

TUESDAY, SEPTEMBER 17, 2013
AGENDA

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

Neva Dean, Interim Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the Tuesday, August 20, 2013 Board of Adjustment Public Hearing Minutes	M1
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UNCONTESTED CASES

BDA 123-085	4402 Leland Avenue (AKA: 4410 Leland Avenue) REQUEST: Application of Fran Lobpries for special exceptions to the fence height, visual obstruction, and off-street parking regulations	1
BDA 123-087	9762 Audubon Place REQUEST: Application of Anna Sullivan for a special exception to the fence height regulations	2
BDA 123-094	10424 Marsh Lane REQUEST: Application of Cameron Leggett for a special exception to the fence height regulations	3

HOLDOVER CASE

BDA 123-076	4932 Cedar Springs Road REQUEST: Application of Bryan Hull for a variance to the front yard setback regulations	4
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REGULAR CASE

BDA 123-086

5410 Melrose Avenue

REQUEST: Application of Robert V. Hunt for variances to the front yard setback, lot coverage, and off-street parking regulations

5

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the Commission/Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices.. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex. Govt. Code §551.086]

(Rev. 6-24-12)

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel A August 20, 2013 public hearing minutes.

FILE NUMBER: BDA 123-085

BUILDING OFFICIAL'S REPORT: Application of Fran Lobpries for special exceptions to the fence height, visual obstruction, and off-street parking regulations at 4402 Leland Avenue (AKA: 4410 Leland Avenue). This property is more fully described as Lot 10A, Block A/1759 and is zoned PD-595 (R-5(A)), which limits the height of a fence in the front yard to 4 feet, requires a 20 foot visibility triangle at driveway approaches, and requires off-street parking to be provided. The applicant proposes to construct/maintain a 7 foot high fence, which will require a 3 foot special exception to the fence height regulations, and to locate/maintain items in required visibility triangles, which will require a special exception to the visual obstruction regulations, and to construct/maintain a structure for child-care facility and community service center uses and provide 33 of the required 43 off-street parking spaces, which will require a 10 space special exception to the off-street parking regulations.

LOCATION: 4402 Leland Avenue (AKA: 4410 Leland Avenue)

APPLICANT: Fran Lobpries

REQUESTS:

The following appeals have been made on a site that is currently developed with a community center use (Dallas Bethlehem Center):

1. Special exception to the fence height regulations of 3' is requested in conjunction with maintaining what is described in the applicant's submitted revised elevation as a 6' 4" high open metal vehicular gate and two 6' 6 1/2" high open metal picket "door gates" in the site's 20' Leland Drive front yard setback.
2. Special exceptions to the visual obstruction regulations are requested in conjunction with maintaining portions of a 6' high open metal picket fence in the 20' visibility triangles on either side of the driveways into the site from Leland Avenue and Marburg Street.
3. A special exception to the off-street parking regulations of 10 parking spaces (or a 23 percent reduction of the 43 off-street parking spaces that are required) is made in conjunction with leasing and maintaining the existing structures on the site with child care facility and community center uses. The applicant proposes to provide 33 (or 77 percent) of the required 43 off-street parking spaces in conjunction with leasing and maintaining these uses on the property.

(Note that the applicant has stated that no special exception to the fence height regulations is needed to address the existing 6' high fence in the front yard setbacks on the property given that this fence is in compliance with a previously applied for and granted fence height special exception in 1999 (BDA 990-158)).

STANDARD FOR A SPECIAL EXCEPTION TO FENCE HEIGHT REGULATIONS:

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

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

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

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

- 1) The Board of Adjustment may grant a special exception to authorize a reduction in the number of off-street parking spaces required under this article if the board finds, after a public hearing, that the parking demand generated by the use does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets. The maximum reduction authorized by this section is 25 percent or one space, whichever is greater, minus the number of parking spaces currently not provided due to delta credits, as defined in Section 51A-4.704(b)(A).
- 2) In determining whether to grant a special exception, the board shall consider the following factors:
 - (A) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (B) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (C) Whether or not the subject property or any property in the general area is part of a modified delta overlay district.
 - (D) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (E) The availability of public transit and the likelihood of its use.
 - (F) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- 3) In granting a special exception, the board shall specify the uses to which the special exception applies. A special exception granted by the board for a particular use automatically and immediately terminates if and when that use is changed or discontinued.
- 4) In granting a special exception, the board may:
 - (A) Establish a termination date for the special exception or; otherwise provide for the reassessment of conditions after a specified period of time;
 - (B) Impose restrictions on access to or from the subject property; or
 - (C) Impose any other reasonable conditions that would have the effect of improving traffic safety or lessening congestion on the streets.

- 5) The board shall not grant a special exception to reduce the number of off-street parking spaces required in an ordinance granting or amending a specific use permit.
- 6) The board shall not grant a special exception to reduce the number of off-street parking spaces expressly required in the text or development plan of an ordinance establishing or amending regulations governing a specific planned development district. This prohibition does not apply when:
 - (A) the ordinance does not expressly specify a minimum number of spaces, but instead simply makes references to the existing off-street parking regulations in Chapter 51 or this chapter; or
 - (B) the regulations governing that specific district expressly authorize the board to grant the special exception.

STAFF RECOMMENDATION (fence height special exception):

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

STAFF RECOMMENDATION (visual obstruction special exceptions):

Approval, subject to the following condition:

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

Rationale:

- The Sustainable Development and Construction Department Engineering Division Assistant Director has indicated that he has no objections to these requests on the condition that no vegetation is to be permitted in any of the required visibility triangles. (The applicant's submitted revised site plan and revised elevation specify nothing in the visibility triangles other than an open metal picket fence).
- The applicant has substantiated how the location of portions of the existing 6' high open metal picket fence located in the 20' visibility triangles on either side of the driveways into the site from Leland Avenue and Marburg Street do not constitute a traffic hazard.

STAFF RECOMMENDATION (off-street parking special exception):

Approval, subject to the following condition:

- The special exception of 10 spaces shall automatically and immediately terminate if and when the child care facility and community center uses are changed or discontinued.

Rationale:

- The applicant has substantiated how the parking demand generated by the child care facility and community center uses does not warrant the number of off-street parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.
- The Sustainable Development and Construction Department Engineering Division Assistant Director has indicated that he has no objections to this parking reduction request.

BACKGROUND INFORMATION:

Zoning:

Site: PD 595 (R-5(A)(SUP 37) (Planned Development, Single family 5,000 square feet)
North: PD 595 (R-5(A)(SUP 37) (Planned Development, Single family 5,000 square feet)
South: PD 595 (R-5(A)(SUP 37) (Planned Development, Single family 5,000 square feet)
East: PD 595 (R-5(A)(SUP 37) (Planned Development, Single family 5,000 square feet)
West: PD 595 (R-5(A)(SUP 37) (Planned Development, Single family 5,000 square feet)

Land Use:

The subject site is developed with a community service center use (Dallas Bethlehem Center). The areas to the north, east, south, and west are developed with single family uses and vacant properties.

Zoning/BDA History:

1. BDA 990-158, Property at 4410 Leland Avenue (the subject site)

On December 14, 1999, the Board of Adjustment Panel A granted a request for a special exception to the fence height regulations of 2 feet, and imposed the following conditions: That the fence on the site is of open metal/iron material; and 2) That visibility triangles remain open on the site.

The case report stated that the request was made in conjunction with constructing and maintaining a 6' high open metal/iron picket fence in the front yard setback along Leland Road and Marburg Street on property developed with a community service center use (Dallas Bethlehem Center).

Timeline:

June 26, 2013: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

August 20, 2013: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, "If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case."

August 21, 2013: 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 August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the requests; and
- the Board of Adjustment Working Rules of Procedure pertaining to "documentary evidence."

August 29, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original application, and the Building Inspection Senior Plans Examiner/Development Code Specialist forwarded a related amended Building Official's Report (see Attachment A).

September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

September 9, 2013: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet regarding the applicant's request for special exceptions to the visual obstruction and off-street parking regulations marked "Has no objections if certain conditions are met" commenting "remove vegetation to improved visibility through the fence."

GENERAL FACTS/STAFF ANALYSIS (fence height special exception):

- This request focuses on constructing and maintaining what is described in the applicant's submitted elevation as a 6' 4" high open metal vehicular gate and two 6'

6 ½” high open metal picket “door gates” in the site’s 20’ Leland Drive front yard setback. (Note that the applicant has stated that no special exception to the fence height regulations is needed to address the existing 6’ high fence in the front yard setbacks on the property given that this fence is in compliance with a previously applied for and granted fence height special exception in 1999 (BDA 990-158)).

- 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 applicant has submitted a revised site plan and revised elevation of the proposal in the front yard setback that reaches a maximum height of 6’ 6 ½”.
- The total length of the 3 gates that require the fence height special exception is approximately 26’.
- As of September 9, 2013, 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 3’ will not adversely affect neighboring property.
- Granting this special exception of 3’ with a condition imposed that the applicant complies with the submitted revised site plan and revised elevation would require the proposal exceeding 4’ in height in the front yard setback to be constructed and maintained in the location and of the heights and materials as shown on this document.

GENERAL FACTS/STAFF ANALYSIS (visual obstruction special exceptions):

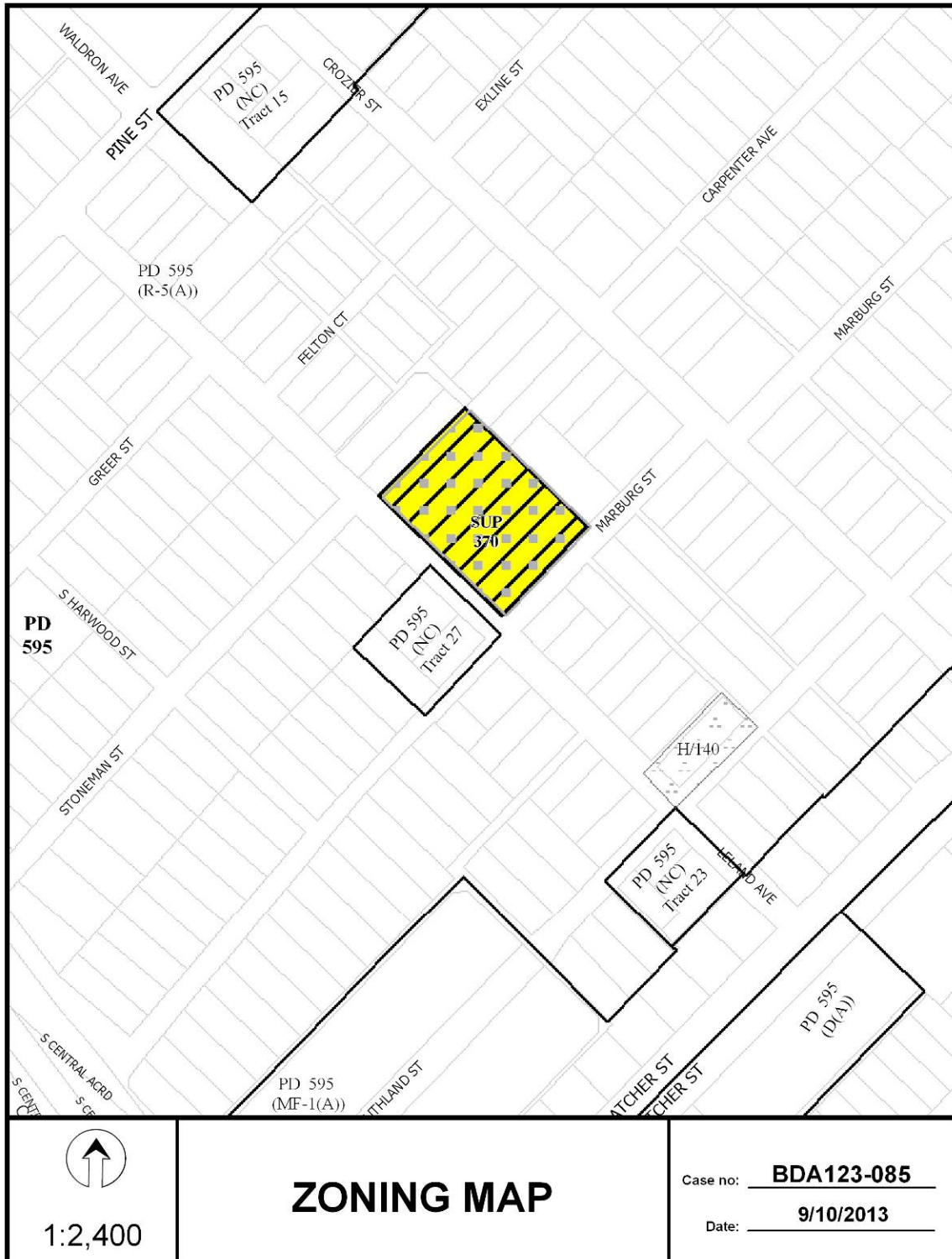
- These requests focus on maintaining portions of a 6’ high open metal picket fence in the 20’ visibility triangles on either side of the driveways into the site from Leland Avenue and Marburg Street.
- The Dallas Development Code states the following: A person shall not erect, place, or maintain a structure, 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).
- A revised site plan and revised elevation has been submitted indicating portions of a 6’ high open metal picket fence located in the 20-foot visibility triangles on either side of the driveway into the site from Leland Avenue and on either side of two driveways into the site from Marburg Street.
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections if certain conditions are met” commenting “remove vegetation to improve visibility through the fence.”
- The applicant has the burden of proof in establishing how granting the requests for special exceptions to the visual obstruction regulations to maintain portions of a 6’

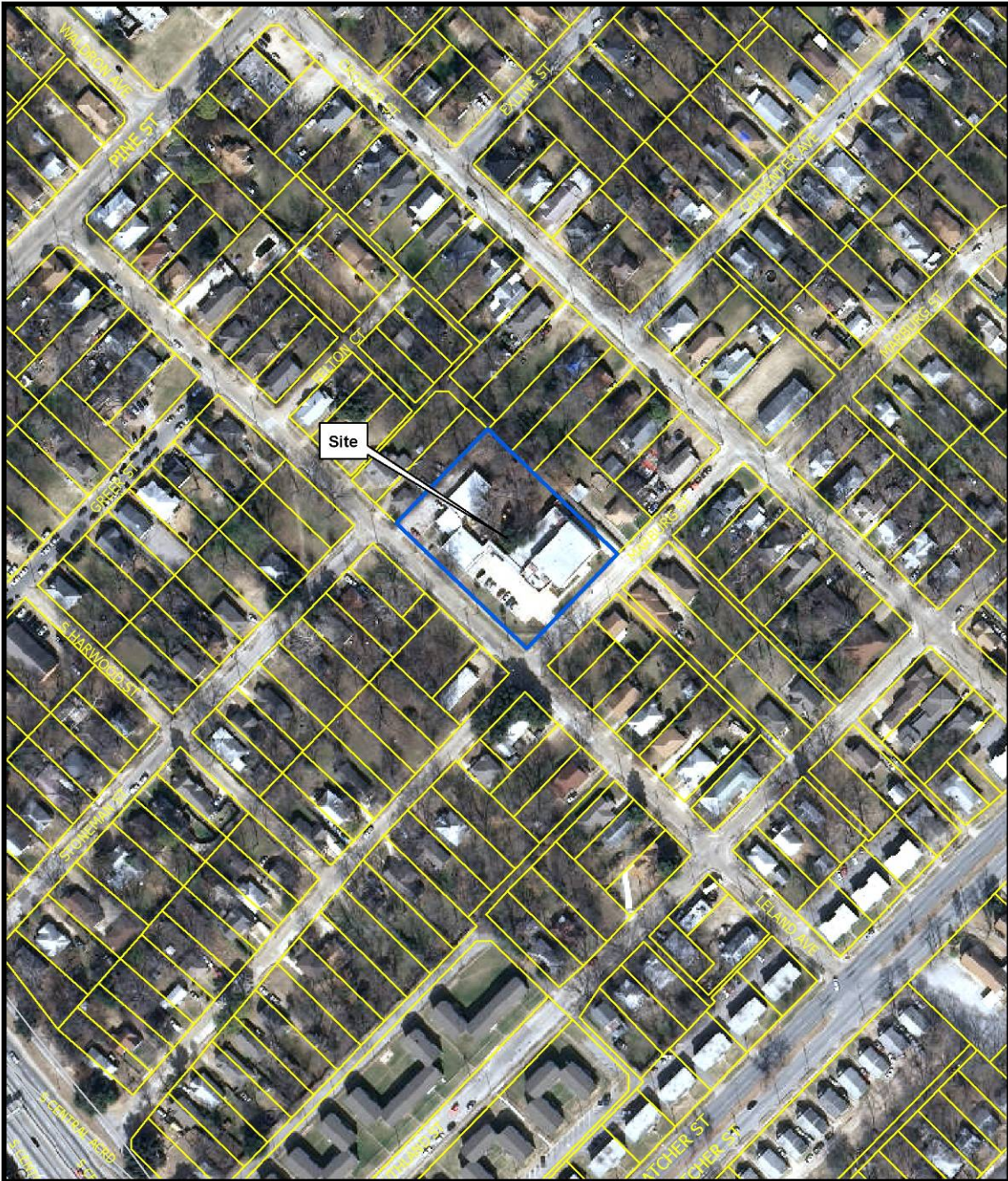
high open metal picket fence in the visibility triangles at three drive approaches into the site from Leland Avenue and Marburg Street does not constitute a traffic hazard.

- Granting these requests with a condition imposed that the applicant complies with the submitted revised site plan and revised elevation would require the item (a 6' high open metal fence) in the 20 foot visibility triangles on either side of the driveways into the site from Leland Avenue and Marburg Street to be limited to the locations, height and materials of this item as shown on these documents.

GENERAL FACTS/STAFF ANALYSIS (off-street parking special exception):

- This request focuses leasing and maintaining the existing structures on the site with a total square footage of about 15,200 square feet of child care and community center uses. The proposed child care facility use is to be about 6,500 square feet and the proposed community center use is to be about 8,600 square feet. The applicant proposes to provide 33 (or 77 percent) of the required 43 off-street parking spaces in conjunction with leasing and maintaining these uses with these square footages on the property.
- The Dallas Development Code requires the following off-street parking requirement:
 - community service center: 1 space per 200 square feet of floor area. (The 8,680 square foot community service center requires 43 off-street parking spaces hence the special exception request of 10 spaces).
 - child care facility: if an SUP is required for this use, the off-street requirement may be established in the ordinance granting the SUP, otherwise one space per 500 square feet of floor area. (The 6,584 square foot child care facility requires 13 spaces that are requested to be established in an ordinance on a pending request for an SUP to be filed on this property depending on the outcome of this board of adjustment request for a special exception to off-street parking regulations).
- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet and indicated that he has no objections to the off-street parking reduction request.
- The applicant has the burden of proof in establishing the following:
 - The parking demand generated by the child care facility and community center uses on the site does not warrant the number of off-street parking spaces required, and
 - The special exception of 10 spaces (or a 23 percent reduction of the required off-street parking) would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.
- If the Board were to grant this request, and impose the condition that the special exception of 10 spaces shall automatically and immediately terminate if and when the child care facility and community service center uses are changed or discontinued, the applicant would be allowed to lease/maintain the site with these specific uses and provide only 33 of the 43 code required off-street parking spaces along with the off-street requirement for the child care facility use being established by City Council in a future ordinance granting a pending SUP request for this use.





1:2,400

AERIAL MAP

Case no: BDA123-085

Date: 9/10/2013



City of Dallas

BDA 123-085

Attach A

PA 1

A

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-085

Data Relative to Subject Property:

Date: 6-26-13

Location address: 4402 Leland Ave (AKA: 4410) Zoning District: PD595(R-5(A))

Lot No.: 10A Block No.: A11759 Acreage: 1.278 Census Tract: 38.00

Street Frontage (in Feet): 1) 277.51' 2) 201.2' 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment :

5826

Owner of Property (per Warranty Deed): Dallas Bethlehem Center, Inc.

Applicant: Dallas Bethlehem Center, Inc. Telephone: 214-428-5171

Mailing Address: 4410 Leland Ave Zip Code: 75215

E-mail Address: admin@DallasBethlehemCenter.org

Represented by: Fran Lobbpries, CFRE Telephone: 214-428-5171

Mailing Address: 2955 S. Bend Drive, Dallas, TX Zip Code: 75229

E-mail Address: lobpries1@sbcglobal.net

Affirm that an appeal has been made for a Variance _____, or Special Exception , of 3 ft to fence height in a front yard, and visibility triangle obstruction at driveway approaches. A special exception of 10 parking spaces from the required 43 spaces for a community service center use.

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

The 5'11" wrought iron fence with 4.5" picket spacing provides ample line of sight for drivers and pedestrians as well as beautification to the neighborhood. Most importantly, the height and placement prohibit unauthorized access to the children attending education and recreation programs within.

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.

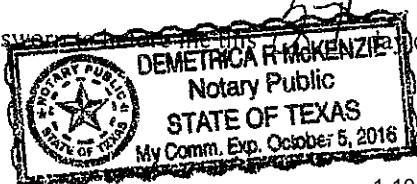
Affidavit

Before me the undersigned on this day personally appeared Fran Lobbpries
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me this June day of 2013
[Signature]
Notary Public in and for Dallas County, Texas



(Rev. 08-01-11)

BDA 123-085
Attach A
pg 2

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 Fran Lobbries

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

at 4402 Leland Avenue

BDA123-085. Application of Fran Lobbries for a special exception to the fence height regulations and a special exception to the visibility obstruction regulations and a special exception to the parking regulations at 4402 Leland Avenue (AKA: 4410). This property is more fully described as Lot 10A, Block A/1759 and is zoned PD-595 (R-5(A)), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches and requires parking to be provided. The applicant proposes to construct a 7 foot high fence in a required front yard, which will require a 3 foot special exception to the fence regulation, and to construct and maintain a fence in required visibility obstruction triangles, which will require a special exception to the visibility obstruction regulation, and to construct and maintain a nonresidential structure for a child-care facility use and a community service center use and provide 33 of the required 43 parking spaces, which will require a 10 space special exception (23.3% reduction) to the parking regulations.

Long, Steve

Pg 3

From: Fran Lobbries [fran.lobpries@dallasbethlehemcenter.org]
Sent: Thursday, August 29, 2013 2:38 PM
To: Long, Steve
Subject: Dallas Bethlehem Center .jpg
Attachments: SITE PLAN 8-29-13.jpg; FENCE ELEVATIONS 8-24-13.jpg

Dallas Bethlehem Center REQUEST the Board of Adjustment consider a Special Exemption of fence height, visibility triangles at the driveways and a reduction in parking spaces as required by code.

Dallas Bethlehem Center requests to:

1. Maintain the steel 4.5" spaced picket fence height of 6.5' and on the drive and walk through gates. Earlier action by the Board of Adjustment approved the building of the 6' fence along the street frontage.
2. Maintain only steel 4.5" spaced picket fences in the visibility triangles. Any foliage denoted in field inspections belongs to neighbors or will be removed.
3. Reduction of 10 parking spaces not needed to serve the Child Care Facility and Community Center located in the urban setting at 4410 Leland Ave. in South Dallas as demonstrated by these same services rendered since their approval in 2006 and subsequent same services to the South Dallas low-vehicle access neighborhood.
4. Please note that these issues arose from the renewal of DBC's SUP when restarting programming following a suspension of services in December 2011. Since February of 2012, the Dallas Police Athletic League and other community programs have been utilizing this facility with no adverse situations arising from parking, visibility or fence/gate height. Dallas Bethlehem was established in 1947 and relocated to Leland in 1955.

We appreciate your consideration of our requests and desire to comply with Dallas ordinances to the best of our ability.

Best Regards,
Fran

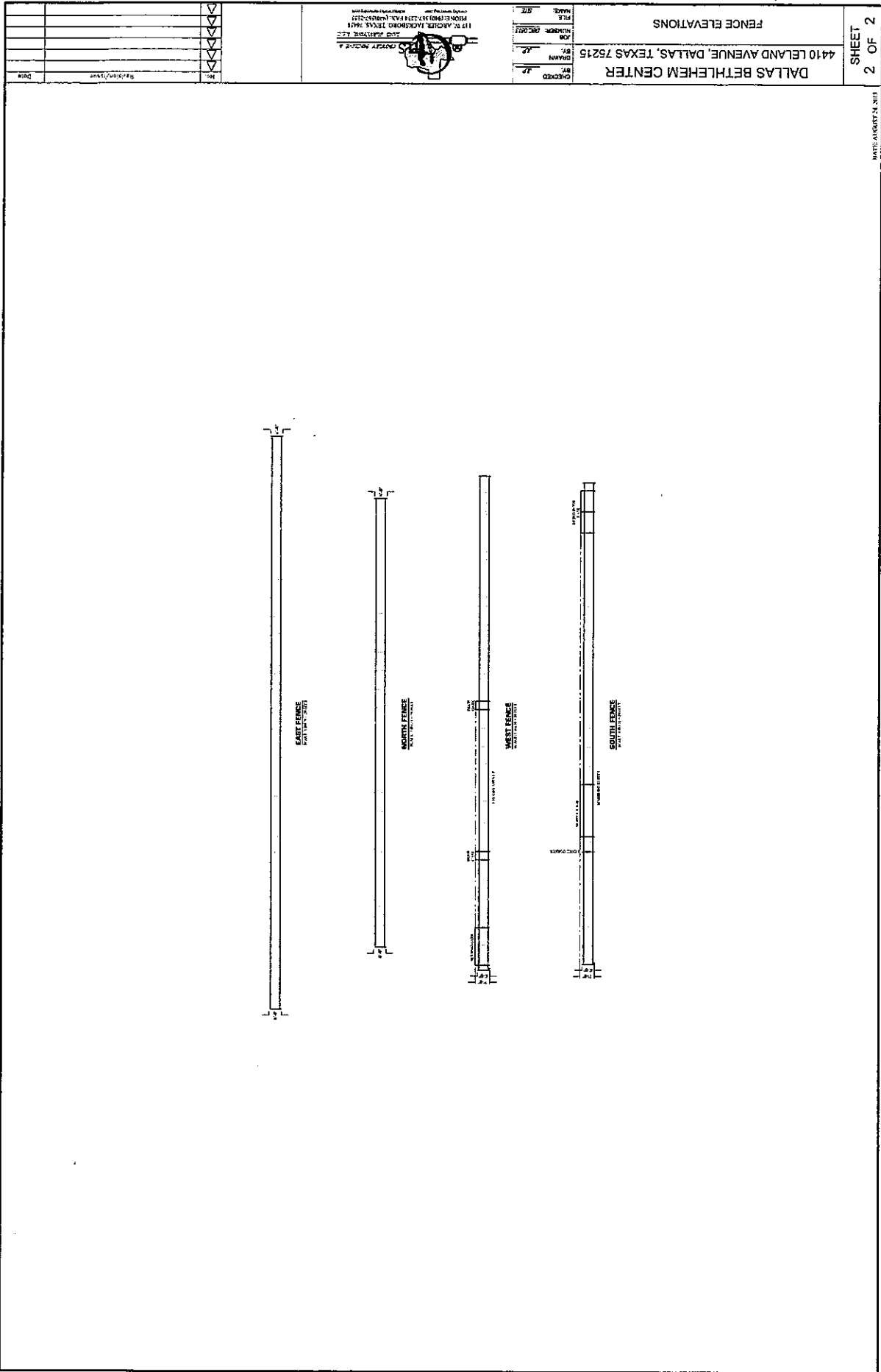
Fran Lobbries, CFRE
Executive Director
Dallas Bethlehem Center
4410 Leland Avenue
Dallas, TX 75215
fran.lobpries@dallasbethlehemcenter.org
www.DallasBethlehemCenter.org
Tel: 214-388-6171

DATE: 04/24/04		SHEET 2 OF 2	
PROJECT: DALLAS BETHLEHEM CENTER		SITE PLAN	
ADDRESS: 4410 LELAND AVENUE, DALLAS, TEXAS 75215		JOB NUMBER: 04020017	
CLIENT: DALLAS BETHLEHEM CENTER		DATE: 04/24/04	
DESIGNED BY: [Signature]		CHECKED BY: [Signature]	
DRAWN BY: [Signature]		SCALE: AS SHOWN	
DATE: 04/24/04		DATE: 04/24/04	

