

ZONING BOARD OF ADJUSTMENT, PANEL C
MONDAY, MARCH 19, 2012
AGENDA

BRIEFING	5ES	11:30 A.M.
LUNCH		
PUBLIC HEARING	COUNCIL CHAMBERS, 1500 MARILLA STREET	1:00 P.M.

David Cossum, Assistant Director
Steve Long, Board Administrator

MISCELLANEOUS ITEM

Approval of the Monday, February 13, 2012 Board of Adjustment Public Hearing Minutes	M1
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HOLDOVER CASE

BDA 101-130	7006 Shook Avenue REQUEST: Application of Nathan Watkins, represented by Zach Spillers, for variances to the front yard setback regulations, a variance to the off-street parking regulations, and a special exception to the single family use development standard regulations	1
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REGULAR CASES

BDA 112-025	3229 Throckmorton Street REQUEST: Application of Rob Baldwin for a variance to the side yard setback regulations	2
BDA 112-026	3233 Throckmorton Street REQUEST: Application of Rob Baldwin for variances to the side yard setback regulation	3
BDA 112-027	3237 Throckmorton Street REQUEST: Application of Rob Baldwin for variances to the side yard setback regulation	4

BDA 112-028

3241 Throckmorton Street

REQUEST: Application of Rob Baldwin for a variance to the side yard setback regulation

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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]

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel C February 13, 2012 public hearing minutes.

FILE NUMBER: BDA 101-130

BUILDING OFFICIAL'S REPORT:

Application of Nathan Watkins, represented by Zach Spillers, for variances to the front yard setback regulations, a variance to the off-street parking regulations, and a special exception to the single family use development standard regulations at 7006 Shook Avenue. This property is more fully described as Lot 2 in City Block F/2812 and is zoned R-7.5(A), which requires a front yard setback of 25 feet, a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley, and limits the number of dwelling units to one. The applicant proposes to construct and maintain a structure and provide a 2 foot 6 inch front yard setback, which will require a variance of 22 foot 6 inches; to construct and maintain a structure and provide enclosed parking spaces with a setback of 2 feet 6 inches, which will require a variance of 17 feet 6 inches; and to construct and maintain an additional dwelling unit, which will require a special exception to the single family use development standard regulations.

LOCATION: 7006 Shook Avenue.

APPLICANT: Nathan Watkins
Represented by Zach Spillers

REQUESTS:

- The following appeals have been made in this application on a site that is currently developed with a one-story single family home structure with a one-story detached garage accessory structure:
 1. a variance to the front yard setback regulations of approximately 19' 6" is requested in conjunction with constructing and maintaining a second floor addition to align with the existing nonconforming one-story main structure/single family home on the site, part of which is located in one of the site's two 25' front yard setbacks (White Rock Road);
 2. a variance to the front yard setback regulations of 22' 5" is requested in conjunction with replacing a one-story detached accessory/garage structure with a detached two-story garage/accessory structure, most of which would be located in one the site's two 25' front yard setbacks (White Rock Road),
 3. a variance to the off-street parking regulations of up to 17' 6" is requested in conjunction with enclosing parking spaces with garage doors in the proposed detached two-story two-vehicle garage/accessory structure where the parking spaces that are to be enclosed with garage doors in the proposed detached structure would be located less than the required 20' distance from right-of-way line on White Rock Road.

Note that a special exception to the single family use development standard regulations had been made with the original application in conjunction with constructing and maintaining a proposed detached two-story two-vehicle garage/*dwelling unit* structure on the site. However, the applicant's representative submitted revised documents to staff on March 1, 2012 (see Attachment C) that included, among other things, an amended 2nd story floor plan of the proposed detached accessory structure that merely included bedroom, living room, and bath spaces. The Building Official reviewed the submitted amended floor plan of March 1st and concluded it was no longer a "dwelling unit." As a result, the applicant has requested that the Board deny this special exception request without prejudice since it is no longer necessary given his amended submitted floor plan.

STANDARD FOR A VARIANCE:

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

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

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

The board may grant a special exception to the single family use development standards regulations of the Dallas Development Code to authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties. In granting this type of special exception, the board shall require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.

STAFF RECOMMENDATION (front yard variances):

Approval, subject to the following condition:

- Compliance with the submitted site plan is required.

Rationale:

- The subject site is unique and different from most lots zoned R-7.5(A) in that it is an irregular-shaped corner lot with a restrictive area due to two front yard setbacks that according to the applicant has only approximately 2,500 square feet of buildable square footage when the average of 30 other homes in the area zoned R-7.5 is over 8,000 square feet of buildable area. The atypical irregular-shaped lot with two front yard setbacks precludes it from being developed in a manner commensurate with development on other similarly zoned properties - in this case, the development on the property with according to the applicant's representative's information, a site with a total living area of 3,542 square feet where the average of 30 other homes in the area zoned R-7.5 built/renovated since 2000 is approximately 4,500 square feet.
- The virtually triangular-shaped site has a triangular-shaped area of developable space ranging from 0' – 55' in width on the lot that ranges in 4' – 98' in width.

STAFF RECOMMENDATION (parking variance):

Approval, subject to the following conditions:

1. Compliance with the submitted site plan is required.
2. Automatic garage doors must be installed and maintained in working order at all times.
3. At no time may the area in front of the garage doors be used for parking of vehicles.
4. All applicable permits must be obtained.

Rationale:

- The subject site is unique and different from most lots zoned R-7.5(A) in that it is an irregular-shaped corner lot with a restrictive area due to two front yard setbacks. The atypical irregular-shaped lot with two front yard setbacks precludes it from being developed in a manner commensurate with development on other similarly zoned properties - in this case, the development on the property with according to the applicant's representative's information, a site with a total living area of 3,542 square feet and an approximately 540 square foot detached two-vehicle garage.
- Granting the request for variance in this case does not appear to be contrary to public interest seeing that the closest distance between the garage doors and the White Rock Road pavement line is 25', and that the Sustainable Development and Construction Department Project Engineer has no objections to this request.

STAFF RECOMMENDATION (single family special exception):

No staff recommendation is made on this or any request for a special exception to authorize an additional dwelling unit since the basis for this type of appeal is *when in the opinion of the board*, the additional dwelling unit will not: 1) be used as rental accommodations; or 2) adversely affect neighboring properties. In granting a special exception, the board shall require the applicant to deed restrict the subject property to prevent the use of the additional dwelling unit as rental accommodations.

GENERAL FACTS (variances):

- The Board of Adjustment conducted a public hearing on this application on December 12, 2011. Citizens opposing the application submitted written documentation to the Board at the public hearing (see Attachment B). The Board delayed action on this application until March 19, 2012.
- On March 1, 2012, the applicant's representative submitted additional documentation regarding this application to staff (see Attachment C). This information included the following: 1) a revised floor plan of the proposed accessory structure on the site, 2) an explanation that no other changes other than the revised floor plan of the accessory structure have been made to the application; and 3) documents "to answer some of the concerns the neighbors have about the height and size of the project."
- On March 9, 2012, the applicant's representative submitted "illustrations" that included averaging of buildable areas as a percentage of total lot size (see Attachment D).
- Structures on lots zoned R-7.5(A) are required to provide a minimum front yard setback of 25'.
- The subject site is located at the southwest corner of Shook Avenue and White Rock Road. Regardless of how the existing structure on the site is oriented or addressed (in this case, northward to Shook Avenue), the subject site has two 25' front yards along both streets. The site has a 25' front yard setback along Shook Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district, and a 25' front yard setback along White Rock Road, the longer of the two frontages of this corner lot which would typically be regarded as a side yard where only a 5' setback would be required. But the site's White Rock Road frontage is deemed a front yard nonetheless given the code provision stating that if a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets.

A site plan has been submitted denoting a portion of the existing main single family home structure that is located 5.3' from the White Rock Road front property line (or 19.7' into the 25' front yard setback). While the existing main one story single family home structure (constructed in 1950, according to DCAD) is a nonconforming structure (a structure that does not conform to the current front yard setback regulations but was lawfully constructed under the regulations in force at the time of construction), floor plans and elevations have been submitted showing a second floor addition proposed atop this structure.

The Dallas Development Code states that a person may renovate, remodel, repair, or rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to the yard, lot, and space regulations. The applicant seeks variance to the front yard setback regulations given this code provision since he proposes to cause the structure to become more nonconforming with regard to the site's 25' White Rock Road front yard setback – not by encroaching closer to the property line than what exists but by increasing the height of the structure in this setback.

A site plan has been submitted denoting a portion of the proposed "new detached garage" structure located 2' 6" from the White Rock Road front property line (or 22' 6" into the 25' front yard setback).

A site plan has been submitted denoting the location of enclosed parking spaces in the proposed “new detached garage” structure on the site as close as 2.5’ from the White Rock Road right of way line/property line on the east side of the site. This site plan denotes that the closest distance between the garage doors and that White Rock Road pavement line to be 25’.

- According to DCAD records, the “main improvement” at 7006 Shook is a structure built in 1950 with 1,474 square feet of living area; with “additional improvements” being a detached garage with 462 square feet.
- The subject site is flat, virtually triangular in shape and according to the application, is 0.185 acres (or approximately 8,000 square feet) in area. The site is zoned R-7.5(A) where lots in this zoning district are typically 7,500 square feet in area. This site has two 25’ front yard setback; and two 5’ side yard setbacks; most residentially-zoned lots have one front yard setback, two side yard setbacks, and one rear yard setback.
- The applicant’s representative forwarded additional information beyond what was submitted with the original application prior to the December 12th public hearing (see Attachment A).

GENERAL FACTS (single family use special exception):

- The Board of Adjustment conducted a public hearing on this application on December 12, 2011. Citizens opposing the application submitted written documentation to the board at the public hearing (see Attachment B). The Board delayed action on this application until March 19, 2012.
- On March 1, 2012, the applicant’s representative submitted additional documentation regarding this application to staff (see Attachment C). This information included among other things the following: 1) a revised floor plan of the proposed accessory structure on the site, 2) an explanation that no other changes other than the revised floor plan of the accessory structure have been made to the application; and 3) documents “to answer some of the concerns the neighbors have about the height and size of the project.”
- The single family use regulations of the Dallas Development Code state that only one dwelling unit may be located on a lot, and that the board of adjustment may grant a special exception to this provision and authorize an additional dwelling unit on a lot when, in the opinion of the board, the special exception will not: 1) be contrary to the public interest; or 2) adversely affect neighboring properties. The Dallas Development Code defines “single family” use as “one dwelling unit located on a lot;” and a “dwelling unit” as “one or more rooms to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.”

A site plan has been submitted denoting the location of the two building footprints.

An elevation document has been submitted showing the heights of the two structures on the site with the detached accessory structure being lower in height than that of the main structure.

Floor plans were submitted with the original applications of both structures on the site. The originally submitted plans indicated that the first floor of the detached accessory structure included “garage” and the second floor included “bedroom,”

“bath,” and “living room/kitchen.” Building Inspection staff had reviewed the originally submitted floor plans and deemed it a “dwelling unit.”

- The applicant’s representative submitted revised documents to staff on March 1, 2012 (see Attachment C) that included among other things an amended accessory structure floor plan that merely included bedroom, living room, and bath spaces. The Building Official reviewed the submitted amended floor plan of March 1st and concluded it was no longer a “dwelling unit.” As a result, the applicant has requested that the Board deny this special exception request without prejudice since it is no longer necessary given his amended submitted floor plan.
- According to DCAD records, the “main improvement” at 7006 Shook is a structure built in 1950 with 1,474 square feet of living area; with “additional improvements” being a detached garage with 462 square feet.
- The applicant’s representative forwarded additional information beyond what was submitted with the original application prior to the December 12th public hearing (see Attachment A).

BACKGROUND INFORMATION:

Zoning:

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

Land Use:

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

Zoning/BDA History:

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

Timeline:

October 26, 2011: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

November 9, 2011: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.

November 11, 2011: 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 November 23rd deadline to submit additional evidence for staff to factor into their analysis; and the December 2nd deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the requests; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

November 15, 2011: The applicant's representative submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

November 30, 2011: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the December public hearing.

December 2, 2011: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked "Has no objections."

December 12, 2011: The Board of Adjustment conducted a briefing/hearing on this application. Citizens opposing the application submitted written documentation to the board at the public hearing (see Attachment B). The Board delayed action on this application until March 19, 2012.

December 21, 2011: The Board Administrator wrote the applicant's representative a letter that conveyed the following information:

- that the Board delayed action on the application until March 19, 2012, the March 1st deadline to submit additional evidence for staff to factor into their analysis; and the March 9th deadline to submit additional evidence to be incorporated into the Board's docket materials.

March 1, 2012: The applicant's representative submitted additional information to staff beyond what was submitted with the original application and what was submitted at the December 12th public hearing (see Attachment C).

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

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

March 8, 2012: The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”

March 9, 2012: The applicant’s representative submitted additional information to staff beyond what was submitted with the original application, at the December 12th public hearing, and at the March 6th staff review team meeting (see Attachment D).

STAFF ANALYSIS (front yard variances):

- These requests focus on constructing and maintaining a second floor addition to align with the existing nonconforming one-story main structure/single family home, and replacing a one-story detached accessory/garage structure with a detached two-story garage/accessory structure some and/or most of which would be located in one of the site’s two 25’ front yard setbacks (White Rock Road) on a site developed with a one-story single family home structure with a one-story detached garage accessory structure that the applicant intends to demolish.
- The site has a 25’ front yard setback along Shook Avenue, the shorter of the two frontages, which is always deemed the front yard setback on a corner lot in a single-family zoning district, and a 25’ front yard setback along White Rock Road, the longer of the two frontages of this corner lot which would typically be regarded as a side yard where only a 5’ setback would be required. But the site’s White Rock Road frontage is deemed a front yard nonetheless given the code provision stating that if a lot runs from one street to another and has double frontage, a required front yard must be provided on both streets.
- A site plan has been submitted denoting the location of the existing main structure at 5.3’ from the White Rock Road front property line (or 19.7’ into the 25’ front yard setback). The applicant seeks variance to the front yard setback regulations for the main nonconforming single family home structure not by encroaching closer to the property line than what exists but by increasing the height of this structure in White Rock Road setback.
- A site plan has been submitted denoting the location of the proposed “new detached garage”/accessory structure at 2’ 6” from the White Rock Road front property line (or 22’ 6” into the 25’ front yard setback).
- It appears from the submitted site plan that approximately 1/5 of the existing nonconforming structure is located in the site’s White Rock Road 25’ front yard setback; and that virtually all of the proposed detached two-story two-vehicle garage/accessory structure is locate in this setback.
- The subject site is flat, virtually triangular in shape and according to the application, is 0.185 acres (or approximately 8,000 square feet) in area. The site is zoned R-7.5(A) where lots in this zoning district are typically 7,500 square feet in area. This site has two 25’ front yard setback; and two 5’ side yard setbacks; most residentially-zoned lots have one front yard setback, two side yard setbacks, and one rear yard setback.

- The virtually triangular-shaped site has a triangular-shaped area of developable space ranging from 0' – 50' in width on the lot that ranges in 4' – 98' in width.
- The main structure requiring variance to the front yard setback regulations would be allowed by right if the White Rock Road frontage of the property was a side yard setback since the main structure is shown to be 5.3' from the White Rock Road property line.
- The applicant has the burden of proof in establishing the following:
 - That granting the variances to the White Rock Road front yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variances are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variances would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- If the Board were to grant the variance requests and impose the submitted site plan as a condition, the structures in the front yard setback would be limited to what is shown on this document– which in this case is a structure to be located as close as 2' 6" from the White Rock Road front property line (or as much as 22' 6" into this 25' front yard setback).

STAFF ANALYSIS (parking variance):

- This request focuses on enclosing parking spaces with garage doors in the proposed detached two-story two-vehicle garage/accessory structure where the parking spaces that are to be enclosed with garage doors in the proposed detached structure would be located less than the required 20' distance from right-of-way line on White Rock Road.
- The submitted site plan denotes the location of enclosed parking spaces in the proposed detached two-story two-vehicle garage/accessory structure on the site as close as 2.5' from the White Rock Road right of way line/property line on the east side of the site. This site plan denotes that the closest distance between the garage doors and that White Rock Road pavement line to be 25'.
- The subject site is flat, virtually triangular in shape and according to the application, is 0.185 acres (or approximately 8,000 square feet) in area. The site is zoned R-7.5(A) where lots in this zoning district are typically 7,500 square feet in area. This site has two 25' front yard setback; and two 5' side yard setbacks; most residentially-zoned lots have one front yard setback, two side yard setbacks, and one rear yard setback.
- The virtually triangular-shaped site has a triangular-shaped area of developable space ranging from 0' – 50' in width on the lot that ranges in 4' – 98' in width.

- The Sustainable Development and Construction Department Project Engineer submitted a review comment sheet marked “Has no objections.”
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to the parking regulations of 17’ 6” will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance to the parking regulations of 17’ 6” is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same R-7.5(A) zoning classification.
 - The variance to the parking regulations of 17’ 6” requested would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same R-7.5(A) zoning classification.
- Typically, when the Board has found that this type of variance request is warranted, they have imposed the following conditions:
 1. Compliance with the submitted site plan is required.
 2. Automatic garage doors must be installed and maintained in working order at all times.
 3. At no time may the areas in front of the garage be utilized for parking of vehicles.
 4. All applicable permits must be obtained.

(These conditions are imposed to help assure that the variance will not be contrary to public interest).
- If the Board were to grant the variance request of 17’ 6”, imposing a condition whereby the applicant must comply with the submitted site plan, the parking spaces in the proposed accessory structure could be enclosed with garage doors that would be 2’ 6” away from the White Rock Road right of way line (or 17’ 6” into the 20’ setback/distance requirement) where the closest distance between the garage doors and that White Rock Road pavement line would be 25’.

STAFF ANALYSIS (single family use special exception):

- The applicant had originally made this request to construct and maintain a detached two-story two-vehicle garage/dwelling unit structure on a site currently developed with a one-story dwelling unit/single family home structure. However on March 1, 2012, the applicant’s representative submitted additional documentation regarding this application to staff (see Attachment C). This information included among other things a revised floor plan of the proposed accessory structure.
- The applicant’s submitted amended 2nd story floor plan of the detached accessory structure merely includes bedroom, living room, and bath spaces. The Building Official has reviewed the submitted amended floor plan of March 1st and has concluded it is no longer a “dwelling unit.” As a result, the applicant has requested that the Board deny this special exception request without prejudice since it is no longer necessary given his amended submitted floor plan.

BOARD OF ADJUSTMENT ACTION: DECEMBER 12, 2011

APPEARING IN FAVOR: Nathan Watkins, 6914 Vivia Ave., Dallas, TX

APPEARING IN OPPOSITION: Albert Marshall, 7011 Shook Ave, Dallas, TX
Holly Middlemis, 7007 Shook, Ave., Dallas, TX
Deborah Campdeva, 7001 Wildgrove Ave., Dallas, TX
Joe Guffey, 7000 Shook Ave, Dallas, TX
Michael Fahey, 6941 Gaston Ave., Dallas, TX
Melinda Fagin, 7138 Wildgrove, Dallas, TX
Markus Schwartz, 7001 Wildgrove Ave., Dallas, TX

MOTION #1: **Coulter**

I move that the Board of Adjustment, in Appeal No. **BDA 101-130**, on application of Nathan Watkins, represented by Zach Spillers, **grant** the 17-foot-six-inch variance to the front yard setback regulations, because our evaluation of the property and testimony shows that the physical character of this property is such that a literal enforcement of the provisions of the Dallas Development Code, as amended, would result in unnecessary hardship to this applicant. I further move that the following condition be imposed to further the purpose and intent of the Dallas Development Code:

- Compliance with the submitted site plan is required.
- This is limited to the main house only.

SECONDED: **Maten**

AYES: 3–Maten, Coulter, Richard

NAYS: 2 – Boyd, Moore,

MOTION PASSED: 3-2

MOTION #2: **Coulter**

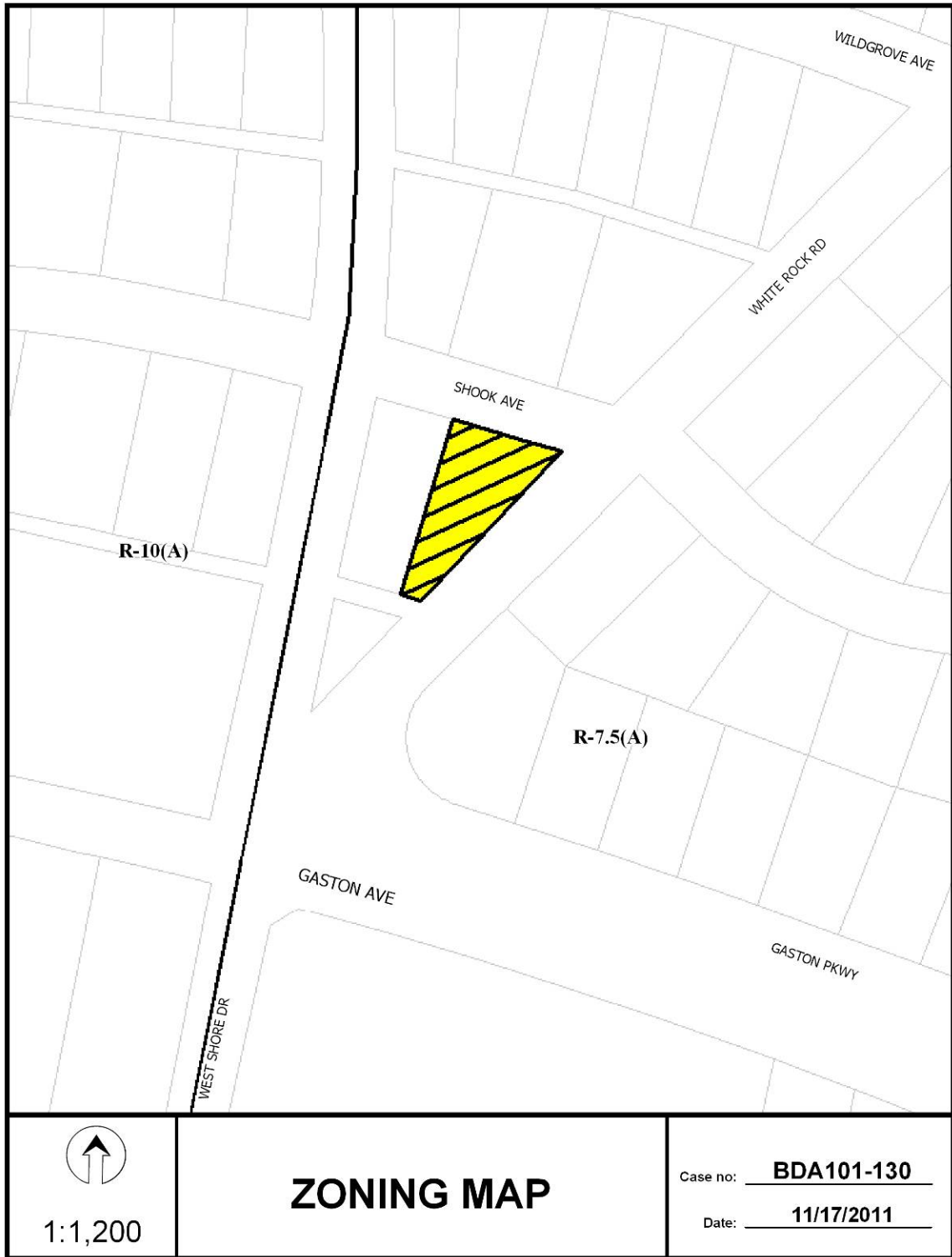
I move that the Board of Adjustment, in Appeal No. **BDA 101-130**, hold this matter under advisement until **March 19, 2012**.

SECONDED: **Maten**

AYES: 5– Boyd, Moore, Maten, Coulter, Richard

NAYS: 0 –

MOTION PASSED: 5-0 (unanimously)

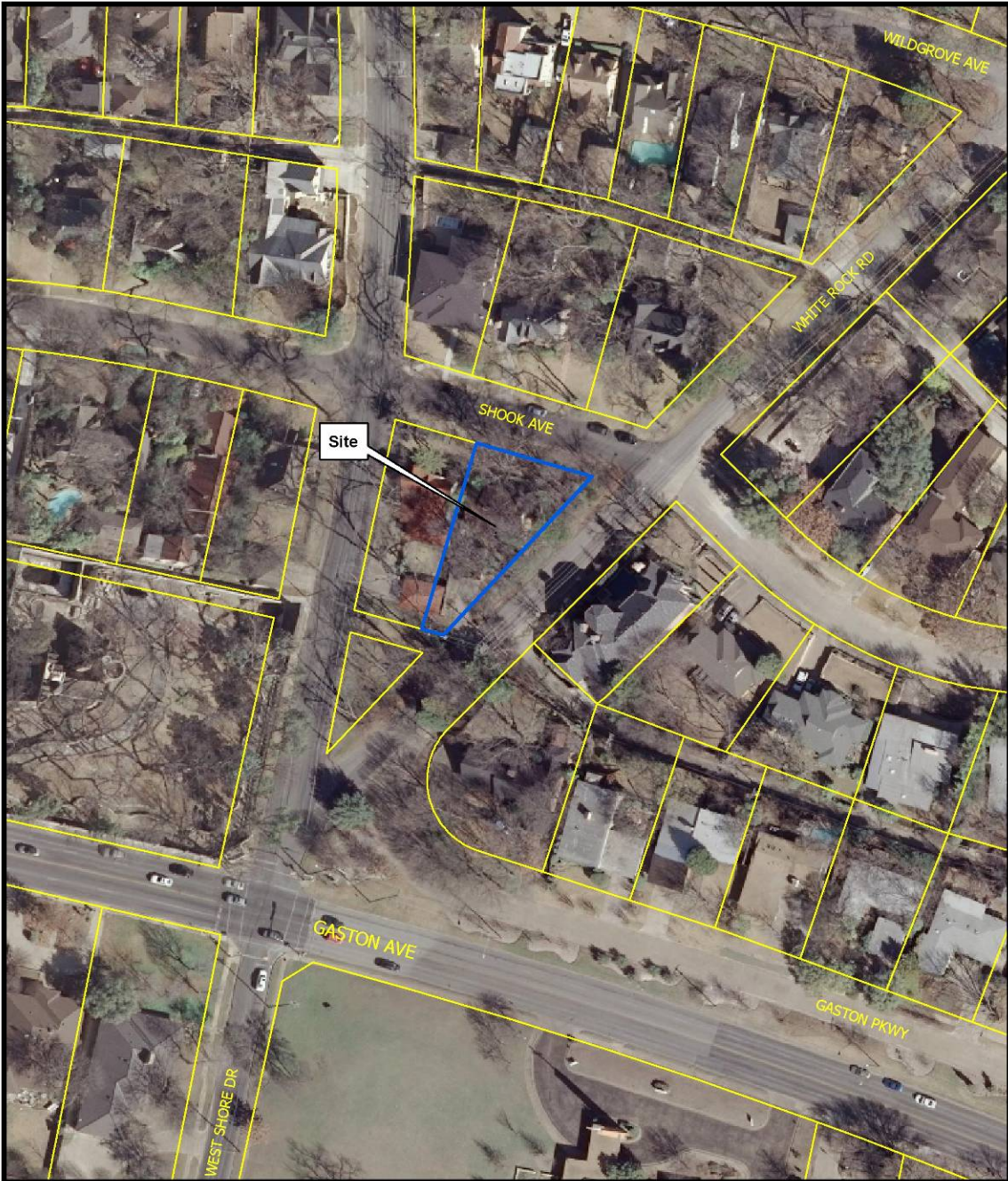


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ZONING MAP

Case no: BDA101-130

Date: 11/17/2011



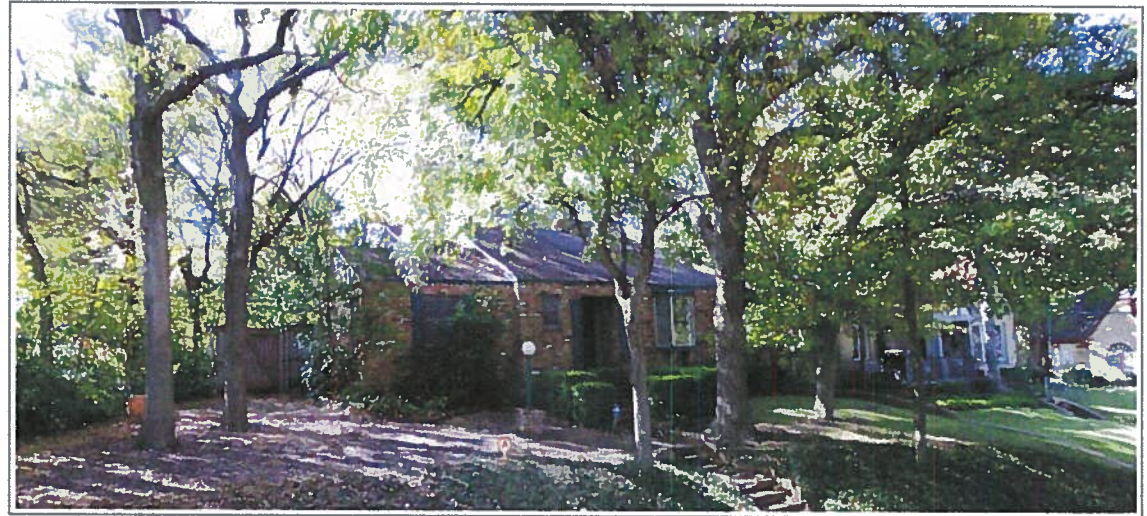
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AERIAL MAP

Case no: BDA101-130

Date: 11/17/2011

7006 Shook
Dallas, TX 75214
Setback Variance Request



Request for Variance @ 7006 Shook Ave, 75214

A variance of **1) 22.5' to the front yard set back (white rock road side yard), 2) a variance of 17.5' to the set back required for enclosed parking and 3) a special exception to for an additional dwelling unit** are needed to conduct a valuable, albeit basic home remodel/addition and repositioning of the garage. Said variance would allow for the second story addition to the existing one story home as well as the repositioning the detached garage, as well as adding much needed living space above it. At the creation of White Rock Road the property suffered an awkward narrowing towards the rear resulting in a pie shape lot whose back yard is terminates in a corner. The property greatly benefits from its numerous mature trees, but suffers from limited options for reclaiming valuable backyard space as it pertains to a parking structure. In recent years a 75+ yr old tree fell and was removed, resulting in an opportunity to **1) relocate the garage, 2) maximize the home adjacent back yard space, and 3) reduce the total amount of non-permeable property surface.**

Currently the property exists as the street's, and possibly the neighboring blocks', least visually appealing. The redevelopment, as designed, will dramatically improve the surrounding area. Due to the particular arrangement of the surrounding properties there are no immediate neighbors to the variance side and therefore none detrimentally affected by the variance.

Great consideration and design time has been given to possible solutions for achievement of the goals outlined above. Please grant this reasonable request to improve the property.



Unbuildable lot determining frontage setbacks.

Former alley terminated by transformers and electrical.



What used to be an alley no longer functions as an alley.

Unbuildable lot determining frontage setbacks.



Pushing garage back allows us to save these trees while also reclaiming permeable surface/backyard at 7006 Shook.

7006 Shook
Images

Drawn by Zachary Spillers | November 15, 2011

A (proposed) = 3,542 sq.ft.
 w/ 36.7%
 Lot Coverage

B = 3,662 sq.ft.

C = **4,303** sq.ft.

D = **4,543** sq.ft.

E = 3,899 sq.ft.

F = 3,766 sq.ft.

G = **5,427** sq.ft.

H = 3,723 sq.ft.

I = 3,922 sq.ft.

J = 3,696 sq.ft.

Get directions My places

- A** 7006 Shook Avenue, Dallas, TX
- B** 8932 Shook Ave, Dallas, Texas 75214
- C** 7003 Shook Avenue, Dallas, TX
- D** 7102 Shook Avenue, Dallas, TX
- E** 7115 Shook Avenue, Dallas, TX
- F** 6907 Wildgrove Avenue, Dallas, TX
- G** 7011 Wildgrove Avenue, Dallas, TX
- H** 7115 Wildgrove Avenue, Dallas, TX
- I** 7145 Wildgrove Avenue, Dallas, TX
- J** 7151 Wildgrove Avenue, Dallas, TX

Add Destination - Show options

GET DIRECTIONS

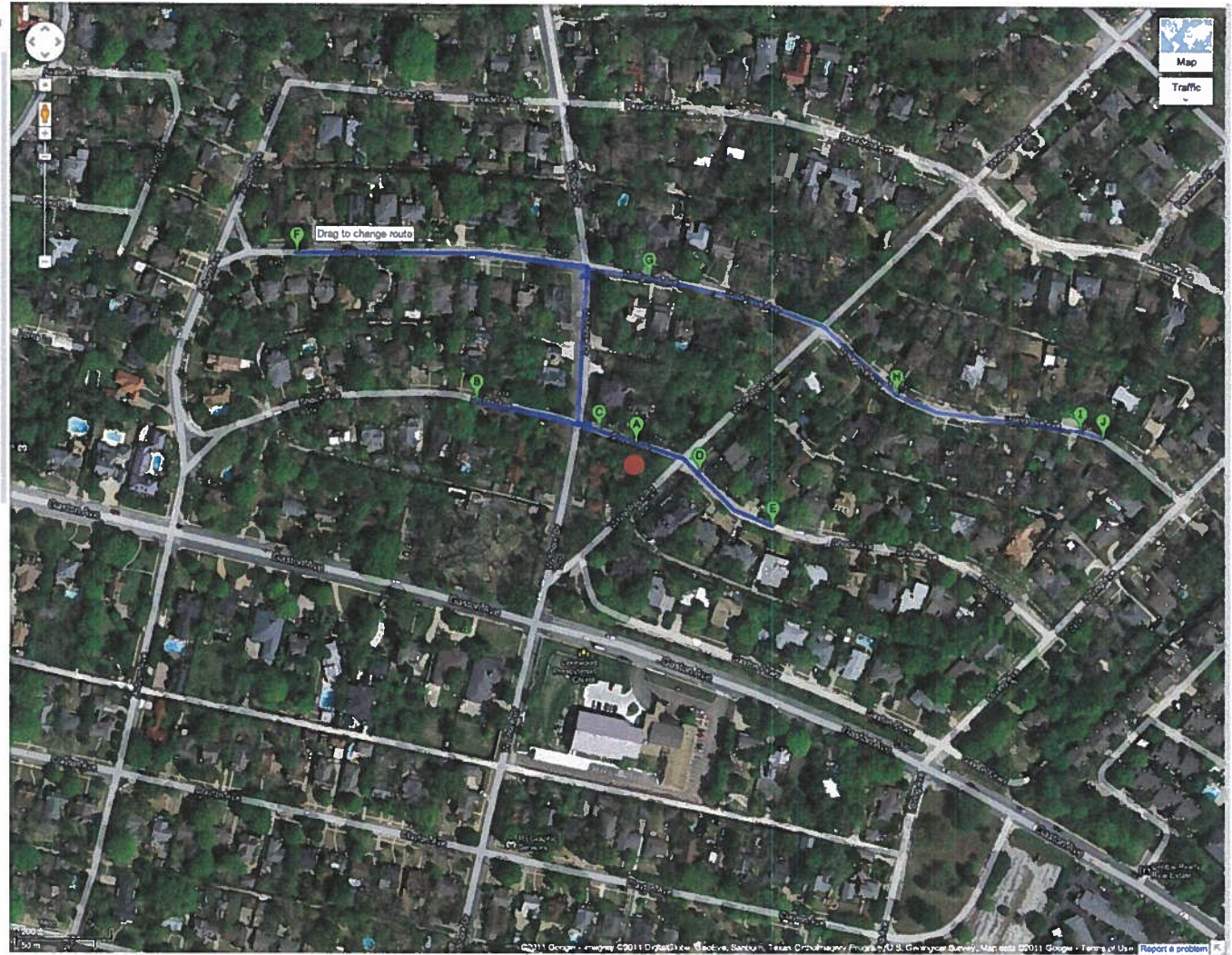
Bicycling directions are in beta.
 Use caution and please report unmapped bike routes, streets that aren't suited for cycling, and other problems [here](#).

