

**NOTICE FOR POSTING**

**MEETING OF**

**BOARD OF ADJUSTMENT, PANEL B**

**WEDNESDAY, AUGUST 17, 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, August 16, 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](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](http://YouTube.com/CityofDallasCityHall) and the **WebEx link:** <https://bit.ly/081722B>

**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, AUGUST 17, 2022**

**AGENDA**

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**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

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

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**PUBLIC TESTIMONY**

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**MISCELLANEOUS ITEM**

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Approval of the June 22, 2022 Board of  
Adjustment Panel B Public Hearing Minutes

M1

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**UNCONTESTED CASE(S)**

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<b>BDA212-056(JM)</b>	2016 Kessler Parkway <b>REQUEST:</b> Application of Parks 1420 LLC represented by Scott Parks for a variance to the front yard setback regulations	1
<b>BDA212-068(JM)</b>	2022 Woody Road <b>REQUEST:</b> Application of Veronica Salinas for a special exception to the fence height regulations	2
<b>BDA212-077(PD)</b>	11211 Strait Lane <b>REQUEST:</b> Application of Terri Hodge for a special exception to the fence height regulations	3

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**HOLDOVER CASE(S)**

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<b>BDA212-035(JM)</b>	1918 Moser Avenue <b>REQUEST:</b> Application of Rob Baldwin for a variance to the building height regulations	4
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**REGULAR CASE(S)**

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<b>BDA212-071(PD)</b>	304 S Beacon Street <b>REQUEST:</b> Application of Baldwin Associates for a variance to the front yard setback regulations	5
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## EXECUTIVE SESSION NOTICE

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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:** BDA212-056(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Parks 1420 LLC and Kessler Bluff LLC represented by Scott Parks for a variance to the front yard setback regulations at 2016 Kessler Parkway. This property is more fully described as Lot D1, Block 13/3800, and is zoned Subarea 3 within CD No. 13, Kessler Park Conservation District, which requires a front yard setback of 35 feet.

**LOCATION:** 2016 Kessler Parkway

**APPLICANT:** Parks 1420 LLC and Kessler Bluff LLC

**REPRESENTATIVE:** Scott Parks

**REQUEST:**

The applicant proposes to construct a single-family residential structure and provide a 16-foot front yard setback, which will require a 19-foot variance to the front yard setback regulations. The subject site was last granted a variance to the front yard setbacks of up to

**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) In general.
  - (i) 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;
  - (ii) 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
  - (iii) 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.

(B) Structures. In exercising its authority under Subsection (A)(ii), 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:

- (i) 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 of the Texas Tax Code;
- (ii) 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;
- (iii) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (iv) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (v) the municipality considers the structure to be a nonconforming structure.

**STAFF RECOMMENDATION:**

Approval

Rationale:

Staff concluded that the subject site is unique considering the evidence (**Attachment A**) which demonstrates the site's unique topography. The applicant argues that due to the escarpment zone and cliff generating sloping challenges, the site cannot be developed without the front yard setback variance; however, no comparative list of properties was provided to confirm how the property is different from most lots in Subarea 3 within CD No. 13.

The previous property owners submitted a list of comparative properties when the last variances were granted in 2018 (**Attachment B**). In that list of 22 properties, only the floor area was provided and ranged from 2,807 and 3,880 square feet in floor area. The last site plan approved was for a main structure with up to 3,000 square feet of floor area. The new property owner has cleared a section of bamboo which permitted additional floor area in the second story of the house. The new floor area requested for the main structure is 4,507 square feet. While this number is greater than the surrounding properties from 2018, the applicant is still seeking to only develop 25 percent of the lot, where the district allows for up to 45 percent lot coverage. This

means that all existing property owners could apply for additional improvements and increase their floor area depending on the size of their lots. While the subject site has been maxed out at the 25 percent proposed due to the topography of the site. This means that the site cannot be developed in manner commensurate with others with the same zoning due to the topography causing a restrictive developable area.

## **BACKGROUND INFORMATION:**

### **Zoning:**

<u>Site:</u>	Subarea 3 within CD No. 13, the Kessler Park Conservation District
<u>North:</u>	Subarea 3 within CD No. 13, the Kessler Park Conservation District
<u>South:</u>	Subarea 1 within CD No. 13, the Kessler Park Conservation District
<u>East:</u>	Subarea 3 within CD No. 13, the Kessler Park Conservation District
<u>West:</u>	Subarea 3 within CD No. 13, the Kessler Park Conservation District

### **Land Use:**

The subject site is undeveloped. Surrounding properties to the west, east, and south are developed with single-family uses. Across Kessler Parkway is the golf course and a park/trail. Farther northwest on N. Edgefield Avenue is a multifamily development.

### **Zoning/BDA History:**

There have been two recent related board cases **on the subject property** within the last five years.

- 1. BDA178-033:** On March 21, 2018, Panel B denied a variance to the front yard setback and a variance to the off-street parking requirements without prejudice.
- 2. BDA178-070:** On June 20, 2018, Panel B granted a 16-foot front yard variance and a four-foot parking setback variance. However, a permit was not requested within 180 days of the board's decision, terminating the action.

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

The request for a variance to the front yard setback regulations focuses on constructing and maintaining a two-story, single-family home with approximately 4,507 square feet of floor area, a 528-square-foot garage, and a 168-square-foot covered balcony on an undeveloped site that is proposed to be located 16 feet from the front property line or 19 feet into the required 35-foot front yard setback.

The subject property zoned Subarea 3 within Conservation District No. 13. In this district, the minimum front yard must equal the average of the front yards of the houses on contiguous lots. A survey (survey in **Attachment A**) submitted by the applicant confirms the front yard setback for this lot is 35 feet.

The proposed site plan and supporting evidence (elevations in **Attachment A**) indicate the applicant is seeking to develop a single-family structure with two stories, nestled into the natural topography of the site.

The subject site is sloped, irregular in shape, and approximately 12,226 square feet in area. Prior to the creation of CD No. 13 in 2005, the subject site and surrounding properties had been zoned an R-7.5(A) Single Family District where the typical lot size is 7,500 square feet and where the front yard setback was 25 feet. While the minimum lot size remains 7,500 square feet in Subarea 3 within CD No. 13, the front yard setback was increased by 10 feet due to the averaging requirement. Additionally, there is a cliff on the property that requires the addition of a retaining wall 50 feet from the front lot line on Kessler Parkway. Of those 50 feet, the required setback of 35 feet would eliminating the ability to develop the site without encroaching onto the required front yard setback.

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.

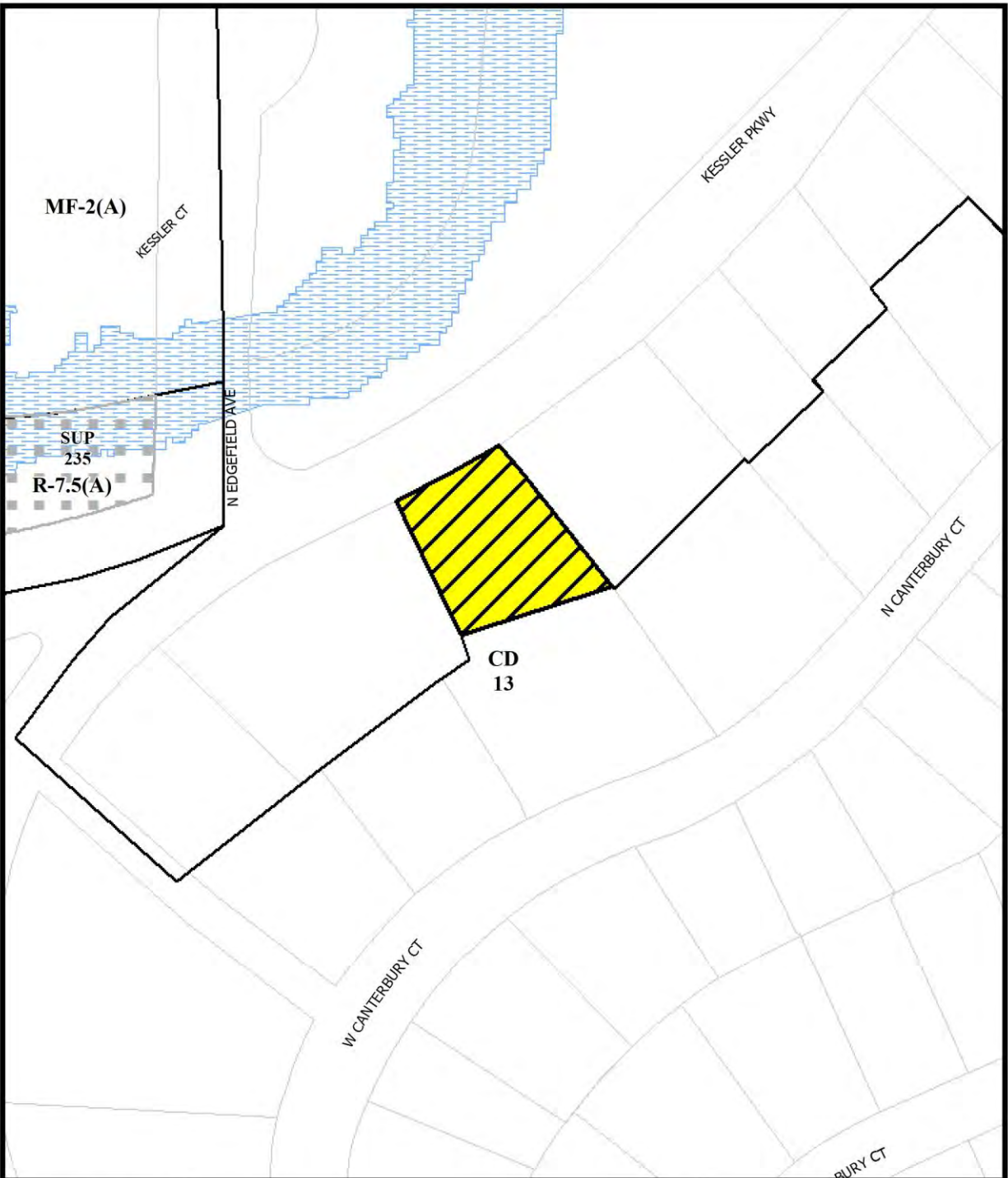
As of August 5, 2022, staff has not received letters regarding the request.

If the board were to grant the variance to the front yard setback and impose the submitted site plan as a condition, the building footprint of the structure on the site would be limited to what is shown on this document. However, granting this variance will not provide any relief to the Dallas Development Code regulations other than allowing the structure on the site to encroach into the front yard setback as depicted on the site plan (i.e. development on the site must meet all other code requirements).

## Timeline:

- April 25, 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.
- June 29, 2022: Applications were transferred from Development Services to the Board team at Current Planning for processing on the August docket.
- July 1, 2022: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.
- July 19, 2022: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative 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 and the following information:
- a copy of the application materials including the Building Official’s report on the application;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 27, 2022 The applicant provided evidence to prove the variance hardship criteria (**Attachment A**).
- July 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board Senior Planner, the Development Services Chief Planner, Chief Arborist, and the Planner and Urban Design Department Senior Conservation District Planner. No review comment sheets were submitted in conjunction with this application.





1:1,200

# ZONING MAP

Case no: BDA212-056

Date: 7/5/2022





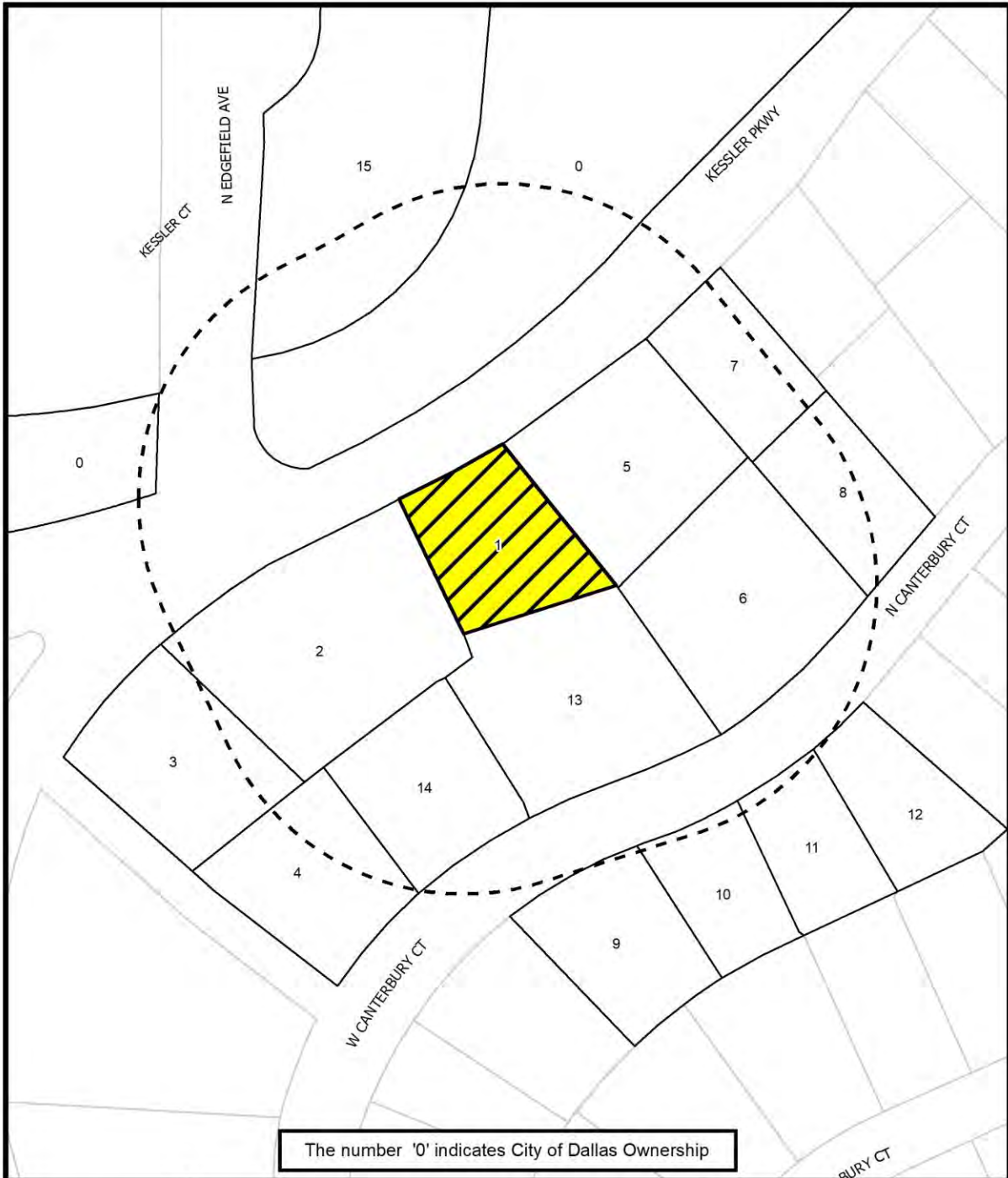
1:1,200

# AERIAL MAP

Case no: BDA212-056

Date: 7/5/2022





  
 1:1,200

**NOTIFICATION**

<b>200'</b>	AREA OF NOTIFICATION
<b>15</b>	NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-056**  
 Date: **7/5/2022**

07/01/2022

## ***Notification List of Property Owners***

***BDA212-056***

***15 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2016 KESSLER PKWY	PARKS 1420 LLC
2	2022 KESSLER PKWY	BURKE THANH
3	2040 KESSLER PKWY	HEATLY EUGENE N JR &
4	1169 N CANTERBURY CT	ABERLE KAREN
5	2010 KESSLER PKWY	BROWN LINDA S &
6	1139 N CANTERBURY CT	RODRIGUEZ HEATHER M & JOSEPH A
7	1954 KESSLER PKWY	Taxpayer at
8	1133 N CANTERBURY CT	FLORES JULIAN M & VANESSA S
9	1138 N CANTERBURY CT	MANKIN GARY DON & ROXANNE
10	1132 N CANTERBURY CT	Taxpayer at
11	1128 N CANTERBURY CT	FOWLER CHARLES A
12	1122 N CANTERBURY CT	GENTHE RYAN
13	1153 N CANTERBURY CT	DUFF TYLER J
14	1161 N CANTERBURY CT	NOBLES TIMOTHY L
15	1500 N EDGEFIELD AVE	EVE CAPITAL LLC



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-056

Data Relative to Subject Property:

Date: 4/28/22

Location address: 2016 KESSLER PARKWAY Zoning District: C.D. 13

Lot No.: D-1 Block No.: 13/3800 Acreage: .80 Census Tract: 44.00

Street Frontage (in Feet): 1) 90' 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Parks 1420 LLC

Applicant: PARKS 1420 LLC/KESSLER BLUFF LLC Telephone: 972.948.6869

Mailing Address: 2629 Dickerson Parkway, Carrollton Zip Code: 75007

E-mail Address: sparks@scottparkstudio.com

Represented by: Scott Parks, A.I.A. Telephone: 972.948.6869

Mailing Address: 3701 Turtle Creek Blvd. #8F, Dallas Zip Code: 75219

E-mail Address: sparks@scottparkstudio.com

Affirm that an appeal has been made for a Variance X, or Special Exception    , of 19'-0" to the 35'-0" front yard setback.

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

existing hardship on the lot... the lot without variance is not developable, nor commensurate with homes in the neighborhood.

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 SCOTT PARKS  
(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 2 day of MAY, 2022

(Rev. 08-01-11)



Anna Bradley  
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**

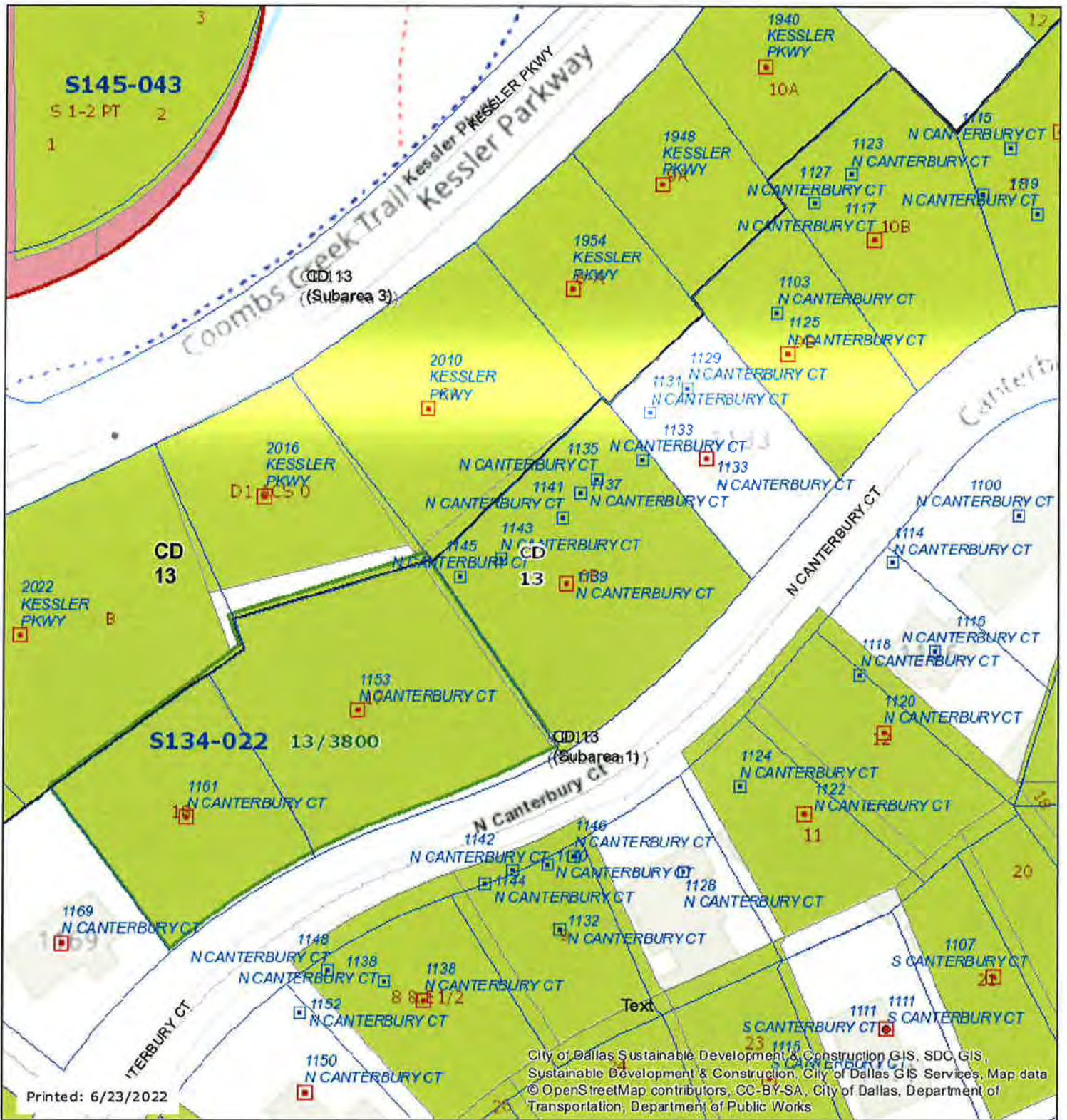
I hereby certify that Parks 1420 LLC  
represented by SCOTT PARKS  
did submit a request for a variance to the front yard setback regulations  
at 2016 Kessler Parkway

BDA212-056. Application of Parks 1420 LLC represented by SCOTT PARKS for a variance to the front yard setback regulations at 2016 KESSLER PKWY. This property is more fully described as Block 13/3800, Lot D1, and is zoned CD-13, which requires a front yard setback of 35 feet. The applicant proposes to construct a single family residential structure and provide a 16 foot front yard setback, which will require a 19 foot variance to the front yard setback regulations.

Sincerely,

  
David Session, Building Official





- |                       |                  |                            |                               |
|-----------------------|------------------|----------------------------|-------------------------------|
| 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 | Demolition Delay Overlay      |
| D                     | CD Subdistricts  | Base Zoning                |                               |
| D-1                   | PD Subdistricts  | SPSP Overlay               |                               |
| Historic Overlay      | PD193 Oak Lawn   | Pedestrian Overlay         |                               |
| Historic Subdistricts | PDS Subdistricts | CP                         |                               |
| 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)



1:1,128









City of Dallas

June 21, 2018

Curtis Burlbaw  
16 Bishop Gate  
Allen, TX 75002

Re: BDA178-070(SL), Property at 2016 Kessler Parkway

Dear Mr. Burlbaw:

The Board of Adjustment Panel B, at its public hearing held on June 20, 2018 took the following actions:

1. Granted your request for a variance to the front yard setback regulations of 16 feet, subject to the following condition:
  - Compliance with the submitted site plan is required.
2. Granted your request for a variance to the off-street parking regulations of 4 feet, subject to the following conditions:
  - Compliance with the submitted site plan is required.
  - Automatic garage doors must be installed and maintained in working order at all times.

Contact Building Inspection at 320 E. Jefferson, Room 118 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

Should you have any further questions regarding the Board's action, please contact me at (214) 670-4666.

A handwritten signature in black ink, appearing to read "Steve Long".

Steve Long, Chief Planner  
Board of Adjustment  
Sustainable Development and Construction

c: Ben Collins, Code Enforcement, 3112 Canton, Room 100  
Charles Trammell, Bldg. Inspection, 320 E. Jefferson #105





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA/178-070

Data Relative to Subject Property:

Date: 3-29-18

Location address: 2016 Kessler Parkway Zoning District: CD-13

Lot No.: D-1 Block No.: 13/3000 Acreage: .80 Census Tract: 44.00

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Jim Paulin

Applicant: Jim Paulin Telephone: 972-207-7748

Mailing Address: 5160 Tennyson Pkwy. Ste. 100 Zip Code: Plano, 75024

E-mail Address: jpaulin@benchmark.us

Represented by: Curtis Suriban Telephone: \_\_\_\_\_

Mailing Address: 16 Bishop Gate, Allen, TX Zip Code: 75002

E-mail Address: curtisuriban@gmail.com

Affirm that an appeal has been made for a Variance  or Special Exception \_\_\_\_\_ of 22'0" to the ~~35'0" front yard setback~~ a variance of 4'0" to the 20'0" setback from R.O.W. for an enclosed parking space

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: existing hard-ship on the lot. The lot w/out variance is a non developable or commensurate w/ homes in the neighborhood

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.

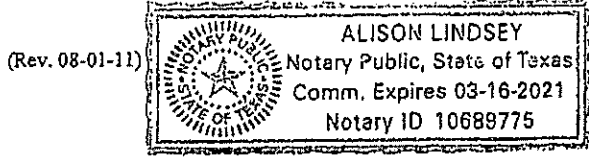
Affidavit

Before me the undersigned on this day personally appeared Jim Paulin (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 29th day of March, 2018



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

MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

Date of Hearing June 20, 2018

Appeal was Granted OR Denied

Remarks Granted - front  
Yard Setback must comply  
with Submitted Site Plan.  
Granted - Garage Door  
less than 20' must  
Automatic Garage  
Door opener in  
working order.

Scott H  
Chairman

Building Official's Report

I hereby certify that James Poulin  
represented by Curtis Burlbaw  
did submit a request for a variance to the front yard setback regulations, and for a variance to the  
off-street parking regulations  
at 2016 Kessler Parkway

BDA178-070. Application of James Poulin represented by Curtis Burlbaw for a variance to the front yard setback regulations, and for a variance to the off-street parking regulations : 2016 KESSLER PKWY. This property is more fully described as Lot D-1, Block 13/3800 and is zoned CD-13, which requires a front yard setback of 35 feet and requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct a single family residential structure and provide a 16 foot front yard setback, which will require a 19 foot variance to the front yard setback regulations, and to construct a single family residential structure with a setback of 16 feet, which will require a variance of 4 feet to the off-street parking regulations.

BOARD OF ADJUSTMENT DECISION FILED  
IN THE OFFICE OF THE BOARD OF ADJUSTMENT  
THIS THE 24 DAY OF

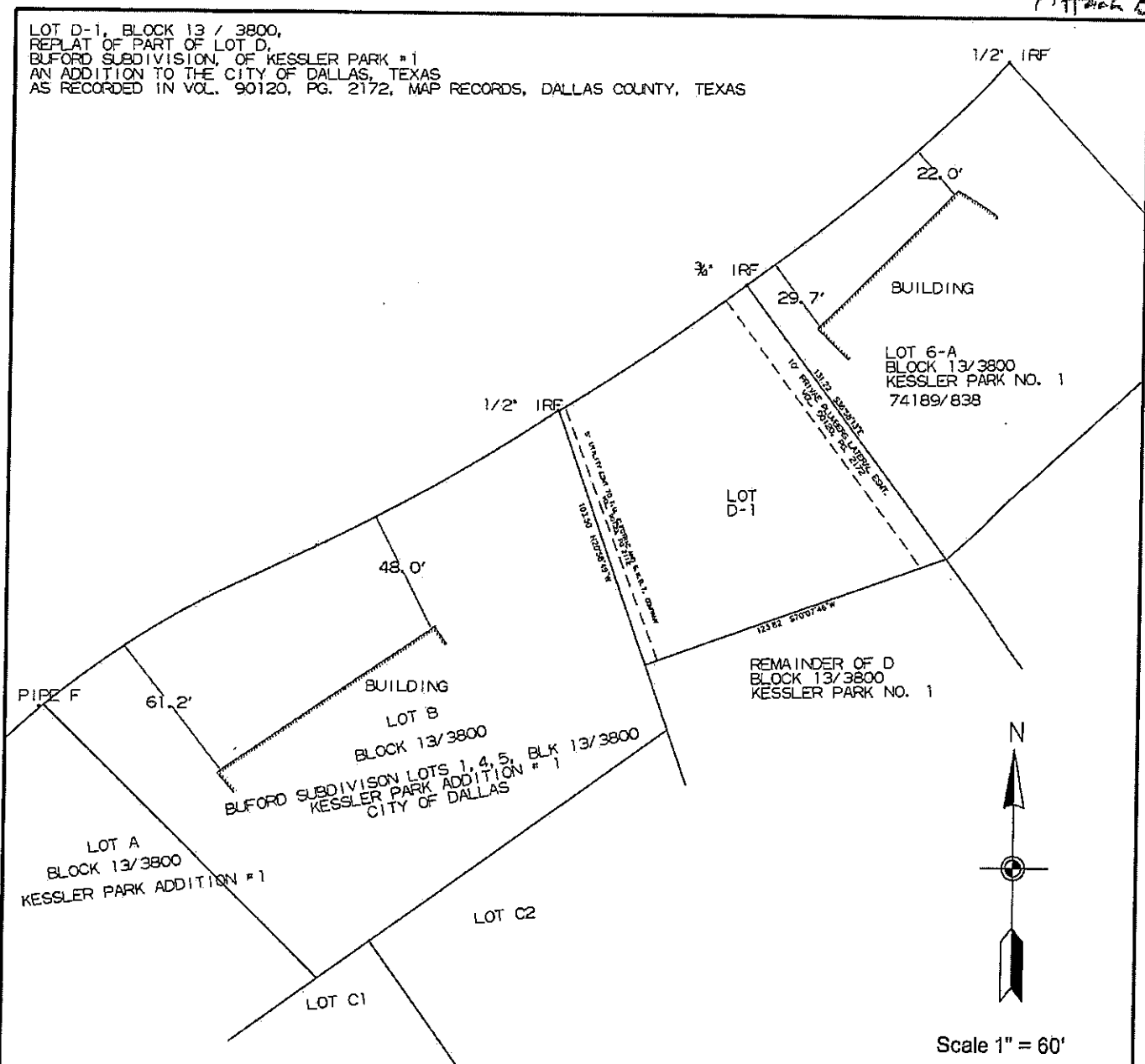
June, 20 18

[Signature]  
ADMINISTRATOR

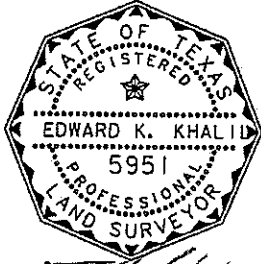
Sincerely,

Philip Sikes  
Philip Sikes, Building Official

LOT D-1, BLOCK 13 / 3800,  
 REPLAT OF PART OF LOT D,  
 BUFORD SUBDIVISION, OF KESSLER PARK #1  
 AN ADDITION TO THE CITY OF DALLAS, TEXAS  
 AS RECORDED IN VOL. 90120, PG. 2172, MAP RECORDS, DALLAS COUNTY, TEXAS



Scale 1" = 60'



Signed: *[Signature]*  
 Date: 1-22-18

EXHIBIT  
 SHOWING  
 FRONT BUILDING'S CORNERS  
 LOCATION IN REGARD TO  
 FRONT PROPERTY LINE  
 IN LOT 6-A, AND LOT B,  
 BLOCK 13 / 3800  
 CITY OF DALLAS

\$ DATE\$  
 \$ FILE\$

DRAWN BY: EK
DATE: 01-22-18
DGN. NO.: 160430
APPROVED BY: EK
REVISED:



A.N.A. CONSULTANTS, L.L.C.

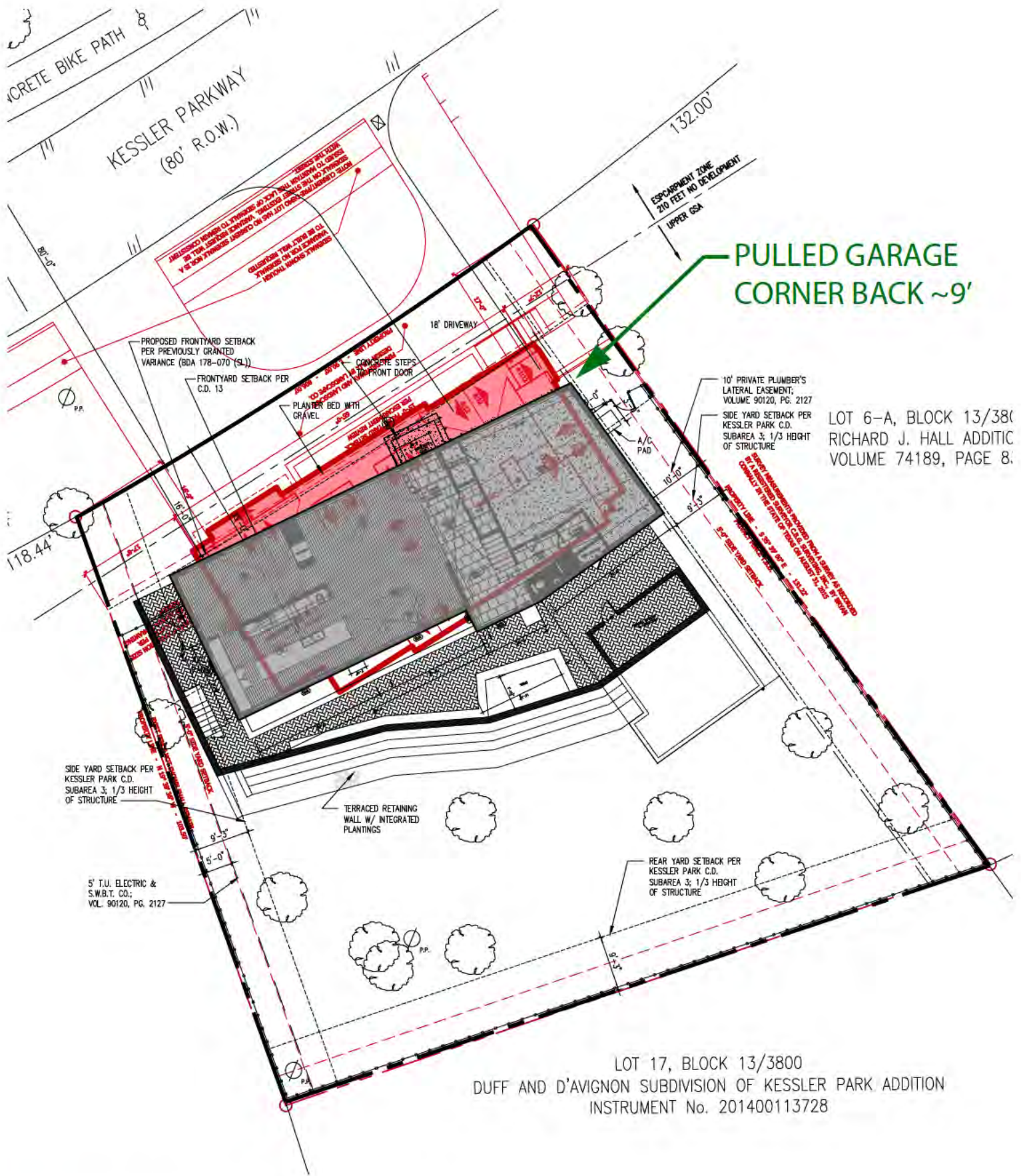
5000 Thompson Terrace  
 Colleyville, Texas 76034  
 Office: (817) 335-9900  
 Fax: (817) 335-9955  
 F.R.NO. 10090800

SHT. NO. : 1 OF 1









**PULLED GARAGE  
CORNER BACK ~9'**

LOT 6-A, BLOCK 13/380  
RICHARD J. HALL ADDITIC  
VOLUME 74189, PAGE 8.

