

**NOTICE FOR POSTING**  
**MEETING OF**  
**BOARD OF ADJUSTMENT, PANEL C**  
**THURSDAY, JUNE 23, 2022**

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

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

\* The Board of Adjustment hearing will be held by videoconference and in 6ES at City Hall. Individuals who wish to speak in accordance with the Board of Adjustment Rules of Procedure **by joining the meeting virtually**, must register online at <https://form.jotform.com/210907944450153> or contact the Planning and Urban Design Department at 214-670-4209 **by the close of business Wednesday, June 22, 2022. All virtual speakers will be required to show their video in order to address the board.** The public is encouraged to attend the meeting virtually, however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](http://YouTube.com/CityofDallasCityHall), and the WebEx link: <https://bit.ly/BDA062322>

**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**  
**THURSDAY, JUNE 23, 2022**  
**AGENDA**

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

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

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

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**PUBLIC TESTIMONY**

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**MISCELLANEOUS ITEM**

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	Approval of the May 16, 2022 Board of Adjustment Panel C Public Hearing Minutes	M1
<b>BDA212-FW2(PD)</b>	7120 Cortland St. <b>REQUEST:</b> Application of Juan Jose Villanueva requesting a fee waiver for special exceptions to the fence height and visual obstruction regulations.	M2

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**UNCONTESTED CASE(S)**

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None.

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**HOLDOVERS**

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None.

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**REGULAR CASES**

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**BDA212-051(JM)**

9109 John W. Carpenter Freeway

**REQUEST:** Application of Trent Robertson of Masterplan  
Texas to appeal the decision of the administrative official

1

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## EXECUTIVE SESSION NOTICE

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

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

**FILE NUMBER:** BDA212-FW2

**BUILDING OFFICIAL'S REPORT:** Application of Juan Jose Villanueva, for a fee waiver for special exceptions to the fence height and visibility triangle regulations at 7120 Cortland Avenue.

**LOCATION:** 7120 Cortland Avenue

**APPLICANT:** Juan Jose Villanueva

**REQUESTS:**

The applicant is requesting a fee waiver for special exceptions to the fence height and visibility triangle regulations. The fee waiver is requested to accommodate a fence taller than four feet-in-height in a front yard along the property line and driveway onto the site containing a single-family dwelling.

**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 fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.

**CASE HISTORY:**

On March 21, 2022, Panel C denied a fee waiver for special exceptions to the fence height and visibility triangle regulations.

4-18-22

JUAN JOSE VILLANUEVA  
BLANCA IRENE VILLANUEVA  
7120 CORTLAND AVE.  
DALLAS TX. 75235  
(214) 770-8894

I JUAN JOSE VILLANUEVA AND BLANCA IRENE VILLANUEVA  
ARE REQUESTING A FILING FEE TO BE WAIVED FOR  
THE AMOUNT OF \$1200<sup>00</sup> AT THE PROPERTY AT  
7120 CORTLAND AVE, DALLAS TX 75235. THE FILING  
FEE IS IN REFERENCE OF A FENCE VARIANCE HEIGHT.  
THE REASON FOR REQUESTING THE FEE WAIVER IS  
BECAUSE WE ARE BOTH RETIRED AND ON A FIXED  
INCOME AND IT MAY CAUSE A FINANCIAL  
HARDSHIP ALONG WITH OTHER BILLS. ATTACHED IS  
A FINANCIAL REPORT OF INCOME RECEIVED AND  
MONTHLY EXPENSES.

THANK YOU,

Juan Jose Villanueva

JUAN JOSE VILLANUEVA

Blanca Irene Villanueva

Blanca Irene Villanueva

JUAN JOSE VILLANUEVA

MONTHLY INCOME

SOC. SEC \$1717<sup>00</sup>

PENSION \$ 544.44

MONTHLY EXPENSES

PHARMACY

1200<sup>00</sup>

ATMOS ENERGY 71.00

TXU-ELECTRIC 85.00

CITY OF DALLAS 70.00

VERIZON 35.00

SPECTRUM 101.00

GAS FOR CARS 120.00

GROCERIES 350<sup>00</sup>

DINNING OUT 150<sup>00</sup>

CLOTHING 200<sup>00</sup>

LANDSCAPING. 150<sup>00</sup>

GIFTS 150<sup>00</sup>

CARS/HOUSE INS 383.34

CHURCH 41.00

EYE/SPECIALTIES 70.00

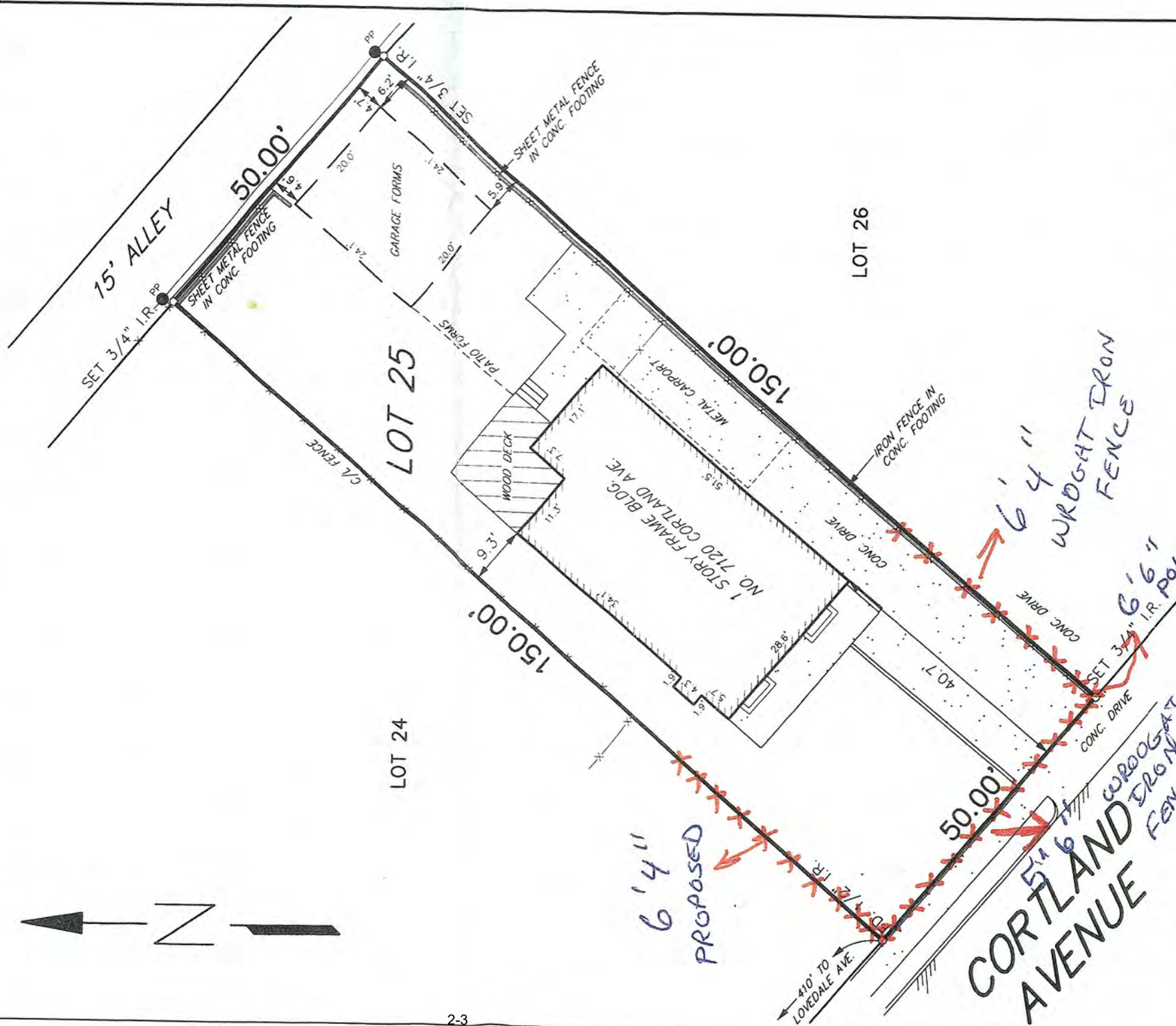
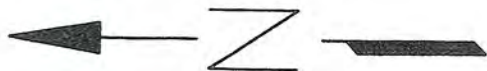
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MONTHLY EXPENSES \$2096.34

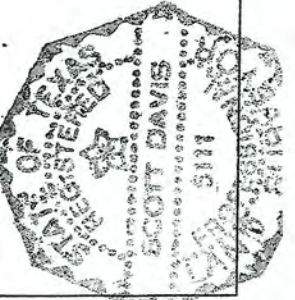
MONTHLY INCOME \$2261.44

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:  
 The undersigned does hereby certify that I have, this day, made an actual and accurate survey on the ground of the property located at No. 7120 Cortland Avenue, in the City of Dallas, Texas, described as follows: Lot 25, Block 10, City Block 2356 of LOVEDALE ADDITION, SECOND SECTION, an addition to the City of Dallas, Dallas County, Texas, according to the plat recorded in Volume 3, Page 323 of the Map Records of Dallas County, Texas.



This plat correctly shows the lines and dimensions of subject property. The size, location and type of buildings and improvements are as shown hereon, and set back from the property lines the distances indicated and there are no discrepancies, conflicts, encroachments or overlapping of improvements onto or from adjoining property except as shown hereon. This property has access to and from a dedicated roadway, and unless otherwise noted, this property does not lie within any known designated flood plain or flood hazard area. This survey meets or exceeds the Minimum Standards Detail Requirements of Land Title Surveys established and adopted by ALTA, ACSM and TSPS. This property lies within Zone X, as shown on Flood Insurance Rate Map No. 48113C0330 J, dated 8/23/01.



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5111  
**DAVIS LAND SURVEYING CO., INC.**  
 9777 FERGUSON ROAD, SUITE 105  
 DALLAS, TEXAS 75228 214-321-0569

SCALE: 1" = 20'  
 DATE: 9/21/12  
 JOB NO. 12064

212-  
 FW2



PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION

THE SEAL AND SIGNATURE APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED AND WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT.

CLIENT INFORMATION:  
RICARDO VILLANUEVA

CLIENT STREET ADDRESS  
CITY, STATE, ZIP CODE  
PHONE NUMBER  
EMAIL ADDRESS

PROJECT NAME:  
FENCE ELEVATION

7120 CORTLAND AVE.  
DALLAS COUNTY  
DALLAS, TX 75235

212-FW2

SHEET NAME:  
ELEVATION



Copyright 2021 BOTI Architecture, LLC

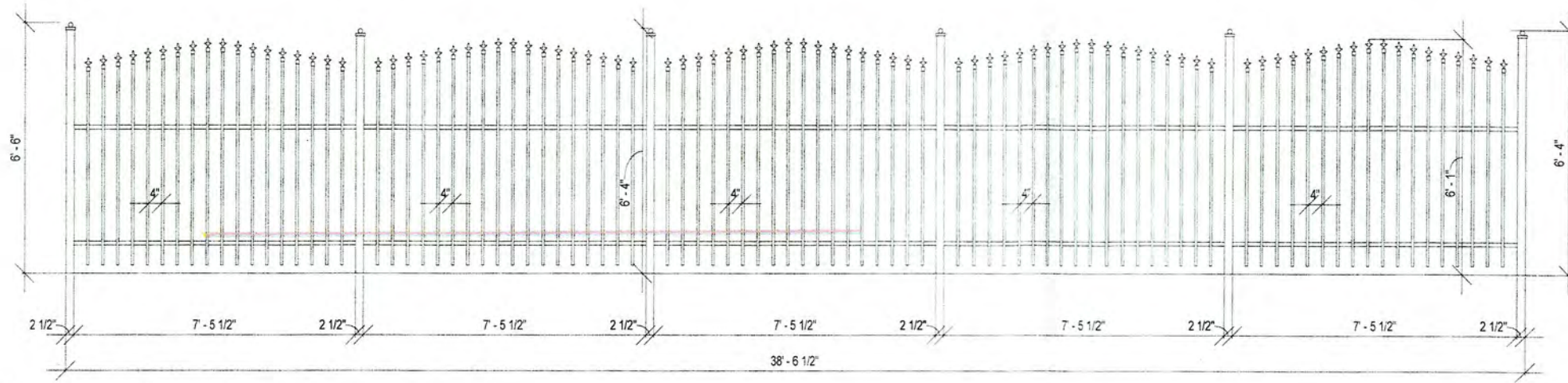
Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to the Architect.

Contractor is responsible for confirming and correlating dimension at job site; the Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

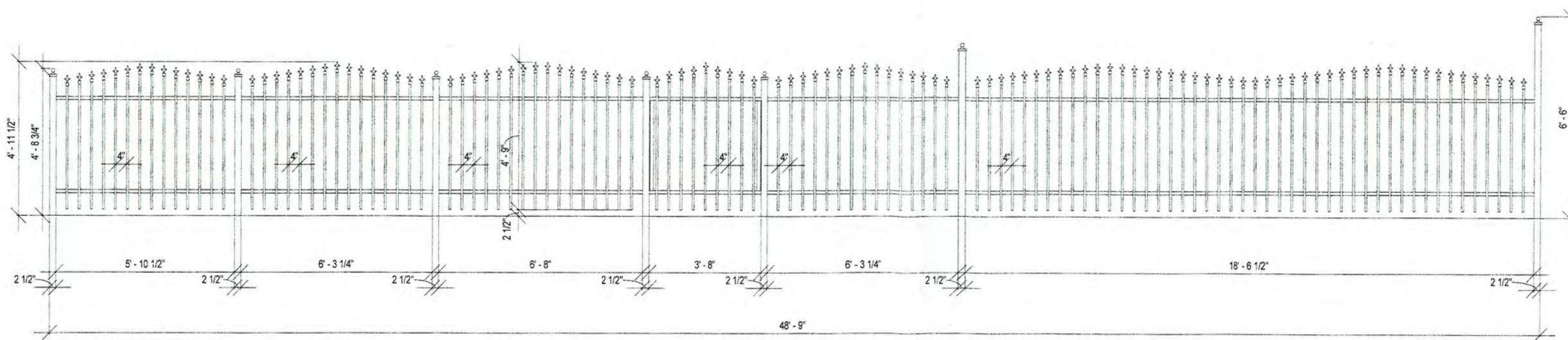
PROJECT NUMBER:

RELEASE DATE: Issue Date

A200



2 SIDE YARD ELEVATION  
A200 1/4" = 1'-0"



1 FRONT YARD ELEVATION  
A200 1/4" = 1'-0"

**FILE NUMBER:** BDA212-051(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Trent Robertson of Masterplan Texas to appeal the decision of the administrative official at 9109 John W. Carpenter Freeway. This property is more fully described as a tract of land in Block 42/7940, zoned an IR Industrial Research District. The permit to relocate a non-premise sign was denied because the proposed relocation does not comply with Sec 51A7.307(d)(3) of the Dallas City Code, which requires all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The applicant proposes to appeal the decision of an administrative official.

**LOCATION:** 9109 John W. Carpenter Freeway

**APPLICANT:** Trent Robertson of Masterplan Texas

**REQUEST:**

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

**STANDARD FOR APPEAL FROM DECISION OF AN ADMINISTRATIVE OFFICIAL:**

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

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

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

**STAFF RECOMMENDATION:**

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

**BACKGROUND INFORMATION:**

**Zoning:**

<u>Site:</u>	IR Industrial Research District
<u>Northwest:</u>	IR Industrial Research District and PD No. 945
<u>Northeast:</u>	IR Industrial Research District
<u>Southeast:</u>	IR Industrial Research District
<u>Southwest:</u>	IR Industrial Research District

**Land Use:**

The site contains and a commercial amusement (inside) use. Surrounding uses include mostly office/showroom/warehouse and retail uses, with a general merchandise or food store and fueling station located to the northeast.

**Zoning/BDA History:**

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

**GENERAL FACTS/STAFF ANALYSIS:**

The City’s earliest digital records indicate the original 400-square-foot non-premise sign was permitted at 15602 Dallas Parkway on August 5, 1979. In 1985, the sign was demolished and a new 672-square-foot sign was installed. In 2001, Chapter 52 was amended to require that all non-premise signs register with the city. Multiple sign registration permits have been issued since, in accordance with the administrative code. The Dallas Development Code, Chapter 51A, contains the requirements based on size, location, and **relocation**—the subject of this AO appeal.

On April 14, 2022, the Southwest District Sign Inspector denied the relocation application citing:

- This letter is to inform you that the submitted address of 9109 John W. Carpenter Frwy, for the relocation of the non-premise sign formerly at 15602 Dallas Pkwy, permit number 2103094001, is hereby denied.
- Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The proposed site at 9109 John W. Carpenter Frwy is not located within the same railroad right-of-way and will not meet the code requirement.
- Information on how to appeal this decision was also provided.

Sec. 51A-7.307(d)(3) states that all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. Relocated signs must be relocated

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

The proposed relocation site at 2436 Shorecrest Drive is located on private property, outside of the railroad or any public right-of-way. Relocation onto private property is not an option provided by the code.

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

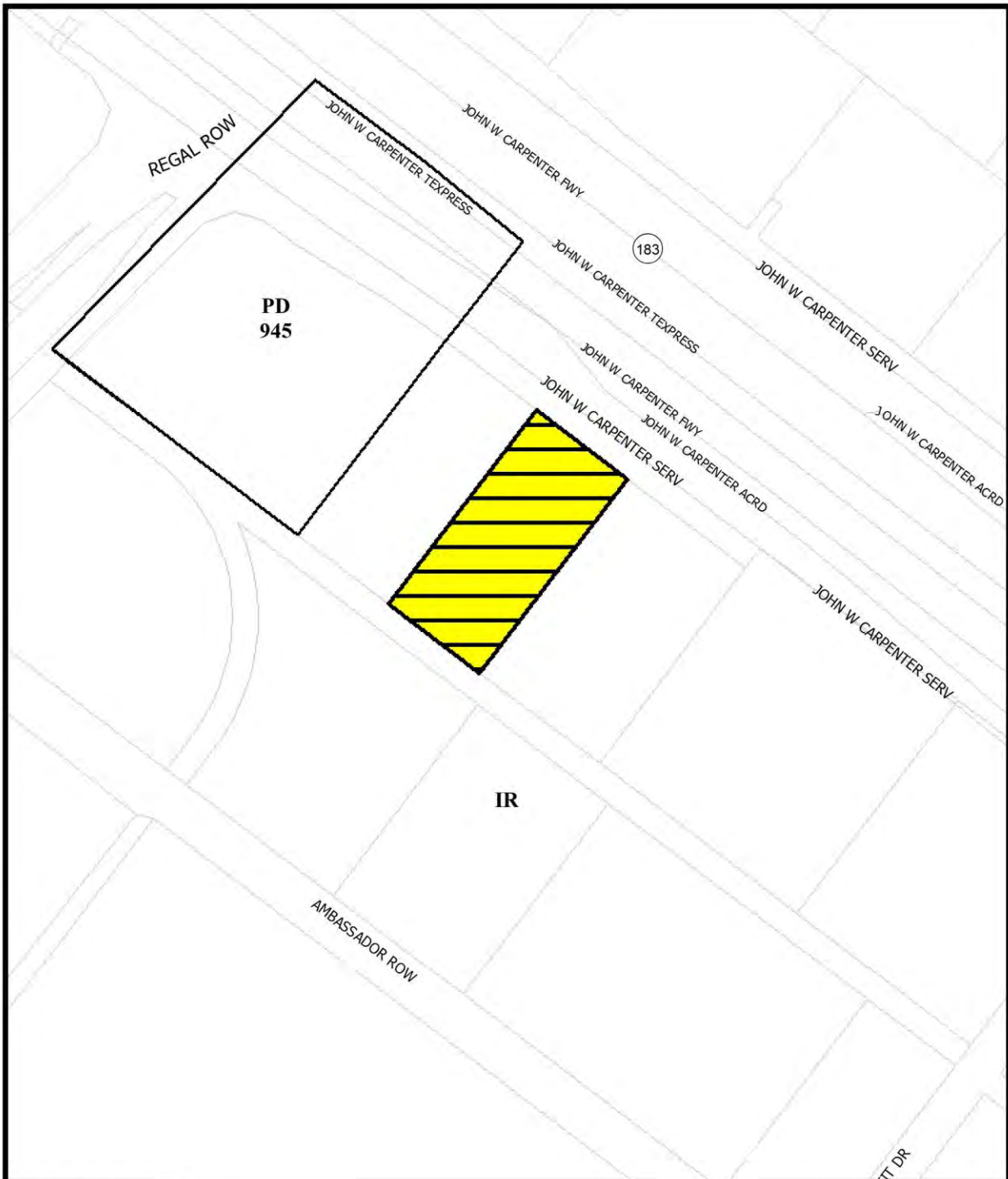
**Timeline:**

- May 2, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 2, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- May 4, 2022: The Board of Adjustment Chief Planner emailed the applicant the following information:
- a copy of the application materials including the Building Official’s report on the application.
  - an attachment that provided the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request (amended ordinance);
  - the appeal of a decision of an administrative official procedure outline; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- May 26, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the June public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans

Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Conservation District Chief Planner, the Board Senior Planner, and the Assistant City Attorney to the Board.