Suggested routes

Wildgrove Ave 0.8 mi, 6 mins

Bicycling directions to 7151 Wildgrove Ave, Dallas, TX 75214

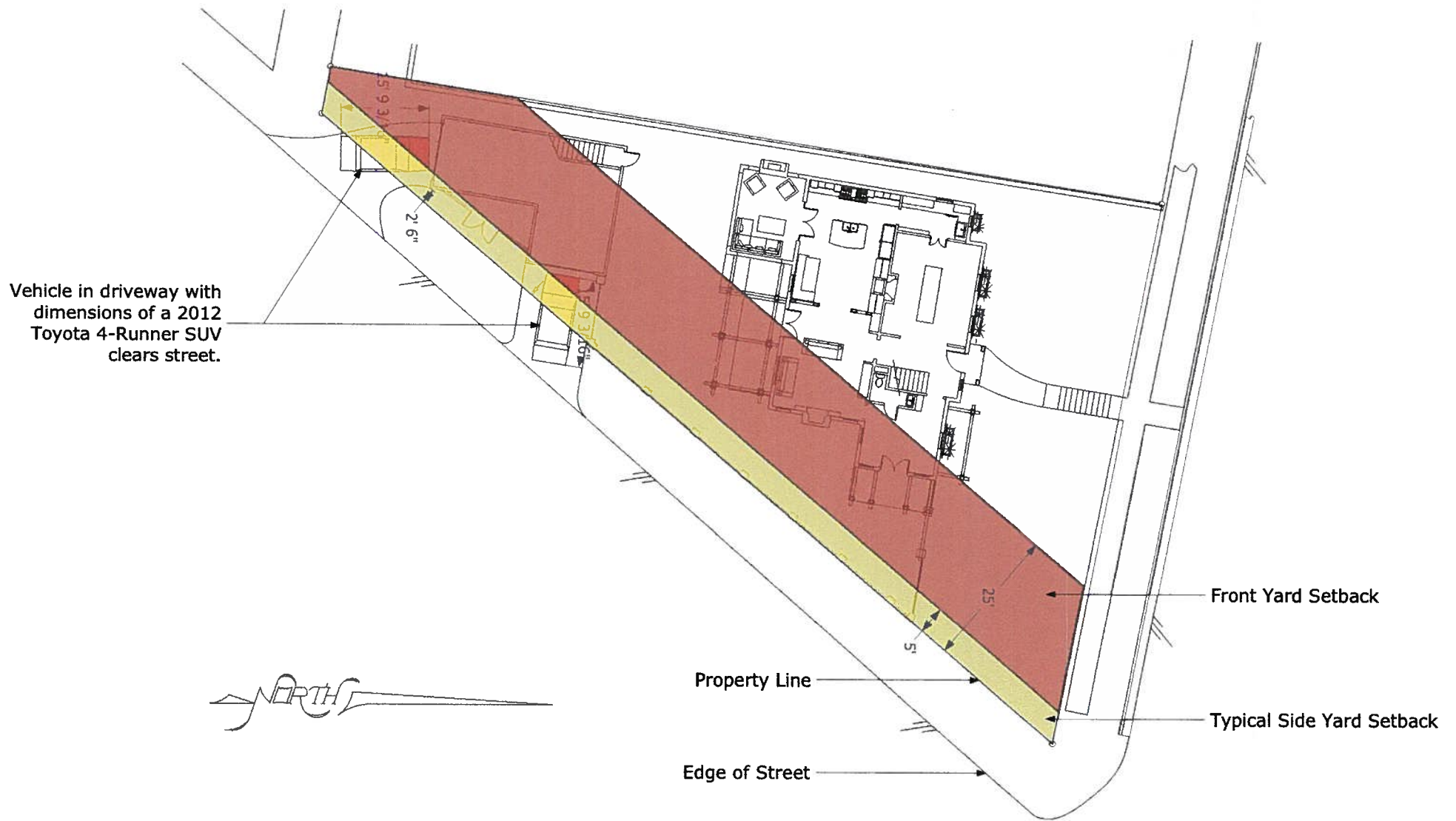
- A** 7006 Shook Ave
 Dallas, TX 75214
 1. Head west on Shook Ave toward W Shore Dr
 Destination will be on the left
 349 ft
 348 ft
- B** 8932 Shook Ave
 Dallas, TX 75214
 2. Head east on Shook Ave toward W Shore Dr
 Destination will be on the left
 268 ft
 266 ft
- C** 7003 Shook Ave
 Dallas, TX 75214
 3. Head east on Shook Ave toward White Rock Rd
 Destination will be on the right
 213 ft
 233 ft
- D** 7102 Shook Ave



7006 Shook
 Parking and Setback Diagram

Drawn by Zachary Spillers | November 15, 2011



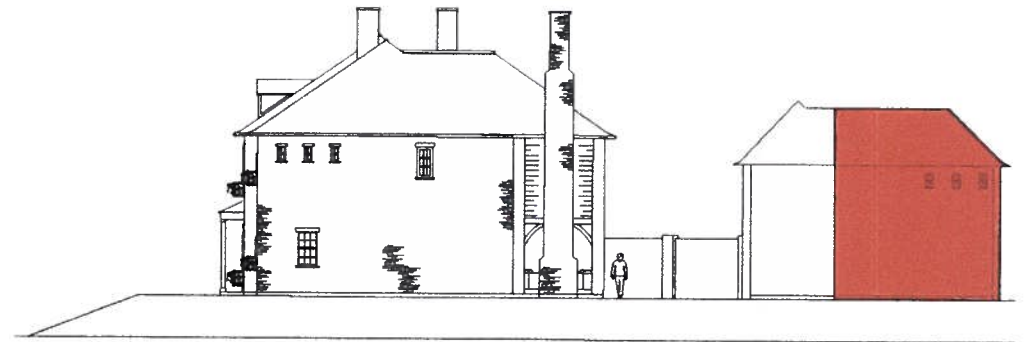
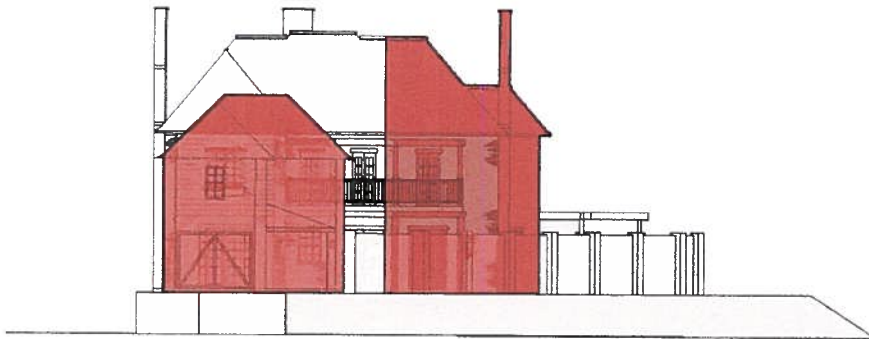
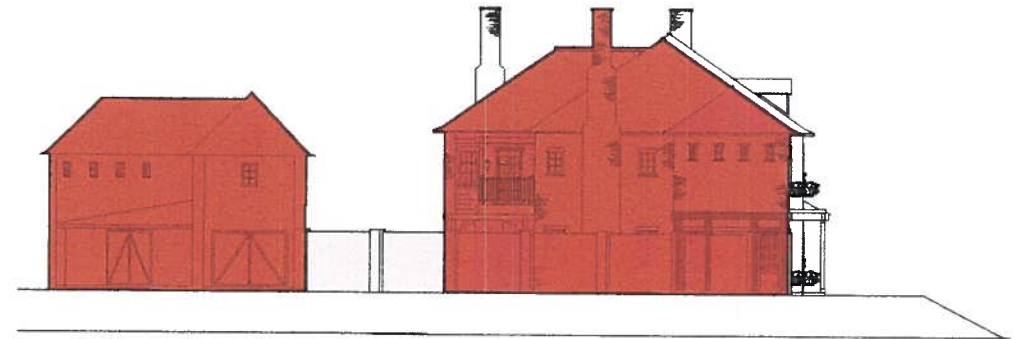


Scale: 1" = 16'

 = affected by setback

7006 Shook
Parking and Setback Diagram

Drawn by Zachary Spillers | November 15, 2011

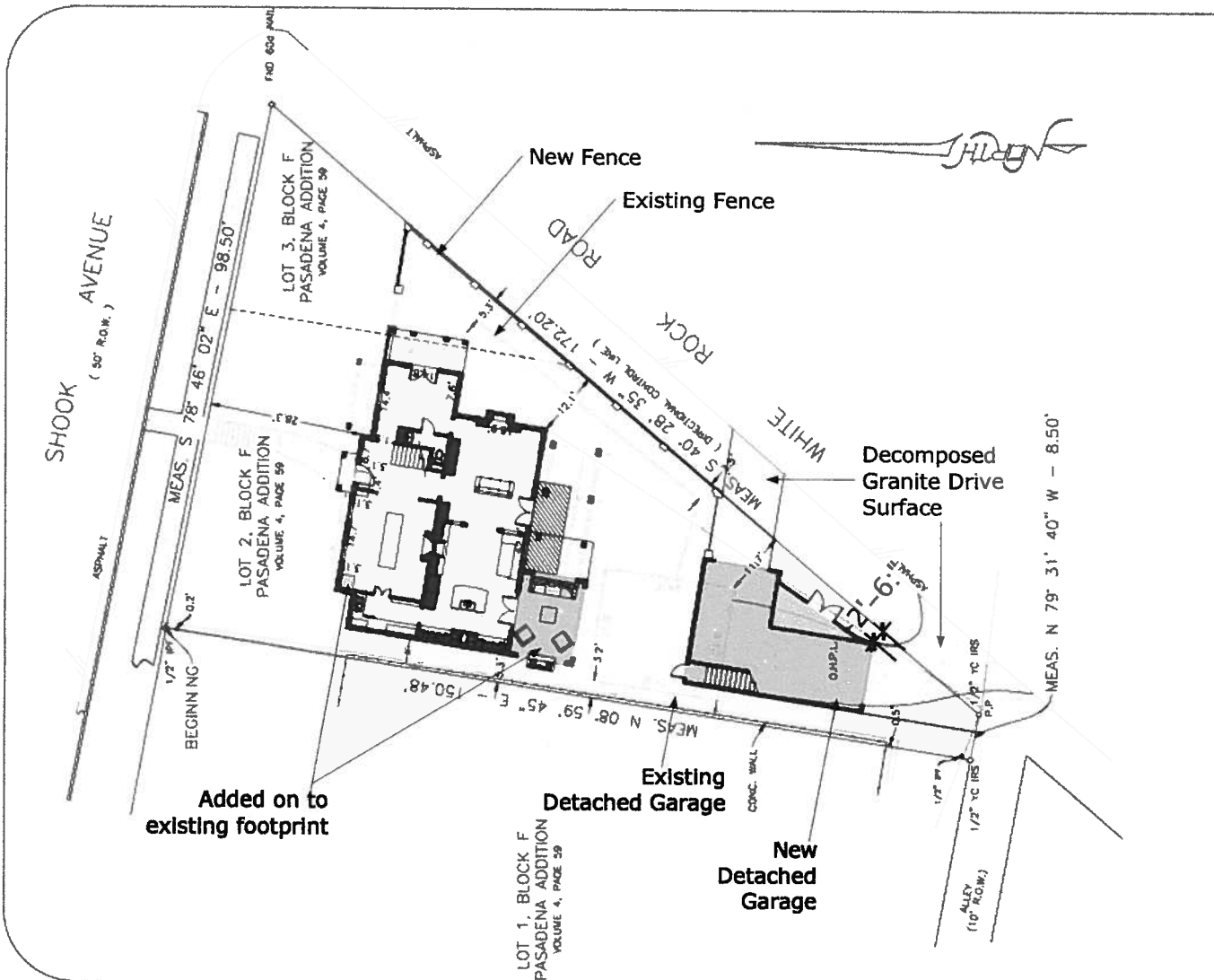


Scale: 1" = 16'

 = affected by setback

7006 Shook
Setback Elevation Diagram

Drawn by Zachary Spillers | November 15, 2011



STATE OF TEXAS;
 COUNTY OF DALLAS.

BEING a part of Lot 2 and Lot 3 of Block F/2812 of Pasadena Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 4, Page 59 of the Map Records of Dallas County, Texas and being a tract of land conveyed to Jerry White as recorded in Volume 81173, Page 4308 of the Deed Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the South Right of Way line of Shook Avenue (50 foot Right of Way), being the Northwest corner of said Lot 2 and being the Northwest corner of Lot 1 of said Pasadena Addition;

THENCE South 79 degrees 48 minutes 02 seconds East, a distance of 58.50 feet to a 606 nail found for corner at the intersection of the said South Right of Way line of Shook Avenue with the Northwest Right of Way line of White Rock Road;

THENCE South 40 degrees 28 minutes 35 seconds West (directional corner), a distance of 172.20 feet to a 3/8 inch yellow-capped iron rod set for corner at the intersection of the said Northwest Right of Way line of White Rock Road with the North Right of Way line of an alley (10 foot Right of Way);

THENCE North 79 degrees 31 minutes 40 seconds West, a distance of 8.50 feet to a 1/2 inch yellow-capped iron rod set for corner, said point being the Southeast corner of said Lot 1;

THENCE North 08 degrees 59 minutes 45 seconds East, a distance of 150.48 feet to the PLACE OF BEGINNING and containing 8,030 square feet or 0.185 of an acre of land.

SURVEY

This is to certify that I have, this day, made a careful and accurate survey of the grounds of property located at No. _____ in the City of _____ Texas.

The plat herein to bear, correct, and accurate representation of the property as described by the metes and bounds and dimensions of said property being as indicated by the plat hereon.

THERE ARE NO ENCUMBRANCES, CONFLICTS, OR OBJECTIONS. EXCEPT _____

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
 TITLE CO.

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERWRITTEN IS NOT RESPONSIBLE TO OTHERS FOR ANY LOSS RESULTING THEREFROM.

TITLE AND ABSTRACTING WORK FURNISHED BY _____ TITLE _____

Registered Professional Land Surveyor
BARRY RHODES
 RHODESURVEYING@YAHOO.COM
 P.O. BOX 2327 ROWLETT TEXAS 75030
 PHONE 972-475-0940 FAX 972-475-9036

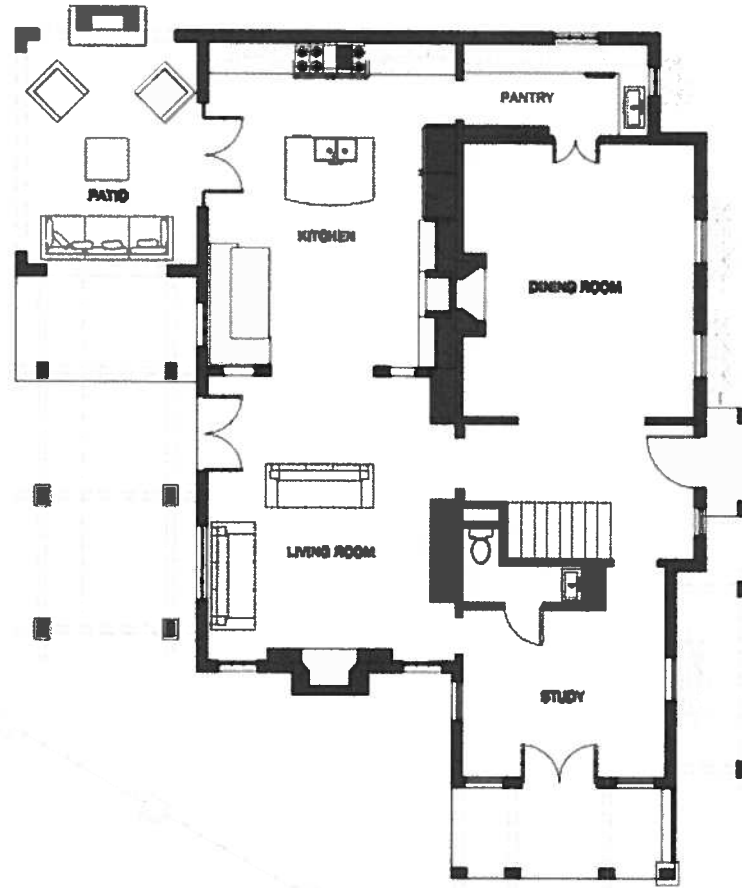
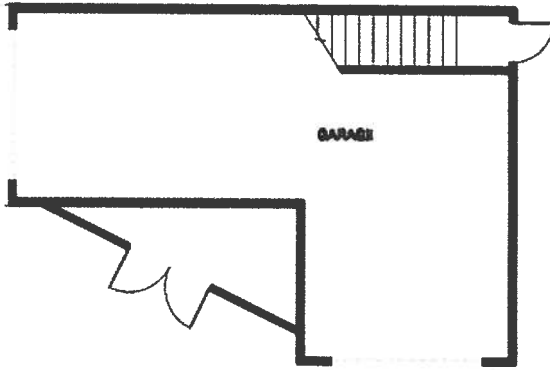
Scale: 1" = 20' Date: _____ C.F. No.: _____ Job no.: _____ Drawn by: BSR

Scale: 1" = 20'

7006 Shook
 Proposed Site Plan

A1

Drawn by Zachary Spillers | November 15, 2011

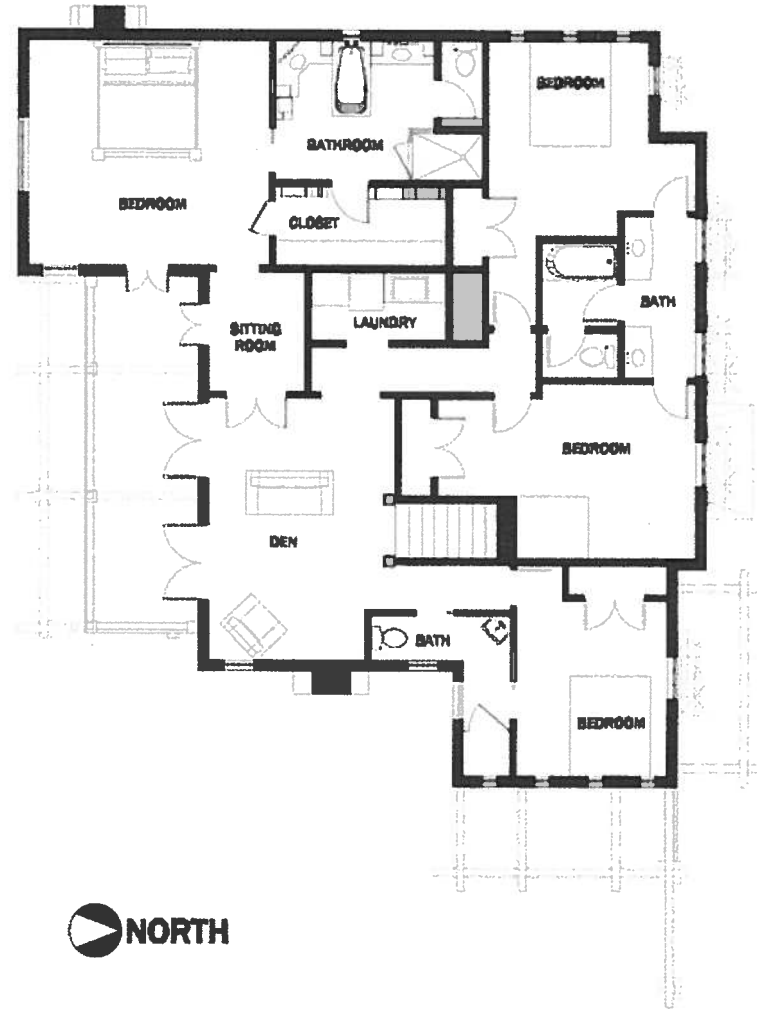
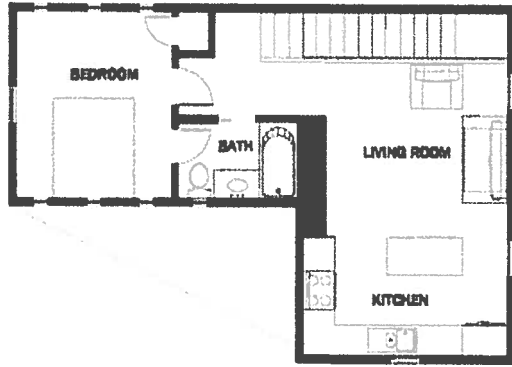


Scale: 1/8" = 1'-0"

7006 Shook
Plan: Level 1

A2-1

Drawn by Zachary Spillers | November 15, 2011



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

7006 Shook
Plan: Level 2

A2-2

Drawn by Zachary Spillers | November 15, 2011



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

7006 Shook
North Elevation

Drawn by Zachary Spillers | November 15, 2011

A3-1

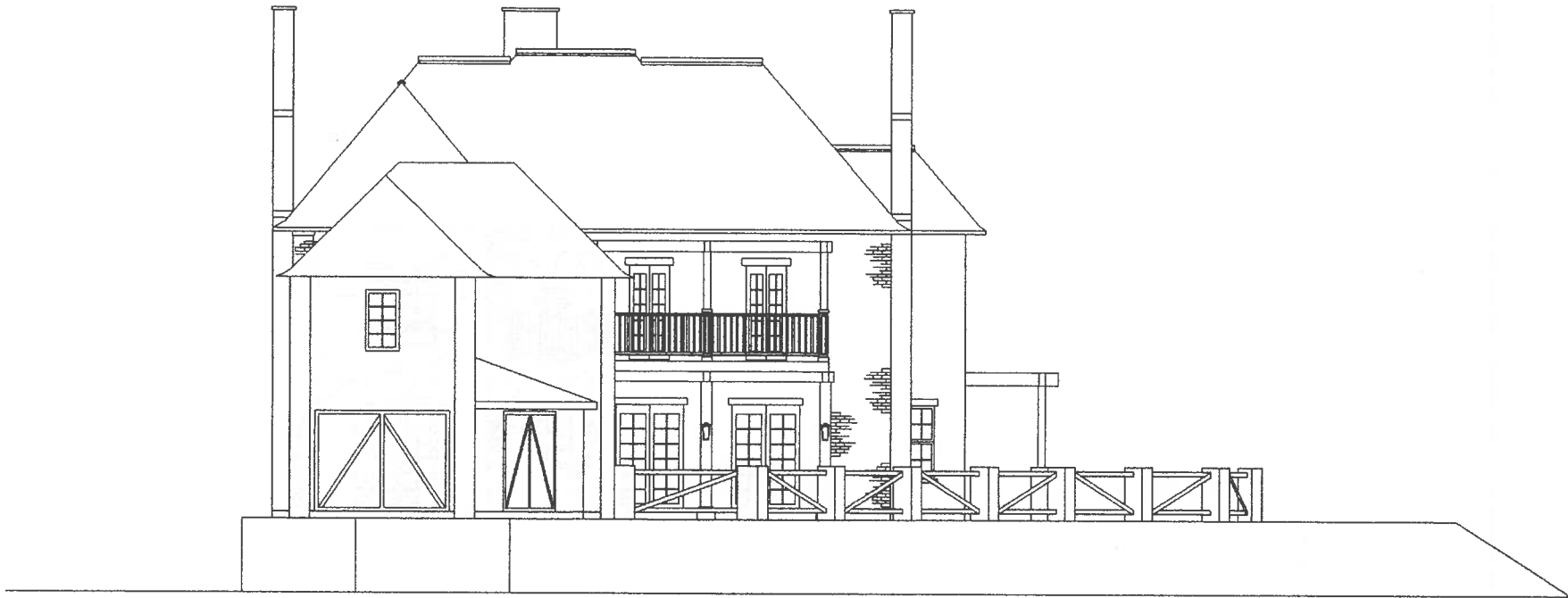


Scale: 1/8" = 1'-0"

7006 Shook
East Elevation

Drawn by Zachary Spillers | November 15, 2011

A3-2



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

7006 Shook
South Elevation

Drawn by Zachary Spillers | November 15, 2011

A3-3

INTRODUCTION: AL

Our understanding is that the purpose of the zoning variance system is to enable encumbered properties to support houses commensurate with similar lots in the neighborhood. We agree that this is a hardship lot due to its corner location, odd shape and slope and recognize that allowances should be made to allow the owners to build the same type of house as other people with normal, unencumbered lots of that size. In general, we feel the applicants are requesting more than what others with the same size lot have in our neighborhood.

More specifically, we are going to go variance by variance and explain why we are against them.

VARIANCE: HOLLY

1. a VARIANCE to the front yard setback regulations of approximately 19' 6" is requested in conjunction with TO CONSTRUCTING AND MAINTAINING A SECOND FLOOR ADDITION to align with the existing nonconforming one-story main structure/single family home on the site, part of which is located in one of the site's two 25' front yard setbacks (White Rock Road);

AGAINST:

- The requested plans for this 8,039 sq ft lot are not commensurate with other homes in our zone and neighborhood. Based on DCAD data, the applicant's lot is **smaller** than 80% of the 186 lots in our zone and neighborhood and its proposed living area is **larger** than 88% of the homes in the zone and neighborhood. Due to this, we strongly feel this proposal would over build the lot.
- Please look at applicant **setback elevation diagram** on Attachment A Pg 5. As you can see from this diagram, the main house structure is significantly taller than the typical two-story house that is represented by the garage and quarters. What is not presented in the diagram is that this house is also on a hill. We feel this very tall two story home should not be allowed this setback variance. It is too imposing to be this close to a main thoroughfare of our neighborhood, White Rock Rd. In addition, it will significantly overwhelm the 1920s Tudor next door.
- *(It is clear due to the dormer windows and shape and height of the roof that the attic space of this house could easily be converted into living space, which would give the main house at least 3500 sq feet of living space, if not more. In addition, the 2nd floor plan shows 4 bedrooms, 3 baths, a laundry, a sitting room and a den in 1500 square feet. It doesn't seem logical that someone would try to squeeze all of that into such a small space. Therefore, we would assume some of that living space would be moved to the attic area.*

Whether or not this space is converted, the home has the presence of at least a 3500 – 4000 sq ft home on a very small lot that is requesting a setback variance to White Rock Road.)

2. a VARIANCE TO THE FRONT YARD SETBACK regulations of 22' 5" is requested in conjunction WITH REPLACING A ONE-STORY DETACHED ACCESSORY/GARAGE STRUCTURE WITH A DETACHED TWO-STORY GARAGE/DWELLING UNIT STRUCTURE, most of which would be located in one the site's two 25' front yard setbacks (White Rock Road),

AGAINST:

- Having a second story on the garage of a property is not common in our neighborhood. Based on DCAD data, only 7% of houses within our zone in our neighborhood have two story garages and even fewer for lots of a similar size (+10/-10% of 8042 sq ft lot) as the applicant's. Therefore, we believe the variance request it is not commensurate with our zone and neighborhood.
- In addition, we are concerned about the aesthetics of a two -story garage structure being on one of the key entrances to the Lakewood neighborhood. The intersection of White Rock Road and Gaston, where people enter the Lakewood Neighborhood from the South, is very close to this property. We feel that it would give the impression that rental properties are common and acceptable in our neighborhood. This would significantly harm the property values of everyone in Lakewood.

3. a VARIANCE TO THE OFF-STREET PARKING REGULATIONS of up to 17' 6" is requested in conjunction with enclosing parking spaces with garage doors in the proposed detached two-story two-vehicle garage/dwelling unit structure where the parking spaces that are to be enclosed with garage doors in the proposed detached

structure would be located less than the required 20' distance from right-of-way line ON WHITE ROCK ROAD; and

AGAINST:

- The allowance of this variance is a safety concern because they are exiting onto a main artery of the neighborhood where people often exceed the speed limit.
- We feel the applicant would not need as large a variance if the plan included a smaller garage. Applicant's proposed garage space of 582 sq ft for garage, 543 for quarters on top is much larger than the typical garage for a lot of this size in our neighborhood. Most garages for lots this size are around 400 sq ft. (406 sq ft is average).

4. a SPECIAL EXCEPTION TO THE SINGLE FAMILY USE DEVELOPMENT STANDARD REGULATIONS is

requested in conjunction with constructing and maintaining the proposed detached two-story two-vehicle garage/dwelling unit structure on a site currently developed with a one-story dwelling unit/single family home structure.

AGAINST:

- This is not commensurate with lots of the same size in the neighborhood. As we have stated previously, few houses in our neighborhood have quarters to begin with, not mention having an extra kitchen on their property. Why should a hardship lot be afforded luxuries that normal shaped lots of larger size do not even have?

Exception would adversely affect neighboring properties.

- Having a kitchen in a backhouse provides the temptation to rent it out against city ordinances. We are concerned about this because the owner, who has never lived on the property, has a history of violating city regulations. He received a code compliance violation notice on Nov. 10 of this year for operating a business within an improper zoning district. This owner has illegally run a business out of the property since it was purchased over 5 years ago. Neighbors have reported it to the city many times over that period and just recently has the city taken action. **We are afraid that the applicant will not have a problem violating city ordinances again by renting out his garage apartment.**

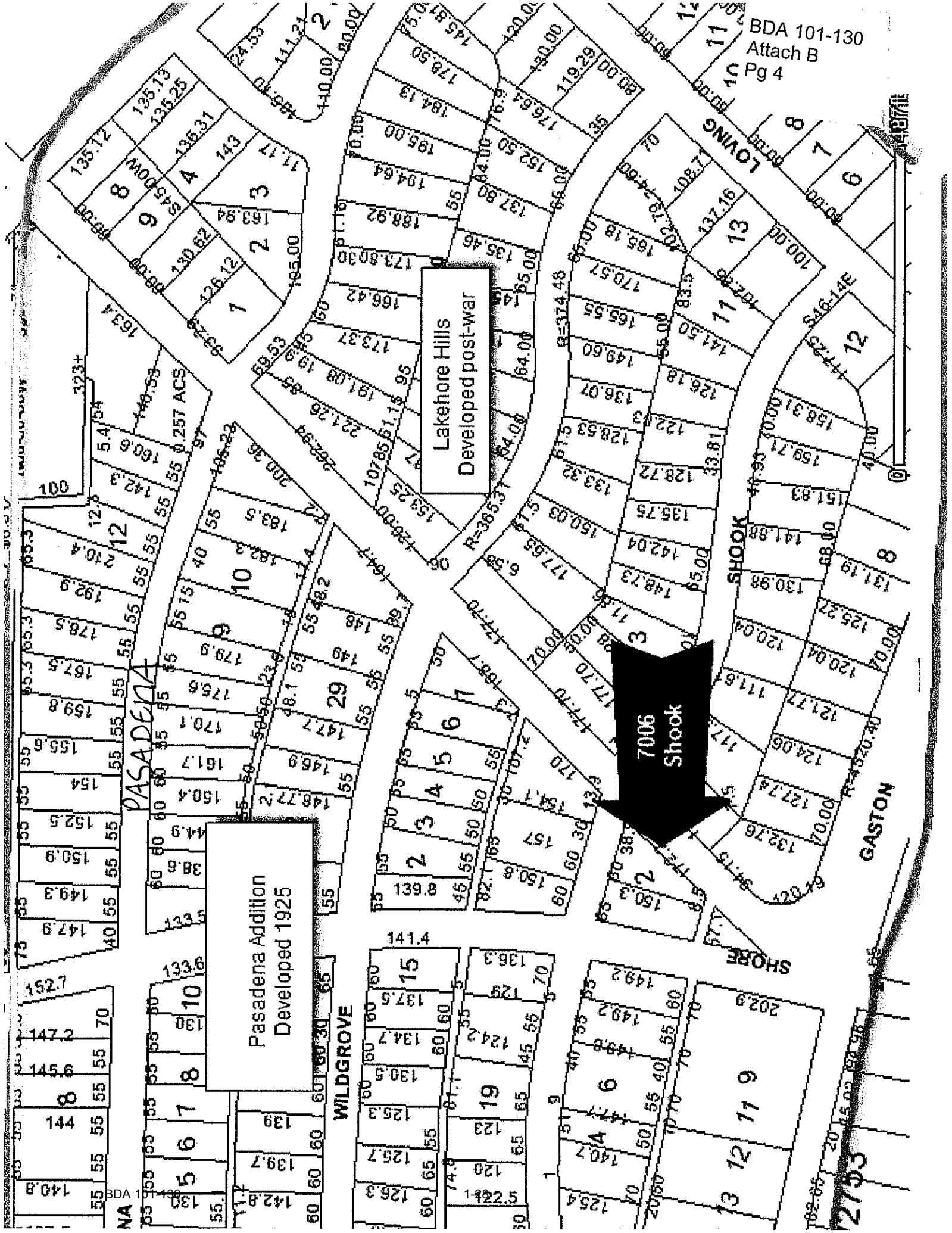
PETITION: DEBORAH

- Within a short time frame we were able to visit 63 homes in our neighborhood with 60 of those homes signing our petition, and 3 asking us to come back this week once they have had an opportunity to review the docs on-line. We are confident that given more time we could obtain significantly more signatures.
- We heard the message loud and clear from our neighbors – our neighborhood is distinctive and people want to keep it that way. We have a high quality of life with peaceful streets where children can play in the front yards, mature trees, green space, and desirable and unique housing stock. People are not against new development but want quality development that is commensurate with the majority of and is respectful of the reasons why people move to our neighborhood
- The people I spoke with feel he is not reliable and are not comfortable with his past dealings with the neighborhood, and therefore don't want to grant him any exceptions to zoning that is in place.

SUMMARY: AL

Our research shows that his proposed living area to lot size ratio of 44% is nearly double the size of the average living area to lot size ratio in our zone and neighborhood of 23%. More specifically, the applicant's proposal would put their living space to lot size 6th out of the 188 homes in the neighborhood.

Again, we recognize that allowances should be made to allow the owners to build the same type of house as other people with normal, unencumbered lots of that size. However, we feel that allowing these variances provides the applicant with a privilege beyond that of the normal homeowner in Lakewood to the detriment of Lakewood.

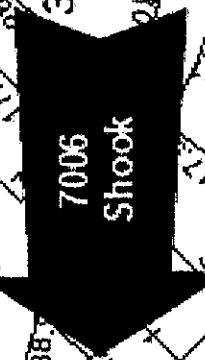


Lakewood Hills
Developed post-war

Pasadena Addition
Developed 1925

WILD GROVE

SHORE



7006
Shook

PASADENA

LOVING

GASTON

NA

2703

Watkins examples used for variance proposal to city
 7006 Shook Pasadena LA (sq ft) 3542 LOT (sq ft) 8039 ZONE R-7.5(A) Garage (sq ft) 582 Quarters (sq ft) 543

Number	Street	Legal description - Area	LA (sq. ft)	Lot size (sq ft)	Zone
7030	Pasadena	Pasadena	4005	10225	R-7.5(A)
7003	Shook	Pasadena	4303	9349	R-7.5(A)
7102	Shook	Lakeshore Hills	4543	10507	R-7.5(A)
7115	Shook	Lakeshore Hills	3899	9864	R-7.5(A)
7034	Pasadena	Pasadena	3922	12445	R-7.5(A)
7011	Wildgrove	Pasadena	5427	15377	R-7.5(A)
7115	Wildgrove	Lakeshore Hills	3723	9824	R-7.5(A)
7145	Wildgrove	Lakeshore Hills	3922	9690	R-7.5(A)
7151	Wildgrove	Lakeshore Hills	3696	10715	R-7.5(A)

Number	Street	Legal description - Area	LA (sq. ft)	Lot size (sq ft)	Garage	Quarters	Carport	Storage	Unfinished space	Zone	LA/Lot	
2620	White Rock	Lakeshore Hills	3787	7733		504				R-7.5(A)	0.489719	
2432	Loving	Lakeshore Hills	3864	7982		516				R-7.5(A)	0.484089	
7051	PASADENA AVI	PASADENA	3534	7603		582	N/A			R-7.5(A)	0.467447	
7003	SHOOK AVE	PASADENA	4303	9349			N/A			R-7.5(A)	0.460263	
2624	White Rock	Lakeshore Hills	3527	7865		470		115	150(deck)	R-7.5(A)	0.448442	
7046	PASADENA AVI	PASADENA	5250	12082		704	N/A			R-7.5(A)	0.434531	
7102	Shook	Lakeshore Hills	4543	10507		947				R-7.5(A)	0.432378	
7156	Shook	Lakeshore Hills	4618	10874		621				R-7.5(A)	0.424683	
2526	Loving	Lakeshore Hills	3364	8220		400				R-7.5(A)	0.409246	
7145	Wildgrove	Lakeshore Hills	3922	9690		504				R-7.5(A)	0.404747	
7115	Shook	Lakeshore Hills	3899	9864		900				R-7.5(A)	0.395276	
7030	PASADENA AVI	PASADENA	4005	10225		525	N/A			R-7.5(A)	0.391687	
7115	Wildgrove	Lakeshore Hills	3723	9824		552	552			R-7.5(A)	0.37897	
2615	Pasadena Placi	Lakeshore Hills	3169	8535		520				R-7.5(A)	0.371295	
7154	Shook	Lakeshore Hills	3234	8718						R-7.5(A)	0.370957	
7018	Wildgrove	Pasadena	3018	8197		480				R-7.5(A)	0.368183	
7018	WILDGROVE A'	PASADENA	3018	8197		480	N/A			R-7.5(A)	0.368183	
7036	PASADENA AVI	PASADENA	3764	10365		624	N/A			R-7.5(A)	0.363145	
7138	Shook	Lakeshore Hills	3468	9583		541			340	R-7.5(A)	0.361891	
7146	Pasadena	Lakeshore Hills	4002	11303		891				R-7.5(A)	0.354065	
7011	WILDGROVE A'	PASADENA	5427	15377		564	N/A		260	R-7.5(A)	0.352393	
7039	PASADENA AVI	PASADENA	3751	10632		827	N/A			R-7.5(A)	0.352803	
7155	Pasadena	Lakeshore Hills	2668	7592				224		R-7.5(A)	0.351423	
7128	Wildgrove	Lakeshore Hills	2712	7756		528	432			R-7.5(A)	0.349665	
7001	PASADENA AVI	PASADENA	3010	8609		593	549	N/A		R-7.5(A)	0.349634	
7014	WILDGROVE A'	PASADENA	2488	7123			N/A		120	R-7.5(A)	0.349291	
7151	Wildgrove	Lakeshore Hills	3696	10715				320	394 (outdoor)	R-7.5(A)	0.344937	
7145	Shook	Lakeshore Hills	2773	8425				600		R-7.5(A)	0.329139	
7010	Wildgrove	Pasadena	2451	7619		484				R-7.5(A)	0.321696	
7010	WILDGROVE A'	PASADENA	2451	7619		484	N/A			R-7.5(A)	0.321696	
6900	Wildgrove	Pasadena	2690	8446		520				R-10 (A)	0.318494	
7120	Pasadena	Lakeshore Hills	3570	11229		594				R-7.5(A)	0.317927	
7155	Wildgrove	Lakeshore Hills	3469	10930		726				R-7.5(A)	0.317383	
7050	PASADENA AVI	PASADENA	3213	10149		473	N/A			R-7.5(A)	0.316583	
7034	PASADENA AVI	PASADENA	3922	12445		546	N/A			R-7.5(A)	0.315147	
7125	Shook	Lakeshore Hills	2588	8242		400				R-7.5(A)	0.314001	
7125	Shook	Lakeshore Hills	2588	8242		400				R-7.5(A)	0.314001	
7125	Wildgrove	Lakeshore Hills	3144	10197		400				R-7.5(A)	0.308326	
7125	Wildgrove	Lakeshore Hills	3144	10197		400				R-7.5(A)	0.308326	
6935	Wildgrove	Pasadena	3356	11158		400				R-10 (A)	0.300771	
7004	Wildgrove	Pasadena	2699	9049		400				R-7.5(A)	0.298265	
7004	WILDGROVE A'	PASADENA	2699	9049		400	N/A			R-7.5(A)	0.298265	
7031	PASADENA AVI	PASADENA	2762	9382		574	N/A			R-7.5(A)	0.294394	
2411	Loving	Lakeshore Hills	2493	8549		400				R-7.5(A)	0.291613	
7122	Shook	Lakeshore Hills	2480	8569				991		R-7.5(A)	0.289415	
7027	PASADENA AVI	PASADENA	2842	10205		400	N/A			R-7.5(A)	0.278491	
7103	Wildgrove	Lakeshore Hills	3414	12344		575				R-7.5(A)	0.276572	
7103	Shook	Lakeshore Hills	3414	12344		575				R-7.5(A)	0.276572	
2515	Loving	Lakeshore Hills	2108	7709		400				R-7.5(A)	0.273447	
2414	Loving	Lakeshore Hills	2232	8183		540				R-7.5(A)	0.272761	
7142	Shook	Lakeshore Hills	2508	9227						R-7.5(A)	0.271811	
6911	Wildgrove	Millmo Terrace	1944	7323		480				R-10 (A)	0.265465	
6910	Wildgrove	Pasadena	1839	6942		400				R-10 (A)	0.264909	
7002	PASADENA AVI	PASADENA	1913	7257		400	N/A			R-7.5(A)	0.263608	
7114	Shook	Lakeshore Hills	2559	9763		528				R-7.5(A)	0.262112	
7040	PASADENA AVI	PASADENA	3414	13357		552	N/A			R-7.5(A)	0.255596	
7111	Wildgrove	Lakeshore Hills	2686	10652		400				R-7.5(A)	0.252159	
7111	Shook	Lakeshore Hills	2686	10652		400				R-7.5(A)	0.252159	
6931	Wildgrove	Pasadena	2031	8094		399				R-10 (A)	0.250927	
7011	Shook	Pasadena	3158	12682		400				R-7.5(A)	0.249014	
7011	SHOOK AVE	PASADENA	3158	12682		400	N/A			R-7.5(A)	0.249014	
7102	Pasadena	Lakeshore Hills	3845	15456		624				R-7.5(A)	0.248771	
7006	PASADENA AVI	PASADENA	1839	7393		286	N/A		312	R-7.5(A)	0.248749	
7018	PASADENA AVI	PASADENA	1886	7622		240	N/A			R-7.5(A)	0.247442	
7118	Wildgrove	Lakeshore Hills	2339	9569		528				R-7.5(A)	0.244435	
7014	PASADENA AVI	PASADENA	1953	8021		576	1500	N/A		R-7.5(A)	0.243486	
7047	PASADENA AVI	PASADENA	2443	10105		400	N/A			R-7.5(A)	0.241762	
7015	WILDGROVE A'	PASADENA	1825	7568		400	N/A			R-7.5(A)	0.241147	
7043	PASADENA AVI	PASADENA	2897	12144		750	690	N/A		R-7.5(A)	0.238554	
2630	White Rock	Lakeshore Hills	1842	7765		440		400		R-7.5(A)	0.237218	
7022	PASADENA AVI	PASADENA	2120	9089		775	988	N/A	175	262	R-7.5(A)	0.233249
7001	Wildgrove	Pasadena	3087	13250		572				R-7.5(A)	0.232981	
7001	WILDGROVE A'	PASADENA	3087	13250		572	609	N/A		R-7.5(A)	0.232981	
7132	Wildgrove	Lakeshore Hills	1836	7914		571				R-7.5(A)	0.231994	
7142	Wildgrove	Lakeshore Hills	2221	9577		513		200	256 (sunroom)	R-7.5(A)	0.23191	
7114	Shook	Lakeshore Hills	2259	9763		528				R-7.5(A)	0.231384	
7010	PASADENA AVI	PASADENA	1702	7374			N/A			R-7.5(A)	0.230811	
6935	Shook	Pasadena	2371	10347		456				R-10 (A)	0.229149	
7110	Pasadena	Lakeshore Hills	2720	11976						R-7.5(A)	0.227121	
2422	Loving	Lakeshore Hills	1792	7917		441				R-7.5(A)	0.226348	
2316	Loving	Lakeshore Hills	1850	8188						R-7.5(A)	0.22594	
7139	Wildgrove	Lakeshore Hills	2288	10221				320		R-7.5(A)	0.223853	
2509	Loving	Lakeshore Hills	1611	7410		484				R-7.5(A)	0.217409	
7154	Wildgrove	Lakeshore Hills	1732	8045		400				R-7.5(A)	0.215289	
7139	Shook	Lakeshore Hills	1831	8557		360			220	R-7.5(A)	0.213977	
2407	Loving	Lakeshore Hills	2454	11581		884			372 (enclosed)	R-7.5(A)	0.211899	
7145	Pasadena	Lakeshore Hills	1568	7465		400				R-7.5(A)	0.210047	
2408	Loving	Lakeshore Hills	1751	8415			357	400		R-7.5(A)	0.208081	
7138	Wildgrove	Lakeshore Hills	1865	8990		252		231		R-7.5(A)	0.207453	
6938	Shook	Pasadena	2111	10186		400				R-10 (A)	0.207245	
7000	Shook	Pasadena	1685	8132		496				R-7.5(A)	0.207206	
2418	Loving	Lakeshore Hills	1672	8176				480		R-7.5(A)	0.204501	
2610	White Rock	Lakeshore Hills	1531	7505				100	580(wood fram	R-7.5(A)	0.203997	
7022	WILDGROVE A'	PASADENA	1766	8701		400	N/A			R-7.5(A)	0.202965	
7124	Pasadena	Lakeshore Hills	2075	10278		547				R-7.5(A)	0.201888	
7000	WILDGROVE A'	PASADENA	1490	7418		400	N/A			R-7.5(A)	0.200863	
2322	Loving	Lakeshore Hills	1656	8305		400				R-7.5(A)	0.199398	
7007	PASADENA AVI	PASADENA	1640	8225		480	N/A			R-7.5(A)	0.199392	

