

BOARD OF ADJUSTMENT, PANEL A
TUESDAY, **JANUARY 15, 2013**
AGENDA

BRIEFING	ROOM 6/E/S	11:00 a.m.
LUNCH		
PUBLIC HEARING	ROOM 6/E/S, 1500 MARILLA STREET	1:00 P.M.

David Cossum, Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEMS

	Approval of the Tuesday, November 13, 2012 Board of Adjustment Public Hearing Minutes	M1
BDA 112-040	2612 Boll Street REQUEST: Application of Herbert B. Story, Jr., represented by Michael R. Coker, to waive the two year limitation on requests for a variance to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012	M2
BDA 112-058	2701 McKinney Avenue REQUEST: Application of Herbert B. Story, Jr., represented by Michael R. Coker, to waive the two year limitation on requests for certain variances to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012	M3

UNCONTESTED CASES

BDA 112-122	10011 N. Central Expressway REQUEST: Application of Ed Simons for a special exception to the landscape regulations	1
BDA 123-003	4516 Bluffview Boulevard REQUEST: Application of Thomas and Dane Taylor for a special exception to the single family zoning use regulations	2

REGULAR CASE

BDA 123-002

6626 Forney Road

REQUEST: Application of Dagoberto Batres for variances to the front yard setback regulations and off-street parking regulations

3

EXECUTIVE SESSION NOTICE

The Commission/Board may hold a closed executive session regarding any item on this agenda when:

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 Commission/Board 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 §551.086]

(Rev. 6-24-12)

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel A, November 13, 2012 public hearing minutes.

MISCELLANEOUS ITEM NO. 2

FILE NUMBER: BDA 112-040

REQUEST: To waive the two year limitation on requests for (1) a variance to the front yard setback regulations; and (2) a special exception to the landscape regulations granted by Board of Adjustment Panel A on 5-15-12, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

LOCATION: 2612 Boll Street

APPLICANT: Herbert B, Story, Jr.
Represented by Michael R. Coker

STANDARD FOR WAIVING THE TWO YEAR TIME LIMITATION ON A FINAL DECISION REACHED BY THE BOARD:

The Dallas Development Code states that the board may waive the two year time limitation on a final decision reached by the board if there are changed circumstances regarding the property sufficient to warrant a new hearing.

GENERAL FACTS/TIMELINE:

May 15, 2012: The Board of Adjustment Panel A granted a request for variance to the front yard setback regulations and a special exception to the landscape regulations and imposed the submitted revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12 as conditions to the requests. The case report stated that requests were made in conjunction with constructing and maintaining a "raised planting bed" structure, a staircase structure, and the westernmost wall of a "proposed two story brick addition" structure (with an approximately 600 square foot building footprint that is proposed to be located on the lot immediately to the east/adjacent to the subject site).

May 22, 2012: The Board Administrator wrote the applicant's representative a letter documenting the May 15th action of the board, and noting to "Contact Building Inspection at 320 E. Jefferson, Room 105 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board."

October 16, 2012: The Board of Adjustment Panel C conducted a public hearing and granted the applicant's Miscellaneous Item Request to extend the time period in which to file an application for a building permit or

certificate of occupancy an additional 180 days (or 6 months) beyond the 180 days from the Board of Adjustment's favorable action on a request for variance to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

January 4, 2013: The applicant's newly designated representative submitted a letter to staff requesting that the Board waive the two year limitation on a request for variance to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12 (see Attachment A).

Note that The Dallas Development Code states the following with regard to board action:

- Except as provided below, after a final decision is reached by the board, no further request on the same or related issues may be considered for that property for two years from the date of the final decision.
- If the board renders a final decision of denial without prejudice, the two year limitation is waived.
- The applicant may apply for a waiver of the two year limitation in the following manner:
 - The applicant shall submit his request in writing to the director. The director shall inform the applicant of the date on which the board will consider the request and shall advise the applicant of his right to appear before the board.
 - The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the board is required to grant the waiver. If a rehearing is granted, the applicant shall follow the process outlined in the code.

January 7, 2013: The Board Administrator emailed the applicant's representative the following information:

- the public hearing date and panel that will consider the miscellaneous request (January 15, 2013 – Panel A);
- the criteria/standard that the board will use in their decision to approve or deny the request;
- information related to the original application (see Attachment B); and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

M2 to M3
Attach A
PSI



Michael R. **COKER** Company

2700 Swiss Avenue
Suite 100
Dallas, Texas 75204

January 4, 2013

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development & Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: Request for waiver of two-year waiting period for properties located at 2701 McKinney Avenue and 2612 Boll Street, Dallas, Texas.

Dear Mr. Long,

I respectfully request that you schedule us for the January 15, 2013 Board of Adjustment meeting so they may consider our request for a waiver to the two-year waiting period for properties located at 2701 McKinney Avenue and 2612 Boll Street.

Herbert Story Jr., the owner of S&D Oyster Company located at 2701 McKinney Avenue, requested and received special exceptions to the required landscaping and setback variances for properties located at 2612 Boll Street and 2701 McKinney Avenue. These requests were granted in May of 2012 subject to compliance with the submitted site and landscape plans. At the time of approval by the Board, Mr. Story did not own the property located at 2612 Boll Street. He subsequently acquired the Boll Street property. The acquisition of 2612 Boll Street was not effected until October 2012. Due to the length of time required to acquire the Boll Street property, an extension of the 180 day time period allotted to acquire a building permit or certificate of occupancy was requested and that request was approved by the Board in October 2012. At that time there had been no modifications to the approved landscape plan or the site plan that had been approved by the Board.

Section 51A-4.703(e) Two year limitation (3)(B) states that "The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing".

Three changed circumstances have come to pass as a result of the acquisition of the Boll Street property. First, the two properties are being replatted into one property. This replat allows the elimination of the internal property line and that elimination will allow for construction to be contiguous rather than having to comply with interior side yard setbacks. That then, allowed for the redesign of the site plan. Secondly, with the redesign of the site, the

M2 & M3
Attach A
pg 2

landscaping was redesigned to provide for more landscaping than was approved by the Board in May. Lastly, the site plan approved by the Board in May showed six parking spaces on the Boll Street property. The redesign of the site plan eliminated all but one of the parking spaces and allowed for additional landscaping and structure on that property.

The revised site plan and alternative landscape plan was presented to Todd Duerkson and Phil Erwin last month. After due consideration their decision was that the site plan and landscape plan were significantly different from that which was approved by the Board in May and would require reconsideration by the Board.

Respectfully submitted,



Michael R. Coker, AICP
Representative for Owner



City of Dallas

M2
Attach B
Pg 1
A

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-040

Data Relative to Subject Property:

Date: 2-24-12

Location address: 2612 Boll Street Zoning District: PD-193(LC)

Lot No.: 3 Block No.: 2/955 Acreage: 0.106 acres Census Tract: 18.00

Street Frontage (in Feet): 1) 68.65' 2) _____ 3) _____ 4) _____ 5) _____

SW22

To the Honorable Board of Adjustment :

Owner of Property/or Principal: Frank H. Jackson and Edgar A. Mason

Applicant: Herbert B. Story, Jr., S&D Oyster Company Telephone: (214) 720-0400

Mailing Address: 2701 McKinney Ave. Dallas, TX Zip Code: 75204

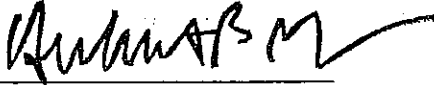
Represented by: Rob Baldwin Telephone: (214) 824-7949

Mailing Address: 3904 Elm St. # B Dallas, TX Zip Code: 75226

Affirm that a request has been made for a Variance , or Special Exception of 10 ft
To the required front yard setback and the approval of an alternate landscaping plan

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The proposed expansion of the S&D Oyster House s intended to look seamless with the existing building and these approvals are necessary to allow the expansion.

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

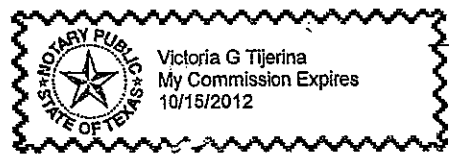
Respectfully submitted: Herbert B. Story, Jr. 
Applicant's name printed Applicant's signature

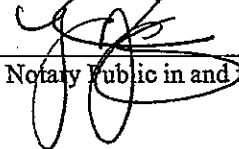
BOARD OF ADJUSTMENT
IN THE OFFICE OF THE BOARD OF ADJUSTMENT
Before me, undersigned on this day personally appeared Herbert B. Story, Jr.
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal or authorized representative of the subject property.



Affiant (Applicant's signature)

Subscribed and sworn to before me this 21st day of FEBRUARY, 2012





Notary Public in and for Dallas County, Texas

(Rev. 08-20-09)

M2
Attn B
PS2

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

TUESDAY, MAY 15, 2012

FILE NUMBER: BDA 112-040

BUILDING OFFICIAL'S REPORT:

Application of Herbert B. Story, Jr., represented by Rob Baldwin, for a variance to the front yard setback regulations and a special exception to the landscape regulations at 2612 Boll Street. This property is more fully described as being a .106 acre parcel out of Lot 3 in City Block 2/955 and is zoned PD-193(LC), which requires a front yard setback of 10 feet and requires mandatory landscaping. The applicant proposes to construct/maintain a structure and provide a 0 foot front yard setback, which will require a variance to the front yard setback regulations of 10 feet, and to provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 2612 Boll Street

APPLICANT: Herbert B. Story, Jr.
Represented by Rob Baldwin

REQUESTS:

- The following appeals have been made on a site that is currently developed with an office structure use that the applicant intends to demolish:
 1. A variance to the front yard setback regulations of 10' in conjunction with constructing and maintaining a "raised planting bed" structure, a staircase structure, and the westernmost wall of a "proposed two story brick addition" structure (with an approximately 600 square foot building footprint that is proposed to be located on the lot immediately to the east/adjacent to the subject site); and
 2. A special exception to the PD 193 landscape regulations in conjunction with the proposed new construction.

STAFF RECOMMENDATION (variance):

Denial

Rationale:

- The applicant had not substantiated how either the restrictive area, shape, or slope of the site/lot preclude it from being developed in a manner commensurate with development found on other PD 193 (LC Subdistrict) zoned lots.

STAFF RECOMMENDATION (landscape special exception):

Denial

Rationale:



M2
Attach B
PS 4

May 22, 2012

Robert Baldwin
3904 Elm Street, Suite B
Dallas, TX 75226

Re: BDA 112-040, Property at 2612 Boll Street

Dear Mr. Baldwin:

The Board of Adjustment Panel A, at its public hearing held on Tuesday, May 15, 2012 took the following actions:

1. Granted your request for a variance to the front yard setback regulations of 10 feet, subject to the following condition:
 - Compliance with the submitted revised site plan dated 5-15-12 is required.
2. Granted your request for a special exception to the landscape requirements, subject to the following condition:
 - Compliance with the submitted landscape plan dated 5-15-12 is required.

Contact Building Inspection at 320 E. Jefferson, Room 105 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

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

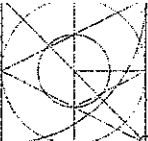
A handwritten signature in black ink that reads 'Steve Long'.

Steve Long, Board Administrator
Board of Adjustment
Sustainable Development and Construction

c: Herbert B. Story, Jr., S&D Oyster Co., 2701 McKinney Ave., Dallas, TX
James Martin, Code Enforcement, 3112 Canton, Rm 100
Todd Duerksen, Bldg. Inspection, 320 E. Jefferson #105



William S. Bridges, Architect, PLLC
 5646 Mission Street, #277
 Dallas, Texas 75206
 williams@wsbr.com
 214.656.1988



2701 McKinney
 Dallas, Texas 75204
 Being architectural drawings for a project located at:

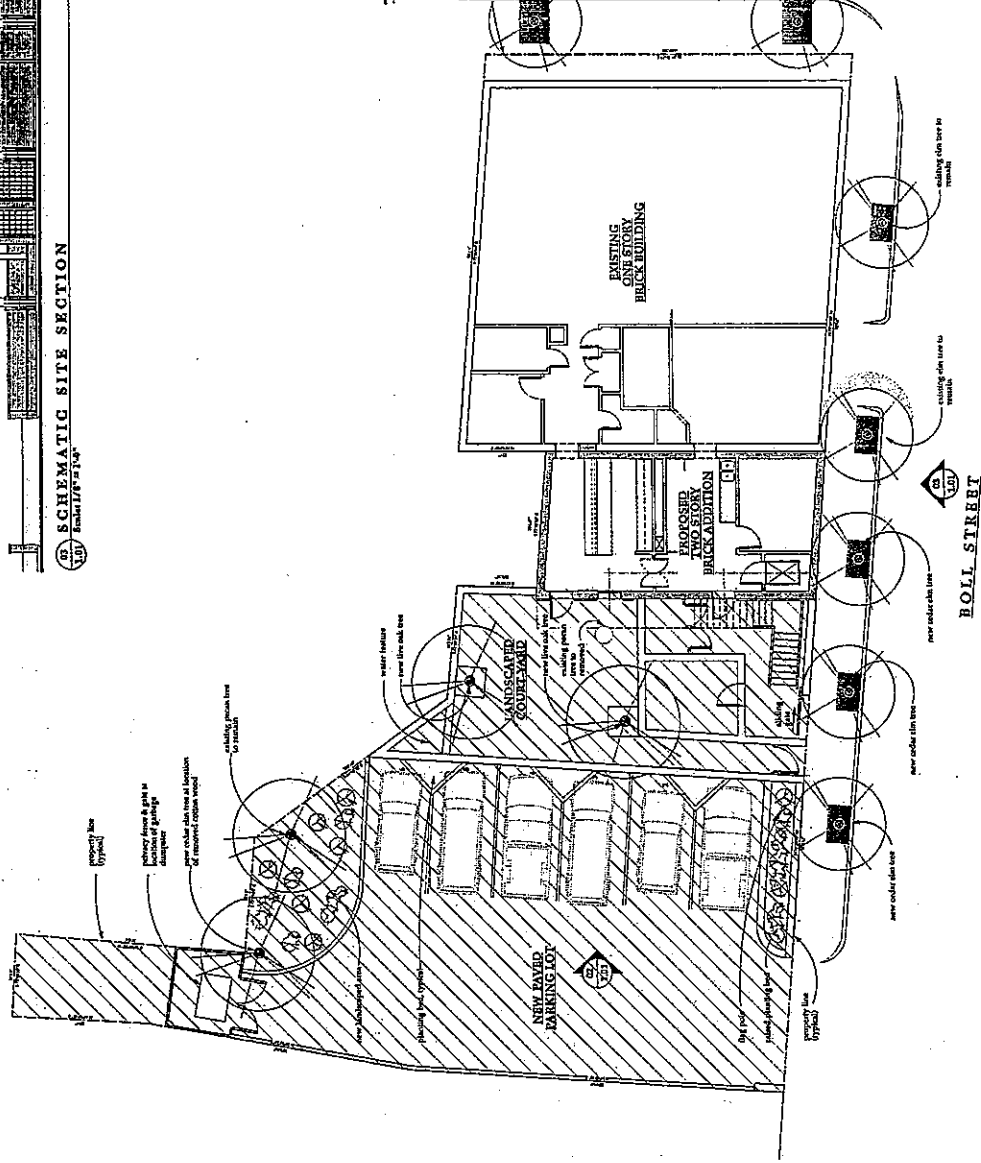
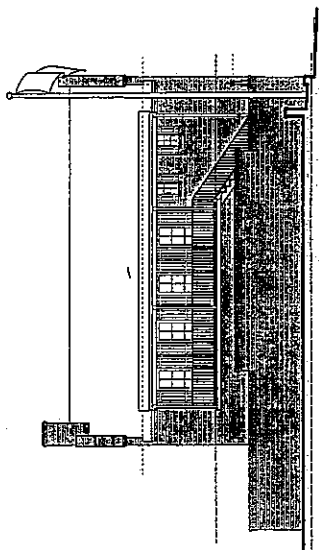
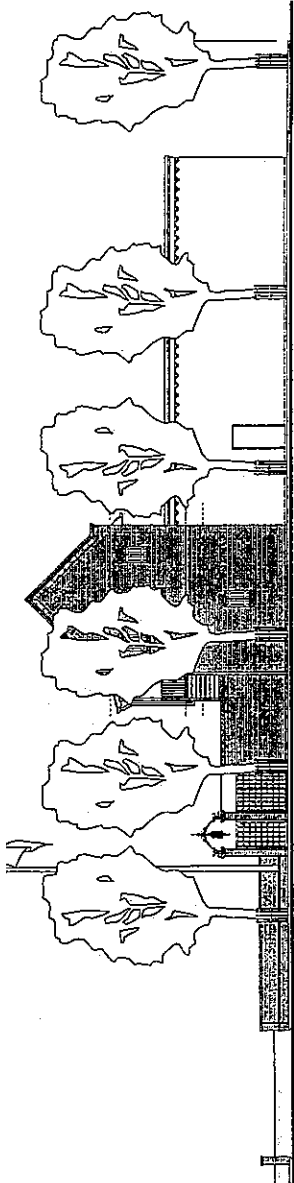
Scale: 1/8" = 1'-0"
 Date: 5-15-12

5-15-12
 SITE PLAN, GENERAL
 NOTES

1:01
 Date: 5-15-12
 ADMINISTRATOR

BDA 112-040 Site Pla

M2
 A-Hall
 B
 505



BDA 112-040
 PLANS APPROVED
 SUBJECT TO
 BOARD ACTION
 5-15-12
 ADMINISTRATOR

11. SITE PLAN
 Scale: 1/8" = 1'-0"



M2
Attach B
B7

October 19, 2012

Michael R. Coker
2700 Swiss Avenue
Ste 100
Dallas, TX 75204

Re: BDA 112-058, Property at 2701 McKinney Avenue

Dear Mr. Coker:

The Board of Adjustment Panel A, at its public hearing held on Tuesday, October 16, 2012 granted your request to extend the time period in which to file an application for a building permit or certificate of occupancy an additional 180 days (or 6 months) beyond the 180 days from the Board of Adjustment's favorable action on a request for certain variances to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

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

A handwritten signature in cursive script that reads 'Steve Long'.

Steve Long, Board Administrator
Board of Adjustment
Sustainable Development and Construction

c: James Martin, Code Enforcement, 3112 Canton, Rm 100
Todd Duerksen, Bldg. Inspection, 320 E. Jefferson #105

MISCELLANEOUS ITEM NO. 3

FILE NUMBER: BDA 112-058

REQUEST: To waive the two year limitation on requests for (1) variances to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on 5- 15-12, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

LOCATION: 2701 McKinney Avenue

APPLICANT: Herbert B, Story, Jr.
Represented by Michael R. Coker

STANDARD FOR WAIVING THE TWO YEAR TIME LIMITATION ON A FINAL DECISION REACHED BY THE BOARD:

The Dallas Development Code states that the board may waive the two year time limitation on a final decision reached by the board if there are changed circumstances regarding the property sufficient to warrant a new hearing.

GENERAL FACTS/TIMELINE:

May 15, 2012: The Board of Adjustment Panel A granted a request for a variance to the front yard setback regulations made in conjunction with constructing and maintaining a “proposed two story brick addition” structure with an approximately 600 square foot building footprint, denied a request for a variance to the front yard setback regulations made in conjunction with remedying the nonconforming aspect of the existing nonconforming structure that is located in the site’s two front yard setbacks along McKinney Avenue and Boll Street, and granted a special exception to the landscape regulations. The Board imposed the submitted revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12 as conditions to these granted requests.

May 22, 2012: The Board Administrator wrote the applicant’s representative a letter documenting the May 15th action of the board, and noting to “Contact Building Inspection at 320 E. Jefferson, Room 105 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.”

October 16, 2012: The Board of Adjustment Panel C conducted a public hearing and granted the applicant's Miscellaneous Item Request to extend the time period in which to file an application for a building permit or certificate of occupancy an additional 180 days (or 6 months) beyond the 180 days from the Board of Adjustment's favorable action on a request for variance to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

January 4, 2013: The applicant's newly designated representative submitted a letter to staff requesting that the Board waive the two year limitation on a request for certain variances to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12 (see Attachment A).

Note that The Dallas Development Code states the following with regard to board action:

- Except as provided below, after a final decision is reached by the board, no further request on the same or related issues may be considered for that property for two years from the date of the final decision.
- If the board renders a final decision of denial without prejudice, the two year limitation is waived.
- The applicant may apply for a waiver of the two year limitation in the following manner:
 - The applicant shall submit his request in writing to the director. The director shall inform the applicant of the date on which the board will consider the request and shall advise the applicant of his right to appear before the board.
 - The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing. A simple majority vote by the board is required to grant the waiver. If a rehearing is granted, the applicant shall follow the process outlined in the code.

January 7, 2013: The Board Administrator emailed the applicant's representative the following information:

- the public hearing date and panel that will consider the miscellaneous request (January 15, 2013 – Panel A);
- the criteria/standard that the board will use in their decision to approve or deny the request;
- information related to the original application (see Attachment B); and
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence.”

M2 to M3
Attach A
PS1



Michael R. **COKER** Company

2700 Swiss Avenue
Suite 100
Dallas, Texas 75204

January 4, 2013

Steve Long, Board of Adjustment Administrator
City of Dallas Sustainable Development & Construction
1500 Marilla Street, Room 5BN
Dallas, Texas 75201

Re: Request for waiver of two-year waiting period for properties located at 2701 McKinney Avenue and 2612 Boll Street, Dallas, Texas.