June 10, 2022: The applicant's attorney submitted additional evidence for consideration (**Attachment A**).

June 13, 2022: The City's attorney submitted additional evidence for consideration (**Attachment B**).

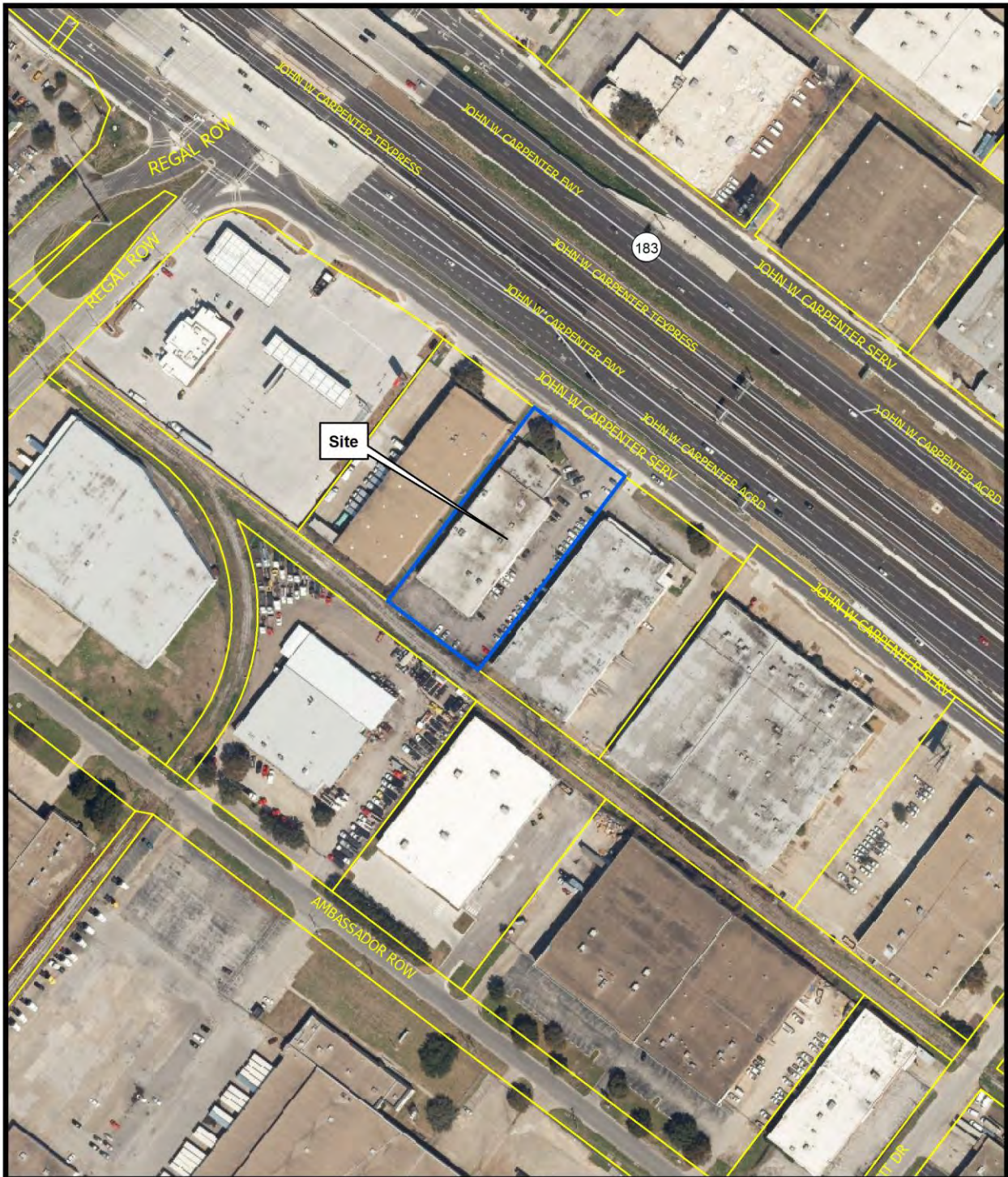


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# ZONING MAP

Case no: BDA212-051

Date: 6/7/2022



Site

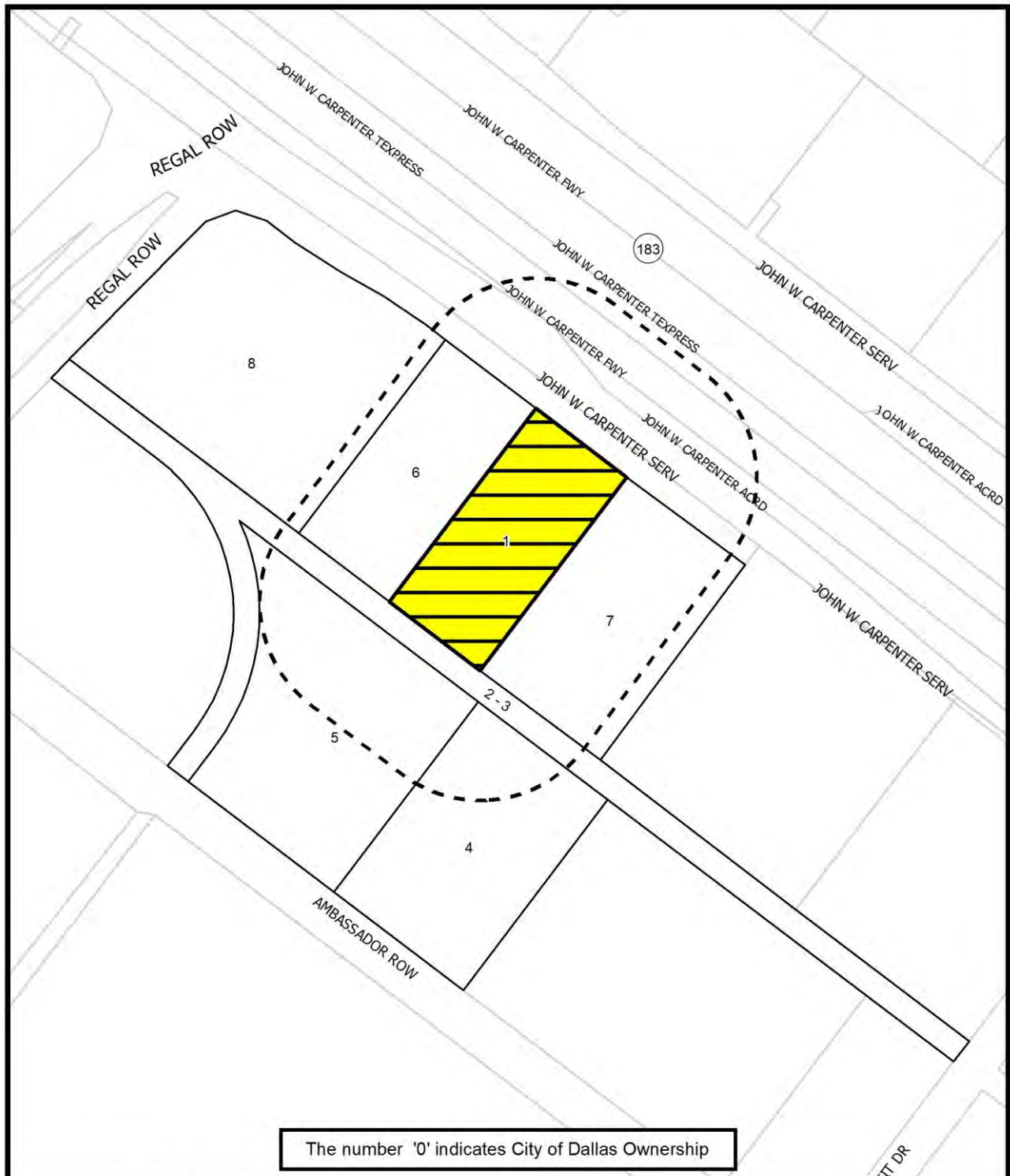


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# AERIAL MAP

Case no: BDA212-051

Date: 6/7/2022



1:2,400

# NOTIFICATION

**200'**

AREA OF NOTIFICATION

**8**

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-051**

Date: **6/7/2022**



06/06/2022

## *Notification List of Property Owners*

*BDA212-051*

### *8 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9109 JOHN W CARPENTER FWY	TUSCUMBIA PROPERTIES LLC
2	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO
3	9999 NO NAME ST	UNION PACIFIC RR CO
4	9004 AMBASSADOR ROW	Taxpayer at
5	9100 AMBASSADOR ROW	STACO PROPERTIES LLC
6	9119 JOHN W CARPENTER FWY	MDL LLC
7	9101 JOHN W CARPENTER FWY	DRY DOUGLAS F
8	9235 JOHN W CARPENTER FWY	QT SOUTH LLC



City of Dallas



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA \_\_\_\_\_

Data Relative to Subject Property:

Date: 4/20/2022

Location address: 9109 JSA 9401 John W Carpenter Frwy Zoning District: IR

Lot No.: 43 JSA Block No.: 427940 JSA Acreage: 4.97 1.5 JSA Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 227 172 2) 233 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Tuscumbia Properties, LLC

Applicant: Trenton Robertson Masterplan JSA Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

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

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

E-mail Address: trobertson@masterplantexas.com

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

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative official's" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307, Section 51A.7.307(d)(1), and Section 51A.7.307(e).

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

The proposed request is consistent with the language set forth in Section 51A.7.307. "All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible." DART determined that the Ralston sign in question had to be removed due to new DART construction. After months of investigation, DART also determined that it is not possible to relocate the Ralston sign to another location on the DART corridor. DART directed Ralston to relocate the sign outside of the DART corridor and DART asked the City of Dallas to accommodate Ralston with another location in Dallas. Allowing Ralston to relocate its sign in accordance to Section 51A.7.307, will prevent a total loss for Ralston and will be consistent with the City's treatment of other signs (including other Ralston signs) where relocation to the remainder is not possible.

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

Affidavit

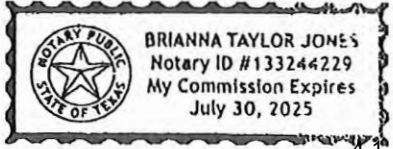
Before me the undersigned on this day personally appeared Trenton Robertson (Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 22 day of April, 2022

(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      MASTERPLAN  
   represented by      TRENT ROBERTSON  
did submit a request      to appeal the decision of the administrative official  
   at      9109 John W Carpenter Fwy

BDA212-051. Application of TRENT ROBERTSON to appeal the decision of the administrative official at 9109 JOHN W CARPENTER FWY. This property is more fully described as a tract of land in block 42/7940, and is zoned IR. The permit to relocate a nonpremise sign was denied because the proposed relocation does not comply with Sec 51A7.307(d)(3) of the Dallas City Code, which requires all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The applicant proposes to appeal the decision of an administrative official.

Sincerely,

  
David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-051

I, Kurt Lassberg / Tuscambr Properties LLC, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9109 John Carpenter Freeway, Dallas  
(Address of property as stated on application)

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

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

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

Specify: \_\_\_\_\_  
\_\_\_\_\_

Kurt Lassberg  
Print name of property owner or registered agent

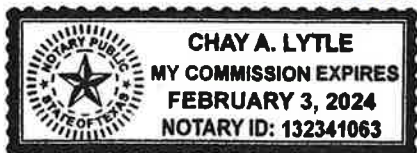
[Signature]  
Signature of property owner or registered agent

Date 4/20/22

Before me, the undersigned, on this day personally appeared Kurt Lassberg

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

Subscribed and sworn to before me this 20<sup>th</sup> day of April, 2022

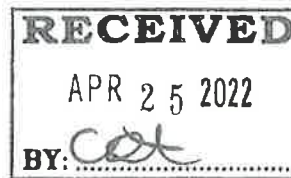


Chay A. Lytle  
Notary Public for Dallas County, Texas

Commission expires on 2/3/24



CITY OF DALLAS



April 14, 2022

Mr. Benjamin Ralston  
2220 Shorecrest Dr  
Dallas, TX 75235

**RE: Denial of the new re-location address for permit number 2103094001, to re-locate the billboard previously at 15602 Dallas Pkwy to 9101 John W Carpenter Frwy.**

Dear Mr. Ralston:

9109  
9109

This letter is to inform you that the submitted address of 9101 John W Carpenter Frwy, for the relocation of the non-premise sign formerly at 15602 Dallas Pkwy, permit number 2103094001, is hereby denied.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The proposed site at 9101 John W Carpenter Frwy is not located within the same railroad right-of-way and will not meet the code requirement.

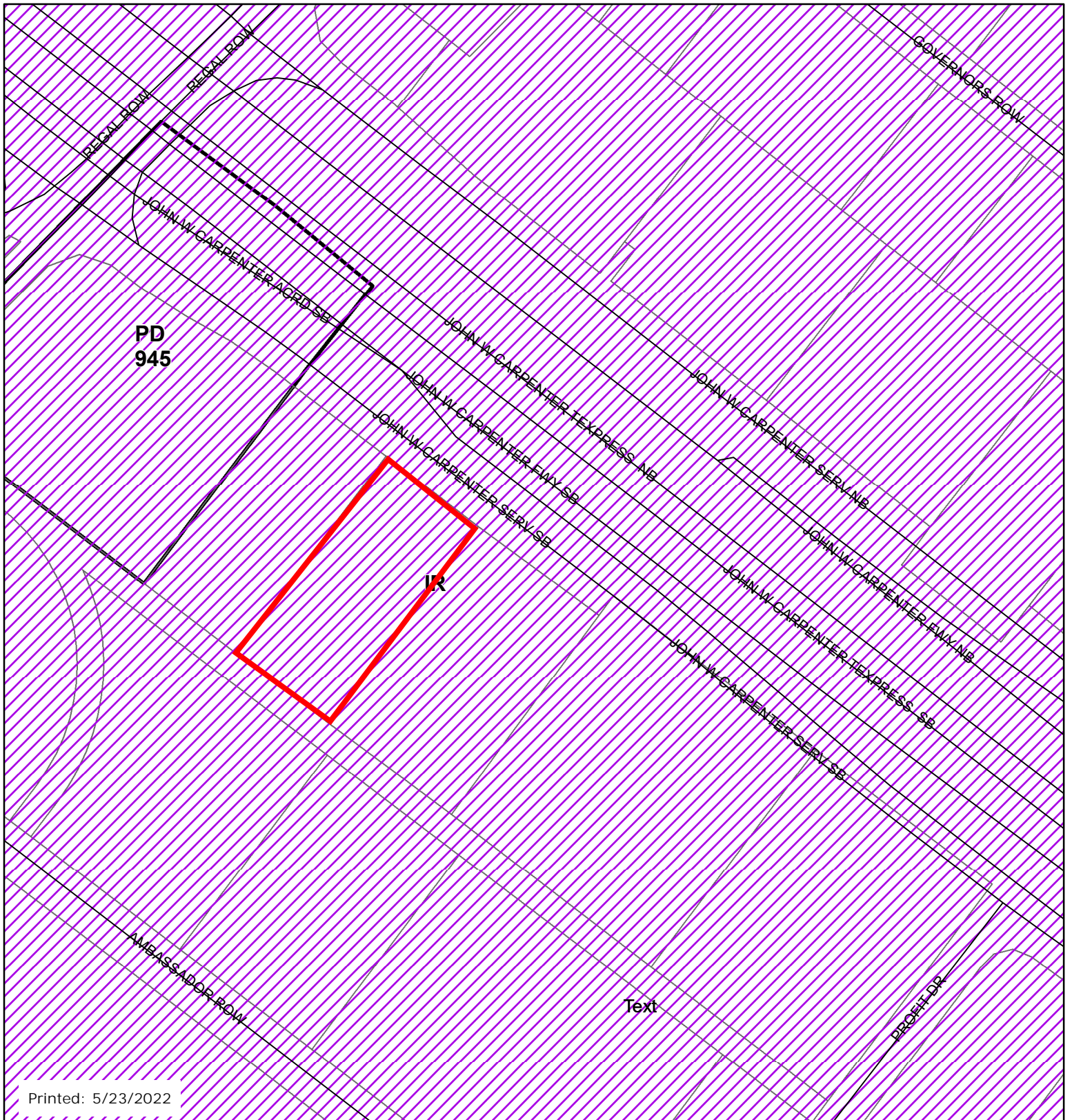
This decision is final unless appealed to the Board of Adjustment in accordance with Section 51A-4.703 and 51A-7.703(e) of the Dallas Development Code before the 20<sup>th</sup> day after written notice of the above action. If you have any questions, please contact me at 214-671-1768.

Sincerely,

Jason Pool  
Southwest District Sign Inspector  
Development Services

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





Printed: 5/23/2022

- |                                  |                                |                            |
|----------------------------------|--------------------------------|----------------------------|
| City Limits                      | Base Zoning                    | Historic Subdistricts      |
| Railroads                        | Demolition Delay Overlay       | Historic Overlay           |
| Public Schools                   | PD193 Oak Lawn                 | Height Map Overlay         |
| Floodplain                       | Dallas Environmental Corridors | CD Subdistricts            |
| 0.2 Pct Annual Flood Hazard      | SPSD Overlay                   | PD Subdistricts            |
| 1 Pct Annual Chance Flood Hazard | Deed Restrictions              | PDS Subdistricts           |
| East Peak's Branch               | SUP                            | NSO Subdistricts           |
| Floodway                         | Dry Overlay                    | NSO_Overlay                |
| Mill Creek                       | D                              | Escarpment Overlay         |
| Peak's Branch                    | D-1                            | Marking Management Overlay |
| X Protected By Levee             | CP                             | Shop Front Overlay         |
| Parks                            | SP                             |                            |
| Certified Parcels                | MD Overlay                     |                            |

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



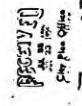




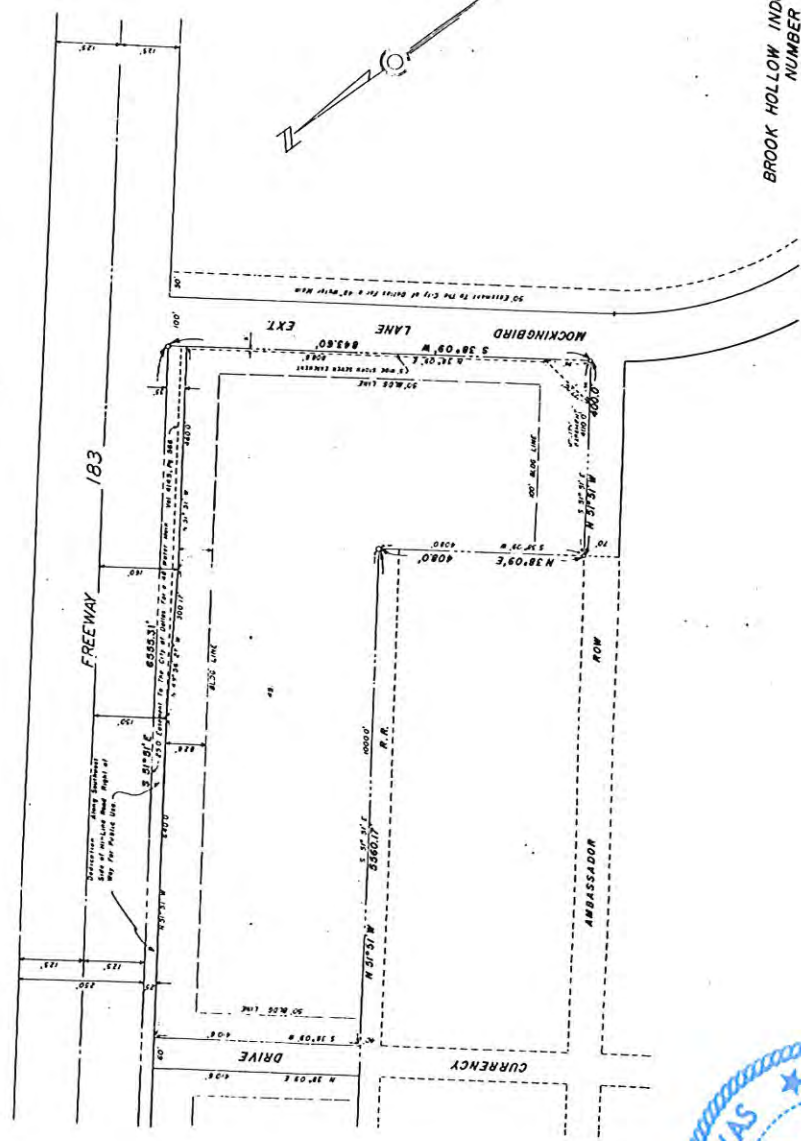
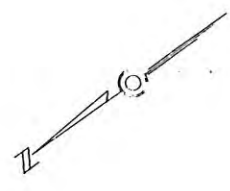


