalculated. Apparently, our schedule is a bit ahead for June since meetings are later in the month. Notifications go out next week. If GIS clears the legal for Shorecrest by next Tuesday close of business, we can keep it on the June agenda. I've been sorting through these details with them today. We shall see. Both cases are under GIS review at this time. I'll keep you posted.

On having Jason Pool at the meetings, yes. No problem. We will advise him that you are requesting his presence as a witness, correct?

Sincerely,



Jennifer Muñoz
Chief Planner/Board Administrator
City of Dallas | www.dallascityhall.com
Planning and Urban Design
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-670-4208

Working Remotely, please call:

Google Voice: 972-926-3691

jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, June 2, 2022 4:32 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

External Email!

Good afternoon,
I just wanted to follow up on my email below to see if you had any questions. Thank you.

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From: Trenton Robertson
Sent: Wednesday, June 1, 2022 2:02 PM
To: 'Munoz, Jennifer' <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Good afternoon Jennifer,
Please see the attached metes and bounds for the Shorecrest case showing the location that DART has directed for our sign to be relocated. Also, we would like to request that Jason Poole be in attendance for each one of our board meetings. Is this possible? Is there any documents that we need to submit to ensure this happens? Thank you for all of your!

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From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Thursday, May 26, 2022 6:42 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Trenton,

GIS confirmed today that 065 on Shorecrest will require a metes and bounds description. Please refer to the property description requirements attached for swifter approval. We will schedule the case once approved.

The JC Fwy case 051 is good to go in June as planned.

Sincerely,



Jennifer Muñoz
 Chief Planner/Board Administrator
 City of Dallas | www.dallascityhall.com
 Planning and Urban Design
 1500 Marilla Street, 5BN
 Dallas, TX 75201
 O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <trobertson@masterplantexas.com>
Sent: Thursday, May 26, 2022 6:09 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

External Email!

Good afternoon Jennifer,
 First, thank you for all of your hard work. I really do appreciate the way you always respond and get back to us. As soon as you find out about the GIS items, please let me know. We want to make sure we have done everything we can to stay on track. If you have any questions on the memos, I will be more than happy to address them. Thank you!

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From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Thursday, May 26, 2022 11:59 AM
To: Trenton Robertson <trobertson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Still working with GIS on these. Also, thanks for submitting the two memos on 051 and 065.

Sincerely,



Jennifer Muñoz
Chief Planner/Board Administrator
City of Dallas | www.dallascityhall.com
Planning and Urban Design
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, May 24, 2022 1:11 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases



Ok. Did those survey plats that I sent over earlier suffice the requirement?

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From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Tuesday, May 24, 2022 1:09 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Please excuse the typo: not next Wednesday, but this Wednesday, May 25th to allow GIS 2 weeks to review by our mail out due date of June 8th.

Sincerely,



Jennifer Muñoz
 Chief Planner/Board Administrator
 Planning Manager (Interim)
 City of Dallas | www.dallascityhall.com
 Planning and Urban Design
 1500 Marilla Street, 5BN
 Dallas, TX 75201
 O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, May 24, 2022 12:57 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

External Email!

Good afternoon Jennifer,
In our meeting you had mentioned that we would need the metes and bounds to you by next Wednesday June 1, to stay on track. Is that correct?

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From: Trenton Robertson
Sent: Tuesday, May 24, 2022 9:11 AM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Good morning Jennifer,
Please let me know if these will work for the advertisement for the Shorecrest case.

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q ewxvtjpxi|ew2sq | @fevfetivq mwivzqi2sq.

From: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Sent: Monday, May 23, 2022 7:07 PM
To: Trenton Robertson <trobertson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: RE: BDA212-051 application materials to update and Notification Info for both cases

Yes, you must provide that description by next Wednesday to continue on the June agenda. **Otherwise, the case will be deferred to July.**

Sincerely,



Jennifer Muñoz
Chief Planner/Board Administrator
Planning Manager (Interim)
City of Dallas | www.dallascityhall.com
Planning and Urban Design
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <trobertson@masterplantexas.com>
Sent: Monday, May 23, 2022 5:59 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: Re: BDA212-051 application materials to update and Notification Info for both cases

External Email!

Can you also confirm that if for whatever reason we can't get you a survey for the Shorecrest location by next Wednesday that the following are accurate:
- The Shorecrest application will be pushed to July to be heard?
- Our appeal will not be considered expired since we are past the allotted time we have by city code to appeal a decision?

Thank you again!

Sent from my iPhone

On May 23, 2022, at 5:52 PM, Munoz, Jennifer <jennifer.munoz@dallas.gov> wrote:

Yes, I do see that. Just ensuring all else is correct.

I received the revised letter from Jason. Now awaiting confirmation from Diana on whether all other docs are good to go. Then the revised BO report and we will send the complete revised app over.

Thanks!

Sincerely,



Jennifer Muñoz
Chief Planner/Board Administrator
Planning Manager (Interim)
City of Dallas | www.dallascityhall.com
Planning and Urban Design
1500 Marilla Street, 5BN
Dallas, TX 75201
O: 214-670-4208
Working Remotely, please call:
Google Voice: 972-926-3691
jennifer.munoz@dallas.gov



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How am I doing? Please contact my supervisor at andreea.udrea@dallas.gov.

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Monday, May 23, 2022 5:45 PM
To: Munoz, Jennifer <jennifer.munoz@dallas.gov>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Barkume, Diana <diana.barkume@dallas.gov>
Subject: Re: BDA212-051 application materials to update and Notification Info for both cases

External Email!

The documents in the original submittal package all reflect 9109 John Carpenter. The only documents that reflected the 9101 address was the cover page and the zoning map. That is how I caught the clerical error from the letter Jason sent.

Sent from my iPhone

On May 23, 2022, at 5:21 PM, Trenton Robertson <troberson@masterplantexas.com> wrote:

Earlier this afternoon, I sent you a copy of the revised application sheet. Did you see that by chance? Would that work? Let me look into the Shorecrest more closely if we have a legal or survey. So, is the 9109 John W Carpenter still good to go since we have the correct legal in the revised app I sent you? Thank you again.

Sent from my iPhone

On May 23, 2022, at 5:18 PM, Munoz, Jennifer <jennifer.munoz@dallas.gov> wrote:

Hey Trenton,

Here's the application to update the address and/or legal.

I received a response that's relevant to both cases on notification: we should notify based on the proposed relocation site and it should be the legal for the particular sign site (not the whole ROW).

The legal that Diana had is not a metes and bounds for that sign site. You must provide that description by next Wednesday to continue on the June agenda. Otherwise, the case will be deferred to July.

Sincerely,



CITY OF DALLAS

April 27, 2022

Mr. Benjamin Ralston
2220 Shorecrest Dr
Dallas, TX 75235

RE: Denial of the relocation assemble permit for the relocation of the non-premise sign previously located at 17809 Coit, in connection with relocation demolition permit number 2103094002, to relocate to any location outside of the same railroad right-of-way.

Dear Mr. Ralston:

This letter is to inform you that the relocation assemble permit portion for the relocation of the non-premise sign formerly at 17809 Coit in connection with relocation demolition permit portion number 2103094002 is hereby denied due to the proposed relocation sites being outside the Cotton Belt/Silver Line railroad right-of-way.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Any proposed site that is not located within the same railroad right-of-way does not meet the code requirement.

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703 and 51A-7.703(e) of the Dallas Development Code before the 20th day after written notice of the above action. If you have any questions, please contact me at 214-671-1768.

Sincerely,

Jason Pool
Southwest District Sign Inspector
Development Services

cc: William Munding, Executive in Residence
Vernon Young, Assistant Director
David Session, CBO, Interim Building Official
Tammy Palomino, First Assistant City Attorney
Megan Wimer, Assistant Building Official
Sarah May, Chief Planner, Zoning
Michael Martin, Sr. Sign Inspector



DALLAS COUNTY
 COUNTY CLERK
 EARL BULLOCK

PLAT MAP RECORDING SHEET

INSTRUMENT #

1743855

03/11/02 3126309 \$86.00
 Maps

SUBDIVISION NAME: Final Plat: Southwest Airlines
Phase I, Lot 3, Block 1/5773, City
of Dallas

Owner - Southwest Airlines Employee FCU
 RTO: BTE Engineers, Inc
8150 Brookriver Drive
Ste S-700
DALLAS, TX 75247

Any provision herein which restricts the sale, rental, or use of the
 described real property because of color or race is invalid and
 unenforceable under Federal law.
 STATE OF TEXAS
 COUNTY OF DALLAS
 I hereby certify this instrument was filed on the date and time
 stamped hereon by me and was duly recorded in the volume and
 page of the official records of Dallas County, Texas as stamped
 hereon by me.

FILE DATE



MAR 11 2002



Earl Bullock
 COUNTY CLERK, Dallas County, Texas

VOLUME & PAGE OF RECORDED
 PLAT MAP



2002 48 00079

FILED
 2002 MAR 11 PM 3:33
 EARL BULLOCK
 COUNTY CLERK
 DALLAS COUNTY

Records Building

(214) 653-7131



**DALLAS COUNTY TAX OFFICE
 DAVID CHILDS, TAX ASSESSOR/COLLECTOR
 RECORDS BUILDING PHONE: 214-663-7811
 DALLAS, TEXAS 75202-9304**

TAX CERTIFICATE

Owner Name and Address:

Account Number: 0000043137700000

SOUTHWEST AIRLINES CREDIT
 UNION
 P O BOX 25708
 DALLAS, TX 75225-0708

DATE OF CERTIFICATE: 03-11-2000

Property Level Description:

Property Location:
 2430 SHORECREST DR DA

BLK 5773
 BLK 5773 AC 1.2257 6400 SQ FT
 901 2000066/7041 DE03312000 CO-DC
 3773-000 003

Property Class: Other

TAXING JURISDICTIONS INCLUDED IN THIS TAX CERTIFICATE:

- DALLAS CITY
- DAL CNTY
- SOH EQUAL
- COLL DIST
- DALLAS ISD
- HOSP DIST

This is to certify that, after a careful check of the tax records of this office, (check appropriate box below)

..... the property described above is found to be and is so certified that said records show all taxes, interest, penalties and costs are paid in full to and including the year 2001.

..... the attached delinquent taxes, penalties and interest are due on the above described property, as of date (month) shown above. Penalties and interest increase each month thereafter.

* This Tax Certificate does not cover any changes made to the Tax Rolls or Records subsequent to the date of the certificate, which may result in additional tax liability for this account. *

Signature of Authorized Officer
 of Collecting Office

202048 00080



Requested by: 09/11/2002



DALLAS COUNTY TAX OFFICE
DAVID CHILDS, TAX ASSESSOR/COLLECTOR
RECORDS BUILDING PHONE: 214-663-7811
DALLAS, TEXAS 76202-3304

TAX CERTIFICATE

Owner Name and Address:

Account Number: 00000421274000000

SOUTHWEST AIR LINE CREDIT
UNION
P O BOX 35708
DALLAS, TX 75228-0708

DATE OF CERTIFICATE: 09-11-2002

Property Location:
3410 SHORECREST

INC. OR

Property Legal Description:
BLK 8777
LT 1 DCS 0,9993
VCL20000347594) DBD-212000 CO-DC
3772 000 002

Property Class: Other

TAXING JURISDICTIONS INCLUDED IN THIS TAX CERTIFICATE:

- DALLAS CTY
- DAL CITY
- SCH EQUAL
- COLL DIST
- DALLAS ISD
- HOSP DIST

This is to certify that, after a careful check of the tax records of this office, (check appropriate box below)

the property described above is found to be and is so certified that said records show all taxes, interest, penalty and costs are paid in full to and including the year 2001.

the attached delinquent taxes, penalties and interest are due on the above described property, as of date (month) shown above. Penalties and interest increase each month thereafter.

* This Tax Certificate does not cover any changes made to the Tax Rolls or Records subsequent to the date of the certificate, which may result in additional tax liability for this account, as

Signature of Authorized Officer: 00048 00081
of Collecting Office



1743855



LEGEND:
 1743855 - ADDITION TO
 C.R. - CORNER POINT
 NO DISTRICT ORANGE WILL BE ADDED
 BASE OF RECORDS: EAST LINE OF SOUTHWEST AIRLINES PHASE I
 RECORDED IN VOL. 79253 PAGE 2124

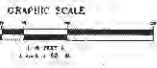
OWNER'S CERTIFICATION

OWNER'S DECLARATION

STATE OF TEXAS
 COUNTY OF DALLAS

ANDREW SOUTHWEST AIRLINES PHASE I, INC. (SNAIPI), a corporation organized under the laws of the State of Texas, is the owner of the property described in the plat hereunder, and it is the intent of the undersigned owner to convey the property described in the plat hereunder to the City of Dallas, Texas, for the use and purposes stated in the plat hereunder.

AND THE SNAIPI HEREBY CERTIFIES THAT THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED IS SUBJECT TO THE EASEMENTS AND RIGHTS OF THE CITY OF DALLAS, TEXAS, AS DESCRIBED IN THE PLAT HEREBY FILED, AND THAT THE SNAIPI HEREBY AGREES TO CONVEY THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED TO THE CITY OF DALLAS, TEXAS, FOR THE USE AND PURPOSES STATED IN THE PLAT HEREBY FILED. THE SNAIPI HEREBY AGREES TO WAIVE ANY CLAIM OR INTEREST IN THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED, AND TO WAIVE ANY RIGHT TO REDEEM OR REDEMPTION OF THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED. THE SNAIPI HEREBY AGREES TO WAIVE ANY RIGHT TO REDEEM OR REDEMPTION OF THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED, AND TO WAIVE ANY RIGHT TO REDEEM OR REDEMPTION OF THE PROPERTY DESCRIBED IN THE PLAT HEREBY FILED.



OWNER'S CERTIFICATION

ANDREW SOUTHWEST AIRLINES PHASE I, INC. (SNAIPI), a corporation organized under the laws of the State of Texas, is the owner of the property described in the plat hereunder, and it is the intent of the undersigned owner to convey the property described in the plat hereunder to the City of Dallas, Texas, for the use and purposes stated in the plat hereunder.

**STATE OF TEXAS
 COUNTY OF DALLAS**

Before me, the undersigned, a Notary Public in and for said County and State, on the day personally appeared ANDREW SOUTHWEST AIRLINES PHASE I, INC. (SNAIPI), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, and in the capacity therein stated. GIVEN UNDER MY HAND AT DALLAS, TEXAS, THIS 23rd day of February, 2007.

Notary Seal

STATE OF TEXAS
 COUNTY OF DALLAS

Before me, the undersigned, a Notary Public in and for said County and State, on the day personally appeared ANDREW SOUTHWEST AIRLINES PHASE I, INC. (SNAIPI), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, and in the capacity therein stated. GIVEN UNDER MY HAND AT DALLAS, TEXAS, THIS 23rd day of February, 2007.