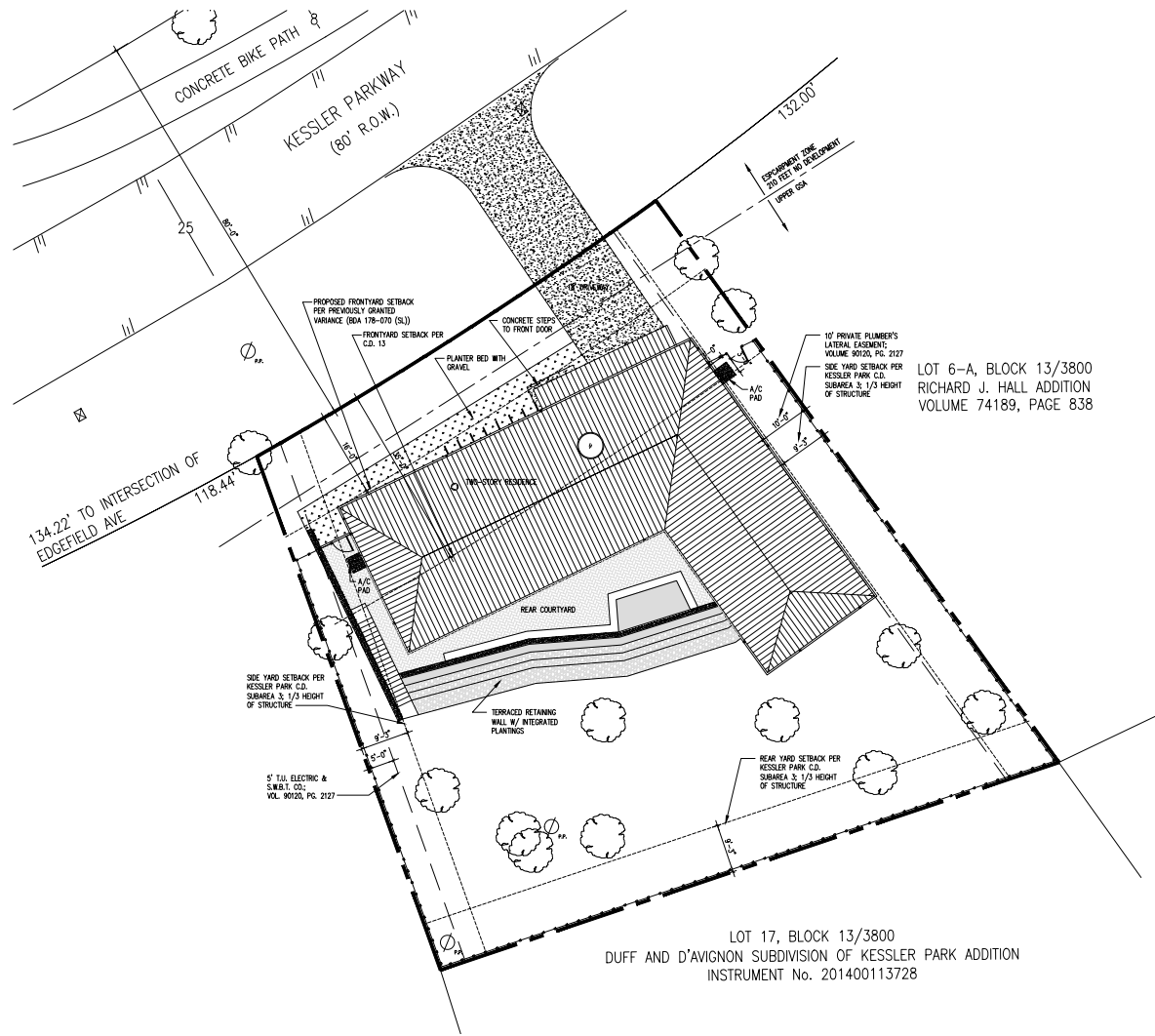
LOT 17, BLOCK 13/3800  
DUFF AND D'AVIGNON SUBDIVISION OF KESSLER PARK ADDITION  
INSTRUMENT No. 201400113728

**DIFFERENCE BETWEEN 2018 AND CURRENT SETBACKS**

BDA CASE 212-056

DIAGRAM 2: APPROVED 2018 PROPOSAL VS. CURRENT PROPOSAL --> REDUCED SETBACK ENCROACHMENT

**LOT COVERAGE:**  
 GROSS COVERED AREA = 3104 SQ FT  
 LOT AREA = 12226 SQ FT  
 LOT COVERAGE RATIO = 25%  
 \*COMPLIES\* 45% MAX. LOT COVERAGE RATIO PER KESSLER PARK CD  
**SQUARE FOOTAGES:**  
 FIRST FLOOR:  
 328 OSF GARAGE  
 1571 CONDITIONED SPACE  
 SECOND FLOOR:  
 2936 OSF CONDITIONED SPACE  
 188 OSF COVERED BALCONY  
**TREE MITIGATION NOTES:**  
 -NO TREES WILL BE REMOVED



LOT 6-A, BLOCK 13/3800  
 RICHARD J. HALL ADDITION  
 VOLUME 74189, PAGE 838

LOT 17, BLOCK 13/3800  
 DUFF AND D'AVIGNON SUBDIVISION OF KESSLER PARK ADDITION  
 INSTRUMENT No. 201400113728



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Engineer: HENNESSEY ENGINEERING INC.  
 1417 W MAIN STREET  
 #150  
 CARROLLTON, TX 75006  
 972.484.2478

Architect: SCOTT PARKS PARKS STUDIO  
 3701 TURTLE CREEK BLVD  
 #6F DALLAS, TX 75219  
 972.484.2889  
 WWW.SCOTTPARKSSTUDIO.COM

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 Project: KESSLER BLUFF HOUSE  
 2016 KESSLER PARKWAY  
 DALLAS, TEXAS 75208

SPS PROJECT NO. 00015  
 Drawing Status: PERMIT SET  
 Date: 22 MARCH 2022  
 Drawing History: N/A



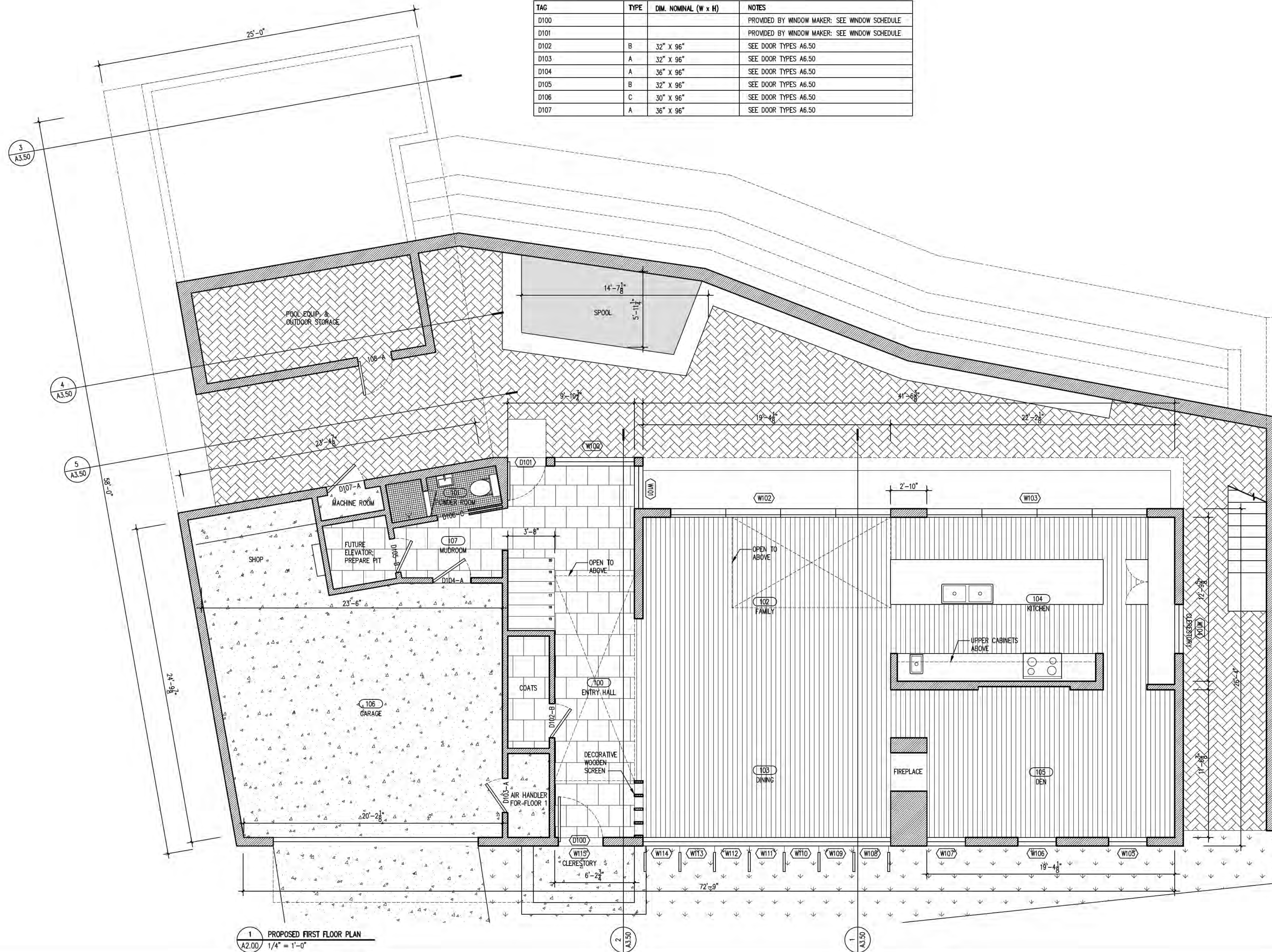
SITE PLAN

A1.00



**DOOR SCHEDULE**

TAG	TYPE	DIM. NOMINAL (W x H)	NOTES
D100			PROVIDED BY WINDOW MAKER: SEE WINDOW SCHEDULE
D101			PROVIDED BY WINDOW MAKER: SEE WINDOW SCHEDULE
D102	B	32" X 96"	SEE DOOR TYPES A6.50
D103	A	32" X 96"	SEE DOOR TYPES A6.50
D104	A	36" X 96"	SEE DOOR TYPES A6.50
D105	B	32" X 96"	SEE DOOR TYPES A6.50
D106	C	30" X 96"	SEE DOOR TYPES A6.50
D107	A	36" X 96"	SEE DOOR TYPES A6.50



**1** PROPOSED FIRST FLOOR PLAN  
A2.00 1/4" = 1'-0"

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Engineer: HENNESSEY ENGINEERING INC.  
1417 W MAIN STREET  
#100  
CARROLLTON, TX 75006  
972.245.9478

Architect: SCOTT PARKS STUDIO  
3701 TURTLE CREEK BLVD  
#8F DALLAS, TX 75219  
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Project: KESSLER BLUFF HOUSE  
2016 KESSLER PARKWAY  
DALLAS, TEXAS 75208

SPS PROJECT NO. 00015

Drawing Status: DRAFT SET

Date: 12 AUGUST 2021

Drawing History: N/A



SDA

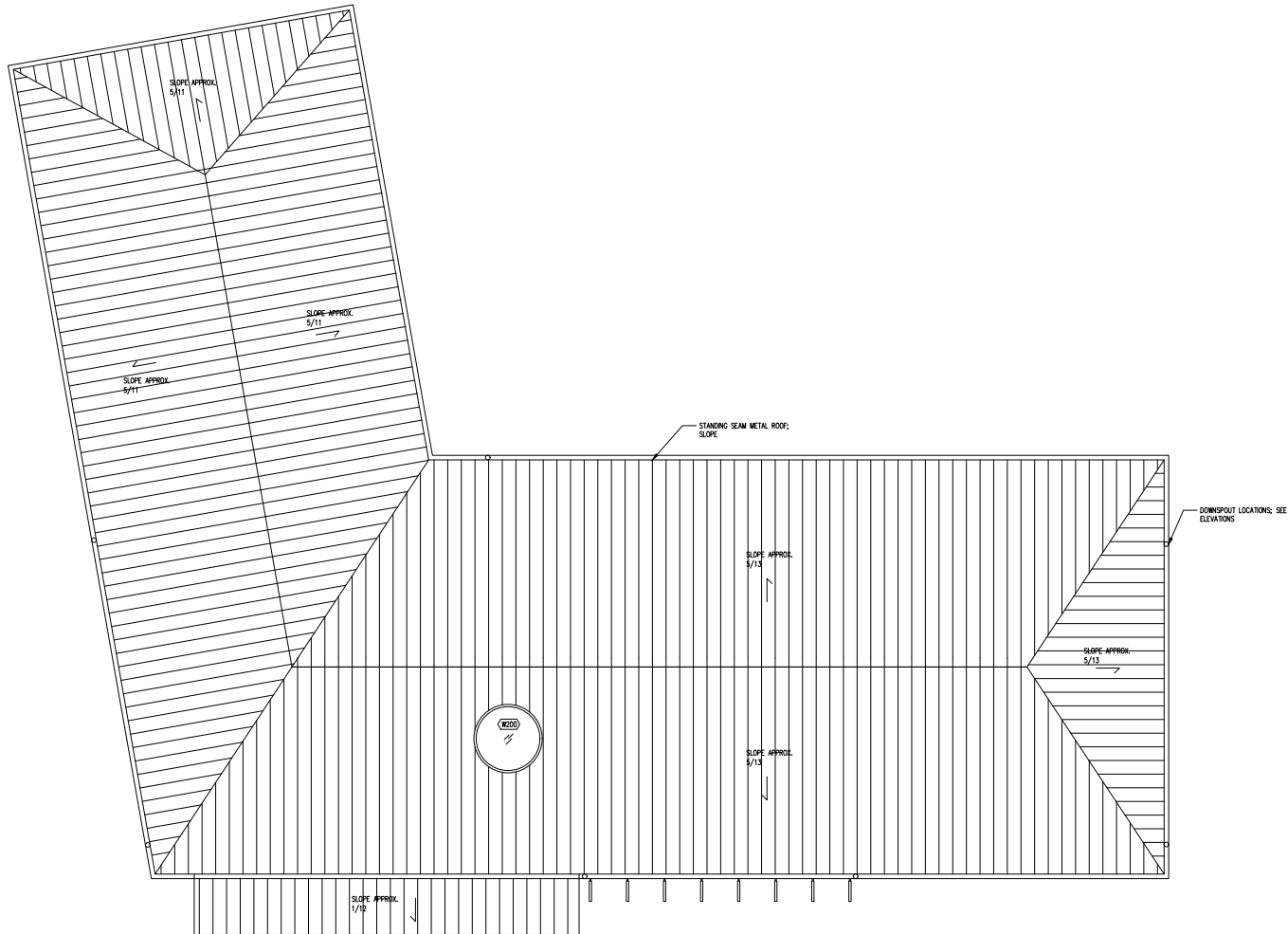
PROPOSED PLAN  
FIRST FLOOR

**A2.00**









1 PROPOSED ROOF PLAN  
A2.03 1/4" = 1'-0"

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH ALL CODES AND REGULATIONS HAVING JURISDICTION OVER THIS SITE LOCATION.  
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Engineer: HENNESSY ENGINEERING INC.  
1617 N MAIN STREET  
#100  
CARROLLTON, TX 75006  
972.240.8478

Architect: SCOTT PARKS STUDIO  
3701 TURTLE CREEK BLVD  
#87 DALLAS, TX 75219  
972.266.8889  
WWW.SCOTTPARKSSTUDIO.COM

Project: KESSLER BLUFF HOUSE  
2818 KESSLER PARKWAY  
DALLAS, TEXAS 75228

SPS PROJECT NO. 00015  
Drawing Status: DRAFT SET  
Date: 12 AUGUST 2021  
Drawing History: N/A



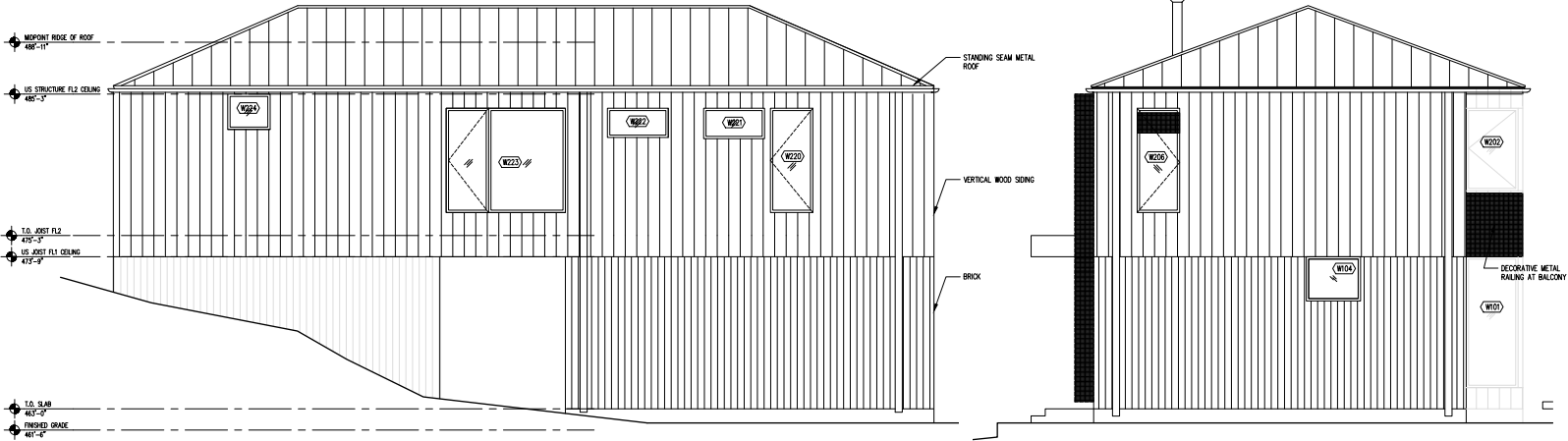
PROPOSED PLAN ROOF

A2.02

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH ALL CODES AND REGULATIONS HAVING JURISDICTION OVER THIS SITE LOCATION.

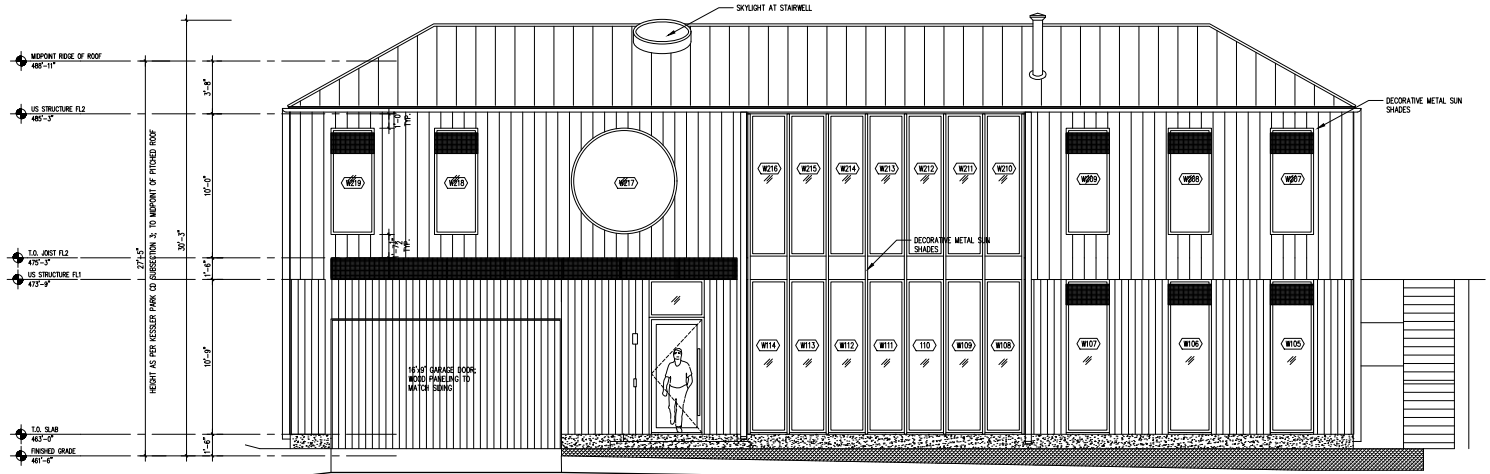
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3 EAST EXTERIOR ELEVATION  
A3.00 1/4" = 1'-0"

2 WEST EXTERIOR ELEVATION  
A3.00 1/4" = 1'-0"



1 NORTH EXTERIOR ELEVATION  
A3.00 1/4" = 1'-0"

Engineer: HENNESSY ENGINEERING INC.  
147 N MAIN STREET  
#110  
CARROLLTON, TX 75006  
972.240.8478

Architect: SCOTT PARKS STUDIO  
3701 TURTLE CREEK BLVD  
#87 DALLAS, TX 75219  
972.246.8889  
WWW.SCOTTPARKSSTUDIO.COM

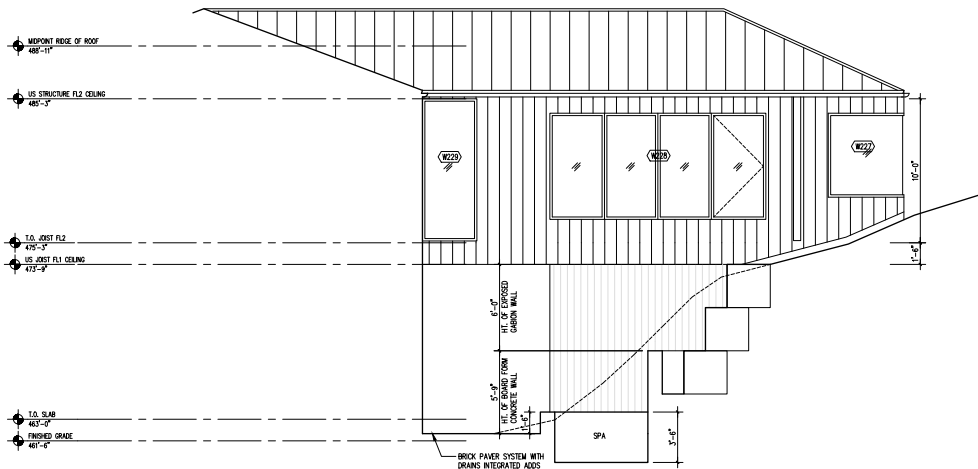
Project: KESSLER BLUFF HOUSE  
2018 KESSLER PARKWAY  
DALLAS, TEXAS 75208

SPS PROJECT NO. 00195  
Drawing Status: PERMIT SET  
Date: 22 MARCH 2022  
Drawing History: N/A

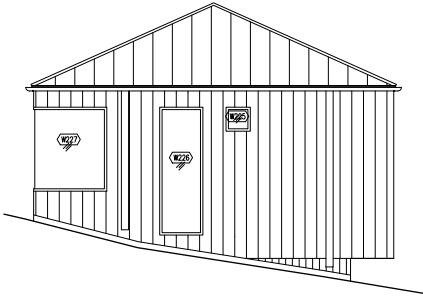


EXTERIOR ELEVATIONS

A3.00



4 WEST EXTERIOR ELEVATION  
A3.01 1/4" = 1'-0"



3 SOUTH EXTERIOR ELEVATION  
A3.01 1/4" = 1'-0"



2 SOUTH EXTERIOR ELEVATION  
A3.01 1/4" = 1'-0"

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1617 N MAIN STREET  
#110  
CARROLLTON, TX 75006  
972.240.8478

Architect: SCOTT PARKS STUDIO  
3701 TURTLE CREEK BLVD  
#87 DALLAS, TX 75219  
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Project: KESSLER BLUFF HOUSE  
2018 KESSLER PARKWAY  
DALLAS, TEXAS 75208

SPS PROJECT NO. 00015  
Drawing Status: PERMIT SET  
Date: 22 MARCH 2022  
Drawing History: N/A

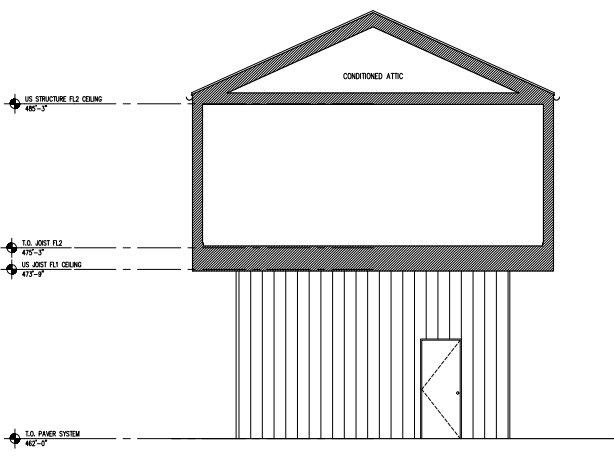


EXTERIOR ELEVATIONS

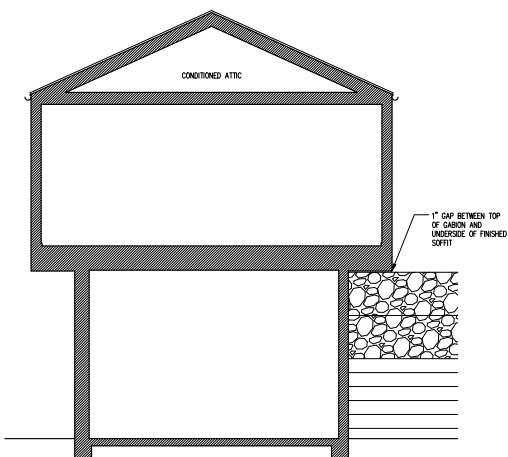
A3.01

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH ALL CODES AND REGULATIONS HAVING JURISDICTION OVER THIS SITE LOCATION.

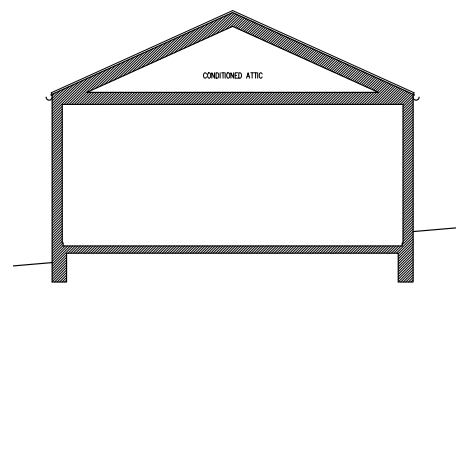
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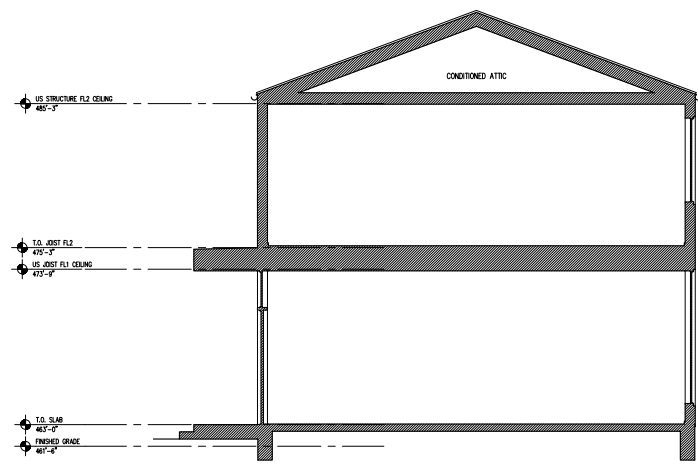
5 E-W BUILDING SECTION  
A3.50 1/4" = 1'-0"



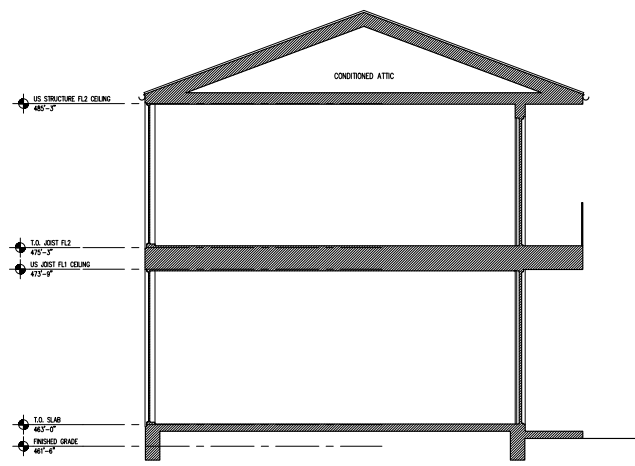
4 E-W BUILDING SECTION  
A3.50 1/4" = 1'-0"



3 E-W BUILDING SECTION  
A3.50 1/4" = 1'-0"



2 N-S BUILDING SECTION  
A3.50 1/4" = 1'-0"



1 N-S BUILDING SECTION  
A3.25 1/4" = 1'-0"

Engineer: HENNESSY ENGINEERING INC.  
1617 W MAIN STREET  
#100  
CARROLLTON, TX 75006  
972.240.8478

Architect: SCOTT PARKS STUDIO  
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#87 DALLAS, TX 75219  
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DALLAS, TEXAS 75228

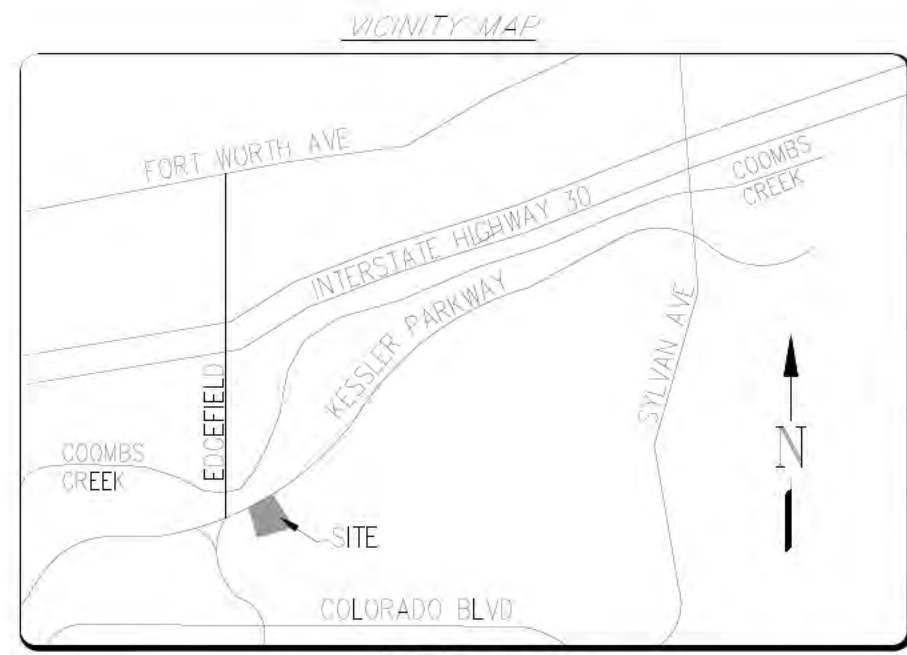
SPS PROJECT NO. 00015  
Drawing Status: DRAFT SET  
Date: 12 AUGUST 2021  
Drawing History: N/A



BUILDING SECTIONS

A3.50





- LEGEND**
- IR.F. IRON ROD FOUND
  - CM. CONTROLLING MONUMENT
  - THICK SHANKED CONCRETE NAIL WITH MAGNETIC HEAD
  - R RADIUS
  - L LENGTH OF ARC
  - MANHOLE
  - SIGN
  - ▭ PROPERTY LINE
  - POWER POLE
  - FENCING
  - EXISTING TREE (14" > 8")

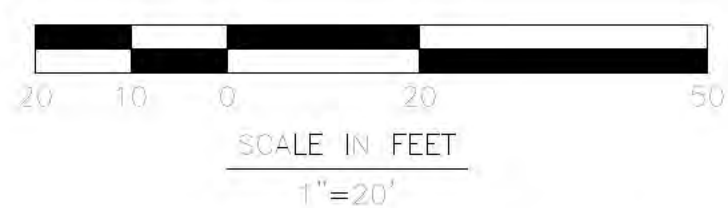
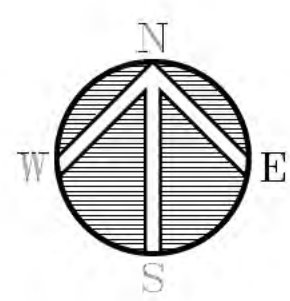
CONTRACTOR TO APPLY FOR R.O.W. PERMIT AT: <https://rowmanagement.dallas.gov>  
 CALL STREETS AT: 214.670.5311 TO SET DRIVEWAY GRADES.  
 CALL BUILDING INSPECTIONS AT: 214.948.4480 FOR DRIVEWAY INSPECTIONS.

- BENCHMARKS:**
- PUBLISHED (2014) CITY OF DALLAS WATER DEPARTMENT BENCHMARK #1302 - SYLVAN AVENUE AND INTERSTATE HIGHWAY 30 - CITY OF DALLAS BENCHMARK ON CONCRETE CURB OF A CENTER MEDIAN OF SYLVAN AVENUE AND INTERSTATE HIGHWAY 30 SERVICE ROAD. ELEVATION = 437.958'
  - SITE BENCHMARK IRON ROD SET WITH RED CAP ON THE NORTH SIDE OF KESSLER PARKWAY 14' NORTH OF THE NORTH SIDE OF THE BIKE PATH AND FACING SOUTH LINING UP WITH THE MIDDLE LINE OF THE RESIDENCE AT 2018 KESSLER PARKWAY. ELEVATION=446.83'

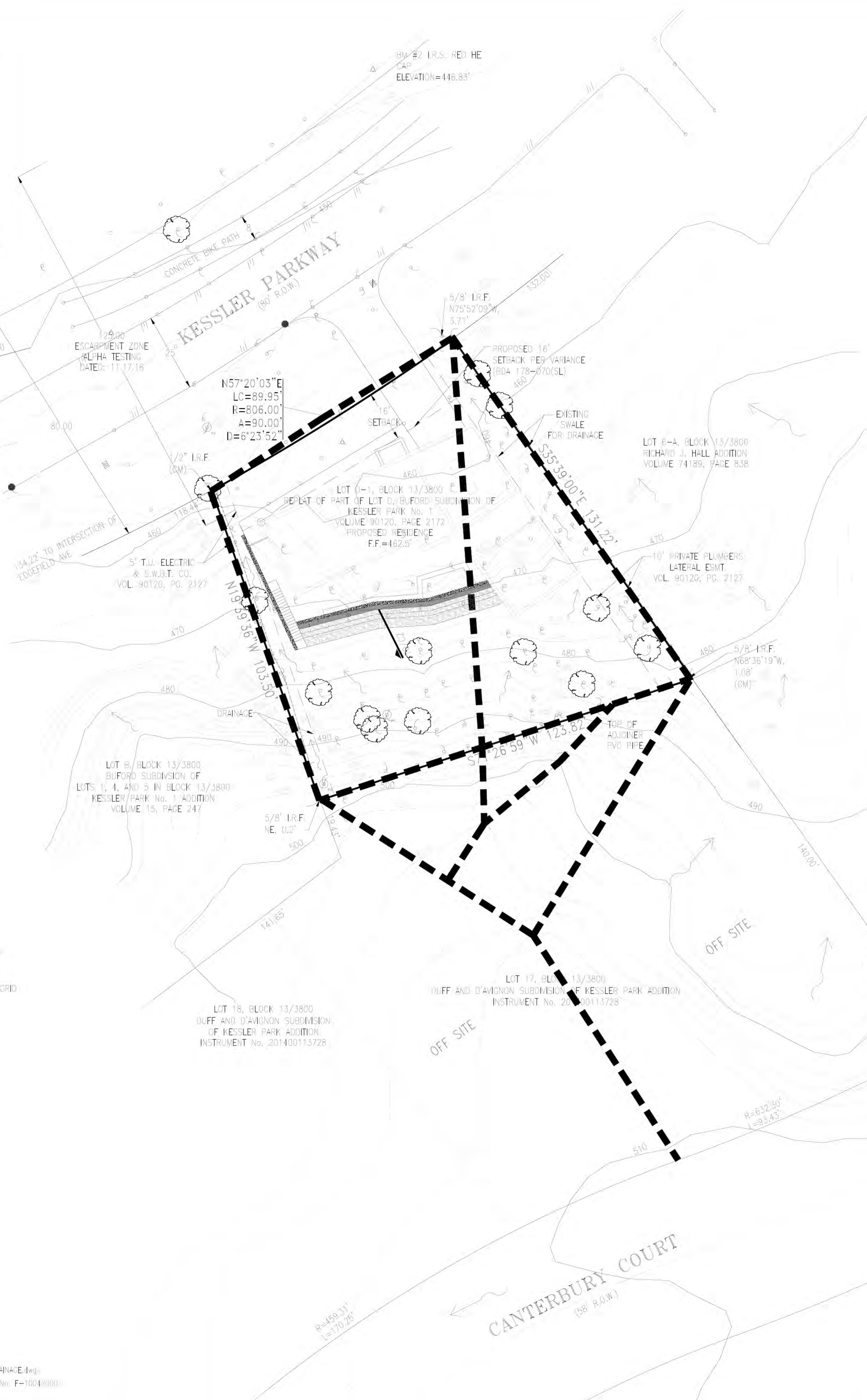
**FLOOD PLAIN DESIGNATION**

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP No. 4811300340I, WITH A DATE OF IDENTIFICATION OF AUGUST 23, 2001 FOR COMMUNITY PANEL No. 480171, IN DALLAS COUNTY, STATE OF TEXAS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

- LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
- COORDINATES SHOWN ON THE FACE OF THE PLAT ARE OF TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- PROPERTY IS ZONE CD (CONSERVATION DISTRICT) 13.



Mar 23, 2022 - 1:52pm F:\DRAWINGS\2020\2006\_205\c1\2006.205 C1 GRADING AND DRAINAGE.dwg  
 COPYRIGHT © 2019, BY HENNESSEY ENGINEERING, INC. TPLS Firm Certificate of Registration No. F-100400000



**PROPERTY DESCRIPTION**

BEING ALL OF LOT (1-1), BLOCK 13/3800 OF REPLAT OF PART OF LOT D, BUFORD SUBDIVISION OF KESSLER PARK, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 90120, PAGE 2172, DEED RECORDS, DALLAS COUNTY, TEXAS.

- CONSTRUCTION NOTES:**
- DRAIN PIPES TO BE 8" PVC (UNLESS NOTED OTHERWISE) SDR-35 WITH 4" GRAVEL BEDDING SURROUND AND MINIMUM SLOPE OF 0.5%.
  - PRIVATE DRAINS TO BE 12"x12" WITH OUTLET AT SIDE OF BOX TO PROVIDE FOR MINIMUM DEPTH OF DRAIN PIPE.
  - ALL CURB/GUTTER AND PUBLIC WALK TO BE REPLACED PER TOWN SPECS.
  - REFER TO MECHANICAL AND ELECTRICAL DRAWINGS AND SPECIFICATIONS FOR EQUIPMENT AND DETAILS WHICH TAKE PRECEDENT OVER NOTES 3 & 4.
  - MAINTENANCE OF STORAGE PIPES, PUMPS AND ALL DRAINAGE PIPES IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNERS.
  - UNTIL LANDSCAPE HAS BEEN FULLY INSTALLED, PROVIDE SILT FENCES AND PROTECTION FOR STORM DETENTION PIPES AND AREAS.

- GRADING NOTES:**
- REMOVE TOPSOIL TO DEPTH OF 3" AND STOCKPILE; EXCAVATE ROADS AND PARKING AREAS FOR FILL AT BUILDING PADS WHICH SHALL MAINTAIN FLAT GRADE 5' OUTSIDE OF BUILDING BEFORE SLOPE STARTS. COMPACT FILL TO 95% PROCTOR DENSITY AT OPTIMUM MOISTURE CONTENT OR SOILS REPORT RECOMMENDATIONS (IF GREATER).
  - IN THE CASE OF SLABS ON GRADE, ROUGH PAD WILL BE BROUGHT TO 10" BELOW FINISH SLAB ELEVATION. REVIEW GRADING WITH ENGINEER SO +/- 0.3' ADJUSTMENT MAY BE MADE TO BALANCE CUT AND FILL IF REQUIRED. EXCESS FILL MAY BE DISPOSED ON SITE AS DIRECTED BY ENGINEER.
  - SLOPE GRASSED AREAS AND SIDEWALKS AT A MINIMUM OF 1% TO TOP OF CURBS OR DRAINAGE CHANNEL.
  - CROSS-SECTIONAL SLOPE ON DRIVEWAYS AND PARKING LOTS SHALL BE A MINIMUM OF 1/4" TO 1'-0" (2%).
  - 2'-4" DIA. PVC DRAINS SHALL BE PLACED UNDER ALL SIDEWALKS WHICH CROSS A DRAINAGE SWALE.
  - SEE ARCHITECTURAL LANDSCAPE DRAWINGS FOR DETAILS OF FINISHED GRADING.
  - ALL DRAINAGE SWALES SHALL BE SMOOTHLY SLOPING TO THE OUTLET STRUCTURES WITH 1'-0" +/- DEPTH.
  - ALL REINFORCED CONCRETE STORM DRAIN PIPE SHALL BE CLASS III.
  - PUBLIC STREETS AND FIRE LANES SHALL CONFORM TO CITY STANDARDS AND SOILS REPORT RECOMMENDATIONS.
  - CONSTRUCT FINISHED FLOORS A MINIMUM OF 1'-0" ABOVE THE ADJACENT PAVEMENT. WARP PAVEMENT UP TO FLOORS TO PROVIDE SMOOTH TRANSITION AND POSITIVE DRAINAGE AWAY FROM BUILDINGS.
  - PAVING SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY STANDARDS OR SOILS REPORT RECOMMENDATIONS.
  - ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE SHOWN.
  - ALL GRADES ARE TO THE TOP OF CURB OR TOP OF PAVEMENT UNLESS OTHERWISE SHOWN.

**PRE-DEVELOPED DRAINAGE AREAS**

SCALE 1" = 20'

DEVELOPED HYDRAULIC CALCULATIONS Q= C <sub>f</sub> C <sub>f</sub> I.A.							AREA DRAINS TO:
DRAINAGE AREA	AREA (ACRES)	T <sub>10</sub> MIN.	C <sub>f</sub> COEF.	INTENSITY I <sub>10</sub> I <sub>100</sub>	Q (CFS) RUNOFF Q <sub>10</sub> Q <sub>100</sub>		
A1	0.182	20	0.30	7.34	0.401	COOMBS CREEK	
A2	0.099	20	0.30	7.34	0.022	COOMBS CREEK	
B1	0.026	20	0.30	7.34	0.057	COOMBS CREEK	
B2	0.013	20	0.30	7.34	0.029	COOMBS CREEK	
B3	0.047	20	0.30	7.34	0.103	COOMBS CREEK	
TOTAL	0.367				0.612		

**POST-DEVELOPED DRAINAGE AREAS**

SCALE 1" = 20'

DEVELOPED HYDRAULIC CALCULATIONS Q= C <sub>f</sub> C <sub>f</sub> I.A.							AREA DRAINS TO:
DRAINAGE AREA	AREA (ACRES)	T <sub>10</sub> MIN.	C <sub>f</sub> COEF.	INTENSITY I <sub>10</sub> I <sub>100</sub>	Q (CFS) RUNOFF Q <sub>10</sub> Q <sub>100</sub>		
A1	0.182	15	0.45	8.10	0.683	COOMBS CREEK	
A2	0.099	15	0.45	8.10	0.361	COOMBS CREEK	
B1	0.026	15	0.45	8.10	0.095	COOMBS CREEK	
B2	0.013	15	0.45	8.10	0.047	COOMBS CREEK	
B3	0.047	15	0.45	8.10	0.171	COOMBS CREEK	
TOTAL	0.367				1.337		

*Peter Hennessey*

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY PETER HENNESSEY, P.E. 33295 ON FEBRUARY 02, 2022.  
 ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

REVISIONS			
REV. NO.	DATE	DESCRIPTION	BY

**H HENNESSEY ENGINEERING, INC. E**

1417 W. MAIN, SUITE 100, CARROLLTON, TEXAS, 75006 (972-245-9475) [hennings2@aol.com](mailto:hennings2@aol.com)

PLAT NO.	BLDG PERMIT No.	DEV ENGINEERING TRACKING Nos.

