

ZONING BOARD OF ADJUSTMENT, PANEL A
TUESDAY, JUNE 24, 2014
AGENDA

BRIEFING	ROOM L1FN CONFERENCE CENTER AUDITORIUM 1500 MARILLA STREET	11:00 A.M.
PUBLIC HEARING	ROOM L1FN CONFERENCE CENTER AUDITORIUM, 1500 MARILLA STREET	1:00 P.M.

Neva Dean, Interim Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the May 20, 2014 Board of Adjustment Panel A Public Hearing Minutes	M1
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UNCONTESTED CASES

BDA 134-051	10105 Casa View Avenue REQUEST: Application of Jennifer Hajduk for a special exception to the fence height regulations	1
BDA 134-054	8809 Sanshire Avenue REQUEST: Application of Stephen P. Duncan for a special exception to the fence height regulations	2
BDA 134-058	554 Elwayne Avenue REQUEST: Application of Rosario Hernandez, represented by Elias Rodriguez of Construction Concepts, for a special exception to the side yard setback regulations for a carport	3
BDA 134-063	5202 Denton Drive REQUEST: Application of Ray Bronner for a special exception to the visual obstruction regulations	4

HOLDOVER CASE

BDA 134-042

100 Crescent Court

5

REQUEST: Application of Robert Reeves for
a special exception to the landscape regulations

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]

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel A May 20, 2014 public hearing minutes.

FILE NUMBER: BDA 134-051

BUILDING OFFICIAL'S REPORT: Application of Jennifer Hajduk for a special exception to the fence height regulations at 10105 Casa View Avenue. This property is more fully described as Lot 23, Block G/7403, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct/maintain a 6 foot high fence, which will require a 2 foot special exception to the fence height regulations.

LOCATION: 10105 Casa View Avenue

APPLICANT: Jennifer Hajduk

REQUEST:

A special exception to the fence height regulations of 2' is requested to replace an existing approximately 4' high open chain link fence with a proposed 6' high solid board-on-board cedar fence in the one of the site's two required front yards (Highwood Drive) on a site that is developed with a single family home.

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.

STAFF RECOMMENDATION:

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.

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: PD 824 (Planned Development)
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 with a public high school use (Bryan Adams High School).

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.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on replacing an existing approximately 4' high open chain link fence with a proposed 6' high solid board-on-board cedar fence in the one of the site's two required front yards (Highwood Drive) on a site that is developed with a single family home.
- The Dallas Development Code 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 site is located at the north corner of Casa View Avenue and Highwood Drive. The site has a 30' required front yard along Casa View Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district. The site also has a 20' required front yard along Highland Drive, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a 9' high fence is allowed by right. But the site's Highland Road frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the front yard setback established by the lots developed with single family homes northwest of the site that front/are oriented southwestward towards Highwood Drive. Regardless of how the home is oriented to front onto Casa View Avenue (and "side" to Highwood Drive), the site has two required front yards where the focus of the applicant's request in this application is only to replace and maintain a fence higher than 4' in the site's required front yard on Highwood Drive. No part of the application is made to address any fence in the site's Casa View Avenue front yard setback.
- The applicant has submitted a site plan and elevation of the proposal in the Highwood Drive required front yard with notations indicating that the fence reaches a maximum height of 6'.

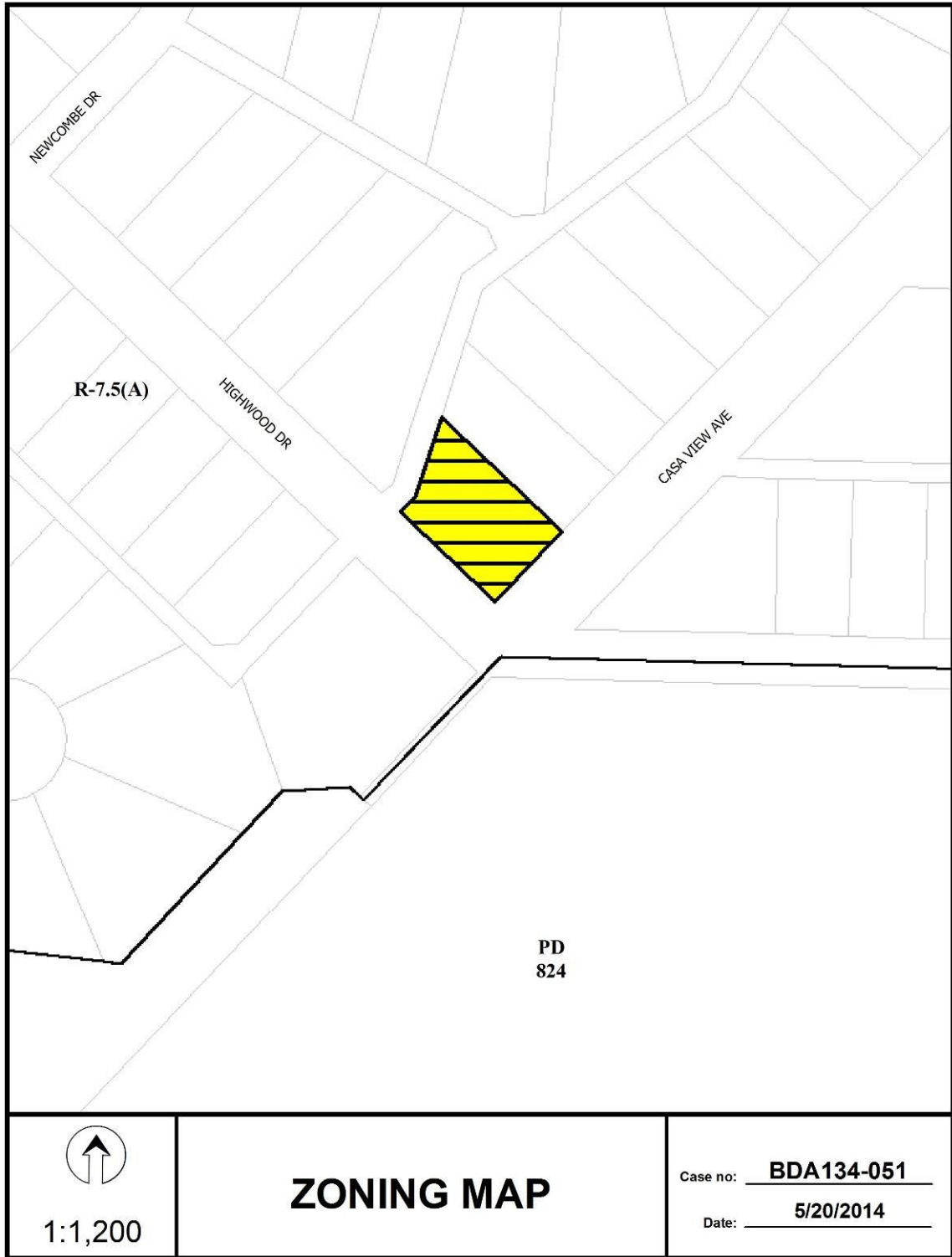
- The following additional information was gleaned from the submitted site plan:
 - The proposed fence that would replace the existing fence in the Highwood Road required front yard is represented as being approximately 48’ in length parallel to the Highwood Drive and approximately 23’ in length perpendicular to the street on the northwest and southeast sides of the site in the required front yard.
 - The proposal is represented as being located approximately 2’ from this front property line. (No dimension can be given of the fence relative to the pavement line since no representation of the pavement line is denoted on the submitted site plan).
- The proposal is located across from one single family home which has no fence in its front yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences that appeared to be above 4’ in height and located in a front yard setback.
- As of June 16th, 2014, no letters have been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 2’ will not adversely affect neighboring property.
- Granting this special exception of 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 Highwood Drive required front yard to be constructed and maintained in the location and of the heights and materials as shown on these documents.

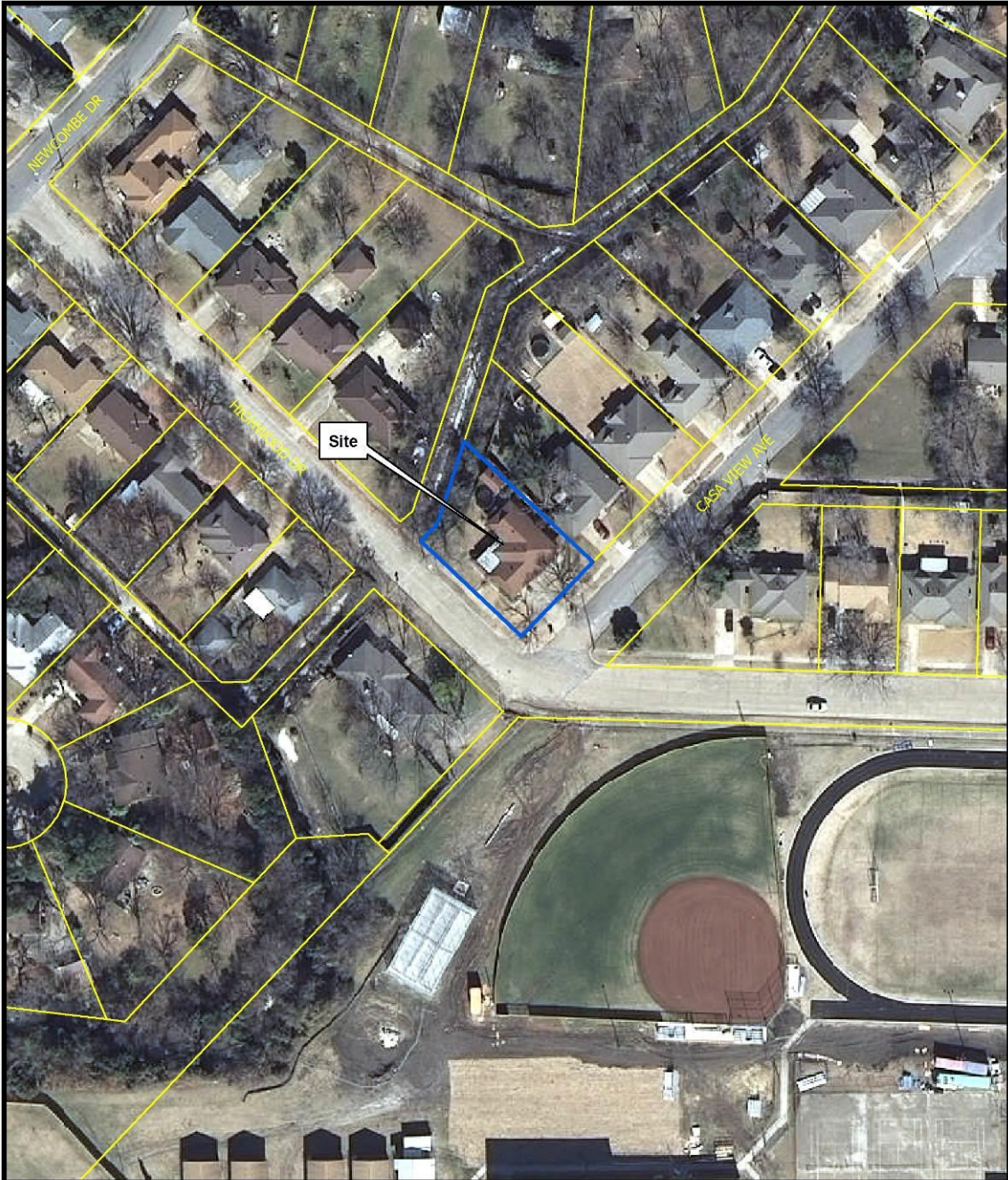
Timeline:

- March 23, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 19, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- May 20, 2014: 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 May 28th deadline to submit additional evidence for staff to factor into their analysis; and the June 13th 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.

June 10, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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





1:1,200

AERIAL MAP

Case no: BDA134-051

Date: 5/20/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-051

Data Relative to Subject Property:

Date: 3/24/14

Location address: 10105 Casa View Dr

Zoning District: R-10(A)

Lot No.: 23 Block No.: G/7403 Acreage: .248

Census Tract: 124.00

Street Frontage (in Feet): 1) 80ft 2) 104.56ft 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

SE7

Owner of Property (per Warranty Deed): Jennifer Hajduk

Applicant: Jennifer Hajduk Telephone: (817)797-1660

Mailing Address: 10105 Casa View Dr Zip Code: 75228

E-mail Address: jenhajduk@hotmail.com

Represented by: Jennifer Hajduk Telephone: (817)797-1660

Mailing Address: 10105 Casa View Dr Zip Code: 75228

E-mail Address: jenhajduk@hotmail.com

Affirm that an appeal has been made for a Variance _____, or Special Exception of 2 ft
to install a 6ft cedar board on board cedar fence in close
proximity to existing chain link fence.

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:

Proposed fence is outside building line as indicated on survey plat.

I believe this fence will not adversely affect the neighbors. I think it will enhance the value of the neighborhood. Because of the culvert that backs up to house, I believe the neighbors will not be bothered by

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.

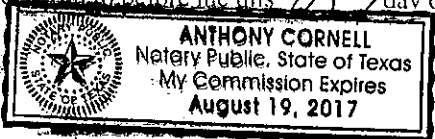
Affidavit

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

Subscribed and sworn to before me this 27 day of March, 2014



Anthony Cornell
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 Jennifer Hajduk

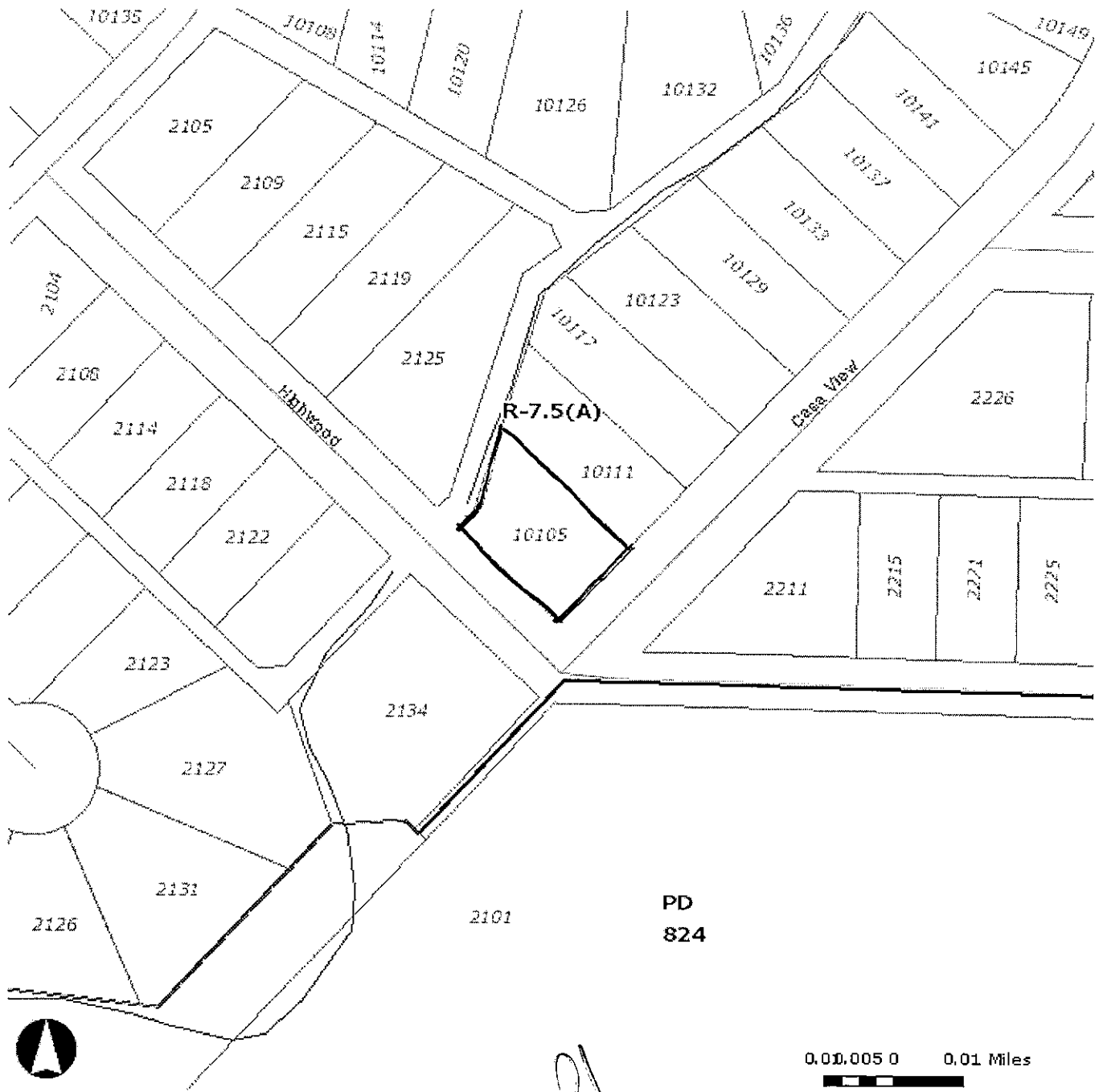
did submit a request for a special exception to the fence height regulations
at 10105 Casa View Avenue

BDA134-051. Application of Jennifer Hajduk for a special exception to the fence height regulations at 10105 Casa View Avenue. This property is more fully described as Lot 23, Block G/7403, and is zoned R-7.5(A), which limits the height of a fence in the front yard to feet. The applicant proposes to construct a 6 foot high fence in a required front yard, which will require a 2 foot special exception to the fence regulation.

Sincerely,

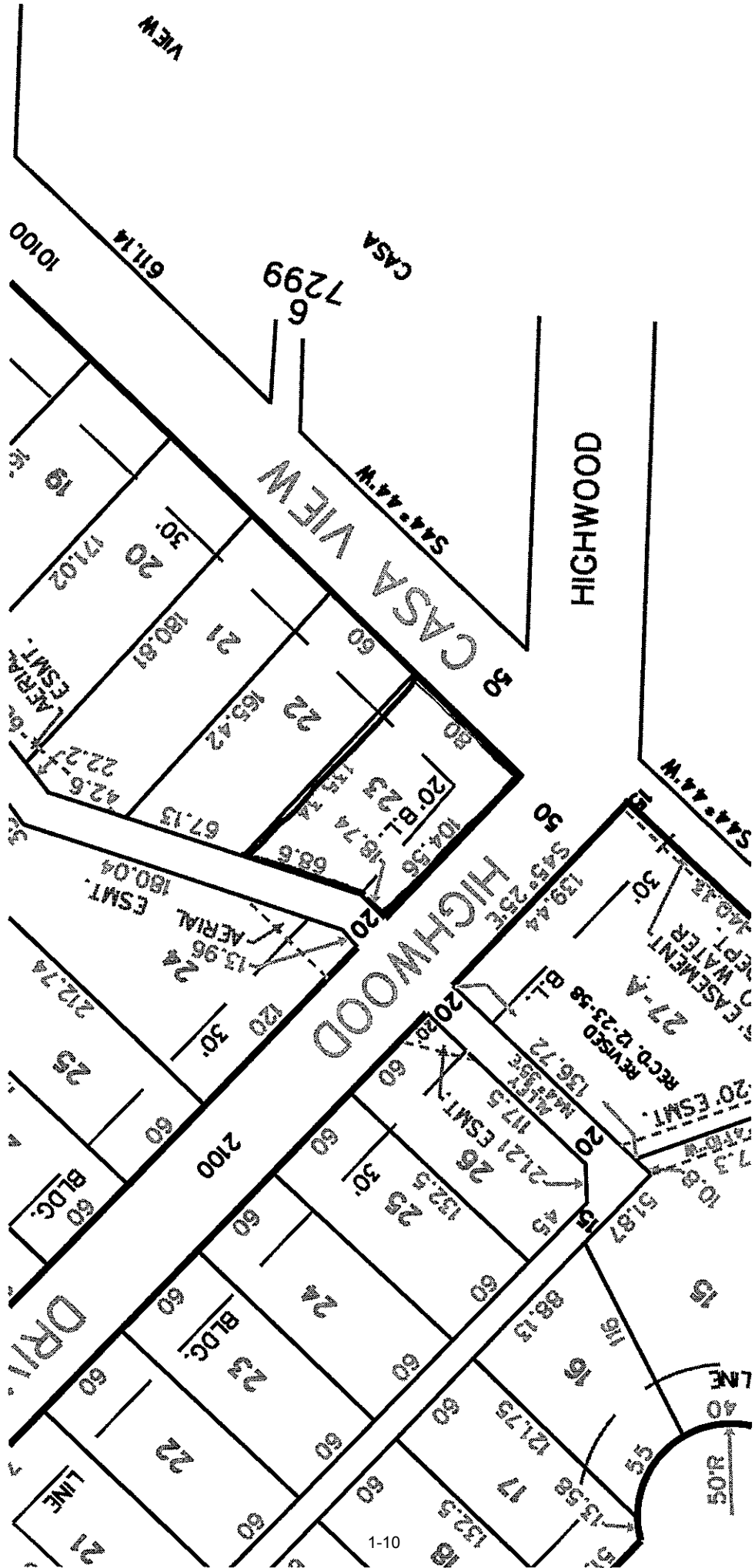

Larry Holmes, Building Official



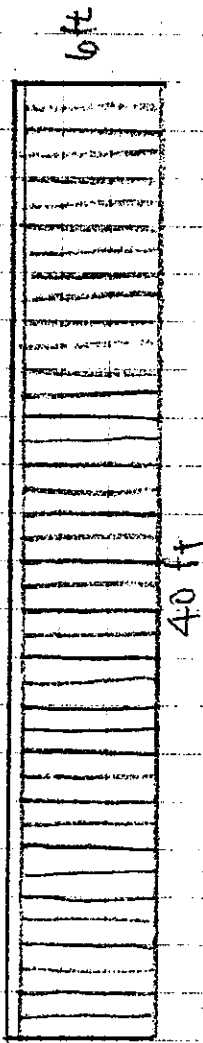


PD
824

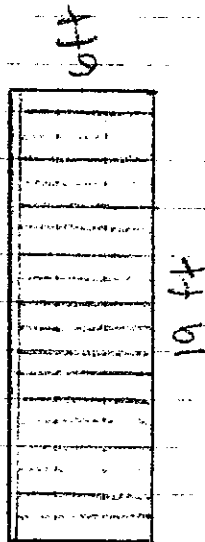
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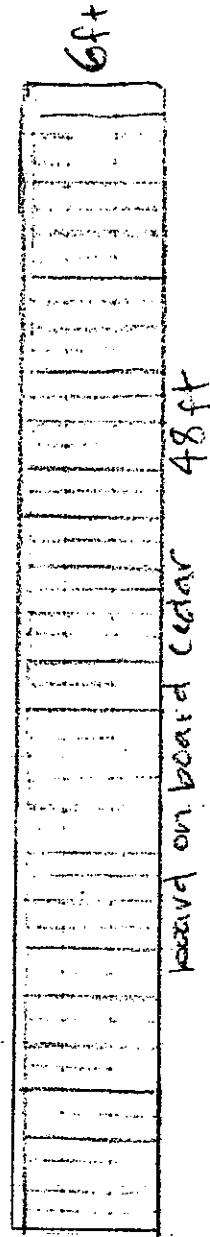
[Handwritten signature]



View from back (Neighbors)



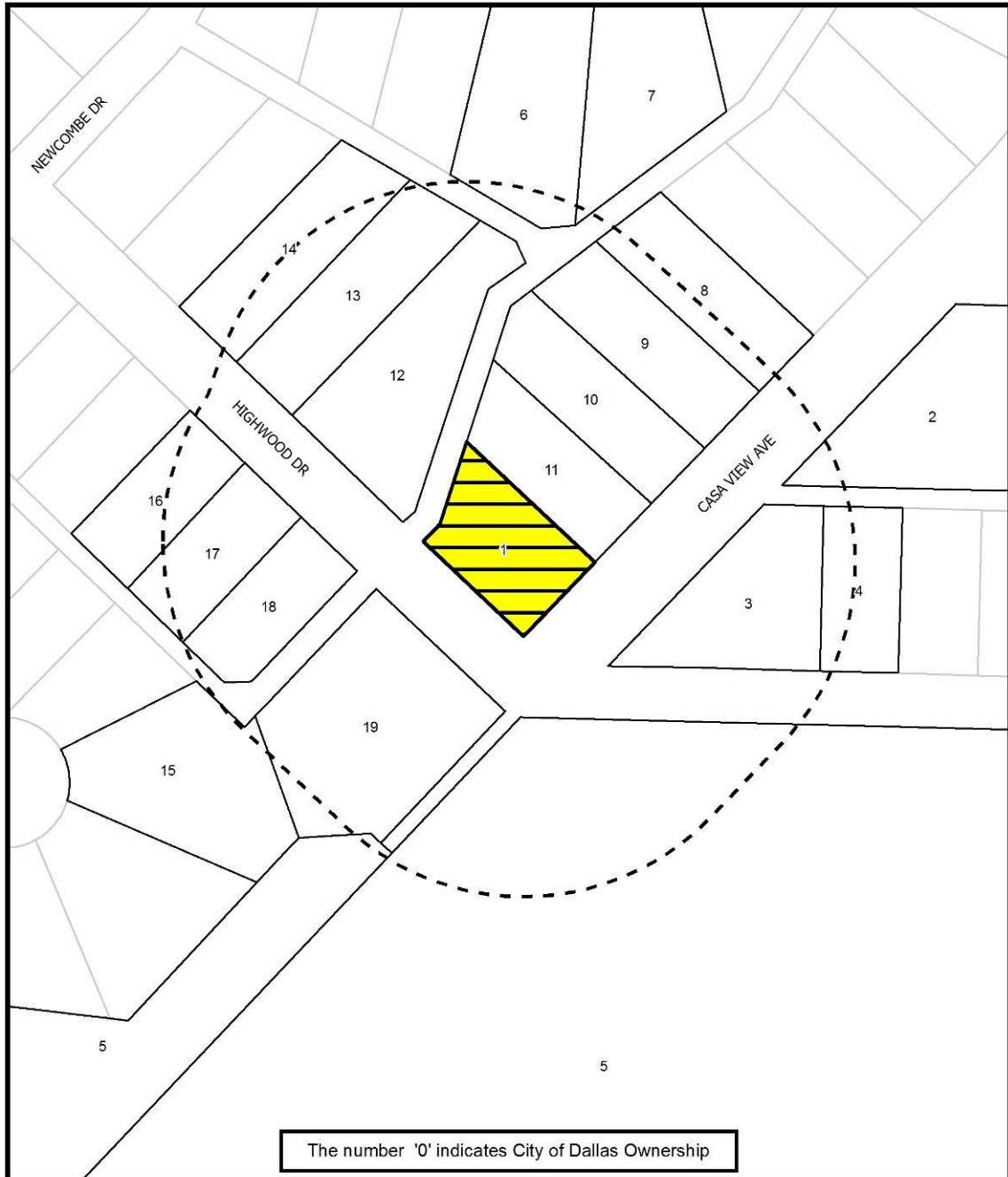
View from casa view (left)



View From: Highwood Dr (West)

~~1" = 1'~~

1/8" = 1'



 1:1,200	NOTIFICATION		Case no: BDA134-051
	<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;">19</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 5/20/2014

Notification List of Property Owners

BDA134-051

19 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10105 CASA VIEW AVE	RHODES JORDAN MARIE
2	2226 HARTLINE DR	CANTU ROY
3	2211 HIGHWOOD DR	CARTER BEATRICE GUERRA
4	2215 HIGHWOOD DR	GARCIA HUMBERTO
5	2101 MILLMAR DR	Dallas ISD ATTN OFFICE OF LEGAL SERVICES
6	10126 SAN JUAN AVE	HALL ROBERT & COURTNEY
7	10132 SAN JUAN AVE	BURRIS DON W II &
8	10129 CASA VIEW AVE	CASTRO JOSE A
9	10123 CASA VIEW AVE	SCHUMANN ROBERT E
10	10117 CASA VIEW AVE	JONES BOBBY J
11	10111 CASA VIEW AVE	RUSSELL JEAN
12	2125 HIGHWOOD DR	COTTEL WILLIS I TRUSTEES WILLIS I COTTEL
13	2119 HIGHWOOD DR	WIRTZ GREGORY L
14	2115 HIGHWOOD DR	WILHITE KERRY JANE
15	2127 BLAKE AVE	STEVENS ELIZABETH & LOSHELDER ROBERT
16	2118 HIGHWOOD DR	BIGGERSTAFF BELINDA A
17	2122 HIGHWOOD DR	ARRIAGA EDWARD
18	2126 HIGHWOOD DR	RIES JAMES P JR
19	2134 HIGHWOOD DR	TUTTLE KAREN S

FILE NUMBER: BDA 134-054

BUILDING OFFICIAL'S REPORT: Application of Stephen P. Duncan for a special exception to the fence height regulations at 8809 Sanshire Avenue. This property is more fully described as Lot 15, Block 8/8134, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct/maintain an 8 foot 6 inch high fence, which will require a 4 foot 6 inch special exception to the fence height regulations.