Notary Seal



**FINAL PLAT
 SOUTHWEST AIRLINES PHASE I
 LOT 3, BLOCK 1/5773**

AN ADDITION TO THE CITY OF DALLAS, TEXAS
 SITUATED IN THE DICKERSON PARKER SURVEY
 ABSTRACT NO. 1113
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 CITY PLAN FILE NO. 5990-302

OWNER: SOUTHWEST AIRLINES PHASE I, INC.
FILED: FEBRUARY 23, 2007
DALLAS: 12:30 PM '07
COMMISSIONER: C. L. O'CONNOR

REGISTERED: 12:30 PM '07
BOOK: 5792-2285
PAGE: 252-252

2008

2008-01-01

Ben White

2008-01-01

Ben White

Ben White

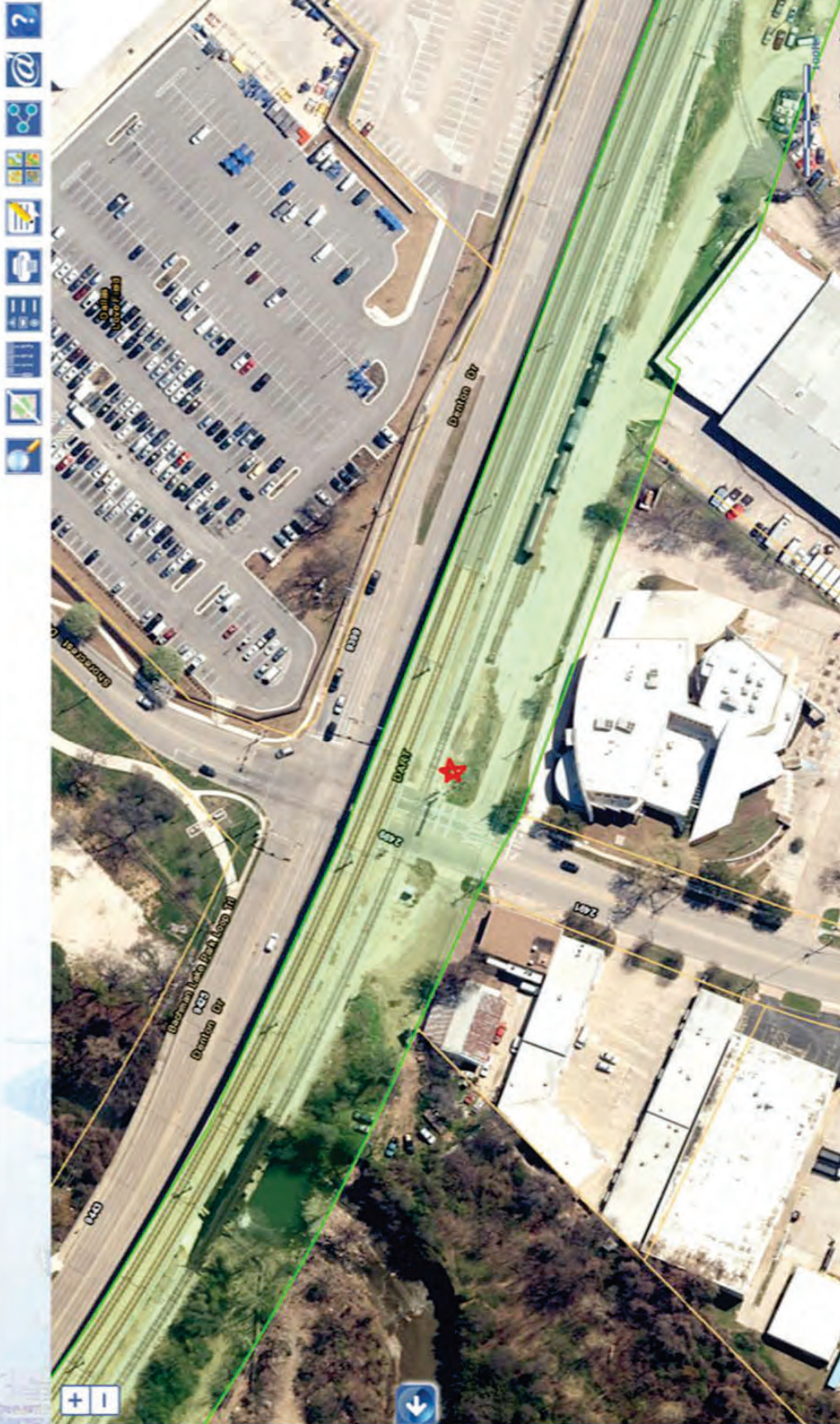
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2008-01-01



Search by: Account/Prop Addr/Owner Name

Search

999999 NO NAME ST

Parcel ID: 00DALLAS646APT0460
 Account Number: 00DARTGREG000600
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: HB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Tax ID: 0163
 Certified: Yes
 Improvement Values: N/A
 Land Value: \$ 1,537,760
 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Trenton Robertson

From: Trenton Robertson
Sent: Friday, May 6, 2022 11:01 AM
To: 'DWULiens'
Subject: RE: No Liens Letter for DART

That address was issued by the City of Dallas, and that is the only CAD number assigned to the property. I will see if they will accept my application without a letter. Thank you.

Fiwx\$7ikevhw\$



Xvirxsr\$7sfiwvwr\$ENGT\$
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q ewdvtjrxl|ew2jsq | jefvfevq mwivzqizsq

From: Smith, Delores <delores.smith@dallascityhall.com> **On Behalf Of** DWULiens
Sent: Friday, May 6, 2022 10:36 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: No Liens Letter for DART

Hello,

I don't see any liens on that stretch , but to get a no lien letter I would need a physical address and a good DCAD number.



Delores Smith
Supervisor - Office
City of Dallas | DallasCityNews.net
Dallas Water Utilities – Special Collections
1500 Marilla 2DS
Dallas, TX 75201
O: 214.670-3201 | F: 214.670.0774
delores.smith@dallascityhall.com



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From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, May 5, 2022 11:31 AM

To: DWULiens <DWULiens@dallascityhall.com>

Subject: RE: No Liens Letter for DART

External Email!

It's DART ROW. I don't have anything else that I can provide. I assume there are no liens since it ROW and it's a government entity.

[Fivw\\$/ikevhw0\\$](#)



[Xvirxsr\\$/sfivwsr0\\$EMGT\\$](#)
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6645\$Q emr\$Wx2\$Wymd.\$6<40\$Hepew0X\,\$9645\$
[q ewxvtjpxi |ew2sq](#) | [@fevfetivq mwivzqi2sq](#)

From: Smith, Delores <delores.smith@dallascityhall.com> On Behalf Of DWULiens

Sent: Thursday, May 5, 2022 11:30 AM

To: Trenton Robertson <troberson@masterplantexas.com>

Subject: RE: No Liens Letter for DART

We cannot locate this address anywhere in our system, is there any other way that we will be able to pull it up?



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From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Wednesday, May 4, 2022 12:18 PM

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Subject: RE: No Liens Letter for DART

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Xvirxsr\$/vsfiwwsr\$ENGT\$
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Sent: Wednesday, May 4, 2022 12:02 PM
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Yes, I did see the map but no indication of what the address is, we can try to use temporary address to see if that works



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External Email!

By chance did you see the map that was attached. We just barely received the new temporary address. Would this work for you?

Fiwx\$Vikevhw\$



Xvirxsr\$/sfiwvwr\$ENGTS
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I\$wsfiwvwrD q ewdvt@rxi | ew2gsq \$
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We cannot print a no lien letter with out an address, we would need to know where we are saying that there is no lien .



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From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, May 3, 2022 7:58 PM
To: DWULiens <DWULiens@dallascityhall.com>
Subject: No Liens Letter for DART

External Email!

Good evening,
Can you please provide to me a “No Liens Letter” for a board of adjustment case. There is no address listed in DCAD, but the DCAD Commercial Account No. is: **00DARTDGNERRDDA00**. I’ve attached a map showing the precise location. Please let me know if you need anything else from me. I really appreciate your help. Thank you.

Fiw\$/ikevhw\$

Trenton Robertson

From: Victor Olivo <victor.olivo@dallascityhall.com>
Sent: Tuesday, May 3, 2022 4:18 PM
To: Trenton Robertson
Cc: Hartnett, Bailey
Subject: RE: Address needed for a Board of Adjustment Case
Attachments: Shorecrest Location.png

Good afternoon,

The address is **2436 Shorecrest Dr**
It is live and available for permitting.

Best,



Victor Olivo
Address Coordinator
City of Dallas | DallasCityNews.net
Development Services
320 E Jefferson Blvd RM 115
Dallas, TX 75201
O: 214-948-4210
victor.olivo@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, May 3, 2022 3:59 PM
To: Victor Olivo <victor.olivo@dallascityhall.com>; Hartnett, Bailey <bailey.hartnett@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Matthew Lannon <MLannon@dart.org>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: Address needed for a Board of Adjustment Case
Importance: High

External Email!

Good afternoon,

I was told to reach out to you about obtaining an address for a property with no structures on it. We are trying to relocate a sign into the DART right-of-way. As part of our application requirements, it requires an address. Is there any way you can assist me? I've attached an image of where the sign will be approximately located. Thank you.

Fiw\$Vikevhw\$



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA _____

Data Relative to Subject Property:

Date: 5/2/2022

Location address: 2436 Shorecrest Dr. Zoning District: IR

Lot No.: NA Block No.: NA Acreage: NA Census Tract: NA

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): DART

Applicant: Trenton Robertson Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

Represented by: Trenton Robertson Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

Affirm that an appeal has been made for a Variance __, or Special Exception __, of _____

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative officials" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307 and Section 51A.7.307(d)(3).

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 proposed request is in line and is consistent with the rules and regulations set forth in Section 51A-7.307(d)(3) of the ordinance. The existing sign will be relocated from its previous location within the DART ROW on Coit Road to a portion of DART ROW on Shorecrest Drive. Due to DART not being able to find a suitable location within 500' of the original sign location, another location within the DART ROW off Shorecrest Drive was selected.

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 Trenton Robertson (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 4 day of May, 2022

(Rev. 08-01-11)



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



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA _____

Data Relative to Subject Property:

Date: 5/2/2022

Location address: 2436 Shorecrest Dr. Zoning District: IR

Lot No.: NA Block No.: NA Acreage: NA Census Tract: NA

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Affidavit

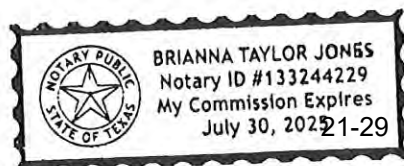
Before me the undersigned on this day personally appeared Trenton Robertson (Affiant/Applicant's name printed)

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(Rev. 08-01-11)



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



Posting of Notification Sign

Address: 2436 Shorecrest Drive

Appeal Number: BDA _____

All required notification signs must be posted on the property within fourteen (14) days after an application has been made, prior to the Board of Adjustment Hearing, and not be removed until the hearing ends.

The sign must be posted at a prominent location adjacent to the public street, evenly spaced along each frontage, and easily visible from the street. Failure to properly post the sign(s) may result in either a postponement or denial of the appeal.

All required notification signs have been received. One sign is required for each 500 feet or less of frontage, or every tract of five (5) acres or less, with a maximum of five (5) signs required. The cost of each sign is \$10.00.

Footage of each street frontage: _____

Number of acres: _____

Number of signs received: _____

Signature of applicant or person receiving signs

5/4/22

Date



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA _____

I, Dallas Area Rapid Transit, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: See attached map
(Address of property as stated on application)

Authorize: Masterplan
(Applicant's name as stated on application)

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

- _____ Variance (specify below)
- _____ Special Exception (specify below)
- Other Appeal (specify below)

Specify: Appeal administrative officials decision regarding the denial of the relocation of a billboard.

Bonnie Murphy, VP Commuter Rail & Railroad Management
Print name of property owner or registered agent

Bonnie Murphy
Signature of property owner or registered agent

Date 4/28/2022

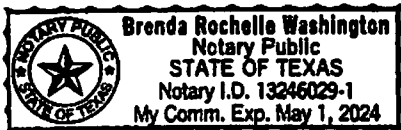
Before me, the undersigned, on this day personally appeared Bonnie Murphy

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

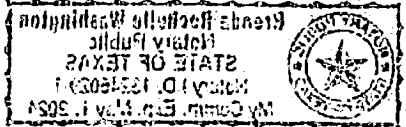
Subscribed and sworn to before me this 28th day of April, 2022

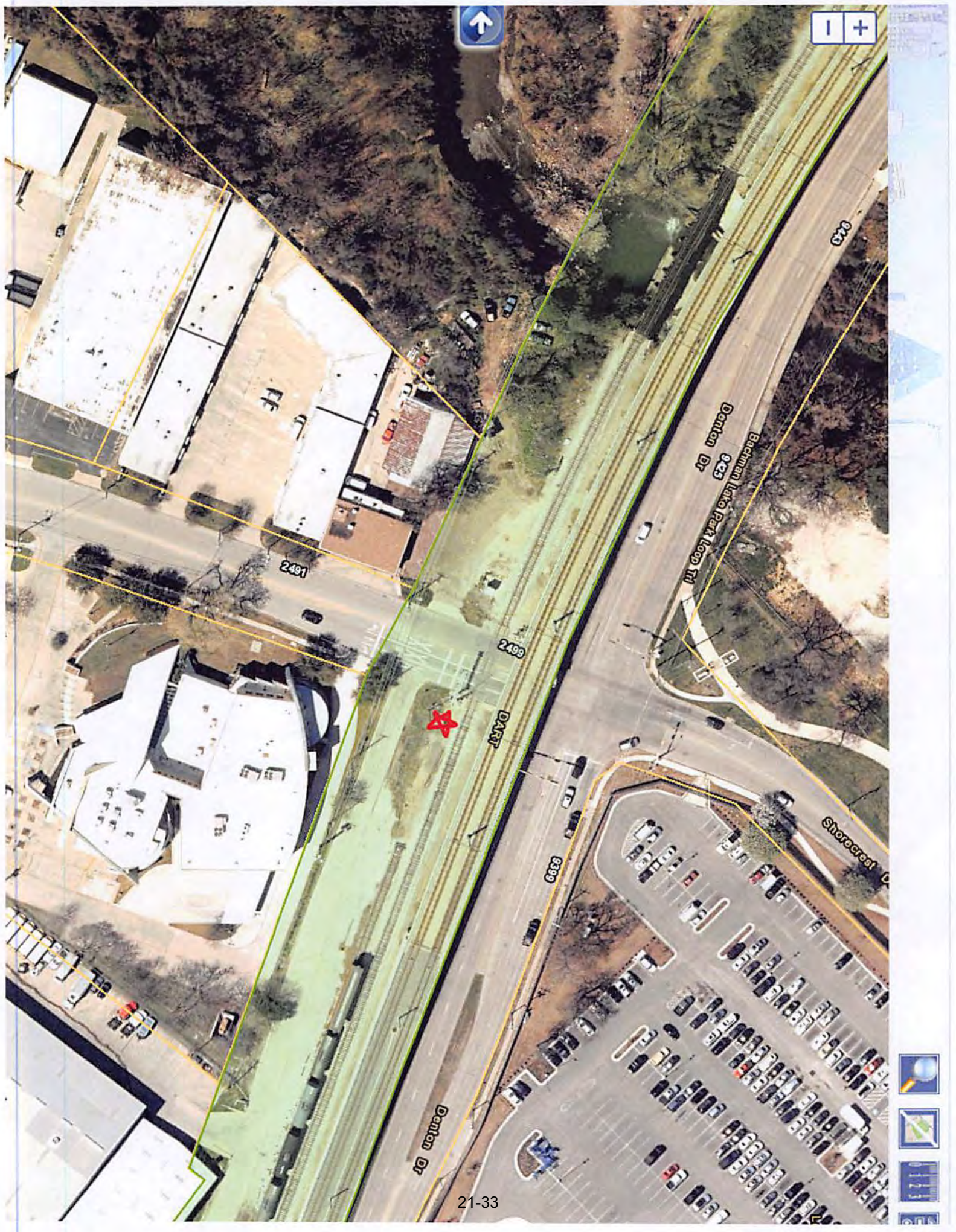
Brenda Rochelle Washington
Notary Public for Dallas County, Texas

Commission expires on May 1, 2024



[Faint, illegible text and markings covering the majority of the page, possibly bleed-through from the reverse side.]







AFFIDAVIT

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(Owner or "Grantee" of property as it appears on the Warranty Deed)

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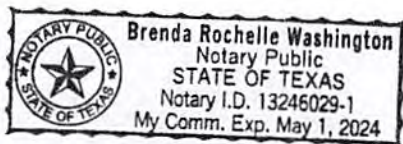
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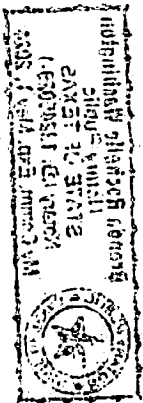
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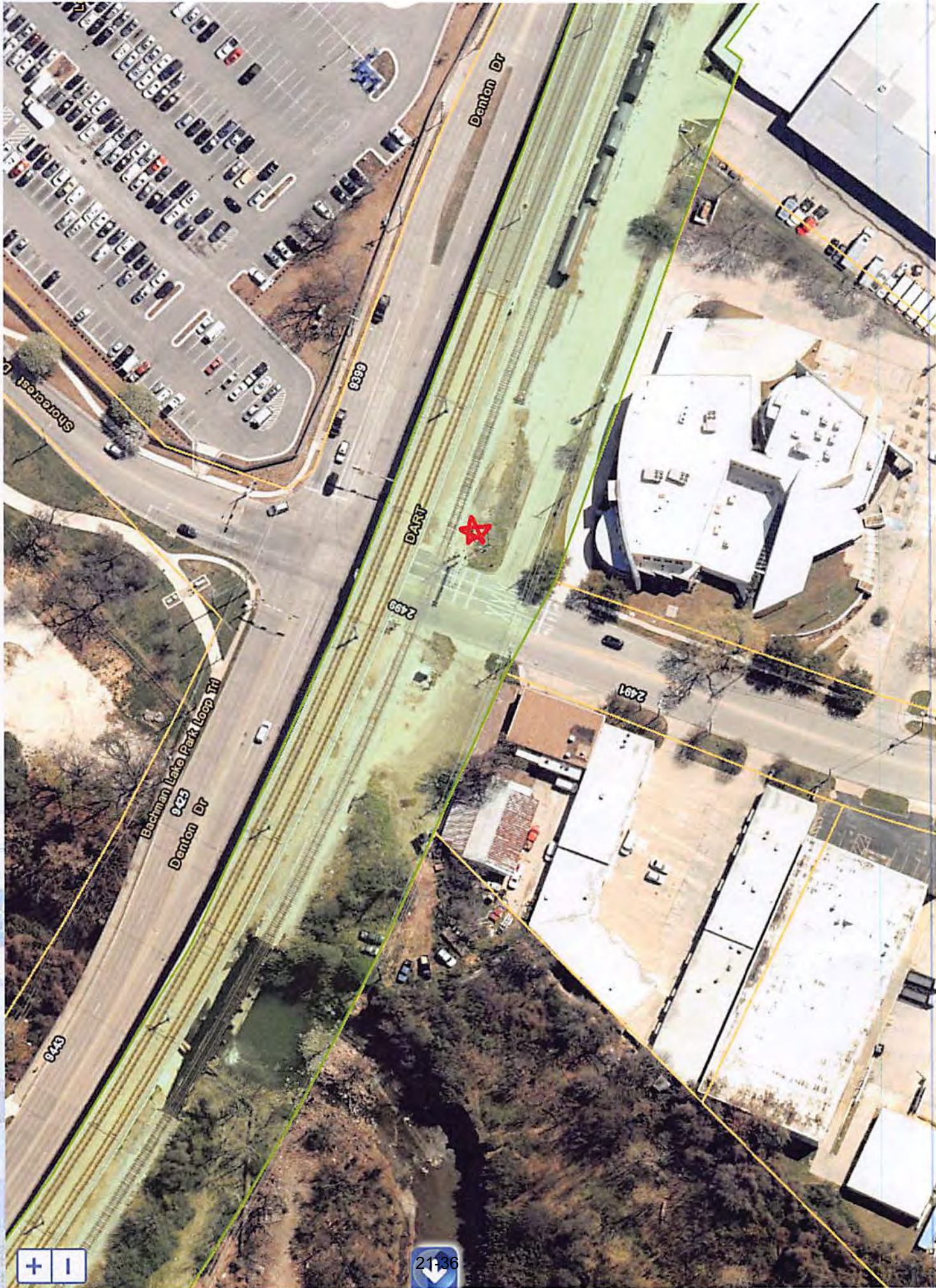
Brenda Rochelle Washington
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Handwritten notes:
Missouri
St. Louis
May 1 1900
P. M.



