

**NOTICE FOR POSTING**  
**MEETING OF**  
**BOARD OF ADJUSTMENT, PANEL C**  
**MONDAY, SEPTEMBER 19, 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 Friday, September 16, 2022. All virtual speakers will be required to show their video in order to address the board.** The public is encouraged to attend the meeting virtually, however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and [bit.ly/cityofdallasty](http://bit.ly/cityofdallasty) or [YouTube.com/CityofDallasCityHall](http://YouTube.com/CityofDallasCityHall), and the WebEx link: <https://bit.ly/091922C>

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

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

**Handgun Prohibition Notice for Meetings of Governmental Entities**

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

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

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

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



**CITY OF DALLAS**  
**BOARD OF ADJUSTMENT, PANEL C**  
**MONDAY, SEPTEMBER 19, 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**  
**LaTonia Jackson, Board Secretary**

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**PUBLIC TESTIMONY**

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**MISCELLANEOUS ITEM**

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	Approval of the August 15, 2022 Board of Adjustment Panel C Public Hearing Minutes	M1
	The Board of Adjustment Panel C will meet in a closed executive session to seek the advice of its attorney about pending or contemplated litigation regarding BDA 212- 051(JM). [Tex. Gov't Code § 551.071] (Room 5BN)	M2
<b>BDA212-FW3(JM)</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.	M3

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**UNCONTESTED CASE(S)**

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<b>BDA212-069(JM)</b>	1822 Sanger Avenue <b>REQUEST:</b> Application of William Harris for variance to the side yard setback regulations	1
<b>BDA212-075(JM)</b>	8012 Trade Village Place <b>REQUEST:</b> Application of Blanca Rodriguez for a special exception to the landscaping regulations	2
<b>BDA212-082(JM)</b>	10203 Hollow Way Road <b>REQUEST:</b> Application of Karl Crawley for a special exception to the fence height regulations	3
<b>BDA212-086(JM)</b>	2821 Simpson Stuart Road <b>REQUEST:</b> Application of Marcelino Hernandez for a special exception to the fence standards regulations	4

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**HOLDOVERS**

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None.

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**REGULAR CASES**

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<b>BDA212-091(JM)</b>	238 Hillvale Drive <b>REQUEST:</b> Application of Wendy Golson for a special exception to the landscaping regulations for a time extension to the landscape and tree preservation regulations	5
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## EXECUTIVE SESSION NOTICE

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

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

**FILE NUMBER:** BDA212-FW3

**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 June 23, and March 21, 2022, Panel C denied a fee waiver for special exceptions to the fence height and visibility triangle regulations. No new information has been provided.

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

6-24-2022

I JUAN JOSE VILLANUEVA AND BLANCA IRENE VILLANUEVA  
ARE REQUESTING A FILING FEE TO BE WAIVED IN  
THE AMOUNT OF \$1200~~00~~ 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 WILL 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

R. Villanueva

JUAN JOSE VILLANUEVA

MONTHLY INCOME

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

PENSION \$ 544.44

MONTHLY EXPENSES

PHARMACY	200 <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
<u>MONTHLY EXPENSES</u>	<u>\$ 2096.34</u>
MONTHLY INCOME	\$ 2261.44

**FILE NUMBER:** BDA212-069(JM)

**BUILDING OFFICIAL'S REPORT:** Application of William Harris for a variance to the side yard setback regulations at 1822 Sanger Avenue. This property is more fully described as Tract 17, Block G/874 and is zoned Tract 1, RS-C Regional Service Commercial Subdistrict within PD No. 595, the South Dallas/Fair Park Special Purpose District, which requires a 15-foot side yard setback where there is residential adjacency. The applicant proposed to construct a residential live-work unit, and provide a five-foot side yard setback, which will require a 10-foot variance to the side yard setback regulations.

**LOCATION:** 1822 Sanger Avenue

**APPLICANT:** William Harris

**REQUESTS:**

A request for a variance to the side yard setback regulations of 10 feet is made to construct and maintain a live-work unit. Per PD No. 595, a live-work unit means an interior space with street-level access that combines residential with office or retail and personal service uses. For purposes of spacing or proximity regulations, a live-work unit is considered a non-residential use. The minimum side yard required is 15 feet where adjacent to or directly across an alley from a residential subdistrict including an MF-2(A) Subdistrict, which exists to the northeast, southeast, and southwest.

**STANDARD FOR A VARIANCE:**

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

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



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

(B) Structures. In exercising its authority under Subsection (A)(ii), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

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

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

Staff concluded that the subject site is unique and different from most lots zoned an RS-C Regional Service Commercial Subdistrict within PD No. 595 considering its irregular quadrilateral shape which narrows in width from 63.5 feet at the front to 47.8 feet in the back. The applicant submitted evidence which was subsequently revised (**Attachment A\_Revised**) comparing the lot size/area of the subject site with 7,864 square feet to the six other lots within the 200-foot notification radius with the same zoning. Per the comparative analysis, the average lot area is 17,381 square feet, more than double the subject site. Furthermore, if all setbacks are taken by code, the lot is further reduced to a buildable lot area of 2,818 square feet. The applicant has requested to reduce the side yard setback which would increase the buildable lot area to 5,053 square feet.

## **BACKGROUND INFORMATION:**

### **Zoning w/in PD No. 595:**

Site: RS-C Regional Commercial Subdistrict  
Northwest: RS-C Regional Commercial Subdistrict  
Northeast: MF-2(A) Multifamily Subdistrict  
Southeast: MF-2(A) Multifamily Subdistrict  
Southwest: MF-2(A) Multifamily Subdistrict

### **Land Use:**

The subject site and surrounding properties are undeveloped except for the contiguous property to the northeast which contains a single-family use.

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

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

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

A request for a variance to the side yard setback regulations of 10 feet is made to construct and maintain a live-work unit. Per PD No. 595, a live-work unit means an interior space with street-level access that combines residential with office or retail and personal service uses. For purposes of spacing or proximity regulations, a live-work unit is considered a non-residential use. The minimum side yard required is 15 feet where adjacent to or directly across an alley from a residential subdistrict including an MF-2(A) Subdistrict, which exists to the northeast, southeast, and southwest.

While the RS-C Subdistrict has no minimum lot size, the applicant submitted evidence which was subsequently revised (**Attachment A\_Revised**) comparing the lot size/area of the subject site with 7,864 square feet to the six other lots within the 200-foot notification radius with the same zoning. Per the comparative analysis, the average lot area is 17,381 square feet, more than double the subject site. Furthermore, if all setbacks are taken by code, the lot is further reduced to a buildable lot area of 2,818 square feet. The applicant has requested to reduce the side yard setback which would increase the buildable lot area to 5,053 square feet. Additionally, the irregular quadrilateral shape narrows in width from 63.5 feet at the front to 47.8 feet in the back. Staff agreed with this evidence that the subject site is unique and different than most lots with the same zoning due to these hardships.

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

- That granting the variance to the side yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal

enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

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

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

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

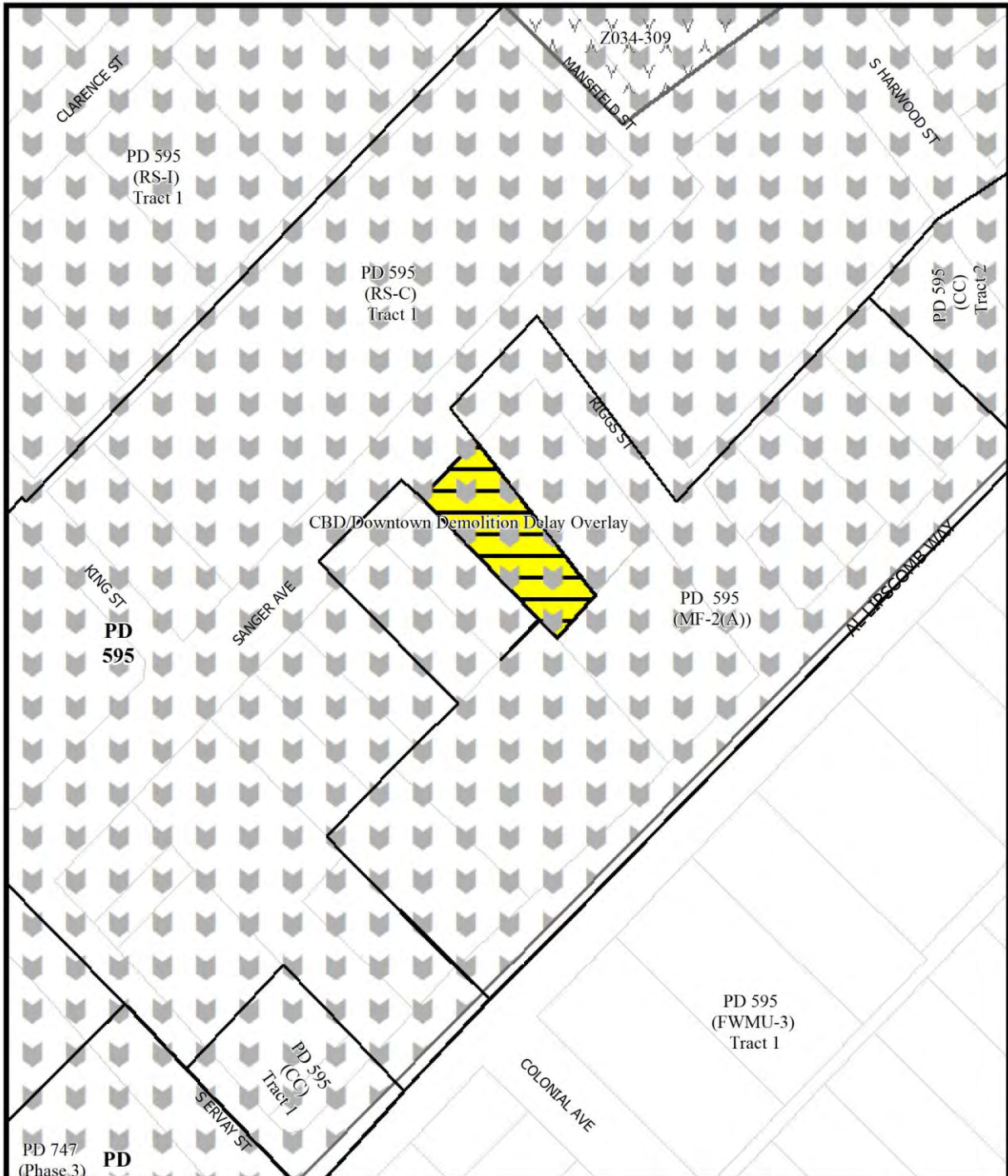
As of September 9, 2022, one letter has been submitted in support from the Cedars Neighborhood Association. No letters in opposition of the request have been submitted.

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

**Timeline:**

May 13, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment.”

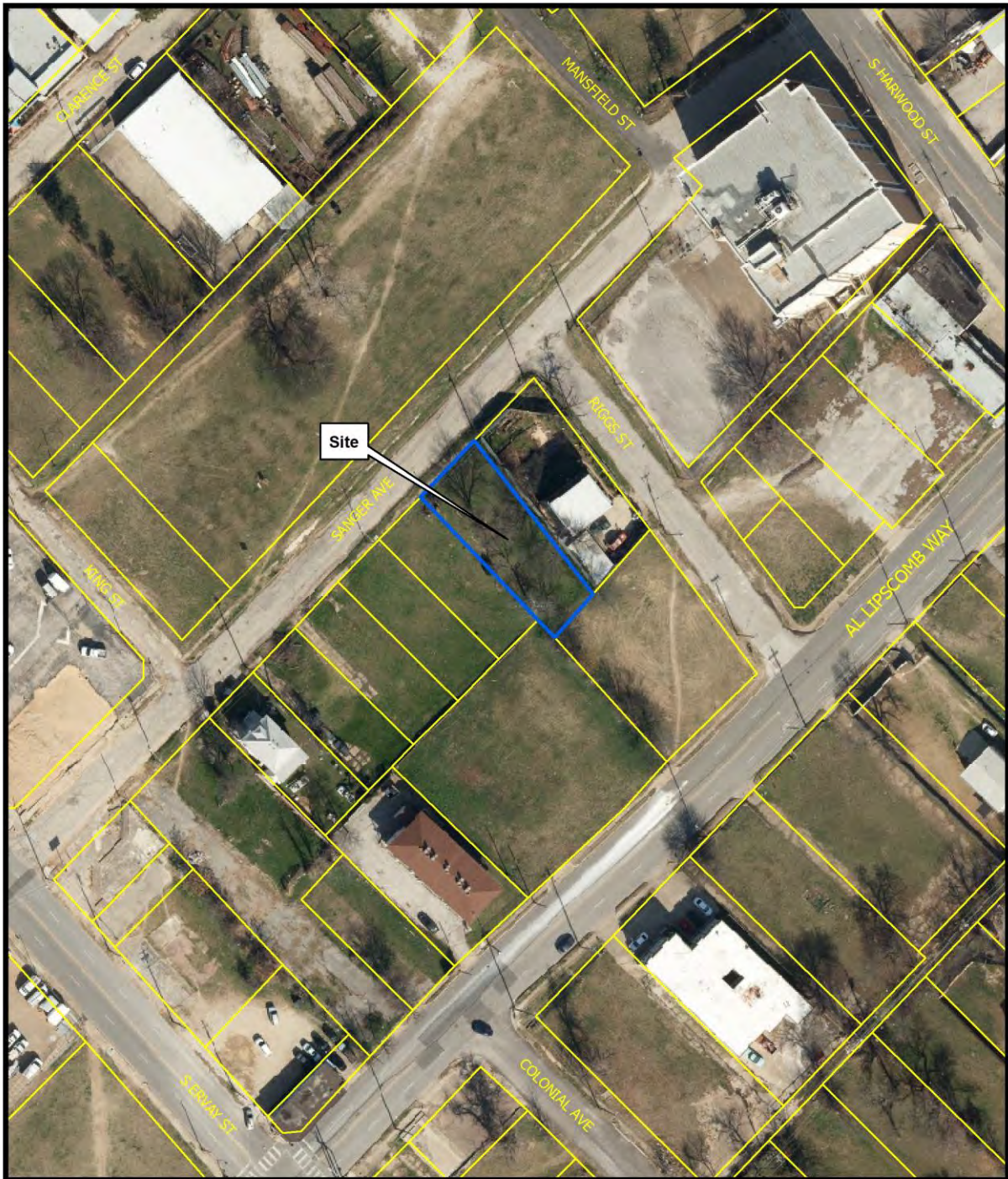
- June 29, 2022: Applications were transferred from Development Services to the Board team at Current Planning for processing on the August docket.
- July 1, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- July 11, 2022: The Board of Adjustment Senior Planner emailed the applicant the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the board's docket materials and the following information:
- a copy of the application materials including the Building Official's report on the application;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- July 26, 2022: The applicant submitted evidence which was later updated to reflect a change in the request.
- July 27, 2022: The applicant requested to hold the case to the September hearings and was advised of the coordinating deadlines (**Email\_1**).
- July 28, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the August public hearings. Review team members in attendance included the following: the Board of Adjustment Chief Planner/Board Administrator, the Board Senior Planner, the Development Services Chief Planner, Chief Arborist, and the Planner and Urban Design Department Senior Conservation District Planner. No review comment sheets were submitted in conjunction with this application.
- August 23, 2022: The applicant submitted revised evidence (**Attachment A**) and a revised site plan (**see Revised Application dated 8-23**) removing the rear variance setback request (**Email\_2**). A revised Building Official's Report was issued.



  
 1:1,200

# ZONING MAP

Case no:     **BDA212-069**      
 Date:     **7/6/2022**

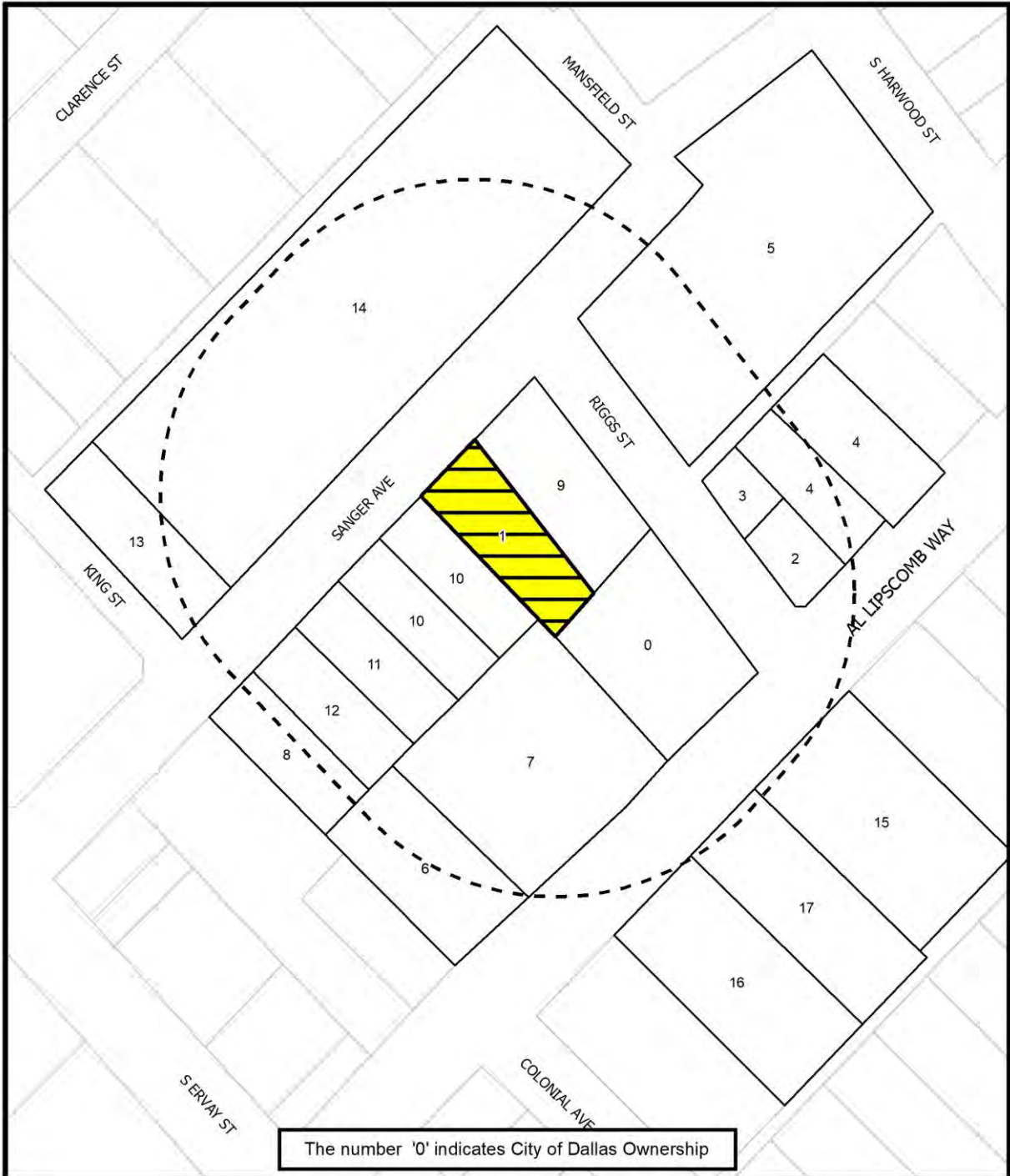


1:1,200

# AERIAL MAP

Case no: BDA212-069

Date: 7/6/2022



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="0"> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="border: 1px solid black; padding: 2px; text-align: center;"><b>17</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>17</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <b>BDA212-069</b> Date: <b>7/6/2022</b>
<b>200'</b>	AREA OF NOTIFICATION					
<b>17</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

07/01/2022

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

***BDA212-069***

### ***17 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	1822 SANGER AVE	Taxpayer at
2	1901 AL LIPSCOMB WAY	JJW PROPERTIES LLC
3	2600 RIGGS ST	LAU WAI HON ETAL
4	1909 AL LIPSCOMB WAY	AMIGOS POTTERY INC
5	2631 S HARWOOD ST	SOUTHWESTERN BELL
6	1803 AL LIPSCOMB WAY	OPERATION RELIEF CENTER INC
7	1809 AL LIPSCOMB WAY	EKUKPE AUGUSTINE A
8	1714 SANGER AVE	Taxpayer at
9	1826 SANGER AVE	MOYNIHAN DAVID
10	1812 SANGER AVE	MERVELDT SEAN VON
11	1808 SANGER AVE	PARK ALICE J
12	1804 SANGER AVE	DEEPER LIFE CHRISTIAN
13	1801 SANGER AVE	Taxpayer at
14	1809 SANGER AVE	Taxpayer at
15	1822 AL LIPSCOMB WAY	1822 PARA INVESTMENTS LLC
16	1810 AL LIPSCOMB WAY	AL LIPSCOMB MANOR LLC
17	1816 AL LIPSCOMB WAY	CHESTNUT HILL HOLDINGS LLC



## RE: 1822 Sanger BOA Application Hold Request



Daniel, Pamela

To William Harris

Cc Munoz, Jennifer; Jackson, Latonia; Barkume, Diana; May, Sarah

Follow up. Completed on Monday, September 5, 2022.

You replied to this message on 8/10/2022 2:19 PM.



Wed 7/27/2022 2:06 PM

-----Original Message-----

From: William Harris <[wshiii@gmail.com](mailto:wshiii@gmail.com)>

Sent: Wednesday, July 27, 2022 1:42 PM

To: Daniel, Pamela <[pamela.daniel@dallas.gov](mailto:pamela.daniel@dallas.gov)>

Subject: 1822 Sanger BOA Application Hold Request

External Email!

Hello Pamela,

Thank you for your call earlier today. It was very clarifying. I would like to request that my application to the Board of Adjustment be put on hold until the September 15th hearing.

Thank you,  
Will



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-069

Date: 5/13/2022

Data Relative to Subject Property:

Location address: 1822 Sanger Ave.

Zoning District: PD595, RS-C, TR-1

Lot No.: 17 Block No.: 61874 Acreage: 7,835 SF Census Tract:

Street Frontage (in Feet): 1) 63.5' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): William Harris + Natalie Hasty

Applicant: William Harris Telephone: 214-288-8408

Mailing Address: 1819 Clarence St, Apt. A Zip Code: 75215

E-mail Address: wshiii@gmail.com

Represented by: self, same as applicant Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance [checked], or Special Exception, of side and back yard setbacks to match neighboring lots

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: Hardship due to narrowing nature of the lot, no alley, and saving existing trees

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

Affidavit

Before me the undersigned on this day personally appeared William Harris (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



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

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

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

**MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT**

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that WILLIAM HARRIS

did submit a request for a variance to the side yard setback regulations

at 1822 SANGER AVENUE

BDA212-069. Application of WILLIAM HARRIS for variance to the side yard setback regulations at 1822 SANGER AVE. This property is more fully described as Tract 17, block G/874, and is zoned PD-595, RS-C, Tract 1, which requires a side yard setback of 15 feet where there is residential adjacency for new construction. The applicant proposes to construct a Residential live-work unit, and provide a 5 foot side yard setback, which will require a 10 foot variance to the side yard setback regulations.

Sincerely,

  
David Session, Building Official



AFFIDAVIT

Appeal number: BDA 212-009

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

at: 1822 Sanger Ave  
(Address of property as stated on application)

Authorize: William Harris  
(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: Side ~~rear~~ setbacks from 15 feet to 5 feet

Natalie Hasty  
Print name of property owner or registered agent

[Signature]  
Signature of property owner or registered agent

Date 6-24-2022

Before me, the undersigned, on this day personally appeared Natalie Hasty

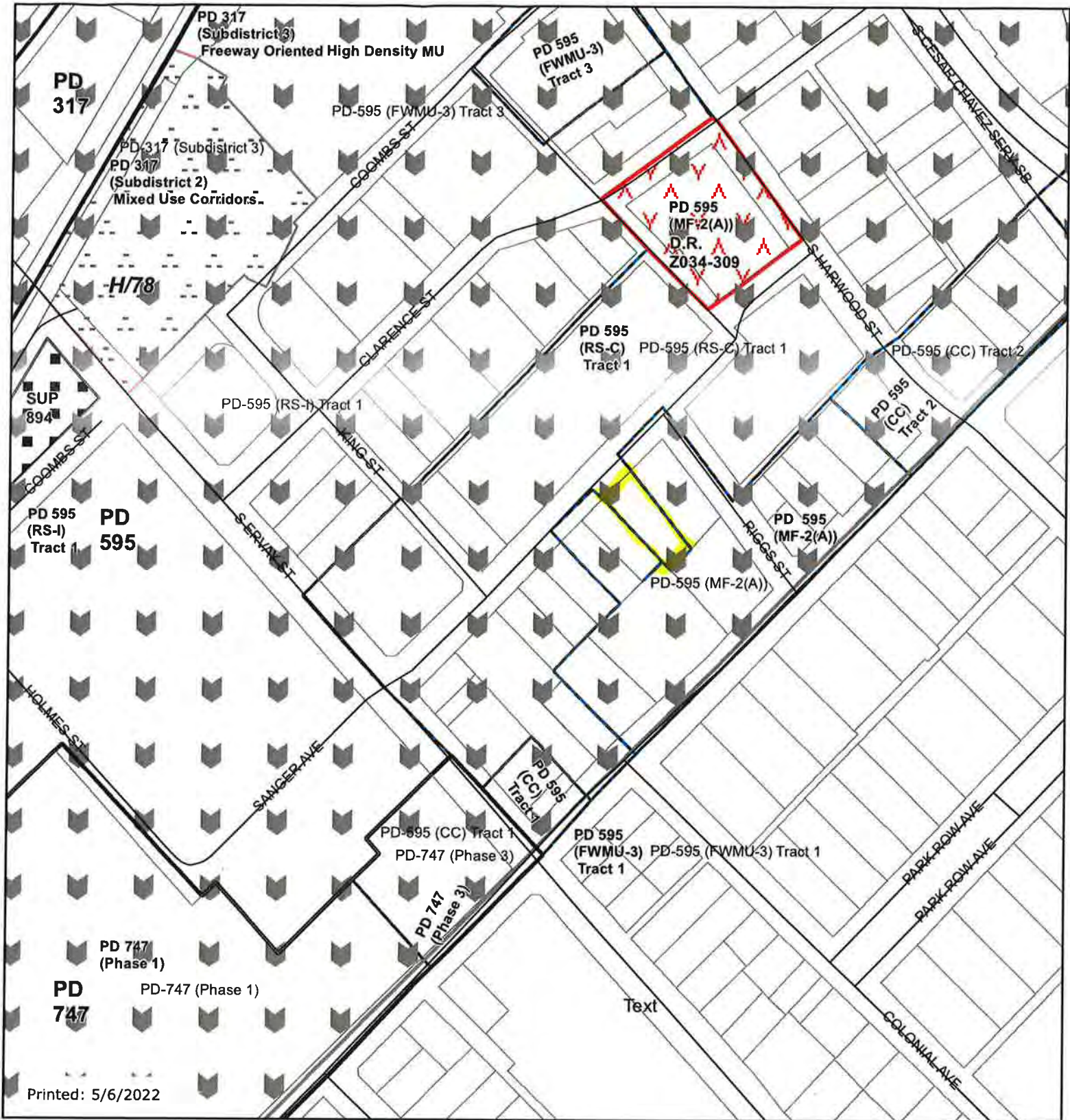
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 24 day of June, 2022

[Signature]  
Notary Public for Dallas County, Texas

Commission expires on 7/15/2024





- |                                  |                                |                            |
|----------------------------------|--------------------------------|----------------------------|
| 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      | SPSP 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                            | Parking 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)



CITY OF DALLAS PLAT BOOKS

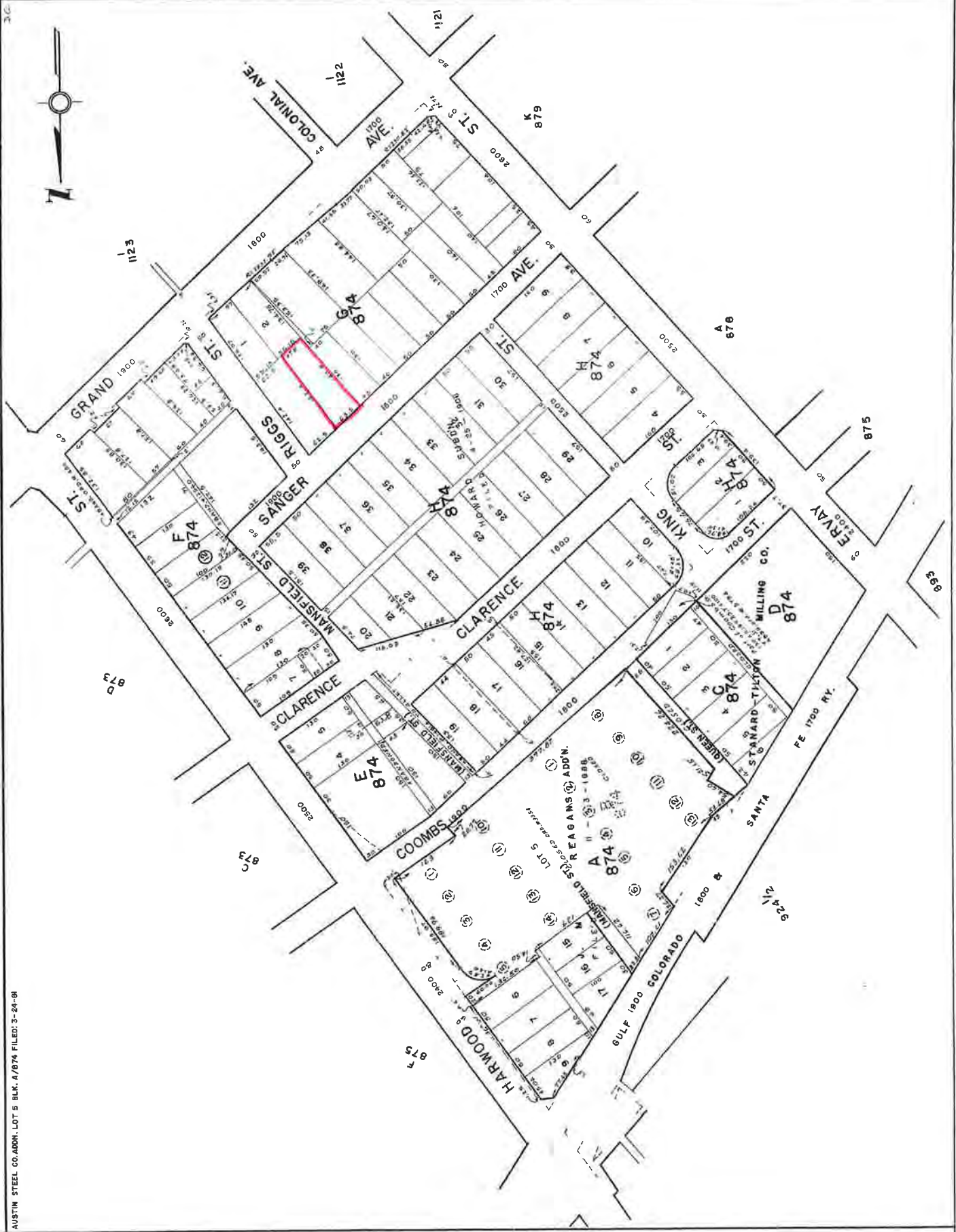
A THRU H  
8 74

BLOCKS  
SCHOOL DISTRICT DALLAS

ANNEXED  
SURVEY J. GRIGSBY  
ORD. NO. ABST. 495

ADDITION  
SCALE 100 FT. EQUALS 1 INCH  
D.C. 4-8-81

AUSTIN STEEL CO. ADDN. LOT 5 BLK. A 1874 FILED 3-24-81



# SANGER LIVE-WORK SPACE

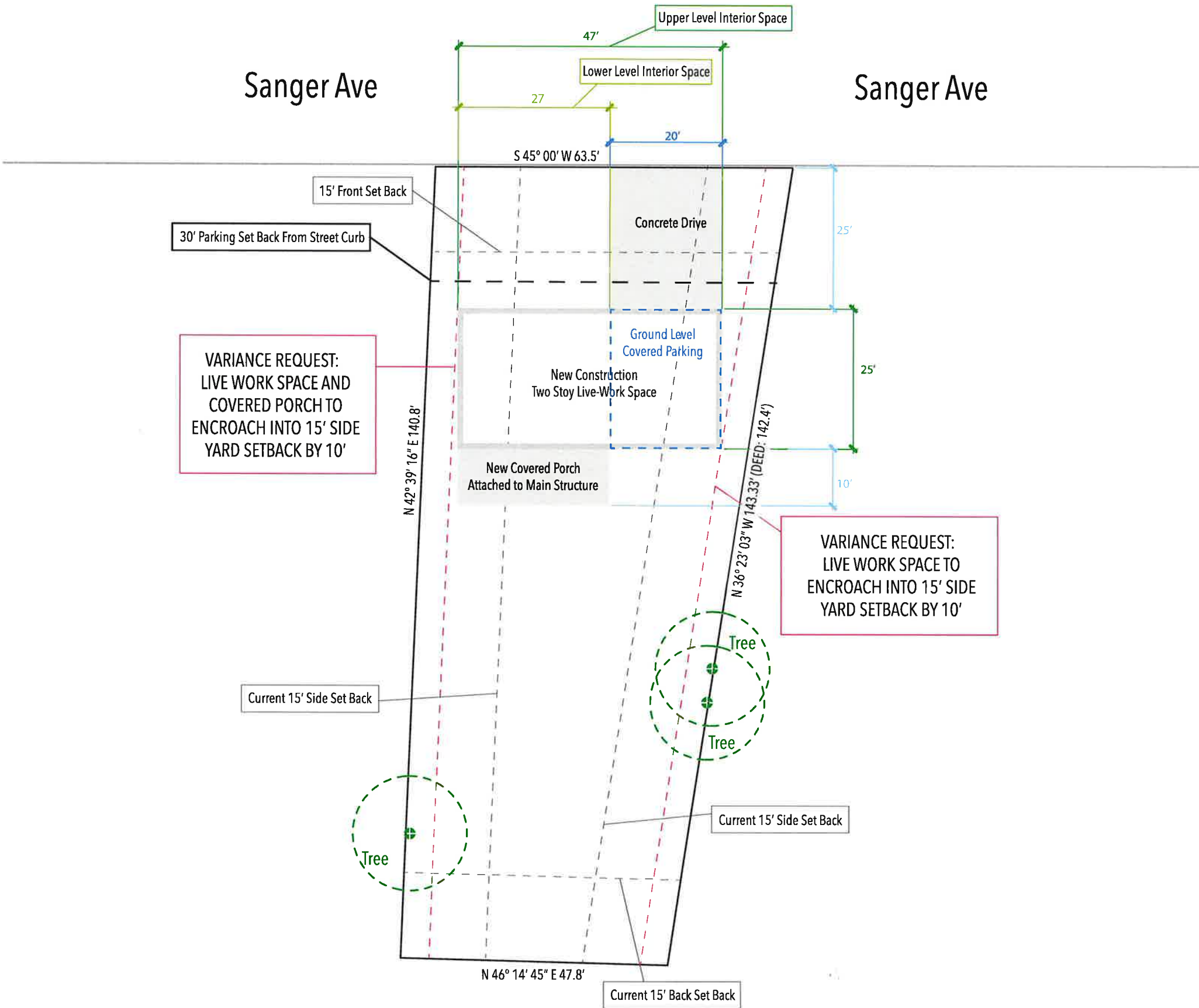
1822 Sanger Avenue  
Dallas, Texas 75215

## VARIANCE REQUEST

Proposed Site Plan

PROJECT INFORMATION	SITE INFORMATION
<b>DESCRIPTION:</b> NEW SINGLE FAMILY LIVE / WORK RESIDENCE	<b>ZONING REGULATIONS</b>
<b>ADDRESS:</b> 1822 SANGER AVENUE DALLAS, TX 75215	<b>ZONE:</b> PD 595 - RS-C - TRACT 1
<b>CITY:</b> DALLAS	<b>MAIN USE:</b> SINGLE FAMILY LIVE / WORK RESIDENCE
<b>COUNTY:</b> DALLAS COUNTY	<b>FRONT SETBACK:</b> 15 FEET
<b>LOT:</b> 17	<b>SIDE SETBACK:</b> 15 FEET
<b>BLOCK:</b> G/874	<b>REAR SETBACK:</b> 15 FEET
	<b>UNIT DENSITY:</b> ONE DWELLING UNIT PER LOT
	<b>MAX ALLOWED HT:</b> 45 FEET
	<b>LOT COVERAGE:</b> 80% MAX

SCALE: 1' = 20"



## BDA-212-069 Zoning Analysis and updated site plan



William Harris <wshiii@gmail.com>

To  Daniel, Pamela;  Munoz, Jennifer;  Jackson, Latonia

Cc  Barkume, Diana



Reply



Reply All



Forward



Fri 8/12/2022 10:25 AM



Comparative Zoning Analysis BDA-212-069.pdf

648 KB



1822SangerLiveWorkSpace\_VarianceRequest\_ProposedSitePlan\_08.12.2022.pdf

2 MB

**External Email!**

Good morning Pamela, Jennifer, Latonia, and Diana

I apologize if this email is sent to someone who does not need it. During our phone conversation on July 27, Pamela told me that I needed to complete a zoning analysis for my application to the Board of Adjustment. That document is attached to this email. Also attached is an updated site plan that removes the request for a variance to the back setback as I decided to no longer seek that variance. Also on July 27 I sent an email requesting that our application be delayed to the September 19 hearing. Am I scheduled for that date?