1717 N. ANCHOR JACKSON, TEXAS 75215
 PHONE: (972) 324-7244 FAX: (972) 324-7255
 WWW: WWW.BDAENGINEERING.COM

PLANT LIST

Quantity	Symbol	Plant Name	Size	Notes
1	1	1" Caliper Tree	12"	1 - 12" Caliper Tree
1	2	2" Caliper Tree	18"	1 - 18" Caliper Tree
1	3	3" Caliper Tree	24"	1 - 24" Caliper Tree
1	4	4" Caliper Tree	30"	1 - 30" Caliper Tree
1	5	5" Caliper Tree	36"	1 - 36" Caliper Tree
1	6	6" Caliper Tree	42"	1 - 42" Caliper Tree
1	7	7" Caliper Tree	48"	1 - 48" Caliper Tree
1	8	8" Caliper Tree	54"	1 - 54" Caliper Tree
1	9	9" Caliper Tree	60"	1 - 60" Caliper Tree
1	10	10" Caliper Tree	66"	1 - 66" Caliper Tree
1	11	11" Caliper Tree	72"	1 - 72" Caliper Tree
1	12	12" Caliper Tree	78"	1 - 78" Caliper Tree
1	13	13" Caliper Tree	84"	1 - 84" Caliper Tree
1	14	14" Caliper Tree	90"	1 - 90" Caliper Tree
1	15	15" Caliper Tree	96"	1 - 96" Caliper Tree
1	16	16" Caliper Tree	102"	1 - 102" Caliper Tree
1	17	17" Caliper Tree	108"	1 - 108" Caliper Tree
1	18	18" Caliper Tree	114"	1 - 114" Caliper Tree
1	19	19" Caliper Tree	120"	1 - 120" Caliper Tree
1	20	20" Caliper Tree	126"	1 - 126" Caliper Tree
1	21	21" Caliper Tree	132"	1 - 132" Caliper Tree
1	22	22" Caliper Tree	138"	1 - 138" Caliper Tree
1	23	23" Caliper Tree	144"	1 - 144" Caliper Tree
1	24	24" Caliper Tree	150"	1 - 150" Caliper Tree
1	25	25" Caliper Tree	156"	1 - 156" Caliper Tree
1	26	26" Caliper Tree	162"	1 - 162" Caliper Tree
1	27	27" Caliper Tree	168"	1 - 168" Caliper Tree
1	28	28" Caliper Tree	174"	1 - 174" Caliper Tree
1	29	29" Caliper Tree	180"	1 - 180" Caliper Tree
1	30	30" Caliper Tree	186"	1 - 186" Caliper Tree
1	31	31" Caliper Tree	192"	1 - 192" Caliper Tree
1	32	32" Caliper Tree	198"	1 - 198" Caliper Tree
1	33	33" Caliper Tree	204"	1 - 204" Caliper Tree
1	34	34" Caliper Tree	210"	1 - 210" Caliper Tree
1	35	35" Caliper Tree	216"	1 - 216" Caliper Tree
1	36	36" Caliper Tree	222"	1 - 222" Caliper Tree
1	37	37" Caliper Tree	228"	1 - 228" Caliper Tree
1	38	38" Caliper Tree	234"	1 - 234" Caliper Tree
1	39	39" Caliper Tree	240"	1 - 240" Caliper Tree
1	40	40" Caliper Tree	246"	1 - 246" Caliper Tree
1	41	41" Caliper Tree	252"	1 - 252" Caliper Tree
1	42	42" Caliper Tree	258"	1 - 258" Caliper Tree
1	43	43" Caliper Tree	264"	1 - 264" Caliper Tree
1	44	44" Caliper Tree	270"	1 - 270" Caliper Tree
1	45	45" Caliper Tree	276"	1 - 276" Caliper Tree
1	46	46" Caliper Tree	282"	1 - 282" Caliper Tree
1	47	47" Caliper Tree	288"	1 - 288" Caliper Tree
1	48	48" Caliper Tree	294"	1 - 294" Caliper Tree
1	49	49" Caliper Tree	300"	1 - 300" Caliper Tree
1	50	50" Caliper Tree	306"	1 - 306" Caliper Tree
1	51	51" Caliper Tree	312"	1 - 312" Caliper Tree
1	52	52" Caliper Tree	318"	1 - 318" Caliper Tree
1	53	53" Caliper Tree	324"	1 - 324" Caliper Tree
1	54	54" Caliper Tree	330"	1 - 330" Caliper Tree
1	55	55" Caliper Tree	336"	1 - 336" Caliper Tree
1	56	56" Caliper Tree	342"	1 - 342" Caliper Tree
1	57	57" Caliper Tree	348"	1 - 348" Caliper Tree
1	58	58" Caliper Tree	354"	1 - 354" Caliper Tree
1	59	59" Caliper Tree	360"	1 - 360" Caliper Tree
1	60	60" Caliper Tree	366"	1 - 366" Caliper Tree
1	61	61" Caliper Tree	372"	1 - 372" Caliper Tree
1	62	62" Caliper Tree	378"	1 - 378" Caliper Tree
1	63	63" Caliper Tree	384"	1 - 384" Caliper Tree
1	64	64" Caliper Tree	390"	1 - 390" Caliper Tree
1	65	65" Caliper Tree	396"	1 - 396" Caliper Tree
1	66	66" Caliper Tree	402"	1 - 402" Caliper Tree
1	67	67" Caliper Tree	408"	1 - 408" Caliper Tree
1	68	68" Caliper Tree	414"	1 - 414" Caliper Tree
1	69	69" Caliper Tree	420"	1 - 420" Caliper Tree
1	70	70" Caliper Tree	426"	1 - 426" Caliper Tree
1	71	71" Caliper Tree	432"	1 - 432" Caliper Tree
1	72	72" Caliper Tree	438"	1 - 438" Caliper Tree
1	73	73" Caliper Tree	444"	1 - 444" Caliper Tree
1	74	74" Caliper Tree	450"	1 - 450" Caliper Tree
1	75	75" Caliper Tree	456"	1 - 456" Caliper Tree
1	76	76" Caliper Tree	462"	1 - 462" Caliper Tree
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1	80	80" Caliper Tree	486"	1 - 486" Caliper Tree
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1	86	86" Caliper Tree	522"	1 - 522" Caliper Tree
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1	88	88" Caliper Tree	534"	1 - 534" Caliper Tree
1	89	89" Caliper Tree	540"	1 - 540" Caliper Tree
1	90	90" Caliper Tree	546"	1 - 546" Caliper Tree
1	91	91" Caliper Tree	552"	1 - 552" Caliper Tree
1	92	92" Caliper Tree	558"	1 - 558" Caliper Tree
1	93	93" Caliper Tree	564"	1 - 564" Caliper Tree
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1	95	95" Caliper Tree	576"	1 - 576" Caliper Tree
1	96	96" Caliper Tree	582"	1 - 582" Caliper Tree
1	97	97" Caliper Tree	588"	1 - 588" Caliper Tree
1	98	98" Caliper Tree	594"	1 - 594" Caliper Tree
1	99	99" Caliper Tree	600"	1 - 600" Caliper Tree
1	100	100" Caliper Tree	606"	1 - 606" Caliper Tree
1	101	101" Caliper Tree	612"	1 - 612" Caliper Tree
1	102	102" Caliper Tree	618"	1 - 618" Caliper Tree
1	103	103" Caliper Tree	624"	1 - 624" Caliper Tree
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1	105	105" Caliper Tree	636"	1 - 636" Caliper Tree
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1	108	108" Caliper Tree	654"	1 - 654" Caliper Tree
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1	111	111" Caliper Tree	672"	1 - 672" Caliper Tree
1	112	112" Caliper Tree	678"	1 - 678" Caliper Tree
1	113	113" Caliper Tree	684"	1 - 684" Caliper Tree
1	114	114" Caliper Tree	690"	1 - 690" Caliper Tree
1	115	115" Caliper Tree	696"	1 - 696" Caliper Tree
1	116	116" Caliper Tree	702"	1 - 702" Caliper Tree
1	117	117" Caliper Tree	708"	1 - 708" Caliper Tree
1	118	118" Caliper Tree	714"	1 - 714" Caliper Tree
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1	156	156" Caliper Tree	942"	1 - 942" Caliper Tree
1	157	157" Caliper Tree	948"	1 - 948" Caliper Tree
1	158	158" Caliper Tree	954"	1 - 954" Caliper Tree
1	159	159" Caliper Tree	960"	1 - 960" Caliper Tree
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1	161	161" Caliper Tree	972"	1 - 972" Caliper Tree
1	162	162" Caliper Tree	978"	1 - 978" Caliper Tree
1	163	163" Caliper Tree	984"	1 - 984" Caliper Tree
1	164	164" Caliper Tree	990"	1 - 990" Caliper Tree
1	165	165" Caliper Tree	996"	1 - 996" Caliper Tree
1	166	166" Caliper Tree	1002"	1 - 1002" Caliper Tree
1	167	167" Caliper Tree	1008"	1 - 1008" Caliper Tree
1	168	168" Caliper Tree	1014"	1 - 1014" Caliper Tree
1	169	169" Caliper Tree	1020"	1 - 1020" Caliper Tree
1	170	170" Caliper Tree	1026"	1 - 1026" Caliper Tree
1	171	171" Caliper Tree	1032"	1 - 1032" Caliper Tree
1	172	172" Caliper Tree	1038"	1 - 1038" Caliper Tree
1	173	173" Caliper Tree	1044"	1 - 1044" Caliper Tree
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1	180	180" Caliper Tree	1086"	1 - 1086" Caliper Tree
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1	182	182" Caliper Tree	1098"	1 - 1098" Caliper Tree
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1	184	184" Caliper Tree	1110"	1 - 1110" Caliper Tree
1	185	185" Caliper Tree	1116"	1 - 1116" Caliper Tree
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1	187	187" Caliper Tree	1128"	1 - 1128" Caliper Tree
1	188	188" Caliper Tree	1134"	1 - 1134" Caliper Tree
1	189	189" Caliper Tree	1140"	1 - 1140" Caliper Tree
1	190	190" Caliper Tree	1146"	1 - 1146" Caliper Tree
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1	192	192" Caliper Tree	1158"	1 - 1158" Caliper Tree
1	193	193" Caliper Tree	1164"	1 - 1164" Caliper Tree
1	194	194" Caliper Tree	1170"	1 - 1170" Caliper Tree
1	195	195" Caliper Tree	1176"	1 - 1176" Caliper Tree
1	196	196" Cal		





City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123085

Data Relative to Subject Property:

Date: 6-26-13

Location address: 4402 Leland Ave (AKA: 4410) Zoning District: PD595(R-5(A))

Lot No.: 10A Block No.: A/1759 Acreage: 1.278 Census Tract: 38.00

Street Frontage (in Feet): 1) 277.51' 2) 201.2' 3) _____ 4) _____ 5) _____

SE26

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Dallas Bethlehem Center, Inc.

Applicant: Dallas Bethlehem Center, Inc. Telephone: 214-428-5171

Mailing Address: 4410 Leland Ave Zip Code: 75215

E-mail Address: admin@dallasbethlehemcenter.org

Represented by: Fran Lobbpries, CFRE Telephone: 214-428-5171

Mailing Address: 2955 S. Bend Drive, Dallas, TX Zip Code: 75229

E-mail Address: lobpries1@sbcglobal.net

Affirm that an appeal has been made for a Variance , or Special Exception , of 3 ft to fence height in a front yard, and visibility triangle obstruction at driveway approaches.

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

The 5'11" wrought iron fence with 4.5" picket spacing provides ample line of sight for drivers and pedestrians as well as beautification to the neighborhood. Most importantly, the height and placement prohibit unauthorized access to the children attending education and recreation programs within.

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.

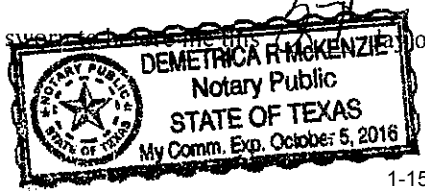
Affidavit

Before me the undersigned on this day personally appeared Fran Lobbpries
(Affiant/Applicant's name printed)

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

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

Subscribed and sworn to before me on this June day of 2013
[Signature]
Notary Public in and for Dallas County, Texas



(Rev. 08-01-11)

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report


I hereby certify that Fran Lobpries

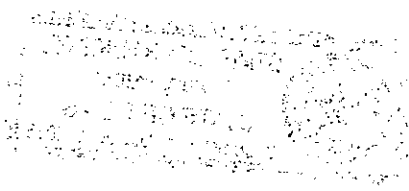
did submit a request for a special exception to the fence height regulations, and for a special exception to the visibility obstruction regulations

at 4402 Leland Avenue

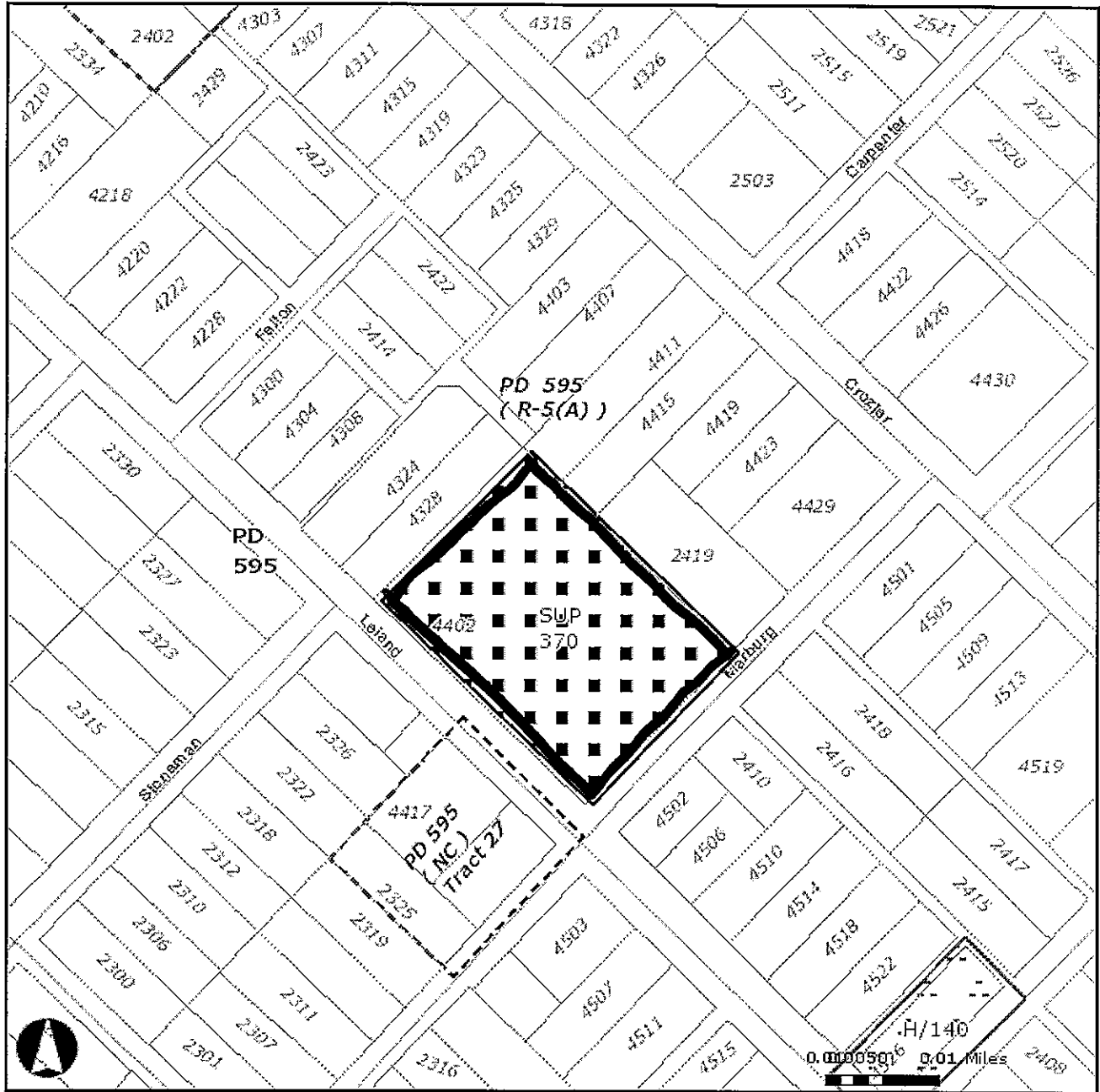
BDA123-085. Application of Fran Lobpries for a special exception to the fence height regulations and a special exception to the visibility obstruction regulations at 4402 Leland Avenue (AKA: 4410). This property is more fully described as Lot 10A, Block A/1759 and is zoned PD-595 (R-5(A)), which limits the height of a fence in the front yard to 4 feet and requires a 20 foot visibility triangle at driveway approaches. The applicant proposes to construct a 7 foot high fence in a required front yard, which will require a 3 foot special exception to the fence regulation, and to construct and maintain a fence in a required visibility obstruction triangle, which will require a special exception to the visibility obstruction regulation.

Sincerely,


Larry Holmes, Building Official

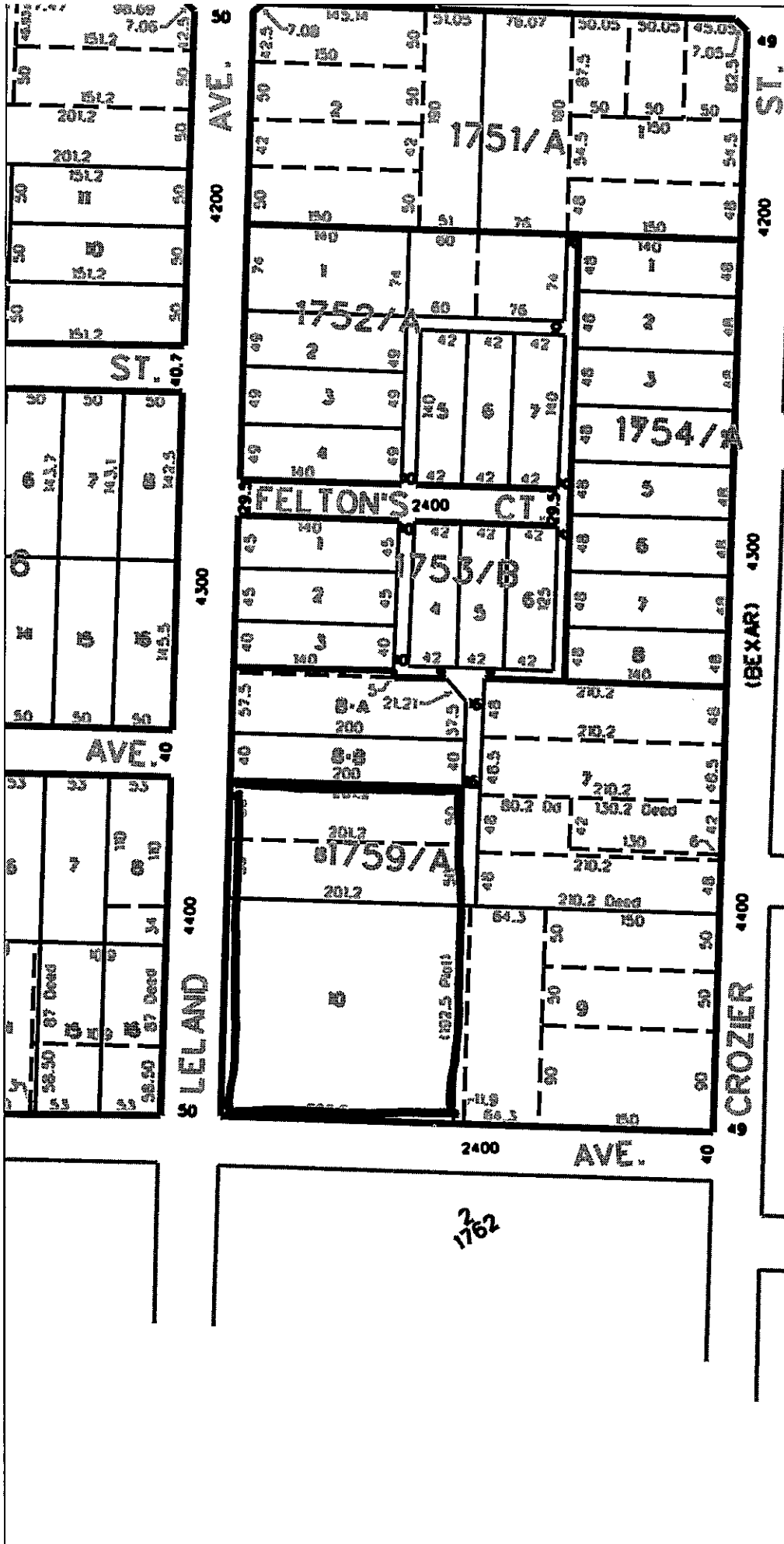


City of Dallas Zoning



Handwritten initials/signature

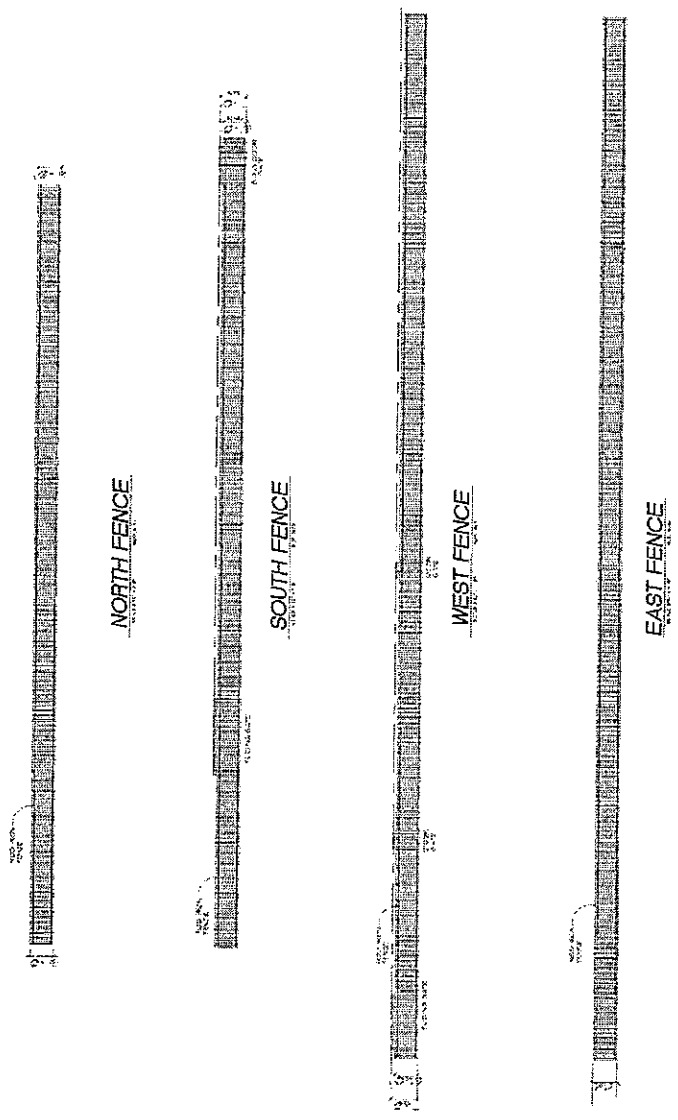
- | | | |
|---|--|---|
| <p>City Boundaries</p> <p>County</p> <p>Certified Parcels</p> <p>DISD Sites</p> <p>Council Districts</p> <p>Waterways</p> <p>Parks</p> | <p>Dry Overlay</p> <p>D</p> <p>D-1</p> <p>Historic Overlay</p> <p>Historic Subdistricts</p> <p>NSO Overlay</p> <p>NSO Subdistricts</p> <p>MD Overlay</p> | <p>Base Zoning</p> <p>Floodplain</p> <p>100 Flood Zone</p> <p>Mill's Creek</p> <p>Peak's Branch</p> <p>X PROTECTED BY LEVEE</p> <p>Pedestrian Overlay</p> <p>CP</p> <p>SP</p> <p>Environmental Corridors</p> |
|---|--|---|

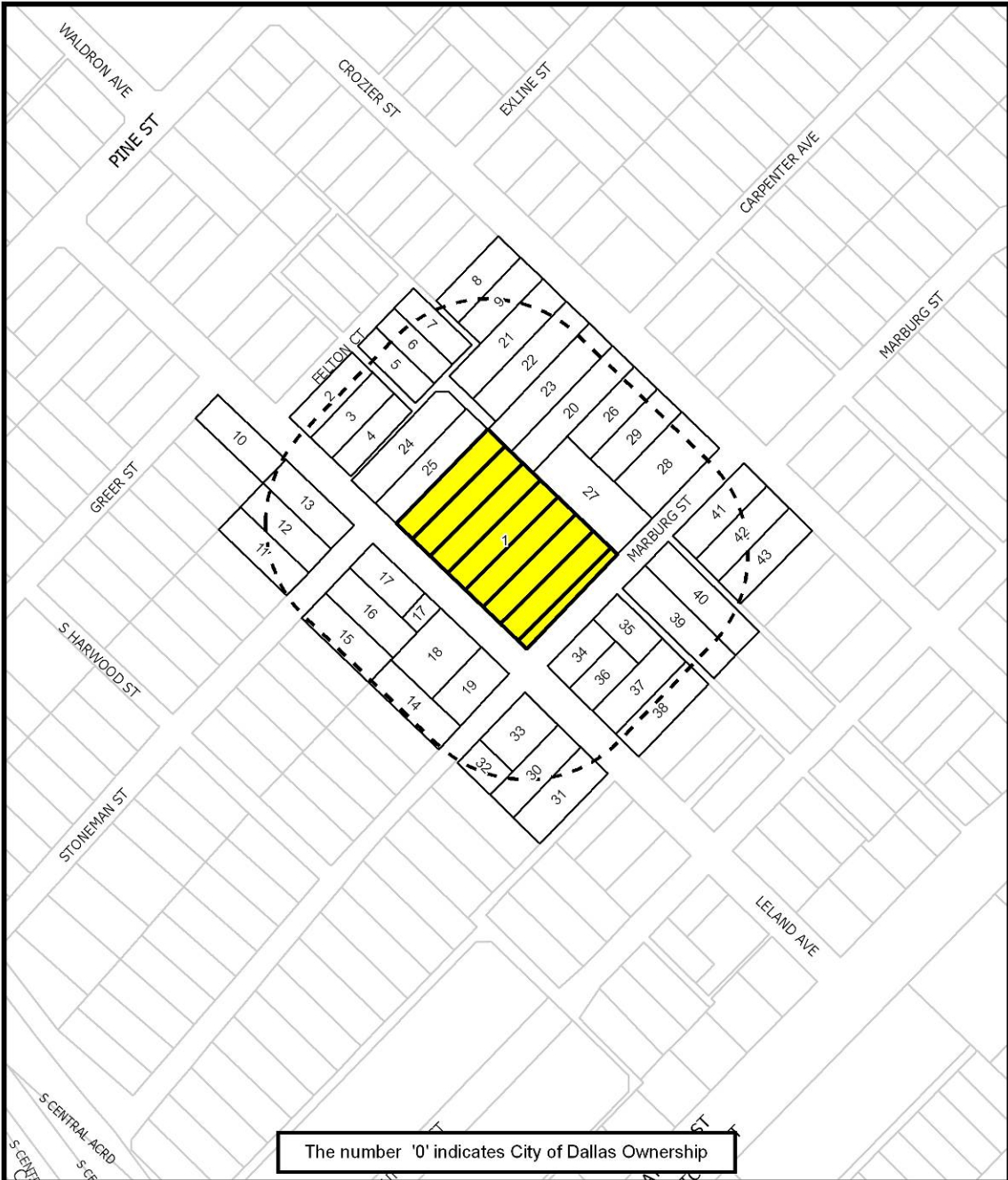


APL

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DATE	
REVISION	
JOB NO.	
DATE	





 1:2,400	NOTIFICATION		Case no: BDA123-085
	<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;">43</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 9/10/2013

Notification List of Property Owners

BDA123-085

43 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4402 LELAND AVE	DALLAS BETHLEHEM CENTER INC
2	4300 LELAND AVE	THOMAS GERTRUDE EST OF % LOLA WILLIAMS
3	4304 LELAND AVE	THOMAS GERTRUDE
4	4308 LELAND AVE	ADVANCED INVESTMENTS INC
5	2414 FELTON CT	LINWOOD MONTIEQUE
6	2418 FELTON CT	CONGROVE-FRITZ BONNIE
7	2422 FELTON CT	HOLLEY BETTY EST OF
8	4325 CROZIER ST	JACKSON RUBY LEE
9	4329 CROZIER ST	WASHINGTON EVA
10	2330 GREER ST	BAILEY MOLLY F
11	2323 STONEMAN ST	LACY ANNIE BELLE
12	2327 STONEMAN ST	SMITH REGINALD D DBA HAMMER SMITH CONST
13	2329 STONEMAN ST	JAMERSON O V
14	2325 MARBURG ST	PATTERSON PRINE ELLA
15	2322 STONEMAN ST	HELTON TINA
16	2326 STONEMAN ST	THOMPSON LARUTH
17	4411 LELAND AVE	DALLAS BETHLEHEM CENTER INC
18	4417 LELAND AVE	PIPKINS RODERICK A &
19	4423 LELAND AVE	STEVE GRAHAM & COMPANY
20	4415 CROZIER ST	BEDFORD MAY DELL
21	4403 CROZIER ST	MCCULLOUGH ZETTIE MAE
22	4407 CROZIER ST	MCCULLOUGH ZETTIE MAE
23	4411 CROZIER ST	COOPER LATROY
24	4324 LELAND AVE	SEQUEIRA AIDA ARENA
25	4328 LELAND AVE	ADVANCED INVESTMENT INC
26	4419 CROZIER ST	HENRY L M & VERESSA

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2419 MARBURG ST	JACKSON JOYCE M
28	4429 CROZIER ST	STERLING MABLE LIFE EST REM:HAROLD & JAC
29	4423 CROZIER ST	TAYLOR JACK L
30	4507 LELAND AVE	TRED HOLDINGS LP % JEFF BURRELL
31	4511 LELAND AVE	HUNT ROBERT R & MATTIE M HUNT
32	2322 MARBURG ST	WARREN LOUISE
33	4503 LELAND AVE	SNEED REBECCA COLEMAN
34	4502 LELAND AVE	ASTON CUSTOM HOME DESIGN
35	2410 MARBURG ST	LYONS VICKIE
36	4506 LELAND AVE	DALLAS HOUSING ACQUISITION & DEV CORP CI
37	4510 LELAND AVE	DONALDSON VERTA M
38	4514 LELAND AVE	GODBOLT BOBBY G S
39	2416 MARBURG ST	HUBBARD JOHN W & WANDA
40	2418 MARBURG ST	BIRCH DORIS A
41	4501 CROZIER ST	ROGERS GEORGE & ANN
42	4505 CROZIER ST	TONEY SAMMIE J
43	4509 CROZIER ST	TONEY JAMES C

FILE NUMBER: BDA 123-087

BUILDING OFFICIAL'S REPORT: Application of Anna Sullivan for a special exception to the fence height regulations at 9762 Audubon Place. This property is more fully described as Lot 4A, Block 14/5587 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct/maintain a 9 foot 5 inch high fence, which will require a 5 foot 5 inch special exception to the fence height regulations.

LOCATION: 9762 Audubon Place

APPLICANT: Anna Sullivan

REQUEST:

A special exception to the fence height regulations of 5' 5" is made in conjunction with maintaining four decorative lanterns/lamps located atop four metal columns - decorative lanterns/lamps atop columns that were not part of a previously requested and granted fence height special exception request on the property in 2011 (BDA 101-092).

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-1ac(A) (Single family district 1 acre)
North: R-1ac(A) (Single family district 1 acre)
South: R-1ac(A) (Single family district 1 acre)
East: R-1ac(A) (Single family district 1 acre)
West: R-1ac(A) (Single family district 1 acre)

Land Use:

The subject site is developed with a single family home. The areas to the north, south, and west are developed with single family uses; and the area to the east is developed with a combination of single family uses and vacant lots.

Zoning/BDA History:

1. BDA 101-092, Property at 9762/9770 Audubon Place (the subject site)

On October 18, 2011, the Board of Adjustment Panel A granted a request for special exception to the fence height regulations of 2' 6" and imposed the submitted site plan and elevation as a condition to the request. The case report stated that the request was made to construct and maintain a 6' – 6' 3" high open iron picket fence and gate with 6' 6" high decorative metal columns/"pillars" in the site's 40' front yard setback on a lot developed with a single family home. (The proposed fence in this application was to be a continuation of an existing fence on the southern half of the property/subject site – a fence that appears to have been a result of a special exception to the fence height regulations granted by the Board of Adjustment Panel A in October of 1997: BDA 967-313).

2. BDA 967-313, Property at 9762 Audubon Place (the subject site)

On October 28, 1997, the Board of Adjustment Panel A granted a request for special exception to the fence height regulations to maintain a 6 foot 6 inch high fence with 6 foot 10 inch high columns, and a 9 foot 6 inch high entry gate/columns, and imposed the following conditions: Compliance with the submitted site/landscape/elevation plan is required. The case report stated that the request was made in conjunction with constructing and maintaining a 6.6' open iron fence and 10 9.5' high solid iron columns (including decorative lights) in the Audubon Place front yard setback.

3. BDA 956-163, Property at 9769 Audubon Place (the property immediately west of the subject site)

On March 26, 1996, the Board of Adjustment Panel A granted a request for a special exception to the fence height regulations to maintain a 6.5' high open metal fence with 7.5' high columns, and special exception to maintain an additional dwelling unit on the property, subject to deed restricting the property to prevent the use of the additional dwelling unit as rental accommodations.

4. BDA 123-053, Property at 9727 Audubon Place (the property two lots southwest of the subject site)

On June 19, 2013, the Board of Adjustment Panel B denied a request for a special exception to the fence height regulations of 6' without prejudice. The case report stated that the request was made to replace an existing approximately 4' high open iron fence that spans approximately half the length of the subject site located in the site's 40' Audubon Place front yard setback with an 8' high open iron fence and columns with 10' high open iron gate/ entry columns that would span across the entire length of the site's Audubon Place front yard setback, and to construct and maintain an 8' high open iron fence in the site's Park Lane frontage where there is currently no fence.

5. BDA 123-053, Property at 9727 Audubon Place (the property two lots southwest of the subject site)

On October 21, 2009, the Board of Adjustment Panel B denied the requests for an additional dwelling unit on the property and a fence height special exception of 4' without prejudice. The case report stated that a special exception to the fence height regulations of 4' was requested in conjunction with replacing an existing approximately 4' high open iron fence that spans approximately half the length of the subject site and located in the site's 40' Audubon Place front yard setback with a 6' high open iron fence with an 8' high open iron gate/stone entry columns flanked by 4' long, 6' – 7' 6" high stone wing walls that would span across the entire length of the site and be located in the site's two 40' Audubon Place and Park Lane front yard

setbacks; and a special exception to the single family regulations was requested in conjunction with constructing and maintaining two-story, additional dwelling unit/“guesthouse/pool house” structure that would have (according to submitted plans) approximately 2,300 square feet “under roof” that would attach to the existing two-story single family home on the site that has (according to DCAD) 13,002 square feet of living area. The minutes of this hearing stated that the Board Administrator circulated an October 21st email from the applicant to the board members at the morning briefing – an email where the applicant requested that the board deny his requests without prejudice.