Storage

Denton Dr

8399

DART

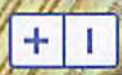
2499

Beckman Lake Park Loop Trl
923
Denton Dr

2491

FF

843



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Sent: Tuesday, May 3, 2022 3:59 PM
To: Victor Olivo <victor.olivo@dallascityhall.com>; Hartnett, Bailey <bailey.hartnett@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Matthew Lannon <MLannon@dart.org>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: Address needed for a Board of Adjustment Case
Importance: High

External Email!

Good afternoon,

I was told to reach out to you about obtaining an address for a property with no structures on it. We are trying to relocate a sign into the DART right-of-way. As part of our application requirements, it requires an address. Is there any way you can assist me? I've attached an image of where the sign will be approximately located. Thank you.

[Fiv\\$Vikevhw\\$](#)



Search by: Account/Prop Addr/Owner Name

Search

999999 NO NAME ST

Parcel ID: 00DALAREARPTDA00
 Account Number: 00DARTDGNERRDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property Jurisdiction



21-43





CITY OF DALLAS

April 27, 2022

Mr. Benjamin Ralston
2220 Shorecrest Dr
Dallas, TX 75235

RE: Denial of the relocation assemble permit for the relocation of the non-premise sign previously located at 17809 Coit, in connection with relocation demolition permit number 2103094002, to relocate to any location outside of the same railroad right-of-way.

Dear Mr. Ralston:

This letter is to inform you that the relocation assemble permit portion for the relocation of the non-premise sign formerly at 17809 Coit in connection with relocation demolition permit portion number 2103094002 is hereby denied due to the proposed relocation sites being outside the Cotton Belt/Silver Line railroad right-of-way.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Any proposed site that is not located within the same railroad right-of-way does not meet the code requirement.

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703 and 51A-7.703(e) of the Dallas Development Code before the 20th day after written notice of the above action. If you have any questions, please contact me at 214-671-1768.

Sincerely,

Jason Pool
Southwest District Sign Inspector
Development Services

cc: William Munding, Executive in Residence
Vernon Young, Assistant Director
David Session, CBO, Interim Building Official
Tammy Palomino, First Assistant City Attorney
Megan Wimer, Assistant Building Official
Sarah May, Chief Planner, Zoning
Michael Martin, Sr. Sign Inspector

Sustainable Development and Construction Department - Building Inspection - 320 E. Jefferson Blvd., Rm. 204 - (214) 948-4320



DALLAS COUNTY
 COUNTY CLERK
 EARL BULLOCK

PLAT MAP RECORDING SHEET

INSTRUMENT #

1743855

03/11/02 3126309 \$66.00
 Maps

SUBDIVISION NAME: Final Plat: Southwest Airlines
Phase I, Lot 3, Block 1/5773 City
of Dallas

Owner - Southwest Airlines Employee PCU
 RTO PTE Engineers, Inc
 8150 Brookriver Drive
 Ste S-700
 DALLAS, TX 75247

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is hereby void and unenforceable under Federal Law.
 STATE OF TEXAS
 I hereby certify this instrument was filed on the date and time stamped herein by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped herein by me.

FILE DATE



MAR 11 2002



Earl Bullock
 COUNTY CLERK, Dallas County, Texas

VOLUME & PAGE OF RECORDED
 PLAT MAP



2002 48 00079

DALLAS COUNTY
 COUNTY CLERK
 EARL BULLOCK
 2002 MAR 11 PM 3:33
 FILED

Records Building

(214) 653-7131



DALLAS COUNTY TAX OFFICE
 DAVID CHILDS, TAX ASSESSOR/COLLECTOR
 RECORDS BUILDING PHONE: 214-663-7811
 DALLAS, TEXAS 75202-9304

TAX CERTIFICATE

Owner Name and Address:

Account Number: 0000043197700000

SOUTHWEST AIRLINES CREDIT
 UNION
 P O BOX 25708
 DALLAS, TX 75225-0708

DATE OF CERTIFICATE: 03-11-2000

Property Level Description:

Property Location:
 2430 SHORECREST DR DA

BLK 5773
 BLK 5773 AC 1.2257 6400 SQ FT
 001 2000066/7041 DB03312000 CO-DC
 3773-000 003

Property Class: Other

TAXING JURISDICTIONS INCLUDED IN THIS TAX CERTIFICATE:

DALLAS CITY
 DAL CNTY
 SCH EQUAL
 COLL DIST
 DALLAS ISD
 HOSP DIST

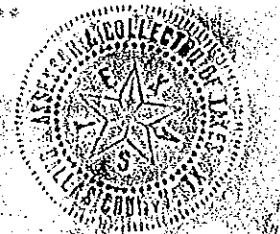
This is to certify that, after a careful check of the tax records of this office, (check appropriate box below)

..... the property described above is found to be and is so certified that said records show all taxes, interest, penalties and costs are paid in full to and including the year 2001.

..... the attached delinquent taxes, penalties and interest are due on the above described property, as of date (month) shown above. Penalties and interest increase each month thereafter.

** This Tax Certificate does not cover any changes made to the Tax Rolls or Records subsequent to the date of the certificate, which may result in additional tax liability for this account. **

David Childs



Signature of Authorized Officer
 of Collecting Office

202048 00080

Requested by: DWP



DALLAS COUNTY TAX OFFICE
DAVID CHILDS, TAX ASSESSOR/COLLECTOR
RECORDS BUILDING PHONE: 214-663-7811
DALLAS, TEXAS 76202-3304

TAX CERTIFICATE

Owner Name and Address:

Account Number: 00000421274000000

SOUTHWEST AIR LINE CREDIT
UNION
P O BOX 35708
DALLAS, TX 75225-0708

DATE OF CERTIFICATE: 03-11-2002

Property Local Description:

Property Location:
2410 SHORECREST

INC GA

BLK 5772
LT 1 DCS 0.9993
VCL2000064/594) DB0.212000 CO-DC
5772 000 002

Property Class: Other

TAXING JURISDICTIONS INCLUDED IN THIS TAX CERTIFICATE:

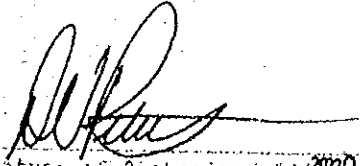
- DALLAS CTY.
- DAL CNTY
- SCH EQUAL
- COLL DIST
- DALLAS ISD
- HOSP DIST

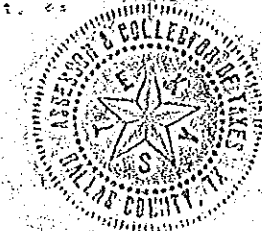
This is to certify that, after a careful check of the tax records of this office, (check appropriate box below)

the property described above is found to be and is so certified that said records show all taxes, interest, penalty and costs are paid in full to and including the year 2001.

the attached delinquent taxes, penalties and interest are due on the above described property, as of date (month) shown above. Penalties and interest increase each month thereafter.

* This Tax Certificate does not cover any changes made to the Tax Rolls or Records subsequent to the date of the certificate, which may result in additional tax liability for this account. *

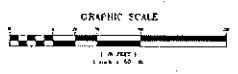
Signature of Authorized Officer:  20048 00081
of Collecting Office



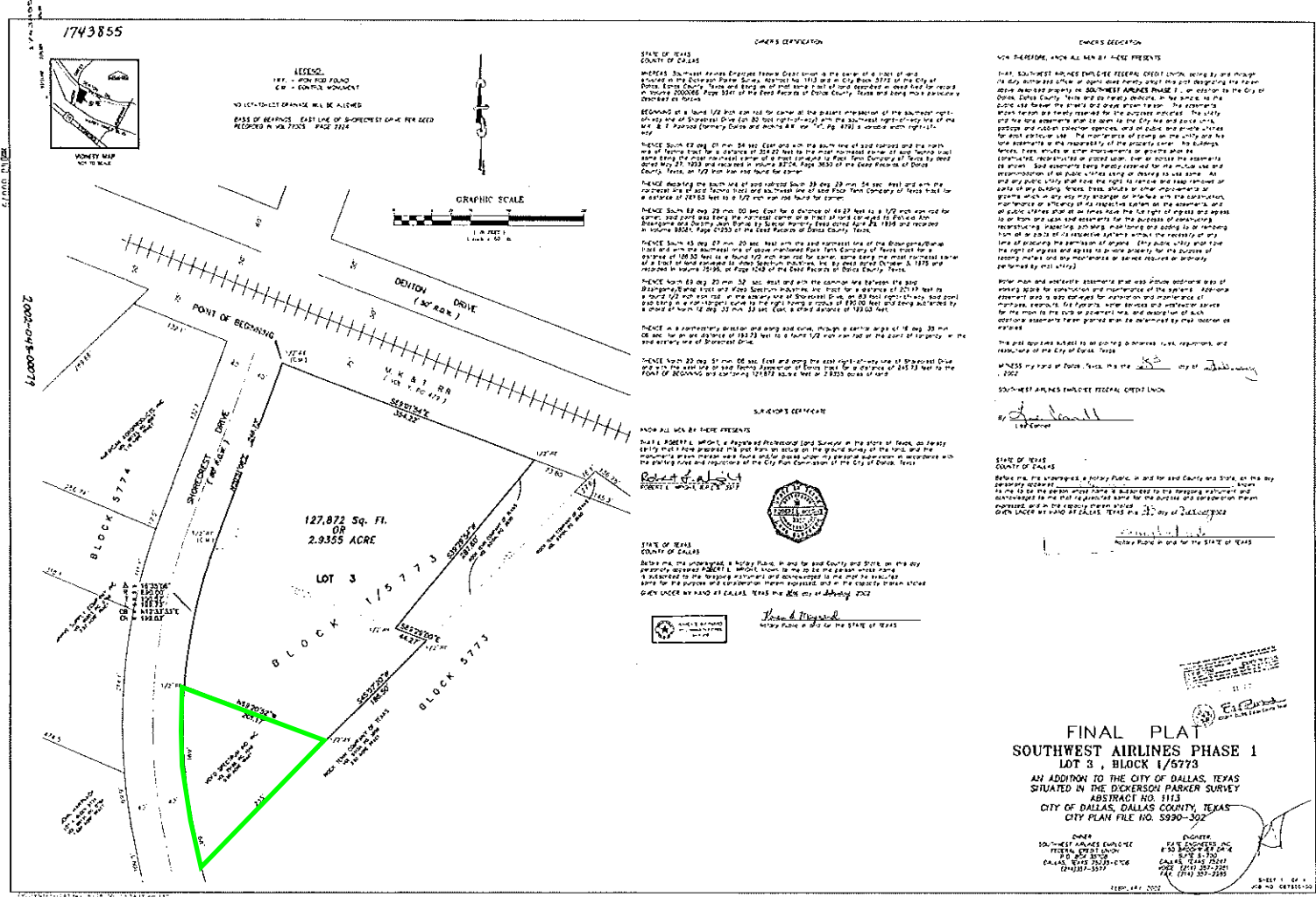
1743855



NOTICE: NO LOT-TO-LOT GRANTING WILL BE ALLOWED. BASE OF BEARING: EAST LINE OF SOUTHWEST AIR LINE USED RECORDED IN VOL. 7103, PAGE 2124.



2002-0418-00073



OWNER'S CERTIFICATION: I, JAMES EARL BRADY, JR., being duly sworn, depose and say that the above described property is my own property... I have not been convicted of a crime involving moral turpitude...

OWNER'S DECLARATION: I, JAMES EARL BRADY, JR., being duly sworn, depose and say that I am the owner of the above described property... I have not been convicted of a crime involving moral turpitude...

SUBSCRIBER'S CERTIFICATION: I, JAMES EARL BRADY, JR., being duly sworn, depose and say that I am the owner of the above described property... I have not been convicted of a crime involving moral turpitude...

STATE OF TEXAS COUNTY OF DALLAS: Before me, the undersigned a Notary Public, in and for said County and State, on the day hereinafter specified... I have caused this plat to be published in the Dallas Morning News...



FINAL PLAT SOUTHWEST AIRLINES PHASE 1 LOT 3, BLOCK 1/5773 AN ADDITION TO THE CITY OF DALLAS, TEXAS SITUATED IN THE DICKERSON PARKER SURVEY ABSTRACT NO. 3113 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY PLAN FILE NO. 5990-302

10008

10008

Bruce Weber

200 July
200 August

Bruce Weber

July

2001-018-0077

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10008



Search by: Account/Prop Addr/Owner Name

Search

999999 NO NAME ST

Parcel ID: 00DALAREARAPDA00
 Account Number: 00DARTIDGNERBDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property Jurisdiction





J. ALLEN SMITH ATTORNEY
ASMITH@SETTLEPOU.COM
BOARD CERTIFIED CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION
3333 LEE PARKWAY
EIGHTH FLOOR
DALLAS, TX 75219
214.520.3300 main
800.538.4661 toll free
214.526.4145 fax

April 12, 2022

Via Email to: att.frontdesk@dallascityhall.com
Via Fax to: 214-670-3519 and
Via CM/RRR No. 9414 7266 9904 2183 2445 80

Christopher J. Caso, Esq.
City Attorney
1500 Marilla Street, Room 7DN
Dallas, Texas 75201

Re: Application to relocate Ralston billboard at 15602 Dallas Parkway

Dear Mr. Caso:

My client, Ralston Outdoor (“Ralston”), must relocate its sign at 15602 Dallas Parkway (the “Sign”) because the current location conflicts with DART construction.

Section 51A-7.307 of the Dallas Sign Code is titled Relocation of Certain Detached Non-Premise Signs, and subsection (b) requires the sign owner to submit to the City a “**relocation application**” within one year *after* the sign is actually removed.” Here, Ralston removed the Sign on April 28, 2021, so Ralston must submit the relocation application by April 28, 2022. To date, the City refuses to even *receive* Ralston’s relocation application because the City’s sign inspector does not approve of the proposed relocation spot. In fact, the sign inspector told Ralston’s consultant, Masterplan, that **there is no relocation application to submit** if the City disapproves of the proposed relocation spot.

We disagree with the sign inspector’s position regarding the proposed location, but we are **most concerned with the City’s position that we cannot even submit an application—even one destined for denial—unless the City first approves of the proposed relocation.** This untenable position forces Ralston to either seek mandamus to force the City to *receive and consider* Ralston’s application, or lose its right to do anything—including appeal the City’s decision to the board of adjustment—after April 28, 2022. So long as the City refuses to receive the application, there is no decision to appeal. To be clear, Masterplan tried to submit a relocation application but the City sign inspector refused to receive it. A true copy of email correspondence between Masterplan and the City of Dallas is attached here as exhibit B.

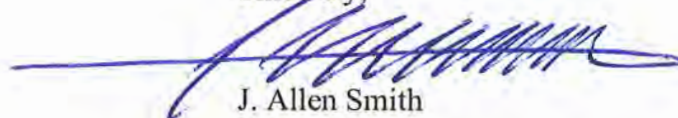
Time is of the essence, and we hereby tender to the City of Dallas the relocation application attached to this letter as exhibit A. Please take the appropriate action to consider the application and send us the City's decision after its consideration.

Please let us know if the City requires any additional or different paperwork or documentation to complete the relocation application. If the City denies the application, then Ralston will be able to appeal to the board of adjustment, who will decide as it deems appropriate.

We prepared the memorandum attached as exhibit C regarding the specific underlying Code provisions for relocating a sign outside of the remainder when the remainder is insufficient for relocation. We are glad to discuss our position in more detail, but our chief concern now is preserving Ralston's ability to present the position at all, regardless of the City or board of adjustment's ultimate decision.

I look forward to hearing from you. As emphasized above, time is of the essence.

