

BOARD OF ADJUSTMENT, PANEL A  
TUESDAY, MARCH 20, 2012  
AGENDA

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BRIEFING	5/E/S	11:30 a.m.
LUNCH		
PUBLIC HEARING	COUNCIL CHAMBERS, 1500 MARILLA STREET	1:00 P.M.

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**David Cossum, Assistant Director**  
**Steve Long, Board Administrator**

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**MISCELLANEOUS ITEMS**

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	Approval of the <b>Tuesday, February 14, 2012</b> Board of Adjustment Public Hearing Minutes	M1
<b>BDA 112-029(fw)</b>	2128 Lolita Drive <b>REQUEST:</b> Of Gloria De La Cruz to reimburse the filing fee submitted in conjunction with special exceptions to the fence height and visual obstruction regulations	M2
<b>BDA 112-030(fw)</b>	2120 Lolita Drive <b>REQUEST:</b> Of Antonio De La Cruz to reimburse the filing fee submitted in conjunction with special exceptions to the fence height and visual obstruction regulations	M3

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**UNCONTESTED CASES**

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<b>BDA 112-024</b>	5547 Del Roy Drive <b>REQUEST:</b> Application of Clint V. Nolen, represented by Brandon Davenport, for a variance to the side yard setback regulations	1
<b>BDA 112-029</b>	2128 Lolita Drive <b>REQUEST:</b> Application of Gloria De La Cruz for special exceptions to the fence height and visual obstruction regulations	2
<b>BDA 112-030</b>	2120 Lolita Drive <b>REQUEST:</b> Application of Antonio De La Cruz for special exceptions to the fence height and visual obstruction 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. 6-24-02)**

**MISCELLANEOUS ITEM NO. 1**

To approve the Board of Adjustment Panel A February 14, 2012 public hearing minutes.

**MISCELLANEOUS ITEM NO. 2**

**FILE NUMBER:** BDA 112-029

**REQUEST:** To reimburse the filing fee submitted in conjunction with requests for special exceptions to the fence height and visual obstruction regulations – BDA 112-029

**LOCATION:** 2128 Lolita Drive

**APPLICANT:** Gloria De La Cruz

**STANDARD FOR A FEE WAIVER OR A FEE REIMBURSEMENT:**

The Dallas Development Code states that the board may waive the filing fee for a board of adjustment application if the board finds that payment of the fee would result in substantial financial hardship to the applicant.

**GENERAL FACTS:**

- The Dallas Development Code states the following with regard to requests for Board of Adjustment fee waivers/reimbursements:
  - The board may waive the filing fee if the board finds that payment of the fee would result in substantial financial hardship to the applicant.
  - The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination.
  - If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for a waiver have been determined by the board.
  - In making this determination, the board may require the production of financial documents.

**Timeline:**

January 10, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" – BDA 112-029, an application for special exceptions to the fence height and visual obstruction regulations.

February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

February 28, 2012: The applicant submitted a letter requesting reimbursement of the \$1,200.00 filing fee (see Attachment A).

February 29, 2012: The Board Administrator emailed the applicant's family member information related to the fee reimbursement request (see Attachment B).

M2  
Attach A

February 28, 2012

To Whom It May Concern:

We are writing this letter to formally request the filing fee for applications 29 and 30, of \$1,200.00 be reimbursed to us due to financial hardship. We are on a fixed income and really do not have the extra funds available to pay out this filing fee. We would appreciate any consideration to return this fee to us. Your cooperation is greatly appreciated.

Sincerely,

Antonio and Gloria De La Cruz

MZ  
Attach B

Long, Steve

PS 1

**From:** Long, Steve  
**Sent:** Wednesday, February 29, 2012 7:38 AM  
**To:** 'tamara@earthgreenlandscaping.com'  
**Cc:** Duerksen, Todd; Cossum, David; Palomino, Tammy  
**Subject:** FW: BDA 112-029 and 030, Properties located at 2120 and 2128 Lolita Drive  
**Attachments:** 029 application materials.pdf; 030 application materials.pdf; fee waiver and reimbursement.pdf; Filing fee letter.doc

Dear Mr. De La Cruz,

This is to acknowledge receipt of the letter you emailed me (attached) on behalf of Antonio and Gloria De La Cruz's requests for the board to consider reimbursement of the filing fees submitted in conjunction with BDA 112-029 and 030. Please be advised that the Board of Adjustment will consider reimbursing these filing fees at the 1:00 p.m. March 20<sup>th</sup> public hearing in the Council Chambers of Dallas City Hall along with the requests for special exceptions to the fence height and visual obstruction regulations on both properties.

Once again please be aware of the standard that I emailed you on February 9<sup>th</sup> as to how the board can reimburse a filing fee (51A -1.105 (b)(6)). Please be advised that the Dallas Development Code states that the applicant has the burden of proof to establish the necessary facts to warrant favorable action by the board, which in this case is how payment of the filing fee would result in substantial financial hardship to the applicant. City staff believes it is critical that tangible evidence be provided to the board members to substantiate an applicant's financial hardship claim.

If there is any additional information that Antonio or Gloria De La Cruz would like to have the board consider prior to the March 20<sup>th</sup> public hearing beyond what has been conveyed in the attached February 28<sup>th</sup> letter that you/they feel documents how payment of the fee results in substantial financial hardship, (i.e. additional financial documents as in but not limited to copies of 1040's, W-4's, bank statements - all with account numbers redacted) please submit this to me no later than Friday, March 9<sup>th</sup>, 5:00 pm, to either my mailing address at 1500 Marilla Street, Room 5BN, Dallas, Texas, 75201; my email address at [steve.long@dallascityhall.com](mailto:steve.long@dallascityhall.com); or my FAX at (214) 670-4210. Note that any additional information submitted after March 9<sup>th</sup> should not exceed five pages in length to prevent a delay of action on the applications until the next board meeting of the same panel.

Please write or call me at 214/670-4666 if I can assist in any way on this matter.

Thanks,

Steve

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**From:** Long, Steve  
**Sent:** Thursday, February 09, 2012 10:25 AM  
**To:** 'tamara@earthgreenlandscaping.com'  
**Cc:** Duerksen, Todd; Svec, Jerry  
**Subject:** BDA 112-029 and 030, Properties located at 2120 and 2128 Lolita Drive

Dear Mr. De La Cruz,

1 page 2 of 2  
M2  
Attach B  
Pg 2

Here is information regarding the board of adjustment applications made by your sister (Gloria De La Cruz – BDA 112-029) and father (Antonio De La Cruz – BDA 112-030) at the addresses referenced above, most of which we have discussed on the phone this morning:

1. The application materials- all of which will be emailed to you, city staff, and the board of adjustment members about a week ahead of the scheduled March 20<sup>th</sup> public hearing;
2. The provision from the Dallas Development Code allowing the board to grant a special exception to the fence height regulations (51A-4.602(a)(6)) and to the visual obstruction regulations (51A-4.602(d)(3));
3. A document that provides your public hearing date and other deadlines for submittal of additional information to staff/the board;
4. The board's rule pertaining to documentary evidence; and
5. The provision from the Dallas Development Code allowing the board to reimburse the filing fee (51A -1.105 (b)(6)).

You may want to contact Jerry Svec, City of Dallas Project Manager, at 214/948-4444 or to determine if there is any additional information that he may need from you in making a favorable recommendation to the board on the requests for special exceptions to the visual obstruction regulations.

Please let me know no later than February 29<sup>th</sup> if either Gloria De La Cruz or Antonio De La Cruz (the applicants for 029 and 030, respectively) wishes to request a reimbursement of the filing fee.

Please write or call me at 214/670-4666 if I can be of any additional assistance to you.

Thanks,

Steve

PS: If there is anything that you want to submit to the board on these applications beyond what has been included in the attached application materials, please feel free to email it to [steve.long@dallascityhall.com](mailto:steve.long@dallascityhall.com) or mail it to me at the following address:

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



**MISCELLANEOUS ITEM NO. 3**

**FILE NUMBER:** BDA 112-030

**REQUEST:** To reimburse the filing fee submitted in conjunction with requests for special exceptions to the fence height and visual obstruction regulations – BDA 112-030

**LOCATION:** 2120 Lolita Drive

**APPLICANT:** Antonio De La Cruz

**STANDARD FOR A FEE WAIVER OR A FEE REIMBURSEMENT:**

The Dallas Development Code states that the board may waive the filing fee for a board of adjustment application if the board finds that payment of the fee would result in substantial financial hardship to the applicant.

**GENERAL FACTS:**

- The Dallas Development Code states the following with regard to requests for Board of Adjustment fee waivers/reimbursements:
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  - If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for a waiver have been determined by the board.
  - In making this determination, the board may require the production of financial documents.

**Timeline:**

January 10, 2012: The applicant submitted an "Application/Appeal to the Board of Adjustment" – BDA 112-030, an application for special exceptions to the fence height and visual obstruction regulations.

February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

February 28, 2012: The applicant submitted a letter requesting reimbursement of the \$1,200.00 filing fee (see Attachment A).

February 29, 2012: The Board Administrator emailed the applicant's family member information related to the fee reimbursement request (see Attachment B).

M3  
Attach A

February 28, 2012

To Whom It May Concern:

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Sincerely,

Antonio and Gloria De La Cruz

m3

Attachment  
pg 1**Long, Steve**

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If there is any additional information that Antonio or Gloria De La Cruz would like to have the board consider prior to the March 20<sup>th</sup> public hearing beyond what has been conveyed in the attached February 28<sup>th</sup> letter that you/they feel documents how payment of the fee results in substantial financial hardship, (i.e. additional financial documents as in but not limited to copies of 1040's, W-4's, bank statements - all with account numbers redacted) please submit this to me no later than Friday, March 9<sup>th</sup>, 5:00 pm, to either my mailing address at 1500 Marilla Street, Room 5BN, Dallas, Texas, 75201; my email address at steve.long@dallascityhall.com; or my FAX at (214) 670-4210. Note that any additional information submitted after March 9<sup>th</sup> should not exceed five pages in length to prevent a delay of action on the applications until the next board meeting of the same panel.

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Dear Mr. De La Cruz,

M3  
Attach B  
Pg 2

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1. The application materials- all of which will be emailed to you, city staff, and the board of adjustment members about a week ahead of the scheduled March 20<sup>th</sup> public hearing;
2. The provision from the Dallas Development Code allowing the board to grant a special exception to the fence height regulations (51A-4.602(a)(6)) and to the visual obstruction regulations (51A-4.602(d)(3));
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Steve Long, Board of Adjustment Administrator  
City of Dallas Sustainable Development and Construction  
1500 Marilla Street, Room 5BN  
Dallas, Texas 75201

**FILE NUMBER:** BDA 112-024

**BUILDING OFFICIAL'S REPORT:**

Application of Clint V. Nolen, represented by Brandon Davenport, for a variance to the side yard setback regulations at 5547 Del Roy Drive. This property is more fully described as Lot 6 in City Block 10/6383 and is zoned R-16(A), which requires a side yard setback of 10 feet. The applicant proposes to maintain a structure and provide a 9 foot 3 inch side yard setback, which will require a variance of 9 inches.

**LOCATION:** 5547 Del Roy Drive

**APPLICANT:** Clint V. Nolen  
Represented by Brandon Davenport

**REQUEST:**

- A variance to the side yard setback regulations of 9" is requested in conjunction with obtaining a final building permit on a recently remodeled single family home, a portion of which is located in the site's western 10' side yard setback.

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with submitted site plan is required.

Rationale:

- The applicant has substantiated how the subject site is unique and different from most lots zoned R-16(A) given its irregular shape and the fact that the property has more restrictive front and side yard platted building lines than that of what is required of the zoning district. (The subject site has a 40' front yard platted building line when the zoning requires a 30' setback, and a 20' side yard platted building line when the zoning requires a 10' setback).
- The applicant has substantiated how the house on the subject site is proportionate to or of similar size/scale of other "surrounding new construction/remodels" in the area, specifically how the home on the subject site has of 5,171 square feet compared to the average of 23 other new construction/remodels in the area with an average of approximately 5,500 square feet.

**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:

- 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;
- 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
- 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.

### **GENERAL FACTS:**

- The minimum side yard setback on an R-16(A) zoned lot is 10 feet.  
The applicant has submitted a survey plat indicating a structure that is located as close as 9.4' (or 9' 3") from the site's western side property line (or 9" into the required 10' side yard setback).
- The site is flat, somewhat irregular in shape (approximately 120' on the north, approximately 100' on the south, approximately 146' on the east, and approximately 153' on the west), and is (according to the application) 0.39 acres (or approximately 17,000 square feet) in area. The plat map of the site indicates that the property has a 40' platted building line along Del Roy Avenue, and a 20' platted building line along Nuestra Drive. (The R-16(A) zoning district would require a 35' front yard setback along Del Roy Drive and a 10' side yard setback along Nuestra Drive). The site is zoned R-16(A) where lots are typically 16,000 square feet in area.
- According to DCAD records, the property at 5547 Del Roy has the following improvements:
  - "main improvement" built in 1955 with 5,933 square feet of living area, and 5,388 square feet of total area; and
  - "additional improvement" – 529 square foot attached garage.
- The applicant's representative submitted additional information beyond what was submitted with the original application (see Attachment A).

### **BACKGROUND INFORMATION:**

#### **Zoning:**

Site: R-16(A) (Single family district 16,000 square feet)  
North: R-16(A) (Single family district 16,000 square feet)  
South: R-16(A) (Single family district 16,000 square feet)  
East: R-16(A) (Single family district 16,000 square feet)  
West: R-16(A) (Single family district 16,000 square feet)

#### **Land Use:**

The subject site is developed with a single family home. 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 14, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.

February 8, 2012: The Board Administrator emailed the applicant's representative the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the February 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the March 9<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the requests; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

March 1, 2012: The applicant's representative submitted additional information to the Board Administrator beyond what was submitted with the original application (see Attachment A).

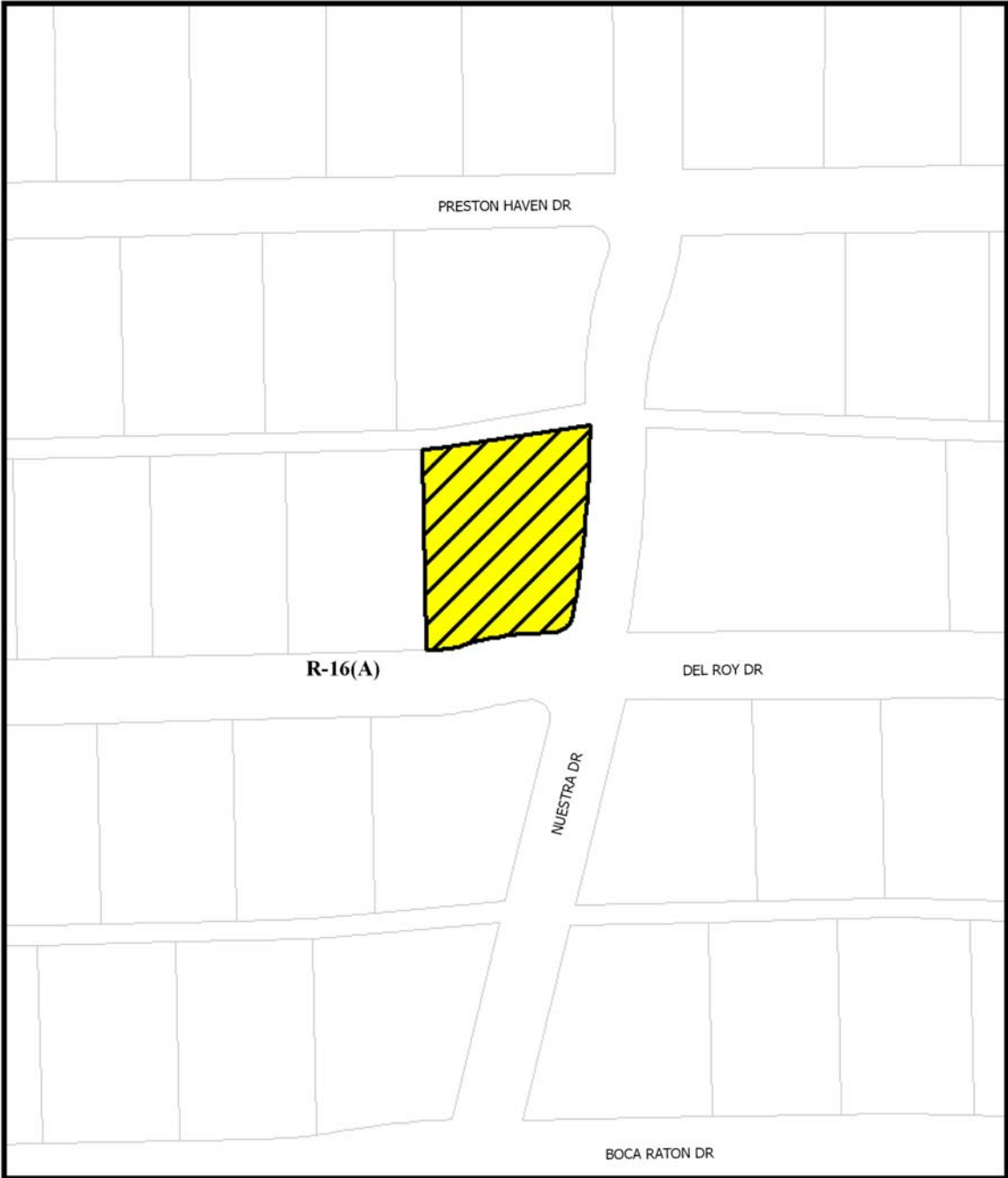
March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and Assistant City Attorneys to the Board.

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



## **STAFF ANALYSIS:**

- This request focuses on obtaining a final building permit on a recently remodeled single family home, a portion of which is located in the site's western 10' side yard setback.
- According to the applicant, the submitted site plan indicates that the area of the structure that is located in the site's western 10' side yard setback is approximately 1.2 square feet (or approximately 0.027 percent) of the approximately 4,472 square foot building footprint. (Submitted floors plans show that the area of the home in the side yard setback is a portion of the master bath on the first floor, and a portion of guest bath on the second floor).
- The site is flat, somewhat irregular in shape (approximately 120' on the north, approximately 100' on the south, approximately 146' on the east, and approximately 153' on the west), and is (according to the application) 0.39 acres (or approximately 17,000 square feet) in area. The plat map of the site indicates that the property has a 40' platted building line along Del Roy Avenue, and a 20' platted building line along Nuestra Drive. (The R-16(A) zoning district would require a 35' front yard setback along Del Roy Drive and a 10' side yard setback along Nuestra Drive). The site is zoned R-16(A) where lots are typically 16,000 square feet in area.
- The applicant has the burden of proof in establishing the following:
  - That granting the variance to the side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
  - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-16(A) (Single family) 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-16(A) (Single family) zoning classification.
- If the Board were to grant the side yard variance of 9", imposing a condition whereby the applicant must comply with the submitted site plan, the structure encroaching into this setback would be limited to that shown on the site plan which in this case is a portion of an existing single family home that is located 9' 3" from the western side property line or 9" into this 10' side yard setback.

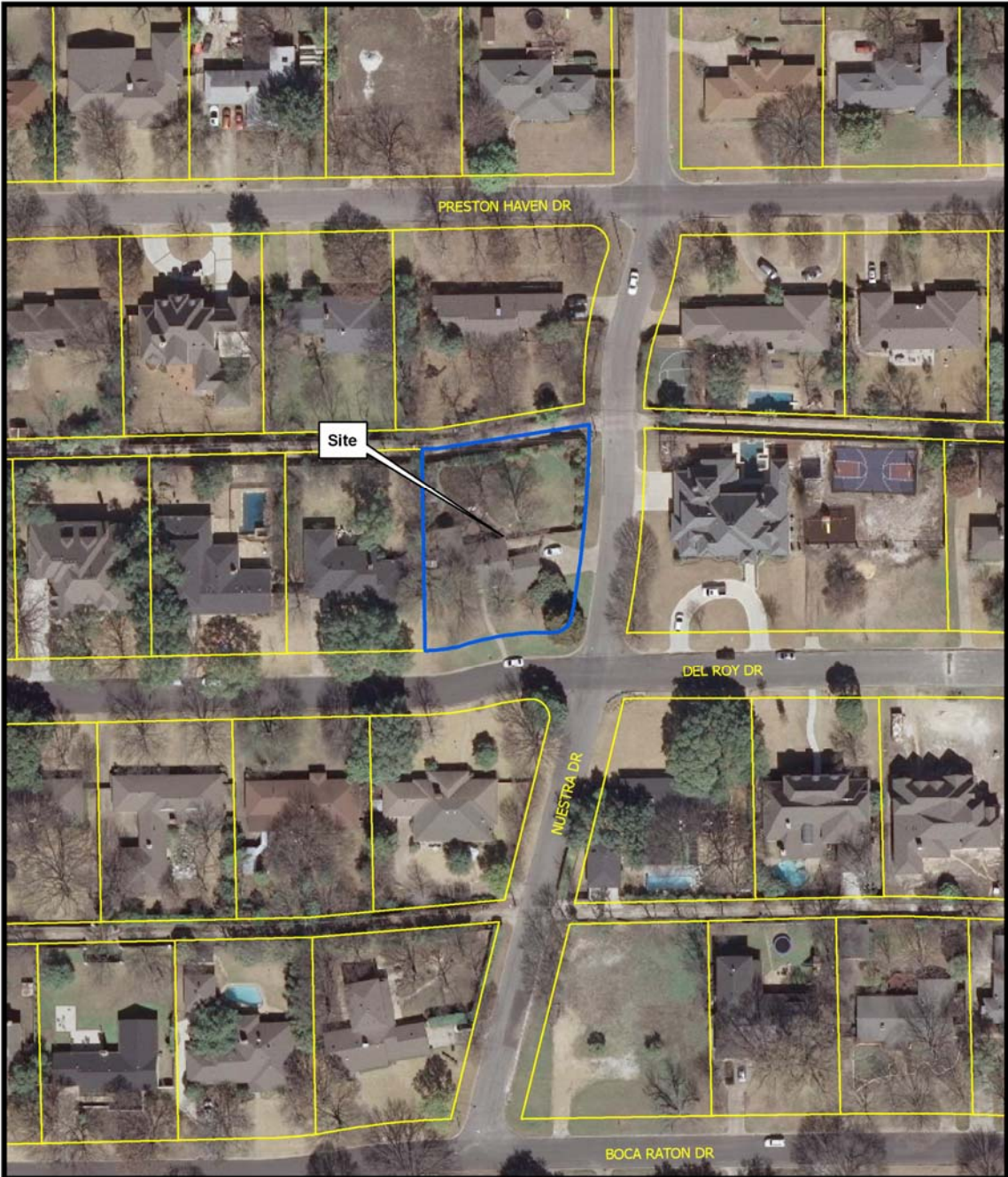


1:1,200

# ZONING MAP

Case no: BDA112-024

Date: 2/16/2012



1:1,200

# AERIAL MAP

Case no: BDA112-024

Date: 2/16/2012

**Steve Long**  
1500 Marilla Street  
Room 5BN  
Dallas, Texas 75201

**Kylie Davis**  
*Paralegal*  
Davenport Law, PC

T 214.382.0112  
F 866.611.5078  
E [kdavis@davenportlaw.com](mailto:kdavis@davenportlaw.com)

5950 Sherry Lane  
Suite 350  
Dallas, Texas 75225

**Date 2/27/12**

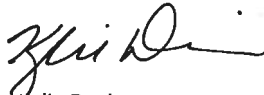
Re: Clint Nolen, Zone Variance Application

Dear Mr. Long,

Please find enclosed a copy of the form R-16(A) Surrounding New Construction/Remodels. This copy should have the numbers on the map correlating to the list to the side. Please call if there is any further clarification needed.