Timeline:

- July 10, 2013: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- August 20, 2013: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel A. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, “If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case.”
- August 20, 2013: 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 August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th 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.”
- August 28, 2013: The applicant submitted additional documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

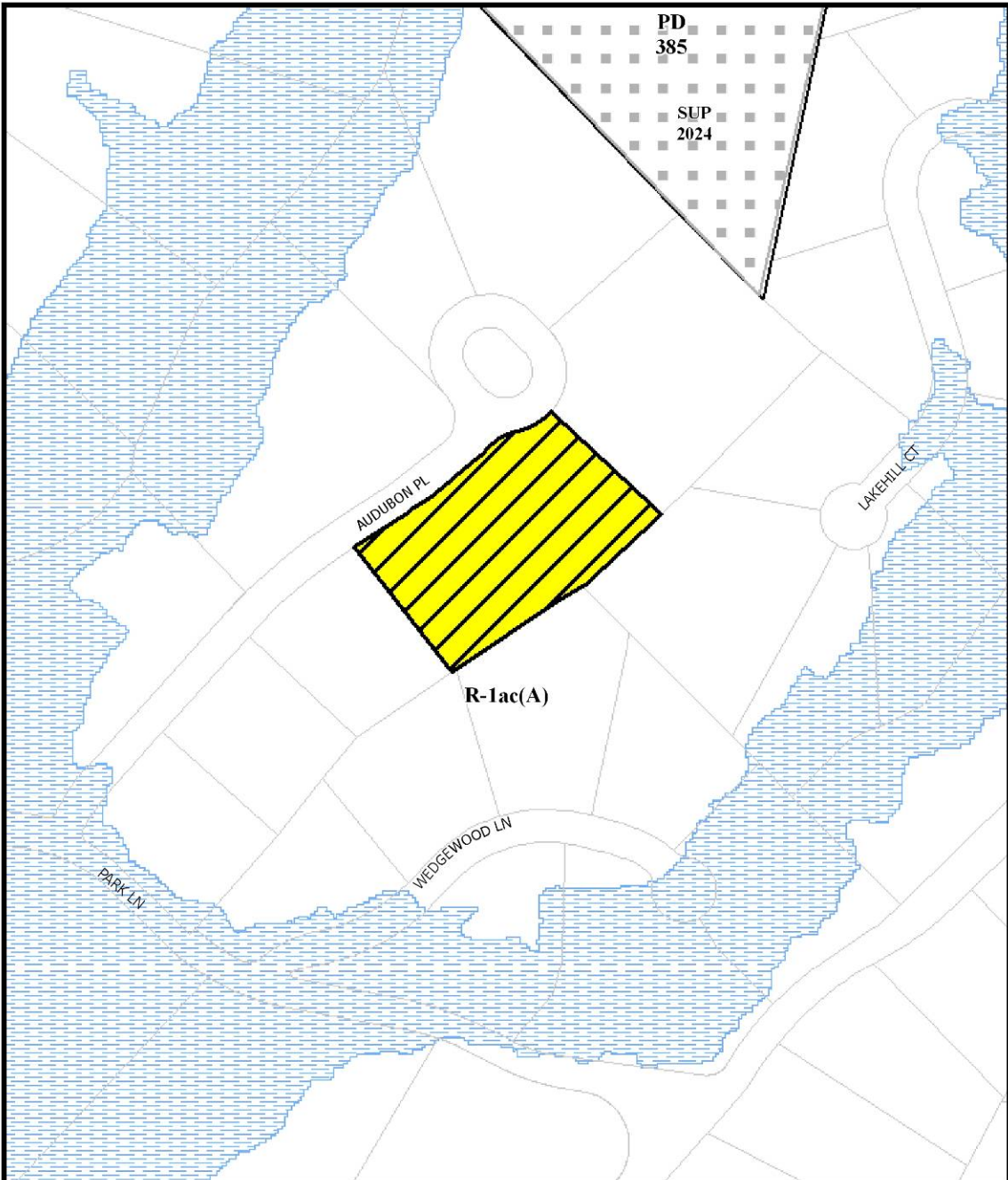
September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on maintaining four decorative lanterns/lamps located atop four metal columns- decorative lanterns/lamps atop columns that were not part of a previously requested and granted fence height special exception request on the property in 2011 (BDA 101-092).
- In 2011, a fence height special exception was made on the property to construct and maintain a 6' – 6' 3" high open iron picket fence and gate with 6' 6" high decorative metal columns/"pillars" in the site's 40' front yard setback on a lot developed with a single family home, and where the applicant was conditioned to a site plan and elevation where the fence proposal did not exceed 2' 6" in height. The applicant has filed a new application on this property since the 2011 application did not include the lanterns/lamps atop columns that the applicant seeks to maintain as part of the fence proposal.
- 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 applicant has submitted a site plan/elevation document indicating a fence/column/gate proposal that would be located in the site's 40' front yard setback and would reach a maximum height of 9' 5".
- The applicant has stated that the fence is not moving forward or backwards and remains in the same location at the approved special exception in 2011, and that this request is not an amendment to the site plan in this submittal.
- The applicant has stated that the only difference between the approved 2011 condition and this submittal are ornamental light post heights and the addition of lanterns. (Note that the submitted elevation in this application denotes 6' 9" high columns with 32" high ornamental decorative lanterns – the fence special exception in 2011 granted a special exception for a 6' – 6' 3" high open iron picket fence and gate and only 6' 6" high decorative columns).
- One single family home has direct/indirect frontage to the proposal on the subject site, a property with a fence that appears higher than 4' in height in its front yard setback – an approximately 6.5' high open fence with 7.5' high columns that appears to be appears to be the result of a granted fence height special exception from March of 1996 – BDA 956-163.

- In addition to the fence mentioned above, the Board Administrator noted one other fence above four feet high in the immediate area (approximately 500 feet from the site along Audubon Place) which appeared to be located in the front yard setback: an approximately 8' high open metal fence with an approximately 10' high open metal gate. (There is no BDA history recorded on archive maps on this property).
- As of September 9, 2013, 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 5' 5" will not adversely affect neighboring property.
- Granting this special exception of 5' 5" with a condition imposed that the applicant complies with the site plan and elevation document would require the proposal exceeding 4' in height in the front yard setback to be constructed and maintained in the locations and of the heights and materials as shown on these documents.

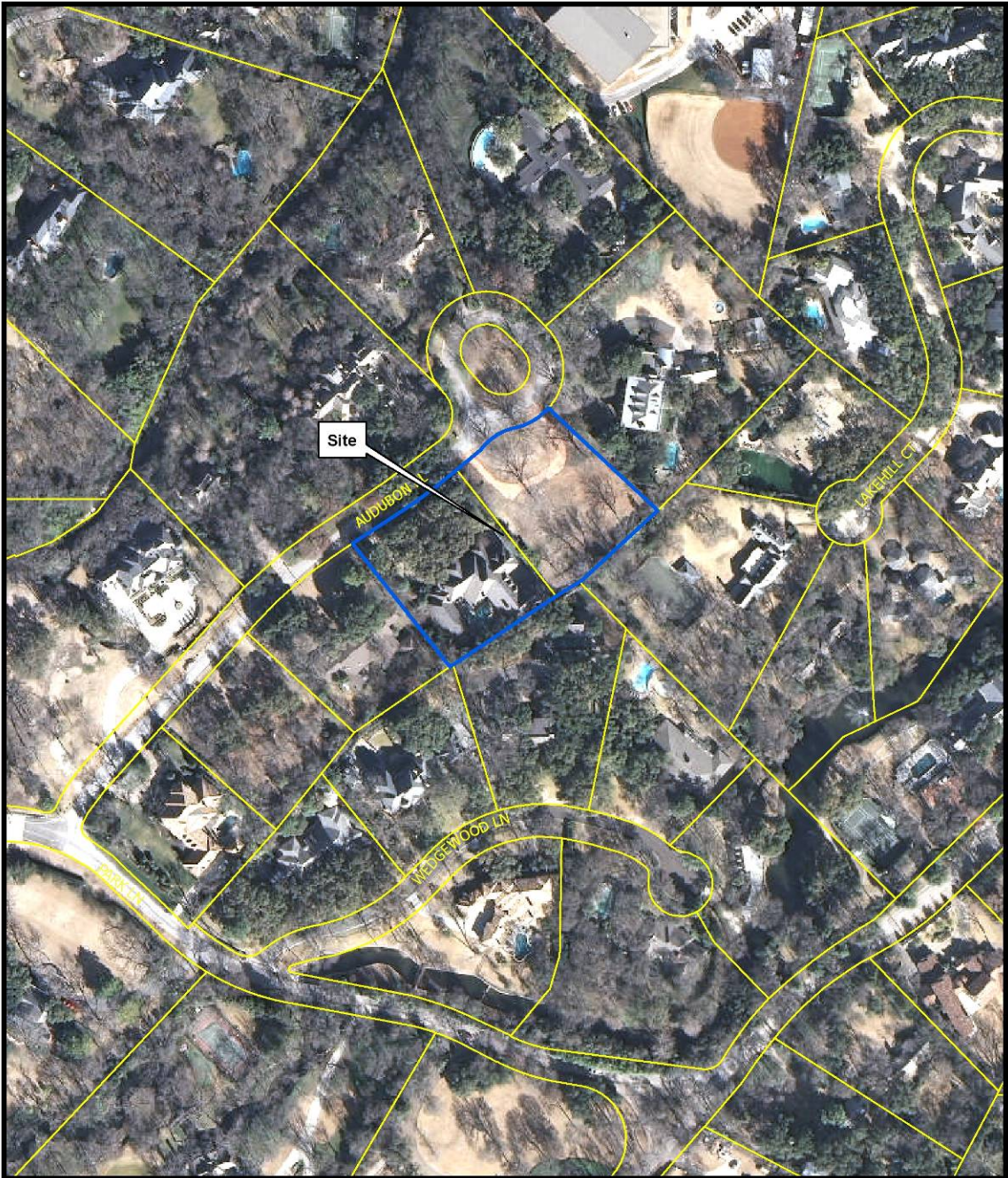


1:2,400

ZONING MAP

Case no: BDA123-087

Date: 9/10/2013



1:2,400

AERIAL MAP

Case no: BDA123-087

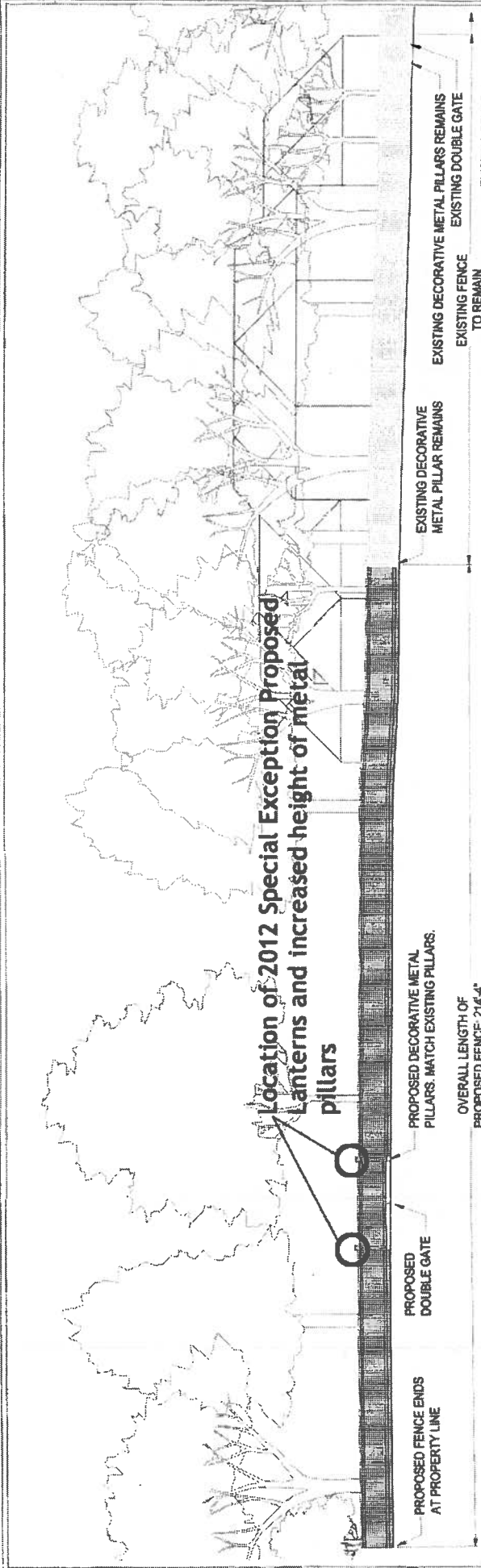
Date: 9/10/2013

To elaborate on the fence height special exception request, we wanted to provide a few more supportive pieces of information and illustratives.

- The fence is not moving forward or backwards and remains in the same location at the approved special exception in 2011. There is not an amendment to the site plan in this submittal.
- The only difference between the approved 2011 condition and this submittal are the ornamental light post heights and the addition of lanterns. These changes do not have a negative impact on the neighboring properties.
- The client has provided extensive evergreen landscaping to soften the fence to appeal to neighbors.

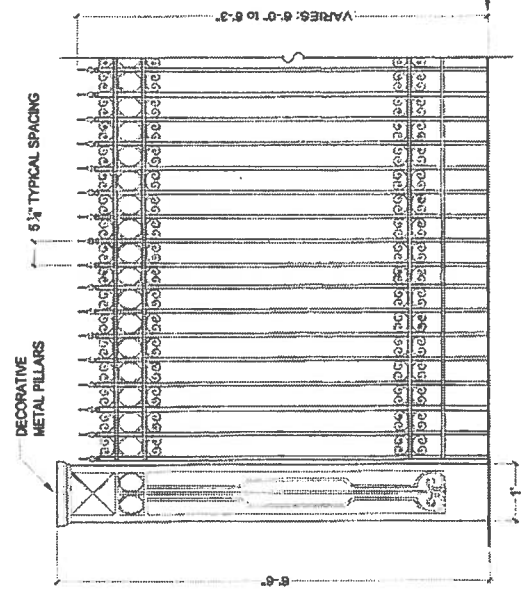
Fence Variance
 July 15, 2011
BEST RESIDENCE
 9762 Audubon Place
 Dallas, TX 75220
 Sheet 2 of 2

ELEVATION
 BDA 123-087
 PLANS APPROVED
 SUBJECT TO
 BOARD ACTION
 DATE 10.19.11
 ADMINISTRATOR



Location of 2012 Special Exception Proposed
 Lanterns and increased height of metal
 pillars

OVERALL FENCE ELEVATION
 Scale: 1"=10'-0"
 0' 5' 10' 20' 40'



TYPICAL FENCE & DECORATIVE PILLAR
 Scale: 1"=1'-0"
 0' 6" 1' 2' 4'

NOTE: PROPOSED FENCE SHALL MATCH EXISTING FENCE IN ALL ASPECTS INCLUDING HEIGHT, MATERIAL, DIMENSIONS, COLOR AND DECORATIVE DETAILS. HEIGHT OF EXISTING FENCE VARIES FROM APPROXIMATELY 6'-0" TO 6'-3" (MEASURED FROM GROUND TO TOP OF PICKETS). DECORATIVE METAL PILLARS ARE APPROXIMATELY 6'-6" IN HEIGHT.

hpd
 LAMBERT GARDEN DESIGN
 LANDSCAPE ARCHITECTURAL AND SITE CONSTRUCTION MANAGEMENT
 12111 JORDON ROAD, SUITE 100
 DALLAS, TEXAS 75244
 WWW.LAMBERTGARDENDESIGN.COM
 214.777.7777



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-087

Data Relative to Subject Property:

Date: 7/10/2013

Location address: 9762 Audubon Place Zoning District: R-1ac (A)

Lot No.: 4A Block No.: 14/5587 Acreage: 2.1371 Census Tract: ~~74~~ 206.00

Street Frontage (in Feet): 1) 360.66 2) _____ 3) _____ 4) _____ 5) _____

NE 2A

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Randy Best and Nancy Best

Applicant: _____ Telephone: 214.350.8350

Mailing Address: 6333 Denton Dr. Ste. 100 Dallas, TX Zip Code: 75235

E-mail Address: asullivan@lamberts.net

Represented by: Anna Sullivan Telephone: 214.264.8308

Mailing Address: 6333 Denton Dr. Ste. 100 Dallas, TX Zip Code: 75235

E-mail Address: asullivan@lamberts.net

Affirm that an appeal has been made for a Variance __, or Special Exception X, of the applicable fence height regulations to permit an increase in max. fence height from (4) four feet to 6'-6", fence pillar height to 6'-9", and pillar lantern height to 9'-5". The difference of 5'-5" from max fence height

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:

This special exception should be granted because it will not adversely affect neighboring property which will be documented and elaborated upon further by the applicant in additional items to be submitted to the city staff.

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

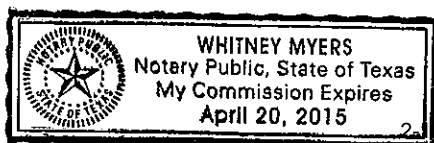
Before me the undersigned on this day personally appeared Anna Sullivan
(Affiant/Applicant's name printed)

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: *Anna Sullivan*
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 10th day of July, 2013

(Rev. 08-01-11)



Whitney Myers
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

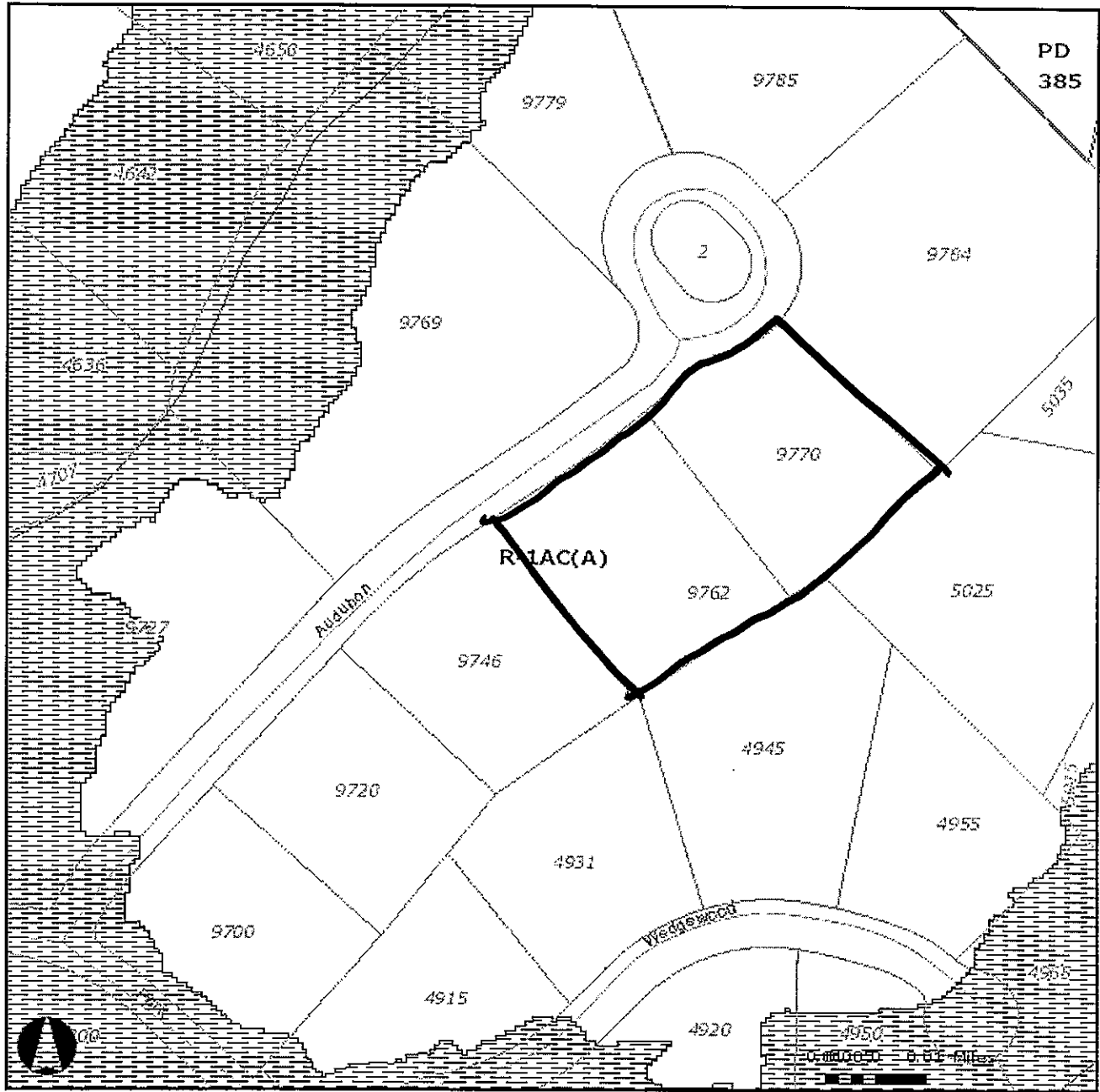
I hereby certify that Anna Sullivan
did submit a request for a special exception to the fence height regulations
at 9762 Audubon Place

BDA123-087. Application of Anna Sullivan for a special exception to the fence height regulations at 9762 Audubon Place. This property is more fully described as Lot 4A, Block 14/5587 and is zoned R-1ac(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 9 foot 5 inch high fence in a required front yard, which will require a 5 foot 5 inch special exception to the fence regulation.

Sincerely,


Larry Holmes, Building Official

City of Dallas Zoning



City Boundaries



County



Certified Parcels



DISD Sites



Council Districts



Waterways



Parks



Dry Overlay



Historic Overlay



Historic Subdistricts



NSO Overlay



NSO Subdistricts



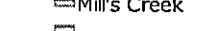
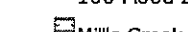
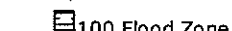
MD Overlay



Base Zoning



Floodplain

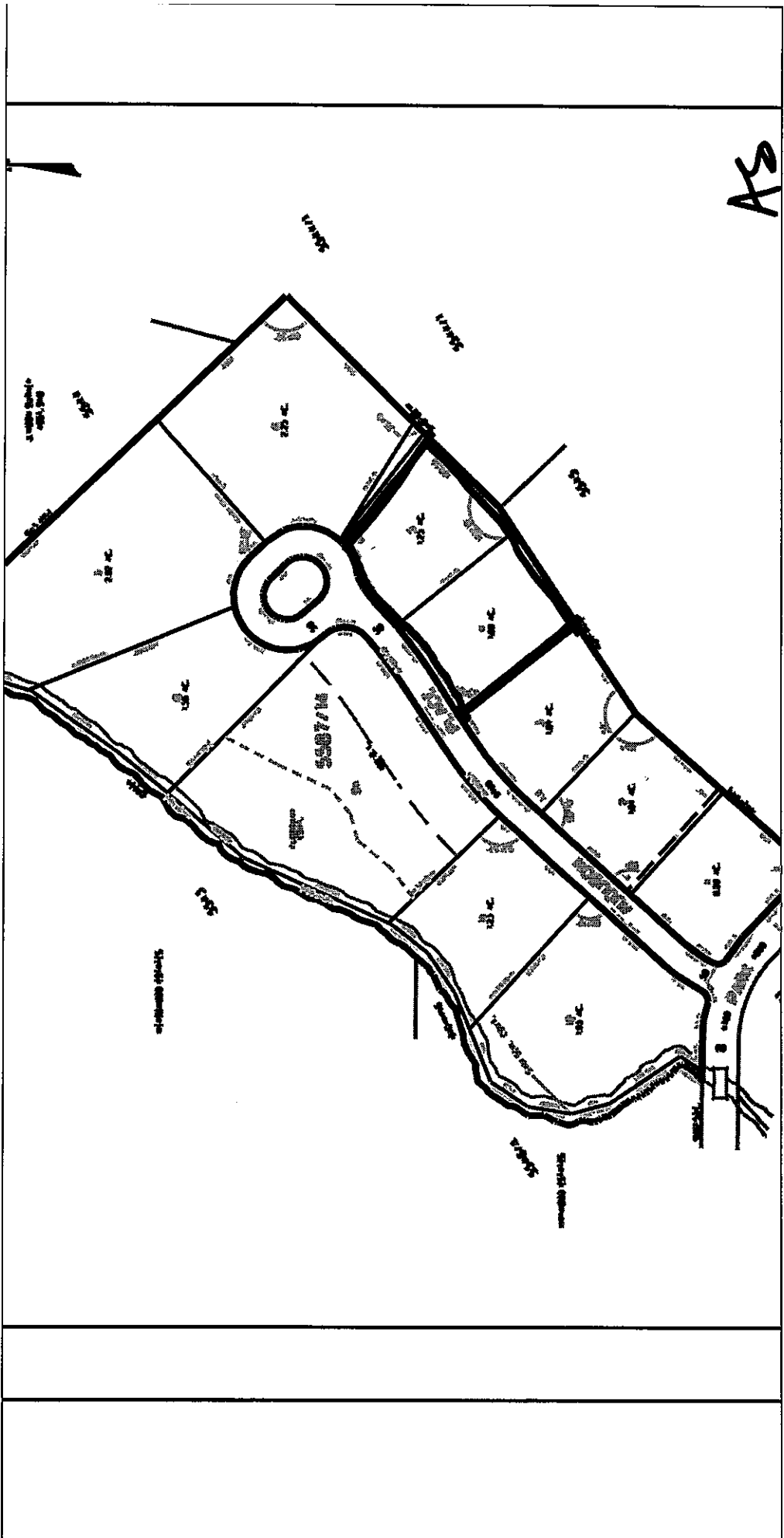


Pedestrian Overlay

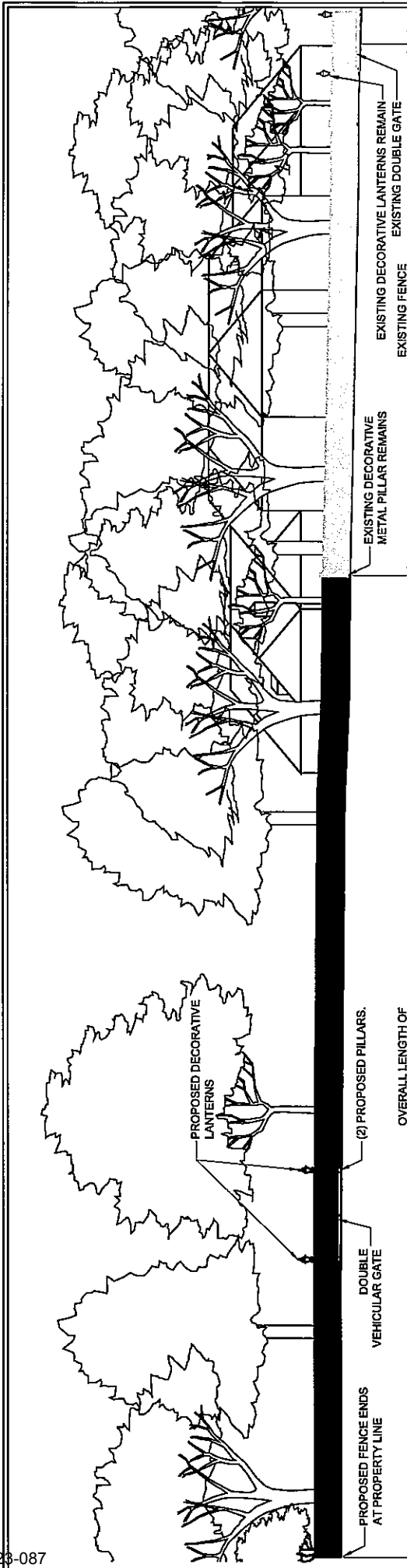


Environmental Corridors

AS

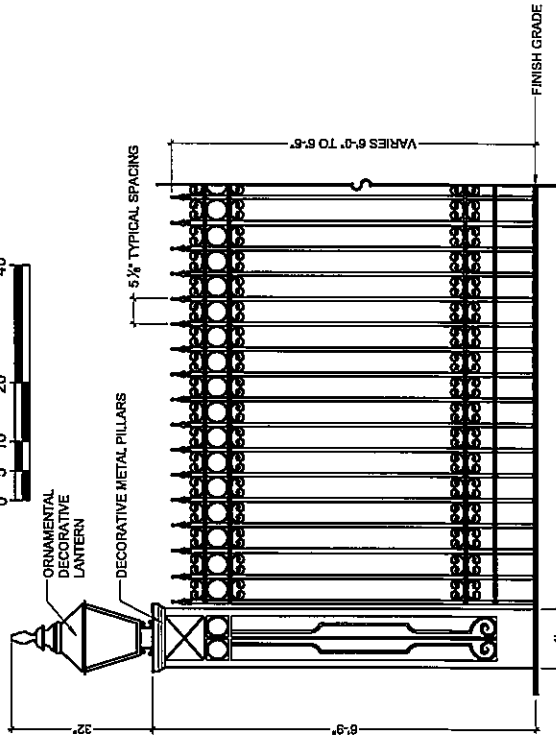


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OVERALL FENCE ELEVATION

Scale: 1"=10'-0"
 0' 5' 10' 20' 40'



TYPICAL FENCE & DECORATIVE PILLAR

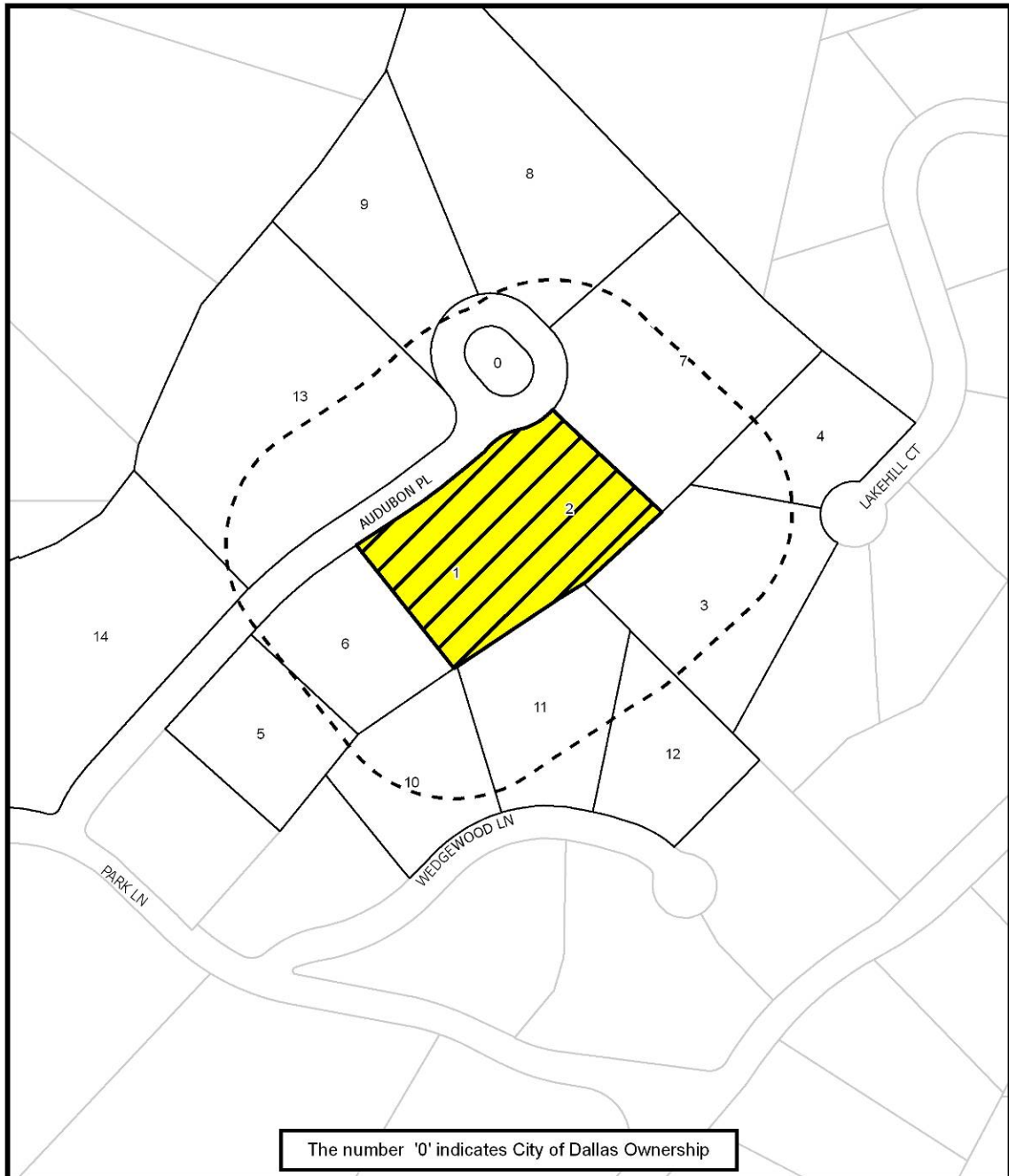
Scale: 1"=1'-0"
 0' 6' 1' 2' 4'

NOTE: PROPOSED DECORATIVE LANTERNS AND FENCE PILLARS SHALL MATCH EXISTING, IN ALL ASPECTS INCLUDING HEIGHT, MATERIAL, DIMENSIONS, COLOR AND DECORATIVE DETAILS. HEIGHT OF EXISTING FENCE VARIES FROM APPROXIMATELY 6'-0" TO 6'-8" (MEASURED FROM GROUND TO TOP OF PICKETS). DECORATIVE METAL PILLARS ARE APPROXIMATELY 6'-8" IN HEIGHT.

