

**NOTICE FOR POSTING**  
**MEETING OF**  
**BOARD OF ADJUSTMENT, PANEL C**  
**MONDAY, MARCH 15, 2021**

<b>Briefing*:</b>	<b>11:00 A.M.</b>	<b>Video Conference</b>
<b>Public Hearing*:</b>	<b>1:00 P.M.</b>	<b>Video Conference</b>

**\*The Board of Adjustment hearing will be held by videoconference. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure should contact the Sustainable Development and Construction Department at 214-670-4209 by the close of business Friday, March 12, 2021. Only registered speakers will be allowed to address the Board during the public hearing. The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; on [YouTube.com/CityofDallasCityHall](http://www.YouTube.com/CityofDallasCityHall), and the WebEx link: <http://bit.ly/BDA031521>**

**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 C**  
**MONDAY, MARCH 15, 2021**

**AGENDA**

---

BRIEFING	Video Conference	11:00 A.M.
PUBLIC HEARING	Video Conference	1:00 P.M.

---

**Neva Dean, Assistant Director**  
**Jennifer Muñoz, Chief Planner/Board Administrator**  
**Oscar Aguilera, Senior Planner**  
**LaTonia Jackson, Board Secretary**

---

**PUBLIC TESTIMONY**

Minutes

---

**MISCELLANEOUS ITEM**

---

	Approval of the December 14, 2020 Board of Adjustment Panel C Public Hearing Minutes	M1
	Approval of the Board of Adjustment 2020 Annual Report	M2
<b>BDA201-FW1</b>	2034 Canada Dr. <b>REQUEST:</b> Application of Reginald G. Hall, for a fee waiver to submit an application for a variance to required setbacks and a special exception to the landscape regulations.	M3

---

### UNCONTESTED CASES

---

<b>BDA201-005(OA)</b>	6804 Lorna Avenue <b>REQUEST:</b> Application of Jeff Baron for a variance to the front yard setback regulations.	1
<b>BDA201-015(OA)</b>	422 N. Moore Street <b>REQUEST:</b> Application of Rob Baldwin for a variance to the side yard setback regulations, and for a variance to the maximum allowed lot coverage.	2
<b>BDA201-019(OA)</b>	7116 Nicki Court <b>REQUEST:</b> Application of Adam Baumli for a variance to the rear yard setback regulations.	3

---

### REGULAR CASES

---

<b>BDA201-018(JM)</b>	906 Salmon Drive <b>REQUEST:</b> Application of Rob Baldwin for a variance to the off-street parking regulations.	4
-----------------------	--	---

---

### HOLDOVERS

---

<b>BDA190-116(OA)</b>	7227 Bramlett Drive <b>REQUEST:</b> Application of Juan G. Cortez represented by Francisca Cortez for a variance to the side yard setback regulations.	5
-----------------------	---	---

---

## EXECUTIVE SESSION NOTICE

---

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

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



**FILE NUMBER:** BDA201--FEE WAIVER1

**BUILDING OFFICIAL'S REPORT:** Application of Reginal G. Hall, for a variance to required setbacks and special exception to the landscape regulations.at 2034 Canada Drive.

**LOCATION:** 2034 Canada Drive

**APPLICANT:** Reginald G Hall

**REQUESTS:**

The applicant is requesting a fee waiver for a variance to required setbacks and special exception to the landscape regulations. The fee waiver is requested to accommodate the development of a church at 2034 Canada Drive.

**STANDARD FOR A FEE WAIVER:**

Section 51A-1.105(b)(6) of the Dallas Development Code specifies the board of adjustment may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not apply to the merits of the request for a waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

**STAFF RECOMMENDATION:**

The staff does not make a recommendation on a fee waiver request since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

Trinity Valley C.O.G.I.C  
2034 Canada Dr.  
Dallas, TX 75212

Pastor R.D. Hall

*Offered willingly... for the service of the  
house of God....  
1 Chronicles 29:6-7*

To whom it may concern:

We are asking for a fee waiver in the amount of \$2175.00 due to a setback variance and special exemption for landscaping. We are a small family church that functions solely on the donations of our 8 members. We are currently experiencing an overwhelming financial hardship due to the COVID-19 pandemic & the passing of our Shepherdess which was the matriarch of our church.

If you need to speak with me directly, please do not hesitate to contact me at (214) 695-7298.

Respectfully submitted,

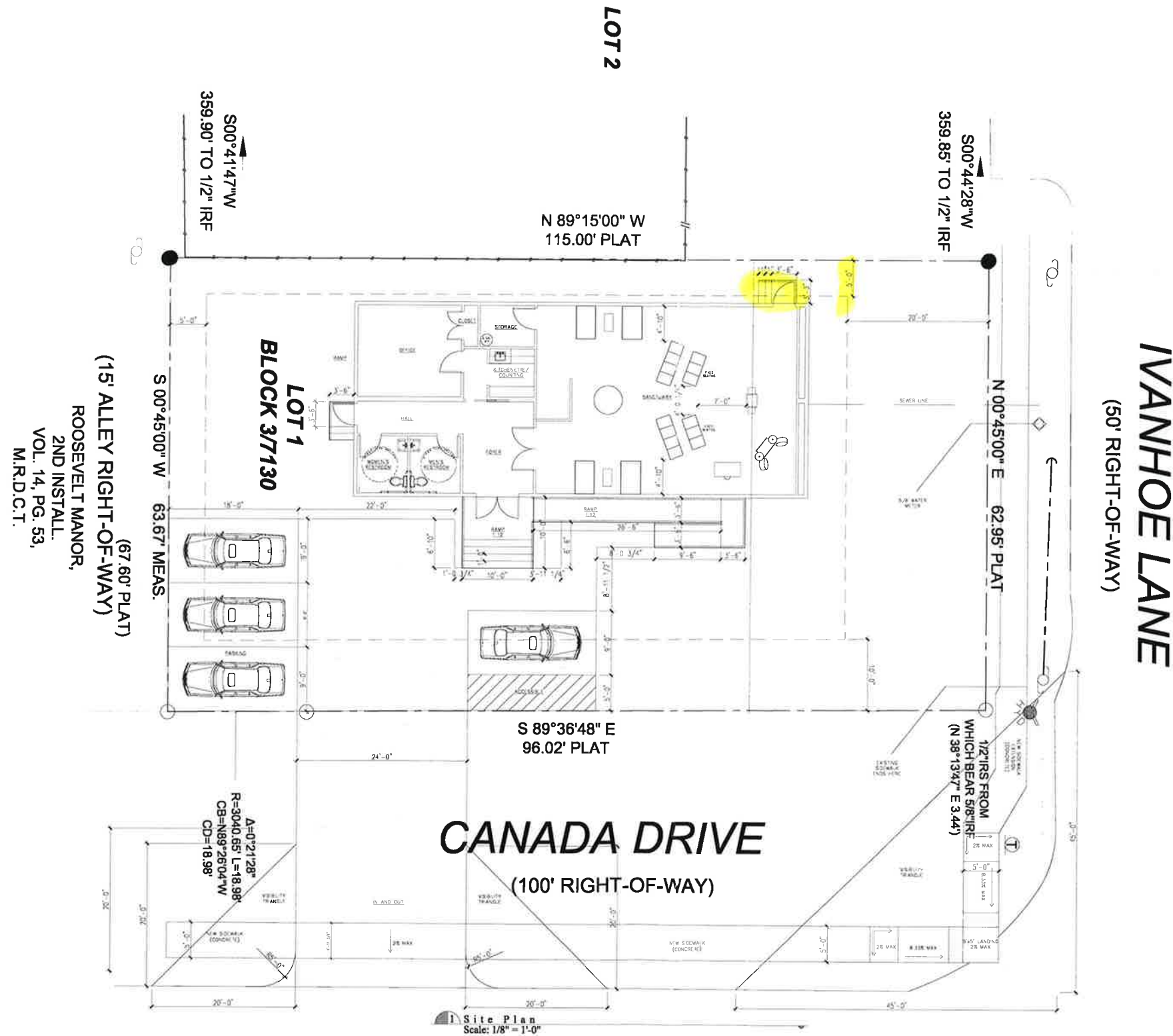


Reginald D. Hall  
Pastor

ROOSEVELT MANOR 1ST INST  
 BLK 3/7130 LT 1  
 IVANHOE LANE & CANADA  
 INT201000202804 DD07092009 CO-DC

COMMERCIAL CONSTRUCTION

TOTAL SF: 1748  
 SANCTUARY SF: 965  
 FIXED SEAT NUMBER: 14  
 PARKING SPOTS REQUIRED: 4



TRINITY VALLEY CHURCH  
 2034 Canada Drive  
 Dallas, Texas 75212



sardone

RENOVATE DESIGN BUILD

7557 Rambler Road Suite 430  
 Dallas, TX 75231  
 T 972.768.5849  
 www.sardoneconstruction.com

Phase	Permitting
Date	4.3.20
Revised	5.13.20 5.14.20 10.28.20

Addendum  
 Drawn By NTH  
 Scale as shown

Sheet Title  
**Site Plan**

Sheet No.  
**A1**

**FILE NUMBER:** BDA201-005(OA)

**BUILDING OFFICIAL'S REPORT:** Application of James Jeanes, represented by Jeff Baron, for a variance to the front yard setback regulations at 6804 Lorna Lane. This property is more fully described as Part of Lot A-1, Block A/2805, and is zoned an R-10(A) Single Family District, which requires a front yard setback of 30 feet. The applicant proposes to construct a single-family residential structure and provide a 25-foot front yard setback, which will require a five-foot variance to the front yard setback regulations to the front yard regulations and to maintain a residential accessory pool and provide a seven-foot front yard setback along Brendenwood Drive, which will require a 23-foot variance to the front yard setback regulations.

**LOCATION:** 6804 Lorna Lane

**APPLICANT:** James Jeanes, represented by Jeff Baron

**REQUESTS:**

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

1. A request for a variance to the front yard setback regulations of five feet has been made to demolish an existing structure and to construct and maintain a two-story single-family structure with approximately 4,500 square feet of floor area part of which is to be located seven 25 feet from one of the site's two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback; and
2. A variance to the front yard setback regulations of 23 feet is made to maintain an existing and grandfather 900-square-foot pool which is located seven-feet from one of the site's two front property lines (Brendenwood Drive) or 23 feet into this 30-foot front yard setback.

**STANDARD FOR A VARIANCE:**

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

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

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

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-10(A) single family zoning district considering its restrictive lot area of 10,530 square feet so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-10(A) single family zoning district.
- The applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed structure on the subject site is commensurate to 10 other lots located in the same R-10(A) District.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-10(A) (Single family district)
- North: R-10(A) (Single family district)
- South: R-10(A) (Single family district)
- East: Conservation District No. 2
- West: R-10(A) (Single family district)

**Land Use:**

The subject site and surrounding properties are developed with single family uses.

**Zoning/BDA History:**

1. BDA190-112, Property at 6804 Lorna Lane (the subject site)

On November 16, 2020, the Board of Adjustment Panel A denied a request for a variance to the front yard setback regulations of five feet without prejudice.

The case report stated the request was made to construct and maintain a two-story single-family structure with approximately 4,500 square feet of floor area, part of which is to be located 25 feet from one of the site's two front property lines on Lorna Lane or five feet into the 30-foot front yard setback on a site developed with a single family structure.

**GENERAL FACTS/STAFF ANALYSIS:**

The following requests have been made on a site developed with a single-family structure focuses on:

1. Demolishing, constructing, and maintaining a two-story single-family structure with approximately 4,500 square feet of floor area, part of which is to be located 25 feet from one of the site's two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback; and
2. maintaining an existing and nonconforming 900-square-foot pool which is located seven-feet from one of the site's two front property lines (Brendenwood Drive) or 23 feet into this 30-foot front yard setback.

Please note that this request includes the previous BDA190-112 request (#1) but now includes the existing nonconforming pool structure as part of the current request.

The subject site is zoned an R-10(A) Single Family District which requires a minimum front yard setback of 30 feet. The property is located at the southeast corner of Lorna Lane and Brendenwood Drive. Regardless of how the structures are proposed to be oriented to front Lorna Lane for the proposed single family stricture and on Brentwood Avenue for the existing pool structure, the lot has a 30-foot front yard setback along both street frontages to maintain the continuity of the established front yard setback established by the lots to the south that front and are oriented towards Lorna Lane. There is no continuity of the established front yard setback established by the lots on Brendenwood Drive. However, staff determined that Brendenwood Drive is a front yard since this property has two frontages of unequal distance and Brendenwood Drive is the shorter frontage.

The submitted site plan indicates the proposed single-family structure is to be located 25 feet from the front property line along Lorna Lane or five feet into this 30-foot front yard setback. Also, this document indicates that the existing pool structure is located seven feet from the front property line along Brendenwood Drive or 23-feet into this 30-foot front yard setback.

The subject site is flat, rectangular in shape, and according to the application, it is 0.24 acres (or approximately 10,500 square feet) in area. In an R-10(A) District, the minimum lot size is 10,000 square feet.

The applicant submitted a document with this application, indicating among other things that that the total home size of the proposed home on the subject site is 4,500 square feet, and the average of 10 other properties in the same zoning is approximately 5,540 square feet.

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

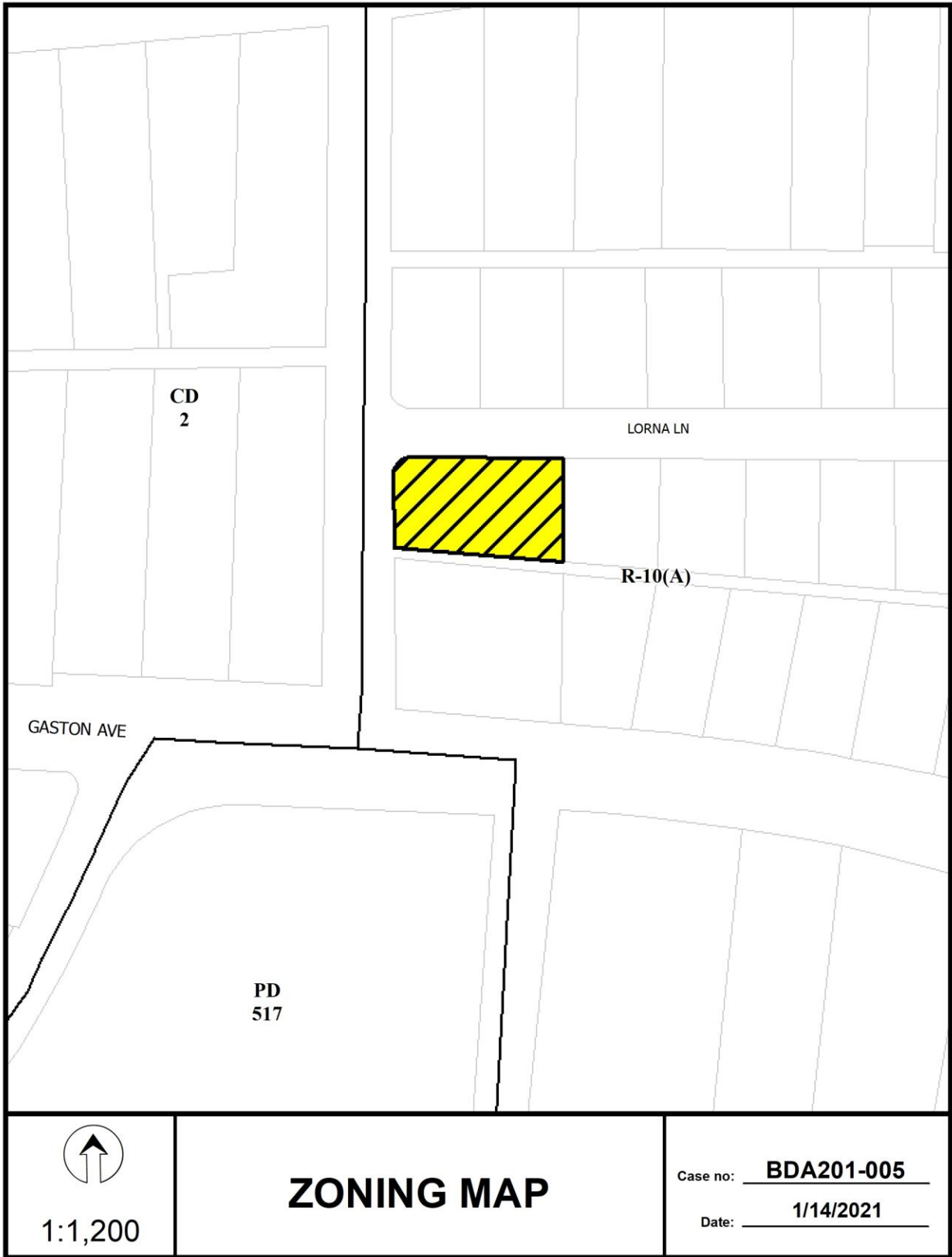
- That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-10(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-10(A) zoning classification.

If the board were to grant the variance request and impose the submitted site plan as a condition, the single-family structure in the front yard setback would be limited to what is shown on this document– which in this case is a two-story single family structure with approximately 4,500 square feet of floor area part of which is to be located 25 feet from one of the site’s two front property lines (Lorna Lane) or five feet into this 30-foot front yard setback and a 900-square-foot pool which is located seven feet from one of the site’s two front property lines (Brendenwood Avenue) or 23 feet into this 30-foot front yard setback.

## **Timeline:**

- November 19, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.
- January 6, 2021: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.
- January 8, 2021: The Board Administrator emailed the applicant’s representative the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the January 26, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the February 5, 2020 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.
- January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.





1:1,200

# ZONING MAP

Case no: BDA201-005

Date: 1/14/2021



1:1,200

# AERIAL MAP

Case no: BDA201-005

Date: 1/14/2021



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 201-005

Data Relative to Subject Property:

Date: 9/24/2020

Location address: 6804 Lorna Ln. Dallas, Tx 75214 Zoning District: R-10

Lot No.: N Pt Lt A1 Block No.: A/2805 Acreage: .24 Census Tract: 1

Street Frontage (in Feet): 1) 75 2) 135 3) 82.69 4) 135.73 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Jeff Baron Homes

Applicant: Jeff Baron Telephone: 817-307-4356

Mailing Address: 8600 Forest Hills Zip Code: 75218

E-mail Address: jeff@jeffbaronhomes.com

Represented by: Jeff Baron Telephone: 817-307-4356

Mailing Address: 8600 Forest Hills Blvd Zip Code: 75218

E-mail Address: jeff@jeffbaronhomes.com

Affirm that an appeal has been made for a Variance X, or Special Exception, of a 5' encroachment to the 30' front yard along lorna and provide a 25' setback along Lorna ln. a 24' encroachment to the 40' front yard along brendenwood for an existing pool to have a setback of 6' or the equivalent of a side 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:

Undue hardship created by the restrictive size and shape of the lot preventing development of the property commensurate with other development in the same zoning. Maintain Facade alignment along Lorna Lane. Maintain and repair existing pool

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 JEFF BARON (Affiant/Applicant's name printed)

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



Respectfully submitted: (Affiant/Applicant's signature)

Subscribed and sworn to before me this 19 day of November, 2020

Leigh Hahn Notary Public in and for Dallas County, Texas







Printed: 10/7/2020

### Legend

- |                      |                                |                       |                                 |
|----------------------|--------------------------------|-----------------------|---------------------------------|
| City Limits          | railroad                       | Dry Overlay           | CD Subdistricts                 |
| School               | Certified Parcels              | D                     | PD Subdistricts                 |
| Floodplain           | Base Zoning                    | D-1                   | PDS Subdistricts                |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts                |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO_Overlay                     |
| Peak's Branch        | SPSD Overlay                   | MD Overlay            | Escarpment Overlay              |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay 2-10 |
| Parks                | SUP                            | Historic Overlay      | Shop Front Overlay              |
|                      |                                | Height Map Overlay    |                                 |

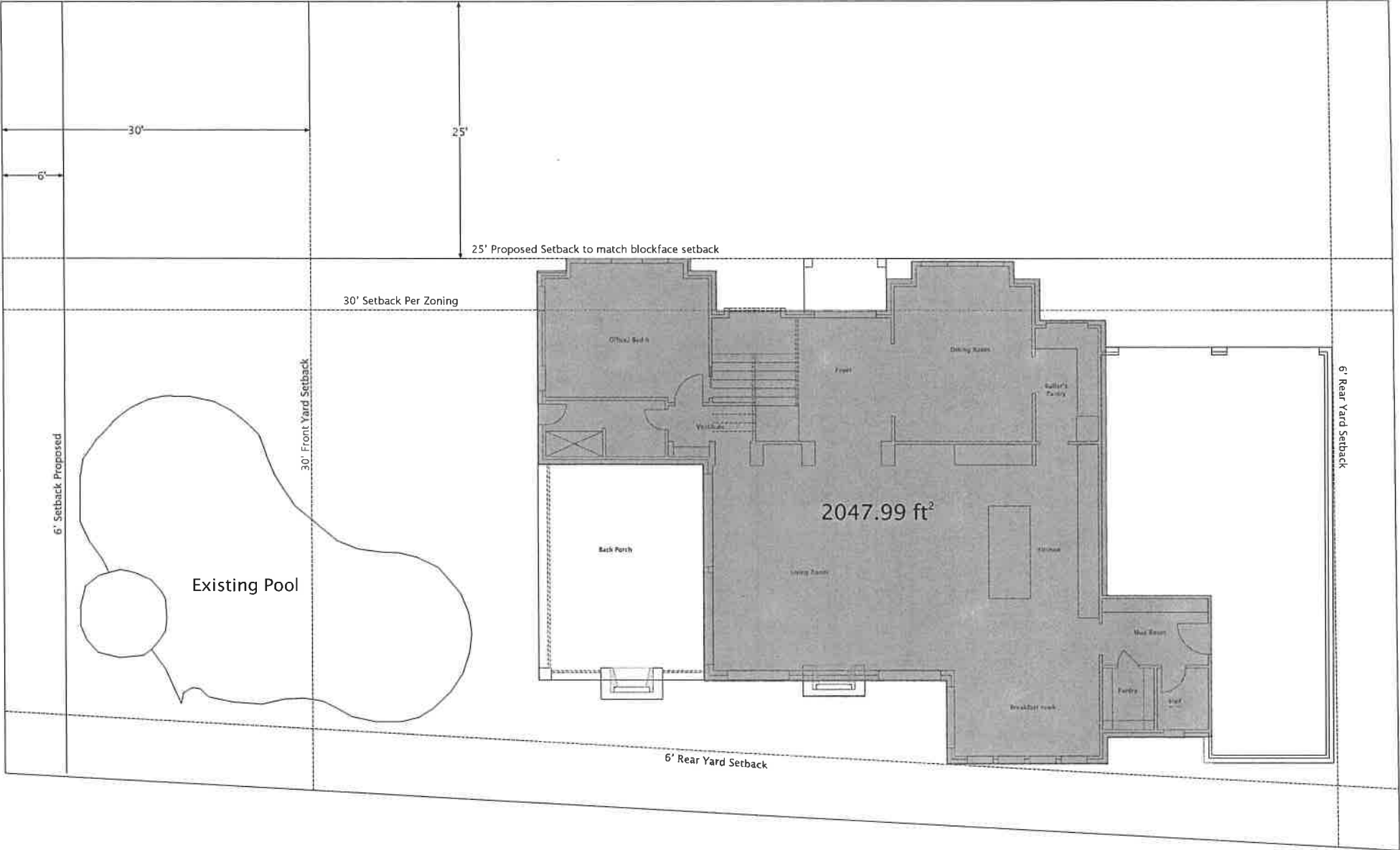
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering,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





Lorna Ln.

Brendenwood Dr.



1/4" = 1'

R10 Lot and Home Sizes

Address	Lot Size	House Size
6909 Tokalon	31668	6760
6800 Lakewood	109335	5716
6837 Avalon	17675	4912
6945 Tokalon	23348	5130
6827 Avalon	16399	4739
6858 Tokalon	30330	6876
6870 Tokalon	32055	5291
6968 Tokalon	18731	5819
6957 Tokalon	44585	5029
6935 Tokalon	23348	5130
Average	34747.4	5540.2
6804 Lorna	10530	4500

Summary:

The above table shows 10- R-10 Properties in the same Neighborhood. The average lot size is 34,747 sq. ft as compared to the subject property which has 10,530 sq. ft. The average house size is 5540 sq. ft compared to the 4500 sq. ft. we are proposing to build. The above table clearly shows that our lot is encumbered in having a severely restrictive size, which prevents development commensurate with the development upon other parcels of land within the same R-10(a) zoning district.



**Aguilera, Oscar**

---

**From:** Jeff Baron <Jeff@jeffbaronhomes.com>  
**Sent:** Thursday, January 21, 2021 9:18 PM  
**To:** Aguilera, Oscar  
**Cc:** Munoz, Jennifer; Trammell, Charles  
**Subject:** Re: (Correction)BDA190-112, Property at 6804 Lorna Avenue  
**Attachments:** Microsoft Word - Lorna Neighbor Letters.pdf.pdf

**External Email!**

Oscar,

Please include the below letter that was delivered to all neighbors in the 6800 block of Lorna as well as the neighbors behind the subject property on Gaston. To date I have not received any negative feedback or opposition regarding the case. I have noticed a few emails of support being emailed to you if you don't mind including those in the presentation to staff. Those emails in combination with the attached letter I offer as evidence that the request is not contrary to the public interest.

I believe the previous supplied table clearly shows that our property has a highly restrictive size and shape that prevents it from being developed in a manner commensurate with the development upon other parcels of land with the same zoning.

Finally, granting the variance will not relieve a self created or personal hardship as no construction has commenced on the property.

Thank you for including the above information in your presentation to staff.

Jeff Baron

**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.

On Jan 14, 2021, at 10:10 AM, Aguilera, Oscar <[oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com)> wrote:

Dear Jeff,

Please remember that you must make sure you demonstrate to the board that you meet the variance standards below:

- (A) not contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

Therefore, if you feel additional documentation will help demonstrate your request meets the above variance standards, I will recommend that you use any documentation that helps you achieve your goal.

Please let me know if you have any questions.