7033	Gaston Pkwy	Lakeshore Hills	1886	9508					R-7.5(A)	0.198359
7019	WILDGROVE AVE	PASADENA	1552	7877	400	N/A			R-7.5(A)	0.197029
7146	Wildgrove	Lakeshore Hills	1905	9717	400		200		R-7.5(A)	0.196048
7039	Gaston Pkwy	Lakeshore Hills	1792	9164	480				R-7.5(A)	0.195548
7114	Wildgrove	Lakeshore Hills	1953	10106	420				R-7.5(A)	0.193252
2417	Loving	Lakeshore Hills	1592	8238	400		280		R-7.5(A)	0.193251
2508	Loving	Lakeshore Hills	1603	8299	289				R-7.5(A)	0.193156
7055	Gaston Pkwy	Lakeshore Hills	2191	11436	440				R-7.5(A)	0.191588
7045	Gaston Pkwy	Lakeshore Hills	1844	9638	400				R-7.5(A)	0.191326
7152	Pasadena	Lakeshore Hills	2090	11019	480				R-7.5(A)	0.189672
7015	PASADENA AVE	PASADENA	1539	8139	400	N/A			R-7.5(A)	0.189009
2527	Loving	Lakeshore Hills	1688	8975	400		200		R-7.5(A)	0.188078
7135	Shook	Lakeshore Hills	1485	7898	400				R-7.5(A)	0.188022
2310	Loving	Lakeshore Hills	1528	8210					R-7.5(A)	0.186114
7023	Gaston Pkwy	Lakeshore Hills	1650	8908			504		R-7.5(A)	0.185227
7132	Shook	Lakeshore Hills	1719	9301	631				R-7.5(A)	0.184819
7066	SHOOK AVE	PASADENA	1474	8039	462	N/A			R-7.5(A)	0.183356
7103	Wildgrove	Lakeshore Hills	1578	8646	400				R-7.5(A)	0.182512
6939	Shook	Pasadena	2128	11904	0				R-10 (A)	0.178763
7015	Gaston Pkwy	Lakeshore Hills	1680	9450			676		R-7.5(A)	0.177778
7011	PASADENA AVE	PASADENA	1503	8467		N/A		162	R-7.5(A)	0.177513
2611	Loving	Lakeshore Hills	1354	7640	400				R-7.5(A)	0.177225
7159	Pasadena	Lakeshore Hills	1434	8104	240				R-7.5(A)	0.176995
7027	Gaston Pkwy	Lakeshore Hills	1519	8604			440		R-7.5(A)	0.176546
7131	Shook	Lakeshore Hills	1383	7886	400				R-7.5(A)	0.175374
7031	Wildgrove	Pasadena	2086	11903	651				R-7.5(A)	0.175252
7031	WILDGROVE AVE	PASADENA	2086	11903	651	N/A			R-7.5(A)	0.175252
2614	White Rock	Lakeshore Hills	1345	7721	286				R-7.5(A)	0.1742
7019	PASADENA AVE	PASADENA	1519	8804	240	N/A			R-7.5(A)	0.172535
7136	Pasadena	Lakeshore Hills	2089	12152	462				R-7.5(A)	0.171906
7109	Wildgrove	Lakeshore Hills	1544	8997	420				R-7.5(A)	0.171613
7122	Wildgrove	Lakeshore Hills	1542	9109	400				R-7.5(A)	0.169283
7131	Wildgrove	Lakeshore Hills	1588	9492	400				R-7.5(A)	0.167299
7131	Wildgrove	Lakeshore Hills	1588	9492	400				R-7.5(A)	0.167299
2519	Loving	Lakeshore Hills	1296	7802	240				R-7.5(A)	0.166111
2319	Loving	Lakeshore Hills	1877	11332	520				R-7.5(A)	0.165637
7151	Shook	Lakeshore Hills	1452	8905	400				R-7.5(A)	0.163054
2606	White Rock	Lakeshore Hills	1767	10911	484				R-7.5(A)	0.161947
7007	Shook	Pasadena	2138	13277	400				R-7.5(A)	0.16103
7007	SHOOK AVE	PASADENA	2138	13277		400 N/A			R-7.5(A)	0.16103
2522	Loving	Lakeshore Hills	1352	8402	400				R-7.5(A)	0.160914
2502	Loving	Lakeshore Hills	1303	8104	420				R-7.5(A)	0.160785
7119	Shook	Lakeshore Hills	1451	9061	480		192		R-7.5(A)	0.160137
7063	Gaston Pkwy	Lakeshore Hills	2259	14139	460				R-7.5(A)	0.159771
2602	Loving	Lakeshore Hills	1532	9735	380				R-7.5(A)	0.15737
7149	Pasadena	Lakeshore Hills	1520	9800	600	200			R-7.5(A)	0.155102
2426	Loving	Lakeshore Hills	1276	8299	400				R-7.5(A)	0.153753
7148	Shook	Lakeshore Hills	1420	9326			400		R-7.5(A)	0.152262
7126	Shook	Lakeshore Hills	1504	9879	535				R-7.5(A)	0.152242
7126	Shook	Lakeshore Hills	1504	9879	535				R-7.5(A)	0.152242
2619	Pasadena Placc	Lakeshore Hills	1328	8737	400				R-7.5(A)	0.151997
7159	Wildgrove	Lakeshore Hills	1364	9068	380				R-7.5(A)	0.150419
2616	Pasadena Placc	Lakeshore Hills	1921	12805	440				R-7.5(A)	0.15002
7030	WILDGROVE AVE	PASADENA	1139	7723	240	N/A			R-7.5(A)	0.147482
7135	Wildgrove	Lakeshore Hills	1366	9392	400				R-7.5(A)	0.145443
7011	Gaston Pkwy	Lakeshore Hills	2023	14010	560	390			R-7.5(A)	0.144397
7119	Wildgrove	Lakeshore Hills	1457	10109	400				R-7.5(A)	0.144129
7026	PASADENA AVE	PASADENA	1269	8863	546	N/A			R-7.5(A)	0.14318
2611	Pasadena Placc	Lakeshore Hills	1219	8521	400				R-7.5(A)	0.143058
2512	Loving	Lakeshore Hills	1146	8156	432				R-7.5(A)	0.14051
7142	Pasadena	Lakeshore Hills	1609	11502	320				R-7.5(A)	0.139889
2402	Loving	Lakeshore Hills	1220	8785	400				R-7.5(A)	0.138873
7049	Gaston Pkwy	Lakeshore Hills	1512	10919			300		R-7.5(A)	0.138474
2518	Loving	Lakeshore Hills	1084	7944	320				R-7.5(A)	0.136455
2610	Pasadena Placc	Lakeshore Hills	1304	9567	625	625			R-7.5(A)	0.136302
2610	Loving	Lakeshore Hills	1276	9689	400				R-7.5(A)	0.131696
7139	Pasadena	Lakeshore Hills	1142	8766	299				R-7.5(A)	0.130276
6906	Wildgrove	Pasadena	964	7405	220				R-10 (A)	0.130182
7114	Pasadena	Lakeshore Hills	1606	12610					R-7.5(A)	0.127359
7023	PASADENA AVE	PASADENA	1060	8352	153	N/A			R-7.5(A)	0.126916
7158	Wildgrove	Lakeshore Hills	1296	10405			375		R-7.5(A)	0.124556
7102	Wildgrove	Lakeshore Hills	1488	12065	400				R-7.5(A)	0.123332
7055	PASADENA AVE	PASADENA	1050	8520	200	N/A			R-7.5(A)	0.123239
7130	Pasadena	Lakeshore Hills	1392	11706	400				R-7.5(A)	0.118913
2607	Pasadena Placc	Lakeshore Hills	1496	12992	576				R-7.5(A)	0.115148
7110	Wildgrove	Lakeshore Hills	1308	11466	396				R-7.5(A)	0.114076
7110	Shook	Lakeshore Hills	1308	11466	396				R-7.5(A)	0.114076
7158	Pasadena	Lakeshore Hills	992	8855	288				R-7.5(A)	0.112027
7108	Wildgrove	Lakeshore Hills	1625	14870	440		400	99	R-7.5(A)	0.10928
2311	Loving	Lakeshore Hills	1372	12986			400		R-7.5(A)	0.105652
7115	Pasadena	Lakeshore Hills	1160	12835					R-7.5(A)	0.090378
2615	White Rock	Pasadena	1325	16774	200		560		R-7.5(A)	0.078991
2306	Loving	Lakeshore Hills		12618					R-7.5(A)	0
		0.227615408	2204	9683						
		43	1199,465	9474,395						
	Lot									
	Pasadena	30 lots larger and 12 smaller	0.302326		20%	38	186			
	Lakewood Hills	118 larger and 25 smaller	0.181818							
	House									
	Pasadena	11 larger and 31 smaller	0.744186		88%	164	186			
	Lakewood Hills	11 larger and 132 smaller	0.923077							
	Proposed Ratio	0.435377535	3500	8039						

Service Request #: 11-00575645
 Activity:
 Image Type: Other
 Details: nov scan.11/29/11.aar

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 Attach B
 Pg 8



COMPUTER # 11-00575645

This notice is issued to bring to your attention the code violations listed below. Please call if you cannot correct the violations by the date indicated and arrangements may be made to assist you or allow additional time.

LOCATION OF VIOLATION 7006 Shook Ave LOT 2+3 BLOCK E/2812
 CENSUS TRACT _____ ZONE R.7.5 USE SFD OCCUPIED VACANT
 ADDRESS: Watkins, Nathan Russell (OWNER) AGENT/PERSON IN CONTROL
6914 Vivian Ave. TELEPHONE 214-769-2392
Dallas TX 75223 TELEPHONE _____

PLEASE CORRECT THE FOLLOWING IN _____ DAYS OR CITATIONS TO MUNICIPAL COURT MAY BE ISSUED.

1. Clear premises of all improperly stored items.
2. Remove all litter, garbage, trash or rubbish from _____ alley; _____ parkway; _____ private property.
3. Relocate items from alley to front parkway. _____ large or unbundled brush _____ large bulky items
4. Containers are: _____ non-regulation; _____ worn out; _____ inadequate in number; _____ without lids; _____ blocking right-of-way.
5. Cut and remove weeds/grass in excess of 12 inches in: _____ alley; _____ parkway; _____ private property.
6. Trim back vegetation adjacent to your property line in: _____ alley; _____ parkway; _____ sidewalk.
 (NOTE: Refer to #3 for correct placement of trimmings)
7. Discontinue the salvage or reclamation of: _____
8. Eliminate all potential hazards: _____ open wells, septic tanks, cellars; _____ sharp protrusions; _____ dead trees or limbs; _____ cracks in sidewalk; _____ visibility obstructions; _____ holes; _____ other _____
9. Discontinue business operations within an improper zoning district.
10. Garage sale in violation.
11. SIGN VIOLATION: Special purpose sign must have: _____ permit; _____ proper setback; _____ tie downs; _____ be removed; _____ exposed wiring removed; _____ other _____
12. Stack usable lumber on open racks at least 18 inches above the ground with clear unobstructed space underneath. All other lumber must be removed from the premises.
13. Eliminate insanitary conditions caused by: _____ occupants; _____ animals; _____ sewage discharge; _____ standing water.
14. Provide house numbers that can be plainly observed from the street (min. 3 inch high numbers).
15. Secure this structure against unauthorized entry and/or closure by the City at your own expense.

PLEASE BEGIN WORK ON THE FOLLOWING IN 5 DAYS AND COMPLETE IN 10 DAYS OR CITATIONS MAY BE ISSUED

EXTERIOR REPAIR OR REPLACE:	ROTTED	PAINT	FRONT	REAR	LEFT	RIGHT	
16. Foundation/cross vents:							Piers, sills, joists, footings.
17. Porch, stairs, posts:							Joists, floors, ceilings, steps landings.
18. Doors, windows, frames:							Screens, weatherstrip, replace broken glass.
19. Roof:							Re-roof.
20. Walls, eaves, trim:							Holes, missing siding.
21. Garage, shed, fence:							Repair or demolish to code.

INTERIOR REPAIR OR REPLACE:	LIVING	DINING	KITCHEN	HALL	BEDRM	BEDRM	BATH
22. Floors, walls, ceilings:							
23. Fixtures, wall outlets, switches:							
24. Inadequate circuits, exposed wiring:							
25. Make bathroom floors moisture resistant.							
26. Kitchen sink, lavatory, toilet, bath/shower: _____ provide; _____ leaks; _____ traps; _____ faucet; _____ secure; _____ connections.							
27. Water heater: _____ provide 120° F (min); _____ vent; _____ cold water shutoff; _____ gas shutoff; _____ T & P valve; _____ relocate.							
28. Provide heating equipment/connections capable of maintaining 68 degrees F in each room.							
29. A permit is required.							

30. THIS STRUCTURE IS DESIGNATED A HEALTH & SAFETY HAZARD AND SHALL NOT BE OCCUPIED NOR PLACARD REMOVED UNTIL ALL VIOLATIONS ARE CORRECTED.

Remarks/other: Home Occupation No more than two people at location. Discontinue Business operations within an improper zoning district.

A. Diaz 4169-3741669 PHONE # _____ SIGNATURE OF OWNER/AGENT/PERSON IN CONTROL _____ DATE 11-10-11
 CODE COMPLIANCE INSPECTOR CCS-FRM-203 Effective Date 04/04/11

FILE COPY **THANK YOU FOR YOUR COOPERATION IN MAKING DALLAS A BETTER PLACE TO LIVE** Rev 1

"Dear Mr. Long:

My husband and I are the homeowners living at 7003 Shook Avenue, Dallas, 75214. We live diagonally across the street from the house on 7006 Shook. We take strong exception to their recent application for a variance to multiple city codes, and request respectfully that their application be denied in full.

Unfortunately, we are not able to attend the hearing on Monday due to short notice and prior business commitments, but please accept this as our statement.

Kris and I moved into our house in the summer of 2009, and it was clear at that time that the property 7006 Shook was being used to run a business called "university laundry". The address on Shook was the business address that they listed on their website, and every day we saw people pulling in in the morning to work, leaving by end of working hours. No one stayed there at night. Our neighbors have complained to the city code department on more than one occasion about the use of this home as a business, but it continues.

In fact, in recent months we have noticed more cars pulling in each day, often with 6 cars parked on Shook in front of the house. It is clear that their business is growing.

This is a problem. Our block is very small. Only 5 houses are placed on Shook Avenue between the streets of White Rock and West Shore. The fact that one house is taking up several spots on the streets concerns all of us for multiple reasons. Primarily – The children.

You see Mr. Long, on the remaining 4 houses in this block, we have 8 children. 8! Their ages are 2 (John Foster), 2 (Lane), 3 (Sophie), 4 (Autumn), 4 (Grace), 5 (Kate), 6 (Rivers), and 13 (Olivia). Three of them belong to us. Every day we are all taking our kids outside to play. As you can imagine it is tough to keep a close eye on all these little ones. I have often turned my back for a minute only to find that one of them is in or near the street. This is NOT a street that should be granted a code variance to allow more cars – whether the variance is put in place to support growth of their business or to allow them to build out a multifamily rental unit (by the way – what IS this for?) We need to get rid of some cars... the traffic is dangerous to us all.

I have a second major objection to the setback variance that is requested. The proposal is to allow them to put a building within 2.5 feet of white rock street. This is a very busy street where cars come speeding quickly past. In fact, many of us want the city to put speed bumps on this street to force cars to slow down. Having their new detached garage placed so close to the street, means they will be pulling out directly into the street without room to look for traffic, and oncoming traffic will have no warning to slow down. We believe you are inviting an accident if you allow this plan to be built. It is a bad plan, and I can't believe the owners are even suggesting it.

The final objection we have is over the impact on our home values if you allow a residential property located "within 200 feet of our home" to be allowed a variance from single family use. If this happens, you will guarantee a decline in all of our home values. This is especially distressing to Kris and I since we bought our lot and upgraded the property value significantly by tearing down a 50 year old decaying home to build a brand new, energy efficient home. The City of Dallas has realized significant tax revenue lift from our investment, and you are endangering that revenue by granting an application that will decrease our property value. This area of Lakewood is solidly residential – it needs to remain so.

As a side note, if someone in the city would ever decide to take action against the use of their home for a business, I would be most grateful.

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Thank you for your time and consideration.

Best regards,
Ashley and Kristopher Glover
7003 Shook Avenue
Dallas, TX 75214
469-358-0886"

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We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no. 2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
Khuanh Nguyen		7046 Pasadena Ave, Dallas, TX 75214
Alison Nguyen		7046 Pasadena Ave Dallas Texas
MARK KIEFER		7047 PASADENA AVE DALLAS
VANESSA GRIFFITH		7030 PASADENA AVE DALLAS
Helena Nixon		7039 Pasadena Ave Dallas
Feld Sellers		7014 Pasadena Ave Dallas
Stephen Crawns		7002 Pasadena Ave Dallas
SAKAI ZAVALLA		6936 Pasadena Ave Dls
Julia C Graves		6934 Pasadena Ave Dallas 75214
Kate Dixon		6930 Pasadena Ave, Dallas 75214
Brandon Bukovitz		6935 Pasadena Ave Dallas 75214
Daragh + Leanne		6915 Pasadena Ave Dallas
Jim LeBlanc		6907 Pasadena Ave Dallas
Stephen L Bell		6906 " "
Daniel Miller		" "
Josh Grant		2525 Auburn Ave. Pella, IA
Marshall Lindsey		6902 Pasadena Ave 75214
Sim A Lindsey		6907 Pasadena Ave 75214

We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no.2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
Janey Phillips ANU-TOINE MAYOR JR	Janey Phillips <i>[Signature]</i>	2503 Auburn Ave 75214 2401 AUBURN AVE 75214
Holly Middleton	<i>[Signature]</i>	7007 Shook Ave 5014





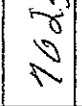





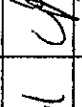
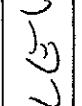
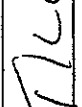


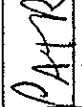
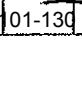
BDA 101-130

1-36







We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no.2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
HEIDI SHARPEL	<i>Heidi W Shappell</i>	7138 Shook Ave Dallas, TX 75214
Jay Small	<i>J Small</i>	7148 Shook Ave Dallas, TX 75214
Ann Edwards	<i>Ann Edwards</i>	7148 Shook Ave 75214
Larry Ehemanon	<i>Larry Ehemanon</i>	7319 Lovine Ave, 75214
KEN MACINTOSH	<i>K Macintosh</i>	2407 Lovine Ave
Charles Townsend	<i>Charles Townsend</i>	7155 Shook, 75214
JERRY LOKREY	<i>Jerry Lokrey</i>	7139 Shook 75214
Leslie Delatte	<i>Leslie Delatte</i>	7142 Shook Ave 75214
Heather Swift	<i>Heather Swift</i>	7125 Shook Ave 75214

We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no.2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
PATRICIA TILLEY		7003 Wildgrove Ballantyne TX 75314
Kortney Klein		7109 Wildgrove
Derek Lipscombe		7115 Wildgrove
Marita Cavarrubias		7115 Wildgrove
DANIEL KEOUGH		6934 WEDGROVE AVENUE
Jeff Smirin		7138 Wildgrove Ave.
Melinda R. Fagin		7138 Wildgrove Ave
GREG BROWN		7135 WILDGROVE.
Joe Dinoffer		7155 Wildgrove Ave.
Susan K. Haddock		2509 Loving Ave.
Doug ROLAND		2512 Loving Ave.
Megan Stein		2515 Loving Ave.
Cynthia Sparacin		2522 Loving Ave.
Brian Dahm		2414 Loving Ave
Markus Schuster		7001 Wildgrove Ave
John Chambers		7010 Wildgrove Ave
MIRIAM DUNN		7018 Wildgrove Ave. Dear:
Craig Spence		7022 Wildgrove Ave

We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no.2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
MARY SPENCER		6943 Wildgrove Ave Dallas
TOM HAMPTON		6927 Wildgrove Ave Dallas TX 75214
NANCY TAYLOR		6938 Wildgrove Ave, Dallas TX 75214
Steve Buckensteins		6926 Wildgrove Allen TX
Laura Greer		6918 Wildgrove Dallas TX
Lindsay Starnes		6907 Wildgrove Dallas 7504

We are opposed to the Application/Appeal to the Board of Adjustment being made by the owners of 7006 Shook Ave, Lot no.2, Block no. F2812, zoning district R-7.5(A). The proposal is beyond a manner commensurate with our neighborhood.

Printed name	Signature	Address
Joe Gaffey	<i>JA Gaffey</i>	7006 Shook
Mark Tinty	<i>Mark Tinty</i>	6923 Shook
D.A. GROVES	<i>D. Groves</i>	6915 Shook
J. Stanekiewicz	<i>J. Stanekiewicz</i>	6915 Shook Ave
T. PATRICK LUNA	<i>T. Patrick Luna</i>	2411 AUBURN AVE 75214
MARIA LUNA	<i>Maria Luna</i>	2411 Auburn Ave 75214
William Dickinson	<i>William Dickinson</i>	2407 Auburn Ave. 75214
Sherril Alexander	<i>Sherril Alexander</i>	6914 Shook Ave 75214
Michael Fahy	<i>M. Fahy</i>	6941 Gaston Ave
Annetta Norwood	<i>Annetta Norwood</i>	6942 Shook Shook Ave 75214
Rebecca Hamilton	<i>Rebecca Hamilton</i>	6947 Shook Avenue
Allan King	<i>Allan King</i>	"
Janice Marshall	<i>Janice Marshall</i>	7011 Shook Avenue

7006 Shook Variance Request

3/1/2012

In regard to the 7006 Shook Ave. variance and additional dwelling unit special exception request, we would like to ask that the board deny our request for the additional dwelling unit special exception without prejudice. In its place, we have provided an alternative plan on the page entitled "**7006 Shook Plan: Level 2 | A2-2 addendum**". This plan reflects the removal of the kitchen from the original plan, therefore disqualifying the quarters above the garage as an additional dwelling unit. Todd Duerksen was able to confirm the validity of this action in an e-mail exchange from 2/27/2012:

Zach Spillers:

Hi, Todd. I dropped off three sheets of drawings/diagrams to be added and considered in the recommendation for our case at 7006 Shook Ave. The main sheet that pertains to you is the second level plan showing the removal of the kitchen above the garage. I just want to confirm with you that doing this disqualifies that space as an additional dwelling unit. In a conversation with Steve Long, he mentioned that the best way to go about it is to accept denial of our request for the special exception of an additional dwelling unit contingent on the implementation of our "plan B" (the sheet I left for you on Friday showing the quarters above the garage with NO kitchen). Can you confirm that this no longer qualifies as an additional dwelling unit?

Sincerely,

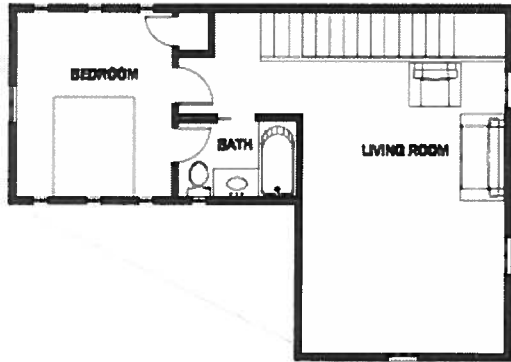
Zach Spillers

Todd Duerksen:

Confirmed, without a kitchen in the accessory structure it is not a dwelling unit.

No other changes have been made to the application, but in addition to the A2-2 addendum sheet, two other sheets of information have been provided to answer some of the concerns the neighbors have about the height and size of the project:

- **i4 addendum:** shows a map of the R7.5 zoned portion of the neighborhood and all of the houses that have been built, or effectively built according to DCAD.org, since the year 2000. The map also shows how encumbered the 7006 Shook lot is with the existing setbacks. The table to the left of the map indicates how encumbered the lot is with the **2,484sf** "Buildable S.F." in relation to its 8,000+ sf lot size as a result of the front yard setback on the side of the lot. Cities, towns, and neighborhoods develop and evolve over time. The information on this sheet is to show that the proposed project is commensurate with neighborhood development of this time period.
- **i5 addendum:** shows that the 7006 Shook project is within the 30ft. height restriction (measured to the midpoint of the roof) set by the City of Dallas. The plan is to keep all of the existing trees, as they are one of the most attractive elements of the Lakewood area, but the diagram is only a comparison of houses as it pertains to commensurate development. It should be noted that the majority of trees on this site and the rest of the neighborhood are significantly taller than 30ft. and therefore are not overpowered by the height of the proposed project.



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

7006 Shook
Plan: Level 2

Drawn by Zachary Spillers | February 29, 2012

A2-2
addendum

BDA 101-13
Attach C
Pg 2

R7.5 Zoned Homes Built/Renovated Since 2000

Boundary of listed houses

ADDRESS	YR. BUILT	LIVING S.F.	GARAGE S.F.	OTHER S.F.	TOTAL S.F.	LAND S.F.	BUILT S.F./LAND S.F.	BUILDABLE S.F.
2620 Whiterock	2006	3787	504		4291	7733	55.49%	5416
2432 Loving	2007	3864	516		4380	7982	54.87%	5469
7051 Pasadena	2004	3554	582		4136	7603	54.40%	5233
7102 Shook	2005	4543	947		5490	10507	52.25%	5060
2624 Whiterock	2006	3527	470		3997	7865	50.82%	5367
7006 Shook	Proposed	2999	543	543	4085	8039	50.81%	2484
7003 Shook	2006	4303	429		4732	9349	50.62%	4752
7046 Pasadena	2008	5250	704		5954	12082	49.28%	9957
7115 Shook	2005	3899	900		4799	9864	48.65%	7142
7001 Pasadena	2000	3010	593	549	4152	8609	48.23%	4058
7155 Shook	2008	4616	621		5237	10874	48.16%	8198
2526 Loving	2007	3364	400	432	3764	7756	47.34%	5391
7128 Wildgrove	2005	2712	528		3672	8220	45.79%	5773
7145 Wildgrove	2006	3922	504		4426	9690	45.68%	7214
7138 Shook	2004	3468	541	340	4349	9583	45.38%	6669
7030 Pasadena	2005	4005	525		4530	10225	44.30%	7577
7115 Wildgrove	2005	3723	552		4275	9824	43.52%	7035
7146 Pasadena	2007	4002	891		4893	11303	43.29%	8470
2615 Pasadena	2009	3169	520		3689	8535	43.22%	5967
7039 Pasadena	2003	3751	827		4578	10632	43.06%	8043
7018 Wildgrove	2000	3018	480		3498	8197	42.67%	5761
7033 Pasadena	2003	3764	624		4388	10365	42.33%	7682
7151 Wildgrove	2000	3696	320	394	4410	10715	41.16%	8073
7120 Pasadena	2010	5427	564	260	6251	15377	40.65%	12258
7155 Wildgrove	2009	2451	484	210	4374	11229	38.95%	8429
7034 Pasadena	2007	3469	726		4195	10930	38.38%	8300
7103 Shook	2009	3922	546		4468	12344	35.90%	9351
7040 Pasadena	2007	3414	575		3989	13357	32.32%	6450
2531 Winsted	2000	5604	1085	1085	7774	46070	16.87%	40760

- = Buildable Area
- = Frontyard Setback on Side
- = Setbacks

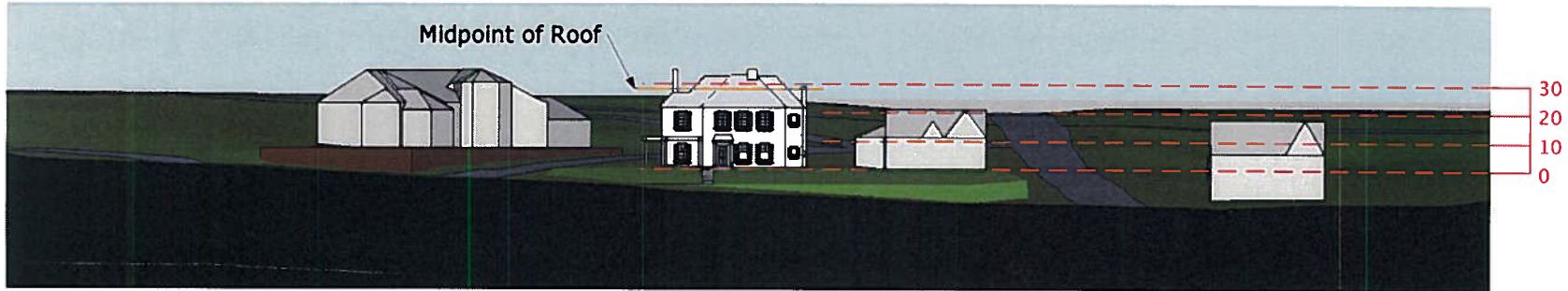


7006 Shook Ave.

7006 Shook

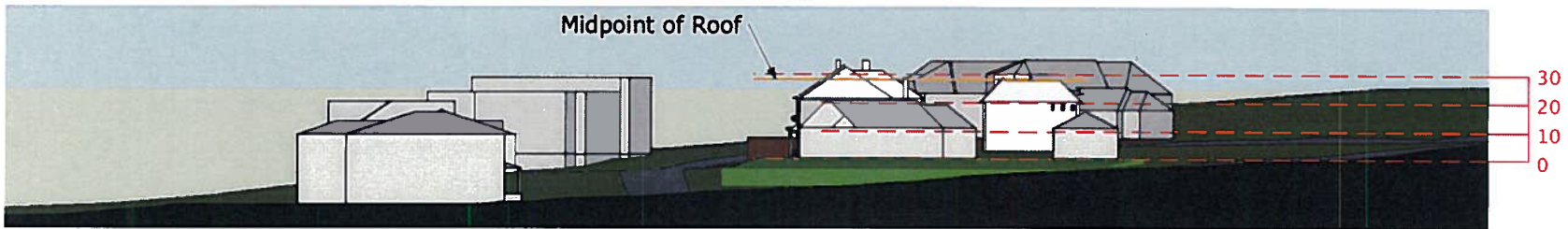
Houses Built Since 2000

Drawn by Zachary Spillers | February 20, 2012



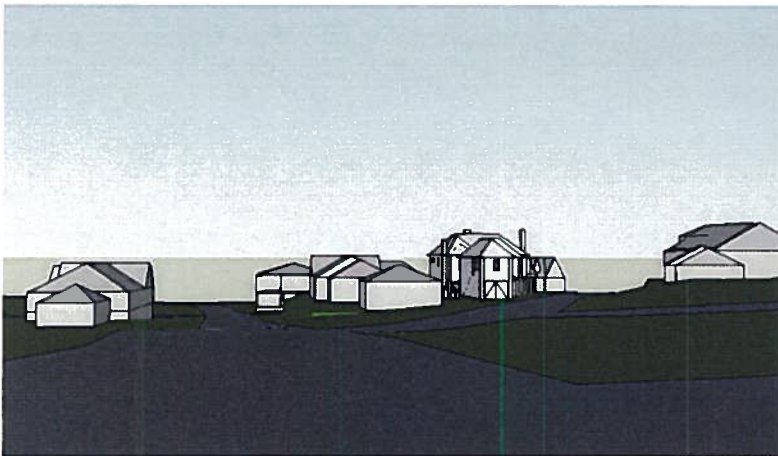
Context Height Diagram: 1

Scale: 1" = 40'

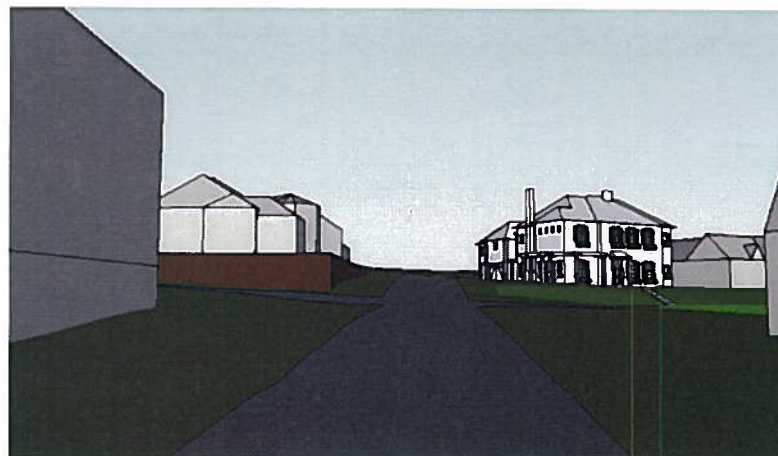


Context Height Diagram: 2

Scale: 1" = 40'



V1: Neighborhood Perspective View from Gaston/West Shore Intersection



V2: Neighborhood Perspective View from White Rock Road



7006 Shook
Height Diagram

Drawn by Zachary Spillers | February 20, 2012

Case: BDA 101-130

*The following illustrations, now labeled **Attachment – D**, include and averaging of buildable area as a percentage of total lot size. This data was originally intended to appear in a previously submitted document now labeled Attachment – C. The rest of Attachment – D is identical to Attachment- C. Please find this all-important summary as adequate illustration of the hardship created by the 1) **additional front yard setback** and 2) **irregular lot shape**.*

***Summary:** The 30 houses remodeled or built since 2000 in Pasadena Heights (zoned R7-5) enjoy, on average, 69% of their lot as buildable area. 7006 Shook Ave, a Pasadena Heights residence currently suffers a buildable area of **30.9%**.*

R7.5 Zoned Homes Built/Renovated Since 2000

ADDRESS	YR. BUILT	LAND'S S.F.	CARTRAGE S.F.	OTHER S.F.	TOTAL S.F.	LAND S.F.	S.F. Under floor as % of Lot Size	Buildable S.F. other	Buildable Area as % of Lot Size
2620 WINDROCK	2009	5107	504		4281	7733	83.48%	5416	70.04%
4232 LORNA	2007	3864	516		4380	7982	84.87%	5468	68.52%
2081 PRAEDERIA	2004	3854	542		4136	7603	84.40%	5233	68.83%
2102 SHOOK	2005	4643	947		6490	10807	82.25%	5060	48.18%
2624 WINDROCK	2006	3927	470		3927	7855	80.82%	5367	68.24%
7006 SHOOK	Proposed	2898	543		4085	8039	80.81%	2464	30.80%
7003 SHOOK	2006	4303	429		4732	9349	80.82%	4732	50.83%
7046 PRAEDERIA	2008	8250	704		5954	12032	48.28%	9987	82.41%
7115 SHOOK	2005	3889	830		4799	9884	48.85%	7142	72.40%
7001 PRAEDERIA	2000	3010	830		4152	8609	48.23%	4088	47.14%
7182 SHOOK	2006	4816	621		5237	10874	48.19%	8188	78.35%
7183 WINDROCK	2005	4816	621		5237	10874	48.19%	8188	78.35%
2528 LORNA	2007	2712	528		3672	7756	47.34%	5391	69.81%
7145 WINDROCK	2006	3384	400		3764	8220	45.79%	5773	70.23%
7198 SHOOK	2004	3488	504	340	4426	9680	45.68%	7214	74.45%
7030 PRAEDERIA	2005	4005	528		4530	10235	44.30%	8989	72.17%
7115 WINDROCK	2005	3723	542		4275	9824	43.82%	7935	74.10%
2615 PRAEDERIA	2007	4022	891		4933	11303	43.28%	8470	74.94%
2633 PRAEDERIA	2009	3189	530		3689	8534	43.23%	3987	69.81%
2093 PRAEDERIA	2003	3751	827		4678	10632	43.08%	8043	78.68%
2018 WINDROCK	2000	3018	480		3498	8187	42.87%	5761	70.28%
2093 PRAEDERIA	2003	3764	624		4388	10355	42.33%	7682	74.11%
2011 WINDROCK	2010	4410	620		5030	10715	41.16%	8073	78.34%
2011 WINDROCK	2010	4410	620		5030	10715	41.16%	8073	78.34%
2180 PRAEDERIA	2005	3847	584	260	4251	13377	40.85%	12288	78.07%
2009	2009	3451	484	210	4374	11239	38.95%	8428	78.08%
2153 WINDROCK	2007	3489	484		2935	7819	38.82%	5341	68.39%
2007	2007	3489	484		2935	7819	38.82%	5341	68.39%
2004 PRAEDERIA	2007	3922	546		4488	12445	38.80%	8381	78.14%
2103 SHOOK	2009	3416	578		3989	12346	38.39%	8430	62.28%
2007	2007	3416	523		3989	12346	38.39%	8430	62.28%
2001 PRAEDERIA	2000	8604	1083		7774	48070	16.87%	40760	88.47%

