

ZONING BOARD OF ADJUSTMENT, PANEL A  
TUESDAY, NOVEMBER 18, 2014  
AGENDA

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

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**Donna Moorman, Chief Planner**  
**Steve Long, Board Administrator**

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**MISCELLANEOUS ITEM**

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Approval of the October 21, 2014 Board of Adjustment M1  
Panel A Public Hearing Minutes

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**UNCONTESTED CASES**

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<b>BDA 134-104</b>	2301 Pennsylvania Avenue <b>REQUEST:</b> Application of Robert Van Buren, represented by Elizabeth Brant, for a special exception to the fence height regulations	1
<b>BDA 134-105</b>	4306 N. Central Expressway <b>REQUEST:</b> Application of Mark Herrin, represented by Tim Dirkin, for a special exception to the sign regulations	2
<b>BDA 134-111</b>	6415 Desco Drive <b>REQUEST:</b> Application of Chris Strempek for a special exception to the fence height regulations	3

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**REGULAR CASE**

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<b>BDA 134-110</b>	3344 Forest Lane <b>REQUEST:</b> Application of Jonathan G. Vinson for a variance to the front yard setback regulations	4
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## EXECUTIVE SESSION NOTICE

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

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

**(Rev. 6-24-02)**

**MISCELLANEOUS ITEM NO. 1**

To approve the Board of Adjustment Panel A October 21, 2014 public hearing minutes.

**FILE NUMBER:** BDA 134-104

**BUILDING OFFICIAL'S REPORT:** Application of Robert Van Buren, represented by Elizabeth Brant, for a special exception to the fence height regulations at 2301 Pennsylvania Avenue. This property is more fully described as Lot 1A, Block 23/1302, and is zoned PD 595 (R-5(A)), which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct and maintain an 8 foot high fence, which will require a 4 foot special exception to the fence height regulations.

**LOCATION:** 2301 Pennsylvania Avenue

**APPLICANT:** Robert Van Buren  
Represented by Elizabeth Brant

**REQUEST:**

A request for a special exception to the fence height regulations of 4' is made to construct and maintain an 8' high limestone veneer/concrete masonry fence in the site's 20' front yard setback along Edgewood Street on a vacant site that proposed to be developed with a fire station use (Fire Station #6).

**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:** PD 595 (R-5(A)) (Planned Development, Single family district 5,000 square feet)  
**North:** PD 595 (R-5(A)) (Planned Development, Single family district 5,000 square feet)  
**South:** PD 595 (R-5(A)) (Planned Development, Single family district 5,000 square feet)  
**East:** PD 595 (MF-3(A)) (Planned Development, Multifamily district)  
**West:** PD 595 (R-5(A)) (Planned Development, Single family district 5,000 square feet)



## **Land Use:**

The subject site is vacant/undeveloped. The area to the north is a combination of multifamily use and vacant land; the area to the east is developed with multifamily use; and the areas to the south and west appear to be mostly undeveloped.

## **Zoning/BDA History:**

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

## **GENERAL FACTS/STAFF ANALYSIS:**

- This request focuses on constructing and maintaining an 8' high limestone veneer/concrete masonry fence in the site's 20' front yard setback along Edgewood Street on a vacant site that is proposed to be developed with a fire station use (Fire Station #6).
- 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 and elevation of the proposal in only the front yard setback along Edgewood Drive – a fence proposed to reach a maximum height of 8'.
- The following additional information was gleaned from the submitted site plan:
  - The proposal is represented as being approximately 180' in length generally parallel to Edgewood Street.
  - The proposal is represented as being located as close as approximately 14' from the Edgewood Street front property line or as close as 26' from the Edgewood Street pavement line.
- The Board Administrator conducted a field visit of the site and surrounding area and noted no other visible fences above 4 feet high which appeared to be located in a front yard setback.
- No single family use/home fronts the proposal.
- As of November 10, 2014, no letters have been submitted in support of or in opposition to the request.
- The applicant has the burden of proof in establishing that the special exception to the fence height regulations of 4' will not adversely affect neighboring property.
- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted site plan and elevation would require the proposal exceeding 4' in height in the Edgewood Street front yard setback to be constructed and maintained in the location and of the heights and materials as shown on these documents.

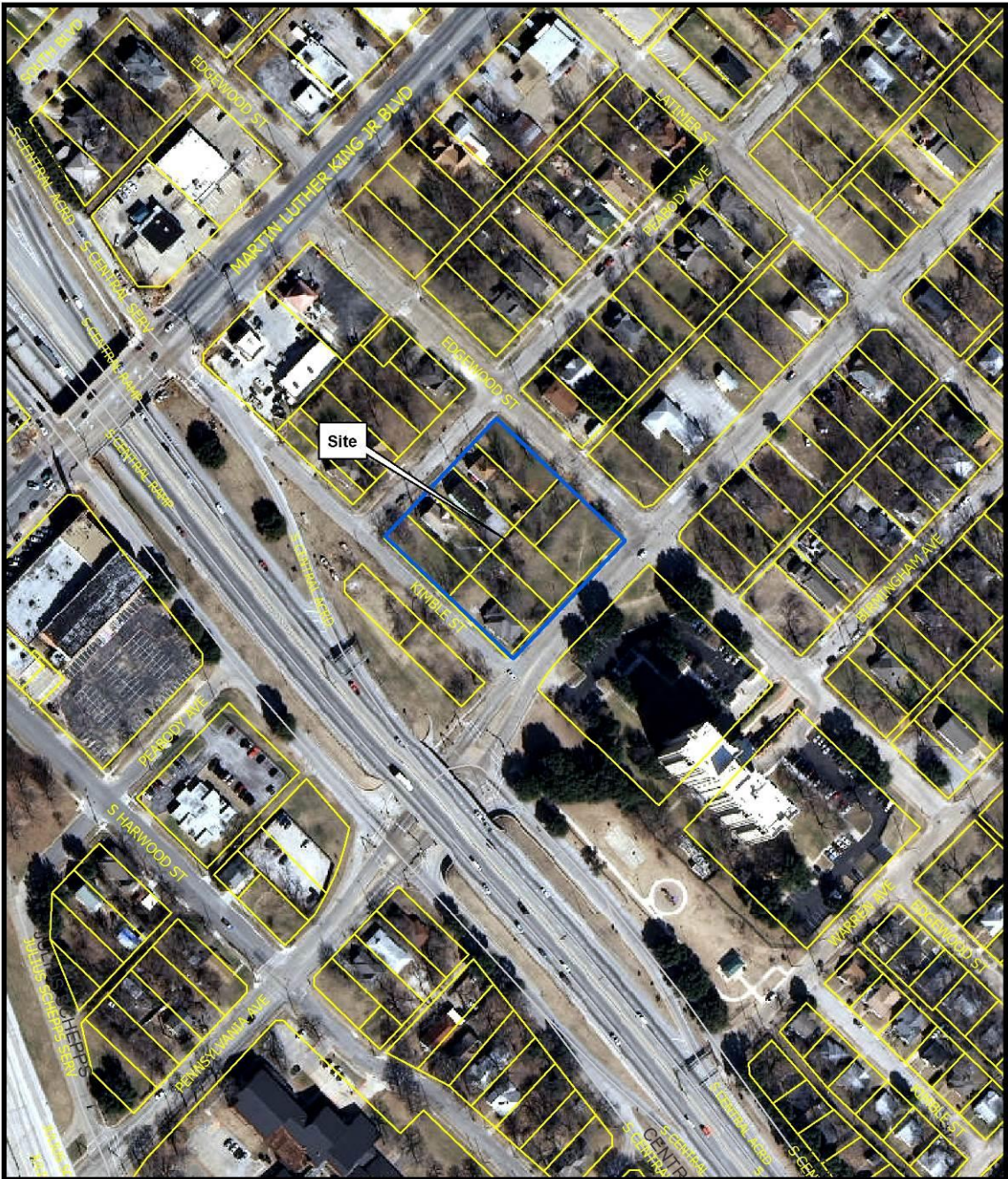
## **Timeline:**

- July 31, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- October 14, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.
- October 14, 2014: The Board Administrator emailed the applicant's representative the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the October 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the November 7<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- November 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Assistant Building Official, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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







1:2,400

# AERIAL MAP

Case no: BDA134-104

Date: 10/29/2014



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-104

Date: 7/31/14

Data Relative to Subject Property:

Location address: 2301 PENNSYLVANIA AVE; DALLAS TX 75215 Zoning District: PD 595

Lot No.: AS 1A Block No.: 23/1302 Acreage: 1.5 Census Tract: ~~003500~~ 203.00

Street Frontage (in Feet): 1) 250.14' 2) 272.25' 3) 249.85' 4) 273.11' 5) \_\_\_\_\_

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): CITY OF DALLAS

Applicant: ROBERT VAN BUREN Telephone: 214.948.4532

Mailing Address: 320 E. SEPPERSON RM. 321 Zip Code: 75203

E-mail Address: Robert.van.buren@dallascityhall.com

Represented by: ELIZABETH BRANT Telephone: 214.746.2708

Mailing Address: 115 W. GREENBRIAR LANE Zip Code: 75204

E-mail Address: bbrant@dsgn.com

Affirm that an appeal has been made for a Variance \_\_, or Special Exception , of 4 FEET IN HEIGHT FOR AN 8' TAIL FENCE SURROUNDING EMPLOYEE PARKING FOR PROPOSED DALLAS FIRE STATION No. 6

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:

AN 8' TAIL FENCE IS A NECESSARY SECURITY FEATURE COMMON TO ALL NEW DALLAS FIRE STATIONS & INCLUDED IN THE DEPT'S STANDARD BUILDING REQUIREMENTS. THE PROPOSED FENCE IS CAREFULLY ARTICULATED TO PROVIDE A PLEASANT SCENE TO THE SURROUNDING NEIGHBORS. THE FENCE'S ZIG-ZAG TYPE PLAN BREAKS UP THE EYE-LINE ALONG EDGEWOOD INTO SHORTER SEGMENTS WITH ALTERNATING PATTERN OF TEXAS LIMESTONE SHELL & SMOOTH FACE MASONRY. IT'S APPEARANCE IS FURTHER ENHANCED BY THE LANDSCAPED YARD WITH TREES.

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 VAN BUREN  
(Affiant/Applicant's name printed)

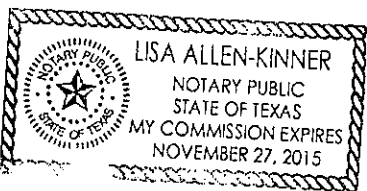
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

Subscribed and sworn to before me this 21<sup>st</sup> day of August, 2014

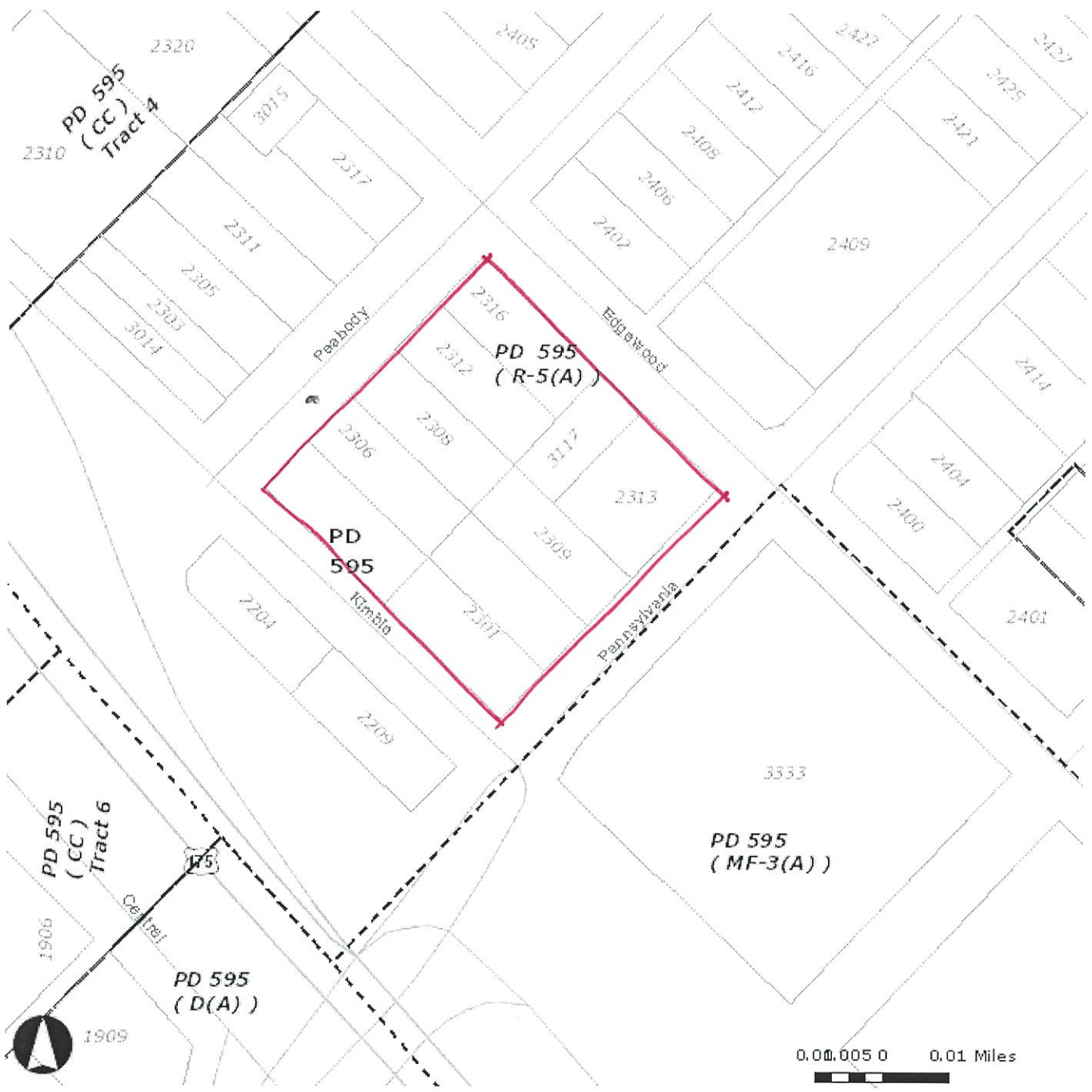
[Signature]  
Notary Public in and for Dallas County, Texas

(Rev. 08-01-11)



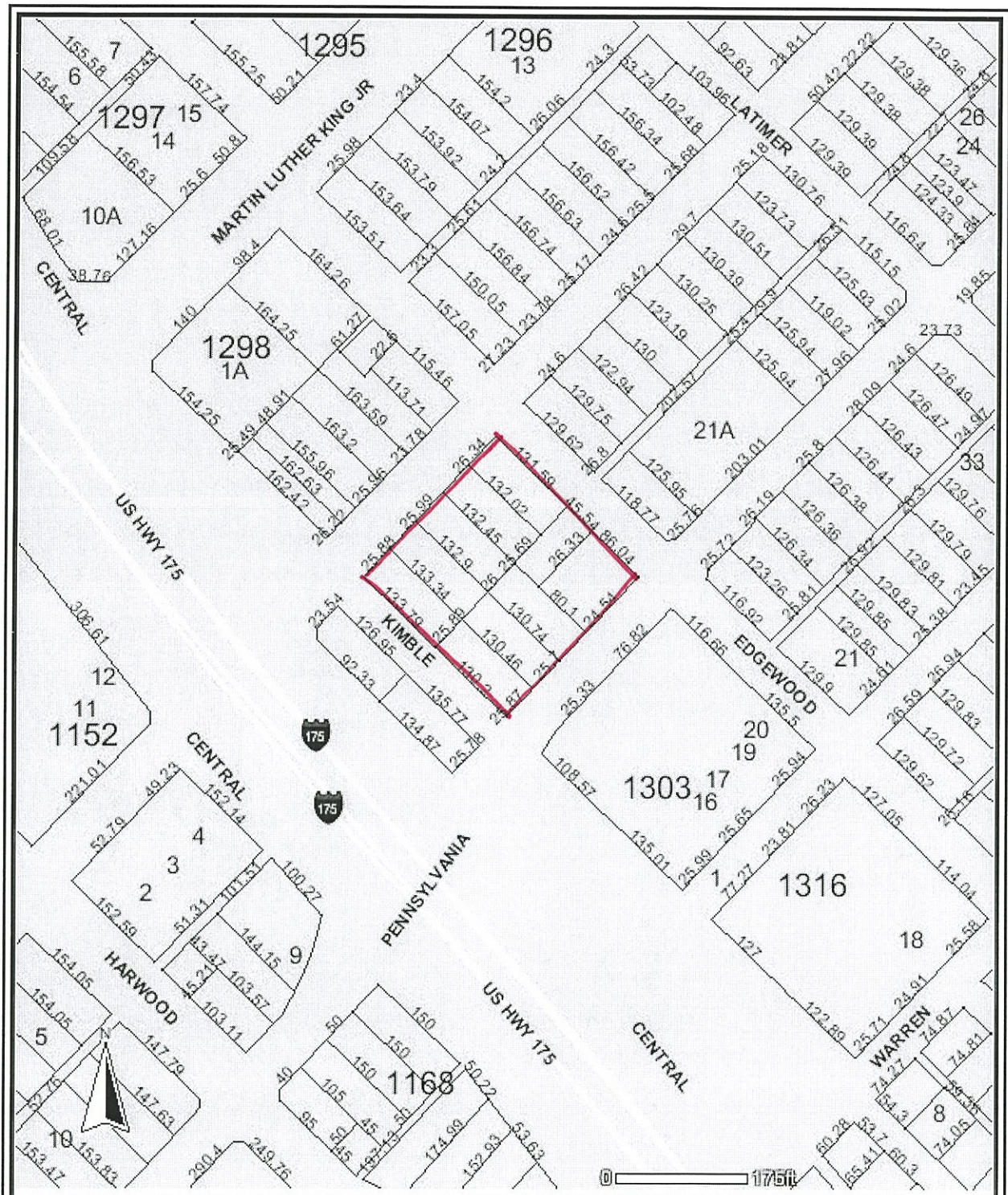






FW



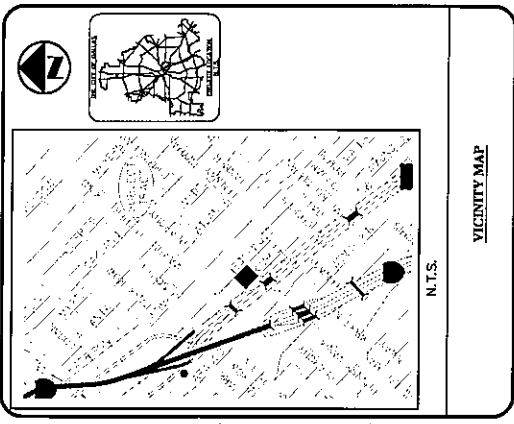
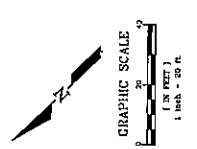


**Dallas Central Appraisal District**  
[www.dallascad.org](http://www.dallascad.org)

**DISCLAIMER**  
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

*EY*





**LEGEND**

PROPOSED CONTOURS  
EXISTING CONTOURS

**EXISTING TOPO LEGEND**

TEL. POLE  
TV ANTENNA  
WATER METER  
WATER VALVE  
ELECTRIC METER  
POWER POLE  
CLEANOUT  
SEWER  
WATER MAIN  
WATER SERVICE LINE  
GAS MAIN  
GAS SERVICE LINE  
STORM SEWER  
STORM SEWER SERVICE LINE  
DRAINAGE DITCH  
DRAINAGE DITCH SERVICE LINE  
DRAINAGE FLOW DIRECTION

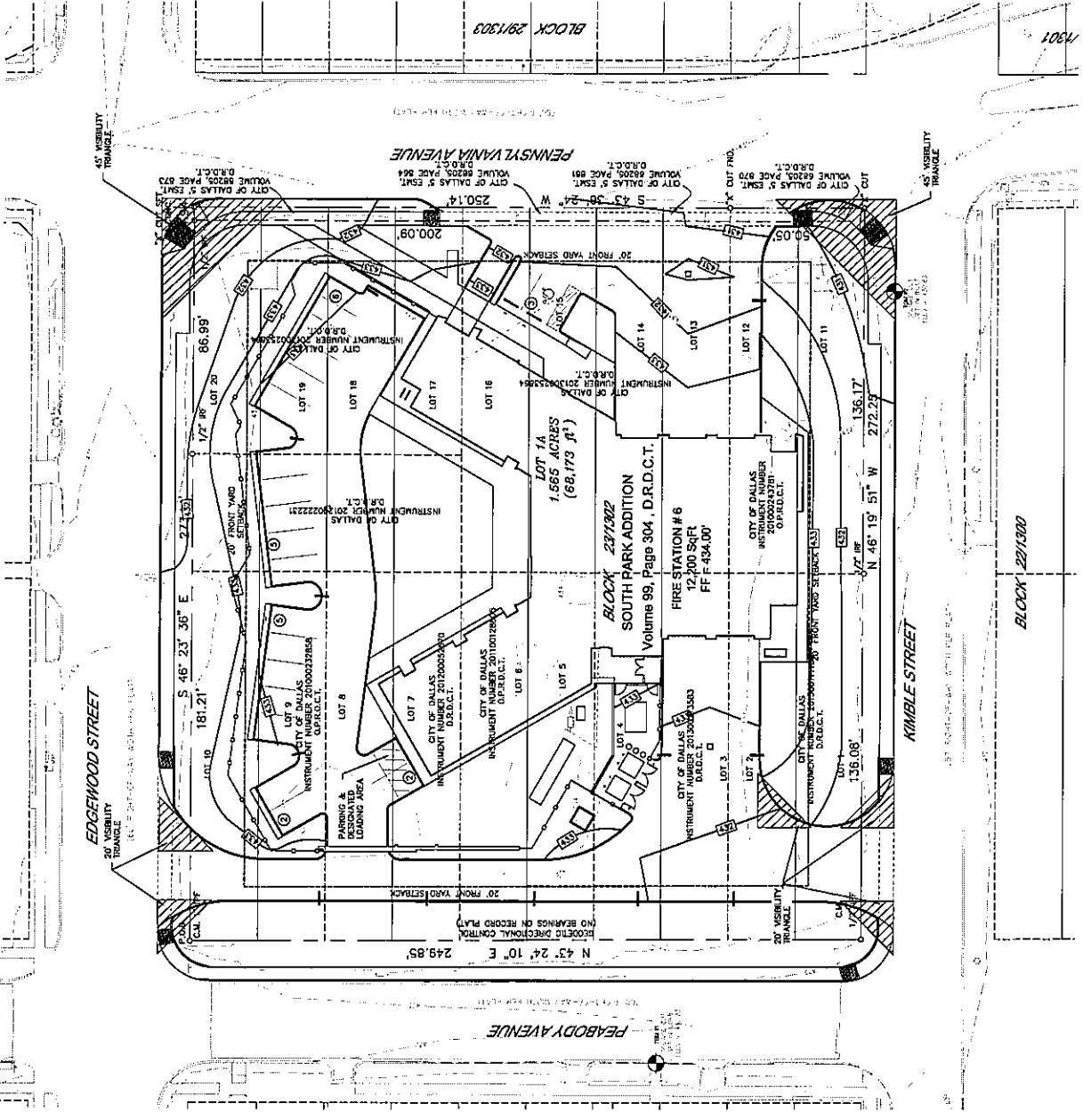
**PARKING TABULATION**

PARKING SPACES PROVIDED:  
REGULAR: 22  
HANDICAP: 1  
TOTAL: 23



**FIRE STATION #6**  
**PENNSYLVANIA AVENUE, DALLAS**  
**SITE PLAN**  
ZONING R-5(A) PD 595  
Juster-Quintanilla Dallas, LLP  
CITY OF DALLAS, TEXAS

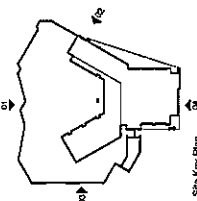
DESIGN	DATE	SCALE	NOTES	FILE	NO.
CS	05	1"=20'			



DSGN Associates, Inc.  
 3300 West Street, Ste. 1, 2  
 Philadelphia, PA 19104  
 1-800-748-7722  
 1-215-748-7722  
 www.dsgn.com

Owner: City of Drexel  
 Architect: DSGN Associates, Inc.  
 Civil Consultant: Jason Chantrelle  
 PE, P.E., LEED AP  
 Structural Engineer: Jason Chantrelle  
 Landscape Architect: MCCA

Not for regulatory approval.  
 Prepared under the authority of  
 Robert L. Beckwith, P.E., P.L.L.C.