Sincerely,

<image001.png>

**Oscar Aguilera**  
Senior Planner  
City of Dallas | [www.dallascityhall.com](http://www.dallascityhall.com)  
Current Planning Division  
Sustainable Development and Construction  
1500 Marilla Street, 5BN  
Dallas, TX 75201  
O: 214-671-5099  
[oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com)  
<image002.png> <image003.png> <image004.png>

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

---

**From:** Jeff Baron <[jeff@jeffbaronhomes.com](mailto:jeff@jeffbaronhomes.com)>  
**Sent:** Wednesday, January 13, 2021 4:57 PM  
**To:** Aguilera, Oscar <[oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com)>  
**Cc:** Munoz, Jennifer <[jennifer.munoz@dallascityhall.com](mailto:jennifer.munoz@dallascityhall.com)>; Trammell, Charles <[charles.trammell@dallascityhall.com](mailto:charles.trammell@dallascityhall.com)>  
**Subject:** Re: (Correction)BDA190-112, Property at 6804 Lorna Avenue

**External Email!**

Oscar,

Thank you for your email. In reviewing the documentation do you feel I have made a compelling case, or do you see any holes in my documentation where additional information would be beneficial?

Thanks,

Jeff

On Jan 8, 2021, at 6:56 PM, Aguilera, Oscar <[oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com)> wrote:

Dear Jeff Baron,

Attached is information regarding your board of adjustment application referenced above:

1. The submitted application materials - all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled Board of Adjustment public hearing noted below.
2. The provision from the Dallas Development Code allowing the board to grant a variance to the front yard setback regulations (51A-3.102(d)(10)).
3. The board's rule pertaining to documentary evidence.

This application is scheduled for the following hearing date. The below deadlines for providing revisions cannot be changed or altered and therefore, I encourage you to aim to provide revisions before the last minute to allow staff an opportunity to review and comment before the deadline passes.

Board of Adjustment Panel C  
Hearing date/time: 1 p.m.  
February 18, 2021.  
Deadline to submit  
information for staff  
recommendation: 1 p.m.,  
January 28, 2021.  
Deadline to submit  
documentary evidence for  
the board's docket: 1 p.m.,  
February 5, 2021.

Please carefully review the attached application materials to make sure they are complete, especially the Building Official's Report/second page of the application (page 2 of the application materials document). Please contact Charles Trammell at 214/948-4618 or [charles.trammell@dallascityhall.com](mailto:charles.trammell@dallascityhall.com) no later than noon, January 28, 2021, with regard to any information you feel is missing from your submittal or with regard to any amendment that you feel is necessary to address the issue at hand, specifically if for any reason you feel that the statement in his Building Official's report on the second page of the submitted application materials, or any other part of this email is incorrect. (Note that the discovery of any additional appeal needed beyond your request stated in the application will result in postponement of the appeal until the panel's next regularly scheduled public hearing).

If there is anything that you want to submit to the Board beyond what you have included in your attached application materials, please feel free to email it to [oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com) or mail it to me at the following address by the deadlines referenced above in this email.

Please write or call me at 214-671-5099 if I can be of any additional assistance to you on this application

Sincerely,

<image009.png>

**Oscar Aguilera**

Senior Planner

City of Dallas | [www.dallascityhall.com](http://www.dallascityhall.com)

Current Planning Division

Sustainable Development and Construction

1500 Marilla Street, 5BN

Dallas, TX 75201

O: 214-671-5099

[oscar.aguilera@dallascityhall.com](mailto:oscar.aguilera@dallascityhall.com)

<image010.png> <image011.png> <image012.png>

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

<Variance Standard.pdf><documentary evidence.pdf><BDA201-005 application materials.pdf>

**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.

January 5<sup>th</sup>, 2021

Dear Lorna Neighbors,

I am in the process of building a new home at 6804 Lorna. When researching the property, I discovered that all the properties on Lorna have a Platted 25' front yard setback. For some reason this property was not platted at the same time and does not have the documented front setback. All of our properties are zoned R-10 which require a 30' front yard setback. Being that smallest side of the pie I only have 63' of lot depth on the west property line and 84' of depth on the east property line. The additionally 5' makes it very difficult to build on the property. Additionally, I believe with all of the other homes on the block face constructed along the 25' front setback, it would not be consistent for this home to be setback an additional 5' and not in line with the rest of the block face. Additionally, the existing pool is currently located in a second front yard setback along Brendenwood. We would like to remodel the existing pool and to accomplish this we will need a variance to the 30' front setback along Brendenwood. I wanted to share a rendering of the new home that I will be building and would like to ask for your support with our variance request. If you have no objection or support our request would you mind writing a simple email to [Oscar.aguilera@dallascityhall.com](mailto:Oscar.aguilera@dallascityhall.com) and copy myself [jeff@jeffbaronhomes.com](mailto:jeff@jeffbaronhomes.com). If you have any objections or questions, I am happy to provide further information or discuss any concerns you may have. I am including a map from dcad showing the limited depth of the property, a rendering of the new home, the existing survey and proposed site plan so you can see that the setback of the new home we are proposing is consistent with the existing home.

Thank you,

Jeff Baron

[jeff@jeffbaronhomes.com](mailto:jeff@jeffbaronhomes.com)

817-307-4356





Brendenwood Dr.

Lorna Ln.







# BOUNDARY SURVEY



BRIAN S. RHODES Registered Professional Land Surveyor (972) 475-8940  
 This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 6804 LORNA LANE, in the city of DALLAS, DALLAS COUNTY Texas.

STATE OF TEXAS:  
 COUNTY OF DALLAS:

BEING a tract of land situated in JAMES A. HOBBS SURVEY, ABSTRACT NUMBER 571, also being a tract of land conveyed to James Lee Jeanes, as recorded in Volume 97156, Page 1224, of the deed records of Dallas County, Texas, as shown on this survey, and being more particularly described by metes and bounds as follows:

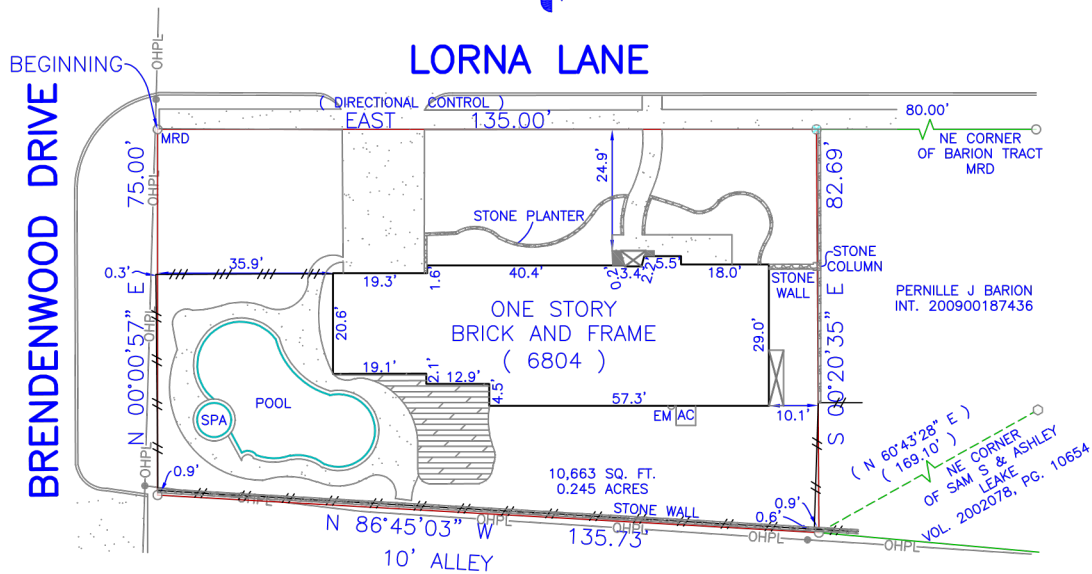
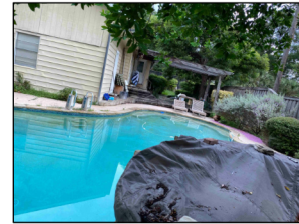
BEGINNING at a 1/2 inch iron rod found for corner being the Northwest corner of said Jeanes tract, and being on the East right-of-way line of Brendenwood Drive, and being on the South right-of-way line of Lorna Lane;

THENCE East, a distance of 135.00 feet, to a 1 inch iron pipe found for corner being the Northwest corner of a tract of land conveyed to Pernille J. Barion, as recorded in Instrument Number 200900187436, of the official public records of Dallas County, Texas;

THENCE South 00 degrees 20 minutes 35 seconds East, a distance of 82.69 feet, to a 1/2 iron rod found for corner being on the North right-of-way line of a 10 foot alley;

THENCE North 86 degrees 45 minutes 03 seconds West, a distance of 135.73, feet to a 1/2 inch iron pipe found for corner being on the East right-of-way line of said Brendenwood Drive;

THENCE North 00 degrees 00 minutes 57 seconds East, a distance of 75.00 feet, to the PLACE OF BEGINNING and containing 10,663 square feet, or 0.245 of an acre of land.



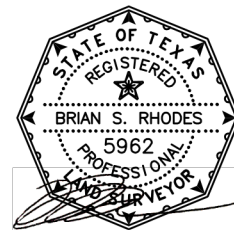
THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

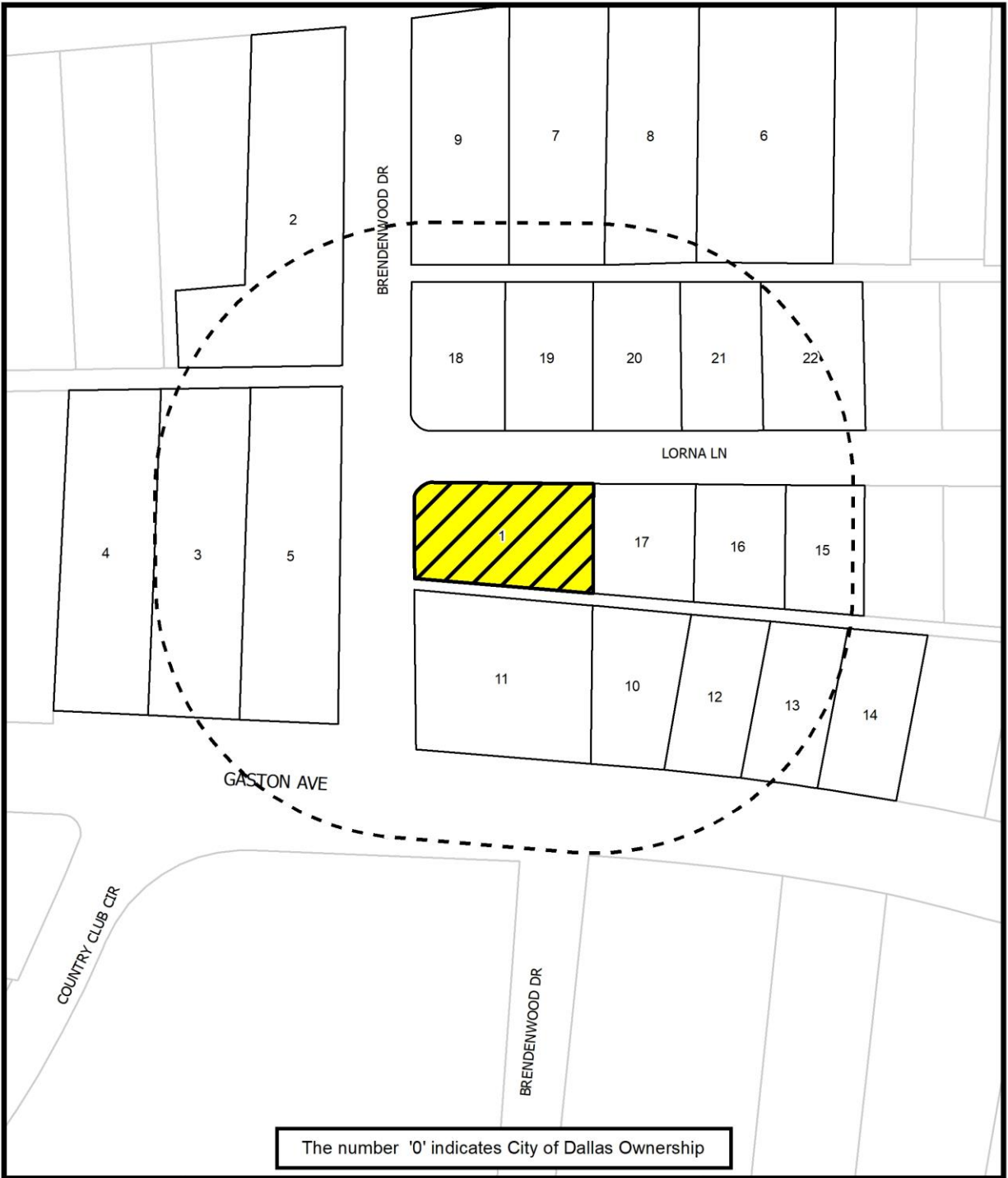
1529 E. I-30, STE. 106, GARLAND, TX 75043 - FIRM REGISTRATION NO. 10194052  
 The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY LOCKTON FINANCIAL SERVICES. THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 30'  
 Date: 07/06/2020  
 G. F. No.: -  
 Job no.: 107163  
 Drawn by: TG

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.  
 THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR LOCKTON FINANCIAL SERVICES

LEGEND	
WOOD FENCE	TEXT IMPROVEMENTS
CHAIN LINK	BOUNDARY LINE
IRON FENCE	EASEMENT SETBACK
WIRE FENCE	RESIDENCE/BUILDING
MRD - MONUMENTS OF RECORD DIGNITY	
1/2" IRON ROD FOUND	
1" IRON PIPE FOUND	
FOUND 'X'	
3/8" IRON ROD FOUND	
PK NAIL FOUND	
CABLE	CUY-WIRE
CLEAN OUT	ELECTRIC
GAS METER	POWER POLE
FIRE HYDRANT	TELEPHONE
LIGHT POLE	WATER METER
MANHOLE	WATER VALVE
UNLESS OTHERWISE NOTED	





  
 1:1,200

## NOTIFICATION

<b>200'</b>	<b>AREA OF NOTIFICATION</b>
<b>22</b>	<b>NUMBER OF PROPERTY OWNERS NOTIFIED</b>

Case no: **BDA201-005**  
 Date: **1/14/2021**



01/13/2021

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

***BDA201-005***

### ***22 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	6804 LORNA LN	JEANES JAMES LEE
2	6758 AVALON AVE	COURTWRIGHT JEFFRY T &
3	6757 GASTON AVE	GUAJARDO DONNA
4	6751 GASTON AVE	KLEIN ERIC & CLAIRE
5	2301 BRENDENWOOD DR	BARON JEFFREY R & ELIZABETH A
6	6820 AVALON AVE	BARBER ELIZABETH A &
7	6808 AVALON AVE	BARTON MICHAEL
8	6814 AVALON AVE	FITZSIMMONS A GERALDINE REV TRUST
9	6802 AVALON AVE	CERVIN MARGARET EUGENIA
10	6815 GASTON AVE	COKER KELLY
11	6807 GASTON AVE	KARWELIS ERVIN
12	6819 GASTON AVE	HOARD ZACHARY & CAROLINE
13	6823 GASTON AVE	WEAVER PETER F &
14	6827 GASTON AVE	ROEPKE STEVEN &
15	6826 LORNA LN	EVERT ELISABETH A
16	6818 LORNA LN	LEAKE SAM S & ASHLEY
17	6814 LORNA LN	BARION PERNILLE J
18	6805 LORNA LN	CAMERON CHRISTOPHER M &
19	6811 LORNA LN	BARNICOAT SUSAN B
20	6815 LORNA LN	SKIPWORTH LIVING TRUST
21	6819 LORNA LN	MEYERSON CAROL C
22	6827 LORNA LN	GARD JOHN &

**FILE NUMBER:** BDA201-015(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for a variance to the side yard setback regulations, and for a variance to the maximum allowed lot coverage at 422 N. Moore Street. This property is more fully described as Lot 16, Block 3/7675, and is zoned an R-5(A) Single Family District, which requires a 45 percent maximum lot coverage, and requires a side yard setback of five feet. The applicant proposes to construct a single-family residential structure and provide a two-inch side yard setback, which will require a four-foot ten-inch variance to the side yard setback regulations, and to construct a single-family residential structure with 1,688 square feet of floor area, which will require a 19 percent (496-square-foot) variance to the maximum allowed lot coverage of 45 percent.

**LOCATION:** 422 N. Moore Street

**APPLICANT:** Rob Baldwin of Baldwin Associates

**REQUESTS:**

The following requests have been made on an undeveloped site:

1. A variance to the side yard setback regulations is made to construct and maintain a 1,688-square-foot, two-story, single-family structure located two-inches from the side property line (southern) or four-feet ten-inches into the five-foot side yard setback; and
2. A variance to the maximum allowed lot coverage of 45 percent is made to construct and maintain a 1,688-square-foot, two-story, single-family structure, which will require a 19 percent (496-square-foot) variance to the lot coverage regulations.

**STANDARD FOR A VARIANCE:**

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

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

be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and

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

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-5(A) District considering its restrictive lot area of 2,496 square feet so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-5(A) zoning district.
- The applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed structure on the subject site is commensurate to 63 other lots located in the same R-5(A) District.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-5(A) (Single family district)
- North: R-5(A) (Single family district)
- South: R-5(A) (Single family district)
- East: R-5(A) (Single family district)
- West: R-5(A) (Single family district)

**Land Use:**

The subject site is undeveloped. The areas to the north, east, south, and west are mostly vacant lots and few lots developed with single family uses.

**Zoning/BDA History:**

There have not been any related board or zoning cases recorded either on or near the subject site within the last five years.

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

The requests for variances to the side yard setback requirements and maximum lot coverage regulations focus on constructing and maintaining a 1,688-square-foot, two-story, single-family structure on an undeveloped lot zoned an R-5(A) Single Family District. In this district, a minimum side yard setback of five feet is required. Additionally, the maximum lot coverage is 45 percent.

The submitted site plan indicates that the proposed single-family structure will be located two-inches from the side property line or four feet 10-inches into this required five-foot side yard setback. The subject site is slightly sloped, virtually rectangular (approximately 106 feet by 25 feet)—but narrow, and according to the submitted site plan 2,496 square feet in area. The site is zoned an R-5(A) District where lots are typically a minimum of 5,000 square feet in area. The subject site is 2,504 square feet smaller than the minimum size requirement.

The submitted site plan also indicates that the proposed 1,688-square-foot, two-story, single-family structure will exceed the allowed floor area by 19 percent (496 square feet) and provide a total of 64 percent lot coverage.

According to DCAD records, there are “no main improvements” or “no additional improvements” for property addressed at 422 N. Moore Street.

The applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed additions on the subject site are commensurate to 63 other lots located in the same R-5(A) District.

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

- That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-5(A) zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-5(A) zoning classification.

If the board were to grant the variance requests and impose the submitted site plan as a condition, the structure would be limited to what is shown on this document— a 1,688-square-foot, two-story, single-family structure located two-inches from the side property

line (southern) or four-foot ten-inches into the five-foot side yard setback, providing 64 percent lot coverage, 19 percent higher than the maximum.

**Timeline:**

December 18, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

January 6, 2021: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.

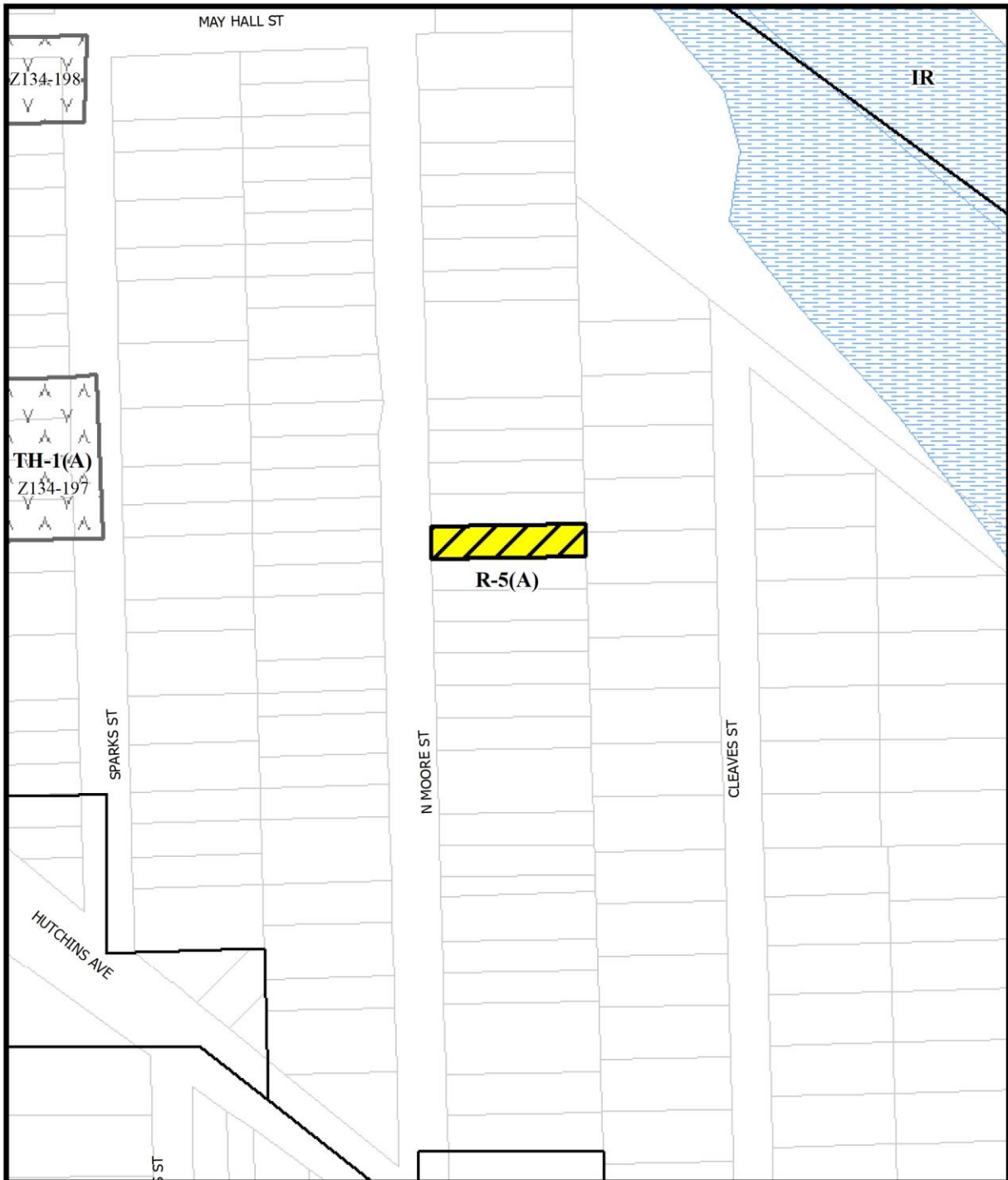
January 8, 2021: The Board Senior Planner emailed the applicant the following information:

- 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 January 26<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the February 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.”

January 27, 2021: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).

January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

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



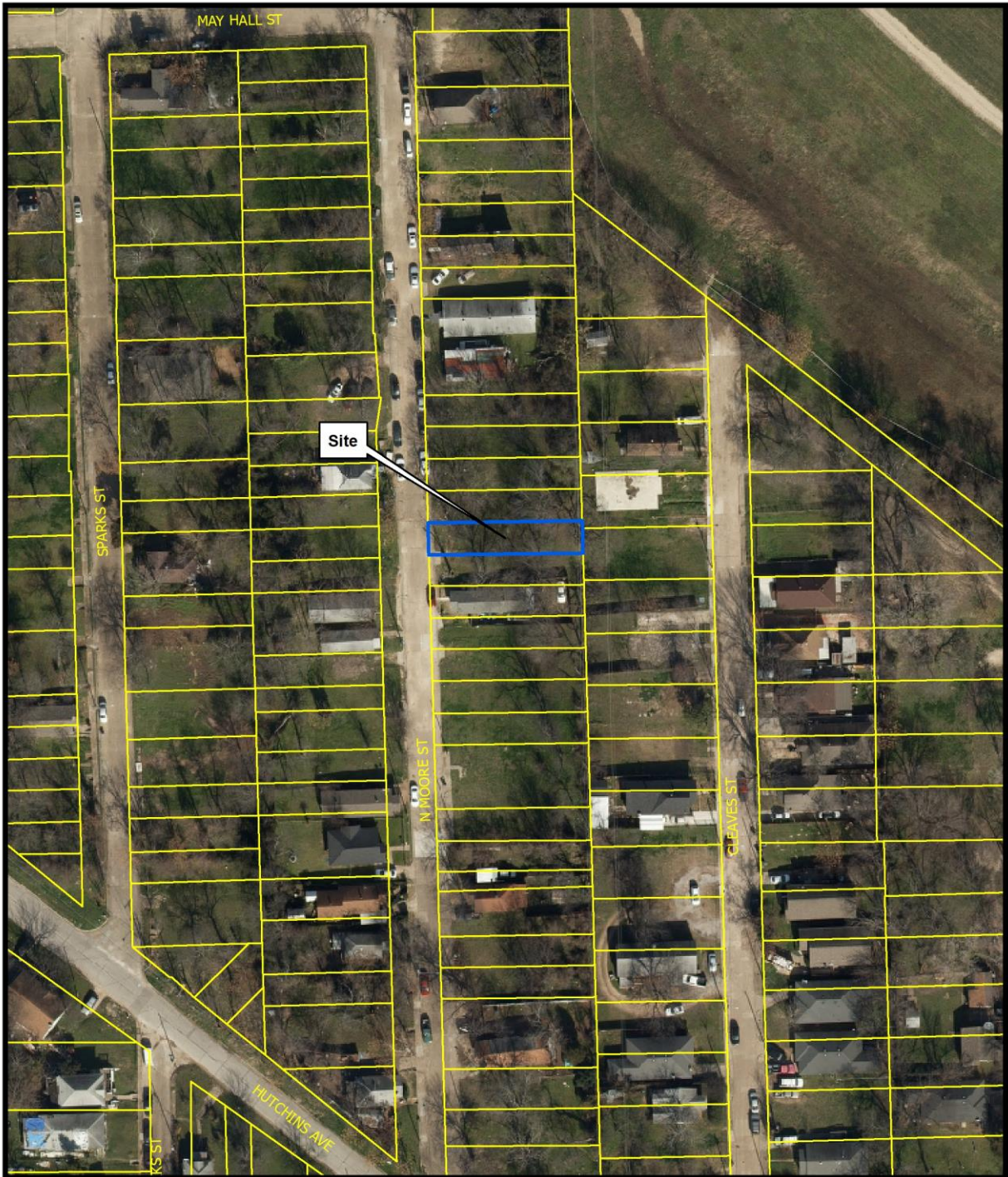
1:1,200

# ZONING MAP

Case no: BDA201-015

Date: 1/14/2021





1:1,200

# AERIAL MAP

Case no: BDA201-015

Date: 1/14/2021



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 201-015

Date: 12/18/2020

Data Relative to Subject Property:

Location address: 422 N. Moore St Zoning District: R-5(A)

Lot No.: 16 Block No.: 3/7675 Acreage: 0.060 sf Census Tract: 41.00

Street Frontage (in Feet): 1) 25 ft 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Texas Heavenly Homes LTD

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 \_\_\_\_\_ side setback variance of 4'10" and lot coverage variance of 19%

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 approx. 2,625 square feet where the typical lot in an R-5(A) is 5,000 square feet. The proposed single family structure will provide a 8" side yard setback on the south and a lot coverage of 64%. The lot size is a hardship in the ability to provide an appropriate sized home.