Please let me know if you have any suggested changes to the zoning analysis or site plan to be more in line with what is expected. This is my first, and hopefully only, time seeking a variance so any and all guidance is appreciated!

Thank you,  
Will Harris



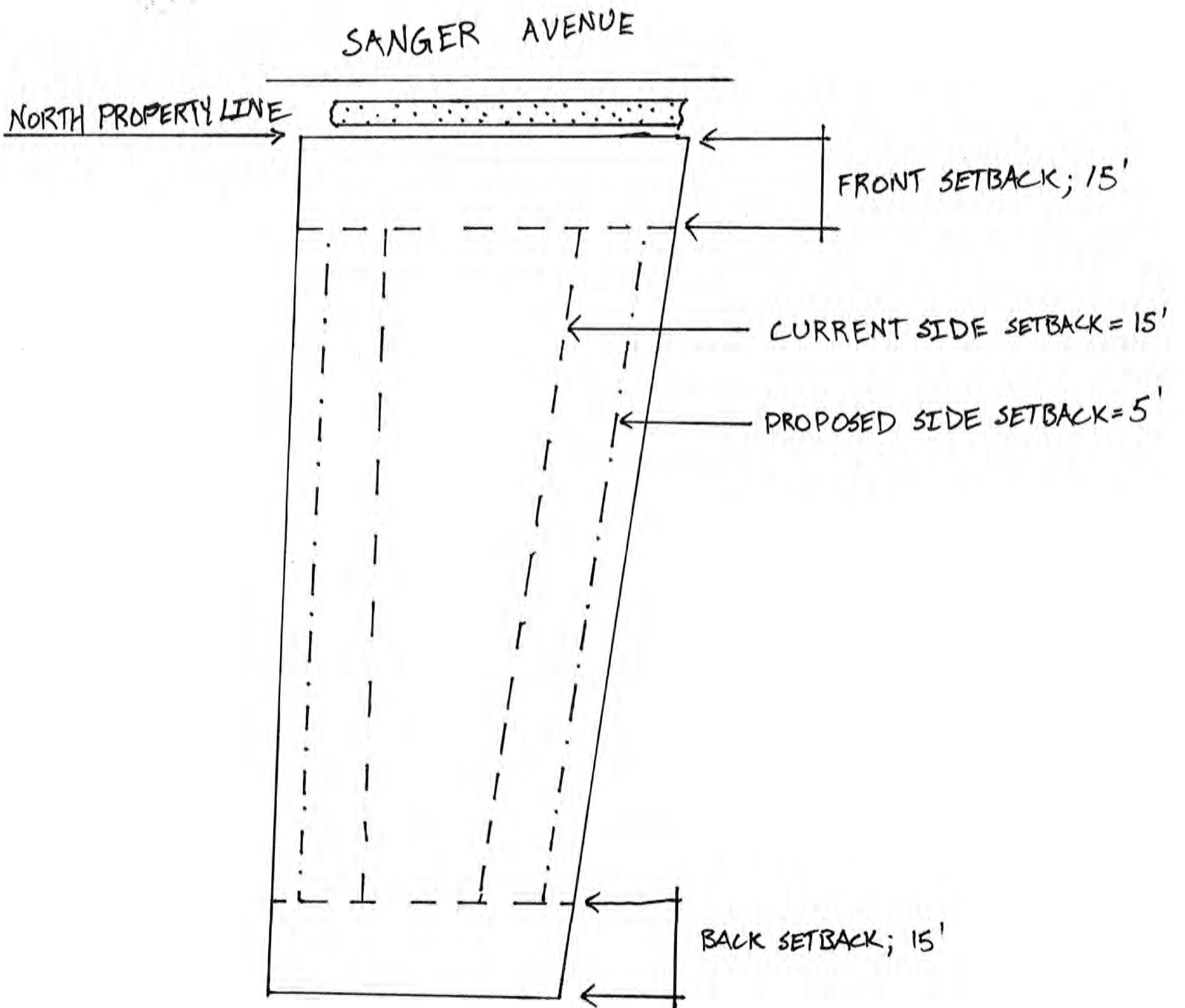
ATTACHMENT A

BDA-212-069 | 1822 SANGER

BUILDABLE AREA:

- W/ VARIANCE  $\approx$  5,053 S.F.
  - W/O VARIANCE  $\approx$  2,818 S.F.
- DIFFERENCE = 2,235 S.F.

OR  
 $\approx$  44% LOSS OF BUILDABLE AREA



SCALE  
1" = 20'

**ATTACHMENT\_A**

BDA-212-069  
William Harris

**Comparative Zoning Analysis for 1822 Sanger Ave.**

Subject address is 1822 Sanger Avenue. Subject lot has 7,864 square feet of land area. The average lot size of the surrounding properties (within the 200 ft. notification area) with the same zoning (RS-C, PD 595) is 17,381 square feet. Subject lot is an irregular quadrilateral which narrows from 63.5 feet in the front to 47.8 feet in the back. The average shape of surrounding similarly zoned lots is largely rectangular (see Exhibit A). The subject lot is bounded on both sides by residentially zoned lots (see Exhibit A).

Subject Lot

1822 Sanger Ave. – 7,864 square feet

Surrounding Lots (within the 200 ft. notification area)

1809 Sanger Ave. – 35,131 square feet

1801 Sanger Ave. – 8,635 square feet

1804 Sanger Ave. – 6,500 square feet

1808 Sanger Ave. – 6,500 square feet

1714 Sanger Ave. – 6,096 square feet

2631 S. Harwood St. – 41,427 square feet

Average: 17,381 square feet

---

**Affirm that an appeal has been made for a variance** of up to 10 feet of encroachment of proposed live-work structure into both 15 foot side yard setbacks up to 60 feet back from the north property line as shown on the site plan.

---

**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 reasons:**

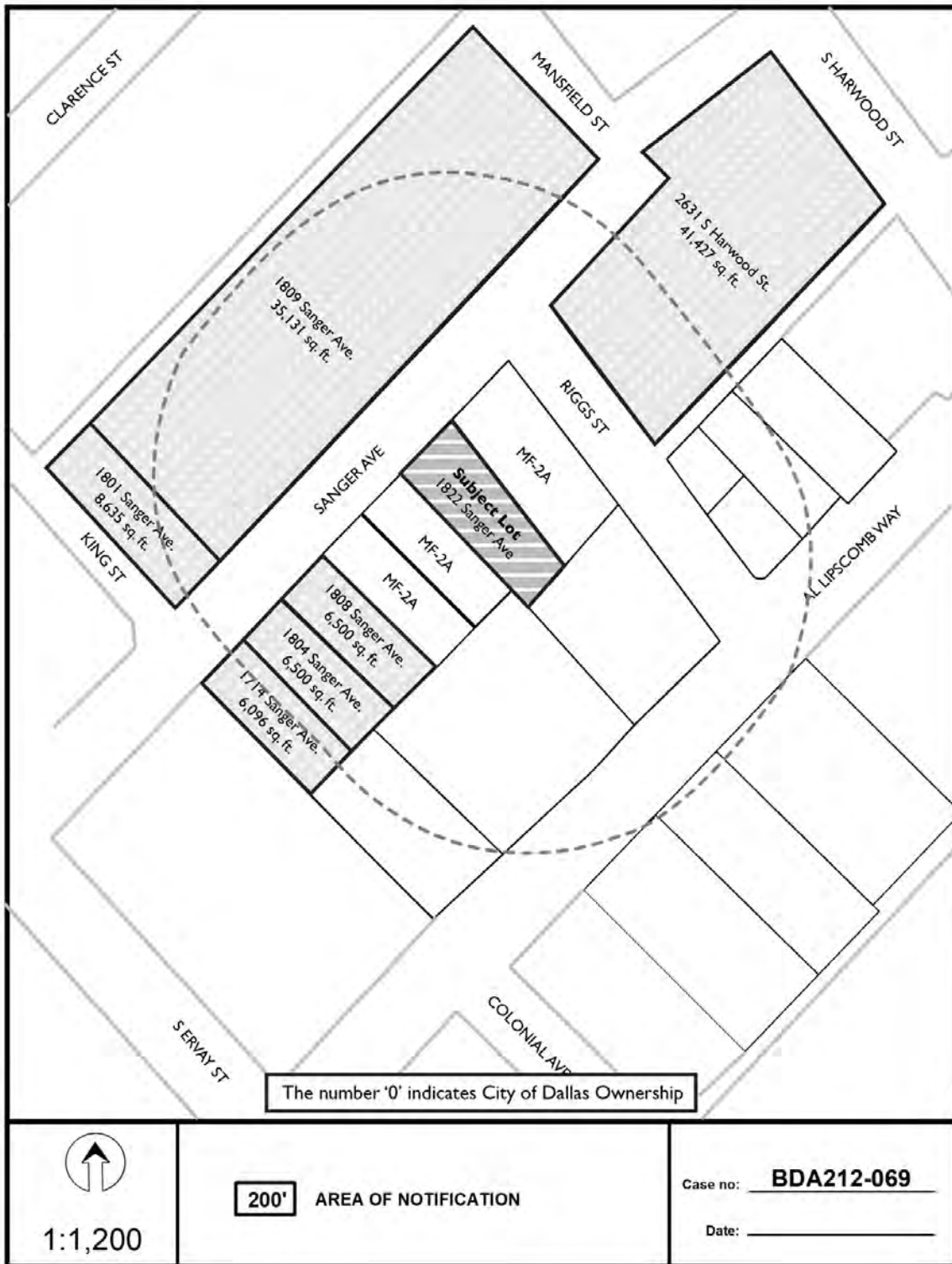
The subject lot has less land area than and an irregular shape to the average surrounding lots of the same zoning. Also, the subject lot is bounded by residentially zoned lots on both sides unlike the surrounding lots of the same zoning. Therefore, the subject lot is restricted to less land area on which to build a structure. Granting this variance would allow a structure to be built commensurately with the surrounding lots of the same zoning.

# ATTACHMENT\_A

BDA-212-069  
William Harris

2

## Exhibit A





# Cedars Neighborhood Association, Inc.

August 5, 2022

The CNA is dedicated to improving the quality of life in the Cedars as it moves from a once-challenged neighborhood to a vibrant urban community.

Members of The Board of Adjustment,  
Planning & Urban Development  
City of Dallas  
1500 Marilla Street  
5CN  
Dallas, TX 75201

SUBJECT: Letter in Support of the Variance Request BDA-212-069 for 1822 Sanger Avenue, Dallas, TX 75215

The Cedars Neighborhood Association serves the Cedars community through advocacy on issues of access, economic development, equity, inclusion, public safety, and quality of life. In support of this mission, the CNA often meets to discuss and vote on variance and change of zoning requests for specific properties within our community

During the CNA Membership Meeting on July 28, 2022, Natalie Hasty and Will Harris spoke to the membership about their property at 1822 Sanger Avenue, and the variance request they presented to the City of Dallas Board of Adjustment. After a discussion and response to members' questions, The CNA membership voted unanimously to approve the request.

The CNA encourages the redevelopment of the many vacant properties in the neighborhood to revitalize our community. We believe the development proposed by Natalie and Will to be a positive addition to the Harwood district at the southern edge of the neighborhood, and the Cedars as a whole

We appreciate your work on this variance request and look forward to the Board of Adjustment approving it.

Sincerely,

---

Christopher Weiss  
President | Cedars Neighborhood Association  
[president@cnadallas.org](mailto:president@cnadallas.org)  
[CNADallas.org](http://CNADallas.org)  
214-394-6774

CC:  
Council Member Adam Bazaldua, District 7  
Jennifer Munoz, Chief Planner/Board  
Administrator  
Charles Trammell, Senior Planner  
LaTonia Jackson, Board Secretary  
Cedars Neighborhood Association Membership

**FILE NUMBER:** BDA212-075(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Blanca Rodriguez for a special exception to the landscaping regulations at 8012 Trade Village Place. This property is more fully described as Lots 6, 7, 21, 22, Block D/6301 and is zoned Tract 3, Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

**LOCATION:** 8012 Trade Village Place

**APPLICANT:** Blanca Rodriguez

**REQUESTS:**

The applicant is seeking a special exception to the landscaping requirements of Article X in accordance with the PD requirements. The existing building on the 50-foot-wide lot is being renovated for a restaurant use with a new parking area to be installed behind the building. The parking lot triggers the landscape requirements for this project. The ordinance requires Article X landscaping conditions.

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

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

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

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

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

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

**STAFF RECOMMENDATION:**

Staff does not provide a recommendation on special exceptions to the landscape and tree preservation regulations since the standard states the board must make a special finding based on the evidence presented. However, the City of Dallas chief arborist does submit a technical opinion to aid in the board’s decision-making. A memo regarding the applicant’s request and stating no objection was provided with details of the assessment made (**Attachment B**).

Rationale:

- The chief arborist has no objection to an approval of a special exception due to strict compliance with the landscaping requirements of Article X will unreasonably burden the use of the narrow commercial property. Limited available space is provided for landscaping, and existing trees are to be maintained. Additional landscape amenities not standard to ordinance will be provided adjacent to the proposed restaurant.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: Tract 3, Subarea 2 within PD No. 366
- North: Tract 3, Subarea 2 within PD No. 366
- South: P(A), R-7.5(A), and Subarea 2A within PD No. 366
- East: Tract 3, Subarea 2 within PD No. 366
- West: Tract 3, Subarea 2 within PD No. 366, CR District

**Land Use:**

The subject site is contains an office use (newspaper publisher). There are auto-related uses to the west, north, and east; personal service uses to the north; and, surface parking, single-family, and retail/personal service uses to the south.

**Zoning/BDA History:**

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

**BDA201-102 and 103:** On November 17, 2021, Panel B granted special exceptions to the fence standards regulations at 8000 and 8002 Lake June Road to allow a prohibited fence material (corrugated metal). Located north of the subject site.

**GENERAL FACTS/STAFF ANALYSIS:**

The applicant is seeking a special exception to the landscaping requirements to permit the renovation of an existing structure for a restaurant use with a new parking area to be installed behind the building.

The property is located in Tract 3, Subarea 2 within PD No. 366, the Buckner Boulevard Special Purpose District which defers to Article X for landscaping requirements.

The Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period. In this case, the existing structure will be renovated and the construction of the new parking lot triggers compliance with landscape regulations.

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

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

The applicant is seeking a special exception to the landscaping requirements of Article X in accordance with PD 366 Subarea 2. The existing building on the 50-foot wide lot is being renovated for a restaurant use with a new parking area to be installed behind the building. The parking lot triggers the landscape requirements for this project. The ordinance requires Article X landscaping conditions which are not physically attainable on site if they are to provide the parking required.

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

The proposed alternative landscape plan provides for multiple Little Gem Magnolia and retained existing trees around the perimeter of the new parking lot in small pockets next to parking spaces. Mexican redbud trees are placed inset to paved areas around the building. Additional plantings in containers are provided around the building.

Article X: The site provides the required number of site trees with the existing trees. Irrigation provisions are made on the plan to include all new plant materials on site.

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

The proposed alternative landscape plan provides for multiple Little Gem Magnolia and retained existing trees around the perimeter of the new parking lot in small pockets next to parking spaces. Mexican redbud trees are placed inset to paved areas around the building. Additional plantings in containers are provided around the building.

Article X: The site provides the required number of site trees with the existing trees. Irrigation provisions are made on the plan to include all new plant materials on site.

**The chief arborist’s revised memo states the following with regard to the “recommendation”:**

The chief arborist has no objection to an approval of a special exception due to strict compliance with the landscaping requirements of Article X will unreasonably burden the use of the narrow commercial property. Limited available space is provided for landscaping, and existing trees are to be maintained. Additional landscape amenities not standard to ordinance will be provided adjacent to the proposed restaurant.

As of September 9, 2022, no letters have been submitted in support or in opposition to the request.

If the board were to grant this request and impose the submitted alternate landscape plan as a condition to the request, the site would be held to the details of the proposed plan. No further relief is granted from the regulations of the Dallas Development Code or PD No. 366.

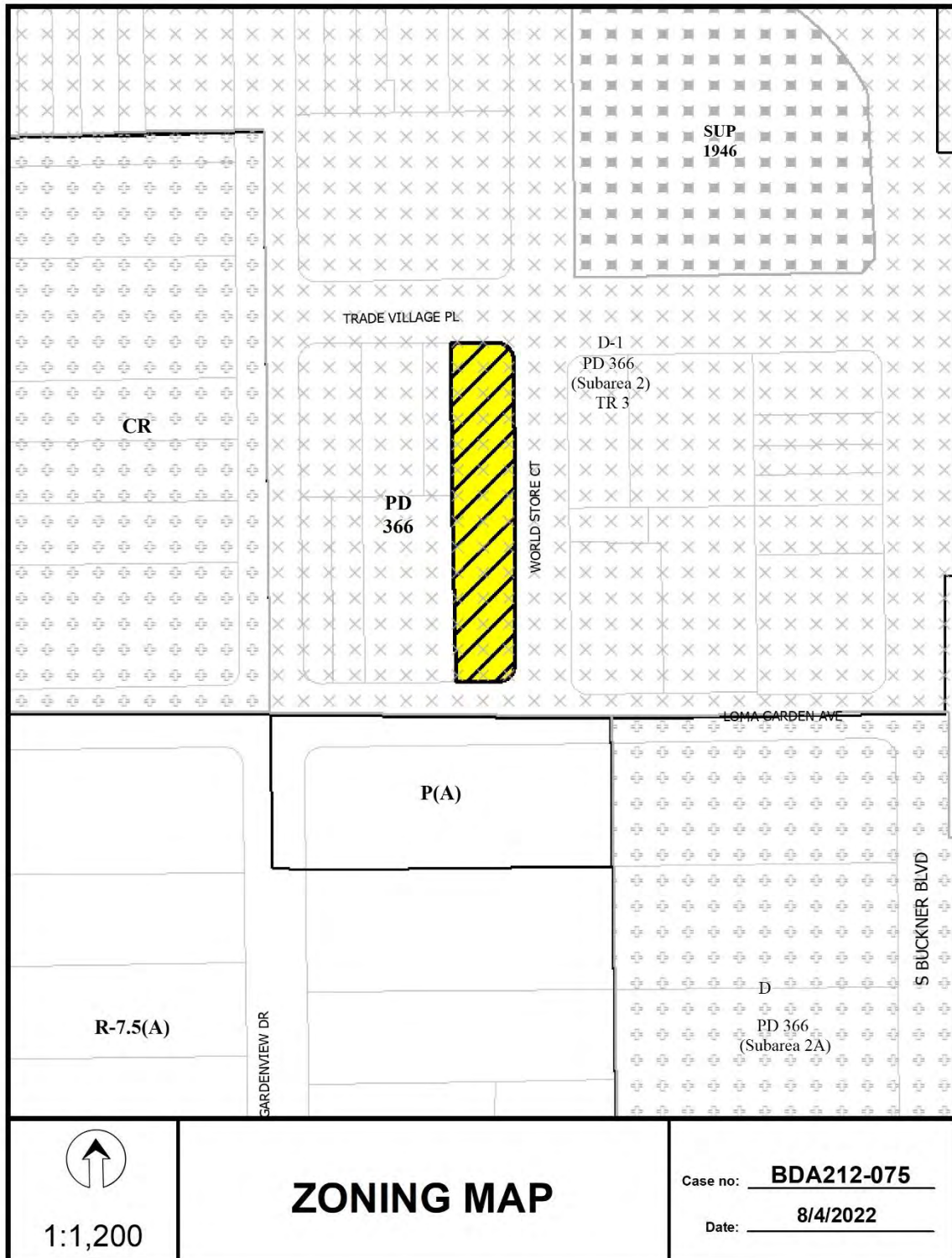
**Timeline:**

- |                  |  |
|------------------|--|
| June 21, 2022:   | The applicant submitted an “Application/Appeal to the Board of Adjustment.”  |
| August 4, 2022:  | The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.  |
| August 11, 2022: | The Board of Adjustment Chief Planner emailed the applicant the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information: <ul style="list-style-type: none"><li>• a copy of the application materials including the Building Official’s report on the application;</li><li>• the criteria/standard that the board will use in their decision to approve or deny the request; and</li><li>• the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”</li></ul> |



August 25, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September 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, and the Assistant City Attorney to the Board, the PUD Senior Planner, and the new Assistant City Attorney.

August 26, 2022: A revised landscape plan was submitted (**Attachment A**). The Development Services Chief Arborist provided staff with a memo (**Attachment B**).



1:1,200

# ZONING MAP

Case no: BDA212-075

Date: 8/4/2022

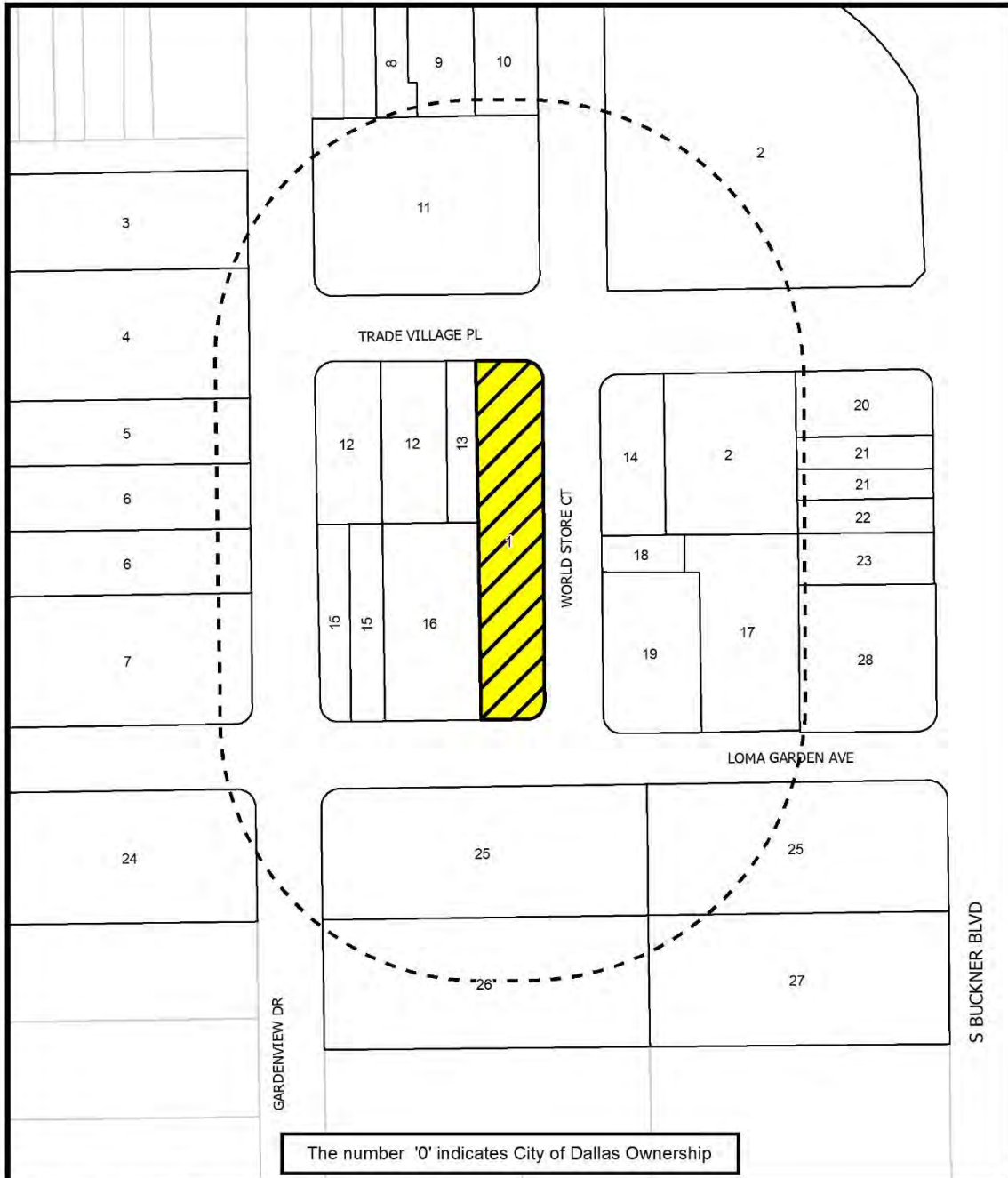


1:1,200

# AERIAL MAP

Case no: BDA212-075

Date: 8/4/2022



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA212-075</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">28</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>8/4/2022</b>

08/04/2022

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

***BDA212-075***

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

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	8010 TRADE VILLAGE PL	ANGEL BLANCA F RODRIGUEZ &
2	1227 S BUCKNER BLVD	GOTTLIEB BUCKNER BLVD DRUGSTORE LLC
3	1233 GARDENVIEW DR	ROSALES THELMA
4	1223 GARDENVIEW DR	ROSALES MARTIN & THELMA
5	1219 GARDENVIEW DR	MI HACIENDA PPTIES DEV
6	1215 GARDENVIEW DR	METOYER GLENN C &
7	1203 GARDENVIEW DR	MENDOZA TOMASA &
8	8010 LAKE JUNE RD	Taxpayer at
9	8012 LAKE JUNE RD	Taxpayer at
10	8014 LAKE JUNE RD	MONTOYA LUPE
11	1227 WORLD STORE PL	IBARRA MANUEL
12	8000 TRADE VILLAGE PL	MARTINEZSANDOVAL BLANCA ESTELA
13	8010 TRADE VILLAGE PL	SARAZUA NICOMEDES
14	8018 TRADE VILLAGE PL	QUINTERO BERTHA LIDIA
15	8001 LOMA GARDEN AVE	BALTAZAR BRENDA SILVERIO &
16	8009 LOMA GARDEN DR	BALTAZAR MARIA SANTOS & FILBERTO
17	8025 LOMA GARDEN DR	ARELLANO JOSE
18	8025 LOMA GARDEN DR	QUINTERO BERTHA LIDIA
19	8021 LOMA GARDEN DR	QUINTERO BERTHA
20	1221 S BUCKNER BLVD	CABRERA RAFAEL & ROSA SANCHEZ
21	1217 S BUCKNER BLVD	MARTINEZ FERNANDO &
22	1213 S BUCKNER BLVD	Taxpayer at
23	1209 S BUCKNER BLVD	Taxpayer at
24	1143 GARDENVIEW DR	PARENT ROGER L
25	1142 GARDENVIEW DR	GEMACK INCORPORATED
26	1134 GARDENVIEW DR	SALCEDO AMADOR GARCIA
27	1135 S BUCKNER BLVD	BUCKNER S K INVESTMENTS INC
28	1207 S BUCKNER BLVD	LOMBARD FINANCIAL SERVICES LP



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-075

Data Relative to Subject Property:

Date: 06/21/22

Location address: 8012 Trade Village Pl

Zoning District: PD 364

Lot No.: 07, 21, 22 Block No.: D16301 Acreage: .38

Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 50 2) 278 3) 50 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Blanca Rodriguez and MaD San Juan Angel

Applicant: Blanca Rodriguez Telephone: 214 777 2949

Mailing Address: 308 Anchorage Circle Dallas TX Zip Code: 75217

E-mail Address: flor892930@gmail.com

Represented by: Myself Telephone: 214 777 2949

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

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

Affirm that an appeal has been made for a Variance \_\_\_\_\_, or Special Exception  of strip street buffer zone. Keep parking spaces approved by the Senior Plan Examiner.

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 reason why we are doing the appeal is because if we do the street buffer zone as requested by the landscape inspector, we are going to lose 10 parking spaces and we are doing the appeal to keep our parking spaces that already been approved by Ann Hamilton (Senior Plan Examiner).

**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

MA D ANGEL GARROLA

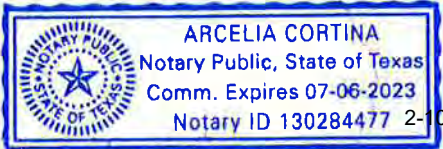
Before me the undersigned on this day personally appeared Blanca Rodriguez (Affiant/Applicant's name printed) who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Blanca Rodriguez  
MA D ANGEL GARROLA  
(Affiant/Applicant's signature)

Respectfully submitted: \_\_\_\_\_

Subscribed and sworn to before me this 21 day of June, 2022

(Rev. 08-01-11)



ai cd  
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 BLANCA RODRIGUEZ

did submit a request for a special exception to the landscaping regulations  
at 8012 TRADE VILLAGE PL

BDA212-075. Application of BLANCA RODRIGUEZ for a special exception to the landscaping regulations at 8012 TRADE VILLAGE PL. This property is more fully described as lot 6,7,21,22, Block D/6301 and is zoned PD-366 (subarea 2 tract 3) which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,

  
David Session, Building Official

**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 senior plan examiner approved the parking space as provided in the site plan with asphalt being used for the parking lot. Per the City of Dallas requirement, in this lot, only asphalt or concrete can be used – no gravel or any other material can be used for the parking space. Once we advanced to the landscaping review, we were informed that the new pavement triggered a landscaping survey requirement, and a landscaping survey was done.

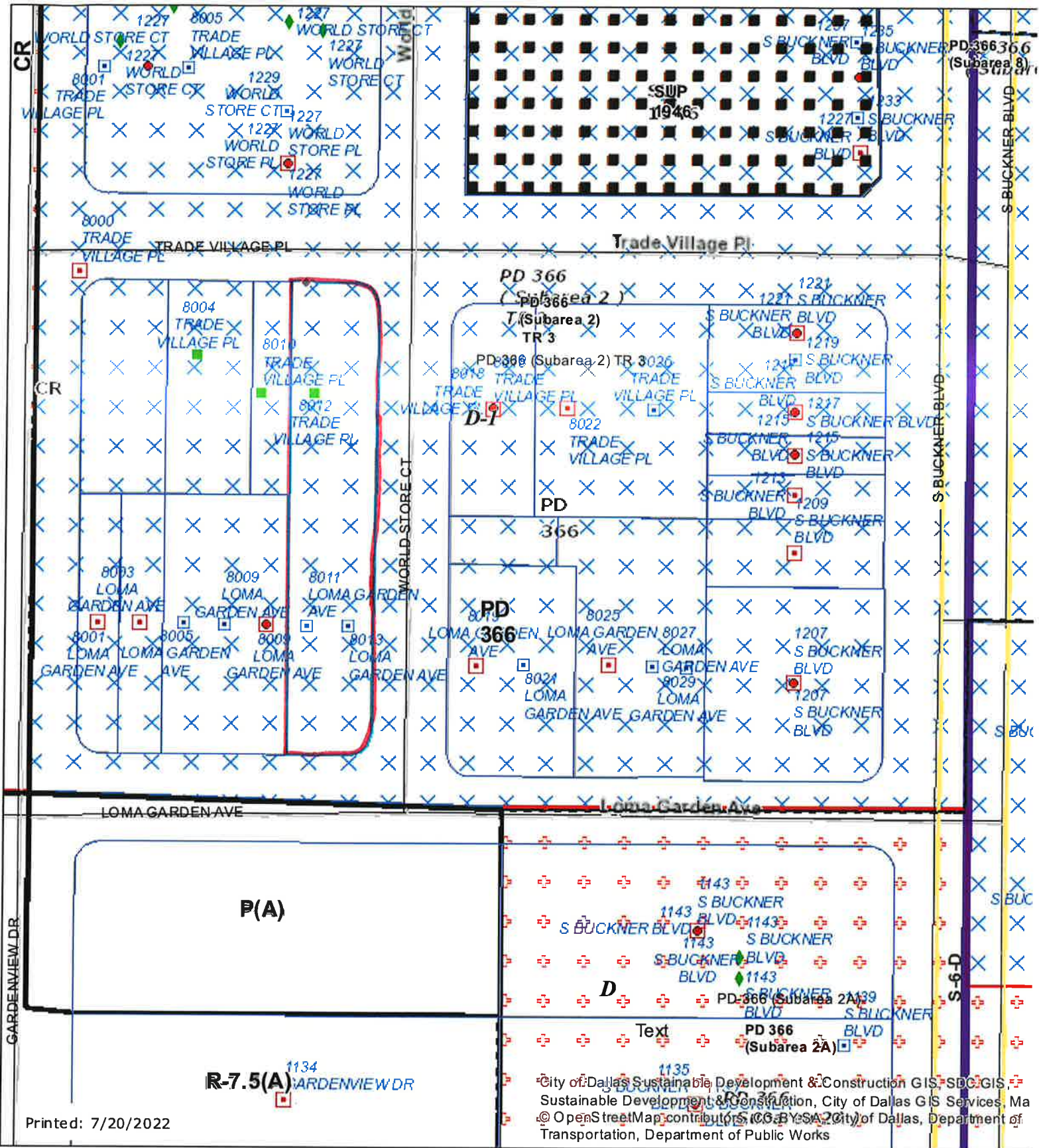
After the landscaping examiner review the survey, she required that we eliminate about 50% of the parking spaces required by the City of Dallas to add trees. Because the parking spaces are required to operate a business in the City of Dallas, we are appealing the decision to get eliminate the required parking spaces for landscaping because then we will not meet the parking requirement, per the City of Dallas. In addition, some landscaping can be added to the areas without having to eliminate the parking spaces.