Dear Mr. Long,

I respectfully request that you schedule us for the January 15, 2013 Board of Adjustment meeting so they may consider our request for a waiver to the two-year waiting period for properties located at 2701 McKinney Avenue and 2612 Boll Street.

Herbert Story Jr., the owner of S&D Oyster Company located at 2701 McKinney Avenue, requested and received special exceptions to the required landscaping and setback variances for properties located at 2612 Boll Street and 2701 McKinney Avenue. These requests were granted in May of 2012 subject to compliance with the submitted site and landscape plans. At the time of approval by the Board, Mr. Story did not own the property located at 2612 Boll Street. He subsequently acquired the Boll Street property. The acquisition of 2612 Boll Street was not effected until October 2012. Due to the length of time required to acquire the Boll Street property, an extension of the 180 day time period allotted to acquire a building permit or certificate of occupancy was requested and that request was approved by the Board in October 2012. At that time there had been no modifications to the approved landscape plan or the site plan that had been approved by the Board.

Section 51A-4.703(e) Two year limitation (3)(B) states that "The board may waive the two year time limitation if there are changed circumstances regarding the property sufficient to warrant a new hearing".

Three changed circumstances have come to pass as a result of the acquisition of the Boll Street property. First, the two properties are being replatted into one property. This replat allows the elimination of the internal property line and that elimination will allow for construction to be contiguous rather than having to comply with interior side yard setbacks. That then, allowed for the redesign of the site plan. Secondly, with the redesign of the site, the

M2 & M3
Attach A
p52

landscaping was redesigned to provide for more landscaping than was approved by the Board in May. Lastly, the site plan approved by the Board in May showed six parking spaces on the Boll Street property. The redesign of the site plan eliminated all but one of the parking spaces and allowed for additional landscaping and structure on that property.

The revised site plan and alternative landscape plan was presented to Todd Duerkson and Phil Erwin last month. After due consideration their decision was that the site plan and landscape plan were significantly different from that which was approved by the Board in May and would require reconsideration by the Board.

Respectfully submitted,



Michael R. Coker, AICP
Representative for Owner



A
M3
Attach B
F91

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-058

Data Relative to Subject Property:

Date: 4-4-12

Location address: 2701 McKinney Avenue Zoning District: PD-193(LC)

Lot No.: pt. 3 Block No.: 2/955 Acreage: 0.106 ^{08 RT5} acres Census Tract: 18.00

Street Frontage (in Feet): 1) 73.85' 2) 50' 3) _____ 4) _____ 5) _____

SW 22

To the Honorable Board of Adjustment :

Owner of Property/or Principal: Herbert Story, Jr.

Applicant: Herb Story, S&D Oyster House Telephone: (214) 880-0111

Mailing Address: 2701 McKinney Ave, Dallas, TX Zip Code: 75204

Represented by: Rob Baldwin Telephone: (214) 824-7949

Mailing Address: 3904 Elm St. # B Dallas, TX Zip Code: 75226

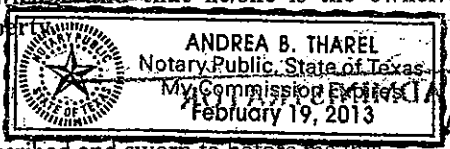
Affirm that a request has been made for a Variance X, or Special Exception X of To the required front yard setback and the approval of an alternate landscaping plan

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The proposed expansion of the S&D Oyster House s intended to look seamless with the existing building and these approvals are necessary to allow the expansion.

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: Herbert Story, Jr. [Signature]
Applicant's name printed Applicant's signature

BOARD OF ADJUSTMENT
IN THE OFFICE OF THE BOARD OF ADJUSTMENT
Before me the undersigned on this day personally appeared HERBERT B. STORY JR.
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.



[Signature]
Affiant (Applicant's signature)

Subscribed and sworn to before me this 4 day of April, 2012

Andrea Tharel
Notary Public in and for Dallas County, Texas

(Rev. 08-20-09)

M3
Attach B
Pg 2

**BOARD OF ADJUSTMENT
CITY OF DALLAS, TEXAS**

TUESDAY, MAY 15, 2012

FILE NUMBER: BDA 112-058

BUILDING OFFICIAL'S REPORT:

Application of Herbert B. Story, represented by Rob Baldwin, for variances to the front yard setback regulations and a special exception to the landscaping regulations at 2701 McKinney Avenue. This property is more fully described as being an approximately .08 acre parcel out of Lot 3 in City Block 2/955 and is zoned PD-193(LC), which requires a front yard setback of 10 feet and requires mandatory landscaping. The applicant proposes to construct/maintain a structure and provide up to a 0 foot front yard setback, which will require variances to the front yard setback regulations of up to 10 feet, and to provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 2701 McKinney Avenue

APPLICANT: Herbert B. Story, Jr.
Represented by Rob Baldwin

REQUESTS:

- The following appeals have been made on a site that is currently developed with a restaurant use (S & D Oyster House):
 1. Variances to the front yard setback regulations of up to 10' in conjunction with:
 - a) constructing and maintaining a "proposed two story brick addition" structure with an approximately 600 square foot building footprint (with the exception of its westernmost wall that is proposed to be located on the lot immediately adjacent to this property. See BDA112-040); and
 - b) remedying the nonconforming aspect of the existing nonconforming structure that is located in the site's two front yard setbacks along McKinney Avenue and Boll Street;
 2. A special-exception to the landscape regulations in conjunction with the proposed new addition/construction and not fully meeting the landscape requirements of PD 193.

STAFF RECOMMENDATION (variances):

Denial

Rationale:

- The applicant had not substantiated how either the restrictive area, shape, or slope of the site/lot preclude it from being developed in a manner commensurate with development found on other PD 193 (LC Subdistrict) zoned lots.

STAFF RECOMMENDATION (landscape special exception):

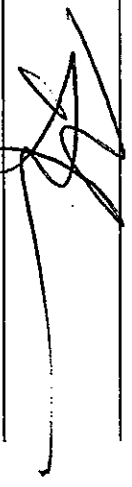
Date of Hearing May 15, 2012

Appeal was--Granted OR Denied

Remarks Granted-

Compliance with the submitted revised site plan submitted 05-15-12 is required for the front yard setback variance along Ball Street frontage. Compliance with the submitted alternate landscape plan submitted 05-15-12 is required.

Denial with prejudice of the McKinney Ave. front yard setback variance.


Chairman

Building Official's Report

I hereby certify that Herbert B. Story
represented by ROB BALDWIN
did submit a request for a variance to the front yard setback regulations, and for a special exception to the landscaping regulations
at 2701 McKinney Avenue

BDA112-058. Application of Herbert B. Story represented by Rob Baldwin for a variance to the front yard setback regulations and a special exception to the landscaping regulation at 2701 McKinney Avenue. This property is more fully described as being a .106 acre parcel out of lot 3 in city block 2/955 and is zoned PD-193(LC), which requires a front yard setback of 10 feet and requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide a 0 foot front yard setback, which will require a 10 foot variance to the front yard setback regulations, and to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

**BOARD OF ADJUSTMENT DECISION FILED
IN THE OFFICE OF THE BOARD OF ADJUSTMENT
THIS THE 15 DAY OF**

May, 20 12


ADMINISTRATOR

Sincerely,


Lloyd Denman, Building Official



M3
Attach B
Pg 4

May 22, 2012

Robert Baldwin
3904 Elm Street, Suite B
Dallas, TX 75226

Re: BDA 112-058, Property at 2701 McKinney Ave

Dear Mr. Baldwin:

The Board of Adjustment Panel A, at its public hearing held on Tuesday, May 15, 2012 took the following actions:

1. Granted your request for a special exception to the landscape requirements, subject to the following condition:
 - Compliance with the submitted landscape plan dated 5-15-12 is required.
2. Granted your request for a variance to the front yard setback regulations of 10 feet along Boll Street, subject to the following condition:
 - Compliance with the submitted revised site plan dated 5-15-12 is required.
3. Denied your request for a variance to the front yard setback along McKinney Avenue with prejudice.

Contact Building Inspection at 320 E. Jefferson, Room 105 to file an application for a building permit or certificate of occupancy within 180 days from the date of the favorable action of the board.

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

A handwritten signature in cursive script that reads 'Steve Long'.

Steve Long, Board Administrator
Board of Adjustment
Sustainable Development and Construction

c: Herbert B. Story, Jr., S&D Oyster Co., 2701 McKinney Ave., Dallas, TX
James Martin, Code Enforcement, 3112 Canton, Rm 100
Todd Duerksen, Bldg. Inspection, 320 E. Jefferson #105



M3
Attach B
PS 7

October 19, 2012

Michael R. Coker
2700 Swiss Avenue
Ste 100
Dallas, TX 75204

Re: BDA 112-040, Property at 2612 Boll Street

Dear Mr. Coker:

The Board of Adjustment Panel A, at its public hearing held on Tuesday, October 16, 2012 granted your request to extend the time period in which to file an application for a building permit or certificate of occupancy an additional 180 days (or 6 months) beyond the 180 days from the Board of Adjustment's favorable action on a request for variance to the front yard setback regulations and a special exception to the landscape regulations granted by Board of Adjustment Panel A on May 15, 2012, subject to a revised site plan dated 5-15-12 and submitted landscape plan dated 5-15-12.

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

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

Steve Long, Board Administrator
Board of Adjustment
Sustainable Development and Construction

c: James Martin, Code Enforcement, 3112 Canton, Rm 100
Todd Duerksen, Bldg. Inspection, 320 E. Jefferson #105

FILE NUMBER: BDA 112-122

BUILDING OFFICIAL'S REPORT:

Application of Ed Simons for a special exception to the landscape regulations at 10011 N. Central Expressway. This property is more fully described as Lot 31A, Block 7294 and is zoned MU-3(SAH), which requires mandatory landscaping. The applicant proposes to construct a structure and provide an alternate landscape plan, which will require a special exception.

LOCATION: 10011 N. Central Expressway

APPLICANT: Ed Simons

REQUEST:

A special exception to the landscape regulations is requested in conjunction with constructing and maintaining a multifamily residential structure (The Fountains Apartments) on a site that is undeveloped, and not fully meeting the landscape regulations.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REGULATIONS:

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

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

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

- the extent to which there is residential adjacency;
- the topography of the site;
- the extent to which landscaping exists for which no credit is given under this article; and
- the extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Approval, subject to the following conditions:

1. Compliance with the submitted revised elevation landscape.

2. Applicant must submit a revised alternate landscape plan before the January 15th public hearing that revises the landscape plan dated 12-21-12 as follows: Change the notation “highrise” live oak to “large canopy tree.”

Rationale:

- The City’s Chief Arborist supports the request given that the lot has underground and overhead utilities, and utility easements that place limitations on the applicant being able to fully comply with Article X: The Landscape Regulations.
- The applicant has substantiated how strict compliance with the requirements of the Landscape Regulations of the Dallas Development Code will unreasonably burden the use of the property, and that the special exception will not adversely affect neighboring property.

BACKGROUND INFORMATION:

Zoning:

Site: MU-3(SAH) (Mixed Use, Standard Affordable Housing)
North: GO (A) (General Office)
South: GO (A) (General Office)
East: GO (A) (General Office)
West: MU-3(SAH) (Mixed Use, Standard Affordable Housing)

Land Use:

The subject site is undeveloped. The area to the north is developed with a communications use (Channel 11); the area immediately east is the North Central Expressway; the area to the south is developed with a hotel; and the area to the west is developed with multifamily use.

Zoning/BDA History:

1. BDA 001-193, Property located at 10011 N. Central Expressway (the subject site)
On April 26, 2001, the Board of Adjustment Panel A took the following actions: 1) denied without prejudice a request for a parking special exception of 2 spaces; 2) granted a request for a variance to the front yard (urban form) setback regulations of 9’ (subject to compliance with the submitted site plan and elevations); and 3) granted a request for a variance to the side yard (tower spacing) setback regulations (subject to compliance with the submitted site plan and elevation). The case report stated that these requests were made in conjunction with

2. BDA 078-071, Property located at 10011 N. Central Expressway (the subject site)

constructing/maintaining a four-story, 60' high apartment building (Park Fountain Apartments).

On May 20, 2008, the Board of Adjustment Panel A granted a request for a variance to the front yard (urban form) setback regulations of 17' and imposed the submitted site plan and elevation as conditions to the request. The case report stated that these requests were made in conjunction with constructing and maintaining a 60' high multifamily residential structure (Parc Fountains Apartments) on a site that is undeveloped.

3. BDA 089-075, Property located at 10011 N. Central Expressway (the subject site)

On June 16, 2009, the Board of Adjustment Panel A granted a request for a variance to the front yard (urban form) setback regulations of 17' and imposed the submitted site plan and elevation as conditions to the request. The case report stated that this request was made in conjunction with constructing and maintaining an approximately 54' high multifamily residential structure (The Fountains Apartments) on a site that is undeveloped.

4. BDA 112-095, Property located at 10011 N. Central Expressway (the subject site)

On October 16, 2012, the Board of Adjustment Panel A granted a request for a variance to the front yard (urban form) setback regulations of 17' and imposed the submitted site plan and elevation as conditions to the request. The case report stated that this request was made in conjunction with constructing and maintaining an approximately 54' high multifamily residential structure (The Fountains Apartments) on a site that is undeveloped.

5. BDA 990-289, 10001 N. Central Expressway (the lot immediately south of the subject site)

On June 19, 2000, the Board of Adjustment Panel C granted a request for a special exception to the landscape regulations, and imposed the submitted alternate landscape plan as a condition to this request.

The case report stated that the request was made in conjunction with constructing and maintaining a hotel on the site and not fully meeting the landscape regulations, specifically not providing required trees within 30' from curb given water, sewer, and drainage easements that preclude the trees from being placed in their required location.

Timeline:

October 25, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

November 7, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

November 7, 2012: The applicant chose to have this application heard by Panel A (the panel that had heard previous front yard variance requests on the subject site) as opposed to be assigned to the only panel that met in December that being Panel C.

December 11, 2012: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 19th deadline to submit additional evidence for staff to factor into their analysis; and the January 4th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

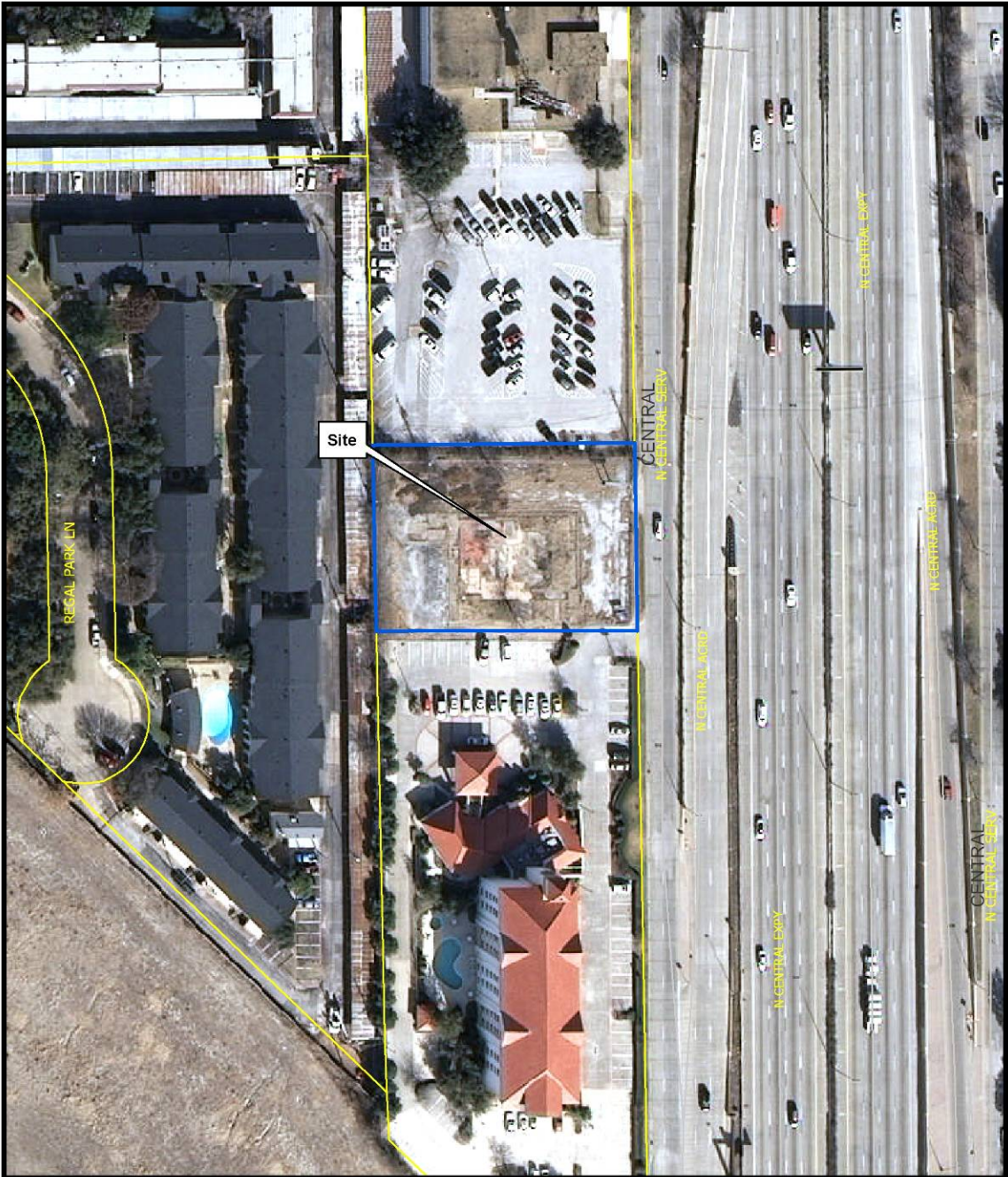
December 21, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for January public hearings. Review team members in attendance included: the Board Administrator, the Building Inspection Senior Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

December 31, 2012: The applicant forwarded additional information beyond what was submitted with the original application (see Attachment A).

January 4, 2013: The City of Dallas Chief Arborist submitted a memo that provided his comments regarding the request (see Attachment B).

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a multifamily residential structure on an undeveloped site, and not fully meeting the landscape regulations.
- The Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot is increased by more than 2,000 square feet, or when an application is made for a building permit for construction work that: (1) increases the number of stories in a building on the lot; or (2) increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.
- The applicant has submitted a revised alternate landscape plan and related elevation that, according to the City of Dallas Chief Arborist, does not comply with site tree, street tree, and design standard requirements of Article X: The Landscape Regulations.
- The City of Dallas Chief Arborist submitted a memo to the Board Administrator regarding the applicant's request (see Attachment B). The memo states how this request is triggered by new construction on the site and how the alternate revised site plan proposes to provide 3 of 8 site trees, 2 of 3 street trees, and 1 of 2 design standards.
- The Chief Arborist supports the request (with the applicant making a minor modification to the submitted revised landscape plan dated 12-21-12 from "highrise" live oak" to "large canopy tree") in that the lot has underground and overhead utilities, and utility easements that place limitations on the applicant being able to fully comply with Article X: The Landscape Regulations.
- The applicant has the burden of proof in establishing the following:
 - Strict compliance with the requirements of the Landscape Regulations of the Dallas Development Code will unreasonably burden the use of the property; and
 - The special exception will not adversely affect neighboring property.
- If the Board were to grant this request and impose the submitted revised elevation and a revised alternate landscape plan with the notation of "highrise" live oak replaced with "large canopy tree" as conditions, the site would be provided exception from full compliance with the site tree, street tree, and design standard requirements of Article X: The Landscape Regulations.