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 17 day of December, 2020



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 side yard setback regulations, and variance to the maximum allowed lot coverage of 45%

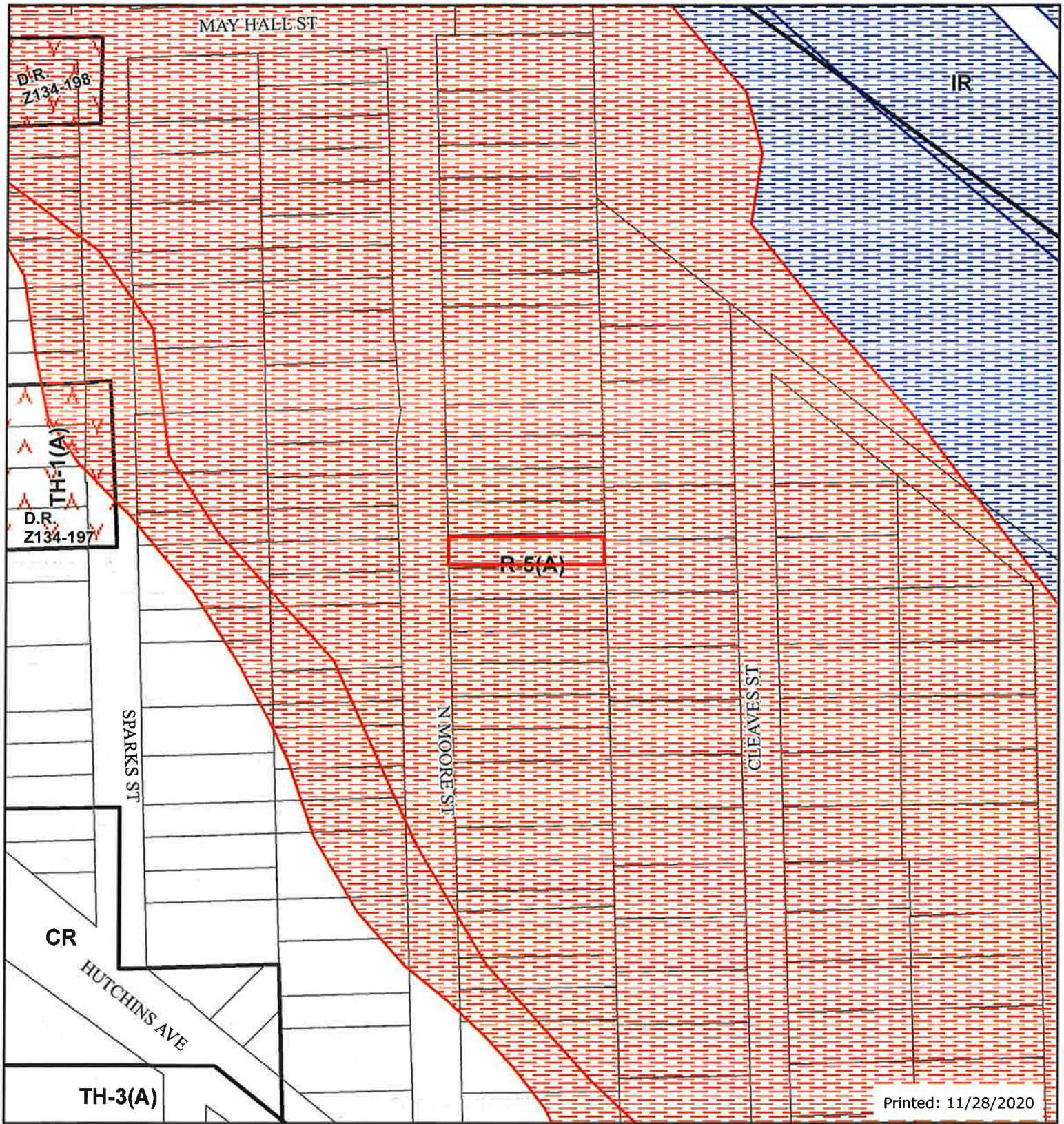
**at** 422 N. Moore Street

BDA201-015. Application of Rob Baldwin for a variance to the side yard setback regulations, and for a variance to the maximum allowed lot coverage of 45% at 422 N MOORE ST. This property is more fully described as Lot 16, Block 3/7675, and is zoned R-5(A), which requires a 45% maximum lot coverage and requires a side yard setback of 5 feet. The applicant proposes to construct a single family residential structure and provide a 2 inch side yard setback, which will require a 4foot 10 inch variance to the side yard setback regulations, and to construct a single family residential structure with 1688 square feet of floor area, which will require a 496 square foot variance to the maximum allowed lot coverage of 45%.

Sincerely,

  
David Session, Building Official





Printed: 11/28/2020

### 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 3-9     |
|                      |                                | 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)





13

# CITY OF DALLAS PLAT

ADDITION J. A. DEWBERRY

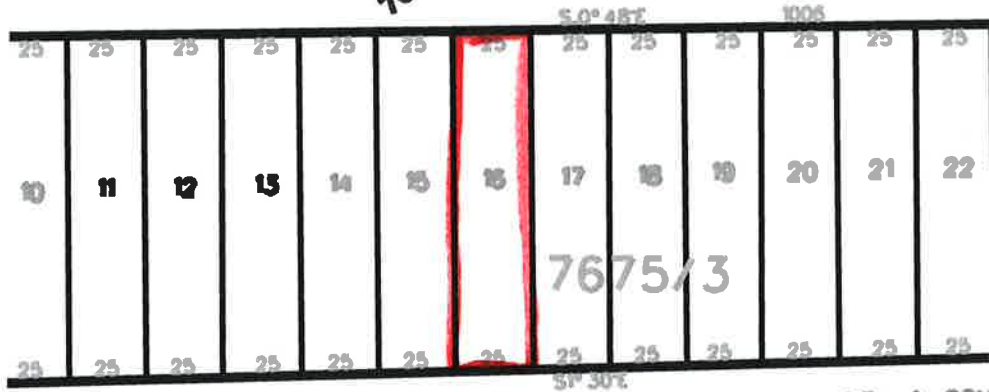
57

SCALE 50 FT. EQUALS 1

APPEX

ADDITION

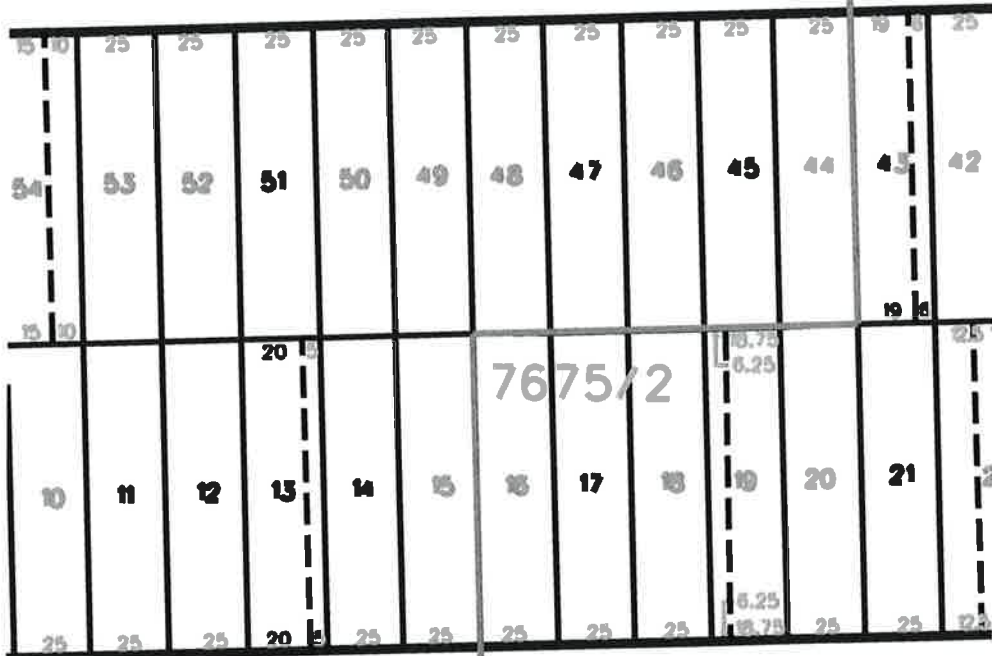
7678



ORE

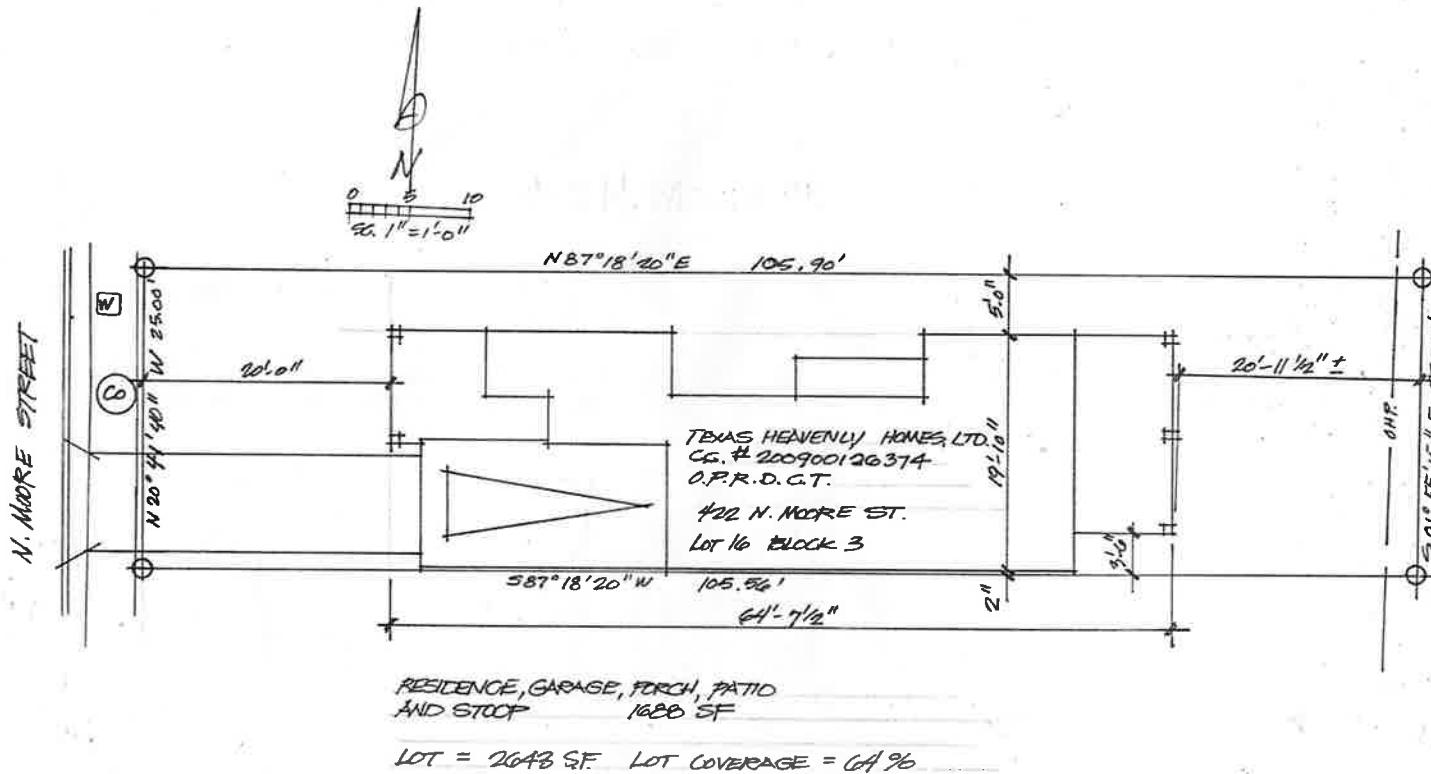
400

CITY & COU



3-10

AVE.



## 422 N. Moore St.

TEXAS HEAVENLY HOMES  
DALLAS, TX

THE BOTTOMS  
DALLAS, TX

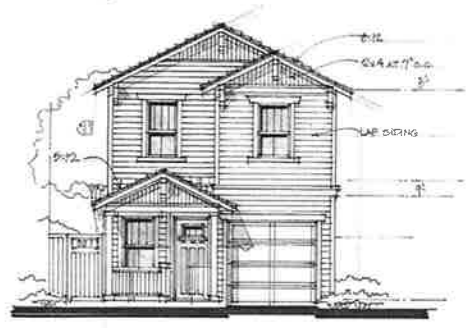


The drawings presented are illustrative character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan/floor plan changes, etc.) ©2020 BSB Design, Inc.

DECEMBER 14, 2020 |



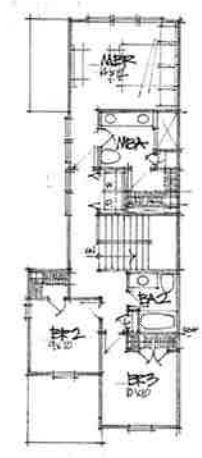
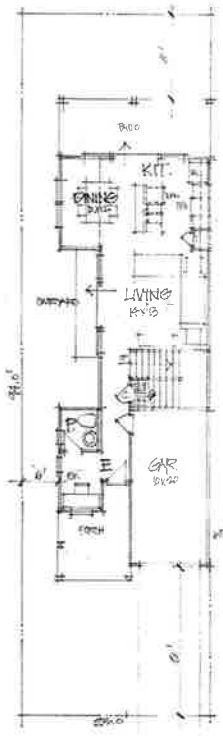
PLAN 1 C



PLAN 1 B



PLAN 1 A



PLAN 1 1482 SQ

TEXAS HEAVENLY HOMES  
DALLAS, TX

THE BOTTOMS  
DALLAS, TX

The drawings presented are illustrative character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan/floor plan changes, etc.) ©2014 BSB Design, Inc.

October 18, 2019 | SF190294





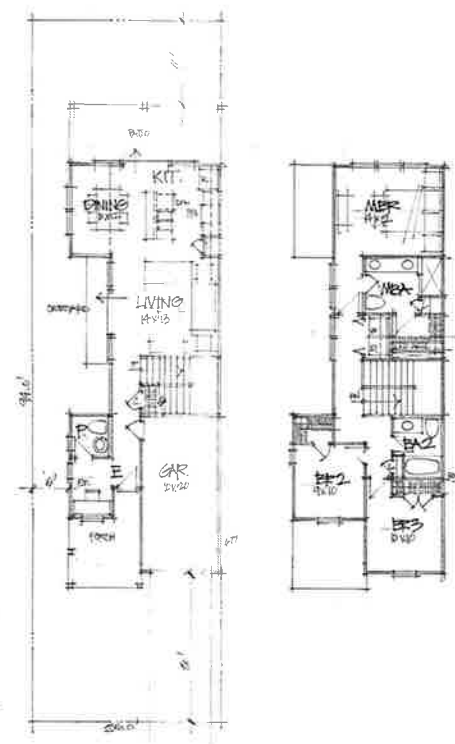
PLAN 1 C



PLAN 1 B



PLAN 1 A



PLAN 1 1482 SQ

TEXAS HEAVENLY HOMES  
DALLAS, TX

THE BOTTOMS  
DALLAS, TX



The drawings presented are illustrative character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan/floor plan changes, etc.) ©2018 BSB Design, Inc.

October 18, 2019 | SF190294

Moore Street - West side

Moore Street - East side

Street Number	Floor Area	Land Area
325	630	3,155
329	Vacant	4,758
333	Vacant	2,432
335	684	4,087
337	824	3,143
401	840	4,895
401	972	2,410
403	Vacant	2,380
405	Vacant	3,065
407	Vacant	1,803
409	Vacant	2,477
411	532 / 800	4,791
413	Vacant	2,417
415	Vacant	2,419
417	Vacant	2,457
419	608	2,373
421	Vacant	2,452
423	Vacant	2,533
425	Vacant	3,536
<b>427</b>	<b>Vacant</b>	<b>3,840</b>
501	Vacant	2,387
503	Vacant	2,433
505	Vacant	2,409
507	Vacant	2,361
509	Vacant	2,498
511	Vacant	2,409
513	Vacant	2,418
515	Vacant	2,472

Street Number	Floor Area	Land Area
1503	Vacant	4,365
322	Vacant	2,819
324	Vacant	4,043
<b>326</b>	<b>Vacant</b>	<b>3,400</b>
328	Vacant	3,696
330	628	6,439
336	Vacant	2,892
338	Vacant	2,850
340	Vacant	4,256
342	560	1,671
402	Vacant	2,759
404	Vacant	2,968
406	Vacant	5,876
410	Vacant	2,874
410	Vacant	2,974
412	Vacant	2,909
416	Vacant	2,905
418	732	2,861
420	Vacant	2,878
<b>422</b>	<b>Vacant</b>	<b>2,946</b>
424	Vacant	2,924
426	Vacant	2,922
428	Vacant	2,933
430	Vacant	2,894
436	1960, 1056	8,777
500	Vacant	2,877
502	952	2,883
504	Vacant	2,935
506	Vacant	2,880
508	Vacant	2,937
510	816	4,859
512	Vacant	5,093
600	Vacant	3,786
602	Vacant	3,552
604	Vacant	3,641
606	Vacant	2,536
608	Vacant	1,782

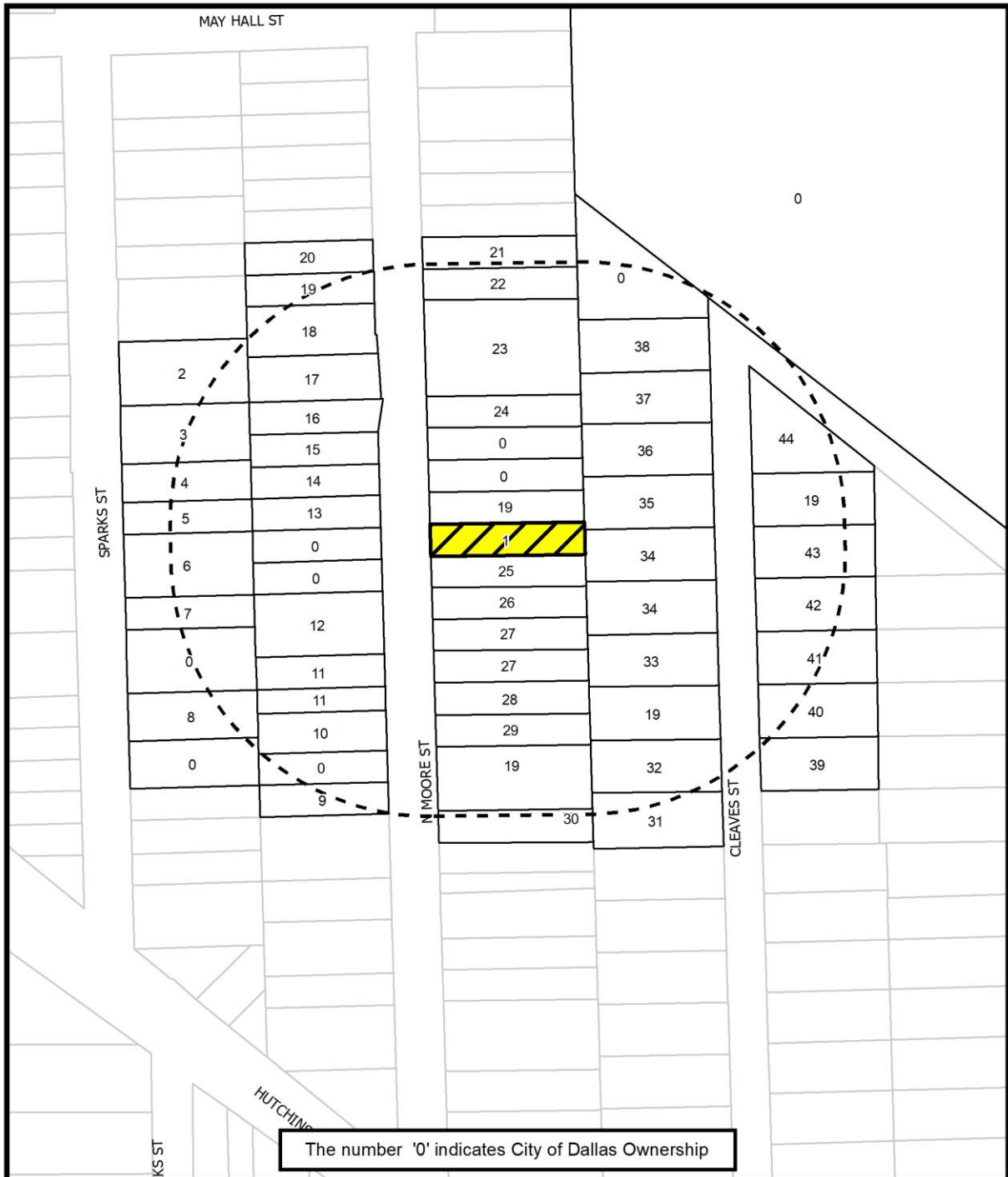
	Floor Area	Land Area
Average of blockface	210.4	2,886
Average of built	736.3	3,551
Typical R-5(A) lot based on max lot coverage	2,250	5,000
Number of vacant lots	21	

	Floor Area	Land Area
Average of blockface	180	3,475
Average of built	950	4,582
Typical R-5(A) lot based on max lot coverage	2,250	5,000
Number of vacant lots	30	

BDA Addresses	Proposed Floor Area	Land Area
<b>427</b>	<b>1961</b>	<b>3,840</b>

BDA Addresses	Proposed Floor Area	Land Area
<b>326</b>	<b>1482</b>	<b>3,400</b>
<b>422</b>	<b>1482</b>	<b>2,946</b>





1:1,200

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**44** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA201-015**  
 Date: **1/14/2021**

01/13/2021

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

### ***BDA201-015***

#### ***44 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	422 N MOORE ST	Taxpayer at
2	432 SPARKS ST	NEDD ETHEL
3	430 SPARKS ST	DALLAS HOUSING ACQUISITION & DEV CORP
4	428 SPARKS ST	Taxpayer at
5	424 SPARKS ST	Taxpayer at
6	422 SPARKS ST	WATSON BEATRICE &
7	420 SPARKS ST	GRIFFIN STREET MANAGEMENT INC
8	414 SPARKS ST	BARBEE DOVER C EST OF
9	401 N MOORE ST	EDWARDS NELLA D
10	405 N MOORE ST	SLAUGHTER ROSIE ET AL
11	407 N MOORE ST	ZAPATA MARGARET
12	411 N MOORE ST	LEOS PEDRO GARCIA
13	417 N MOORE ST	ESPINO CLAUDIA SALAS
14	419 N MOORE ST	SIMMONS MARY ELLEN EST OF
15	421 N MOORE ST	Taxpayer at
16	423 N MOORE ST	JOHNSON WILLIE
17	425 N MOORE ST	TRUE PURPOSE CHURCH TR
18	427 N MOORE ST	Taxpayer at
19	501 N MOORE ST	DALLAS HOUSING ACQUISITION & DEV CORP
20	503 N MOORE ST	DUNN KAYE REVELLE
21	502 N MOORE ST	Taxpayer at
22	500 N MOORE ST	TRUE PURPOSE BAPTIST CHURCH
23	436 N MOORE ST	TRUE PURPOSE BAPT CHURCH
24	430 N MOORE ST	TRUE PURPOSE CHURCH
25	420 N MOORE ST	JOHNSON D KIRK
26	418 N MOORE ST	DREAD VICTORIA

01/13/2021

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	416 N MOORE ST	RAMLER ANDREW J
28	410 N MOORE ST	WILLIAMS LUCY M
29	410 N MOORE ST	WALL C E
30	404 N MOORE ST	HAWKINS IRENE
31	427 CLEAVES ST	MIRANDA ALEXANDRA
32	429 CLEAVES ST	CALLOWAY JEROME
33	433 CLEAVES ST	SAFE CAPITAL INVESTMENTS LLC
34	435 CLEAVES ST	B&J CUSTOM HOMES INC DBA
35	439 CLEAVES ST	COMEJO JOSE LUIS
36	441 CLEAVES ST	FENSTER STEFAN
37	443 CLEAVES ST	Taxpayer at
38	445 CLEAVES ST	Taxpayer at
39	428 CLEAVES ST	SOLIS WENDY S
40	430 CLEAVES ST	SANCHEZ PPTY MGMT INC
41	432 CLEAVES ST	HOPKINS MAURICE JR
42	434 CLEAVES ST	Taxpayer at
43	436 CLEAVES ST	NEW DIMENSION HOMES LLC
44	440 CLEAVES ST	Taxpayer at

**FILE NUMBER:** BDA201-019(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Adam Baumli for a variance to the rear yard setback regulations at 7116 Nicki Court. This property is more fully described as Lot 9, Block 10/8758, and is zoned an R-7.5(A) Single Family District, which requires a rear yard setback of five feet. The applicant proposes to construct a single family residential accessory structure and provide a one-foot six-inch rear yard setback, which will require a three-foot six-inch variance to the rear yard setback regulations.

**LOCATION:** 7116 Nicki Court

**APPLICANT:** Adam Baumli

**REQUEST:**

A request for a variance to the rear yard setback regulations is made to maintain an existing accessory structure with an outdoor kitchen located within the required five-foot rear yard setback on a site that is developed with a single-family structure.

**STANDARD FOR A VARIANCE:**

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

- a. not contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done;
- b. necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- c. not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

**STAFF RECOMMENDATION (rear yard variance):**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in an R-7.5(A) District due to its restrictive area and irregular shape as presented in a document submitted by the applicant (**Attachment A**). Evidence shows the property is smaller in lot size than seven lots found in an R-7.5(A) Single Family District; therefore, the subject site cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) District.
- The document submitted also indicates that the proposed addition on the subject site is commensurate to ten other lots, with similar development located in the rear of the lot and within the same R-7.5(A) District.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The subject site and all surrounding properties are developed with single family uses/structures.

**Zoning/BDA History:**

There have not been any related board or zoning cases in the vicinity within the last five years.

**GENERAL FACTS/STAFF ANALYSIS (rear yard variance):**

A request for a variance to the rear yard setback regulations is made to maintain an existing accessory structure with an outdoor kitchen located within the required five-foot rear yard setback on a site that is developed with a single-family structure.