Avg. Without 2031 Winsted 11186.44387
 Avg. Without 2031 Winsted 9961.766887

7006 Shook Hardship 8039 50.81% 2484 30.90%

- Average Land Area* = 9961.76 SF
- Average Buildable Area* = 8009.94 SF
- Average Buildable Area as % of Lot Size* = 69.33%
- Difference in 7006 Shook Lot Size vs. Average* = 1922.77 SF (19.3% of Avg.)
- Difference in 7006 Shook Buildable Area as % of Lot Size vs. Average* = 38.43%

- = Buildable Area
- = Frontyard Setback on Side
- = Frontyard Setback

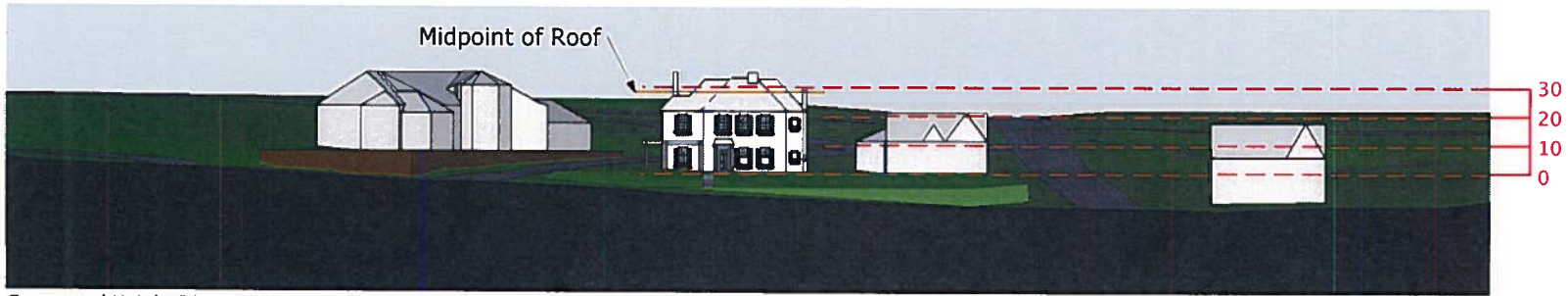
* w/o Winsted



7006 Shook
 Houses Built Since 2000

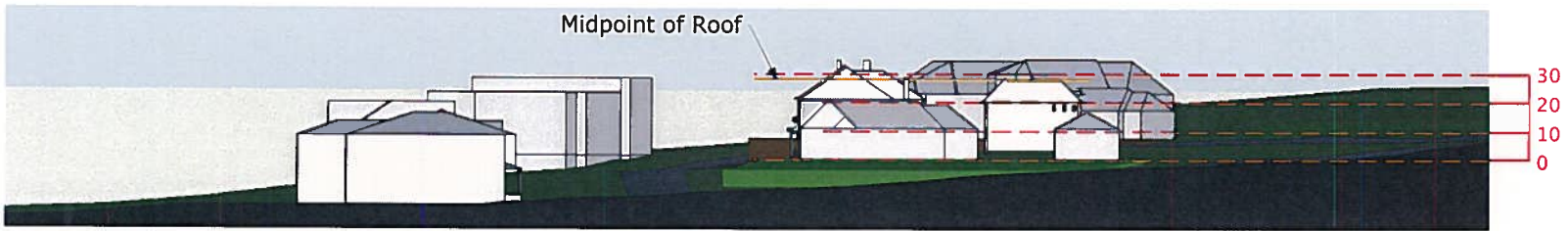
Drawn by Zachary Spillers | February 20, 2012

i4
 addendum
 101-130



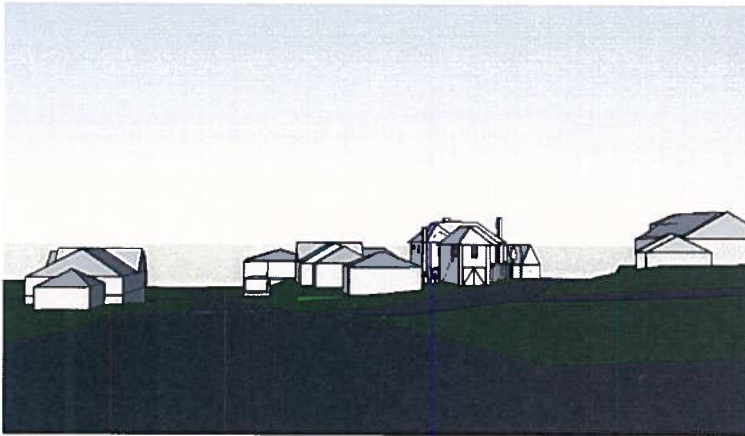
Contextual Height Diagram 1

Scale: 1" = 40'

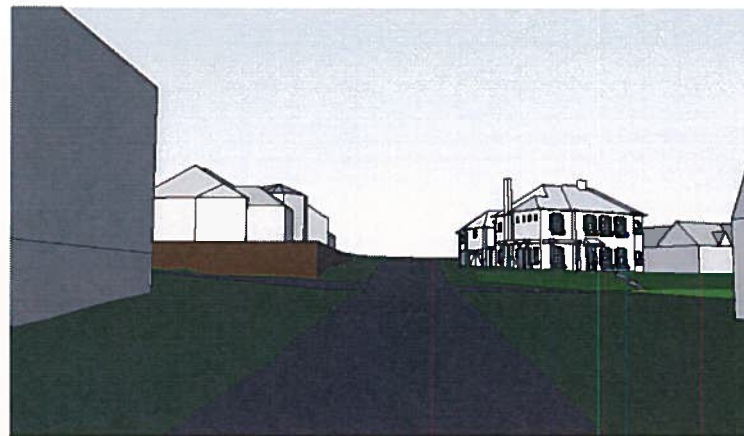


Contextual Height Diagram 2

Scale: 1" = 40'



V1: Neighborhood Perspective View from Gaston/West Shore Intersection



V2: Neighborhood Perspective View from White Rock Road

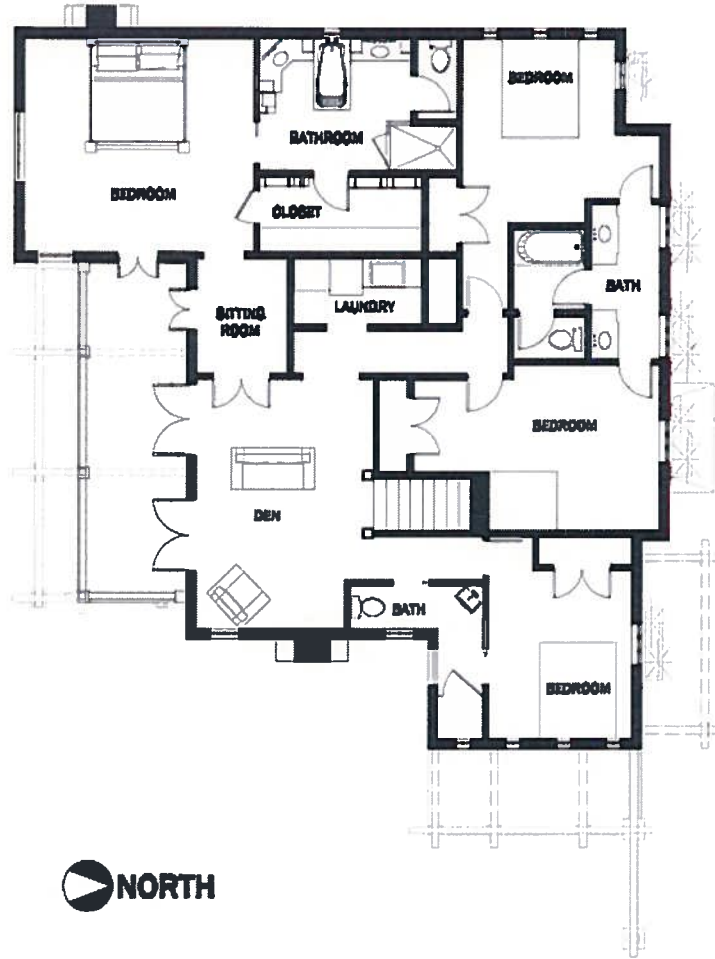
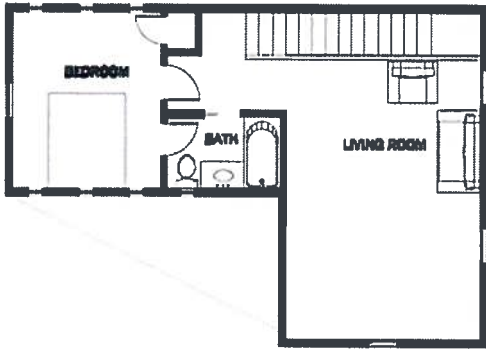


7006 Shook
Height Diagram

Drawn by Zachary Spillers | February 20, 2012

i5
addendum

BDA 101-13C
Attach D
Pg 3



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

7006 Shook
Plan: Level 2

Drawn by Zachary Spillers | February 20, 2012

A2-2
addendum



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 101-130

Data Relative to Subject Property:

Date: 10-26-11

Location address: 7006 SHOOK AVE. Zoning District: R-7.5(A)

Lot No.: 2 Block No.: F2812 Acreage: 0.185 Census Tract: 1.00

Street Frontage (in Feet): 1) 98.8' 2) 172.2' 3) _____ 4) _____ 5) _____

SE SB

To the Honorable Board of Adjustment :

Owner of Property (per Warranty Deed): NATHAN WATKINS

Applicant: NATHAN WATKINS Telephone: 214.769.2392

Mailing Address: 7006 SHOOK AVE. Zip Code: 75214

E-mail Address: nwatkins@universitylaundry.com

Represented by: ZACH SPILLERS Telephone: 214.868.5160

Mailing Address: 1118 N. ZANG BLVD., STE. 102 Zip Code: 75203

E-mail Address: zaspillers@spillersgroup.com

Affirm that an appeal has been made for a Variance , or Special Exception , of 22.5' to the front yard setback (white rock road, sideyard) and a variance of 17.5' to the setback required for enclosed parking. and a special exception for additional dwelling unit.

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

Due to 1) the size and shape of the property, 2) the slope of the front yard, and 3) the presence of numerous mature trees, the lot cannot be developed in a manner commensurate with properties in the area with same zoning classifications.

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

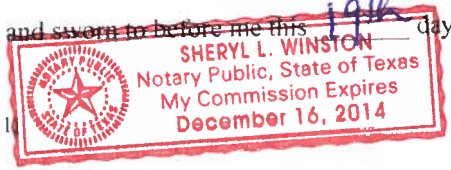
Before me the undersigned on this day personally appeared NATHAN WATKINS
(Affiant/Applicant's name printed)

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 19th day of October, 2011

(Rev. 08-01-11)



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

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied

Remarks _____

Chairman

Building Official's Report

I hereby certify that Nathan Watkins
represented by ZACHARY SPILLERS
did submit a request for a variance to the front yard setback regulations, and for a variance to the
off-street parking regulation, and for a special exception to the single family
regulations
at 7006 Shook Avenue

BDA101-130. Application of Nathan Watkins represented by Zachary Spillers for a variance to the front yard setback regulations, a variance to the off-street parking regulations, and a special exception to the single family regulations at 7006 Shook Avenue. This property is more fully described as lot 2 in city block F/2812 and is zoned R-7.5(A), which limits the number of dwelling units to one and requires a front yard setback of 25 feet and requires a parking space must be at least 20 feet from the right-of-way line adjacent to a street or alley if the space is located in an enclosed structure and if the space faces upon or can be entered directly from the street or alley. The applicant proposes to construct and maintain a single family residential structure and provide a 2 foot 6 inch front yard setback, which will require a 22 foot 6 inch variance to the front yard setback regulation, and to construct and maintain a single family residential structure with a front yard setback of 2 feet 6 inches, which will require a variance of 17 feet 6 inches to the off-street parking regulation, and to construct an additional dwelling unit, which will require a special exception to the single family zoning use regulations.

Sincerely,

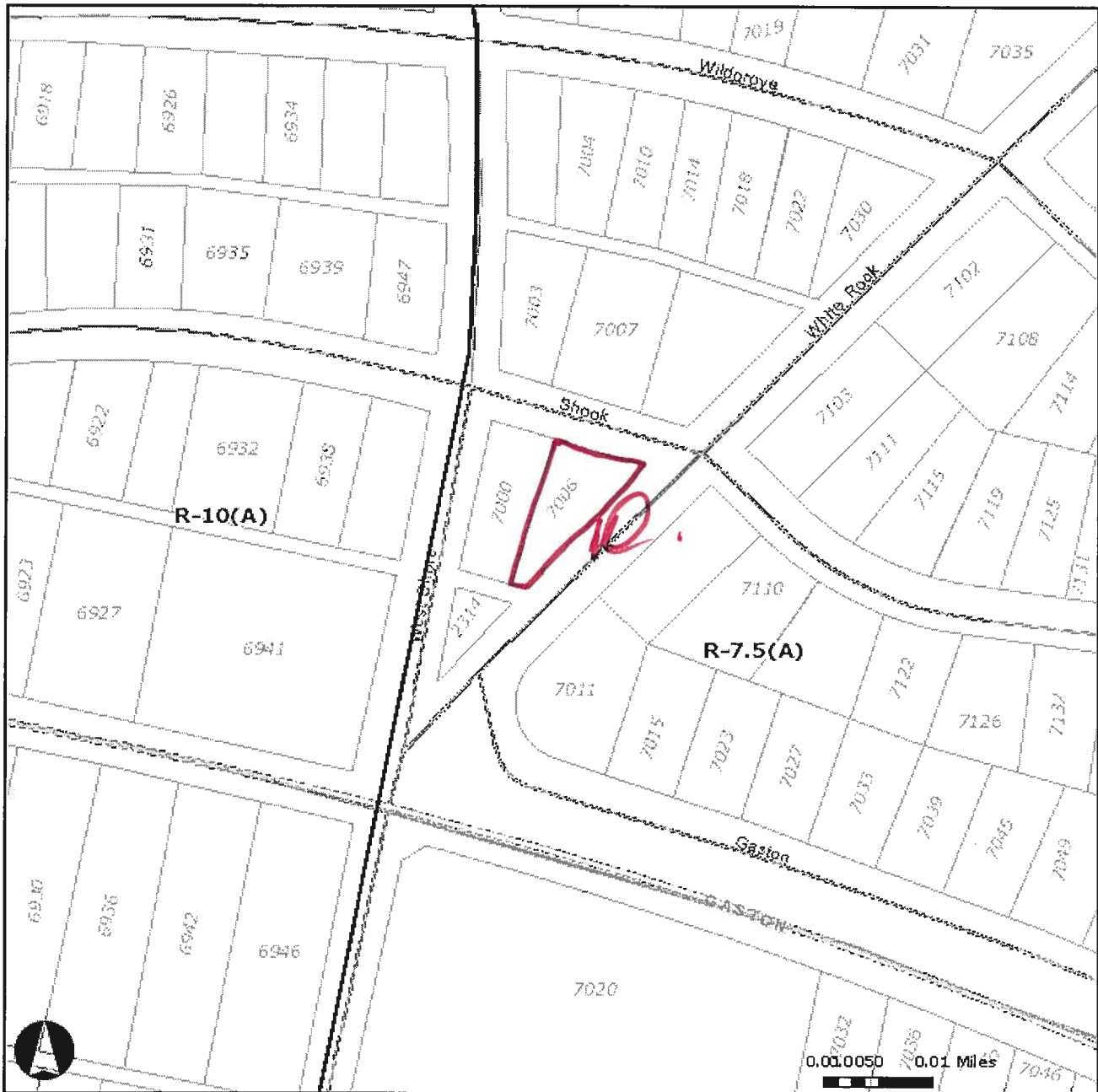

Lloyd Denman, Building Official





C:\tax_plats\2807_a.dgn 10/26/2011 8:43:20 AM

City of Dallas Zoning



Address Candidates



County



Certified Parcels



DISD Sites



Council Districts



Waterways



Parks



Dry Overlay



Historic Overlay



Historic Subdistricts



NSO Overlay



NSO Subdistricts



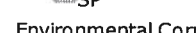
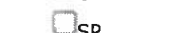
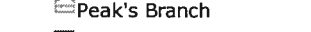
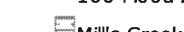
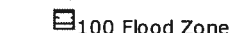
MD Overlay



Base Zoning



Floodplain





**7006 Shook
Dallas, TX 75214**

Setback Variance Request



Unbuildable lot determining frontage setbacks.

Former alley terminated by transformers and electrical.



What used to be an alley no longer functions as an alley.

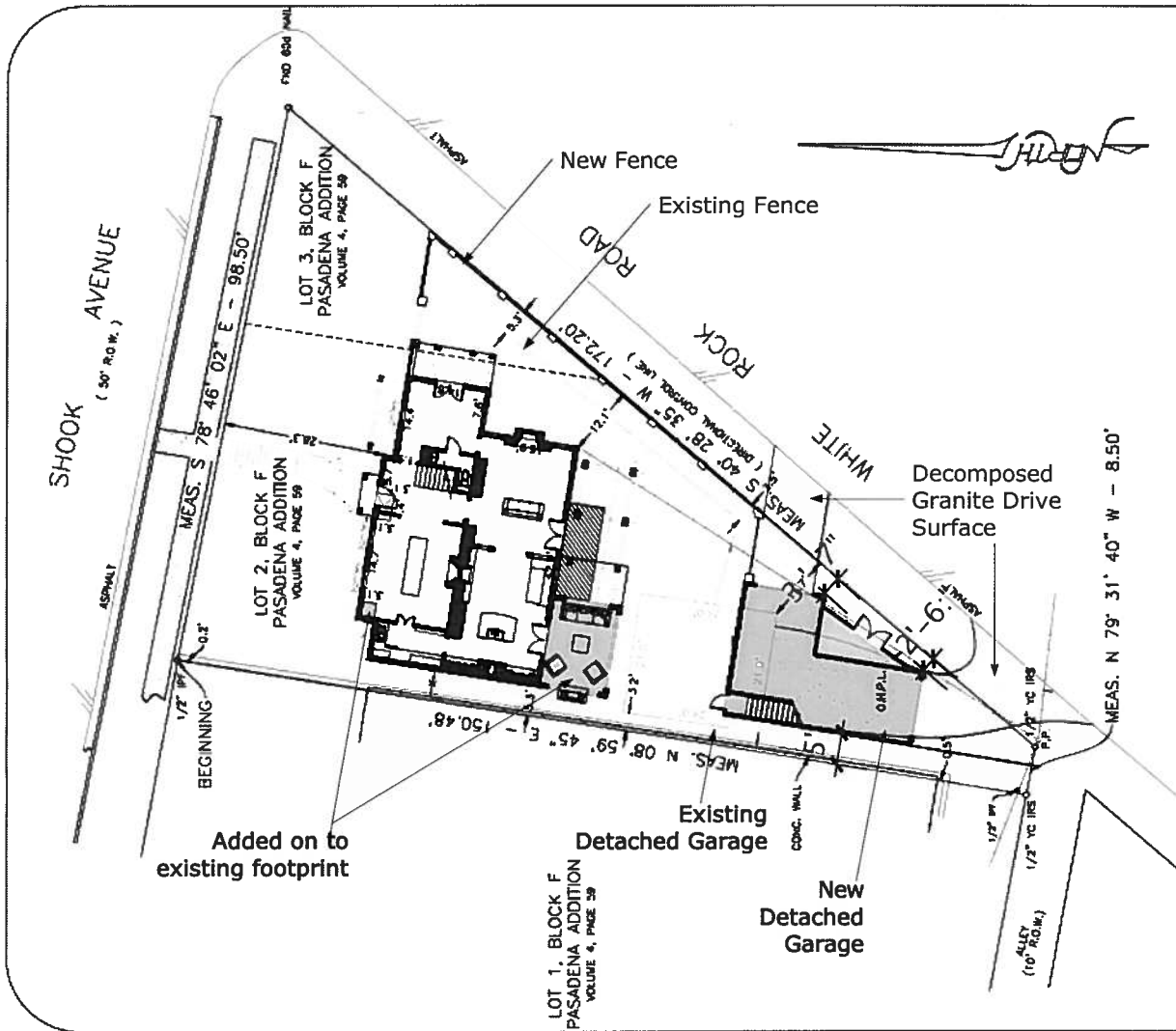
Unbuildable lot determining frontage setbacks.



Pushing garage back allows us to save these trees while also reclaiming permeable surface/backyard at 7006 Shook.

7006 Shook
Images

Drawn by Zachary Spillers | September 8, 2011



STATE OF TEXAS,
COUNTY OF DALLAS.

BEING a part of Lot 2 and Lot 3 of Block F/2012 of Pasadena Addition, an addition to the City of Dallas, Dallas County, Texas according to the map thereof recorded in Volume 4, Page 59 of the Map Records of Dallas County, Texas and being a tract of land conveyed to Jerry Williams as reported in Volume 91123, Page 4368 of the Deed Records of Dallas County, Texas and being more particularly described by notes and bounds as follows:

BECHING at a 3/4 inch iron rod found for corner in the South Right of Way line of Shook Avenue (50 feet Right of Way), being the Northwest corner of said Lot 2 and being the Northeast corner of Lot 1 of said Pasadena Addition;

THENCE South 78 degrees 46 minutes 02 seconds East, a distance of 98.50 feet to a 60d nail found for corner at the intersection of the said South Right of Way line of Shook Avenue with the Northwest Right of Way line of White Rock Road;

THENCE South 40 degrees 28 minutes 35 seconds West (fractional corner), a distance of 172.20 feet to a 1/2 inch yellow-capped iron rod set for corner at the intersection of the said Northwest Right of Way line of White Rock Road with the North Right of Way line of an alley (10 feet Right of Way);

THENCE North 79 degrees 31 minutes 40 seconds West, a distance of 8.50 feet to a 3/4 inch yellow-capped iron rod set for corner, said point being the Southeast corner of said Lot 1;

THENCE North 08 degrees 59 minutes 45 seconds East, a distance of 150.48 feet to the PLACE OF BEGINNING and containing 8,036 square feet or .1185 of an acre of land.

BY Barry Rhodes
Registered Professional Land Surveyor
No. 12226
P.O. Box 2327, Rowlett, Texas 75080
Phone 972-475-0940

SURVEY

I do hereby certify that I have, this day, made a careful and accurate survey on the ground of property located at the _____ in the City of _____, Texas.

The said herein to have, revised, and accurate representation of the property as described by the above bearings and distances of said survey being subject to the provisions of the laws of the State of Texas.

THERE ARE NO ENCUMBRANCES, CONFLICTS, OR PROVISIONS. EXEPT

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
TITLE CO
USE OF THIS SURVEY FOR ANY OTHER PURPOSE
OR OTHER PARTIES SHALL BE AT THEIR RISK AND
UNDESIGNED IS NOT RESPONSIBLE TO OTHERS
FOR ANY LOSS RESULTING THEREFROM

TITLE AND ABSTRACTING WORK FURNISHED BY _____ TITLE _____

BARRY RHODES
Registered Professional Land Surveyor
RHODES@SURVEYINGBYAHQ.COM
P.O. BOX 2327, ROWLETT TEXAS 75080
PHONE 972-475-0940 FAX 972-475-9036

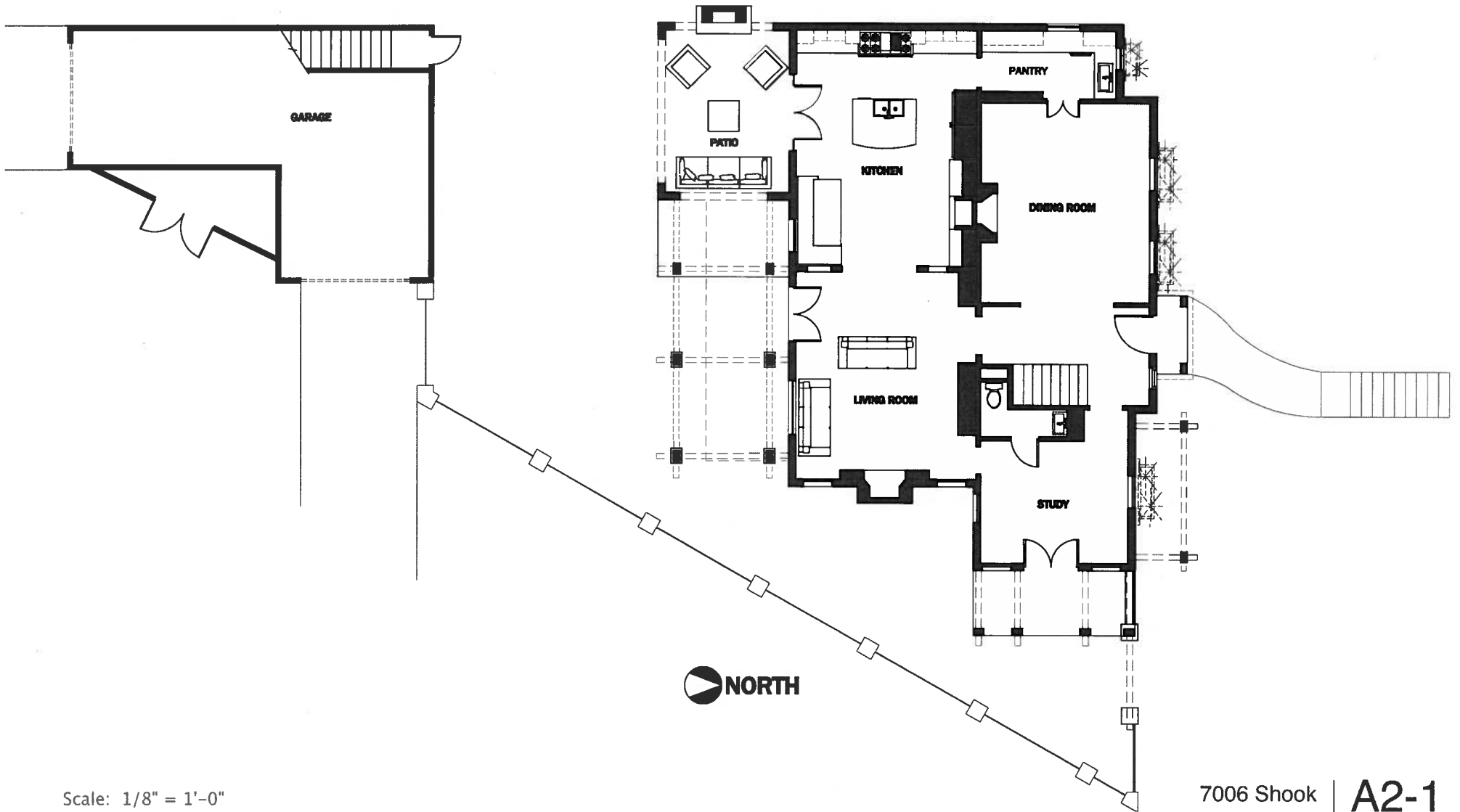
Scale: 1"=20' Date: _____ G. F. No.: _____ Job no.: _____ Drawn by: DRH/ML

Scale: 1" = 20'

7006 Shook
Proposed Site Plan

A1

Drawn by Zachary Spillers | September 8, 2011

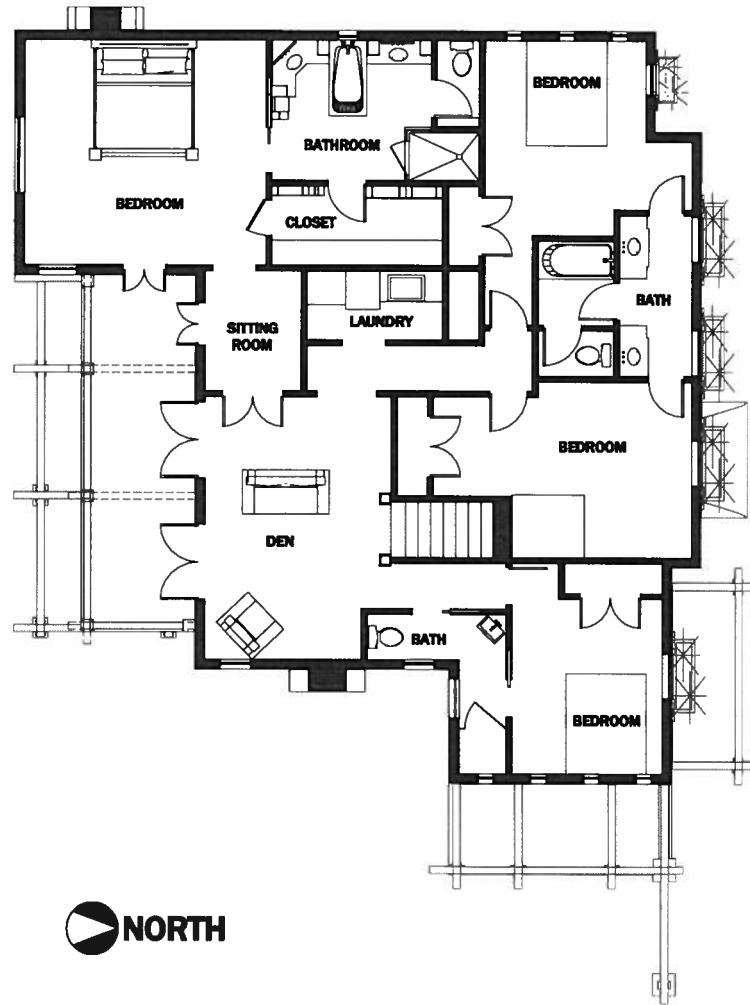
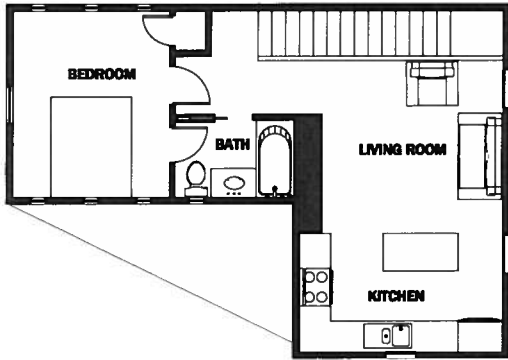


Scale: 1/8" = 1'-0"

7006 Shook
Plan: Level 1

A2-1

Drawn by Zachary Spillers | September 8, 2011



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

7006 Shook
Plan: Level 2

A2-2

Drawn by Zachary Spillers | September 8, 2011



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

7006 Shook
North Elevation

A3-1

Drawn by Zachary Spillers | September 8, 2011

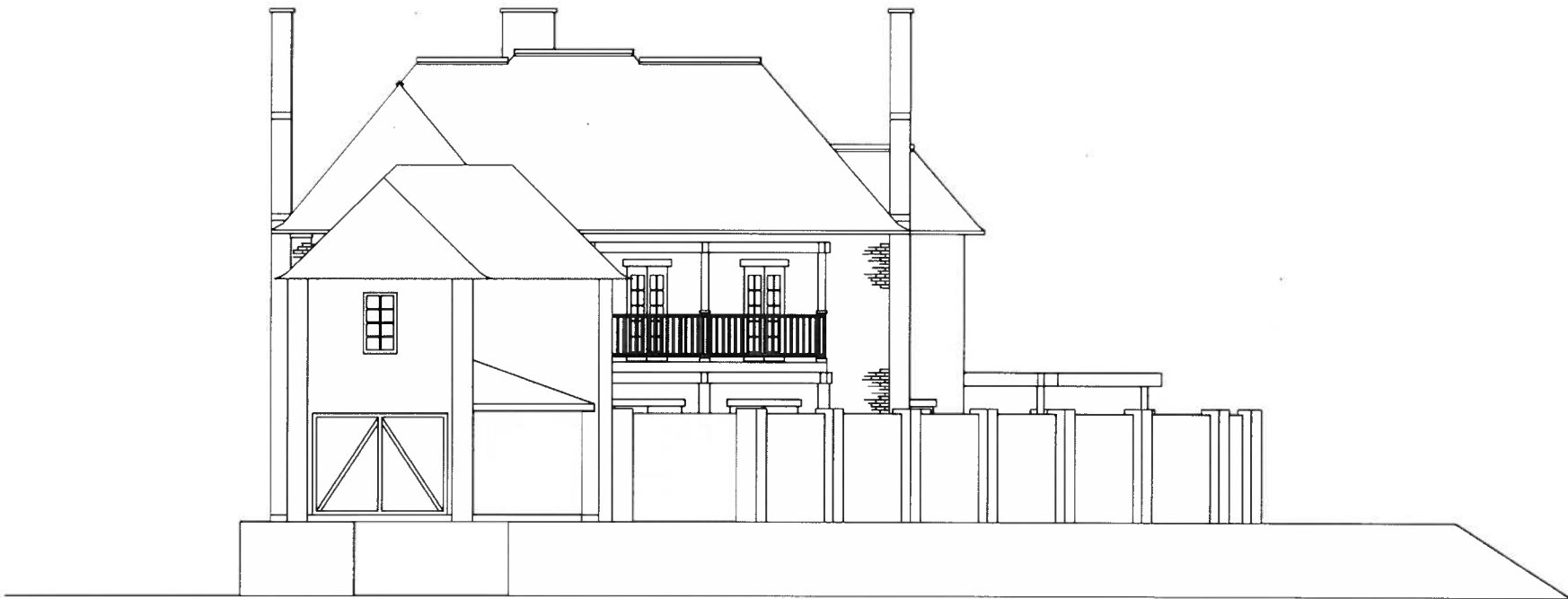


Scale: 1/8" = 1'-0"

706 Shook
East Elevation

Drawn by Zachary Spillers | September 8, 2011

A3-2

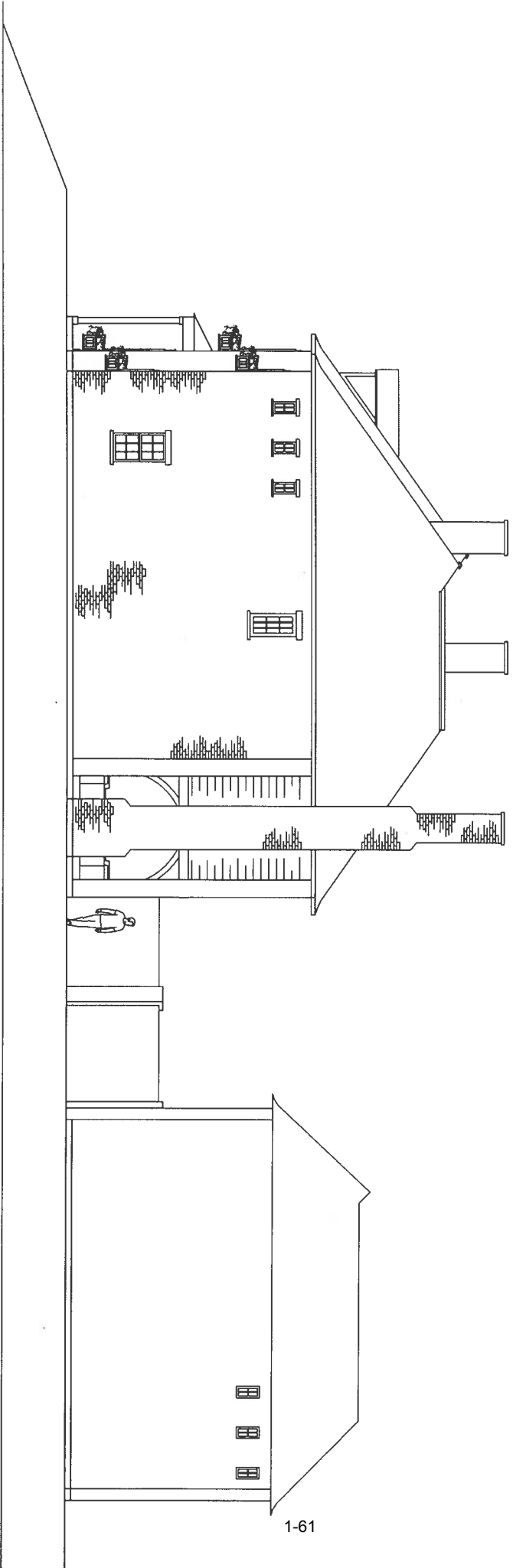


Scale: 1/8" = 1'-0"

7006 Shook
South Elevation

Drawn by Zachary Spillers | September 8, 2011

A3-3



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

7006 Shook
South Elevation
Drawn by Zachary Spillers | September 8, 2011

A3-4

BDA 101-130

1-61



 1:1,200	NOTIFICATION		Case no: BDA101-130
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">16</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 11/17/2011	

Notification List of Property Owners

BDA101-130

16 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	7006 SHOOK AVE	WATKINS NATHAN & PAIGE
2	7011 GASTON PKWY	THOMPSON LINDA DIANNE
3	7015 GASTON PKWY	OCONNOR NOAH & CASEY REIVICH
4	7023 GASTON PKWY	HUNT SCOTT D &
5	7110 SHOOK AVE	HOUSEY MATTHEW M & ANDREA
6	7102 SHOOK AVE	RUST RANDAL T LIVING TRUST RUST RANDAL T
7	7103 SHOOK AVE	SPIES BEN PATRICK
8	7111 SHOOK AVE	SHAPLEIGH COLBERT
9	6947 SHOOK AVE	KING ALLAN G & REBECCA E HAMILTON
10	6938 SHOOK AVE	AGOSTINI ROSEMARI
11	6942 SHOOK AVE	NORWOOD ANNETTA S
12	6941 GASTON AVE	FAHEY MICHAEL
13	7000 SHOOK AVE	GUFFEY JOSEPH A
14	7011 SHOOK AVE	MARSHALL ALBERT P & JANICE J
15	7007 SHOOK AVE	MIDDLEMIS HOLLY H & TODD W
16	7003 SHOOK AVE	GLOVER KRIS & ASHLEY

FILE NUMBER: BDA 112-025

BUILDING OFFICIAL'S REPORT:

Application of Rob Baldwin for a variance to the side yard setback regulations at 3229 Throckmorton Street. This property is more fully described as Lot 18D in City Block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 0 foot side yard setback, which will require a variance of 10 feet.

LOCATION: 3229 Throckmorton Street

APPLICANT: Rob Baldwin

REQUEST:

- A variance to the side yard setback regulations of 10' is requested in conjunction with constructing and maintaining an attached single family with an approximately 900 square foot building footprint, part of which would be located in the site's 10' side yard setback on southwest side of site that is currently undeveloped. (Note that this application abuts three other properties where the same applicant seeks similar side yard variance requests of the Board of Adjustment Panel C: BDA 112-026, 027, and 028).