1:1,200

AERIAL MAP

Case no: BDA112-122

Date: 11/9/2012

BDA 112-122

Attach A

Long, Steve

From: Ed Simons [esimons@masterplanconsultants.com]
Sent: Monday, December 31, 2012 10:21 AM
To: Long, Steve; Erwin, Philip
Subject: BDA 112-122
Attachments: L1.1 12-21-12.pdf; L1.2 12-21-12.pdf

PJ1

Steve, Here are plans that show what we can provide. How many full size copies do you need. I'm taking one to Philip. Happy New Year! Ed

Ed Simons
Masterplan Consultants
900 Jackson Street, Suite 640
Dallas, Texas 75202

O 214-761-9197
F 214-748-7114
M 214-914-9646

DATE: 9/31/2009
REVISION:

THE FOUNTAINS APARTMENTS

10011 NORTH CENTRAL EXPRESSWAY, DALLAS, TEXAS

ROBERT W. KELLY
LANDSCAPE ARCHITECT
10011 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75243
PHONE: 972.382.1100
FAX: 972.382.1101
WWW.RWKELLY.COM

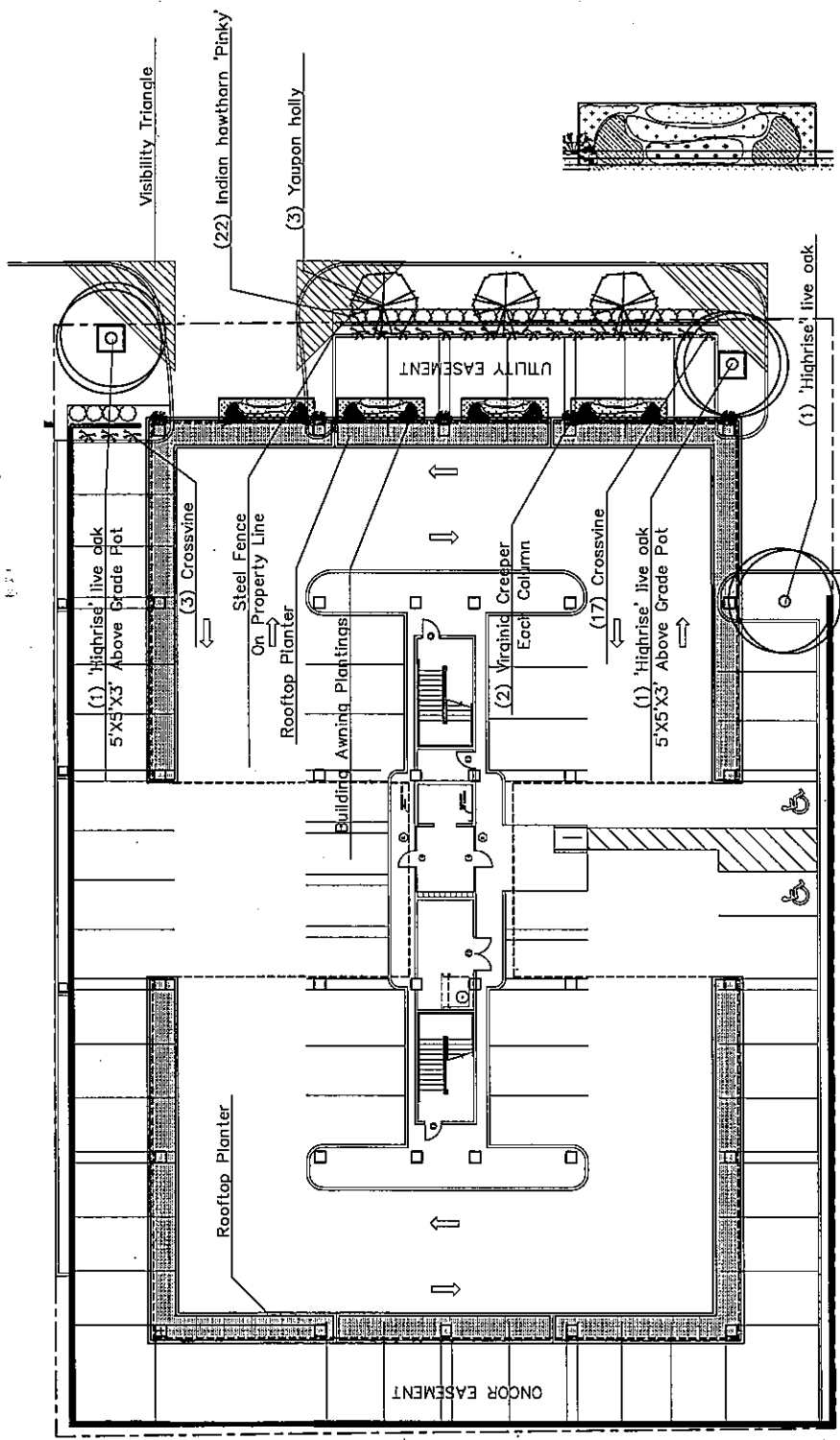
SHEET NO. 1.1
OF 2
SHEETS

- PLANTING NOTES:**
- PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL BY THE PROPERTY OWNERS REPRESENTATIVE.
 - ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
 - PLANTING SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
 - ACCEPTANCE SHALL BE TO HAVE FULL VIGOROUS ROOT SYSTEM COMPLETELY ENCOMPASSING CONTAINER AND FULLY BRANCHED ALL TREES WITH SPREAD 75% OF HEIGHT.
 - CONTRACTOR TO PROVIDE MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWNS.
 - PLANTING SHALL BE INSTALLED BY TRUCKS WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
 - PLANTING OF ALL DEFINED PLANTING BEDS WITH 10% AS OUTLINED IN SPEC. WHERE MULCHES ARE LOCATED FROM CURB 3 FT.
 - SEE DETAIL SHEET FOLLOWING FOR PLANTING RESPONSIBILITY INCLUDING BUT NOT LIMITED TO LOCATION OF ALL UTILITIES, INCLUDING GAS, WATER, AND ELECTRIC. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY OWNER.
 - IF EXISTING TREES ARE SUBJECT TO REMOVAL AS DIRECTED BY OWNER REPRESENTATIVE, WORK TO INCLUDE REMOVAL OF ALL BRANCHES AND DISKED BRANCHES AND OTHER INVASIVE GROWTH AND TAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SHALL BE APPROVED BY OWNER REPRESENTATIVE.
 - QUANTITIES ARE PROVIDED AS A GUIDE ONLY. CONTRACTOR TO VERIFY PRIOR TO PRICING. QUANTITIES BETWEEN LAWN AND PLANTING BEDS REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
 - EQUAL PER MANUFACTURER INSTRUCTIONS ON ALL PLANTS. ALL PLANTS TO BE 4" ABOVE OF FIN OR GREATER AT TIME OF PLANT PREPARATION.
 - PLANTING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL BUS PLANTS WHEN INSTALLATION OCCURS DURING THE OFF-SEASON PURCHASE AND HOLD BUS PLANTS FOR LATE SEASON INSTALLATION.



DFL Group, LLC
LANDSCAPE ARCHITECTURE
PAPER & OTHER GRAPHIC DESIGN • LANDSCAPE ARCHITECTURE
5000 WEST LOOP SOUTH, SUITE 1000 • DALLAS, TEXAS 75243
PHONE: 972.382.1100 • FAX: 972.382.1101 • WWW.DFLGROUP.COM

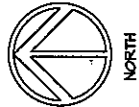
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE FEATURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CURBS AND DRIVEWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SIDEWALKS AND PATIOS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FENCES AND WALLS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LIGHT FIXTURES AND ELECTRICAL PANELS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MECHANICAL EQUIPMENT AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FOUNDATIONS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROOFS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING INTERIORS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EXTERIORS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE FEATURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CURBS AND DRIVEWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SIDEWALKS AND PATIOS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FENCES AND WALLS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LIGHT FIXTURES AND ELECTRICAL PANELS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MECHANICAL EQUIPMENT AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FOUNDATIONS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ROOFS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING INTERIORS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING EXTERIORS AND STRUCTURES.



AIMING ENLARGEMENT
SCALE: 1/4" = 1'-0"

SITE PLAN
SCALE: 1/8" = 1'-0"

Symbol	Quantity	Scientific Name	Common Name	Planting Size	Comments
○	3	<i>Ilex vomitoria</i>	Yaupon holly	6" - 10"	Tree form, Female
○	26	<i>Raphirolepis indica</i>	Indian hawthorn	5 1/2" O.C.	
○	3	<i>Quercus virginiana 'Highrise'</i>	'Highrise' live oak	3"-6"	5/8" Single straight trunk
○	20	<i>Bignonia capreolata</i>	Crossvine	5-6"	4 1/2" O.C.
○	72	<i>Lonicera angustifolia</i>	Laurel	4" pot	10" O.C.
○	240	<i>Stachys byrrantia</i>	Lamb's ear	4" pot	12" O.C.
○	166	<i>Peperomia glauca</i>	Blue Peperomia	4" pot	24" O.C.
○	46	<i>Thymus serpyllum</i>	'Creeping Thyme'	4" pot	4" O.C.
○	100	<i>Sedum 'Autumn Joy'</i>	Sedum 'Autumn Joy'	4" pot	24" O.C.
○	578	<i>Solenostemon tomentosus</i>	Noodle plant	4" pot	24" O.C.
○	5	<i>Forbesianthus cuneifolia</i>	Virginia creeper	1-5'	As shown on plan



DATE: 8/21/2009
 REVISIONS:

THE FOUNTAINS APARTMENTS
 10011 NORTH CENTRAL EXPRESSWAY, DALLAS, TEXAS

ROBERT W. KELLY
 ARCHITECT INC.
 284 SOUTH MAIN STREET
 DALLAS, TEXAS 75201
 PHONE: 214.742.1111
 FAX: 214.742.1112

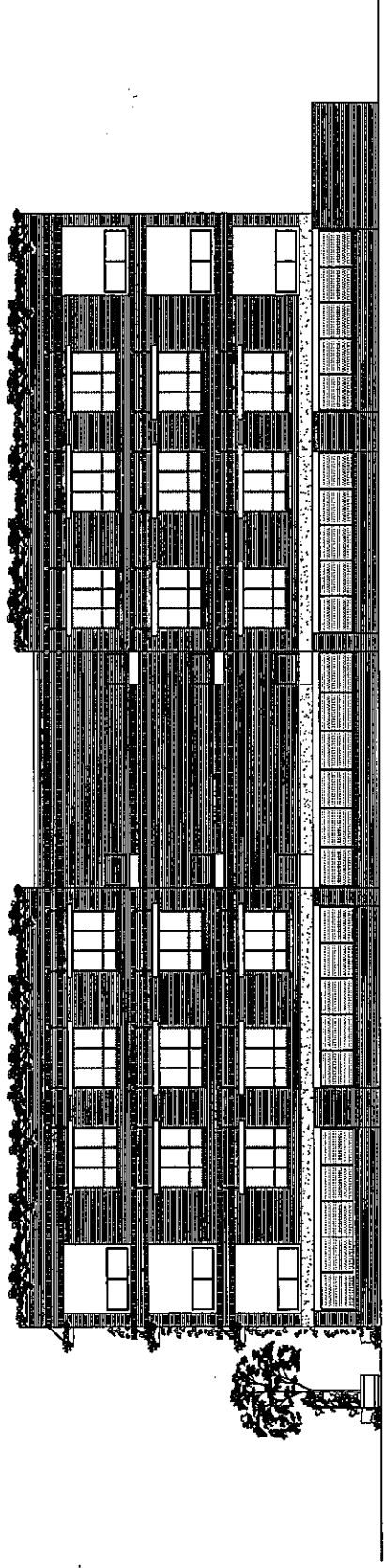
SHEET NO.
 11.2
 OF
 2 SHEETS

BDA 112-122 Annex A p33

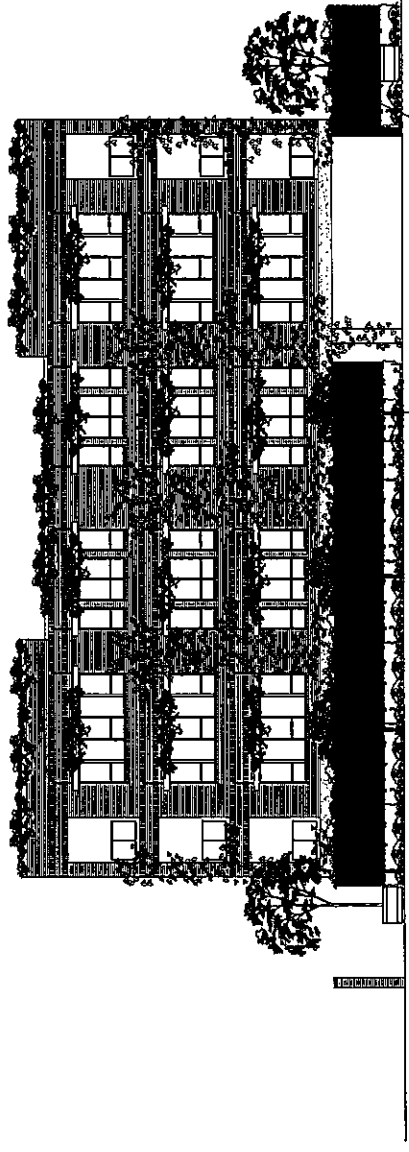


DFL Group, LLC
 PLANNING & CONCEPT PLANNERS - LANDSCAPE ARCHITECTS
 10011 NORTH CENTRAL EXPRESSWAY, SUITE 1000, DALLAS, TEXAS 75201
 PHONE: 214.742.1111 FAX: 214.742.1112

THE ELECTRONIC DRAWING FILE IS RELATED UNDER THE PROPERTY OF DFL GROUP, LLC. IT IS THE PROPERTY OF DFL GROUP, LLC AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ANY UNAUTHORIZED USE OF THIS FILE IS STRICTLY PROHIBITED. THE USER OF THIS FILE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES.



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"

Vines on Awnings and Fence Yaupon Holly Live Oak

Memorandum



CITY OF DALLAS

DATE January 4, 2013
TO Steve Long, Board of Adjustment Administrator
SUBJECT # BDA 112 · 122 10011 N Central Expressway

The applicant is requesting a special exception to the landscape requirements of Article X.

Trigger

New construction.

Deficiencies

The proposed development does not comply with Section 51A-10.125(b)(3) Site Trees, (b)(4) Street Trees, and (b)(5) Parking Lot Trees; and Section 51A-10.126 for two design standards. One design standard, for screening of off-street parking, is provided.

The site requires 8 site trees and provides 3 trees. The street frontage has a requirement of 3 street trees, whereas the property provides 2 trees. All required parking must be within 120 feet of the stem of a large canopy tree. Several parking spaces in the northwest quadrant do not qualify.

Factors

The lot limitations include restrictive underground and overhead utilities and utility easements to the east and west. The extensive level of pavement for parking and maneuvering, the amount of structure with floor area, and the utility restrictions, limit available ground-level planting areas within the property.

The property does not have Article X residential adjacency requirements.

The plan proposes to produce three yaupon hollies in the street right-of-way, along with a row of shrubs and a wall and vine structure. Two large canopy trees are proposed on the property as street trees to be planted in above-grade planters due to underground utility restrictions. The planters are shown to be 5'x5'x3' in dimension, which is the minimum Article X soil volume requirements for large trees.

Elevations that have been provided demonstrate a vertical planting element proposed for the front wall as well as for the building front that faces the street. This is a proposed 'green wall' feature with 12 landscaped awnings and with climbing vines (Virginia creeper) along the building facade. In addition, a planting area of rooftop planters is projected along the edge of the roof on all sides. The elevation is provided as a part of the measure to compensate for the reduction of required landscaping.

There are additional areas for possible planting in the northwest and southwest corner areas at the ground level. However, these areas are in a utility easement that restricts the planting of large trees. It is not known if the owner plans for any other use of these areas or other future landscape options.

The applicant proposes 'highrise' live oaks in close proximity (6' to 8') to the southeast portion of the structure. An alternative species may be determined to be more adaptable for these locations if the tree will show to be in conflict with the vine or the building structure.

Recommendation

Approval of the submitted landscape plan because strict compliance with Article X will unreasonably burden the use of the property. I recommend the following conditions:

The 'highrise' live oak should be amended to 'large canopy tree'.

All required trees must comply with the minimum soil planting requirements of Section 51A-10.104.

Philip Erwin, ISA certified arborist #TX-1284(A)
Chief Arborist



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-122

Data Relative to Subject Property:

Date: October 25, 2012

Location address: 10011 N. Central Expressway Zoning District: MU-3(SAH)

Lot No.: 31A Block No.: 7294 Acreage: .66 Census Tract: 131.04

Street Frontage (in Feet): 1 142' 2 _____ 3) _____ 4) _____ 5) _____

WEAS

To the Honorable Board of Adjustment:

Owner of Property/or Principal Park Fountains, L. P.

Applicant: Ed Simons Telephone: 214-761-9197

Mailing Address 1414 Elm Suite 200 Zip Code: 752022971

Represented by: Masterplan Telephone: 214-761-9197

Mailing Address: 900 Jackson, Suite 640 Zip Code: 75202

Affirm that a request has been made for a Variance , or Special Exception X, of Landscaping

Alternate plan

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: This lot has little depth compared to other properties along Central Expressway. There is a 16 foot wide Oncor easement at the rear of the lot and a water easement in the front yard that makes it difficult to provide the required landscaping. We request that the board approve an alternate landscape plan.

Note to Applicant: If the relief requested in this application is granted by the Board of Adjustment, said 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.

Respectfully submitted: Ed Simons
Applicant's name printed

Applicant's signature

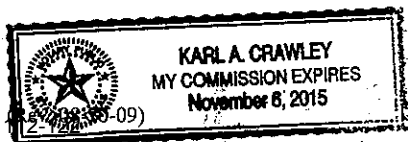
Affidavit

Before me the undersigned on this day personally appeared Ed Simons who on (his/her) oath certifies that the above statements are true and correct to his best knowledge and that he is the owner/or principal/or authorized representative of the subject property.

Ed Simons
Affiant (Applicant's signature)

Subscribed and sworn to before me this 25 day of October, 2012

Karl A. Crawley
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

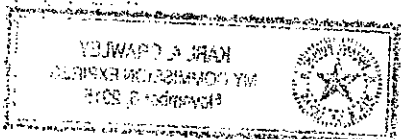
I hereby certify that ED SIMONS

did submit a request for a special exception to the landscaping regulations
at 10011 N. Central Expy.

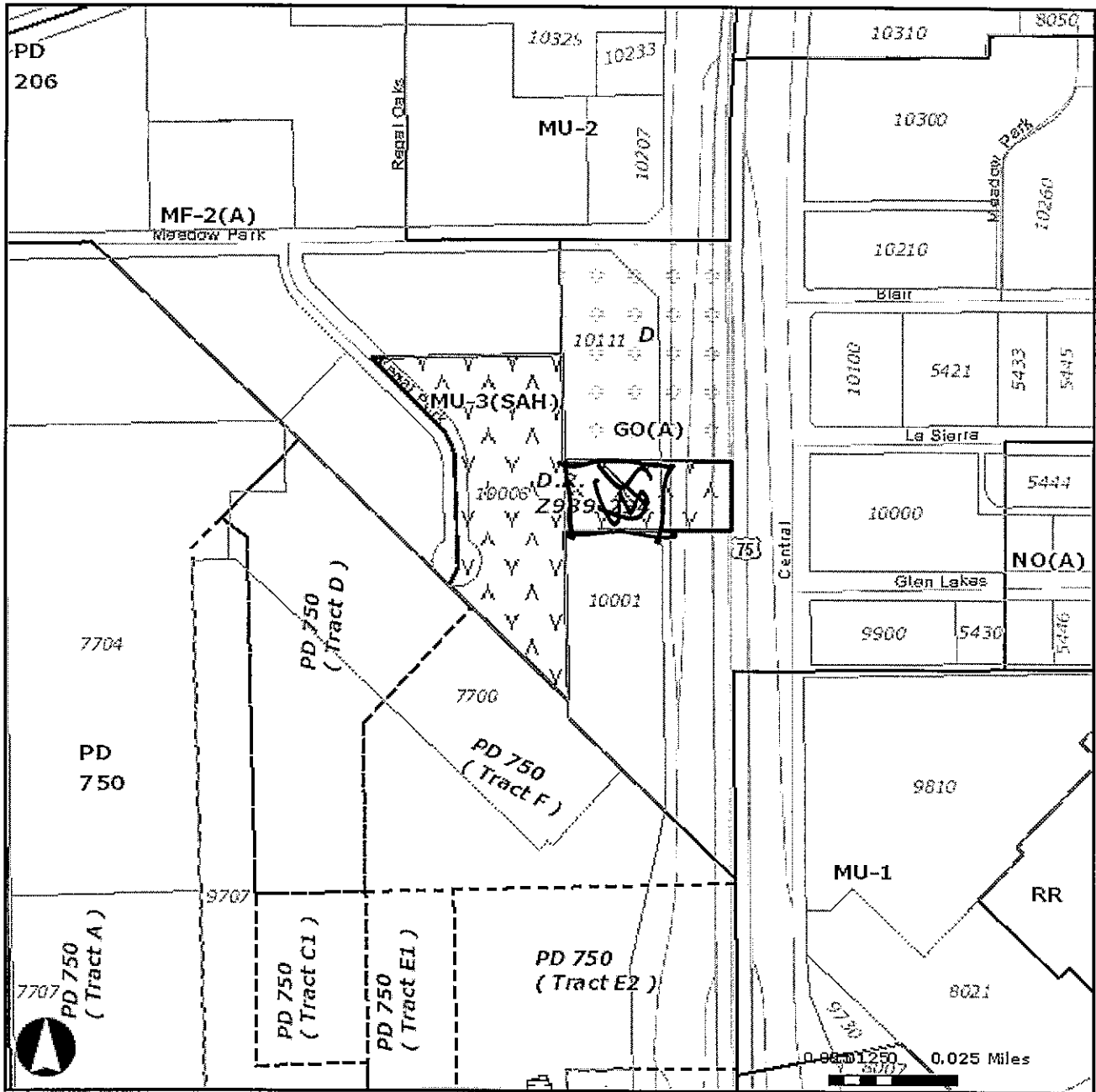
BDA112-122. Application of Ed Simons for a special exception to the landscaping regulations at 10011 N. Central Expy. This property is more fully described as Lot 31A, Block 7294 and is zoned MU-3(SAH), which requires mandatory landscaping. The applicant proposes to construct a multifamily residential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,