Structures on lots zoned an R-7.5(A) Single Family District are required to provide a rear yard setback of five feet. A site plan has been submitted denoting the existing accessory structure with an outdoor kitchen structure located one-foot six-inches from the rear property line. The site plan shows that approximately 25 percent of the accessory structure will be located in the site's five-foot rear yard setback.

The subject site is irregular in shape and according to the application, it is 0.221 acres (or approximately 9,600 square feet) in area. In an R-7.5(A) District, the minimum lot size is 7,500 square feet; however, the applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed accessory structure located in the rear of the subject site is commensurate to ten other lots in the same R-7.5(A) Single Family District. The document provided for evidence also notes the average lot size of seven lots in this district is 11,964 square feet while the subject lot is 9,583 square feet.

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

- That granting the variance to the rear yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) District zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) District zoning classification.

If the board were to grant this rear yard setback variance request and impose the submitted site plan as a condition, the structures in the rear yard setback would be limited to what is shown on this document. Granting this special exception request will not provide any relief to the Dallas Development Code regulations other than for an accessory structure be located one-foot six-inches from the rear property line or up to three-feet six-inches into the required five-foot rear yard setback.

## Timeline:

December 12, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

January 6, 2021: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

January 8, 2021: The Board of Adjustment Chief Planner/Board Administrator emailed the applicant the following information:

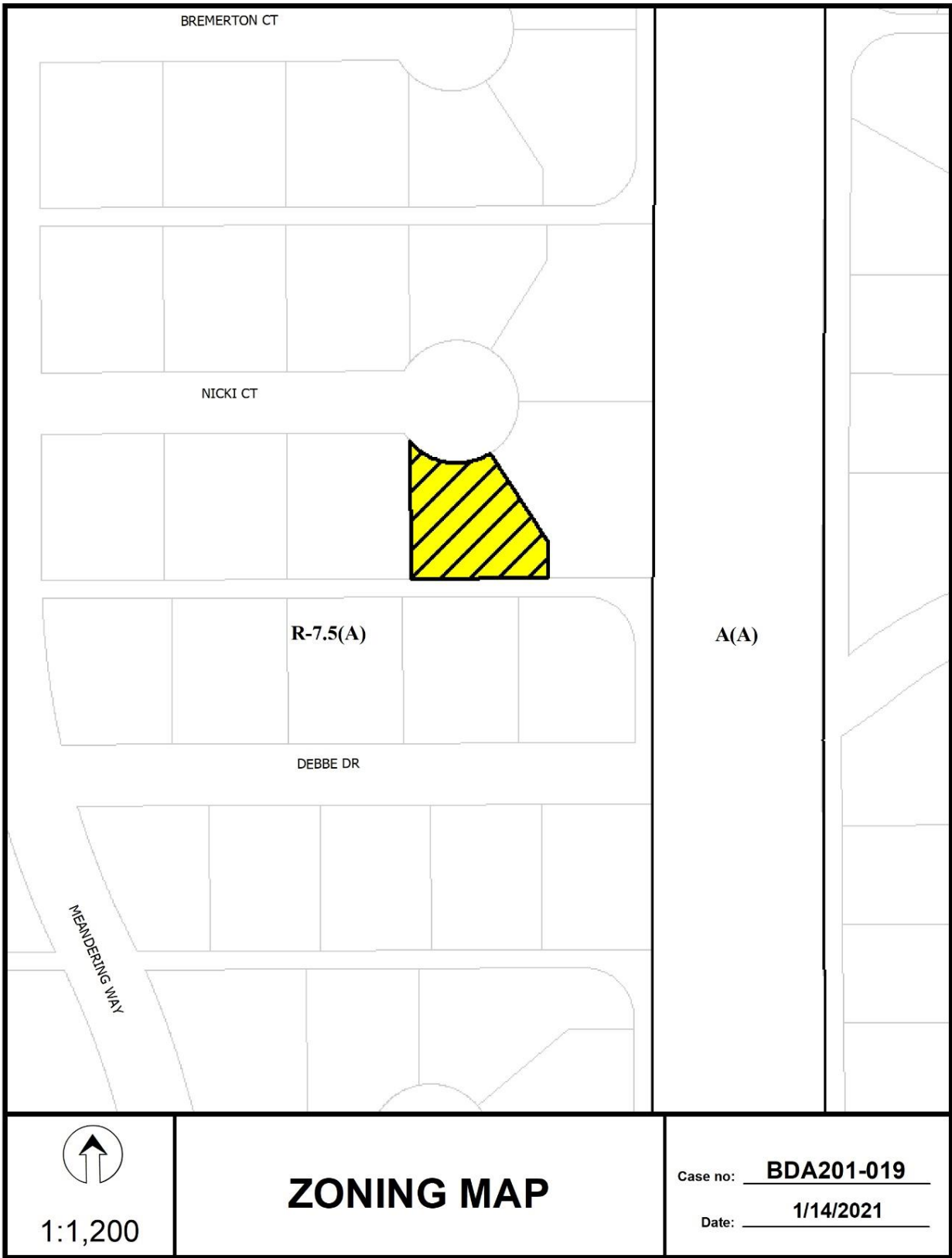
- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the January 26, 2021 deadline to submit additional evidence for staff to factor into their analysis; and the February 5, 2021 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.”

January 26, 2021: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).

January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

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



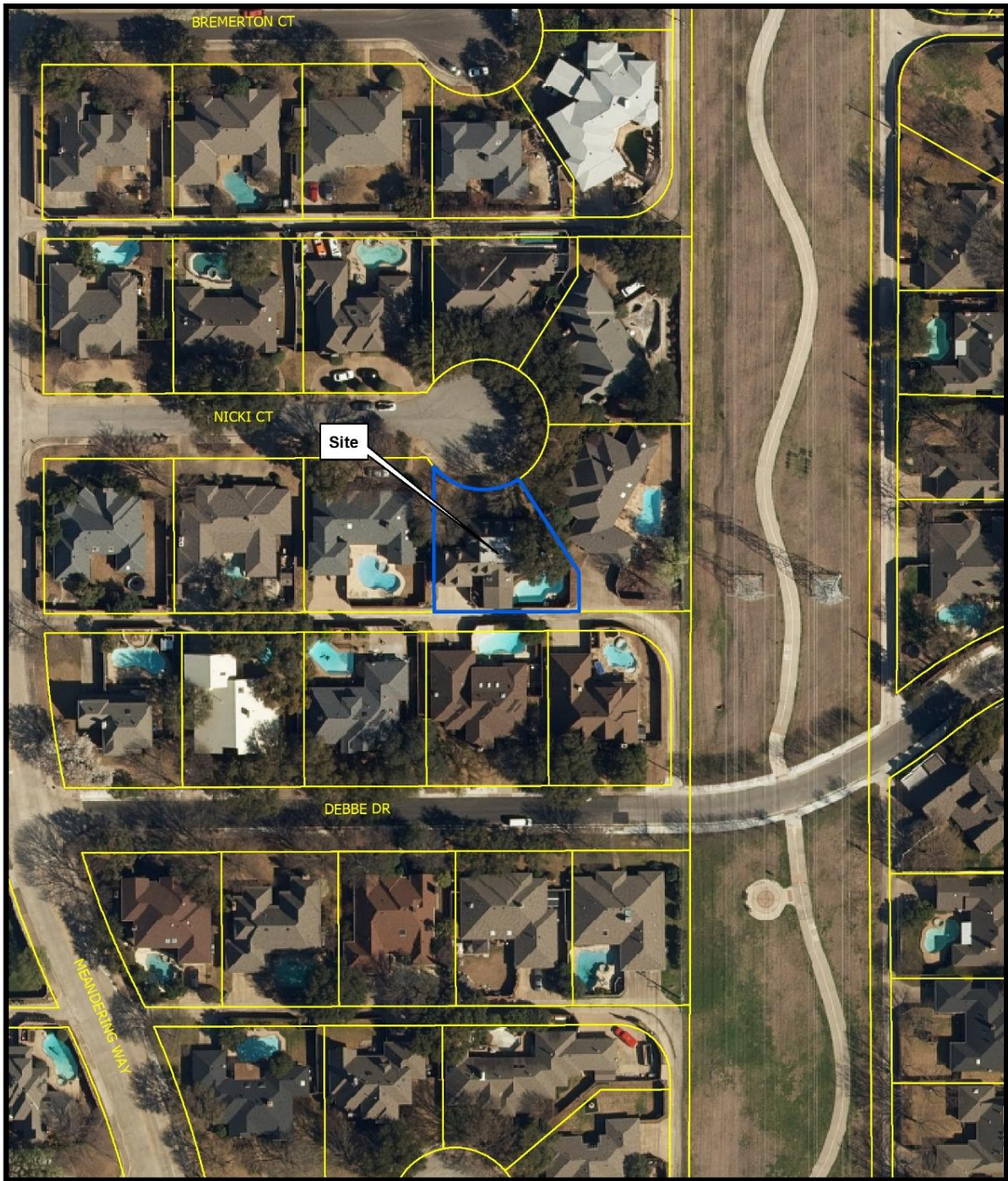


1:1,200

# ZONING MAP

Case no: BDA201-019

Date: 1/14/2021



1:1,200

# AERIAL MAP

Case no: BDA201-019

Date: 1/14/2021





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 201-019

Data Relative to Subject Property:

Date: 12-18-2020

Location address: 7116 Nicki Ct Dallas TX Zoning District: R7.5(A)

Lot No.: 9 Block No.: 10/8758 Acreage: 0.221 Census Tract: 317.19

Street Frontage (in Feet): 1) 72.43 2) 111.66 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Adam L Baumli and Meghan A. Baumli

Applicant: Adam & Meghan Baumli Telephone: 214 870 1240

Mailing Address: 7116 Nicki Ct Dallas TX Zip Code: 75252

E-mail Address: ABaumli@gmail.com

Represented by: Self Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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

Affirm that an appeal has been made for a Variance \_\_, or Special Exception \_\_, of Variance to rear set back. Encroaching 2ft. 3ft remaining. Requirement is 5'

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 arbor was in place when we purchased the home.
- The arbor does not encroach alley way or obstruct traffic.
- Removal of arbor would be significant expense and expose patio, need new supports, new concrete, etc, in addition to requiring significant time and blocking alley way for construction and removal.

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.

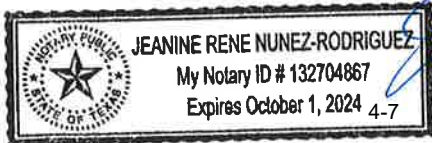
Affidavit

Before me the undersigned on this day personally appeared Adam Baumli (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 11th day of December, 2020



[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**

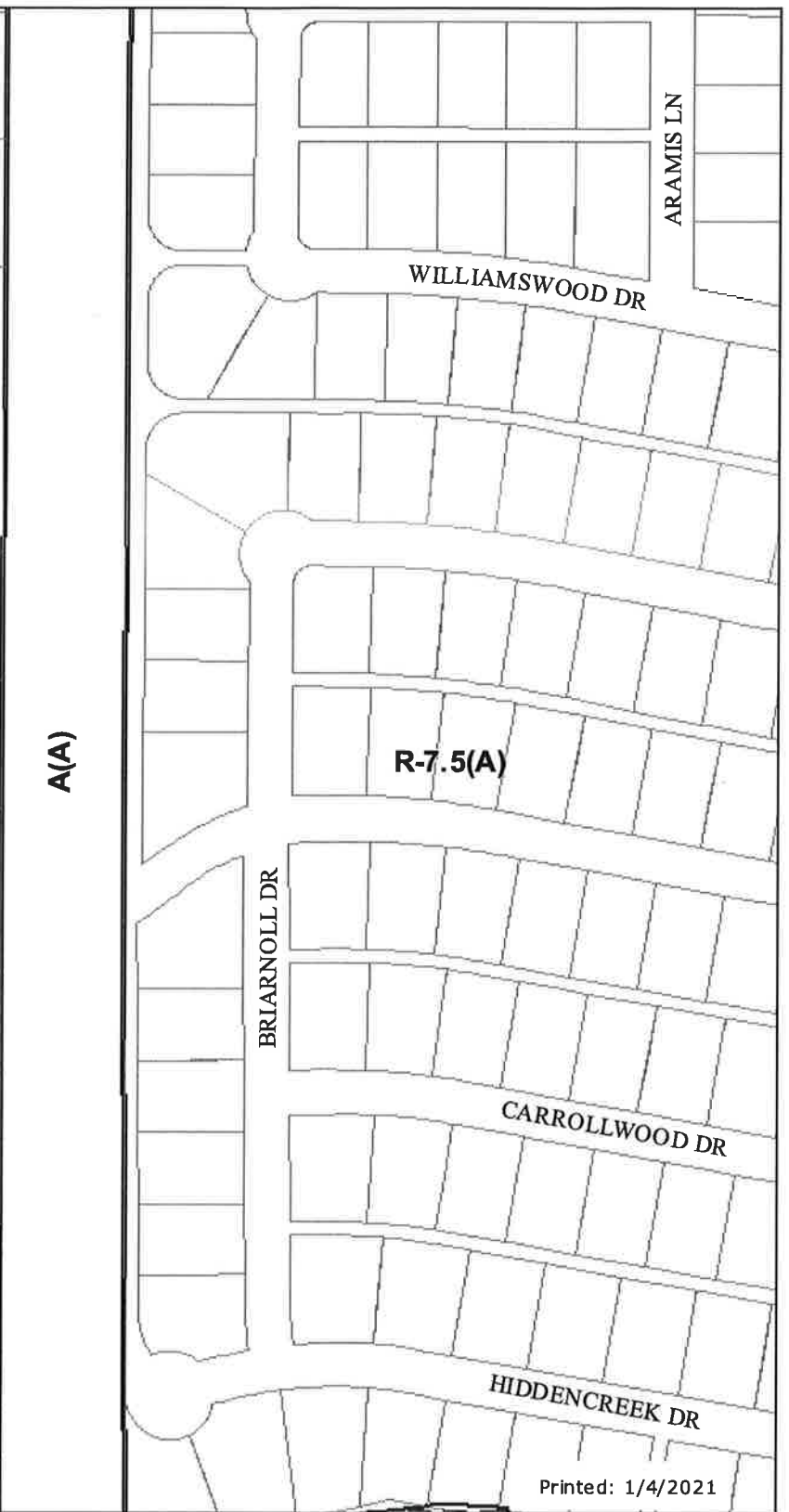
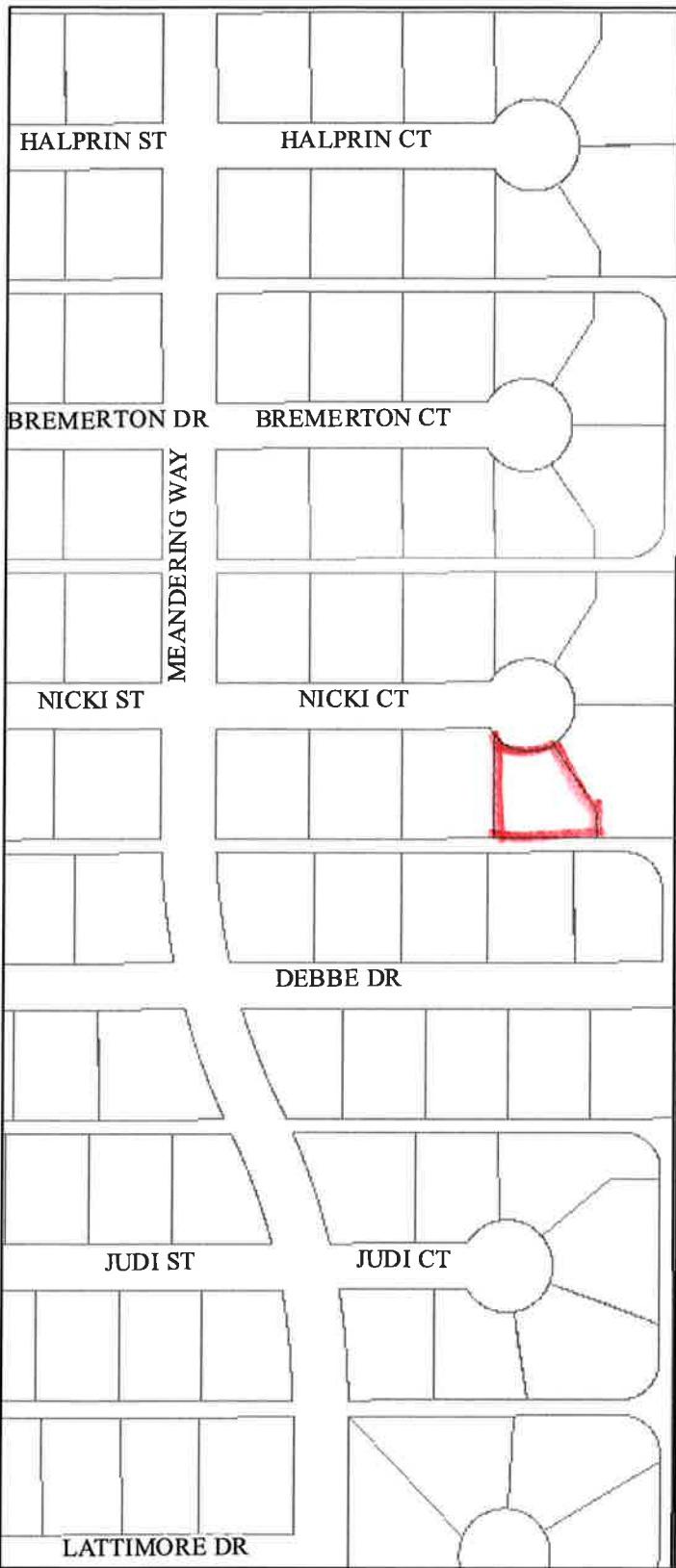
I hereby certify that Adam Baumli

did submit a request for a variance to the rear yard setback regulations  
at 7116 Nicki Court

BDA201-019. Application of Adam Baumli for a variance to the rear yard setback regulations at 7116 NICKI CT. This property is more fully described as Lot 9, Block 10/8758, and is zoned R-7.5(A), which requires a rear yard setback of 5 feet. The applicant proposes to construct a single family residential accessory structure and provide a 1 foot 6 inch rear yard setback, which will require a 3 foot 6 inch variance to the rear yard setback regulations.

Sincerely,

  
David Session, Building Official



A(A)

Printed: 1/4/2021

**Legend**

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





7116 Nicki Court

1. Zoning is R-7.5 Single-family district 7,500 square feet – requires a rear yard set back of 5 feet. The purpose of the covered patio is to provide shade from the heat and protection from the elements for the family. This structure was already built when we purchased the home in 2014. This Arbor does not have anything to do with the planned addition. The Planned addition is in the front of the garage on the front side of the house. It is 273 sq. feet addition that will be a master bathroom and a master closet to turn one of the rooms in on the first floor into a bedroom.
2. Our lot size is around small, 9,583 sq. foot, for the neighborhood, and our lot is very oddly shaped due to it being on a cul-de-sac. The rounded front street and the radius pushing the set back over 25 feet has left very little room behind for a covered patio, hence our patio extended past the rear set back. The majority of homes in our neighborhood either have larger lots, more rectangular lots, or have arbors that encroach the rear set back limit. There is not sufficient room to reduce that arbor facing the south side and have it still be effective at blocking the sun and elements. The variance is needed in order to add the addition to structure for our expanded family.
3. We did not build the arbor, it was there when we purchased the home. Our family has expanded as I now have four children with the youngest being born this past March. As we have expanded, I am attempting to make the house more conducive to our family size. We do not want to move, love the neighborhood, close to children’s schools as well. The additional square footage would still keep our house in line with the neighborhood. home sizes. The home is already two stories, so building up was not an option.

ADDRESS	STREET	LOT SIZE (SQ FT)	STRUCTURE	
7116 Nicki	Court	9,583	Arbor	Odd shaped lot, Arbor extends over build line
7003 Bremerton	Drive	12,197	Arbor	Large rectangular lot
7003 Mumford	Street	13,068	Arbor	Large rectangular lot
7215 Debbe	Drive		Arbor	Arbor extends over build line
7108 Nicki	Court		Arbor	
7103 Nicki	Court	11,761	Arbor	Extends over rear build line
6806 Blue Mesa	Drive	16,673	Arbor	Large lot with extra space
7036 Nicki	Street		Arbor	Normal lot with rear space
7025 Lattimore	Drive	10,018	Arbor	Normal lot with rear space
6915 Blue Mesa	Drive	10,454	Arbor	Normal lot with rear space

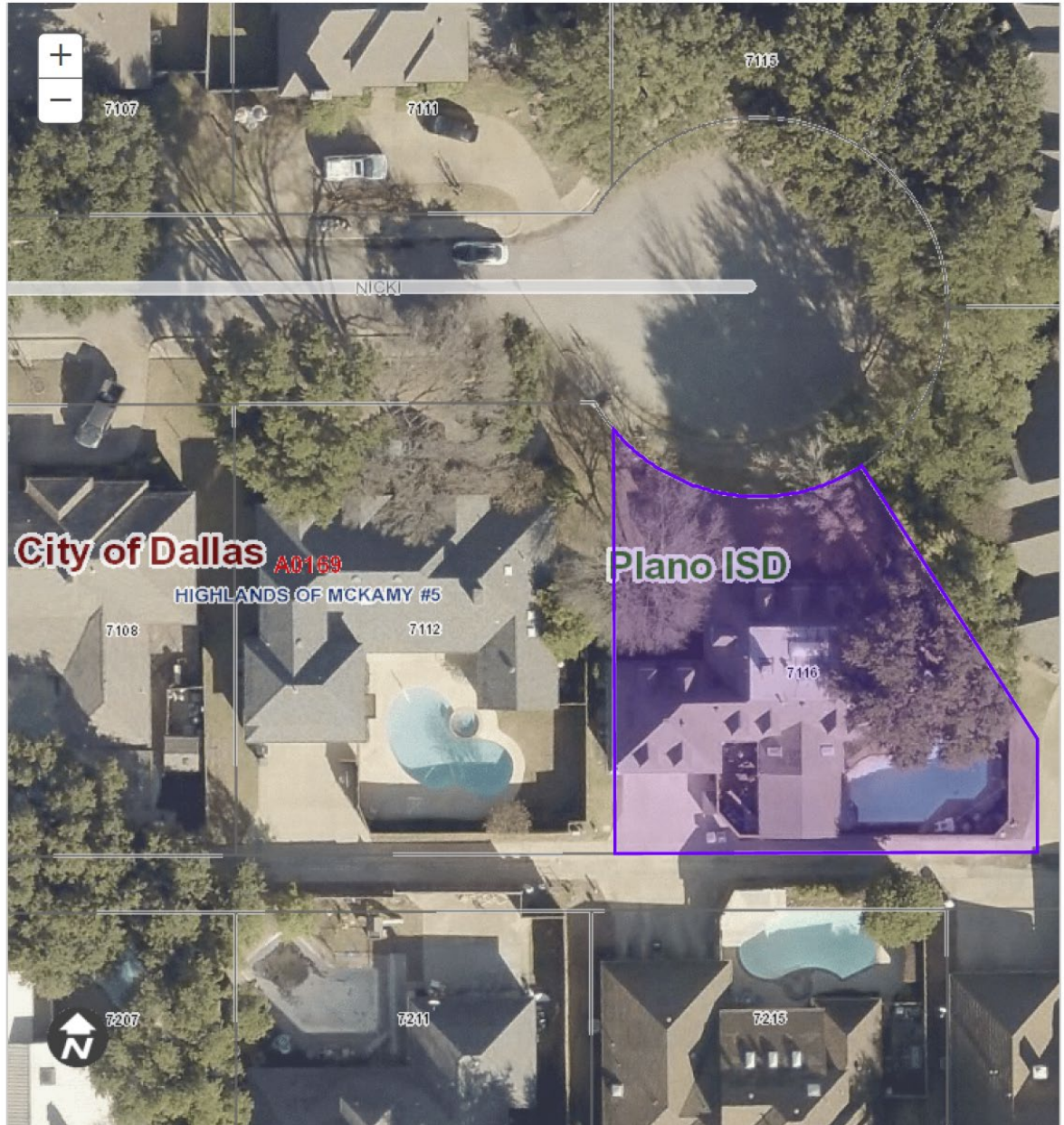


7014 Lattimore	Drive	10,890	Arbor	Normal lot with rear space
----------------	-------	--------	-------	----------------------------

7116 Nicki Court

1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).

7003 Bremerton

1/25/2021

Collin CAD - Interactive Map



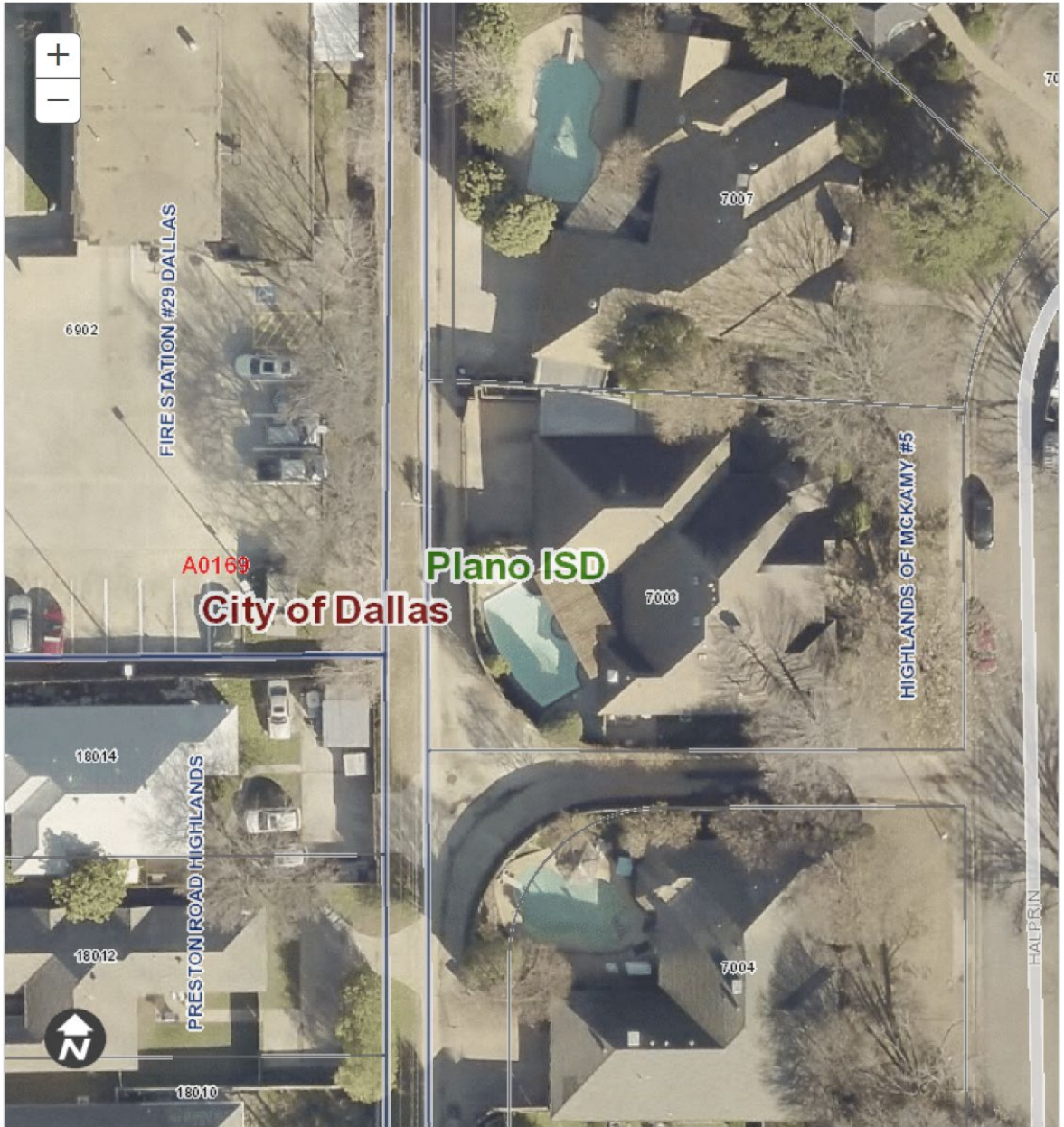
If you'd prefer to use a standalone version of this map, please [click here](#).



