

NOTICE FOR POSTING
MEETING OF
BOARD OF ADJUSTMENT, PANEL C
MONDAY, APRIL 18, 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**, should 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, April 15, 2022. All virtual speakers will be required to show their video in order to address the board.** The public is encouraged to attend the meeting virtually, however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols. Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or 99; and bit.ly/cityofdallastv or YouTube.com/CityofDallasCityHall, and the **WebEx link:** <https://bit.ly/BDA041822>

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, APRIL 18, 2022
AGENDA

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

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

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

PUBLIC TESTIMONY

MISCELLANEOUS ITEM

Approval of the March 21, 2022 Board of Adjustment
Panel C Public Hearing Minutes

M1

UNCONTESTED CASE(S)

BDA212-014(PD)	10625 Lennox Lane REQUEST: Application of Masterplan-Danielle Mathews for a special exception to the fence height regulations	1
BDA212-024(JM)	7643 Rosemont Road REQUEST: Application of Karen Tellez for special exceptions to afford a handicapped person equal opportunity to use and enjoy a dwelling	2
BDA212-029(PD)	6745 Country Club Circle REQUEST: Application of Rob Baldwin of Baldwin Associates for a variance to the front yard setback regulations	3

REGULAR CASES

BDA212-025(PD)	10039 Shadyview Drive REQUEST: Application of Carla Ysuhuaylas for a special exception to the single-family use regulations and a variance to the floor area ratio regulations	4
BDA212-032(PD)	10207 N. Central Expressway REQUEST: Application of W.W. Willingham III for a special exception to the parking regulations	5

HOLDOVERS

None.

EXECUTIVE SESSION NOTICE

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

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

FILE NUMBER: BDA212-014(PD)

BUILDING OFFICIAL'S REPORT: Application of Danielle Mathews of Masterplan Texas for a special exception to the fence height regulations at 10625 Lennox Lane. This property is more fully described as Lot 3 in City Block C/5534 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 an eight-foot-high fence in a required front yard, which will require a four-foot special exception to the fence regulations.

LOCATION: 10625 Lennox Lane

APPLICANT: Danielle Mathews of Masterplan Texas

REQUEST:

The request for a special exception to the fence standards regulations is made to construct and maintain an eight-foot-tall fence. The property is currently undeveloped and partially fenced along the southwestern portion of the site fronting Harry's Lane.

STANDARD FOR A SPECIAL EXCEPTION TO FENCE STANDARDS:

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

STAFF RECOMMENDATION:

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

BACKGROUND INFORMATION:

Zoning:

Site: R-1ac (Single Family District)
North: R-1ac (Single Family District)
East: R-1ac (Single Family District)
South: R-1ac (Single Family District)
West: R-1ac (Single Family District)

Land Use:

The subject site is currently undeveloped and partially fenced. Surrounding properties to the north, east, south, and west are developed with single-family uses.

Zoning/BDA History: There have been 10 related board cases in the vicinity within the last five years.

1. **BDA201-092:** On March 21, 2022, the Panel C, Board of Adjustment granted a request for a special exception to the fence height regulations at 10645 Lennox Lane.
2. **BDA167-047:** On April 17, 2017, the Panel C, Board of Adjustments granted a special exception to the fence height regulations at 10545 Lennox Lane.
3. **BDA167-140:** On December 11, 2017, the Panel C, Board of Adjustments granted a special exception to the fence standards at 10564 Lennox Lane.
4. **BDA178-038:** On May 21, 2018, the Panel C, Board of Adjustments granted a special exception to the fence height regulations at 10515 Lennox Lane.
5. **BDA178-111:** On October 18, 2018, the Panel B, Board of Adjustments granted a special exception to the fence height regulations at 10650 Strait Lane.
6. **BDA178-127:** On November 14, 2018, the Panel B, Board of Adjustments granted a special exception to the fence height regulations at 10747 Lennox Lane.
7. **BDA189-099:** On October 21, 2019, the Panel C, Board of Adjustments granted a special exception to the fence height regulations at 4554 Harrys Lane.
8. **BDA189-141:** On December 16, 2019, the Panel C, Board of Adjustments granted a special exception to the fence height regulations at 4610 Catina Lane.
9. **BDA190-079:** On October 19, 2020, the Panel C, Board of Adjustments granted a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations at 4651 Cantina Lane.
10. **BDA190-050:** On June 22, 2021, the Panel C, Board of Adjustments granted a special exception to the fence height regulations at 4610 Cantina Lane.

GENERAL FACTS/STAFF ANALYSIS:

The applicant requests a special exception to the fence height standards of four feet to construct and maintain portions of a fence with staggering heights ranging from eight to five feet. The applicant proposes a five-foot-five-inch-tall steel picket fencing along the southwestern most clip of the site. The fence continues counterclockwise moving east along Harry's Lane at a length of 57-and-one-half feet. The fence transitions to a five-foot blackened steel picket sliding gate with a width of 25 feet. As the fence continues east, the five-foot-tall stone venue retaining wall and free-standing wall is proposed at a length of 232 feet along the southeastern most clip at the intersection of Harry's Lane and Lennox Lane.

As the proposed fence continues north along the northeastern portion of the site along Lennox Lane, the proposed five-foot-tall steel picket fencing continues for 59 feet and connects to a 19-foot-long, five-foot-tall, blackened finish steel picket pivot gate. Beyond the pivot gate, the five-foot tall, blackened finish steel picket fence continues north along Lennox Lane at a length of 87-and-one-half feet then connects to a second five-foot-tall, 19-foot-long blackened finish steel plate picket gate. The proposed fence then continues north for 75-feet-and-one-half-inches to the northeastern most clip adjacent to the unimproved alley. As the fence continues along the northeastern most portion, parallel to the alley, the five-foot-tall, blackened finish steel picket fence continues beyond the required 45-foot visibility triangle at the alley at a length of 48 feet. The proposed fence then increases to an eight-foot-tall picket fence with a length of ten feet before it terminates beyond the 45-foot visibility triangle and beyond the required 40-foot front yard setback.

According to internal records, a demolition permit was issued to the property on November 1, 2021 to raze an approximately 5,881 square foot one-story single-family structure. Additionally, internal records reflect a building permit issued on March 31, 2022 for a single-family dwelling unit with approximately 21,097 square feet of floor area.

Section 51A-4.602(A)(2) and Section 51A-4.602(a)(3) of 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 subject site is zoned an R-1ac Single Family District and requires a minimum front yard setback of 40 feet.

Staff conducted a site visit of the subject site and the surrounding area and observed fences along Catina Lane, and Lennox Lane located in the front yard setbacks which appear to be above four feet-in-height and located in the front yard setback, many of which have recorded BDA history (see the Zoning/BDA History section of this case report for details).

Additionally, the representative provided evidence (**Attachment A**) to staff which contains nine board cases related to height within the vicinity of the subject property that have been granted special exceptions to the fence height regulations.

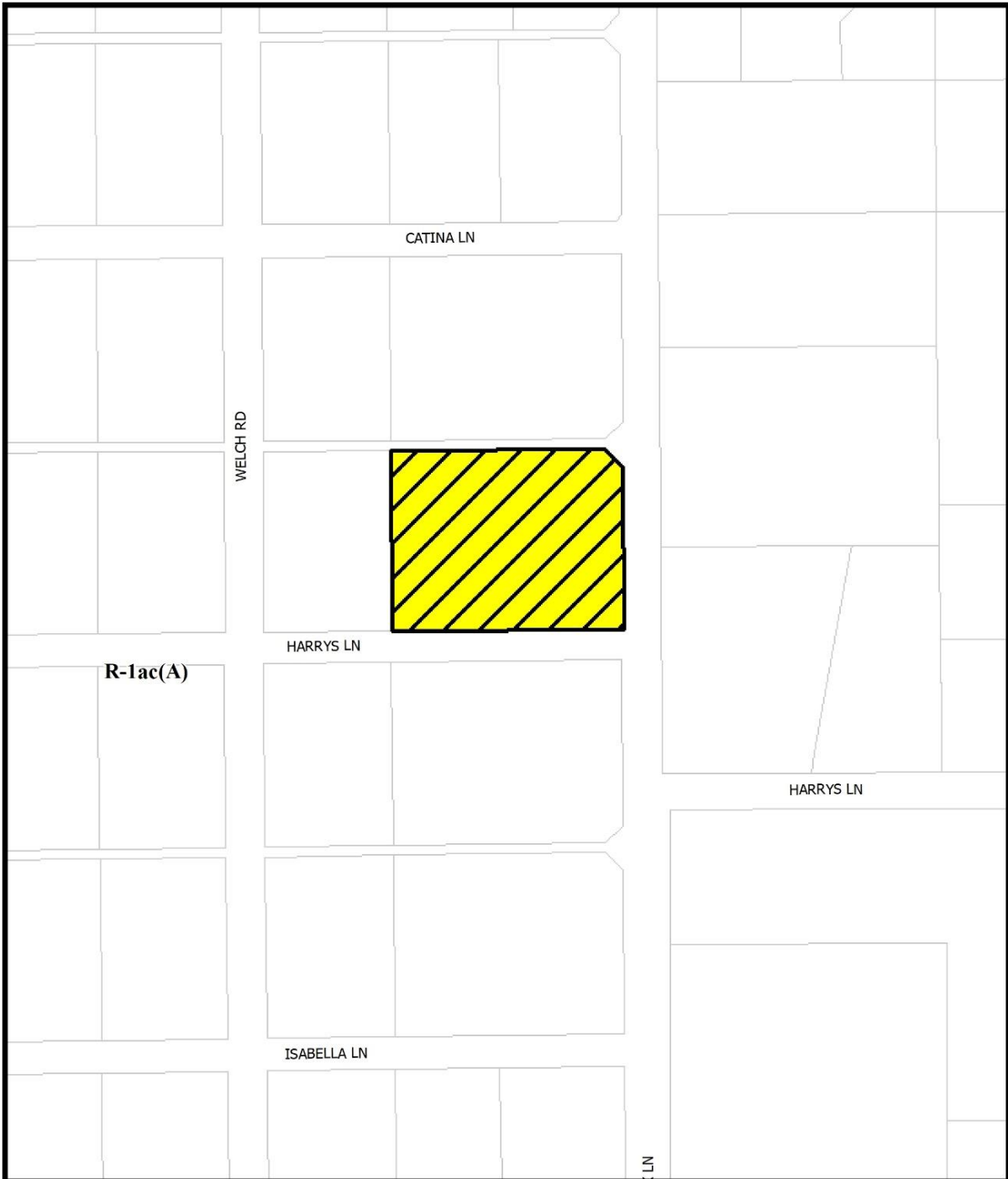
As of April 8, 2022, there have been no letters in support of or opposition to the request.

The applicant has the burden of proof in establishing that the special exception to the fence standards regulation related to the height will not adversely affect neighboring properties.

Granting the special exception to the fence height regulations would require the proposal exceeding four feet-in-height in the front yard setback located along Harrys Lane, Lennox Lane, and the unimproved alley to be maintained in the locations, as shown on the site plan and elevation plan.

Timeline:

- Dec. 10, 2021: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents that have been included as part of this case report.
- March 3, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 8, 2022: The Board Senior Planner emailed the representative the following information:
- a copy of the application materials including the Building Official's report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- March 31, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Board Senior Planner, and the Assistant City Attorney to the Board.
- April 8, 2022: The applicant's representative submitted additional evidence (**Attachment A**).

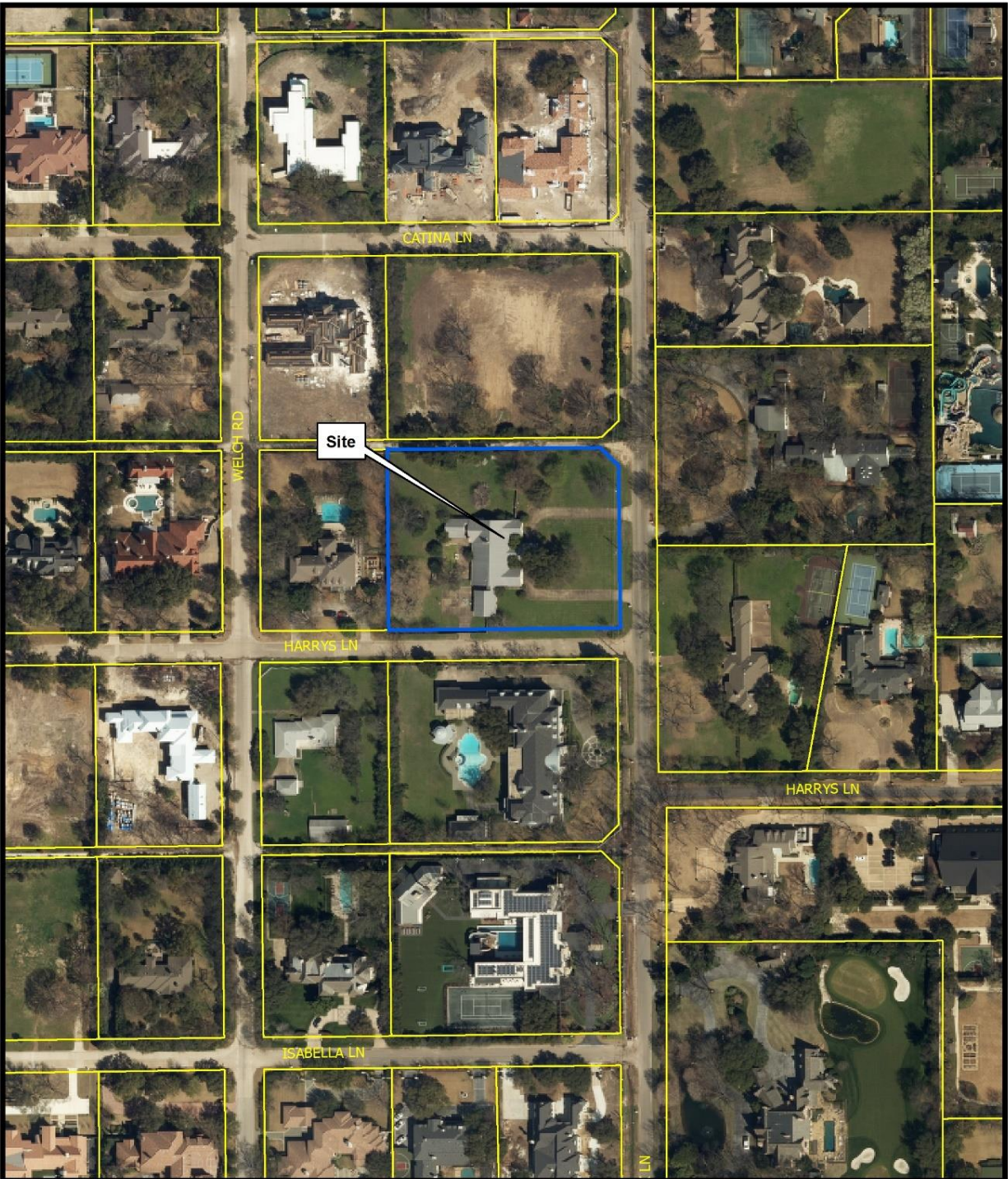


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ZONING MAP

Case no: BDA212-014

Date: 1/5/2022

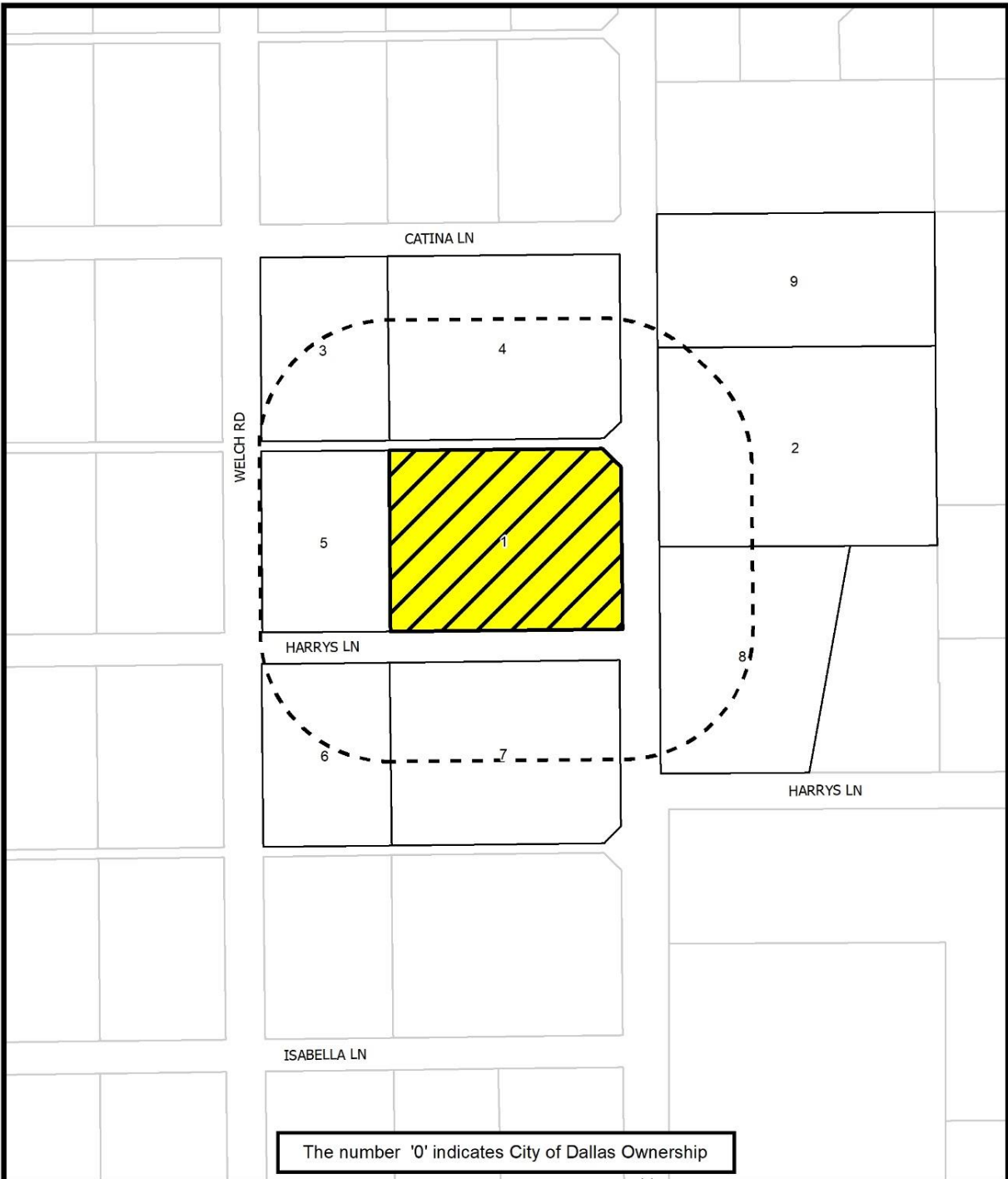


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AERIAL MAP

Case no: BDA212-014

Date: 1/5/2022



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NOTIFICATION

200' AREA OF NOTIFICATION
9 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-014**
 Date: **1/5/2022**

01/04/2022

Notification List of Property Owners

BDA212-014

9 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10625 LENNOX LN	10625 LENNOX LANE LLC
2	10640 LENNOX LN	SILVERTHORNE MARY ROSE
3	4610 CATINA LN	KREUNEN 2012 REVOCABLE TRUST
4	10645 LENNOX LN	MMM FAMILY TRUST
5	4609 HARRYS LN	GOLDSTEIN ROBERT &
6	10580 WELCH RD	BERTRAND CHAN 2012 FAMILY
7	10615 LENNOX LN	AZOUZ DAVID & ANGIE B
8	10626 LENNOX LN	JUTRAS ROBERT N & DORIS L
9	10714 LENNOX LN	NGUYEN JOANNE V & ALEXANDER T



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-014

Data Relative to Subject Property:

Date: December 10, 2021

Location address: 10625 Lennox Lane Zoning District: R-1ac(A)

Lot No.: 3 Block No.: C/5534 Acreage: 2.09 Acres Census Tract: 76.01

Street Frontage (in Feet): 1) 290.8' (Lennox w/ Clip) 2) 357' (Harrys) 3) 3 4) 4 5) 5

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): 10625 Lennox Lane LLC

Applicant: Danielle R. Mathews, AICP Telephone: 214-846-2547

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

E-mail Address: danielle@masterplantexas.com

Represented by: Danielle R. Mathews, AICP Telephone: 214-846-2547

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

E-mail Address: danielle@masterplantexas.com

Affirm that an appeal has been made for a Variance , or Special Exception X, of 5 feet 4 inches to the maximum permitted fence height of 4 feet in the required front yards along Lennox Lane and Harrys Lane.

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:

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.

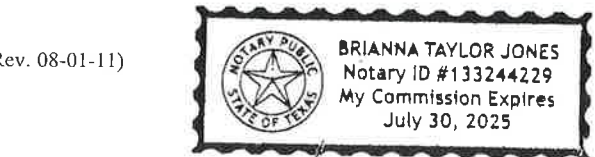
Affidavit

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

Subscribed and sworn to before me this 10 day of December, 2021



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

(Rev. 08-01-11)

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Masterplan-Danielle Mathews

did submit a request for a special exception to the fence height regulations, and for a special exception to the fence standards regulations

at 10625 Lennox Lane

BDA212-014. Application of Masterplan-Danielle Mathews for a special exception to the fence height regulations, and for a special exception to the fence standard regulation at 10625 LENNOX LN. This property is more fully described as Lot 3, Block C/5534, and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet, and prohibits the use of certain materials. The applicant proposes to construct a 9 foot 4 inch high fence in a required front yard, which will require a 5 foot 4 inch special exception to the fence regulations, and to construct a fence using a prohibited material, which will require a special exception to the fence standards regulation.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-014

I, 10625 Lennox Lane LLC, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10625 Lennox Ln., Dallas, TX 75229
(Address of property as stated on application)

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

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

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

Specify: Seeking for a height exception to fence/walls within the front yard set back areas.

STEPHEN A. FUQUA
Print name of property owner or registered agent

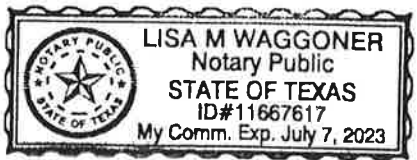
[Signature]
Signature of property owner or registered agent

Date 12-9-2021

Before me, the undersigned, on this day personally appeared STEPHEN A. FUQUA

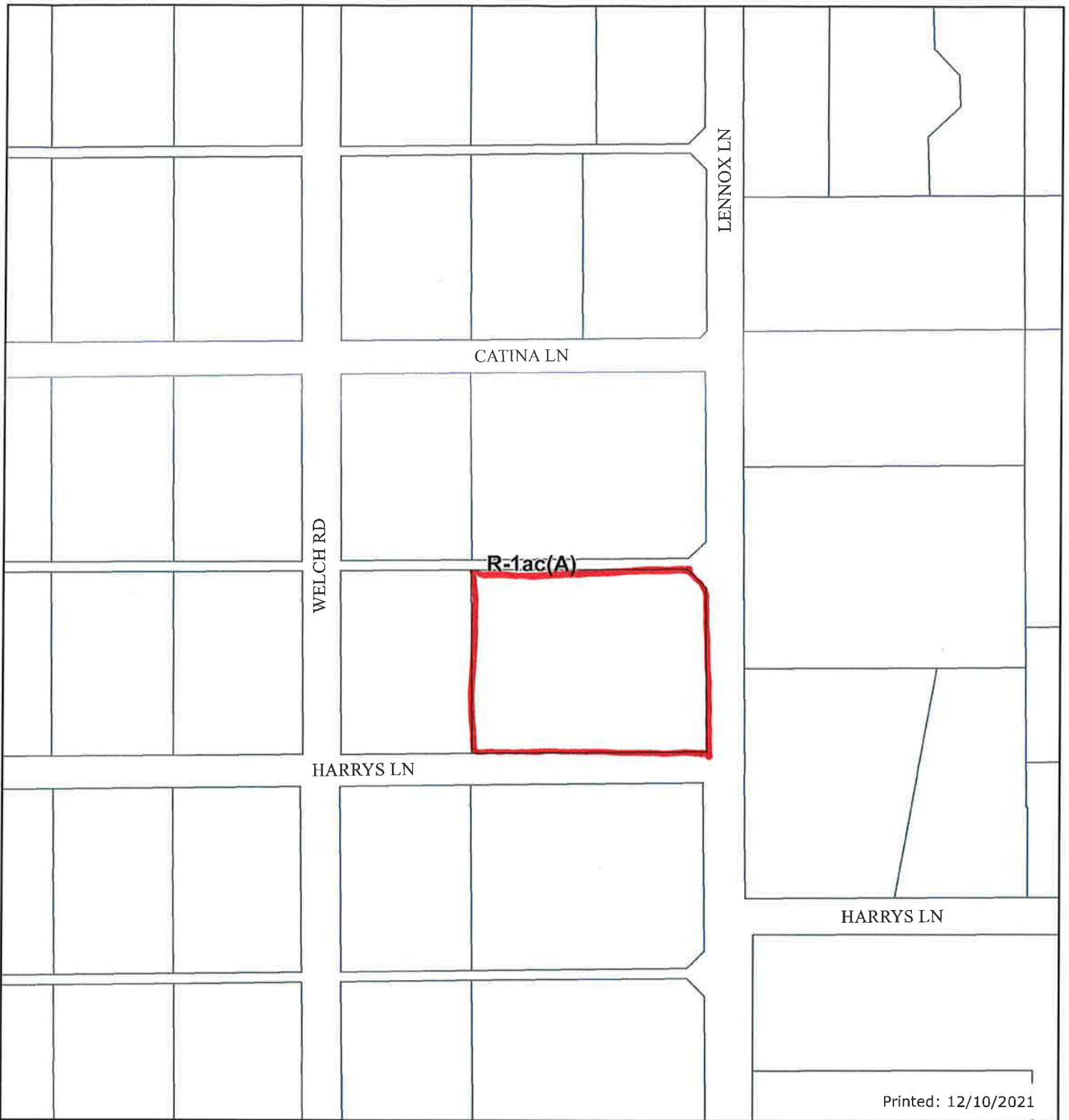
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 9TH day of DECEMBER, 2021



Lisa M. Waggoner
Notary Public for Dallas County, Texas

Commission expires on 07/07/23



Printed: 12/10/2021

Legend

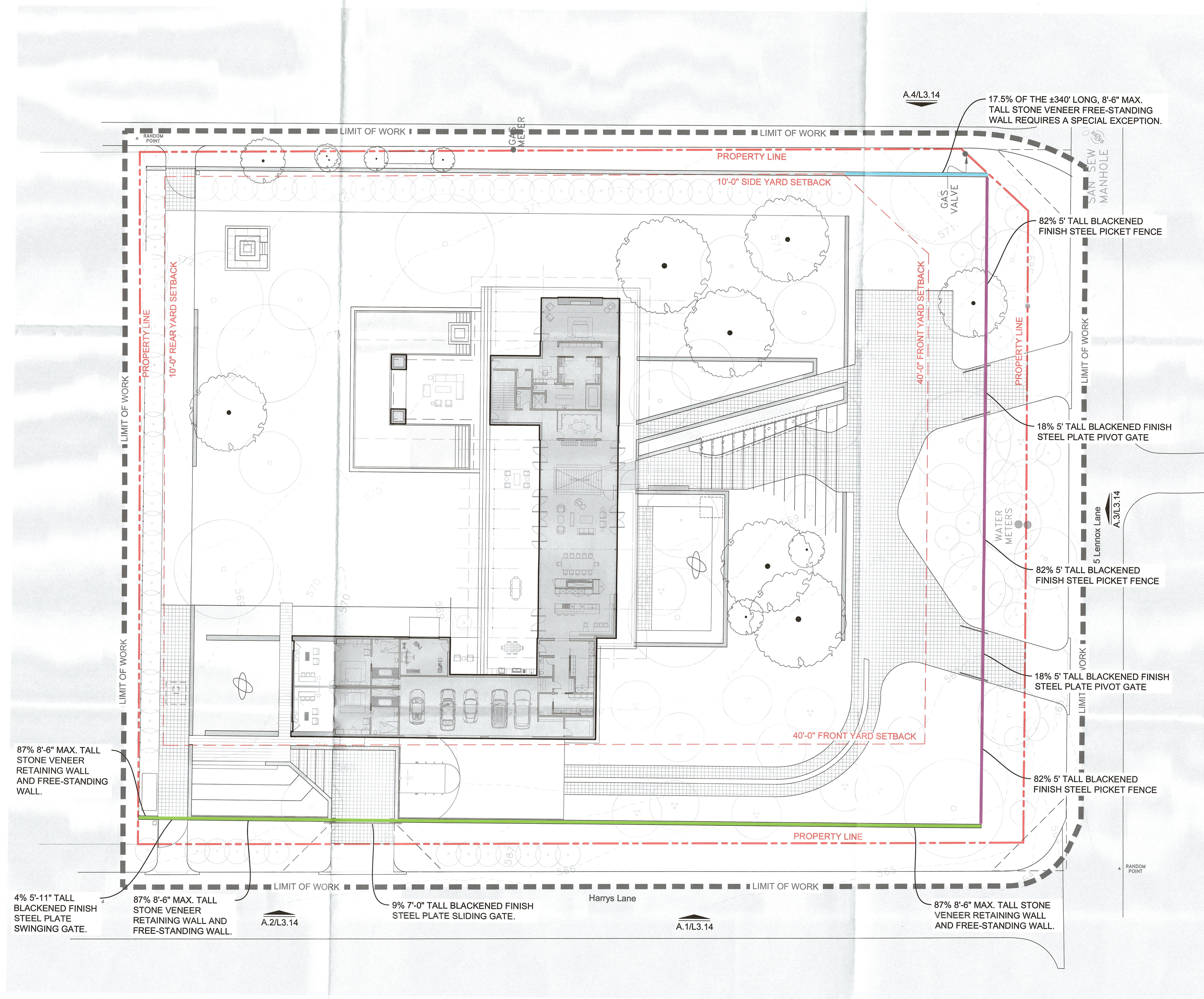
- | | | | |
|----------------------|--------------------------------|-----------------------|----------------------------|
| City Limits | railroad | Dry Overlay | CD Subdistricts |
| School | Certified Parcels | D | PD Subdistricts |
| Floodplain | Base Zoning | D-1 | PDS Subdistricts |
| 100 Year Flood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

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

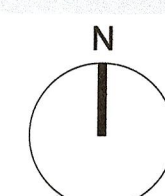
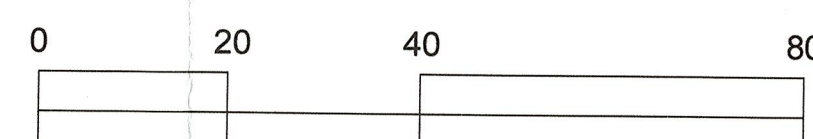


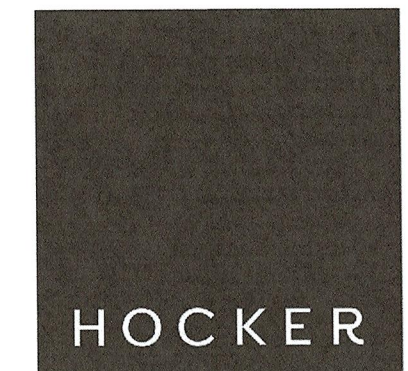
GENERAL NOTES:

- CONSTRUCTION OF SITE ELEMENTS SHALL BE DONE IN ACCORDANCE WITH JURISDICTIONAL CODES APPLICABLE TO THE PROJECT, INCLUDING BUT NOT LIMITED TO THE AMERICANS WITH DISABILITIES ACT (ADA), ALL APPLICABLE FEDERAL, STATE, COUNTY, AND CITY BUILDING CODES; ZONING AND FORESTRY MITIGATION REQUIREMENTS; AND ENERGY CONSERVATION, ELECTRICAL, MECHANICAL, PLUMBING, AND FIRE CODES. GENERAL CONTRACTOR SHALL VERIFY ALL CODE REQUIREMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND BRING ANY DISCREPANCIES BETWEEN CODE REQUIREMENTS AND THE CONSTRUCTION DOCUMENTS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL COORDINATE ALL REQUIREMENTS OF JURISDICTIONAL AUTHORITIES FOR, INCLUDING BUT NOT LIMITED TO, WALKS, DRIVEWAYS, CURBS, GUTTERS, STREETLIGHTS, EASEMENTS, UTILITIES, SIGNAGE, BARRICADES, ETC. ADJACENT TO THE PROPERTY, AND SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR SAME.
- THE CONTRACTOR SHALL EMPLOY EXPERIENCED, FULLY QUALIFIED AND LICENSED SUBCONTRACTORS AND MAINTAIN COOPERATION AMONG ALL TRADES AT ALL TIMES.
- ALL WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND NOTIFY OWNER AND LANDSCAPE ARCHITECT IN WRITING OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO PROCEEDING WITH WORK.
- ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEY AND / OR CIVIL ENGINEER. ANY DISCREPANCIES IN ACTUAL FIELD ELEVATIONS AND MEASUREMENTS SHALL BE REPORTED TO LANDSCAPE ARCHITECT IMMEDIATELY.
- PRIOR TO COMMENCEMENT OF SITE HARDSCAPE CONSTRUCTION, ALL PIERS, FOOTINGS, AND WALLS SHALL BE SURVEYED, LAID OUT AND STAKED IN FIELD FOR REVIEW BY LANDSCAPE ARCHITECT. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR DEMOLITION, ADJUSTMENTS OR PRECONSTRUCTION RESULTING FROM UNAUTHORIZED CONSTRUCTION ACTIVITIES.
- CONTRACTOR IS RESPONSIBLE FOR QUANTIFYING OR VERIFYING PROVIDED QUANTITIES OF ALL ELEMENTS SHOWN IN THE DRAWINGS AND SPECIFICATIONS.
- EASEMENTS, SETBACKS, BUILDINGS, CURBS, GUTTERS AND UNDERGROUND UTILITIES HAVE BEEN PROVIDED BY SURVEY AND PLAT RECORDS. REFER TO SURVEY FOR ADDITIONAL INFORMATION.
- CONTRACTOR SHALL DISPOSE OF EQUIPMENT AND MATERIALS AS REQUIRED. RUBBISH SHALL BE REMOVED DAILY IN ACCORDANCE WITH THE OWNER'S REGULATIONS AND DISPOSED OF IN A LEGAL MANNER.
- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS, BROCHURES, PRODUCT DATA, SAMPLES, ETC., TO THE LANDSCAPE ARCHITECT PER SPECIFICATIONS & SUBMITTALS CHART ON L0.00. DUPLICATES SHALL BE PROVIDED TO ARCHITECT AND OTHER CONSULTANTS, AS APPLICABLE, FOR REVIEW.
- CONTRACTOR SHALL STAMP AND SIGN SUBMITTALS CERTIFYING REVIEW AND VERIFICATION OF PRODUCTS REQUIRED, FIELD DIMENSIONS, ADJACENT CONSTRUCTION WORK AND COORDINATION OF INFORMATION, IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ANY DEVIATIONS SHALL BE NOTED ON THE SUBMITTAL BY THE CONTRACTOR AT THE TIME OF SUBMISSION.
- CONTRACTOR SHALL STORE AND PROTECT BUILDING MATERIALS AND PRODUCTS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS WITH SEALS AND LABELS INTACT AND LEGIBLE. CONTRACTOR SHALL PREVENT DAMAGE, DETERIORATION, AND LOSS, INCLUDING THEFT.
- CONTRACTOR SHALL PROVIDE WARRANTY FOR ALL MATERIALS AND WORKMANSHIP BEGINNING FROM THE DATE OF SUBSTANTIAL COMPLETION IN ACCORDANCE WITH THE SPECIFICATIONS.
- DO NOT WILLFULLY PROCEED WITH CONSTRUCTION OF DESIGN WHEN UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.