Furthermore, we are also asking that we are not required to install landscaping in the street area of the business because those sections will be used for parking, too.

Please see the plan sites and landscaping survey.

We respectfully ask that you grant our appeal to allow this business to continue with the permitting process without removing any of the required parking spaces and promote economic development in this area that needs a coffee shop and dining restaurants.





Printed: 7/20/2022

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

- |                       |                  |                            |                          |
|-----------------------|------------------|----------------------------|--------------------------|
| Dallas Tax Parcels    | MD Overlay       | Parking Management Overlay | Demolition Delay Overlay |
| Deed Restrictions     | CD Subdistricts  | Base Zoning                | SPSD Overlay             |
| Historic Overlay      | PD Subdistricts  | Pedestrian Overlay         | CP                       |
| Historic Subdistricts | PD193 Oak Lawn   | SP                         |                          |
| SUP                   | PDS Subdistricts |                            |                          |

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

BUCKNER

PARK

ADDN.

212-075

6303

7925 Lake June Bus Shelter

LAKE JUNE 7800

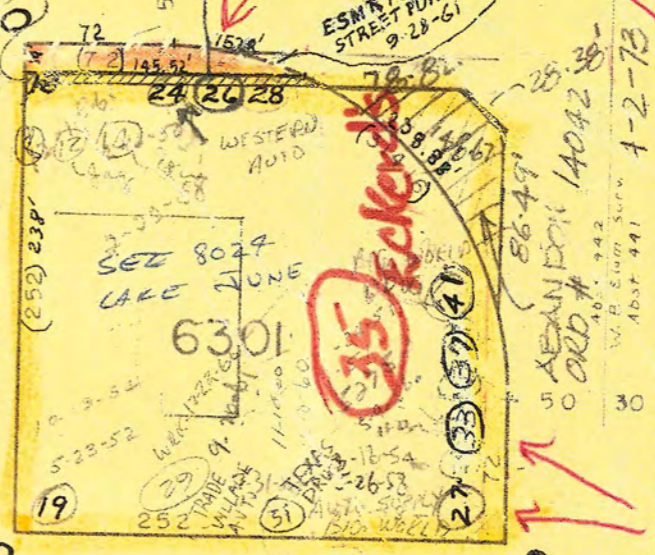
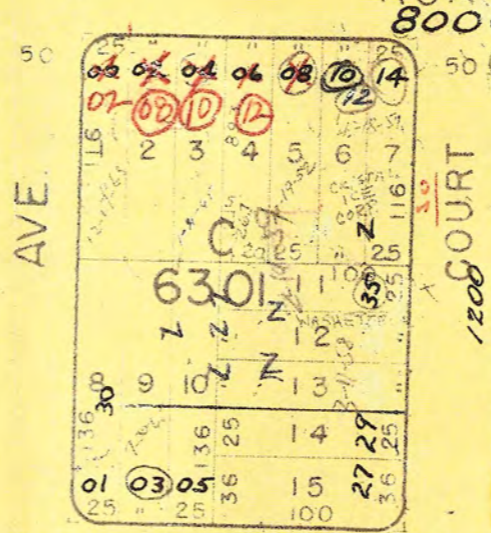
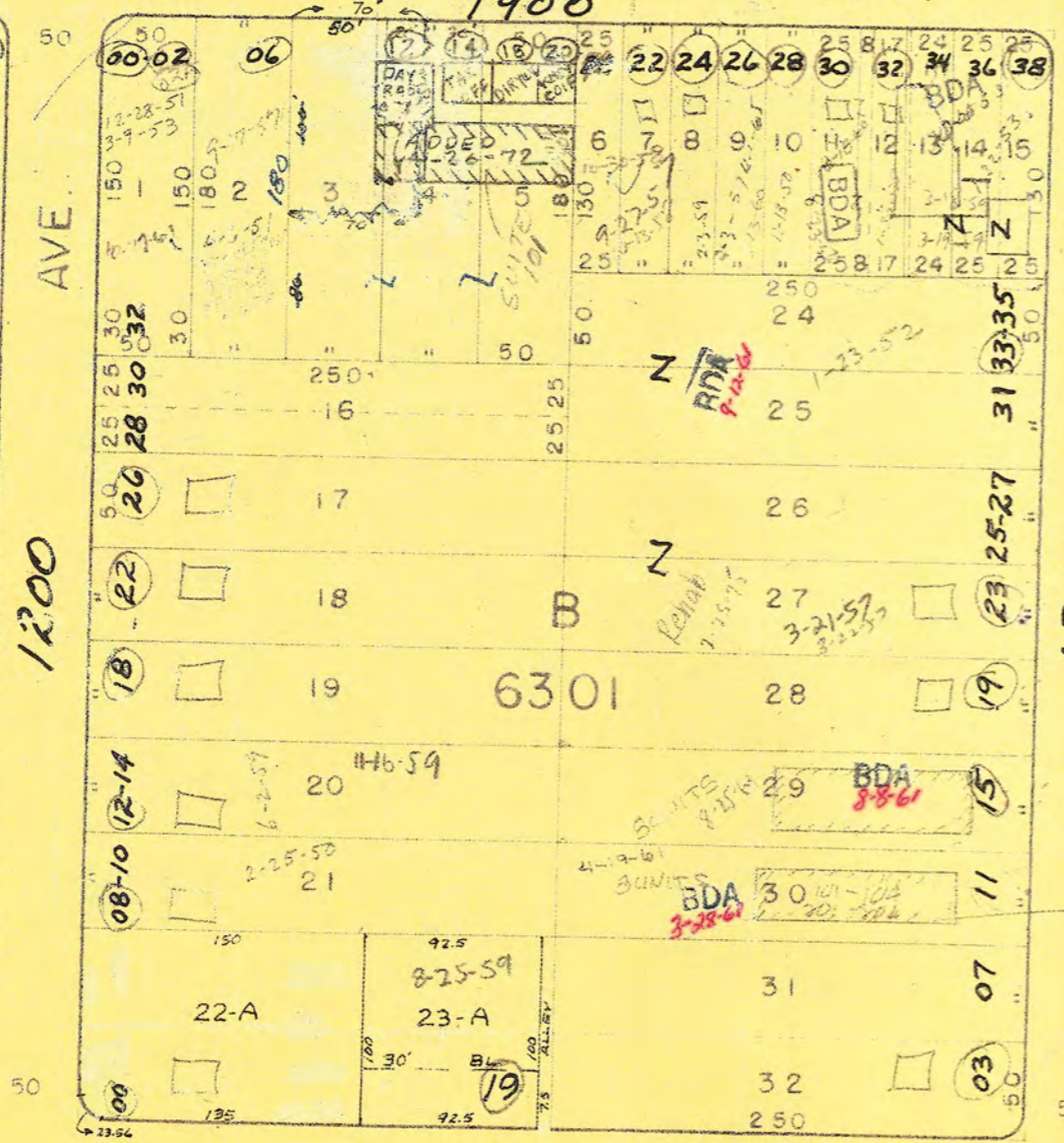
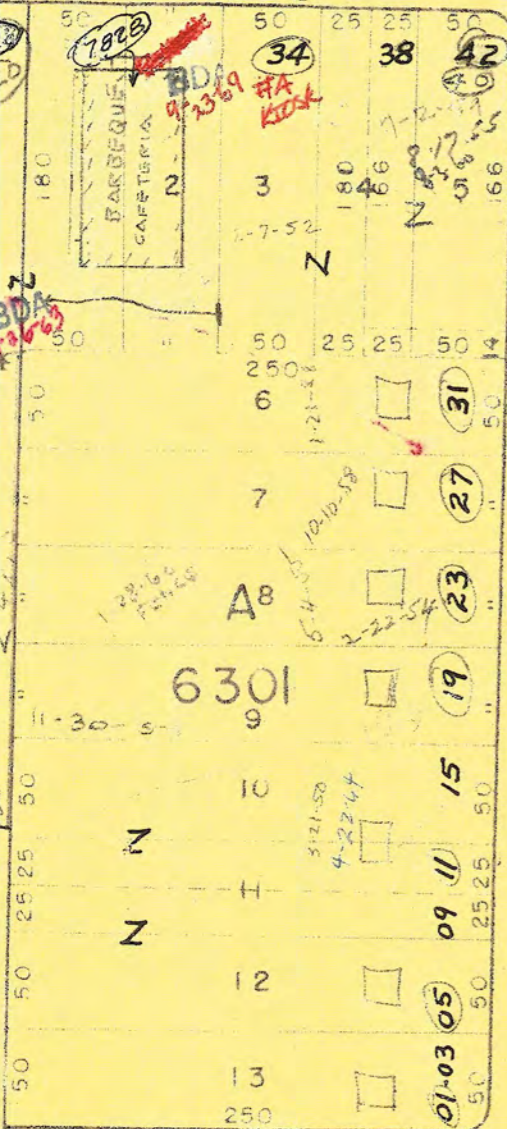
(DALLA-KAUFMAN, SAM CONNER BLVD.) 7900

ROAD 8000

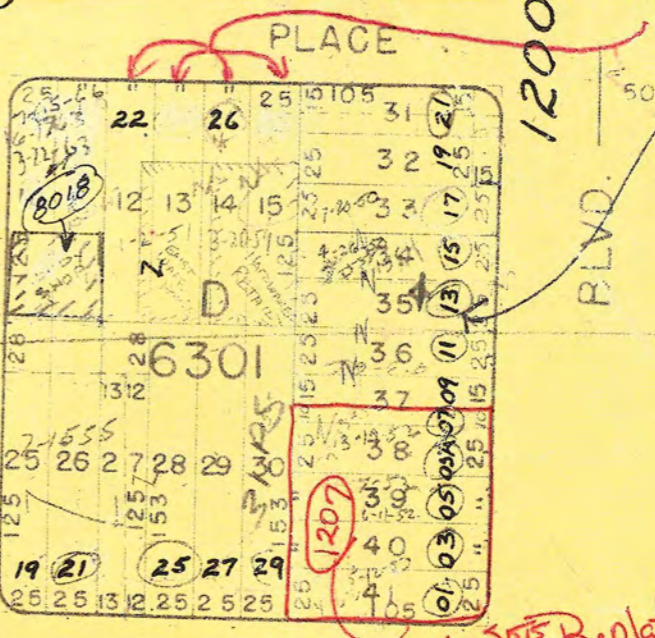
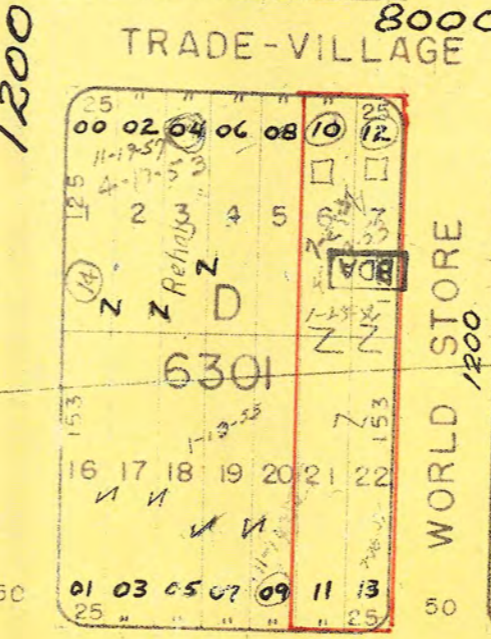
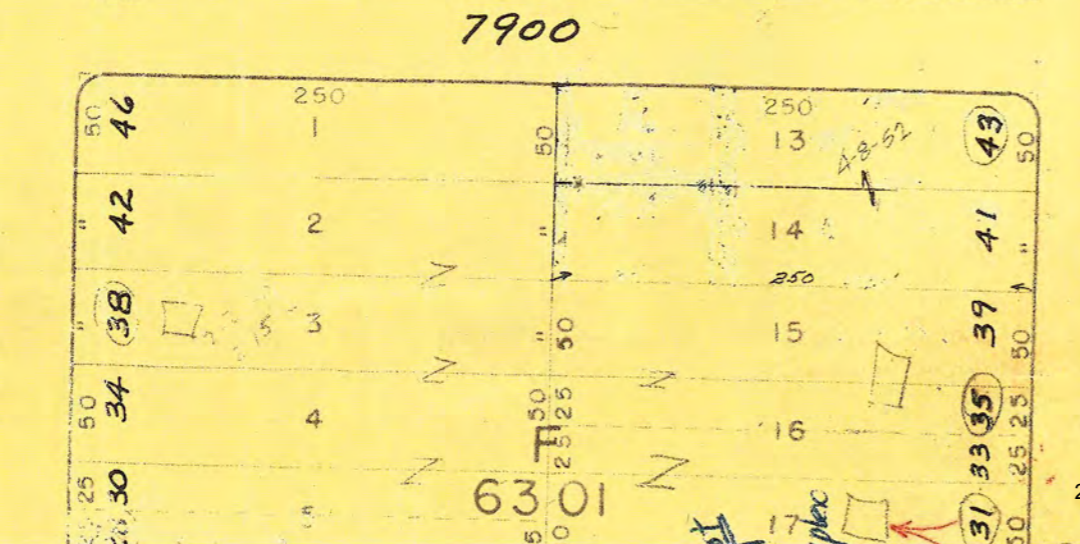
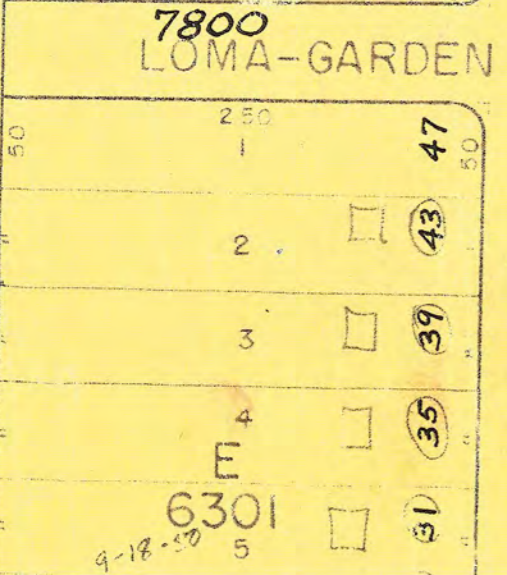
6237 TO CITY 2-1-70

ESM FOR STREET PURPOSES 9-28-61

U.A. Leonard Surv Abstr 802



8-96 Remote Parking Agreement  
 1227-1235 S. Buckner Blvd  
 with 8022 Trade Village  
 24 Spac



PARKING AG FOR 1215 S. 10 SPACES

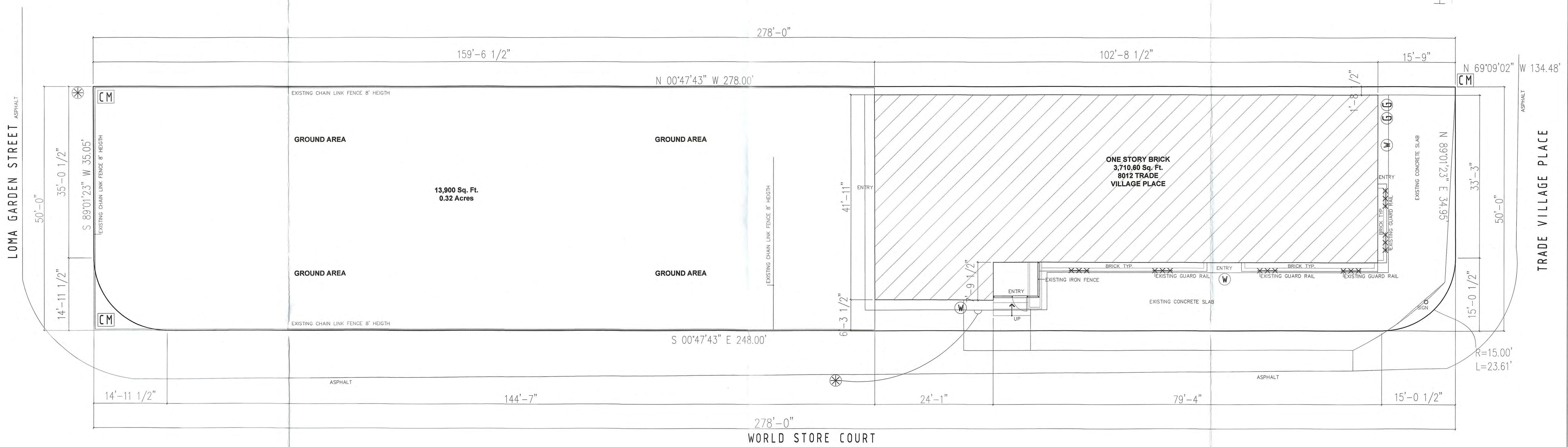
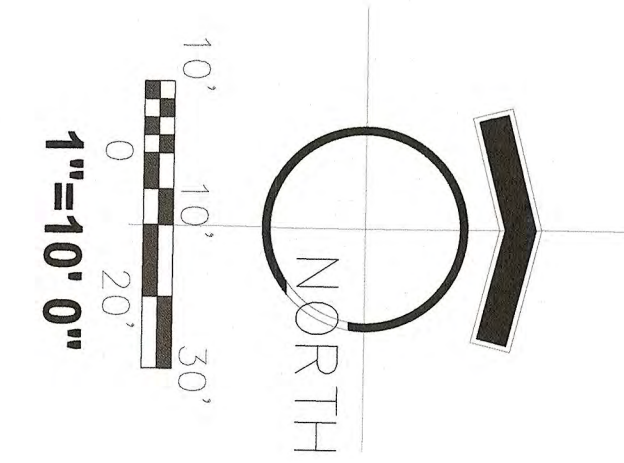
(MACON AVE) MADDOX

8000 AVE

JEB Replat B/K D/6301 Lot 37A

Remote Parking Agreement  
 1135 S. BUCKNER - LOT 16  
 # PARKING SPACE = 7  
 LOT 15 -> PARK SPACE

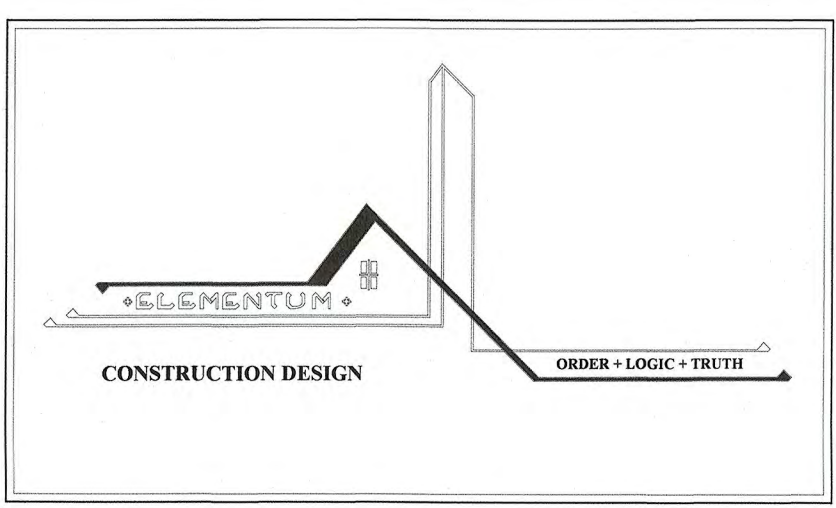
FEB 1999  
 DETACHED SIGN UNIT  
 1135 S. BUCKNER - LOT  
 1135 S. BUCKNER - LOT



**LEGEND:**

- |  |                                  |  |                     |
|--|----------------------------------|--|---------------------|
|  | <b>CONTROLLING MONUMENT</b>      |  | <b>CABLE</b>        |
|  | <b>BOUNDARY LINE</b>             |  | <b>CLEAN OUT</b>    |
|  | <b>ASPHALT LINE</b>              |  | <b>GAS METER</b>    |
|  | <b>EXISTING CHAIN LINK FENCE</b> |  | <b>FIRE HYDRANT</b> |
|  | <b>EXISTING IRON FENCE</b>       |  | <b>LIGHT POLE</b>   |
|  | <b>EXISTING GUARD RAIL</b>       |  | <b>MANHOLE</b>      |
|  | <b>ONE STORY BRICK AREA</b>      |  | <b>ELECTRIC</b>     |
|  | <b>CONCRETE AREA</b>             |  | <b>POWER POLE</b>   |
|  |                                  |  | <b>TELEPHONE</b>    |
|  |                                  |  | <b>WATER METER</b>  |
|  |                                  |  | <b>WATER VALVE</b>  |

**01 EXISTING SITE PLAN**  
SCALE: 1" = 10'-0"



**RAFAEL MORA-DENIZ**  
753 Holly Oak Dr. Lewisville, Tx. 75067  
Phone: 469 286 5347 studio.27constructiondesign@gmail.com

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**JUANITA BONITA RESTAURANT  
AGORA COFFEE SHOP LLC**

8012 Trade Village Place.  
Dallas, Tx. 75217

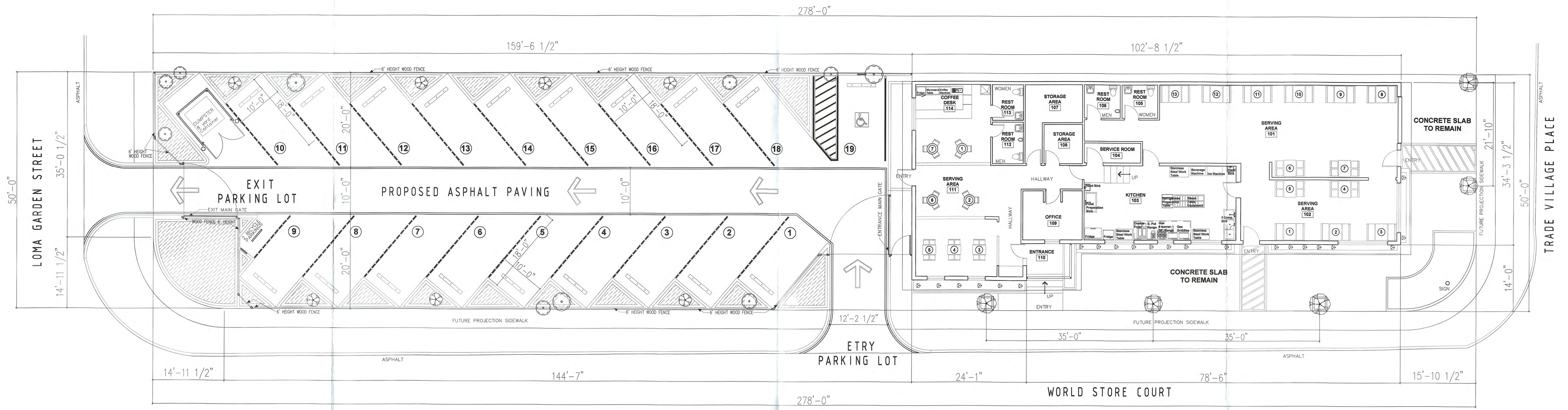
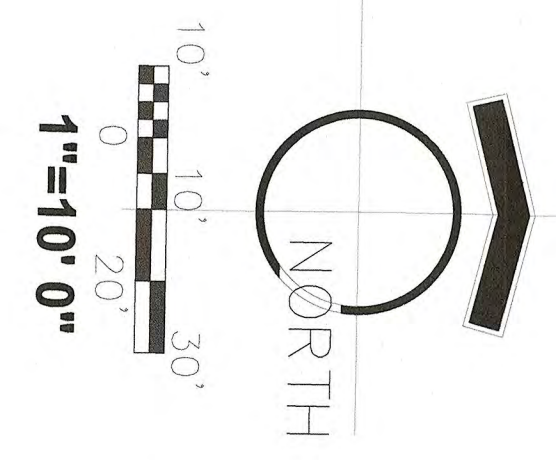
**OWNER: Ma. De San Juan Angel Gurrola  
Edith Rodriguez**

**STAMP :**

**REVIEWS :**

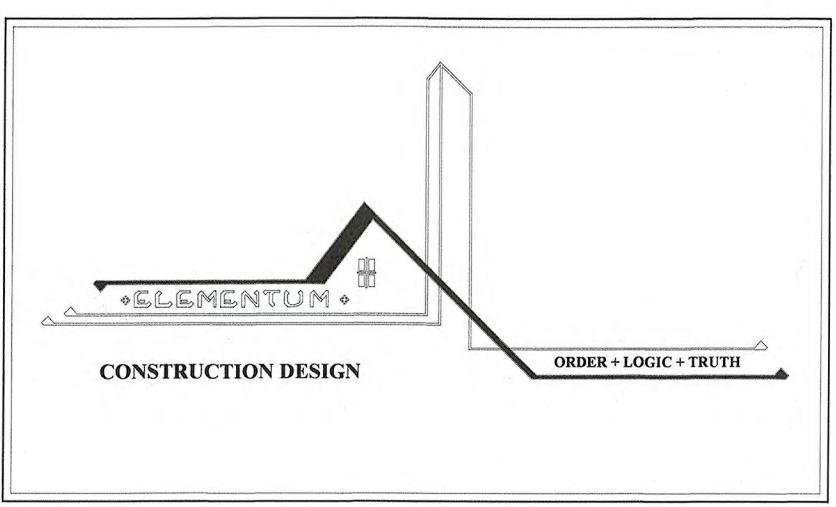
Project: Juanita Bonita Restaurant Agora Coffee Shop LLC	Sheet: <b>C-1</b>
Owner: Ma. De San Juan Angel Gurrola Edith Rodriguez	2/8
Date: June/18/2022	Scale: 1" = 10'-0"
Drawn by: RMD	3/32
Checked by:	
Revision:	
Project number: JBRDT : 012	

PROPERTY DESCRIPTION	
JUANITA BONITA RESTAURANT AGORA COFFEE SHOP LLC.	
8012 TRADE VILLAGE PLACE DALLAS TX. 75217	
ZONING : COMMERCIAL: "D-1"	
PROPOSED USE :	REMODELING OF EXISTING BUILDING FOR RESTAURANT AND COFFEE SHOP.
LAND AREA :	13,900 SQ. FT. 0.32 ACRES
BUILDING SQUARE FEET :	3,710.60 SQ. FT.
PARKING REQUIRED :	19 SPACES
REVISION FEB. 22 2022 :	
PARKING PROVIDED :	19 SPACES
HANDICAP PARKING PROVIDED :	1 SPACES



**01 PROPOSED SITE PLAN**

SCALE: 1" = 10'-0"



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AGORA COFFEE SHOP LLC**

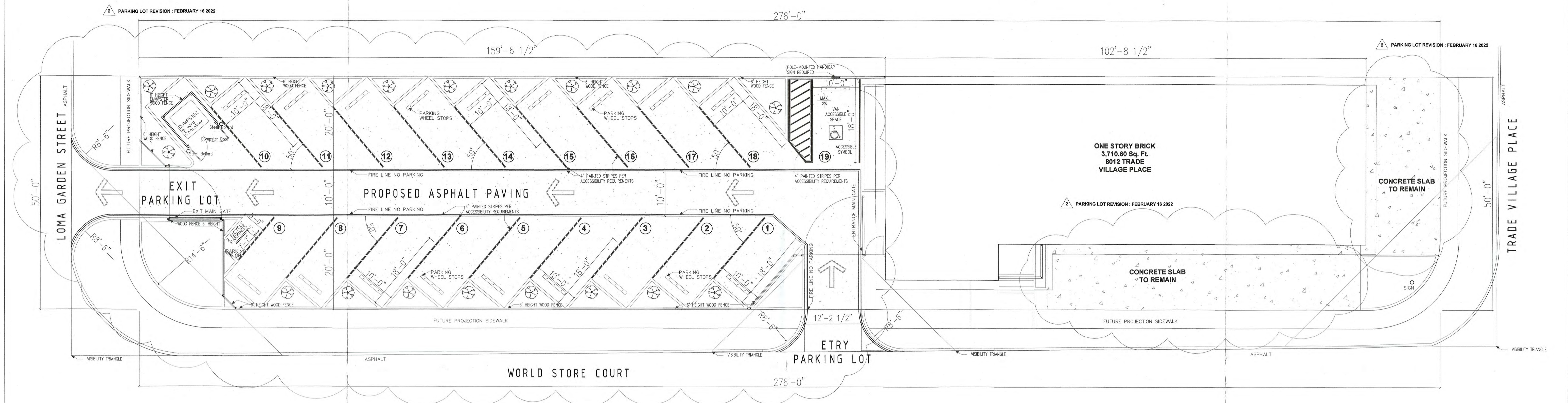
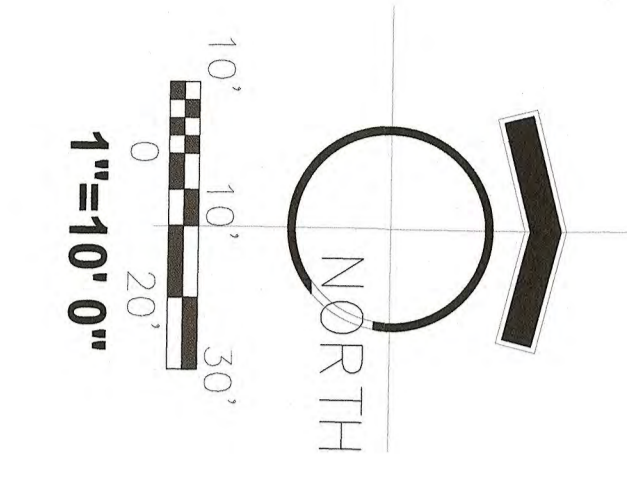
8012 Trade Village Place.  
Dallas, Tx. 75217

**OWNER: Ma. De San Juan Angel Gurrola  
Edith Rodriguez**

STAMP :

REVIEWS :

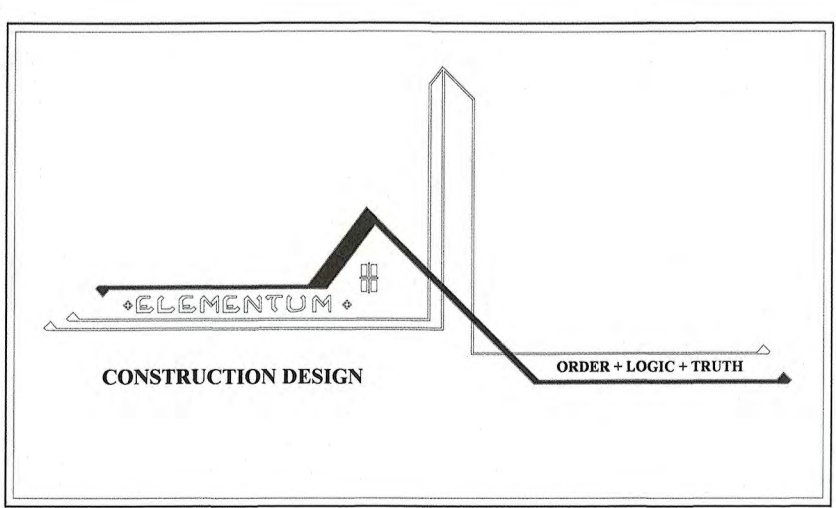
Project: Juanita Bonita Restaurant Agora Coffee Shop LLC	Sheet: <b>A-1.0</b>
Owner: Ma. De San Juan Angel Gurrola Edith Rodriguez	3/8
Date: June/18/2022	Scale: 1" = 10'-0"
Drawn by: RMD	3132
Checked by:	
Revision:	
Project number: JBRDT : 012	



PROPERTY DESCRIPTION	
JUANITA BONITA RESTAURANT AGORA COFFEE SHOP LLC.	
8012 TRADE VILLAGE PLACE DALLAS TX. 75217	
ZONING :	COMMERCIAL: "D-1"
PROPOSED USE :	REMODELING OF EXISTING BUILDING FOR RESTAURANT AND COFFEE SHOP.
LAND AREA :	13,900 SQ. FT. 0.32 ACRES
BUILDING SQUARE FEET :	3,710.60 SQ. FT.
PARKING REQUIRED :	19 SPACES
REVISION FEB. 22 2022 :	
PARKING PROVIDED :	19 SPACES
HANDICAP PARKING PROVIDED :	1 SPACES

## 01 PROPOSED PARKING LOT

SCALE: 1" = 10'-0"



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AGORA COFFEE SHOP LLC**

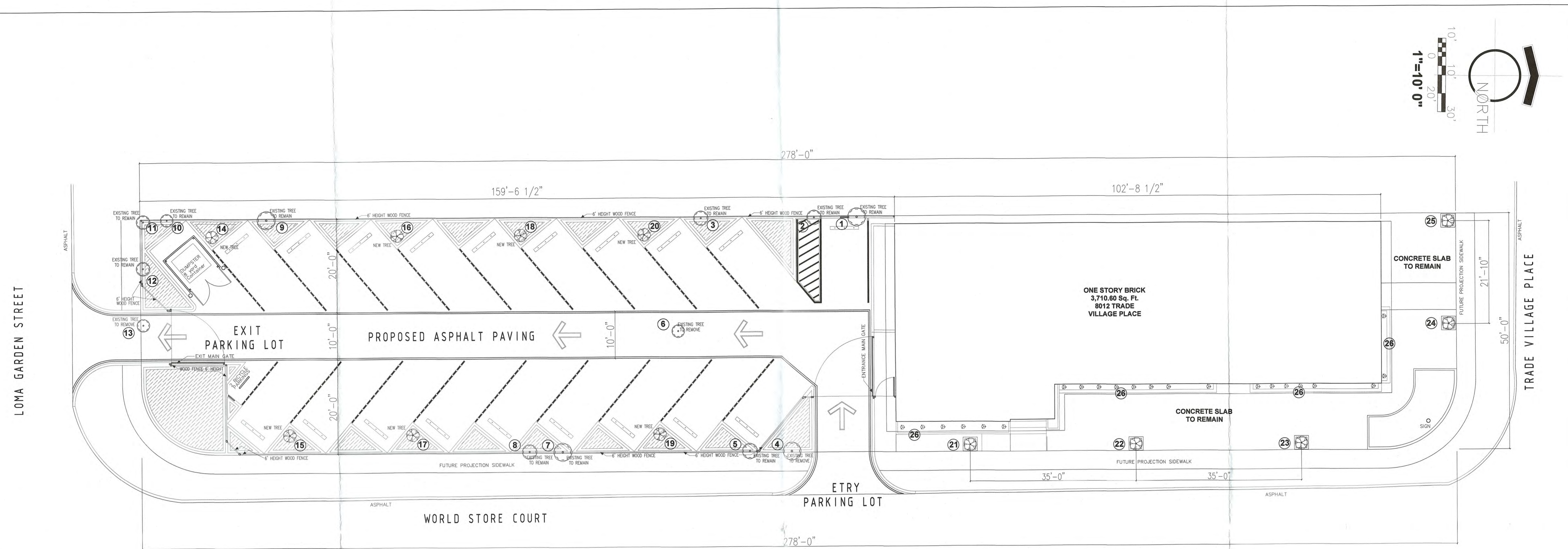
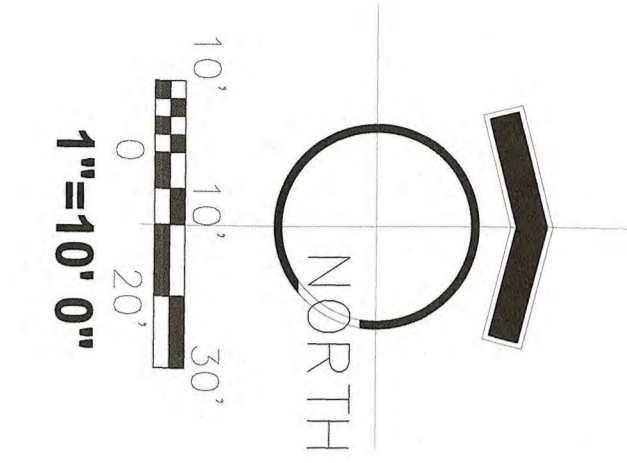
8012 Trade Village Place.  
Dallas, Tx. 75217