7003 Mumford

1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).

7215 Debbe Drive

1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).



# 7108 Nicki Court

1/25/2021

Collin CAD - Interactive Map

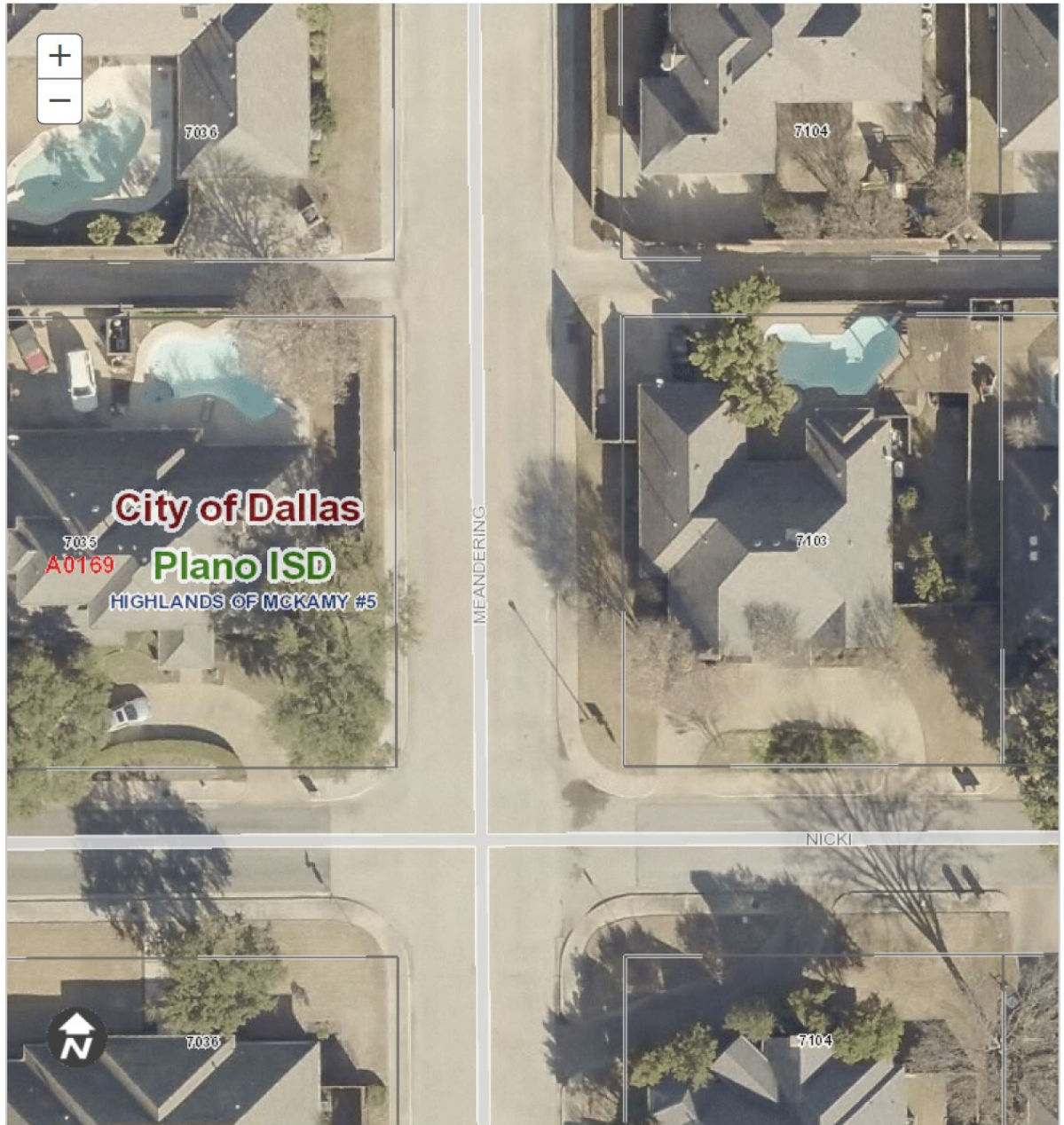


If you'd prefer to use a standalone version of this map, please [click here](#).

7103 Nicki Court

1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).



6806 Blue Mesa Drive

1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).



7036 Nicki Street

1/25/2021

Collin CAD - Interactive Map

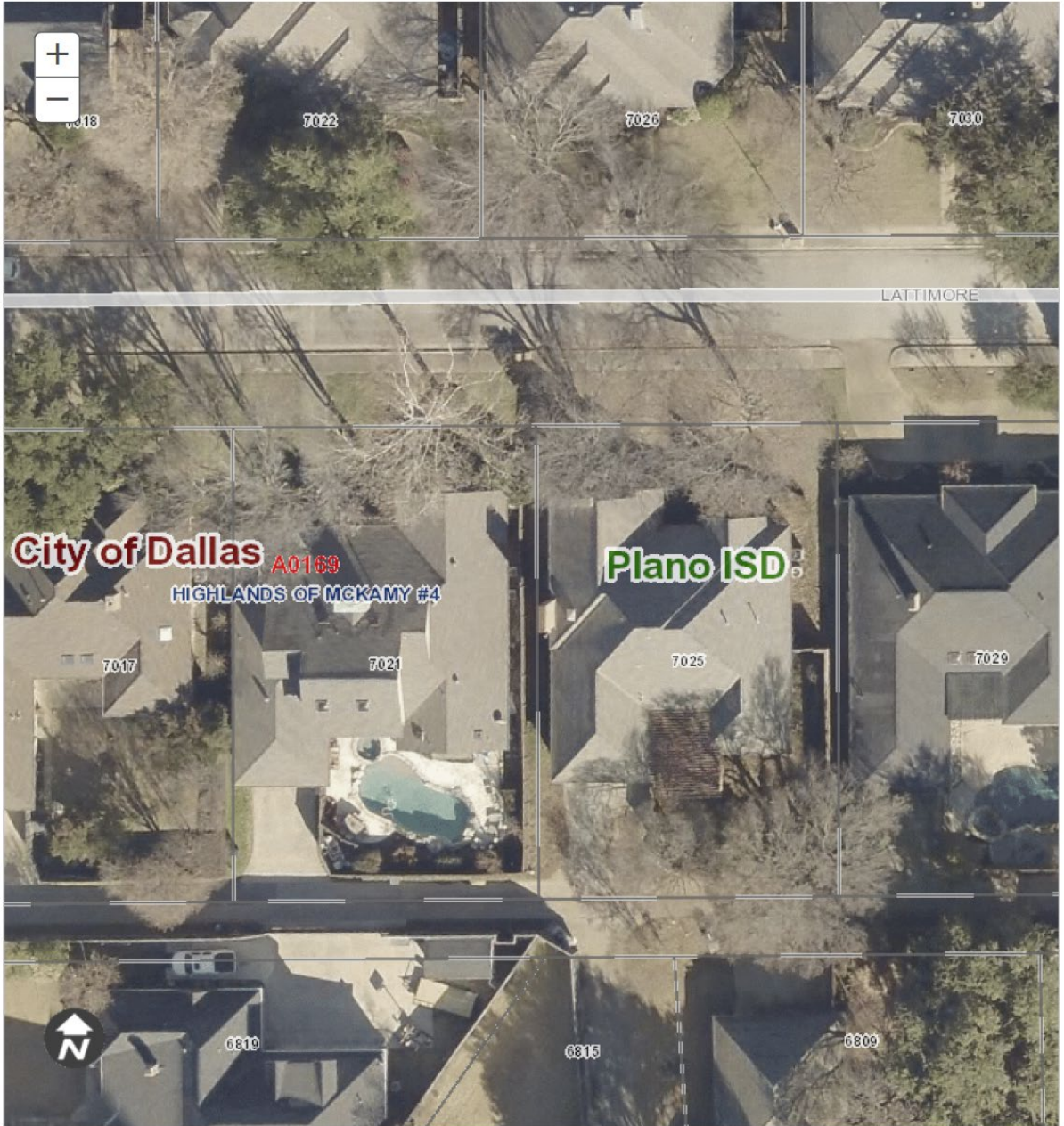


If you'd prefer to use a standalone version of this map, please [click here](#).

7025 Lattimore Drive

1/25/2021

Collin CAD - Interactive Map



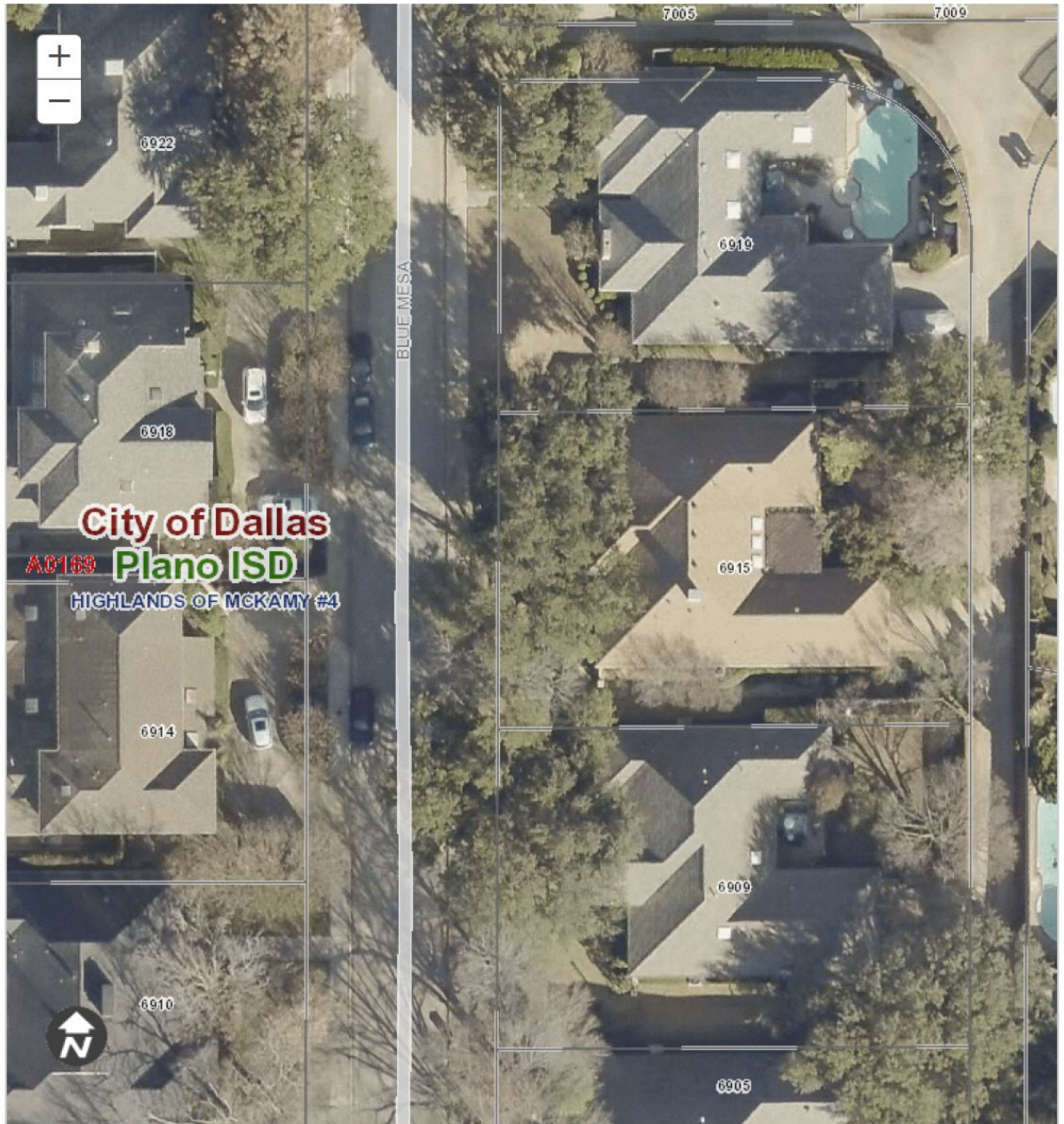
If you'd prefer to use a standalone version of this map, please [click here](#).



6915 Blue Mesa Drive

1/25/2021

Collin CAD - Interactive Map

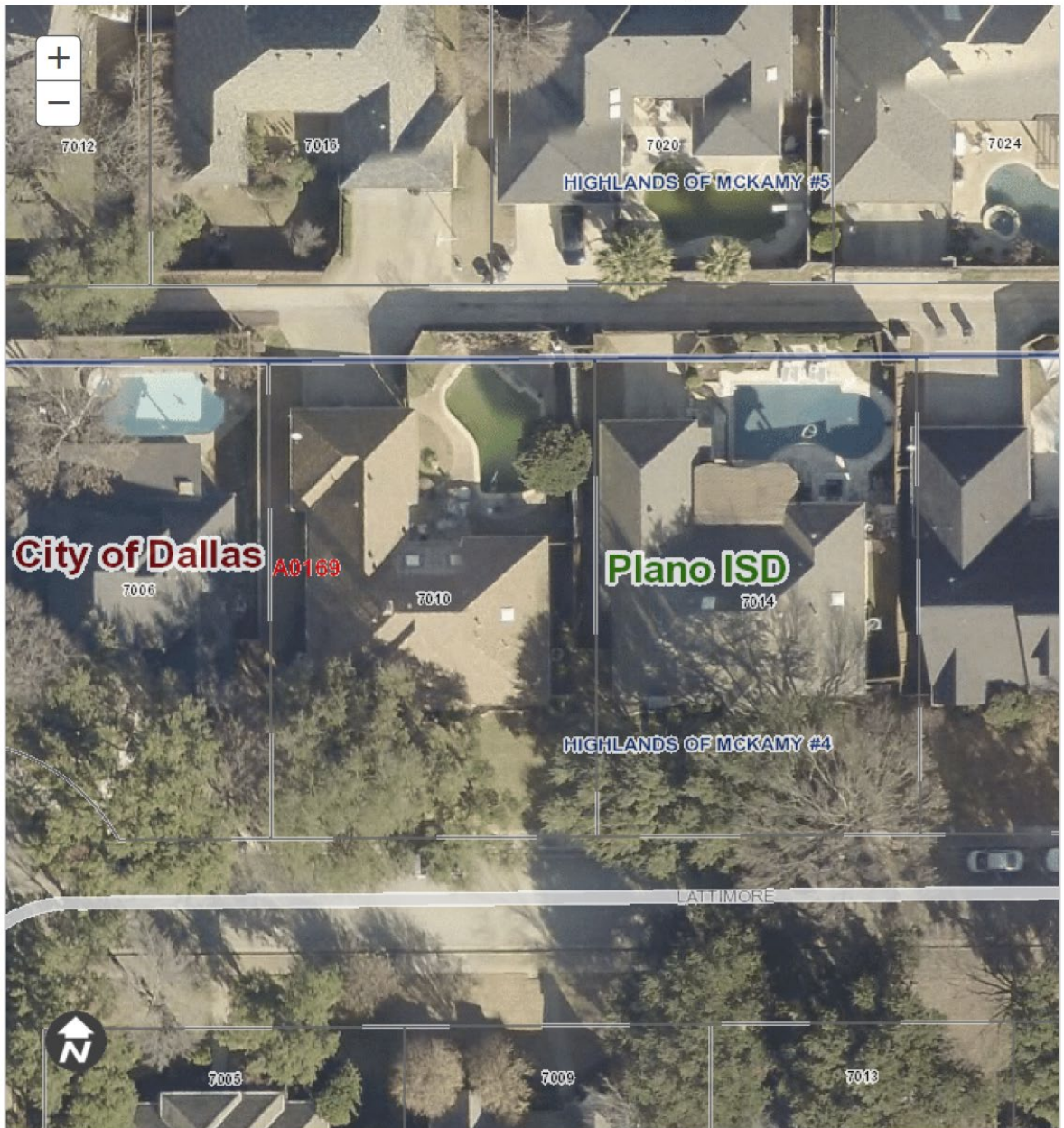


If you'd prefer to use a standalone version of this map, please [click here](#).

# 7014 Lattimore Drive

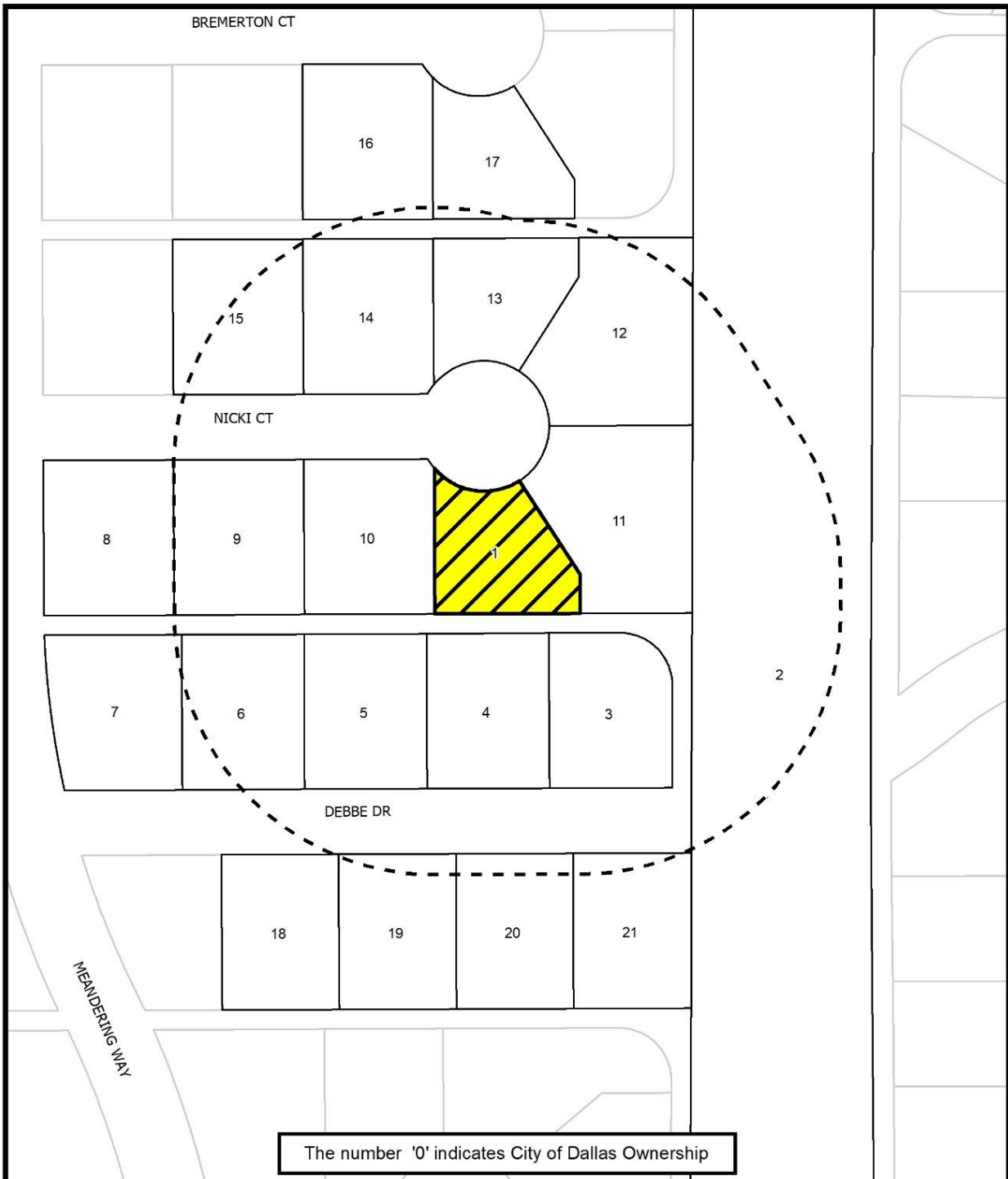
1/25/2021

Collin CAD - Interactive Map



If you'd prefer to use a standalone version of this map, please [click here](#).





The number '0' indicates City of Dallas Ownership

  
 1:1,200

## NOTIFICATION

200' AREA OF NOTIFICATION  
21 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA201-019  
 Date: 1/14/2021

01/14/2021

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

### ***BDA201-019***

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

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7116 NICKI CT	BAUMLI ADAM L &
2		ONCOR ELECTRIC DELIVERY COMPANY
3	7219 DEBBE DR	RASKAS YEHUDA ARI &
4	7215 DEBBE DR	GRIGGS SIDNEY A
5	7211 DEBBE DR	RINGELHEIM MICHAEL J & LEORA E
6	7207 DEBBE DR	SMALL STUART D &
7	7203 DEBBE DR	TEIGMAN ELIMELECH &
8	7104 NICKI CT	BARTKOSKI JULIE & BRIAN
9	7108 NICKI CT	WOODALL ANDREW C & ELIZABETH A
10	7112 NICKI CT	KORMAN REVOCABLE TRUST
11	7120 NICKI CT	COX JAMES D & DEBORAH A
12	7119 NICKI CT	QUEK CHIN C & ELIZABETH
13	7115 NICKI CT	BLANKENSHIP BRADLEY GLEN & GINA ANNE
14	7111 NICKI CT	SEGOVIA ARMANDO DANIEL
15	7107 NICKI CT	VANGOETHEM ERIC & SABRINA
16	7112 BREMERTON CT	WORTHEN KARL L & PAMELA K
17	7116 BREMERTON CT	Taxpayer at
18	7208 DEBBE DR	ZSOKA NICHOLAS & KATHY
19	7212 DEBBE DR	FRYSH HOWARD & SANDRA
20	7216 DEBBE DR	CRISWELL BRENDA
21	7220 DEBBE DR	WEITZMAN ELLIOT & MARG

**FILE NUMBER:** BDA201-018(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Rob Baldwin for a variance to the off-street parking regulations at 906 Salmon Drive. This property is more fully described as Lot 15, Block 7/3840, and is zoned Subarea 2 within Conservation District No. 13, which 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 within an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to maintain a single-family residential accessory structure with a setback of one-foot four-inch, which will require a variance of 18-feet eight-inches to the off-street parking regulations.

**LOCATION:** 906 Salmon Drive

**APPLICANT:** Rob Baldwin, Baldwin Associates

**REQUEST:**

A request for a variance to the off-street parking regulations is made to maintain two parking spaces in an enclosed garage located one-foot four-inches from the right-of-way line adjacent to the alley or 18-feet eight-inches into the required 20-foot distance requirement from the property line adjacent to an alley on a property developed with a single-family home.

**STANDARD FOR A VARIANCE:**

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

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

(B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and



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

**STAFF RECOMMENDATION:**

Denial.

Rationale:

Staff concluded that this request is contrary to public interest. No evidence was provided to evaluate use of garage access with sufficient maneuvering space to access the site from the 10-foot paved alley without impacting adjacent properties. In addition, the applicant had not substantiated how the variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning district.

**Zoning:**

**Site:** CD No. 13, Kessler Park (Subarea 2)

**North:** CD No. 13, Kessler Park (Subarea 2)

**East:** CD No. 13, Kessler Park (Subarea 2)

**South:** CD No. 13, Kessler Park (Subarea 2)

**West:** CD No. 13, Kessler Park (Subarea 2)

**Land Use:**

The subject site and all surrounding properties are developed with single-family structures.

**Zoning/BDA History:**

- |   |   |
|---|---|
| 1. BDA189-076; Property at 931 Salmon Dr. (northwest of the site) | On Monday, June 17, 2019, the Board of Adjustment Panel C reversed the decision of the administrative official and granted the relief requested by the applicant. |
|---|---|

**GENERAL FACTS/STAFF ANALYSIS (parking variance):**

This request for a variance to the off-street parking regulations focuses on maintaining a two-car garage (enclosed structure) that would be located one-foot four-inches from the property line adjacent to the alley or as much as 18-feet eight-inches into the

required 20-foot distance requirement from the property line adjacent to the alleyway. The property is zoned Subarea 2 within CD No. 13, Kessler Park and developed with a single-family home.

Section 51(A)-4.301(a)(9) of the Dallas Development Code states that 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 a street or alley.

The submitted site plan denotes the location of the enclosed garage structure located one-foot five-inches from the alley's right-of-way line or 18-feet seven-inches into the 20-foot setback that an enclosed parking space must be from this right-of-way line. (The site plan is one inch different from the request.)

According to DCAD records, the existing one-story structure was built in 1928 and contains 1,862 square feet of floor area. A 400-square-foot detached garage and swimming pool also exist.

The subject site is flat, rectangular in shape and, according to the submitted application, contains 7,500 square feet in lot area.

Staff conducted a site visit and observed one other garage with direct alley access which managed to setback the structure to comply with the 20-foot requirement. The subject site maintains an existing driveway with access to the garage. The owner elected to open a new garage door to the alley to allow for passage without reversing.

The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked "Recommends Denial" with the following comment:

- "No evidence was provided to evaluate use of garage access with sufficient maneuvering space to access the site from the 10-foot paved alley without impacting adjacent properties."