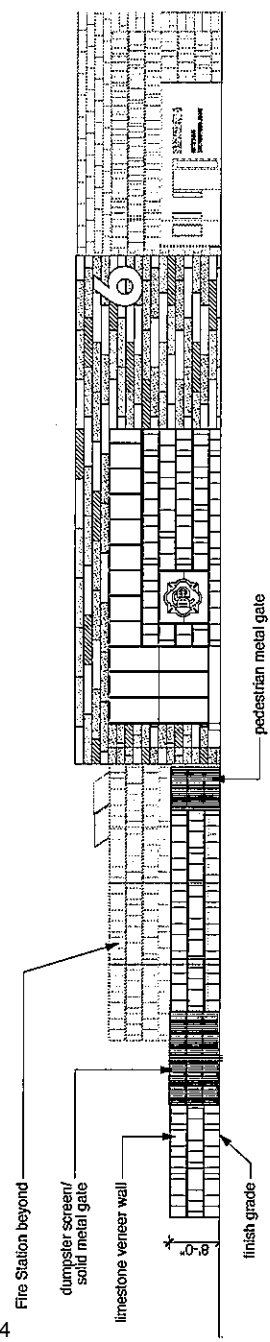
Site Key Plan

Fire Station #6  
 Drawing Number: 1021  
 Project Number: 1021  
 28 DEC 2012 10% General Documents

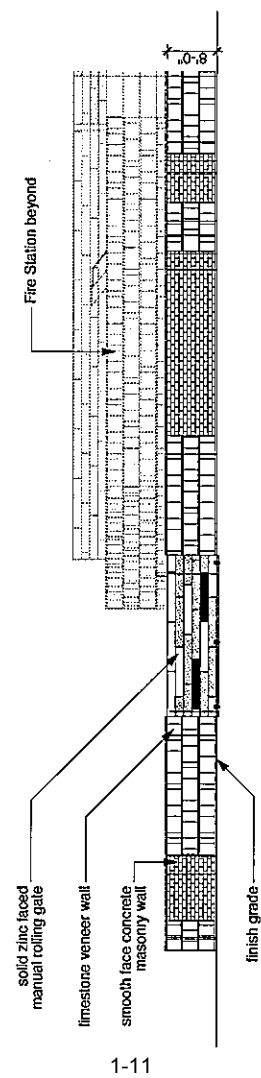
**NOT FOR CONSTRUCTION**

Fence Elevations

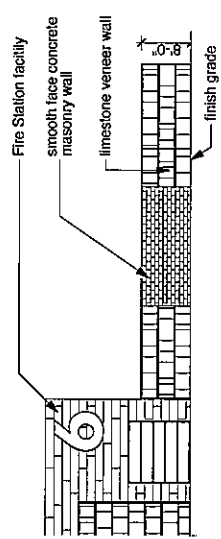
A1.13



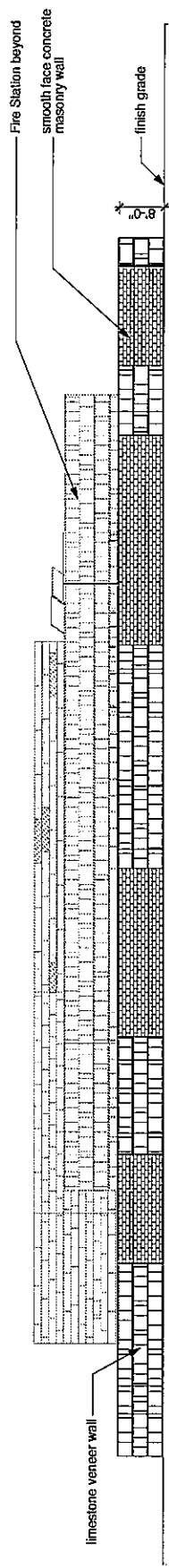
4 South Elevation - Kimble Street  
 SCALE: 1" = 10'



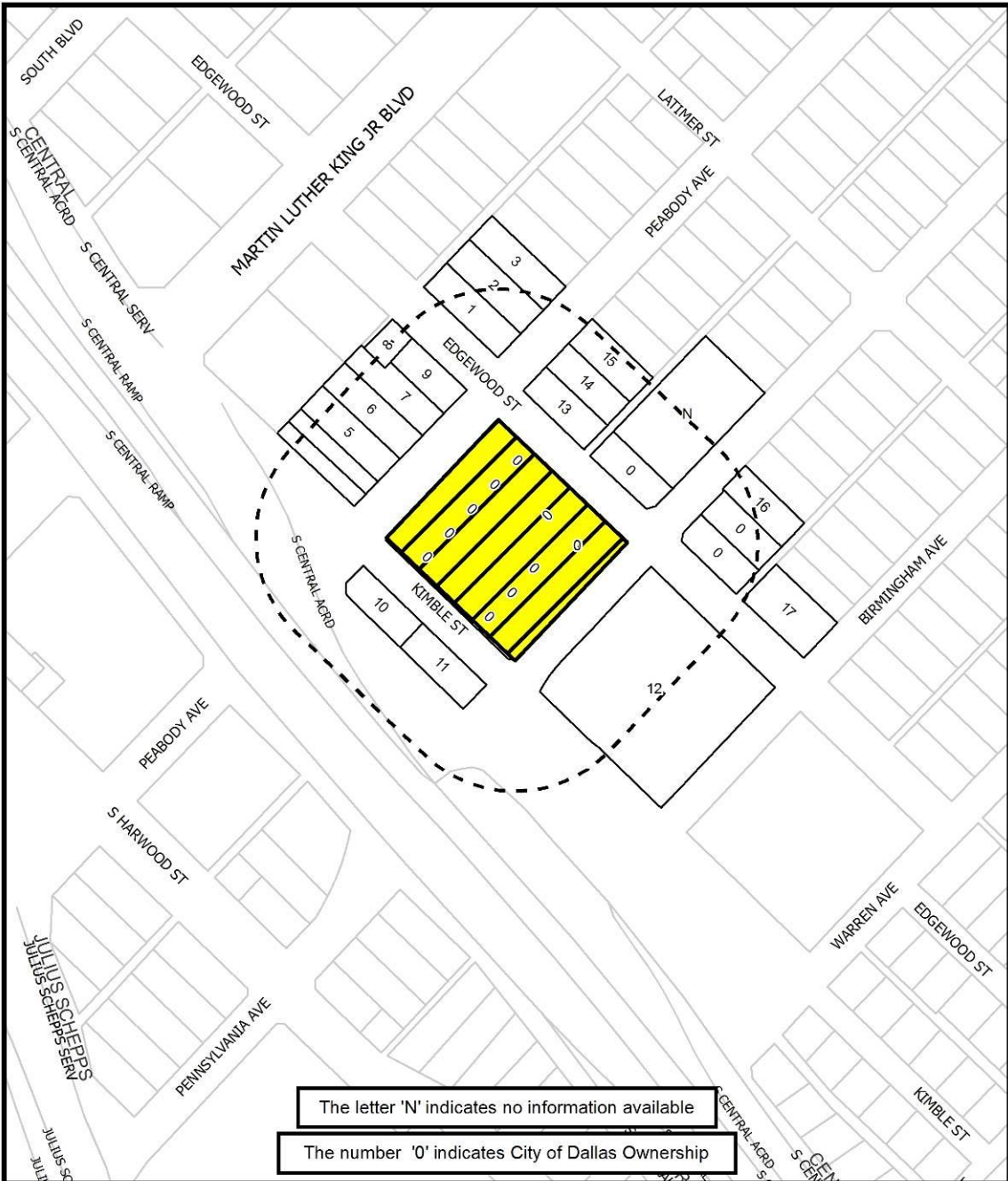
03 West Elevation - Peabody Ave  
 SCALE: 1" = 10'



02 East Elevation - Pennsylvania Ave  
 SCALE: 1" = 10'



1 North Elevation - Edgewood Street  
 SCALE: 1" = 10'



 1:2,400	<h2>NOTIFICATION</h2>	Case no: <b>BDA134-104</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">17</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>10/29/2014</b>

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

## ***BDA134-104***

### ***17 Property Owners Notified***

<b><i>Label #</i></b>	<b><i>Address</i></b>	<b><i>Owner</i></b>
1	2401 PEABODY AVE	MITCHELL JAMES C
2	2405 PEABODY AVE	MASON STEVE ESTATE OF
3	2411 PEABODY AVE	COLE STEPHANIE G
4	3014 KIMBLE ST	VILLA GABRIEL & REBECCA
5	2305 PEABODY AVE	MARSH JOHNNY
6	2311 PEABODY AVE	WILLIAMS RICKEY A
7	2313 PEABODY AVE	MUHAMMAD MOSQUE NO 48
8	3015 EDGEWOOD ST	PHILLIPS SEABORN
9	2317 PEABODY AVE	BUGGS ESTER L
10	2204 PEABODY AVE	CLAYTON LUCINDA VENTURE
11	2209 PENNSYLVANIA AVE	DESOTO IAM COMPANIES
12	3333 EDGEWOOD ST	DALLAS HOUSING AUTHORITY
13	2402 PEABODY AVE	BEASLEY ROSE L
14	2406 PEABODY AVE	CAPSHAW INVESTMENTS
15	2408 PEABODY AVE	DAVIS BILLY ET AL
16	2408 PENNSYLVANIA AVE	EDNEY LODIE EST OF
17	2401 BIRMINGHAM AVE	DARBY PATRICIA ANN

**FILE NUMBER:** BDA 134-105

**BUILDING OFFICIAL'S REPORT:** Application of Mark Herrin, represented by Tim Dirkin, for a special exception to the sign regulations at 4306 N. Central Expressway. This property is more fully described as Lot 2A, Block G/1999, and is zoned CR, which states that non-monument signs are not allowed within 250 feet of private property in a non-business zoning district. The applicant proposes to construct and maintain a non-monument sign within 250 feet of private property in a non-business zoning district which will require a special exception to the sign regulations.

**LOCATION:** 4306 N. Central Expressway

**APPLICANT:** Mark Herrin  
Represented by Tim Dirkin

**REQUEST:**

A request for a special exception to the sign regulations is made to locate and maintain a non-monument sign within the 250' distance requirement from a residential property on a site being developed with a general merchandise or food store greater than 3,500 square feet use (Sundrops).

**STANDARD FOR A SPECIAL EXCEPTION TO THE SIGN REGULATIONS FOR A NON-MONUMENT SIGN WITHIN 250 FEET OF PRIVATE PROPERTY IN A NON-BUSINESS ZONING DISTRICT:**

The Board of Adjustment may grant a special exception to allow a non-monument sign within 250 feet of private property in a non-business zoning district when, in the opinion of the board, the special exception will not adversely affect neighboring property.

**STAFF RECOMMENDATION:**

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- Staff has concluded that this special exception to allow a non-monument sign within 250 feet of private property in a non-business zoning district will not adversely affect neighboring property largely given the fact that the notations on the submitted site plan (that staff is suggesting is imposed as a condition to granting this request) indicate the sign located within 250 feet of private property in a non-business district is "back unlit, lighted face toward N.C. Exp." – the side facing the opposite direction of the private property in the non-business zoning district to which the special exception is made.

## **BACKGROUND INFORMATION:**

### **Zoning:**

Site: CR (Community Retail)  
North: CR and R-5(A) (Community Retail and Single family residential)  
South: CR (Community Retail)  
East: TH (Townhouse)  
West: PD 193 (O-2) (Planned Development, Office)

### **Land Use:**

The site is currently being developed with a general merchandise or food store greater than 3,500 square feet use (Sundrops). The area to the north is developed with retail use and single family uses; and the area to the east is developed with single family uses; and the area to the south is developed with retail uses; and the area to the west is North Central Expressway.

### **Zoning/BDA History:**

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

## **GENERAL FACTS/STAFF ANALYSIS:**

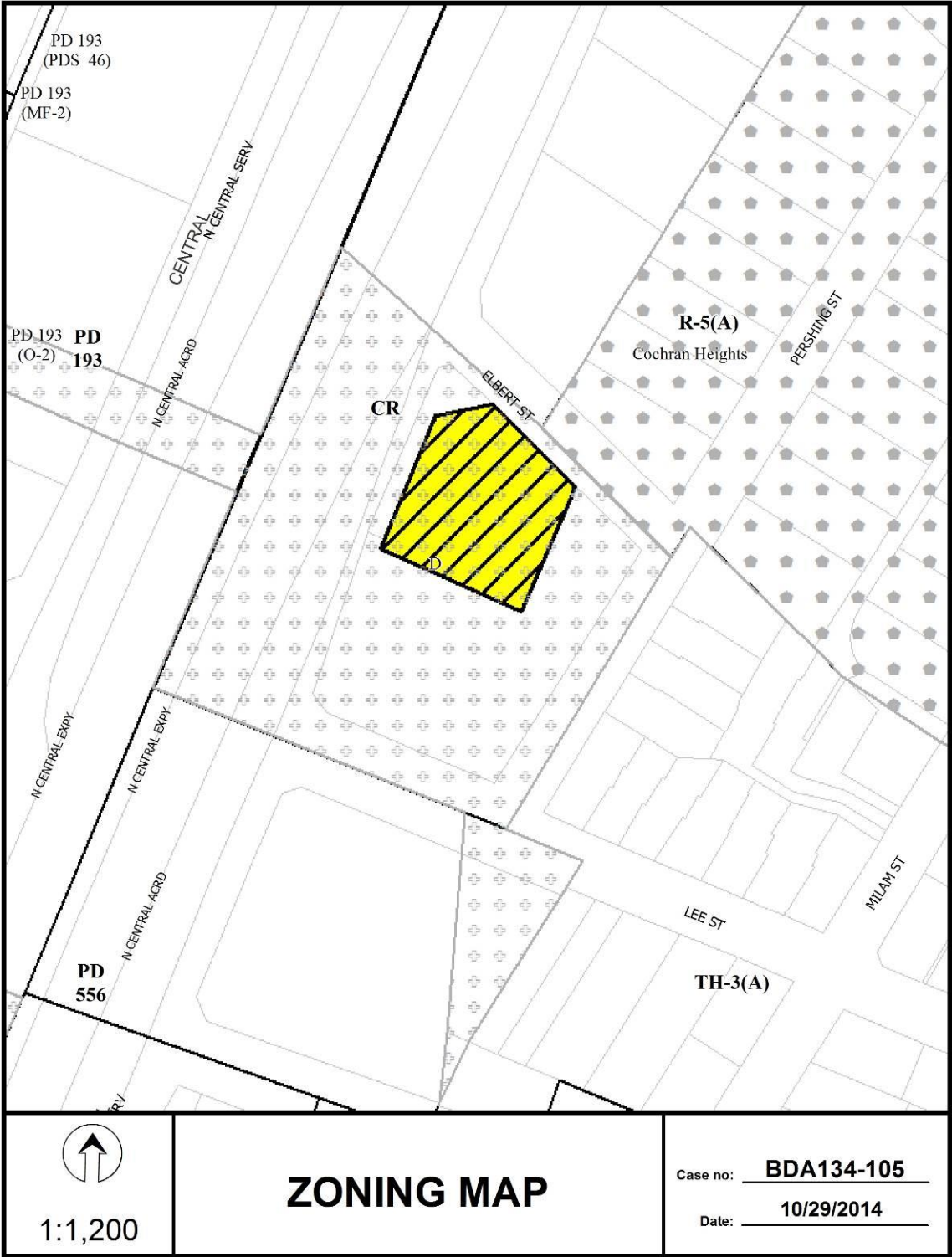
- The request focuses on locating and maintaining a non-monument sign within the 250' distance requirement from a residential property on a site being developed with a general merchandise or food store greater than 3,500 square feet use (Sundrops).
- The Dallas Development Code states non-monument signs are not allowed within 250 feet of either private property in a non-business zoning district or a public park of more than one acre.
- The applicant has submitted a site plan and sign elevations, and has noted on his application that a the entire property lies within 250' of residential zoning.
- The applicant has the burden of proof in establishing the following:
  - That allowing a non-monument sign within 250 feet of private property in a non-business zoning district when, in the opinion of the board, the special exception will not adversely affect neighboring property.
- If the Board were to grant this request and impose the submitted site plan as a condition to the request, the sign would be held to the location as shown on this plan, and to the notation on this plan: "back unlit, lighted face toward N.C. Exp." – the side facing the opposite direction of the private property in the non-business zoning district to which the special exception is made

- Staff does not feel it is necessary to additionally impose any sign elevation as a condition to this request since granting this special exception would not provide any relief to the sign regulations of the Dallas Development Code (i.e. height, effective area, or setback requirements) other than allowing a non-monument sign within 250 feet of private property in a non-business zoning district.

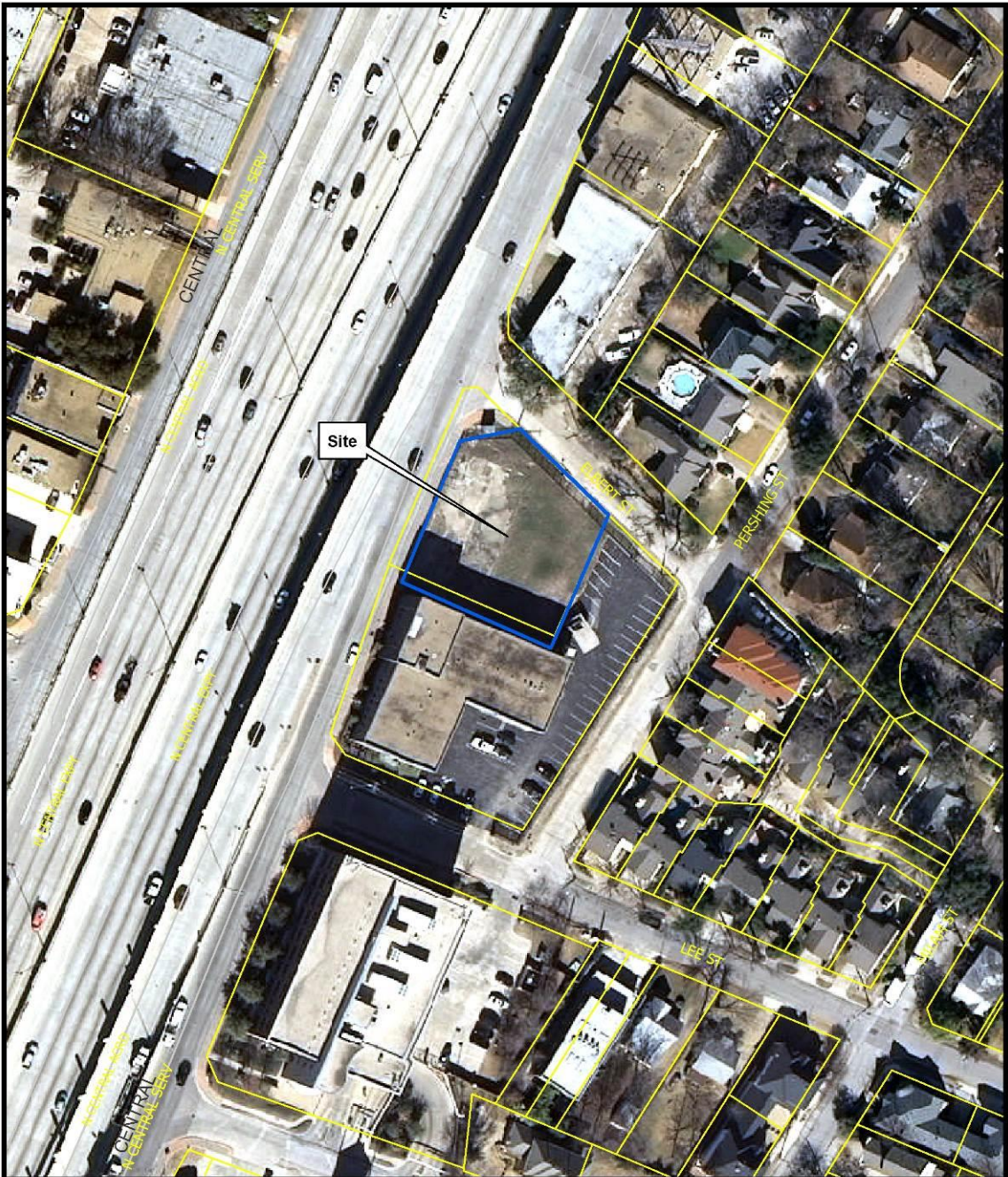
**Timeline:**

- August 20, 2014: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.
- October 14, 2014: The Sustainable Development and Construction Interim Assistant Director randomly assigned this case to Board of Adjustment Panel A.
- October 15, 2014: The Board Administrator emailed the applicant’s representative the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the October 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the November 7<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board’s docket materials;
  - the criteria/standard that the board will use in their decision to approve or deny the request; and
  - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- October 20, 2014: The applicant’s representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- November 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Assistant Building Official, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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







1:1,200

# AERIAL MAP

Case no: BDA134-105

Date: 10/29/2014

Mark H. Herrin  
Herrin Investments, LLC/Sundrops, Inc.  
3920 Oak Lawn Avenue  
Dallas, Texas 75219  
(214) 521-0550 mherrin@sundrops.com

BDA 134-105  
Attach A  
Pg 1

October 26, 2014

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

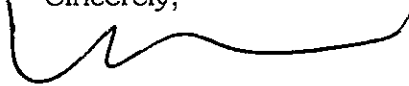
Ref: BDA 134-105, Property at 4306 N. Central Expressway

Dear Mr. Long,

I have enclosed additional material relevant to the above referenced hearing on November 18th. We created several prints showing the neighbors view of the back of the proposed sign. Our intent at this time is to paint the sign and the support in colors that blend in to the west view. The second item enclosed is a letter signed by the neighbors in the area visible to the sign that support granting of the exception.

If you need to reach me for any reason my cell phone is 214-697-3169.

Sincerely,



Mark Herrin



October 20, 2014

Re: City of Dallas Board of Adjustment Hearing November 17, 18 or 19  
 Sign Placement Exception for Herrin Investments, LLC (Mark  
 Herrin and Sundrops) at 4306 North Central Expressway.

The proposed sign position as provided to the Board of Adjustment and  
 attached to this letter is acceptable to me as a resident of Cochran Heights.

<u>Name</u>	<u>Address</u>
Richard Cleveland	5025 Pershing St.
Richard Cleveland	10-25-2014
Janet Sch	5014 Pershing
Tereso Rodriguez	5020 Pershing
ROBERT CANNY	5018 Pershing
Janet Sch	5016 Pershing Streets
Janet Sch	5012 Pershing St
Janet Sch	5033 Pershing street



**APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT**

Case No.: BDA \_\_\_\_\_

**Data Relative to Subject Property:**

Date: 8/20/2014

Location address: 4306 N. Central Expresway Zoning District: Comm-Retail

Lot No.: 3 Block No.: G/1999 Acreage: .3363 Census Tract: \_\_\_\_\_

Street Frontage (in Feet): 1) 136' N 2) 145.7' W 3) 125' S 4) 99' E 5) \_\_\_\_\_

**To the Honorable Board of Adjustment :**

Owner of Property (per Warranty Deed): Mark Herrin

Applicant: Signs Manufacturing & Maintenance Corporation Telephone: 214-339-2227

Mailing Address: 3920 Oak Lawn Ave Zip Code: 75219

E-mail Address: mherrin@sundrops.com

Represented by: Tim Dirkin Telephone: 214-339-2227

Mailing Address: 4610 Mint Way Dallas, Texas Zip Code: 75236

E-mail Address: Tim@signsmanufacturing.com

Affirm that an appeal has been made for a Variance    , or Special Exception , of Non-monument signs are not allowed within 250' of either private property in a non-business zoning district or a public park of more than one (1) acre. The board of adjustment may grant a special exception to this provision when, in the opinion of the board, the special exception will not adversely affect neighboring property. 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 entire property lies within 250' of Residential Zoning. The proposed sign will be unlit on the side that faces the residential properties.