**OWNER: Ma. De San Juan Angel Gurrola  
Edith Rodriguez**

**STAMP :**

**REVIEWS :**

Project: Juanita Bonita Restaurant Agora Coffee Shop LLC	Sheet: <b>A-1.4</b>
Owner: Ma. De San Juan Angel Gurrola Edith Rodriguez	7/8
Date: June/18/2022	Scale: 1" = 10'-0"
Drawn by: RMD	3/32
Checked by:	
Revision:	
Project number: JBRDT : 012	



# 01 PROPOSED LANDSCAPE PLAN

SCALE: 1" = 10'-0"

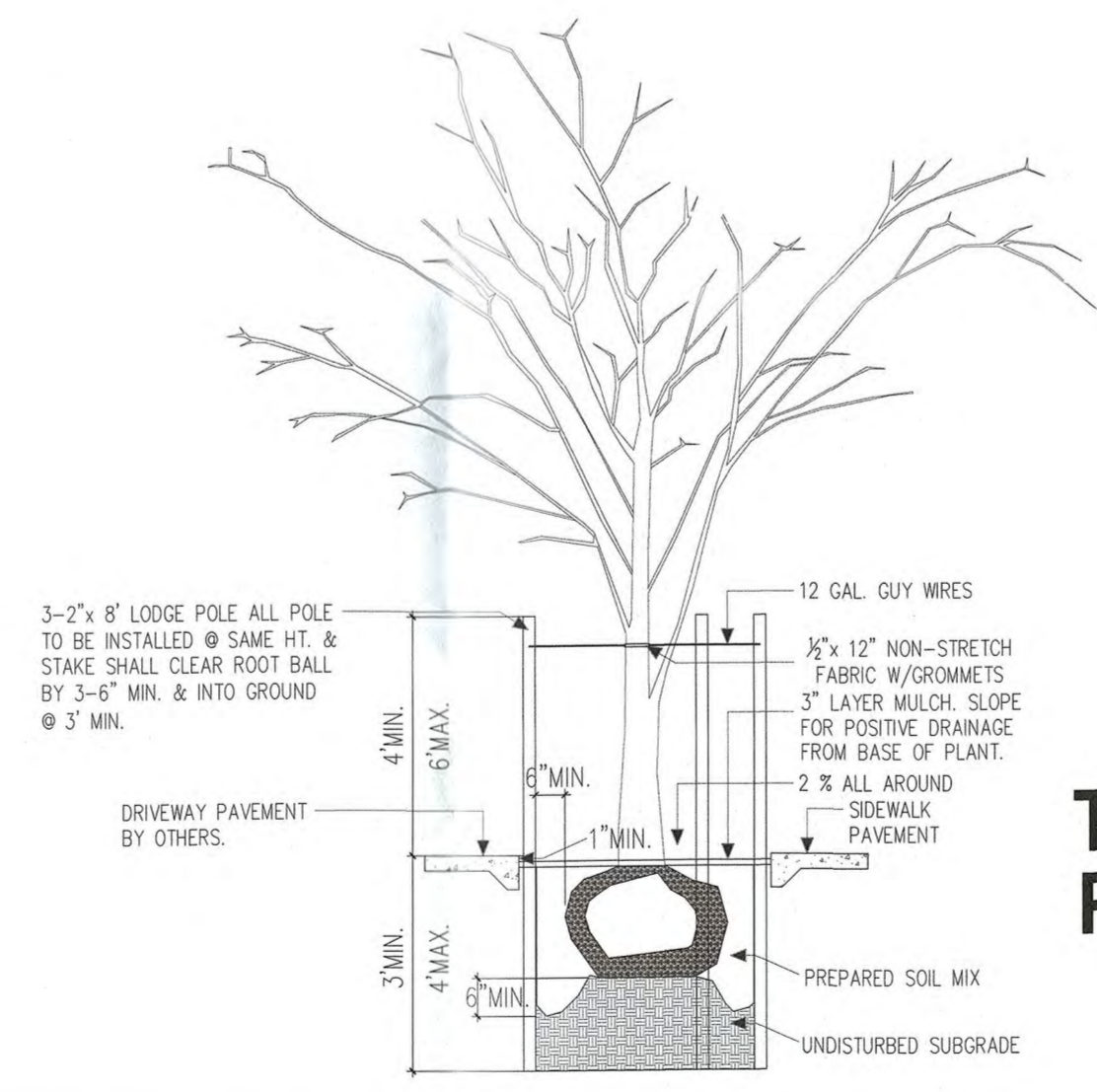
AREA ANALYSIS			
Total Lot Area	13,900.00 Sq. Ft.	100 %	
Existing One Story Brick	3,710.80 Sq. Ft.	26 %	
Existing Concrete Slab To Remain	1,372.80 Sq. Ft.	9 %	
Proposed Parking Lot Area	6,491.80 Sq. Ft.	47 %	
Proposed Landscape Area	2,328.00 Sq. Ft.	18 %	

LANDSCAPE ANALYSIS			
LANDSCAPE AREA: 18 % of total lot area.			
Total Lot Area	Total Landscape Area	Total Landscape Area Provided	
13,900.00 Sq. Ft.	2,328.00 Sq. Ft.	18 % Total Lot Area	

SITE TREES: 1 site tree for every 4000 SF, within total lot area.			
Total Lot Area	Tree Planting Requirement	10 Existing Trees And 12 New Trees Provided	
13,900.00 Sq. Ft.	3.5 Trees	Total: 22 Trees.	

EXISTING TREES TO REMAIN				
Symbol	Number	Name	Trunk Width	Tree Height
○	1	American Elm	16"	23'
○	2	"Ulmus Americanus"	8"	16'
○	3	American Elm	11"	20'
○	4	"Ulmus Americanus"	12"	25'
○	5	American Elm	10"	23'
○	6	TREE TO REMOVE	4"	15'
○	7	American Elm	8"	23'
○	8	"Ulmus Americanus"	9"	25'
○	9	Blackjack Oak	8"	20'
○	10	Sugarberry	8"	17'
○	11	"Lonicera var. 'Lauri'"	9"	18'
○	12	"Ulmus Americanus"	6"	16'
○	13	TREE TO REMOVE	8"	19'

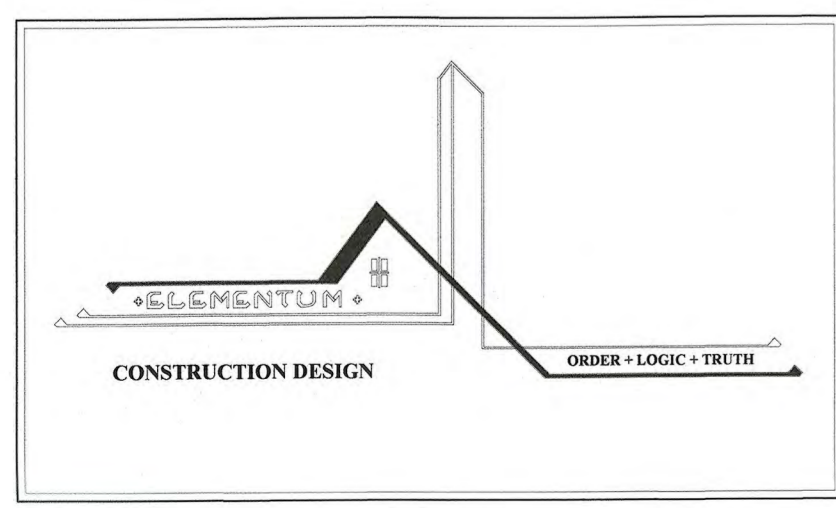
NEW TREES				
Symbol	Number	Name	Trunk Width	Tree Height
○	14	Magnolia Little Gem	3"	35'-50'
○	15	Magnolia Grandiflora	3"	17'-20'
○	16	Magnolia Grandiflora	3"	35'-50'
○	17	Magnolia Grandiflora	3"	35'-50'
○	18	Magnolia Grandiflora	3"	35'-50'
○	19	Magnolia Grandiflora	3"	35'-50'
○	20	Magnolia Grandiflora	3"	35'-50'
○	21	Mexican Redbud	3"	15'-25'
○	22	Cercis Canadensis	3"	15'-25'
○	23	Var. Mexicana	3"	15'-25'
○	24	Bushes Boxwood	6"	3'-5'
○	25	"Buxus Microphylla"	6"	3'-5'
○	26	Turf Grass	Low Work & Water	Spacing As Show



## TYPICAL TREE PLANTING DETAIL

- LEGEND:**
- Contractor shall be responsible for becoming with all underground utilities pipes and structures. Contractor shall take sole responsibility for any cost incurred due to damage of these utilities.
  - The contractor shall assume full responsibility for necessary revisions due to failure to give such notification.
  - Protect all existing trees to remain. Contractor shall replace any trees damaged during construction. Contractor shall provide fencing if necessary, at the tree drip line to protect trunk and roots and to prevent compaction from vehicle traffic or material storage on the soil below trees.
  - Upon installation all tree materials shall be staked according to specifications and planting details.
  - All plants shall be triangularly spaced unless otherwise indicated.
  - All planting beds shall receive a minimum of 3" of approved shredded mulch.
  - Contractor shall fine grade all disturbed areas to provide for proper drainage.

- IRRIGATION NOTES:**
- All proposed plant material shall be fully irrigated.
  - All shrubs and groundcover's will be irrigated with drip tube irrigation, the goal is to place water directly into the root zone and minimize evaporation.
  - Turf grass areas will be irrigated with a low application rate will allows for much greater water infiltration which will significantly reduce runoff.
  - All trees will be irrigated with pressure compensating full circle bubblers that have a low GPM. These have low flow rates that allow water to be absorbed as needed, reducing runoff.



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 AGORA COFFEE SHOP LLC**

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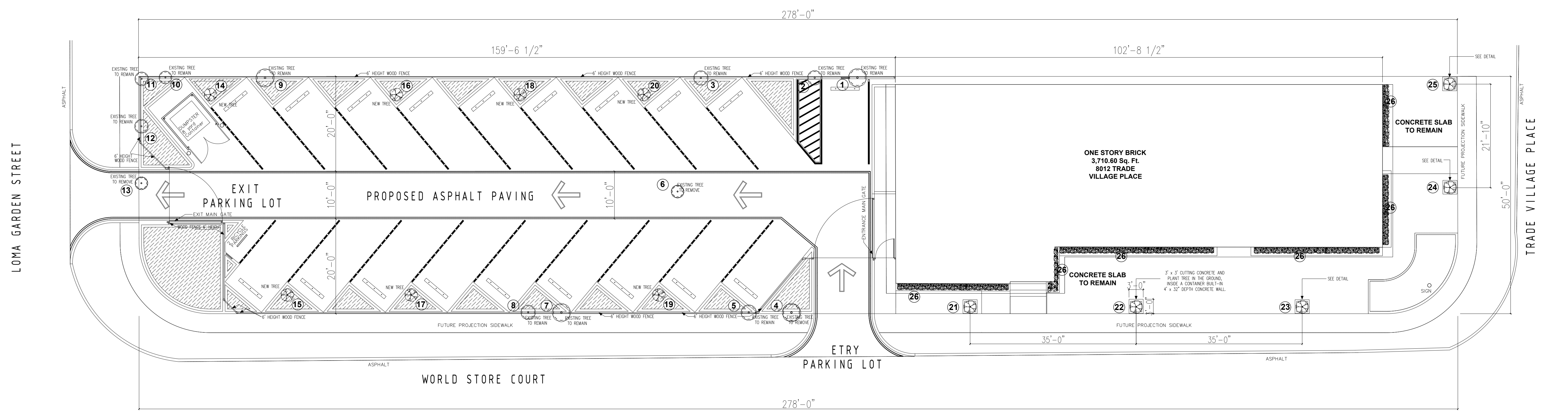
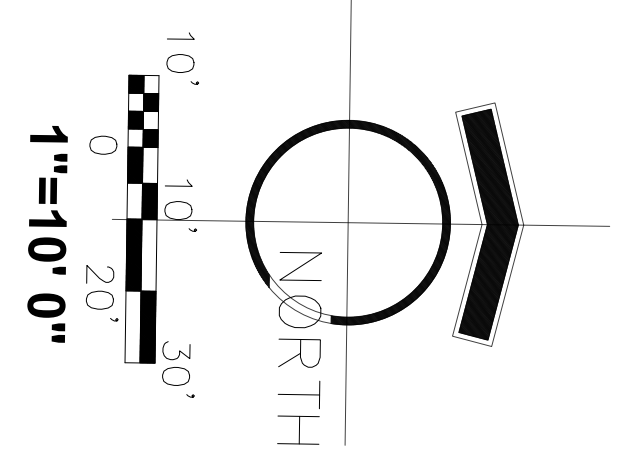
**OWNER:**  
 Ma. De San Juan Angel Gurrola  
 Edith Rodriguez

STAMP :

REVIEWS :

Project: Juanita Bonita Restaurant Agora Coffee Shop LLC	Sheet: <b>A-1.5</b>
Owner: Ma. De San Juan Angel Gurrola Edith Rodriguez	8/8
Date: June/18/2022	Scale: 1" = 10'-0"
Drawn by: RMD	8/32
Checked by:	
Revision:	
Project number: JBRDT - 012	

**BDA212-075 ATTACHMENT A**



**01 PROPOSED LANDSCAPE PLAN**

SCALE: 1" = 10'-0"

**AREA ANALYSIS**

Total Lot Area	13,900.00 Sq. Ft.	100 %
Existing One Story Brick	3,710.60 Sq. Ft.	26 %
Existing Concrete Slab To Remain	1,372.60 Sq. Ft.	9 %
Proposed Parking Lot Area	6,491.80 Sq. Ft.	47 %
Proposed Landscape Area	2,325.00 Sq. Ft.	18 %

**LANDSCAPE ANALYSIS**

<b>LANDSCAPE AREA:</b> 18 % of total lot area.		
Total Lot Area	Total Landscape Area	Total Landscape Area provided
13,900.00 Sq. Ft.	2,325.00 Sq. Ft.	18 % Total lot Area

**SITE TREES:** 1 site tree for every 4000 SF, within total lot area.

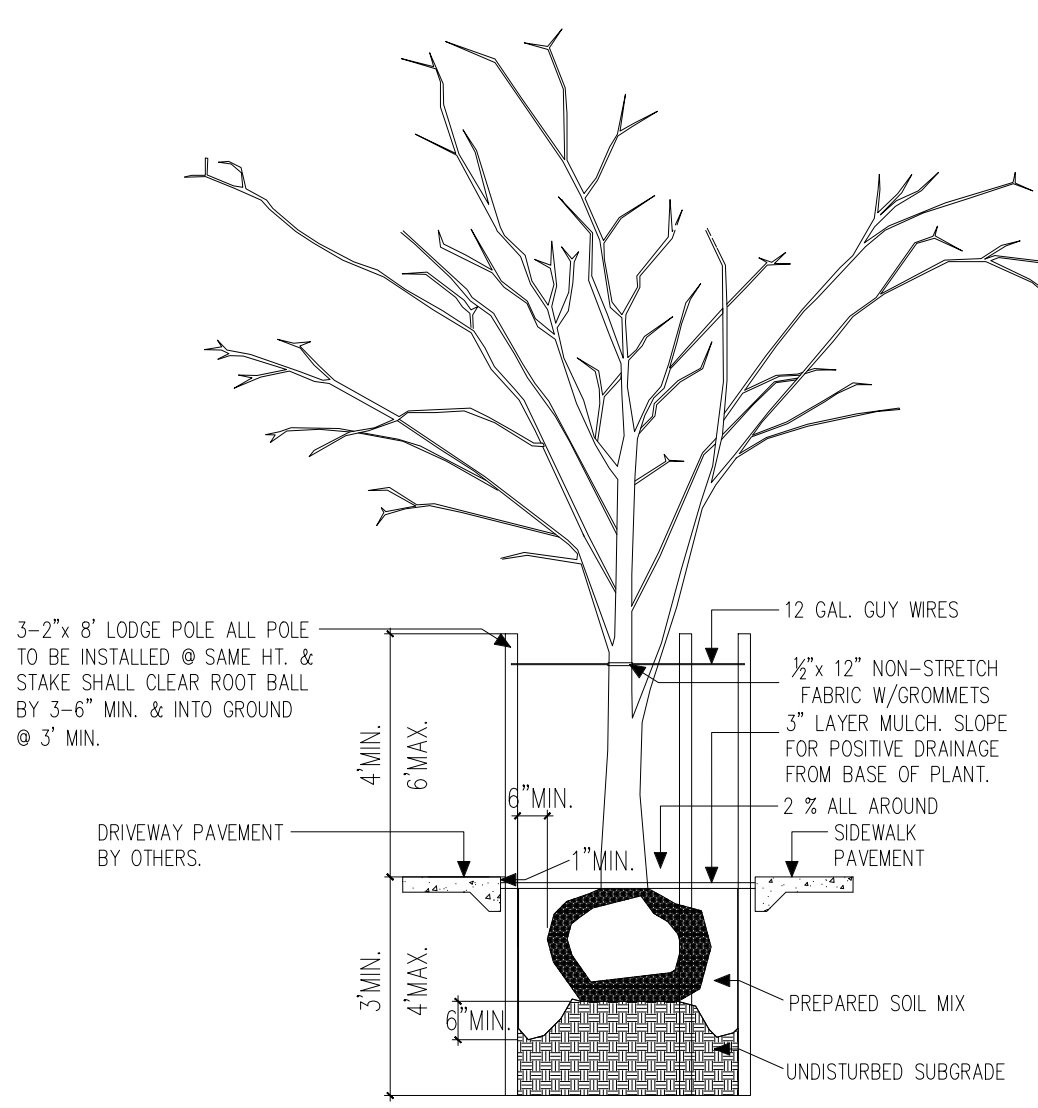
Total Lot Area	Tree Planting Requirement	10 Existing Trees And 12 New Trees Provided
13,900.00 Sq. Ft.	3.5 Trees	Total: 22 Trees.

**EXISTING TREES TO REMAIN**

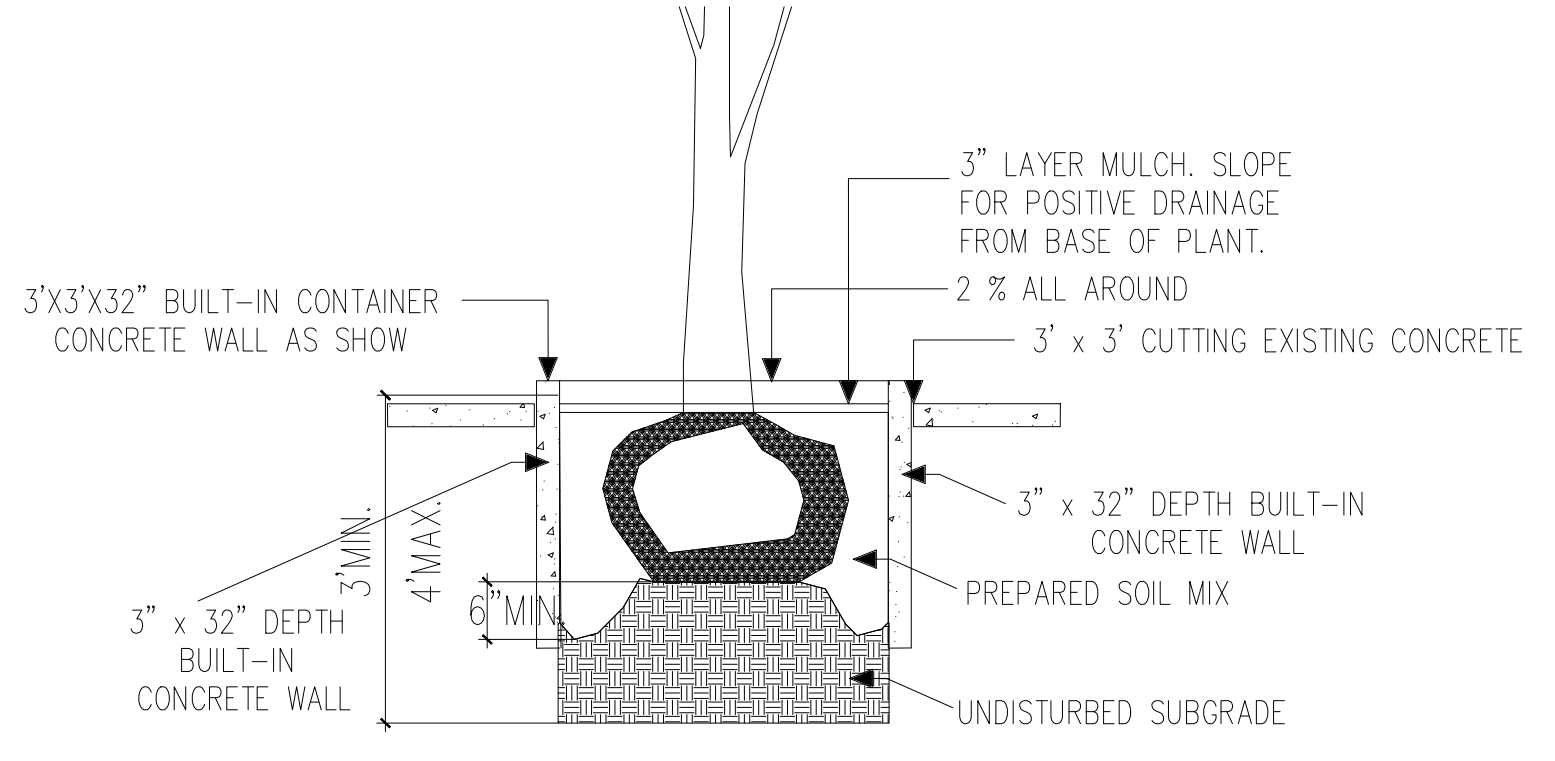
Symbol	Number	Name	Trunk Width	Tree Height	Canopy Width
1	American Elm	"Ulmus Americana"	16"	23'	17'
2	American Elm	"Ulmus Americana"	8"	16'	14'
3	American Elm	"Ulmus Americana"	11"	20'	16'
4	TREE TO REMOVE		12"	25'	18'
5	American Elm	"Ulmus Americana"	10"	23'	16'
6	TREE TO REMOVE		4"	15'	10'
7	American Elm	"Ulmus Americana"	8"	23'	20'
8	American Elm	"Ulmus Americana"	9"	25'	19'
9	Stockport Oak	"Quercus Marilandica"	8"	20'	18'
10	Sugarberry	"Celtis Sugarberry"	8"	17'	16'
11	American Elm	"Ulmus Americana"	9"	18'	18'
12	American Elm	"Ulmus Americana"	6"	16'	17'
13	TREE TO REMOVE		8"	19'	18'

**NEW TREES**

Symbol	Number	Name	Trunk Width	Tree Height	Canopy Width
14	Magnolia				
15	Little Gem				
16	American Elm	"Ulmus Americana"	35"-50"	12'-20'	
17	Magnolia	Grandiflora			
18	Mexican Redbud	"Cercis Canadensis Var. Mexicana"	45"-60"	15'-25'	
19	Cercis Canadensis Var. Mexicana				
20					
21					
22					
23					
24					
25					
26	Different Plants of small annual and perennial species. Placed in planters.		1 Cal. 2" FT. In the Planter.		
	Turf Grass		Low Work & Water Spacing As Show.		



**TYPICAL TREE PLANTING DETAIL**



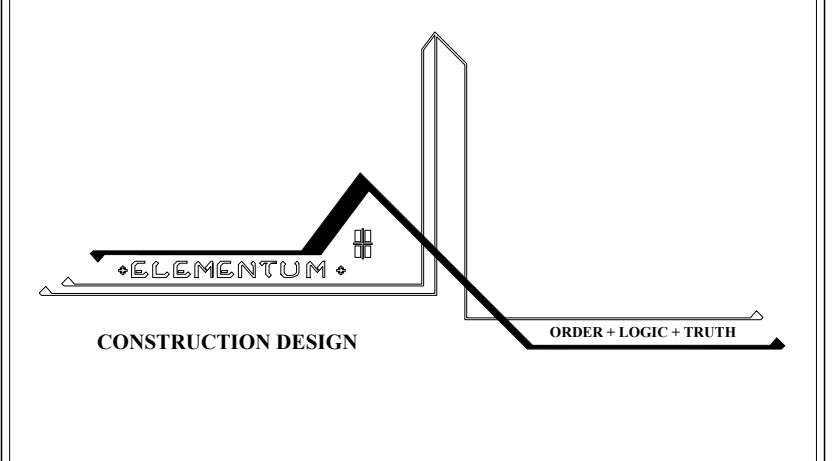
**DETAIL BUILT-IN CONTAINER**

**LEGEND:**

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- The contractor shall assume full responsibility for necessary revisions due to failure to give such notification.
- Protect all existing trees to remain. Contractor shall replace any trees damaged during construction, Contractor shall provide fencing if necessary, at the tree drip line to protect trunk and roots and to prevent compaction from vehicle traffic or material storage on the soil below trees.
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- All plants shall be triangularly spaced unless otherwise indicated.
- All planting beds shall receive a minimum of 3" of approved shredded mulch.
- Contractor shall fine grade all disturbed areas to provide for proper drainage.

**IRRIGATION NOTES:**

- All proposed plant material shall be fully irrigated.
- All shrubs and groundcover's will be irrigated with drip tube irrigation, the goal is to place water directly into the root zone and minimize evaporation.
- Turf grass areas will be irrigated with a low application rate will allow for much greater water infiltration which will significantly reduce runoff.
- All trees will be irrigated with pressure compensating full circle bubblers that have a low GPM. These have low flow rates that allow water to be absorbed as needed, reducing runoff.



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 AGORA COFFEE SHOP LLC**

8012 Trade Village Place.  
 Dallas, Tx. 75217

**OWNER:** Ma. De San Juan Angel Gurrola  
 Edith Rodriguez

**STAMP :**

**REVIEWS :**

**Project:** Juanita Bonita Restaurant  
 Agora Coffee Shop LLC

**Owner:** Ma. De San Juan Angel Gurrola  
 Edith Rodriguez

**Date:** August/22/2022

**Drawn by:** RMD

**Checked by:**

**Revision:**

**Project number:** JBRDT : 012

**Sheet:** **A-1.5**

8/8

**Scale:** 1" = 10'-0"

# BDA212-075\_ATTACHMENT\_B

## Memorandum



Date August 26, 2022  
To Jennifer Munoz, Board Administrator  
Subject BDA #212-075 8012 Trade Village Arborist report

### Request

The applicant is seeking a special exception to the landscaping requirements of Article X in accordance with PD 366 Subarea 2. The existing building on the 50-foot wide lot is being renovated for a restaurant use with a new parking area to be installed behind the building. The parking lot triggers the landscape requirements for this project. The ordinance requires Article X landscaping conditions which are not physically attainable on site if they are to provide the parking required.

### Provision

The proposed alternative landscape plan provides for multiple Little Gem Magnolia and retained existing trees around the perimeter of the new parking lot in small pockets next to parking spaces. Mexican redbud trees are placed inset to paved areas around the building. Additional plantings in containers are provided around the building.

Article X: The site provides the required number of site trees with the existing trees. Irrigation provisions are made on the plan to include all new plant materials on site.

### Deficiency

The property does not comply with Article X for the street buffer zone requirements, landscape design options, and the minimum soil volume requirements of the ordinance for some of the new landscaping. Planting conditions in the paved areas near the building will be restrictive to tree growth and will limit tree potential for canopy growth.

The future sidewalk condition (off the property) is subject to further review for public right-of-way improvements along the unimproved street frontages.

### Recommendation

The chief arborist has no objection to an approval of a special exception due to strict compliance with the landscaping requirements of Article X will unreasonably burden the use of the narrow commercial property. Limited available space is provided for landscaping, and existing trees are to be maintained. Additional landscape amenities not standard to ordinance will be provided adjacent to the proposed restaurant.

Philip Erwin  
Chief Arborist  
Development Services Department



**FILE NUMBER:** BDA212-082(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Karl Crawley of Masterplan Texas for a special exception to the fence height regulations at 10203 Hollow Way Road. This property is more fully described as Lot 1, Block 5517 and is zoned an R-1ac(A) Single Family District, which limits the height of a fence in the front yard to four feet. The applicant proposes to construct and maintain a six-foot-six-inch-high fence with a 12-foot gate in a required front yard on Hollow Way Road, which will require an eight-foot special exception to the fence height regulations.

**LOCATION:** 10203 Hollow Way Road

**APPLICANT:** Karl Crawley, Masterplan Texas

**REQUEST:**

The applicant proposes to attach a wall and gates to an existing wrought iron fence on the property or located within the neighboring property.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:**

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

**STAFF RECOMMENDATION:**

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

**BACKGROUND INFORMATION:**

**Zoning:**

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

### **Land Use:**

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

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

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

1. **BDA178-139:** On January 16, 2019, Panel B granted variances to the front and side yard setback regulations at 10221 Hollow Way Road on a property contiguous to west of the subject site.
2. **BDA189-058:** On May 20, 2019, Panel C granted a special exception to the minimum front yard setback requirements to preserve an existing tree at 10040 Hollow Way Road located to east of the subject site.

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

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

The request for a special exception to the fence height regulations is made to construct and maintain a nine-foot-tall fence with a 12-foot-tall gate which will require an eight-foot special exception.

According to DCAD, the property contains 2.00 acres and is developed with a two-story, 10,382-square-foot single-family structure constructed in 2007. Additional improvements include a 1,248-square-foot attached garage, tennis court, and pool. The proposed fence has not yet been constructed.

According to the site and elevation plans submitted, the applicant proposes:

- A 19-foot-wide decorative iron gate with a maximum height of 12 feet and an automatic opener.
- The gate is to be located 26 feet from the property line that curves 104 feet along Hollow Way Road. The visibility triangles from the private driveway onto the road are unobstructed.
- The proposed six-foot-tall walls surrounding the gates are limestone with limestone columns and cast stone caps and gas lanterns on either side of the gates which reach a height of eight feet plus architectural finials that reach up to 11 feet six-inches.
- These sections of the solid walls are set back from 19 feet seven-inches on the south, to 24 feet four-inches to the north from the property line along Hollow Way Road.

- The northern wall section contains an iron pedestrian gate that is three feet wide and seven feet tall.

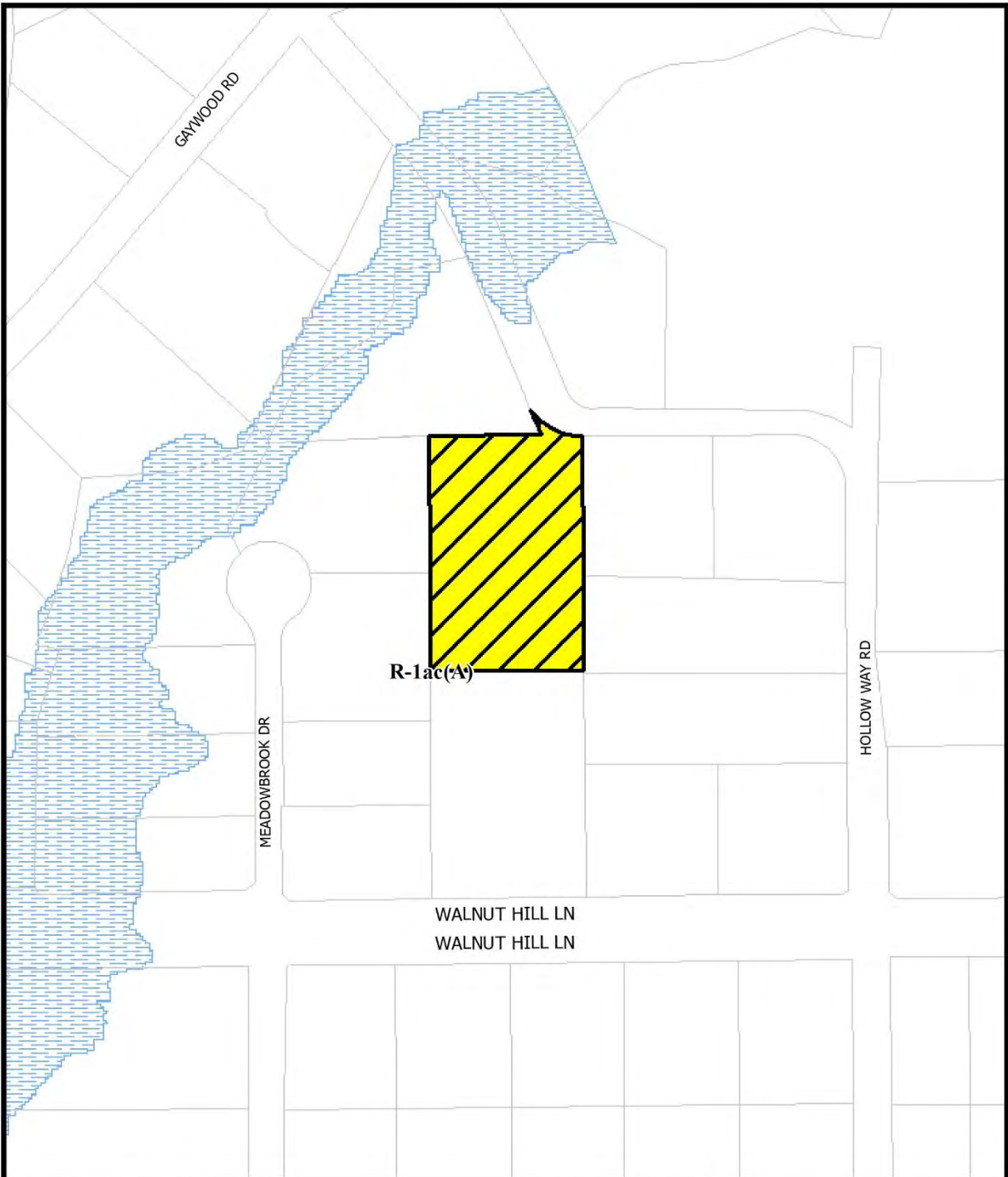
As of September 9, 2022, no letters have been submitted in support or in opposition to the request.