**GRADING AND DRAINAGE PLAN**

2016 KESSLER PARKWAY  
 KESSLER PARK  
 DEVELOPMENT SERVICES  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
HE	JB	01.19.22			C1

**CONTRACT INFORMATION:**

CONTRACT NO. \_\_\_\_\_ DATE \_\_\_\_\_

CONTRACTOR \_\_\_\_\_

CONTRACT NO. (IF APPLICABLE) \_\_\_\_\_ DATE \_\_\_\_\_

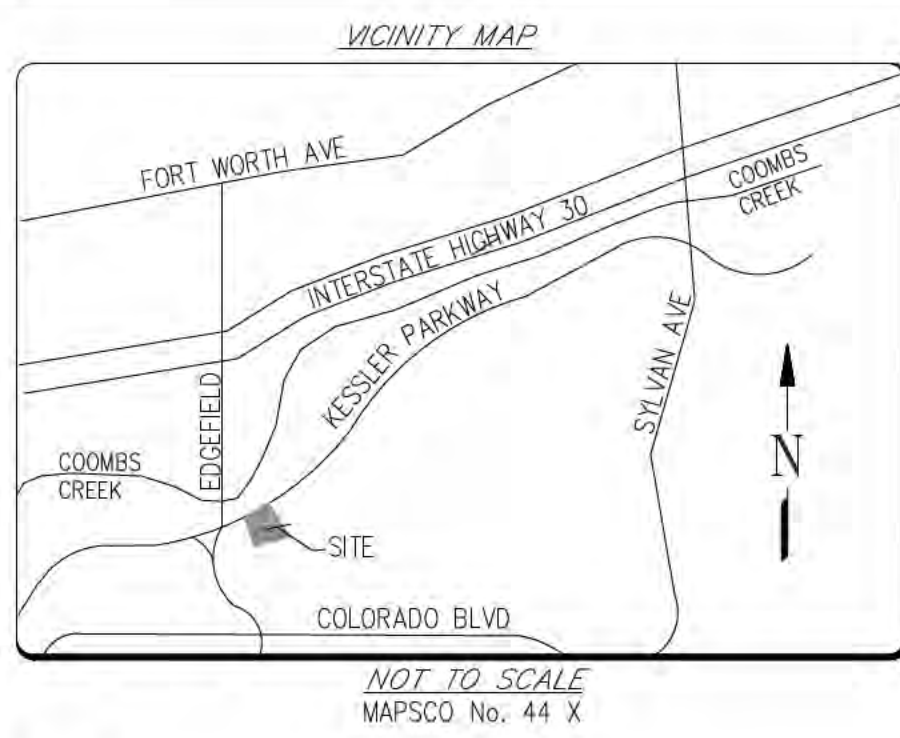
CONTRACTOR \_\_\_\_\_

CONTRACT NO. (IF APPLICABLE) \_\_\_\_\_ DATE \_\_\_\_\_

CONTRACTOR \_\_\_\_\_

SCOTT PARKS, AIA  
 sparks@scottparksstudio.com  
 H-E FILE No.  
 J2006.205





- LEGEND**
- I.R.F. IRON ROD FOUND
  - C.M. CONTROLLING MONUMENT
  - THICK SHANKED CONCRETE NAIL WITH MAGNETIC HEAD
  - R RADIUS
  - L LENGTH OF ARC
  - M.H. MANHOLE
  - SS SIGN
  - PL PROPERTY LINE
  - ⊕ POWER POLE
  - F FENCING
  - ⊙ EXISTING TREE
  - DIA > 6"

CONTRACTOR TO APPLY FOR R.O.W. PERMIT AT:  
<https://trammanagement.dallascityhall.com>

CALL STREETS AT: 214.670.5311 TO SET DRIVEWAY GRADES.

CALL BUILDING INSPECTIONS AT: 214.948.4480 FOR DRIVEWAY INSPECTIONS.

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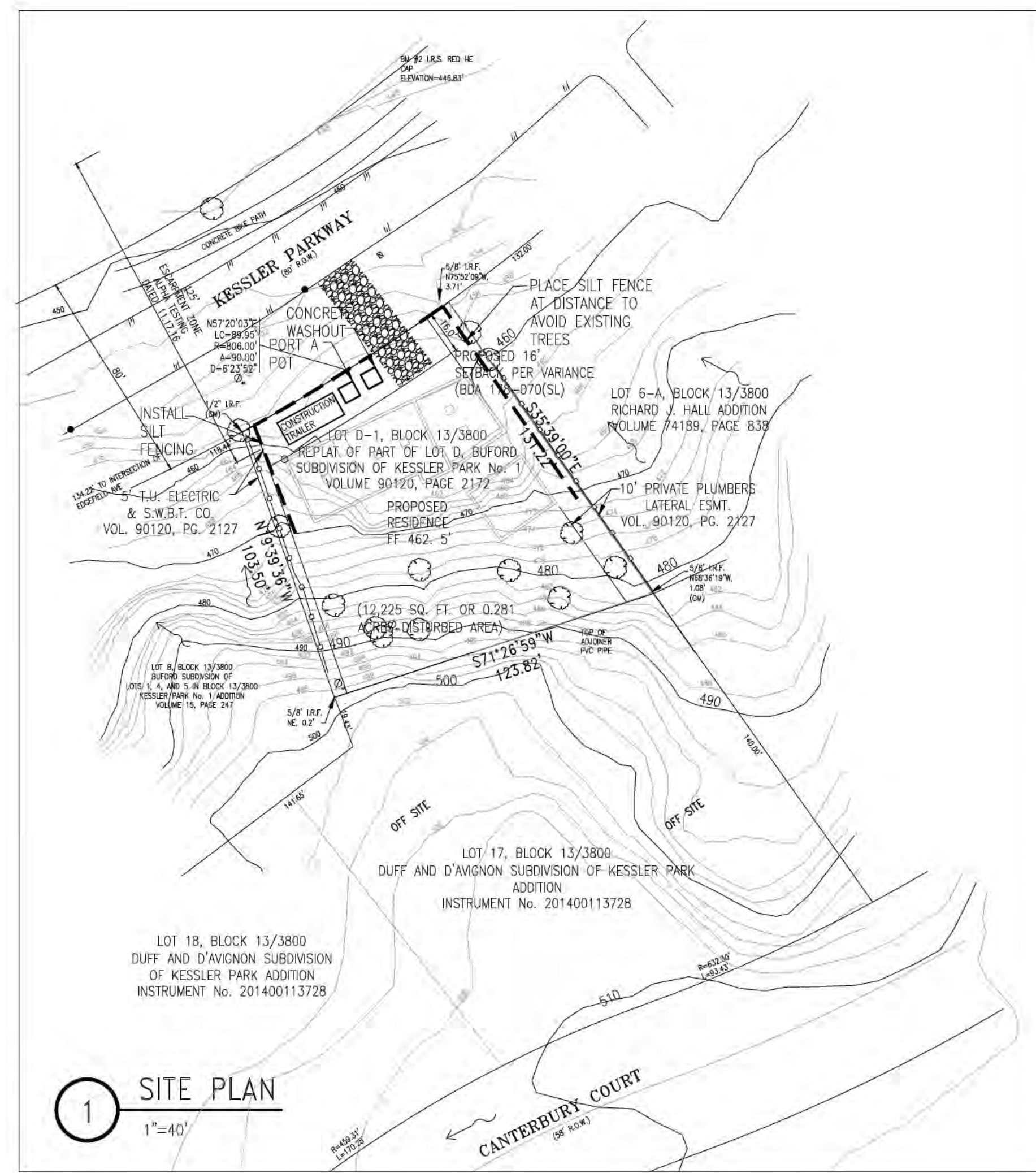
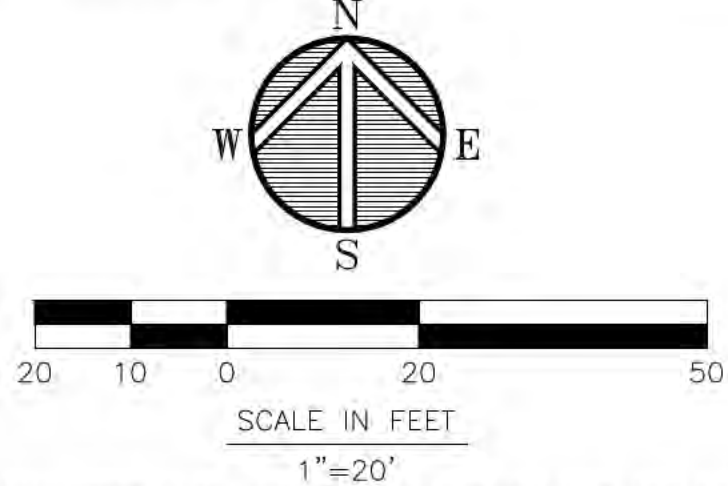
**FLOOD PLAIN DESIGNATION**

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP No. 48113C0340J, WITH A DATE OF IDENTIFICATION OF AUGUST 23, 2001 FOR COMMUNITY PANEL No. 480171, IN DALLAS COUNTY, STATE OF TEXAS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.

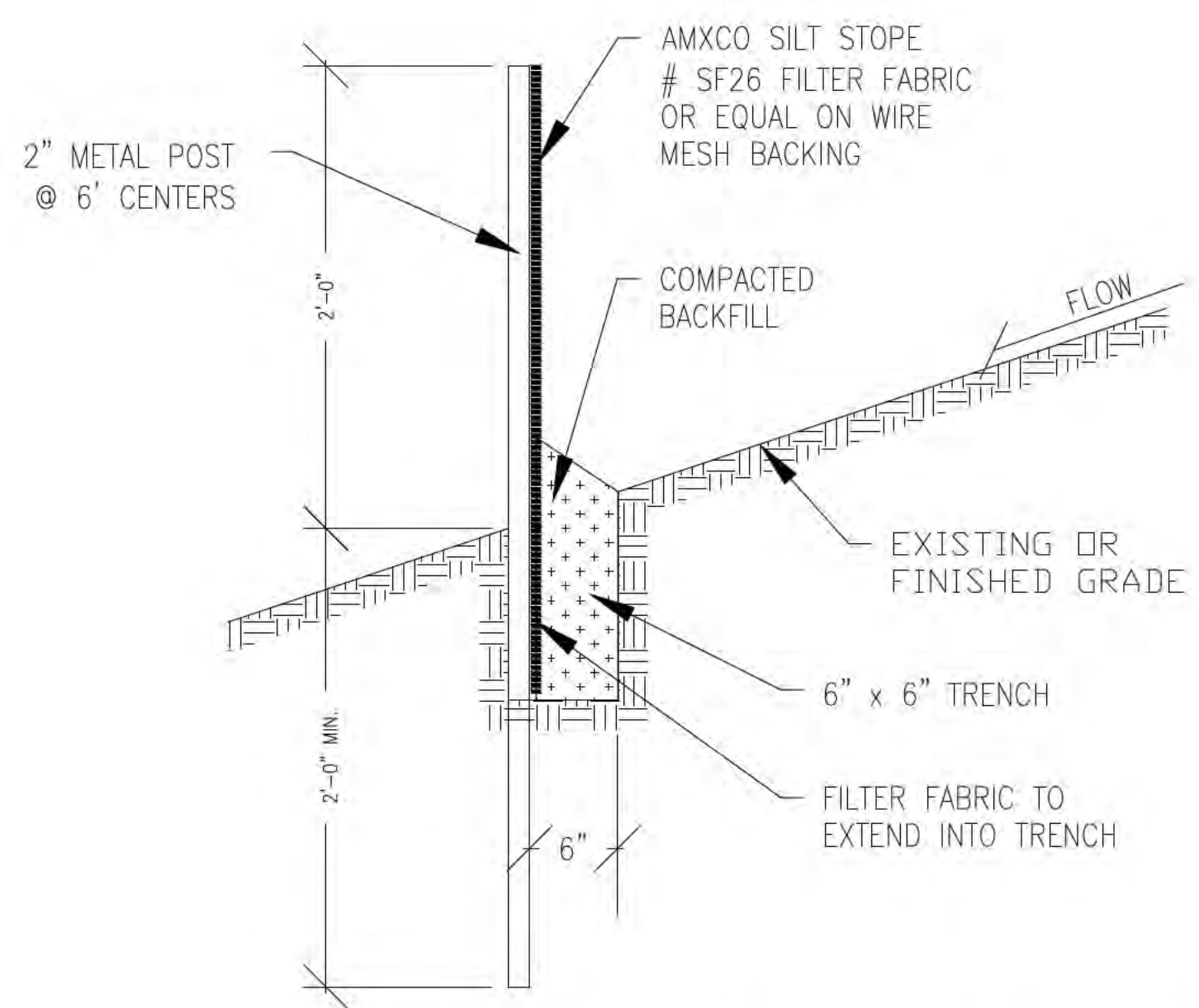
- LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT CITY OF DALLAS PAVING & DRAINAGE ENGINEERING SECTION APPROVAL.
- COORDINATES SHOWN ON THE FACE OF THE PLAT ARE OF TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- PROPERTY IS ZONE CD (CONSERVATION DISTRICT) 13.

**TRENCH SAFETY NOTES:**

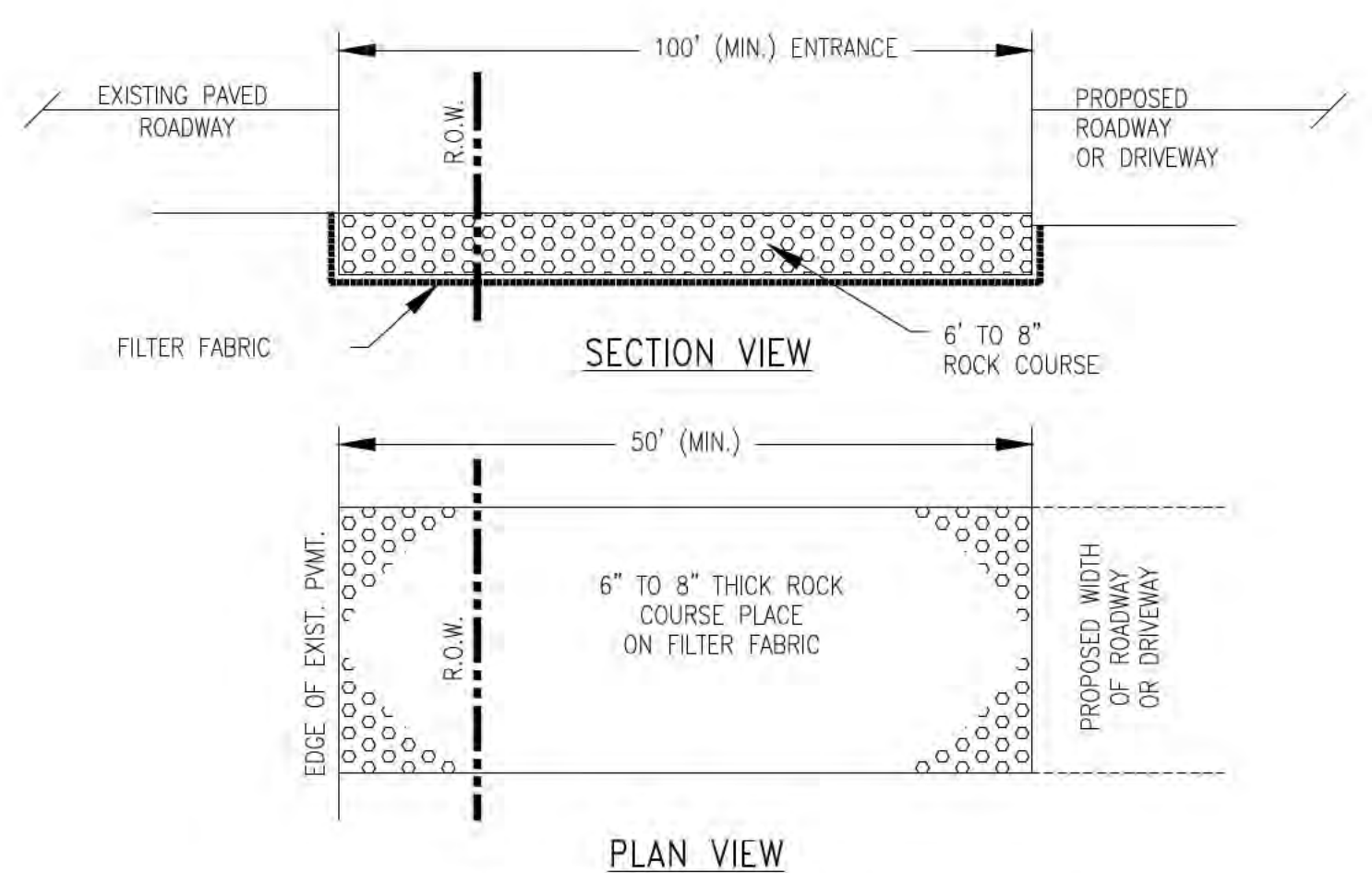
- TRENCH SAFETY SYSTEMS SHALL BE PROVIDED BY THE CONTRACTOR AS PROVIDED IN SUBPART P - EXCAVATION, TRENCHING, AND SHORING, PART 1926 OF THE CODE OF FEDERAL REGULATIONS WHICH DESCRIBES SAFETY AND HEALTH REGULATIONS AS ADMINISTERED BY THE U.S. DEPARTMENT OF LABOR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A.) THE STANDARDS SPECIFIED BY THE O.S.H.A. REGULATIONS SHALL BE THE MINIMUM ALLOWED ON THIS PROJECT. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DESIGN AND INSTALL ADEQUATE TRENCH SAFETY SYSTEMS FOR ALL TRENCHES EXCAVATED ON THIS PROJECT.
- BEFORE BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL FURNISH TO THE CITY FOR APPROVAL A TRENCH SAFETY PLAN FOR THIS PROJECT. THE TRENCH SAFETY PLAN MUST BE PREPARED AND SEALED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS. IN ADDITION, ALL TRENCH SAFETY SYSTEMS UTILIZED IN THIS PROJECT MUST BE DESIGNED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS. THE CONTRACTOR SHALL BE TOTALLY RESPONSIBLE FOR THE SAFETY OF ALL PERSONS INVOLVED IN THE CONSTRUCTION OF THIS PROJECT.



1 SITE PLAN  
 1"=40'



EROSION CONTROL SILT FENCE  
 1 DETAIL  
 N.T.S.  
 \DRAWINGS\EC-1 D502



LENGTH - 50 FEET MINIMUM WHERE THE SOILS ARE SANDS OR GRAVELS, OR 100 FEET WHERE SOILS ARE CLAYS OR SILTS EXCEPT WHERE TRAVEL LENGTH IS LESS THAN 50 OR 100 FEET RESPECTIVELY.

A STABILIZED CONSTRUCTION ENTRANCE APPLIES TO POINTS OF CONSTRUCTION INGRESS AND EGRESS WHERE SEDIMENT MAY BE TRACKED OR FLOW OFF THE CONSTRUCTION SITE.

STABILIZED CONSTRUCTION ACCESS  
 2 DETAIL  
 N.T.S.

- EROSION CONTROL NOTES:**
- ALL EROSION AND SEDIMENT CONTROL CONSTRUCTION SHALL CONFORM TO THE STATE STANDARDS AND SPECIFICATIONS, AND SHALL BE INSTALLED IN PROPER SEQUENCE AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING THE NOTICE OF INTENT (N.O.I.) AND NOTICE OF TERMINATION (N.O.T.) TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.
  - ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE INSTALLED IN ACCORDANCE WITH N.C.T.C.O.G. SPECS 3.12 EROSION & SEDIMENTATION CONTROL GUIDELINES, AND WILL BE INSTALLED IN PROPER SEQUENCE AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED TO MEET CITY STANDARDS.
  - CONTRACTOR SHALL INSTALL SILT FENCE, PEA GRAVEL BAG DIKE AND INLET PROTECTION AS SHOWN AND AS REQUESTED BY OWNER'S ENGINEER OR CITY IF ADDITIONAL EROSION PROTECTION IS NEEDED.
  - ALL PAVED STREETS SURROUNDING THE PROJECT SHALL BE KEPT CLEAN AT ALL TIMES. NO MUD ACCUMULATION WILL BE ALLOWED IN PUBLIC STREETS. A CRUSHED STONE, VEHICLE WHEEL CLEANING BLANKET WILL BE INSTALLED WHEREVER A CONSTRUCTION ACCESS ROAD INTERSECTS ANY PAVED ROADWAY. SAID BLANKET WILL BE COMPOSED OF 6"-8" THICK CRUSHED STONE (N.T.C.O.G. ITEM 2.1.8.(d) "ROCK FOR FOUNDATION") AND BE AT LEAST 15 FEET WIDE BY 50 FEET LONG.
  - ALL SEDIMENTATION STRUCTURES WILL BE INSPECTED AND MAINTAINED ON A REGULAR BASIS DURING CONSTRUCTION TO PREVENT ANY BLOCKAGES FROM ACCUMULATED SEDIMENT. ADDITIONAL EROSION BARRIERS MAY BE REQUIRED DURING CONSTRUCTION AS SPECIFIED BY ENGINEER OR CITY INSPECTOR.
  - INSTALL SILT CONTROL FENCE FABRIC WITH 2" X 2" X 4" STAKES AT 6' ON CENTER WITH 2" X 1/2" LATHES TO ATTACH THE FABRIC TO THE STAKES. LOCATE SILT CONTROL FENCE TO MINIMIZE SURFACE SOIL EROSION.
  - FILTER FABRIC TO BE BELTECH 751 OR APPROVED EQUAL AND INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
  - THE SITE SHALL AT ALL TIMES BE GRADED AND MAINTAINED SUCH THAT ALL STORM WATER RUN OFF IS DIVERTED TO SOIL EROSION AND SEDIMENT CONTROL FACILITIES.
  - CONTRACTOR SHALL INSTALL PIPE COVER OR FILTER MATERIAL OVER THE END OF STORM SEWER PIPE IMMEDIATELY AFTER INSTALLATION OF PIPE AND PRIOR TO CONSTRUCTION OF INLET BOX AND INLET PROTECTION.
  - CONTRACTOR SHALL ENSURE THAT, DUE TO ANY STOPPAGE IN CONSTRUCTION, ALL EXPOSED ENDS OF STORM SEWERS ARE COVERED WITH ACCEPTABLE MATERIAL THAT WILL PREVENT SEDIMENT FROM ENTERING SYSTEM.
  - ANY DISTURBED AREA THAT WILL BE LEFT EXPOSED FOR MORE THAN SIXTY (60) DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC SHALL IMMEDIATELY RECEIVE A HYDROMULCH SEEDING WITH A MIXTURE OF BERMUDA AND RYE GRASS CONFORMING TO TEXAS HIGHWAY DEPARTMENT 1995 STANDARDS.
  - ALL STORM DRAINAGE OUTLETS WILL BE STABILIZED BEFORE THE DISCHARGE POINTS BECOME OPERATIONAL. DUE TO ANY STOPPAGE IN CONSTRUCTION OR AT COMPLETION OF LINE, CONTRACTOR SHALL INSTALL 1/2" PLYWOOD OVER END OF PIPE AND BACKFILL TO SECURELY HOLD IN PLACE TO PREVENT SEDIMENT FROM ENTERING PIPE.
  - ALL PROPOSED PARKING AREAS TO BE PAVED AS SOON AS POSSIBLE AFTER SUBGRADE IS PREPARED.
  - STOCKPILES ARE NOT TO BE LOCATED WITHIN 50 FEET OF A FLOODPLAIN, SLOPE, ROADWAY OR DRAINAGE FACILITY. THE BASE OF ALL STOCKPILES SHOULD BE PROTECTED BY A PEA GRAVEL BAG BARRIER OR SEDIMENT FENCE.
  - THE MAXIMUM SIDE SLOPES OF ALL EXPOSED SURFACES SHALL NOT EXCEED 3:1 UNLESS OTHERWISE APPROVED BY THE CITY.
  - EXISTING TREES SHALL BE PRESERVED WHEREVER POSSIBLE. ALL FILL MATERIAL IS TO BE FREE OF BRUSH, RUBBISH, TIMBER, LOSS, VEGETATIVE MATTER AND STUMPS IN AMOUNTS THAT WILL BE DETRIMENTAL IN CONSTRUCTING STABLE FILLS.
  - ROCK RIP-RAP SHALL BE INSTALLED IN ACCORDANCE WITH TEXAS HIGHWAY DEPARTMENT 1995 SPECIFICATIONS. THE MINIMUM THICKNESS OF RIP-RAP LINING SHALL BE 12". STONE SIZES SHALL VARY FROM 6" TO 8" IN DIAMETER.
  - CONTRACTOR SHALL REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROLS ONLY WHEN THERE IS A SUFFICIENT GROWTH OF GROUND COVER TO PREVENT FURTHER EROSION.



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY:  
 PETER HENNESSEY, P.E. 33295 ON FEBRUARY 02, 2022.

ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

**CONTRACT INFORMATION**

CONTRACT NO.	_____	DATE	_____
CONTRACTOR	_____	DATE	_____
CONTRACT NO. (IF APPLICABLE)	_____	DATE	_____
CONTRACTOR	_____	DATE	_____

SCOTT PARKS, AIA  
 sparks@scottparksstudio.com  
 H-E FILE No.  
 J2006.205

- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, LATEST EDITION, AND THE CITY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION ADDENDUM AND PAVEMENT CUT AND REPAIR STANDARD MANUAL OF PUBLIC WORKS AND TRANSPORTATION DATED OCTOBER 2003.
- DURING CONSTRUCTION OF THESE IMPROVEMENTS, ANY INTERPRETATION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, AND ANY MATTER WHICH REQUIRES THE APPROVAL OF THE OWNER, MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION OR HIS DESIGNEE BEFORE ANY CONSTRUCTION INVOLVING THAT DECISION COMMENCES. ASSUMPTIONS ABOUT WHAT THESE DECISIONS MIGHT BE WHICH ARE MADE DURING THE BIDDING PHASE WILL HAVE NO BEARING ON THE DECISION.
- FOR ADJUSTMENTS OF THE CITY WATER UTILITIES APPURTENANCES OR TO VERIFY LOCATIONS OF THE EXISTING WATER AND WASTEWATER MAINS IN AREA, CALL (214.670.1770) AT LEAST THREE (3) WORKING DAYS PRIOR TO CONSTRUCTION.
- STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS, AND STORM DRAINAGE FACILITIES IN THE PUBLIC RIGHT-OF-WAY SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF DALLAS, STANDARD CONSTRUCTION DETAILS, FILE 2510-1, LATEST EDITION.
- ALL CONCRETE SHALL BE 4000PSI FOR MACHINE FINISH AND 4500 PSI IF IT IS NECESSARY FOR HAND FINISH.
- SEPARATE CONCRETE CURB & GUTTER SHALL BE MARKED 3/8" DEEP WITH AN APPROVED TOOL (SAW CUT) IN 15 FOOT SECTIONS. INSTALL #4 L-SHAPED REBAR DOWELS (12" INTO EXISTING PAVEMENT), EVERY 18", EPOXIED IN.
- 1" REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR WIDTH, RADIUS POINTS, OR EVERY 80', BEGINNING AT CURB RETURN.
- IF SIDEWALK IS LOCATED AT BACK OF CURB, REDWOOD JOINTS SHOULD MATCH WITH EXISTING REDWOOD JOINTS IN THE STREET.
- AT ALL EXPANSION JOINT, 24" LONG, #6 (3/4") SMOOTH DOWEL IS REQUIRED EVERY 24" ON CENTER.
- 1" FOOTINGS ARE REQUIRED AT ALL EXPANSION JOINTS AND THE PAVEMENT DEPTH TRANSITIONS FROM 4" TO 5" THICK, OVER 24" LENGTH OF PAVEMENT.
- 8" FOOTING IS REQUIRED FOR SIDEWALKS LOCATED AT BACK-OF-CURB, WITH A 6" DOWEL. SIDEWALK MUST BE A MINIMUM OF 5' WIDE.
- CONFIRM THAT ALL EXISTING AND PROPOSED SIDEWALKS AND BARRIER-FREE RAMPS COMPLY WITH TEXAS ACCESSIBILITY STANDARDS.

**REVISIONS**

REV NO.	DATE	DESCRIPTION	BY

**HENNESSEY ENGINEERING, INC.**  
 1417 W. MAIN, SUITE 100, CARROLLTON, TEXAS, 75006 (972-245-9478) henes2@aol.com

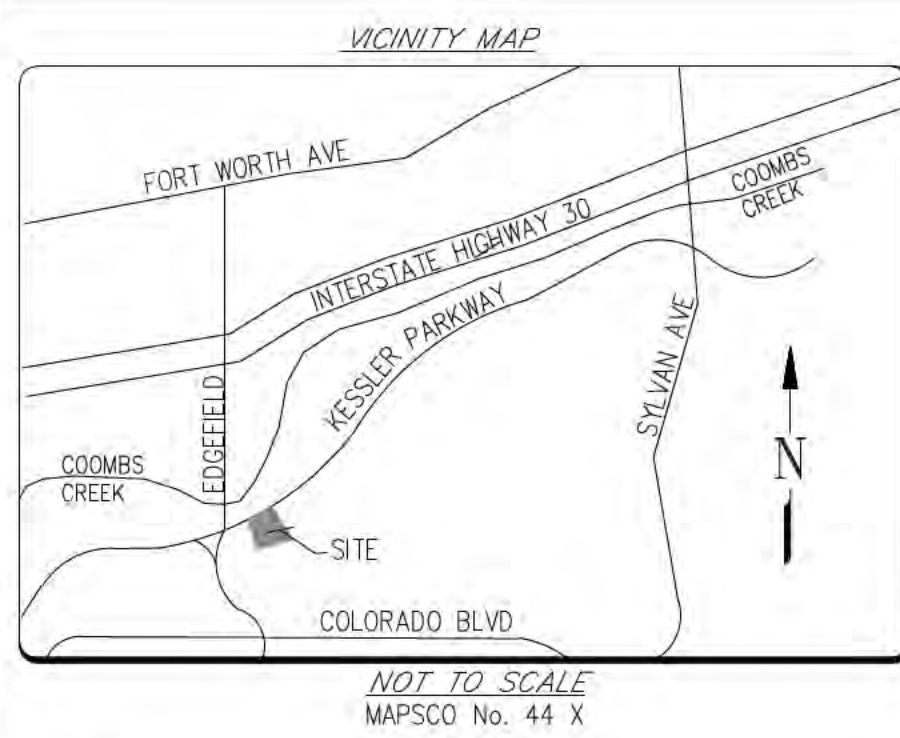
PLAT NO. \_\_\_\_\_ BLDG PERMIT No. \_\_\_\_\_ DEV ENGINEERING TRACKING Nos. \_\_\_\_\_

**EROSION CONTROL & NOTES**

2016 KESSLER PARKWAY  
 KESSLER PARK  
 DEVELOPMENT SERVICES  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

REVIEW BY:	DRAWN BY:	DATE	REFERENCE	NUMBER	SHEET
HE	JB	01.10.22			C3





- LEGEND**
- I.R.F. IRON ROD FOUND
  - C.M. CONTROLLING MONUMENT
  - THICK SHANKED CONCRETE NAIL WITH MAGNETIC HEAD
  - R RADIUS
  - L LENGTH OF ARC
  - M.H. MANHOLE
  - SD SIGN
  - P PROPERTY LINE
  - ⊕ POWER POLE
  - FENCING
  - EXISTING TREE  
DIA > 6"

CONTRACTOR TO APPLY FOR R.O.W. PERMIT AT:  
<https://rowmanagement.dallascityhall.com>

CALL STREETS AT: 214.670.5311 TO SET DRIVEWAY GRADES.

CALL BUILDING INSPECTIONS AT: 214.948.4480 FOR DRIVEWAY INSPECTIONS.

- BENCHMARKS:**
- PUBLISHED (2014) CITY OF DALLAS WATER DEPARTMENT BENCHMARK #1302 - SYLVAN AVENUE AND INTERSTATE HIGHWAY 30 - CITY OF DALLAS BENCHMARK ON CONCRETE CURB OF A CENTER MEDIAN OF SYLVAN AVENUE AND INTERSTATE HIGHWAY 30 SERVICE ROAD  
ELEVATION = 437.958'
  - SITE BENCHMARK IRON ROD SET WITH RED CAP ON THE NORTH SIDE OF KESSLER PARKWAY 14' NORTH OF THE NORTH SIDE OF THE BIKE PATH AND FACING SOUTH LINING UP WITH THE MIDDLE LINE OF THE RESIDENCE AT 2018 KESSLER PARKWAY.  
ELEVATION=446.83'

**FLOOD PLAIN DESIGNATION**

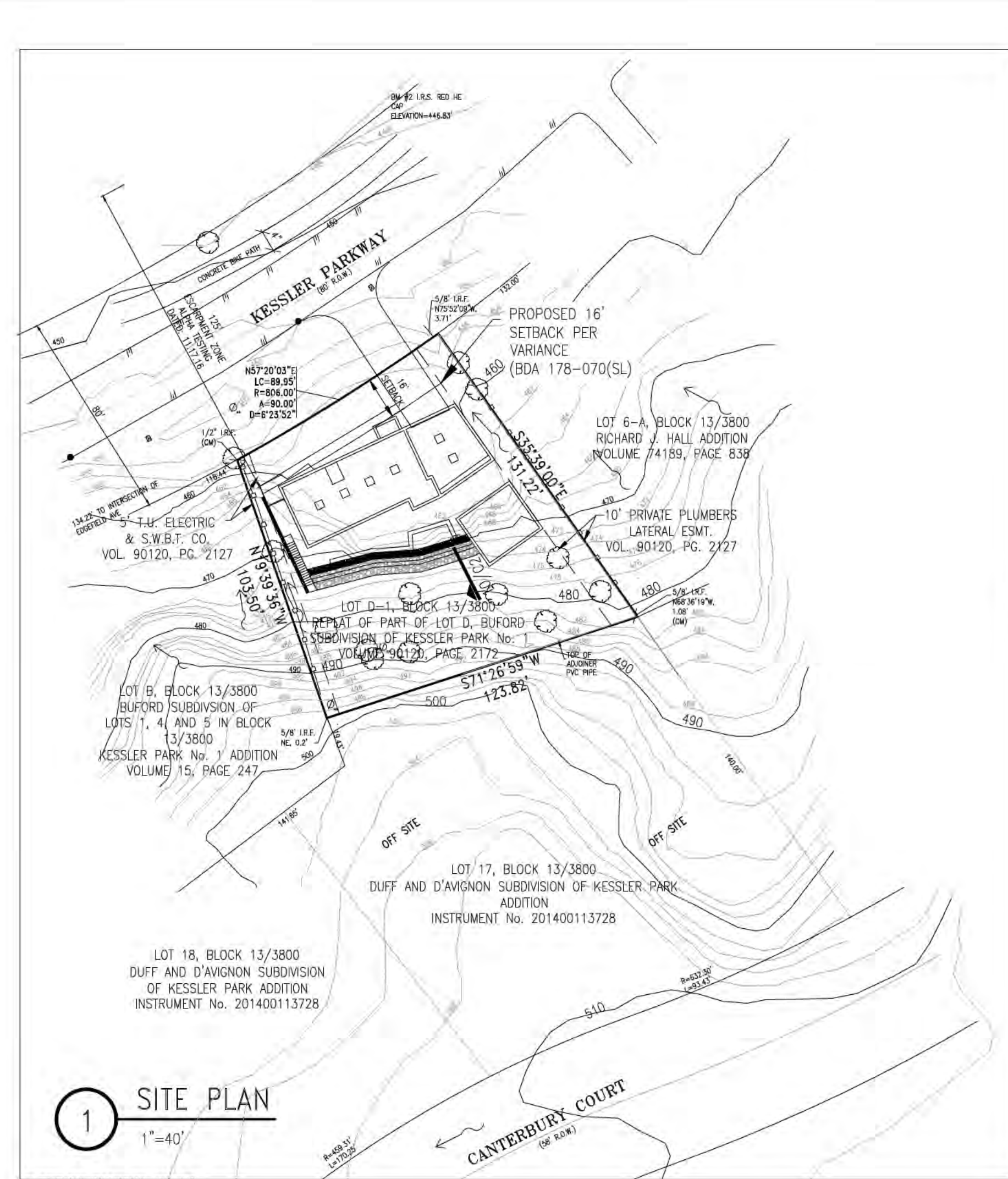
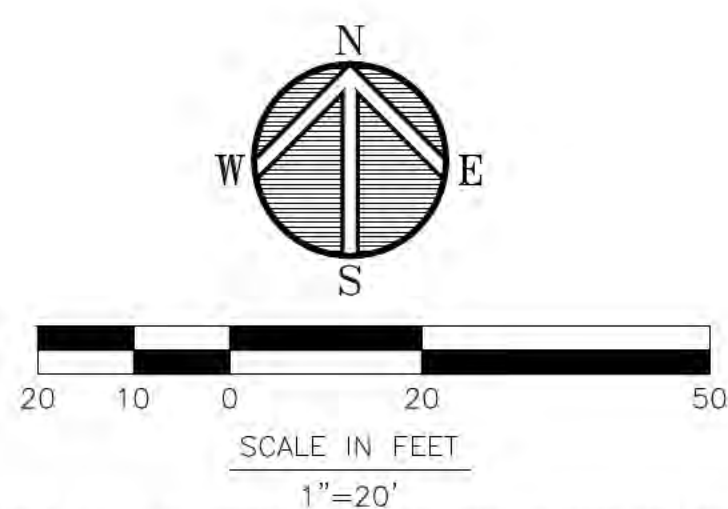
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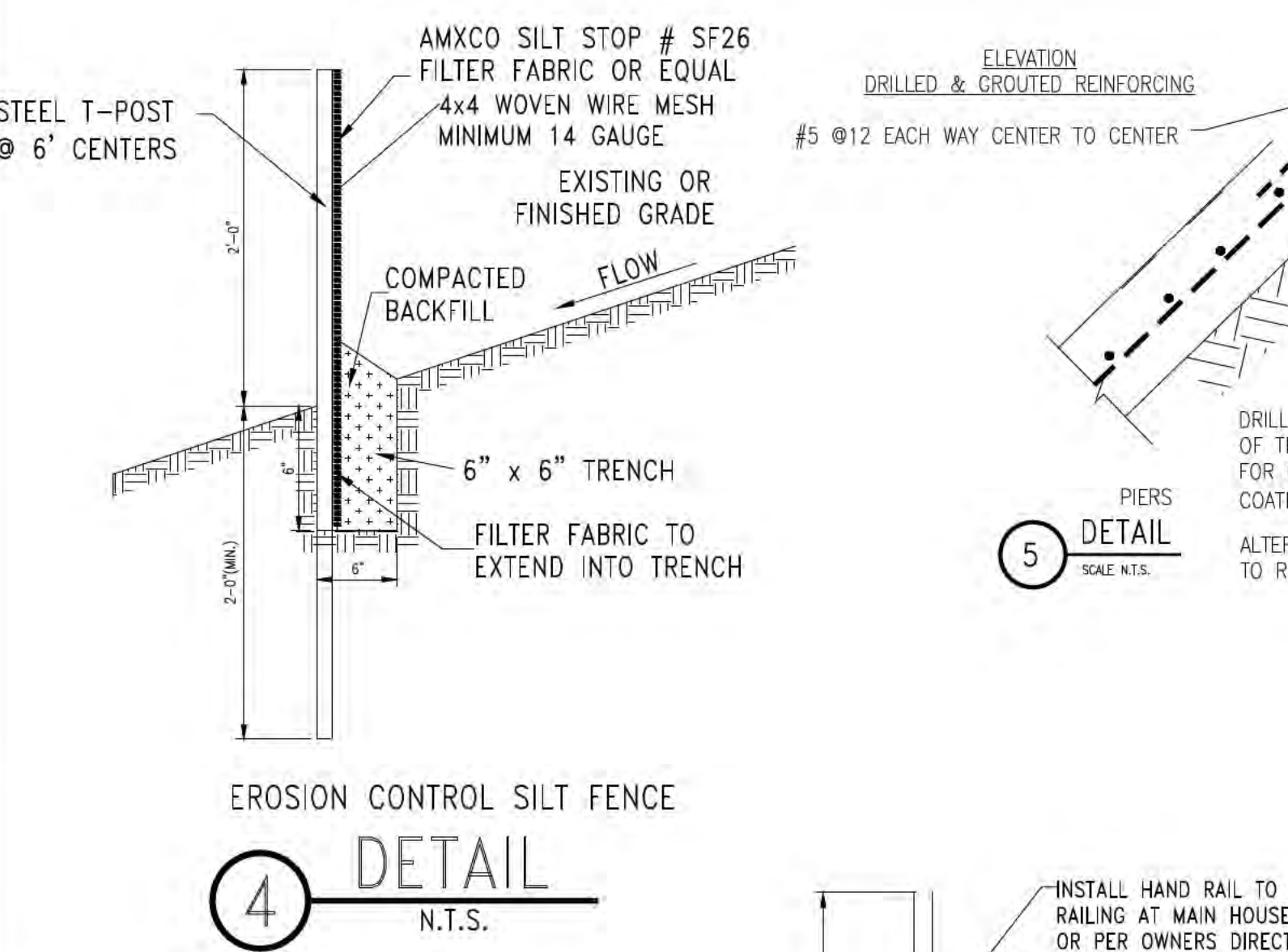
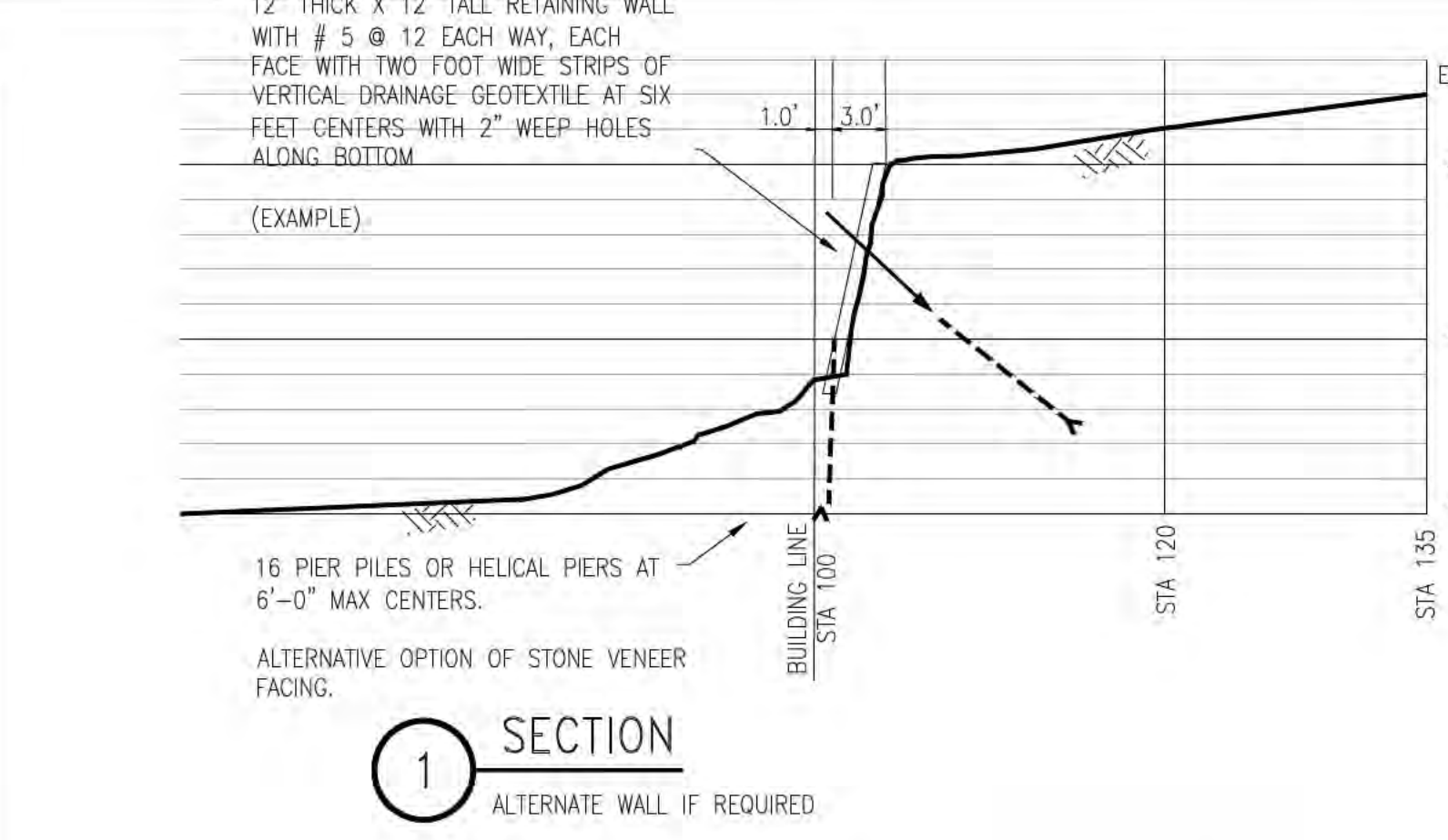
- PIER PILES NOTES:**
- PIER PILES TO BE A MINIMUM OF 2 1/2" DIAMETER DRILL STEM DRIVEN TO REFUSAL WITH A 90 FOOT POUND PNEUMATIC HAMMER OPERATING AT 300 STROKES PER MINUTE. REFUSAL IN ROCK IS CALCULATED FOR FINAL HALF MINUTE AS NO MEASURABLE PENETRATION WITH AN ALLOWABLE PILE LOAD OF 13.5 KIPS AFTER APPLYING A SAFETY FACTOR OF THREE. INSTALL PILES THROUGH BAG OF WETTED, WATER SOLUBLE, ASPHALT EMULSION. SUBCONTRACTOR TO SUBMIT PIER PILE DRIVING RECORD TO ENGINEER AND GENERAL CONTRACTOR. PILES TO BE GODWIN, PHONE 972-471-3485, OR EQUAL.
  - INSTALL UNDERPINNING PIERS, SUPPORT CONCRETE GRADE BEAM, SAWCUT THRU TOPS OF EXISTING PIERS, LIFT GRADE BEAM, SECURE GRADE BEAM, PLACE 4000 PSI GROUT BETWEEN EXISTING PIERS AND GRADE BEAM, AND COMPACT BACKFILL.