STAFF RECOMMENDATION:

Denial

Rationale:

- The applicant had not substantiated how the restrictive area, shape, or slope of the site/lot precludes it from being developed in a manner commensurate with development found on other PD. No. 193 (MF-2) zoned lots or how granting the variance was not to relieve a self-created hardship.

STANDARD FOR A VARIANCE:

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

- not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

- necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- not granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

GENERAL FACTS:

- PD No. 193 states that minimum side yard setback for multiple-family structures 36’ in height or less on lots zoned MF-2 Subdistrict is 10 feet.
The applicant had submitted a site plan indicating a structure that provides a 0’ setback from the side property line on the southwest side of the subject site or is 10’ into the required 10’ side yard setback.
- The site is flat, rectangular in shape (65’ x 50’), and according to the application, 3,250 square feet in area. The site is zoned PD No. 193 (MF-2). The site has two front yard setbacks which is typical of any lot that has two street frontages and is not zoned single family, duplex, or agricultural.
- DCAD records indicate that the “no improvements” at 4001 Hall Street.
- The applicant submitted additional information beyond what was submitted with the original application (see Attachment A).

BACKGROUND INFORMATION:

Zoning:

- Site: PD No. 193 (MF-2) Planned Development, Multifamily)
- North: PD No. 193 (MF-2) Planned Development, Multifamily)
- South: PD No. 193 (MF-2) Planned Development, Multifamily)
- East: PD No. 193 (MF-2) Planned Development, Multifamily)
- West: PD No. 193 (MF-2) Planned Development, Multifamily)

Land Use:

The subject site is undeveloped. The areas to the north, east, and south appear to be developed as residential uses; and the area immediately west is undeveloped and the subject sites of BDA 112-026, 027, and 028.

Zoning/BDA History:

- | | |
|---|--|
| <p>1. BDA 112-026, Property at 3233 Throckmorton Street (the lot immediately southwest of the subject site)</p> | <p>On March 19, 2012, the Board of Adjustment Panel C will consider requests for variances to the side yard setback regulations of 10’ requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required</p> |
|---|--|

side yard setbacks on property that is currently undeveloped.

2. BDA 112-027, Property at 3237 Throckmorton Street (two lots immediately southwest of the subject site)

On March 19, 2012, the Board of Adjustment Panel C will consider requests for variances to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setbacks on property that is currently undeveloped.

3. BDA 112-028, Property at 3241 Throckmorton Street (three lots immediately southwest of the subject site)

On March 19, 2012, the Board of Adjustment Panel C will consider a request for a variance to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setback on the northeast side of the property that is currently undeveloped.

Timeline:

December 21, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

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

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

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

February 29, 2012: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).

March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public

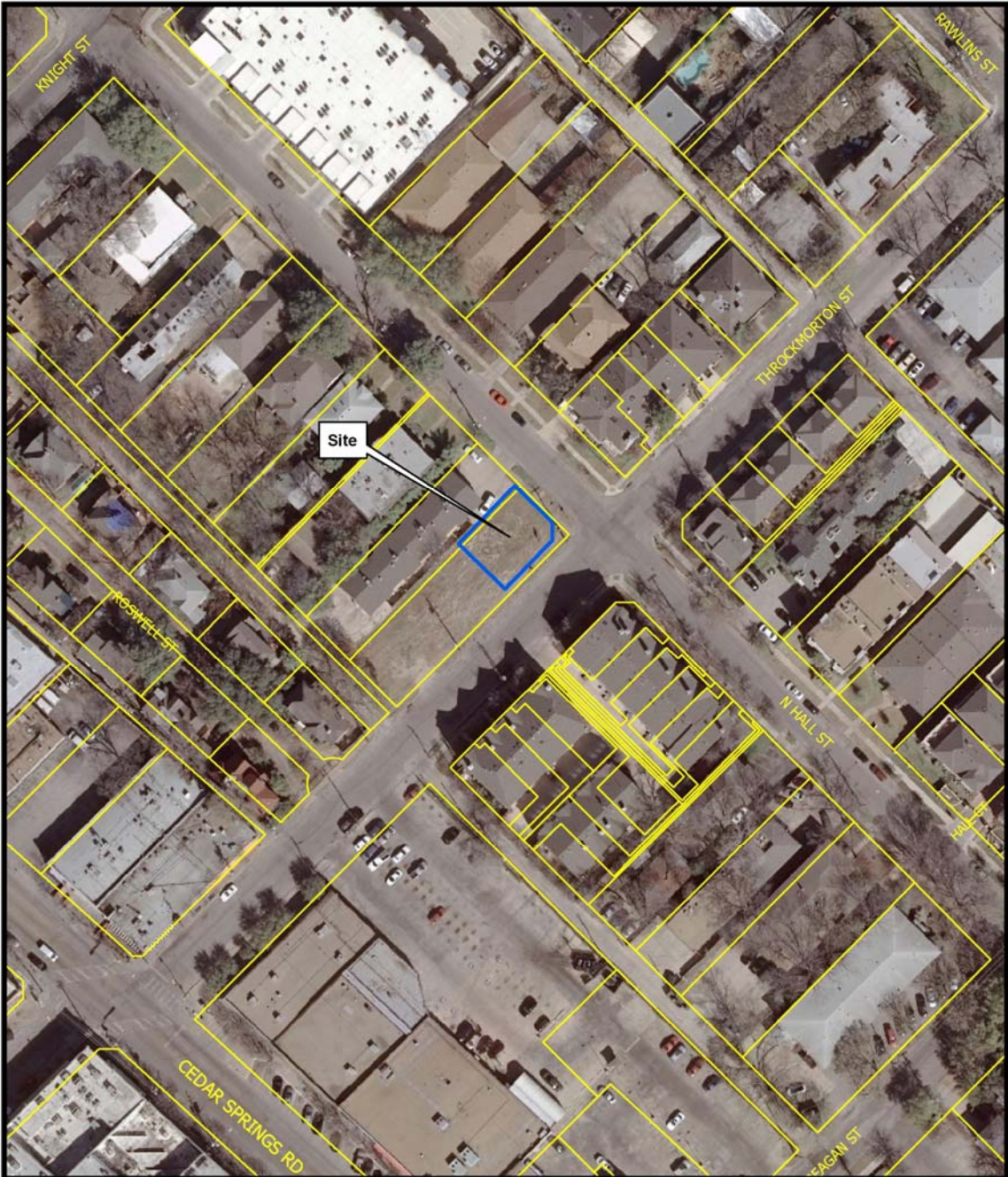
hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Department Project Engineer, the Chief Arborist, and Assistant City Attorneys to the Board.

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

STAFF ANALYSIS:

- The request focuses on constructing and maintaining an attached single family with an approximately 900 square foot building footprint, part of which would be located in the site's 10' side yard setbacks on southwest side of site that is currently undeveloped.
- According to calculations taken from the submitted site plan by the Board Administrator, approximately 200 square feet (or 1/5) of the approximately 900 square foot building footprint is located in the required 10' side yard setback on the southwest side of the subject site.
- The site is flat, rectangular in shape (65' x 50'), and according to the application, 3,250 square feet in area. The site is zoned PD No. 193 (MF-2). The site has two front yard setbacks which is typical of any lot that has two street frontages and is not zoned single family, duplex, or agricultural.
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
 - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure encroaching into the required side yard setback would be required to be maintained in the location and to the features shown on this document.





1:1,200

AERIAL MAP

Case no: BDA112-025

Date: 2/16/2012

Baldwin
Associates

Mr. Steve Long
Board of Adjustment Administrator
City of Dallas
1500 Marilla
Dallas, Texas 75201

Re: BDA112-025, BDA112-026, BDA112-027 & BDA112-028

Dear Steve,

Thank you for your continued assistance with this matter. As you are aware, I am representing Intown-Homes in their efforts to build four (4) new single-family attached dwellings on the property they own at the corner of Hall and Throckmorton in the Oak Lawn area of Dallas. The Property has been recently platted into four (4) lots for the purpose of constructing single-family attached dwellings, similar to the homes immediately adjacent to the Property. These variances are needed to allow this Property to be developed commensurate with the other properties immediately adjacent to us.

Specifically, we are seeking variances to the interior side yards for these homes as shown on the attached exhibit. Before my client bought the Property, they met with the city staff to discuss how they proposed to develop the Property and were told that they could build single-family attached dwellings on the site in the configuration shown on the attached plan. My client then purchased the Property and submitted a replat and site plan and the replat was approved based on the site plan. When they went to get their building permit the city rejected the request because there is a provision in the Oak Lawn Special Purpose District that requires a 10-foot interior side yard for single-family homes in a MF-2 zoning district, unless you are platted as a Residential Development Tract. This side yard requirement is hard to find in the ordinance and is not well known by the city staff. This requirement was not applied to our neighboring properties that are developed as townhomes. We are seeking permission to develop this property commensurate with our neighbors.

I have spoken with both the city staff and members of the Oak Lawn Commission about this issue. They both agreed that there is a setback requirement, but they were also both surprised that this regulation applied to this property. It turns out that the purpose of this requirement is to prohibit flag lots, which we are not proposing. Flag lots are where single-family lots are developed with a minimal amount of frontage on a public street. In an effort to control flag lots, the city amended the Oak Lawn Special Purpose district to allow for what are called "Residential Development Tracts" where a lot can be subdivided to allow for single-

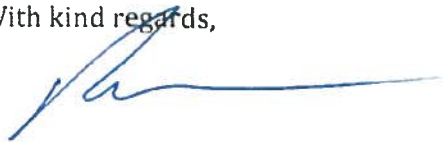
family attached development and the entire property is treated as a single lot for zoning purposes. Unfortunately for us, Residential Development Tract development requires a 20-foot wide access easement on the property that cannot be located in a required front yard. Residential development tracts work well most of the time, but do not work for corner lots. Unfortunately, this Property cannot be developed as a Residential Development Tract because it is only 50-feet wide and it is located on a corner.

Since the Property is located on a corner, each lot will have a required 20-foot front yard on Throckmorton and the northernmost lot will actually have two (2) required front yards: one on Throckmorton and one on Hall Street. Because Residential Development Tracts must have a 20-foot access easement and the Property must also provide a 20-foot front yard along Throckmorton. If we were to meet both requirements, the resulting building area would only be 10-feet wide.

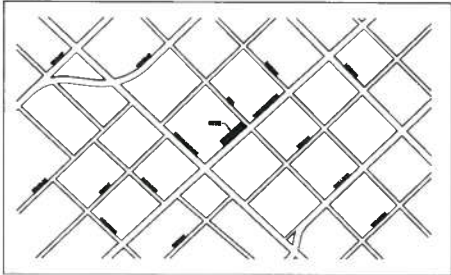
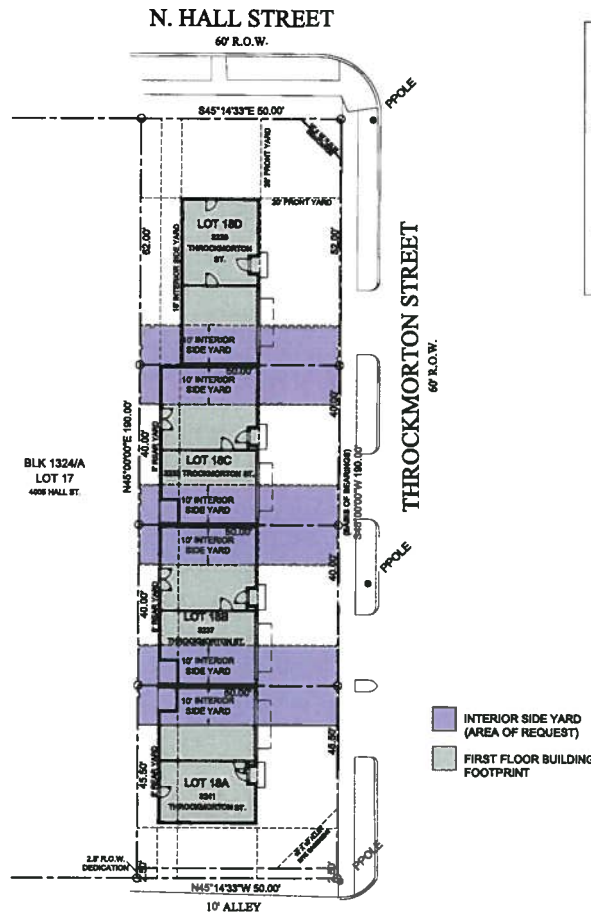
The variance requests associated with development are pretty straightforward. The northernmost lot is seeking permission not to provide a side yard setback on its southern border. The middle two lots are seeking permission not to provide any side yards and the southern lot is seeking permission not to provide a side yard setback on its northern boundary. These requests are designed to allow the Property to be developed with single-family attached dwellings, just like what is built on the other three corners immediately adjacent to the Property.

Thank you for your assistance with this matter. If you have any questions or if I can be of any further assistance, please do not hesitate to contact me.

With kind regards,

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

Robert B. Baldwin



VICINITY MAP
 NTS



BDA 112 - 25
 BDA 112 - 26
 BDA 112 - 27
 BDA 112 - 28



1 AREA OF REQUEST
 TO SCALE ON 24"x36" @ 3/32" = 1'-0" NOT TO SCALE ON 11"x17"

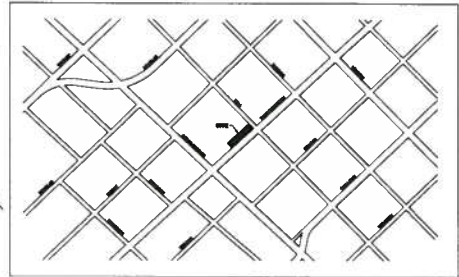


03/05/12
 PROJECT NUMBER
 DATE

BALDWIN ASSOCIATES
 3800 Elm Street, Suite 10
 Dallas, Texas 75226
 PHONE: 214.728.7949
 OFFICE: 214.681.7949
 FAX: 214.681.7950

Baldwin
 Associates

THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



VICINITY MAP
 NTS

ADJACENT PROPERTY WITH
 ATTACHED, SINGLE-FAMILY
 RESIDENTIAL



- SITE (LOTS 18A - 18D)
- SIMILAR SITES WITH ATTACHED SINGLE-FAMILY RESIDENTIAL ON MF-2 ZONED PROPERTY



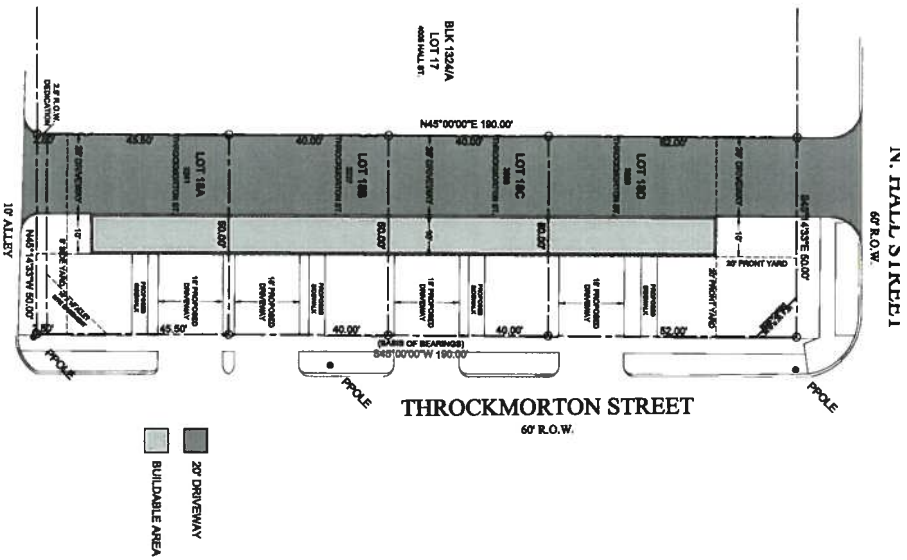
4 ADJACENT PROPERTIES
 NOT TO SCALE

03/02/12
PROJECT NUMBER
DATE

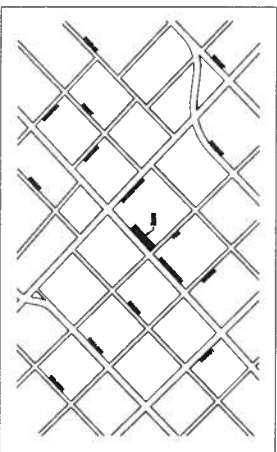
BALDWIN ASSOCIATES
 1001 Elm Street, Suite B
 Dallas, Texas 75208
 MOBILE: 214.728.7949
 OFFICE: 214.821.7949
 info@baldwinassoc.com



THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



20' DRIVEWAY
 BUILDABLE AREA



VICINITY MAP
 NTS



3

SITE PLAN WITH 20' DRIVEWAY
 TO SCALE ON 24\"/>



03/02/12
PROJECT NUMBER
CASE NUMBER

BALDWIN ASSOCIATES
 3004 Elm Street, Suite B
 Dallas, Texas 75226
 MOBILE: 214.728.7949
 OFFICE: 214.824.7849
 info@baldwinplanning.com

Baldwin Associates

2-1

THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-025

Data Relative to Subject Property:

Date: 12-21-11

Location address: 4001 Hall Street Zoning District: PD-193(MF-2)

Lot No.: 18 D Block No.: A/1324 Acreage: 3250 sq. ft. Census Tract: 6.0A

Street Frontage (in Feet): 1) 50' 2) 65 3) _____ 4) _____ 5) _____

To the Honorable Board of Adjustment:

Owner of Property/or Principal: Texas Intownhomes, LLC

Applicant: Rob Baldwin Telephone: (214) 824-7949

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception ___ of ___ Interior side yard setback requirements.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The interior side yard setback requirement is inconsistent with development practice and is placing a hardship on the property not shared by other properties in the immediate vicinity.

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

Respectfully submitted: Robert Baldwin
Applicant's name printed

[Signature]
Applicant's signature

Affidavit

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

[Signature]
Affiant (Applicant's signature)

Subscribed and sworn to before me this 19th day of Dec

2011

Notary Public and for Dallas County, Texas [Signature]

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was---Granted OR Denied

Remarks _____

Chairman

Building Official's Report

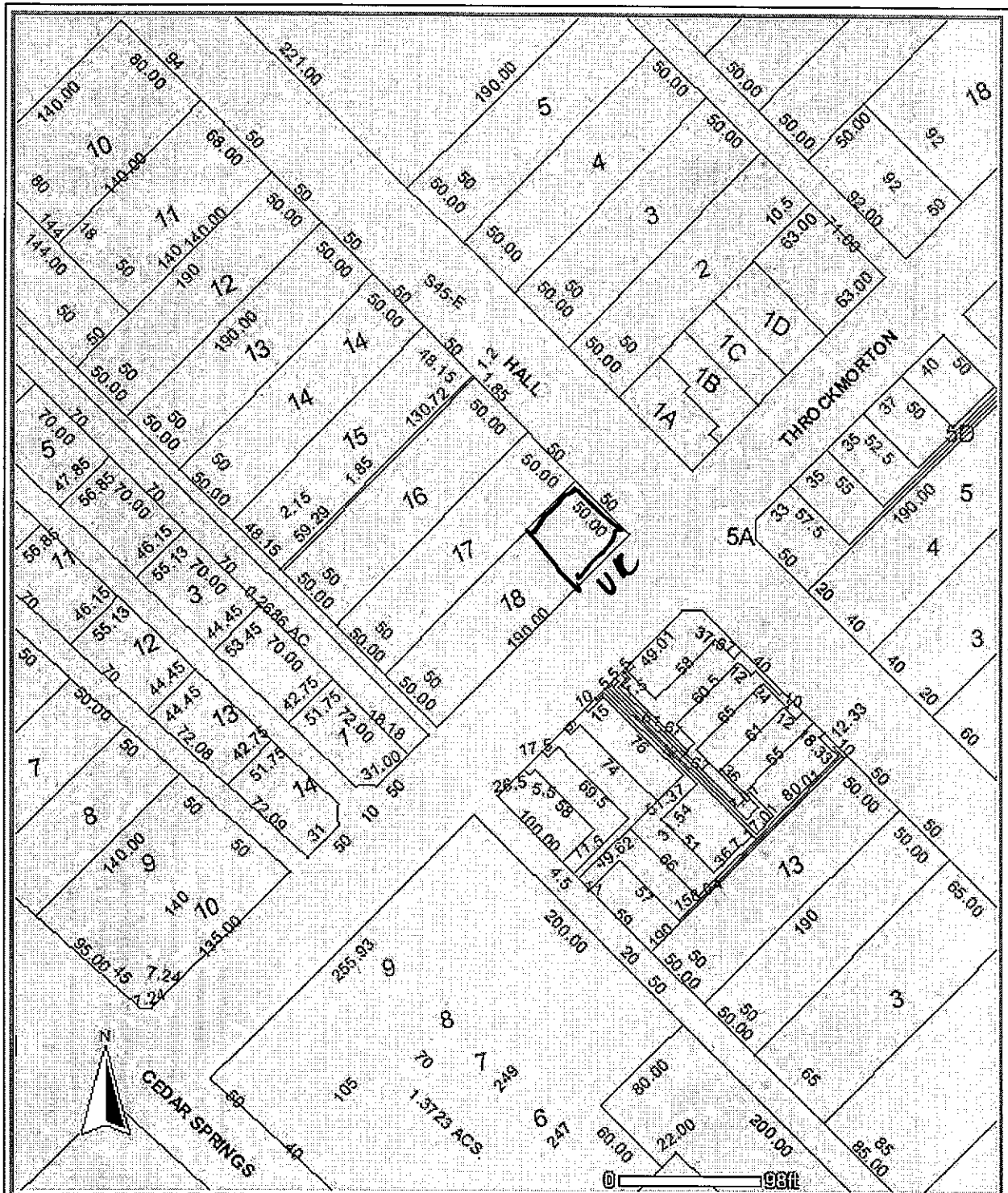
I hereby certify that ROB BALDWIN

did submit a request for a variance to the side yard setback regulation
at 3229 Throckmorton Street

BDA112-025. Application of Rob Baldwin for a variance to the side yard setback regulation at 3229 Throckmorton Street. This property is more fully described as lot 18D in city block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct a single family residential structure and provide a 0 foot side yard setback, which will require a 10 foot variance to the side yard setback regulation.

Sincerely,

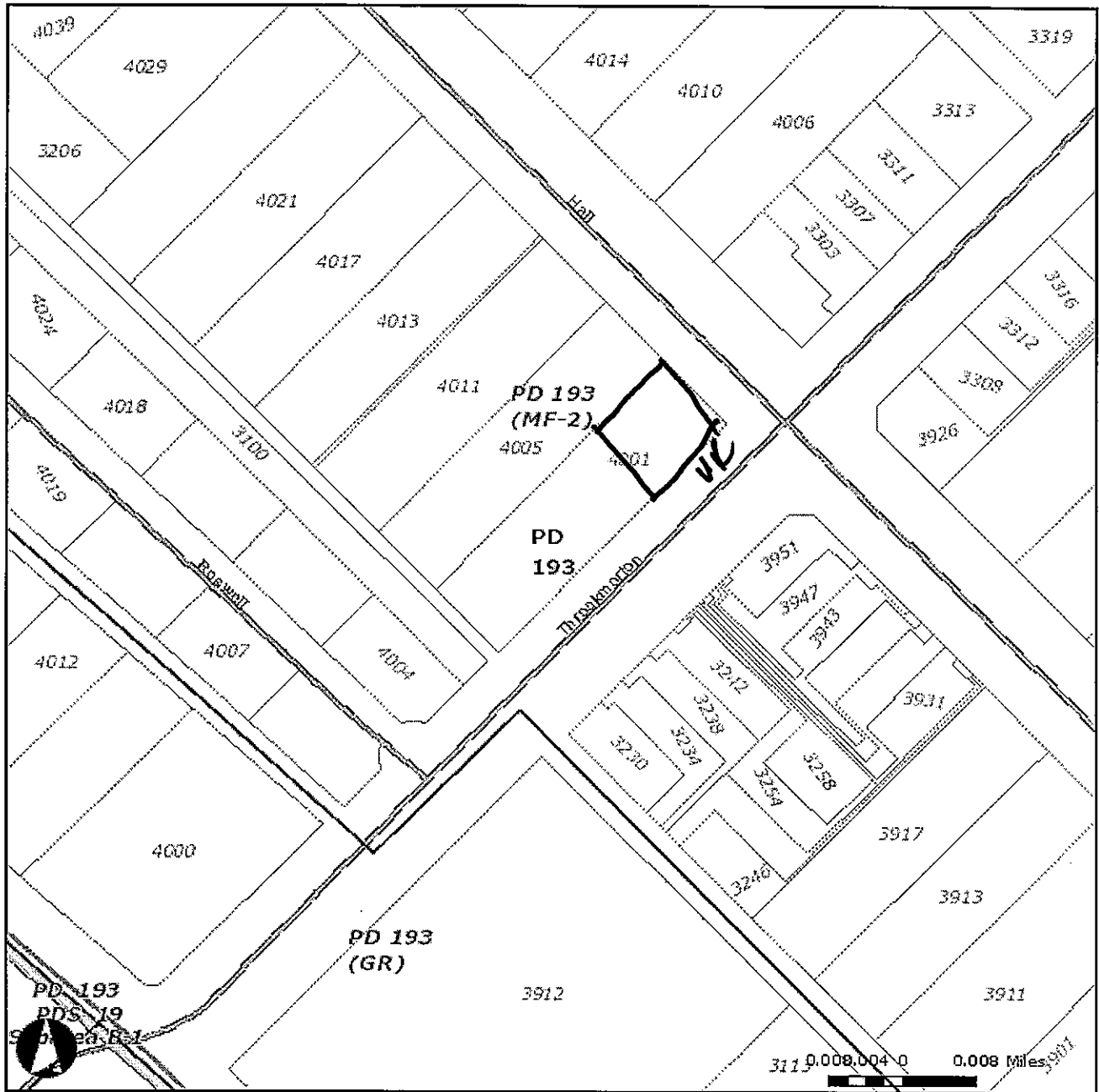

Lloyd Denman, Building Official



Dallas Central Appraisal District
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.

City of Dallas Zoning



City Boundaries

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

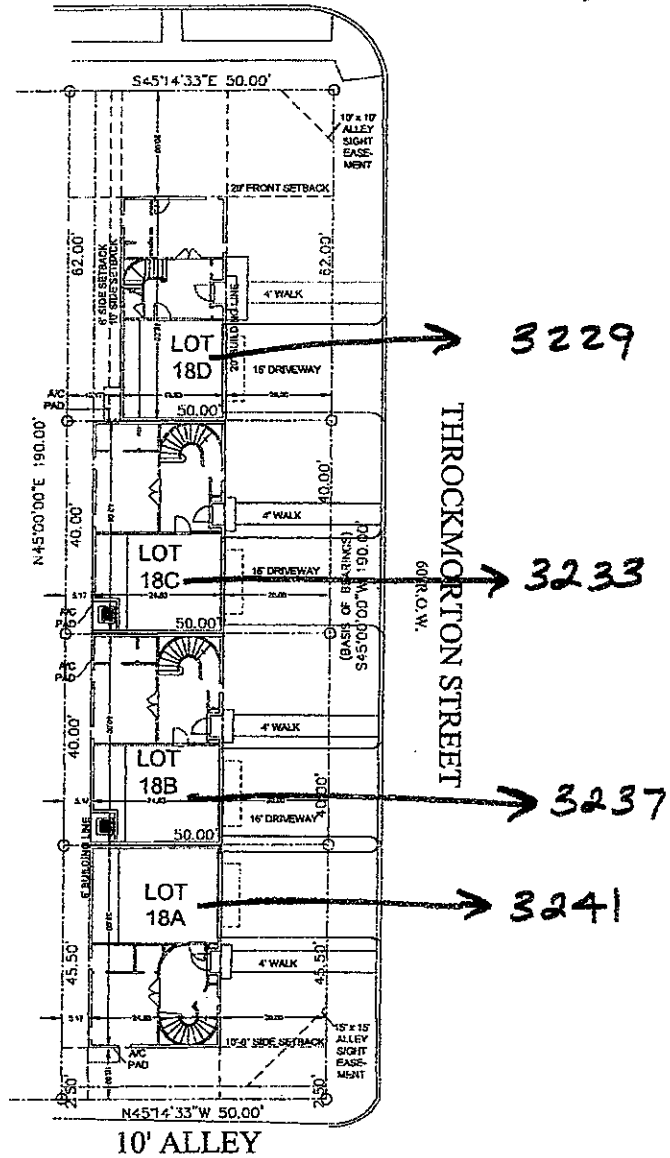
Dry Overlay

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

Base Zoning

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

N. HALL STREET
60' R.O.W.



D-1	HALL INTOWN ADDITION LOTS 18A, 18B, 18C & 18D, BLOCK A/1284 E200 N217, 7' 0" ISLAND WILLIAM GIBNEY SURVEY, ABSTRACT NO. 308 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY OF DALLAS MAP FILE NO. 200-042	TEXAS INTOWN Homes 1520 Oliver Houston, TX 77007 (713) 951-3277	REVISIONS:
			SITE PLAN



CITY OF DALLAS

AFFIDAVIT

BDA Case # 112-025

I, Texas InTownHomes, L.L.C., Owner of the subject property

at AKM4001 Hall Street Authorize (applicant) Robert Baldwin to pursue an appeal to the City of

Dallas Board of Adjustment for the following request (s):
3229 Throckmorton

Variance (please specify) Side yard setback

Special Exception (please specify)

Other (please specify)

Texas InTownHomes, LLC

Helen Ghazali
Helen Ghazali, Manager

12/12/11

Print name of property owner

Signature of property owner

Date

Before me the undersigned on the day of personally appeared Helen Ghazali, Manager of Texas InTownHomes, L.L.C. Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

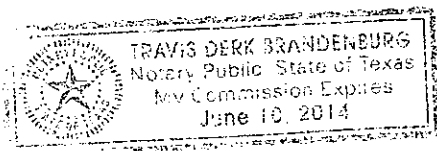
Subscribed and sworn to before me this 12 day of December, 2011

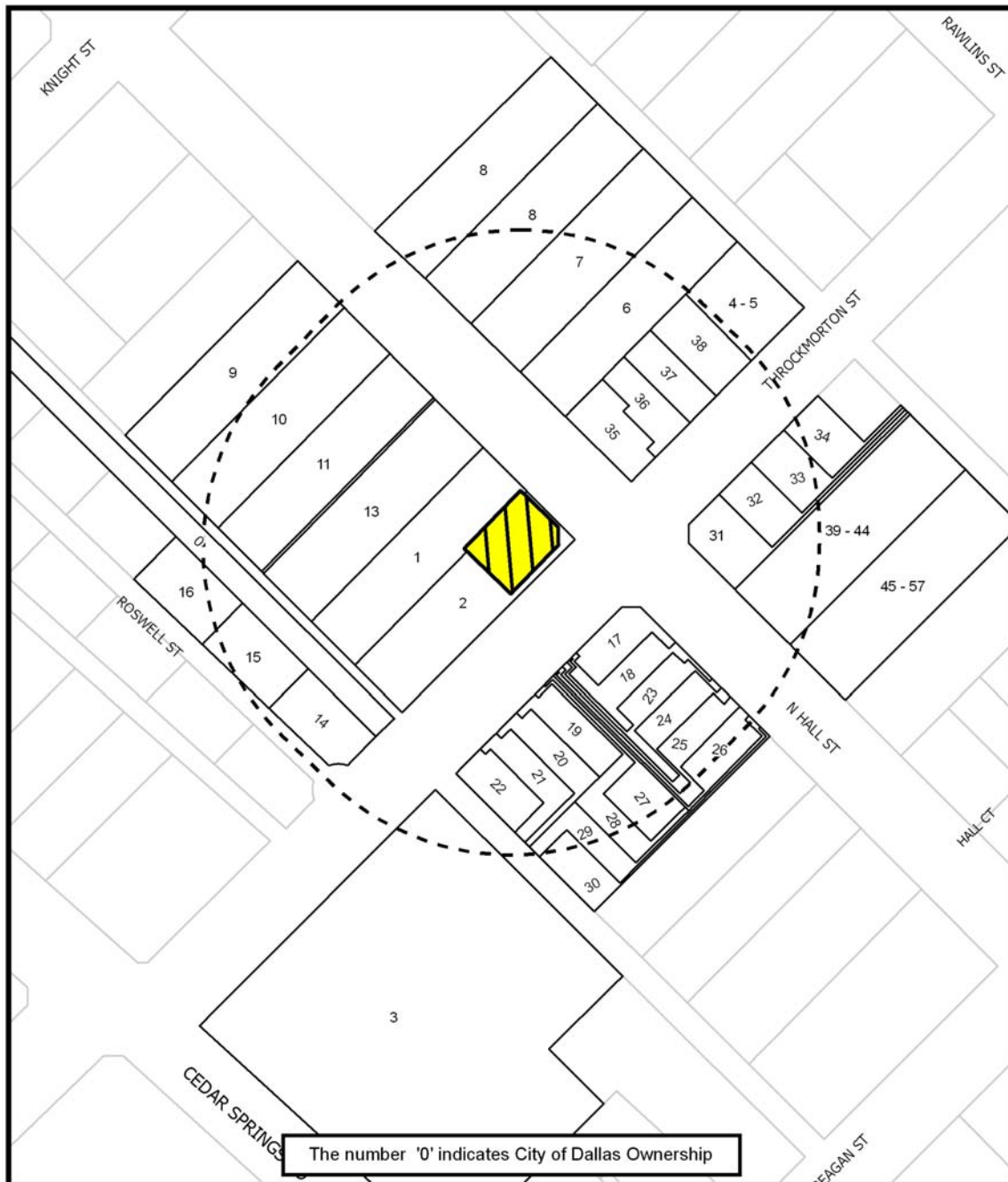
Sean Brandenburg

Notary Public on and for

Harris County, Texas

Commission expires on 6-10-2014





 1:1,200	NOTIFICATION		Case no: BDA112-025
	<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;">57</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/16/2012	

Notification List of Property Owners

BDA112-025

57 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4005 HALL ST	RAHEBI NASSRIN & ZAVAREH ZAVAREH
2	4001 HALL ST	TEXAS INTOWNHOMES LLC
3	3912 CEDAR SPRINGS RD	RSA INC % HARRY B LUCAS COMPANIES
4	3313 THROCKMORTON ST	SMITH TONY R & JACK D JABARA
5	3313 THROCKMORTON AVES	SMITH TONY RAYMOND & JACK DOUGLAS JABARA
6	4006 HALL ST	KAHN PATSY CARTWRIGHT
7	4010 HALL ST	KAHN PATSY C
8	4014 HALL ST	HALL STREET APARTMENTS LLC
9	4021 HALL ST	NGUYEN PHIL PHU & MARY THU
10	4017 HALL ST	BOLK WILLIAM JOSEPH
11	4013 HALL ST	ESTRADA EDUARDO J
12	4011 HALL ST	NISCOLN LLC
13	4011 HALL ST	NISCOLN LLC
14	4004 ROSWELL CT	SERRETTE ELROD J
15	4006 ROSWELL CT	JAROUSE MARK
16	4012 ROSWELL CT	LONG CHRISTOPHER R
17	3951 HALL ST	CHASMAWALA JAYSHRI
18	3947 HALL ST	SMITH JOEL M
19	3242 THROCKMORTON ST	CHUNG YUN J
20	3238 THROCKMORTON ST	C & P REALTY LLC STE B 3 115
21	3234 THROCKMORTON ST	CARPENTER CHARLES E
22	3230 THROCKMORTON ST	ELLIOT A RAYMOND & FOX THOMAS P
23	3943 HALL ST	EDDINGS AMANDA G
24	3939 HALL ST	JORDAN PETERS S
25	3935 HALL ST	STULTS ROBIN & HARMON
26	3931 HALL ST	ANONETAPIPAT HANSA

2/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3258 THROCKMORTON ST	CORTON MARLENE M
28	3254 THROCKMORTON ST	BRAVO JORGE A
29	3250 THROCKMORTON ST	HUTCHINSON SCOT K
30	3246 THROCKMORTON ST	ROBERTS BRIAN
31	3926 HALL ST	CASALE JAMES M & KAREN
32	3308 THROCKMORTON ST	HANNA MARK K
33	3312 THROCKMORTON ST	SHARDA GIREESH G
34	3316 THROCKMORTON ST	SHRAUTI SURESH
35	4000 HALL ST	PARADA LUIS
36	3303 THROCKMORTON ST	BYERLEY ROBERT E JR
37	3307 THROCKMORTON ST	DAVIS TIMOTHY PAUL
38	3311 THROCKMORTON ST	APPLEGATE JAMES L
39	3922 HALL ST	LE HAI M UNIT 101
40	3922 HALL ST	SUPPORTIVE HOUSING INC
41	3922 HALL ST	HORTON BRUCE RAGSDALE NO 103
42	3922 HALL ST	GROVES PHILLIP
43	3922 HALL ST	SCHULTZ KARLA
44	3922 HALL ST	WATSON MICHAEL H
45	3918 HALL ST	LEWIS PAUL C STE 120-189
46	3918 HALL ST	TABAT HASSAN
47	3918 HALL ST	CRAYCRAFT ERICA GAIL
48	3918 HALL ST	MUSICK JIMMY W
49	3918 HALL ST	HONG JIMMY K
50	3918 HALL ST	RILEY JOHN R
51	3918 HALL ST	MOERMAN BENJAMIN T
52	3918 HALL ST	SLATTER ALETHEA
53	3918 HALL ST	CABALLERO ELIZABETH
54	3918 HALL ST	ENRIQUEZ RUDDY LEE
55	3918 HALL ST	THIN AMY
56	3918 HALL ST	BARTZ JAMIE UNIT 12
57	3918 HALL ST	AFSHAR SAM

FILE NUMBER: BDA 112-026

BUILDING OFFICIAL'S REPORT:

Application of Rob Baldwin for variances to the side yard setback regulation at 3233 Throckmorton Street. This property is more fully described as Lot 18C in City Block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct and maintain a single family residential structure and provide 0 foot side yard setbacks, which will require variances of 10 feet.

LOCATION: 3233 Throckmorton Street

APPLICANT: Rob Baldwin

REQUESTS:

- Variances to the side yard setback regulations of 10' are requested in conjunction with constructing and maintaining an attached single family with an approximately 1,000 square foot building footprint, part of which would be located in the site's 10' side yard setbacks on southwest and northeast sides of site that is currently undeveloped. (Note that this application is located between three other properties where the same applicant seeks similar side yard variance requests of the Board of Adjustment Panel C: BDA 112-025, 027, and 028).

STAFF RECOMMENDATION:

Denial

Rationale:

- The applicant had not substantiated how the restrictive area, shape, or slope of the site/lot precludes it from being developed in a manner commensurate with development found on other PD. No. 193 (MF-2) zoned lots or how granting the variance was not to relieve a self-created hardship.