LOCATION: 8809 Sanshire Avenue

APPLICANT: Stephen P. Duncan

REQUEST:

A special exception to the fence height regulations of 4' 6" is requested to replace according to the application "a wood fence in same location at same height" – which according the submitted elevation is an 8' 6" high solid board-on-board cedar fence in the one of the site's two front yards (Lizshire Drive) on a site that is developed with a single family home.

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.

STAFF RECOMMENDATION:

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.

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, south, east, 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.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on (according to the application) replacing “a wood fence in same location at same height” – which according the submitted elevation is an 8’ 6” high solid board-on-board cedar fence in the one of the site’s two front yards (Lizshire Drive) on a site that is developed with a single family home.
- The Dallas Development Code 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 site is located at the north corner of Sanshire Avenue Avenue and Lizshire Avenue. The site has a 25’ front yard setback along Sanshire Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district. The site also has a 15’ required front yard along Lizshire Avenue, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where a 9’ high fence is allowed by right. But the site’s Lizshire Avenue frontage is a side yard treated as a front yard setback nonetheless to maintain the continuity of the front yard setback established by the lots developed with single family homes northeast of the site that front/are oriented southeastward towards Lizshire Avenue. Regardless of how the home is oriented to front onto Sanshire Avenue (and “side” to Lizshire Avenue), the site has two front yards where the focus of the applicant’s request in this application is only to replace and maintain a fence higher than 4’ in the site’s required front yard on Lizshire Avenue. No part of the application is made to address any fence in the site’s Sanshire Avenue front yard setback.
- The applicant has submitted a site plan and elevation of the proposal in the Lizshire Avenue required front yard with notations indicating that the propoosal reaches a maximum height of 8’ 6”.
- The following additional information was gleaned from the submitted site plan:
 - The proposed replacement fence that would replace the existing fence in the Lizshire Avenue front yard setback is represented as being approximately 60’ in length parallel to the this street and approximately 14’ in length perpendicular to the street on the southwest and northeast sides of the site in the front yard setback.
 - The proposal is represented as being located approximately on this front property line and approximately 12’ from the pavement line.

- The proposal is located across from two single family homes neither of which have fences in their front yard setback.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other fences that appeared to be above 4' in height and located in a front yard setback.
- As of June 16th, 2014, one petition signed by 16 neighbors/owners had been submitted in support of the request and no letters had been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' 6" will not adversely affect neighboring property.
- Granting this special exception of 4' 6" 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 Lizshire Avenue front yard setback to be constructed and maintained in the location and of the heights and materials as shown on these documents.

Timeline:

April 18, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

May 19, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

May 20, 2014: 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 May 28th deadline to submit additional evidence for staff to factor into their analysis; and the June 13th 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.

June 11, 2014: The applicant submitted additional information beyond what was submitted with the original application (see Attachment A).

June 10, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and

Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

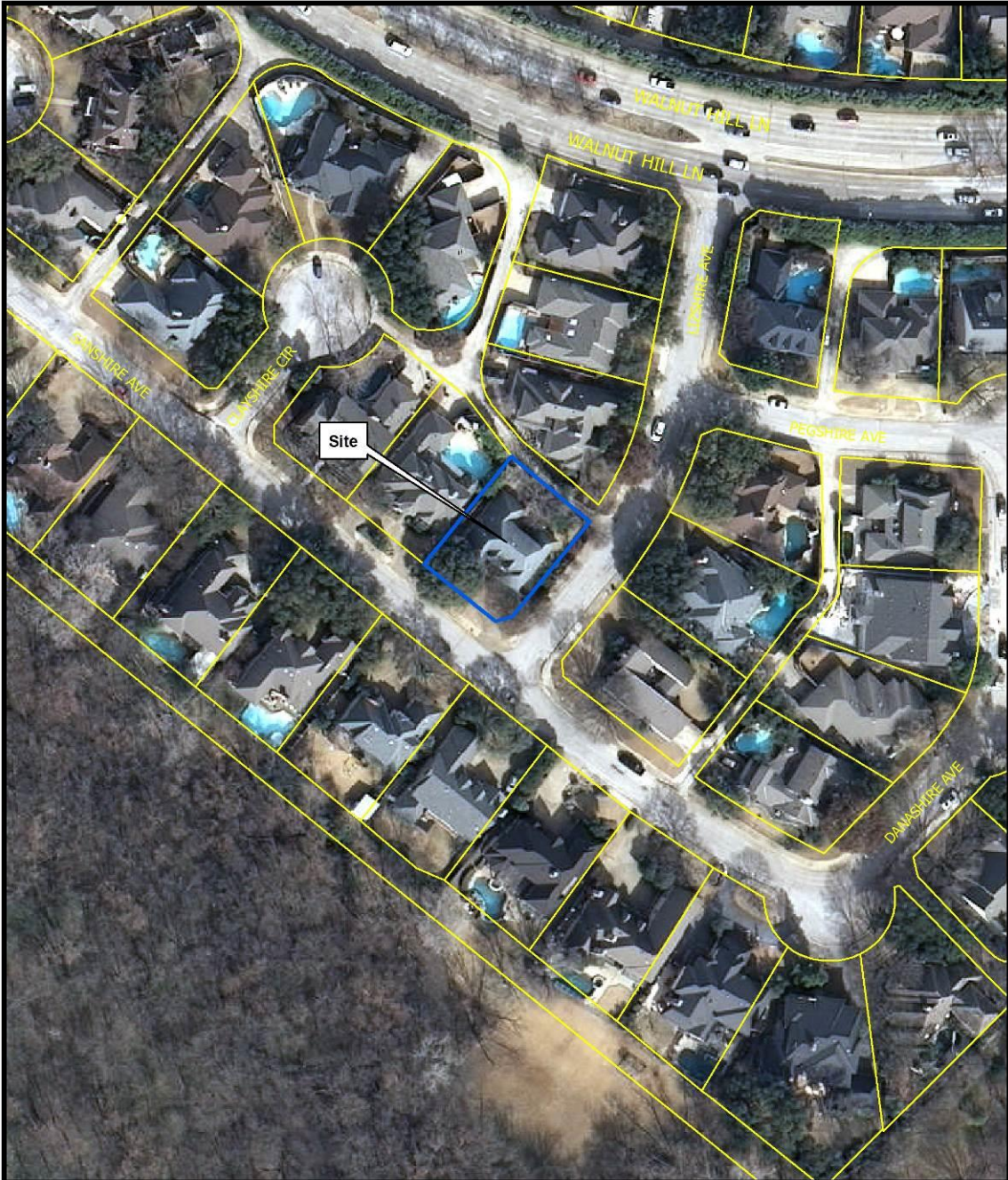


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ZONING MAP

Case no: BDA134-054

Date: 5/20/2014



1:1,200

AERIAL MAP

Case no: BDA134-054

Date: 5/20/2014

Stephen and Tina Duncan
Case No: BDA 134-054

11 June 2014

Stephen & Tina Duncan
8809 Sanshire Ave
Dallas, Tx 75231

Application for Special Exception to Fence Height Regulations
BDA 134-054

To whom it may concern:

We are requesting a special exception for our residential fence height of 4'-6". We purchased our home October, 2013 with an existing 8'-6" high wooden fence. To our knowledge, the fence was constructed in 1999. Due to its current condition, we hired a contractor to replace the fence in the same location and at the same height. After attempting to receive a permit to begin construction, our contractor informed us of the height restriction. It was at this time that we contacted the City of Dallas (Todd Duerksen) to determine the proper course of action.

Please see the attached petition signed by our neighbors stating that the new fence will not adversely affect them or the surrounding area.

We appreciate your time and attention to the matter.

Sincerely,
Stephen Duncan

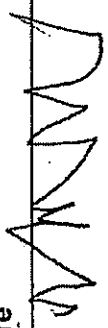
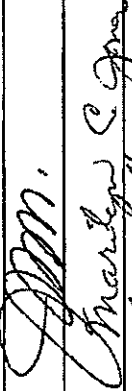
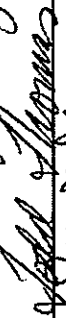










attachment

Neighborhood Petition for fence height special exception - 8809 Sanshire Ave

There is a zoning ordinance in our neighborhood that calls for no structure higher than 4'-0" within 25' of the building line in the front yard. Because our home is on a corner lot, the city considers both the front and side yard to be the 'front yard'. Our current fence is 8'-6" high and we would like to replace it at the same height in the same location. This would not adversely affect the health, safety or welfare of our neighbors, any of the neighboring properties or the existing aesthetics. The existing shrubberies and foliage would remain mostly intact.

We, the neighbors of 8809 Sanshire Ave, agree that the above aforementioned statement is correct

Name	Address	Phone #	Signature
CHRIS JONES	7309 LIZSHIRE AVE.	314-825-3432	
Marilyn Jones	7309 Lizshire Ave	314-402-3523	
Todd Thomas	7310 Lizshire Ave	214-221-2160	
SIRKKA WUAKKER	7306 LIZSHIRE	214-391-6506	
Rei-Kan Ripoe	8818 SANSHIRE	214-349-2878	
Chris Holm	8810 Sanshire Ave	214-878-4455	
Mawee Holm	8810 Sanshire Ave	214-448-4490	
ED BRATTON	7315 DANASHIRE	214-767-4773	
Judy Keierleber	7305 Clanshire Circle	214-341-5842	
Stacey Oger	7302 Debshire Cir.	214-202-2391	
JOHN BOOTH	7306 DeShire Cir	214-280-0440	



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-054

Data Relative to Subject Property:

Date: 4-18-14

Location address: 8809 SANSHIRE AVE Zoning District: R-7.5(A)

Lot No.: 15 Block No.: 8/8134 Acreage: .187 Census Tract: 78.12

Street Frontage (in Feet): 1) 76 2) 124 3) _____ 4) _____ 5) _____

NEAC

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): STEPHEN P DUNCAN & TINA L DUNCAN

Applicant: STEPHEN P DUNCAN Telephone: 972-989-7688

Mailing Address: 8809 SANSHIRE AVE Zip Code: 75231

E-mail Address: snagle55@hotmail.com; tinalouiseduncan@gmail.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance _____, or Special Exception X, of 4'-6"
TO THE FENCE HEIGHT IN A FRONT YARD

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:

REBUILD WOOD FENCE IN SAME LOCATION AT SAME HEIGHT WHICH DOES NOT ADVERSELY AFFECT THE OCCUPANTS OR SURROUNDING ENVIRONMENT/OCCUPANTS. REQUESTING A SPECIAL EXCEPTION FOR ABOVE MENTIONED STRUCTURE

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

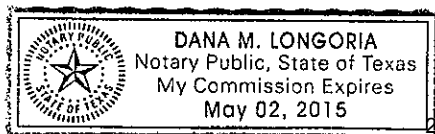
Before me the undersigned on this day personally appeared STEPHEN P DUNCAN
(Affiant/Applicant's name printed)

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: Stephen P Duncan
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 16th day of April, 2014

(Rev. 08-01-11)



Dana M. Longoria
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

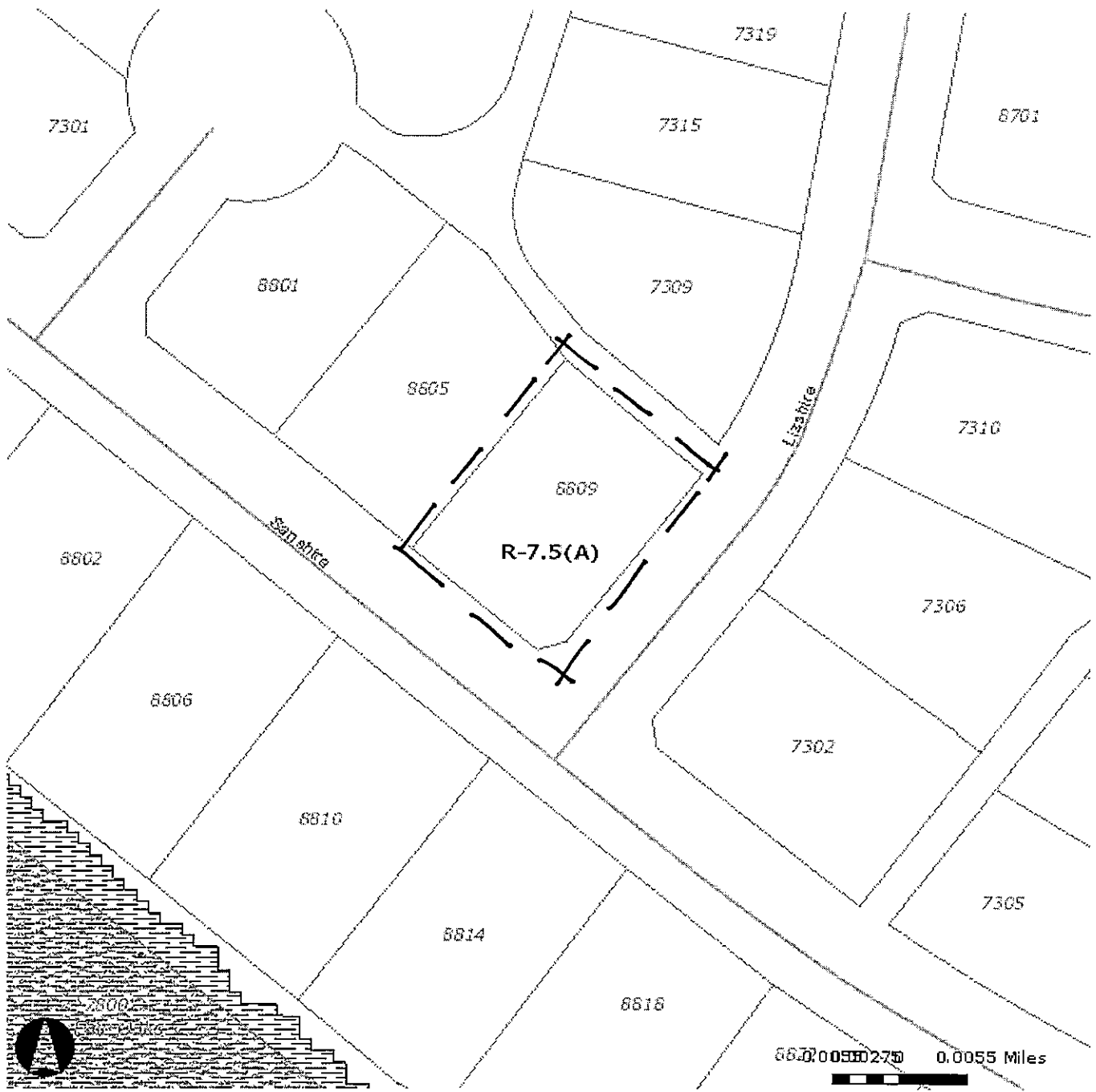
Building Official's Report

I hereby certify that Stephen P. Duncan
did submit a request for a special exception to the fence height regulations
at 8809 Sanshire Avenue

BDA134-054. Application of Stephen P. Duncan for a special exception to the fence height regulations at 8809 Sanshire Avenue. This property is more fully described as Lot 15, Block 8/8134, and is zoned R-7.5(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 8 foot 6 inch high fence in a required front yard, which will require a 4 foot 6 inch special exception to the fence regulation.

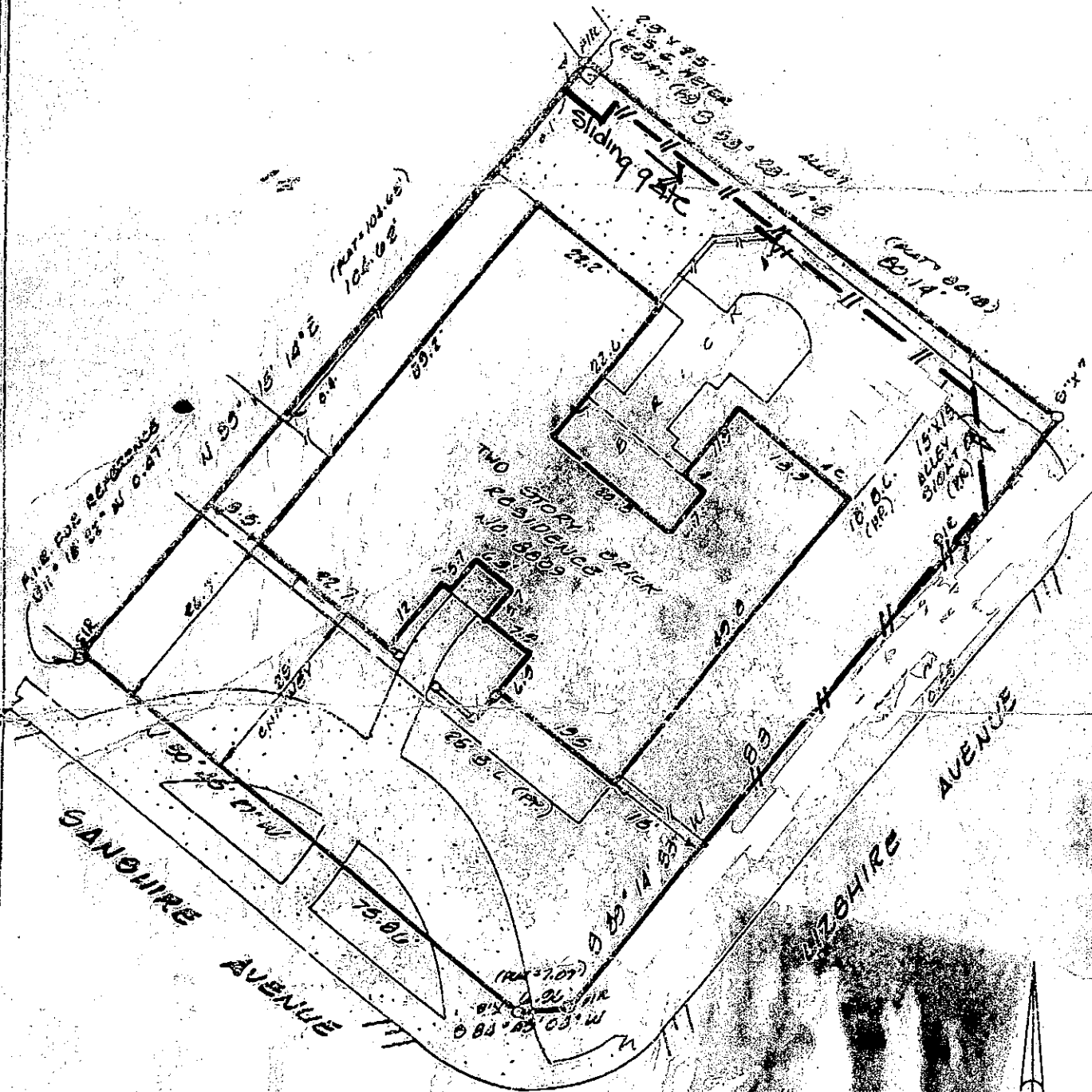
Sincerely,


Larry Holmes, Building Official



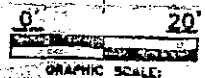
TD

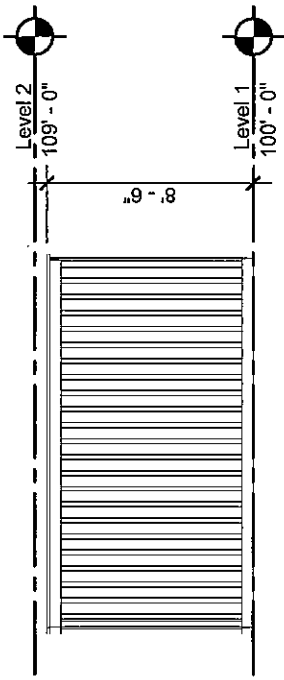
Lot 15, in Block 8/8134 of Alexander's Village, Second Installment, an Addition to the City of Dallas, Dallas County, Texas, according to the Revised Map or Plat therefor recorded in Volume 78182, Page 12, Map Records, Dallas County, Texas.



THE PROPERTY SHOWN HEREON IS SUBJECT TO THE EASEMENT RECORDED IN THE FOLLOWING:
 Volume 78236, page 1225

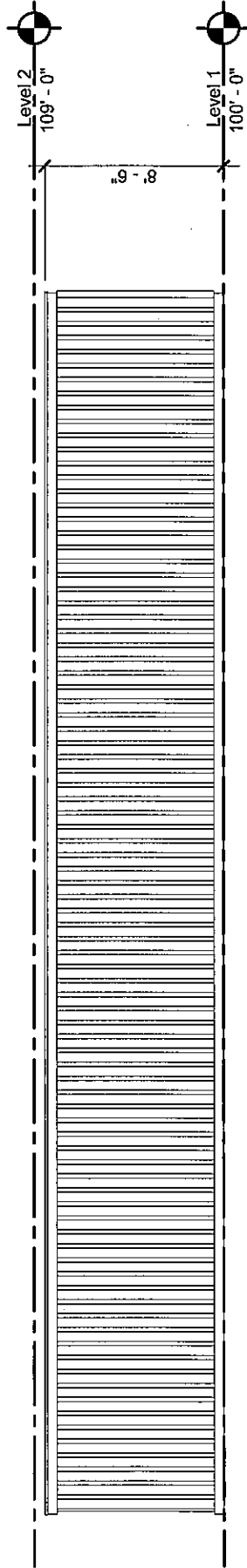
(P.P.) INDICATES THAT BUILDING LINES, EASEMENTS, R.O.W.'S, ETC. AS SHOWN HEREON ARE PER PLAT RECORDED IN:
 Volume 78182, Page 12, Map Records, Dallas County, Texas





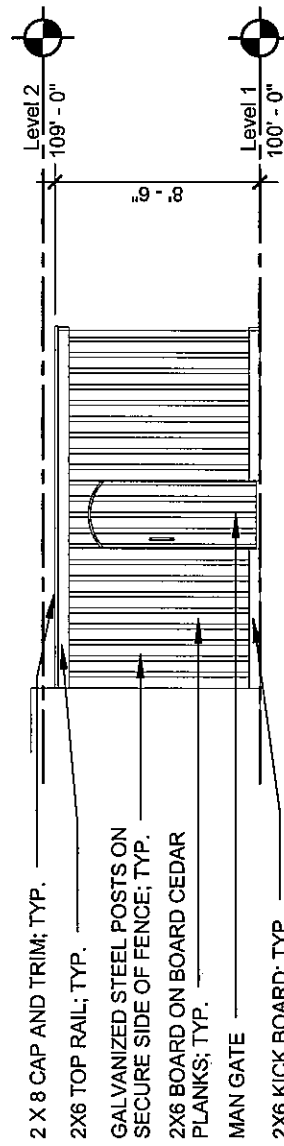
03 WEST ELEVATION

1/8" = 1'-0"



02 NORTHWEST ELEVATION

1/8" = 1'-0"

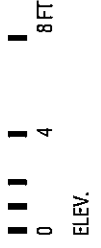


- 2 X 8 CAP AND TRIM; TYP.
- 2X6 TOP RAIL; TYP.
- GALVANIZED STEEL POSTS ON SECURE SIDE OF FENCE; TYP.
- 2X6 BOARD ON BOARD CEDAR PLANKS; TYP.
- MAN GATE
- 2X6 KICK BOARD; TYP.

01 NORTHEAST ELEVATION

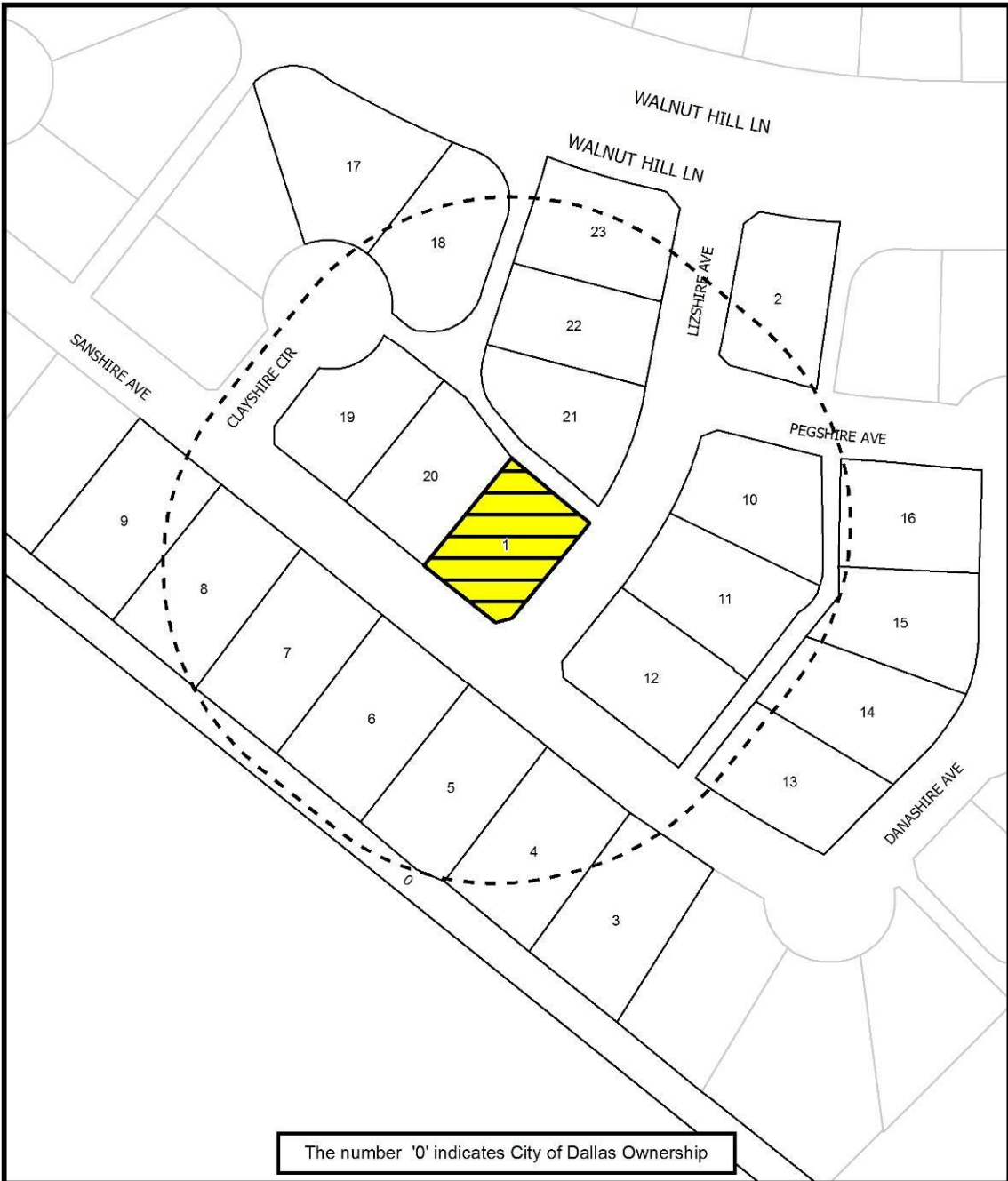
1/8" = 1'-0"

FENCE ELEVATIONS



18 APRIL 2014

8809 SANSHIRE AVE



 1:1,200	NOTIFICATION		Case no: BDA134-054
	<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;">23</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 5/20/2014

Notification List of Property Owners

BDA134-054

23 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	8809 SANSHIRE AVE	DUNCAN STEPHEN P & TINA L
2	8701 PEGSHIRE AVE	SALMON LARRY D & TRACIE L MORRISON
3	8822 SANSHIRE AVE	HELFAND THOMAS R & SALLY HELFAND
4	8818 SANSHIRE AVE	VANRIPER REID & BARBARA
5	8814 SANSHIRE AVE	FRANTZ EUGENE & MARY H
6	8810 SANSHIRE AVE	HOLM CHRISTOPHER JASON & MONICA DENISE
7	8806 SANSHIRE AVE	MCCORD HARRY J & GWENDOLYN DAWN
8	8802 SANSHIRE AVE	ANTHONY CONNIE CARPENTER
9	8730 SANSHIRE AVE	POOLE HAROLD & JOAN M
10	7310 LIZSHIRE AVE	NOBLES PATRICIA J & JAMES TODD THOMAS
11	7306 LIZSHIRE AVE	WALKER EDWARD F & SIRKKA
12	7302 LIZSHIRE AVE	HUTENSKY WILLIAM J
13	7305 DANASHIRE AVE	MINCEY JAMES M ETAL
14	7309 DANASHIRE AVE	REYNOLDS CODY M & ANDREA L
15	7315 DANASHIRE AVE	BRATTON J EDWIN & DIANNA E
16	7319 DANASHIRE AVE	NAGEL JOAN J
17	7309 CLAYSHIRE CIR	SWANSON SAM & CINDI
18	7315 CLAYSHIRE CIR	SMITH GREGORY C & ELIZABETH A
19	8801 SANSHIRE AVE	BIRDWELL WARRIE R & ELIZABETH K
20	8805 SANSHIRE AVE	HARRIS KELLY E
21	7309 LIZSHIRE AVE	SLOAN ALICE &
22	7315 LIZSHIRE AVE	STAATS GERALD R & JANET L
23	7319 LIZSHIRE AVE	HARRIS LUTHER A & ANDREA

FILE NUMBER: BDA 134-058

BUILDING OFFICIAL'S REPORT: Application of Rosario Hernandez, represented by Elias Rodriguez of Construction Concepts, for a special exception to the side yard setback regulations for a carport at 554 Elwayne Avenue. This property is more fully described as Lot 18, Block 6250, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct/maintain a carport and provide a 1 foot 6 inch setback, which will require a 3 foot 6 inch special exception to the side yard setback regulations.