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Pt 31  
P 1138



BROOK HOLLOW INDUSTRIAL DISTRICT  
NUMBER FOUR  
SCALE 1" = 100'  
SHEET # OF #



19921  
31/165



SHOW ALL MEN BY THESE PRESENTS:

THAT WINDSOR PROPERTIES, INC., A CORPORATION ACTING HEREIN BY AND THROUGH THE UNDERSIGNED OFFICERS FULLY AUTHORIZED, IS THE OWNER OF THE HEREIN-AFTER DESCRIBED PREMISES:

BEING A TRACT OF LAND ONE OF THE JAMES McLAUGHLIN TRUST, ABSTRACT 545, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE INTERSECTION OF THE SOUTHWEST CORNER OF THE FREEWAY (5) RIGHT OF WAY AND THE SOUTHWEST CORNER OF THE WINDSOR LANE EXTENSION RIGHT OF WAY, SAID POINT BEING SAME AS DESCRIBED IN DEED OF SAID DEED, AS RECORDED IN DALLAS COUNTY DEED RECORDS, VOLUME 1032, PAGE 3311

THENCE SOUTH 30° 09' WEST, ALONG THE SOUTHWEST CORNER OF WINDSOR LANE EXTENSION, A DISTANCE OF 511.6 FEET TO A POINT FOR A CORNER, AT THE INTERSECTION OF SAID SOUTHWEST CORNER AND THE SOUTHWEST CORNER OF (SANDRAHILL HWY)

THENCE SOUTH 51° 51' WEST, ALONG THE SOUTHWEST CORNER OF SANDRAHILL HWY, A DISTANCE OF 300.0 FEET TO A POINT FOR A CORNER IN THE SOUTHWEST CORNER OF REVISED BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, AS RECORDED IN VOLUME 1032, PAGE 3312, OF DALLAS COUNTY PLAT BOOK RECORDS

THENCE SOUTH 30° 09' WEST, ALONG SAID SOUTHWEST CORNER OF REVISED BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, A DISTANCE OF 300.0 FEET TO A POINT FOR A CORNER

THENCE SOUTH 51° 51' WEST, ALONG THE SOUTHWEST CORNER OF SAID REVISED BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, A DISTANCE OF 330.17 FEET TO A POINT FOR A CORNER

THENCE SOUTH 84° 00' WEST, A DISTANCE OF 611.87 FEET TO A POINT FOR A CORNER

THENCE SOUTH 00° 00' EAST, A DISTANCE OF 100.0 FEET TO A POINT FOR A CORNER IN THE SOUTHWEST CORNER OF THE FREEWAY (5) RIGHT OF WAY

THENCE SOUTH 51° 51' EAST, ALONG THE SOUTHWEST CORNER OF THE FREEWAY (5) RIGHT OF WAY, A DISTANCE OF 330.31 FEET TO THE PLACE OF BEGINNING AND CONTAINING 66.0 ACRES OF LAND, MORE OR LESS, OF WHICH 1.000 ACRES OF LAND, MORE OR LESS, IS OWNED BY DALLAS POWER & LIGHT COMPANY AND 65.0 ACRES OF LAND, MORE OR LESS, IS OWNED BY THE COUNTY OF DALLAS, AS RECORDED IN VOLUME 1032, PAGE 3312, OF DALLAS COUNTY DEED RECORDS, LEAVING 66.000 ACRES OF LAND, MORE OR LESS, TO BE DIVIDED

DOES HEREBY ADMIT THE ATTACHED PLAT IS FOUR SHEETS AS ITS PLAN OF DIVISION OF THE LAND FULLY DESCRIBED THEREIN AND WHICH SHALL BE KNOWN AS BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, AS LOCATED IN THE COUNTY, DALLAS COUNTY, TEXAS, AND DOES HEREBY DEDICATE THE STREETS AND EASEMENTS AS SHOWN ON SAID

31-113

III. CONSTRUCTION OR ALTERATION OF ALL BUILDINGS IN BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR SHALL MEET THE STANDARDS PROVIDED IN THESE RESTRICTIONS:

- (a) NO BUILDING SHALL BE CONSTRUCTED WITH WOODEN FRAMES
- (b) THE FRONT AND SIDE WALLS MUST BE FINISHED WITH FACE BRICK, THEIR EQUIVALENT, OR BETTER, AND ALSO SAID FACE BRICK SHALL BE TO THE FINISHED GRADE ON THE FRONT AND TO A DEPTH OF TWENTY (20) FEET ALONG SIDES
- (c) ALL EXTERIOR WALLS SHALL BE OF COMMON BRICK, OR EQUIVALENT
- (d) ALL OTHER TYPES OF CONSTRUCTION NOT COVERED IN THE ABOVE MUST FIRST BE SUBMITTED TO AND HAVE THE WRITTEN APPROVAL OF WINDSOR PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS
- (e) PRIOR TO CONSTRUCTION OR ALTERATION, PURCHASERS MUST SUBMIT TWO (2) SETS OF PLANS AND SPECIFICATIONS FOR SUCH BUILDING TO WINDSOR PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS, AND WRITTEN APPROVAL OF SUCH PLANS BY WINDSOR PROPERTIES, INC., SHALL BE PROOF OF COMPLIANCE WITH THE RESTRICTIONS.

PLANS AND SPECIFICATIONS FOR THE CONSTRUCTING, INSTALLATION OR ALTERATION OF ALL SIGNS IN OUTRACK AREAS, LOADING DOCKS, PARKING FACILITIES, AND LANDSCAPE PLANTING IN THIS DISTRICT MUST FIRST BE SUBMITTED TO AND HAVE THE WRITTEN APPROVAL OF WINDSOR PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS.

THE ERECTION OF SIGNS UPON BUILDINGS SHALL BE AT THE DISCRETION OF THE BUILDING OWNER.

NO NECESSARY BUILDING USE SHALL BE CONSTRUCTED TO PERMIT THE KEEPING OF ARTICLES, GOODS OR MATERIALS IN THE OPEN OR EXPOSED TO PUBLIC VIEW. WHEN NECESSARY TO STORE OR KEEP SUCH MATERIALS IN THE OPEN, THE LOT OR AREA SHALL BE FENCED WITH A SCREENING FENCE AT LEAST SIX (6) FEET IN HEIGHT. SAID STORAGE SHALL BE LIMITED TO THE REAR TWO-THIRDS OF THE PARCELS.

EMPLOYEE, CUSTOMER, OWNER OR TENANT PARKING WILL NOT BE PERMITTED ON PRIVATE OR PUBLIC DEDICATED STREETS IN BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, AND IT WILL BE THE RESPONSIBILITY OF PROPERTY OWNERS, THEIR SUCCESSORS OR ASSIGNS, TO PROVIDE SUCH PARKING FACILITIES TO THE REAR OF ANY FRONTAGE

PLAT TO THE PUBLIC AND DOES ALSO RESERVE THE EASEMENTS AS SHOWN THEREON FOR UTILITY INSTALLATION AND MAINTENANCE; AND THE UNDERSIGNED DOES HEREBY RESTRICT SAID PROPERTY AS HEREINAFTER SET FORTH, WHICH RESTRICTIONS SHALL BE BINDING UPON THE PURCHASER OR PURCHASERS OF ANY OF SAID LOTS, LANDS OR TRACTS AND HIS OR THEIR HEIRS, ASSIGNS, SUCCESSORS, DEVISEES AND ADMINISTRATORS.

I. ALL OF THE BUILDINGS SITES IN BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR ARE FOR INDUSTRIAL, COMMERCIAL AND WAREHOUSING PURPOSES.

BUILDING SITES IN THIS DISTRICT MAY BE USED FOR SUCH COMMERCIAL, INDUSTRIAL AND WAREHOUSING PURPOSES, BUT GRANTER AGREES NOT TO NOR TO ALLOW THE USE OF SAID PREMISES ON ANY PORTION THEREOF OR ANY BUILDING OR STRUCTURE THEREON AT ANY TIME FOR THE MANUFACTURE, STORAGE, DISTRIBUTION OR SALE OF ANY PRODUCTS OR ITEMS WHICH SHALL INCREASE THE FIRE HAZARD OF ADJOINING PROPERTY OR FOR ANY BUSINESS WHICH CONSTITUTE A HAZARD OR CAUSE THE EXTENSION OF GOODS OR SALES, EXCEPT TO PROMOTE MANUFACTURE OR STORAGE UPON ADJOINING PREMISES OR DISTRICTS WITHIN FIVE HUNDRED (500) FEET OF SAID PROPERTY OR FOR ANY PURPOSES CALCULATED TO IMPAIR THE REPUTATION OF SAID PREMISES, OR OF THE ADJOINING PROPERTY OR FOR ANY PURPOSES OR USE IN VIOLATION OF THE LAWS OF THE UNITED STATES OR OF THE STATE OF TEXAS. WRITTEN APPROVAL BY WINDSOR PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS, OF A PARTICULAR USE SHALL BE CONCLUSIVE EVIDENCE OF COMPLIANCE WITH THIS OR ANY OTHER RESTRICTION.

BUILDINGS WHICH MAY BE ERRECTED ON THE ABOVE DESCRIBED PROPERTY SHALL NOT BE NEARER THAN THE BUILDING LINE AS SHOWN ON PLAT ALONG FREEWAY (5), OR NEARER THAN FIFTY (50) FEET TO ANY OTHER ESTABLISHED "FRONTAGE STREET" OR ANY OTHER STREETS, OR NEARER THAN FIFTEEN (15) FEET TO ANY SIDE PROPERTY LINE. ALL LOTS IN BOOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR SHALL FRONT ON FREEWAY (5) OR ANY OTHER SUCH "FRONTAGE STREETS" WHICH MAY BE PROJECTED AND ESTABLISHED BY WINDSOR PROPERTIES, INC., TO CONFORM TO A MASTER PLAN FOR THE ENTIRE BOOK HOLLOW INDUSTRIAL DISTRICT AT ANY TIME WITH OR WITHOUT NOTICE TO GRANTEES AND SUCH STREETS WILL BE THE ONLY "FRONTAGE STREETS" IN THIS DISTRICT, AS THAT TERM APPLIED IN THESE RESTRICTIONS.

STREET ESTABLISHED IN OUTRACK AREAS. PARKING AREAS MUST BE PAVED WITH A SMOOTH SURFACE (ASPHALT OR CONCRETE).

LOADING DOCKS WILL NOT BE PERMITTED ON FREEWAY (5). IN ANY OTHER FRONTAGE STREET IN DISTRICT NUMBER FOUR, PROVISIONS FOR TRUCKS AND TRAILERS EITHER BY RAILROAD OR TRUCK, MUST BE ON THOSE SIDES OF ANY OVERHEAD SIGN WHICH DO NOT FACE A FRONTAGE STREET.

LANDING AREAS AND LANDSCAPING SHALL CONFORM TO THE STANDARDS AS PROVIDED BY AND ON FILE WITH WINDSOR PROPERTIES, INC.

THE BUILDING CODES OF THE CITY OF DALLAS IN EFFECT AT THE TIME OF ANY CONSTRUCTION SHALL APPLY TO SUCH CONSTRUCTION.

THE OWNER OF ANY TRACT IN THIS DISTRICT MUST AT ALL TIMES MAINTAIN THE PREMISES, BUILDINGS, IMPROVEMENTS AND APPURTENANCES IN A SAFE, SOUND, AND COMPLETION AND CONFORM IN ALL RESPECTS WITH ALL GOVERNMENT, FEDERAL AND STATE REQUIREMENTS; AND ANY OWNER WILL REMOVE AT HIS OWN EXPENSE ANY OBSTACLES OR CHARACTER WHATSOEVER WHICH MAY ACCUMULATE ON SAID PROPERTY.

IF, AFTER THE EXPIRATION OF ONE YEAR FROM THE DATE OF SIGNATURE OF SAID SALE CONTRACT AGREEMENT ON ANY LOT WITHIN THIS DISTRICT, ANY PORTION OF SAID LOT HAS NOT BEEN BUILT IN GOOD FAITH THE CONSTRUCTION OF AN ACCEPTABLE BUILDING ON SAID TRACT, WINDSOR PROPERTIES, INC. RESERVE THE OPTION TO REBUY THE TRACT AT THE PRICE AND ENTER INTO POSSESSION OF SAID LAND. AT ANY TIME, WINDSOR PROPERTIES, INC., ITS SUCCESSORS OR ASSIGNS, MAY EXTEND IN WRITING THE TIME IN WHICH SUCH BUILDING MAY BE BUILT.

NO CONVEYANCE OR DEED UNLESS IT SPECIFICALLY MENTION IT, THIS DISTRICT SHALL BE CONSIDERED TO BE A CONVEYANCE TO ANY PART OF ANY STREET IN FREEWAY (5) ROAD, REAR CROSSING ROAD OR HUNTER ROAD. WINDSOR PROPERTIES, INC. RESERVE AND EXCEPTS THE RIGHT TO ALTER, CHANGE OR CLOSE, PARTIALLY OR COMPLETELY, THE ABOVE NAMED ROADS TO CONFORM TO A MASTER PLAN FOR THE ENTIRE BOOK HOLLOW INDUSTRIAL DISTRICT AT ANY TIME WITH OR WITHOUT NOTICE TO GRANTEES. WINDSOR PROPERTIES, INC. RESERVE THE RIGHT TO REGULATED AND CONTROL THE DIRECTION OF TRAFFIC ON STREETS IN THE DISTRICT AND THE LOCATION OR DIRECTION OF EXPLANES OR

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31-113

ERETS FROM PROPERTIES INTO STREETS IN THE DISTRICT UNTIL SUCH CONTROLS LEGALLY BECOME THE RESPONSIBILITY OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS.

VI.

EACH CONDITION AND COVENANT IN THE WINGGOR PROPERTIES, INC., BROOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR SHALL TERMINATE AND BE OF NO FURTHER EFFECT ON JANUARY 1, 2000, PROVIDED THAT AT ANY TIME THE OWNERS BY A MAJORITY OF THE ACRES IN BROOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR MAY, BY WRITTEN DECLARATION SIGNED AND ACKNOWLEDGED BY THEM AND RECORDED IN THE DEED RECORDS OF DALLAS COUNTY, TEXAS, ALTER, AMEND OR EXTEND SUCH RESTRICTIONS, CONDITIONS AND COVENANTS AND THIS RIGHT TO SO ALTER, AMEND OR EXTEND SHALL EXIST AS LONG AS THE THEN OWNERS OF A MAJORITY OF THE ACRES IN SAID DISTRICT NUMBER FOUR DESIRE. THE MERE LAPSE OF TIME SHALL NOT AFFECT OR ALTER THE APPLICATION OF THIS SECTION.

INVALIDATION OF ANY OF THE FOREGOING RESTRICTIVE COVENANTS SHALL NOT AFFECT THE VALIDITY OF ANY OTHER OF SUCH COVENANTS, BUT SAME SHALL REMAIN IN FULL FORCE AND EFFECT.

EXECUTED THIS 26th DAY OF July, 1956.

ATTEST: [Signature] SECRETARY

WINGGOR PROPERTIES, INC. [Signature] PRESIDENT

THE STATE OF TEXAS | COUNTY OF DALLAS |

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS, ON THIS DAY PERSONALLY APPEARED V. C. WINGGOR, JR., PRESIDENT OF WINGGOR PROPERTIES, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 26th DAY OF July, 1956.

[Signature] NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS

STATE OF TEXAS | COUNTY OF DALLAS |

At a regular meeting of the Commissioners' Court of Dallas County, Texas, held on July 26, 1956, an motion made by Denver Hale, Commissioner of District No. 4, and seconded by W. H. Cagle, Commissioner of District No. 2, the following order was unanimously adopted.

WHEREAS, on this date came on to be heard the application and petition of Winggor Properties, Inc., for an order of the Court approving and adopting the plat and dedication of certain lands designated therein as Brook Hollow Industrial District Number Four, situated in Dallas County, Texas, and described as follows:

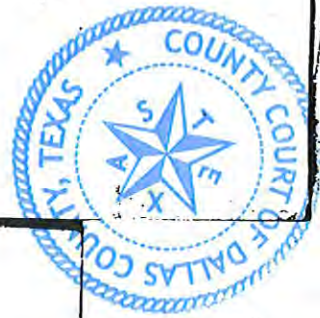
- BEING A TRACT OF LAND OUT OF THE JAMES McLAUGHLIN SURVEY, ABSTRACT 285, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
Beginning at the intersection of the Southwest line of the Freeway 103 right of way and the Northwest line of the Northwest Lane Extension right of way, said point being same as described in right of way deed, as recorded in Dallas County Deed Records, Volume 4038, Page 5311
Thence South 38° 09' West, along the Northwest line of Northwest Lane Extension, a distance of 583.16 feet to a point for a corner, at the intersection of said Northwest line and the Northeast line of Ambassador Row
Thence North 51° 51' West, along the Northwest line of Ambassador Row, a distance of 100.0 feet to a point for a corner in the Southwest line of Revised Brook Hollow Industrial District Number One, as recorded in Volume 30, Page 235, of Dallas County Plat Book Records
Thence North 30° 09' East, along said Southwest line of Revised Brook Hollow Industrial District Number One, a distance of 400.0 feet to a point for a corner
Thence North 51° 51' West, along the Southwest line of Revised Brook Hollow Industrial District Number One, a distance of 2560.17 feet to a point for a corner
Thence North 33° 20' West, a distance of 611.97 feet to a point for a corner
Thence North 10° 00' East, a distance of 357.16 feet to a point for a corner in the Southwest line of the Freeway 103 right of way
Thence South 51° 51' East, along the Southwest line of the Freeway 103 right of way, a distance of 6993.31 feet to the place of beginning and containing 68.061 acres of land, more or less, of which 1,000 acres of land, more or less, were donated by Dallas Power & Light Company and 1,000 acres was granted to the County of Dallas, as recorded in Volume 4129, Page 6, and Volume 4130, Page 104, of Dallas County Deed Records, leaving 66.061 acres of land, more or less, to be platted.

THE SAID PLAT AND DEDICATION BEING SHOWN BY AND IN SAID APPLICATION AND THE COURT HAVING HEARD AND CONSIDERED SAID APPLICATION AND THE ARGUMENTS FOR AND AGAINST SAME AND THE DEVELOPER, WINGGOR PROPERTIES, INC., HERETOFORE AND HAVING THEMSELVES TO WAIVE RIGHTS AND CONSTRUCT DEDICATION SATISFACTORY TO THE COUNTY ENGINEERING DEPARTMENT, AND TO PLACE NOT LESS THAN SIX INCHES (6") OF GRAVEL, COMPACTED, 20 FEET WIDE, ON ALL DESIGNATED STREETS; DIVISION ARE PAPER AND THERE IS NO RECORDABLE OBJECTION THERETO AND THAT THE SAME SHOULD BE APPROVED BY THE COURT AND AUTHORIZED TO BE FILED IN THE PLAT RECORDS OF DALLAS COUNTY, TEXAS.

IT IS THEREFORE ORDERED, APPROVED AND DECREED THAT SAID PLAT AND DEDICATION OF BROOK HOLLOW INDUSTRIAL DISTRICT NUMBER FOUR, AS MORE FULLY SET OUT IN SAID PETITION AND APPLICATION ON, AND THE SAME ARE HEREBY IN ALL THINGS APPROVED AND ADAPTED BY THE COURT, AND THE COUNTY CLERK OF DALLAS COUNTY, TEXAS, IS HEREBY AUTHORIZED AND DIRECTED TO FILE AND RECORD THE SAME IN THE PLAT RECORDS OF DALLAS COUNTY, TEXAS, AS PROVIDED BY LAW.

DONE IN OPEN COURT, ALL MEMBERS PRESENT AND VOTING.

[Signatures of County Judges and Commissioners]



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Return - Clerk Comm's Court  
4th Floor Records Bldg.

Return to Clerk  
Commissioner's Court

RECORD  
O. TEXAS  
PM 2 42

CLERK  
*[Signature]*

89197

Block, Hall & Co  
Indust. Dist #14

To the County Clerk of Dallas County:

Under Ordinance 3558 of the City of Dallas, the approval of this plat by the City Plan Commission is automatically terminated after the 25th day of August, 1956, and unless this plat is presented for filing on or before said date it should not be accepted for filing.