A SITE PLAN | 1"=20'-0"

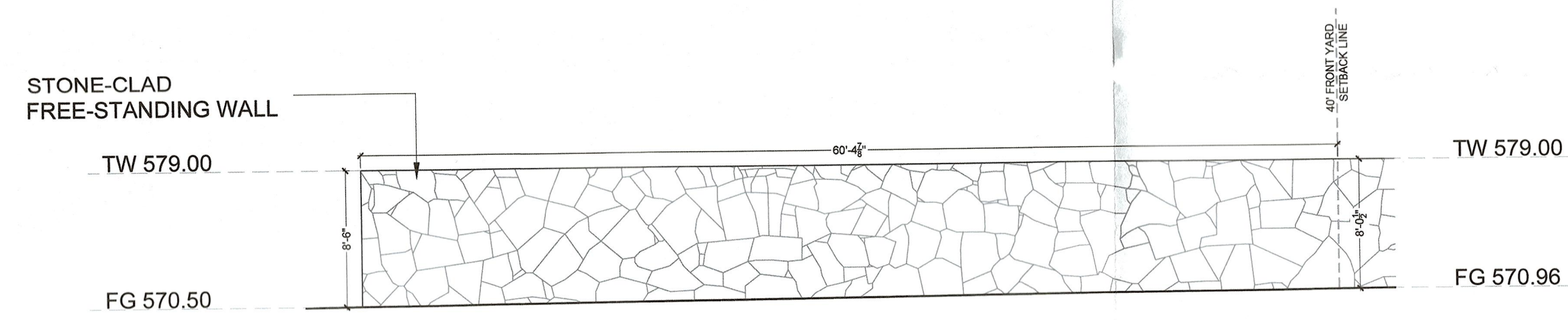




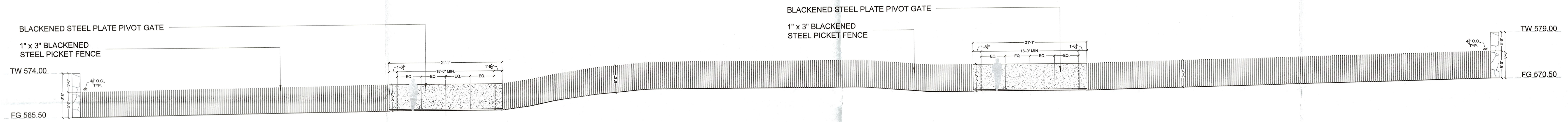
918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Architect
M Gooden Design
3720 Canton St Suite 102
Dallas, TX 75226
p 214.932.9121
f

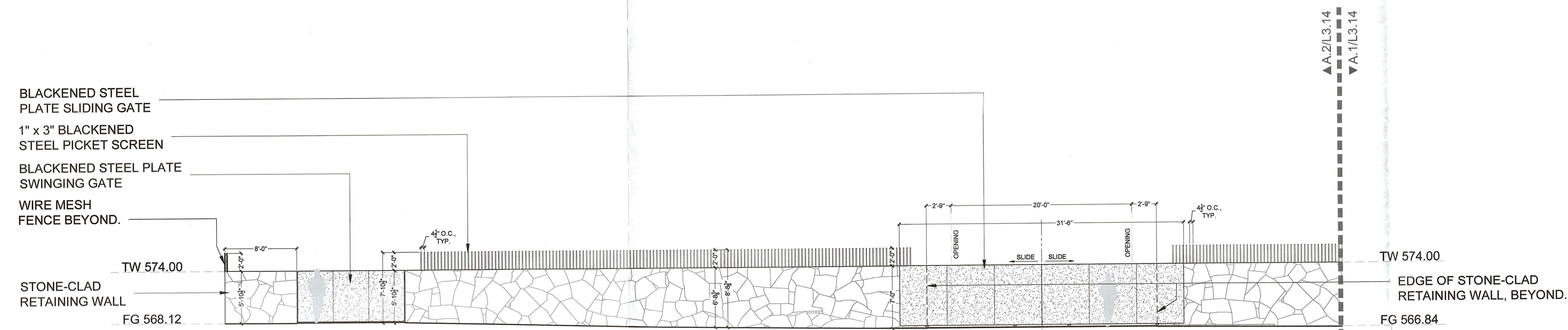
Structural Engineer
Charles Grossman
6080 Tennyson Pkwy #200
Plano, Texas 75024
p 214.473.2678
f xxx.xxx.xxxx



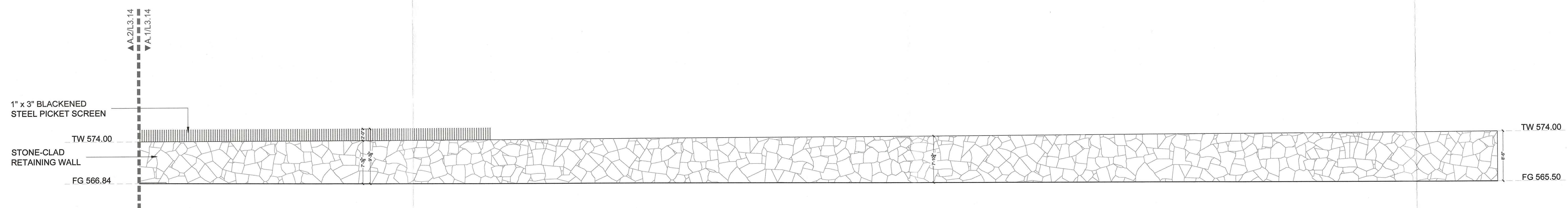
A.4 ELEVATION: STONE-CLAD FREE-STANDING WALL FACING ALLEY | 1/8" = 1'-0"



A.3 ELEVATION: STEEL PICKET FENCE AND STEEL PLATE PIVOT GATES FACING LENNOX LANE | 1/8" = 1'-0"



A.2 ELEVATION: STONE-CLAD RETAINING WALL & STEEL PLATE GATES FACING HARRYS LANE | 1/8" = 1'-0"



A.1 ELEVATION: STONE-CLAD RETAINING WALL FACING HARRYS LANE | 1/8" = 1'-0"

**Lennox Lane
Residence**
10625 Lennox Lane, Dallas, Texas, 75229

Issue/Revisions:		
01	Pricing Set	09.01.2021
02	Bid Set	12.06.2021

**NOT FOR: REGULATORY
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Wall & Fence
Exhibit

L3.14



8 April 2022

Panel B, City of Dallas Board of Adjustment
Planning and Urban Design
1500 Marilla
Dallas, TX 75201

RE: BDA212-014; 10625 Lennox Lane

Dear Board Member:

Pertinent Development Code Regulations

SEC. 51A-4.602(a)(2): "In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard."

SEC. 51A-4.602(11): "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."

Neighborhood Design Consensus

The development team collaborated electronically with neighbors, and on March 1, 2022, received a letter of support from a key spokesperson. Please find the letter attached. Reaching a design consensus with surrounding property owners ensures compatibility within this area, and shows our desire to not adversely affect the current fence patterns in the established neighborhood.

Summary

The subject site, measuring approximately 2.09 acres, fronts Lennox Lane on the west and abuts the north line of Harrys Lane. In accordance with SEC. 51A-4.602, the subject site must comply with the following fence standard: "In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard." Furthermore, because of block face continuity, the site has two front yards. Therefore, special exceptions are required for the fences located along Harrys Lane and Lennox Lane.

The owner of the subject site proposes to construct an approximately 319' long fence along Lennox Lane (which includes the corner clip at the alley), and an approximately 340.5' long fence along Harrys Lane.

Along Lennox Lane, the following is proposed:

- a 5' tall, blackened steel picket fence; and
- two, 5' tall, 24'-9" long, blackened steel picket pivot gates.

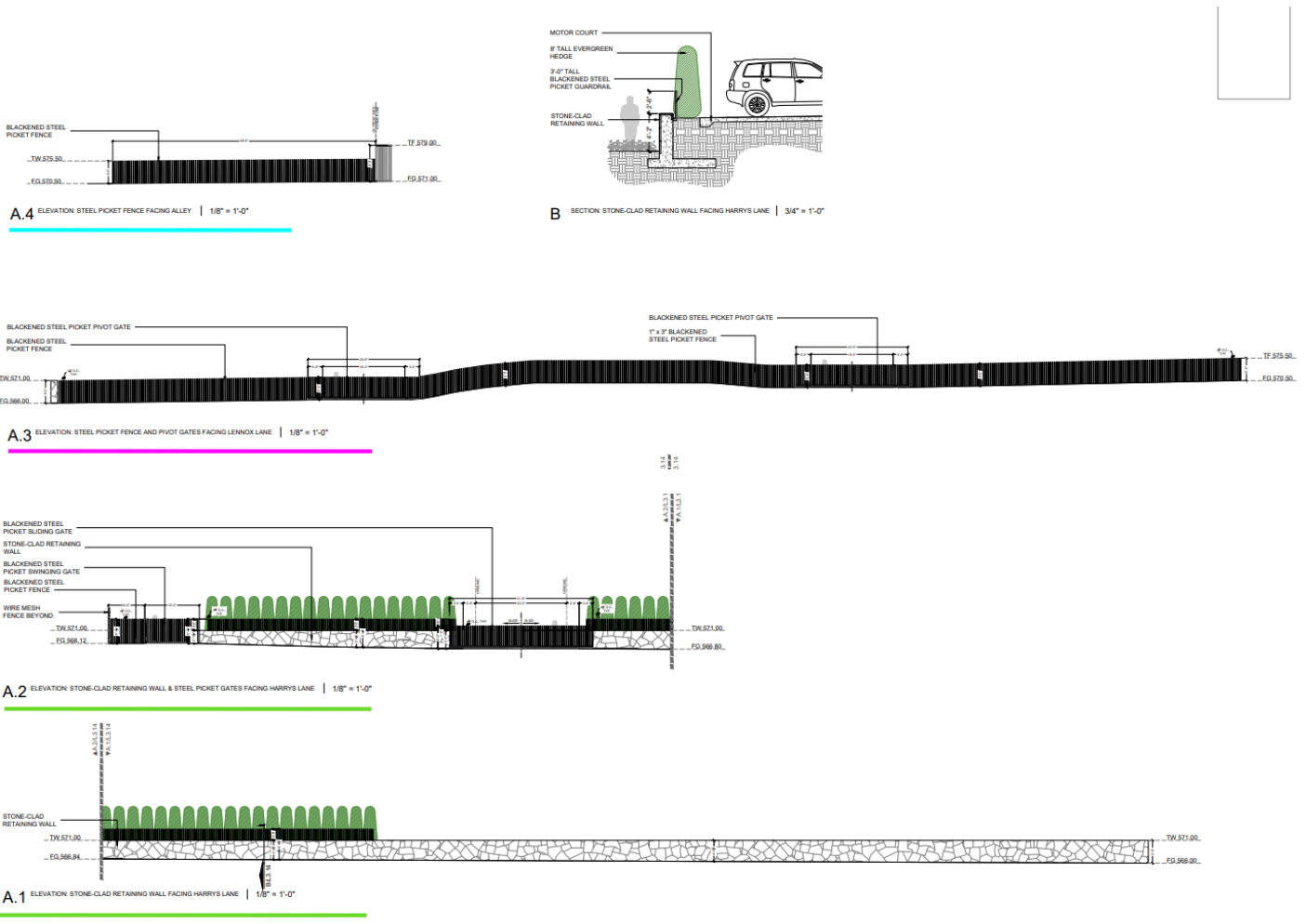
A portion of this fence also encroaches into the corner clip at the alley along Lennox Lane.

Along Harrys Lane, the following is proposed:

- a 5'-4.5" tall, blackened steel picket fence;
- an approximately 5'-4.5" tall, 12' long blackened steel picket swinging gate;
- a stone wall with blackened steel pickets and incorporated landscaping on top that varies between approximately 5'-4.5" tall to 6'-8.75" tall;
- a stone wall without blackened steel pickets on top that reaches a height of 5'; and
- an approximately 5' tall, 31'-6" long, blackened steel picket sliding gate.

Therefore, while a special exception of 5'-4" to the maximum permitted height of 4' was originally requested to accommodate a previous design, a special exception of 3' to the maximum permitted height of 4' is now requested. This revised request was made after neighborhood discussions to determine what would be compatible with the neighborhood.

The proposed fence location complies with visibility triangle and drive gate requirements, as well as openness requirements for materials. Please see renderings of the desired fence below.



BDA History

Several properties surrounding the subject site have received Board of Adjustment approval for fence height special exceptions in required front yards within the past five years:

Case Number	Address	Action
BDA167-047	10545 Lennox Lane	Panel C approved an eight-foot high fence on April 17, 2017.
BDA167-140	10564 Lennox Lane	Panel C approved a six-foot high fence on December 11, 2017.
BDA178-038	10515 Lennox Lane	Panel C approved an five-foot, eight-inch high fence on May 21, 2018.
BDA178-111	10650 Strait Lane	Panel B approved a nine-foot high fence on October 17, 2018.
BDA178-127	10747 Lennox Lane	Panel B approved a six-foot high fence on November 14, 2018.
BDA189-099	4554 Harry's Lane	Panel C approved a six-foot, six-inch high fence on October 21, 2019.

BDA190-050	4610 Catina Lane	Panel C approved an eight-foot, six-inch high fence on June 22, 2020.
BDA190-079	4651 Catina Lane	Panel C approved a six-foot, six-inch high fence on October 19, 2020.
BDA201-092	10645 Lennox Lane	Panel C approved a nine-foot high fence on March 21, 2022.

Conclusion

SEC. 51A-4.602 allows the Board of Adjustment to grant a special exception to the fence standards when, in the opinion of the board, the special exception will not adversely affect neighboring property. Multiple surrounding properties have front yard fences, all with vehicular gates. Several of these are over four feet in height (some have Board of Adjustment approval per the table above). Most importantly, the development team successfully collaborated with the neighborhood to determine a fence design that would be in keeping with the neighborhood's character.

In summary, the client is asking for a special exception of three feet to the maximum permitted fence height of four feet in the required front yard setback. All other aspects of the development comply with the zoning ordinance's fence standards.

Regards,



Danielle R. Mathews, AICP
Consultant
Masterplan Texas

RICHARD D. SQUIRES

**10453 Lennox Lane
Dallas, TX 75229**

March 1, 2022

Re: Support of BDA201-092
10625 Lennox Lane, Variance Hearing
Dallas, Texas

Dear City of Dallas Board of Adjustment members:

My understanding is that the property owners at **10625 Lennox Lane** are requesting a special exception variance from the City of Dallas regulations.

The homeowners and development team have collaborated with the neighborhood, and I believe that we've reached a consensus regarding the proposed designs that we feel keeps with the spirit and character of our neighborhood.

I support and respectfully ask that you approve our neighbors' request.

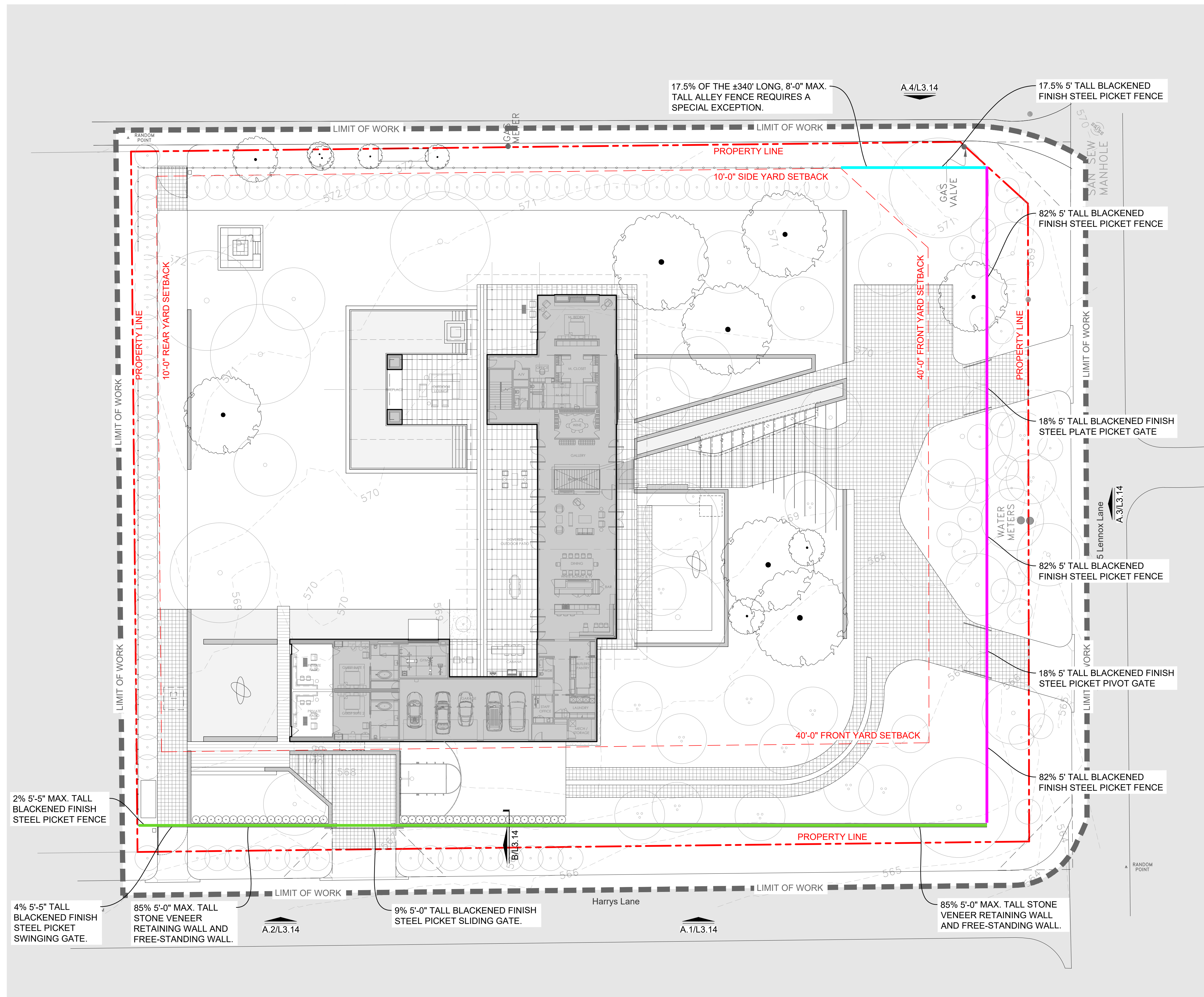
Richard D. Squires
Printed Name

Signature

10453 Lennox Lane,
Dallas, Texas 75229

March 1, 2022
Date

BDA212-014 ATTACHMENT_B



- GENERAL NOTES:**
- CONSTRUCTION OF SITE ELEMENTS SHALL BE DONE IN ACCORDANCE WITH JURISDICTIONAL CODES APPLICABLE TO THE PROJECT, INCLUDING BUT NOT LIMITED TO THE AMERICANS WITH DISABILITIES ACT (ADA). ALL APPLICABLE FEDERAL, STATE, COUNTY, AND CITY BUILDING CODES; ZONING AND FORESTRY MITIGATION REQUIREMENTS; AND ENERGY CONSERVATION, ELECTRICAL, MECHANICAL, PLUMBING, AND FIRE CODES. GENERAL CONTRACTOR SHALL VERIFY ALL CODE REQUIREMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND BRING ANY DISCREPANCIES BETWEEN CODE REQUIREMENTS AND THE CONSTRUCTION DOCUMENTS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
 - CONTRACTOR SHALL COORDINATE ALL REQUIREMENTS OF JURISDICTIONAL AUTHORITIES FOR, INCLUDING BUT NOT LIMITED TO, WALKS, DRIVEWAYS, CURBS, GUTTERS, STREETLIGHTS, EASEMENTS, UTILITIES, SIGNAGE, BARRICADES, ETC. ADJACENT TO THE PROPERTY, AND SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR SAME.
 - THE CONTRACTOR SHALL EMPLOY EXPERIENCED, FULLY QUALIFIED AND LICENSED SUBCONTRACTORS AND MAINTAIN COOPERATION AMONG ALL TRADES AT ALL TIMES.
 - ALL WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS. NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
 - CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND NOTIFY OWNER AND LANDSCAPE ARCHITECT IN WRITING OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO PROCEEDING WITH WORK.
 - ALL PROPOSED AND FINISHED GRADES ARE BASED ON INFORMATION PROVIDED BY THE OWNER'S SURVEY AND / OR CIVIL ENGINEER. ANY DISCREPANCIES IN ACTUAL FIELD ELEVATIONS AND MEASUREMENTS SHALL BE REPORTED TO LANDSCAPE ARCHITECT IMMEDIATELY.
 - PRIOR TO COMMENCEMENT OF SITE HARDSCAPE CONSTRUCTION, ALL PIERS, FOOTINGS, AND WALLS SHALL BE SURVEYED, LAID OUT AND STAKED IN FIELD FOR REVIEW BY LANDSCAPE ARCHITECT. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR DEMOLITION, ADJUSTMENTS OR PRECONSTRUCTION RESULTING FROM UNAUTHORIZED CONSTRUCTION ACTIVITIES.
 - CONTRACTOR IS RESPONSIBLE FOR QUANTIFYING OR VERIFYING PROVIDED QUANTITIES OF ALL ELEMENTS SHOWN IN THE DRAWINGS AND SPECIFICATIONS.
 - EASEMENTS, SETBACKS, BUILDINGS, CURBS, GUTTERS AND UNDERGROUND UTILITIES HAVE BEEN PROVIDED BY SURVEY AND PLAT RECORDS. REFER TO SURVEY FOR ADDITIONAL INFORMATION.
 - CONTRACTOR SHALL DISPOSE OF EQUIPMENT AND MATERIALS AS REQUIRED. RUBBISH SHALL BE REMOVED DAILY IN ACCORDANCE WITH THE OWNER'S REGULATIONS AND DISPOSED OF IN A LEGAL MANNER.
 - CONTRACTOR SHALL SUBMIT SHOP DRAWINGS, BROCHURES, PRODUCT DATA, SAMPLES, ETC., TO THE LANDSCAPE ARCHITECT PER SPECIFICATIONS & SUBMITTALS CHART ON U.0.00. DUPLICATES SHALL BE PROVIDED TO ARCHITECT AND OTHER CONSULTANTS, AS APPLICABLE, FOR REVIEW.
 - CONTRACTOR SHALL STAMP AND SIGN SUBMITTALS CERTIFYING REVIEW AND VERIFICATION OF PRODUCTS REQUIRED, FIELD DIMENSIONS, ADJACENT CONSTRUCTION WORK AND COORDINATION OF INFORMATION, IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. ANY DEVIATIONS SHALL BE NOTED ON THE SUBMITTAL BY THE CONTRACTOR AT THE TIME OF SUBMISSION.
 - CONTRACTOR SHALL STORE AND PROTECT BUILDING MATERIALS AND PRODUCTS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS WITH SEALS AND LABELS INTACT AND LEGIBLE. CONTRACTOR SHALL PREVENT DAMAGE, DETERIORATION, AND LOSS, INCLUDING THEFT.
 - CONTRACTOR SHALL PROVIDE WARRANTY FOR ALL MATERIALS AND WORKMANSHIP BEGINNING FROM THE DATE OF SUBSTANTIAL COMPLETION IN ACCORDANCE WITH THE SPECIFICATIONS.
 - DO NOT WILLFULLY PROCEED WITH CONSTRUCTION OF DESIGN WHEN UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.