Larry V. Holmes
Larry Holmes, Building Official



City of Dallas Zoning



Address Candidates

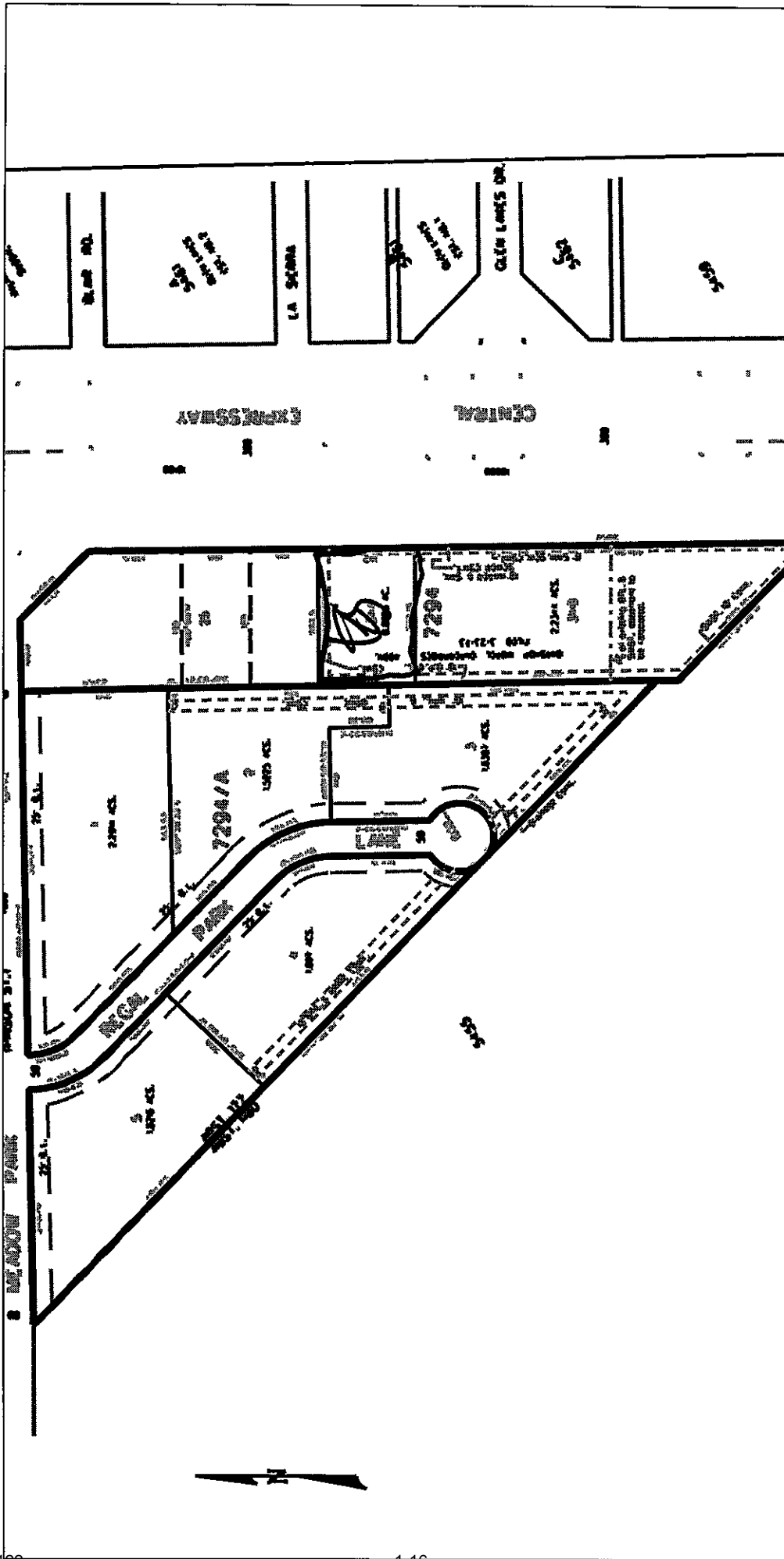
- Address Candidates
- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways

SUP

- SUP
- Dry Overlay
- D
- D-1
- Historic Overlay
- Historic Subdistricts
- NSO Overlay
- NSO Subdistricts

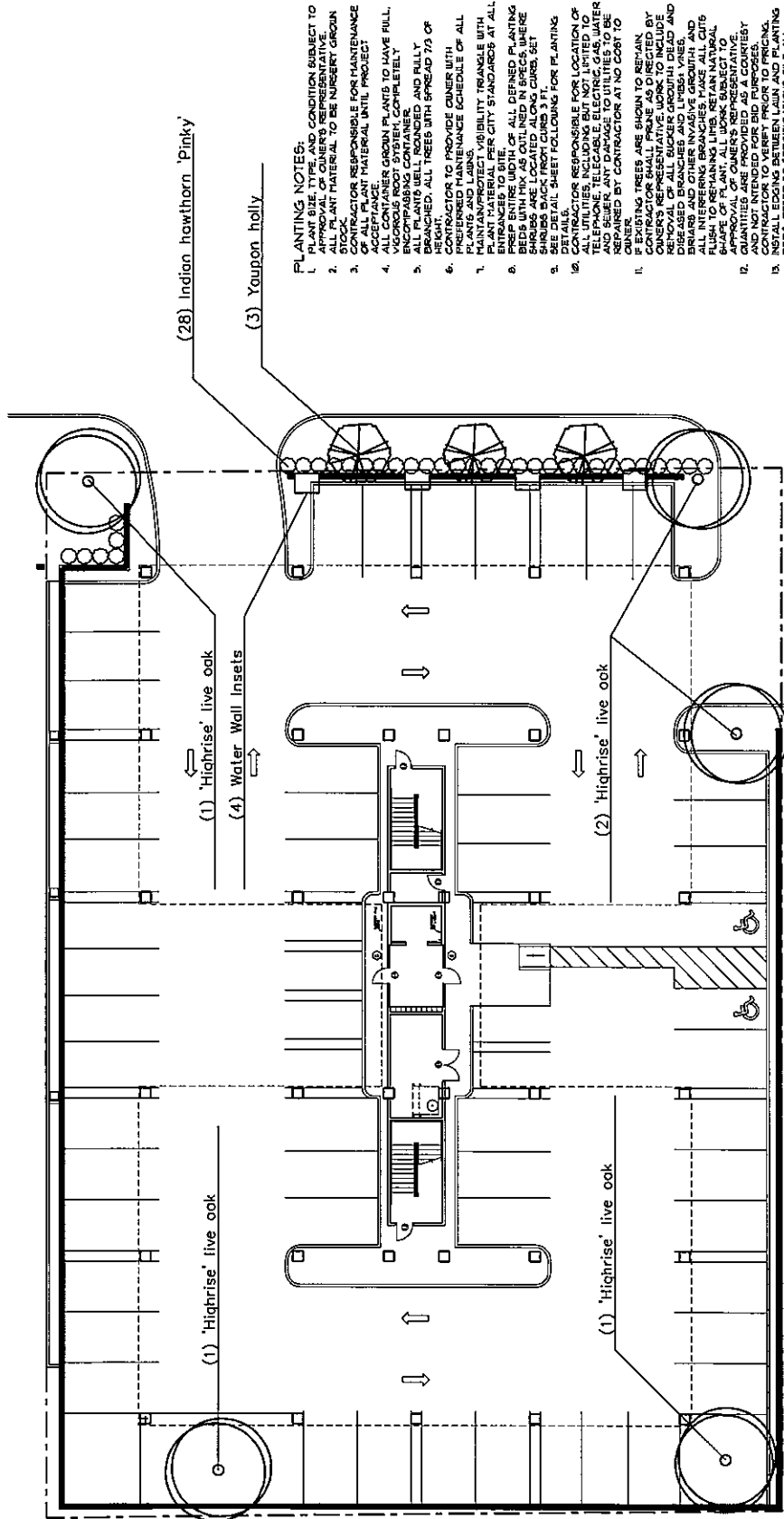
PDS Subdistricts

- Base Zoning
- Floodplain
- 100 Flood Zone
- Mill's Creek
- Peak's Branch
- X PROTECTED BY LEVEE
- Pedestrian Overlay
- CP



THE FOUNTAINS APARTMENTS 10011 NORTH CENTRAL EXPRESSWAY, DALLAS, TEXAS

ROBERT W. KELLY
 ARCHITECT
 1400 GLENDALE AVENUE
 SUITE 100
 DALLAS, TEXAS 75243
 (214) 424-1111
 WWW.RWK-ARCHITECT.COM



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

- PLANTING NOTES:**
1. PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
 2. STOCK PLANT MATERIAL TO BE NURSERY GROWN.
 3. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT COMPLETION.
 4. ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
 5. BRANCHED, ALL TREES WITH SPREAD 7/10 OF HEIGHT.
 6. CONTRACTOR TO PROVIDE OWNER WITH PROPOSED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAUNDS.
 7. MAINTAIN PROTECT VIBRANCY TRIANGLE WITH PLANTS AND LAUNDS.
 8. PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN BEGS, WHERE APPLICABLE. ALL PLANTS TO BE SET ON SHIRTS BACK FROM CURBS 3 FT.
 9. SEE DETAIL SHEET FOLLOWING FOR PLANTING.
 10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELEGRAPH, ELECTRIC, GAS, WATER AND SEWER. ALL UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
 11. IF EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL BE RESPONSIBLE FOR OWNER'S REPRESENTATIVE WORKS TO INCLUDE REMOVAL OF ALL BUCKER GROUND DEAD AND BRUSHED BRANCHES AND LIMBS WITHIN AND ALL INTERFERING BRANCHES. MAKE ALL CUTS FLUSH TO REMAINING LIMBS. RETAIN NATURAL BARK AND BRUSHED BRANCHES TO BE REMOVED. APPROVAL OF OWNER'S REPRESENTATIVE QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES.
 12. CONTRACTOR TO PROVIDE ALL PLANTING BEDS, REFER TO SPECIFICATIONS, FILE ALL NOTES AND CURB CUT, ASKET FOR EQUALY PER MANUFACTURES INSTRUCTIONS ON ALL GROUND COVER/GRASS BEDS WITH A SLOPE OF 1% TO 2%.
 13. AT THE OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE PLANT AVAILABILITY PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE SEASON. PLANT USE AND HOLD BIS PLANS FOR LATE SEASON INSTALLATION.



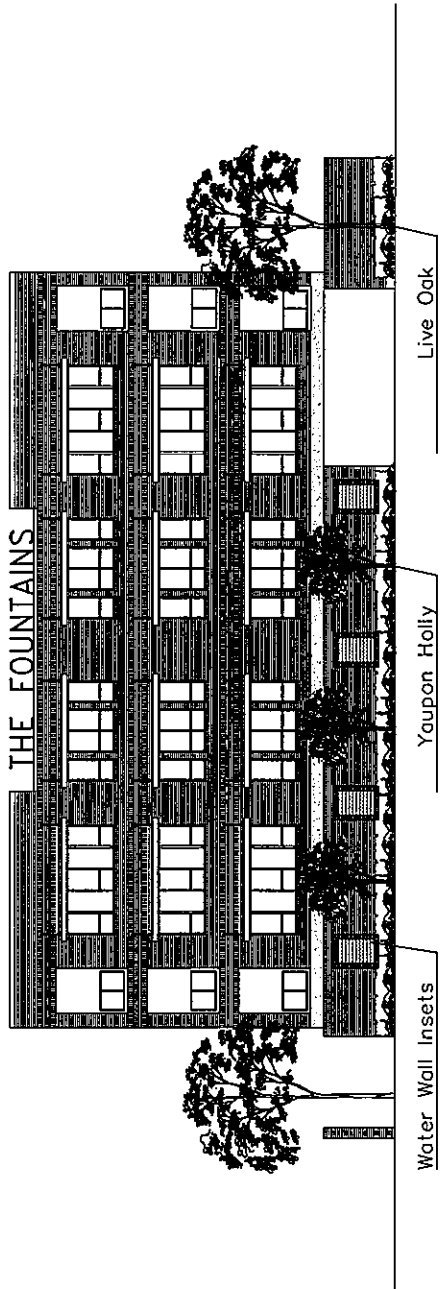
PLANT LIST

Symbol	Quantity	Code Name	Scientific Name	Common Name	Planting Size	Comments
⊙	3	live	Ilex verticillata	Youpon holly	8' - 10'	Tree form, Female
○	34	Rain	Nyctaginia indica	Indian Hawthorn	5-6ft	26" O.C.
⊙	5	Orn	Quercus virginiana	'Highrise' live oak	5'-6ft	B1B, Single straight trunk.

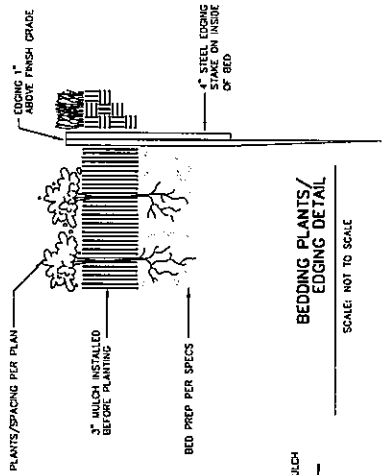
DFL Group, LLC
 LANDSCAPE ARCHITECTURE
 10000 GLENDALE AVENUE, SUITE 1000
 DALLAS, TEXAS 75243
 (214) 424-1111
 WWW.DFLGROUP.COM

STATE OF TEXAS
 LANDSCAPE ARCHITECT
 EXPIRES 08/31/2022

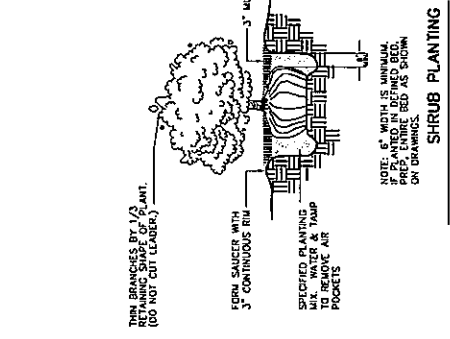
THIS DRAWING AND THE TITLE IS ISSUED UNDER THE AUTHORITY OF ARTS & CULTURAL AFFAIRS, TEXAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE STATE OF TEXAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE STATE OF TEXAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE STATE OF TEXAS.



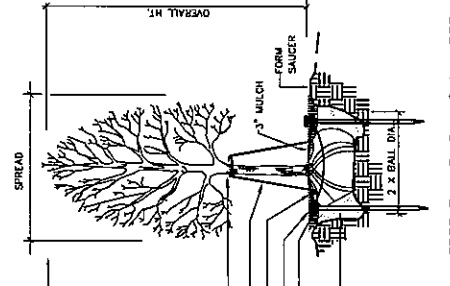
EAST ELEVATION
 SCALE: 1/8" = 1'-0"



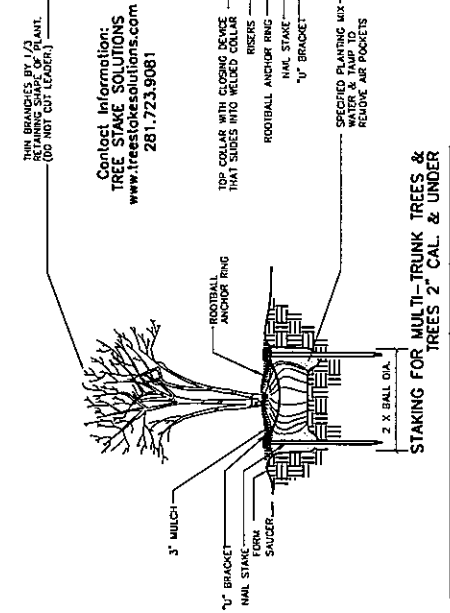
BEDDING PLANTS/
 EDGING DETAIL
 SCALE: NOT TO SCALE



SHRUB PLANTING
 SCALE: NOT TO SCALE



TREE PLANTING - GUY WIRES
 OVER 2" CALIPER
 SCALE: NOT TO SCALE

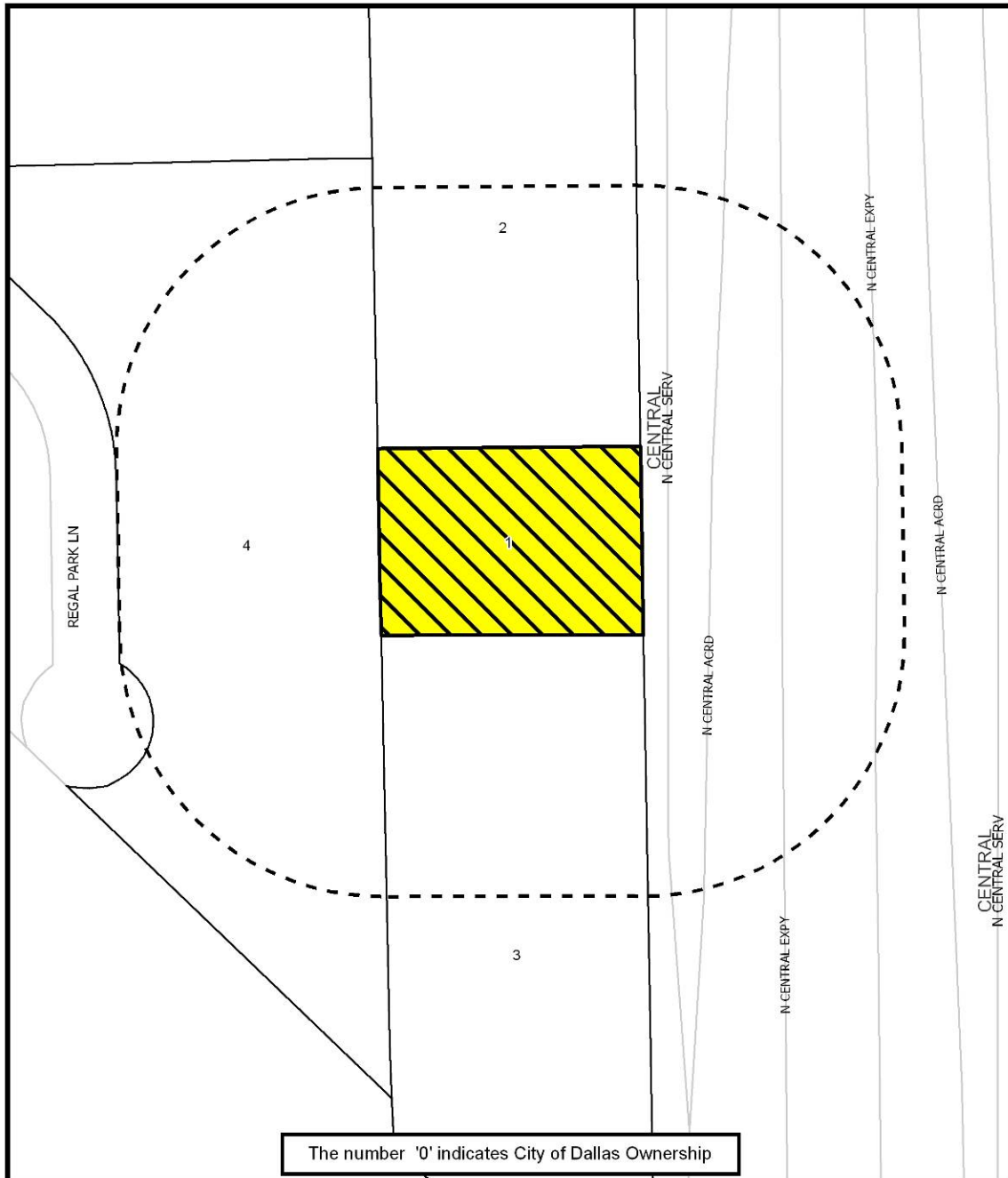


STAKING FOR MULTI-TRUNK TREES &
 UNDER TREES 2" CAL. & UNDER
 SCALE: NOT TO SCALE

Contact Information:
 TREE STAKE SOLUTIONS
 www.treestakesolutions.com
 281.723.9081

DFL Group, LLC
 PLANNING & DESIGN SERVICES
 10011 NORTH CENTRAL EXPRESSWAY, SUITE 1000, DALLAS, TEXAS 75243
 TEL: 214.416.1000 FAX: 214.416.1001 WWW.DFLGROUP.COM

THIS SEAL AND THE INFORMATION CONTAINED HEREIN IS VALID ONLY IN THE STATE OF TEXAS. THE ENGINEER'S LICENSE IS NOT VALID IN ANY OTHER STATE. THE ENGINEER'S LICENSE IS NOT VALID FOR ANY OTHER TYPE OF WORK. THE ENGINEER'S LICENSE IS NOT VALID FOR ANY OTHER TYPE OF WORK. THE ENGINEER'S LICENSE IS NOT VALID FOR ANY OTHER TYPE OF WORK.



 1:1,200	NOTIFICATION		Case no: BDA112-122
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">4</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/9/2012	

Notification List of Property Owners

BDA112-122

4 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10011 CENTRAL EXPY	PARK FOUNTAINS LP
2	10111 CENTRAL EXPY	GAYLORD BROADCASTING COMPANY LP
3	10001 CENTRAL EXPY	BRE LQ TX PPTIES LP ATTN: PPTY TAX DEPT
4	10006 REGAL PARK LN	REGAL PARK FOUNTAINS

FILE NUMBER: BDA 123-003

BUILDING OFFICIAL'S REPORT:

Application of Thomas and Dane Taylor for a special exception to the single family zoning use regulations at 4516 Bluffview Boulevard. This property is more fully described as the northeast half of Lot 2, Block O/4984 and is zoned PD-455. The applicant proposes to construct and maintain an additional dwelling unit, which will require a special exception to the single family zoning use regulations.

LOCATION: 4516 Bluffview Boulevard

APPLICANT: Thomas and Dane Taylor

REQUEST:

A special exception to the single family use development standard regulations is requested in conjunction with constructing and maintaining a one-story additional dwelling unit structure on a site currently being additionally developed with a one-story dwelling unit/single family home structure and a one-story accessory structure.

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

The board may grant a special exception to the single family use development standards regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception 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 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: 1) be used as rental accommodations; or 2) adversely affect neighboring properties.

In granting a 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.