Department of City Planning  
by *[Signature]*  
Director of Planning

CERTIFICATE OF APPROVAL

I, HOWELL H. WATSON, Chairman of the City Plan Commission of the City of Dallas, State of Texas, hereby certify that the attached plat was duly filed for approval with the City Plan Commission of the City of Dallas on the 9th day of May, A.D. 1956, and same was duly approved on the 6th day of June, A.D. 1956, by said Commission.

Chairman  
City Plan Commission  
Dallas, Texas

Attest:

*[Signature]*  
RECOMMENDED FOR APPROVAL  
City Engineer  
Date JUL 26 1956

CITY OF DALLAS  
FILING FEE PAID  
5.23.56  
AS REQUIRED BY  
ORDINANCE 3908

CITY OF DALLAS  
19.56 AND PRIOR TAXES  
PAID 765<sup>13</sup> 7-23-56

APPROVED  
COMMISSIONERS COURT  
DALLAS COUNTY, TEXAS  
*[Signature]*  
COUNTY JUDGE  
Date JUL 26 1956

File # 56-440

FILING CLERK

Filed for Record on the 26th day of July, A.D., 1956, at 2:42 o'clock P. M.  
Duly Recorded this the 10th day of July, A.D., 1956, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
Instrument No. 13124  
ED. H. STEGER, County Clerk  
Dallas County, Texas  
By *[Signature]* Deputy



pt 31  
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DALLAS COUNTY CLERK

STATE OF TEXAS }  
COUNTY OF DALLAS }

I, JOHN F. WARREN,

County Clerk in and for said County

and State, do hereby certify that the above and foregoing is a true and correct copy of the instrument filed for record on the

26 day of July 1956 and duly recorded on the

10 day of Dec. 1956 in Volume 31

Page 113 of the Records of Dallas County, Texas

WITNESS my hand and seal of office at Dallas, Texas

this 14 day of April, 2022.

JOHN F. WARREN, COUNTY CLERK  
DALLAS COUNTY, TEXAS

By \_\_\_\_\_ Deputy





June 10, 2022

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

RE: BDA212-051; 9109 John W Carpenter Frwy

Dear City of Dallas Board of Appeals:

The subject site is approximately 1.5 acres in size and is located to the south of John W Carpenter Freeway, between Regal Row and Profit Drive (also known as 9109 John W Carpenter Frwy). The proposed request would allow for the relocation of the non-premise sign to be moved from 15602 Dallas Parkway to its new proposed location at 9109 John W Carpenter Frwy.

### The Request

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative official's" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307, Section 51A.7.307(d)(1), and Section 51A.7.307(e). The proposed request is consistent with the language set forth in Section 51A.7.307. "All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible." DART determined that the Ralston sign in question had to be removed due to new DART construction. After months of investigation, DART also determined that it is impossible to relocate the Ralston sign to another location on the DART corridor. DART directed Ralston to relocate the sign outside of the DART corridor and DART wrote a letter to the City of Dallas asking the City to accommodate Ralston with another location in Dallas. Allowing Ralston to relocate its sign in accordance with Section 51A.7.307, will prevent a total loss for Ralston and will be consistent with the City's treatment of other signs (including other Ralston signs) where relocation to the remainder is not possible.

### Summary

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

- Permit new signs to be constructed, increase the overall sign count in the city;
- Allow the sign in question to be larger in area or height; or
- Enable the sign in question to transgress any other city regulations.

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

- An existing sign to continue to operate as legally permitted when it was legally constructed;
- Consistent treatment of non-premise signs in accordance with the Code;
- The City of Dallas to honor DART's direct written request to allow Ralston to relocate its sign outside of the remainder because there is no suitable place for relocation within the DART corridor; and
- Remove an undue hardship and taking from the sign owner (Ralston Outdoor) caused by the sign having to be removed from the previous location due to reasons beyond the owner's control, but that serves a public good.

According to Section 51A-4.703 and 51A-7.703(e), the Board of Adjustment may reverse an "administrative official's" decision, when they deemed the decision was made in error. The proposed request is consistent with other decisions that have been made for off-premise signage in similar situations, including signs owned by Ralston. Likewise the proposed request is the proper decision under the Code and provides consistent treatment for off-premise signs that must be relocated and the remainder of the original tract is not sufficient for relocation.



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

Regards,

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

Trenton Robertson, AICP  
Senior Consultant  
Masterplan Texas



June 10, 2022

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

RE: BDA212-051; 9109 John W Carpenter Frwy – Witness List

Dear City of Dallas Board of Appeals and City Staff:

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

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

Regards,

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

Trenton Robertson, AICP  
Senior Consultant  
Masterplan Texas

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

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

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

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

(d) Relocation to remainder.

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

(A) there is no remainder;

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

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

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

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

(e) Restrictions on relocations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Trenton Robertson

---

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

Trenton,

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

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

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

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

Sincerely,



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



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How am I doing? Please contact my supervisor at [andreea.udrea@dallas.gov](mailto:andreea.udrea@dallas.gov).

---

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

**External Email!**

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

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

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

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

Good afternoon,

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

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

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**From:** Trenton Robertson

**Sent:** Friday, June 3, 2022 9:00 AM

**To:** Munoz, Jennifer <[jennifer.munoz@dallas.gov](mailto:jennifer.munoz@dallas.gov)>

**Cc:** Kiesha Kay <[Kiesha@masterplantexas.com](mailto:Kiesha@masterplantexas.com)>; Barkume, Diana <[diana.barkume@dallas.gov](mailto:diana.barkume@dallas.gov)>; Jackson, Latonia <[latonia.jackson@dallas.gov](mailto:latonia.jackson@dallas.gov)>; Byron Kelly <[bkelly@settlepou.com](mailto:bkelly@settlepou.com)>

**Subject:** RE: BDA212-051 application materials to update and Notification Info for both cases

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

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**From:** Munoz, Jennifer <[jennifer.munoz@dallas.gov](mailto:jennifer.munoz@dallas.gov)>

**Sent:** Thursday, June 2, 2022 5:37 PM

**To:** Trenton Robertson <[trobertson@masterplantexas.com](mailto:trobertson@masterplantexas.com)>

**Cc:** Kiesha Kay <[kiesha@masterplantexas.com](mailto:kiesha@masterplantexas.com)>; Barkume, Diana <[diana.barkume@dallas.gov](mailto:diana.barkume@dallas.gov)>; Jackson, Latonia <[latonia.jackson@dallas.gov](mailto:latonia.jackson@dallas.gov)>

**Subject:** RE: BDA212-051 application materials to update and Notification Info for both cases

Hey Trenton,

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

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

Sincerely,



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

**Working Remotely, please call:**

**Google Voice: 972-926-3691**

[jennifer.munoz@dallas.gov](mailto:jennifer.munoz@dallas.gov)



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How am I doing? Please contact my supervisor at [andreea.udrea@dallas.gov](mailto:andreea.udrea@dallas.gov).

---

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

**External Email!**

Good afternoon,

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

[Fiwx\\$ikevhw\\$](#)



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

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

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

Trenton,

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

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

Sincerely,





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



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

**External Email!**

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

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

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

Sincerely,



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



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How am I doing? Please contact my supervisor at [andreea.udrea@dallas.gov](mailto:andreea.udrea@dallas.gov).

---

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

**External Email!**

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

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

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

Sincerely,



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



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How am I doing? Please contact my supervisor at [andreea.udrea@dallas.gov](mailto:andreea.udrea@dallas.gov).

---

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

**External Email!**

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

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

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

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q ewxvtjpxi|ew2sq | @fevfetivq mwivzqi2sq.

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

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

Sincerely,



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



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---

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

**External Email!**

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

Thank you again!

Sent from my iPhone

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

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

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

Thanks!

Sincerely,



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



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How am I doing? Please contact my supervisor at [andreea.udrea@dallas.gov](mailto:andreea.udrea@dallas.gov).

---

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

**External Email!**

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

Sent from my iPhone

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

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

Sent from my iPhone

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

Hey Trenton,

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

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

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

Sincerely,

April 14, 2022

Mr. Benjamin Ralston  
2220 Shorecrest Dr  
Dallas, TX 75235

**RE: Denial of the new re-location address for permit number 2103094001, to re-locate the billboard previously at 15602 Dallas Pkwy to 9101 John W Carpenter Frwy.**

Dear Mr. Ralston:

This letter is to inform you that the submitted address of 9101 John W Carpenter Frwy, for the relocation of the non-premise sign formerly at 15602 Dallas Pkwy, permit number 2103094001, is hereby denied.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The proposed site at 9101 John W Carpenter Frwy is not located within the same railroad right-of-way and will not meet the code requirement.

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

Sincerely,

Jason Pool  
Southwest District Sign Inspector  
Development Services

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



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

April 12, 2022

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

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

Re: Application to relocate Ralston billboard at 15602 Dallas Parkway

Dear Mr. Caso:

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

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

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



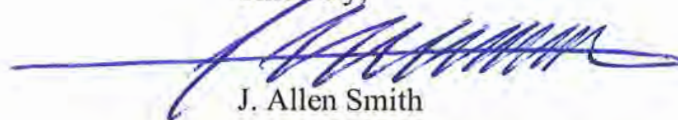
**Time is of the essence, and we hereby tender to the City of Dallas the relocation application attached to this letter as exhibit A. Please take the appropriate action to consider the application and send us the City's decision after its consideration.**

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

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

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

Sincerely,

  
J. Allen Smith

JAS/tg  
Enclosures

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



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

January 14, 2022

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

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

Dear Mr. Martin:

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

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

Sincerely,

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

Matt Lannon  
Senior Manager, Railroad Management

c: Ben Ralston, President, Ralston Outdoor





City of Dallas

### SIGN PREMISE WARRANTY

In compliance with the provisions of the Dallas Building Code, Sub-chapter 61, and as defined in section 6101 (b) of said Code, the following information is submitted as an integral part of an application for a sign permit.

A. Upon the premise\* on which the proposed sign is to be erected, there presently exists 1 detached premise signs and 0 detached non-premise signs, as defined in Chapter 51A, Dallas City Code.

This premise can be described as follows, Lot(s), Block(s), Tract(s) BLK 42/7940 TR 3 ACS 6.5  
And/or Address(es) 9109 John Carpenter FWY

\*"Premise means a lot or unplatted tract that is reflected in the plat books of the Building Inspection Division of the City of Dallas"

NOTE: Section 51A-7.208 requires that a lot or tract is part of a plat which is approved by the City Plan Commission and filed in the plat records of Dallas County, Texas and the lot or tract has contact, through fee simple ownership, with a dedicated street.

B. This application is for the erection of one relocated detached non-prem Sign(s). I am the owner of the property named above, or am duly authorized to sign for the owner. **(The sign contractor is not authorized to sign for the owner).** I understand that if any permit is issued as a result of the information supplied herein being in error, it shall be revoked in accordance with Section 6101(f). No refund of fee shall be made and any sign erected shall be removed at my expense.

I hereby affirm that the above statements are true and correct and, hereby agree that if an authorization is issued, all provisions of City Ordinances and State laws will be complied with.

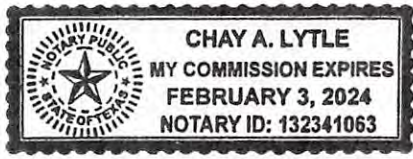
Name (Type or Print) Kurt Lassberg

Street address 9101 John Carpenter Fwy City Dallas State TX Zip 75247

SIGNED: [Signature] Date: March 1, 2022

(Property Owner)  
Subscribed and sworn to before me, this 1<sup>st</sup> day of March 2022.

SEAL



[Signature]  
NOTARY PUBLIC



## Commercial Account #0000779068000000

[Location](#) [Owner](#) [Legal Desc](#) [Value](#) [Improvements](#) [Land](#) [Exemptions](#) [Estimated Taxes](#) [Building Footprint](#) [History](#)

### Location (Current 2022)

**Address:** 9109 JOHN W CARPENTER FWY  
**Market Area:** 0  
**Mapsc0:** 33-N (DALLAS)

[DCAD Property Map](#)

[View Photo](#)

[2021 Appraisal Notice](#)

[Electronic Documents \(ENS\)](#)



[Print Homestead Exemption Form](#)

### Owner (Current 2022)

TUSCUMBIA PROPERTIES LLC  
 1785 PRESCOTT PL  
 DALLAS, TEXAS 752341246

### Multi-Owner (Current 2022)

Owner Name	Ownership %
TUSCUMBIA PROPERTIES LLC	100%

### Legal Desc (Current 2022)

- 1: CARPENTER REGAL
  - 2: BLK 42/7940 TR 3 ACS 1.5
  - 3:
  - 4: INT202000189285 DD07232020 CO-DC
  - 5: 7940 042 00300 2007940 042
- Deed Transfer Date:** 7/24/2020

### Value

2021 Certified Values	
<b>Improvement:</b>	\$388,000
<b>Land:</b>	+ \$784,080
<b>Market Value:</b>	= \$1,172,080
<b>Tax Agent:</b> KURZ GROUP	
<b>Revaluation Year:</b>	2021
<b>Previous Revaluation Year:</b>	2020

### Improvements (Current 2022)

#	Desc: STORAGE WAREHOUSE	Total Area: 25,060 sqft	Year Built: 1963
1	<b>Construction</b> Construction: C-MASONRY, BLOCK, TILT-WALL Foundation (Area): CONCRETE BEAM (25,060 sqft ) Net Lease Area : 25,040 sqft # Stories: 1 # Units: 0 Basement (Area): UNASSIGNED Heat: CENTRAL HEAT A/C: CENTRAL A/C	<b>Depreciation</b> Physical: 17% Functional: + 0% External: + 0% Total: = 17% Quality: AVERAGE Condition: GOOD	<b>Appraisal Method</b> INCOME

**Land (2021 Certified Values)**

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	COMMERCIAL IMPROVEMENTS	INDUSTRIAL RESEARCH DISTRICT	175	0	65,340.0000 SQUARE FEET	STANDARD	\$12.00	0%	\$784,080	N

**\* All Exemption information reflects 2021 Certified Values. \***

**Exemptions (2021 Certified Values)**

No Exemptions

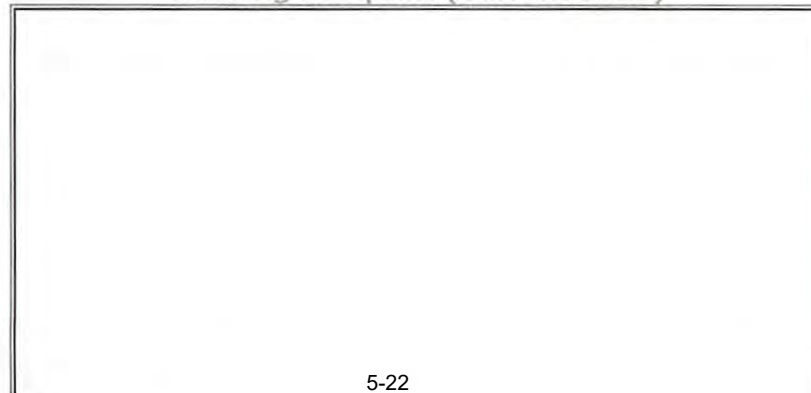
**Estimated Taxes (2021 Certified Values)**

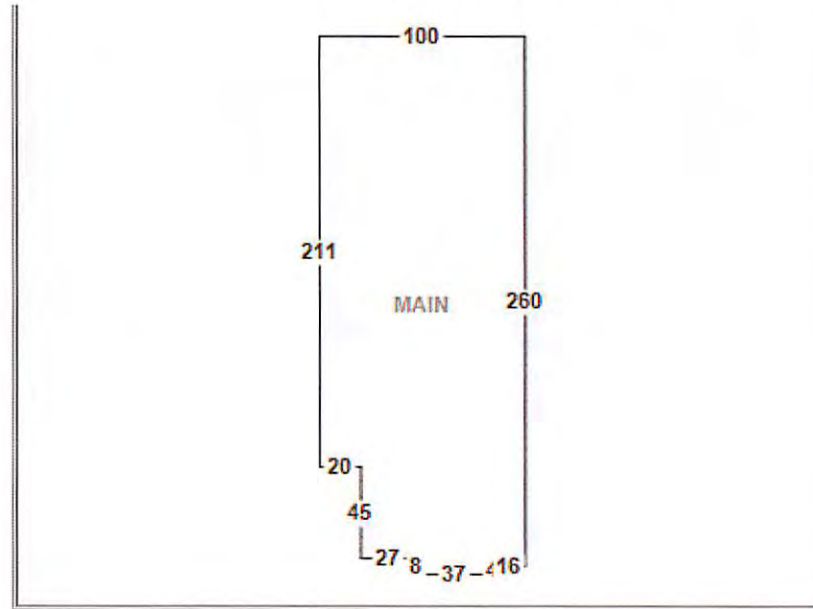
	City	School	County and School Equalization	College	Hospital	Special District
<b>Taxing Jurisdiction</b>	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
<b>Tax Rate per \$100</b>	\$0.7733	\$1.248235	\$0.237946	\$0.12351	\$0.255	N/A
<b>Taxable Value</b>	\$1,172,080	\$1,172,080	\$1,172,080	\$1,172,080	\$1,172,080	\$0
<b>Estimated Taxes</b>	\$9,063.69	\$14,630.31	\$2,788.92	\$1,447.64	\$2,988.80	N/A
<b>Tax Ceiling</b>					N/A	N/A
<b>Total Estimated Taxes:</b>						<b>\$30,919.36</b>

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

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

**Building Footprint (Current 2022)**





History

**History**

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All Rights Reserved.

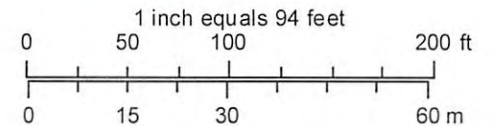
# 9109 John Carpenter



This product is for informational purposes only 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.

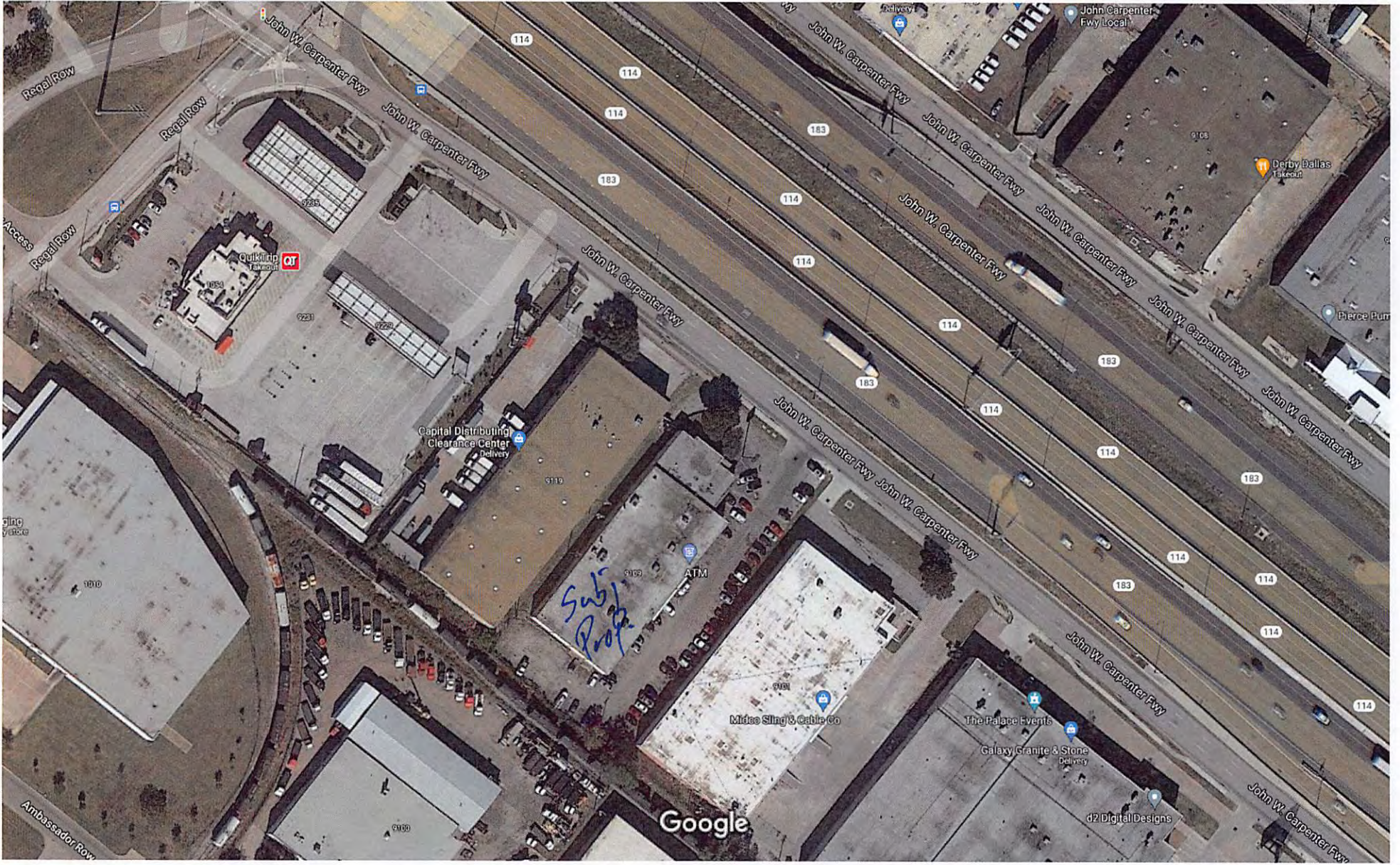
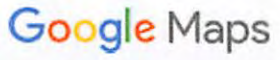


Dallas Central Appraisal District  
2949 N Stemmons Freeway  
Dallas, TX 75247-6195  
(214) 524-1342  
[www.dallascad.org](http://www.dallascad.org)









Imagery ©2021 Maxar Technologies, Sanborn, U.S. Geological Survey, Map data ©2021 50 ft



CITY OF DALLAS

**Building Inspection**

320 E. Jefferson Blvd., Room 210  
(214) 948-4384

Date: 4/28/2021 1:27 PM Office: BISW  
Batch: 16569 Trans: 10  
Cashier: alonzo.rose Mach: DEV-DSK-FJXT

---

Receipt Number : 00658441  
File Number : 2103094001  
Payment Type : 0506 PERMITS - BIDO

0724 SIGN REVIEW FEE	\$75.00
0520 PERMITS MISC	\$78.00
0520 PERMITS MISC	\$376.00

---

Payment Total: \$529.00

---

Transaction Total: \$529.00  
MASTER CARD Tendered : \$529.00

Thank you for your payment.  
Have a nice day!