STANDARD FOR A VARIANCE:

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

- not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

- necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- not granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

GENERAL FACTS:

- PD No. 193 states that minimum side yard setback for multiple-family structures 36’ in height or less on lots zoned MF-2 Subdistrict is 10 feet.
The applicant had submitted a site plan indicating a structure that provides a 0’ setback from the side property lines on the southwest and northeast sides of the subject site or is 10’ into the required 10’ side yard setbacks.
- The site is flat, rectangular in shape (40’ x 50’), and according to the application, 2,000 square feet in area. The site is zoned PD No. 193 (MF-2).
- DCAD records indicate “no records found” for property at 3233 Throckmorton.
- The applicant submitted additional information beyond what was submitted with the original application (see Attachment A).

BACKGROUND INFORMATION:

Zoning:

- Site: PD No. 193 (MF-2) Planned Development, Multifamily)
- North: PD No. 193 (MF-2) Planned Development, Multifamily)
- South: PD No. 193 (MF-2) Planned Development, Multifamily)
- East: PD No. 193 (MF-2) Planned Development, Multifamily)
- West: PD No. 193 (MF-2) Planned Development, Multifamily)

Land Use:

The subject site is undeveloped. The areas to the north and south appear to be developed as residential uses; and the areas immediately east and west are undeveloped and the subject sites of BDA 112-025, 027, and 028.

Zoning/BDA History:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. BDA 112-025, Property at 4001 Hall Street (two lots northeast of the subject site) | <p>On March 19, 2012, the Board of Adjustment Panel C will consider a request for a variance to the side yard setback regulations of 10’ requested in conjunction with constructing and maintaining an attached single family home, part of which is located in a required side yard setback on property that is currently undeveloped.</p> |
|---|---|

- | | |
|--|--|
| 2. BDA 112-026, Property at 3233 Throckmorton Street (the lot immediately northeast of the subject site) | On March 19, 2012, the Board of Adjustment Panel C will consider requests for variances to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setbacks on property that is currently undeveloped. |
| 3. BDA 112-028, Property at 3241 Throckmorton Street (the lot immediately southwest of the subject site) | On March 19, 2012, the Board of Adjustment Panel C will consider a request for a variance to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setback on the northeast side of the property that is currently undeveloped. |

Timeline:

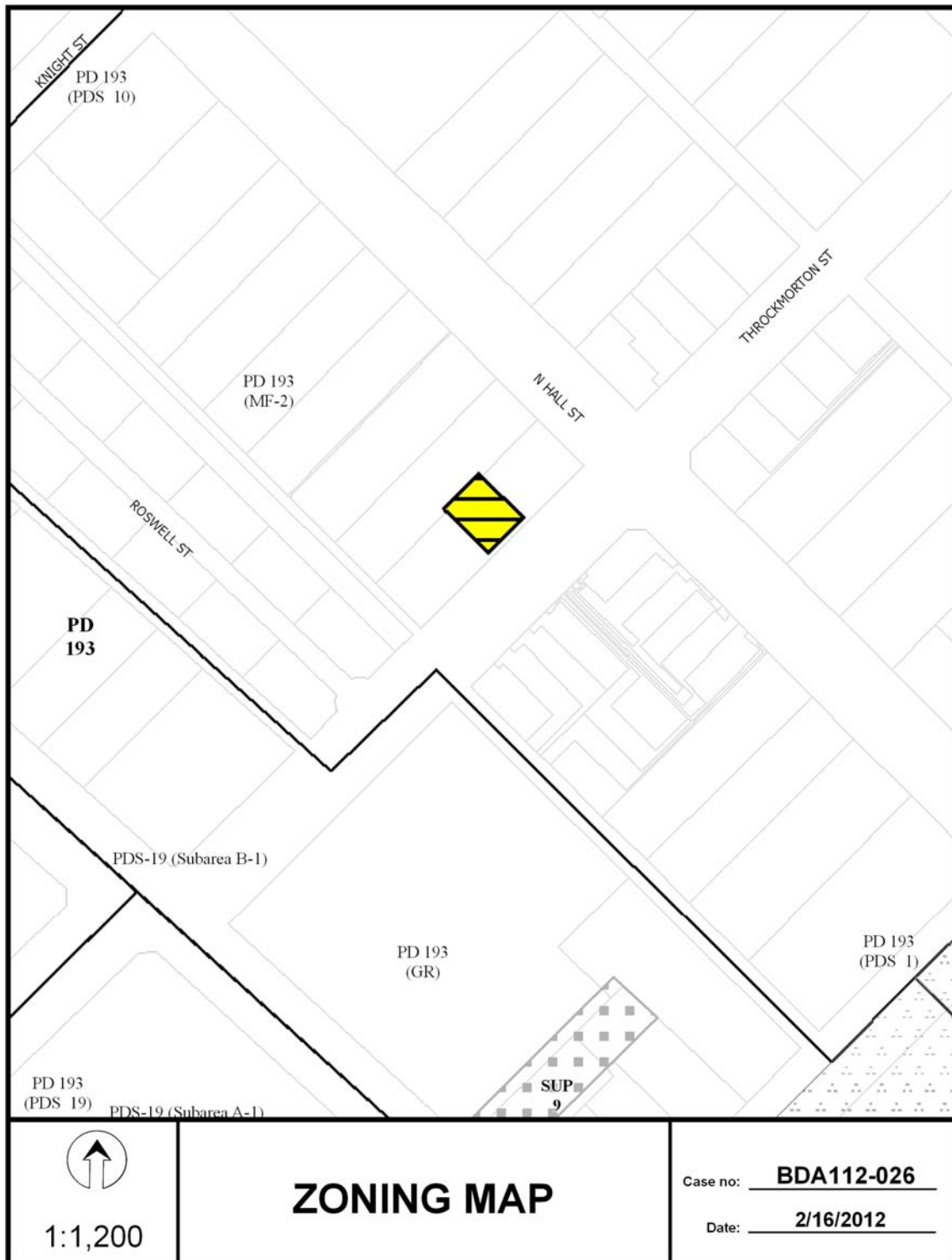
- December 21, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- February 8, 2012: The Board Administrator emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 29th deadline to submit additional evidence for staff to factor into their analysis; and the March 9th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the requests; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- February 29, 2012: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current

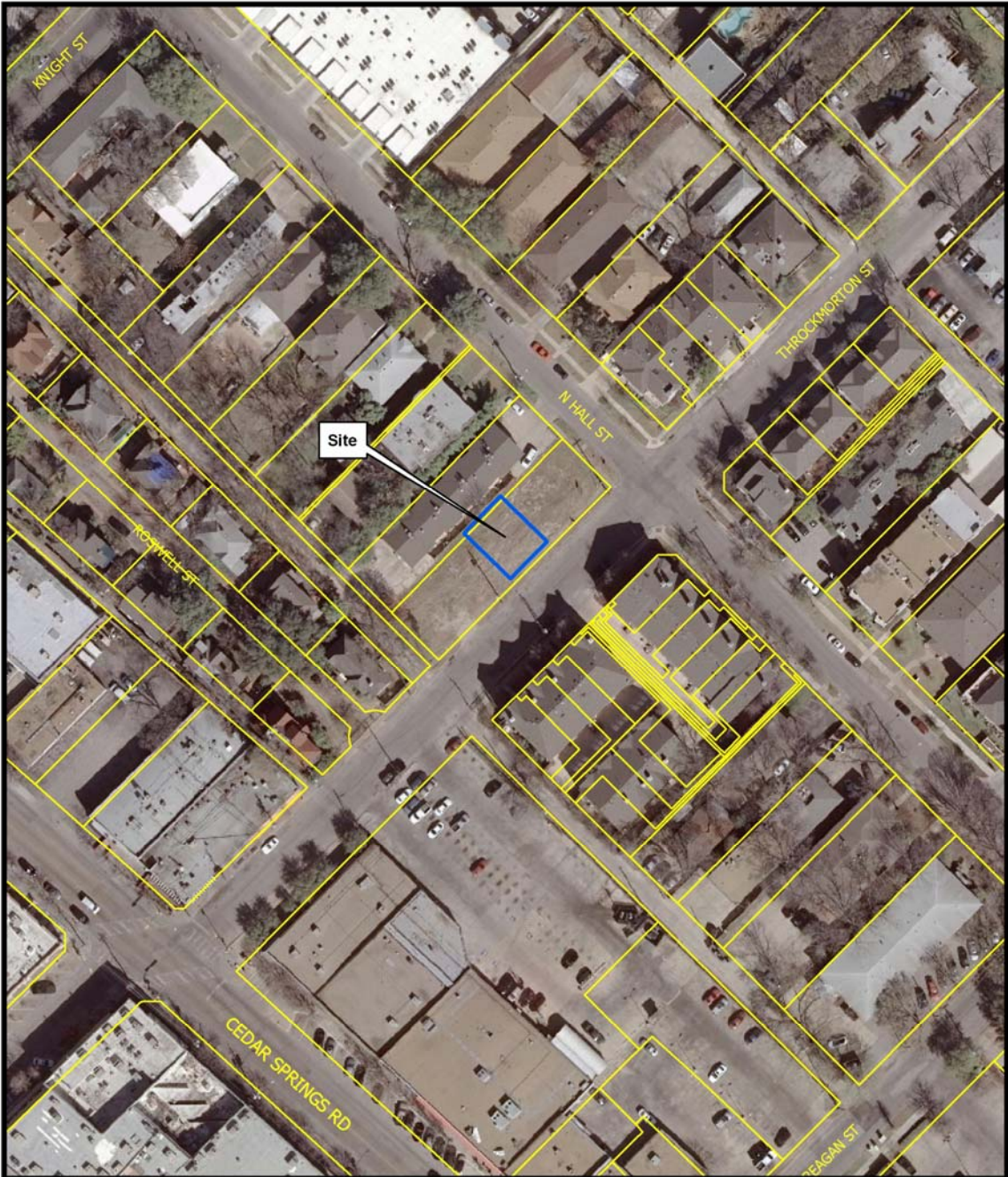
Planning Division Assistant Director, the Sustainable Development and Construction Department Engineering Division Assistant Director, the Sustainable Development and Construction Department Building Inspection Division Chief Planner, the Board Administrator, the Building Inspection Senior Plans Examiner/Development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

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

STAFF ANALYSIS:

- The requests focus on constructing and maintaining an attached single family with an approximately 1,000 square foot building footprint, part of which would be located in the site's 10' side yard setbacks on southwest and northeast sides of site that is currently undeveloped.
- According to calculations taken from the submitted site plan by the Board Administrator, two areas of approximately 250 square feet each (or a combined total of 1/2) of the approximately 1,000 square foot building footprint are located in the required 10' side yard setbacks on the southwest and northeast sides of the subject site.
- The site is flat, rectangular in shape (40' x 50'), and according to the application, 2,000 square feet in area. The site is zoned PD No. 193 (MF-2).
- The applicant has the burden of proof in establishing the following:
 - That granting the variances to side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variances are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
 - The variances would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
- If the Board were to grant the variance requests, and impose the submitted site plan as a condition, the structure encroaching into the required side yard setbacks would be required to be maintained in the location and to the features shown on this document.





1:1,200

AERIAL MAP

Case no: BDA112-026

Date: 2/16/2012

Baldwin
Associates

Mr. Steve Long
Board of Adjustment Administrator
City of Dallas
1500 Marilla
Dallas, Texas 75201

Re: BDA112-025, BDA112-026, BDA112-027 & BDA112-028

Dear Steve,

Thank you for your continued assistance with this matter. As you are aware, I am representing Intown-Homes in their efforts to build four (4) new single-family attached dwellings on the property they own at the corner of Hall and Throckmorton in the Oak Lawn area of Dallas. The Property has been recently platted into four (4) lots for the purpose of constructing single-family attached dwellings, similar to the homes immediately adjacent to the Property. These variances are needed to allow this Property to be developed commensurate with the other properties immediately adjacent to us.

Specifically, we are seeking variances to the interior side yards for these homes as shown on the attached exhibit. Before my client bought the Property, they met with the city staff to discuss how they proposed to develop the Property and were told that they could build single-family attached dwellings on the site in the configuration shown on the attached plan. My client then purchased the Property and submitted a replat and site plan and the replat was approved based on the site plan. When they went to get their building permit the city rejected the request because there is a provision in the Oak Lawn Special Purpose District that requires a 10-foot interior side yard for single-family homes in a MF-2 zoning district, unless you are platted as a Residential Development Tract. This side yard requirement is hard to find in the ordinance and is not well known by the city staff. This requirement was not applied to our neighboring properties that are developed as townhomes. We are seeking permission to develop this property commensurate with our neighbors.

I have spoken with both the city staff and members of the Oak Lawn Commission about this issue. They both agreed that there is a setback requirement, but they were also both surprised that this regulation applied to this property. It turns out that the purpose of this requirement is to prohibit flag lots, which we are not proposing. Flag lots are where single-family lots are developed with a minimal amount of frontage on a public street. In an effort to control flag lots, the city amended the Oak Lawn Special Purpose district to allow for what are called "Residential Development Tracts" where a lot can be subdivided to allow for single-

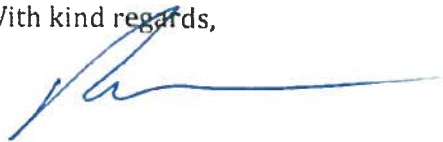
family attached development and the entire property is treated as a single lot for zoning purposes. Unfortunately for us, Residential Development Tract development requires a 20-foot wide access easement on the property that cannot be located in a required front yard. Residential development tracts work well most of the time, but do not work for corner lots. Unfortunately, this Property cannot be developed as a Residential Development Tract because it is only 50-feet wide and it is located on a corner.

Since the Property is located on a corner, each lot will have a required 20-foot front yard on Throckmorton and the northernmost lot will actually have two (2) required front yards: one on Throckmorton and one on Hall Street. Because Residential Development Tracts must have a 20-foot access easement and the Property must also provide a 20-foot front yard along Throckmorton. If we were to meet both requirements, the resulting building area would only be 10-feet wide.

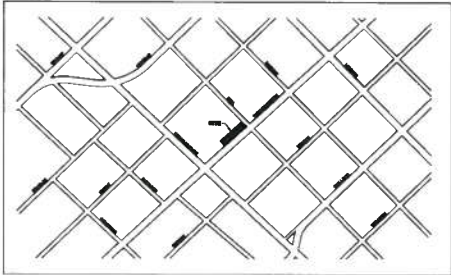
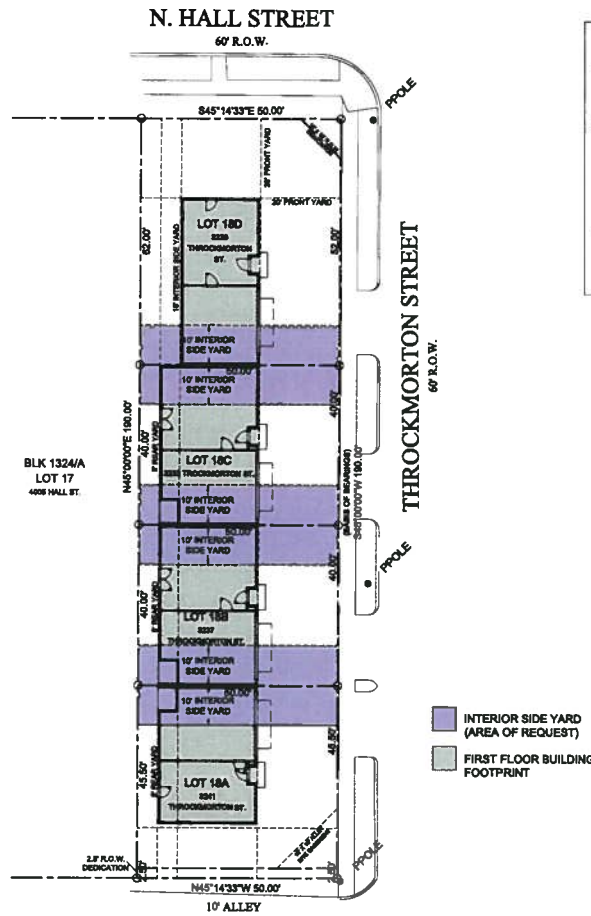
The variance requests associated with development are pretty straightforward. The northernmost lot is seeking permission not to provide a side yard setback on its southern border. The middle two lots are seeking permission not to provide any side yards and the southern lot is seeking permission not to provide a side yard setback on its northern boundary. These requests are designed to allow the Property to be developed with single-family attached dwellings, just like what is built on the other three corners immediately adjacent to the Property.

Thank you for your assistance with this matter. If you have any questions or if I can be of any further assistance, please do not hesitate to contact me.

With kind regards,

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

Robert B. Baldwin



VICINITY MAP
 NTS

BDA 112 - 25
 BDA 112 - 26
 BDA 112 - 27
 BDA 112 - 28

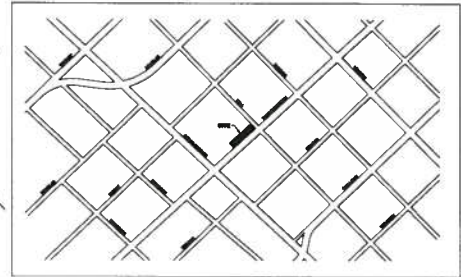


1

AREA OF REQUEST
 TO SCALE ON 24"X36" @ 3/32" = 1'-0" NOT TO SCALE ON 11"X17"



03/05/12	
PROJECT NUMBER	DATE
BALDWIN ASSOCIATES	
3800 Elm Street, Suite 10 Dallas, Texas 75226 PHONE: 214.728.7949 OFFICE: 214.861.7949 FAX: 214.728.7950	
THROCKMORTON & HALL CITY OF DALLAS, TEXAS	



VICINITY MAP
 NTS

ADJACENT PROPERTY WITH
 ATTACHED, SINGLE-FAMILY
 RESIDENTIAL



- SITE (LOTS 18A - 18D)
- SIMILAR SITES WITH ATTACHED SINGLE-FAMILY RESIDENTIAL ON MF-2 ZONED PROPERTY



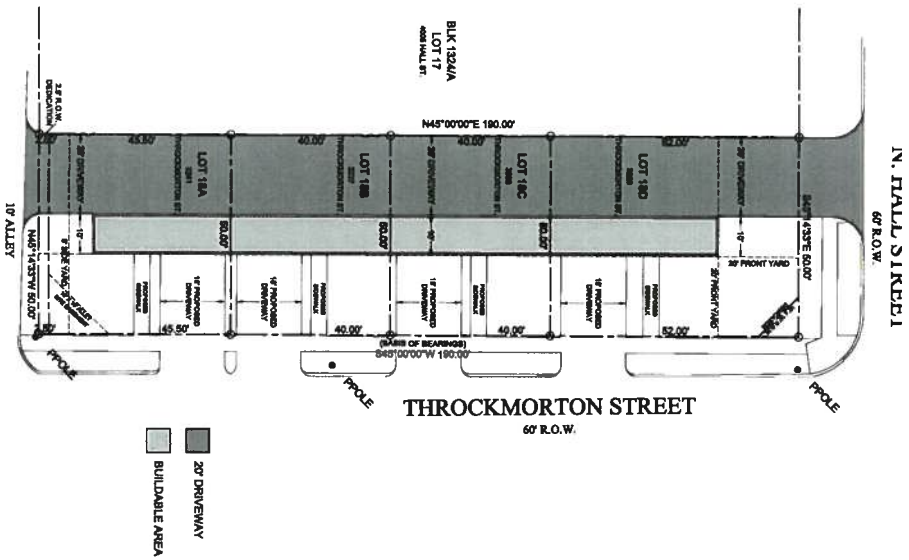
4 ADJACENT PROPERTIES
 NOT TO SCALE

03/02/12
PROJECT NUMBER
DATE

BALDWIN ASSOCIATES
 1001 Elm Street, Suite B
 Dallas, Texas 75208
 MOBILE: 214.728.7949
 OFFICE: 214.821.7949
 info@baldwinassoc.com

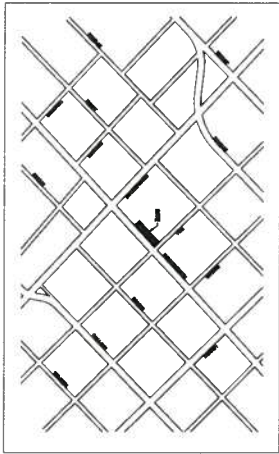


THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



20' DRIVEWAY
 BUILDABLE AREA

3 SITE PLAN WITH 20' DRIVEWAY
 TO SCALE ON 24"X36" @ SIZE = 1"=10' NOT TO SCALE ON 11"X17"



VICINITY MAP
 NTS

THROCKMORTON & HALL CITY OF DALLAS, TEXAS	3-1		BALDWIN ASSOCIATES 3004 Elm Street, Suite B Dallas, Texas 75226 MOBILE: 214.728.7848 OFFICE: 214.824.7848 info@baldwinplanning.com	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right; padding-right: 5px;">03/02/12</td> </tr> <tr> <td style="padding: 2px;">PROJECT NUMBER</td> </tr> <tr> <td style="padding: 2px;">CASE NUMBER</td> </tr> </table>	03/02/12	PROJECT NUMBER	CASE NUMBER
03/02/12							
PROJECT NUMBER							
CASE NUMBER							



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-026

Date: 12-21-11

Data Relative to Subject Property:

Location address: 3233 Throckmorton AKA 4001 Hall Street Zoning District: PD-193(MF-2)
Lot No.: 18 C Block No.: A/1324 Acreage: 2000 sq. ft. Census Tract: 6.0A
Street Frontage (in Feet): 1) 40' 2) 3) 4) 5)

SW 22

To the Honorable Board of Adjustment:

Owner of Property/or Principal: Texas Intownhomes, LLC

Applicant: Rob Baldwin Telephone: (214) 824-7949

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception of Interior side yard setback requirements.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The interior side yard setback requirement is inconsistent with development practice and is placing a hardship on the property not shared by other properties in the immediate vicinity.

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

Respectfully submitted: Robert Baldwin Applicant's name printed

Applicant's signature

Affidavit

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

Affiant (Applicant's signature)

Subscribed and sworn to before me this 19th day of

Notary Public seal for Vickie Rader, My Commission Expires 10/13/2012, Notary Public in and for Dallas County, Texas

Vickie Rader signature

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied, _____

Remarks _____

Chairman

Building Official's Report

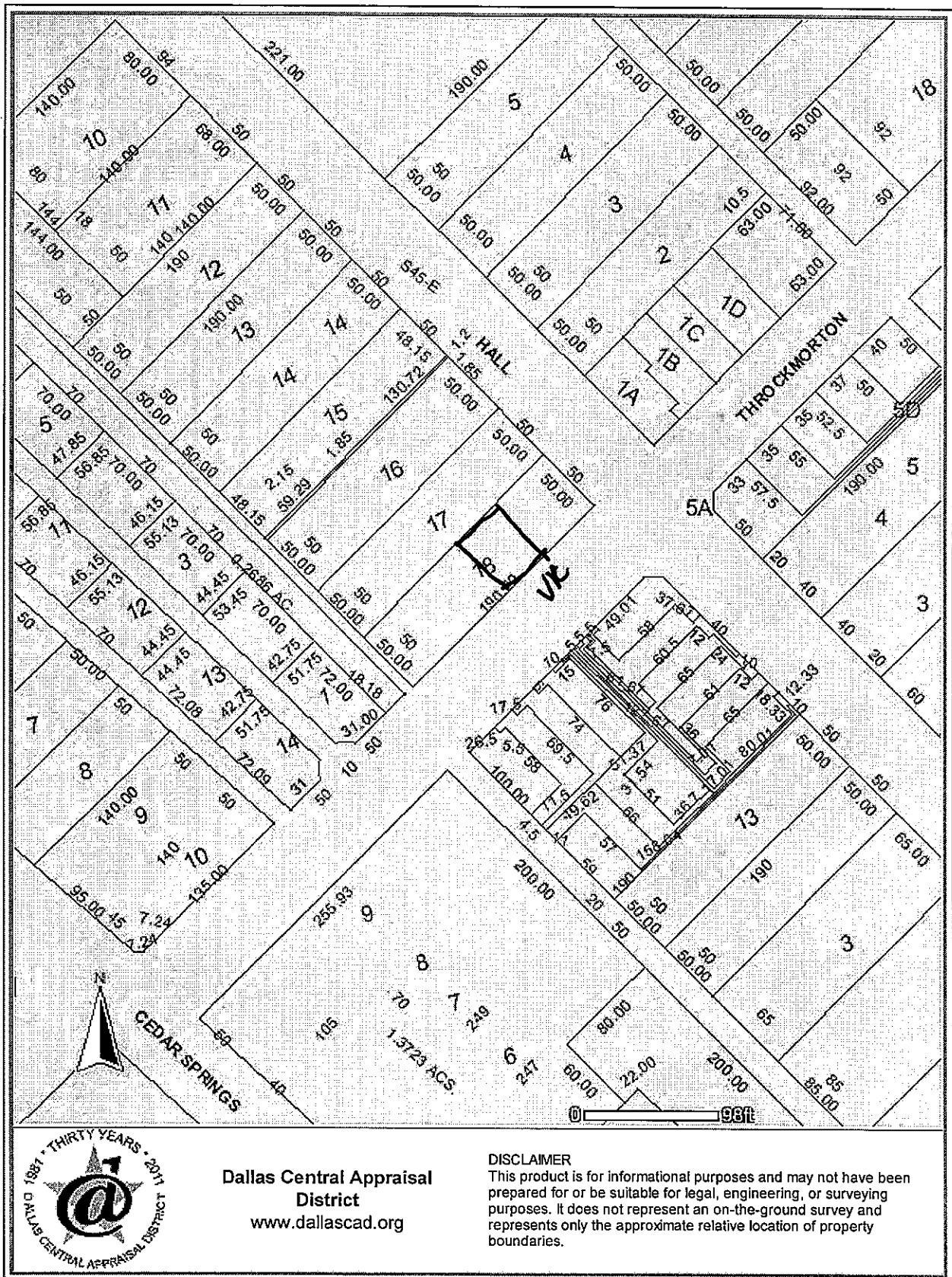
I hereby certify that ROB BALDWIN

did submit a request for a variance to the side yard setback regulation
at 3233 Throckmorton Street

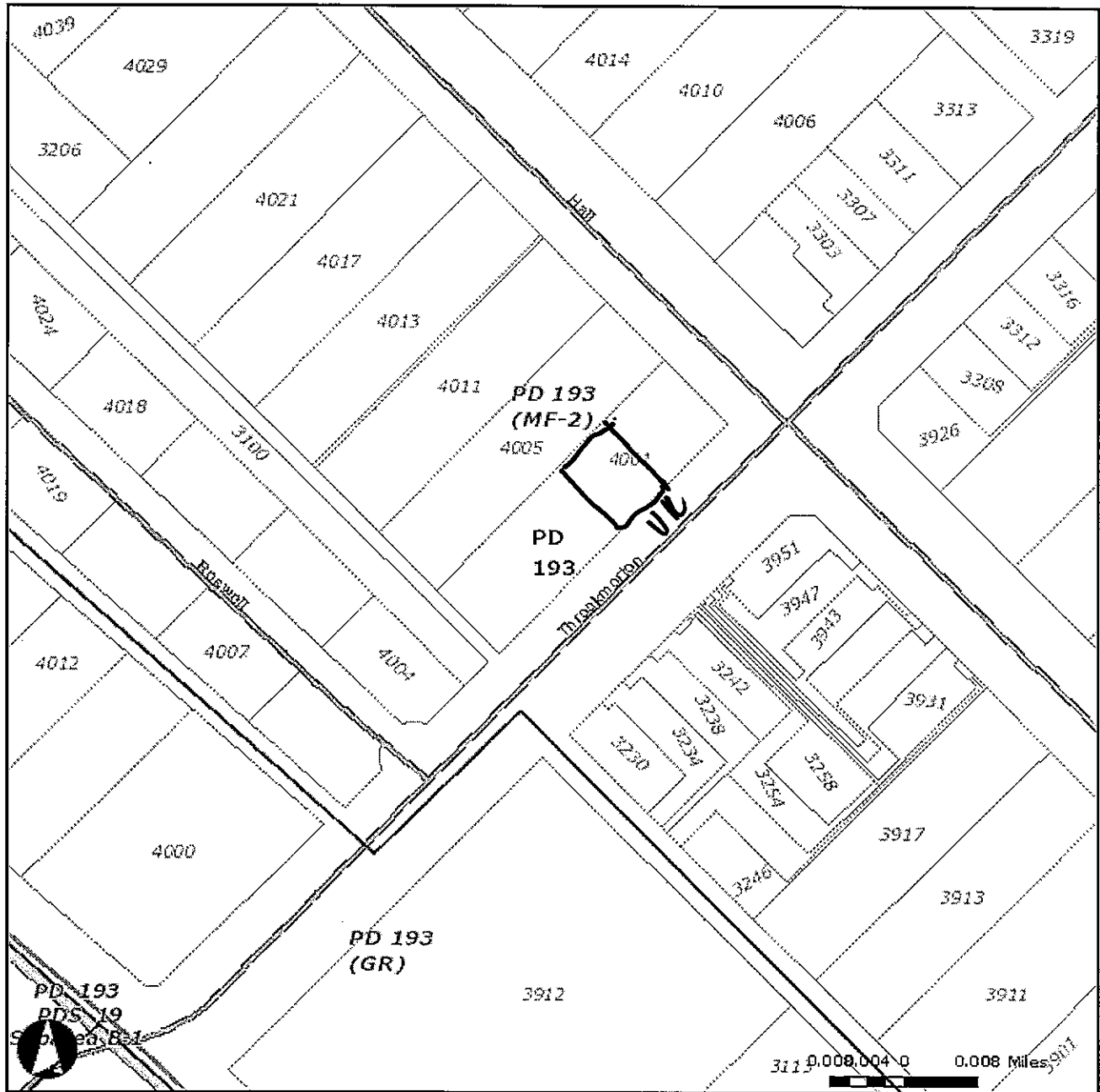
BDA112-026. Application of Rob Baldwin for a variance to the side yard setback regulation at 3233 Throckmorton Street. This property is more fully described as lot 18C in city block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct a single family residential structure and provide a 0 foot side yard setback, which will require a 10 foot variance to the side yard setback regulation.

Sincerely,


Lloyd Denman, Building Official



City of Dallas Zoning



City Boundaries

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

Dry Overlay

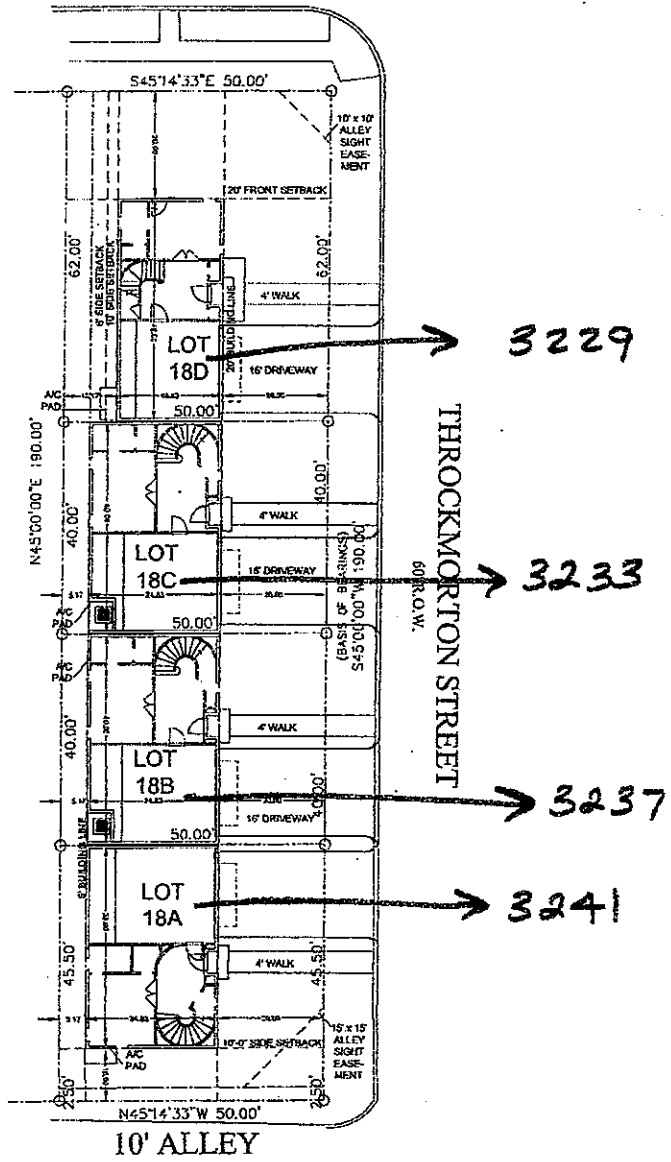
- Dry Overlay
- D
- D-1
- Historic Overlay
- Historic Subdistricts
- NSO Overlay
- NSO Subdistricts
- MD Overlay

Base Zoning

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

N. HALL STREET

60' R.O.W.



D-1	HALL, INTOWN ADDITION LOTS 18A, 18B, 18C, & 18D, BLOCK 47234 2.220 ACRES, 7 CURS ACRES HALL COUNTY SURVEY, CERTIFICATE NO. 89 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY OF DALLAS PLAN FILE NO. 362-063	TEXAS INTOWN Homes 1326 Olive Houston, TX 77007 (713) 961-3177	REVISIONS: 1. _____ _____ _____ _____
	SITE PLAN		



CITY OF DALLAS

AFFIDAVIT

BDA Case # 112-026

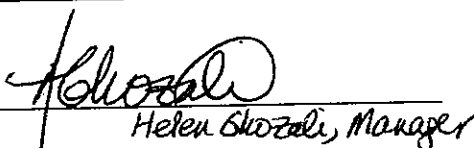
I, Texas InTownHomes, L.L.C., Owner of the subject property
3233 Throckmorton
at: 4001 Hall Street Authorize (applicant) Robert Baldwin to pursue an appeal to the City of

Dallas Board of Adjustment for the following request (s):

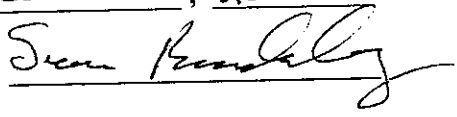
Variance (please specify) Side yard setback

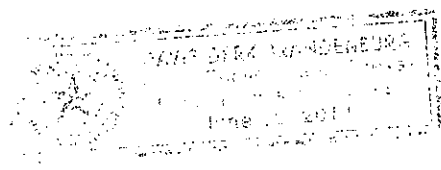
Special Exception (please specify)

Other (please specify)

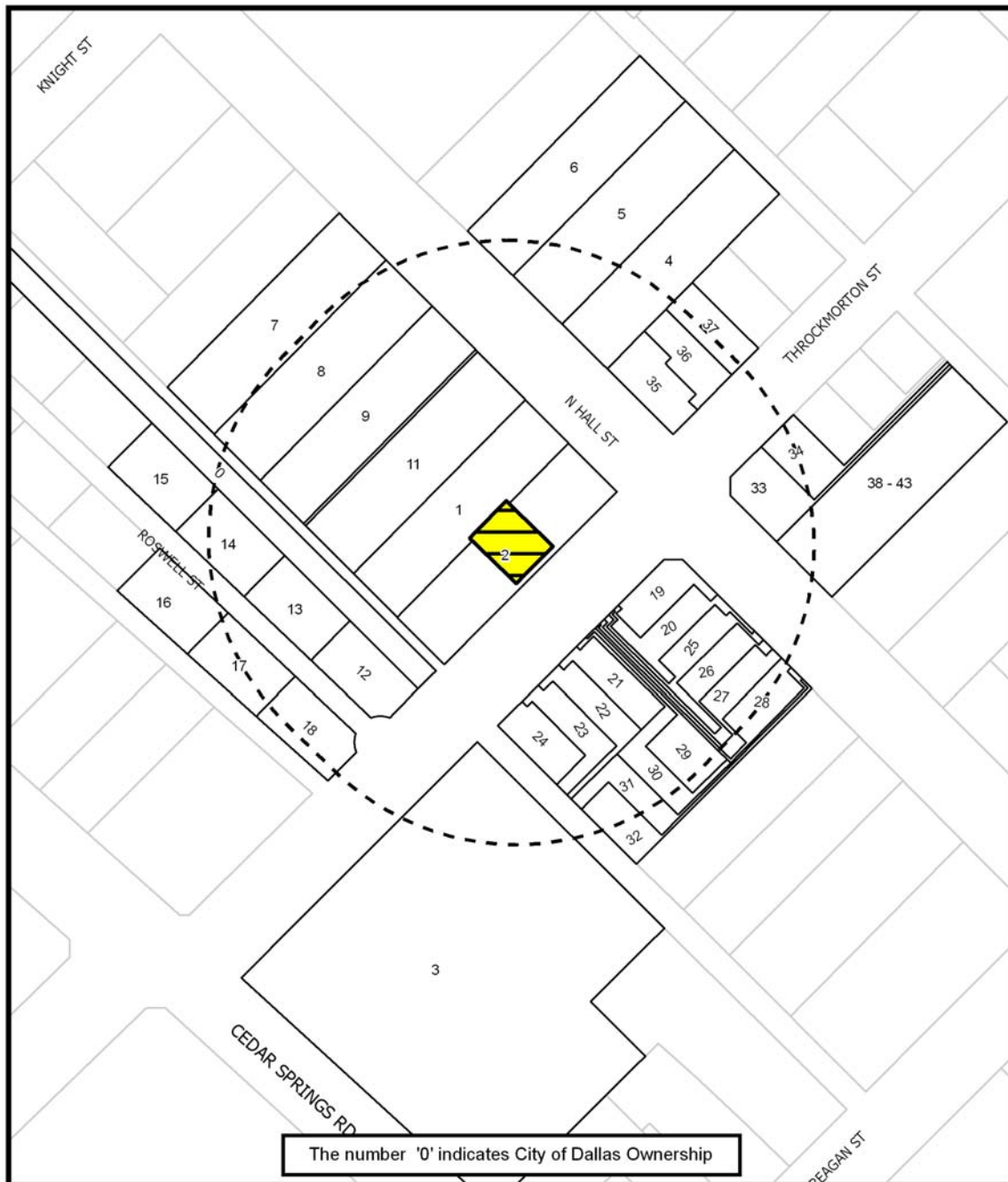
<u>Texas InTownHomes, LLC</u>		<u>12/12/11</u>
Print name of property owner	Signature of property owner	Date

Before me the undersigned on the day of personally appeared Helen Ghozali, Manager of Texas InTownHomes, L.L.C. Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 12 day of December, 2011




Notary Public on and for
Harris County, Texas
Commission expires on 6-10-2014



 1:1,200	NOTIFICATION		Case no: BDA112-026
	<div style="border: 1px solid black; padding: 2px; display: inline-block;">200'</div> AREA OF NOTIFICATION <div style="border: 1px solid black; padding: 2px; display: inline-block;">43</div> NUMBER OF PROPERTY OWNERS NOTIFIED	Date: 2/16/2012	

Notification List of Property Owners

BDA112-026

43 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4005 HALL ST	RAHEBI NASSRIN & ZAVAREH ZAVAREH
2	4001 HALL ST	TEXAS INTOWNHOMES LLC
3	3912 CEDAR SPRINGS RD	RSA INC % HARRY B LUCAS COMPANIES
4	4006 HALL ST	KAHN PATSY CARTWRIGHT
5	4010 HALL ST	KAHN PATSY C
6	4014 HALL ST	HALL STREET APARTMENTS LLC
7	4021 HALL ST	NGUYEN PHIL PHU & MARY THU
8	4017 HALL ST	BOLK WILLIAM JOSEPH
9	4013 HALL ST	ESTRADA EDUARDO J
10	4011 HALL ST	NISCOLN LLC
11	4011 HALL ST	NISCOLN LLC
12	4004 ROSWELL CT	SERRETTE ELROD J
13	4006 ROSWELL CT	JAROUSE MARK
14	4012 ROSWELL CT	LONG CHRISTOPHER R
15	4018 ROSWELL CT	MANDALA STEPHEN & JESSICA
16	4011 ROSWELL CT	FRANKEL ANDREW H & JANELL L EILERS
17	4007 ROSWELL CT	IRION ROBERT P & TERRI T
18	4001 ROSWELL CT	DOOM DAVID N
19	3951 HALL ST	CHASMAWALA JAYSHRI
20	3947 HALL ST	SMITH JOEL M
21	3242 THROCKMORTON ST	CHUNG YUN J
22	3238 THROCKMORTON ST	C & P REALTY LLC STE B 3 115
23	3234 THROCKMORTON ST	CARPENTER CHARLES E
24	3230 THROCKMORTON ST	ELLIOT A RAYMOND & FOX THOMAS P
25	3943 HALL ST	EDDINGS AMANDA G
26	3939 HALL ST	JORDAN PETERS S

2/16/2012

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3935 HALL ST	STULTS ROBIN & HARMON
28	3931 HALL ST	ANONETAPIPAT HANSA
29	3258 THROCKMORTON ST	CORTON MARLENE M
30	3254 THROCKMORTON ST	BRAVO JORGE A
31	3250 THROCKMORTON ST	HUTCHINSON SCOT K
32	3246 THROCKMORTON ST	ROBERTS BRIAN
33	3926 HALL ST	CASALE JAMES M & KAREN
34	3308 THROCKMORTON ST	HANNA MARK K
35	4000 HALL ST	PARADA LUIS
36	3303 THROCKMORTON ST	BYERLEY ROBERT E JR
37	3307 THROCKMORTON ST	DAVIS TIMOTHY PAUL
38	3922 HALL ST	LE HAI M UNIT 101
39	3922 HALL ST	SUPPORTIVE HOUSING INC
40	3922 HALL ST	HORTON BRUCE RAGSDALE NO 103
41	3922 HALL ST	GROVES PHILLIP
42	3922 HALL ST	SCHULTZ KARLA
43	3922 HALL ST	WATSON MICHAEL H

FILE NUMBER: BDA 112-027

BUILDING OFFICIAL'S REPORT:

Application of Rob Baldwin for variances to the side yard setback regulation at 3237 Throckmorton Street. This property is more fully described as Lot 18B in City Block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct and maintain a single family residential structure and provide 0 foot side yard setbacks, which will require variances of 10 feet.