Sincerely,


J. Allen Smith

JAS/tg
Enclosures

cc: Mr. Michael Martin, Chief Sign Inspector (Via Email: Michael.martin2@dallascityhall.com)
Kiesha Kay (Via Email: kiesha@masterplantexas.com)
Dallas Cothrum (Via Email: dallas@masterplantexas.com)



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-7210
(214) 749-2917

January 14, 2022

Mr. Michael Martin
Chief Sign Inspector
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Subject: Ralston Billboards at 15602 Dallas Pkwy & 17809 Coit Rd

Dear Mr. Martin:

DART had requested Ralston Outdoor to relocate their billboards located at 15602 Dallas Pkwy and 17809 Coit Rd due to a conflict in the DART owned corridor arising from the pending construction of DART Silver Line Commuter Rail project. DART was able to find a suitable relocation on DART corridor for the 17809 Coit Rd signboard.

However, we have exhausted efforts to find a suitable location on DART corridor for the 15602 Dallas Pkwy signboard. Despite countless efforts it is our determination Ralston Outdoor should seek relocation elsewhere within the City of Dallas. I am writing with the hope they will be accommodated with other available options within the city of Dallas.

Sincerely,

A handwritten signature in blue ink, appearing to read "MWL", with a horizontal line extending to the right.

Matt Lannon
Senior Manager, Railroad Management

c: Ben Ralston, President, Ralston Outdoor



From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Friday, April 8, 2022 12:43 PM
To: Kiesha Kay
Subject: RE: Billboard Relocation

You are correct.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



Links: [Sign Ordinance](#) | [Zoning & Sign Charts](#) | [Zoning Map](#) | [Chapter 51P \(PDs\)](#) | [Online Permits](#)

****ONLINE PERMITTING:** *As of April 1st, 2020 all sign permits **must** be submitted through our online electronic plan submittal & review system. You can create an account and access the website at <https://plansubmittal.dallascityhall.com/>. Please see links below for our quick reference guides to [creating an account](#), [submitting an application](#), [managing your projects](#), & [upload requirements](#) ***

*****OPEN RECORDS NOTICE:** *This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.****

From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Friday, April 8, 2022 12:42 PM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Billboard Relocation

External Email!

Jason,

You may have already received this information, if so my apologies.

The relocation address for 15602 Dallas Pkwy is 9109 John Carpenter. This address is not being accepted because it is not on the Cotton Belt Line, correct?



You are asking me to submit another address other than John Carpenter, correct?

Thank you,



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q ewdvtperxi |ew2sq \$

From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Friday, April 8, 2022 8:16 AM
To: Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Billboard Relocation

If you like, however we do not need any new applications. We already have (2) for the same sign. We just need a valid site to put the sign on that the ordinance allows for. You can just send the location, if you like and I will approve.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Development Services
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



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From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Thursday, April 7, 2022 7:24 PM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Billboard Relocation

External Email!

Jason,

On the permit applications for the proposed relocation site do I enter SF and cost on the permit application?

Thankyou,



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Q \$581;=415;4; \$ \$581; :51=5=; \$
6645\$Q enr\$W\$Wymd.\$6<40HegewX\ \$ 9645\$
q ewdvtperxi |ew2sq \$

From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Thursday, April 7, 2022 12:12 PM
To: Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Billboard Relocation

Yes, both had fees paid. These permits are a little different since they are two part. One is a dismantle and once the dismantle is completed and a new address is entered into that permit, a new permit issues with a new number for the assemble portion of the new sign.

Essentially, everything is going to hinge on when the sign was removed. Applicants get 2 years from that date to get the new sign completed. A new site (that can be approved) must be submitted within one year of when the sign is removed must be received, then within the second year the new sign must be completed. Currently we are within the 1 year of the old sign being removed period. We need an approvable new site by 4/28/22. Once we receive that, we can issue the assemble portion of the relocation and the applicant will have one year to complete the assembly portion of the sign.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



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From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Thursday, April 7, 2022 12:05 PM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Billboard Relocation

External Email!

Were permit fees paid on either of these?

Do I enter SF and cost on the permit application?

Thanks again,



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Q \$581;=415;4; \$ \$581; :51=5=; \$
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From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Thursday, April 7, 2022 12:03 PM
To: Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Billboard Relocation

Ben submitted one with no new site (site TBD). Santos brought one by with the new site address, but the new site is not a qualified location, since it is not on the same line or in the same right-of-way, so we still consider the application incomplete.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768

jason.pool@dallascityhall.com



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From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Thursday, April 7, 2022 12:01 PM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Billboard Relocation

External Email!

The new address for the demo at 15602 Dallas Pkwy is 9109 John Carpenter. Was this application submitted by Santos or Ben Ralston?

My apologies, I am trying to piece the puzzle together with what limited information I have.

Thanks,



Omwlwle\$De}\$
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I\$niwleD q ewxvtjpxi |ew2sq \$
Q \$581;=415;4; \$: \$581; :51=5=; \$
6645\$ emr\$Wx2\$Wymd.\$6<40\$Hepew\$X\ \$9645\$
q ewxvtjpxi |ew2sq \$

From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Thursday, April 7, 2022 11:59 AM
To: Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Billboard Relocation

Technically it has already been submitted, I just need the new address to complete it. Otherwise, it is just a general permit application. I have attached for your convenience.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



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From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Thursday, April 7, 2022 11:57 AM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Billboard Relocation

External Email!

Jason,

In preparation for meeting with Megan and Vernon, can you please send me the applicable application that needs to be submitted for this request?

Thank you,



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q ewdvtjpxi |ew2jsq \$

From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Wednesday, April 6, 2022 8:07 PM

To: Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Billboard Relocation

I met with Santos on Jan 28th at my office. It was just myself and him dropping off supplemental application material (the new relocation addresses) to complete the originals which were submitted by Ben Ralston last April. They were initially submitted on March 8, however, since he did not have a re-location site, I waited until the signs were removed to actually write the re-locations to allow more time to find a spot. I did mention that he had a year to submit them (complete the application) after the signs had been removed, but that in order to complete the application I would need the new valid location.

On both occasions I did discuss that the signs had to be located in the same ROW or on the same line.

Please let me know if you need anything else.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Development Services
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



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From: Kiesha Kay <kiesha@masterplantexas.com>

Sent: Wednesday, April 6, 2022 7:55 PM

To: Pool, Jason <jason.pool@dallascityhall.com>

Subject: RE: Billboard Relocation

External Email!

Jason,

Good evening. Do you remember the date you met with the applicant? Were there any other City employees in this meeting?

Thank you,



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From: Pool, Jason <jason.pool@dallascityhall.com>
Sent: Wednesday, April 6, 2022 3:26 PM
To: Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Billboard Relocation

Here is what I sent to the applicant recently on why we are unable to approve the new location for this re-location permit.

I am unable to approve anything beyond what the ordinance allows. In this case, there are only provisions for these signs to be re-located within the same railroad right-of-way, which has been interpreted to mean along the same line. Here is a link to that section of the code: [51A-7.307\(d\)\(3\)](#).

I would be happy to assist with a code amendment. Here is the application packet.

Both Megan and Vernon have been made aware of this, so they should be able to discuss with you as needed. Also, feel free to call me if you would like to discuss further.

Please let me know if you need anything else.

Thank you,
Jason Pool



Jason Pool
Sign Inspector – SW District
City of Dallas | DallasCityNews.net
Development Services
2730 Coombs Creek Dr.
Dallas, TX 75211
O: (214) 671-1768
jason.pool@dallascityhall.com



Links: [Sign Ordinance](#) | [Zoning & Sign Charts](#) | [Zoning Map](#) | [Chapter 51P \(PDs\)](#) | [Online Permits](#)

****ONLINE PERMITTING:** As of April 1st, 2020 all sign permits **must** be submitted through our online electronic plan submittal & review system. You can create an account and access the website at <https://plansubmittal.dallascityhall.com/>. Please see

links below for our quick reference guides to [creating an account](#), [submitting an application](#), [managing your projects](#), & [upload requirements](#) **

*****OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.*****

From: Kiesha Kay <kiesha@masterplantexas.com>
Sent: Wednesday, April 6, 2022 3:06 PM
To: Pool, Jason <jason.pool@dallascityhall.com>
Subject: FW: Billboard Relocation

External Email!

Jason,

Good afternoon. I am not sure if Mike is out of the office. Can you please review the email I sent him below and let me know how best to make this submittal?

Please let me know if you have any questions or need additional information.

Thank you,



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From: Kiesha Kay
Sent: Tuesday, April 5, 2022 2:09 PM
To: Martin, Michael <michael.martin2@dallascityhall.com>
Subject: Billboard Relocation

Mike,

Good afternoon. Can you please let me know what is needed to submit a billboard relocation?

The billboard at 15602 Dallas Pkwy was dismantled via 2103094001. The issue date of this permit was 04/28/2021. The proposal is to relocate this billboard to 9101 John Carpenter.

Do I submit this via PDox or submit hard copies to the office?

Thank you,

MEMORANDUM

Subject: Basis for relocating the Ralston Outdoor (“Ralston”) sign at 15602 Dallas Parkway (“Dallas Parkway Sign”) to property outside of the remainder and sign at 17809 Coit Rd. (“Coit Sign”) more than 500 feet away from the original location on the same railway right-of-way.

Date: April 7, 2022

Issue: Does the Dallas Sign Code (the “Code”) allow Ralston to relocate the Dallas Parkway Sign outside of the DART corridor and the Coit Sign to property more than 500 feet away from its original location within the DART corridor?

Answer: Yes

- a. **Sec. 51A-7.307 (d) of the Code is titled Relocation to Remainder.** For signs located on railroad right-of-ways, the “remainder” is the same railroad right-of-way.

According to Section 51A-7.307 (d)(1), *all relocated* signs must be relocated to the remainder unless

- (A) there is no remainder;
- (B) the sign owner is unable to obtain an agreement from the property owner on the remainder; *or*
- (C) the remainder is not sufficient or suitable.

When one of the conditions described in (A) through (C) occurs, a sign owner may relocate its sign to a place outside of the remainder subject to the restrictions imposed in Sec. 51A-7.307 (e), titled Restrictions on Relocations.

The City of Dallas is familiar with this procedure and previously allowed Ralston to relocate signs outside of the remainder when the remainder was insufficient for relocation. As DART explained to the City of Dallas, the remainder is not sufficient or suitable for relocating the Dallas Parkway Sign. There is, however, a sufficient place to relocate the Coit Sign on the same DART railroad right-of-way, but more than 500 feet from that sign’s original location.

Regarding signs located on a “railroad right-of-way,” Sec. 51A-7.307(d) (3) of the Code requires those signs to be relocated within 500 feet of the original location on the same railroad right-of-way *if possible*. But if there is no suitable relocation spot within 500 feet of the original location, the Code allows the owner to relocate more than 500 feet from the original location on the same railroad right-of-way. If, however, there is no suitable place to relocate *anywhere on the same railroad right-of-way*, then the sign owner is in the exact position addressed by Code Sec. 51A-7.307(d)(1)(C), where the remainder is not sufficient or sustainable for relocation.

- b. DART located a suitable location to relocate the Coit Sign on the same DART railroad right-of-way even though the new location is more than 500 feet from the original location.

On March 3, 2021, Matt Lannon who is a senior manager for DART Railroad Management sent correspondence to Michael Martin advising Mr. Martin that DART required Ralston to relocate the Coit Sign and the Dallas Parkway Sign due to a conflict with the pending DART construction. A true and correct copy of that correspondence is attached here as Exhibit 1.

Nearly a year later, on January 14, 2022, Mr. Lannon sent follow-up correspondence to Michael Martin stating that DART found a suitable relocation place for the Coit Sign on the DART corridor, but it could not locate a suitable place to relocate the Dallas Parkway Sign despite “countless” and “exhausted” efforts. A true copy of that correspondence is attached as Exhibit 2. The new spot for the Coit Sign is more than 500 feet from the original location, but—following the express provisions of the Code—it is located on the same railroad right-of-way—the DART Corridor.

- c. The remainder is not suitable or sufficient to allow relocation of the Dallas Parkway Sign on the same railroad right-of-way.

For at least 10 months, DART and Ralston worked to find a suitable relocation spot for the Dallas Parkway Sign on the same DART railroad right-of-way (first within 500 feet of the original location, and then anywhere on the same DART Corridor). Because DART exhausted all efforts to find a suitable place to relocate without success, DART advised Ralston to relocate “elsewhere within the City of Dallas,” and asked the City to accommodate Ralston in doing so.

Under the Code, a sign owner may relocate its sign outside of the remainder if the remainder is not suitable. When dealing with a sign on the railroad right-of-way, the “remainder” *is* the railroad right-of-way.

Unfortunately, there is simply no suitable place to relocate the Dallas Parkway Sign anywhere on the DART Corridor. As a result, relocating to the remainder is impossible and Ralston is in the exact situation described in 51A-7.307(d)(1)(C) of the Code and must be allowed to relocate its sign outside of the DART Corridor. Any other result is inconsistent with the letter of the Code and is otherwise untenable. Nothing in the Code, or any principal of equity, justifies treating the Dallas Parkway Sign differently than any of the numerous other signs where the City allowed relocation outside of the remainder under section 51A-7.307(d)(1)(C).



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, TX 75266-0163
214-749-3278

March 3, 2021

Michael Martin
Chief Sign Inspector
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Re: Ralston Billboards at 15602 Dallas Pkwy & 17809 Coit Rd

Dear Mr. Martin;

DART has requested Ralston Outdoor to relocate their billboard located at 15602 Dallas Pkwy and 17809 Coit Rd due to a conflict in the DART owned corridor arising from the pending construction of DART Silver Line Commuter Rail project. In an effort to facilitate the relocation of Ralston's signboards DART is working on finding suitable relocation sites within the DART owned corridor at a location within the city of Dallas. In the event a suitable location cannot be found on DART corridor, it is our hopes Ralston Outdoor might be accommodated with other available options within the city of Dallas.

Sincerely;

A handwritten signature in blue ink, appearing to read "M Lannon", with a long horizontal flourish extending to the right.

Matt Lannon
Senior Manager, Railroad Management





Dallas Area Rapid Transit
P.O. Box 660163
Dallas, Texas 75266-7210
(214) 749-2917

January 14, 2022

Mr. Michael Martin
Chief Sign Inspector
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Subject: Ralston Billboards at 15602 Dallas Pkwy & 17809 Coit Rd

Dear Mr. Martin:

DART had requested Ralston Outdoor to relocate their billboards located at 15602 Dallas Pkwy and 17809 Coit Rd due to a conflict in the DART owned corridor arising from the pending construction of DART Silver Line Commuter Rail project. DART was able to find a suitable relocation on DART corridor for the 17809 Coit Rd signboard.

However, we have exhausted efforts to find a suitable location on DART corridor for the 15602 Dallas Pkwy signboard. Despite countless efforts it is our determination Ralston Outdoor should seek relocation elsewhere within the City of Dallas. I am writing with the hope they will be accommodated with other available options within the city of Dallas.

Sincerely,

A handwritten signature in blue ink, appearing to read "ML", is written over a light blue circular background.

Matt Lannon
Senior Manager, Railroad Management

c: Ben Ralston, President, Ralston Outdoor



Trenton Robertson

From: Trenton Robertson
Sent: Tuesday, April 26, 2022 1:26 PM
To: diana.barkume@dallascityhall.com
Subject: FW: [External] Dart relocation
Attachments: BDA Affidavit_17809 Coit.pdf

Importance: High

Hey sorry for the bombardment of emails. I just wanted to make sure you saw that we were trying everything we can to obtain all of the documents you need for the Shorecrest Relocation sign. Have you heard anything about the process we will need to follow.

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From: Trenton Robertson
Sent: Tuesday, April 26, 2022 1:21 PM
To: Matthew Lannon <MLannon@dart.org>; Ben Ralston <ben@ralstonoutdoor.com>
Cc: Eshandra Cox <ECox@dart.org>; Tonya Ukeh <TUkeh@dart.org>; Kiesha Kay <Kiesha@masterplantexas.com>; diana.barkume@dallascityhall.com
Subject: RE: [External] Dart relocation
Importance: High

Matt,

Per our message here is the affidavit we need to wet signed copies. Hopefully, the city accepts this property with no address.

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From: Matthew Lannon <MLannon@dart.org>

Sent: Thursday, April 21, 2022 4:45 PM

To: Ben Ralston <ben@ralstonoutdoor.com>

Cc: Trenton Robertson <trobertson@masterplantexas.com>; Eshandra Cox <ECox@dart.org>; Tonya Ukeh <TUkeh@dart.org>

Subject: RE: [External] Dart relocation

Trenton,

Here is the parcel and location of the signboard via DCAD.