**CONSTRUCTION NOTE:**

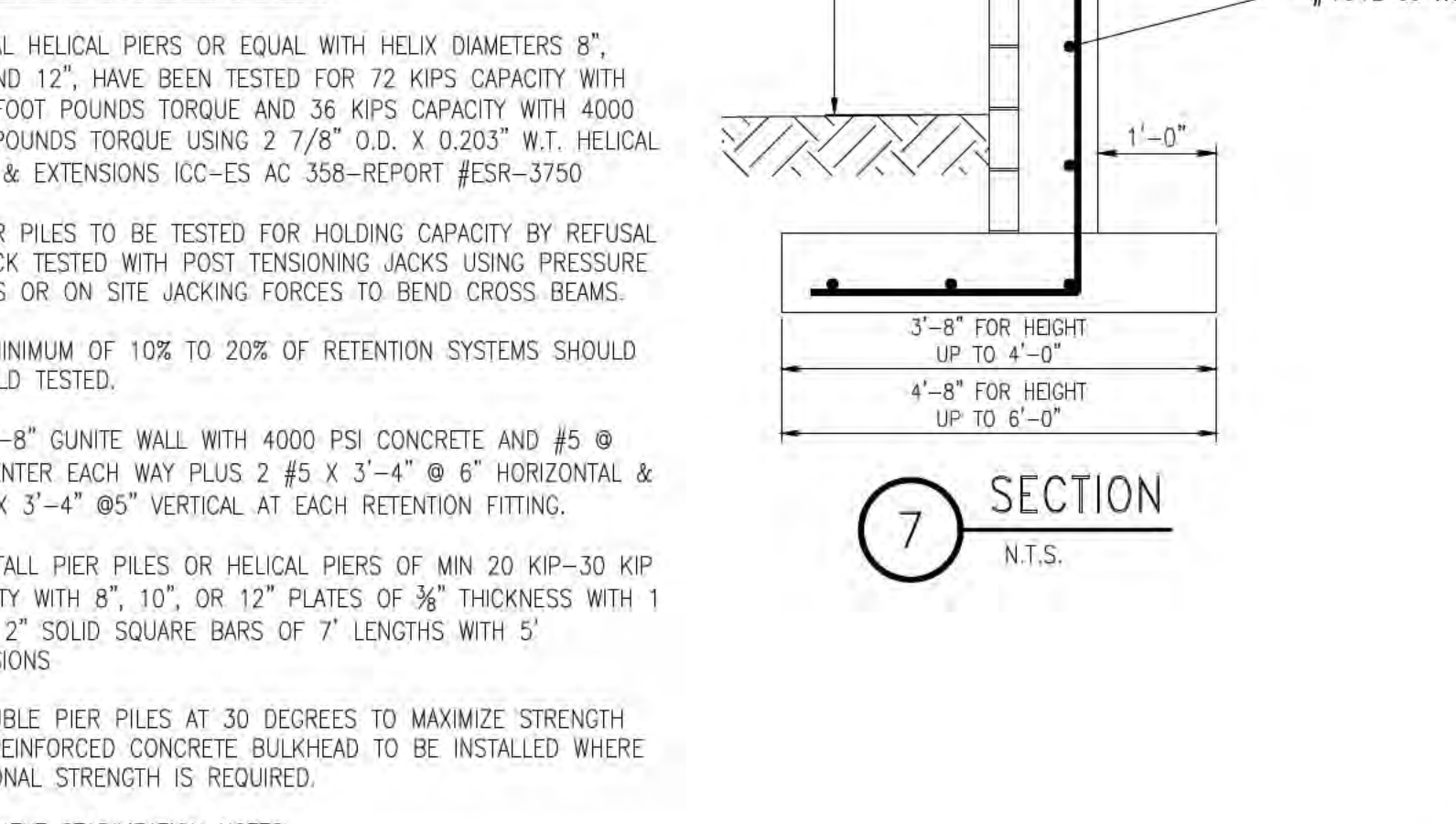
PROVIDE SHOP DRAWINGS OF HELICAL PIERS OR PIER PILES INCLUDING QUANTITIES AND CAPACITIES OF EACH. 1 KIP=1000 POUNDS.



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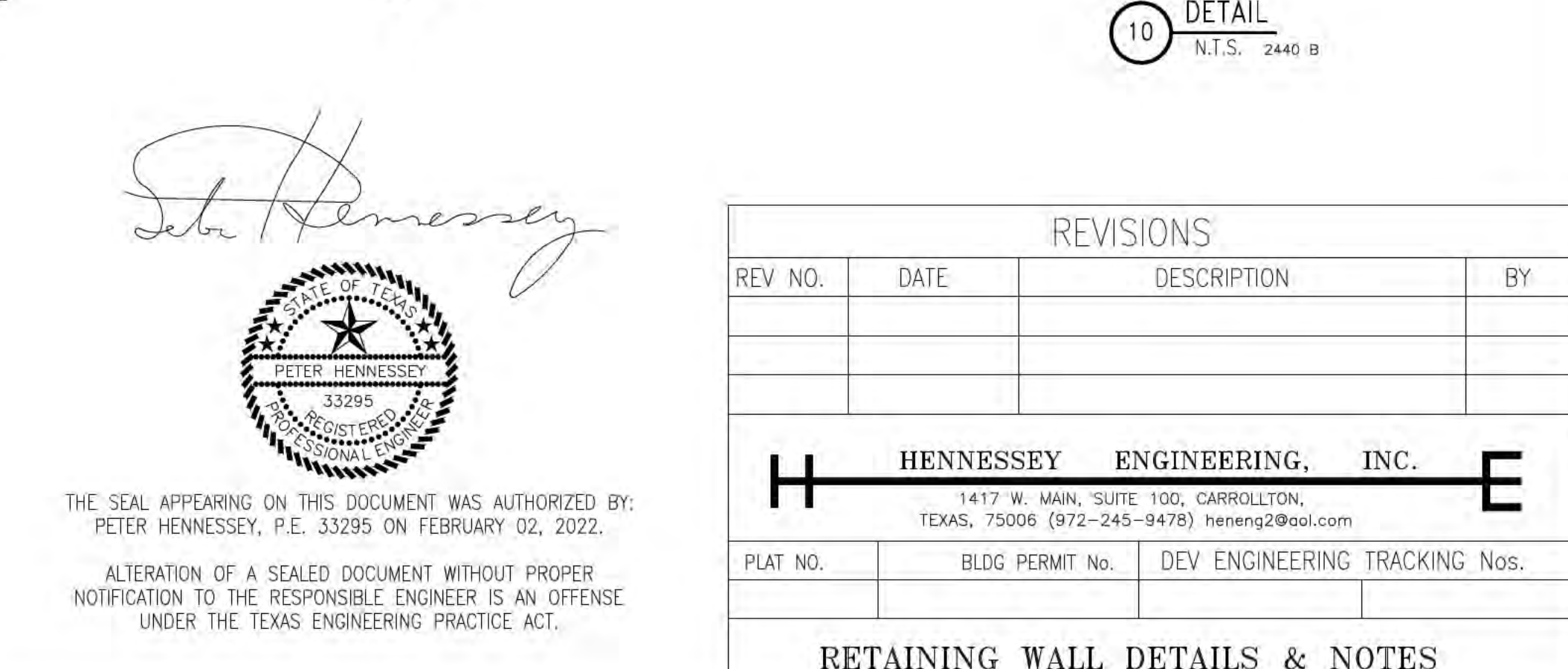
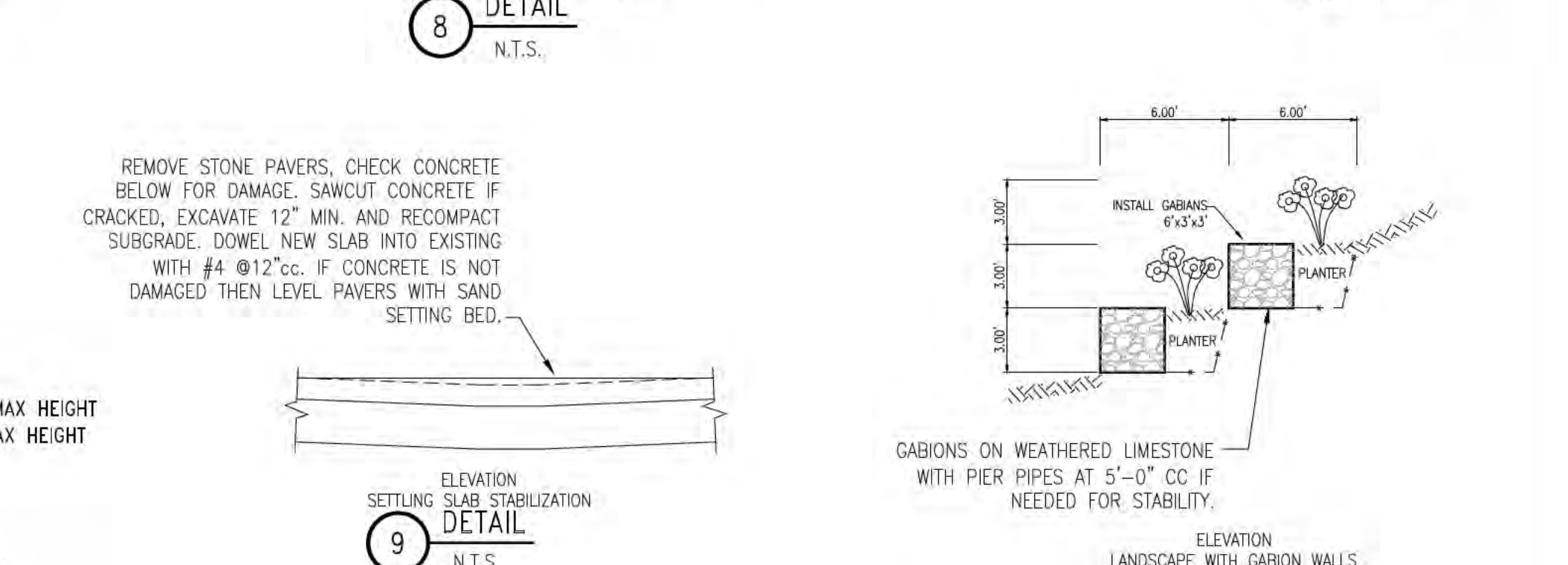
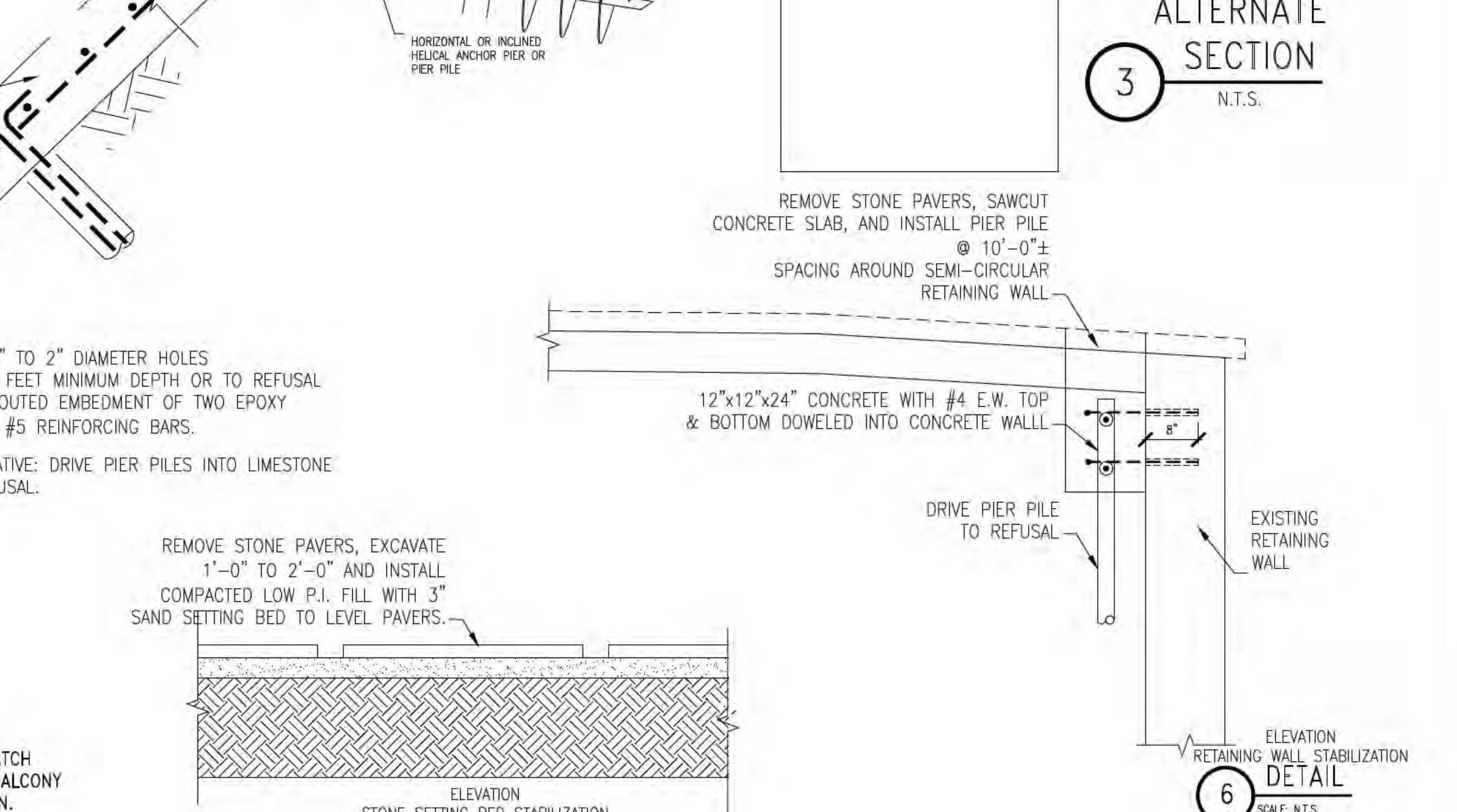
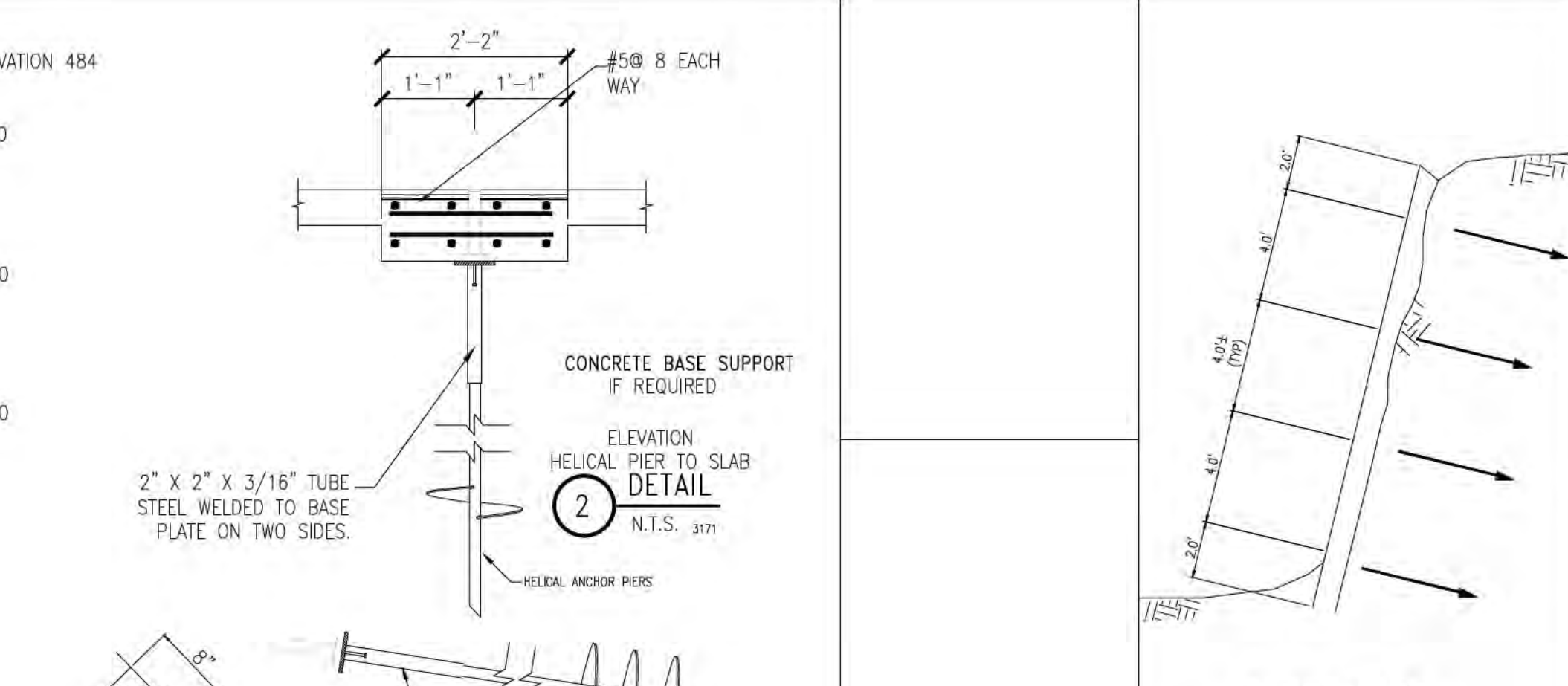
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- PIER PILES OR HELICAL PIER NOTES:**
- IDEAL HELICAL PIERS OR EQUAL WITH HELIX DIAMETERS 8", 10", AND 12", HAVE BEEN TESTED FOR 72 KIPS CAPACITY WITH 8000 FOOT POUNDS TORQUE AND 36 KIPS CAPACITY WITH 4000 FOOT POUNDS TORQUE USING 2 7/8" O.D. X 0.203" W.T. HELICAL LEADS & EXTENSIONS ICC-ES AC 358-REPORT #ESR-3750
  - PIER PILES TO BE TESTED FOR HOLDING CAPACITY BY REFUSAL OR JACK TESTED WITH POST TENSIONING JACKS USING PRESSURE GAUGES OR ON SITE JACKING FORCES TO BEND CROSS BEAMS.
  - A MINIMUM OF 10% TO 20% OF RETENTION SYSTEMS SHOULD BE FIELD TESTED.
  - 10"-8" GUNITE WALL WITH 4000 PSI CONCRETE AND #5 @ 12" CENTER EACH WAY PLUS 2 #5 X 3'-4" @ 6" HORIZONTAL & 2 #5 X 3'-4" @ 5" VERTICAL AT EACH RETENTION FITTING.
  - INSTALL PIER PILES OR HELICAL PIERS OF MIN 20 KIP-30 KIP CAPACITY WITH 8", 10", OR 12" PLATES OF 3/4" THICKNESS WITH 1 1/2" TO 2" SOLID SQUARE BARS OF 7' LENGTHS WITH 5' EXTENSIONS
  - DOUBLE PIER PILES AT 30 DEGREES TO MAXIMIZE STRENGTH WITH REINFORCED CONCRETE BULKHEAD TO BE INSTALLED WHERE ADDITIONAL STRENGTH IS REQUIRED.



**EMBANKMENT STABILIZATION NOTES:**

CLEAN SLOPING EMBANKMENT OF LOSE MATERIALS. DRILL 2" TO 3" DIAMETER HOLES OF 10' DEPTH OR TO REFUSAL WITH SUFFICIENT EMBEDMENT TO RESIST PULL OUT. INSTALL TWO #5 X 12"-6" EPOXY COATED REINFORCING BARS IN EACH HOLE. SECURE 2" WIDE GEOTEXTILE DRAIN MATS ON SLOPING FACE WITH VERTICAL ALIGNMENT FROM TOP TO BOTTOM AT 6'-0" CENTERS, WHERE 2" WEEP HOLES ARE LOCATED AT 6'-0" CENTERS. REINFORCE 12" THICK WALL WITH #5 BARS @ 12" EACH WAY SECURELY TIED TO REFUSAL. 4,000 PSI CONCRETE. ALTERNATIVE: PROVIDE SHOP DRAWINGS OF PIER PILES OR HELICAL PIERS INCLUDING QUANTITIES AND CAPACITIES OF EACH. 1 KIP=1000 POUNDS.

SCOTT PARKS, AIA  
 sparks@scottparksstudio.com  
 H-E FILE No. J2006.205



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REVIEW BY:	HE	DATE:	01.19.22
DRAWN BY:	JB	FILE:	
NUMBER:		SHEET:	C2

REVISIONS

REV NO.	DATE	DESCRIPTION	BY

**HENNESSEY ENGINEERING, INC.**

1417 W. MAIN, SUITE 100, CARROLLTON, TEXAS, 75006 (972-245-9478) [heneng2@aol.com](mailto:heneng2@aol.com)

PLAT NO. \_\_\_\_\_ BLDG PERMIT No. \_\_\_\_\_ DEV ENGINEERING TRACKING Nos. \_\_\_\_\_

**RETAINING WALL DETAILS & NOTES**

2016 KESSLER PARKWAY  
 KESSLER PARK  
 DEVELOPMENT SERVICES  
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



BDA178-070  
 Attach A  
 P31

# BDA212-056 ATTACHMENT\_B

## 2016 Kessler Parkway - Residential Comparison Document

Residence to be built at 2016 Kessler Parkway within CD-13 - Subarea 3 is designed for a maximum AC space of 2,985 square feet

2016 Kessler Parkway      2,985 sf      12,225 sq ft

Comp Address	AC Sq Ft	Lot Size
1714 Kessler Pkwy	2,814 sf	
1820 Kessler Pkwy	2,977 sf	
1834 Kessler Pkwy	3,157 sf	
1511 N Clinton Ave	3,021 sf	
1954 Kessler Pkwy	3,638 sf	
2040 Kessler Pkwy	3,880 sf	
831 Evergreen Hills	3,318 sf	
837 Evergreen Hills	2,807 sf	
1650 Kessler Canyon Dr	3,102 sf	
1662 Kessler Canyon Dr	3,015 sf	
1651 Nob Hill Rd	3,829 sf	
1645 Nob Hill Rd	2,996 sf	
1639 Nob Hill Rd	3,091 sf	
840 Evergreen Hills	3,234 sf	
1010 Evergreen Hills	3,130 sf	
939 Knott Pl	3,591 sf	
919 Knott Pl	3,202 sf	
835 Knott Pl	3,300 sf	
823 Knott Pl	2,827 sf	



BDA178-070  
AHL A  
PS2

1346 Rainbow Dr		3,630 sf						
1306 Rainbow Dr		3,566 sf						
923 Leatrice Dr		3,831 sf						

**FILE NUMBER:** BDA212-068(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Veronica Salinas for a special exception to the fence height regulations at 2022 Woody Road. This property is more fully described as Tract 306, Block 8812, and is zoned an R-10(A) Single Family District, which limits the height of a fence in the front yard to four feet.

**LOCATION:** 2022 Woody Road

**APPLICANT:** Veronica Salinas

**REQUEST:**

The applicant proposes to construct a six-foot fence with an eight-foot gate in a required front yard, which will require a four-foot special exception to the fence regulations.

**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-10(A) (Single Family District)
<u>Northwest:</u>	R-10(A) (Single Family District)
<u>Northeast:</u>	R-10(A) (Single Family District)
<u>East:</u>	R-10(A) (Single Family District)
<u>South:</u>	R-10(A) (Single Family District)
<u>West:</u>	R-10(A) (Single Family District)

**Land Use:**

The subject site is currently under construction with a single-family use. Surrounding properties to the northwest, northeast, east, south, and west are developed with single-family uses as well.

**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 subject site is zoned an R-10(A) Single Family District and requires a minimum front yard setback of 30 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 made to construct and maintain a six-foot-tall fence with an eight-foot-tall gate which will require a four-foot special exception.

According to DCAD, the property contains 2.68 acres and is developed with a one-story, 2,129-square-foot single-family structure constructed in 1966. Additional improvements include a 400-square-foot storage building and 560-square-foot detached garage.

According to the elevation plan submitted, the applicant proposes a wrought iron fence with a maximum height of six feet, and a 16-foot-wide gate, eight-feet-in-height.

Additionally, the following information is shown on the submitted site plan and elevation:

- The proposed fence with access gates along Woody Road runs along the front lot line 209.35 feet.
- \_ The portion of the fence where the iron gate is proposed is located or setback about 25 feet from the front lot line and about 48 feet from the back of curb.

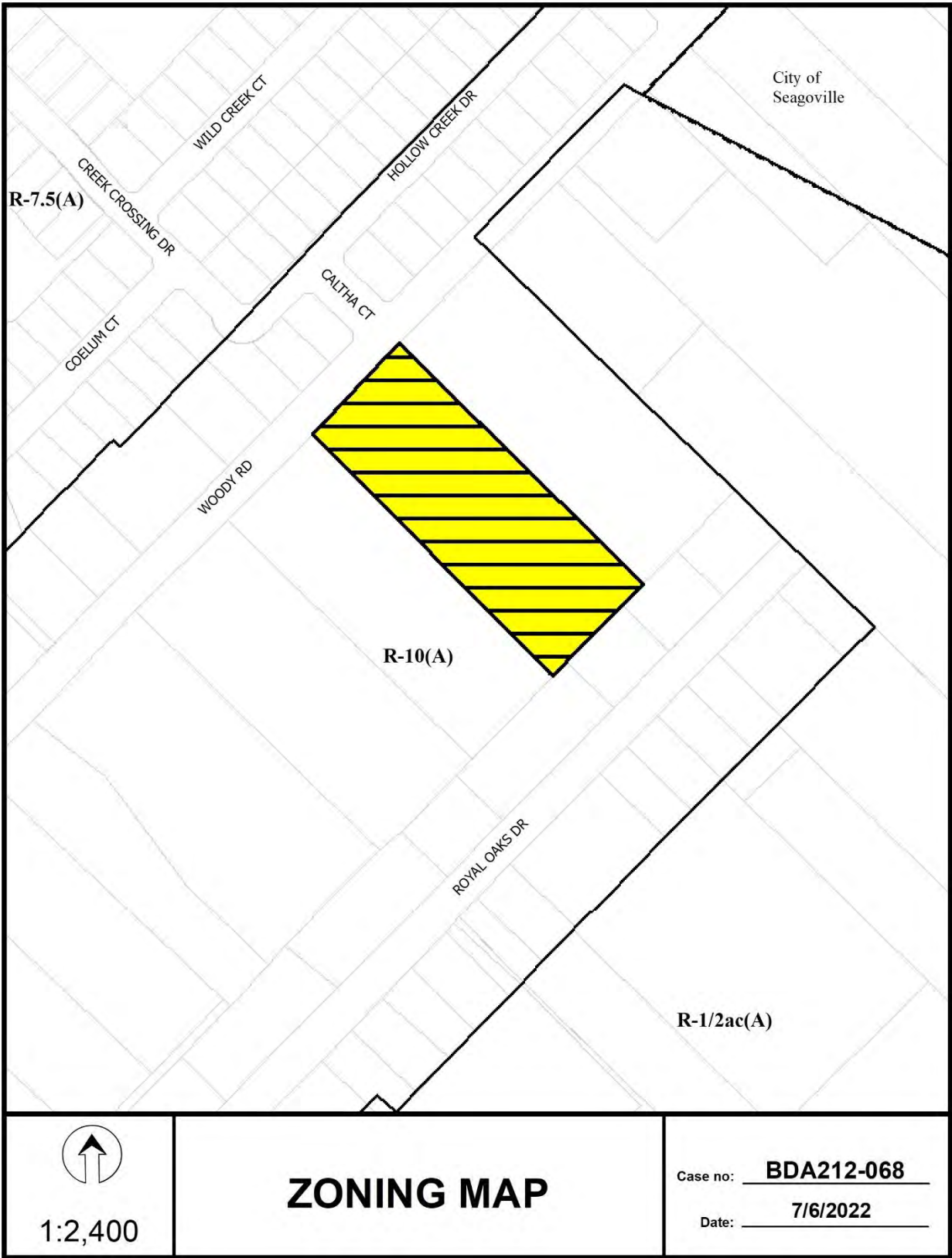
As of August 5, 2022, 10 letters have been submitted in support of the request and none in opposition to the request.

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

Granting the special exception to the fence standards related to the height would require the proposal exceeding four feet-in-height in the front yard setback located along Woody Road to be maintained in the locations and heights as shown on the site plan and elevation plan. However, granting this request will not provide any relief to the Dallas Development Code regulations other than allowing the additional height for the fence structure.

## **Timeline:**

- January 4, 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.
- June 29, 2022: Applications were transferred from Development Services to the Board team at Current Planning for processing on the August docket.
- July 1, 2022: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B.
- July 19, 2022: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant’s representative 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 and the following information:
- a copy of the application materials including the Building Official’s report on the application;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board Senior Planner, the Development Services Chief Planner, Chief Arborist, and the Planner and Urban Design Department Senior Conservation District Planner. No review comment sheets were submitted in conjunction with this application.
- August 3, 2022: The representative submitted evidence (**Attachment A**).