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

- That granting the variance to the off-street parking 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 CD No. 13, Subarea 2 zoning classification.

- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same CD No. 13, Subarea 2 zoning classification.

As of February 4, 2021, staff had received one letter in opposition and none in support of the request.

If the board were to grant the request for a variance for an enclosed garage to be located one-foot four-inches from the right-of-way line adjacent to the alley or 18-feet eight-inches feet into the required 20-foot setback, staff recommends imposing the following conditions:

1. Compliance with the submitted site plan is required.
2. An automatic garage door must be installed and maintained in working order at all times.

**Timeline:**

December 18, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents that have been included as part of this case report.

January 6, 2021: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.

January 8, 2021: The Board Administrator emailed the applicant’s representative the following information:

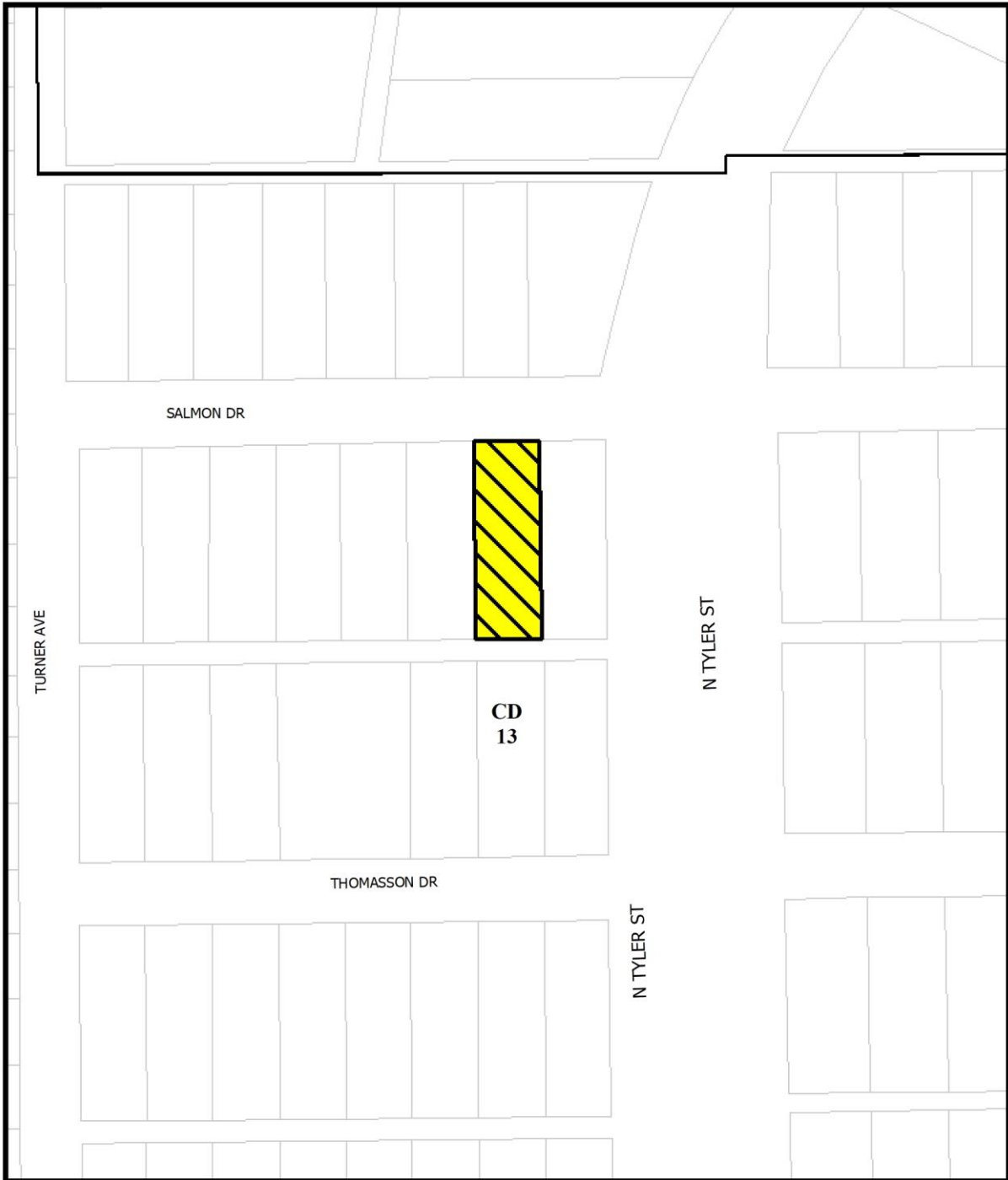
- an attachment that provided the public hearing date and panel that will consider the application; the January 26, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the February 5, 2020 deadline to submit additional evidence to be incorporated into the Board’s 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.

January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the February public hearings. Review team members in attendance included: the Sustainable Development and Construction

Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

January 28, 2021:

The Sustainable Development and Construction Senior Engineer submitted a review comment sheet marked "Recommends Denial".

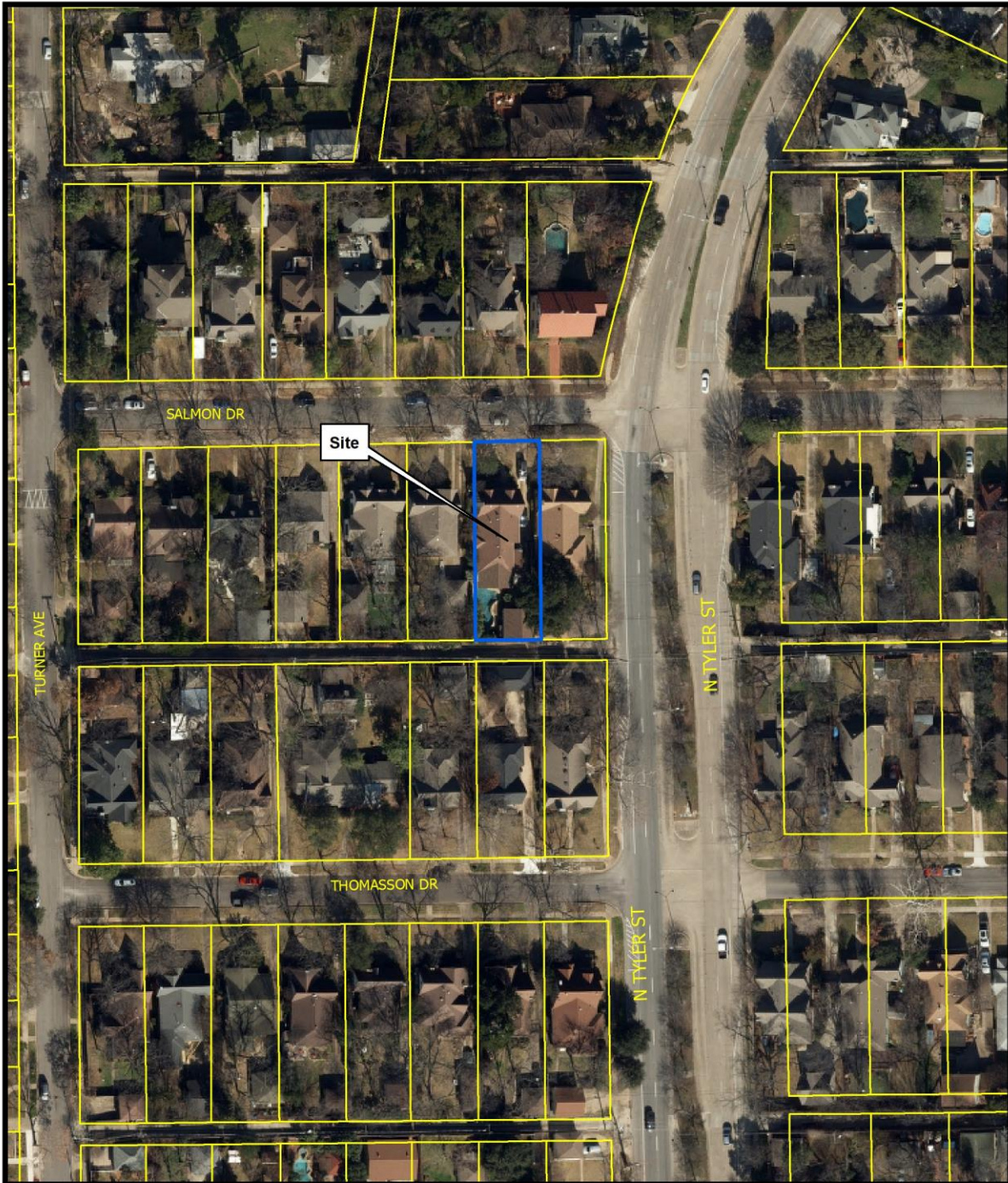


1:1,200

# ZONING MAP

Case no: BDA201-018

Date: 1/14/2021



1:1,200

# AERIAL MAP

Case no: BDA201-018

Date: 1/14/2021





City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 201-018

Date: 12-18-2020

Data Relative to Subject Property:

Location address: 906 Salmon Drive Zoning District: CD 13 (Sub 2)

Lot No.: 15 Block No.: 7/3840 Acreage: 0.62 acres Census Tract: 44.00

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): James C. Sherill, Jr.

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 \_\_\_\_\_ to the enclosed parking space 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: The existing detached garage is 1.5 feet from the rear property line. The driveway along the house is approximately 8 feet wide and there is not adequate maneuvering on-site due to the driveway width, existing pool, and fencing. Adding the additional garage door allows the owner's vehicle to use the alley and prevent damage to the home or vehicle. The CD has a demolition standard and adding the additional garage door allows the garage to be functional. Use of the alley is not a safety hazard since there is no vegetation here and only one other garage has access to the alley. 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 18th day of December, 2020  
(Rev. 08-01-11) [Signature]  
Notary Public in and for Dallas County, Texas





MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that Rob Baldwin

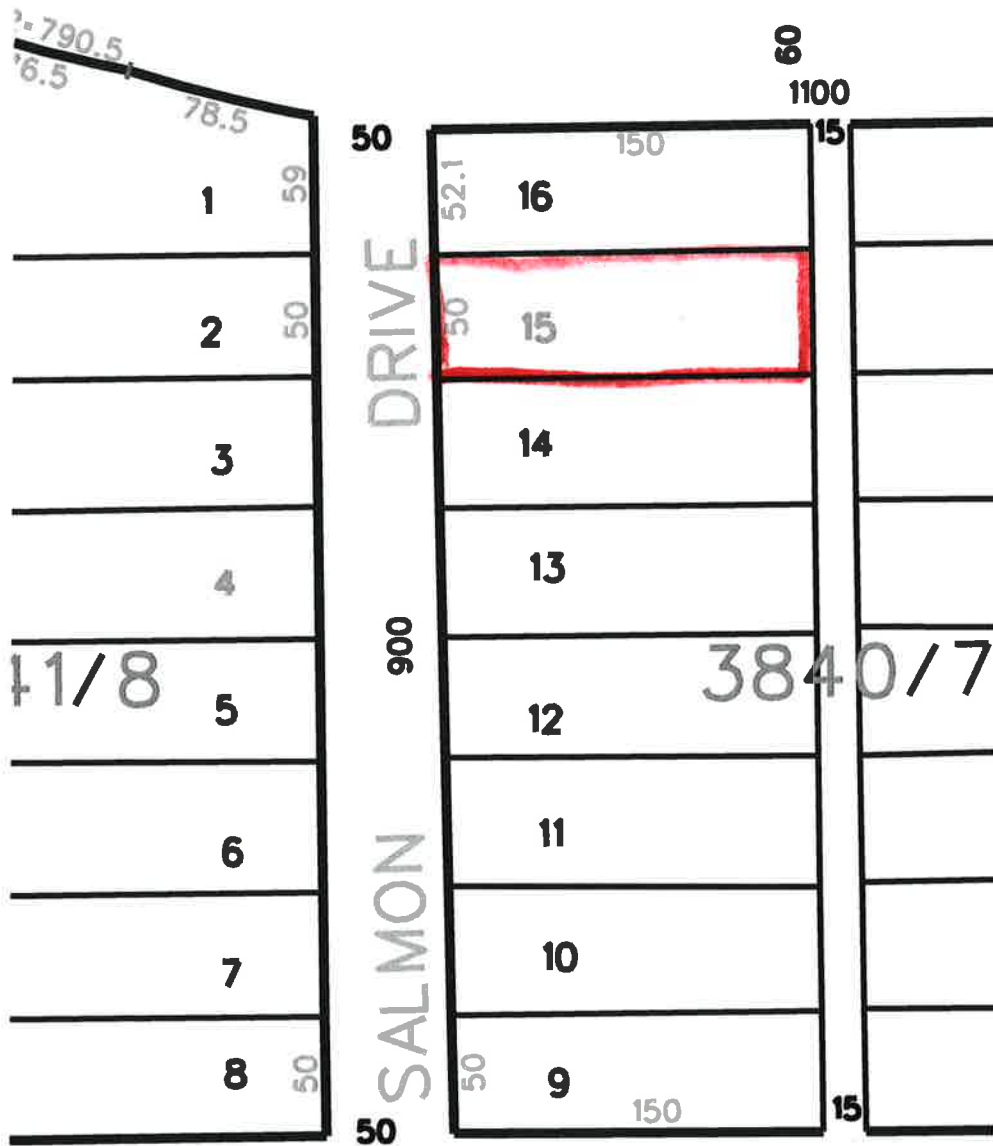
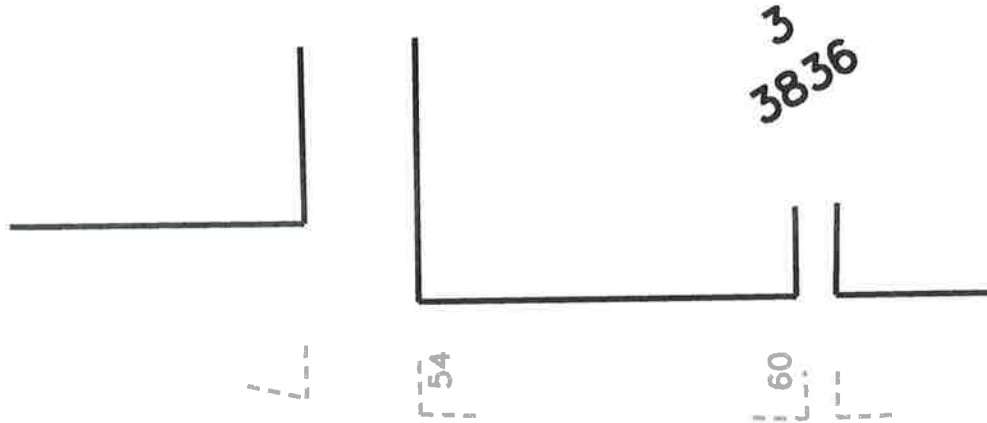
did submit a request for a variance to the off-street parking regulations

at 906 Salmon Drive

BDA201-018. Application of Rob Baldwin for a variance to the off-street parking regulation at 906 SALMON DR. This property is more fully described as Lot 15, Block 7/3840, and is zoned CD-13 (subarea 2), which 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 maintain a single family residential accessory structure with a setback of 1 feet 4 inch, which will require a variance of 18 feet 8 inch to the off-street parking regulations.

Sincerely,

  
David Session, Building Official





Printed: 12/17/2020

**Legend**

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | railroad                       | Dry Overlay           | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| <b>Floodplain</b>    | 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 5-11    |
|                      |                                | Height Map Overlay    |                            |

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

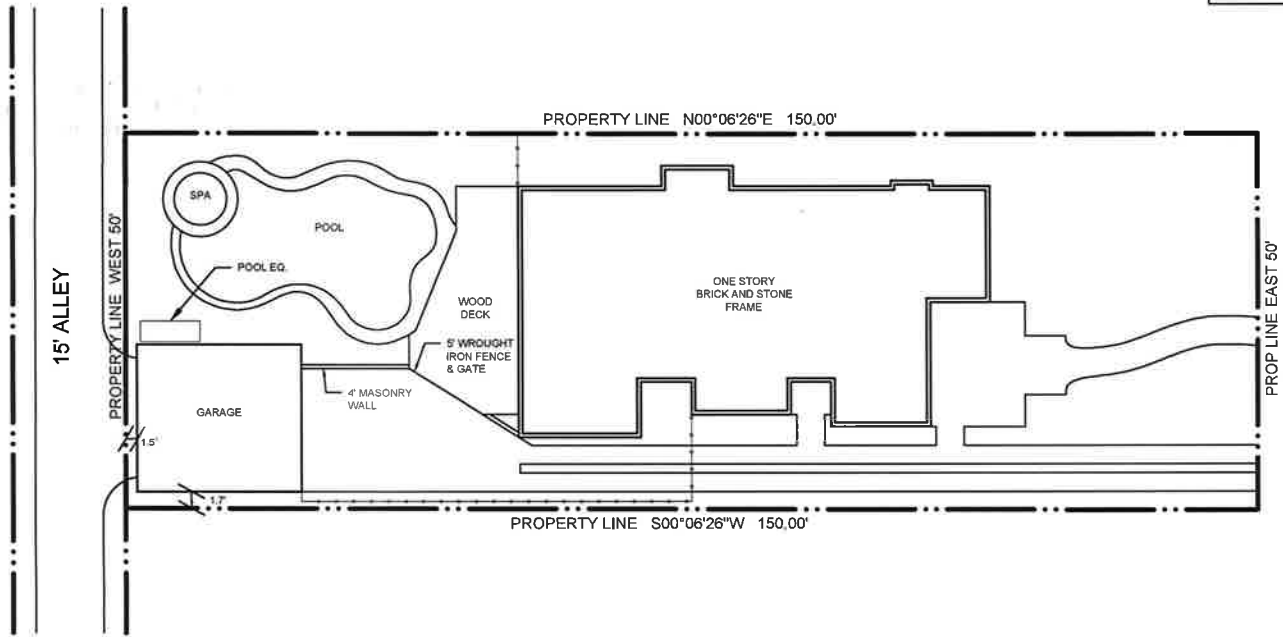




1

# SITE PLAN

SCALE: 1:16



VICINITY MAP



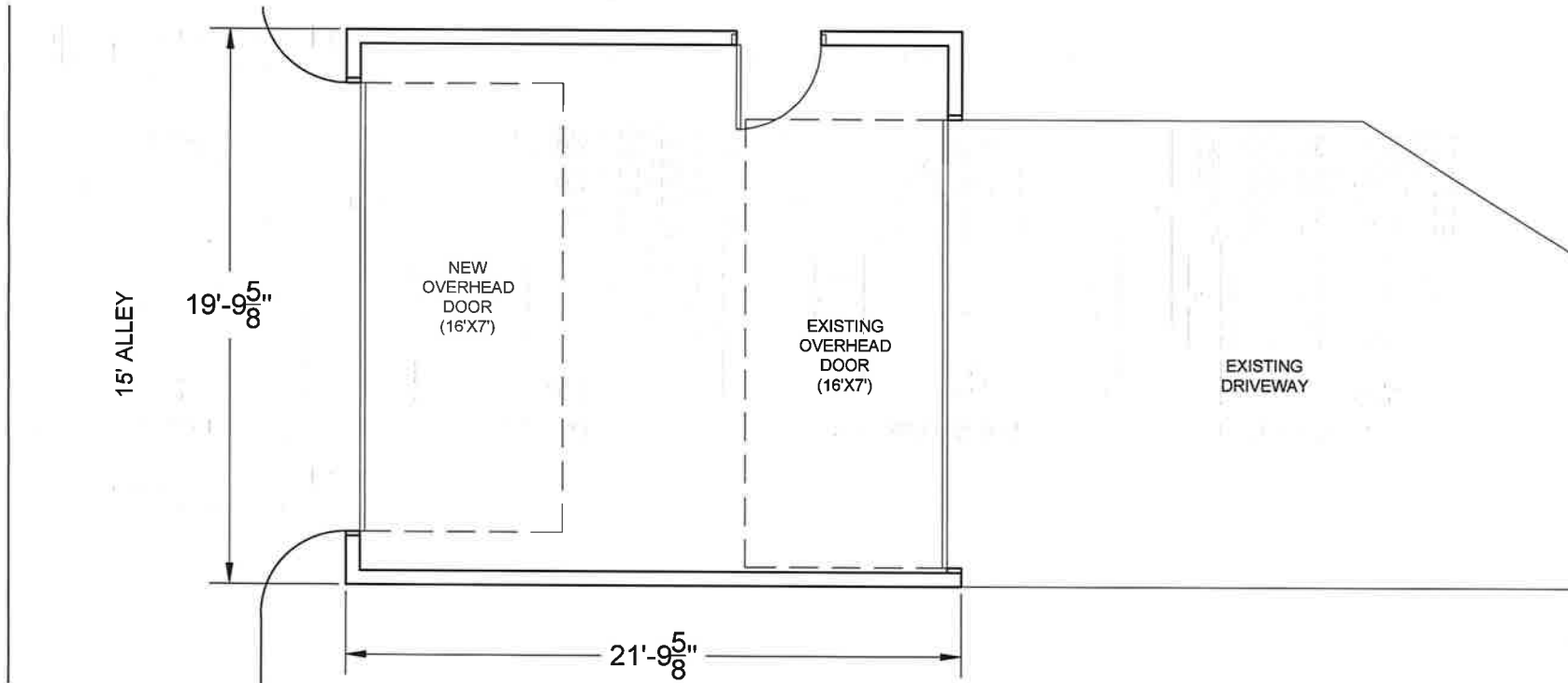
50' R.O.W.  
**SALMON DRIVE**

12/21/20  
PROJECT NUMBER  
CASE NUMBER

**BALDWIN ASSOCIATES**  
3904 Elm St, Suite B  
Dallas, Texas 75226  
MOBILE: 214.726.7949  
OFFICE: 214.824.7949  
rob@baldwinplanning.com

**Baldwin Associates**

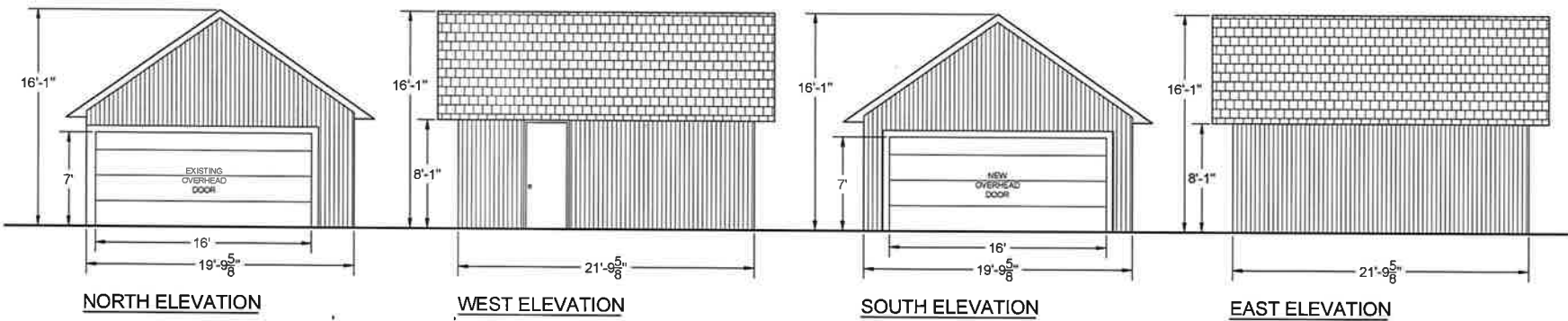
**906 Salmon Drive.**  
CITY OF DALLAS, TEXAS



1

**GARAGE FLOOR PLAN**

SCALE: 1" = 1/4"



2

**GARAGE ELEVATIONS**

SCALE: 1" = 1/8"

12/21/20  
PROJECT NUMBER  
CASE NUMBER

**BALDWIN ASSOCIATES**  
3904 Elm St., Suite B  
Dallas, Texas 75226  
MOBILE: 214 729 7949  
OFFICE: 214 624 7949  
rob@baldwinplanning.com

**Baldwin Associates**

**906 Salmon Drive.  
CITY OF DALLAS, TEXAS**



REVIEW COMMENT SHEET  
BOARD OF ADJUSTMENT  
HEARING OF FEBRUARY 18, 2021 (C)

Has no objections

Has no objections if certain conditions are met (see comments below or attached)

Recommends denial (see comments below or attached)

No comments

BDA 190-116 (OA)

BDA 201-005 (OA)

BDA 201-015 (OA)

BDA 201-018 (JM)

BDA 201-019 (OA)

COMMENTS:

***No evidence provided to evaluate use of garage access with sufficient maneuvering space to access the site from 10-ft paved alley without impacting adjacent properties.***

***NOTE: The request would likely trigger similar requests from other properties. Only one other property provides vehicular access from the alley but the overhead door is recessed from the paved alley.***

***David Nevarez, PE, PTOE, DEV - Engineering***

***1/28/2021***

Name/Title/Department

Date

Please respond to each case and provide comments that justify or elaborate on your response. Dockets distributed to the Board will indicate those who have attended the review team meeting and who have responded in writing with comments.

**BDA201-018\_ATTACHMENT\_B**

**From:** [REDACTED]  
**To:** [Munoz, Jennifer](#)  
**Subject:** Fwd: Map of Visibility Triangle  
**Date:** Thursday, February 4, 2021 9:31:36 PM  
**Attachments:** [Map of Visibility Triangle.pdf](#)

---

**External Email!**

Hi Jennifer,  
Thank you for all of the information you sent.

Attached, please find some supporting documents for our hearing.

If you have any questions, please call me.