918 DRAGON ST
DALLAS, TX 75207
HOCKERDESIGN.COM
214 915 0910

Architect
M Gooden Design
3720 Canton St Suite 102
Dallas, TX 75226
p 214.932.9121
f

Structural Engineer
Charles Grossman
6080 Tennyson Pkwy #200
Plano, Texas 75024
p 214.473.2678
f xxx.xxx.xxxx

**Lennox Lane
Residence**
10625 Lennox Lane, Dallas, Texas, 75229

Issue/Revisions:		
01	Pricing Set	09.01.2021
02	Bid Set	12.06.2021

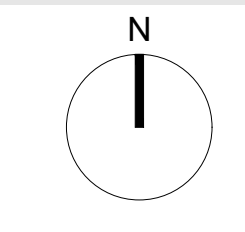
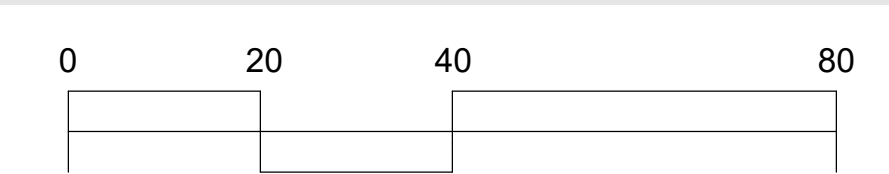
NOT FOR: REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

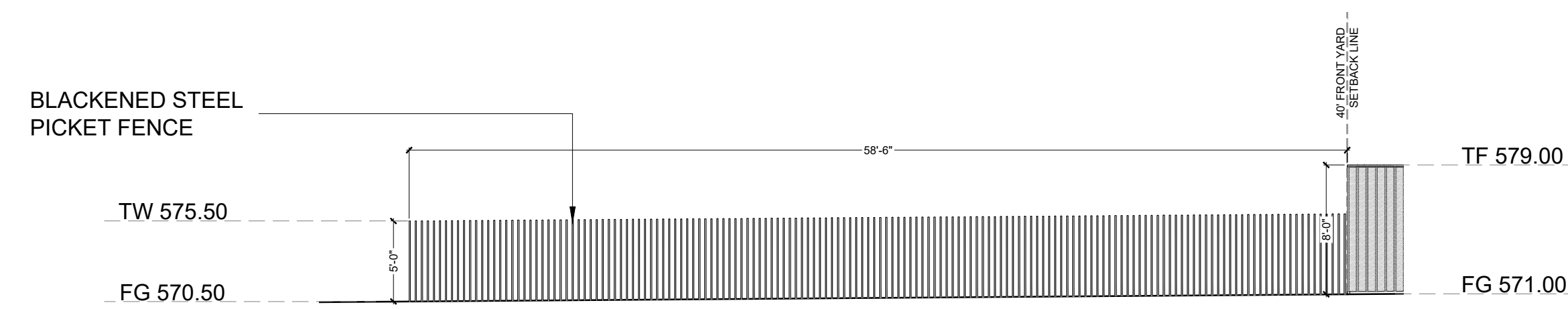
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Site Plan

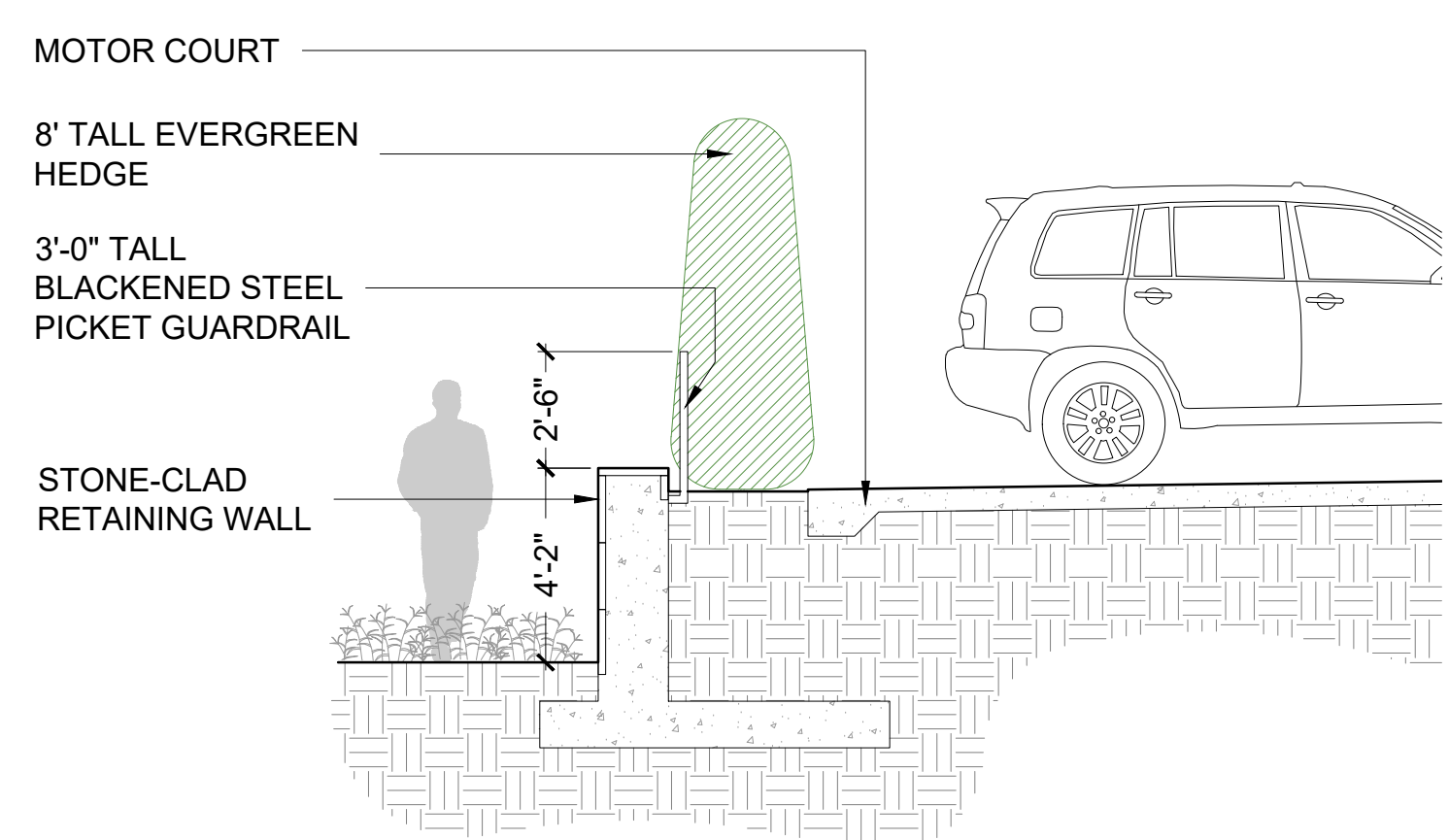
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A SITE PLAN | 1"=20'-0"

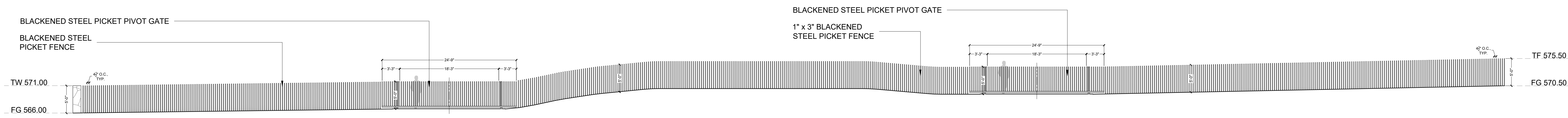




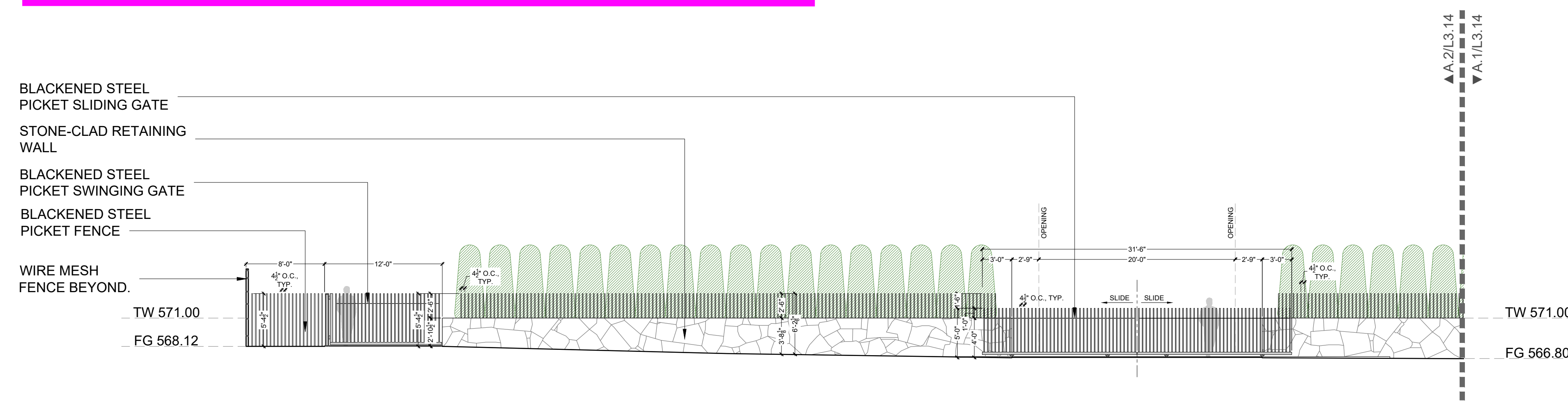
A.4 ELEVATION: STEEL PICKET FENCE FACING ALLEY | 1/8" = 1'-0"



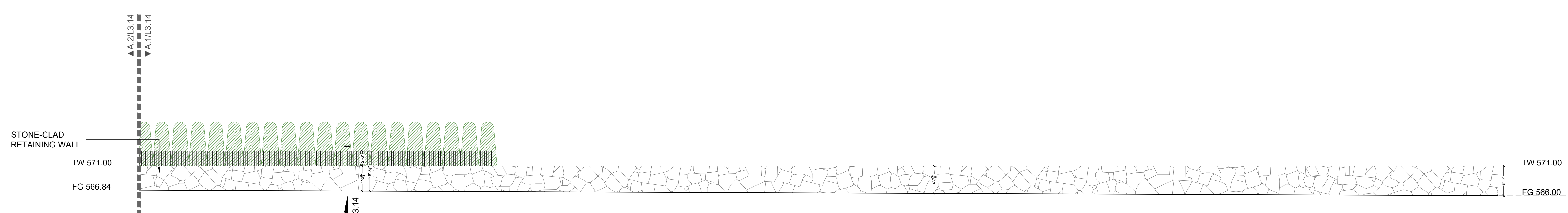
B SECTION: STONE-CLAD RETAINING WALL FACING HARRYS LANE | 3/4" = 1'-0"



A.3 ELEVATION: STEEL PICKET FENCE AND PIVOT GATES FACING LENNOX LANE | 1/8" = 1'-0"



A.2 ELEVATION: STONE-CLAD RETAINING WALL & STEEL PICKET GATES FACING HARRYS LANE | 1/8" = 1'-0"



A.1 ELEVATION: STONE-CLAD RETAINING WALL FACING HARRYS LANE | 1/8" = 1'-0"

**Lennox Lane
Residence**
10625 Lennox Lane, Dallas, Texas, 75229

Issue/Revisions:

01	Pricing Set	09.01.2021
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Wall & Fence
Exhibit

L3.14

FILE NUMBER: BDA212-024(JM)

BUILDING OFFICIAL'S REPORT: Application of Karen Tellez for special exceptions to afford a handicapped person equal opportunity to use and enjoy a dwelling at 7643 Rosemont Road. This property is more fully described as Lot 1-C, Block C-1/6289, and is zoned an R-7.5(A) Single Family District, where 1) an accessory structure may not exceed 25 percent of the floor area of the main structure; and, 2) the number of dwelling units is limited to one.

LOCATION: 7643 Rosemont Road

APPLICANT: Karen Tellez

REQUESTS:

The applicant proposes to construct an additional dwelling unit (not for rent), which will require a special exception to the single-family use regulations, and to construct a single-family residential accessory structure with 800 square feet of floor area (66.2 percent of the 1,208 square foot floor area of the main structure), which will require a 498-square-foot special exception to the floor area ratio regulations.

STANDARD FOR A SPECIAL EXCEPTION FOR THE HANDICAPPED:

Section 51A-1.107(b)(1) states that the board of adjustment shall grant a special exception to any regulation in this chapter, if, after a public hearing, the board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. The term "handicapped person," means a person with a "handicap," as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception for the handicapped since the basis for this type of appeal is when the board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling.

Zoning:

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

Land Use:

The subject site and all surrounding properties contain single-family uses.

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The following requests for special exceptions for the handicapped focus on constructing and maintaining an additional dwelling unit (not for rent) with a floor area greater than 25 percent of the main structure to afford a handicapped person equal opportunity to use and enjoy a dwelling.

The site is zoned an R-7.5(A) Single Family District, which permits a maximum of one dwelling unit per lot. Additionally, this district allows all accessory structures on a site to equal 25 percent or less of the floor area of the main structure.

The submitted site plan and elevation plans denote one single-family dwelling structure with 1,208 square feet of floor area. DCAD records corroborate the house size, constructed in 1958, and show no additional improvements on the property. Internal City records show that a permit for an 800-square-foot detached garage was requested on March 19, 2020. Subsequently, a second permit for an accessory structure was sought on April 1, 2021, again for an 800-square-foot detached accessory structure. Neither permit has been completed.

Staff conducted a site visit of the property and surrounding area. Due to the property being gated, only a small portion of the interior lot was visible, with a detached structure located in the rear yard.

Section 51A-1.107(b)(1) states that the Board of Adjustment shall grant a special exception to any regulation in this chapter, if, after a public hearing, the board finds that the exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling. The term "handicapped person," means a person with a "handicap," as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended.

A copy of the “handicap” definition from this act was provided to the Board Administrator by the City Attorney’s Office. Section 3602 of this act states the following:

“(h) “Handicap” means, with respect to a person -

1. a physical or mental impairment which substantially limits one or more of such person’s major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 802 of Title 21).”

Therefore, the board is to consider this special exception for the handicapped request solely on whether they conclude that the special exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling.

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

- The special exception is necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling; and
- There is a person with a “handicap” (as that term is defined in the Federal Fair Housing Amendments Act of 1988, as amended) who resides and/or will reside on the site.

As of April 8, 2022, the applicant did not provide any evidence and no letters have been received regarding this request.

If the board were to grant the requests, typical conditions include compliance with the submitted site plan and that the special exceptions expires when a handicapped person no longer resides on the property. Additionally, due to the request for an additional dwelling unit, a suitable condition consistent with other ADU requests is for the board to require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

Timeline:

January 20, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

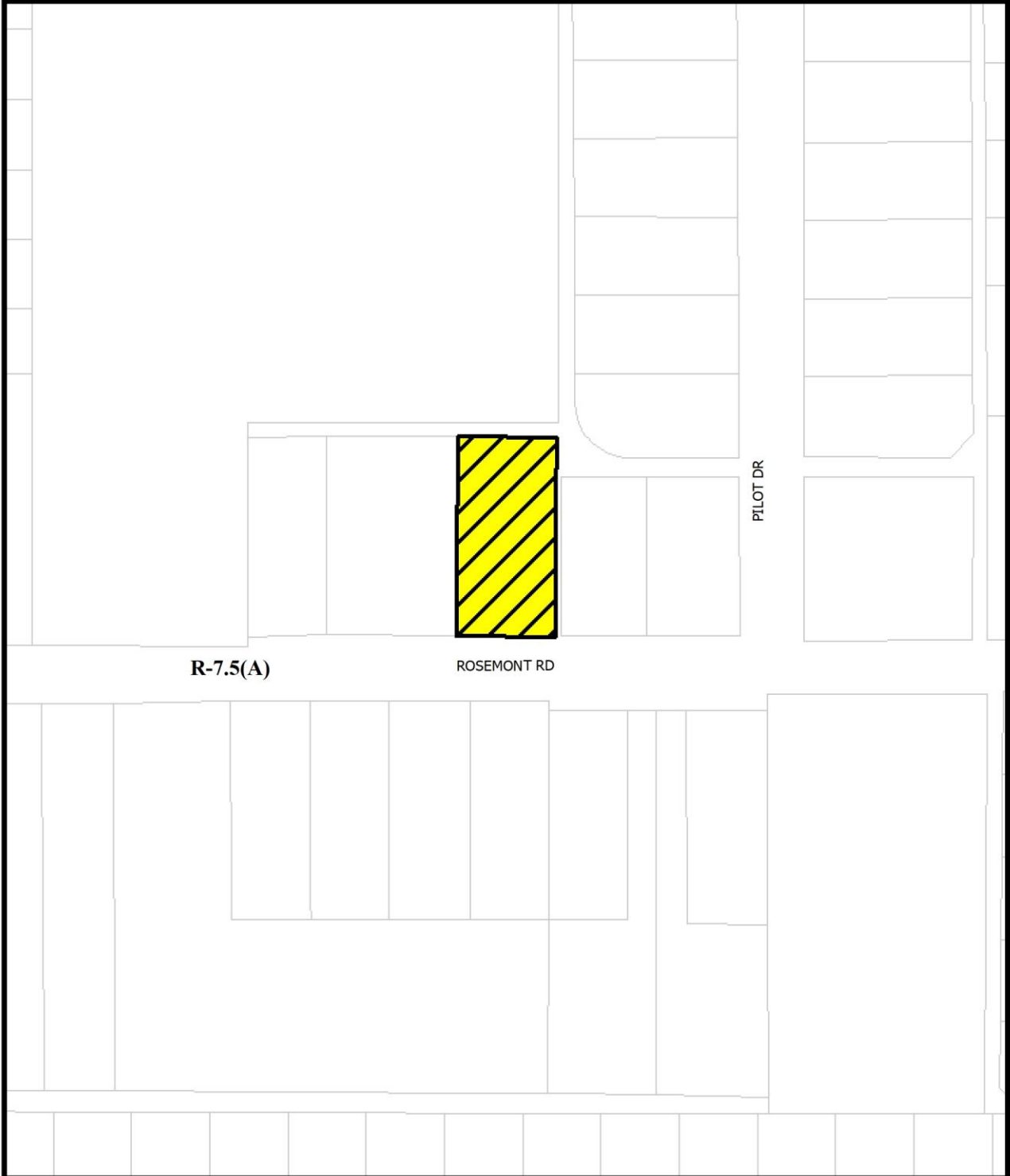
March 3, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.

March 15, 2022: The Board Administrator emailed the applicant the following information:

- a copy of the application materials including the Building Official's report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

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

April 8, 2022: No evidence, review sheets, or letters have been received.



R-7.5(A)

ROSEMONT RD

PILOT DR

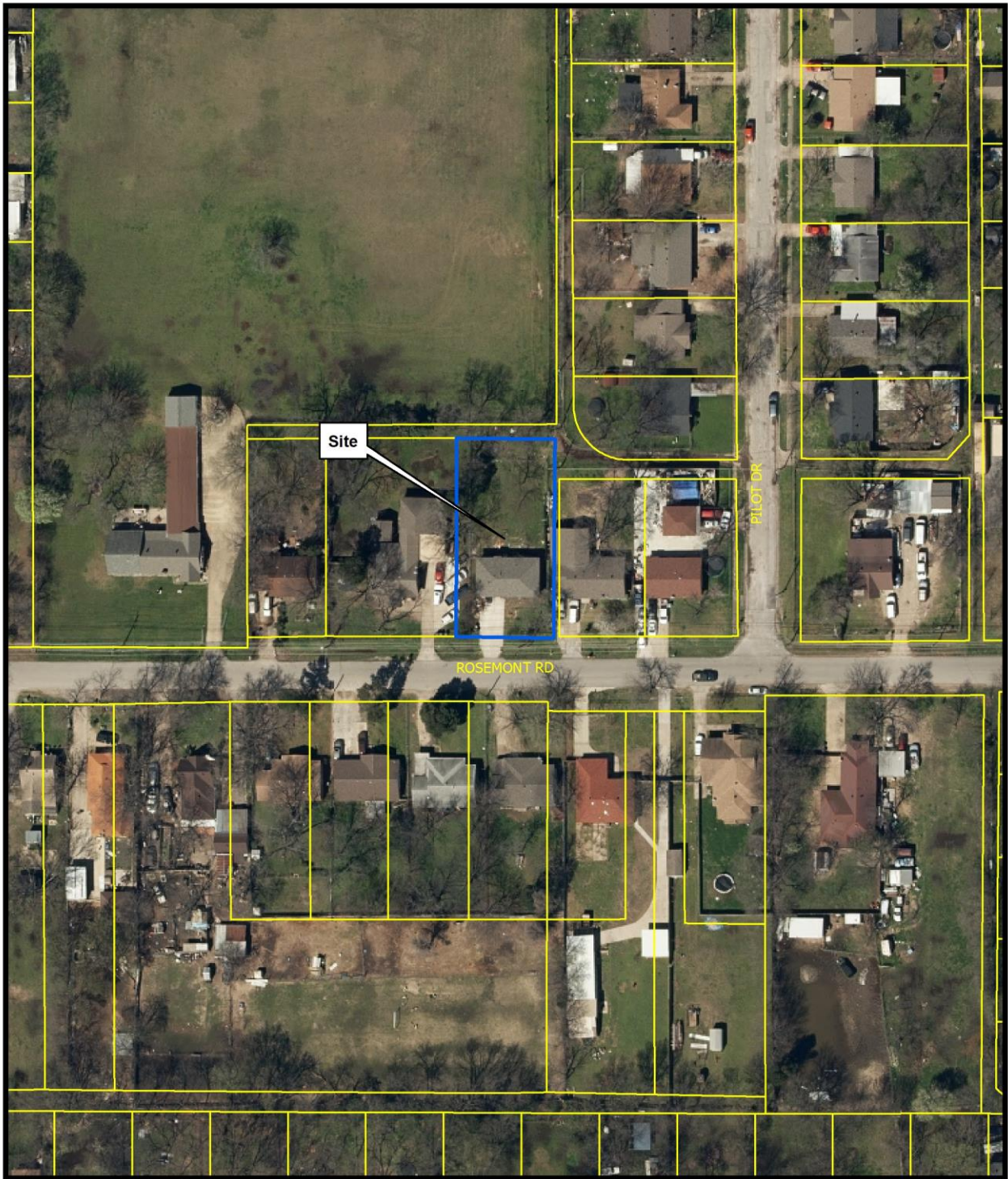


1:1,200

ZONING MAP

Case no: BDA212-024

Date: 3/9/2022

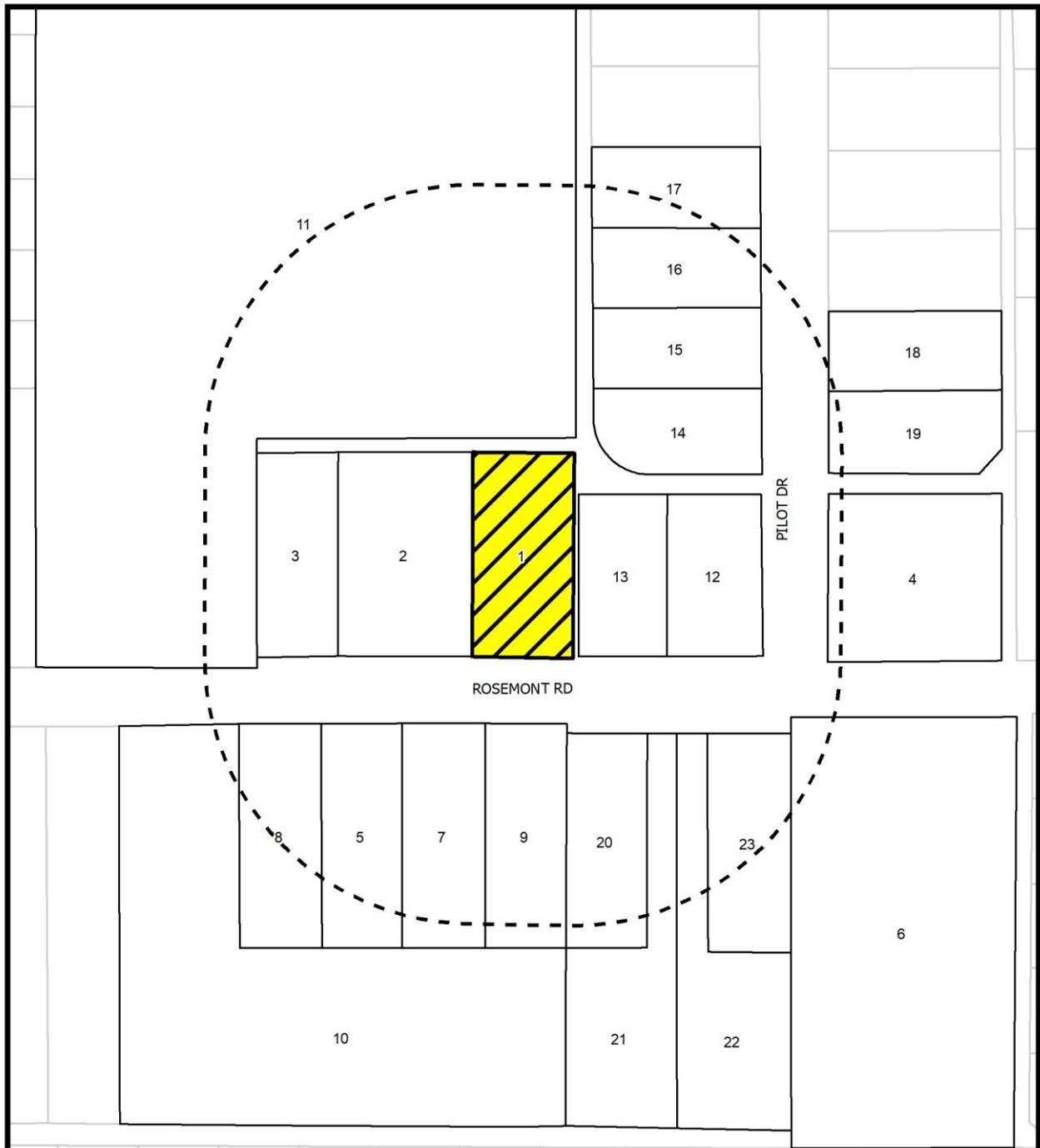


1:1,200

AERIAL MAP

Case no: BDA212-024

Date: 3/9/2022



The number '0' indicates City of Dallas Ownership



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
23 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-024**

Date: **3/9/2022**

03/09/2022

Notification List of Property Owners

BDA212-024

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7643 ROSEMONT RD	BENITEZ MIGUEL
2	7633 ROSEMONT RD	QUINTANILLA OLGA
3	7627 ROSEMONT RD	VILLA FRANCISCO & ISABEL
4	7721 ROSEMONT RD	MARTIN JORGE
5	7638 ROSEMONT RD	MELENDEZ PASTOR & SONIA E
6	7720 ROSEMONT RD	ACEVES MARCELINA
7	7642 ROSEMONT RD	MEJIA JUAN C & ANA L
8	7632 ROSEMONT RD	BURKHAM TERESIA ANN DAVIS
9	7646 ROSEMONT RD	MORIN ESEQUIEL & DELORES
10	7622 ROSEMONT RD	ZELAYA GILBERTO &
11	7621 ROSEMONT RD	GARCIA MARY
12	7711 ROSEMONT RD	DELAGARZA DELIA G
13	7705 ROSEMONT RD	FARIAS CLAUDIA
14	815 PILOT DR	VILLAGRAM JUAN
15	819 PILOT DR	ABEL DARLINE P
16	823 PILOT DR	SAUCEDO MARIO A
17	827 PILOT DR	MORALES MARIO &
18	820 PILOT DR	CASTILLO LUIS ENRIQUE
19	816 PILOT DR	DEVORA JOSE G &
20	7702 ROSEMONT RD	FLORES ROJELIO JR
21	5 ROSEMONT RD	FLORES ROJELIO JR
22	5 ROSEMONT RD	PADILLA TOMAS U
23	7712 ROSEMONT RD	ABONSA JESUS



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-024
Date: January 20, 2022

Data Relative to Subject Property:

Location address: 7043 Rosemont Drive
Zoning District: R-7.5(A)
Lot No.: 1-C Block No.: C-1/0289 Acreage: 0.205 Census Tract: 93.01
Street Frontage (in Feet): 1) 60' 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Miguel Angel Benitez merdoza
Applicant: Karen Tellez Telephone:
Mailing Address: 1005 W. Jefferson Blvd. # 205 Zip Code: 75208
E-mail Address: karen@district1studio.com
Represented by: Telephone:
Mailing Address: Zip Code:
E-mail Address:

Affirm that an appeal has been made for a Variance or Special Exception of Floor area
allowed 302 sq. ft. and we are proposing 200 sq. ft.
additional dwelling unit - detached. (not for rent)

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:
To afford the handicap the ability to use and enjoy
the premises.

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 Karen Tellez
(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 ___ day of ___



[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 KAREN TELLEZ

did submit a request for a special exception to afford a handicapped person equal opportunity to use and enjoy a dwelling, and for a special exception to afford a handicapped person equal opportunity to use and enjoy a dwelling at 7643 Rosemont Road

BDA212-024. Application of KAREN TELLEZ for a special exception to afford a handicapped person equal opportunity to use and enjoy a dwelling, and for a special exception to afford a handicapped person equal opportunity to use and enjoy a dwelling at 7643 ROSEMONT RD. This property is more fully described as Lot 1-C, Block C-1/6289, and is zoned R-7.5(A), which an accessory structure may not exceed 25% of the floor area of the main structure and limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit (not for rent), which will require a special exception to the single family zoning use regulations, and to construct a single family residential accessory structure with 800 square feet of floor area (66.2% of the 1208 square foot floor area of the main structure), which will require a 498 square foot special exception to the floor area ratio regulations.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-024

I, Miguel angel Benitez mendoza, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 7643 Rosemont Road Dallas, TX 75217
(Address of property as stated on application)

Authorize: karen Tellez
(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: Floor area and Additional Dwelling Unit for Handicapped Special Exception

miguel angel Benitez mendoza
Print name of property owner or registered agent

x Miguel a. Benitez Mendoza
Signature of property owner or registered agent

Date January 11, 2022

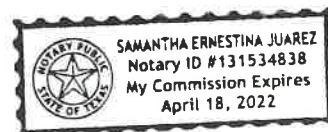
Before me, the undersigned, on this day personally appeared Miguel a. Benitez Mendoza

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

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

Samantha E Juarez
Notary Public for Dallas County, Texas

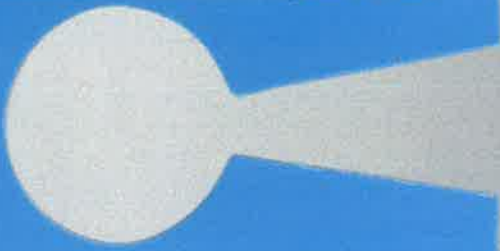
Commission expires on 04/18/2022



CO# 57 / DL - ID 3600 / F.A.