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APPLICANT: Rob Baldwin

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STAFF RECOMMENDATION:

Denial

Rationale:

- The applicant had not substantiated how the restrictive area, shape, or slope of the site/lot precludes it from being developed in a manner commensurate with development found on other PD. No. 193 (MF-2) zoned lots or how granting the variance was not to relieve a self-created hardship.

STANDARD FOR A VARIANCE:

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- 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
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- West: PD No. 193 (MF-2) Planned Development, Multifamily)

Land Use:

The subject site is undeveloped. The areas to the north and south appear to be developed as residential uses; and the areas immediately east and west are undeveloped and the subject sites of BDA 112-025, 026, and 028.

Zoning/BDA History:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. BDA 112-025, Property at 4001 Hall Street (two lots northeast of the subject site) | <p>On March 19, 2012, the Board of Adjustment Panel C will consider a request for a variance to the side yard setback regulations of 10’ requested in conjunction with constructing and maintaining an attached single family home, part of which is located in a required side yard setback on property that is currently undeveloped.</p> |
|---|---|

- | | |
|--|--|
| 2. BDA 112-026, Property at 3233 Throckmorton Street (the lot immediately northeast of the subject site) | On March 19, 2012, the Board of Adjustment Panel C will consider requests for variances to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setbacks on property that is currently undeveloped. |
| 3. BDA 112-028, Property at 3241 Throckmorton Street (the lot immediately southwest of the subject site) | On March 19, 2012, the Board of Adjustment Panel C will consider a request for a variance to the side yard setback regulations of 10' requested in conjunction with constructing and maintaining an attached single family home, part of which is located in required side yard setback on the northeast side of the property that is currently undeveloped. |

Timeline:

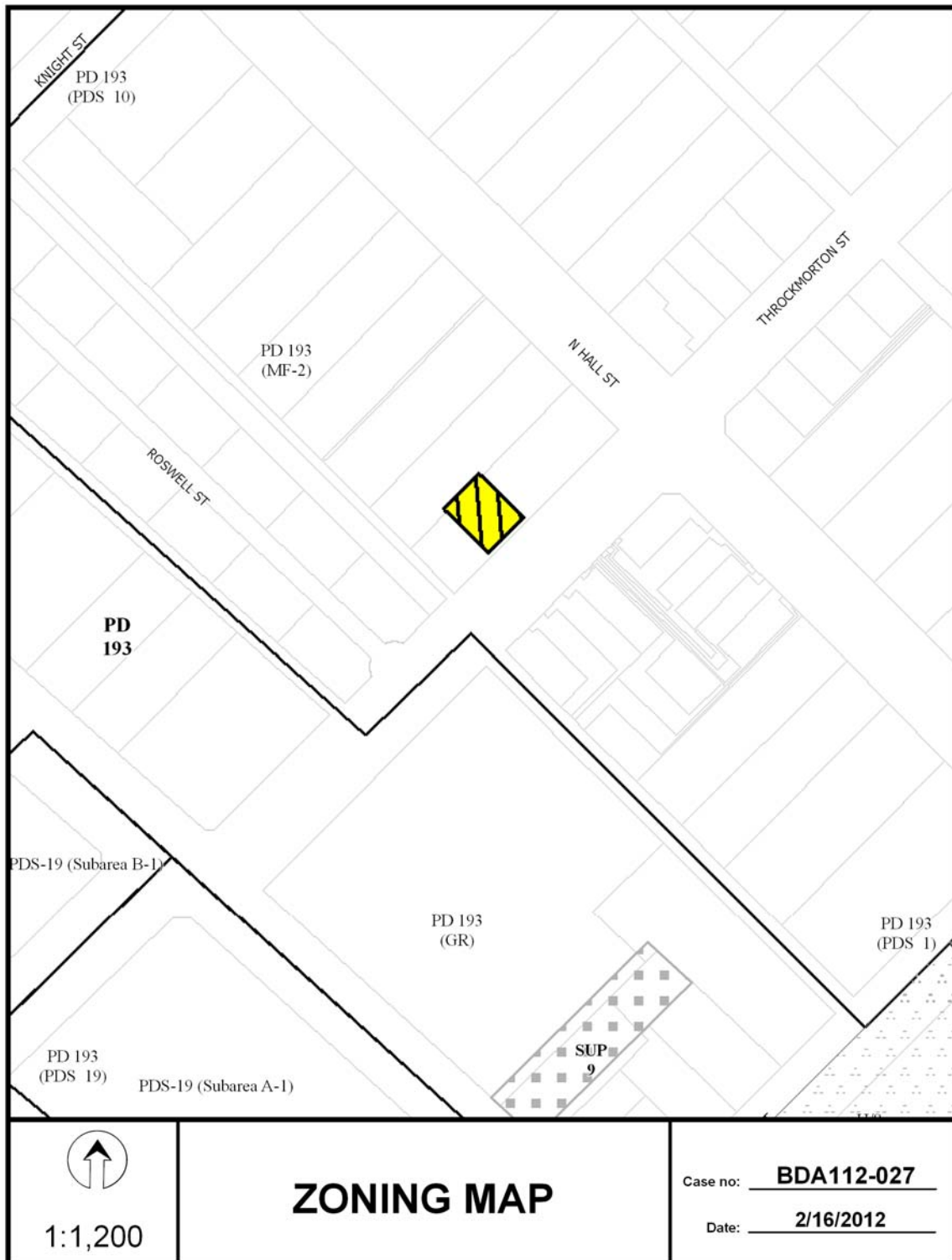
- December 21, 2011: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- February 8, 2012: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel C.
- February 8, 2012: The Board Administrator emailed the applicant the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the February 29th deadline to submit additional evidence for staff to factor into their analysis; and the March 9th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standard that the board will use in their decision to approve or deny the requests; and
 - the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.
- February 29, 2012: The applicant submitted additional information to staff beyond what was submitted with the original application (see Attachment A).
- March 6, 2012: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for March public hearings. Review team members in attendance included: the Sustainable Development and Construction Department Current

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

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

STAFF ANALYSIS:

- The requests focus on constructing and maintaining an attached single family with an approximately 1,000 square foot building footprint, part of which would be located in the site's 10' side yard setbacks on southwest and northeast sides of site that is currently undeveloped.
- According to calculations taken from the submitted site plan by the Board Administrator, two areas of approximately 250 square feet each (or a combined total of 1/2) of the approximately 1,000 square foot building footprint are located in the required 10' side yard setbacks on the southwest and northeast sides of the subject site.
- The site is flat, rectangular in shape (40' x 50'), and according to the application, 2,000 square feet in area. The site is zoned PD No. 193 (MF-2).
- The applicant has the burden of proof in establishing the following:
 - That granting the variances to side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variances are necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
 - The variances would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
- If the Board were to grant the variance requests, and impose the submitted site plan as a condition, the structure encroaching into the required side yard setbacks would be required to be maintained in the location and to the features shown on this document.





1:1,200

AERIAL MAP

Case no: BDA112-027

Date: 2/16/2012

Baldwin
Associates

Mr. Steve Long
Board of Adjustment Administrator
City of Dallas
1500 Marilla
Dallas, Texas 75201

Re: BDA112-025, BDA112-026, BDA112-027 & BDA112-028

Dear Steve,

Thank you for your continued assistance with this matter. As you are aware, I am representing Intown-Homes in their efforts to build four (4) new single-family attached dwellings on the property they own at the corner of Hall and Throckmorton in the Oak Lawn area of Dallas. The Property has been recently platted into four (4) lots for the purpose of constructing single-family attached dwellings, similar to the homes immediately adjacent to the Property. These variances are needed to allow this Property to be developed commensurate with the other properties immediately adjacent to us.

Specifically, we are seeking variances to the interior side yards for these homes as shown on the attached exhibit. Before my client bought the Property, they met with the city staff to discuss how they proposed to develop the Property and were told that they could build single-family attached dwellings on the site in the configuration shown on the attached plan. My client then purchased the Property and submitted a replat and site plan and the replat was approved based on the site plan. When they went to get their building permit the city rejected the request because there is a provision in the Oak Lawn Special Purpose District that requires a 10-foot interior side yard for single-family homes in a MF-2 zoning district, unless you are platted as a Residential Development Tract. This side yard requirement is hard to find in the ordinance and is not well known by the city staff. This requirement was not applied to our neighboring properties that are developed as townhomes. We are seeking permission to develop this property commensurate with our neighbors.

I have spoken with both the city staff and members of the Oak Lawn Commission about this issue. They both agreed that there is a setback requirement, but they were also both surprised that this regulation applied to this property. It turns out that the purpose of this requirement is to prohibit flag lots, which we are not proposing. Flag lots are where single-family lots are developed with a minimal amount of frontage on a public street. In an effort to control flag lots, the city amended the Oak Lawn Special Purpose district to allow for what are called "Residential Development Tracts" where a lot can be subdivided to allow for single-

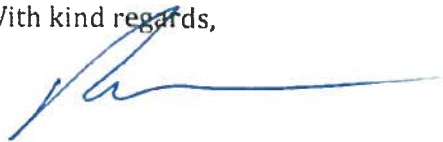
family attached development and the entire property is treated as a single lot for zoning purposes. Unfortunately for us, Residential Development Tract development requires a 20-foot wide access easement on the property that cannot be located in a required front yard. Residential development tracts work well most of the time, but do not work for corner lots. Unfortunately, this Property cannot be developed as a Residential Development Tract because it is only 50-feet wide and it is located on a corner.

Since the Property is located on a corner, each lot will have a required 20-foot front yard on Throckmorton and the northernmost lot will actually have two (2) required front yards: one on Throckmorton and one on Hall Street. Because Residential Development Tracts must have a 20-foot access easement and the Property must also provide a 20-foot front yard along Throckmorton. If we were to meet both requirements, the resulting building area would only be 10-feet wide.

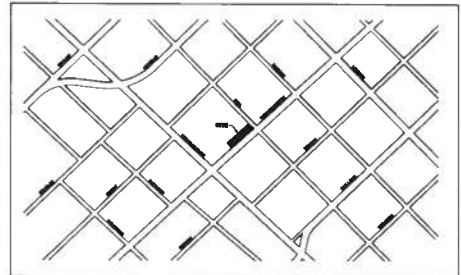
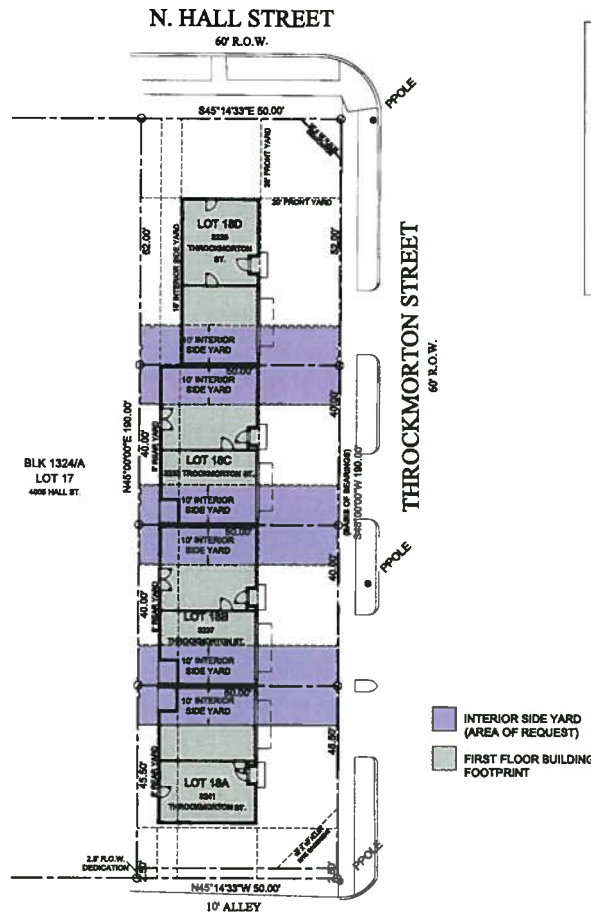
The variance requests associated with development are pretty straightforward. The northernmost lot is seeking permission not to provide a side yard setback on its southern border. The middle two lots are seeking permission not to provide any side yards and the southern lot is seeking permission not to provide a side yard setback on its northern boundary. These requests are designed to allow the Property to be developed with single-family attached dwellings, just like what is built on the other three corners immediately adjacent to the Property.

Thank you for your assistance with this matter. If you have any questions or if I can be of any further assistance, please do not hesitate to contact me.

With kind regards,

A handwritten signature in blue ink, appearing to read 'R. Baldwin', with a long horizontal flourish extending to the right.

Robert B. Baldwin



BDA 112 - 25
 BDA 112 - 26
 BDA 112 - 27
 BDA 112 - 28



1 AREA OF REQUEST
 TO SCALE ON 24"X36" @ 3/32" = 1'-0" NOT TO SCALE ON 11"X17"

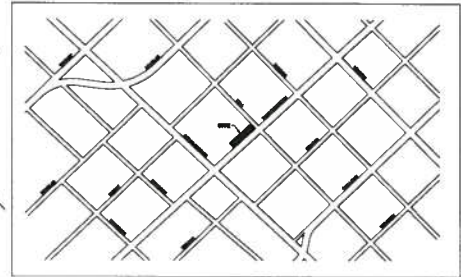


03/05/12
 PROJECT NUMBER
 DATE

BALDWIN ASSOCIATES
 3800 Elm Street, Suite 10
 Dallas, Texas 75226
 PHONE: 214.728.7949
 OFFICE: 214.861.7949
 FAX: 214.728.7950

Baldwin Associates

THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



VICINITY MAP
 NTS

ADJACENT PROPERTY WITH
 ATTACHED, SINGLE-FAMILY
 RESIDENTIAL



- SITE (LOTS 18A - 18D)
- SIMILAR SITES WITH ATTACHED SINGLE-FAMILY RESIDENTIAL ON MF-2 ZONED PROPERTY



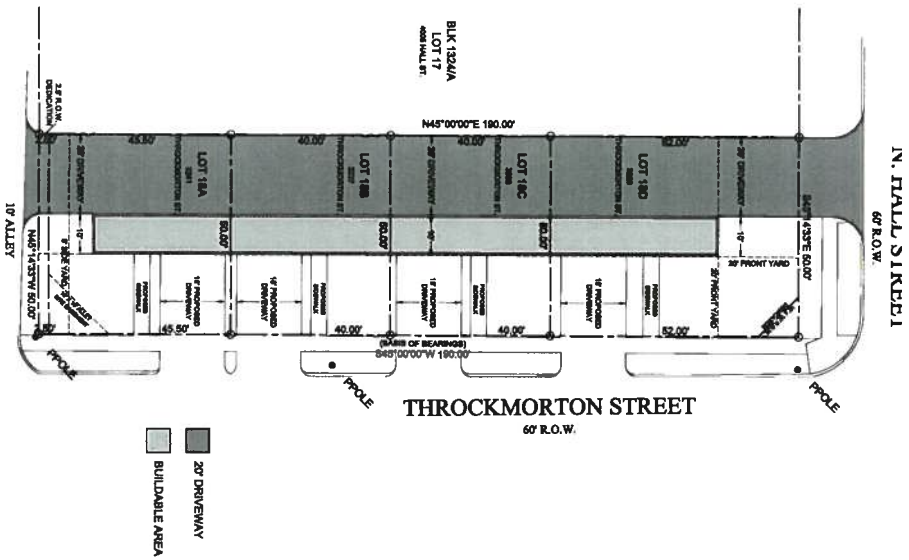
4 ADJACENT PROPERTIES
 NOT TO SCALE

03/02/12
PROJECT NUMBER
DATE

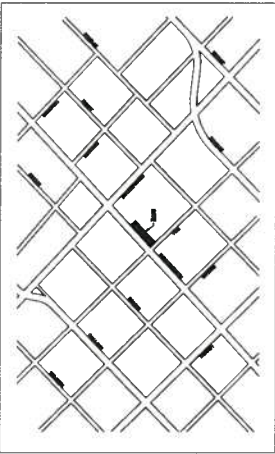
BALDWIN ASSOCIATES
 1001 Elm Street, Suite 10
 Dallas, Texas 75208
 MOBILE: 214.728.7949
 OFFICE: 214.821.7949
 info@baldwinassoc.com

Baldwin Associates

THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS



20' DRIVEWAY
 BUILDABLE AREA



VICINITY MAP
 NTS



3 SITE PLAN WITH 20' DRIVEWAY
 TO SCALE ON 24"X36" @ SIZE = 1"=10' NOT TO SCALE ON 11"X17"



THROCKMORTON & HALL CITY OF DALLAS, TEXAS	4-1		BALDWIN ASSOCIATES 3004 Elm Street, Suite B Dallas, Texas 75226 MOBILE: 214.728.7848 OFFICE: 214.824.7848 info@baldwinplanning.com	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right; padding-right: 5px;">03/02/12</td> </tr> <tr> <td style="padding: 2px;">PROJECT NUMBER</td> </tr> <tr> <td style="padding: 2px;">CASE NUMBER</td> </tr> </table>	03/02/12	PROJECT NUMBER	CASE NUMBER
03/02/12							
PROJECT NUMBER							
CASE NUMBER							



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-027

Date: 12-21-11

Data Relative to Subject Property:

Location address: AKA 3239 The Rock Morton 4001 Hall Street Zoning District: PD-193(MF-2)

Lot No.: 18 B Block No.: A/1324 Acreage: 2000 ft. Census Tract: 6.04

Street Frontage (in Feet): 1) 40 ft 2) _____ 3) _____ 4) _____ 5) _____

SW 22

To the Honorable Board of Adjustment:

Owner of Property/or Principal: Texas Intownhomes, LLC

Applicant: Rob Baldwin Telephone: (214) 824-7949

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception ___ of ___
Interior side yard setback requirements.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The interior side yard setback requirement is inconsistent with development practice and is placing a hardship on the property not shared by other properties in the immediate vicinity.

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

Respectfully submitted: Robert Baldwin
Applicant's name printed

[Signature]
Applicant's signature

Affidavit

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

[Signature]
Affiant (Applicant's signature)

Subscribed and sworn to before me this 19th day of December

[Signature]
Notary Public in and for Dallas County, Texas
Vickie Rader
My Commission Expires
10/13/2012

MEMORANDUM OF
ACTION TAKEN BY THE
BOARD OF ADJUSTMENT

Date of Hearing _____

Appeal was--Granted OR Denied:

Remarks _____

Chairman

Building Official's Report

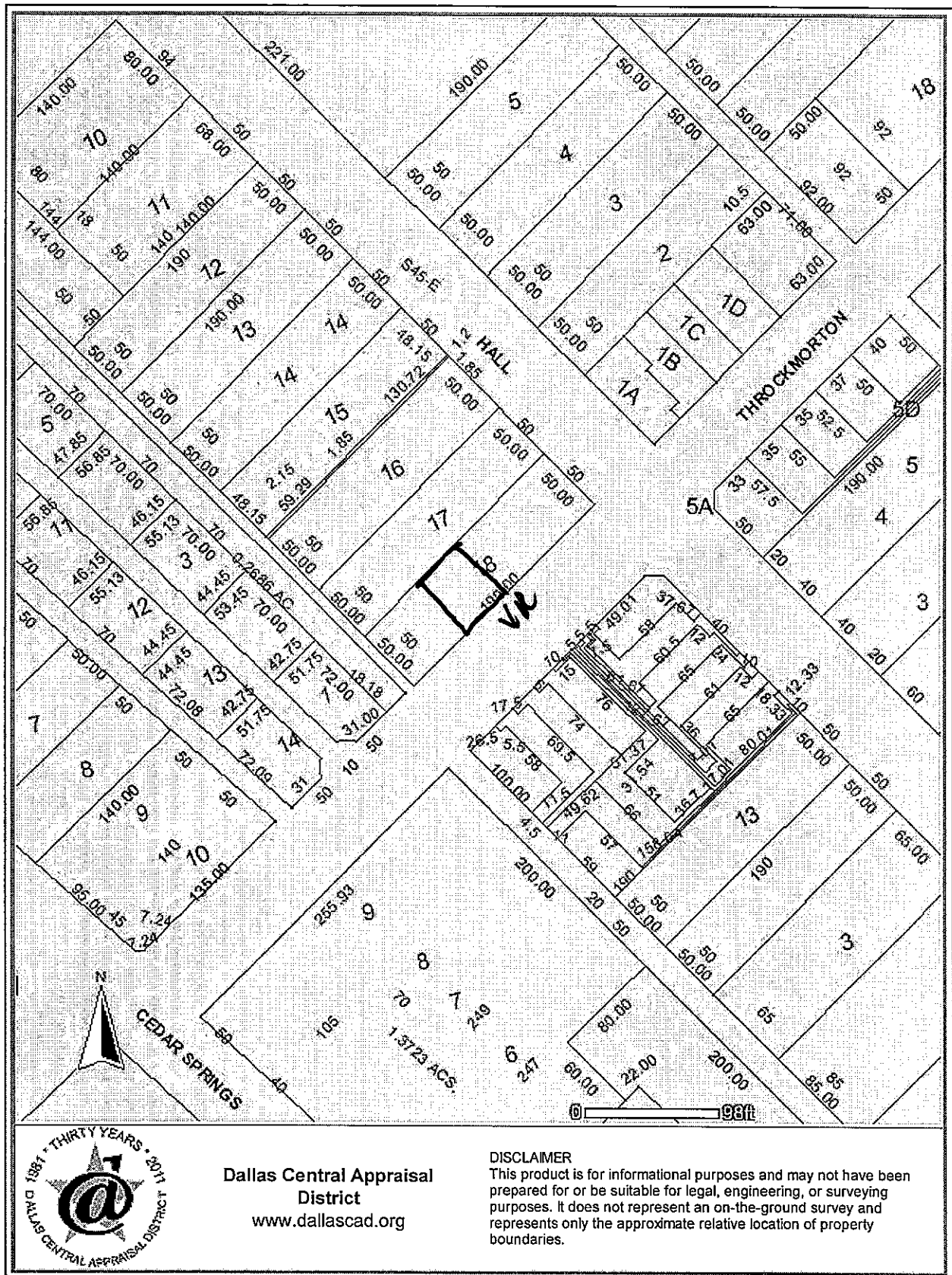
I hereby certify that ROB BALDWIN

did submit a request for a variance to the side yard setback regulation
at 3237 Throckmorton Street

BDA112-027. Application of Rob Baldwin for a variance to the side yard setback regulation at 3237 Throckmorton Street. This property is more fully described as lot 18B in city block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct a single family residential structure and provide a 0 foot side yard setback, which will require a 10 foot variance to the side yard setback regulation.

Sincerely,

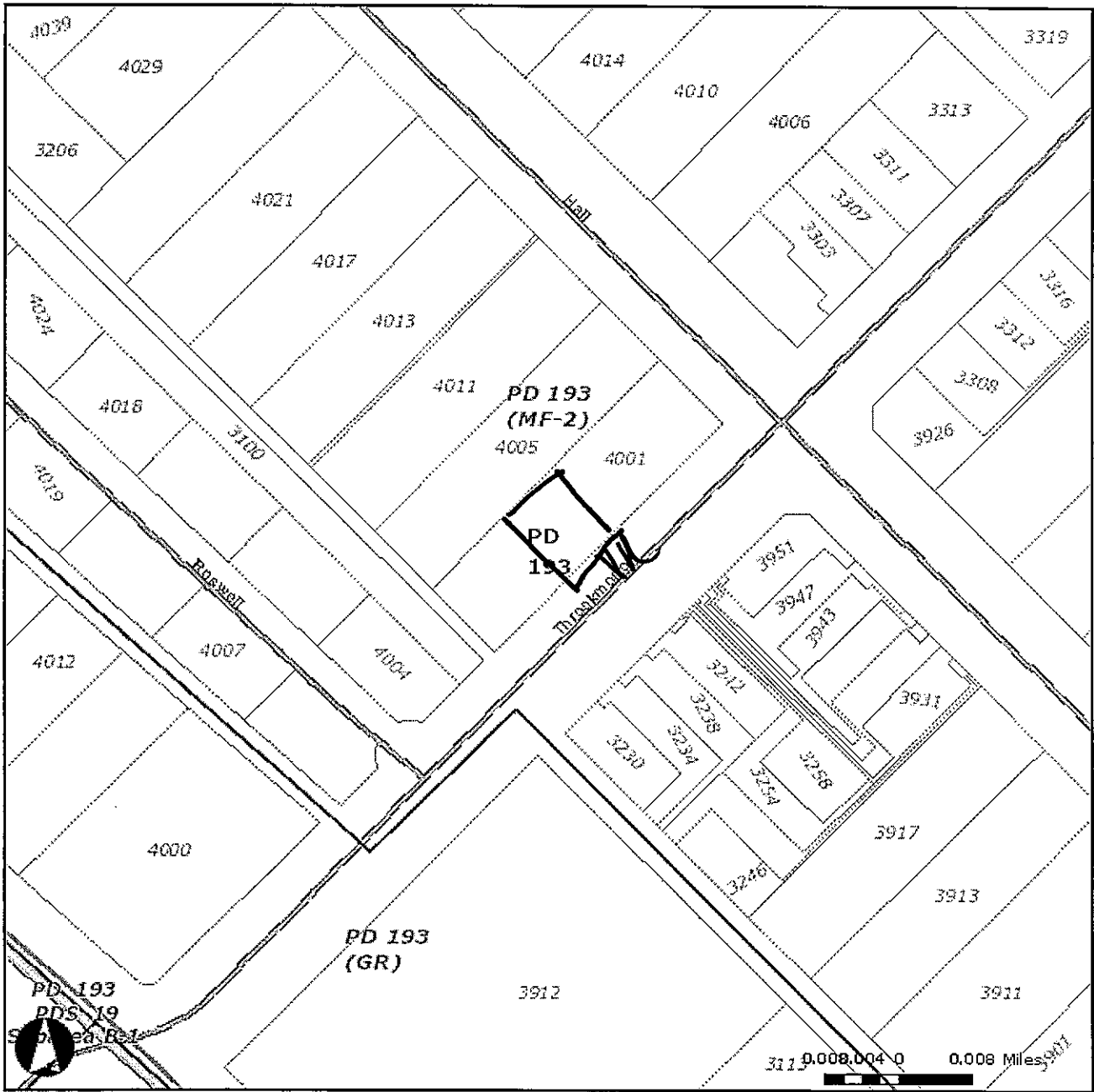

Lloyd Denman, Building Official



Dallas Central Appraisal District
 www.dallascad.org

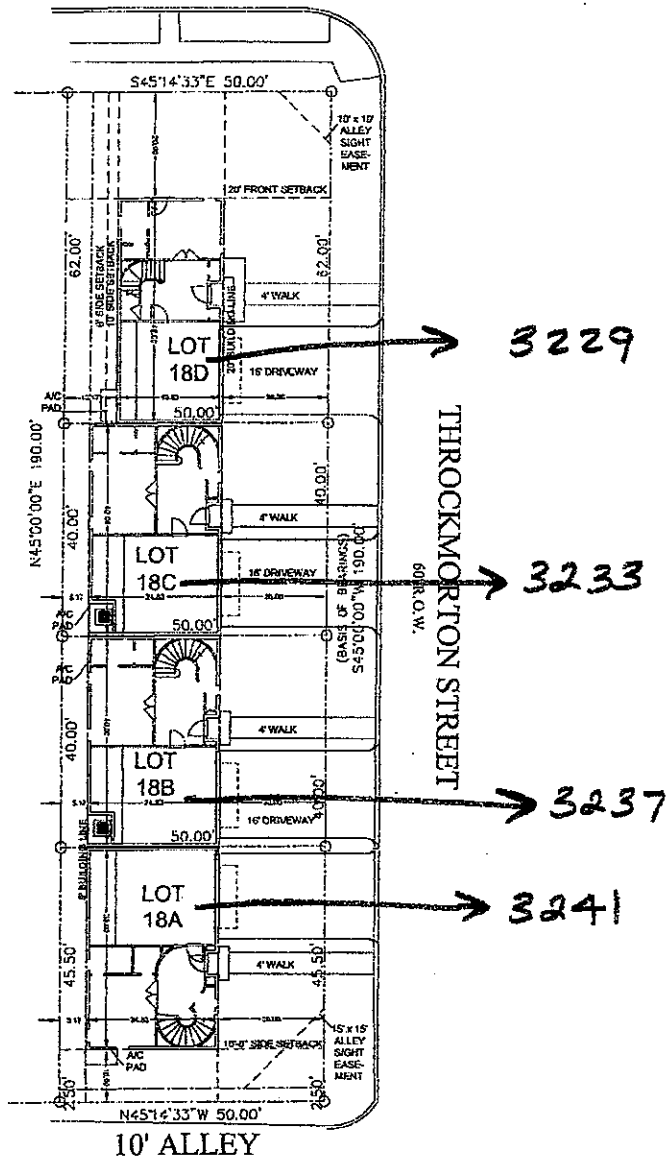
DISCLAIMER
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

City of Dallas Zoning



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

N. HALL STREET
60' R.O.W.



D-1	<p>HALL INTOWN ADDITION LOTS 18A, 18B, 18C, & 18D, BLOCK 4/1234 2.500 ACRES, 7.0234 ACRES WALKWAY SURVEY SERVICE, SURVEY NO. 024 CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY OF DALLAS PLAT FILE NO. 340-042</p>	<p>TEXAS INTOWN Homes 1120 Oak Houston, TX 77027 (713) 561-3877</p>	REVISIONS:
			<p>SITE PLAN</p>



AFFIDAVIT

BDA Case # 112-027

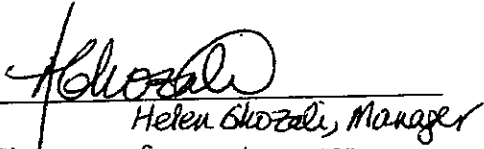
I, Texas InTownHomes, L.L.C., Owner of the subject property
at: 3237 THROUGHMORON
~~KVA~~ 4001 Hall Street Authorize (applicant) Robert Baldwin to pursue an appeal to the City of

Dallas Board of Adjustment for the following request (s):

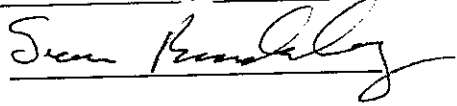
Variance (please specify) Side yard setback

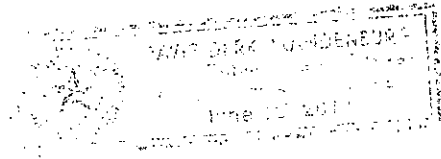
Special Exception (please specify)

Other (please specify)

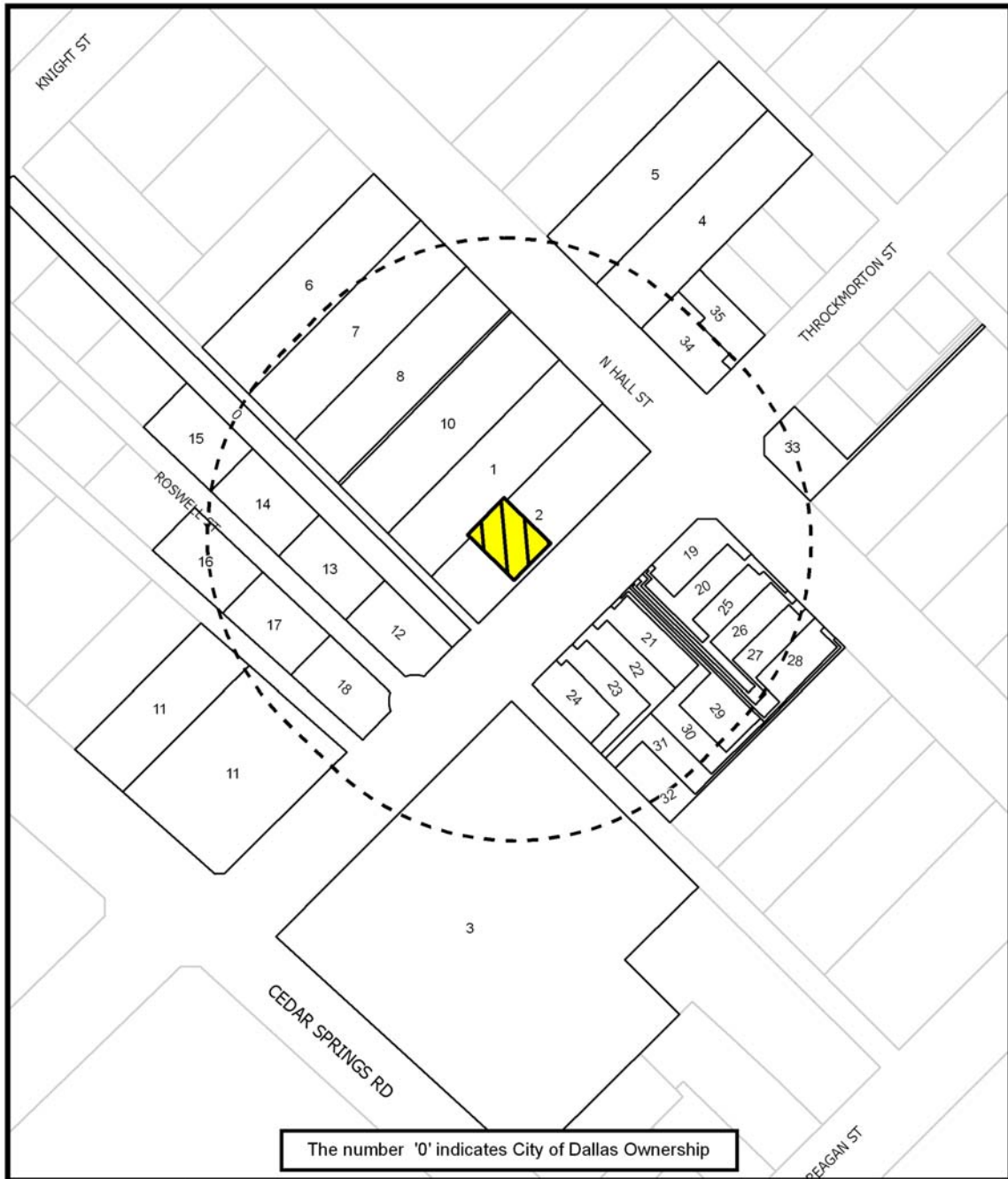
<u>Texas InTownHomes, LLC</u>		<u>12/12/11</u>
Print name of property owner	Signature of property owner	Date

Before me the undersigned on the day of personally appeared Helen Ghozali, Manager of Texas InTownHomes, L.L.C. Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

Subscribed and sworn to before me this 12 day of December, 2011




Notary Public on and for
Harris County, Texas
Commission expires on 6-10-2014



 1:1,200	<h2 style="text-align: center;">NOTIFICATION</h2> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">200'</td> <td>AREA OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">35</td> <td>NUMBER OF PROPERTY OWNERS NOTIFIED</td> </tr> </table>	200'	AREA OF NOTIFICATION	35	NUMBER OF PROPERTY OWNERS NOTIFIED	Case no: <u>BDA112-027</u> Date: <u>2/16/2012</u>
200'	AREA OF NOTIFICATION					
35	NUMBER OF PROPERTY OWNERS NOTIFIED					

Notification List of Property Owners

BDA112-027

35 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4005 HALL ST	RAHEBI NASSRIN & ZAVAREH ZAVAREH
2	4001 HALL ST	TEXAS INTOWNHOMES LLC
3	3912 CEDAR SPRINGS RD	RSA INC % HARRY B LUCAS COMPANIES
4	4006 HALL ST	KAHN PATSY CARTWRIGHT
5	4010 HALL ST	KAHN PATSY C
6	4021 HALL ST	NGUYEN PHIL PHU & MARY THU
7	4017 HALL ST	BOLK WILLIAM JOSEPH
8	4013 HALL ST	ESTRADA EDUARDO J
9	4011 HALL ST	NISCOLN LLC
10	4011 HALL ST	NISCOLN LLC
11	4010 CEDAR SPRINGS RD	BEKSAF LIMITED PARTNERSHIP
12	4004 ROSWELL CT	SERRETTE ELROD J
13	4006 ROSWELL CT	JAROUSE MARK
14	4012 ROSWELL CT	LONG CHRISTOPHER R
15	4018 ROSWELL CT	MANDALA STEPHEN & JESSICA
16	4011 ROSWELL CT	FRANKEL ANDREW H & JANELL L EILERS
17	4007 ROSWELL CT	IRION ROBERT P & TERRI T
18	4001 ROSWELL CT	DOOM DAVID N
19	3951 HALL ST	CHASMAWALA JAYSHRI
20	3947 HALL ST	SMITH JOEL M
21	3242 THROCKMORTON ST	CHUNG YUN J
22	3238 THROCKMORTON ST	C & P REALTY LLC STE B 3 115
23	3234 THROCKMORTON ST	CARPENTER CHARLES E
24	3230 THROCKMORTON ST	ELLIOT A RAYMOND & FOX THOMAS P
25	3943 HALL ST	EDDINGS AMANDA G
26	3939 HALL ST	JORDAN PETERS S

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	3935 HALL ST	STULTS ROBIN & HARMON
28	3931 HALL ST	ANONETAPIPAT HANSA
29	3258 THROCKMORTON ST	CORTON MARLENE M
30	3254 THROCKMORTON ST	BRAVO JORGE A
31	3250 THROCKMORTON ST	HUTCHINSON SCOT K
32	3246 THROCKMORTON ST	ROBERTS BRIAN
33	3926 HALL ST	CASALE JAMES M & KAREN
34	4000 HALL ST	PARADA LUIS
35	3303 THROCKMORTON ST	BYERLEY ROBERT E JR

FILE NUMBER: BDA 112-028

BUILDING OFFICIAL'S REPORT:

Application of Rob Baldwin for a variance to the side yard setback regulation at 3241 Throckmorton Street. This property is more fully described as Lot 18A in City Block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct and maintain a single family residential structure and provide a 0 foot side yard setback, which will require a variance of 10 feet.