DCAD Property Map

Search by: **Account/Prop Addr/Owner Name** ▼

Search

999999 NO NAME ST

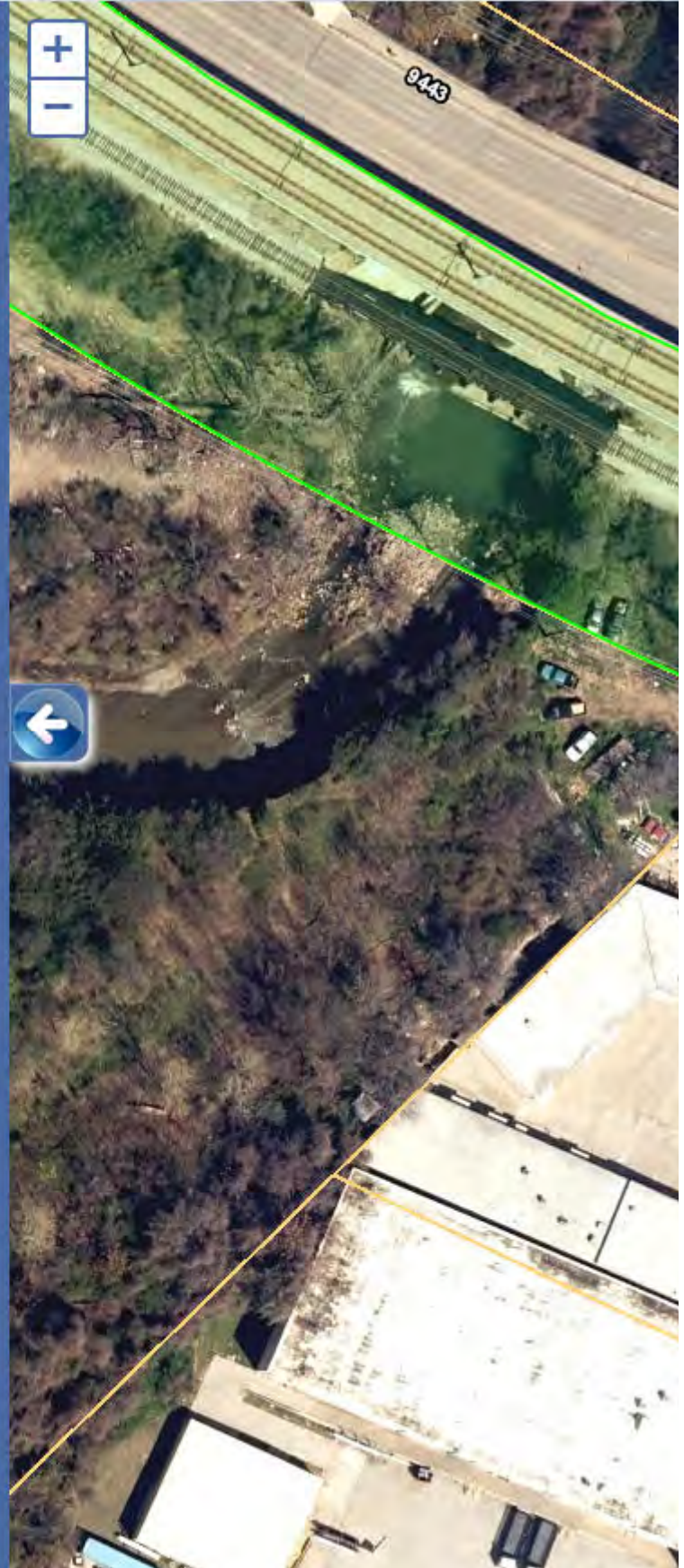


Parcel ID: 00DALAREARPTDA00
 Account Number: 00DARTDGNERRDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property

Jurisdiction



Kind Regards,

Matt

Matthew Lannon
Commuter Rail & Railroad Management
Dallas Area Rapid Transit
1401 Pacific Avenue, Dallas, TX 75202
(214) 603-1955 | mlannon@dart.org

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

From: Ben Ralston <ben@ralstonoutdoor.com>
Sent: Thursday, April 21, 2022 2:51 PM
To: Matthew Lannon <MLannon@dart.org>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: [External] Dart relocation

EXTERNAL Email Warning

Exercise caution. This email was sent from outside of DART. DO NOT open attachments or click links from unknown senders or unexpected email.

Matt,

My consultant Trenton is gonna call you regarding the Shorecrest site.

Thanks,

Ben

Sent from my iPhone

Trenton Robertson

From: Trenton Robertson
Sent: Wednesday, April 27, 2022 10:18 AM
To: Wimer, Megan
Cc: Dallas Cothrum; Kiesha Kay; Danielle Mathews
Subject: FW: Appeals of Administrative Decisions Re: Relocation of Billboards
Attachments: FW: Appeals of Administrative Decisions Re: Relocation of Billboards
Importance: High

Good morning,
I wanted to see if you could assist in any way. We have been trying to get a determination by the city if a proposed location for a sign relocation would be permitted. The new location on Shorecrest was selected (see image below that was provided by DART) and approved by DART and it is within the DART ROW. It meets the parameters and requirements of the code. I have tried reaching out to Mr. Martin but I haven't gotten a response back as of yet. We are under a tight deadline and want to make sure that we don't miss any deadlines. I am more than happy to discuss this via phone if you have time to bring you up to speed. Thank you for any assistance you can provide.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Wednesday, April 27, 2022 9:41 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I have forwarded him your email to Mike. I know he is out of the office today, so you may not get a reply until her returns.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.

Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Wednesday, April 27, 2022 9:17 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Subject: FW: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for your response. Unfortunately, I was told that Jason is no longer in that department and doesn't deal with this and I can't get a hold of or get a response back from Michael. I hate to ask this but would you be able to reach out to Michael and see if you can ask him to respond to me?

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Wednesday, April 27, 2022 9:11 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I met with Mr. Martin yesterday and wanted to follow up with you. Unfortunately, it doesn't appear that the proposed location for the billboard relocation (no address found) will meet the city's ordinance per Sec 51A-7307(3). You may meet with either Jason pool or Michael Martin to further discuss this matter.

Thank you,



Diana Y. Barkume
 Senior Plans Examiner
 City of Dallas | DallasCityNews.net
 Sustainable Development & Construction
 Building Inspection Permit Center
 320 E. Jefferson Blvd.
 Dallas, TX 75203
 O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, April 26, 2022 1:45 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

I appreciate it. I think we are just on a tight schedule for that second one and I want to make sure we don't miss the window if we have to appeal the decision. When do you think you will hear back from Mike?

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Tuesday, April 26, 2022 1:37 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon,

Sorry for the late reply; I was out of the office part of the day, so I am still playing catch up on my emails. I need to get with Charles sometime today to get this case entered in our system, but we do have your application submitted. Once I get this case entered, I will send you an email with the invoice and further instruction on the next step.

As far as the other application, I will need to get with Mike Martin to go over the process. I will follow up with you as soon as I have met with him and we are clear on the process.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, April 26, 2022 1:24 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; Trammell, Charles <charles.trammell@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good afternoon Diana,
I just wanted to follow up on yesterday's email. Thank you for all you do.

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From: Trenton Robertson
Sent: Monday, April 25, 2022 4:44 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <Kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; charles.trammell@dallascityhall.com; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon Diana,
I dropped off the application for 9101 John Carpenter this afternoon with Charles. He said that he has marked it as "received" and that I will need to schedule a time with you tomorrow to come in and submit the payment. Would you be available if I quickly dropped by in the morning? Thank you.

Fiw\$Vikevhw\$



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From: Wimer, Megan <megan.wimer@dallascityhall.com>
Sent: Monday, April 25, 2022 1:05 PM
To: Trenton Robertson <trobertson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I am including Jason Pool. He and Mike can determine if the location is acceptable and if so, put you in touch with the addressing team.



Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 115
Dallas, TX 75203
214-948-
4501 megan.wimer@dallascityhall.com



****OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly. **

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Monday, April 25, 2022 10:14 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Wimer, Megan <megan.wimer@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: FW: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good morning, Michael and Diana.

Diana,

I really appreciate all your help on these two different applications. I will be submitting to your office the application for the sign relocation to 9101 John Carpenter later today.

However, we are still needing an answer how we can proceed with the sign relocation onto Shorecrest. Our letter of denial by the City of Dallas was for 2434 Shorecrest. After receiving that letter of denial, we heard back from DART stating that address would no longer work because it was not within the DART right-of-way. DART has found a new location on Shorecrest for us to relocate our sign (see image below). However, the new location does not have an address, due to it being located full within DART ROW.

Can this new location be reviewed as a potential relocation site? If so, we do not have an address to provide. Will one be assigned? Will this existing sign be permitted to move to the location shown in the image? If not, can you please send us something stating to the reasons why or a formal denial letter? If a denial letter is issued, what address will be used? How do we move forward with submitting an appeal since the area is not platted (right-of-way) and doesn't have an address? We really appreciate your assistance in this process.

Thank you.

Fiwx\$ikevhw\$



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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Monday, April 25, 2022 7:56 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

Just a courtesy email letting you know I have not forgotten about your inquiry; I am not at the office today, but will be reaching out to our Signs department for some information regarding these issues. I will follow up with you tomorrow.

Thank you,



Diana Y. Barkume

Senior Plans Examiner

City of Dallas | DallasCityNews.net

Sustainable Development & Construction

Building Inspection Permit Center

320 E. Jefferson Blvd.

Dallas, TX 75203

O: (214) 948-4364

diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Friday, April 22, 2022 10:33 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for your help! See my responses in red below.



DCAD Property Map

Search by: Account/Prop Addr/Owner Name

999999 NO NAME ST

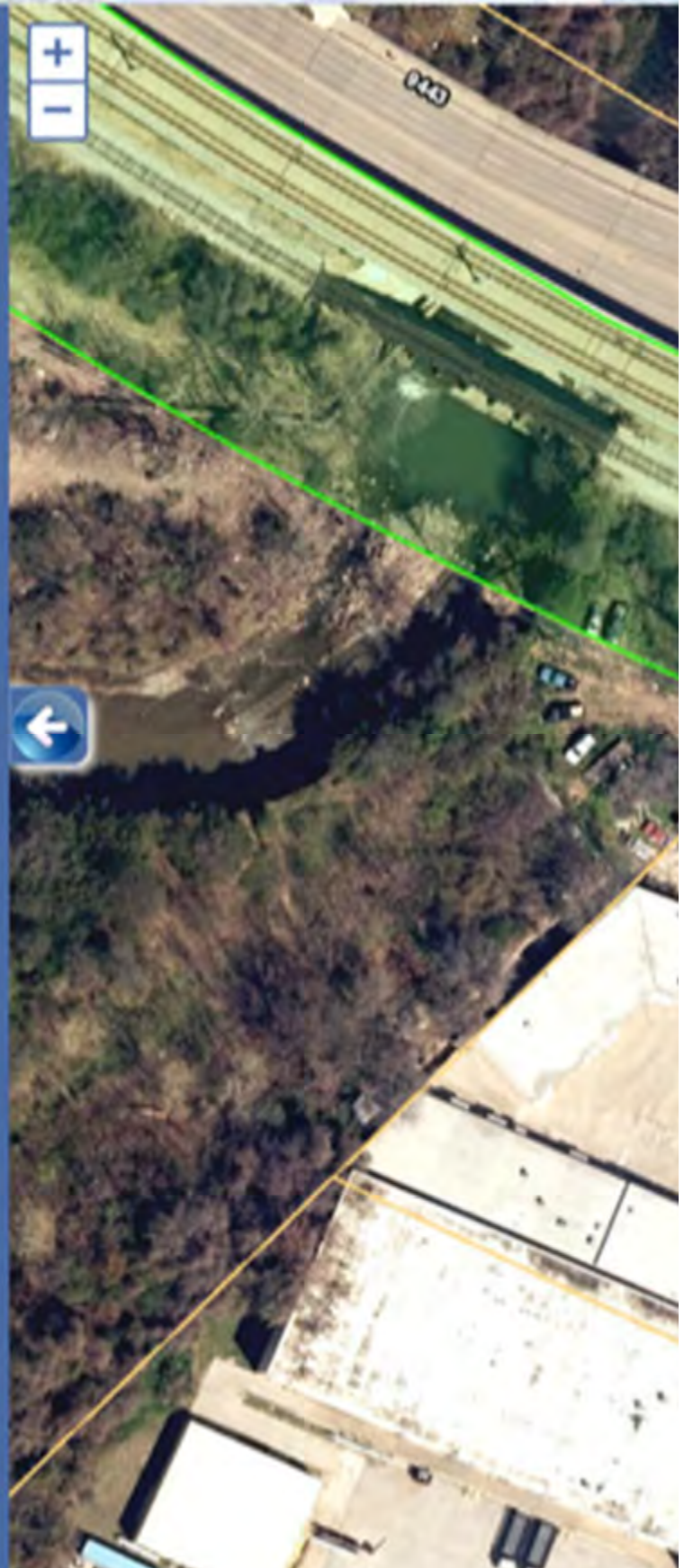


Parcel ID: 00DALAREARAPTA00
 Account Number: 00DARTDGNERRDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property

Jurisdiction





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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Friday, April 22, 2022 8:35 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I will be reviewing the submitted documentation this morning and let you know if there are any outstanding items that need to be addressed for 9101 John W Carpenter billboard location. This application will be submitted with the May 4th submittals and will have a hearing date of July 19th.

As far as you other inquiries, I need to run this by Mr. Trammell, who was the previous intake person, to see what you will need to provide. Is this the property on 2324 Shorecrest? DART told us that 2324 Shorecrest was no longer an option due to various reasons. **DART selected another spot that is within their right-of-way and does not have a physical address. I included an image from DART showing the approximate location.**

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, April 21, 2022 4:47 PM
To: May, Sarah <sarah.may@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha

Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Oh my goodness, that is always fun. Hopefully, you don't have to be there too long.

Did the application look good to you that I sent over?

We look forward hearing from Diana. Thank you so much for your help! We really really appreciate it.

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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Thursday, April 21, 2022 4:21 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Diana is going to look into the questions and respond tomorrow. I'm going to assist as a witness in court tomorrow (lucky me 😊).

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, April 21, 2022 4:13 PM
To: May, Sarah <sarah.may@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

The attached application should be complete with all of the correct plat information and documents. The only thing I need to do is to mark up the plat to show you where the actual lot is. Other than that are we okay to submit it to your office?

On another note. There is a different application we need to submit. It does not have a legal address because one has not been issued since there are no structures. Additionally, the property in question is DART right-of-way. Are you still going to require all of the documents, like the no liens letter, tax certificate, deed. My issues are that none of these documents exist. Can you please advise? Thank you.

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From: Trenton Robertson
Sent: Thursday, April 21, 2022 11:41 AM
To: May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Would you have a minute for a quick call? I think there is some confusion. Thank you.

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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Thursday, April 21, 2022 11:25 AM
To: Trenton Robertson <trobertson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

You need to ask someone else at the County then because it sounds like they just don't know the right place to look. I attached our record if it will help you find it with the County. Also, the subject site needs to be outlined in red on all the

maps/plats so that staff can easily identify where the site is (and because it is on the checklist). If you can do that, we can accept the appeal with the plat you previously sent and then replace it with the real plat next week before it goes to City Hall. Does that work?

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 10:33 AM

To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

External Email!

When we went to the County, they said the property was not platted and all that they had was this plat document which abutted our property and referenced our property in question. The new address that DART has given us on Shorecrest is different than the one on the letter. We are trying to get a new letter from the city with the new address. On another note, we understand that we are on a tight deadline to submit these applications. Here is a copy of the application for the relocation of the Billboard sign to 9101 John Carpenter Fwy. Is there anyway you can review this application so we can submit it ASAP? The owner affidavit is missing the signatures, but we will have it when we officially submit the application. Thank you!

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From: May, Sarah <sarah.may@dallascityhall.com>

Sent: Thursday, April 21, 2022 10:25 AM

To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

The plat provided is a replat of a portion of block 5773. Try again with the County. We have some unofficial plats here so they have to have something, but it will be much older. We do not need a new letter if both addresses are regarding the same property.

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 9:52 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

External Email!

Good morning,

I just wanted to follow up on my email from yesterday. Thank you for all of your help!

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From: Trenton Robertson

Sent: Wednesday, April 20, 2022 2:11 PM

To: diana.barkume@dallascityhall.com; sarah.may@dallascityhall.com

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

Good afternoon,

I have a real quick question for you. In obtaining documents for 2324 Shorecrest, the County did not have a copy of the plat since the property has not been platted. They did have the attached document that references the property but they can't certify it. Is this something that you will accept as part of the application? Thank you.



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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Wednesday, April 20, 2022 10:02 AM
To: Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I have received about 6 applications that are still in the prescreen process therefore, I don't know how many will actually be accepted.

Once you gather the materials, please email them to me so I can check to make sure they are complete. If they are all in order, I'll let you know my availability to schedule an appointment to deliver the hard copies, pay, and pick up the signs.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Wednesday, April 20, 2022 9:16 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <troberson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Quick question, Sarah and Diana. How many BDA slots are open for the May 4th submittal deadline?

Best,

Hermitage
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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 9:35 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I don't think the place where the billboards are currently located need any notification, so we would need the items for the place it is proposed to be located. Did you see any text in the Code that said we need it for both? The only example I can think of that does require multiple locations records is the process to obtain an SUP for a pedestrian skybridge, but my memorization of the sign code is null, so please check that to confirm there's nothing special there. I added Jason Pool in case he has that part memorized.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Tuesday, April 19, 2022 9:26 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for the quick response, Sarah!