Zoning:

Site: PD 455 (Planned Development)
North: PD 455 (Planned Development)
South: R-10(A) (Single family district 10,000 square feet)
East: PD 455 (Planned Development)
West: PD 455 (Planned Development)

Land Use:

The subject site is under development. The areas to the north, east, south, and west are developed with single family uses.

Zoning/BDA History:

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

Timeline:

November 6, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 6, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

December 11, 2012: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 19th deadline to submit additional evidence for staff to factor into their analysis; and the January 4th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

December 14, 2012: The applicant forwarded additional information beyond what was submitted with the original application (see Attachment A).

December 21, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for January public hearings. Review team members in attendance included: the Board Administrator, the Building Inspection Senior Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist,

the Chief Arborist, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

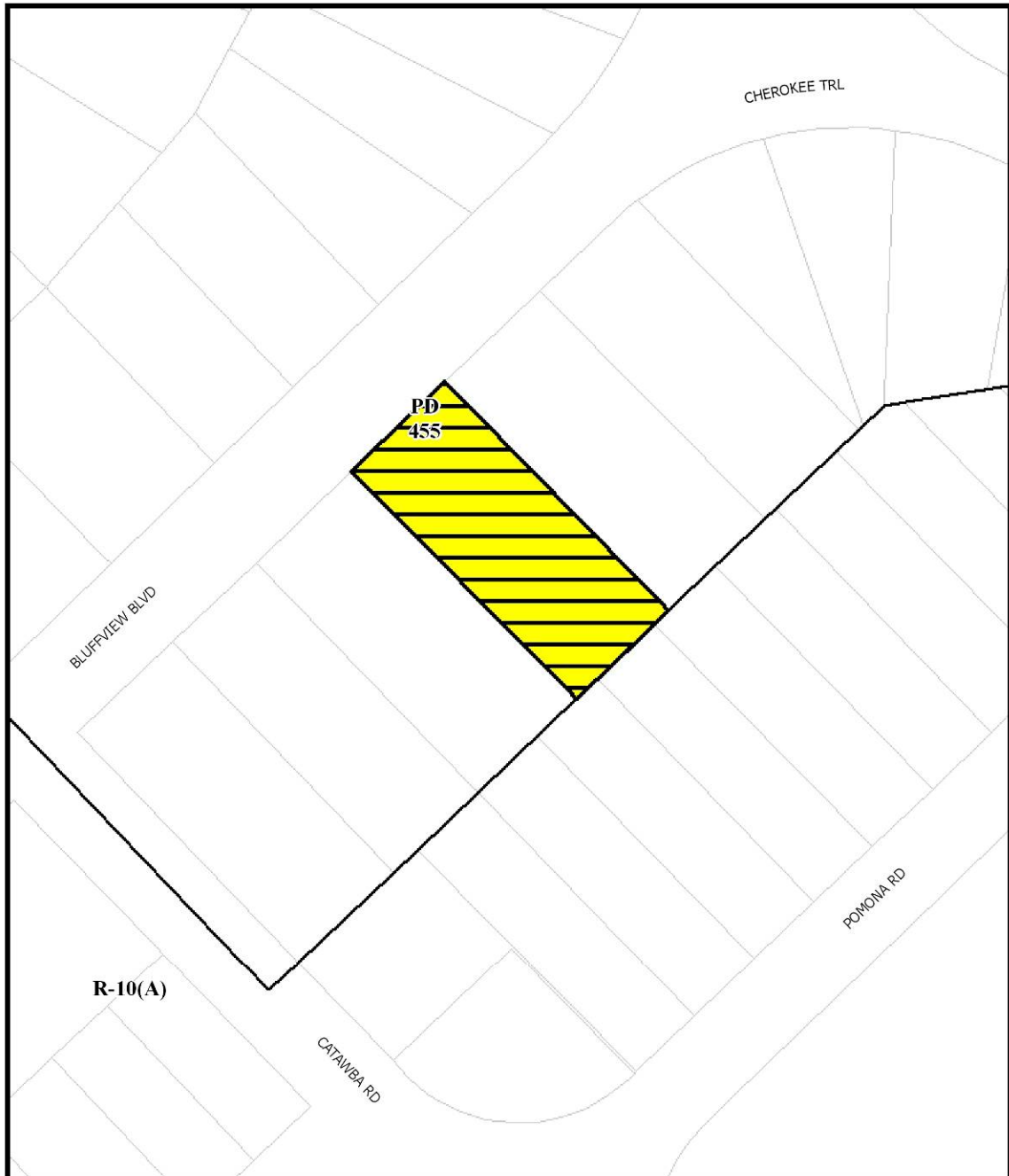
No additional review comment sheets with comments were submitted in conjunction with this application.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a one-story additional dwelling unit structure on a site currently being additionally developed with a one-story dwelling unit/single family home structure and a one-story accessory structure.
- The single family use regulations of the Dallas Development Code state that only one dwelling unit may be located on a lot, and that the board of adjustment may grant a special exception to this provision and authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: 1) be contrary to the public interest; or 2) adversely affect neighboring properties.
- The Dallas Development Code defines “single family” use as “one dwelling unit located on a lot;” and a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”
- The site is zoned PD 455 where the Dallas Development Code permits one dwelling unit per lot.
- A site plan has been submitted denoting the locations of three building footprints, the largest of the three being the main structure/dwelling unit on the site with two smaller detached structures one of which has been deemed by Building Inspection as an additional dwelling unit. The site plan represents the sizes and locations of the three building footprints relative to the entire lot/property.
- Elevations have been submitted of all of the structures proposed on the subject site. All of the structures are represented to be one-story in height.
- Floor plans have been submitted of all of the structures proposed on the subject site. Two of the three structures have been deemed by Building Inspection to be dwelling units. The main/largest structure shown on the site plan would be the single dwelling unit permitted on the site. The other two smaller structures shown on the site plan are accompanied with floor plans. The floor plan of one of the two smaller structures shows a bedroom, a bath, a closet, and a storage room. The floor plan of the other of the two smaller structures shows a sitting room, a bathroom, a closet, a bedroom, and a kitchenette space which has been described in a memo submitted by the applicant as a “compact kitchen unit in the hall closet of my daughters quarters.”
- DCAD records indicate that the property at 4516 Bluffview has the following improvements:
 - “main improvement:” a structure built in 1950 with 1,643 square feet of living area; and
 - “additional improvement:” 210 square foot attached garage.
- Building Inspection staff has reviewed the submitted floor plans of the structures and deemed two of them to be dwelling units: one of which is permitted by right – the

largest structure of the three; and one of which – one of the remaining two smaller structures – is an additional “dwelling unit” that requires a special exception from the board- that is per Code definition: “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”

- This request appears to center on the function of what is proposed to be located inside the one of the two proposed accessory structures on the site. If the board were to deny this request, it appears that this structure could be constructed and maintained with merely modifications to the function/use inside it (or to the floor plan) since the proposed structure appears (and is represented by the applicant) to comply with the applicable zoning code development standards (i.e. no application has been made for variance to setbacks or any other zoning code provision).
- The applicant has stated that if the special exception were denied, the structure would be completed in accordance with the code governing accessory structure provisions by not adding the kitchen unit... and that to the best of my knowledge we are in compliance with all single family use provisions in Chapter 51A and we are not requested a variance to setbacks, fencing, or other zoning code provisions.”
- It appears that if the compact kitchen unit in the proposed structure was removed, it would not be considered a dwelling unit, and the structure then could be built by right as shown on the submitted site plan; and that once this kitchen unit is added, the city considers the structure a dwelling unit and a Board of Adjustment hearing is required.
- As of January 7, 2012, no letters had been submitted to staff in support or in opposition to the application.
- The applicant has the burden of proof in establishing that the additional dwelling unit will not be used as rental accommodations (by providing deed restrictions, if approved) and will not adversely affect neighboring properties.
- If the Board were to approve the request for a special exception to the single family regulations, the Board may want to impose a condition that the applicant comply with the submitted site plan, floor plan, and/or elevation to ensure that the special exception will not adversely affect neighboring properties. Note that granting this special exception request 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 required code requirements including but not limited to setback and coverage requirements).
- 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.

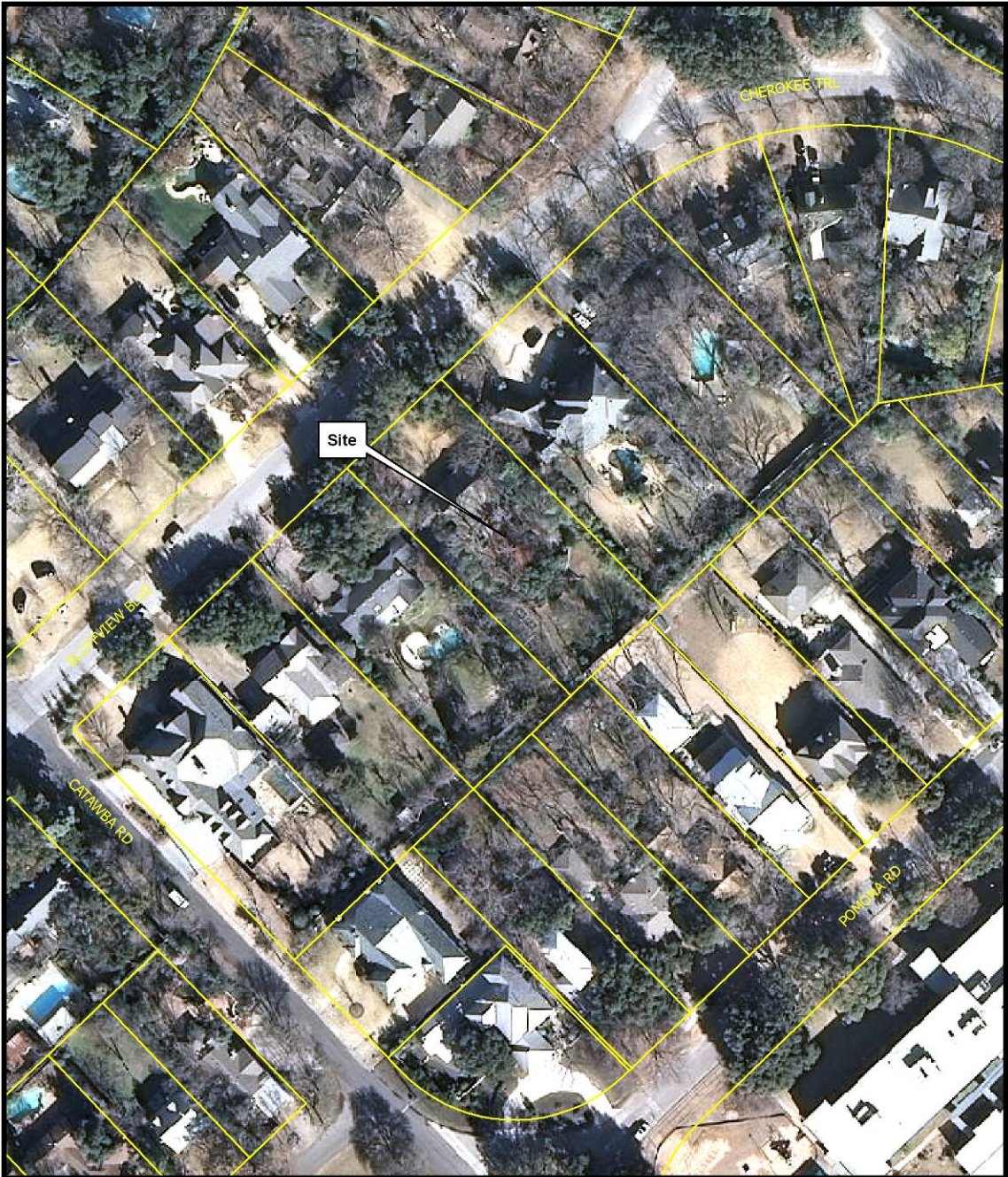


1:1,200

ZONING MAP

Case no: BDA123-003

Date: 12/14/2012



1:1,200

AERIAL MAP

Case no: BDA123-003

Date: 12/14/2012

12-14-12

MEMO TO: Steve Long
FROM: Thomas Taylor

RE: 4516 Bluffview.

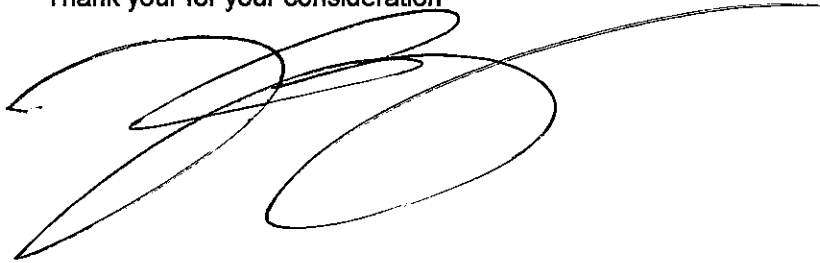
Steve, I already have a building permit and am under construction. The project is unique designed by nationally prominent architects Lake/Flato consisting of a main house and two accessory structures. This project complies with accessory structure provisions (51A-4.209(6)(vii)

This request is to add a compact kitchen unit in the hall closet of my daughters quarters. This qualifies one of the accessory structures as an additional dwelling unit which requires a special exception.

If the special exception request were denied, the structure will be completed in accordance with the code governing accessory structure provisions by not adding the kitchen unit. To the best of my knowledge we are in compliance with all single family use provisions in Chapter 51A and we are not requesting a variance to setbacks, fencing or other zoning code provisions.

Attached is a letter I wrote to the neighbors within 200 feet of our property explaining our request. We dont believe this requested modification adversely impacts the neighborhood, changes the exterior appearance of the improvements, and is consistent with other properties in Bluffview and under construction in Bluffview

Thank your for your consideration



November 19, 2012

Neighbors of 4516 Bluffview Blvd.

Dear Neighbor,

We are presently building our home at 4516 Bluffview. We hope our home designed by nationally famous, Lake Flato Architects of San Antonio, will be a worthy addition to Bluffview and our neighborhood. Please take the opportunity to look at their work on their web page.

The purpose of this note is to let you know my college age daughter would like to have a small kitchenette in her living quarters. Although, only a small kitchenette in a hall closet setting, permission to install this unit requires an exception to the Dallas Building Code.

I wanted to let you see the attached plans of our home and the location of the kitchenette. We plan to go before the Variance Board in January 2013 and you will be invited by the board to voice your opinion regarding allowing an exception to the code. What is not shown is the landscaping plan designed by MESA , that we feel considerably enhances the plan.

We will, of course, be signing an affidavit that we will not be renting her quarters as a duplex and we hope you share our opinion that our home will be contributing to the quality of the neighborhood.

Thank you for your consideration.

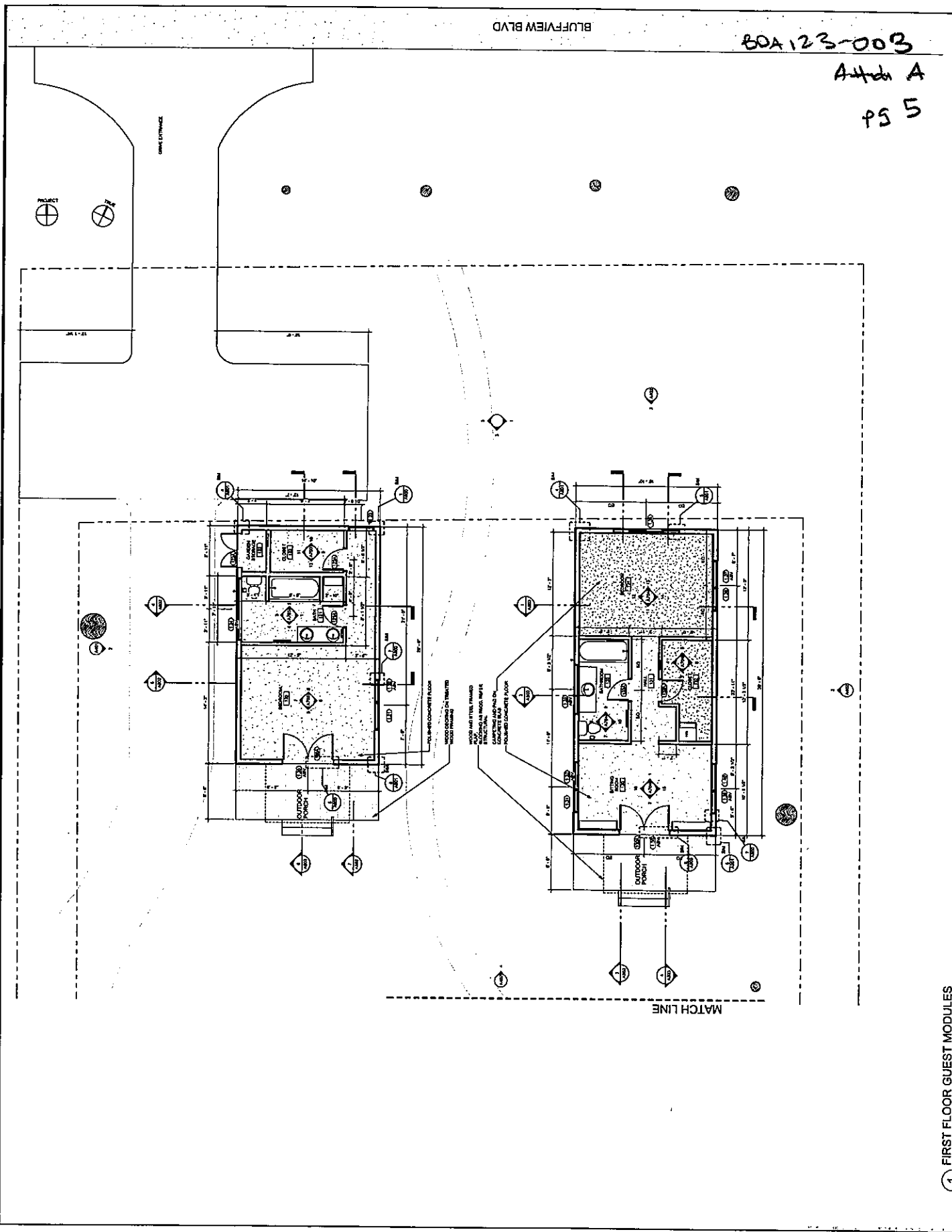


Thomas Taylor.