Fence Variance
 July 8, 2013
BEST RESIDENCE
 9762 Audubon Place
 Dallas, TX 75220
 Sheet 2 of 2

hpd
 HITCHCOCK & PARTNERS
 ARCHITECTS
 2100 JEFFERSON
 DALLAS, TEXAS 75201
 TEL: 214-760-1000
 FAX: 214-760-1001
 WWW.HPDARCHITECTS.COM

LAMBERT GARDEN DESIGN
 LANDSCAPE ARCHITECTURE AND SITE CONSTRUCTION MANAGEMENT
 10102 AMARILLO
 DALLAS, TEXAS 75243
 TEL: 214-353-8888
 FAX: 214-353-8889
 WWW.LGDESIGN.COM



 1:2,400	NOTIFICATION		Case no: BDA123-087
	<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;">14</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 9/10/2013

Notification List of Property Owners

BDA123-087

14 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9762 AUDUBON PL	BEST RANDY & NANCY K
2	9770 AUDUBON PL	BEST NANCY
3	5025 LAKEHILL CT	BRINKMANN J BAXTER
4	5035 LAKEHILL CT	FITTS JOHN STUART
5	9720 AUDUBON PL	ROSE MAURICE & LYDIA
6	9746 AUDUBON PL	PEACOCK ROBERT B TR ET AL
7	9784 AUDUBON PL	HUGHES JOSEPH V JR & HOLLY O HUGHES
8	9785 AUDUBON PL	FEARON JEFFREY ARCHER & REGEN HORCHOW
9	9779 AUDUBON PL	DAYTON JOHN W
10	4931 WEDGEWOOD LN	ZICARELLI AMY A & THOMAS MICHAEL
11	4945 WEDGEWOOD LN	MOON THOMAS R & LINDA H
12	4955 WEDGEWOOD LN	BUTZBERGER PAUL T & DONNA M
13	9769 AUDUBON PL	MITCHELL LEE ROY & TANDY
14	9727 AUDUBON PL	TANNER TRUST THE ELIZABETH M SCHURIG TRU

FILE NUMBER: BDA 123-094

BUILDING OFFICIAL'S REPORT: Application of Cameron Leggett for a special exception to the fence height regulations at 10424 Marsh Lane. This property is more fully described as Tract 3, Block 6413 and is zoned R-16(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct/maintain a 7 foot 6 inch high fence, which will require a 3 foot 6 inch special exception to the fence height regulations.

LOCATION: 10424 Marsh Lane

APPLICANT: Cameron Leggett

REQUEST:

A special exception to the fence height regulations of 3' 6" is requested in conjunction with constructing and maintaining a 6' high open steel tube post fence with a 6' high open steel tube gate flanked by two approximately 6' solid masonry wing walls with approximately 7' 6" high entry gate columns in the site's 35' front yard setback on a site that is currently 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-16(A) (Single family residential 16,000 square feet)
North: R-16(A) (Single family residential 16,000 square feet)
South: R-16(A) (Single family residential 16,000 square feet)
East: R-16(A) (Single family residential 16,000 square feet)
West: R-16(A) (Single family residential 16,000 square feet)

Land Use:

The subject site is developed with a single family home. The areas to the north and south are undeveloped; and the areas to the 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.

Timeline:

July 25, 2013: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

August 20, 2013: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

August 20, 2013: 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 August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th 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;
- the Board of Adjustment Working Rules of Procedure pertaining to “documentary evidence;”
- that it appeared from review of the submitted site plan/elevation that the column cap may exceed 6’ in height, and that if this were the case, he should amend his application to capture the highest component of your proposal in the front yard setback with the understanding that the maximum height of the proposal should be conveyed and requested which is beyond merely the height of a fence- that the heights of any gates, columns or even decorative lamps or finials on top of columns in the front yard setback should be denoted in this type of request;
- that any amendment to the application should be done so with Building Inspection staff no later than August 28th.

August 29, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original application and the Building Inspection Senior Plans Examiner/Development Code Specialist forwarded an amended Building Official’s Report (see Attachment A).

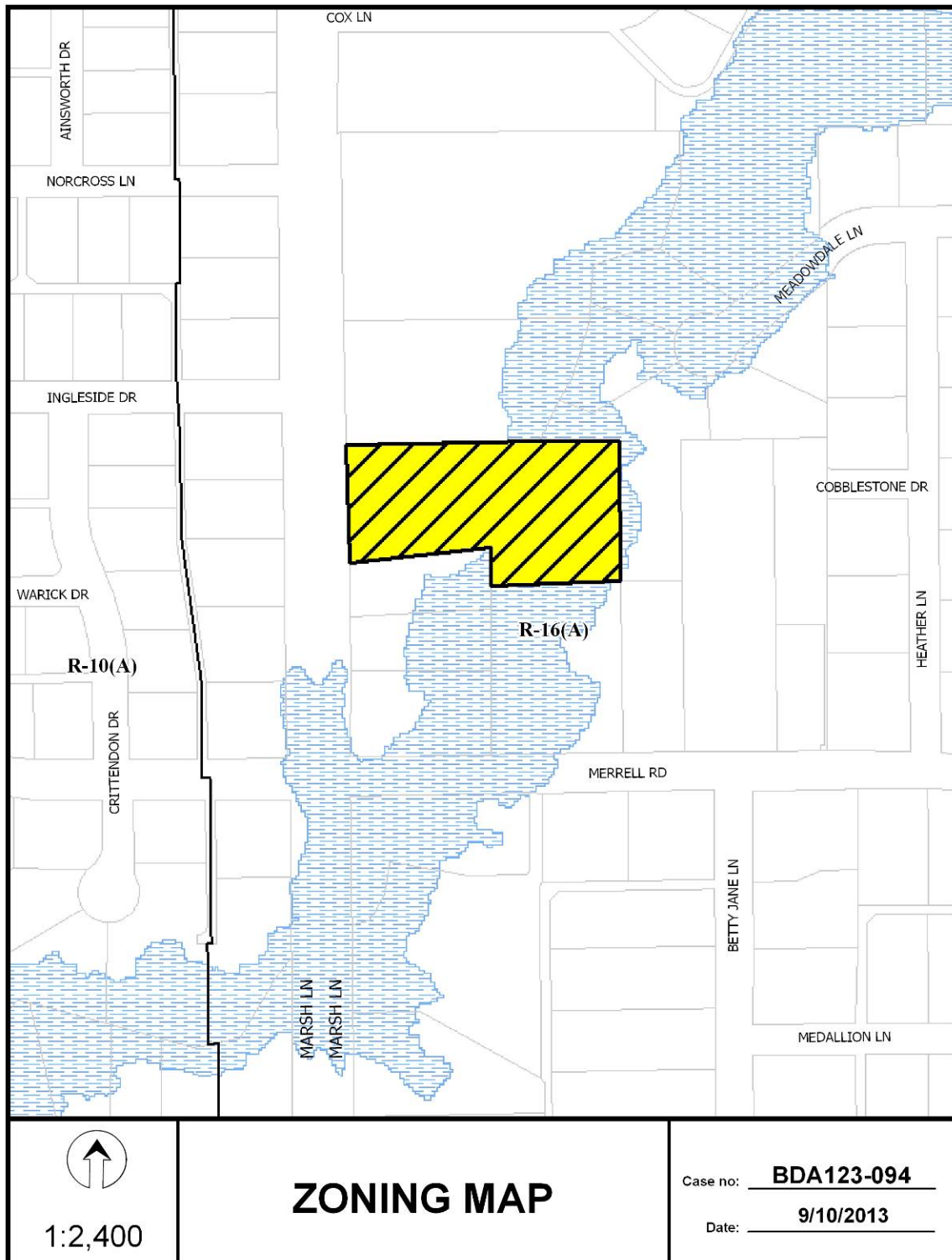
September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

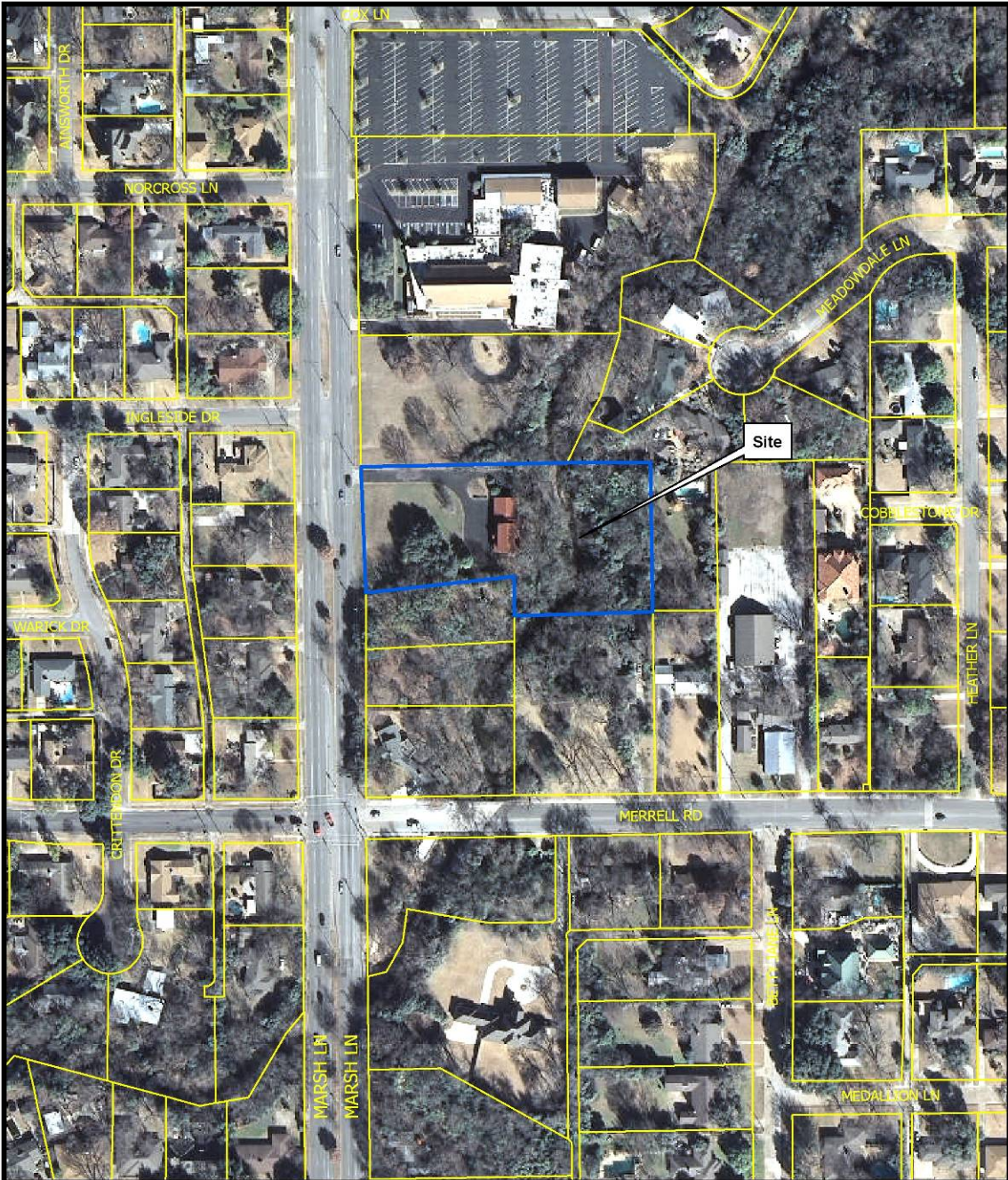
No review comment sheets were submitted in conjunction with this application.

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a 6' high open steel tube post fence with a 6' high open steel tube gate flanked by two approximately 6' solid masonry wing walls with approximately 7' 6" high entry gate columns in the site's 35' front yard setback on a site that is currently 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 applicant has submitted a revised site plan/elevation document and entryway elevation indicating that the proposal reaches a maximum height of 7' 6".
- The following additional information was gleaned from the submitted revised site plan/landscape plan/elevation document:
 - The proposal in the front yard setback is represented as being approximately 190' in length generally parallel to the street (with a recessed entry way) where approximately 35' of its length is solid stucco masonry (at the entry way) and where the remaining length is open steel tube posts.
 - The proposal is represented as being located approximately 12' from the front lot line on the property line or about 20' from the pavement line.
 - The fence is located behind a single row of 4' wide Foster Holly bushes and flanked on both sides with evergreen sumac.
- The proposal is located across from three single family homes none that have fences in their front yards over 4' in height.
- 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 September 9, 2013, one letter has been submitted in support of the request, and no letters have been submitted in opposition.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 5' will not adversely affect neighboring property.
- Granting this special exception of 3' 6" with a condition imposed that the applicant complies with the submitted revised site plan/landscape plan/elevation document

and entryway elevation would require the proposal exceeding 4' in height in the front yard setback to be maintained in the location and of the heights and materials as shown on these documents.





1:2,400

AERIAL MAP

Case no: BDA123-094
Date: 9/10/2013



BDA 123-094
Attach A
Pg 2

A

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-094

Data Relative to Subject Property:

Date: 7-25-13

Location address: 10424 Marsh Ln Zoning District: R-16(A)

Lot No.: Tr 3 Block No.: 6413 Acreage: 2.18 Census Tract: 95.00

Street Frontage (in Feet): 1) 200.38 2) _____ 3) _____ 4) _____ 5) _____

NE 2

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Cameron Mills Leggett, Lindsay R. Kelley Leggett

Applicant: Cameron Leggett Telephone: 972-898-6690

Mailing Address: 3850 W. NW Hwy, Apt 3105 Zip Code: 75220

E-mail Address: Cameron@millsgrouping.com

Represented by: mills group inc Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance 3, or Special Exception 3, of 7 feet, 6 inches to the fence height in the front yard.

SH 8-30

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:

Granting us the two foot variance will have no negative effect on neighboring properties as there are no neighbors directly next to our properties and the six foot fence will add to the aesthetic value of the neighborhood. The fence will be obscured by vegetation.

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 Cameron Leggett (Affiant/Applicant's name printed)

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

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



26th day of July 2013

Heidi Darland
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 Cameron Leggett

did submit a request for a special exception to the fence height regulations
at 10424 Marsh Lane

BDA123-094. Application of Cameron Leggett for a special exception to the fence height regulations at 10424 Marsh Lane. This property is more fully described as Tract 3, Block 6413 and is zoned R-16(A), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct a 7 foot 6 inch high fence in a required front yard, which will require a 3 foot 6 inch special exception to the fence regulation.

Sincerely,


Larry Holmes, Building Official



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-094

Data Relative to Subject Property:

Date: 7-25-13

Location address: 10424 Marsh Ln

Zoning District: R-16(A)

Lot No.: Tr 3 Block No.: 6413 Acreage: 2.18

Census Tract: 95.00

Street Frontage (in Feet): 1) 200.38 2) _____ 3) _____ 4) _____ 5) _____

NE 2

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Cameron Mills Leggett, Lindsay R. Kelley Leggett

Applicant: Cameron Leggett

Telephone: 972-898-6690

Mailing Address: 3850 W. NW Hwy, Apt 3105

Zip Code: 75220

E-mail Address: Cameron@millsgroupinc.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 Two feet to the fence height in the 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:

Granting us the two foot variance will have no negative effect on neighboring properties as there are no neighbors directly next to our properties and the six foot fence will add to the aesthetic value of the neighborhood. The fence will be obscured by vegetation.

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 Cameron Leggett (Affiant/Applicant's name printed)

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



Respectfully submitted: _____ (Affiant/Applicant's signature)

26th day of July 2013

Heidi Darland
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

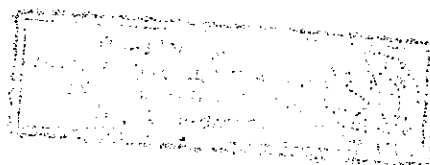
Building Official's Report

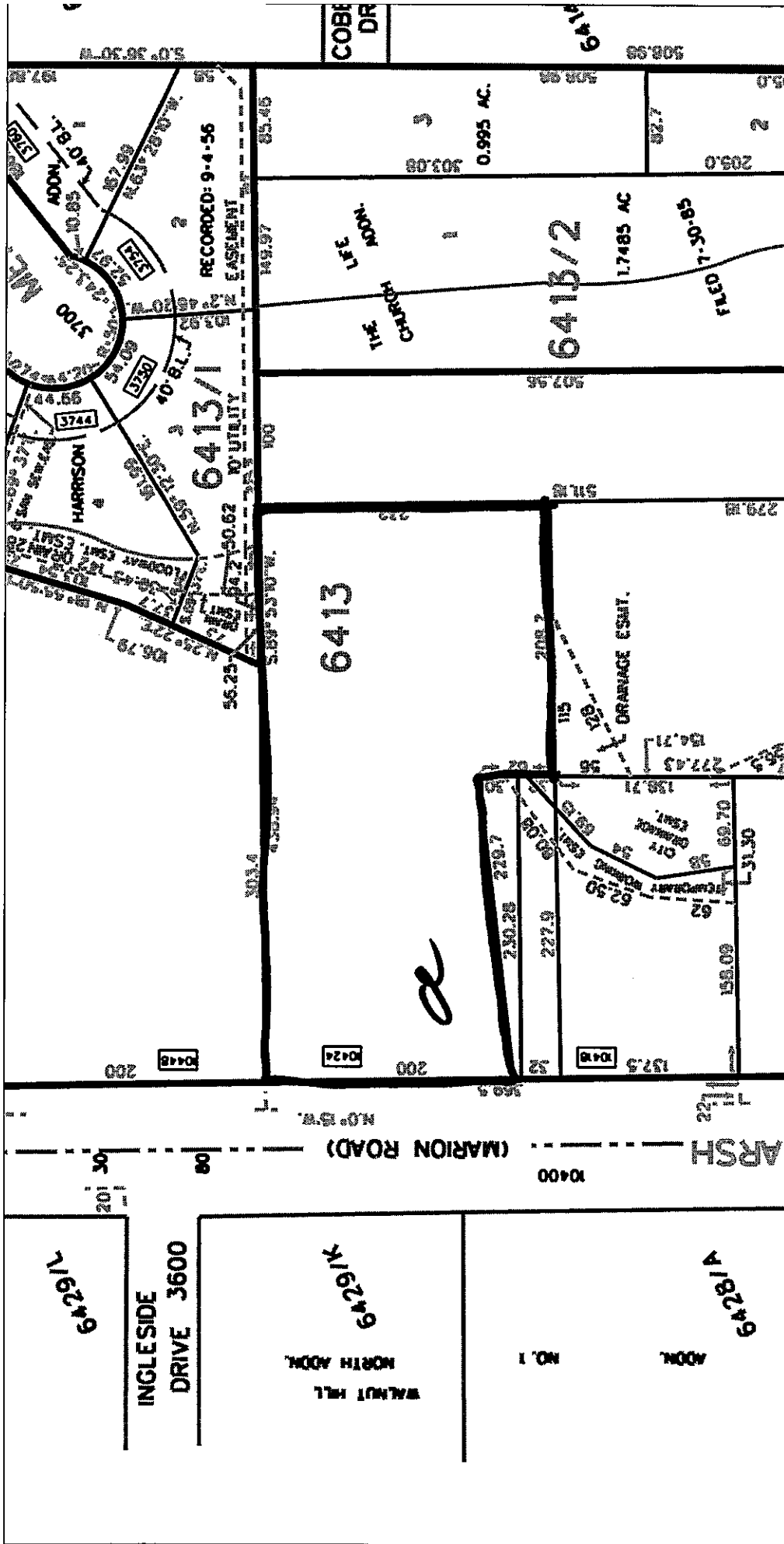
I hereby certify that Cameron Leggett
did submit a request for a special exception to the fence height regulations
at 10424 Marsh Lane

BDA123-094. Application of Cameron Leggett for a special exception to the fence height regulations at 10424 Marsh Lane. This property is more fully described as Tract 3, Block 6413 and is zoned R-16(A), which limits the height of a fence in the front yard to 4 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





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APPROVED FOR PERMIT
BY PERMITTING AGENCY
DATE
PROJECT
DATE
PROJECT
DATE
PROJECT
DATE
PROJECT
DATE

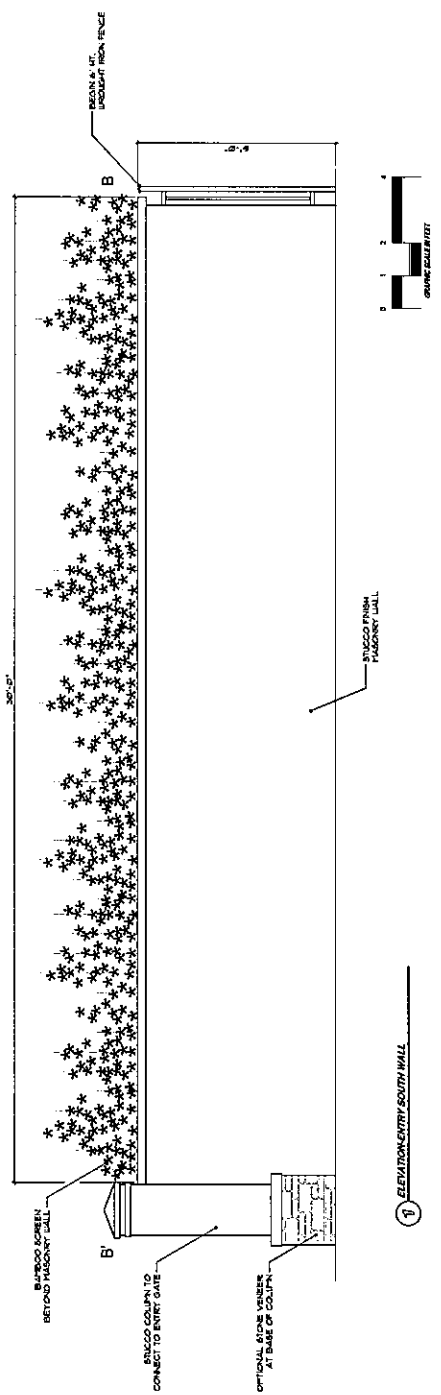
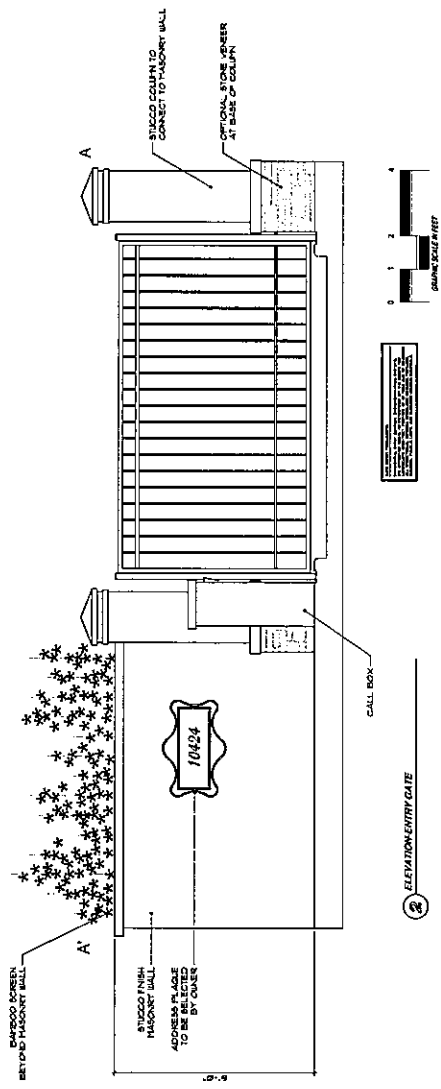
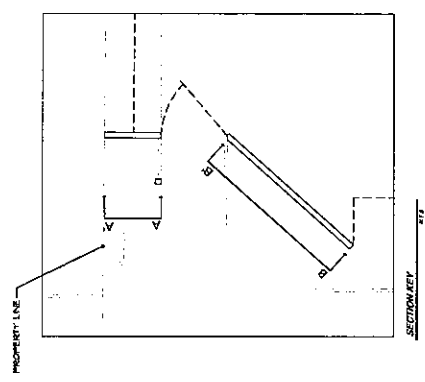
CLIENT:
CAMERON AND MARGARET LEGGETT
1000 WASH LAKE
DALLAS, TEXAS

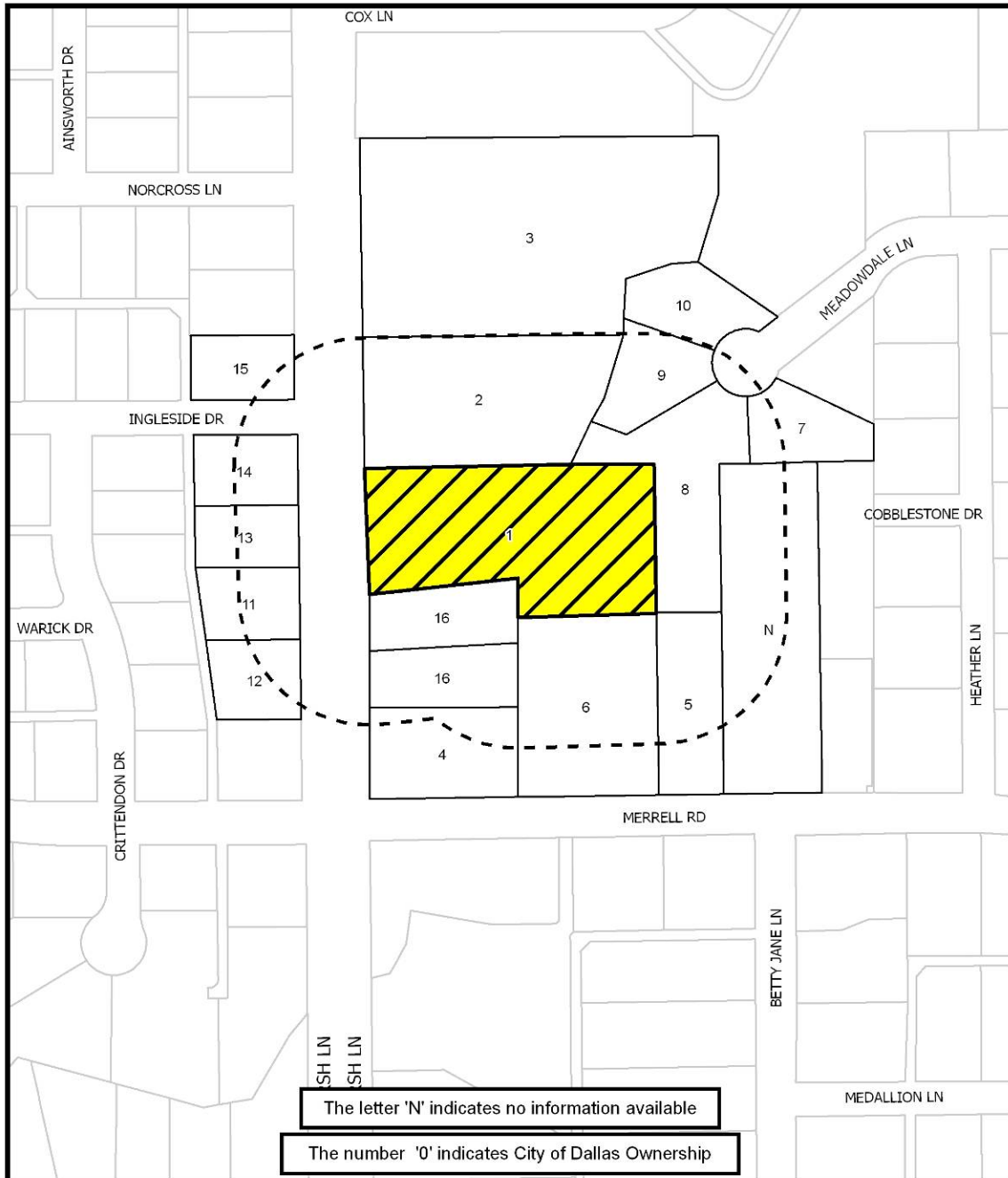
LEGGETT RESIDENCE
DALLAS, TEXAS

mp
landscape
architects
10000 North Loop West
Suite 1000
Dallas, Texas 75243
214.343.1111
www.mplandscape.com



ISSUE FOR PERMIT
LEGGETT RESIDENCE
DALLAS, TEXAS
JANUARY 2017
FENCE ELEVATIONS
L1.03





 1:2,400	NOTIFICATION		Case no: BDA123-094
	<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;">16</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 9/10/2013

Notification List of Property Owners

BDA123-094

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	10424 MARSH LN	STEMBRIDGE AILEEN APT 214
2	10448 MARSH LN	WALNUT HILL CHURCH OF CHRIST INC
3	10550 MARSH LN	WALNUT HILL CHURCH OF CHRIST INC
4	10400 MARSH LN	KELLY WALTER J JR
5	3741 MERRELL RD	FAF INC
6	3721 MERRELL RD	HEBER REGINALD J G & MARIA E CONROY
7	3754 MEADOWDALE LN	JOHNSON DIANNE L RESIDUARY TRUST
8	3750 MEADOWDALE LN	MEHRA SURESH
9	3744 MEADOWDALE LN	MCGEE JAMES M & MANSOUREH A TEHRANI
10	3755 MEADOWDALE LN	BURTON MARK LEROY & JOHN PLAMER WRIGHT
11	10427 MARSH LN	SHARPLESS G KAYE
12	10417 MARSH LN	HIGGINBOTHAM LEE TAYLOR
13	10433 MARSH LN	JOERSZ JEREMY AUSTIN & CHILLON
14	10443 MARSH LN	BARNETT JOHNNY R &
15	3685 INGLESIDE DR	BANSAL RAMAN
16	10418 MARSH LN	BUSKUHL MARK &

FILE NUMBER: BDA 123-076

BUILDING OFFICIAL'S REPORT: Application of Bryan Hull for a variance to the front yard setback regulations at 4932 Cedar Springs Road. This property is more fully described as Lot 1B, Block A/2343 and is zoned PD-193 (MF-2), which requires a front yard setback of 15 feet. The applicant proposes to construct a structure and provide a 10 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations.

LOCATION: 4932 Cedar Springs Road

APPLICANT: Bryan Hull

REQUEST:

A variance to the front yard setback regulations of 5' is made in conjunction with constructing and maintaining a five-unit multifamily development structure, part of which would be located in the site's Mahanna Street 15' front yard setback on a site that is currently undeveloped. (No part of the proposed multifamily development structure is represented to be located in the site's Cedar Springs Road 15' front yard setback).

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION:

Denial

Rationale:

- Even though the subject site is unique to most lots zoned PD 193 (MF-2) in that it has two front yard setbacks, and has, according to the City of Dallas Chief Arborist, a tree worthy of preservation, the applicant has not substantiated how these features preclude him from developing it in a manner commensurate with the development upon other parcels of land in the same PD 193 (MF-2) zoning district.

BACKGROUND INFORMATION:

Zoning:

Site: PD 193 (MF-2) (Planned Development District, Multifamily)
North: PD 193 (MF-2) (Planned Development District, Multifamily)
South: PD 193 (MF-2) (Planned Development District, Multifamily)
East: PD 193 (MF-2) (Planned Development District, Multifamily))
West: PD 193 (MF-2) (Planned Development District, Multifamily)

Land Use:

The subject site is undeveloped. The areas to the north, east, south, and west are developed mostly as multifamily residential uses.

Zoning/BDA History:

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

Timeline:

June 14, 2013: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

July 5, 2013: 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 July 31st deadline to submit additional evidence for staff to factor into their analysis; and the August 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.

August 6, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for August public hearings. Review team members in attendance included: the

Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

August 20, 2013: The Board of Adjustment Panel A conducted a public hearing on this application. The Board held the request under advisement until September 17, 2013 in order for staff to consider information submitted by the applicant at the public hearing (see Attachment A), and for the applicant to make contact with the Oak Lawn Committee.

August 20, 2013: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date that the panel that will consider the application; the August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th deadline to submit additional evidence to be incorporated into the Board's docket materials; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

August 27, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original application and beyond the materials that were part of the record at the August 20th public hearing (see Attachment B).

September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

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

September 5, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original

application and beyond the materials that were part of the record at the August 20th public hearing (see Attachment C).

September 5, 2013: The City of Dallas Chief Arborist submitted a memo that provided his comments regarding the request (see Attachment D).