City of Dallas

# Permit #

# 2103094001

Issue Date: 04/28/2021

Development Services Department | Building Inspection Division | 214/948-4480 | www.dallascityhall.com

**Address:**

**15602 DALLAS PKWY**

**Land Use Description:**

**Work Description:**

Relocation Dismantle of Non-Premise Sign

**Value of Work:**

**Owner:**

RALSTON OUTDOOR ADVERTISING  
2220 SHORECREST DR DALLAS, TX 75229

**Applicant:**

BENJAMIN RALSTON

**Contractor:**

RALSTON OUTDOOR ADVERTISING

**Business Address:**

PO BOX 29188,  
DALLAS, TX 75229

**Telephone:**

972/241-4040

**Fax:** 972/247-2626

**Lot:** 1

**Block:** E/8222

**Zoning:** A(A),MU-

**PDD:**

**SUP:**

**Historic Dist:**

**Illuminated:** Y

**Eff Area:** 672

**Support Poles:** 1

**Overall Height:** 43

**No. of Faces:** 2

**Ortn of Face:** N&S

**Config of Faces:** BACK TO BACK

**Const Type:** MONOPOLE CENTERMOUNT

**Remarks:**

RELOCATE NON-PREMISE SIGN AS PER DART REQUIREMENTS - LOCATION TO BE DETERMINED



# Contractor's Authorization

City of Dallas Type: Non-Premise Sign

Development Services Department | Building Inspection Division | [www.dallascityhall.com](http://www.dallascityhall.com)

District Office: NE

**Validation #:** 2103094001

**Address:** 15602 DALLAS PKWY

Issue Date: 04/28/2021

Land Use Description:

Work Description: Relocation Dismantle of Non-Premise Sign

Authorized Date: 04/28/2021  
Owner Or Tenant: RALSTON OUTDOOR ADVERTISING  
2220 SHORECREST DR  
DALLAS, TX 75235

Applicant: BENJAMIN RALSTON  
Contractor: RALSTON OUTDOOR ADVERTISING  
Business Address: PO BOX 29188,  
DALLAS, TX 75229

Telephone: 972/241-4040 Fax: 972/247-2626

Lot: 1	Block: E/8222	Zoning: A(A),MU-	PDD:
SUP:	Historic Dist:	Illuminated: Y	Eff Area: 672
Support Poles:1	Overall Height:43	No of Faces:2	Ortn of Face:N&S
Cofig of Faces:BACK TO BACK		Const Type:MONOPOLE CENTERMOUNT	

**For inspections call 214/670-5313, 24 hours. You will need your validation number 2103094001 and one of the inspection types from the list below.**

510 Sign Relocation Dismantle      512 Non-Premise Sign Miscellaneous Inspection      530 Sign Relocation Assemble

After your permit is processed you will receive a registration sticker to be posted on your sign. There are no called inspections for this permit type.

**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 permitted area or additional assistance, call (214) 670-7278 from 8 AM to 4:30 PM Monday through Friday.



# Contractor's Authorization

City of Dallas Type: Non-Premise Sign

Sustainable Development and Construction | Building Inspection Division | [www.dallascityhall.com](http://www.dallascityhall.com)

District Office: NE

**Validation #:** 2103094001

**Address:** 15602 DALLAS PKWY

Issue Date: 04/28/2021

Land Use Description:

Work Description: Relocation Dismantle of Non-Premise Sign

Authorized Date: 04/28/2021

Owner Or Tenant: RALSTON OUTDOOR ADVERTISING  
2220 SHORECREST DR  
DALLAS, TX 75235

Applicant: BENJAMIN RALSTON

Contractor: RALSTON OUTDOOR ADVERTISING

Business Address: PO BOX 29188,  
DALLAS, TX 75229

Telephone: 972/241-4040 Fax: 972/247-2626

Lot: 1	Block: E/8222	Zoning: A(A),MU-	PDD:
SUP:	Historic Dist:	Illuminated: Y	Eff Area: 672
Support Poles:1	Overall Height:43	No of Faces:2	Ortn of Face:N&S
Cofig of Faces:BACK TO BACK		Const Type:MONOPOLE CENTERMOUNT	

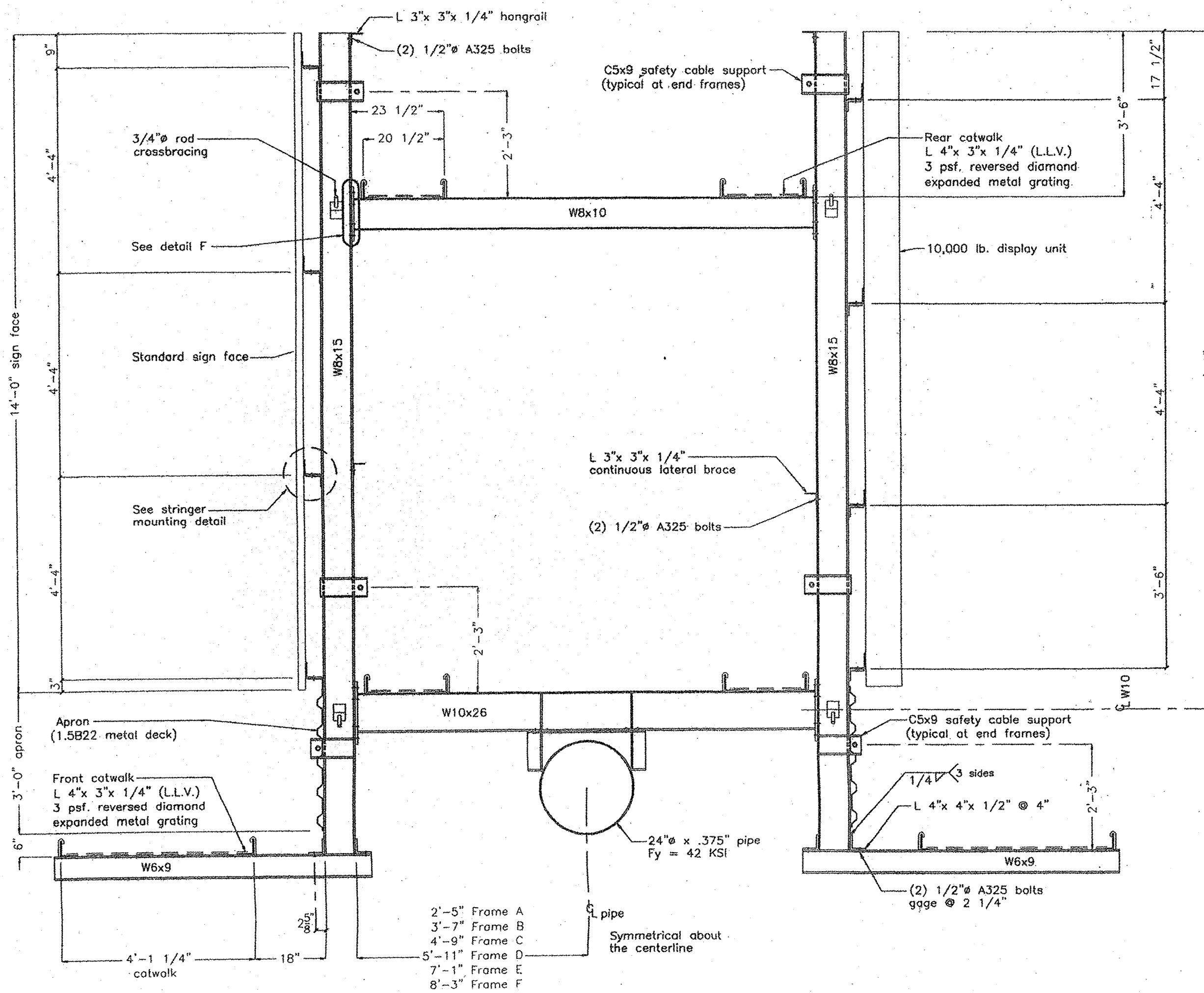
**For inspections call 214/670-5313, 24 hours. You will need your validation number 2103094001 and one of the inspection types from the list below.**

510 Sign Relocation Dismantle      512 Non-Premise Sign Miscellaneous Inspection      530 Sign Relocation Assemble

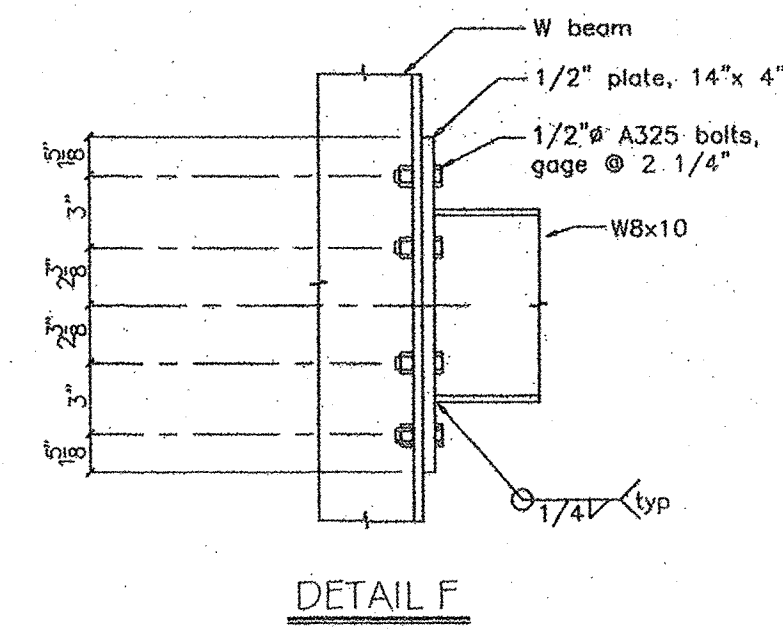
For registrations you will receive a registration sticker. You do not need to call an inspection

**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 permitted area or additional assistance, call (214) 670-7278 from 8 AM to 4:30 PM Monday through Friday.

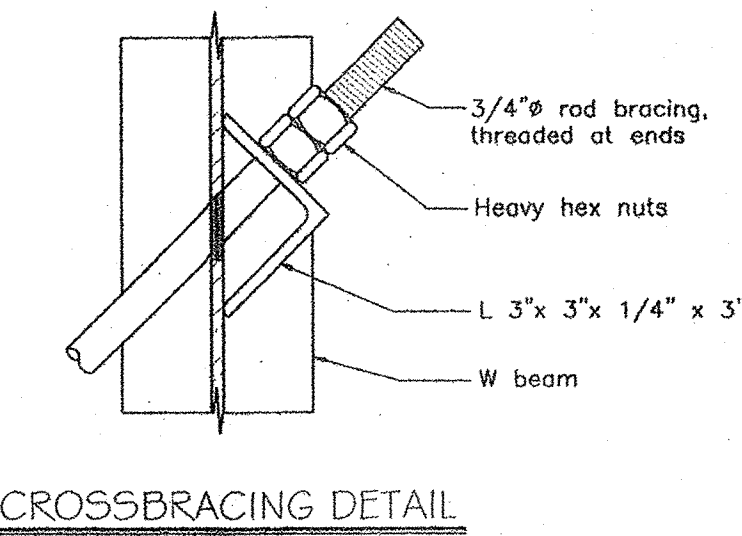




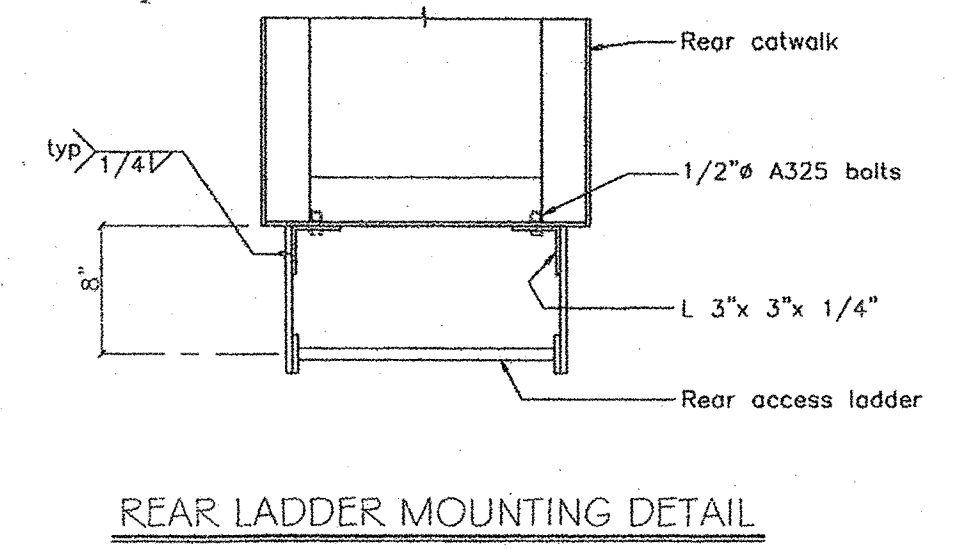
SECTION A-A  
FRAME DETAIL  
scale: 1/2"=1'-0"  
FULL FLAG DETAIL SIMILAR



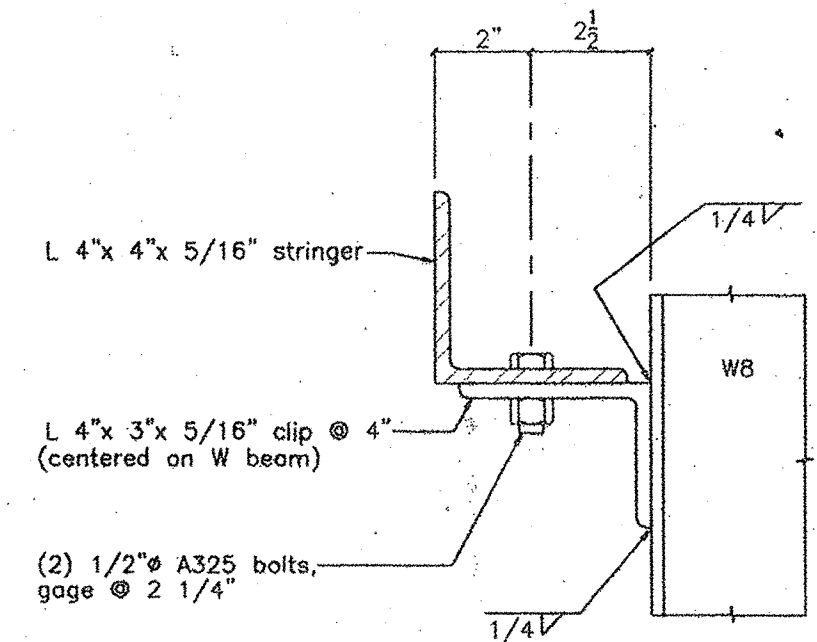
DETAIL F



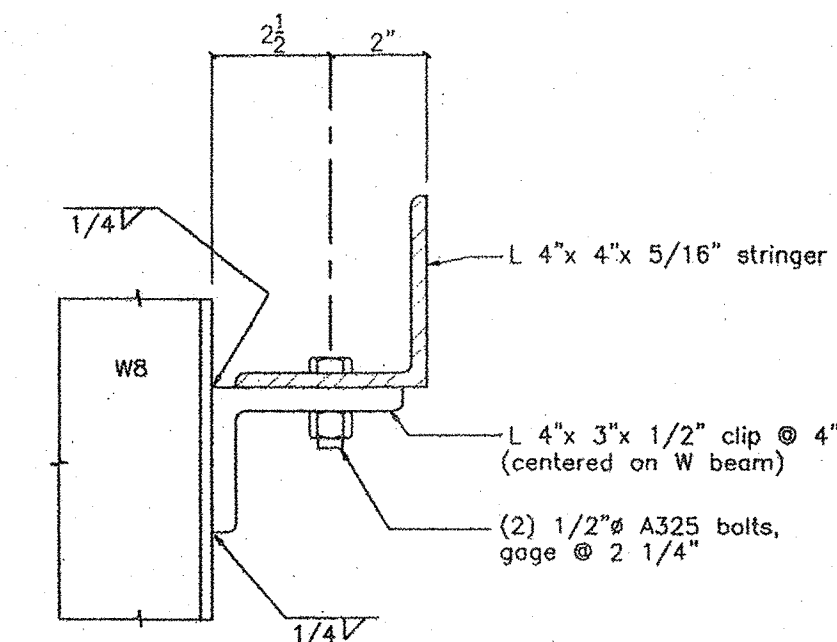
CROSSBRACING DETAIL



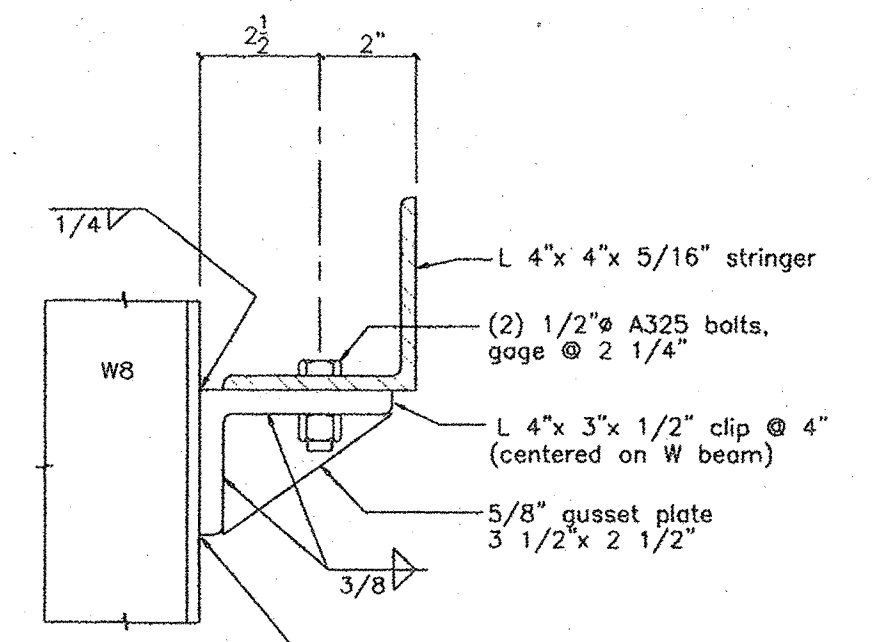
REAR LADDER MOUNTING DETAIL



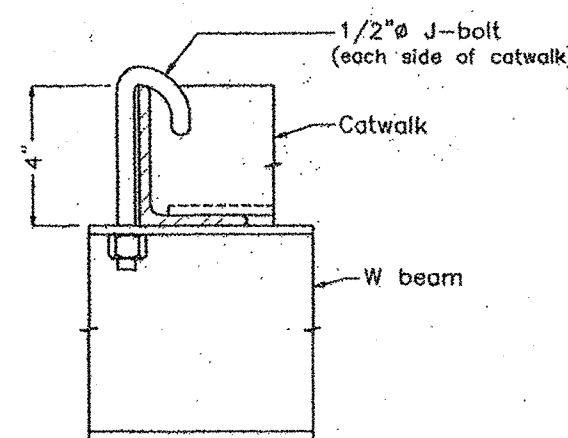
STRINGER MOUNTING DETAIL  
Standard Sign Face