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

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

**Timeline:**

- July 17, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment.”
- August 4, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- August 11, 2022: The Board of Adjustment Chief Planner emailed the applicant the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:
  - a copy of the application materials including the Building Official’s report on the application;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- August 25, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September 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, and the Assistant City Attorney to the Board, the PUD Senior Planner, and the new Assistant City Attorney.

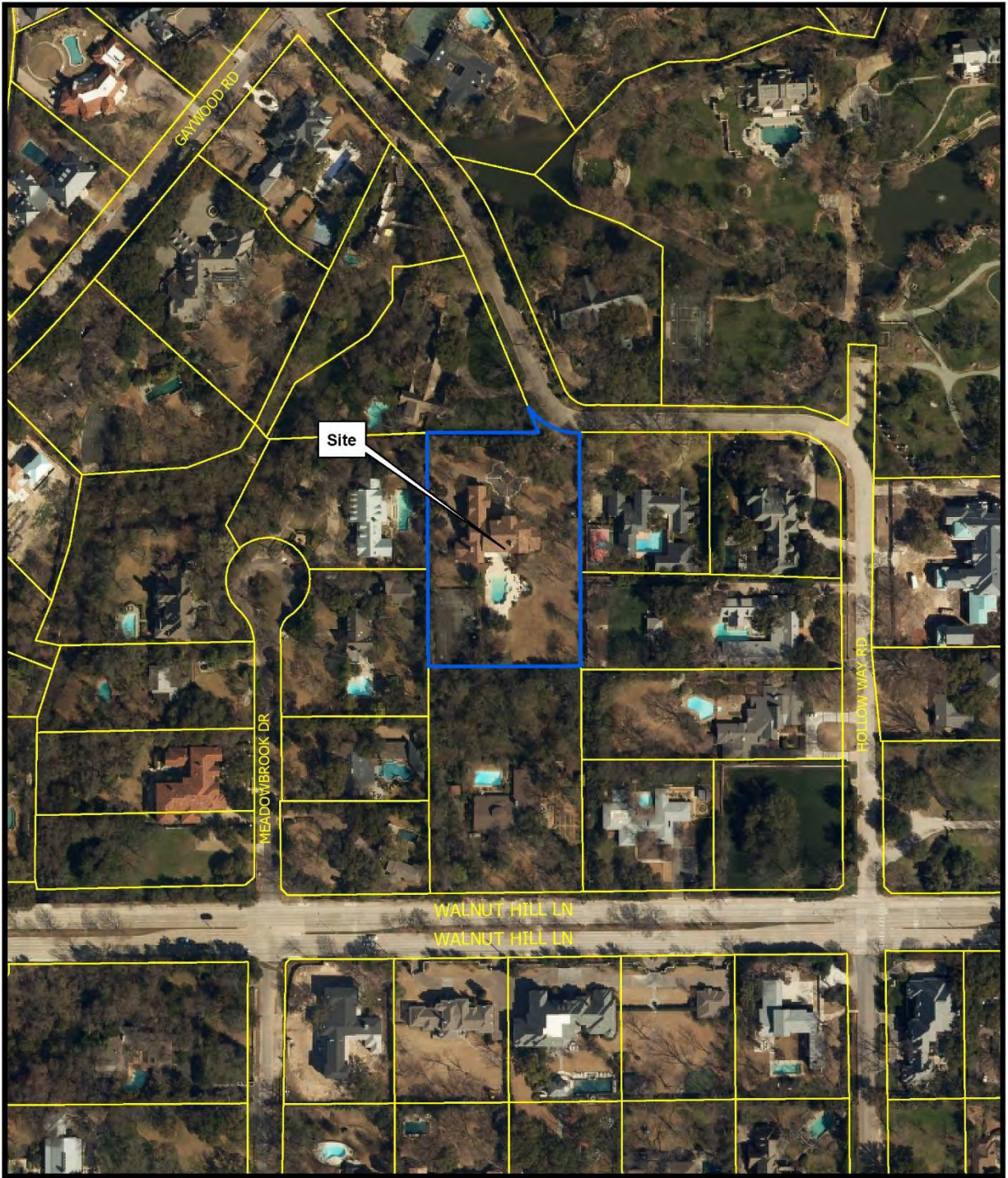


1:2,400

# ZONING MAP

Case no: BDA212-082

Date: 8/4/2022



1:2,400

# AERIAL MAP

Case no: BDA212-082

Date: 8/4/2022



 1:2,400	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;"><b>14</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>14</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u><b>BDA212-082</b></u> Date: <u><b>8/4/2022</b></u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>14</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

08/04/2022

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

***BDA212-082***

### ***14 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	10203 HOLLOW WAY RD	MILLER SCOTT K & DONNA L
2	10030 MEADOWBROOK DR	NEUHOFF JOE B
3	10300 GAYWOOD RD	BENEFIT OF THE FGH RESIDENTIAL QUALIFYING TRUST
4	10020 MEADOWBROOK DR	LAMM BEN
5	10040 MEADOWBROOK DR	SCHWIMMER SHANON G
6	5333 WALNUT HILL LN	BRUCE CARL EDWARD &
7	10200 HOLLOW WAY RD	JLE PARTNERS LLC
8	10221 HOLLOW WAY RD	BURKHEAD WAYNE Z &
9	10211 HOLLOW WAY RD	PARK ROYAL HOMES LLC
10	10131 HOLLOW WAY RD	KELLEY MATT & JAN E
11	10041 HOLLOW WAY RD	SEALY SCOTT P & DIANE G
12	10033 HOLLOW WAY RD	SALIM MICHAEL D &
13	10023 HOLLOW WAY RD	LECLAIR LEWIS T &
14	5415 WALNUT HILL LN	MP MEADOW LTD



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-082

Data Relative to Subject Property:

Date: 7/17/22

Location address: 10203 Hollow Way Road Zoning District: R-1ac(A)

Lot No.: 1 Block No.: 5517 Acreage: 2 ac. Census Tract: 76.05

Street Frontage (in Feet): 1) 80.5 ft. 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Scott K. Miller and Donna L. Miller

Applicant: Karl A Crawley, MASTERPLAN Telephone: 214 761 9197

Mailing Address: 2201 Main St., Ste. 1280 Dallas TX Zip Code: 75201

E-mail Address: karl@masterplantexas.com

Represented by: Same as applicant Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance, or Special Exception X, of 8 feet for an open gate and columns and 4 feet for a solid fence in the front yard of Hollow Way Road

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: Fence and gate heights are commensurate with area properties, is set back approximately 20 feet from the front property line on the lot which is located in a curve in the road.

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 Karl A Crawley (Affiant/Applicant's name printed)

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

Respectfully submitted: (Affiant/Applicant's signature)

Subscribed and sworn to before me this 23 day of June, 2022

(Rev. 08-01-11)



Notary Public in and for Dallas County, Texas



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that Karl Crawley

did submit a request for a special exception to the fence height regulations  
at 10203 Hollow Way Road







BDA212-082. Application of Karl Crawley for a special exception to the fence height regulations at 10203 HOLLOW WAY RD. This property is more fully described as lot 1, block 5517 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 9 foot high fence with a 10 foot gate in a required front yard, which will require a 6 foot special exception to the fence regulations.

Sincerely,

  
David Session, Building Official



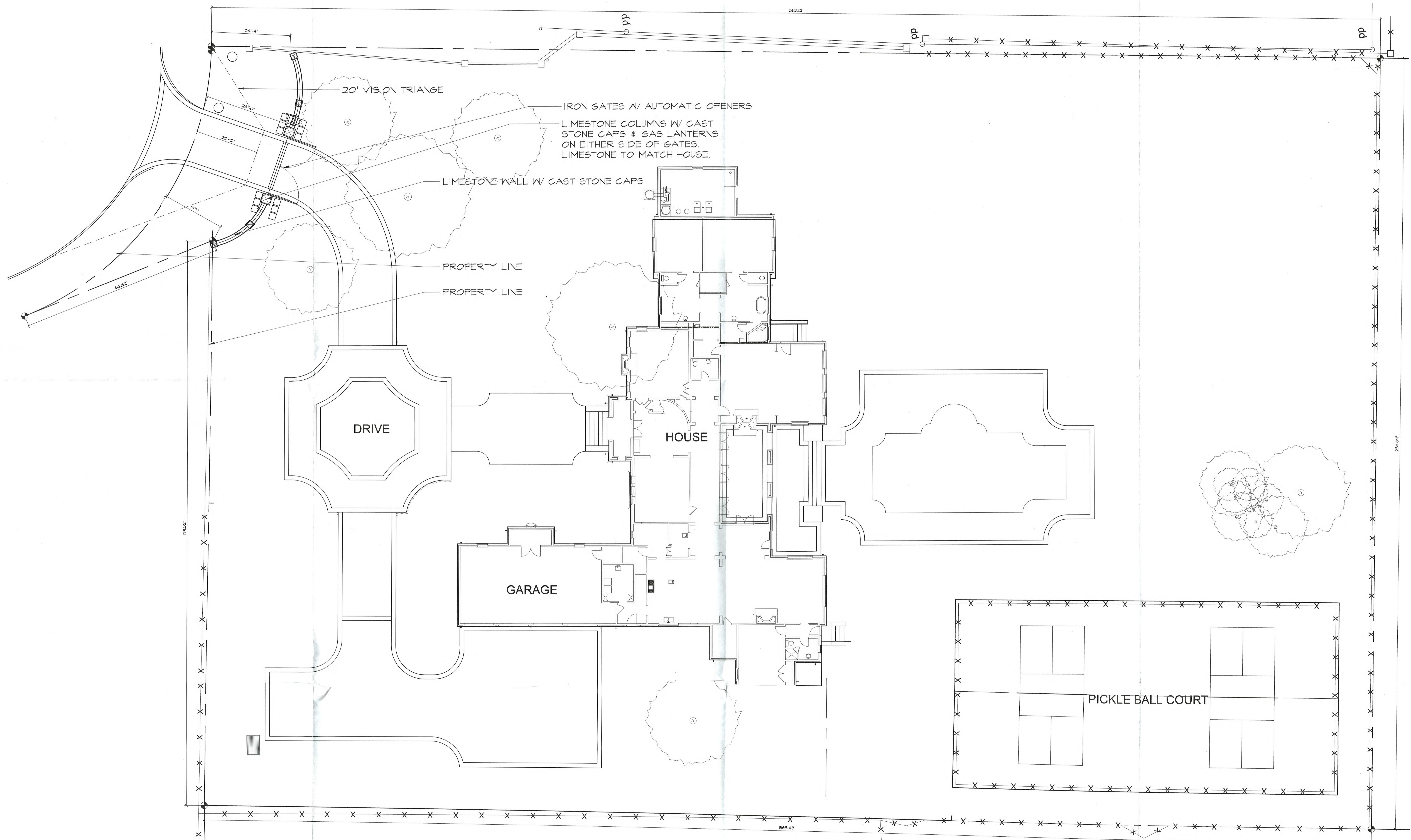
Printed: 6/7/2022

-  City Limits
-  Floodplain
-  0.2 Pct Annual Flood Hazard
-  1 Pct Annual Chance Flood Hazard
-  Certified Parcels
-  Base Zoning

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



1:2,400



SITE PLAN  
SCALE: 3/32" = 1'-0"

DR-082

**MILLER RESIDENCE**  
10203 HOLLOW WAY ROAD, DALLAS TEXAS

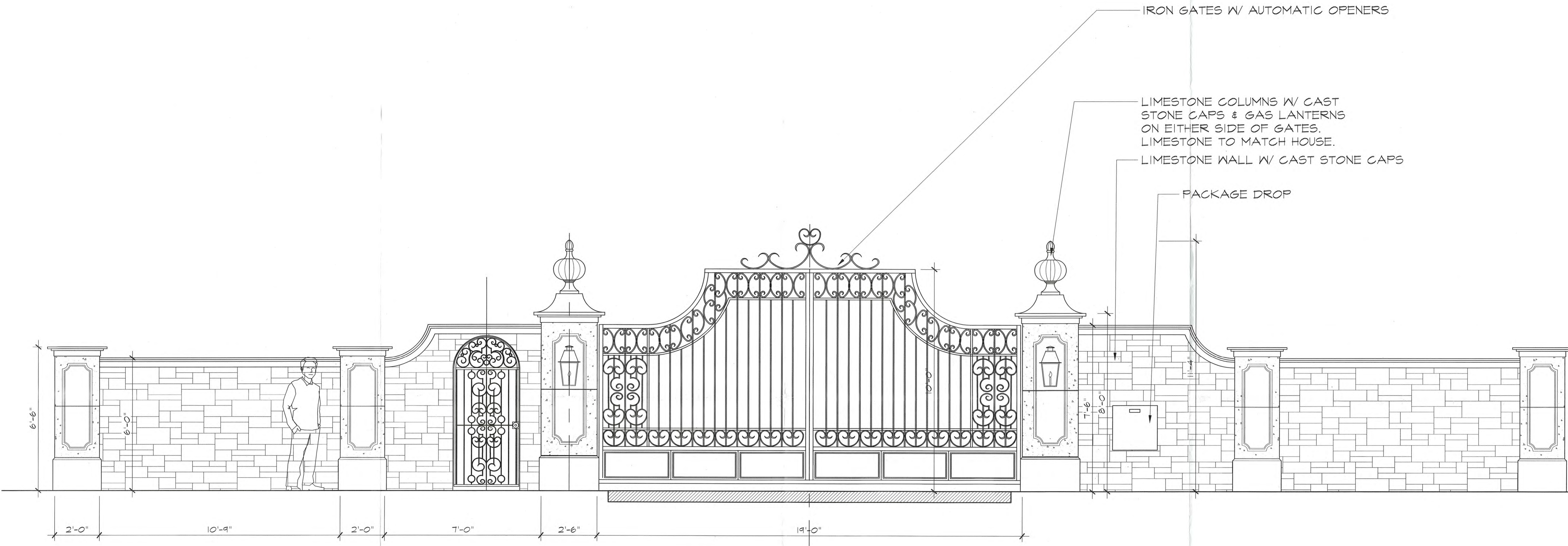
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OR INFORMATION OBTAINED  
FROM ANY SOURCE OTHER  
THAN THAT PROVIDED BY  
THE CLIENT.



NORTH

JUNE 28, 2022





**ENTRY GATE ELEVATION**  
SCALE: 1/2" = 1'-0"

**MILLER RESIDENCE**  
10203 HOLLOW WAY ROAD, DALLAS TEXAS

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property line, and/or utility.



JUNE 14, 2022

212-089

**FILE NUMBER:** BDA212-086(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Marcelino Hernandez, Jr. for a special exception to the fence materials regulations at 2821 Simpson Stuart Road. This property is more fully described as Block 15/6890 and is zoned a CR Community Retail District, which prohibits the use of certain materials for a fence. The applicant proposes to construct and maintain a fence of metal panels up to eight-feet-in-height, which will require a special exception to the fence standards regulations relating to materials.

**LOCATION:** 2821 Simpson Stuart Road

**APPLICANT:** Marcelino Hernandez, Jr.

**REQUEST:**

The applicant constructed a fence of a prohibited material on three sides of the property, excluding the rear/northern section. The special exception to the fence standards regulations is sought to permit the existing fence and allow for the expansion along the northern boundary.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:**

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

**STAFF RECOMMENDATION:**

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

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The subject site contains and outside sales use (landscape nursery). Properties to the north are mostly vacant with a few single-family uses. To the south across Simpson Stuart Road is a large undeveloped and heavily wooded property zoned for single-family use.

**Zoning/BDA History:**

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

**GENERAL FACTS/STAFF ANALYSIS:**

The subject site is zoned a CR Community Retail District which requires compliance with the fence standards regulations relating to materials. The property has about 100 feet of frontage along the north side of Simpson Stuart Road.

Section 51A-4.602(9)(B) states that except as provided in this subsection, the following fence materials are prohibited:

- (A) Sheet metal;
- (B) Corrugated metal;
- (C) Fiberglass panels;
- (D) Plywood;
- (E) Plastic materials other than preformed fence pickets and fence panels with a minimum thickness of seven-eighths of an inch;
- (F) Barbed wire and razor ribbon (concertina wire) in residential districts other than an A(A) Agricultural District; and,
- (G) Barbed wire and razor ribbon (concertina wire) in nonresidential districts unless the barbed wire or razor ribbon (concertina wire) is six feet or more above grade and does not project beyond the property line.

According to DCAD, the property contains 11,325 square feet of area and is undeveloped; however, city records indicate a landscape nursery has been operating at the site since 2015.

The proposed fence has been mostly constructed, without a permit. The northern boundary is not completed.

According to the site and elevation plans submitted, the applicant proposes:

- The applicant proposes to install and maintain a solid metal panel fence, up to eight-feet-in-height, located along the property line, with a setback of 30 feet at the 20-foot-wide driveway from Simpson Stuart Road.
- The metal access gates open inward, are 20 feet wide, and are located outside of the visibility triangles onto the street.

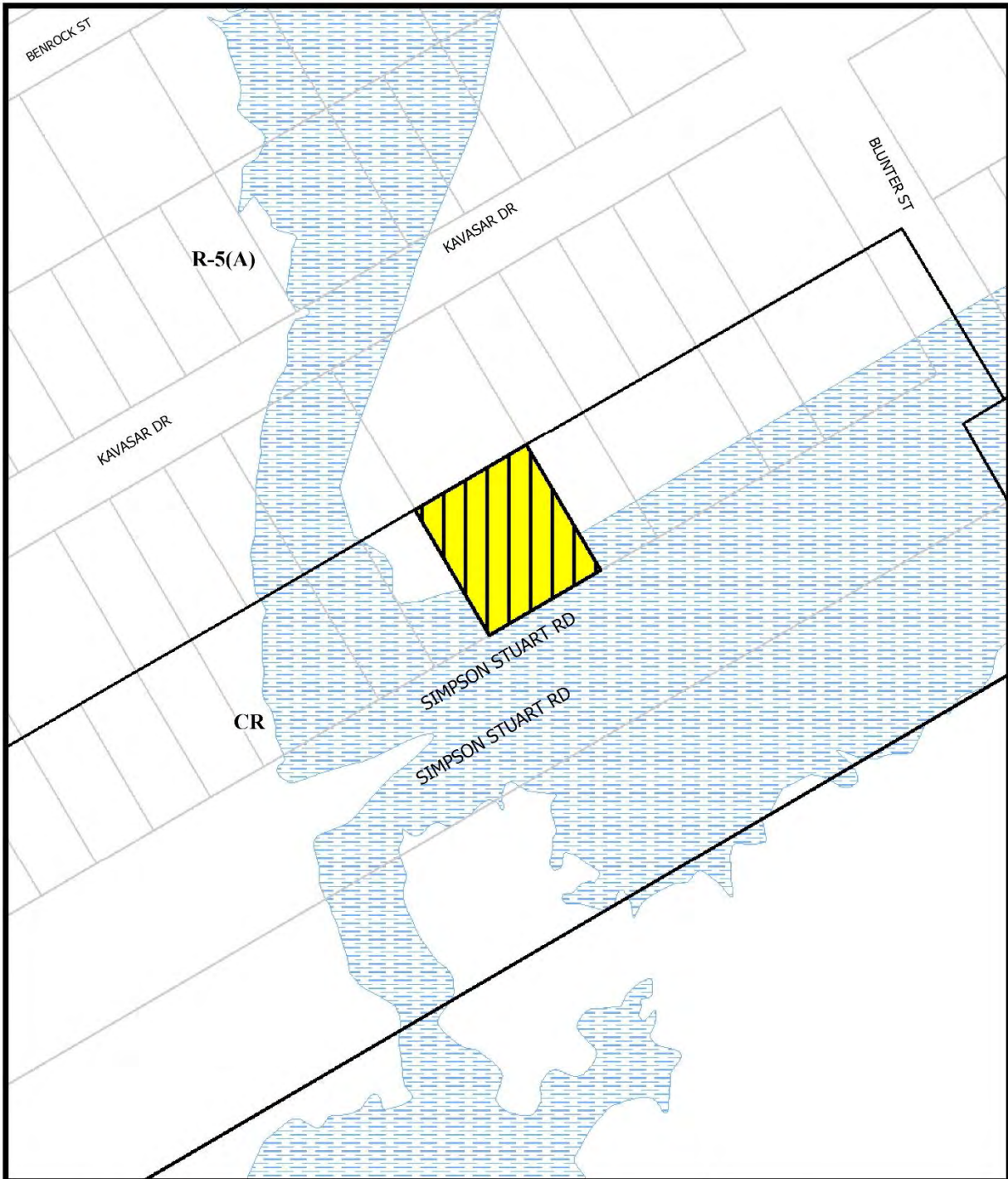
As of September 9, 2022, no letters have been submitted in support or in opposition to the request.

The applicant has the burden of proof in establishing that the special exception to the fence standards related to the use of a prohibited material located on Simpson Stuart Road will not adversely affect neighboring properties.

Granting the special exception to the fence standards related to the material would require the proposal to be maintained in the locations and material as shown on the site plan and elevation plan. However, granting this request will not provide any relief to the Dallas Development Code regulations other than allowing the prohibited material of the fence structure.

**Timeline:**

- July 12, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment.”
- August 4, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- August 11, 2022: The Board of Adjustment Chief Planner emailed the applicant the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:
- a copy of the application materials including the Building Official’s report on the application;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”
- August 25, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September 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, and the Assistant City Attorney to the Board, the PUD Senior Planner, and the new Assistant City Attorney.



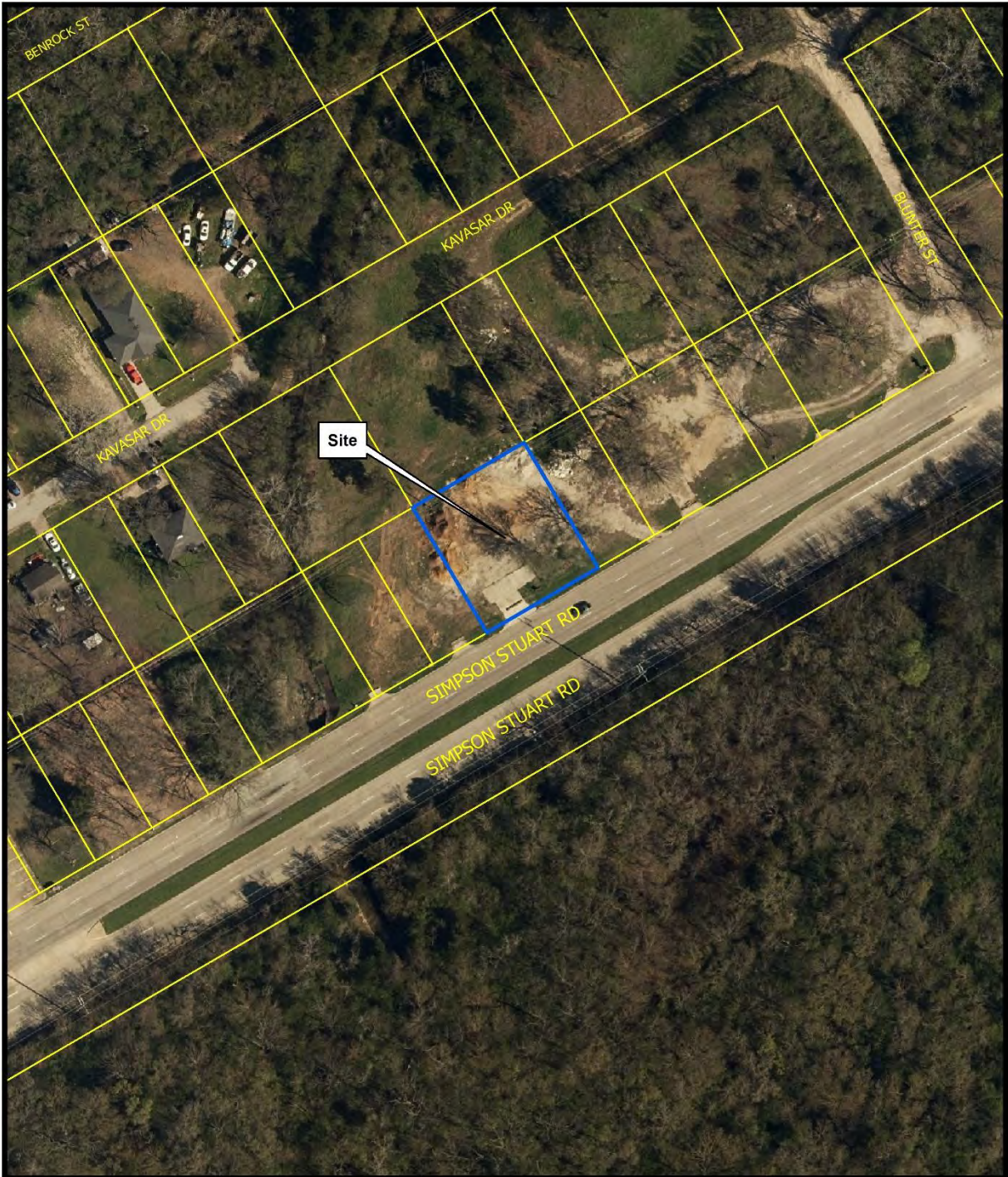
1:1,200

# ZONING MAP

Case no: BDA212-086

Date: 8/4/2022





1:1,200

# AERIAL MAP

Case no: BDA212-086

Date: 8/4/2022



 1:1,200	<h2>NOTIFICATION</h2> <table border="1"> <tr> <td style="padding: 2px;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="padding: 2px;"><b>16</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u><b>BDA212-086</b></u> Date: <u><b>8/4/2022</b></u>
<b>200'</b>	AREA OF NOTIFICATION					
<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED					

08/04/2022

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

***BDA212-086***

***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2821 SIMPSON STUART RD	JONES MARRISE
2	2700 SIMPSON STUART RD	PRA SIMPSON STUART
3	2845 SIMPSON STUART RD	FREENEY CLIFFORD
4	2837 SIMPSON STUART RD	2 DAYS KIDS
5	2827 SIMPSON STUART RD	VALDEZ BYRAN
6	2811 SIMPSON STUART RD	DIGGS OLLIE JR
7	2815 SIMPSON STUART RD	SUTPHEN NEALY
8	2803 SIMPSON STUART RD	MITCHELL JOHNNIE
9	2747 SIMPSON STUART RD	LAGOW DEVELOPMENT PROJECT LLC
10	2740 KAVASAR DR	SORIANO BONIFACIO
11	2814 KAVASAR DR	TRIPLE CHICKEN LLC
12	2822 KAVASAR DR	MARTINEZ GILBERTO MEDRANO
13	2830 KAVASAR DR	VERA CARLOS ALBERTO
14	2838 KAVASAR DR	TURNER MELVIN R
15	2823 KAVASAR DR	BROWN TYRONE SR & THELMA
16	2803 KAVASAR DR	TORRESORDUNA LETICIA A



Case No.: BDA 212-082

Data Relative to Subject Property:

Date: 7/12/22

Location address: 2821 Simpson Stuart Road, Dallas, TX 75241 Zoning District: CR

Lot No.: 4 Block No.: 15/10890 Acreage: 0.26 Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 100.60 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Marcelino Hernandez, Jr.

Applicant: Marcelino, Hernandez, Jr. Telephone: 972.672.3261

Mailing Address: 2530 W. Tenth Street, Dallas, Texas Zip Code: 75211

E-mail Address: hernandezacandheat@gmail.com

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

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

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

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

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:

Applicant respectfully requests that the Board of Adjustment permit the construction of a fence on the above-referened property. For reference, a similar fence has been constructed in an adjacent property located at 2829 Simpson Stuart Road (please see Exhibit A).

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

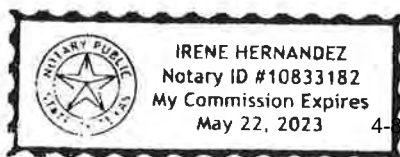
Before me the undersigned on this day personally appeared Marcelino Hernandez Jr  
(Affiant/Applicant's name printed)

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 9th day of June, 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**

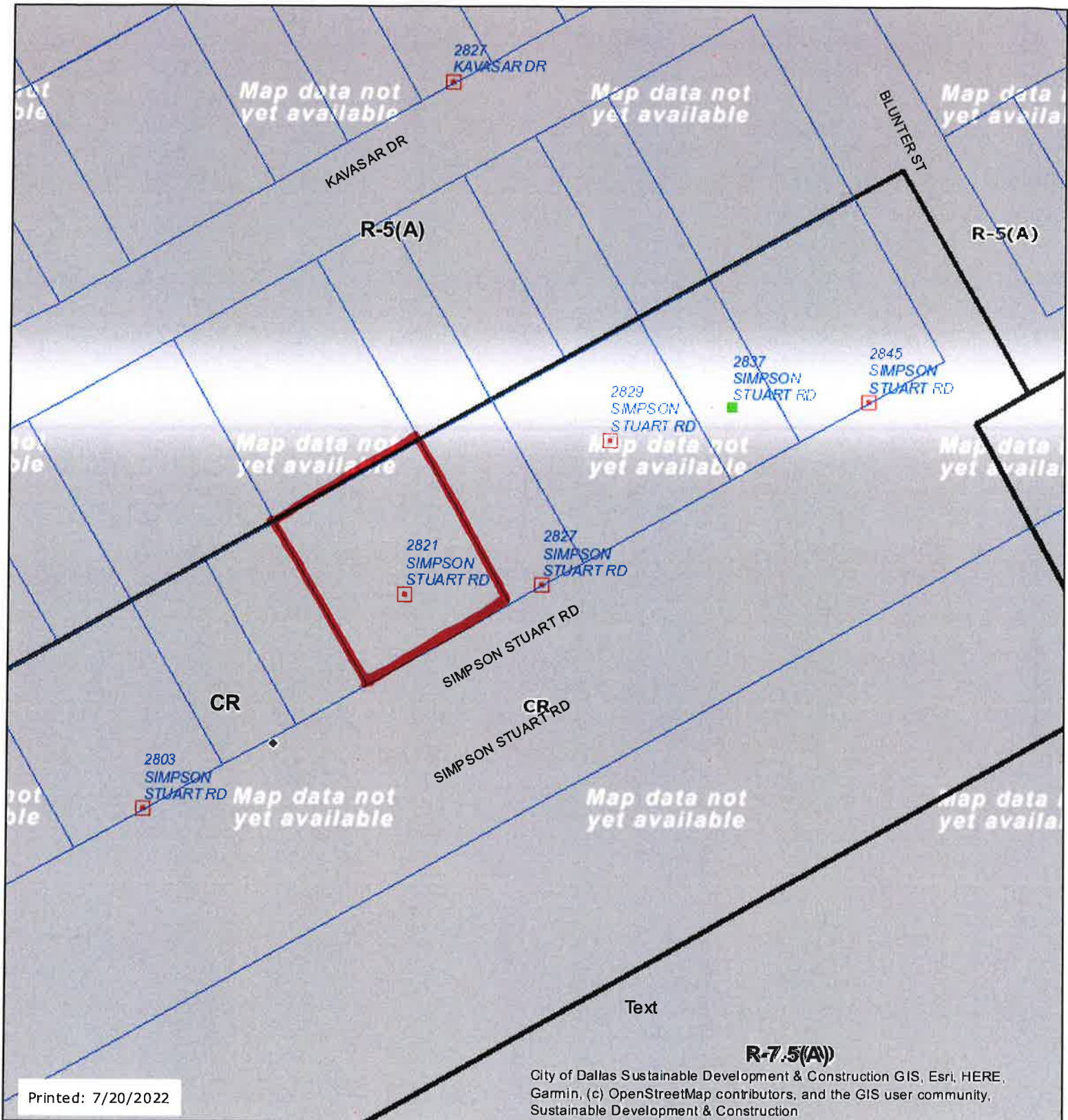
I hereby certify that MARCELINO HERNANDEZ

did submit a request for a special exception to the fence standards regulations  
at 2821 Simpson Stuart Road

BDA212-086. Application of MARCELINO HERNANDEZ for a special exception to the fence standards regulations at 2821 SIMPSON STUART RD. This property is more fully described as block 15/6890, lot 4 and is zoned CR, which prohibits the use of certain materials for a fence. The applicant proposes to construct a fence using a prohibited material, which will require a special exception to the fence regulations.