Regards,

Davenport Law, PC  
a Texas professional corporation



Kylie Davis  
Paralegal





City of Dallas

A

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-024

Data Relative to Subject Property:

Date: 11-14-2011

Location address: 5547 DEL ROY DR Zoning District: R-16(A)

Lot No.: 6 Block No.: 1016383 Acreage: .39 Census Tract: 34.00

Street Frontage (in Feet): 1) 145' 2) 78' 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

NE 25

To the Honorable Board of Adjustment :

Owner of Property/or Principal: CLINT V. NOLEN

Applicant: CLINT V. NOLEN Telephone: 214.675.2499

Mailing Address: 5547 DEL ROY DR Zip Code: 75230

Represented by: BRANDON DAVENPORT Telephone: 214.725.9781

Mailing Address: 5950 SHERRY LANE, SUITE 350 Zip Code: 75225

Affirm that a request has been made for a Variance X, or Special Exception, of 10' SIDE YARD REQUIREMENT TO 9.4' 9" to the side yd. setback ON

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:

SEE ATTACHED EXPLANATION - DUE TO AN IRREGULAR LOT SHAPE AND TWO PLATTED BUILD LINES, MAKING THE BUILD AREA RESTRICTIVE

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: CLINT V. NOLEN  
Applicant's name printed

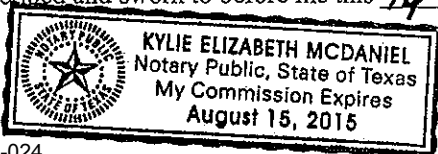
Clint V. Nolen  
Applicant's signature

Affidavit

Before me the undersigned on this day personally appeared Clint V. Nolen 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.

CLINT NOLEN  
Affiant (Applicant's signature)

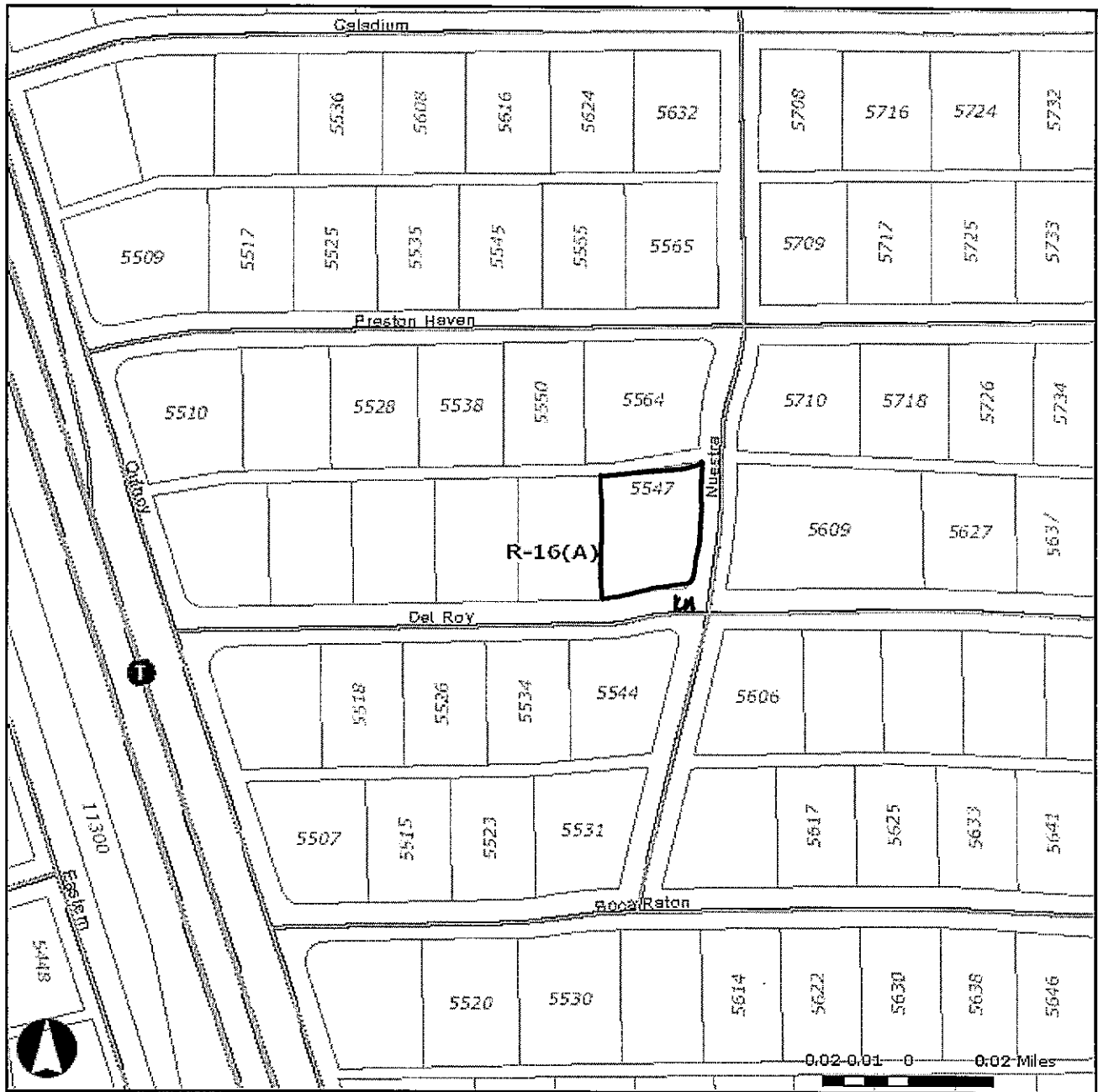
Subscribed and sworn to before me this 14<sup>th</sup> day of November, 2011



Kylie Elizabeth McDaniel  
Notary Public in and for Dallas County, Texas



# City of Dallas Zoning



**City Boundaries**

- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways
- Parks

**Dry Overlay**

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

**Base Zoning**

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





## EXPLANATION OF REASONS FOR APPLICATION FOR VARIANCE OF SET-BACK REQUIREMENT

The applicants for variance, Mr. and Ms. Clint V. Nolen, IV (the "Nolens"), have, over the last twelve months, remodeled their home located at 5547 Del Roy Drive, Dallas, Texas 75230 (the "Subject Property"). Although the Nolens were diligent throughout the planning and building process, receiving required city-issued permits and approvals, upon review of their final survey, they discovered that the western corner of the home protrudes approximately 0.6 feet into the ten-foot side yard set-back (the "Set-Back Requirement"). For this reason, the Nolens seek a nine-inch variance from the Set-Back Requirement.

The operative events and communications are as follows:

- In 2010, Mr. Nolen commissioned designer (Rik Forehand Designs) to draft the floor plans and site plan for the remodel of the Subject Property. Childress Engineering was then commissioned to design the foundation plan. Due to the unusual shape of the corner lot and the fact that the house is angled on the property, the aforementioned plans were specifically designed to take into account the ten-foot side yard set-back by staggering the west side of the house at two points.
- Mr. Nolen submitted the plans to the city permit division for approval in early 2011.
- Consistent with the plans, the foundation was formed up in May of 2011 and "green-tagged". Subsequently, framing was completed in July of 2011 and was also "green-tagged" along with all remaining aspects of the project.
- It was not until after receiving his post-construction survey that Mr. Nolen became aware of a potential violation of the Set-Back Requirement.
- Since discovering the issue, Mr. Nolen has commissioned his surveyor to create an exhibit (Exhibit A) showing a visual representation of the ten-foot set-back line which provides a visual representation of the corner overlapping the ten-foot set-back.

The requested variance is to reduce the side yard from 10 feet to 9.4 feet at the tip of the rear west edge of the Subject Property, a point that is approximately 120 feet back from the street. Granting the requested variance would not be contrary to the public interest, as it would not cause any detrimental effect whatsoever upon the health, safety, property values, aesthetics, accessibility of the neighborhood or its residents. At the request of the Nolens' neighbor on the west side of the Subject Property, the Nolens have agreed to install landscaping (Leyland Cypress or similar) at the rear west corner of the home. The requested variance will not result in a design or configuration of the residence that is in any way inconsistent with the surrounding residences, and the lesser side yard that would result is not at all conspicuous from either the street or any other properties. Furthermore, the variance is not requested in an attempt to get permission to build or maintain a home in the neighborhood that is of a size that

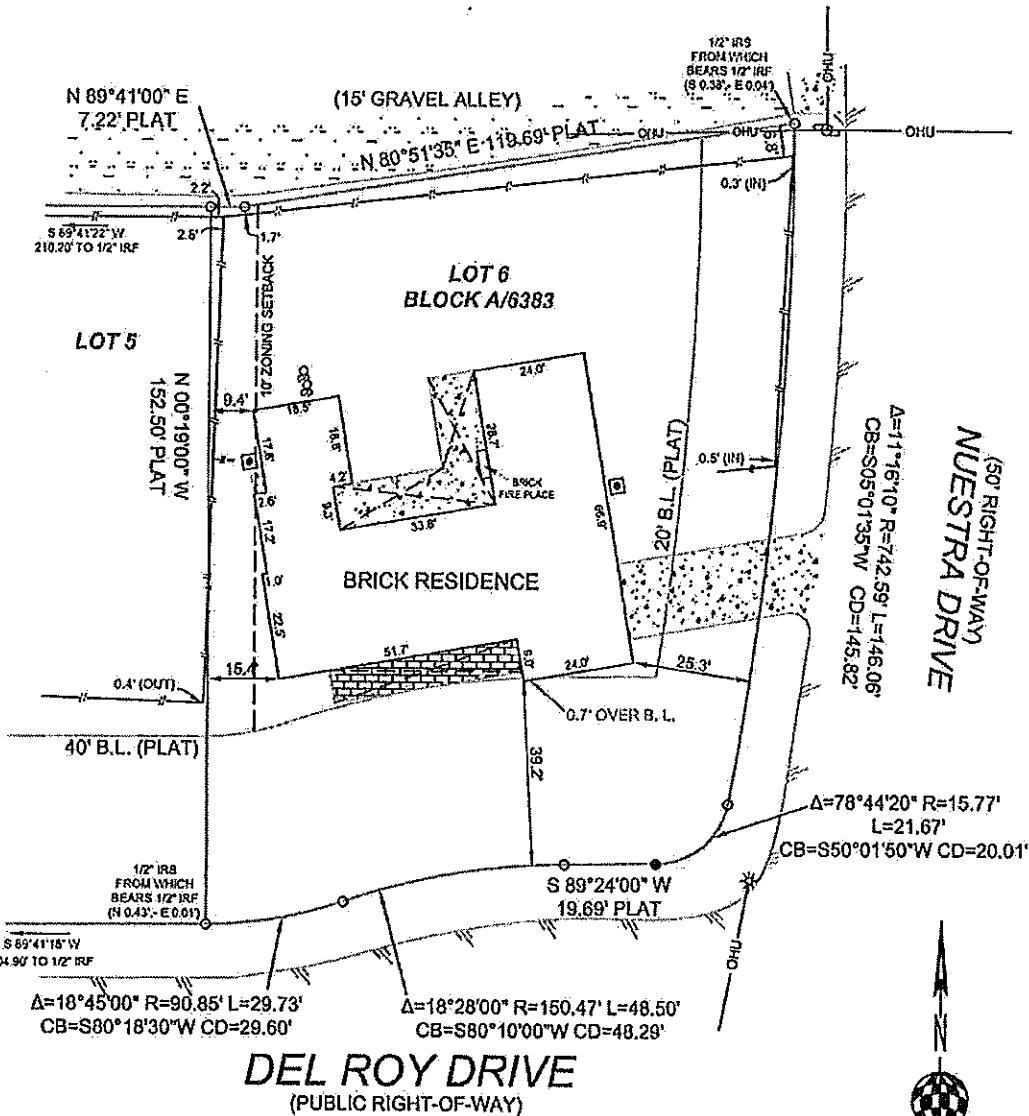
is inconsistent with other homes in the neighborhood (please see the attached power point slides).

Literal enforcement would cause unnecessary and substantial hardship by causing the demolition and reconstruction of a portion of the residence at an estimated cost of approximately \$24,000. Additionally, reconstruction would require the Nolens to once again relocate during the reconstruction. Therefore, the requested variance is not for financial reasons only. The requested variance would not permit the Nolens a privilege by allowing them to develop their property in a manner inconsistent with other parcels of land with the same zoning, inasmuch as the requested variance would only lessen the side yard by a few inches at the corner of the residence at a point 120 feet back from the street. And finally, destruction of the small subject portion of the residence to comply with the existing side yard requirement and reconstruction of the subject portion just inches further from the west property line would accomplish virtually nothing for the neighborhood or the city as a whole.

It is for the foregoing reasons that the Nolens respectfully request a variance from the Set-Back Requirement.

# SURVEY PLAT: 5547 DEL ROY DRIVE

Lot 6, Block 10/6383, of INWOOD ROAD ESTATES NO. 2, FOURTH INSTALLMENT, an Addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 22, Page 151, Map Records of Dallas County, Texas.



**CITY OF DALLAS ZONING SETBACKS**  
(R-16A) - SINGLE FAMILY 16,000 SQUARE FEET DISTRICT

FRONT YARD - MINIMUM FRONT YARD IS 35 FEET  
SIDE YARD - MINIMUM SIDE YARD IS 10 FEET SINGLE FAMILY STRUCTURES  
15 FEET FOR OTHER PERMITTED STRUCTURES  
REAR YARD - MINIMUM REAR YARD IS 10 FEET SINGLE FAMILY STRUCTURES AND  
20 FEET FOR OTHER PERMITTED STRUCTURES  
SETBACKS MAY BE GREATER OR LESSER DUE TO EXCEPTIONS IN THE CITY OF DALLAS DEVELOPMENT CODE. EXCEPTIONS INCLUDE, BUT NOT LIMITED TO, PLATED BUILDING LINES AND MORE RESTRICTIVE ZONING DISTRICT SETBACKS IN THE SAME BLOCK.  
(SIDE YARD OF WEST SIDE DEPICTED ON SURVEY)

**NOTE**

1) This survey was revised on 11-09-11 to add the City of Dallas Zoning Setbacks

**FLOOD ZONE**

This is to certify that no portion of the subject property shown herein lies within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Parcel No. 46113C 01954, dated 06-23-01. The property is located in Zone "X".

## LEGEND

12" IR FOUND	X FOUND	TELE BOX	UTILITY POLE	OHU - OVERHEAD UTILITY LINE	BRICK RET. WALL	CONCRETE
12" IR SET	X SET	CABLE BOX	WATER METER	GUY WIRE AND NO. 1	STONE RET. WALL	GRAVEL
58" IR FOUND	SAN. SEW. UN.	ELECTRIC BOX	GAS METER	BARBED WIRE FENCE	BUILDING LINE	BRICK
38" IR FOUND	IRRIGATION VALVE	WOOD COLUMN	A.C. PAD	IRON FENCE	EASEMENT	STONE
60" DIAM. FOUND	WATER VALVE	F.P. FIREPLACE	TRANS. BOX	CHARLTON FENCE	BOUNDARY	WOOD DECK
PK W/L SET	LIGHT HYDRANT	STORM DRAINAGE	POOL EQUIP.	WOOD FENCE	CREEK LINE	BUILDING WALL
12" IP FOUND	LIGHT POLE	SAN. SEW. CO.		ASPHALT		TILE

The plat shown herein is a correct and accurate representation of the property, lines and dimensions are shown and EXCEPT AS SHOWN, all improvements are located within the boundaries if a distance is indicated, and EXCEPT AS SHOWN, there are no visible and apparent encroachments or projections on the ground.

This survey was performed exclusively for the parties in connection with the G.P. Number shown hereon and is intended for a single use. This survey remains the property of the Surveyor. Unauthorized reuse is not permitted without the expressed written permission of the Surveyor. This survey is an original work protected by United States Copyright law and International treaties. All rights reserved. Do not make legal copies.

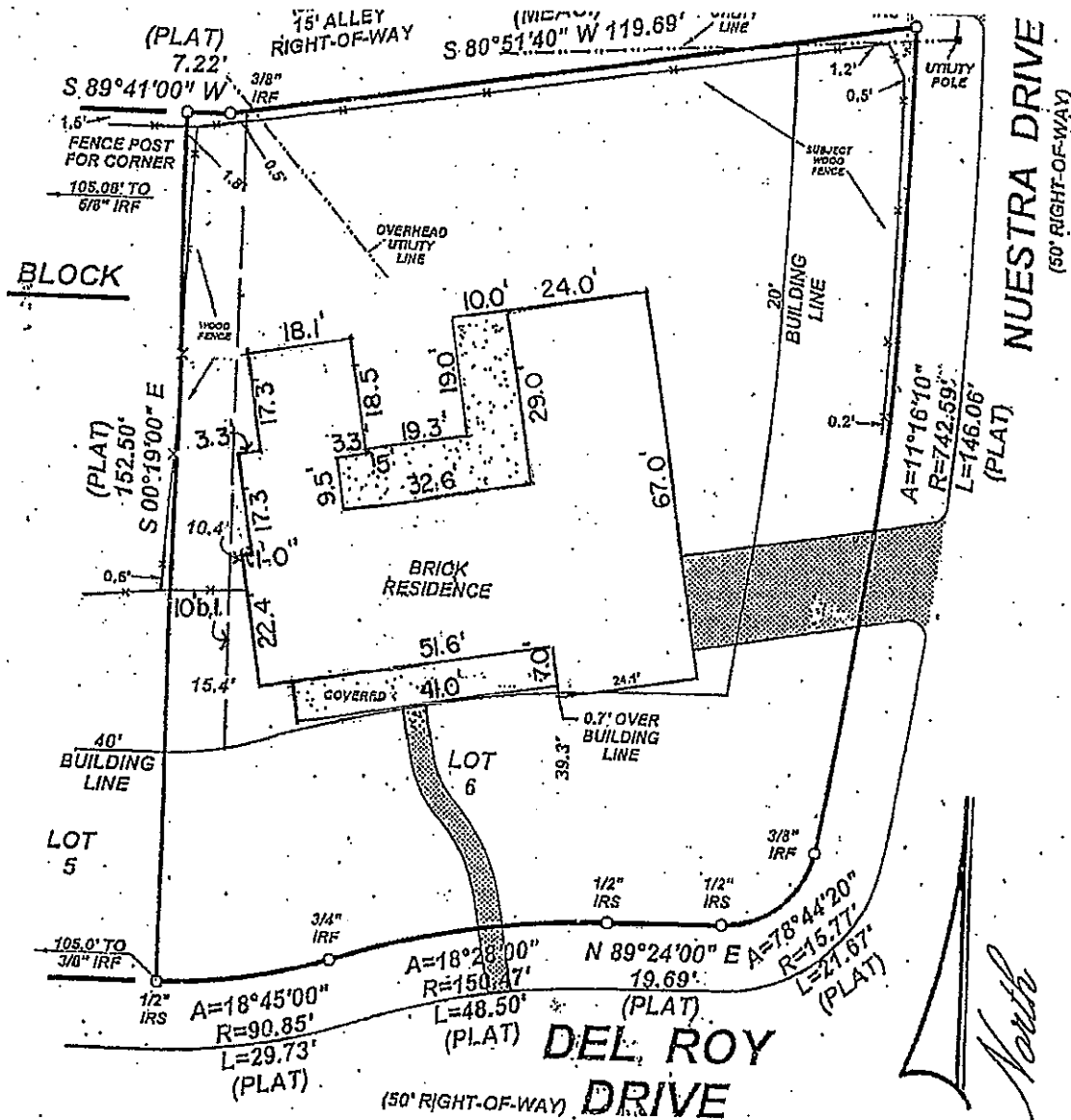
*John S. Turner*  
JOHN S. TURNER  
RPLS 5310



**A&W SURVEYORS, INC.**  
Professional Land Surveyors  
P.O. BOX 870029, MESQUITE, TX. 75187  
PHONE: (972) 681-4975 FAX: (972) 681-4954  
WWW.AWSURVEY.COM

JOB NO: 11-1464  
DATE: 10-05-2011  
TITLE CO: HEXTER-FAIR TITLE COMPANY  
A professional company operating in your best interest