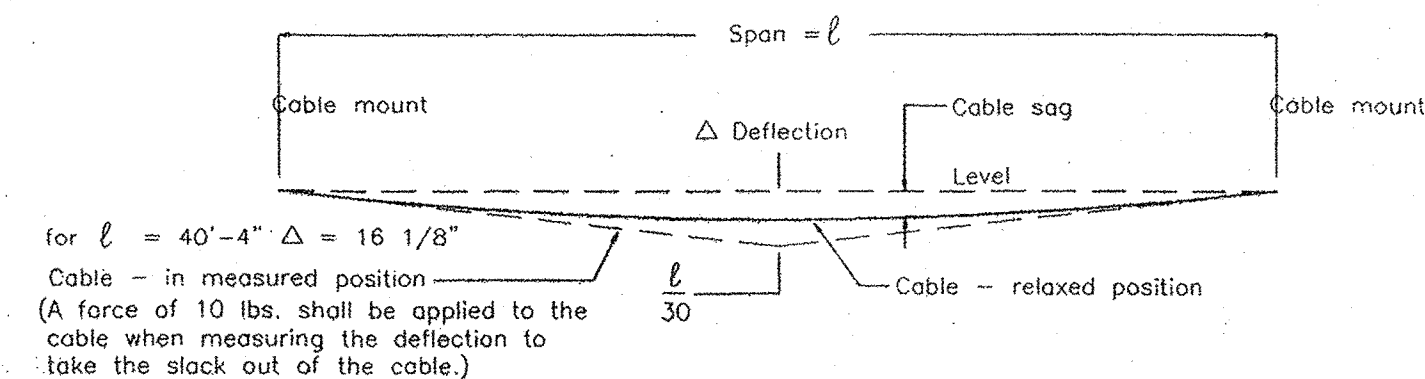
STRINGER MOUNTING DETAIL  
10,000 lb. Unit  
Frames A, C, D, F



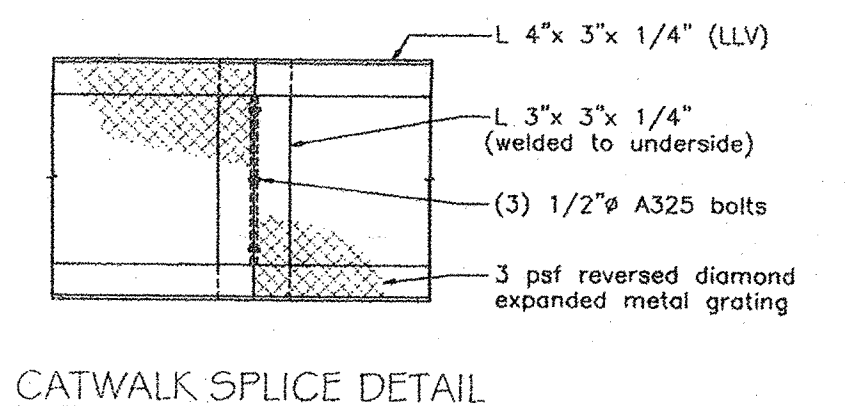
STRINGER MOUNTING DETAIL  
10,000 lb. Unit  
Frames B, E