Sincerely,

  
David Session, Building Official



Printed: 7/20/2022

**R-7.5(A)**  
 City of Dallas Sustainable Development & Construction GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sustainable Development & Construction

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

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CITY OF DALLAS PLAT BOOKS

ANNEXED MARCH 11, 1952 ORD. NO. 5418  
SURVEY L. HORST ABST. 556

ADDITION CARVER HEIGHTS NO. 2 (PART)

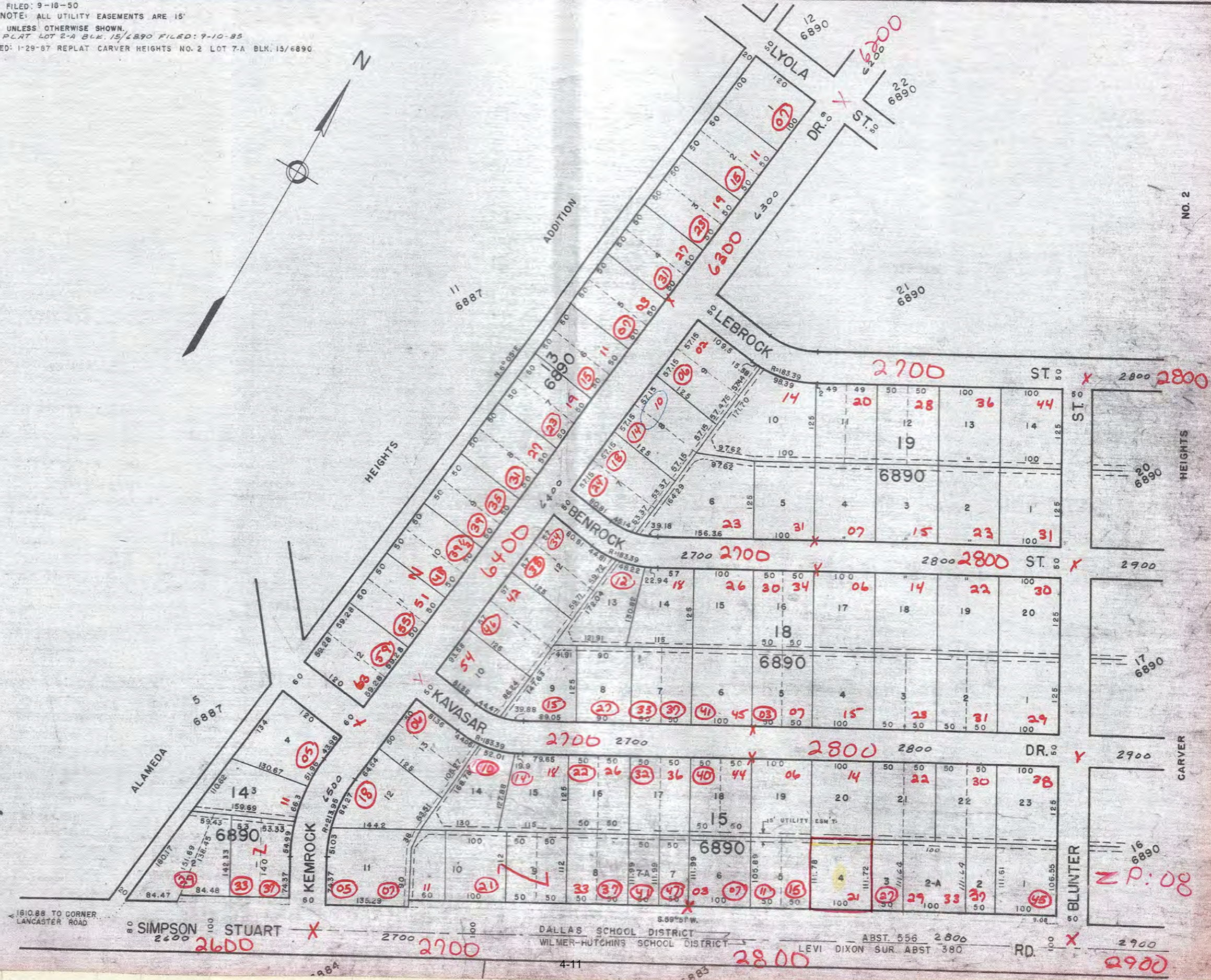
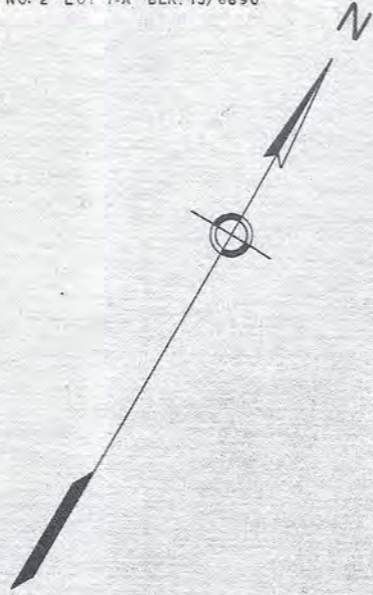
13-14-15, 18-19  
BLOCKS 6890

SCALE 100 FT. EQUALS 1 INCH

PH 2-23-87

SCHOOL DIST. DALLAS

FILED: 9-18-50  
NOTE: ALL UTILITY EASEMENTS ARE 15'  
UNLESS OTHERWISE SHOWN.  
REPLAT LOT 2-A BLK. 15/6890 FILED: 9-10-85  
FILED: 1-29-87 REPLAT CARVER HEIGHTS NO. 2 LOT 7-A BLK. 15/6890



1810.88 TO CORNER  
LANCASTER ROAD

80 SIMPSON 2600  
100 STUART 2600

2700  
2700

DALLAS SCHOOL DISTRICT  
WILMER-HUTCHINS SCHOOL DISTRICT

ABST. 556 2800  
LEVI DIXON SUR ABST 380

RD. 2900  
2900

212-086

## DOOR SCHEDULE

MK.	SIZE	DESCRIPTION	QUANTITY
1	20' 0" - 8' 0"	METAL GATE	1

### GENERAL NOTES:

1. REPORT ANY AND ALL DISCREPANCIES, ERRORS OR OMISSIONS IN THE DOCUMENTS TO THE BUILDER/ARCHITECT PRIOR TO THE ORDERING OF ANY MATERIALS AND/OR THE COMMENCEMENT OF CONSTRUCTION.
2. ALL WORK MUST BE DONE ACCORDING TO MANUFACTURE'S SPECIFICATIONS & INDUSTRY STANDARDS.
3. ALL WORK MUST BE DONE ACCORDING TO ALL CONCERNED CODE & REGULATIONS.
4. A STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL CONSTRUCTION DETAILS.
5. CONTRACTOR TO FIELD VERIFY BUILDING ELEVATIONS AND EXISTING UTILITIES.
6. VERIFY CLEARANCES ARE REQUIRED FOR ALL EQUIPMENT.
7. BEFORE PROCEEDING WITH ANY WORK OR ORDERING ANY MATERIALS, THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND LOCATIONS OF BUILDING COMPONENT AND THEIR INTERRELATIONSHIP AT THE BUILDING SITE, AND SHALL BE RESPONSIBLE FOR THEIR CORRECTNESS.
8. CONTRACTOR AND/OR SUBCONTRACTOR IS ULTIMATELY RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.
9. ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
10. SLIGHT ADJUSTMENT IN WALL LOCATIONS, UP TO 1" SHALL BE MADE IN ORDER TO GET PLUMBING IN WALLS SO LONG AS IT DOES NOT EFFECT THE FUNCTION OF FLOOR, OR ROOF TRUSSES. THIS DOES NOT RELIEF THE PLUMBER OF LIABILITY IF NOT DONE.
11. UNDER NO CIRCUMSTANCES SHALL ANY DIMENSION BE SCALES FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER/ARCHITECT PRIOR TO CONSTRUCTION.
12. DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT, UNLESS OTHERWISE NOTED.
13. WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES, VERIFY ACTUAL SIZES AND ROUGH OPENING REQUIREMENTS WITH MANUFACTURER.
14. U.N.O. ALL DOORS TO BE 6'-8" HIGH.
15. U.N.O. ALL ANGLED WALLS TO BE AT 45° DEGREES.
16. FRAME ALL DOORS 3" FROM CORNERS WHERE POSSIBLE U.N.O.
17. U.N.O. HEADER HEIGHTS SHALL BE AS FOLLOWS:  
8" PLATE: 6'-10"  
9" PLATE: 7'-10"  
10" PLATE: 8'-10"
18. ALL INTERIOR AND EXTERIOR CORNERS SHALL HAVE MOIST-STOP RAIN VERTICALLY UNDER THE SHEATHING.
19. PROVIDE ATTIC VENTING AT REAR OR SIDE OF ROOF AS REQUIRED PER PLANS AND CODE.
20. ALL BATHROOM MIRRORS TO BE INSERTED 1" FROM EDGE OF COUNTERTOPS.
21. SEE BUILDER SPECIFICATIONS FOR ADDITIONAL INFORMATION.

### GREEN BUILDING PROGRAM:

1. AVERAGE FLOW RATE FOR ALL LAVATORY FAUCETS MUST BE 2.0 GPM.
2. AVERAGE FLOW RATE FOR ALL SHOWERHEADS MUST BE 2.0 GPM.
3. AVERAGE FLOW RATE FOR ALL TOILETS MUST BE 1.3 GALLONS PER FLUSH.
4. UTILIZE ENERGY STAR LABELED DISH WASHERS THAT USE 6.0 GALLONS OR LESS PER CYCLE.

### GREEN/ENERGY CODE COMPLIANCE OUTLINE 2015 IECC

1. **WATER EFFICIENCY:**
  - 1.1. ALL LAV. FAUCETS TO HAVE AN AVERAGE FLOW OF 2.0 GAL./MIN. OR LOWER.
  - 1.2. ALL SHOWER HEADS TO HAVE AN AVERAGE FLOW OF 2.0 GAL./MIN. OR LOWER.
  - 1.3. ALL TOILETS TO BE 1.3 GAL. PER FLUSH OR DUAL FLUSH OR WATER SENSE.
2. **STORM WATER:**
  - 2.1. 70% OF NON-ROOF AREA MUST BE LANDSCAPED, HAVE PERMEABLE PAVING AND SLOPED FOR RUNOFF TO FILTRATION FEATURE.
3. **POLY SEAL:**
  - 3.1. WINDOWS AND DOORS MUST BE SEALED WITH FOAM OR CAULK.
  - 3.2. SILL PLATE MUST BE SEALED ON THE INSIDE WITH FOAM OR CAULK.
  - 3.3. ALL PENETRATIONS OF TOP PLATE/CEILING INTO ATTIC, MUST BE SEALED WITH FOAM OR CAULK.
  - 3.4. ALL WALL PENETRATIONS TO THE EXTERIOR MUST BE SEALED WITH FOAM OR CAULK.
  - 3.5. BLOWER DOOR TESTING IS MANDATORY, NOT TO EXCEED 4 AIR CHANGES PER HOUR AT 50 PASCALS.
  - 3.6. DUCT TIGHTNESS TESTING IS MANDATORY, TESTED AT 25 PASCALS, TOTAL LEAKAGE, LESS THAN OR EQUAL TO 4FT<sup>3</sup>/MIN PER 100 SQUARE FOOT OF CONDITIONED FLOOR AREA.
    - 3.6.1. EXCEPT, WHEN THE DUCTS AND AIR HANDLERS ARE ENTIRELY WITHIN THE BUILDING THERMAL ENVELOPE.
4. **INSULATION:**
  - 4.1. 2:12 OR GREATER SLOPED ROOFS MUST BE ENERGY STAR QUALIFIED OR MAY USE A RADIANT BARRIER OR USE SPRAY FOAM INSULATION AT THE ROOF DECK OR BE A VEGETATED ROOF.
  - 4.2. ALL PIER AND BEAM/RAISED FLOORS MUST BE INSULATED WITH R-19 INSULATION OR HIGHER.
    - 4.2.1. EXCEPT, UNVENTED CRAWL SPACE WALLS MUST BE INSULATED R-5 CONTINUOUS OR R-13 CAVITY INSULATION, WITH VAPOR BARRIER OVER EXPOSED EARTH.
  - 4.3. ALL EXTERIOR WALLS MUST BE INSULATED WITH R-20 CAVITY OR R-13 CAVITY WITH R-5 CONTINUOUS INSULATION OR HIGHER.
  - 4.4. CEILINGS MUST BE INSULATED WITH R-49 IF THERE IS ATTIC SPACE AND R-30 IF NO ATTIC SPACE (CATHEDRAL) AND THAT IS LIMITED TO 500 SQ. TOTAL OR 20% OF CEILING WHICHEVER IS LESS.
  - 4.5. ATTIC ACCESS LADDERS AND OR HATCHES, MUST BE INSULATED THE SAME AS THE ATTIC AND HAVE WEATHER SEAL.
5. **HVAC/SERVICE WATER:**
  - 5.1. ALL DUCTS IN UNCONDITIONED SPACE/ATTICS MUST USE R-8 DUCTING.
  - 5.2. MECHANICAL SYSTEM PIPING CARRYING FLUID OVER 104° OR BELOW 55° MUST BE INSULATED WITH R-1.5 INSULATION.
6. **WINDOWS AND DOORS:**
  - 6.1. MUST HAVE A U-FACTOR OF .32 OR LESS.
  - 6.2. MUST HAVE A SHGC OF .25 OR LESS.
7. **LIGHTNING:**
  - 7.1. ALL CAN LIGHTS MUST BE AIR-TIGHT TYPE.
  - 7.2. MINIMUM OF 75% OF LIGHTNING MUST BE EFFICIENCY (ANYTHING BUT INCANDESCENT).

SEAL

**CONSTRUCTION CONCEPTS INC.**  
 "Planning and Designing a Better Tomorrow"  
 317 E. JEFFERSON BLVD.  
 DALLAS, TX. 75203  
 TEL. (214) 946-4300  
 FAX. (214) 946-9544

#### REVISIONS

DRAFTER	SENT DATE

ADDRESS  
 2821 SIMPSON STUART RD  
 DALLAS, TEXAS  
 75214

DATE  
 07/20/2022

DRAWN BY  
 VP

CHECKED BY  
 ER

DESCRIPTION  
 FENCE

SCALE  
 NTS

SHEET TITLE  
 WINDOW & DOOR-SCHEDULE

SHEET #  
 14.00

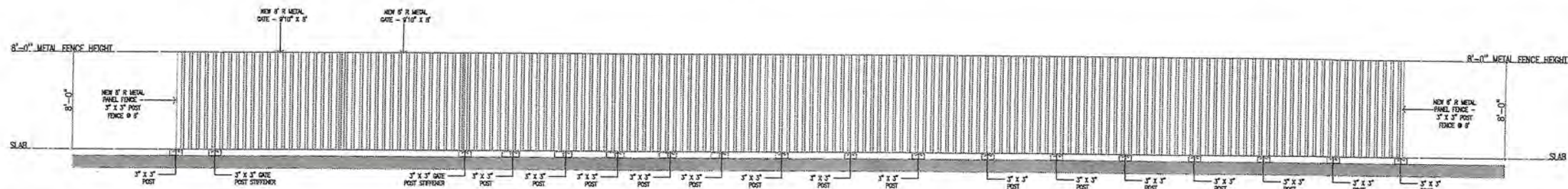
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 14.00\_WN-DR\_SCHED

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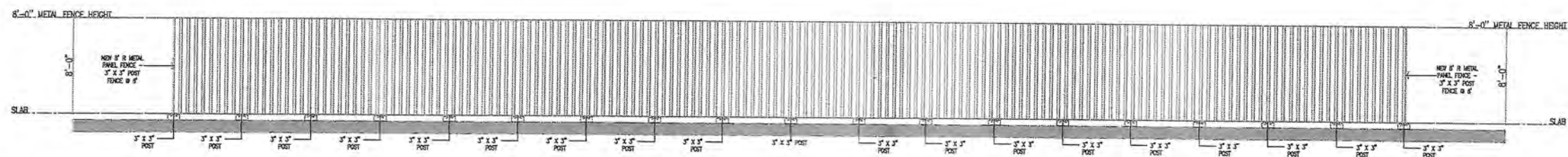
**1** WINDOW & DOOR SCHEDULE  
 14.00 NTS

212-086

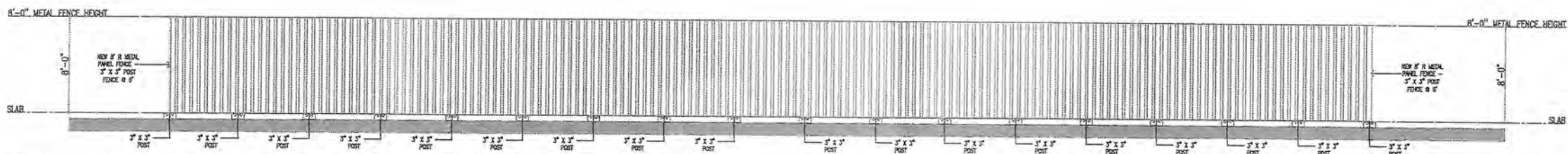




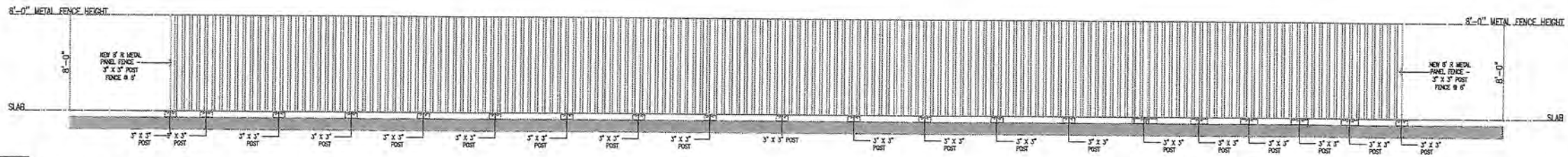
**1** FRONT ELEVATION  
 A2.01 3/16" = 1'-0"



**1** RIGHT ELEVATION  
 A2.01 3/16" = 1'-0"



**1** REAR ELEVATION  
 A2.01 3/16" = 1'-0"



**1** LEFT ELEVATION  
 A2.01 3/16" = 1'-0"  
 3/32" = 1'

SEAL

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DESCRIPTION  
 FENCE

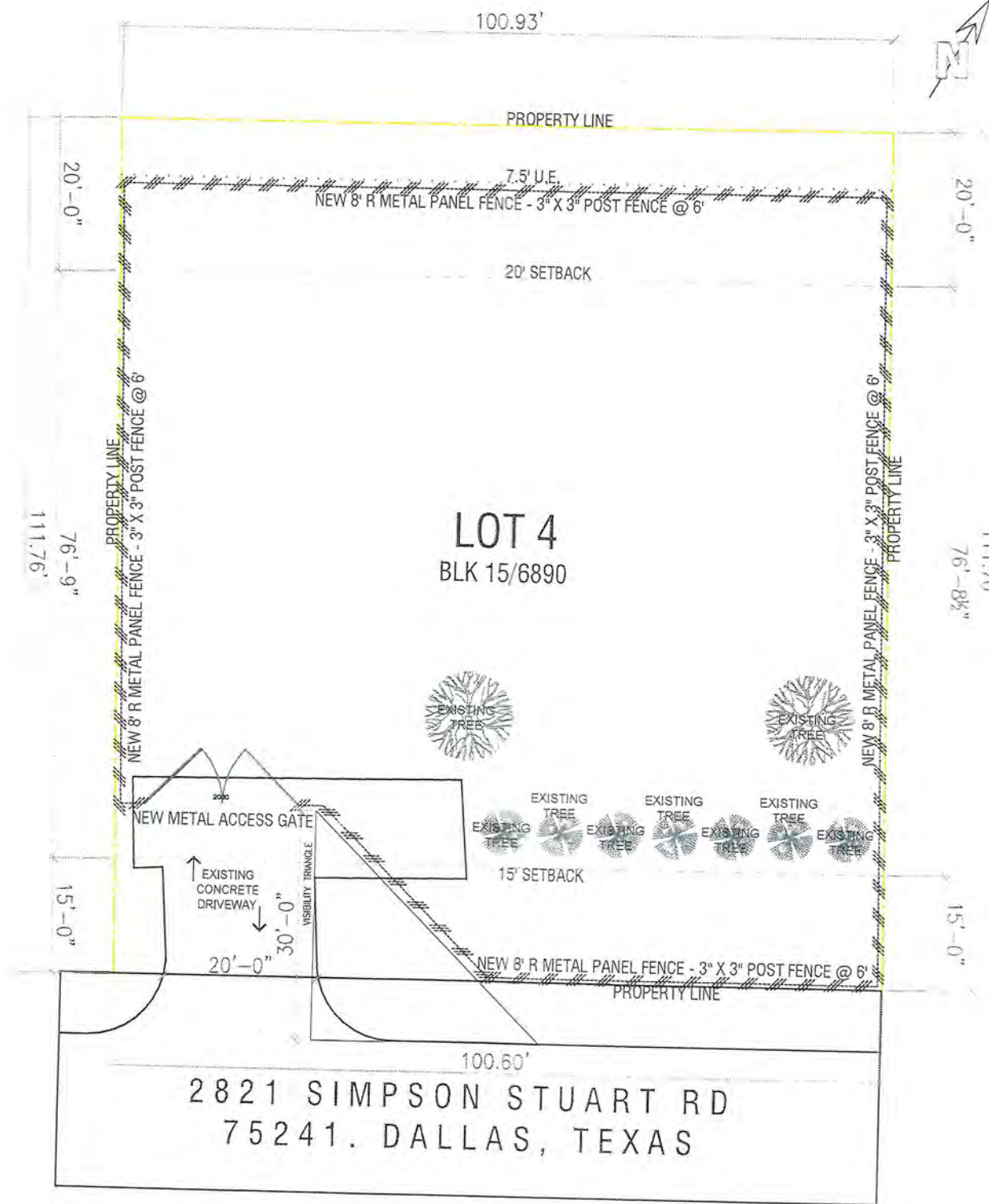
SCALE  
 3/16" = 1'-0"

SHEET TITLE  
 ELEVATIONS

SHEET #  
 A2.01

FILE NAME  
 A2.01\_ELEVATIONS

212-086



**PROJECT INFORMATION**

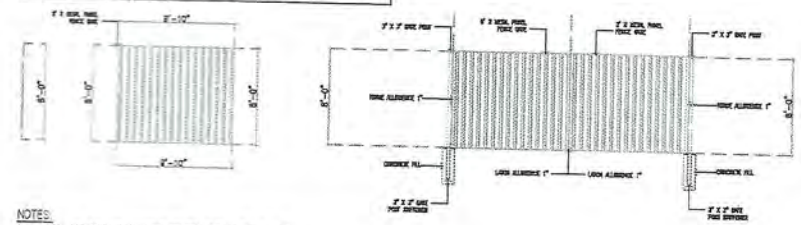
ZONING	CR
LEGAL DESCRIPTION	CARVER HEIGHTS NO 2 BLK 15/6890 LT 4
CLIMATE ZONE	ZONE 3A (MOIST)
DESCRIPTION	FENCE



**1 VICINITY MAP**  
FOR REFERENCE ONLY

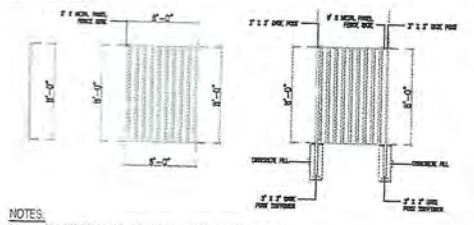
**PROJECT AREA CALCULATIONS**

LOT SIZE	12,500.00 S.F.
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**NOTES:**  
1. ALL HORIZONS COMPONENTS ARE MATTE BLACK  
POWDER COATED GALVANIZED STEEL (COASTAL APPLICATIONS MUST USE STAINLESS STEEL).  
2. INSTALLATION TO BE COMPLETED PER MANUFACTURER'S SPECIFICATION.

**1 FENCE GATE DETAIL**  
1/8" = 1' - 0"



**NOTES:**  
1. ALL HORIZONS COMPONENTS ARE MATTE BLACK  
POWDER COATED GALVANIZED STEEL (COASTAL APPLICATIONS MUST USE STAINLESS STEEL).  
2. INSTALLATION TO BE COMPLETED PER MANUFACTURER'S SPECIFICATION.

**1 FENCE DETAIL**  
1/8" = 1' - 0"

**1 SITE PLAN**  
1" = 10' - 0"  
1" = 20'

- PROPERTY LINE
- UTILITY EASEMENT
- NEW 8' R METAL PANEL FENCE - 3" X 3" POST FENCE @ 6'
- SETBACK

\*\*\*TRASH ENCLOSURE AND CONSTRUCTION SITE MANAGEMENT SIGN MUST BE POSTED IN AN AREA VISIBLE TO THE INSPECTOR.

SEAL

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DALLAS, TX. 75203  
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**REVISIONS**

DRAFTER	SENT DATE

**ADDRESS**  
2821 SIMPSON STUART RD  
DALLAS, TEXAS  
75214

**DATE**  
07/20/2022

**DRAWN BY**  
VP

**CHECKED BY**  
ER

**DESCRIPTION**  
FENCE

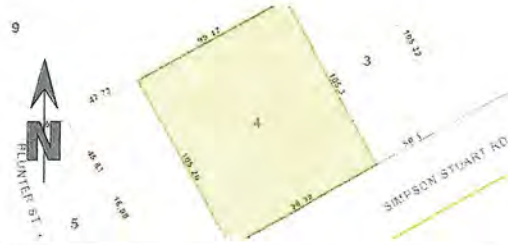
**SCALE**  
1" = 10' - 0"

**SHEET TITLE**  
SITE PLAN

**SHEET #**  
C2.00

**FILE NAME**  
C2.00\_SITE\_PLAN

212-086



**PROJECT INFORMATION**

ZONING	CR
LEGAL DESCRIPTION	CARVER HEIGHTS NO 2 BLK 15/6890 LT 4
CLIMATE ZONE	ZONE 3A (MOIST)
DESCRIPTION	FENCE

**SHEET INDEX**

60.00	COVER SHEET
C2.00	SITE PLAN
14.00	WINDOW & DOOR - SCHEDULE
A2.01	ELEVATIONS

**MARCELINO HERNANDEZ**

2821 SIMPSON STUART RD  
DALLAS, TEXAS. 75214  
JULY 20TH 2022

FENCE



<b>PROJECT AREA CALCULATIONS</b>	
LOT SIZE	12,500.00 S.F

**DISCLAIMER**

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE VERIFIED AND CHECKED BY THE BUILDER, HOMEOWNER, AND ALL CONTRACTORS OF THIS JOB PRIOR TO CONSTRUCTION. BUILDER SHOULD OBTAIN COMPLETE ENGINEERING SERVICES, HVAC, AND STRUCTURAL BEFORE BEGINNING CONSTRUCTION OF ANY KIND. NOTE: ALL FEDERAL, STATE, AND LOCAL CODES AND RESTRICTIONS TAKE PRECEDENCE OVER ANY PART OF THESE PLANS.

**DISCLAIMER**

GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, BECAUSE OF THE VARIANCE IN GEOGRAPHIC LOCATIONS, CCI HOUSEPLANS WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE PURCHASE OF THESE PLANS ENTITLES THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS. IT IS THE BUILDER/OWNER RESPONSIBILITY TO VERIFY ANY EASEMENTS OR DEED RESTRICTIONS THAT MAY IMPACT THIS PROJECT PRIOR TO CONSTRUCTION.

**BUILDING CODE**

01	IBC 2015 INTERNATIONAL BUILDING CODE
----	--------------------------------------

SEAL

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DESCRIPTION  
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SCALE  
NTS

SHEET TITLE  
COVER PAGE

SHEET #  
60.00

FILE NAME  
60.00\_COVER\_SHEET

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212-086

**FILE NUMBER:** BDA212-091(JM)

**BUILDING OFFICIAL'S REPORT:** Application of Wendy Golson for a special exception to the tree preservation regulations at 238 Hillvale Drive. This property is more fully described as Lot 17, Block 6625 and is zoned an R-7.5(A) Single Family District, which requires mandatory tree preservation and mitigation. The applicant proposes to construct a residential subdivision and requests an extended deadline for compliance and reduction in the required mitigation, which will require a special exception to the tree preservation regulations.

**LOCATION:** 238 Hillvale Drive

**APPLICANT:** Wendy Golson

**REQUESTS:**

The applicant is seeking a special exception to the tree preservation requirements of Article X. The property is undeveloped and contains 2.72 acres planned for a shared access, single-family development. The applicant is seeking to reduce the mitigation requirement (overall inches/reforestation fee) and extend the mitigation time frame from six-months to 18 months.

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

(1) The board may grant a special exception to the requirements of Division 51A-10.130, other than fee and notice requirements, upon making a special finding from the evidence presented that:

- (A) strict compliance with the requirements of Division 51A-10.130 will unreasonably burden the use of the property;
- (B) the special exception will not adversely affect neighboring property; and
- (C) the requirements are not imposed by a site-specific landscape plan or tree mitigation plan approved by the city plan commission or city council.

(2) In determining whether to grant a special exception under Paragraph (1), the board shall consider the following factors:

- (A) The extent to which there is residential adjacency.
- (B) The topography of the site.

(C) The extent to which landscaping exists for which no credit is given under this article.

(D) The ability to plant replacement trees safely on the property.

(E) The extent to which alternative methods of replacement will compensate for a reduction of tree mitigation or extended time for tree replacement.

**STAFF RECOMMENDATION:**

Staff does not provide a recommendation on special exceptions to the tree preservation and mitigation regulations since the standard states the board must make a special finding based on the evidence presented. However, the City of Dallas chief arborist does submit a technical opinion to aid in the board’s decision-making. A memo regarding the applicant’s requests was provided stating no objection to the time extension, but objection to the reduction of 112 inches for the required mitigation due to a lack of details on the tree survey provided (**Attachment B**).

Rationale:

- The chief arborist has no objections to the time extension request with an established completion date for tree replacement. However, there is an objection to the reduction of the total replacement amount since there is no assessment of the tree survey to indicate the basis of the reduction. The applicant has not indicated tree condition, classification, tree size, or species to support the merits of reducing for one or more of the trees in the removed tree stand.

**BACKGROUND INFORMATION:**

**Zoning:**

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

**Land Use:**

The property is undeveloped. Properties to the north, east, and south are developed with single-family uses. Properties to the west are zoned for commercial use, and largely developed with auto and truck-related uses.

**Zoning/BDA History:**

There have been no related board and zoning cases in the vicinity of the subject site within the last five years.

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

The applicant is seeking a special exception to the tree preservation requirements of Article X. The property is undeveloped and contains 2.72 acres planned for a shared access, single-family development. The applicant is seeking to reduce the mitigation requirement (overall inches/reforestation fee) and extend the mitigation time frame from six-months to 18 months.

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

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

The applicant is seeking a special exception to the tree conservation requirements of Article X. The request is to consider a special exception for multiple provisions of the Tree Conservation ordinance including the timing of replacement and for a reduction to the requirement for replacement.

1. A minimum of 412.6 diameter inches of tree replacement is required. The applicant requests to reduce the total mitigation requirement to 300 diameter inches.
2. Replacement must be completed according to timing requirements per ordinance within six months of removal (April 2022) with exception of the site landscaping determined by landscape plan which may be completed with the development. The applicant requests an additional time of 18 months from after a board approval, with conditions of a) tree donation to the City for remaining mitigation, and b) a payment of \$10,000 to the Reforestation Fund, and then c) the fulfillment of final confirmed planting date on-site (112 inches) on or before January 30, 2025.

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

A large number of mature protected trees were removed from the property in April 2022 without a tree removal application which is required under Article X. Fill material was stored and graded across the property raising the grade of the lot affecting some of the trees. The owner intends for future construction of a shared access development of single-family units. The property design can comply with minimum Article X landscaping requirements for shared access developments.

Based on staff verification of a tree survey, 412.6 classified inches from 30 protected trees were removed, or will be removed, for the proposed development. The owner proposes to plant a total of 28 trees to mitigate 112 inches of replacement trees on the property leaving 300.6 diameter inches left to be completed through alternative methods of replacement within six months after removal.

**The chief arborist’s memo states the following with regard to “deficiencies”:**

A reduction of tree mitigation from 412.6 diameter inches to 300 diameter inches would leave 188 inches remaining to be mitigated for what is not planted on site.

A payment of \$10,000 to the Fund would be the equivalent of 51.8 inches (12.6%) of tree replacement of the 412.6 inches required.

The city ordinance under Sec. 51A-10.134(c)(5) stipulates that all replacement must occur within 30 days. If the property owner provides the building official with an affidavit stating that all replacement trees will be planted within six months, the building official may allow the planting to occur then. For residential subdivisions, tree replacement may also occur with the completion of a tree replacement plan for the development. Additional time may be allotted for the site tree replacement to be completed at the end of the development. However, all required tree replacement that is not scheduled by the approved design for the development site must be completed within the six months of tree removal. The applicant has made a request for an alternate replacement plan to extend overall to a time certain.

**Reduction**

Ordinance

412.6” required total  
 112” on-site  
 \$10,000 to Reforestation Fund  
 Remainder to City department

Request

300” total  
 112” on-site  
 \$10,000 to Reforestation Fund  
 Remainder to Parks and Recreation

**Timing**

Ordinance

30 days/6 months (affidavit to extend)  
 Alternative methods available by ordinance.  
 Development LA plan/completion on site.

Request

18 months after board decision  
 Donation to Parks  
 Reforestation Fund payment  
 January 30, 2025, or sooner, on site.

**Trees removed:**

Tree classification

Diameter inches

Four significant trees (1.5x)                      162”  
 Class 2 (0.7x)    233.8”  
 Class 3 (0.4x)    16.8”  
    **412.6**  
 Average tree size (pre-class):                      16.1”

**300** request for reduction.

*Significant trees are native red oaks at 24” diameter or greater with a mitigation 1.5 times the base measurement (ex.: 24” tree is 36”). Class 2, or standard ‘favored’ trees, have mitigation reduced to 70% of baseline. Class 3 trees are listed for lower mitigation rates at 40% of baseline.*

**The chief arborist’s revised memo states the following with regard to the “recommendation”:**

The chief arborist has no objections to the time extension request with an established completion date for tree replacement. However, there is an objection to the reduction of the total replacement amount since there is no assessment of the tree survey to indicate the basis of the reduction. The applicant has not indicated tree condition, classification, tree size, or species to support the merits of reducing for one or more of the trees in the removed tree stand.

As of September 9, 2022, no letters have been submitted in support or in opposition of the request.

If the board were to grant this request, due to the nature of the request, staff does not recommend requiring compliance with the submitted alternate tree mitigation plan as a condition to the request. The time extension and reduction in overall mitigation requirements would be permitted with the approval/board action letter with no need for a plan to complicate further details of how the request is fulfilled. Finally, no further relief is granted from the regulations of the Dallas Development Code.

**Timeline:**

July 11, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment.”

August 4, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

August 11, 2022: The Board of Adjustment Chief Planner emailed the applicant the public hearing date and panel that will consider the application; the deadline to submit additional evidence for staff to factor into their analysis; and the deadline to submit additional evidence to be incorporated into the board’s docket materials and the following information:

- a copy of the application materials including the Building Official’s report on the application;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

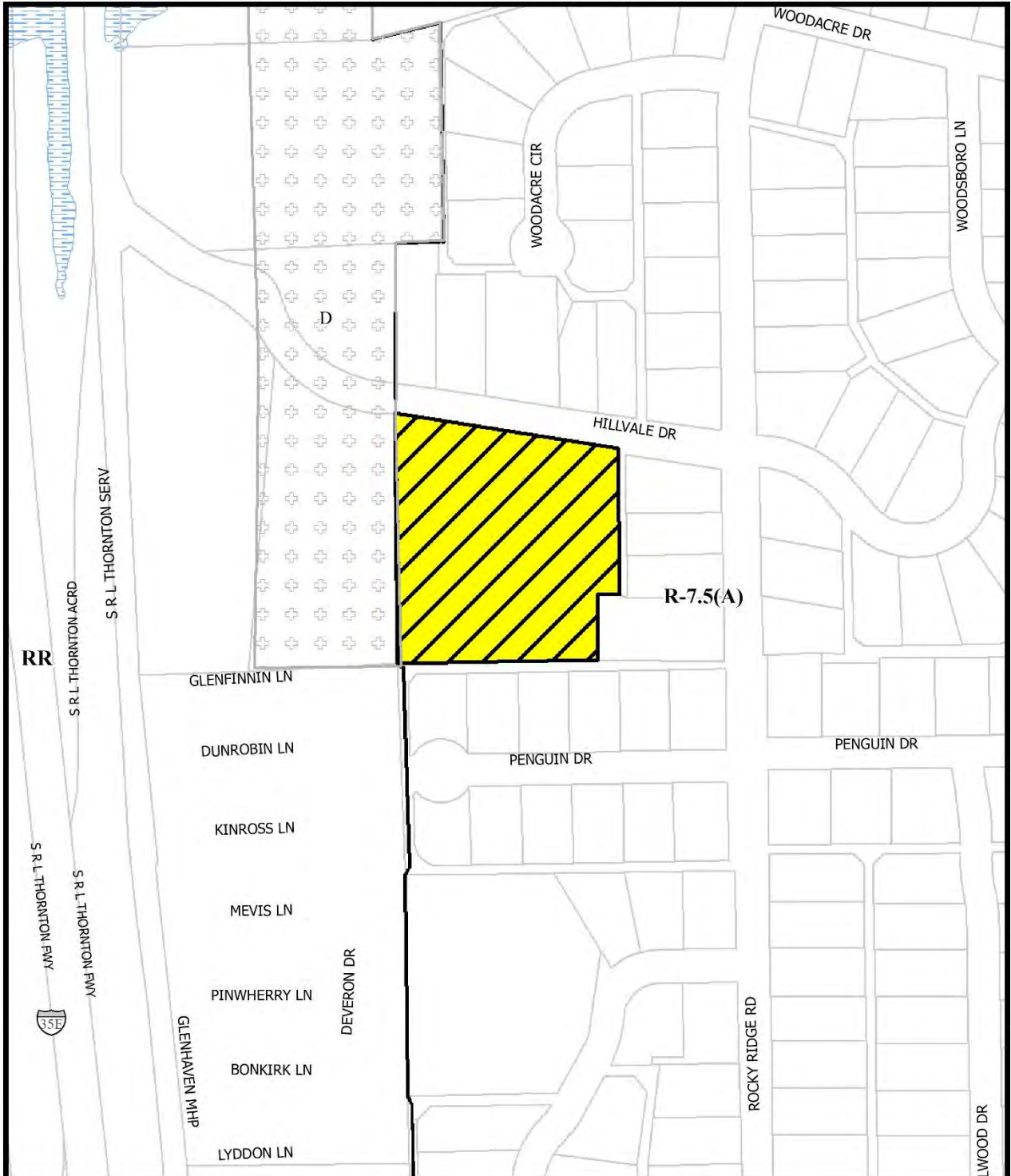
August 25, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the September public hearings. Review team members in attendance included: the Board of Adjustment Chief



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, and the Assistant City Attorney to the Board, the PUD Senior Planner, and the new Assistant City Attorney.