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

**Affidavit**

Before me the undersigned on this day personally appeared Mark Herrin

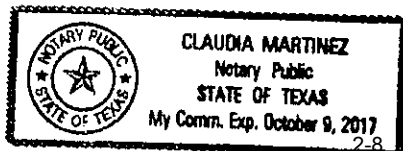
(Affiant/Applicant's name printed)

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 27 day of AUGUST, 2014

(Rev. 08-01-11)



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

(13) EXPRESSWAY means:

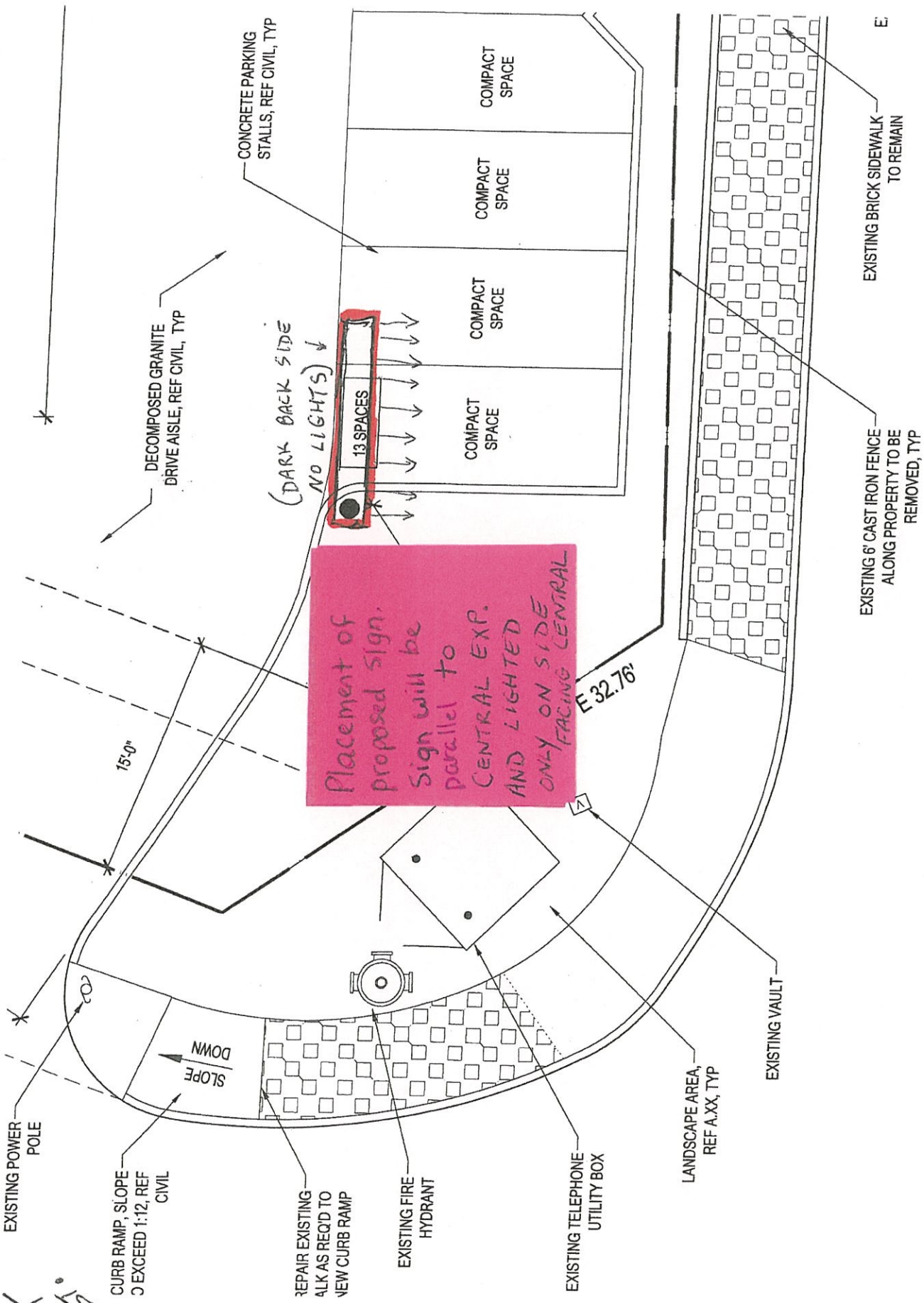
- (A) the Dallas North Tollway;
- (B) Interstate Highway 20;
- (C) Interstate Highway 30;
- (D) Interstate Highway 35E;
- (E) Interstate Highway 45;
- (F) Interstate Highway 635;
- (G) U.S. Highway 67;
- (H) U.S. Highway 75;
- (I) U.S. Highway 80 east of Interstate Highway 30 to the city limits;
- (J) U.S. Highway 175;
- (K) State Highway 114;
- (L) State Highway 183;
- (M) Spur 408;
- (N) Walton Walker Boulevard from Spur 408 north to the city limits, and from Stemmons Freeway south to the city limits; and
- (O) Woodall Rodgers Freeway.

(13.1) EXPRESSWAY SIGN means a sign that is wholly within 100 feet of an expressway right-of-way and whose message is visible from the main traveled way or that has been relocated adjacent to an expressway pursuant to Section [51A-7.307\(f\)](#).

(f) Regulations applicable to expressway signs.

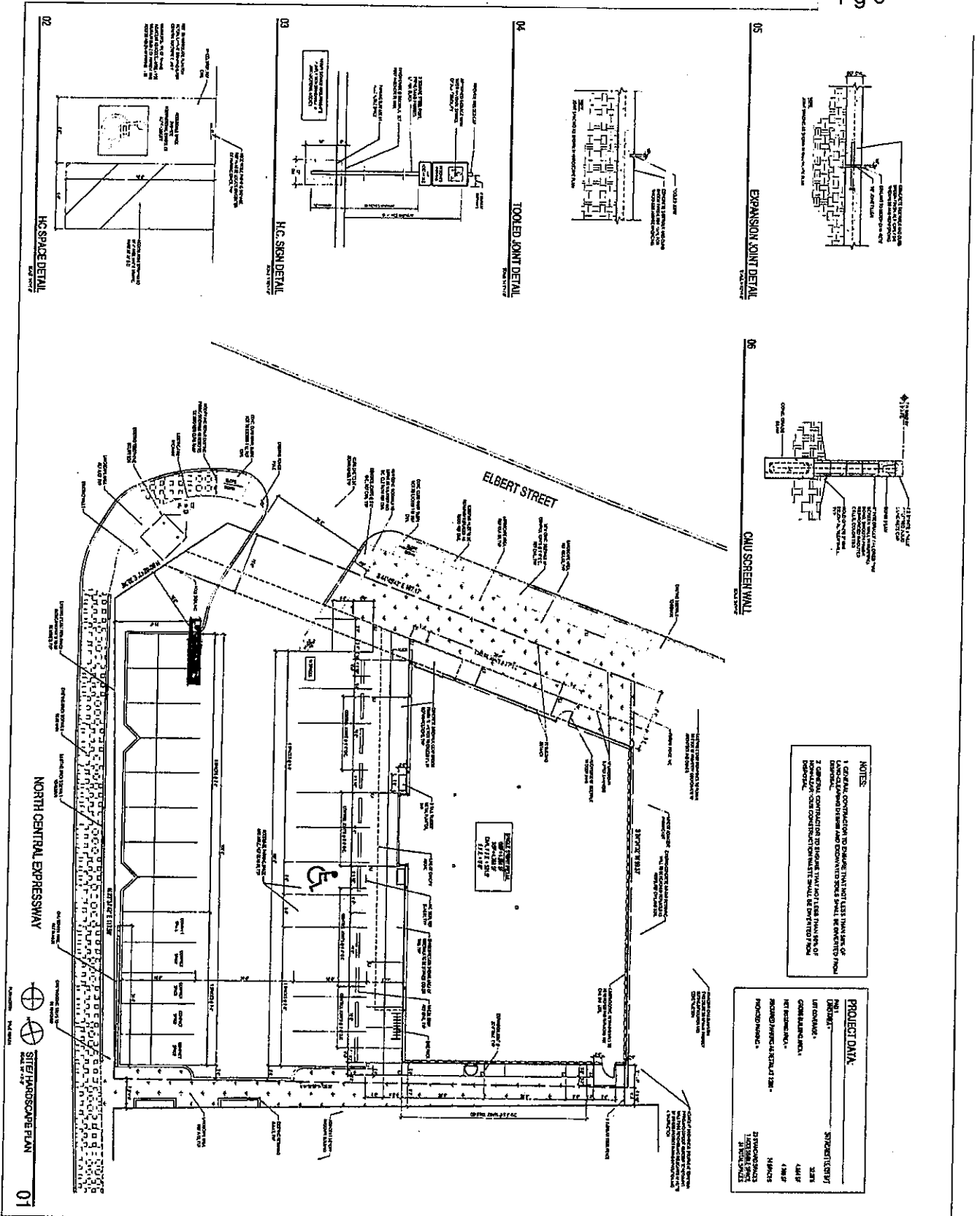
- (1) Applicability. This subsection controls over Subsections (c), (d), and (e) of this section.
- (2) Setback, height, and effective area generally.
  - (A) An expressway sign with a minimum setback of five feet may have a maximum height of 20 feet and maximum effective area of 50 square feet.
  - (B) An expressway sign with a minimum setback of 15 feet may have a maximum height of 30 feet and a maximum effective area of 150 square feet.
  - (C) An expressway sign with a minimum setback of 25 feet may have a maximum height of 40 feet and a maximum effective area of 400 square feet.
  - (D) The height of an expressway sign may be extended to 50 feet, or to 30 feet above the nearest point on the nearest travel surface of the nearest expressway or new expressway, whichever is higher, if the total height of the sign does not exceed 60 feet above the ground at the base of the sign.





*N. CENTRAL EXPRESSWAY*

*ALBERT ST.*



**NOTES**

1. GENERAL CONTRACTOR TO CHECK THAT THE LISTED FINISHES OF LABORER, CARPENTER, AND ELECTRICIAN SHALL BE PROVIDED FROM THE GENERAL CONTRACTOR TO THE TRADES.
2. GENERAL CONTRACTOR TO VERIFY THAT THE FINISHES OF LABORER, CARPENTER, AND ELECTRICIAN SHALL BE PROVIDED FROM THE GENERAL CONTRACTOR TO THE TRADES.

**PROJECT DATA:**

PROJECT NO.	214.333.1512
DATE	11/17/11
PROJECT NAME	SUNDROPS NUTRITION
PROJECT ADDRESS	4306 N. CENTRAL EXPRESSWAY
PROJECT CITY	DALLAS, TEXAS
PROJECT STATE	TEXAS
PROJECT ZIP	75206
PROJECT PHONE	214.333.1512
PROJECT FAX	214.333.1512
PROJECT WEBSITE	www.gf.com

**SITE/SCAPE PLAN & DETAILS**

NO.	DESCRIPTION	DATE
01	01 SITE/SCAPE PLAN & DETAILS	11/17/11
02	02 H.C. SPACE DETAIL	11/17/11
03	03 H.C. SIGN DETAIL	11/17/11
04	04 TOOL LED JOINT DETAIL	11/17/11
05	05 EXPANSION JOINT DETAIL	11/17/11
06	06 CURB SCREEN WALL	11/17/11

**SUNDROPS NUTRITION**  
 4306 N. CENTRAL EXPRESSWAY  
 DALLAS, TEXAS 75206

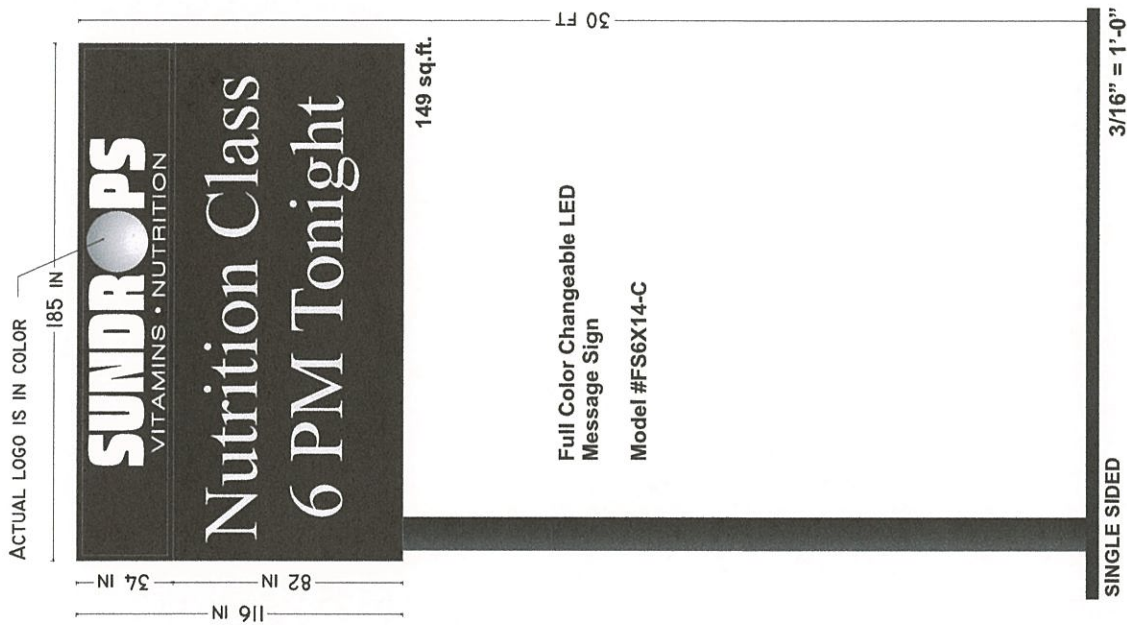
ISSUE FOR PERMIT

**Good Fulton & Farrell Architects**

2829 Farmwood Street  
 Suite 320  
 Dallas, Texas 75201

214.333.1512  
 214.333.1512, Fax  
 www.gf.com

© Good Fulton & Farrell 2009



**signs manufacturing**  
 Corporation  
 (214) 339-2227 (817) 861-1234  
 (972) 850-3300 fax: (214) 339-9987



**Sundrops**

Dallas TX

8/28/2014

Customer Representative:  
**Tim Durkin**

Customer Approval



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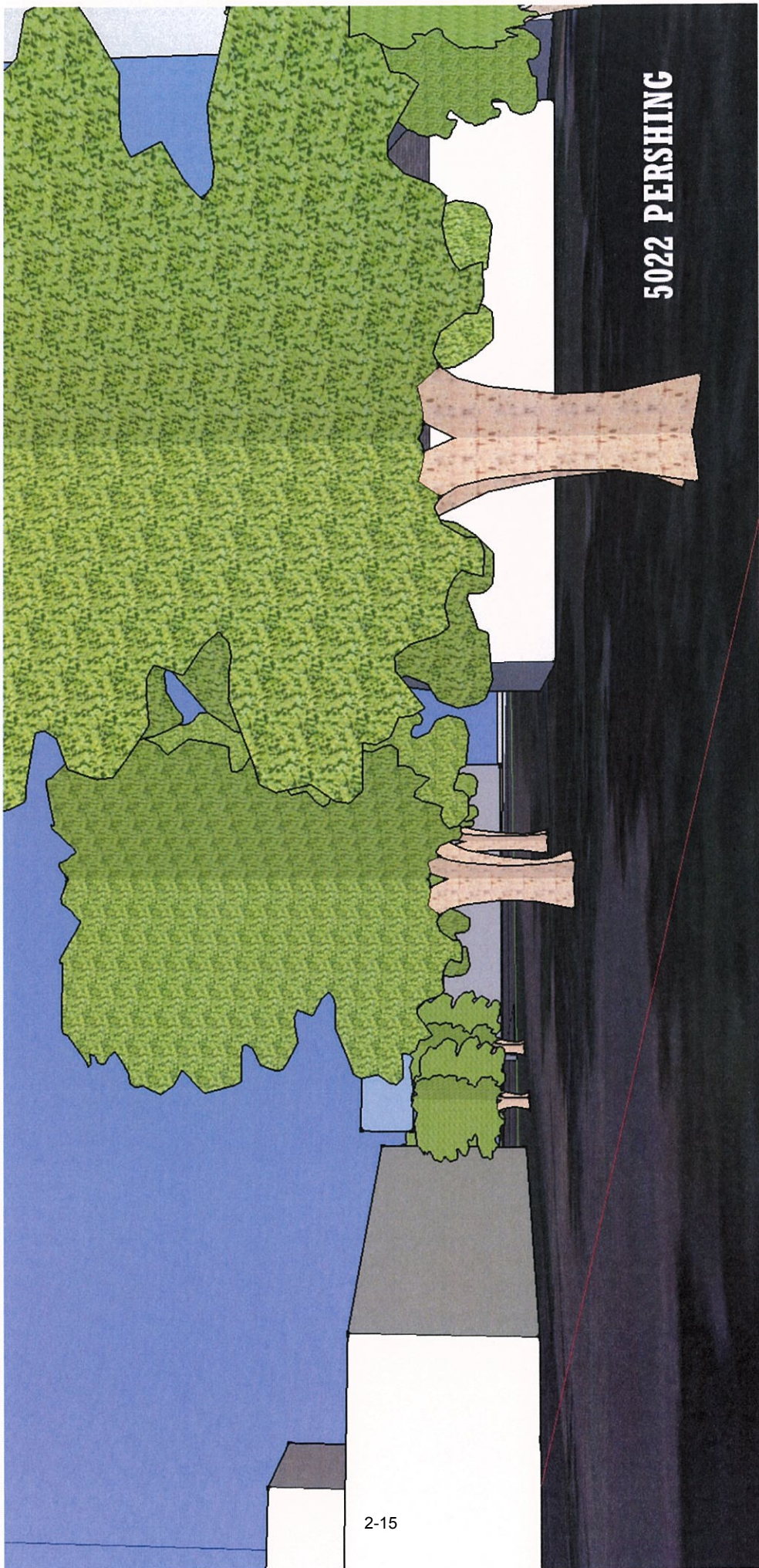