We have a question while we gather up paperwork. One denial was the relocation of the billboard previously at 17809 Coit to 2324 Shorecrest, and the other is for the relocation from 15602 Dallas Pkwy to 9101 John W Carpenter Frwy. Will we need statements, tax certs, and deeds for all four addresses, or just the addresses we are trying to relocate to? Or, because the permits are for the demo'd billboards, do we just need those?

Any guidance is appreciated.

Best,

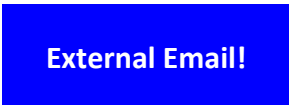
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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 8:32 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Hey Danielle, before you can schedule an appointment, you need to email Diana all the items on the checklist so she can look over them.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Monday, April 18, 2022 9:52 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: Appeals of Administrative Decisions Re: Relocation of Billboards



Hi Diana and Sarah, and good evening.

I have two appeals to submit on either Thursday or Friday. Do I need to set up an appointment?

I'm including our new senior consultant Trent Robertson, who will be managing the cases. I'm along for assistance, as needed. Appreciate any advice you can provide.

Best,



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Trenton Robertson

From: Trenton Robertson
Sent: Tuesday, May 3, 2022 2:58 PM
To: Barkume, Diana
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Are you available for a quick 1 minute call?

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Tuesday, May 3, 2022 2:48 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon,

Wanted to follow up on this BDA application, will you be coming in to pay the fees before tomorrow?

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | [DallasCityNews.net](https://www.dallascitynews.net)
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <trobertson@masterplantexas.com>
Sent: Friday, April 29, 2022 10:50 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you again.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Thursday, April 28, 2022 3:58 PM
To: Trenton Robertson <trobertson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Hello,

I will be entering the case tomorrow and will reach out to you for a time to come in to pay and pick up signs. Your case should be in the July 19th docket.

Thank you!



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <trobertson@masterplantexas.com>
Sent: Thursday, April 28, 2022 3:45 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

I just wanted to follow up on the application we submitted. When can I come by and make payment? What is the schedule for this case to go to the Board? Any additional information that you can offer would be great. Thank you so much for your help you have been wonderful.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Tuesday, April 26, 2022 1:37 PM
To: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon,

Sorry for the late reply; I was out of the office part of the day, so I am still playing catch up on my emails. I need to get with Charles sometime today to get this case entered in our system, but we do have your application submitted. Once I get this case entered, I will send you an email with the invoice and further instruction on the next step.

As far as the other application, I will need to get with Mike Martin to go over the process. I will follow up with you as soon as I have met with him and we are clear on the process.

Thank you,



Diana Y. Barkume
 Senior Plans Examiner
 City of Dallas | DallasCityNews.net
 Sustainable Development & Construction
 Building Inspection Permit Center
 320 E. Jefferson Blvd.
 Dallas, TX 75203
 O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, April 26, 2022 1:24 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; Trammell, Charles <charles.trammell@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good afternoon Diana,
 I just wanted to follow up on yesterday's email. Thank you for all you do.

Fiwx\$likevhw\$



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From: Trenton Robertson
Sent: Monday, April 25, 2022 4:44 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; charles.trammell@dallascityhall.com; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael

<michael.martin2@dallascityhall.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon Diana,

I dropped off the application for 9101 John Carpenter this afternoon with Charles. He said that he has marked it as "received" and that I will need to schedule a time with you tomorrow to come in and submit the payment. Would you be available if I quickly dropped by in the morning? Thank you.

Fiwx\$7ikevhw\$



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From: Wimer, Megan <megan.wimer@dallascityhall.com>

Sent: Monday, April 25, 2022 1:05 PM

To: Trenton Robertson <trobertson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I am including Jason Pool. He and Mike can determine if the location is acceptable and if so, put you in touch with the addressing team.



Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 115
Dallas, TX 75203
214-948-
4501 megan.wimer@dallascityhall.com



****OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.**

From: Trenton Robertson <trobertson@masterplantexas.com>

Sent: Monday, April 25, 2022 10:14 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Wimer, Megan <megan.wimer@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: FW: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good morning, Michael and Diana.

Diana,

I really appreciate all your help on these two different applications. I will be submitting to your office the application for the sign relocation to 9101 John Carpenter later today.

However, we are still needing an answer how we can proceed with the sign relocation onto Shorecrest. Our letter of denial by the City of Dallas was for 2434 Shorecrest. After receiving that letter of denial, we heard back from DART stating that address would no longer work because it was not within the DART right-of-way. DART has found a new location on Shorecrest for us to relocate our sign (see image below). However, the new location does not have an address, due to it being located full within DART ROW.

Can this new location be reviewed as a potential relocation site? If so, we do not have an address to provide. Will one be assigned? Will this existing sign be permitted to move to the location shown in the image? If not, can you please send us something stating to the reasons why or a formal denial letter? If a denial letter is issued, what address will be used? How do we move forward with submitting an appeal since the area is not platted (right-of-way) and doesn't have an address? We really appreciate your assistance in this process.

Thank you.

Fiwx\$likevhw\$



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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Monday, April 25, 2022 7:56 AM
To: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

Just a courtesy email letting you know I have not forgotten about your inquiry; I am not at the office today, but will be reaching out to our Signs department for some information regarding these issues. I will follow up with you tomorrow.

Thank you,



Diana Y. Barkume

Senior Plans Examiner

City of Dallas | [DallasCityNews.net](https://www.dallascitynews.net)

Sustainable Development & Construction

Building Inspection Permit Center

320 E. Jefferson Blvd.

Dallas, TX 75203

O: (214) 948-4364

diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Friday, April 22, 2022 10:33 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for your help! See my responses in red below.



DCAD Property Map

Search by: Account/Prop Addr/Owner Name

999999 NO NAME ST

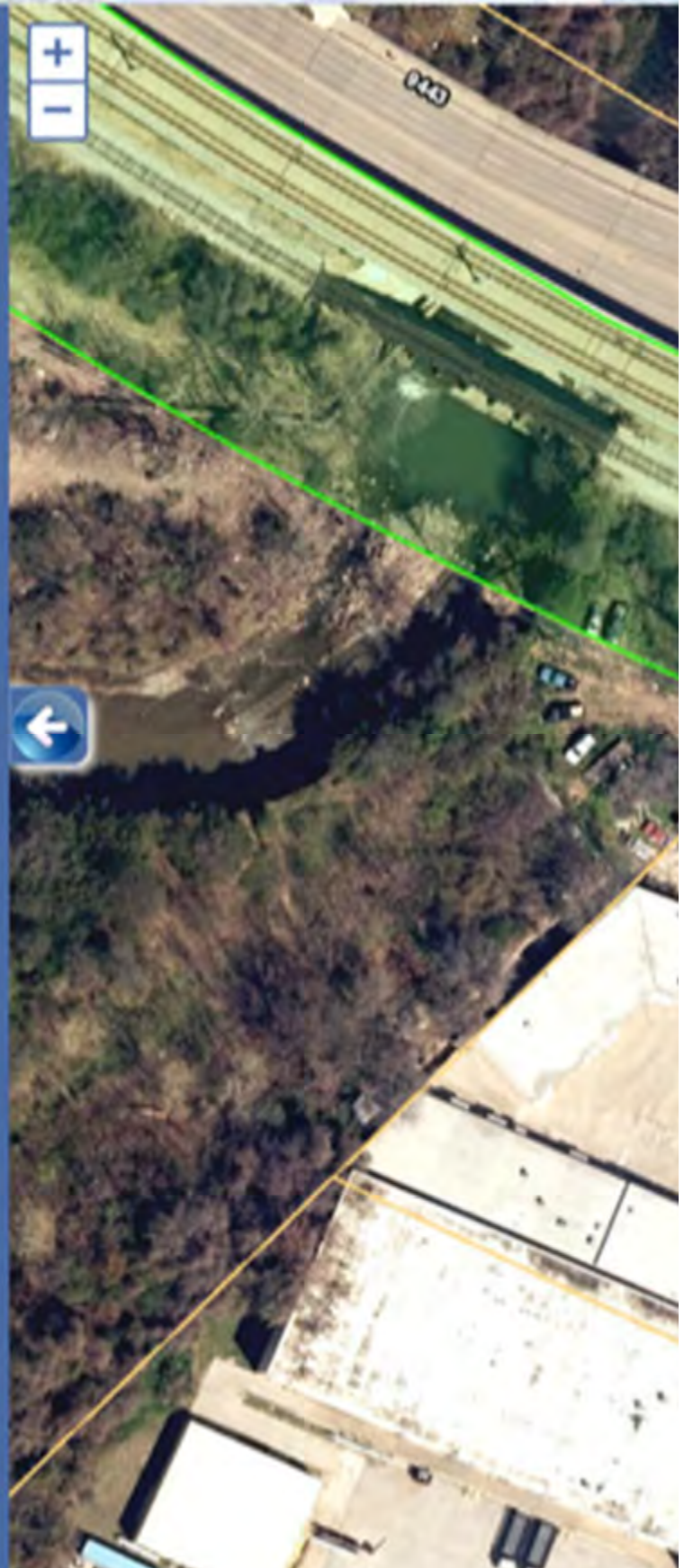


Parcel ID: 00DALAREARAPTA00
 Account Number: 00DARTDGNERRDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property

Jurisdiction





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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Friday, April 22, 2022 8:35 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I will be reviewing the submitted documentation this morning and let you know if there are any outstanding items that need to be addressed for 9101 John W Carpenter billboard location.

This application will be submitted with the May 4th submittals and will have a hearing date of July 19th.

As far as you other inquiries, I need to run this by Mr. Trammell, who was the previous intake person, to see what you will need to provide. Is this the property on 2324 Shorecrest? DART told us that 2324 Shorecrest was no longer an option due to various reasons. **DART selected another spot that is within their right-of-way and does not have a physical address. I included an image from DART showing the approximate location.**

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, April 21, 2022 4:47 PM
To: May, Sarah <sarah.may@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha

Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Oh my goodness, that is always fun. Hopefully, you don't have to be there too long.

Did the application look good to you that I sent over?

We look forward hearing from Diana. Thank you so much for your help! We really really appreciate it.

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From: May, Sarah <sarah.may@dallascityhall.com>

Sent: Thursday, April 21, 2022 4:21 PM

To: Trenton Robertson <troberson@masterplantexas.com>

Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Diana is going to look into the questions and respond tomorrow. I'm going to assist as a witness in court tomorrow (lucky me 😊).

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 4:13 PM

To: May, Sarah <sarah.may@dallascityhall.com>

Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

The attached application should be complete with all of the correct plat information and documents. The only thing I need to do is to mark up the plat to show you where the actual lot is. Other than that are we okay to submit it to your office?

On another note. There is a different application we need to submit. It does not have a legal address because one has not been issued since there are no structures. Additionally, the property in question is DART right-of-way. Are you still going to require all of the documents, like the no liens letter, tax certificate, deed. My issues are that none of these documents exist. Can you please advise? Thank you.

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From: Trenton Robertson
Sent: Thursday, April 21, 2022 11:41 AM
To: May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Would you have a minute for a quick call? I think there is some confusion. Thank you.

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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Thursday, April 21, 2022 11:25 AM
To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

You need to ask someone else at the County then because it sounds like they just don't know the right place to look. I attached our record if it will help you find it with the County. Also, the subject site needs to be outlined in red on all the

maps/plats so that staff can easily identify where the site is (and because it is on the checklist). If you can do that, we can accept the appeal with the plat you previously sent and then replace it with the real plat next week before it goes to City Hall. Does that work?

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 10:33 AM

To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

External Email!

When we went to the County, they said the property was not platted and all that they had was this plat document which abutted our property and referenced our property in question. The new address that DART has given us on Shorecrest is different than the one on the letter. We are trying to get a new letter from the city with the new address. On another note, we understand that we are on a tight deadline to submit these applications. Here is a copy of the application for the relocation of the Billboard sign to 9101 John Carpenter Fwy. Is there anyway you can review this application so we can submit it ASAP? The owner affidavit is missing the signatures, but we will have it when we officially submit the application. Thank you!

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From: May, Sarah <sarah.may@dallascityhall.com>

Sent: Thursday, April 21, 2022 10:25 AM

To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

The plat provided is a replat of a portion of block 5773. Try again with the County. We have some unofficial plats here so they have to have something, but it will be much older. We do not need a new letter if both addresses are regarding the same property.

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 9:52 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High



Good morning,

I just wanted to follow up on my email from yesterday. Thank you for all of your help!

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From: Trenton Robertson

Sent: Wednesday, April 20, 2022 2:11 PM

To: diana.barkume@dallascityhall.com; sarah.may@dallascityhall.com

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

Good afternoon,

I have a real quick question for you. In obtaining documents for 2324 Shorecrest, the County did not have a copy of the plat since the property has not been platted. They did have the attached document that references the property but they can't certify it. Is this something that you will accept as part of the application? Thank you.



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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Wednesday, April 20, 2022 10:02 AM
To: Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I have received about 6 applications that are still in the prescreen process therefore, I don't know how many will actually be accepted.

Once you gather the materials, please email them to me so I can check to make sure they are complete. If they are all in order, I'll let you know my availability to schedule an appointment to deliver the hard copies, pay, and pick up the signs.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Wednesday, April 20, 2022 9:16 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Quick question, Sarah and Diana. How many BDA slots are open for the May 4th submittal deadline?

Best,

Hermitage
Gsrwyper
Hermitage
Q 5818:1698; 5817<=166=4

From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 9:35 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I don't think the place where the billboards are currently located need any notification, so we would need the items for the place it is proposed to be located. Did you see any text in the Code that said we need it for both? The only example I can think of that does require multiple locations records is the process to obtain an SUP for a pedestrian skybridge, but my memorization of the sign code is null, so please check that to confirm there's nothing special there. I added Jason Pool in case he has that part memorized.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Tuesday, April 19, 2022 9:26 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for the quick response, Sarah!

We have a question while we gather up paperwork. One denial was the relocation of the billboard previously at 17809 Coit to 2324 Shorecrest, and the other is for the relocation from 15602 Dallas Pkwy to 9101 John W Carpenter Frwy. Will we need statements, tax certs, and deeds for all four addresses, or just the addresses we are trying to relocate to? Or, because the permits are for the demo'd billboards, do we just need those?

Any guidance is appreciated.

Best,

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From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 8:32 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Hey Danielle, before you can schedule an appointment, you need to email Diana all the items on the checklist so she can look over them.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Monday, April 18, 2022 9:52 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Hi Diana and Sarah, and good evening.

I have two appeals to submit on either Thursday or Friday. Do I need to set up an appointment?

I'm including our new senior consultant Trent Robertson, who will be managing the cases. I'm along for assistance, as needed. Appreciate any advice you can provide.

Best,



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Trenton Robertson

From: Trenton Robertson
Sent: Tuesday, May 3, 2022 3:22 PM
To: Barkume, Diana
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Thank you for taking my call. I will plan on dropping off that fee tomorrow afternoon.

Once you find out on Thursday how we can proceed forward on the Shorecrest appeal please let me know. Here are the issues we are facing with our application:

1. The site relocation is within the DART ROW and there is no address.
 - a. We can't get an address until we have a structure.
 - b. We can't put our sign/structure up until we have approval from the Board of adjustment.
 - c. We can't move forward with our appeal to the Board of Adjustment until we have an address (it's a chicken and egg kind of scenario).
2. We are in the process of looking for a deed but cannot locate one due to it being ROW and how large the parcel more than likely is. There may be multiple deeds.

Any help you can provide would be appreciated. Thank you.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Tuesday, May 3, 2022 2:48 PM
To: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon,

Wanted to follow up on this BDA application, will you be coming in to pay the fees before tomorrow?

Thank you,



Diana Y. Barkume
 Senior Plans Examiner
 City of Dallas | DallasCityNews.net
 Sustainable Development & Construction
 Building Inspection Permit Center
 320 E. Jefferson Blvd.
 Dallas, TX 75203
 O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Friday, April 29, 2022 10:50 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you again.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Thursday, April 28, 2022 3:58 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Hello,

I will be entering the case tomorrow and will reach out to you for a time to come in to pay and pick up signs. Your case should be in the July 19th docket.

Thank you!



Diana Y. Barkume
 Senior Plans Examiner
 City of Dallas | DallasCityNews.net
 Sustainable Development & Construction
 Building Inspection Permit Center
 320 E. Jefferson Blvd.
 Dallas, TX 75203
 O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, April 28, 2022 3:45 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Kiesha Kay <kiesha@masterplantexas.com>; Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

I just wanted to follow up on the application we submitted. When can I come by and make payment? What is the schedule for this case to go to the Board? Any additional information that you can offer would be great. Thank you so much for your help you have been wonderful.

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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Tuesday, April 26, 2022 1:37 PM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon,

Sorry for the late reply; I was out of the office part of the day, so I am still playing catch up on my emails. I need to get with Charles sometime today to get this case entered in our system, but we do have your application submitted. Once I get this case entered, I will send you an email with the invoice and further instruction on the next step.