DRAWN BY: 002  
CERTIFY TO: CLINT NOKEN  
G.P. NO: SFT1629594

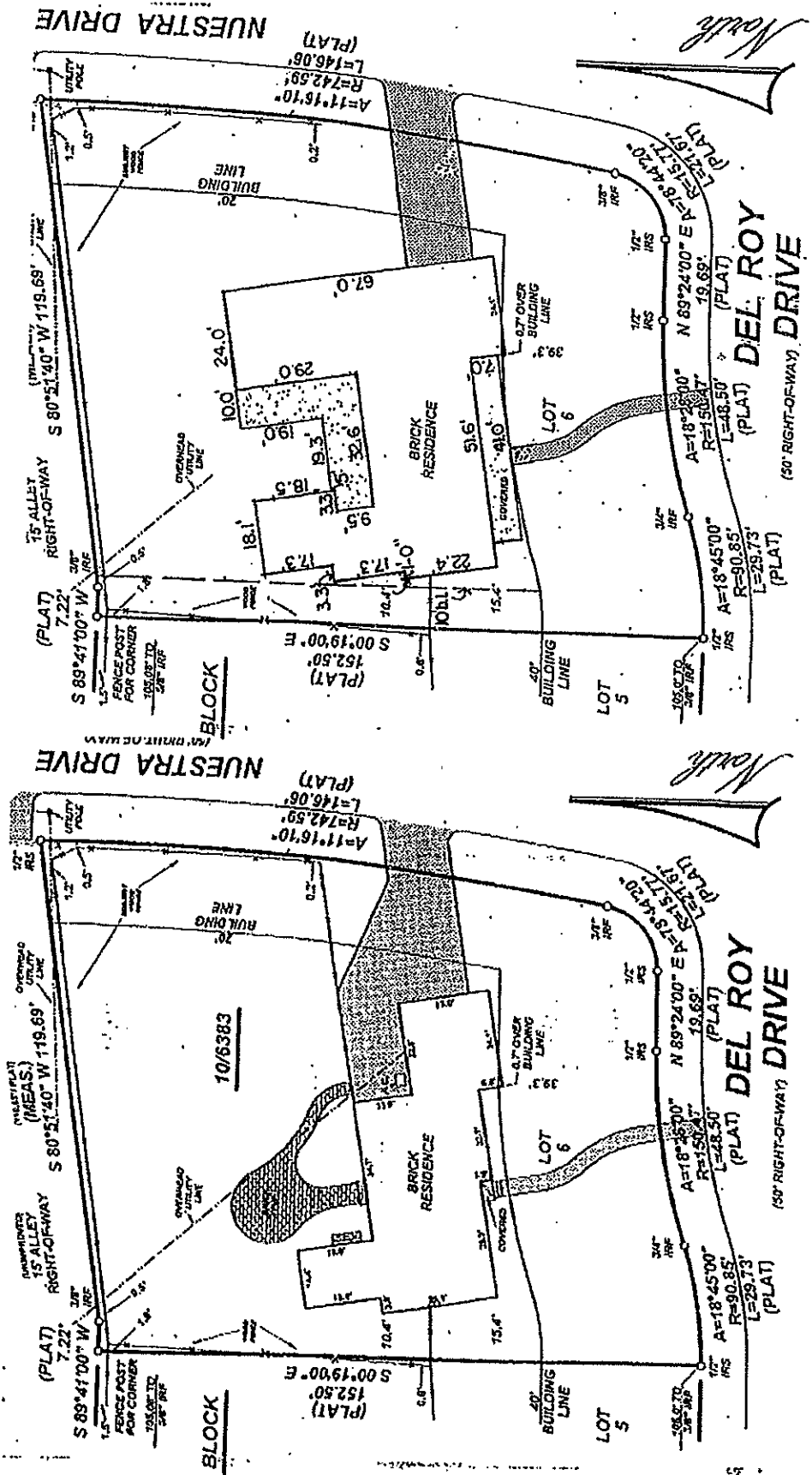


**SITE PLAN** sc: 1" = 30'-0"

LOT 6 BLOCK 10/6383  
 INWOOD ROAD ESTATES NO. 2  
 DALLAS, TEXAS  
 DALLAS COUNTY

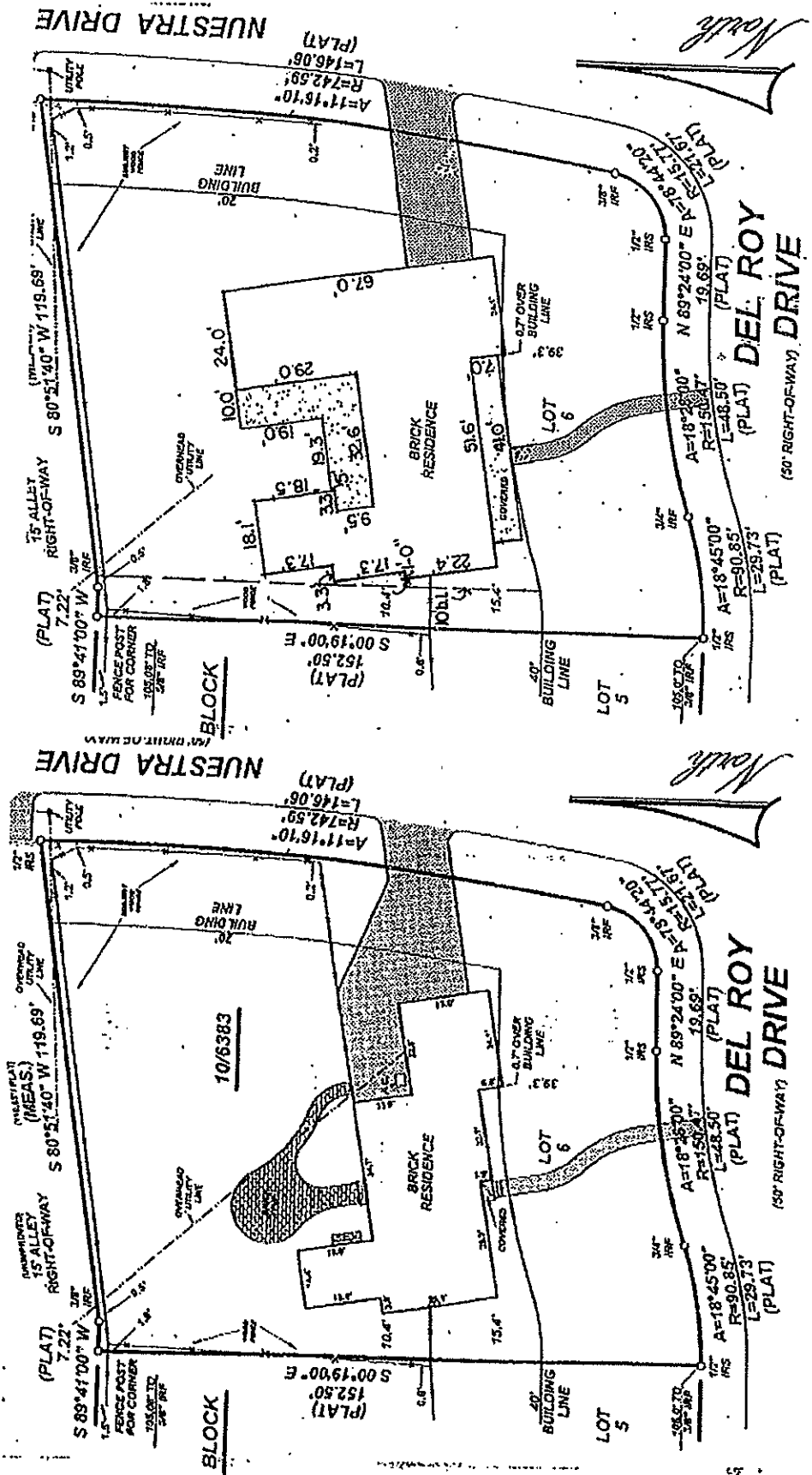
# Pre Construction Survey & Site Plan

Original foot-print

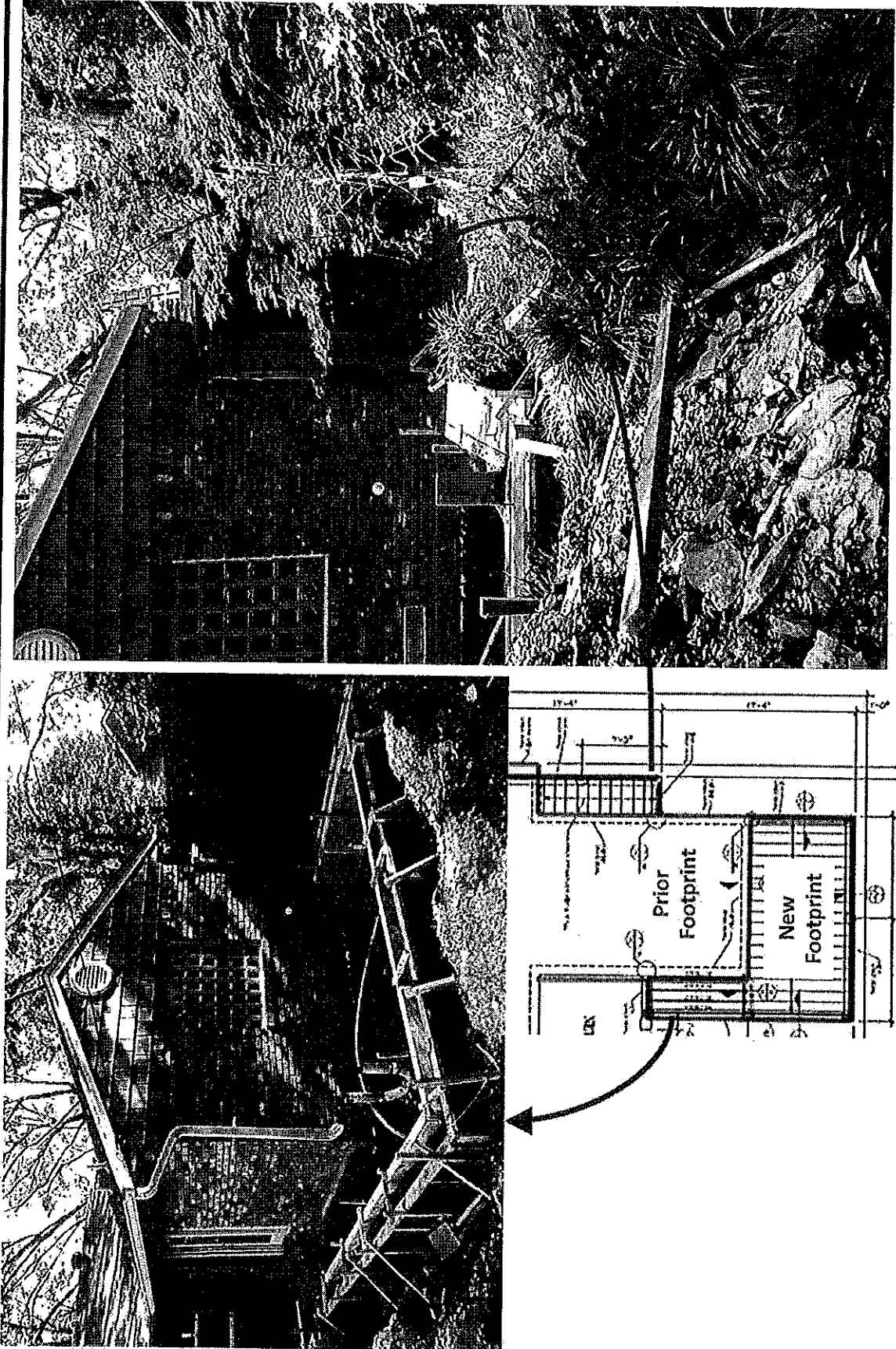


Planned foot-print

Plan utilized as much of existing footprint as possible



# Foundation formed/poured per plan

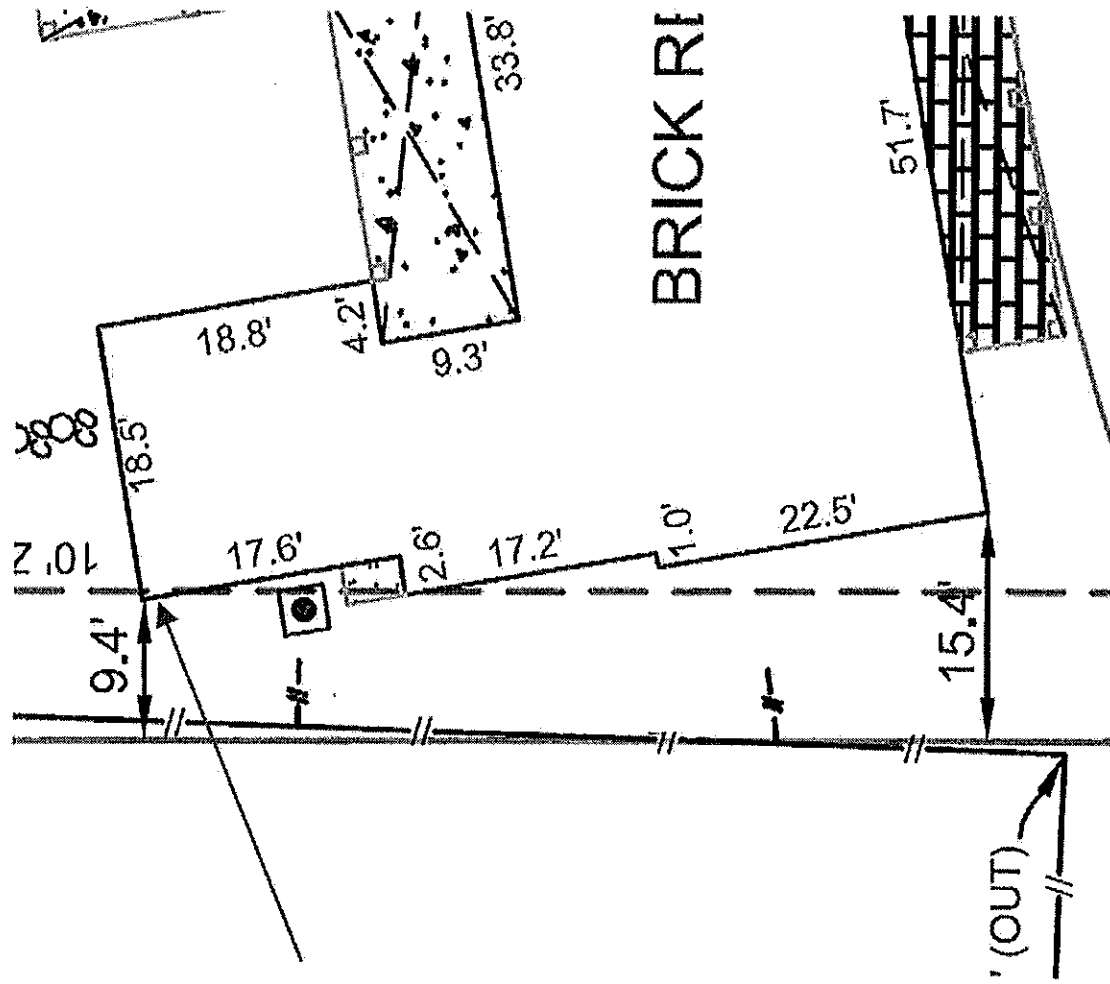




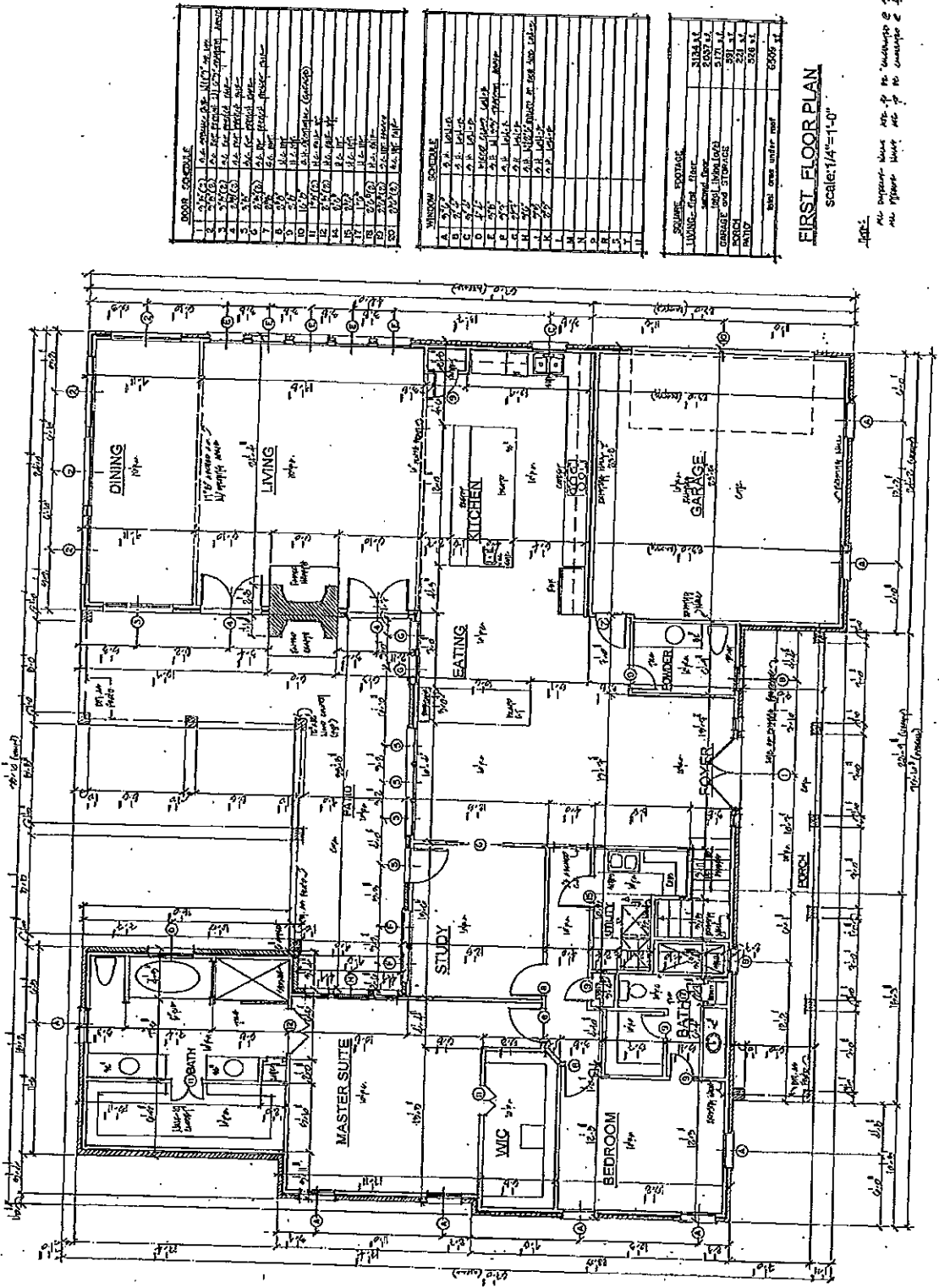


# Post-Construction Survey

Although the house was designed to accommodate the 10' side-yard setback, after receiving our post-construction survey, we became aware that the back left tip of the structure is 9.4 feet from the property line (i.e. 7.2 inches over the required 10' side-yard setback).