Texas Department of Motor Vehicles



B07697710P

MONTH

- JAN
- FEB
- MAR
- APR
- MAY
- JUN
- JUL
- AUG
- SEP
- OCT
- NOV
- DEC

YEAR

- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32



EXPIRES MONTH / YEAR

Jan / 2026



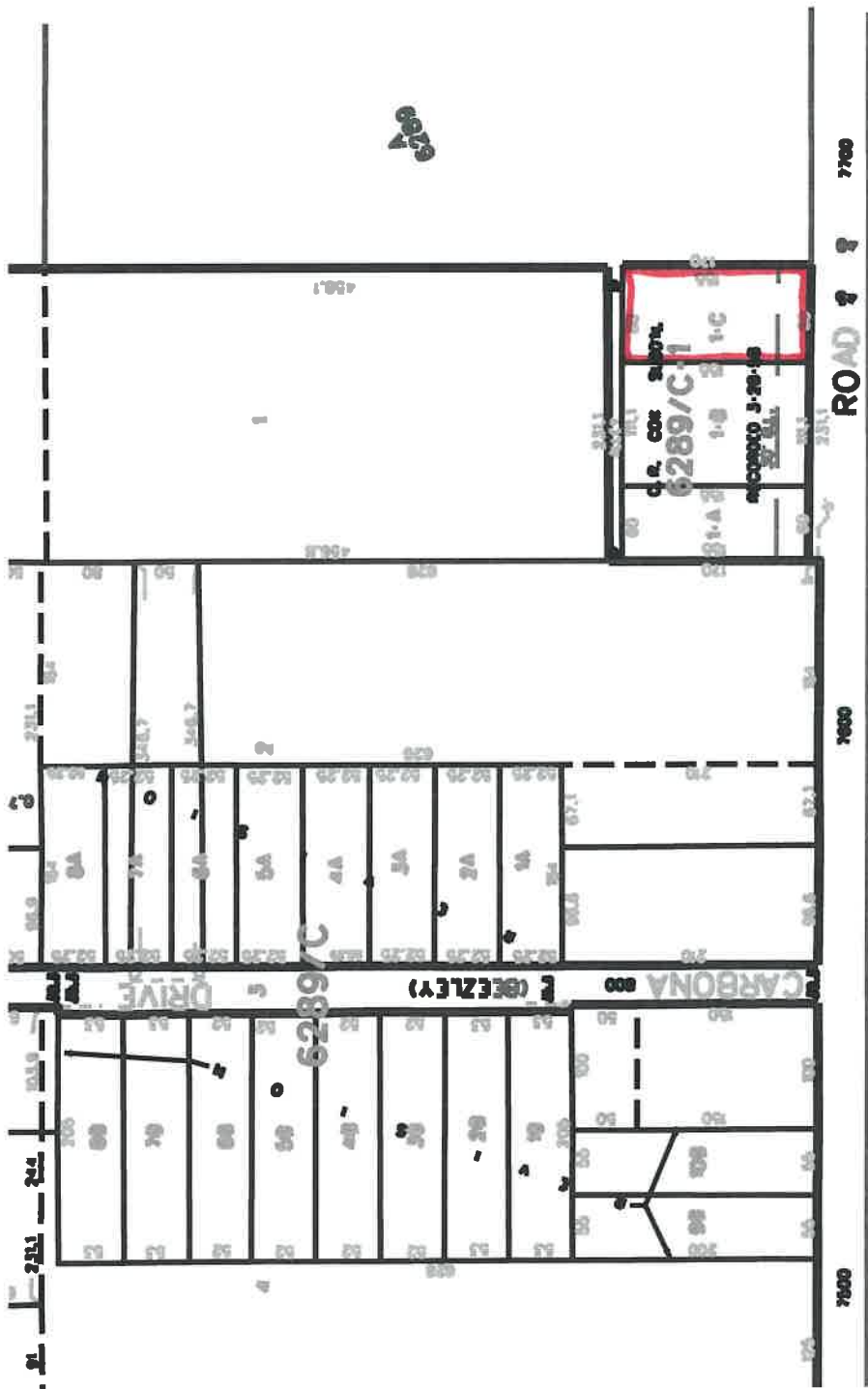
Printed: 1/10/2022

Legend

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

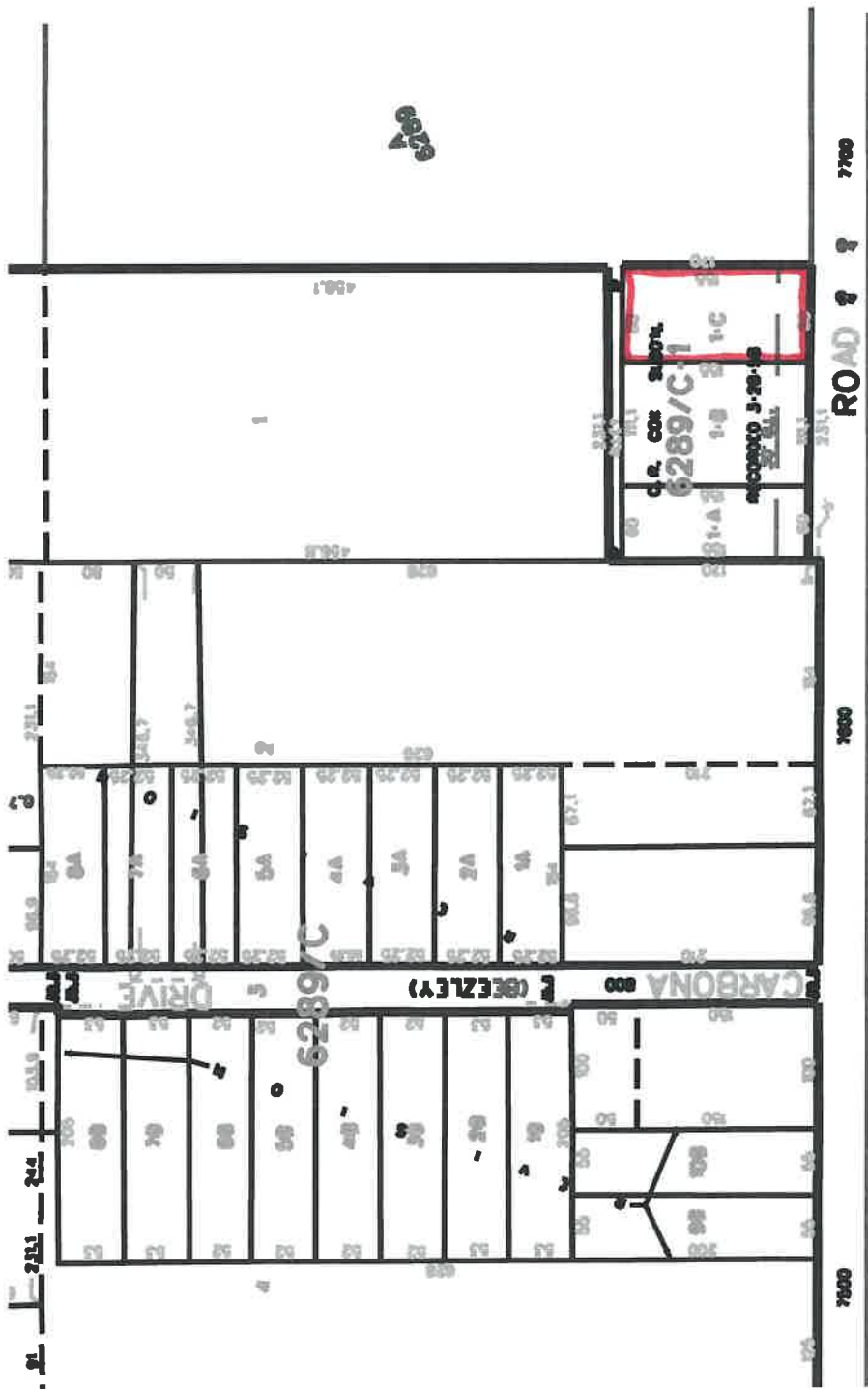
This data is to be used for graphical representation only. The accuracy is not to be taken/used as data produced by a Registered Professional Land Surveyor (RPLS) for the State of Texas. 'This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering,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

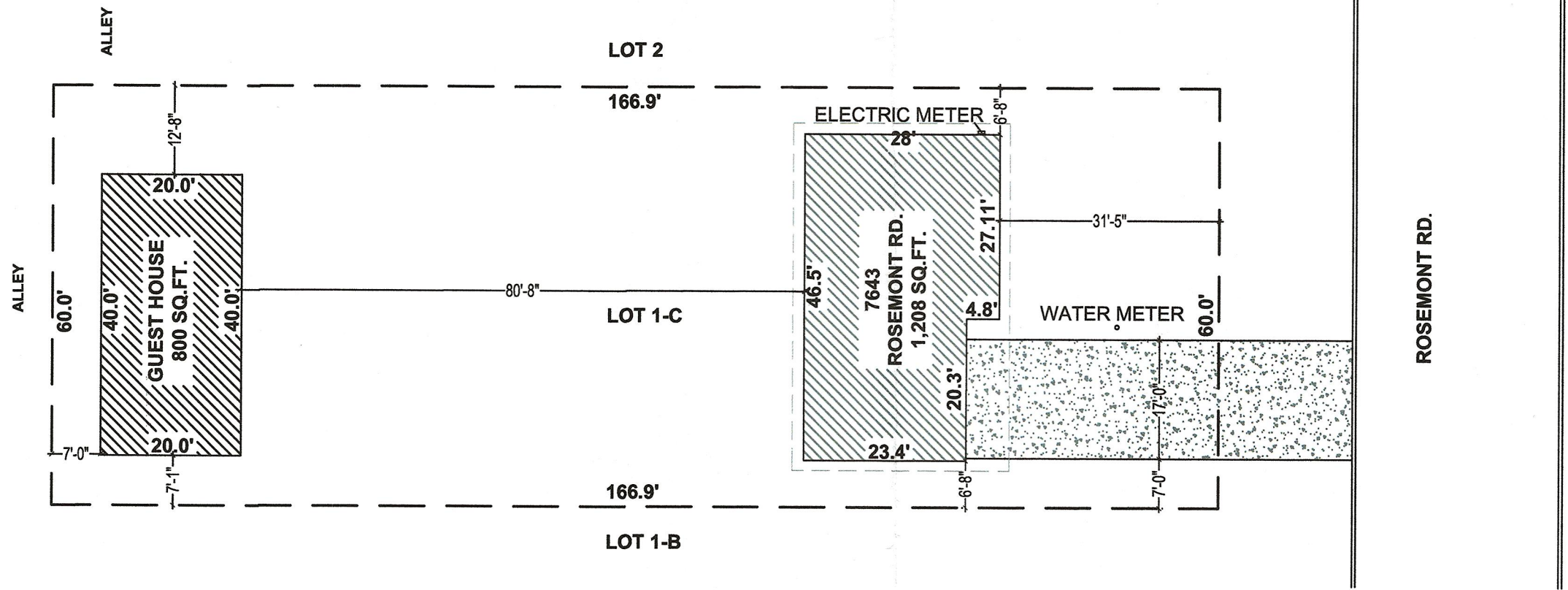




6289

6289





LEGAL DESCRIPTION:
 COX C R
 BLK C-1/6289 LOT 1-C



1 SITE PLAN
 SCALE 1"=20'

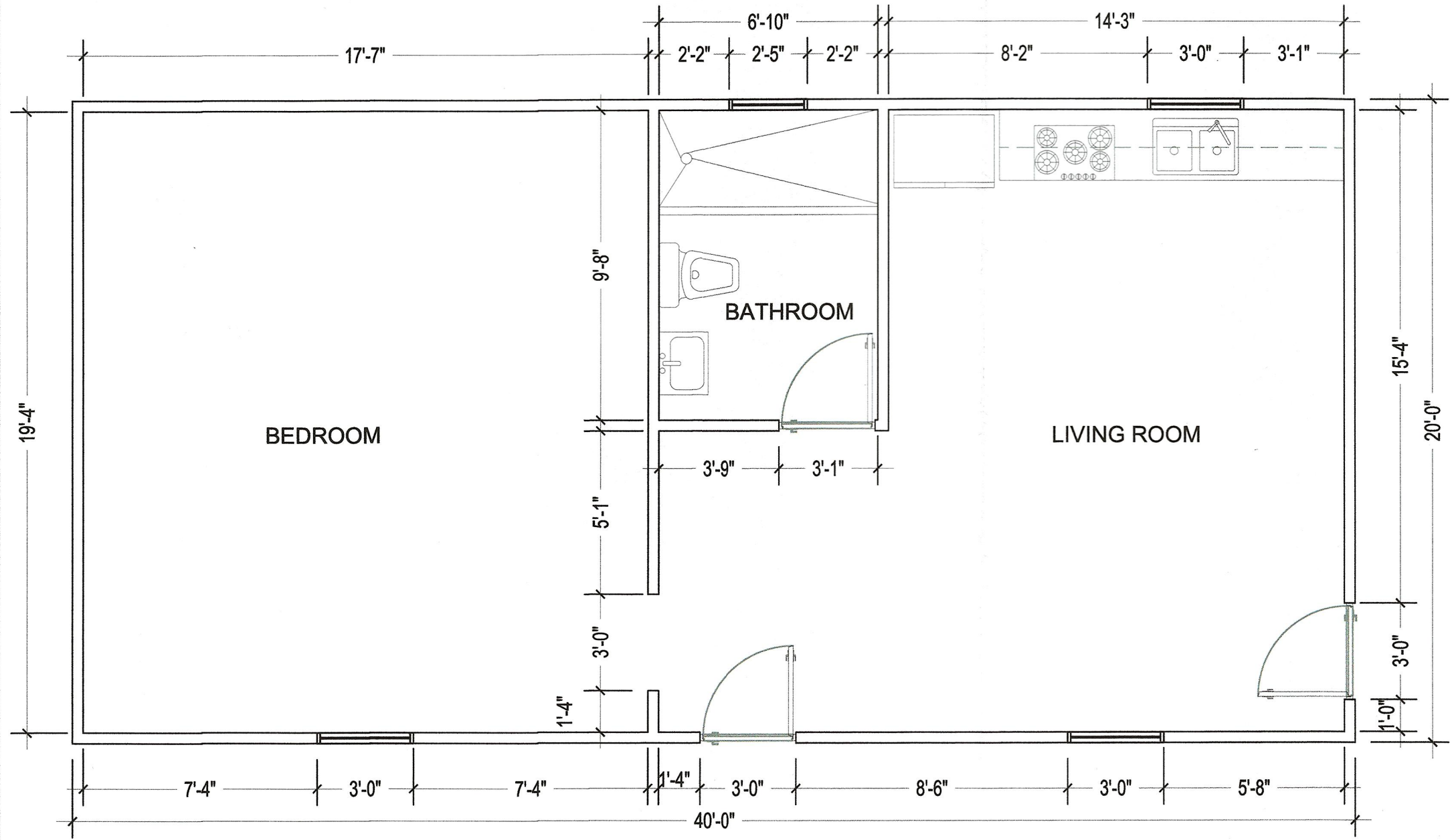
District 1
STUDIO
 Karen Tellez 972.903.1900 karen@district1studio.com
 SUITE 205 1005 W. Jefferson Blvd. Dallas, TX 75208

7643
 ROSEMONT RD.
 DALLAS, TX
 75217

OWNER:	MELISSA ALVARADO
DBA:	N/A
USE:	RESIDENTIAL
TOTAL SQ. FT.	1,208 SQ.FT.
DRAWING BY:	JM
DATE:	JAN/15/22

212-024

A1.0



1 PROPOSED FLOOR PLAN
 SCALE 1/4"=1'-0"

212-024

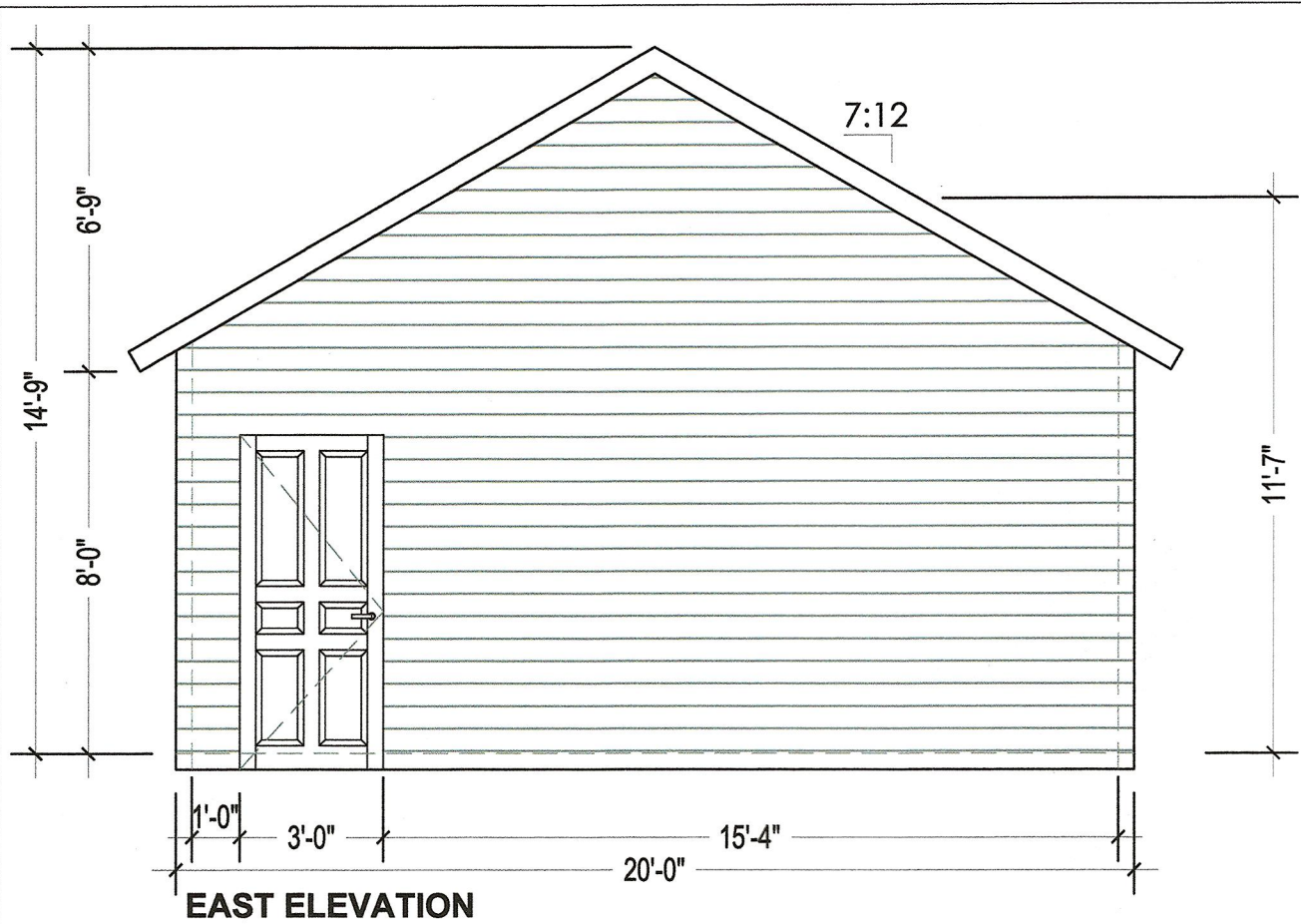
District 7 STUDIO

Karen Tellez 972.903.1900 karen@district1studio.com
 SUITE 205 1005 W. Jefferson Blvd. Dallas, TX 75208

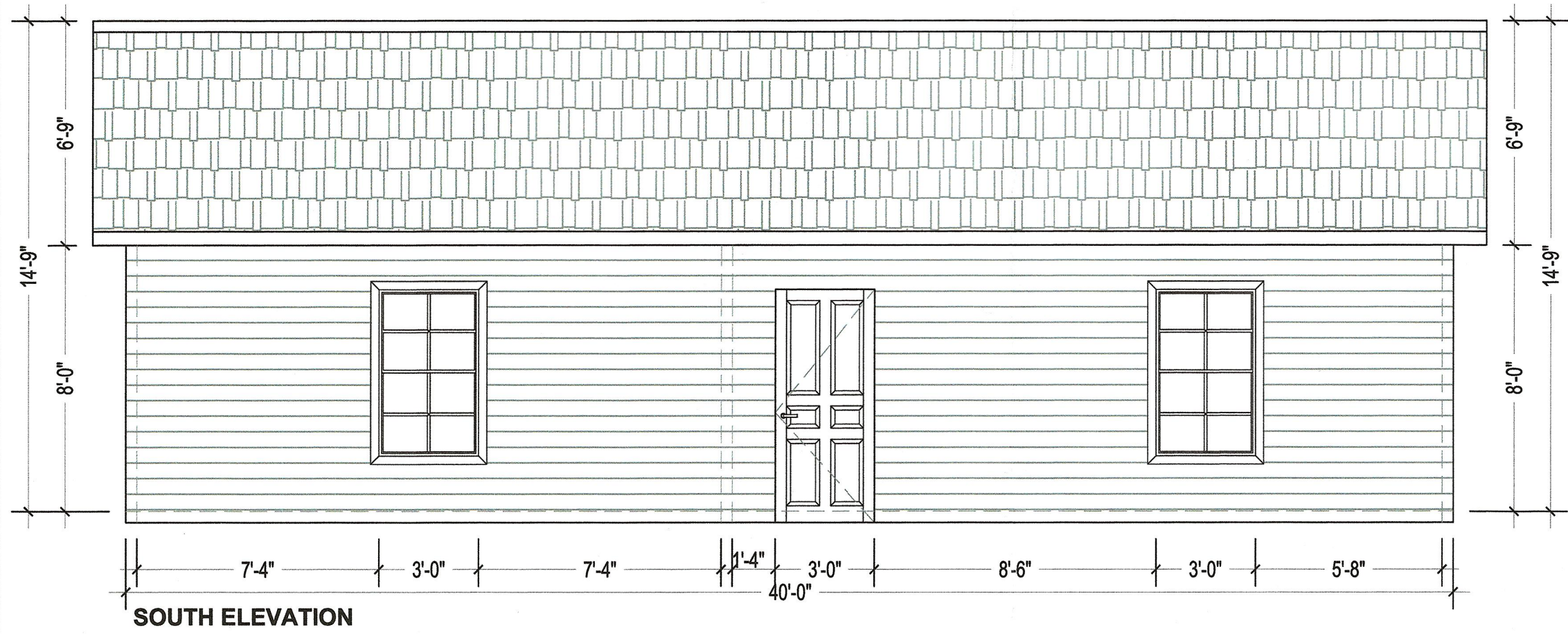
7643
 ROSEMONT RD.
 DALLAS, TX
 75217

OWNER:	MELISSA ALVARADO
DBA:	N/A
USE:	RESIDENTIAL
TOTAL SQ. FT.	1,208 SQ.FT.
DRAWING BY:	JM
DATE:	JAN/15/22

A2.0



NOTE: NO HEIGHT REQUEST



1 PROPOSED ELEVATION PLAN
SCALE 1/4"=1'-0"

District 1 STUDIO

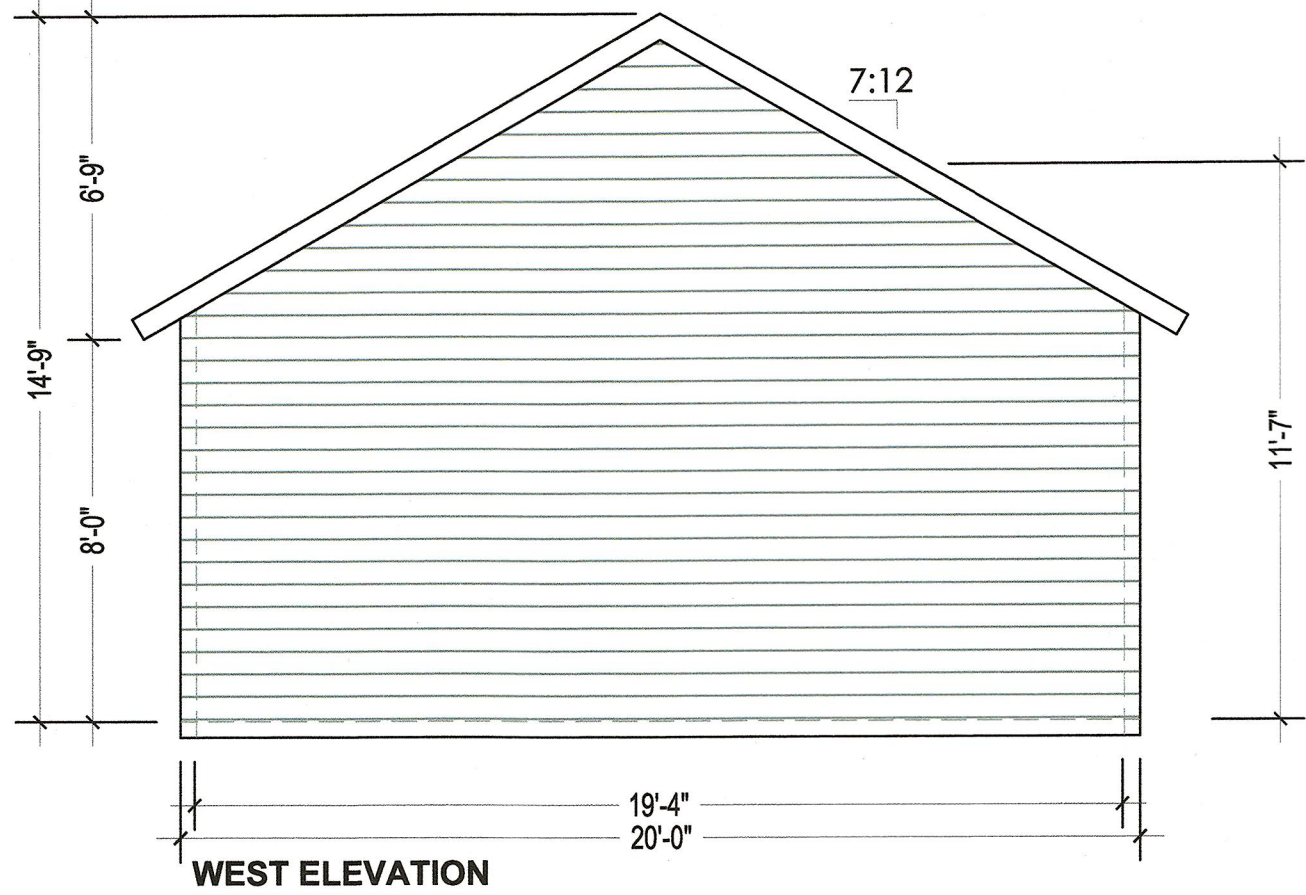
Karen Tellez 972.903.1900 karen@district1studio.com
SUITE 205 1005 W. Jefferson Blvd. Dallas, TX 75208

7643
ROSEMONT RD.
DALLAS, TX
75217

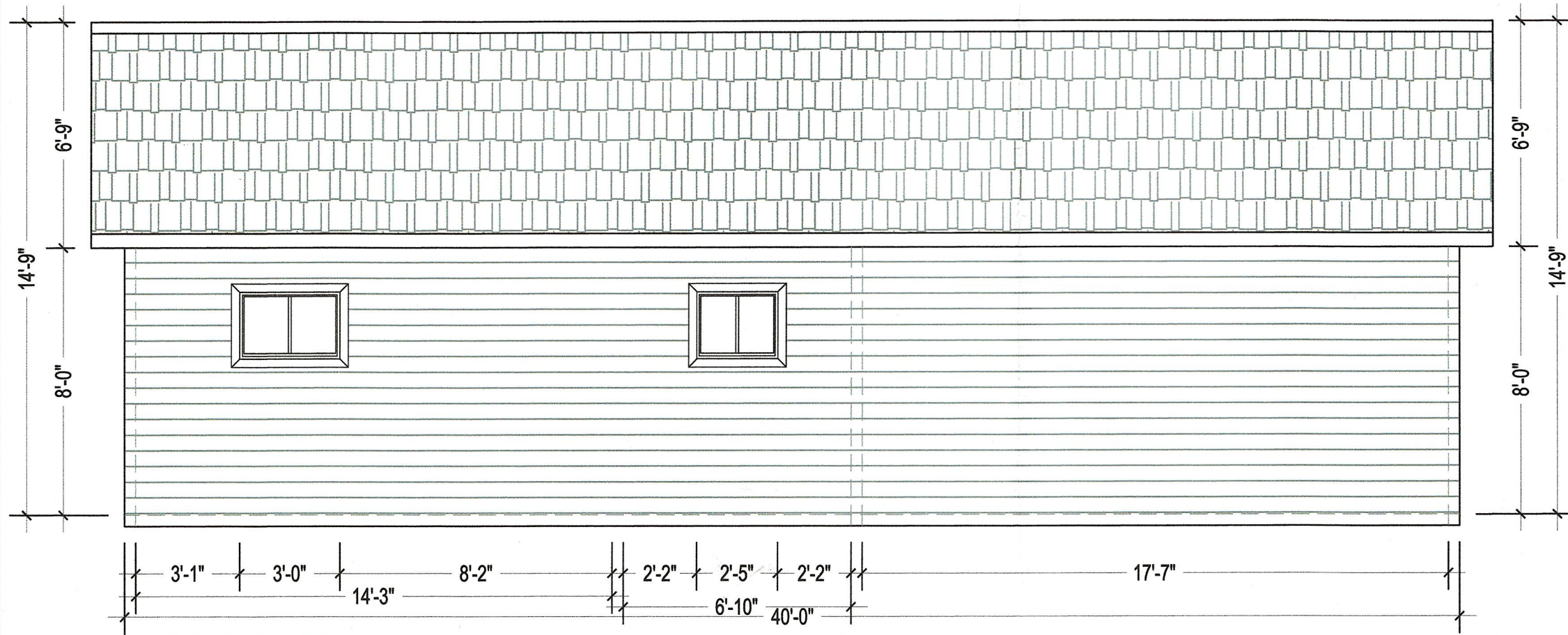
OWNER:	MELISSA ALVARADO
DBA:	N/A
USE:	RESIDENTIAL
TOTAL SQ. FT.	1,208 SQ.FT.
DRAWING BY:	JM
DATE:	JAN/15/22

212-024

A3.0



NOTE: NO HEIGHT REQUEST



1 PROPOSED ELEVATION PLAN

District 7 STUDIO

Karen Tellez 972.903.1900 karen@district1studio.com
SUITE 205 1005 W. Jefferson Blvd. Dallas, TX 75208

7643
ROSEMONT RD.
DALLAS, TX
75217

OWNER:	MELISSA ALVARADO
DBA:	N/A
USE:	RESIDENTIAL
TOTAL SQ. FT.	1,208 SQ.FT.
DRAWING BY:	JM
DATE:	JAN/15/22

212-024

A3.1

FILE NUMBER: BDA212-029(PD)

BUILDING OFFICIAL'S REPORT: Application of Rob Baldwin of Baldwin Associates for a variance to the front yard setback regulations at 6745 Country Club Circle. This property is more fully described as Lot 6A in City Block N/2799 and is zoned Tract III within Conservation District No. 2, a Single-Family District, which requires a front yard setback of 60 feet. The applicant proposes to construct and maintain an existing single-family dwelling unit and provide a 30-foot-six-inch front yard setback, which will require a 29-foot-six-inch variance to the front yard setback regulations.

LOCATION: 6745 Country Club Circle

APPLICANT: Rob Baldwin of Baldwin Associates

REQUESTS:

A request for a variance to the front yard setback regulations of 30-feet six-inches is made to construct and maintain a dormer on an existing single-family dwelling situated in the front yard along Country Club Circle.

STANDARD FOR A VARIANCE:

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

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

State Law/HB 1475 effective 9-1-21

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

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff concluded that the subject site is unique and different from most lots in CD-12 Tract III considering its restrictive lot area of 15,208 square feet. The applicant submitted evidence (**Attachments A and B**) comparing lot sizes within the same zoning district. Per the comparative analysis, the average lot area is 18,391 square feet. Additionally, the evidence reflects that compliance with the 60-foot front yard would result in a loss of 50 percent of the appraised value of the home since 50 percent of the structure was built within the front yard setback when the home was constructed in 1986 while CD III was established in 1988. Thus, in analyzing the comparative properties the restrictive area of the subject site ensures that the site cannot be developed in a manner commensurate with development upon other parcels of land with the same zoning.

BACKGROUND INFORMATION:

Zoning:

Site: Tract III within Conservation District No. 2

North: Tract III within Conservation District No. 2

South: Planned Development District No. 517

East: Tract III within Conservation District No. 2

West: Tract III within Conservation District No. 2

Land Use:

The subject site is developed with a single-family dwelling. Surrounding properties to the west, north, and east are developed with single-family dwellings while the property immediately adjacent to the south is developed with a country club with private membership [Lakewood Country Club].

Zoning/BDA History:

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

1. BDA190-061: On August 18, 2020, the Panel A Board of Adjustment granted a variance to the landscape regulations to allow a fence in the front yard, a special exception to the height regulations to construct and maintain a nine-foot-high fence and denied without prejudice a special exception to construct and maintain fence panels with a surface area less than 50 percent openness located less than five feet from the front lot lines at 6608 Gaston Avenue.
2. BDA189-086: On August 21, 2019, the Panel B Board of Adjustment granted requests for variances to the front yard setback regulations of up to 36 feet to: 1. Construct and maintain an addition that would connect an existing nonconforming single family home structure to an existing nonconforming detached garage/accessory – an addition that is proposed to be located 24’ from one of the site’s two front property lines (Gaston Avenue) or 36’ into this 60’ front yard setback; 2. To address/remedy the existing single family home and garage structures built in the early 80’s that are nonconforming structures located 30’ from the site’s Gaston Avenue front property line or 30’ into this 60’ front yard setback, and to address/remedy the aforementioned existing single family home structure located 30’ from the other front property line on Country Club Circle or 30’ into this 60’ front yard setback at 6771 Country Club Circle.

GENERAL FACTS/STAFF ANALYSIS:

This request focuses on constructing and maintaining an addition consisting of a dormer on the second floor along the southeastern facade of the existing single-family dwelling unit that is situated along a front yard (Country Club Circle). The subject site lies in Tract

III within Conservation District No. 2, which requires a minimum front yard setback of 60 feet.

The portion of the existing single-family dwelling is non-conforming to front yard setback as it is constructed 28-feet into the required 60-foot front yard setback. Therefore, a variance is required to allow the dormer.

The property is somewhat irregularly shaped and sloped, as evidenced by the sloped driveway. Additionally, the property is 15,208 square feet, which is 17 percent smaller than the average lot size in Tract III (18,391 square feet) per evidence (**Attachments A and B**) and compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll of 50 percent of the appraised value provided by the applicant.

A site plan has been submitted denoting the existing dwelling unit with the proposed dormer addition located 35 feet from the front property line along Country Club Circle.

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

- That granting the variance to the front yard setback regulations will not be contrary to the public interest when owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same Tract III within Conservation District No. 2.

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 Tract III within Conservation District No. 2.

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

- The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under Section 26.01 (Submission of Rolls to Taxing Units), Tax Code;
- Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development is authorized to physically occur;

- Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- Compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- The municipality consider the structure to be a nonconforming structure.

As of April 8, 2022 no letters have been submitted in support of or in opposition of the request.