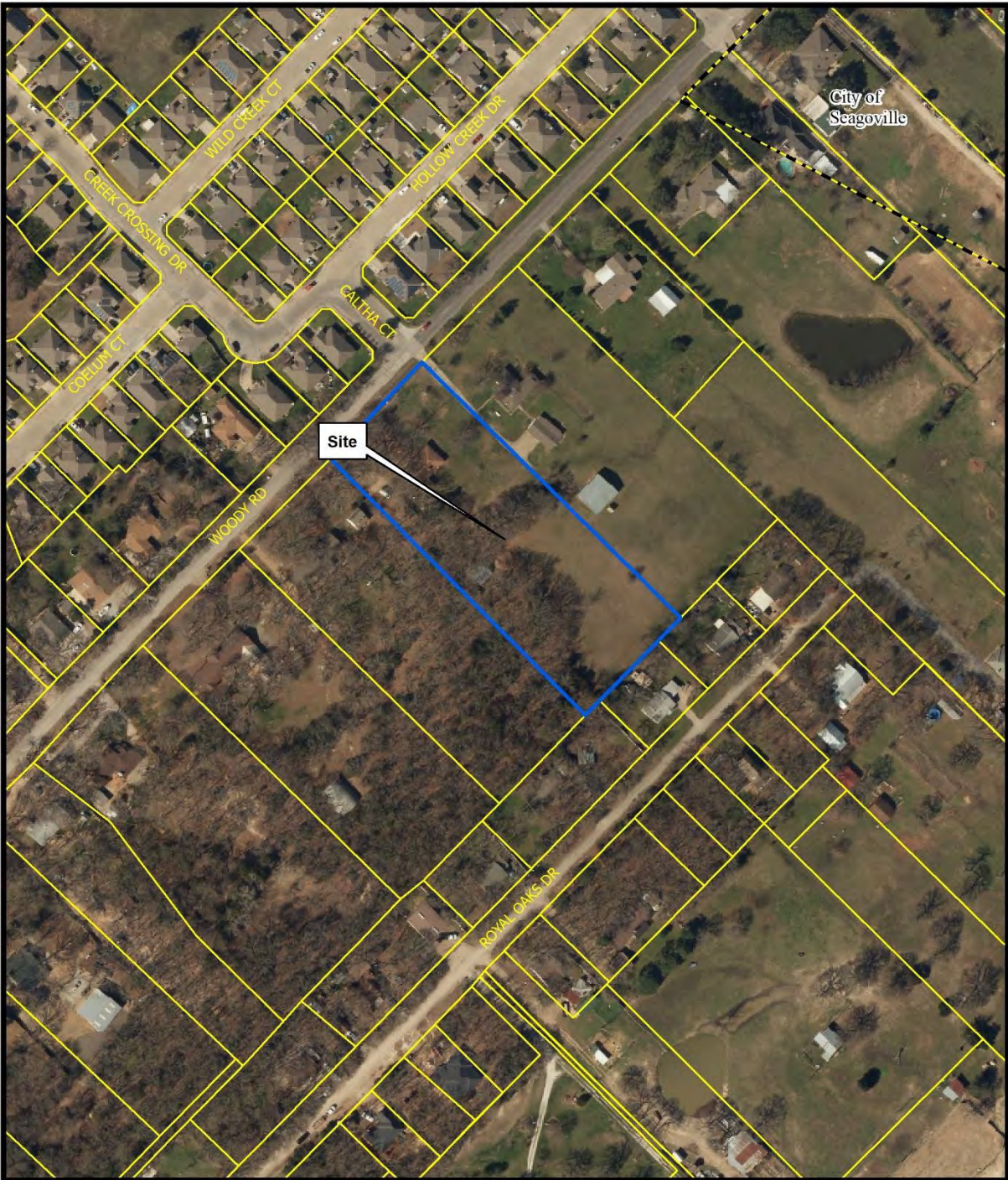
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# ZONING MAP

Case no: BDA212-068

Date: 7/6/2022





City of  
Seagoville

Site



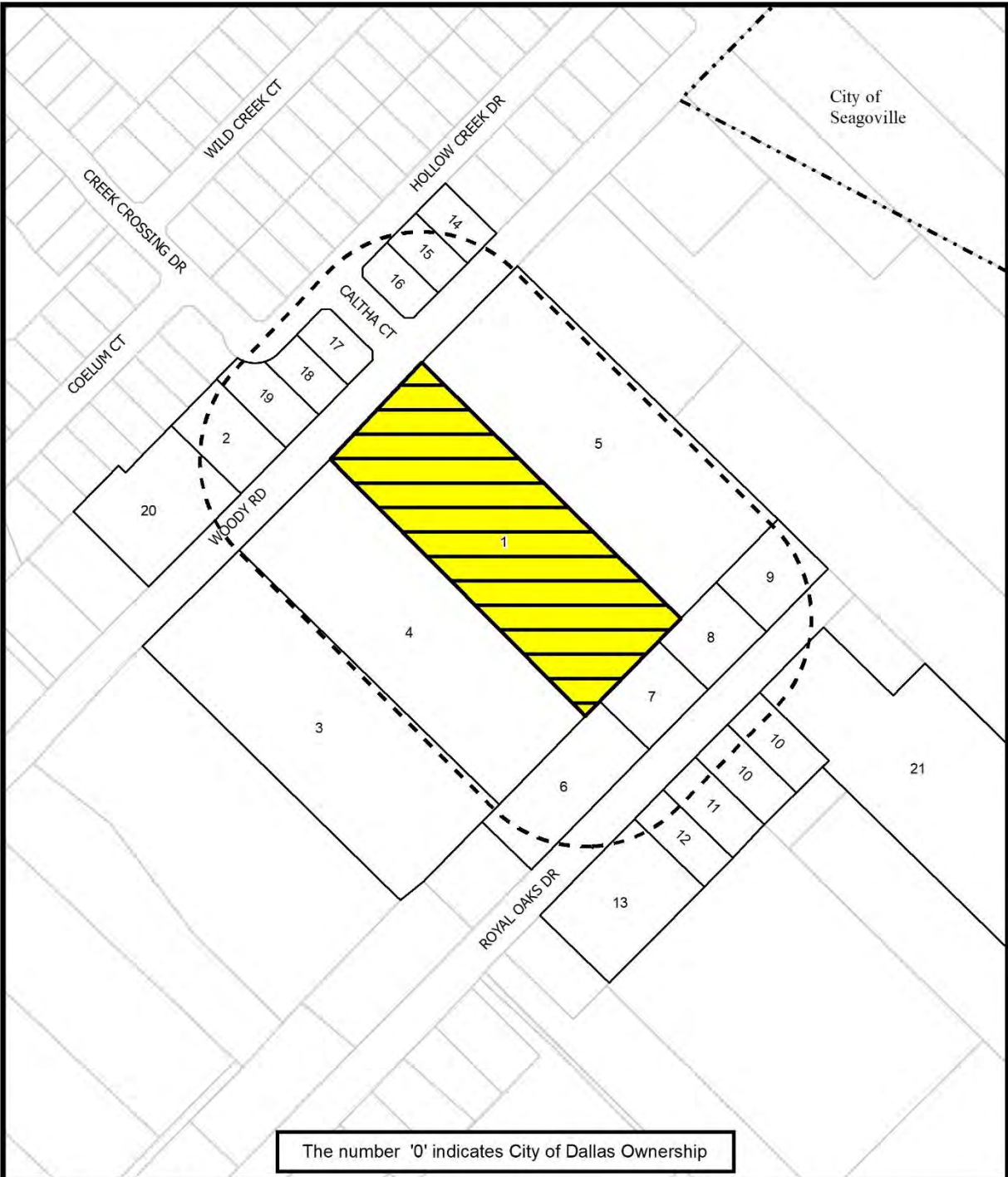
1:2,400


# AERIAL MAP

Case no: BDA212-068

Date: 7/6/2022





  
 1:2,400

**NOTIFICATION**

200' AREA OF NOTIFICATION  
21 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA212-068  
 Date: 7/6/2022

07/01/2022

## ***Notification List of Property Owners***

***BDA212-068***

### ***21 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2022 WOODY RD	SALINAS VERONICA &
2	2153 WOODY RD	CLARK GREGORY A
3	2142 WOODY RD	ROSE BERNIE B & LINDA L
4	2132 WOODY RD	KELCHNER KATHY
5	2012 WOODY RD	WILLIAMS DWIGHT H &
6	2143 ROYAL OAKS DR	JOHN LOREN L
7	2123 ROYAL OAKS DR	EMBRY HERMAN B & CHARLOTTE JEAN JOINT TENANTS
8	2111 ROYAL OAKS DR	MOSQUEDA JUAN
9	2105 ROYAL OAKS DR	TRUE REMODELING LLC
10	2130 ROYAL OAKS DR	CABALLERO SUCELI VALDEZ &
11	2100 ROYAL OAKS DR	PODANY HUBERT M
12	2100 ROYAL OAKS DR	PODANY CHARLOTTE V
13	2142 ROYAL OAKS DR	KING JOHNNY MICHAEL
14	2030 HOLLOW CREEK DR	NOEL VICKIE D
15	2034 HOLLOW CREEK DR	DANIEL EARNEST J
16	2038 HOLLOW CREEK DR	WARD UMEKA T
17	2042 HOLLOW CREEK DR	HIGGINS LASHONDA
18	2046 HOLLOW CREEK DR	SPEARS GERALD V JR &
19	2050 HOLLOW CREEK DR	GAMBLE ANTHONY L
20	2187 WOODY RD	COMBS DOUGLAS A & CHERYL
21	2108 ROYAL OAKS DR	PIERCE ROBERT PRESTON &





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-0608

Data Relative to Subject Property:

Date: 1-4-2022

Location address: 2022 S. Woody Rd Dallas, TX 75253 Zoning District: R-10A

Lot No.: 300 Block No.: 8812 Acreage: 2.68 Census Tract:

Street Frontage (in Feet): 1) 209.35 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Veronica Salinas & Hilario Martinez

Applicant: Veronica Salinas Telephone: 469-237-6452

Mailing Address: 2022 S. Woody Rd Dallas, TX Zip Code: 75253

E-mail Address: Veronica.Salinas@dallascityhall.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

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

Requesting Special Exception to the fence height Regulation exceeding 4ft in front yard set back 6 ft fence and 8 ft gate

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

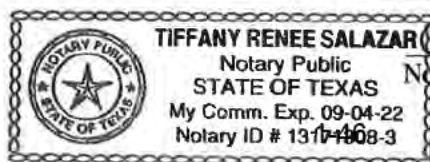
Before me the undersigned on this day personally appeared Veronica Salinas (Affiant/Applicant's name printed)

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: Veronica Salinas (Affiant/Applicant's signature)

Subscribed and sworn to before me this 4 day of January, 2022

(Rev. 08-01-11)



Tiffany Renee Salazar 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 VERONICA SALINAS

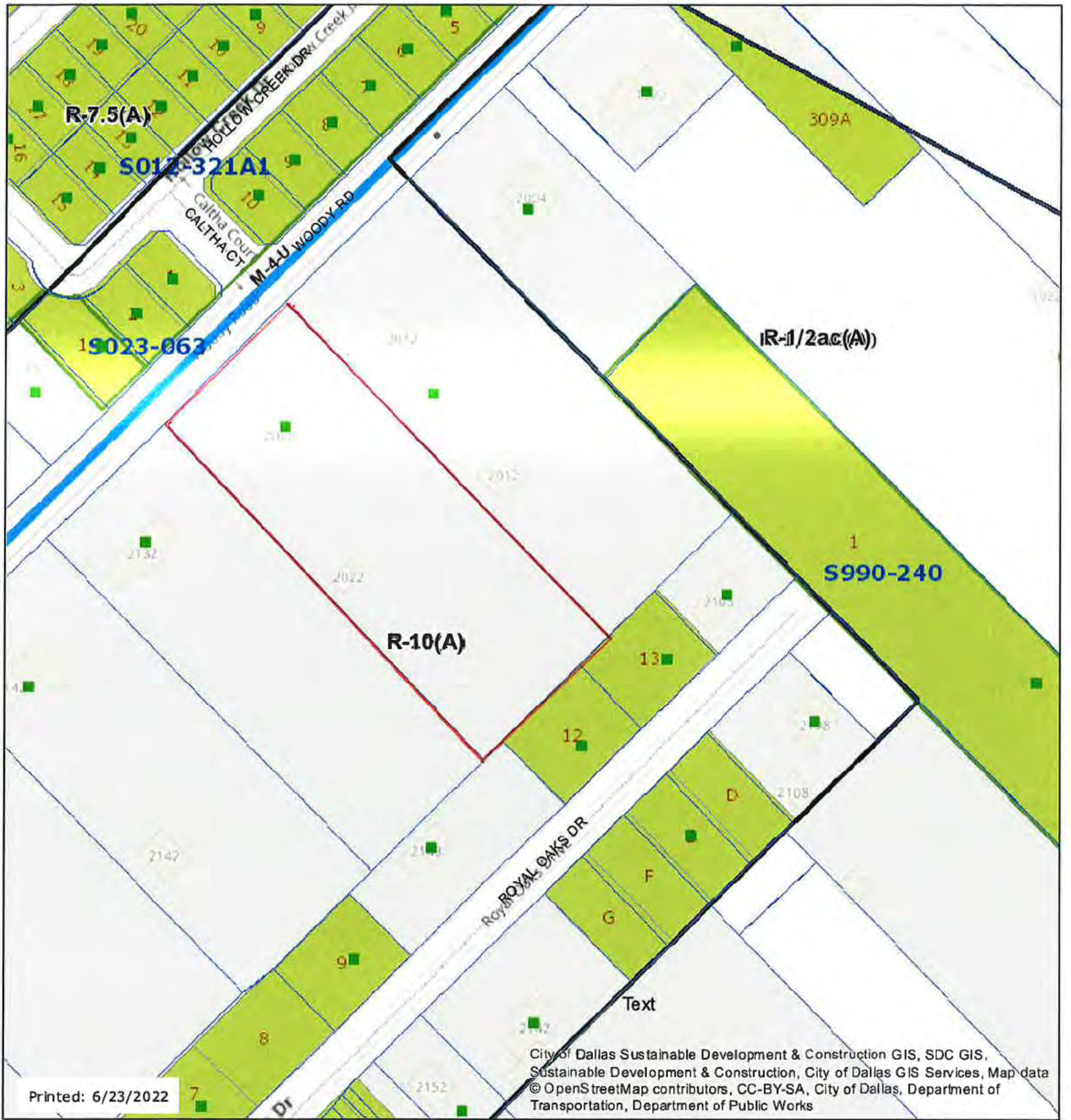
did submit a request for a special exception to the fence height regulations  
at 2022 S WOODY ROAD

BDA212-068. Application of VERONICA SALINAS for a special exception to the fence height regulations at 2022 WOODY RD. This property is more fully described as tract 306 Block 8812, and is zoned R-10(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 6 foot fence with an 8 foot gate in a required front yard, which will require a 4 foot special exception to the fence regulations.

Sincerely,

  
David Session, Building Official





- |                       |                  |                            |                               |
|-----------------------|------------------|----------------------------|-------------------------------|
| 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 | Demolition Delay Overlay      |
| D                     | CD Subdistricts  | Base Zoning                |                               |
| D-1                   | PD Subdistricts  | SPSD Overlay               |                               |
| Historic Overlay      | PD183 Oak Lawn   | Pedestrian Overlay         |                               |
| Historic Subdistricts | PDS Subdistricts | CP                         |                               |
| 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)

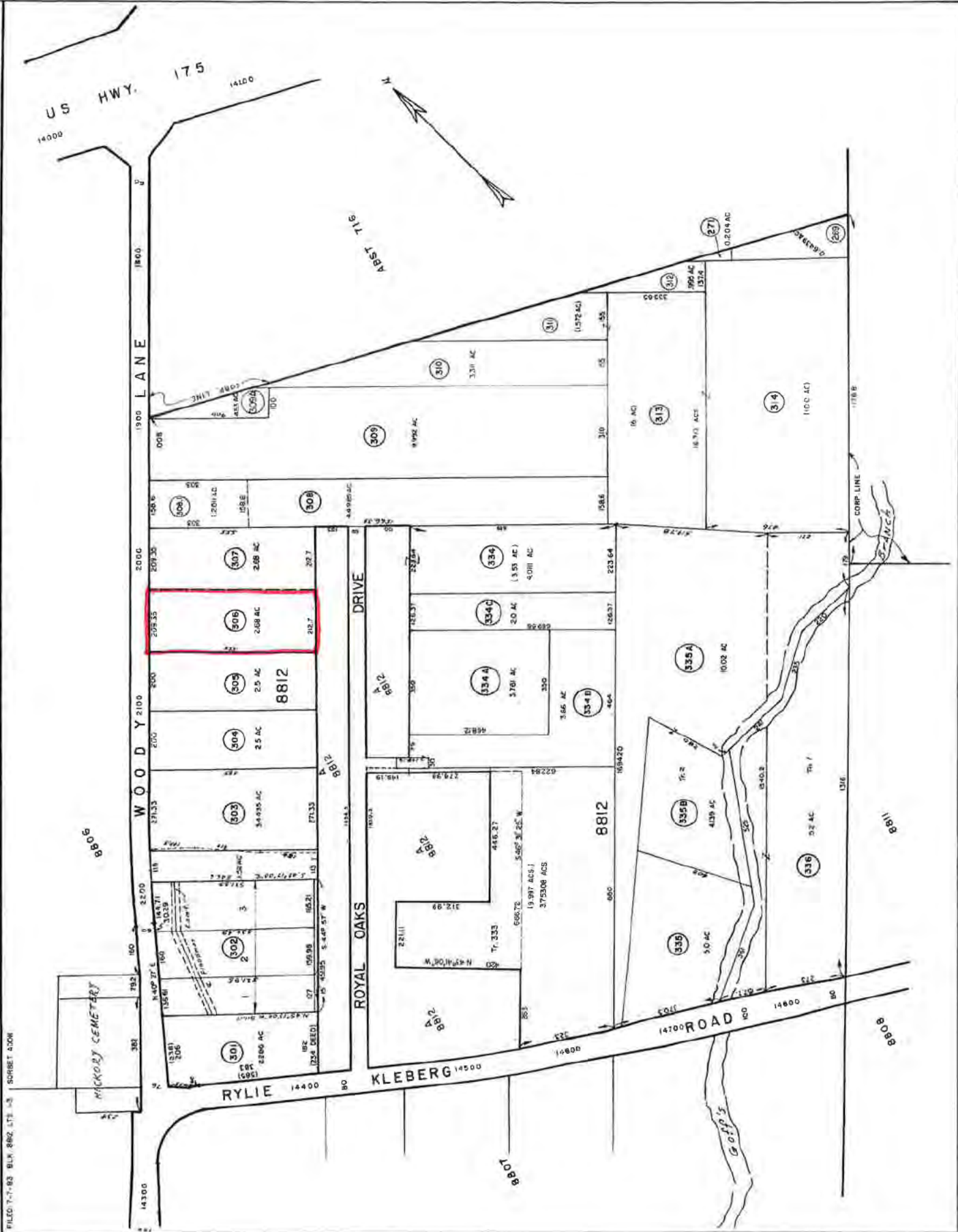


CITY OF DALLAS PLAT BOOKS

BLOCKS 8812  
SCHOOL DISTRICT DALLAS

SHIPPED DATE: 4-1-78  
RECEIVED DATE: 4-1-78  
ORD. NO. 15794  
SURVEY ROBERT KLEBERG  
ABST. 716

SCALE 200 FT. EQUALS 1 INCH  
PH 3-25-87





CITY STAMP:

ENGINEER STAMP:

SCOPE OF WORK:

FENCE

ADDRESS:

2022 S WOODY RD, DALLAS, TX 75253

LEGAL DESCRIPTION:

- 1: BLK 8812
- 2: TR 306 ACS 2.68
- 3: 35X555 WOODY RD

DRAWING CONTENT:

SITE PLAN

SCALE: DRAWN:

1 TO 30

DATE:

06/10/2022

SHEET 1 OF 1



**BUILDING SCALE**  
**ENTERPRISE LLC**  
 214-264-7242 972-854-6047 469-987-6047  
 www.planscale.net admin@planscale.net  
 351 W JEFFERSON BLVD SUITE #750  
 Dallas, TX 75208

2022 S WOODY RD

209.35' PROPERTY LINE

40' FRONT SETBACK

555' PROPERTY LINE

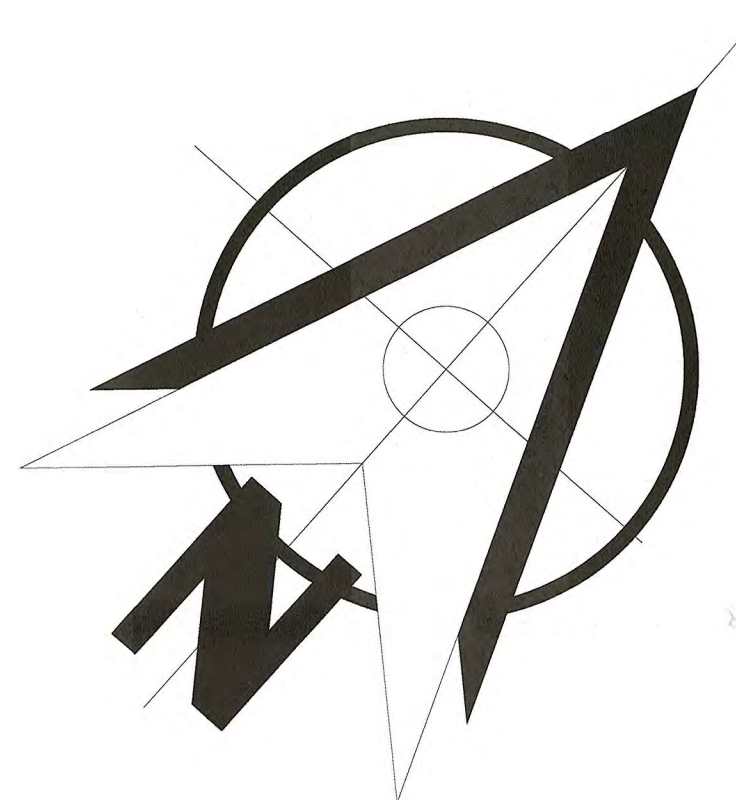
10' SIDE SETBACK

10' SIDE SETBACK

555' PROPERTY LINE

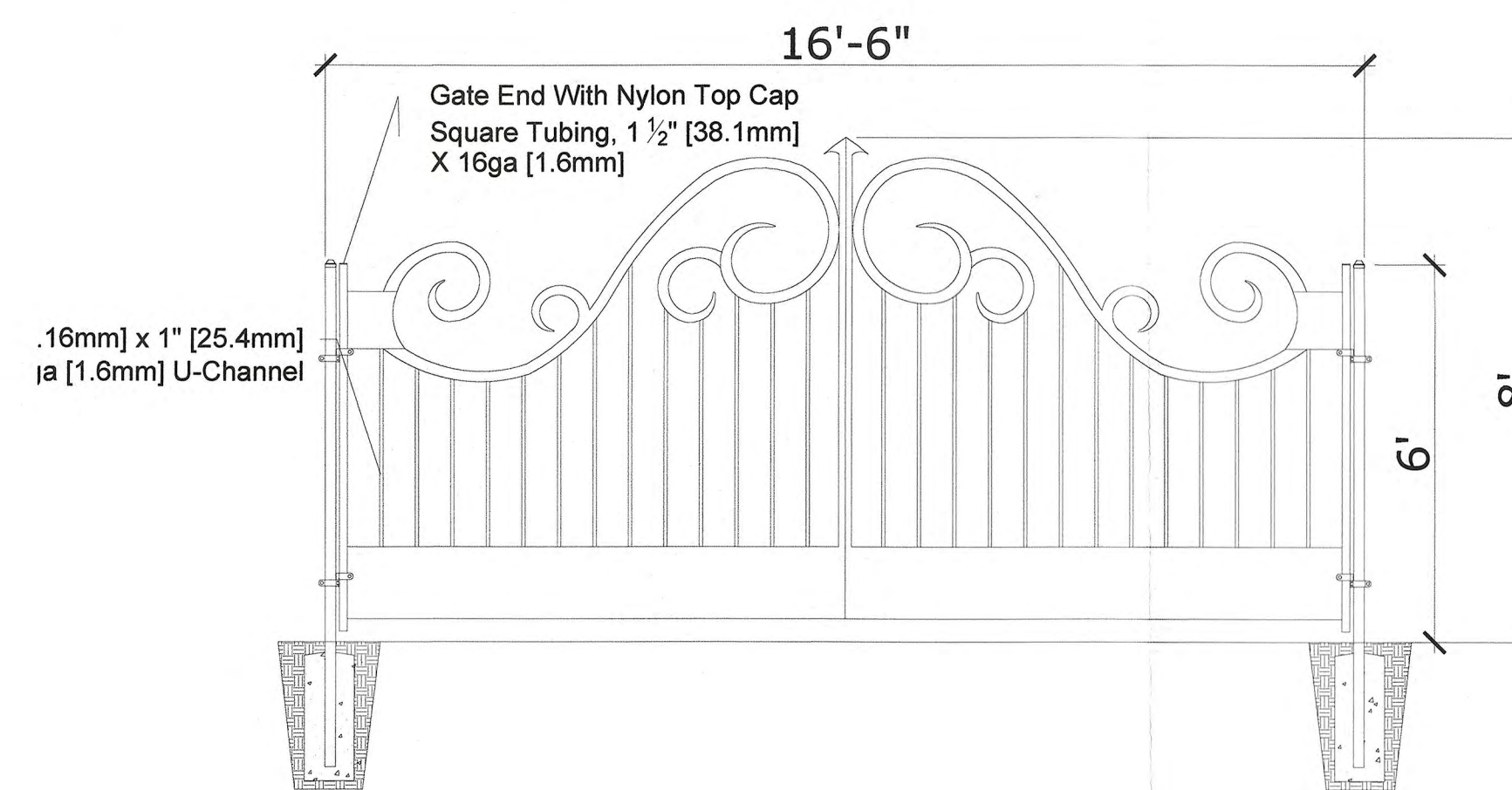
10' REAR SETBACK

212.7' PROPERTY LINE

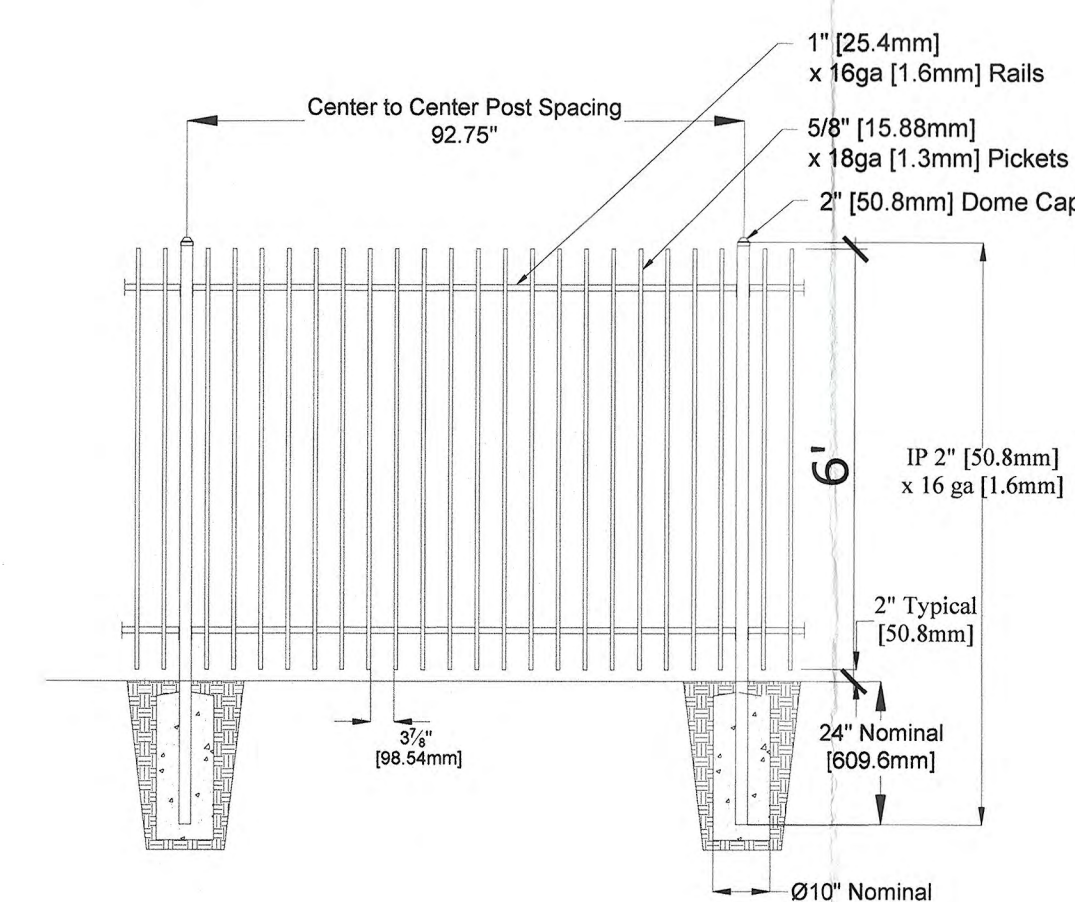
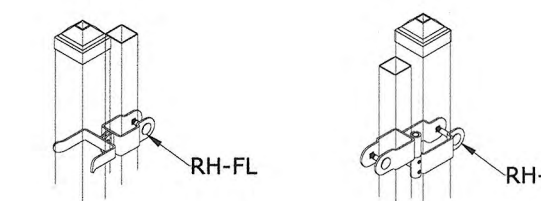


**VICINITY PLAN**

SQUARE FOOTAGE	
EXISTING ONE STORY CONST.	2,558 SQ FT
EXISTING GARAGE	495 SQ FT
TOTAL	3,053 SQ FT
LOT SIZE	113,612 SQ FT
TOTAL COVERED	3,053 SQ FT
% COVERAGE	2.68 %



Applicable Hardware

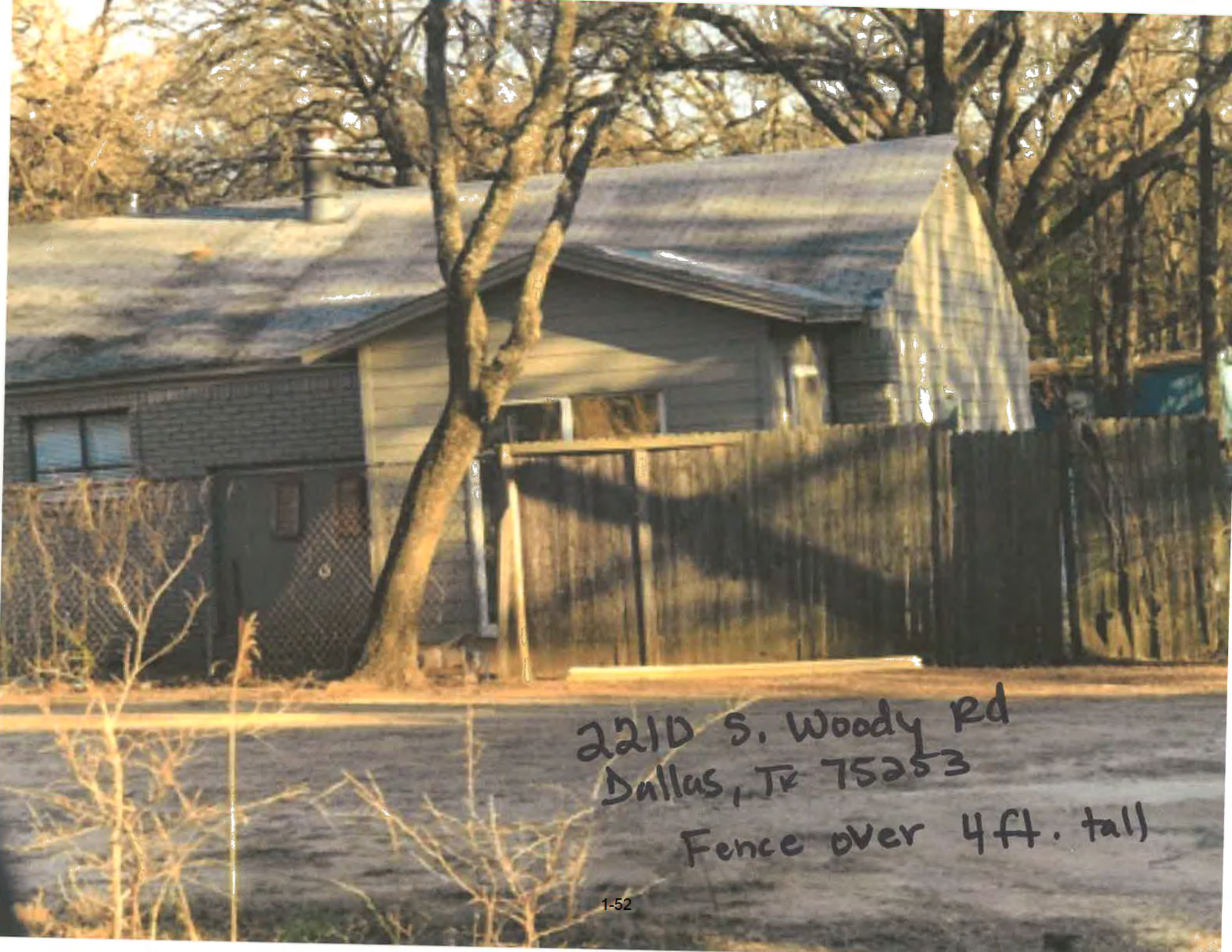


FENCE AND GATE DETAILS  
Scale: 3/8" - 1-0"

SITE PLAN  
SCALE: 1 TO 30



**BDA212-068\_ATTACHMENT\_A**



2210 S. Woody Rd  
Dallas, TX 75253

Fence over 4ft. tall





ACT

2220 S. WOODY Rd  
Dallas, TX 75253  
Downhill Fence  
6 Ft Tall





2230 S. W. 10th  
Dallas TX 75203  
Fence Co.





2240 S. Woody Rd  
Dallas, Texas 75253

Fence is 6 ft. tall



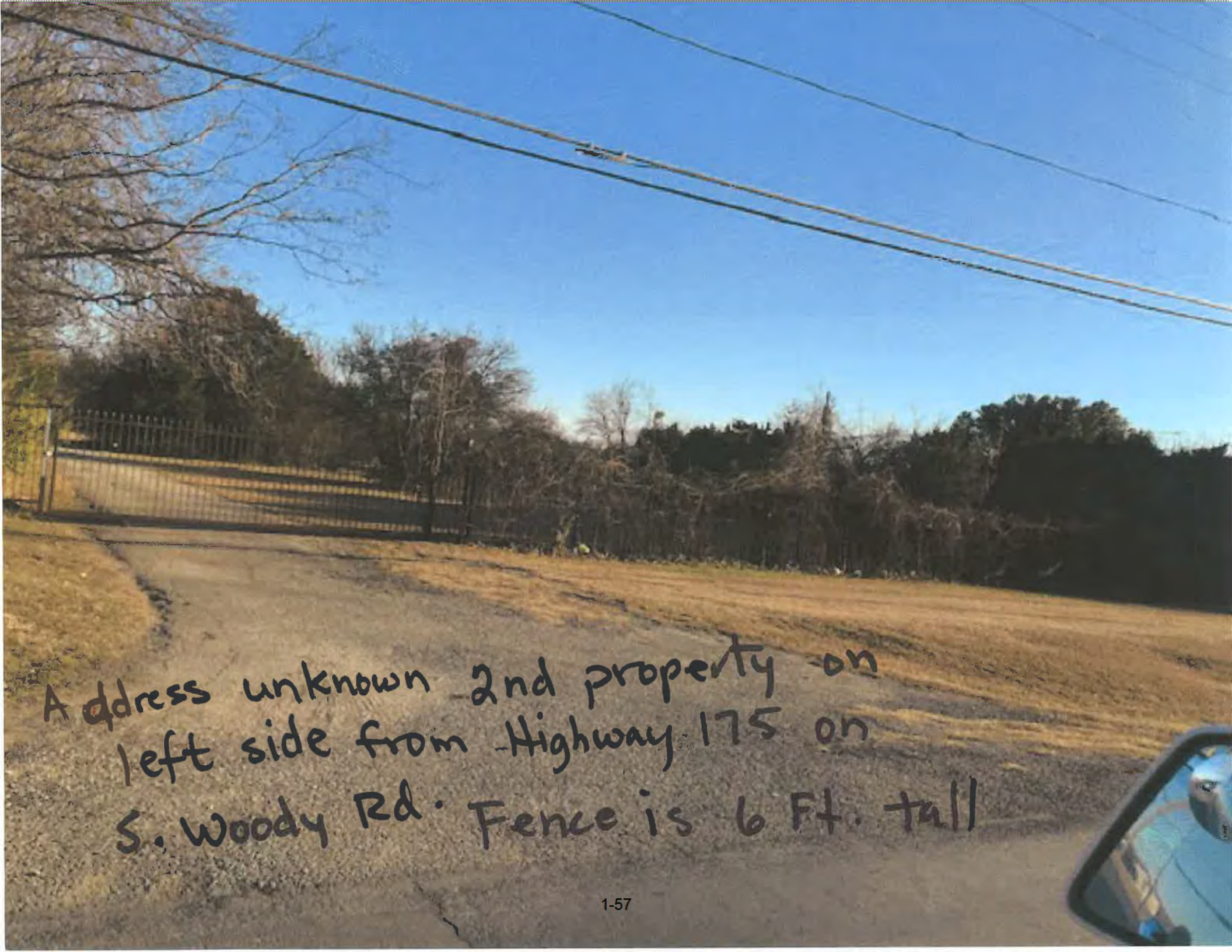


1931 S. Woody Rd.

Dallas, Texas 75253

Empty lot Fence higher than  
4ft. tall





A address unknown 2nd property on  
left side from Highway 175 on  
S. Woody Rd. Fence is 6 Ft. tall





14120 Kleberg  
Dallas, TX 75253

Fence and gate over  
4 ft. tall





14120 Kleberg.

over 4ft  
tall.



14141 Kleberg  
Dallas, Texas 75253  
Fence 6 ft. tall



1435

14351 Kleberg  
Dallas, TX 75253  
Fence taller than  
6 ft.





14367 Kleberg  
Dallas, TX 75253

Fence higher than 6 ft.



14029 Kleberg  
Dallas, Texas 75253

Fence taller than  
4 ft. tall



## Sleep Studies

My daughter has  
sleep disorders

**01/29/2019 - Office Visit in Dallas Sleep Center**

**Provider Notes**

**Progress Notes**

**Rachel Pugh Rosen, RN,PNP at 1/29/2019 1313**

Author: Rachel Pugh Rosen, RN,PNP

Service: —

Author Type: Nurse Practitioner

Filed: 1/30/2019 9:02 AM

Encounter Date: 1/29/2019

Status: Signed

Editor: Rachel Pugh Rosen, RN,PNP (Nurse Practitioner)

**Sleep General Clinic Note**

**SOURCE OF INFORMATION:**

Primary Care Provider: Yuly D. Carreras  
Referring Provider: Yuly D. Carreras, MD  
Informants: Mother  
Interpretation service: was not used.

**CHIEF COMPLAINT:**

Sleep disturbance

**HISTORY OF PRESENT ILLNESS:**

Vedda Viktoria Martinez is a 3 y.o. Hispanic female accompanied by her mother to the Sleep Disorders Clinic at Children's Medical Center. Vedda has a history of restless sleep and jerking of extremities during sleep. Vedda moves around the bed all night long. She will frequently kick her legs and twitches her upper extremities including shoulders. Mother is concerned with the quality of Vedda's sleep. Vedda had a 24 hour EMU admission for above concerns in 8-2017. Per review of record, "Ictal EEG results (past 24 hours): >40 PB events for random movements in sleep. Video review revealed normal arousals with movement and benign nocturnal myoclonus with no associated EEG change. Interictal EEG results (past 24 hours): Normal". There is a history of mild, intermittent snoring. Mother denies gasping arousals and no apneic pauses.

Vedda sleeps in bed with parents or in a toddler bed in the same room. Bedtime is 10:30-11:30PM. Vedda has never slept alone. The family will be moving in the next several months and mother would like Vedda to share a room with her older sister. Mother tries to avoid TV at sleep onset but father will occasionally have it on. Vedda wakes once per night to use the bathroom. She falls back asleep within minutes. Vedda wakes for the day between 10-11AM. Mother works and Vedda is cared for by father or GM. It has been difficult for family to wake Vedda earlier. Vedda naps from 5-6:30PM.

On 3-4 occasions in the past 6-9 months, Vedda woke suddenly in the middle of the night with crying, screaming. She does not respond to parents during the event. She appears frightened. Vedda did remember one event the following morning and reported back to GM. No injuries during event.

Mother reports mild, intermittent snoring. There are no witnessed apneic pauses and no gasping arousals. Vedda has not had a sleep study. She has not had surgical intervention for sleep disordered breathing.

Vedda is home during the day with family. She is not in school.

Chronic conditions include: febrile seizure, last in March 2-2017. History of murmur as infant.

**SLEEP HISTORY:**

Sleep Schedule	1/29/2019
<b>Weekday bed time</b>	11:00 PM
<b>Weekend bed time</b>	11:00 PM
<b>Amount of time to fall asleep</b>	more than 30 minutes



**01/29/2019 - Office Visit in Dallas Sleep Center (continued)**

Provider Notes (continued)

<b>Weekday morning wake time</b>	10:00 AM
<b>Weekend morning wake time</b>	10:00 AM
<b>Appearance on awakening</b>	sleepy
<b>Takes naps in the afternoon</b>	yes
<b>Time of day patient appears most alert</b>	afternoon
<b>Displays the following signs of inadequate sleep</b>	daytime sleepiness
<b>Consumes caffeinated beverages</b>	no

<b>Sleep Hygiene</b>	1/29/2019
<b>Consistent bedtime routine</b>	Yes
<b>Child sleeps</b>	in parent's bedroom/in own bed
<b>Nightwakings</b>	Yes
<b>If unable to fall back asleep at night</b>	watches TV/uses electronics
<b>Electronics in the bedroom</b>	television;mobile phone

**Sleep Disordered Breathing:**  
The family reports snoring and mouth breathing.

**Other Sleep Problems/Parasomnia:**  
Vedda experiences sleep talking, kicking of the legs and night awakenings during sleep.

**Daytime sleepiness:**  
Parent denies daytime sleepiness.

Medications:

- ibuprofen (MOTRIN PO)
  - polyethylene glycol (MIRALAX) 17 gram/dose powder
- Mix 1/2 capful in 4 ounces of water and give by mouth once daily. Stop for any diarrhea

Past Medical History:

**Past Medical History:**

**Diagnosis**

- Abnormal involuntary movements
- Seizure disorder  
*febrile seizure*

**Date**

7/10/2017

Gestational Age: 37w0d

Birth History Comments: IDM, No complications during pregnancy, delivery, or after birth.

Surgical History:

**Past Surgical History:**

**Procedure**

- NO SIGNIFICANT PAST SURGICAL HISTORY

**Laterality**

**Date**

Social History:

**Pediatric History**

**01/29/2019 - Office Visit in Dallas Sleep Center (continued)**

**Provider Notes (continued)**

**Patient Guardian Status**

- Mother: Salinas, Veronica

**Other Topics**

- Not on file

**Concern**

**Social History Narrative**

*Who lives at home with patient: Parents, 1 sister, 1 brother*

*Pets in the home: outside dog*

*Smokers in the home: none*

*Stays at home with mom*

Family History is not suggestive of obstructive sleep apnea and restless leg syndrome

Vedda's family history includes Diabetes in her maternal grandfather and paternal grandmother; Heart Failure in her paternal grandmother; High Blood Pressure in her maternal grandfather and maternal grandmother; High Cholesterol in her maternal grandfather and maternal grandmother; Stroke in her maternal grandfather and paternal grandmother; Thyroid Disease in her mother.