GENERAL FACTS/STAFF ANALYSIS:

- This request focuses on constructing and maintaining a 3-story, 5-unit, multifamily structure on an undeveloped site that would be located 10' from the Mahanna Street front property line or 5' into the required 15' front yard setback. No part of the proposed multifamily development structure is represented to be located in the site's Cedar Springs Road 15' front yard setback).
- Multiple family structures on lots zoned PD 193 (MF-1) are required to provide a minimum front yard setback of 15'.
- The subject site is located at the northeast corner of Cedar Springs Road and Mahanna Street. Regardless of how the proposed multifamily structure is to be oriented, the subject site has two 15' front yard setbacks along both streets. The site has a 15' front yard setback along Cedar Springs Road, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family, duplex, or multiple-family zoning district. The site also has a 15' front yard setback along Mahanna Street, the longer of the two frontages of this corner lot, which is typically regarded as a side yard where depending on the height of the structure, a 0 - 10' setback is required. But the site's Mahanna Street frontage is deemed a front yard setback nonetheless to maintain the continuity of the established front yard setback established by the lots northeast of the site that have front yard setbacks along Mahanna Street.
- A revised site plan has been submitted denoting a portion of the proposed structure to be located 10' from the site's Mahanna Street front property line or 5' into the 15' front yard setback. (No structure is shown located in the site's Cedar Springs Road front yard setback). This revised site plan denotes a "tree to be preserved" on the eastern side of the subject site.
- The City of Dallas Chief Arborist has stated that there is one large live oak tree of approximately 24 inches in diameter in the location presented on the site plan that appears to be shared by two properties; the tree is in good condition and is among other things worthy of preservation.
- It appears from calculations made by the Board Administrator from the submitted site plan that approximately 500 square feet (or about 16 percent) of the proposed approximately 3,200 square foot building footprint is to be located in the site's Mahanna Street 15' front yard setback.
- DCAD records indicate "no main improvement" for property at 4924 Cedar Springs Road.
- The subject site is slightly irregular in shape (approximately 77' on the north, approximately 53' on the south; approximately 132' on the east; and approximately 138' on the west) and according to the application, is 0.10 acres (or approximately 4,300 square feet) in area. The site is zoned PD 193 (MF-2).

- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 193 (MF-2) zoning classification.
 - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD 193 (MF-2) zoning classification.
- If the Board were to grant the variance request and impose the submitted revised site plan as a condition, the structure in the front yard setback would be limited to what is shown on this document– which is a structure to be located 10’ from the site’s Mahanna Street front property line (or 5’ into this 15’ front yard setback).

BOARD OF ADJUSTMENT ACTION: AUGUST 20, 2013

APPEARING IN FAVOR: Bryan Hull, 600 Wentworth, Richardson, TX

APPEARING IN OPPOSITION: Thomas Brock, 4837 Cedar Springs, Dallas, TX

MOTION: **Hounsel**

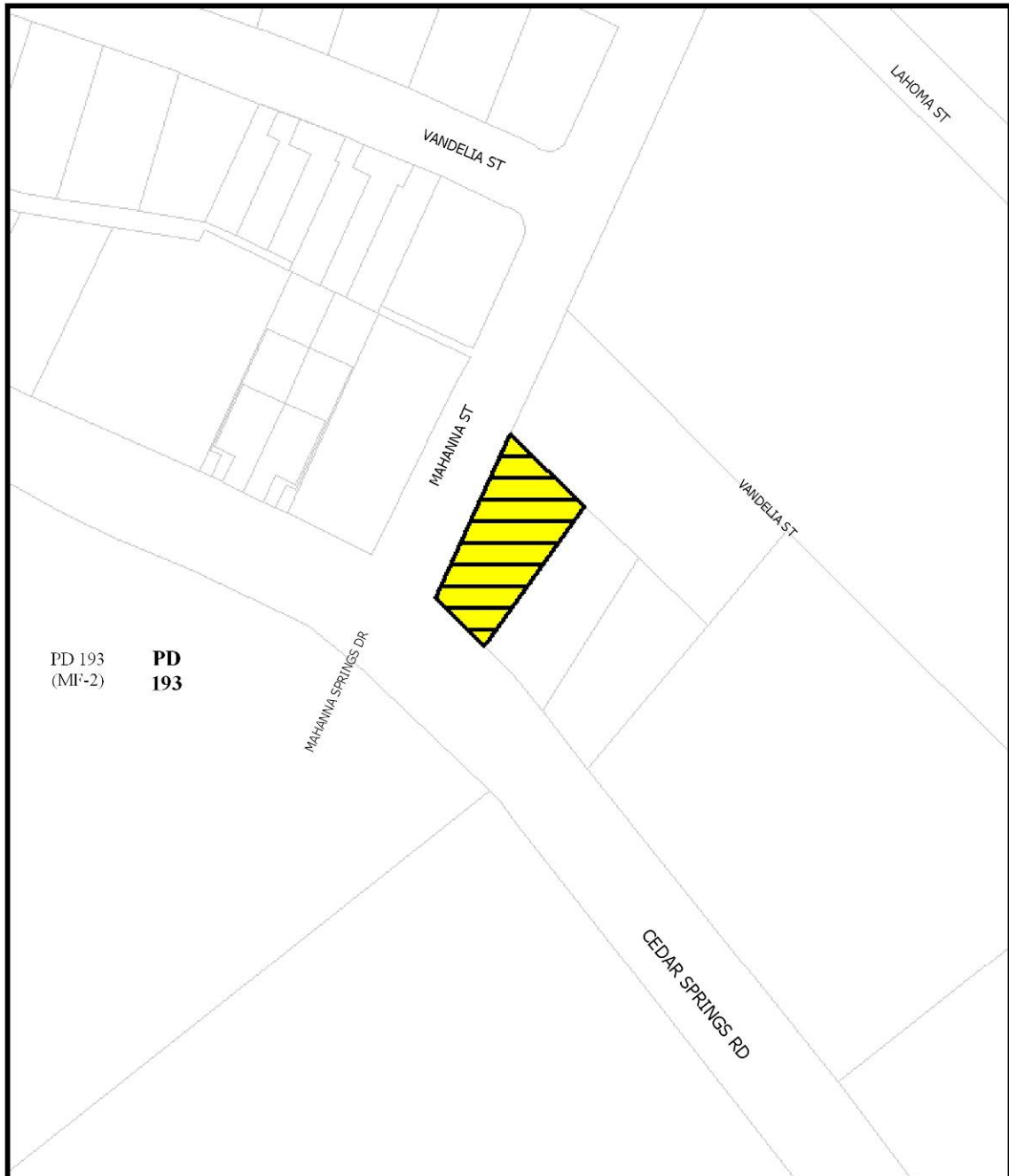
I move that the Board of Adjustment, in Appeal No. **BDA 123-076**, on application of Bryan Hull, hold this matter under advisement until **September 17, 2013**.

SECONDED: **Schweitzer**

AYES: 5– Moore, Schweitzer, Hounsel, Nolen, Jackson

NAYS: 0 -

MOTION PASSED: 5– 0(unanimously)



PD 193 (MF-2) PD 193

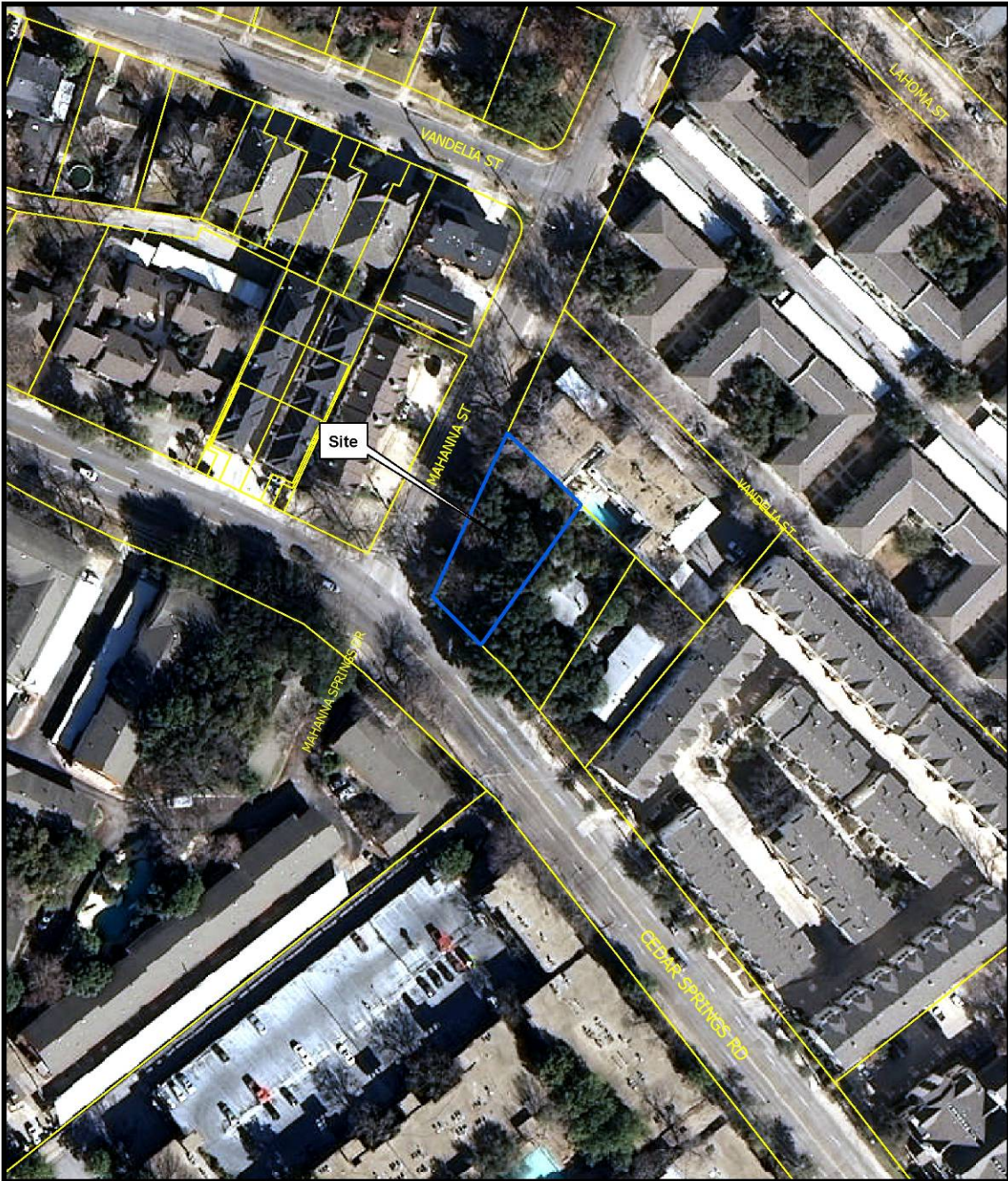


1:1,200

ZONING MAP

Case no: BDA123-076

Date: 9/10/2013



1:1,200

AERIAL MAP

Case no: BDA123-076

Date: 9/10/2013

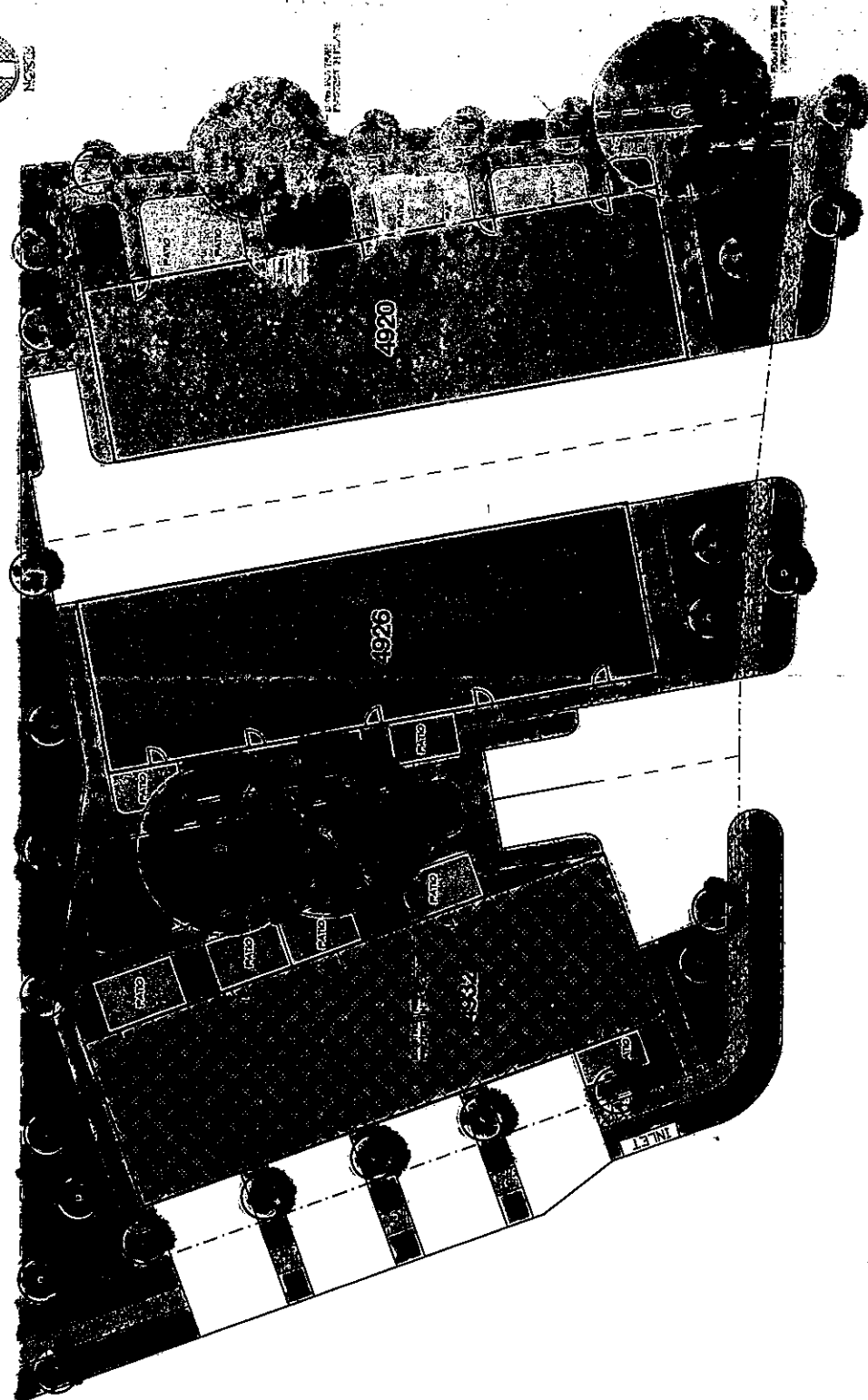
City of ...
 City Company ...

1988 CITY AND ...

TOWNSHIP DEVELOPMENT
 INSET 1.0

DATE: 11/12
 SHEET: 11-0001
 112

BDA 123-
 076
 Attach A



LARGE CANOPY TREE LIST

SYM SIZE	BOTANICAL NAME	COMMON NAME	NOTES
A	Big Oak	Red Maple, Green Maple	Change to ...
B	30' CAL	Black Oak	...
C	15' CAL	White Oak	...
D	12' CAL	White Oak	...

LANDSCAPE REQUIREMENTS

AREA 3% IN SQ. FT. LANDSCAPE SITE AREA	REQUIRED	PROVIDED
LOT AREA	20%	20%
REQUIRED FRONT YARD	10%	10%
REQUIRED FRONT YARD	10%	10%

SHRUB LIST

SYM SIZE	BOTANICAL NAME	COMMON NAME	QTY
1	1/2 gallon	Yucca	10
2	1/2 gallon	Yucca	10
3	1/2 gallon	Yucca	10
4	1/2 gallon	Yucca	10
5	1/2 gallon	Yucca	10
6	1/2 gallon	Yucca	10
7	1/2 gallon	Yucca	10
8	1/2 gallon	Yucca	10
9	1/2 gallon	Yucca	10

LANDSCAPE PLANING PLAN
 SCALE: 1/8" = 1'-0"

CLAY COMPANY, INC.

8/27/2013

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

RE: BDA 123-076, Property at 4932 Cedar Springs Road

ADDITIONAL INFORMATION ABOUT THE VARIANCE REQUEST

In response to the Board action to table their decision to the September 17, 2013 meeting we would like to provide the following additional information:

Reason for the Request

The primary reason for our request to allow a ten foot front setback along Mahanna Street, instead of the required fifteen foot front setback, is that we desire to preserve the existing 32 inch and 22 inch Live Oak trees that are on the site. These trees have a drip line that extends beyond the proposed foundation line for the proposed building at 4932 Cedar Springs Road. Any encroachment on the drip line of the trees will be detrimental to their health and longevity. These existing trees are already stressed due to the prolonged Texas drought.

The area known as 4932 Cedar Springs Road, has always been vacant. The site area known as 4926 Cedar Springs Road, another building in this three-lot development, was previously developed as a duplex. The root mass has been growing to the West side of these trees all of their lives, while on their East side they have been somewhat restricted by the structures. Therefore any intrusion into the root mass on the West side, particularly by excavation and foundation for a concrete slab, would be detrimental to the health of the trees.



The subject trees are in the center of the photo.

600 Wentworth Drive, Richardson, Texas 75081
bhull@claycompanyinc.com 469-426-6906

CLAY COMPANY, INC.



The subject trees are at the left side of the existing building.
This lot is 4926 Cedar Springs Road

Building Continuity

The two lots adjacent to the subject property are all being developed at the same time, with three identical buildings with exception to garage entries. The width of the buildings, as they are designed, are the minimum width to accommodate a two-car garage and entry stairway for each of the units. It is not reasonable to try to reduce the width of the building at 4932 Cedar Springs Road by five feet because the garages and stairways would not work and we would lose the building continuity along Cedar Springs Road. The design is for three buildings of equal width.

Alternatives

The only alternative, should the variance request not be approved, is to remove the trees and mitigate them per the requirements of PD-193. If the building is constructed within the root zone and drip line of the existing trees, and if the trees are left in place and die in the future, the trees would become a safety hazard to the residents and to the new buildings.

600 Wentworth Drive, Richardson, Texas 75081
bhull@claycompanyinc.com 469-426-6906

CLAY COMPANY, INC.

8/27/2013

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

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The area known as 4932 Cedar Springs Road, has always been vacant. The site area known as 4926 Cedar Springs Road, another building in this three-lot development, was previously developed as a duplex. The root mass has been growing to the West side of this tree all of it's life, while on the East side it has been somewhat restricted by the structures. Therefore any intrusion into the root mass on the West side, particularly by excavation and foundation for a concrete slab, would be detrimental to the health of the tree.



The subject tree is in the center of the photo.

600 Wentworth Drive, Richardson, Texas 75081
bhull@claycompanyinc.com 469-426-6906

CLAY COMPANY, INC.



The subject tree is at the left side of the existing building.
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The two lots adjacent to the subject property are all being developed at the same time, with three identical buildings with exception to garage entries. The width of the buildings, as they are designed, are the minimum width to accommodate a two-car garage and entry stairway for each of the units. It is not reasonable to try to reduce the width of the building at 4932 Cedar Springs Road by five feet because the garages and stairways would not work and we would lose the building continuity along Cedar Springs Road. The design is for three buildings of equal width.

Alternatives

The only alternative, should the variance request not be approved, is to remove the tree and mitigate it per the requirements of PD-193. If the building is constructed within the root zone and drip line of the existing tree, and if the tree is left in place and should die in the future, the tree would become a safety hazard to the residents and to the new buildings.

600 Wentworth Drive, Richardson, Texas 75081
bhull@claycompanyinc.com 469-426-6906

Memorandum



CITY OF DALLAS

DATE September 5, 2013

TO

Steve Long, Board of Adjustment Administrator

SUBJECT # BDA 123 · 076

4932 Cedar Springs – protection of large live oak tree

There is presently one large live oak tree of approximately 24” in diameter in the location presented on the site plan, and it appears to be shared by two properties. The tree is in good condition and, with proper care and tree root protection through the remaining construction process on both lots, could continue to be a viable healthy tree for many years to come.

The tree is worthy of preservation.

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



City of Dallas

A

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-076

Data Relative to Subject Property:

Date: 6/14/13

Location address: 4932 CEDAR SPRINGS ROAD Zoning District: PD 193 (MF-2)

Lot No.: 1B Block No.: a/2343 Acreage: .10 Census Tract: 6.01

Street Frontage (in Feet): 1) 139' 2) 78' 3) _____ 4) _____ 5) _____

SW 22

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): 4920 CEDAR SPRINGS LLC

Applicant: BRYAN HULL Telephone: 469-426-6906

Mailing Address: 600 WENTWORTH DRIVE, RICHARDSON, TX Zip Code: 75081

E-mail Address: bhull@claycompanyinc.com

Represented by: _____ Telephone: _____

Mailing Address: _____ Zip Code: _____

E-mail Address: _____

Affirm that an appeal has been made for a Variance X, or Special Exception _____, of 5' TO THE FYSB TO REDUCE THE REQUIRED 15' STREET FRONTAGE SET-BACK ON MAHANNA DRIVE TO 10'.

Application is made to the Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described appeal for the following reason: THIS LOT IS THE SMALLEST OF THE THREE LOTS BEING DEVELOPED CONCURRENTLY. THE WIDTH OF THE LOT IS NOT LARGE ENOUGH TO MATCH THE BUILDINGS, OF THE SAME ARCHITECTURE, ON THE TWO ADJACENT LOTS. THE GRANTING OF THE VARIANCE WOULD NOT BE DETRIMENTAL TO THE ADJACENT PROPERTIES, BUT WOULD ENHANCE THE ADJACENT PROPERTY'S OPEN SPACE AT THE SIDYARDS BETWEEN THE BUILDINGS

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.

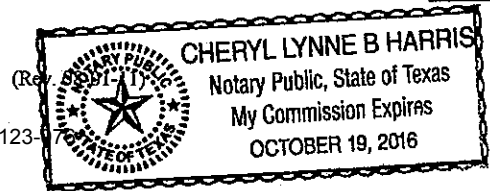
Affidavit

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

Subscribed and sworn to before me this 2nd day of June, 2013



Cheryl Lynne B Harris 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

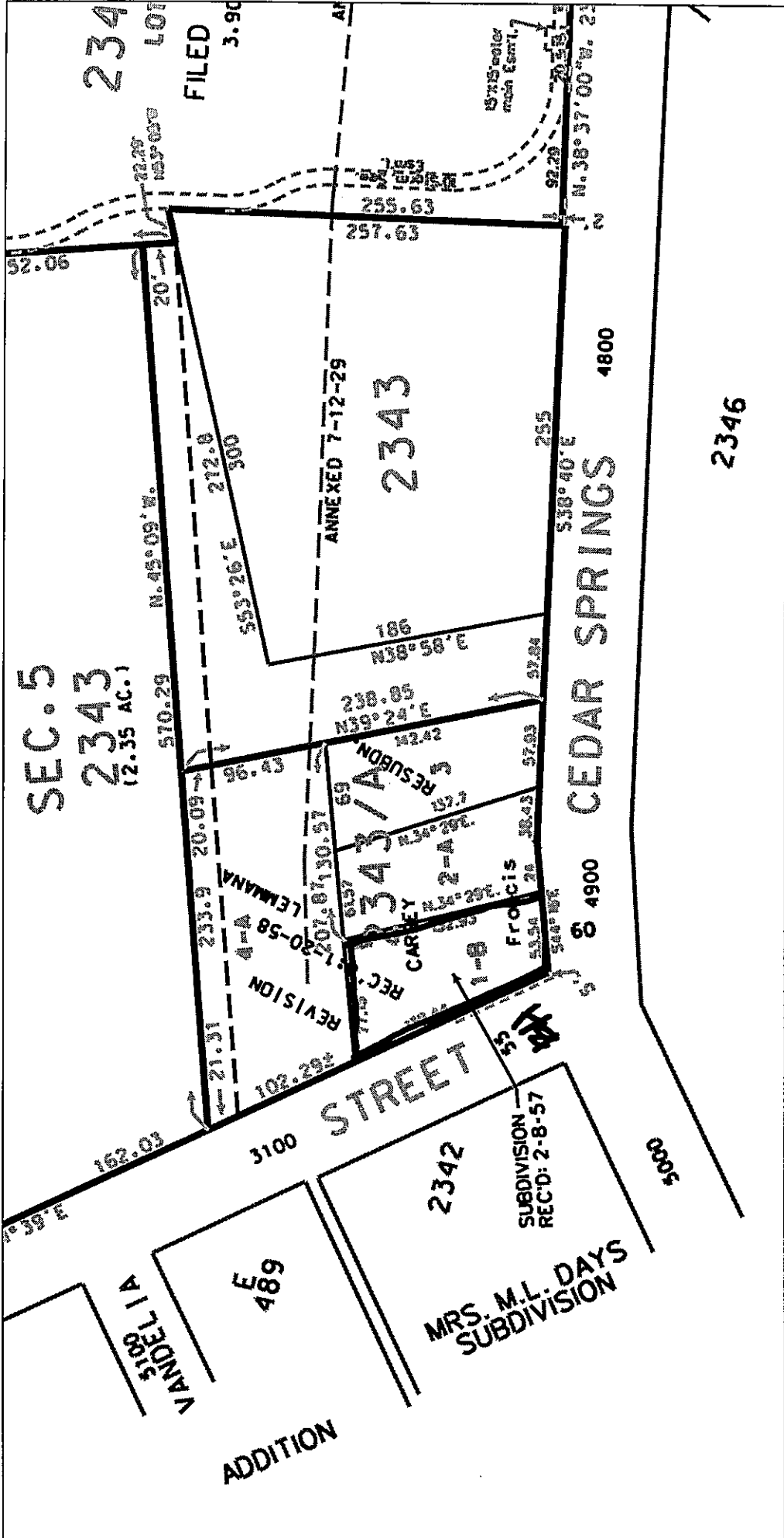
I hereby certify that Bryan Hull

did submit a request for a variance to the front yard setback regulations
at 4932 Cedar Springs Road

BDA123-076. Application of Bryan Hull for a variance to the front yard setback regulation at 4932 Cedar Springs Road. This property is more fully described as Lot 1B, Block A/2343 and is zoned PD-193 (MF-2), which requires a front yard setback of 15 feet. The applicant proposes to construct a multifamily residential structure and provide a 10 foot front yard setback, which will require a 5 foot variance to the front yard setback regulation.

Sincerely,


Larry Holmes, Building Official



SEC. 5
2343
(2.35 AC.)

234
LOT

FILED
3.90

2343

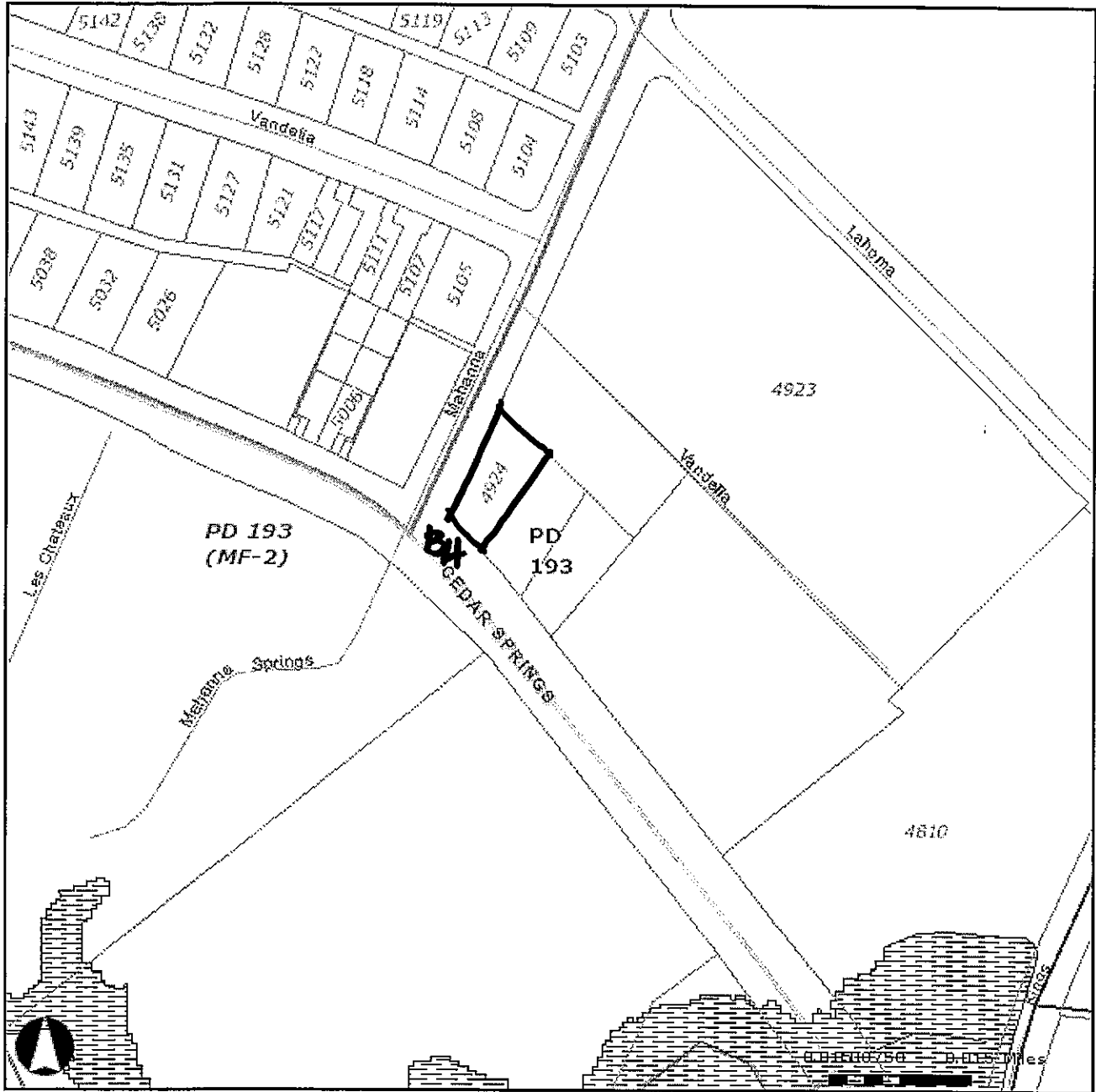
CEDAR SPRINGS

2346

STREET

MRS. M.L. DAYS
SUBDIVISION

City of Dallas Zoning



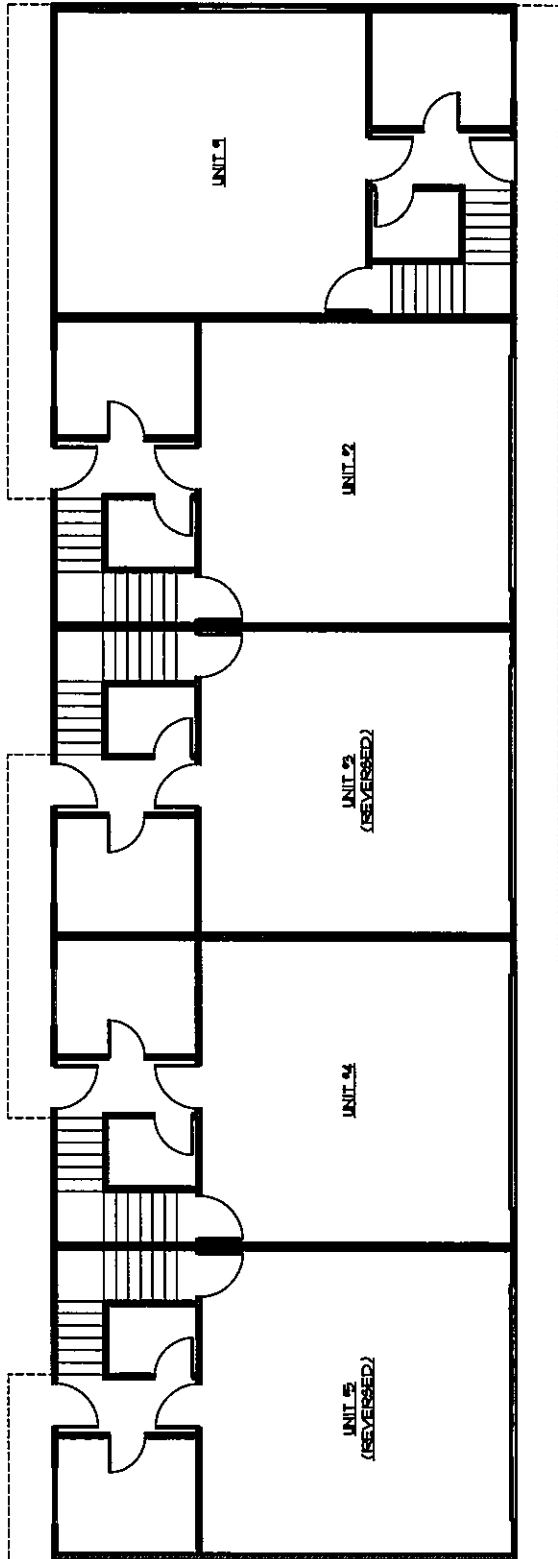
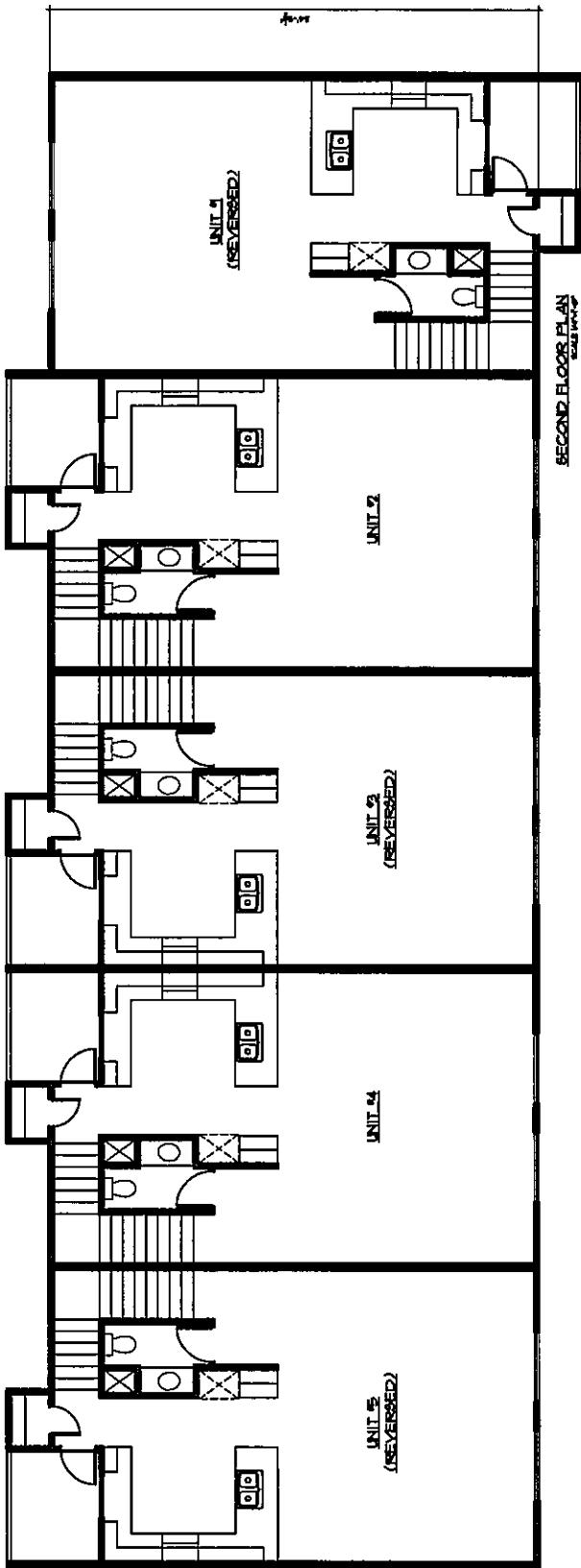
<p>City Boundaries</p> <p>County</p> <p>Certified Parcels</p> <p>DISD Sites</p> <p>Council Districts</p> <p>Waterways</p> <p>Parks</p>	<p>Dry Overlay</p> <p>Historic Overlay</p> <p>Historic Subdistricts</p> <p>NSO Overlay</p> <p>NSO Subdistricts</p> <p>MD Overlay</p>	<p>Base Zoning</p> <p>Floodplain</p> <p>100 Flood Zone</p> <p>Mill's Creek</p> <p>Peak's Branch</p> <p>X PROTECTED BY LEVEE</p> <p>Pedestrian Overlay</p> <p>Environmental Corridors</p>
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NO.	DATE	REVISIONS

PROJECT: _____
 ADDRESS: _____
 Clay Company, Inc.
 4832 CEDAR SPRINGS

TOWNHOME DEVELOPMENT
 SNFT LLC
 CEDAR SPRINGS ROAD, DALLAS, TEXAS

SHEET: A-4
 OF: 24
 DATE: 11/11/12
 DRAWN: B.M.L.
 CHECK: T.L.O.C.