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

Timeline:

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

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

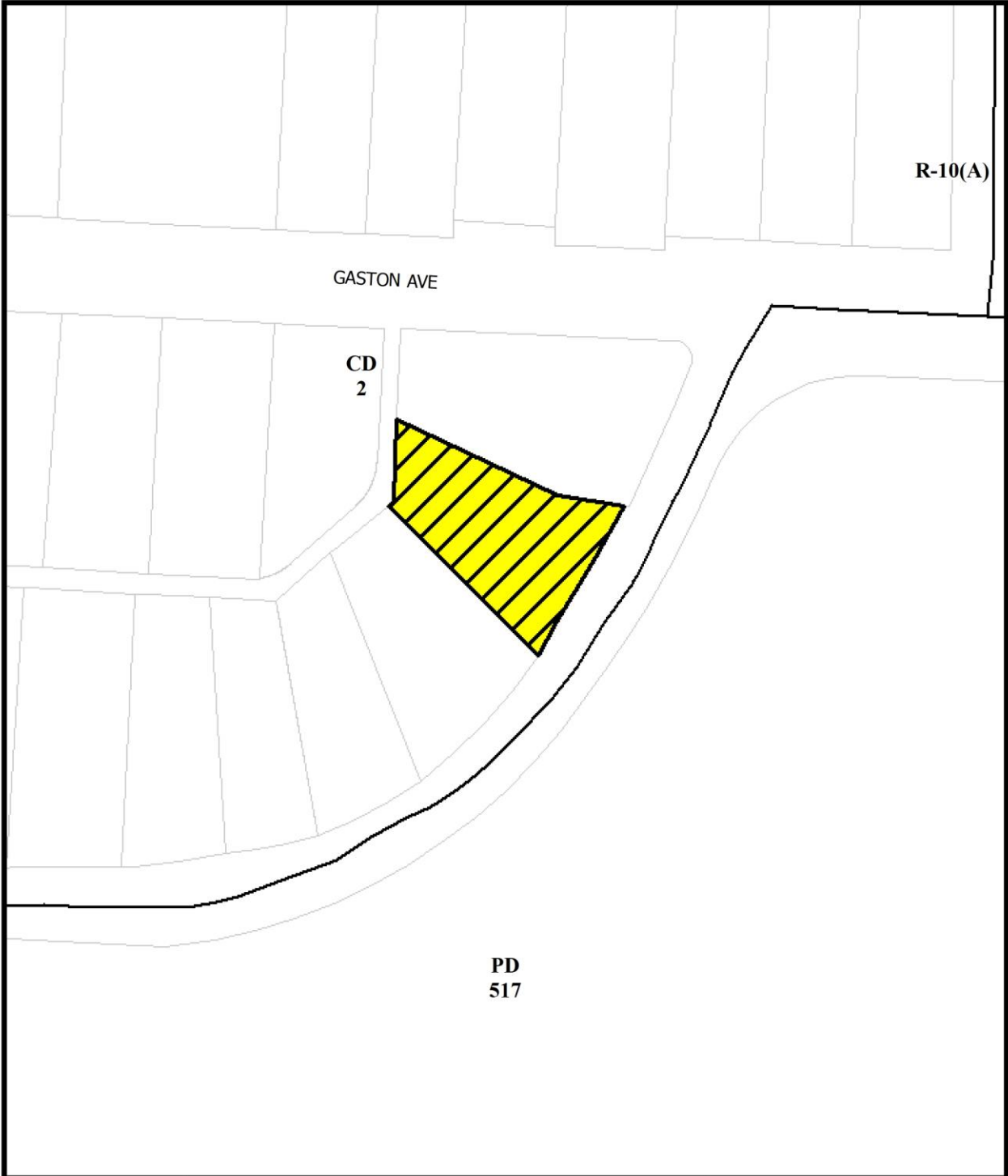
March 8, 2022: The Board Senior Planner emailed the representative the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

March 28, 2022: The representative provided evidence for Board consideration (**Attachments A & B**).

March 31, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Board

of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, and Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Board Senior Planner, and the Assistant City Attorney to the Board

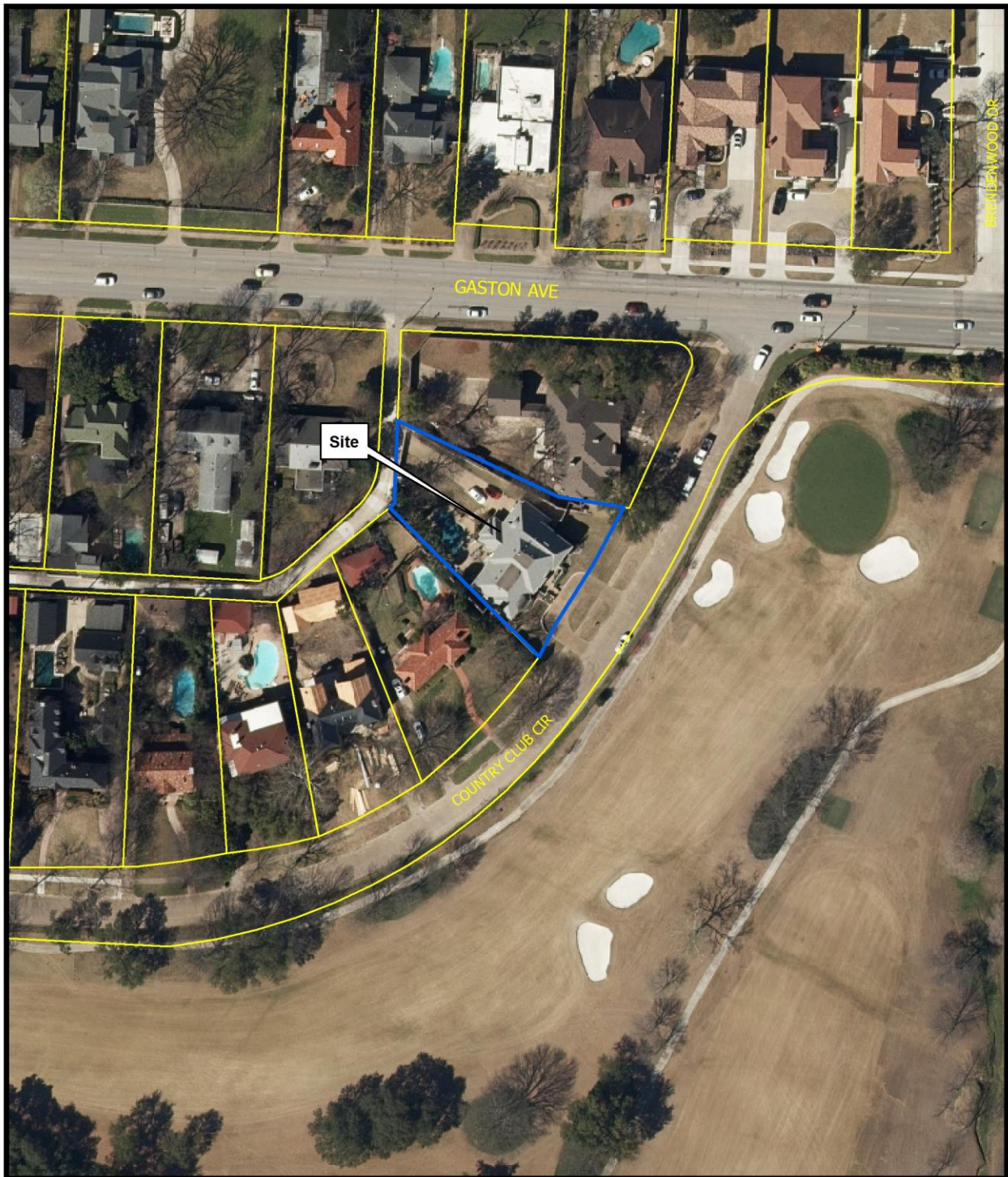


1:1,200

ZONING MAP

Case no: BDA212-029

Date: 3/9/2022

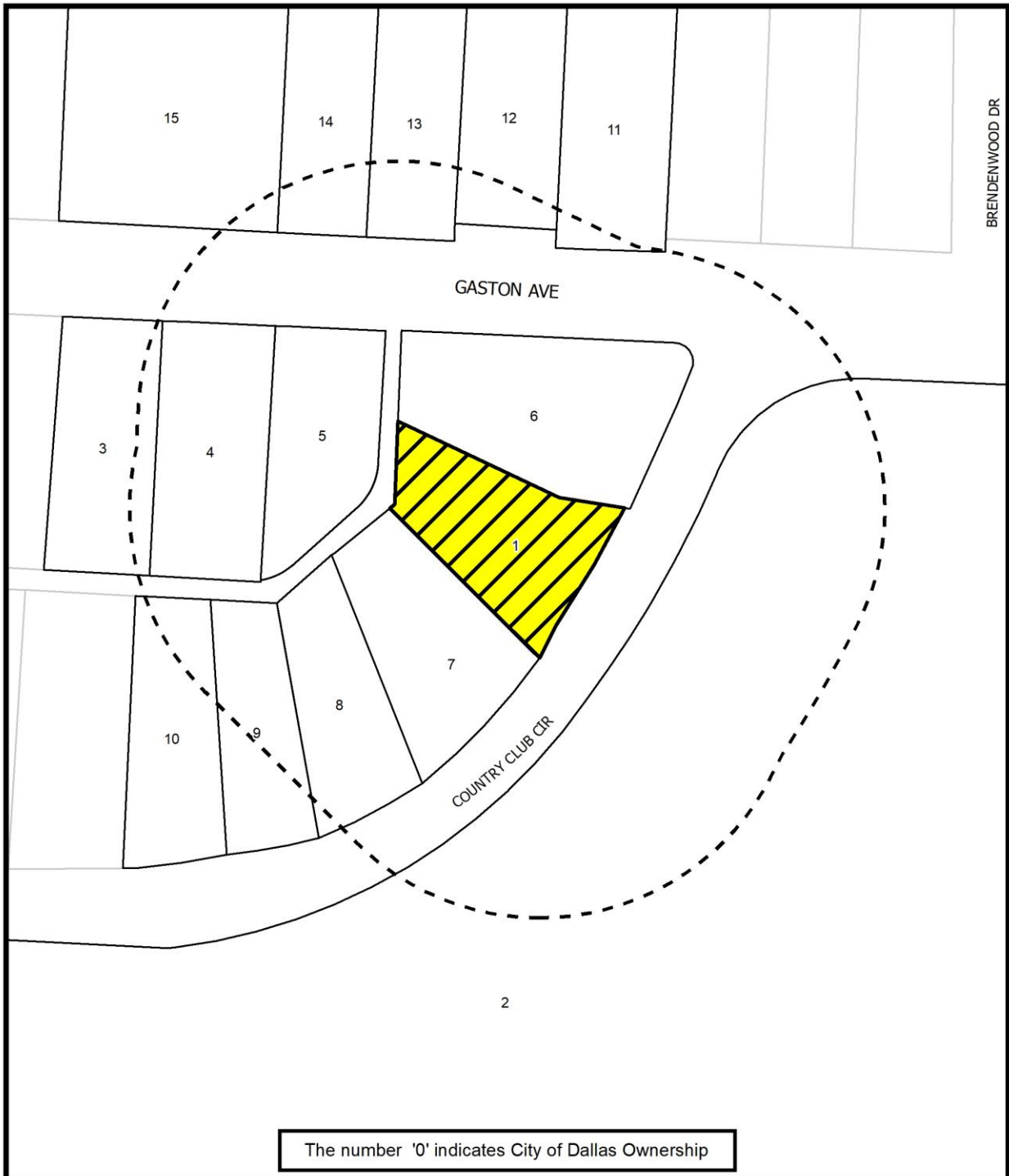



1:1,200

AERIAL MAP

Case no: BDA212-029

Date: 3/9/2022




 1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
15 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: BDA212-029
 Date: 3/9/2022

03/09/2022

Notification List of Property Owners

BDA212-029

15 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6745 COUNTRY CLUB CIR	LOBNER TIMOTHY J & AMY
2	1912 ABRAMS RD	LAKWOOD COUNTRY CLUB
3	6706 GASTON AVE	FRANKIEWICZ JAMES S & LIA
4	6714 GASTON AVE	PRESTON DAVID EDWARD
5	6726 GASTON AVE	BARNHARDT BOYD LUCAS &
6	6761 COUNTRY CLUB CIR	MURT JOSEPH THOMAS &
7	6737 COUNTRY CLUB CIR	LOONEY GEORGE MICHAEL &
8	6733 COUNTRY CLUB CIR	DUNN WILLIAM DAVID &
9	6729 COUNTRY CLUB CIR	ERIKSON BRIAN W
10	6721 COUNTRY CLUB CIR	MILLER JOHN W & JOYCE L
11	6743 GASTON AVE	MOSELEY KATE KUNZ
12	6735 GASTON AVE	MEYER KARL F &
13	6731 GASTON AVE	TERRILL RICHARD LESLIE &
14	6725 GASTON AVE	HENVEY ALEXANDER &
15	6715 GASTON AVE	TODD BRETT &



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-029

Data Relative to Subject Property:

Date: 2-11-22

Location address: 6745 Country Club Cir Zoning District: CD 2- TR III

Lot No.: 6A Block No.: N/2799 Acreage: 0.35 acres Census Tract: 1.00

Street Frontage (in Feet): 1) 130 ft 2) _____ 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Timothy J. Lobner and Amy Lobner

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

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

E-mail Address: rob@baldwinplanning.com

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

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

E-mail Address: rob@baldwinplanning.com

Affirm that an appeal has been made for a Variance , or Special Exception , of _____
29.5' to the 60' front yard setback requirement

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason:
The existing single family house was constructed in 1986 and is non-conforming to the CD 2 Tract III front yard setback. As part of a remodel, one dormer window is requested to be added to the front facade within the area that encroaches into the setback. A bay window will be removed. The property is irregularly shaped. The cost to bring the structure into compliance with the front yard setback would be an unreasonable financial burden to the owner and would remove the portion of the structure where the dormer is proposed.
Note to Applicant: If the appeal requested in this application is granted by the Board of Adjustment, a permit must be applied for within 180 days of the date of the final action of the Board, unless the Board specifically grants a longer period.

Affidavit

Before me the undersigned on this day personally appeared Robert Baldwin

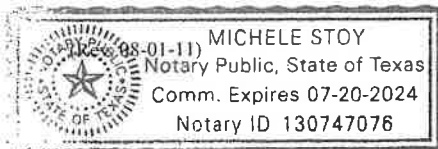
(Affiant/Applicant's name printed)

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

Respectfully submitted: _____

(Affiant/Applicant's signature)

Subscribed and sworn to before me this 8 day of February, 2022



Michele Stoy
Notary Public in and for Dallas County, Texas

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that BALDWIN ASSOCIATES

did submit a request for a variance to the front yard setback regulations
at 6745 Country Club Circle

BDA212-029. Application of BALDWIN ASSOCIATES for a variance to the front yard setback regulations at 6745 COUNTRY CLUB CIR. This property is more fully described as Lot 6A, Block N/2799, and is zoned CD-2 (Tract III), which requires a front yard setback of 60 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 30 foot 6 inch front yard setback, which will require a 29 foot 6 inch variance to the front yard setback regulations.

Sincerely,


David Session, Building Official



AFFIDAVIT

Appeal number: BDA 212-029

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

at: 6745 Country Club Cir
(Address of property as stated on application)

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

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

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

Specify: _____

Amy Lobner
Print name of property owner or registered agent

Amy Lobner
Signature of property owner or registered agent

Date February 1, 2022

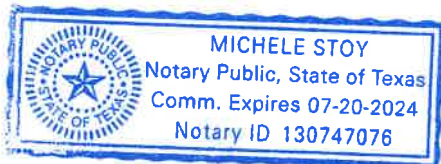
Before me, the undersigned, on this day personally appeared Amy Lobner

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 1 day of February, 2022

Michele Stoy
Notary Public for Dallas County, Texas

Commission expires on 7-20-2024





AFFIDAVIT

Appeal number: BDA 212-029

I, Timothy J. Lobner, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 6745 Country Club Cir
(Address of property as stated on application)

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

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

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

Specify: _____

TIMOTHY LOBNER _____
 Print name of property owner or registered agent Signature of property owner or registered agent

Date February 1, 2022

Before me, the undersigned, on this day personally appeared Timothy Lobner

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 1 day of February, 2022

Michele Stoy
Notary Public for Dallas County, Texas

Commission expires on 7-20-2024





Printed: 1/10/2022

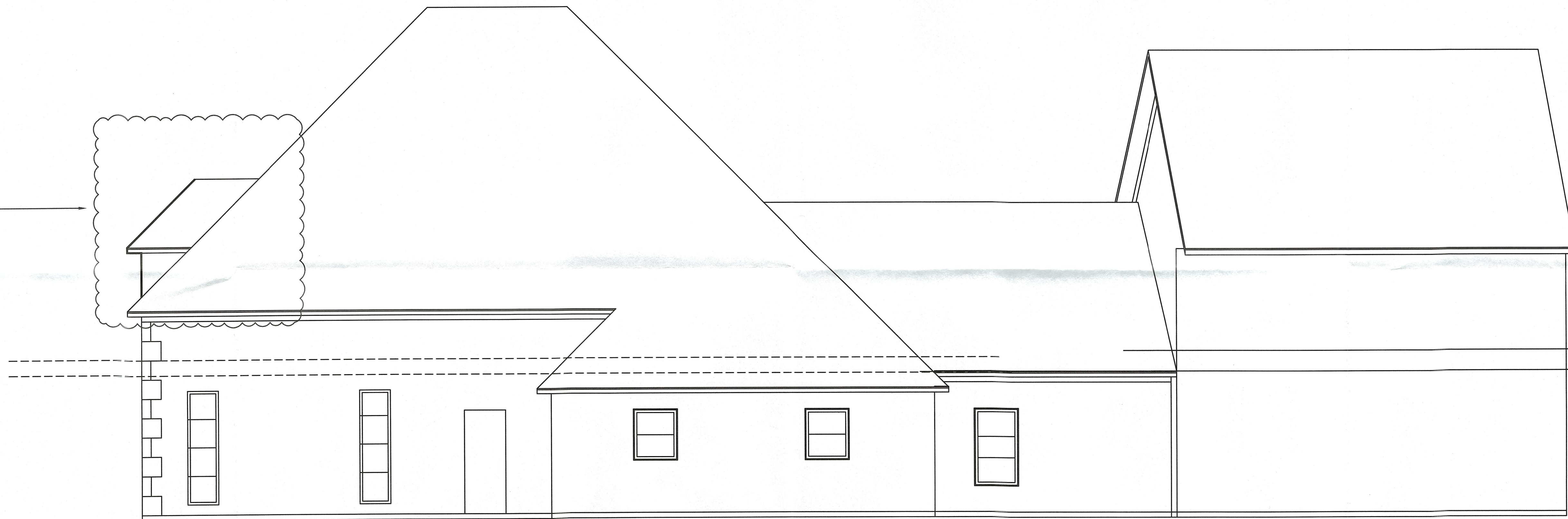
Legend

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

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



AREA OF PROPOSED DORMER ADDITION

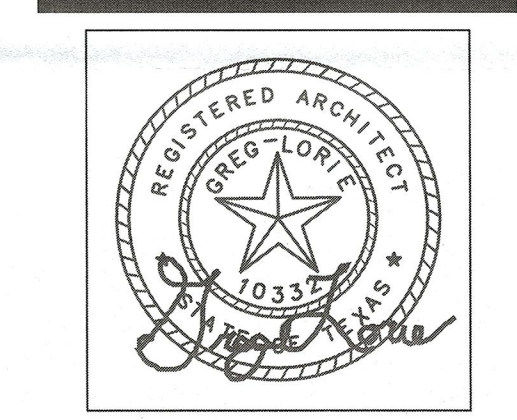


02 - SIDE ELEVATION - NORTH
SCALE: 1/4"=1'-0"



LOBNER RESIDENCE
LOT: 6A BLOCK: N/2799
6745 COUNTRY CLUB
DALLAS, TEXAS

- REVISIONS:
- △ 8/17/2021
 - △ 9/29/2021
 - △ 11/8/2021



GREG LORIE - ARCHITECT
REGISTRATION NO. 10332
THESE DRAWINGS ARE THE PROPERTY
OF ARCHITECTURA AND MAY NOT BE
USED IN WHOLE OR PART WITHOUT
THE PERMISSION OF GREG LORIE &
ARCHITECTURA

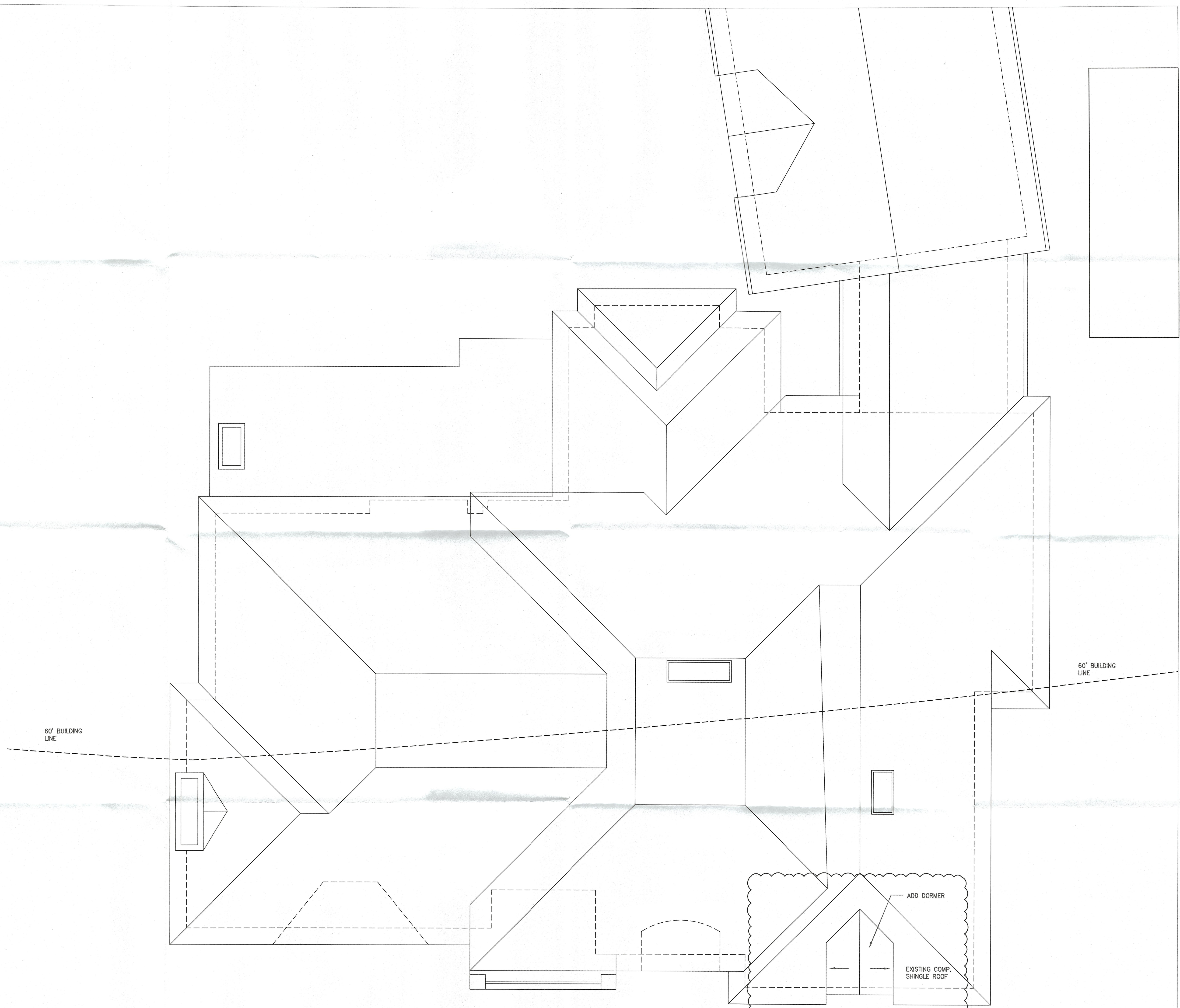
DATE: 6/21/2021
SHEET NO.

A-11
EXTERIOR ELEVATIONS

AREA OF PROPOSED DORMER ADDITION



01- FRONT ELEVATION - EAST
SCALE: 1/4"=1'-0"

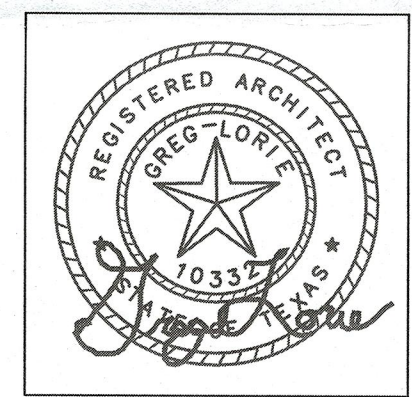


01- **ROOF PLAN**
SCALE: 1/4"=1'-0"



LOBNER RESIDENCE
LOT: 6A BLOCK: N/2799
6745 COUNTRY CLUB
DALLAS, TEXAS

- REVISIONS:**
- △ 8/17/2021
 - △ 9/29/2021
 - △ 11/8/2021

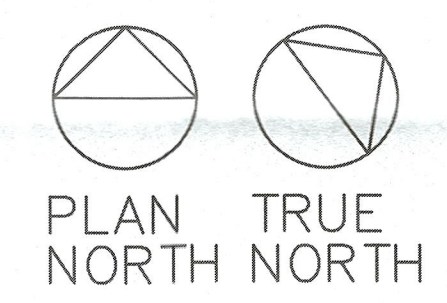
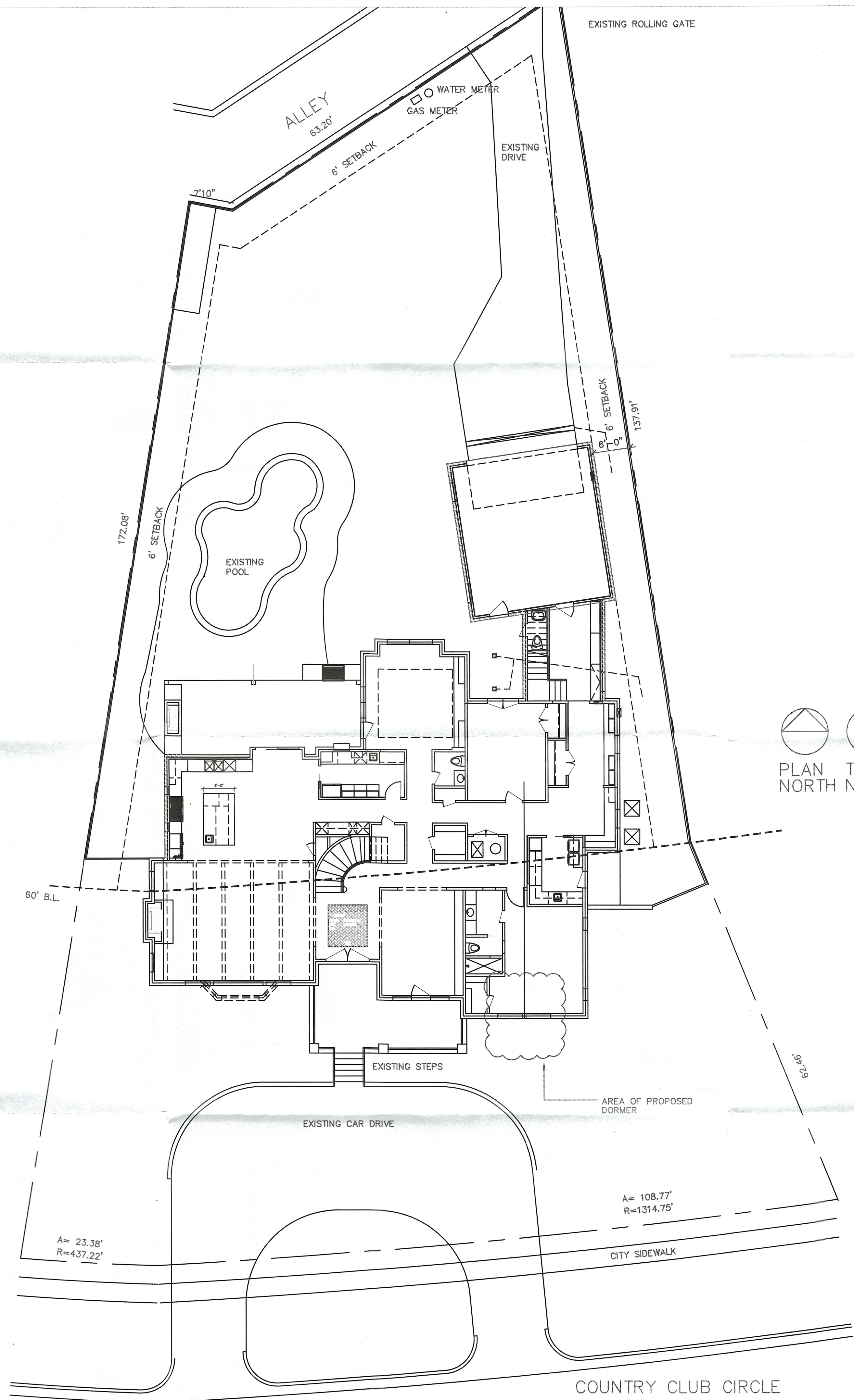


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ARCHITECTURA

DATE: 6/21/2021
SHEET NO.

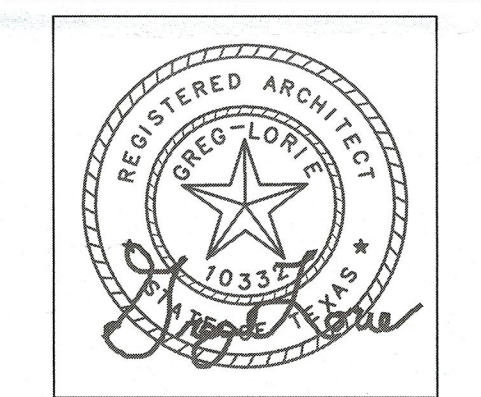
A-10
ROOF PLAN

212-099



LOBNER RESIDENCE
 LOT: 6A BLOCK: N/2799
 6745 COUNTRY CLUB
 DALLAS, TEXAS

- REVISIONS:**
- △ 8/17/2021
 - △ 9/29/2021
 - △ 11/8/2021



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 THE PERMISSION OF GREG LORIE &
 ARCHITECTURA

DATE: 6/21/2021
 SHEET NO.

A-1
 SITE PLAN

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

219-139

BDA212-029_ATTACHMENT_B

Address	Year built	Lot area (sf, DCAD)
6761 Country Club Cir	1984	22,130
6745 Country Club Cir	1986	15,208
6737 Country Club Cir	1930	22,340
6733 Country Club Cir	1926	12,985
6729 Country Club Cir	1924	13,705
6721 Country Club Cir	1925	14,023
6711 Country Club Cir	1926	18,350
6703 Country Club Cir	1949	19,289
6726 Gaston Ave	1965	13,116
6714 Gaston Ave	1952	17,329
6706 Gaston Ave	1927	15,501
6700 Gaston Ave	1940	20,365
6669 Country Club Cir	1927	22,445
6645 Country Club Cir	1923	46,461
6639 Country Club Cir	2011	14,566
6633 Country Club Cir	1923	17,381
6623 Country Club Cir	1983	13,899
6611 Country Club Cir	2020	26,967
6630 Gaston Ave	1924	18,212
6626 Gaston Ave	1928	18,078
6620 Gaston Ave	1923	18,326
6616 Gaston Ave	1934	13,121
6612 Gaston Ave	vacant	9,202

Average age	1947
Average Lot Size	18,391

6745 Country Club Cir	1986	15,208
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FILE NUMBER: BDA212-025(PD)

BUILDING OFFICIAL'S REPORT: Application of Carla Ysuhuaylas for a special exception to the single-family use regulations and a variance to the floor area ratio regulations at 10039 Shadyview Drive. This property is more fully described as Lot 23 in City Block C/7527 and is zoned an R-7.5(A) Single Family District, which limits the number of dwelling units to one and requires that the floor area ratio of an additional dwelling unit (not for rent) may not exceed 25 percent of the floor area ratio of the main structure. The applicant proposes to construct and maintain an additional dwelling unit ADU (not for rent) with a floor area ratio of 572 square feet or 28.8 percent of the 1,981-square-foot floor area of the main structure. As proposed, the request will require a special exception to the single-family use regulations and a 77-square-foot variance to the maximum floor area regulations for an accessory structure.