**REVIEW OF SYMPTOMS:**

General: positive for sleep disturbance

HEENT: positive for snoring

Respiratory: negative for asthma symptoms, cough and wheezing

CVS: negative for congenital heart disease and syncope

GI: negative for reflux symptoms

GU: negative for nocturnal enuresis

CNS: positive for seizures, negative for developmental delay

Endocrine: negative for obesity

Allergy/Immunology: negative for nasal congestion and rhinitis

Musculoskeletal: negative for hypotonia

Psychiatric: negative for behavior problems

**PHYSICAL EXAM**

36.8 °C (Temporal) / 108 / 22 / / SPO2: 100%

92.44 %ile (Z= 1.44) based on CDC (Girls, 2-20 Years) weight-for-age data using vitals from 1/29/2019.

93.01 %ile (Z= 1.48) based on CDC (Girls, 2-20 Years) Stature-for-age data based on Stature recorded on 1/29/2019.

83 %ile (Z= 0.95) based on CDC (Girls, 2-20 Years) BMI-for-age based on BMI available as of 1/29/2019.

Weight: 17.8 kg (39 lb 4.8 oz)

**CONSTITUTIONAL:** awake, alert, comfortable and vital signs reviewed and stable

**PSYCH:** affect and mood typical and alert and oriented x3

**HE:** eyes without redness, normocephalic

**ENT:** normal patency with no hypertrophied turbinates

**Oral Cavity:**

Oropharyngeal space: ample

Tongue size: normal

Palate: normal

Tonsils size: 2

**Mandible:** normal

**Neck:** normal and no lymphadenopathy

**Respiratory:** chest wall shape and size is normal with no retractions, good air entry bilaterally with no wheezing or



**01/29/2019 - Office Visit in Dallas Sleep Center (continued)**

**Provider Notes (continued)**

crackles and no digital clubbing or cyanosis

**Cardiovascular:** regular rate and rhythm and normal S1&S2 audible with no murmurs

**Abdomen/GI:** soft, nontender, nondistended

**Musculoskeletal:** no clubbing, no cyanosis or edema, normal strength and tone

**Neurological:** grossly nonfocal, appropriate for age

**MEDICAL DECISION MAKING:**

Vedda is a 3 y.o. female with a history and physical exam suggestive of:

Restless sleep, mild snoring and parasomnia:

- Based on our findings, we recommend further evaluation. We will schedule an overnight sleep study to evaluate for sleep apnea. The study should be done as diagnostic PSG.
- For parasomnias, we reassured that these events are not harmful. We reviewed safety precautions including locking doors to outside. We also reviewed triggers of arousal such as ambient noise, a full bladder, leg kicking, sleep disordered breathing and sleep deprivation. We counseled mom on the natural course of parasomnias. We encouraged regular sleep schedule. Educational materials provided

Inadequate Sleep Hygiene

- Discussed good sleep hygiene habits including regular sleep schedule, optimal sleep environment, pre-sleep rituals, avoid late daytime naps, reduction of screen time 1 hours prior to bed and educational materials distributed

Patient Instructions

In order to change sleep timing, start by waking Vedda by 8AM daily. Aim for an hour nap after lunch and no later than 3-4PM. Bedtime is 10PM for the first few days. If Vedda is falling asleep easily, move bedtime back by 15-20 minutes every few days. The goal is 9PM bedtime like sister.

Follow-up: Return to sleep clinic after Sleep Study

Rachel Rosen, RN, CPNP-PC  
Sleep Disorders Center  
Children's Medical Center

Electronically signed by Rachel Pugh Rosen, RN, PNP at 1/30/2019 9:02 AM

**06/02/2019 - Admission (Discharged) from PSG in Dallas BS5**

**Procedures**

**Sleep Center**

**POLYSOMNOGRAM DIAGNOSTIC [135393202] (Final result)**

Electronically signed by: **Rachel Pugh Rosen, RN,PNP on 05/30/19 0953** Status: **Completed**

This order may be acted on in another encounter.

Ordering user: Rachel Pugh Rosen, RN,PNP 05/30/19 0953

Authorized by: Rachel Pugh Rosen, RN,PNP

Ordering mode: Standard

Frequency: Routine 06/02/19 1834 - 1 occurrence

Class: Ancillary Performed

Quantity: 1

Lab status: Final result

Instance released by: Leveth Galarza 6/2/2019 6:34 PM

Diagnoses

Snoring [R06.83]

**Questionnaire**

**Question**

**Answer**

Appointment location

Dallas

**Specimen Information**

ID	Type	Source	Collected By
3834394XR8A4Z	—	—	06/02/19 2118
DMDA4UTA6PS			
GDIAGNOSTIC			

**POLYSOMNOGRAM DIAGNOSTIC [135393202]**

Resulted: 06/16/19 2308, Result status: Final result

Order status: Completed

Filed by: Interface, Nihon Results 06/16/19 2308

Collected by: 06/02/19 2118

Resulting lab: CMC NIHON KOHDEN INTERFACE

Acknowledged by: Rachel Pugh Rosen, RN,PNP on 06/17/19 1454

View Image (below)



**06/02/2019 - Admission (Discharged) from PSG in Dallas BS5 (continued)**

**Procedures (continued)**

MARTINEZ, VEMMA - DOB 09/03/2015

MR# 3834394 - Acct# 99384590


06/02/2019

Dallas Campus  
2620 N. Stemmons Freeway  
Dallas, TX 75207

SLEEP DISORDERS CENTER  
**children'shealth**  
UT Southwestern Medical Center  
Tel: 214-456-2793 Fax: 214-456-5885

Plano Campus  
7601 Preston Road  
Plano, TX 75024

**SLEEP STUDY REPORT**

Name:	VEMMA MARTINEZ	Study Date:	6/2/2019	
Age Sex:	3 yr 9 mo old female	Study Type:	PSG Study	
DOB:	9/3/2015	Referring Provider:	Rachel P. Rosen, CPNP	
Tech:	Dafne Moraes, RPSGT	PCP:	JULY CARRERAS, MD	
Scorer:	Thomas Abraham, RPSGT	Sleep Specialist:	S Kamal Naqvi, MD	

**HISTORY / CLINICAL INFORMATION:**

Vemma is a 3 year old female with a history of sleep disturbance. Vemma has a history of restless sleep and jerking of extremities during sleep. Per notes, her tonsils are enlarged to size 2. Chronic conditions include: febrile seizure, last in March 2-2017.

**STUDY PARAMETERS:** The study was performed with a sleep technologist in attendance for the entire test period. Video monitoring was carried out throughout the study. The study was recorded and scored according to the guidelines from AASM issued in 2017.

**RECORDING TECH COMMENTS:**

Hook up was uneventful. The patient took awhile to fall asleep. Once asleep noisy breathing could be heard, light snoring at the beginning of the night. Prolonged WASO. Restless sleep noticed. She slept supine, left right. All stages of sleep seen. CO2 within normal limits. REM related respiratory disturbances.

**IMPRESSION**

The study demonstrated mild obstructive sleep apnea without hypoxemia or hypoventilation. There was a REM sleep-related worsening noted in obstructive events. REM sleep was reduced. Prolonged wake period was noted after initial sleep onset. Limited EKG and EEG appeared normal. Mild snoring was audible.

**RECOMMENDATIONS:**

Upper airway evaluation by ENT service is suggested for surgical options.

Electronically signed by skn

S. Kamal Naqvi, MD

**06/24/2019 - Office Visit in Dallas Sleep Center****Provider Notes****Progress Notes****Rachel Pugh Rosen, RN, PNP at 6/24/2019 1519**

Author: Rachel Pugh Rosen, RN, PNP

Service: —

Author Type: Nurse Practitioner

Filed: 6/24/2019 3:57 PM

Encounter Date: 6/24/2019

Status: Signed

Editor: Rachel Pugh Rosen, RN, PNP (Nurse Practitioner)

**Sleep General Clinic Note****SOURCE OF INFORMATION:**

Primary Care Provider: Yuly D. Carreras

Referring Provider: Yuly D. Carreras, MD

Informants: Mother

Interpretation service: was not used.

**CHIEF COMPLAINT:**

Sleep disturbance

**HISTORY OF PRESENT ILLNESS:**

Vedda Viktoria Martinez is a 3 y.o. Hispanic female accompanied by her mother and sister to the Sleep Disorders Clinic at Children's Medical Center for follow up.

**Presenting History 1-2019:**

Vedda has a history of restless sleep and jerking of extremities during sleep. Vedda moves around the bed all night long. She will frequently kick her legs and twitches her upper extremities including shoulders. Mother is concerned with the quality of Vedda's sleep. Vedda had a 24 hour EMU admission for above concerns in 8-2017. Per review of record, "Ictal EEG results (past 24 hours): >40 PB events for random movements in sleep. Video review revealed normal arousals with movement and benign nocturnal myoclonus with no associated EEG change. Interictal EEG results (past 24 hours): Normal". There is a history of mild, intermittent snoring. Mother denies gasping arousals and no apneic pauses.

Vedda sleeps in bed with parents or in a toddler bed in the same room. Bedtime is 10:30-11:30PM. Vedda has never slept alone. The family will be moving in the next several months and mother would like Vedda to share a room with her older sister. Mother tries to avoid TV at sleep onset but father will occasionally have it on. Vedda wakes once per night to use the bathroom. She falls back asleep within minutes. Vedda wakes for the day between 10-11AM. Mother works and Vedda is cared for by father or GM. It has been difficult for family to wake Vedda earlier. Vedda naps from 5-6:30PM.

On 3-4 occasions in the past 6-9 months, Vedda woke suddenly in the middle of the night with crying, screaming. She does not respond to parents during the event. She appears frightened. Vedda did remember one event the following morning and reported back to GM. No injuries during event.

Mother reports mild, intermittent snoring. There are no witnessed apneic pauses and no gasping arousals. She has not had surgical intervention for sleep disordered breathing.

Vedda is home during the day with family. She is not in school.

Chronic conditions include: febrile seizure, last in March 2-2017. History of murmur as infant.

**Interval History:**

An overnight sleep study was completed on 6-2-2019.



**06/24/2019 - Office Visit in Dallas Sleep Center (continued)**

**Provider Notes (continued)**

**IMPRESSION**

The study demonstrated mild obstructive sleep apnea without hypoxemia or hypoventilation. There was a REM sleep-related worsening noted in obstructive events. REM sleep was reduced. Prolonged wake period was noted after initial sleep onset. | Limited EKG and EEG appeared normal. Mild snoring was audible.

This summer Veda is sleeping from 10:30PM - 10AM. She is napping for an hour at 5PM. Current schedule works for family. Veda spends the day with grandmother while parents are working. Overall, mother finds that restless sleep and movements have decreased. The family is in the process of moving. On the weekends they stay at the new house and Veda sleeps with sister. Veda struggles to fall asleep without mother present.

Mild snoring remains. Mother denies gasping arousals and no apneic pauses.

SLEEP HISTORY:

Sleep Schedule	1/29/2019
<b>Weekday bed time</b>	11:00 PM
<b>Weekend bed time</b>	11:00 PM
<b>Amount of time to fall asleep</b>	more than 30 minutes
<b>Weekday morning wake time</b>	10:00 AM
<b>Weekend morning wake time</b>	10:00 AM
<b>Appearance on awakening</b>	sleepy
<b>Takes naps in the afternoon</b>	yes
<b>Time of day patient appears most alert</b>	afternoon
<b>Displays the following signs of inadequate sleep</b>	daytime sleepiness
<b>Consumes caffeinated beverages</b>	no

Sleep Hygiene	1/29/2019
<b>Consistent bedtime routine</b>	Yes
<b>Child sleeps</b>	in parent's bedroom/in own bed
<b>Nightwakings</b>	Yes
<b>If unable to fall back asleep at night</b>	watches TV/uses electronics
<b>Electronics in the bedroom</b>	television;mobile phone

Sleep Disordered Breathing:  
The family reports snoring and mouth breathing.

Other Sleep Problems/Parasomnia:  
Veda experiences sleep talking, kicking of the legs and night awakenings during sleep.

Daytime sleepiness:  
Parent denies daytime sleepiness.

Medications:

- ibuprofen (MOTRIN PO)
  - polyethylene glycol (MIRALAX) 17 gram/dose powder
- Mix 1/2 capful in 4 ounces of water and give by mouth once daily. Stop for any diarrhea

**03/30/2021 - Office Visit in Dallas Sleep Center**

**Provider Notes**

**Progress Notes**

**Rachel Pugh Rosen, RN, PNP at 3/30/2021 1015**

Author: Rachel Pugh Rosen, RN, PNP

Service: —

Author Type: Nurse Practitioner

Filed: 3/30/2021 10:31 AM

Encounter Date: 3/30/2021

Status: Signed

Editor: Rachel Pugh Rosen, RN, PNP (Nurse Practitioner)

**Sleep General Clinic Note**

**SOURCE OF INFORMATION:**

Primary Care Provider: Ernesto A Nunez

Referring Provider: Yuly D Carreras, MD

Informants: Mother

Interpretation service: was not used.

**CHIEF COMPLAINT:**

Sleep disturbance

**HISTORY OF PRESENT ILLNESS:**

Vedita Viktoria Martinez is a 5 y.o. Hispanic female accompanied by her mother and grandmother to the Sleep Disorders Clinic at Children's Medical Center for follow up.

**Presenting History 1-2019:**

Vedita has a history of restless sleep and jerking of extremities during sleep. Vedita moves around the bed all night long. She will frequently kick her legs and twitches her upper extremities including shoulders. Mother is concerned with the quality of Vedita's sleep. Vedita had a 24 hour EMU admission for above concerns in 8-2017. Per review of record, "Ictal EEG results (past 24 hours): >40 PB events for random movements in sleep. Video review revealed normal arousals with movement and benign nocturnal myoclonus with no associated EEG change. Interictal EEG results (past 24 hours): Normal". There is a history of mild, intermittent snoring. Mother denies gasping arousals and no apneic pauses.

Vedita sleeps in bed with parents or in a toddler bed in the same room. Bedtime is 10:30-11:30PM. Vedita has never slept alone. The family will be moving in the next several months and mother would like Vedita to share a room with her older sister. Mother tries to avoid TV at sleep onset but father will occasionally have it on. Vedita wakes once per night to use the bathroom. She falls back asleep within minutes. Vedita wakes for the day between 10-11AM. Mother works and Vedita is cared for by father or GM. It has been difficult for family to wake Vedita earlier. Vedita naps from 5-6:30PM.

On 3-4 occasions in the past 6-9 months, Vedita woke suddenly in the middle of the night with crying, screaming. She does not respond to parents during the event. She appears frightened. Vedita did remember one event the following morning and reported back to GM. No injuries during event.

Mother reports mild, intermittent snoring. There are no witnessed apneic pauses and no gasping arousals. She has not had surgical intervention for sleep disordered breathing.

Vedita is home during the day with family. She is not in school.

Chronic conditions include: febrile seizure, last in March 2-2017. History of murmur as infant.

**Interval History 6-2019:**

An overnight sleep study was completed on 6-2-2019.



**03/30/2021 - Office Visit in Dallas Sleep Center (continued)**

**Provider Notes (continued)**

**IMPRESSION**

The study demonstrated mild obstructive sleep apnea without hypoxemia or hypoventilation. There was a REM sleep-related worsening noted in obstructive events. REM sleep was reduced. Prolonged wake period was noted after initial sleep onset. Limited EKG and EEG appeared normal. Mild snoring was audible.

This summer Vedda is sleeping from 10:30PM - 10AM. She is napping for an hour at 5PM. Current schedule works for family. Vedda spends the day with grandmother while parents are working. Overall, mother finds that restless sleep and movements have decreased. The family is in the process of moving. On the weekends they stay at the new house and Vedda sleeps with sister. Vedda struggles to fall asleep without mother present.

Mild snoring remains. Mother denies gasping arousals and no apneic pauses.

**Interval History:**

Vedda returns to clinic with mother. Last clinic visit was nearly 2 years ago. Mother states that snoring appears improved over time but Vedda is waking more frequently during the night. She likes to keep a glass of water at her bedside, ? Mouth breathing / dry throat. Mother denies gasping arousals and apneic pauses but has not been monitoring sleep breathing very closely. Sleep remains restless.

Vedda attends pre kindergarten in person. Teachers have mentioned that Vedda appears tired. Vedda falls asleep in the car on the way to school every morning - 8 minute drive. She is allowed to nap in the afternoon in the classroom. On school nights, Vedda sleeps from 10PM - 6:30AM. She is difficult to wake for school. On the weekends, Vedda sleeps from 10PM - 10AM and appears more alert during the day.

School performance is good. There are no behavior concerns.

Episode of possible parasomnia last weekend. Vedda woke suddenly in the middle of the night complaining of ant on her feet. Mother massaged legs / feet. Vedda continued to complain and mother put Vedda in the shower. Vedda had no recall of event the following morning.

No seizure activity since initial febrile seizure in 2017.

Vedda does not recall her dreams.

**SLEEP HISTORY:**

	1/29/2019	3/30/2021
Sleep Schedule		
<b>Weekday bed time</b>	11:00 PM	10:00 PM
<b>Usually falls asleep by</b>	-	10:10 PM
<b>Weekday morning wake time</b>	10:00 AM	6:30 AM
<b>Weekend bed time</b>	11:00 PM	10:00 PM
<b>Usually falls asleep by</b>	-	10:10 PM
<b>Weekend morning wake time</b>	10:00 AM	-
<b>Appearance on awakening</b>	sleepy	-
<b>Naps on weekdays</b>	-	yes
<b>Naps on weekends</b>	-	no
<b>Consumes caffeinated beverages</b>	no	-
<b>Sleeps in</b>	in parent's bedroom/in own bed	-

Retired - Sleep Hygiene

1/29/2019

Retired - Consistent bedtime routine

Yes

Sleeps in

in parent's bedroom/in own bed

03/30/2021 - Office Visit in Dallas Sleep Center (continued)

Provider Notes (continued)

Retired - Nightwakings

Yes

Retired - If unable to fall back asleep at night

watches TV/uses electronics

Medications:

- polyethylene glycol (MIRALAX) 17 gram/dose powder
- ibuprofen (MOTRIN PO)

Take 17 g by mouth daily Mix 1 capful in 6 ounces of water and give by mouth once daily.

Past Medical History:

Past Medical History:

Diagnosis

- Abnormal involuntary movements
- Seizure disorder  
*febrile seizure*

Date

7/10/2017

Gestational Age: 37w0d

Birth History Comments: IDM, No complications during pregnancy, delivery, or after birth.

Surgical History:

Past Surgical History:

Procedure

- NO SIGNIFICANT PAST SURGICAL HISTORY

Laterality

Date

Social History

Pediatric History

Patient Parents/Guardians

- Salinas, Veronica (Mother/Guardian)

Other Topics

Concern

- Not on file

Social History Narrative

*Who lives at home with patient: Parents, 1 sister, 1 brother*

*No pets in the home*

*No smoking in the home*

*In pre k fall 2020*

Family History is not suggestive of obstructive sleep apnea and restless leg syndrome

Vedda's family history includes Diabetes in her maternal grandfather and paternal grandmother; Heart Failure in her paternal grandmother; High Blood Pressure in her maternal grandfather and maternal grandmother; High Cholesterol in her maternal grandfather and maternal grandmother; Stroke in her maternal grandfather and paternal grandmother; Thyroid Disease in her mother.

REVIEW OF SYMPTOMS:



**05/14/2021 - Admission (Discharged) from PSG in Dallas BS5: records until 5/14/2021 (continued)**

**Procedures (continued)**

Martinez, Vedda - DOB 09/03/2015

MR# 3834394 - Acct# 111018115

05/14/2021

Dallas Campus  
2620 N. Stemmons Freeway  
Dallas, TX 75207

SLEEP DISORDERS CENTER  
**children'shealth**  
UT Southwestern Medical Center  
Tel: 214-456-2793 Fax: 214-456-5885

Plano Campus  
7601 Preston Road  
Plano, TX 75024

**SLEEP STUDY REPORT**

Name:	Vedda Martinez	Study Date:	5/14/2021
Age/ Sex:	5 yr 8 mo old female	Study Type:	PSG Study
DOB:	9/3/2015	Referring Provider:	JULY CARRERAS, MD
Tech:	Diana Palmer, RPSGT	PCP:	Ernesto Nunez, MD
Scorer:	Allen Dodson, RPSGT, RST	Sleep Specialist:	Anna Wani, MD



**HISTORY / CLINICAL INFORMATION:**

Vedda is a 5-year-old female patient with a history of snoring, mouth breathing, dry throat and restless sleep. A physical exam in clinic reported tonsils are 2-3+ in size. She has a medical history of complex febrile seizures, abnormal involuntary movements and sleep disordered breathing. She had a previous sleep study on 6/2/2019 that demonstrated mild OSA. There was REM related worsening noted in obstructive events. She has not had any other sleep related surgical interventions. The reason this study was performed is to determine the presence of Sleep Disordered Breathing and treat if necessary.

**STUDY PARAMETERS:** The study was performed with a sleep technologist in attendance for the entire test period. Video monitoring was carried out throughout the study. The study was recorded and scored according to the guidelines from AASM issued in 2017.

**RECORDING TECH COMMENTS:**

Patient achieved all stages of sleep. Tech observed mild snoring, fragmented sleep, arousals, awakenings and respiratory disturbances. No gasping, coughing or choking noises heard.

**IMPRESSION**

The study demonstrated no evidence of obstructive or central sleep apnea.  
There was no hypoxemia or hypercapnia present.  
Limited EKG and EEG appeared normal. Mild snoring was audible.  
Sleep efficiency and architecture was normal.  
No limb movements were noted.

**RECOMMENDATIONS:**

Clinical correlation is suggested.

Electronically signed by aw  
Anna Wani, MD  
Board Certified in Sleep Medicine

05/14/2021 - Admission (Discharged) from PSG in Dallas BS5: records until 5/14/2021 (continued)

Procedures (continued)

Martinez, Vemma - DOB 09/03/2015

MR# 3834394 - Acct# 111018115

05/14/2021

SLEEP DISORDERS CENTER  
children'shealth  
UT Southwestern Medical Center

POLYSOMNOGRAPHIC DATA

SLEEP ARCHITECTURE

Sleep Summary				Sleep Stage Summary			
Lights Out	8:47PM	Lights On	5:33AM	Stage	Duration (min)	Latency (min)	
Total Study Time	466 mins	Time on Bed	560 mins	WASO	31	-	
Total Sleep Time	433 mins	Sleep Efficiency	92.9%	Stage N1	32	2	
Total Wake Time	33 mins	Sleep Latency	02 mins	Stage N2	185	4	
		REM Latency	52 mins	Stage N3	121.0	11	
<b>EEG Findings:</b> No gross abnormalities noted on limited 3-4 channel EEG				Total NREM	338.0	-	
				REM	95	52	
				<b>Apneal Summary</b> # of Apneas Index (per hour)			
				Leg Movements	0	0.0	
				Respiratory	4	1	
				Spontaneous	78	10.8	
				Total	82	11.4	

CARDIO-RESPIRATORY DATA

Respiratory Disturbance Index: 1.1/hr		Number of Respiratory Events		ECG Rate (per minute)			
OAHI	0.7	Obstructive Apnea	2	ECG	Avg	Max	Min
CAI	0.8	Obstructive Hypopnea	3	Awake	93	120	66
REAI	0.0	Central Apnea	1	Asleep	81	121	63
NREM AHI	0.9	Mixed Apnea	0	ECG Events: NSR			
REM AHI	3.8	RERAS	0	Avg. RR (RFM):	17		
<b>Total AHI</b>	<b>1.1</b>	<b>TOTAL #</b>	<b>6</b>	Avg. RR (NREM):	17		
<b>Position Related Analysis</b>		Supine	Lateral	Prone	Height:	16 in	
% TST in Position	68.8	31.2	0.0	Weight:	53.0 lb		
AHI / Hr	1.5	0.0	0.0	BMI:	17 Kg/M2		
RDI / Hr	1.2	0.0	0.0	The longest event was a 14 sec obstructive Hypopnea with a minimum SaO2 of 96% The longest central apnea event was 10 seconds. The minimum SaO2 associated with an obstructive apnea is 95%. Duration of time with Periodic Breathing was 0.0 minutes. A percentage of TST with Periodic Breathing was 0.0%. The lowest SaO2 was 95% associated with a 10 sec obstructive Apnea.			
<b>Desaturation</b>		Desaturation (minutes)	Desaturation (% of TST)	Desaturation threshold setting: 3% Minimum desaturation setting: 10 seconds SpO2 trailor: 94% Average SpO2: 98%			
<50%	0.2	0.0%	<b>Capnography</b> Mean CO2 value while asleep: 45 Peak CO2 value while asleep: 47.0 CO2 >50mm Hg while asleep: 0.0%				
<88%	0.2	0.0%					
<80%	0.2	0.0%					
<b>PLMS</b>		LMS	Index / Hr				
Total # of LMS in series	0	0.0					
LMS w/ Microarousals	0	0.0					



**05/14/2021 - Admission (Discharged) from PSG in Dallas BS5: records until 5/14/2021 (continued)**

**Procedures (continued)**

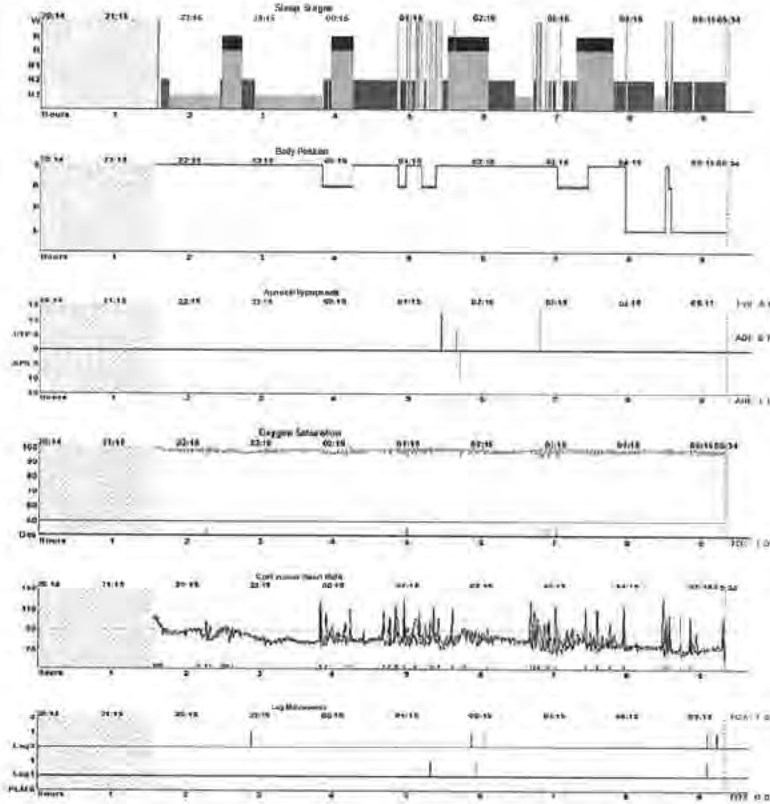
Martinez, Vedda - DOB 09/03/2015

MR# 3834394 - Acct# 111018115

05/14/2021

SLEEP DISORDERS CENTER  
children'shealth  
UT Southwestern Medical Center

**Hypnogram**



Report Digitally Signed By:  
Anna Wani (5/23/2021 2:41:53 PM)

xya3774zvb5hev

PSG Revised

Page 3 of 3

**Testing Performed By**

Lab - Abbreviation	Name	Director	Address	Valid Date Range
321 - NIHON KOHDEN	CMC NIHON KOHDEN INTERFACE	Unknown	Unknown	07/10/12 0921 - Present













Junk yard less  
than 1 mile away  
from 2022 S. woody rd  
Heavy Vehicles pass  
all day long we had  
city come out to  
install road bumps  
to slow down.  
14828 kleberg st.  
Dallas, Texas 75253



**STAR AUTO**  
**SALVAGE LLC**  
CASH FOR JUNK CARS  
USED AUTO PARTS  
MON-SAT 9am-6pm  
214-434-2671  
OFFICE →

14828

14828

14828 Kleberg  
Dallas, TX 75253



















Panel B

08-17-22

BDA212-068

2022 S. Woody Rd.

(Letters of Reference)



I, Robert Zerk III, neighbor of Veronica Salinas, am aware of her concerns and reasoning. I support her in the installation of a six-foot fence and have no issues with the fence that she is requesting to have approved for her property. This decision will not harm me in any way.

2042 Hollow Creek Dr Dallas TX


972

469 474 0591

To whom it may concern:

I, Gabriela Vazquez, reside at 1922 S. Woody Rd. Dallas, Tx. 75253. I am a neighbor of Veronica Salinas who resides at 2022 S. Woody Rd. Dallas, TX 75253. I have no issue with the installation of a six-foot fence on the property. I firmly understand her reasons as we live in a high-traffic area, where pedestrians tend to trespass our property. As her neighbor, I fully support her request and I ask that you please allow her to erect a fence above the allowable height. This will bring no harm to myself nor my property. Additionally, I genuinely believe that she will create a lovely curb appeal.

If you have any questions or concerns, please do not hesitate to contact me at (817) 913-7316.



1922 S. Woody Rd.  
Dallas, TX 75253  
817-913-7316.



My name is Umeka Ward. I am a nearby neighbor of Veronica Salinas. I am aware of her request to add a taller fence to her property located at 2022 S. Woody Rd. Dallas, Tx. 75253. The height of a six-foot fence is not a bother to me. I fully support her in this request and approval for it to be done. This will not bring harm to myself nor my property.

Umeka Ward  
2038 Hollow Creek Dr.  
Dallas, TX 75253  
(972) 480-4353

Kathy Haugen (Kelchner)  
2132 S. Woody Rd.  
Dallas, TX 75253  
214-502-3370  
KathyLHaugen@gmail.com

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August 2, 2022

City of Dallas  
Board of Adjustment

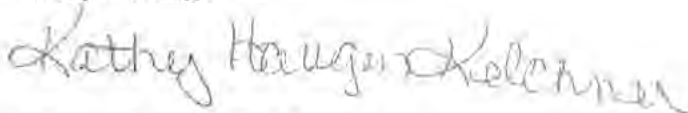
Re: Fence

I am writing to give my support to my good neighbor, Veronica Salinas. Ms. Salinas is proposing to put in a new iron fence that is 5-6 feet tall. I believe this will be a great addition to our neighborhood and will increase the value.

Ms. Salinas and her family have been making numerous improvements to their house and land since they purchased the property. The fence will be a welcome addition.

I trust you will grant this request.

Respectfully,



Kathy Haugen (Kelchner)



We, Dwight Williams and Jawana Williams, live adjacent to the property at 2022 S Woody Rd. Our address is 2012 S Woody Rd. We would find it beneficial and protective for Veronica Salinas to increase the fence height at the front of their property to six feet. My husband Dwight is 77 years old and ADA. A six-foot fence would increase our personal security as we have a shared property and fence. We also plan to ask permission to extend the height of our front fence as well. We are concerned with the concentration of people walking on the street and approaching our homes. Due to our age and my husband's disability, we are feeling more vulnerable. This addition will not harm us or our property. We would like to have a peace of mind when away from home, and this addition to the property would help with that. Please take this into consideration

 2145642507  
8/2/2022

7/30/22

Mi nombre es Nicolas Del Angel  
No tengo problema de que la Señora  
Veronica Tenga una Serca alta  
y yo vivo en 14367 Kleberg Rd  
469 5561606. es mi numero de telefono .



A quien Interese

Nosotros somos la familia Montenegro  
y vivimos en el 2202 S. Woody Rd. Dallas  
Tx 75253, para su información nosotros  
no tenemos ningún problema con que la  
señora Veronica de la direccion 2022 haga su  
fence de enfrente de 6 ft. de altura

gracias



Carlos Montenegro 214-356-9354

7/30/2022

I have no problem with  
my neighbor Veronica Petitioning  
a higher Fence, it does not  
affect me in any way.

Please Grant her Petition

Ricardo Rodriguez

2195 S Woody rd Dallas tx 75253

469-387-4258



To who it may concern  
I Roberto Pulido with current  
address at 14120 Kleberg rd  
Dallas TX 75253  
cell. 469 855 2322

it does not affect me at all  
that neighbor Veronica Salinas  
builds a high Fence of 6 ft.



Gregory + Janet Clark  
2153 S. Woody Rd  
Dallas, Texas, 75253

July 30, 2022

To Whom it may concern,

A taller fence of our neighbor  
Veronica will not be a problem  
for us.

Sincerely  
The Clarks  
214-718-9153



**FILE NUMBER:** BDA212-077(PD)

**BUILDING OFFICIAL'S REPORT:** Application of Terri Hodge for a special exception to the fence height regulations at 11211 Strait Lane. This property is more fully described as Lot 3 in City Block 1/6391 and is zoned an R-1/2ac(A) Single Family District within Tract No. 1 of NSO No. 1, the Northaven Estates Neighborhood Stabilization Overlay, which limits the height of a fence in the front yard to four feet. The applicant proposes to construct a seven-foot-tall fence in a required front yard, which will require a three-foot special exception to the fence regulations.

**LOCATION:** 11211 Strait Lane

**APPLICANT:** Terri Hodge

**REQUEST:**

The applicant proposes a fence of seven feet in height, constructed of an iron fence with two iron vehicular sliding gates located along Strait Lane. The site is constructed with a one-story 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:**

Site: R-1/2ac(A) (Single Family District) and NSO 1 Tract 1  
Northwest: R-1/2ac(A) (Single Family District) and NSO 1 Tract 1  
East: R-1/2ac(A) (Single Family District) and NSO 1 Tract 1  
South: R-1/2ac(A) (Single Family District) and NSO 1 Tract 1  
West: R-1/2ac(A) (Single Family District) and NSO 1 Tract 1

### **Land Use:**

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

### **Zoning/BDA History:**

There has been one related board case in the vicinity within the last five years.

1. **BDA212-052:** On July 19, 2022, the Panel A, Board of Adjustment heard and held under advisement until August 16, 2022, a request for special exceptions to the fence standards and the visibility obstruction regulations to construct and maintain an eight-foot-six-inch-tall fence located within two visibility obstruction triangles at 4630 Northaven Road.

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

The subject site is zoned an R-1/2ac(A) Single Family District and NSO 1 Tract 1 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 a seven-foot-high fence in a designated front yard setback along Strait Lane. According to the elevation plan, the applicant proposes a seven-foot-tall black iron fence with two black iron vehicular gates at the drive approaches with a maximum length of 351.76 feet and spans the entire length of the property.

Per Dallas County Appraisal District records, the property is developed with a one-story single-family dwelling unit constructed in 1953. The single-family dwelling unit consists of approximately 3,425 square feet of floor area with a circular driveway.

The following information is shown on the submitted site plan:

- The proposed fence is approximately 351.76 feet-in-length parallel to Strait Lane and half a foot from the property line with the two vehicular gates proposed to be setback 14.5 feet and outside of the 20-foot visibility triangles.

As of August 5, 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 seven feet located on Strait Lane will not adversely affect neighboring properties.

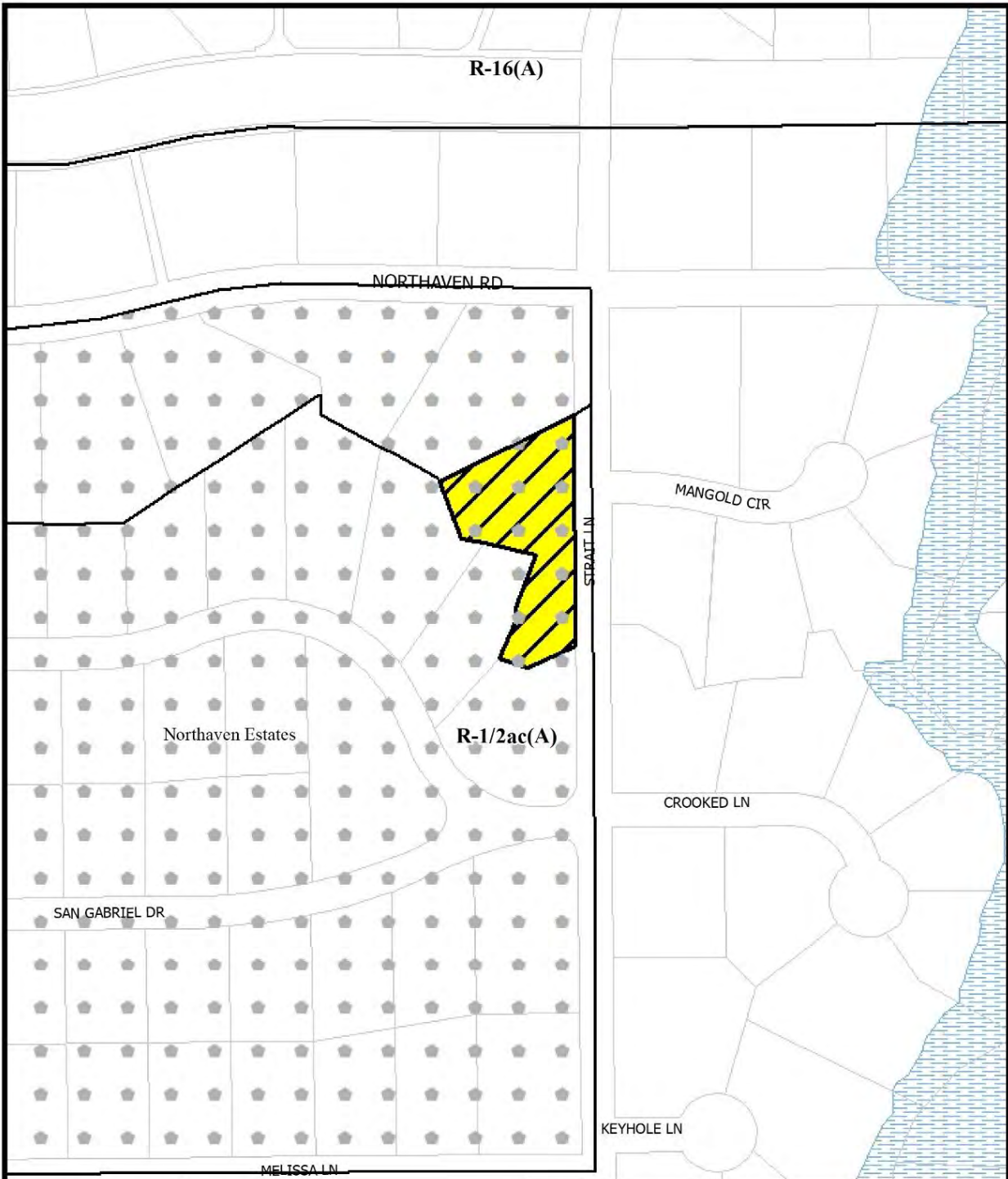
Granting the special exception to the fence standards relating to height would require the proposal exceeding four feet-in-height in the front yard setback located along Strait Lane



to be maintained in the locations and heights as shown on the site plan and elevation plan.

**Timeline:**

- May 13, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.
- July 11, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- July 11, 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 July 27<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the August 5<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Board Senior Planner, the Development Services Chief Arborist, the Development Services Conservation District Senior Plans Examiner, and Development Services Chief Planner. No review sheets were submitted for this request.
- August 5, 2022: The representative submitted documentary evidence (**Attachment A**) for Board consideration.