THIS PLAN IS TO BE USED IN CONNECTION WITH THE SPECIFICATIONS AND CONTRACT DOCUMENTS. IT IS NOT TO BE USED AS A BASIS FOR CONSTRUCTION. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ARCHITECT'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



DOOR SCHEDULE	
1	6'0" x 8'0" S.W. GLASS
2	6'0" x 8'0" S.W. GLASS
3	6'0" x 8'0" S.W. GLASS
4	6'0" x 8'0" S.W. GLASS
5	6'0" x 8'0" S.W. GLASS
6	6'0" x 8'0" S.W. GLASS
7	6'0" x 8'0" S.W. GLASS
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9	6'0" x 8'0" S.W. GLASS
10	6'0" x 8'0" S.W. GLASS
11	6'0" x 8'0" S.W. GLASS
12	6'0" x 8'0" S.W. GLASS
13	6'0" x 8'0" S.W. GLASS
14	6'0" x 8'0" S.W. GLASS
15	6'0" x 8'0" S.W. GLASS
16	6'0" x 8'0" S.W. GLASS
17	6'0" x 8'0" S.W. GLASS
18	6'0" x 8'0" S.W. GLASS
19	6'0" x 8'0" S.W. GLASS
20	6'0" x 8'0" S.W. GLASS

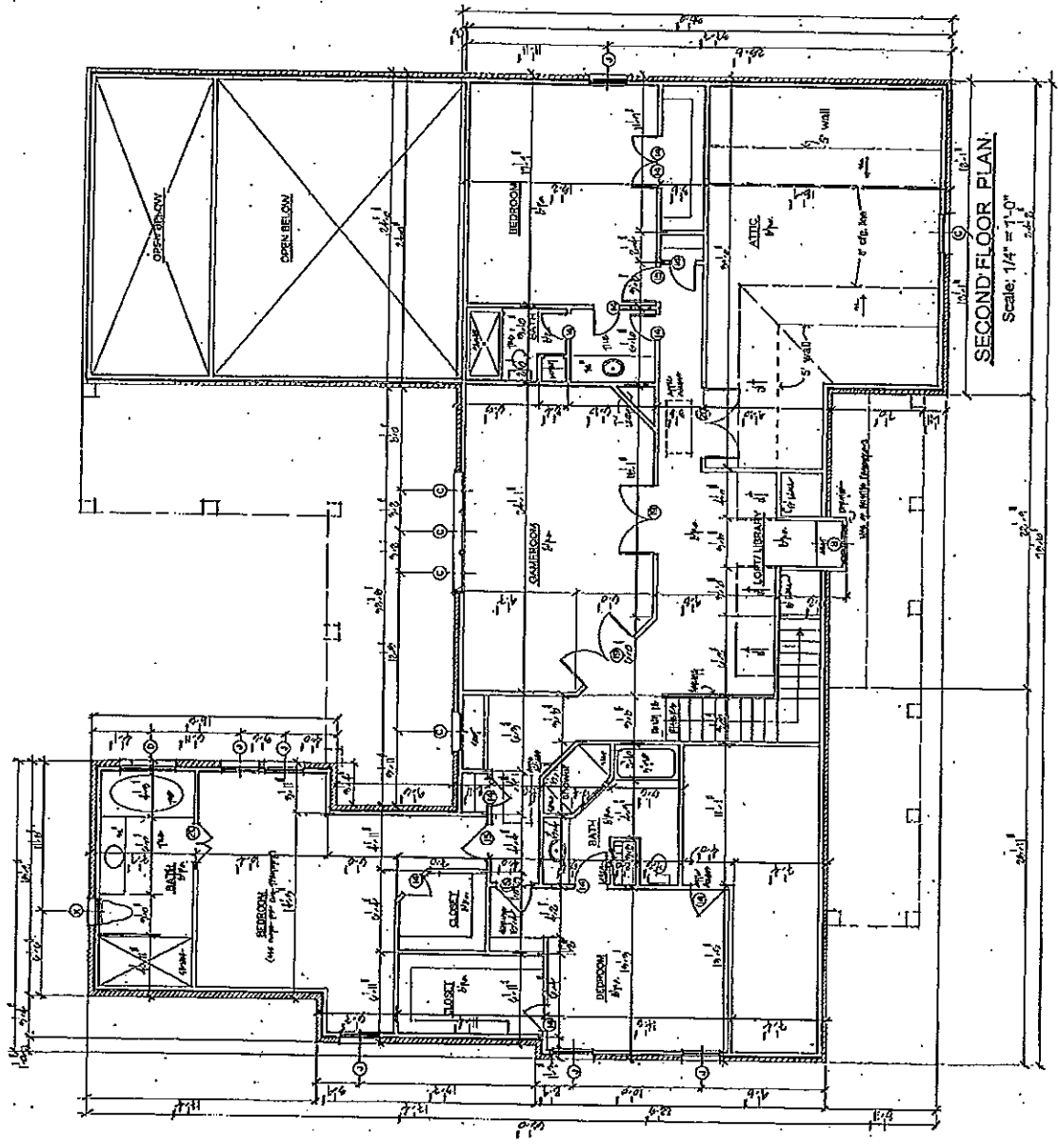
WINDOW SCHEDULE	
A	6'0" x 8'0" S.W. GLASS
B	6'0" x 8'0" S.W. GLASS
C	6'0" x 8'0" S.W. GLASS
D	6'0" x 8'0" S.W. GLASS
E	6'0" x 8'0" S.W. GLASS
F	6'0" x 8'0" S.W. GLASS
G	6'0" x 8'0" S.W. GLASS
H	6'0" x 8'0" S.W. GLASS
I	6'0" x 8'0" S.W. GLASS
J	6'0" x 8'0" S.W. GLASS
K	6'0" x 8'0" S.W. GLASS
L	6'0" x 8'0" S.W. GLASS
M	6'0" x 8'0" S.W. GLASS
N	6'0" x 8'0" S.W. GLASS
O	6'0" x 8'0" S.W. GLASS
P	6'0" x 8'0" S.W. GLASS
Q	6'0" x 8'0" S.W. GLASS
R	6'0" x 8'0" S.W. GLASS
S	6'0" x 8'0" S.W. GLASS
T	6'0" x 8'0" S.W. GLASS

SQUARE FOOTAGE	
LIVING - GROSS	168.00
LIVING - NET	150.00
DINING - GROSS	168.00
DINING - NET	150.00
KITCHEN - GROSS	100.00
KITCHEN - NET	90.00
EATING - GROSS	100.00
EATING - NET	90.00
STUDY - GROSS	100.00
STUDY - NET	90.00
MASTER SUITE - GROSS	144.00
MASTER SUITE - NET	130.00
BEDROOM - GROSS	144.00
BEDROOM - NET	130.00
WIC - GROSS	100.00
WIC - NET	90.00
BATH - GROSS	25.00
BATH - NET	25.00
ENTRY - GROSS	100.00
ENTRY - NET	90.00
FOYER - GROSS	100.00
FOYER - NET	90.00
POWDER - GROSS	25.00
POWDER - NET	25.00
GARAGE - GROSS	200.00
GARAGE - NET	180.00
PORCH - GROSS	100.00
PORCH - NET	90.00
TOTAL GROSS UNDER ROOF	2500.00

**FIRST FLOOR PLAN**  
Scale: 1/4" = 1'-0"

ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
ALL WALLS ARE 12" THICK UNLESS NOTED OTHERWISE.

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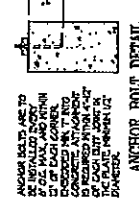
NO.	DATE	DESCRIPTION
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2	11/11/10	ISSUED FOR PERMITS
3	11/11/10	ISSUED FOR PERMITS
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5	11/11/10	ISSUED FOR PERMITS
6	11/11/10	ISSUED FOR PERMITS
7	11/11/10	ISSUED FOR PERMITS
8	11/11/10	ISSUED FOR PERMITS
9	11/11/10	ISSUED FOR PERMITS
10	11/11/10	ISSUED FOR PERMITS

**GENERAL NOTES:**

1. FOUNDATION SHALL BE CONSTRUCTED ACCORDING TO THE SPECIFICATIONS AND DETAILS SHOWN ON THESE PLANS.
2. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE INTERNATIONAL FOUNDATION CODES.
3. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE INTERNATIONAL FOUNDATION CODES.
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10. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE INTERNATIONAL FOUNDATION CODES.

**PLAN SPECIFIC NOTES:**

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**FOUNDATION PLAN**

EXISTING FOUNDATION

NEW FLATWORK BY OTHERS

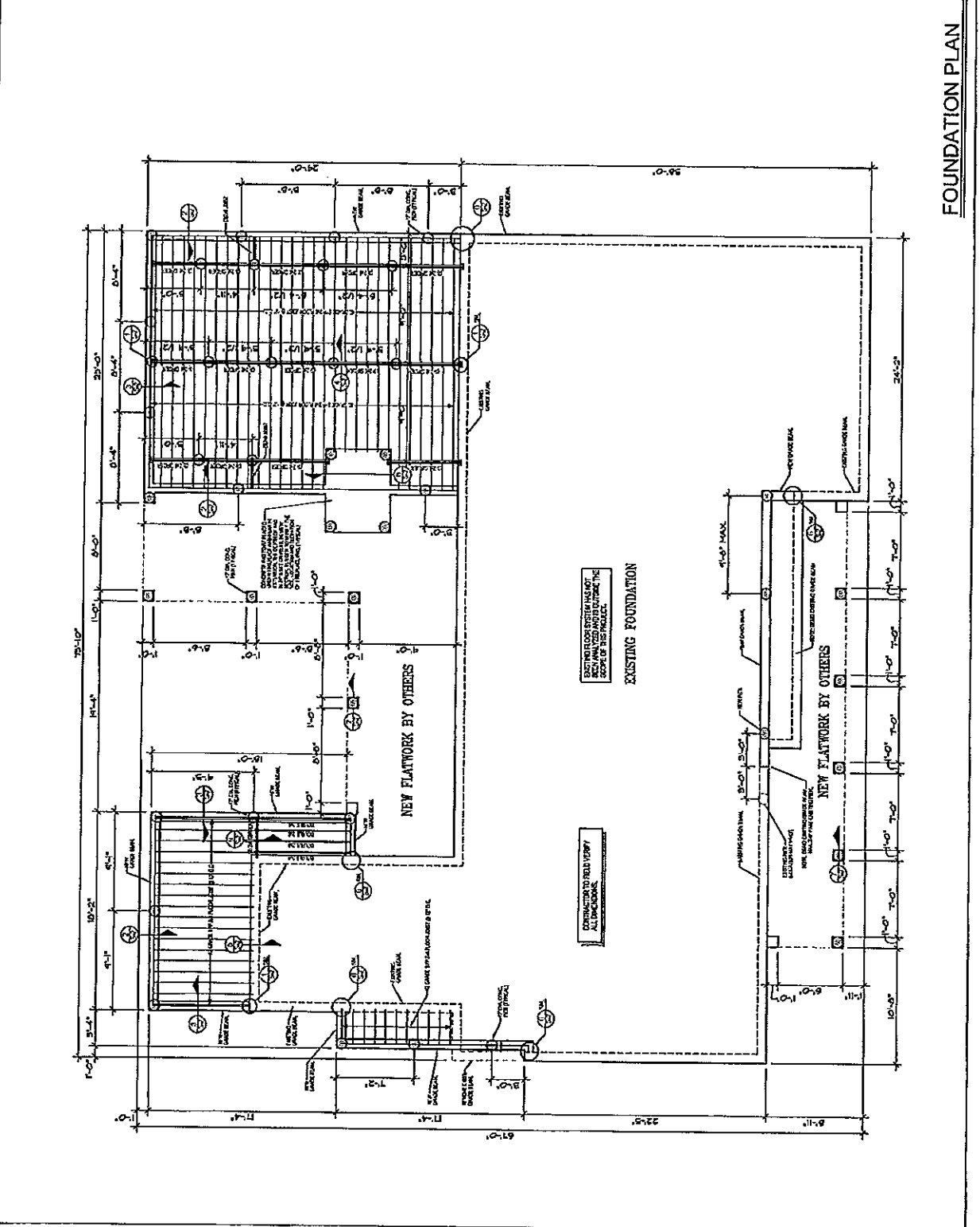
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CONNECTION TO EXISTING ALL DIMENSIONS

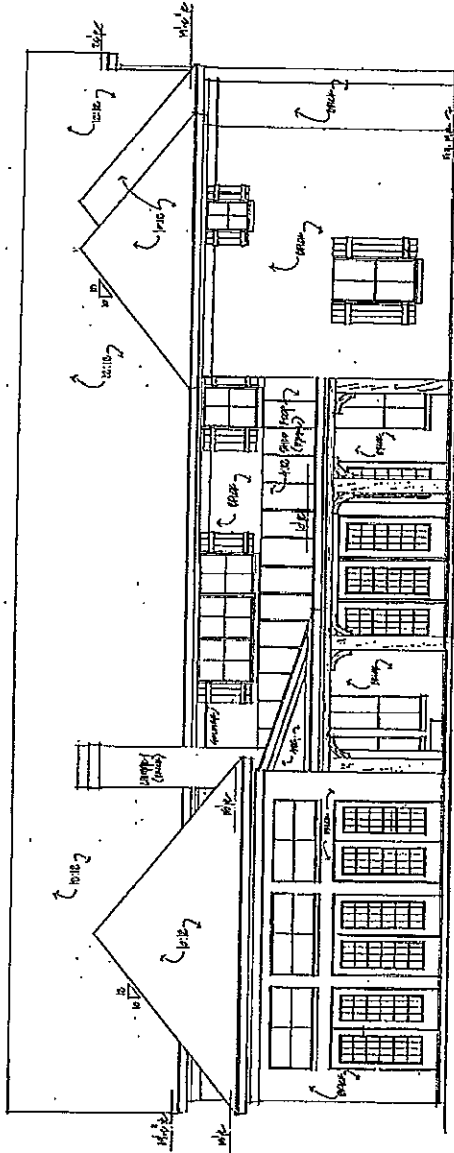
NEW FLATWORK BY OTHERS

EXISTING FLOOR SYSTEMS NOT RE-ANALYZED AND BEYOND THE SCOPE OF THIS PROJECT.

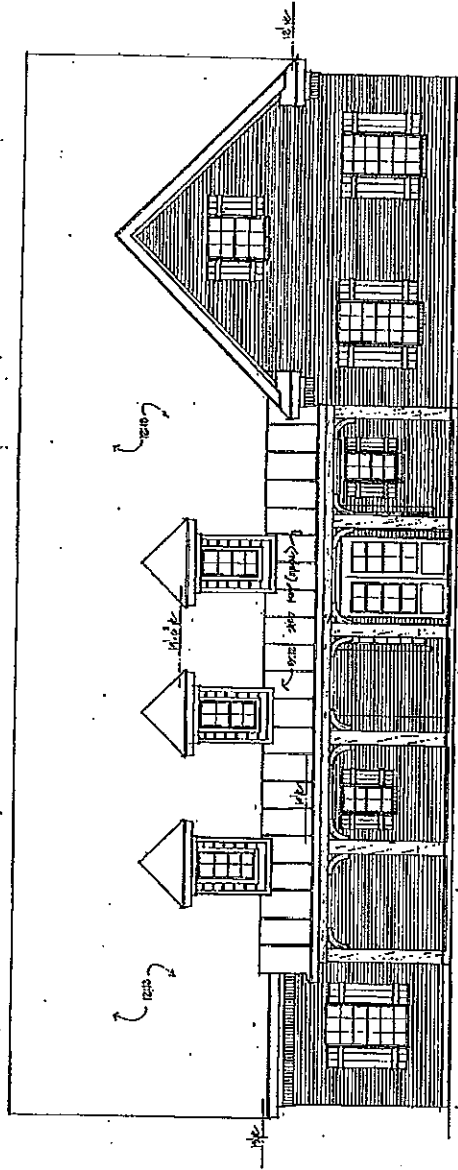
CONNECTION TO EXISTING ALL DIMENSIONS



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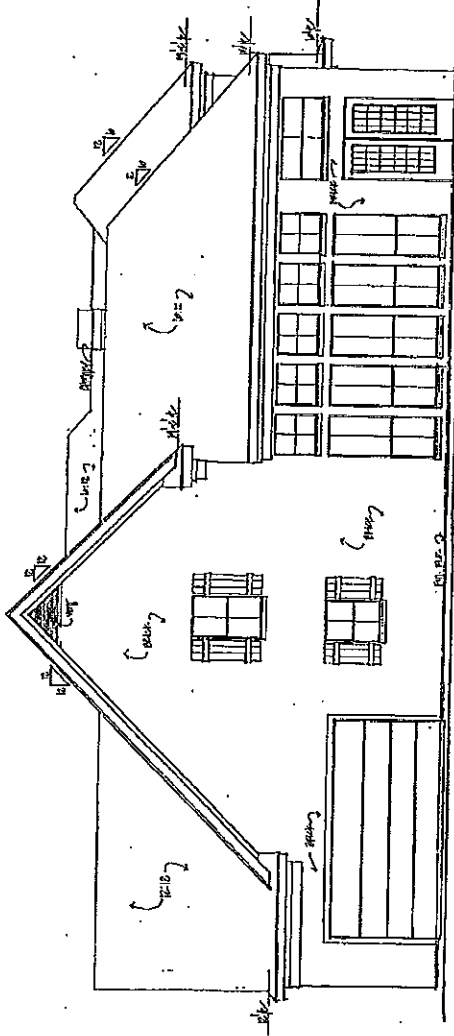


REAR ELEVATION SCALE: 1/4" = 1'-0"

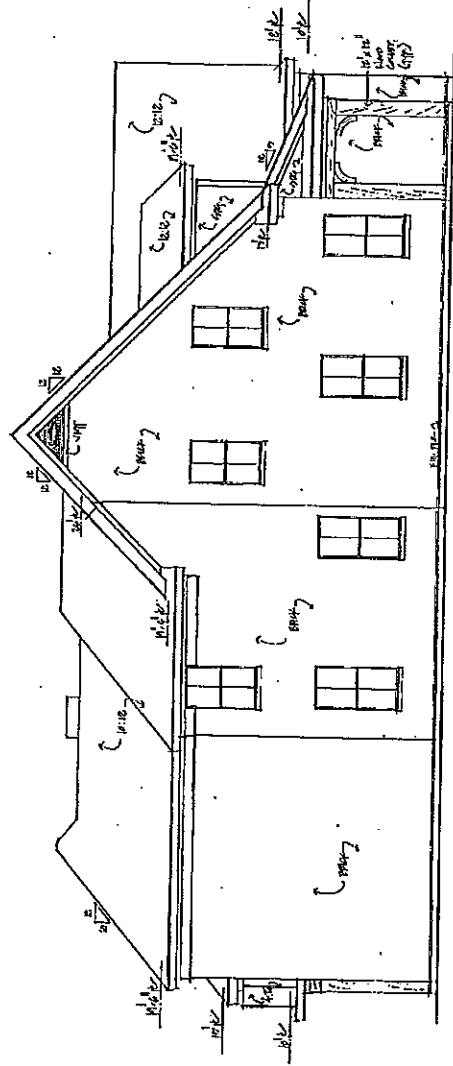


FRONT ELEVATION SCALE: 1/4" = 1'-0"

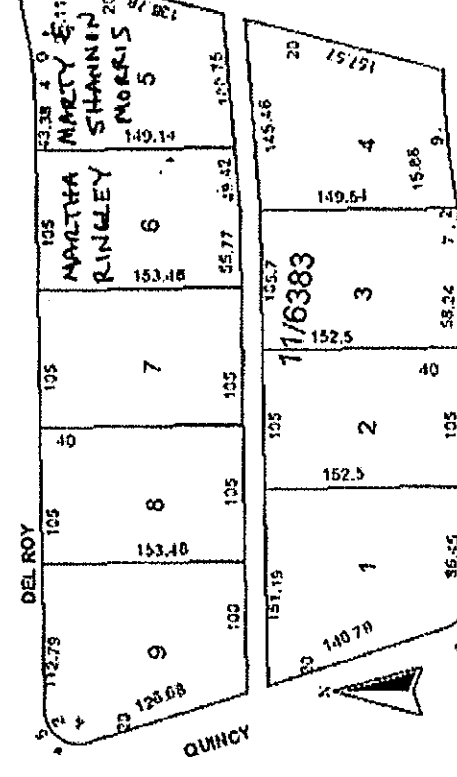
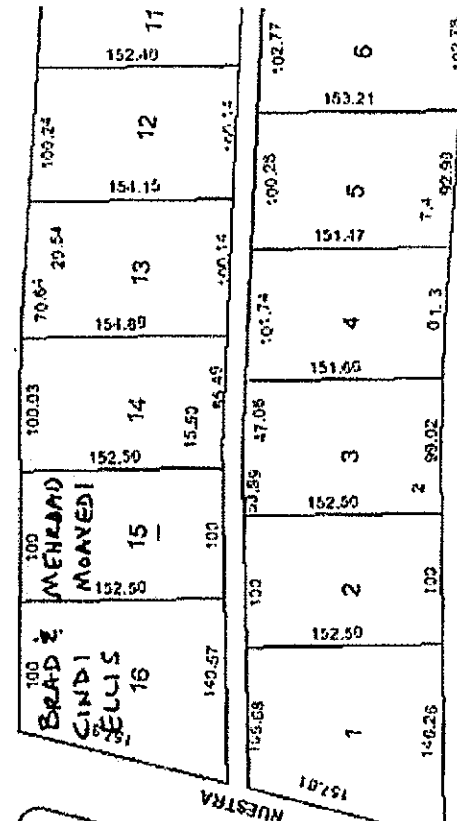
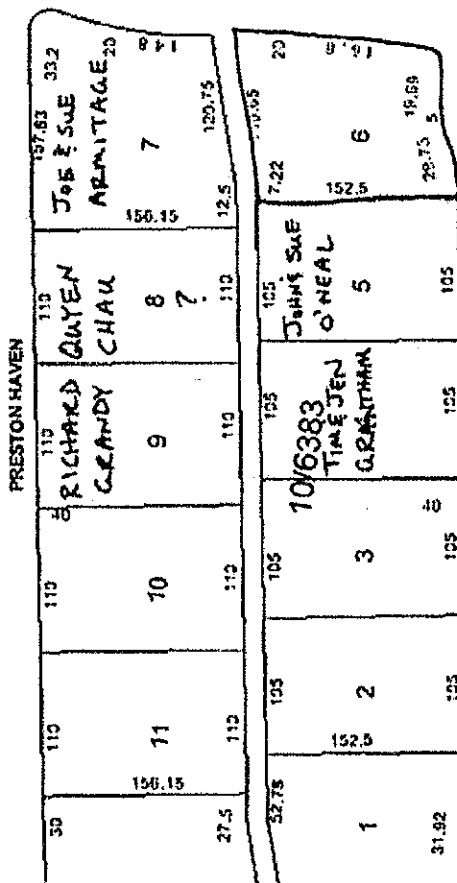
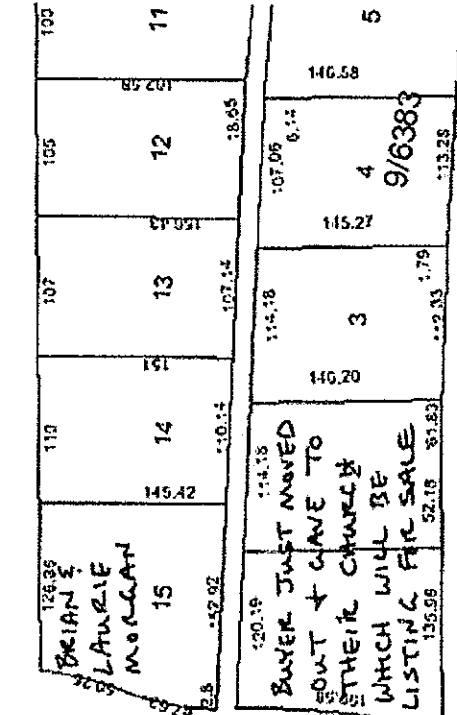
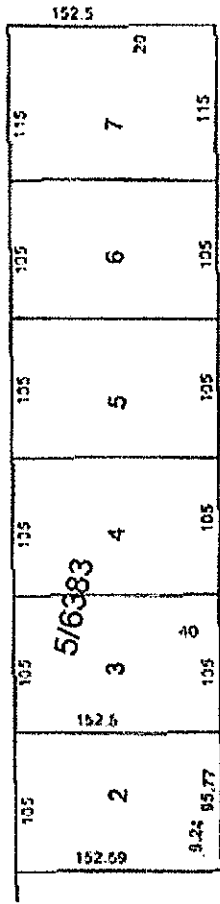
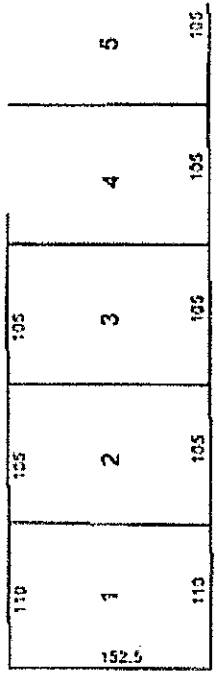
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RIGHT ELEVATION SCALE: 1/8" = 1'-0"