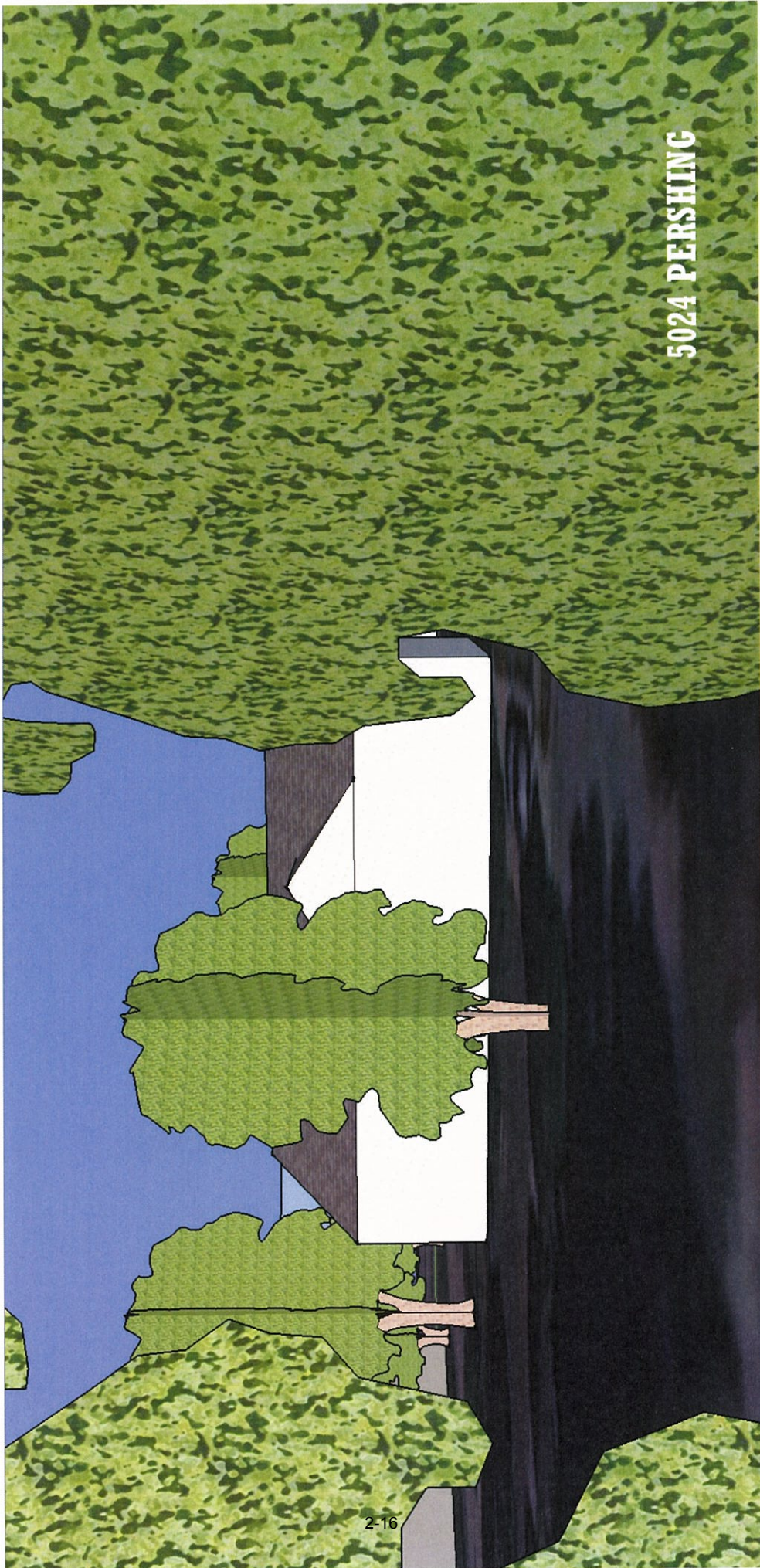




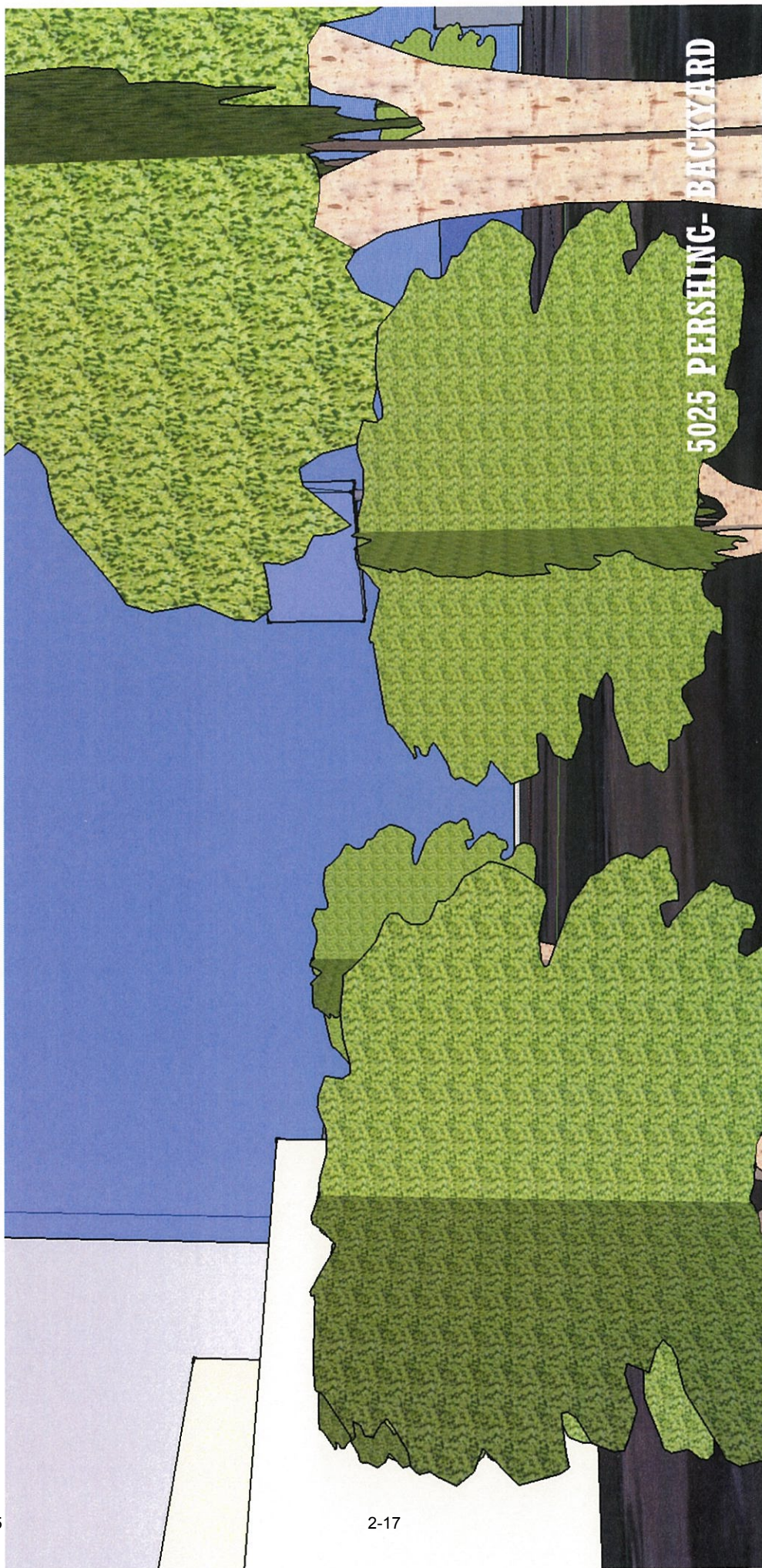




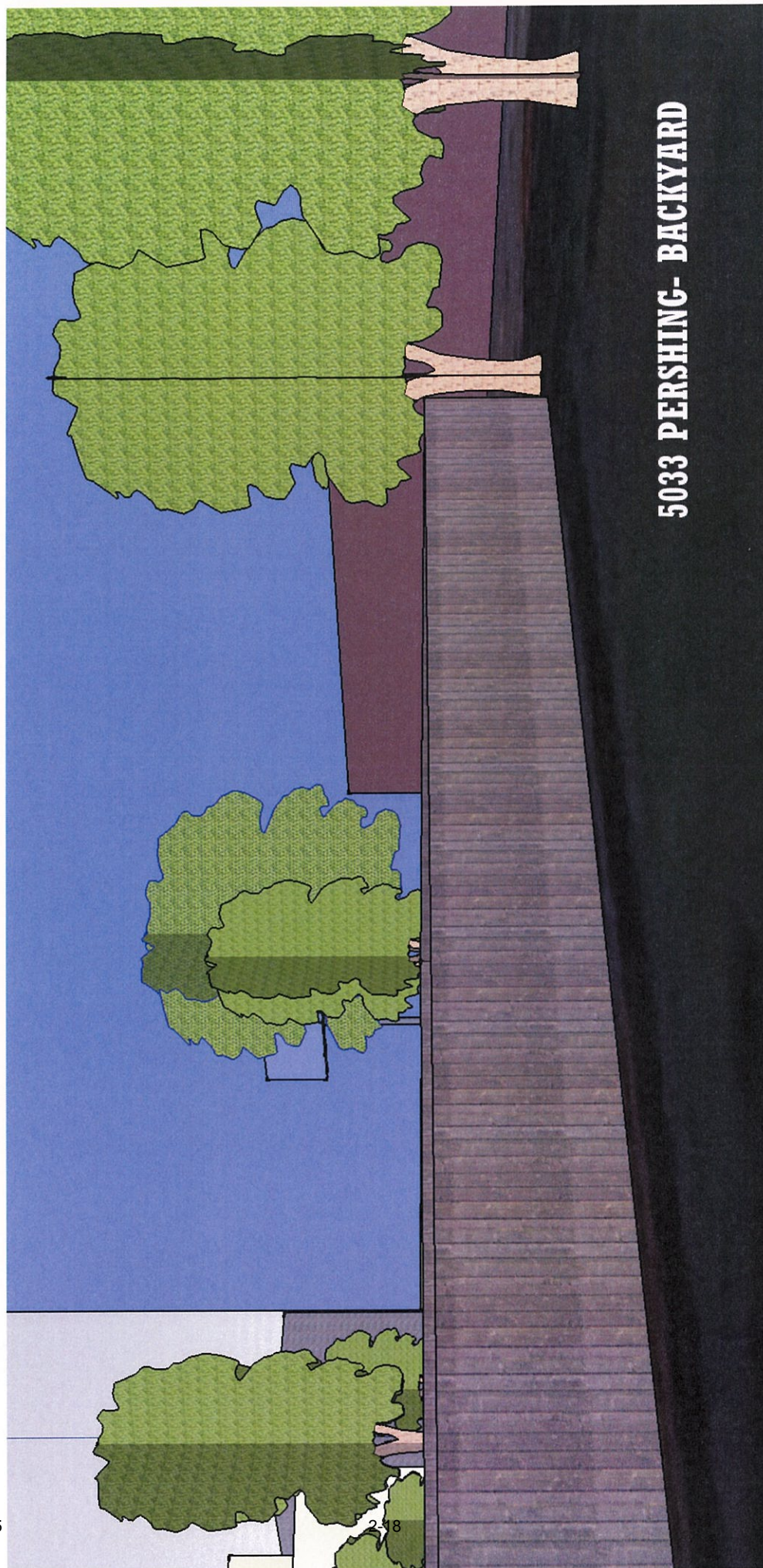












5033 PERSHING- BACKYARD



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 137-105

Data Relative to Subject Property:

Date: 8/20/2014

Location address: 4306 N. Central Expresway Zoning District: CR

Lot No.: 2A Block No.: G/1999 Acreage: .3363 Census Tract: 9.00

Street Frontage (in Feet): 1) 118' 2) 107' 3)  4)  5) GC 23

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): HERRIN INVESTMENTS, LLC

Applicant: MARK HERRIN Telephone: 214-697-3169

Mailing Address: 3920 OAK LAWN AVE., DALLAS, TX Zip Code: 75219

E-mail Address: mherrin@sundrops.com

Represented by: Tim Dirkin Telephone: 214-339-2227

Mailing Address: 4610 Mint Way Dallas, Texas Zip Code: 75236

E-mail Address: Tim@signsmanufacturing.com

Affirm that an appeal has been made for a Variance , or Special Exception , of Non-monument signs are not allowed within 250' of either private property in a non-business zoning district or a public park of more than one (1) acre. The board of adjustment may grant a special exception to this provision when, in the opinion of the board, the special exception will not adversely affect neighboring property.

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 entire property lies within 250' of Residential Zoning. The proposed sign will be unlit on the side that faces the residential properties.

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

Affidavit

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

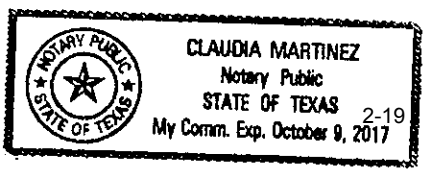
who on (his/her) oath certifies that the above statements are true and correct to his/her best knowledge and that he/she is the owner/or principal/or authorized representative of the subject property.

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

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

[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 Mark Herrin  
represented by Tim Dirkin  
did submit a request for a special exception to the sign regulation  
at 4306 N. Central Expressway.

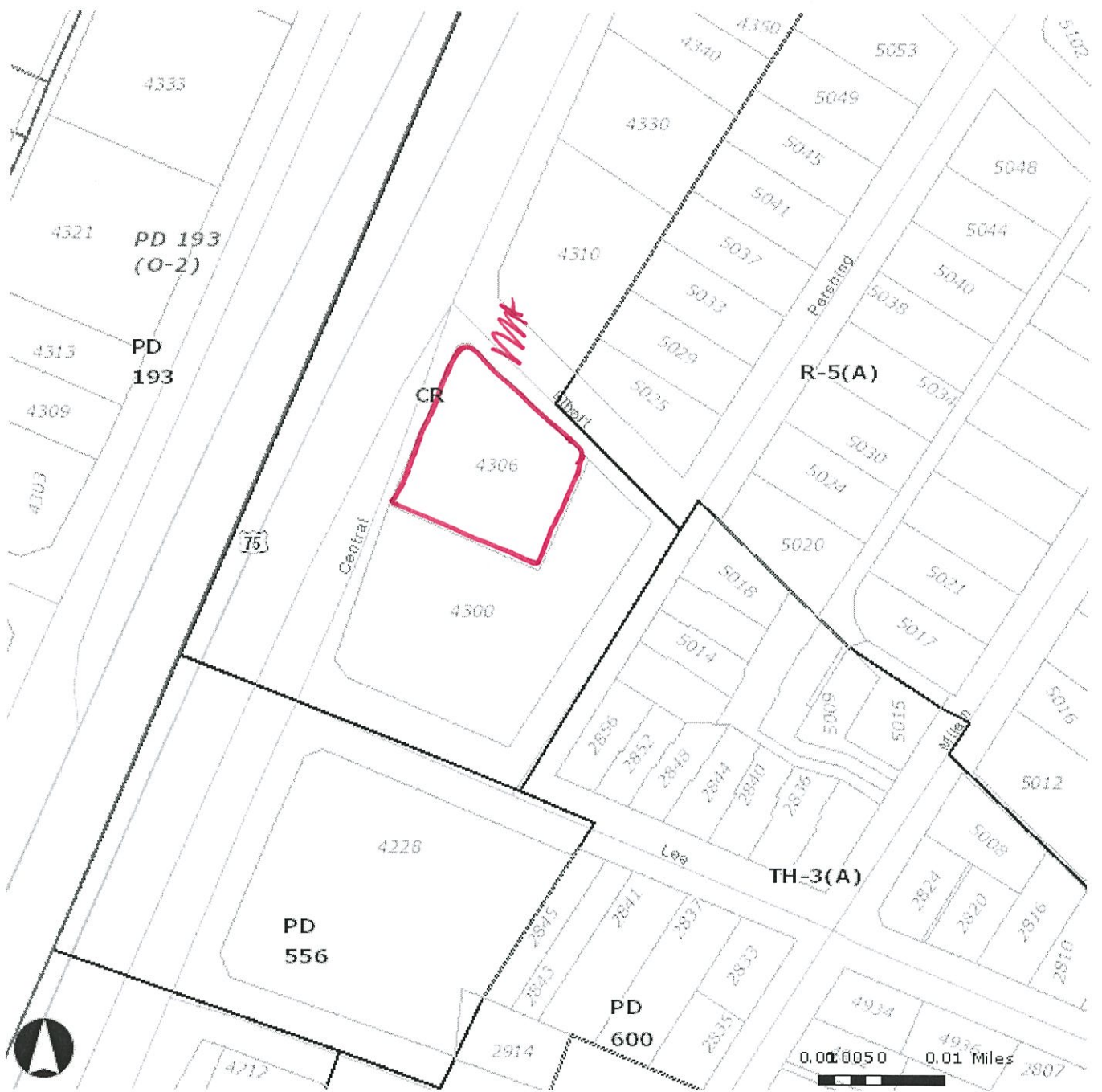
BDA134-105. Application of Mark Herrin represented by Tim Dirkin for a special exceptio to the sign regulations at 4306 N. Central Expressway. This property is more fully describe as Lot 2A, Block G/1999, and is zoned CR, which states that non-monument signs are not allowed within 250 feet of private property in a non-business zoning district. The applicant proposes to construct a non-monument sign within 250 feet of private property in a non-business zoning district which will require a special exception to the sign regulations.

Sincerely,

  
Larry Holmes, Building Official









**signs manufacturing**  
 Corporation  
 (214) 339-2227 (817) 861-1234  
 (972) 850-3300 fax: (214) 339-9987



Sundrops

Dallas TX

8/28/2014

Customer Representative:  
*Tim Durkin*

Customer Approval



**Underwriters  
 Laboratories**



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ACTUAL LOGO IS IN COLOR

116 IN  
 82 IN  
 34 IN  
 185 IN

**SUNDROPS**  
 VITAMINS • NUTRITION

**Nutrition Class**  
**6 PM Tonight**

149 sq.ft.

Full Color Changeable LED  
 Message Sign  
 Model #FS6X14-C

3/16" = 1'-0"

SINGLE SIDED

signs manufacturing Corporation

(214) 339-2227 (817) 861-1234  
(972) 850-5300 fax: (214) 339-9987



1-105

Sundrops

Dallas TX

8/28/2014

2-2

Customer Representative:

Tim Durkin

Customer Approval



Underwriters Laboratories

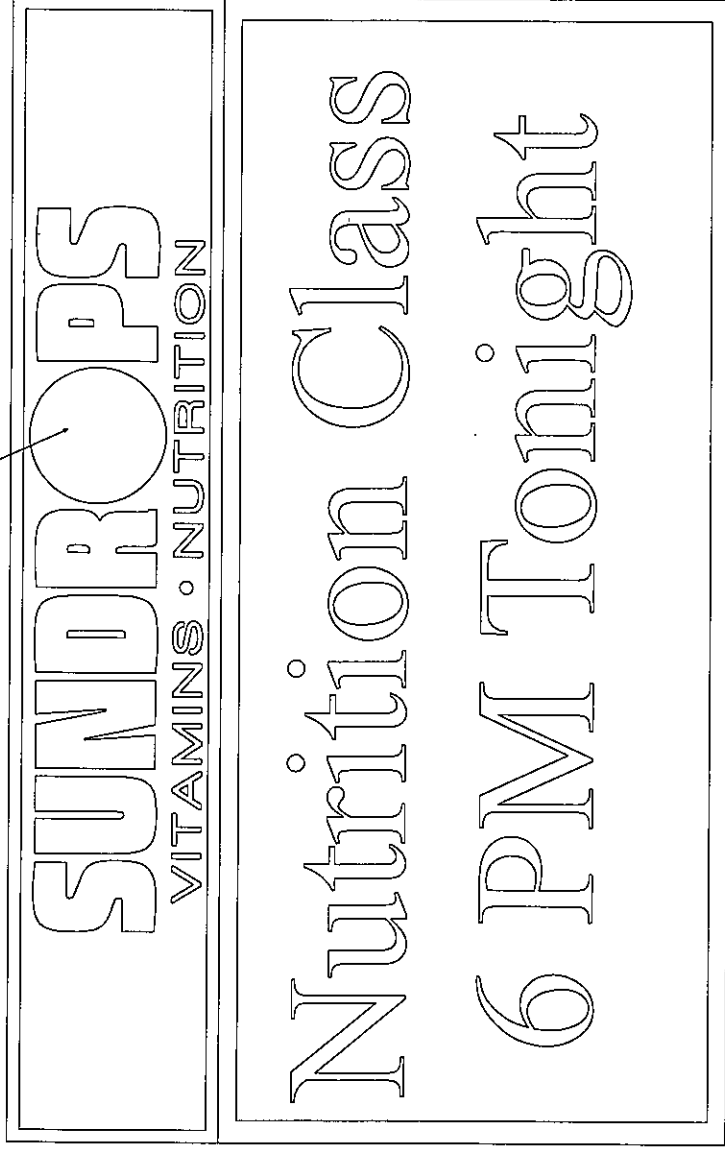


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THIS IS A PRELIMINARY DRAWING. SOME DETAILS MAY BE MODIFIED IN PRODUCTION

ACTUAL LOGO IS IN COLOR

185 IN



34 IN

82 IN

116 IN

Outline View

149 sq.ft.

Top Sign: 34" x 185" Lighted Static Sign

Bottom Sign: Full-Color LED Sign

- Cabinet Size: 82" x 185"

- Display Size: 76.2" x 177.8"

DRAWING NOT TO SCALE - FOR VIEWING ONLY





 1:1,200	<b>NOTIFICATION</b>		Case no: <b>BDA134-105</b>
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">19</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: <b>10/29/2014</b>	

## *Notification List of Property Owners*

### *BDA134-105*

#### *19 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4306 CENTRAL EXPY	HERRIN INVESTMENTS LLC
2	4300 CENTRAL EXPY	TRITON COMMERCIAL PPTIES
3	5020 PERSHING ST	VARGAS ANTONIO JOSE &
4	5024 PERSHING ST	ROTHENBACH CARMEN S EST OF
5	5030 PERSHING ST	FEELEY JOSEPH
6	4330 CENTRAL EXPY	KNOBLER DON
7	5037 PERSHING ST	ANDRADE URIEL
8	5033 PERSHING ST	GANNON JASMINE PERLIC
9	5029 PERSHING ST	STOLER SCOTT
10	5025 PERSHING ST	CLEVELAND RICHARD &
11	2848 LEE ST	KHABIR TONNETTE
12	2852 LEE ST	MONTAGUE AMI M
13	2856 LEE ST	ROGERS DONZA J
14	5012 PERSHING ST	TRIMBLE JUDITH M
15	5014 PERSHING ST	SCHER JACOB STEVEN
16	5016 PERSHING ST	MCEACHERN JERRY JR
17	5018 PERSHING ST	CADY ROBERT M II
18	5005 MILAM ST	TRUSSELL RICHARD NATHAN &
19	4310 CENTRAL EXPY	CALLEJO WILLIAM F

**FILE NUMBER:** BDA 134-111

**BUILDING OFFICIAL'S REPORT:** Application of Chris Strempek for a special exception to the fence height regulations at 6415 Desco Drive. This property is more fully described as Lot 10, Block A/5474, and is zoned R-7.5(A), NSO12, which limits the height of a fence in the front yard to 4 feet. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence height regulation.

**LOCATION:** 6415 Desco Drive

**APPLICANT:** Chris Strempek

**REQUEST:**

The following request has been made on a site that is developed with a single family home/use:

1. A request for a special exception to the fence height regulations of 4' is made to construct a 7' high wood fence atop a 1' high stone base with 8' high stone columns and one 7' high wooden swinging vehicular gate flanked by 8' high stone columns and 7' 6" high stone fences parallel and perpendicular to Desco Drive.

**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 (FENCE HEIGHT):**

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

**BACKGROUND INFORMATION:**

**Zoning:**

**Site:** R-7.5(A) (Single family district 7,500 square feet) and NSO 12, Jackson Heights No. 4  
**North:** R-7.5(A) (Single family district 7,500 square feet)  
**South:** R-7.5(A) (Single family district 7,500 square feet) and NSO 12, Jackson Heights No. 4  
**East:** R-7.5(A) (Single family district 7,500 square feet) and NSO 12, Jackson Heights No. 4  
**West:** R-7.5(A) (Single family district 7,500 square feet), NSO 12, Jackson Heights No. 4, and R-10(A) (Single family district 10,000 square feet)



## **Land Use:**

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

## **Zoning/BDA History:**

1. **Z089-284(CG)** On January 9, 2010, the City Council approved Ordinance No. 27787, which established Neighborhood Stabilization Overlay District No. 12 (Jackson Heights No. 4).

## **GENERAL FACTS/STAFF ANALYSIS (FENCE HEIGHT):**

- This request focuses on constructing a 7" high wood fence atop a 1' high stone base with 8' high stone columns and one 7' high wooden swinging vehicular gate flanked by 8' high stone columns and 7' 6" high stone fences, parallel and perpendicular to Desco Drive, in the 50' required front yard on a site developed with a single family home/use.
- 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.
- Neighborhood Stabilization Overlay District No. 12 requires the minimum front yard setback to be 50'.
- The following additional information was gleaned from the submitted site plan:
  - The proposal is represented as being approximately 30.5' in length parallel to Desco Drive, and extending approximately 6' in length into the 50' required front yard.
  - The proposal is represented as being located approximately 44' from the property line.
- The Current Planner conducted a field visit of the site and surrounding area and noted no other visible fences above 4 feet high which appeared to be located in a front yard setback.
- One home fronts the proposal.
- As of November 7<sup>th</sup>, 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 4' will not adversely affect neighboring property.
- Granting this special exception of 4' with a condition imposed that the applicant complies with the submitted landscape plan 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.

## **Timeline:**

August 20, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

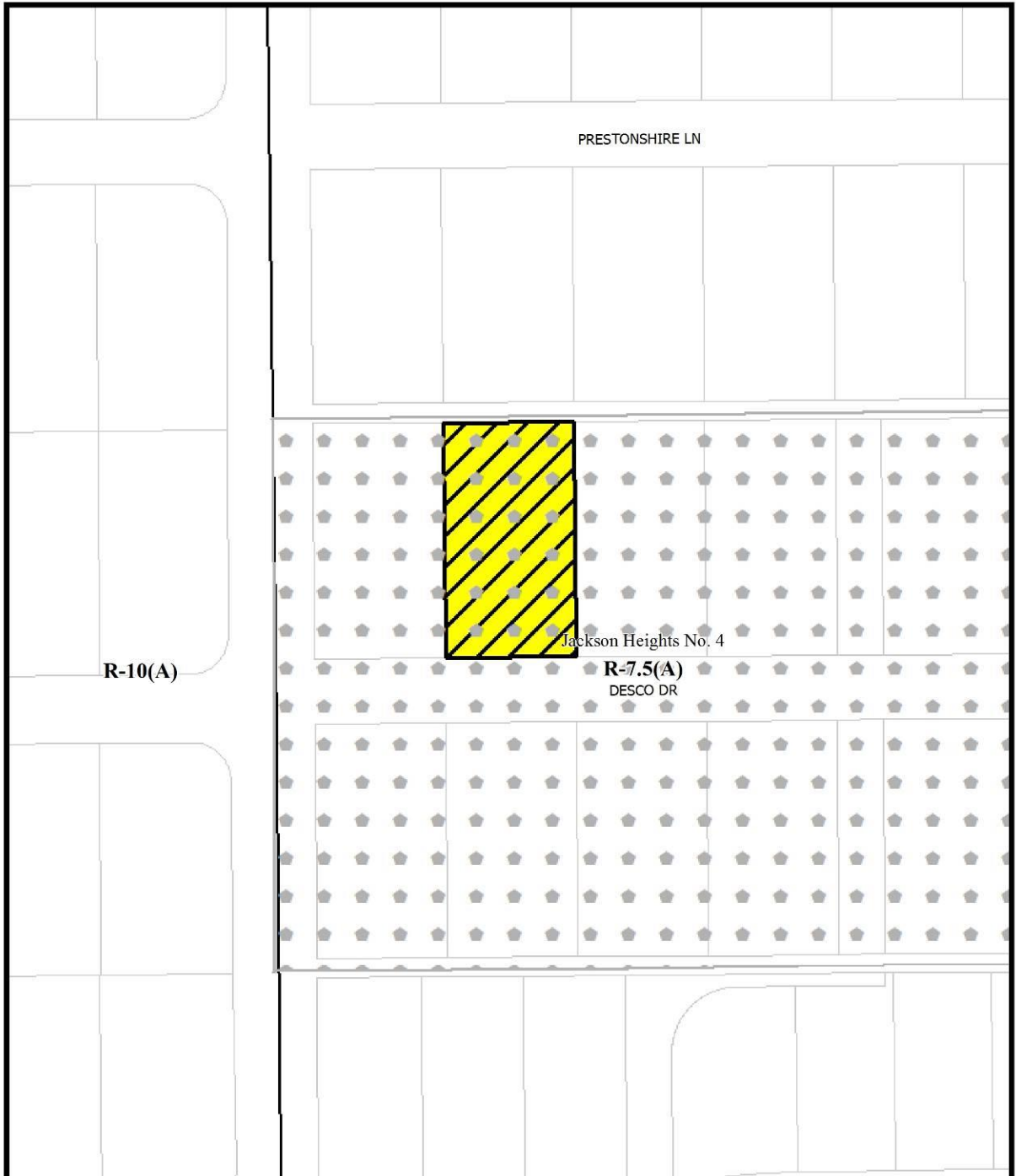
September 14, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

September 15, 2014: The Current Planner emailed the applicant's representative the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the November 7<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Assistant Building Official, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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