LOCATION: 554 Elwayne Avenue

APPLICANT: Rosario Hernandez
Represented by Elias Rodriguez of Construction Concepts

REQUEST:

A special exception to the side yard setback regulations of 3' 6" is requested to modify and maintain an, approximately, 820 square foot carport attached to a single-family home, part of which is proposed to be located in the site's southern 5' side yard setback.

STANDARD FOR A SPECIAL EXCEPTION TO ALLOW A CARPORT IN THE SIDE YARD:

The Board of Adjustment may grant a special exception to the minimum side yard requirements to allow a carport for a single-family or duplex use when, in the opinion of the Board, the carport will not have a detrimental impact on surrounding properties. In determining whether to grant a special exception, the Board shall consider the following:

- (1) Whether the requested special exception is compatible with the character of the neighborhood.
- (2) Whether the value of surrounding properties will be adversely affected.
- (3) The suitability of the size and location of the carport.
- (4) The materials to be used in construction of the carport.

(Storage of items other than motor vehicles is prohibited in a carport for which a special exception is granted in this section of the Code).

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the side yard setback regulations since the basis for this type of appeal is when in the opinion of the board, the carport will not have a detrimental impact on surrounding properties.

BACKGROUND INFORMATION:

Zoning:

<u>Site:</u>	R-7.5(A) (Single family district 7,500 square feet)
<u>North:</u>	R-7.5(A) (Single family district 7,500 square feet)
<u>South:</u>	R-7.5(A) (Single family district 7,500 square feet)
<u>East:</u>	R-7.5(A) (Single family district 7,500 square feet)
<u>West:</u>	R-7.5(A) (Single family district 7,500 square feet)

Land Use:

The subject site is developed with a single family home. The area 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.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on modifying and maintaining an approximately 820 square foot carport attached to a single-family home, part of which is located in the site's southern 5' side yard setback.
- A 5' side yard setback is required in the R-7.5(A) zoning district.
- The applicant has submitted a revised site plan and an elevation indicating the location of the carport 1' 6" away from the site's southern side property line.
- The following information was gleaned from the submitted revised site plan:
 - The carport is represented to be 60' in length and 13' 8" in width (approximately 820 square feet in total area) of which approximately 180 square feet (or approximately 22 percent) would be located in the southern side yard setback.
- The following information was gleaned from the submitted elevation:
 - The carport is represented to be approximately 12' in height with 8 x 8 columns and 'composition roofing.'
- The subject site is approximately 150' x 50' (or 7,500 square feet) in area.
- The Board Administrator conducted a field visit of the area approximately 500 feet north and south of the subject site and noted no other carports that appeared to be located in a side yard setback.
- As of June 16, 2014, no letters had been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing the following:
 - that granting this special exception to the side yard setback regulations of 3' 6" will not have a detrimental impact on surrounding properties.

- Granting this request and imposing the following conditions would require the carport to be modified/maintained in the location and of the heights and materials as shown on these documents:
 1. Compliance with the submitted revised site plan and elevation is required.
 2. The carport structure must remain open at all times.
 3. No lot-to-lot drainage is permitted in conjunction with this carport special exception.
 4. All applicable building permits must be obtained.
 5. No item (other than a motor vehicle) may be stored in the carport.

Timeline:

April 24, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

May 19, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

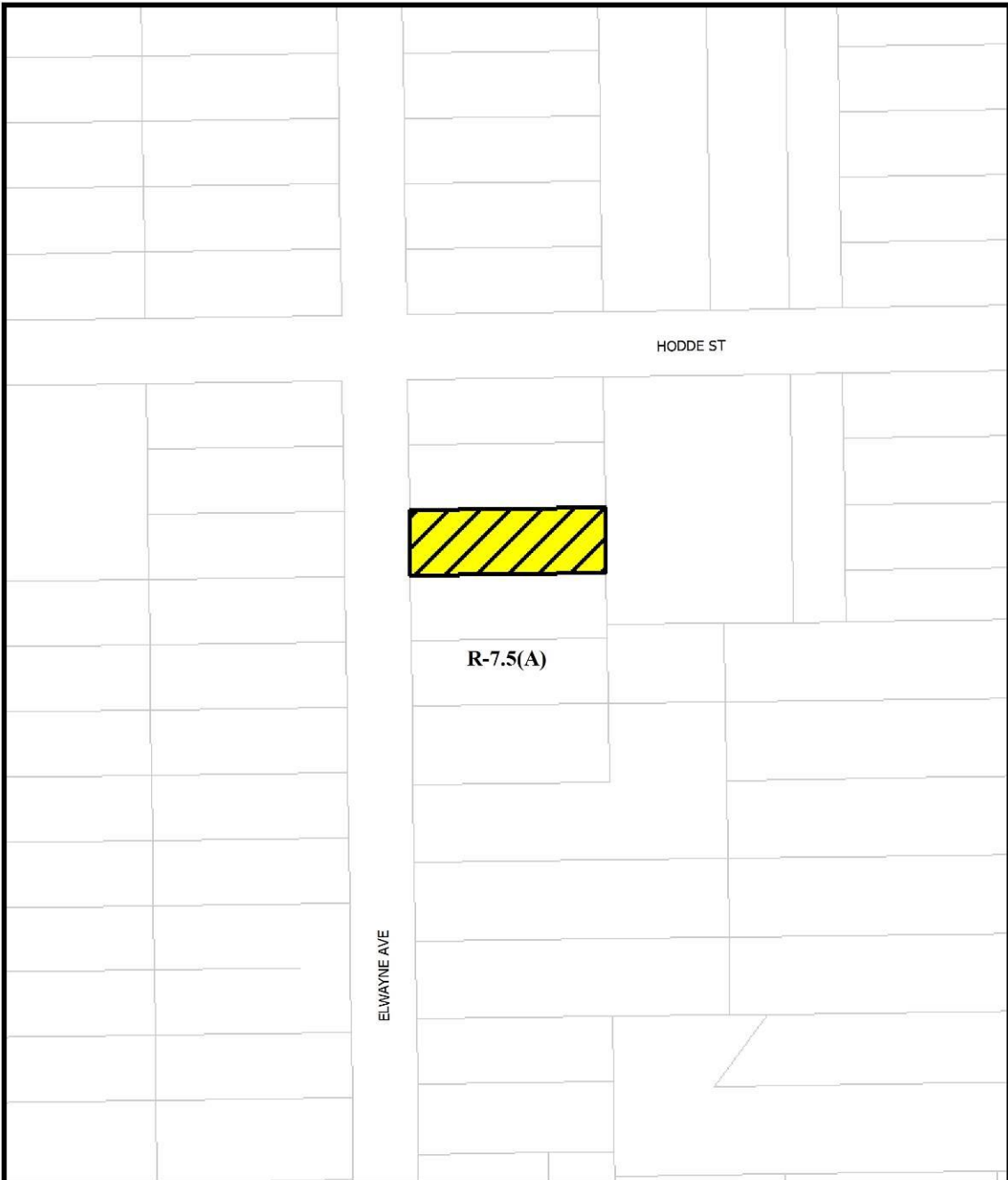
May 20, 2014: The Board Administrator shared the following information via email:

- an attachment that provided the public hearing date and panel that will consider the application; the May 28th deadline to submit additional evidence for staff to factor into their analysis; and the June 13th 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.”

June 10, 2014: The Building Inspection Senior Plans Examiner/Development Code Specialist submitted a revised site plan prepared by the applicant to the Board Administrator (see Attachment A).

June 10, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

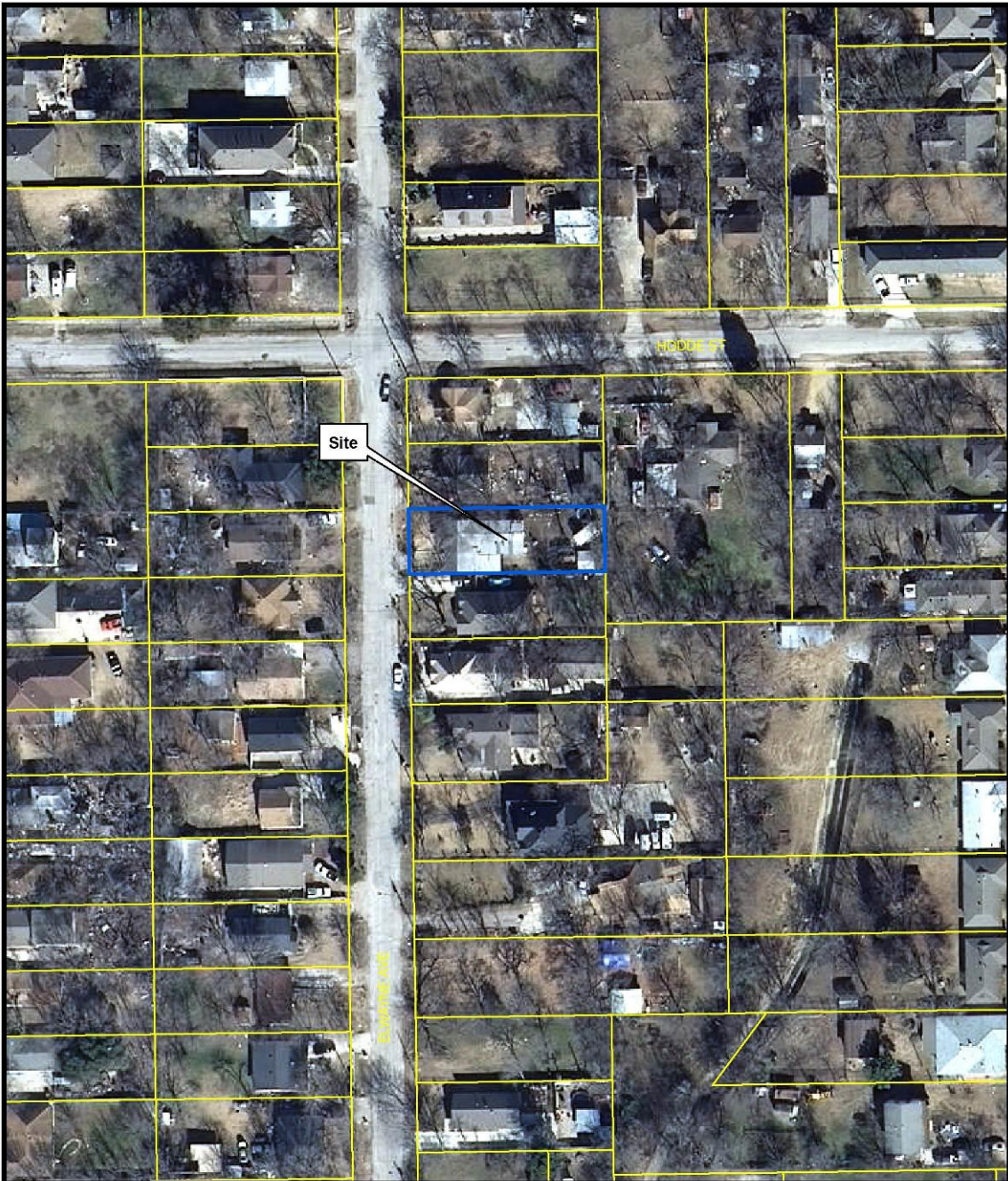


1:1,200

ZONING MAP

Case no: BDA134-058

Date: 5/20/2014



1:1,200

AERIAL MAP

Case no: BDA134-058

Date: 5/20/2014

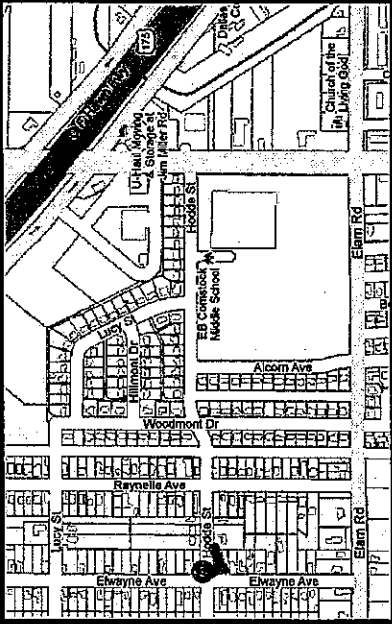
CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL. (214) 946-4300
 FAX. (214) 948-9544

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBSTANTIALLY BUILD THIS STRUCTURE. THESE PLANS MUST BE REVIEWED BY A REGISTERED PROFESSIONAL ENGINEER BEFORE CONSTRUCTION OF ANY PART OF THESE PLANS. CONTRACTORS SHALL VERIFY THE ACCURACY AND SHALL STOP WORK IF ANY DISCREPANCY OR CONFLICT IS FOUND. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTING AGENCIES. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTING AGENCIES. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTING AGENCIES. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTING AGENCIES.

Project Name & Address
 554 ELWAYNE AVE
 DALLAS, TX
 75217

Project Sheet
 SITE
 Date 4/24/14
 Scale 1"=20'
 Drawn By LA

BDA 134-058
 Attach A



VICINITY MAP
 for reference only

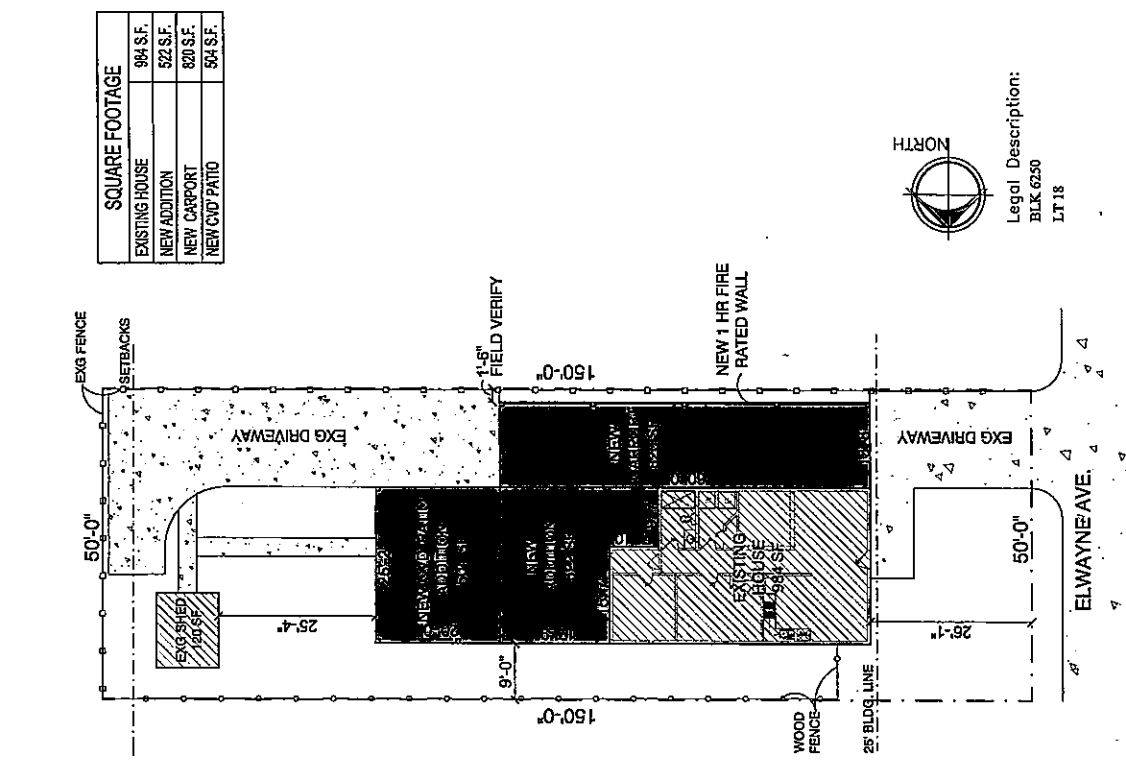
SQUARE FOOTAGE	
EXISTING HOUSE	984 S.F.
NEW ADDITION	522 S.F.
NEW CARPORT	820 S.F.
NEW CUDT PATIO	504 S.F.

- GENERAL NOTES**
1. THE CONTRACTOR SHALL CORROBORATE THE FOUNDATION PLAN WITH ARCHITECTURAL DRAWINGS FOR OPENINGS, DROPS, RISERS, AND RELATED ITEMS. CONTRACTOR SHALL ALSO VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE CONCRETE IS PLACED.
 2. THE CONTRACTOR SHALL VERIFY, PRIOR TO CONSTRUCTION, THAT THE NEW CONSTRUCTION WILL NOT CONFLICT WITH EXISTING FOUNDATION, FOOTINGS, OR OTHER STRUCTURES. CONTRACTOR SHALL VERIFY THE ACCURACY AND SHALL STOP WORK IF ANY DISCREPANCY OR CONFLICT IS FOUND.
 3. TYPICAL BEAMS AND NOTES SHALL APPLY UNLESS SPECIFICALLY SHOWN OR NOTED OTHERWISE. CONSTRUCTION SHALL NOT BE FULLY SHOWN OR NOTED SHALL BE SMALLER TO DETAILS SHOWN FOR SIMILAR CONDITIONS.
 4. DUE TO THE NATURE OF CONSTRUCTION, IT IS IMPRACTICAL TO SPECIFY OR SHOW EXACT BEAM IF A CONDITION IS NOT SHOWN. A SIMILAR DETAIL OR THE CURRENT RULES OF GOOD CONSTRUCTION PRACTICES SHALL BE FOLLOWED.
 5. SITE GRADING AND DRAINAGE AROUND THE FOUNDATION SHALL BE MAINTAINED AT ALL TIMES IN SUCH A MANNER THAT SURFACE OR GROUND WATER WILL NOT COLLECT UNDER OR ADJACENT TO THE SLAB. WASTEWATER CONTENT SHOULD BE KEPT CONSISTENT AND PROPER DRAINAGE AWAY FROM SLAB IS REQUIRED.
 6. DRAINAGE/RETENTION: THE FINAL GRADE AROUND THE FOUNDATION SHALL BE 6" BELOW THE TOP OF THE FOUNDATION AND SLOPE AWAY FROM THE FOUNDATION A MINIMUM OF 3" IN 5'-0".
 7. AT OWNERS' / CONTRACTORS' OPTION, BRICK LEDGE MAY BE INCLUDED OR OMITTED AT EXTERIOR DOOR OPENINGS.
 8. MINIMUM EMBEDMENT DEPTH OF THE BEAMS SHALL BE NO LESS THAN 18 INCHES.

- CONSTRUCTION**
1. ALL BEAMS BOTTOMS MUST BE FOUNDED A MINIMUM OF 12" INTO UNDISTURBED SMA OR PROPERLY COMPACTED FILL.
 2. BEAM BOTTOMS MAY BE SLOPED OR STEPPED TO MEET THE REQUIREMENTS. BEAM SIZES SHOWN MUST BE REVISIONS WITHOUT WRITTEN APPROVAL OF THE ENGINEER. BEAM DEPTHS MAY BE INCREASED UP TO 34 IN. TO MEET THIS REQUIREMENT WITHOUT ADDITIONAL REINFORCEMENT. UPON COMPLETION OF FINAL GRADING, ALL BEAMS SHALL HAVE 6"-12" DUMPED ABOVE GRADE. BEAM BOTTOMS SHALL BE CLEAN AND FREE OF ANY LOOSE MATERIAL.
 3. BRICK CONTROL JOINTS SHALL BE PLACED AT 20'-30" ON CENTER FOR WALL OVER 40'-0" IN LENGTH.
 4. VERIFY ALL DIMENSIONS WITH ARCHITECT.

- DETAILS**
1. ALL REINFORCING BARS SHALL BE GRADE 60 AND CONFORM TO ASTM A615-60.
 2. BARS SHALL BE CLEAN AND SUPPORTED ON CHIPS AND TED AT ALL INTERSECTIONS TO PREVENT VERTICAL AND HORIZONTAL MOVEMENT DURING CONCRETE PLACEMENT. USE 4 FT. MAXIMUM SUPPORT CENTERS ALONG BAR, LAP BARS A MINIMUM OF 18". PROVIDE CORNER BARS AT EACH OUTSIDE CORNER AS SHOWN ON PLAN. STRIPPS AND TIES SHALL HAVE 4 INCH. HOOK.
 3. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH, F_C OF 3,000 P.S.I. AT 28 DAYS. MAXIMUM SLUMP SHALL BE 5" WITH EX. AIR. ALL CONCRETE SHALL BE PLACED IN ACCORDANCE WITH APPLICABLE ACI STANDARDS.
 4. MAINTAIN CONCRETE PROTECTION FOR REINFORCEMENT.
 5. PROVIDE CORNER BARS AT ALL EXTERIOR CORNERS AND ALL DISCONTINUOUS ENDS OF BEAMS.

6-10-14



Legal Description:
 BLK 6250
 LT 18



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-058

Data Relative to Subject Property:

Date: 4-24-14

Location address: 554 Elwayne Ave Zoning District: R-7.5(A)

Lot No.: 18 Block No.: 6250 Acreage: .176 Census Tract: 93.03

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

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): J. Rosario Hernandez and Saida Hernandez

Applicant: Rosario Hernandez Telephone: 214-716-9994

Mailing Address: 554 Elwayne Ave Zip Code: 75217

E-mail Address: _____

Represented by: Construction Concepts Inc (Elias Rodriguez) Telephone: (214) 946-4300

Mailing Address: 317 E Jefferson Blvd. Zip Code: 75203

E-mail Address: energyinspector@yahoo.com

Affirm that an appeal has been made for a Variance _____, or Special Exception , of 3-6" encroachment to an existing 5' sideyard setback for a carport.

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:

error in contractor measurements and structure is already constructed.

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 Rosario Hernandez (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: Rosario Hernandez (Affiant/Applicant's signature)

Subscribed and sworn to before me this 24th day of April, 2014

(Rev. 08-01-11) KARLA VIOLETA CALDERON Notary Public, State of Texas My Commission Expires April 22, 2017

Calvin K 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

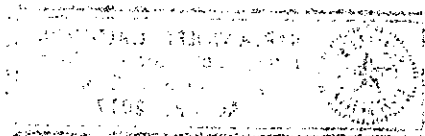
Building Official's Report

I hereby certify that Rosario Hernandez
represented by Elias Rodriguez
did submit a request for a special exception to the side yard setback regulations
at 554 Elwayne Avenue

BDA134-058. Application of Rosario Hernandez represented by Elias Rodriguez for a special exception to the side yard setback regulations at 554 Elwayne Avenue. This property is more fully described as Lot 18, Block 6250, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and maintain a carport for a single family residential dwelling in a side yard and provide a 1 foot 6 inch setback, which will require a 3 foot 6 inch special exception to the side yard setback regulation.

Sincerely,


Larry Holmes, Building Official



618	619	616			
	613	612			615
608	609	610	6617	6621	6627
	605	604			611
	601	600			607
					603

Hodde

		562			563
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	527				

JN

Elwayne

8252
6252

South

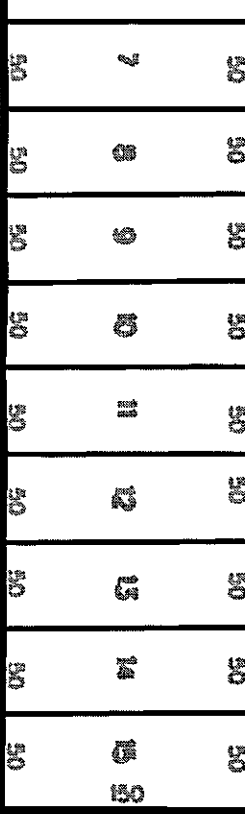
400
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30

27

250

N.0°04'W

400



600

3251
6251

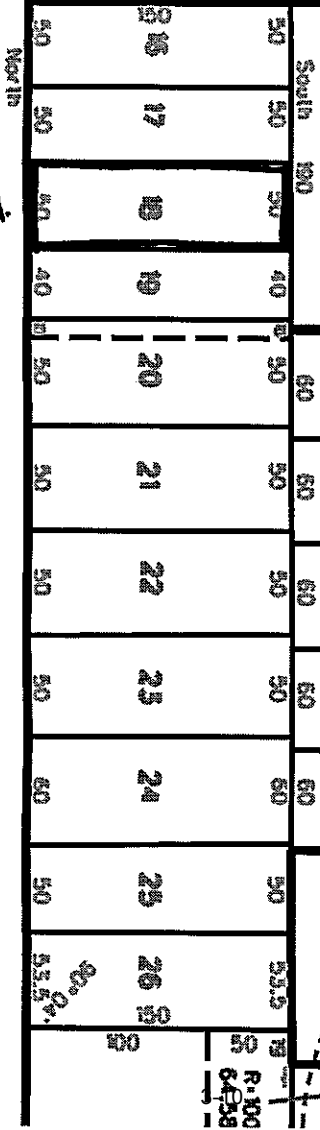
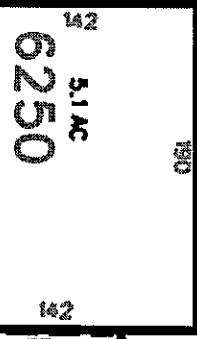
ADDITION

6500

HODDE ST.

6600

6252



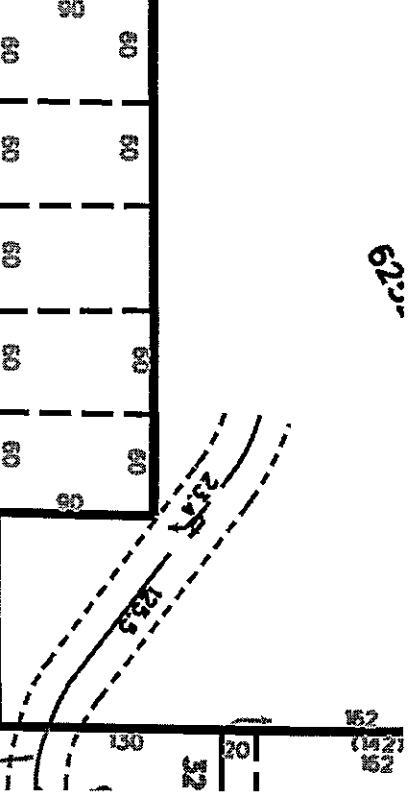
North

500

ADDITION

6251
6251

ADDITION



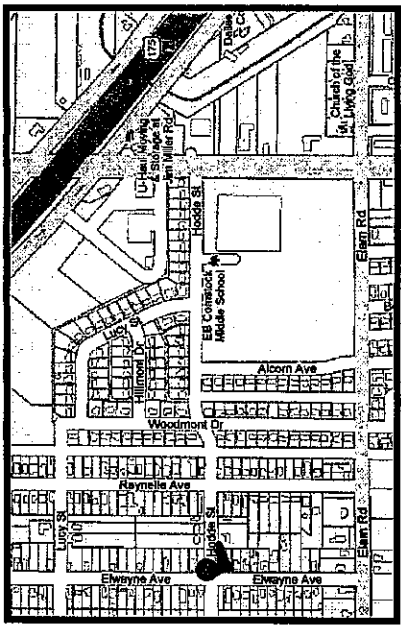
CONSTRUCTION CONCEPTS, INC.
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 317 E. JEFFERSON BLVD.
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Project Name & Address
 554 ELWAYNE AVE
 DALLAS, TX
 75217

Project Sheet
 SITE
 Date 4/15/14
 Scale 1"=20'
 Drawn By LA

1



VICINITY MAP
 for reference only

GENERAL NOTES

- THE CONTRACTOR SHALL COORDINATE THE FOUNDATION PLAN WITH ARCHITECTURAL DRAWINGS FOR OPENINGS, ROOFS, INSERTS AND RELATED ITEMS. CONTRACTOR SHALL ALSO VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE CONCRETE IS PLACED.
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- MINIMUM EMBEDEDMENT DEPTH OF THE BEAMS SHALL BE NO LESS THAN 18 INCHES.