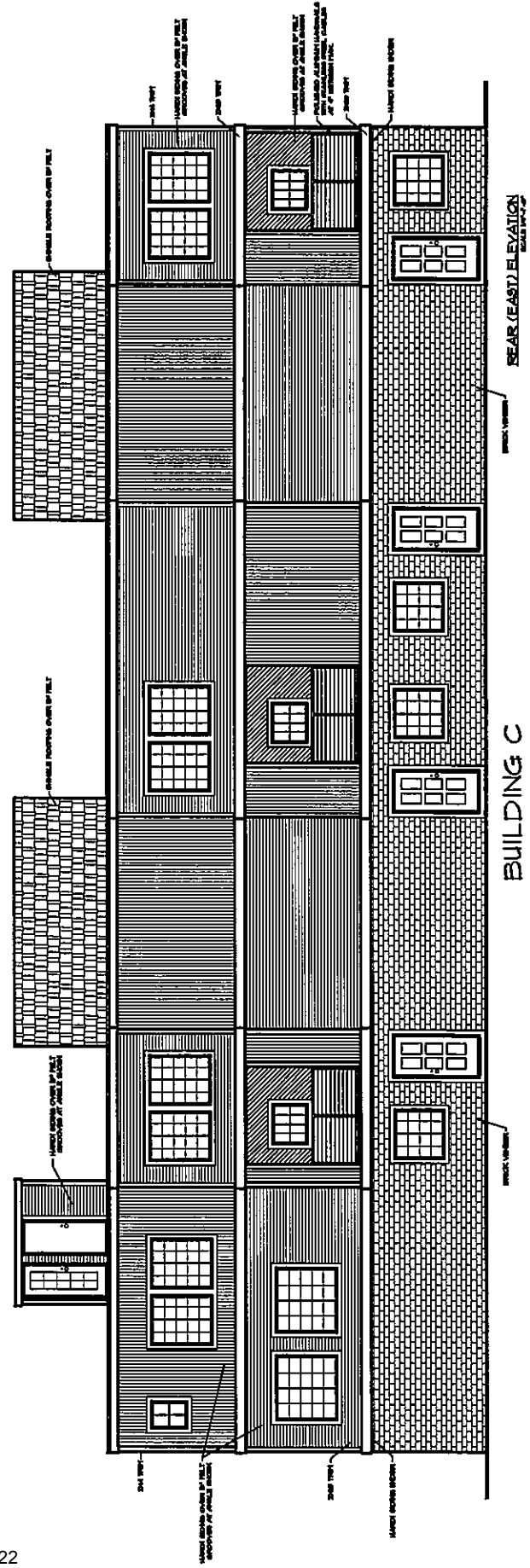
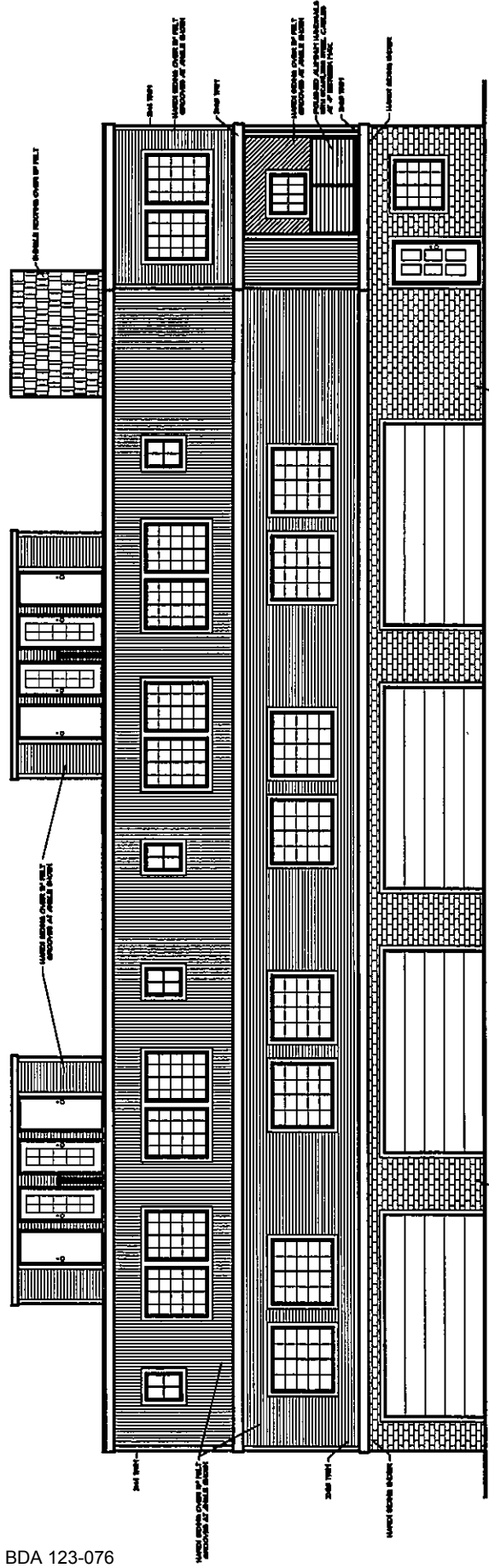
NO.	REVISIONS

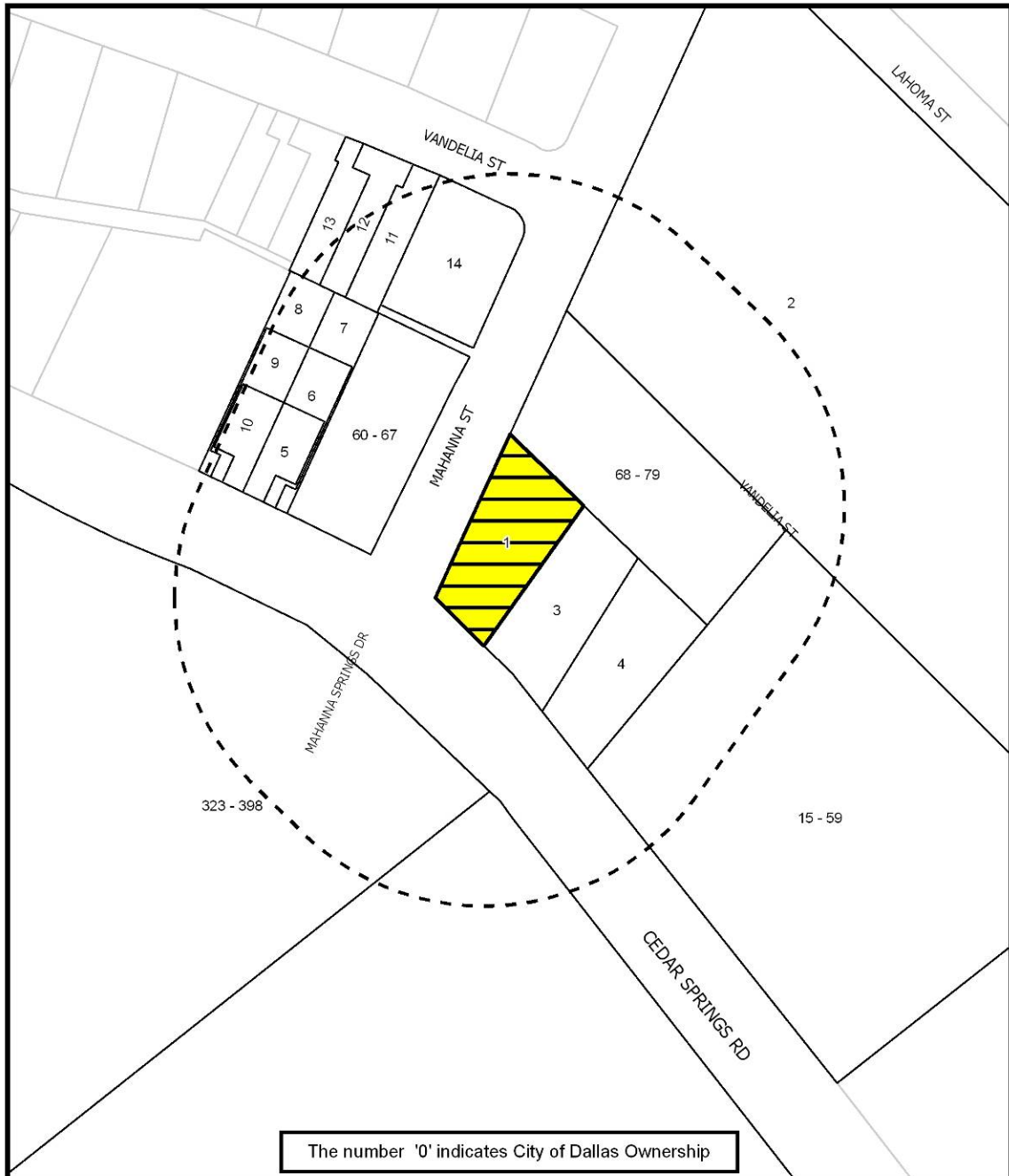
Clay Company, Inc.
 403 CEDAR SPRINGS
 DALLAS, TEXAS 75219
 PHONE: 972-443-1100

4032 CEDAR SPRINGS

TOWNSHOMES DEVELOPMENT
 SNT LLC
 4032 CEDAR SPRINGS ROAD, DALLAS, TEXAS

A-6
 SHEET 15-008 C
 OF 2 SHEETS





 1:1,200	NOTIFICATION		Case no: BDA123-076
	<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;">398</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 9/10/2013	

Notification List of Property Owners

BDA123-076

398 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4924 CEDAR SPRINGS RD	DYKEMAN ALICE M
2	4923 LAHOMA ST	ADVENIRATHIGHLAND PARK LLC
3	4924 CEDAR SPRINGS RD	DYKEMAN ALICE M
4	4920 CEDAR SPRINGS RD	WELCH DAVID C & JOHN THOMAS WELCH
5	5006 CEDAR SPRINGS RD	WILSON JAMES S & SANDRA L APT #A
6	5006 CEDAR SPRINGS RD	DAGOSTINE J MICHAEL BLDG B
7	5006 CEDAR SPRINGS RD	REYES NISA
8	5006 CEDAR SPRINGS RD	JOEL LEE ANN BLDG D
9	5006 CEDAR SPRINGS RD	LINDSEY SCOTT & UNIT E
10	5006 CEDAR SPRINGS RD	SPENCER DEBORA JO
11	5107 VANDELIA ST	BORCK TIMOTHY J & TERRY ANGELA A
12	5109 VANDELIA ST	WIRTHS JOSEPH
13	5111 VANDELIA ST	MONACO ELISE
14	5105 VANDELIA ST	COLE FLOYD O
15	4830 CEDAR SPRINGS RD	KIM SANG H CHAE &
16	4830 CEDAR SPRINGS RD	MCCAIN KARA R BLDG 1 UNIT 35
17	4830 CEDAR SPRINGS RD	GRIBNAU AMY D
18	4830 CEDAR SPRINGS RD	DEAN JOHN J JR UNIT 37
19	4830 CEDAR SPRINGS RD	DESERT SHORES DEV LLC
20	4830 CEDAR SPRINGS RD	TOLMACHOFF GREGORY DANIEL APT 20101
21	4830 CEDAR SPRINGS RD	NGUYEN MINH BLDG 1 UNIT 40
22	4830 CEDAR SPRINGS RD	MAZZARELLA BRIAN & ELIZABETH
23	4830 CEDAR SPRINGS RD	SAKAI TOMOYA BLDG 2 UNIT 2
24	4830 CEDAR SPRINGS RD	BAGGETT MICHAEL W & STACY A UNIT 3
25	4830 CEDAR SPRINGS RD	SHRIRAM VIVEK UNIT #4
26	4830 CEDAR SPRINGS RD	JACOBY DAN JR

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	4830 CEDAR SPRINGS RD	WILLIAMS WESLEY K &
28	4830 CEDAR SPRINGS RD	SUM PING SAM T & SUM PING LYNAL
29	4830 CEDAR SPRINGS RD	DIEKEN DAVID W & UNIT 8
30	4830 CEDAR SPRINGS RD	BERRY STEVEN R & MYERS PAUL V
31	4830 CEDAR SPRINGS RD	LATHAM GRANVILLE
32	4830 CEDAR SPRINGS RD	WEIS ANDREW J APT 11
33	4830 CEDAR SPRINGS RD	SUMMERS WESLEY A UNIT 12
34	4830 CEDAR SPRINGS RD	PICKENS DOUGLAS R # 13
35	4830 CEDAR SPRINGS RD	PENA SALVADOR JR
36	4830 CEDAR SPRINGS RD	CORDOVA EDUARDO E # 15
37	4830 CEDAR SPRINGS RD	SNYDER KYLE C BLDG 4 BLDG 16
38	4830 CEDAR SPRINGS RD	TAI ANNA Y
39	4830 CEDAR SPRINGS RD	YAROVINSKY FELIX & ALEKSANDRA SAFRONAVA
40	4830 CEDAR SPRINGS RD	LUND RYAN K
41	4830 CEDAR SPRINGS RD	PITRE CHRISTOPHER APT 20
42	4830 CEDAR SPRINGS RD	SIMPSON SUZANNE M
43	4830 CEDAR SPRINGS RD	TRIMBLE TRENT WALKER BLDG 7 UNIT 22
44	4830 CEDAR SPRINGS RD	CASTELLON ROBERTO
45	4830 CEDAR SPRINGS RD	GLOVER KELLY
46	4830 CEDAR SPRINGS RD	DOUD BRIAN APT 25
47	4830 CEDAR SPRINGS RD	LOPEZ FRANK E& UNIT 26 BLDG 7
48	4830 CEDAR SPRINGS RD	DRAPER CRYSTAL
49	4830 CEDAR SPRINGS RD	SORRELLS ROBERT & PAMELA SIO
50	4830 CEDAR SPRINGS RD	REYNOLDS MARK A UNIT 29
51	4830 CEDAR SPRINGS RD	SAWYER GERALD G JR SUITE 30
52	4830 CEDAR SPRINGS RD	JENKINS AMY S
53	4830 CEDAR SPRINGS RD	SERRANO RAUL JR & UNIT 32
54	4830 CEDAR SPRINGS RD	MCGARRY MARGARET BLDG 7 UNIT 33
55	4830 CEDAR SPRINGS RD	TOLMACHOFF HEATHER D APT 41
56	4830 CEDAR SPRINGS RD	OLSEN AMY L
57	4830 CEDAR SPRINGS RD	WILLIAMS JAMI B

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	4830 CEDAR SPRINGS RD	RABICOFF RENEE L
59	4830 CEDAR SPRINGS RD	ROSHEK CAROLYN JEAN UNIT 45
60	5000 CEDAR SPRINGS RD	LEE HUNTER P &
61	5000 CEDAR SPRINGS RD	ENG KAREN M BLDG A UNIT 102
62	5000 CEDAR SPRINGS RD	RAY SAMIR
63	5000 CEDAR SPRINGS RD	BANH ANNIE
64	5000 CEDAR SPRINGS RD	WEISHAUPT MARK A # 105
65	5000 CEDAR SPRINGS RD	WALKER ROBERT K APT 106
66	5000 CEDAR SPRINGS RD	BROWN PATRICIA H UNIT 107
67	5000 CEDAR SPRINGS RD	HERRERA JUAN APT 108
68	3116 MAHANNA ST	KILLIAN TERESA UNIT 1
69	3116 MAHANNA ST	ROBB ANTHONY J UNIT 2
70	3116 MAHANNA ST	TANTON MARK
71	3116 MAHANNA ST	AUDE JEREMY UNIT 4
72	3116 MAHANNA ST	PARKER DANIEL
73	3116 MAHANNA ST	MERKLEIN JAMES ALAN # 6
74	3116 MAHANNA ST	KEEL TODD REYNOLDS UNIT 7
75	3116 MAHANNA ST	LOZANO JESS R & JOHN VIC ASHLEY
76	3116 MAHANNA ST	TURNER WILLIAM & UNIT 9
77	3116 MAHANNA ST	ZAPENDOWSKI JAN MICHAL UNIT 10
78	3116 MAHANNA ST	NAUSS TIMOTHY G
79	3116 MAHANNA ST	BROSSMAN CHARLES M
80	4837 CEDAR SPRINGS RD	SCHWARTZ HAROLD & MARLENE %FRANCIS A. AN
81	4837 CEDAR SPRINGS RD	AMARANTHINE LLC
82	4837 CEDAR SPRINGS RD	WRIGHT CAROLYN I
83	4837 CEDAR SPRINGS RD	WELCH TOM BLDG A UNIT 225
84	4837 CEDAR SPRINGS RD	PEREZ JULIE UNIT 227
85	4837 CEDAR SPRINGS RD	ORCUTT JONNIE UNIT 325
86	4837 CEDAR SPRINGS RD	DEOCOSTA ROSELENE Q UNIT 326
87	4837 CEDAR SPRINGS RD	AMARANTHINE LLC SUITE 102
88	4837 CEDAR SPRINGS RD	DIAZ TONY III

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
89	4837 CEDAR SPRINGS RD	JACKSON EARNESTINE #116
90	4837 CEDAR SPRINGS RD	WARD DAVID C & ETAL BLDG B UNIT 117
91	4837 CEDAR SPRINGS RD	JOLLY STEVEN R
92	4837 CEDAR SPRINGS RD	JPMORGAN CHASE BANK NATL ASSN
93	4837 CEDAR SPRINGS RD	ROBINSON JOEY & MAXINE ROBINSON
94	4837 CEDAR SPRINGS RD	PALANCO JOHN Y TR
95	4837 CEDAR SPRINGS RD	WHISNANT CLIFF
96	4837 CEDAR SPRINGS RD	CRAVEN JAMES E
97	4837 CEDAR SPRINGS RD	EMMOTT VICTORIA
98	4837 CEDAR SPRINGS RD	HOWERTON ROGER
99	4837 CEDAR SPRINGS RD	SMITH GARY W
100	4837 CEDAR SPRINGS RD	SANDERS ARTHUR C IV BLDG B UNIT 2016
101	4837 CEDAR SPRINGS RD	IORG FILDRES M & DANIEL M MODUNGO
102	4837 CEDAR SPRINGS RD	FONTS CARLOS E
103	4837 CEDAR SPRINGS RD	FINCH JAMES UNIT 220
104	4837 CEDAR SPRINGS RD	GELBAND SCOTT L
105	4837 CEDAR SPRINGS RD	POGOLANSKY ADY BLDG B UNIT 222
106	4837 CEDAR SPRINGS RD	MCCOMBER ROBERT WILLIAM
107	4837 CEDAR SPRINGS RD	JAMISON ROBERT BLDG B UNIT 224
108	4837 CEDAR SPRINGS RD	HUDKINS STEPHEN J UNIT 314
109	4837 CEDAR SPRINGS RD	KEOHAVONG SOMPHAVANH BLDG B UNIT 315
110	4837 CEDAR SPRINGS RD	SAMUELS JACQUELINE
111	4837 CEDAR SPRINGS RD	DUNCAN JACK
112	4837 CEDAR SPRINGS RD	JOE ALLEN BLDG B UNIT 318
113	4837 CEDAR SPRINGS RD	FANNIN MICHAEL P BLDG B UNIT 319
114	4837 CEDAR SPRINGS RD	MULLINS ANDY MARTIN III & ANNE JACKSON
115	4837 CEDAR SPRINGS RD	TCA APARTMENTS INC STE 707
116	4837 CEDAR SPRINGS RD	TAFOLLA VINCENT E & UNIT 323
117	4837 CEDAR SPRINGS RD	RONDEAU ELIZABETH % DONALD HEITZMAN
118	4837 CEDAR SPRINGS RD	BROCK THOMAS F
119	4837 CEDAR SPRINGS RD	BRYANT JAMES E

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
120	4837 CEDAR SPRINGS RD	TODD ANTHONY H
121	4837 CEDAR SPRINGS RD	JENSEN JOHN C BLDG C UNIT 311
122	4837 CEDAR SPRINGS RD	JOBE CHRISTOPHER UNIT 312
123	4837 CEDAR SPRINGS RD	COLVIN EDWARD #103
124	4837 CEDAR SPRINGS RD	HARRIS HELEN B UNIT 104 BLDG D
125	4837 CEDAR SPRINGS RD	HICK DANIEL A
126	4837 CEDAR SPRINGS RD	TAYLOR STEVE BLDG D #107
127	4837 CEDAR SPRINGS RD	HUIE MARVIN A & UNIT 316
128	4837 CEDAR SPRINGS RD	RIPPAMONTI RUSSELL N
129	4837 CEDAR SPRINGS RD	DUNCAN JACK L
130	4837 CEDAR SPRINGS RD	LABAR PAUL J BLDG D UNIT 201
131	4837 CEDAR SPRINGS RD	TATE DAVID R BLDG D UNIT 202
132	4837 CEDAR SPRINGS RD	ALLEN STEVEN APT 203
133	4837 CEDAR SPRINGS RD	ALBRIGHT CHARLES F BLDG D UNIT 204
134	4837 CEDAR SPRINGS RD	TUCKER DENNIS D
135	4837 CEDAR SPRINGS RD	WESTBROOK JAMES R BLDG D UNIT 206
136	4837 CEDAR SPRINGS RD	STOUGHTON RAY G
137	4837 CEDAR SPRINGS RD	GIBSON LARRY E
138	4837 CEDAR SPRINGS RD	CHENELL CHRISTOPHER SHANE #209-D
139	4837 CEDAR SPRINGS RD	FLANAGAN JOHN J
140	4837 CEDAR SPRINGS RD	OLIVARES SANDRA M
141	4837 CEDAR SPRINGS RD	HOOKER RICHARD E
142	4837 CEDAR SPRINGS RD	REGENT GERALD NEYSA J NALL
143	4837 CEDAR SPRINGS RD	NERANGIS ALEXINA APT 305
144	4837 CEDAR SPRINGS RD	EFIRD PAUL B APT 220
145	4837 CEDAR SPRINGS RD	CHENNEL CHRISTOPHER SHANE BLDG D UNIT 30
146	4837 CEDAR SPRINGS RD	GARRISON CHERYL L #310
147	4859 CEDAR SPRINGS RD	RIVER OAKS HOA INC % WORTH ROSS & ASSOC
148	4859 CEDAR SPRINGS RD	DENGLER ALVIN OTTO
149	4859 CEDAR SPRINGS RD	WATTACHERIL JOEL BLDG E UNIT 228
150	4859 CEDAR SPRINGS RD	MECCA PARTNERS LTD

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
151	4859 CEDAR SPRINGS RD	CHELLIAH SIVANANTHAN & YOGARANY
152	4859 CEDAR SPRINGS RD	LUNA PROPERTIES LLC # 210-212
153	4859 CEDAR SPRINGS RD	AYTON CHRISTOPHER T & DANA FARMER
154	4859 CEDAR SPRINGS RD	WILLIAMS MARY A BLDG F UNIT 131
155	4859 CEDAR SPRINGS RD	KRUEGER JEFF H UNIT 132
156	4859 CEDAR SPRINGS RD	FARMER DANA & CHRISTOPHER AYTON
157	4859 CEDAR SPRINGS RD	GARRISON RONALD & BLDG F APT 230
158	4859 CEDAR SPRINGS RD	PARVANOV DRAGOMIR
159	4859 CEDAR SPRINGS RD	4242 N CAPISTRANO DR APT 173
160	4859 CEDAR SPRINGS RD	LOFTON RONALD
161	4859 CEDAR SPRINGS RD	TODD WILSON HOLDING COMPANY
162	4859 CEDAR SPRINGS RD	MORNINGSTAR JASON R
163	4859 CEDAR SPRINGS RD	PHILLIPS STEVEN & MAI NGUYEN
164	4859 CEDAR SPRINGS RD	TISDALE CHARLES E
165	4859 CEDAR SPRINGS RD	BRINDLE GARY R
166	4859 CEDAR SPRINGS RD	WASCHKA RODNEY II & ALEXANDRA KUREPA
167	4859 CEDAR SPRINGS RD	CARLISLE OLGA A % CHARLES TISDALE
168	4859 CEDAR SPRINGS RD	BOONE JOE C UNIT 137
169	4859 CEDAR SPRINGS RD	KAMENETSKY EVA
170	4859 CEDAR SPRINGS RD	JOHNSON DAVID WAYNE # 235
171	4859 CEDAR SPRINGS RD	HOLLEMAN TROY H UNIT 236
172	4859 CEDAR SPRINGS RD	AMARANTHINE LLC
173	4859 CEDAR SPRINGS RD	PITKOFKY JAY
174	4859 CEDAR SPRINGS RD	GADDIS CLIFTON J BLDG G UNIT 335
175	4859 CEDAR SPRINGS RD	WIECHERN MARY V BLDG G UNIT 336
176	4859 CEDAR SPRINGS RD	VILLAREAL KATHLEEN A JOHN VILLAREAL UN
177	4859 CEDAR SPRINGS RD	BRADFORD PHILLIP UNIT 139
178	4859 CEDAR SPRINGS RD	HOLMAN RICHARD T BLDG H UNIT 238
179	4859 CEDAR SPRINGS RD	MARTIN ANDREW J JR UNIT 239
180	4859 CEDAR SPRINGS RD	VALDEZ ESTHER F
181	4859 CEDAR SPRINGS RD	ARNOLD JAMES BLDG H UNIT 339

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
182	4859 CEDAR SPRINGS RD	GASTON JOHN W &
183	4859 CEDAR SPRINGS RD	STEVEN CASON SEPARATE COPR HEADQUARTER
184	4859 CEDAR SPRINGS RD	EDMONDS ROY #155
185	4859 CEDAR SPRINGS RD	WILSON SUE APT 157
186	4859 CEDAR SPRINGS RD	SOBRINHO JOSELIO
187	4859 CEDAR SPRINGS RD	PADACHY NIVEN G & PREBA
188	4859 CEDAR SPRINGS RD	BONNEY WILLIAM MARK & PHILIP AU
189	4859 CEDAR SPRINGS RD	ANDERSON BRUCE H
190	4859 CEDAR SPRINGS RD	PETTERSON JEFFREY L
191	4859 CEDAR SPRINGS RD	COSTA ROSELENE O
192	4859 CEDAR SPRINGS RD	MILIC SLOBODAN & MILIC NINA
193	4859 CEDAR SPRINGS RD	COERVER PATRICK H BLDG I UNIT #256
194	4859 CEDAR SPRINGS RD	MARTIN PHILIP A
195	4859 CEDAR SPRINGS RD	LEVINE SHARON
196	4859 CEDAR SPRINGS RD	ALCANTAR ISABEL UNIT 259
197	4859 CEDAR SPRINGS RD	MONTGOMERY KELLY W APT 260
198	4859 CEDAR SPRINGS RD	CHAPARAS JAMES G UNIT A563
199	4859 CEDAR SPRINGS RD	NANTHASENE BRUCE M BLDG I UNIT #262
200	4859 CEDAR SPRINGS RD	MILLER LARRY B
201	4859 CEDAR SPRINGS RD	ANDERSON MARK O SUITE 354
202	4859 CEDAR SPRINGS RD	SHERMAN EDWARD J ENTERPRISES INC ET AL
203	4859 CEDAR SPRINGS RD	MCDONALD JERRY W
204	4859 CEDAR SPRINGS RD	CORDERO ELAINE BLDG I UNIT 357
205	4859 CEDAR SPRINGS RD	HANSANA LOWELL BLDG I UNIT 358
206	4859 CEDAR SPRINGS RD	ROWELL KENNETH P & BLDG I UNIT 359
207	4859 CEDAR SPRINGS RD	MOORE DONNIE W
208	4859 CEDAR SPRINGS RD	PROCK JAMES M JR UNIT #361
209	4859 CEDAR SPRINGS RD	WILLAMS MELISSA G
210	4859 CEDAR SPRINGS RD	WILLIAMS DEBRA L BLDG J UNIT 143
211	4859 CEDAR SPRINGS RD	CANTRELL TIMOTHY L
212	4859 CEDAR SPRINGS RD	SMITH ELLEN L BLDG J UNIT 145