NO.	DATE	REVISION
1	10/12/12	ISSUE FOR PERMIT
2	11/15/12	REVISED PER COMMENTS
3	12/10/12	REVISED PER COMMENTS
4	01/10/13	REVISED PER COMMENTS
5	02/05/13	REVISED PER COMMENTS
6	03/05/13	REVISED PER COMMENTS
7	04/05/13	REVISED PER COMMENTS
8	05/05/13	REVISED PER COMMENTS
9	06/05/13	REVISED PER COMMENTS
10	07/05/13	REVISED PER COMMENTS
11	08/05/13	REVISED PER COMMENTS
12	09/05/13	REVISED PER COMMENTS
13	10/05/13	REVISED PER COMMENTS
14	11/05/13	REVISED PER COMMENTS
15	12/05/13	REVISED PER COMMENTS
16	01/05/14	REVISED PER COMMENTS
17	02/05/14	REVISED PER COMMENTS
18	03/05/14	REVISED PER COMMENTS
19	04/05/14	REVISED PER COMMENTS
20	05/05/14	REVISED PER COMMENTS
21	06/05/14	REVISED PER COMMENTS
22	07/05/14	REVISED PER COMMENTS
23	08/05/14	REVISED PER COMMENTS
24	09/05/14	REVISED PER COMMENTS
25	10/05/14	REVISED PER COMMENTS
26	11/05/14	REVISED PER COMMENTS
27	12/05/14	REVISED PER COMMENTS
28	01/05/15	REVISED PER COMMENTS
29	02/05/15	REVISED PER COMMENTS
30	03/05/15	REVISED PER COMMENTS
31	04/05/15	REVISED PER COMMENTS
32	05/05/15	REVISED PER COMMENTS
33	06/05/15	REVISED PER COMMENTS
34	07/05/15	REVISED PER COMMENTS
35	08/05/15	REVISED PER COMMENTS
36	09/05/15	REVISED PER COMMENTS
37	10/05/15	REVISED PER COMMENTS
38	11/05/15	REVISED PER COMMENTS
39	12/05/15	REVISED PER COMMENTS
40	01/05/16	REVISED PER COMMENTS
41	02/05/16	REVISED PER COMMENTS
42	03/05/16	REVISED PER COMMENTS
43	04/05/16	REVISED PER COMMENTS
44	05/05/16	REVISED PER COMMENTS
45	06/05/16	REVISED PER COMMENTS
46	07/05/16	REVISED PER COMMENTS
47	08/05/16	REVISED PER COMMENTS
48	09/05/16	REVISED PER COMMENTS
49	10/05/16	REVISED PER COMMENTS
50	11/05/16	REVISED PER COMMENTS
51	12/05/16	REVISED PER COMMENTS
52	01/05/17	REVISED PER COMMENTS
53	02/05/17	REVISED PER COMMENTS
54	03/05/17	REVISED PER COMMENTS
55	04/05/17	REVISED PER COMMENTS
56	05/05/17	REVISED PER COMMENTS
57	06/05/17	REVISED PER COMMENTS
58	07/05/17	REVISED PER COMMENTS
59	08/05/17	REVISED PER COMMENTS
60	09/05/17	REVISED PER COMMENTS
61	10/05/17	REVISED PER COMMENTS
62	11/05/17	REVISED PER COMMENTS
63	12/05/17	REVISED PER COMMENTS
64	01/05/18	REVISED PER COMMENTS
65	02/05/18	REVISED PER COMMENTS
66	03/05/18	REVISED PER COMMENTS
67	04/05/18	REVISED PER COMMENTS
68	05/05/18	REVISED PER COMMENTS
69	06/05/18	REVISED PER COMMENTS
70	07/05/18	REVISED PER COMMENTS
71	08/05/18	REVISED PER COMMENTS
72	09/05/18	REVISED PER COMMENTS
73	10/05/18	REVISED PER COMMENTS
74	11/05/18	REVISED PER COMMENTS
75	12/05/18	REVISED PER COMMENTS
76	01/05/19	REVISED PER COMMENTS
77	02/05/19	REVISED PER COMMENTS
78	03/05/19	REVISED PER COMMENTS
79	04/05/19	REVISED PER COMMENTS
80	05/05/19	REVISED PER COMMENTS
81	06/05/19	REVISED PER COMMENTS
82	07/05/19	REVISED PER COMMENTS
83	08/05/19	REVISED PER COMMENTS
84	09/05/19	REVISED PER COMMENTS
85	10/05/19	REVISED PER COMMENTS
86	11/05/19	REVISED PER COMMENTS
87	12/05/19	REVISED PER COMMENTS
88	01/05/20	REVISED PER COMMENTS
89	02/05/20	REVISED PER COMMENTS
90	03/05/20	REVISED PER COMMENTS
91	04/05/20	REVISED PER COMMENTS
92	05/05/20	REVISED PER COMMENTS
93	06/05/20	REVISED PER COMMENTS
94	07/05/20	REVISED PER COMMENTS
95	08/05/20	REVISED PER COMMENTS
96	09/05/20	REVISED PER COMMENTS
97	10/05/20	REVISED PER COMMENTS
98	11/05/20	REVISED PER COMMENTS
99	12/05/20	REVISED PER COMMENTS
100	01/05/21	REVISED PER COMMENTS
101	02/05/21	REVISED PER COMMENTS
102	03/05/21	REVISED PER COMMENTS
103	04/05/21	REVISED PER COMMENTS
104	05/05/21	REVISED PER COMMENTS
105	06/05/21	REVISED PER COMMENTS
106	07/05/21	REVISED PER COMMENTS
107	08/05/21	REVISED PER COMMENTS
108	09/05/21	REVISED PER COMMENTS
109	10/05/21	REVISED PER COMMENTS
110	11/05/21	REVISED PER COMMENTS
111	12/05/21	REVISED PER COMMENTS
112	01/05/22	REVISED PER COMMENTS
113	02/05/22	REVISED PER COMMENTS
114	03/05/22	REVISED PER COMMENTS
115	04/05/22	REVISED PER COMMENTS
116	05/05/22	REVISED PER COMMENTS
117	06/05/22	REVISED PER COMMENTS
118	07/05/22	REVISED PER COMMENTS
119	08/05/22	REVISED PER COMMENTS
120	09/05/22	REVISED PER COMMENTS
121	10/05/22	REVISED PER COMMENTS
122	11/05/22	REVISED PER COMMENTS
123	12/05/22	REVISED PER COMMENTS
124	01/05/23	REVISED PER COMMENTS
125	02/05/23	REVISED PER COMMENTS
126	03/05/23	REVISED PER COMMENTS
127	04/05/23	REVISED PER COMMENTS
128	05/05/23	REVISED PER COMMENTS
129	06/05/23	REVISED PER COMMENTS
130	07/05/23	REVISED PER COMMENTS
131	08/05/23	REVISED PER COMMENTS
132	09/05/23	REVISED PER COMMENTS
133	10/05/23	REVISED PER COMMENTS
134	11/05/23	REVISED PER COMMENTS
135	12/05/23	REVISED PER COMMENTS
136	01/05/24	REVISED PER COMMENTS
137	02/05/24	REVISED PER COMMENTS
138	03/05/24	REVISED PER COMMENTS
139	04/05/24	REVISED PER COMMENTS
140	05/05/24	REVISED PER COMMENTS
141	06/05/24	REVISED PER COMMENTS
142	07/05/24	REVISED PER COMMENTS
143	08/05/24	REVISED PER COMMENTS
144	09/05/24	REVISED PER COMMENTS
145	10/05/24	REVISED PER COMMENTS
146	11/05/24	REVISED PER COMMENTS
147	12/05/24	REVISED PER COMMENTS
148	01/05/25	REVISED PER COMMENTS
149	02/05/25	REVISED PER COMMENTS
150	03/05/25	REVISED PER COMMENTS
151	04/05/25	REVISED PER COMMENTS
152	05/05/25	REVISED PER COMMENTS
153	06/05/25	REVISED PER COMMENTS
154	07/05/25	REVISED PER COMMENTS
155	08/05/25	REVISED PER COMMENTS
156	09/05/25	REVISED PER COMMENTS
157	10/05/25	REVISED PER COMMENTS
158	11/05/25	REVISED PER COMMENTS
159	12/05/25	REVISED PER COMMENTS
160	01/05/26	REVISED PER COMMENTS
161	02/05/26	REVISED PER COMMENTS
162	03/05/26	REVISED PER COMMENTS
163	04/05/26	REVISED PER COMMENTS
164	05/05/26	REVISED PER COMMENTS
165	06/05/26	REVISED PER COMMENTS
166	07/05/26	REVISED PER COMMENTS
167	08/05/26	REVISED PER COMMENTS
168	09/05/26	REVISED PER COMMENTS
169	10/05/26	REVISED PER COMMENTS
170	11/05/26	REVISED PER COMMENTS
171	12/05/26	REVISED PER COMMENTS
172	01/05/27	REVISED PER COMMENTS
173	02/05/27	REVISED PER COMMENTS
174	03/05/27	REVISED PER COMMENTS
175	04/05/27	REVISED PER COMMENTS
176	05/05/27	REVISED PER COMMENTS
177	06/05/27	REVISED PER COMMENTS
178	07/05/27	REVISED PER COMMENTS
179	08/05/27	REVISED PER COMMENTS
180	09/05/27	REVISED PER COMMENTS
181	10/05/27	REVISED PER COMMENTS
182	11/05/27	REVISED PER COMMENTS
183	12/05/27	REVISED PER COMMENTS
184	01/05/28	REVISED PER COMMENTS
185	02/05/28	REVISED PER COMMENTS
186	03/05/28	REVISED PER COMMENTS
187	04/05/28	REVISED PER COMMENTS
188	05/05/28	REVISED PER COMMENTS
189	06/05/28	REVISED PER COMMENTS
190	07/05/28	REVISED PER COMMENTS
191	08/05/28	REVISED PER COMMENTS
192	09/05/28	REVISED PER COMMENTS
193	10/05/28	REVISED PER COMMENTS
194	11/05/28	REVISED PER COMMENTS
195	12/05/28	REVISED PER COMMENTS
196	01/05/29	REVISED PER COMMENTS
197	02/05/29	REVISED PER COMMENTS
198	03/05/29	REVISED PER COMMENTS
199	04/05/29	REVISED PER COMMENTS
200	05/05/29	REVISED PER COMMENTS

BDA 123-003
A444 A
PS 5



1 FIRST FLOOR GUEST MODULES
SCALE: 1/4" = 1'-0"

BDA123-003

Attach A

pg 9



Appliances > Combo Kitchen > Acme ROE9Y60

Custom Colors

Share: 0

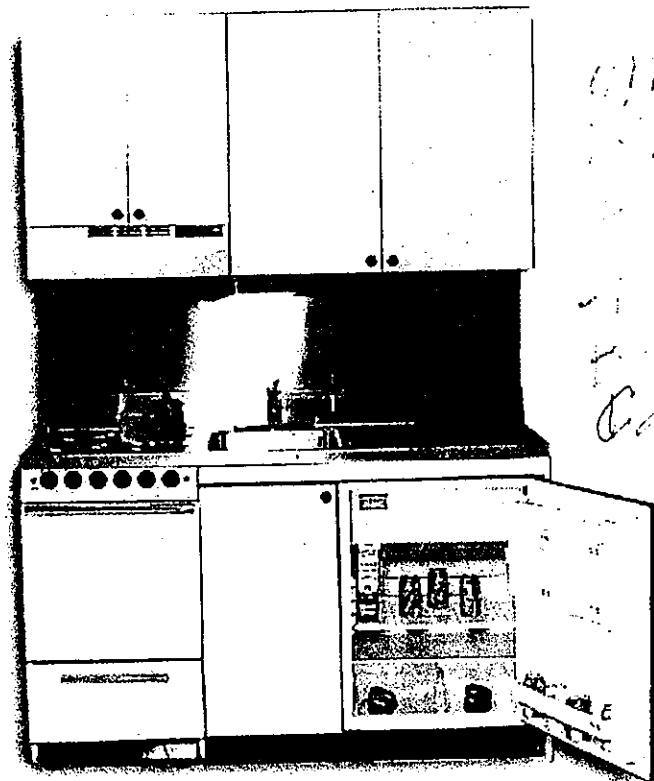


Close [X]



AppliancesConnection.com Images of Acme ROE9Y60 Full Feature Kitchenettes Compact Kitchen with Stainless Steel Countertop, 4 Electric Burners, Oven, Sink and Compact Refrigerator: 60 Inches

51 11



ROE9Y60 SHOWN with modifications

* The product images on this site are there to give you an idea of how the product looks. You cannot rely solely on the image when placing an order. Some images may be there to show a product feature, design, handle style, finish etc. Sometimes, the manufacturer does not provide an image for the item, but will provide a similar image or a different color to give you an idea of what the product looks like. You must carefully read the specifications or ask one of our sales associates for any information that you are unclear about. If you require technical support, manufacturer warranty information, product manuals or repair locations, please contact the manufacturer of your product(s) directly.



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-003

Data Relative to Subject Property:

Date: 11-6-2012

Location address: 4516 Bluffview Blvd. Zoning District: PD455

Lot No. N1/2 #2 Block No.: 0/9989 Acreage: 0.55 Census Tract: 73.02

Street Frontage (in Feet): 1) 100 2) 3) 4) 5)

NE 21A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Thomas Waller Taylor and Danc

Applicant: Thomas & Danc Taylor Telephone: 214 2894478

Mailing Address: 6516 Forest Park Road Zip Code: 75235

E-mail Address: Thomas@datumenengineers.com

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

11/9/12 10/10/12

Affirm that an appeal has been made for a Variance, or Special Exception, of Dallas Building code for residential construction For an additional Dwelling Unit

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:

We have a college age daughter and we would like to add a compact kitchenette in her living wing. We totally agree that this living area will not be rented as a duplex. Additional dwellings are very common in Bluffview area. Next door

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 Thomas Taylor (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 12th day of November, 2012

Sherry Marsha Whitlock 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 Thomas W. Taylor

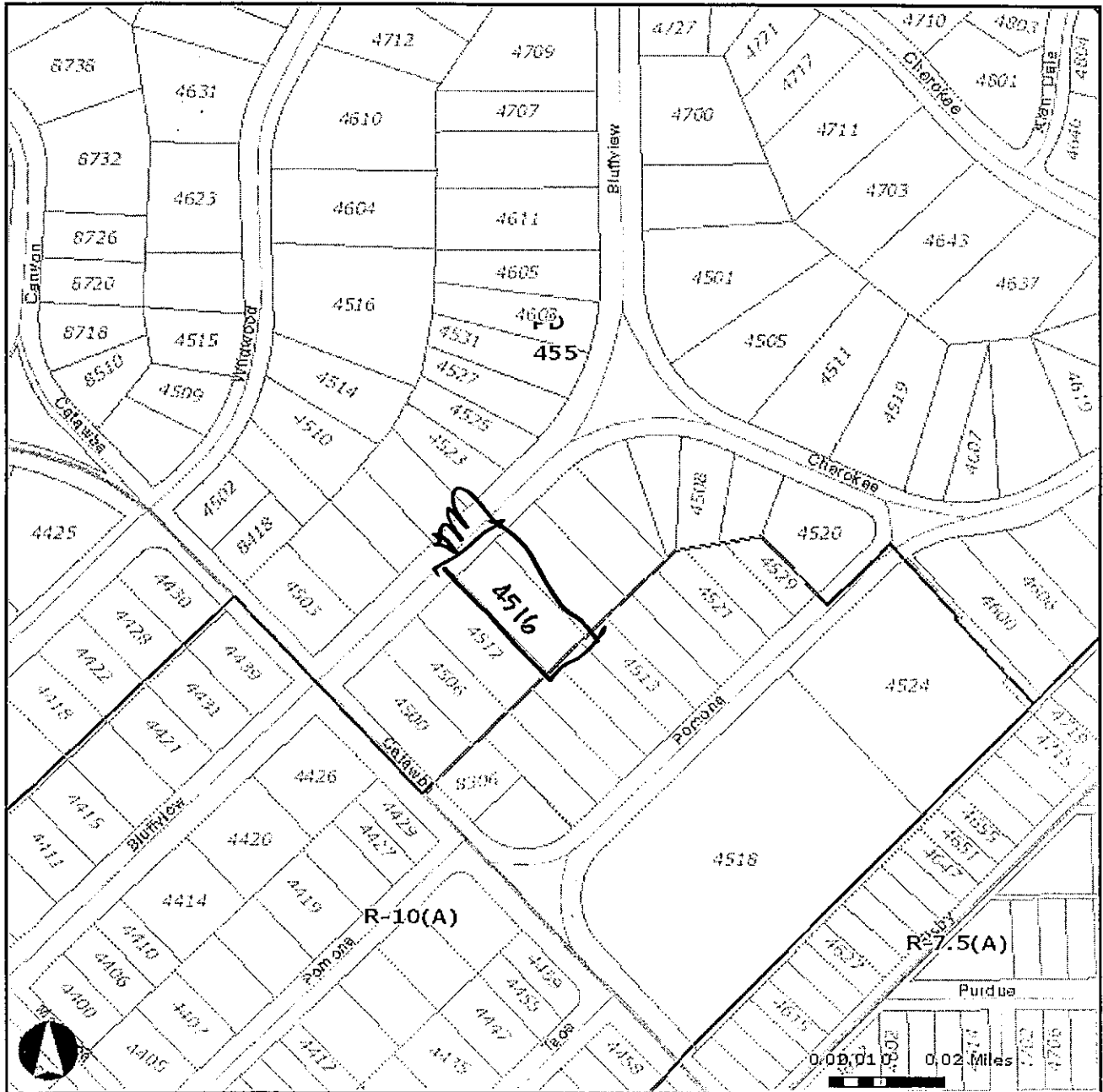
did submit a request for a special exception to the single family regulations
at 4516 Bluffview Blvd.

BDA123-003. Application of Thomas W. Taylor for a special exception to the single family use regulations at 4516 Bluffview Blvd. This property is more fully described as the northeast half of Lot 2, Block O/4984 and is zoned PD-455, which limits the number of dwelling units to one. The applicant proposes to construct an additional dwelling unit, which will require a special exception to the single family zoning use regulations.

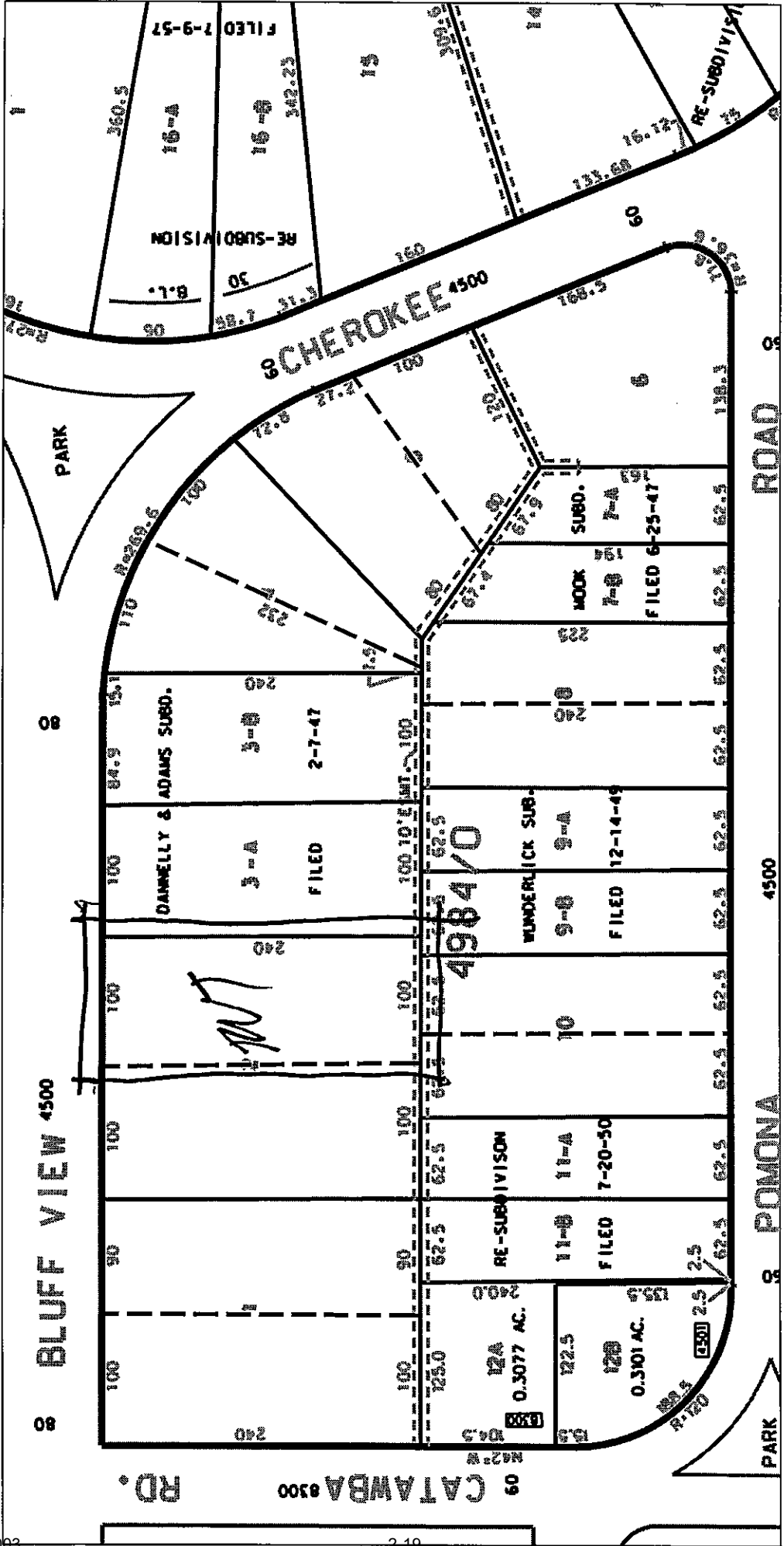
Sincerely,


Larry Holmes, Building Official

City of Dallas Zoning



- | | | |
|-------------------|-----------------------|----------------------|
| City Boundaries | Dry Overlay | PDS Subdistricts |
| County | Historic Overlay | Base Zoning |
| Certified Parcels | Historic Subdistricts | Floodplain |
| DISD Sites | NSO Overlay | 100 Flood Zone |
| Council Districts | NSO Subdistricts | Mill's Creek |
| Waterways | MD Overlay | Peak's Branch |
| Major Lakes | | X PROTECTED BY LEVEE |
| | | Pedestrian Overlay |
| | | CP |