Thank you again,  
Barb Heile  
502-419-4376

Sent from my iPad

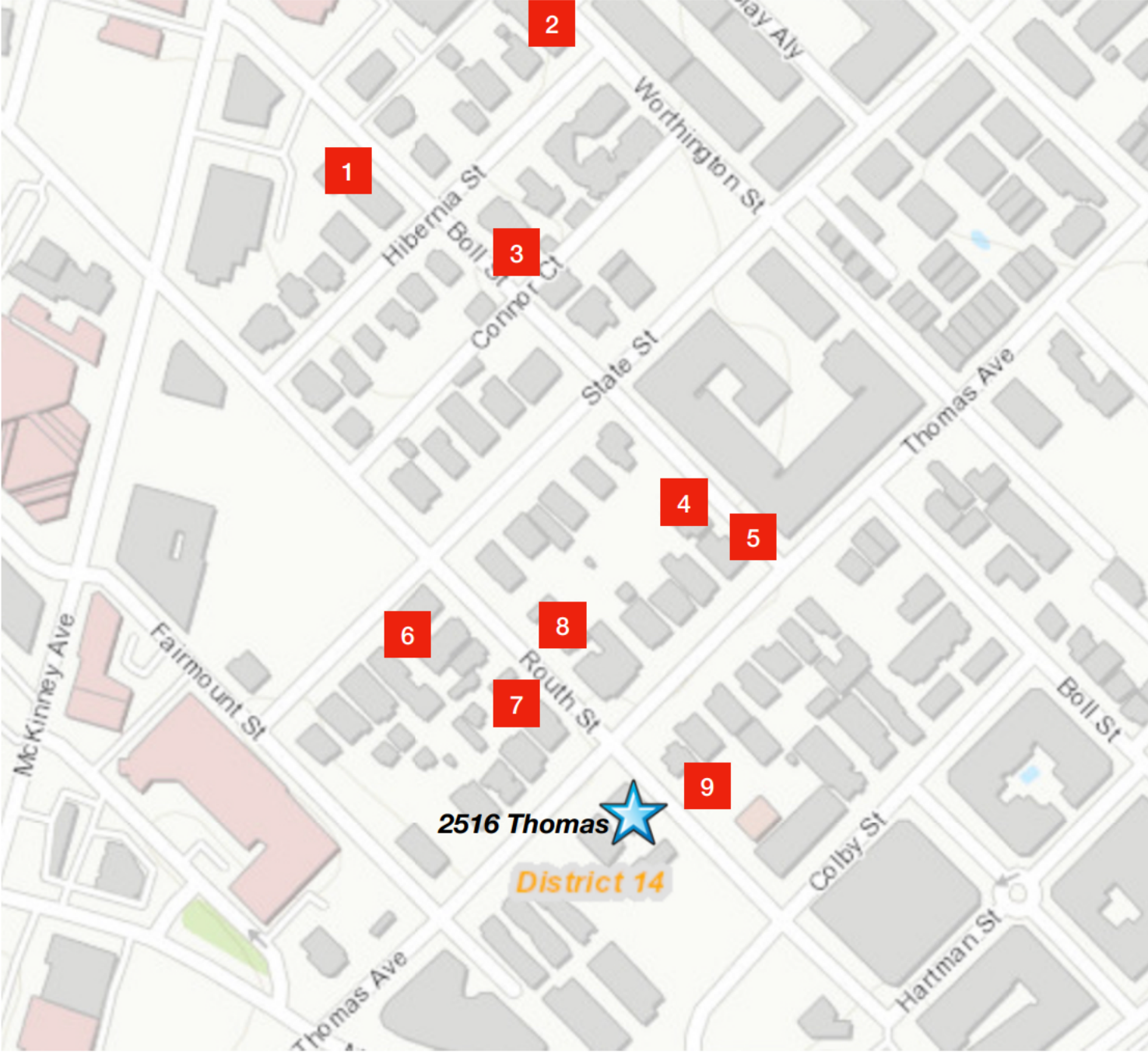
Begin forwarded message:

**From:** Scott Siers [REDACTED]  
**Date:** February 3, 2021 at 8:10:47 PM PST  
**To:** Barbara Heile [REDACTED]  
**Subject:** Map of Visibility Triangle

**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.

Thanks,  
*Scott*

**State Thomas does not have Visibility Triangles across the district**





**1) 2511 Boll. ( No Visibility Triangle )**



**2) 2501 Worthington ( No Visibility Triangle )**





**3) 2410 Boll ( No Visibility Triangle )**

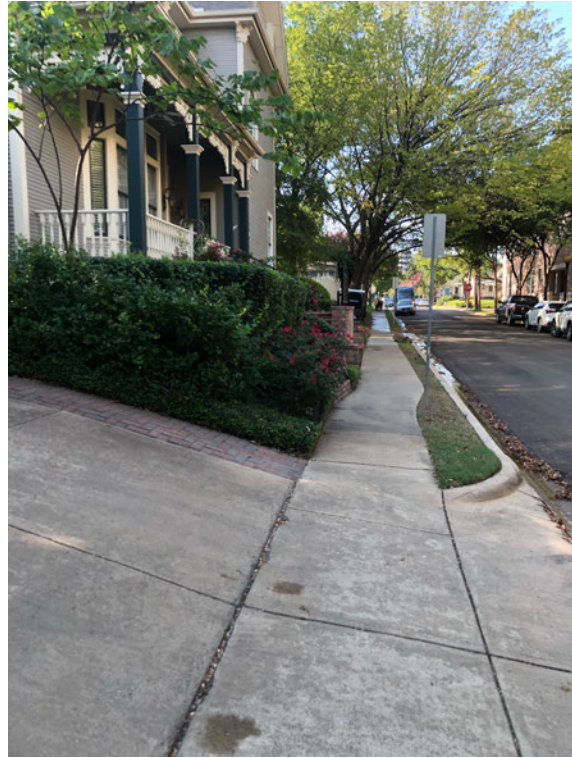


**4) 2309 Boll ( No Visibility Triangle )**





**5) 2625 Thomas ( No Visibility Triangle )**



**6) 2512 State ( No Visibility Triangle )**





**7) 2315 Routh ( No Visibility Triangle )**



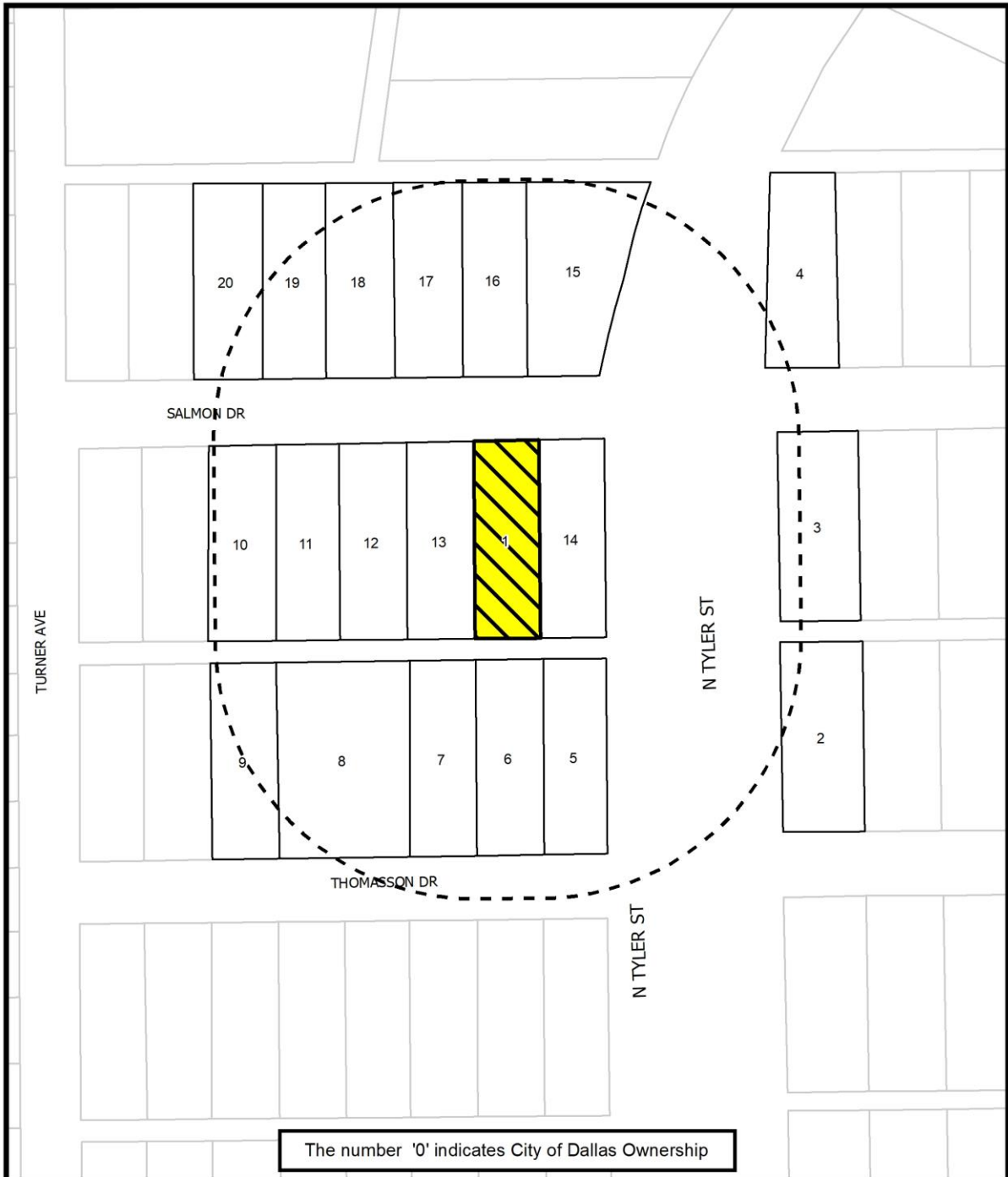
**8) 2312 Routh ( No Visibility Triangle )**





9) 2600 Thomas ( No Visibility Triangle )





1:1,200

# NOTIFICATION

**200'** AREA OF NOTIFICATION  
**20** NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA201-018**  
 Date: **1/14/2021**

01/14/2021

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

***BDA201-018***

### ***20 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	906 SALMON DR	SHERRILL JAMES C JR
2	839 THOMASSON DR	VUONG NICHOLAS M
3	838 SALMON DR	MILLER JOHN
4	839 SALMON DR	GONZALEZ ANA LAURA
5	903 THOMASSON DR	CARDOSI ANGELA KAY
6	907 THOMASSON DR	HARGETT SHARON
7	911 THOMASSON DR	Taxpayer at
8	919 THOMASSON DR	ROBISON PAMELA L
9	923 THOMASSON DR	PENLAND JOSEPH GRAY
10	922 SALMON DR	HERNANDEZ CARLOS JR
11	918 SALMON DR	SAHMEL STANLEY RAY
12	914 SALMON DR	SPINAZZOLA CATHERINE ANN
13	910 SALMON DR	TRUMBLE HERBERT A JR &
14	902 SALMON DR	ALLEN EARLYNE LANDER
15	903 SALMON DR	JACOB MAX
16	905 SALMON DR	WINNUBST ADRIAN B &
17	909 SALMON DR	WILLIAFORD NANCY A
18	915 SALMON DR	SLACK DAVID
19	919 SALMON DR	GARZA JONATHAN W & CAROLINE
20	923 SALMON DR	TAYLOR DOROTHY E TR &



**FILE NUMBER:** BDA190-116(OA)

**BUILDING OFFICIAL'S REPORT:** Application of Juan G. Cortez represented by Francisca Cortez for a variance to the side yard setback regulations at 7227 Bramlett Drive. This property is more fully described as Lot 16, Block 1/6290, and is zoned an R-7.5(A) Single Family District, which requires a side yard setback of five feet. The applicant proposes to construct and maintain a single family residential structure and provide a four-foot one-inch side yard setback, which will require an 11-inch variance to the side yard setback regulations.

**LOCATION:** 7227 Bramlett Drive

**APPLICANT:** Francisca Cortez

**REQUESTS:**

A variance to the side yard setback regulations is made to remodel and maintain an approximately 1,700-square-foot single family structure four-feet one-inch from the side property line (western) or 11 inches into the five-foot side yard setback on a site that is developed with a single family home.

**STANDARD FOR A VARIANCE:**

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

- (A) not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed, and substantial justice done.
- (B) necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- (C) not granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

**STAFF RECOMMENDATION (side yard variance):**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in the R-5(A) District considering its restrictive lot area according to the submitted site plan. The plan shows the site has a restrictive area due to a rear easement that reduces the developable area of the lot from 7,672 to 5,164 square feet after subtracting the easement so that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same R-7.5(A) zoning district.
- The applicant submitted a document (**Attachment A**) indicating, among other things, that the proposed structure on the subject site is commensurate to 15 other lots located in the same R-7.5(A) District.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-7.5(A) (Single family district)

North: R-7.5(A) (Single family district)

South: R-7.5(A) (Single family district)

East: R-7.5(A) (Single family district)

West: R-7.5(A) (Single family district)

**Land Use:**

The subject site and surrounding properties are developed with single family uses.

**Zoning/BDA History:**

There have not been any related board or zoning cases within the vicinity of the subject site within the last five years.

**GENERAL FACTS /STAFF ANALYSIS:**

The purpose of this request for a variance to the side yard setback regulations of 11 inches focuses on remodeling and maintaining an approximately 1,700-square-foot single family home structure four-feet one-inch from the side property line (western) or 11 inches into the five-foot side yard setback. This property is located in an R-7.5(A) Single Family District which requires a minimum side yard setback of five feet.

According to DCAD records, the “main improvements” for the property addressed at 7227 Bramlett Drive, include a single family structure built in 1949 with 690 square feet of living/total area. DCAD shows an 804-square-foot room addition and a 140-square-foot detached storage building for this property.

The subject site is flat, virtually rectangular (approximately 137 feet x 56 feet), and according to the submitted application, is 0.177 acres (or 7,672 square feet) in area. The site is zoned an R-7.5(A) Single Family District where lots are typically 7,500 square feet in area. The subject site has a 14-foot four-inch easement that reduces the development area for this property to 6,888 square feet.

The submitted site plan indicates the proposed structure is to be located 11 inches from the west side property line or four-feet one-inch into this five-foot side yard setback.

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

- That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) Single Family District zoning classification.
- The variance would not be granted to relieve a self-created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) Single Family District zoning classification.

If the board were to grant the variance request and impose the submitted site plan as a condition, the structure in the side yard setbacks would be limited to what is shown on this document– which in this case is a structure that would be located 11-inches from the west side property line or four-feet one-inch into this five-foot side yard setback.

**Timeline:**

November 2, 2020: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 5, 2020: The Board of Adjustment Secretary assigned this case to the Board of Adjustment Panel C.

November 6, 2020: The Board 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 November 24, 2020 deadline to submit additional evidence for staff to factor into their analysis; and the December 4, 2020 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."

December 1, 2020: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Department Building Inspection Senior Plans Examiner, the Sustainable Development and Construction Assistant Director of Engineering, the Sustainable Development and Construction Senior Engineer, Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the board.

December 14, 2020: The Board of Adjustment Panel B conducted a public hearing on this application, and delayed action on this application until the next public hearing to be held on February 18, 2021.

December 18, 2020: The Board Administrator wrote the applicant a letter of the board's action; the January 26<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the February 5<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials.

January 24, 2021: The applicant submitted additional information to staff beyond what was submitted with the original application (**Attachment A**).

January 28, 2021: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the March public hearings. Review team members in attendance included: the



Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Project Engineer, the Sustainable Development and Construction Department Senior Planner, and the Assistant City Attorney to the Board.

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

**BOARD OF ADJUSTMENT ACTION: DECEMBER 14, 2020**

**APPEARING IN FAVOR:** Francisca Cortez 7227 Bramlett Dallas, TX  
(unavailable- req for hold)

**APPEARING IN OPPOSITION:** Jayne Manning 7221 Bramlett Dallas, TX

**MOTION: Hounsel**

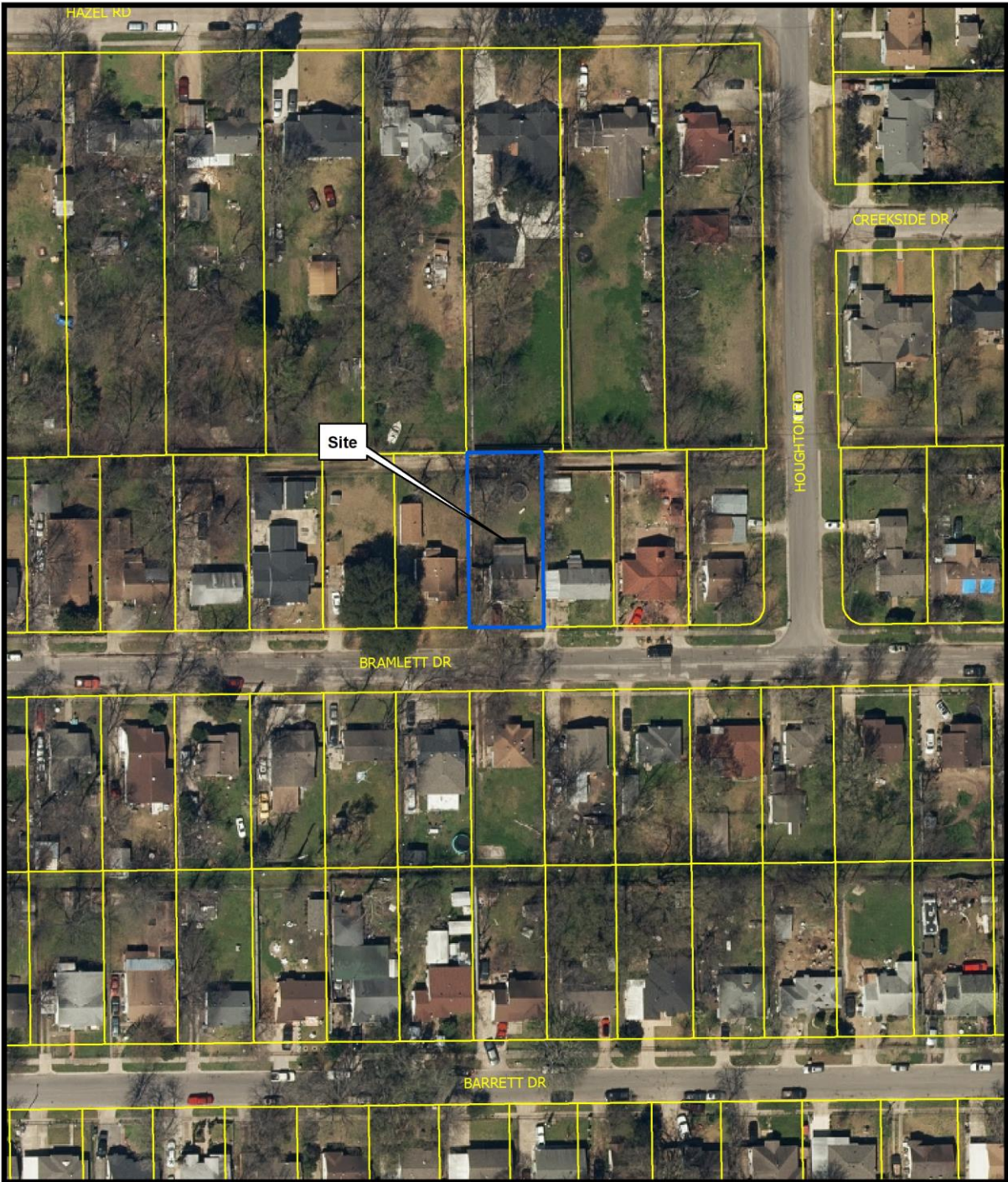
I move that the Board of Adjustment, in Appeal No. BDA 190-116 **hold** this matter under advisement until February 18, 2021.

**SECONDED: Agnich**

**AYES:** 4 - Agnich, Hounsel, Sashington, Pollock

**NAYS:** 0 -

**MOTION PASSED (unanimously):** 4 - 0



1:1,200

# AERIAL MAP

Case no: BDA190-116

Date: 11/23/2020



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 190-116

Data Relative to Subject Property:

Date: 11-2-20

Location address: 7227 Bramlett Dr Zoning District: R-7.5 (K)

Lot No.: 16 Block No.: 1/6296 Acreage: .177 Census Tract: 93.01

Street Frontage (in Feet): 1) 56' 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Juan G.

Applicant: Juan G. Cortez Telephone: 214-758-9560

Mailing Address: 7227 Bramlett Dr Zip Code: 75217

E-mail Address: Francisca.Cortez@yahoo.com

Represented by: Francisca Cortez Telephone: 214-797-9486

Mailing Address: 7227 Bramlett Dr Zip Code: 75217

E-mail Address: Francisca.Cortez@yahoo.com

Affirm that an appeal has been made for a Variance , or Special Exception \_\_\_\_\_, of 10" to the Required 5' 5y 5B + provide A 4' 2" 5y 5B

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:

I would be very grateful for the extra space I want over the reason been I have a big family and extra space could mean will will to use and we are in need in more space for are family. Also are house was to small and are family is growing.

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

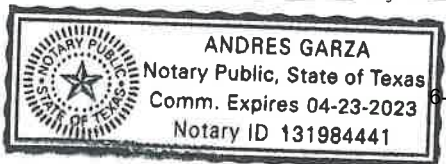
Before me the undersigned on this day personally appeared Juan G. Cortez  
(Affiant/Applicant's name printed)

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: Juan Cortez  
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 1st day of November, 2020

(Rev. 08-01-11)



Notary Public in and for Dallas County, Texas



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

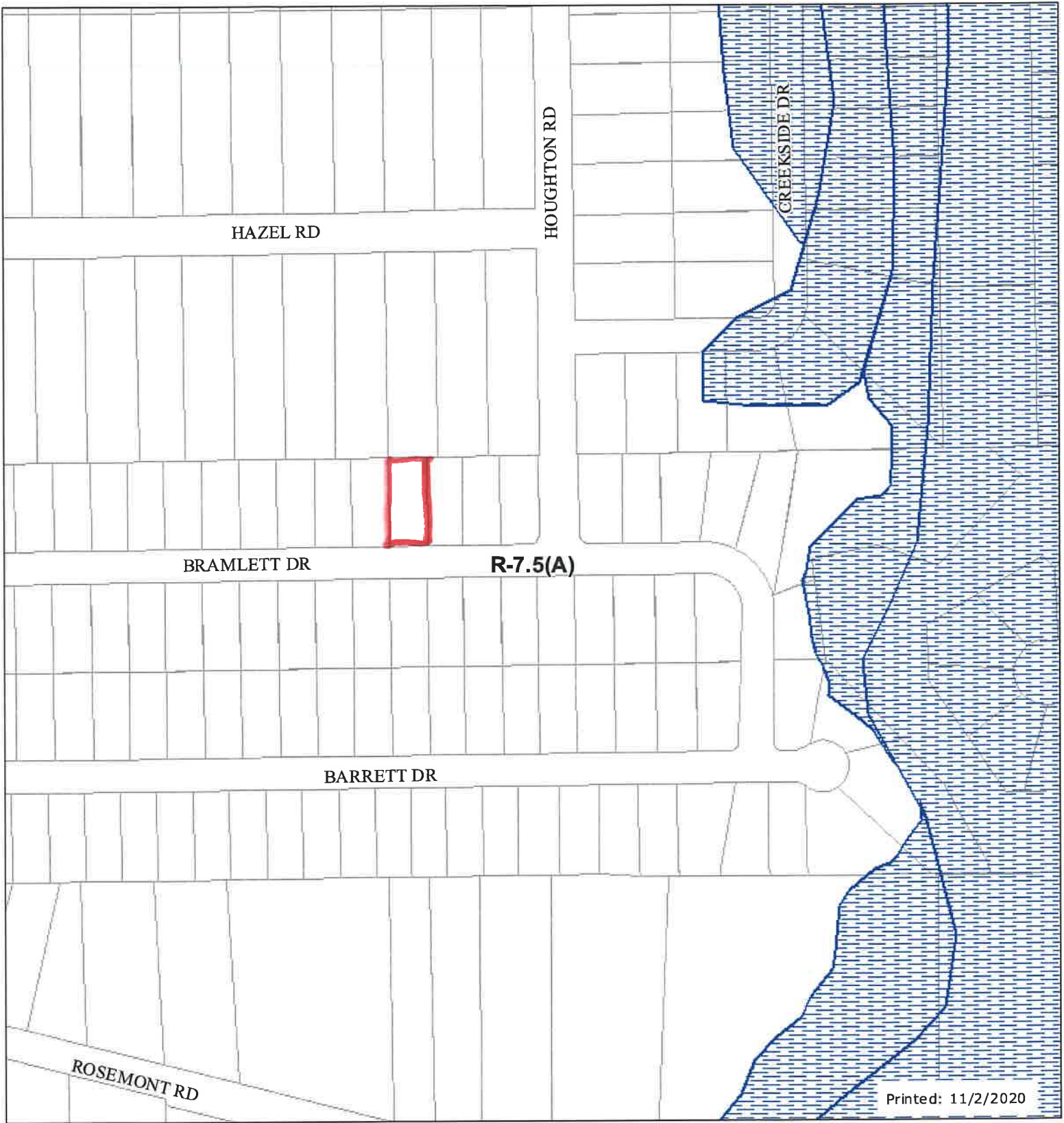
I hereby certify that JUAN G CORTEZ  
represented by FRANCISCA CORTEZ  
did submit a request for a variance to the side yard setback regulations  
at 7227 Bramlett Drive

BDA190-116. Application of JUAN G CORTEZ represented by FRANCISCA CORTEZ for variance to the side yard setback regulations at 7227 BRAMLETT DR. This property is more fully described as Lot 16, Block 1/6290, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 4 foot 1 inch side yard setback, which will require an 11 inch variance to the side yard setback regulations.

Sincerely,

  
David Session, Building Official





Printed: 11/2/2020

### Legend

- |                      |                                |                       |                            |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits          | railroad                       | <b>Dry Overlay</b>    | CD Subdistricts            |
| School               | Certified Parcels              | D                     | PD Subdistricts            |
| <b>Roadplain</b>     | Base Zoning                    | D-1                   | PDS Subdistricts           |
| 100 Year Flood Zone  | PD193 Oak Lawn                 | CP                    | NSO Subdistricts           |
| Mill's Creek         | Dallas Environmental Corridors | SP                    | NSO_Overlay                |
| Peak's Branch        | SPSD Overlay                   | MD Overlay            | Escarpment Overlay         |
| X Protected by Levee | Deed Restrictions              | Historic Subdistricts | Parking Management Overlay |
| Parks                | SUP                            | Historic Overlay      | 6-9 Shop Front Overlay     |
|                      |                                | 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)







**B & D SURVEYING, INC.**

FIRM NO. 101247-00



P.O. BOX 293264  
LEWISVILLE, TEXAS 75029  
PHONE: 972-221-2838  
bd@bandsurveying.com

DATE: 08/26/2020  
B & D JOB #: 20080770  
TECH: JAV

**LEGEND**

	CONCRETE		WOOD FENCE
	BRICK		CHAIN LINK FENCE
	ASPHALT		WROUGHT IRON FENCE
	WOOD		WOOD POST ONLY
	STONE		OVERHEAD TELEPHONE LINE
"B&D" = RED CAP STAMPED "B&D SURVEYING"			OVERHEAD ELECTRIC LINE
PRDCT = PLAT RECORDS DALLAS COUNTY, TEXAS			IRF(S) = IRON ROD FOUND (SET)
			IPF = IRON PIPE FOUND
			CM = CONTROLLING MONUMENT
			FD. = FOUND MON.