As far as the other application, I will need to get with Mike Martin to go over the process. I will follow up with you as soon as I have met with him and we are clear on the process.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Tuesday, April 26, 2022 1:24 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; Trammell, Charles <charles.trammell@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good afternoon Diana,
I just wanted to follow up on yesterday's email. Thank you for all you do.

[Fiw\\$7ikevhw\\$](#)



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From: Trenton Robertson
Sent: Monday, April 25, 2022 4:44 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <Kiesha@masterplantexas.com>; Wimer, Megan <megan.wimer@dallascityhall.com>; charles.trammell@dallascityhall.com; May, Sarah <sarah.may@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good afternoon Diana,
I dropped off the application for 9101 John Carpenter this afternoon with Charles. He said that he has marked it as "received" and that I will need to schedule a time with you tomorrow to come in and submit the payment. Would you be available if I quickly dropped by in the morning? Thank you.

Fiwx\$likevhw\$



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q ewxvt.rxi |ew2gsq | @fevfetivq mwivzgi2gsq

From: Wimer, Megan <megan.wimer@dallascityhall.com>
Sent: Monday, April 25, 2022 1:05 PM
To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Pool, Jason <jason.pool@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I am including Jason Pool. He and Mike can determine if the location is acceptable and if so, put you in touch with the addressing team.



Megan Wimer, AICP, CBO
Assistant Building Official
City of Dallas | DallasCityNews.net
Development Services
320 E. Jefferson Boulevard, Room 115
Dallas, TX 75203
214-948-
4501 megan.wimer@dallascityhall.com



****OPEN RECORDS NOTICE:** This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.**

From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Monday, April 25, 2022 10:14 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>; Martin, Michael <michael.martin2@dallascityhall.com>; Wimer, Megan <megan.wimer@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: FW: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Good morning, Michael and Diana.

Diana,

I really appreciate all your help on these two different applications. I will be submitting to your office the application for the sign relocation to 9101 John Carpenter later today.

However, we are still needing an answer how we can proceed with the sign relocation onto Shorecrest. Our letter of denial by the City of Dallas was for 2434 Shorecrest. After receiving that letter of denial, we heard back from DART stating that address would no longer work because it was not within the DART right-of-way. DART has found a new location on Shorecrest for us to relocate our sign (see image below). However, the new location does not have an address, due to it being located full within DART ROW.

Can this new location be reviewed as a potential relocation site? If so, we do not have an address to provide. Will one be assigned? Will this existing sign be permitted to move to the location shown in the image? If not, can you please send us something stating to the reasons why or a formal denial letter? If a denial letter is issued, what address will be used? How do we move forward with submitting an appeal since the area is not platted (right-of-way) and doesn't have an address? We really appreciate your assistance in this process.

Thank you.

[Fiwx\\$likevhwG](#)



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From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Monday, April 25, 2022 7:56 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

Just a courtesy email letting you know I have not forgotten about your inquiry; I am not at the office today, but will be reaching out to our Signs department for some information regarding these issues. I will follow up with you tomorrow.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Friday, April 22, 2022 10:33 AM
To: Barkume, Diana <diana.barkume@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for your help! See my responses in red below.



DCAD Property Map

Search by: Account/Prop Addr/Owner Name

999999 NO NAME ST

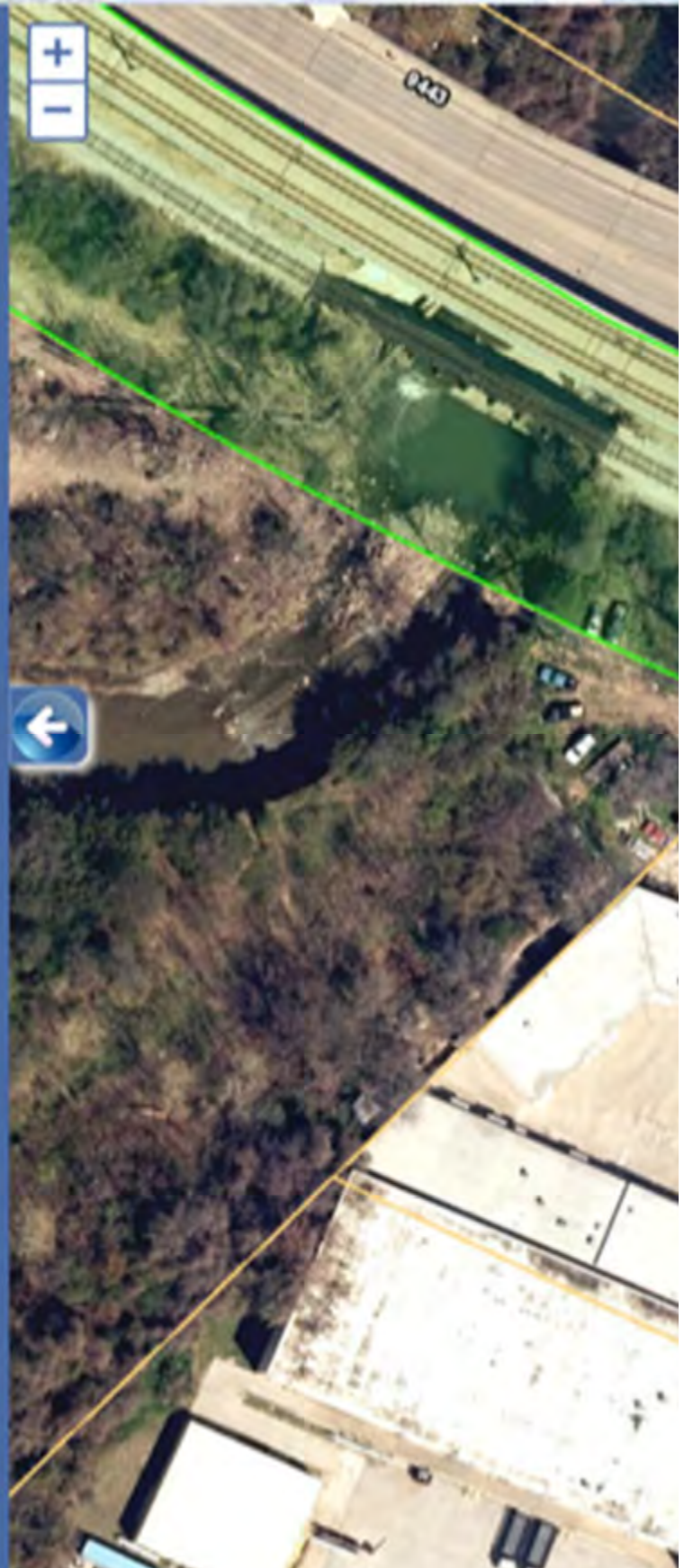


Parcel ID: 00DALAREARAPTA00
 Account Number: 00DARTDGNERRDDA00
 Neighborhood: N/A
 Site Address: 999999 NO NAME ST
 Map Grid: 46-D (DALLAS)
 Account Type: Commercial
 Legal Description 1: 11.64 MILES CORRIDOR
 Legal Description 2: DALLAS CITY ONLY
 Doing Business As: N/A
 Owner Name: DART
 Owner Address: MB 7230 P O BOX 660163
 Owner City: DALLAS
 Owner State: TX
 Owner Zip: 75266
 Owner Zip +4: 0163
 Certified Values: -----
 Improvement Value: N/A
 Land Value: \$ 1,537,760

 Market Value: \$ 1,537,760
 Prev. Mkt. Value: \$ 1,537,760
 Revaluation Year: 2021

Property

Jurisdiction





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q ewdvt@rxi|ew2gsq | @fevfetivq mwivzqi2gsq

From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Friday, April 22, 2022 8:35 AM
To: Trenton Robertson <troberson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I will be reviewing the submitted documentation this morning and let you know if there are any outstanding items that need to be addressed for 9101 John W Carpenter billboard location.

This application will be submitted with the May 4th submittals and will have a hearing date of July 19th.

As far as you other inquiries, I need to run this by Mr. Trammell, who was the previous intake person, to see what you will need to provide. Is this the property on 2324 Shorecrest? DART told us that 2324 Shorecrest was no longer an option due to various reasons. **DART selected another spot that is within their right-of-way and does not have a physical address. I included an image from DART showing the approximate location.**

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Trenton Robertson <troberson@masterplantexas.com>
Sent: Thursday, April 21, 2022 4:47 PM
To: May, Sarah <sarah.may@dallascityhall.com>
Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha

Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Oh my goodness, that is always fun. Hopefully, you don't have to be there too long.

Did the application look good to you that I sent over?

We look forward hearing from Diana. Thank you so much for your help! We really really appreciate it.

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From: May, Sarah <sarah.may@dallascityhall.com>

Sent: Thursday, April 21, 2022 4:21 PM

To: Trenton Robertson <troberson@masterplantexas.com>

Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Diana is going to look into the questions and respond tomorrow. I'm going to assist as a witness in court tomorrow (lucky me 😊).

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 4:13 PM

To: May, Sarah <sarah.may@dallascityhall.com>

Cc: Barkume, Diana <diana.barkume@dallascityhall.com>; Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

The attached application should be complete with all of the correct plat information and documents. The only thing I need to do is to mark up the plat to show you where the actual lot is. Other than that are we okay to submit it to your office?

On another note. There is a different application we need to submit. It does not have a legal address because one has not been issued since there are no structures. Additionally, the property in question is DART right-of-way. Are you still going to require all of the documents, like the no liens letter, tax certificate, deed. My issues are that none of these documents exist. Can you please advise? Thank you.

Fiwx\$Vikevhw\$



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From: Trenton Robertson
Sent: Thursday, April 21, 2022 11:41 AM
To: May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Would you have a minute for a quick call? I think there is some confusion. Thank you.

Fiwx\$Vikevhw\$



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q ewdvt@rxi|ew2gsq | @fevfetivq mwivz@i2gsq

From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Thursday, April 21, 2022 11:25 AM
To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

You need to ask someone else at the County then because it sounds like they just don't know the right place to look. I attached our record if it will help you find it with the County. Also, the subject site needs to be outlined in red on all the

maps/plats so that staff can easily identify where the site is (and because it is on the checklist). If you can do that, we can accept the appeal with the plat you previously sent and then replace it with the real plat next week before it goes to City Hall. Does that work?

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 10:33 AM

To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

External Email!

When we went to the County, they said the property was not platted and all that they had was this plat document which abutted our property and referenced our property in question. The new address that DART has given us on Shorecrest is different than the one on the letter. We are trying to get a new letter from the city with the new address. On another note, we understand that we are on a tight deadline to submit these applications. Here is a copy of the application for the relocation of the Billboard sign to 9101 John Carpenter Fwy. Is there anyway you can review this application so we can submit it ASAP? The owner affidavit is missing the signatures, but we will have it when we officially submit the application. Thank you!

Fiw\$/ikevhw0\$



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q ewdvt@rxi|ew2sq | @fevfetivq mwivzqi2sq

From: May, Sarah <sarah.may@dallascityhall.com>

Sent: Thursday, April 21, 2022 10:25 AM

To: Trenton Robertson <troberson@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

The plat provided is a replat of a portion of block 5773. Try again with the County. We have some unofficial plats here so they have to have something, but it will be much older. We do not need a new letter if both addresses are regarding the same property.

Sincerely,

Sarah May, AICP

Chief Planner

City of Dallas | www.dallascityhall.com

Development Services

Building Inspection

320 E. Jefferson, Room 115

214-948-4476

From: Trenton Robertson <troberson@masterplantexas.com>

Sent: Thursday, April 21, 2022 9:52 AM

To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

External Email!

Good morning,

I just wanted to follow up on my email from yesterday. Thank you for all of your help!

FixWikevhw



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q ewdvt.rxi |ew2sq | @fevfevq mwivzqi2sq

From: Trenton Robertson

Sent: Wednesday, April 20, 2022 2:11 PM

To: diana.barkume@dallascityhall.com; sarah.may@dallascityhall.com

Cc: Danielle Mathews <danielle@masterplantexas.com>; Kiesha Kay <kiesha@masterplantexas.com>

Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Importance: High

Good afternoon,

I have a real quick question for you. In obtaining documents for 2324 Shorecrest, the County did not have a copy of the plat since the property has not been platted. They did have the attached document that references the property but they can't certify it. Is this something that you will accept as part of the application? Thank you.



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q ewxvtjrxj|ew2gsq | rfevfetivq mwivzgi2gsq

From: Barkume, Diana <diana.barkume@dallascityhall.com>
Sent: Wednesday, April 20, 2022 10:02 AM
To: Danielle Mathews <danielle@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Good morning,

I have received about 6 applications that are still in the prescreen process therefore, I don't know how many will actually be accepted.

Once you gather the materials, please email them to me so I can check to make sure they are complete. If they are all in order, I'll let you know my availability to schedule an appointment to deliver the hard copies, pay, and pick up the signs.

Thank you,



Diana Y. Barkume
Senior Plans Examiner
City of Dallas | DallasCityNews.net
Sustainable Development & Construction
Building Inspection Permit Center
320 E. Jefferson Blvd.
Dallas, TX 75203
O: (214) 948-4364
diana.barkume@dallascityhall.com



From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Wednesday, April 20, 2022 9:16 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <troberson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Quick question, Sarah and Diana. How many BDA slots are open for the May 4th submittal deadline?

Best,

Hermitage
Gsrwyper
Hermitage
Q \$5818:1698; \$5817<=166=4

From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 9:35 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; Pool, Jason <jason.pool@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

I don't think the place where the billboards are currently located need any notification, so we would need the items for the place it is proposed to be located. Did you see any text in the Code that said we need it for both? The only example I can think of that does require multiple locations records is the process to obtain an SUP for a pedestrian skybridge, but my memorization of the sign code is null, so please check that to confirm there's nothing special there. I added Jason Pool in case he has that part memorized.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Tuesday, April 19, 2022 9:26 AM
To: May, Sarah <sarah.may@dallascityhall.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>; May, Sarah <sarah.may@dallascityhall.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

External Email!

Thank you for the quick response, Sarah!

We have a question while we gather up paperwork. One denial was the relocation of the billboard previously at 17809 Coit to 2324 Shorecrest, and the other is for the relocation from 15602 Dallas Pkwy to 9101 John W Carpenter Frwy. Will we need statements, tax certs, and deeds for all four addresses, or just the addresses we are trying to relocate to? Or, because the permits are for the demo'd billboards, do we just need those?

Any guidance is appreciated.

Best,

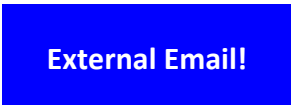
Hermipi\$72\$ exli{ w0\$EMGT\$
Gsrwyperx\$
I\$danielle@g ewdvtperxi |ew2sq.\$
Q \$581k8: 1698; \$ \$5817<=166=4\$

From: May, Sarah <sarah.may@dallascityhall.com>
Sent: Tuesday, April 19, 2022 8:32 AM
To: Danielle Mathews <danielle@masterplantexas.com>; Barkume, Diana <diana.barkume@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: RE: Appeals of Administrative Decisions Re: Relocation of Billboards

Hey Danielle, before you can schedule an appointment, you need to email Diana all the items on the checklist so she can look over them.

Sincerely,
Sarah May, AICP
Chief Planner
City of Dallas | www.dallascityhall.com
Development Services
Building Inspection
320 E. Jefferson, Room 115
214-948-4476

From: Danielle Mathews <danielle@masterplantexas.com>
Sent: Monday, April 18, 2022 9:52 PM
To: Barkume, Diana <diana.barkume@dallascityhall.com>; May, Sarah <sarah.may@dallascityhall.com>
Cc: Trenton Robertson <trobertson@masterplantexas.com>
Subject: Appeals of Administrative Decisions Re: Relocation of Billboards



Hi Diana and Sarah, and good evening.

I have two appeals to submit on either Thursday or Friday. Do I need to set up an appointment?

I'm including our new senior consultant Trent Robertson, who will be managing the cases. I'm along for assistance, as needed. Appreciate any advice you can provide.