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











CITY OF DALLAS

AFFIDAVIT

BDA Case # 112-024

I, CLINT V. NOLEN, Owner of the subject property

at: 5547 DEL ROY DR, DALLAS, TX 75230

Authorize (applicant) BRANDON DAVENPORT

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

Variance (please specify) of 10' side yard requirement to 9.4'

Special Exception (please specify)

Other (please specify)

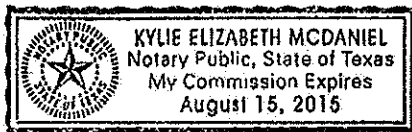
CLINT V. NOLEN      Clint V. Nolen      11-14-2011

Print name of property owner      Signature of property owner      Date

Before me the undersigned on the day of personally appeared CLINT NOLEN

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

Subscribed and sworn to before me this 14<sup>th</sup> day of November, 2011

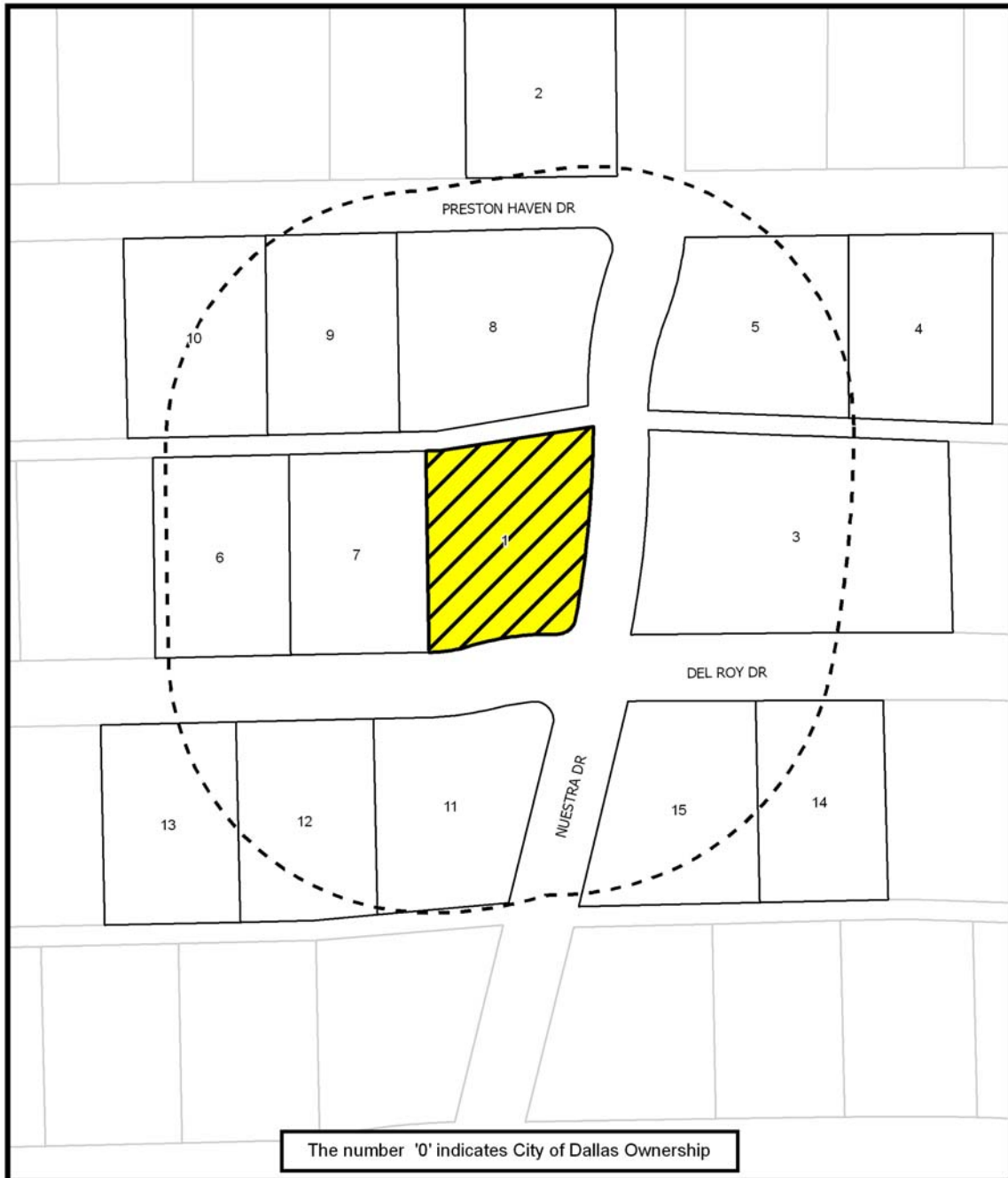


Kylie Elizabeth McDaniel

Notary Public on and for

Dallas County, Texas

Commission expires on 8/15/15



 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA112-024</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">15</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: <b>2/16/2012</b>

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

***BDA112-024***

## ***15 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	5547 DEL ROY DR	NOLEN CLINT V
2	5565 PRESTON HAVEN DR	DEADMAN ROXANA S
3	5609 DEL ROY DR	JENSEN MARK A & CHRISTI M
4	5718 PRESTON HAVEN DR	HOLPER ELIZABETH M & JEREMY J BUONAMICI
5	5710 PRESTON HAVEN DR	MORGAN BRIAN L & LAURIE D
6	5531 DEL ROY DR	GRANTHAM TIMOTHY ALLEN & JENNIFER SUSAN
7	5539 DEL ROY DR	ONEAL JOHN S
8	5564 PRESTON HAVEN DR	ARMITAGE JOSEPH & SUZANN D
9	5550 PRESTON HAVEN DR	COFFMAN SARAH HANLEY
10	5538 PRESTON HAVEN DR	GRANDY RICHARD G
11	5544 DEL ROY DR	MORRIS MARTY & SHANNON MORRIS
12	5534 DEL ROY DR	RINGLEY MARTHA D
13	5526 DEL ROY DR	DONNELL JEAN FORD
14	5614 DEL ROY DR	MOAYEDI MEHRDAD STE 200
15	5606 DEL ROY DR	ELLIS BRAD R & CINDI A

**FILE NUMBER:** BDA 112-029

**BUILDING OFFICIAL'S REPORT:**

Application of Gloria De La Cruz for special exceptions to the fence height and visual obstruction regulations at 2128 Lolita Drive. This property is more fully described as Lot 14A in City Block B/6185 and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to maintain a 6 foot 2 inch high fence in a required front yard, which will require a 2 foot 2 inch special exception to the fence height regulations, and to maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

**LOCATION:** 2128 Lolita Drive

**APPLICANT:** Gloria De La Cruz

**REQUESTS:**

- The following appeals have been made on a site that is currently developed with a single family home:
  1. A special exception to the fence height regulations of 2' 2" is requested in conjunction with maintaining a 4' 4" high open picket fence with two arched 4' 4" - 6' 2" high open picket gates in the site's front yard setback; and
  2. special exceptions to the visual obstruction regulations are requested in conjunction with maintaining portions of the aforementioned fence and one of the two sliding gates in the 20-foot visibility triangles on either side of the driveway into the site from Lolita Drive.

(Note that this application abuts a property to the south where a member of the same family as this application seeks similar fence height and visual obstruction special exception requests of the Board of Adjustment Panel A: BDA 112-030).

**STAFF RECOMMENDATION (fence height special exception):**

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

**STAFF RECOMMENDATION (visual obstruction special exceptions):**

Approval of the requests, subject to the following condition:

- Compliance with the submitted site plan and elevation is required.

Rationale:

- The Sustainable Development and Construction Department Project Engineer has no objections to these requests.
- The applicant has substantiated how the location of the items (open picket fence and open picket sliding gate) in the 20-foot visibility triangles on either side of the driveway into the site from Lolita Drive does not constitute a traffic hazard.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

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

**STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:**

The Board shall grant a special exception to the requirements of the visual obstruction regulations when, in the opinion of the Board, the item will not constitute a traffic hazard.

**GENERAL FACTS (fence height special exception):**

- The Dallas Development Code states that a person shall not erect or maintain a fence in a required yard more than 9’ above grade, and additionally states that in all residential districts except multifamily districts, a fence may not exceed 4’ above grade when located in the required front yard.
- The applicant has submitted a site plan and an elevation of the proposal/existing fence in the front yard setback that reaches a maximum height of 6’ 2”.
- The following additional information was gleaned from the submitted site plan:
  - The existing fence located in the required front yard over 4’ in height is represented on the site plan as being approximately 120’ in length parallel to Lolita Drive and approximately 25’ perpendicular to Lolita Drive on the north and south sides of the site in the front yard setback.
  - The proposal is shown to be located on the site’s front property line or 12’ from the curb line.

**GENERAL FACTS (visual obstruction special exceptions):**

- The Dallas Development Code states the following with regard to visibility triangles: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
  - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections, and 20 foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
  - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

A site plan and elevation has been submitted indicating an approximately 10' lengths of the open picket 4' 4" high fence with open picket 4' 4" - 6' 2" gate in the 20-foot visibility triangles on either side of the driveway into the site from Lolita Drive.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: R-7.5(A) (Single family district 7,500 square feet)  
North: R-7.5(A) (Single family district 7,500 square feet)  
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. The areas to the north, east, south, and west are developed with single family uses.

**Zoning/BDA History:**

1. Miscellaneous Item #2, BDA 112-030, Property at 2128 Lolita Drive (the subject site) On March 20, 2012, the Board of Adjustment Panel A will consider a request to reimburse the filing fee submitted in conjunction with this application.
2. BDA 112-030, Property at 2120 Lolita Drive (the lot immediately south of subject site) On March 20, 2012, the Board of Adjustment Panel A will consider requests for special exceptions to the fence height and visual obstruction regulations requested in conjunction with maintaining a 4' 4" high open picket fence with two arched 4' 4" - 6' 2" high open picket gates in the site's front yard setback; and maintaining portions of the aforementioned fence and one of the aforementioned sliding gates in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive.

**Timeline:**

January 10, 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.

- February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.
- February 9, 2012: The Board Administrator emailed a family member of the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the March 9<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the requests; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and Assistant City Attorneys to the Board.
- March 8, 2012: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."

**STAFF ANALYSIS (fence height special exception):**

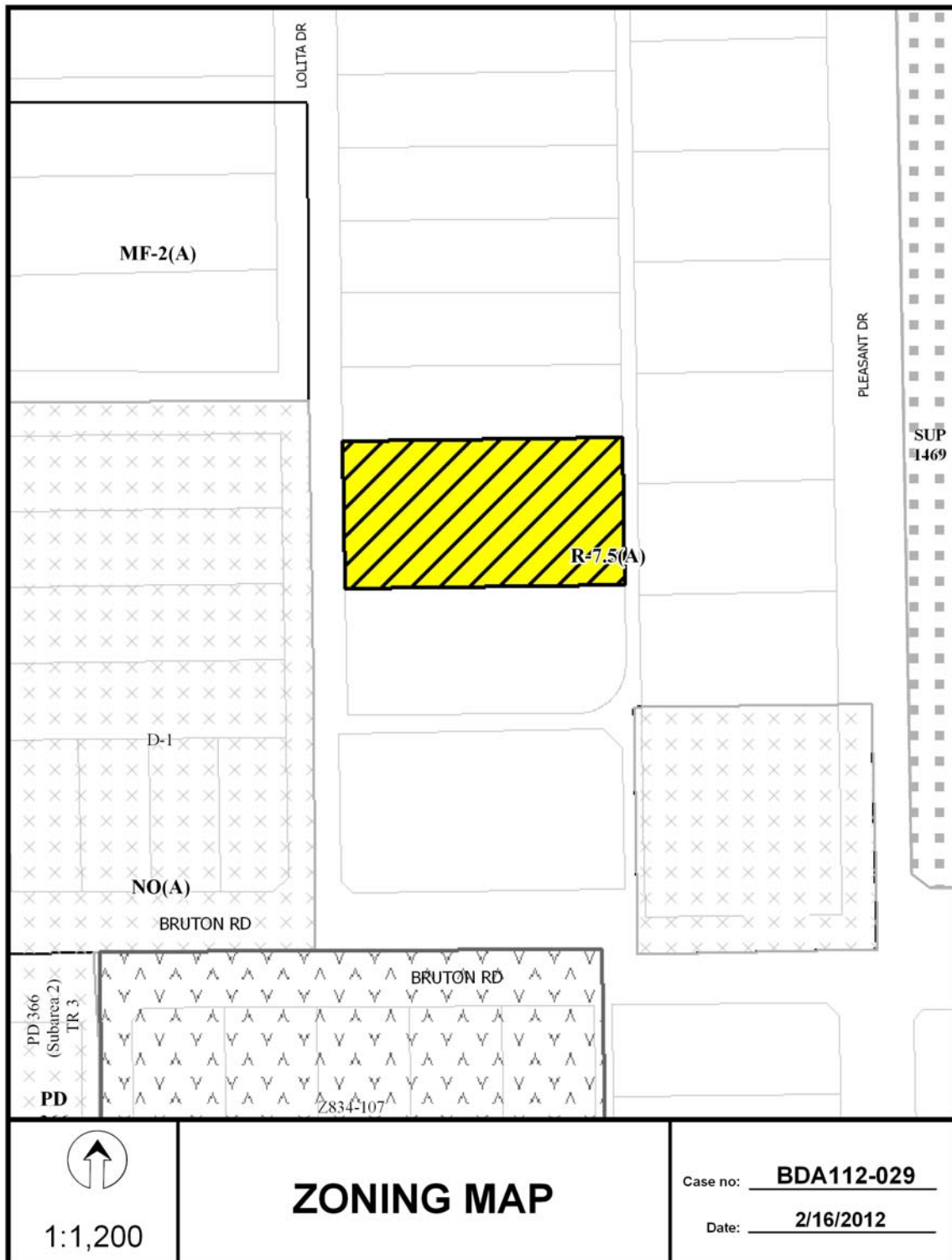
- This request focuses on maintaining a 4' 4" high open picket fence with two arched 4' 4" - 6' 2" high open picket gates in the site's front yard setback on a site developed with a single family home.
- The submitted site plan and elevation documents the location, height, and material of the fence over 4' in height in the front yard setback. The site plan shows the existing fence located in the required front yard over 4' in height at approximately 120' in length parallel to the street and approximately 25' perpendicular on the north and south sides of the site in the front yard setback. The proposal is shown to be located on the site's front property line or 12' from the curb line.
- Two single family home "front" to the existing fence on the subject site, neither of which have fences.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences other than the fence to the south that is the issue at hand of BDA 112-030 significantly above four feet high that appeared to be located in a front yard setback.

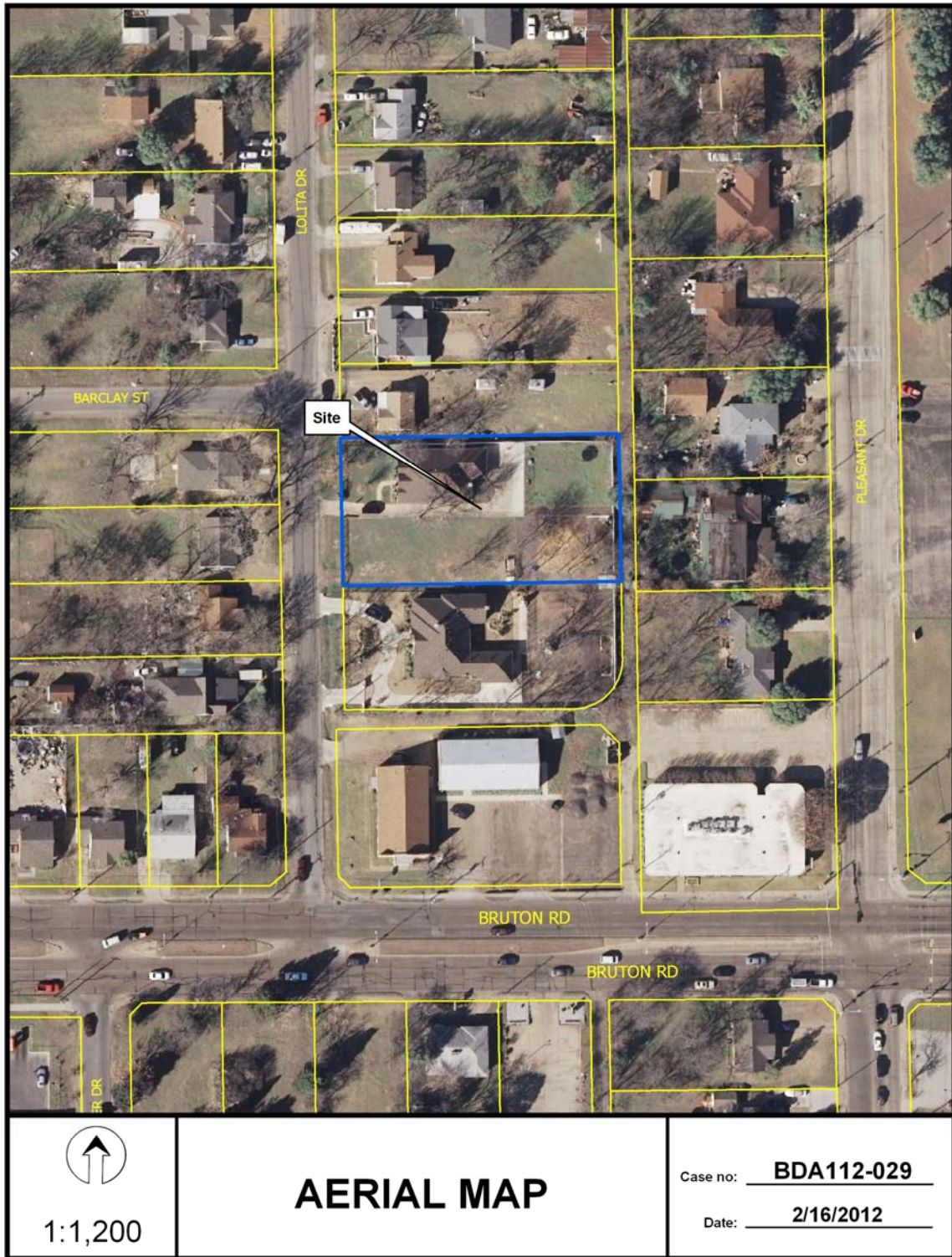


- As of March 12, 2012, no letters have been submitted in support or opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 2' 2" will not adversely affect neighboring property.
- Granting this special exception of 2' 2" with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding 4' in height in the front yard setback (in this case, an existing fence) to be maintained in the location and of the height and material as shown on these documents.

**STAFF ANALYSIS (visual obstruction special exceptions):**

- The requests for special exceptions to the visual obstruction regulations focus on maintaining portions of the aforementioned fence and one of the two sliding gates in the 20-foot visibility triangles on either side of the driveway into the site from Lolita Drive.
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."
- The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to maintain an open picket fence and gate in the visibility triangles at the drive approaches into the site from Lolita Drive does not constitute a traffic hazard.
- Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would require that the items in the 20-foot visibility triangles on either side of the driveway into the site from Lolita Drive would be limited to the location, height and materials of those items as shown on these documents.