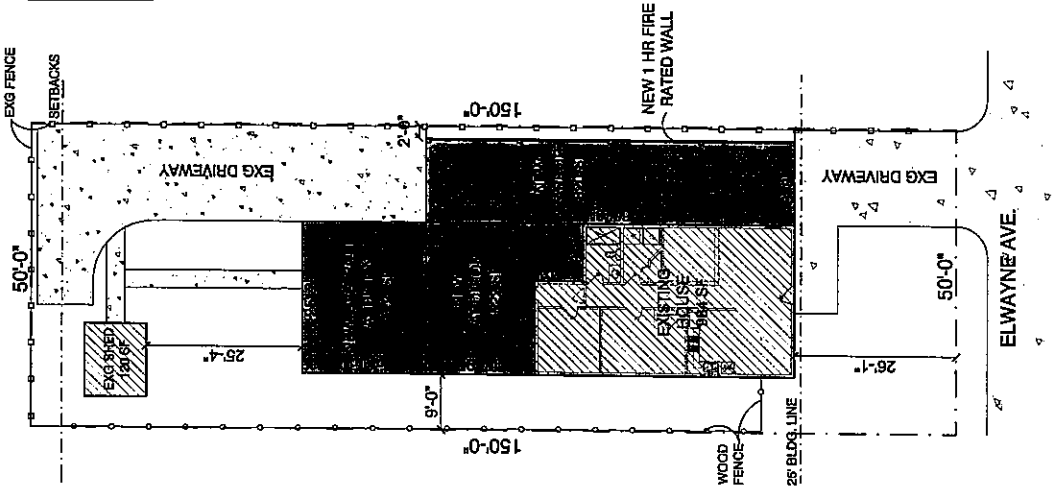
CONSTRUCTION

- ALL BEAM BOTTOMS MUST BE FOUNDED A MINIMUM OF 12" INTO UNDISTURBED SOIL OR PROPERLY COMPACTED FILL.
- BEAM BOTTOMS MAY BE SLOPED OR STEPPED TO MEET THIS REQUIREMENT. BEAM SIZES SHOWN NOT BE DECREASED WITHOUT WRITTEN APPROVAL OF THE ENGINEER. BEAM DEPTHS MAY BE INCREASED UP TO 24 IN. TO MEET THIS REQUIREMENT WITHOUT ADDITIONAL REINFORCING. UPON COMPLETION OF FRAME GRADING, ALL BEAMS SHALL HAVE 6"-12" EXPOSED ABOVE GRADE. BEAM ENDINGS SHALL BE CLEAN AND FREE OF ANY LOOSE MATERIAL.
- BRICK CONTROL JOINTS SHALL BE PLACED AT 20'-30' ON CENTER FOR WALL OVER 40'-0" IN LENGTH.
- VERIFY ALL DIMENSIONS WITH ARCHITECT.

REBAR

- ALL REINFORCING BARS SHALL BE GRADE 60 AND CONFORM TO A.S.T.M. A615-60
- BARS SHALL BE CLEAN AND SUPPORTED ON CHAIRS AND TIE AT ALL INTERSECTIONS TO PREVENT VERTICAL AND HORIZONTAL MOVEMENT DURING CONCRETE PLACEMENT. USE 4 FT. MAXIMUM SUPPORT CENTERS ALONG EACH BAR LAP AND 18" MAXIMUM SUPPORT CENTER AT CORNERS AND ENDINGS. PROVIDE CORNER BARS AT EACH OUTSIDE CORNER AS SHOWN ON PLAN. STRIPS AND TIES SHALL HAVE 4 INCH TIE.
- ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH, FC, OF 3000 P.S.I. AT 28 DAYS. MAXIMUM SLUMP, SHALL BE 8" WITH 60 OR 65 AIR. ALL CONCRETE SHALL BE PLACED IN ACCORDANCE WITH APPLICABLE A.C.I. STANDARDS.
- MINIMUM CONCRETE PROTECTION FOR REINFORCEMENT:
- PROVIDE CORNER BARS AT ALL EXTERIOR CORNERS AND ALL DISCONTINUOUS ENDS OF BEAMS.

SQUARE FOOTAGE	
EXISTING HOUSE	684 S.F.
NEW ADDITION	522 S.F.
NEW CARPORT	220 S.F.
NEW CYP/PATIO	304 S.F.



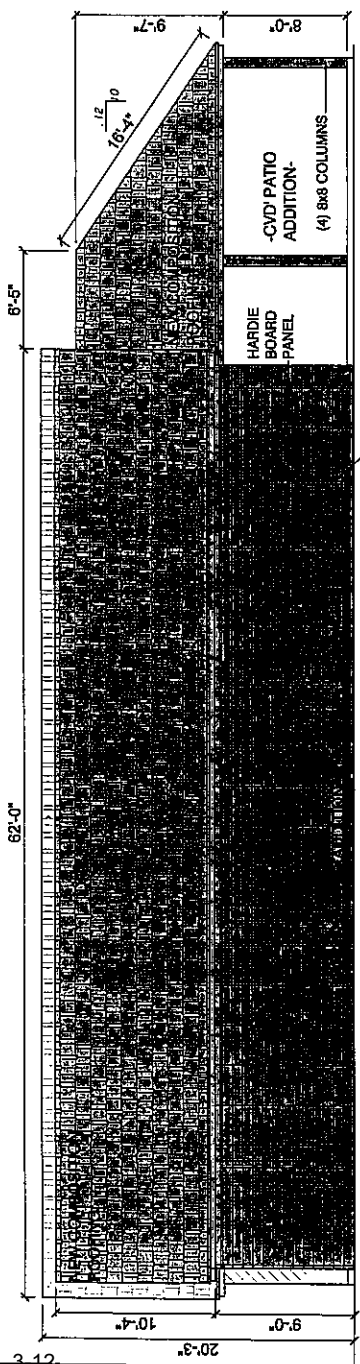
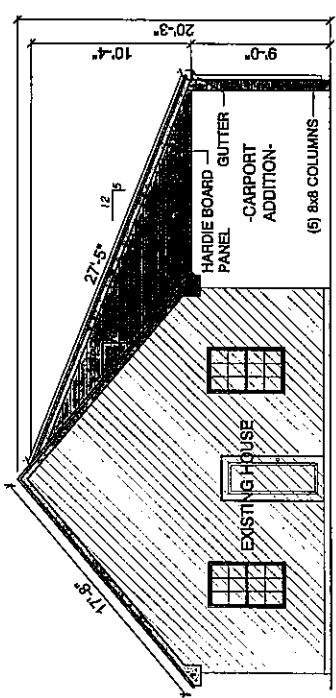
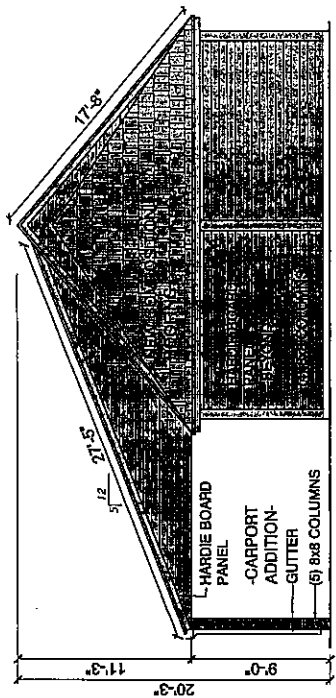
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 BLK 6230
 L7 18

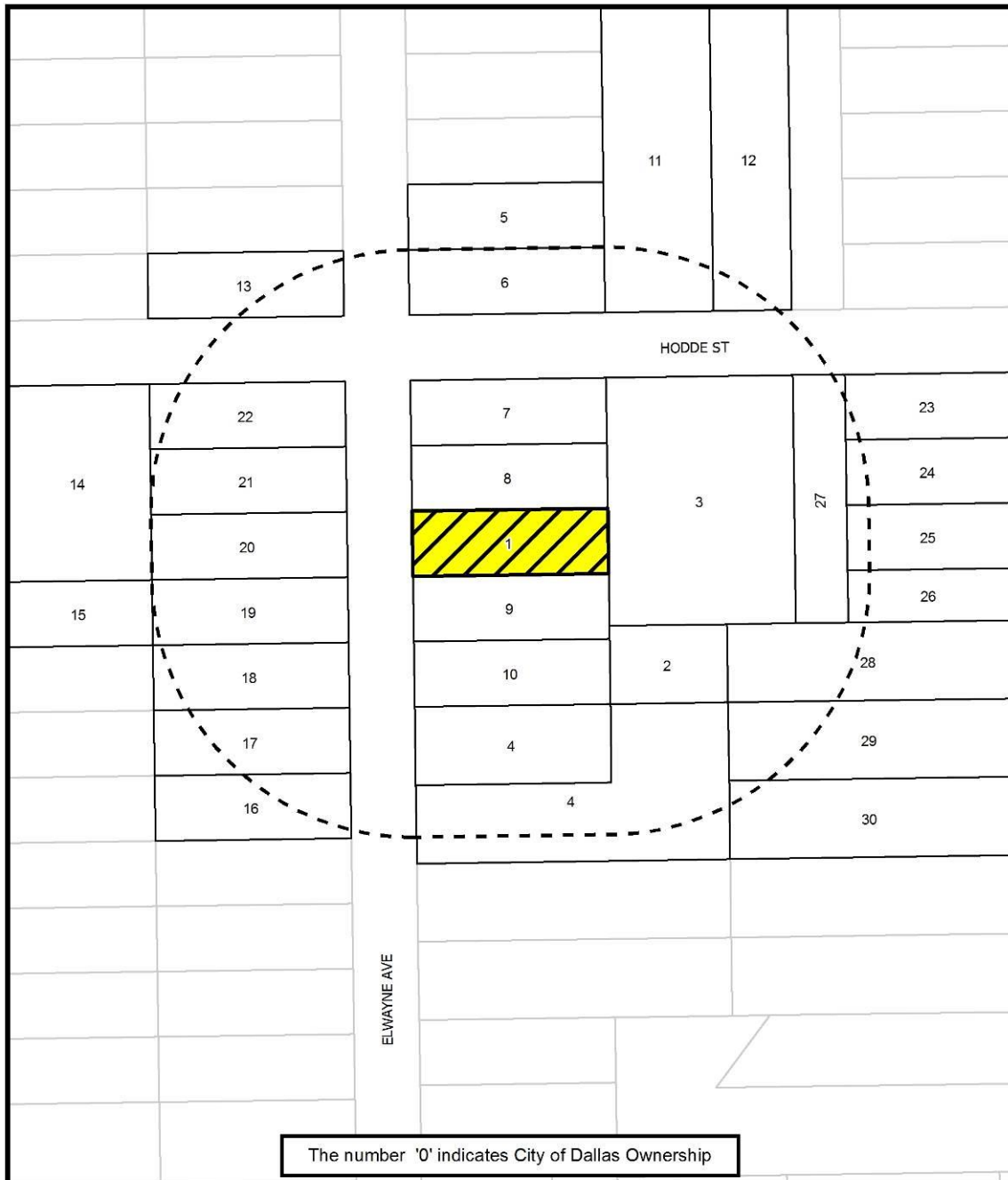
CONSTRUCTION CONCEPTS INC.
 "Planning and Designing a Better Tomorrow"
 317 E. JEFFERSON BLVD.
 DALLAS, TX. 75203
 TEL. (214) 946-4300
 FAX. (214) 946-9544

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO SUBMITTAL BUILD THIS STRUCTURE. THESE PLANS MUST BE REFERRED AND CHECKED BY THE BUILDER, HOWEVER, AND ALL CONTRACTORS OR SERVICES HAVING AND STRIVING BEFORE BEGINNING CONSTRUCTION OF ANY KIND OVER ANY PART OF THESE PLANS.
 CONCEPTS, INC. WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. OWNER/BUILDER MUST COMPLETELY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 THE PURCHASER OF THESE PLANS ENTERS THE BUYER TO CONSTRUCT THIS HOUSE ONLY ONCE. ANY COPYING, TRACING, OR ALTERING OF THESE PLANS IS NOT PERMITTED. VIOLATORS WILL BE SUBJECT TO PROSECUTION UNDER COPYRIGHT LAWS.

Project Name & Address
 554 ELWAYNE AVE
 DALLAS, TX
 75217

Project ELEVATIONS	Sheet
Date: 4/24/14	5
Scale: 1/8" = 1'-0"	
Drawn By: LA	





 1:1,200	NOTIFICATION	Case no: BDA134-058			
	<table border="1"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">30</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	30	NUMBER OF PROPERTY OWNERS NOTIFIED
200'	AREA OF NOTIFICATION				
30	NUMBER OF PROPERTY OWNERS NOTIFIED				

Notification List of Property Owners

BDA134-058

30 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	554 ELWAYNE AVE	HERNANDEZ J ROSARIO & SAIDA
2	548 ELWAYNE AVE	GREEN EUGENE
3	6618 HODDE ST	CARRASCO RODRIGO P
4	542 ELWAYNE AVE	MORALES ALEJANDRO
5	604 ELWAYNE AVE	MORENO ANTONIO
6	600 ELWAYNE AVE	CAMPOZANO ALVARO
7	562 ELWAYNE AVE	GALLEGOS GERARDO & MARIA P VARGAS
8	558 ELWAYNE AVE	JIMENEZ TRINIDAD & MARIA CLEMENTINA
9	550 ELWAYNE AVE	PENA FRANCISCO
10	546 ELWAYNE AVE	HERNANDEZ GREGORIA
11	6617 HODDE ST	CAMPOZANO ALVORO
12	6621 HODDE ST	CAMPOZANO HECTOR & DEBRA
13	601 ELWAYNE AVE	VALLES JULIA AMERICA QUINPANILLA
14	554 JONELLE AVE	NORRIS JOHN W & VIVIA A
15	550 JONELLE AVE	ESPINOZA ABELARDO &
16	539 ELWAYNE AVE	SHOJAJARI RAHMAT
17	543 ELWAYNE AVE	RODRIGUEZ ROMAN
18	547 ELWAYNE AVE	RODRIGUEZ ROMAN
19	551 ELWAYNE AVE	MOLINA SANDRA
20	555 ELWAYNE AVE	KENYON GLENN E
21	559 ELWAYNE AVE	MARTINEZ JOSE
22	563 ELWAYNE AVE	MARTINEZ JOSE
23	563 RAYENELL AVE	MILLER TERRESA
24	557 RAYENELL AVE	AGUILAR ELOISE
25	553 RAYENELL AVE	CALDERON VICTOR & SILVIA
26	549 RAYENELL AVE	CAPITAL PLUS I LTD

5/19/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	6626 HODDE ST	WILSON HAZEL KYLE EST OF
28	543 RAYENELL AVE	HERNANDEZ CRUZ EST OF
29	539 RAYENELL AVE	MOSLEY BARRETT JAMES
30	535 RAYENELL AVE	HENLEY R L

FILE NUMBER: BDA 134-063

BUILDING OFFICIAL'S REPORT: Application of Ray Bronner for a special exception to the visual obstruction regulations at 5202 Denton Drive. This property is more fully described as Lot 28, Block H/2337, and is zoned PD 193 (R-7.5), which requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to locate/maintain items in a required visibility triangle, which will require a special exception to the visual obstruction regulations

LOCATION: 5202 Denton Drive

APPLICANT: Ray Bronner

REQUEST:

A special exception to the visual obstruction regulations is requested to maintain an 8' high solid wood fence in the 20' visibility triangle on south side of the driveway into the site from Crestview Drive on a site developed with a single family home.

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.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

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

Rationale:

- The Sustainable Development and Construction Department Senior Engineer has no objections to this request.
- The applicant has substantiated how the location of the fence located in the 20' visibility triangle at the driveway into the site from Crestview Drive does not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site: PD 193 (R-7.5) (Planned Development, Single family)
North: PD 193 (R-7.5) (Planned Development, Single family)
South: PD 193 (R-7.5) (Planned Development, Single family)

East: PD 193 (R-7.5) (Planned Development, Single family)
West: PD 193 (R-7.5) (Planned Development, Single family)

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. BDA 123-018, Property at 5127 Stoneleigh Avenue (the property immediately northeast of the subject site) | On March 18, 2013, the Board of Adjustment Panel C granted requests for special exceptions to the visual obstruction regulations and imposed the submitted site plan and elevation as a condition to these requests. The case report stated that the requests were made to maintain an 8' high solid board-on-board fence and sliding gate located in the two 20' visibility triangles on either side of the driveway into the site from Crestview Drive on property developed with a single family home. |
| 2. BDA 123-023, Property at 5203 Stoneleigh Avenue (the property immediately north of the subject site) | On March 17, 2014, the Board of Adjustment Panel C granted requests for special exceptions to the visual obstruction regulations and imposed the submitted site plan and elevation as a condition to these requests. The case report stated that the requests were made to maintain an 8' high solid wood fence in the two, 20' visibility triangles on either side of the driveway into the site from Crestview Drive; and in the 20' visibility triangle at where the alley on the southwest side of the site meets Crestview Drive. |

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on maintaining an existing 8' high solid wood fence in the 20' visibility triangle on the south side of the driveway into the site from Crestview Drive on a site developed with a single family home.
- The Dallas Development Code states the following: 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).
- PD 193 defines “visibility triangle” as
 1. where a street designated on the city’s thoroughfare plan intersects another street, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 45 feet from the intersection;
 2. where two streets not designated on the city’s thoroughfare plan intersect, the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection;
 3. where an alley or driveway intersects with a street, the portion of a lot within a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and adjacent street curb line (or, if there are no street curbs, what would be the normal street curb line) and points on the driveway or alley edge and the street curb line 20 feet from the intersection.
- A site plan and elevation have been submitted indicating portions of a fence located in the 20’ visibility triangle on south side of the driveway into the site from Crestview Drive.
- The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked “Has no objections.”
- The applicant has the burden of proof in establishing how granting the request for a special exception to the visual obstruction regulations to maintain portions of an existing 8’ high solid wood fence located in the 20’ visibility triangle on the south side of the driveway into the site from Crestview Drive does not constitute a traffic hazard.
- Granting this request with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items located in the 20’ drive approach visibility triangle to that what is shown on these documents – an 8’ high solid wood fence.

Timeline:

- April 29, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- May 19, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

- May 20, 2014: The Board Administrator contacted the applicant and shared the following information via email:
- an attachment that provided the public hearing date and panel that will consider the application; the May 28th deadline to submit additional evidence for staff to factor into their analysis; and the June 13th 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."
- June 10, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.
- June 10, 2014: The Sustainable Development and Construction Department Senior Engineer submitted a review comment sheet marked "Has no objections."

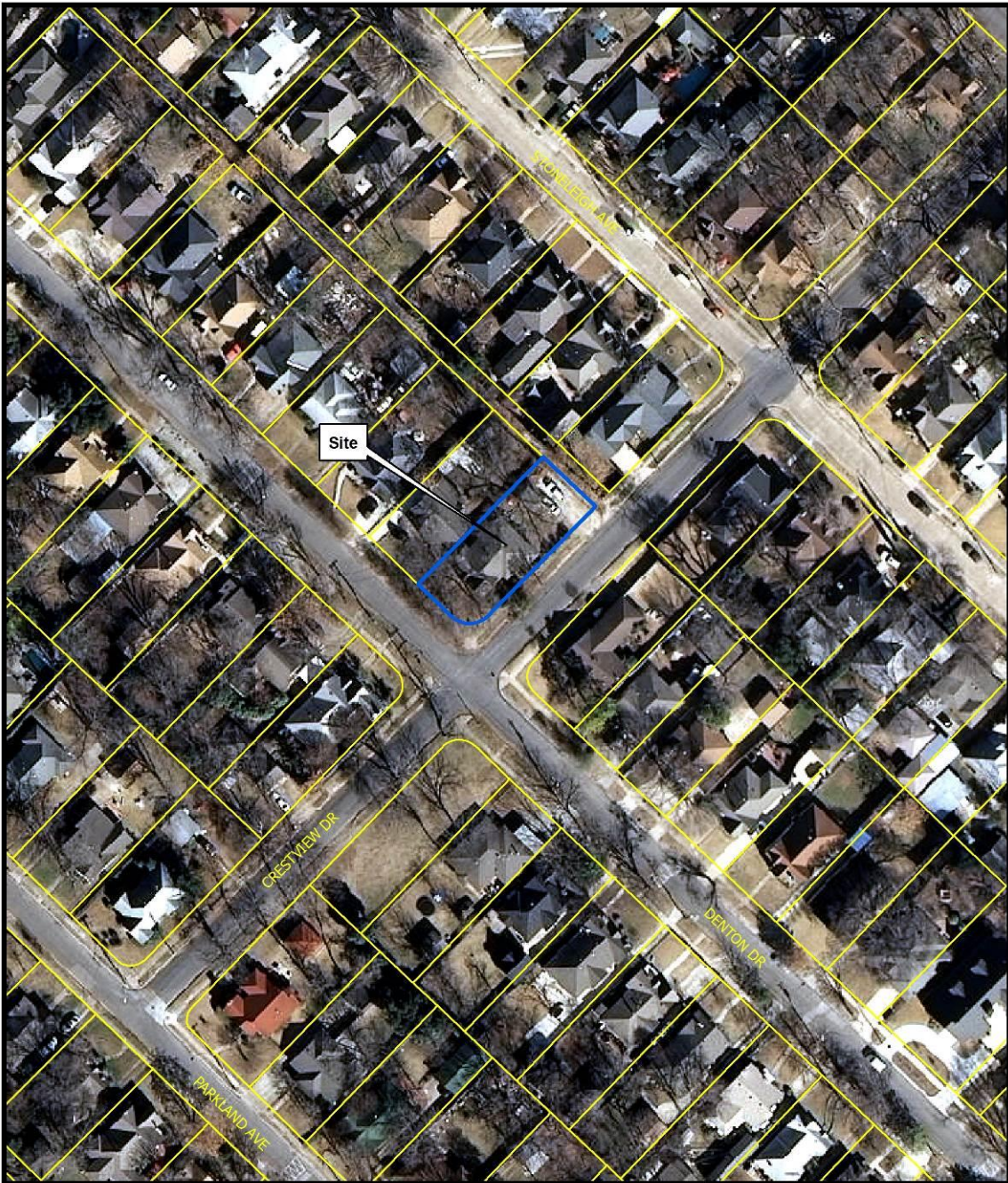


1:1,200

ZONING MAP

Case no: BDA134-063

Date: 5/20/2014



1:1,200

AERIAL MAP

Case no: BDA134-063

Date: 5/20/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-063

Data Relative to Subject Property:

Date: 4-29-14

Location address: 5202 DENTON DR 75235

Zoning District: PD193(R-7.5)

Lot No.: 28 Block No.: H/2337 Acreage: .17

Census Tract: 4.04

Street Frontage (in Feet): 1) 55 2) 140 3) 4) 5) gw22

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): RAYMONA Blonner Dennis O'Reilly

Applicant: Ray Blonner Telephone: 8176578349

Mailing Address: 5202 DENTON DR, DALLAS, TX 75235 Zip Code: 75235

E-mail Address: RMBDDO@YAHOO.COM

Represented by: Telephone:

Mailing Address: Zip Code:

E-mail Address:

Affirm that an appeal has been made for a Variance, or Special Exception, of A VISUAL TRIANGLE OBSTRUCTION AT PRIVATE DRIVE

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:

WITH ALL DUE RESPECT, THIS REQUEST SHOULD BE GRANTED BECAUSE THIS PAGES NO TRAFFIC HAZARD OR SAFETY CONCERN, THIS IS A PRIVATE DRIVEWAY VISIBLE FROM THE STREET AND ALLEY, THERE IS NO SCHOOL OR BUS STOP AND VERY LITTLE TRAFFIC.