August 26, 2022:

A revised mitigation plan was submitted (**Attachment A**). The Development Services Chief Arborist provided staff with a memo (**Attachment B**).

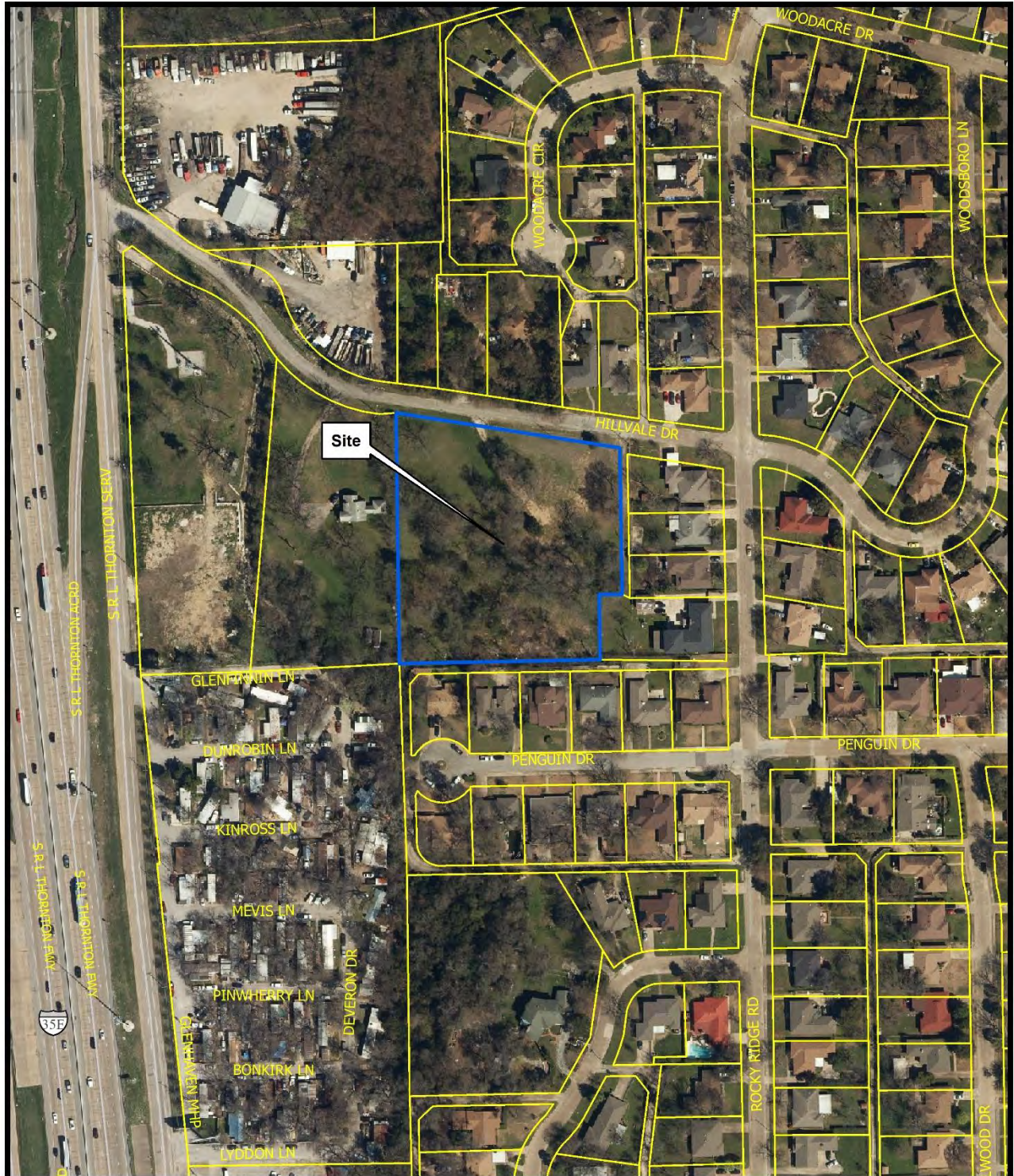


1:2,400

# ZONING MAP

Case no: BDA212-091

Date: 8/4/2022

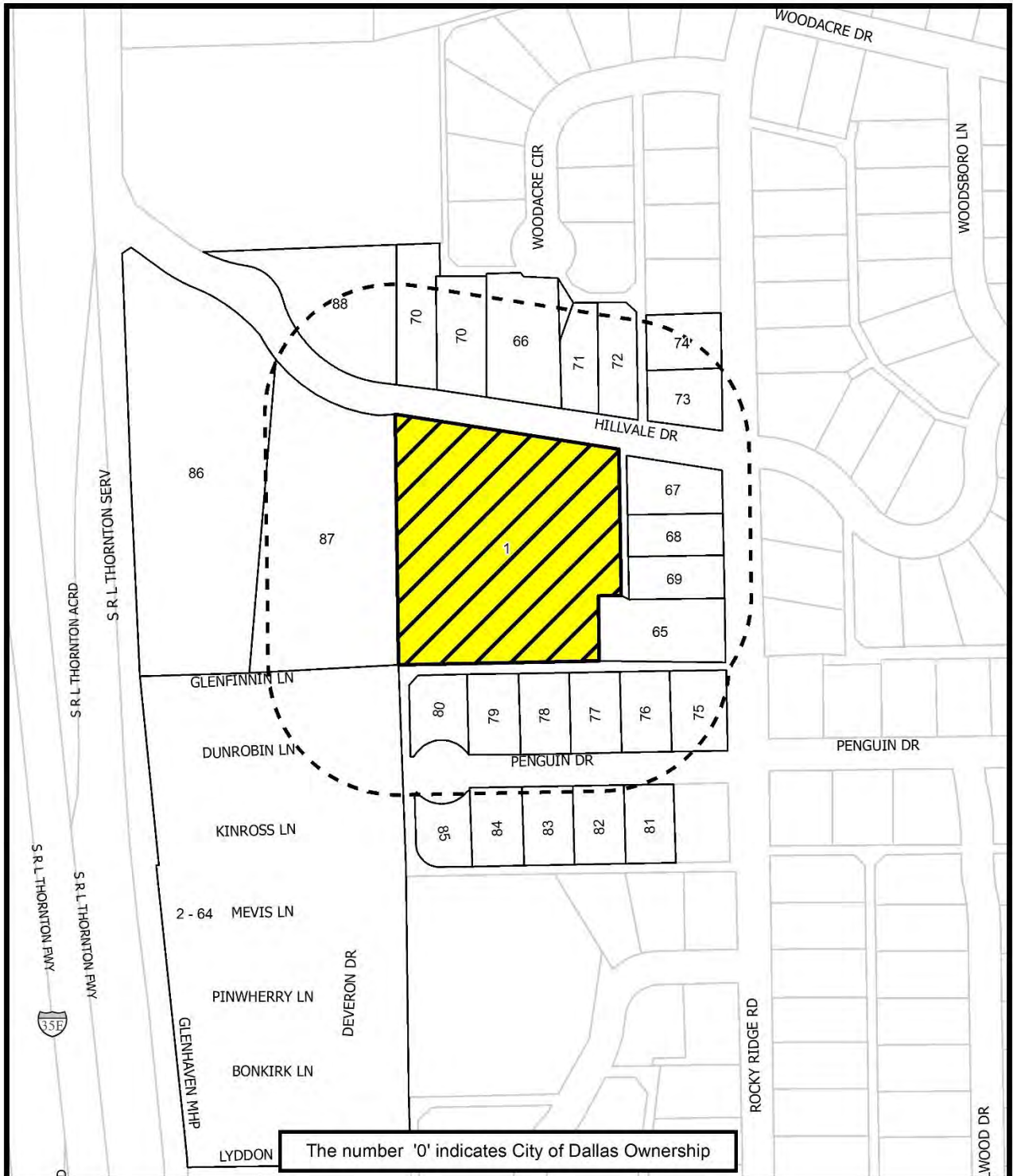


1:2,400

# AERIAL MAP

Case no: BDA212-091

Date: 8/4/2022



  
 1:2,400

## NOTIFICATION

200' AREA OF NOTIFICATION  
88 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA212-091  
 Date: 8/4/2022

08/04/2022

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

***BDA212-091***

***88 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	238 HILLVALE DR	GIANOTAS ALEXANDER NAOUM
2	5500 S R L THORNTON FWY	TREINTA CINCO LLA
3	104 BONKIRK LN	TORRES CELIA
4	102 BONKIRK LN	ALVAREZ BRENDA
5	101 BONKIRK LN	NOLVIA YENETH VILLEDA
6	109 BONKIRK LN	MARTINEZ EDUARDO
7	108 PINWHERRY LN	GONZALEZ HERMINIA
8	101 PINWHERRY LN	CERVANTES HERNANDEZ VERONICA
9	107 PINWHERRY LN	PINA MAXIMILIANO
10	109 PINWHERRY LN	GONZALEZ ANGELICA
11	112 MEVIS LN	RODRIGUEZ ANGELICA
12	108 MEVIS LN	GONZALES J GUADALUPE
13	104 MEVIS LN	BUSTOS MOISES
14	109 MEVIS LN	MARTINEZ MARIA INES
15	111 MEVIS LN	ABLE JUAN
16	110 KINROSS LN	HERRERA JUANA
17	114 KINROSS LN	THARALDSON OWEN
18	101 KINROSS LN	REVERA FRANCO
19	103 KINROSS LN	RAMIREZ POLO
20	105 KINROSS LN	DAVILA ARTURO
21	109 KINROSS LN	FRIAS PEDRO
22	110 DUNROBIN LN	ROQUE MAYOLO
23	103 DUNROBIN LN	MARTINEZ ANNA
24	105 DUNROBIN LN	SANCHEZ SAUL
25	115 DUNROBIN LN	RIVERA AUDELIA
26	110 GLENFINNIN LN	GALLARDO JACINTO R

08/04/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	106 GLENFINNIN LN	LOPEZ MARIA CARMEN
28	5541 DEVERON DR	COOLINA VERDIN
29	5533 DEVERON DR	MIRANDA MARIE
30	5529 DEVERON DR	LOPEZ ENACIO
31	5513 DEVERON DR	AGUIRRE JOSUE
32	5509 DEVERON DR	FISCAL EDUARDO
33	103 LYDDON LN	RIOS DULCE
34	106 BONKIRK LN	ROBERSON JEAN
35	107 LYDDON LN	COSTILLA JOSE
36	110 BONKIRK LN	JUAREZ MARTA
37	111 LYDDON LN	VAZQUEZ VIRAVANA
38	103 BONKIRK LN	GUADALUPE MODETA
39	112 PINWHERRY LN	AGUINAGA FRANCISCO
40	110 PINWHERRY LN	AVILES JUAN
41	106 PINWHERRY LN	ORDAZ JOSE
42	104 PINWHERRY LN	LUCIO GERARDO
43	106 MEVIS LN	SMITH MICHELL
44	114 MEVIS LN	ROQUE BEATRIZ GARCIA
45	110 MEVIS LN	HERNANDEZ RAUL SANCHEZ
46	102 MEVIS LN	TORREZ MARIA DEL CARMEN
47	101 MEVIS LN	LUGO MARTIN
48	103 MEVIS LN	GONZALES JORGE A.
49	115 KINROSS LN	PEREZ JESUS
50	106 KINROSS LN	BERNAL SAMUEL
51	102 KINROSS LN	CRUZ PATRICIA
52	112 DUNROBIN LN	CONTRERAS FERNANEDO
53	108 DUNROBIN LN	AGUILAR LEANDRO
54	104 DUNROBIN LN	MERITETH DAVID
55	101 DUNROBIN LN	RIVERA JOSE
56	107 DUNROBIN LN	CHAVEZ JOSE
57	109 DUNROBIN LN	MENDEZ JOSE

08/04/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	111 DUNROBIN LN	DAVILLA JUAN
59	114 GLENFINNIN LN	LOPEZ EDDIE
60	5543 DEVERON DR	GONZALES TOBIAS
61	5537 DEVERON DR	AVILES MARIA
62	5525 DEVERON DR	AGULLAR LEONARDO
63	5517 DEVERON DR	VELAZQUEZ-CERVANTES, MA. MARGARITA
64	102 GLENFINNIN LN	GARCIA SIMEON
65	5319 ROCKY RIDGE RD	ARAIZA JUAN CARLOS MARTINEZ &
66	235 HILLVALE DR	CLOPTON GREGORY
67	5305 ROCKY RIDGE RD	KING AUDREY J
68	5311 ROCKY RIDGE RD	SPENCER GLADYS I
69	5315 ROCKY RIDGE RD	CAGER L C JR
70	231 HILLVALE DR	JOHNSON MRS GIDDINGS
71	305 HILLVALE DR	EDWARDS GLORIA J
72	311 HILLVALE DR	HENDERSON BARRY MAURICE
73	5223 ROCKY RIDGE RD	HOLLAND JACQUELY D &
74	5215 ROCKY RIDGE RD	WILSON TERESA &
75	339 PENGUIN DR	TAYLOR CEROL S
76	333 PENGUIN DR	HARRISON JOYCE
77	327 PENGUIN DR	HIGH BILLY ROY JR &
78	321 PENGUIN DR	HESTER KELSEY J
79	315 PENGUIN DR	CASEREZ KARINA ALEJANDRE
80	307 PENGUIN DR	DELEON SILVIA
81	334 PENGUIN DR	DORSETT ERNESTYNE
82	328 PENGUIN DR	WATSON R L
83	322 PENGUIN DR	JOHNSON GLORIA L
84	316 PENGUIN DR	GUY BETTY
85	308 PENGUIN DR	GAINES TONY D & DEBORAH K
86	5214 S R L THORNTON FWY	MARTINEZ JOSE
87	214 HILLVALE DR	DEERE LOUIS E
88	113 HILLVALE DR	VASQUEZ DONANCIANO &



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-091

Data Relative to Subject Property:

Date: 07/11/2022

Location address: 238 Hillvale Dr. Dallas Tx 75241

Zoning District: R-7.5(A)

Lot No.: 17 Block No.: 6625 Acreage: 2.72 Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 347.75 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Castiel Investment LLC Wendy Golson

Applicant: Wendy Golson Telephone: 972-684-4321

Mailing Address: 555 Promenade Pkwy, #513, Irving Tx Zip Code: 75039

E-mail Address: wendy@wendygolson.com

Represented by: Wendy Golson Telephone: 972-684-4321

Mailing Address: 555 Promenade Pkwy, #513, Irving Tx Zip Code: 75039

E-mail Address: wendy@wendygolson.com

Affirm that an appeal has been made for a Variance \_\_, or Special Exception X, of \_\_\_\_\_  
An extension of the timing for the completion of tree mitigation, We would like to request an extension to  
January 30th 2025

The tree conservation regulations of Article 10.

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

Lot was purchased February 11th 2022, we are working with a Survey company and a civil engineering company to apply for permits  
to subdivide into multiple lots, install new access road, extend and install utilities into the lot. We estimate at least a year and 6 months  
to get approval for subdivision, and also permits to install street and utilities, We also estimate an additional 18 months to get building permits,  
and complete construction of the residences.

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.

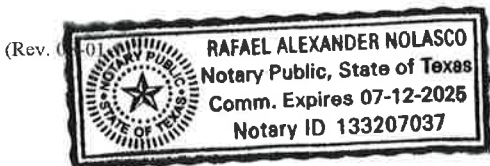
Affidavit

Before me the undersigned on this day personally appeared Wendy Golson  
(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 11 day of July, 2022



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



MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was--Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

I hereby certify that WENDY GOLSON

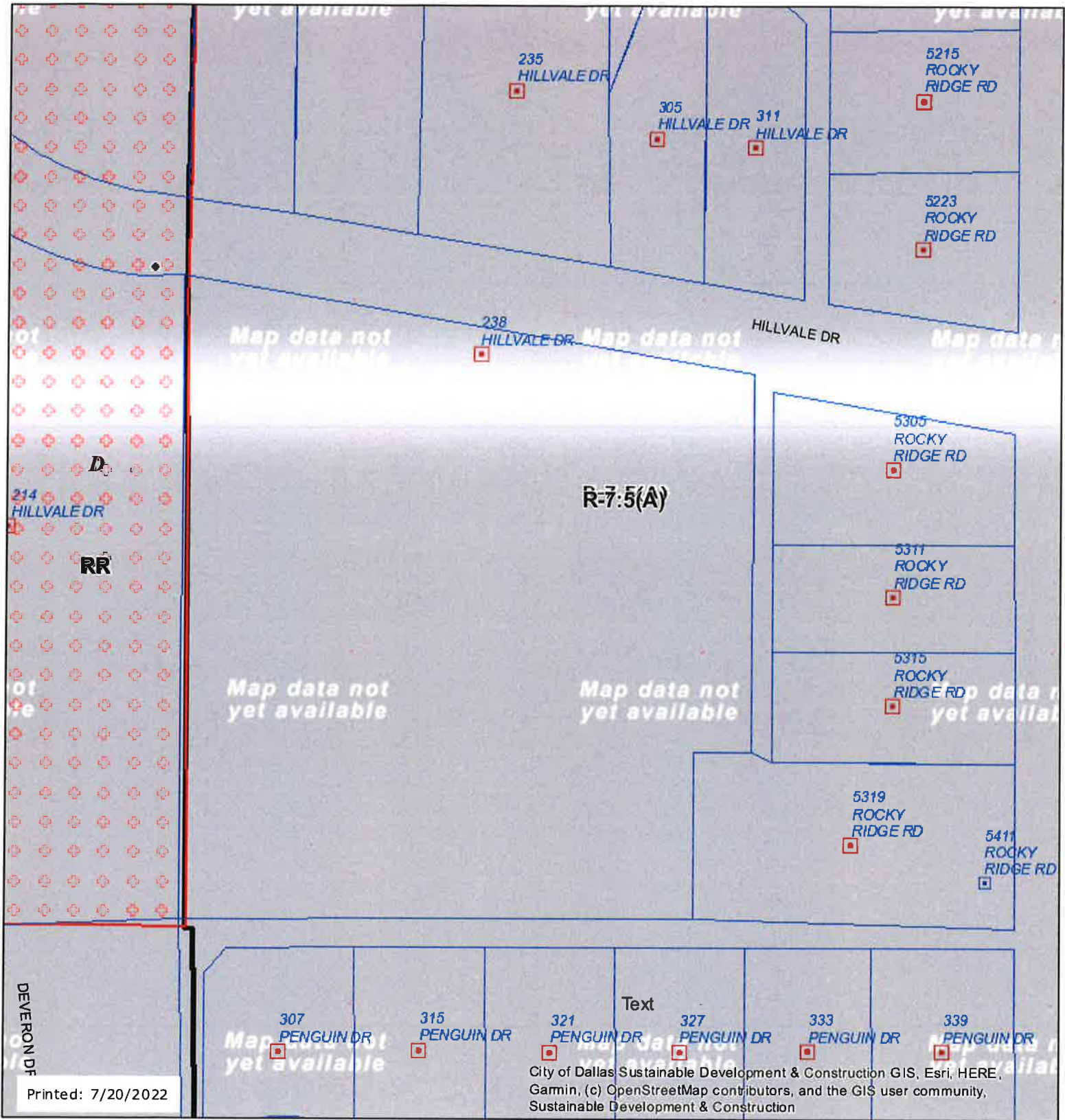
did submit a request for a special exception to the landscaping regulations requesting a time extension

at 238 HILLVALE DRIVE

BDA212-091. Application of WENDY GOLSON for a special exception to the landscaping regulations for a time extension to the landscape and tree preservation regulations at 238 HILLVALE DR. This property is more fully described as part of lot 17, block 6625 and is zoned R-7.5(A), which requires mandatory landscaping and tree mitigation. The applicant proposes to construct a residential subdivision and provide an alternate landscape plan for tree mitigation, which will require a special exception to the landscape and tree preservation regulations.

Sincerely,

  
David Session, Building Official



Printed: 7/20/2022

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

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

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



Departmental Boards and Commission Agendas  
Dallas City Hall  
1500 Marilla St.  
Dallas, Texas 75201

Hello,

I, Wendy Golson, being the owner of 238 Hillvale Dr, Dallas Tx 75241, also known as DALLAS HILLVALE BLK 6625 PT LT 17, will be platting the vacant lot to reflect the dimensions that are shown on the submitted site plan.

Sincerely,  
Wendy Golson

A handwritten signature in black ink, appearing to read 'Wendy Golson', with a large, stylized initial 'W'.

For Castiel Investment LLC

902-1020 McBroom and 903-1021 Nommas  
TREE MITIGATION

Tree No	Actual Diameter (inches)	Species	Class	Class Value Multiply Factor	Classified Dia. (inches)	Standard Diameter Inch	Valuation	Value	Status	Classified Inches Removed	Total Mitigation
1	9	Pecan	2	0.7	6.3	\$193	\$1,215.90	Removed	6.3	\$1,215.90	
2	12	Pecan	2	0.7	8.4	\$193	\$1,621.20	Removed	8.4	\$1,621.20	
3	16	Hackberry	3	0.4	6.4	\$193	\$1,235.20	Removed	6.4	\$1,235.20	
4	12	Hackberry	3	0.4	4.8	\$193	\$926.40	Removed	4.8	\$926.40	
5	14	Hackberry	3	0.4	5.6	\$193	\$1,080.80	Removed	5.6	\$1,080.80	
6	9	Cedar	2	0.7	6.3	\$193	\$1,215.90	Removed	6.3	\$1,215.90	
7	12	Cedar Elm	2	0.7	8.4	\$193	\$1,621.20	Removed	8.4	\$1,621.20	
8	10	Cedar Elm	2	0.7	7	\$193	\$1,351.00	Removed	7	\$1,351.00	
9	18	Cedar Elm	2	0.7	12.6	\$193	\$2,431.80	Removed	12.6	\$2,431.80	
10	9	Cedar Elm	2	0.7	6.3	\$193	\$1,215.90	Removed	6.3	\$1,215.90	
11	14	Cedar	2	0.7	9.8	\$193	\$1,891.40	Removed	9.8	\$1,891.40	
12	15	Cedar	2	0.7	10.5	\$193	\$2,026.50	Removed	10.5	\$2,026.50	
13	18	Cedar	2	0.7	12.6	\$193	\$2,431.80	Removed	12.6	\$2,431.80	
14	12	Cedar Elm	2	0.7	8.4	\$193	\$1,621.20	Removed	8.4	\$1,621.20	
15	8	Soapberry	2	0.7	5.6	\$193	\$1,080.80	Removed	5.6	\$1,080.80	
16	26	Red OAK	Significant	1.5	39	\$193	\$7,527.00	Removed	39	\$7,527.00	
17	20	Cedar Elm	2	0.7	14	\$193	\$2,702.00	Removed	14	\$2,702.00	
18	26	Cedar	Significant	1.5	39	\$193	\$7,527.00	Removed	39	\$7,527.00	
19	12	Cedar	2	0.7	8.4	\$193	\$1,621.20	Removed	8.4	\$1,621.20	
20	12	Cedar	2	0.7	8.4	\$193	\$1,621.20	Removed	8.4	\$1,621.20	
21	20	Cedar Elm	2	0.7	14	\$193	\$2,702.00	Removed	14	\$2,702.00	
22	14	Cedar Elm	2	0.7	9.8	\$193	\$1,891.40	Removed	9.8	\$1,891.40	
23	16	Cedar	2	0.7	11.2	\$193	\$2,161.60	Removed	11.2	\$2,161.60	
24	20	Cedar Elm	2	0.7	14	\$193	\$2,702.00	Removed	14	\$2,702.00	
25	18	Cedar Elm	2	0.7	12.6	\$193	\$2,431.80	Removed	12.6	\$2,431.80	
26	20	Cedar Elm	2	0.7	14	\$193	\$2,702.00	Removed	14	\$2,702.00	
27	16	Cedar Elm	2	0.7	11.2	\$193	\$2,161.60	Removed	11.2	\$2,161.60	
28	25	Red OAK	Significant	1.5	37.5	\$193	\$7,237.50	Removed	37.5	\$7,237.50	
29	31	Red OAK	Significant	1.5	46.5	\$193	\$8,974.50	Removed	46.5	\$8,974.50	
30	20	Cedar Elm	2	0.7	14	\$193	\$2,702.00	Removed	14	\$2,702.00	

902-1020 McBroom and 903-1021 Normas  
 TREE MITIGATION

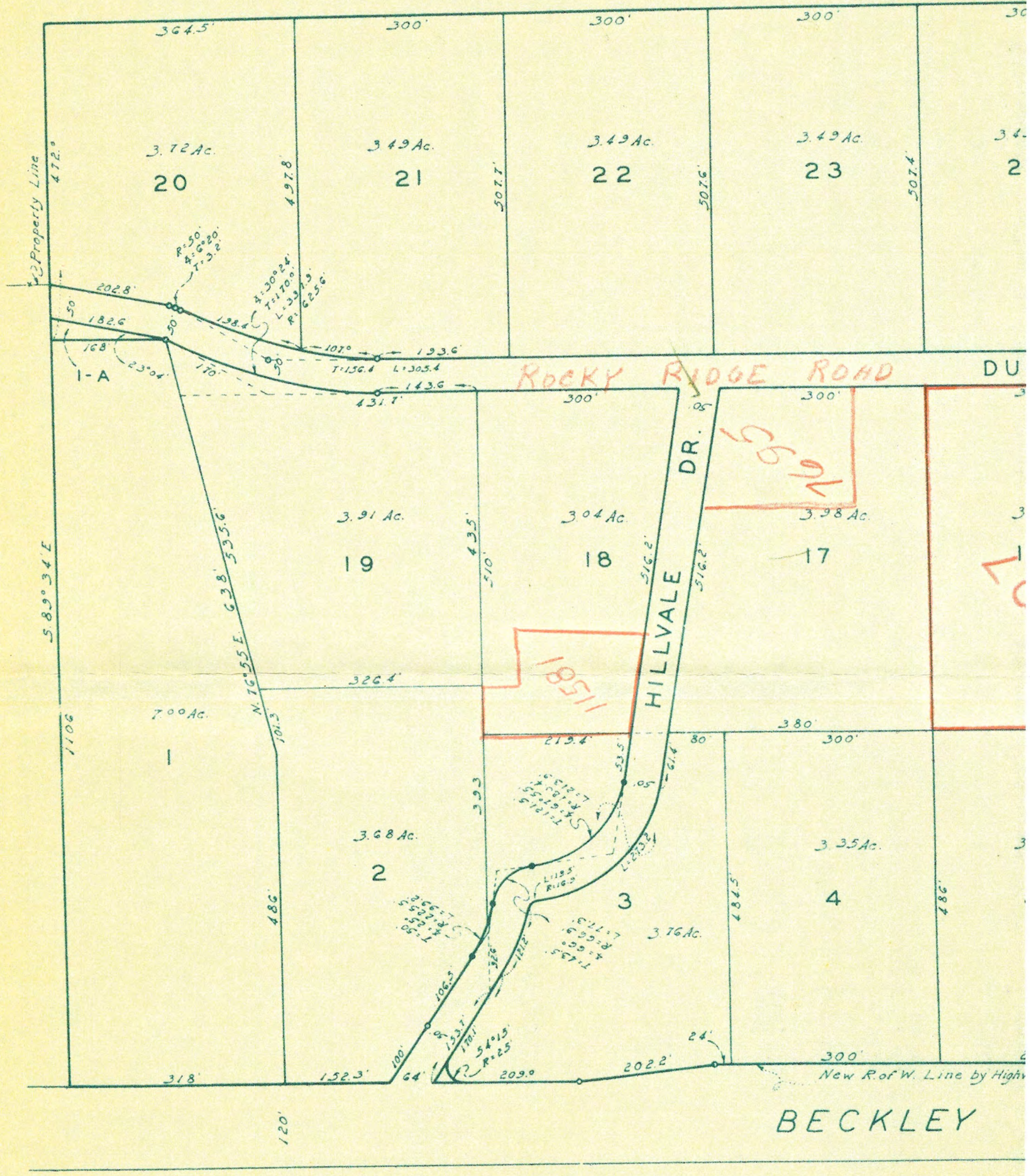
Tree No (inches)	Actual Diameter	Species	Class	Class Value	Class Multiply Factor	Classified Dia. (inches)	Standard Diameter Inch	Valuation	Value	Status	Classified Inches Removed	Total Mitigation
412.6												\$79,631.80

902-1020 McBroom and 903-1021 Normas  
 TREE MITIGATION

Replacement Inches	Adjusted Mitigation Owed	Comments
		measured below fork
		together with Tree No 6
		together with Tree No 5
		together with Tree No. 20
		together with Tree No. 19
		trenched around
		trenched around
		trenched around
		trenched around

902-1020 McBroom and 903-1021 Nomas  
TREE MITIGATION

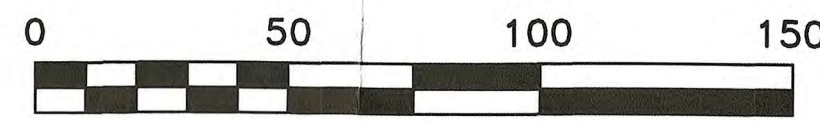
	Adjusted	
Replacement	Mitigation	Comments
Inches	Owed	
0	\$79,631.80	



BECKLEY

HIL  
S. D. & Z. RI  
CURRY REALTY





238 Hillvale Drive

Being a portion of Lot 17, Block 6625, of HILLVALE ADDITION, an Addition to Dallas County, Texas, according to the Plat thereof recorded in Volume 7, page 212, Map Records of Dallas County, Texas, same being a tract of land conveyed to Alexander Naoum Gianotas, by deed recorded in Instrument Number 201700154379, Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the intersection of the West line of a 15 foot unimproved alley, dedicated by Merrick Construction Co's Subdivision, an Addition to Dallas County, Texas, according to the Map or Plat thereof recorded in Volume 39, Page 55, Map/Plat Records of Dallas County, Texas and the South line of Hillvale Drive (50 foot right-of-way);

THENCE South 01 degrees 11 minutes 17 seconds East, along the said West line of said 15 foot alley, a distance of 225.13 feet to a 5/8 inch iron pipe found for corner, said corner being the Southwest corner of said 15 foot alley, and lying on the North line of a tract of land conveyed to Juan Carlos Martinez Araiza and wife, Patricia Ramirez Soto, by deed recorded in Instrument Number 201700142864, Official Public Records of Dallas County, Texas;

THENCE South 88 degrees 34 minutes 40 seconds West, along the said North line of Araiza/Soto tract, a distance of 35.00 feet to a 5/8 inch iron rod found for corner, said corner being the Northwest corner of said Araiza/Soto tract;

THENCE South 01 degrees 11 minutes 17 seconds East, along the West line of said Araiza/Soto tract, a distance of 100.00 feet to a 1/2 inch iron rod found for corner, said corner being the Southwest corner of said Araiza/Soto tract, and lying on the North line of a 10 foot unimproved alley, dedicated by John T. Worsham Subdivision, an Addition to Dallas County, Texas, according to the Map or Plat thereof, recorded in Volume 45, Page 129, Map/Plat Records of Dallas County, Texas;

THENCE South 88 degrees 35 minutes 43 seconds West, along the said North line of 10 foot alley, a distance of 308.69 feet to a 3/4 inch iron pipe found for corner, said corner being the Northwest corner of said 15 foot alley, same being the Northeast corner of a tract of land conveyed to BLC Texana Glen Haven JV, LP, by deed recorded in Instrument Number 202100363695, Official Public Records of Dallas County, Texas, and being the Southeast corner of Jesus Sanchez Addition, an Addition to Dallas County, Texas, according to the Plat thereof recorded in Instrument Number 20070154578, Map Records of Dallas County, Texas;

THENCE North 01 degrees 03 minutes 17 seconds East, along the East line of said Jesus Sanchez Addition, a distance of 384.93 feet to a 60D nail found for corner, said corner being the Northeast corner of said Jesus Sanchez Addition, and lying on the aforementioned South line of Hillvale Drive;

THENCE South 81 degrees 30 minutes 18 second East, along the said South line of Hillvale Drive, a distance of 347.75 feet to the POINT OF BEGINNING and containing 118,375 square feet or 2.72 acres of land.

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor hereby certifies to the client that, (a) this survey and the property description set forth hereon were prepared from an actual on-the-ground survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; Use of this survey by any other parties and/or for other purposes shall be at User's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. The plat hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, all improvements are located within the boundaries the distances indicated and there are no visible and apparent encroachments or protrusions on the ground.

Executed this 27th day of June, 2022

*Bryan Connally*  
Registered Professional Land Surveyor



BENCHMARK INFO  
NAME: 65-0-7  
ELEVATION: 492.55'  
LOCATION: LANCASTER ROAD - KINGSLEY DRIVE  
DESCRIPTION: SWDBM ON CONCRETE CURB OF STORM SEWER INLET,  
SOUTH SIDE OF KINGSLEY DRIVE AND 59 FEET EAST OF  
CENTERLINE OF LANCASTER ROAD.

NOTE: PROPERTY SUBJECT TO TERMS,  
CONDITIONS, AND EASEMENTS  
CONTAINED IN INSTRUMENTS RECORDED IN  
VOL. 7, PG. 212; VOL. 1399, PG. 225;  
VOL. 2050, PG. 135; VOL. 1592, PG. 634

NOTES:  
BEARINGS SHOWN ARE BASED ON NAD 83 TEXAS NORTH CENTRAL ZONE.  
EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE  
NOTED.