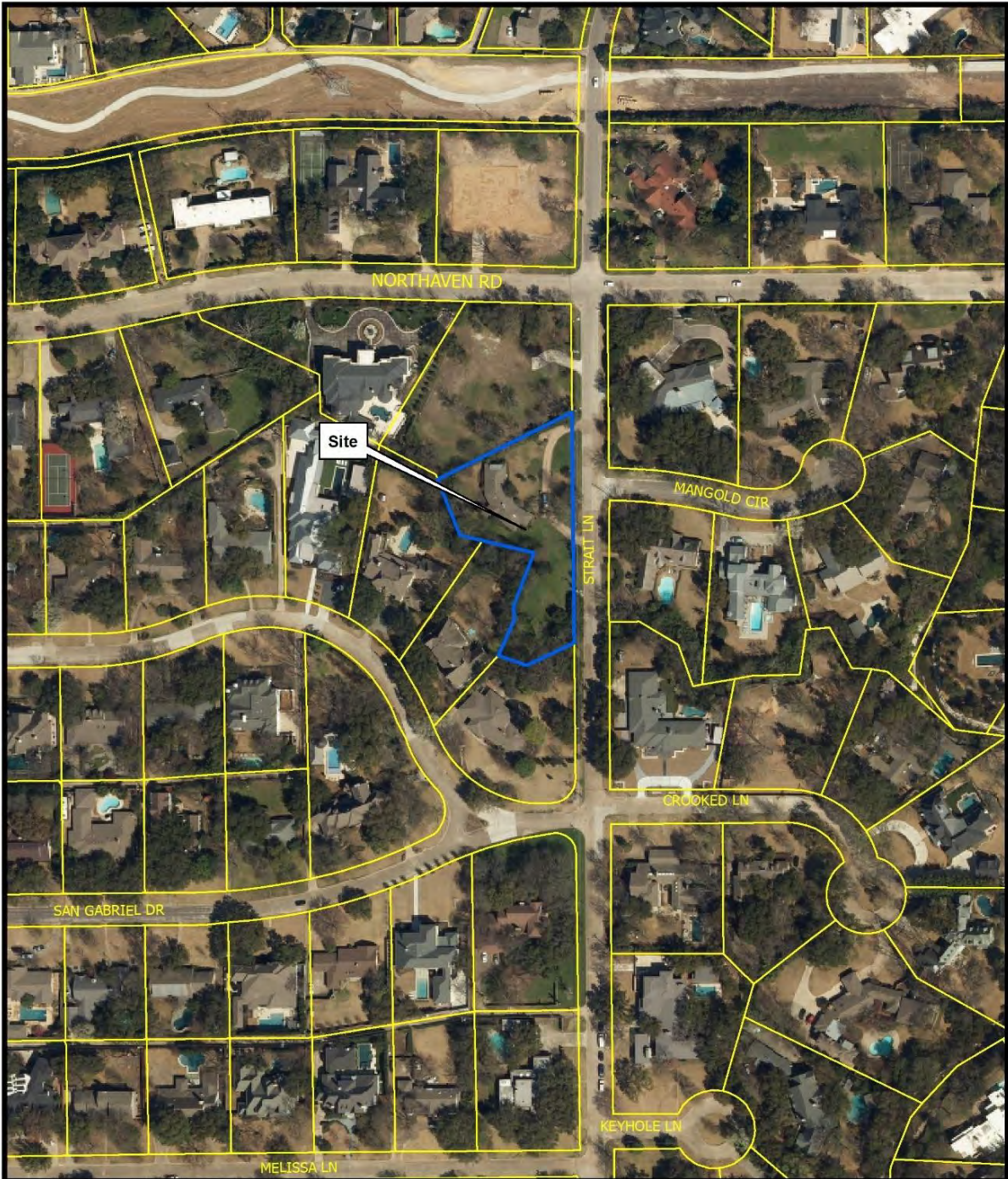
1:2,400

# ZONING MAP

Case no: BDA212-077

Date: 7/6/2022



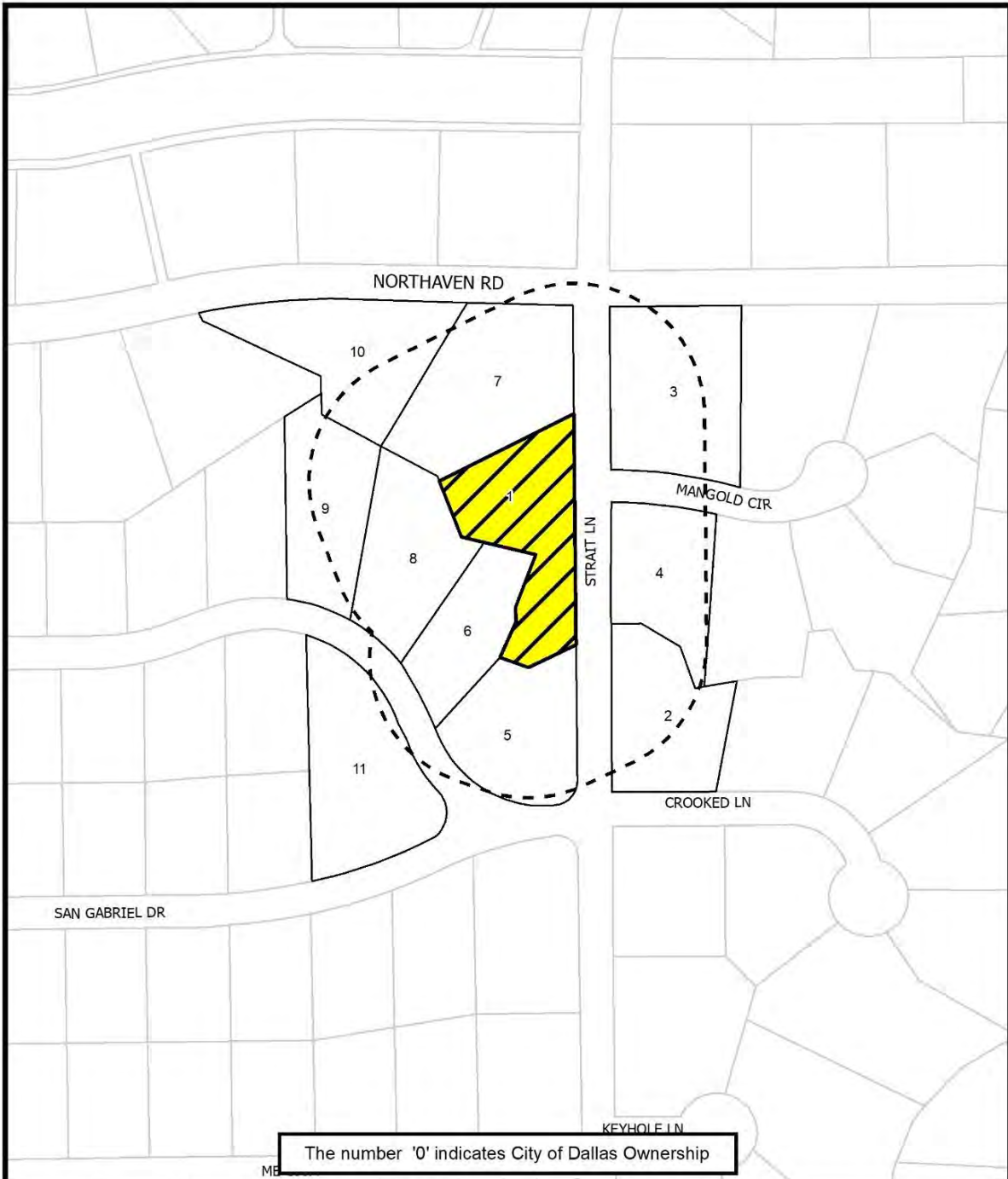


1:2,400

# AERIAL MAP

Case no: BDA212-077

Date: 7/6/2022



 1:2,400	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>11</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>11</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA212-077</b> Date: <b>7/6/2022</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>11</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					



07/05/2022

## ***Notification List of Property Owners***

***BDA212-077***

### ***11 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	11211 STRAIT LN	FINNEGAN MAUREEN ANN
2	4911 CROOKED LN	HERWIG LARRY & ROXANNE
3	11220 STRAIT LN	DAVIS FAMILY LIVING TR
4	4910 MANGOLD CIR	STOVALL JOHN B
5	4825 CROOKED LN	MMAH ENTERPRISES LLC
6	4815 CROOKED LN	NICHOLSON KEVIN PATRICK BONE &
7	11217 STRAIT LN	KAHN ABDUL & BUSHRA
8	4807 CROOKED LN	JASPERSEN WILLIAM S &
9	4745 CROOKED LN	GORDON BRADLEY L & DEBRA L
10	4820 NORTHAVEN RD	KHAN ABDUL H & BUSHRA
11	4824 CROOKED LN	TUJAGUE LUCIEN J JR &



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-077

Date: 5/13/22

Data Relative to Subject Property:

Location address: 11211 Strait Ln Dallas TX 75229 Zoning District: NSO1 R1
Lot No.: 3 Block No.: 1/6391 Acreage: 1.05 Census Tract: R 1/2 AC (A)
Street Frontage (in Feet): 1) 351.76' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): MMAH Enterprises LLC / Abdul Khan

Applicant: Terri Hodge Telephone: (214) 342-3252

Mailing Address: 7106 Abrams Rd Dallas Texas Zip Code: 75231

E-mail Address: Terri.Hodge.40@gmail.com

Represented by: Terri Hodge Telephone: (214) 342-3252

Mailing Address: 7106 Abrams Rd Dallas Texas Zip Code: 75231

E-mail Address: Terri.Hodge.40@gmail.com

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

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:

Install 356" of 70" tall ornamental steel fence 2 rail 2" post 1 rails 3/8 pickets painted semi-gloss black install 2-14" auto gates

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.

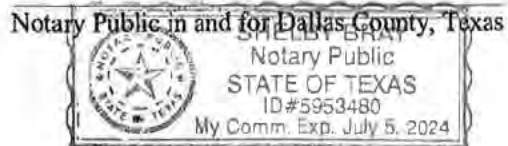
Affidavit

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

Subscribed and sworn to before me this 13th day of May, 2022







AFFIDAVIT

Appeal number: BDA 212-077

I, MMAH Enterprises LLC / Abdul Khan, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 11211 Strait Ln Dallas Texas 75229  
(Address of property as stated on application)

Authorize: Terri Hodge  
(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 Install 356" of 70" tall Ornamental Steel fence 2 Rail 2" post 1" Rails 5/8 pickets painted semi-gloss black. Install 2-14" Auto gates

Abdul Khan  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 5-13-2022

Before me, the undersigned, on this day personally appeared ABDUL KHAN

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 13<sup>th</sup> day of May, 2022

Notary Public for Dallas County, Texas

Commission expires on July 5, 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 Terri Hodge

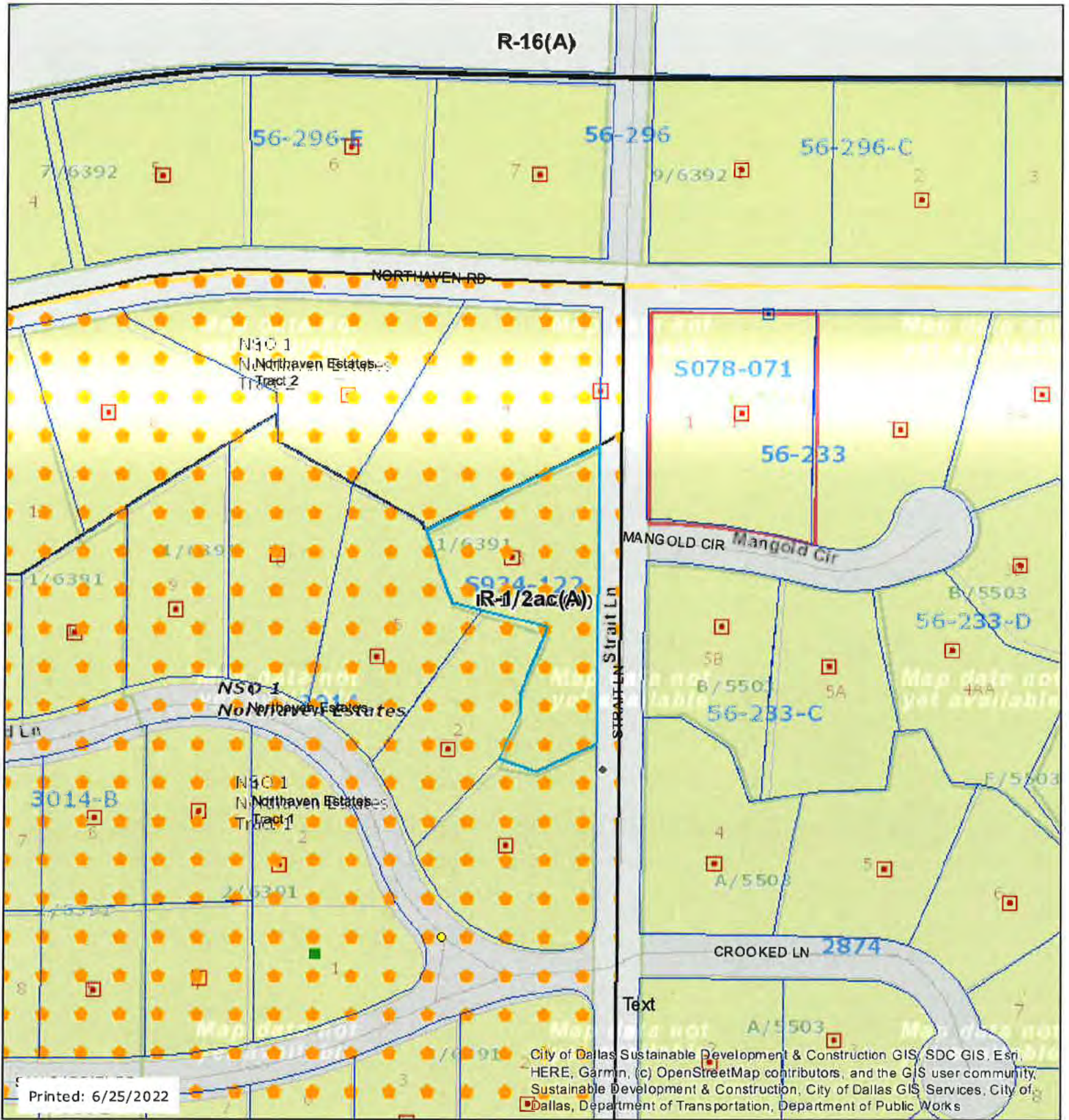
did submit a request for a special exception to the fence height regulations  
at 11211 Strait Lane

BDA212-077. Application of Terri Hodge for a special exception to the fence height regulations at 11211 STRAIT LN. This property is more fully described as Lot 3, Block 1/6391 and is zoned R-1/2ac(A), NSO 1 (Tract 1), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 7 foot high fence in a required front yard, which will require a 3 foot special exception to the fence regulations.

Sincerely,

  
David Session, Building Official





Printed: 6/25/2022

City of Dallas Sustainable Development & Construction GIS, SDC GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sustainable Development & Construction, City of Dallas GIS Services, City of Dallas, Department of Transportation, Department of Public Works

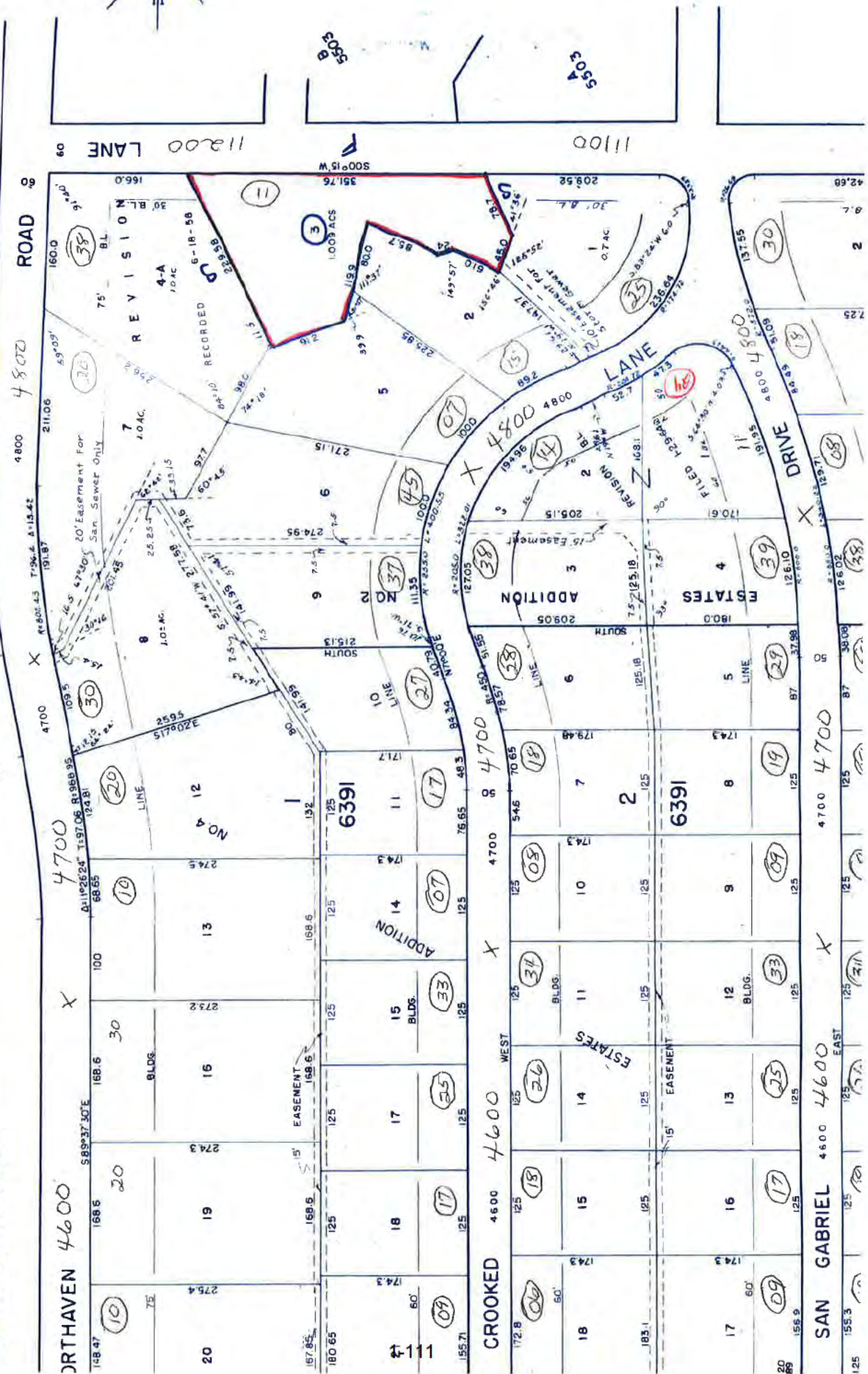
- |                       |                  |                            |                               |
|-----------------------|------------------|----------------------------|-------------------------------|
| Dallas Tax Parcels    | NSO Overlay      | Height Map Overlay         | SP          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





THAVEN NO 4 RECORDED 2-14-55  
 THAVEN NO 2 FILED 1-29-64 REVISED B.L. BLK. 2/6391 LOTS 1 & 2  
 D: 6-16-93 BLK. 3/6391 LT. 2 NORTHAVEN NO 3 FINAL  
 D: 5-23-94 BLK. 1/6391 LT. 3 THE PINNACAL



6392

ROAD 60

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August 5, 2022

Ms. Pamela Daniel  
1500 Marilla St 5BN.  
Dallas, Texas 75201

Re: BDA 212-077; 11211 Strait Lane SE FH.

Ms. Daniel:

I have attempted to reach neighbors in the area of the Strait Street property. I have not been able to speak with anyone.

However, I have traveled the neighborhood and obtained several names with fences taller than four feet.

I will attend the hearing on August 17, 2022 at 1:00 pm.

If you have questions or suggestions please call me @ (214) 342-3252 or email me.

Terri Hodge



Google Maps 4910 Crooked Ln



Image capture: Mar 2022 © 2022 Google



4911 Crooked Ln

*Fence taller than 4 feet*

All

Street View & 360°



4821 Northaven Rd

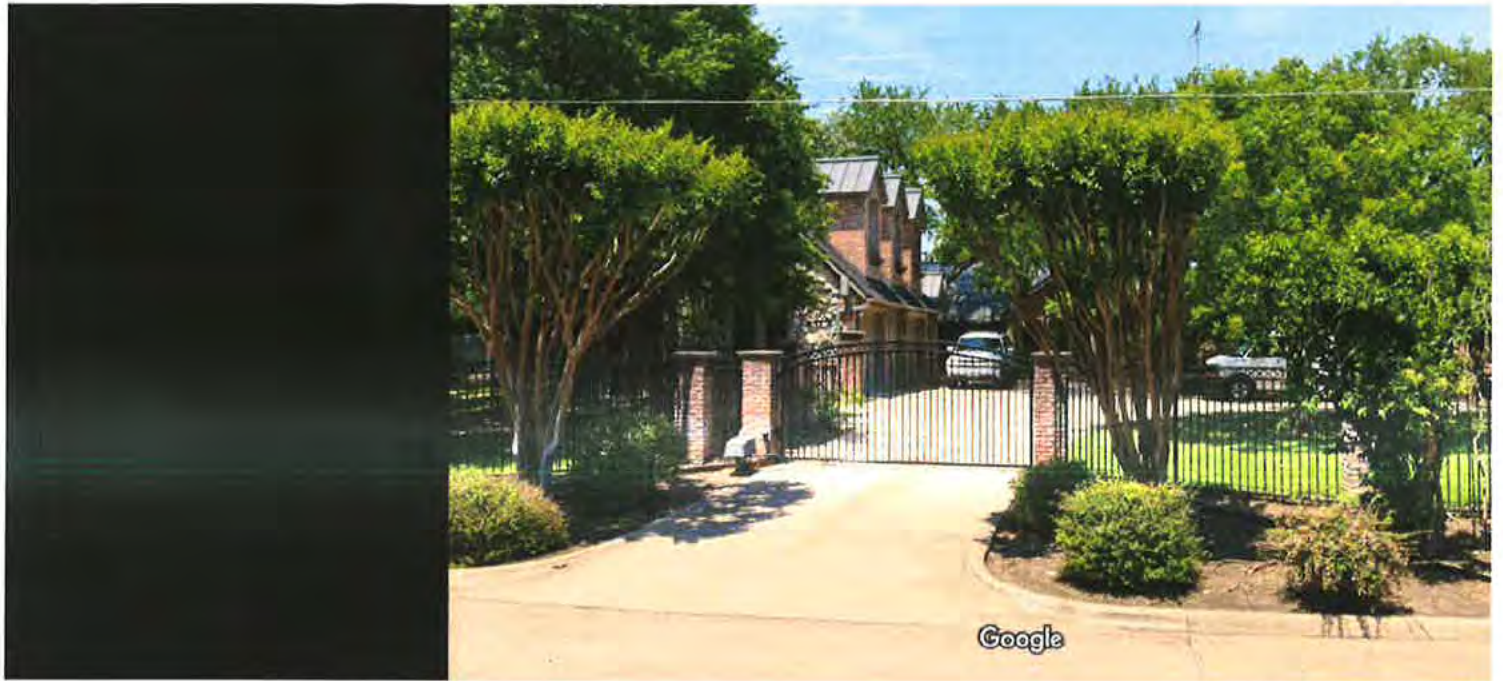


Image capture: May 2022 © 2022 Google



4821 Northaven Rd

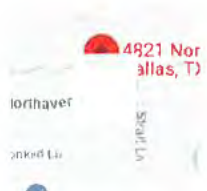
All

Street View & 360°

Dallas, Texas

Google

Street View - May 2022



Google Maps 10899 Strait Ln



Image capture: May 2022 © 2022 Google



10901 Strait Ln

*Fence on right side of house*

Dallas, Texas

Google

Street View - May 2022





10909 Strait Ln



Image capture: May 2022 © 2022 Google



10901 Strait Ln

Dallas, Texas

Google

Street View - May 2022

*See fence*



4630 Northaven Rd



Image capture: May 2022 © 2022 Google

← 4630 Northaven Rd

All

Street View & 360°

Dallas, Texas

Google

Street View - May 2022





11220 Strait Ln

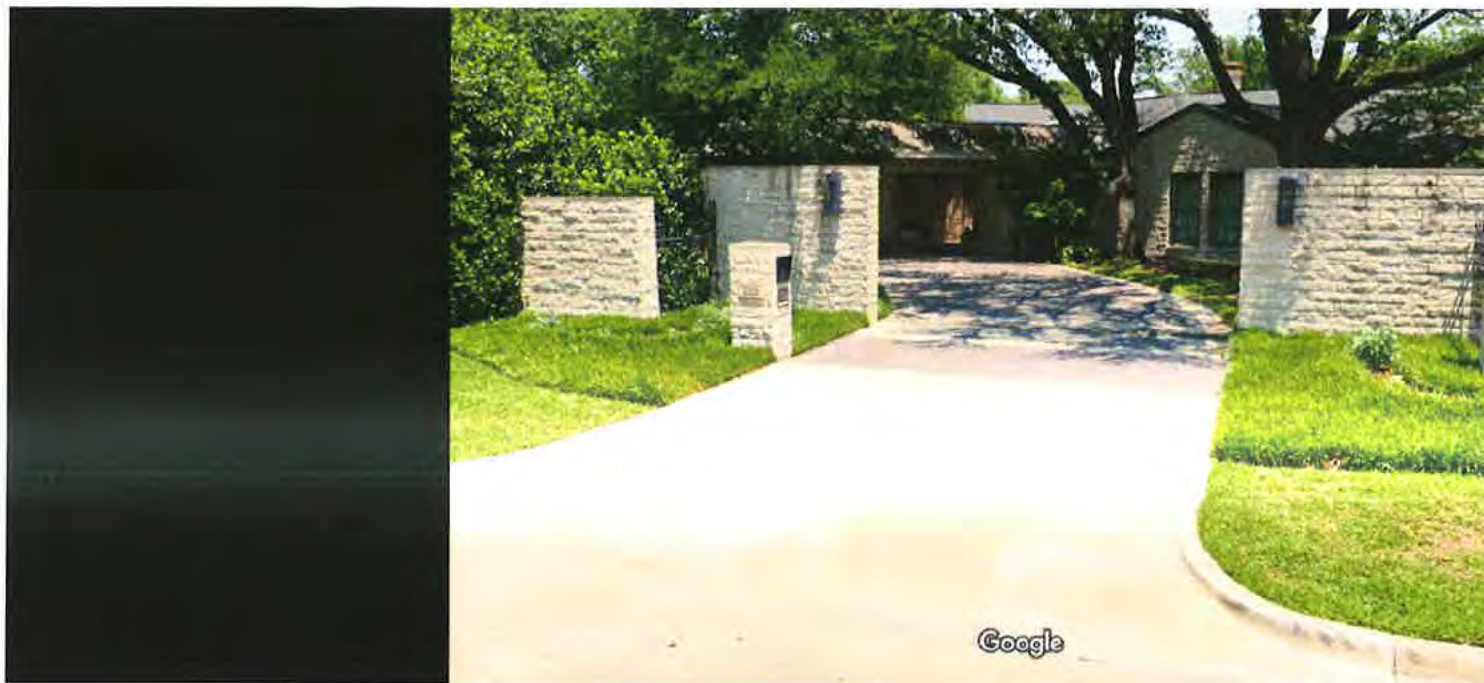


Image capture: May 2022 © 2022 Google



11220 Strait Ln

All

Street View & 360°

Dallas, Texas

Google

Street View - May 2022



4801 San Gabriel Dr

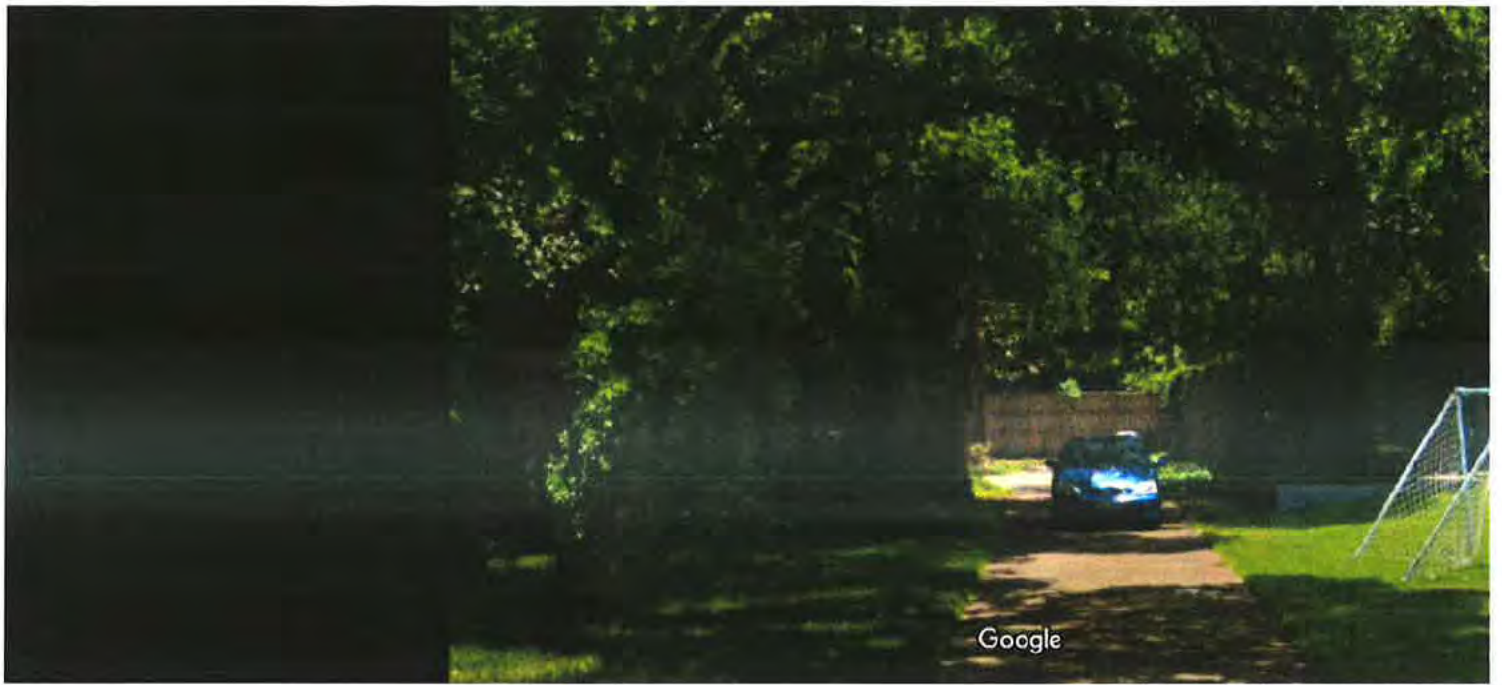


Image capture: May 2022 © 2022 Google



Dallas, Texas

Google

Street View - May 2022





**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 and June 22, 2022, this case was held under advisement. 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) In general.
  - (i) 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;

- (ii) 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
- (iii) 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.

(B) Structures. In exercising its authority under Subsection (A)(ii), 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:

- (iv) 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 of the Texas Tax Code;
- (v) 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;
- (vi) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (vii) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (viii) the municipality considers 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 August 5, 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 27<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the May 6<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- April 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.
- August 5, 2022: No updates had been provided by the docket deadline.

**BOARD OF ADJUSTMENT ACTION: June 22, 2022**

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

APPEARING IN OPPOSITION: None.

MOTION: **Gambow**

I move that the Board of Adjustment, in Appeal No. BDA 212-035, **hold** this matter under advisement until **August 17, 2022**.

SECONDED: **Brooks**

AYES: 5 – Shouse, Finney, Gambow, Brooks, Cannon

NAYS: 0 -

MOTION PASSED: 5 - 0 (unanimously)

**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,

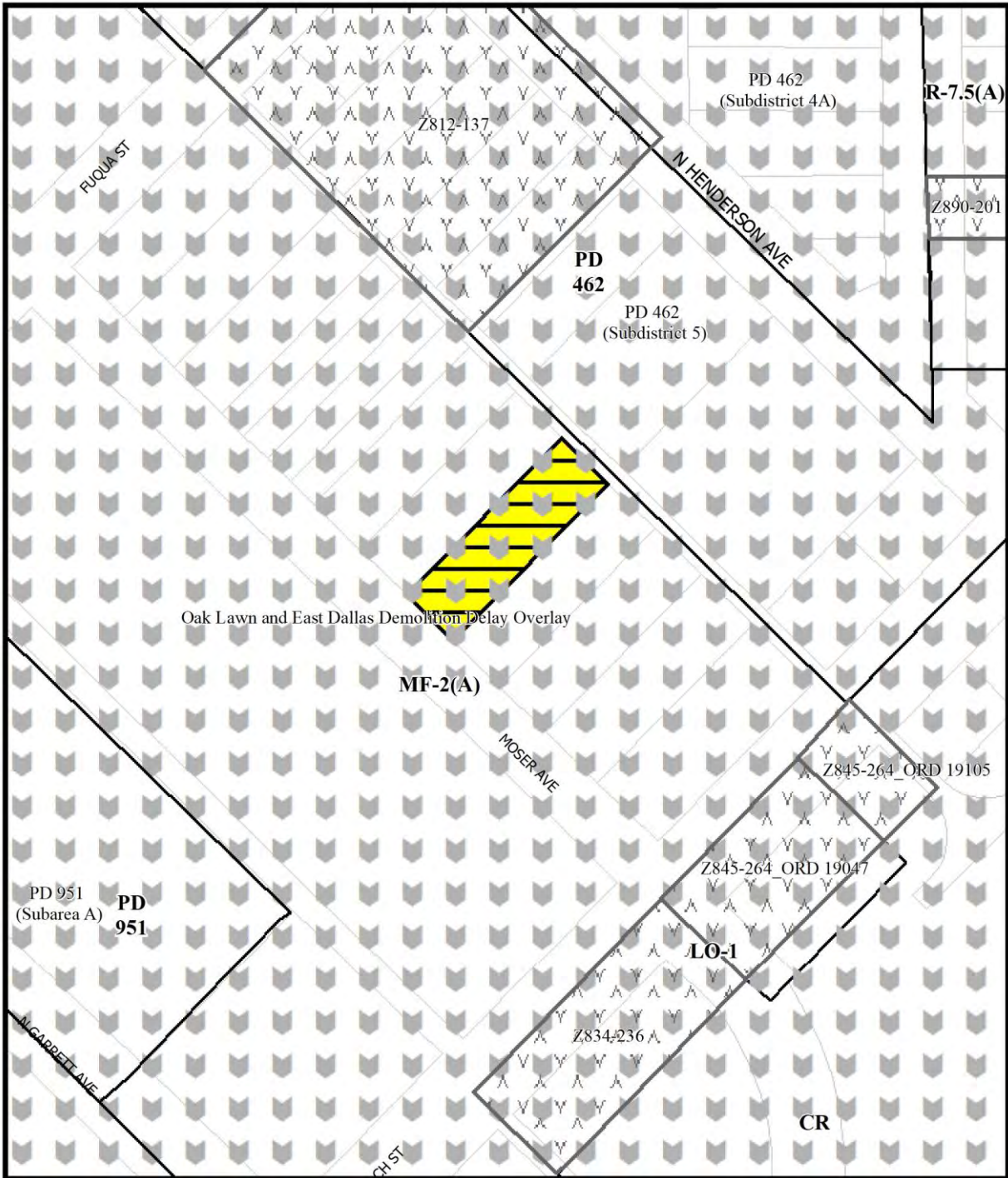
NAYS: 0 -

MOTION PASSED: 4 - 0 (unanimously)

**\*\*\* The 1<sup>st</sup> motion was withdrawn to Grant\*\*\***

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





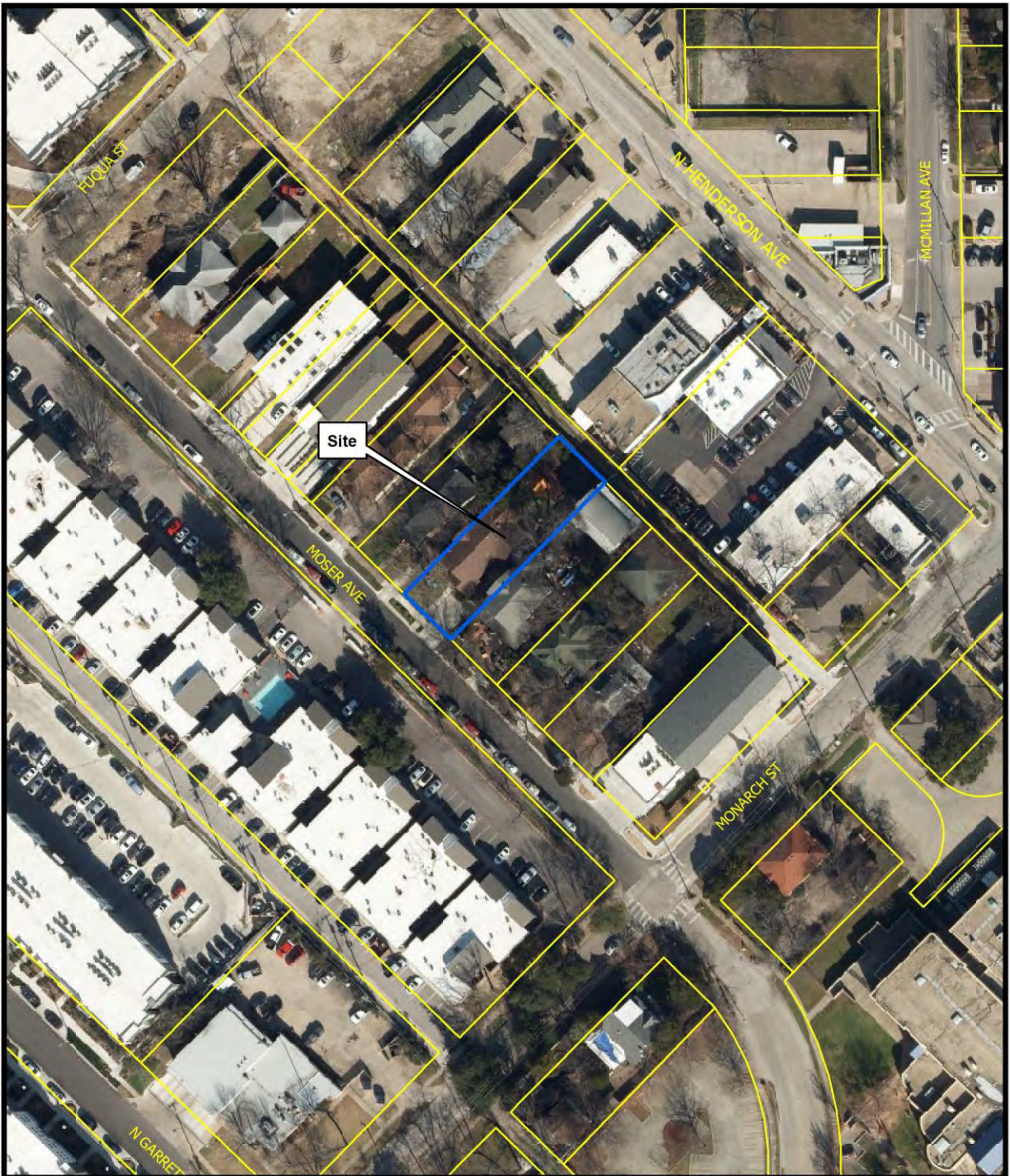
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# ZONING MAP

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***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
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

Date: 2-11-22

Data Relative to Subject Property:

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.