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 Ray Blonner (Affiant/Applicant's name printed)

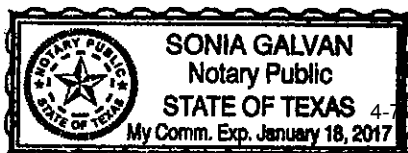
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

Respectfully submitted: Ray Blonner (Affiant/Applicant's signature)

Subscribed and sworn to before me this 29 day of April, 2014

(Rev. 08-01-11)

BDA 134-063



Sonia Galvan 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

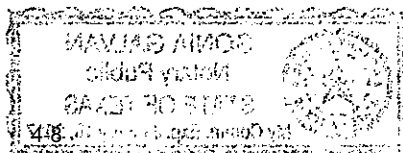
I hereby certify that Ray Bronner

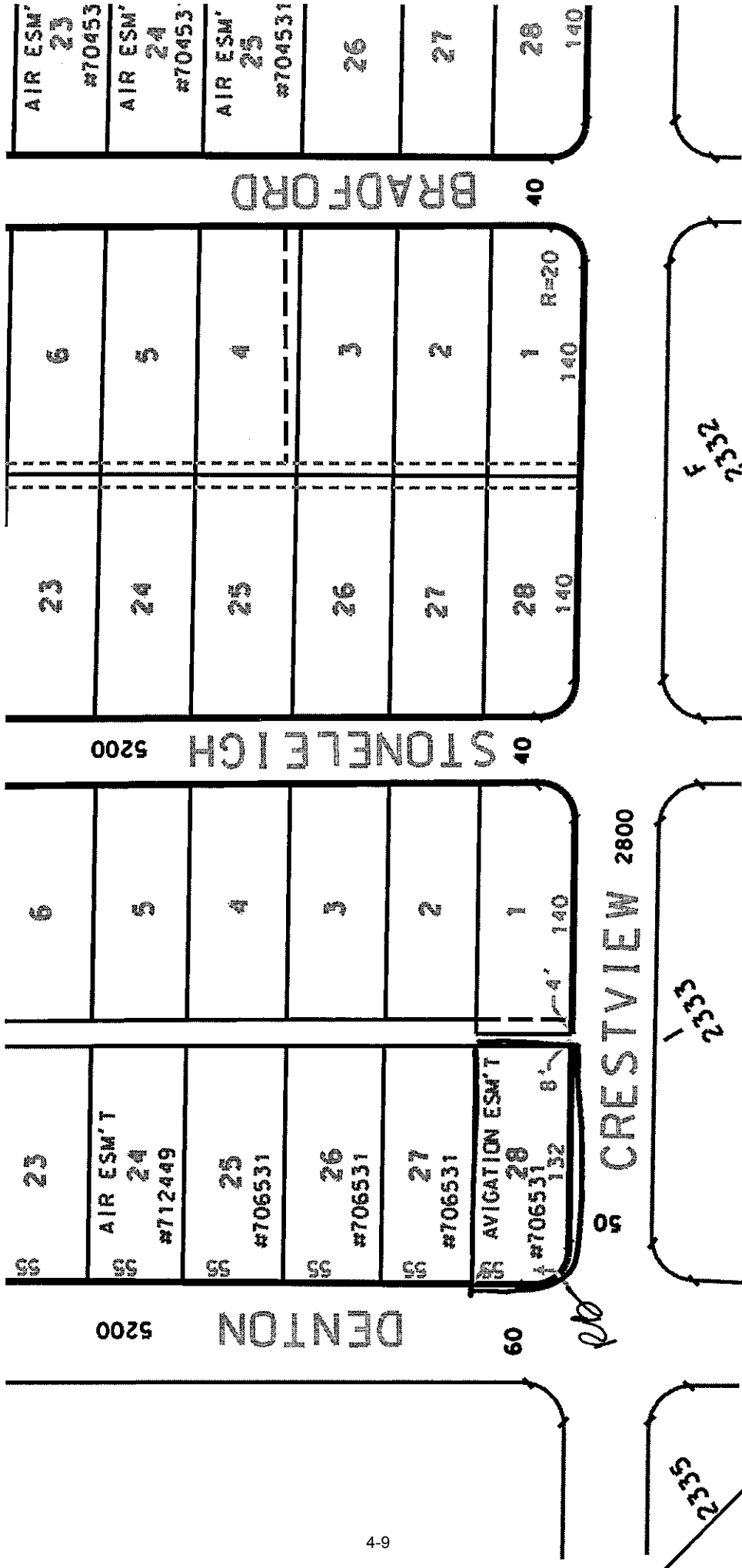
did submit a request for a special exception to the visibility obstruction regulations
at 5202 Denton Drive

BDA134-063. Application of Ray Bronner for a special exception to the visibility obstruction regulations at 5202 Denton Drive. This property is more fully described as Lot 28, Block H/2337, and is zoned PD 193 (R-7.5), which requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct and maintain a single family residential fence in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,


Larry Holmes, Building Official





2335

2333

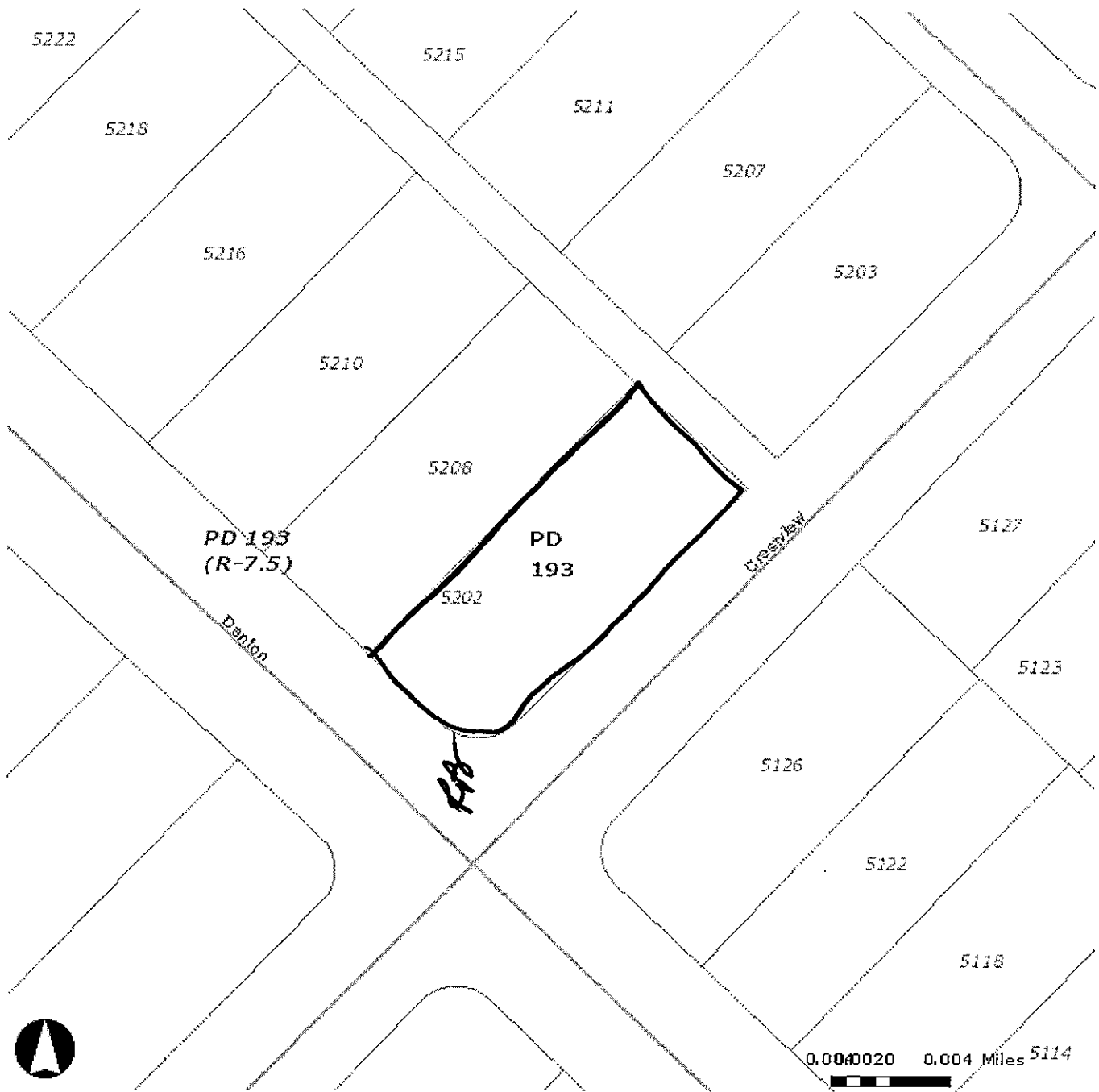
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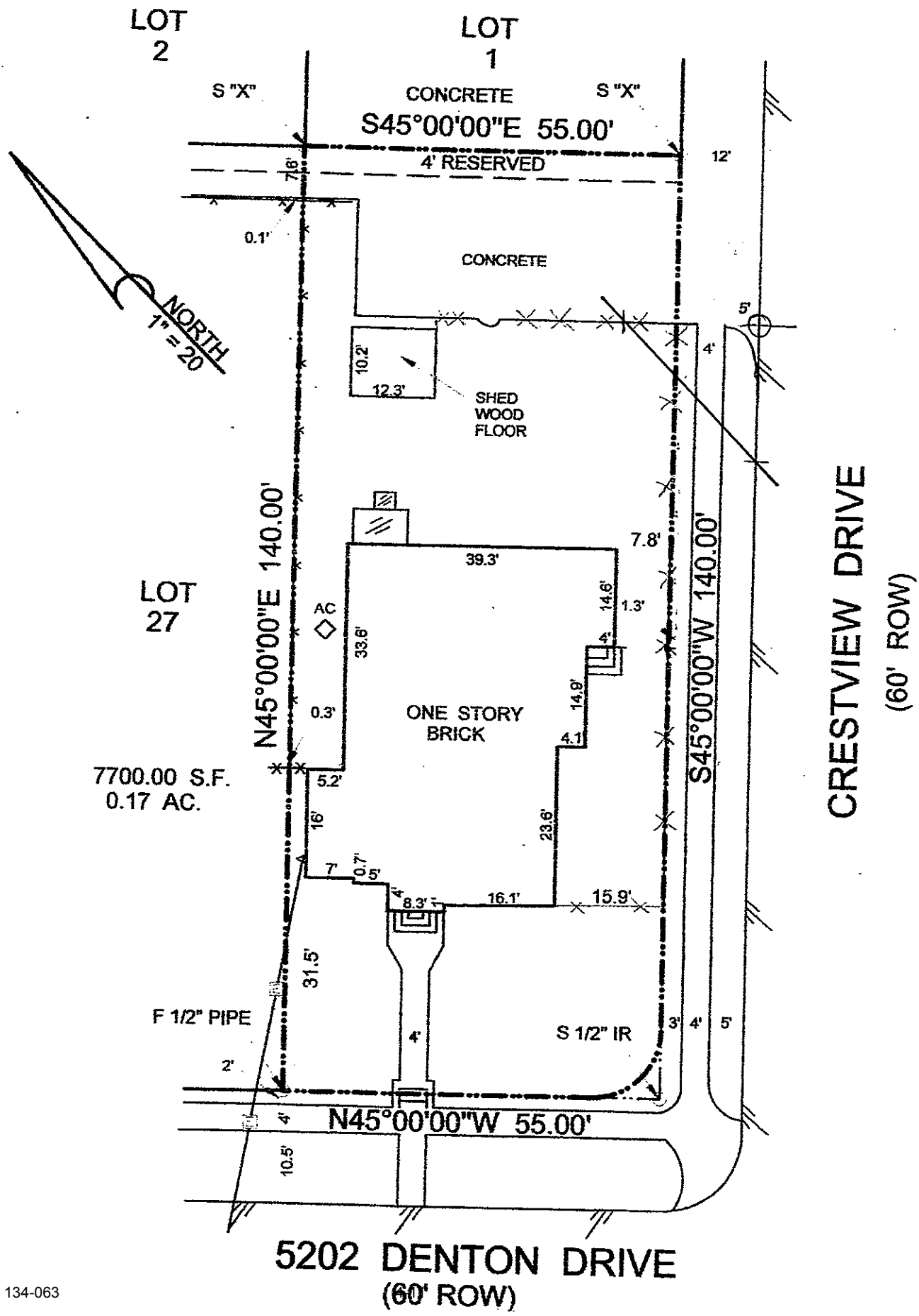
5 CRESTVIEW 2800

BRADFORD 40

STONELICH 5200 40

DENTON 5200 60





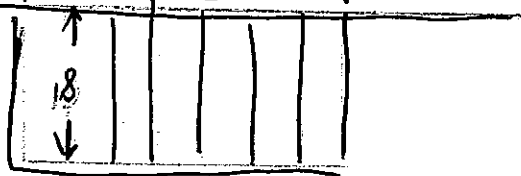
BOARD ON BOARD
PRIVACY FENCE

8' HIGH X 35' WIDE

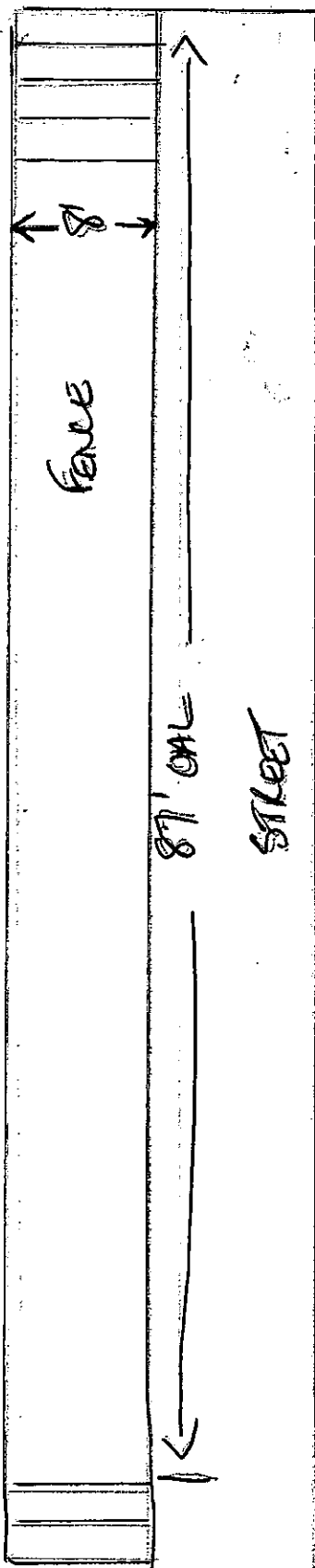
DRIVEWAY

← 35' WIDE →

8'



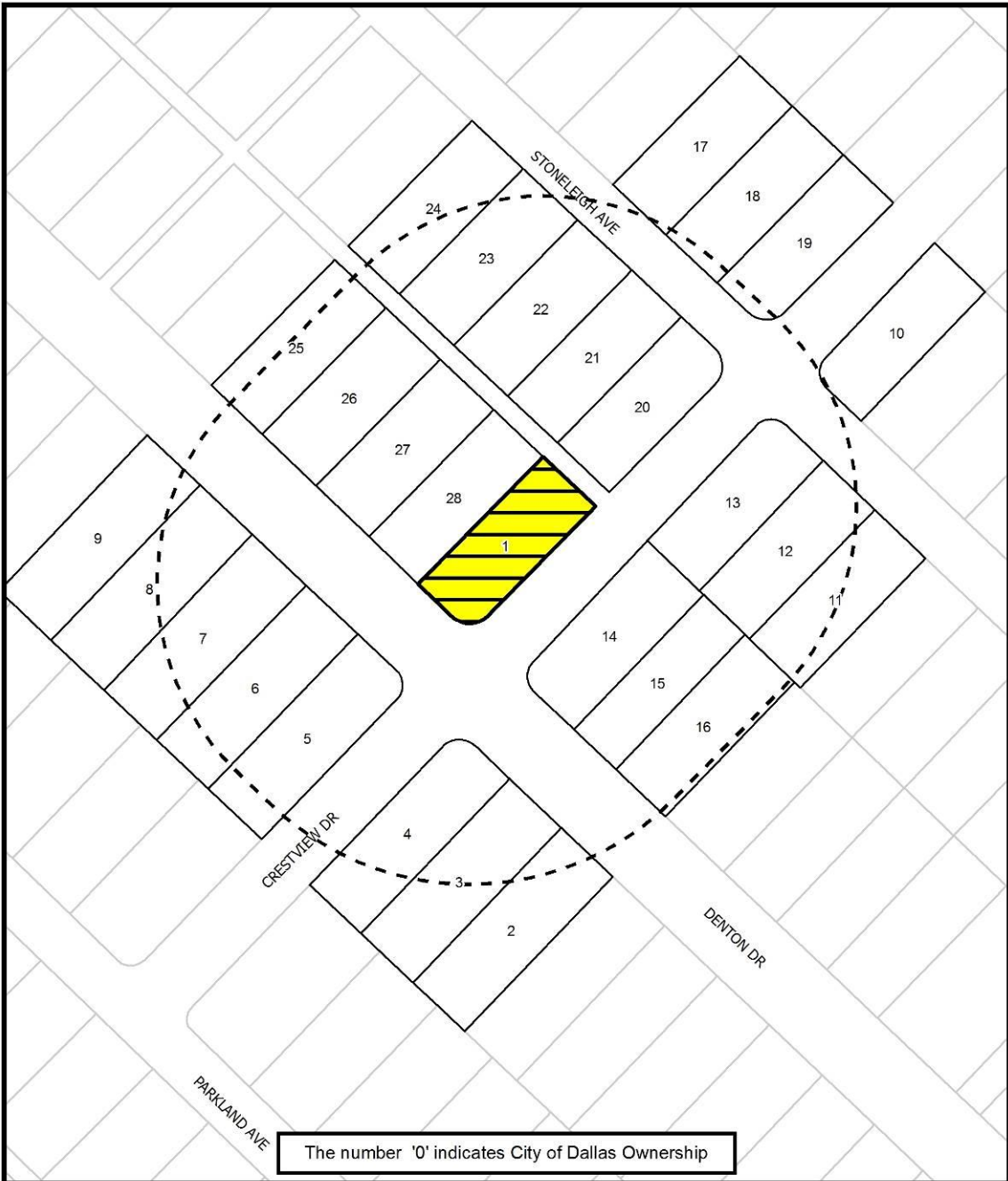
DRIVEWAY



FRONT ELEVATION
VIEW

BOARD ON BOARD PRIVACY FENCE

1:20 SCALE



 1:1,200	NOTIFICATION		Case no: BDA134-063
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">28</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 5/20/2014	

Notification List of Property Owners

BDA134-063

28 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5202 DENTON DR	DALLAS METRO HOLDINGS &
2	5119 DENTON DR	STOW MICHAEL WAYNE &
3	5123 DENTON DR	ESTRADA ROBERT NAVARRO & MARIA ANNA
4	5127 DENTON DR	BILLINGS DOLORES E
5	5203 DENTON DR	AUNKO ISRAEL & DAVID MORRIS
6	5207 DENTON DR	LOPEZ JULIAN
7	5211 DENTON DR	LAWSON DANIEL
8	5215 DENTON DR	MUNOZ ALVARO E
9	5217 DENTON DR	SCHUELER JEFFREY S
10	5126 STONELEIGH AVE	LOPEZ THOMAS SETH & MARIA
11	5121 STONELEIGH AVE	LOPEZ FERMIN & GLORIA LOPEZ
12	5123 STONELEIGH AVE	LEACH KEN W
13	5127 STONELEIGH AVE	KOLO NANCY
14	5126 DENTON DR	DEEN TIM W
15	5122 DENTON DR	ALEJANDRO MANUEL & BLANCA ESTELA
16	5118 DENTON DR	JACK JAMI LUCILLE
17	5210 STONELEIGH AVE	MYRUSKI MARK
18	5206 STONELEIGH AVE	KIESPERT RANDALL LEROY
19	5202 STONELEIGH AVE	RIOS GUADALUPE TR
20	5203 STONELEIGH AVE	CAMP L BRADLEY III
21	5207 STONELEIGH AVE	DEAN JAMES W
22	5211 STONELEIGH AVE	RADO MARK A
23	5215 STONELEIGH AVE	FAULKNER SUSAN E
24	5219 STONELEIGH AVE	BERMAN EVELYN S
25	5218 DENTON DR	NASSAR SAMI
26	5216 DENTON DR	NEW ENDEAVORS TO WONDEROUS BEGINNINGS IN

5/19/2014

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5210 DENTON DR	GARCIA NORMA
28	5208 DENTON DR	WATSON MATTHEW M

FILE NUMBER: BDA 134-042

BUILDING OFFICIAL'S REPORT: Application of Robert Reeves for a special exception to the landscape regulations at 100 Crescent Court. This property is more fully described as Lot 1A, Block 2/948, and is zoned PD-193(HC), which requires mandatory landscaping. The applicant proposes to construct/maintain a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 100 Crescent Court

APPLICANT: Robert Reeves

REQUEST:

A special exception to the landscape regulations is made to construct and maintain an approximately 1,400 square foot addition to an approximately 1,450,000 square foot mixed use development (The Crescent), and not fully providing required landscaping.

**STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE REQUIREMENTS
IN OAK LAWN:**

Section 51P-193-126(a)(4) of the Dallas City Code specifies that the board may grant a special exception to the landscaping requirements of this section if, in the opinion of the Board, the special exception will not compromise the spirit and intent of this section. When feasible, the Board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting the special exception.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted revised landscape plan is required.

Rationale:

- The City of Dallas Chief Arborist supports the applicant's request in that the submitted revised alternate landscape proposal meets the spirit and intent of the PD 193 landscape requirements.

BACKGROUND INFORMATION:

Site: PD 193(HC) (Planned Development, Heavy Commercial)
North: PD 193(HC) (Planned Development, Heavy Commercial)
South: PD 193 (PDS 334) (Planned Development, Planned Development)
East: PD 193(PDS 64) (Planned Development, Planned Development)

West: PD 193(PDS 74) (Planned Development, Planned Development)

Land Use:

The subject site is developed with a mixed use development (The Crescent). The areas to the north, east, south, and west are developed with a mix of land uses.

Zoning/BDA History:

- | | |
|---|--|
| 1. BDA 81-239, 239, Property at 2304 Cedar Springs Road (the subject site) | On October 13, 1981, the Board of Adjustment granted a 599 parking space variance, subject to a parking study to be conducted approximately one year after initial completion of the project |
| 2. BDA 81-239A, Property at 100, 200, 300, 400, and 500 Crescent Court (the subject site) | On February 14, 1988, the Board of Adjustment granted a request for “a 599 parking space variance and eliminate the set-aside land provisions subject to a TMP program as per the memo from Ken Melston, Manager of Transportation Engineering Services. |

GENERAL FACTS/ STAFF ANALYSIS:

- This request focuses on constructing and maintaining an approximately 1,400 square foot addition to an approximately 1,450,000 square foot mixed use development (The Crescent), and not fully providing required landscaping.
- PD 193 states that the landscape, streetscape, screening, and fencing standards shall become applicable to uses (other than to single family and duplex uses in detached structures) on an individual lot when work is performed on the lot that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.
- Prior to the May 20th public hearing, the applicant had requested that this application be delayed until Panel A’s June 24th public hearing “to allow his client to go back before the Oak Lawn Committee in June with a revised alternate landscape plan and address their issues.”
- The City of Dallas Chief Arborist had supported the applicant’s request for delay of action on this application until June of 2014.
- On June 4, 2014, the applicant submitted among other things a revised alternate landscape plan (see Attachment D).

- The City of Dallas Chief Arborist states in a memo (see Attachment E) that the request in this case is triggered by new construction with a minor increase of floor area on a developed lot.
- The Chief Arborist notes that the site is deficient in meeting the landscape requirements in that the proposed plan does not fully comply with sidewalk and tree planting zone requirements.
- The Chief Arborist notes that the original permitting and construction of the development occurred prior to the creation of the Oak Lawn Special Purpose District PD 193 that most perimeter trees initially planted are maturing and will remain with the new landscape design; and that plan meets all other requirements for the PD 193 (HC) district.
- The Chief Arborist supports the request because the applicant has demonstrated that the submitted revised alternate landscape plan meets the spirit and intent of the PD 193 regulations.
- The applicant has the burden of proof in establishing the following:
 - The special exception (where an alternate landscape plan has been submitted that is deficient in meeting the sidewalk and tree planting zone requirements of the PD 193 landscape regulations) will not compromise the spirit and intent of Section 51P-193-126: Landscape, streetscape, screening, and fencing standards”.
- If the Board were to grant this request and impose the submitted revised landscape plan as a condition, the site would be granted exception from full compliance to sidewalk and tree planting zone requirements of the landscape requirements of the Oak Lawn PD 193 landscape ordinance.

BOARD OF ADJUSTMENT ACTION: MAY 20, 2014

APPEARING IN FAVOR: Robert Reeves, 900 Jackson, Dallas, TX

APPEARING IN OPPOSITION: No one

MOTION: **Leija**

I move that the Board of Adjustment, in Appeal No. **BDA 134-042**, hold this matter under advisement until June 24, 2014.

SECONDED: **Lewis**

AYES: 5 – Nolen, French, Leija, Rieves, Lewis

NAYS: 0 -

MOTION PASSED: 5 – 0 (unanimously)

Timeline:

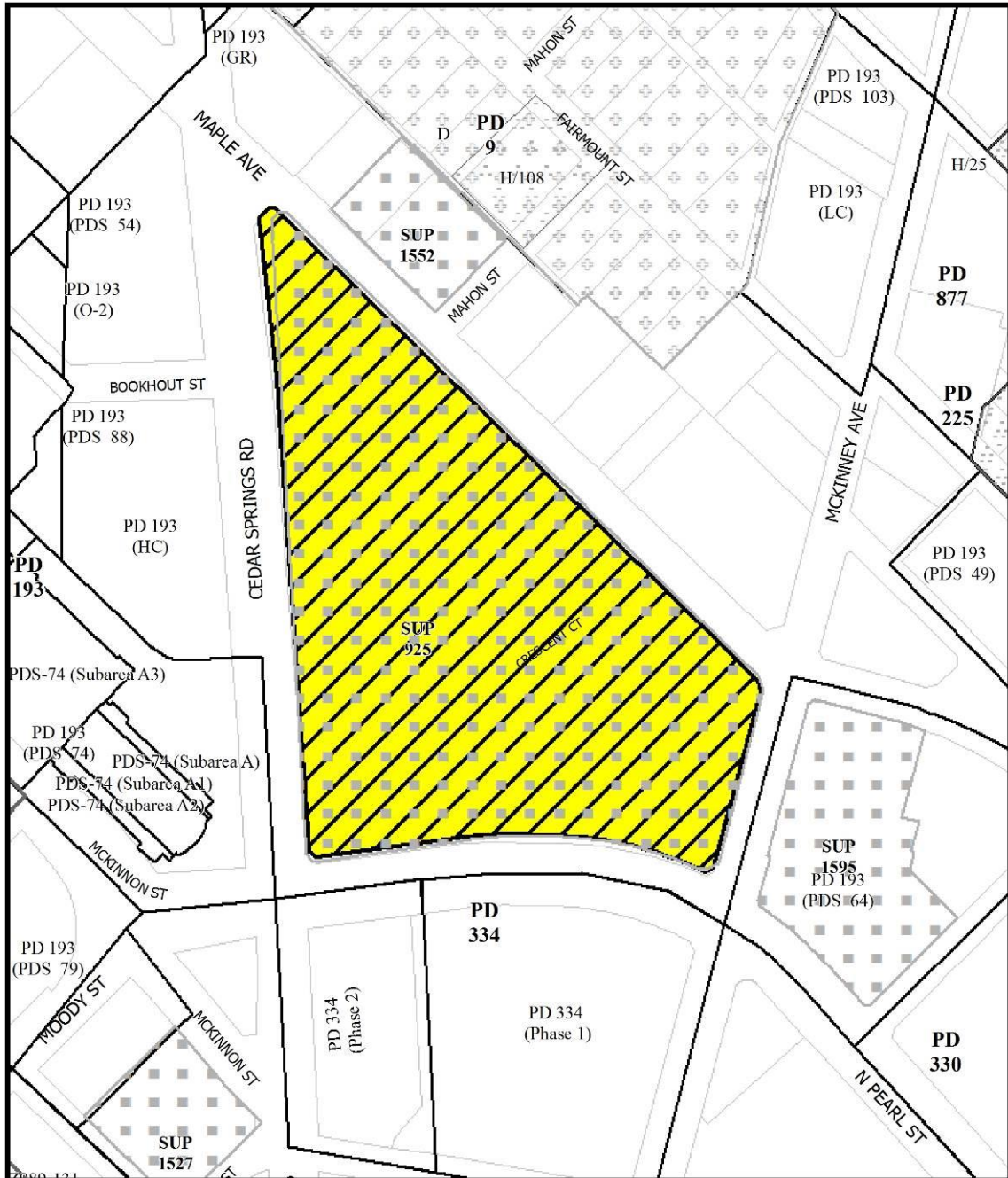
March 12, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

- April 14, 2014: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- April 14, 2014: The Board Administrator emailed the following information to the applicant:
- an attachment that provided the public hearing date and panel that will consider the application; the April 30th deadline to submit additional evidence for staff to factor into their analysis; and the May 9th 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."
- April 29, 2014: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).
- May 6, 2014 : The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for May public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.
- May 9, 2014: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment B).
- May 9, 2014: The City of Dallas Chief Arborist emailed the Board Administrator of his support of the applicant's request to delay this matter until June where he would hold formal comments until a final revised alternate landscape plan has been submitted (see Attachment C).
- May 20, 2014: The Board of Adjustment conducted a public hearing on this application and delayed action on it (per the applicant's request) until June 24, 2014.
- June 4, 2014: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application and beyond what was submitted at the May 20th public hearing (see Attachment D).

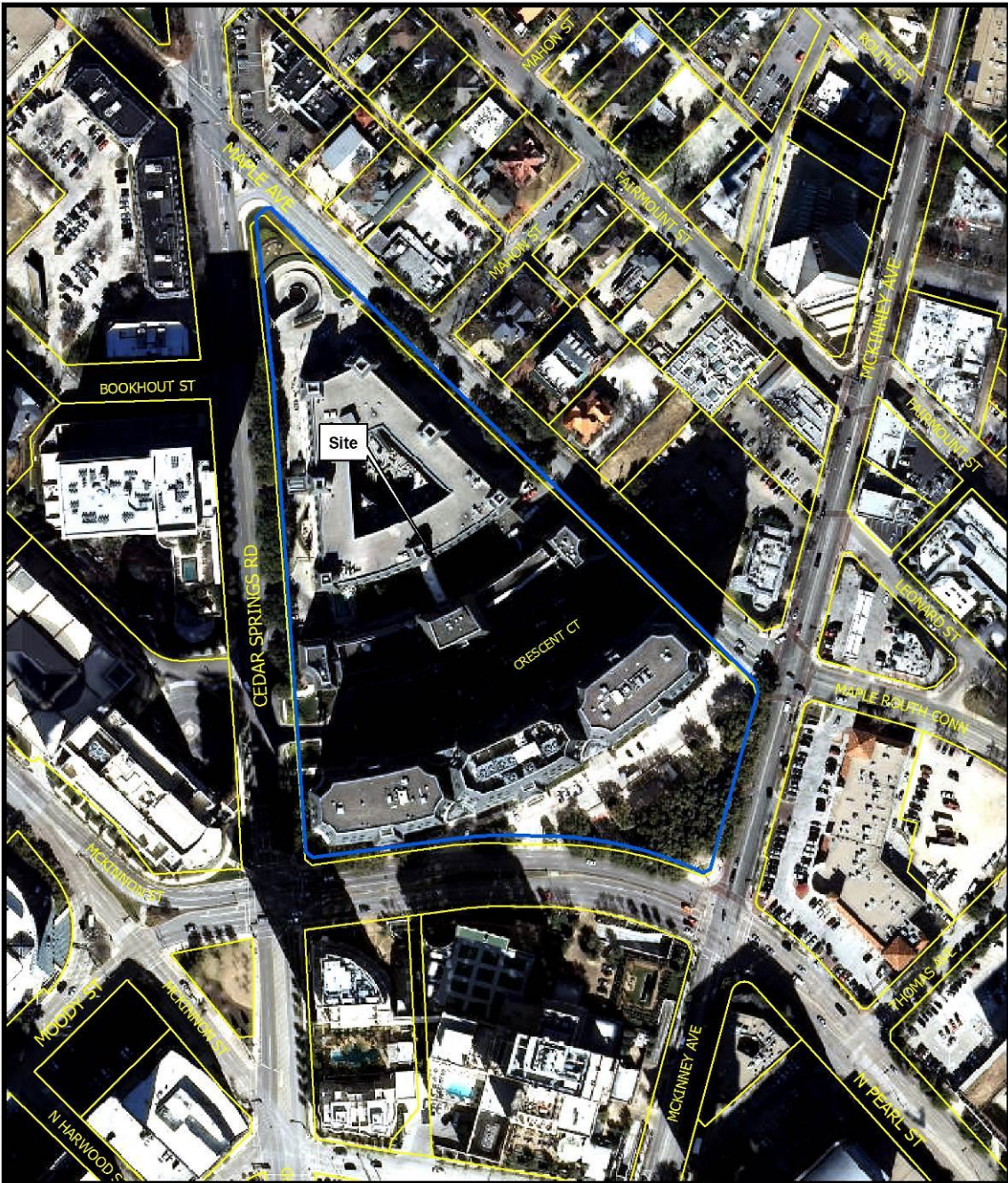
June 10, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for June public hearings. Review team members in attendance included: the Interim Assistant Director of Sustainable Development and Construction, the Assistant Building Official, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Senior Engineer, the City of Dallas Chief Arborist, the Sustainable Development and Construction Department Current Planner, and the Assistant City Attorney to the Board.