LOCATION: 10039 Shadyview Drive

APPLICANT: Carla Ysuhuaylas

REQUESTS:

The applicant proposes to construct and maintain an additional dwelling unit (not for rent) with approximately 572 square feet of floor area on a site developed with a single-family dwelling and an existing detached garage that has since been converted to an additional dwelling unit.

STANDARD FOR A SPECIAL EXCEPTION TO THE SINGLE-FAMILY USE REGULATIONS TO AUTHORIZE AN ADDITIONAL DWELLING UNIT:

The board may grant a special exception to the single-family use regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is when *in the opinion of the board*, the additional dwelling unit will not adversely affect neighboring properties.

STANDARD FOR A VARIANCE:

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

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

State Law/HB 1475 effective 9-1-21

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

STAFF RECOMMENDATION:

Denial.

Rationale:

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

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

GENERAL FACTS/STAFF ANALYSIS:

The request for a variance to the maximum floor area ratio regulations and a special exception to the single-family use regulations focus on constructing and maintaining a 572-square-foot additional dwelling unit (non-rent) on a property zoned an R-7.5(A) Single Family District. In this district, one dwelling unit is allowed per lot. Additionally, an additional dwelling unit (ADU) cannot exceed 25 percent of the maximum floor area of the main building.

DCAD records indicate the following improvements for the property located at 10039 Shadyview Drive: “main improvement: a structure with 1,980 square feet of living area built-in 1959” and “additional improvements: a 460-square-foot detached garage. However, the proposed site plan reflects the conversion of the detached garage which is the proposed additional dwelling unit. Internal records reflect that an application for the conversion of the detached garage was submitted on November 18, 2021.

The property is rectangular in shape, flat, and according to the application, contains 0.172 acres, or approximately 7,492 square feet in area. In an R-7.5(A) Single Family District the minimum lot size is 7,500 square feet. Since evidence was not provided staff cannot determine whether the subject site differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning district.

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

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

As of April 8, 2022, no letters have been submitted in support of or in opposition to the request.

Ultimately, the two requests are independent, and the board must consider the standards and evidence presented for each request.

If the board were to grant the variance to the maximum floor area ratio regulations for structures accessory to a single-family use and impose the submitted site plan as a condition, the building footprint of the structure on the site would be limited to what is shown on this document. Furthermore, if the board were to grant the special exception to allow the ADU, the Dallas Development Code states that in granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

However, granting these requests will not provide any relief to the Dallas Development Code regulations other than allowing an additional dwelling unit on the site (i.e. development on the site must meet all other code requirements), as depicted on the site plan, including the increase in floor area if each are approved by the board.

Timeline:

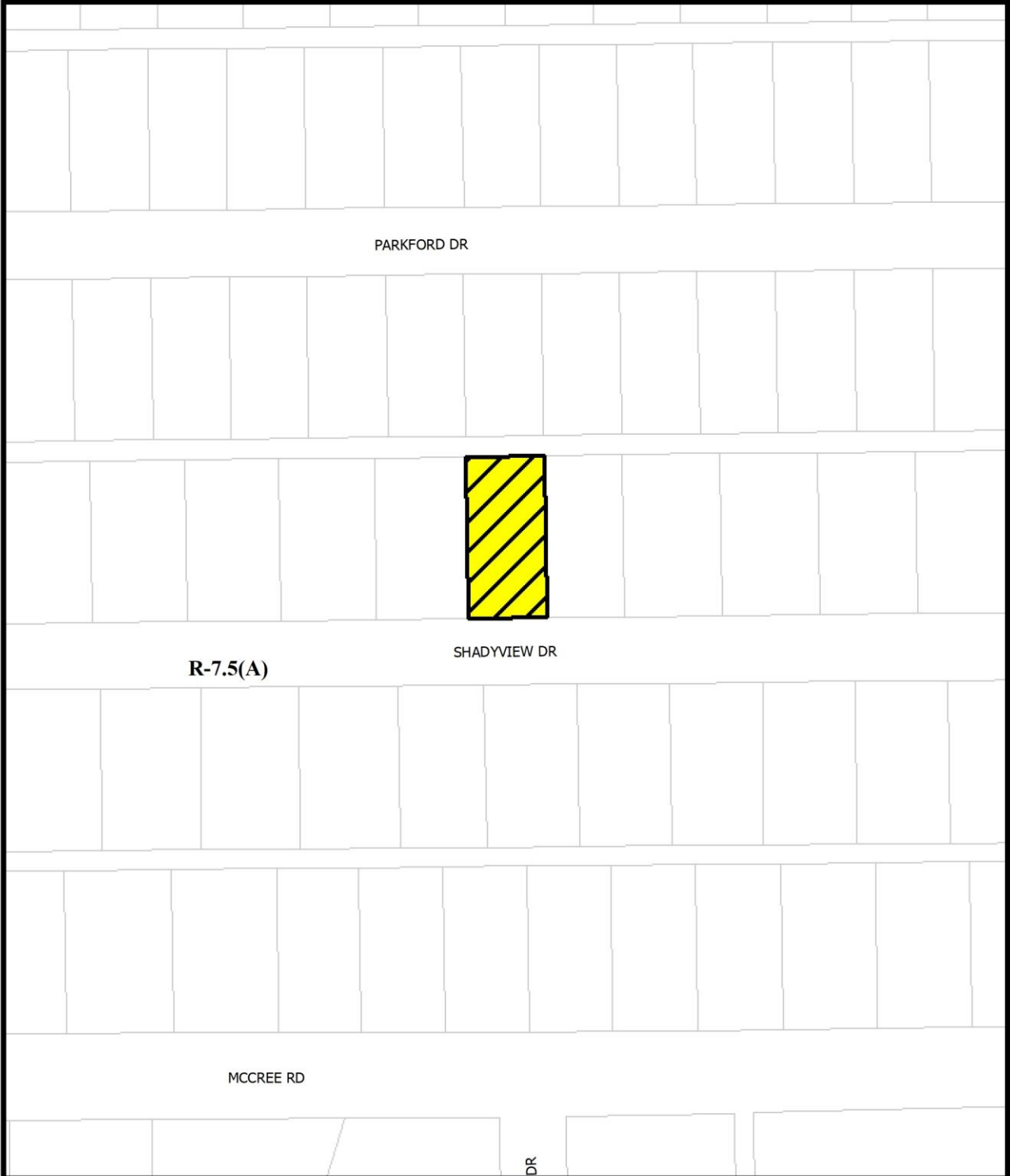
January 25, 2022: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

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

March 8, 2022: The Board Senior Planner emailed the representative the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

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



1:1,200

ZONING MAP

Case no: BDA212-025

Date: 3/9/2022

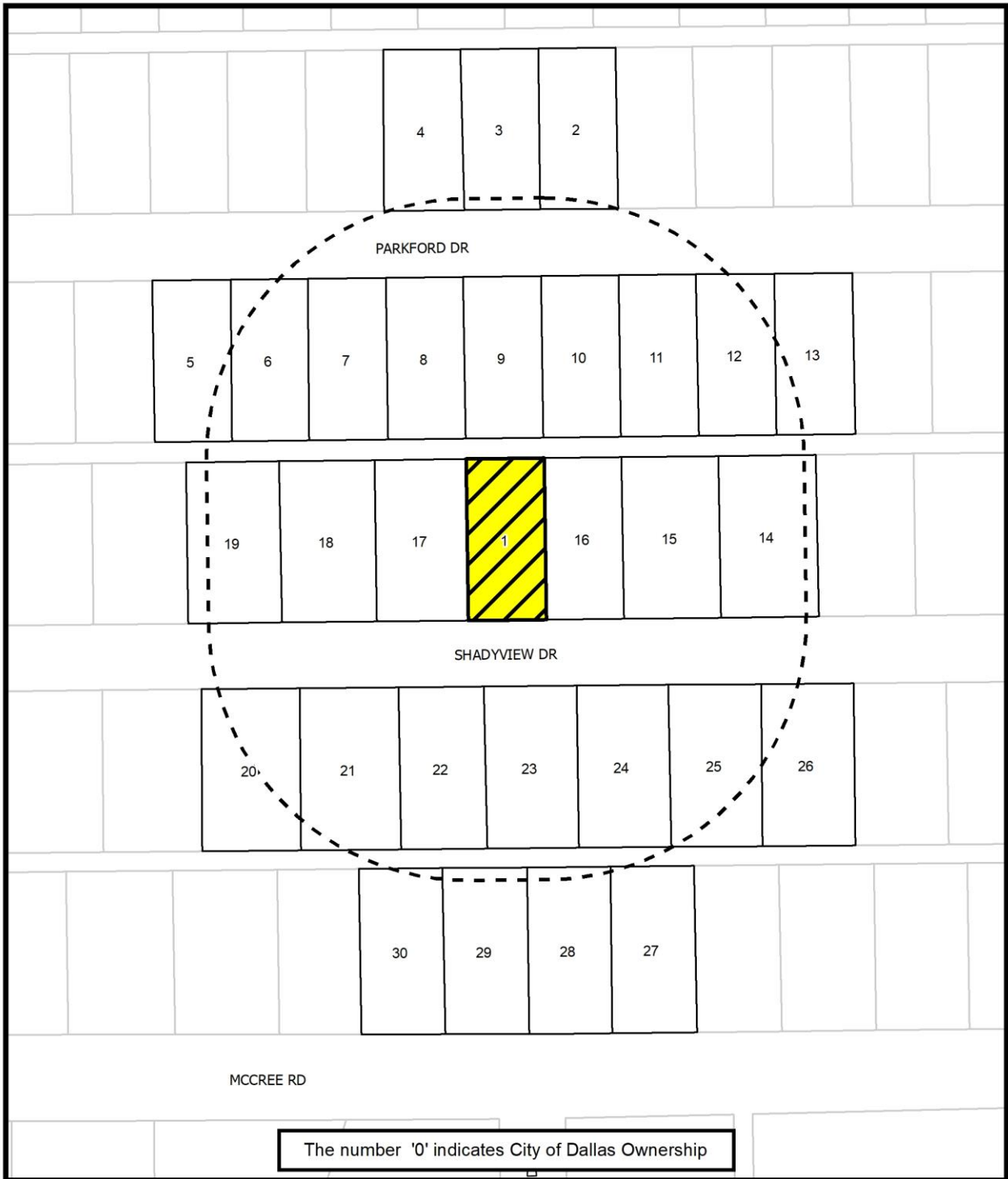


1:1,200

AERIAL MAP

Case no: BDA212-025

Date: 3/9/2022



1:1,200

NOTIFICATION

200' AREA OF NOTIFICATION
30 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-025**

Date: **3/9/2022**

03/09/2022

Notification List of Property Owners

BDA212-025

30 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10039 SHADYVIEW DR	MELIZA ALLISON
2	10103 PARKFORD DR	SHAW MELINDA BAKER
3	10039 PARKFORD DR	DAVIS ASHLEY ELAINE &
4	10035 PARKFORD DR	MILLER PAULA
5	10020 PARKFORD DR	WHITE BEVERLY ANNE
6	10026 PARKFORD DR	RANDALL DARCY
7	10030 PARKFORD DR	FLEIG RUSSELL ZACHARY &
8	10036 PARKFORD DR	GOULD DEAN M & KIMBERLY H
9	10040 PARKFORD DR	GRYCH BRENDAN J &
10	10104 PARKFORD DR	DORSEY SHARON E
11	10108 PARKFORD DR	CASEY CRAIG & KORA STUFFELBEAM
12	10112 PARKFORD DR	IRBY BILLY
13	10118 PARKFORD DR	VULLO MICHAEL P JR
14	10117 SHADYVIEW DR	JONES PATRICK & DELANA B
15	10111 SHADYVIEW DR	NIX JAMIE
16	10105 SHADYVIEW DR	LUCIA J S
17	10035 SHADYVIEW DR	SHOUP KENNETH J JR & SUZANNE M
18	10029 SHADYVIEW DR	WRIGHT JASON & DENISE
19	10023 SHADYVIEW DR	STETSON GLENN & STEPHANIE R
20	10024 SHADYVIEW DR	KARLEN REVOCABLE TRUST
21	10030 SHADYVIEW DR	LEACH MARIA
22	10036 SHADYVIEW DR	MOELLER JENNIFER NELSON &
23	10042 SHADYVIEW DR	DAILY BILLY J
24	10106 SHADYVIEW DR	ROBINSON DOUGLAS O
25	10112 SHADYVIEW DR	WRIGHT CARRIE K & JOSH B
26	10118 SHADYVIEW DR	ORR BRIAN P & TIFFANY

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	10109 MCCREE RD	HAYTER DOUGLAS P
28	10105 MCCREE RD	HOBSON SARAH GRACE
29	10041 MCCREE RD	JOHNSON MARION H
30	10037 MCCREE RD	HARDY NANCY YOUNG



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-025

Date: 1/13/2022 1-25-22

Data Relative to Subject Property:

Location address: 10039 Shadyview Dr Dallas TX 75238 Zoning District: R 7.5(A)

Lot No.: 23 Block No.: C/7527 Acreage: .172 Census Tract: 130.04

Street Frontage (in Feet): 1) 60 2) 3) 4) 5)

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): CIADA RESIDENTIAL SPACES LLC

Applicant: CARLA R. YSUHWAYLAS Telephone: 2146031375

Mailing Address: 5745 Bozeman Dr. #8446 Plano Zip Code: 75024

E-mail Address: info@goldenbuildersgroup.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance [checked], or Special Exception [checked], of additional dwelling unit (not for rent, floor area ratio variance)

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:

Client converted existing garage for his mother for when she visits him from her native country.

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.

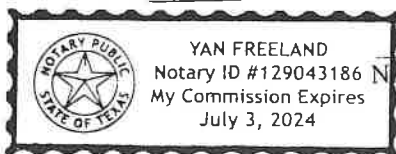
Affidavit

Before me the undersigned on this day personally appeared Carla F. Ysuhwaylas (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 19th day of January 2022



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 Carla Ysuhuaylas

did submit a request for a special exception to the single family regulations, and for a variance to the floor area ratio regulations

at 10039 Shadyview Drive

BDA212-025. Application of Carla Ysuhuaylas for a special exception to the single family regulations, and for a variance to the floor area ratio regulations at 10039 SHADYVIEW DR. This property is more fully described as Lot 23, Block C/7527, and is zoned R-7.5(A), which an accessory structure may not exceed 25% of the floor area of the main structure and limits the number of dwelling units to one. The applicant proposes to construct and maintain an additional dwelling unit (Not for Rent), which will require a special exception to the single family zoning use regulations, and to construct and maintain a single family residential accessory structure with 572 square feet of floor area (28.8% of the 1981 square foot floor area of the main structure), which will require a 77 square foot variance to the floor area ratio regulations.

Sincerely,


David Session, Building Official





CITY OF DALLAS
AFFIDAVIT

Appeal number: BDA 212-025

I, Carlos de Rueda, Owner of the subject property
(Owner or "Grantor" of property as it appears on the Warranty Deed)

at: 10039 Shadyview Dr, Dallas TX 75238
(Address of property as stated on application)

Authorize: Carla F Yshuaylas
(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: Garage conversion for my mother to occupy
when she visits me.

Carlos de Rueda
Print name of property owner or registered agent

[Signature]
Signature of property owner or registered agent

Date Jan 11, 2022

Before me, the undersigned, on this day personally appeared _____

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 _____ day of _____

See attached CA jurat
Notary Public for Dallas County, Texas

Commission expires on _____

CALIFORNIA JURAT

GOVERNMENT CODE § 8202

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this 11 day of January, 2022, by
Date Month Year

(1) Carlos De Rueda

(and (2) _____),
Name(s) of Signer(s)



Place Notary Seal and/or Stamp Above

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Brianne E. Hancy
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: State of Dallas Affidavit

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____



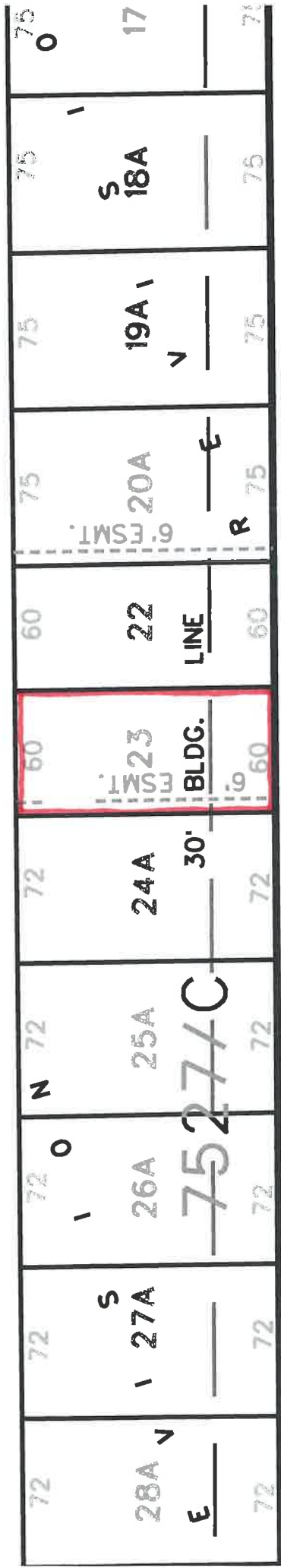
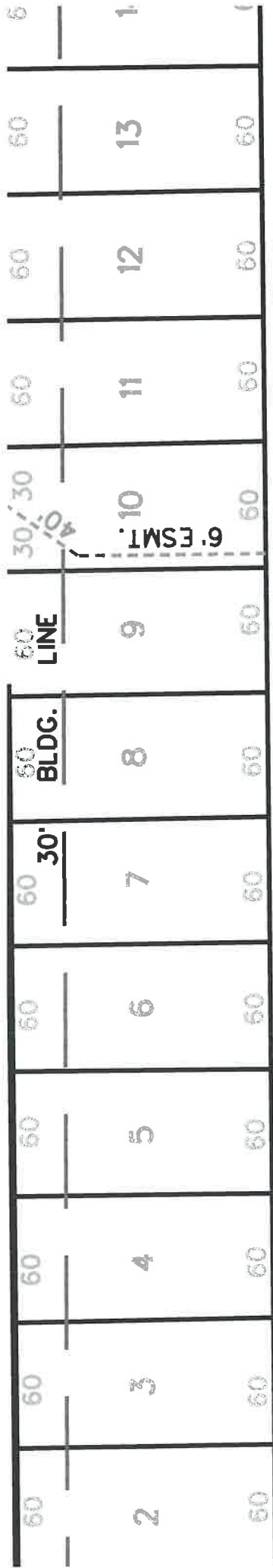
Printed: 1/24/2022

Legend

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

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



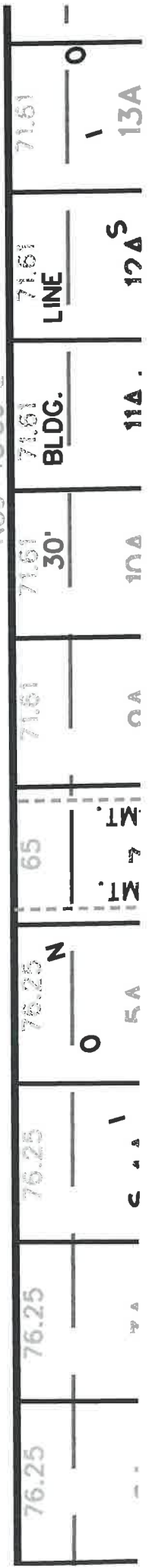


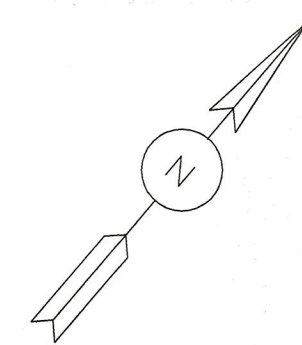
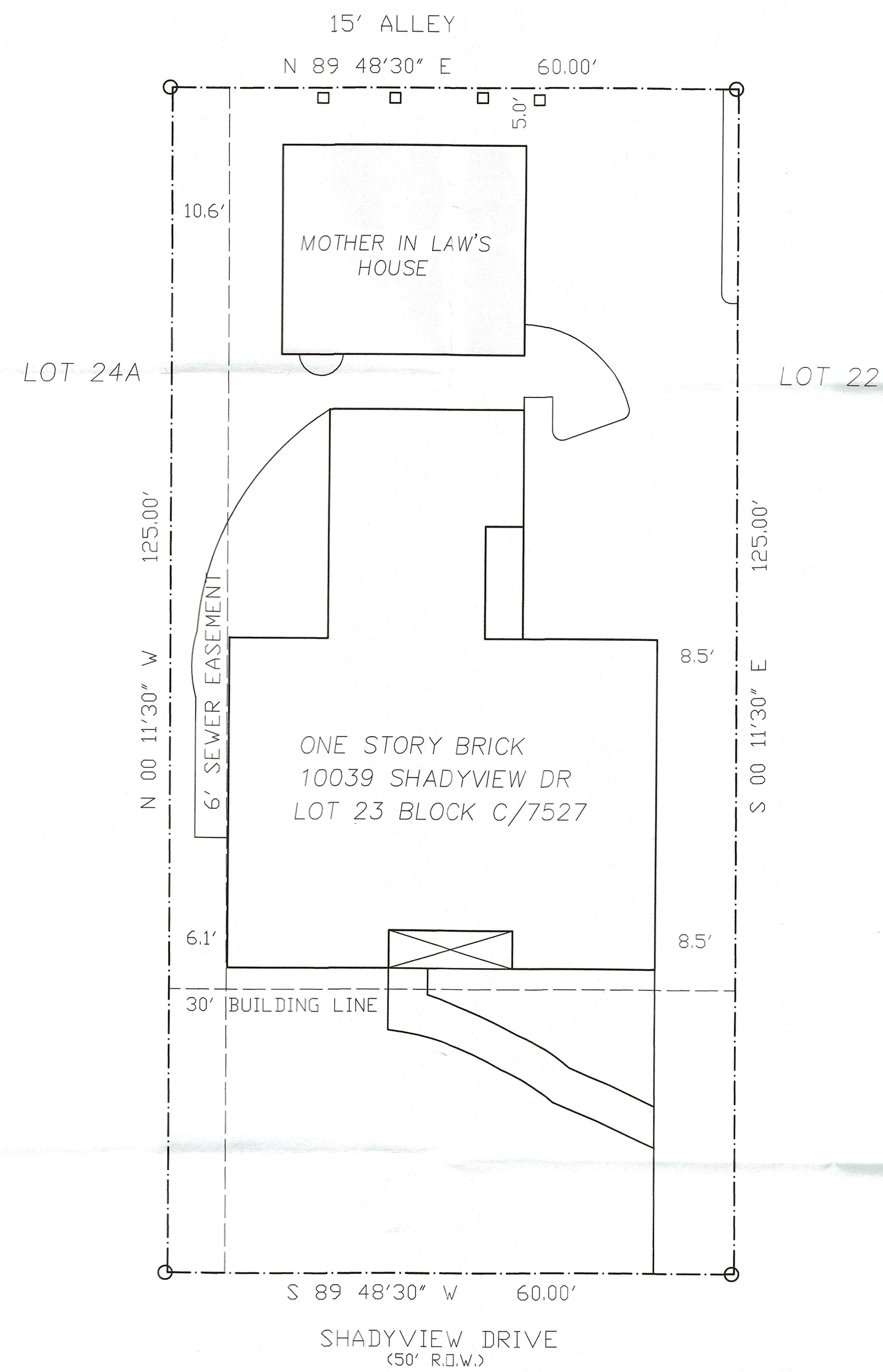
HADYVIEW

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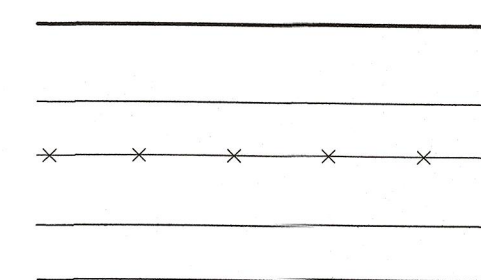




SITE PLAN
SCALE : 1" = 10'

LEGEND

- PROPERTY LINE
- UTILITY EASEMENT
- NEW FENCE H= 6'
- U.E.= utility & drainage easement
- B.L.= building line
- S.E.= slope easement



PLAT#		COD BLDG PERMIT #			
PD TRACKING#		WWW TRACKING #			
RESIDENTIAL REMODEL					
10039 SHADYVIEW DRIVE					
SITE PLAN					
SUSTAINABLE DEVELOPMENT & CONSTRUCTION					
CITY OF DALLAS, DALLAS COUNTY, TEXAS 75223					
REVIEW BY:	DRAWN BY:	DATE	FILE	NUMBER	SHEET
FLH	FLH	NOV 04 2021			C1.0

FILE NUMBER: BDA212-032(PD)

BUILDING OFFICIAL'S REPORT: Application of W.W. Willingham III for a special exception to the parking regulations at 10207 N. Central Expressway. This property is more fully described as part of lot 26 in City Block 7293 and is zoned an MU-2 Mixed Use District 2, which requires parking to be provided. The applicant proposes to maintain an existing commercial structure consisting of office and retail and personal service uses to provide 61 of the required 76 parking spaces, which will require a 15-space special exception (20 percent reduction) to the parking regulation.

LOCATION: 10207 N. Central Expwy

APPLICANT: W.W. Willingham III

REQUEST:

A request for a special exception to the off-street parking regulations of 15 spaces is made to maintain a commercial structure consisting of office and retail and personal service uses to provide 61 of the 76 required off-street parking spaces.

STANDARD FOR A SPECIAL EXCEPTION TO THE OFF-STREET PARKING REGULATIONS:

Section 51A-4.311 of the Dallas Development Code states the following:

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article *if the board finds*, after a public hearing, that *the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.* The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For the commercial amusement (inside) use and the industrial (inside) use, the maximum reduction authorized by this section is 75 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(4)(A). For office use, the maximum reduction authorized by this section is 35 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-

4.704(b)(4)(A). Applicants may seek a special exception to the parking requirements under this section and an administrative parking reduction under Section 51A-4.313. The greater reduction will apply, but the reduction may not be combined.

- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.
- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:

- (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51; or
- (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION:

Approval.

- Rationale:

The Transportation Development Services Senior Engineer reviewed the parking study and has no objections to the request.

BACKGROUND INFORMATION:

Zoning:

Site: MU-2 Mixed Use District 2
North: MU-2 Mixed Use District 2
East: MU-2 Mixed Use District 2
South: GO(A) General Office with a D-1 Liquor Control Overlay, SUP No. 2381
West: MU-2 Mixed Use District 2

Land Use:

The subject site is developed with an existing commercial structure consisting of office, retail and personal service uses comprised of a vacant suite, a restaurant without drive-in or drive-through service use, a dry cleaning or laundry store, and an office use. Surrounding properties consist of North Central Expressway to the east, a hotel use to the south, a multifamily use to the west, and an auto-related use to the north.

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 special exception to the off-street parking regulations of 15 spaces is made to maintain an existing commercial structure consisting of office, retail and personal service uses comprised of a vacant suite, a restaurant without drive-in or drive-through service use, a dry cleaning or laundry store, and an office use to provide 61 of the 76 required off-street parking spaces.

Per the Development Code, the off-street parking requirement utilizing the floor area provided for each of the proposed and existing uses is as follows. The existing office use consists of 1,200 square feet of floor area and requires one space for every 333 square feet of floor area for a total of four off-street parking spaces required. The vacant 2,000 square foot suite to be used for a retail use requires one spaces for every 200 square feet of floor area for a total of 10 off-street spaces required. The existing restaurant without drive-in or drive-through service use consists of approximately 1,950 square feet of floor area and requires one spaces for every 100 square feet of floor area for a total of 20 off-street spaces required. The existing personal service use consists of approximately 3,600 square feet of floor area and requires one spaces for every 200 square feet of floor area for a total of 18 off-street parking spaces required. Lastly the proposed restaurant use (previously a laundry) proposes to consist of approximately 2,400 square feet of floor area and requires one space for every 100 square feet of floor area for a total of 24 off-street parking spaces required. The net total of the five uses requires approximately 76 off-street parking spaces to be provided on-site, however the site proposes to provide 61 off-street parking spaces on-site.

The applicant provided a parking study to substantiate the request. The Transportation Development Services Senior Engineer has reviewed the parking study and has no objections to the request (**Attachment C**).

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

- The parking demand generated by the proposed commercial structure does not warrant the number of off-street parking spaces required; and,
- The special exception of 15 spaces (or a 20 percent reduction of the required off-street parking) would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.

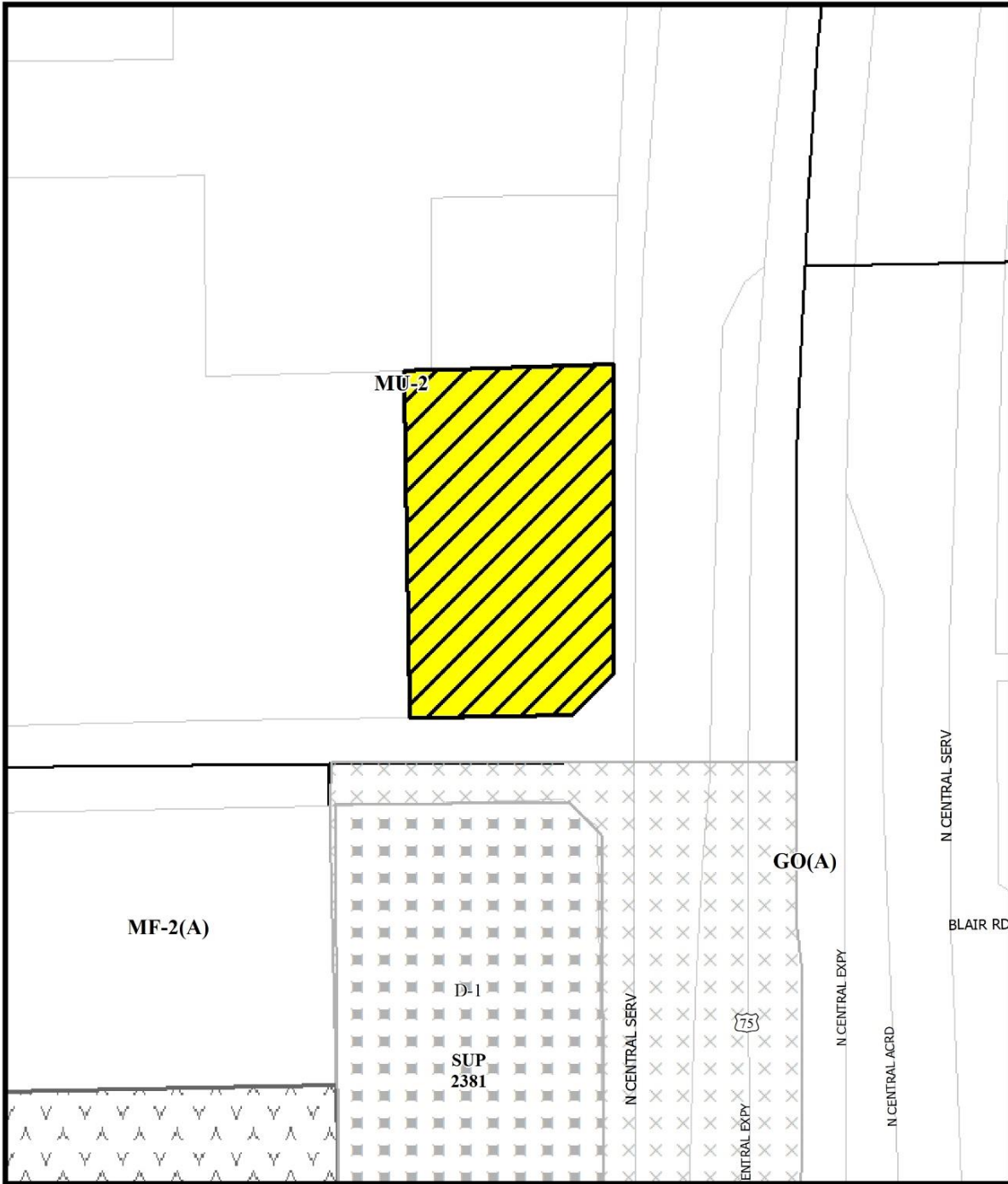
As of April 8, 2022, no letters have been submitted in support of or in opposition to the request.