NOTE: According to the F.I.R.M. in Map No. 48113C0490K, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

ACCEPTED BY: \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

REVISIONS		
DATE	BY	NOTES

LEGEND	
CM	CONTROLLING MONUMENT
○	1/2" IRON ROD FOUND
⊗	5/8" IRON PIPE FOUND
⊙	3/4" IRON PIPE FOUND
⊘	60D NAIL FOUND
⊚	"X" CUT SET
⊛	5/8" ROD FOUND
▲	UNDERGROUND ELECTRIC
●	OVERHEAD ELECTRIC
⊕	POWER POLE
⊙	POINT FOR CORNER
⊙	GRAVEL/ROCK ROAD OR DRIVE
PE	POOL EQUIPMENT
■	COLUMN
AC	AIR CONDITIONING
⊕	FIRE HYDRANT
—	RES - RES
—	OHP - OHP
—	CONCRETE PAVING
—	DOUBLE SIDED WOOD FENCE
—	ASPHALT PAVING
—	CHAIN LINK FENCE
—	WOOD FENCE
—	0.5' WIDE TYPICAL BARBED WIRE
—	IRON FENCE
—	METAL FENCE
—	COVERED PORCH, DECK OR CARPORT
—	OVERHEAD ELECTRIC SERVICE
—	OVERHEAD POWER LINE

**CBG**  
SURVEYING TEXAS LLC  
1413 E. IH-30, Ste. 7  
Garland, TX 75043  
P 214.349.9485  
F 214.349.2216  
Firm No. 10168800  
www.cbgtxl.com

SCALE	DATE	JOB NO.	G.F. NO.	DRAWN
1" = 50'	06/27/2022	2125870-01	SEE CERT.	JCM

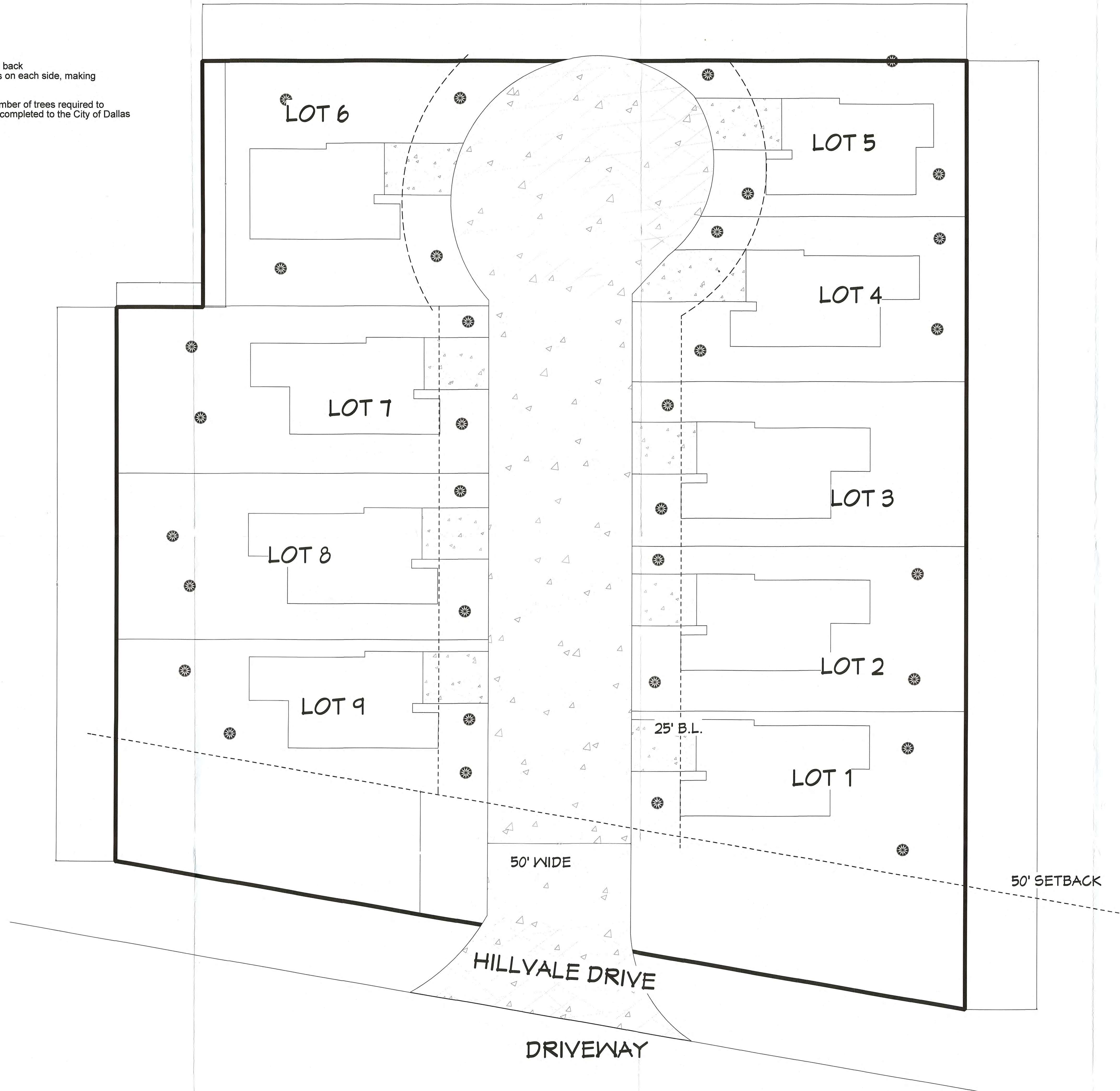
**TOPO AND TREES**  
SAMUEL D. RICKETTS SURVEY, ABSTRACT NO. 1204  
DALLAS COUNTY, TEXAS  
238 HILLVALE DRIVE

212-01

PROPOSED SITE PLAN

Tree Mitigation plan  
 Live Oak - Quercus virginiana  
 69 6 inch Trees  
 4 trees on each lot, 2 in front and 2 at the back  
 The detention Pond area will have 5 trees on each side, making  
 10 6" tree at the front of the lot.

We will like to Donate 23 6" trees (or number of trees required to  
 complete mitigation) after construction is completed to the City of Dallas



24 X 36  
 PAPER SIZE

REVISION TABLE	REVISION BY	DESCRIPTION
NUMBER	DATE	

CUSTOMER:

PAGE TITLE

DRAWINGS PROVIDED BY:  
 EDWARD BLU, LLC  
 5050 QUORUM DR, STE 700  
 DALLAS, TX 75254  
 (469)-931-8811

DATE:  
 5/24/22

SCALE:  
 1" = 20'

SHEET:  
 T-1

# **BDA 212-091\_ATTACHMENT\_A**

## **Proposed Tree Mitigation Plan**

We estimate two trees on each lot, and plant 10 trees on the front side where we have 50 feet setback, spacing them at least 25 feet apart. That would be a total of 28 trees, mitigating 112 inches.

We also propose to contribute \$10,000 to the city reforestation Fund, and donate trees to the City of Dallas Park department to complete the remaining required mitigation.

### **Timing**

We are requesting 18 months after the board's decision to complete the tree donation and reforestation fund contribution, and on or before January 30<sup>th</sup> 2025 to complete the mitigation at the site, 238 Hillvale Dr, Dallas TX 75241.

### **Mitigation Reduction**

We would like to apply for a tree mitigation reduction, We appeal to the board to reduce the mitigation from 412.60 inches in Size to 300 inches, or cash value of \$79,631.80 to \$57,900.

Wendy Golson



For Castiel Investment LLC

GENERAL NOTES:

- 1. ALL MATERIALS AND CONSTRUCTION WITHIN STREET RIGHT-OF-WAY SHALL CONFORM TO THE CITY/COUNTY STANDARDS CONSTRUCTION DETAILS AND SPECIFICATIONS.
2. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL PUBLIC UTILITIES IN THE CONSTRUCTION OF THIS PROJECT. ALL MANHOLES, CLEANOUTS, VALVE BOXES, FIRE HYDRANTS, ETC. MUST BE ADJUSTED TO PROPER LINE AND GRADE BY THE CONTRACTOR PRIOR TO AND AFTER THE PLACING OF PERMANENT PAVING. UTILITIES MUST BE MAINTAINED TO PROPERTY LINE AND GRADE DURING CONSTRUCTION OF THIS PROJECT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATING WITH ALL APPROPRIATE UTILITY COMPANIES FOR THE LOCATION OF ALL UTILITIES WITHIN THE CONSTRUCTION AREA/SITE.
4. THE PAVING CONTRACTOR SHALL NOT PLACE PERMANENT PAVEMENT UNTIL ALL SLEEPING FOR IRRIGATION, ELECTRIC GAS, TELEPHONE, CABLE TV, SITE IRRIGATION, ETC. HAS BEEN INSTALLED. IT SHALL BE THE PAVING CONTRACTOR'S RESPONSIBILITY TO INSURE THAT ALL SLEEPING IS IN PLACE PRIOR TO PLACING OF PERMANENT PAVEMENT.
5. ALL PAVING AND EARTHWORK OPERATIONS SHALL CONFORM TO THE RECOMMENDATIONS IN THE GEOTECHNICAL INVESTIGATION REPORT.
6. ALL DIMENSIONS ARE FROM BACK OF CURB, EDGE OF PAVEMENT, OR FACE OF BUILDING UNLESS OTHERWISE NOTED.
7. ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL.
8. SLOPE WITHIN THE HANDICAP PARKING AND STRIPED AREA SHALL NOT EXCEED 2% IN ANY DIRECTION.
9. ALL CURB RADI ARE 1.5' UNLESS OTHERWISE SPECIFIED (EXCEPT FOR AT END OF PARKING SPACES AND FLUMES WHERE THE RADI IS 0').
10. PAVEMENT DIRECTLY AROUND THE BUILDING (SIDEWALK, LANDSCAPE FEATURES, ETC.) SHALL BE PER THE DIRECTION OF THE OWNER/ARCHITECT.
11. DRIVEWAY CONNECTION TO SUMMIT AVENUE SHALL BE PER THE CITY OF DALLAS'S PAVEMENT STANDARDS AND DETAILS.
12. NO WORK SHALL BE PERFORMED ON ADJACENT PROPERTIES. THERE IS NO PROPOSED ACCESS TO THE 15' ALLEY.
13. THE SAWCUT LINES ARE FOR GENERAL REPRESENTATION ONLY AND MAY VARY DEPENDING ON EXISTING FIELD CONDITIONS OF PAVEMENT JOINTS. CONTRACTOR SHALL FOLLOW THE CITY'S PAVEMENT MANUAL (S/D) FOR CORRECT SAWCUTTING LOCATIONS AND PROCEDURES.
14. STANDARD SUBGRADE COMPACTION IS 98% (95% FOR SIDEWALK) STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED. ALTERNATE ACCEPTABLE SUBSTITUTIONS FOR SUBGRADE STABILIZATION WHEN APPROVED BY THE CITY ARE AS FOLLOWS:
14.1. 6" LIME STABILIZATION. IN LIEU OF LIME STABILIZATION, AN ADDITIONAL 2-INCH MAY BE ADDED TO THE TOTAL THICKNESS OF THE CONCRETE PAVEMENT FOR THE DRIVEWAY IN THE CITY R.O.W. (WITH NO. 4 REINFORCED BARS - IF TOTAL THICKNESS IS 9 INCHES OR MORE).
15. DRIVE APPROACH PAVEMENT DEPTH SHOULD MATCH ON-SITE PAVEMENT DEPTH IF ON-SITE PAVEMENT IS THICKER THAN THE MINIMUM THICKNESS FOR APPROACHES.
16. SAWCUT LINES SHOWN ON THE DESIGN PLANS FOR THE REMOVAL AND REPLACEMENT OF CONCRETE PAVEMENT, DRIVES, SLABS, SIDEWALKS, ETC., ARE FOR INFORMATION PURPOSES ONLY. IF PAVEMENT IS MORE THAN 5 YEARS OLD, THE PAVEMENT CUT AND REPAIR STANDARDS MANUAL MUST BE FOLLOWED. IF PAVEMENT IS 5 YEARS OLD OR LESS, THE ENTIRE CONCRETE PANEL MUST BE REPLACED.
17. NO TRAFFIC LANE OR SIDEWALK ALONG ANY PUBLIC STREET OR ALLEY IS TO BE CLOSED WITHOUT FIRST OBTAINING THE APPROPRIATE PERMIT(S). FROM PAUL THOMPSON OR RUSSELL FINLEY WITH THE CITY OF DALLAS CLOSURE OF ANY TRAFFIC LANE MUST BE RESTRICTED TO THE HOURS OF 9:00AM TO 3:30PM WORKDAYS.

- 18. DEVELOPER MUST PLANT ON ADDITION TWO-INCH CALIPER TREE PER EACH PUBLIC STREET PARKING SPACE THAT IS COUNTED TOWARDS THE GUEST PARKING REQUIREMENTS.
19. ALL PROPOSED SIDEWALKS, BARRER-FREE RAMPS, AND DRIVE APPROACHES MUST REFER FOR THE 2510-1 STANDARD CONSTRUCTION DETAILS AND PAGE NUMBER.
GENERAL NOTES FOR DRIVE APPROACH DETAILS:
A. MINIMUM PAVEMENT DEPTH IS 8" DRIVE APPROACH PAVEMENT DEPTH SHOULD MATCH ON-SITE PAVEMENT DEPTH IF ON-SITE PAVEMENT IS THICKER THAN THE MINIMUM THICKNESS FOR APPROACHES.
B. HAND FINISH CLASS - TEST STRENGTH IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.
C. STANDARD SUBGRADE COMPACTION UNDER DRIVE APPROACHES IS 98% STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED. 6" LIME STABILIZATION MAY BE SUBSTITUTED WITH 1" OF REINFORCED CONCRETE WHEN APPROVED BY THE CITY. IN LIEU OF ALL OPTIONS EXCEPT FOR COMPACTED SUBGRADE, TWO ADDITIONAL INCHES OF CONCRETE MUST BE ADDED TO THE CONCRETE THICKNESS.
D. #3 BARS ARE REQUIRED FOR CONCRETE THICKNESS LESS THAN 9", SPACED ON 24" CENTER. #4 BARS ARE REQUIRED FOR CONCRETE THICKNESS THAT IS 9" OR GREATER, SPACED ON 24" CENTERS.
E. 1" REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL PROPERTY LINES.
F. DOWEL PROPOSED DRIVE APPROACH INTO EXISTING PAVEMENT WITH 24" LONG, #4 BARS, AT 12" ON CENTER, EPOXIED IN.
G. FOR THE EXPANSION JOINT AT THE PROPERTY LINE, 24" LONG, #8 (1") SMOOTH DOWEL IS REQUIRED FOR PAVING THICKNESS GREATER THAN 6". ALL DOWELS REQUIRED EVERY 12" ON CENTER AND MUST BE GREASED AND CAPPED.
H. DRIVE APPROACHES REQUIRE A SAW JOINT AT THE CENTERLINE.
SIDEWALK, CURB AND GUTTER NOTES:

- 1. CLASS STRENGTH FOR SIDEWALK IS 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.
2. CLASS TEST STRENGTH FOR CURB AND GUTTER IS 4,500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT.
3. STANDARD SUBGRADE COMPACTION FOR SIDEWALKS IS MINIMUM 95% OF STANDARD PROCTOR DENSITY WITHIN MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE CONTENT.
4. SIDEWALKS REQUIRE MINIMUM #3 BARS SPACED ON 24" CENTERS.
5. ALL CURBS WITHIN CITY RIGHT-OF-WAY MUST BE REINFORCED WITH #4 BARS.
6. CURB AND GUTTER MUST BE DESIGNED AND CONSTRUCTED TO PROVIDE POSITIVE DRAINAGE.
7. SEPARATE CONCRETE CURB AND GUTTER SHALL BE MARKED 3/8" DEEP WITH AN APPROVED TOOL (SAW CUT) IN 15 FOOT SECTIONS. INSTALL #4 "L-SHAPED" REBAR DOWELS (12" INTO EXISTING PAVEMENT), EVERY 18", EPOXIED IN.
8. 1" REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR WIDTH, RADI POINTS, OR EVERY 80 FEET, BEGINNING AT THE CURB RETURN.

- 9. IF SIDEWALK IS LOCATED AT BACK-OF-CURB, REDWOOD JOINTS SHOULD MATCH WITH EXISTING REDWOOD JOINTS IN THE STREET.
10. AT ALL EXPANSION JOINTS, 24" LONG, #6 (3/4") SMOOTH DOWEL IS REQUIRED EVERY 24" ON CENTER.
11. 1" FOOTINGS ARE REQUIRED AT ALL EXPANSION JOINTS AND THE PAVEMENT DEPTH TRANSITIONS FROM 4" TO 5" THICK, OVER THE 24" LENGTH OF PAVEMENT.
12. 8" FOOTING IS REQUIRED FOR SIDEWALKS LOCATED AT BACK OF CURB, WITH A 6" DOWEL.
13. SIDEWALK MUST BE MINIMUM 5" WIDE IF LOCATED AT BACK OF CURB.
14. A RAMP WITH DETECTABLE WARNING SURFACE IS REQUIRED AT ALL INTERSECTIONS, AND AT DRIVEWAYS WITH HIGH TRAFFIC VOLUME.

DESIGN INFRASTRUCTURE NOTES FOR CONSTRUCTION WITHIN R.O.W.

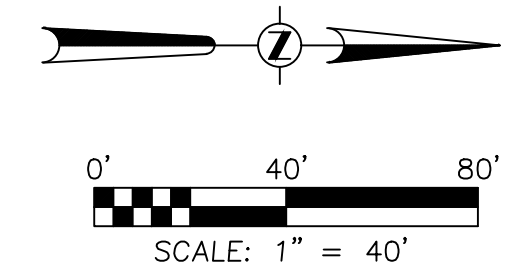
- 1. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, LATEST EDITION, AND THE CITY OF DALLAS DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION ADDENDUM.
2. DURING THE CONSTRUCTION OF THESE IMPROVEMENTS, ANY INTERPRETATION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION FOR NORTH CENTRAL TEXAS, AND ANY MATTER WHICH REQUIRES THE APPROVAL OF THE OWNER, MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND TRANSPORTATION OR HIS DESIGNER BEFORE ANY CONSTRUCTION INVOLVING THAT DECISION COMMENCES. ASSUMPTIONS ABOUT WHAT THESE DECISIONS MIGHT BE WHICH ARE MADE DURING THE BIDDING PHASE WILL HAVE NO BEARING ON THE DECISION.
3. FOR ADJUSTMENT OF DALLAS WATER UTILITIES APPURTENANCES OR TO VERIFY LOCATION OF EXISTING WATER AND WASTEWATER MAINS IN AREA, CALL (214) 670-1770 AT LEAST (3) THREE WORKING DAYS PRIOR TO CONSTRUCTION.
4. STREETS, ALLEYS, SIDEWALKS, DRIVEWAYS, AND STORM DRAINAGE FACILITIES IN THE PUBLIC RIGHT-OF-WAY SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF DALLAS, STANDARD CONSTRUCTION DETAILS, FILE 2510-1, LATEST EDITION.
5. ALL CONCRETE FOR PAVEMENT SHALL BE 4,000 PSI FOR MACHINE FINISH AND 4,500 PSI IF IT IS NECESSARY FOR HAND FINISH.

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CITY OF DALLAS ALLEY PAVING NOTES:

- A. MINIMUM PAVEMENT DEPTH IS 6"
B. HAND FINISH CLASS- TEST STRENGTH IS 4500 PSI COMPRESSIVE STRENGTH AT 28 DAYS AFTER PLACEMENT
C. SPECIFY SUBGRADE PREPARATION, IN SECTION 5.2.3.4 OF THE STREET DESIGN MANUAL STARTING ON PAGE 153. SUBGRADE REQUIREMENTS ARE PROVIDED BASED ON STREET TYPE AND SOIL P-1 (SEE TABLE 5.4 MINIMUM STREET PAVEMENT DESIGN SECTIONS). PLEASE CHOOSE THE OPTION THAT COMPLES WITH THE STREET DESIGN MANUAL: COMPACTED SUBGRADE, LIME TREATED SUBGRADE, CEMENT MODIFIED SUBGRADE, OR CEMENT STABILIZED SUBGRADE.
D. STANDARD SUBGRADE COMPACTION UNDER ALLEY PAVEMENT IS 98% STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED.
E. MINIMUM #3 TRANSVERSE BARS ARE REQUIRED FOR CONCRETE THICKNESS LESS THAN 9", SPACED ON 24 CENTERS, AND #4 LONGITUDINAL BARS SPACED ON 12 CENTERS.
F. MINIMUM #4 BARS ARE REQUIRED FOR CONCRETE THICKNESS THAT IS 9 OR GREATER, SPACED ON 24 CENTERS.
G. IF THE ALLEY IS DESIGNED WITH A CURB, CURB MUST BE REINFORCED WITH #4 BARS
H. IF THE ALLEY IS DESIGNED WITH A CURB, GUTTERS MUST BE CONSTRUCTED TO PROVIDE POSITIVE DRAINAGE.
I. INTEGRAL CONCRETE CURB AND CURB & GUTTER SHALL BE OF THE SAME COMPRESSIVE STRENGTH AS THE PAVEMENT.
J. SEPARATE CONCRETE CURB & GUTTER SHALL BE MARKED 3/8" DEEP WITH AN APPROVED TOOL (SAW CUT) IN 15FOOT SECTIONS. INSTALL #4 L-SHAPED REBAR DOWELS (12 INTO PAVEMENT) EVERY 18, EPOXIED IN.
K. REDWOOD EXPANSION JOINTS ARE REQUIRED AT ALL ABRUPT CHANGES IN ALIGNMENT OR WIDTH, OR EVERY 150', BEGINNING AT THE CURB RETURN.
L. AT ALL EXPANSION JOINTS, 24 LONG, #6(3/4) SMOOTH DOWEL IS REQUIRED FOR PAVING THICKNESS EQUAL TO 6.24 LONG, #8 (1) SMOOTH DOWEL IS REQUIRED FOR PAVING THICKNESS GREATER THAN 6. ALL DOWELS REQUIRED EVERY 12" ON CENTER AND MUST BE GREASED AND CAPPED.
M. SAWED TRAVERSE DUMMY JOINTS SPACED 15'



BENCHMARKS:

- 1. 54-C-2 CEDAR HILL AVE. - SIXTH ST. SQUARE ON CONCRETE CURB NORTHEAST CORNER OF INTERSECTION. N: 6,961,261.368 E: 2,481,416.380 ELEVATION = 522.480
2. 54-D-2 CRAWFORD STREET - SIXTH STREET. A SQUARE IS CUT ON TOP OF A CONCRETE CURB AT THE CENTER OF A STOP SEWER DROP INLET AT THE SOUTH SIDE OF EAST SIXTH STREET IN FRONT OF HOUSE #216-218. N: 6,961,284.410 E: 2,484,661.530 ELEVATION = 451.080

THIS SPACE RESERVED - BUILDING INSPECTION

THIS SPACE RESERVED - BUILDING INSPECTION

THIS SPACE RESERVED - ENGINEERING

LEGEND

- 4.36 --- EXISTING CONTOUR LINE
+ 4.37.00 EXISTING SPOT ELEVATION
--- DRAINAGE / GRADING DIRECTION
--- DRAINAGE DIVIDE LINE
B 436 --- DRAINAGE AREA NO.
--- PROPOSED CONTOUR LINE
NEW 6" CONCRETE PAVEMENT WITHIN R.O.W. 6' FOR ALLEY PAVEMENT.
EXISTING CONCRETE PAVEMENT
ASPHALT PAVEMENT
SIDEWALK 4" THICK PAVEMENT
CRUSHED ROCK
--- EXISTING CHAIN LINKED FENCE
--- EXISTING WOODEN FENCE
--- PROPERTY LINE
TC TOP OF CURB ELEV.
TP TOP OF PAVEMENT ELEV.
TELEPHONE PEDESTAL
POWER POLE
SIGN
EXISTING SAN. SEWER MANHOLE
FIRE HYDRANT
TW TOP OF WALL ELEV.
BW BOTTOM OF WALL ELEV.
WB WALL BASE ELEV.
EXISTING TREE

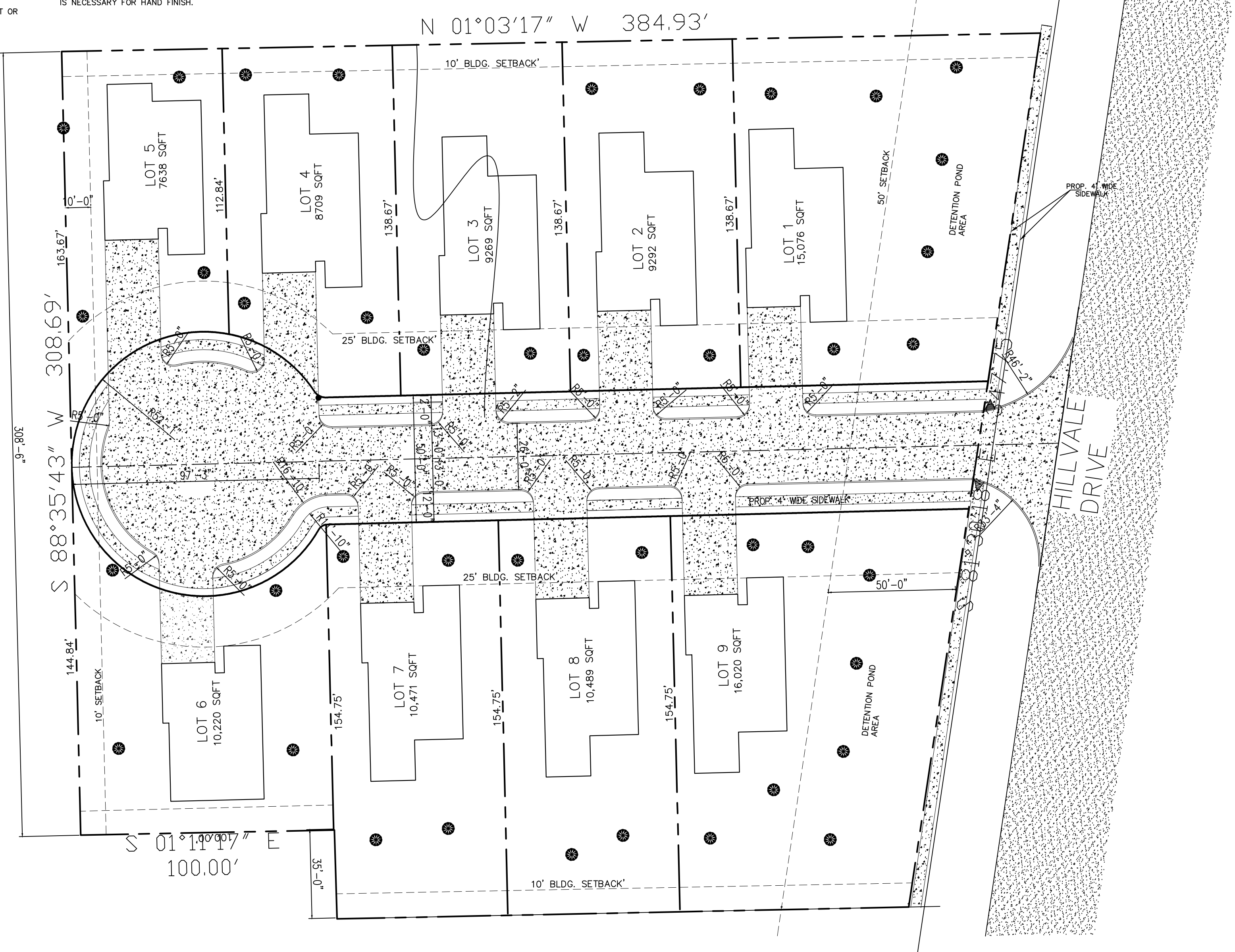


Table with 3 columns: BREAKDOWN AREA, AREA, and %. Rows include Lot 1 through Lot 9 and Total Site Area.

NOTE: THE RECORD ENGINEER CERTIFIES THAT THIS PROJECT COMPLIES WITH PD-830, CONFIRMS THAT WIDTHS OF ALL STREETS, SIDEWALKS, PARKING SPACES, RIGHT-OF-WAY, LANDSCAPE AREAS, ETC. COMPLY WITH APPROVED PD.

NOTE: ALL PAVEMENT (SIDEWALK AND VEHICULAR) IN THE CITY R.O.W. SHALL BE PER CITY STANDARDS AND DETAILS. CONTRACTOR SHALL NOT USE SAND UNDERNEATH ANY PAVEMENT.

PROPERTY LINES USED IN THE CREATION OF THESE DRAWINGS WERE OBTAINED FROM THE PROPOSED PLAT. CONTRACTOR SHALL VERIFY PROPERTY LINES AND CORNERS PRIOR TO COMMENCING SITE WORK. DIMENSIONS FROM THE PROPERTY LINE SHALL BE FIELD ADJUSTED ONCE THE ACTUAL PROPERTY LINES HAVE BEEN DETERMINED (IF ANY CHANGES ARISE).

NO PERSON SHALL CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, REMOVE, REPLACE, PAVE, REPAVE, SURFACE OR RESURFACE ANY WALK, DRIVE, CURB, GUTTER, PAVED AREA OR APPURTENANCE ON PUBLIC PROPERTY IN THE CITY WITHOUT FIRST OBTAINING FROM THE BUILDING INSPECTOR A PERMIT TO DO SO.

NOTE: STANDARD SUBGRADE COMPACTION IS 98% (95% FOR SIDEWALKS) STANDARD PROCTOR DENSITY AT MINUS 2% TO PLUS 4% OF OPTIMUM MOISTURE TO THE DEPTH SPECIFIED. ALTERNATE ACCEPTABLE SUBSTITUTIONS FOR SUBGRADE STABILIZATION WHEN APPROVED AS FOLLOWS: 6" OR 8" LIME STABILIZATION OR 8" CEMENT STABILIZATION (10%). IN LIEU OF LIME STABILIZATION, AN ADDITIONAL 2 INCHES MAY BE ADDED TO THE TOTAL THICKNESS OF THE CONCRETE PAVEMENT FOR THE DRIVEWAY FOR THE CITY R.O.W. (WITH NO. 4 BARS IF TOTAL THICKNESS IS 9 INCHES OR MORE). DRIVE APPROACH PAVEMENT DEPTH SHOULD MATCH ON-SITE PAVEMENT DEPTH IF ON-SITE PAVEMENT IS THICKER THAN THE MINIMUM THICKNESS FOR APPROACHES.

ADDITIONAL NOTES:
1. CONTRACTOR TO APPLY FOR CUT PERMIT AT https://rowmanagement.dallascityhall.com
2. CALL STREETS AT (214) 670-5311 TO SET DRIVEWAY GRADES.
3. CALL BUILDING INSPECTION AT (214) 948-4480 FOR DRIVEWAY INSPECTIONS.

CONTRACT INFORMATION table with fields for CONTRACT NO., DATE, CONTRACTOR, and CONTRACT NO. (IF APPLICABLE).

Table with 4 columns: REV. NO., DATE, DESCRIPTION, BY. Includes OKM ENGINEERING, INC. information.

Table with 4 columns: PLAT NO., BLDG PERMIT NO., SDC ENGINEERING TRACKING NOS., and other project identifiers.

SITE & DIMENSIONAL CONTROL PLAN table with fields for REVIEW, DRAWN, DATE, FILE, NUMBER, SHEET. Includes OKM #21-218, M.L., AUG. 2022, DP, XX-XXXC05.01.

# BDA 212-091\_ATTACHMENT\_B

## Memorandum



Date August 26, 2022  
To Jennifer Munoz, Board Administrator  
Subject BDA #212-091 238 Hillvale Arborist report

### Request

The applicant is seeking a special exception to the tree conservation requirements of Article X. The request is to consider a special exception for multiple provisions of the Tree Conservation ordinance including the timing of replacement and for a reduction to the requirement for replacement.

1. A minimum of 412.6 diameter inches of tree replacement is required. The applicant requests to reduce the total mitigation requirement to 300 diameter inches.
2. Replacement must be completed according to timing requirements per ordinance within six months of removal (April 2022) with exception of the site landscaping determined by landscape plan which may be completed with the development. The applicant requests an additional time of 18 months from after a board approval, with conditions of a) tree donation to the City for remaining mitigation, and b) a payment of \$10,000 to the Reforestation Fund, and then c) the fulfillment of final confirmed planting date on-site (112 inches) on or before January 30, 2025.

### Provision

A large number of mature protected trees were removed from the property in April 2022 without a tree removal application which is required under Article X. Fill material was stored and graded across the property raising the grade of the lot affecting some of the trees. The owner intends for future construction of a shared access development of single-family units. The property design can comply with minimum Article X landscaping requirements for shared access developments.

Based on staff verification of a tree survey, 412.6 classified inches from 30 protected trees were removed, or will be removed, for the proposed development. The owner proposes to plant a total of 28 trees to mitigate 112 inches of replacement trees on the property leaving 300.6 diameter inches left to be completed through alternative methods of replacement within six months after removal.

### Deficiency

A reduction of tree mitigation from 412.6 diameter inches to 300 diameter inches would leave 188 inches remaining to be mitigated for what is not planted on site.

A payment of \$10,000 to the Fund would be the equivalent of 51.8 inches (12.6%) of tree replacement of the 412.6 inches required.

The city ordinance under Sec. 51A-10.134(c)(5) stipulates that all replacement must occur within 30 days. If the property owner provides the building official with an affidavit stating that all replacement trees will be planted within six months, the building official may allow the planting to occur then. For residential subdivisions, tree replacement may also occur with the completion of a tree

replacement plan for the development. Additional time may be allotted for the site tree replacement to be completed at the end of the development. However, all required tree replacement that is not scheduled by the approved design for the development site must be completed within the six months of tree removal. The applicant has made a request for an alternate replacement plan to extend overall to a time certain.

**Reduction**

Ordinance

412.6” required total  
 112” on-site  
 \$10,000 to Reforestation Fund  
 Remainder to City department

Request

300” total  
 112” on-site  
 \$10,000 to Reforestation Fund  
 Remainder to Parks and Recreation

**Timing**

Ordinance

30 days/6 months (affidavit to extend)  
 Alternative methods available by ordinance.  
 Development LA plan/completion on site.

Request

18 months after board decision  
 Donation to Parks  
 Reforestation Fund payment  
 January 30<sup>th</sup> 2025, or sooner, on site.

**Trees removed:**

<u>Tree classification</u>	<u>Diameter inches</u>
Four significant trees (1.5x)	162”
Class 2 (0.7x)	233.8”
Class 3 (0.4x)	16.8”
	<b>412.6</b>
Average tree size (pre-class):	16.1”

**300** request for reduction.

*Significant trees are native red oaks at 24” diameter or greater with a mitigation 1.5 times the base measurement (ex.: 24” tree is 36”). Class 2, or standard ‘favored’ trees, have mitigation reduced to 70% of baseline. Class 3 trees are listed for lower mitigation rates at 40% of baseline.*

**Recommendation**

The chief arborist has no objections to the time extension request with an established completion date for tree replacement. However, there is an objection to the reduction of the total replacement amount since there is no assessment of the tree survey to indicate the basis of the reduction. The applicant has not indicated tree condition, classification, tree size, or species to support the merits of reducing for one or more of the trees in the removed tree stand.

Philip Erwin  
 Chief Arborist  
 Development Services Department