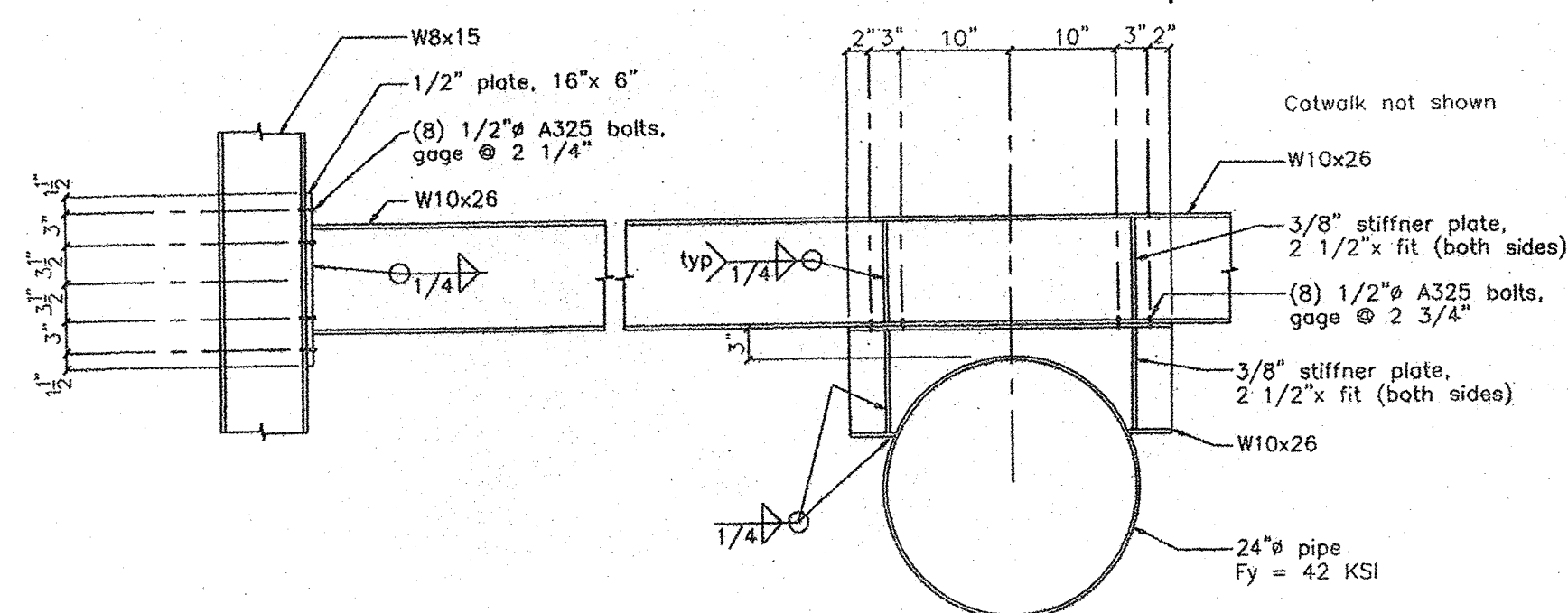
CATWALK MOUNTING DETAIL



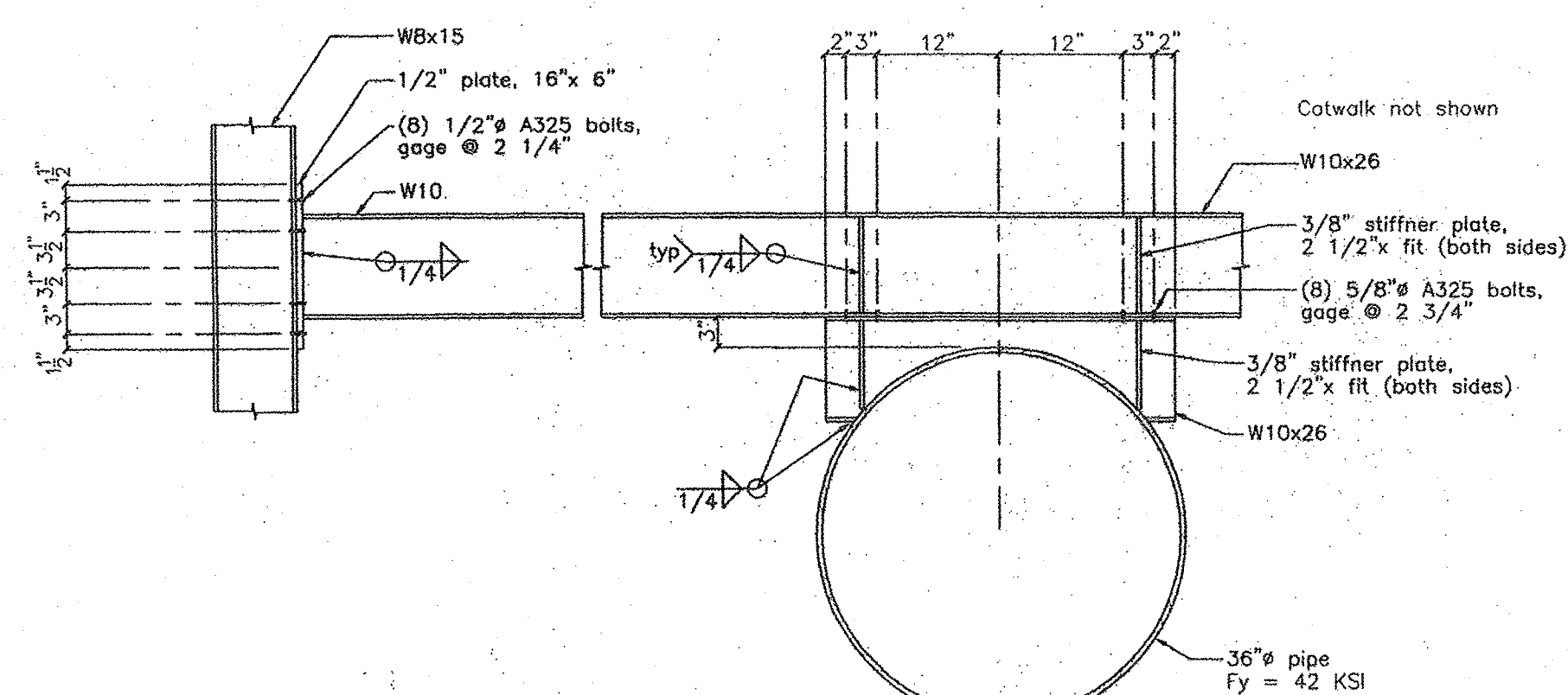
SAFETY CABLE INSTALLATION CRITERIA



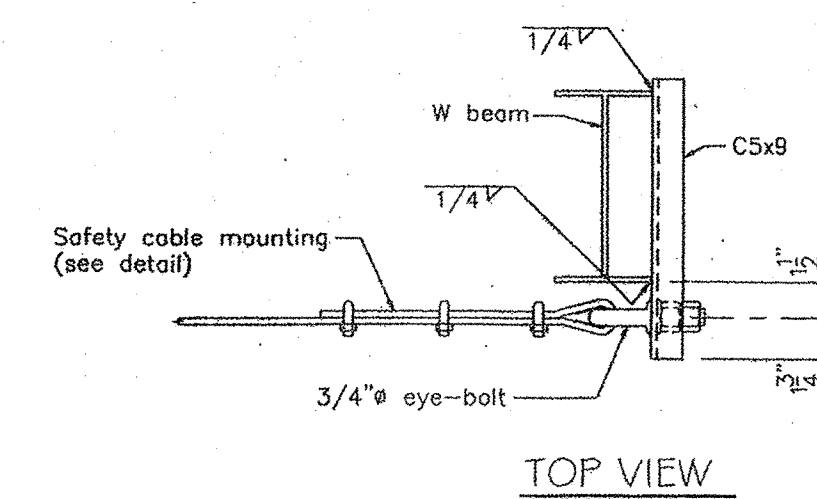
CATWALK SPLICE DETAIL



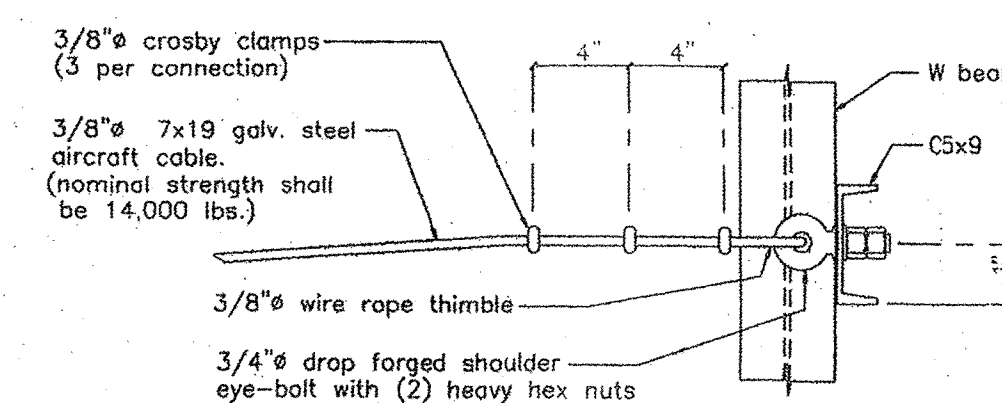
CENTERMOUNT  
FRAME MOUNTING DETAIL



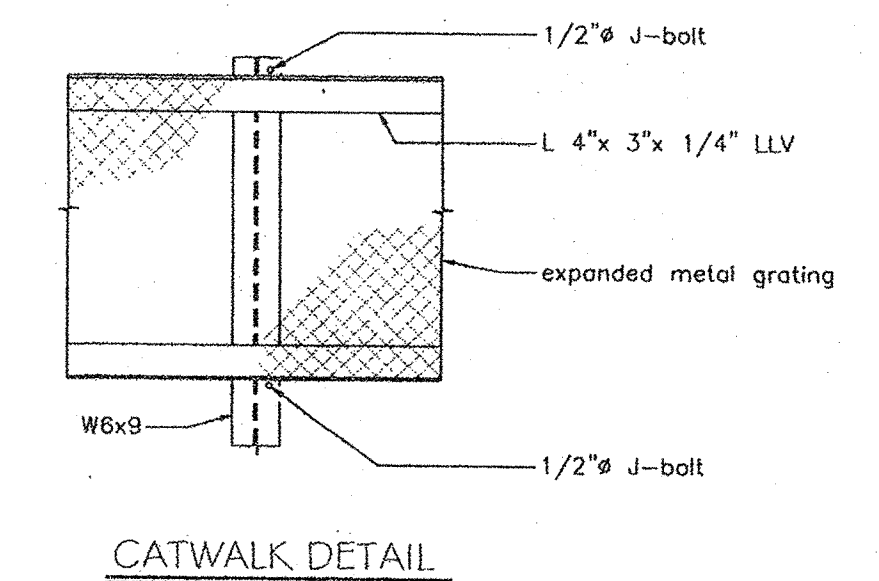
FULL FLAG  
FRAME MOUNTING DETAIL



TOP VIEW



SAFETY CABLE MOUNTING



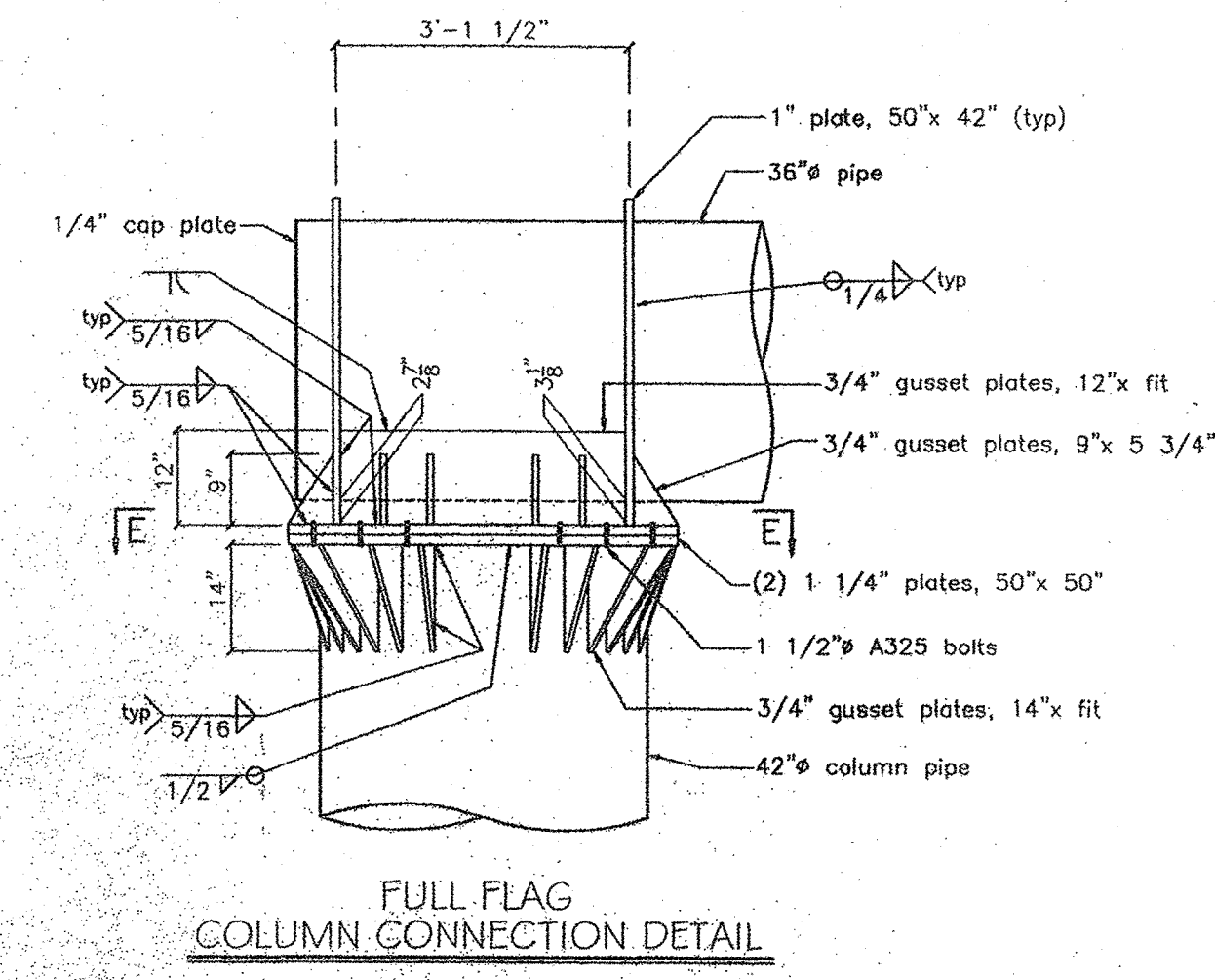
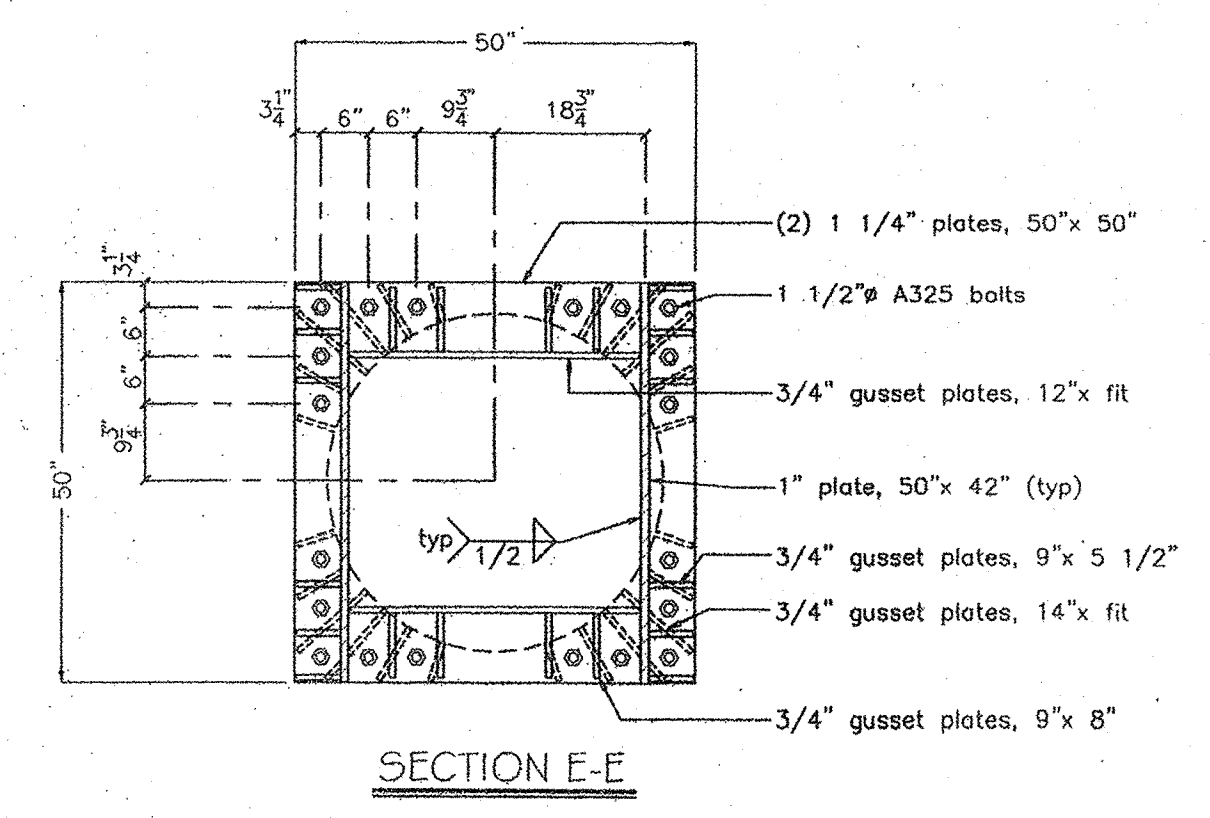
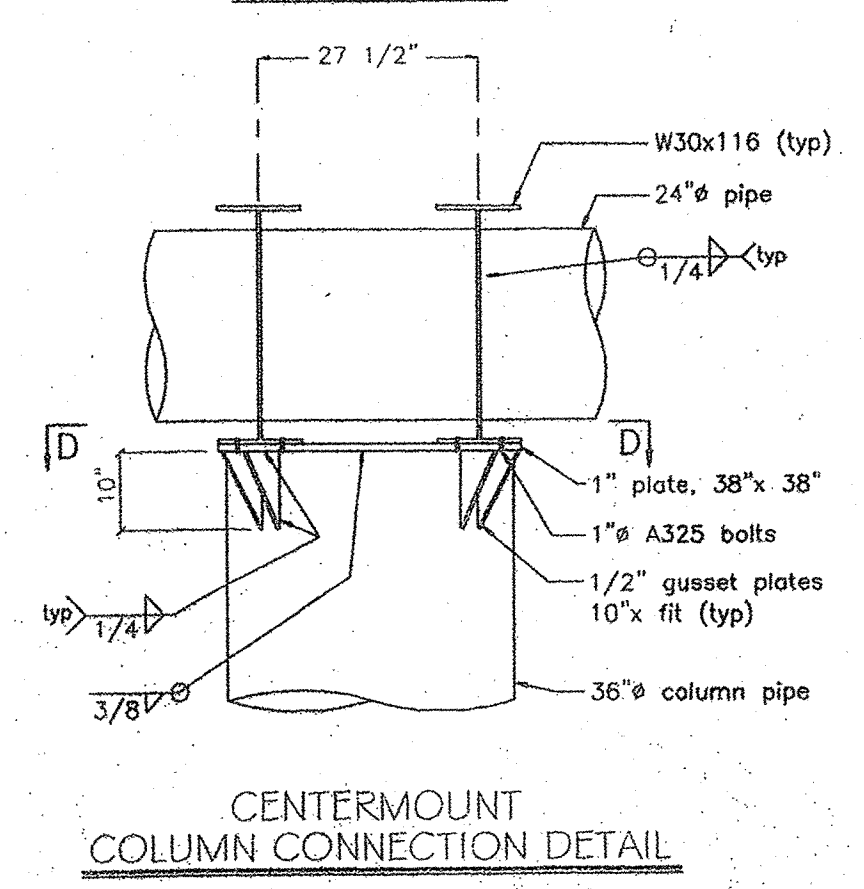
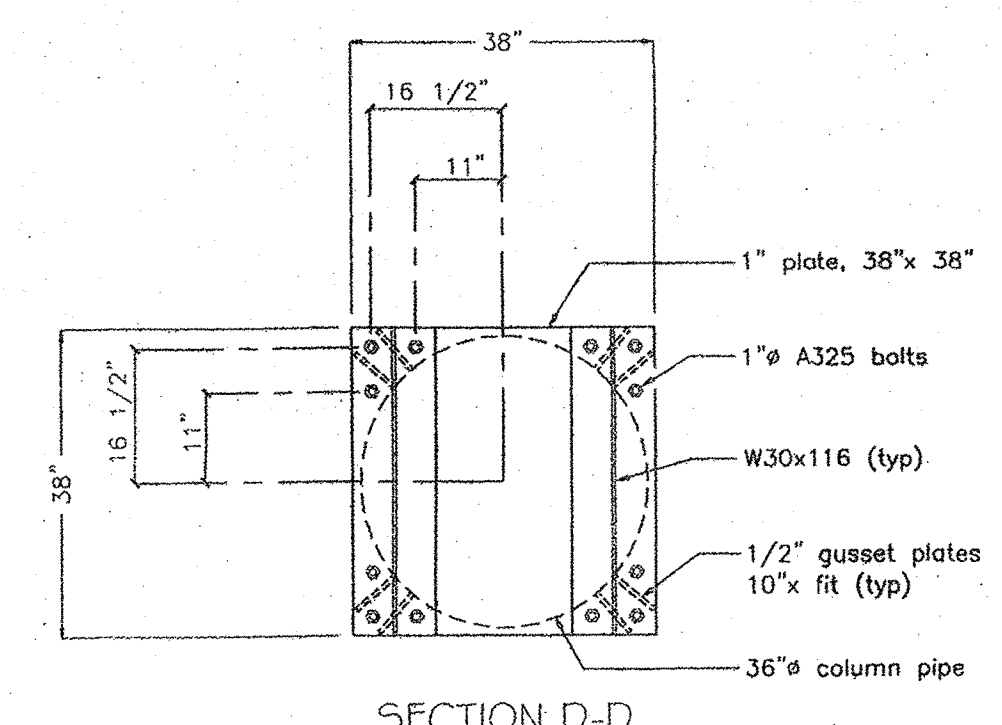
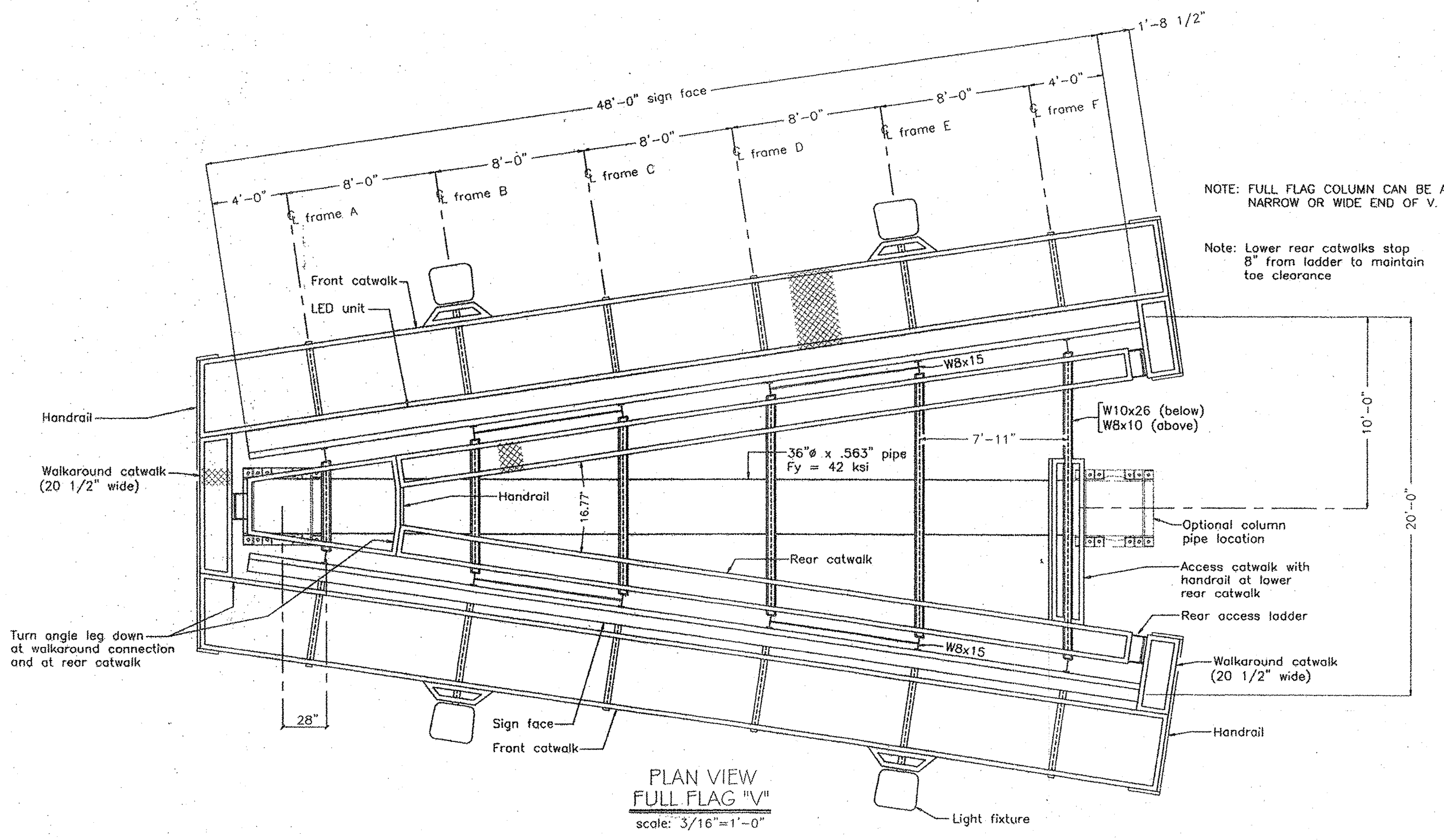
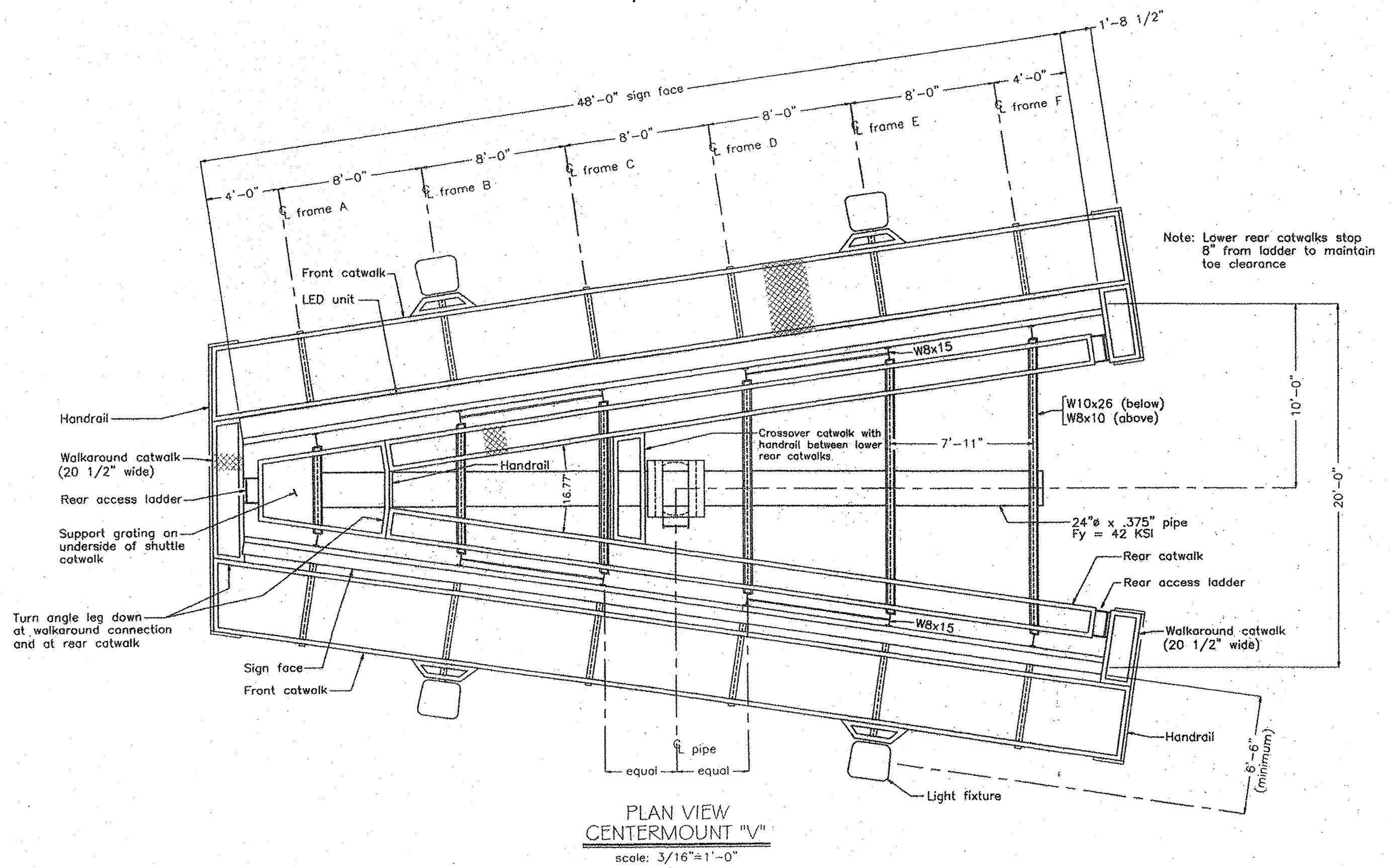
CATWALK DETAIL

## Ralston

**OUTDOOR ADVERTISING, LTD.**

14'-0" x 48'-0" MONOPOLE SIGN STRUCTURE  
10,000 LB. DISPLAY UNIT ON ONE FACE - SIGN PANELS ON ONE FACE  
CENTERMOUNT - FULL FLAG  
STANDARD 20' V

Job Name: Yesco Unit	Job No.:
Job Location:	
Drawing No. 1448-90-LED-Y	
sheet 3 of 3	



## Ralston

OUTDOOR ADVERTISING, LTD.

14'-0" x 48'-0" MONOPOLE SIGN STRUCTURE  
10,000 LB. DISPLAY UNIT ON ONE FACE - SIGN PANELS ON ONE FACE  
CENTERMOUNT - FULL FLAG  
STANDARD 20' V

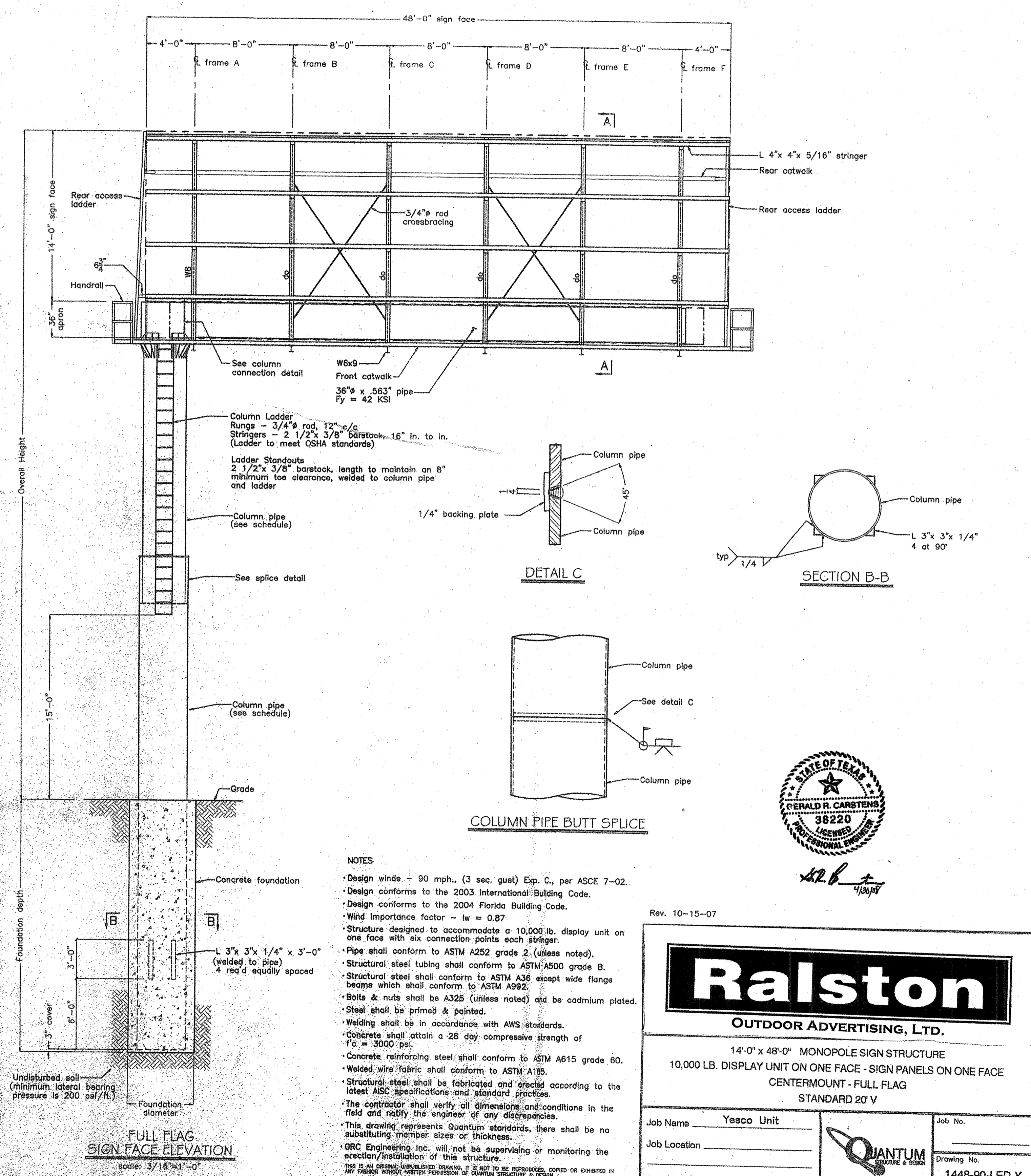
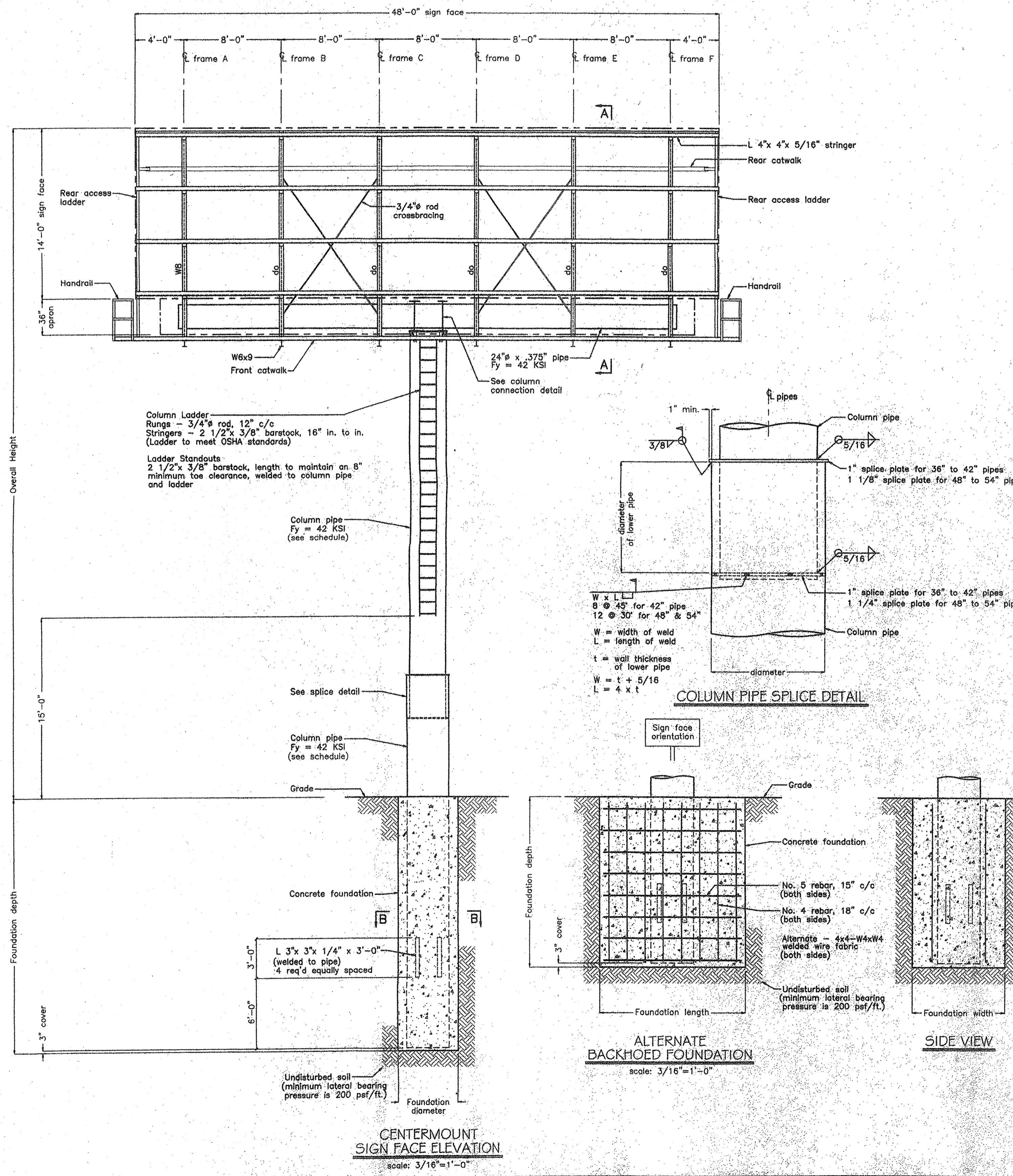
Job Name <u>Yesco Unit</u>	Job No. _____
Job Location _____	
Drawing No. <u>1448-90-LED-Y</u> sheet 2 of 3	