City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-029

Data Relative to Subject Property:

Date: 1-10-12

Location address: 2128 Lolita Drive Zoning District: R-7.5(A)

Lot No.: 14A Block No.: B/6185 Acreage: 120 FT X 230 FT Census Tract: 90:00

Street Frontage (in Feet): 1) 120' 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

589

Owner of Property (per Warranty Deed): Gloria DeLa Cruz

Applicant: Gloria DeLa Cruz Telephone: 214-381-7551

Mailing Address: 2128 Lolita Drive 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 2 1/2"

To Fence Height Front Yard and Visibility Triangle At Driveway

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:

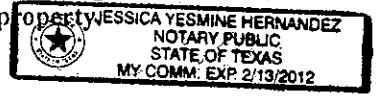
We would like to request a special exception from the Board of Adjustment to allow for ~~an~~ additional 2' and 2" to extend the frontage of the fence. The property is located at 2128 Lolita Dr. We would like to make this extension not only to allow more protection for the home owner, but also improve the overall aesthetics of the community. This addition will not impact on others home owners properties

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 Gloria DeLa Cruz  
(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: Gloria DeLa Cruz  
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 21 day of December, 2011

Jessica Yesmine Hernandez  
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 Gloria De La Cruz

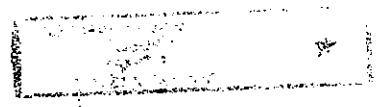
did submit a request for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulation

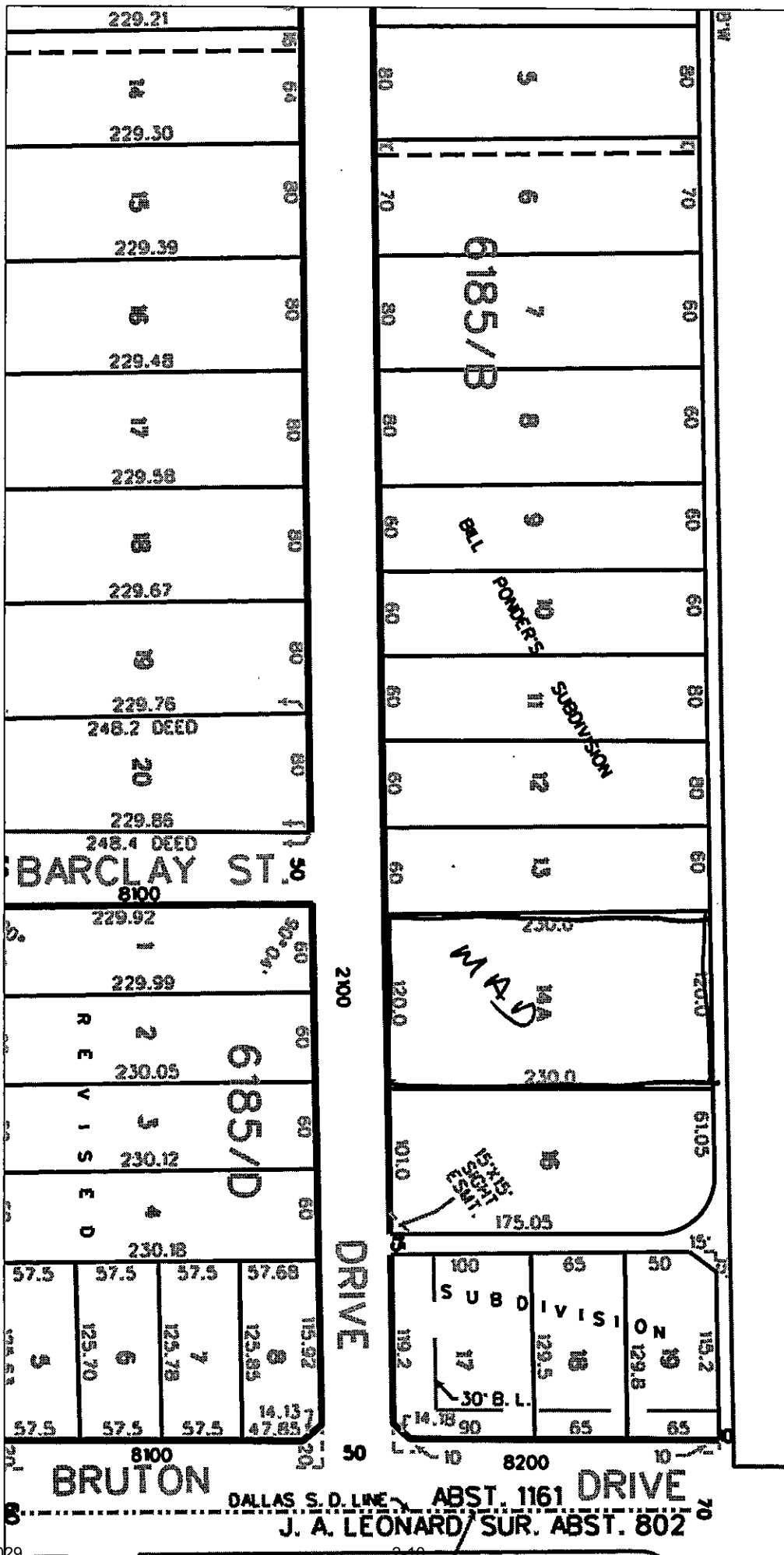
at 2128 Lolita Drive

BDA112-029. Application of Gloria De La Cruz for a special exception to the fence height regulations and a special exception to the visibility obstruction regulation at 2128 Lolita Drive. This property is more fully described as lot 14A in city block B/6185 and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct and maintain a 6 foot 2 inch high fence in a required front yard, which will require a 2 foot 2 inch special exception to the fence regulation, and to construct and maintain a fence in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

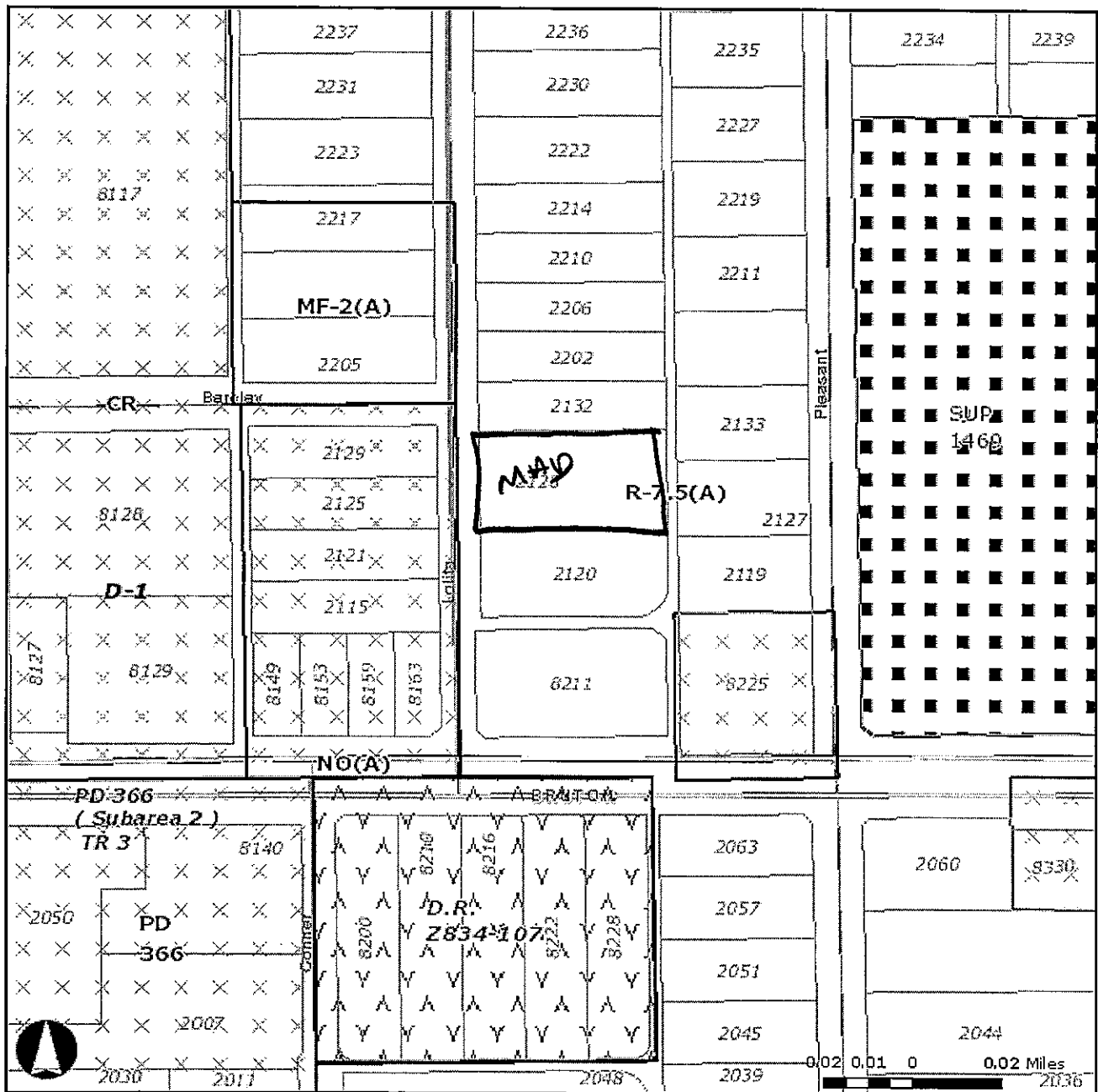
Sincerely,

  
Lloyd Denman, 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> |
|--|--|--|

Lolita Drive  
 Lot 14, Block B / 6185  
 De La Cruz Addition  
 City of Dallas  
 Dallas County, Texas

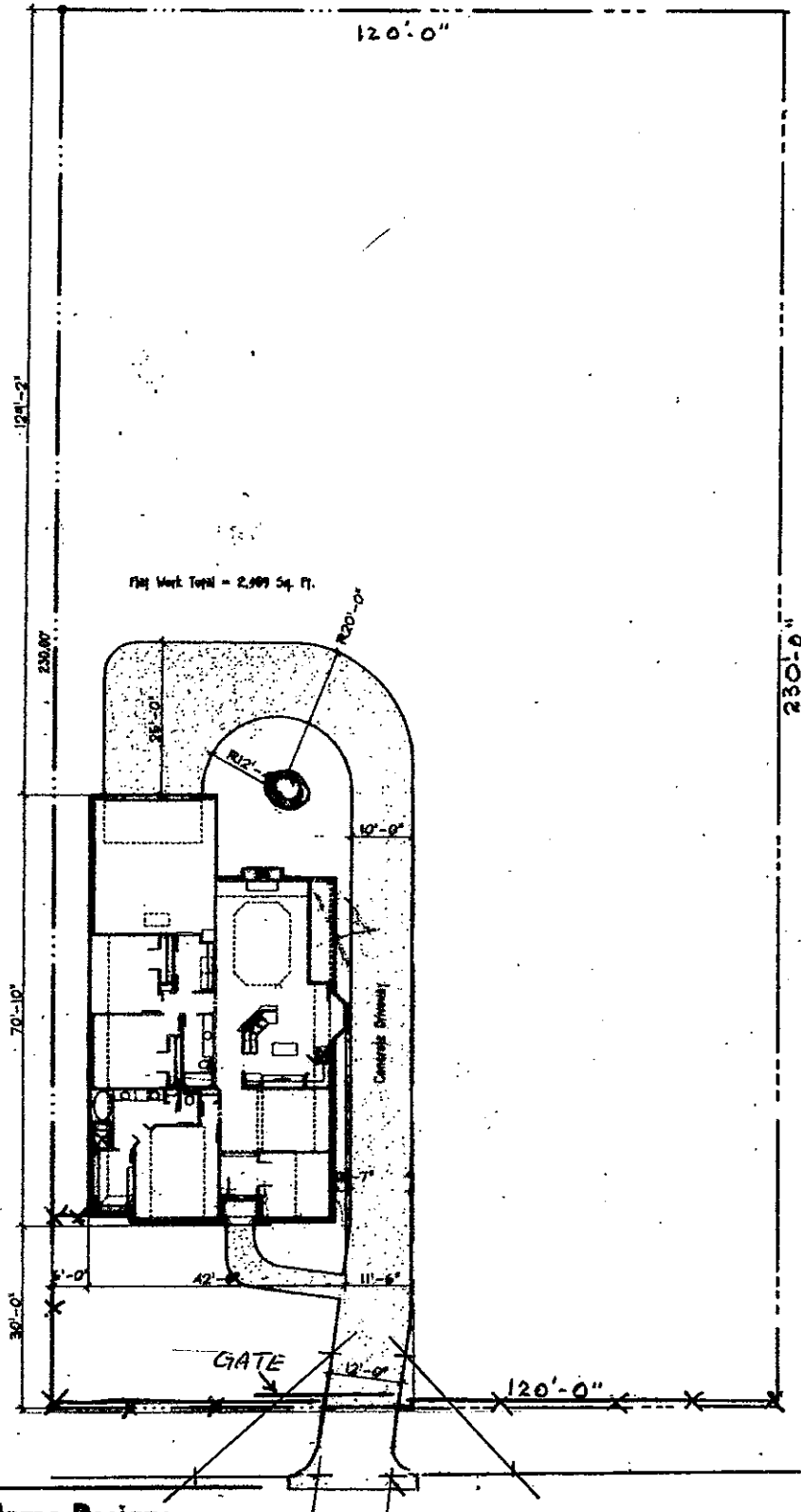
Builder:  
 Tony's Lawn Service  
 (214) 948-7082



n o r t h

**PLAT PLAN**

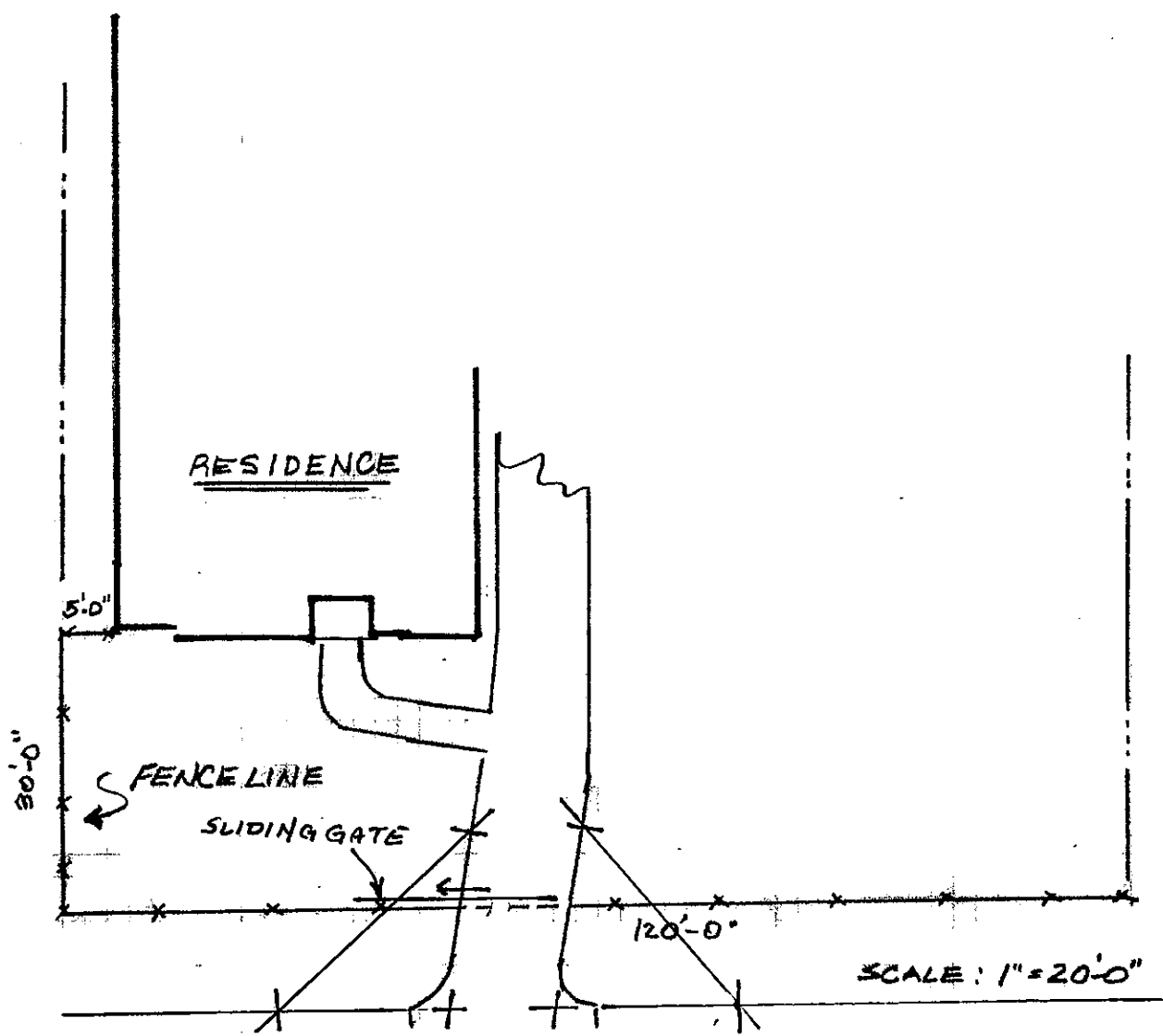
SCALE: 1" = 30'-0"



**Korel Home Designs**

200 United Parkway East, Suite 200, Irving, Texas 75039 (972) 489-4999  
 Also: The North American, Inc.





RESIDENCE

5'-0"

30'-0"

FENCE LINE

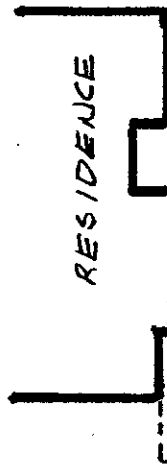
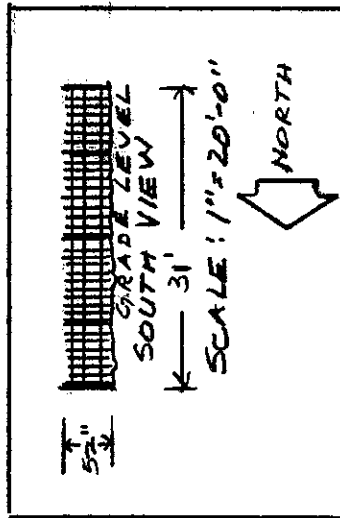
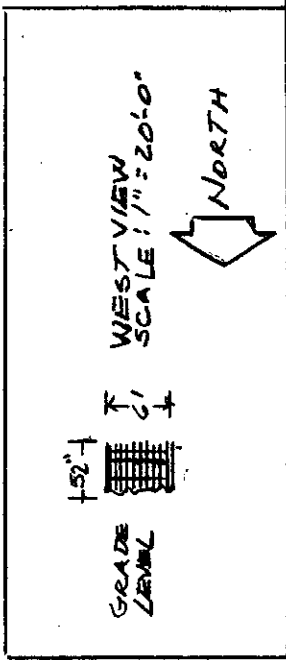
SLIDING GATE

120'-0"

SCALE: 1" = 20'-0"

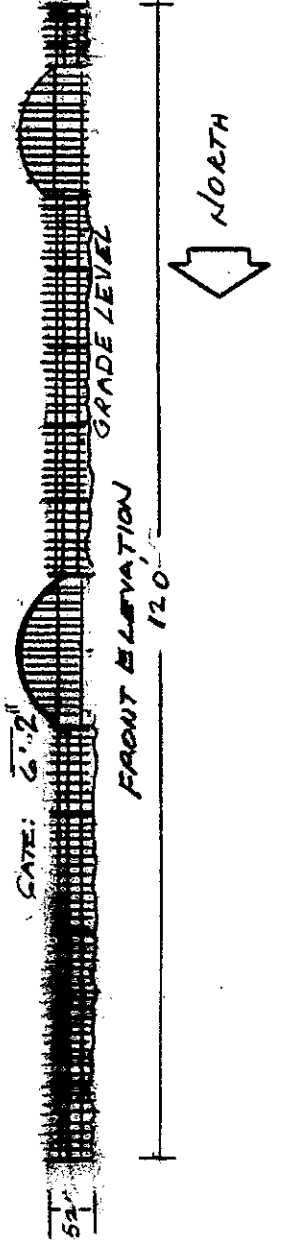
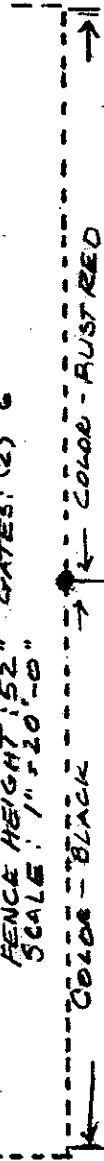
ADDRESS: 2128 LOLITA DRIVE  
DALLAS, TEXAS 75227

DETAIL



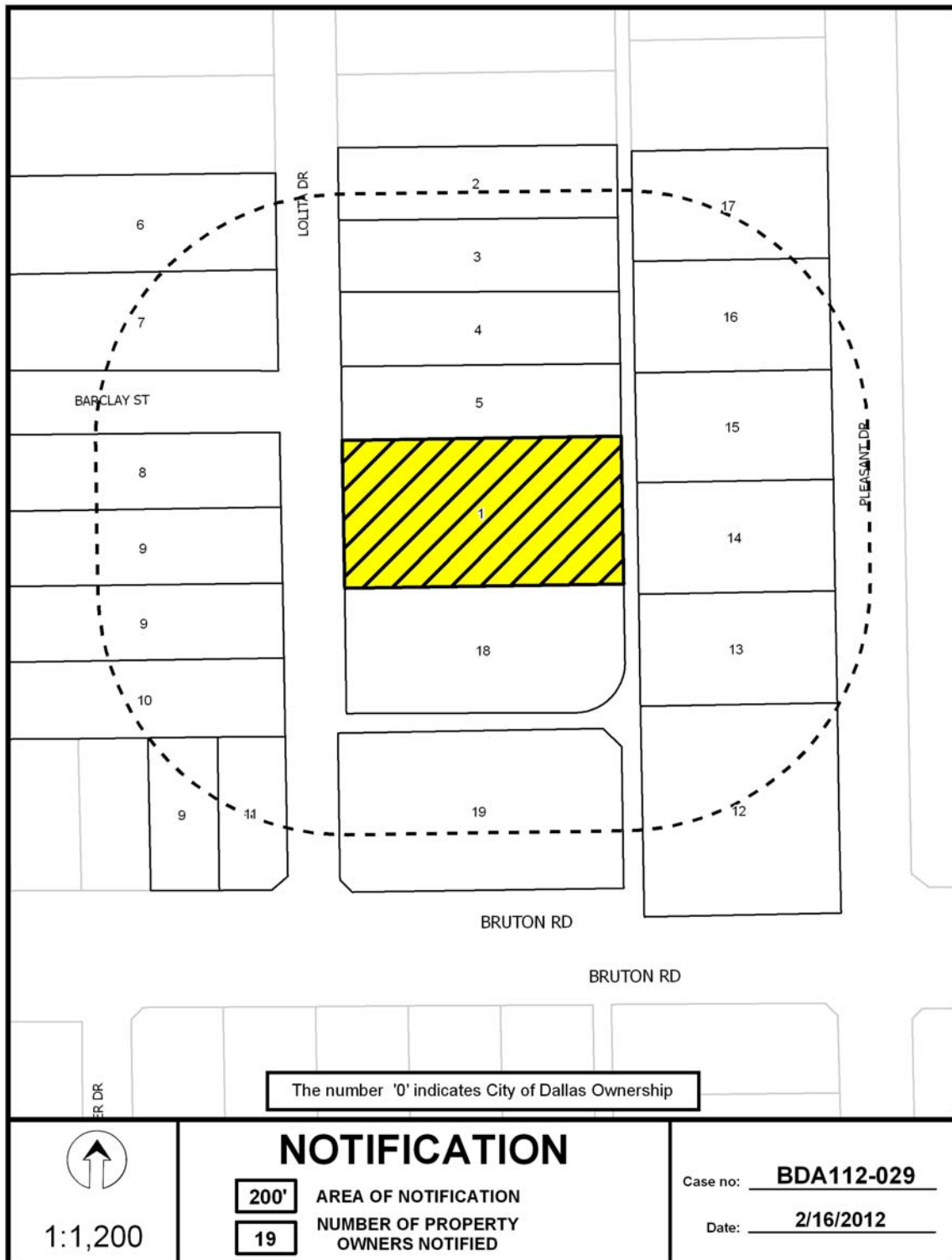
ADDRESS: 2128 LOLITA DRIVE  
DALLAS, TX 75227

FENCE LINE: WROUGHT IRON (4" SPACING ON BARS)  
FENCE TYPE: WROUGHT IRON (4" SPACING ON BARS)  
FENCE HEIGHT: 52" GATES: (2) 6'  
SCALE: 1" = 20'-0"



## Application/Appeal to the Board of Adjustment for the City of Dallas

We would like to request a special exception from the Board of Adjustment to allow for an additional 2' and 2", to extend the frontage of the fence. The property is located at 2128 Lolita Drive. We would like to make this extension not only to allow more protection for the home owner, but to also improve the overall aesthetics of the community. This addition will not impede on other home owner's properties. The lot next to the property is owned by the same owner and the property to the right is a parking area for the neighboring church. This home was designed to add appeal to the neighborhood and the fence will only enhance to the overall look, ultimately making the home more attractive for the neighborhood.