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

June 16, 2014: The City of Dallas Chief Arborist submitted a memo regarding this application (see Attachment E).



 1:2,400	<h1>ZONING MAP</h1>	Case no: <u>BDA134-042</u> Date: <u>4/24/2014</u>
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1:2,400

AERIAL MAP

Case no: BDA134-042

Date: 4/24/2014



ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

BDA 134-042
Attach A
Pg 1

April 29, 2014

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

RE: BDA 134-042

Dear Mr. Long:

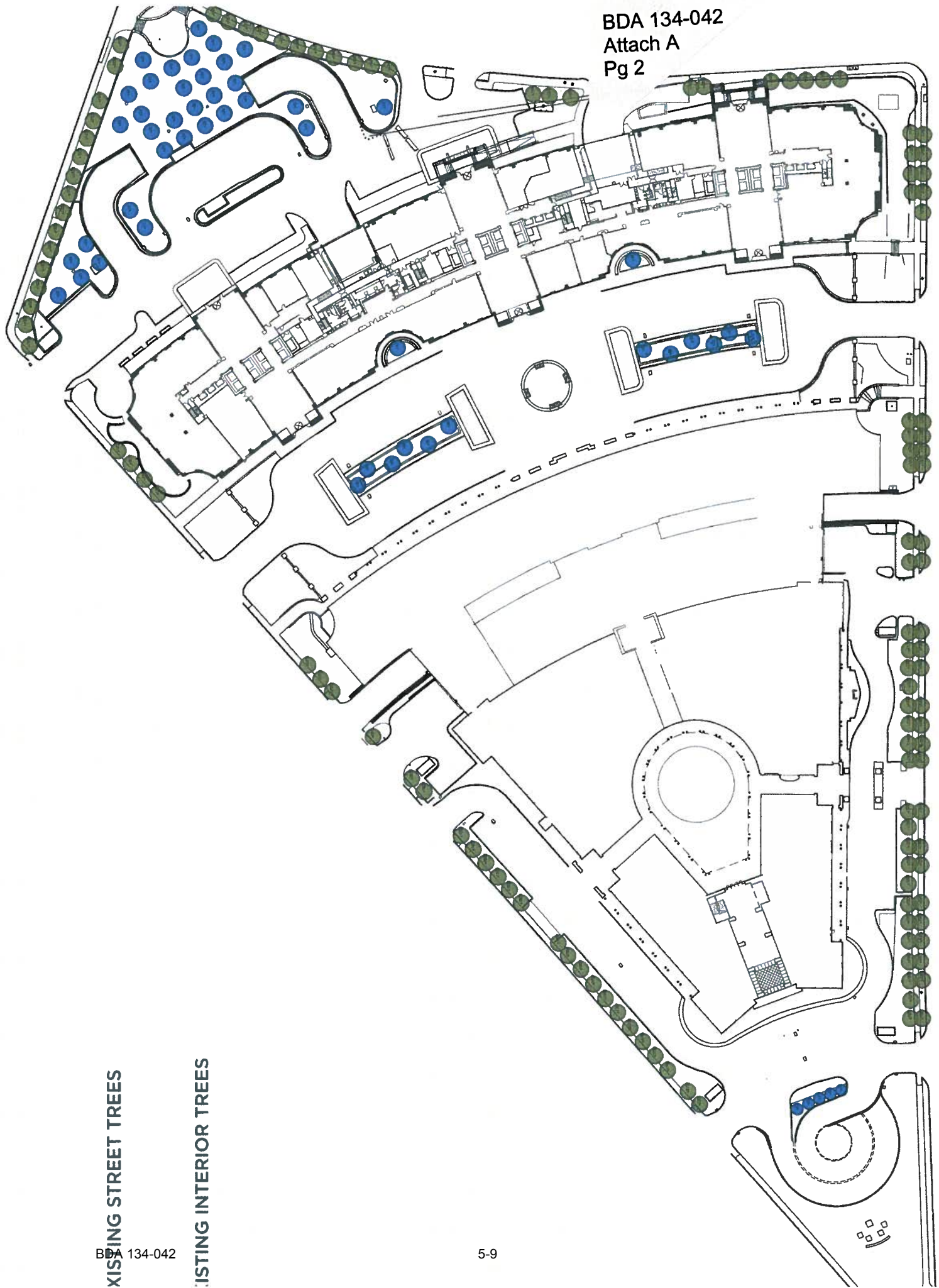
Attached are colored site plans showing the existing tree plan, tree removal plan, and proposed tree plan for The Crescent. These drawings may be easier to read than the detailed drawings submitted with our application. I have also included a chart, which summarizes the tree counts and caliper inch counts.

The last documents are photographs of typical trees adjacent to the Cedar Springs, which will be removed. As you know, there are two rows of street trees along Cedar Springs. The outside row of trees, located adjacent to the curb, have been trimmed excessively and the trees are leaning over Cedar Springs because they have no place to grow due to the interior row of trees restricting their growth.

Let me know if you have any questions.

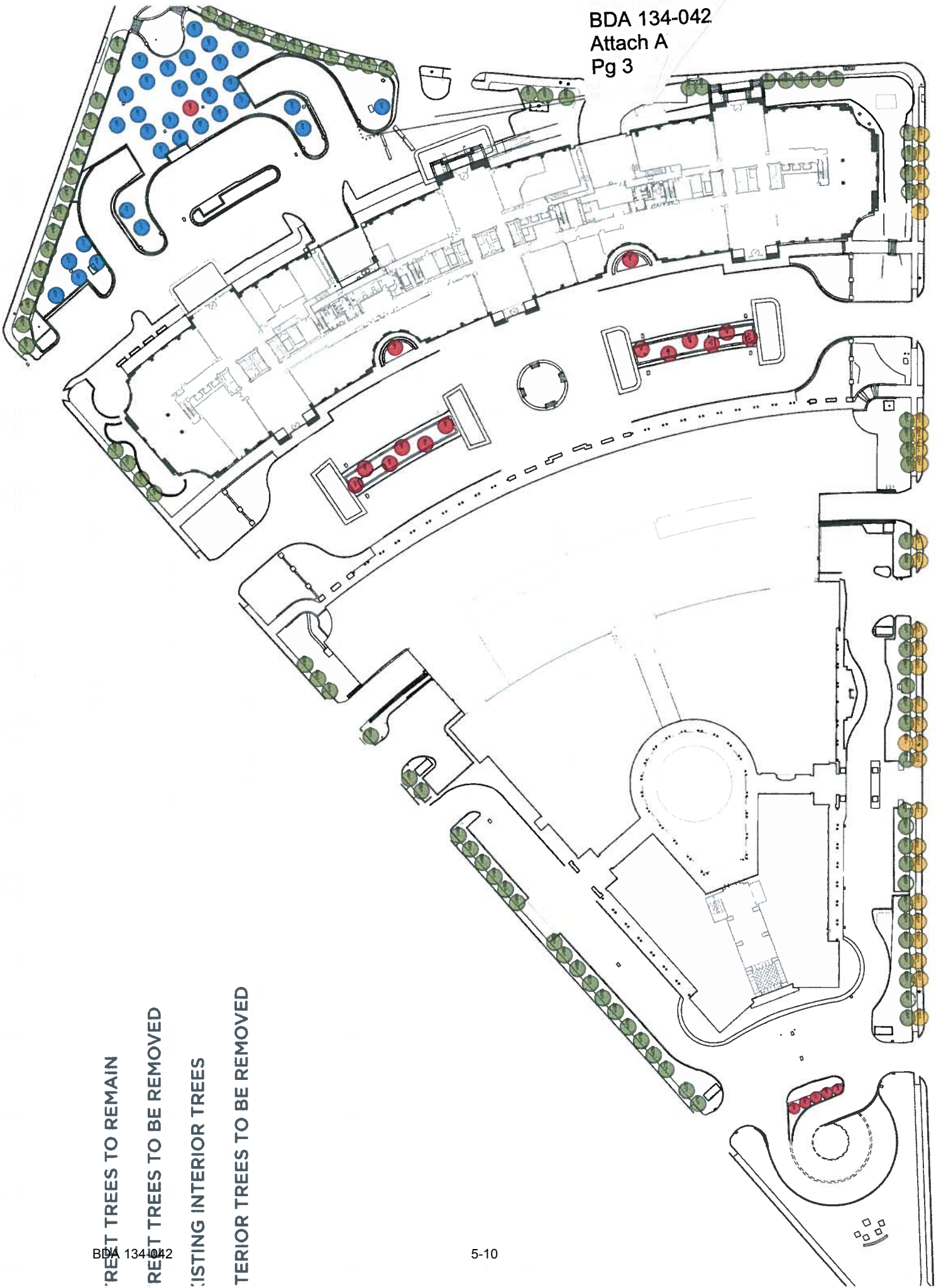
Sincerely:

Robert Reeves

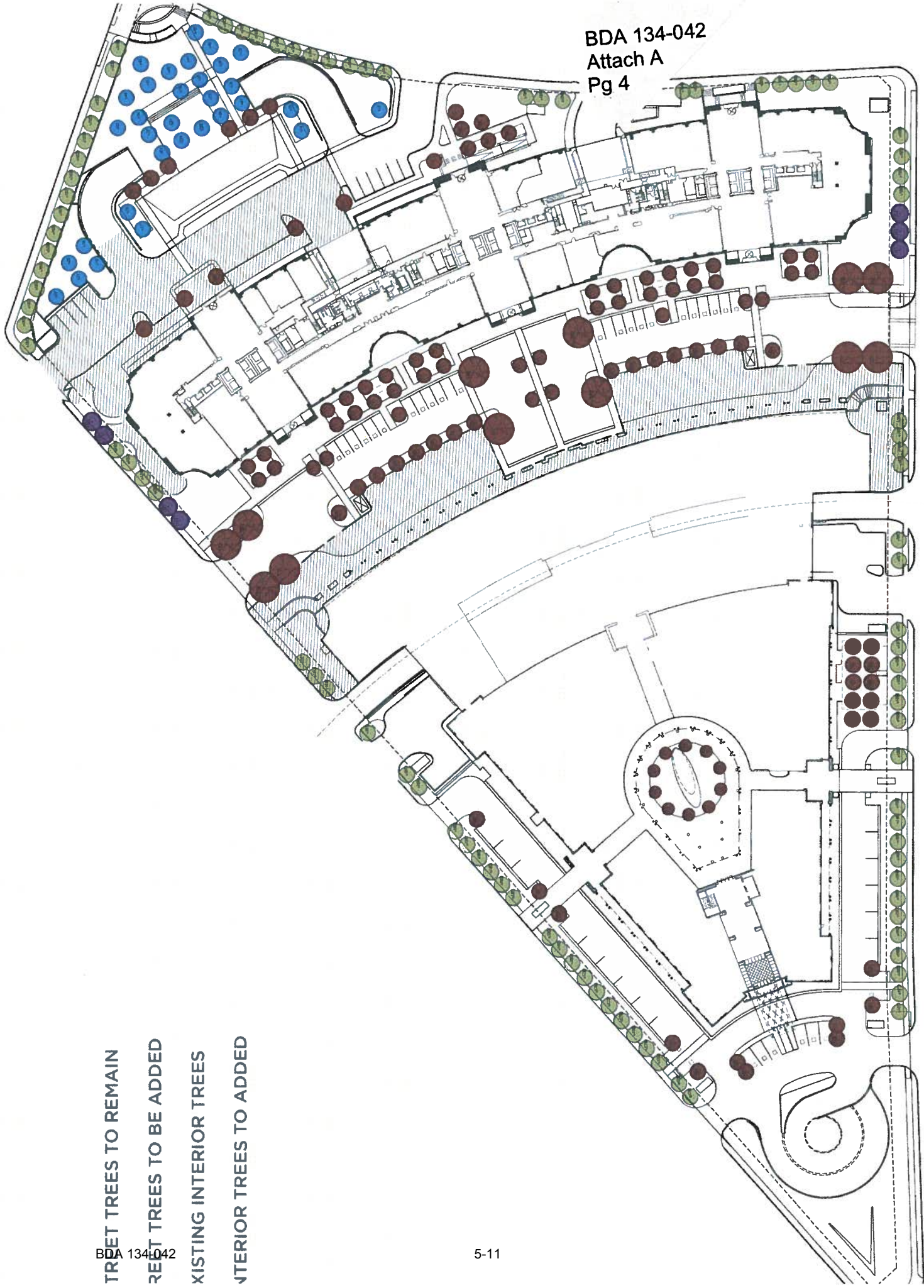


EXISTING STREET TREES

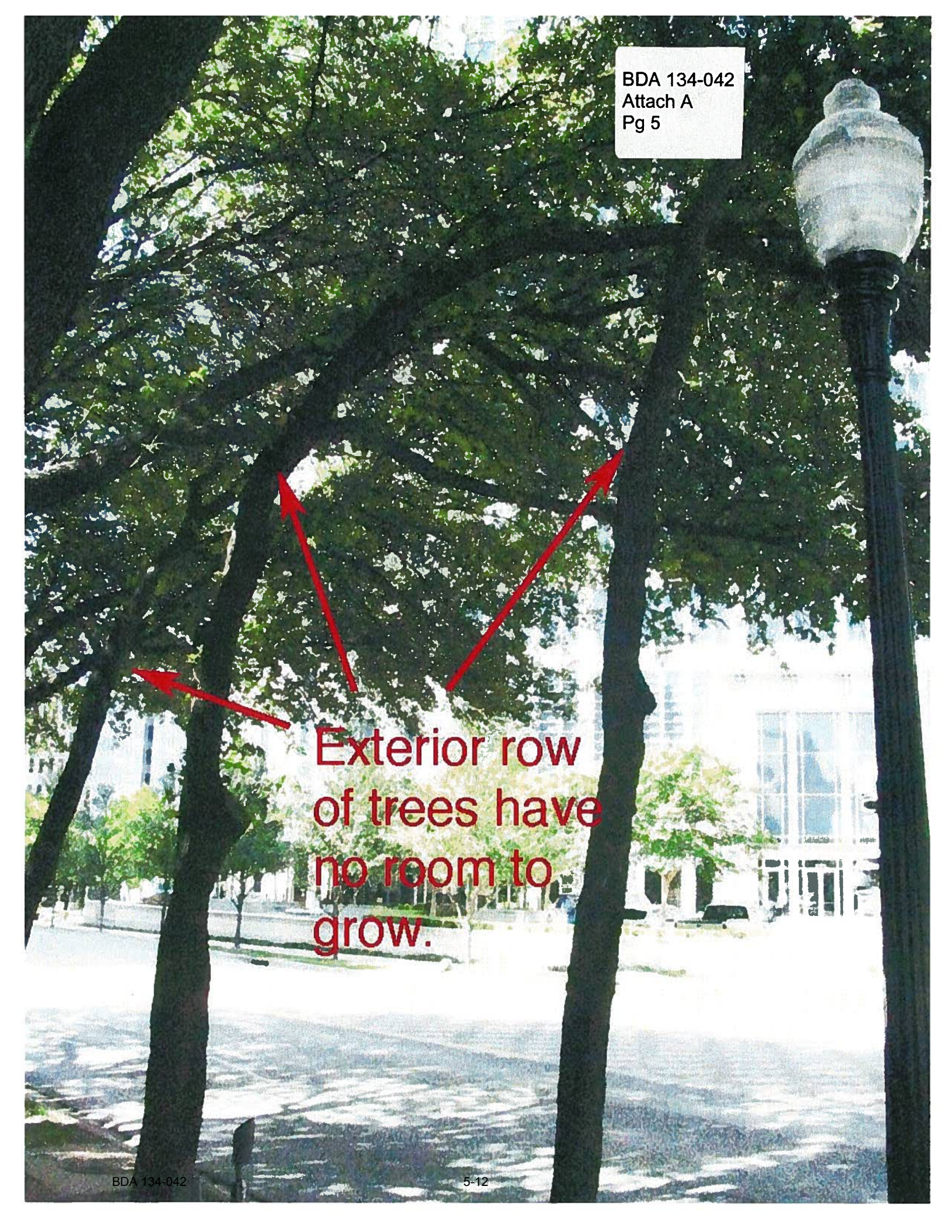
EXISTING INTERIOR TREES



TREES TO REMAIN
TREES TO BE REMOVED
EXISTING INTERIOR TREES
TERIOR TREES TO BE REMOVED



- RETAIN TREES TO REMAIN
- NEW TREES TO BE ADDED
- EXISTING INTERIOR TREES
- INTERIOR TREES TO BE ADDED



Exterior row
of trees have
no room to
grow.

BDA 134-042
Attach A
Pg 6

Trees are
disfigured by
excessive
trimming.

Crescent Alternate Landscape Plan		Tree Calculations	4/28/2014
BDA 134-042			
Street Trees			
Existing Street Trees	122	Existing Caliper Inches	1670
Existing Street Trees Removed	28	Caliper Inches Removed	327
New Street Trees Added	7	Caliper Inches Added	42
Total Street Trees	101	Total Caliper Inches	1385
Interior Trees			
Existing Interior Trees	52	Existing Caliper Inches	628
Existing Interior Trees Removed	20	Caliper Inches Removed	155
New Interior Trees Added	112	Caliper Inches Added	612
Total Interior Trees	144	Total Caliper Inches	1085
Total Trees Prior to Improvements	174	Total Caliper Inches Prior to Imp.	2298
Total Trees After Improvements	245	Total Caliper Inches After Imp.	2470
Increase in Trees	71	Increase in Caliper Inches	172

May 9, 2014

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

RE: Case BDA 134-042, The Crescent
Request to Delay Board Hearing

Dear Mr. Long:

On behalf my client, Crescent TC Investors, LP, we are requesting that the Board of Adjustment take Case BDA 134-042 under advisement from the May 20, 2014 public hearing to a new nearing on June 24, 2014. This will allow my client to go back before The Oak Lawn Committee in June with a revised alternate landscape plan and address their issues.

Please let me know if you keep additional information at this time.

Sincerely:



Robert Reeves
Robert Reeves & Associates
900 Jackson Street, Suite 160
Dallas, Texas 75202
214-749-0530

BDA 134-042
Attach C pg 1

Long, Steve

From: Long, Steve
Sent: Friday, May 09, 2014 8:01 AM
To: Erwin, Philip
Cc: Dean, Neva; Duerksen, Todd; Way, Jamilah; 'Robert Reeves'
Subject: RE: BDA 134-042, Property at 100 Crescent Court

Thanks, Phil.

I intend to print these email out as an "attachment" and include it in the docket materials.

Steve

From: Erwin, Philip
Sent: Friday, May 09, 2014 7:59 AM
To: Long, Steve
Subject: RE: BDA 134-042, Property at 100 Crescent Court

Steve,

Based on the circumstances, I have no objections to the delay and I will hold formal comment on the alternative landscape plan until it is confirmed no further adjustments are forthcoming.

I will be glad to answer any questions from the Board members related to the original plans during the briefing.

Philip Erwin

From: Long, Steve
Sent: Friday, May 09, 2014 7:52 AM
To: Duerksen, Todd; Dean, Neva; Erwin, Philip; Way, Jamilah; Jimenez, Danielle
Cc: Robert Reeves
Subject: FW: BDA 134-042, Property at 100 Crescent Court

Attached is additional information on the application referenced above that I have labeled as Attach B- additional information that the applicant (Robert Reeves) emailed to me this morning. This information will be added to the case file, and incorporated into the docket that is emailed to you, other city staff, the applicant, and the board members next week.

Please write or call me if you have questions or concerns.

Thanks,

Steve

From: Long, Steve
Sent: Tuesday, April 29, 2014 10:47 AM
To: Duerksen, Todd; Dean, Neva; Jimenez, Danielle; Way, Jamilah; Erwin, Philip
Cc: 'Robert Reeves'
Subject: FW: BDA 134-042, Property at 100 Crescent Court

Attached is a REVISED Attach A– additional information that includes all of the information that the applicant (Robert Reeves) emailed to me this morning. This information will be added to the case file, part of what is discussed at the May 6th staff review team meeting, and incorporated into the docket that is emailed to you, other city staff, the applicant, and the board members the week of May 12th.

Please write or call me if you have questions or concerns.

Thanks,

Steve

From: Long, Steve
Sent: Tuesday, April 29, 2014 10:24 AM
To: Duerksen, Todd; Dean, Neva; Way, Jamilah; Erwin, Philip; Jimenez, Danielle
Cc: 'Robert Reeves'
Subject: FW: BDA 134-042, Property at 100 Crescent Court

Attached is additional information on the application referenced above that I have labeled as Attach A– additional information that the applicant (Robert Reeves) emailed to me this morning. This information will be added to the case file, part of what is discussed at the May 6th staff review team meeting, and incorporated into the docket that is emailed to you, other city staff, the applicant, and the board members the week of May 12th.

Please write or call me if you have questions or concerns.

Thanks,

Steve

From: Long, Steve
Sent: Monday, April 14, 2014 2:05 PM
To: 'Robert G. Reeves Jr.'
Subject: FW: BDA 134-042, Property at 100 Crescent Court

From: Long, Steve
Sent: Monday, April 14, 2014 1:41 PM
To: 'rob.reeves@sbcglobal.net'
Cc: Duerksen, Todd; Erwin, Philip; Jimenez, Danielle
Subject: BDA 134-042, Property at 100 Crescent Court

Dear Robert,

Here is information regarding your board of adjustment application referenced above, most of which I believe you are aware of given your experience with the board:

1. Your submitted application materials- all of which will be emailed to you, city staff, and the board members in a docket report about a week ahead of your tentatively scheduled May 20th Board of Adjustment Panel A public hearing.
2. The standard as to how the board is able to consider/grant a special exception to the landscape requirements of PD No. 193 (Section 193.126(a)(4)).
3. A document that provides the public hearing date and other deadlines for submittal of additional information to staff/the board beyond what is included in the attached application materials.
4. The board's rule pertaining to documentary evidence.

Please review the Building Official's Report/second page of your application (page 2 of 16 in the application materials that are attached) and contact Todd at 214/948-4475 no later than noon, Wednesday, April 30th with regard to any amendment that you feel is necessary to address the issue at hand. (Note that the discovery of any additional appeal needed/discovered other than the landscape special exception request beyond April 30th will result in postponement of the appeals until the panel's next regularly scheduled public hearing).

Lastly, you may want to contact:

1. Phil Erwin, City of Dallas Chief Arborist, at 214/948-4117 to determine if there is any additional information that he may need from you in making a favorable recommendation to the board on your request.
2. The Oak Lawn Committee given that these properties are located in PD 193: The Oak Lawn Special Purpose District.

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

Thanks,

Steve

PS: If there is anything that you want to submit to the board beyond what you have included in your attached application materials, please feel free to email it to 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



ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

June 4, 2014

Todd Duerksen
Building Inspection, Board of Adjustment
Department of Sustainable Development & Construction
City of Dallas
320 East Jefferson, Room 105
Dallas, Texas 75203

RE: Revised Landscape Plan & Exhibits
BDA 134-042
Crescent TC Investors LP, Owner

Dear Mr. Duerksen:

Last night we appeared before The Oak Lawn Committee and presented a revised landscape plan for their approval. They voted unanimously to support our revised landscape plan. The following is a summary of the amendments we made to our landscape plan in direct response to The Oak Lawn Committee input. We believe, and The Oak Lawn Committee agrees, that our proposed alternate landscape plan meets the spirit and intent of PD 193 landscape guidelines.

Response to The Oak Lawn Committee Input:

- 1) All existing trees along Cedar Springs will remain, except for two trees. One tree is located within the tree planting zone and other tree is located outside the zone. Both will be removed in order to construct a new driveway and fully comply with the City zoning requirement that no landscape materials be located so as to encroach in the visibility triangle at the entry.
- 2) The sidewalk along McKinney will be widened to eight feet from six feet. This expansion will enhance the pedestrian experience along McKinney and provide better access to our expanded park, which is located at the corner of McKinney and Pearl.
- 3) The four Italian Cypress trees currently located next to the Palomino Restaurant will be transplanted on site.
- 4) Winter Creeper will be planted in the parkway along Cedar Springs. (No crushed granite.)

5) Eighteen new trees will be planted at the Point, which is located at the intersection of Maple and Cedar Springs.

6) The sidewalks along a portion of Maple and Cedar Springs located at the Point will be widened to six feet from five feet.

Additional Improvements:

1) The motor court will be redesigned in order to create a more inviting environment for pedestrians and will have significantly less emphasis on the automobile.

2) The existing drive-in bank located at McKinney and Pearl will be demolished in order to create a landscape park, which will be fully accessible to the public. The park will have a 4,000 sq. ft. event lawn and 2,800 sq. ft. public seating areas.

Tree Summary:

	Number of Trees	Caliper Inches
a) Total Existing Street Trees	122	1,670
b) New Street Trees	15	90
c) Existing Street Trees to be Removed	-2	-24
d) Net Increase in Street Trees	13	66
a) Total Existing Interior Trees	57	638
b) New Interior Trees	117	684
c) Interior Trees to be Removed	-16	-161
d) Net Increase in Interior Trees	101	523

Attached are two sets of documents to be included in the Board of Adjustment docket for June 24, 2014. The first set is a black and white copy of three drawings, "Existing Tree Plan", "Tree Removal and Transplanting Plan", and "Landscape Plan". The third black and white drawing, "Landscape Plan", is the revised alternate landscape plan we are asking the board to approve.

The second set is a 8 1/2" x 11" colored version of these drawings plus a composite drawing entitled "Hardscape and Planting Improvement Plan". I would like for these to be included in the docket and I will use them in my PowerPoint presentation to the board.

Let me know if you have any questions. Let you know if these are acceptable to you and Phil Erwin and I will submit them to Steve Long.