If the board were to grant this request a condition may be imposed that the special exception of 15 spaces shall automatically and immediately terminate if and when the aforementioned mix of uses is changed or discontinued.

Timeline:

February 10, 2022: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

- March 3, 2022: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel C.
- March 8, 2022: The Board Senior Planner emailed the representative the following information:
- a copy of the application materials including the Building Official's report on the application;
 - an attachment that provided the public hearing date and panel that will consider the application; the March 30th deadline to submit additional evidence for staff to factor into their analysis; and the April 8th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the request; and
 - the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."
- March 31, 2022: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Board of Adjustment Chief Planner/Board Administrator, the Development Services Chief Arborist, the Development Services Senior Plans Examiner, the Development Services Chief Planner, the Transportation Development Services Senior Engineer, the Board Senior Planner, and the Assistant City Attorney to the Board.
- April 5, 2022: The representative provided additional evidence (parking study and revised site) for Board consideration (**Attachments A and B**).
- April 11, 2022: The Transportation Development Services Senior Engineer submitted a review comment sheet marked "no objection" (**Attachment C**).
- At the time of this report, a revised BO report was pending.

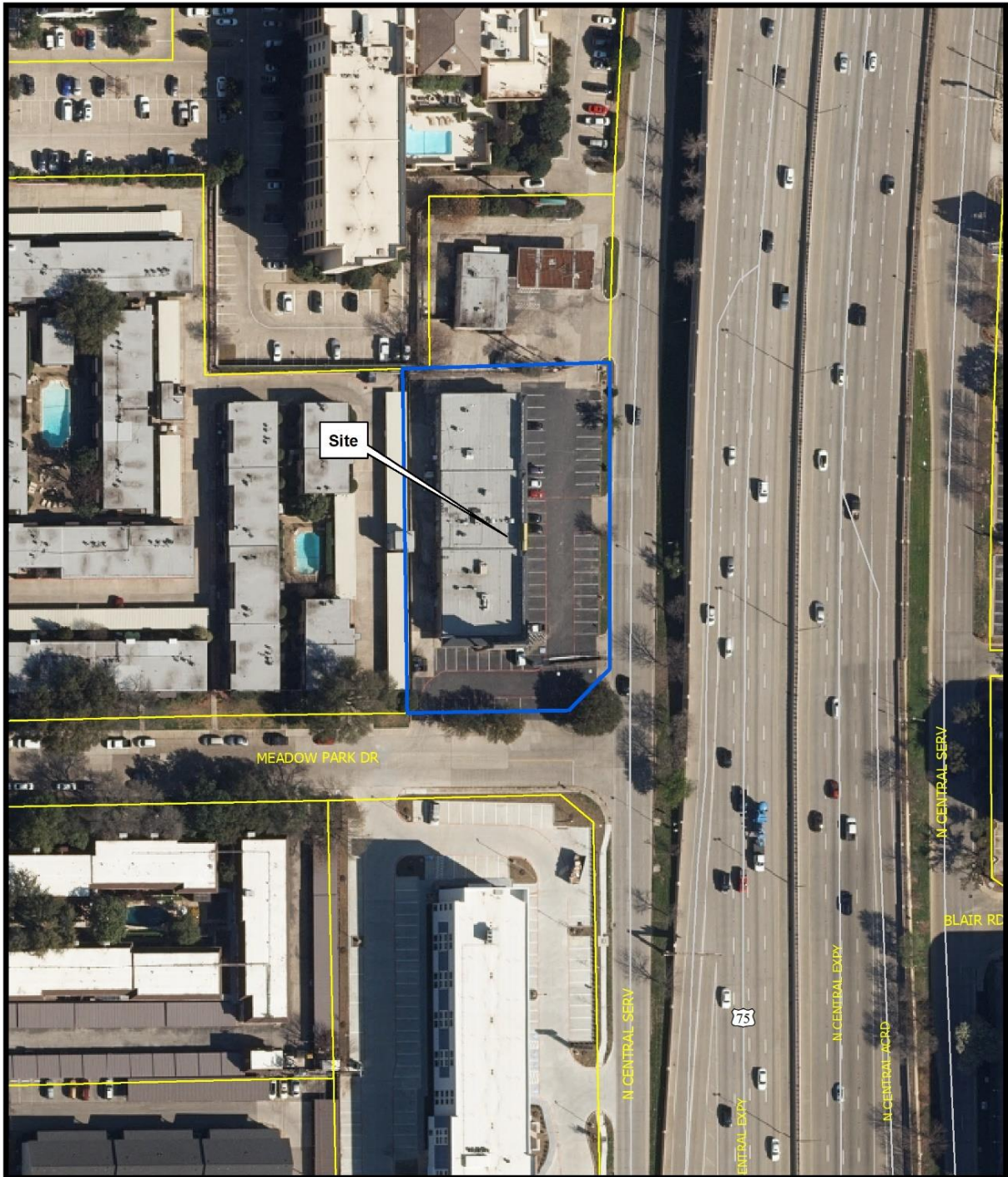


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ZONING MAP

Case no: BDA212-032

Date: 3/9/2022

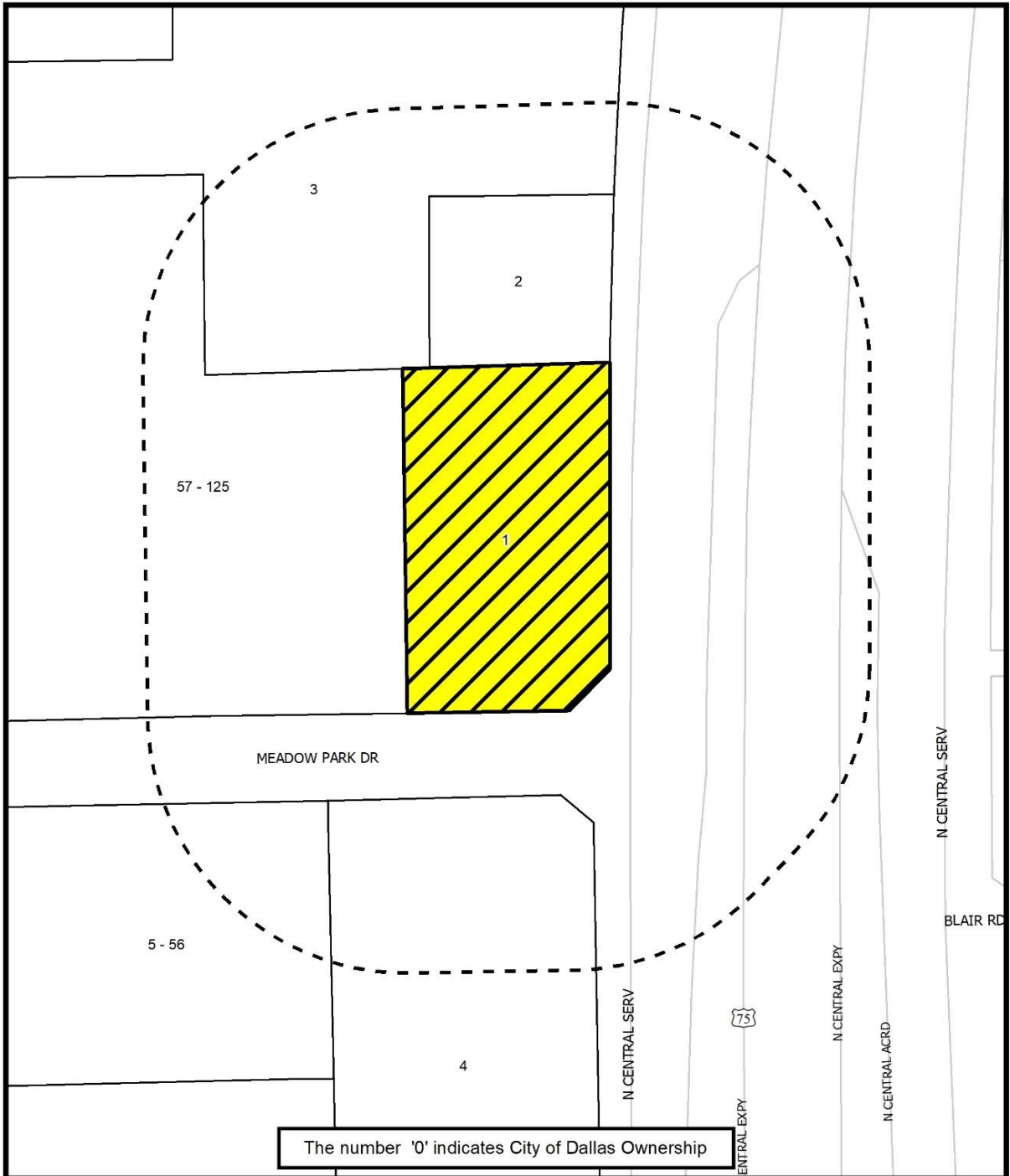


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AERIAL MAP

Case no: BDA212-032

Date: 3/9/2022



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NOTIFICATION

200' AREA OF NOTIFICATION
125 NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **BDA212-032**

Date: **3/9/2022**

03/09/2022

Notification List of Property Owners

BDA212-032

125 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10207 N CENTRAL EXPY	Taxpayer at
2	10233 N CENTRAL EXPY	PLEASANT RUN LANCASTER
3	10325 N CENTRAL EXPY	HOSPITALITY PROPERTIES
4	10111 N CENTRAL EXPY	AVAIL HOTELS LLC
5	7824 MEADOW PARK DR	MEYERS MEGAN
6	7824 MEADOW PARK DR	GREENBERG ABRAHAM &
7	7826 MEADOW PARK DR	CRIJNS ELS
8	7826 MEADOW PARK DR	WITTY MICHAEL & KELLY
9	7830 MEADOW PARK DR	MOOSE MICHEAL E
10	7824 MEADOW PARK DR	MCNEELY LINDA
11	7824 MEADOW PARK DR	GREENBERG ABRAHAM RAMI &
12	7826 MEADOW PARK DR	REED MICHAEL JR
13	7826 MEADOW PARK DR	FAIRBROOK MARCIA L
14	7830 MEADOW PARK DR	GUSS JODI L
15	7828 MEADOW PARK DR	HARKER EMMA CAROLINE
16	7828 MEADOW PARK DR	KOENIG KIRK
17	7828 MEADOW PARK DR	TEDDLIE MERRITT B LIVING TRUST
18	7830 MEADOW PARK DR	GRIMES LASHANDA
19	7830 MEADOW PARK DR	SOTO LOURDES
20	7828 MEADOW PARK DR	RISNER THOMAS L
21	7828 MEADOW PARK DR	CRUZ JOSE DELA JR
22	7830 MEADOW PARK DR	HARRIS GEOFFREY
23	7830 MEADOW PARK DR	BRYAN JANE M
24	7830 MEADOW PARK DR	ELMORE JESS N &
25	7822 MEADOW PARK DR	LASATER JO ELLEN
26	7820 MEADOW PARK DR	BENNETT GARY S JR

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7820 MEADOW PARK DR	MORGAN DONNA
28	7818 MEADOW PARK DR	PAZOS CYNTHIA L
29	7822 MEADOW PARK DR	MURPHY MICHAEL M
30	7822 MEADOW PARK DR	RODRIGUEZ JUAN M
31	7820 MEADOW PARK DR	RENNICK CHAD A &
32	7818 MEADOW PARK DR	DOERINGSFELD MICHAEL
33	7816 MEADOW PARK DR	GRUNNAH ROBERT
34	7816 MEADOW PARK DR	ACEVEDO KRISTEN L
35	7814 MEADOW PARK DR	WEHRLY DAVID C
36	7814 MEADOW PARK DR	KIELY CLAIRE A
37	10100 REGAL PARK LN	PORTER BARBARA A
38	10100 REGAL PARK LN	LEE KAREN R
39	7816 MEADOW PARK DR	KAY ISABELLE M & TYSON
40	7816 MEADOW PARK DR	TUBBS ANDREW J
41	7814 MEADOW PARK DR	NLNET LLC
42	7814 MEADOW PARK DR	VO TOMMY & JENNIFER
43	10100 REGAL PARK LN	BERNAR MARTIN &
44	10100 REGAL PARK LN	WRIGHT KATHERINE
45	7808 MEADOW PARK DR	LADD LINDA D
46	7808 MEADOW PARK DR	ALLGEIER LIFETIME TRUST THE
47	7810 MEADOW PARK DR	KIMBELL CHRISTOPHER H &
48	7810 MEADOW PARK DR	SMITH STEVEN L
49	7812 MEADOW PARK DR	PETERS STACY A
50	7830 MEADOW PARK DR	BAUMKOHN MIRIAM G &
51	7808 MEADOW PARK DR	BAILEY DENISE GLASS
52	7808 MEADOW PARK DR	MCGOWEN ABIGAIL REID
53	7810 MEADOW PARK DR	BURNETT ANGELA
54	7830 MEADOW PARK DR	GLG REAL ESTATE
55	7830 MEADOW PARK DR	ZIPPER JOAN MARIE
56	7812 MEADOW PARK DR	HANSON PAMELA P
57	7855 MEADOW PARK DR	CED LANI H &

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	7855 MEADOW PARK DR	THOMAS CAROLYN
59	7855 MEADOW PARK DR	LUKOWSKI MIKE
60	7861 MEADOW PARK DR	SCHOENICK KATHLEEN
61	7867 MEADOW PARK DR	TOPLETZ IRIS S
62	7867 MEADOW PARK DR	MUSGROVE DEBRA
63	7867 MEADOW PARK DR	PARCHEM ANN
64	7867 MEADOW PARK DR	NANNINGA CARROLL
65	10212 REGAL OAKS DR	LUKOWSKI MICHAEL
66	10212 REGAL OAKS DR	LUNA OSCAR M
67	10212 REGAL OAKS DR	LUNA OSCAR MAURICIO
68	10212 REGAL OAKS DR	SOLOMON YOSEPH
69	10216 REGAL OAKS DR	MATA BRITTANY
70	10216 REGAL OAKS DR	GRIFFIN GINA ANN
71	10216 REGAL OAKS DR	EQUITY TRUST CO CUSTODIAN
72	10216 REGAL OAKS DR	MCALEB DEBORAH
73	10220 REGAL OAKS DR	SOWARD MARK C LIFE ESTATE
74	10220 REGAL OAKS DR	NGUYEN LORI
75	10220 REGAL OAKS DR	LUKOWSKI MICHAEL
76	10220 REGAL OAKS DR	UPSHAW DONNIE S
77	10236 REGAL OAKS DR	MASK TREJUAN
78	10236 REGAL OAKS DR	SCHROLLER JACQUELINE
79	10236 REGAL OAKS DR	MORALES JANICE DENISE EUBANKS
80	10236 REGAL OAKS DR	BARBER HENRY J
81	10238 REGAL OAKS DR	BIRD SUZY
82	10240 REGAL OAKS DR	BARNARD DOROTHY
83	10240 REGAL OAKS DR	JONES HOWELL R
84	10240 REGAL OAKS DR	CROCKETT TIMMIE LEPINCE
85	10240 REGAL OAKS DR	KATHREE NADIM
86	10224 REGAL OAKS DR	LUKOWSKI MARTA
87	10224 REGAL OAKS DR	TOPLETZ PROPERTIES PARTNERSHIP
88	10224 REGAL OAKS DR	KEBEDE MULUGETA ANTENEH

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	10224 REGAL OAKS DR	AM & CO LLC
90	10228 REGAL OAKS DR	TRAN SON H
91	10228 REGAL OAKS DR	LUKOWSKI MICHAEL
92	10232 REGAL OAKS DR	LANE STEPHEN B
93	10232 REGAL OAKS DR	DEANS REX D
94	10232 REGAL OAKS DR	LIN FRANK
95	10232 REGAL OAKS DR	DELEON CARLOS GUSTAVO DIAZ
96	10244 REGAL OAKS DR	GRIGGS EDWARD C
97	10244 REGAL OAKS DR	AKABUE OLUSHEYI
98	10244 REGAL OAKS DR	HERNANDEZ ROSENID
99	10244 REGAL OAKS DR	ABRAMSON FAMILY TRUST
100	10248 REGAL OAKS DR	KAPLAN BEATRICE
101	10248 REGAL OAKS DR	MACALIK CAINEN ANTHONY
102	10248 REGAL OAKS DR	BERMAN MARK J &
103	10248 REGAL OAKS DR	HUFFMAN SCOTT
104	10252 REGAL OAKS DR	REED BRANDI
105	10252 REGAL OAKS DR	AMERICAN REALTY SERVICES INC
106	10252 REGAL OAKS DR	ALI BERTUKEN A
107	10252 REGAL OAKS DR	FREEMAN DANIEL H &
108	7903 MEADOW PARK DR	TAYLOR KATHRYN R
109	7903 MEADOW PARK DR	CHAVEZ BLANCA AMELIA AGUILAR
110	7907 MEADOW PARK DR	HATAMI MANOUCHEHR
111	7907 MEADOW PARK DR	LOREDO PEDRO JUAN
112	7911 MEADOW PARK DR	J STEWART PROPERTIES 1 LLC
113	7911 MEADOW PARK DR	MORELLI LUCRETIA
114	7915 MEADOW PARK DR	MEADOW PARK 791 110 LAND TR
115	7903 MEADOW PARK DR	KAWINSKA MARIA KRISTINA
116	7907 MEADOW PARK DR	WILLIAMS MICHAEL DEE
117	7911 MEADOW PARK DR	TORRES KARINA
118	7915 MEADOW PARK DR	WELLINGTON INTERESTS INC
119	7929 MEADOW PARK DR	CANADA BENNIE LOU

03/09/2022

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	7929 MEADOW PARK DR	KING PIEDMONT REALTY LLC
121	7929 MEADOW PARK DR	LEGORRETA PABLO A
122	7929 MEADOW PARK DR	TRAN CONNIE
123	7919 MEADOW PARK DR	MONTE DHEENA
124	7919 MEADOW PARK DR	GONZALESTREES LEANN R & FRANK IV
125	7919 MEADOW PARK DR	HERRERA ABNER ARON



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 212-032

Data Relative to Subject Property:

Date: February 10, 2022

Location address: ~~10203~~ 10229 N. Central Expressway
(AKA 10207 N. Central)

Zoning District: MU-2

PT LT
Lot No.: 26 Block No.: 7293 Acreage: .871 Census Tract: ~~48-113~~ 013104

Street Frontage (in Feet): 1) 261' 2) 150' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): W.W. Willingham Family Limited Partnership No. II; GG&Bob, Ltd.; H. Craig Kinney; and K & B Commercial Texas, Ltd.

Applicant: W.W. Willingham III Telephone: 214/553-0000 X103

Mailing Address: 8525 Ferndale Rd. Ste 204, Dallas, Texas Zip Code: 75238

E-mail Address: mrobinson@wpcrc.com

Represented by: W.W. Willingham III Telephone: 214/553-0000 X103

Mailing Address: 8525 Ferndale Rd. Ste 204, Dallas, Texas Zip Code: 75238

E-mail Address: mrobinson@wpcrc.com

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

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:
To accommodate a restaurant in a 2400 sf space recently vacated by prior tenant. The proposed restaurant, previously located nearby, was displaced by a larger tenant. The business does well in the area and would add no significant parking. Due to changing market conditions the every day retail tenants have evaporated. We are significantly overparked for the current uses and 50% of the center (majority of businesses) are closed in the evening when we expect the restaurants to receive most of their business.

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

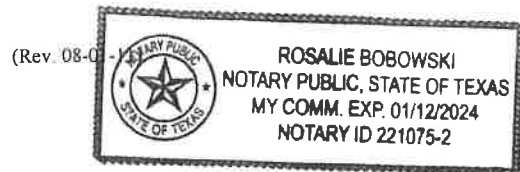
Before me the undersigned on this day personally appeared W.W. Willingham III
(Affiant/Applicant's name printed)

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 February, 2022

Rosalie Bobowski
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 W.W Willingham

did submit a request for a special exception to the parking regulations
at 10207 N. Central Expressway

BDA212-032. Application of W.W Willingham for a special exception to the parking regulations at 10207 N CENTRAL EXPY. This property is more fully described as Lot PT of Lot 26, Block 7293, and is zoned MU-2, which requires parking to be provided. The applicant proposes to maintain a nonresidential structure for a restaurant without drive-in or drive-through service use, a personal service use, a restaurant without drive-in or drive-through service use, a general merchandise or food store greater than 3500 square feet, and an office use, and provide 70 of the required 76 parking spaces, which will require a 6 space special exception (.08% reduction) to the parking regulation.

Sincerely,


David Session, Building Official



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-032

I, W.W. Willingham Family Limited Partnership No. II, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10203 - 10229 N. Central Expressway, Dallas, Texas (AKA 10207 N. Central)
(Address of property as stated on application)

Authorize: W.W. Willingham III
(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: Special Exception of five parking spaces

W.W. Willingham III
General Partner of W.W. Willingham
Family Limited Partnership No. II
 Print name of property owner or registered agent

[Signature]
 Signature of property owner or registered agent

Date 2-9-2022

Before me, the undersigned, on this day personally appeared W.W. Willingham III

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 9th day of February, 2022

Rosalie Bobowski
Notary Public for Dallas County, Texas

Commission expires on 1-12-24





CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-032

I, GG&Bob, Ltd., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10203 - 10229 N. Central Expressway, Dallas, Texas (AKA 10207 N. Central)
(Address of property as stated on application)

Authorize: W.W. Willingham III
(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: Special Exception of five parking spaces.

Gale "Gigi" Gartner,
Manager of GG & Bob, Ltd.
Print name of property owner or registered agent

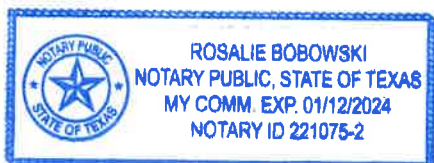
Gigi Gartner
Signature of property owner or registered agent

Date 2-9-2022

Before me, the undersigned, on this day personally appeared Gigi Gartner

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 9th day of February, 2022



Rosalie Bobowski
Notary Public for Dallas County, Texas

Commission expires on 1-12-24



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-032

I, K & B Commercial Texas Ltd., Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10203 - 10229 N. Central Expressway, Dallas, Texas (AKA 10207 N. Central)
(Address of property as stated on application)

Authorize: W.W. Willingham III
(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: Special Exception of five parking spaces.

H. Craig Kinney,
General Partner of K & B Commercial Texas Ltd.

Print name of property owner or registered agent

H. C. Kinney
Signature of property owner or registered agent

Date 2/8/22

Before me, the undersigned, on this day personally appeared H Craig Kinney

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 8th day of February, 2022



Meg Robinson
Notary Public for Dallas County, Texas

Commission expires on 2-13-2025



CITY OF DALLAS

AFFIDAVIT

Appeal number: BDA 212-032

I, H. Craig Kinney, Owner of the subject property
(Owner or "Grantee" of property as it appears on the Warranty Deed)

at: 10203 - 10229 N. Central Expressway, Dallas, Texas (AKA 10207 N. Central)
(Address of property as stated on application)

Authorize: W. W. Willingham III
(Applicant's name as stated on application)

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

 Variance (specify below)

 X Special Exception (specify below)

 Other Appeal (specify below)

Specify: Special Exception of five parking spaces

H. Craig Kinney
Print name of property owner or registered agent

H. C. Kinney
Signature of property owner or registered agent

Date 2/8/22

Before me, the undersigned, on this day personally appeared H. Craig Kinney

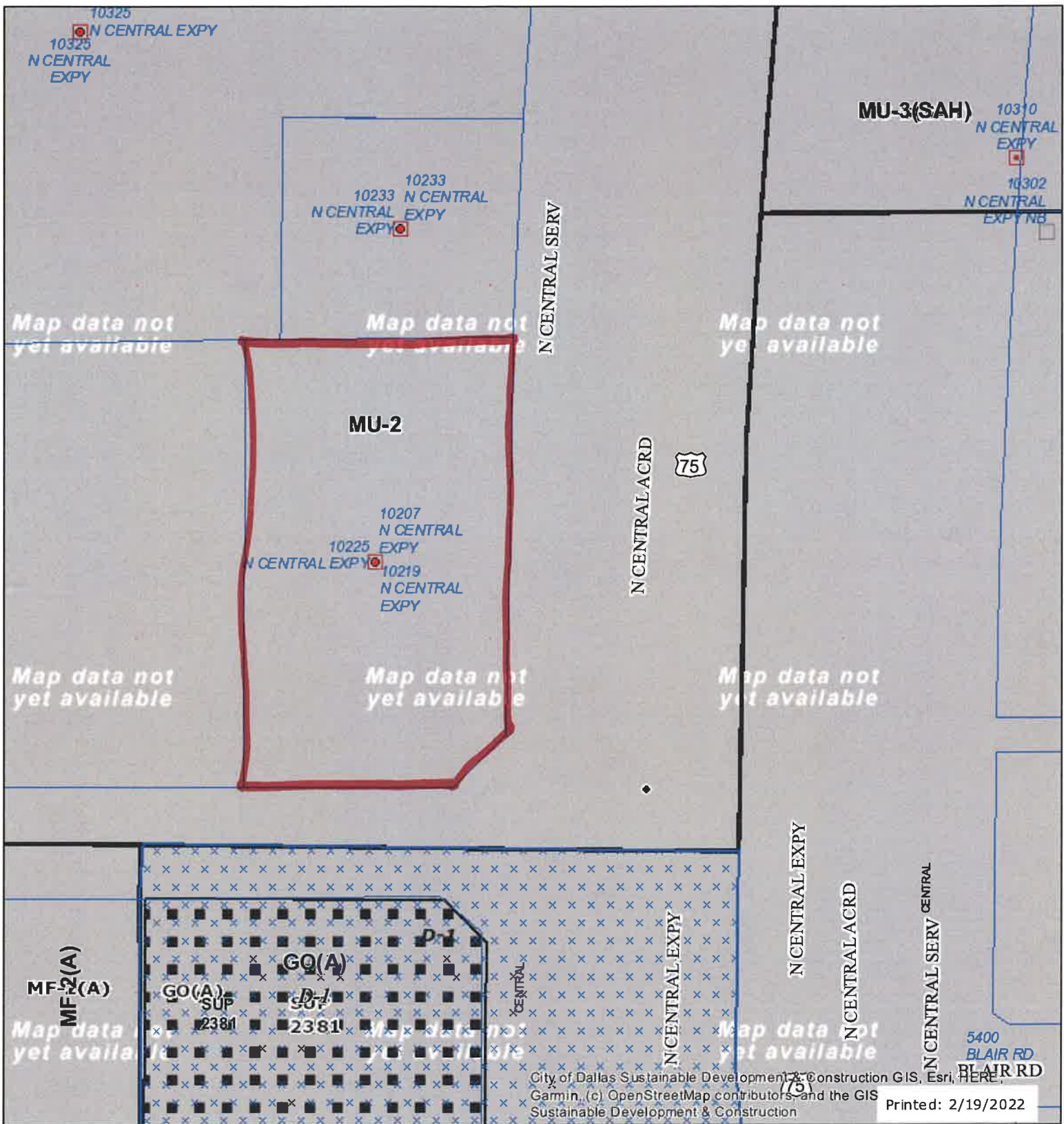
Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 8th day of February, 2022

Meg Robinson
Notary Public for Dallas County, Texas

Commission expires on 2-13-2015





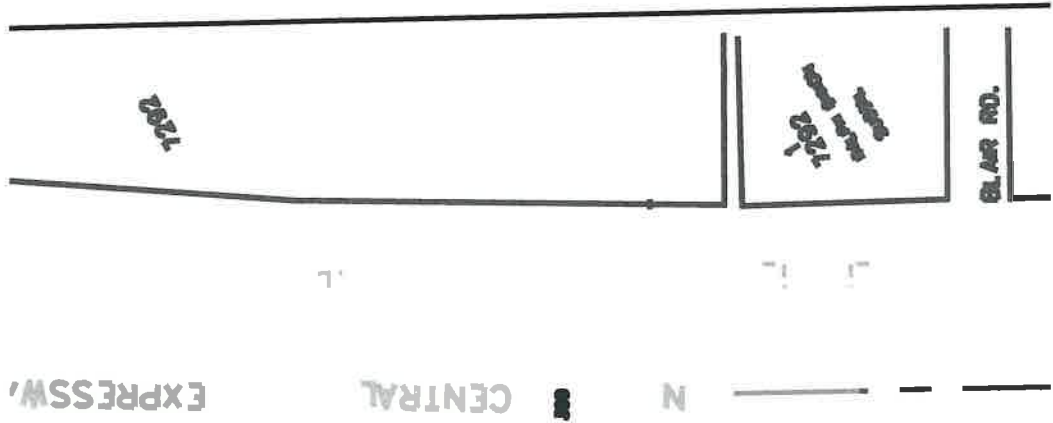
City of Dallas Sustainable Development & Construction GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS Sustainable Development & Construction
 Printed: 2/19/2022

Legend

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

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



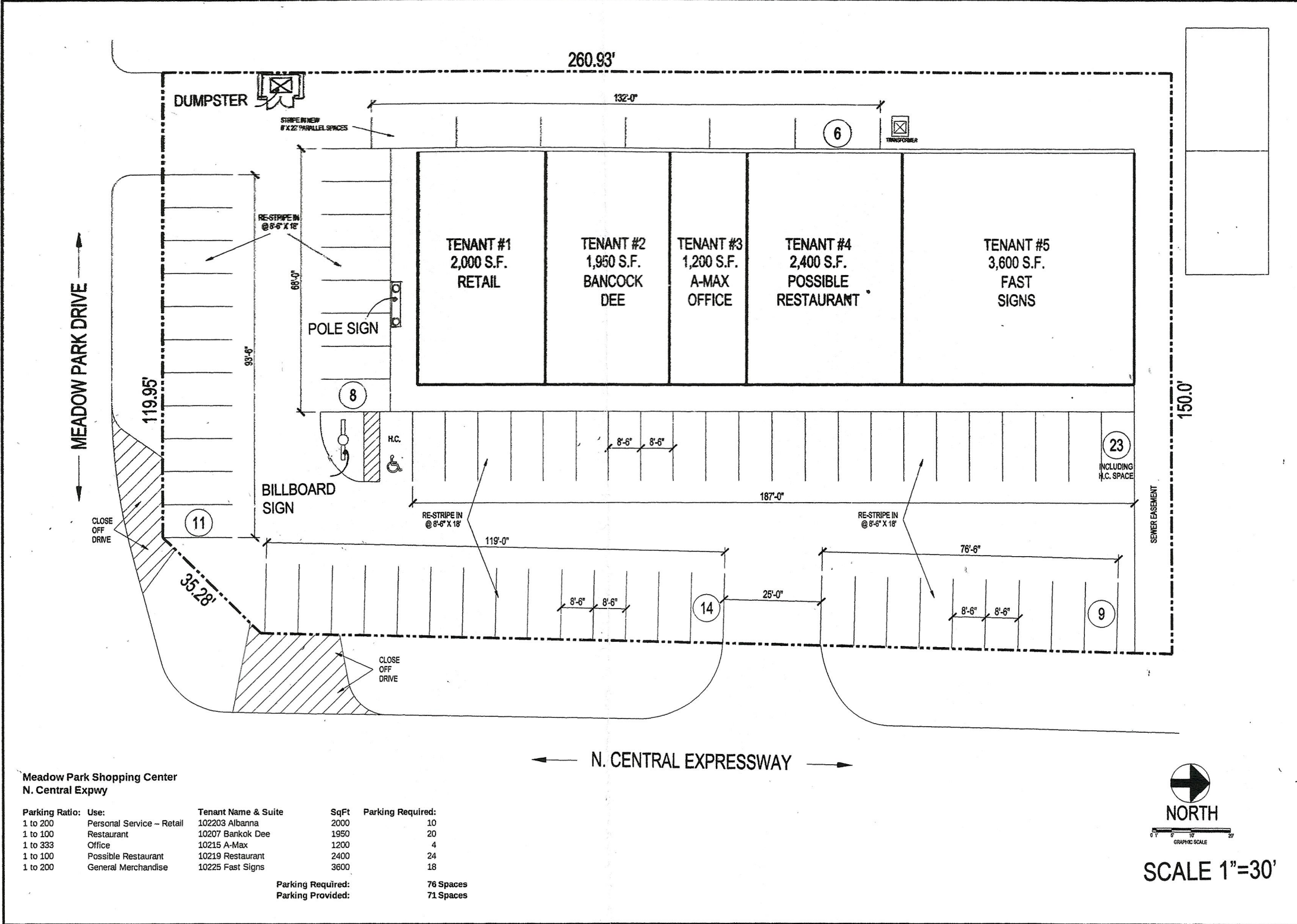


10207 N. Central

2/11/2022

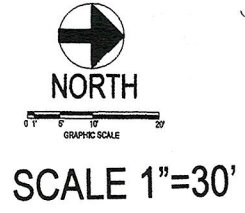
BDA 2022-032

	<u>Use</u>	<u>SqFt</u>	<u>Parking Ratio</u>	<u>Required Spaces Per Proposed Use</u>	<u>Provided Spaces Per Site Plan</u>	<u>Reduction In Spaces Requested</u>
10203 N. Central	Personal Service / Retail	2000	1 to 200	10		
10207 N. Central	Restaurant	1950	1 to 100	20		
10215 N. Central	Office	1200	1 to 333	4		
10219 N. Central	Proposed Restaurant	2400	1 to 100	24		
10225 N. Central	General Merchandise	3600	1 to 200	18		
				<hr/>		
				76	71	5



**Meadow Park Shopping Center
N. Central Expwy**

Parking Ratio:	Use:	Tenant Name & Suite	SqFt	Parking Required:
1 to 200	Personal Service - Retail	102203 Albanna	2000	10
1 to 100	Restaurant	10207 Bankok Dee	1950	20
1 to 333	Office	10215 A-Max	1200	4
1 to 100	Possible Restaurant	10219 Restaurant	2400	24
1 to 200	General Merchandise	10225 Fast Signs	3600	18
			Parking Required:	76 Spaces
			Parking Provided:	71 Spaces



CLIENT:	
PROJECT:	MEADOW PARK SHOPPING CENTER NORTH CENTRAL EXPRESSWAY DALLAS, TEXAS
TITLE:	RE-STRIPING PLAN
SCALE:	3/32" = 1'-0" (when printed on 24X36 paper)
DATE:	12/22/21
REVISION:	1
SHEET:	S1.0

212-032

PARKING DEMAND ANALYSIS FOR
MEADOW PARK RETAIL CENTER
IN THE CITY OF DALLAS, TEXAS

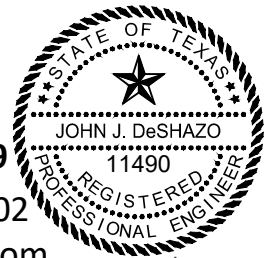
DeShazo Project No. 22047

Prepared for:

Ms. Meg Robinson
Willingham Property Company
8525 Ferndale Road, Suite 204
Dallas, TX 75238

Prepared by:

DeShazo Group, Inc.
Texas Registered Engineering Firm F-3199
400 S Houston St, Suite 330, Dallas, TX-75202
Office: 214-748-6740 | www.deshazogroup.com



A handwritten signature in blue ink, appearing to read "John J. DeShazo".