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

***BDA112-029***

## ***19 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2128 LOLITA DR	DELACRUZ GLORIA E
2	2210 LOLITA DR	JAIME MANUEL
3	2206 LOLITA DR	WALKER JAMES F ESTATE OF
4	2202 LOLITA DR	HARO ROBERTO
5	2132 LOLITA DR	HERNANDEZ CIRILO Z
6	2211 LOLITA DR	CASTILLO ROMEO
7	2205 LOLITA DR	MARQUEZ ENRIQUE & MARTHA
8	2129 LOLITA DR	OCHOA MARIA J
9	2125 LOLITA DR	MECCA APRIL INC
10	2115 LOLITA DR	CRUZ CARLOS &
11	8163 BRUTON RD	BRUTON
12	8225 BRUTON RD	SYVRUD JAMES
13	2119 PLEASANT DR	BERGANZA JOSE
14	2127 PLEASANT DR	IVERY ALONZO J JR & DONNA J
15	2133 PLEASANT DR	MARQUEZ RENATO ARCELIA MARQUEZ
16	2205 PLEASANT DR	DEAVILA DALIA
17	2211 PLEASANT DR	COMPEAN SALVADOR R
18	2120 LOLITA DR	DELACRUZ ANTONIO A & GLORIA S
19	8211 BRUTON RD	NAZARETH MISSIONARY BAPTIST CHURCH

**FILE NUMBER:** BDA 112-030

**BUILDING OFFICIAL'S REPORT:**

Application of Antonio De La Cruz for special exceptions to the fence height and visual obstruction regulations at 2120 Lolita Drive. This property is more fully described as Lot 16 in City Block B/6185 and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to maintain a 6 foot 2 inch high fence in a required front yard, which will require a 2 foot 2 inch special exception to the fence height regulations, and to maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

**LOCATION:** 2120 Lolita Drive

**APPLICANT:** Antonio De La Cruz

**REQUESTS:**

- The following appeals have been made on a site that is currently developed with a single family home:
  1. A special exception to the fence height regulations of 2' 2" is requested in conjunction with maintaining a 4' 4" high open picket fence with two arched 4' 4" - 6' 2" high open picket gates in the site's front yard setback; and
  2. special exceptions to the visual obstruction regulations are requested in conjunction with maintaining portions of the aforementioned fence and one of the aforementioned sliding gates in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive.

(Note that this application abuts a property to the north where a member of the same family as this application seeks similar fence height and visual obstruction special exception requests of the Board of Adjustment Panel A: BDA 112-029).

**STAFF RECOMMENDATION (fence height special exception):**

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

**STAFF RECOMMENDATION (visual obstruction special exceptions):**

Approval of the requests, subject to the following condition:

- Compliance with the submitted site plan and elevation is required.

Rationale:

- The Sustainable Development and Construction Department Project Engineer has no objections to these requests.
- The applicant has substantiated how the location of the items (open picket fence and open picket sliding gate) in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive does not constitute a traffic hazard.

**STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:**

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

**STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:**

The Board shall grant a special exception to the requirements of the visual obstruction regulations when, in the opinion of the Board, the item will not constitute a traffic hazard.

**GENERAL FACTS (fence height special exception):**

- The Dallas Development Code states that a person shall not erect or maintain a fence in a required yard more than 9’ above grade, and additionally states that in all residential districts except multifamily districts, a fence may not exceed 4’ above grade when located in the required front yard.
- The applicant has submitted a site plan and an elevation of the proposal/existing fence in the front yard setback that reaches a maximum height of 6’. (The applicant has requested a 2’ 2” special exception nonetheless with an assumption made that the gates may reach 6’ 2” in height regardless of the 6’ height denoted on the submitted elevation).
- The following additional information was gleaned from the submitted site plan:
  - The existing fence located in the required front yard over 4’ in height is represented on the site plan as being approximately 100’ in length parallel to Lolita Drive and approximately 25’ perpendicular to Lolita Drive on the north side of the site in the front yard setback.
  - The fence and northern gate is shown to be located on the site’s front property line or 10’ from the curb line; the southern gate is shown to be located 21’ from the property line or 31’ from the curb line.
- Two single family home “front” to the existing fence on the subject site, neither of which have fences.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences other than the fence to the north that is the issue at hand of BDA 112-029 significantly above four feet high that appeared to be located in a front yard setback.

**GENERAL FACTS (visual obstruction special exceptions):**

- The Dallas Development Code states the following with regard to visibility triangles: A person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
  - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections, and 20 foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
  - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

A site plan and elevation has been submitted indicating an approximately 10' lengths of the open picket 4' 4" high fence with open picket 4' 4" - 6' 2" gate in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive.

**BACKGROUND INFORMATION:**

**Zoning:**

- Site: R-7.5(A) (Single family district 7,500 square feet)
- North: R-7.5(A) (Single family district 7,500 square feet)
- 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. The areas to the north, east, and west are developed with single family uses; and the area to the south is developed as a church use.

**Zoning/BDA History:**

- |  |   |
|--|---|
| <p>1. Miscellaneous Item #3, BDA 112-030, Property at 2120 Lolita Drive (the subject site)</p>   | <p>On March 20, 2012, the Board of Adjustment Panel A will consider a request to reimburse the filing fee submitted in conjunction with this application.</p>   |
| <p>2. BDA 112-029, Property at 2128 Lolita Drive (the lot immediately north of subject site)</p> | <p>On March 20, 2012, the Board of Adjustment Panel A will consider requests for special exceptions to the fence height and visual obstruction regulations requested in conjunction maintaining a 4' 4" high open picket fence with two arched 4' 4" - 6' 2" high open picket gates in the site's front yard setback, and maintaining portions of the aforementioned fence and one of the two sliding gates in the 20-foot visibility triangles on either side of the driveway into the site from</p> |



Lolita Drive.

**Timeline:**

- January 10, 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.
- February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A.
- February 9, 2012: The Board Administrator emailed a family member of the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the March 9<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the requests; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and Assistant City Attorneys to the Board.
- March 8, 2012: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”

**STAFF ANALYSIS (fence height special exception):**

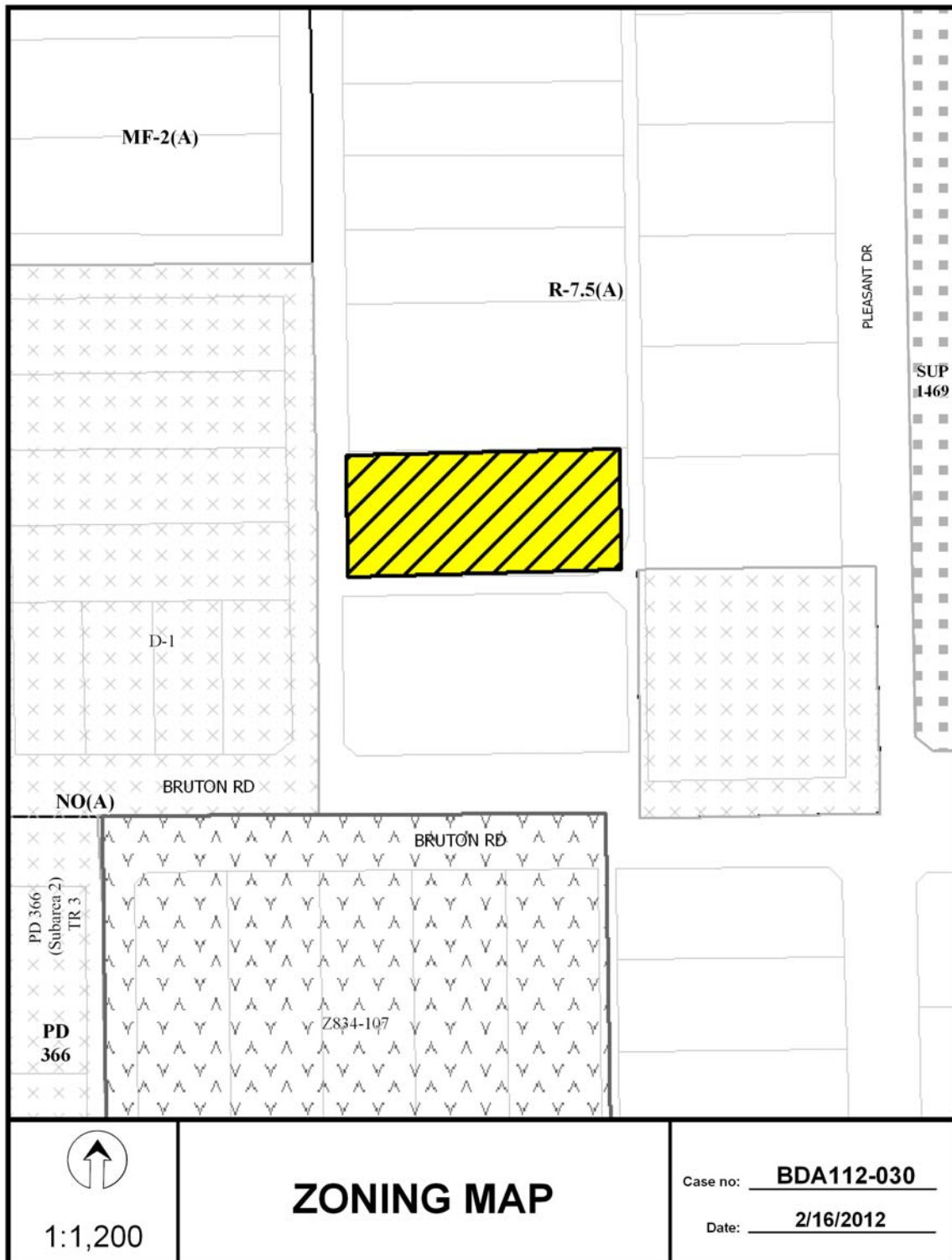
- This request focuses on maintaining a 4’ 4” high open picket fence with two arched 4’ 4” - 6’ 2” high open picket gates in the site’s front yard setback on a site developed with a single family home.
- The submitted site plan and elevation documents the location, height, and material of the fence over 4’ in height in the front yard setback. The site plan shows the existing fence located in the required front yard over 4’ in height at approximately 100’ in length parallel to the street and approximately 25’ perpendicular on the north

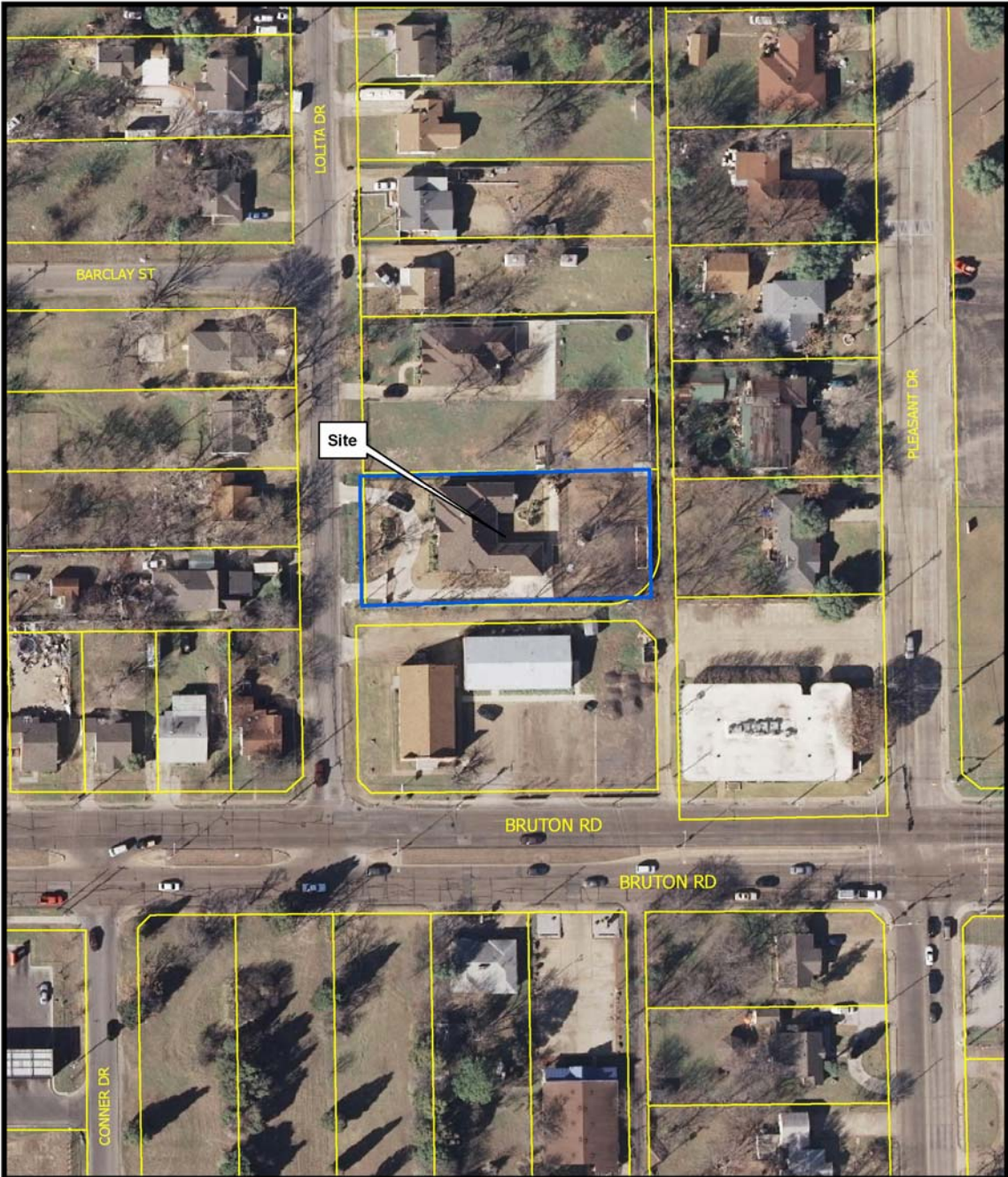
side of the site in the front yard setback. The fence and northern gate is shown to be located on the site's front property line or 10' from the curb line; the southern gate is shown to be located 21' from the property line or 31' from the curb line.

- Two single family home "front" to the existing fence on the subject site, neither of which have fences.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences other than the fence to the north that is the issue at hand of BDA 112-029 significantly above four feet high that appeared to be located in a front yard setback.
- As of March 12, 2012, no letters have been submitted in support or opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 2' 2" will not adversely affect neighboring property.
- Granting this special exception of 2' 2" with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding 4' in height in the front yard setback (in this case, an existing fence) to be maintained in the location and of the height and material as shown on these documents.

**STAFF ANALYSIS (visual obstruction special exceptions):**

- The requests for special exceptions to the visual obstruction regulations focus on maintaining portions of the aforementioned fence and one of the aforementioned sliding gates in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive.
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."
- The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to maintain an open picket fence and gate in the visibility triangles at the drive approaches into the site from Lolita Drive does not constitute a traffic hazard.
- Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would require that the items in the 20-foot visibility triangles on either side of the northern driveway and on one side of the southern driveway into the site from Lolita Drive would be limited to the location, height and materials of those items as shown on these documents.





1:1,200

# AERIAL MAP

Case no: BDA112-030

Date: 2/16/2012



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-030

Data Relative to Subject Property:

Date: 12/21/2011

Location address: 2120 Lolita Drive

Zoning District: R-7.5(A)

Lot No.: 16 Block No.: B/6185 Acreage: 130FT X 230FT Census Tract: 90.00

Street Frontage (in Feet): 1) 130 2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_ 5) \_\_\_\_\_

*ge 9*

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Antonio De La Cruz

Applicant: Antonio De La Cruz Telephone: 214 388 8437

Mailing Address: 2120 Lolita Drive 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 2'-2"  
for a fence on a front yard  
and visibility triangle at Dr. Veway

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 would like to request a special exception from the Board of Adjustment to allow for an additional 2' and 2" to extend the frontage of the fence. The property is located at 2120 Lolita Dr. We would like to make this extension not only to allow more protection for the home owner, but also improve the overall aesthetic of the community. This addition will not impede on other home owners properties.

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.

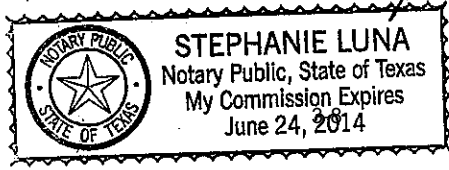
Affidavit

Before me the undersigned on this day personally appeared Antonio de la Cruz  
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this 21<sup>st</sup> day of December, 2011



Stephanie Luna  
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)

MEMORANDUM OF  
ACTION TAKEN BY THE  
BOARD OF ADJUSTMENT

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

Appeal was---Granted OR Denied

Remarks \_\_\_\_\_

Chairman

**Building Official's Report**

**I hereby certify that** ANTONIO DE LA CRUZ

**did submit a request** for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulation

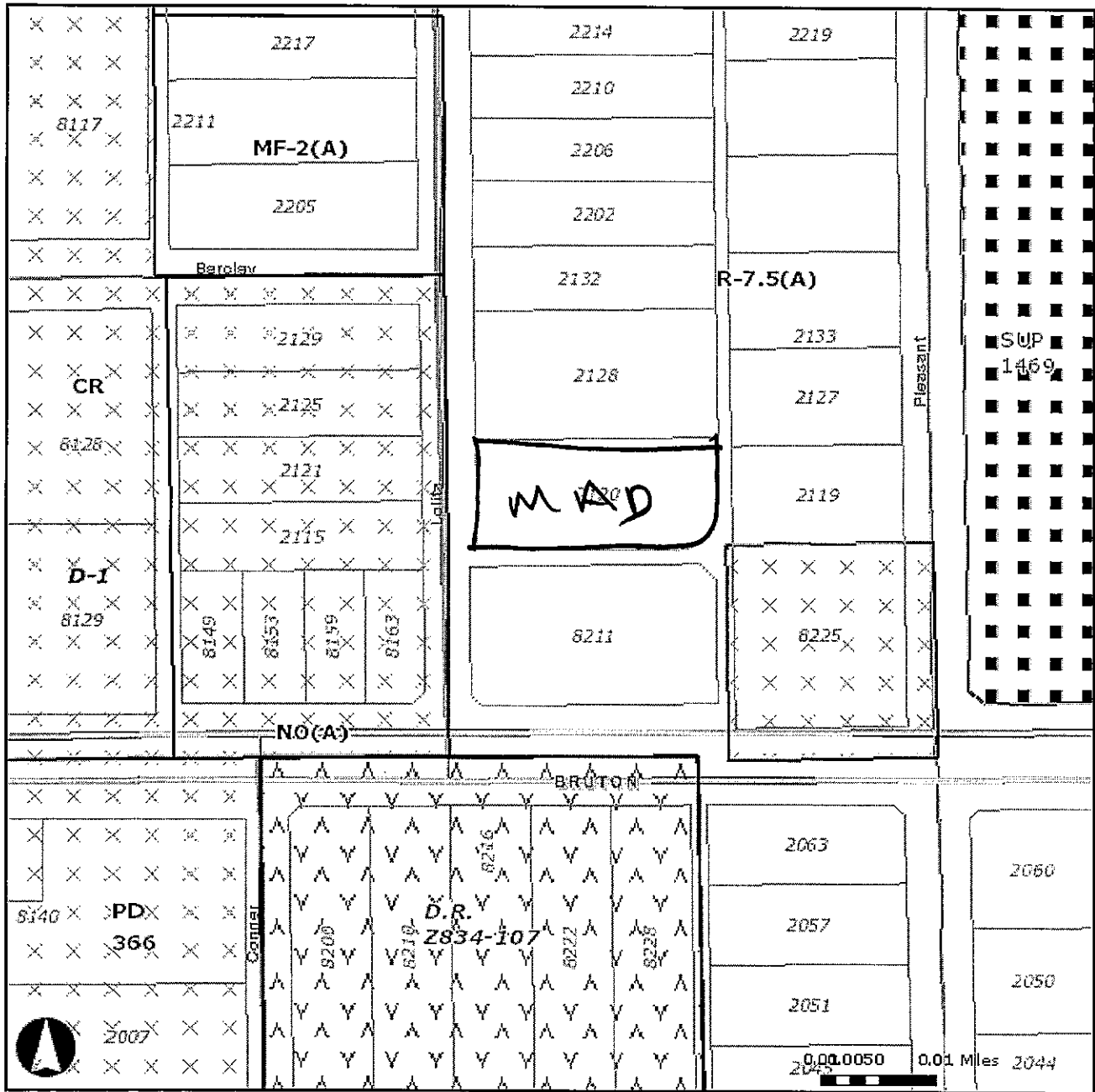
**at** 2120 Lolita Drive

BDA112-030. Application of Antonio De La Cruz for a special exception to the fence height regulations and a special exception to the visibility obstruction regulation at 2128 Lolita Drive. This property is more fully described as lot 16 in city block B/6185 and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct and maintain a 6 foot 2 inch high fence in a required front yard, which will require a 2 foot 2 inch special exception to the fence regulation, and to construct and maintain a fence in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,