Sincerely:



Robert Reeves

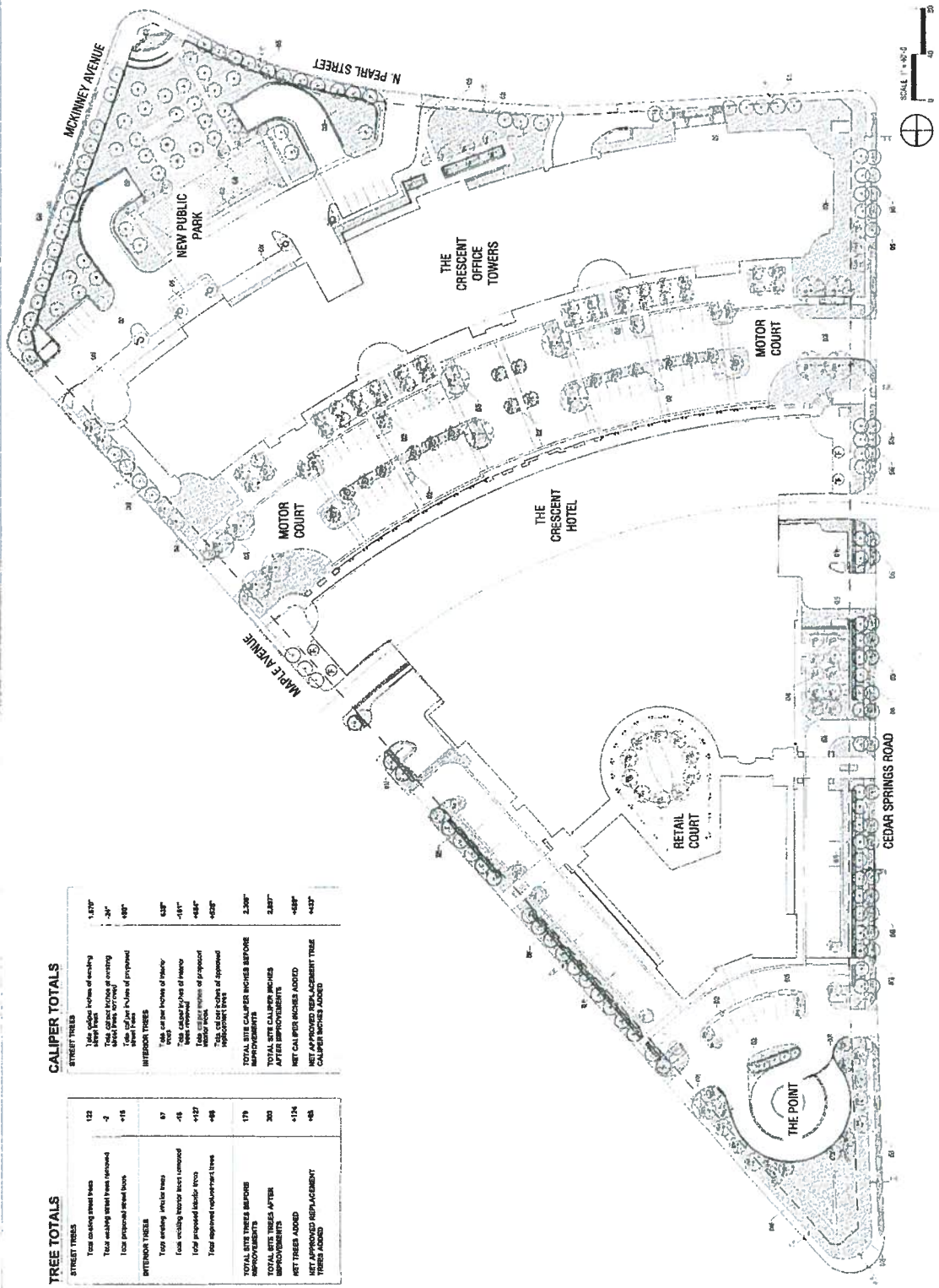
THE CRESCENT
DALLAS, TX

OJB THE OFFICE OF JAMES BURDET
1111 W. WOODROW WILSON BLVD. SUITE 1000
 DALLAS, TEXAS 75201
 TEL: 214.760.1234
 FAX: 214.760.1235

SYMBOL LEGEND

SYMBOL	DESCRIPTION
(Symbol)	STREET TREES
(Symbol)	INTERIOR TREES
(Symbol)	PLANTING AREAS
(Symbol)	RETAINING WALLS
(Symbol)	CONCRETE DRIVEWAYS
(Symbol)	ASPHALT DRIVEWAYS
(Symbol)	GRAVEL DRIVEWAYS
(Symbol)	PAVED DRIVEWAYS
(Symbol)	UNPAVED DRIVEWAYS
(Symbol)	CONCRETE SIDEWALKS
(Symbol)	ASPHALT SIDEWALKS
(Symbol)	GRAVEL SIDEWALKS
(Symbol)	PAVED SIDEWALKS
(Symbol)	UNPAVED SIDEWALKS
(Symbol)	CONCRETE PATIOS
(Symbol)	ASPHALT PATIOS
(Symbol)	GRAVEL PATIOS
(Symbol)	PAVED PATIOS
(Symbol)	UNPAVED PATIOS
(Symbol)	CONCRETE TERRACES
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(Symbol)	GRAVEL TERRACES
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(Symbol)	UNPAVED TERRACES
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(Symbol)	UNPAVED STAIRS
(Symbol)	CONCRETE RAMP
(Symbol)	ASPHALT RAMP
(Symbol)	GRAVEL RAMP
(Symbol)	PAVED RAMP
(Symbol)	UNPAVED RAMP
(Symbol)	CONCRETE DRIVEWAY
(Symbol)	ASPHALT DRIVEWAY
(Symbol)	GRAVEL DRIVEWAY
(Symbol)	PAVED DRIVEWAY
(Symbol)	UNPAVED DRIVEWAY
(Symbol)	CONCRETE SIDEWALK
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(Symbol)	UNPAVED SIDEWALK
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(Symbol)	CONCRETE RAMP
(Symbol)	ASPHALT RAMP
(Symbol)	GRAVEL RAMP
(Symbol)	PAVED RAMP
(Symbol)	UNPAVED RAMP

DATE: 11/11/11
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: L1.02



TREE TOTALS	
STREET TREES	122
Total existing street trees	2
Total existing street trees retained	4
Total proposed street trees	116
INTERIOR TREES	87
Total existing interior trees	15
Total existing interior trees proposed	112
Total proposed interior trees	48
TOTAL SITE TREES BEFORE IMPROVEMENTS	
NET TREES ADDED	179
TOTAL SITE CALIPER INCHES BEFORE IMPROVEMENTS	
NET CALIPER INCHES ADDED	260
TOTAL SITE CALIPER INCHES AFTER IMPROVEMENTS	
NET CALIPER INCHES ADDED	414
NET CALIPER REPLACEMENT TREES ADDED	46

CALIPER TOTALS	
STREET TREES	1,830"
Total existing street trees	34"
Total existing street trees retained	48"
Total proposed street trees	628"
INTERIOR TREES	628"
Total existing interior trees	181"
Total existing interior trees proposed	484"
Total proposed interior trees	402"
TOTAL SITE CALIPER INCHES BEFORE IMPROVEMENTS	
NET CALIPER INCHES ADDED	2,308"
TOTAL SITE CALIPER INCHES AFTER IMPROVEMENTS	
NET CALIPER INCHES ADDED	4,698"
NET CALIPER REPLACEMENT TREES ADDED	462"

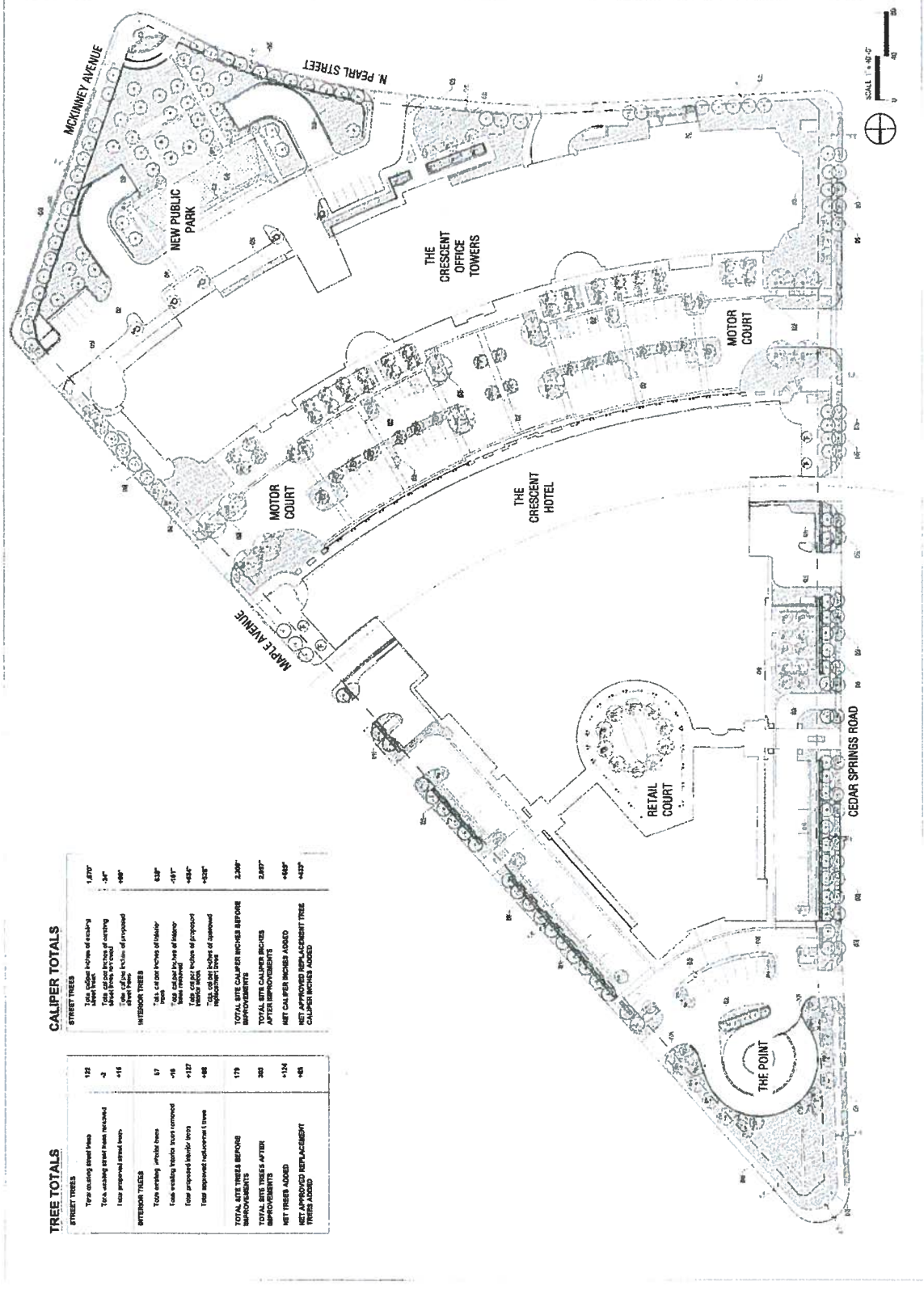
THE CRESCENT
 DALLAS, TX

OJB THE OFFICE OF JAMES BISHOPETT
 1111 W. DALLAS STREET, SUITE 2100
 DALLAS, TEXAS 75201
 TEL: 214.760.1234
 FAX: 214.760.1235
 WWW.OJB.COM

SYMBOL LEGEND

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98	PLANTING	PLANTING SPECIES
99	PLANTING	PLANTING SPECIES
100	PLANTING	PLANTING SPECIES

DATE: 11/11/11
 DRAWING NO: 11-01
 PROJECT: THE CRESCENT
 SHEET: L1.02
 TOTAL SHEETS: 1



TREE TOTALS	
STREET TREES	122
INTERIOR TREES	416
TOTAL SITE TREES BEFORE IMPROVEMENTS	537
TOTAL SITE TREES AFTER IMPROVEMENTS	498
NET TREES ADDED	-39
NET REPLACEMENT TREES ADDED	498

CALIPER TOTALS	
1.25"	2,387
3.0"	2,807
4.25"	4,687
6.25"	4,627
8.25"	2,387
10.25"	2,807
12.25"	4,687
14.25"	4,627

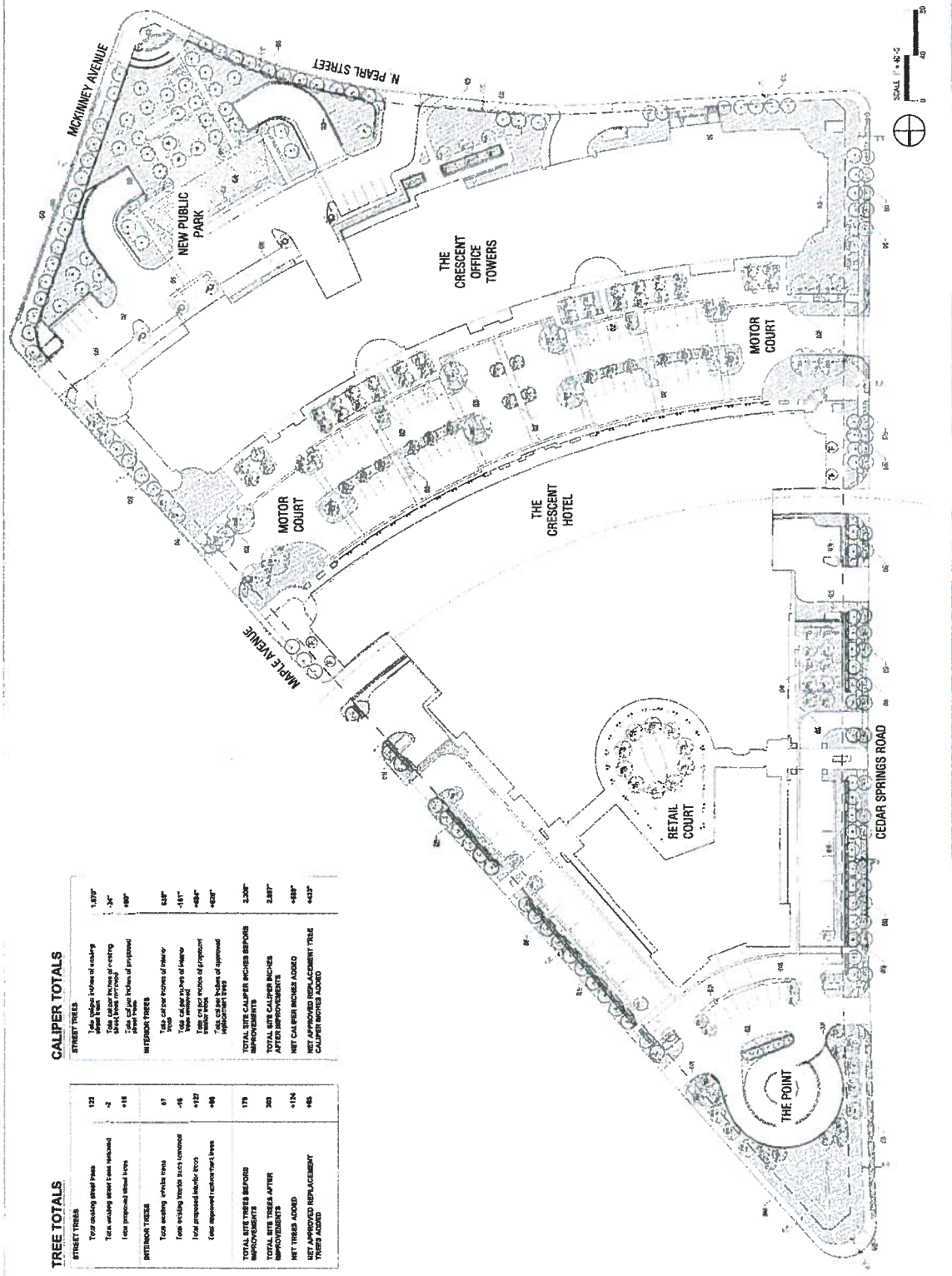
THE CRESCENT
DALLAS, TX

OJB THE OFFICE OF JAMES BURNETT
1000 Ross Avenue, Suite 1000
 Dallas, Texas 75202
 Phone: 214.760.1000
 Fax: 214.760.1001

SYMBOL LEGEND

SYM	DESCRIPTION
1	1" CALIBER TREE
2	2" CALIBER TREE
3	3" CALIBER TREE
4	4" CALIBER TREE
5	5" CALIBER TREE
6	6" CALIBER TREE
7	7" CALIBER TREE
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9	9" CALIBER TREE
10	10" CALIBER TREE
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99	99" CALIBER TREE
100	100" CALIBER TREE

James Burnett
 State of Texas
 No. 12345
 Exp. 12/31/2024



TREE TOTALS	
STREET TREES	125
Total existing street trees	125
Total existing street trees removed	-2
Total existing street trees added	+127
INTERIOR TREES	416
Total existing interior trees	416
Total existing interior trees removed	-16
Total existing interior trees added	+432
NET TREES ADDED	543
NET APPROVED REPLACEMENT TREES ADDED	543

CALIPER TOTALS	
STREET TREES	1,877"
Total existing street trees	1,877"
Total existing street trees removed	-34"
Total existing street trees added	+1,911"
INTERIOR TREES	4,827"
Total existing interior trees	4,827"
Total existing interior trees removed	-181"
Total existing interior trees added	+5,008"
NET TREES ADDED	6,885"
NET APPROVED REPLACEMENT TREES ADDED	6,885"

SYMBOL LEGEND

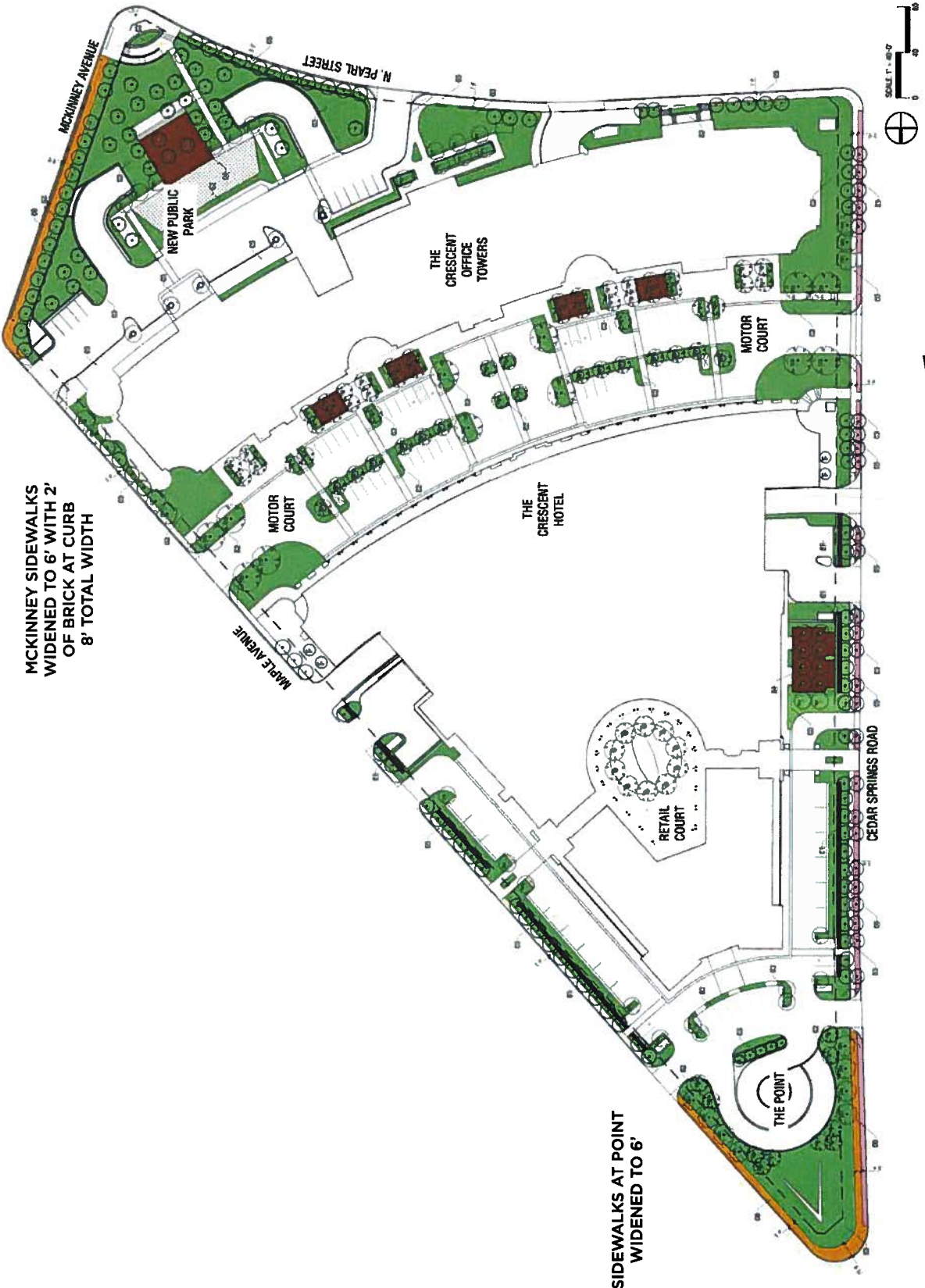
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(Symbol)	PLANTING	1000



DATE	DESCRIPTION

LANDSCAPE PLAN
Drawing Title

L1.02



MCKINNEY SIDEWALKS
WIDENED TO 6' WITH 2'
OF BRICK AT CURB
8' TOTAL WIDTH

SIDEWALKS AT POINT
WIDENED TO 6'

HARDSCAPE AND PLANTING IMPROVEMENT PLAN

BDA 134-042
Attach D
Pg 9

The Oak Lawn Committee

(Since 1982)

www.oaklawncommittee.org

BDA 134-042
Attach D
Pg 10

Members:

American National Bank
Associated Estates
Crescent Real Estate
JESSICA BAXTER
ROB BRATTON
LELAND BURK
MICAH BYRNES
ROB ELMORE
SUZANN FARREN
ROBERT GOLDBERG
JUDY HAVELKA
PITTMAN HAYMORE
PHILIP HENDERSON
BRUCE HORTON
CHRISTOPHER JANSON
MEAGHAN JANSON
MEL KLEIN
SUE KRIDER
BRENDA MARKS
MICHAEL MILLIKEN
JOHN OLSON
PAUL ONDREJ
ANTHONY PAGE
PegasusAblon
JOSEPH PITCHFORD
ZAC PORTER
EARL RECTOR
JAMES REEDER
Renaissance on Turtle Creek
Homeowners Assn.
ALAN RODRIGUEZ
HILDA RODRIGUEZ
LEE SANDERS
Sarofim Realty
MARK SHEKTER
KATY SLADE
FRANK STICH
Villas at the Mansion
Warwick Melrose Hotel
NANCY WEINBERGER
DENISE YATES

June 3, 2014

Mr. Robert Reeves
Robert Reeves & Associates, Inc.
900 Jackson Street, Suite 160
Dallas, Texas 75202
214-749-0530
rob.reeves@sbcglobal.net

RE: BDA 134-042 - 100 Crescent Court – The Crescent

Dear Mr. Reeves:

At its June meeting, the Oak Lawn Committee voted to support the applicant's request for an alternate landscape plan as presented at our meeting. We greatly appreciate the work done to revise the plans in response to our concerns about the street trees, sidewalks, and the existing mature Italian Cypress trees currently on the site. This project is a great addition to the community.

Our sincere thanks to you, Joseph Pitchford and the Office of James Burnett for the excellent presentation.

Sincerely,



Brenda Marks
President

cc: Honorable Philip Kingston
Mr. Steve Long
Mr. Frank Stich

P.O. Box 190912, Dallas, Texas 75219

Memorandum



DATE June 16, 2014
TO Steve Long, Board of Adjustment Administrator
SUBJECT # BDA 134 - 042 100 Crescent Court

The applicant is requesting a special exception to the landscape requirements of PD 193 (HC).

Trigger

New construction with a minor increase of floor area ratio on a developed lot.

Deficiencies

The proposed plan does not fully comply with sidewalk (51P-193.126(b)(4) and tree (51P-193.126(b)(5) requirements. The sidewalk locations and tree planting zones are not correctly placed per ordinance.

Factors

The original permitting and construction of the development was prior to the creation of the Oak Lawn Special Purpose District, PD 193. Most perimeter trees initially planted are maturing and will remain with the new landscape design.

The entire site area will be subject to site amendments that will require some tree removal and mitigation. Tree replacement on site will exceed the inches removed.

The plan meets all other requirements for the PD 193 (HC) district.

Recommendation

The chief arborist recommends approval of the request because the applicant has demonstrated the plan meets the spirit and intent of PD 193 regulations.

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



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-042

Data Relative to Subject Property:

Date: 3/13/14

Location address: 100 Crescent Court Zoning District: PD193, SUP 925, HC Heavy Commercial Subdistrict

Lot No.: 1A Block No.: 2/948 Acreage: 9.9414 acres Census Tract: 18.00

Street Frontage (in Feet): (1) Cedar Spr. 958' (2) Maple 1,082' (3) Pearl 559' 4) McKinney 300'

GW 22

To the Honorable Board of Adjustment:

Owner of Property (per Warranty Deed): Crescent TC Investors LP

Applicant: Robert Reeves Telephone: (214) 749-0530

Mailing Address: 900 Jackson St., Suite 160, Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Represented by: Robert Reeves & Associates, Inc. Telephone: (214) 749-0530

Mailing Address: 900 Jackson St., Suite 160 Dallas, Texas Zip Code: 75202

E-mail Address: rob.reeves@sbcglobal.net

Affirm that a request has been made for a Variance, or Special Exception X of An alternate landscape plan for 100 Crescent Ct.

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

To enhance the streetscape and pedestrian experience throughout the site with less emphasis on the automobile.

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

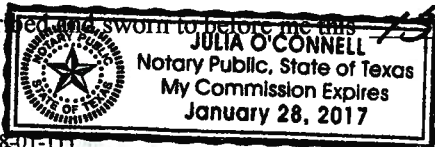
Affidavit

Before me the undersigned on this day personally appeared Robert G. Reeves Jr (Affiant/Applicant's signature)

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 13 day of March 2014 Notary Public, State of Texas My Commission Expires January 28, 2017 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

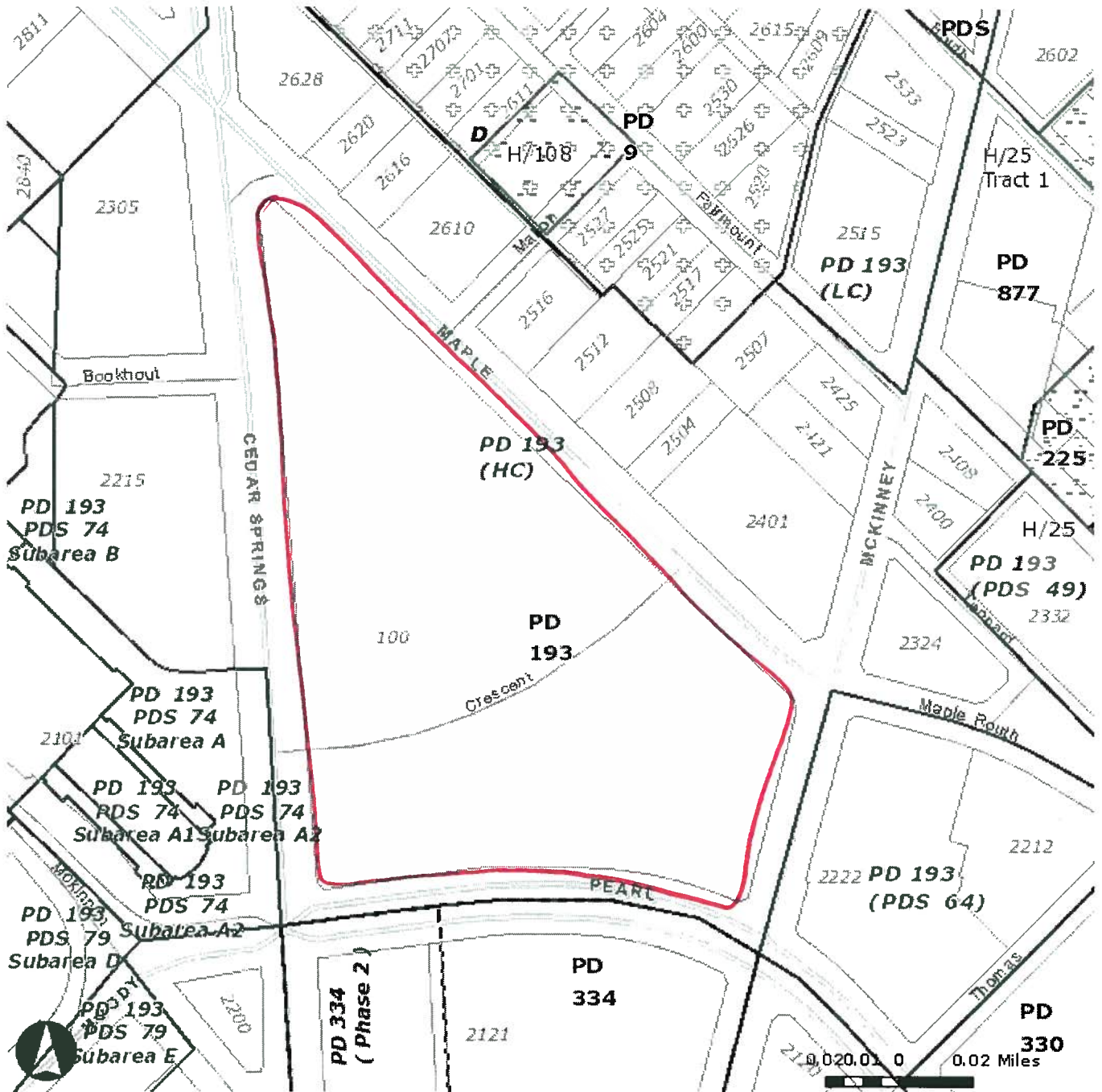
did submit a request for a special exception to the landscaping regulations
at 100 Crescent Court

BDA134-042. Application of Robert Reeves for a special exception to the landscaping regulations at 100 Crescent Court. This property is more fully described as Lot 1A, Block 2/948, and is zoned PD-193(HC), which requires mandatory landscaping. The applicant proposes to construct a nonresidential structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

Sincerely,


Larry Holmes, Building Official





THE CRESCENT
DALLAS, TX

OJB THE OFFICE OF JAMES BURNETT
LANDSCAPE ARCHITECTURE
1000 WEST END AVENUE
SUITE 1000 DALLAS, TEXAS 75201
PH: 214.760.0000

SYMBOL LEGEND

SYM	TYPE	QTY.
(1)	EXISTING STREET TREES 10' DBH	84 TREES / 1,340 CALIPER INCHES
(2)	PROPOSED STREET TREES 10' DBH	7 TREES / 105 CALIPER INCHES
(3)	EXISTING INTERIOR TREES 10' DBH	117 TREES / 1,812 CALIPER INCHES
(4)	PROPOSED INTERIOR TREES 10' DBH	117 TREES / 1,812 CALIPER INCHES
(5)	PROPOSED HEDGES	1,800 SQUARE FEET
(6)	PROPOSED PLANTING	70,000 SQUARE FEET
(7)	PROPOSED GRASS	2,500 SQUARE FEET

*Theoretical maximum possible tree canopy included in place of removed street trees.