**BOUNDARY SURVEY**

COPYRIGHT © 2020 B & D SURVEYING INC. ALL RIGHTS RESERVED



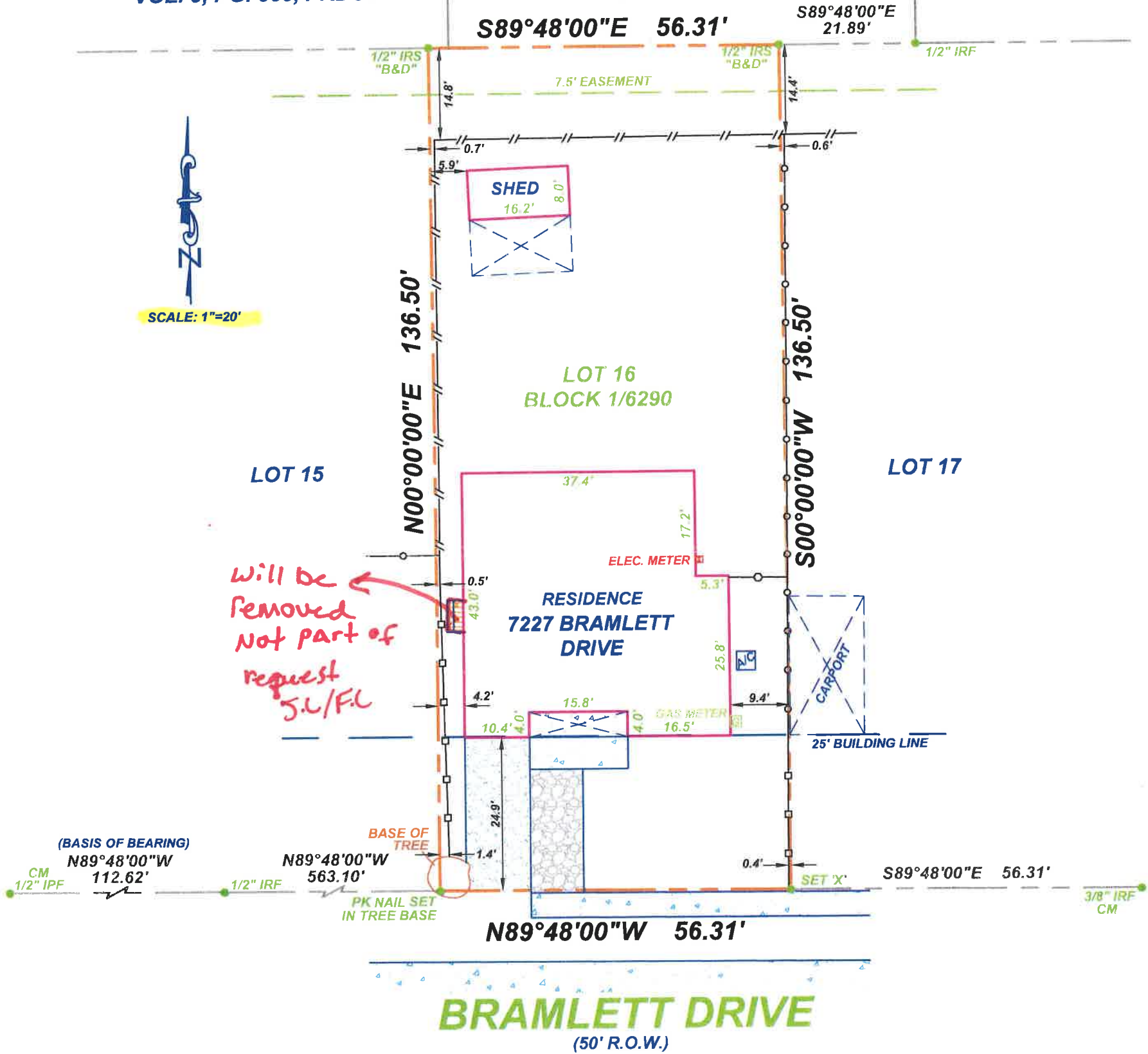
GF#: N/A

**Juan G. Cortez**  
7227 Bramlett Drive  
Dallas, Texas 75217

LOT 11, BLOCK 3/6292  
CLOVER LAWN SUBDIVISION  
VOL. 9, PG. 359, PRDCT

LOT 12, BLOCK 3/6292  
CLOVER LAWN SUBDIVISION  
VOL. 9, PG. 359, PRDCT

LOT 13, BLOCK 3/6292  
CLOVER LAWN SUBDIVISION  
VOL. 9, PG. 359, PRDCT



**PROPERTY DESCRIPTION**

7227 BRAMLETT DRIVE, LOT 16 IN BLOCK 1/6290, OF GROVE HAVEN ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 13, PAGE 333, MAP RECORDS, DALLAS COUNTY, TEXAS.

**SURVEYORS CERTIFICATION**

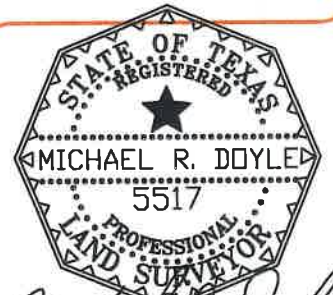
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS CORRECT, AND TO THE BEST OF MY KNOWLEDGE THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS AND EASEMENTS OF RIGHT-OF-WAY THAT I HAVE BEEN ADVISED OF EXCEPT AS SHOWN HEREON. SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

**FLOOD STATEMENT**

THE PROPERTY DESCRIBED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 48113C0505J PRESENT EFFECTIVE DATE OF MAP AUGUST 23, 2001, HEREIN PROPERTY SITUATED WITHIN ZONE X (UNSHADED).

**GENERAL NOTES**

- 1.) THE BASIS OF BEARING FOR THIS SURVEY WAS DERIVED FROM DATA PROVIDED ON THE RECORDED PLAT.
- 2.) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.
- 3.) THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE NAMED CLIENT, MORTGAGE COMPANY, TITLE COMPANY, AND IS MADE PURSUANT TO THAT ONE CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER, IF ANY, LISTED HEREON.
- 4.) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, THE VESTING DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY OR PROVIDED BY THE CLIENT/TITLE COMPANY LISTED HEREON. B & D SURVEYING, INC. MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH ITEMS AND HAS MADE NO ATTEMPTS TO OBTAIN OR SHOW ANY ADDITIONAL RESTRICTIONS ON OR NEAR THIS PROPERTY PUT IN PLACE BY LOCAL MUNICIPALITIES OR ASSOCIATIONS.
- 5.) BEFORE STARTING ANY CONSTRUCTION, CALL DIGTEST TO LOCATE ANY POSSIBLE UNDERGROUND LINES. "CALL 811 BEFORE YOU DIG, ITS THE LAW."
- 6.) THE EXISTING UTILITIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF VISIBLE, ABOVE GROUND EVIDENCE. UNDERGROUND UTILITIES AND OTHER MINOR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. B & D SURVEYING, INC. IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, OR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.
- 7.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF TITLE COMMITMENT; THEREFORE, NO SEARCH OF RECORDED EASEMENTS WAS PERFORMED.
- 8.) RECORDED PLAT DOES NOT REFERENCE TYPE OF MONUMENTS SET BY ORIGINAL SURVEYOR, ENGINEER OR DEVELOPER. THEREFORE, ORIGINAL MONUMENTS MAY OR MAY NOT HAVE BEEN SET.



*Michael R. Doyle*  
FIELD SURVEY DATE: 08/26/2020  
THIS SURVEY IS VALID ONLY WITH THE ORIGINAL SIGNED HARD COPIES.





OWNER

No.	REVISION/ISSUE	DATE

PROJECT NAME

### SINGLE FAMILY RESIDENCE

ADDRESS

7227 BRAMLETT DR  
DALLAS, TEXAS 75217

SHEET TITLE:

### FLOOR PLAN

SCALE

3/16" = 1'-0"

DRAWN BY:

REVISED BY:

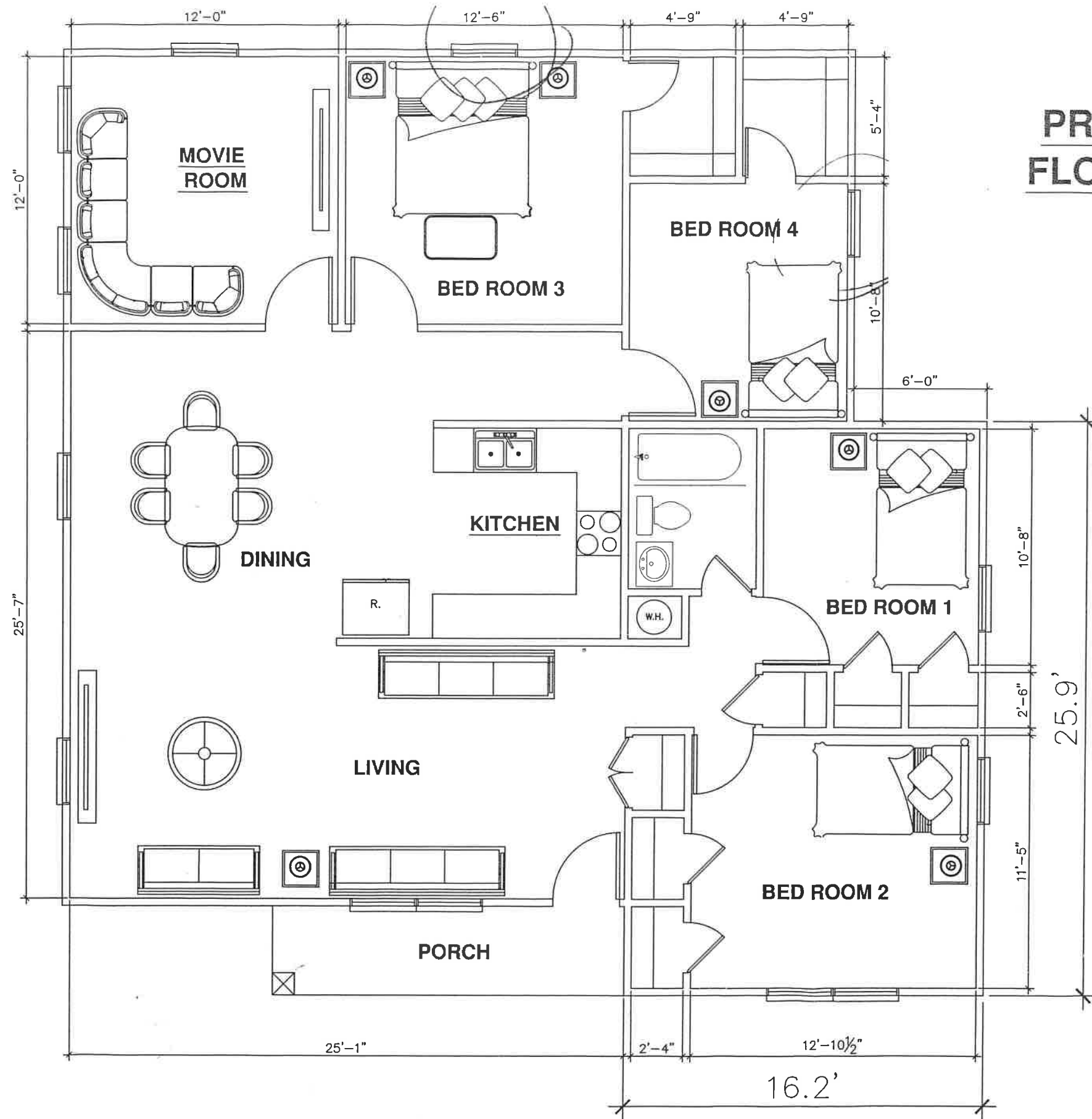
ISSUED FOR

SHEET No.

DATE  
09.23.2018

**3.0**

# PROPOSED FLOOR PLAN



**7227 Bramlett Dr**

- Zoning is R7.5(A) requires a lot to be a minimum of 7500 square feet. My lot is only 7,713 square feet
- We also have on the rear of the yard a setback because of the alley with a 7 foot setback to it and we have a storage building as well there was a big tree right in front of the storage building. Then we decided not build to the rear of house cause there was not sufficient room to the back yard.
- However we decided to add more to the side of the house but the only thing we have is a setback of 5 feet structure and we went over just by a bite and provided a 4 foot 1 inch to side yard setback. So then we need a 11 inch variance to the side yard setback yard regulation.
- To continue we would appreciate it if y'all would accept it and let us finish up with a place because the place is small and not enough room for are kids because we have 4kids living in a 2bedroom home and they grow up and they need their space instead of sharing the room with their sibling. We would appreciate it.

<b>Address</b>	<b>Street</b>	<b>Living Area (SQFT)</b>	<b>Lot Size(SQFT)</b>	<b>Structure Size</b>
1064	Creekside	1,740	15,506	1 Attached Garage
1134	Creekside	1,967	27,228	1 Attached Garage Pool
1117	Creekside	1,702	11,588	1 Storage Building 2 Attached Garage

1100	Houghton	1,692	12,946	
7319	Barrett	1,256	8,815	1 Detached garage
7306	Barret	1,334	8,003	3 Storage Room 5 Room Addition
7231	Barret	1,029	7,244	1 Attached Garage
7203	Barret	1,150	7,499	1 Storage Building 2 Room Addition
7143	Barret	1,278	7,574	1 Storage Building
7132	Barret	1,155	7,406	1 Attached Garage
7131	Barret	1,248	7,718	1 Attached Carport
7127	Barret	1,118	7,589	1 Detached Garage
7124	Barret	1,188	7,610	1 Storage Building 2 Detached Garage
7106	Hazel	2,124	12,750	1 Storage Building 2 Attached Carport
7141	Hadley	1,556	22,217	1 Attached Carport
7207	Hadley	2,070	23,545	1 Detached Garage 2 Out Building

YO Juan G Ramirez vivo en  
7231 Bramlett St Dallas TX  
No me perjudica Nada de  
Constroccion de Respecto a la  
Casa de mi vecino fienes  
alguna pregunta ablame  
469 464 68 08 Juan Ramirez



To whom this may concern,

The additional inches that were added to the house at 7227 Bramlett drive, is not a problem or issue for us at 7234 Bramlett drive.

Carolyn Martin

# Contractor's Authorization

Trade Type: Building

Sustainable Development and Construction | Building Inspection Division | www.dallascityhall.com

District Office SE

**Validation #:** 1902111058101

**Address:** 7227 BRAMLETT DR 75217

**Issue Date:** 02/11/2019

**Land Use Description:** SINGLE FAMILY DWELLING

**Work Description:** 1112-ADDITION TO SFD

**Authorized Date:** 02/11/2019  
**Owner Or Tenant:** JUAN CORTEZ  
7227 BRAMLETT DR, DALLAS TEXAS 752174670 UNITED STATES OF AMERICA

**Applicant:** JUAN G CORTEZ  
**Contractor:** JUAN G CORTEZ  
**Business Address:** 7227 BRAMLETT DR,  
**Telephone:** 469/688-6029

**Fax:**

Lot:	16	Block:	1/6290	Zoning:	R-7.5(A)	PDD:		SUP:	
Historic Dist:		Consrv Dist:		Pro Park:	1	Req Park:	1	Park Agrmt:	N
Dwlg Units:		Stories:		New Area:	802	Lot Area:	7686	Total Area:	802
Type Const:	VB	Sprinkler:	None	Occ Code:	R3	Occ Load:			

**For inspections call 214/670-5313, 24 hours. You will need your validation number 1902111058101 and one of the inspection types from the list below.**

120 Pier, Foundation, Excavation	123 Floor Joists	127 Frame Walls
130 Frame All	132 Frame Other	140 Final

**Your inspector is: Steve Cunningham at (214) 670-8180**

Note: 7 AM cut-off for same day inspections!! Reinspection fees will be charged if the work is not ready or property is inaccessible. For partial inspection of area or additional assistance, call (214) 670-8160 from 8 AM to 4:30 PM Monday through Friday.



# Contractor's Authorization

Trade Type: Building

Sustainable Development and Construction | Building Inspection Division | www.dallascityhall.com

District Office SE

**Validation #:** 1902111058101  
**Address:** 7227 BRAMLETT DR 75217  
**Issue Date:** 02/11/2019  
**Land Use Description:** SINGLE FAMILY DWELLING  
**Work Description:** 1112-ADDITION TO SFD

**Authorized Date:** 02/11/2019  
**Owner Or Tenant:** JUAN CORTEZ  
7227 BRAMLETT DR , DALLAS TEXAS 752174670 UNITED STATES OF AMERICA  
**Applicant:** JUAN G CORTEZ  
**Contractor:** JUAN G CORTEZ  
**Business Address:** 7227 BRAMLETT DR,  
**Telephone:** 469/688-6029 **Fax:**

Lot:	16	Block:	1/6290	Zoning:	R-7.5(A)	PDD:	SUP:		
Historic Dist:		Consv Dist:		Pro Park:	1	Req Park:	1	Park Agrmt:	N
Dwlg Units:		Stories:		New Area:	802	Lot Area:	7686	Total Area:	802
Type Const:	VB	Sprinkler:	None	Occ Code:	R3	Occ Load:			

**For inspections call 214/670-5313, 24 hours. You will need your validation number 1902111058101 and one of the inspection types from the list below.**

120 Pier, Foundation, Excavation	123 Floor Joists	127 Frame Walls
130 Frame All	132 Frame Other	140 Final

**Your inspector is: Steve Cunningham at (214) 670-8180**

Note: 7 AM cut-off for same day inspections!! Reinspection fees will be charged if the work is not ready or property is inaccessible. For partial inspection of area or additional assistance, call (214) 670-8160 from 8 AM to 4:30 PM Monday through Friday.

# Permit # 1902111058

Issue Date: 02/11/2019

Sustainable Construction and Development | Building Inspection Division | 214/948-4480 | www.dallascityhall.com

Address: **7227 BRAMLETT DR 75217**

Land Use Description: SINGLE FAMILY DWELLING

Work Description: ADDITION TO SFD

Value Of Work: \$68,972.00

Owner Or Tenant: JUAN CORTEZ  
7227 BRAMLETT DR, DALLAS TEXAS 752174670 UNITED STATES OF AMERICA

Applicant: JUAN G CORTEZ  
Contractor: JUAN G CORTEZ  
Business Address: 7227 BRAMLETT DR, DALLAS, TX 75217  
Telephone: 469/688-6029 Fax:

Lot:	16	Block:	1/629C	Zoning:	R-7.5(A)	PDD:		SUP:	
Historic Dist:		Consv Dist:		Pro Park:	1	Req Park:	1	Park Agrmt:	N
Dwlg Units:		Stories:		New Area:	802	Lot Area:	7686	Total Area:	802
Type Const:	VB	Sprinkler:	None	Occ Code:	R3	Occ Load:			
Inches Of Removed Trees:									

ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.

*Plasior  
Bar  
Lepp*

This document is issued on the basis of information furnished in the application and is subject to the provisions of all governing ordinances, which must be complied with, whether or not herein specified.

**THIS DOCUMENT SHALL BE POSTED AT WORK SITE AND IS SUBJECT TO CANCELLATION UPON NOTICE.**



# Contractor's Authorization

Trade Type: Green

Sustainable Development and Construction | Building Inspection Division | www.dallascityhall.com

District Office SE

**Validation #:** 1902111058261  
**Address:** 7227 BRAMLETT DR 75217  
Issue Date: 02/11/2019  
Land Use Description: SINGLE FAMILY DWELLING  
Work Description:

Authorized Date:  
Owner Or Tenant: JUAN CORTEZ  
7227 BRAMLETT DR , DALLAS TEXAS 752174670 UNITED STATES OF AMERICA

Applicant: JUAN G CORTEZ  
Contractor:  
Business Address:  
Telephone:

Fax:

Lot:	16	Block:	1/6290	Zoning:	R-7.5(A)	PDD:	SUP:		
Historic Dist:		Consrv Dist:		Pro Park:	1	Req Park:	1	Park Agmt:	N
Dwlg Units:		Stories:		New Area:	802	Lot Area:	7686	Total Area:	802
Type Const:	VB	Sprinkler:	None	Occ Code:	R3	Occ Load:			

**For inspections call 214/670-5313, 24 hours. You will need your validation number 1902111058261 and one of the inspection types from the list below.**

801 Contact your 3rd party green provider

**Your inspector is: Meenal Chauk at (214) 948-4091**

Note: 7 AM cut-off for same day inspections!! Reinspection fees will be charged if the work is not ready or property is inaccessible. For partial inspection of area or additional assistance, call (214) 670-8160 from 8 AM to 4:30 PM Monday through Friday.

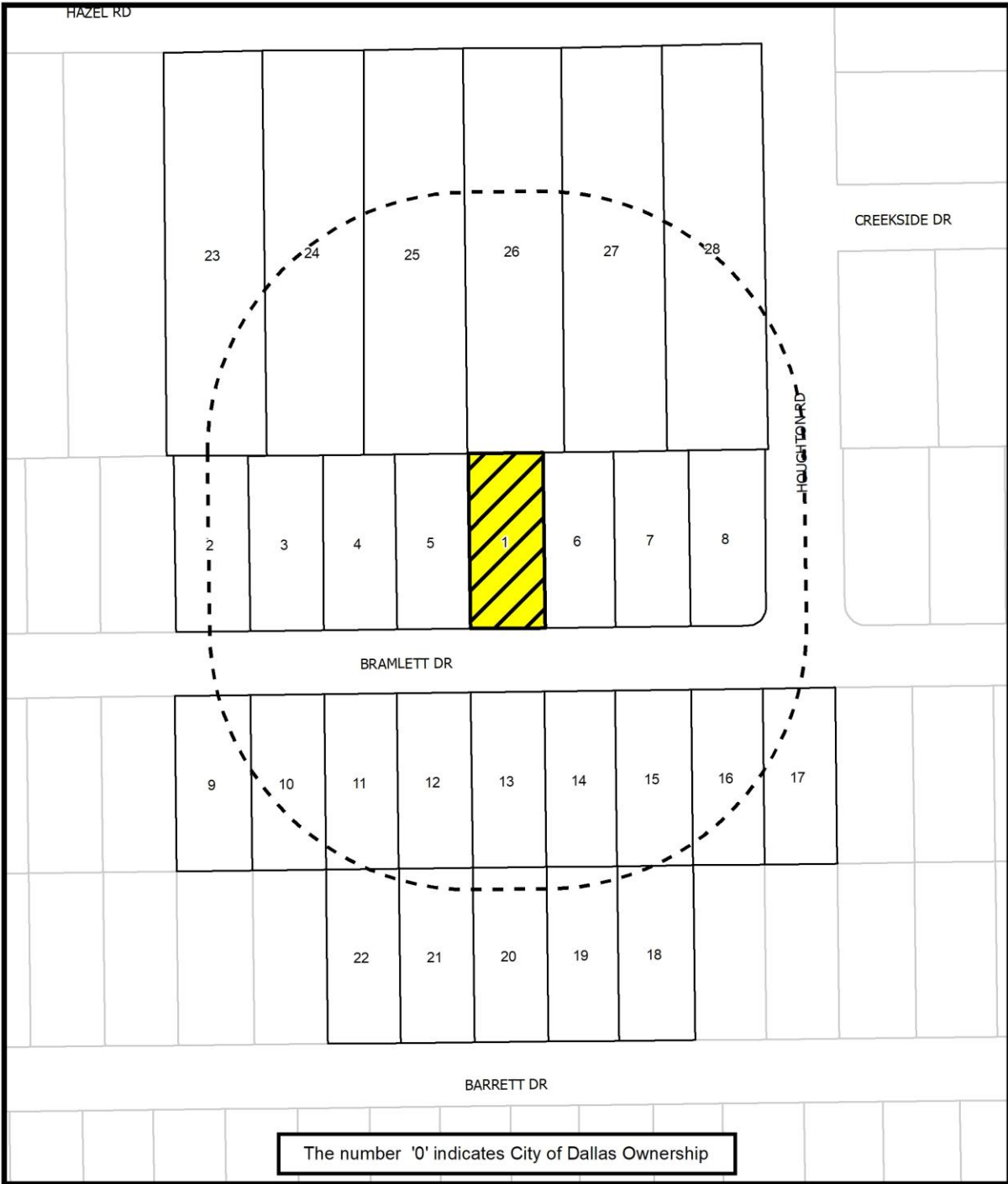


1:1,200

# ZONING MAP

Case no: BDA190-116

Date: 11/23/2020



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <p> <span style="border: 1px solid black; padding: 2px;">200'</span> AREA OF NOTIFICATION  <span style="border: 1px solid black; padding: 2px;">28</span> NUMBER OF PROPERTY OWNERS NOTIFIED         </p>	<p>Case no: <b>BDA190-116</b></p> <p>Date: <b>11/23/2020</b></p>
--	---	--

11/20/2020

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

### ***BDA190-116***

#### ***28 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	7227 BRAMLETT DR	CORTEZ JUAN G
2	7207 BRAMLETT DR	CASTRO CARLOS
3	7211 BRAMLETT DR	MARTINEZ RAYMOND ROBERT &
4	7217 BRAMLETT DR	DELAROSA MARY L
5	7221 BRAMLETT DR	MANNING JAYNE LAVON
6	7231 BRAMLETT DR	RAMIREZ JUAN GABRIEL
7	7235 BRAMLETT DR	VILLASENOR ESTHER &
8	7239 BRAMLETT DR	AYALA BETTIE IRENE
9	7206 BRAMLETT DR	LOPEZ NEMIAS
10	7210 BRAMLETT DR	HERNANDEZ JUAN
11	7216 BRAMLETT DR	JER REALTY INC
12	7220 BRAMLETT DR	OROZCO VIRIDIANA
13	7226 BRAMLETT DR	IPINA RAUL
14	7230 BRAMLETT DR	GALAVIZ CARLOS & ROSALBA SECILLON
15	7234 BRAMLETT DR	ALLINDER PROPERTIES LLC
16	7238 BRAMLETT DR	FLORES JORGE IBARRA
17	7242 BRAMLETT DR	OBREGON NELLY
18	7235 BARRETT DR	MARTINEZ GILDARDO R
19	7231 BARRETT DR	FIGUEROA MANUEL A & ROSA
20	7227 BARRETT DR	MARTINEZ ENRIQUE
21	7221 BARRETT DR	THOMPSON DARRELL
22	7217 BARRETT DR	HERNANDEZ CELIA
23	7206 HAZEL RD	CASTILLO JOSE DE TRANSITO
24	7212 HAZEL RD	MORALES ALMA E
25	7218 HAZEL RD	JORDAN ROBERT L &
26	7224 HAZEL RD	DIAZ ARMANDO & ANTONIA
27	7230 HAZEL RD	HERIBERTO CHAPARRO
28	7236 HAZEL RD	SANTANA YOHANA