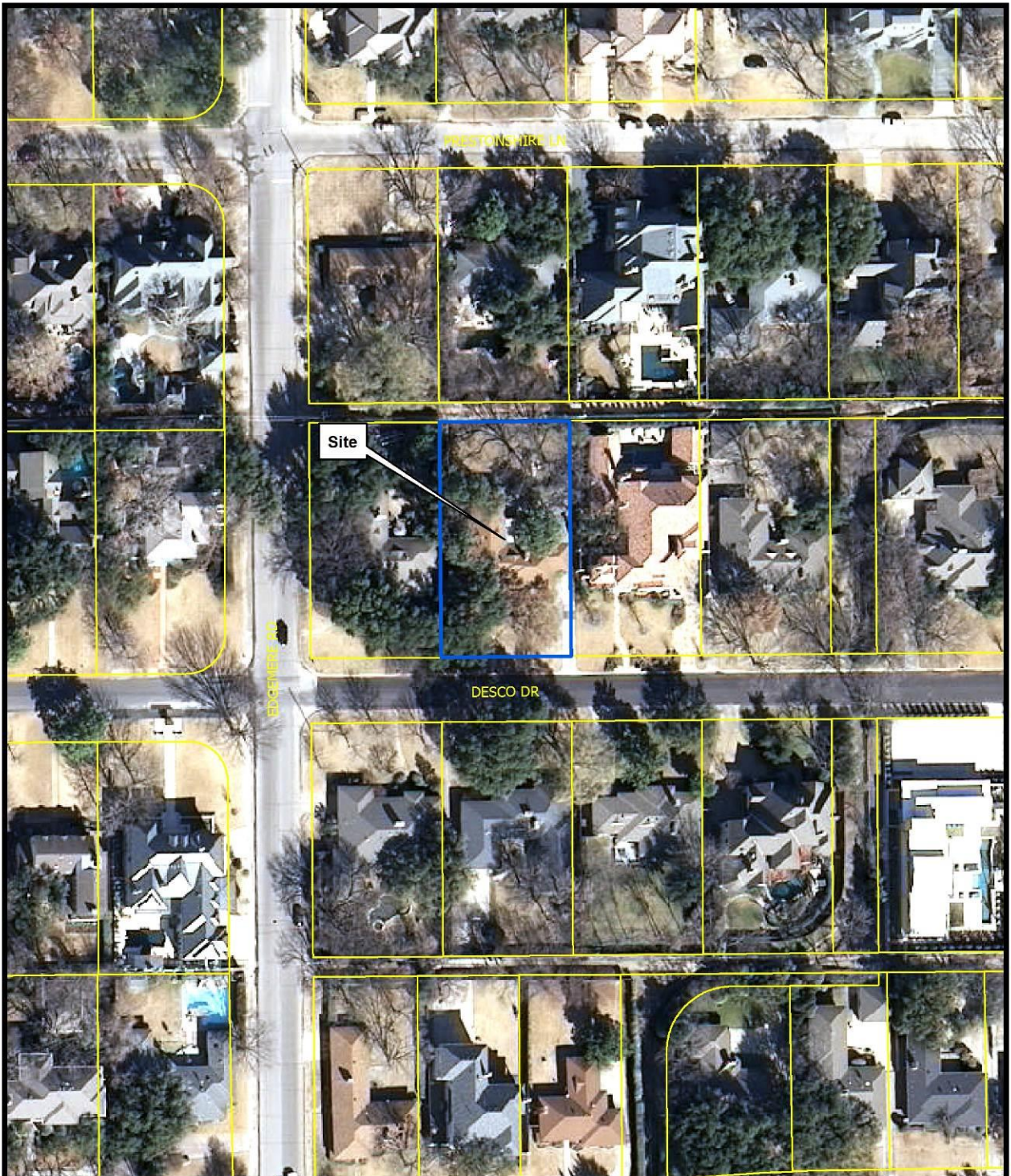
1:1,200

# ZONING MAP

Case no: BDA134-111

Date: 10/29/2014





 1:1,200	<h1>AERIAL MAP</h1>	Case no: <u>BDA134-111</u> Date: <u>10/29/2014</u>
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APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-111

Data Relative to Subject Property:

Date: 08/20/2014

Location address: 6415 Desco Drive 75247

Zoning District: R-7.5 (A) / NSO 12

Lot No.: 10 Block No.: A/5474 Acreage: 0.30 Census Tract: 0077.00

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

To the Honorable Board of Adjustment :

NE35

Owner of Property (per Warranty Deed): David A and Jennifer Lancashire

Applicant: Chris Strempek Telephone: 214 358 5296

Mailing Address: 2000 Sany Lane, Dallas, TX Zip Code: 75220

E-mail Address: chriss@completelandsculpture.com

Represented by: \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Affirm that an appeal has been made for a Variance \_\_, or Special Exception x, of 4' fence height restriction beyond front build line

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 wall in question is to be built for safety in order to allow the children to play in the motorcourt. In order to allow for a proper vehicular turning radius, they wall has been extended beyond the build line.

This wall would be built similar to an existing wall on a neighboring property that also extends beyond the build line.

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 Chris Strempek (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 29 day of August, 2014



[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**

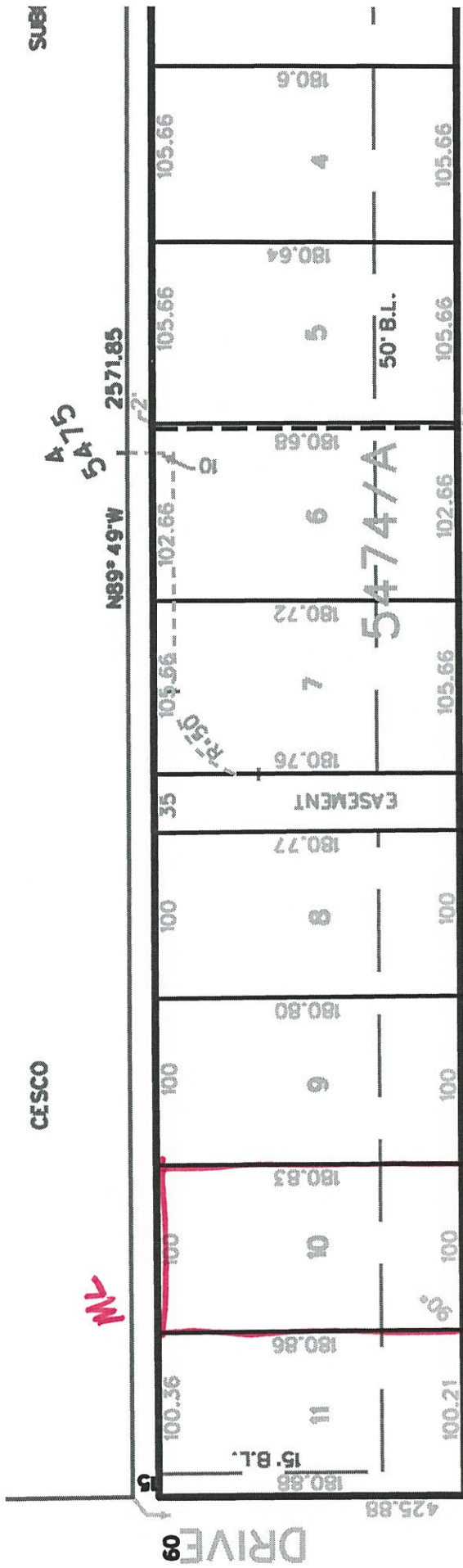
I hereby certify that CHRIS STREMPEK

did submit a request for a special exception to the fence height regulations  
at 6415 Desco Drive

BDA134-111. Application of Chris Strempek for a special exception to the fence height regulations at 6415 Desco Drive. This property is more fully described as Lot 10, Block A/5474, and is zoned R-7.5(A), NSO12, which limits the height of a fence in the front yard 4 feet. The applicant proposes to construct an 8 foot high fence in a required front yard, which will require a 4 foot special exception to the fence regulation.

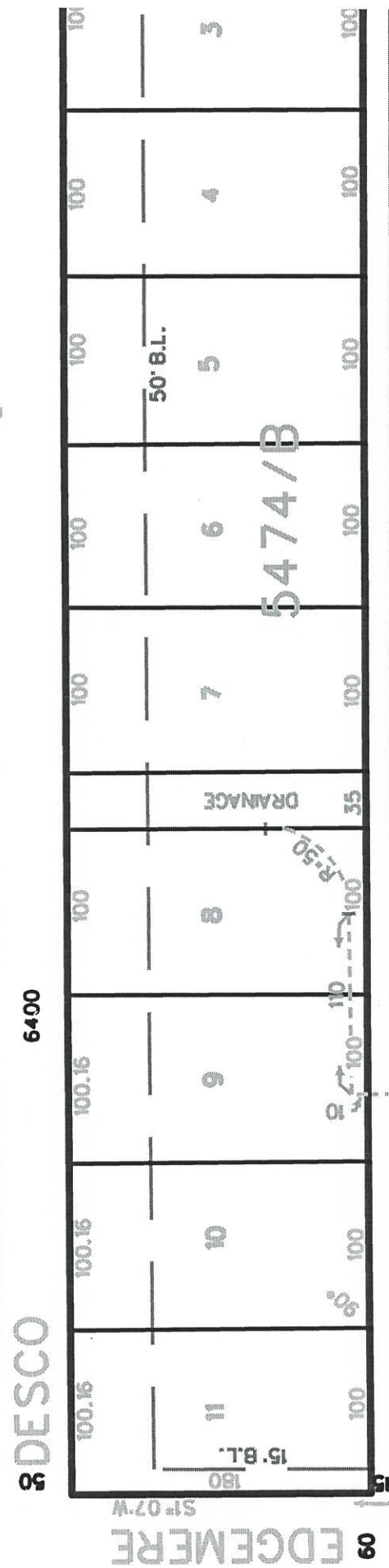
Sincerely,

  
Larry Holmes, Building Official



SUBD

CESCO



DESCO

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EDGEMERE

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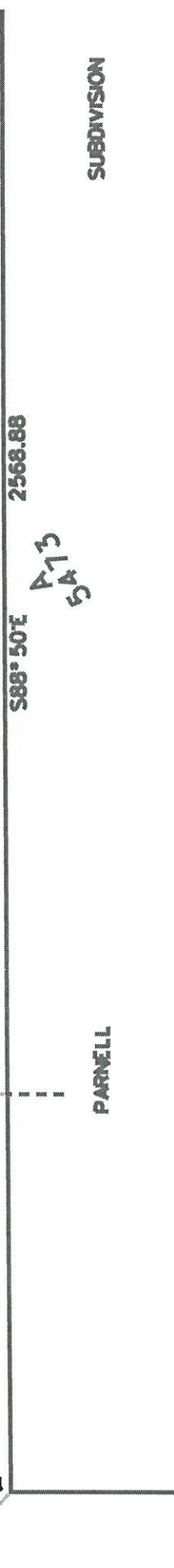
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PARNELL

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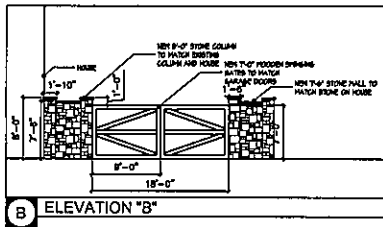
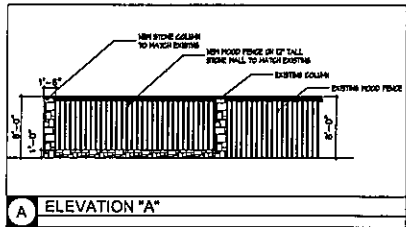
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SUBDIVISION

PARNELL



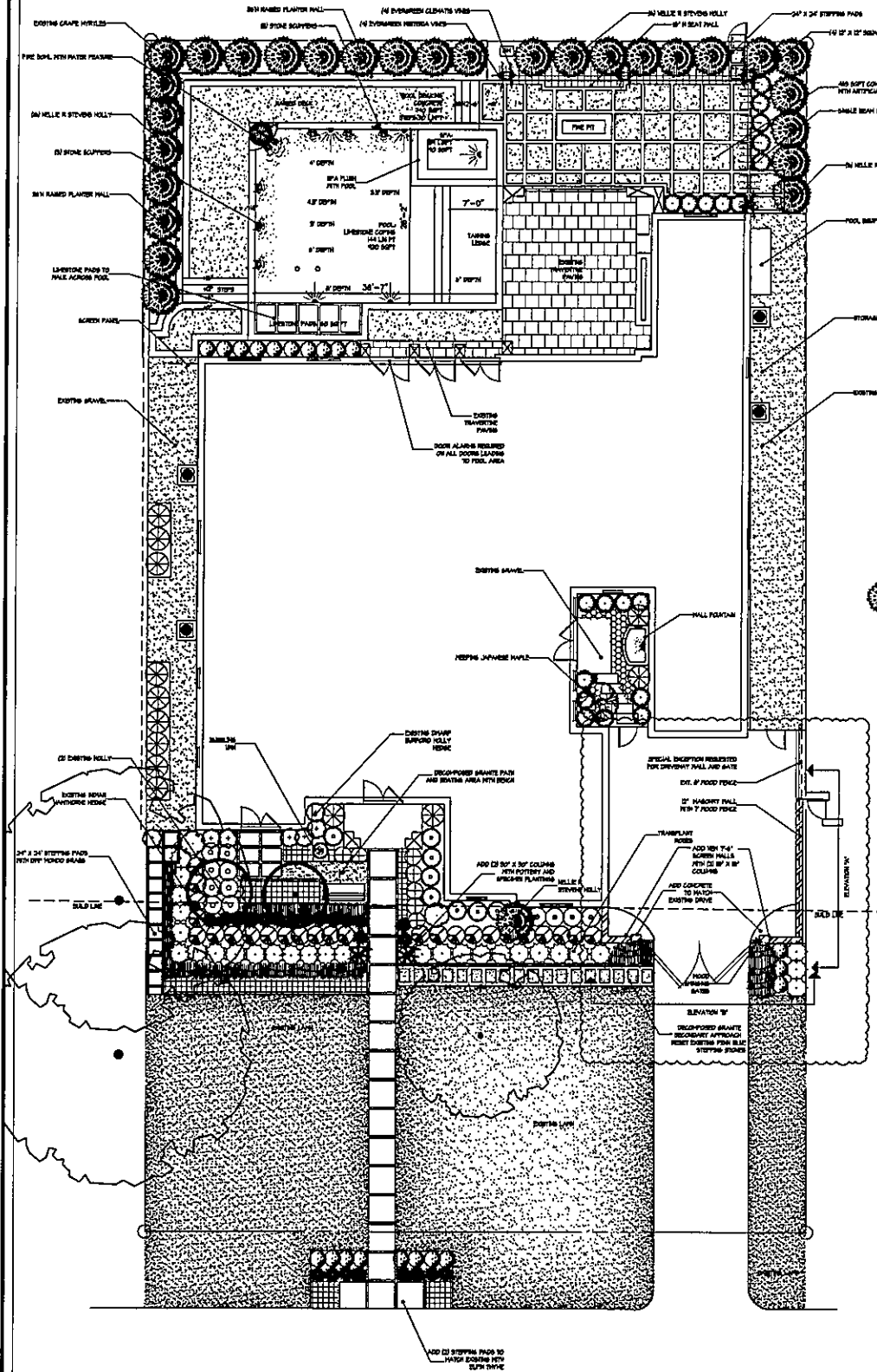




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SIGNATURE OF ACKNOWLEDGMENT BY CLIENT: \_\_\_\_\_ DATE: \_\_\_\_\_



**PLANT SCHEDULE**

TREES	BOTANICAL NAME / COMMON NAME
	Acer palmatum 'Dissectum' / Ginkgo Japanese Maple
	Ilex s 'Nellie R Stevens' / Nellie Stevens Holly
SHRUBS	BOTANICAL NAME / COMMON NAME
	Azalea Encore TM / Encore Azalea
	Camellia sasazuki 'Bonanza' / Camellia
	Clematis erandii / Evergreen Clematis
	Ilex cornuta 'Neddeport' / Neddeport Holly
	Lonicera chinensis 'Purple Diamond' / Fringe Flower
	Muhlenbergia capitaris / Pink Muhly
	Nandina domestica 'Moon Bay' TM / Moon Bay Nandina
	Rhaphtoelepis indica 'Olivia' / Dwarf Indian Hawthorn
	Rosa s 'Flower Carpet Red' / Rose
	Wisteria sinensis / Chinese Wisteria
GROUND COVERS	BOTANICAL NAME / COMMON NAME
	Liriodendron 'Big Blue' / Big Blue Liriodendron
	Mac Seasonal Color / Mac Seasonal Color
	Ophiopogon japonicus 'Desert' / Dwarf Mondo Grass
	Shade Garden Material / Fern & House Mix
	Stenotaphrum glabrum americanum / St. Augustine Grass
	Thymus serpyllum 'Ede' / Edin Thyme



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

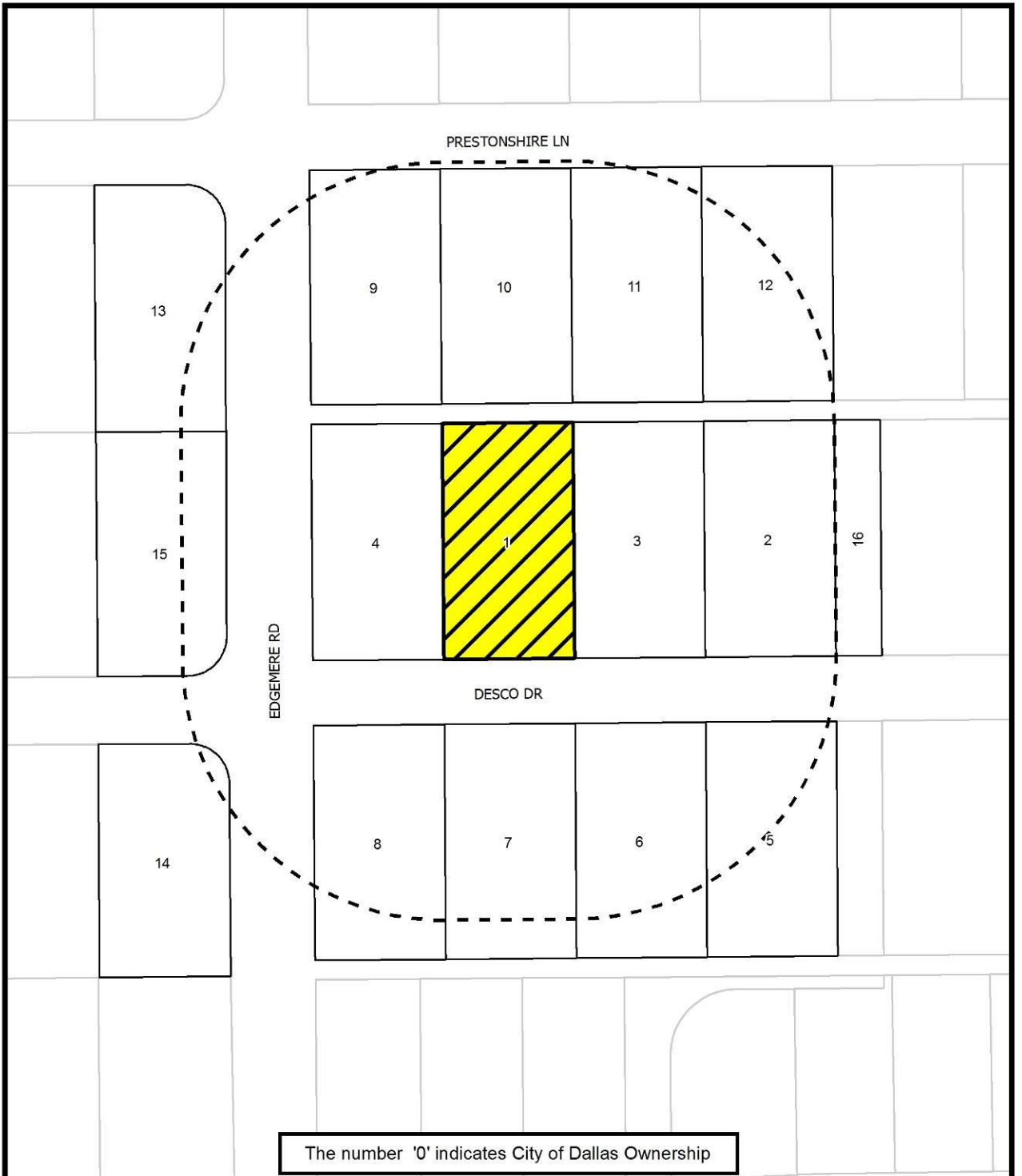
DRAWN BY: BS	CONSULTANT: CS	
	REV #	DATE
L1.0	1	08/15/08
	2	
DATE: 08/15/08		

**LANCASHIRE RESIDENCE**  
 6415 DESCO DRIVE  
 DALLAS, TEXAS, 75247



**COMPLETE LANDSCAPE**  
 CREATING A COMPLETE OUTDOOR EXPERIENCE





 1:1,200	<h2>NOTIFICATION</h2>	Case no: <u>BDA134-111</u>
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">16</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: <u>10/29/2014</u>

## *Notification List of Property Owners*

### *BDA134-111*

#### *16 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	6415 DESCO DR	LANCASHIRE DAVID A & JENNIFER
2	6431 DESCO DR	MURPHY LANCE O & KATHERINE E
3	6423 DESCO DR	STEGALL ROBERT C & JANET L
4	6407 DESCO DR	RHONE RUSTAN & KIMBERLY
5	6430 DESCO DR	BRICKMAN CHRISTIAN A
6	6422 DESCO DR	PRACHYL CHARLOTTE J
7	6414 DESCO DR	JUDIN CARL H III &
8	6406 DESCO DR	FETROW JOHN F & LAURA D
9	6406 PRESTONSHIRE LN	RED OAK EQUITIES LTD
10	6414 PRESTONSHIRE LN	PICKENS MICHAEL K & HEIDI R
11	6422 PRESTONSHIRE LN	FEHERTY DAVID & ANITA
12	6430 PRESTONSHIRE LN	GRETH RICHARD & LYNDAL
13	6346 PRESTONSHIRE LN	RAYBURN DOUGLASS M &
14	6346 DESCO DR	GILLESPIE KEITH E & AMITY B
15	6347 DESCO DR	TAKACS JACK &
16	6437 DESCO DR	FOREST PARK DEVELOPMENT CO

**FILE NUMBER:** BDA 134-110

**BUILDING OFFICIAL'S REPORT:** Application of Jonathan G. Vinson for a variance to the front yard setback regulations at 3344 Forest Lane. This property is more fully described as Lot 3A, Block A/6445, and is zoned PD 429, which requires a front yard setback of 80 feet. The applicant proposes to construct and/or maintain a structure and provide a 75 foot front yard setback, which will require a 5 foot variance to the front yard setback regulations.

**LOCATION:** 3344 Forest Lane

**APPLICANT:** Jonathan G. Vinson

**REQUEST:**

A request for a variance to the front yard setback regulations of 5' is made to maintain an approximately 180 square foot portion of a multifamily structure/use with an approximately 35,000 square foot building footprint, that is located 75' from the site's front property line or 5' into the site's 80' front yard setback.

**STANDARD FOR A VARIANCE:**

The Dallas Development Code Section 51A-3.102(d)(10) 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:

- While granting the variance would not appear to be contrary to public interest given that a very small portion of the existing structure is located in the required front yard setback, staff was unable to conclude at the time of the November 4<sup>th</sup> staff review team meeting that there was an unnecessary hardship as the parcel/subject site does not differ from other parcels of land by being of such restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD 429 zoning classification. The subject site is flat, rectangular in shape, and according to the application is approximately 4 acres in area.
- While the applicant has described how the structural integrity of the existing building in the setback would be compromised if the variance were denied, the applicant's other option, other than modifying the existing structure to comply with the existing setback, is to file an application to rezone the property – i.e. requesting that the City Council consider amending PD 429 that would modify/change the existing 80' front yard setback in Tracts I and II.

**BACKGROUND INFORMATION:**

**Zoning:**

Site: PD 429 (Planned Development)  
North: R-10(A) (Single family district 10,000 square feet)  
South: R-10(A) (Single family district 10,000 square feet)  
East: PD 429 (Planned Development)  
West: PD 429 (Planned Development)

**Land Use:**

The subject site is developed with a multifamily use. The areas to the north and south are developed with single family uses; the area to the east is developed with multifamily use; and the area to the west is developed with retail/commercial uses.

**Zoning/BDA History:**

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

**GENERAL FACTS /STAFF ANALYSIS:**

- This request focuses on maintaining an approximately 180 square foot portion of a multifamily structure/use with an approximately 35,000 square foot building footprint, that is located 75' from the site's front property line or 5' into the site's 80' front yard setback.
- An 80' front yard setback is required for properties zoned PD 429, Tracts I and II.
- A site plan has been submitted indicating the structure/building footprint is located 75.6' from the front property line or approximately 5' into the 80' front yard setback.