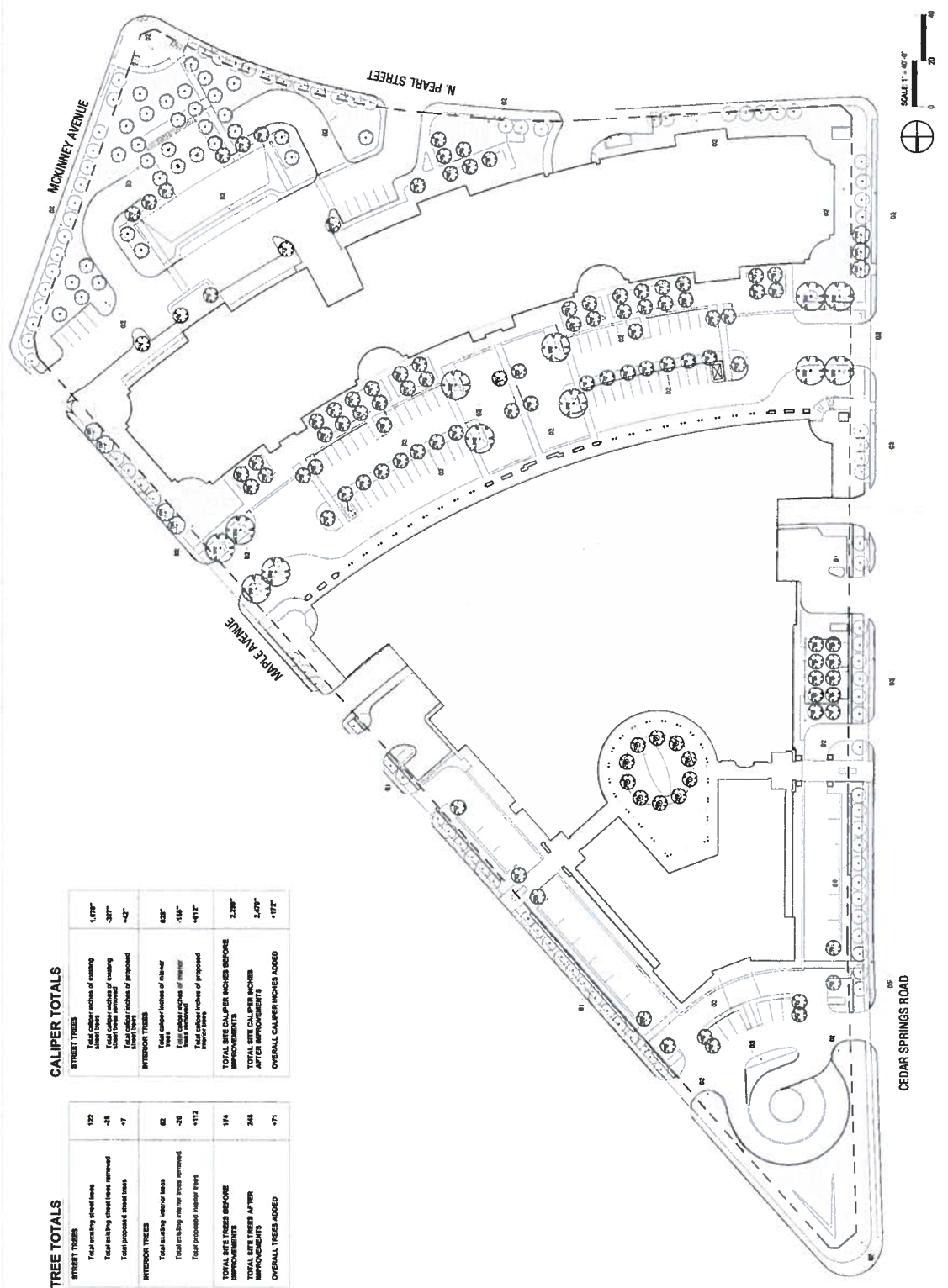


REV	DATE	DESCRIPTION

PROPOSED TREE PLAN
Drawing Title

Drawing Number

L1.02



TREE TOTALS	
STREET TREES	1,678"
Total existing street trees	-327"
Total existing street trees removed	-442"
Total proposed street trees	+177"
INTERIOR TREES	628"
Total existing interior trees	-168"
Total existing interior trees removed	-412"
Total proposed interior trees	+112"
TOTAL SITE CALIPER INCHES BEFORE IMPROVEMENTS	2,306"
TOTAL SITE CALIPER INCHES AFTER IMPROVEMENTS	3,470"
OVERALL TREES ADDED	+1172"

ROBERT REEVES
& Associates, Inc.

PLANNING AND ZONING CONSULTANTS

March 24, 2014

Dallas Board of Adjustment
Building Inspection
Department of Sustainable Development & Construction
320 E. Jefferson Avenue, Room 105
Dallas, Texas 75203

RE: The Crescent Alternate Landscape Plan
Board of Adjustment Special Exception Request

Dear Board Members:

On behalf of my client, Crescent TC Investors LP, we are requesting a special exception to PD 193 landscape requirements by submitting an alternate landscape for The Crescent mixed-use development located at Cedar Springs and Pearl Street. The Crescent intends to initiate a significant upgrade to the street level experience. This upgrade will include enhanced landscaping, improved ground level retail visibility along Cedar Springs Road and Maple Avenue, overall site signage upgrades, pedestrian-oriented motor courts, and enlarged park at the corner of McKinney and Pearl.

The Crescent was permitted in 1982, prior to the adoption of PD 193 in February 1985, which means The Crescent has non-conforming rights as to landscaping. However, because our upgrade includes adding an additional 1,365 square feet of retail space along the Cedar Springs Road and Maple Avenue frontages, we must now comply with PD 193 landscape provisions.

PD 193 landscape provisions require one street tree for every 25 feet of street frontage to be planted in a tree planting zone located between 2.5 feet and 5 feet from the back of the curb. Currently, there is a double row of street trees along Cedar Springs. The exterior row of trees is located within the tree planting zoning and the interior row is located on the inside of the sidewalk. The interior row of trees are dominant and are forcing the exterior row of trees, which are located next to the curb to grow to one side leaning over the street. Over the years, these trees have been damaged and significantly trimmed resulting in a row of unattractive misshapen trees.

One of the primary goals of this enhancement program is to enrich the pedestrian experience, which will include the following elements:

Cedar Springs Enhancements:

- a) Enlarging the walkway and providing an arcade adjacent to the retail and restaurant uses along Cedar Springs;
- b) Providing enhanced paving for the interior driveway adjacent to the retail and restaurant uses;
- c) Providing outside dining and sitting areas adjacent to Cedar Springs; and
- d) Removing the exterior row of trees along Cedar Springs, which will enable the larger interior row of trees to flourish. This will also improve visibility of the site along Cedar Springs.

Interior Open Space Enhancements:

- a) Upgrading the landscaping located within the interior plaza area next to the retail uses;
- b) Reducing the number of parking spaces currently located in the motor court located between the hotel and office tower so it becomes a pedestrian-friendly courtyard;
- c) Increasing landscaping in the courtyard; and
- d) Creating small plazas and seating areas within the courtyard between the hotel and office tower.

Corner Park Upgrades:

- a) Demolishing the existing drive-in bank facility located at the intersection of McKinney and Pearl; and
- b) Expanding the current park located at the corner of McKinney and Pearl and making it more accessible, inviting, and pedestrian-friendly.

Public Sidewalks:

The existing sidewalks widths vary around the site; although, PD 193 requires 6-foot wide sidewalks. We are proposing to increase the width of the existing four-foot sidewalk along Cedar Springs to six feet by using an alternate permeable paving material instead of concrete.

Tree Mitigation:

There are 122 existing street trees on the site totaling 1,670 caliper inches. We are proposing to remove 28 existing trees located next to the curb along Cedar Springs or 327 caliper inches. In addition, there are 52 interior trees totaling 628 caliper inches. 20 of these trees will be removed totaling 155 caliper inches.

All removed trees will be mitigated by adding new trees on the site. We will add 7 street trees along Cedar Springs in the tree-planting zone totaling 42 caliper inches and

112 new trees in the interior for 612 caliper inches. There are 2,298 caliper inches of existing trees on the site. After all improvements, there will be 2,470 caliper inches of trees on the site, or an increase of 172 caliper inches.

We feel these improvements will significantly enrich the pedestrian experience at The Crescent and contribute to the viability of Uptown. We are requesting the board's approval of our alternate landscape plan.

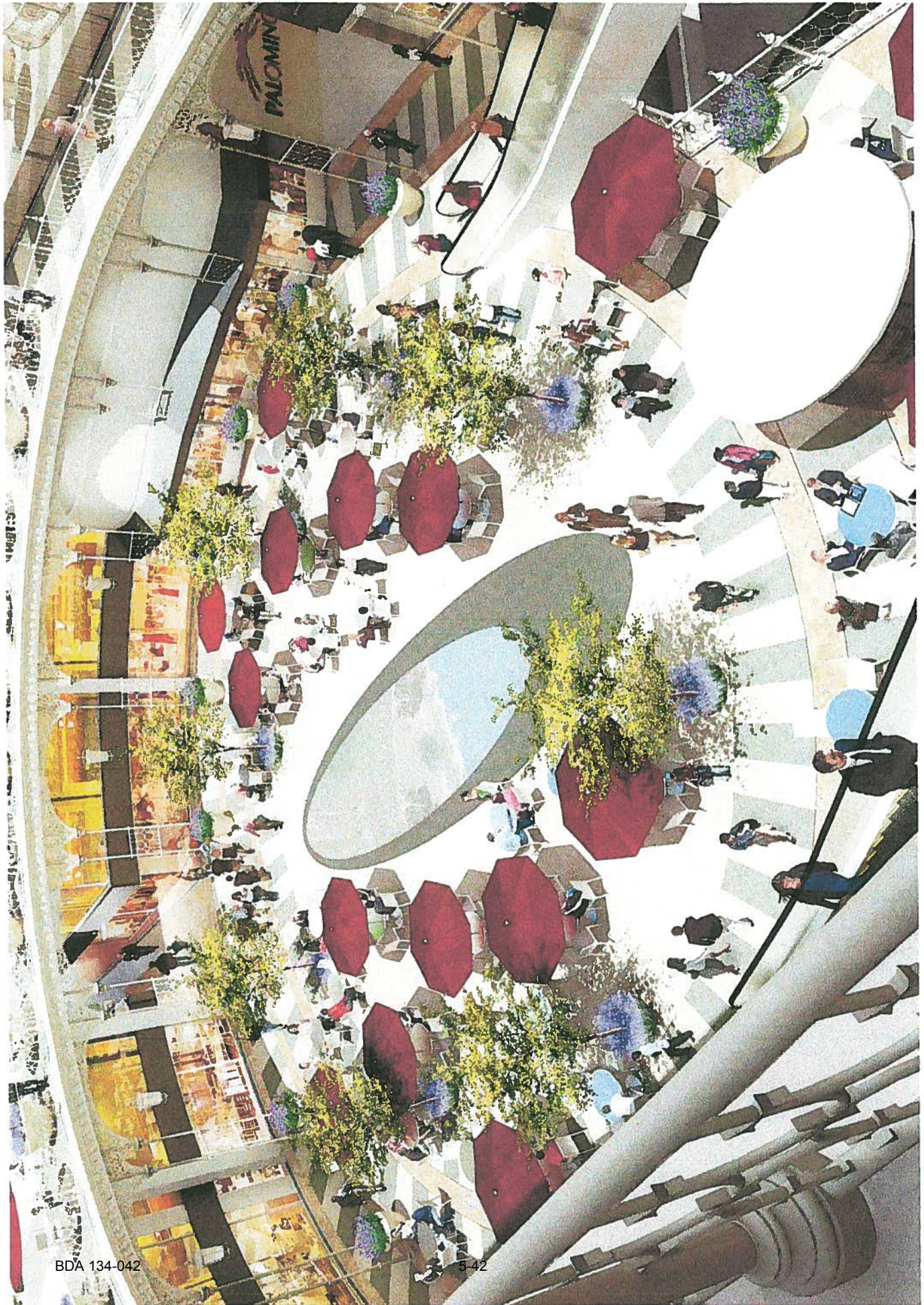
Sincerely:

A handwritten signature in black ink, appearing to read 'Robert Reeves', with a long horizontal flourish extending to the right.

Robert Reeves





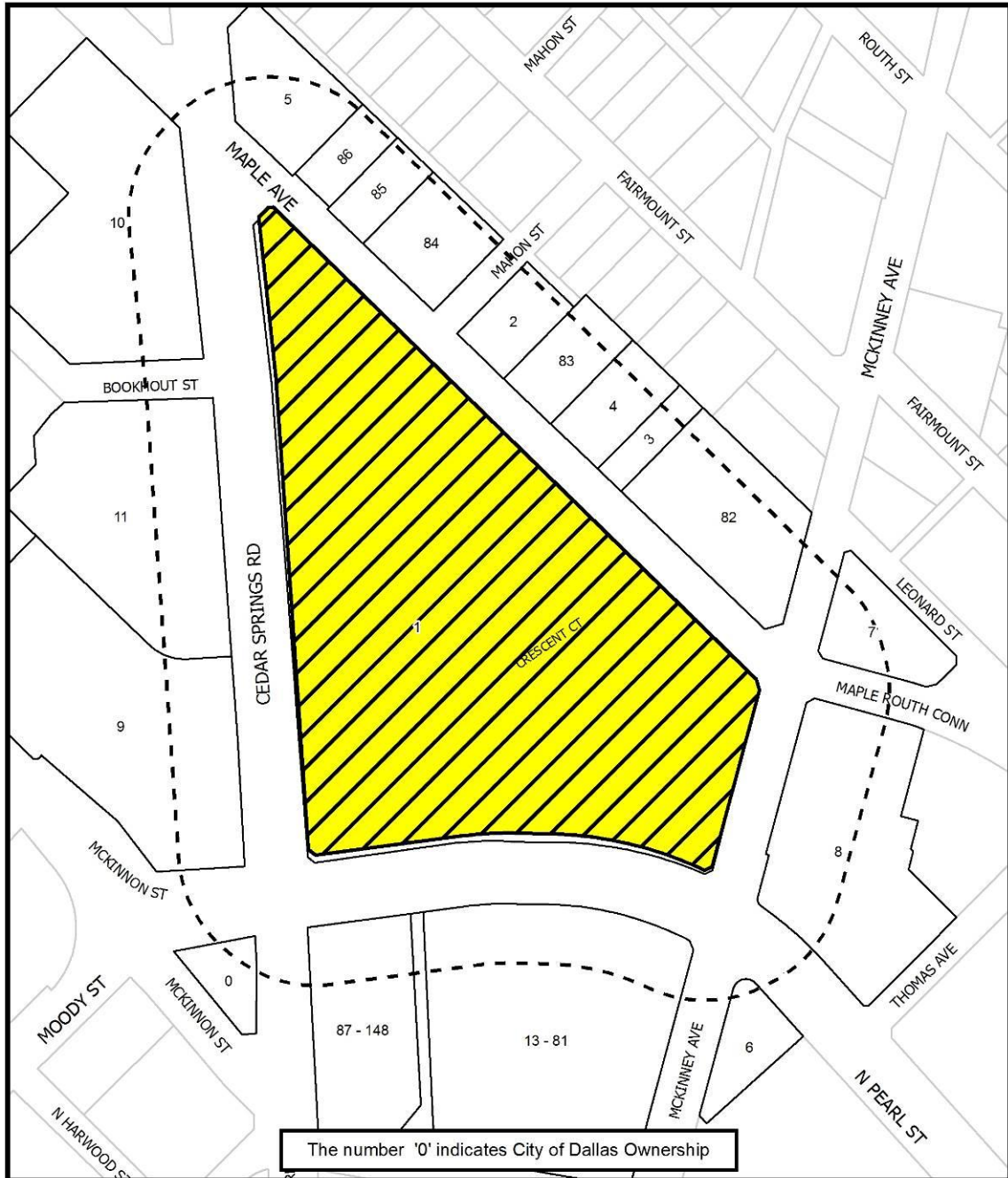








LANDSCAPE IMPROVEMENT PERSPECTIVES



 1:2,400	NOTIFICATION		Case no: BDA134-042
	<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;">148</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 4/24/2014	

Notification List of Property Owners

BDA134-042

148 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	100 CRESCENT CT	CRESCENT TC INVESTORS LP ATTN: PROPERTY
2	2516 MAPLE AVE	HEYMANN CLAIRE L
3	2504 MAPLE AVE	PASHA & SINA INC % MOHSEN HEIDARI
4	2508 MAPLE AVE	PASHA & SINA INC
5	2628 MAPLE AVE	GREENWAY MAPLE LP
6	2120 MCKINNEY AVE	METROPOLITAN LIFE INS CO TWO LINCOLN CEN
7	2324 MCKINNEY AVE	MAPLE AND MCKINNEY L P % ONE STOP FOOD S
8	2222 MCKINNEY AVE	AMREIT UPTOWN DALLAS LP
9	2101 CEDAR SPRINGS RD	ROSEWOOD COURT LLC
10	2305 CEDAR SPRINGS RD	GPI CEDAR MAPLE LP STE 800
11	2215 CEDAR SPRINGS RD	2215 CEDAR SPRIN APTS LTD % SENTINEL REA
12	2510 CEDAR SPRINGS RD	CRESCENT REAL ESTATE EQUITIES LIMITED PS
13	2121 MCKINNEY AVE	CRESCENT PLZ HOTEL OWNER SUITE 2100
14	2525 PEARL ST	HOWE KEVIN & CONSTANCE HOWE
15	2525 PEARL ST	ADELGLASS JEFFREY & BARBARA
16	2525 PEARL ST	MCKENZIE ARETA B UNIT 209
17	2525 PEARL ST	HIXSON ROBERT L JR &
18	2525 PEARL ST	BADINTER SIMON M
19	2525 PEARL ST	STONE EVAN
20	2525 PEARL ST	FRICKE MICHAEL T & ARLENE S
21	2525 PEARL ST	COTTEL WILLIS I TRUSTEE THE WILLIS I COT
22	2525 PEARL ST	SHINN LLOYD & SHINN BARBARA
23	2525 PEARL ST	BOSSE JEFFREY F & DONNA S
24	2525 PEARL ST	QUIST SHARON S
25	2525 PEARL ST	MILLER PAUL C & C KELLEY KLINE
26	2525 PEARL ST	PIP HOLDINGS LLC

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2525 PEARL ST	STERN MATT D
28	2525 PEARL ST	ZWEDEN JAAP VAN &
29	2525 PEARL ST	OHRE DAVID E
30	2525 PEARL ST	ZISMAN AVI
31	2525 PEARL ST	SAVAGE LIVING TRUST THE
32	2525 PEARL ST	TOELLER GARY RICHARD & ANNE S TRUSTEES T
33	2525 PEARL ST	SONNENSCHNEID INVESTMENTS LTD
34	2525 PEARL ST	MORENO ROBERTO JAVIER GONZALEZ
35	2525 PEARL ST	CARTER LINDA JO
36	2525 PEARL ST	CARLOW CORP
37	2525 PEARL ST	GINSBURG SCOTT K
38	2525 PEARL ST	ABOU QAMAR MAAMOUN Y
39	2525 PEARL ST	MITCHELL F LANE
40	2525 PEARL ST	GALLETTA NANCY J #1301
41	2525 PEARL ST	BAILEY CHARLES R & VIRGINIA H
42	2525 PEARL ST	EAGLE ROBERT M
43	2525 PEARL ST	WESTDALE PPTIES AMERICA I
44	2525 PEARL ST	WITRY MARY CAROL
45	2525 PEARL ST	WOOD DAVID M STE 1306
46	2525 PEARL ST	CUMMINGS KEVIN & GUINEVERE
47	2525 PEARL ST	SANDLIN MARK R
48	2525 PEARL ST	RICHARDSON ANDREW C & ERIN
49	2525 PEARL ST	ZISMAN AVI
50	2525 PEARL ST	BROWER SHANNON
51	2525 PEARL ST	KIM TAESEUNG BEN & CHUNG TAMMY K
52	2525 PEARL ST	RAPHAEL AUDREY LIVING TR THE PHOENICIAN
53	2525 PEARL ST	PLAMONDON MARK & PEGGY
54	2525 PEARL ST	1013 NW LOOP 410 VENTURE 1 FORUM 16TH FL
55	2525 PEARL ST	MCKNIGHT JAMES ROSS & BILLIE
56	2525 PEARL ST	MITCHELL KEITH & LOIS TRUST THE
57	2525 PEARL ST	ALVARADO JOSEPH UNIT #1504

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	2525 PEARL ST	HAUSLEIN FERDINAND A JR SUITE 1505
59	2525 PEARL ST	WALKER ROBERT M & GUDRUN S
60	2525 PEARL ST	CASTO DAVID & LUANN UNIT 1507
61	2525 PEARL ST	TAYLOR BERNARD &
62	2525 PEARL ST	ALBERTS DENNY & CYNTHIA COMPARIN STE 160
63	2525 PEARL ST	DOUGLASS GREGORY
64	2525 PEARL ST	NURENBERG PAMELA & DAVID EWALT
65	2525 PEARL ST	PARKS JAMES LEE
66	2525 PEARL ST	ROMAN FRANK
67	2525 PEARL ST	CROWDER KEVIN & KAREN
68	2525 PEARL ST	HEADINGTON REALTY & CAPITAL LLC
69	2525 PEARL ST	ROSS STEPHANIE REVOCABLE TRUST
70	2525 PEARL ST	BORICUA ENTERPRISES LP
71	2525 PEARL ST	TEL REAL ESTATE LLC JML REAL ESTATE LLC
72	2525 PEARL ST	J3 DEVELOPMENT LLC C/O SADDOCK & COMPANY
73	2525 PEARL ST	MAYER TOM & SUSAN
74	2525 PEARL ST	KARKOUTLY AMAN & KARKOUTLY SUSAN
75	2525 PEARL ST	HAMMOND GABRIEL
76	2525 PEARL ST	TWOMEY KEVIN M & TWOMEY DANNEHL M
77	2525 PEARL ST	WAGNER DUER III
78	2525 PEARL ST	HADDOCK RON W & HADDOCK SANDI
79	2525 PEARL ST	SOLOMON WILLIAM T & GAY F
80	2525 PEARL ST	DISNEY RONALD W & KATHLEEN
81	2525 PEARL ST	ANDERSON CHARLES C JR & MOLLY R
82	2401 MCKINNEY AVE	ELK FINANCIAL INC STE 450 LB 314
83	2512 MAPLE AVE	HEIDARI ALI
84	2610 MAPLE AVE	WARSAW RESTAURANT INC
85	2616 MAPLE AVE	HEIDARI ALI A
86	2620 MAPLE AVE	MAPLE MARKETING CORPORATION
87	2400 OLIVE ST	CRESCENT TOWER RESIDENCES LP STE 2100
88	2555 PEARL ST	LARRAC INV LLC

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	2555 PEARL ST	CREWS KYLE W & ANNE C
90	2555 PEARL ST	FEDERAL HOME LOAN MORTGAGE CORP
91	2555 PEARL ST	HENDRICKS JAMES P & BRIGHT LORIE LYNN
92	2555 PEARL ST	ALEXANDER GREG
93	2555 PEARL ST	AMENDED AND RESTATED DAGNON REV TRUST
94	2555 PEARL ST	DIXON GENE JR & VICTORIA
95	2555 PEARL ST	STEPHANIAN EDIC
96	2555 PEARL ST	MOROS HORACIO JAVIER
97	2555 PEARL ST	THELIN THOMAS
98	2555 PEARL ST	ZOYS GEORGE N
99	2555 PEARL ST	VEERARAGHAVAN UMA & KRISHNA
100	2555 PEARL ST	CHI WEIWEI &
101	2555 PEARL ST	RITZ TOWER 405 LLC
102	2555 PEARL ST	CLARKE DIEN S & FRED E III
103	2555 PEARL ST	HENRY JAMES J & PATRICIA M
104	2555 PEARL ST	ATTICUS PEARL STREET LLC UNIT 503
105	2555 PEARL ST	HASHEM OMAR & MIASSAR
106	2555 PEARL ST	FABER CAREY E #0505
107	2555 PEARL ST	WILKINS LINDA A TR THE PINK DIAMOND TRUS
108	2555 PEARL ST	WORTLEY MICHAEL D & PATRICIA
109	2555 PEARL ST	LEVY MARLON & LEVY JENNIFER
110	2555 PEARL ST	WILKINS LINDA A TR
111	2555 PEARL ST	MUSSULMAN DANIEL G #701
112	2555 PEARL ST	CLAUSE CARL & ROSALIE
113	2555 PEARL ST	CLAUSE CARL & ROSALIE
114	2555 PEARL ST	PESES IAN &
115	2555 PEARL ST	WILLIAMS KEVIN
116	2555 PEARL ST	HOLMES CHARLTON C
117	2555 PEARL ST	CHALMERS DONALD L & DIANNE M
118	2555 PEARL ST	CLARK PHILIP L & PATRICIA G
119	2555 PEARL ST	PORTER ZACHARY & EMILY RAY

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	2555 PEARL ST	HEEBE ADREA D
121	2555 PEARL ST	KLAASSEN LIVING TRUST UNIT 1002
122	2555 PEARL ST	RODER RICHARD
123	2555 PEARL ST	BEREZINA VICTORIA
124	2555 PEARL ST	ULLMAN MYRON EDWARD & CATHY EMMONS TRUST
125	2555 PEARL ST	FAURIA THOMAS J & RENEE
126	2555 PEARL ST	KEN CARLILE 2004 TRUST THE
127	2555 PEARL ST	RIPPETO J DOUGLAS
128	2555 PEARL ST	GREAT CENTRAL MORTGAGE ACCEPTANCE COMPAN
129	2555 PEARL ST	MUHL BRADLEY GILBERT & HOLLY BOWEN
130	2555 PEARL ST	FRAZIER DEBBIE
131	2555 PEARL ST	FOX PATRICK K & FOX CYNTHIA E
132	2555 PEARL ST	FORD SCOTT T & JOAN D
133	2555 PEARL ST	SNEAD RICHARD & MARILYN UNIT 1402
134	2555 PEARL ST	DORF ROGER & SANDRA DORF
135	2555 PEARL ST	PARSELL SUSAN P
136	2555 PEARL ST	LAM SAMUEL M MD STE 101
137	2555 PEARL ST	LAZOF FAMILY TRUST
138	2555 PEARL ST	SIKKEL MARK
139	2555 PEARL ST	RC TRUST THE & ATTN: FRED W FULTON
140	2555 PEARL ST	PLASTININA KIRA
141	2555 PEARL ST	DARVISHSEFAT FARID YU
142	2555 PEARL ST	DARVISHSEFAT FARID YU STE 306
143	2555 PEARL ST	SHINN LLOYD & BARBARA SHINN
144	2555 PEARL ST	HEDGEHOG REAL ESTATE LLC WEST SIDE LEVEL
145	2555 PEARL ST	CHILANGO LLC
146	2555 PEARL ST	KAPLAN GABRIEL TR GABRIEL KAPLAN REV TR
147	2555 PEARL ST	REESJONES TREVOR
148	2555 PEARL ST	VAN WOLFSWINKEL RANDALL