  
Lloyd Denman, Building Official

# City of Dallas Zoning



**City Boundaries**

- City Boundaries
- County
- Certified Parcels
- DISD Sites
- Council Districts
- Waterways
- Parks

**Dry Overlay**

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

**Base Zoning**

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



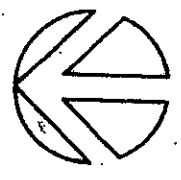


101'-0"

40' RADIUS DEDICATION

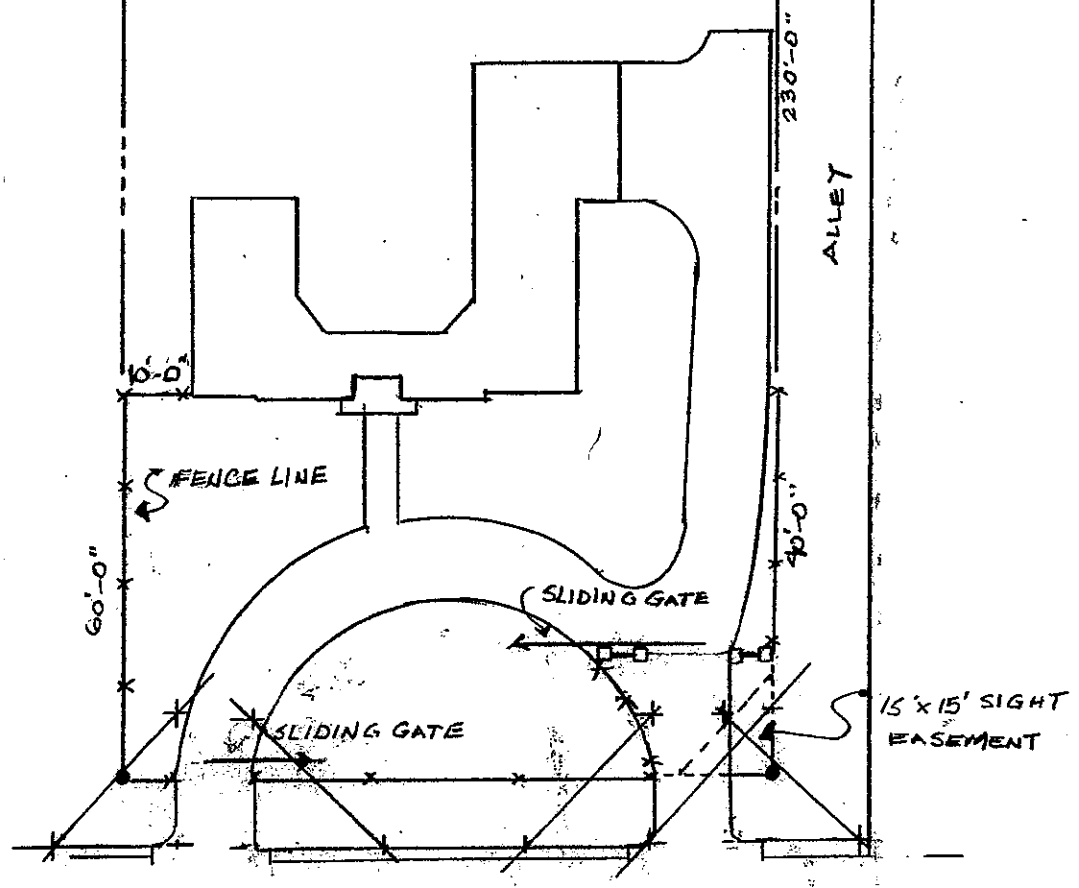
2120 Lolita Drive  
Lot 16, Block B, #185  
DeLaCruz-Carbajal Addition  
City of Dallas  
Dallas County, Texas

Builder:  
Tony De La Cruz  
(214) 215-0023

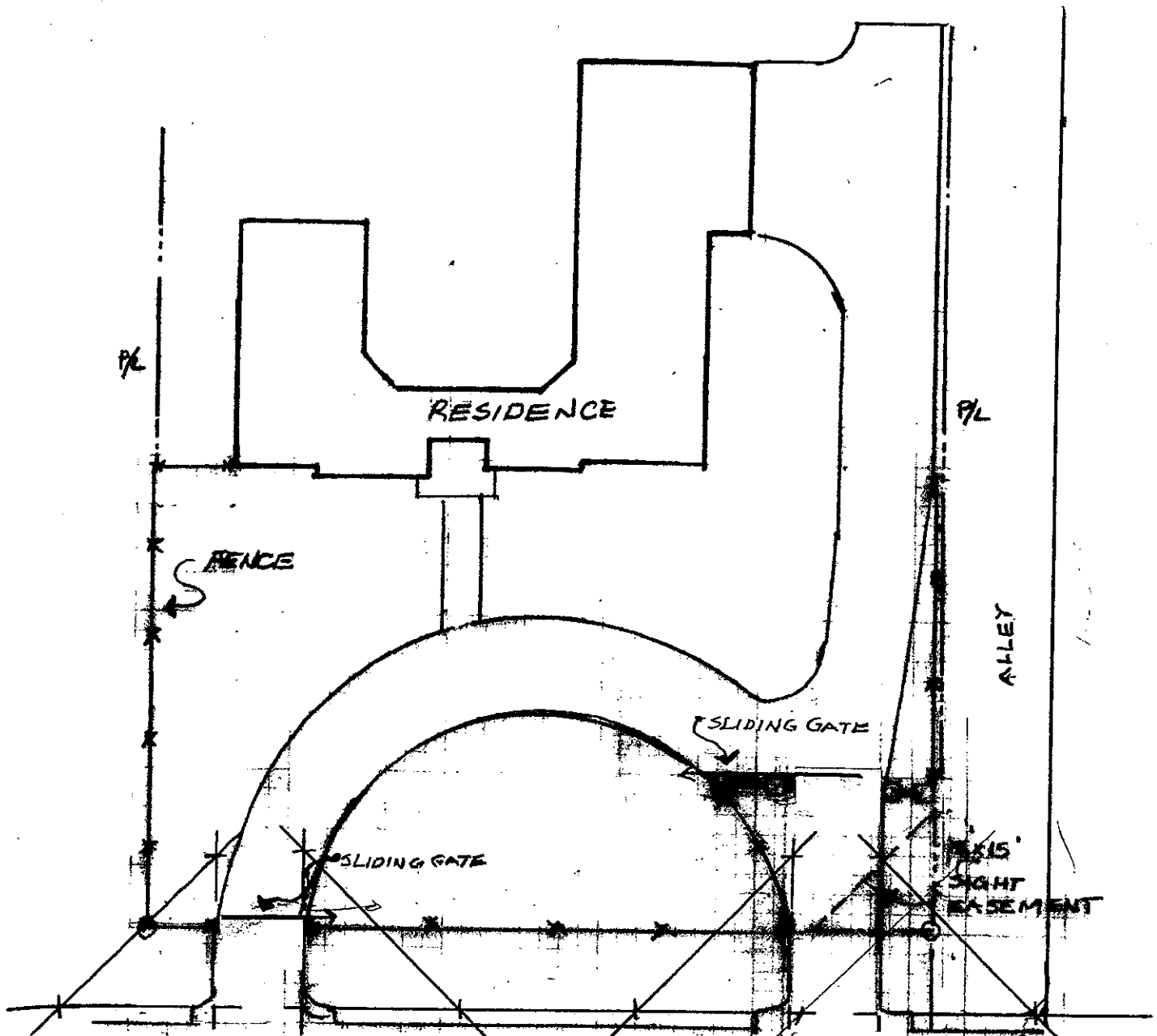


north

Area Schedule:  
Area of Lot: 23,230 sq. ft.  
Area Covered: 3,793 sq. ft.  
Percent Covered: 16.3%  
Area of Flatwork: 2,336 sq. ft.



SCALE : 1" = 30'-0"



ADDRESS: 2120 LOLITA DRIVE SCALE: 1"=20'-0"  
 DALLAS, TEXAS 75227

ADDRESS: 2120 LOLITA DRIVE  
DALLAS, TEXAS 75227

VIEW: FRONT ELEVATION

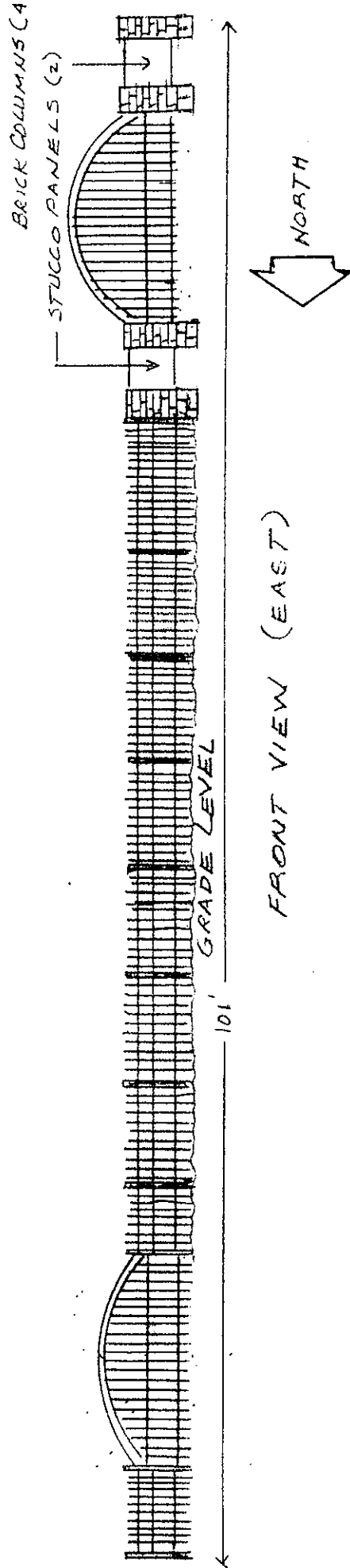
FENCE TYPE: WROUGHT IRON (4" SPACING ON BARS)

FENCE COLOR: RUST RED

FENCE HEIGHT: FENCE BARS = 52"

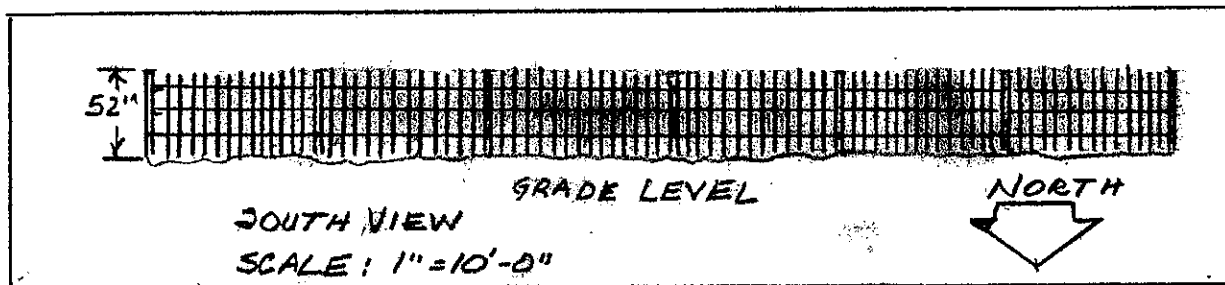
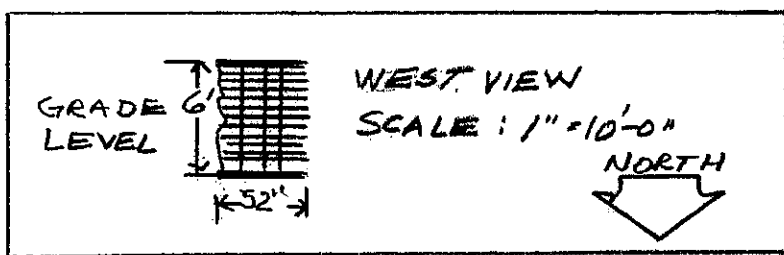
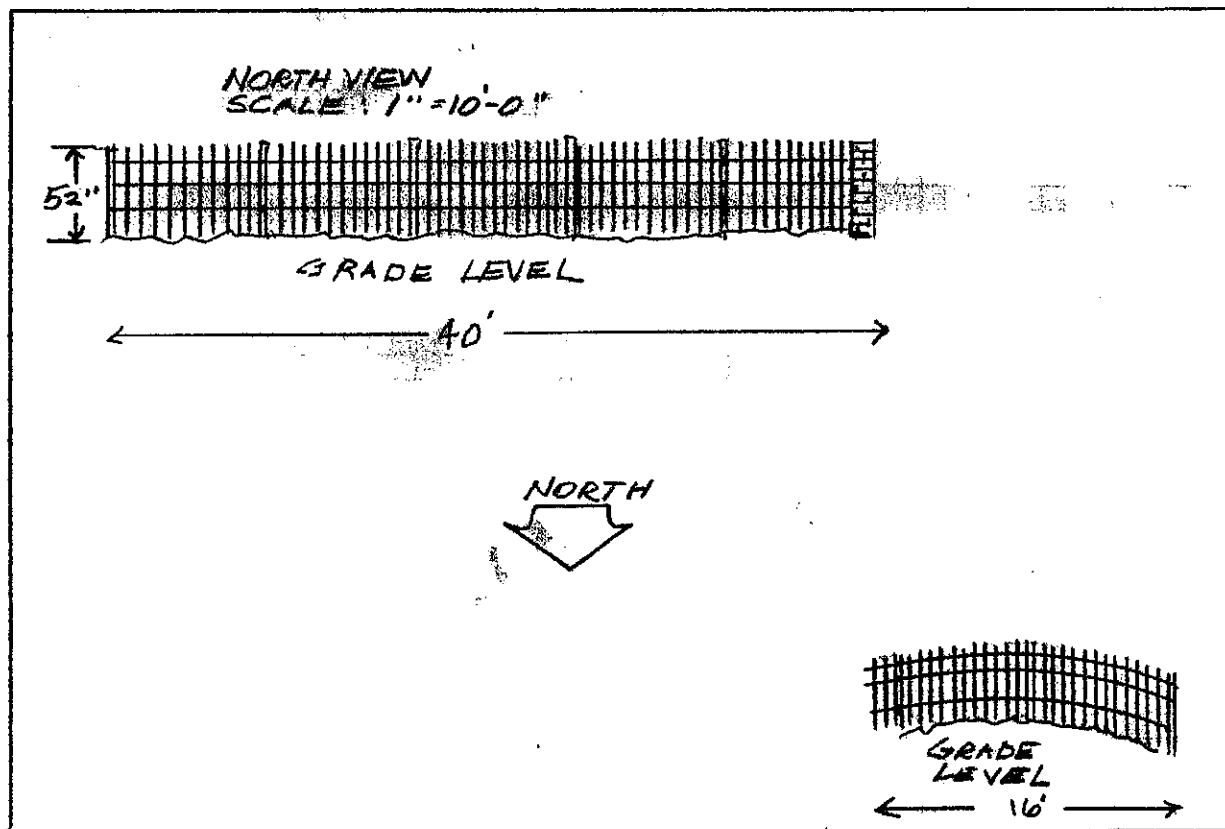
FENCE GATES (2) 6'

SCALE: 1" = 10'-0"



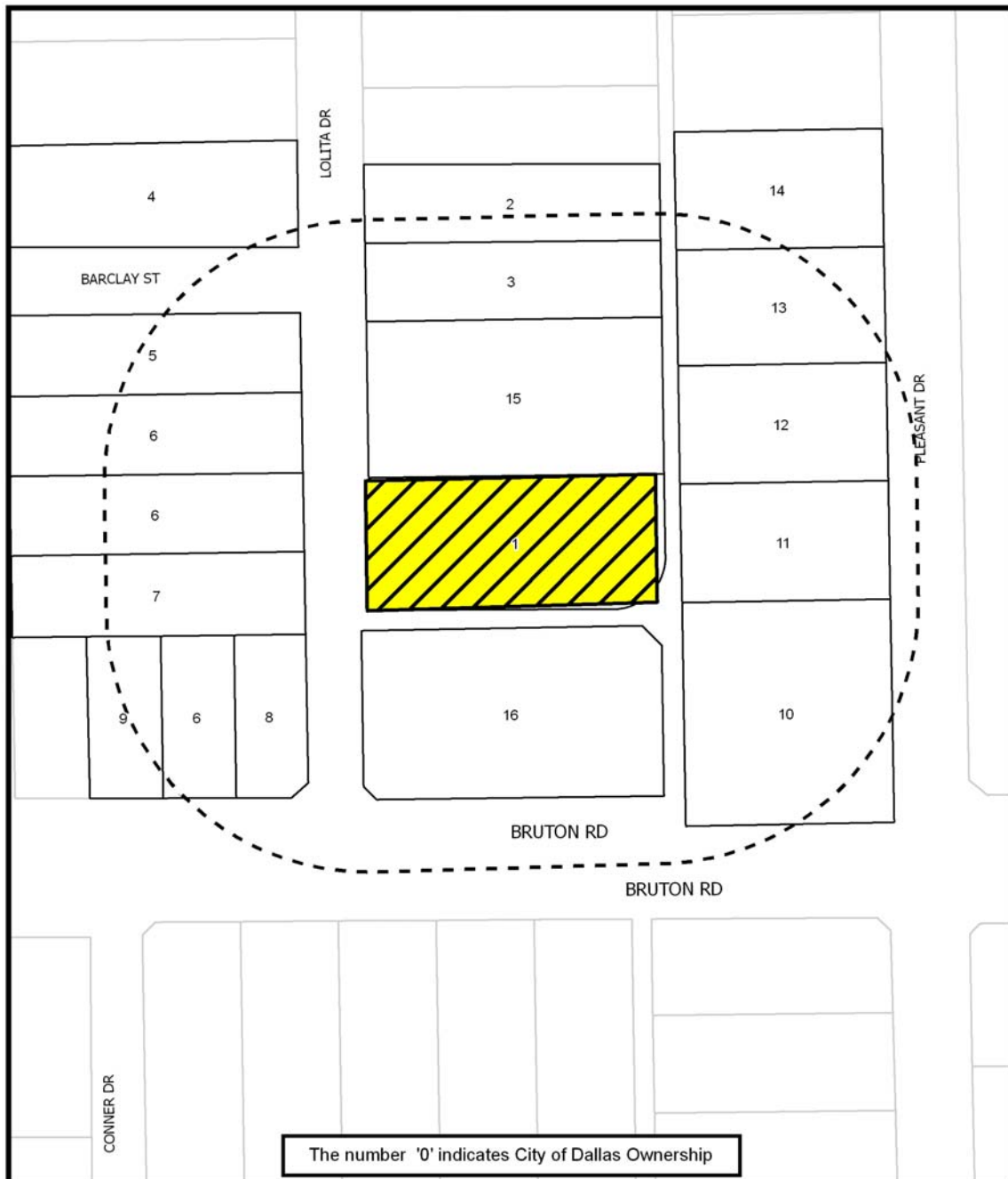
ADDRESS: 2120 LOLITA DRIVE  
DALLAS, TEXAS 75227

NORTH - SOUTH - WEST VIEWS OF WROUGHT IRON FENCE



## Application/Appeal to the Board of Adjustment for the City of Dallas

We would like to request a special exception from the Board of Adjustment to allow for an additional 2' and 2", to extend the frontage of the fence. The property is located at 2120 Lolita Drive. We would like to make this extension not only to allow more protection for the home owner, but to also improve the overall aesthetics of the community. This addition will not impede on other home owner's properties. The lot next to the property is owned by the same owner and the property to the right is a parking area for the neighboring church. This home was designed to add appeal to the neighborhood and the fence will only enhance to the overall look, ultimately making the home more attractive for the neighborhood.



 1:1,200	<b>NOTIFICATION</b>	Case no: <b>BDA112-030</b>			
	<table border="1"> <tr> <td style="text-align: center;"><b>200'</b></td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;"><b>16</b></td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	<b>200'</b>	AREA OF NOTIFICATION	<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED
<b>200'</b>	AREA OF NOTIFICATION				
<b>16</b>	NUMBER OF PROPERTY OWNERS NOTIFIED				

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

***BDA112-030***

## ***16 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2120 LOLITA DR	DELACRUZ ANTONIO A & GLORIA S
2	2202 LOLITA DR	HARO ROBERTO
3	2132 LOLITA DR	HERNANDEZ CIRILO Z
4	2205 LOLITA DR	MARQUEZ ENRIQUE & MARTHA
5	2129 LOLITA DR	OCHOA MARIA J
6	2125 LOLITA DR	MECCA APRIL INC
7	2115 LOLITA DR	CRUZ CARLOS &
8	8163 BRUTON RD	BRUTON
9	8153 BRUTON RD	ALTAMIRANO MANUEL ALBERTO
10	8225 BRUTON RD	SYVRUD JAMES
11	2119 PLEASANT DR	BERGANZA JOSE
12	2127 PLEASANT DR	IVERY ALONZO J JR & DONNA J
13	2133 PLEASANT DR	MARQUEZ RENATO ARCELIA MARQUEZ
14	2205 PLEASANT DR	DEAVILA DALIA
15	2128 LOLITA DR	DELACRUZ GLORIA E
16	8211 BRUTON RD	NAZARETH MISSIONARY BAPTIST CHURCH