- According to calculations taken from the site plan by the Board Administrator, approximately 180 square feet (or about 0.5 percent) of the existing approximately 35,000 square foot building footprint is to be maintained/located in the site's front yard setback.
- The site is flat, rectangular in shape, and according to the application is approximately 4 acres in area.
- According to DCAD records, the "main improvement" at 3344 Forest Lane is a "senior citizen housing" structure built in 1998 with 64,995 square feet of total area.
- The applicant has the burden of proof in establishing the following:
  - That granting the variance to the front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
  - The variance to front yard setback regulations 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 PD 429 zoning classification.
  - The variance to front yard setback regulations 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 429 zoning classification.
- If the Board were to grant the front yard variance request, imposing a condition whereby the applicant must comply with the submitted site plan, the structure in the front yard setback would be limited to that what is shown on the submitted plan – a structure that is located approximately 75' from the front property line or approximately 5' into the 80' front yard setback.

**Timeline:**

September 11, 2014: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

October 14, 2014: The Interim Assistant Director of Sustainable Development and Construction acting on behalf of the Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel A.

October 14, 2014: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the October 29<sup>th</sup> deadline to submit additional evidence for staff to factor into their analysis; and the November 7<sup>th</sup> deadline to submit additional evidence to be incorporated into the Board's docket materials;

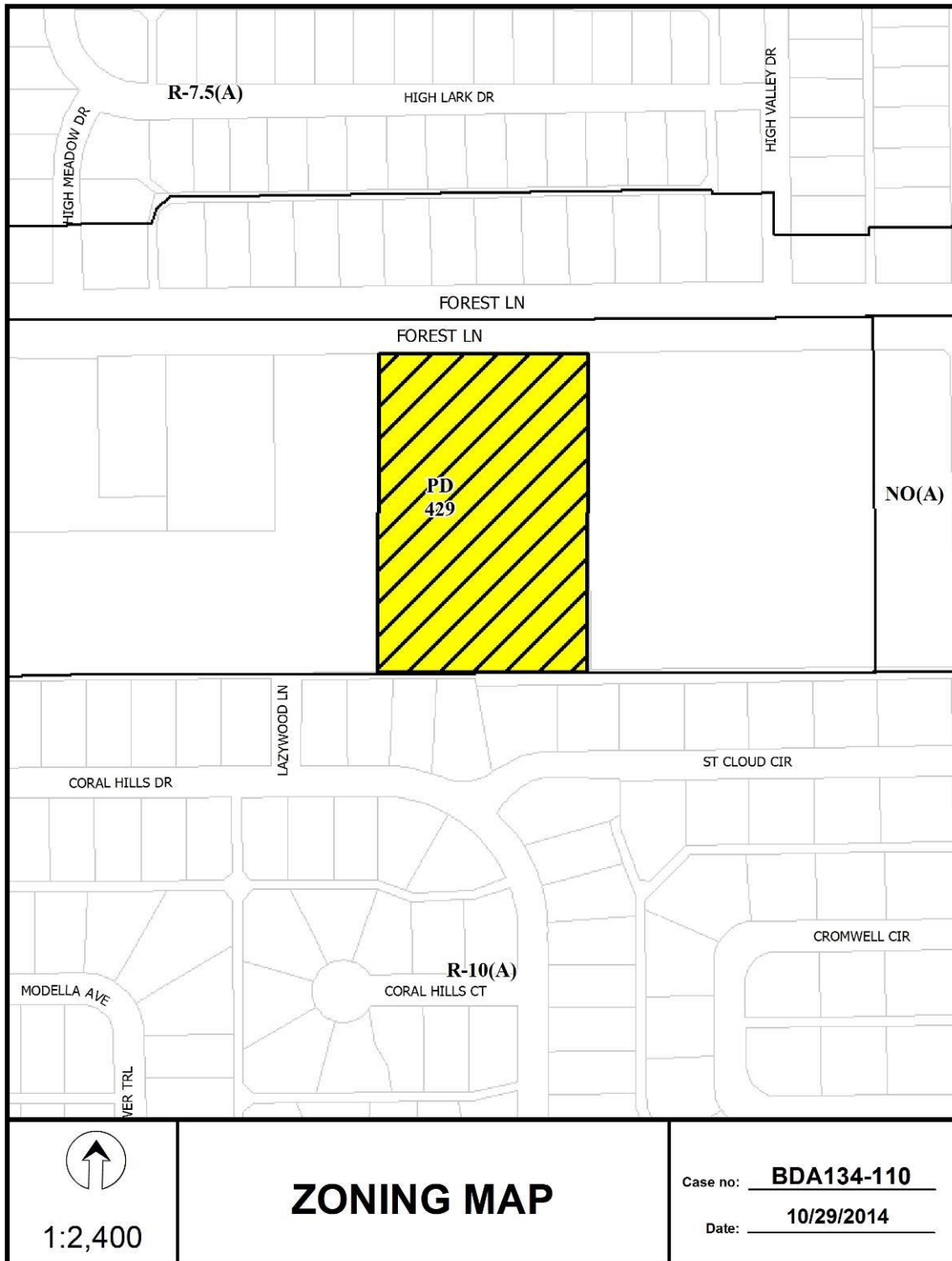
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

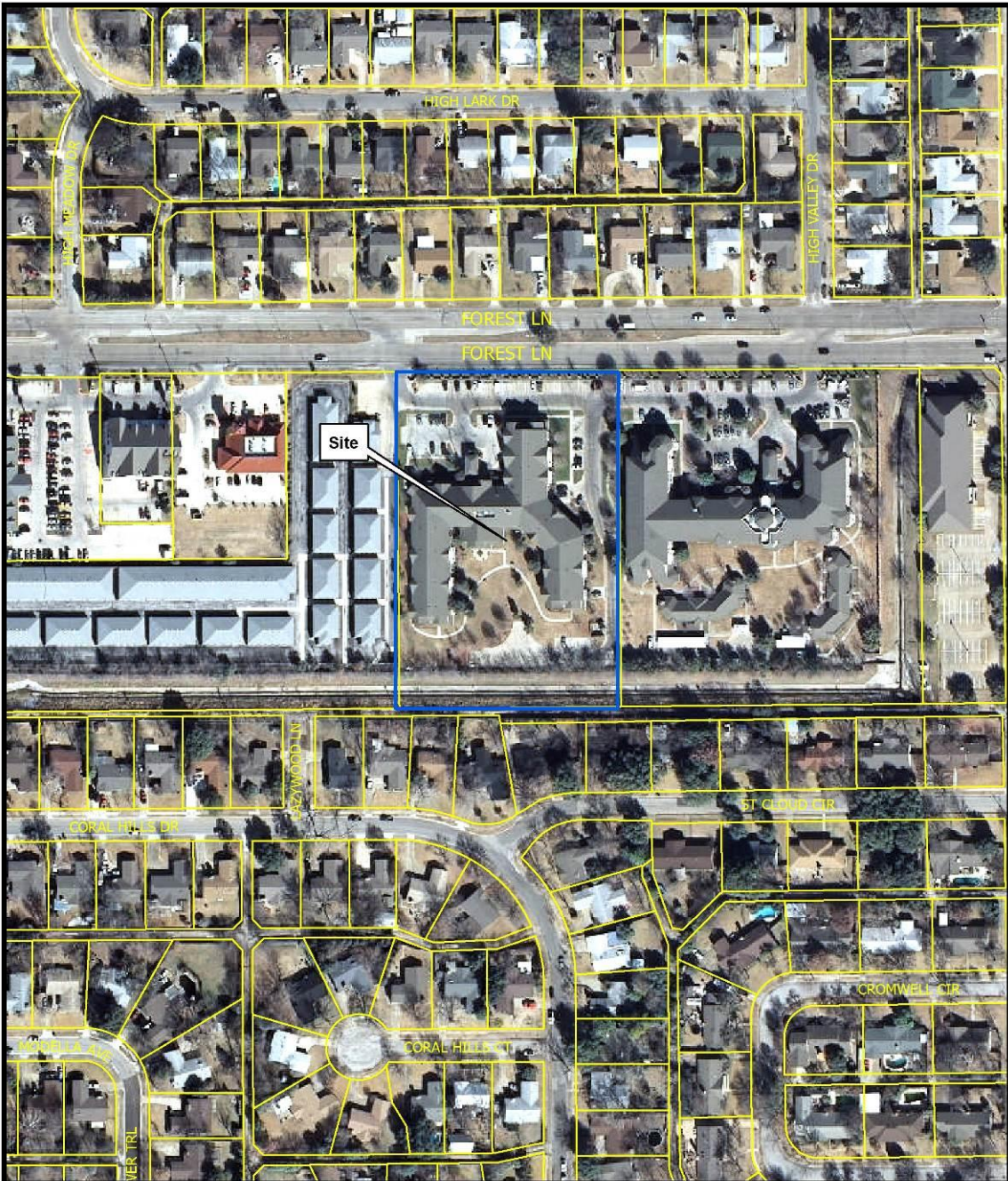
October 29, 2014: The applicant submitted additional documentation on this application beyond what was submitted with the original application (see Attachment A).

November 4, 2014: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for November public hearings. Review team members in attendance included: the Sustainable Development and Construction Interim Assistant Director, the Assistant Building Official, the Sustainable Development and Construction Board of Adjustment Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiners/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the City of Dallas Chief Arborist, and the Assistant City Attorney to the Board.

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

November 7, 2014: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment B). Note that this information was not factored into the staff recommendation given that it was received after the November 7<sup>th</sup> staff review team meeting. (The applicant stated that this attachment had some more details and a couple of additional attachments beyond what he had submitted for staff review that the Board Administrator had labeled as Attach A and emailed to staff on October 29<sup>th</sup>. The attachment the applicant emailed to staff on November 7<sup>th</sup>, according to the applicant, included a substantive discussion of the very disruptive impact on residents if the structure had to be modified, and that the Panel's attention should be drawn primarily to this one).





1:2,400

# AERIAL MAP

Case no: BDA134-110

Date: 10/29/2014





Jonathan G. Vinson  
(214) 953-5941 (Direct Dial)  
(214) 661-6809 (Direct Fax)  
jvinson@jw.com

October 29, 2014

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

Re: BDA 134-110; 3344 Forest Lane

Dear Mr. Long:

In preparation for the Staff team meeting on this case, I am sending you this letter to explain the rationale for our request and how it meets the required variance standard, and to respectfully ask for a Staff recommendation of approval.

**I. The Site; Existing Conditions.** The request site consists of 4.0263 acres of land in Northwest Dallas, addressed as 3344 Forest Lane, facing the south right-of-way line of Forest Lane west of Cromwell Drive and east of Webb Chapel Road, and is developed with the Acadia Assisted Living residences (the "Acadia Property"). Accompanying this letter are a Zoning Map excerpt, a reduced copy of an as-built Survey, and an aerial photograph to orient you to the Acadia Property. The Acadia Property is part of the larger P.D. 429, which was adopted in 1997.

The existing structure on the Acadia Property was built in 1998 and consists of two a two-story building which is operated as an assisted living facility for elderly residents. I have included additional information on Acadia Assisted Living, attached to this letter.

**II. Our Request; Site Analysis.** Our application is for a variance to the front yard setback regulations for one very small portion of the existing structure. When PD 429 was adopted, it provided for a very large front yard setback in this location of 80 feet, for reasons which are unknown to us. This is a very large setback, with mainly surface parking, in addition to a fence and some landscaping, between the structure and the right-of-way. For reasons which, even after extensive research in the Building Inspection archives and the Survey Vault, are also unknown, one small portion of the structure was built in 1998 with an intrusion into the front yard setback of approximately four feet.

In the ensuing 16 years since construction, this issue had apparently never come to light, nor, certainly, have there been any issues at all with this use as constructed or with its operation.



It seems that no one has complained about, or even noticed, the approximately four foot intrusion into the front yard setback.

Further, the Arcadia Property has an overall building footprint of 35,048 square feet according to the as-built Survey, or 34,142 square feet according to the Dallas Central Appraisal District. The footprint of the encroachment into the setback is approximately 171.6 square feet. This, in turn, works out to be approximately *one half of 1 percent* of the overall footprint of the structure as built. Moreover, the intrusion into the setback forms a part of the building that contains at least four occupied dwelling units, currently occupied by elderly residents.

You should also note that the width of the intrusion into the setback is only about 43 feet on a lot that is 340.14 feet wide, about 12.5 percent of the width of the lot. Not only that, as you can see from the as-built Survey, the great majority of the structure is pulled far behind the 80 foot setback line to distances as far as 160 feet to 177 feet in the area roughly parallel to Forest Lane, and even more on the eastern side of the structure. There is also about 16 feet of distance from the Forest Lane curb to the property line, so all told the distance from the very small intrusion to the street curb is about 90 feet.

In addition, the building height is only 33 feet from the finished floor to the rooftop, no higher than a two story residence, so combined with the extremely large setback (including being no closer than 135 feet to the alley on the south side of the Acadia Property), there is no possibility of a situation, including with this minor intrusion, where the scale or massing of the building negatively affects anyone else.

**III. How We Meet the Variance Standard.** This variance request meets the property hardship standard mandated by the *Dallas Development Code* in several respects. First, the fact that the improvements were constructed on the Arcadia Property in the location shown renders the improvements as built to be a property hardship condition, that is, an existing physical characteristic of the property, by means of the existing location of the improvements in this configuration.

Obviously, the improvements could not be modified to pull back behind the setback without extremely costly and impractical measures to do so. The structural integrity of the building itself could be compromised by efforts to reduce this four foot intrusion into the 80 foot front yard setback to a location behind the setback line. This is, in context, a completely unobtrusive development, with a very low impact use, that is, an assisted living facility housing elderly residents.

Demolition of a portion of the building to reduce the approximately four foot intrusion would require the relocation of the elderly residents currently living in the four to five units that would have to be demolished and also the relocation of additional elderly residents living in nearby units during the demolition and reconstruction stages. You should also be aware that the relocation of elderly residents living in assisted living facilities raises very significant issues. In fact, there is a recognized condition known as "*relocation stress syndrome*" as it relates to elderly residents, and the clinical staff of the Acadia Property will attest to the difficulties caused to elderly residents already in need of assistance when they are forced to relocate their homes and their possessions.

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A forced demolition of this wing of the Acadia Property would also cause other issues with noise, dust, construction safety, and similar issues for all of the elderly residents living at Acadia. There is also limited availability of other moderately-priced assisted living units in the area, and the demolition of four to five assisted living units at the Acadia Property will reduce the already limited supply of moderately-priced units. All of these constitute property hardship conditions in this instance.

This request also meets the other standards for the granting of a variance, that is, it is necessary for development commensurate with other development in the zoning classification. You will see on the attached aerial photograph that the location of the structure is still consistent with the other structures in P.D. 429, and for some reason, the self-storage facility right next door to the west, still in P.D. 429, appears from a Google Maps measurement to be only about 45 feet from the Forest Lane curb, or set back about 30 feet from the property line, with bright blue roll-up doors facing the street. Going west, Dental Depot, El Pollo Regio, and Golden Corral all appear to be closer to the street and to have pole signs within 40 feet at most from Forest Lane. Further, this situation was not self-created by the entities which own and operate the Acadia Property nor is it personal to those entities, nor is the variance requested for financial reasons only.

**IV. The Public Interest.** Finally, the granting of this variance would not in any way be contrary to the public interest. As described above, the Acadia Property has been in this configuration, with this very minor setback intrusion, since it was constructed in 1998, with absolutely no complaints from anyone for any reason.

The public interest, on the other hand, will be very well served by granting the setback variance and thus assuring the elderly residents of this community that their living arrangements would not be disrupted because of the hypothetical possibility that this structure would have to be demolished and modified to cure this extremely minor setback violation. Allowing this structure to continue in this condition will have absolutely no adverse impact on anyone else anywhere in the vicinity, including the neighbors who are across the 120 foot right-of-way of Forest Lane with six lanes of busy traffic.

**V. Conclusion.** Thank you very much for your consideration of these points. If you have any questions, please let us know. Otherwise, we respectfully ask that the Current Planning Staff make a recommendation of approval for our setback variance request. Thank you very much.

Very truly yours,

  
Jonathan G. Vinson

cc: Brian Cohen  
Judee Wells  
Susan Mead





Acadia Assisted Living Facility located in beautiful Dallas, Texas combines the care seniors need, the convenience they value, and the independence they cherish. Acadia Assisted Living is beautifully designed with spacious common areas to enjoy with family and friends. Three delicious chef-prepared meals are served daily in our gracious dining room by a cheerful and friendly staff. Other amenities include maintenance and housekeeping services, transportation to and from appointments and shopping, and weekly linen service.

Activities are an integral part of the Acadia lifestyle. We promote an active adult lifestyle by offering a variety of intellectual, cultural, and recreational activities including an exciting wellness and fitness program, creative writing classes, gardening and book clubs, table games, and planned outings to go shopping, visit museums and galleries, or take in concerts and theatre performances. We often have live entertainers visit at Acadia Assisted Living for everyone to enjoy. We have weekly movies shown on our wide-screen TV with refreshments included.

#### Community Amenities:

- Fully furnished common areas to enjoy with friends or family
- Quiet library with new books routinely added
- Elegant dining room with fireplace and grand piano
- Graciously appointed private dining room for special gatherings and celebrations
- Full service beauty salon and barber shop
- Bright activity room with full kitchen
- Complimentary laundry facilities on both floors
- Private mail boxes with individual keys
- Spacious lounge with wide screen TV
- Outdoor patio with seating for both sun and shade
- Lovely exterior landscaping, professionally maintained
- State-of-the-art fire safety system
- Convenient off-street parking for residents and guests
- Community bus for scheduled local transportation to appointments

#### Apartment Amenities:

- Studio and one bedroom apartments with space-maximizing floor plans
- Spacious bathrooms with walk-in showers for optimum safety
- Convenient kitchenettes with refrigerator, sink, microwave oven, and roomy cabinets
- Large windows with attractive coverings
- Plush wall-to-wall carpeting
- All utilities (except telephone) included



- Expanded television options
- Two-way voice call systems
- Emergency call system
- Individually controlled heating and air conditioning

#### BASIC SERVICES INCLUDED IN RENT

##### Health Services:

- Health services staff on duty 24 hours per day
- CPR and first aid certified staff available at all times
- Registered Nurse on staff to assess health needs
- Prompt response to each and every call for assistance

##### Dining Service:

- Three restaurant-style meals served daily in gracious dining room, Cuisine that is both delicious and nutritious, Choices with every meal, Healthy snacks available throughout the day, Attention to food preferences, Courteous dining room service along with a fireplace and piano for your enjoyment, Meal tray delivery to apartment in case of illness

##### Activities/ Wellness Program Services:

- Full-time Activity Director coordinates an array of get-togethers, classes, and interest groups to rejuvenate body, mind, and spirit
- Fitness program
- Clergy services
- Regularly scheduled entertainment
- Enjoyable excursions for shopping, meals out, local events, and sightseeing on our air-conditioned, wheelchair-accessible bus
- Attention to individual activity preferences
- Opportunity to participate in "Seniors Together, Serving Others", our community service program

##### Housekeeping and Maintenance Services:

- Housekeeping services on a weekly basis; Linen service on a weekly basis; Apartment, common areas, and grounds maintained for optimum attractiveness, comfort, convenience, and safety

##### Personal Services:

In addition to Basic Services, there are a variety of Personal Services according to individual needs and preferences. In this way, an individualized service plan is created with resident, family, and staff input. The goal of the service plan is to promote health and quality of life. The plan is reviewed on a regular basis. Personal Services include, but are not limited to, the following:

- Ordering medications and supplies
- Administering medications and treatments
- Assisting with activities of daily living such as bathing, grooming, dressing and mobility
- Assisting with special diets
- Communicating with physicians concerning health issues
- Coordinating services from home health agencies such as physical therapy and skilled nursing
- Assisting diabetic residents, including monitoring blood glucose and administering insulin

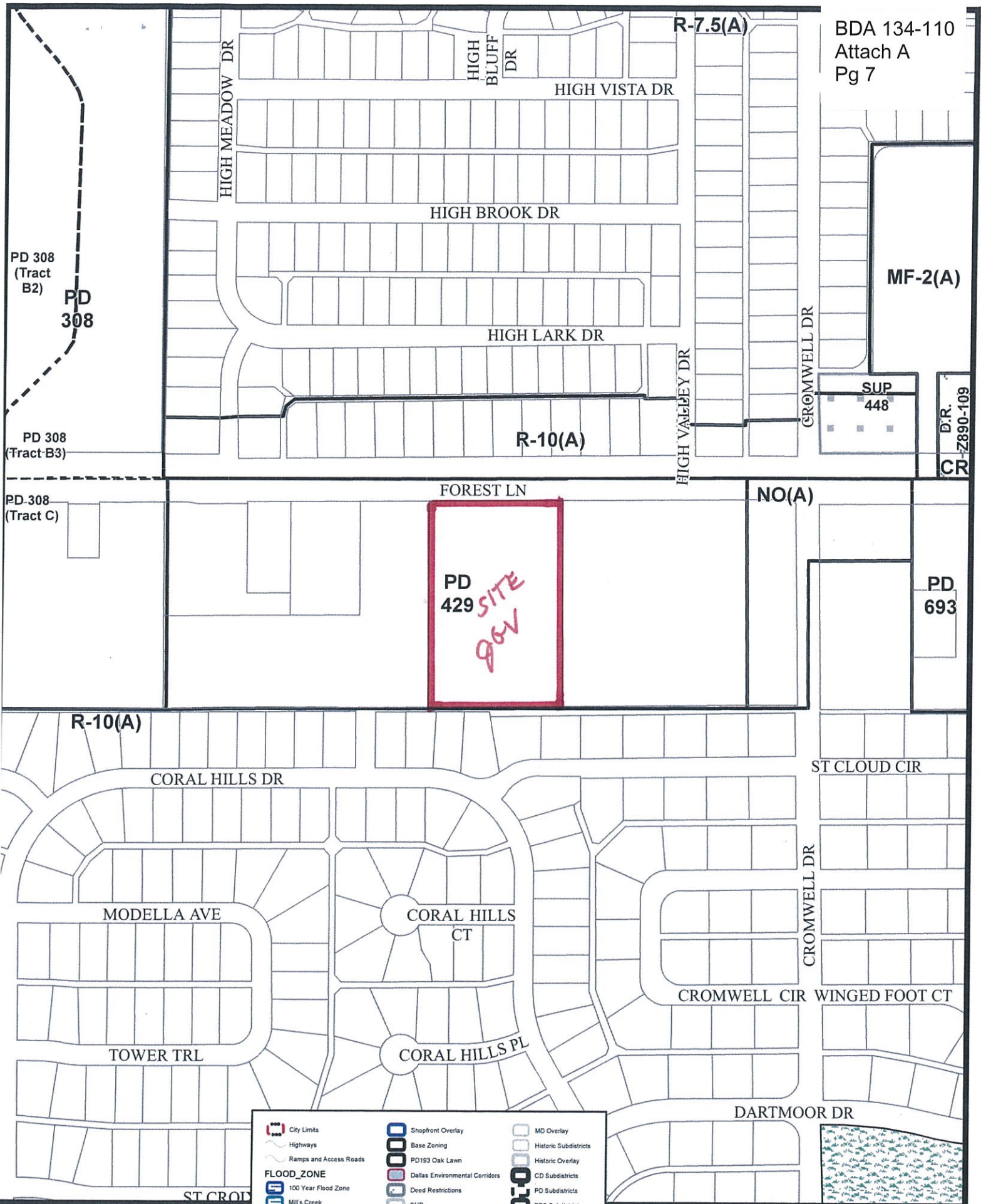
- Assisting memory-impaired residents by offering meal and activity reminders
- Performing health monitoring such as measuring blood pressure
- Caring for hospice residents
- Assisting with personal laundry

Personal Services related to health needs are coordinated by our Registered Nurse.