2/12/12

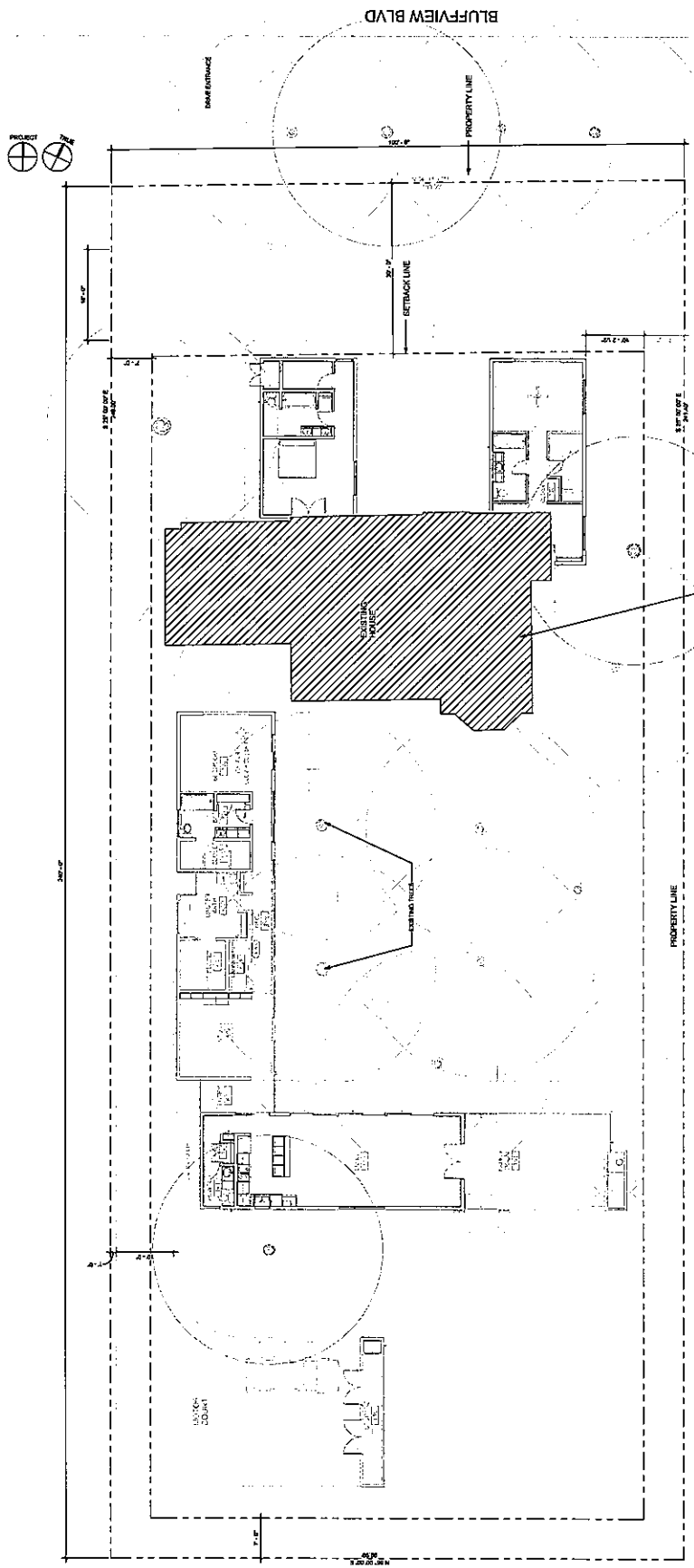
BLUFFVIEW RESIDENCE

4516 Bluffview Blvd
 Dallas, TX 75209
 ARCHITECT
 STRUCTURAL
 LANDSCAPE
 CIVIL
 MECHANICAL
 ELECTRICAL
 PLUMBING

DATE	DESCRIPTION
12/11/11	ISSUE FOR PERMITS
01/12/12	ISSUE FOR PERMITS
02/12/12	ISSUE FOR PERMITS
03/12/12	ISSUE FOR PERMITS
04/12/12	ISSUE FOR PERMITS
05/12/12	ISSUE FOR PERMITS
06/12/12	ISSUE FOR PERMITS
07/12/12	ISSUE FOR PERMITS
08/12/12	ISSUE FOR PERMITS
09/12/12	ISSUE FOR PERMITS
10/12/12	ISSUE FOR PERMITS
11/12/12	ISSUE FOR PERMITS
12/12/12	ISSUE FOR PERMITS
01/13/13	ISSUE FOR PERMITS
02/13/13	ISSUE FOR PERMITS
03/13/13	ISSUE FOR PERMITS
04/13/13	ISSUE FOR PERMITS
05/13/13	ISSUE FOR PERMITS
06/13/13	ISSUE FOR PERMITS
07/13/13	ISSUE FOR PERMITS
08/13/13	ISSUE FOR PERMITS
09/13/13	ISSUE FOR PERMITS
10/13/13	ISSUE FOR PERMITS
11/13/13	ISSUE FOR PERMITS
12/13/13	ISSUE FOR PERMITS
01/14/14	ISSUE FOR PERMITS
02/14/14	ISSUE FOR PERMITS
03/14/14	ISSUE FOR PERMITS
04/14/14	ISSUE FOR PERMITS
05/14/14	ISSUE FOR PERMITS
06/14/14	ISSUE FOR PERMITS
07/14/14	ISSUE FOR PERMITS
08/14/14	ISSUE FOR PERMITS
09/14/14	ISSUE FOR PERMITS
10/14/14	ISSUE FOR PERMITS
11/14/14	ISSUE FOR PERMITS
12/14/14	ISSUE FOR PERMITS
01/15/15	ISSUE FOR PERMITS
02/15/15	ISSUE FOR PERMITS
03/15/15	ISSUE FOR PERMITS
04/15/15	ISSUE FOR PERMITS
05/15/15	ISSUE FOR PERMITS
06/15/15	ISSUE FOR PERMITS
07/15/15	ISSUE FOR PERMITS
08/15/15	ISSUE FOR PERMITS
09/15/15	ISSUE FOR PERMITS
10/15/15	ISSUE FOR PERMITS
11/15/15	ISSUE FOR PERMITS
12/15/15	ISSUE FOR PERMITS
01/16/16	ISSUE FOR PERMITS
02/16/16	ISSUE FOR PERMITS
03/16/16	ISSUE FOR PERMITS
04/16/16	ISSUE FOR PERMITS
05/16/16	ISSUE FOR PERMITS
06/16/16	ISSUE FOR PERMITS
07/16/16	ISSUE FOR PERMITS
08/16/16	ISSUE FOR PERMITS
09/16/16	ISSUE FOR PERMITS
10/16/16	ISSUE FOR PERMITS
11/16/16	ISSUE FOR PERMITS
12/16/16	ISSUE FOR PERMITS
01/17/17	ISSUE FOR PERMITS
02/17/17	ISSUE FOR PERMITS
03/17/17	ISSUE FOR PERMITS
04/17/17	ISSUE FOR PERMITS
05/17/17	ISSUE FOR PERMITS
06/17/17	ISSUE FOR PERMITS
07/17/17	ISSUE FOR PERMITS
08/17/17	ISSUE FOR PERMITS
09/17/17	ISSUE FOR PERMITS
10/17/17	ISSUE FOR PERMITS
11/17/17	ISSUE FOR PERMITS
12/17/17	ISSUE FOR PERMITS
01/18/18	ISSUE FOR PERMITS
02/18/18	ISSUE FOR PERMITS
03/18/18	ISSUE FOR PERMITS
04/18/18	ISSUE FOR PERMITS
05/18/18	ISSUE FOR PERMITS
06/18/18	ISSUE FOR PERMITS
07/18/18	ISSUE FOR PERMITS
08/18/18	ISSUE FOR PERMITS
09/18/18	ISSUE FOR PERMITS
10/18/18	ISSUE FOR PERMITS
11/18/18	ISSUE FOR PERMITS
12/18/18	ISSUE FOR PERMITS
01/19/19	ISSUE FOR PERMITS
02/19/19	ISSUE FOR PERMITS
03/19/19	ISSUE FOR PERMITS
04/19/19	ISSUE FOR PERMITS
05/19/19	ISSUE FOR PERMITS
06/19/19	ISSUE FOR PERMITS
07/19/19	ISSUE FOR PERMITS
08/19/19	ISSUE FOR PERMITS
09/19/19	ISSUE FOR PERMITS
10/19/19	ISSUE FOR PERMITS
11/19/19	ISSUE FOR PERMITS
12/19/19	ISSUE FOR PERMITS
01/20/20	ISSUE FOR PERMITS
02/20/20	ISSUE FOR PERMITS
03/20/20	ISSUE FOR PERMITS
04/20/20	ISSUE FOR PERMITS
05/20/20	ISSUE FOR PERMITS
06/20/20	ISSUE FOR PERMITS
07/20/20	ISSUE FOR PERMITS
08/20/20	ISSUE FOR PERMITS
09/20/20	ISSUE FOR PERMITS
10/20/20	ISSUE FOR PERMITS
11/20/20	ISSUE FOR PERMITS
12/20/20	ISSUE FOR PERMITS
01/21/21	ISSUE FOR PERMITS
02/21/21	ISSUE FOR PERMITS
03/21/21	ISSUE FOR PERMITS
04/21/21	ISSUE FOR PERMITS
05/21/21	ISSUE FOR PERMITS
06/21/21	ISSUE FOR PERMITS
07/21/21	ISSUE FOR PERMITS
08/21/21	ISSUE FOR PERMITS
09/21/21	ISSUE FOR PERMITS
10/21/21	ISSUE FOR PERMITS
11/21/21	ISSUE FOR PERMITS
12/21/21	ISSUE FOR PERMITS
01/22/22	ISSUE FOR PERMITS
02/22/22	ISSUE FOR PERMITS
03/22/22	ISSUE FOR PERMITS
04/22/22	ISSUE FOR PERMITS
05/22/22	ISSUE FOR PERMITS
06/22/22	ISSUE FOR PERMITS
07/22/22	ISSUE FOR PERMITS
08/22/22	ISSUE FOR PERMITS
09/22/22	ISSUE FOR PERMITS
10/22/22	ISSUE FOR PERMITS
11/22/22	ISSUE FOR PERMITS
12/22/22	ISSUE FOR PERMITS
01/23/23	ISSUE FOR PERMITS
02/23/23	ISSUE FOR PERMITS
03/23/23	ISSUE FOR PERMITS
04/23/23	ISSUE FOR PERMITS
05/23/23	ISSUE FOR PERMITS
06/23/23	ISSUE FOR PERMITS
07/23/23	ISSUE FOR PERMITS
08/23/23	ISSUE FOR PERMITS
09/23/23	ISSUE FOR PERMITS
10/23/23	ISSUE FOR PERMITS
11/23/23	ISSUE FOR PERMITS
12/23/23	ISSUE FOR PERMITS
01/24/24	ISSUE FOR PERMITS
02/24/24	ISSUE FOR PERMITS
03/24/24	ISSUE FOR PERMITS
04/24/24	ISSUE FOR PERMITS
05/24/24	ISSUE FOR PERMITS
06/24/24	ISSUE FOR PERMITS
07/24/24	ISSUE FOR PERMITS
08/24/24	ISSUE FOR PERMITS
09/24/24	ISSUE FOR PERMITS
10/24/24	ISSUE FOR PERMITS
11/24/24	ISSUE FOR PERMITS
12/24/24	ISSUE FOR PERMITS
01/25/25	ISSUE FOR PERMITS
02/25/25	ISSUE FOR PERMITS
03/25/25	ISSUE FOR PERMITS
04/25/25	ISSUE FOR PERMITS
05/25/25	ISSUE FOR PERMITS
06/25/25	ISSUE FOR PERMITS
07/25/25	ISSUE FOR PERMITS
08/25/25	ISSUE FOR PERMITS
09/25/25	ISSUE FOR PERMITS
10/25/25	ISSUE FOR PERMITS
11/25/25	ISSUE FOR PERMITS
12/25/25	ISSUE FOR PERMITS
01/26/26	ISSUE FOR PERMITS
02/26/26	ISSUE FOR PERMITS
03/26/26	ISSUE FOR PERMITS
04/26/26	ISSUE FOR PERMITS
05/26/26	ISSUE FOR PERMITS
06/26/26	ISSUE FOR PERMITS
07/26/26	ISSUE FOR PERMITS
08/26/26	ISSUE FOR PERMITS
09/26/26	ISSUE FOR PERMITS
10/26/26	ISSUE FOR PERMITS
11/26/26	ISSUE FOR PERMITS
12/26/26	ISSUE FOR PERMITS
01/27/27	ISSUE FOR PERMITS
02/27/27	ISSUE FOR PERMITS
03/27/27	ISSUE FOR PERMITS
04/27/27	ISSUE FOR PERMITS
05/27/27	ISSUE FOR PERMITS
06/27/27	ISSUE FOR PERMITS
07/27/27	ISSUE FOR PERMITS
08/27/27	ISSUE FOR PERMITS
09/27/27	ISSUE FOR PERMITS
10/27/27	ISSUE FOR PERMITS
11/27/27	ISSUE FOR PERMITS
12/27/27	ISSUE FOR PERMITS
01/28/28	ISSUE FOR PERMITS
02/28/28	ISSUE FOR PERMITS
03/28/28	ISSUE FOR PERMITS
04/28/28	ISSUE FOR PERMITS
05/28/28	ISSUE FOR PERMITS
06/28/28	ISSUE FOR PERMITS
07/28/28	ISSUE FOR PERMITS
08/28/28	ISSUE FOR PERMITS
09/28/28	ISSUE FOR PERMITS
10/28/28	ISSUE FOR PERMITS
11/28/28	ISSUE FOR PERMITS
12/28/28	ISSUE FOR PERMITS
01/29/29	ISSUE FOR PERMITS
02/29/29	ISSUE FOR PERMITS
03/29/29	ISSUE FOR PERMITS
04/29/29	ISSUE FOR PERMITS
05/29/29	ISSUE FOR PERMITS
06/29/29	ISSUE FOR PERMITS
07/29/29	ISSUE FOR PERMITS
08/29/29	ISSUE FOR PERMITS
09/29/29	ISSUE FOR PERMITS
10/29/29	ISSUE FOR PERMITS
11/29/29	ISSUE FOR PERMITS
12/29/29	ISSUE FOR PERMITS
01/30/30	ISSUE FOR PERMITS
02/30/30	ISSUE FOR PERMITS
03/30/30	ISSUE FOR PERMITS
04/30/30	ISSUE FOR PERMITS
05/30/30	ISSUE FOR PERMITS
06/30/30	ISSUE FOR PERMITS
07/30/30	ISSUE FOR PERMITS
08/30/30	ISSUE FOR PERMITS
09/30/30	ISSUE FOR PERMITS
10/30/30	ISSUE FOR PERMITS
11/30/30	ISSUE FOR PERMITS
12/30/30	ISSUE FOR PERMITS
01/31/31	ISSUE FOR PERMITS
02/31/31	ISSUE FOR PERMITS
03/31/31	ISSUE FOR PERMITS
04/31/31	ISSUE FOR PERMITS
05/31/31	ISSUE FOR PERMITS
06/31/31	ISSUE FOR PERMITS
07/31/31	ISSUE FOR PERMITS
08/31/31	ISSUE FOR PERMITS
09/31/31	ISSUE FOR PERMITS
10/31/31	ISSUE FOR PERMITS
11/31/31	ISSUE FOR PERMITS
12/31/31	ISSUE FOR PERMITS

CONSTRUCTION DOCUMENTS
 DEMO PLAN

A101



1 DEMOLITION PLAN
 SCALE: 1/8" = 1'-0"

EXISTING 2300 SF RESIDENCE TO BE DEMOLISHED IN MARCH 2013.

LEGAL DESCRIPTION
 DEMO PART OF LOT 2, BLOCK 104A, BLUFFVIEW ESTATES, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE FINAL PLAT THEREOF, MAP NO. 104A, PAGE 218, MAP RECORDS, DALLAS COUNTY, TEXAS.

THESE PLANS HAVE NOT BEEN REVIEWED FOR COMPLIANCE WITH THE CITY OF DALLAS CONSTRUCTION CODES. ALL WORK PERFORMED IN CONJUNCTION WITH THESE PLANS IS SUBJECT TO FIELD INSPECTOR'S APPROVAL.

SITE PLAN



Appliances > Combo Kitchen > Acme ROE9Y60

Custom Colors

Share:

0

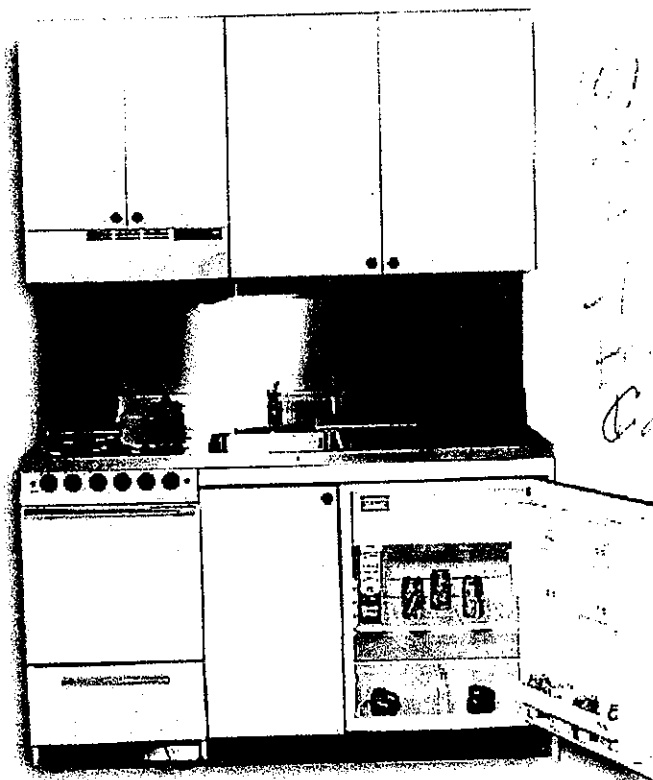


Close [X]



AppliancesConnection.com Images of Acme ROE9Y60 Full Feature Kitchenettes Compact Kitchen with Stainless Steel Countertop, 4 Electric Burners, Oven, Sink and Compact Refrigerator: 60 Inches

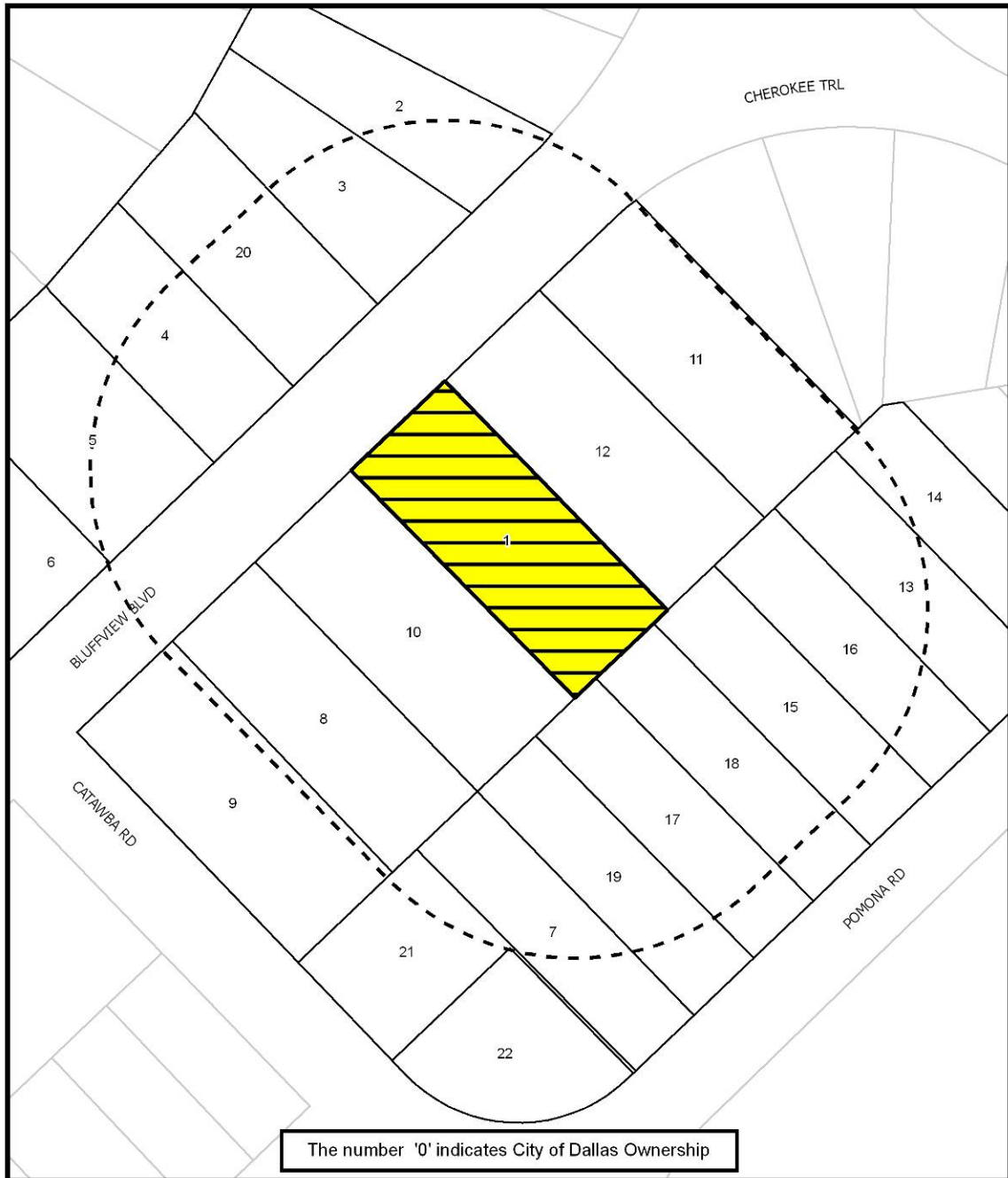
51"



*with
20" tall
cabinets*

ROE9Y60 SHOWN with modifications

* The product images on this site are there to give you an idea of how the product looks. You cannot rely solely on the image when placing an order. Some images may be there to show a product feature, design, handle style, finish etc. Sometimes, the manufacturer does not provide an image for the item, but will provide a similar image or a different color to give you an idea of what the product looks like. You must carefully read the specifications or ask one of our sales associates for any information that you are unclear about. If you require technical support, manufacturer warranty information, product manuals or repair locations, please contact the manufacturer of your product(s) directly.