LOCATION: 3241 Throckmorton Street

APPLICANT: Rob Baldwin

REQUEST:

- A variance to the side yard setback regulations of 10' is requested in conjunction with constructing and maintaining an attached single family with an approximately 850 square foot building footprint, part of which would be located in the site's 10' side yard setback on the northeast sides of site that is currently undeveloped. (Note that this application is located immediately southeast of three other properties where the same applicant seeks similar side yard variance requests of the Board of Adjustment Panel C: BDA 112-025, 026, and 027).

STAFF RECOMMENDATION:

Denial

Rationale:

- The applicant had not substantiated how the restrictive area, shape, or slope of the site/lot precludes it from being developed in a manner commensurate with development found on other PD. No. 193 (MF-2) zoned lots or how granting the variance was not to relieve a self-created hardship.

STANDARD FOR A VARIANCE:

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

- not contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done;

- necessary to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope, that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
- not granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land with the same zoning.

GENERAL FACTS:

- PD No. 193 states that minimum side yard setback for multiple-family structures 36’ in height or less on lots zoned MF-2 Subdistrict is 10 feet.
The applicant had submitted a site plan indicating a structure that provides a 0’ setback from the side property line on the northeast side of the subject site or is 10’ into this required 10’ side yard setback.
- The site is flat, rectangular in shape (42.5’ x 50’), and according to the application, 2,550 square feet in area. The site is zoned PD No. 193 (MF-2).
- DCAD records indicate “no records found” for property at 3241 Throckmorton.
- The applicant submitted additional information beyond what was submitted with the original application (see Attachment A).

BACKGROUND INFORMATION:

Zoning:

Site: PD No. 193 (MF-2) Planned Development, Multifamily)
North: PD No. 193 (MF-2) Planned Development, Multifamily)
South: PD No. 193 (MF-2) Planned Development, Multifamily)
East: PD No. 193 (MF-2) Planned Development, Multifamily)
West: PD No. 193 (MF-2) Planned Development, Multifamily)

Land Use:

The subject site is undeveloped. The areas to the north, south, and west appear to be developed as residential uses; and the area immediately east is undeveloped and the subject sites of BDA 112-025, 026, and 027.

Zoning/BDA History:

- | | |
|---|---|
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|---|---|

- | | |
|--|---|
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Timeline:

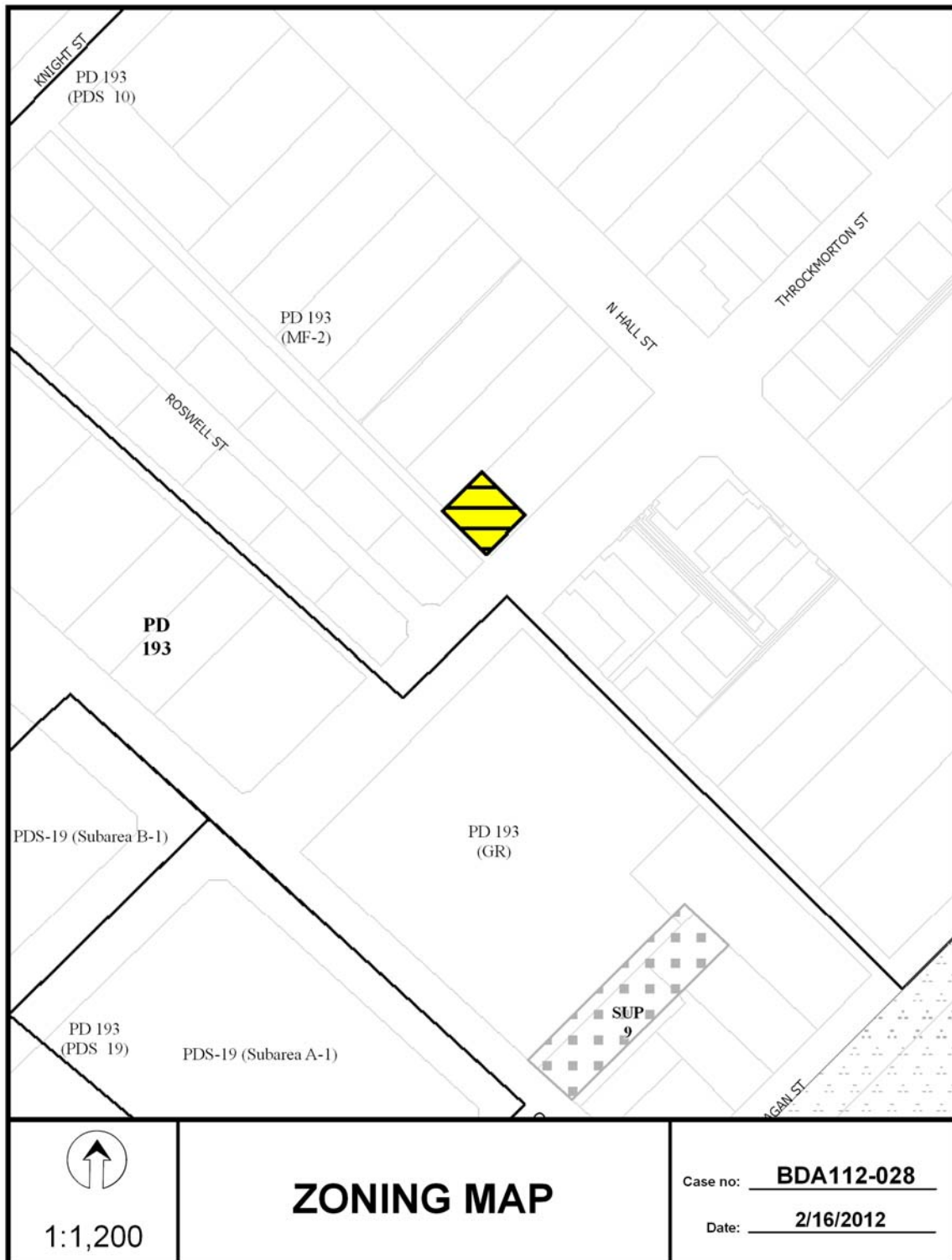
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No review comment sheets with comments were submitted in conjunction with this application.

STAFF ANALYSIS:

- The request focuses on constructing and maintaining an attached single family with an approximately 850 square foot building footprint, part of which would be located in the site's 10' side yard setbacks on northeast side of site that is currently undeveloped.
- According to calculations taken from the submitted site plan by the Board Administrator, an approximately 250 square foot area (or approximately 1/3) of the approximately 850 square foot building footprint is located in the required 10' side yard setback on the northeast side of the site.
- The site is flat, rectangular in shape (42.5' x 50'), and according to the application, 2,550 square feet in area. The site is zoned PD No. 193 (MF-2).
- The applicant has the burden of proof in establishing the following:
 - That granting the variance to side yard setback regulations will not be contrary to the public interest when, owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the spirit of the ordinance will be observed and substantial justice done.
 - The variance is necessary to permit development of the subject site that differs from other parcels of land by being of such a restrictive area, shape, or slope, that the subject site cannot be developed in a manner commensurate with the development upon other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
 - The variance would not be granted to relieve a self created or personal hardship, nor for financial reasons only, nor to permit any person a privilege in developing this parcel of land (the subject site) not permitted by this chapter to other parcels of land in districts with the same PD No. 193 (MF-2) zoning classification.
- If the Board were to grant the variance request, and impose the submitted site plan as a condition, the structure encroaching into the required side yard setback would be required to be maintained in the location and to the features shown on this document.




 1:1,200

ZONING MAP

Case no: BDA112-028
 Date: 2/16/2012



1:1,200

AERIAL MAP

Case no: BDA112-028

Date: 2/16/2012

Baldwin
Associates

Mr. Steve Long
Board of Adjustment Administrator
City of Dallas
1500 Marilla
Dallas, Texas 75201

Re: BDA112-025, BDA112-026, BDA112-027 & BDA112-028

Dear Steve,

Thank you for your continued assistance with this matter. As you are aware, I am representing Intown-Homes in their efforts to build four (4) new single-family attached dwellings on the property they own at the corner of Hall and Throckmorton in the Oak Lawn area of Dallas. The Property has been recently platted into four (4) lots for the purpose of constructing single-family attached dwellings, similar to the homes immediately adjacent to the Property. These variances are needed to allow this Property to be developed commensurate with the other properties immediately adjacent to us.

Specifically, we are seeking variances to the interior side yards for these homes as shown on the attached exhibit. Before my client bought the Property, they met with the city staff to discuss how they proposed to develop the Property and were told that they could build single-family attached dwellings on the site in the configuration shown on the attached plan. My client then purchased the Property and submitted a replat and site plan and the replat was approved based on the site plan. When they went to get their building permit the city rejected the request because there is a provision in the Oak Lawn Special Purpose District that requires a 10-foot interior side yard for single-family homes in a MF-2 zoning district, unless you are platted as a Residential Development Tract. This side yard requirement is hard to find in the ordinance and is not well known by the city staff. This requirement was not applied to our neighboring properties that are developed as townhomes. We are seeking permission to develop this property commensurate with our neighbors.

I have spoken with both the city staff and members of the Oak Lawn Commission about this issue. They both agreed that there is a setback requirement, but they were also both surprised that this regulation applied to this property. It turns out that the purpose of this requirement is to prohibit flag lots, which we are not proposing. Flag lots are where single-family lots are developed with a minimal amount of frontage on a public street. In an effort to control flag lots, the city amended the Oak Lawn Special Purpose district to allow for what are called "Residential Development Tracts" where a lot can be subdivided to allow for single-

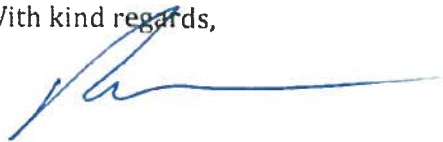
family attached development and the entire property is treated as a single lot for zoning purposes. Unfortunately for us, Residential Development Tract development requires a 20-foot wide access easement on the property that cannot be located in a required front yard. Residential development tracts work well most of the time, but do not work for corner lots. Unfortunately, this Property cannot be developed as a Residential Development Tract because it is only 50-feet wide and it is located on a corner.

Since the Property is located on a corner, each lot will have a required 20-foot front yard on Throckmorton and the northernmost lot will actually have two (2) required front yards: one on Throckmorton and one on Hall Street. Because Residential Development Tracts must have a 20-foot access easement and the Property must also provide a 20-foot front yard along Throckmorton. If we were to meet both requirements, the resulting building area would only be 10-feet wide.

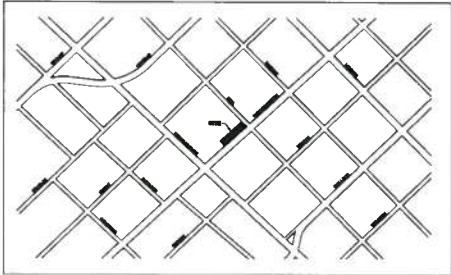
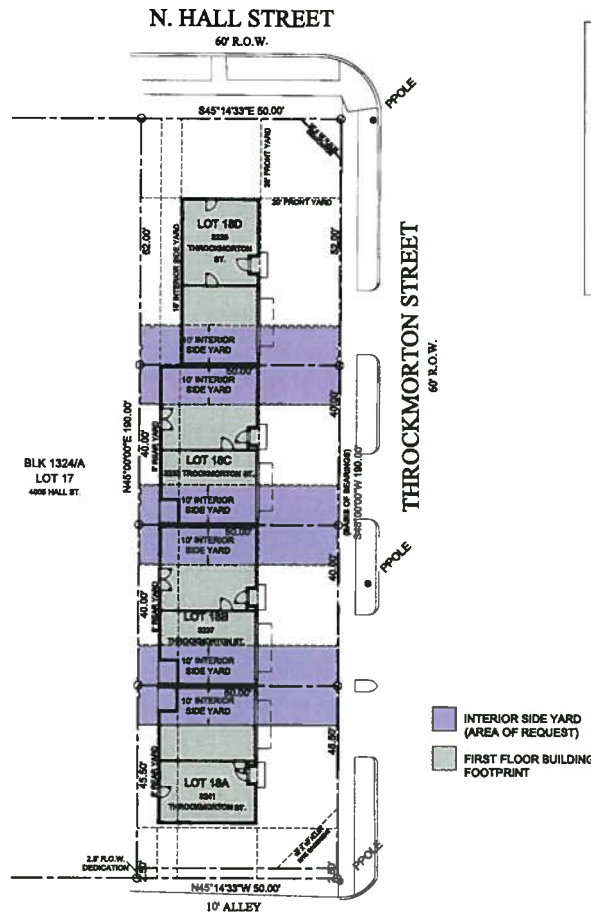
The variance requests associated with development are pretty straightforward. The northernmost lot is seeking permission not to provide a side yard setback on its southern border. The middle two lots are seeking permission not to provide any side yards and the southern lot is seeking permission not to provide a side yard setback on its northern boundary. These requests are designed to allow the Property to be developed with single-family attached dwellings, just like what is built on the other three corners immediately adjacent to the Property.

Thank you for your assistance with this matter. If you have any questions or if I can be of any further assistance, please do not hesitate to contact me.

With kind regards,

A handwritten signature in blue ink, appearing to read 'R. Baldwin', with a long horizontal flourish extending to the right.

Robert B. Baldwin



VICINITY MAP
 NTS

BDA 112 - 25
 BDA 112 - 26
 BDA 112 - 27
 BDA 112 - 28



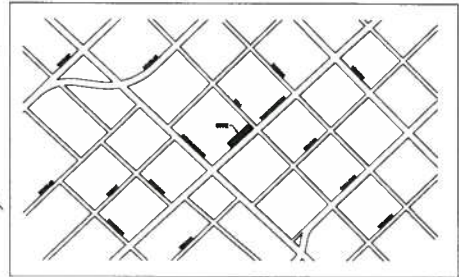
1

AREA OF REQUEST

TO SCALE ON 24"X36" @ 3/32" = 1'-0" NOT TO SCALE ON 11"X17"



03/05/12	
PROJECT NUMBER	DATE
BALDWIN ASSOCIATES	
3800 Elm Street, Suite 10 Dallas, Texas 75226 PHONE: 214.728.7949 OFFICE: 214.861.7949 WWW.BALDWINASSOCIATES.COM	
Baldwin Associates	
THROCKMORTON & HALL CITY OF DALLAS, TEXAS	



VICINITY MAP
 NTS

ADJACENT PROPERTY WITH
 ATTACHED, SINGLE-FAMILY
 RESIDENTIAL



- SITE (LOTS 18A - 18D)
- SIMILAR SITES WITH ATTACHED SINGLE-FAMILY RESIDENTIAL ON MF-2 ZONED PROPERTY



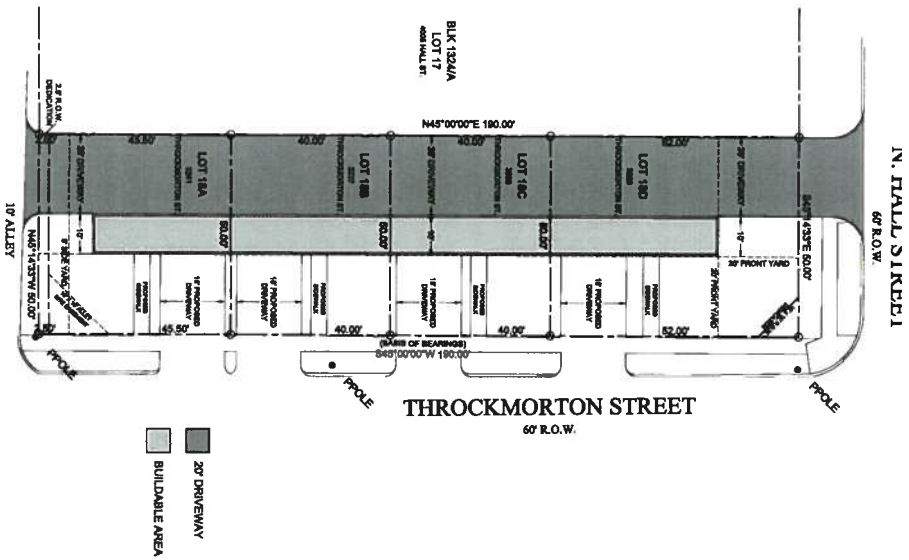
4 ADJACENT PROPERTIES
 NOT TO SCALE

03/02/12
PROJECT NUMBER
DATE

BALDWIN ASSOCIATES
 1001 Elm Street, Suite 10
 Dallas, Texas 75208
 MOBILE: 214.728.7949
 OFFICE: 214.821.7949
 info@baldwinassoc.com

Baldwin Associates

THROCKMORTON & HALL
 CITY OF DALLAS, TEXAS

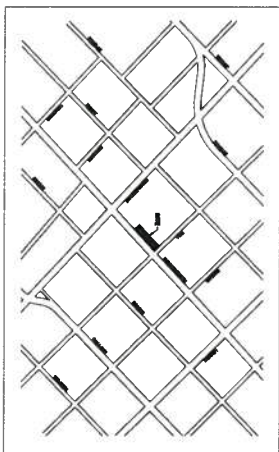


20' DRIVEWAY
 BUILDABLE AREA



3

SITE PLAN WITH 20' DRIVEWAY
 TO SCALE ON 24\"/>



VICINITY MAP
 NTS



THROCKMORTON & HALL CITY OF DALLAS, TEXAS	5-1
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Baldwin Associates	BALDWIN ASSOCIATES 3004 Elm Street, Suite B Dallas, Texas 75226 MOBILE: 214.728.7848 OFFICE: 214.824.7848 info@baldwinplanning.com
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03/02/12 <small>PROJECT NUMBER</small>	<small>CASE NUMBER</small>
--	----------------------------



City of Dallas

APPLICATION/APEAL TO THE BOARD OF ADJUSTMENT

Case No.: BDA 112-028

Date: 12-21-11

Data Relative to Subject Property:

3241 Thricketon

Location address: 4001 Hall Street Zoning District: PD-193(MF-2)

Lot No.: 18 A Block No.: A/1324 Acreage: 2550 sq. ft. Census Tract: 6.04

Street Frontage (in Feet): 1) 43 2) 3) 4) 5) gw22

To the Honorable Board of Adjustment:

Owner of Property/or Principal: Texas Intownhomes, LLC

Applicant: Rob Baldwin Telephone: (214) 824-7949

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

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

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

Affirm that a request has been made for a Variance X, or Special Exception of Interior side yard setback requirements.

Application is now made to the Honorable Board of Adjustment, in accordance with the provisions of the Dallas Development Code, to grant the described request for the following reason: The interior side yard setback requirement is inconsistent with development practice and is placing a hardship on the property not shared by other properties in the immediate vicinity.

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

Respectfully submitted: Robert Baldwin Applicant's name printed

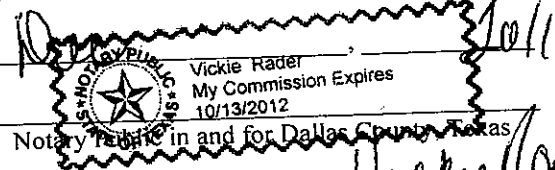
Applicant's signature

Affidavit

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

Affiant (Applicant's signature)

Subscribed and sworn to before me this 19th day of



Notary Public in and for Dallas County, Texas Vickie Rader

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 ROB BALDWIN

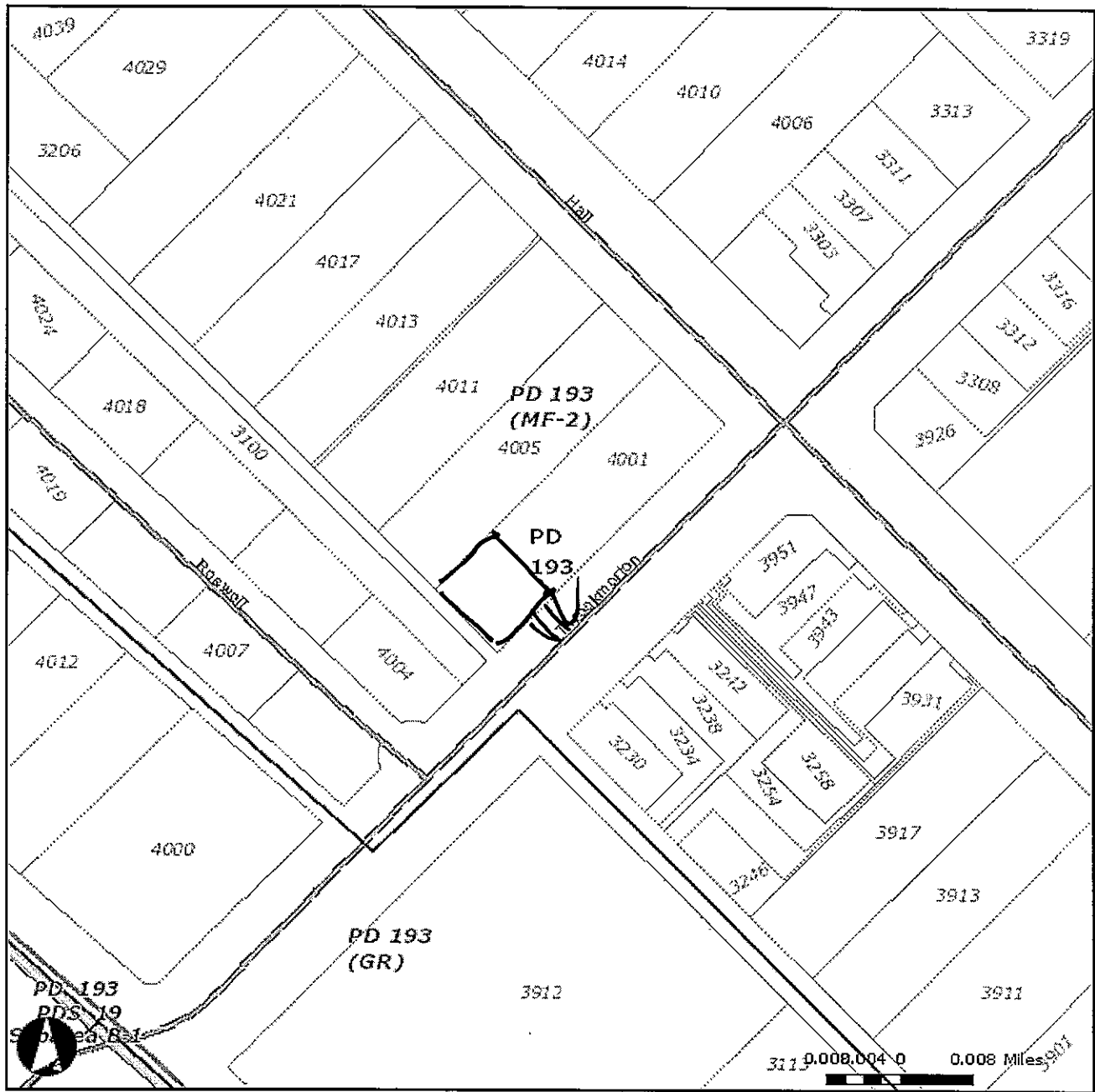
did submit a request for a variance to the side yard setback regulation
at 3241 Throckmorton Street

BDA112-028. Application of Rob Baldwin for a variance to the side yard setback regulation at 3241 Throckmorton Street. This property is more fully described as lot 18A in city block A/1324 and is zoned PD-193 (MF-2), which requires side yard setback of 10 feet. The applicant proposes to construct a single family residential structure and provide a 0 foot side yard setback, which will require a 10 foot variance to the side yard setback regulation.

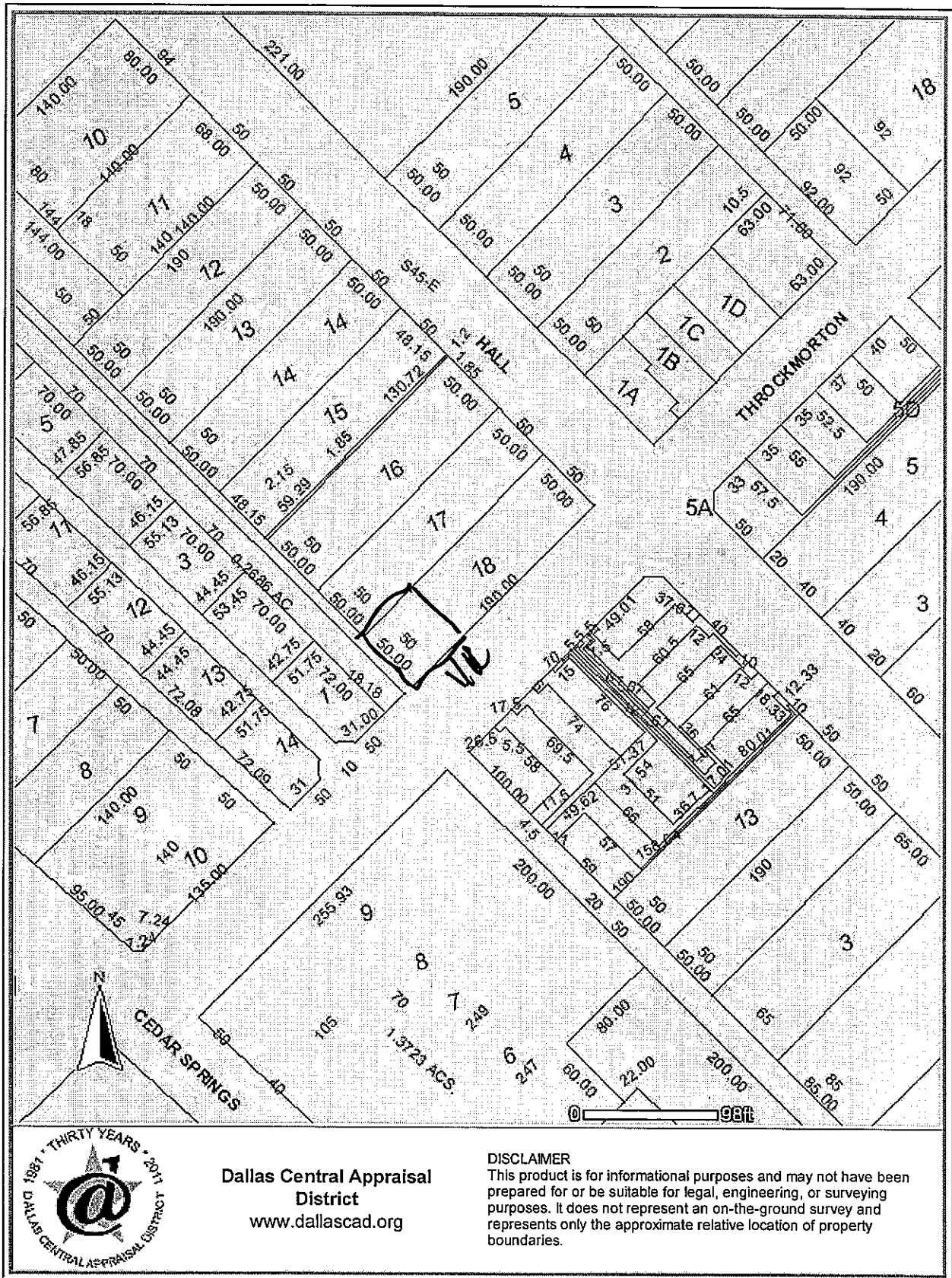
Sincerely,


Lloyd Denman, Building Official

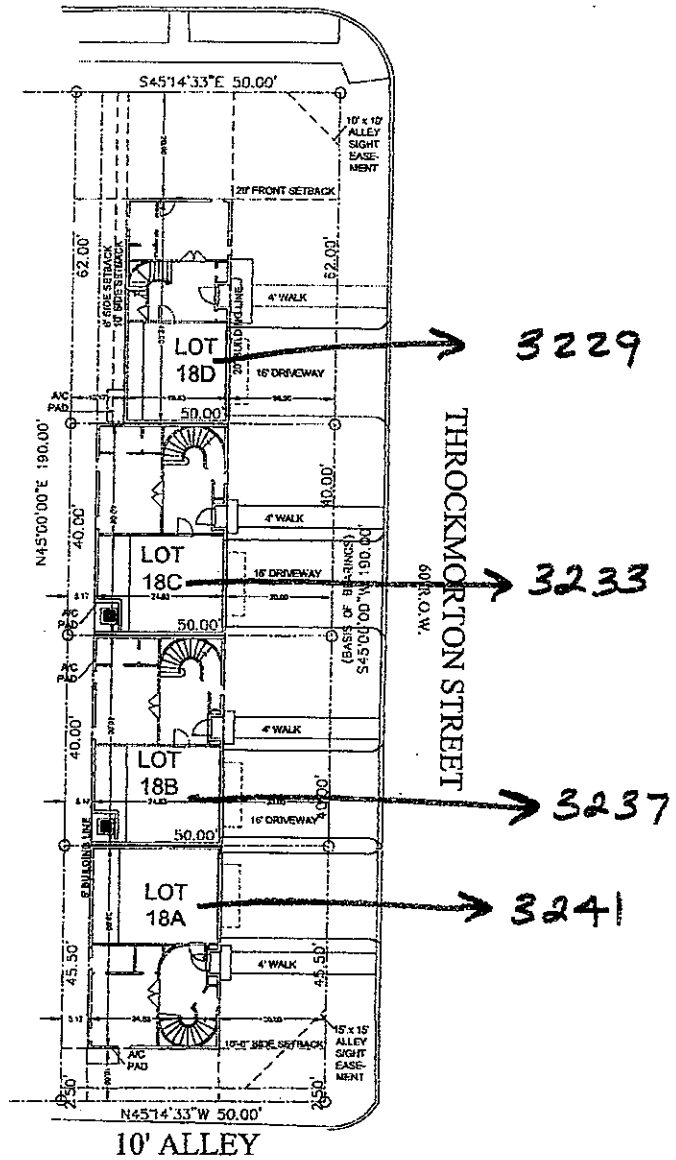
City of Dallas Zoning



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



N. HALL STREET
60' R.O.W.



D-1	HALL INTOWN ADDITION LOTS 18A, 18B, 18C, & 18D, BLOCK 4/1234 1200 SQ. FT. / 0.218 ACRES VILLAGE COUNTRY SURVEY, ABSTRACT 89, 80, CITY OF DALLAS, DALLAS COUNTY, TEXAS CITY OF DALLAS PLAT FILE NO. 200-041	TEXAS INTOWN Homes 7329 Olive Houston, TX 77007 (713) 961-3377	REVISIONS:
			1. _____ 2. _____ 3. _____ 4. _____ 5. _____
SITE PLAN			



AFFIDAVIT

BDA Case # 112-028

I, Texas InTownHomes, L.L.C., Owner of the subject property
3241 Throckmorton
at: 14001 Hall Street Authorize (applicant) Robert Baldwin to pursue an appeal to the City of
Dallas Board of Adjustment for the following request (s):

X Variance (please specify) Side yard setback

Special Exception (please specify)

Other (please specify)

<u>Texas InTownHomes, LLC</u>	<u>Helen Ghazali</u>	<u>12/12/11</u>
Print name of property owner	Signature of property owner	Date

Before me the undersigned on the day of personally appeared Helen Ghazali, Manager of Texas InTownHomes, L.L.C. Who on his/her oath certifies that the above statements are true and correct to his/her best knowledge.

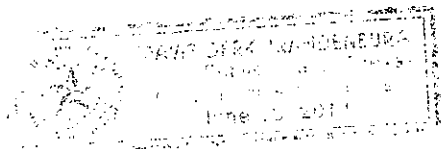
Subscribed and sworn to before me this 12 day of December, 2011

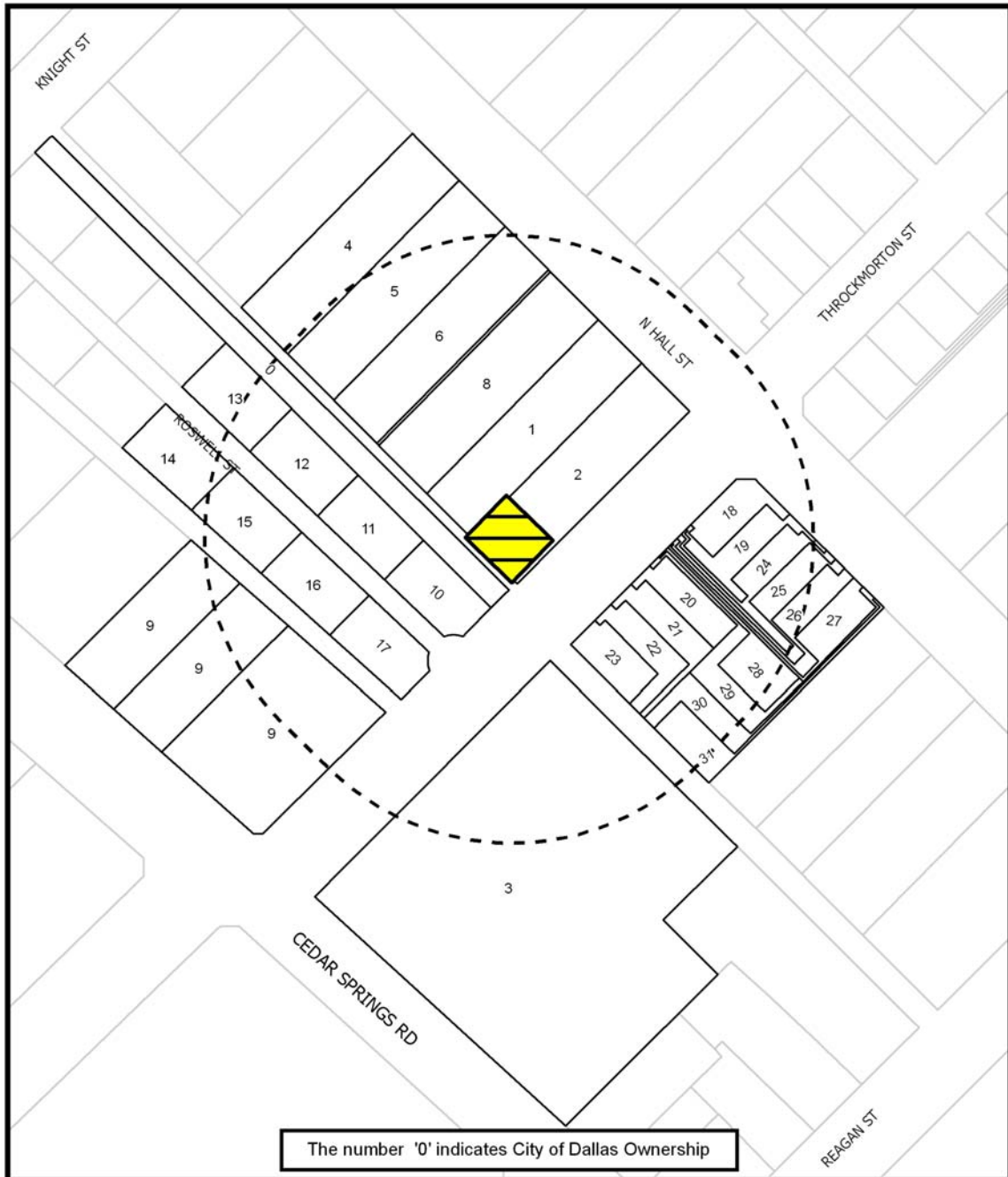
Sean Kennedy

Notary Public on and for

Harris County, Texas

Commission expires on 6-10-2014





 1:1,200	NOTIFICATION		Case no: BDA112-028
	<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;">31</div> NUMBER OF PROPERTY OWNERS NOTIFIED		Date: 2/16/2012

Notification List of Property Owners

BDA112-028

31 Property Owners Notified

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	4005 HALL ST	RAHEBI NASSRIN & ZAVAREH ZAVAREH
2	4001 HALL ST	TEXAS INTOWNHOMES LLC
3	3912 CEDAR SPRINGS RD	RSA INC % HARRY B LUCAS COMPANIES
4	4021 HALL ST	NGUYEN PHIL PHU & MARY THU
5	4017 HALL ST	BOLK WILLIAM JOSEPH
6	4013 HALL ST	ESTRADA EDUARDO J
7	4011 HALL ST	NISCOLN LLC
8	4011 HALL ST	NISCOLN LLC
9	4012 CEDAR SPRINGS RD	BEKSAF LIMITED PARTNERSHIP
10	4004 ROSWELL CT	SERRETTE ELROD J
11	4006 ROSWELL CT	JAROUSE MARK
12	4012 ROSWELL CT	LONG CHRISTOPHER R
13	4018 ROSWELL CT	MANDALA STEPHEN & JESSICA
14	4019 ROSWELL CT	FULTON RYAN J
15	4011 ROSWELL CT	FRANKEL ANDREW H & JANELL L EILERS
16	4007 ROSWELL CT	IRION ROBERT P & TERRI T
17	4001 ROSWELL CT	DOOM DAVID N
18	3951 HALL ST	CHASMAWALA JAYSHRI
19	3947 HALL ST	SMITH JOEL M
20	3242 THROCKMORTON ST	CHUNG YUN J
21	3238 THROCKMORTON ST	C & P REALTY LLC STE B 3 115
22	3234 THROCKMORTON ST	CARPENTER CHARLES E
23	3230 THROCKMORTON ST	ELLIOT A RAYMOND & FOX THOMAS P
24	3943 HALL ST	EDDINGS AMANDA G
25	3939 HALL ST	JORDAN PETERS S
26	3935 HALL ST	STULTS ROBIN & HARMON
27	3931 HALL ST	ANONETAPIPAT HANSA
28	3258 THROCKMORTON ST	CORTON MARLENE M
29	3254 THROCKMORTON ST	BRAVO JORGE A
30	3250 THROCKMORTON ST	HUTCHINSON SCOT K

31 3246 THROCKMORTON ST ROBERTS BRIAN