### **Assisted Living Testimonials**

- *"Thank you to all of you for doing your jobs so well. Our mother lived at Acadia for four years. During that time we have been so impressed with your staff and facility. You made her final years so comfortable, safe, and enjoyable. We are extremely grateful."*
- *"The staff (at Acadia), from housekeepers and aides to nurses, exhibit a remarkable sunny attitude as they go about their duties. And this attitude is evident whether management personnel are in-house or gone for the day. Always a smile and a greeting by staff folks going about their work caring for elderly people. Your staff often prefaces a remark to a resident with a touch and a smile, and is always reassuring. I have to marvel at your screening process, as well as your training program, that ensures the kind of employee behavior that optimizes a living experience ... I would heartily recommend your company to anyone needing to place their loved one in an (assisted living facility)."*
- *We love this new home for our sister. Staff is fabulous and the rooms are a good size and in great condition. My sister felt at home immediately and is enjoying the interactions with the other residents and the activities which she just wasn't getting living on her own and wouldn't get living with working siblings. The food is great (the homemade rolls are worth the price of admission!) and the location is very convenient for us*





PD 308  
 (Tract B2)  
**PD 308**

PD 308  
 (Tract B3)

PD 308  
 (Tract C)

R-10(A)

FOREST LN

**PD 429**  
*SITE 96V*

NO(A)

MF-2(A)

SUP  
 448

D.R.  
 Z-2890-109  
 CR

PD  
 693

R-10(A)

CORAL HILLS DR

MODELLA AVE

TOWER TRL

CORAL HILLS  
 CT

CORAL HILLS PL

ST CLOUD CIR

CROMWELL DR

CROMWELL CIR WINGED FOOT CT

DARTMOOR DR

	City Limits		Shopfront Overlay		MO Overlay
	Highways		Base Zoning		Historic Subdistricts
	Ramps and Access Roads		PD193 Oak Lawn		Historic Overlay
	FLOOD_ZONE		Dallas Environmental Corridors		CD Subdistricts
	100 Year Flood Zone		Deed Restrictions		PD Subdistricts
	Mill's Creek		SUP		PDS Subdistricts
	Peak's Branch		D		NSO Subdistricts
	X PROTECTED BY LEVEE		D-1		NSO_Overlay
	Parks		CP		Escarpment Overlay
	Height Map Overlay		SP		
	Parking Management Overlay				

4-13



BDA 134-110  
 1:3,600

Case ID:  
 Printed: 9/11/2014



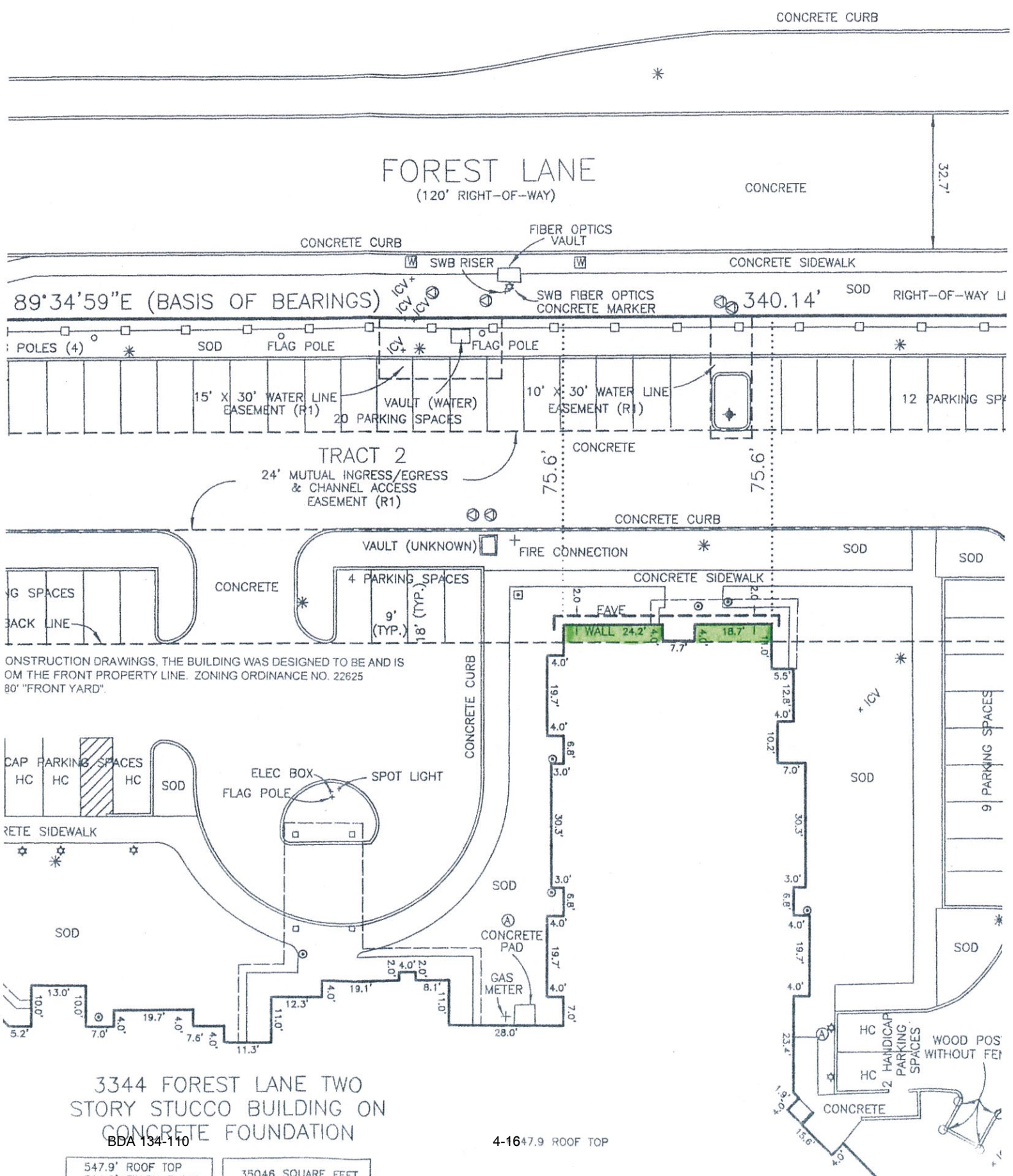


Traffic, Bicycling, Directions

Imagery ©2014 DigitalGlobe, Texas Orthoimagery Program, U.S. Geological Survey, Map data ©2014 Google 100 ft







CONSTRUCTION DRAWINGS. THE BUILDING WAS DESIGNED TO BE AND IS ON THE FRONT PROPERTY LINE. ZONING ORDINANCE NO. 22625 80" "FRONT YARD"

3344 FOREST LANE TWO STORY STUCCO BUILDING ON CONCRETE FOUNDATION

547.9' ROOF TOP	35046 SQUARE FEET
-----------------	-------------------

4-16 47.9 ROOF TOP





**Storage facility and Dental Depot next door – also in P.D. 469**

BDA 134-110  
Attach A  
Pg 11

Image capture: Mar 2014 © 2014 Google

[https://www.google.com/maps/@32.9095974,-96.8673961,3a,75y,194.13h,87.47t/data=!3m4!1e1!3m2!1scYUr\\_TEjY\\_RZ7kL...](https://www.google.com/maps/@32.9095974,-96.8673961,3a,75y,194.13h,87.47t/data=!3m4!1e1!3m2!1scYUr_TEjY_RZ7kL...) 10/28/2014





3252 Forest Ln  
Dallas, Texas

Street View - Mar 2014

Image capture: Mar 2014

**View west on Forest lane – Dental Depot, El Pollo Regio,  
and Golden Corral all in P.D. 469**

BDA 134-110  
Attach A  
Pg 12





3333 Forest Ln  
 Dallas, Texas  
 Street View - Mar 2014

**View of site from north side of Forest Lane**

BDA 134-110  
 Attach A  
 Pg 13

Image capture: Mar 2014 © 2014 Google



3331 Forest Ln  
Dallas, Texas

Street View - Mar 2014



Another view of site from north side of Forest Lane

BDA 134-110  
Attach A  
Pg 14

Image capture: Mar 2014 © 2014 Google





Closer view of site from north side of Forest Lane

BDA 134-110  
Attach A  
Pg 15

Image capture: Mar 2014 © 2014 Google





3290 Forest Ln.  
Dallas, Texas

Street View - Mar 2014

View of north side of Forest Lane from the site

BDA 134-110  
Attach A  
Pg 16

Image capture - Mar 2014 © 2014 Google





BDA 134-110  
Attach B  
Pg 1

Jonathan G. Vinson  
(214) 953-5941 (Direct Dial)  
(214) 661-6809 (Direct Fax)  
jvinson@jw.com

November 7, 2014

Via Scan/Email

Board of Adjustment, Panel A  
c/o Mr. Steve Long, Board Administrator  
Department of Sustainable Development and Construction  
City of Dallas  
1500 Marilla Street, Room 5BN  
Dallas, Texas 75201

Re: BDA 134-110; 3344 Forest Lane

Dear Members of Panel A:

I am sending you this letter in care of Mr. Steve Long to explain the rationale for our request and how it meets the required variance standard, and to respectfully ask for your approval of our requested as-built front yard setback variance of five feet.

**I. The Site; Existing Conditions.** The request site consists of 4.0263 acres of land in Northwest Dallas at 3344 Forest Lane, facing the south right-of-way line of Forest Lane west of Cromwell Drive and east of Webb Chapel Road. The Acadia Assisted Living residences are located on the property (the "Acadia Property"). Accompanying this letter are a Zoning Map excerpt, a reduced copy of an as-built Survey, and an aerial photograph to orient you to the Acadia Property. The Acadia Property is part of the larger P.D. 429, which was adopted in 1997.

The existing structure on the Acadia Property was built in 1998 and is a two-story building used as an assisted living facility for elderly residents. There are, as of October 31, 76 residents at Acadia Assisted Living, ranging in age from 60 to 99, with an average age of 86. I have included additional information on Acadia Assisted Living with this letter.

**II. Our Request; Site Analysis.** Our application is for a variance to the front yard setback regulations for one very small portion of the existing structure. When PD 429 was adopted, it provided for a very large front yard setback in this location of 80 feet, for reasons which are unknown to us. This is a very large setback, with mainly surface parking, in addition to a fence and some landscaping, between the structure and the right-of-way. For reasons which, even after extensive research in the Building Inspection archives and the Survey Vault, are also unknown, one small portion of the structure was built in 1998 with an intrusion into the front yard setback of approximately four feet.

In the ensuing 16 years since construction, this issue had never come to light, nor have there been any issues at all with this use as constructed or with its operation. To our best

---

knowledge, no one has complained about or even noticed the approximately four foot intrusion into the front yard setback.

Further, the Arcadia Property has an overall building footprint of 35,048 square feet according to the as-built Survey, or 34,142 square feet according to the Dallas Central Appraisal District. The footprint of the encroachment into the setback is approximately 171.6 square feet. This, in turn, works out to be approximately *one half of 1 percent* of the overall footprint of the structure as built. Moreover, the intrusion into the setback forms a part of the building that contains at least four occupied dwelling units, currently occupied by elderly residents.

You should also note that the width of the intrusion into the setback is only about 43 feet on a lot that is 340.14 feet wide, about 12.5 percent of the width of the lot. Not only that, as you can see from the as-built Survey, the great majority of the structure is pulled far behind the 80 foot setback line to distances as far as 160 feet to 177 feet in the area roughly parallel to Forest Lane, and even more on the eastern side of the structure. There is also about 16 feet of distance from the Forest Lane curb to the property line, so all told the distance from the very small intrusion to the street curb is about 90 feet.

In addition, the building height is only 33 feet from the finished floor to the rooftop, no higher than a two story residence with a pitched roof, so combined with the extremely large setback (including being no closer than 135 feet to the alley on the south side of the Arcadia Property), there is no possibility of a situation, including with this minor intrusion, where the scale or massing of the building negatively affects anyone else.

**III. How We Meet the Variance Standard.** This variance request meets the property hardship standard mandated by the *Dallas Development Code* in several respects. First, the fact that the improvements were constructed on the Arcadia Property in the location shown renders the improvements as built to be a property hardship condition, that is, an existing physical characteristic of the property, by means of the existing location of the improvements in this configuration.

Obviously, the improvements could not be modified to pull back behind the setback without extremely costly and impractical measures to do so. The structural integrity of the building itself could be compromised by efforts to reduce this four foot intrusion into the 80 foot front yard setback to a location behind the setback line. This is, in context, a completely unobtrusive development, with a very low impact use, that is, an assisted living facility housing elderly residents.

Demolition of a portion of the building to reduce the approximately four foot intrusion would require the relocation of the elderly residents currently living in the four to five units that would have to be demolished and also the relocation of additional elderly residents living in nearby units during the demolition and reconstruction stages. The 22 units in that wing use the stairwell at the end of the building, where the intrusion is, as their fire exit. Since any occupied unit must have fire exit access under the Fire Code, those residents would also have to be relocated while the demolition and reconstruction took place.

A forced demolition of this wing of the Arcadia Property would also cause other issues with noise, dust, construction safety, and similar issues for all of the elderly residents living at

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Acadia. There is also limited availability of other moderately-priced assisted living units in the area, and the permanent loss of four to five assisted living units at the Acadia Property will reduce the already limited supply of moderately-priced units. All of these constitute property hardship conditions in this instance.

This request also meets the other standards for the granting of a variance, that is, it is necessary for development commensurate with other development in the zoning classification. You will see on the attached aerial photograph that the location of the structure is still consistent with the other structures in P.D. 429, and for some reason, the self-storage facility right next door to the west, still in P.D. 429, appears from a Google Maps measurement to be only about 45 feet from the Forest Lane curb, or set back about 30 feet from the property line, with bright blue roll-up doors facing the street. Going west, Dental Depot, El Tizoncito (the former El Pollo Regio in the photo), and Golden Corral all appear to be closer to the street and to have pole signs within 40 feet at most from Forest Lane. Further, this situation was not self-created by the entities which own and operate the Acadia Property nor is it personal to those entities, nor is the variance requested for financial reasons only.

**IV. The Public Interest.** Finally, the granting of this variance would not in any way be contrary to the public interest. As described above, the Acadia Property has been in this configuration, with this very minor setback intrusion, since it was constructed in 1998, with absolutely no complaints from anyone for any reason. There is no adverse visual or other impact at all arising from this very small intrusion, and the Acadia Property is very well-maintained.

You should also be aware that the relocation of elderly residents living in assisted living facilities raises very significant issues. In fact, there is a recognized condition known as "*relocation stress syndrome*" as it relates to elderly residents, and the clinical staff of the Acadia Property will attest to the difficulties caused to elderly residents already in need of assistance when they are forced to relocate their homes and their possessions.

I would ask that you review the attached narrative prepared by the clinical staff at Acadia which describes in much more detail the severe adverse impact that this situation could have on the residents if it had to be resolved by demolishing the small intrusion. Among the conditions affecting the residents are dementia (43 percent), hypertension, anxiety, depression, pulmonary conditions such as emphysema and asthma that could be aggravated by a demolition/construction project, and numerous others. Almost every resident would in some way be very adversely affected, from a mental and physical health standpoint, by any potential demolition and reconstruction of their homes. There could well be similar, if somewhat less immediate, effects on the residents of the assisted living residences to our east.

The public interest, on the other hand, will be very well served by granting the setback variance and thus assuring the elderly residents of this community that their living arrangements would not be disrupted because of the hypothetical possibility that this structure would have to be demolished and modified to cure this extremely minor setback violation. Allowing this structure to continue in this condition will have absolutely no adverse impact on anyone else anywhere in the vicinity, including the neighbors who are across the 120 foot right-of-way of Forest Lane with six lanes of busy traffic.



We have also reached out to all of our neighbors by mailing them information on our request, and I have included a support letter we have received from our neighbor to the east.

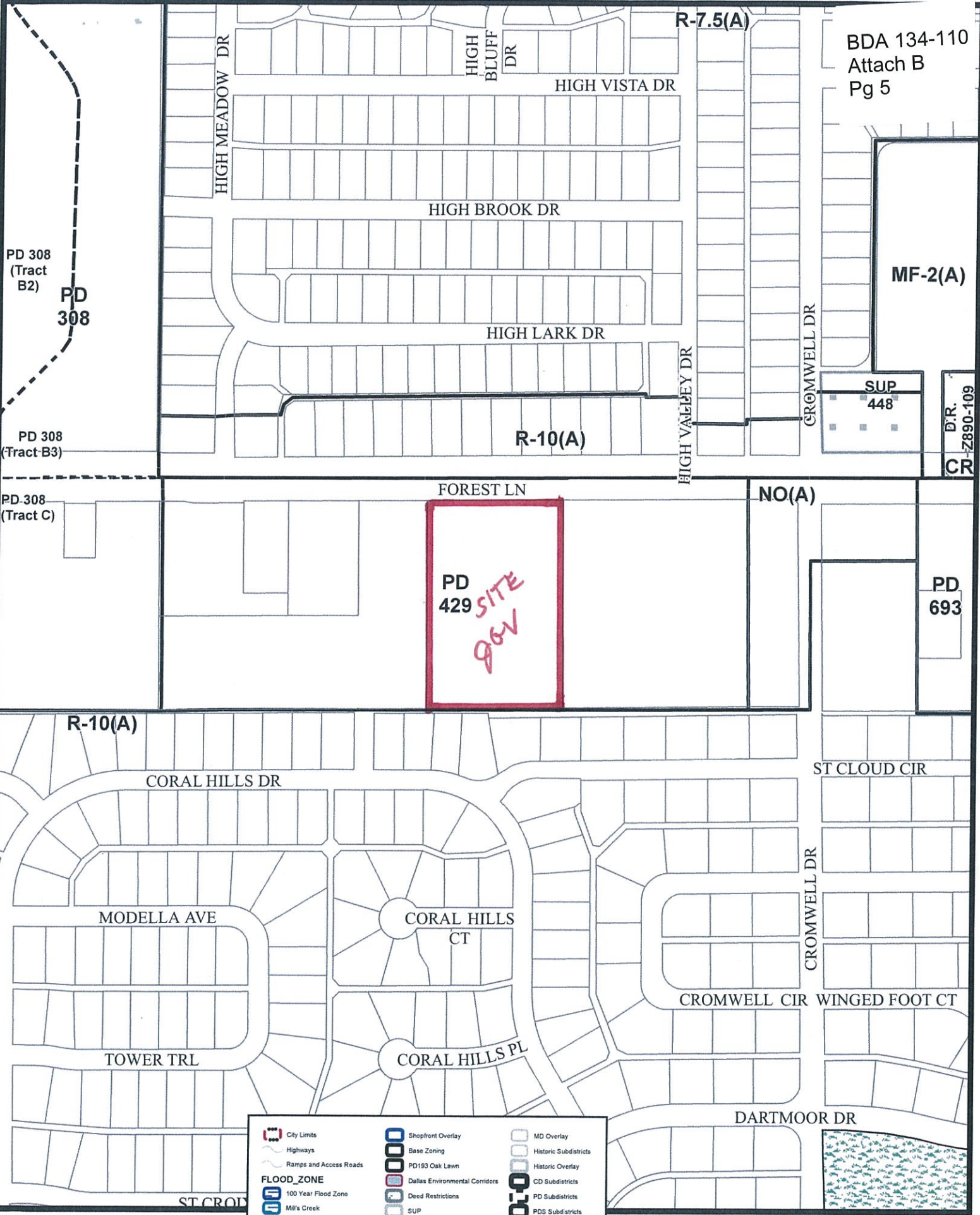
V. **Conclusion.** Thank you very much for your consideration of these points. If you have any questions, please let us know. Otherwise, we look forward to appearing before you at our hearing on November 18, at which we will respectfully be asking for your approval for our setback variance request. Thank you very much.

Very truly yours,



Jonathan G. Vinson

cc: Brian Cohen  
Judee Wells  
Susan Mead



PD 308  
 (Tract B2)  
 PD 308

PD 308  
 (Tract B3)

PD 308  
 (Tract C)

PD  
 429  
 SITE  
 96V

D.R.  
 Z-890-109  
 CR

PD  
 693

	City Limits		Shopfront Overlay		MD Overlay
	Highways		Base Zoning		Historic Subdistricts
	Ramps and Access Roads		PD193 Oak Lawn		Historic Overlay
	FLOOD_ZONE		Dallas Environmental Corridors		CD Subdistricts
	100 Year Flood Zone		Deed Restrictions		PD Subdistricts
	Mill's Creek		SUP		PDS Subdistricts
	Peak's Branch		D		NSO Subdistricts
	X PROTECTED BY LEVEE		D-1		NSO_Overlay
	Parks		CP		Escarpment Overlay
	Height Map Overlay		SP		
	Parking Management Overlay				

4-27





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Imagery ©2014 DigitalGlobe, Texas Orthomajery Program, U.S. Geological Survey, Map data ©2014 Google 100 ft

<https://www.google.com/maps/@32.9090913,-96.8670446,378m/data=!3m1!1e3?hl=en>

10/28/2014











# Acadia Assisted Living Facility

BDA 134-110  
Attach B  
Pg 9



Acadia Assisted Living Facility located in beautiful Dallas, Texas combines the care seniors need, the convenience they value, and the independence they cherish. Acadia Assisted Living is beautifully designed with spacious common areas to enjoy with family and friends. Three delicious chef-prepared meals are served daily in our gracious dining room by a cheerful and friendly staff. Other amenities include maintenance and housekeeping services, transportation to and from appointments and shopping, and weekly linen service.

Activities are an integral part of the Acadia lifestyle. We promote an active adult lifestyle by offering a variety of intellectual, cultural, and recreational activities including an exciting wellness and fitness program, creative writing classes, gardening and book clubs, table games, and planned outings to go shopping, visit museums and galleries, or take in concerts and theatre performances. We often have live entertainers visit at Acadia Assisted Living for everyone to enjoy. We have weekly movies shown on our wide-screen TV with refreshments included.

## Community Amenities:

- Fully furnished common areas to enjoy with friends or family
- Quiet library with new books routinely added
- Elegant dining room with fireplace and grand piano
- Graciously appointed private dining room for special gatherings and celebrations
- Full service beauty salon and barber shop
- Bright activity room with full kitchen
- Complimentary laundry facilities on both floors
- Private mail boxes with individual keys
- Spacious lounge with wide screen TV
- Outdoor patio with seating for both sun and shade
- Lovely exterior landscaping, professionally maintained
- State-of-the-art fire safety system
- Convenient off-street parking for residents and guests
- Community bus for scheduled local transportation to appointments

## Apartment Amenities:

- Studio and one bedroom apartments with space-maximizing floor plans
- Spacious bathrooms with walk-in showers for optimum safety
- Convenient kitchenettes with refrigerator, sink, microwave oven, and roomy cabinets
- Large windows with attractive coverings
- Plush wall-to-wall carpeting
- All utilities (except telephone) included



- Expanded television options
- Two-way voice call systems
- Emergency call system
- Individually controlled heating and air conditioning

#### BASIC SERVICES INCLUDED IN RENT

##### Health Services:

- Health services staff on duty 24 hours per day
- CPR and first aid certified staff available at all times
- Registered Nurse on staff to assess health needs
- Prompt response to each and every call for assistance

##### Dining Service:

- Three restaurant-style meals served daily in gracious dining room, Cuisine that is both delicious and nutritious, Choices with every meal, Healthy snacks available throughout the day, Attention to food preferences, Courteous dining room service along with a fireplace and piano for your enjoyment, Meal tray delivery to apartment in case of illness

##### Activities/ Wellness Program Services:

- Full-time Activity Director coordinates an array of get-togethers, classes, and interest groups to rejuvenate body, mind, and spirit
- Fitness program
- Clergy services
- Regularly scheduled entertainment
- Enjoyable excursions for shopping, meals out, local events, and sightseeing on our air-conditioned, wheelchair-accessible bus
- Attention to individual activity preferences
- Opportunity to participate in "Seniors Together, Serving Others", our community service program

##### Housekeeping and Maintenance Services:

- Housekeeping services on a weekly basis; Linen service on a weekly basis; Apartment, common areas, and grounds maintained for optimum attractiveness, comfort, convenience, and safety

##### Personal Services:

In addition to Basic Services, there are a variety of Personal Services according to individual needs and preferences. In this way, an individualized service plan is created with resident, family, and staff input. The goal of the service plan is to promote health and quality of life. The plan is reviewed on a regular basis. Personal Services include, but are not limited to, the following:

- Ordering medications and supplies
- Administering medications and treatments
- Assisting with activities of daily living such as bathing, grooming, dressing and mobility
- Assisting with special diets
- Communicating with physicians concerning health issues
- Coordinating services from home health agencies such as physical therapy and skilled nursing
- Assisting diabetic residents, including monitoring blood glucose and administering insulin

- Assisting memory-impaired residents by offering meal and activity reminders
- Performing health monitoring such as measuring blood pressure
- Caring for hospice residents
- Assisting with personal laundry

Personal Services related to health needs are coordinated by our Registered Nurse.