Best,



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q ewdvtperxi |ew2sq \$

Trenton Robertson

From: Trenton Robertson
Sent: Wednesday, April 27, 2022 12:47 PM
To: Pool, Jason
Cc: Kiesha Kay
Subject: Relocation Sites
Attachments: 20220420141500664.pdf

Previous Location is attached in the PDF

New Location



DCAD Property Map

Search by:

Search

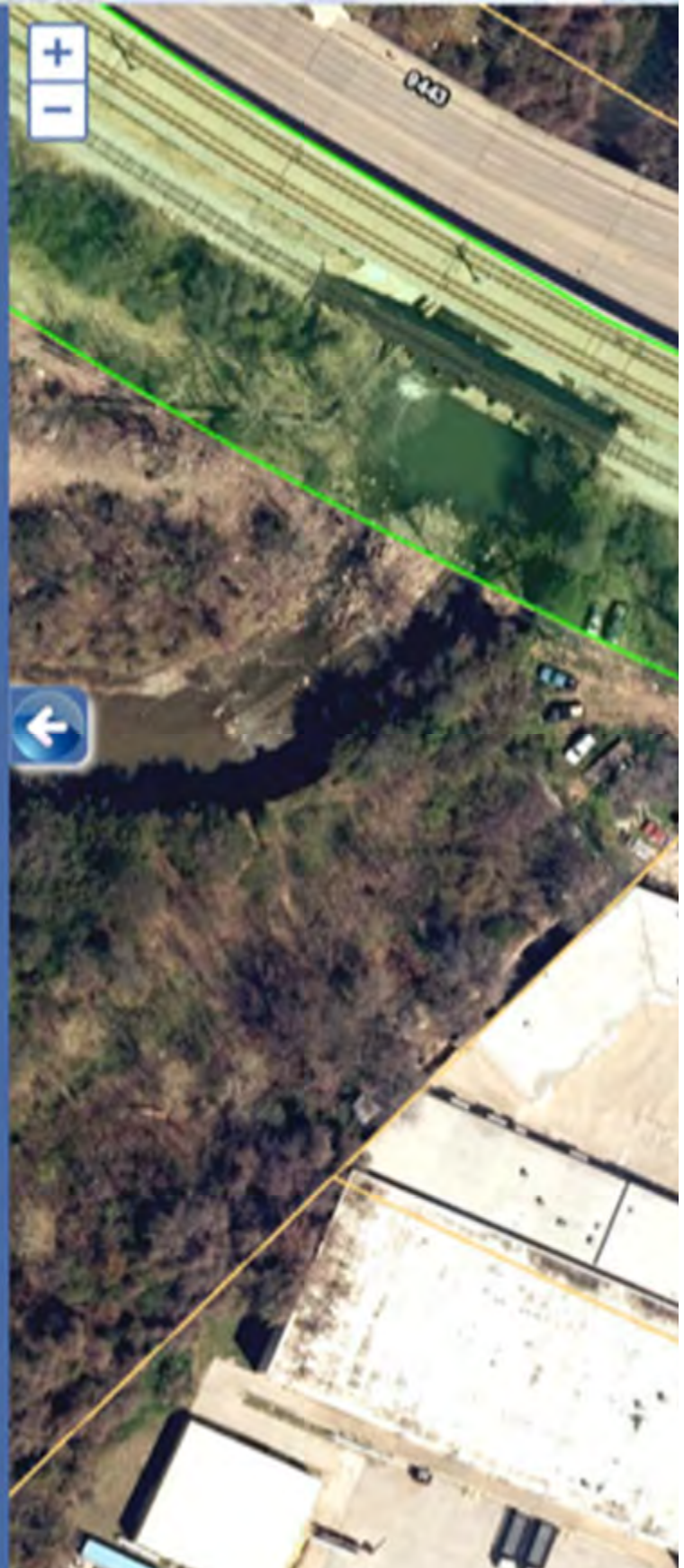
999999 NO NAME ST

Parcel ID: 00DALAREARAPTA00
Account Number: 00DARTDGNERRDDA00
Neighborhood: N/A
Site Address: 999999 NO NAME ST
Map Grid: 46-D (DALLAS)
Account Type: Commercial
Legal Description 1: 11.64 MILES CORRIDOR
Legal Description 2: DALLAS CITY ONLY
Doing Business As: N/A
Owner Name: DART
Owner Address: MB 7230 P O BOX 660163
Owner City: DALLAS
Owner State: TX
Owner Zip: 75266
Owner Zip +4: 0163
Certified Values -----
Improvement Value: N/A
Land Value: \$ 1,537,760

Market Value: \$ 1,537,760
Prev. Mkt. Value: \$ 1,537,760
Revaluation Year: 2021

Property

Jurisdiction





Xvirxsr\$/sfiwusr\$EMGT\$
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BDA212-065_ATTACHMENT_B

June 13, 2022

Via Email to BDA Secretary

Board of Adjustment, Panel B
1500 Marilla St., 5BN
Dallas, Texas 75201

Re: City Staff's Brief in Response to the Appeal of the Building Official's Decision as to 2436 Shorecrest Drive, BDA 212-065

Dear Board Members:

Below is a summary the of key points that will be addressed by City staff in response to the appeal of the building official's decision in BDA 212-065.

I. Facts

This appeal relates to a non-premise sign that was previously located at 17809 Coit Road and permitted under section 51A-7.306 of the Dallas City Code as a nonconforming use. Due to the Silver Line Commuter Rail Project, DART determined that the sign needed to be removed. *See* Ex. A. DART later determined that the sign could be moved to a location on its orange and green rail lines at 2436 Shorecrest Drive. *See* Ex. B. The previous location at 17809 Coit Road despite being on an existing railroad right-of-way is not on the orange or green DART rail lines. *See* Exs. C, D.

II. Reason for Denial

Under section 51A-7.306 of the Dallas City Code, non-premise signs are generally prohibited with limited exceptions. Dallas, Tex., Code § 51A-7.306. Among the exceptions are that the sign is a nonconforming use and that it was lawfully relocated pursuant to section 51A-7.307. *Id.* § 51A-7.306(a)(1), (5). As noted above, in its original location, the non-premise sign

was authorized as a nonconforming use. The sign was located in the railroad right-of-way. *See* Ex. C. Under section 51A-7.307(d)(3), “signs located on a railroad right-of-way must be relocated within *that same* railroad right-of-way.” Dallas, Tex., Code § 51A-7.307(d)(3) (emphasis added). Generally, relocated signs should be relocated within 500 feet, but if that is no possible, “it can be relocated anywhere in *that same* railroad right-of-way, but must fully comply with the size, height, spacing, setback, and other restrictions in this article.” *Id.* (emphasis added). Here, applicant seeks to relocate its sign to a different railroad right-of-way rather than the same railroad right-of-way as required by the City Code. To interpret the phrase as applicant apparently does to simply require that the sign be relocated to a railroad right-of-way would render the words “that same” superfluous. Therefore, the City has long interpreted the phrase “same railroad right-of-way” to mean the same line.

Nothing in section 51A-7.307(d)(3) allows for relocation to another location or a different railroad right-of-way if it is not possible for a non-premise sign to be relocated within the “same railroad right-of-way.” Dallas, Tex., Code § 51A-7.307(d)(3). Applicant’s request, therefore, that the City ignore the requirements of section 51A-7.307(d)(3) and allow it to relocate outside the same railroad right-of-way is not permitted by the City Code. For this reason, the building official denied applicant’s relocation request. Ex. E.

III. Relief Requested

The building official's decision was proper, and the City requests that the decision be affirmed. The panel should sustain the building official's decision to deny the relocation of the non-premise sign formerly located at 17809 Coit Road, permit no. 2103094002.

Respectfully,

/s/ Kathleen M. Fones

KATHLEEN M. FONES

Assistant City Attorney

214-670-3505

kathleen.fones@dallascityhall.com



Dallas Area Rapid Transit
P.O. Box 660163
Dallas, TX 75266-0163
214-749-3278

March 3, 2021

Michael Martin
Chief Sign Inspector
City of Dallas
320 E. Jefferson Blvd.
Dallas, TX 75203

Re: Ralston Billboards at 15602 Dallas Pkwy & 17809 Coit Rd

Dear Mr. Martin;

DART has requested Ralston Outdoor to relocate their billboard located at 15602 Dallas Pkwy and 17809 Coit Rd due to a conflict in the DART owned corridor arising from the pending construction of DART Silver Line Commuter Rail project. In an effort to facilitate the relocation of Ralston's signboards DART is working on finding suitable relocation sites within the DART owned corridor at a location within the city of Dallas. In the event a suitable location cannot be found on DART corridor, it is our hopes Ralston Outdoor might be accommodated with other available options within the city of Dallas.

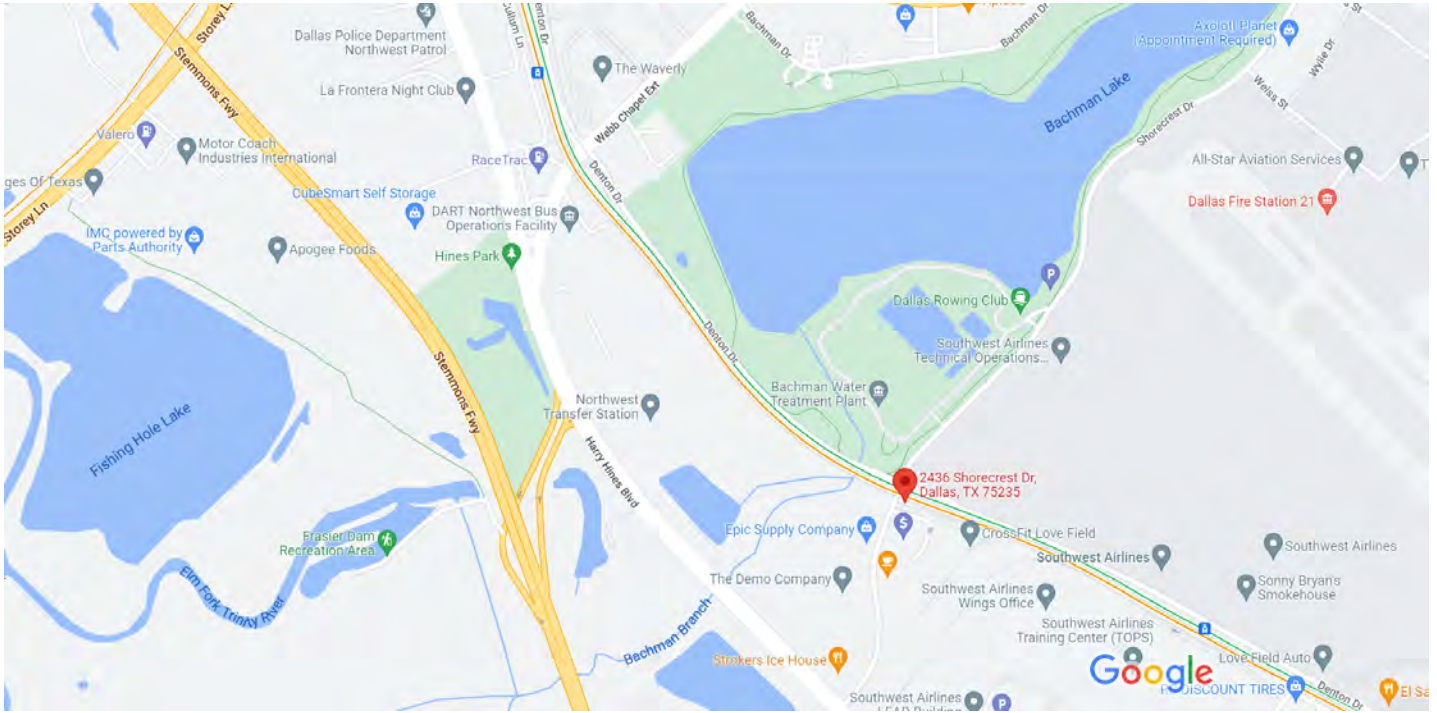
Sincerely;

A handwritten signature in blue ink, appearing to read "M Lannon", with a horizontal line extending to the right.

Matt Lannon
Senior Manager, Railroad Management








Google Maps 2436 Shorecrest Dr



Map data ©2022 500 ft



2436 Shorecrest Dr

- 
Directions
- 
Save
- 
Nearby
- 
Send to phone
- 
Share

 2436 Shorecrest Dr, Dallas, TX 75235

R4WJ+5C Dallas, Texas

Photos



ZZ-5

Google Maps Coit Rd



Image capture: Jan 2019 © 2022 Google

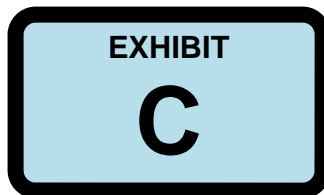
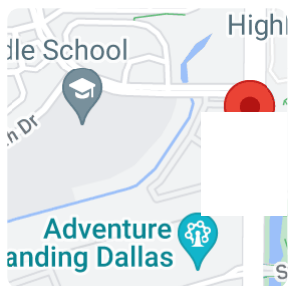
Dallas, Texas

Google

Street View - Jan 2019



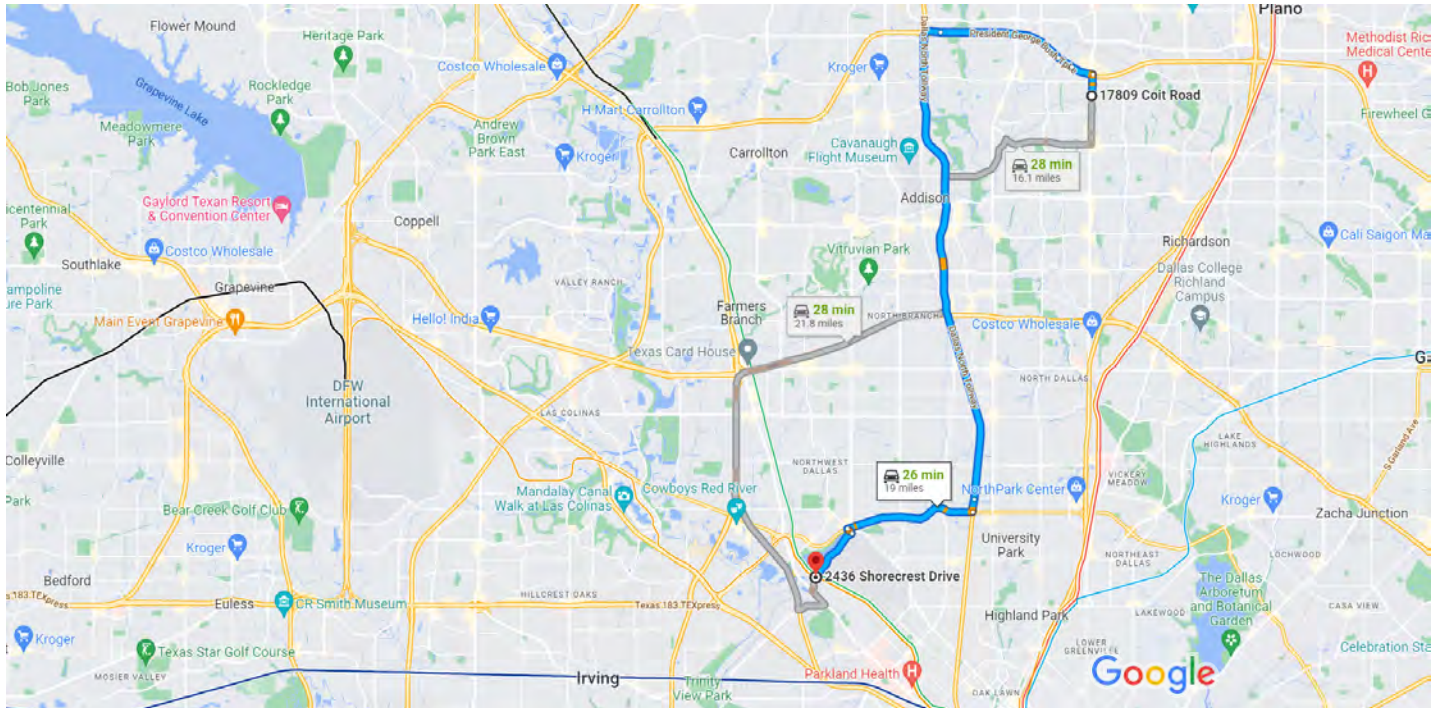
Currently shown: Jan 2019




ZZ-6



17809 Coit Rd, Dallas, TX 75252 to 2436 Shorecrest Drive 19.0 miles, 26 min
Dr, Dallas, TX 75235



Map data ©2022 Google 2 mi

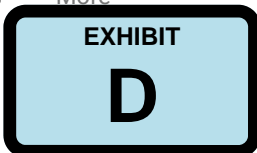
 **via Dallas North Tollway S** **26 min**
 Fastest route now due to traffic 19.0 miles
 conditions
 ⚠️ This route has tolls.

 **via Dallas North Tollway S and TX-12 Loop W** **28 min**
 16.1 miles

 **via Dallas North Tollway S and I-35E S** **28 min**
 21.8 miles

Explore 2436 Shorecrest Dr

Restaurants Hotels Gas stations Parking Lots More





CITY OF DALLAS

April 27, 2022

Mr. Benjamin Ralston
2220 Shorecrest Dr
Dallas, TX 75235

RE: Denial of the relocation assemble permit for the relocation of the non-premise sign previously located at 17809 Coit, in connection with relocation demolition permit number 2103094002, to relocate to any location outside of the same railroad right-of-way.

Dear Mr. Ralston:

This letter is to inform you that the relocation assemble permit portion for the relocation of the non-premise sign formerly at 17809 Coit in connection with relocation demolition permit portion number 2103094002 is hereby denied due to the proposed relocation sites being outside the Cotton Belt/Silver Line railroad right-of-way.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Any proposed site that is not located within the same railroad right-of-way does not meet the code requirement.

This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703 and 51A-7.703(e) of the Dallas Development Code before the 20th day after written notice of the above action. If you have any questions, please contact me at 214-671-1768.

Sincerely,

Jason Pool
Southwest District Sign Inspector
Development Services

cc: William Munding, Executive in Residence
Vernon Young, Assistant Director
David Session, CBO, Interim Building Official
Tammy Palomino, First Assistant City Attorney
Megan Wimer, Assistant Building Official
Sarah May, Chief Planner, Zoning
Michael Martin, Sr. Sign Inspector