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
213	4859 CEDAR SPRINGS RD	FORRESTER JAMES P
214	4859 CEDAR SPRINGS RD	KRONICK BRAD S
215	4859 CEDAR SPRINGS RD	WILSON SUE #150
216	4859 CEDAR SPRINGS RD	MYERS SCOTT T
217	4859 CEDAR SPRINGS RD	MANALE JUNE
218	4859 CEDAR SPRINGS RD	CASTILLO PETER
219	4859 CEDAR SPRINGS RD	BROCK THOMAS F APT 112
220	4859 CEDAR SPRINGS RD	LAUREYS MARC UNIT 247
221	4859 CEDAR SPRINGS RD	VESSELS JOHN F UNIT 248
222	4859 CEDAR SPRINGS RD	JONES KAREN
223	4859 CEDAR SPRINGS RD	BONCEA CLAUDIA APT 2304
224	4859 CEDAR SPRINGS RD	WILLIS THRESSIA J UNIT 252
225	4859 CEDAR SPRINGS RD	WANG HAO-RAN & TIANXIA LI
226	4859 CEDAR SPRINGS RD	AYTON CHRIS & APT 173
227	4859 CEDAR SPRINGS RD	BEDWELL TED L BLDG J UNIT 346
228	4859 CEDAR SPRINGS RD	PREMIER PPTY HOLDINGS LLC
229	4859 CEDAR SPRINGS RD	JONES KAREN K
230	4859 CEDAR SPRINGS RD	CHELLIAH SIVANANTHAN ETAL BLDG J UNIT 35
231	4859 CEDAR SPRINGS RD	GIGLIO BRIAN # 352
232	4859 CEDAR SPRINGS RD	BRADFORD PHILLIP M UNIT 139
233	4859 CEDAR SPRINGS RD	MOCTEZUMA EDUARDO C & UNIT 141
234	4859 CEDAR SPRINGS RD	LAUREYS MARK
235	4859 CEDAR SPRINGS RD	GOODMAN C LEROY
236	4859 CEDAR SPRINGS RD	JOLLY STEPHEN R
237	4859 CEDAR SPRINGS RD	WILLIAMS MALCOLM L
238	4859 CEDAR SPRINGS RD	KEZHAYA JOYCE
239	4851 CEDAR SPRINGS RD	HALPRIN DENNIS
240	4851 CEDAR SPRINGS RD	JOHNSON HELEN BLDG L UNIT 176
241	4851 CEDAR SPRINGS RD	GUERRERO ROY # 275
242	4851 CEDAR SPRINGS RD	DUFF AARON E UNIT 276
243	4851 CEDAR SPRINGS RD	HERZ ANDREA D BLDG L UNIT 375

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
244	4851 CEDAR SPRINGS RD	CROWE MATTHEW D BLDG L UNIT 376
245	4851 CEDAR SPRINGS RD	NANTHASENE CHAN #262
246	4851 CEDAR SPRINGS RD	BRADFORD PHILLIP M
247	4851 CEDAR SPRINGS RD	STUART RONALD K UNIT180
248	4851 CEDAR SPRINGS RD	POWERS TERRELL DION BLDG M UNIT 181
249	4851 CEDAR SPRINGS RD	HUGGINS DAVID W APT 182
250	4851 CEDAR SPRINGS RD	WELLS FARGO BANK NA MAC # X 7801-014
251	4851 CEDAR SPRINGS RD	SOLOGUREN ZEVALLOS JOSE A BLDG M UNIT 2
252	4851 CEDAR SPRINGS RD	CLOUD JEROLD E & LEO L BELL
253	4851 CEDAR SPRINGS RD	LIVINGSTON LAURA TR LAURA LIVINGSTON TRU
254	4851 CEDAR SPRINGS RD	LASTER JAMES HASKELL JR UNIT 281
255	4851 CEDAR SPRINGS RD	MARTIN PHILIP A
256	4851 CEDAR SPRINGS RD	CLIFTON BILLY E & BLDG M UNIT 377
257	4851 CEDAR SPRINGS RD	LOONEY PHILIP BRENT BLDG M UNIT 378
258	4851 CEDAR SPRINGS RD	AYCOCK MICHAEL T
259	4851 CEDAR SPRINGS RD	DELACRUZ ESMERALDA BLDG M UNIT 380
260	4851 CEDAR SPRINGS RD	LESZINSKI SLAWOMIR LIV TR
261	4851 CEDAR SPRINGS RD	DESPAIN JEFFREY W
262	4851 CEDAR SPRINGS RD	RAY MARY JO UNIT 183N
263	4851 CEDAR SPRINGS RD	RAY MARY JO UNIT 183
264	4851 CEDAR SPRINGS RD	FRIEND KAREN R UNIT 185 BLDG N
265	4851 CEDAR SPRINGS RD	RAY MARY J BLDG N UNIT 183
266	4851 CEDAR SPRINGS RD	BROWN GREGORY BLDG N UNIT 187
267	4851 CEDAR SPRINGS RD	MALONE PATRICIA & MALONE ROBERT
268	4851 CEDAR SPRINGS RD	HEINLEN RODNEY UNIT 411
269	4851 CEDAR SPRINGS RD	JOHNSON JAMES R BLDG N UNIT 283
270	4851 CEDAR SPRINGS RD	ARAZIM C LLC
271	4851 CEDAR SPRINGS RD	WINSTEAD DARELL BLDG N UNIT 285
272	4851 CEDAR SPRINGS RD	OFCHARIK MONICA BLDG N UNIT 286
273	4851 CEDAR SPRINGS RD	PETERSON DAVID UNIT 287 BLDG N
274	4851 CEDAR SPRINGS RD	SOUZA HERBERT UNIT 288

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
275	4851 CEDAR SPRINGS RD	LARSEN LINDA J
276	4851 CEDAR SPRINGS RD	MURRELL BRAD #383
277	4851 CEDAR SPRINGS RD	TIEMEYER PATRICK APT 384
278	4851 CEDAR SPRINGS RD	MARTINEZ FRANCISCO & BLDG N UNIT 385
279	4851 CEDAR SPRINGS RD	LITTRELL GERALD BLDG N UNIT #386
280	4851 CEDAR SPRINGS RD	LEIGHTON JOHN A UNIT 387
281	4851 CEDAR SPRINGS RD	JAIN MANISH BLDG N UNIT 388
282	4851 CEDAR SPRINGS RD	CRAWFORD JEFFREY C
283	4851 CEDAR SPRINGS RD	MORNINGSTAR JASON
284	4851 CEDAR SPRINGS RD	SHELTON BRUCE D
285	4851 CEDAR SPRINGS RD	KUSUMA ADRIAN & KUSUMA JANE
286	4851 CEDAR SPRINGS RD	ROBERTS JACK BLDG O UNIT 392
287	4845 CEDAR SPRINGS RD	BIELAMOWICZ NORBERT # 163
288	4845 CEDAR SPRINGS RD	SUAREZ RALPH M TR
289	4845 CEDAR SPRINGS RD	BRADFORD RONALD AARON UNIT 165
290	4845 CEDAR SPRINGS RD	KHAN ZARRISH BLDG P UNIT 166
291	4845 CEDAR SPRINGS RD	FRISBY DAN R UNIT 263
292	4845 CEDAR SPRINGS RD	PHAM NANCY NUONG & NAM D
293	4845 CEDAR SPRINGS RD	MANN MARTHA S #265
294	4845 CEDAR SPRINGS RD	BRACAMONTE ARMANDO STE 266
295	4845 CEDAR SPRINGS RD	COOPER DONALD S UNIT 363
296	4845 CEDAR SPRINGS RD	MARTIN PHILIPS A
297	4845 CEDAR SPRINGS RD	WRIGHT STEPHEN B UNIT 365 BLDG P
298	4845 CEDAR SPRINGS RD	DORSEY MICHAEL
299	4845 CEDAR SPRINGS RD	MORNINGSTAR JASON ROBERT
300	4845 CEDAR SPRINGS RD	HALPRIN DENNIS BLDG Q UNIT 168
301	4845 CEDAR SPRINGS RD	CHANDLER DAVID M
302	4845 CEDAR SPRINGS RD	WAGNER JOSHUA P
303	4845 CEDAR SPRINGS RD	MASON BARBARA E BLDG Q UNIT 267
304	4845 CEDAR SPRINGS RD	ORR CELIA S & DAVID H
305	4845 CEDAR SPRINGS RD	MARTIN PHILIP A EVELYN M

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
306	4845 CEDAR SPRINGS RD	FAJARDO ANGEL EDWIN UNIT 270
307	4845 CEDAR SPRINGS RD	STANSBURY JAMES H UNIT 367
308	4845 CEDAR SPRINGS RD	SUDDUTH JOE D
309	4845 CEDAR SPRINGS RD	ANDREWS PHILLIP P
310	4845 CEDAR SPRINGS RD	HILDEBRAND DARREN
311	4845 CEDAR SPRINGS RD	JOYNER MICHAEL N. BLDG R UNIT 171
312	4845 CEDAR SPRINGS RD	GRANGER DWIGHT M UNIT 172
313	4845 CEDAR SPRINGS RD	ALBERT MARK E #173
314	4845 CEDAR SPRINGS RD	CHANCEY LINDA BLDG R UNIT 174
315	4845 CEDAR SPRINGS RD	BAKER JODY J BLDG R UNIT 271
316	4845 CEDAR SPRINGS RD	BROWN JOHNNIE G # 272
317	4845 CEDAR SPRINGS RD	BARTLETT JAMES L JR
318	4845 CEDAR SPRINGS RD	SPEARANCE J DAVID
319	4845 CEDAR SPRINGS RD	JOHNSON WILLIAM HENRY UNIT 371 BLDG R
320	4845 CEDAR SPRINGS RD	IDELL KEITH EDWARD BLDG R UNIT 372
321	4845 CEDAR SPRINGS RD	DUNN PAUL CHARLES & OLA FRAN
322	4845 CEDAR SPRINGS RD	DEAN ASAD & SHAMA DEAN
323	3030 MAHANNA SPRINGS DR	GONZALEZ RAY L
324	3030 MAHANNA SPRINGS DR	SHARPE ROXANN & HARVEY D
325	4927 CEDAR SPRINGS RD	HINDS JAMES E & NORMA SUE
326	4927 CEDAR SPRINGS RD	FRNKA EVELYN & RONALD A BLDG A UNIT 4927
327	4927 CEDAR SPRINGS RD	LESZINSKI SLAWOMIR
328	4931 CEDAR SPRINGS RD	GONZALEZ GILDA C APT A
329	4931 CEDAR SPRINGS RD	HUTTON JEFFREY B BLDG A UNIT 4931B
330	4931 CEDAR SPRINGS RD	FRELS STEPHEN BLDG A UNIT 4931C
331	4931 CEDAR SPRINGS RD	GALVAN VIRGINIA APT A
332	3023 MAHANNA SPRINGS DR	FRNKA EARL JOE JR
333	3023 MAHANNA SPRINGS DR	HAMILTON JOHN M & CRISTI WINCHELL
334	3023 MAHANNA SPRINGS DR	ECKERT D SCOTT BLDG B UNIT 3023C
335	3023 MAHANNA SPRINGS DR	HAMILTON JOHN M BLDG B UNIT 3023D
336	3025 MAHANNA SPRINGS DR	AYCOCK MICHAEL T &

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
337	3025 MAHANNA SPRINGS DR	BROWN EARL RICHARD
338	3025 MAHANNA SPRINGS DR	HUNTER EWEN
339	3031 MAHANNA SPRINGS DR	SISTO GARY L BLDG B UNIT 3031A
340	3031 MAHANNA SPRINGS DR	TANGLEWOOD TWNHMS COUNCIL
341	3031 MAHANNA SPRINGS DR	PERRY BILLY EARL UNIT 3031C
342	3031 MAHANNA SPRINGS DR	SIMPSON JANIS K
343	5005 CEDAR SPRINGS RD	HURLEY ROBERT H APT 141
344	5005 CEDAR SPRINGS RD	BURGESS TROY L
345	5005 CEDAR SPRINGS RD	HANSEN JEFFREY S BLDG B UNIT E
346	5005 CEDAR SPRINGS RD	REDD DAVID A UNIT F
347	5007 CEDAR SPRINGS RD	ARGUETA LEO
348	5007 CEDAR SPRINGS RD	HINDS WILLIAM L
349	5007 CEDAR SPRINGS RD	MARTIN MICHAEL J UNIT E
350	5007 CEDAR SPRINGS RD	FRICK GUY
351	5025 CEDAR SPRINGS RD	HINDS JAMES E & NORMA S
352	5025 CEDAR SPRINGS RD	HARRELL ANN LESTER APT C
353	5025 CEDAR SPRINGS RD	OBIANWU MARTIN N UNTI D
354	5027 CEDAR SPRINGS RD	GALVAN VIRGINIA BLDG C UNIT 5027A
355	5027 CEDAR SPRINGS RD	AKERMAN KIM UNIT 5027B BLDG C
356	5027 CEDAR SPRINGS RD	JUAREZ VICTOR
357	3008 MAHANNA SPRINGS DR	CARPENTER CHAD E # A
358	3008 MAHANNA SPRINGS DR	WESTBROOK RANDALL DAVID APT B
359	3008 MAHANNA SPRINGS DR	PUCKETT RICKY C #3008C
360	3008 MAHANNA SPRINGS DR	KIRK LORETTA KAY APT D
361	3012 MAHANNA SPRINGS DR	FISCHER JASON
362	3012 MAHANNA SPRINGS DR	HARRISON NORMA JEAN APT B
363	3012 MAHANNA SPRINGS DR	SPENCER FRANKIE L
364	3016 MAHANNA SPRINGS DR	KRUEGER KAREN & RAFAEL LUGAY JR
365	3016 MAHANNA SPRINGS RD	CORONADO RENE B ETUX BLDG D UNIT 3016B
366	3016 MAHANNA SPRINGS DR	JENSEN TERENCE JR APT C
367	3016 MAHANNA SPRINGS DR	TAYLOR KENT APT D

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368	3020 MAHANNA SPRINGS DR	HORN CHARLES ROBIN UNIT 3020A
369	3020 MAHANNA SPRINGS DR	SURI PRISCILLA BEAN 3020B
370	3020 MAHANNA SPRINGS DR	RUBIO ENRIQUE JR & ROSEMARY APT C
371	3024 MAHANNA SPRINGS DR	PINCUS TOBELLE B BLDG D UNIT 3024B
372	3026 MAHANNA SPRINGS DR	GARCIA MIGUEL A
373	3026 MAHANNA SPRINGS DR	TAYLOR KENT L APT D
374	3003 MAHANNA SPRINGS DR	BOOTH CYNTHIA BLDG E UNIT #3003A
375	3003 MAHANNA SPRINGS DR	BRAMMER AMY BLDG E UNIT 3003B
376	3003 MAHANNA SPRINGS DR	RICHTER SUE A BLDG E #3003C
377	3003 MAHANNA SPRINGS DR	GORJIZADEH ELHAM UNIT 3003D
378	3007 MAHANNA SPRINGS DR	KIRK MERRILL A APT D
379	3007 MAHANNA SPRINGS DR	KIRK MERRILL A APT B
380	3007 MAHANNA SPRINGS DR	LEWIS SAMUEL KAYE BLDG E UNIT 3007D
381	3011 MAHANNA SPRINGS DR	PBH INV LLC
382	3011 MAHANNA SPRINGS DR	WHITE STEVEN # 3011B
383	3011 MAHANNA SPRINGS DR	FINK ANN M
384	3011 MAHANNA SPRINGS DR	VANBEVEREN PETRONELLA H BLDG E 3011D
385	3011 MAHANNA SPRINGS DR	EVERS MIKE TR
386	3015 MAHANNA SPRINGS DR	GONZALEZ CONSUELO LF EST REM: RAY L GONZ
387	3015 MAHANNA SPRINGS DR	PATEY BART UNIT B
388	3015 MAHANNA SPRINGS DR	SKINNER KEVIN & BLDG E UNIT 3015F
389	3017 MAHANNA SPRINGS DR	FAULKNER ROD E
390	3017 MAHANNA SPRINGS DR	STEPHENS BILLIE J BLDG E 3017C
391	3017 MAHANNA SPRINGS DR	MORGAN FAYE M APT D
392	3002 MAHANNA SPRINGS DR	DAVIS JOE S #3002A
393	3002 MAHANNA SPRINGS DR	TYMCHAK TED A #3002-B
394	3002 MAHANNA SPRINGS DR	CREAMER JOANNA S &
395	3002 MAHANNA SPRINGS DR	DIEDERICH DAVID
396	3004 MAHANNA SPRINGS DR	DRONET SHERYL A APT A
397	3004 MAHANNA SPRINGS DR	HAGEDORN JANICE E UNIT F
398	3004 MAHANNA SPRINGS DR	ORTIZ GUSTAVO UNIT 3004C

9/10/2013

Label # Address

Owner

FILE NUMBER: BDA 123-086

BUILDING OFFICIAL'S REPORT: Application of Robert V. Hunt for variances to the front yard setback, lot coverage, and off-street parking regulations at 5410 Melrose Avenue. This property is more fully described as Lot 7 and part of Lot 8, Block C/1978 and is zoned R-7.5(A), which requires a 25 foot front yard setback, limits the maximum lot coverage to 45 percent, and requires a parking space to be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct/maintain a structure and provide a 6 foot front yard setback, which will require a 19 foot variance to the front yard setback regulations, and to construct/maintain a structure with a lot coverage of 52 percent, which will require a 465 square foot variance to the lot coverage regulations, and to locate/maintain enclosed parking spaces 8 feet from a right-of-way line, which will require a variance of 12 feet to the off-street parking regulations.

LOCATION: 5410 Melrose Avenue

APPLICANT: Robert V. Hunt

REQUESTS:

The following appeals have been made in conjunction with constructing and maintaining a two-story single family home structure on a site that is currently developed with a one-story nonconforming duplex structure that the applicant intends to demolish:

1. Variances to the front yard setback regulations of 19' is requested as the proposed structure would be located 6' (roof eaves) from the site's two front property lines or 18' into the required 25' front yard setbacks along Melrose Avenue and Madera Avenue.
2. A variance to the lot coverage regulations of 465 square feet is requested as (according to the applicant) this request would allow up to 3,451 square feet of maximum lot coverage when 2,987 square feet is allowed now (or 45 percent) on the 6,638 square foot subject site.
3. Variances to the off-street parking regulations of 12' are requested as the proposed home would have parking spaces enclosed in the proposed garages that would be located 8' from the Melrose Avenue and Madera Avenue property/right-of-way lines or as much as 12' into the required 20' distance from these street right-of-way lines.

STANDARD FOR A VARIANCE:

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

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

STAFF RECOMMENDATION (front yard setback and maximum lot coverage):

Approval of the front yard setback and maximum lot coverage variances, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- The subject site is unique and different from most lots zoned R-7.5(A) in that it is irregularly-shaped - most lots in the zoning district are rectangular in shape, and is restricted in area with only approximately 6,600 square feet and with two front yard setbacks - most lots in the zoning district have 7,500 square feet and one front yard setback.

STAFF RECOMMENDATION (off-street parking variances):

Denial

Rationale:

- Although the subject site is unique and different from most lots zoned R-7.5(A) in that it is irregular in shape, smaller in size than most lots in R-7.5(A) zoning, and with two front yard setbacks, the applicant has not substantiated how granting these variance requests for two garages/enclosed parking spaces (one facing each of the two bordering streets) are necessary to develop the site with a single family home with a single garage. The physical features of the lot do not appear to preclude the applicant from developing it with a single family home with a single garage that could provide the 20' distance requirement from one of the two streets bordering this site. The Sustainable Development and Construction Department Engineering Division Assistant Director recommends denial of this request commenting that the "lot appears to have room for a normal setback garage."

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single family district 7,500 square feet)

North: TH-3 (A) (Townhouse)
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 one-story nonconforming duplex use. The areas to the north, south, east, and west are developed with single family uses.

Zoning/BDA History:

1. BDA 123-064, Property at 5414 Melrose Avenue (the lot immediately east of the subject site) On June 18, 2013, the Board of Adjustment Panel A granted a variance to the front yard setback regulations of 18', variances to the side yard setback regulations of 2', and to the lot coverage regulations of 437 square feet. The board imposed the following condition: compliance with the submitted site plan is required. The case report stated that the requests were made in conjunction with constructing and maintaining a two-story single family home structure on a site that is currently developed with a one-story single family home structure that the applicant intends to demolish.
2. BDA 067-169, Property at 2035 Cullen Avenue (three lots east of the subject site) On December 10, 2007, the Board of Adjustment Panel C granted a variance to the front yard setback regulations of 20'. The board imposed the following condition: compliance with the submitted site plan is required. The case report stated that the request was made in conjunction with constructing and maintaining a single family home in the site's Melrose Avenue 25' front yard setback on a site that was undeveloped.

Timeline:

- Jul 10, 2013: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- August 20, 2013: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

August 20, 2013: 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 August 28th deadline to submit additional evidence for staff to factor into their analysis; and the September 6th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the requests; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

September 3, 2013: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for September public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Interim Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Chief Arborist, and the Assistant City Attorney to the Board.

September 4, 2013: The applicant submitted documentation on this application to the Board Administrator beyond what was submitted with the original application (see Attachment A).

September 9, 2013: The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet regarding the applicant's request for variances to the off-street parking regulations marked "Recommends that the be denied" commenting the "lot appears to have room for a normal setback garage."

GENERAL FACTS/STAFF ANALYSIS (front yard variances):

- These requests focus on constructing and maintaining a two-story single family structure, part of which would be located in the site's two 25' front yard setbacks on a property developed with a one-story nonconforming duplex structure that the applicant intends to demolish.
- Structures on lots zoned R-7.5(A) are required to provide a minimum front yard setback of 25'.
- The site is located at the intersection of Melrose Avenue and Madera Avenue and has two 25' front yard setbacks since continuity of the established front yard setbacks to the east of the subject site on both streets must be maintained on the subject site.
- According to DCAD records, the "main improvement" for property at 5410 Melrose Avenue being a structure built in 1926 with 1,148 square feet of living area and 1,148 square feet of total area; and no additional improvements.

- The applicant has submitted a site plan that shows a structure (roof eave) located 6' from the front property lines along Melrose Avenue and Madera Avenue or 19' into these two 25' required front yard setbacks.
- The subject site is irregular in shape and according to the application, is 6,638 square feet in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area. The subject site had two front yard setbacks where most lots in this zoning district have one front yard setback.
- The applicant has the burden of proof in establishing the following:
 - That granting the variances to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variances are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variances would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance requests, and impose the submitted site plan as a condition, the structure in the front yard setbacks would be limited to what is shown on this document– which, in this case, is a structure to be located 6' from the front property lines (roof eave) or 19' into the two 25' front yard setbacks.

GENERAL FACTS/STAFF ANALYSIS (lot coverage variance):

- This request focuses on constructing and maintaining a single family structure that would exceed the maximum 45 percent lot coverage allowed on a property developed with a duplex that the applicant intends to demolish.
- The maximum lot coverage for residential structures on lots zoned R-7.5(A) is 45 percent.
- The applicant has submitted a site plan stating that the proposed lot coverage is 52 percent or 3,451 square feet in area, and that the maximum lot coverage allowed on this site is 6,638 square foot lot is 2,987.1 square feet.
- The subject site is irregular in shape and according to the application, is 6,638 square feet in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area. The subject site had two front yard setbacks where most lots in this zoning district have one front yard setback.
- DCAD records indicate the “main improvement” for property at 5410 Melrose Avenue being a structure built in 1926 with 1,148 square feet of living area and 1,148 square feet of total area; and no additional improvements.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the maximum lot coverage regulations will not be contrary to the public interest when, owing to special conditions, a literal

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

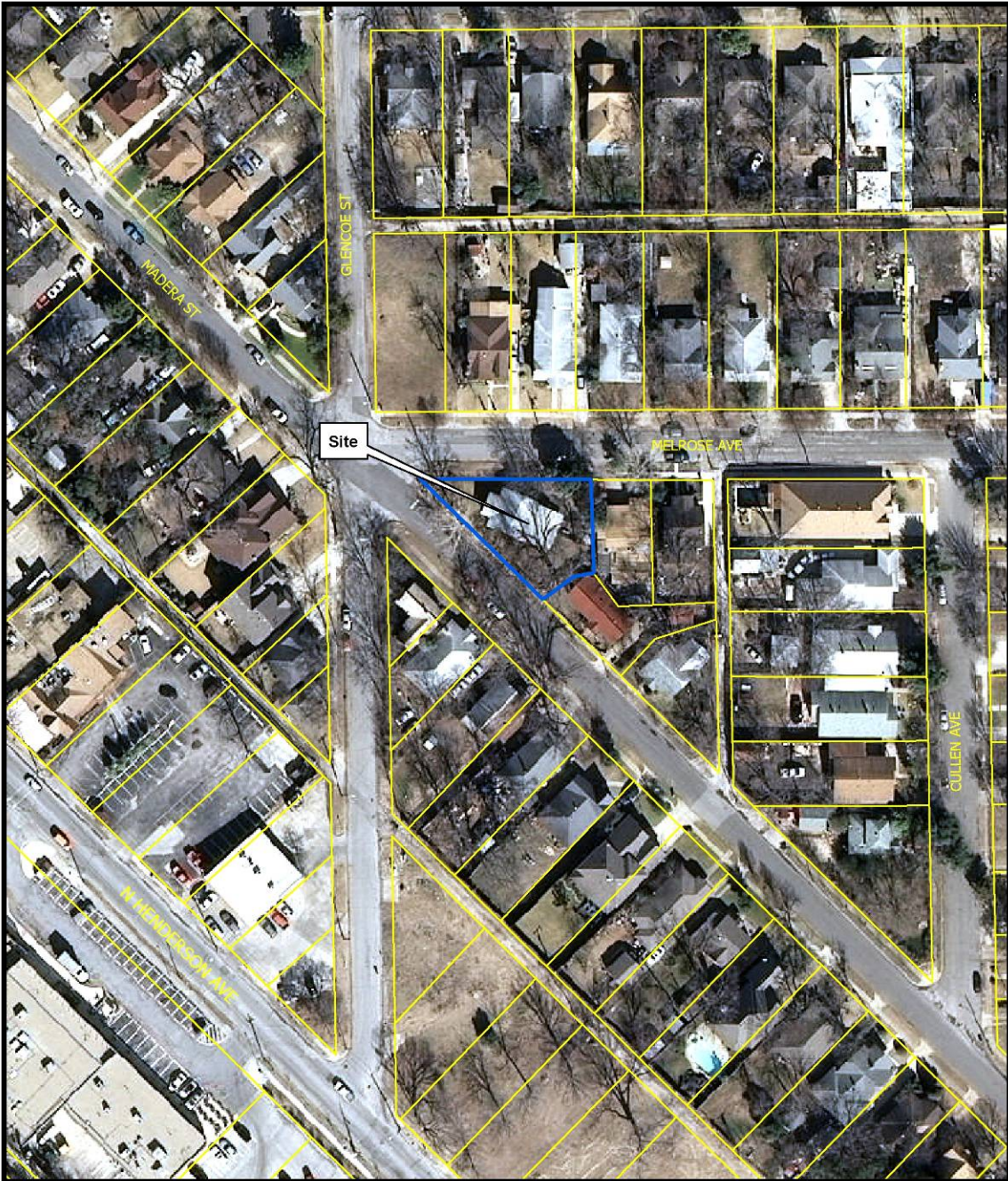
- The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
- The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure exceeding the maximum 45 percent lot coverage requirement would be limited to what is shown on this document– which in this case is a structure with 3,451 square feet or 465 square feet beyond the 2,987 square feet permitted on the 6,638 square foot subject site.

GENERAL FACTS/STAFF ANALYSIS (off-street parking variances):

- These requests focus on enclosing parking spaces with a garage door in the proposed garages attached to the proposed single family home, where the parking spaces entered from Melrose Avenue and Madera Avenue would be located less than the required 20’ distance from the street right-of-way line.
- The Dallas Development Code states that a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in enclosed structure and if the space faces upon or can be entered directly from a street or alley.
- The submitted floor plan denotes the location of enclosed parking spaces in the proposed structure 8’ from the street right-of-way lines or approximately 20’ – 21’ from the projected pavement lines.
- The subject site is irregular in shape and according to the application, is 6,638 square feet in area. The site is zoned R-7.5(A) where lots are typically 7,500 square feet in area. The subject site has two front yard setbacks where most lots in this zoning district have one front yard setback.
- DCAD records indicate the “main improvement” for property at 5410 Melrose Avenue being a structure built in 1926 with 1,148 square feet of living area and 1,148 square feet of total area; and no additional improvements.
- The Sustainable Development and Construction Department Engineering Division Assistant Director submitted a review comment sheet regarding these requests marked “recommends that this be denied” commenting the “lot appears to have room for a normal setback garage.”
- The applicant has the burden of proof in establishing the following:
 - That granting the variances to the off-street parking regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.

- The variances are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
- The variances would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance requests of 12', staff recommends imposing the following conditions:
 1. Compliance with the submitted site plan is required.
 2. Automatic garage doors must be installed and maintained in working order at all times.
 3. At no time may the areas in front of the garages be utilized for parking of vehicles.(These conditions are imposed to help assure that the variance will not be contrary to the public interest).





1:1,200

AERIAL MAP

Case no: BDA123-086

Date: 9/10/2013

**APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT
FOR VARIANCES**

5410 MELROSE STREET, DALLAS, TEXAS, 75206

September 2, 2013

Currently I have a small 6,638 square foot irregularly shaped, triangular lot with a duplex that is an eye sore to the neighborhood. This lot is **88%** of the **minimum** size required for the existing R-7.5 (A) zoning.

My request is as follows:

To tear down the existing nonconforming duplex and build an attractive, energy efficient new construction, two story single family home. The total square footage of air-conditioned space will be between 2,500 and 3,000 square feet.

I am requesting a variance of a 19' setback to the roof eave and a 17' setback to the foundation on Madera and Melrose resulting in a 6' setback to the roof eave and an 8' setback to the foundation. This requested front yard setback does not trigger a visibility triangle issue as shown on the site plan.

I am also requesting a variance of 12' to the off street-parking requirement for an enclosed parking space. We will agree to the conditions of installing an electric door opener and will agree that no car can park in front of the garage door.

My final request is for a variance to the lot coverage, not to exceed 52% (or 465') of the lot. This lot is small AND irregularly shaped. It will be important to use the lot wisely to build the most efficient and attractive home possible.

I am not asking for a side yard, rear yard, or a height variance.

There are four hardships associated with this lot causing the need for the requested variances:

- 1.) Without a variance to the two front yard setbacks, the remaining building envelope would be a tiny narrow triangle.
- 2.) The small lot (6,638 ft) is approximately 88% of the minimum size of lot required in an R-7.5 zone. This also greatly reduces the buildable area.
- 3.) The irregular shape of the lot provides an architectural and site planning challenge.

DEVELOPMENT • INVESTMENT

PHONE: 214-824-5750

E-MAIL: robertvhunt@sbcglobal.net
5811 Gaston Avenue, Dallas, Texas, 75214

FAX: 214-821-3971

ROBERT V. HUNT

— & —

ASSOCIATES

BDA123-086
Attach A
Pg 2

- 4.) There is no alley access for this property, so there is no opportunity for a garage entrance from the alley. The variance of 12' to the off-street parking requirement is necessary to provide an enclosed parking space.

This home will be a nice attractive energy efficient addition to the neighborhood and a huge improvement over what is there now. This is a very exciting addition for this area!

Thank you for your consideration,

Robert Villareal Hunt, RVH Real Estate Opportunity Fund, LLC

DEVELOPMENT • INVESTMENT

PHONE: 214-824-5750

E-MAIL: robertvhunt@sbcglobal.net
5811 Gaston Avenue, Dallas, Texas, 75214

FAX: 214-821-3971



City of Dallas

APPLICATION/APPEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 123-086

Data Relative to Subject Property:

Date: 7-10-13

Location address: 5410 MELROSE AVE. / ~~2247 MADERA~~ Zoning District: R-7.5 (A)
part of 7

Lot No.: 48 Block No.: C/1978 Acreage: 1.15 acre 10,103 SQ' Census Tract: 10.02

Street Frontage (in Feet): 1) 123.5' 2) 127.360' 3) 862' 4) _____ 5) _____

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): RNH Real Estate Opportunity Fund, LLC

Applicant: Robert V. Hunt, manager Telephone: 214.824.5750

Mailing Address: 5811 Gaston Ave. Dallas, TX Zip Code: 75214

E-mail Address: robertvhunt@sbcglobal.net

Represented by: Robert V. Hunt Telephone: same

Mailing Address: same Zip Code: same

E-mail Address: same

Affirm that an appeal has been made for a Variance X, or Special Exception _____, of _____
A variance of 19' to the front yard setbacks from the roof eave, (17' from the foundation) on Madera & Melrose resulting in a 8' setback to the foundation and a 6' setback to the roof eave.), a variance of 12' to the off street parking requirements for an enclosed parking space, & a variance of not to exceed 465' to the lot coverage, not to exceed 52 % lot coverage.