03/29/2022

March 29, 2022

Parking Demand Analysis For
Meadow Park Retail Center in Dallas, Texas
~ DeShazo Project No. 22047~

Table of Contents

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OBSERVED PARKING DEMAND	3
GENERAL OBSERVATION COMMENTS.....	4
PROJECTED PARKING DEMAND.....	4
CONCLUSION AND RECOMMENDATIONS.....	5

List of Tables and Exhibits

LIST OF TABLES:

- Table 1. Proposed Development Program
- Table 2. Preliminary Code Parking Requirement
- Table 3. Observed Demand (Friday)
- Table 4. Observed Demand (Saturday)
- Table 5. Projected Parking Demand (Friday Peak)

LIST OF EXHIBITS:

- Exhibit 1. Project Location & Surroundings Map
- Exhibit 2. Preliminary Site Plan

INTRODUCTION

The services of **DeShazo Group, Inc.** (DeShazo) were retained by **Willingham Property Company**, to provide parking services for the Meadow Park Shopping Center located at 10207 North Central Expressway on the southbound frontage road just south of Meadow Park Drive and N. Central Expressway in Dallas, Texas. An Indian restaurant desires to move into a vacant space at this retail center. It will be located in suite 10219 of this retail center. A project location map is attached in **Exhibit 1**.

Also, **Exhibit 2** shows the Conceptual Site Plan for the development and addition of the new parking space to the retail center. The development land uses in the retail complex are displayed in **Table 1**.

Table 1. Proposed Development Program

Development Land Uses	DBA	Building/Shop	Quantity
Proposed Indian Restaurant	Restaurant	10219	2,400 SF
Existing			
Vacant	Personal Service - Retail	10203	2,000 SF
Bankok Dee	Restaurant	10207	1,950 SF
A-Max Insurance	Office	10215	1,200 SF
Fast Signs	Personal Service - Retail	10225	3.600 SF

PROJECT UNDERSTANDING

In this study, DeShazo was tasked to determine the current parking demand at Meadow Park and the feasibility of the restaurant's addition to the retail center.

PARKING SUPPLY

In the proposed site plan, the parking supply will be increased to 67 off-street parking spaces at the retail center.

CODE PARKING ANALYSIS

CITY OF DALLAS PARKING REQUIREMENTS

The client is considering converting the soon-to-be-vacated Coin Laundry space in suite 10219 to an Indian restaurant. DeShazo performed a code parking analysis to determine the existing parking requirements for the current uses as well as the code parking requirement of the center upon conversion. The following **Table 2** details the total parking requirements as set forth in Chapter 51-A of the Dallas Development Code for the various components located on the site plan for Meadow Park Shopping Center.

Table 2. Preliminary Code Parking Requirement

Business/ Tenant	Land Use	Quantity	Parking Rate	Code Reference	Parking Requirement
Vacant Retail	Retail	2,000 SF	1 Spaces / 200 SF	51A-4.210	10
Bangkok Dee	Family Restaurant	1,950 SF	1 Spaces / 100 SF	51A-4.210-24	19.5
A-Max Auto Insurance	Small Office	1,200 SF	1 Spaces / 333 SF	51A-4.207	4
Proposed Indian Restaurant	Family Restaurant	2,400 SF	1 Spaces / 100 SF	51A-4.210-24	24
Fast Signs	Retail	3,600 SF	1 Spaces / 200 SF	51A-4.210	18
SUBTOTAL:					75.5 Spaces
TOTAL:					76 Spaces
ADA HANDICAP SPACES REQUIRED:					3 Spaces

As per the code parking analysis calculations, it is determined that there will be an overall requirement of 76 standard parking spaces using each detailed land use for this retail complex.

OBSERVED PARKING DEMAND

DeShazo Group conducted a series of observations on two different days at this retail center. Observations were made at the Meadow Park Shopping Center in Dallas on Friday, March 25, and Saturday, March 26.

Table 3. Observed Demand (Friday)

Meadow Park Retail Center								
Friday, March 25, 2022								
Time of Day	Observed Volume	Handi-cap	Time of Day	Observed Volume	Handi-cap	Time of Day	Observed Volume	Handi-cap
11:00 AM	8	0	2:30 PM	8	0	6:00 PM	5	0
11:30 AM	12	0	3:00 PM	8	0	6:30 PM	7	0
12:00 PM	11	0	3:30 PM	8	0	7:00 PM	8	0
12:30 PM	13	0	4:00 PM	10	0	7:30 PM	7	0
1:00 PM	14*	0	4:30 PM	10	0	8:00 PM	11	0
1:30 PM	14*	0	5:00 PM	5	0	8:30 PM	9	0
2:00 PM	13	0	5:30 PM	5	0	9:00 PM	4	0

*Peak Demand

Table 4. Observed Demand (Saturday)

Meadow Park Retail Center								
Saturday, March 26, 2022								
Time of Day	Observed Volume	Handi-cap	Time of Day	Observed Volume	Handi-cap	Time of Day	Observed Volume	Handi-cap
12:00 PM	10*	1*	3:00 PM	7	0	6:00 PM	5	0
12:30 PM	7	1	3:30 PM	4	0	6:30 PM	4	0
1:00 PM	9	1	4:00 PM	4	0	7:00 PM	7	0
1:30 PM	10*	1*	4:30 PM	6	0	7:30 PM	6	0
2:00 PM	7	0	5:00 PM	7	0	8:00 PM	5	0
2:30 PM	8	0	5:30 PM	8	0	8:30 PM	3	0
						9:00 PM	6	0

GENERAL OBSERVATION COMMENTS

DeShazo's general notes, observations, and comments:

- Two properties were observed to be vacant at the time of these observations, Suite 1 formerly Massage Parlor, and Suite 3 formerly Coin Laundry where the proposed Indian Restaurant proposed to locate.
- Two standard spots are reserved for the Fast Sign property.

PROJECTED PARKING DEMAND

Based upon DeShazo's projected parking demand model shown in **Table 5**, parking demand is projected for the retail center. In calculating the projected parking demand, we have added the observed volumes and projected *ITE* demand numbers for proposed retail and restaurant with a time-of-day distribution of parking demand on a Friday.

Table 5. Projected Parking Demand (Friday Peak)

Meadow Park Retail Center				
Friday				
Time of Day	Observed Volume	Demand (Retail)	Demand (Restaurant)	Total Requirement
11:00 AM	8	3.2	2.75	14.0
12:00 PM	11	4	9.25	24.3
1:00 PM	14	3.92	13.5	31.4
2:00 PM	13	3.6	7.25	23.9
3:00 PM	8	3.12	5.5	16.6
4:00 PM	10	3.24	3.5	16.7
5:00 PM	5	3.44	4.5	12.9
6:00 PM	5	3.36	10.5	18.9
7:00 PM	8	3.16	22.75	33.9
8:00 PM	11	2.8	25	38.8
9:00 PM	4	-	-	4.0
STANDARD SPACES REQUIRED:				39 Spaces
ADA HANDICAP SPACES REQUIRED:				2 Spaces

Based on the projected parking demands calculated in **Table 5**, a combined peak hour demand of 39 standard parking spaces is calculated for Friday at 8:00 PM.

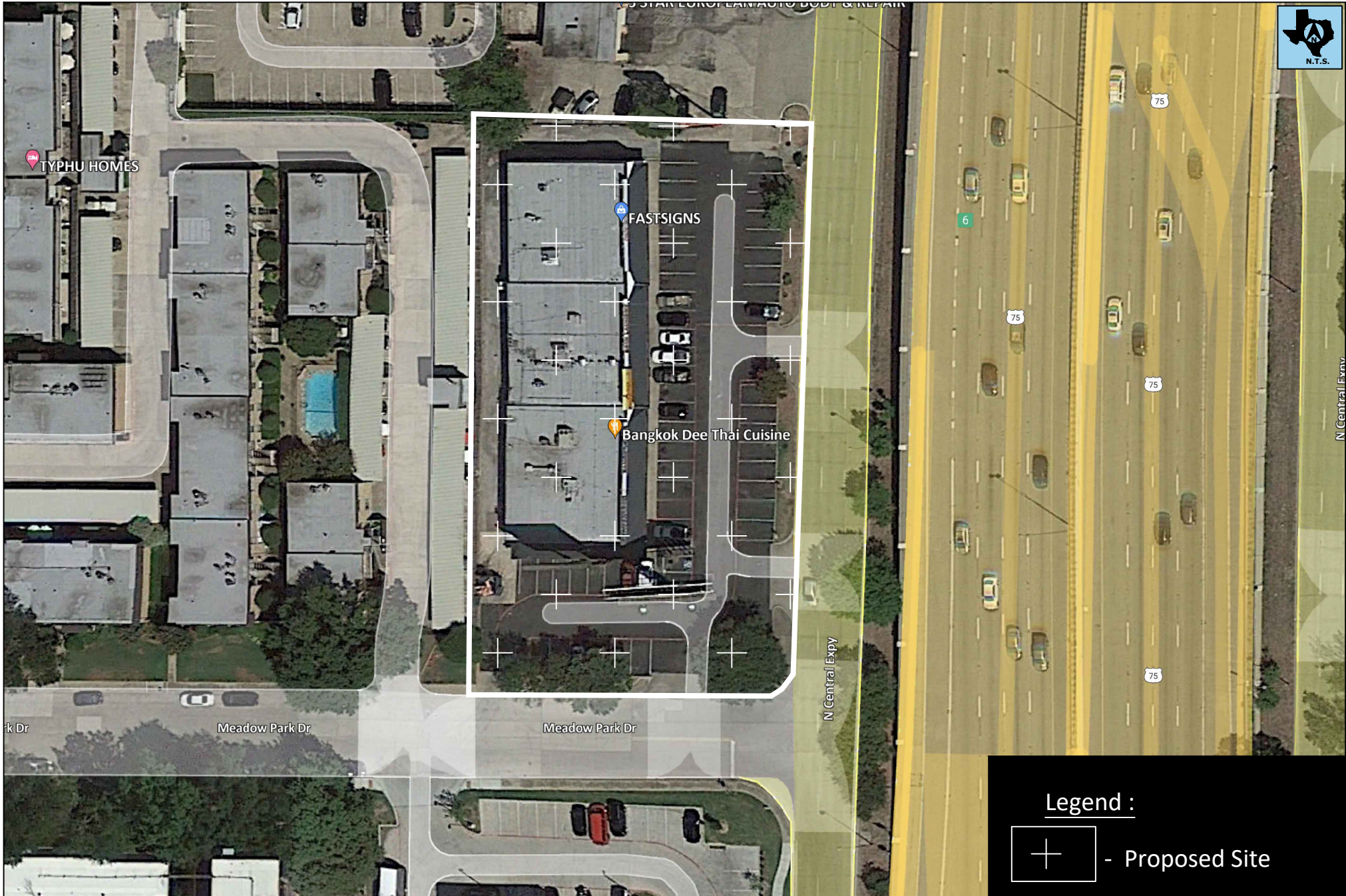
CONCLUSION AND RECOMMENDATIONS

The current development plan for the Meadow Park Retail Center proposes a parking supply of 67 spaces. The development is requesting a 11-space reduction from the code requirement of 76 spaces.

Based on analysis performed for this report and previous similar studies conducted, it is DeShazo's professional opinion that 67 parking spaces will be an adequate supply for the Meadow Park Retail Center. DeShazo Group determined a projected parking demand of 39 spaces.

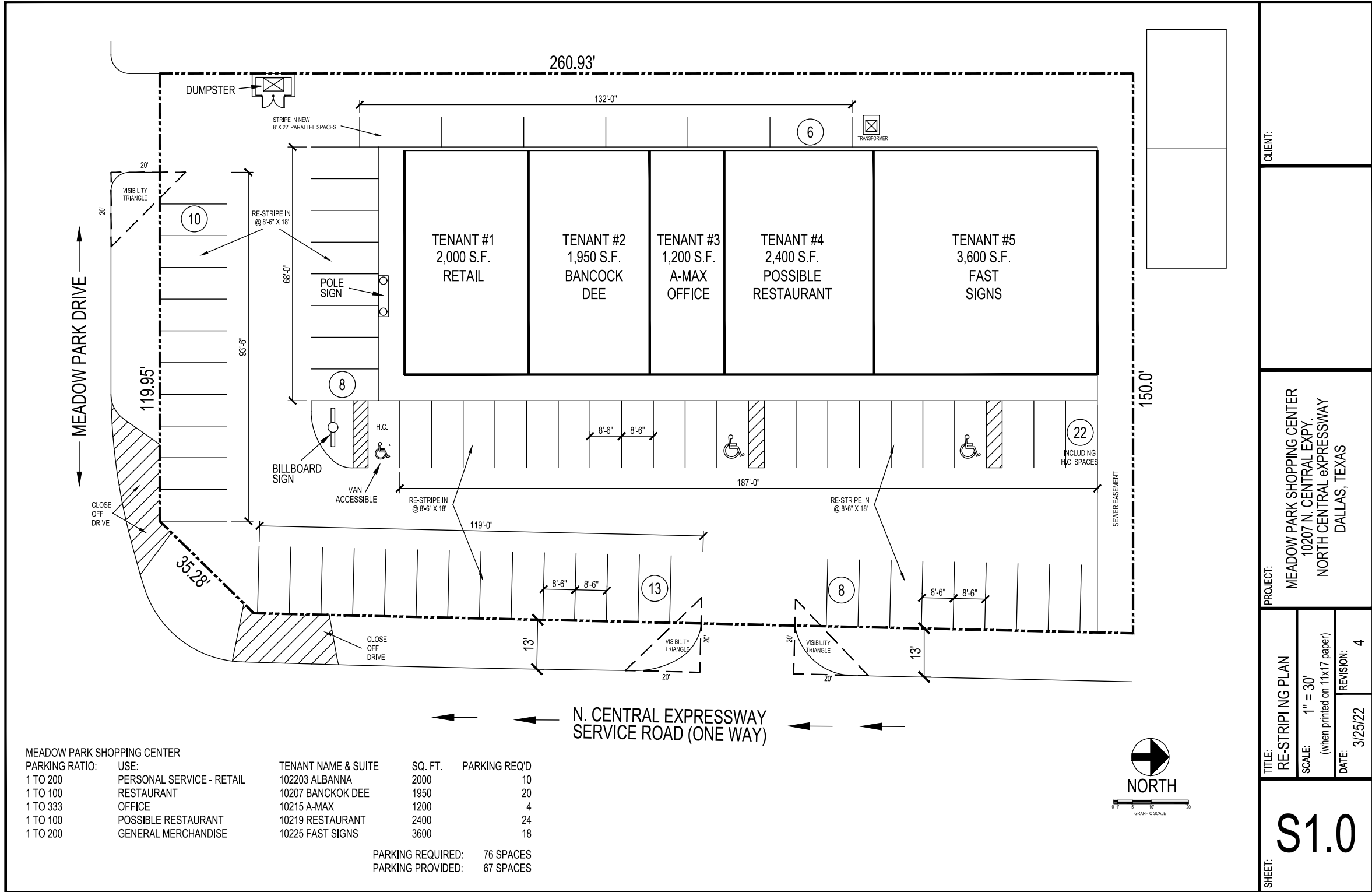
It is thus DeShazo's opinion that Meadow Park Retail Center's request for a reduction of 11 parking spaces is not only supported, but would provide a significant surplus for parking demand for a full phase operation of this retail center.

END OF MEMO



PROJECT LOCATION AND SURROUNDINGS MAP

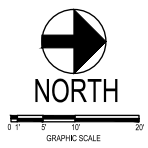
Parking Analysis for 10207 North Central Expy in Dallas, Texas



MEADOW PARK SHOPPING CENTER

PARKING RATIO:	USE:	TENANT NAME & SUITE	SQ. FT.	PARKING REQ'D
1 TO 200	PERSONAL SERVICE - RETAIL	102203 ALBANNA	2000	10
1 TO 100	RESTAURANT	10207 BANCKOK DEE	1950	20
1 TO 333	OFFICE	10215 A-MAX	1200	4
1 TO 100	POSSIBLE RESTAURANT	10219 RESTAURANT	2400	24
1 TO 200	GENERAL MERCHANDISE	10225 FAST SIGNS	3600	18

PARKING REQUIRED: 76 SPACES
 PARKING PROVIDED: 67 SPACES



CLIENT:

PROJECT:
 MEADOW PARK SHOPPING CENTER
 10207 N. CENTRAL EXPY.
 NORTH CENTRAL EXPRESSWAY
 DALLAS, TEXAS

TITLE:
 RE-STRIPING PLAN

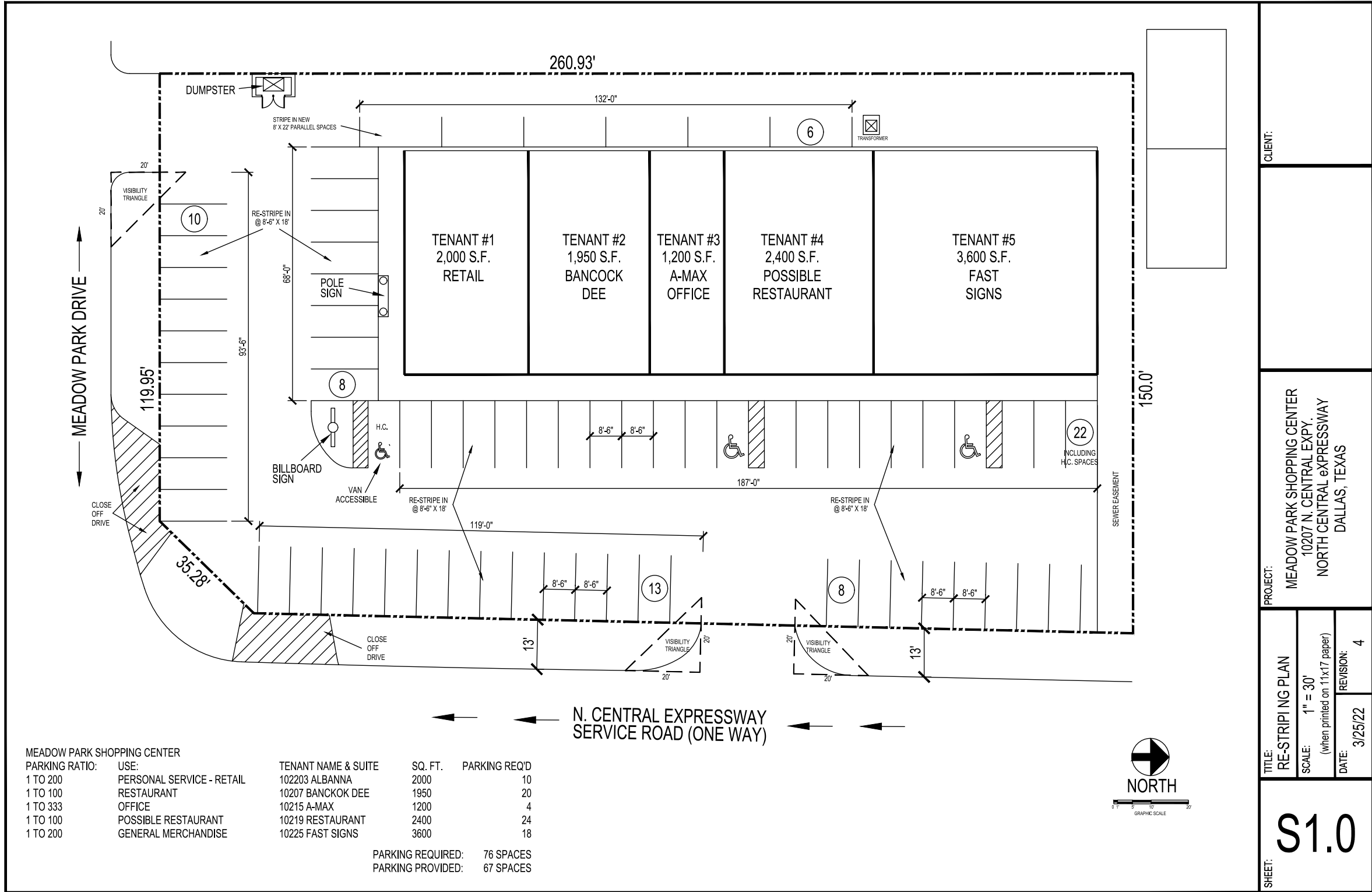
SCALE:
 1" = 30'
 (when printed on 11x17 paper)

DATE:
 3/25/22

REVISION:
 4

SHEET:

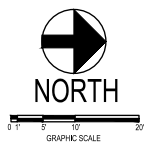
S1.0



MEADOW PARK SHOPPING CENTER

PARKING RATIO:	USE:	TENANT NAME & SUITE	SQ. FT.	PARKING REQ'D
1 TO 200	PERSONAL SERVICE - RETAIL	102203 ALBANNA	2000	10
1 TO 100	RESTAURANT	10207 BANCKOK DEE	1950	20
1 TO 333	OFFICE	10215 A-MAX	1200	4
1 TO 100	POSSIBLE RESTAURANT	10219 RESTAURANT	2400	24
1 TO 200	GENERAL MERCHANDISE	10225 FAST SIGNS	3600	18

PARKING REQUIRED: 76 SPACES
 PARKING PROVIDED: 67 SPACES



CLIENT:

PROJECT:
 MEADOW PARK SHOPPING CENTER
 10207 N. CENTRAL EXPY.
 NORTH CENTRAL EXPRESSWAY
 DALLAS, TEXAS

TITLE:
 RE-STRIPING PLAN

SCALE:
 1" = 30'
 (when printed on 11x17 paper)

DATE:
 3/25/22

REVISION:
 4

SHEET:

S1.0

BDA212-032_ATTACHMENT_C

REVIEW COMMENT SHEET
BOARD OF ADJUSTMENT
HEARING OF APRIL 18, 2022

Has no objections

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

Recommends denial
(see comments below or attached)

No comments

BDA 212-024

BDA 212-025

BDA 212-029

BDA 212-032

COMMENTS:

None

David Nevarez, PE, PTOE, DEV - Engineering

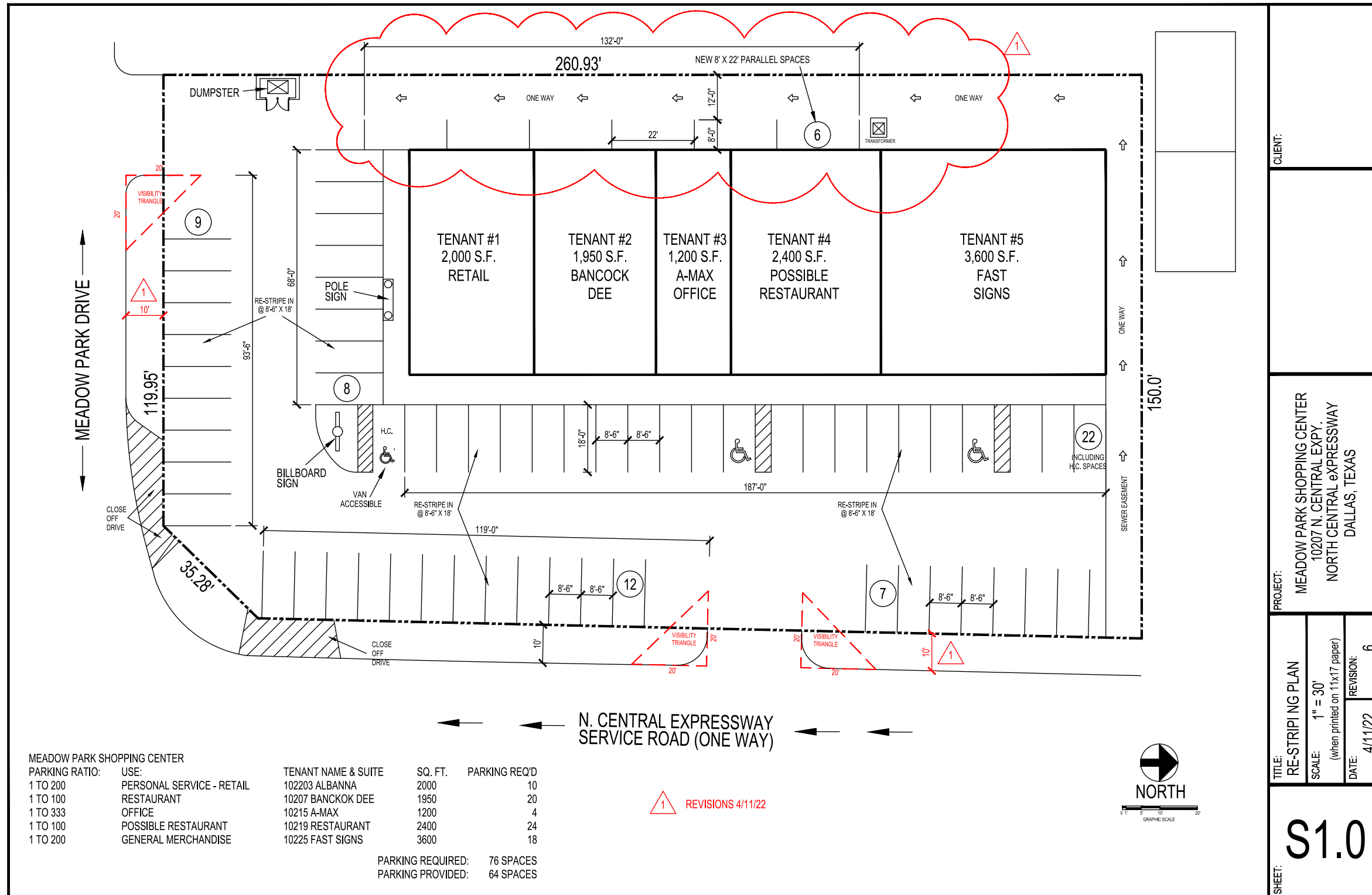
Name/Title/Department

4/11/2022

Date

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

BDA212-032 ATTACHMENT_D



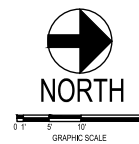
MEADOW PARK SHOPPING CENTER
 PARKING RATIO: USE:
 1 TO 200 PERSONAL SERVICE - RETAIL
 1 TO 100 RESTAURANT
 1 TO 333 OFFICE
 1 TO 100 POSSIBLE RESTAURANT
 1 TO 200 GENERAL MERCHANDISE

TENANT NAME & SUITE	SQ. FT.	PARKING REQ'D
102203 ALBANNA	2000	10
10207 BANCKOK DEE	1950	20
10215 A-MAX	1200	4
10219 RESTAURANT	2400	24
10225 FAST SIGNS	3600	18

PARKING REQUIRED: 76 SPACES
 PARKING PROVIDED: 64 SPACES

N. CENTRAL EXPRESSWAY SERVICE ROAD (ONE WAY)

1 REVISIONS 4/11/22



CLIENT:			
PROJECT:	MEADOW PARK SHOPPING CENTER 10207 N. CENTRAL EXPY. NORTH CENTRAL EXPRESSWAY DALLAS, TEXAS		
TITLE:	RE-STRIPING PLAN	SCALE:	1" = 30' (when printed on 11x17 paper)
DATE:	4/11/22	REVISION:	6
SHEET:	S1.0		