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">22</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	22	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA123-003</u> Date: <u>12/14/2012</u>
200'	AREA OF NOTIFICATION					
22	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA123-003

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4516 BLUFFVIEW BLVD	TAYLOR THOMAS W
2	4525 BLUFFVIEW BLVD	TUCKER WILLIS
3	4523 BLUFFVIEW BLVD	QUESADA GEORGE A JR
4	4511 BLUFFVIEW BLVD	SCHROEDER JESSE N
5	4505 BLUFFVIEW BLVD	CLARK DAVID L & KIMBERLY U
6	4503 BLUFFVIEW BLVD	VOHRA VIKHAM & JULIA
7	4503 POMONA RD	LARSON SIDNEY
8	4506 BLUFFVIEW BLVD	ORAL J ALEX
9	4500 BLUFFVIEW BLVD	WEST THOMAS ALONZO TR & WEST EMILY KAY T
10	4512 BLUFFVIEW BLVD	LONGHI VINCENT R & SAN JUANA FLORES
11	4520 BLUFFVIEW BLVD	WHEELER MICHAEL W & NOELLE L
12	4518 BLUFFVIEW BLVD	BURK FAITH G & LOWELL R
13	4519 POMONA RD	STEWART CHRISTOPHER R & DENISE M
14	4521 POMONA RD	BONDS HARRIET LYN
15	4513 POMONA RD	GOODIN KRISTIN L
16	4515 POMONA RD	UPADHYAYA ASHWINI & POORWA A SINGH
17	4509 POMONA RD	JOHNS WADE
18	4511 POMONA RD	FEARING WILLIAM DEAN
19	4505 POMONA RD	VAN STEPHEN L
20	4515 BLUFFVIEW BLVD	KANZLER KEVIN D & KIMBERLY S
21	8306 CATAWBA RD	EAPEN REENU S & MARK L ROSE
22	4501 POMONA RD	MATTINGLY JAMES R & JUDITH SHURE

FILE NUMBER: BDA 123-002

BUILDING OFFICIAL'S REPORT:

Application of Dagoberto Batres for variances to the front yard setback regulations and off-street parking regulations at 6626 Forney Road. This property is more fully described as Lot 19A, Block 1/6132 and is zoned R-7.5(A), which requires (1) a front yard setback of 25 feet and (2) that a parking space be at least 20 feet from the right-of-way line adjacent to a street if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street. The applicant proposes to maintain a structure and provide (1) a 0 foot front yard setback, which will require a variance of 25 feet to the front yard setback regulations; and (2) enclosed parking spaces with a setback of 0 feet, which will require a variance of 20 feet to the off-street parking regulations.

LOCATION: 6626 Forney Road

APPLICANT: Dagoberto Batres

REQUESTS:

The following appeals have been made on a site that is currently developed with a single family home and detached garage/accessory structure:

1. a variance to the front yard setback regulations of 25' is requested in conjunction with maintaining an existing approximately 740 square foot detached garage/accessory structure located on the front property line or 25' into the required 25' front yard setback; and
2. a variance to the off-street parking regulations of 20' is requested in conjunction with maintaining enclosed parking spaces in the existing detached garage/accessory structure located on the Forney Road right-of-way line or 20' into the required 20' distance from the street right-of-way line.

STANDARD FOR A VARIANCE:

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, coverage, floor area for structures accessory to single family uses, height, minimum sidewalks, off-street parking or off-street loading, or landscape regulations provided that the variance is:

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

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

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

STAFF RECOMMENDATION (front yard setback variance):

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- The slope and restrictive area of the site preclude its development in a manner commensurate with other developments found on similarly-zoned R-7.5(A) lots which in this case is retention of a reasonably-sized single family home and a detached accessory structure that provides cover for two vehicles.
- In this case, there appears to be no other location on this site for a structure that would provide cover for vehicles on the site given: 1) the location of the existing single family home on the property that according to DCAD was constructed in 1947; 2) the slope on the property; and 3) that there is no alley to the rear of the site to allow access to a covered parking structure/garage that could be located/maintained behind the exiting single family home on the property.

STAFF RECOMMENDATION (off-street parking variance):

Denial

Rationale:

- Regarding the request for a 0 foot setback from the right-of-way line adjacent to a street if the space is located in an enclosed structure, although the subject site has slope and has limited area in which to locate a structure to provide cover for vehicles, the applicant has not substantiated how granting this variance would not be contrary to the public interest. The Sustainable Development and Construction Department Engineering Division Assistant Director recommends denial of this request commenting that “A vehicle parked in front of the garage obstructs the clear and safe use of the public right-of-way. It also obstructs safe mail delivery.”

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5 (A) (Single family district 7,500 square feet)
North: R-7.5 (A) (SUP 1510) (Single family district 7,500 square feet, Specific Use Permit)
South: R-7.5 (A) (Single family district 7,500 square feet)
East: R-7.5 (A) (Single family district 7,500 square feet)
West: R-7.5 (A) (Single family district 7,500 square feet)

Land Use:

The subject site is developed with a single family home and detached garage. The areas to the north, east, south, and west are developed with single family uses.

Zoning/BDA History:

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

Timeline:

October 23, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

December 6, 2012: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

December 11, 2012: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the December 19th deadline to submit additional evidence for staff to factor into their analysis; and the January 4th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

December 21, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for January public hearings. Review team members in attendance included: the Board Administrator, the Building Inspection Senior Planner, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, the Sustainable Development and Construction Department Project Engineer, and the Assistant City Attorney to the Board.

January 4, 2013: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Recommends that this be denied" commenting "A vehicle parked in front of the garage obstructs the clear and safe use of the public right-of-way. It also obstructs safe mail delivery."

GENERAL FACTS/STAFF ANALYSIS (front yard variance):

- This request focuses on maintaining an existing approximately 740 square foot detached garage/accessory structure, part of which is located in the site's 25' front yard setback.
- A 25' front yard setback is required for properties zoned R-7.5(A) Single Family.
- A site plan has been submitted denoting that the existing detached garage structure is located on the site's front property line or 25' into the 25' front yard setback.
- Approximately 63 percent (or approximately 460 square feet) of the approximately 740 square foot building footprint is to be located in the site's 25' front yard setback. See the submitted site plan.
- DCAD records indicate that the property at 6626 Forney Road has the following improvements:
 - "main improvement:" a structure built in 1947 with 1,179 square feet of living area, and 1,179 square feet of total area with "no additional improvements".
- The subject site is sloped, slightly irregular in shape (approximately 57' on the north, approximately 75' on the south; approximately 219' on the east; and approximately 179' on the west) and according to the application, is 0.25 acres (or 10,890 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request and impose the submitted site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document – which is a detached accessory structure that provides coverage for two vehicles located on the site's front property line (or 25' into the 25' front yard setback).

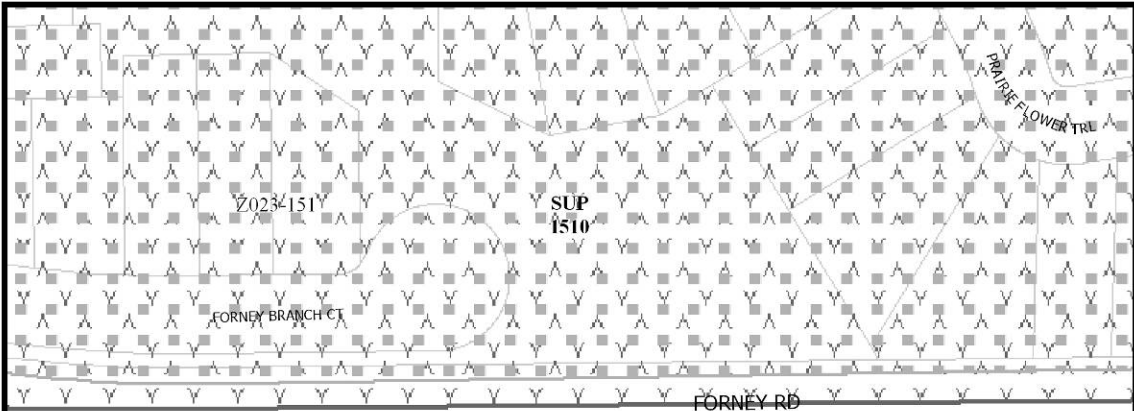
GENERAL FACTS/STAFF ANALYSIS (parking variance):

- This request focuses on maintaining enclosed parking spaces in an existing detached garage located on the Forney Road right-of-way line or 20' into the required 20' distance from the street right-of-way line.

- The Dallas Development Code states that a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from a street or alley.
- The submitted site plan denotes the location of enclosed parking spaces in the existing garage structure on the street right-of-way line or 25.25' from the Forney Road projected pavement line.
- According to the submitted site plan/section/elevation document and field observations of the property made by the Board Administrator in December of 2012, the parking spaces in the accessory structure are enclosed with "iron gates" as opposed to a garage door.
- DCAD records indicate that the property at 6626 Forney Road has the following improvements:
 - "main improvement:" a structure built in 1947 with 1,179 square feet of living area, and 1,179 square feet of total area with "no additional improvements".
- The subject site is sloped, slightly irregular in shape (approximately 57' on the north, approximately 75' on the south; approximately 219' on the east; and approximately 179' on the west) and according to the application, is 0.25 acres (or 10,890 square feet) in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area.
- The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet marked "Recommends that this be denied" commenting "A vehicle parked in front of the garage obstructs the clear and safe use of the public right-of-way. It also obstructs safe mail delivery."
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the parking regulations of 20' 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 to the parking regulations of 20' is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance to the parking regulations of 20' requested would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- Staff suggests that if the Board were to grant this type of variance request, that they consider imposing the following conditions:
 1. Compliance with the submitted site plan is required.
 2. An automatic garage door must be installed and maintained in working order at all times.
 3. At no time may the areas in front of the garage be utilized for parking of vehicles.
 4. All applicable permits must be obtained.

(These conditions are imposed to help assure that the variance will not be contrary to public interest). But in this particular case, the applicant's request is to maintain the existing garage "as is" with manually-operated open iron swing gates as opposed to modifying it with the installation and maintenance of an automatic garage door.

- If the Board were to grant the front yard variance request but deny this off-street parking variance request, the structure could remain in its current location without enclosure of the parking spaces (i.e. with the removal of the existing manually-operated open iron swing gates).



1:1,200

ZONING MAP

Case no: BDA123-002

Date: 12/14/2012



1:1,200

AERIAL MAP

Case no: BDA123-002

Date: 12/14/2012



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-002

Data Relative to Subject Property:

Date: 10-23-12

Location address: 6626 FORNEY RD Zoning District: R-7.5(A)

Lot No.: 19A Block No.: 1/6132 Acreage: .25 Census Tract: 84.00

Street Frontage (in Feet): 1) _____ 2) _____ 3) _____ 4) _____ 5) 489

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): DAGOBERTO BATRES / NOHEMI BATRES

Applicant: DAGOBERTO BATRES Telephone: 469-877-8703

Mailing Address: 6626 FORNEY RD DALLAS TX Zip Code: 75227

E-mail Address: _____

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance , or Special Exception _____, of the parking garage that is made of concrete walls and has a metal roof on top. 25 FT TO THE FRONT YARD SETBACK

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: the plans of this driveway have been in place since I bought the property and the concrete walls have been up for 10 yrs. The reason we do not have another choice of making a driveway in another area is due to the placement of the utilities across the front of the property. Also, it is more convenient because we have more parking space, provides protection from any severe weather and it's more safer than having a car on a hill-slope.

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 DAGOBERTO BATRES
(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: Dagoberto Batres
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 22 day of OCTOBER, 2012

(Rev. 08-01-11)

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 DAGOBERTO BATRES

did submit a request for a variance to the front yard setback regulations, and for a variance to the off-street parking regulation

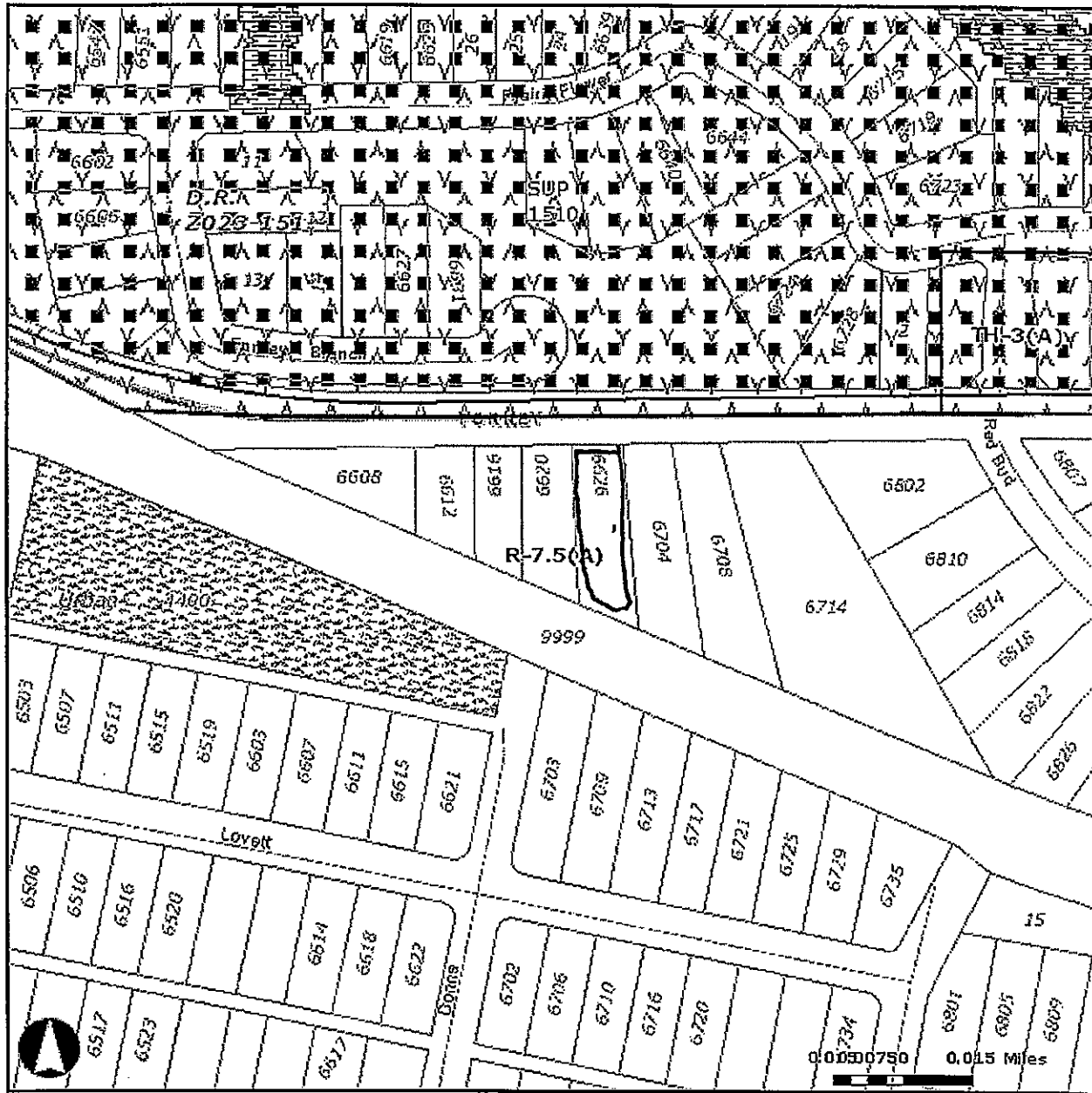
at 6626 Forney Road

BDA123-002. Application of Dagoberto Batres for a variance to the front yard setback regulations and a variance to the off-street parking regulations at 6626 Forney Road. This property is more fully described as Lot 19A, Block 1/6132 and is zoned R-7.5(A), which requires a front yard setback of 25 feet and requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street. The applicant proposes to construct and maintain a single family residential accessory structure and provide a 0 foot front side rear yard setback, which will require a 25 foot variance to the front yard setback regulation and construct and maintain a single family residential accessory structure with a front yard setback of 0 feet, which will require a variance of 20 feet to the off-street parking regulation.

Sincerely,

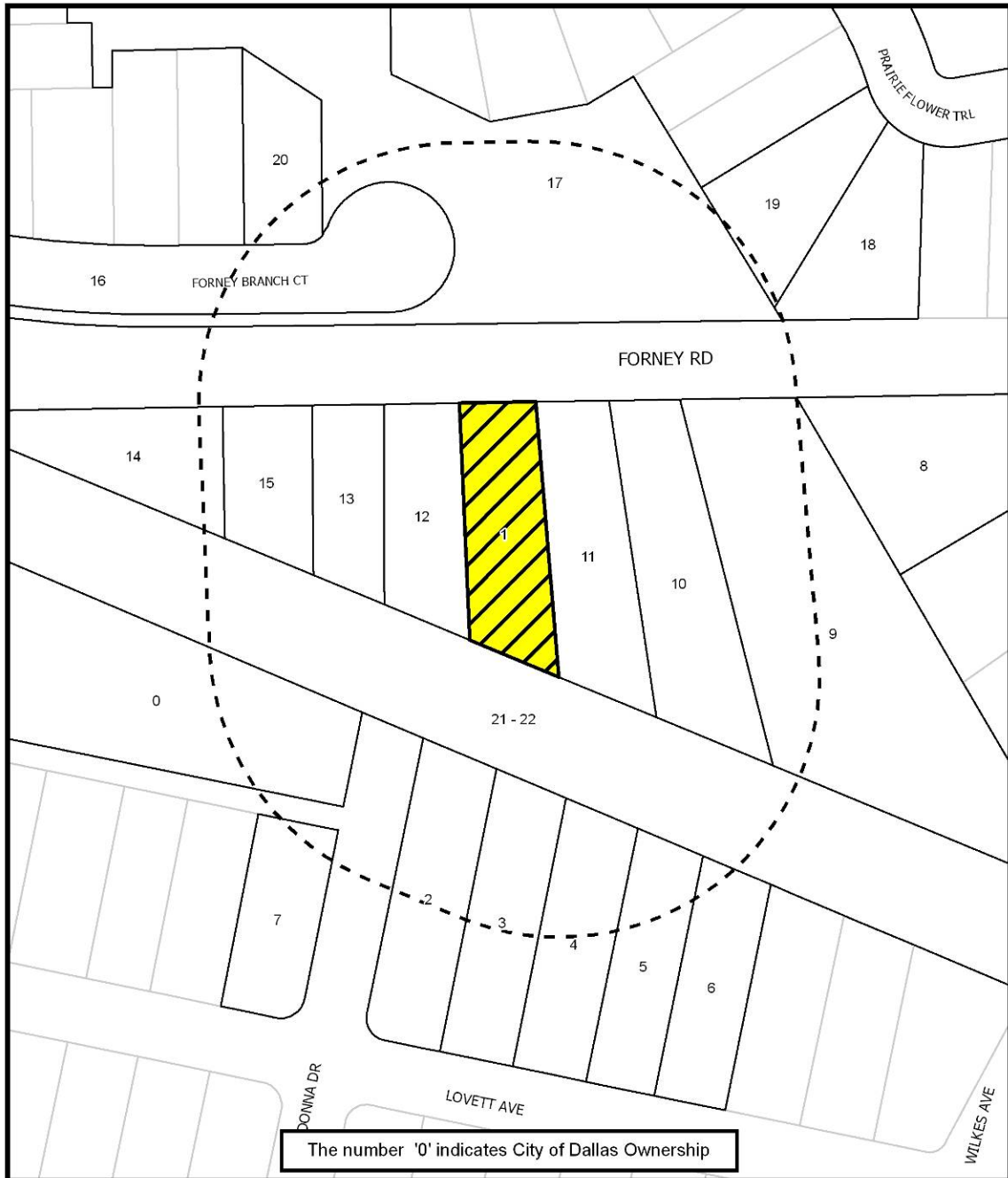

Larry Holmes, Building Official

City of Dallas Zoning



- | | | |
|--|--|--|
| <p>City Boundaries</p> <p>County</p> <p>Certified Parcels</p> <p>DISD Sites</p> <p>Council Districts</p> <p>Waterways</p> <p>Parks</p> | <p>Dry Overlay</p> <p>Historic Overlay</p> <p>Historic Subdistricts</p> <p>NSO Overlay</p> <p>NSO Subdistricts</p> <p>MD Overlay</p> | <p>Base Zoning</p> <p>Floodplain</p> <p>100 Flood Zone</p> <p>Mill's Creek</p> <p>Peak's Branch</p> <p>X PROTECTED BY LEVEE</p> <p>Pedestrian Overlay</p> <p>Environmental Corridors</p> |
|--|--|--|

D.B.



 1:1,200	NOTIFICATION		Case no: BDA123-002
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">22</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 12/14/2012	

Notification List of Property Owners

BDA123-002

22 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6626 FORNEY RD	BATRES DAGOBERTO & NOHEMI
2	6703 LOVETT AVE	ROBLES ERNESTO
3	6709 LOVETT AVE	DIAZ JESUS J & RAQUEL P
4	6713 LOVETT AVE	QUINTANILLA JOSE ERASMO
5	6717 LOVETT AVE	QUINTANILLA MAURICIO A
6	6721 LOVETT AVE	YBARRA REYNALDA
7	6621 LOVETT AVE	DILLARD STEPHEN
8	6802 RED BUD DR	THEISEN R C
9	6714 FORNEY RD	BEAVERS DEANNA & JOSE O SUCHITE
10	6708 FORNEY RD	LOPEZ HUGO S & DINA
11	6704 FORNEY RD	GARCIA RAMIRO
12	6620 FORNEY RD	GARCIA JUAN & MARIA GUADALUPE ROMERO
13	6616 FORNEY RD	YARBOUGH AARON
14	6608 FORNEY RD	GARCIA MARGIE TREVINO
15	6612 FORNEY RD	RIVERA OSCAR & MARIA C
16	1 PRAIRIE FLOWER TRL	ENCLAVE AT WOODED CREEK ASSOC INC
17	1 PRAIRIE FLOWER TRL	ENCLAVE AT FORNEY BRANCH LTD
18	6728 PRAIRIE FLOWER TRL	HFG RL INV 03 LTD STE 306 LB 342
19	6724 PRAIRIE FLOWER TRL	AKSELROD BORIS & PAULINE AKSELROD
20	6631 FORNEY BRANCH CT	CROUCH PATRICK & KAMILAH
21	9999 NO NAME ST	UNION PACIFIC RR CO % TAX DEPT
22	4401 LINFIELD RD	ST LOUIS S W RAILWAY CO % UNION PACIFIC