### **Assisted Living Testimonials**

- *"Thank you to all of you for doing your jobs so well. Our mother lived at Acadia for four years. During that time we have been so impressed with your staff and facility. You made her final years so comfortable, safe, and enjoyable. We are extremely grateful."*
- *"The staff (at Acadia), from housekeepers and aides to nurses, exhibit a remarkable sunny attitude as they go about their duties. And this attitude is evident whether management personnel are in-house or gone for the day. Always a smile and a greeting by staff folks going about their work caring for elderly people. Your staff often prefaces a remark to a resident with a touch and a smile, and is always reassuring. I have to marvel at your screening process, as well as your training program, that ensures the kind of employee behavior that optimizes a living experience ... I would heartily recommend your company to anyone needing to place their loved one in an (assisted living facility)."*
- *We love this new home for our sister. Staff is fabulous and the rooms are a good size and in great condition. My sister felt at home immediately and is enjoying the interactions with the other residents and the activities which she just wasn't getting living on her own and wouldn't get living with working siblings. The food is great (the homemade rolls are worth the price of admission!) and the location is very convenient for us*





3252 Forest Ln  
Dallas, Texas

Street View - Mar 2014

Image capture - Mar 2014

**Storage facility and Dental Depot next door – also in P.D. 469**

BDA 134-110  
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6052 Forest Ln  
Dallas, Texas  
Street View - Mar 2014

**View west on Forest lane – Dental Depot, former El Pollo Regio (now El Tizoncito), and Golden Corral, all in P.D. 469**

BDA 134-110  
Attach B  
Pg 13

Image capture: Mar 2014 2014 Google

[https://www.google.com/maps/@32.9095974,-96.8673961,3a,75y,248.9h,88.15t/data=!3m4!1e1!3m2!1scYUr\\_TEjY\\_RZ7kLa...](https://www.google.com/maps/@32.9095974,-96.8673961,3a,75y,248.9h,88.15t/data=!3m4!1e1!3m2!1scYUr_TEjY_RZ7kLa...) 10/28/2014





3333 Forest Ln  
 Dallas, Texas  
 Street View - Mar 2014

**View of site from north side of Forest Lane**

BDA 134-110  
 Attach B  
 Pg 14

Image capture: Mar 2014 © 2014 Google

<https://www.google.com/maps/@32.9097449,-96.8663528,3a,75y,180h,90t/data=!3m4!1e1!3m2!1sHu4h2gH3Suaz0LBuQNu...> 10/16/2014





Another view of site from north side of Forest Lane

BDA 134-110  
Attach B  
Pg 15

Image capture: Mar 2014 © 2014 Google

<https://www.google.com/maps/@32.9097455,-96.8664588,3a,75y,180h,90t/data=!3m4!1e1!3m2!1sgK7yI3yFw91MXLQ9TI8...> 10/16/2014





Closer view of site from north side of Forest Lane

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Attach B  
Pg 16

Image capture: Mar 2014 © 2014 Google

[https://www.google.com/maps/@32.9095862,-96.8664286,3a,75y,184.06h,90.39t/data=!3m4!1e1!3m2!1s5VhDOG\\_CMvNLY...](https://www.google.com/maps/@32.9095862,-96.8664286,3a,75y,184.06h,90.39t/data=!3m4!1e1!3m2!1s5VhDOG_CMvNLY...) 10/16/2014





3290 Forest Ln  
 Dallas, Texas  
 StreetView - Mar 2014

Image capture: Mar 2014 © 2014 Google

**View of north side of Forest Lane from the site**

BDA 134-110  
 Attach B  
 Pg 17

## **ACADIA ASSISTED LIVING**

**3344 Forest Lane**

**Dallas, Texas 75229**

Dear Members of the Board of Adjustment: Thank you for your consideration of our request. In addition to the information presented to you in our representative's letter, we at Acadia want to let you know more about our residents and how they could be so negatively impacted by any disruption to their living arrangements.

It is difficult to know precisely how many residents would be displaced permanently and temporarily during a demolition and reconstruction project to eliminate the approximately 4 foot setback intrusion. The Acadia building was built using light gauge metal framing, and until a structural engineer and architect evaluates the building in detail, it is difficult to know what structural changes would be necessary to "cut off" the end of the building to bring it into compliance.

Although the setback intrusion is only 4 feet, demolition and reconstruction on that portion of the building to remove 4 feet is a major construction project that would last several months. The apartments located at that end of the Acadia building are studio apartments, and a demolition to bring the building into compliance would require the elimination of at least four to five apartments. It is possible that more apartments may also need to be eliminated due to stairwell location, roof design, etc.

Another complicating factor is that the stairwell at the end of the building would have to be removed and relocated. That stairwell is a required fire exit for the residents located on that wing of the Facility. The Acadia Facility may be required to relocate all of the residents on that wing during the construction project to comply with safety fire regulations. In summary, at a minimum, residents living in 4-5 apartments would lose their homes permanently and residents living in the apartments adjacent to the construction area would need to be relocated during the several month construction period.

It is also likely that at least 14 additional residents living in the Acadia Facility will need to be relocated during the several month construction period because of health issues such as COPD (chronic obstructive pulmonary disease), asthma and emphysema, and as many as 22 residents living on the wing may need to be relocated during the construction period because of fire and safety issues with the elimination of the fire exit stairwell.

The displacement and relocation of residents is always difficult, and it is even more complicated when the residents being relocated are elderly residents with a multiple of health problems. Acadia Assisted Living facility is home to 76 residents ranging in age from 99 years old to 60 years old with the average age of the residents being 86 years old. Change is



oftentimes very difficult for the elderly. The residents at Acadia and their family have already made the difficult decision for the residents to move from their prior homes to the Acadia. With that decision, there was a loss of personal items, independence and choices about how they live their lives, and also a tremendous amount of fear of the unknown. A permanent or temporary move from their new home at Acadia would be another very difficult move for these residents.

The Acadia Facility serves many medically frail residents. The average number of medical conditions per resident is eight, with some residents having as many as 15-19 diagnosed medical conditions. These medical conditions range from dementia, anxiety, depression, COPD, asthma, emphysema, hypertension, macular degeneration, multiple sclerosis, anxiety, glaucoma, stroke, atrial fibrillation, congestive heart failure, etc.

The Acadia personnel have serious health concerns for many of the residents if there is a several month construction project. Because of the increased pulmonary risk from construction dust and debris, several residents with COPD, asthma and emphysema may need to move out of the Acadia community during the construction. In fact, accordingly to Acadia personnel, all of the residents will be negatively affected by the noise, dust and other problems during the demolition and reconstruction.

For the residents living at Acadia, the apartments are much more than an intrusion into a setback – the apartments are the residents' homes. Once the residents make the decision to move to Acadia, they choose their apartments based on location, if their prized possessions will fit and the price. After a 30 to 90 day adjustment period, Acadia personnel start to see them relax and begin to enjoy their new home. If they are forced to permanently or temporarily leave their apartments, that safety and security will be taken away from those residents. For the residents with moderate dementia, this will be difficult because they will not understand why they have to move and they will likely continue trying to go back to the original apartment to which they are oriented. Even for those residents who are cognitively intact, a move could be excruciating – resulting in confusion, depression and agitation.

Residents in the apartments that would need to be demolished and residents in apartments closest to the construction area would be the most directly impacted. The apartments located on that end of the building are studio apartments. With no studio apartments available at Acadia, those displaced residents would be forced to find new homes elsewhere.

One of the hardest part of the work that Acadia personnel does with each resident is trying every day to instill a sense of security. With that security, residents are willing to begin living their lives, not just waiting to die. A demolition and reconstruction project would, in the opinion of Acadia personnel, reverse this trend for many residents. To understand the difficulties that many of the residents would face, it may be helpful to provide a short description of some of the residents of the apartments that would be impacted.

One resident has lived in her studio apartment for 2 1/2 years. She has dementia, disorientation, poor safety awareness, as a few of her diagnosis, and her current level of need includes assistance with eight Activities of Daily Living (“ADLs”). The Acadia personnel are very concerned that she would be devastated by a move from her apartment. She gets distressed with any change in her routine or the routine of the community. For example, if the Wednesday shopping trip is cancelled or delayed, she gets very angry. When she’s upset, she refuses to take her medication. She loves her apartment and a move from that apartment would be a major disruptive life change.

A woman living in another studio apartment is a new resident and the move from her old home to the Acadia Facility was an extremely difficult move. She has been diagnosed with dementia, anxiety and hypertension. The first few weeks after she moved, she was very disoriented and adjustment was difficult. She has now settled in and is completely oriented to her apartment. She loves to walk down towards the dining room and watch what is going on. Acadia personnel are concerned that if she is forced to leave her apartment, her adjustment will be compromised and her health could be negatively impacted.

The woman living in another studio apartment has lived there for two years. She has been diagnosed with glaucoma, falls, COPD, Macular Degeneration, shortness of breath, and is dependent in seven ADLs. All of these medical problems would be issues if she is forced to move to a different apartment. Her eyesight is very poor and learning a new environment would be difficult for her.

There is a couple living in one apartment. Their move to Acadia was very difficult. Mrs. is very angry about having to live here, and she has severe episodic depressive disorder. She will go to bed and not come out of the apartment for weeks. Mr. also suffers from a psychological diagnosis. Acadia personnel have worked for two 1/2 years to stabilize this couple and they are finally experiencing success. They are very concerned that the demolition of their apartment would devastate this couple.

The resident of one of the studio apartments has lived there for 5 1/2 years. She loves her apartment and her life at the community. She loves to tell people how great Acadia is and how much she loves it. But, she does not handle stress or change very well. She once cried for 30 minutes because the laundry soap was locked up and she had to change to an individual container with soap in it. Acadia personnel are very worried that if she lost her home of 5 1/2 years, she would fall apart and they would have to start over again trying to improve her quality of life.

Thank you for your attention to and consideration of our request.



BDA 134-110  
Attach B  
Pg 21

November 4, 2014

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

Re: BDA 134-110; 3344 Forest Lane

Dear Mr. Long:

This is a letter in support of the approval by the City of Dallas Board of Adjustment of the variance application submitted by Forest Lane Assisted Living Limited Partnership for a variance of five feet to the 80 foot front yard setback requirement to accommodate the as-built condition of the Acadia Assisted Living facility located at 3344 Forest Lane (BDA 134-110; 3344 Forest Lane).

Holiday Retirement is the operator of The Bentley, an independent living community that is home to 111 elderly residents. The Bentley is located at 3362 Forest Lane in Dallas, Texas, immediately adjacent to the Acadia Assisted Living facility.

We were not aware of the approximately four foot intrusion of a portion of the Acadia Assisted Living facility into the 80 foot front setback. This minor intrusion into the front setback has not created problems for The Bentley since the Acadia facility was built 16 years ago, and this minor intrusion does not create problems for us now.

We are more concerned about the potential adverse consequences to our residents from a forced demolition of a portion of the Acadia building to comply with the front setback requirement than we are with this minor setback intrusion. A significant construction project to demolish a portion of the Acadia building that is immediately adjacent to The Bentley raises potential noise, dust and construction safety issues for the elderly residents at The Bentley, as well as the residents living at Acadia Assisted Living facility. We think that the forced demolition of a portion of the Acadia building to correct a minor setback intrusion would have detriment effects and would not serve the interests of the public.

#### Independent Retirement Living

Address 5885 Meadows Road, Ste 500 | Lake Oswego, OR 97035  
Phone 503-370-7070  
4-40eb holidaytouch.com



We support an approval by the City of Dallas Board of Adjustment of the variance requested by Forest Lane Assisted Living Limited Partnership of five feet to the 80 foot front yard setback requirement to accommodate the as-built condition of the Acadia Assisted Living facility located at 3344 Forest Lane (BDA 134-110; 3344 Forest Lane).

Sincerely,



Christopher J. Bouchard  
Chief Legal Officer



APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 134-110

Date: 9-11-14

Data Relative to Subject Property:

Location address: 3344 Forest Lane Zoning District: P.D. 429

Lot No.: 3A Block No.: A/6445 Acreage: 4.0263 Census Tract: 0096.07

Street Frontage (in Feet): 1) 340.14 2) N/A 3) N/A 4) N/A 5) N/A

*NW1*

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): Forest Lane Assisted Living Limited Partnership

Applicant: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: (214) 953-5941

Mailing Address: 901 Main Street, Suite 6000, Dallas, Texas Zip Code: 75202

E-mail Address: jvinson@jw.com

Represented by: Jackson Walker L.L.P./Jonathan G. Vinson Telephone: (214) 953-5941

Mailing Address: 901 Main Street, Suite 6000, Dallas, Texas Zip Code: 75202

E-mail Address: jvinson@jw.com

Affirm that an appeal has been made for a Variance , or Special Exception , of five (5) feet to the 80 foot front yard setback pursuant to Sec. 51P-429.108(a)(2) to accommodate an as-built condition.

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 of the requested variance will not be contrary to the public interest; and, owing to special conditions (including as-built location of occupied assisted living units), to be described further in supplementary materials to be provided to City Staff, literal enforcement of the referenced regulations would result in unnecessary hardship. The variance is necessary to maintain development of this specific parcel of land in a manner commensurate with other parcels in P.D. 429 zoning, and is not to relieve a self-created or personal hardship, nor for financial reasons only.

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.

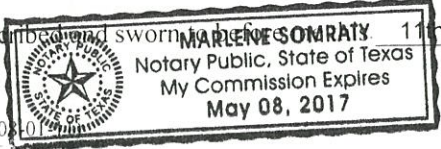
Affidavit

Before me the undersigned on this day personally appeared Jonathan G. Vinson  
(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: Jonathan G. Vinson  
(Affiant/Applicant's signature)

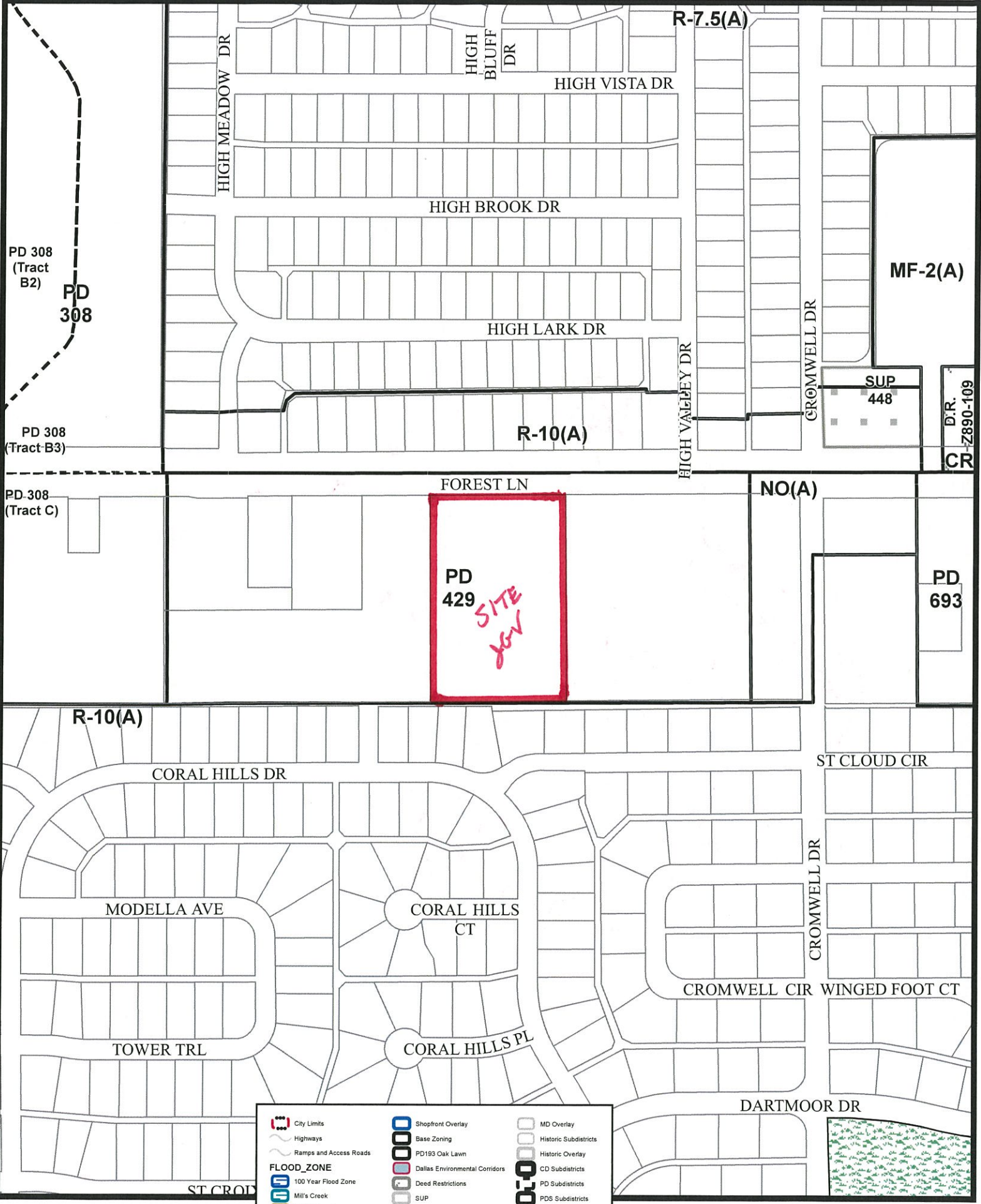
Subscribed and sworn to before me on 11th day of September, 2014



Marlene Somraty  
Notary Public in and for Dallas County, Texas







PD 308  
(Tract B2)  
PD 308

PD 308  
(Tract B3)

PD 308  
(Tract C)

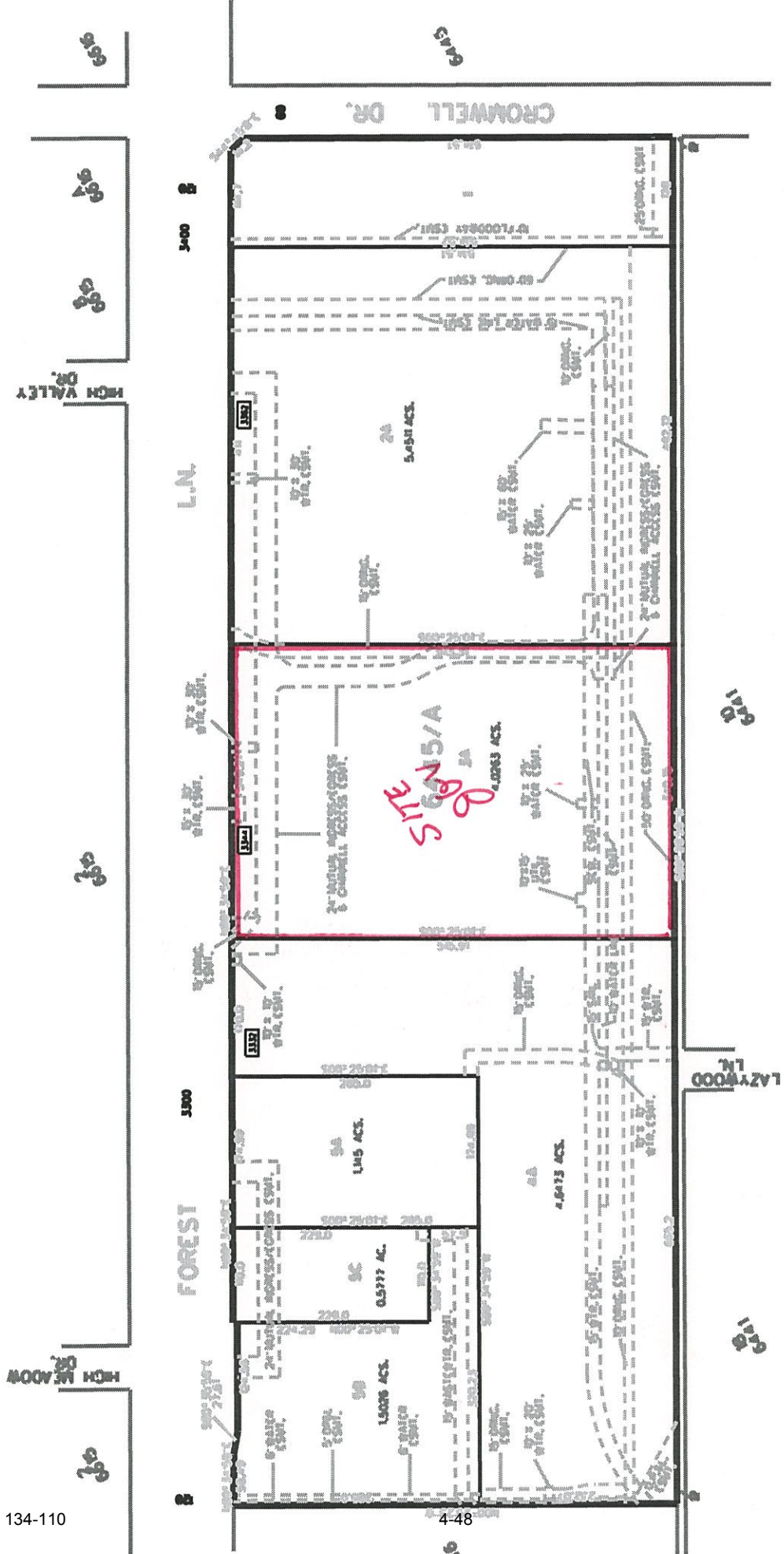
PD 429  
SITE 36V

SUP 448

D.R. CR-7890-109

PD 693

	City Limits		Shopfront Overlay		MD Overlay
	Highways		Base Zoning		Historic Subdistricts
	Ramps and Access Roads		PD193 Oak Lawn		Historic Overlay
<b>FLOOD_ZONE</b>					CD Subdistricts
	100 Year Flood Zone		Deed Restrictions		PD Subdistricts
	Mill's Creek		SUP		PDS Subdistricts
	Peak's Branch		D		NSO Subdistricts
	X PROTECTED BY LEVEE		D-1		NSO_Overlay
	Parks		CP		Escarpment Overlay
	Height Map Overlay		SP		
	Parking Management Overlay				









 1:2,400	<h2>NOTIFICATION</h2>	Case no: <b>BDA134-110</b>
	<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">200'</div> <div>AREA OF NOTIFICATION</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;">25</div> <div>NUMBER OF PROPERTY OWNERS NOTIFIED</div> </div>	Date: <b>10/29/2014</b>

## *Notification List of Property Owners*

### *BDA134-110*

#### *25 Property Owners Notified*

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	3344 FOREST LN	FOREST LANE ASSISTED
2	3332 FOREST LN	SECURITY STORAGE
3	3333 ST CLOUD CIR	BONLIE DAVID M
4	3323 ST CLOUD CIR	BONLIE MARILYN J
5	3317 ST CLOUD CIR	GARCIA BRENDA
6	3309 ST CLOUD CIR	MIKKELSEN CHARLES J &
7	11589 CORAL HILLS DR	ELLIS LIN W
8	11583 CORAL HILLS DR	SIFUENTES MARIA G
9	11577 CORAL HILLS DR	ARANDA JESUS R JR &
10	11573 CORAL HILLS DR	ROMO ROSA A &
11	3324 ST CLOUD CIR	THOMPSON HELEN
12	11607 CORAL HILLS DR	PADGETT MARY ELIZABETH C
13	11567 CORAL HILLS DR	GOUSHEY SYLVIA D LIFE ESTATE
14	3355 FOREST LN	RATHVON DONNA M
15	3349 FOREST LN	PERALES ANDRES & MARIA
16	3343 FOREST LN	AGUILAR FRANCISCO
17	3337 FOREST LN	CANTU NICOLE E & JOSE M
18	3331 FOREST LN	NGUYEN TAM THANH
19	3325 FOREST LN	HERNANDEZ CRESENCIO
20	3319 FOREST LN	JOHNSON DAPHINE H
21	3311 FOREST LN	PANG FOON
22	3305 FOREST LN	HAILEMESKEL AMHA
23	3299 FOREST LN	COULAM LESLIE ALLAN
24	3362 FOREST LN	NIC 13 THE BENTLEY OWNER LLC
25	3326 FOREST LN	DENTAL DEPOT OF DALLAS