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:
Owing to 1.) the restrictive triangular shape of the lot, 2.) the small size of the lot, 862' smaller than required in a R-7.5 (A) zone, and 3.) the burden of two front yard setbacks where a single family property in a R-7.5 zone would normally have only one front yard setback. The two front yard setbacks, combined with the small irregularly shaped lot would severely limit the buildable area, size, and shape of the buildable area. No height variance nor side or rear yard variance is requested.

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.

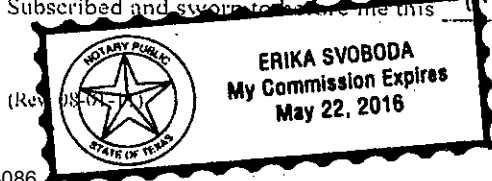
Affidavit

Before me the undersigned on this day personally appeared ROBERT VILLAREAL HUNT
(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: Robert V. Hunt
(Affiant/Applicant's signature)

Subscribed and sworn to before me this 10th day of July, 2013



Erika Svoboda
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

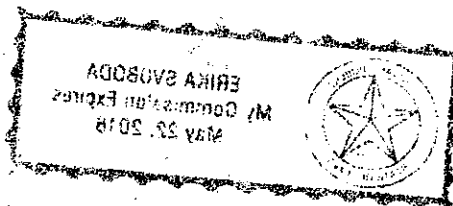
Building Official's Report

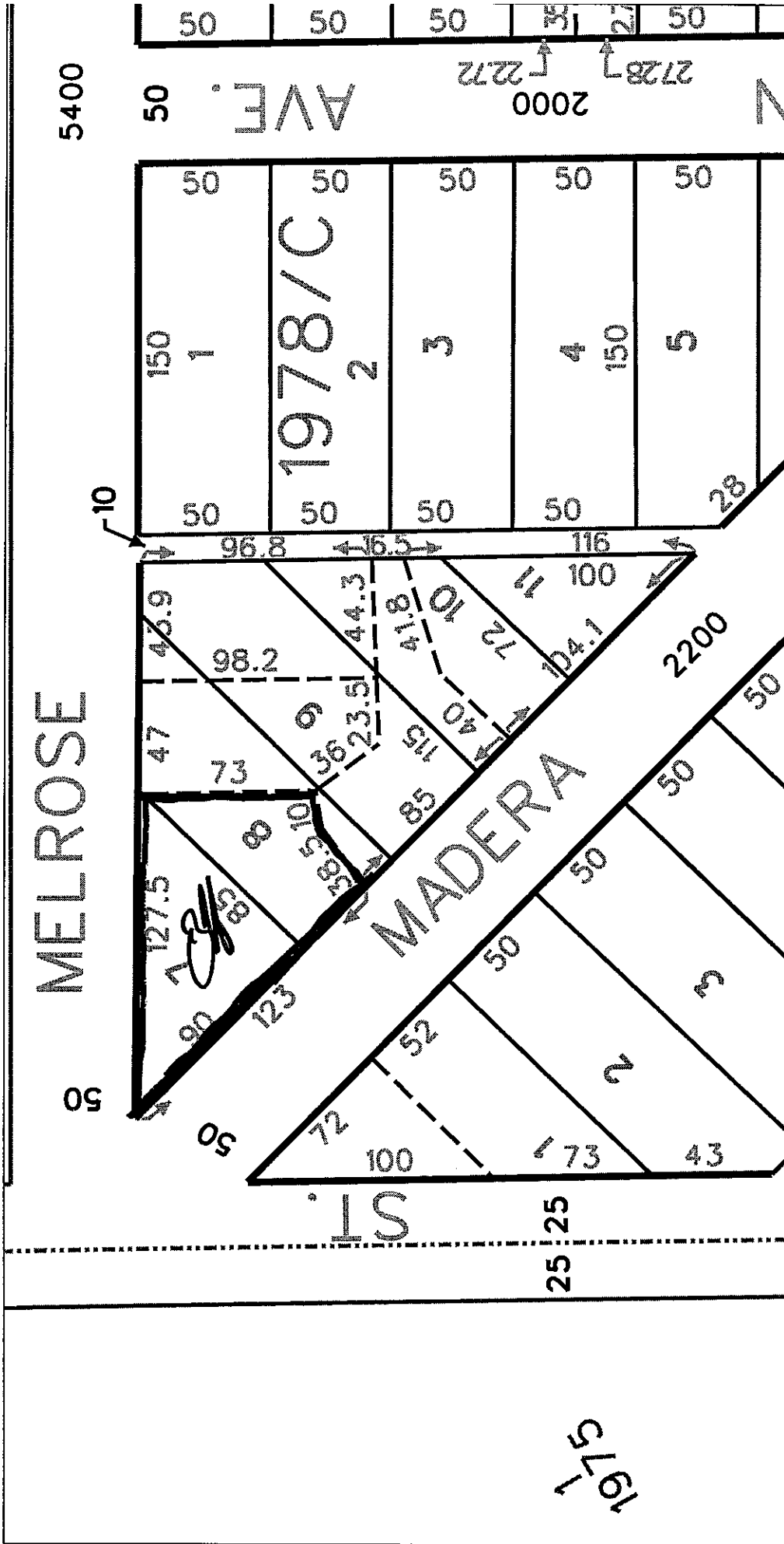
I hereby certify that Robert V. Hunt
did submit a request for a variance to the front yard setback regulations, and for a variance to the maximum lot coverage regulation, and for a variance to the off-street parking regulation
at 5410 Melrose Avenue

BDA123-086. Application of Robert V. Hunt for a variance to the front yard setback regulations and a variance to the maximum lot coverage regulation and a variance to the off-street parking regulation at 5410 Melrose Avenue. This property is more fully described as Lot 7 and part of Lot 8, Block C/1978 and is zoned R-7.5(A), which requires a 25 foot front yard setback and limits the maximum lot coverage to 45% and requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct a single family residential structure and provide a 6 foot front yard setback, which will require a 19 foot variance to the front yard setback regulation, and to construct a single family residential structure with a lot coverage of 52%, which will require a 465 square foot variance to the lot coverage regulation, and to construct a single family residential structure with a front yard setback of 8 feet, which will require a variance of 12 feet to the off-street parking regulation.

Sincerely,

Larry V. Holmes
Larry Holmes, Building Official





5400

AVE.

1978/C

MELROSE

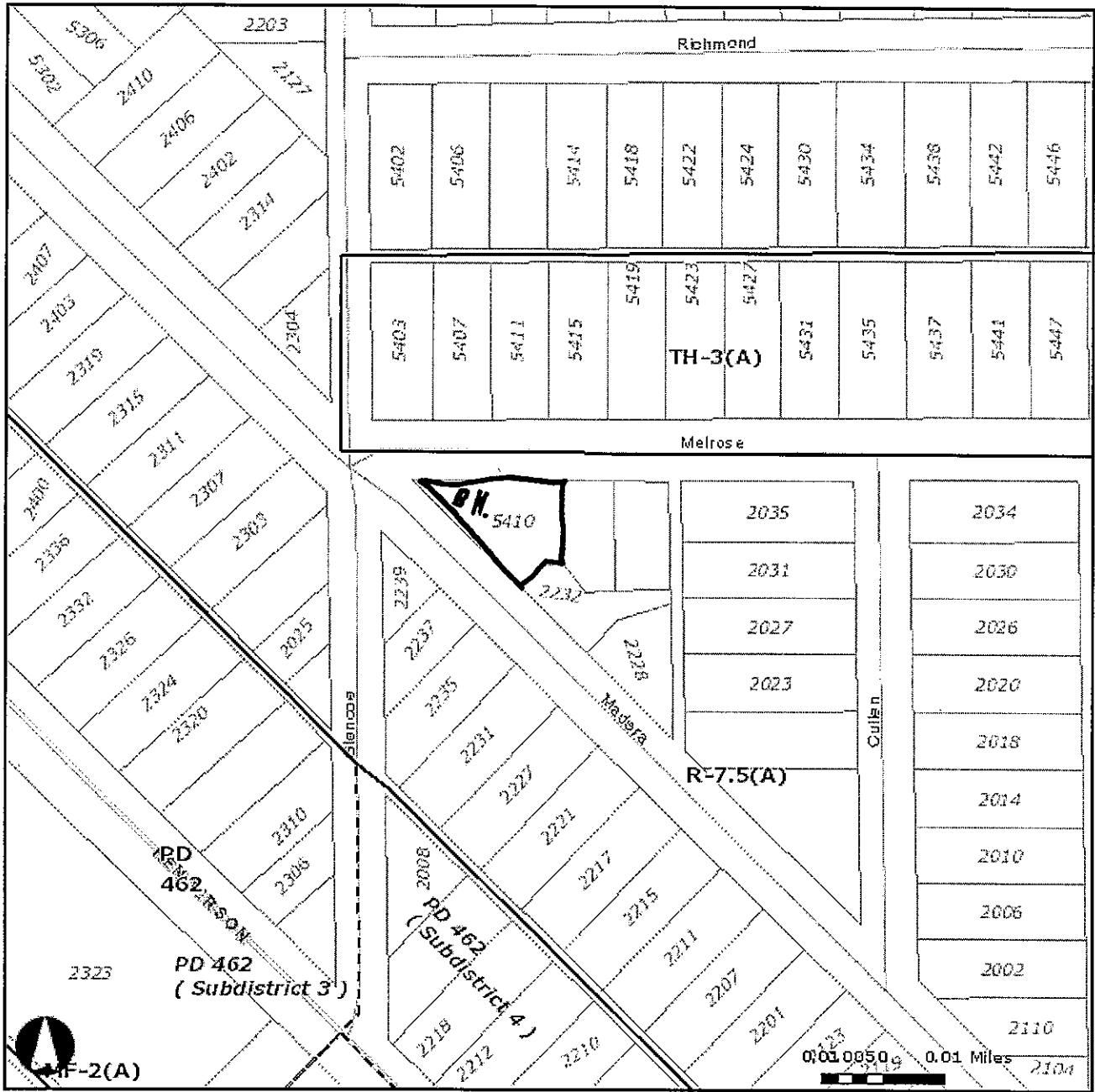
MADERA

ST

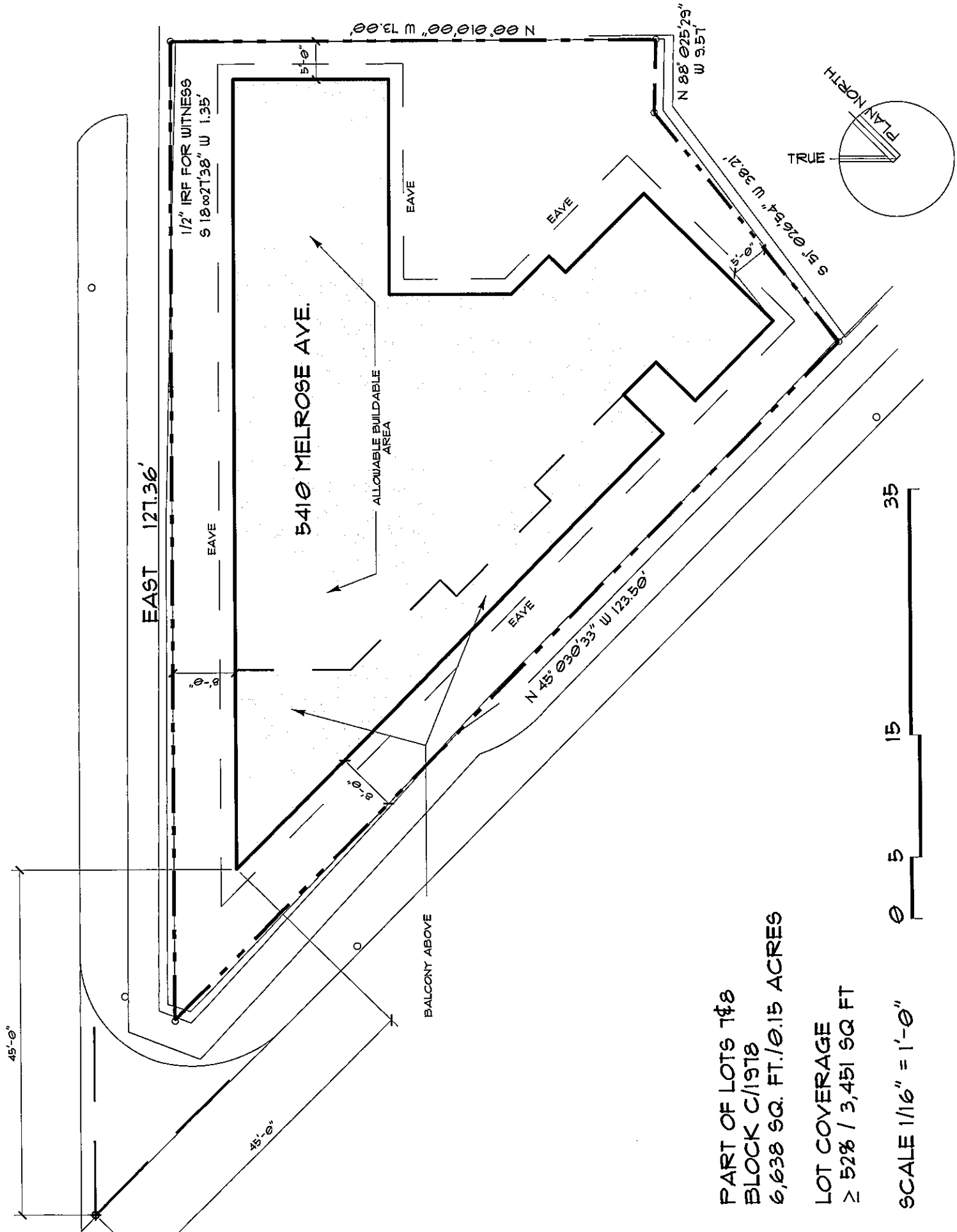
1975

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City of Dallas Zoning

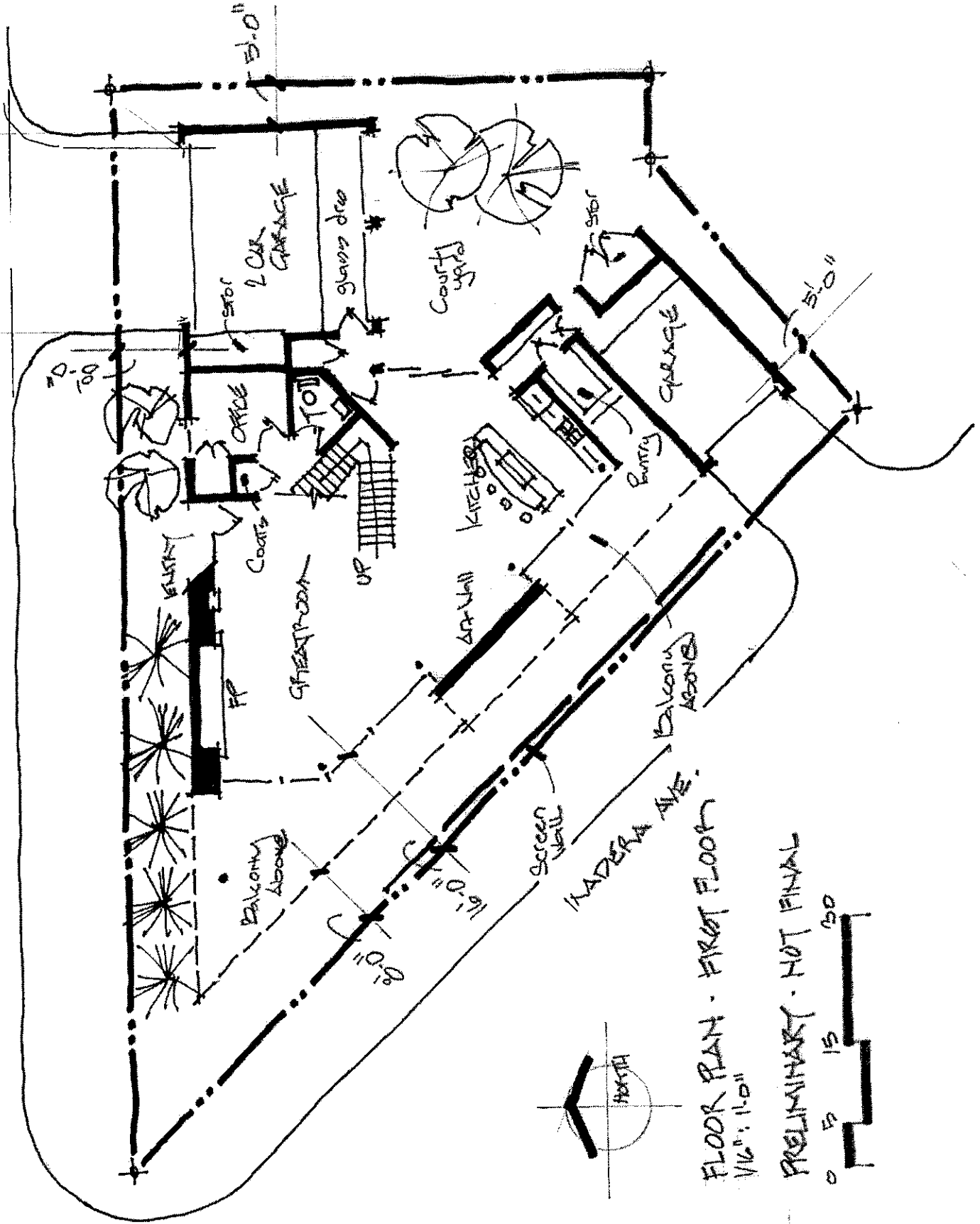


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| <ul style="list-style-type: none"> City Boundaries <input type="checkbox"/> County <input type="checkbox"/> Certified Parcels <input type="checkbox"/> DISD Sites <input type="checkbox"/> Council Districts <input type="checkbox"/> Waterways <input type="checkbox"/> Parks <input type="checkbox"/> | <ul style="list-style-type: none"> SUP <input type="checkbox"/> Dry Overlay <input type="checkbox"/> D <input type="checkbox"/> D-1 <input type="checkbox"/> Historic Overlay <input type="checkbox"/> Historic Subdistricts <input type="checkbox"/> NSO Overlay <input type="checkbox"/> NSO Subdistricts <input type="checkbox"/> | <ul style="list-style-type: none"> PD193 Oak Lawn <input type="checkbox"/> PDS Subdistricts <input type="checkbox"/> Base Zoning <input type="checkbox"/> Pedestrian Overlay <input type="checkbox"/> CP <input type="checkbox"/> SP <input type="checkbox"/> Environmental Corridors <input type="checkbox"/> Escarpment Overlay <input type="checkbox"/> |
|--|--|--|



PART OF LOTS 148
 BLOCK C/1978
 6,638 SQ. FT./0.15 ACRES
 LOT COVERAGE
 ≥ 52% / 3,451 SQ FT
 SCALE 1/16" = 1'-0"

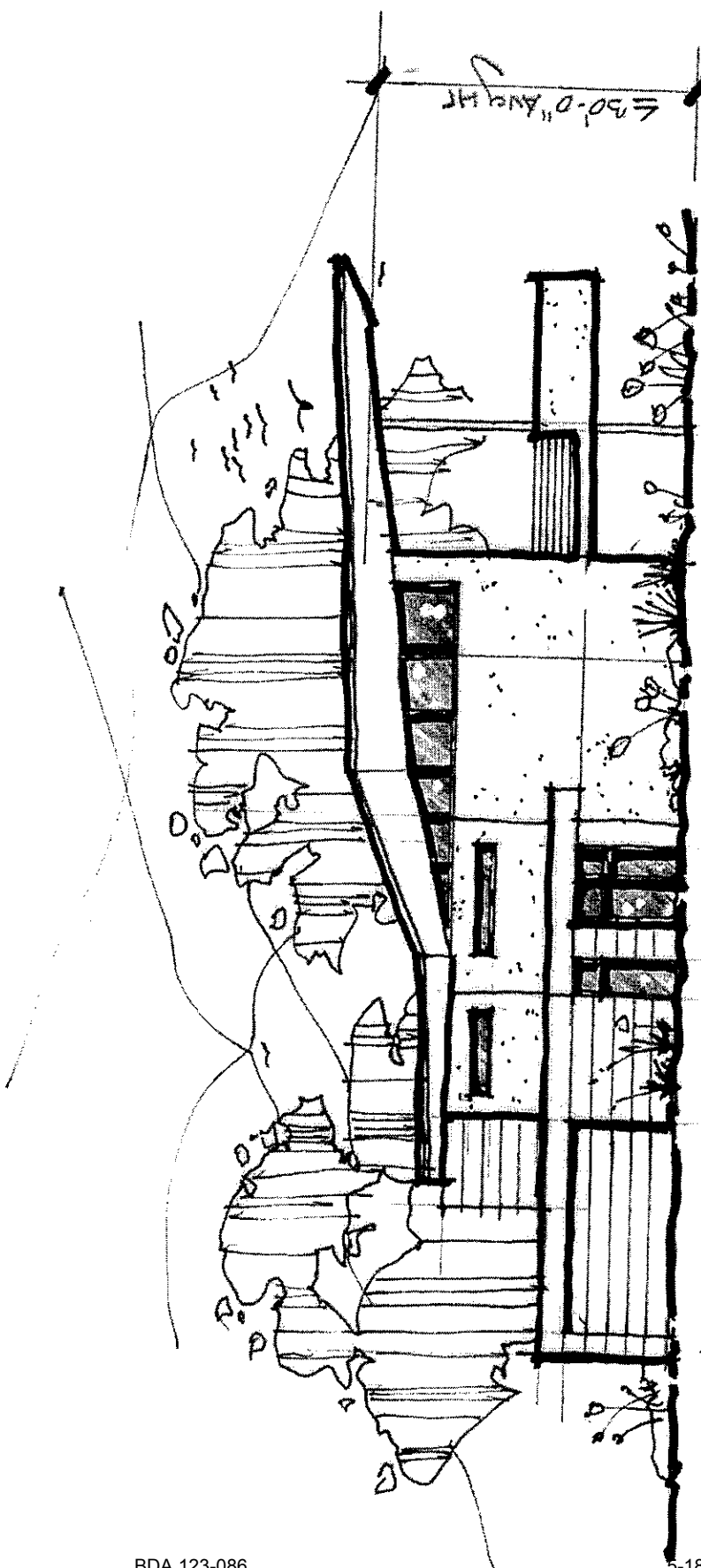
WELLSFORD AVE.



FLOOR PLAN - FIRST FLOOR
1/16" = 1'-0"

PRELIMINARY - NOT FINAL





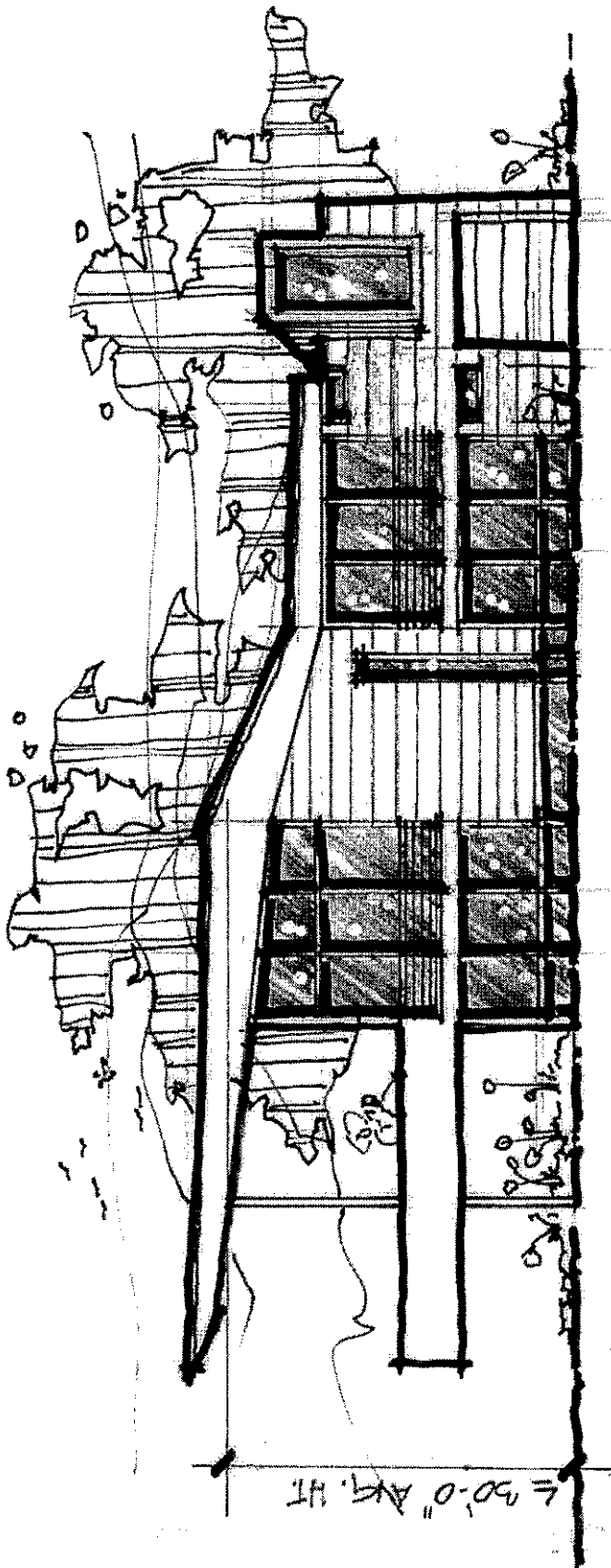
2'-0" Max Edge Projection

WELLSFARGO BANK ELEVATION

1/16" = 1'-0"

PRELIMINARY - NOT FINAL





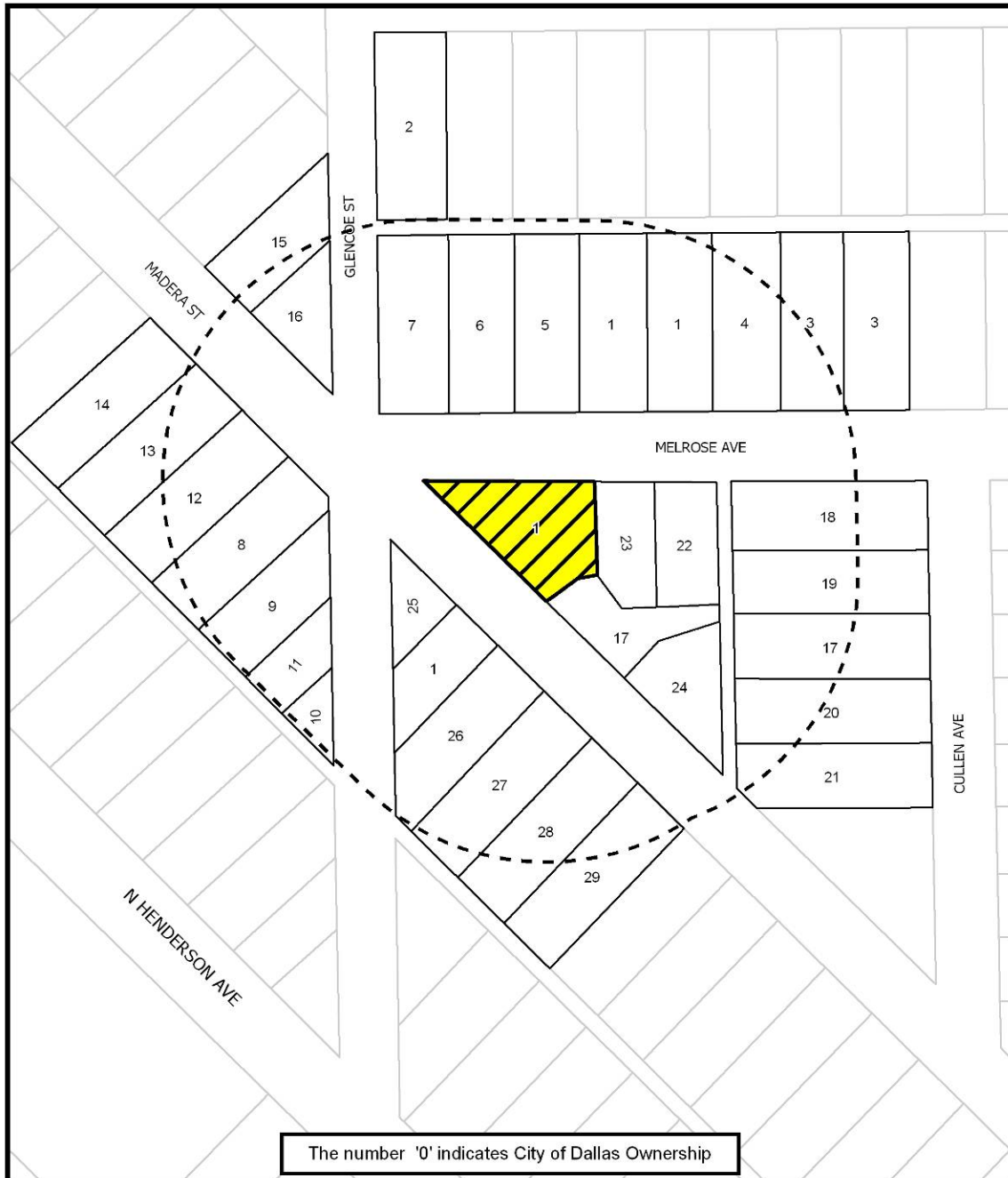
2'-0" Max Eave Projection

WADERS DRIVE ELEVATION

1/16" = 1'-0"

PRELIMINARY - NOT FINAL





 1:1,200	NOTIFICATION		Case no: BDA123-086
	<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;">29</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 9/10/2013	

Notification List of Property Owners

BDA123-086

29 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5419 MELROSE AVE	HUNT ROBERT V
2	5402 RICHMOND AVE	SIMONS MIKE &
3	5431 MELROSE AVE	ESTRELLO MARIA
4	5423 MELROSE AVE	MAJORS JOHN A IV
5	5411 MELROSE AVE	MATA DIANA L
6	5407 MELROSE AVE	RIVERA MARGARET
7	5403 MELROSE AVE	MAJORS JOHN A III
8	2303 MADERA ST	LEIGH GRANT W & KRISTI D
9	2031 GLENCOE ST	ANDERSON MATTHEW
10	2021 GLENCOE ST	FHIG LIMITED PARTNERSHIP
11	2025 GLENCOE ST	SNODGRASS JOHN
12	2307 MADERA ST	GARCIA ERASMO GALLEGOS
13	2311 MADERA ST	KUBIN MARY FRANCES
14	2315 MADERA ST	KUBIN JOHN W
15	2310 MADERA ST	CEJA JOSE NAVA & MAIJA S
16	2304 MADERA ST	NAVA HECTOR &
17	2232 MADERA ST	CULLEN EDWARD V
18	2035 CULLEN AVE	SKAGGS KEN
19	2031 CULLEN AVE	CRUZ SAUL & GABRIELA
20	2023 CULLEN AVE	LOPEZ LAZARO S & SUSANA INFANTE LOPEZ
21	2019 CULLEN AVE	SANDOVAL JOSE
22	5418 MELROSE AVE	GASCA GILBERT M EST OF & ISABEL
23	5414 MELROSE AVE	MORALES PABLO & DOLORES
24	2228 MADERA ST	GAYTAN GUADALOPE & BERNARDINO
25	2239 MADERA ST	HOLMES JOHN B % JOHN HOLMES & CO
26	2235 MADERA ST	ISYA LTD PS

8/28/2013

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	2231 MADERA ST	CASAS ALBERT & JUANITA
28	2227 MADERA ST	MCCLURE HEATHER
29	2221 MADERA ST	SCHNEIDER FRED K & BRENDA