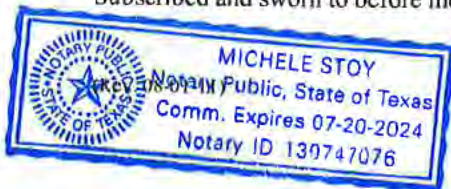
**Affidavit**

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

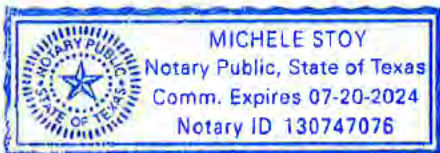
Before me, the undersigned, on this day personally appeared Fonya Mondell

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

Michele Stoy  
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        | SPSP Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay 1-135   |
|                      |                                | Height Map Overlay    |                            |

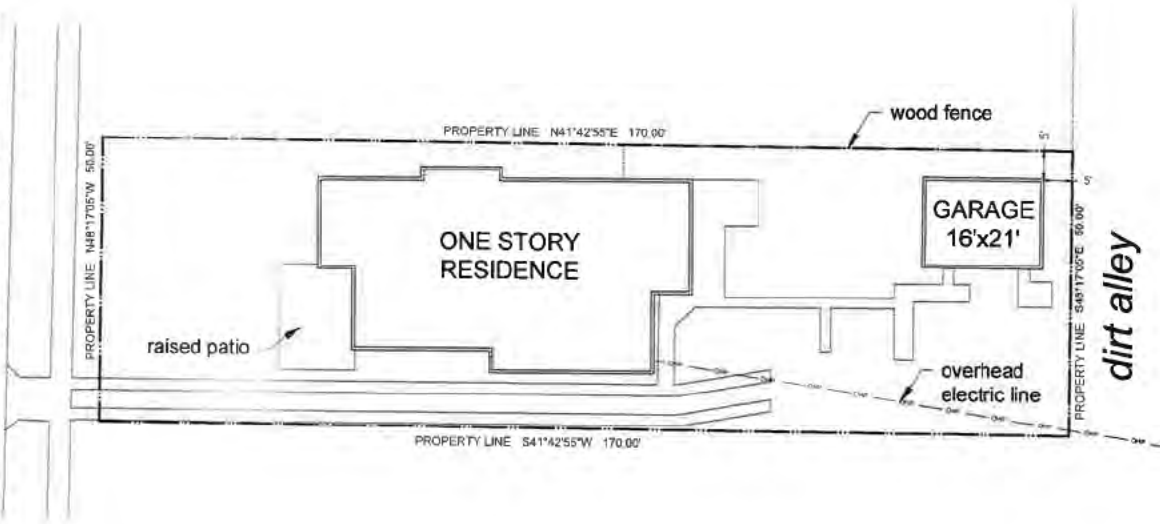
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, 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)







# 1918 MOSER AVENUE



VICINITY MAP



1

## SITE PLAN

SCALE: 1"=10'-0"



06/08/2021

PROJECT NUMBER

CASE NUMBER

**BALDWIN ASSOCIATES**

3904 Elm Street, Suite B  
Dallas, Texas 75226  
MOBILE: 214.720.7949  
OFFICE: 214.824.7946  
rol@baldwinplanning.com

**Baldwin**  
Associates

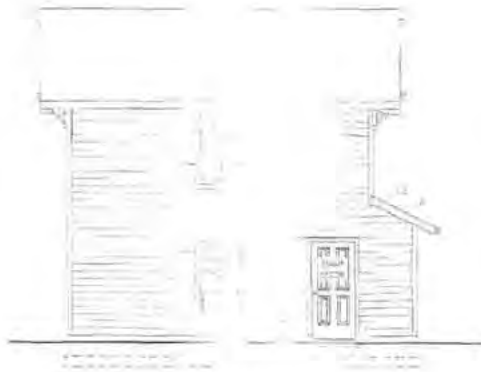
1137

1918 Moser Avenue  
CITY OF DALLAS, TEXAS





Reference only.



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

TRIM: 1/2" ROUND CEDAR SHIMLES @ 24" F.C.I. INTERMED. @ 36" F.C.I. O.S.B. SHEATHING

CEILING: 7/8" Q. TEXTURED O.S.B. 5/8" RAISED LAP S. 24" F.C.I. VAPOR BARRIER

SILL: 2" x 4" SIPS 2" VERTICAL BOARDS OUT SILLING

HEAD: 4" x 4" RAUP 1" MIN. OUT SIPS NAILING TO TOP AND BOTTOM MEMBERS OUT SIPS

NOTE: APPROVED ALTERNATE SILLING MATERIALS MAY BE SUBSTITUTED

(SIPS OF FOUNDATION)



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

7/8" S. BALDORD OVER 2" x 4" SILLING

2" x 4" FLASHING

2" x 4" FARTING TRIM

ROOF BRACKET SET (1/2")

FLASH @ ROOF

2" x 4" FLASHING ROOF, 1/2"

1" x 4" (LOCAL) 1/2" MIN. 1" x 4" TO EXTERIOR SILLING 1/2"

GRADE LINE



QUICKSHEET LOCAL  
#100-20-0175  
WWW.BEHMDESIGN.COM



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



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

ADJACENT SIDE

COMPOSITION ROOFING

NOTE: NOMINAL WINDOW SIZES ARE SHOWN. REFINISHES WIDE 3/4" REFINISHES FULL. THE VENTRY FINISH OPTIONS REQUIRED BY PRODUCT MFG.

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.

687-1

PLANTING

DESIGNER:	DATE:
NO.	1/21/15

EXTENSIVE ELEVATIONS

3

1/2 8





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, sweeping underline.

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
<b>1918 Moser</b>	<b>Single family</b>	<b>1,908</b>	<b>777</b>	<b>quarters &amp; garage</b>	<b>8,500</b>
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

08-17-22

BDA212-035

1918 Moser Ave.

(Previous Letters of Reference)

Panel B

05-18-22

BDA212-035

1918 Moser Ave.

(Support Reference)



**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 <[REDACTED]>  
**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

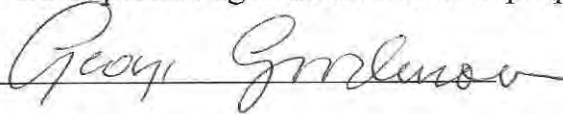
Board of Adjustments

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

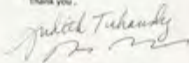


Dear Board of Adjustments,  
07/04/21022

Regarding the application of 2918 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 Tichanok", with a flourish underneath.

Judith and Michael Tichanok

Panel B

05-18-22

BDA212-035

1918 Moser Ave.

(Opposition Reference)

**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.

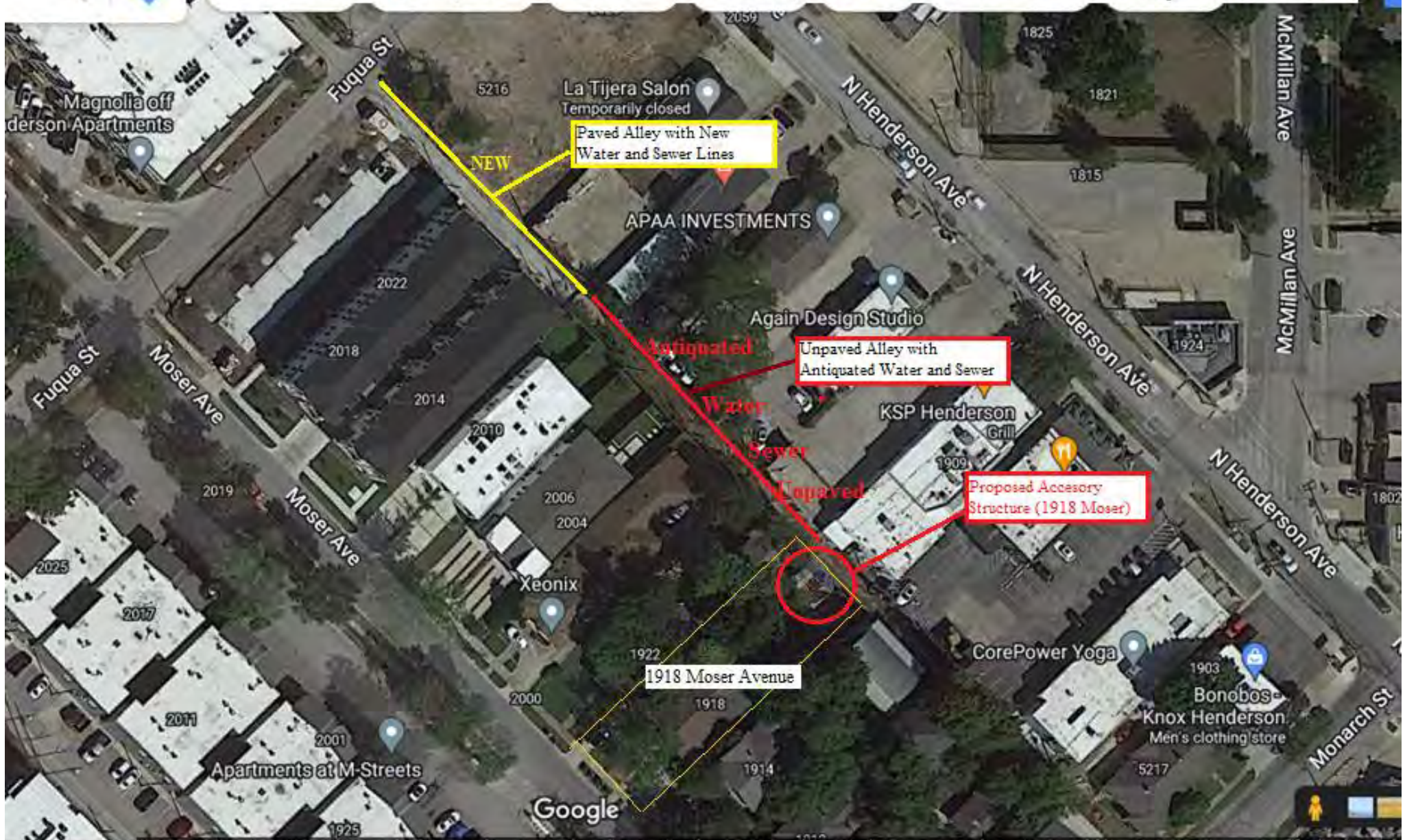
Thank you for your time and consideration.

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

**FILE NUMBER:** BDA212-071(PD)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin of Baldwin Associates for a variance to the front yard setback regulations at 304 S. Beacon Street. This property is more fully described as a part of Tract 2 in City Block 698 and is zoned a D(A) Duplex District, which requires a front yard setback of 25 feet. The applicant proposes to construct and maintain a duplex dwelling structure and provide an 11-foot front yard setback, which will require a 14-foot variance to the front yard setback regulations.

**LOCATION:** 304 S. Beacon Street

**APPLICANT:** Rob Baldwin of Baldwin Associates, LLC

**REQUESTS:**

A request for a variance to the front yard setback regulations of 11 feet is made to construct and maintain a duplex structure containing two dwelling units on a site that is currently undeveloped and situated along the intersection of Sante Fe Avenue and S. Beacon Street.

**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) In general.
  - (i) 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;
  - (ii) 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
  - (iii) 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.

(B) Structures. In exercising its authority under Subsection (A)(ii), 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:

- (iv) 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 of the Texas Tax Code;
- (v) 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;
- (vi) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (vii) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (viii) the municipality considers 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: Site: D(A) Duplex District  
North: D(A) Duplex District  
East: D(A) Duplex District  
South: D(A) Duplex District  
SE: Subarea A w/in PDD No. 134  
SW: Subarea A w/in PDD No. 134  
West: D(A) Duplex District  
NW: D(A) Duplex District



**Land Use:**

The subject site is undeveloped and surrounding properties are largely developed with single family uses while the property immediately adjacent to the south is developed with a trail (Santa Fe Trail) and the property to the southeast is developed with an auto-related use.

**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 duplex structure with two dwelling units situated along a front yard (S. Beacon Street). Since the subject site is zoned a D(A) Duplex District, a 25-foot front yard setback must be maintained along both frontages to ensure continuity of the block. The lot is situated at the intersection of S. Beacon Street and Sante Fe Avenue, which requires two front yards, one along each corridor to maintain block continuity.

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, S Beacon Street 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. Since a structure exists along the rear of the subject site that fronts along s. Beacon Street and provides a front yard setback of 25 feet this front yard setback must be maintained for continuity of the blackface.

A site plan has been submitted denoting the proposed two-story, duplex dwelling unit located eleven feet from the front property line along S. Beacon Street and containing approximately 4,909 square feet of floor area, combined. The portion of the single-family structures fronting along Sante Fe Avenue is not proposed to encroach into the front yard setback and will provide a front yard setback of 27-feet-eleven-inches while the portion of the structure along S. Beacon Street will encroach into the required 25-foot front yard setback and provide a front yard setback of eleven feet.

The subject site is not irregular in shape or area with approximately 12,632.4 square feet in lot area. A D(A) Duplex zoning district requires lots to have a minimum lot size of 6,000 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 D(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 D(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 August 5, 2022, no letters have been submitted in support of nor in opposition of the request.

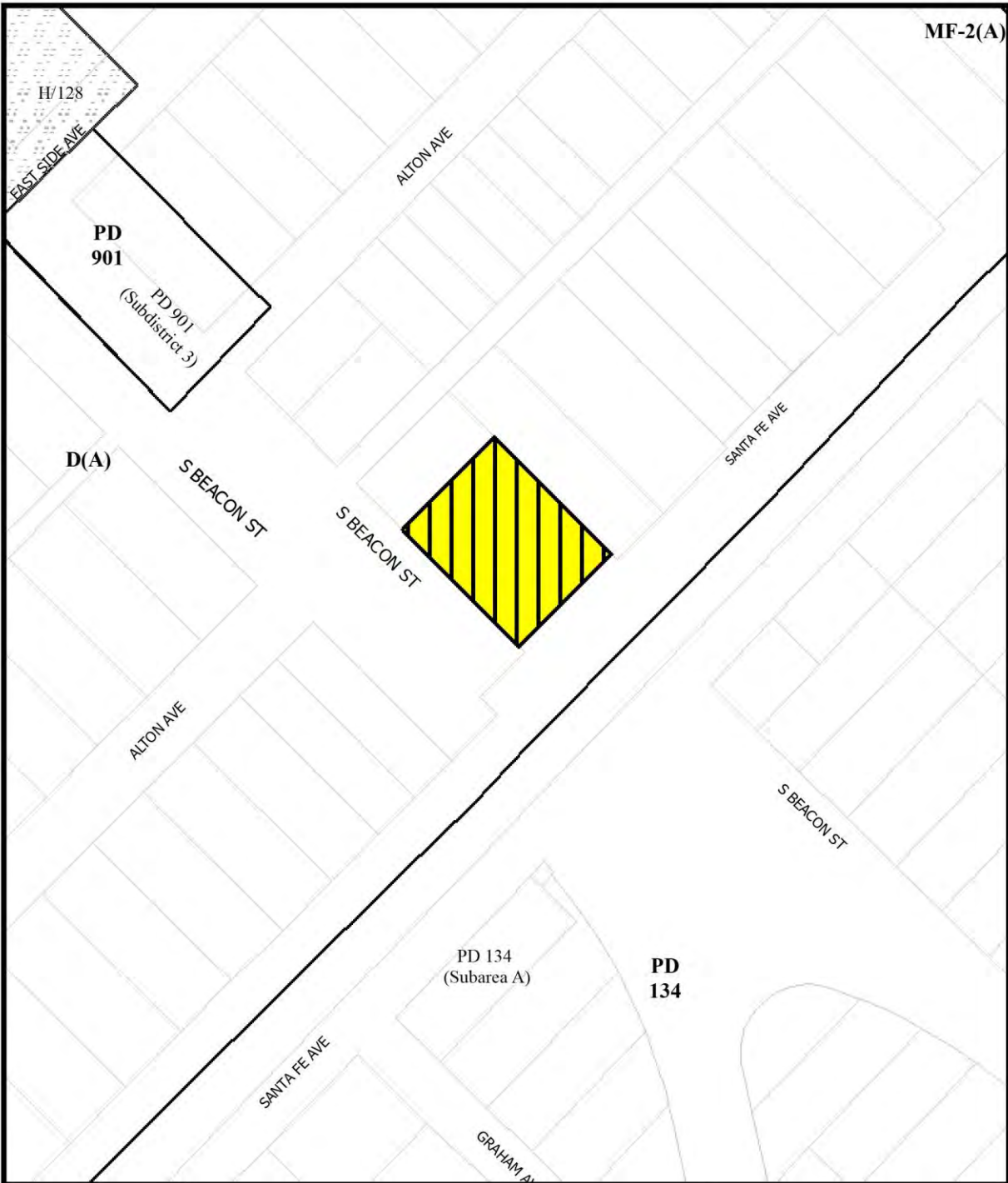
If the board were to grant this front yard setback variance request and impose the submitted site plan as a condition, development would be limited to what is shown on this document. Granting this variance request will not provide any relief to the Dallas Development Code regulations.

**Timeline:**

- June 9, 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.
- July 11, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- July 11, 2022: The Board of Adjustment Senior Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application;
  - an attachment that provided the public hearing date and panel that will consider the application; the July 27<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the August 5<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- July 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board of Adjustment Senior Planner, the Development Services Chief Arborist, the Development Services Chief Planner, and the Development Services Conservation District Senior Planner.
- No review comment sheets were submitted in conjunction with this application.
- August 2, 2022: The representative submitted evidence (**Attachment A**) for Board Consideration.



MF-2(A)



1:1,200

# ZONING MAP

Case no: BDA212-071

Date: 7/6/2022



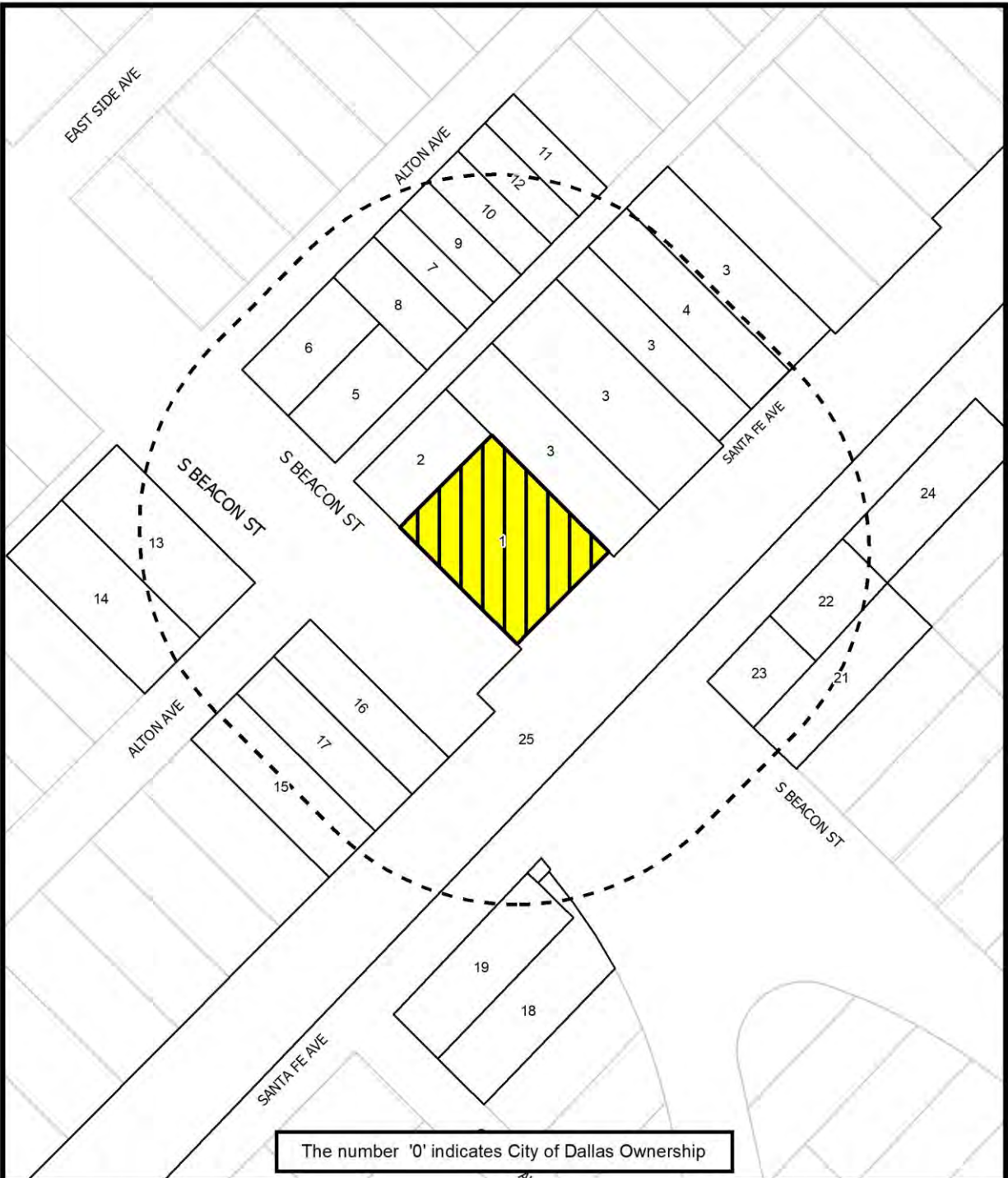
1:1,200

# AERIAL MAP

Case no: BDA212-071

Date: 7/6/2022





The number '0' indicates City of Dallas Ownership

 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td>200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td>25</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	25	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA212-071</u> Date: <u>7/6/2022</u>
200'	AREA OF NOTIFICATION					
25	NUMBER OF PROPERTY OWNERS NOTIFIED					



07/05/2022

## ***Notification List of Property Owners***

***BDA212-071***

***25 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	304 S BEACON ST	JO GRACIE LLC
2	302 S BEACON ST	GUTIERREZ CONSUELO
3	5619 SANTA FE AVE	GRACIE JO LLC
4	5623 SANTA FE AVE	GUERRA NATALIA
5	212 S BEACON ST	GUZMAN LESLY M
6	216 S BEACON ST	RIVERA JESUS
7	5613 ALTON AVE	AVILES GRACIELA S
8	5611 ALTON AVE	DEL BOSQUE ELIZABETH
9	5615 ALTON AVE	GALINDO FRANCISCO L
10	5617 ALTON AVE	REYES JOSIE S
11	5621 ALTON AVE	HHH SINGLE FAMILY PORTFOLIO
12	5619 ALTON AVE	GARCIA DANIEL &
13	5529 ALTON AVE	MUNIZ LEONARDO & MARIA T
14	5525 ALTON AVE	BAU 1 LTD
15	5530 ALTON AVE	SECKER BETTY ANN
16	5536 ALTON AVE	HERRERA MANUEL & MARIA
17	5532 ALTON AVE	SECKER FRED # 1 LTD
18	404 GRAHAM AVE	Taxpayer at
19	400 GRAHAM AVE	EAST DALLAS YANKEE LLC THE
20	5510 SANTA FE AVE	ENSERCH CORP
21	406 S BEACON ST	RAMIREZ J JESUS
22	5610 SANTA FE AVE	MAIN STREET CHURCH OF
23	402 S BEACON ST	GOMEZ JOB
24	401 WAYNE ST	TIJERINA FRANCES S
25	401 S BUCKNER BLVD	DART



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-071

Date: 6-9-22

Data Relative to Subject Property:

Location address: 304 S Beacon St Zoning District: D(A)

Lot No.: Tr 2 Block No.: 698 Acreage: 0.29 acres Census Tract: 13.01

Street Frontage (in Feet): 1) 56.31ft 2) 126.20 ft 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Gracie Jo, LLC

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 14' front yard variance to allow a 11' setback along Beacon Street

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: The property is undeveloped and part of a new plat to create new single family homes. The property is slightly sloped. This corner property will have two front yard setbacks.

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

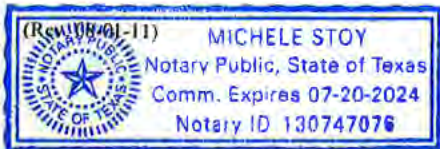
Before me the undersigned on this day personally appeared Robert Baldwin (Affiant/Applicant's name printed)

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 May, 2022

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



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

Date of Hearing \_\_\_\_\_

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that BALDWIN ASSOCIATES

did submit a request for a variance to the front yard setback regulations  
at 304 S BEACON STREET

BDA212-071. Application of BALDWIN ASSOCIATES for a variance to the front yard setback regulations at 304 S BEACON Street. This property is more fully described as tract 2, block 698, and is zoned D(A), which requires a front yard setback of 25 feet. The applicant proposes to construct a single family residential structure and provide a 11 foot front yard setback, which will require a 14 foot variance to the front yard setback regulations.

Sincerely,

  
David Session, Building Official





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-071

I, Gracie Jo, LLC, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 304 S Beacon St  
(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: Front yard

LEE LAMONT - MANAGER  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 8-5-2022

Before me, the undersigned, on this day personally appeared Lee Lamont

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

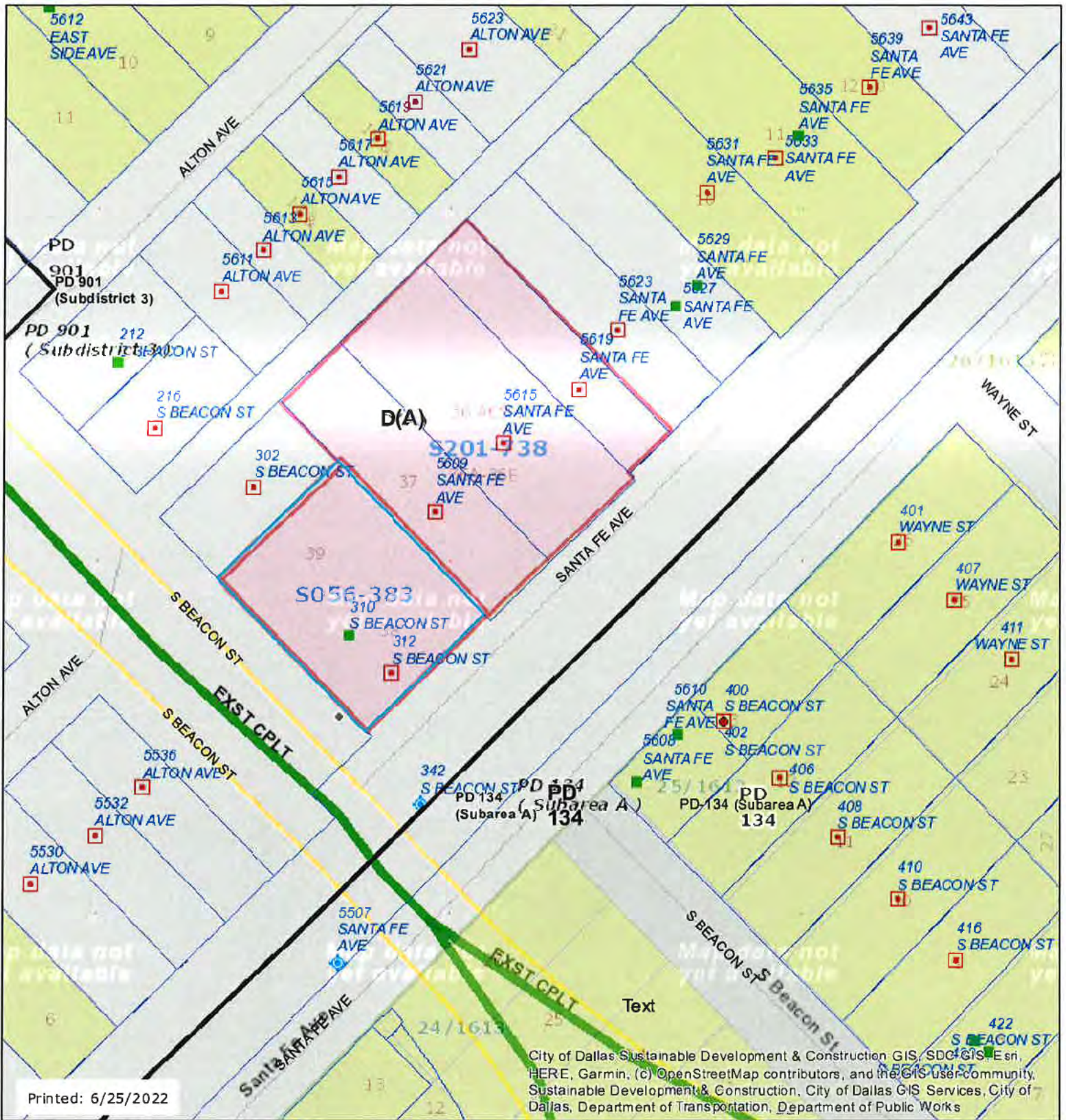
Subscribed and sworn to before me this 3RD day of May, 2022

[Signature]  
Notary Public for Dallas County, Texas

Commission expires on 10/13/24







Printed: 6/25/2022

City of Dallas Sustainable Development & Construction GIS, SDC GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sustainable Development & Construction, City of Dallas GIS Services, City of Dallas, Department of Transportation, Department of Public Works

- |                       |                  |                            |                               |
|-----------------------|------------------|----------------------------|-------------------------------|
| 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 | Demolition Delay Overlay      |
| D                     | CD Subdistricts  | Base Zoning                |                               |
| D-1                   | PD Subdistricts  | SPSD Overlay               |                               |
| Historic Overlay      | PD193 Oak Lawn   | Pedestrian Overlay         |                               |
| Historic Subdistricts | PDS Subdistricts | CP                         |                               |
| 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)











## Residential Account #000012133600000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions  
Estimated Taxes History

Property Location (Current 2022)

**Address:** 304 S BEACON ST  
**Neighborhood:** 1DSD16  
**Mapsc:** 46-C (DALLAS)

### DCAD Property Map

### 2022 Current Appraisal Notice

### Electronic Documents (ENS)

### File Homestead Exemption Online



### Print Homestead Exemption Form

Owner (Current 2022)

JO GRACIE LLC  
8441 FOREST HILLS BLVD  
DALLAS, TEXAS 752184339

Multi-Owner (Current 2022)

Owner Name	Ownership %
JO GRACIE LLC	100%

Legal Desc (Current 2022)

- 1: BLK 698
- 2: TR 2 ACS 0.2909
- 3:
- 4: INT201800001897 DD12282017 CO-DC
- 5: 0698 000 00200 1000698 000

**Deed Transfer Date:** 1/3/2018

Value

2022 Proposed Values	
Improvement:	\$0
Land:	+ \$253,440
Market Value:	=\$253,440
Revaluation Year:	2020
Previous Revaluation Year:	2019

Main Improvement (Current 2022)



Additional Improvements (Current 2022)

No Additional Improvements.

Land (2022 Proposed Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SFR - VACANT LOTS/TRACTS	DUPLEX DISTRICT	41	100	12,672.0000 SQUARE FEET	STANDARD	\$20.00	0%	\$253,440	N

**\* All Exemption information reflects 2022 Proposed Values. \***

Exemptions (2022 Proposed Values)

No Exemptions

Estimated Taxes (2022 Proposed Values)

	City	School	County and School Equalization	College	Hospital	Special District
<b>Taxing Jurisdiction</b>	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
<b>Tax Rate per \$100</b>	\$0.7733	\$1.248235	\$0.237946	\$0.12351	\$0.255	N/A
<b>Taxable Value</b>	\$253,440	\$253,440	\$253,440	\$253,440	\$253,440	\$0
<b>Estimated Taxes</b>	\$1,959.85	\$3,163.53	\$603.05	\$313.02	\$646.27	N/A
<b>Tax Ceiling</b>					N/A	N/A
<b>Total Estimated Taxes:</b>						<b>\$6,685.72</b>

**DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES.** You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person **Tax Ceiling** displayed above, **it is NOT reflected** in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. [Click Here](#)

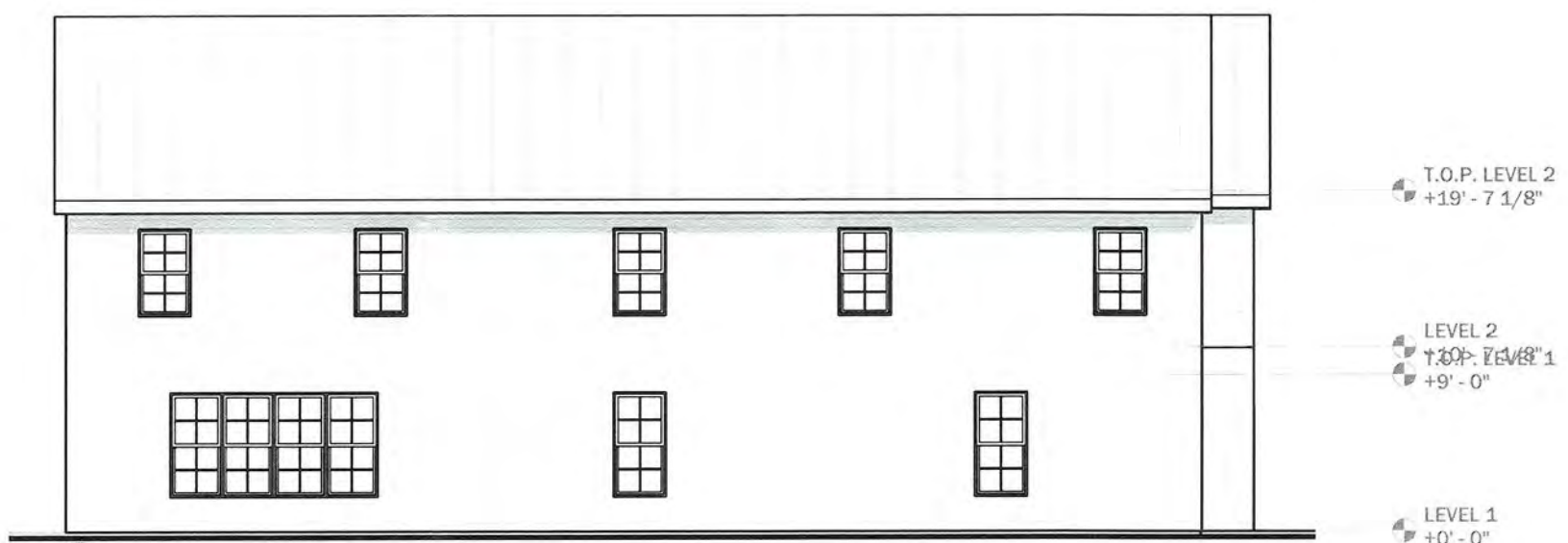
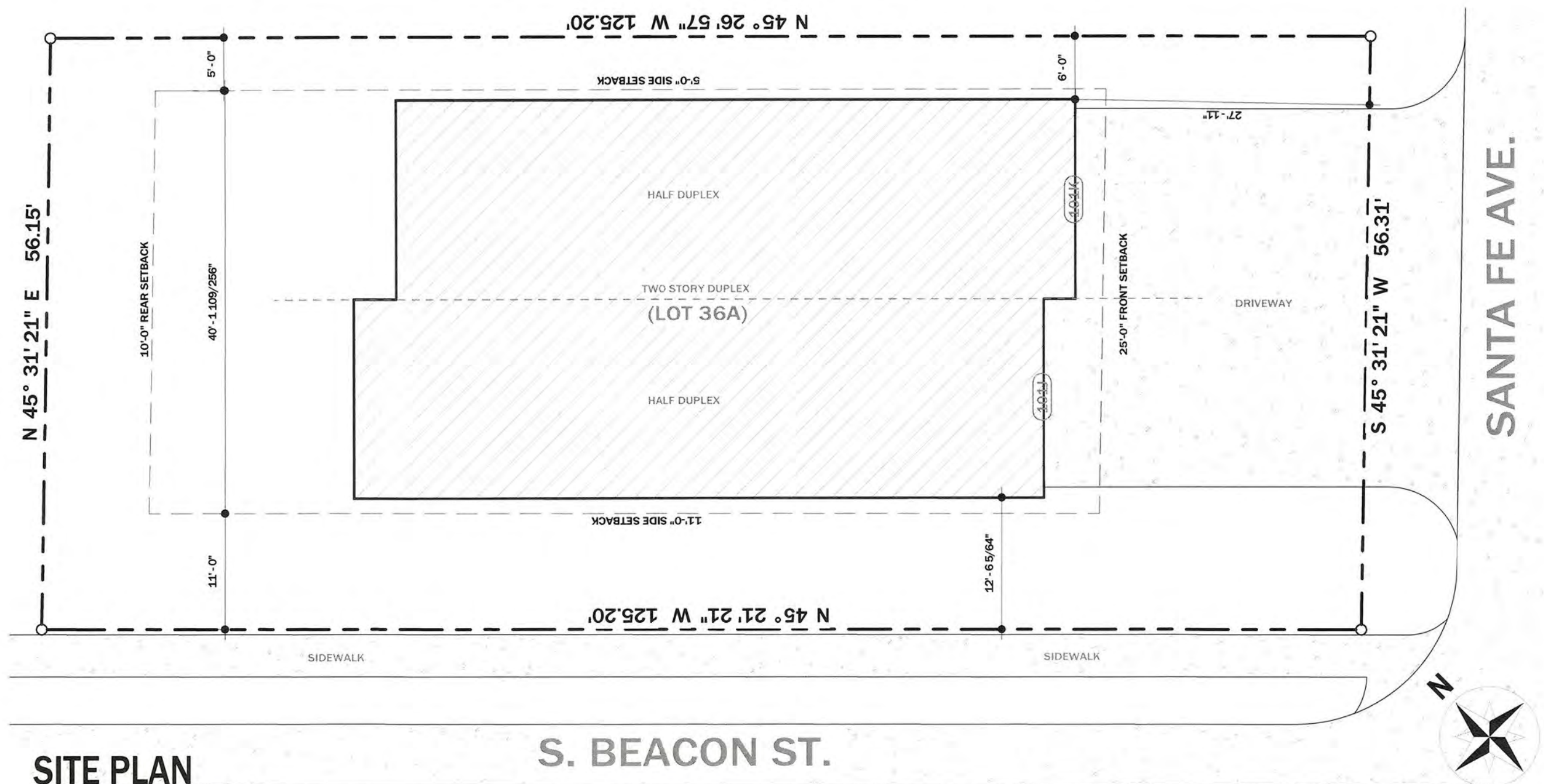
The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. **It does not take into account other special or unique tax scenarios, like a tax ceiling, etc..** If you wish to calculate taxes yourself, you may use the Tax Calculator to assist you.

History

**History**

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212-071

# BDA212-071\_ATTACHMENT\_A



August 2, 2022

Ms. Pamela Daniel  
Senior Planner  
City of Dallas  
Planning and Urban Design  
1500 Marilla Street – 5BN  
Dallas, Texas 75201

Re: BDA212-071

Dear Ms. Daniel,

This firm represents Gracie Jo, LLC, the owner of the property known as 304 South Beacon Street and subject to case BDA212-071. Even though the property currently has a South Beacon address, the way the lot is configured, Beacon Street is treated as a side yard and the front yard is actually Santa Fe Street.

This property is zoned Duplex (D) and recently had a replat approved by the City Plan Commission that fronts the lots towards Santa Fe Street and the Santa Fe Trail. Under the Duplex zoning district, a 25-foot front yard setback is required.

In this case, even though the lot is facing towards Santa Fe Street, there is a small lot that abuts the subject property that fronts onto South Beacon Street and this lot triggers a second 25-foot front yard setback on the subject property. This is not a common situation in the neighborhood, and it places a severe hardship on the subject property.

If the subject property were only to have one front yard setback, the required setbacks would account for 45% of the lot area. However, since the second front yard setback is triggered on this subject property, the required setbacks now take up 81% of the total lot area. This additional setback severely hinders the developability of the subject parcel and it is a burden that is not shared with other properties in the neighborhood with similar

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zoning.

The neighboring house that is triggering the additional front yard setback does not meet the setback they are triggering on the subject property. It appears that the existing property has a front yard setback of approximately 10-12 feet and not the 25-foot setback required under the Duplex zoning and what they are triggering on the subject parcel. The proposed development of the subject property will not place the new building any closer to South Beacon Street than the existing structure that is triggering the second front yard setback.

Given the set of facts associated with this request, I do believe a variance is warranted and reasonable.

Thank you for your assistance with this matter. Please let me know if you have any questions or comments or if I can be of any assistance.

With kind regards,



Robert Baldwin