CENTERMOUNT COLUMN & FOUNDATION SCHEDULE						
Overall Height	Column Pipe Fy = 42 KSI	Drilled Foundation		Backhoed Foundation		
		Depth	Diameter	Depth	Length	Width
0'-0" to 39'-0"	36" x .375"	17'-0"	4'-0"	12'-6"	9'-6"	5'-6"
39'-1" to 59'-0"	36" x .500"	19'-0"	4'-0"	13'-0"	12'-0"	7'-0"
59'-1" to 69'-0"	42" x .500"	20'-0"	4'-6"	14'-0"	12'-0"	7'-6"
69'-1" to 83'-0"	48" x .500"	20'-8"	5'-0"	14'-6"	12'-9"	8'-0"
83'-1" to 103'-0"	48" x .625"	22'-0"	5'-0"	15'-0"	14'-6"	8'-6"
103'-1" to 109'-0"	54" x .563"	22'-0"	5'-6"	15'-6"	15'-6"	8'-6"
109'-1" to 120'-0"	54" x .625"	22'-8"	5'-6"			

FULL FLAG COLUMN & FOUNDATION SCHEDULE						
Overall Height	Column Pipe Fy = 42 KSI	Drilled Foundation		Backhoed Foundation		
		Depth	Diameter	Depth	Length	Width
0'-0" to 29'-0"	42" x .500"	19'-0"	4'-6"	14'-0"	10'-6"	9'-6" Δ
29'-1" to 47'-0"	42" x .563"	20'-0"	4'-6"	14'-6"	12'-0"	10'-6" Δ
47'-1" to 71'-0"	48" x .563"	21'-0"	5'-0"	15'-0"	13'-0"	11'-0" Δ
71'-1" to 84'-0"	48" x .625"	22'-0"	5'-0"	15'-6"	14'-0"	11'-0" Δ
84'-1" to 104'-0"	54" x .625"	23'-0"	5'-6"			
104'-1" to 120'-0"	54" x .888"	24'-0"	5'-6"			

Δ - No reinforcement steel req'd



- NOTES**
- Design winds - 90 mph, (3 sec. gust) Exp. C, per ASCE 7-02.
  - Design conforms to the 2003 International Building Code.
  - Design conforms to the 2004 Florida Building Code.
  - Wind importance factor - Iw = 0.87
  - Structure designed to accommodate a 10,000 lb. display unit on one face with six connection points each stringer.
  - Pipe shall conform to ASTM A252 grade 2, (unless noted).
  - Structural steel tubing shall conform to ASTM A500 grade B.
  - Structural steel shall conform to ASTM A36 except wide flange beams which shall conform to ASTM A992.
  - Bolts & nuts shall be A325 (unless noted) and be cadmium plated.
  - Steel shall be primed & painted.
  - Welding shall be in accordance with AWS standards.
  - Concrete shall attain a 28 day compressive strength of f'c = 3000 psi.
  - Concrete reinforcing steel shall conform to ASTM A615 grade 60.
  - Welded wire fabric shall conform to ASTM A185.
  - Structural steel shall be fabricated and erected according to the latest AISC specifications and standard practices.
  - The contractor shall verify all dimensions and conditions in the field and notify the engineer of any discrepancies.
  - This drawing represents Quantum standards, there shall be no substituting member sizes or thickness.
  - GRC Engineering, Inc. will not be supervising or monitoring the erection/installation of this structure.



Rev. 10-15-07

**Ralston**  
OUTDOOR ADVERTISING, LTD.

14'-0" x 48'-0" MONOPOLE SIGN STRUCTURE  
10,000 LB. DISPLAY UNIT ON ONE FACE - SIGN PANELS ON ONE FACE  
CENTERMOUNT - FULL FLAG  
STANDARD 20 V

Job Name: Yesco Unit  
Job Location: \_\_\_\_\_

Job No. \_\_\_\_\_  
Drawing No. 1448-90-LED-Y  
sheet 1 of 3

QUANTUM  
ENGINEERING & DESIGN

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

You are correct.

Thank you,  
Jason Pool



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



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

**External Email!**

Jason,

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

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



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

Thank you,



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q ewdvt rxi | ew2sq \$

---

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

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

Thank you,  
Jason Pool



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



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

**External Email!**

Jason,

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

Thankyou,



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q ewdvtperxi |ew2sq \$

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

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

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

Thank you,  
Jason Pool



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



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---

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

**External Email!**

Were permit fees paid on either of these?

Do I enter SF and cost on the permit application?

Thanks again,



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q ewdvtperxi |ew2sq \$

---

**From:** Pool, Jason <[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)>  
**Sent:** Thursday, April 7, 2022 12:03 PM  
**To:** Kiesha Kay <[kiesha@masterplantexas.com](mailto:kiesha@masterplantexas.com)>  
**Subject:** RE: Billboard Relocation

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

Thank you,  
Jason Pool



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

[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)



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---

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

**External Email!**

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

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

Thanks,



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---

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

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

Thank you,  
Jason Pool



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



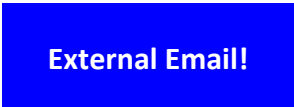
**Links:** [Sign Ordinance](#) | [Zoning & Sign Charts](#) | [Zoning Map](#) | [Chapter 51P \(PDs\)](#) | [Online Permits](#)

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---

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



Jason,

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

Thank you,



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---

**From:** Pool, Jason <[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)>  
**Sent:** Wednesday, April 6, 2022 8:07 PM

To: Kiesha Kay <[kiesha@masterplantexas.com](mailto:kiesha@masterplantexas.com)>

Subject: RE: Billboard Relocation

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

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

Please let me know if you need anything else.

Thank you,  
Jason Pool



**Jason Pool**

Sign Inspector – SW District

City of Dallas | [DallasCityNews.net](http://DallasCityNews.net)

Development Services

2730 Coombs Creek Dr.

Dallas, TX 75211

O: (214) 671-1768

[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)



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---

From: Kiesha Kay <[kiesha@masterplantexas.com](mailto:kiesha@masterplantexas.com)>

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

To: Pool, Jason <[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)>

Subject: RE: Billboard Relocation

**External Email!**

Jason,

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



Thank you,



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

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

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

I would be happy to assist with a code amendment. Here is the application packet.

Both Megan and Vernon have been made aware of this, so they should be able to discuss with you as needed. Also, feel free to call me if you would like to discuss further.

Please let me know if you need anything else.

Thank you,  
Jason Pool



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



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---

**From:** Kiesha Kay <[kiesha@masterplantexas.com](mailto:kiesha@masterplantexas.com)>  
**Sent:** Wednesday, April 6, 2022 3:06 PM  
**To:** Pool, Jason <[jason.pool@dallascityhall.com](mailto:jason.pool@dallascityhall.com)>  
**Subject:** FW: Billboard Relocation

**External Email!**

Jason,

Good afternoon. I am not sure if Mike is out of the office. Can you please review the email I sent him below and let me know how best to make this submittal?

Please let me know if you have any questions or need additional information.

Thank you,



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---

**From:** Kiesha Kay  
**Sent:** Tuesday, April 5, 2022 2:09 PM  
**To:** Martin, Michael <[michael.martin2@dallascityhall.com](mailto:michael.martin2@dallascityhall.com)>  
**Subject:** Billboard Relocation

Mike,

Good afternoon. Can you please let me know what is needed to submit a billboard relocation?

The billboard at 15602 Dallas Pkwy was dismantled via 2103094001. The issue date of this permit was 04/28/2021. The proposal is to relocate this billboard to 9101 John Carpenter.

Do I submit this via PDox or submit hard copies to the office?

Thank you,



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# MEMORANDUM

**Subject:** Basis for relocating the Ralston Outdoor (“Ralston”) sign at 15602 Dallas Parkway (“Dallas Parkway Sign”) to property outside of the remainder and sign at 17809 Coit Rd. (“Coit Sign”) more than 500 feet away from the original location on the same railway right-of-way.

**Date:** April 7, 2022

---

**Issue:** Does the Dallas Sign Code (the “Code”) allow Ralston to relocate the Dallas Parkway Sign outside of the DART corridor and the Coit Sign to property more than 500 feet away from its original location within the DART corridor?

**Answer:** Yes

- a. **Sec. 51A-7.307 (d) of the Code is titled Relocation to Remainder.** For signs located on railroad right-of-ways, the “remainder” is the same railroad right-of-way.

According to Section 51A-7.307 (d)(1), *all relocated* signs must be relocated to the remainder unless

- (A) there is no remainder;
- (B) the sign owner is unable to obtain an agreement from the property owner on the remainder; *or*
- (C) the remainder is not sufficient or suitable.

When one of the conditions described in (A) through (C) occurs, a sign owner may relocate its sign to a place outside of the remainder subject to the restrictions imposed in Sec. 51A-7.307 (e), titled Restrictions on Relocations.

The City of Dallas is familiar with this procedure and previously allowed Ralston to relocate signs outside of the remainder when the remainder was insufficient for relocation. As DART explained to the City of Dallas, the remainder is not sufficient or suitable for relocating the Dallas Parkway Sign. There is, however, a sufficient place to relocate the Coit Sign on the same DART railroad right-of-way, but more than 500 feet from that sign’s original location.



Regarding signs located on a “railroad right-of-way,” Sec. 51A-7.307(d) (3) of the Code requires those signs to be relocated within 500 feet of the original location on the same railroad right-of-way *if possible*. But if there is no suitable relocation spot within 500 feet of the original location, the Code allows the owner to relocate more than 500 feet from the original location on the same railroad right-of-way. If, however, there is no suitable place to relocate *anywhere on the same railroad right-of-way*, then the sign owner is in the exact position addressed by Code Sec. 51A-7.307(d)(1)(C), where the remainder is not sufficient or sustainable for relocation.

- b. DART located a suitable location to relocate the Coit Sign on the same DART railroad right-of-way even though the new location is more than 500 feet from the original location.

On March 3, 2021, Matt Lannon who is a senior manager for DART Railroad Management sent correspondence to Michael Martin advising Mr. Martin that DART required Ralston to relocate the Coit Sign and the Dallas Parkway Sign due to a conflict with the pending DART construction. A true and correct copy of that correspondence is attached here as Exhibit 1.

Nearly a year later, on January 14, 2022, Mr. Lannon sent follow-up correspondence to Michael Martin stating that DART found a suitable relocation place for the Coit Sign on the DART corridor, but it could not locate a suitable place to relocate the Dallas Parkway Sign despite “countless” and “exhausted” efforts. A true copy of that correspondence is attached as Exhibit 2. The new spot for the Coit Sign is more than 500 feet from the original location, but—following the express provisions of the Code—it is located on the same railroad right-of-way—the DART Corridor.

- c. The remainder is not suitable or sufficient to allow relocation of the Dallas Parkway Sign on the same railroad right-of-way.

For at least 10 months, DART and Ralston worked to find a suitable relocation spot for the Dallas Parkway Sign on the same DART railroad right-of-way (first within 500 feet of the original location, and then anywhere on the same DART Corridor). Because DART exhausted all efforts to find a suitable place to relocate without success, DART advised Ralston to relocate “elsewhere within the City of Dallas,” and asked the City to accommodate Ralston in doing so.

Under the Code, a sign owner may relocate its sign outside of the remainder if the remainder is not suitable. When dealing with a sign on the railroad right-of-way, the “remainder” *is* the railroad right-of-way.

Unfortunately, there is simply no suitable place to relocate the Dallas Parkway Sign anywhere on the DART Corridor. As a result, relocating to the remainder is impossible and Ralston is in the exact situation described in 51A-7.307(d)(1)(C) of the Code and must be allowed to relocate its sign outside of the DART Corridor. Any other result is inconsistent with the letter of the Code and is otherwise untenable. Nothing in the Code, or any principal of equity, justifies treating the Dallas Parkway Sign differently than any of the numerous other signs where the City allowed relocation outside of the remainder under section 51A-7.307(d)(1)(C).



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

March 3, 2021

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

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

Dear Mr. Martin;

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

Sincerely;

A handwritten signature in blue ink, appearing to read "M Lannon", is written over a light blue circular stamp.

Matt Lannon  
Senior Manager, Railroad Management

EXHIBIT

1



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

January 14, 2022

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

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

Dear Mr. Martin:

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "ML", is written over a light blue circular background.

Matt Lannon  
Senior Manager, Railroad Management

c: Ben Ralston, President, Ralston Outdoor



# **BDA212-051\_ATTACHMENT\_B**

June 13, 2022

*Via Email to BDA Secretary*

Board of Adjustment, Panel C  
1500 Marilla St., 5BN  
Dallas, Texas 75201

Re: City Staff's Brief in Response to the Appeal of the Building Official's Decision as to 9109 John W. Carpenter Freeway, BDA 212-051

Dear Board Members:

Below is a summary the of key points that will be addressed by City staff in response to the appeal of the building official's decision in BDA 212-051.

## **I. Facts**

This appeal relates to a non-premise sign that was previously located at 15602 Dallas Parkway and permitted under section 51A-7.306 of the Dallas City Code as a nonconforming use. Due to the Silver Line Commuter Rail Project, DART determined that the sign needed to be removed. *See* Ex. A. DART also determined, however, that there was no location on the DART rail corridor where the sign could be moved. Ex. B. Therefore, applicant instead submitted a request to relocate the sign to 9109 John W. Carpenter Freeway.

## **II. Reason for Denial**

Under section 51A-7.306 of the Dallas City Code, non-premise signs are generally prohibited with limited exceptions. Dallas, Tex., Code § 51A-7.306. Among the exceptions are that the sign is a nonconforming use and that it was lawfully relocated pursuant to section 51A-7.307. *Id.* § 51A-7.306(a)(1), (5). As noted above, in its original location, the non-premise sign was authorized as a nonconforming use. The sign was located in the railroad right-of-way. *See* Ex.



C. Under section 51A-7.307(d)(3), “signs located on a railroad right-of-way must be relocated within that same railroad right-of-way.” Dallas, Tex., Code § 51A-7.307(d)(3). Generally, relocated signs should be relocated within 500 feet, but if that is not possible, “it can be relocated anywhere in that same railroad right-of-way, but must fully comply with the size, height, spacing, setback, and other restrictions in this article.” *Id.* Here, however, applicant admits that, not only can the sign not be located within the same railroad right-of-way, it cannot be located anywhere on the DART rail corridor. *See* Ex. B. Nothing in section 51A-7.307(d)(3) allows for relocation to another location if it is not possible for a non-premise sign to be relocated within the “same railroad right-of-way.” Dallas, Tex., Code § 51A-7.307(d)(3). Applicant’s request, therefore, that the City ignore the requirements of section 51A-7.307(d)(3) and allow it to relocate to another location in the City is not permitted by the City Code. For this reason, the building official denied applicant’s relocation request. Ex. D.

### **III. Relief Requested**

The building official’s decision was proper, and the City requests that the decision be affirmed. The panel should sustain the building official’s decision to deny the relocation of the non-premise sign formerly located at 15602 Dallas Parkway, permit no. 2103094001.

Respectfully,

/s/ Kathleen M. Fones  
KATHLEEN M. FONES  
Assistant City Attorney  
214-670-3505  
kathleen.fones@dallascityhall.com



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

March 3, 2021

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

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

Dear Mr. Martin;

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

Sincerely;

A handwritten signature in blue ink, appearing to read 'M Lannon', with a horizontal line extending to the right.

Matt Lannon  
Senior Manager, Railroad Management





City of Dallas



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA \_\_\_\_\_

Data Relative to Subject Property:

Date: 4/20/2022

Location address: 9109 JSA 9101 John W Carpenter Frwy Zoning District: IR

Lot No.: 43 JSA Block No.: 42/7940 JSA Acreage: 4.97 1.5 JSA Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 227 172 JSA 2) 233 JSA 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Tuscumbia Properties, LLC

Applicant: Trenton Robertson Masterplan JSA Telephone: 972-561-8732

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

E-mail Address: trobertson@masterplantexas.com

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

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

E-mail Address: trobertson@masterplantexas.com

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

In accordance with Section 51A-4.703(a)(2), the request is to appeal an "administrative official's" decision regarding the denial of the relocation of a billboard as it pertains to Section 51A-7.307, Section 51A.7.307(d)(1), and Section 51A.7.307(e).

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

The proposed request is consistent with the language set forth in Section 51A.7.307. "All relocated signs must be relocated on the remainder of the tract from which the parcel of land was acquired unless relocating to the remainder is not possible." DART determined that the Ralston sign in question had to be removed due to new DART construction. After months of investigation, DART also determined that it is not possible to relocate the Ralston sign to another location on the DART corridor. DART directed Ralston to relocate the sign outside of the DART corridor and DART asked the City of Dallas to accommodate Ralston with another location in Dallas. Allowing Ralston to relocate its sign in accordance to Section 51A.7.307, will prevent a total loss for Ralston and will be consistent with the City's treatment of other signs (including other Ralston signs) where relocation to the remainder is not possible.

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

Affidavit

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

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

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

Subscribed and sworn to before me this 22 day of April, 2022

(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** MASTERPLAN  
**represented by** TRENT ROBERTSON  
**did submit a request** to appeal the decision of the administrative official  
**at** 9109 John W Carpenter Fwy

BDA212-051. Application of TRENT ROBERTSON to appeal the decision of the administrative official at 9109 JOHN W CARPENTER FWY. This property is more fully described as Tract 3, Block 42/7940, and is zoned IR. The permit to relocate a nonpremise sign was denied because the proposed relocation does not comply with Sec 51A7.307(d)(3) of the Dallas City Code, which requires all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The applicant proposes to appeal the decision of an administrative official.

Sincerely,

  
David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-051

I, Kurt Lassberg / Tuscambr Properties LLC, Owner of the subject property  
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 9109 John Carpenter Freeway, Dallas  
(Address of property as stated on application)

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

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

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

Specify: \_\_\_\_\_  
\_\_\_\_\_

Kurt Lassberg  
Print name of property owner or registered agent

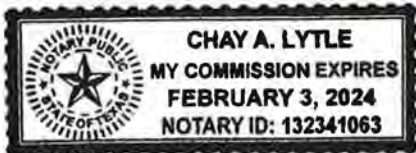
[Signature]  
Signature of property owner or registered agent

Date 4/20/22

Before me, the undersigned, on this day personally appeared Kurt Lassberg

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

Subscribed and sworn to before me this 20<sup>th</sup> day of April, 2022



Chay A. Lytle  
Notary Public for Dallas County, Texas

Commission expires on 2/3/24

Google Maps 15601 Dallas Pkwy



Image capture: Aug 2019 © 2022 Google

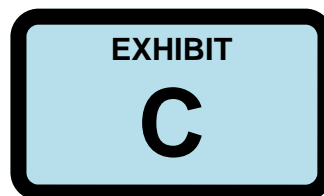
Addison, Texas

Google

Street View - Aug 2019



Currently shown: Aug 2019



6-7



CITY OF DALLAS



April 14, 2022

Mr. Benjamin Ralston  
2220 Shorecrest Dr  
Dallas, TX 75235

**RE: Denial of the new re-location address for permit number 2103094001, to re-locate the billboard previously at 15602 Dallas Pkwy to ~~9101~~ John W Carpenter Frwy.**

Dear Mr. Ralston:

9109 [signature]  
9109 [signature]

This letter is to inform you that the submitted address of ~~9101~~ John W Carpenter Frwy, for the relocation of the non-premise sign formerly at 15602 Dallas Pkwy, permit number 2103094001, is hereby denied.

Pursuant to Section 51A-7.307(d)(3) of the Dallas City Code, all signs located on a railroad right-of-way must be relocated within that same railroad right-of-way. The proposed site at 9101 John W Carpenter Frwy is not located within the same railroad right-of-way and will not meet the code requirement.

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

Sincerely,

Jason Pool  
Southwest District Sign Inspector  
Development Services

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

